



US00D717381S

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

(10) **Patent No.:** **US D717,381 S**
(45) **Date of Patent:** **** Nov. 11, 2014**

(54) **AEROBIC STEP**
(71) Applicant: **The Prophet Corporation**, Owatonna, MN (US)
(72) Inventors: **Amber Orenstein**, Prior Lake, MN (US); **Ben Ton**, South El Monte, CA (US); **Nicole Lee Vanlaanen**, Minneapolis, MN (US); **Louis Frederick Polk, III**, Excelsior, MN (US)

5,048,823 A 9/1991 Bean
5,094,505 A 3/1992 Nichols
D330,057 S 10/1992 Saunders et al.
D330,234 S 10/1992 Saunders et al.
D330,235 S 10/1992 Traetta et al.
5,154,678 A 10/1992 Adamczyk et al.
5,158,512 A 10/1992 Irwin et al.
5,169,360 A 12/1992 Saunders
5,213,554 A 5/1993 Goldstein et al.

(Continued)

(73) Assignee: **The Prophet Corporation**, Owatonna, MN (US)

FOREIGN PATENT DOCUMENTS

WO WO 2009/019702 A2 2/2009

(**) Term: **14 Years**

OTHER PUBLICATIONS

(21) Appl. No.: **29/447,718**

BSN Sports, p. 219 (admitted as prior art as of filing date of Feb. 17, 2012).

(22) Filed: **Mar. 6, 2013**

(Continued)

Related U.S. Application Data

(62) Division of application No. 29/413,673, filed on Feb. 17, 2012, now Pat. No. Des. 680,599.

Primary Examiner — Phillip S Hyder

(74) *Attorney, Agent, or Firm* — Merchant & Gould P.C.

(51) **LOC (10) Cl.** **21-02**

(57) **CLAIM**

The ornamental design for an aerobic step, as shown and described.

(52) **U.S. Cl.**

USPC **D21/671**; D21/686; D21/694

DESCRIPTION

(58) **Field of Classification Search**

USPC D21/662, 671, 686, 688, 689, 694;
482/26, 51, 52, 70, 79, 80, 121, 140,
482/142, 146, 147, 148; D6/349, 601

See application file for complete search history.

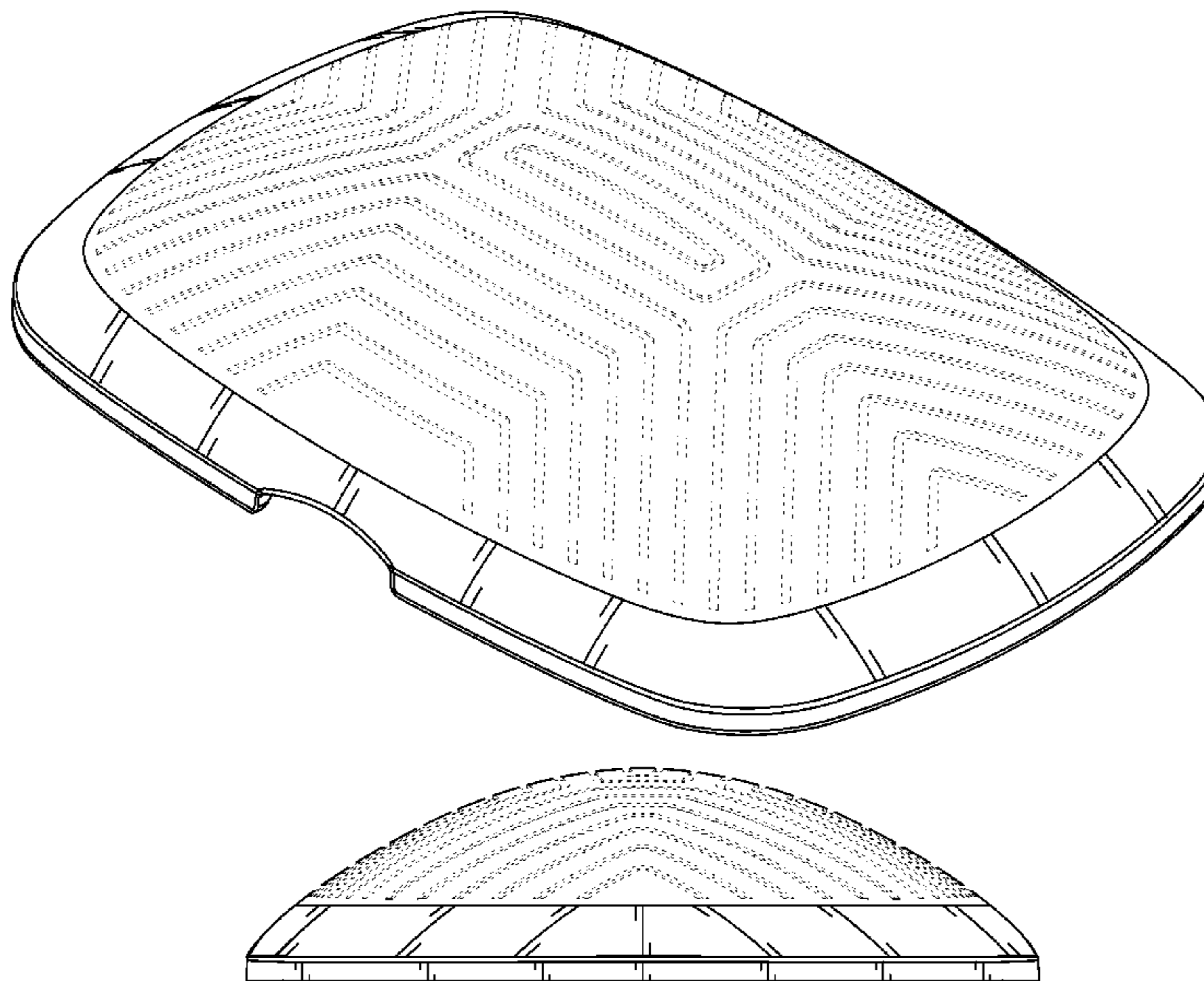
FIG. 1 is a top perspective view of an aerobic step showing our new design;
FIG. 2 is a top view of the aerobic step of FIG. 1;
FIG. 3 is a first side view of the aerobic step of FIG. 1, the opposite side view being identical;
FIG. 4 is a second side view of the aerobic step of FIG. 1, the opposite side view being identical; and,
FIG. 5 is a bottom view of the aerobic step of FIG. 1.
The broken lines in FIGS. 1-5 show portions of the aerobic step which form no part of the claimed design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,991,589 A 7/1961 Ayala
3,421,163 A 1/1969 Stoughton
3,628,790 A 12/1971 Gordon
5,037,084 A 8/1991 Flor

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D337,362 S 7/1993 Goldstein et al.
 5,226,865 A 7/1993 Chin
 D339,179 S 9/1993 Wilkinson
 D342,298 S 12/1993 Schnabel, Jr. et al.
 D346,630 S 5/1994 Van Der Hoeven
 5,318,489 A 6/1994 Irwin
 5,330,399 A * 7/1994 Fan 482/34
 D350,450 S * 9/1994 Hassel et al. D6/349
 D353,636 S 12/1994 Le Roux
 D355,226 S 2/1995 Wadley
 D355,458 S 2/1995 Chen
 5,387,166 A * 2/1995 Gvoich 482/52
 D355,988 S * 3/1995 Brooking D6/382
 D360,767 S 8/1995 Fish et al.
 5,441,466 A 8/1995 Piaget et al.
 D363,747 S * 10/1995 Gvoich D21/671
 5,472,390 A 12/1995 Faye
 D369,842 S 5/1996 Gvoich
 D370,949 S 6/1996 Furner
 D371,176 S * 6/1996 Furner D21/671
 5,591,105 A 1/1997 Dalebout et al.
 5,656,000 A 8/1997 Russell
 5,749,555 A 5/1998 Albrecht
 5,842,955 A 12/1998 Wilkinson
 D413,989 S 9/1999 Dupont
 D429,106 S 8/2000 Bortolotto et al.
 6,234,088 B1 * 5/2001 Bredal et al. 108/91
 D449,357 S 10/2001 Monter Villar et al.
 D449,662 S 10/2001 Monter Villar et al.
 D489,423 S * 5/2004 Fan et al. D21/688
 6,740,008 B1 5/2004 Ho et al.
 6,872,175 B2 3/2005 Lin
 D507,026 S 7/2005 Chen
 6,945,919 B2 9/2005 Yang
 7,004,886 B2 2/2006 Chen
 D519,172 S 4/2006 Penat et al.
 7,052,449 B2 * 5/2006 Chen 482/146
 7,160,229 B2 1/2007 Park
 7,169,099 B1 1/2007 Kemery et al.
 D562,918 S 2/2008 Tuller
 7,335,146 B2 2/2008 Gerstung
 7,344,488 B2 3/2008 Weck et al.
 7,374,517 B2 5/2008 Lockett
 7,488,282 B2 * 2/2009 Leavitt 482/142
 7,494,446 B2 2/2009 Weck et al.
 D590,457 S 4/2009 Mishan
 D596,247 S 7/2009 Wu
 7,575,540 B1 8/2009 Dobrow et al.
 7,591,763 B1 * 9/2009 Fucci 482/52
 D601,843 S * 10/2009 Cherry et al. D6/601
 7,618,358 B2 11/2009 Traub et al.

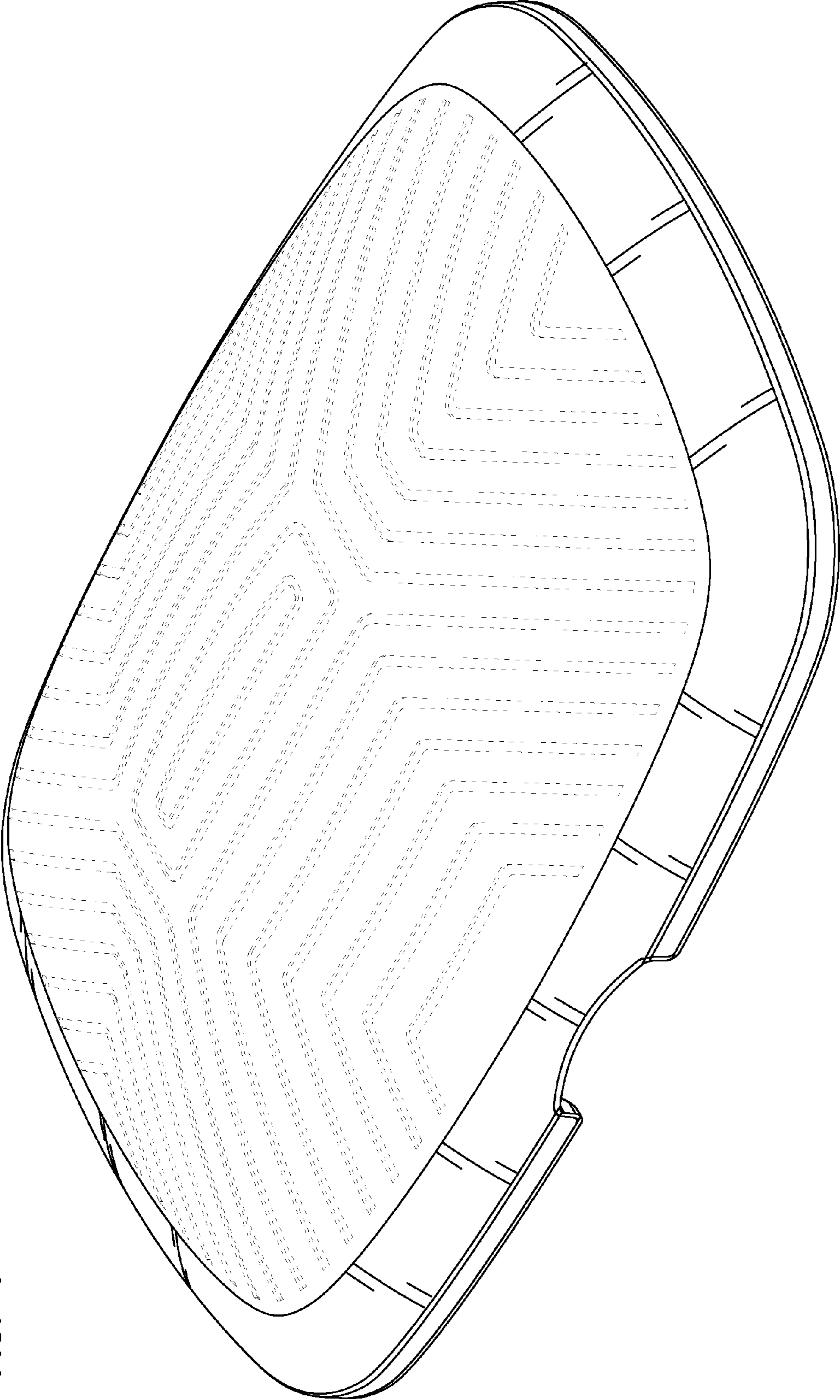
7,657,952 B2 2/2010 Hutchison
 D612,896 S 3/2010 Talley
 D626,607 S 11/2010 Kim et al.
 D630,687 S 1/2011 Meinel
 D632,101 S * 2/2011 Sandel et al. D6/349
 7,922,624 B1 4/2011 Fairhurst et al.
 D642,638 S 8/2011 Clark et al.
 D650,023 S 12/2011 Everett
 D651,673 S 1/2012 Kulzer
 D659,293 S * 5/2012 Ferguson D30/108
 D680,599 S 4/2013 Orenstein et al.
 2004/0132594 A1 * 7/2004 Verna 482/140
 2005/0020418 A1 1/2005 Lin
 2005/0049123 A1 3/2005 Dalebout et al.
 2006/0105894 A1 * 5/2006 Denoth et al. 482/142
 2007/0225133 A1 9/2007 Castro
 2009/0291807 A1 11/2009 Moring, Jr. et al.
 2010/0029443 A1 2/2010 Kim
 2011/0143896 A1 6/2011 Senegal
 2013/0023392 A1 1/2013 Glickfield
 2013/0217545 A1 8/2013 Orenstein et al.

OTHER PUBLICATIONS

Flaghouse PE & REC catalog, front cover, pp. 251, rear cover (Spring 2011).
 Gopher catalog, front cover, pp. 54, 266-268 and rear cover (2001).
 Gopher catalog, front cover, pp. 238-241 and rear cover (Fall 2006).
 Gopher catalog, front cover, pp. 269-275 and rear cover (Spring 2010).
 Gopher catalog, front cover, pp. 268-271 and rear cover (2011).
 Gopher catalog, front cover, pp. 268-271 and rear cover (Spring 2011).
 Gopher catalog, front cover, pp. 266-268 and rear cover (2012) (admitted as prior art as of filing date of Feb. 17, 2012).
 Long Cheng Exercise Equipment catalog, front cover, pp. 1-4, 35-42 (2010).
 Sportime Physical Education & Recreation catalog, front cover, pp. 357-359 (Summer 2011).
 The Step—Original Health Club Step (Gray/Black), *Escalade Sports*, 1 page (dated Feb. 15, 2012).
 US Games, 1 page (admitted as prior art as of filing date of Feb. 17, 2012).
 U.S. Appl. No. 13/399,531, filed Feb. 17, 2012 entitled “Aerobic Step”.
 Non-Final Office Action of U.S. Appl. No. 13/399,531, mailed Oct. 4, 2013..
 U.S. Office Action from U.S. Appl. No. 13/399,531 mailed Mar. 26, 2014.

* cited by examiner

FIG. 1



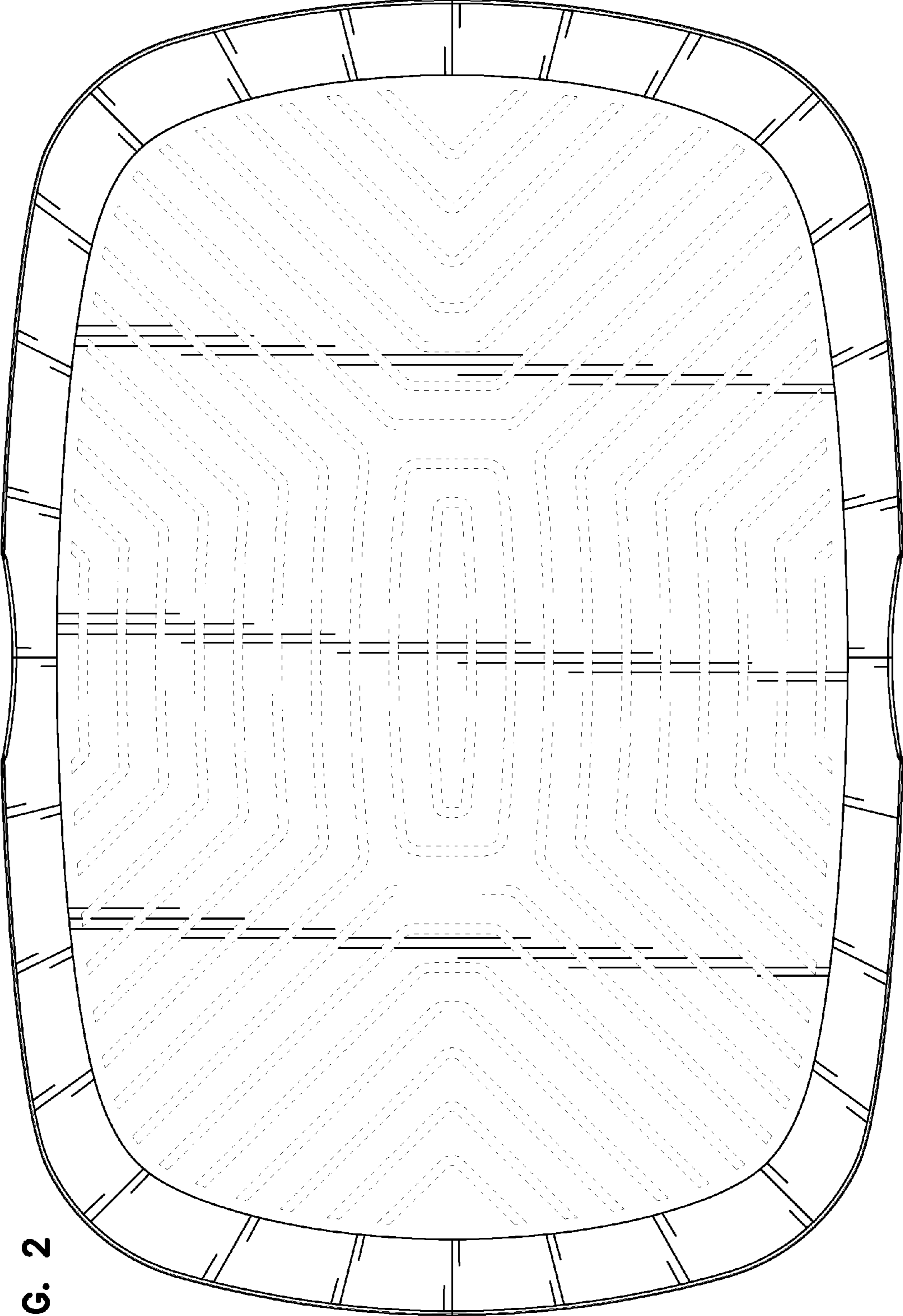


FIG. 2

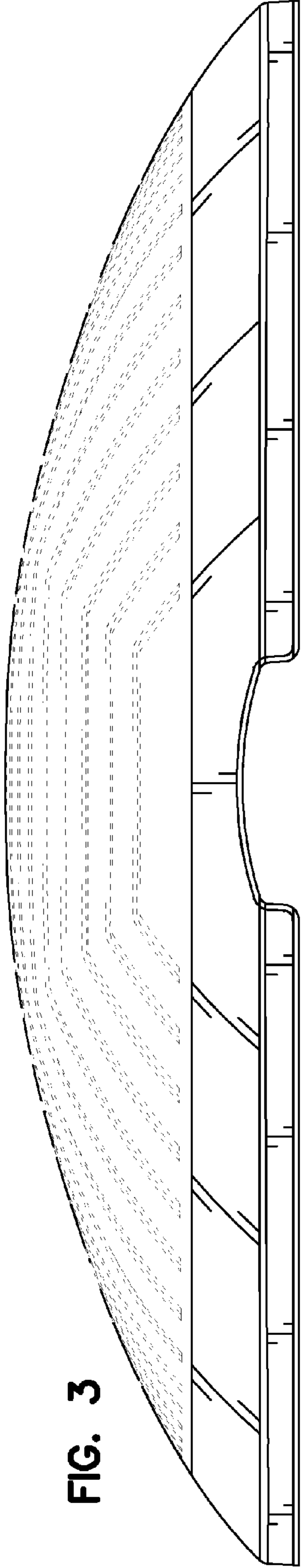


FIG. 3

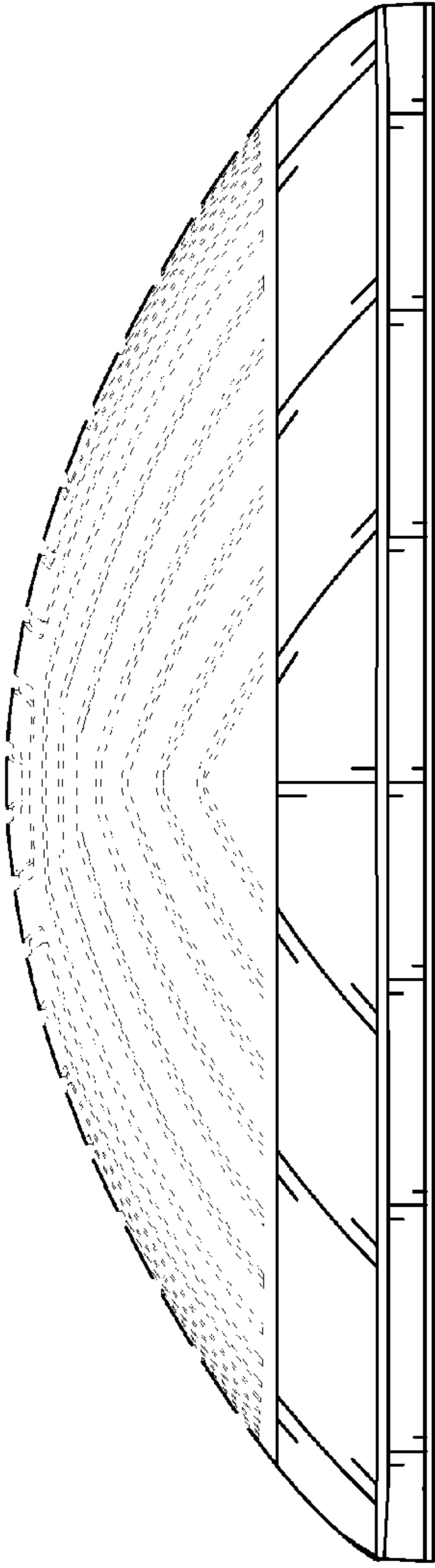


FIG. 4

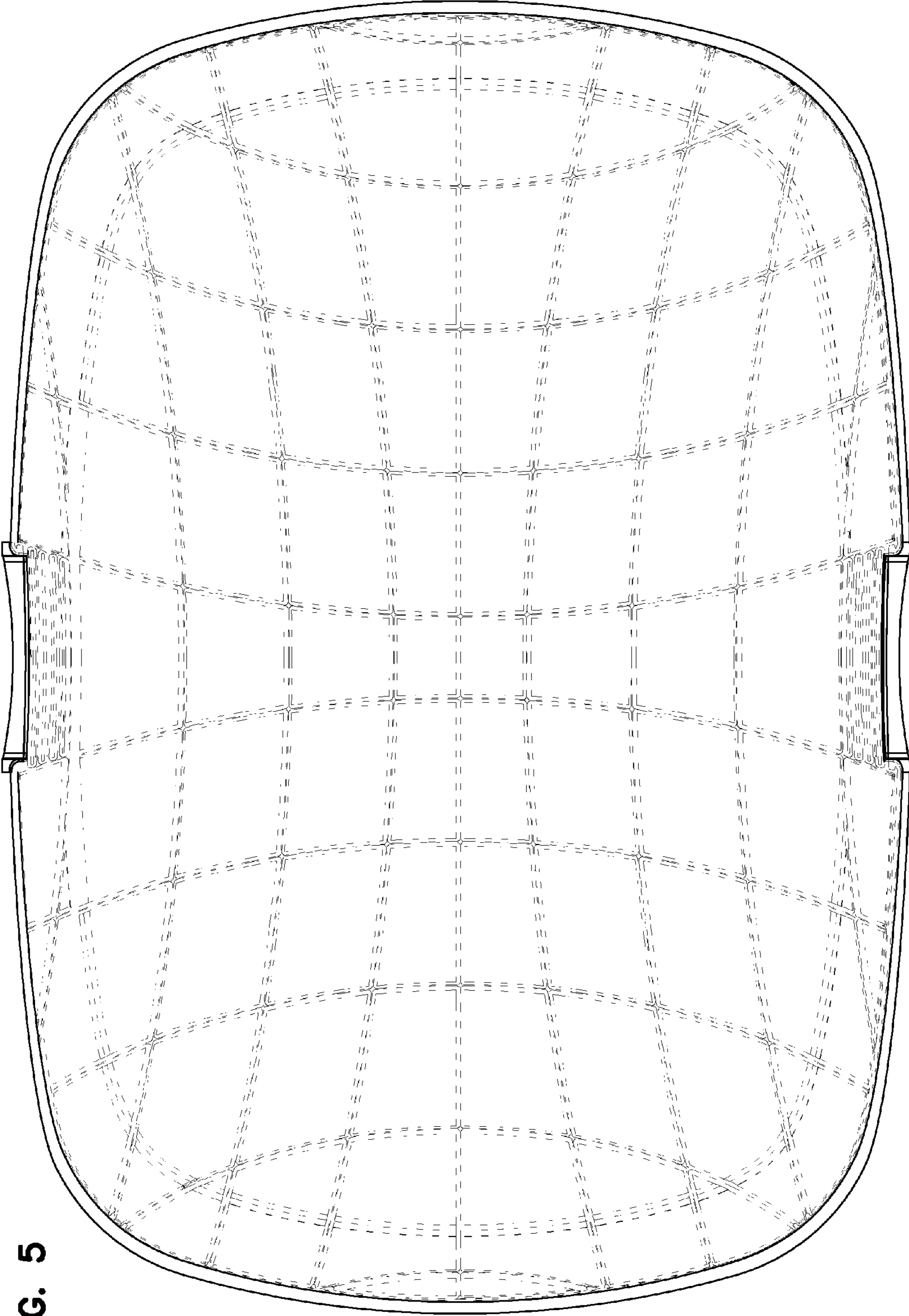


FIG. 5