

US00D818853S

(12) **United States Design Patent** (10) **Patent No.:** **US D818,853 S**
Golnik et al. (45) **Date of Patent:** **** May 29, 2018**

- (54) **ACTIVITY MONITORING DEVICE**
- (71) Applicant: **Fossil Group, Inc.**, Richardson, TX (US)
- (72) Inventors: **Tim Golnik**, San Francisco, CA (US); **James Toggweiler**, San Francisco, CA (US)
- (73) Assignee: **Fossil Group, Inc.**, Richardson, TX (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/578,490**
- (22) Filed: **Sep. 22, 2016**

- D249,874 S 10/1978 Lawrence
- D349,864 S 8/1994 Dunlap
- D364,099 S 11/1995 Bergeron
- D417,236 S 11/1999 Burrus
- 6,208,593 B1 3/2001 Liao
- D486,090 S 2/2004 Thomson
- 7,134,784 B1 11/2006 Marin
- 7,180,830 B1 2/2007 Cotsen
- D596,051 S 7/2009 Mille
- 8,199,612 B2 6/2012 Jolidon
- D664,456 S 7/2012 Trine et al.
- D668,164 S 10/2012 Cowles et al.
- D671,026 S 11/2012 Thureau
- 8,400,883 B2 3/2013 Lin
- 8,477,567 B2 7/2013 Greubel et al.

(Continued)

Related U.S. Application Data

- (60) Division of application No. 29/542,007, filed on Oct. 9, 2015, now Pat. No. Des. 770,314, which is a continuation of application No. 29/512,056, filed on Dec. 16, 2014, now Pat. No. Des. 743,819.
- (51) **LOC (11) Cl.** **10-04**
- (52) **U.S. Cl.**
USPC **D10/70; D10/30; D10/103**
- (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.

References Cited

U.S. PATENT DOCUMENTS

- 3,744,236 A 7/1973 Kishida
- D246,104 S 10/1977 Vong

OTHER PUBLICATIONS

Design Examination Report No. 1 dated Apr. 18, 2016 from Australian Application No. 201611773, 12 pp.

(Continued)

Primary Examiner — Antoine Duval Davis
(74) *Attorney, Agent, or Firm* — Cooley LLP

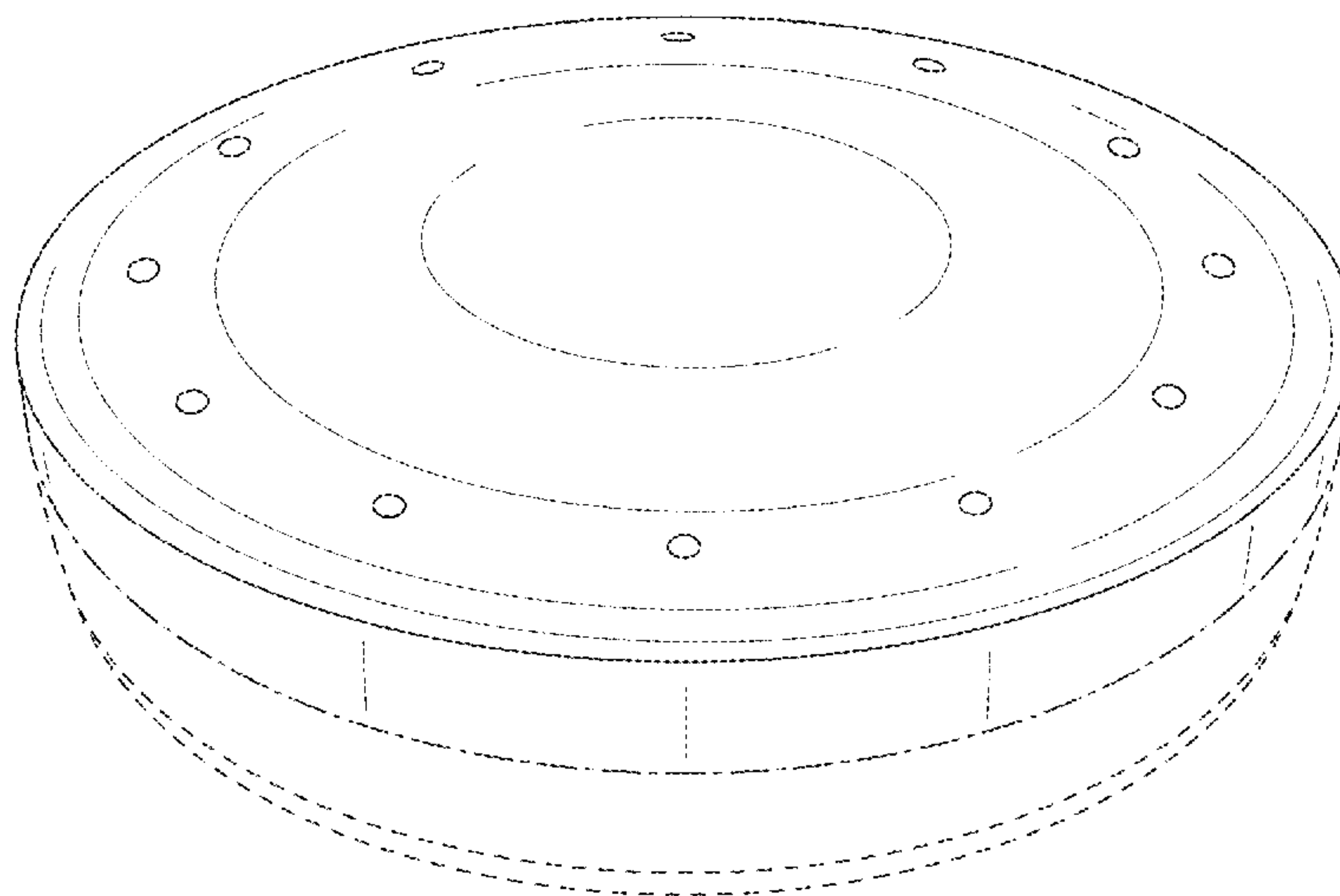
(57) **CLAIM**

The ornamental design for an activity monitoring device, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of an embodiment; FIG. 2 is a top view of the embodiment; FIG. 3 is a bottom view of the embodiment; and, FIG. 4 is a side view of the embodiment. The broken lines immediately adjacent the shaded areas represent the bounds of the claimed design while all other broken lines are directed to environment and are for illustrative purposes only; the broken lines form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D687,328 S	8/2013	Clymer et al.	
D692,332 S	10/2013	Ni et al.	
D695,145 S	* 12/2013	De Belder	
D700,080 S	2/2014	Broadbent et al.	
D708,073 S	7/2014	Parmigiani	
D709,785 S	7/2014	Stegmann	
D717,674 S	* 11/2014	Vu	D10/65
D724,970 S	* 3/2015	Hasegawa	D10/65
D726,680 S	4/2015	Kim	
D726,924 S	4/2015	Tseng	
D733,596 S	7/2015	Goodner	
D736,107 S	8/2015	Lee	
D739,284 S	9/2015	Vu	
D739,775 S	9/2015	Vu	
D739,776 S	9/2015	Vu	
D739,777 S	9/2015	Vu	
D739,778 S	9/2015	Vu	
D739,942 S	9/2015	Pernu	
9,140,717 B2	9/2015	Perkins	
D740,706 S	10/2015	Vu	
D743,819 S	* 11/2015	Golnik	D10/70
D749,570 S	2/2016	Lee	
D756,955 S	5/2016	Wagner	
D770,314 S	11/2016	Golnik	

OTHER PUBLICATIONS

Design Examination Report No. 1 dated Apr. 18, 2016 from Australian Application No. 201611774, 12 pp.

Design Examination Report No. 1 dated Apr. 18, 2016 from Australian Application No. 201611775, 12 pp.
 Design Examination Report No. 1 dated Apr. 18, 2016 from Australian Application No. 201611776, 12 pp.
 Design Examination Report No. 1 dated Apr. 18, 2016 from Australian Application No. 201611777, 12 pp.
 Design Examination Report No. 1 dated Jun. 1, 2016 from Australian Application No. 201611763, 12 pp.
 Design Examination Report No. 2 dated Sep. 29, 2016 from Australian Application No. 201611777, 7 pp.
 Election/Restriction dated Apr. 13, 2016 from Design U.S. Appl. No. 29/542,007, 8 pp.
 Election/Restriction dated May 14, 2015 from Design U.S. Appl. No. 29/512,056, 8 pp.
 Election/Restriction dated Jun. 23, 2014 from Design U.S. Appl. No. 29/461,314, 8 pp.
 Election/Restriction dated Jul. 15, 2016 from Design U.S. Appl. No. 29/538,738, 9 pp.
 Election/Restriction dated Oct. 25, 2016 from Design U.S. Appl. No. 29/541,086, 8 pp.
<http://www.gadfit.com/mothers-day-fitness-trackers-deals/> published on May 1, 2014, 1 p.
<http://www.wired.com/2013/08/misfit-shine-a-fitness-tracker-that-charts-new-wearable-territory/> published on Aug. 16, 2013, 1 p.
<https://twitter.com/Misfit> published on Feb. 25, 2014, 1 pp.
<https://www.facebook.com/diana.chang.165?fref=ts> published on Aug. 18, 2015, 1 pp.
<https://www.facebook.com/MisfitWearables> published on Oct. 1, 2013, 1 pp.

* cited by examiner

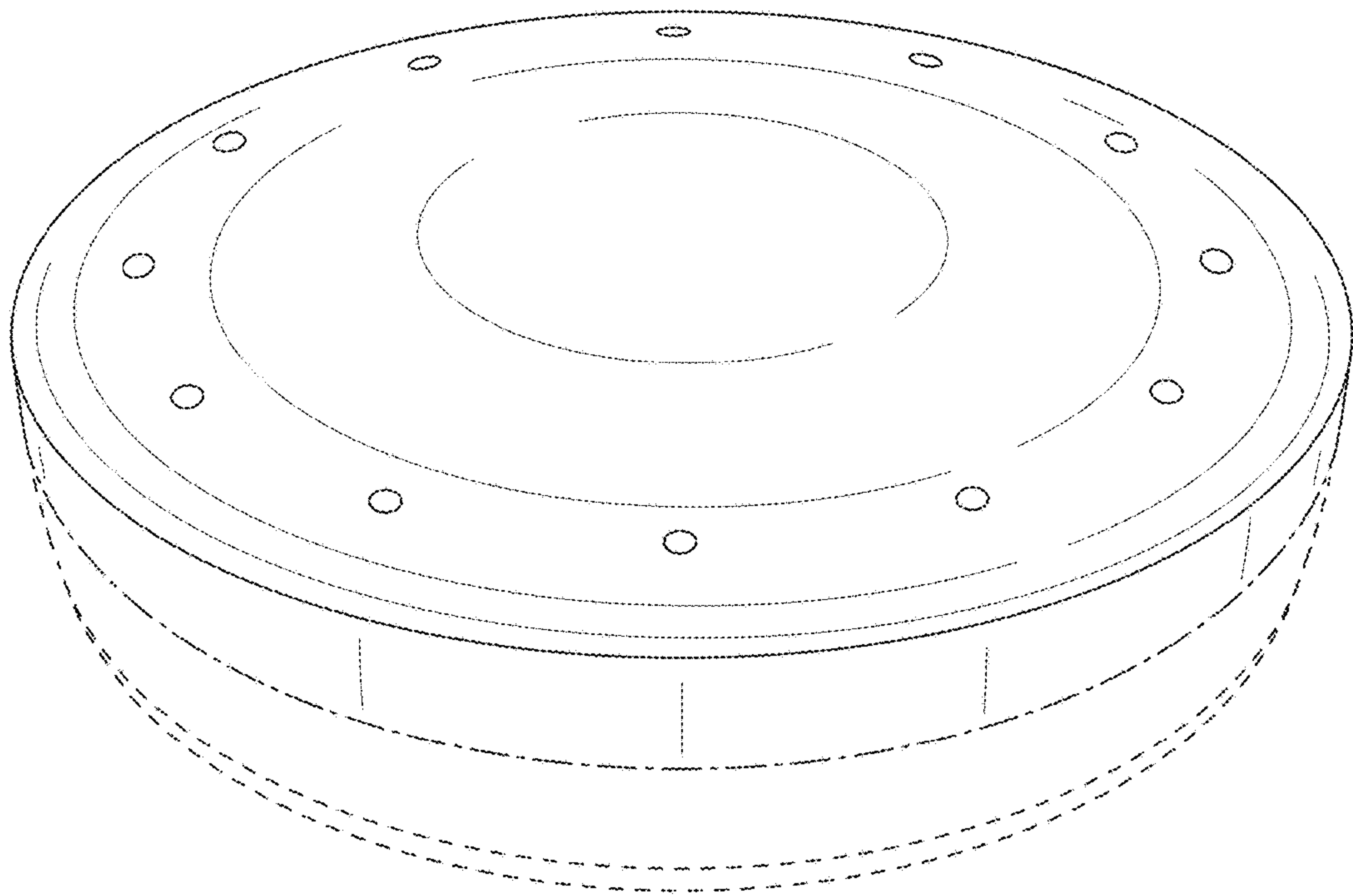


FIG. 1

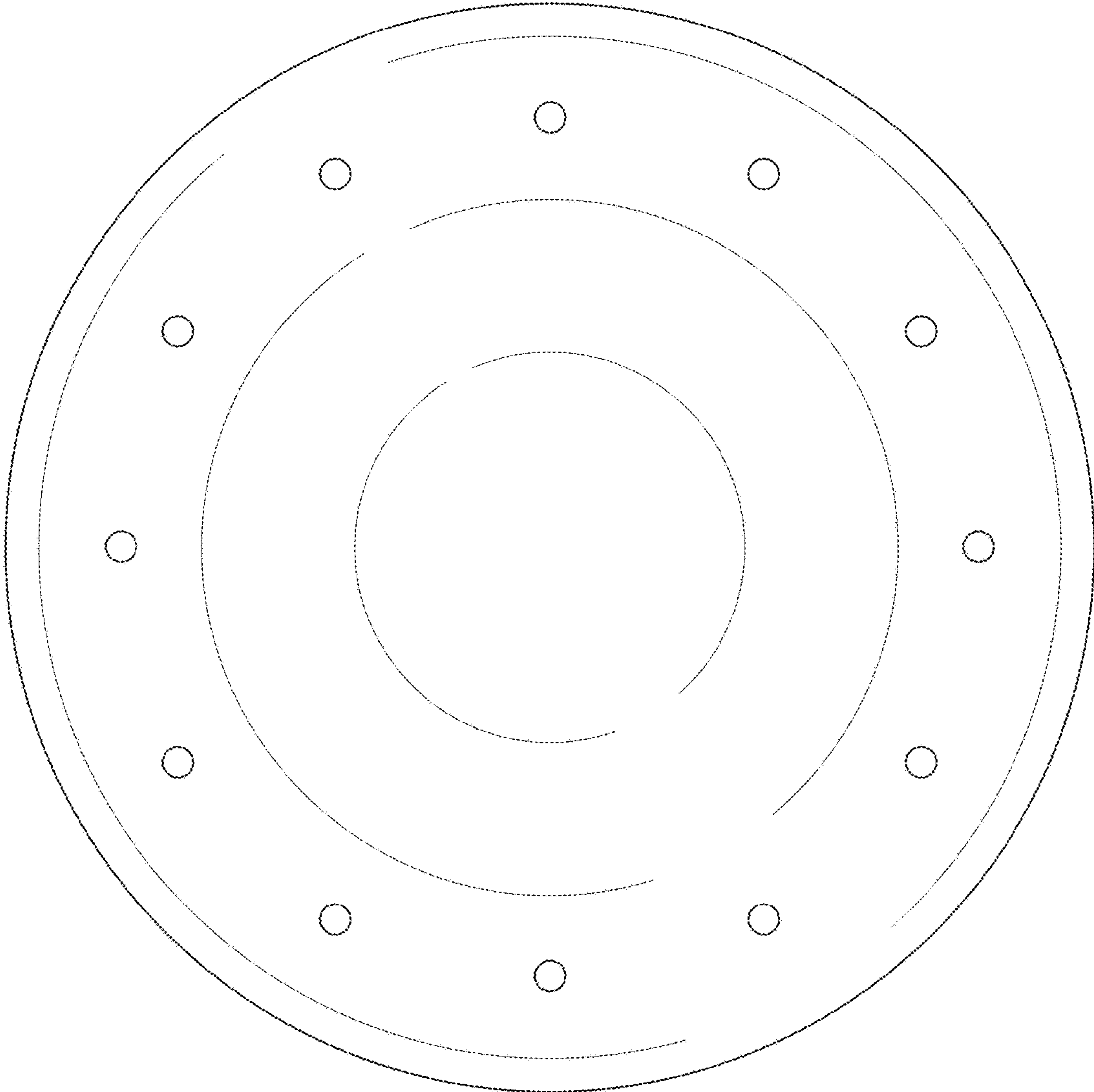


FIG. 2

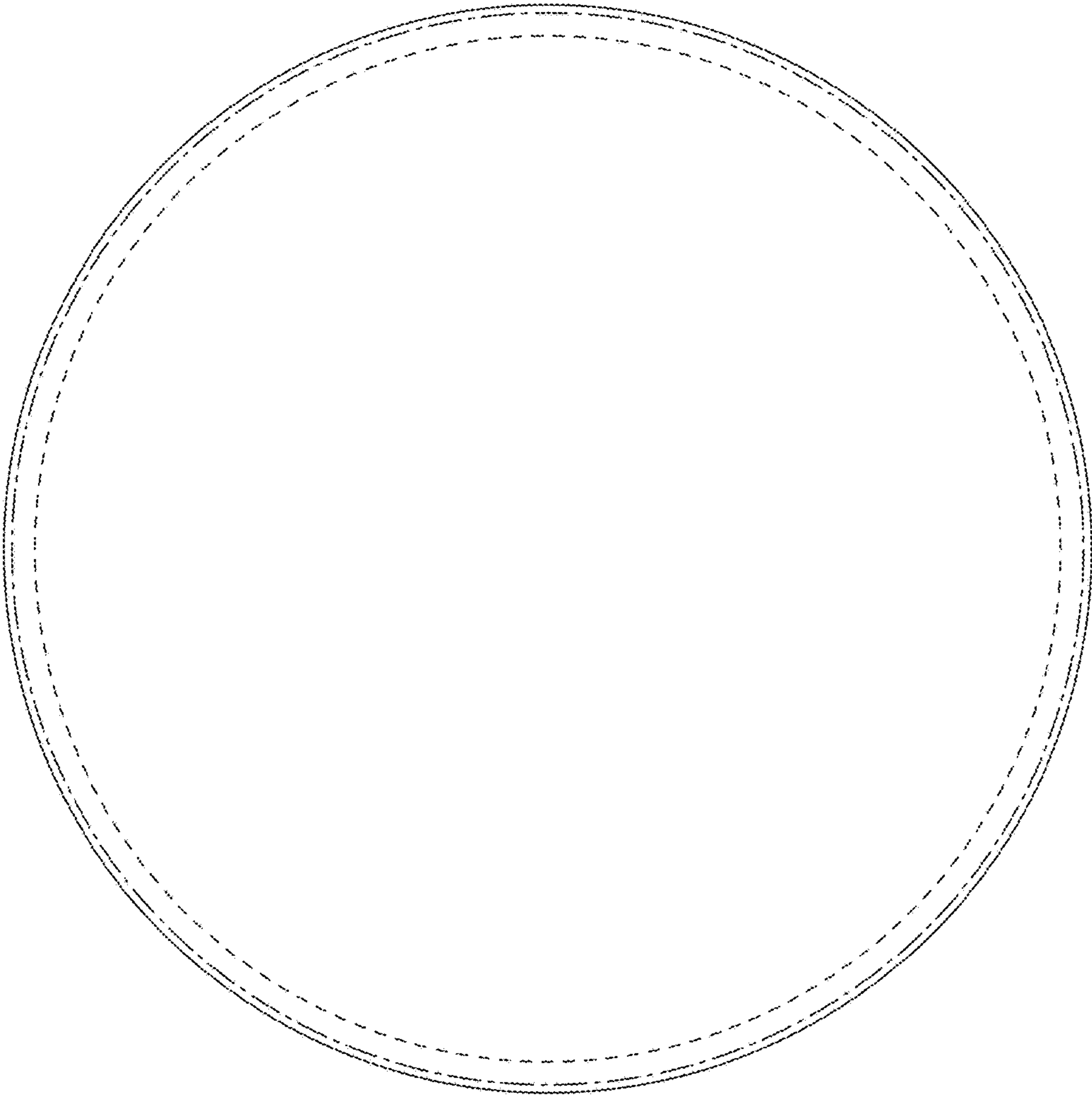


FIG. 3

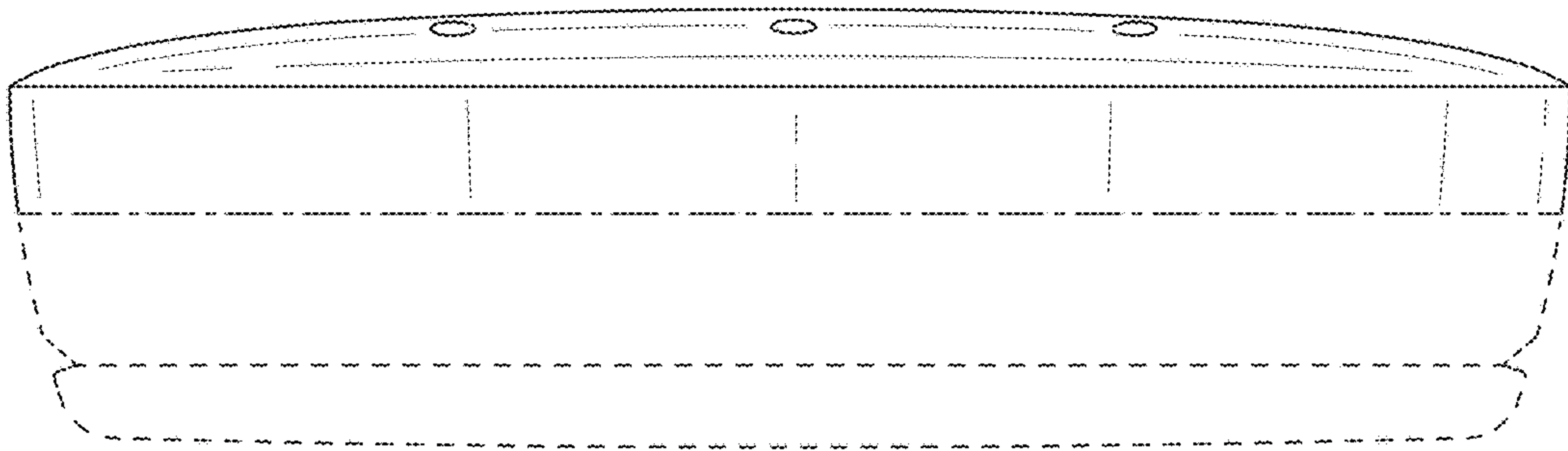


FIG. 4