

US00D749002S

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

(10) **Patent No.:** **US D749,002 S**
(45) **Date of Patent:** **** Feb. 9, 2016**

(54) **WRISTBAND HEALTH TRACKER**

(71) Applicant: **Fitbit, Inc.**, San Francisco, CA (US)
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(73) Assignee: **Fitbit, Inc.**, San Francisco, CA (US)

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

(21) Appl. No.: **29/497,740**

(22) Filed: **Jul. 28, 2014**

(51) **LOC (10) Cl.** **10-04**

(52) **U.S. Cl.**
USPC **D10/70; D10/98; D24/167**

(58) **Field of Classification Search**
USPC D10/30–39, 65, 70, 78, 97, 98; D11/3; D14/138 R, 203.5, 203.6, 341, 344, D14/347; D24/167, 168
CPC A44C 5/00–5/16; G04B 37/00–37/228; G04B 45/0069; G04B 47/04; G04B 19/00–19/34; G04B 21/12; G04B 23/12; G04B 47/00–47/068; G01C 17/00; G01C 21/00–21/3697

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D141,753 S 7/1945 Du Bois
2,871,592 A 2/1959 Polzin

(Continued)

FOREIGN PATENT DOCUMENTS

CN 201430002761.1 8/2014

OTHER PUBLICATIONS

US Notice of Allowance, dated Jan. 7, 2015, issued in U.S. Appl. No. 29/498,195.

(Continued)

Primary Examiner — Antoine D Davis

(74) *Attorney, Agent, or Firm* — Weaver Austin Villeneuve & Sampson LLP

(57) **CLAIM**

We claim the ornamental design for a wristband health tracker, as shown and described.

DESCRIPTION

All of the material from the U.S. Design patent application Ser. No. 29/468,517 which is essential to the claimed design is included herein. Any material in this application which is not present herein forms no part of the claimed design.

FIG. 1 is an isometric view of a wristband health tracker looking at the top, front, and right sides.

FIG. 2 is a further isometric view of the wristband health tracker looking at the top, back, and right sides.

FIG. 3 is a further isometric view of the wristband health tracker looking at the bottom, back, and left sides.

FIG. 4 is a further isometric view of the wristband health tracker looking at the bottom, front, and left sides.

FIG. 5 is a right side view of the wristband health tracker.

FIG. 6 is a left side view of the wristband health tracker.

FIG. 7 is a top view of the wristband health tracker.

FIG. 8 is a bottom view of the wristband health tracker.

FIG. 9 is a front view of the wristband health tracker.

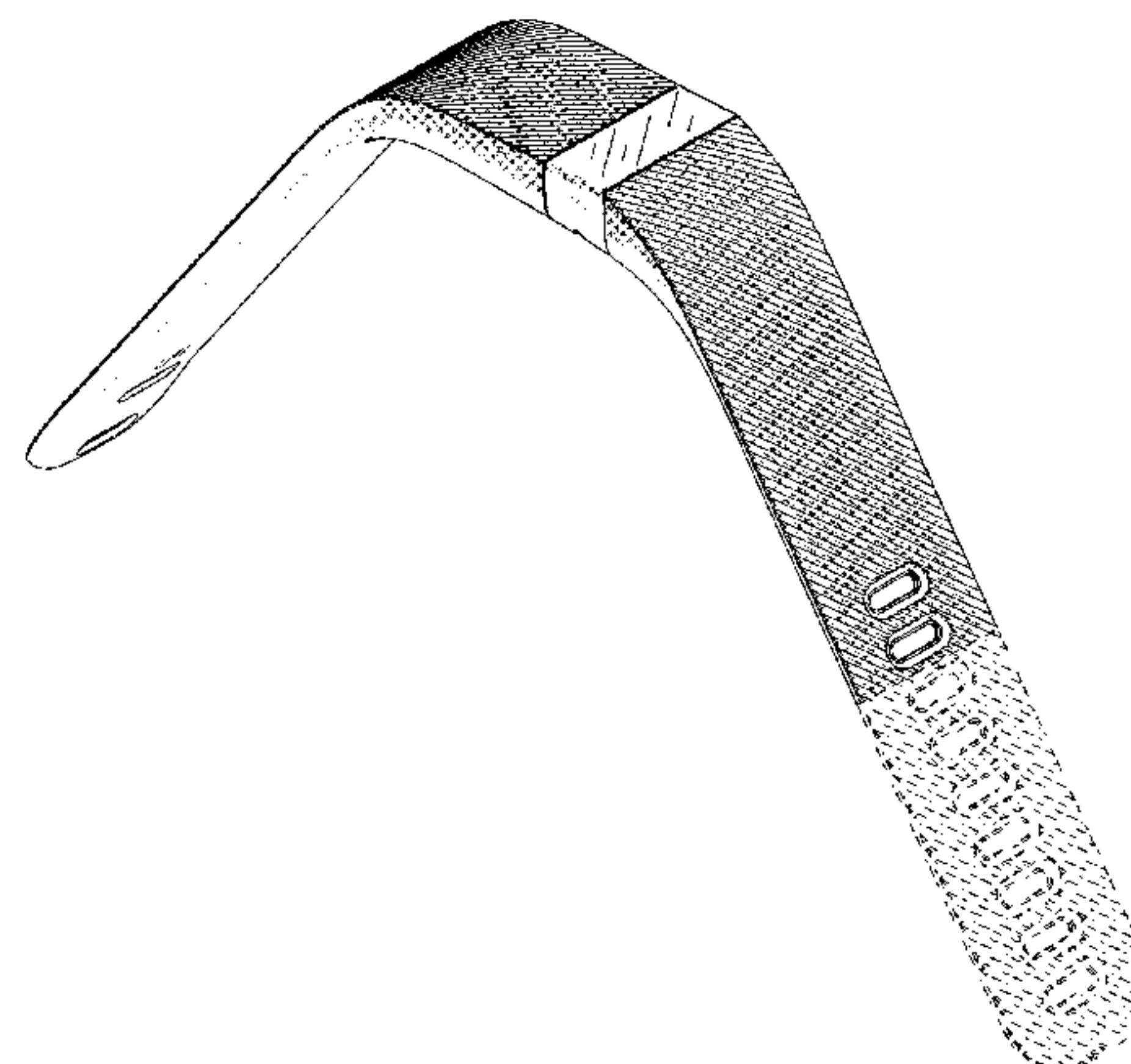
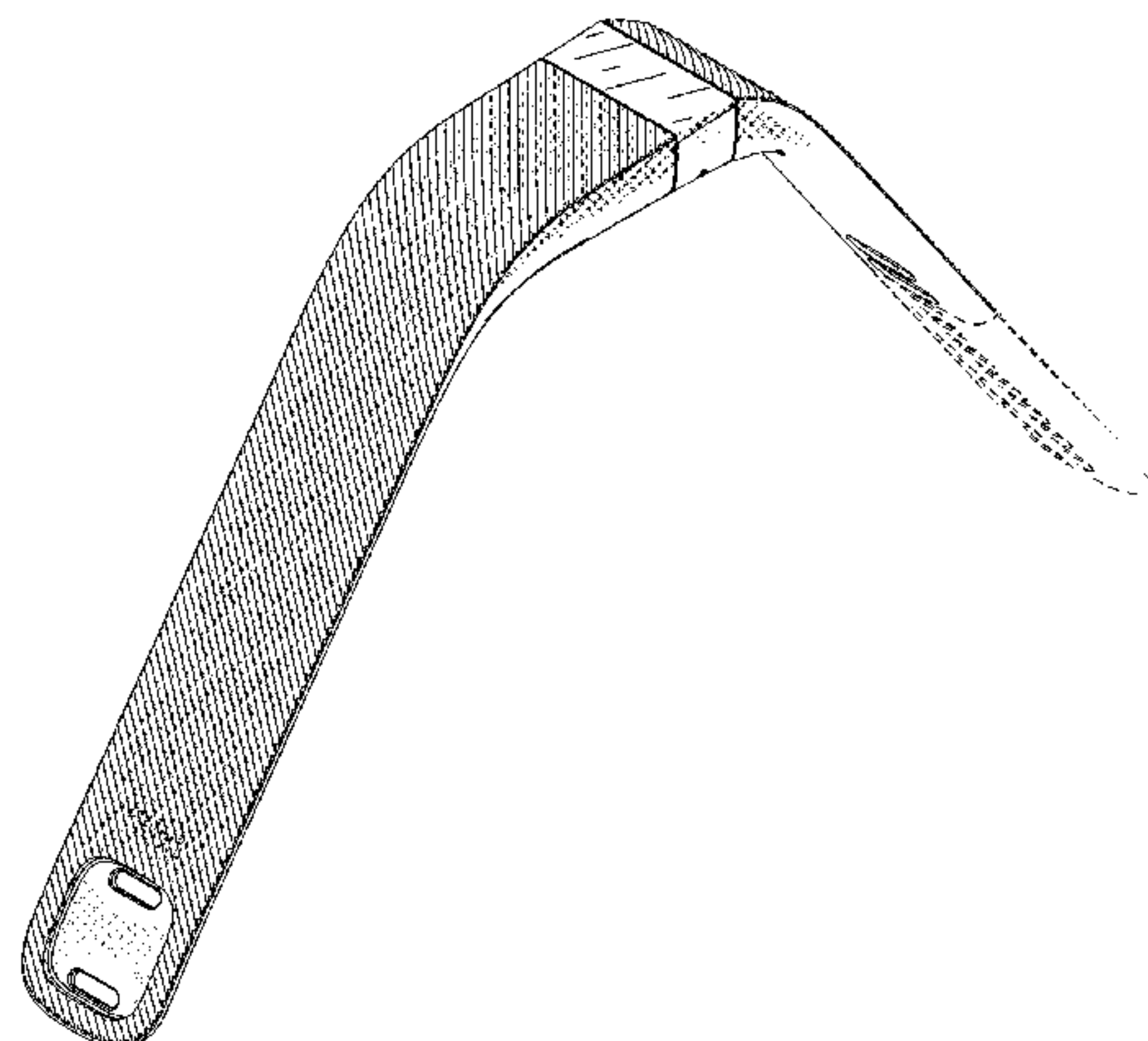
FIG. 10 is a back view of the wristband health tracker; and,

FIG. 11 is an isometric view of the wristband health tracker looking at the top, front, and right sides.

The “fitbit” logo and the markings “L/G” are shown in dashed lines in these views and do not form part of the claimed design.

The broken line showing of structural features is included for the purpose of illustrating non-claimed subject matter and forms no part of the claimed design.

1 Claim, 7 Drawing Sheets



(56)

References Cited**U.S. PATENT DOCUMENTS**

D272,759 S * 2/1984 Koziol D13/100
 D315,111 S 3/1991 Rogalski
 D323,787 S 2/1992 Moorman
 D331,020 S 11/1992 Ishii et al.
 D400,112 S 10/1998 Rider
 D445,041 S 7/2001 Tan et al.
 D449,008 S 10/2001 Sargent
 D455,093 S 4/2002 Fitzgerald
 D471,471 S 3/2003 Fu et al.
 D480,653 S 10/2003 Lo
 6,738,317 B2 5/2004 Nussbaum
 D517,441 S 3/2006 Heatherly et al.
 D535,055 S 1/2007 Been et al.
 D536,265 S 2/2007 Reynoso
 D538,687 S 3/2007 Komulainen
 D545,220 S 6/2007 Leung
 D548,128 S 8/2007 Andren et al.
 D549,602 S 8/2007 Oberrieder et al.
 D550,105 S 9/2007 Oberrieder et al.
 D550,112 S 9/2007 Andren et al.
 D553,512 S 10/2007 Tang
 D556,194 S 11/2007 Rambosek et al.
 D559,723 S 1/2008 Kraus et al.
 D564,367 S 3/2008 Molyneux
 D567,227 S 4/2008 Hada
 D567,676 S 4/2008 Tang
 D569,282 S 5/2008 Daniel
 D581,826 S 12/2008 Molyneux
 D586,674 S 2/2009 Solarewicz
 D589,375 S 3/2009 Tang
 7,529,155 B2 5/2009 Fasciano
 D595,858 S 7/2009 Kazel
 D602,386 S 10/2009 Ueda et al.
 D610,476 S 2/2010 Daniel
 D637,094 S 5/2011 Cobbett et al.
 D637,506 S 5/2011 Toyoshima et al.
 D656,856 S 4/2012 Kleinberg
 D664,880 S 8/2012 Cobbett et al.
 D664,881 S 8/2012 Cobbett et al.
 D664,882 S 8/2012 Cobbett et al.
 D667,126 S 9/2012 Cho et al.

D669,382 S 10/2012 Alvarez et al.
 D669,383 S 10/2012 Cobbett et al.
 D669,384 S 10/2012 Alvarez et al.
 8,296,983 B2 10/2012 Padgett et al.
 D670,583 S 11/2012 Shaanan
 D671,858 S 12/2012 Cobbett et al.
 D672,667 S 12/2012 Mix
 D677,190 S 3/2013 Cobbett et al.
 D680,020 S 4/2013 Cobbett et al.
 8,408,436 B2 4/2013 Berry et al.
 D684,082 S 6/2013 Alvarez et al.
 D684,497 S 6/2013 Cobbett et al.
 D693,251 S 11/2013 Anderssen et al.
 8,776,418 B1 7/2014 Martinez et al.
 D718,647 S * 12/2014 Roush et al. D10/98
 D720,635 S 1/2015 Park et al.
 D724,453 S * 3/2015 Ogihara et al. D10/70
 D727,183 S * 4/2015 Park et al. D10/70
 D729,453 S * 5/2015 Provost et al. D28/48
 2006/0203621 A1 9/2006 Brodmann
 2010/0162472 A1 7/2010 Abraham
 2010/0311544 A1 * 12/2010 Robinette et al. 482/8
 2014/0107493 A1 4/2014 Yuen et al.
 2014/0156196 A1 6/2014 Martinez et al.

OTHER PUBLICATIONS

US Notice of Allowance, dated Jan. 7, 2015, issued in U.S. Appl. No. 29/499,065.
 U.S. Appl. No. 29/468,506, filed Oct. 1, 2013, Park et al.
 U.S. Appl. No. 29/468,517, filed Oct. 1, 2013, Park et al.
 U.S. Appl. No. 29/498,195, filed Jul. 31, 2014, Park et al.
 U.S. Appl. No. 29/499,065, filed Aug. 11, 2014, Martinez et al.
 U.S. Appl. No. 29/500,837, filed Aug. 28, 2014, Martinez et al.
 US Office Action, dated Aug. 4, 2014, issued in U.S. Appl. No. 29/468,506.
 US Notice of Allowance, dated Aug. 15, 2014, issued in U.S. Appl. No. 29/468,517.
 Fitbit Flex Wireless Activity+ Sleep Wristband, Amazon.com, first reviewed on Apr. 16, 2013, only. Site visited Jul. 22, 2014. Internet URL: <"http://www.amazon.com/Fitbit-Wireless-Activity-Sleep-Wristband/dp/B00BGO0Q90/red=cm_cr_pr_product_top">, 1 page.

* cited by examiner

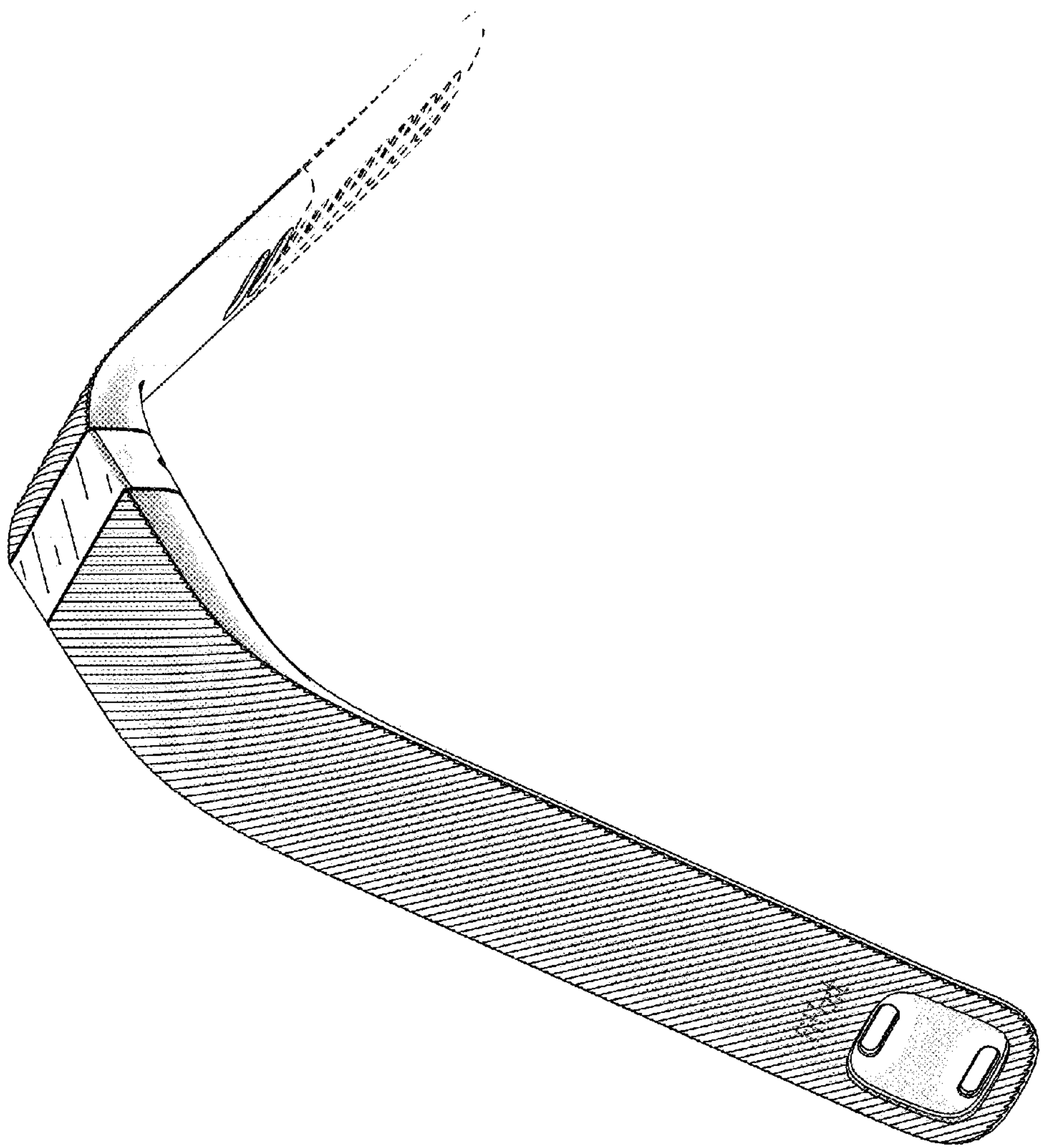


Figure 1

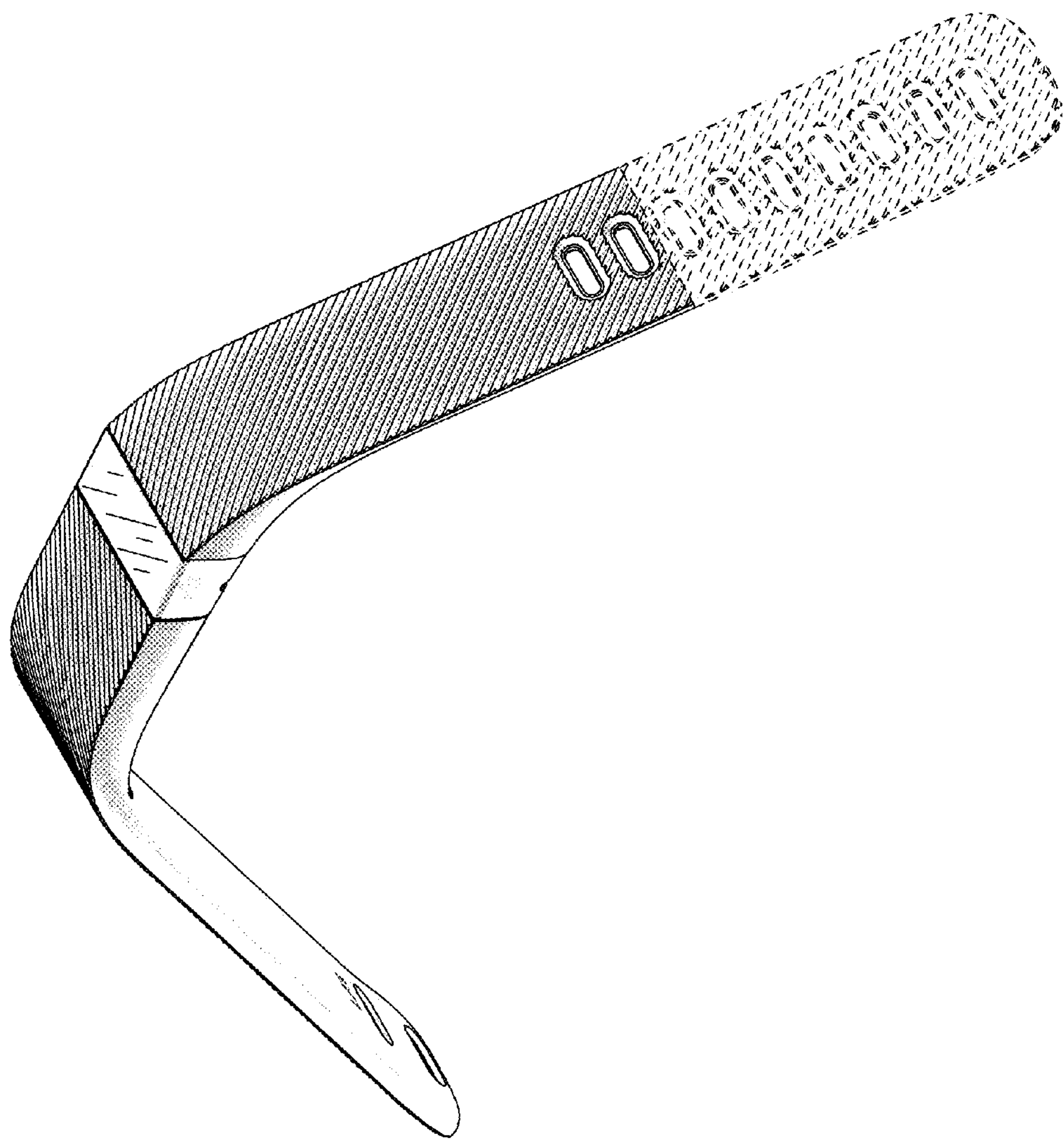


Figure 2

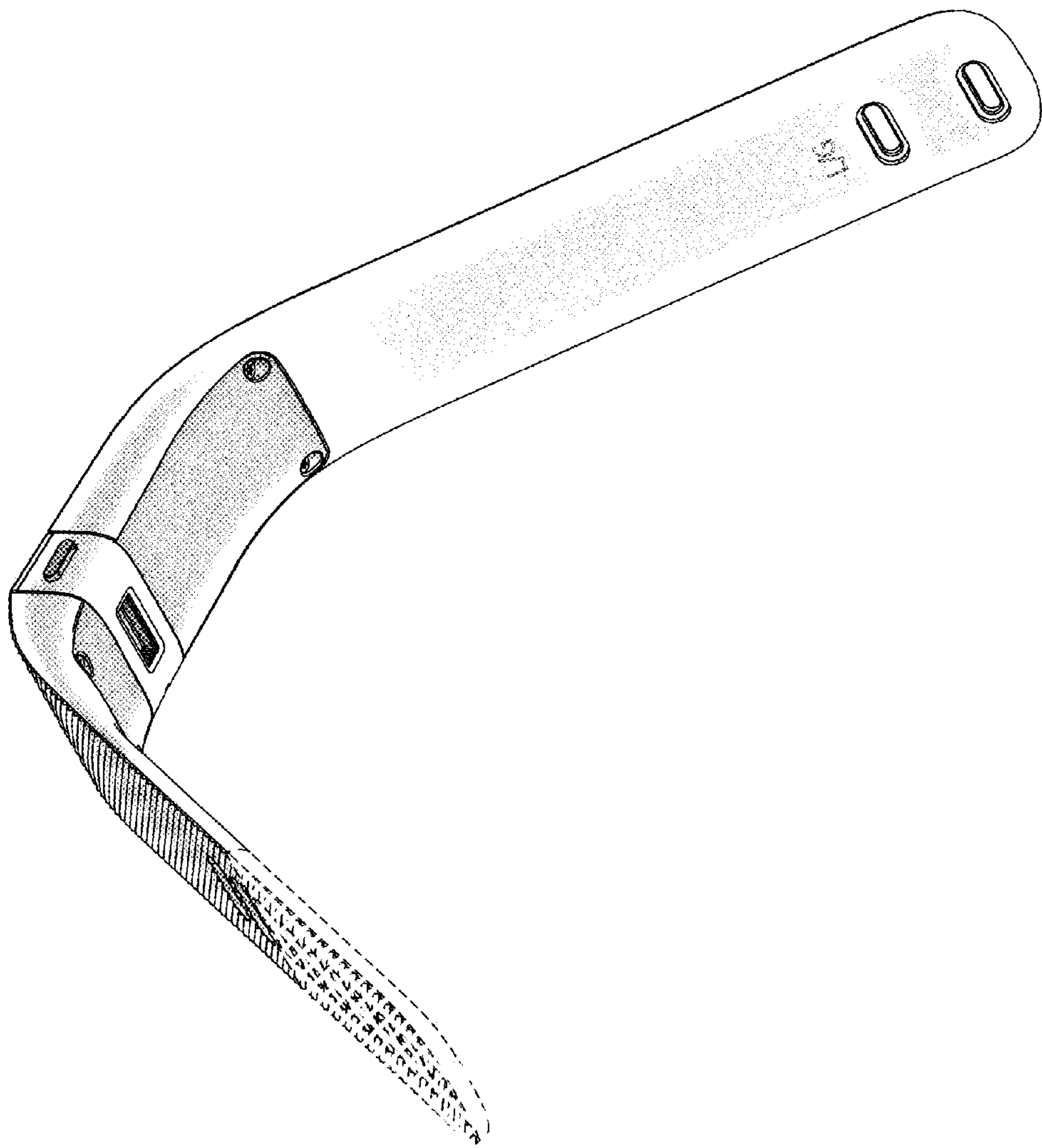


Figure 3

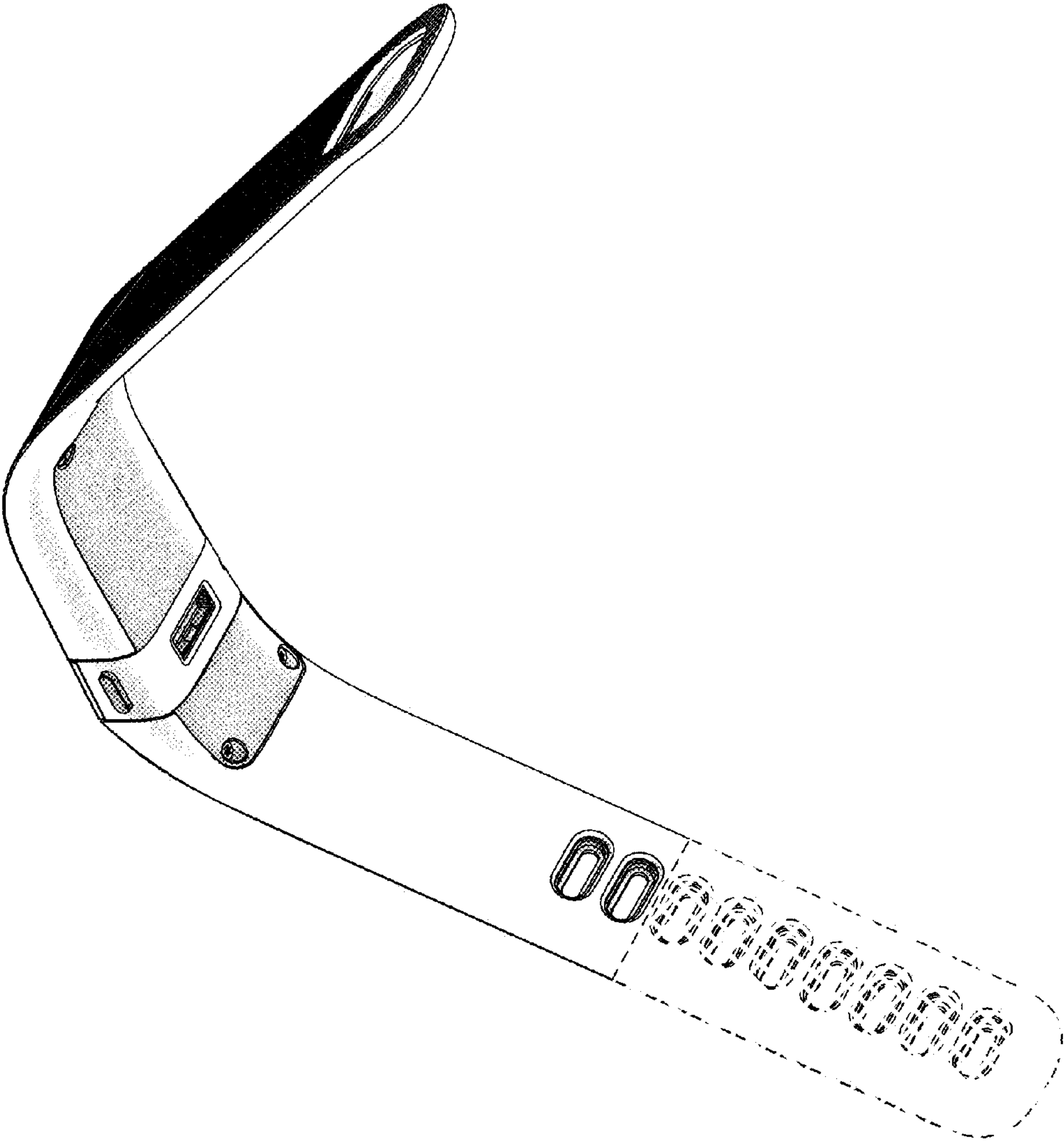


Figure 4

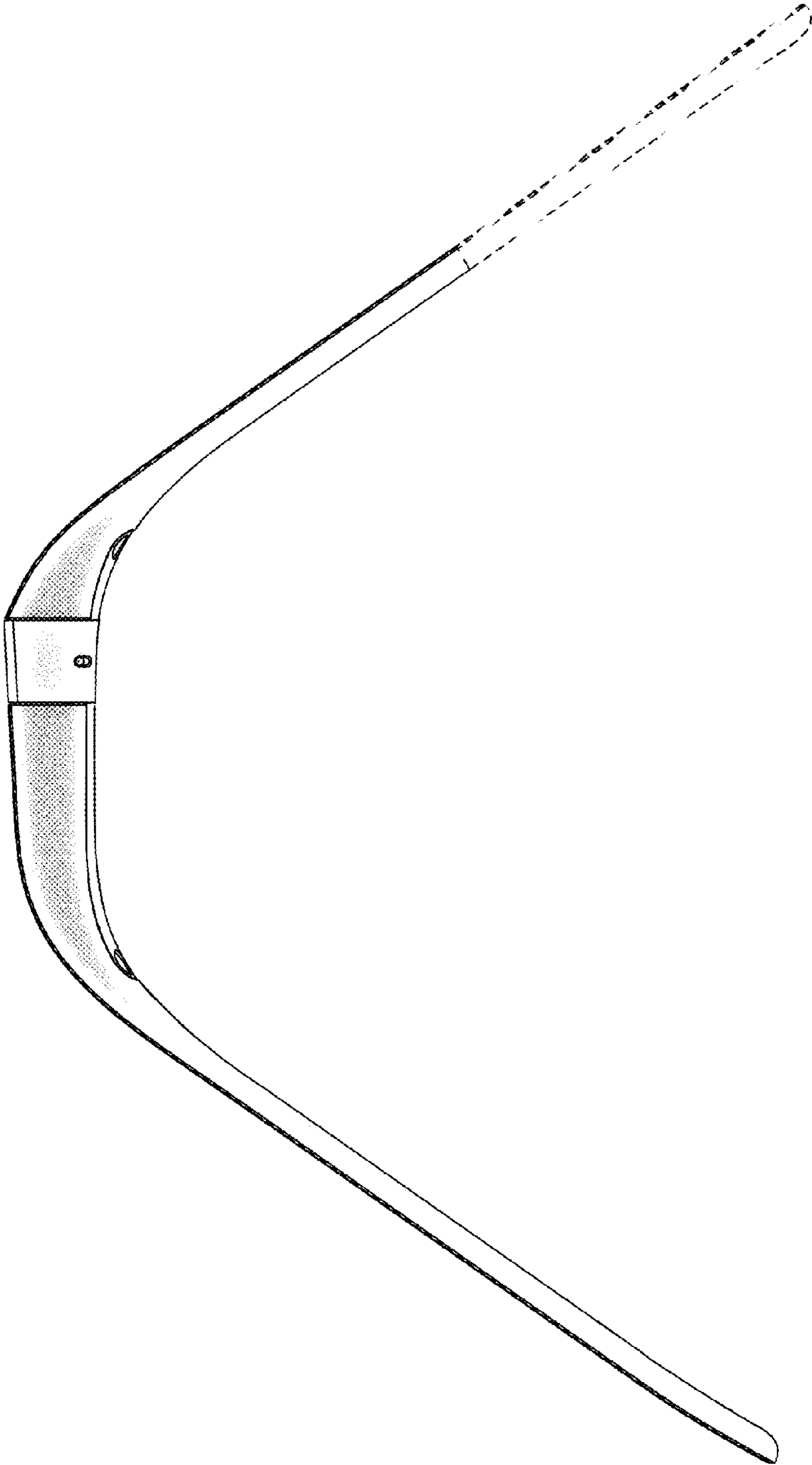


Figure 5

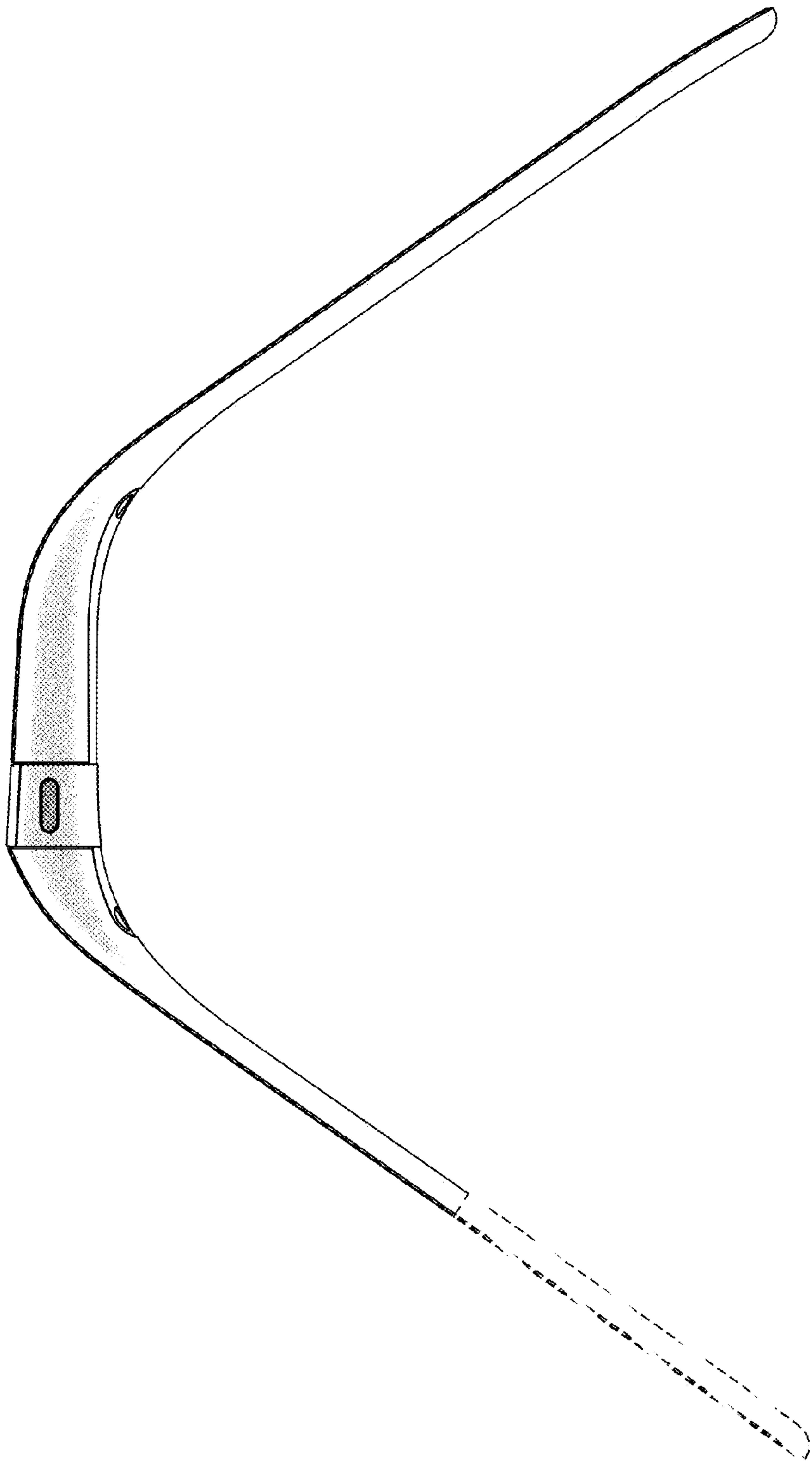


Figure 6

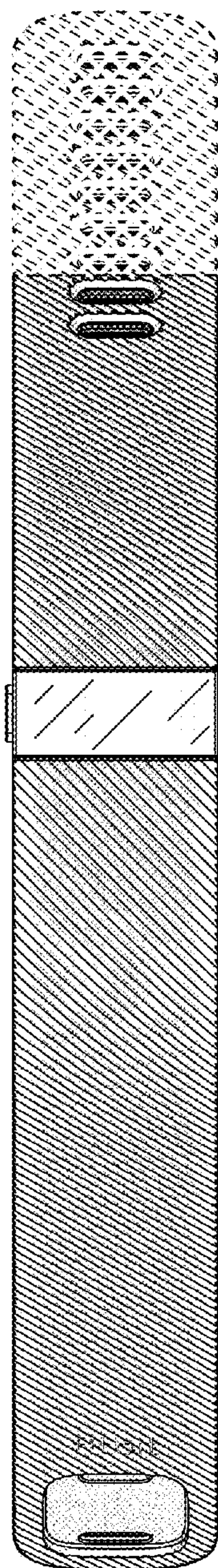


Figure 7

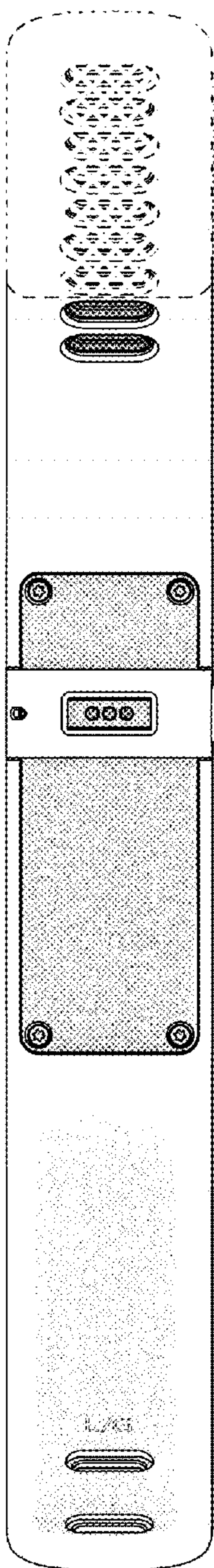


Figure 8

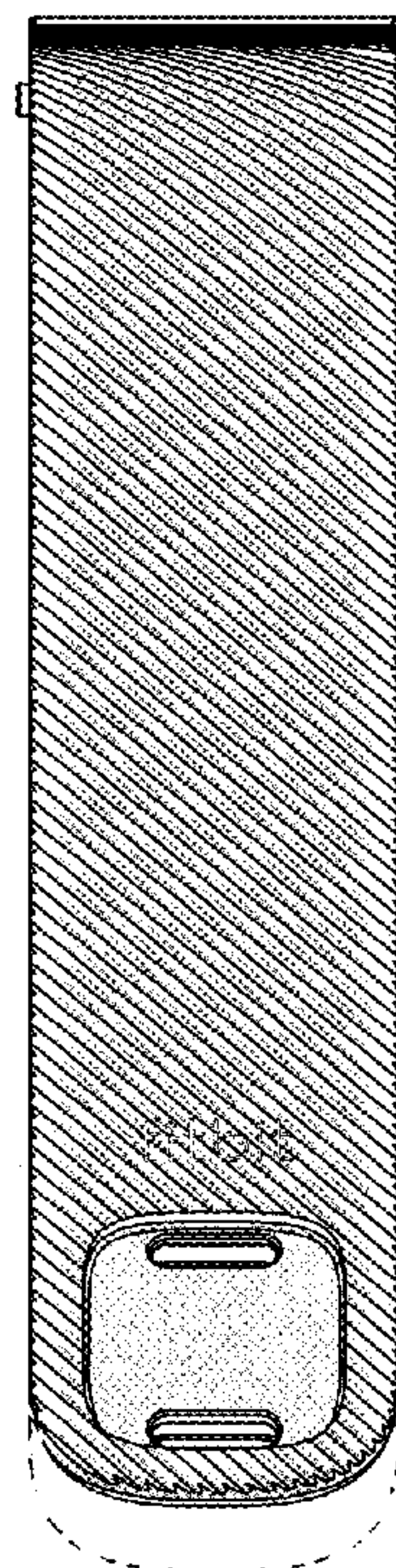


Figure 9

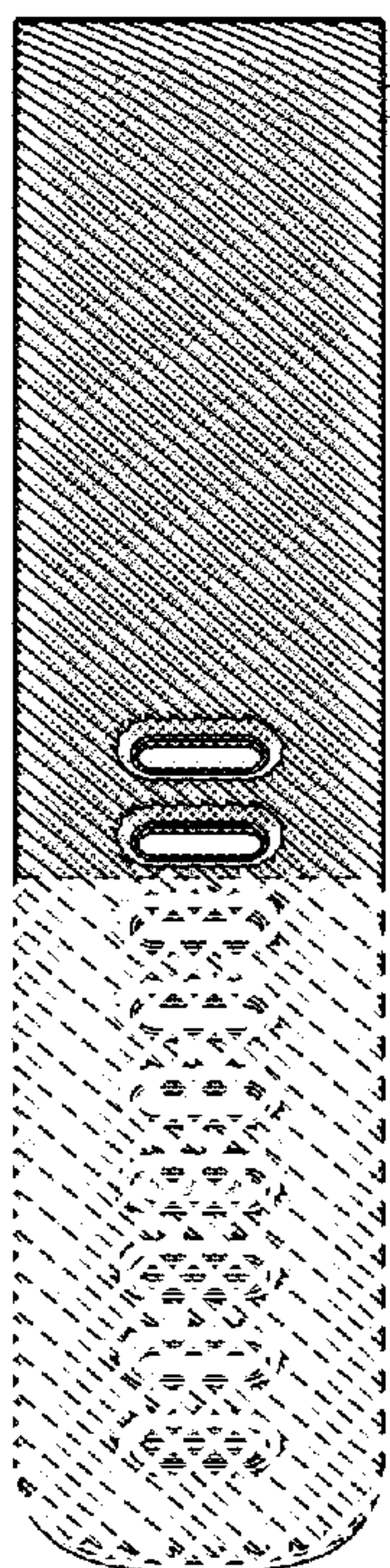


Figure 10

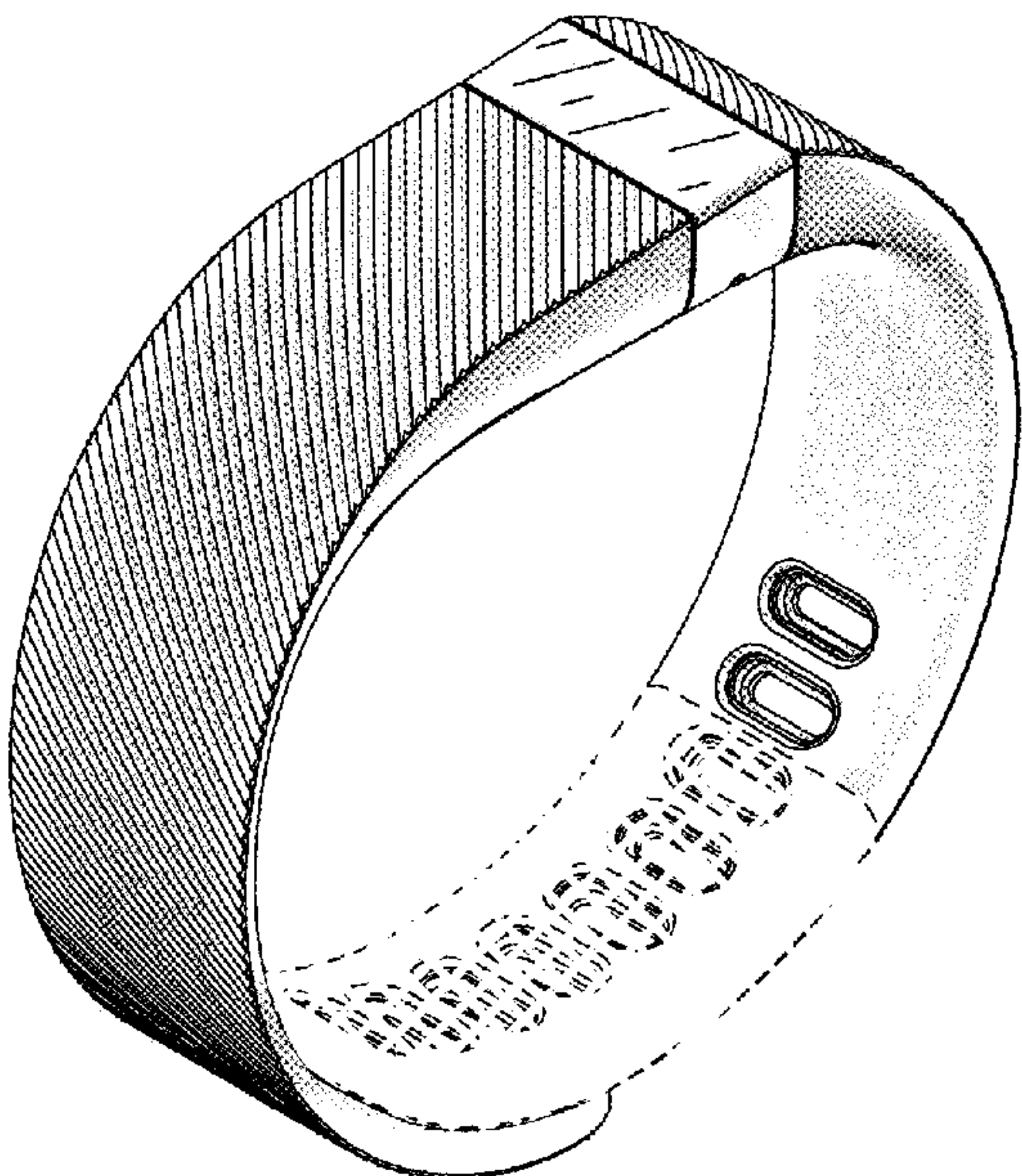


Figure 11

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : D749,002 S
APPLICATION NO. : 29/497740
DATED : February 9, 2016
INVENTOR(S) : James Park et al.

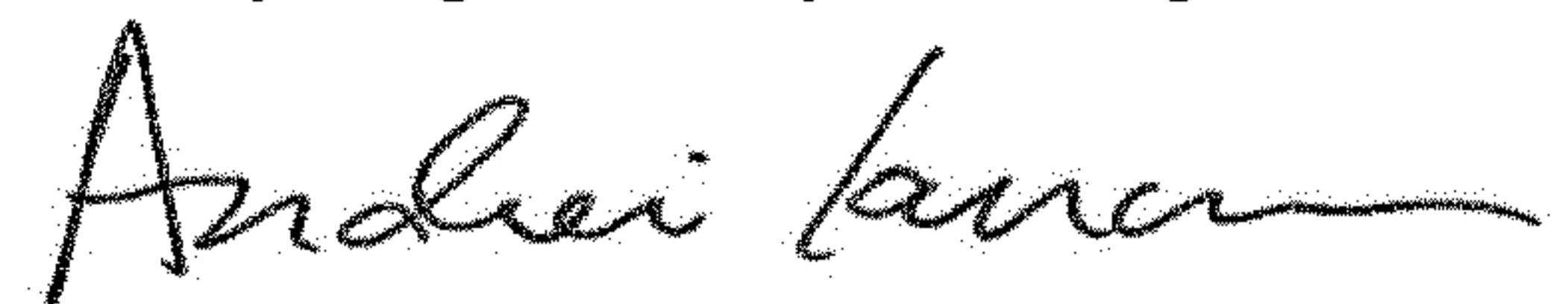
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It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page

In the list of inventors, please correct the eighth Inventor Gadi Amit's name to "Gad Amit."

Signed and Sealed this
Twenty-eighth Day of August, 2018

A handwritten signature in black ink, appearing to read "Andrei Iancu".

Andrei Iancu
Director of the United States Patent and Trademark Office