



US00D798438S

(12) **United States Design Patent** (10) **Patent No.:** **US D798,438 S**  
**Engelhard et al.** (45) **Date of Patent:** **\*\* Sep. 26, 2017**

(54) **INHALER CAP** D259,300 S \* 5/1981 Vreeken ..... 223/112  
D272,677 S \* 2/1984 Bove ..... D3/9  
(71) Applicant: **Gecko Health Innovations, Inc.,** D327,732 S \* 7/1992 Yost ..... D23/250  
Cambridge, MA (US) D334,057 S 3/1993 Byram  
5,505,192 A 4/1996 Samiotes et al.  
(72) Inventors: **Yechiel Engelhard,** Boston, MA (US); 5,544,647 A 8/1996 Jewett et al.  
**Mark Maalouf,** Cambridge, MA (US) D384,572 S \* 10/1997 Ongaro ..... D8/312  
(Continued)

(73) Assignee: **Gecko Health Innovations, Inc.,**  
Cambridge, MA (US)

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

(21) Appl. No.: **29/580,731**

(22) Filed: **Oct. 12, 2016**

**Related U.S. Application Data**

(63) Continuation of application No. 29/526,378, filed on May 8, 2015, which is a continuation-in-part of application No. 14/470,240, filed on Aug. 27, 2014, now Pat. No. 9,035,765.

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

(52) **U.S. Cl.**  
USPC ..... **D24/110; D24/127**

(58) **Field of Classification Search**  
USPC ..... D24/107, 108, 110, 111, 127, 164, 188;  
D8/300, 310, 312, 321, 322, 374, 378,  
D8/400, 402, 499; D3/7-10, 17;  
D9/445, 454, 708, 729; D22/117  
CPC ..... A61M 15/00; A61M 15/0065; A61M  
15/0091; A61M 15/0021; A61M 15/0026;  
A61M 11/00; A61M 11/02; A61M 11/04;  
A61M 15/0001; A61M 15/0068; A61M  
15/008; A61M 15/0083; A61M 15/0025  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

907,049 A \* 12/1908 Herold ..... A45B 3/10  
135/66  
D200,541 S \* 3/1965 Sartell ..... D21/400

**OTHER PUBLICATIONS**

Gecko Caps to Help Parents Make Sure Their Asthmatic Kids Are Using Inhalers. Med Gadget. Date published: Jan. 17, 2013. <<http://www.medgadget.com/2013/01/gekocaps-to-help-parents-make-sure-their-asthmatic-kids-are-using-inhalers-wvideo.html>>.\*

(Continued)

*Primary Examiner* — Barbara Fox

*Assistant Examiner* — Lilyana Bekic

(74) *Attorney, Agent, or Firm* — Condo Roccia Koptiw LLP

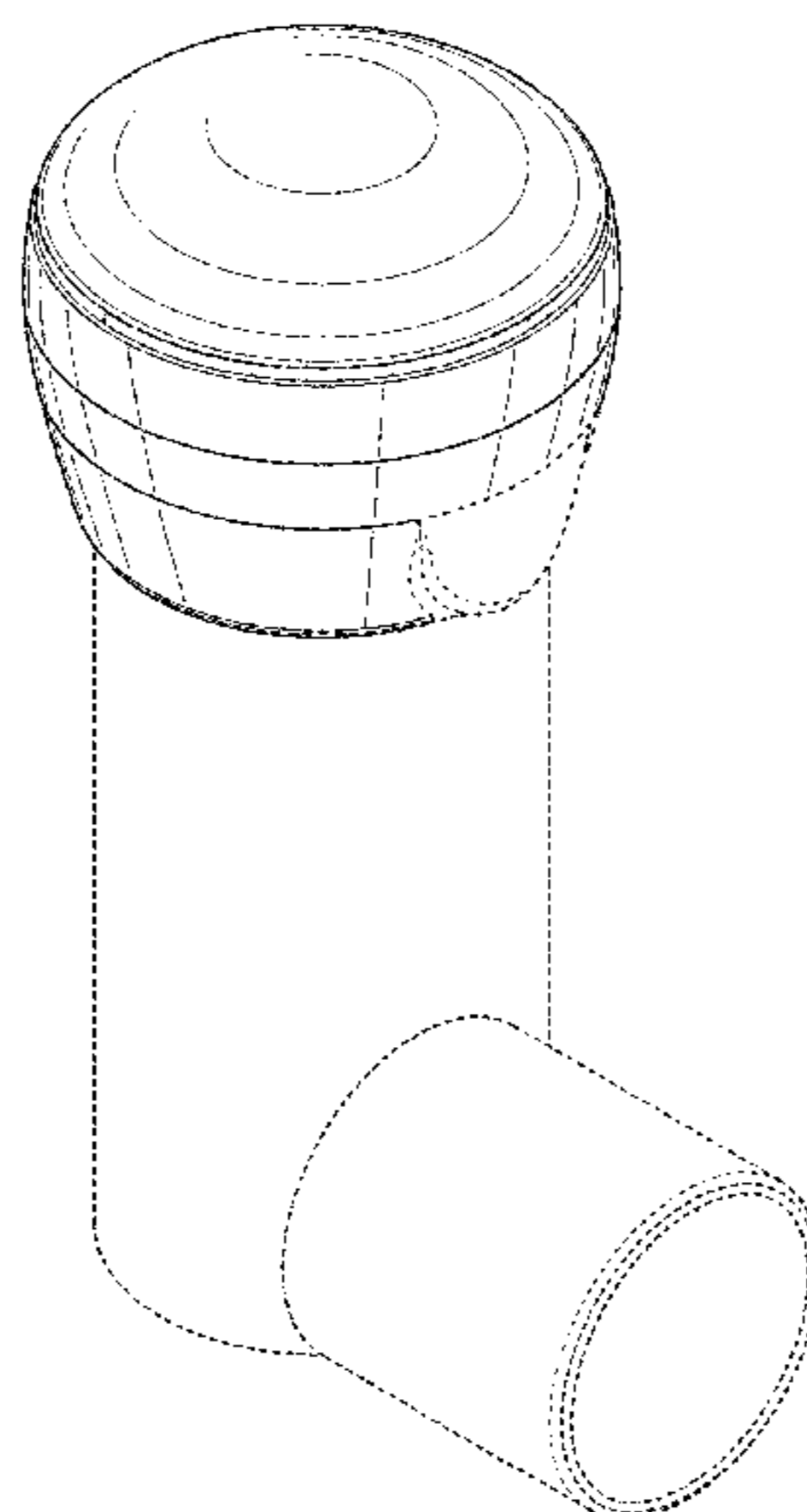
(57) **CLAIM**

The ornamental design for an inhaler cap, as shown and described.

**DESCRIPTION**

FIG. 1 is a top front perspective view of an inhaler cap attached to an inhaler, showing my new design; FIG. 2 is a bottom front perspective view of the inhaler cap shown in FIG. 1, with the inhaler removed; FIG. 3 is a back side plan view of the inhaler cap shown in FIG. 1; FIG. 4 is a top view of the inhaler cap of FIG. 1; and, FIG. 5 is a bottom view of the inhaler cap of FIG. 1. The broken lines illustrating the inhaler in FIG. 1 illustrates the environment and forms no part of the claimed design. All other broken lines in the drawings illustrate portions of the inhaler cap that form no part of the claimed design.

**1 Claim, 5 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D406,769 S \* 3/1999 Ackroyd ..... D9/454  
 D416,382 S \* 11/1999 Beauregard ..... D3/7  
 D416,998 S 11/1999 Hodson et al.  
 6,082,358 A 7/2000 Scarrott et al.  
 D437,679 S \* 2/2001 Lisowski ..... D3/9  
 6,202,642 B1 3/2001 McKinnon et al.  
 6,336,453 B1 \* 1/2002 Scarrott ..... A61M 15/009  
 128/200.23  
 D485,017 S 1/2004 Noh  
 D490,315 S 5/2004 Kiser  
 D495,599 S 9/2004 Biesecker  
 D503,886 S 4/2005 Biesecker  
 D504,310 S \* 4/2005 Harwanko ..... D8/376  
 D509,898 S 9/2005 Bunce et al.  
 7,004,164 B2 2/2006 Scarrott  
 D518,381 S 4/2006 Egawa  
 D518,569 S 4/2006 Nishibayashi et al.  
 D523,335 S 6/2006 Nelson et al.  
 7,100,530 B2 9/2006 Lu  
 D536,614 S 2/2007 Peterson et al.  
 D537,714 S 3/2007 Yerby et al.  
 D540,534 S \* 4/2007 Chan ..... D3/7  
 D541,156 S 4/2007 Florio  
 D547,872 S \* 7/2007 Davis ..... D24/188  
 D552,245 S \* 10/2007 Davis ..... D24/188  
 D572,592 S 7/2008 Chang  
 D579,331 S 10/2008 Nanda  
 D585,274 S 1/2009 Geier  
 D594,746 S 6/2009 Moretti  
 D594,747 S 6/2009 Moretti  
 D595,570 S 7/2009 Moretti  
 D596,939 S 7/2009 Moretti  
 7,621,273 B2 11/2009 Morton et al.  
 D611,814 S 3/2010 Marotti et al.  
 D620,358 S 7/2010 Jewett et al.  
 D620,799 S 8/2010 Wingfield et al.  
 D630,514 S 1/2011 Niikura et al.  
 7,955,157 B1 \* 6/2011 Hedeem, Jr. .... A63B 21/157  
 446/236  
 D641,257 S 7/2011 Thiebaut et al.  
 8,082,873 B2 12/2011 Nuttall  
 D656,823 S 4/2012 Kriegel  
 D657,675 S 4/2012 Averill  
 D659,004 S 5/2012 McCoy  
 D659,005 S 5/2012 McCoy  
 D660,410 S 5/2012 Zuyderhoudt  
 D660,411 S 5/2012 Zuyderhoudt  
 D660,956 S 5/2012 Zuyderhoudt  
 8,181,591 B1 5/2012 Gulka et al.  
 D662,422 S 6/2012 Avakian  
 8,517,019 B2 8/2013 Brewer et al.  
 D688,946 S \* 9/2013 Pirincci ..... D9/454  
 8,539,945 B2 9/2013 Solomon et al.  
 D710,196 S \* 8/2014 Ivosevic ..... D9/445  
 D713,235 S \* 9/2014 Lee ..... D8/310  
 D713,236 S \* 9/2014 Park ..... D8/310  
 8,960,189 B2 2/2015 Morrison  
 9,035,765 B2 \* 5/2015 Engelhard ..... G06Q 50/24  
 222/183  
 D734,638 S 7/2015 Wahl

D736,087 S 8/2015 Birgers  
 9,202,164 B2 12/2015 Sieffert et al.  
 D755,051 S 5/2016 Otani et al.  
 D756,222 S 5/2016 Lopez et al.  
 D759,488 S \* 6/2016 Gibson ..... D9/454  
 D760,589 S 7/2016 Smith  
 D762,476 S \* 8/2016 Velmer ..... D9/445  
 D769,120 S \* 10/2016 Albuquerque ..... D9/454  
 D771,800 S \* 11/2016 Engelhard ..... D24/110  
 2002/0139812 A1 10/2002 Scarrott et al.  
 2002/0153005 A1 10/2002 Scarrott et al.  
 2003/0178020 A1 9/2003 Scarrott  
 2004/0149773 A1 8/2004 Ouyang et al.  
 2004/0221840 A1 11/2004 Stockman-Lamb  
 2005/0011515 A1 1/2005 Lee et al.  
 2005/0087191 A1 4/2005 Morton et al.  
 2006/0150971 A1 7/2006 Lee et al.  
 2006/0213506 A1 9/2006 Hodson et al.  
 2006/0254581 A1 11/2006 Genova et al.  
 2007/0295329 A1 12/2007 Lieberman et al.  
 2008/0173301 A1 \* 7/2008 Deaton ..... A61M 15/009  
 128/203.12  
 2008/0178872 A1 \* 7/2008 Genova ..... A61M 15/0065  
 128/200.23  
 2008/0251551 A1 10/2008 Huber et al.  
 2009/0194104 A1 8/2009 Van Sickle  
 2011/0226237 A1 \* 9/2011 Morrison ..... A61M 15/009  
 128/200.23  
 2011/0265788 A1 \* 11/2011 Wu ..... A61M 15/008  
 128/200.23  
 2012/0012106 A1 \* 1/2012 Bari ..... A61M 15/009  
 128/200.23  
 2015/0061867 A1 3/2015 Engelhard et al.  
 2015/0100276 A1 \* 4/2015 Huang ..... A61M 15/008  
 702/187  
 2015/0100335 A1 4/2015 Englehard et al.  
 2015/0112707 A1 4/2015 Manice et al.  
 2015/0235548 A1 8/2015 Engelhard et al.  
 2016/0038695 A1 \* 2/2016 Yu ..... B65D 25/54  
 206/459.1

OTHER PUBLICATIONS

Asthmapolis Receives FDA Clearance for Asthma Inhaler Sensor System. Med Gadget. Date published: Jul. 12, 2012. <p://www.medgadget.com/2012/07/asthmapolis-receives-fda-clearance-for-asthma-inhaler-sensor-system.html>.\*  
 Pennic, Fred. Teva to Acquire Gecko Health Innovations for its Smart Inhaler. HIT Consultant. Date published: Sep. 28, 2015. <http://hitconsultant.net/2015/09/28/teva-acquire-gecko-health-innovations-smart-inhaler/>.\*  
 Comstock, Jonah, "Asthmapolis, Now Propeller, Moves Beyond Asthma", Mobihealthnews, Sep. 10, 2013, 3 pages.  
 Josh, Buesseler, "Propeller Health Inhaler Sensor-Asthma Event Data Sensor", Available at <https://www.behance.net/gallery/14490057/Propeller-Health-inhaler-Sensor>, Retrieved Jul. 27, 2016, Feb. 12, 2014, 6 pages.

\* cited by examiner

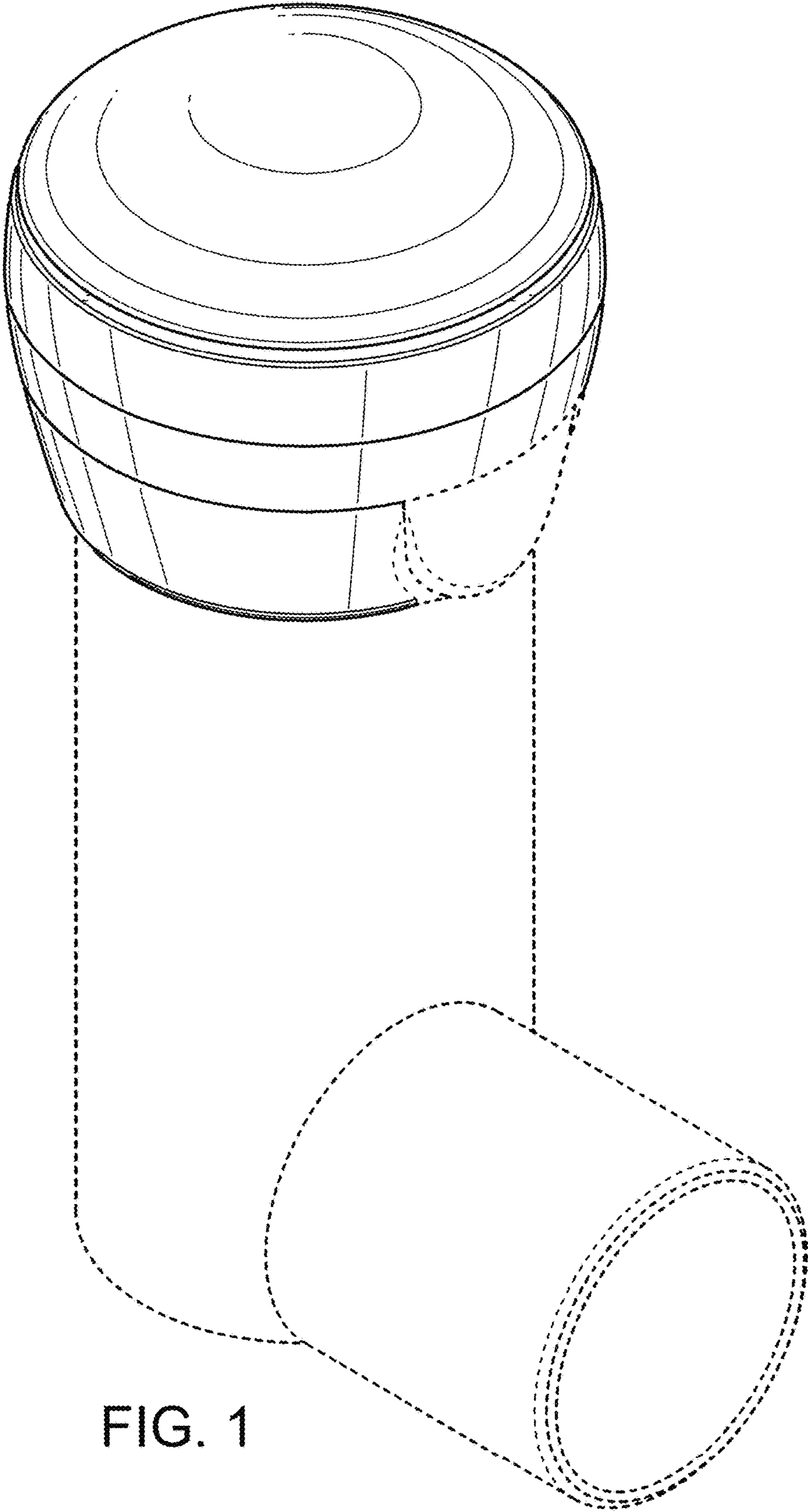


FIG. 1

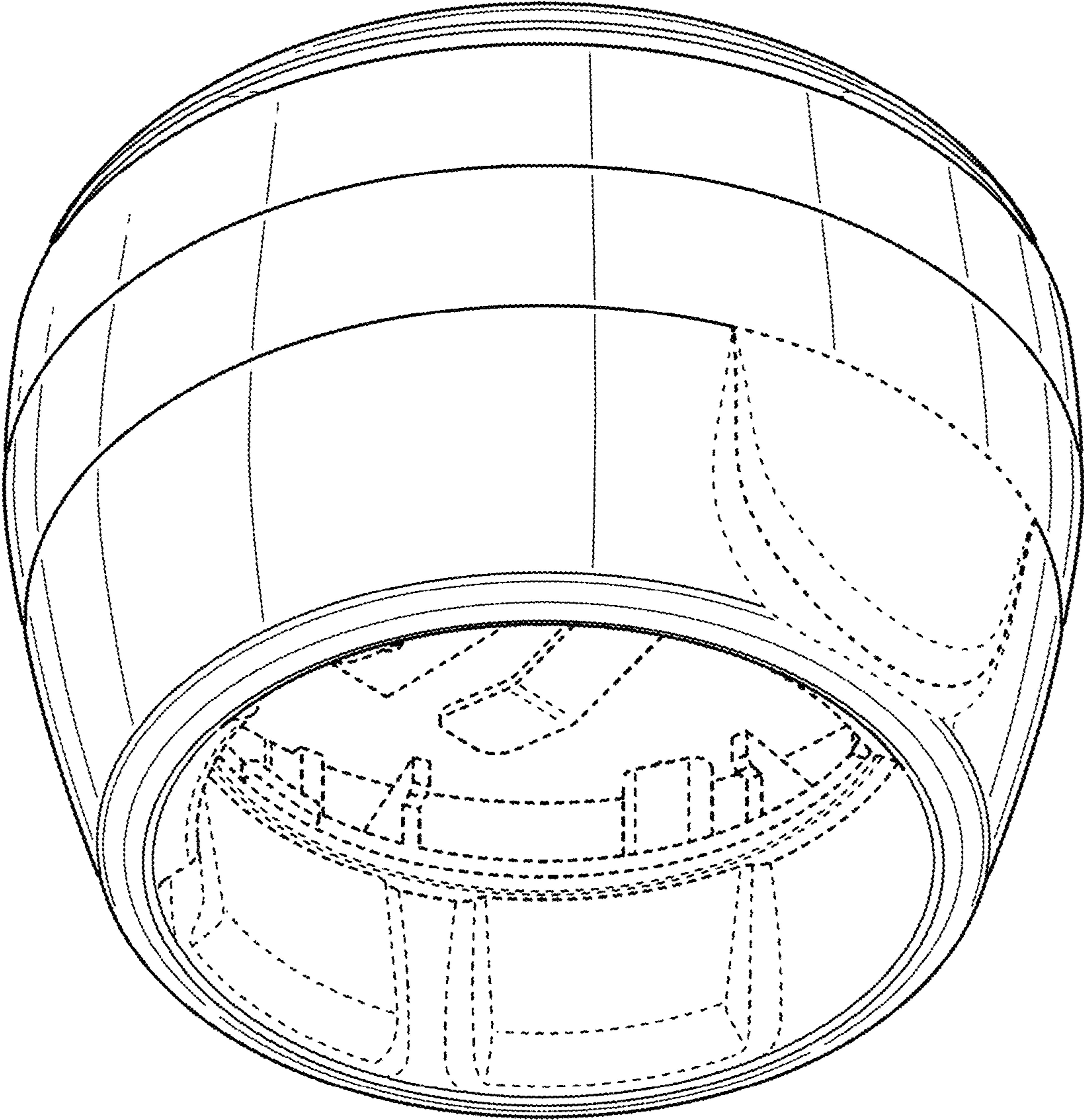


FIG. 2

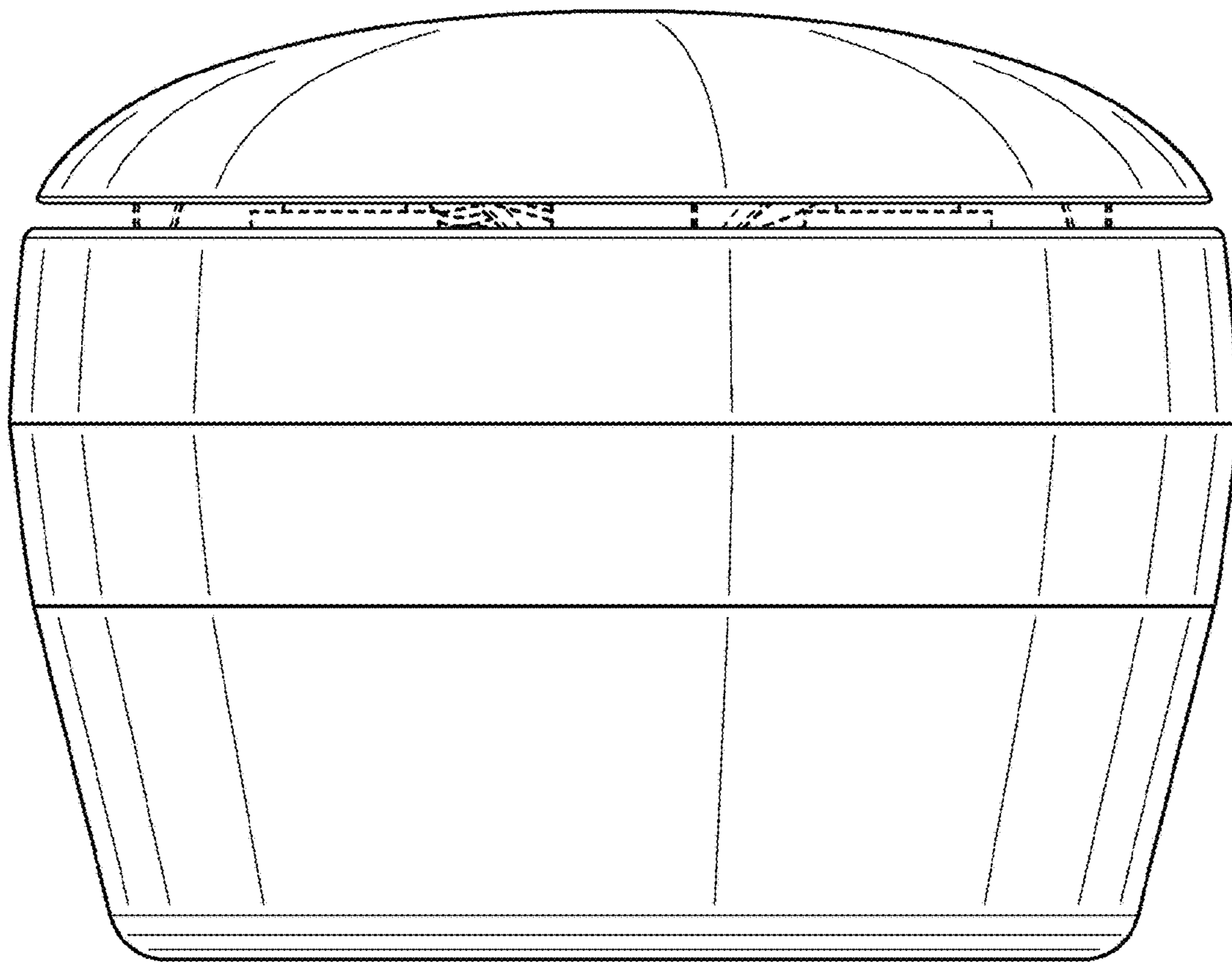


FIG. 3

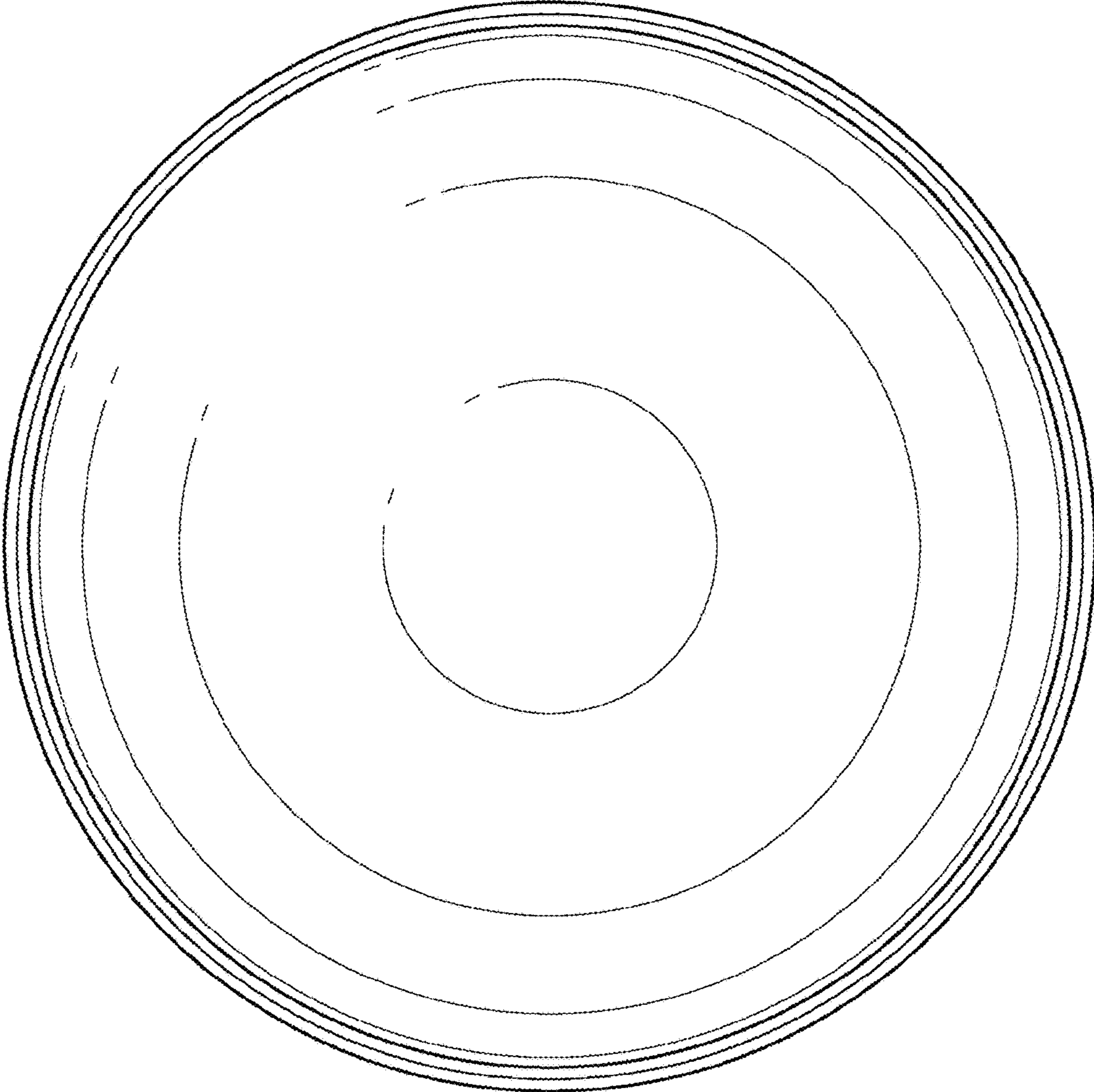


FIG. 4

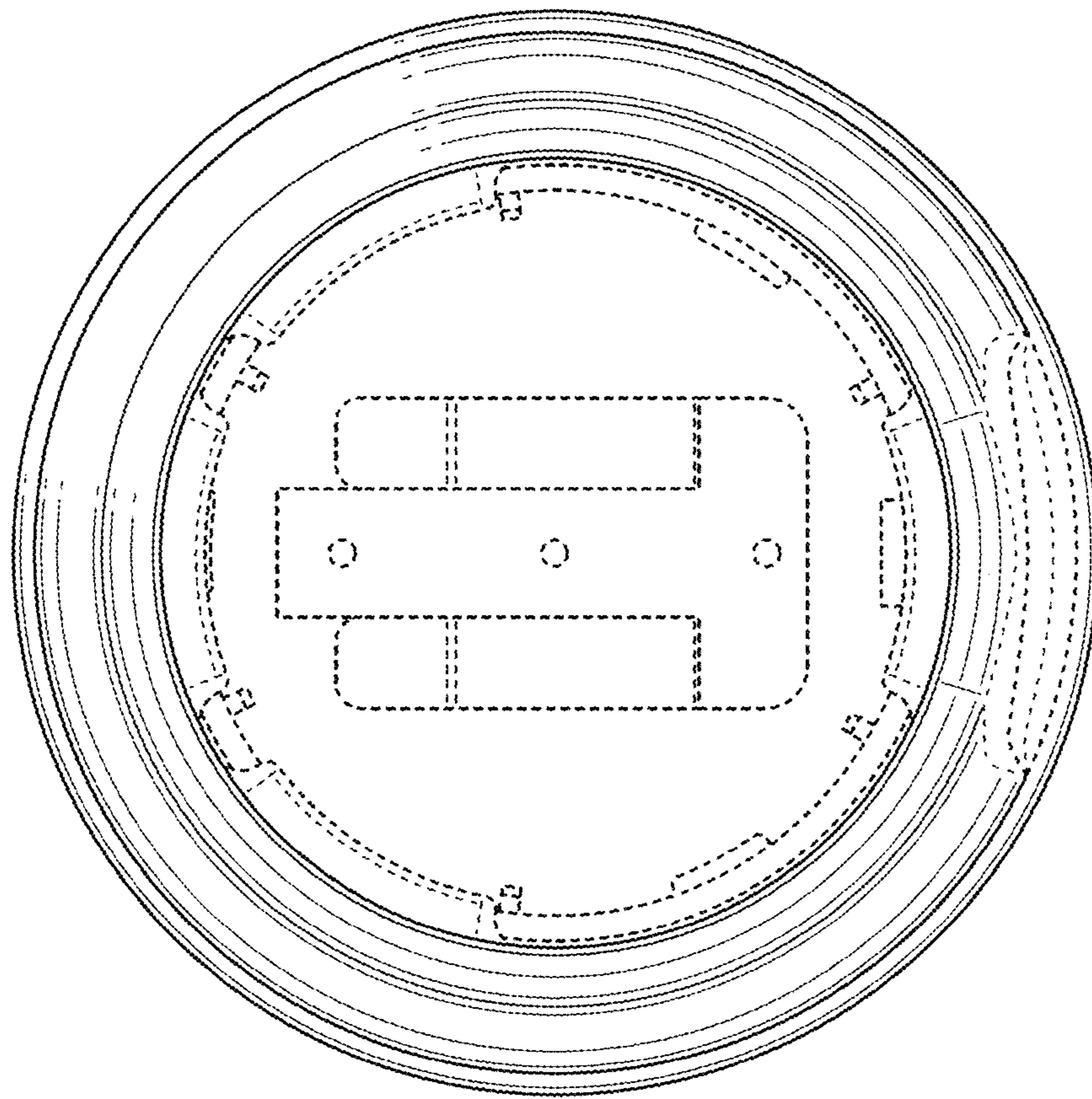


FIG. 5