

US00D652519S

(12) **United States Design Patent**
Miles et al.

(10) **Patent No.:** **US D652,519 S**
(45) **Date of Patent:** **** Jan. 17, 2012**

(54) **DILATOR**
(75) Inventors: **Patrick Miles**, San Diego, CA (US);
Scot Martinelli, Mountain Top, PA
(US); **Eric Finley**, Poway, CA (US)
(73) Assignee: **NuVasive, Inc.**, San Diego, CA (US)
(**) Term: **14 Years**
(21) Appl. No.: **29/360,370**
(22) Filed: **Apr. 23, 2010**

5,312,417 A	5/1994	Wilk	
5,331,975 A	7/1994	Bonutti	
5,342,384 A	8/1994	Sugarbaker	
5,378,241 A	1/1995	Haindl	
5,395,317 A	3/1995	Kambin	
5,509,893 A	4/1996	Pracas	
5,514,153 A	5/1996	Bonutti	
5,599,279 A	2/1997	Slotman	
5,707,359 A	1/1998	Bufalini	
5,762,629 A	6/1998	Kambin	
5,792,044 A	8/1998	Foley	
5,814,073 A	9/1998	Bonutti	
5,817,071 A	10/1998	Dewindt	
5,888,196 A	3/1999	Bonutti	
5,902,231 A	5/1999	Foley	
5,976,146 A	11/1999	Ogawa	
6,007,487 A	12/1999	Foley	
6,010,520 A *	1/2000	Pattison	606/191
6,146,371 A	11/2000	DeWindt	

Related U.S. Application Data

(63) Continuation of application No. 12/428,081, filed on Apr. 22, 2009, which is a continuation of application No. 10/608,362, filed on Jun. 26, 2003, now Pat. No. 7,582,058.
(51) **LOC (9) Cl.** **24-02**
(52) **U.S. Cl.** **D24/135**
(58) **Field of Classification Search** D24/135,
D24/112, 130, 133, 140, 147, 149; 600/200,
600/202, 184, 220-227, 201, 203, 210-218;
606/191-200, 201-202
See application file for complete search history.

Primary Examiner — Bridget L Eland
(74) *Attorney, Agent, or Firm* — Jonathan Spangler; Rory Schermerhorn; Saidman DesignLaw Group, LLC

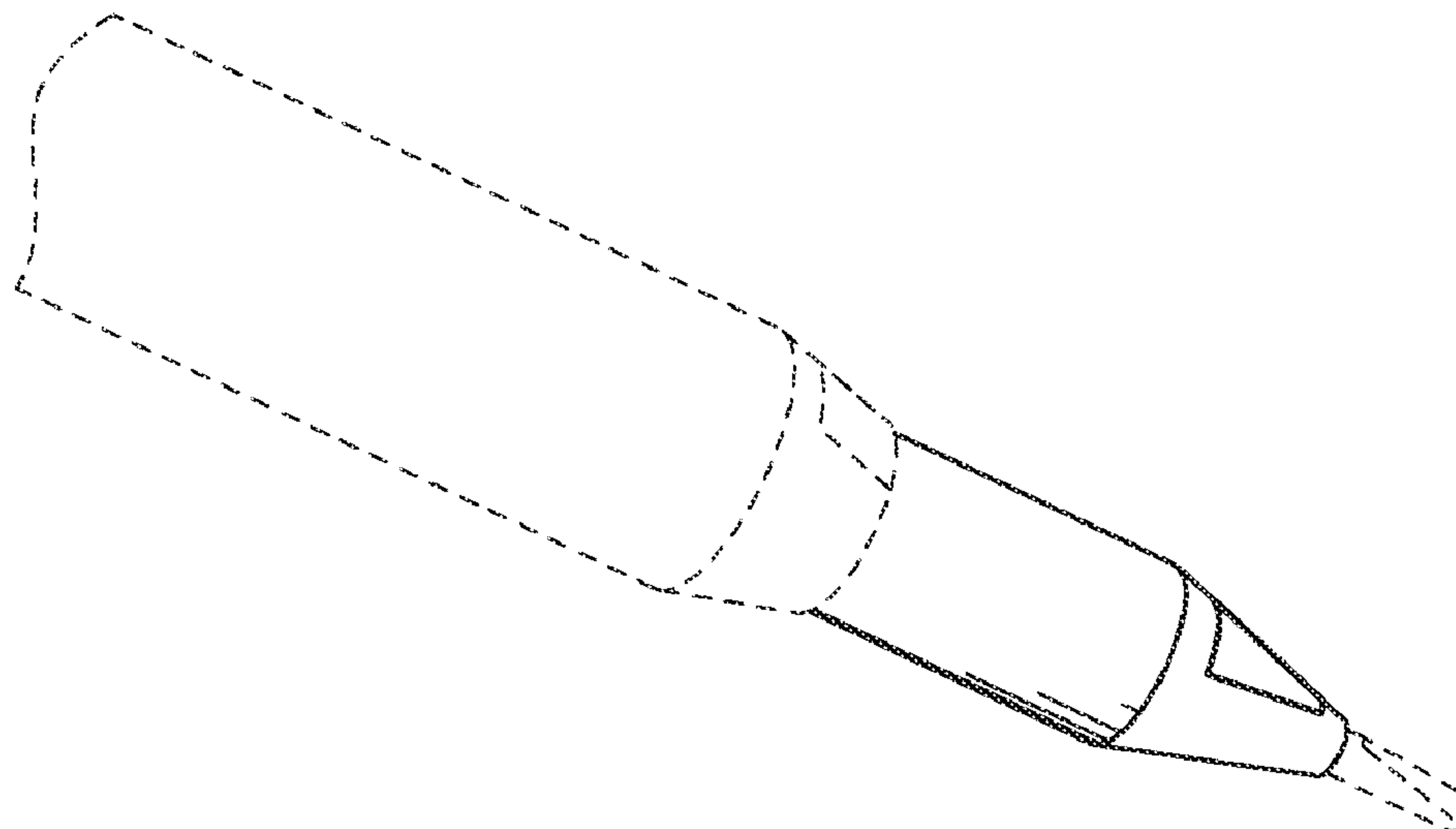
(57) **CLAIM**
The ornamental design for a dilator, as shown and described.

DESCRIPTION

The sole FIGURE is a perspective view of a dilator showing our new design. The broken lines illustrate part of the distal portion that forms no part of the claimed design. The dilator is circular as seen from the end. Only one view of the article is shown in the drawing or described in the specification. It is understood that the appearance of any part of the article not shown in the drawing or described in the specification forms no part of the claimed design. In re Zahn, 617 F.2d 261, 204 USPQ 988 (CCPA 1980). Therefore, the determination of patentability is based on the design for the article shown and described.

1 Claim, 1 Drawing Sheet

(56) **References Cited**
U.S. PATENT DOCUMENTS
208,227 A 9/1878 Dorr
972,983 A 10/1910 Arthur
1,328,624 A 1/1920 Graham
3,803,716 A * 4/1974 Garnier 433/129
3,888,004 A * 6/1975 Coleman 30/277.4
4,545,374 A 10/1985 Jacobson
4,573,448 A 3/1986 Kambin
D295,445 S * 4/1988 Freeman D24/135
5,007,902 A 4/1991 Witt
5,171,279 A 12/1992 Mathews
5,295,994 A 3/1994 Bonutti



US D652,519 S

Page 2

U.S. PATENT DOCUMENTS								
6,152,871	A	11/2000	Foley	7,008,431	B2	3/2006	Simonson	
6,161,047	A	12/2000	King	7,074,226	B2	7/2006	Roehm	
6,206,826	B1	3/2001	Mathews	7,083,625	B2	8/2006	Berry	
6,217,509	B1	4/2001	Foley	7,198,598	B2	4/2007	Smith	
6,217,527	B1	4/2001	Selmon	7,207,949	B2	4/2007	Miles	
6,221,049	B1	4/2001	Selmon	7,226,451	B2	6/2007	Shluzas	
6,231,546	B1	5/2001	Milo	7,276,055	B2	10/2007	DeWindt	
6,270,505	B1	8/2001	Yoshida	7,311,719	B2	12/2007	Bonutti	
6,292,701	B1	9/2001	Prass	7,470,236	B1	12/2008	Kelleher	
6,325,764	B1	12/2001	Griffith	7,582,058	B1 *	9/2009	Miles et al.	600/202
6,395,007	B1	5/2002	Bhatnagar	D605,760	S *	12/2009	George et al.	D24/135
6,425,859	B1	7/2002	Foley	2001/0056280	A1	12/2001	Underwood	
6,447,484	B1	9/2002	Briscoe	2002/0010392	A1	1/2002	Desai	
6,514,217	B1	2/2003	Selmon	2003/0139648	A1	7/2003	Foley	
6,520,907	B1	2/2003	Foley	2004/0181231	A1	9/2004	Emstad	
6,535,759	B1	3/2003	Epstein	2005/0004593	A1	1/2005	Simonson	
6,564,078	B1	5/2003	Marino	2005/0070949	A1 *	3/2005	Bakos et al.	606/191
6,641,613	B2	11/2003	Sennett	2005/0125021	A1 *	6/2005	Nance et al.	606/192
6,645,194	B2	11/2003	Briscoe	2006/0052669	A1	3/2006	Hart	
6,679,833	B2	1/2004	Smith	2006/0052828	A1	3/2006	Kim	
6,719,692	B2	4/2004	Kleffner	2007/0083161	A1	4/2007	Briscoe	
6,847,849	B2	1/2005	Mamo	2007/0129747	A1 *	6/2007	Dorman	606/191
6,855,105	B2	2/2005	Jackson	2009/0259108	A1 *	10/2009	Miles et al.	600/202
6,916,330	B2	7/2005	Simonson	2010/0094093	A1 *	4/2010	Miles et al.	600/202
6,926,728	B2	8/2005	Zucherman	2010/0105986	A1 *	4/2010	Miles et al.	600/214
6,929,606	B2	8/2005	Ritland	2010/0113884	A1 *	5/2010	Miles et al.	600/210

* cited by examiner

