



US008794781B2

(12) **United States Patent**
Kuelbs

(10) **Patent No.:** **US 8,794,781 B2**
(45) **Date of Patent:** **Aug. 5, 2014**

(54) **UMBRELLA APPARATUS**
(75) Inventor: **Gregory G. Kuelbs**, Westlake, TX (US)
(73) Assignee: **World Factory, Inc.**, Westlake, TX (US)
(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 886 days.

3,129,715 A	4/1964	Militano et al.	
3,801,809 A	4/1974	Slade	
3,878,387 A	4/1975	Kovacic	
4,346,606 A	8/1982	Cannon et al.	
4,540,929 A	9/1985	Binkley et al.	
4,893,356 A	1/1990	Waters	
4,920,897 A	5/1990	Reed et al.	
5,053,931 A *	10/1991	Rushing	362/102
5,055,984 A	10/1991	Hung et al.	
5,116,258 A	5/1992	Vennik	
5,126,922 A	6/1992	Andreasen	362/32
5,141,010 A	8/1992	Muller et al.	

(21) Appl. No.: **10/650,537**

(22) Filed: **Aug. 28, 2003**

(65) **Prior Publication Data**
US 2004/0149325 A1 Aug. 5, 2004

Related U.S. Application Data
(63) Continuation of application No. 10/068,424, filed on Feb. 7, 2002, now Pat. No. 6,612,713.
(60) Provisional application No. 60/267,018, filed on Feb. 7, 2001, provisional application No. 60/335,933, filed on Nov. 2, 2001.

(51) **Int. Cl.**
A45B 3/02 (2006.01)
(52) **U.S. Cl.**
USPC **362/102; 362/577**
(58) **Field of Classification Search**
USPC 362/102, 96, 209, 276, 577, 20, 159, 362/182, 183, 194, 227, 278, 319, 320, 352, 362/431, 450, 800; 135/16, 15.1, 16.22
See application file for complete search history.

(56) **References Cited**
U.S. PATENT DOCUMENTS
2,863,466 A * 12/1958 Small 135/20.3
2,960,094 A * 11/1960 Small 135/22

FOREIGN PATENT DOCUMENTS

JP	9-168415	6/1997
JP	09168415	6/1997
WO	WO 93/00840 A1	1/1993

OTHER PUBLICATIONS

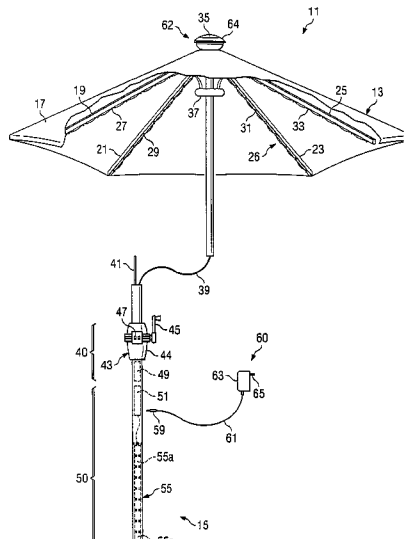
U.S. Appl. No. 11/199,956 titled "Umbrella Apparatus" filed Aug. 9, 2005.

(Continued)

Primary Examiner — Hargobind S Sawhney
(74) *Attorney, Agent, or Firm* — James E. Walton

(57) **ABSTRACT**
A lawn or patio umbrella with an integral lighting system that utilizes cold cathode ray tubes, light emitting diodes (LED's), or florescent lights, to provide relatively bright outdoor light for reading and other activities that require relatively high light intensities is provided. In one embodiment, a modular, electrically powered lawn or patio umbrella in which lighting systems, such as those utilizing cold cathode tubes, LED's, or florescent lights; cooling systems, such as those utilizing electric fans or misting systems; and motorized retraction systems; can be selectively interchanged is provided.

10 Claims, 11 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

5,172,711	A	12/1992	Mueller et al.	135/16
5,217,296	A	6/1993	Tanner et al.	
5,273,062	A	12/1993	Mozdzanowski	135/16
5,349,975	A	9/1994	Valdner	135/16
5,373,287	A	12/1994	Doublet	
5,463,536	A	10/1995	Chou et al.	362/102
5,502,624	A	3/1996	Tu	
5,584,564	A	12/1996	Phyle	362/102
5,611,614	A	3/1997	Morgan	
5,664,874	A *	9/1997	Winterer	362/191
5,758,948	A	6/1998	Hale	
5,819,455	A	10/1998	Tsuda	
5,911,493	A *	6/1999	Walker et al.	362/102
5,937,882	A	8/1999	Harbaugh	
5,954,417	A *	9/1999	Mai	362/102
5,957,717	A	9/1999	Monsef et al.	
6,017,188	A	1/2000	Benton	416/5
6,058,951	A	5/2000	Wilson	
6,089,727	A *	7/2000	Wu	362/102
6,126,293	A *	10/2000	Wu	362/102
6,182,917	B1	2/2001	Lai	
6,196,242	B1	3/2001	Xu	
6,270,230	B1 *	8/2001	Mai	362/102
6,280,874	B1	8/2001	Hensley et al.	
6,298,866	B1 *	10/2001	Molnar, IV	135/16
6,299,325	B1 *	10/2001	Cathel	362/183
6,341,873	B1 *	1/2002	Yang	362/102
6,406,163	B1	6/2002	Yang	
6,439,249	B1 *	8/2002	Pan et al.	135/16
6,499,856	B2 *	12/2002	Lee	362/102
6,612,713	B1	9/2003	Kuelbs	
6,666,224	B2 *	12/2003	Lee	135/16
6,729,742	B2	5/2004	Wismeth et al.	
7,051,744	B2	5/2006	Hung	
7,188,633	B2	3/2007	Zerillo	
7,753,546	B2	7/2010	Kuelbs	
8,069,868	B2	12/2011	Kuelbs	
8,375,966	B2	2/2013	Kuelbs	
2002/0078985	A1 *	6/2002	Farr	135/16
2004/0031510	A1	2/2004	Li	
2004/0149325	A1	8/2004	Kuelbs	
2005/0072451	A1	4/2005	Vivian et al.	
2006/0005869	A1	1/2006	Kuelbs	
2012/0325278	A1	12/2012	Kuelbs	

OTHER PUBLICATIONS

U.S. Appl. No. 10/829,790 titled "Umbrella Apparatus" filed Apr. 22, 2004.
 U.S. Patent Reexamination Control No. 95/000,104 for U.S. Patent No. 6612713.
 Office Action dated Jan. 13, 2010 from U.S. Appl. No. 12/240,845.
 Action Closing Prosecution dated Dec. 18, 2009 from 95/000,104.
 Amendment dated Jan. 18, 2010 from 95/000,104.
 Decision on Petitions dated Mar. 1, 2010 from 95/000,104.
 Decision Dismissing Petition dated Mar. 1, 2010 from 95/000,104.
 Action Closing Prosecution dated Mar. 2, 2010 from 95/000,104.
 Response to Action Closing Prosecution dated Mar. 9, 2010 from 95/000,104.
 Notice of Allowance dated Mar. 9, 2010 from U.S. Appl. No. 12/255,255.
 Appeal Decision Dated Jul. 25, 2013 from U.S. Appl. No. 11/199,956.
 Issue Notice Dated Feb. 19, 2013 from U.S. Appl. No. 13/311,887.
 Examiners Amendment Dated Aug. 27, 2013 from 95/000,104.
 Notice to Issue Reexamination Certificate Dated May 14, 2013 from 95/000,104.
 Litigation Search Report Dated Apr. 17, 2013 from U.S. Appl. No. 13/311,887.
 Response to Office Action Dated Feb. 4, 2013 from U.S. Appl. No. 13/607,911.

Office Action Dated Apr. 15, 2013 from U.S. Appl. No. 13/607,911.
 Amendment After Final Dated Jun. 17, 2013 from U.S. Appl. No. 13/607,911.
 Advisory Action Dated Jul. 3, 2013 from U.S. Appl. No. 13/607,911.
 RCE and Amendment under 37CFR1.114 Dated Sep. 16, 2013 from U.S. Appl. No. 13/607,911.
 Office Action Dated Sep. 27, 2013 from U.S. Appl. No. 13/607,911.
 Interview Summary dated Apr. 5, 2010 from corresponding U.S. Appl. No. 12/240,845.
 Amendment dated Apr. 9, 2010 from corresponding U.S. Appl. No. 12/240,845.
 Final Office Action dated Jul. 6, 2010 from corresponding U.S. Appl. No. 12/240,845.
 Request for Continued Examination and Amendment under 37 CFR 1.114 dated Nov. 4, 2010 from corresponding U.S. Appl. No. 12/240,845.
 Non-Final Office Action dated Dec. 15, 2010 from corresponding U.S. Appl. No. 12/240,845.
 Notice of Publication Dated Mar. 29, 2012 from U.S. Appl. No. 13/311,887.
 Amendment Date Apr. 18, 2012 from U.S. Appl. No. 13/311,887.
 Office Action Dated Aug. 3, 2012 from U.S. Appl. No. 13/311,887.
 Office Action Dated Nov. 2, 2012 from U.S. Appl. No. 13/607,911.
 Filing Receipt Dated Sep. 21, 2012 from U.S. Appl. No. 13/607,911.
 Notice of Allowance Dated Oct. 17, 2012 from U.S. Appl. No. 13/311,887.
 Amendment After Final Dated Oct. 3, 2012 from U.S. Appl. No. 13/311,887.
 Appeal Decision Dated Jan. 10, 2013 from 95/000,104.
 Specification dated Feb. 7, 2002 from U.S. Appl. No. 10/068,424.
 Office Action dated Dec. 9, 2002 from U.S. Appl. No. 10/068,424.
 Amendment dated Feb. 17, 2003 from U.S. Appl. No. 10/068,424.
 Notice of Allowance dated Jun. 20, 2003 from U.S. Appl. No. 10/068,424.
 Amendment dated Jun. 3, 2003 from U.S. Appl. No. 10/068,424.
 Issue Notification dated Sep. 2, 2003 from U.S. Appl. No. 10/068,424.
 Specification dated Feb. 7, 2002 from 95/000,104.
 Request for Reexamination dated Sep. 2, 2003 from 95/000,104.
 Notice of Assignment dated Aug. 12, 2005 from 95/000,104.
 Decision for Granting Reexamination dated Sep. 28, 2005 from 95/000,104.
 First Office Action dated Oct. 3, 2005 from 95/000,104.
 Response to Order Granting Reexamination dated Nov. 8, 2005 from 95/000,104.
 Notice to Correct Papers dated Dec. 5, 2005 from 95/000,104.
 Response to Notice to Correct Papers dated Dec. 12, 2005 from 95/000,104.
 Requester's Comments dated Dec. 15, 2005 from 95/000,104.
 Requester's Comments dated Jan. 16, 2006 from 95/000,104.
 Second Office Action dated Dec. 5, 2006 from 95/000,104.
 Declaration dated Feb. 5, 2007 from 95/000,104.
 Response to Second Office Action dated Feb. 5, 2007 from 95/000,104.
 Requester's Response to Second Office Action dated May 7, 2007 from 95/000,104.
 Notice to Correct Papers dated Jul. 25, 2008 from 95/000,104.
 Response to Notice to Correct Papers dated Aug. 21, 2008 from 95/000,104.
 Notice to Correct Papers dated Mar. 20, 2009 from 95/000,104.
 Requester's Change of Address dated May 31, 2009 from 95/000,104.
 Response to Notice to Correct Papers dated Apr. 17, 2009 from 95/000,104.
 Requester's Response dated May 18, 2009 from 95/000,104.
 Office Action Rejecting Requester's Response dated Aug. 28, 2009 from 95/000,104.
 Requester's Replacement Comments dated Sep. 16, 2009 from 95/000,104.

(56)

References Cited

OTHER PUBLICATIONS

Petition Under 37 CFR 1.181 to Find the Third Party Requester's Replacement Comments in Compliance with 37 CFR 1.948 dated Nov. 16, 2009 from 95/000,104.

Petition Under 37 CFR 1.181 to Enter the Third-Party Requester's Replacement Comments on the Basis of the Examiner's Noncompliance with MPEP 2617 dated Nov. 16, 2009 from 95/000,104.

Petition Under 37 CFR 1.181 to Enter Third Party Requester's Replacement Comments for Failure of the Examiner to Comply with MPEP 2667 dated Nov. 16, 2009 from 95/000,104.

Petition Under 37 CFR 1.183 to Suspend the Rules with Respect to the 50-page Limit for Requester's Comments dated Nov. 16, 2009 from 95/000,104.

Petition Under 37 CFR 1.181 to Enter Third Party Requester's Replacement Comments Because the 50-page Limit has Been Properly Met dated Nov. 16, 2009 from 95/000,104.

Specification dated Oct. 21, 2008 from U.S. Appl. No. 12/255,255.

Notice to File Missing Parts dated Nov. 7, 2008 from U.S. Appl. No. 12/255,255.

Response to File Missing Parts dated Nov. 19, 2008 from U.S. Appl. No. 12/255,255.

Publication dated Mar. 5, 2009 from U.S. Appl. No. 12/255,255.

Non-Final Office Action dated Aug. 7, 2009 from U.S. Appl. No. 12/255,255.

Amendment dated Nov. 6, 2009 from U.S. Appl. No. 12/255,255.

Amendment dated Apr. 18, 2012 from corresponding U.S. Appl. No. 13/311,887.

Non-Final Office Action dated Jan. 18, 2012 from corresponding U.S. Appl. No. 13/311,887.

Amendment dated Apr. 12, 2011 from corresponding U.S. Appl. No. 12/240,845.

Issue Notification from corresponding U.S. Appl. No. 12/240,845.

Notice of Allowance from corresponding U.S. Appl. No. 12/240,845.

Examiner's Answer dated Sep. 20, 2011 from corresponding 95/000,104.

Right of Appeal Notice dated Jan. 12, 2011 from corresponding Patent Reexamination Application/Control No. 95/000,104.

Notice of Appeal of Third Party Requester dated Feb. 10, 2011 from corresponding Patent Reexamination Application/Control No. 95/000,104.

Appeal Brief of Appellant Third Party Requester dated Apr. 8, 2011 from corresponding Patent Reexamination Application/Control No. 95/000,104.

Specification dated Apr. 22, 2008 from U.S. Appl. No. 10/829,790.

Notice to File Missing Parts dated Jun. 30, 2004 from U.S. Appl. No. 10/829,790.

Response to File Missing Parts dated Aug. 24, 2004 from U.S. Appl. No. 10/829,790.

Preliminary Amendment dated Feb. 23, 2005 from U.S. Appl. No. 10/829,790.

Restriction Requirement dated Mar. 15, 2006 from U.S. Appl. No. 10/829,790.

Response to Restriction Requirement dated Aug. 21, 2006 from U.S. Appl. No. 10/829,790.

Non-Final Office Action dated Nov. 7, 2006 from U.S. Appl. No. 10/829,790.

Declaration dated Apr. 3, 2007 from U.S. Appl. No. 10/829,790.

Amendment dated Apr. 3, 2007 from U.S. Appl. No. 10/829,790.

Non-Final Office Action dated Jul. 23, 2007 from U.S. Appl. No. 10/829,790.

Amendment dated Jan. 23, 2008 from U.S. Appl. No. 10/829,790.

Final Office Action dated Mar. 27, 2008 from U.S. Appl. No. 10/829,790.

Notice of Abandonment dated Dec. 15, 2008 from U.S. Appl. No. 10/829,790.

Specification dated Feb. 7, 2007 from U.S. Appl. No. 11/199,956.

Preliminary Amendment dated Aug. 9, 2005 from U.S. Appl. No. 11/199,956.

Request for Continuation Application dated Aug. 9, 2005 from U.S. Appl. No. 11/199,956.

Notice to Correct Application Papers dated Sep. 2, 2005 from U.S. Appl. No. 11/199,956.

Reply to Notice to Correct Application Papers Sep. 15, 2005 from U.S. Appl. No. 11/199,956.

Publication dated Jan. 12, 2006 from U.S. Appl. No. 11/199,956.

Withdrawal of Previous Notice dated Jun. 5, 2007 from U.S. Appl. No. 11/199,956.

Non-Final Office Action dated Jun. 5, 2007 from U.S. Appl. No. 11/199,956.

Amendment dated Dec. 5, 2007 from U.S. Appl. No. 11/199,956.

Non-Final Office Action dated Mar. 3, 2008 from U.S. Appl. No. 11/199,956.

Request for Continued Examination dated Sep. 2, 2008 from U.S. Appl. No. 11/199,956.

Non-Final Office Action dated Nov. 7, 2008 from U.S. Appl. No. 11/199,956.

Notice of Appeal dated Feb. 3, 2009 from U.S. Appl. No. 11/199,956.

Appeal Brief dated Apr. 3, 2009 from U.S. Appl. No. 11/199,956.

Examiner's Answer dated Jul. 17, 2009 from U.S. Appl. No. 11/199,956.

Reply Brief dated Sep. 8, 2009 from U.S. Appl. No. 11/199,956.

* cited by examiner

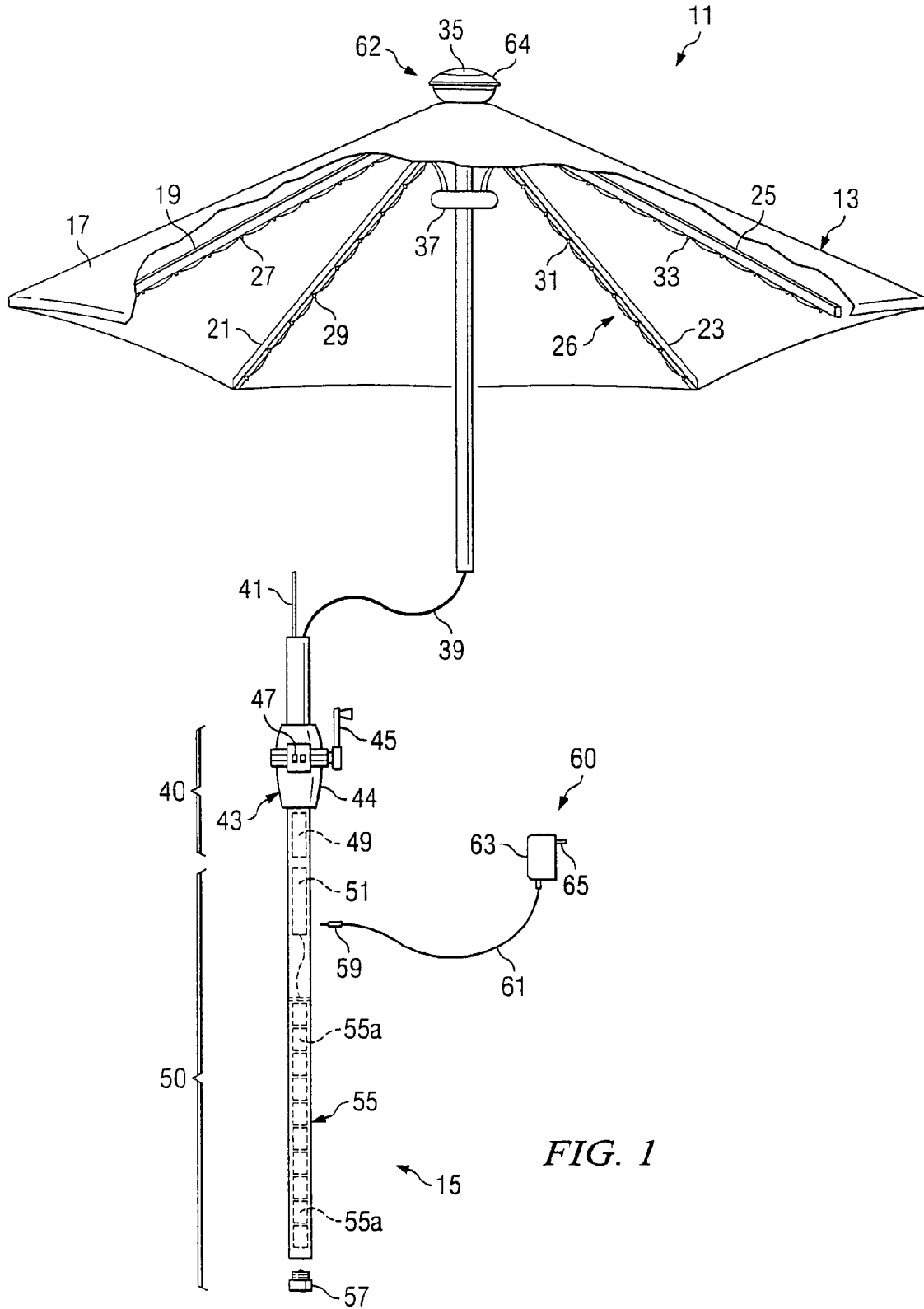


FIG. 1

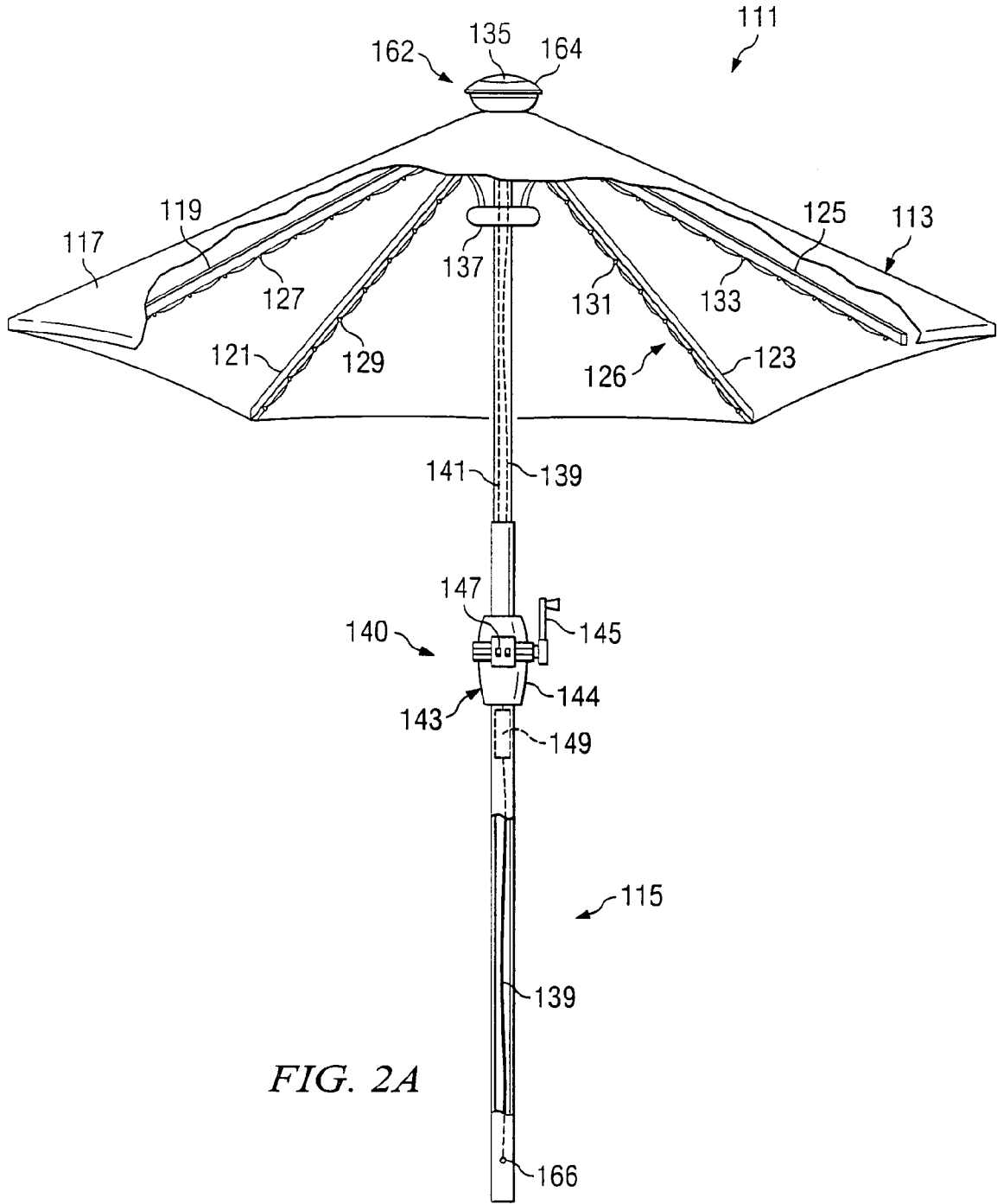


FIG. 2A

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.