



US00D857195S

(12) **United States Design Patent** (10) **Patent No.:** **US D857,195 S**  
**Taylor et al.** (45) **Date of Patent:** **\*\* \*Aug. 20, 2019**

(54) **LAPAROSCOPIC SIZING INSTRUMENT**

D388,171 S \* 12/1997 Fekete ..... D24/133  
D403,063 S \* 12/1998 Brandhorst ..... D24/113  
6,695,772 B1 \* 2/2004 Bon ..... A61B 17/3421  
600/114

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(Continued)

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**OTHER PUBLICATIONS**

Medical product outsourcing Magazine. Link: [https://www.mpo-mag.com/contents/view\\_breaking-news/2017-06-20/fda-clears-bds-customizable-micro-laparoscopic-instruments](https://www.mpo-mag.com/contents/view_breaking-news/2017-06-20/fda-clears-bds-customizable-micro-laparoscopic-instruments). Jun. 20, 2017. FDA Clears BD's Customizable Micro-Laparoscopic Instruments. (Year: 2017).\*

(Continued)

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(\*) Notice: This patent is subject to a terminal disclaimer.

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

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(21) Appl. No.: **29/638,805**

(57) **CLAIM**

(22) Filed: **Mar. 1, 2018**

The ornamental design for a laparoscopic sizing instrument, as shown and described.

(51) **LOC (12) Cl.** ..... **24-02**

(52) **U.S. Cl.**  
USPC ..... **D24/133**

(58) **Field of Classification Search**  
USPC ..... D24/133, 138, 112, 113, 130, 134, 135,  
D24/145, 146, 140, 147  
CPC ..... A61B 17/2909; A61B 17/0469; A61B  
17/0483; A61B 17/0485; A61B 1/313;  
A61B 1/3132; A61B 1/3135; A61B  
1/3137; A61B 1/317; A61B 1/32  
See application file for complete search history.

**DESCRIPTION**

FIG. 1 is a top perspective view of a laparoscopic sizing instrument, showing our new design;  
FIG. 2 is a top plan view of the laparoscopic sizing instrument of FIG. 1;  
FIG. 3 is a left elevation view of the laparoscopic sizing instrument of FIG. 1;  
FIG. 4 is a bottom plan view of the laparoscopic sizing instrument of FIG. 1;  
FIG. 5 is a right elevation view of the laparoscopic sizing instrument of FIG. 1;  
FIG. 6 is a front elevation view of the laparoscopic sizing instrument of FIG. 1; and,  
FIG. 7 is a rear elevation view of the laparoscopic sizing instrument of FIG. 1.

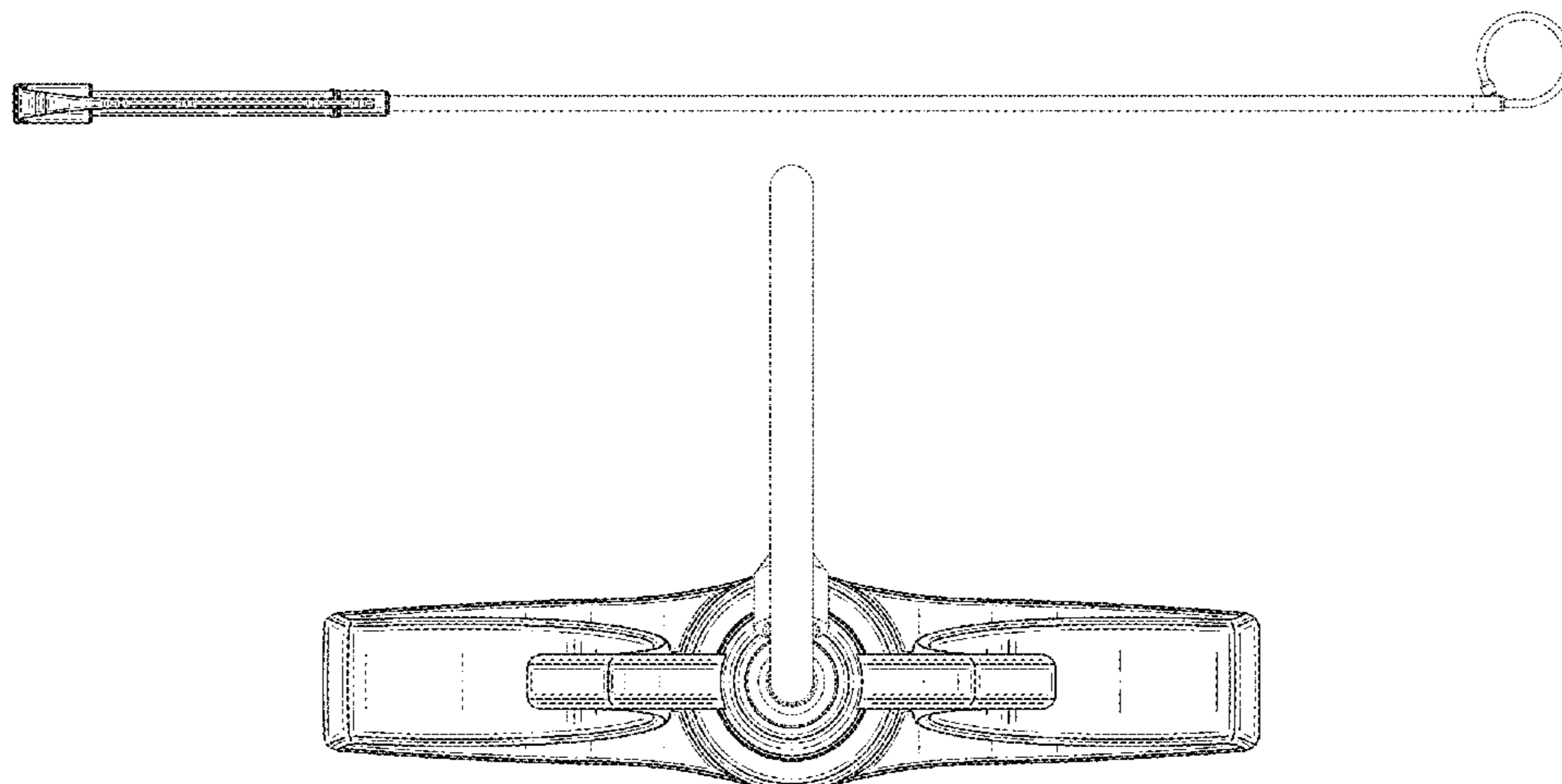
The broken lines immediately adjacent to the shaded areas depict the bounds of the claimed design, while all other

(Continued)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D202,754 S \* 11/1965 Naftolin et al. .... D24/114  
D303,010 S \* 8/1989 Jabbusch ..... D24/114  
D350,605 S \* 9/1994 Williams ..... D24/133  
5,364,365 A \* 11/1994 Wortrich ..... A61B 17/3496  
604/158  
5,499,997 A \* 3/1996 Sharpe ..... A61B 17/221  
606/205



broken lines are directed to environment. The broken lines form no part of the claimed design.

**1 Claim, 5 Drawing Sheets**

(56)

**References Cited**

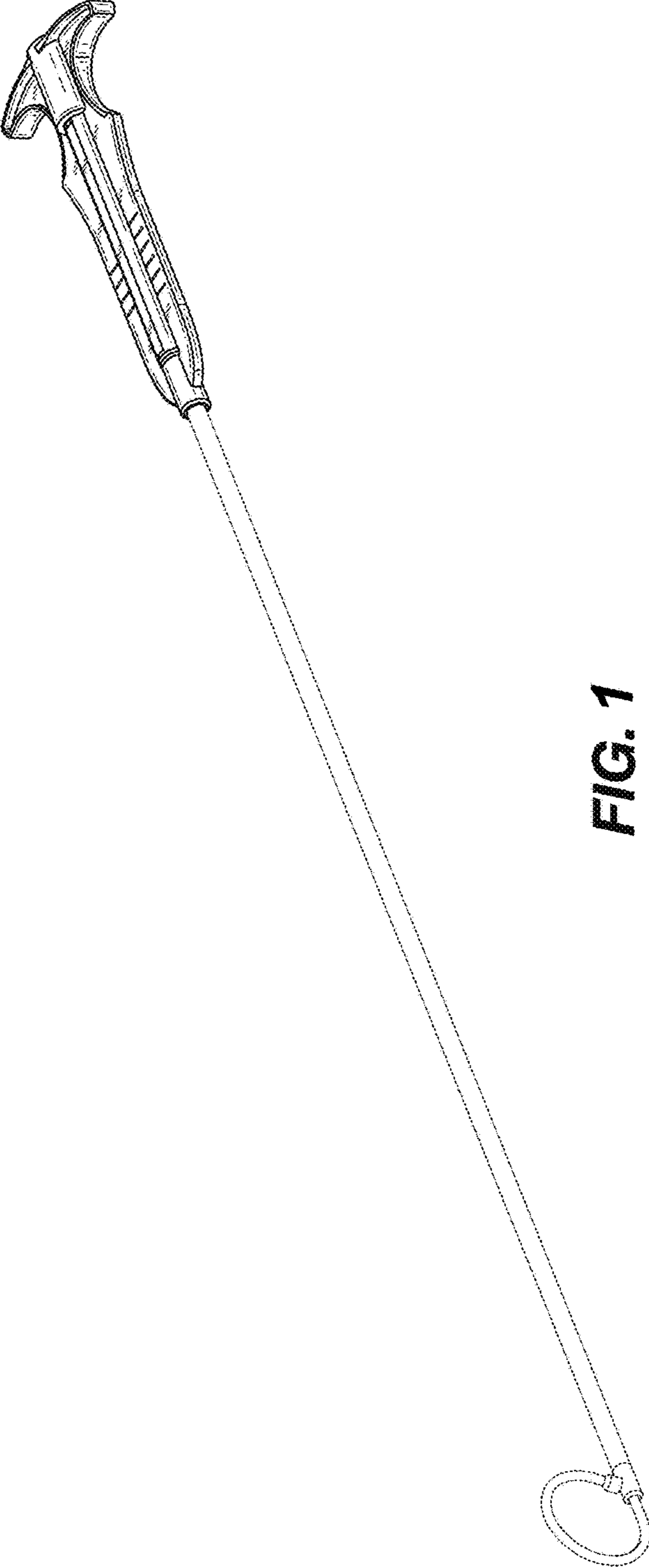
U.S. PATENT DOCUMENTS

7,175,589	B2	2/2007	Deem et al.	
D561,896	S *	2/2008	Jones .....	D24/130
7,695,427	B2	4/2010	Kugler et al.	
8,070,670	B2	12/2011	Deem et al.	
D667,111	S *	9/2012	Robinson .....	D24/133
8,734,475	B2	5/2014	Ekvall et al.	
D828,653	S *	9/2018	Penland .....	D30/199
2006/0253048	A1 *	11/2006	Jones .....	A61M 25/09041
				600/585
2018/0161558	A1 *	6/2018	Penland .....	A61M 35/003

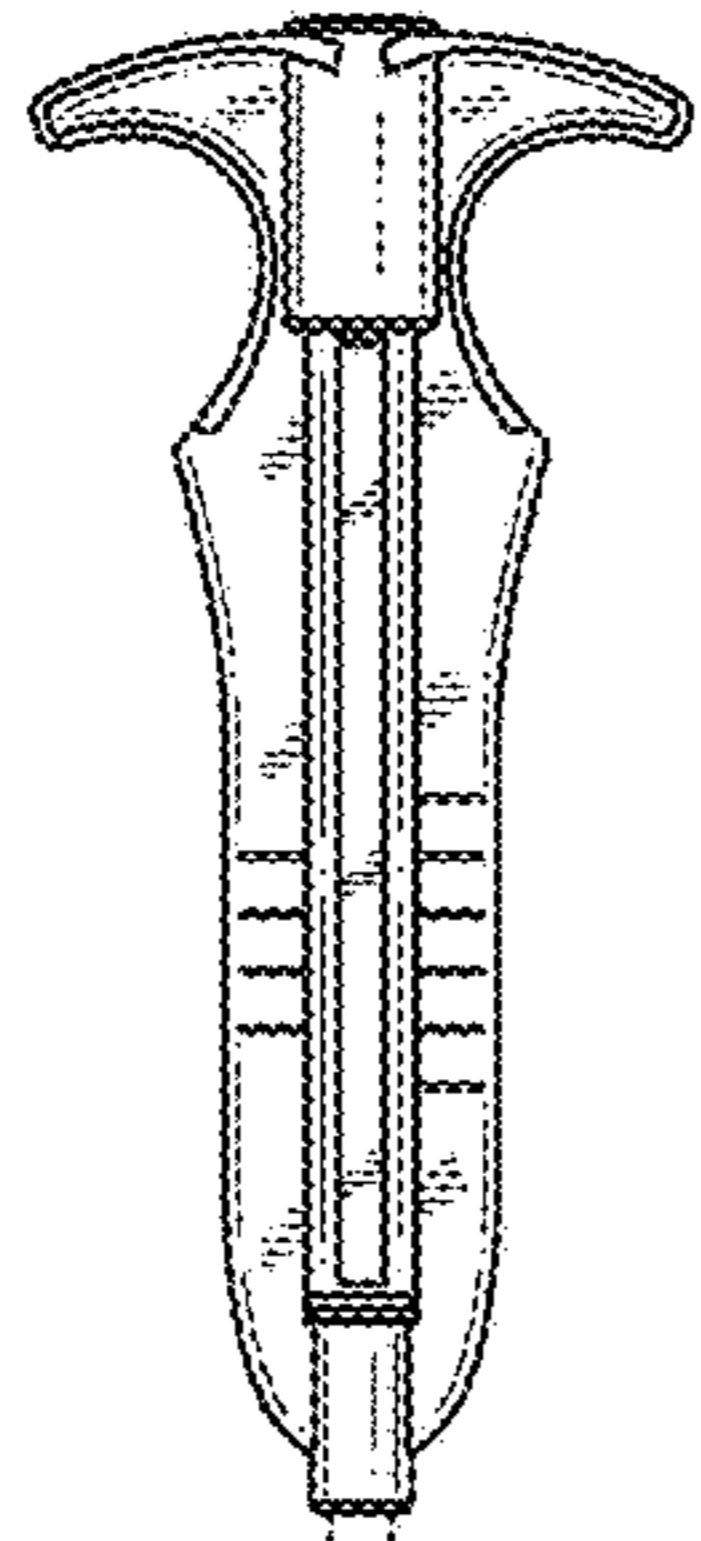
OTHER PUBLICATIONS

U.S. Appl. No. 15/908,875.  
Design U.S. Appl. No. 29/638,804.  
U.S. Appl. No. 15/664,665, entitled "Method for Assisting a Sphincter," filed Jul. 31, 2017.  
U.S. Appl. No. 15/908,875, entitled "Laparoscopic Sizing Instrument," filed Mar. 1, 2018.  
Design U.S. Appl. No. 29/638,804, entitled "Laparoscopic Sizing Instrument," filed Mar. 1, 2018.

\* cited by examiner



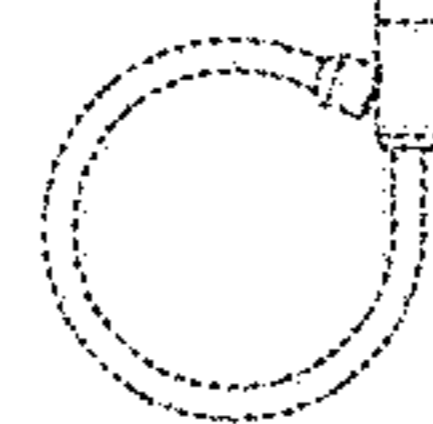
**FIG. 1**

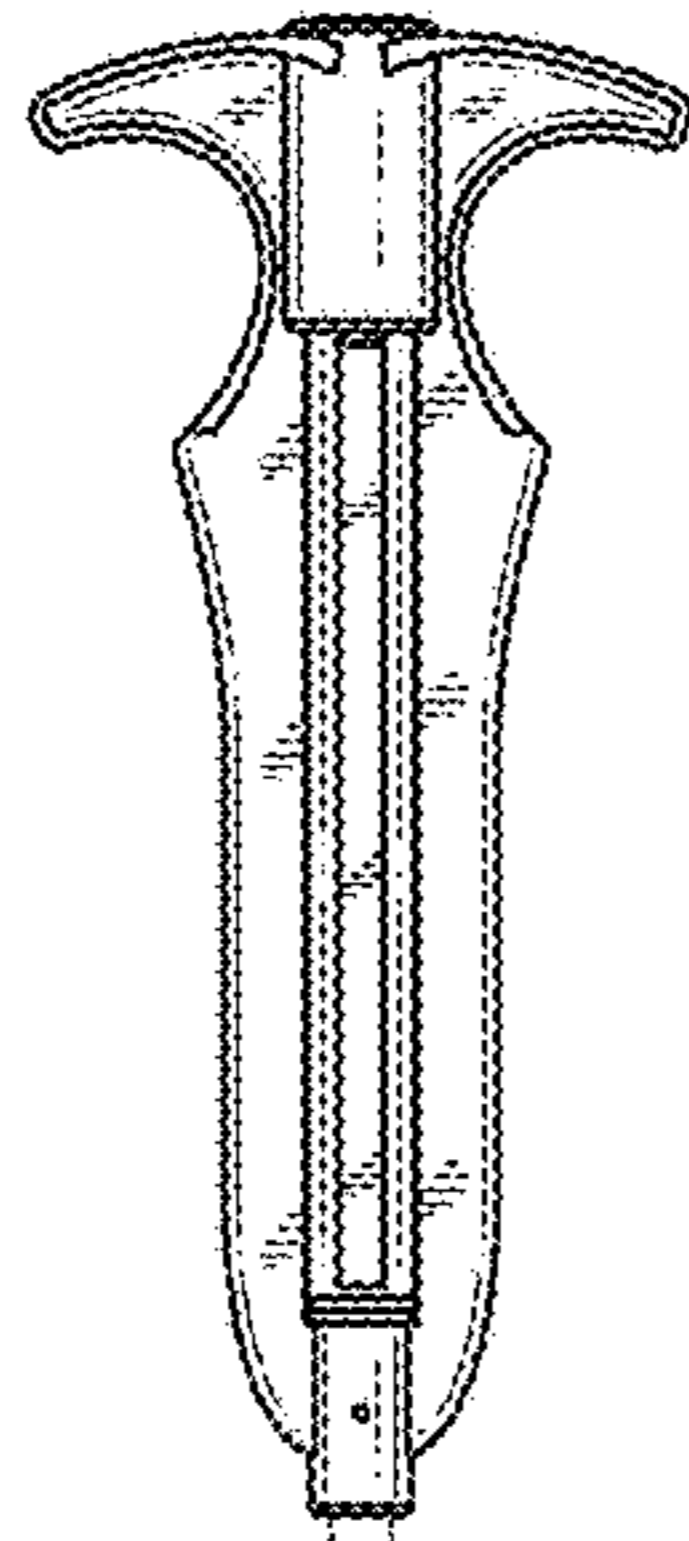


**FIG. 2**

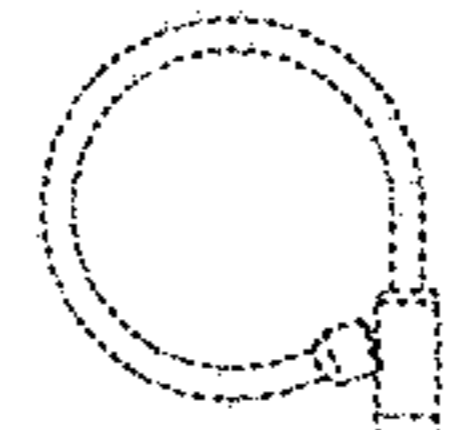


**FIG. 3**



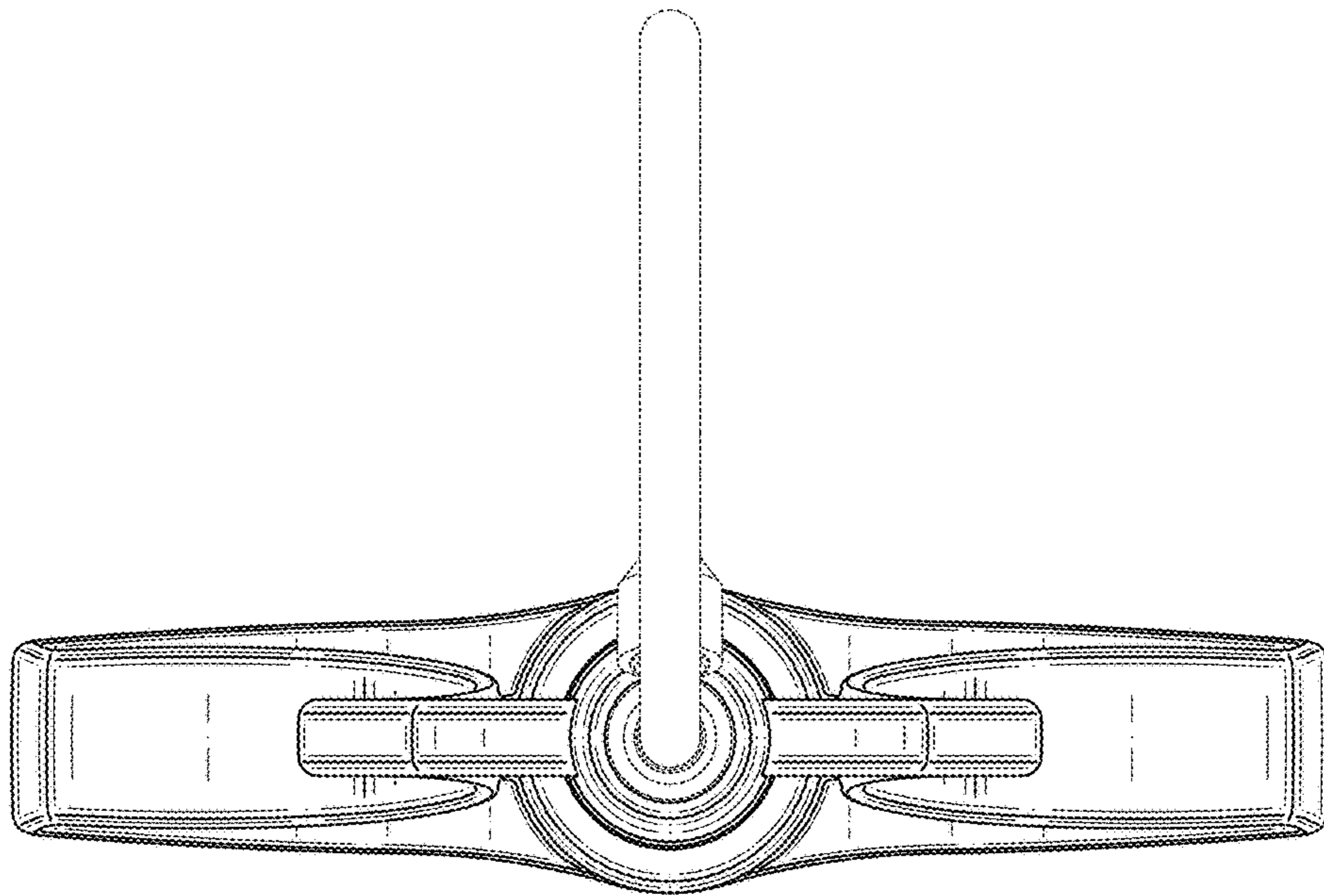


**FIG. 4**

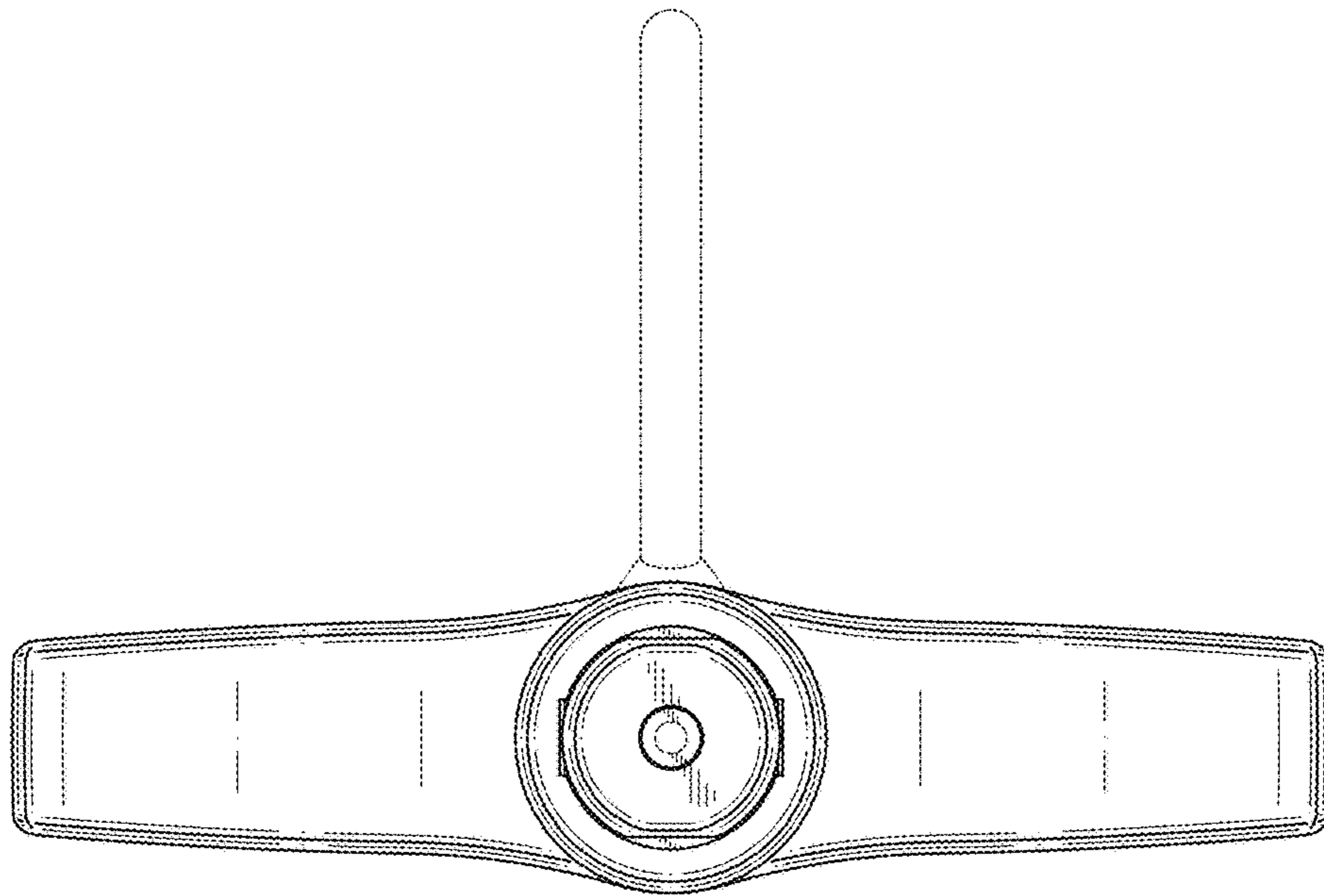


**FIG. 5**





**FIG. 6**



**FIG. 7**