



US00D735865S

(12) **United States Design Patent**  
**Nishimura**

(10) **Patent No.:** **US D735,865 S**

(45) **Date of Patent:** **\*\* Aug. 4, 2015**

(54) **BREATH DIAGNOSTIC APPARATUS**

(71) Applicant: **Kabushiki Kaisha Toshiba**, Minato-ku,  
Tokyo (JP)

(72) Inventor: **Kana Nishimura**, Tokyo (JP)

(73) Assignee: **Kabushiki Kaisha Toshiba**, Minato-ku,  
Tokyo (JP)

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

(21) Appl. No.: **29/502,140**

(22) Filed: **Sep. 12, 2014**

(30) **Foreign Application Priority Data**

Sep. 5, 2014 (JP) ..... 2014-019575

(51) **LOC (10) Cl.** ..... **24-00**

(52) **U.S. Cl.**  
USPC ..... **D24/164**

(58) **Field of Classification Search**

USPC ..... D24/164, 110, 169, 186, 216;  
128/204.14, 204.23, 204.21; 436/43

CPC ... A61M 16/16; A61M 16/00; G01N 35/0092

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

5,673,687	A *	10/1997	Dobson et al. ....	128/204.14
D421,298	S *	2/2000	Kenyon et al. ....	D24/110
D424,956	S *	5/2000	von Buelow et al. ....	D10/81
D504,945	S *	5/2005	Van Brunt et al. ....	D24/110
D585,540	S *	1/2009	Lithgow et al. ....	D24/110
D606,655	S *	12/2009	Wilkinson et al. ....	D24/164
D614,286	S *	4/2010	Lithgow et al. ....	D24/110
D616,100	S *	5/2010	Moscovita et al. ....	D24/169
D632,397	S *	2/2011	Edwards et al. ....	D24/186
D647,209	S *	10/2011	Muller et al. ....	D24/216
D652,522	S *	1/2012	Koester ..... ..	D24/186
D658,755	S *	5/2012	Lithgow ..... ..	D24/110

D666,724	S *	9/2012	Wilhelm ..... ..	D24/164
D670,393	S *	11/2012	Nygaardh ..... ..	D24/169
D671,227	S *	11/2012	Parker et al. ....	D24/216
D682,441	S	5/2013	Kim	
D693,477	S *	11/2013	Isozaki ..... ..	D24/216
D694,888	S *	12/2013	Chung et al. ....	D24/169
D700,701	S *	3/2014	Taylor et al. ....	D24/164

(Continued)

**FOREIGN PATENT DOCUMENTS**

JP	1160110	12/2002
JP	1397258	9/2010
JP	1473634	7/2013

*Primary Examiner* — Holly Baynham

*Assistant Examiner* — Rhea Shields

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57) **CLAIM**

The ornamental design for a breath diagnostic apparatus, as shown and described.

**DESCRIPTION**

FIG. 1 is a front, top and right side perspective view of a breath diagnostic apparatus, showing my new design;

FIG. 2 is a front view thereof;

FIG. 3 is a rear view thereof;

FIG. 4 is a right side view thereof, the left side view being symmetrical;

FIG. 5 is a top view thereof;

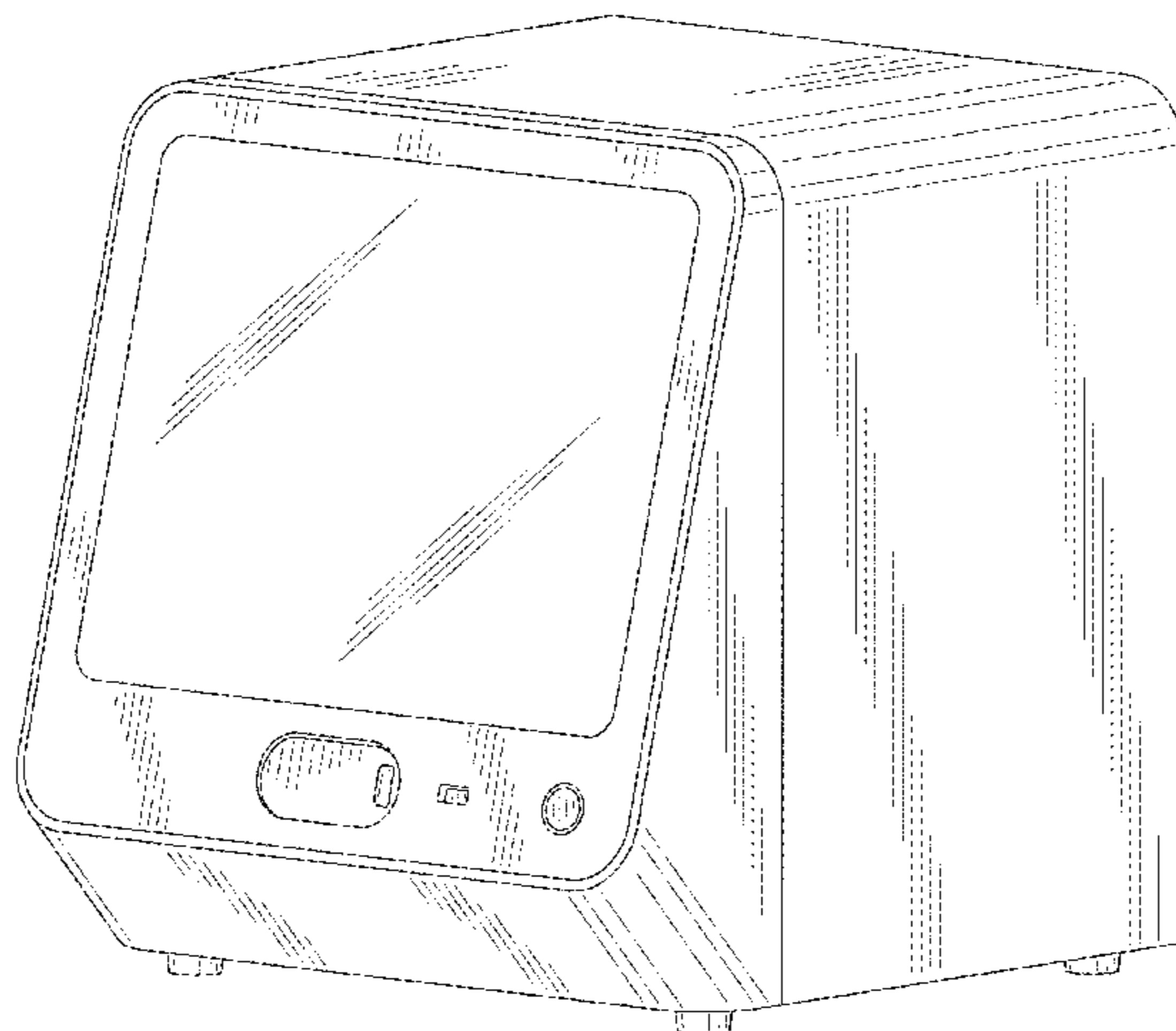
FIG. 6 is a bottom view thereof;

FIG. 7 is a cross sectional view thereof, taken along the line 7-7 in FIG. 2 of the article with its internal mechanisms omitted; and,

FIG. 8 is a partial enlarged view thereof, taken along the line 8-8 in FIG. 2 of the article with its internal mechanisms omitted.

In FIGS. 7 and 8, the broken lines are for the purpose of illustrating environment only and form no part of the claimed design.

**1 Claim, 8 Drawing Sheets**



(56)

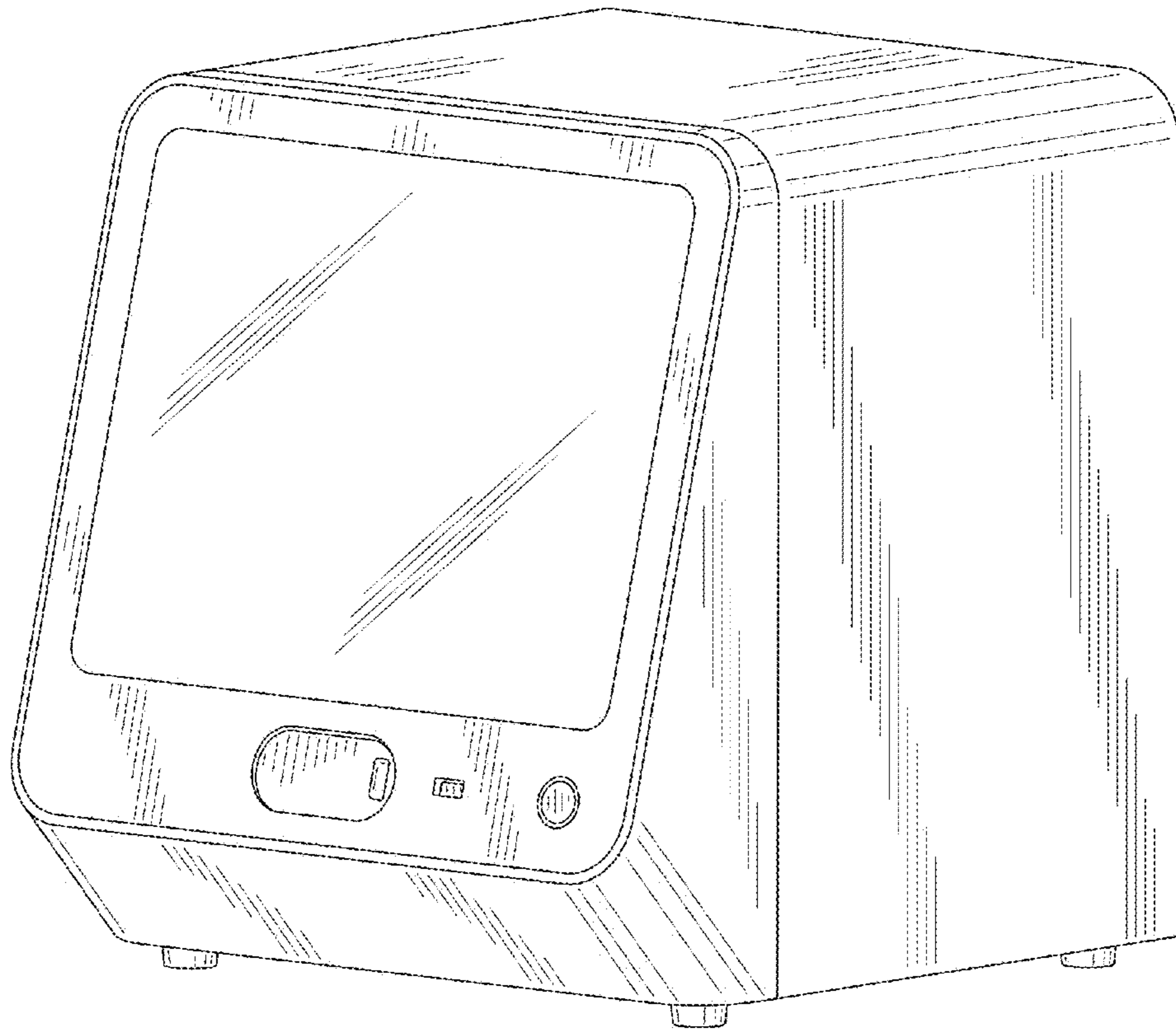
**References Cited**

U.S. PATENT DOCUMENTS

D708,316 S \* 7/2014 Bertinetti et al. .... D24/110  
D708,733 S \* 7/2014 Ng et al. .... D24/110  
D710,989 S \* 8/2014 Bertinetti et al. .... D24/110  
D727,511 S \* 4/2015 Dehmke et al. .... D24/164

D728,121 S \* 4/2015 Cook et al. .... D24/216  
2007/0023045 A1 \* 2/2007 Kwok et al. .... 128/204.23  
2007/0193582 A1 \* 8/2007 Kwok et al. .... 128/204.18  
2008/0072900 A1 \* 3/2008 Kenyon et al. .... 128/204.18  
2010/0307498 A1 \* 12/2010 Jones et al. .... 128/204.21  
2011/0269239 A1 \* 11/2011 Diessel et al. .... 436/43

\* cited by examiner



*Fig. 1*

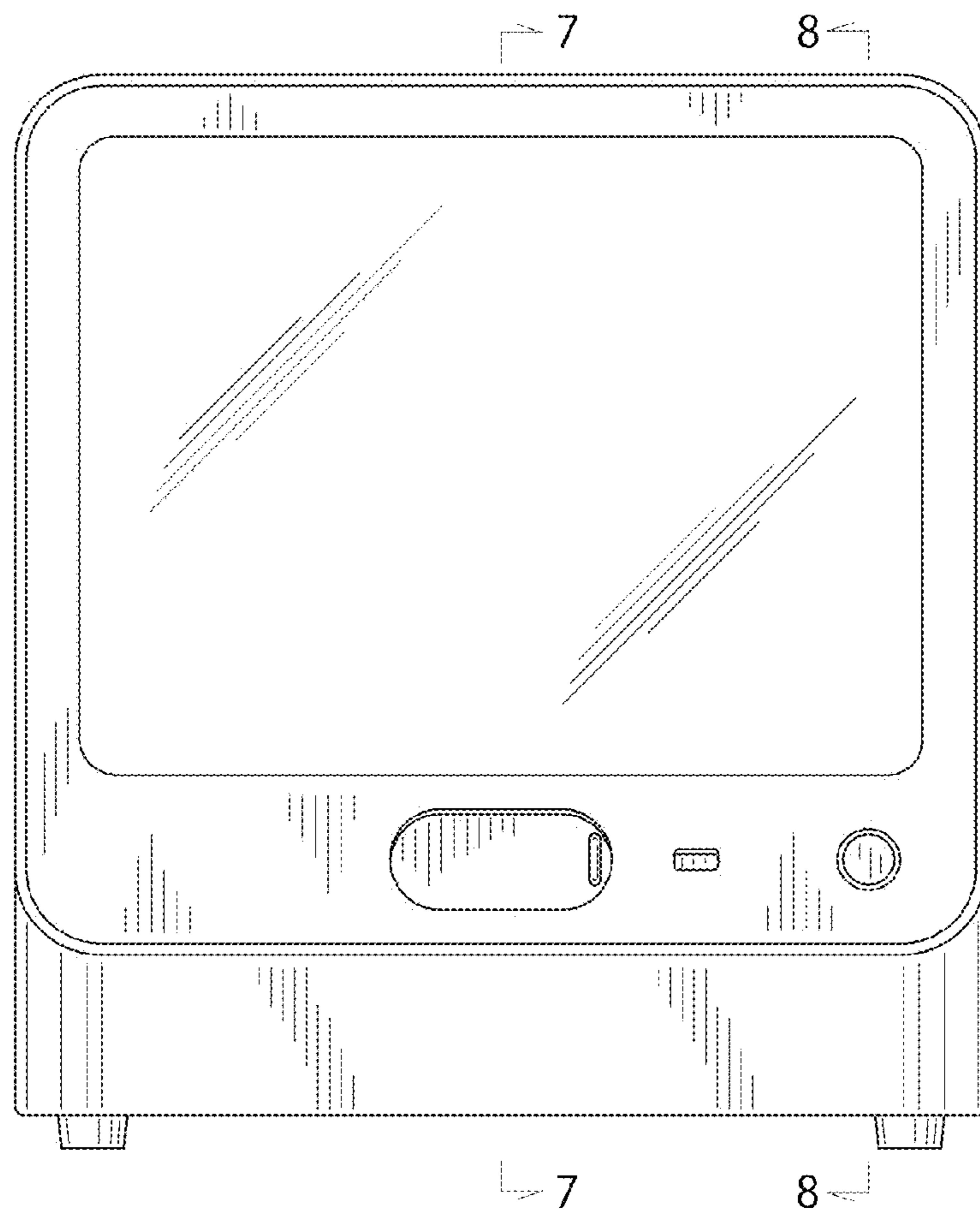
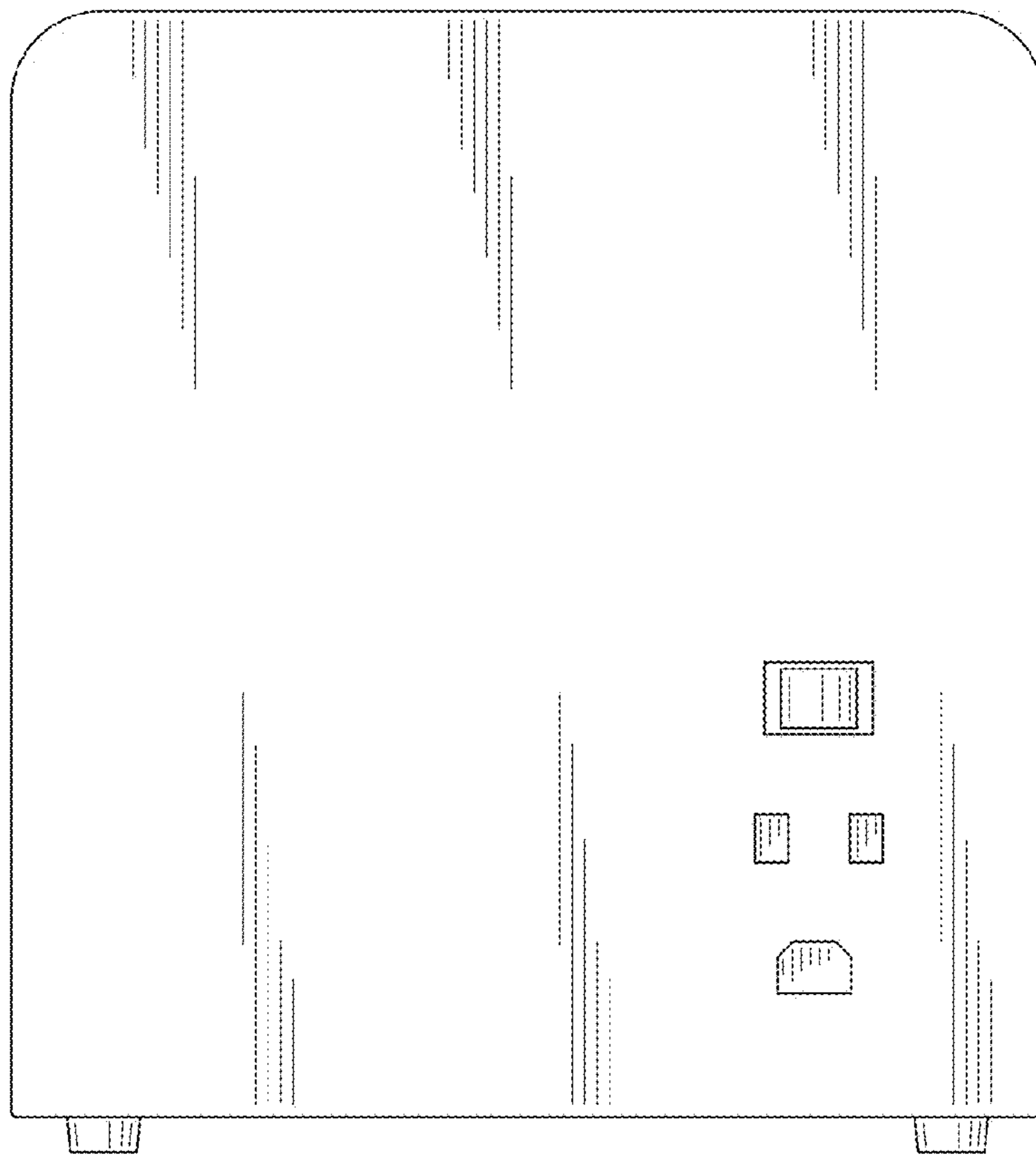
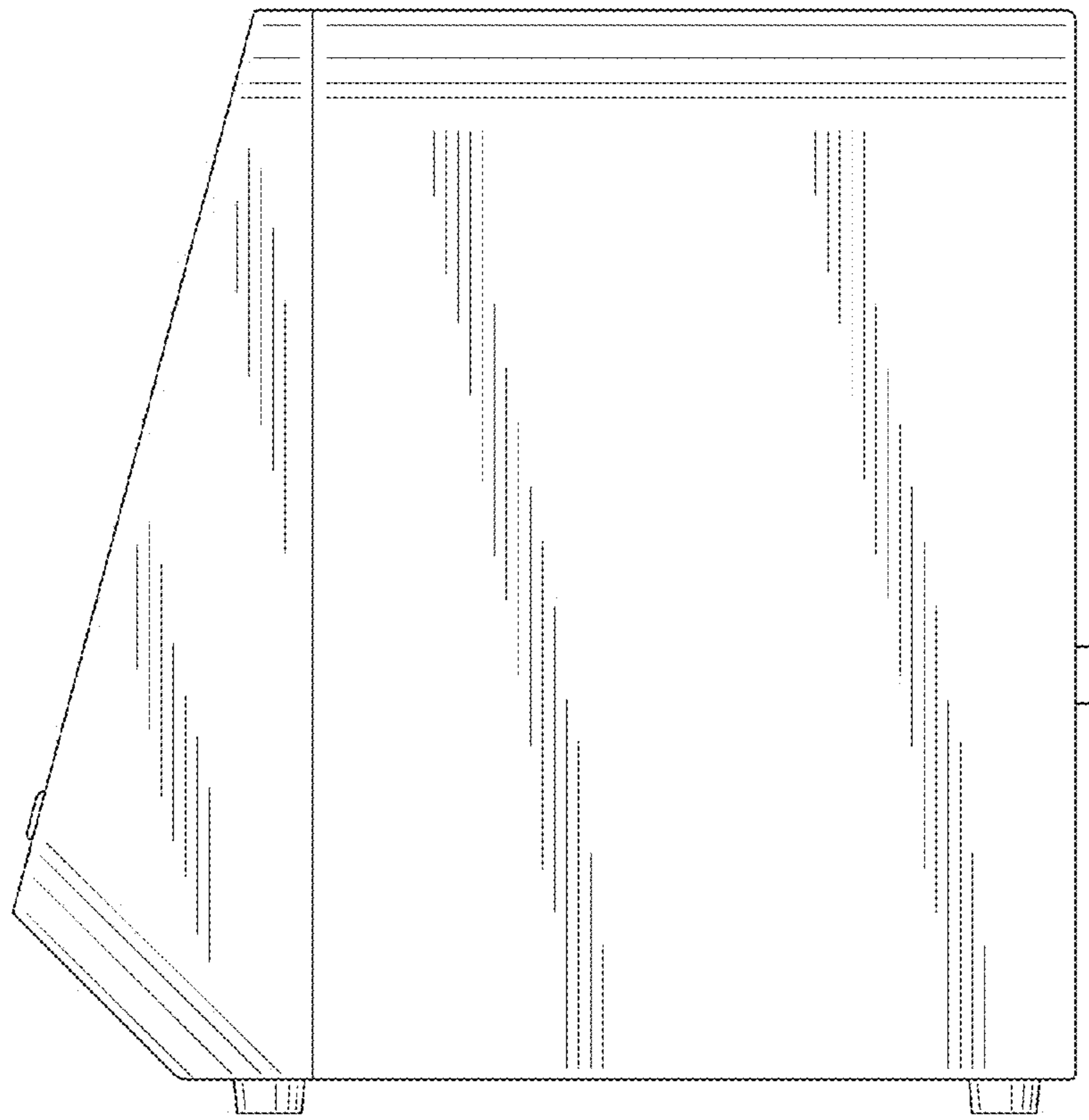


Fig. 2

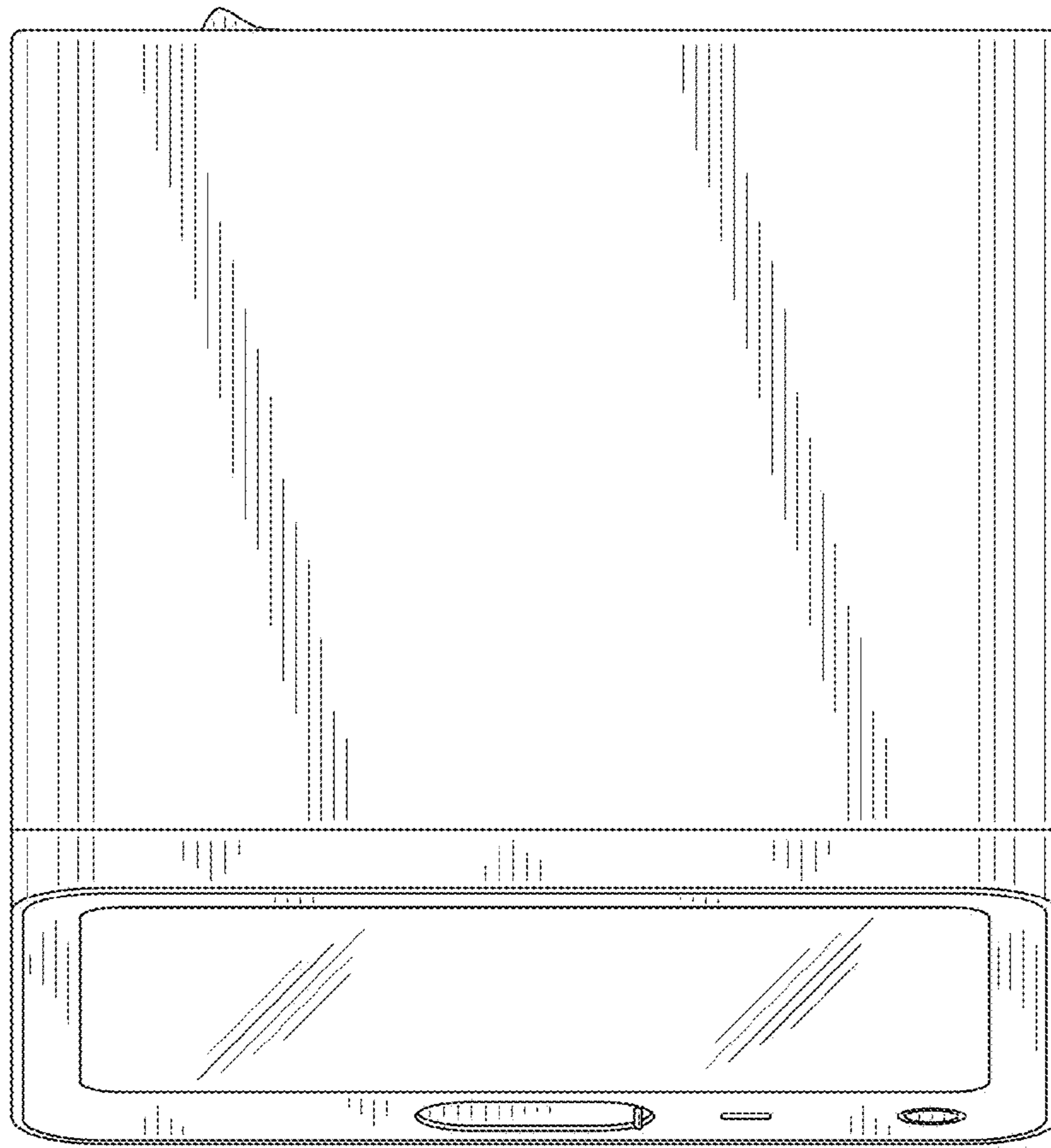


*Fig. 3*

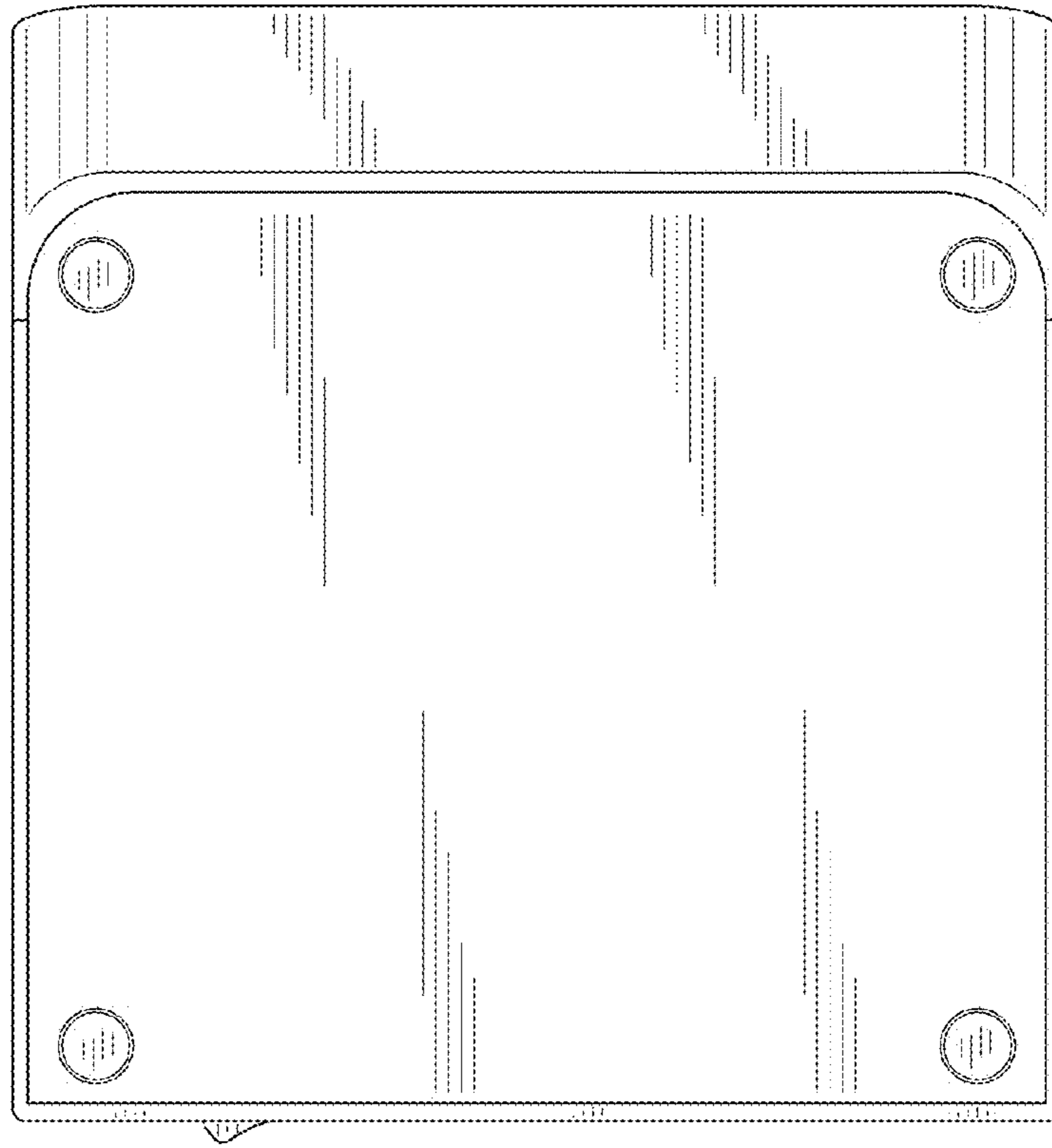


*Fig.4*



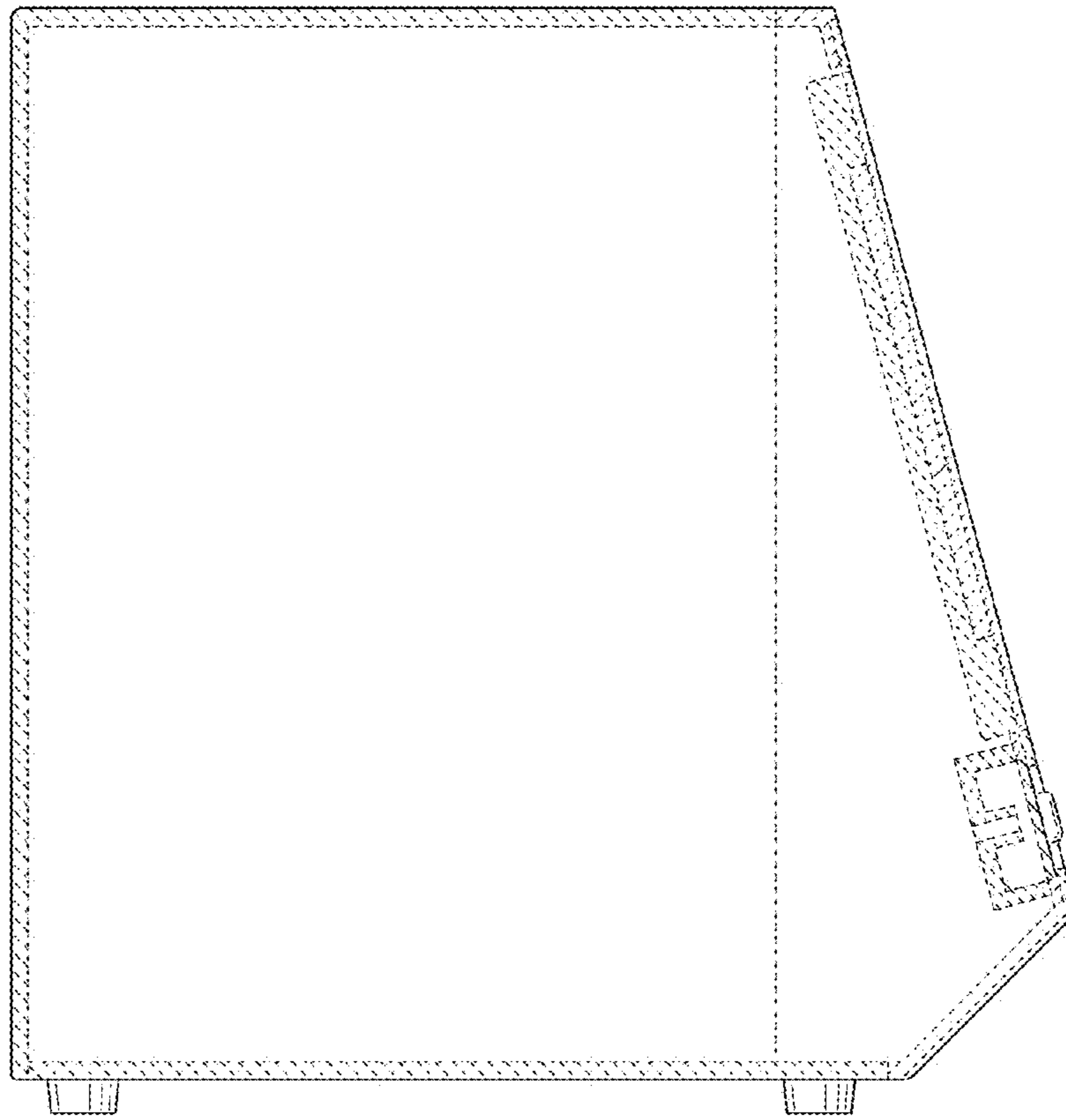


*Fig. 5*

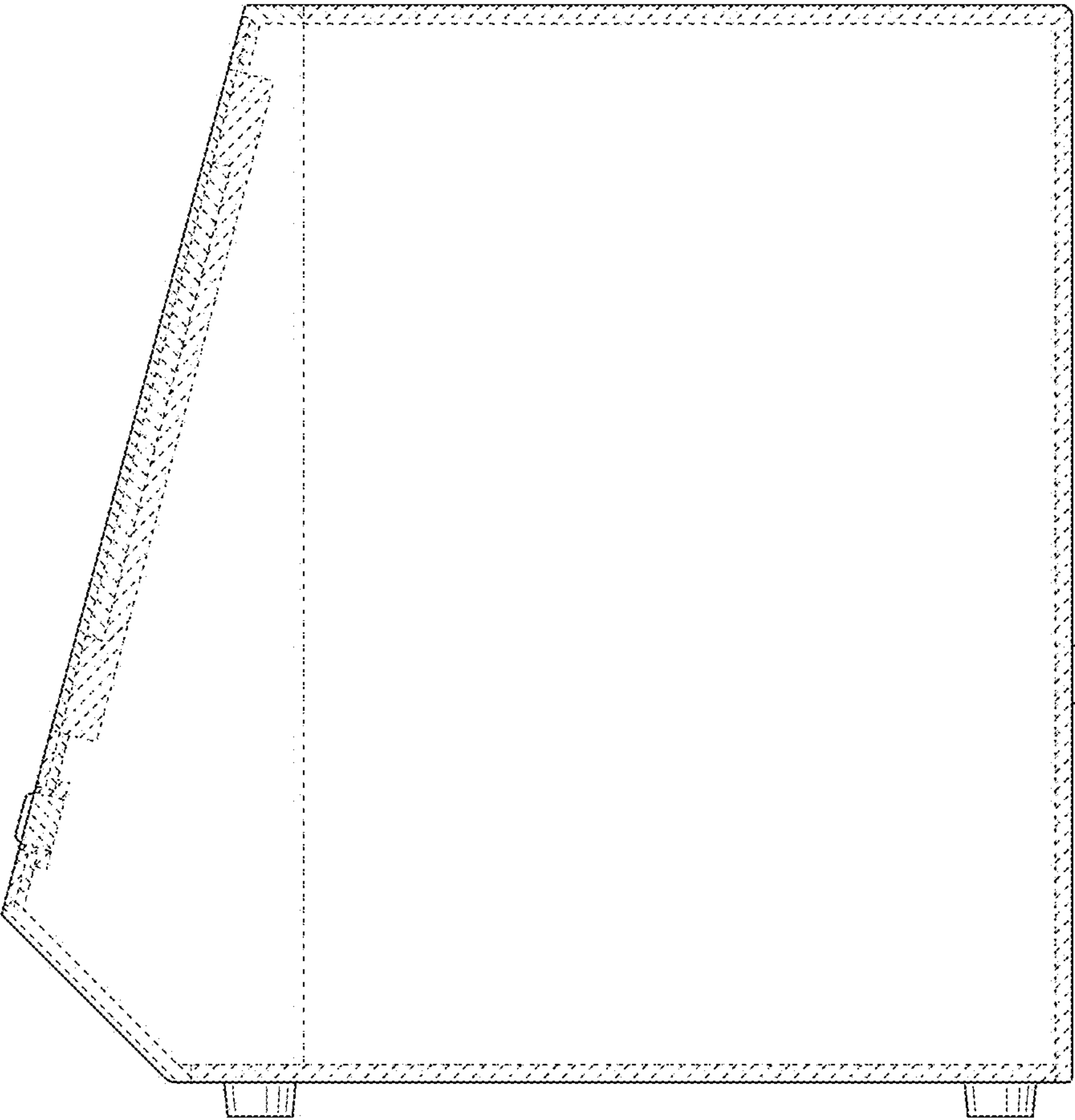


*Fig. 6*





*Fig. 7*



*Fig. 8*