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

(10) **Patent No.:** **US D759,826 S**
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- (54) **WRISTBAND HEALTH TRACKER**
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- (*) Notice: This patent is subject to a terminal disclaimer.
- (**) Term: **14 Years**
- (21) Appl. No.: **29/500,837**
- (22) Filed: **Aug. 28, 2014**

Related U.S. Application Data

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- (51) **LOC (10) Cl.** **24-01**
- (52) **U.S. Cl.**
USPC **D24/187**
- (58) **Field of Classification Search**
USPC D24/167, 186; D11/3; D10/30-39, 65, D10/70, 78, 97, 98, 103; D13/173-177; D14/203.5, 247, 338-340, 344, 346, D14/347
CPC G08G 1/096883; G08G 1/096872; G08G 1/096775; G01C 21/16; G01C 21/3688; G01C 21/30; G01V 8/20; G01J 5/023; G01J 5/24

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)

OTHER PUBLICATIONS

U.S. Appl. No. 29/468,506, filed Oct. 1, 2013, Park et al.
(Continued)

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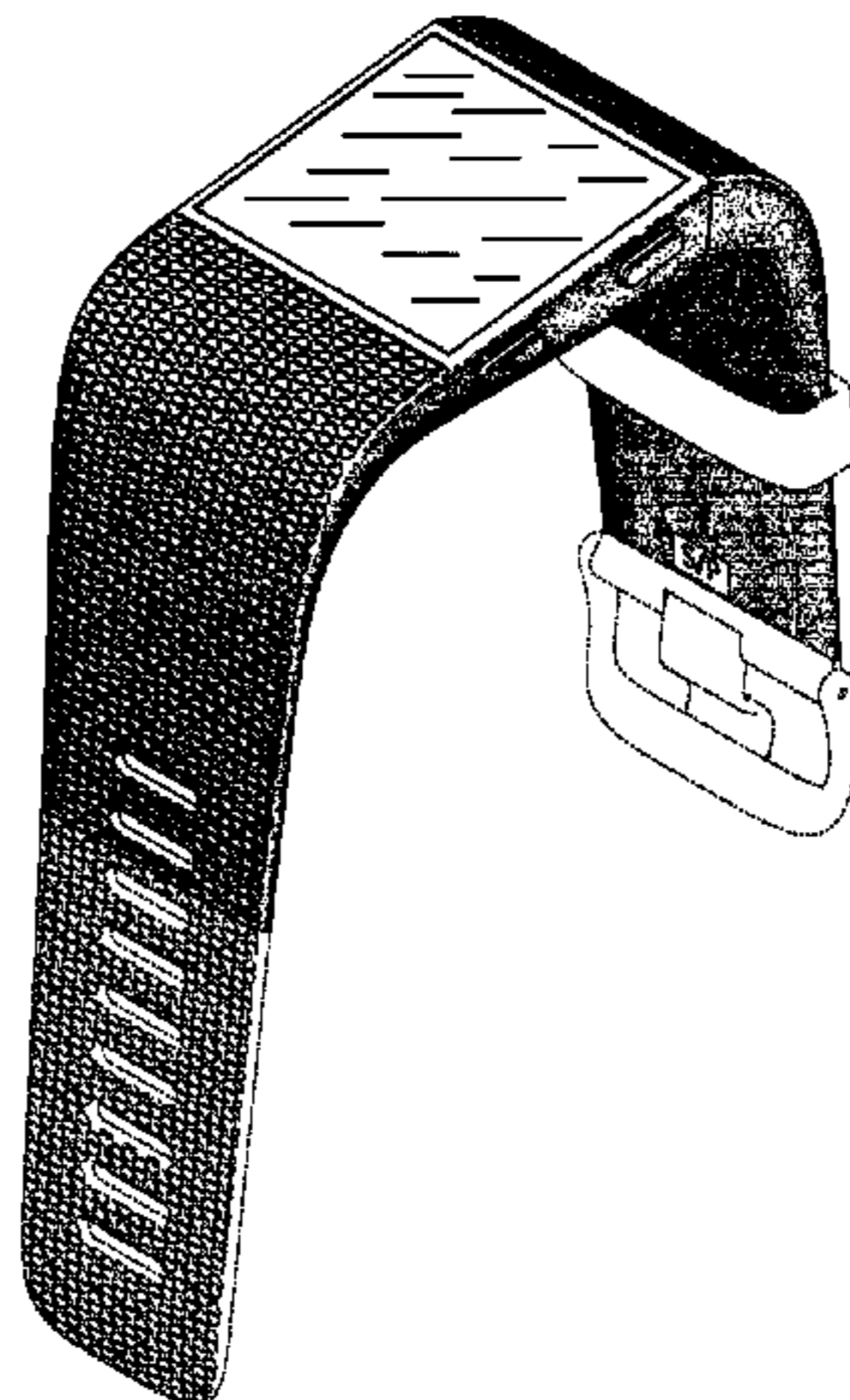
(57) **CLAIM**

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

DESCRIPTION

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 left side view of the wristband health tracker.
 FIG. 6 is a right side view of the wristband health tracker.
 FIG. 7 is a front view of the wristband health tracker.
 FIG. 8 is a back view of the wristband health tracker.
 FIG. 9 is a bottom view of the wristband health tracker.
 FIG. 10 is a top 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.
 Dashed and dotted lines are used for illustrative purposes only to give environmental context to the claimed design and do not form any part of the claimed design.
 Stipple shading is used in FIGS. 1 through 11 to convey surface contouring and is to be understood as not conveying a particular surface finish. Translucent, clear, or clear, tinted material is indicated by diagonal line hatching, as is visible in the square area shown in FIGS. 1, 2, 7, 10, and 11.

1 Claim, 9 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D272,759 S 2/1984 Koziol
 D299,718 S 2/1989 Steer et al.
 D305,422 S 1/1990 Steer et al.
 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.
 D528,439 S 9/2006 Burton
 D528,928 S 9/2006 Burton
 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.
 D560,520 S 1/2008 Oberrieder 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
 D573,905 S 7/2008 Poirier
 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.
 D645,360 S 9/2011 Kiser 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 D10/70
 D720,249 S 12/2014 Park et al.
 D720,635 S * 1/2015 Park D10/70
 D724,453 S 3/2015 Ogiwara et al.
 D725,510 S * 3/2015 Henning D10/70
 D727,183 S * 4/2015 Park D10/70
 D727,759 S * 4/2015 Martinez D10/70
 D729,453 S 5/2015 Provost et al.
 2005/0237704 A1 * 10/2005 Ceresoli G06F 1/163
 361/679.03
 2006/0203621 A1 9/2006 Brodmann
 2010/0162472 A1 7/2010 Abraham
 2010/0311544 A1 12/2010 Robinette et al.
 2014/0107493 A1 4/2014 Yuen et al.
 2014/0156196 A1 6/2014 Martinez et al.

OTHER PUBLICATIONS

U.S. Appl. No. 29/468,517, filed Oct. 1, 2013, Park et al.
 U.S. Appl. No. 29/497,740, Jul. 28, 2014, Park et al.
 U.S. Appl. No. 29/498,195, Jul. 31, 2014, Park et al.
 U.S. Appl. No. 29/499,065, filed Aug. 11, 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/ref =cm_cr_pr_product_top”>, 1 page.
 US Notice of Allowance, dated Oct. 24, 2014, issued in U.S. Appl. No. 29/468,506.
 US Notice of Allowance, dated Oct. 9, 2015 issued in U.S. Appl. No. 29/497,740.
 US Notice of Allowance, dated Jan. 7, 2015, issued in U.S. Appl. No. 29/498,195.
 US Notice of Allowance [Corrected Notice of Allowability for a Design Application], dated Feb. 10, 2015, issued in U.S. Appl. No. 29/498,195.
 US Notice of Allowance, dated Jan. 7, 2015, issued in U.S. Appl. No. 29/499,065.
 US Notice of Allowance [Corrected Notice of Allowability for a Design Application], dated Feb. 10, 2015, issued in U.S. Appl. No. 29/499,065.

* cited by examiner

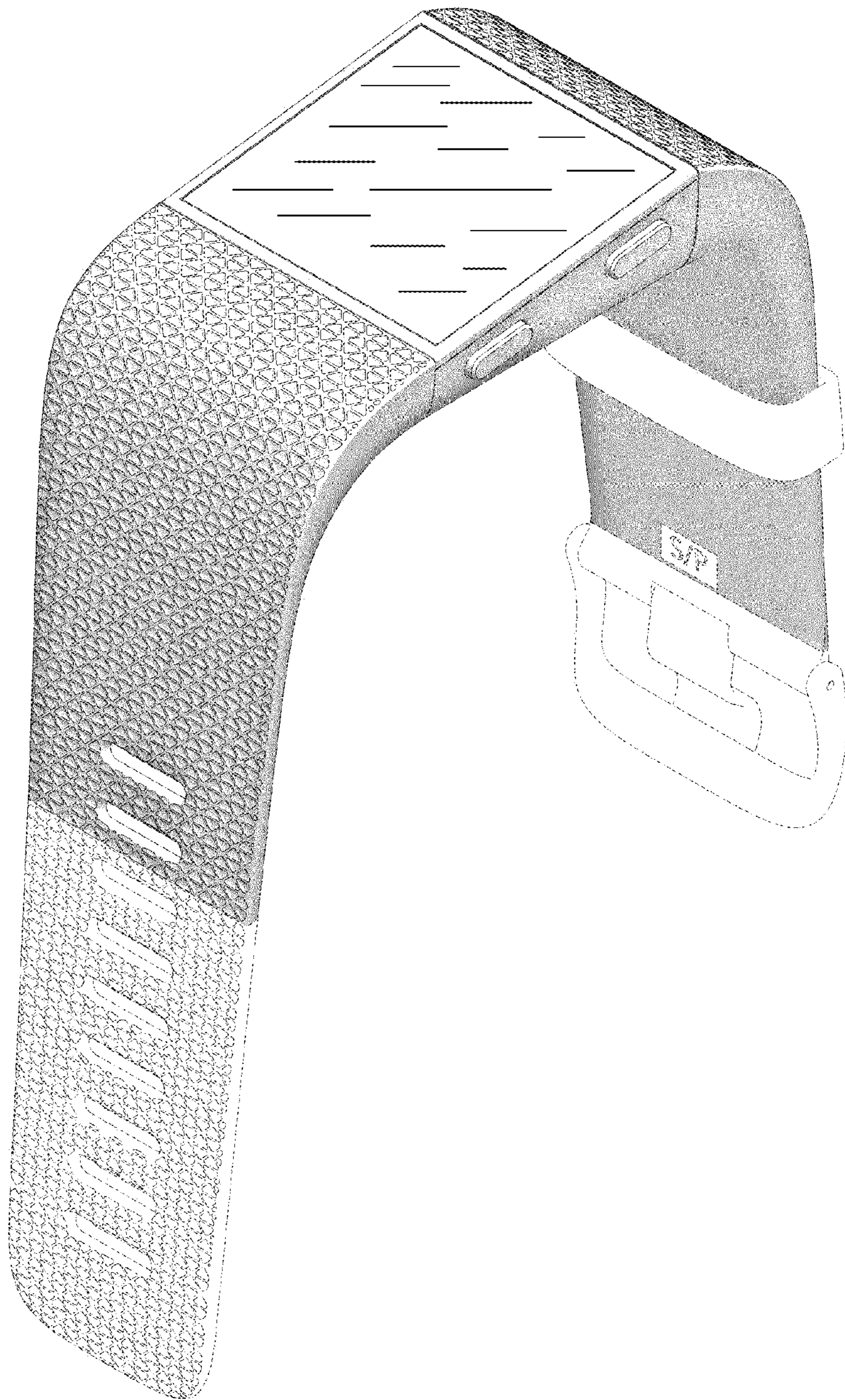


Figure 1

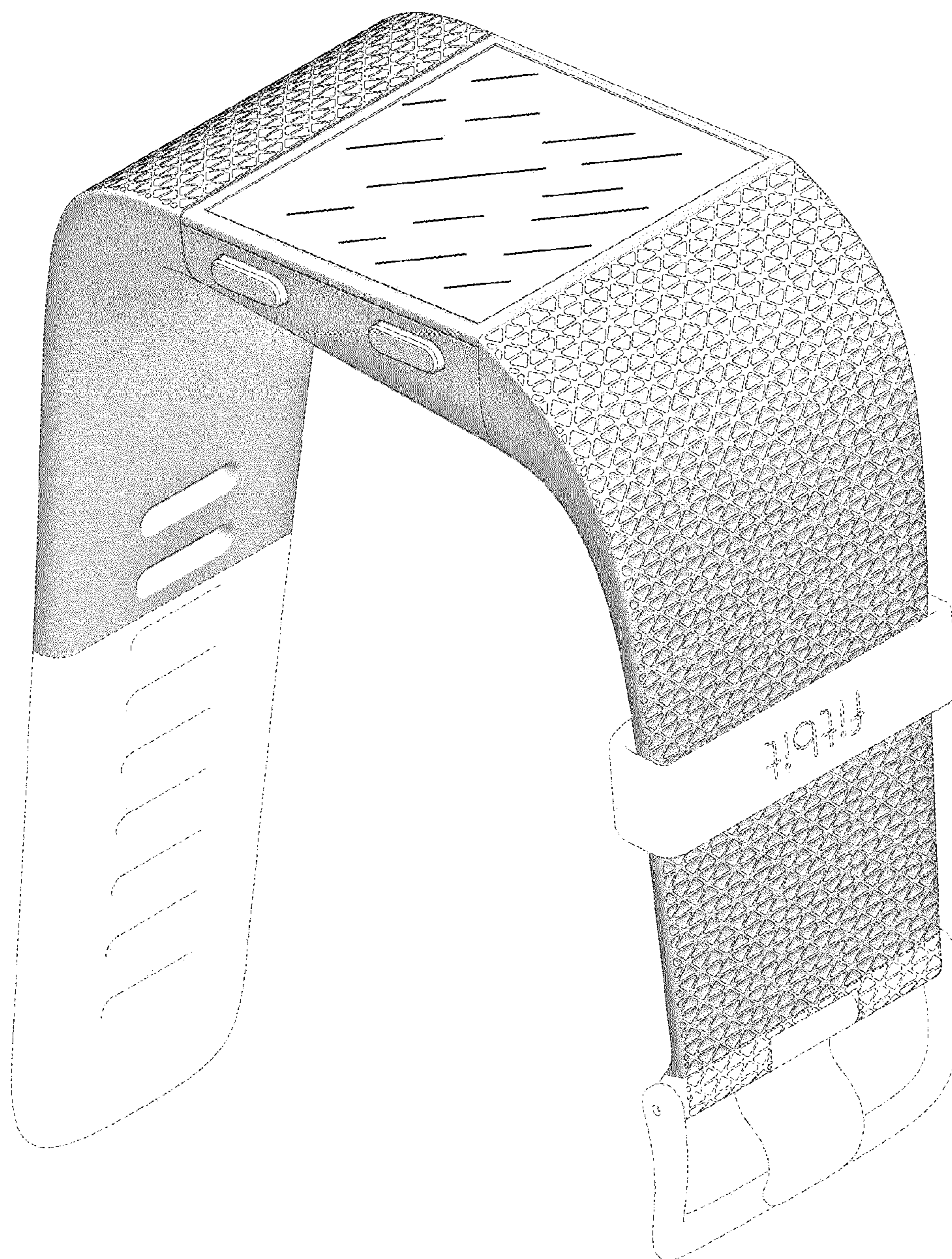


Figure 2

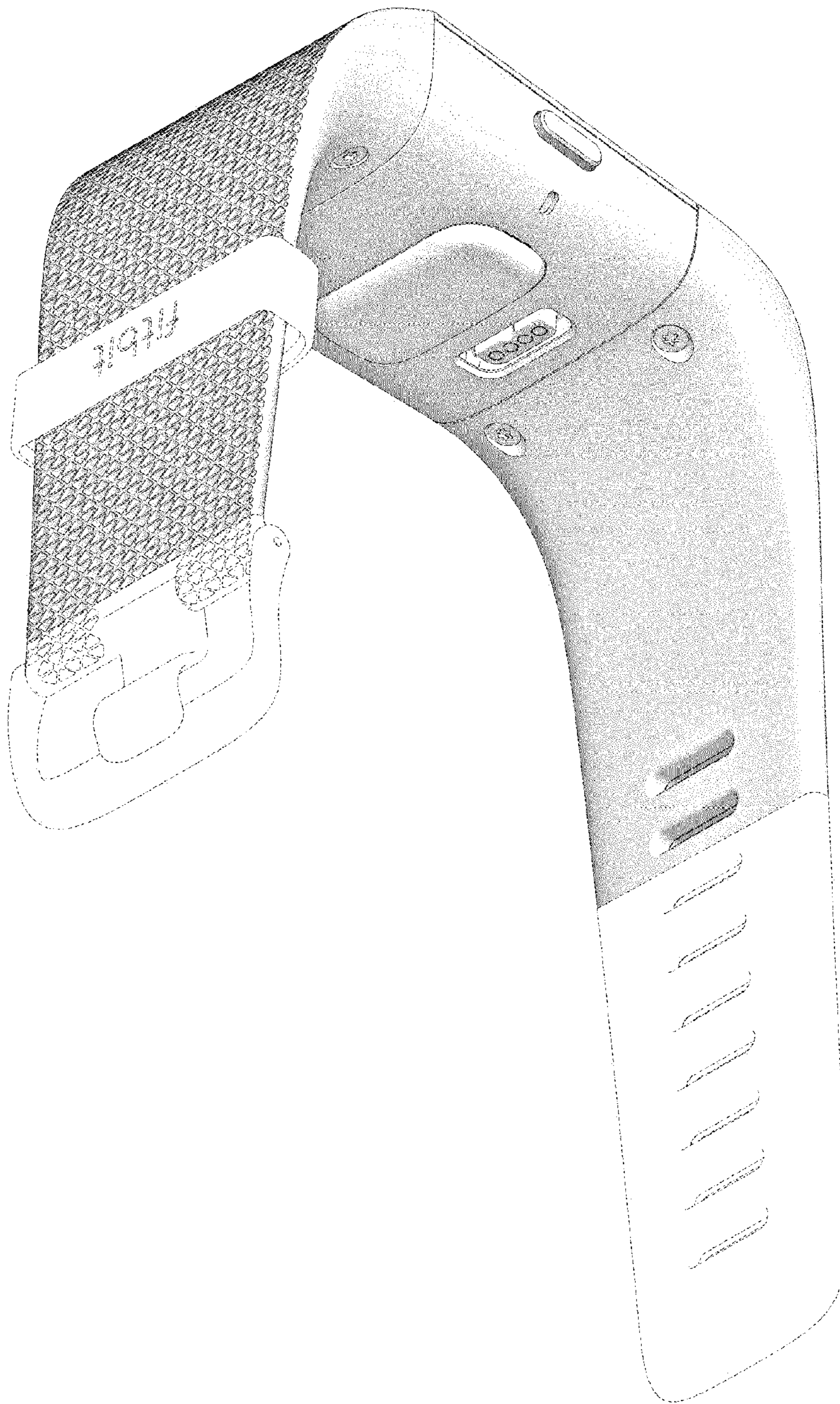


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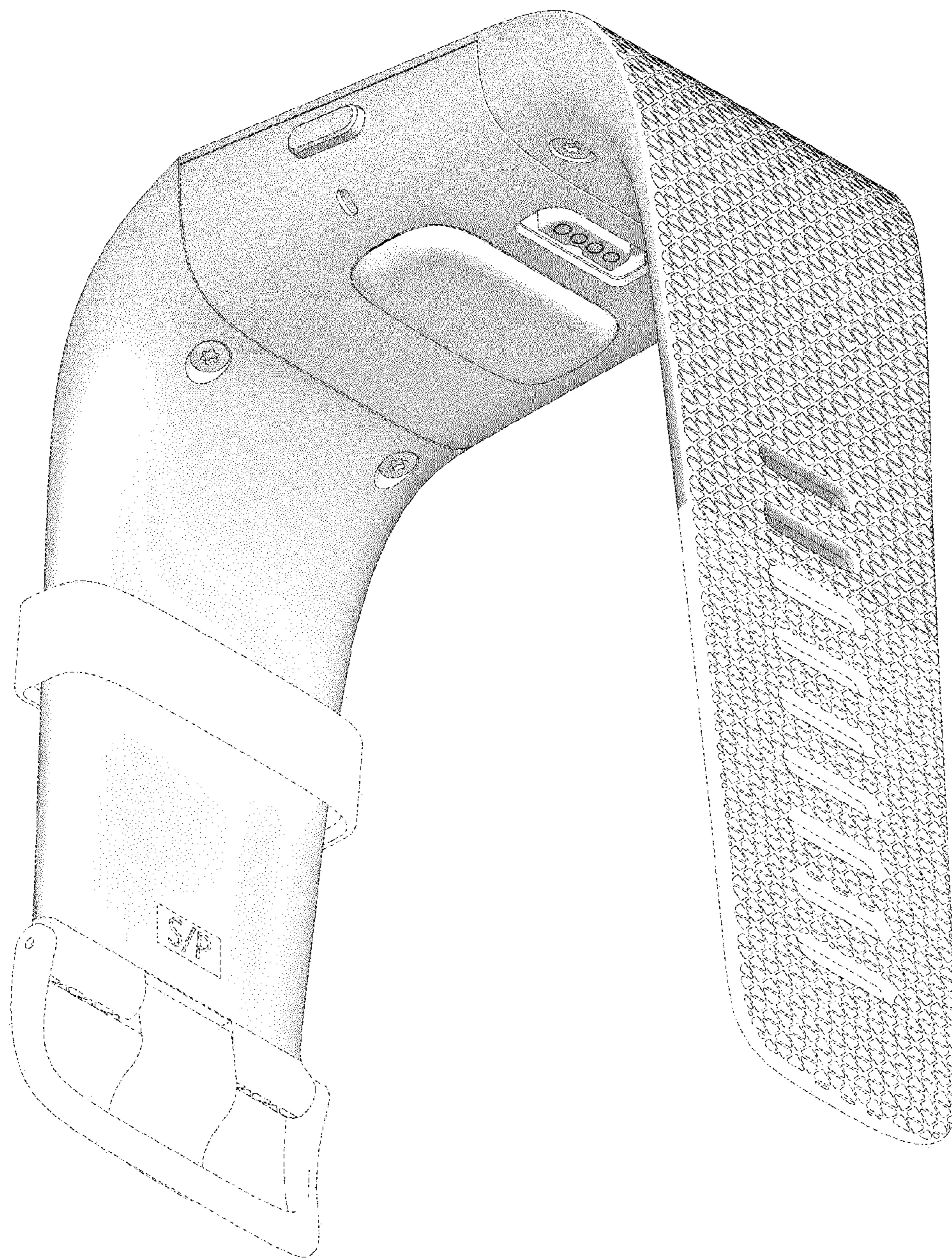


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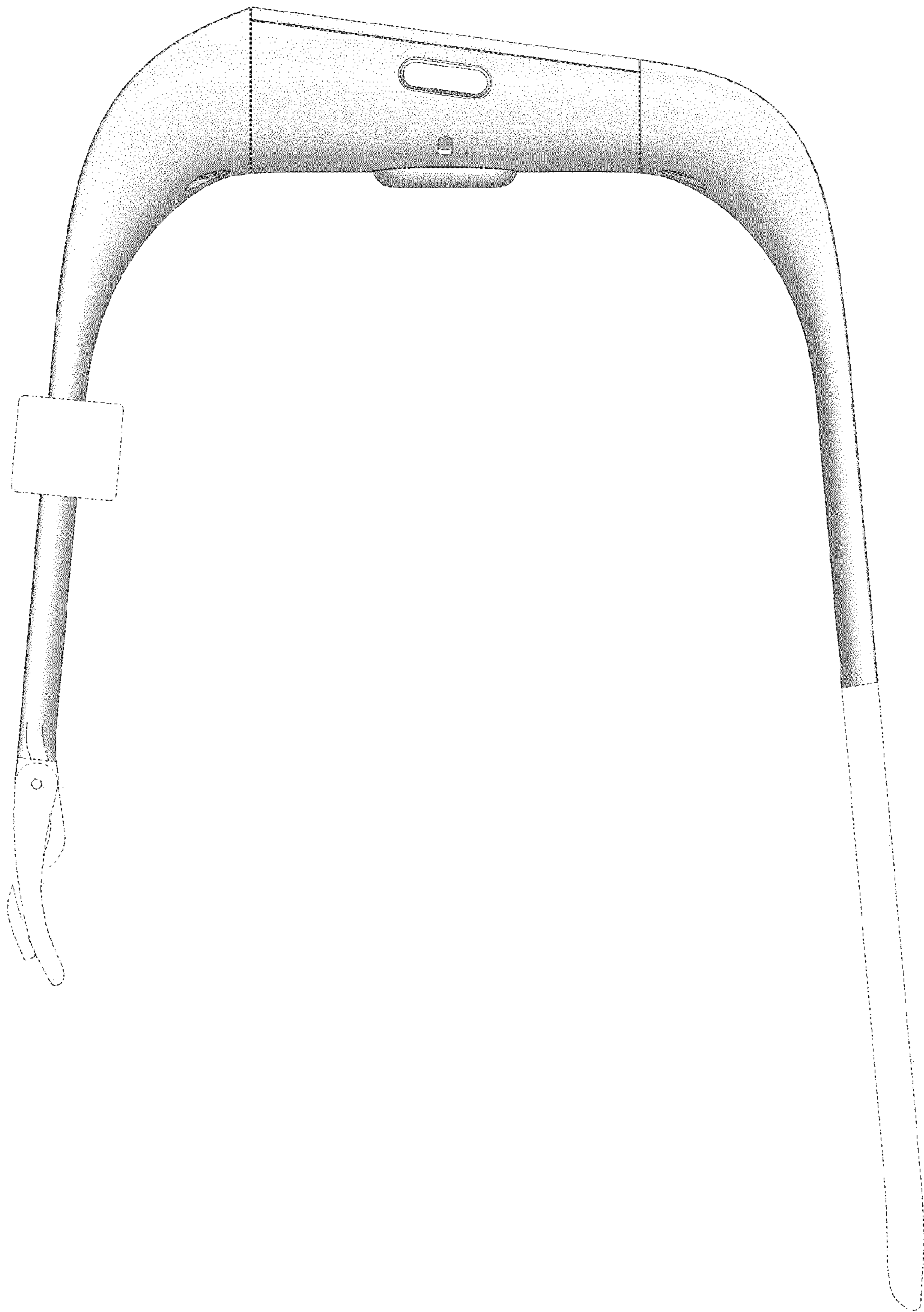


Figure 5

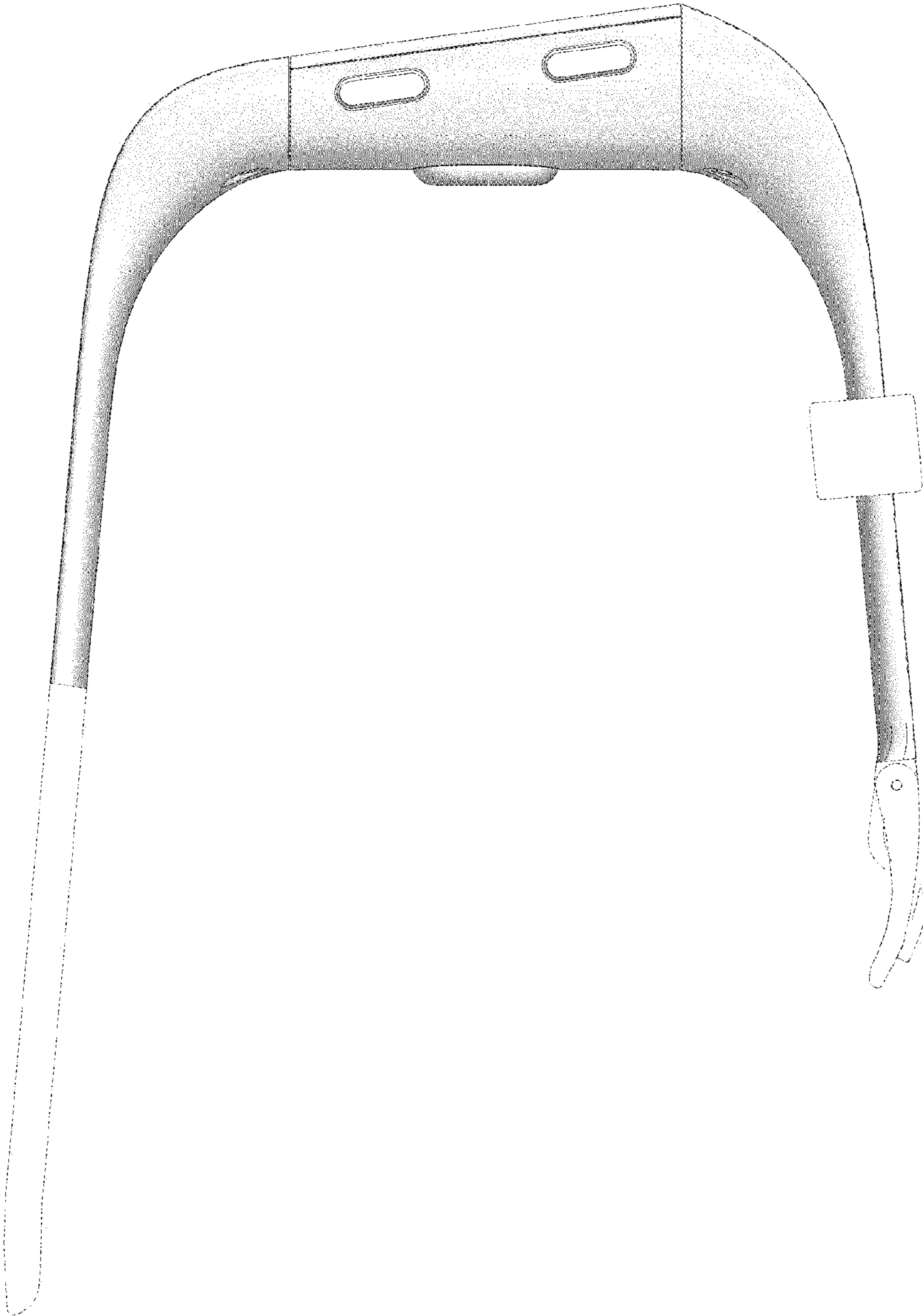


Figure 6

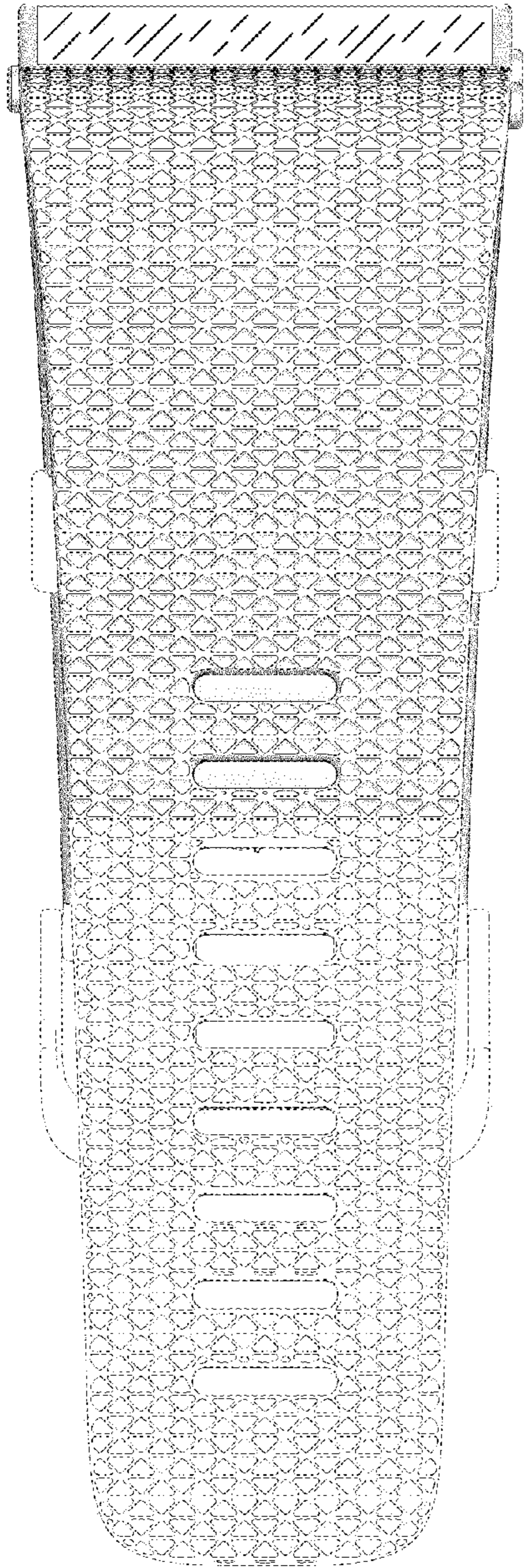


Figure 7

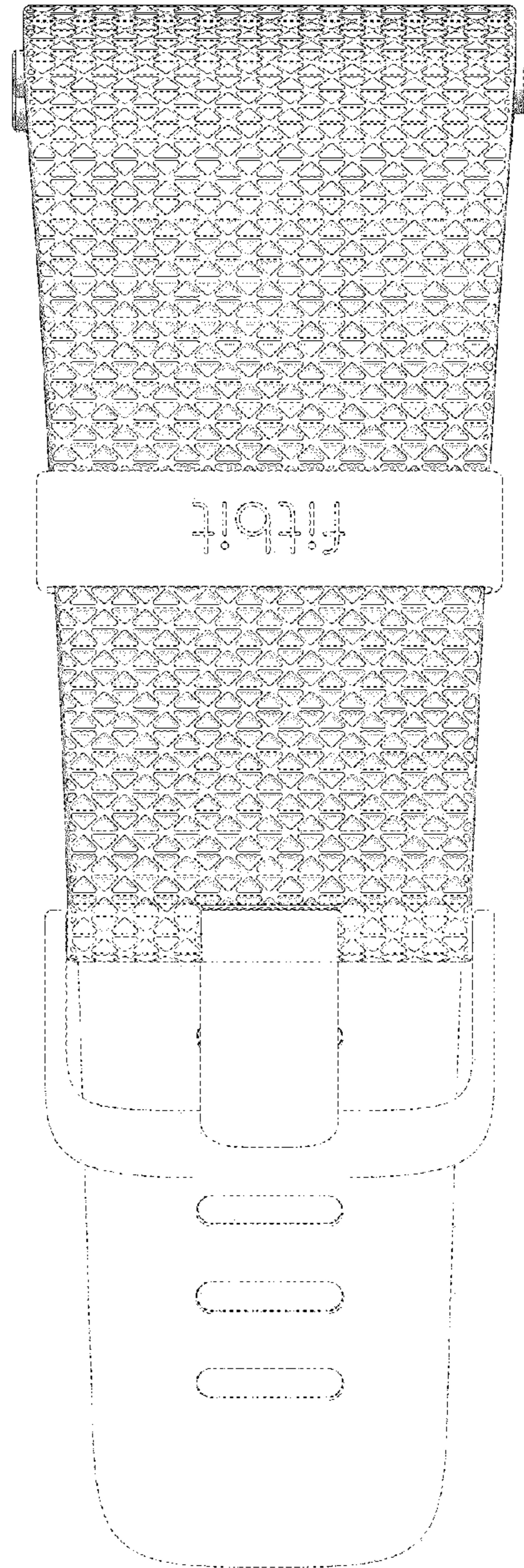


Figure 8

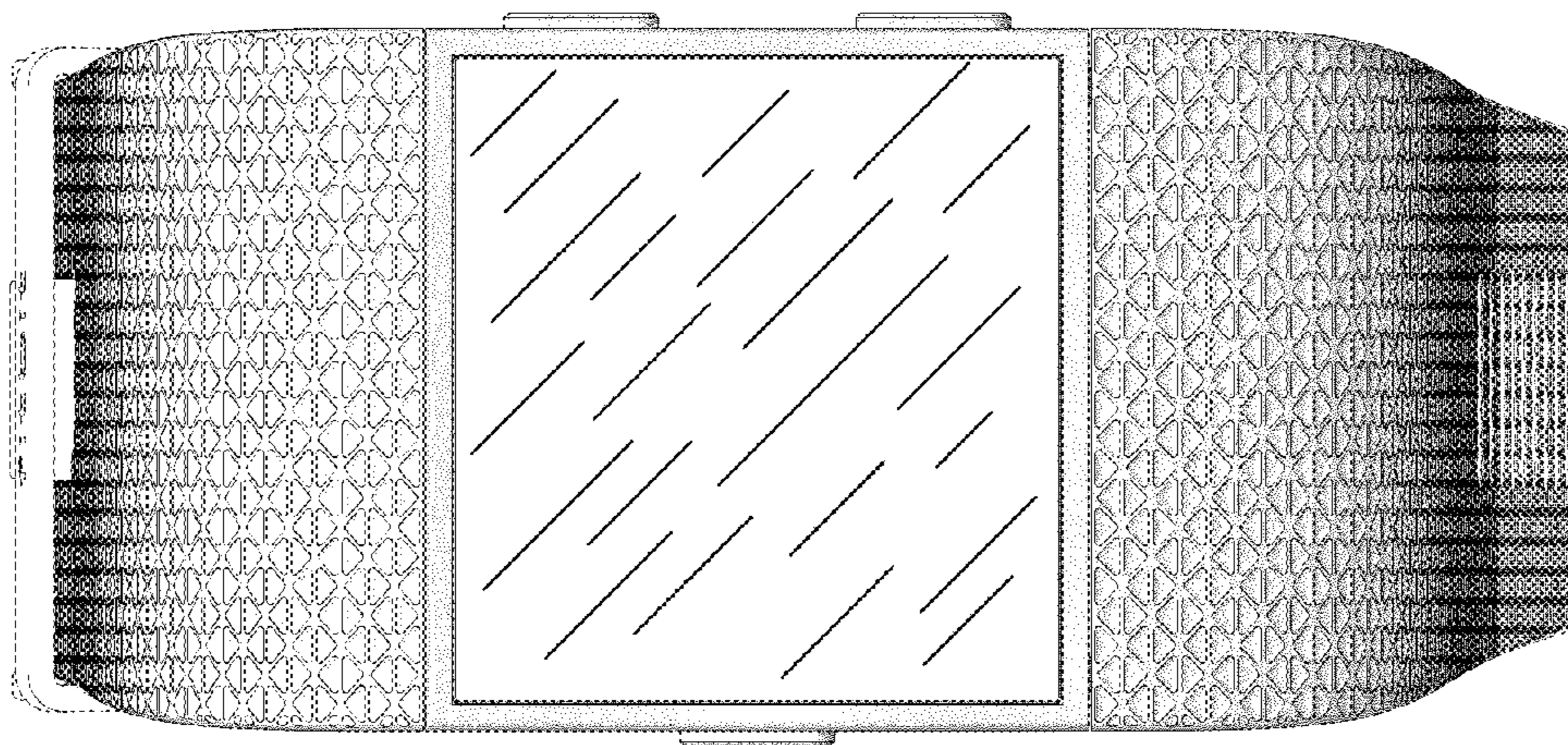


Figure 10

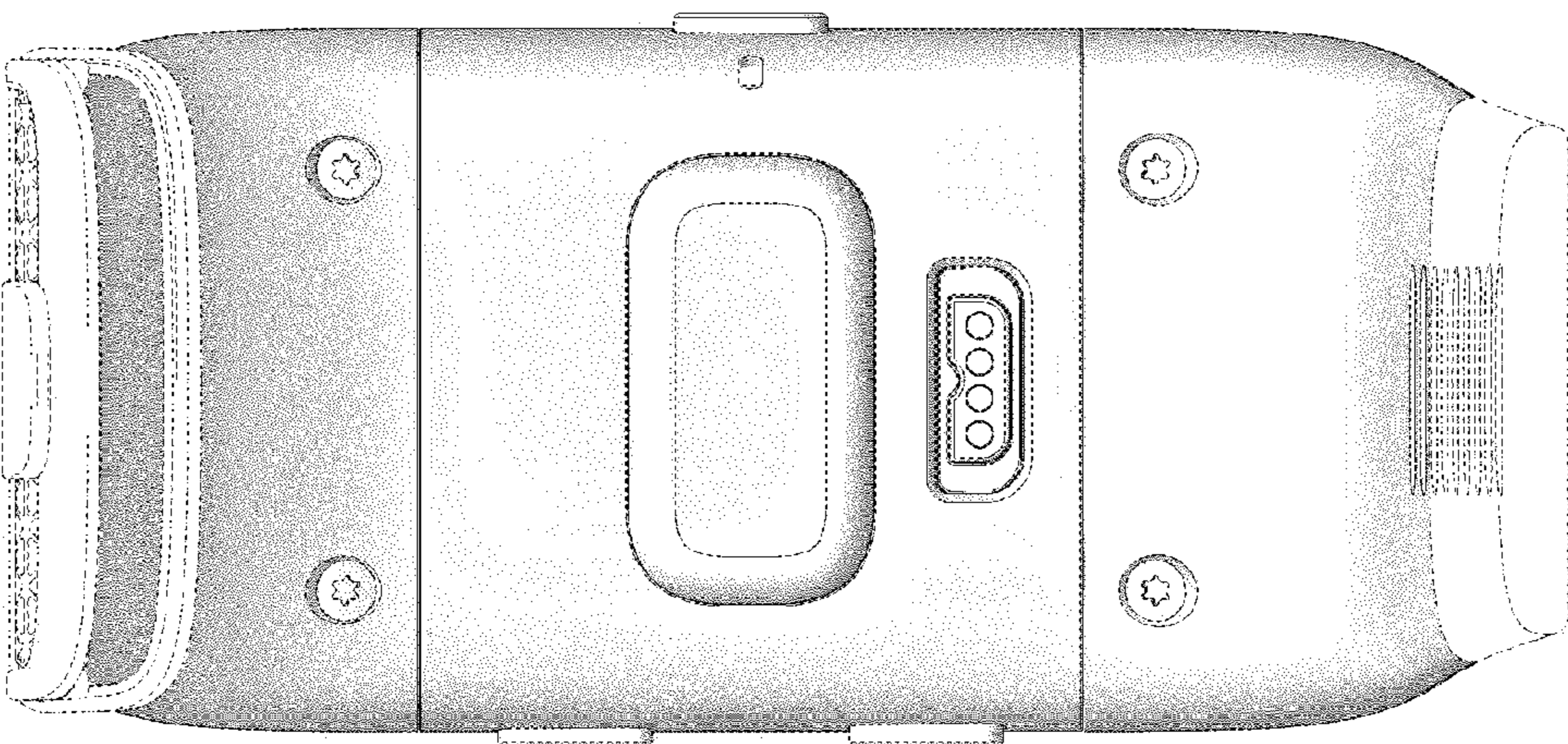


Figure 9

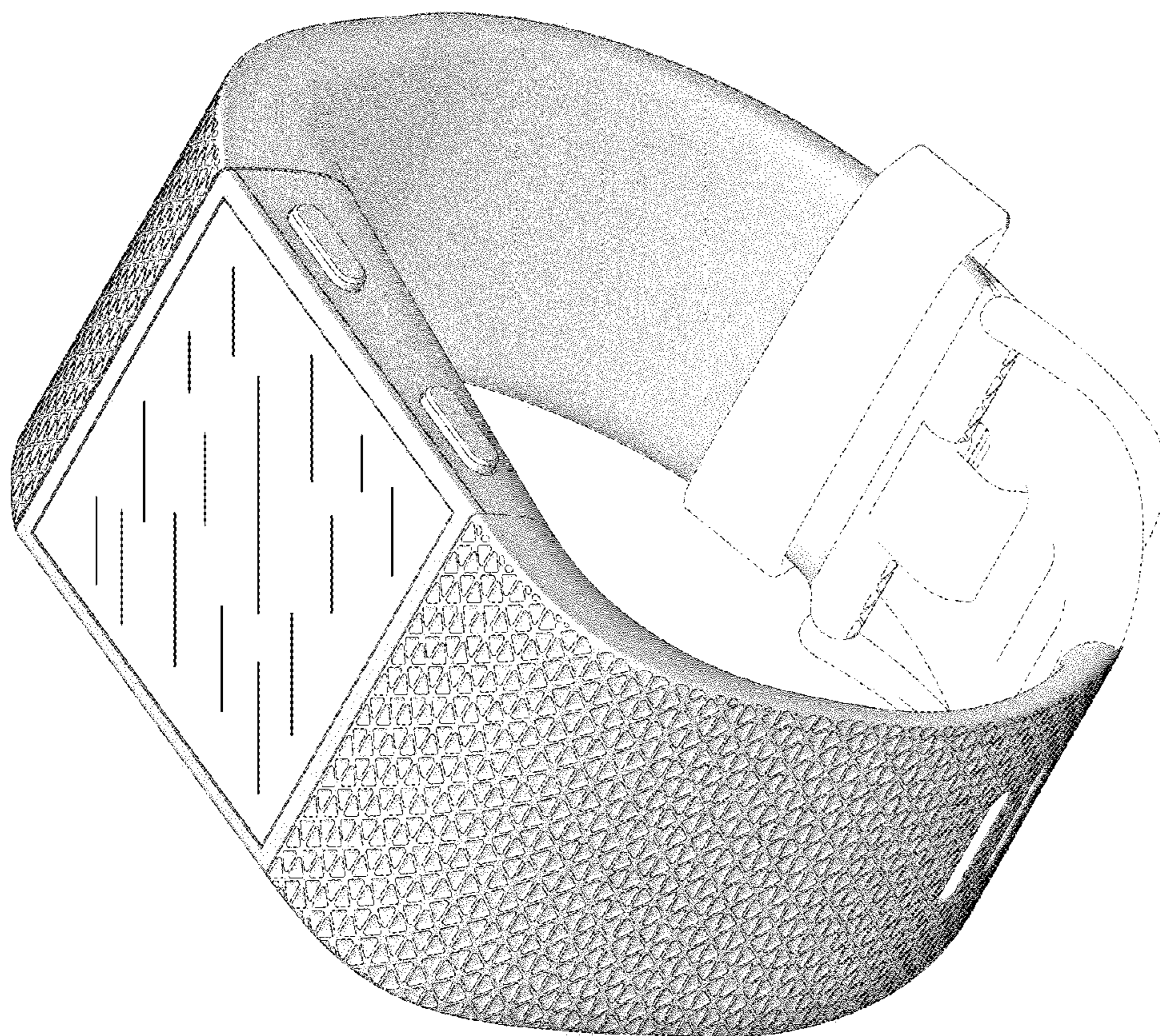


Figure 11