

US00D834258S

(12) **United States Design Patent**  
**Turkbas**

(10) **Patent No.:** **US D834,258 S**

(45) **Date of Patent:** **\*\* Nov. 20, 2018**

(54) **MOUTHGUARD**

(71) Applicant: **Shock Doctor, Inc.**, Minnetonka, MN  
(US)

(72) Inventor: **Jay N. Turkbash**, Huntington Beach, CA  
(US)

(73) Assignee: **Shock Doctor, Inc.**, Minnetonka, MN  
(US)

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

(21) Appl. No.: **29/579,578**

(22) Filed: **Sep. 30, 2016**

(51) **LOC (11) Cl.** ..... **29-02**

(52) **U.S. Cl.**  
USPC ..... **D29/108**

(58) **Field of Classification Search**

USPC ..... D29/100, 105, 106, 108, 122; D24/181,  
D24/108-110.5, 156, 176; 128/861, 862,  
128/859, 860, 857, 846, 848; 602/902;  
433/6, 18, 24, 168.1; 2/9, 424, 425;  
D15/31; D5/1, 2, 56, 61; D25/100, 138,  
D25/152

CPC ..... A61C 19/063; A61C 5/90; A61C 7/08;  
A61C 7/10; A61C 13/08; A61C 13/081;  
A61C 13/083; A61C 13/087; A61C  
19/066; A61C 5/14; A61F 5/566; A61F  
5/58; A63B 71/08; A63B 71/081; A63B  
71/085; A63B 2071/088; A63B 2071/086;  
A61B 13/00; A61B 1/24

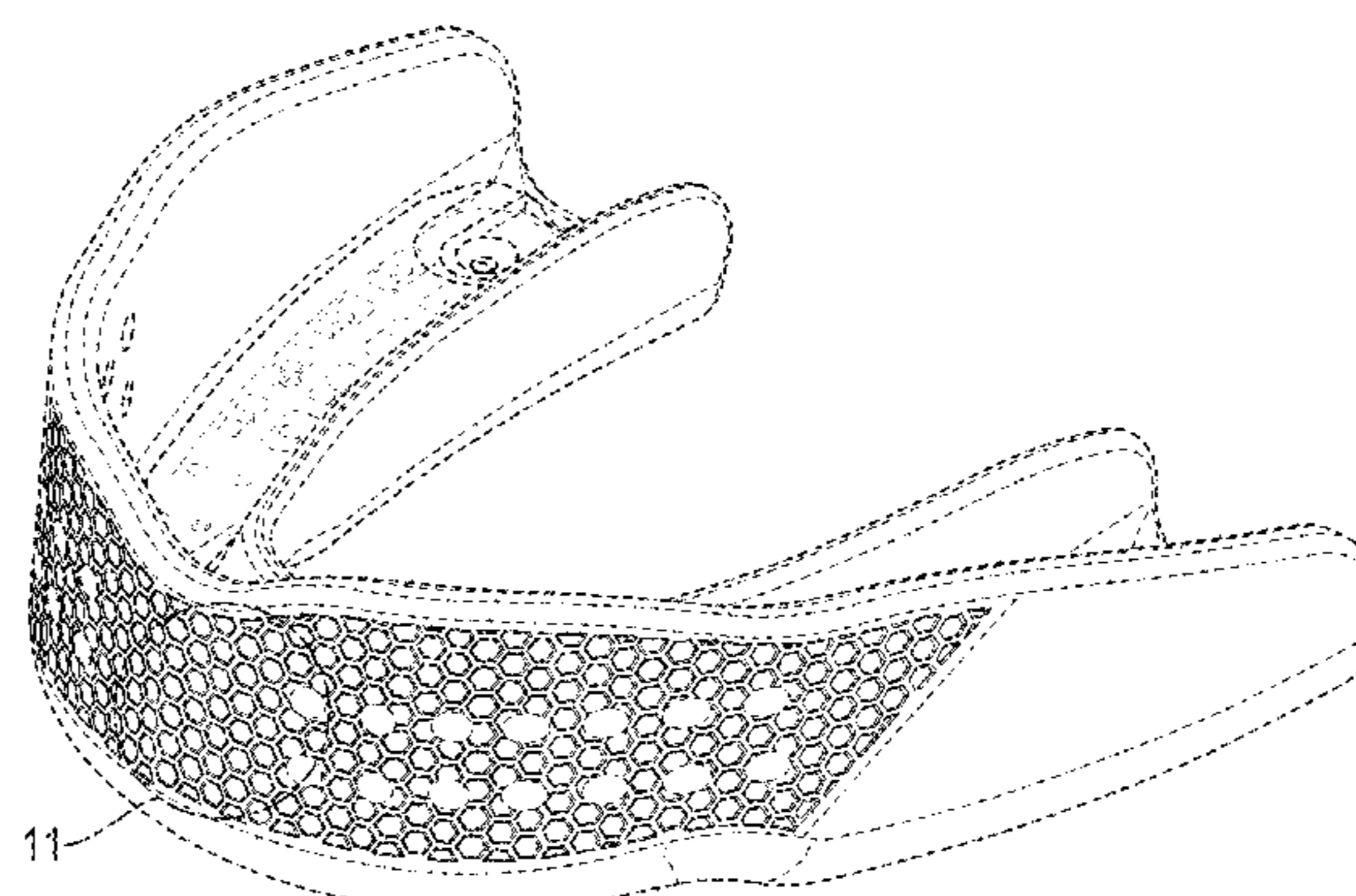
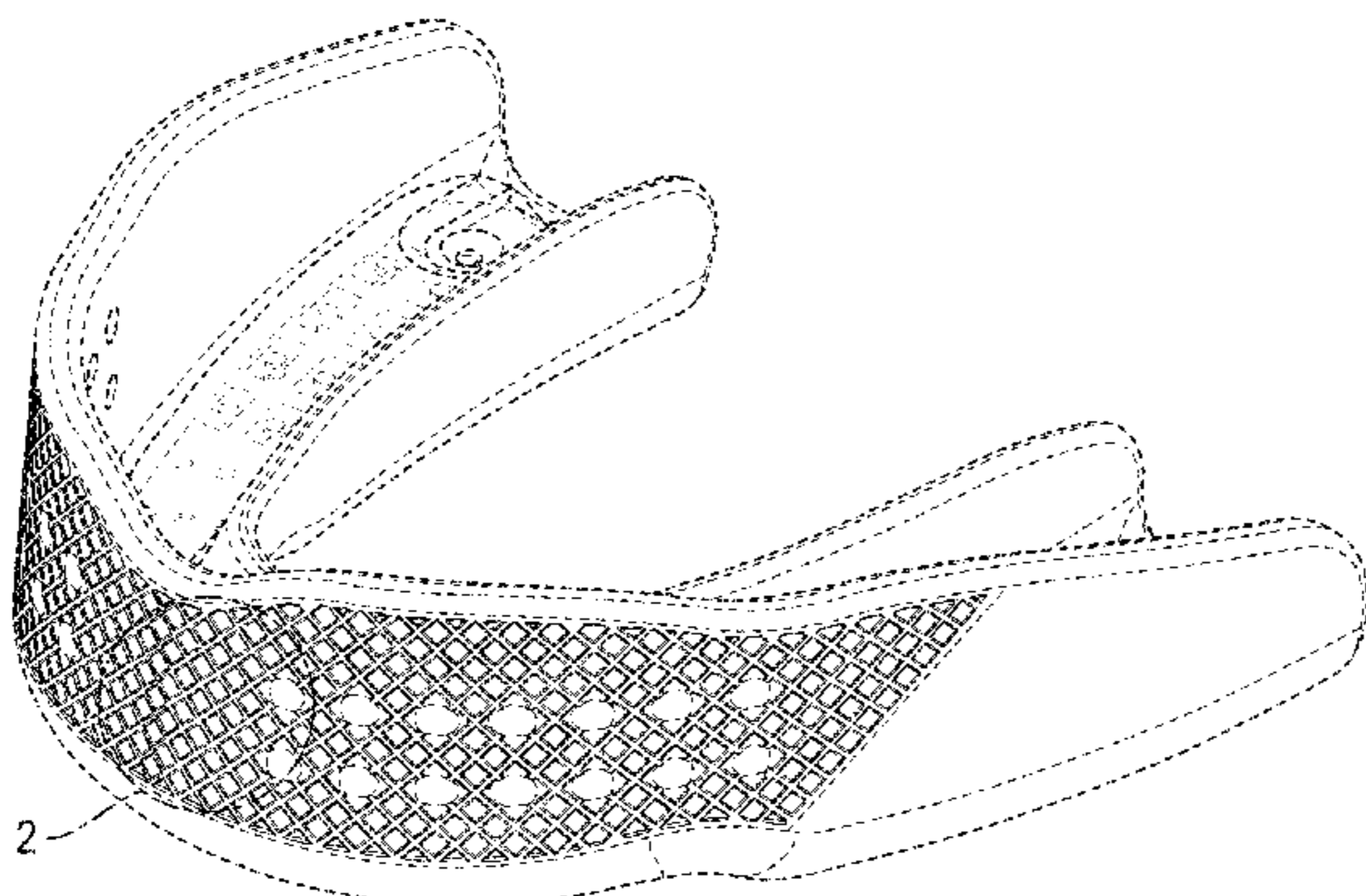
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,146,264 A 7/1915 Kelly  
1,505,642 A \* 8/1924 Henry ..... E04F 15/14  
404/18  
1,569,947 A \* 1/1926 Buttress ..... E04F 13/04  
52/673  
2,312,171 A \* 2/1943 Jochum ..... A61C 9/0006  
433/35

2,444,294 A 6/1948 Jones et al.  
2,521,039 A 9/1950 Carpenter  
2,827,899 A 3/1958 Altieri  
3,089,487 A 5/1963 Enicks et al.  
3,103,217 A 9/1963 Butler et al.  
3,207,153 A \* 9/1965 Goldstein ..... A63B 71/085  
128/862  
3,223,085 A \* 12/1965 Gores ..... A63B 71/085  
128/861  
3,247,844 A \* 4/1966 Berghash ..... A63B 71/085  
128/862  
3,312,218 A \* 4/1967 Jacobs ..... A63B 71/085  
128/862  
3,333,582 A \* 8/1967 Cathcart ..... A63B 71/085  
128/862  
D212,848 S 12/1968 Westlund et al.  
3,505,995 A 4/1970 Greenberg  
3,768,465 A 10/1973 Helmer  
RE28,667 E 12/1975 Gores  
D268,962 S \* 5/1983 Adams ..... D5/1  
4,495,945 A 1/1985 Liegner  
4,568,280 A 2/1986 Ahlin  
4,610,743 A \* 9/1986 Salmeen ..... B31F 1/07  
156/183  
4,977,905 A 12/1990 Kittelson et al.  
5,031,638 A 7/1991 Castaldi  
5,063,940 A 11/1991 Adell et al.  
5,078,367 A \* 1/1992 Simpson ..... E01F 8/0011  
256/19  
5,117,816 A 6/1992 Shapiro et al.  
D328,494 S 8/1992 Schwendeman et al.  
D328,965 S 9/1992 Ewing  
5,165,424 A 11/1992 Silverman  
5,277,203 A 1/1994 Hays  
5,293,880 A 3/1994 Levitt  
5,336,086 A \* 8/1994 Simmen ..... A61C 9/0006  
433/37  
5,339,832 A 8/1994 Kittelsen et al.  
5,406,963 A 4/1995 Adell  
5,566,683 A 10/1996 Thornton  
5,611,355 A \* 3/1997 Hilsen ..... A61F 5/566  
128/848  
5,642,737 A 7/1997 Parks  
D382,965 S 8/1997 Wagner  
5,692,523 A 12/1997 Croll et al.  
5,693,523 A 12/1997 Watanabe et al.  
5,826,581 A 10/1998 Yoshida  
5,842,860 A 12/1998 Funt  
D414,281 S \* 9/1999 Sassenberg ..... D25/152  
5,970,981 A 10/1999 Ochel  
6,036,487 A 3/2000 Westerman  
6,068,475 A 5/2000 Stoyka, Jr.  
6,082,363 A 7/2000 Washburn



D452,011 S 12/2001 Redhage  
 6,405,729 B1 6/2002 Thornton  
 6,584,978 B1 7/2003 Brett et al.  
 6,691,710 B2 2/2004 Kittelsen et al.  
 6,978,786 B2 12/2005 Sabbagh  
 D530,863 S 10/2006 Manzo et al.  
 D541,481 S 4/2007 Farrell  
 7,210,483 B1 5/2007 Lesniak et al.  
 7,299,804 B2 11/2007 Kittelsen et al.  
 7,658,193 B2 2/2010 Lesniak  
 D614,304 S 4/2010 Jansheski  
 7,775,214 B1\* 8/2010 Lesniak ..... A63B 71/085  
 128/846  
 D630,860 S \* 1/2011 Sichel ..... D5/53  
 D641,478 S 7/2011 Belvedere et al.  
 8,033,392 B1 10/2011 Gehner et al.  
 8,116,854 B2 2/2012 Hart et al.  
 D658,813 S \* 5/2012 Manzo ..... D29/108  
 D663,485 S 7/2012 Turkbas et al.  
 D663,486 S 7/2012 Turkbas et al.  
 8,235,052 B2 8/2012 Maurello  
 D688,832 S 8/2013 Polk, III  
 D693,966 S \* 11/2013 Hanson ..... D29/108  
 8,607,798 B2 12/2013 Turkbas et al.  
 D714,066 S \* 9/2014 Thuma ..... D5/99  
 D727,571 S \* 4/2015 Brett ..... D29/108  
 D797,379 S \* 9/2017 Patel ..... D29/108  
 D804,829 S \* 12/2017 Austin ..... D5/58  
 2003/0075184 A1 4/2003 Persichetti  
 2003/0136416 A1 7/2003 White  
 2003/0205234 A1 11/2003 Bardach et al.  
 2004/0110111 A1\* 6/2004 Wasylucha ..... A61C 19/063  
 433/29  
 2004/0146836 A1\* 7/2004 Andersen ..... A61C 5/00  
 433/215  
 2004/0146837 A1\* 7/2004 Andersen ..... A61C 5/00  
 433/215  
 2004/0154626 A1\* 8/2004 Washburn ..... A63B 71/085  
 128/861  
 2005/0019524 A1\* 1/2005 Kershaw ..... A41D 13/05  
 428/116  
 2007/0084471 A1 4/2007 Napoli et al.  
 2007/0151567 A1 7/2007 Maurello  
 2007/0151568 A1 7/2007 Maurello  
 2007/0235039 A1 10/2007 Gottsch  
 2008/0113143 A1\* 5/2008 Taylor ..... A41D 31/005  
 428/47  
 2009/0038624 A1 2/2009 Akervall et al.  
 2010/0055233 A1 3/2010 MacInnis et al.  
 2010/0304338 A1 12/2010 Cramer et al.  
 2011/0114100 A1 5/2011 Alvarez et al.  
 2011/0186055 A1 8/2011 Makkar et al.  
 2011/0230587 A1 9/2011 MacInnis et al.  
 2012/0017922 A1 1/2012 Hirshberg  
 2012/0085354 A1 4/2012 Polk, III  
 2012/0090625 A1 4/2012 Evans et al.  
 2012/0111343 A1 5/2012 Turkbas et al.  
 2012/0174932 A1\* 7/2012 Wilson ..... A63B 71/085  
 128/861  
 2013/0052613 A1\* 2/2013 Chetiar ..... A61C 19/066  
 433/216  
 2013/0068237 A1\* 3/2013 Herman ..... A61C 5/90  
 128/862  
 2013/0074850 A1\* 3/2013 Lenart ..... A63B 71/085  
 128/861  
 2013/0087157 A1 4/2013 Hawkins  
 2013/0104913 A1 5/2013 Evans et al.  
 2014/0090655 A1 4/2014 Robinson  
 2014/0093836 A1\* 4/2014 Wolpo ..... A61C 17/3481  
 433/32  
 2014/0166024 A1 6/2014 Davidson et al.  
 2014/0238416 A1\* 8/2014 Lin ..... A63B 71/085  
 128/861  
 2014/0238417 A1 8/2014 Turkbas  
 2014/0238418 A1 8/2014 Turkbas  
 2014/0261465 A1 9/2014 Turkbas  
 2014/0345626 A1\* 11/2014 Brett ..... A63B 71/085  
 128/861

2014/0352704 A1\* 12/2014 Farrell ..... A63B 71/085  
 128/862  
 2016/0001160 A1\* 1/2016 Engel ..... A63B 71/085  
 128/861  
 2017/0172717 A1\* 6/2017 Deng ..... A61C 19/066  
 2018/0014912 A1\* 1/2018 Radmand ..... A61C 5/007

FOREIGN PATENT DOCUMENTS

AU 2013205854 A1 3/2014  
 GB 2491183 A 11/2012  
 WO 2014093850 A1 6/2014

OTHER PUBLICATIONS

Gel Max Mouthguard, earliest comment Aug. 26, 2015, [online], [site visited Apr. 13, 2018]. Retrieved from url:https://www.shockdoctor.com/gel-max-mouthguard (Year: 2015).\*

Gel Max Power Mouthguard, earliest comment Oct. 9, 2017, [online], [site visited Apr. 13, 2018]. Retrieved from url:https://www.shockdoctor.com/gel-max-power-mouthguard (Year: 2017).\*

SuperFit Basketball Mouthguard, earliest comment Jul. 17, 2017, [online], [site visited Apr. 13, 2018]. Retrieved from url:https://www.shockdoctor.com/superfit-basketball-mouthguard-9200 (Year: 2017).\*

European Search Report issued in EP Application No. 14757382.6 dated Nov. 2, 2016, 9 pages.

Extended European Search Report issued in EP application No. 14756802.6, dated Oct. 31, 2016, 10 pages.

International Search Report and Written Opinion issued in PCT/US2014/018755, dated May 22, 2014, 8 pages.

International Search Report and Written Opinion issued in PCT/US2014/018756, dated Jun. 3, 2014, 11 pages.

Shock Doctor Gel Max Mouthguard, www.shockdoctor.com/gel-max-mouthguard, accessed Jan. 24, 2017, at least available on Apr. 10, 2016.

Shock Doctor SuperFit Mouthguard, www.shockdoctor.com/superfit-mouthguard, accessed Jan. 24, 2017, at least available on Apr. 10, 2016.

Shock Doctor Ultra Double Braces Mouthguard, www.shockdoctor.com/ultra-double-braces-mouthguard, accessed Jan. 24, 2017, at least available on Apr. 10, 2016.

Shock Doctor Ultra2 STC Mouthguard, www.shockdoctor.com/ultra2-stc-mouthguard, accessed Jan. 24, 2017, at least available on Apr. 10, 2016.

International Search Report and Written Opinion issued in PCT/US2016/054693, dated 24 Jul. 2017, 17 pages.

PCT Invitation to Pay Additional Fees issued in PCT/US2016/054693, dated May 23, 2017, 14 pages.

\* cited by examiner

Primary Examiner — Jeffrey D Asch  
 Assistant Examiner — Tracey J Bell  
 (74) Attorney, Agent, or Firm — Faegre Baker Daniels  
 LLP

(57) CLAIM

The ornamental design for a mouthguard, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a mouthguard illustrating a first embodiment of my new design;  
 FIG. 2 is a detail view of the embodiment of FIG. 1 within line 2 of FIG. 1, showing generally square depression features in additional detail;  
 FIG. 3 is a front view of the embodiment of FIG. 1;  
 FIG. 4 is a back view of the embodiment of FIG. 1;

FIG. 5 is a left side view of the embodiment of FIG. 1;  
FIG. 6 is a right side view of the embodiment of FIG. 1;  
FIG. 7 is a top view of the embodiment of FIG. 1;  
FIG. 8 is a detail view of the embodiment of FIG. 1 within line 8 of FIG. 7, showing the generally square depression features in additional detail;  
FIG. 9 is a bottom view of the embodiment of FIG. 1;  
FIG. 10 is a front perspective view of a mouthguard illustrating a second embodiment of my new design;  
FIG. 11 is a detail view of the embodiment of FIG. 10 within line 11 of FIG. 10, showing generally hexagonal depression features in additional detail;  
FIG. 12 is a front view of the embodiment of FIG. 10;  
FIG. 13 is a back view of the embodiment of FIG. 10;  
FIG. 14 is a left side view of the embodiment of FIG. 10;  
FIG. 15 is a right side view of the embodiment of FIG. 10;  
FIG. 16 is a top view of the embodiment of FIG. 10;  
FIG. 17 is a detail view of the embodiment of FIG. 10 within line 17 of FIG. 16, showing the generally hexagonal depression features in additional detail;  
FIG. 18 is a bottom view of the embodiment of FIG. 10;  
FIG. 19 is a front perspective view of a mouthguard illustrating a third embodiment of my new design;  
FIG. 20 is a detail view of the embodiment of FIG. 19 within line 20 of FIG. 19, showing generally square depression features in additional detail;  
FIG. 21 is a front view of the embodiment of FIG. 19;  
FIG. 22 is a back view of the embodiment of FIG. 19;

FIG. 23 is a left side view of the embodiment of FIG. 19;  
FIG. 24 is a right side view of the embodiment of FIG. 19;  
FIG. 25 is a top view of the embodiment of FIG. 19;  
FIG. 26 is a detail view of the embodiment of FIG. 19 within line 26 of FIG. 25, showing the generally square depression features in additional detail;  
FIG. 27 is a bottom view of the embodiment of FIG. 19;  
FIG. 28 is a front perspective view of a mouthguard illustrating a fourth embodiment of my new design;  
FIG. 29 is a detail view of the embodiment of FIG. 28 within line 29 of FIG. 28, showing generally circular depression features in additional detail;  
FIG. 30 is a front view of the embodiment of FIG. 28;  
FIG. 31 is a back view of the embodiment of FIG. 28;  
FIG. 32 is a left side view of the embodiment of FIG. 28;  
FIG. 33 is a right side view of the embodiment of FIG. 28;  
FIG. 34 is a top view of the embodiment of FIG. 28;  
FIG. 35 is a detail view of the embodiment of FIG. 28 within line 35 of FIG. 34, showing the generally circular depression features in additional detail; and,  
FIG. 36 is a bottom view of the embodiment of FIG. 28.  
The dashed broken lines in the drawings depict portions of mouthguard that form no part of the embodiment in which they are shown. The dot-dash broken lines in the drawings indicate portions of the claimed design that are illustrated in enlargements, and the dot-dash broken lines form no part of the claimed design.

**1 Claim, 36 Drawing Sheets**

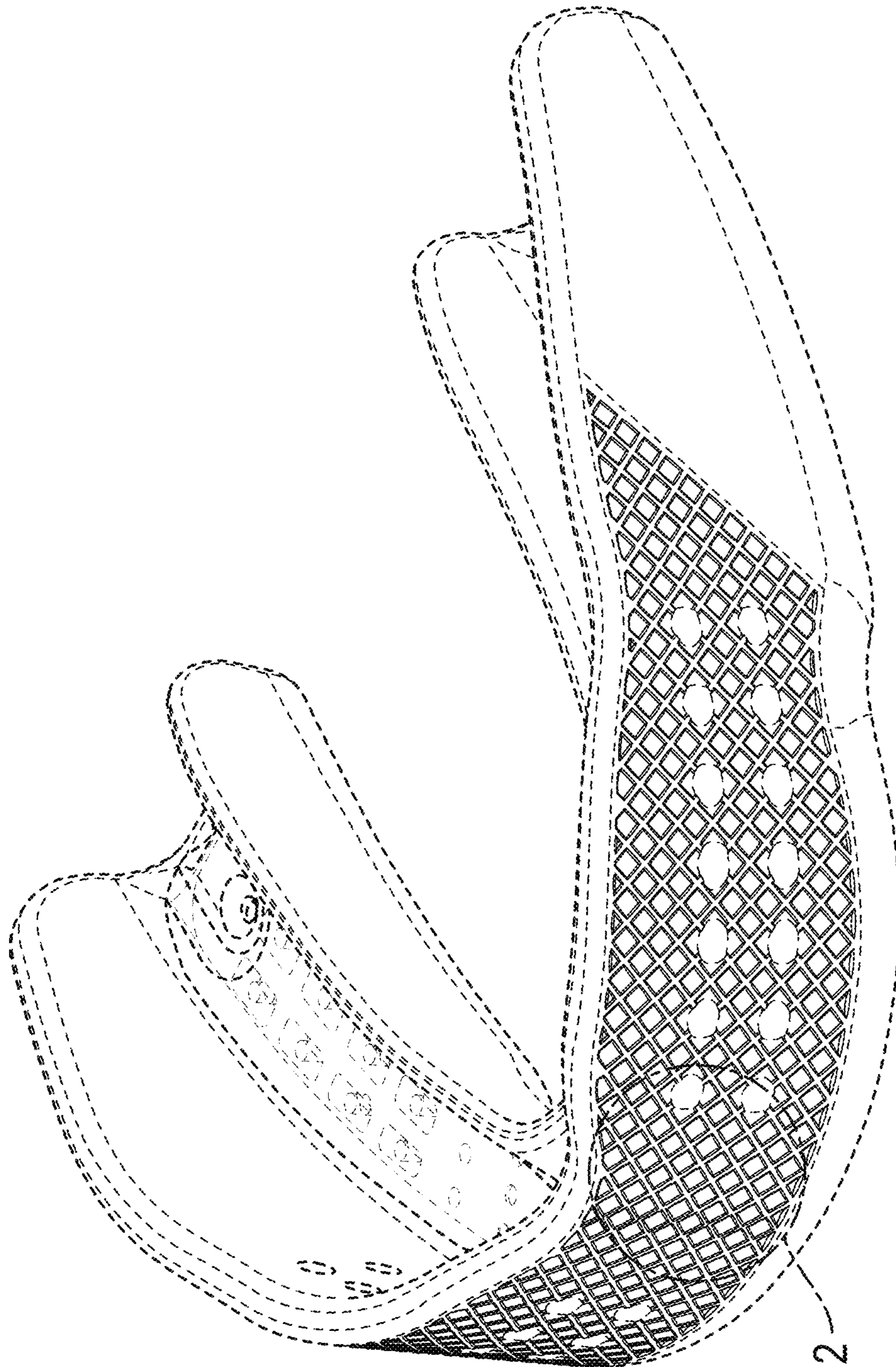


FIG. 1

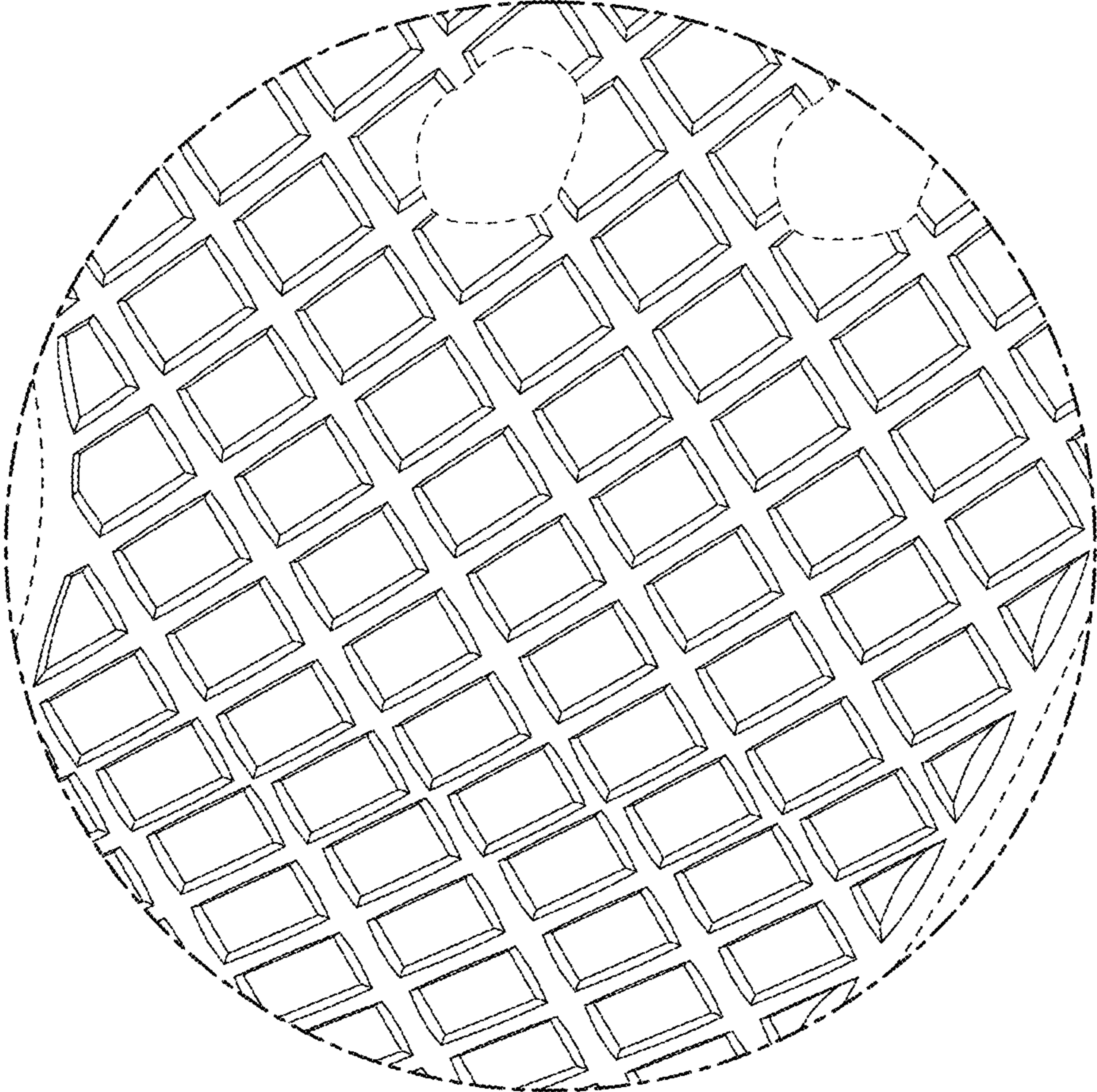


FIG. 2

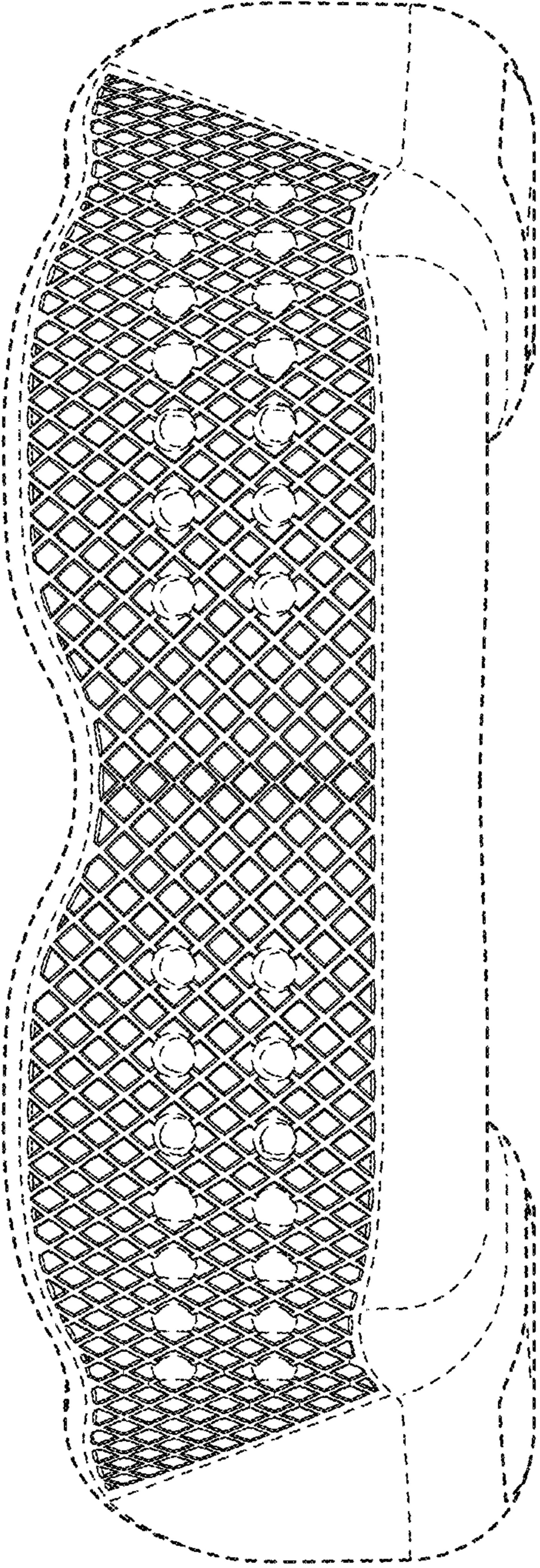


FIG. 3

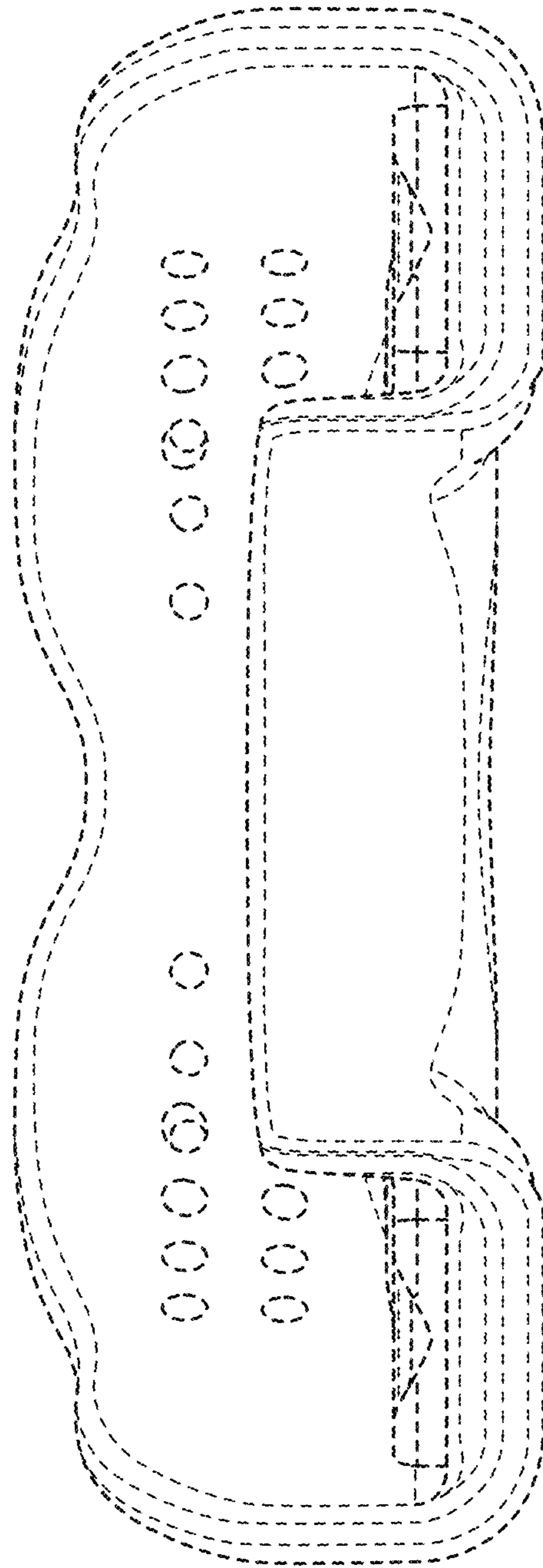


FIG. 4

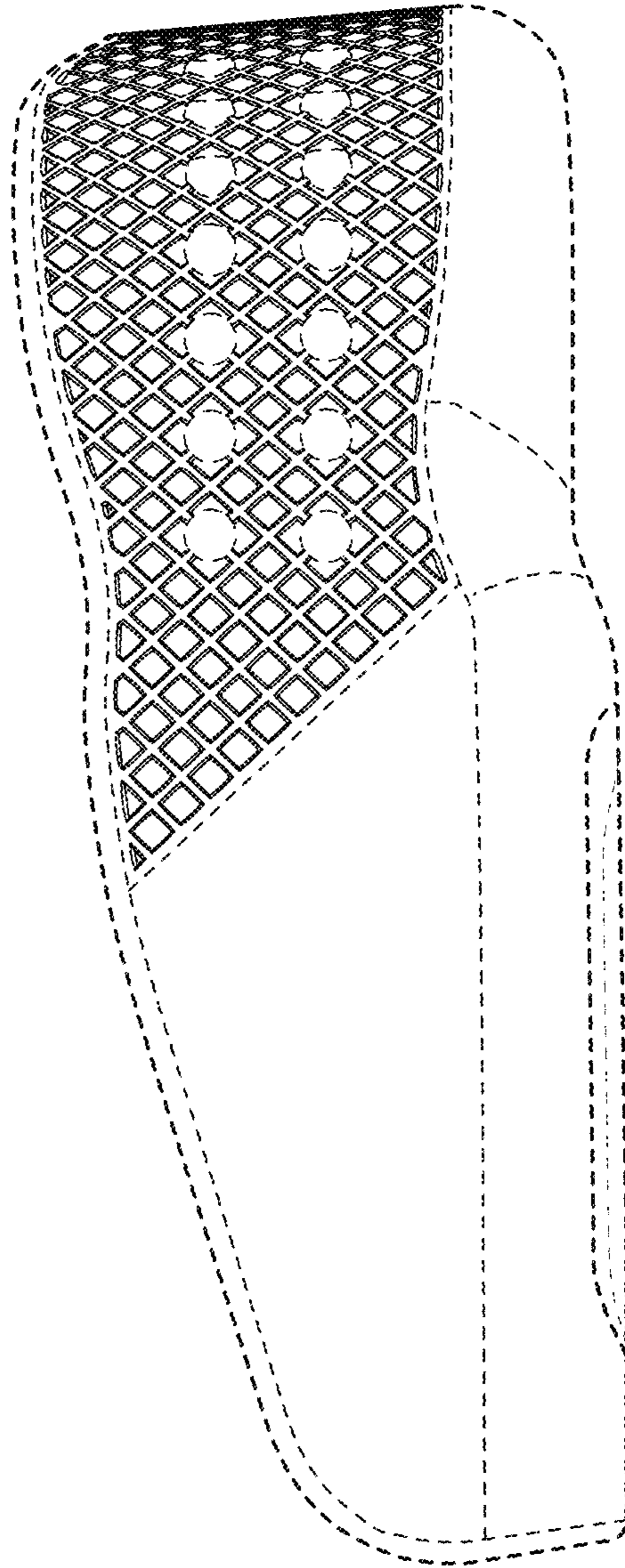


FIG. 5



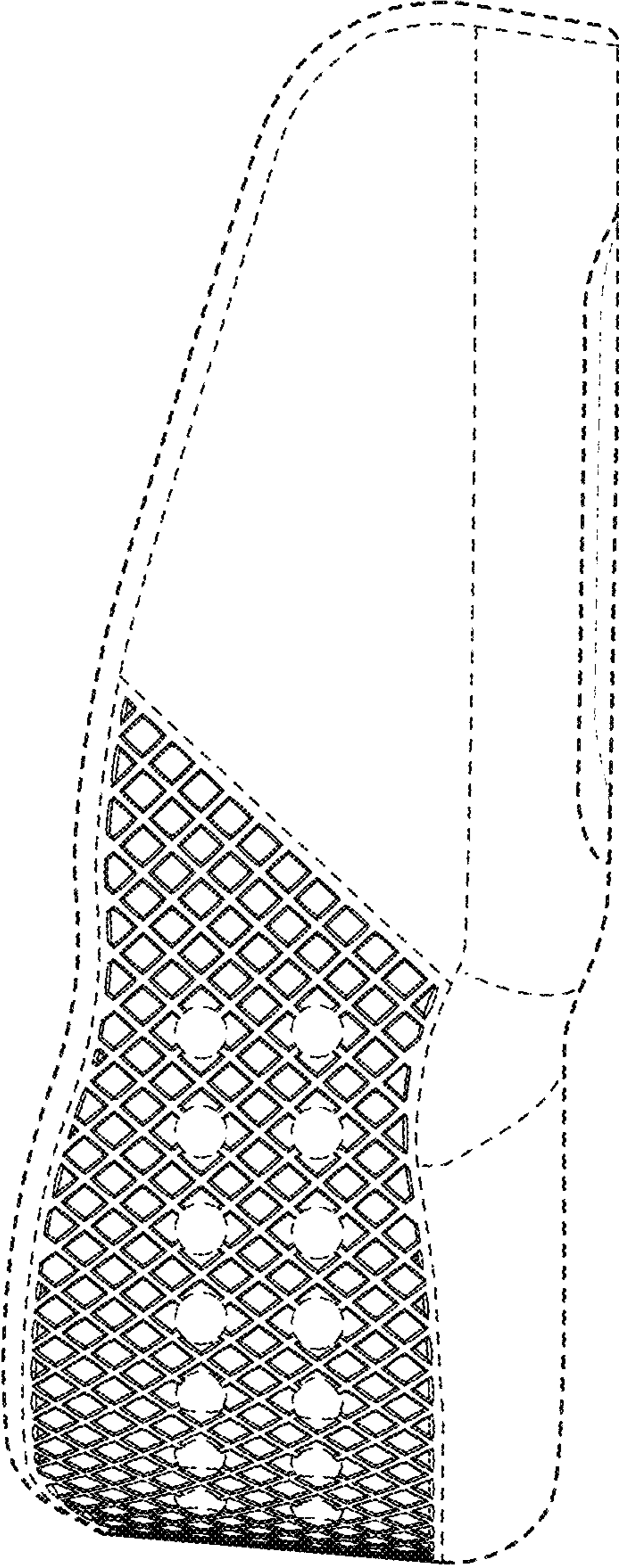
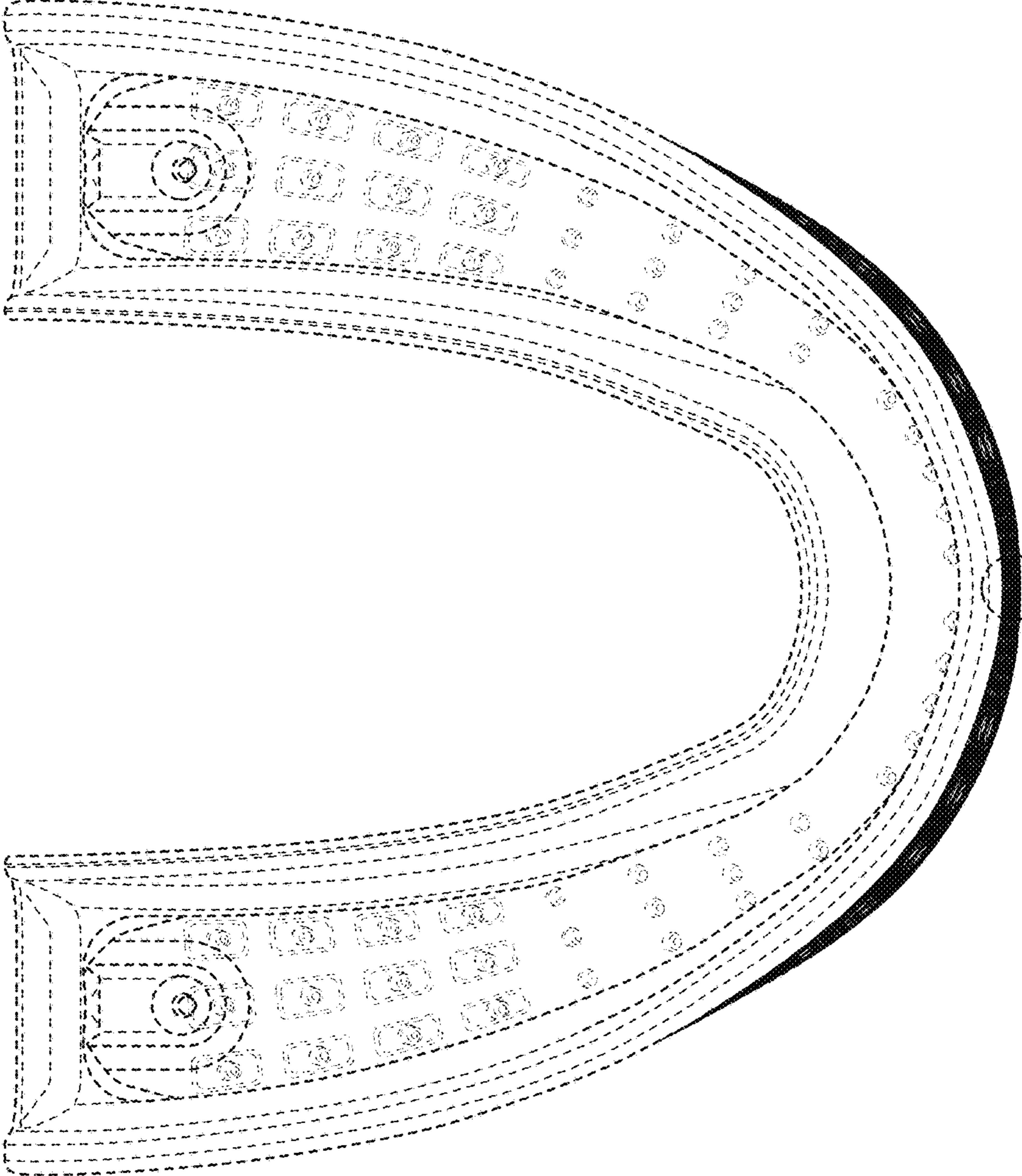


FIG. 6



8  
FIG. 7

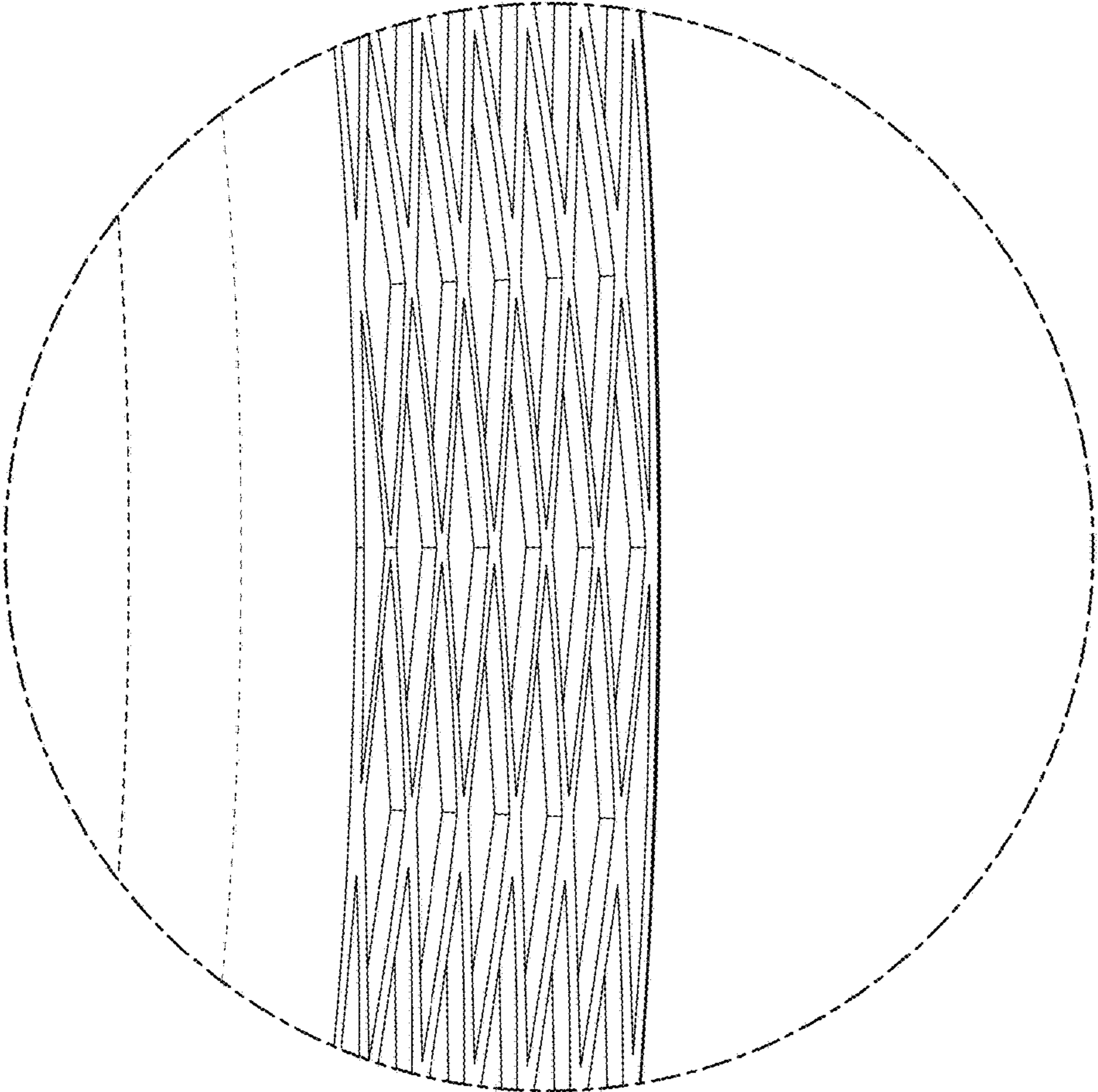


FIG. 8

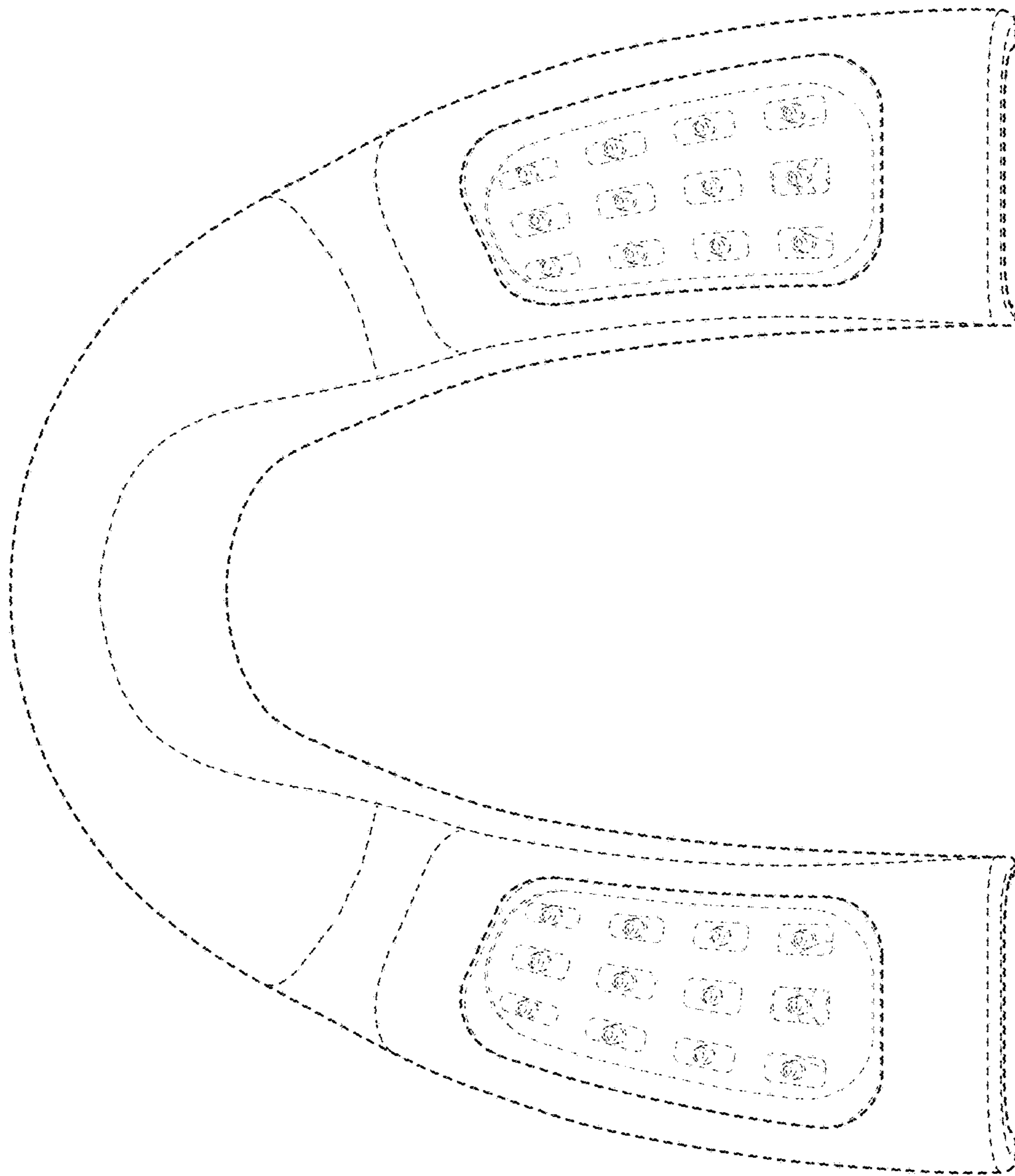


FIG. 9

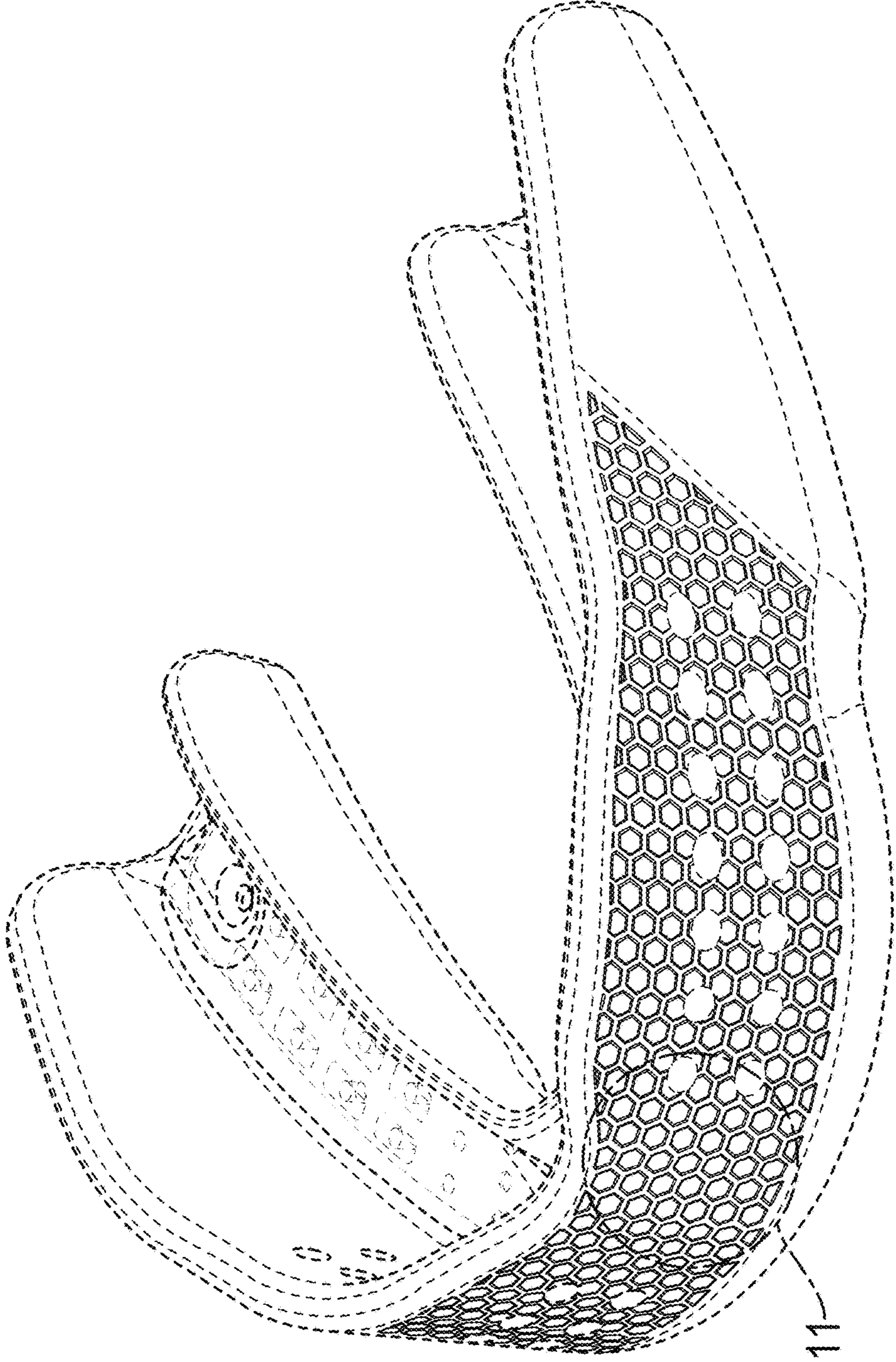


FIG. 10

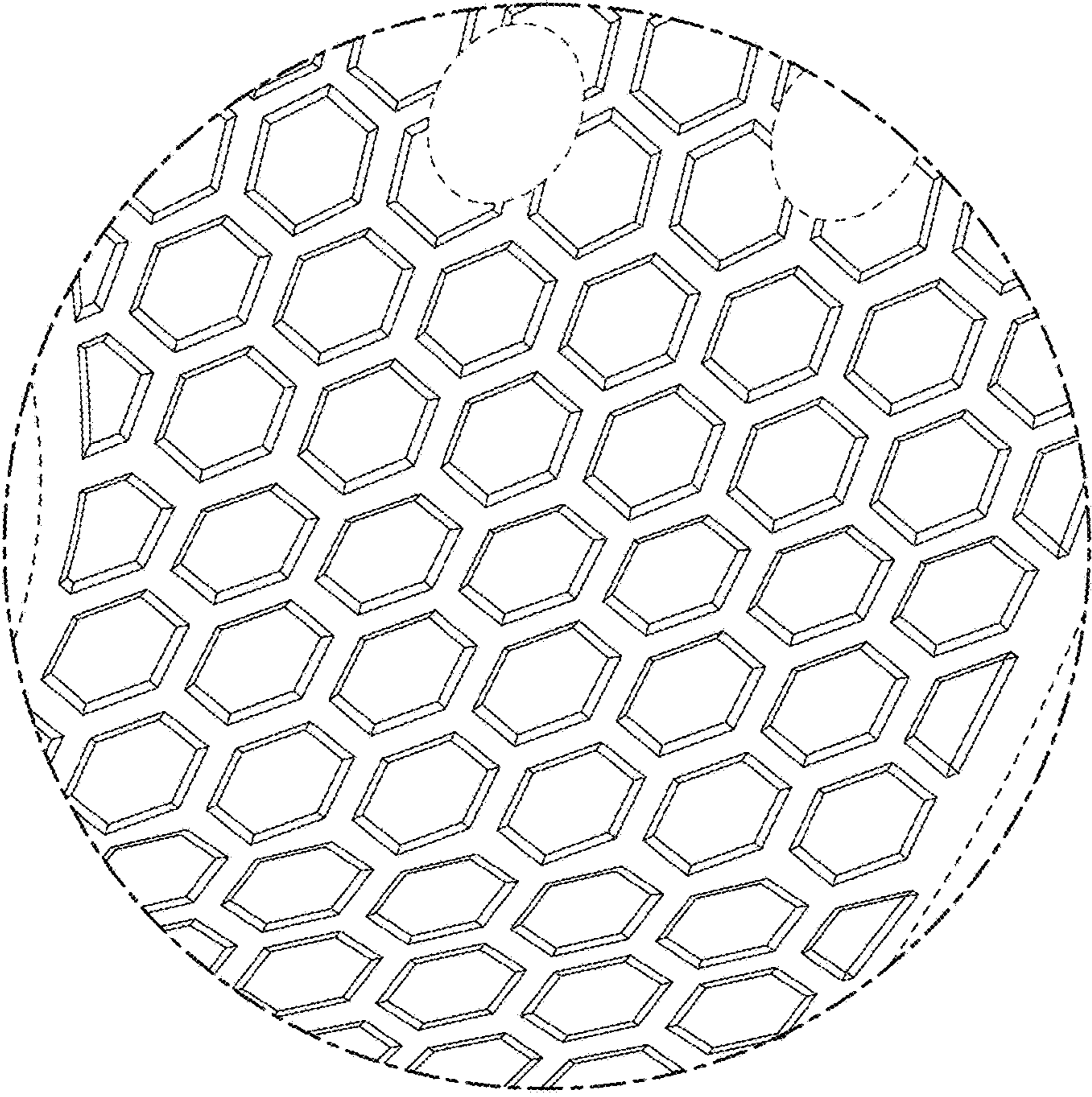


FIG. 11

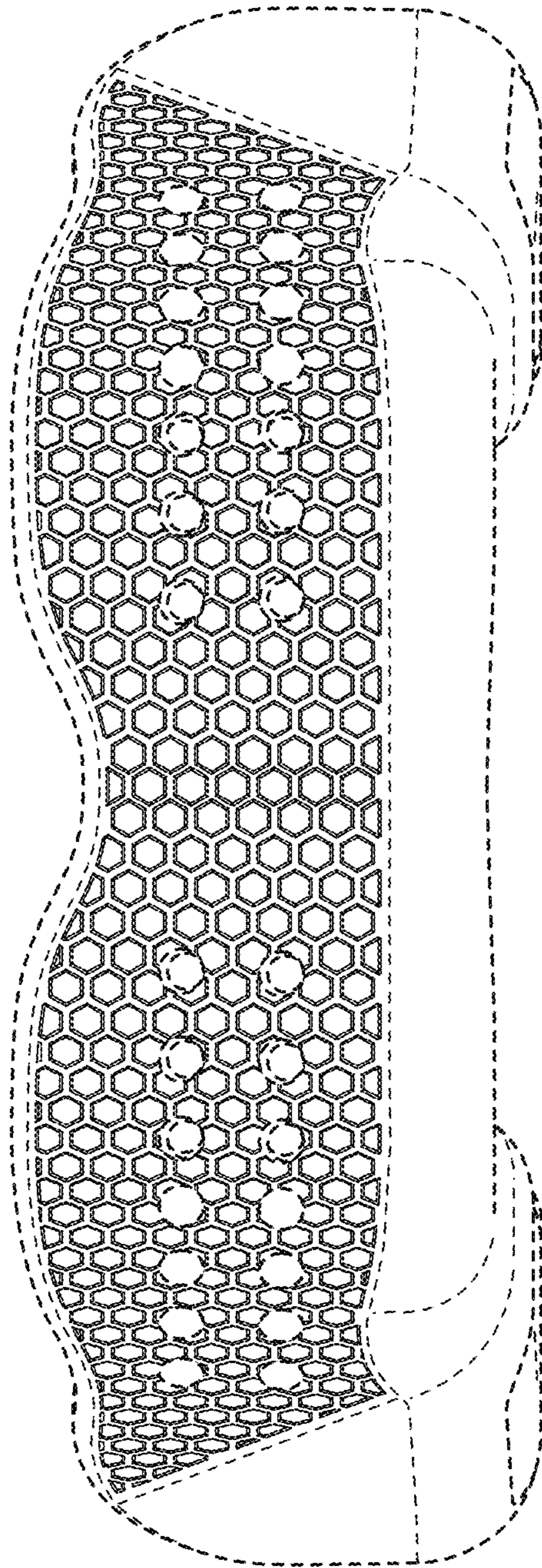


FIG. 12

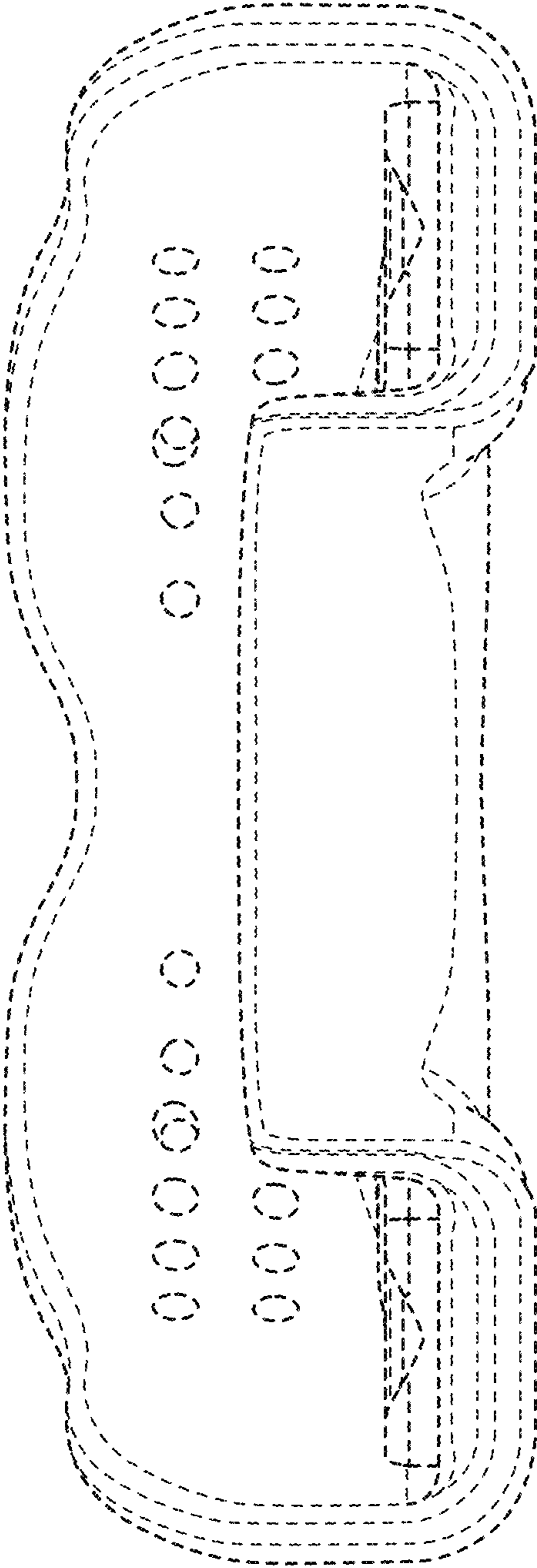


FIG. 13



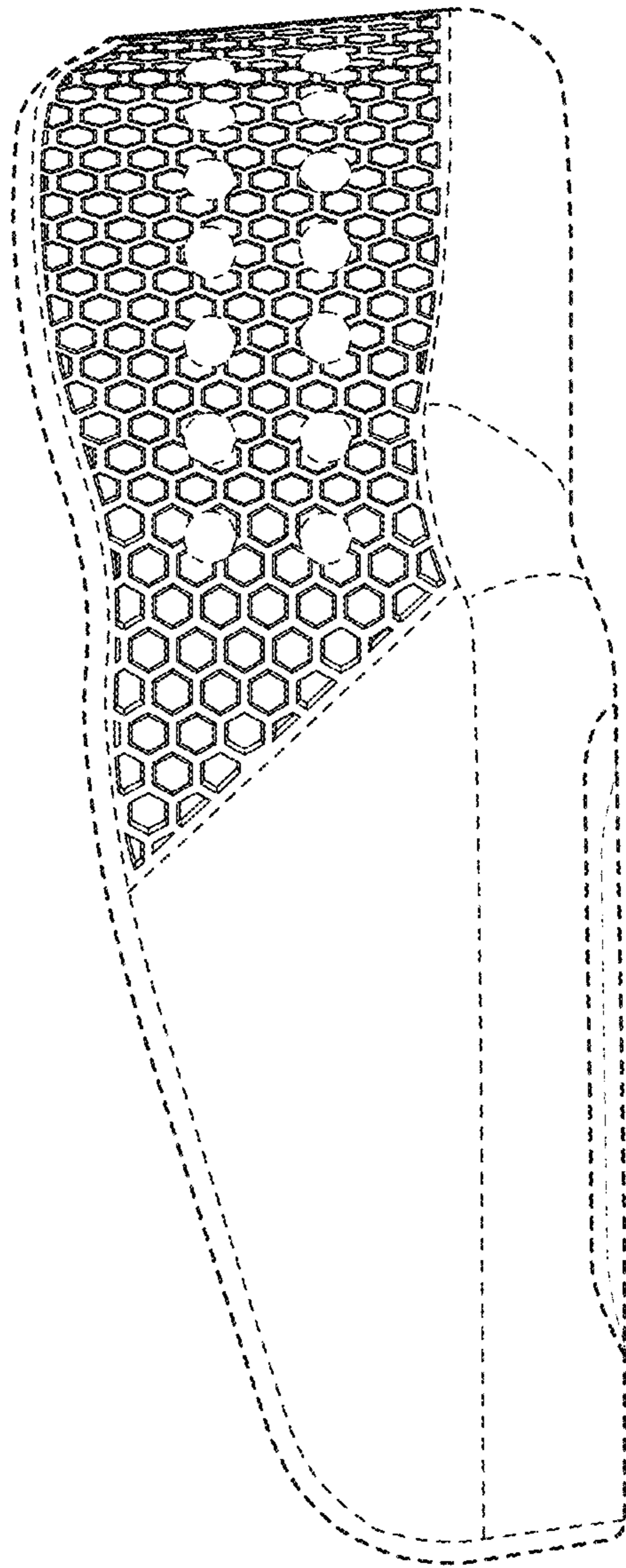


FIG. 14

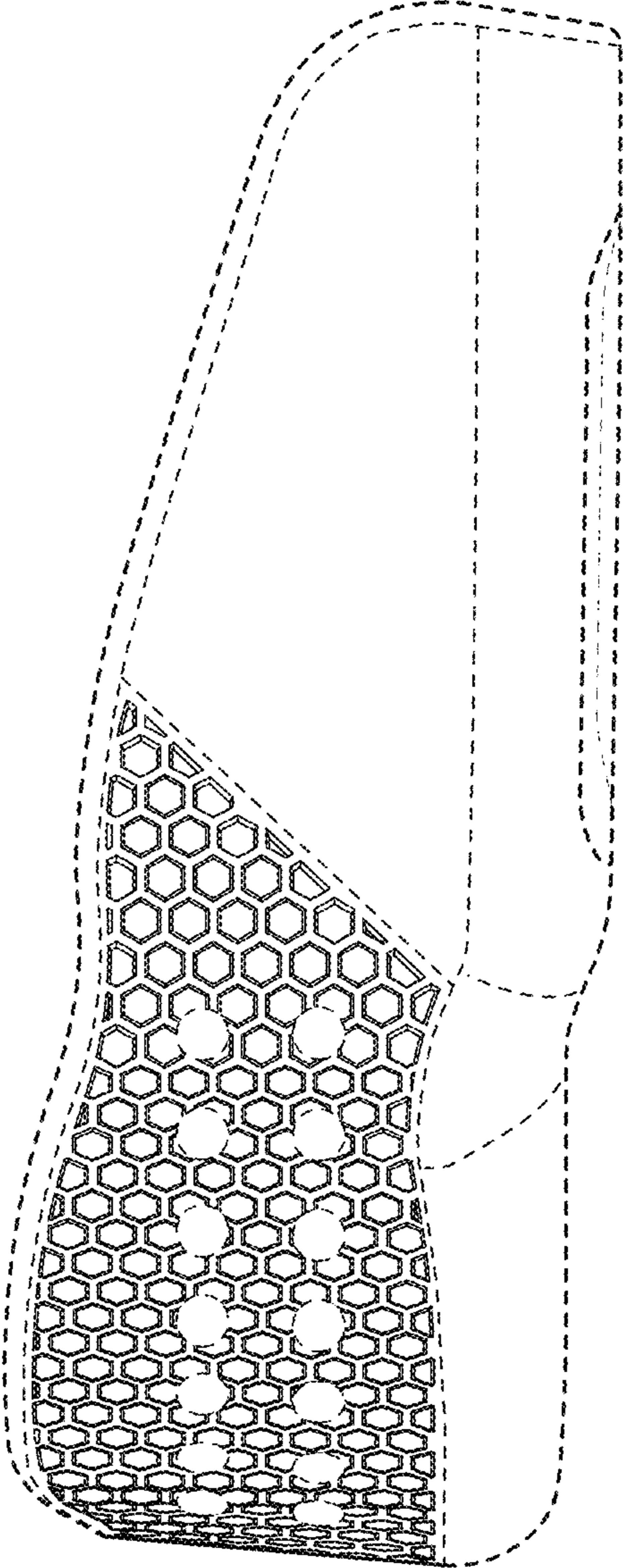


FIG. 15

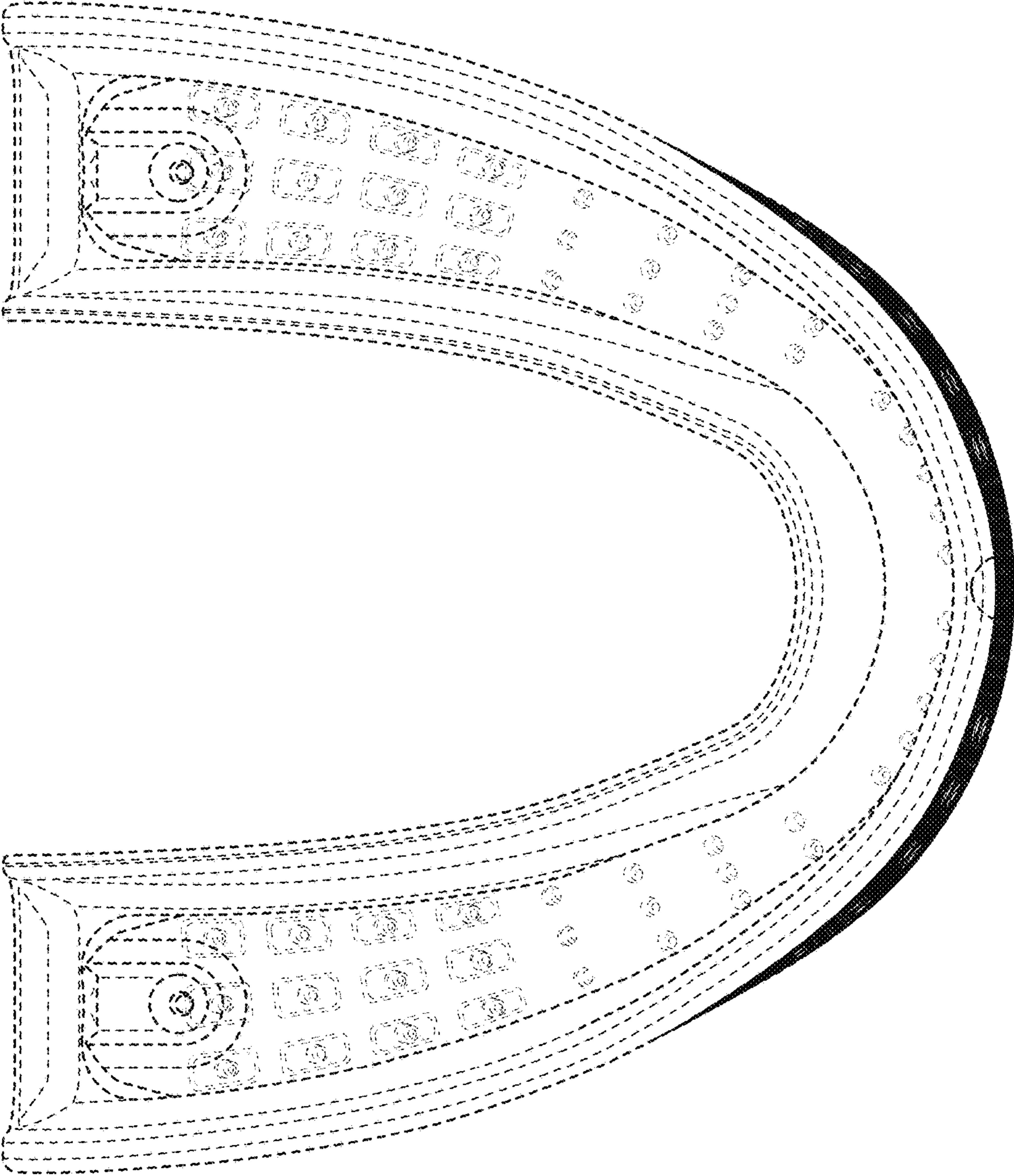


FIG. 16

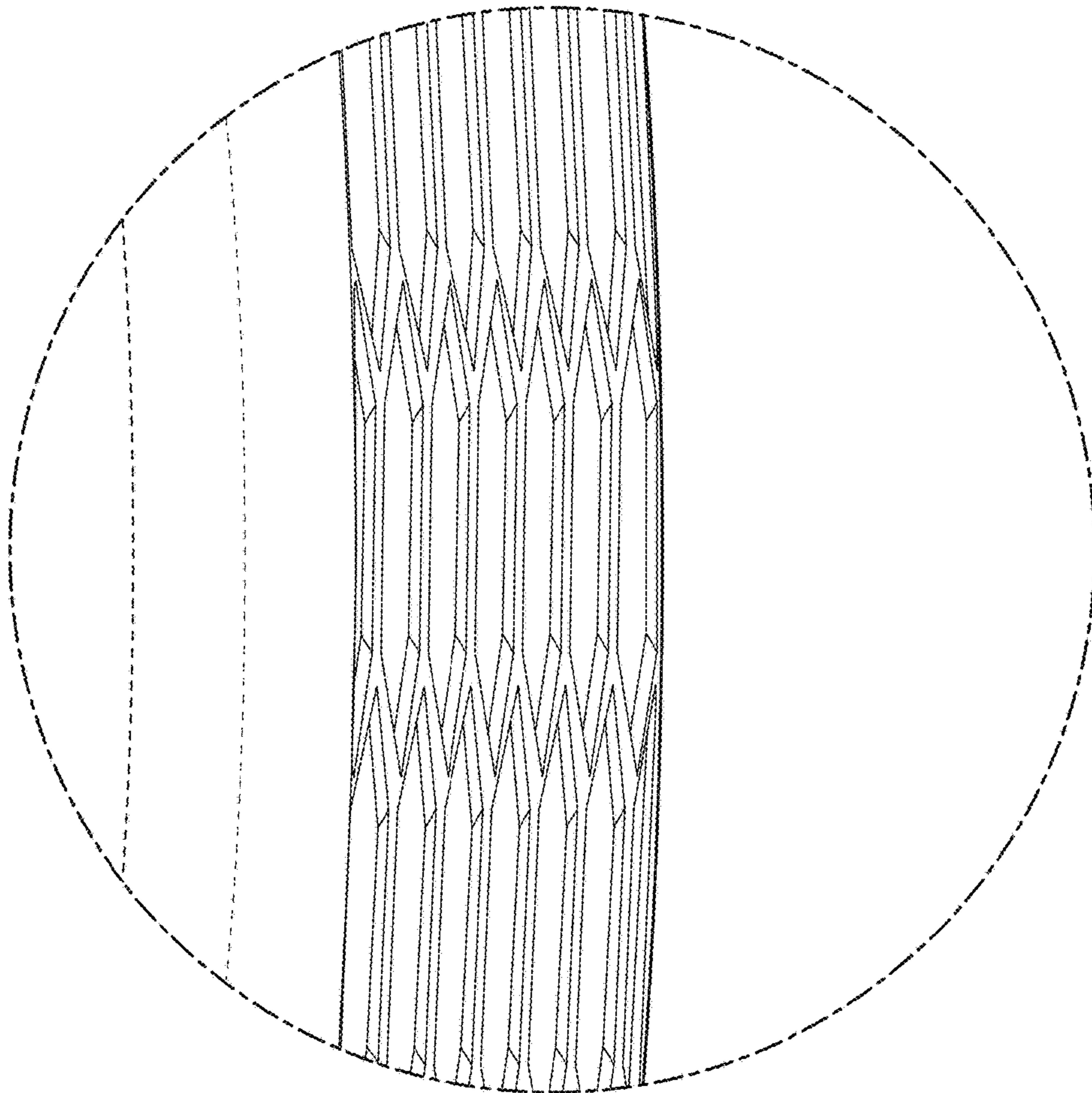


FIG. 17

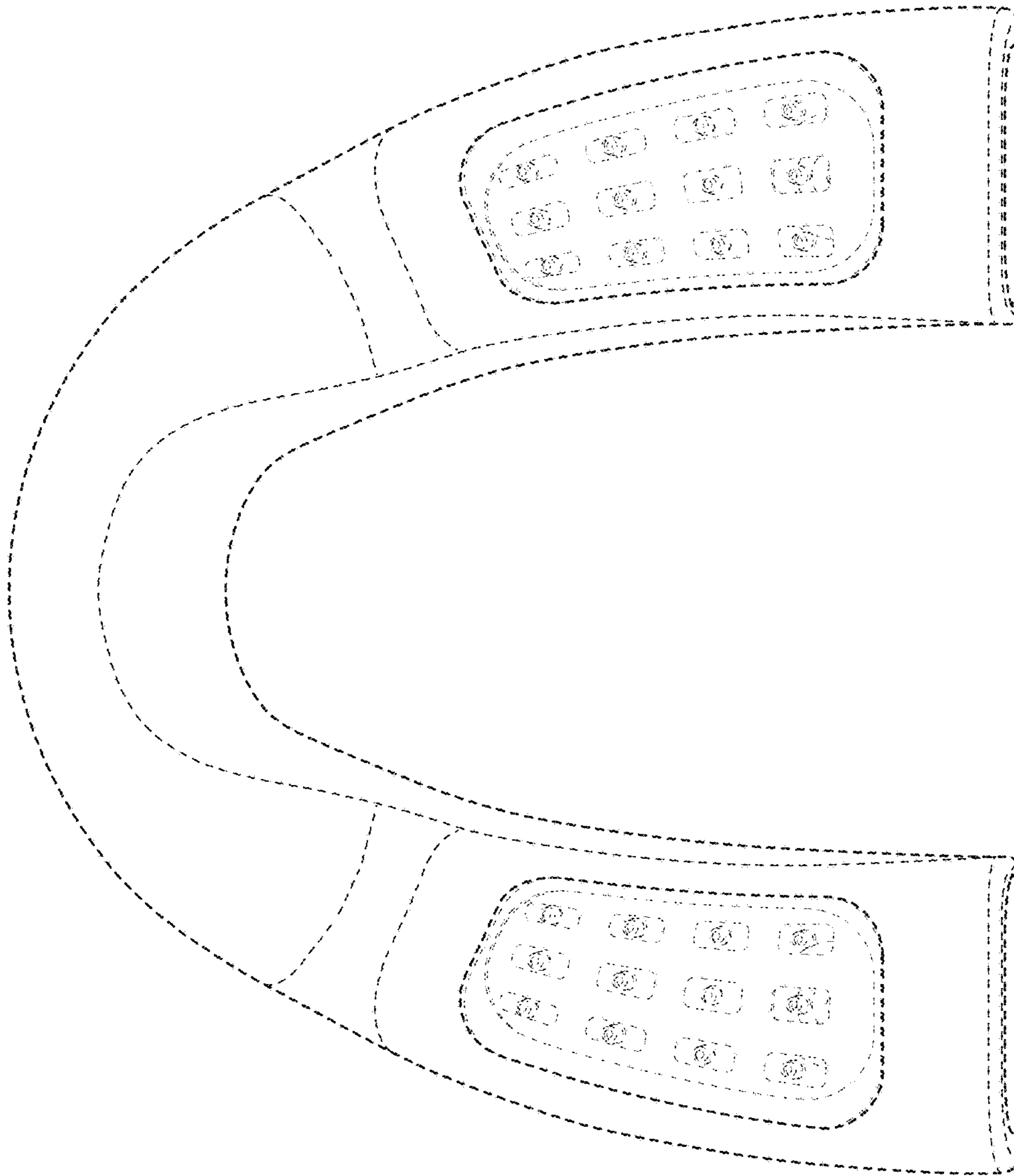


FIG. 18

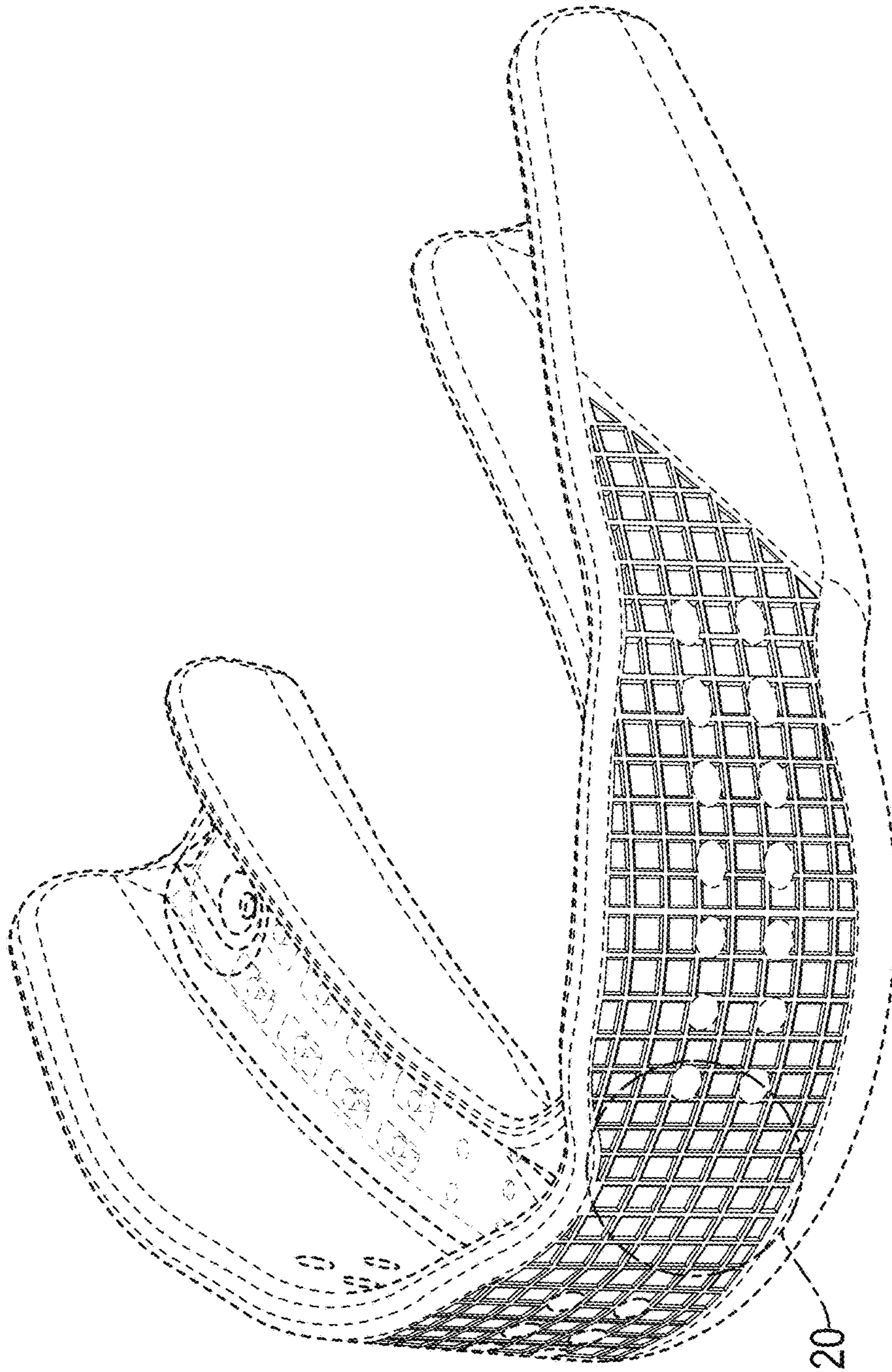


FIG. 19

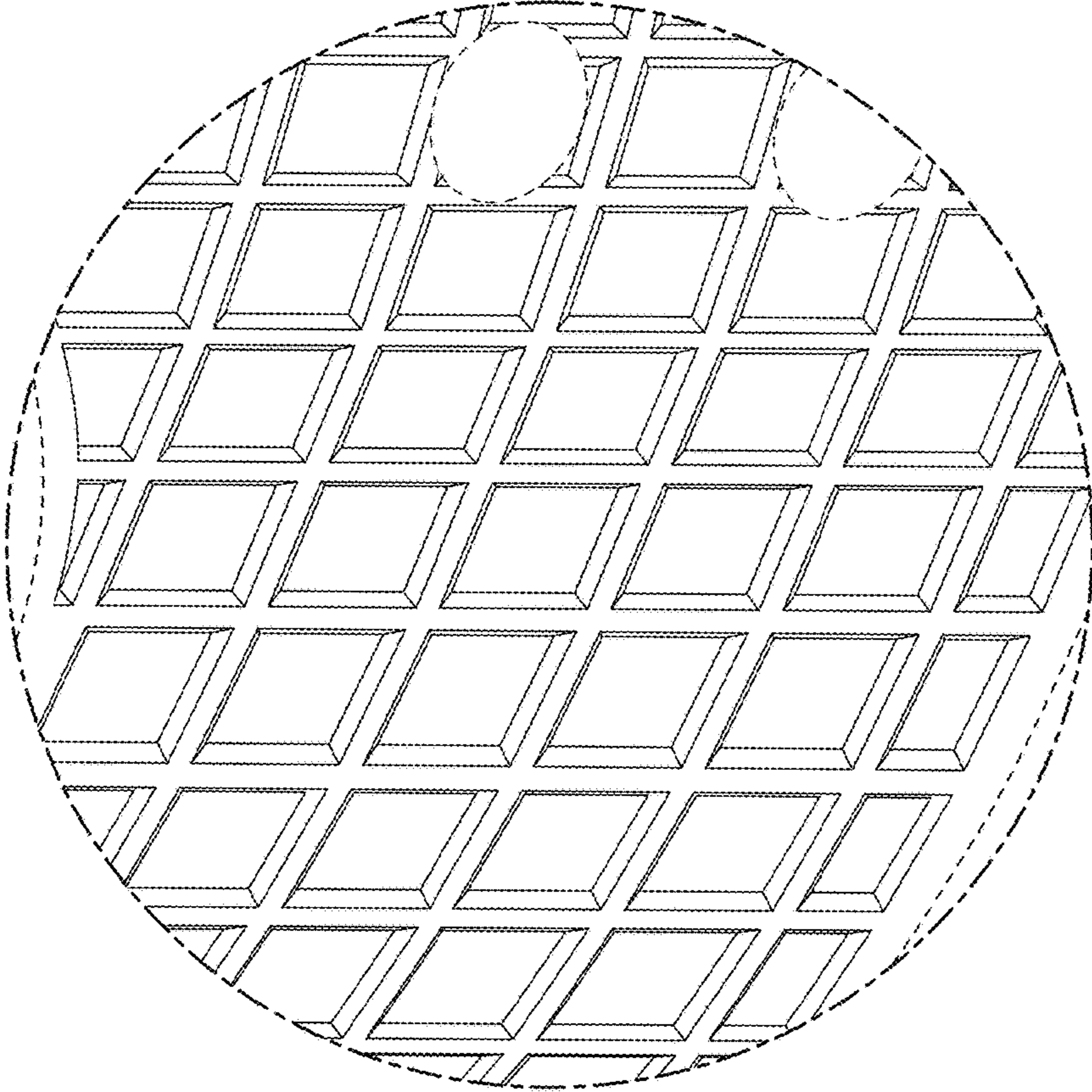


FIG. 20

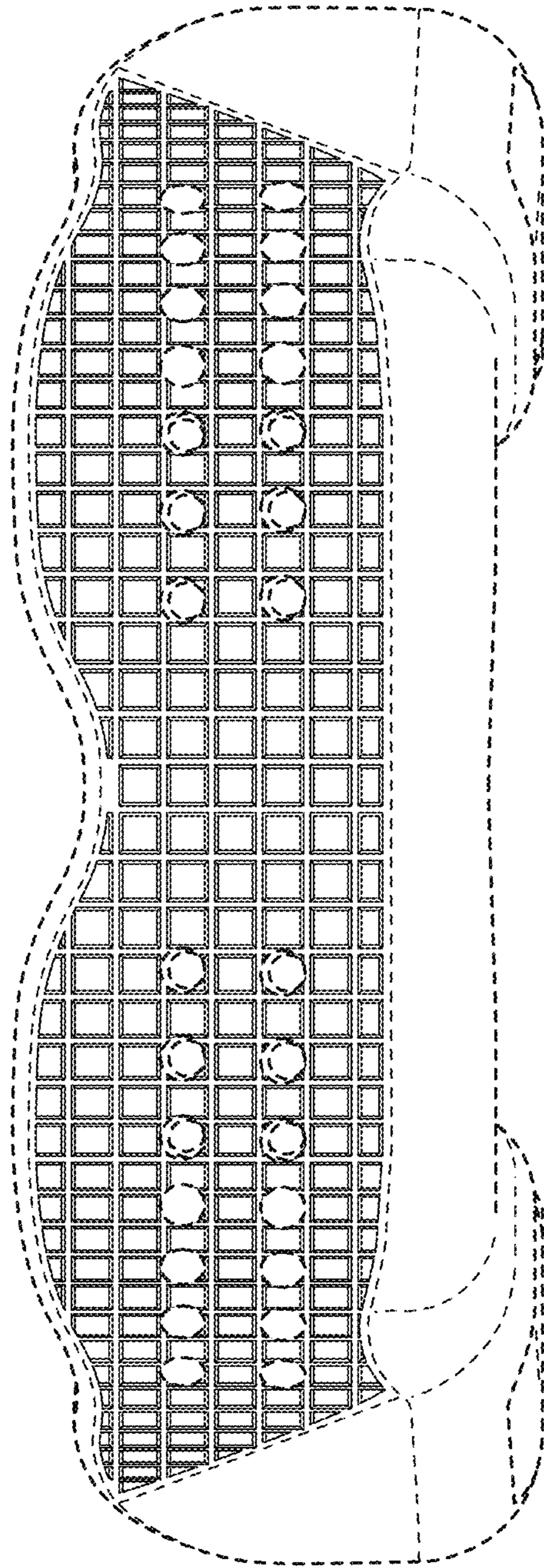


FIG. 21



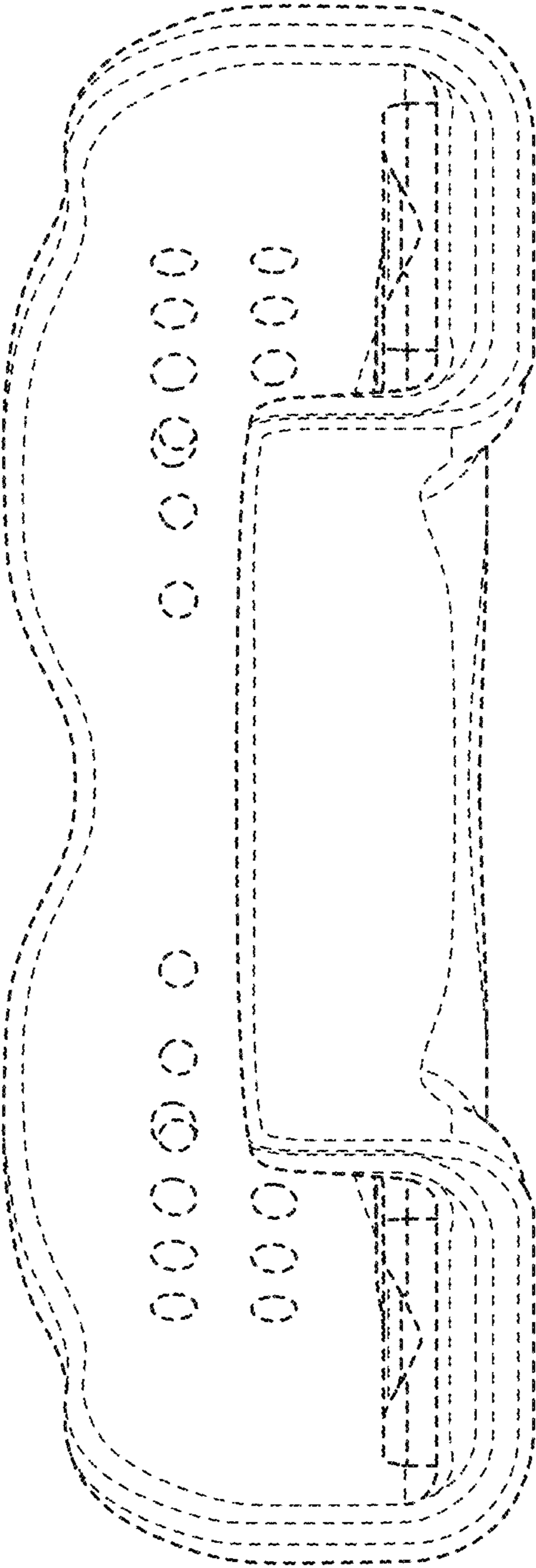


FIG. 22

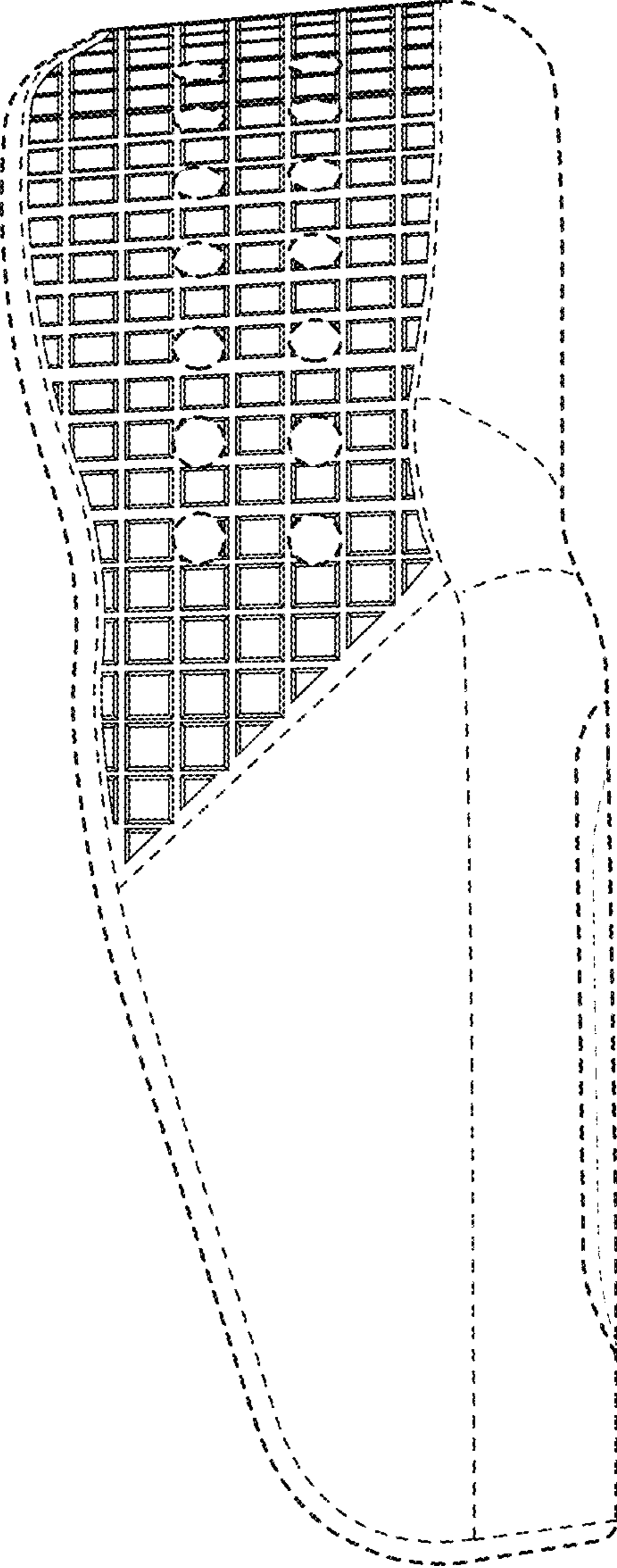


FIG. 23

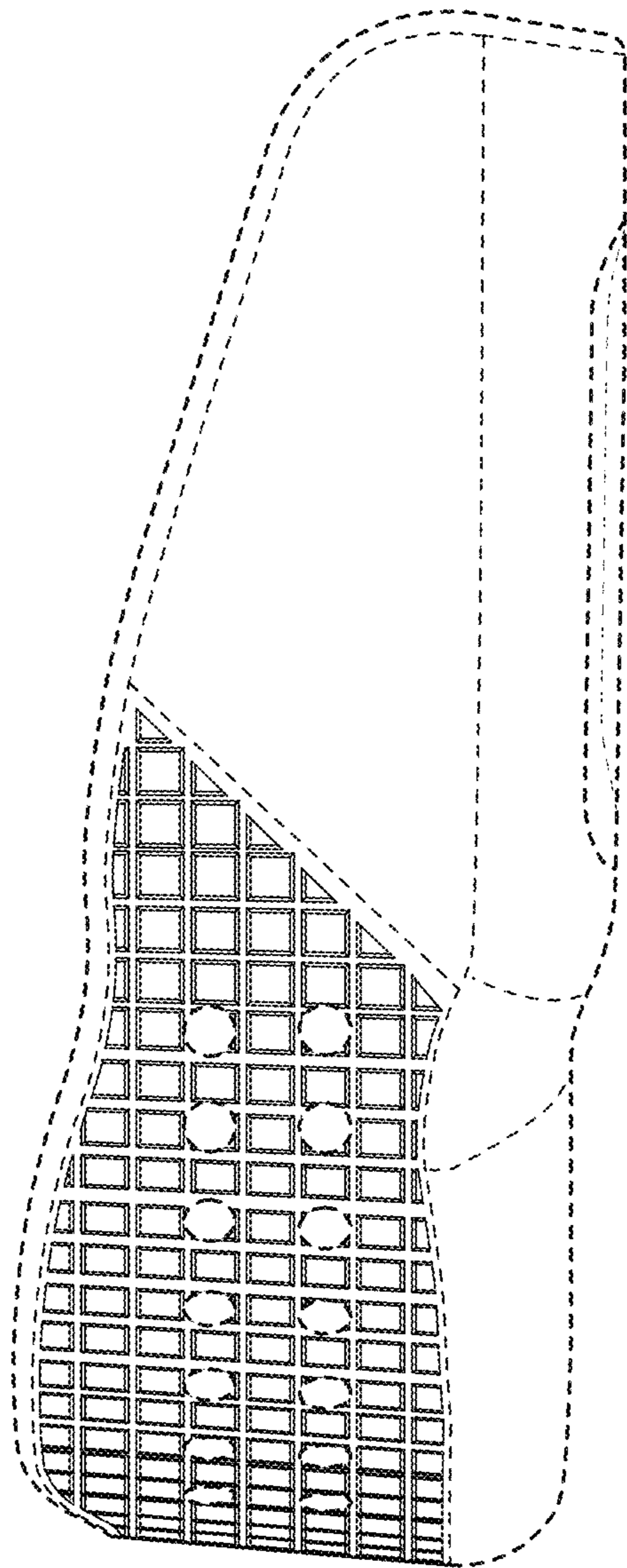


FIG. 24

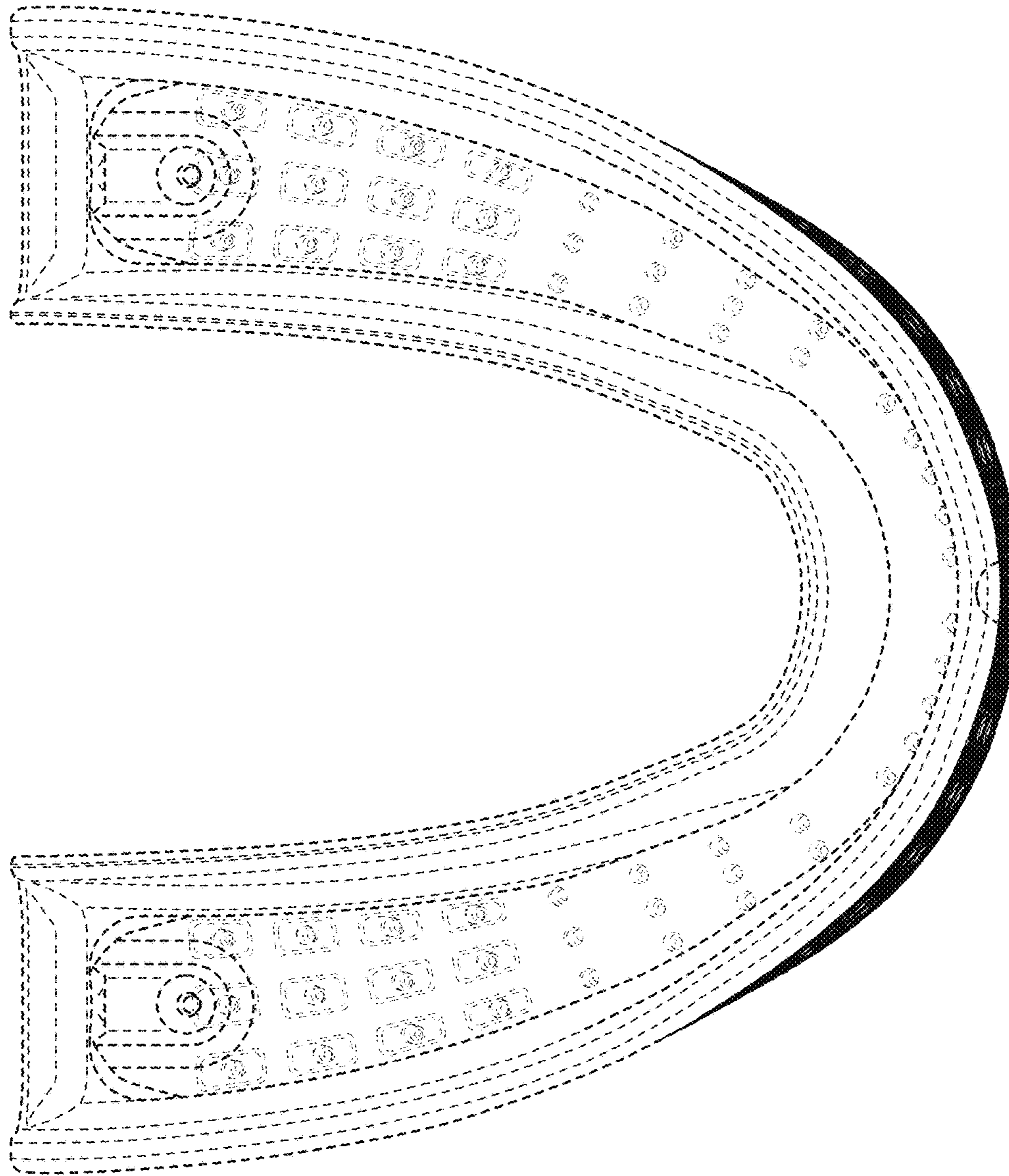


FIG. 25  
26

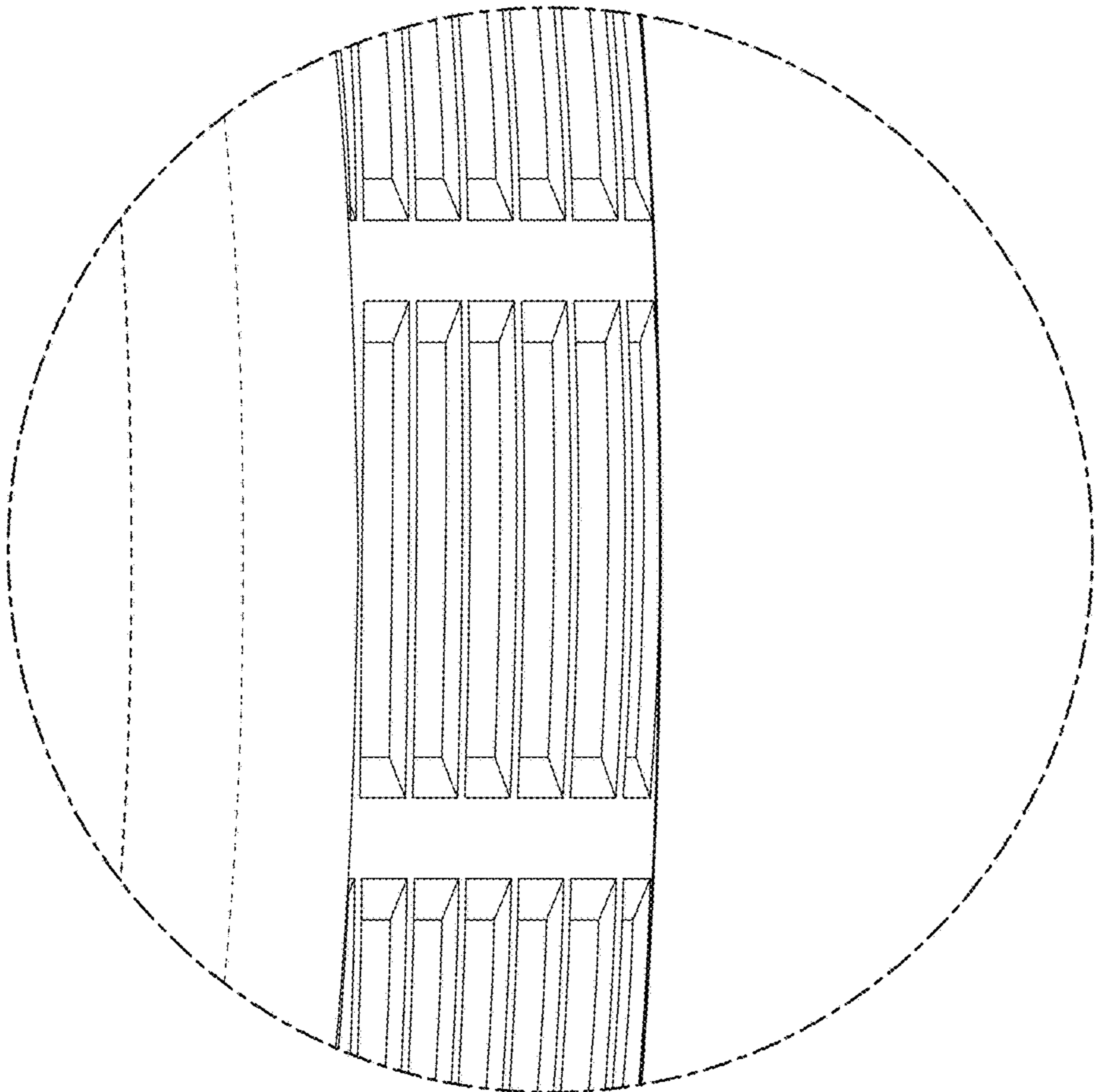


FIG. 26

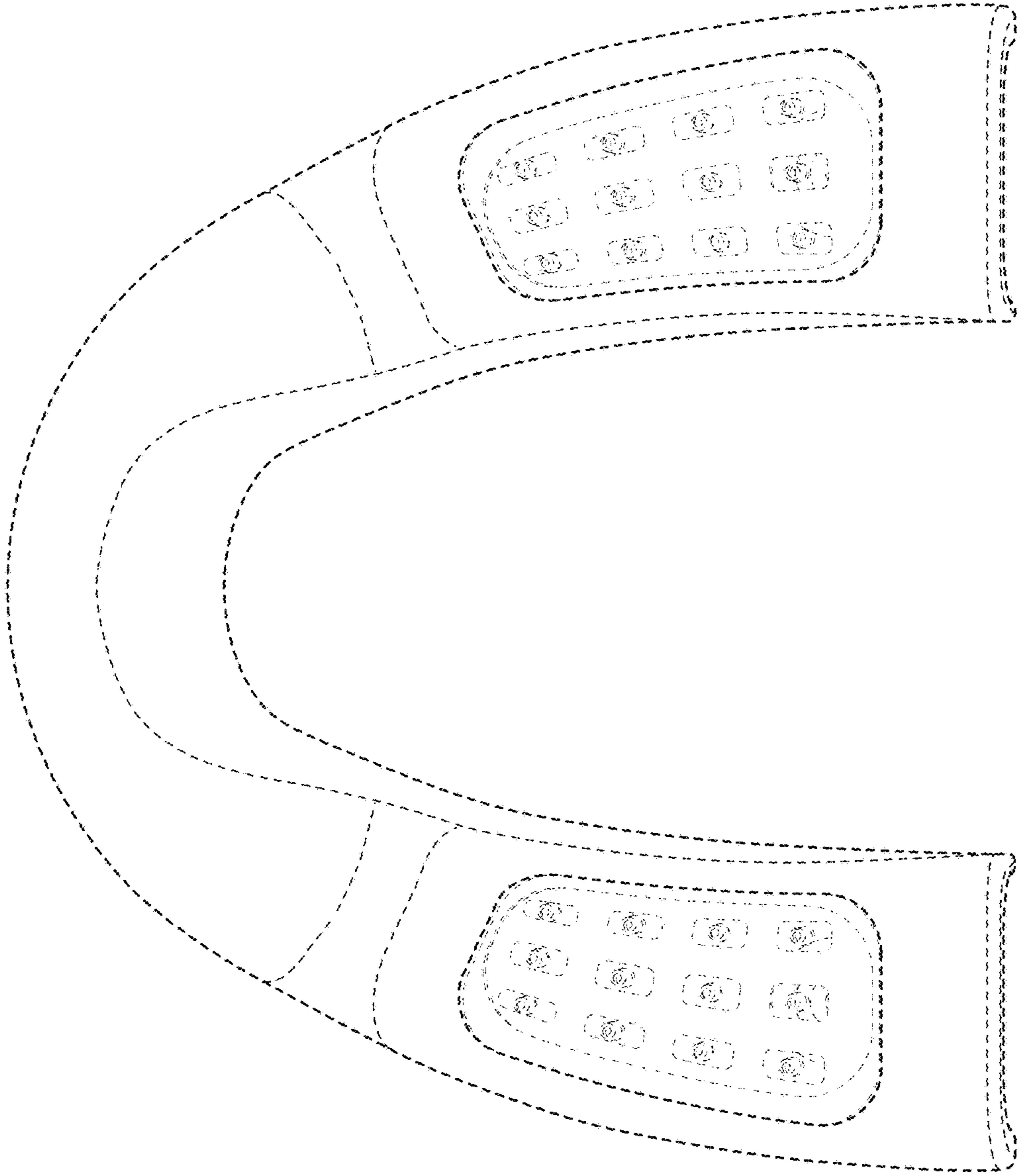


FIG. 27

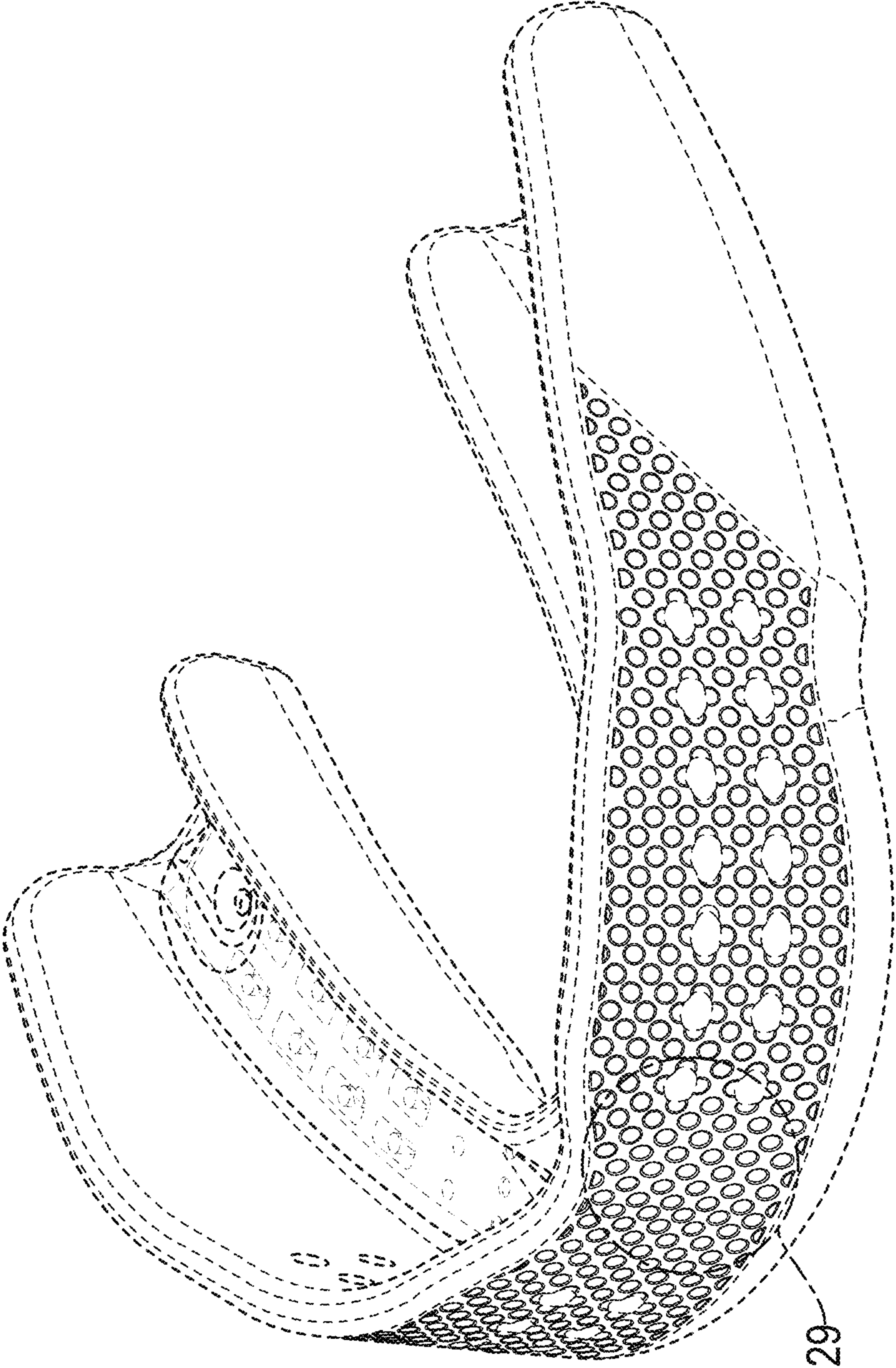


FIG. 28

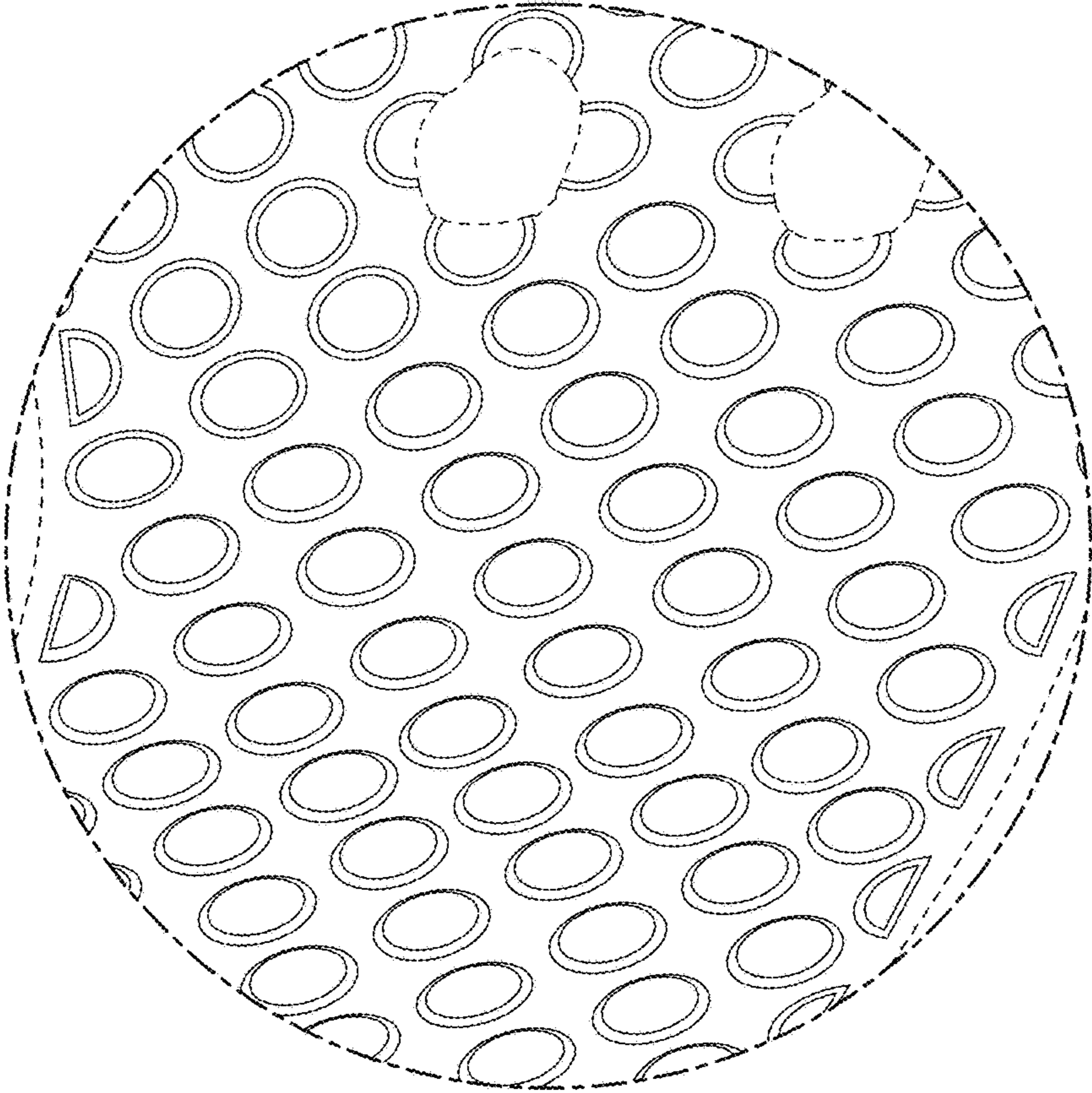


FIG. 29



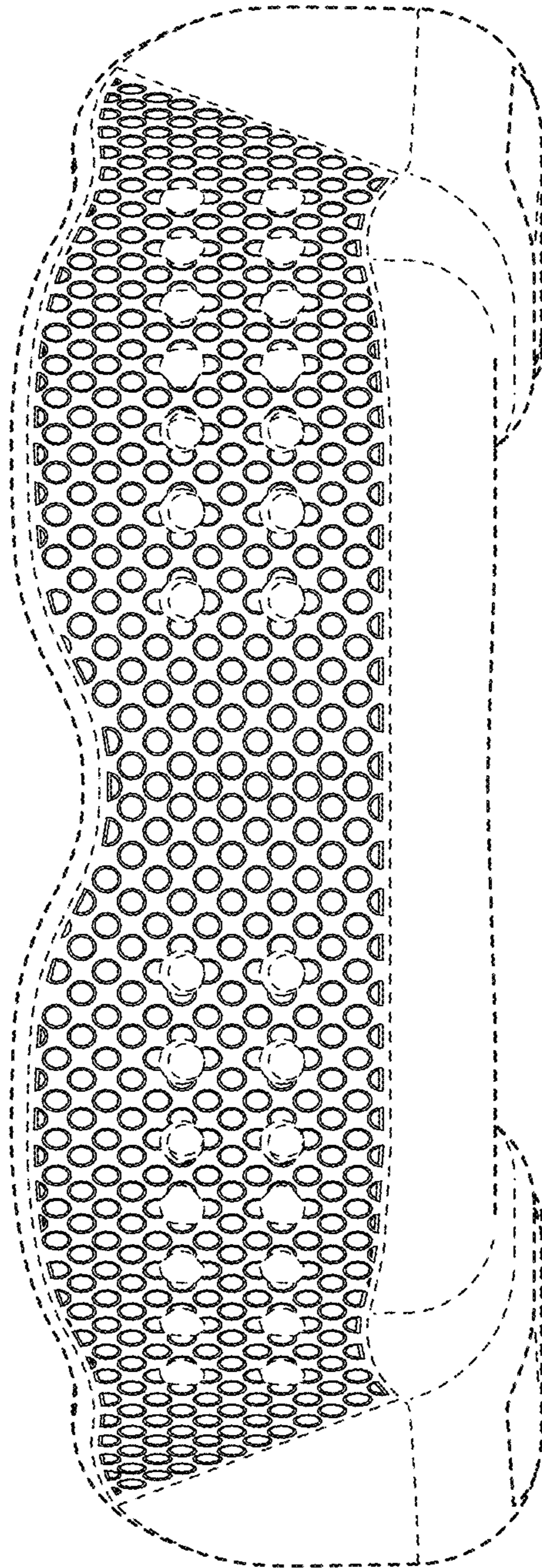


FIG. 30

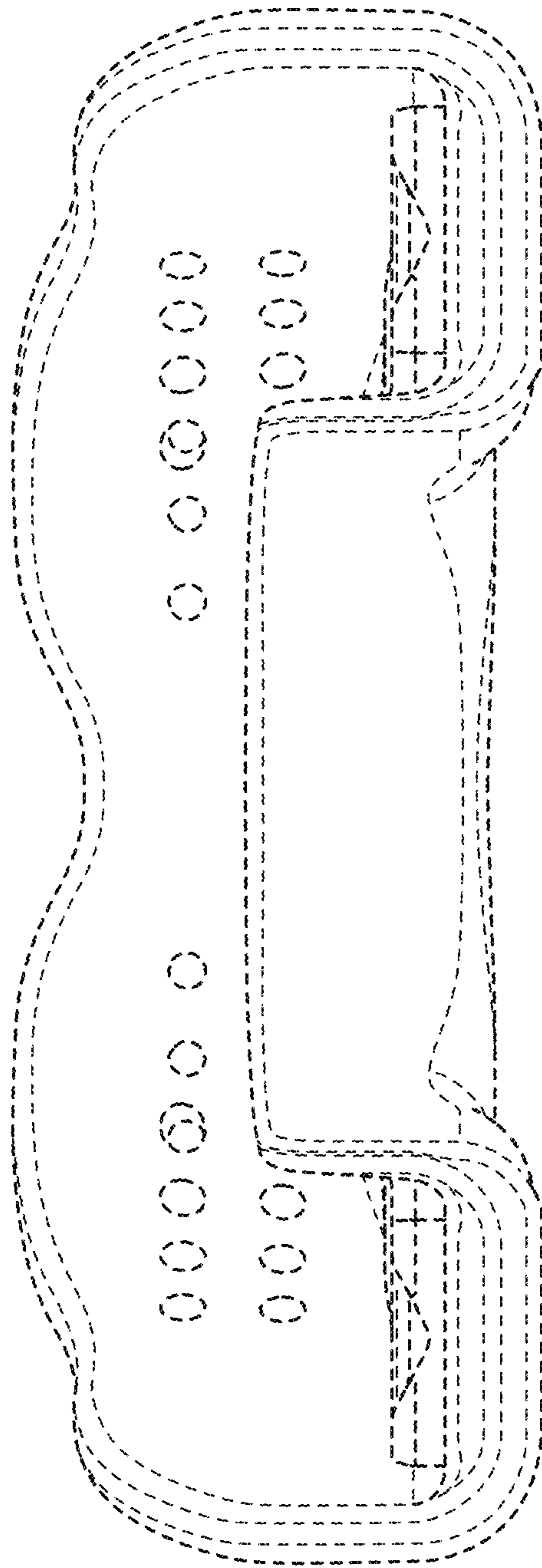


FIG. 31

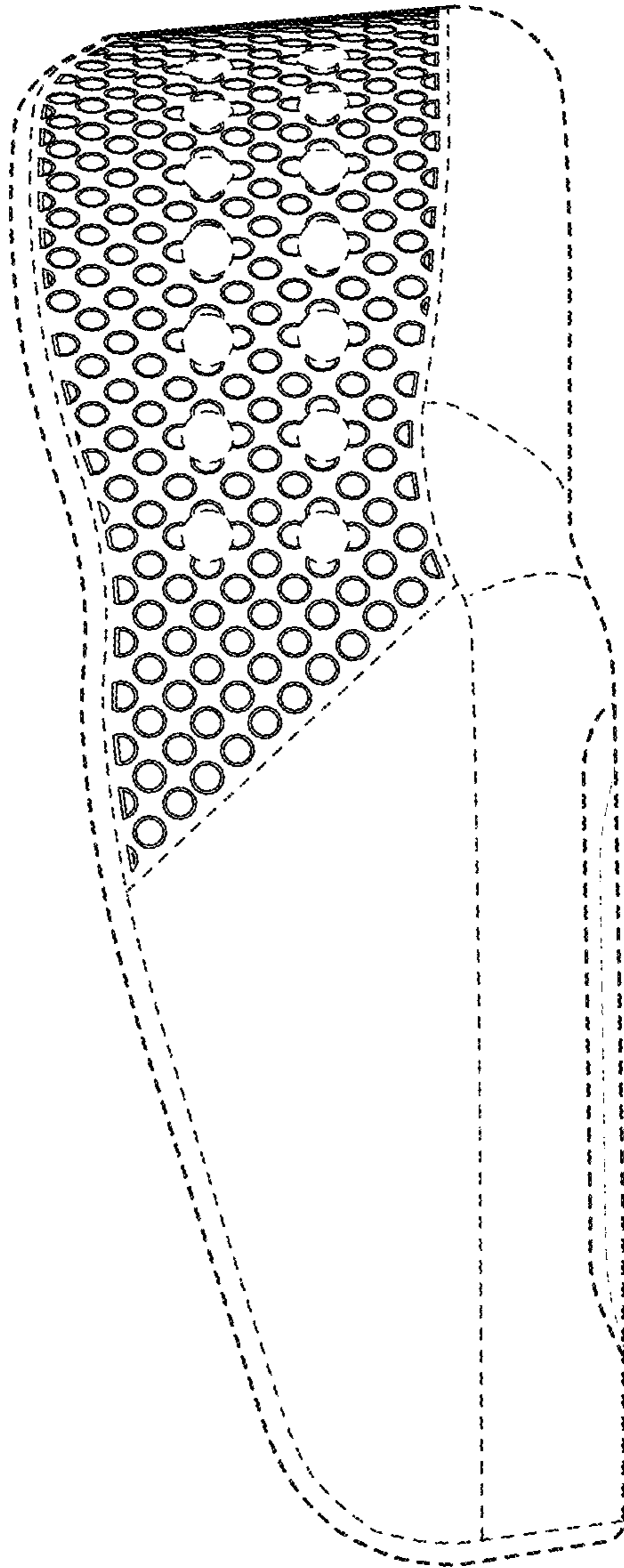


FIG. 32

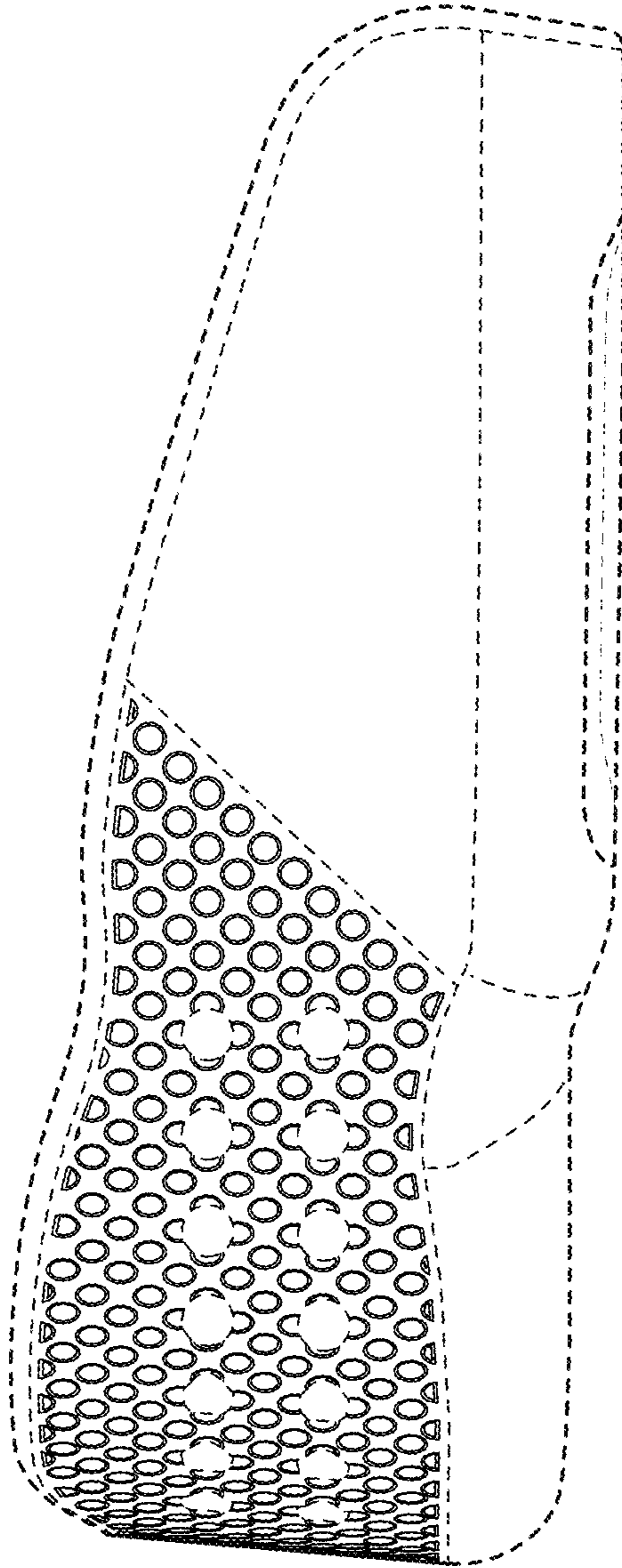
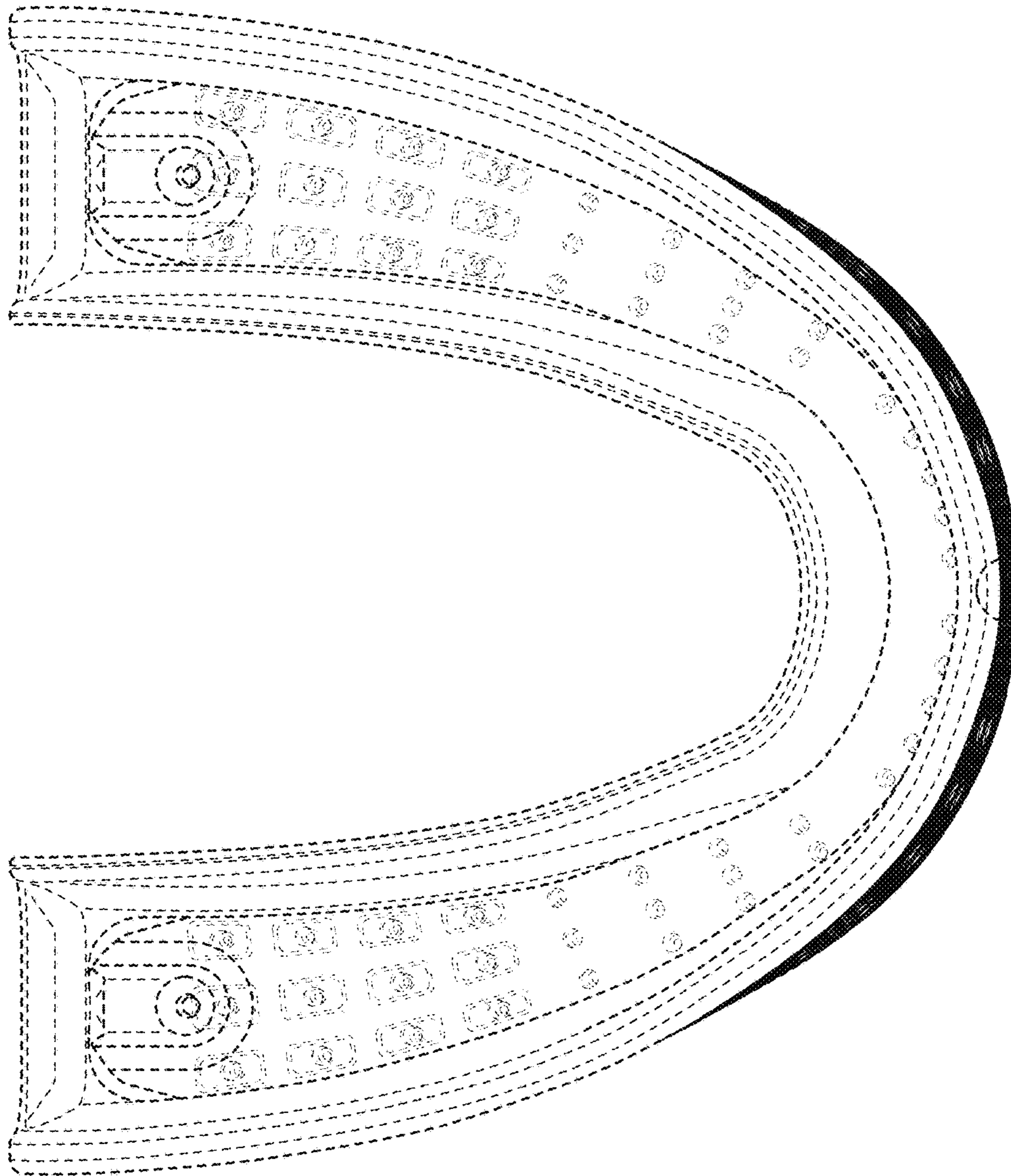


FIG. 33



35  
FIG. 34

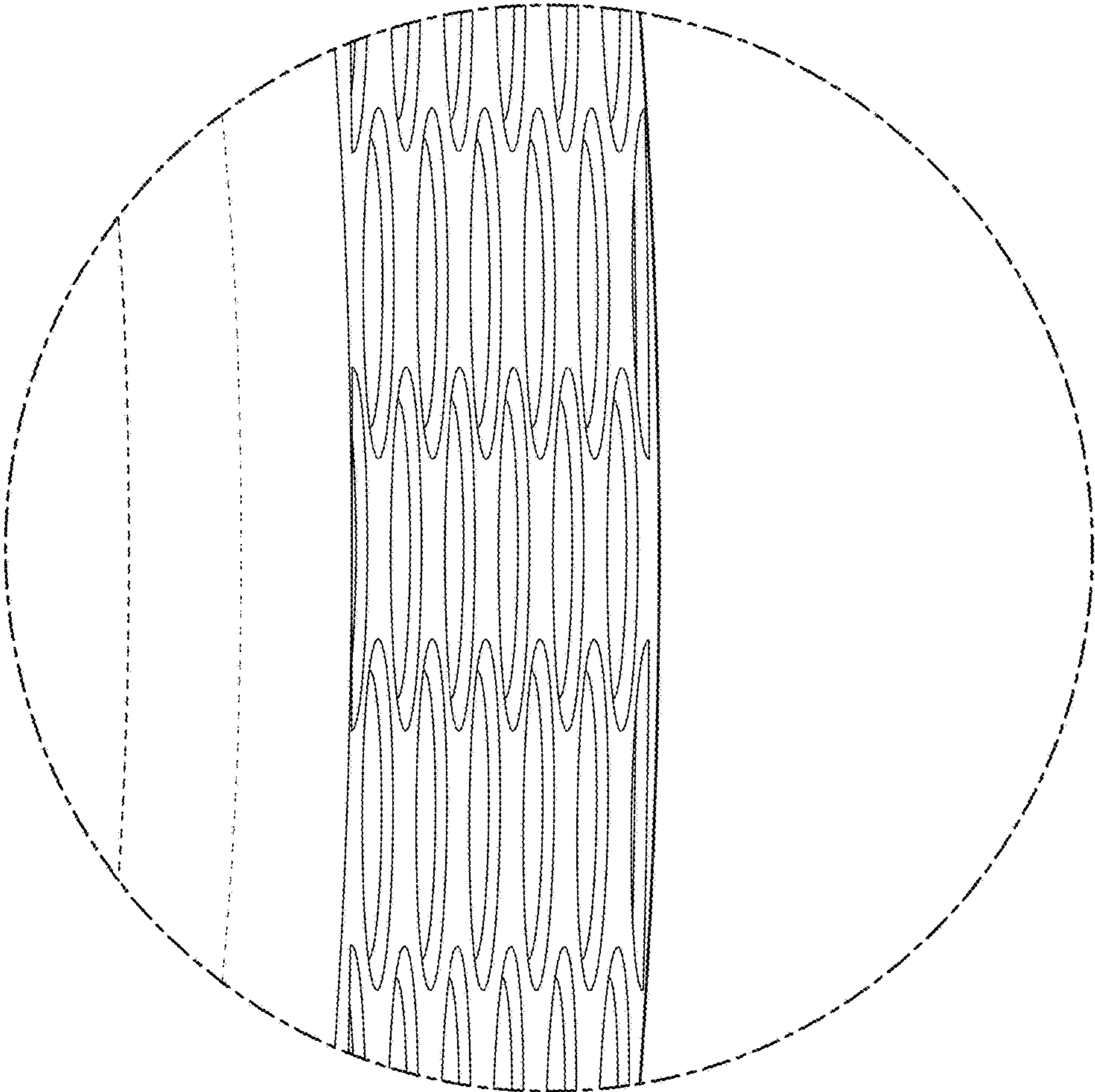


FIG. 35

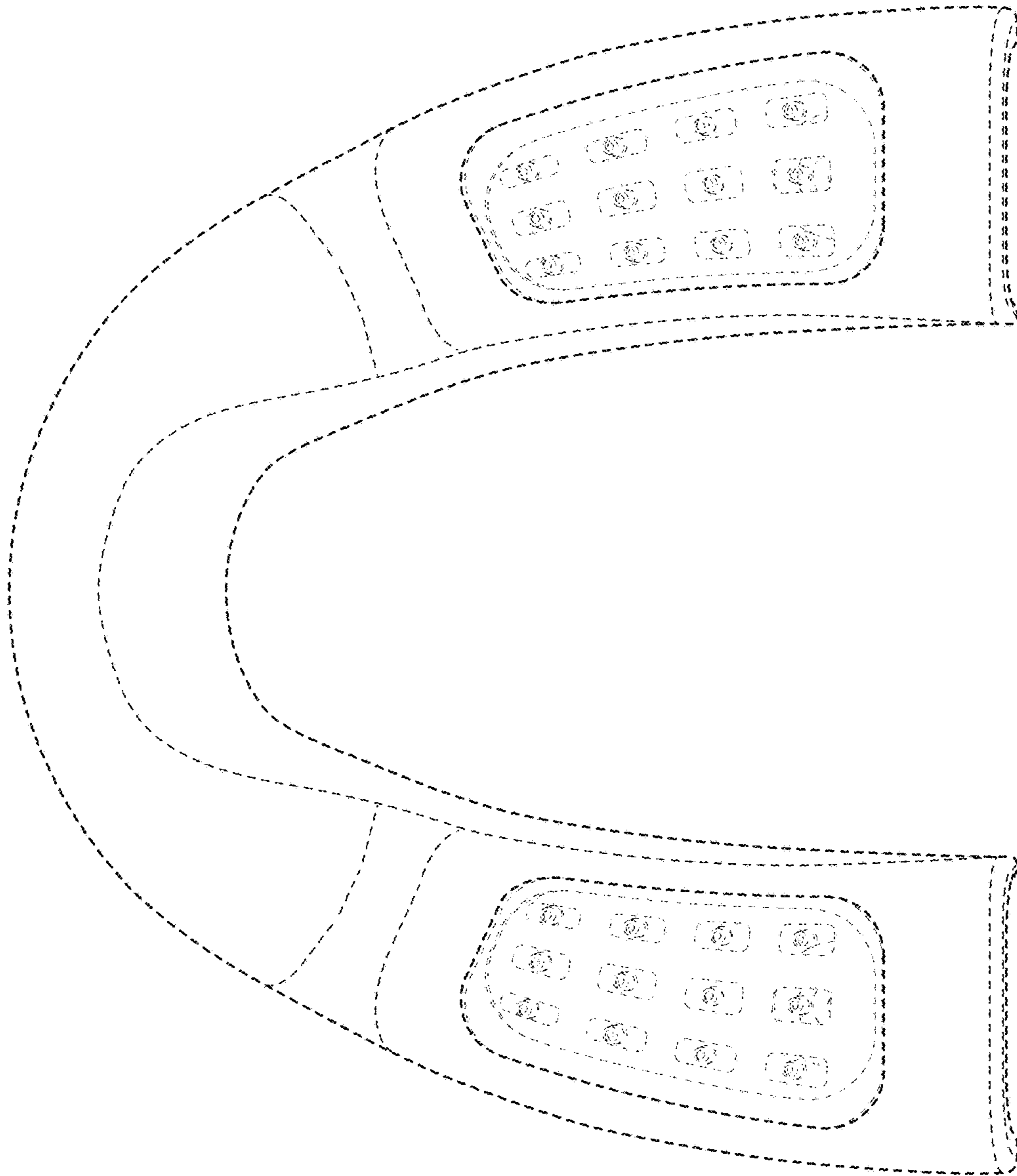


FIG. 36