US00D790374S

(12) United States Design Patent

Lean et al.

(10) Patent No.: US D790,374 S
(45) Date of Patent: ** Jun. 27, 2017

(54) **WRISTBAND WITH FITNESS MONITORING CAPSULE**

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

(72) Inventors: **David Chia-wen Lean**, San Francisco, CA (US); **Vanvisa Attaset**, San Francisco, CA (US); **Lukas Bielskis**, San Francisco, CA (US); **Jose Roberto Melgoza**, San Francisco, CA (US); **Prasith Sip**, San Francisco, CA (US); **Jeremy Richard Martin**, San Francisco, CA (US); **Jonah Avram Becker**, San Francisco, CA (US); **Erik Keith Askin**, San Francisco, CA (US); **Daniel Joseph Clifton**, San Francisco, CA (US); **Gad Amit**, San Mateo, CA (US)

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

(**) Term: **15 Years**

(21) Appl. No.: **29/571,687**

(22) Filed: **Jul. 20, 2016**

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

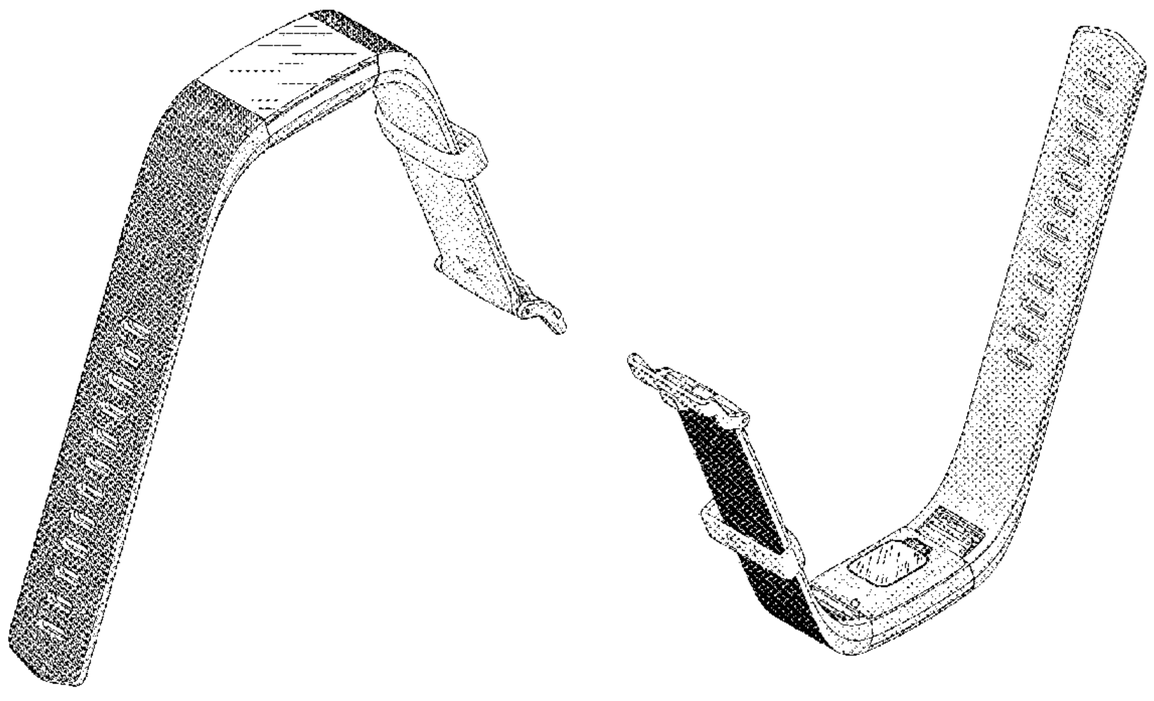
(52) **U.S. Cl.**
USPC **D10/70**; D10/98; D10/39; D24/167; D14/344

(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, 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
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.
7,311,526	B2	12/2007	Rohrbach 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
D584,974	S	1/2009	Fukuda et al.
D586,673	S	2/2009	Kobayakawa
D586,674	S	2/2009	Solarewicz
D589,375	S	3/2009	Tang
7,529,155	B2	5/2009	Fasciano
D595,163	S	6/2009	Kim et al.
D595,858	S	7/2009	Kazel
D602,386	S	10/2009	Ueda et al.
D610,476	S	2/2010	Daniel
D630,582	S	1/2011	Dai et al.
D635,873	S	4/2011	Ogihara et al.
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.



8,275,327	B2		9/2012	Yi 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.
D682,718	S		5/2013	Azuma
D684,082	S		6/2013	Alvarez et al.
D684,497	S		6/2013	Cobbett et al.
8,568,313	B2		10/2013	Sadu
D693,251	S		11/2013	Anderssen et al.
D693,708	S		11/2013	Brigham
D700,083	S		2/2014	Brigham
D707,583	S		6/2014	Kalemos
8,776,418	B1		7/2014	Martinez et al.
D715,167	S		10/2014	Busse
D715,666	S		10/2014	Park et al.
D715,668	S	*	10/2014	Roush D10/70
D718,647	S		12/2014	Roush et al.
D720,249	S		12/2014	Park et al.
D720,635	S		1/2015	Park et al.
8,942,070	B1		1/2015	Shah
D724,453	S		3/2015	Ogihara et al.
D725,510	S		3/2015	Henning
D725,528	S		3/2015	Parmigiani
D726,062	S		4/2015	Silverstein
D727,183	S		4/2015	Park et al.
D727,759	S		4/2015	Martinez et al.
D729,237	S		5/2015	Fagnot
D729,453	S		5/2015	Provost et al.
D729,646	S		5/2015	Phillips et al.
D729,648	S		5/2015	Phillips et al.
D729,649	S		5/2015	Phillips et al.
D730,210	S		5/2015	Song
D731,482	S		6/2015	Song
D731,898	S		6/2015	Squires
D732,022	S		6/2015	Song
9,064,391	B2		6/2015	Vardi et al.
D733,706	S		7/2015	Song
D735,191	S		7/2015	Song
D738,236	S		9/2015	Song
D738,237	S		9/2015	Song
D738,372	S		9/2015	Song
9,122,250	B2		9/2015	Hoffman et al.
D740,693	S		10/2015	Carmichael
D740,807	S		10/2015	Daniel
D741,726	S		10/2015	Akana et al.
D742,373	S		11/2015	Ji et al.
D743,820	S		11/2015	Song
9,189,023	B2		11/2015	Lim
D744,869	S		12/2015	Dallmeyer et al.
D745,009	S		12/2015	Jensen
D745,513	S		12/2015	Jung et al.
D745,868	S		12/2015	Choi et al.
D746,477	S	*	12/2015	Cha D24/186
D746,702	S		1/2016	Galli
D746,776	S		1/2016	Park et al.
D747,313	S		1/2016	Song
D747,714	S		1/2016	Erbeus
D749,002	S	*	2/2016	Park D10/70
D749,569	S		2/2016	Ji et al.
D750,622	S		3/2016	Chen et al.
D751,069	S		3/2016	Choi et al.
D751,452	S		3/2016	Henning
D752,043	S		3/2016	Ji et al.
D752,046	S		3/2016	Jun
D752,578	S		3/2016	Ji et al.
D757,583	S	*	5/2016	Roush D10/70
D759,516	S	*	6/2016	Ling D10/30
D759,523	S		6/2016	Ling et al.
D759,622	S		6/2016	Dahlberg
D759,826	S		6/2016	Martinez et al.
D761,675	S		7/2016	Thaveeprungsriporn et al.
D762,210	S		7/2016	Lee et al.
D763,107	S		8/2016	Nielsen et al.
D763,719	S		8/2016	Nielsen et al.
D766,758	S	*	9/2016	Park D10/70
D768,028	S		10/2016	Ling et al.
2005/0237704	A1		10/2005	Ceresoli
2006/0203621	A1		9/2006	Brodmann
2010/0162472	A1		7/2010	Abraham
2010/0311544	A1		12/2010	Robinette et al.
2013/0273770	A1		10/2013	Pong
2013/0329324	A1		12/2013	Tziviskos et al.
2014/0107493	A1		4/2014	Yuen et al.
2014/0156196	A1		6/2014	Martinez et al.
2014/0180019	A1		6/2014	Martinez et al.
2014/0275854	A1		9/2014	Venkatraman et al.
2014/0316305	A1		10/2014	Venkatraman et al.

FOREIGN PATENT DOCUMENTS

CN	302903439	S	8/2014

OTHER PUBLICATIONS

U.S. Appl. No. 29/520,607, filed Mar. 16, 2015, Ling et al.
U.S. Appl. No. 29/524,019, filed Apr. 15, 2015, Ling et al.
U.S. Appl. No. 29/524,027, filed Apr. 15, 2015, Ling et al.
U.S. Appl. No. 29/537,616, filed Aug. 27, 2015, Nielsen et al.
U.S. Appl. No. 29/541,361, filed Oct. 2, 2015, Nielsen et al.
U.S. Appl. No. 29/541,365, filed Oct. 2, 2015, Nielsen et al.
U.S. Appl. No. 29/541,368, filed Oct. 2, 2015, Nielsen et al.
U.S. Appl. No. 29/553,318, filed Jan. 29, 2016, Ling et al.
U.S. Appl. No. 29/553,921, filed Feb. 5, 2016, Nielsen et al.
U.S. Appl. No. 29/563,187, filed May 3, 2016, Ling et al.
U.S. Appl. No. 29/563,190, filed May 3, 2016, Ling et al.
U.S. Appl. No. 29/563,191, filed May 3, 2016, Ling et al.
U.S. Appl. No. 29/563,192, filed May 3, 2016, Lowe et al.
U.S. Appl. No. 29/563,195, filed May 3, 2016, Lowe et al.
U.S. Appl. No. 29/563,198, filed May 3, 2016, Lowe et al.
U.S. Appl. No. 29/563,201, filed May 3, 2016, Lowe et al.
U.S. Appl. No. 29/563,922, filed May 9, 2016, Paschke et al.
U.S. Appl. No. 29/565,818, filed May 24, 2016, Page et al.
U.S. Appl. No. 29/568,027, filed Jun. 14, 2016, Paschke et al.
U.S. Appl. No. 29/568,607, filed Jun. 20, 2016, Paschke et al.
U.S. Appl. No. 29/569,701, filed Jun. 29, 2016, Nielsen et al.
U.S. Appl. No. 29/572,962, filed Aug. 1, 2016, Lean et al.
U.S. Appl. No. 29/572,967, filed Aug. 1, 2016, Lean et al.
U.S. Appl. No. 29/575,838, filed Aug. 29, 2016, Lean et al.
U.S. Appl. No. 29/579,649, filed Sep. 30, 2016, Lean et al.
U.S. Appl. No. 29/585,891, filed Nov. 29, 2016, Nielsen et al.
US Office Action, dated Aug. 4, 2014, issued in U.S. Appl. No. 29/468,506.
US Notice of Allowance, dated Oct. 24, 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.
US Office Action, dated Jun. 5, 2015, issued in U.S. Appl. No. 29/468,522.
US Notice of Allowance, dated Oct. 9, 2015, issued in U.S. Appl. No. 29/468,522.
US Notice of Allowance, dated Oct. 9, 2015 issued in U.S. Appl. No. 29/497,740.
US Office Action [Ex Parte Quayle], dated May 10, 2016 issued in U.S. Appl. No. 29/549,341.
US Notice of Allowance [Notice of Allowability], dated Jul. 22, 2016 issued in U.S. Appl. No. 29/549,341.
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.
US Office Action, dated Sep. 25, 2015, issued in U.S. Appl. No. 29/500,837.
US Notice of Allowance, dated Mar. 28, 2016, issued in U.S. Appl. No. 29/500,837.
US Notice of Allowance dated May 11, 2016, issued in U.S. Appl. No. 29/500,837.
US Notice of Allowance, dated Feb. 4, 2016, issued in U.S. Appl. No. 29/520,607.
US Notice of Allowance, dated Mar. 4, 2016, issued in U.S. Appl. No. 29/521,264.
US Notice of Allowance, dated Apr. 14, 2016, issued in U.S. Appl. No. 29/524,025.
US Notice of Allowance, dated Aug. 3, 2016, issued in U.S. Appl. No. 29/524,028.
US Notice of Allowance, dated Oct. 11, 2016, issued in U.S. Appl. No. 29/537,616.
US Notice of Allowance, dated Apr. 14, 2016, issued in U.S. Appl. No. 29/541,358.
US Notice of Allowance, dated Apr. 13, 2016, issued in U.S. Appl. No. 29/541,364.
US Notice of Allowance [Corrected Notice of Allowability], dated May 31, 2016, issued in U.S. Appl. No. 29/541,364.
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.

* cited by examiner

Primary Examiner — Antoine D Davis
(74) *Attorney, Agent, or Firm* — Weaver Austin Villeneuve & Sampson LLP

(57) **CLAIM**

We claim the ornamental design for the wristband with fitness monitoring capsule, as shown and described.

DESCRIPTION

FIG. **1** is a back view of a wristband with fitness monitoring capsule.
FIG. **2** is a side view of the wristband with fitness monitoring capsule of FIG. **1**.
FIG. **3** is a front view of the wristband with fitness monitoring capsule of FIG. **1**.
FIG. **4** is an opposite side view of the wristband with fitness monitoring capsule of FIG. **1**.
FIG. **5** is a bottom view of the wristband with fitness monitoring capsule of FIG. **1**.
FIG. **6** is a top view of the wristband with fitness monitoring capsule of FIG. **1**.
FIG. **7** is an isometric view of the wristband with fitness monitoring capsule of FIG. **1**.
FIG. **8** is an exploded view of the wristband with fitness monitoring capsule of FIG. **1** that features a fitness monitoring capsule and two flexible wristband straps; the flexible wristband straps of the wristband with fitness monitoring capsule are configured to be removed from the fitness monitoring capsule and are connectable together to form a wristband to allow the wristband with fitness monitoring capsule to be worn on a person's wrist.
FIG. **9** is an off-angle view of the wristband with fitness monitoring capsule of FIG. **1**.
FIG. **10** depicts the location of the detail view of the wristband with fitness monitoring capsule of FIG. **7** that is depicted in FIG. **11**; and,
FIG. **11** is a detail view of the wristband with fitness monitoring capsule of FIG. **10**; this view stops at the circular boundary depicted in FIG. **10** and should not be viewed as indicating any particular limit of claimed or unclaimed subject matter.
The wristband with fitness monitoring capsule depicted in the accompanying figures may be worn on a person's wrist. The wristband with fitness monitoring capsule includes two wristband straps, i.e., a first band portion and a second band portion, that are flexible to allow the ends of the wristband straps to be joined together using the buckle component (or other fastening mechanism) to form a loop. When the ends of the wristband straps are joined together, the wristband with fitness monitoring capsule may appear to be a bracelet or wristband. The wristband straps may be made of a thermoplastic polyurethane or other type of elastic or flexible material, such as, for example, leather or fabric (e.g., nylon).
The wristband with fitness monitoring capsule and the fitness monitoring capsule feature a screen (on the top of the capsule) and a cover (on the bottom of the capsule) that each may be transparent or translucent to allow light emitted from inside the fitness monitoring capsule to be seen or to exit the fitness monitoring capsule, as well as to potentially allow light to enter into the fitness monitoring capsule. For example, such transparent or translucent features on the wristband with fitness monitoring capsule can be seen in FIGS. **1-10** and are indicated in the shaded views by an absence of stipple shading and the presence of diagonal line hatching. Portions of these transparent surfaces may be opaque on the interior side, e.g., due to being bonded to opaque structures.
The flexible wristband straps of the wristband with fitness monitoring capsule may feature texturing that can be more clearly seen in the detail view of FIG. **11**.
Stipple shading is used in the accompanying Figures to convey surface contouring and not texture. The depicted wristband with fitness monitoring capsule, fitness monitoring capsule, and flexible wristband straps may be made from any of a variety of materials, including metals, plastics, glass, or, in some cases, elastomers or rubbers. The Figures presented herein are not intended to convey any particular color distinctions or contrasts between components, and it is to be recognized that embodiments with a variety of different color schemes may fall within the scope of the depicted embodiments.

1 Claim, 8 Drawing Sheets

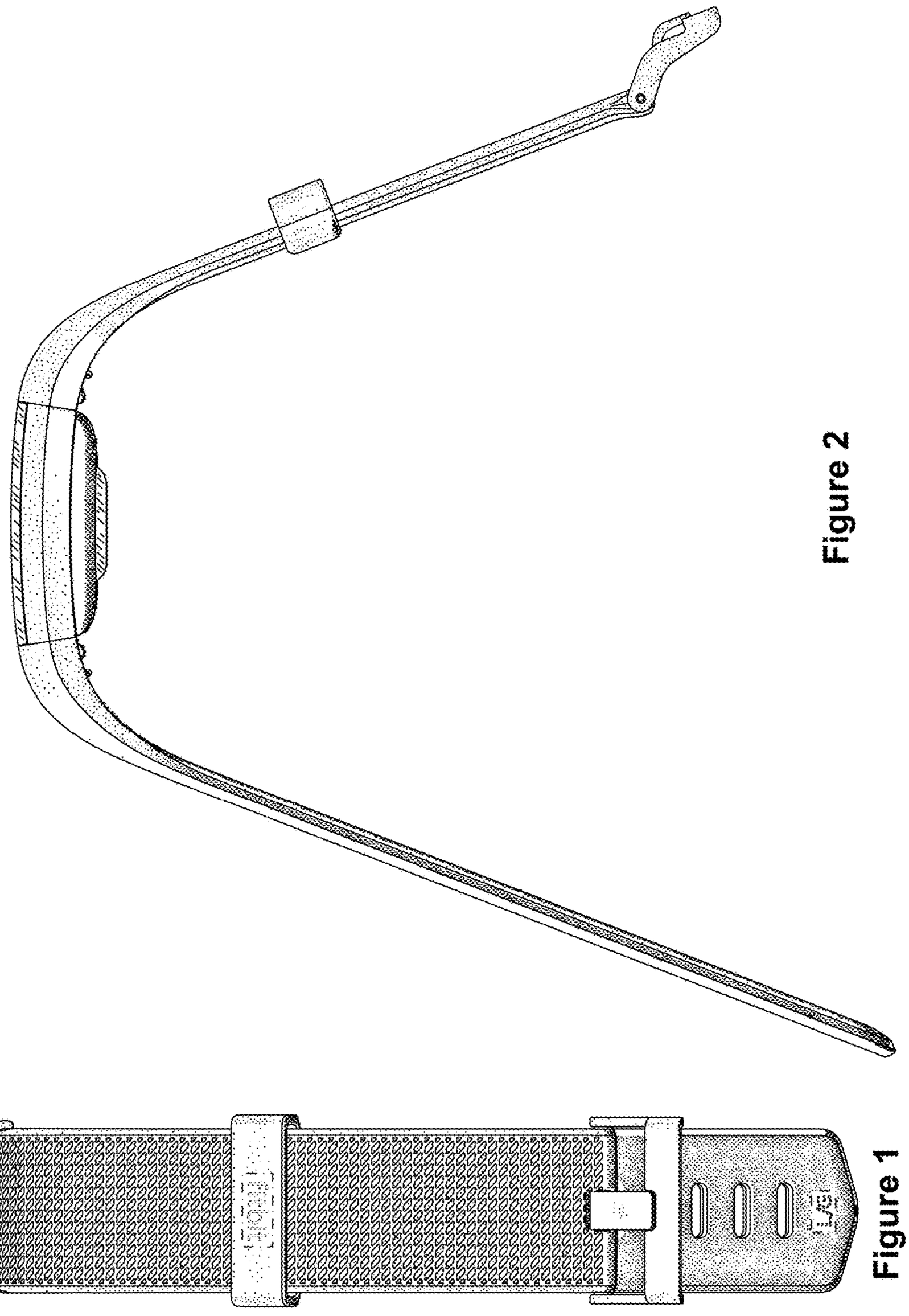


Figure 2

Figure 1

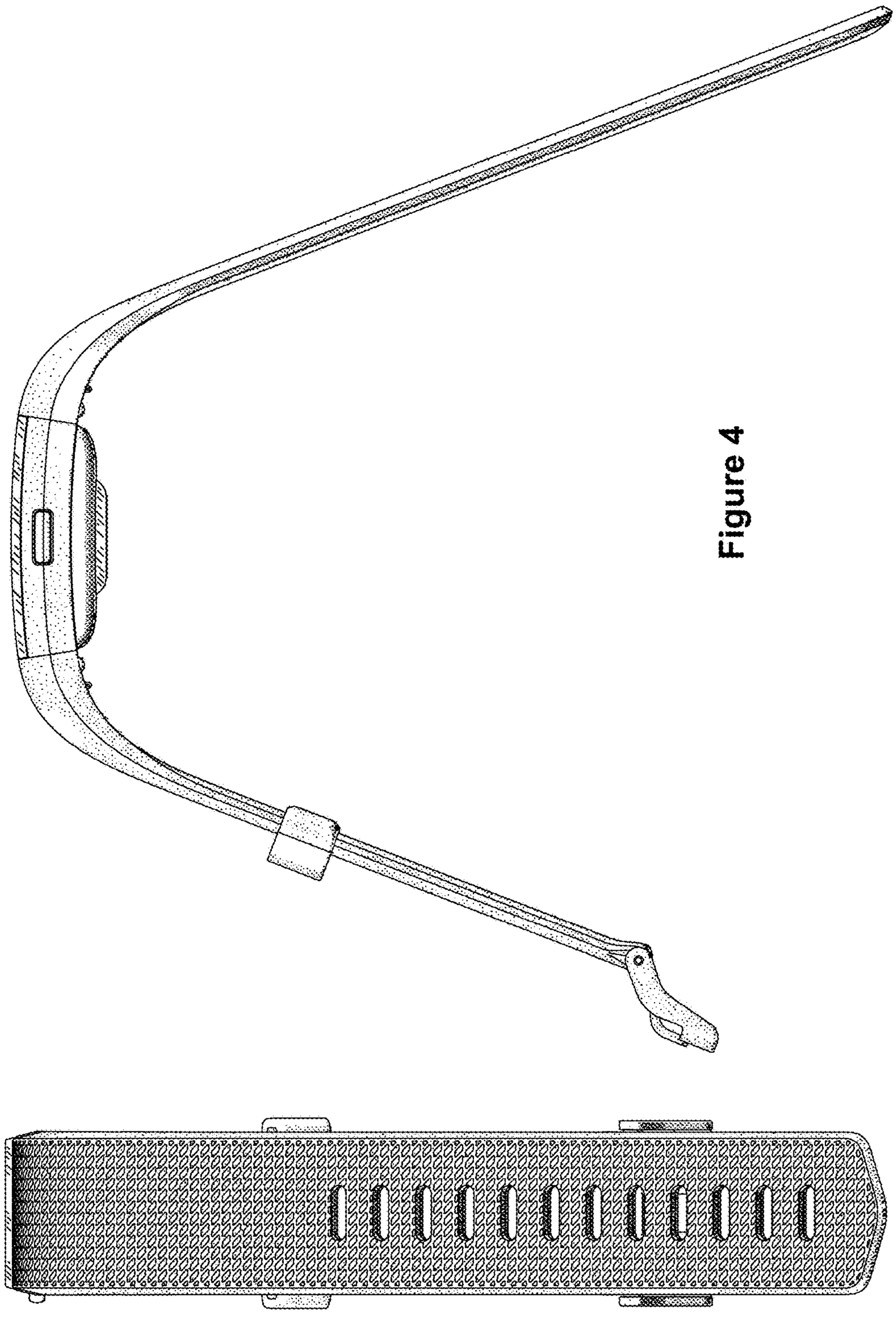


Figure 4

Figure 3

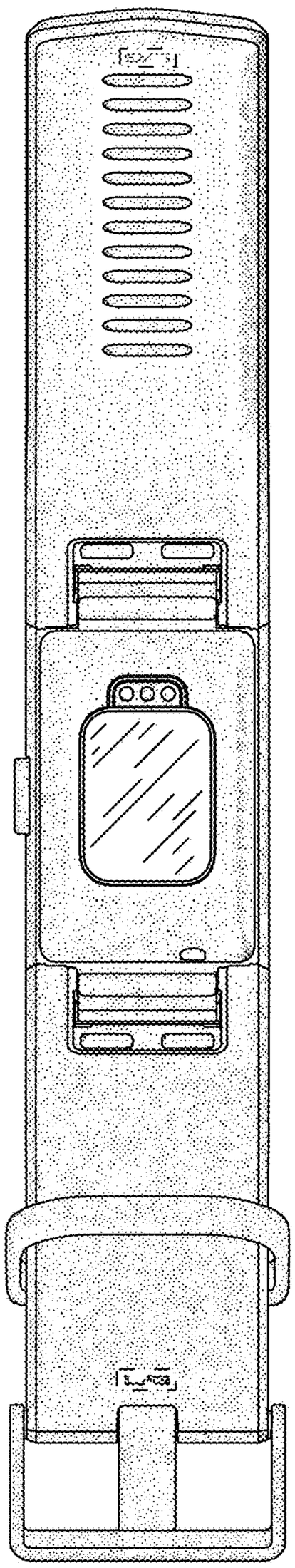


Figure 5

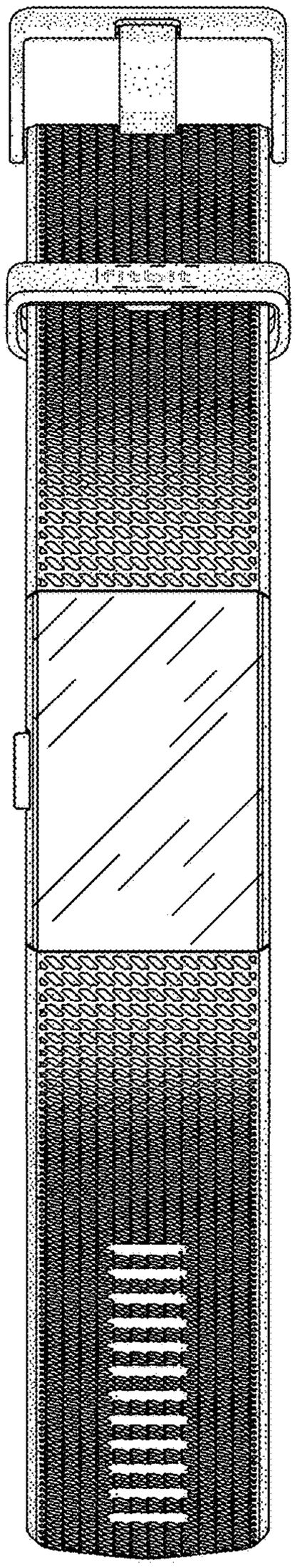


Figure 6

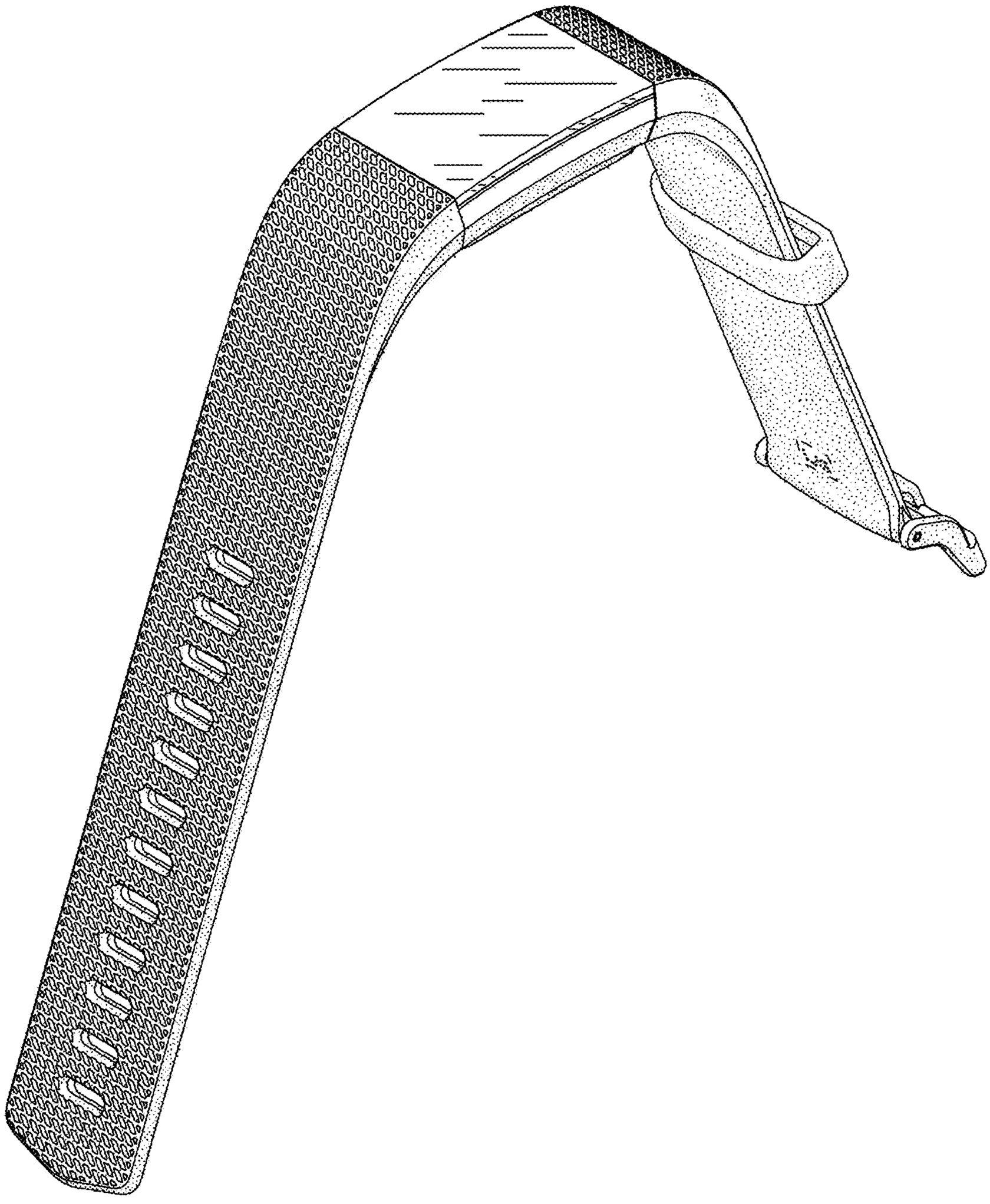


Figure 7

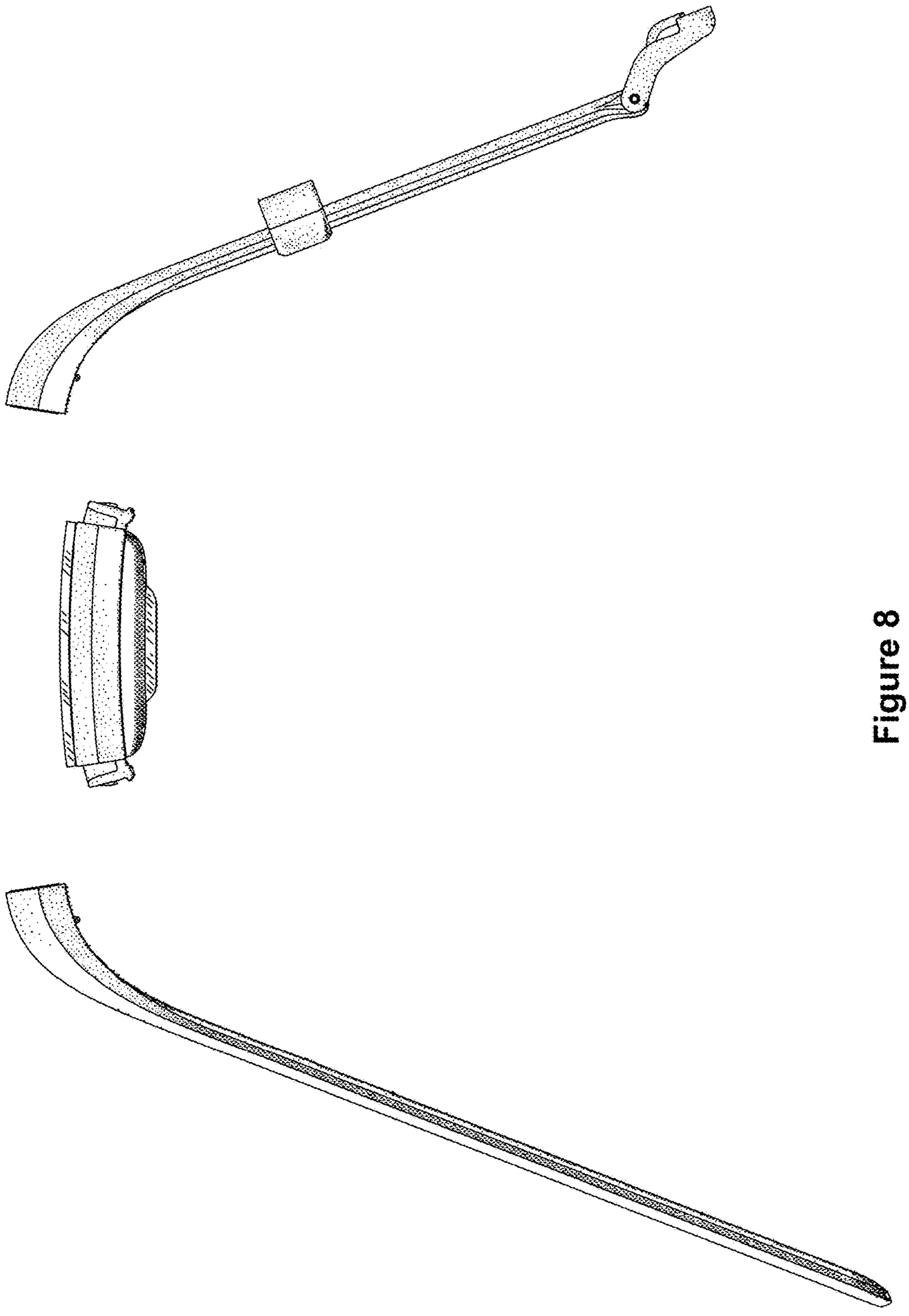


Figure 8

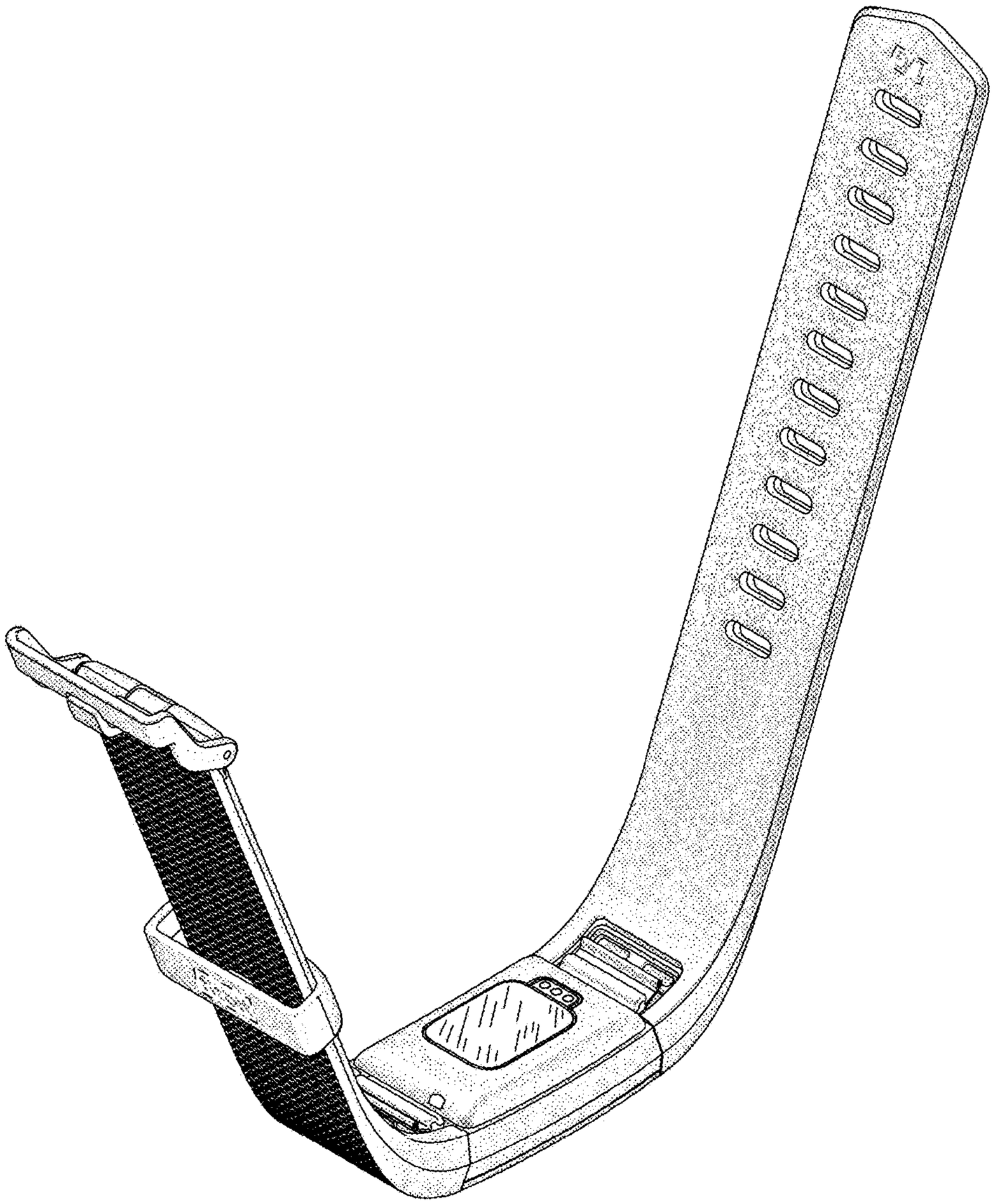


Figure 9

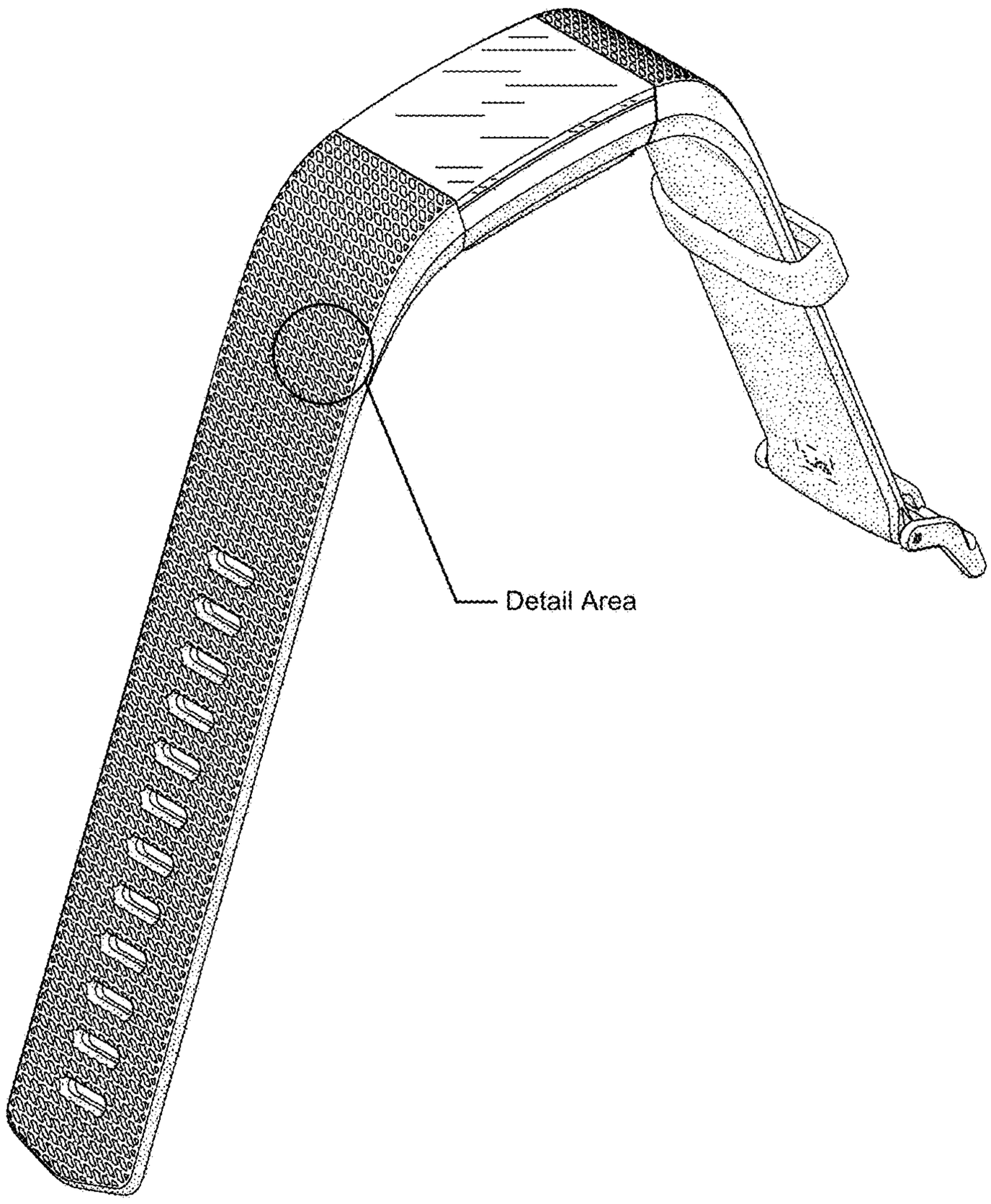


Figure 10

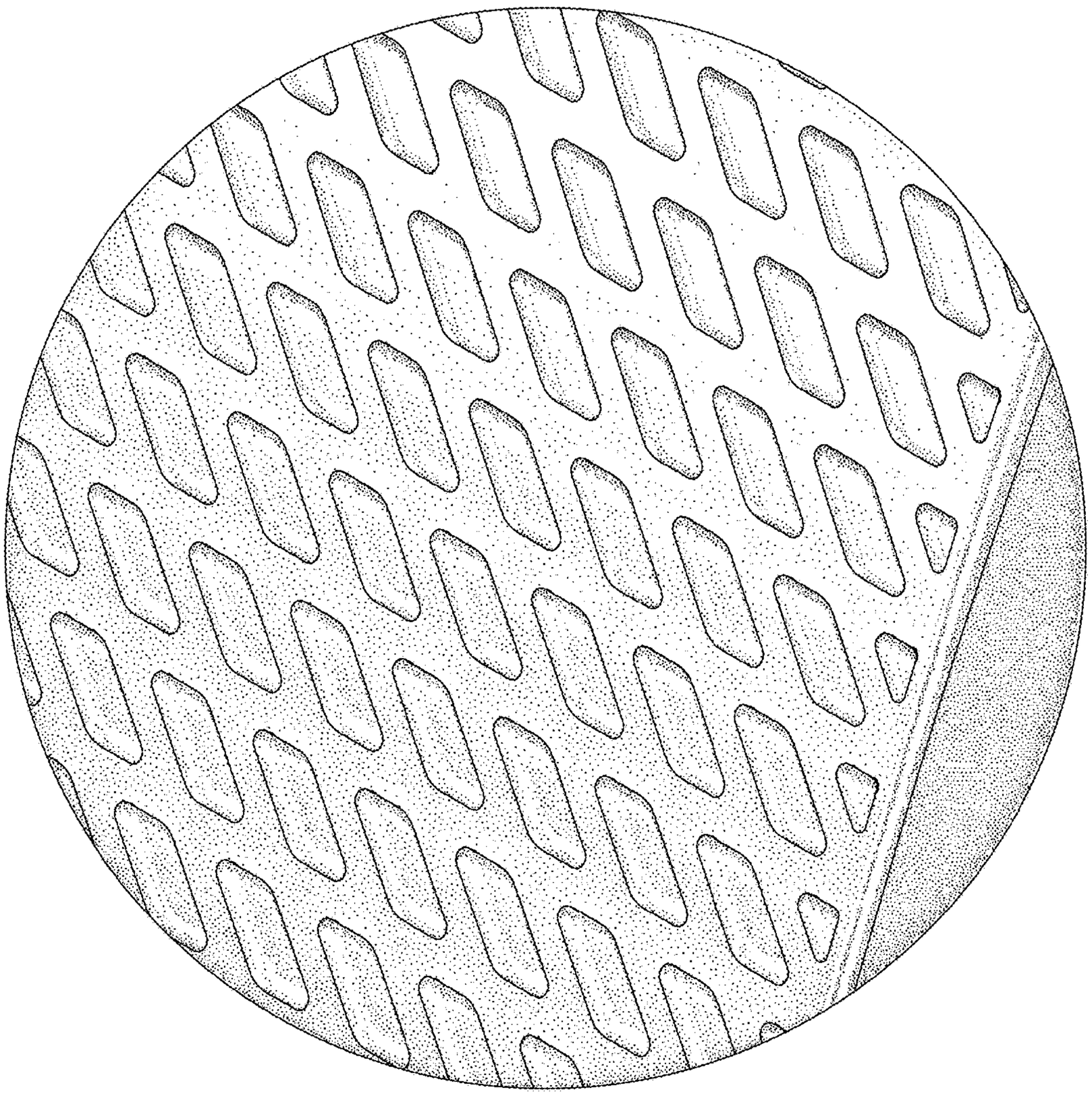


Figure 11