



US00D738489S

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

(10) **Patent No.:** **US D738,489 S**  
(45) **Date of Patent:** **\*\* Sep. 8, 2015**

(54) **POSITIVE AIRWAY PRESSURE DELIVERY CONSOLE**

FOREIGN PATENT DOCUMENTS

EM 001312953-0001 3/2012  
EM 001312953-0002 3/2012

(71) Applicant: **ResMed Limited**, Bella Vista, New South Wales (AU)

(Continued)

(72) Inventors: **Justin John Formica**, Voyager Point (AU); **Mark Bertinetti**, Hornsby (AU); **Henri Spaile**, Potts Point (AU); **Justin Peter Wagemakers**, Waterloo (AU)

OTHER PUBLICATIONS

U.S. Appl. No. 61/838,971, Jun. 2013, Huby et al.  
(Continued)

(73) Assignee: **ResMed Limited**, Bella Vista (AU)

*Primary Examiner* — Wan Laymon  
*Assistant Examiner* — Mark Booker

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

(74) *Attorney, Agent, or Firm* — Nixon & Vanderhye P.C.

(21) Appl. No.: **29/456,477**

(57) **CLAIM**

The ornamental design for a positive airway pressure delivery console, as shown and described.

(22) Filed: **May 31, 2013**

**DESCRIPTION**

(51) **LOC (10) Cl.** ..... **29-02**

FIG. 1 is a front perspective view of a positive airway pressure delivery console showing an embodiment according to our new ornamental design;

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

USPC ..... **D24/110**

FIG. 2 is front view thereof;

(58) **Field of Classification Search**

USPC ..... D24/110; 128/200.16, 200.18, 200.23, 128/200.24, 200.22, 202.27, 203.16, 128/203.17, 203.27, 204.14, 204.18, 204.23

FIG. 3 is a rear view thereof;

FIG. 4 is a top view thereof;

FIG. 5 is a bottom view thereof;

FIG. 6 is a right side view thereof;

FIG. 7 is a left side view thereof;

FIG. 8 is another front perspective view thereof;

FIG. 9 is a front perspective view of a positive airway pressure delivery console showing an embodiment according to our new ornamental design;

FIG. 10 is front view thereof;

FIG. 11 is a rear view thereof;

FIG. 12 is a top view thereof;

FIG. 13 is a bottom view thereof;

FIG. 14 is a right side view thereof;

FIG. 15 is a left side view thereof; and,

FIG. 16 is another front perspective view thereof.

The broken lines represent environment or structure and do not form a portion of the claimed design.

See application file for complete search history.

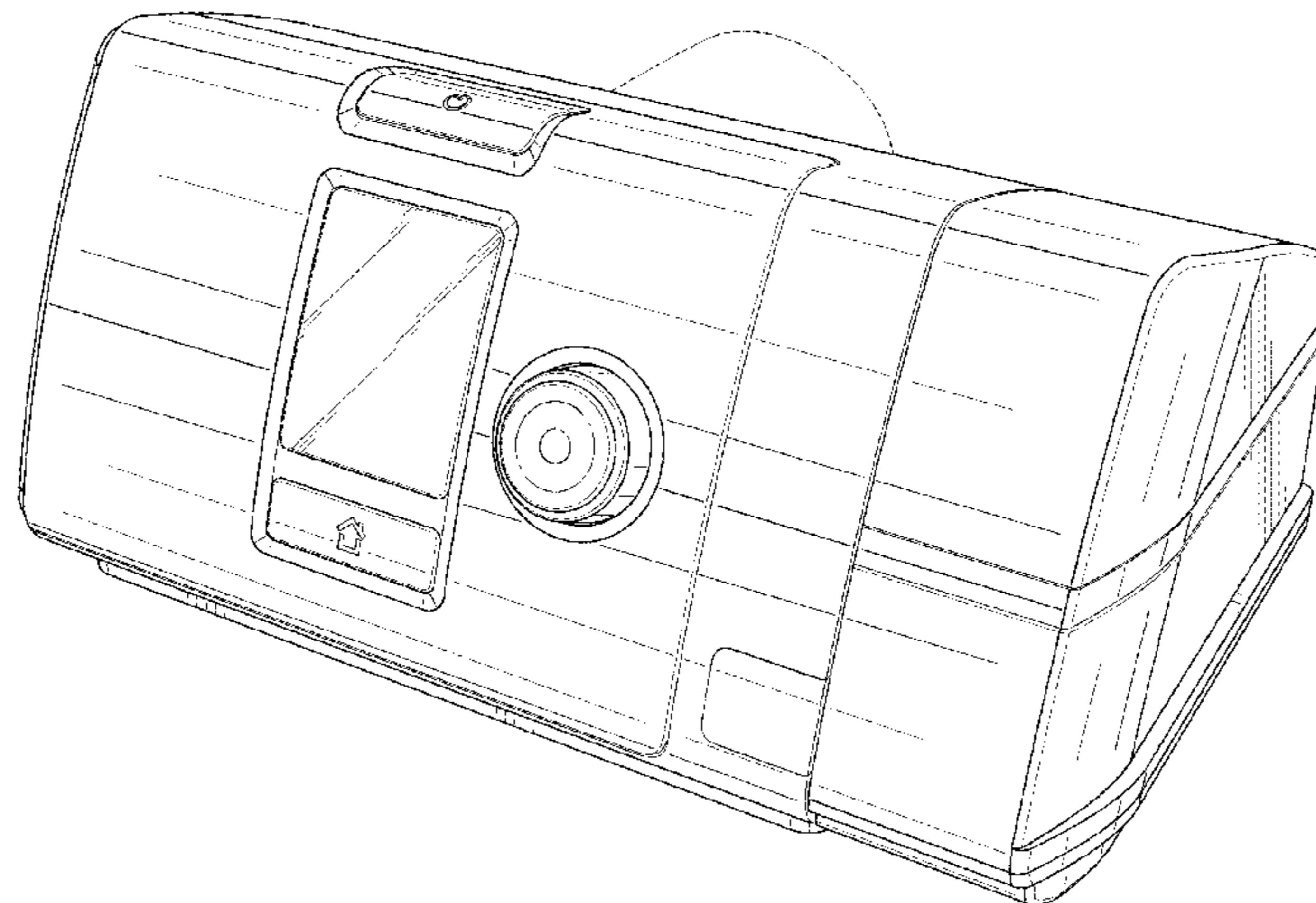
(56) **References Cited**

U.S. PATENT DOCUMENTS

D280,765 S \* 9/1985 Alvino ..... D24/110  
D421,298 S 2/2000 Kenyon et al.  
D436,401 S 1/2001 Remes et al.  
D493,520 S 7/2004 Bertinetti et al.  
D493,884 S 8/2004 Virr et al.  
D544,598 S 6/2007 Lithgow et al.  
7,237,770 B2 \* 7/2007 Lipscombe et al. .... 261/142  
D550,349 S 9/2007 Lithgow et al.  
D560,795 S 1/2008 Lithgow et al.  
D561,890 S 2/2008 Lithgow et al.

(Continued)

**1 Claim, 10 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D561,891 S 2/2008 Lithgow et al.  
 D570,473 S \* 6/2008 Hamaguchi et al. .... D24/110  
 D578,204 S 10/2008 Lithgow et al.  
 D580,060 S 11/2008 Adams  
 D585,131 S 1/2009 Trevor-Wilson et al.  
 D585,540 S 1/2009 Lithgow et al.  
 D590,494 S 4/2009 Lithgow et al.  
 D602,585 S \* 10/2009 Blackwell et al. .... D24/110  
 D604,830 S 11/2009 Lithgow et al.  
 D611,593 S 3/2010 Lithgow et al.  
 D612,480 S 3/2010 Cork et al.  
 D614,286 S 4/2010 Lithgow et al.  
 D621,031 S 8/2010 Lithgow et al.  
 D627,044 S 11/2010 Virr et al.  
 D628,288 S 11/2010 Row et al.  
 D629,891 S 12/2010 Virr et al.  
 D629,892 S 12/2010 Hill et al.  
 D635,244 S 3/2011 Virr et al.  
 D635,245 S 3/2011 Virr et al.  
 D635,654 S 4/2011 Virr et al.  
 D638,536 S 5/2011 Row et al.  
 D638,537 S 5/2011 Virr et al.  
 D638,933 S 5/2011 Hill et al.  
 D643,114 S 8/2011 Virr et al.  
 D650,479 S 12/2011 Row et al.  
 D652,916 S 1/2012 Row et al.  
 D652,917 S 1/2012 Hill et al.  
 D655,813 S 3/2012 Row et al.  
 D658,283 S 4/2012 Burz et al.  
 D659,235 S 5/2012 Bertinetti et al.  
 D671,209 S 11/2012 Row et al.  
 D677,789 S 3/2013 Row et al.  
 D708,316 S \* 7/2014 Bertinetti et al. .... D24/110  
 D710,989 S \* 8/2014 Bertinetti et al. .... D24/110  
 2006/0106345 A1 \* 5/2006 Flaker et al. .... 604/131  
 2007/0169776 A1 \* 7/2007 Kepler et al. .... 128/200.23  
 2009/0123886 A1 \* 5/2009 Vaska ..... 433/27  
 2009/0223514 A1 \* 9/2009 Smith et al. .... 128/203.14  
 2010/0116272 A1 5/2010 Row et al.  
 2011/0017212 A1 \* 1/2011 Kenyon et al. .... 128/203.26  
 2011/0100363 A1 \* 5/2011 Barclay et al. .... 128/203.26  
 2011/0155132 A1 \* 6/2011 Virr et al. .... 128/203.26

2011/0180068 A1 \* 7/2011 Kenyon et al. .... 128/203.26  
 2012/0285454 A1 \* 11/2012 Nibu et al. .... 128/204.18  
 2013/0008440 A1 \* 1/2013 Maurer et al. .... 128/203.12  
 2013/0011823 A1 \* 1/2013 Hassanein et al. .... 435/1.2  
 2013/0206140 A1 \* 8/2013 Kepler et al. .... 128/203.12  
 2013/0239961 A1 \* 9/2013 Ross et al. .... 128/202.22  
 2013/0263854 A1 \* 10/2013 Taylor et al. .... 128/204.23  
 2013/0280055 A1 10/2013 Daly et al.  
 2014/0130802 A1 \* 5/2014 Virr et al. .... 128/203.26  
 2014/0202460 A1 \* 7/2014 Bath et al. .... 128/202.22  
 2014/0216459 A1 \* 8/2014 Vos et al. .... 128/204.17  
 2014/0246025 A1 \* 9/2014 Cragg et al. .... 128/204.19

FOREIGN PATENT DOCUMENTS

EM 001312953-0003 3/2012  
 EM 001312953-0004 3/2012  
 EM 001312953-0005 3/2012  
 EP 2 703 034 A2 8/2013  
 WO WO 2011/056080 A1 5/2011  
 WO WO 2012/160477 A1 11/2012

OTHER PUBLICATIONS

U.S. Appl. No. 61/987,245, May 2014, Foote et al.  
 U.S. Appl. No. 29/456,458, May, 2013, Formica et al.  
 U.S. Appl. No. 29/482,519, Feb. 2014, Bath et al.  
 U.S. Appl. No. 29/456,458, May 2013, Formica et al.  
 U.S. Appl. No. 29/502,152, Sep. 2014, Bertinetti et al.  
 U.S. Appl. No. 29/482,541, Feb. 2014, Verma et al.  
 U.S. Appl. No. 29/485,313, Mar. 2014, Formica et al.  
 U.S. Appl. No. 29/492,344, May 2014, Bertinetti et al.  
 Office Action mailed Nov. 7, 2014 in Design U.S. Appl. No. 29/482,519 (5 pages).  
 ResMed S9™ Series, No Other Sleep Therapy System Delivers, 2010 (12 pages).  
 Philips Respironics, System One Sleep Therapy System, May 2012 (2 pages).  
 Fisher & Paykel Healthcare, Icon Brochure, 2010 (2 pages).  
 Fisher & Paykel Healthcare, Icon User Manual, Jan. 2010 (214 pages).  
 Office Action mailed Dec. 3, 2014 in U.S. Appl. No. 29/456,458 (7 pages).

\* cited by examiner



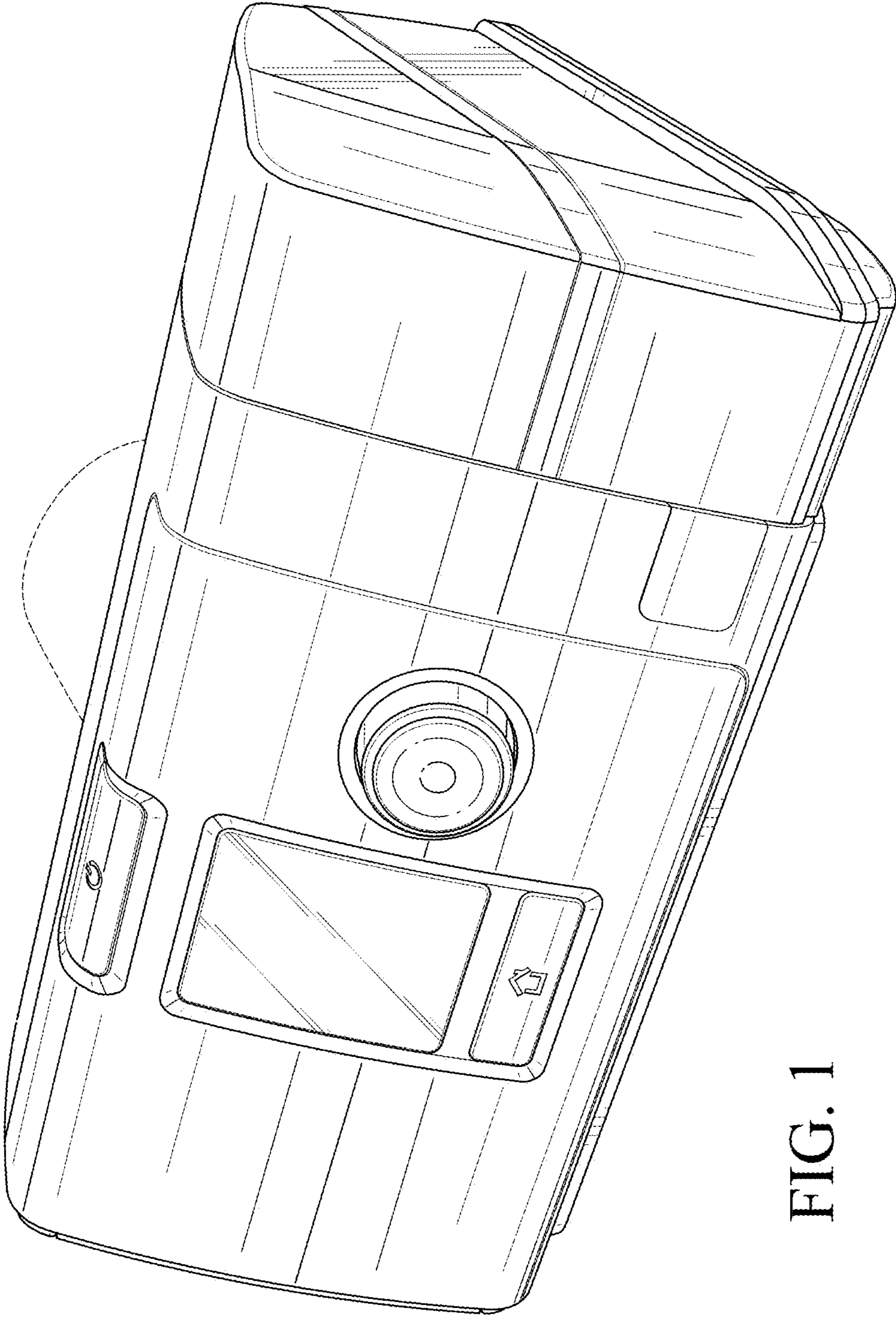


FIG. 1

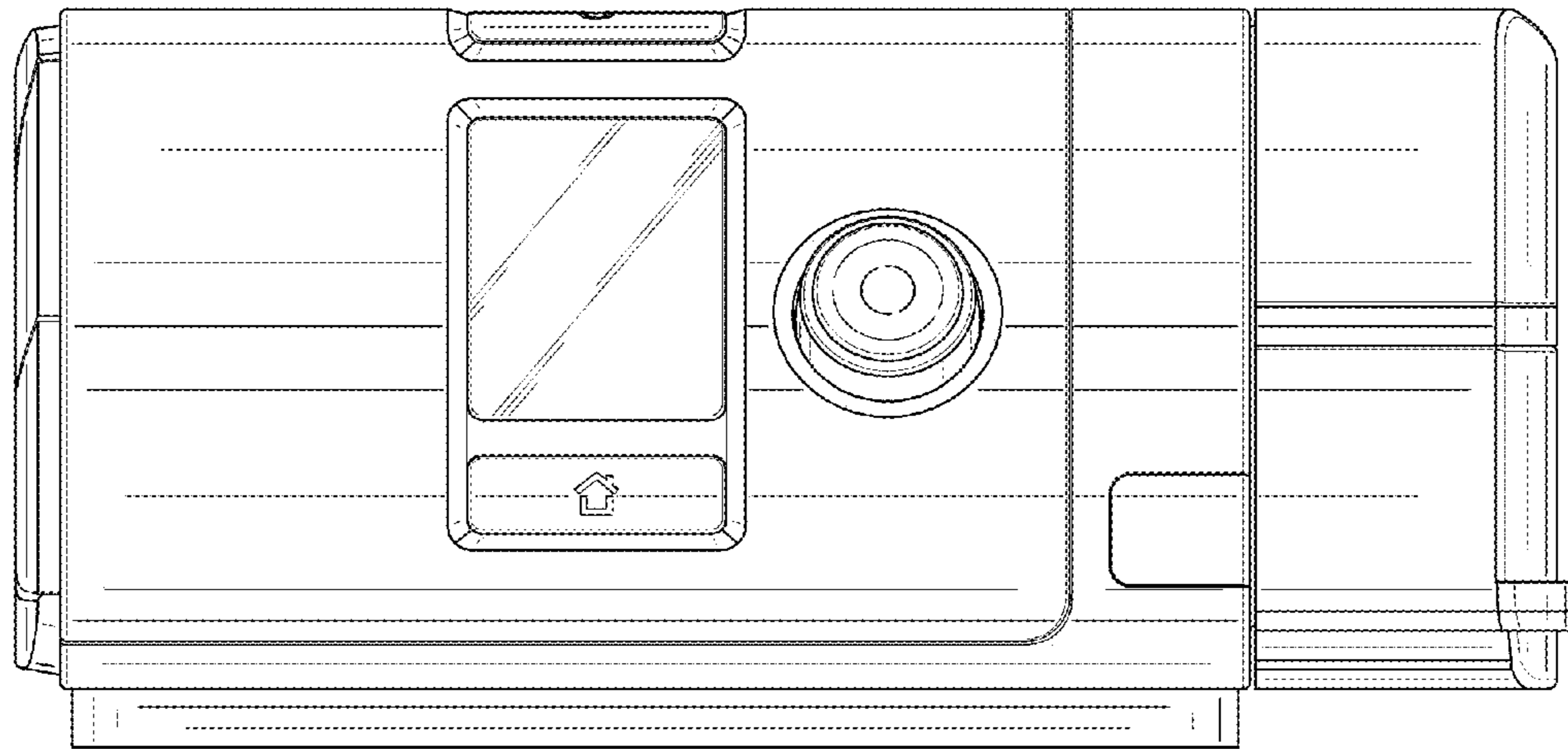


FIG. 2

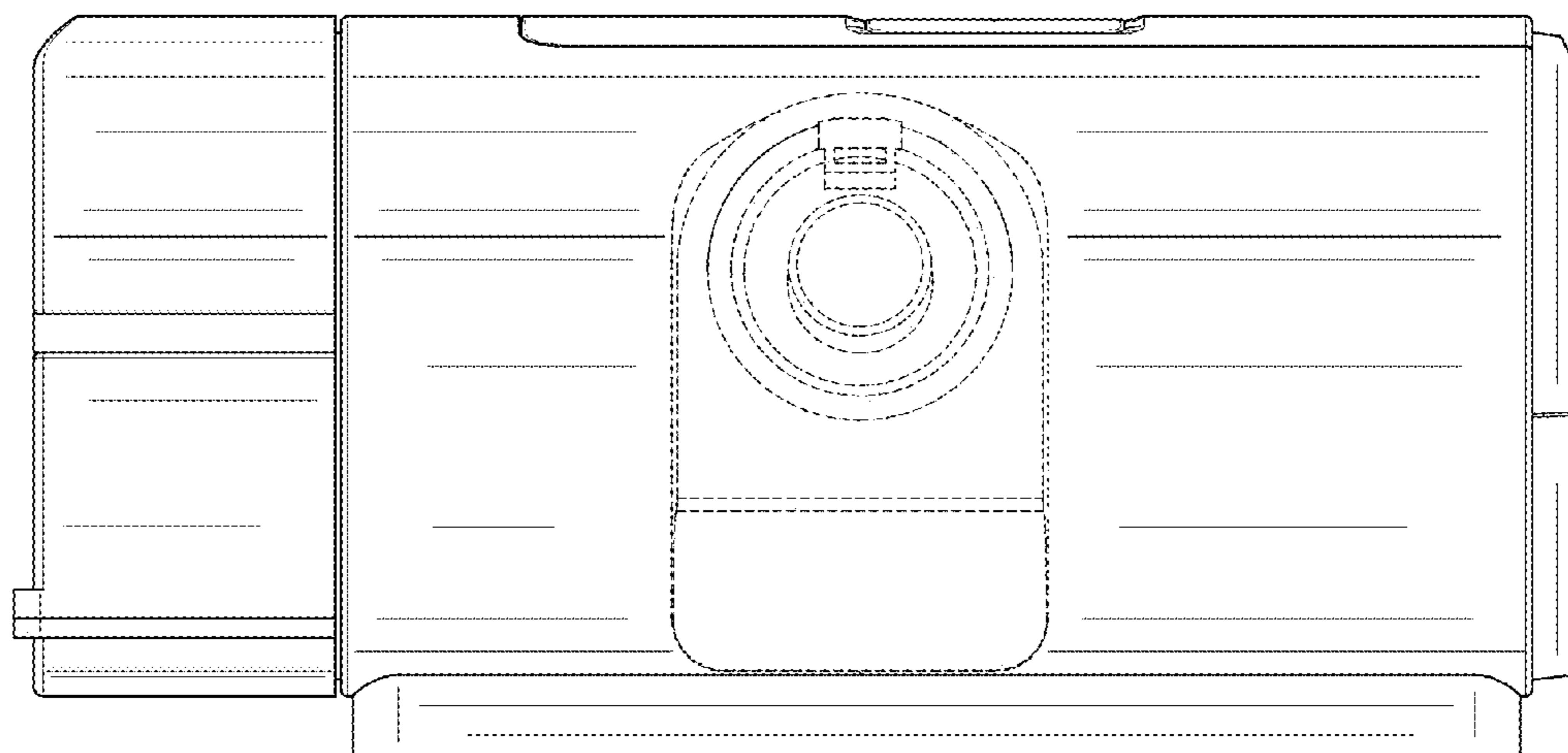


FIG. 3

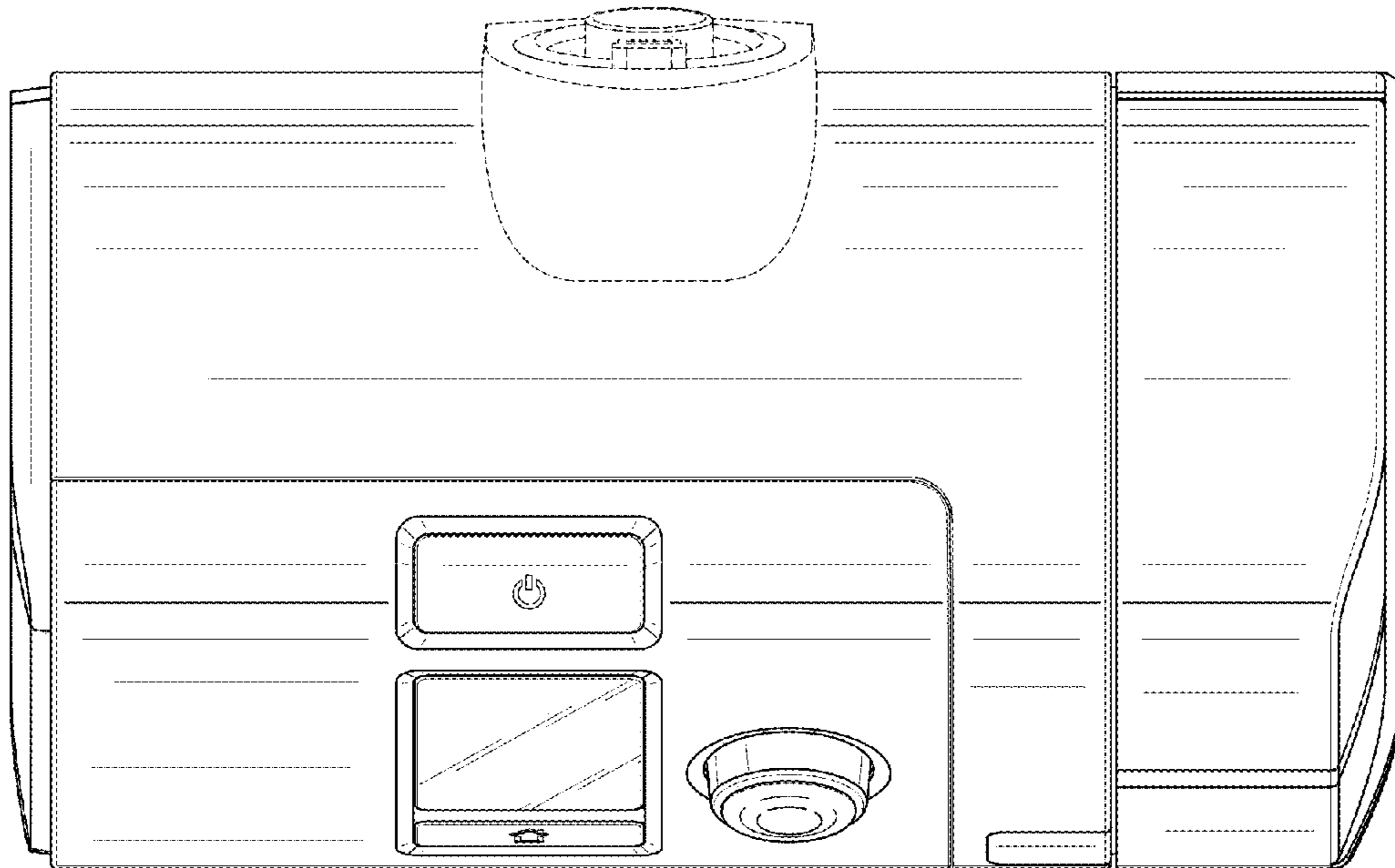


FIG. 4

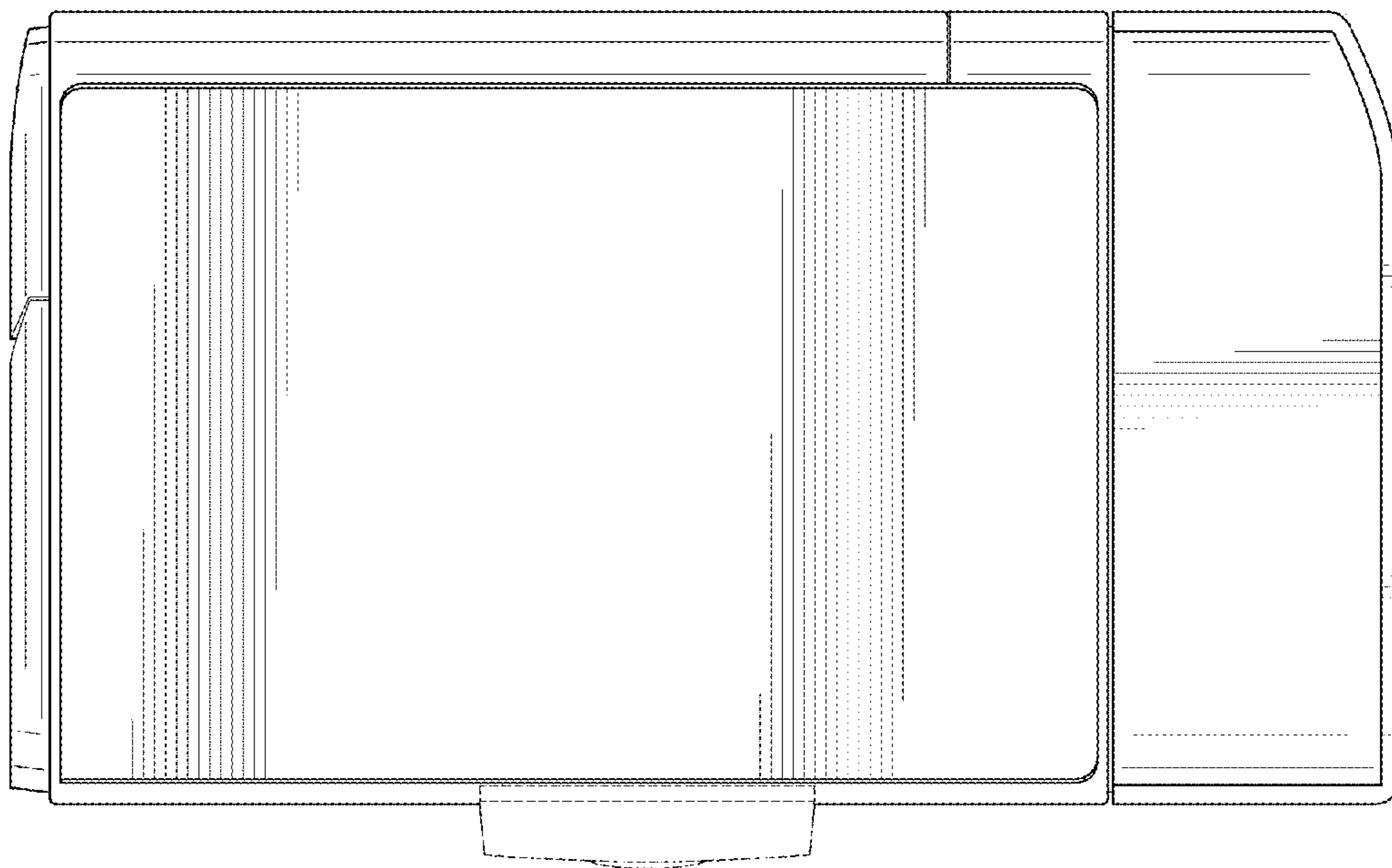


FIG. 5

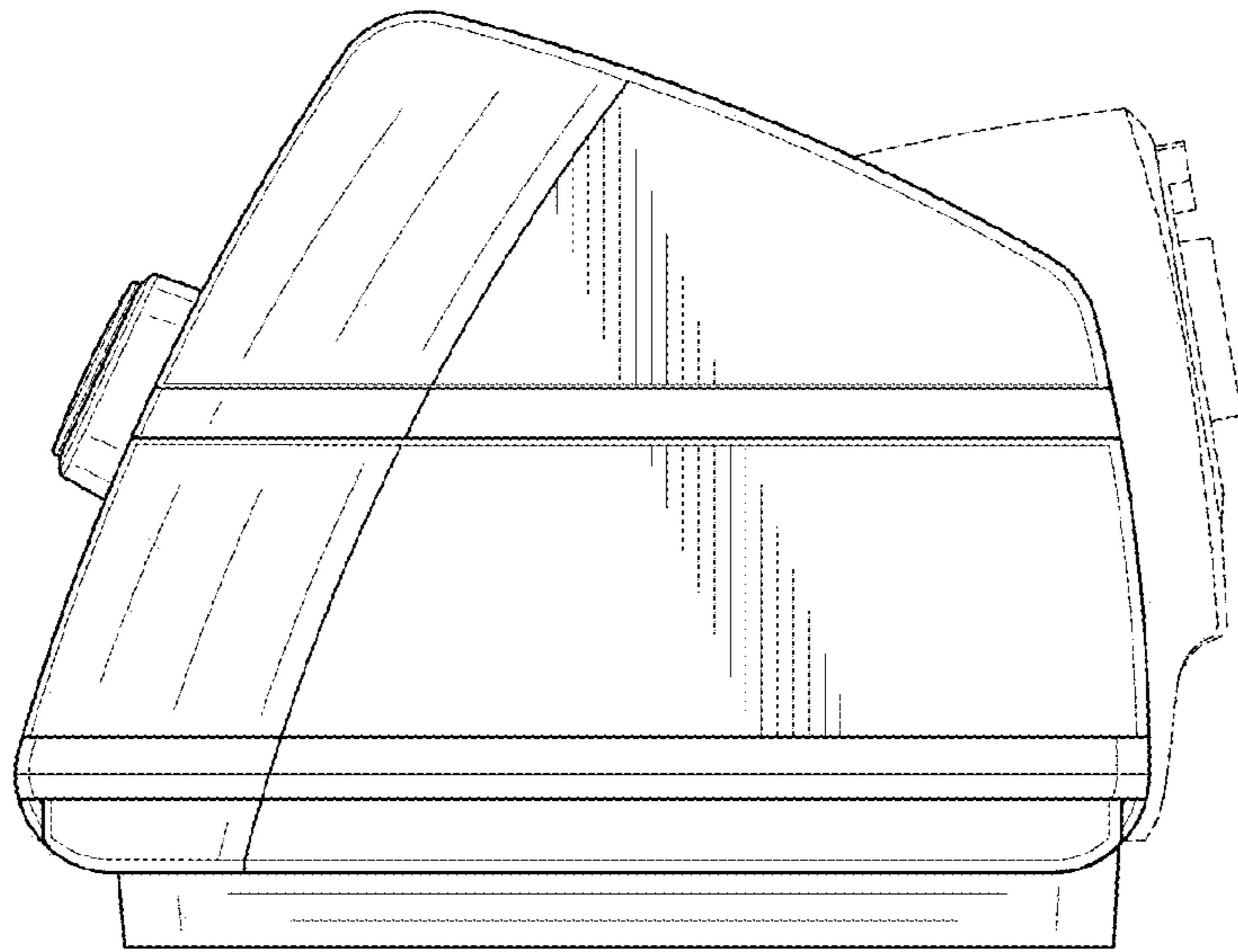


FIG. 6

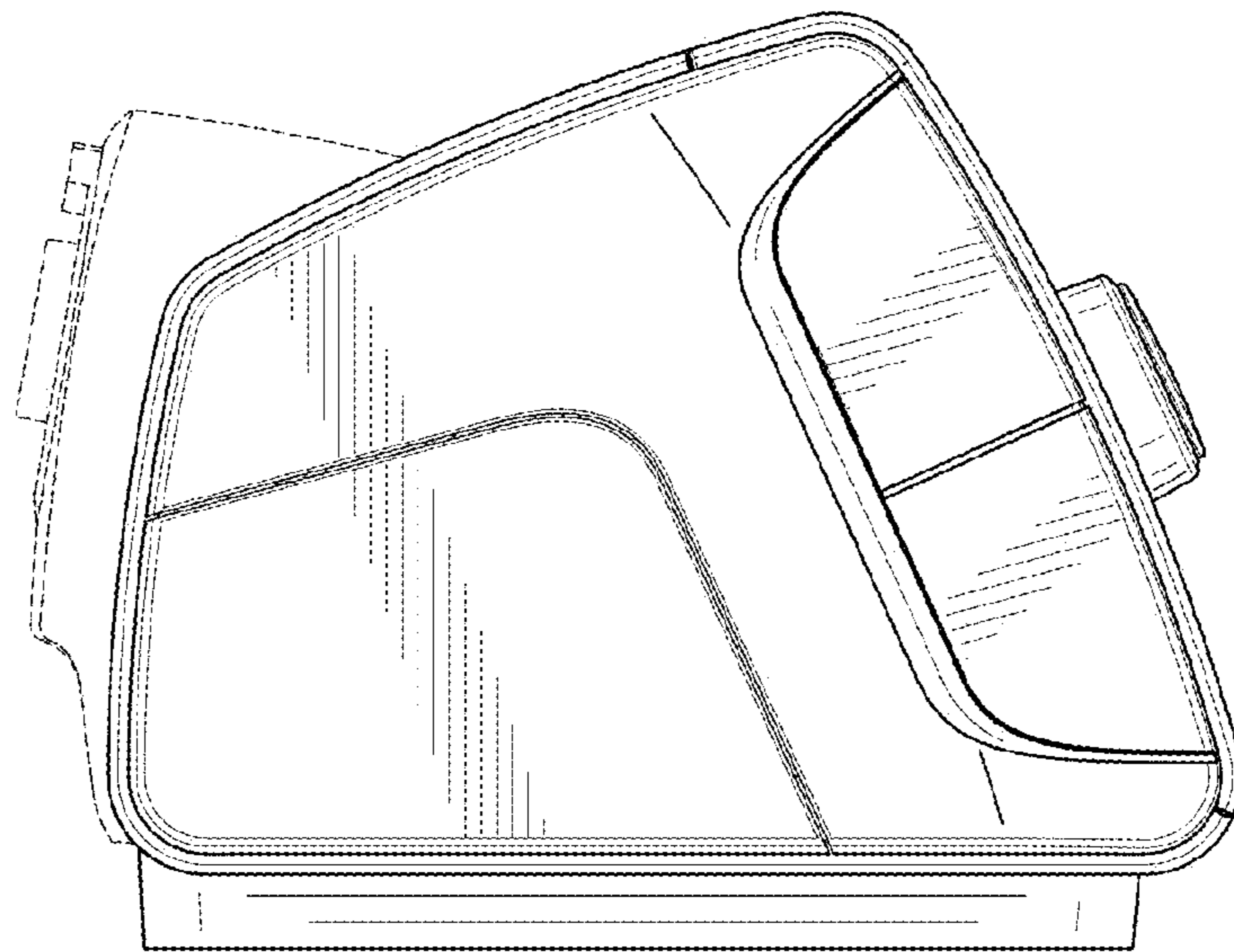


FIG. 7

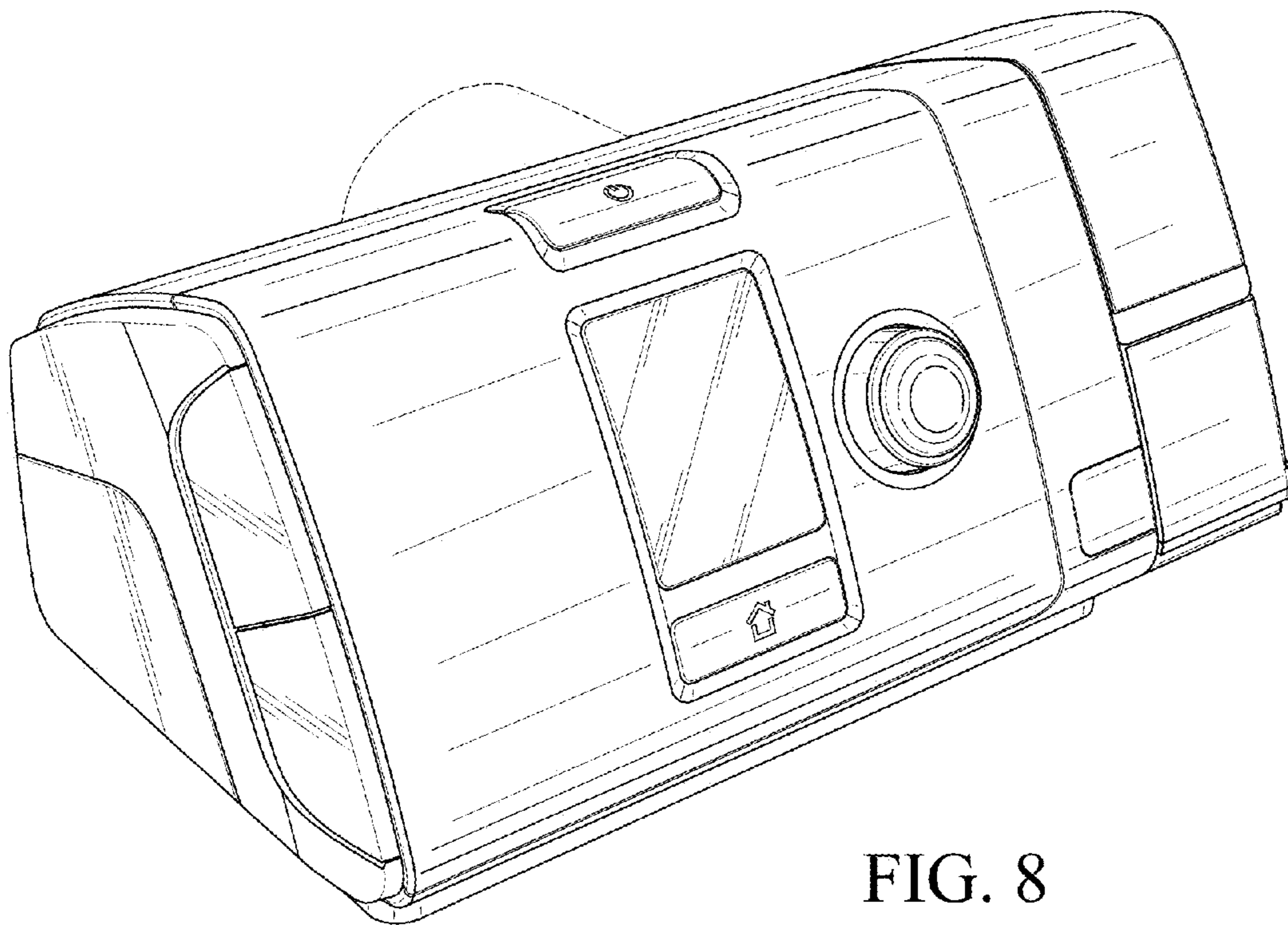


FIG. 8



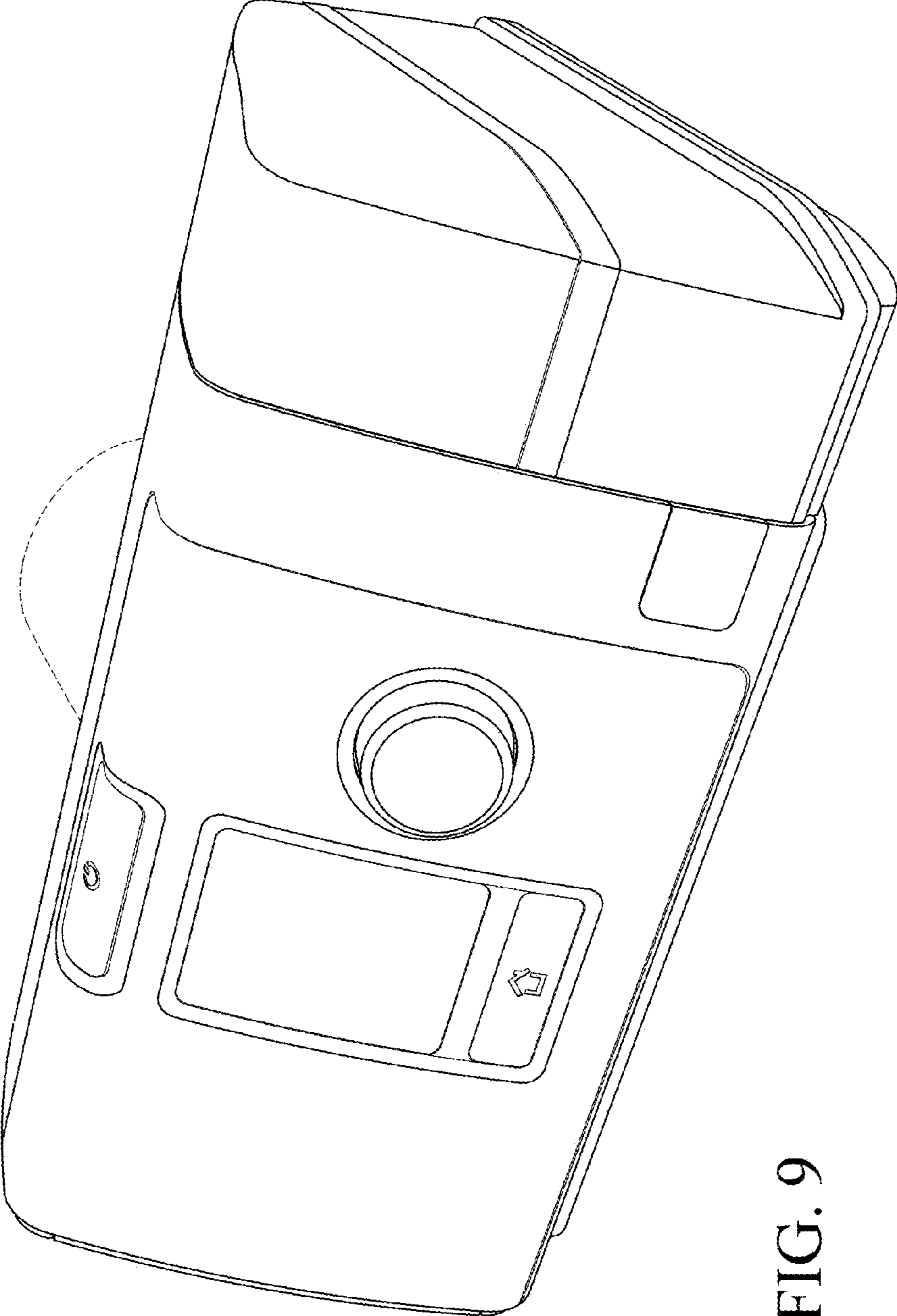


FIG. 9



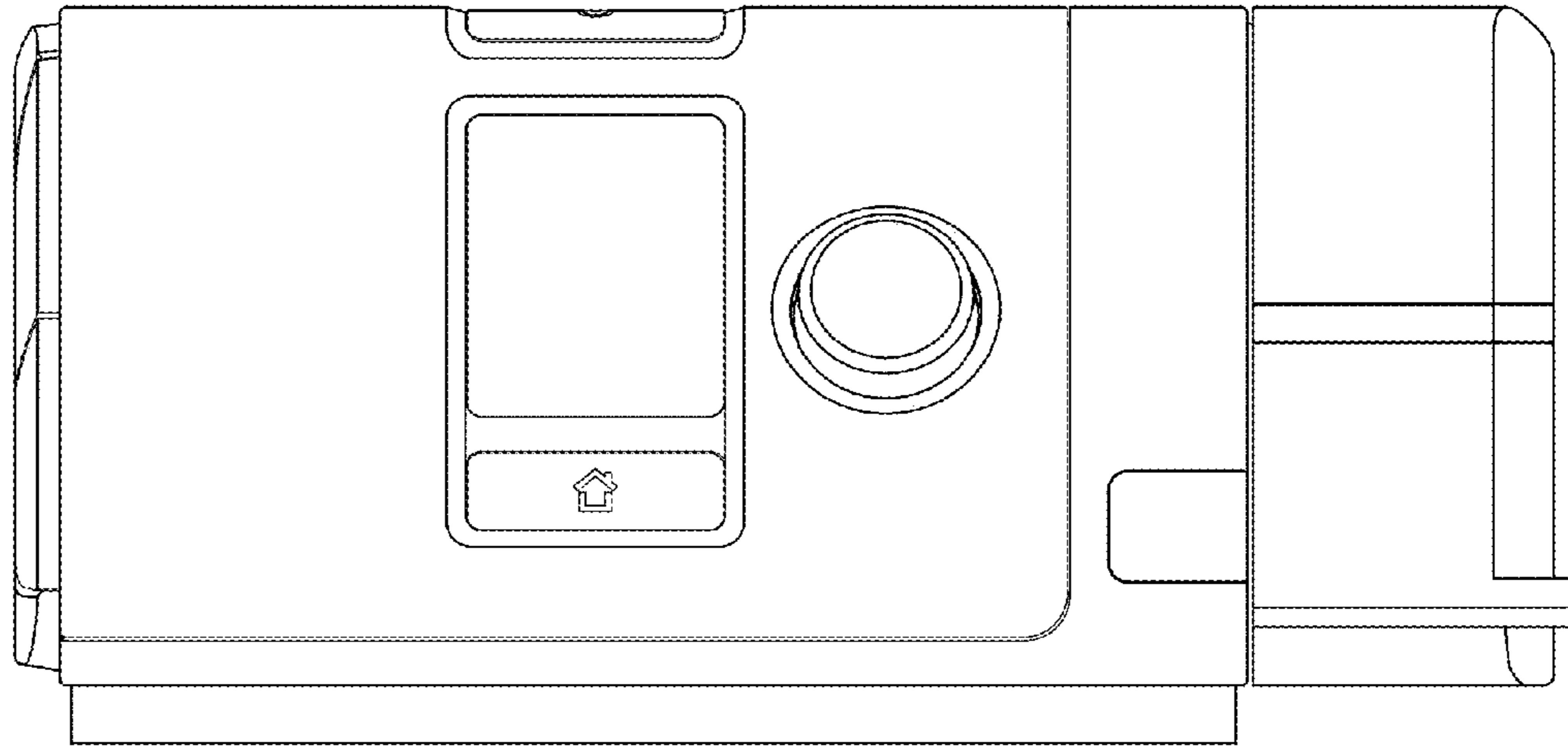


FIG. 10

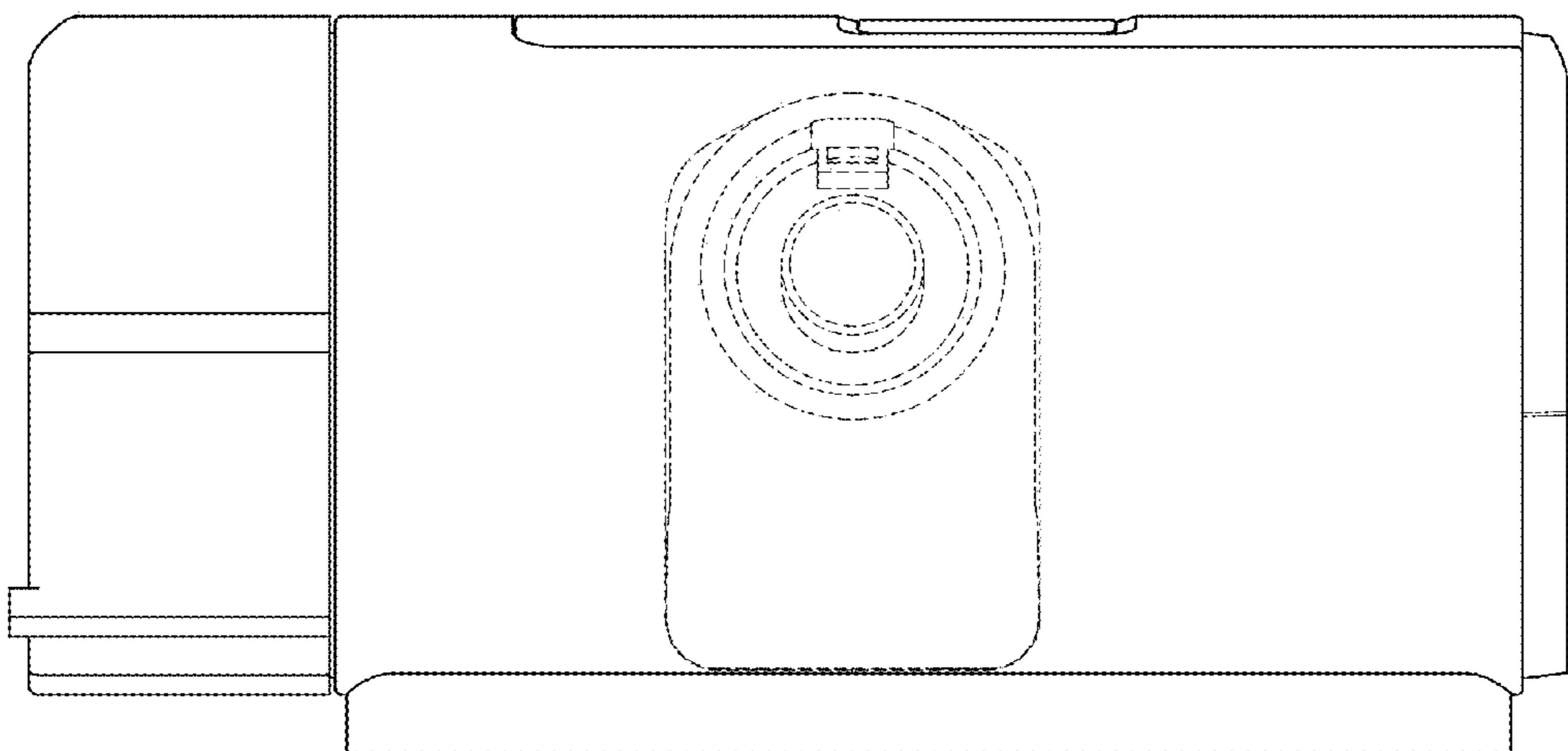


FIG. 11

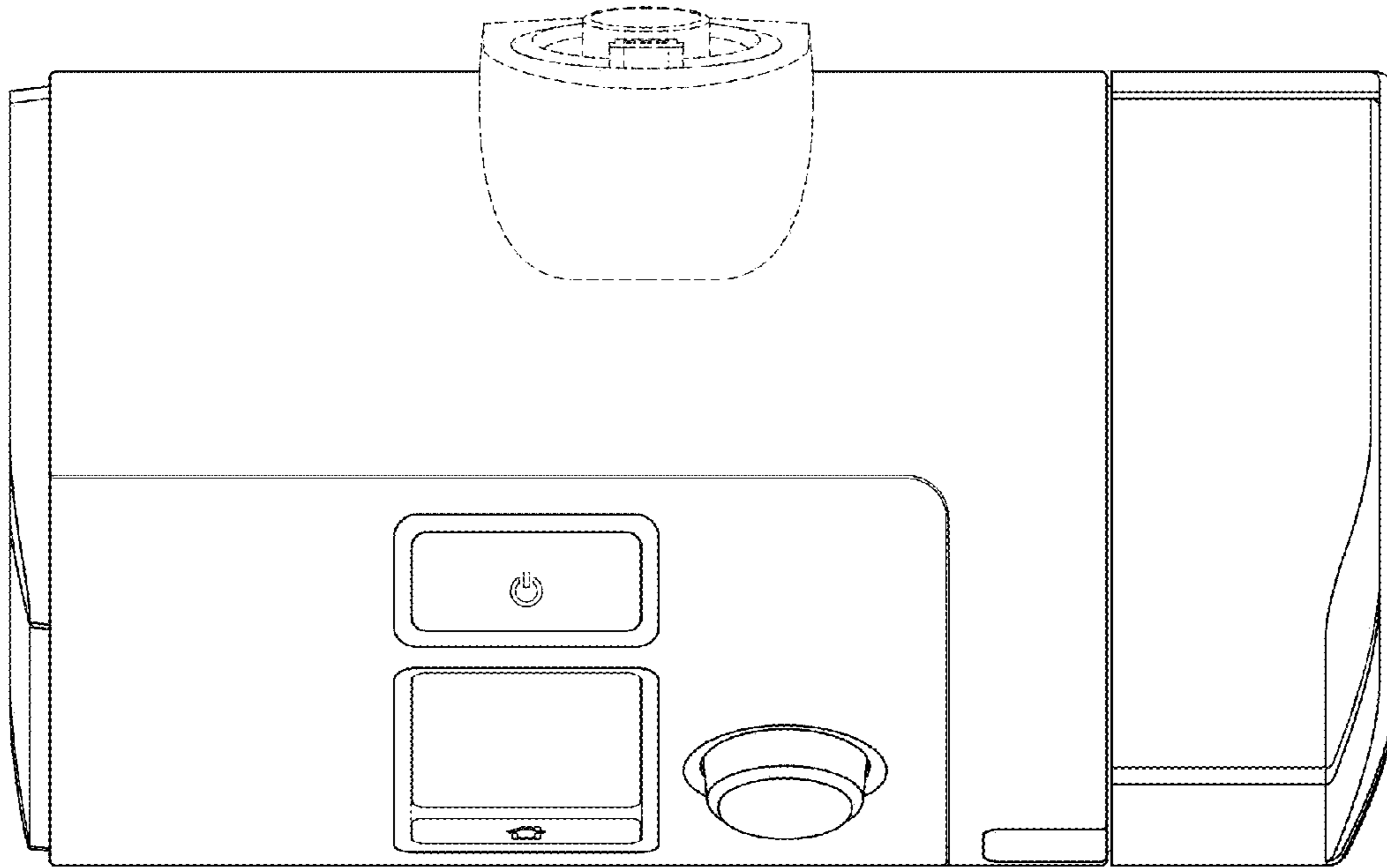


FIG. 12

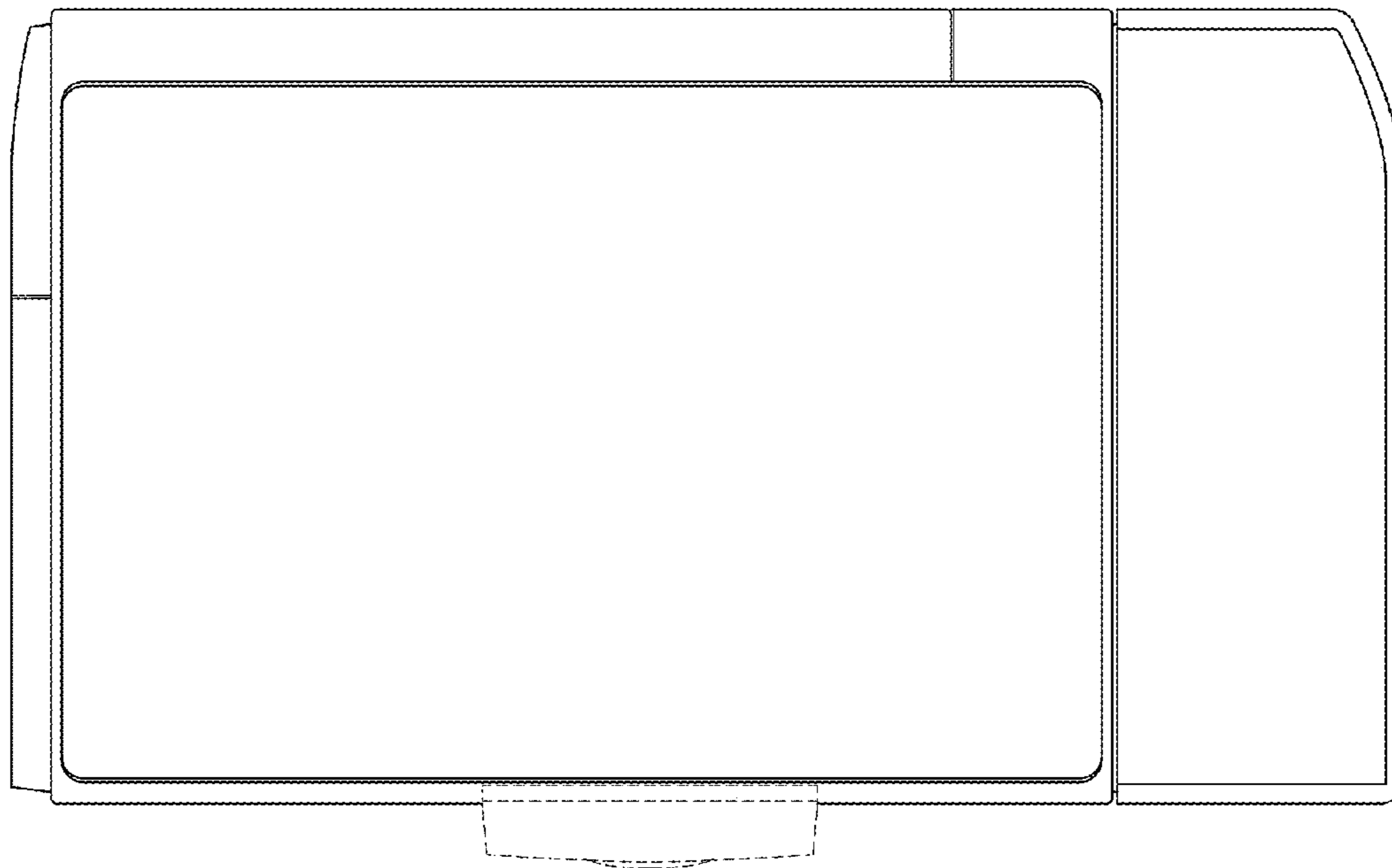


FIG. 13

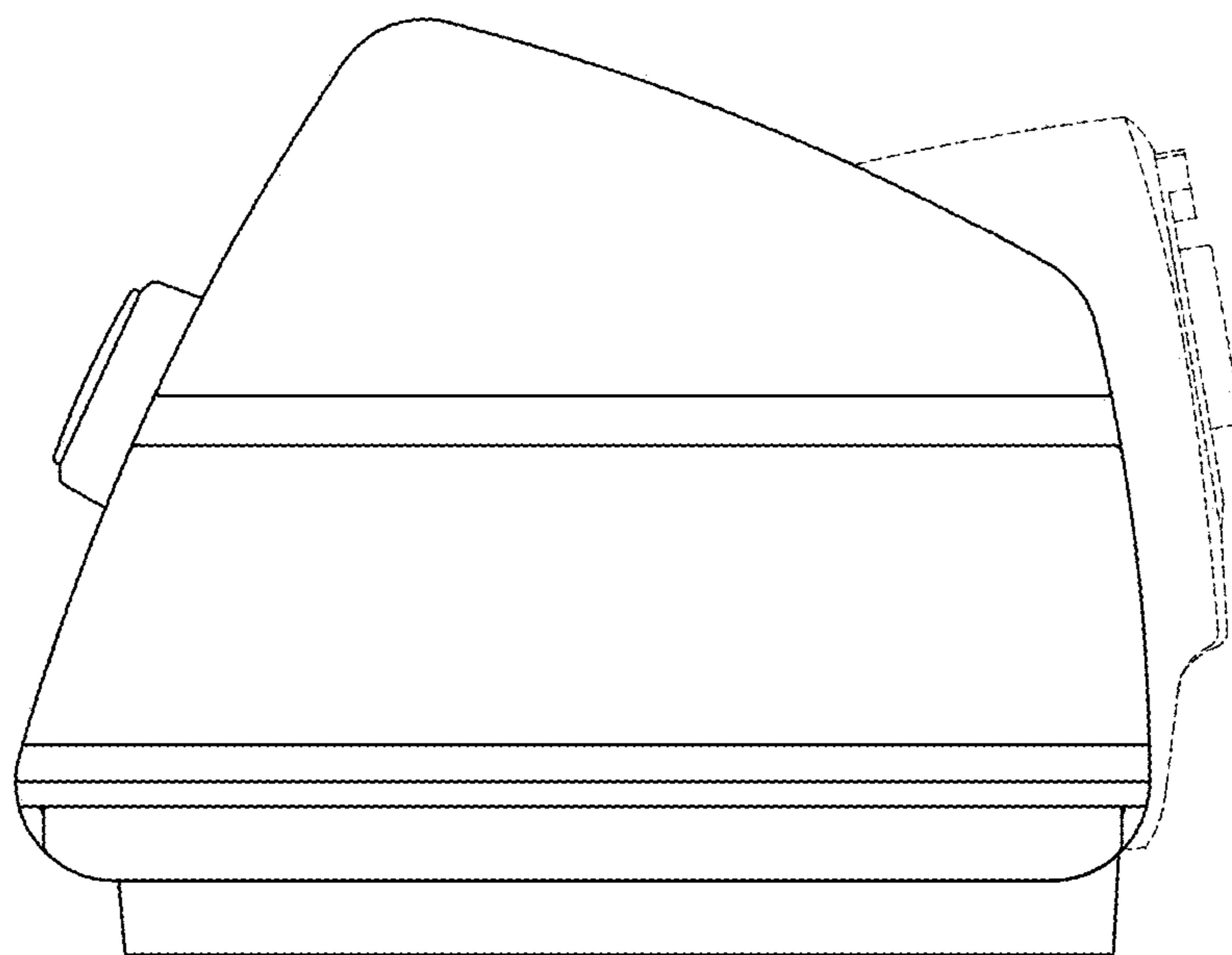


FIG. 14

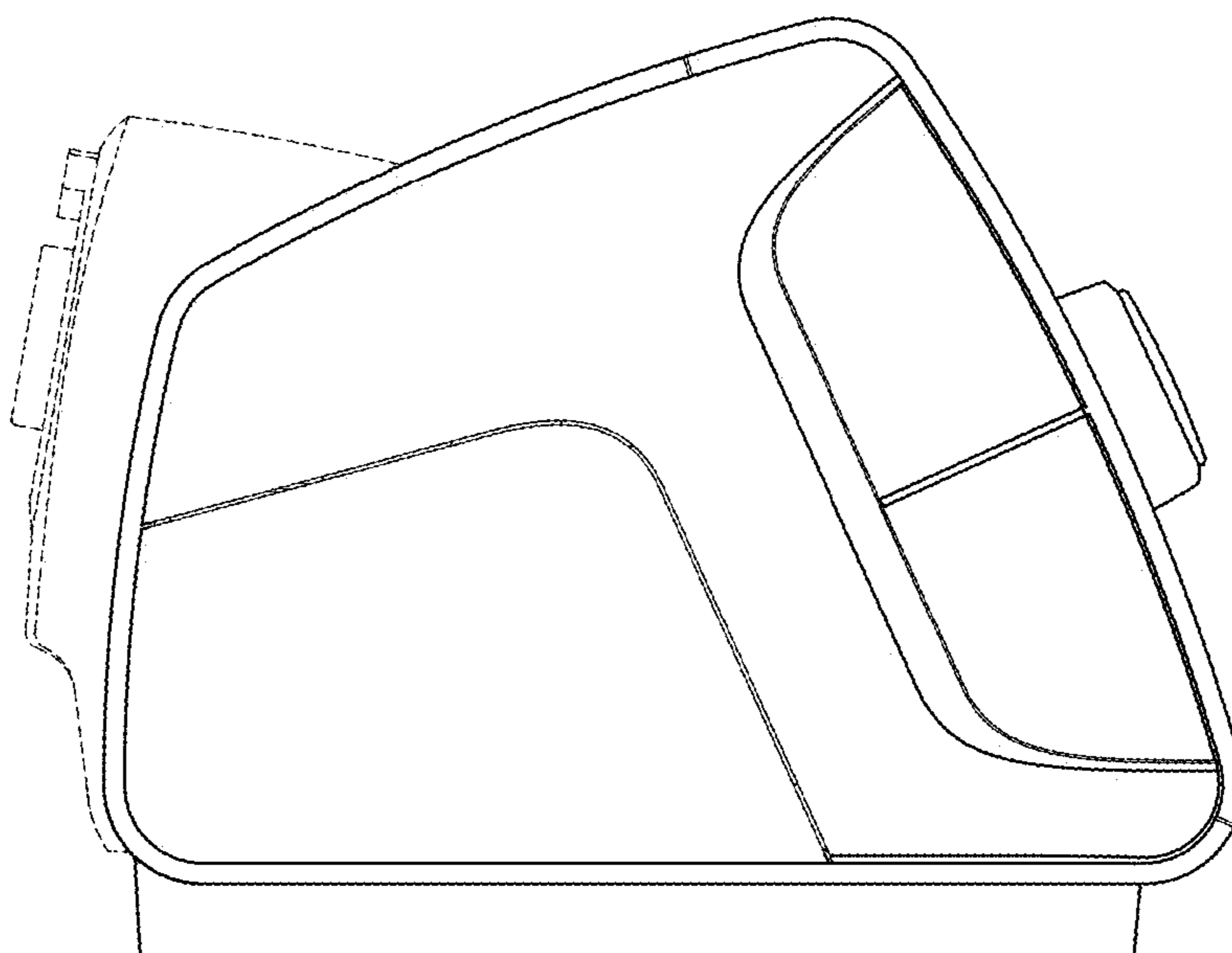


FIG. 15

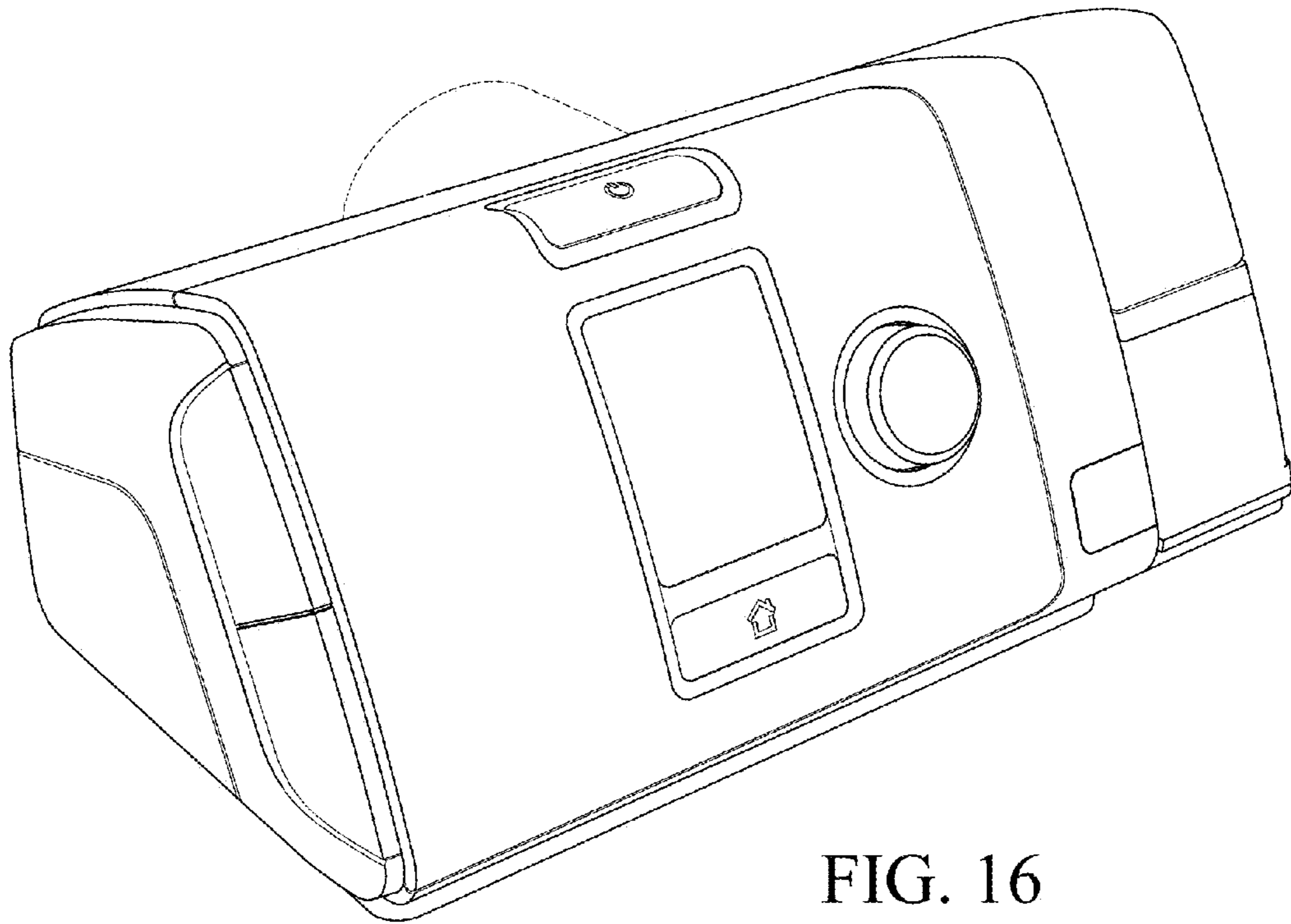


FIG. 16