



US00D736866S

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

(10) **Patent No.:** **US D736,866 S**

(45) **Date of Patent:** **** Aug. 18, 2015**

(54) **TREADMILL**

(56) **References Cited**

(71) Applicant: **Woodway USA, Inc.**, Waukesha, WI
(US)

U.S. PATENT DOCUMENTS

(72) Inventors: **Nicholas Oblamski**, Waukesha, WI
(US); **Robert L. Zimpel**, Menomonee
Falls, WI (US)

219,439 A	9/1879	Blend
1,211,765 A	1/1917	Schmidt
3,637,206 A	1/1972	Chickering, III
3,642,279 A	2/1972	Cutter
3,968,543 A	7/1976	Shino et al.
4,334,676 A	6/1982	Schonenberger
4,548,405 A	10/1985	Lee et al.
4,614,337 A	9/1986	Schonenberger
4,635,928 A	1/1987	Ogden et al.
4,726,581 A	2/1988	Chang
5,162,988 A	11/1992	Semerau et al.
D333,887 S	3/1993	Dowler
5,411,279 A	5/1995	Magid
5,470,293 A	11/1995	Schonenberger

(73) Assignee: **Woodway USA, Inc.**, Waukesha, WI
(US)

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

(21) Appl. No.: **29/506,302**

(22) Filed: **Oct. 14, 2014**

(Continued)

FOREIGN PATENT DOCUMENTS

Related U.S. Application Data

CN	3201120	9/2001
CN	2860541	1/2007

(63) Continuation of application No. 13/257,038, filed as
application No. PCT/US2010/026731 on Mar. 9,
2010, now Pat. No. 8,864,627.

(Continued)

(51) **LOC (10) Cl.** **21-01**

OTHER PUBLICATIONS

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

USPC **D21/669**

U.S. Appl. No. 05/616,951, filed Sep. 26, 1975, Schonenberger.

(Continued)

(58) **Field of Classification Search**

USPC 482/54, 2, 51, 8, 70, 146; D21/669;
198/439, 456; D30/160; 601/35, 23, 5,
601/34

Primary Examiner — Robert M Spear
Assistant Examiner — Ryan Harvey
(74) *Attorney, Agent, or Firm* — Foley & Lardner LLP

CPC A63B 22/02; A63B 22/0023; A63B
22/0235; A63B 2210/50; A63B 22/0285;
A63B 22/0242; A63B 2022/025; A63B
2225/30; A63B 22/0012; A63B 22/0257;
A63B 2022/0228; A63B 2210/56; A63B
2024/0093; A63B 2022/0207; A61H 3/008;
A61H 1/0262; A61H 2201/164; A01K 15/027

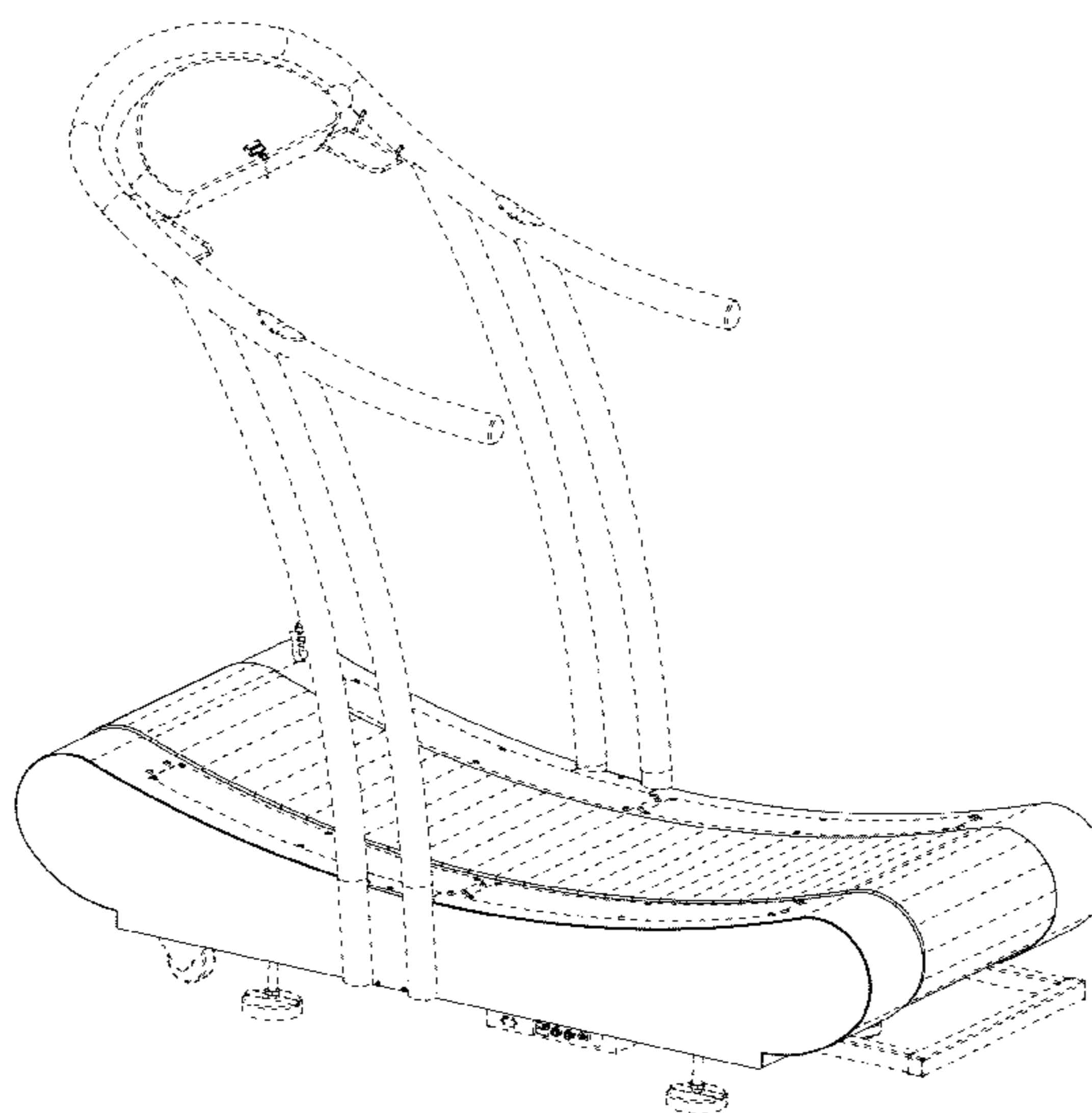
(57) **CLAIM**
We claim the ornamental design for a treadmill, as shown and
described.

See application file for complete search history.

DESCRIPTION

The sole FIGURE is a top, rear, left perspective view of a
treadmill.
The broken lines in the drawings form no part of the claimed
design.

1 Claim, 1 Drawing Sheet



(56)

References Cited

U.S. PATENT DOCUMENTS

5,538,489	A	7/1996	Magid
5,577,598	A	11/1996	Schoenenberger
5,709,632	A	1/1998	Socwell
5,887,579	A	3/1999	Eriksson et al.
5,897,461	A	4/1999	Socwell
6,042,514	A	3/2000	Abelbeck
6,053,848	A	4/2000	Eschenbach
6,095,952	A	8/2000	Ali et al.
6,146,315	A	11/2000	Schoenenberger
6,348,025	B1	2/2002	Schoenenberger
6,500,097	B1	12/2002	Hall
D484,554	S	12/2003	Hellman et al.
6,740,009	B1	5/2004	Hall
7,090,620	B1	8/2006	Barlow
7,560,822	B1	7/2009	Hoffmann
7,717,828	B2	5/2010	Simonson et al.
8,308,619	B1	11/2012	Astilean
8,343,016	B1	1/2013	Astilean
8,690,738	B1	4/2014	Astilian
2002/0147079	A1	10/2002	Kalnbach
2006/0003871	A1	1/2006	Houghton et al.
2006/0003872	A1	1/2006	Chiles et al.
2006/0287165	A1	12/2006	Pasqualin
2008/0287266	A1	11/2008	Smith
2009/0170666	A1	7/2009	Chiang
2009/0215589	A1	8/2009	Schoenenberger
2009/0280960	A1	11/2009	Tian
2011/0266091	A1	11/2011	Taylor
2012/0157267	A1	6/2012	Lo
2012/0231934	A1	9/2012	Lo
2012/0270705	A1	10/2012	Lo
2014/0011642	A1	1/2014	Astilean

FOREIGN PATENT DOCUMENTS

CN	201006229	1/2008
CN	201030178	3/2008
DE	1020050 09 414	9/2006
EP	1 466 651 A1	10/2004
JP	03-148743	6/1991
JP	3148743	2/2009
KR	2009007043	1/2009
WO	WO-2010/057238 A2	5/2010
WO	WO 2010107632 A1 *	9/2010
WO	WO 2014160057 A3 *	12/2014

OTHER PUBLICATIONS

U.S. Appl. No. 08/152,177, filed Nov. 12, 1993, Schoenenberger et al. Andrews et al., The Effect of an 80-Minute Intermittent Running Protocol on Hamstrings Strength Abstract, NSCA Presentation, Jul. 15, 2006, 1 page.

Brughelli et al., Effects of Running Velocity on Running Kinetics and Kinematics, Journal of Strength and Conditioning Research, Apr. 2011, 7 pages.

Complaint for Declaratory Judgment of Patent Invalidity and Correction of Inventorship, *Woodway USA, Inc. v. Aurel A. Astilean*, Civ. Dkt. No. 2:13-cv-00681-WEC (E.D. WI), Jun. 13, 2013, 6 pages.

Curvature, <http://en.wikipedia.org/wiki/Curvature>, Mar. 3, 2010, 1 page.

Decision and Order Denying Defendant's Motion to Dismiss or to Transfer and Staying Case Pending Decision from Eastern District New York District Court, *Woodway USA, Inc. v. Aurel A. Astilean*, Civ. Dkt. No. 2:13-cv-00681-WEC (E.D. WI), Dec. 18, 2013, 7 pages.

Docket Report, *Speedfit LLC and Aurel A. Astilean v. Douglas G. Bayerlein*, Civ. Dkt. No. 2:13-cv01276-KAM-AKT (E.D.N.Y.), Dec. 19, 2013, 8 pages.

Docket Report, *Woodway USA, Inc. v. Aurel A. Astilean*, Civ. Dkt. No. 2:13-cv-00681-WEC (E.D. WI), Dec. 19, 2013, 3 pages.

EMS-Grivory Grivory GV-5H Black 9915 Nylon Copolymer, 50% Glass Fiber Filled, As Conditioned, believed to be publically available before Sep. 16, 2011, 2 pages.

First Amended Complaint (Jury Trial Demanded), *Speedfit LLC and Aurel A. Astilean v. Douglas G. Bayerlein*, Civ. Dkt. No. 2:13-cv-01276-KAM-AKT (E.D.N.Y.), Jun. 17, 2013, 16 pages.

Hall, The Rotary Treadwheel, available at least as early as Nov. 2011, 1 page.

Hersher, Perfect Landing, <http://news.harvard.edu/gazette/story/2010/01/different-strokes/>, Jan. 27, 2010, 5 pages.

Hersher, Perfect Landing, <http://news.harvard.edu/gazette/story/2010/01/different-strokes/>, Feb. 26, 2010, 5 pages.

Hopker et al., Familiarisation and Reliability of Sprint Test Indices During Laboratory and Field Assessment, Journal of Sports Science and Medicine, Dec. 1, 2009, 5 pages.

Integrated Performance Systems, LLC, Conditioning in a Professional Athlete Case Study, 2005, 1 page.

Integrated Performance Systems, LLC, Lower Extremity Rehabilitation & Assessment Case Study, 2005, 2 pages.

Integrated Performance Systems, LLC, Youth Athlete-Speed Training Case Study, 2005, 2 pages.

International Preliminary Report for Application No. PCT/US2010/026731, mail date Sep. 29, 2011, 7 pages.

International Preliminary Report for Application No. PCT/US2010/027543, mail date Sep. 29, 2011, 9 pages.

International Search Report and Written Opinion for Application No. PCT/US2010/026731, mail date May 4, 2010, 8 pages.

International Search Report and Written Opinion for Application No. PCT/US2010/027543, mail date May 12, 2010, 10 pages.

Introducing the New Force 3 Treadmill Advanced Analysis Package, www.fittech.com.au, believed to be publically available before Sep. 16, 2011, 3 pages.

Lieberman et al., Running Barefoot, Forefoot Striking & Training Tips, <http://www.barefootrunning.fas.harvard.edu/5BarefootRunning&TrainingTips.html>, Feb. 26, 2010, 5 pages.

Lieberman et al., Running Barefoot: Biomechanics of Foot Strike, <http://www.barefootrunning.fas.harvard.edu/4Biomechanicsof-FootStrike.html>, Feb. 26, 2010, 6 pages.

Lieberman et al., Running Barefoot: Biomechanics of Foot Strikes & Applications to Running Barefoot or in Minimal Footwear, <http://www.barefootrunning.fas.harvard.edu/index.html>, Feb. 26, 2010, 2 pages.

Lieberman et al., Running Barefoot: FAQ, <http://www.barefootrunning.fas.harvard.edu/6FAQ.html>, Feb. 26, 2010, 3 pages.

Lieberman et al., Running Barefoot: Heel Striking & Running Shoes, <http://www.barefootrunning.fas.harvard.edu/2FootStrikes&RunningShoes.html>, Feb. 26, 2010, 2 pages.

Lieberman et al., Running Barefoot: Running Before the Modern Shoe, <http://www.barefootrunning.fas.harvard.edu/3RunningBeforeTheModernShoe.html>, Feb. 26, 2010, 4 pages.

Lieberman et al., Running Barefoot: Why Consider Foot Strike, <http://www.barefootrunning.fas.harvard.edu/1WhyConsiderFootStrike.html>, Feb. 26, 2010, 1 page.

Moody, The Effects Resisted Sprint Training on Speed, Agility and Power Production in Young Athletes, believed to be publically available before Dec. 31, 2006, 5 pages.

Nexus Resin Group, 10124 Antistat, believed to be publically available before Sep. 16, 2011, 2 pages.

Owner's Manual, Force 1, Nov. 29, 2007, 44 pages.

Owner's Manual, Force 3, Jan. 28, 2009, 45 pages.

Owner's Manual, The Force, Dec. 18, 2008, 68 pages.

Plantar Fascia, http://en.wikipedia.org/wiki/Plantar_fascia, Mar. 3, 2010, 3 pages.

Ross et al., The Effects of Treadmill Sprint Training and Resistance Training on Maximal Running Velocity and Power, National Strength and Conditioning Association, Mar. 2009, 10 pages.

Sirotic et al., Physiological and Performance Test Correlates of Prolonged, High-Intensity, Intermittent Running Performance in Moderately Trained Women Team Sport Athletes, Journal of Strength and Conditioning Research, 2007, 7 pages.

Sirotic et al., The Reliability of Physiological and Performance Measures During Simulated Team-Sport Running on a Non-Motorised Treadmill, Journal of Science and Medicine in Sport, Apr. 11, 2007, 10 pages.

Soccer International, The Red Devil's in the Details, dated Jun. 2010, 4 pages.

(56)

References Cited

OTHER PUBLICATIONS

The Woodway Force Brochure, *The Best Way to Train for Speed & Athletic Power*, dated May 5, 2005, 2 pages.

Woodway, Curve 3.0 Specification, May 25, 2011, 1 page.

Woodway, Curve Specification, May 24, 2011, 1 page.

Woodway, Curve Specification, May 25, 2011, 1 page.

Woodway, Curve XL Specification, May 18, 2011, 1 page.

Woodway, Force Specification, Apr. 8, 2008, 1 page.

Woodway, Force Specification, May 2, 2011, 1 page.

Woodway, Force Specification, May 2, 2012, 1 page.

Woodway's Opposition to Defendant's Notice of Motion and Motion to Dismiss Case and Transfer Litigation to EDNY, *Woodway USA, Inc. v. Aurel A. Astilean*, Civ. Dkt. No. 2:13-cv-00681-WERC (E.D. WI), Oct. 18, 2013, 22 pages.

* cited by examiner

