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

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(54) **WEARABLE FITNESS BAND**

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

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(51) **LOC (10) Cl.** **11-01**

(52) **U.S. Cl.**
USPC **D11/5; D10/30; D14/344; D24/167**

(58) **Field of Classification Search**
USPC **D10/30, 31, 32, 38, 39, 46, 70, 128; D11/1-25; D14/344; D24/167, 186**
(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

128,447 A 6/1872 Yeiser
134,735 A 1/1873 Cornell
(Continued)

FOREIGN PATENT DOCUMENTS

CN 302903439 S 8/2014

OTHER PUBLICATIONS

US Notice of Allowance, dated Feb. 4, 2016, issued in U.S. Appl. No. 29/520,607.

(Continued)

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(57) **CLAIM**

We claim the ornamental design for a wearable fitness band, as shown and described.

DESCRIPTION

FIG. 1 is a top view of a wearable fitness band system. FIG. 2 is a bottom view of the wearable fitness band system of FIG. 1.

FIG. 3 is a front view of the wearable fitness band system of FIG. 1.

FIG. 4 is a back view of the wearable fitness band system of FIG. 1.

FIG. 5 is a side view of the wearable fitness band system of FIG. 1; the opposing side view is a mirror image of FIG. 5 and is thus not shown.

FIG. 6 is an isometric view of the wearable fitness band system of FIG. 1; and,

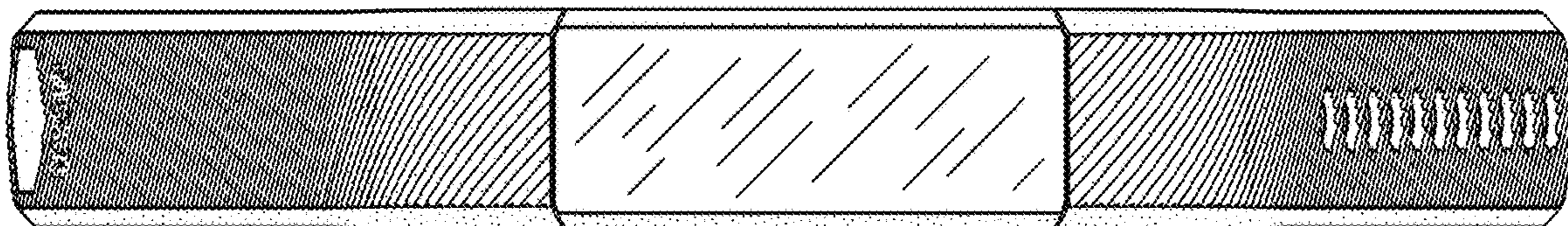
FIG. 7 is an isometric view of the wearable fitness band system of FIG. 1 in a band-closed configuration, such as is formed when the ends of the band are pinned together as shown.

Stipple shading is used in all of the accompanying Figures to convey surface contouring and not texture. The case portion is shown with diagonal line hatching to illustrate a transparent or translucent surface.

The broken lines shown in the drawings illustrate portions of the wearable fitness band that form no part of the claimed design. Surfaces that do not include stipple shading and are bounded, at least in part, by broken lines form no part of the claimed design. Thus, for example, the logos, e.g., "Fitbit," and text, e.g., "L/G," shown do not form part of the claimed design.

The band portions are flexible to allow the band portion to be flexed as shown in FIG. 7 so as to be worn on a person's arm or wrist.

1 Claim, 4 Drawing Sheets



(58) **Field of Classification Search**
 CPC A44C 5/00; A44C 5/12; A44C 5/14; A44C 5/16; A44C 5/18; A44C 5/147; A44C 5/185; A44C 5/2047; A44C 5/2052; A44C 5/0007; A44C 5/003; A44C 5/0015; A44C 5/0023; A44C 5/0053; A44C 5/0061; A44C 5/0069; A44C 5/0076; A44B 11/24; A44B 11/006; G09G 3/38; G06Q 50/24; G06F 1/163; G04B 19/00; G04B 19/34; G04B 21/12; G04B 23/12; G04B 45/0069; G04B 47/04; G04B 37/00; G04B 37/228

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D44,545 S 8/1913 Robbins
 1,120,961 A 12/1914 Morse
 1,135,409 A 4/1915 Simmons
 1,403,600 A 1/1922 Grand et al.
 1,621,325 A 3/1927 Kraemer
 1,709,179 A 4/1929 Lederer
 D82,186 S 9/1930 Speidel
 2,106,540 A 1/1938 Smith
 2,211,698 A 8/1940 Kreisler et al.
 D141,753 S 7/1945 Du Bois
 2,650,398 A 9/1953 Bangs
 2,871,592 A 2/1959 Polzin
 2,901,806 A 9/1959 Henshel
 2,986,794 A 6/1961 Boots
 3,030,686 A 4/1962 Burkhardt
 3,237,395 A 3/1966 Bennett
 3,675,284 A 7/1972 Rieth
 3,740,804 A 6/1973 Levinger
 RE28,793 E 5/1976 Bert
 D249,455 S 9/1978 Tilley
 4,348,000 A 9/1982 Hanner
 4,382,318 A 5/1983 Takimoto
 D272,759 S 2/1984 Koziol
 D281,405 S 11/1985 Bulgari
 D291,423 S 8/1987 Lajoie
 D299,718 S 2/1989 Steer et al.
 D305,422 S 1/1990 Steer et al.
 D311,706 S 10/1990 Zaugg et al.
 D315,111 S 3/1991 Rogalski
 D323,787 S 2/1992 Moorman
 D331,020 S 11/1992 Ishii et al.
 D333,994 S 3/1993 Mesnard
 D383,073 S * 9/1997 Miller D10/31
 D400,112 S 10/1998 Rider
 D405,381 S 2/1999 Perrin et al.
 D407,341 S 3/1999 Oshita
 5,951,193 A 9/1999 Yamamoto et al.
 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
 D500,688 S 1/2005 Schwarz
 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.
 7,293,332 B2 11/2007 Maillard

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.
 D562,713 S 2/2008 Hurlimann
 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
 D621,808 S 8/2010 Kim
 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.
 D640,367 S * 6/2011 Lin D24/107
 D643,772 S 8/2011 Mikkelsen
 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
 8,370,549 B2 2/2013 Burton et al.
 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 Sadhu
 D693,251 S 11/2013 Anderssen et al.
 D693,708 S 11/2013 Brigham
 D700,083 S 2/2014 Brigham
 D703,069 S 4/2014 Adams et al.
 D707,583 S 6/2014 Kalempos
 8,776,418 B1 7/2014 Martinez et al.
 D714,179 S 9/2014 Park et al.
 D715,167 S 10/2014 Busse
 D715,666 S 10/2014 Park et al.
 D715,668 S 10/2014 Roush et al.
 D718,647 S 12/2014 Roush et al.
 D720,248 S * 12/2014 Law D11/3
 D720,249 S 12/2014 Park et al.
 D720,635 S 1/2015 Park et al.
 D721,609 S 1/2015 Duddy
 D721,701 S 1/2015 Al-Nasser
 8,942,070 B1 1/2015 Shah
 D722,316 S 2/2015 Seaberg
 D724,453 S 3/2015 Ogihara et al.
 D724,479 S 3/2015 Cerrato
 D725,510 S 3/2015 Henning
 D725,528 S 3/2015 Parmigiani
 D726,052 S 4/2015 Henning
 D726,062 S 4/2015 Silverstein
 D726,572 S 4/2015 Walters et al.
 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.

(56)

References Cited

U.S. PATENT DOCUMENTS

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
 D735,587 S * 8/2015 Squires D10/32
 D737,699 S 9/2015 Chang et al.
 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.
 D742,875 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.
 D745,514 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 et al.
 D749,569 S 2/2016 Ji et al.
 D750,622 S 3/2016 Chen et al.
 D751,069 S * 3/2016 Choi D10/32
 D751,452 S 3/2016 Henning
 D751,549 S 3/2016 Park et al.
 D752,043 S 3/2016 Ji et al.
 D752,046 S * 3/2016 Jun D14/344
 D752,578 S 3/2016 Ji et al.
 D756,250 S 5/2016 Lee
 D757,583 S 5/2016 Roush et al.
 D757,721 S * 5/2016 Dallmeyer D14/344
 D759,516 S 6/2016 Ling et al.
 D759,523 S 6/2016 Ling et al.
 D759,622 S 6/2016 Dahlberg
 D759,826 S 6/2016 Martinez et al.
 D762,210 S * 7/2016 Lee D14/344
 9,391,307 B2 7/2016 Ishibashi
 D763,107 S 8/2016 Nielsen et al.
 D763,719 S 8/2016 Nielsen et al.
 D765,537 S 9/2016 Hembo et al.
 D766,758 S * 9/2016 Park D10/70
 D768,028 S 10/2016 Ling et al.
 D770,321 S * 11/2016 Murphy D11/3
 D772,869 S * 11/2016 Iizuka D10/39
 9,498,161 B1 11/2016 Sunden et al.
 9,508,241 B2 11/2016 DePascale
 D777,590 S 1/2017 Nielsen et al.
 D779,989 S * 2/2017 Lee D10/70
 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.
 2011/0032105 A1 2/2011 Hoffman et al.
 2011/0209373 A1 9/2011 Padgett 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.

2016/0015136 A1 1/2016 Yue et al.
 2016/0072554 A1 * 3/2016 Sharma H04B 5/0031
 455/41.1
 2016/0223992 A1 8/2016 Seo et al.

OTHER PUBLICATIONS

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.
 Chinese Office Action [Description in English] dated Feb. 14, 2016 issued in CN201530255881.7.
 Chinese Office Action [Description in English] dated Feb. 14, 2016 issued in CN201530256087.4.
 Chinese Office Action [Description in English] dated Feb. 14, 2016 issued in CN201530255977.3.
 Chinese Office Action [Description in English] dated Jul. 30, 2015 issued in CN201530134185.0.
 Chinese Office Action [Description in English] dated Dec. 18, 2015 issued in CN201530134185.0.
 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 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 Application 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.
 Chinese First Office Action dated Oct. 29, 2014 issued in CN 201430316587.8.
 Chinese Office Action [Description in English] dated May 23, 2016 issued in CN201530465785.5.
 Chinese Office Action [Description in English] dated Sep. 27, 2016 issued in CN201630295320.4.
 Chinese Office Action [Description in English] dated Jan. 6, 2017 issued in CN201630295320.4.

(56)

References Cited

OTHER PUBLICATIONS

Chinese Office Action [Description in English] dated Sep. 28, 2016 issued in CN201630295177.9.

Chinese Office Action [Description in English] dated Jan. 20, 2017 issued in CN201630492536.X.

Chinese Second Office Action [no translation] dated Apr. 1, 2017 issued in CN201630492536.X.

Fitbit Alta Bands (available online Jul. 27, 2016) [Retrieved from the internet Feb. 17, 2017, retrieved from the internet URL:<https://www.amazon.com/Fitbit-Bands-AK-Replacement-Metal/dp/B01G1TBJY4>], 5pp.

Fitbit Alta (available online Feb. 4, 2016) [Retrieved from the internet Feb. 24, 2017, retrieved from the internet URL:<https://www.fitbit.com/alta>], 2pp.

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.

Pinterest—The world's catalog of ideas, "Product Teardowns" (available online) [Retrieved from the internet Feb. 27, 2017, retrieved from the internet URL: <https://www.pinterest.com/pin/123356477268447010/>], 3pp.

Suppa G-Shock Strap adapters (available online Dec. 13, 2013) [Retrieved from the internet Feb. 7, 2017, retrieved from the internet URL: <http://forums.watchuseek.com/f17/suppa-g-shock-strap-adapters-954103.html>], 2pp.

Suunto Lug Adapter (available online) [Retrieved from the internet Feb. 7, 2017, retrieved from the internet URL:http://www.imgrum.net/media/805121195814698214_1428232830], 1 page.

U.S. Appl. No. 29/520,607, filed Mar. 16, 2015, Ling et al.

U.S. Appl. No. 29/524,019, Apr. 15, 2015, Ling et al.

U.S. Appl. No. 29/524,027, filed Apr. 15, 2015, Ling et al.

U.S. Appl. No. 29/541,361, 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. 29/553,921, 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. 29/571,687, filed Jul. 20, 2016, Lean 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 [Ex Parte Quayle], dated Apr. 4, 2017, issued in U.S. Appl. No. 29/524,019.

US Office Action, dated Sep. 29, 2016, issued in U.S. Appl. No. 29/524,027.

US Notice of Allowance, dated Feb. 15, 2017, issued in U.S. Appl. No. 29/569,701.

US Office Action [Ex Parte Quayle], dated Feb. 27, 2017, issued in U.S. Appl. No. 29/553,921.

US Office Action, dated Mar. 27, 2017, issued in U.S. Appl. No. 29/563,190.

US Office Action [Ex Parte Quayle], dated Mar. 2, 2017 issued in U.S. Appl. No. 29/563,191.

US Office Action [Ex Parte Quayle], dated Feb. 10, 2017, issued in U.S. Appl. No. 29/563,195.

US Office Action, dated Feb. 10, 2017, issued in U.S. Appl. No. 29/563,198.

US Office Action dated Mar. 23, 2017, issued in U.S. Appl. No. 29/563,201.

US Notice of Allowance, dated Feb. 17, 2017, issued in U.S. Appl. No. 29/571,687.

US Notice of Allowance, dated Apr. 17, 2017, issued in U.S. Appl. No. 29/572,962.

* cited by examiner

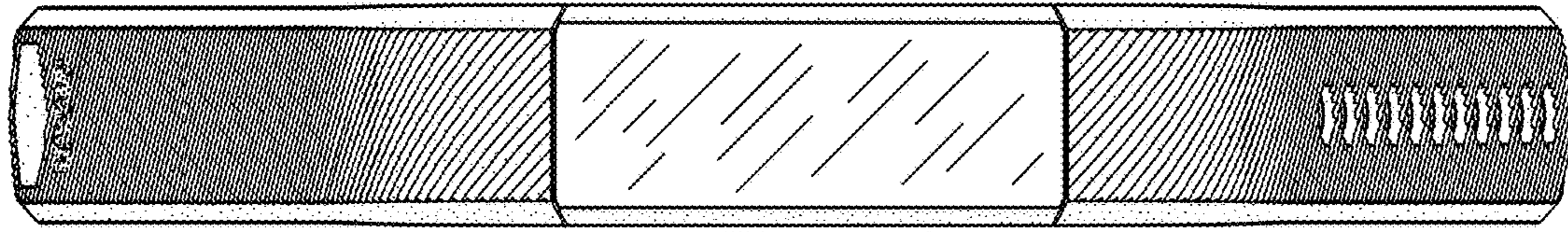


Figure 1

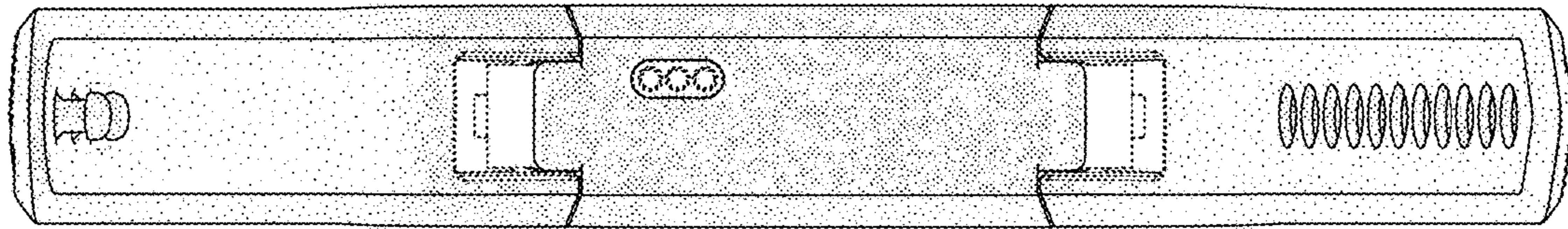


Figure 2

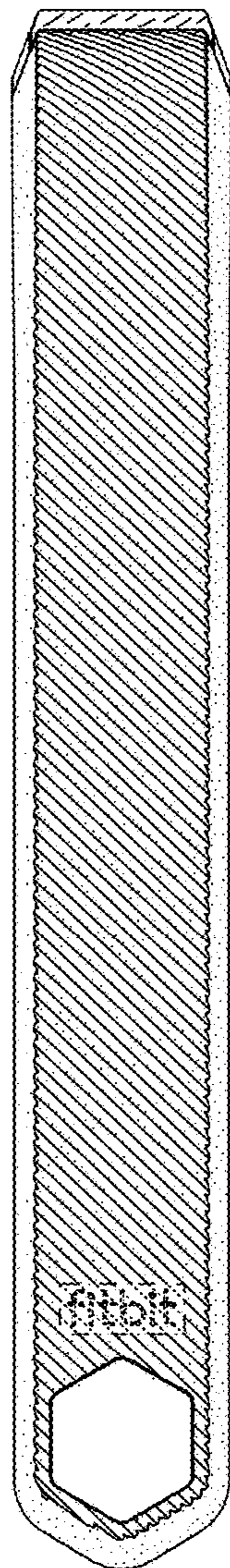


Figure 3

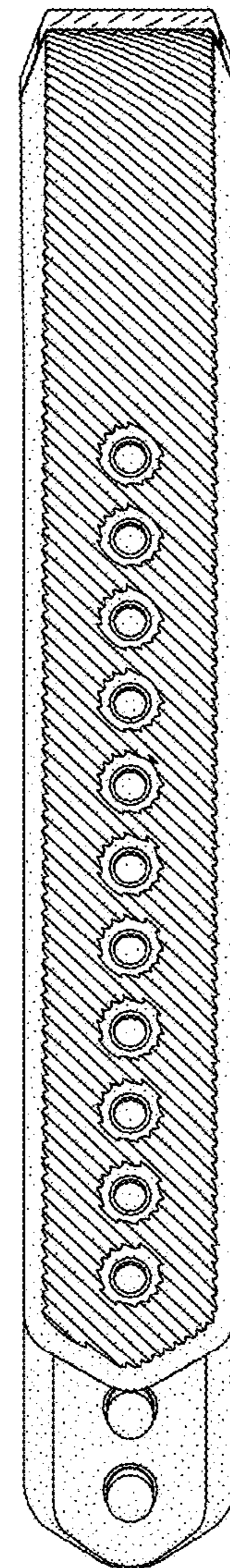


Figure 4

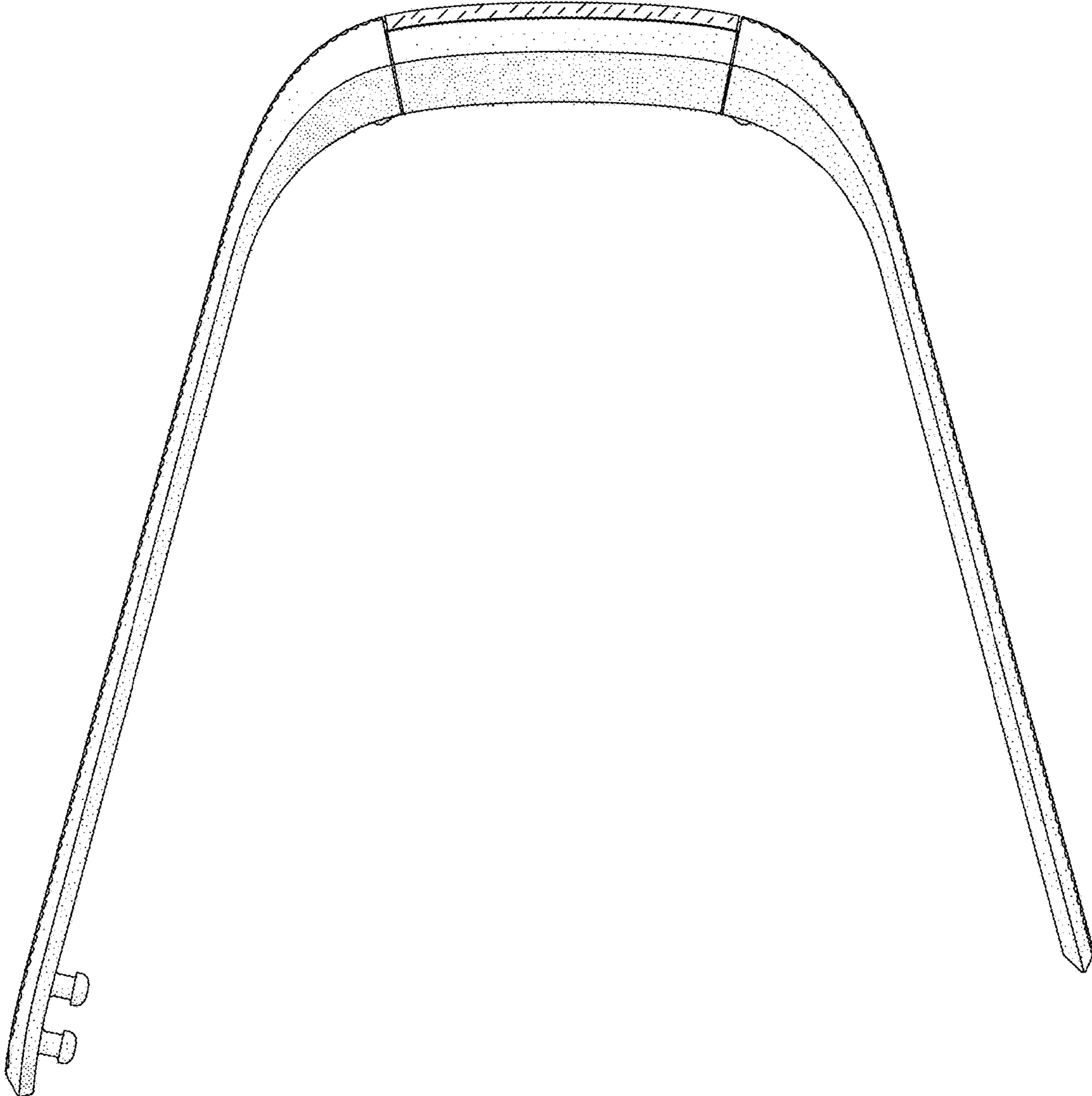


Figure 5

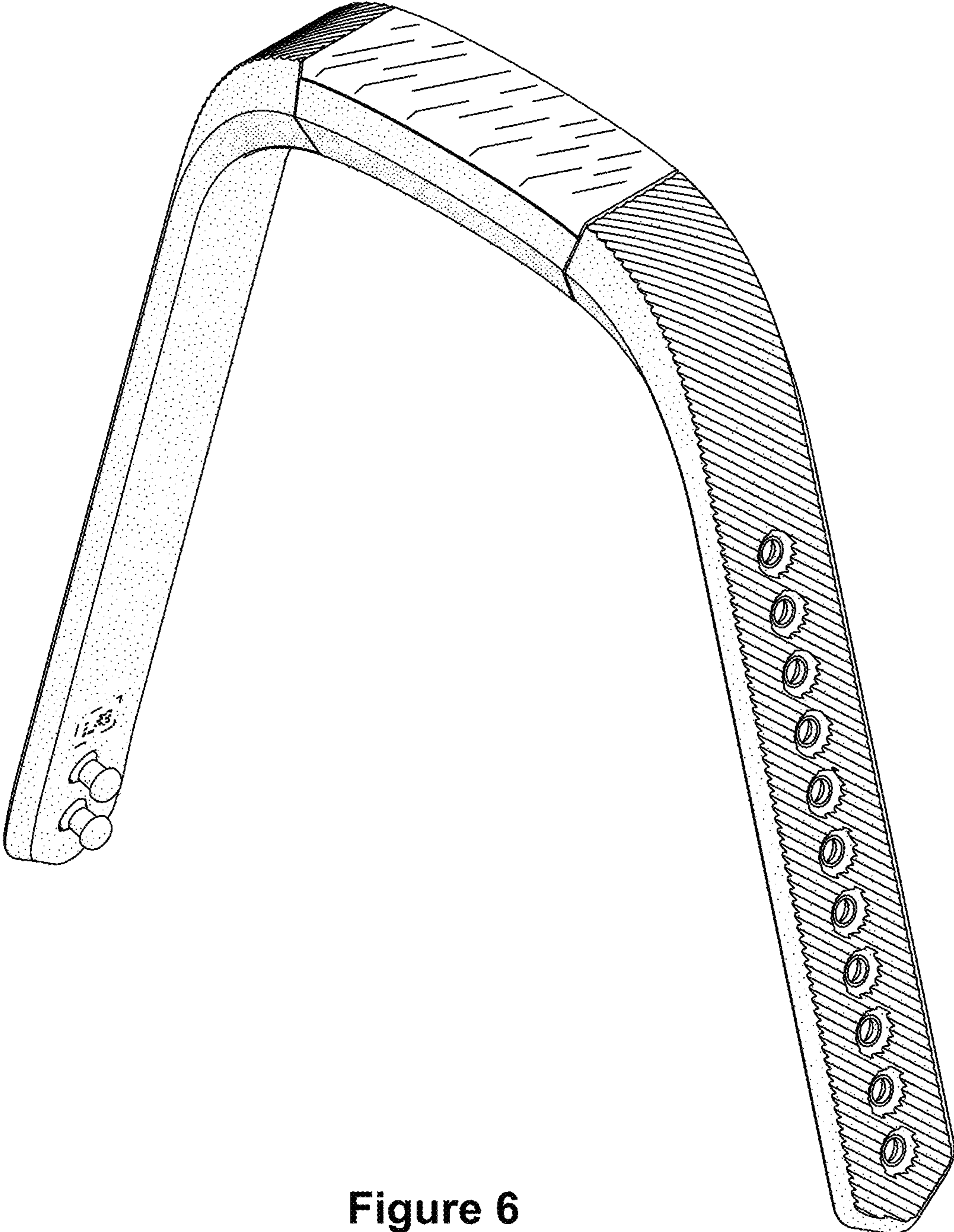


Figure 6

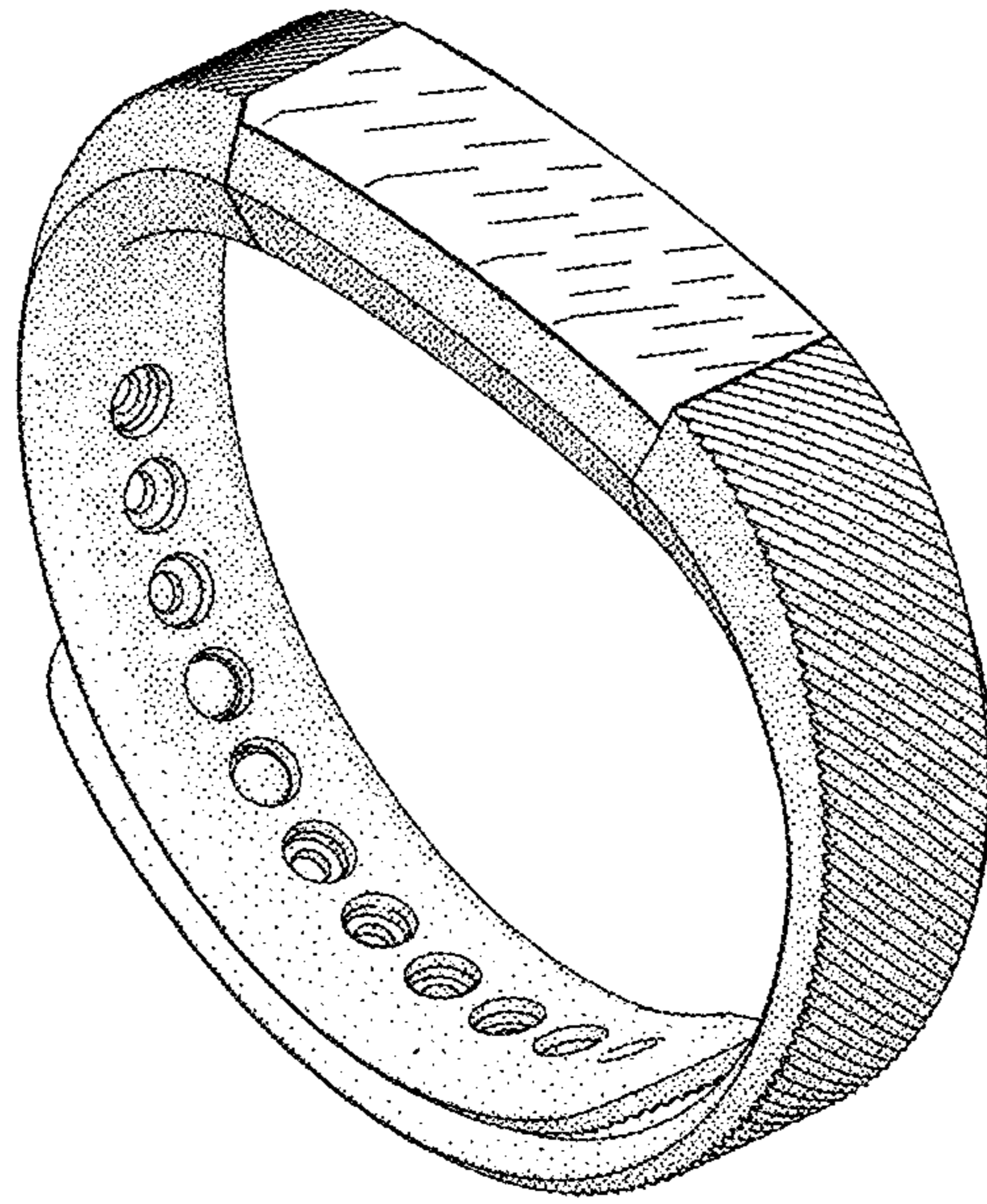


Figure 7