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

(10) **Patent No.:** **US D652,921 S**
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- (54) **DILATOR**
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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.: **29/360,368**
- (22) Filed: **Apr. 23, 2010**

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(Continued)

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,
600/201, 202, 184, 220–227, 203, 210–218;
606/191–200, 201–202
See application file for complete search history.

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(57) **CLAIM**

The ornamental design for a dilator, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a dilator showing our new design; and,

FIG. 2 is a side view thereof.

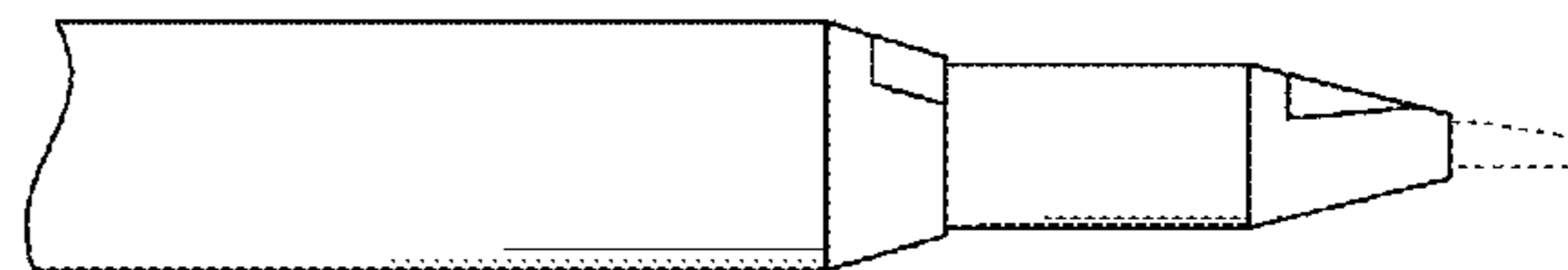
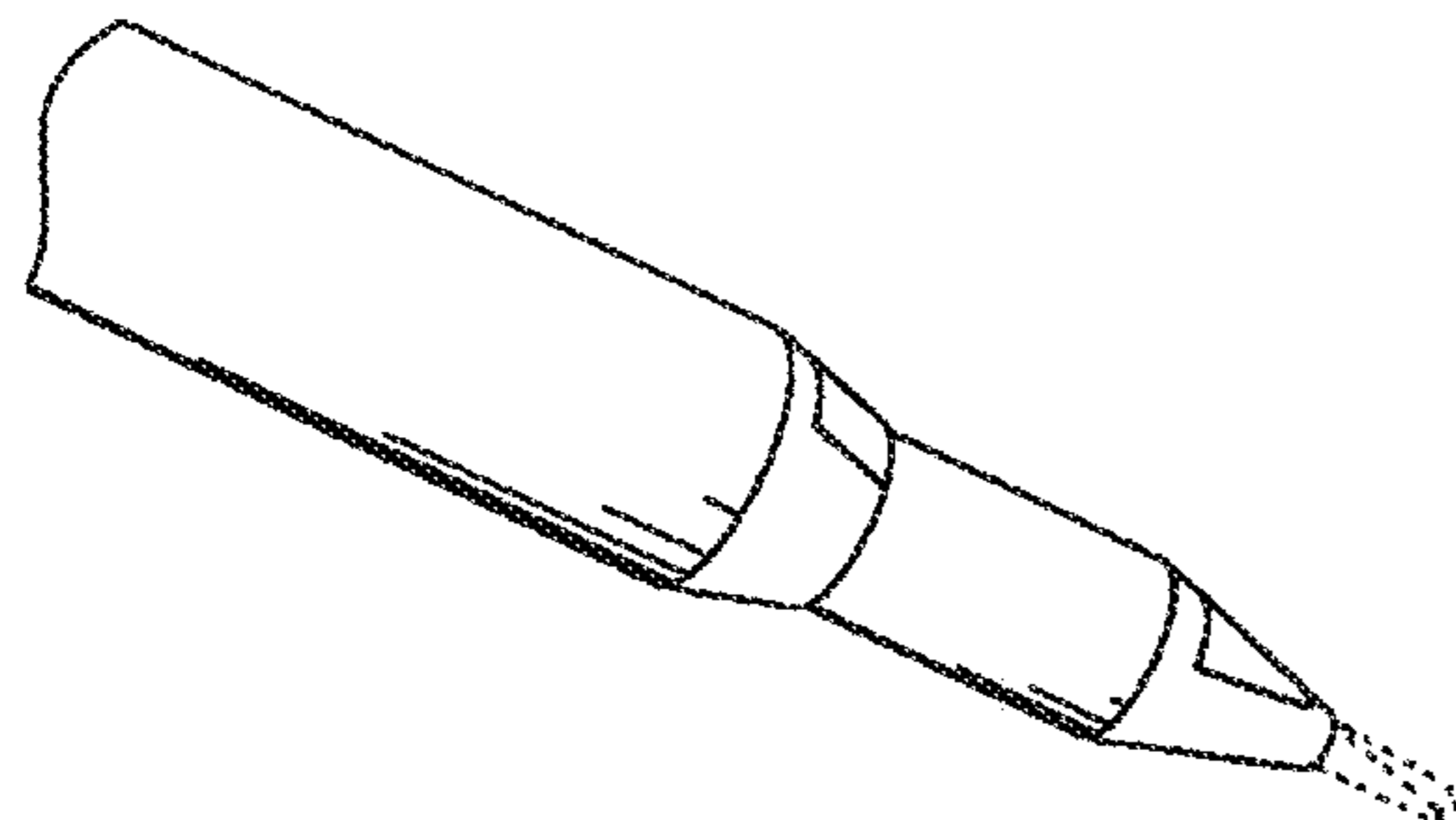
The broken lines illustrate part of the distal portion that forms no part of the claimed design. The dilator is circular as seen from the end. The break line is shown at the wide end to indicate that only the distal portion of the dilator is illustrated. Only the ends and one side of the article is shown 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, 2 Drawing Sheets

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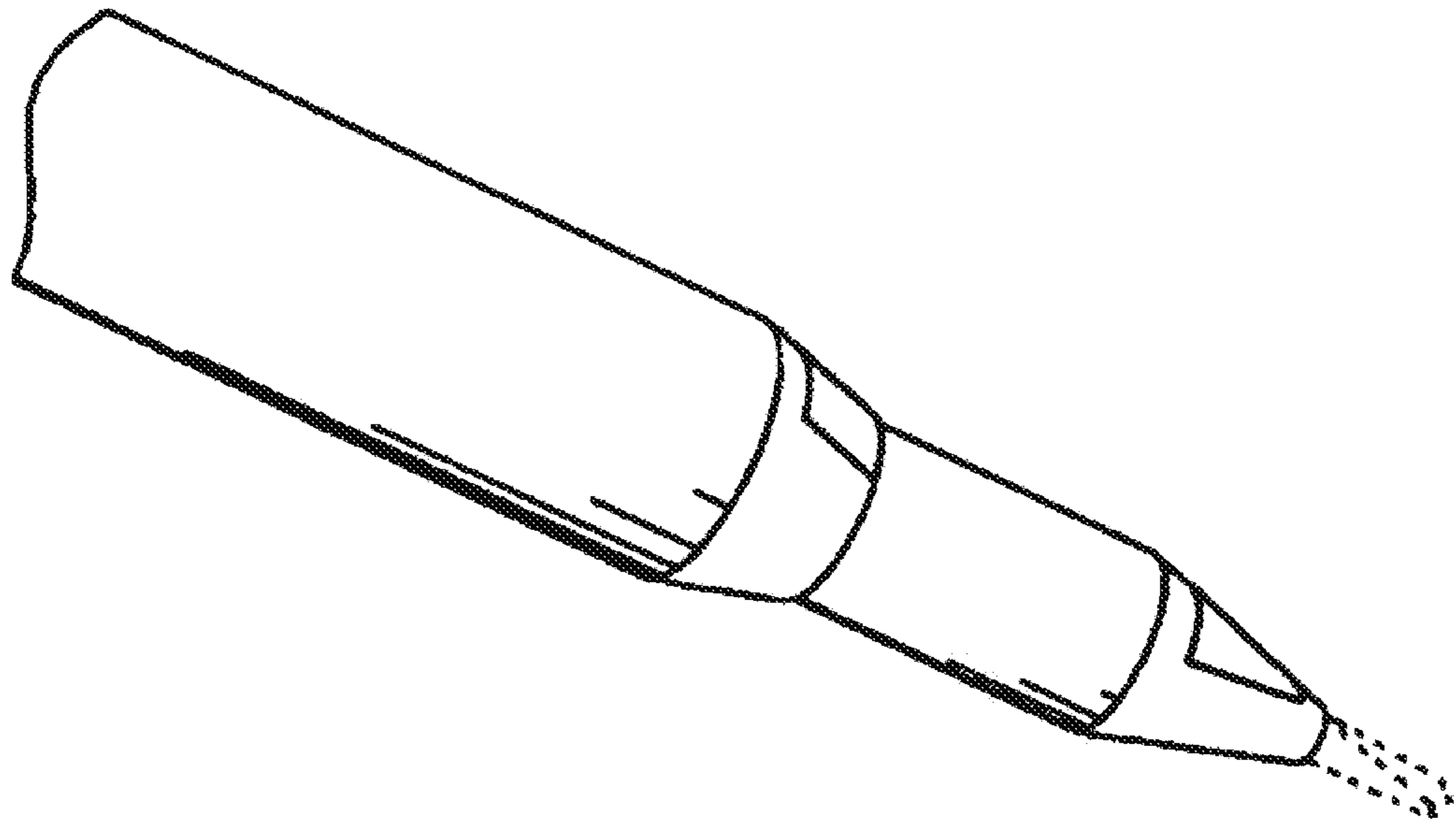


FIG. 1

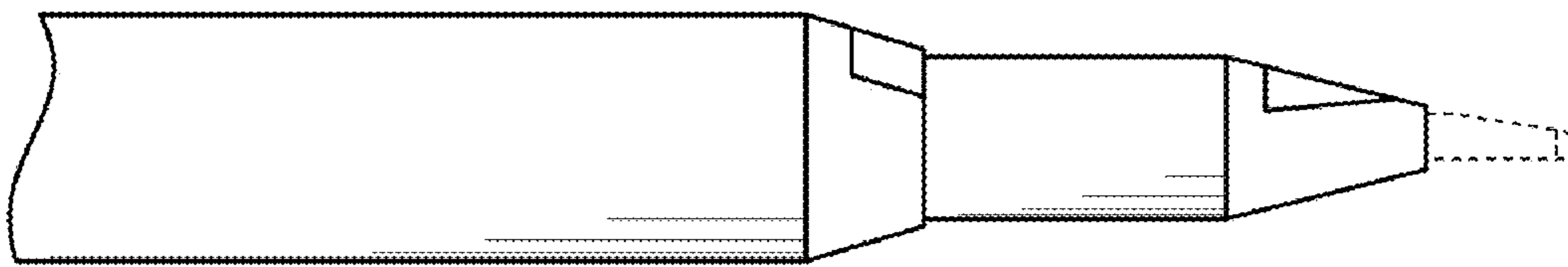


Fig. 2