



US00D743021S

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

(10) **Patent No.:** **US D743,021 S**  
(45) **Date of Patent:** **\*\* Nov. 10, 2015**

- (54) **SLEEP APNEA DEVICE**
- (71) Applicant: **Fresca Medical, Inc.**, San Clemente, CA (US)
- (72) Inventors: **Eugene G. Chen**, Carlsbad, CA (US);  
**Alan M. Gordon**, Del Mar, CA (US);  
**Samuel C. Wu**, Cerritos, CA (US)
- (73) Assignee: **Fresca Medical, Inc.**, San Clemente, CA (US)
- (\*\*) Term: **14 Years**
- (21) Appl. No.: **29/461,138**
- (22) Filed: **Jul. 18, 2013**
- (51) **LOC (10) Cl.** ..... **29-02**
- (52) **U.S. Cl.**  
USPC ..... **D24/110**
- (58) **Field of Classification Search**  
USPC ..... D24/107, 110, 110.1, 110.2, 110.4,  
D24/110.5, 127, 164  
CPC ... A61B 5/4818; A61B 5/6819; A61M 16/06;  
A61M 16/0683; A61M 16/00; A61M 16/0666;  
A61M 16/0672; A61M 2210/0618; A61M  
16/0622; A62B 9/00  
See application file for complete search history.

- 6,691,707 B1 2/2004 Gunaratnam et al.
- 6,823,865 B2 11/2004 Drew et al.
- 7,011,090 B2 3/2006 Drew et al.
- 7,066,178 B2 6/2006 Gunaratnam et al.
- 7,159,587 B2 1/2007 Drew et al.
- 7,207,335 B2 4/2007 Kwok et al.
- D542,912 S \* 5/2007 Gunaratnam et al. .... D24/110.5
- 7,341,060 B2 3/2008 Ging et al.

(Continued)

**FOREIGN PATENT DOCUMENTS**

- EP 1893267 A1 11/2011
- EP 2287471 B1 6/2012
- EP 2530327 A2 12/2012

**OTHER PUBLICATIONS**

Clevervine Design Studio. [cleverv.com](http://cleverv.com) . Accessed Jul. 14, 2015  
<<http://cleverv.com/fresca-cpap-phase-1>>.\*

(Continued)

*Primary Examiner* — Deanna L Pratt  
*Assistant Examiner* — Lilyana Bekic  
(74) *Attorney, Agent, or Firm* — Manuel de la Cerra

(57) **CLAIM**

The following is claimed the ornamental design for a sleep apnea device, as shown and described herein.

**DESCRIPTION**

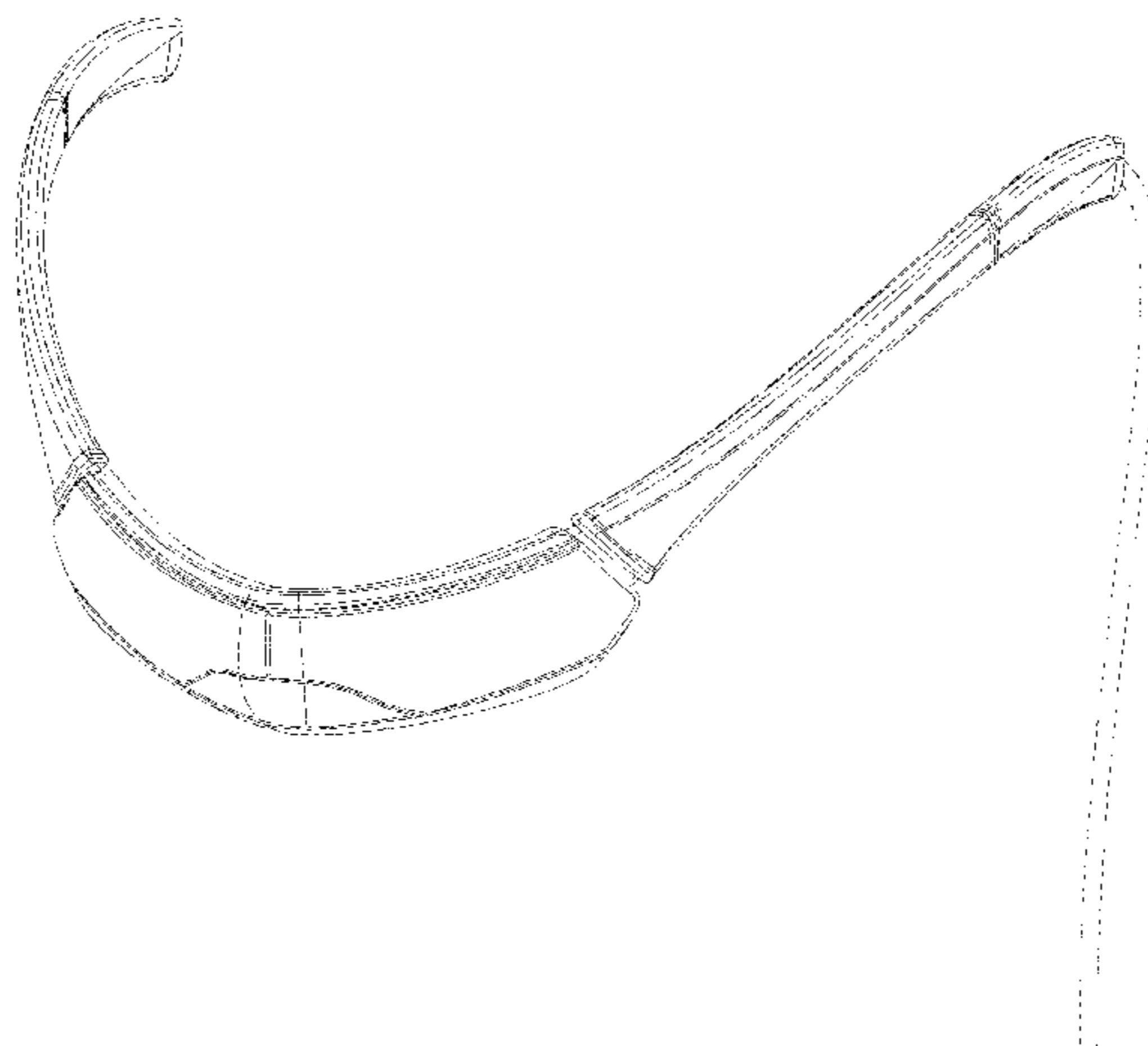
FIG. 1 is a perspective view of a sleep apnea device according to the present design;  
FIG. 2 is a front elevation view thereof;  
FIG. 3 is a rear elevation view thereof;  
FIG. 4 is a left-side elevation view thereof;  
FIG. 5 is a right-side elevation view thereof;  
FIG. 6 is a top plan view thereof; and,  
FIG. 7 is a bottom plan view thereof.  
The broken lines in the drawings illustrate portions of the sleep apnea device which form no part of the claimed design.

**1 Claim, 7 Drawing Sheets**

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- 4,915,105 A \* 4/1990 Lee ..... 128/205.27
- 5,567,127 A 10/1996 Wentz
- 5,649,533 A 7/1997 Oren
- 5,724,965 A \* 3/1998 Handke et al. .... 128/207.13
- 6,119,694 A \* 9/2000 Correa et al. .... 128/207.13
- 6,123,071 A 9/2000 Gerthon-Jones et al.
- 6,182,657 B1 2/2001 Brydon et al.
- 6,526,974 B1 3/2003 Brydon et al.
- 6,561,190 B1 5/2003 Kwok
- 6,561,191 B1 5/2003 Kwok
- 6,581,594 B1 6/2003 Drew et al.



(56)

References Cited

U.S. PATENT DOCUMENTS

D591,419 S \* 4/2009 Chandran et al. .... D24/110.1  
 7,523,753 B2 4/2009 Gunaratnam et al.  
 7,527,055 B2 5/2009 McAuliffe et al.  
 7,597,100 B2 10/2009 Ging et al.  
 7,735,492 B2 6/2010 Doshi et al.  
 7,806,120 B2 10/2010 Loomas et al.  
 7,845,354 B2 12/2010 Kwok et al.  
 7,856,979 B2 12/2010 Doshi et al.  
 7,874,293 B2 1/2011 Gunaratnam et al.  
 7,878,199 B2 2/2011 Ging et al.  
 7,926,487 B2 4/2011 Drew et al.  
 7,934,501 B2 5/2011 Fu et al.  
 7,942,150 B2 5/2011 Guney et al.  
 7,967,013 B2 6/2011 Ging et al.  
 7,992,564 B2 8/2011 Doshi et al.  
 8,011,369 B2 9/2011 Gunaratnam et al.  
 8,042,542 B2 \* 10/2011 Ging et al. .... 128/207.11  
 D653,748 S \* 2/2012 Henry et al. .... D24/110.5  
 8,122,884 B2 2/2012 Daly et al.  
 8,122,886 B2 2/2012 Kwok et al.  
 8,136,524 B2 3/2012 Ging et al.  
 8,215,308 B2 7/2012 Doshi et al.  
 8,235,046 B2 8/2012 Doshi et al.  
 8,240,309 B2 8/2012 Doshi et al.  
 8,286,636 B2 10/2012 Gunaratnam et al.  
 8,297,285 B2 \* 10/2012 Henry et al. .... 128/207.18  
 8,337,145 B2 12/2012 Frater et al.  
 8,397,727 B2 3/2013 Ng et al.  
 8,402,972 B2 3/2013 Lang et al.  
 8,439,039 B2 5/2013 Gunaratnam et al.  
 D685,463 S \* 7/2013 Veliss et al. .... D24/110.1  
 D704,329 S \* 5/2014 Collazo et al. .... D24/110.4  
 2009/0065729 A1 3/2009 Worboys et al.

OTHER PUBLICATIONS

CPAP Systems and Accessories: Comfort Accuracy and High Flows.  
 Vital Signs, Inc. General Electric Healthcare Company. 2009, 2  
 pages.

Deegan, P., et al. Effects of positive airway pressure on upper airway dilator muscle activity and ventilatory timing. *Journal of Applied Physiol.* Jul. 1996; 81(1): 470-9.  
 Duncan, A., et al. PEEP and CPAP. *Anaesth Intensive Care.* Aug. 1986; 14(3): 236-50.  
 Garrard, C., et al. The effects of expiratory positive airway pressure on functional residual capacity in normal subjects. *Crit Care Med.* Sep.-Oct. 1978; 6(5): 320-2.  
 Gillick, JS. Spontaneous positive end-expiratory pressure (sPEEP). *Anesthesia & Analgesia.* Sep.-Oct. 1977; 56(5): 627-32. PubMed PMID: 333990.  
 Heinzer R, et al. Effect of expiratory positive airway pressure on sleep disordered breathing. *Sleep.* Mar. 2008; 31(3): 429-32.  
 Juhász, J. et al. Proportional positive airway pressure: a new concept to treat obstructive sleep apnoea. *European Respiratory Journal.* 2001; 17: 467-473.  
 Layon, J., et al. Continuous positive airway pressure and expiratory positive airway pressure increase functional residual capacity equivalently. *Chest.* Apr. 1986;89(4):517-21.  
 Resta, O., et al. The role of the expiratory phase in obstructive sleep apnoea. *Respir Med.* Mar. 1999;93(3):190-5.  
 Sanders, M., et al. Obstructive sleep apnea treated by independently adjusted inspiratory and expiratory positive airway pressures via nasal mask. Physiologic and clinical implications. *Chest.* Aug. 1990; 98(2): 317-24.  
 Schlobohm, R., et al. Lung volumes, mechanics, and oxygenation during spontaneous positive-pressure ventilation: the advantage of CPAP over EPAP. *Anesthesiology.* Oct. 1981;55(4):416-22.  
 Schmidt, G., et al. EPAP without intubation. *Crit Care Med.* Jul.-Aug. 1977; 5(4): 207-9.  
 Sériès, F., et al. Changes in upper airway resistance with lung inflation and positive airway pressure. *American Physiological Society.* Mar. 1990; 68(3): 1075-1079.  
 Sturgeon, C. Jr, et al. PEEP and CPAP: cardiopulmonary effects during spontaneous ventilation. *Anesth Analg.* Sep.-Oct. 1977; 56(5):633-41. PubMed PMID: 20822.  
 Tummons, J. A positive end-expiratory pressure-nasal-assist device (PEEP-NAD) for treatment of respiratory distress syndrome. *Anesthesiology.* Jun. 1973; 38(6):592-5.

\* cited by examiner

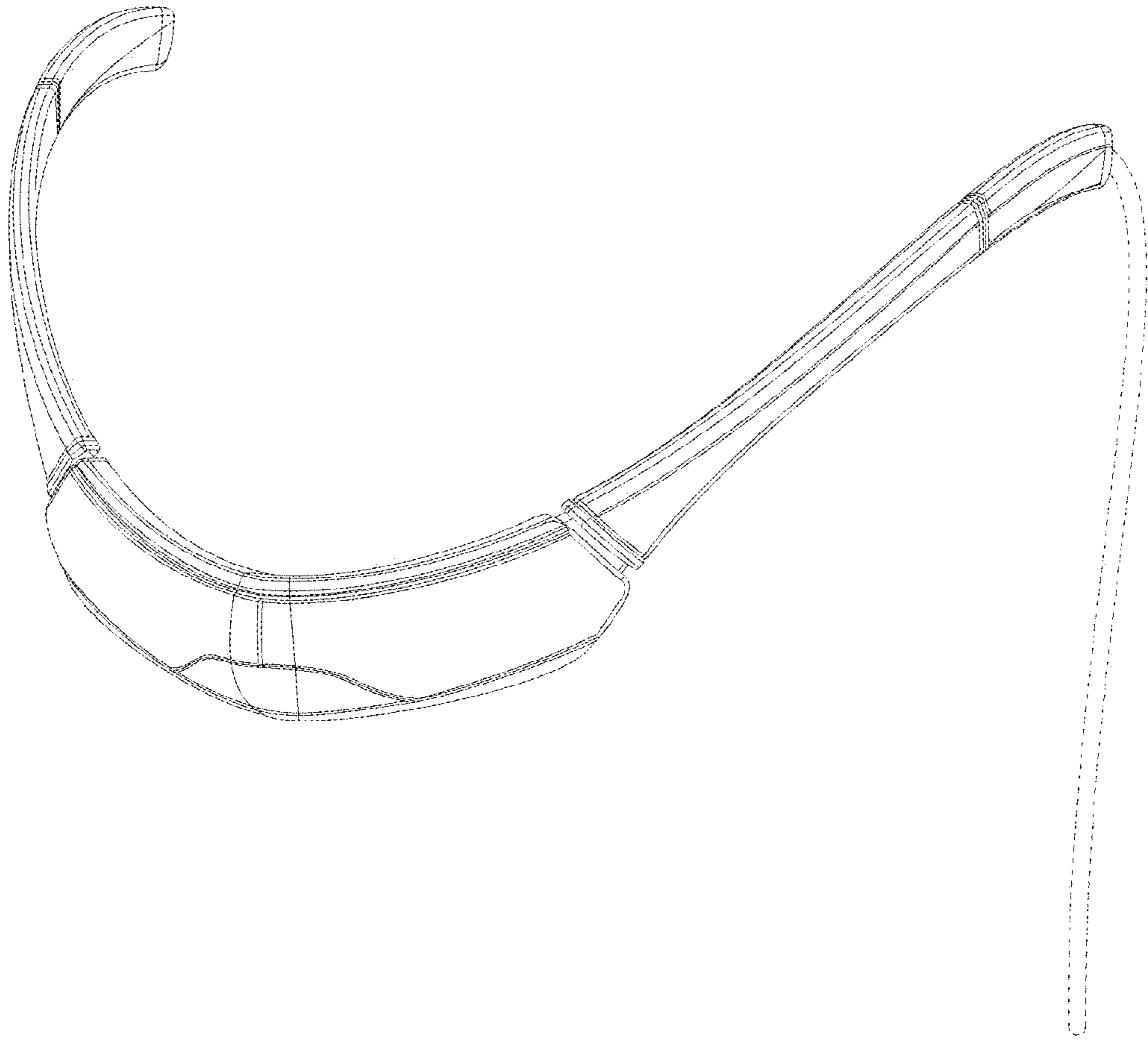


FIG. 1

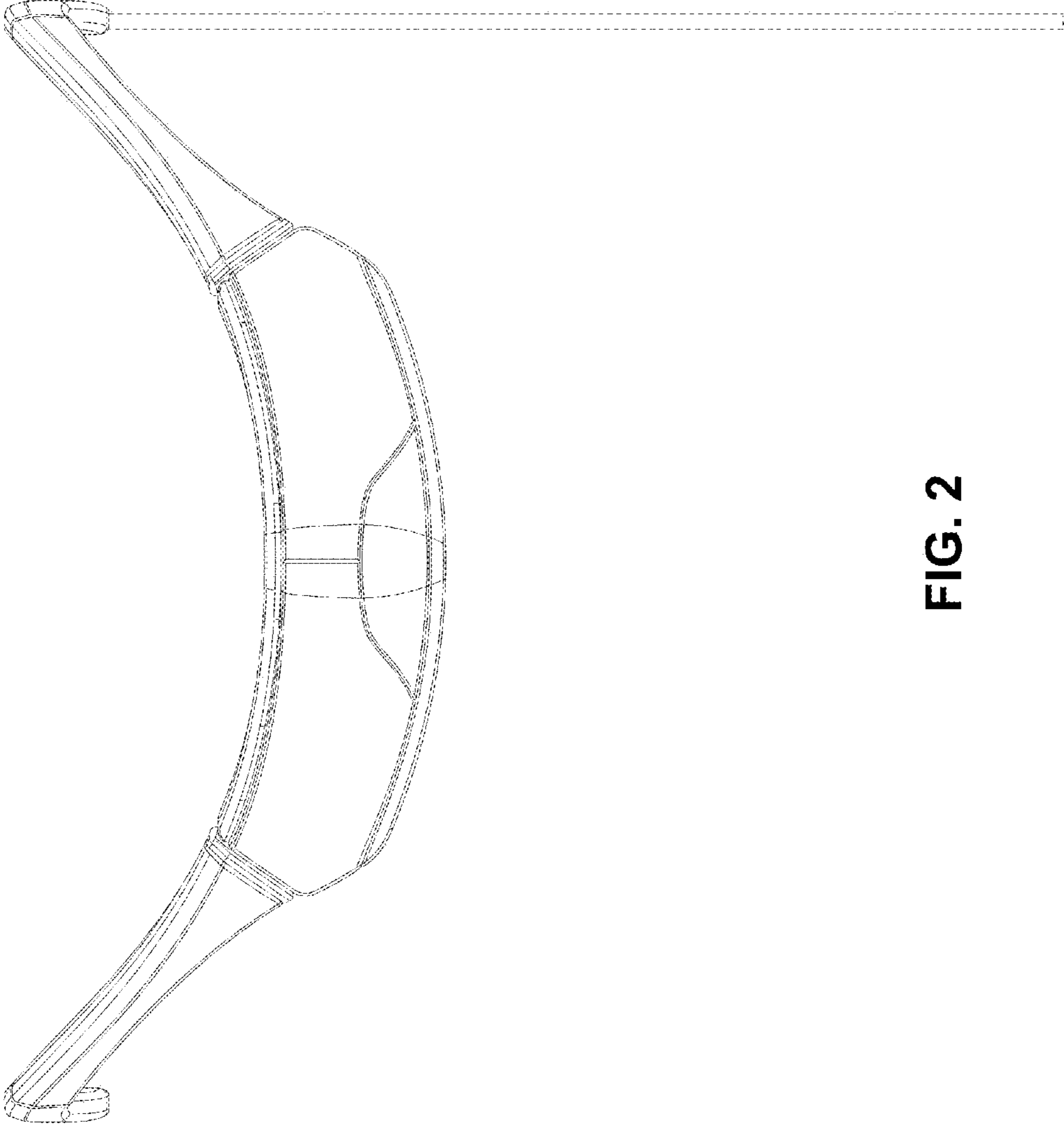


FIG. 2

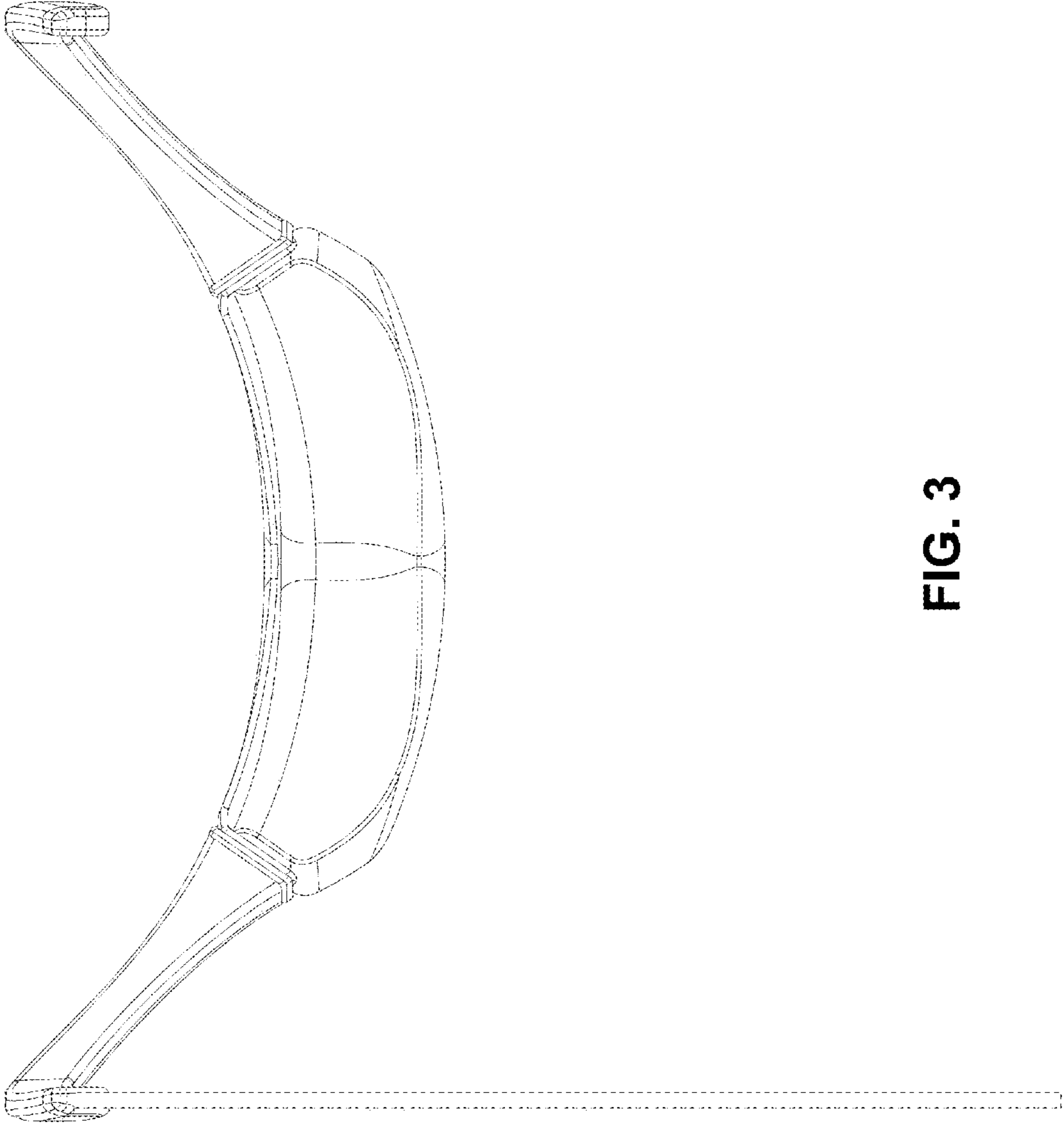


FIG. 3

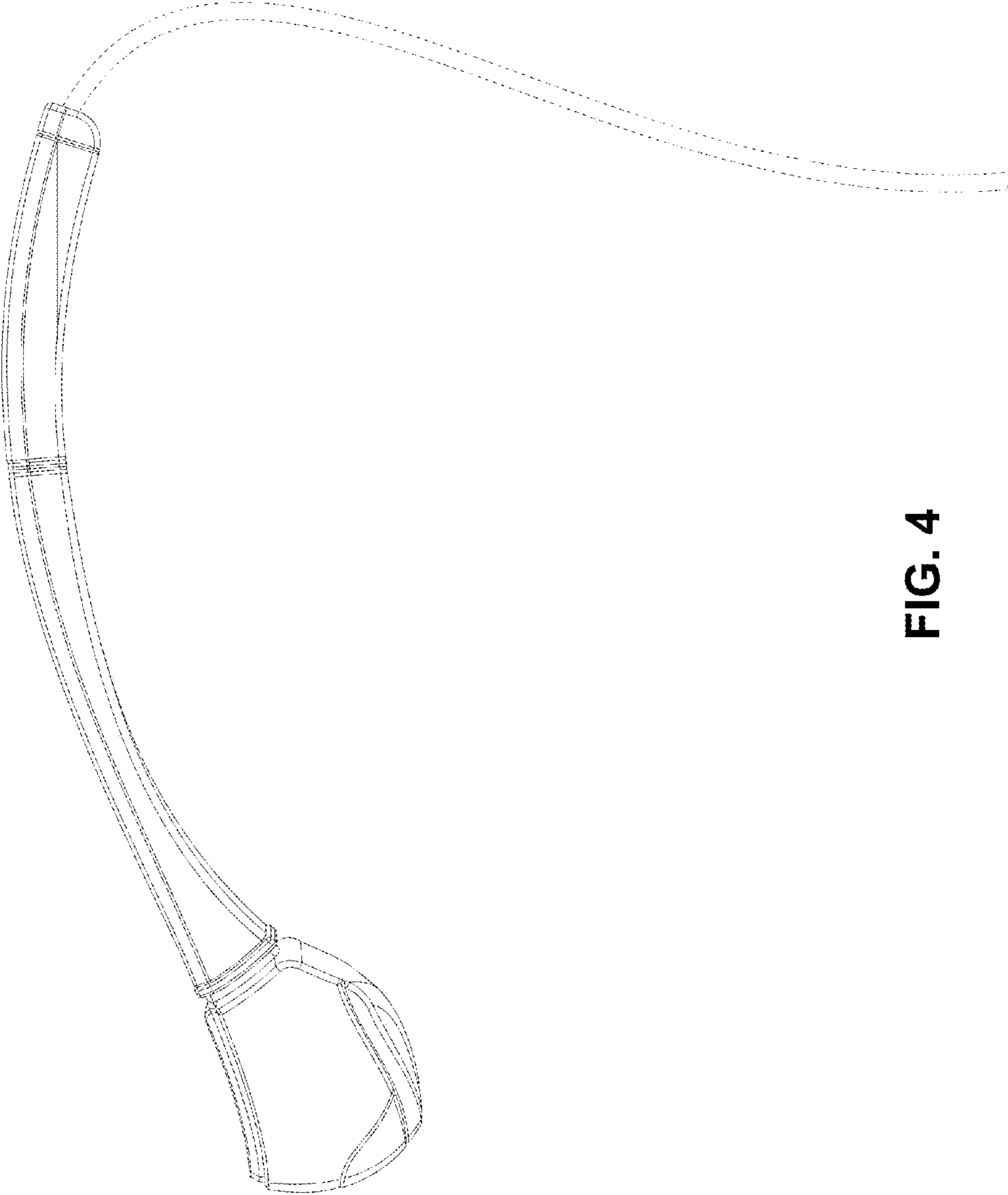


FIG. 4

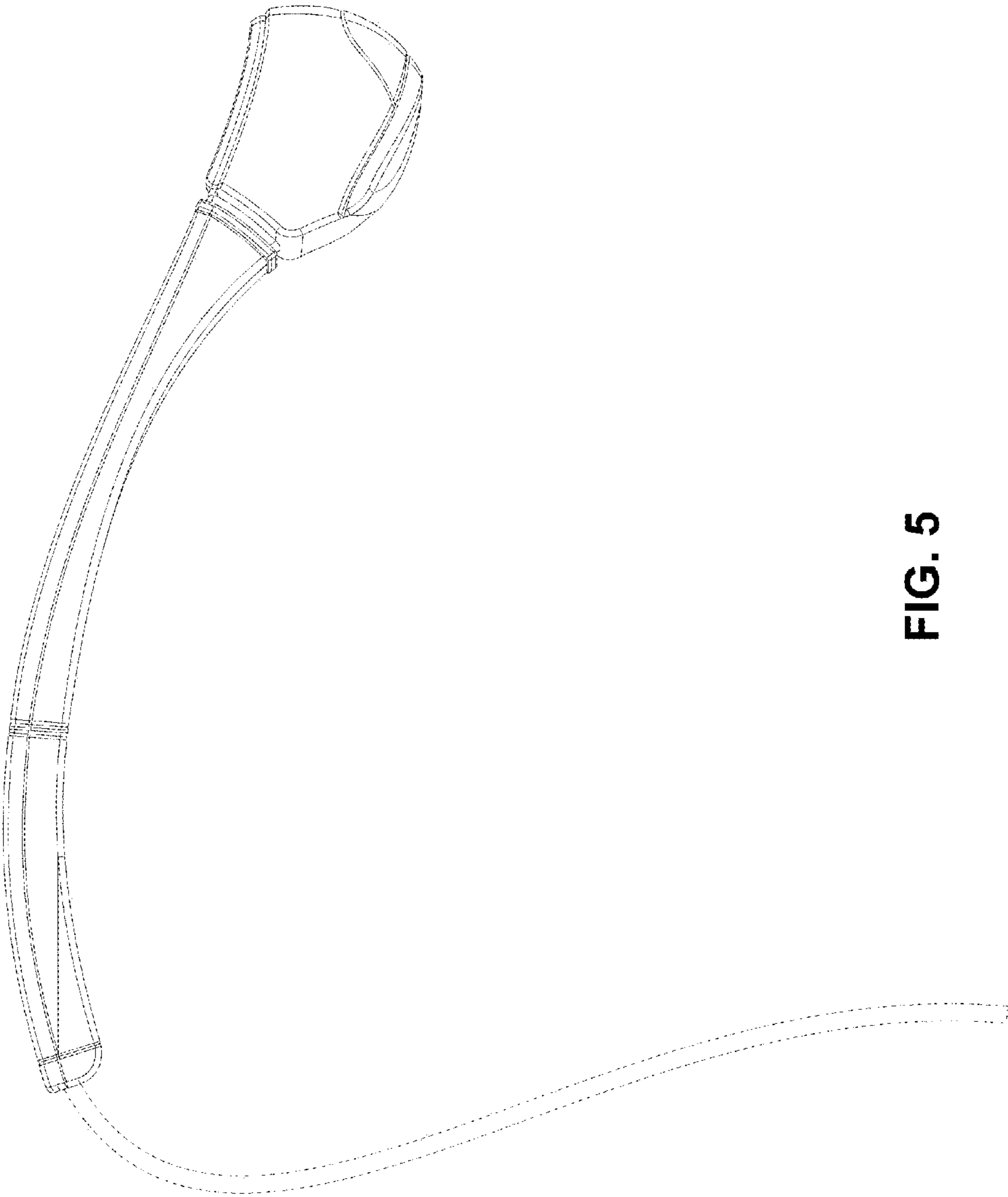


FIG. 5



FIG. 6



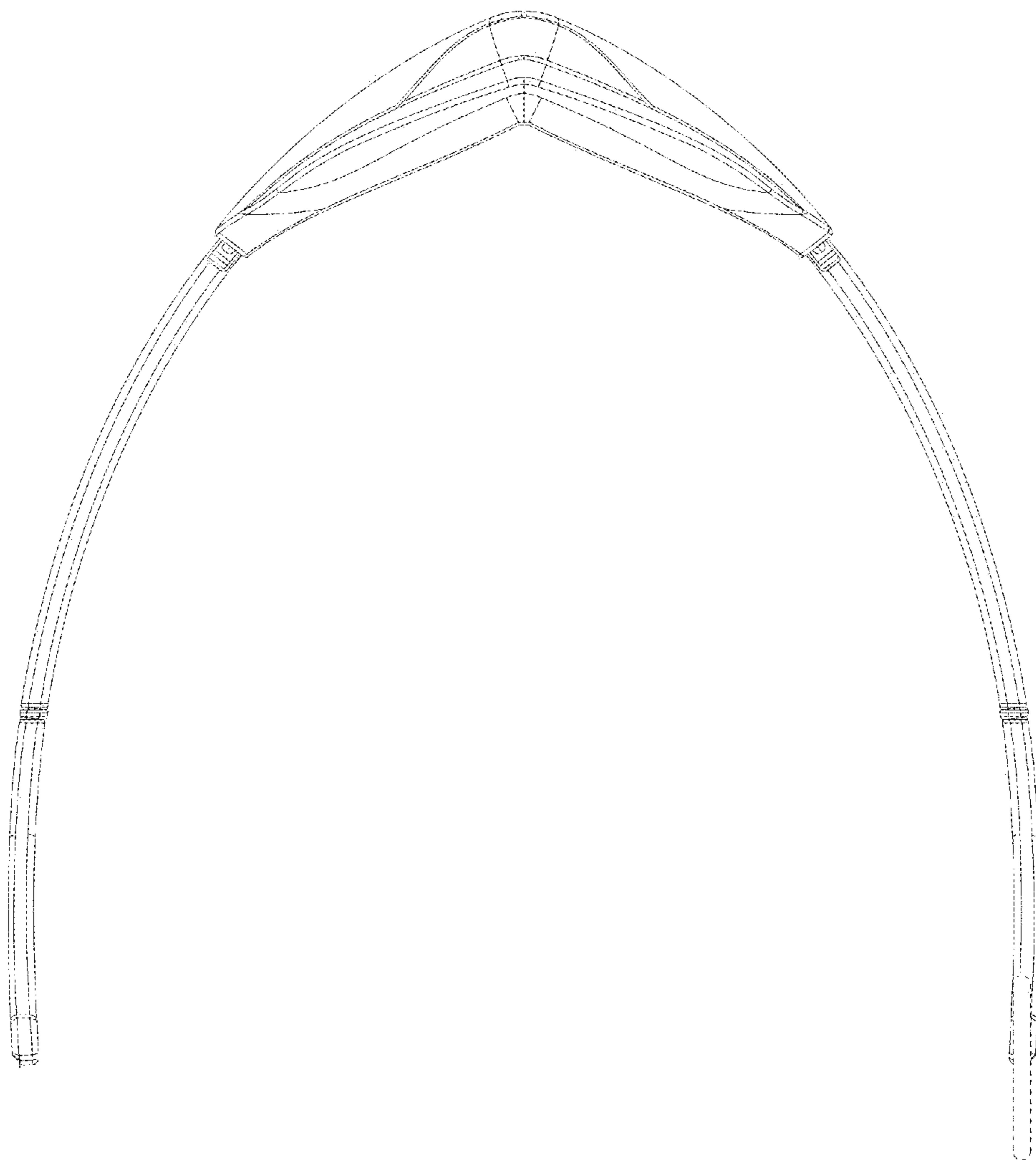


FIG. 7