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(12) **United States Design Patent** (10) **Patent No.:** **US D866,781 S**
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- (54) **MESSAGE TOOL**
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4,590,926 A	5/1986	Courtin	
D287,692 S	1/1987	Brailsford	
5,159,922 A	11/1992	Mabuchi et al.	
5,231,977 A	8/1993	Graston	
5,275,281 A	1/1994	Ebeling	
5,366,437 A	11/1994	Graston	
D361,634 S	8/1995	Swinton	
5,441,478 A	8/1995	Graston	
D362,168 S	9/1995	Mancini	
D374,388 S	10/1996	Padden	
D383,952 S	9/1997	Williams	
5,673,455 A	10/1997	Per-Lee et al.	
D386,879 S	11/1997	Daniels	
5,688,063 A	11/1997	Yu et al.	
5,707,346 A	1/1998	Graston	
5,933,893 A	8/1999	Padden	
6,009,584 A	1/2000	Padden	
6,077,239 A	6/2000	Lin	
D431,293 S	9/2000	Finkle et al.	
6,126,620 A	10/2000	Graston	
6,241,696 B1	6/2001	York	
6,254,555 B1	7/2001	Sevier et al.	
D530,906 S	10/2006	Polak et al.	
7,125,186 B1	10/2006	Stokes	
D542,926 S	5/2007	Louis	
7,431,706 B2	10/2008	Louis	
D585,262 S	1/2009	Cheldin	
D615,210 S	5/2010	Woodhams et al.	
D616,107 S *	5/2010	Cochard	D24/214
D624,696 S	9/2010	Hsiao	
D632,400 S	2/2011	Bludorn	
D634,022 S	3/2011	Scappaticci	
D634,173 S	3/2011	Kenny	
D645,568 S	9/2011	Walker et al.	
D665,916 S	8/2012	Zhang et al.	
D677,394 S	3/2013	Grust et al.	
D678,539 S	3/2013	Narson	
D678,743 S	3/2013	Tinius	
D681,417 S	5/2013	Packard et al.	
D683,862 S	6/2013	Hartman	
D686,333 S	7/2013	Innes	
8,484,785 B1	7/2013	Kristiansen et al.	
D687,287 S	8/2013	Chen	
D696,414 S	12/2013	Tabé et al.	
D698,456 S	1/2014	Zedaker	
D700,351 S	2/2014	Kojima	
D710,179 S	8/2014	Thomas et al.	
8,801,642 B1	8/2014	Slominski	
D715,452 S	10/2014	Schiavon	
D721,819 S	1/2015	Lethorn et al.	
D726,926 S	4/2015	Matsushita	
9,023,078 B2	5/2015	Dehors	
D731,072 S	6/2015	van den Dries et al.	

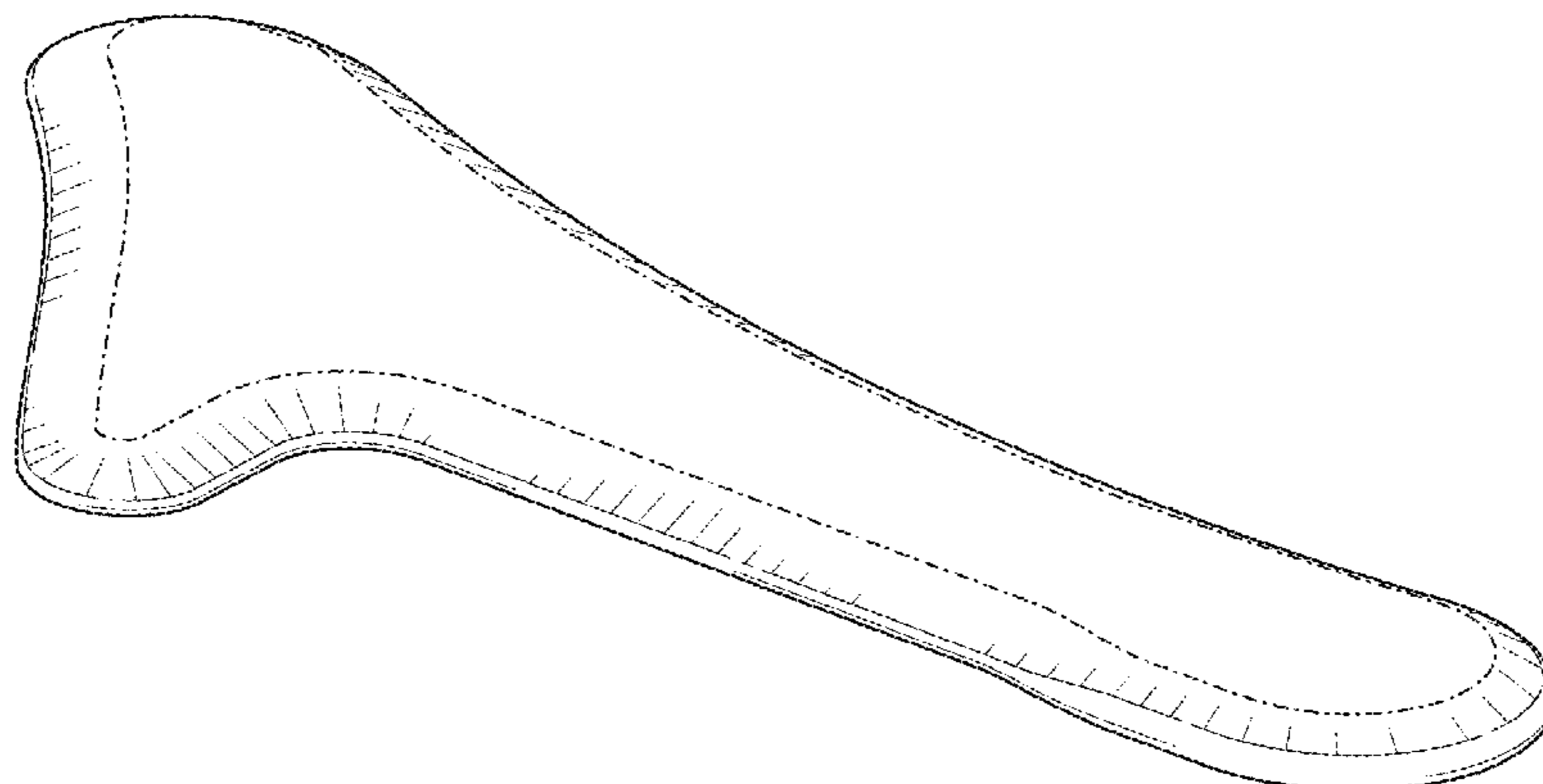
Related U.S. Application Data

- (62) Division of application No. 29/610,198, filed on Jul. 10, 2017, now Pat. No. Des. 828,924.
- (51) **LOC (12) Cl.** **28-03**
- (52) **U.S. Cl.**
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CPC A61H 19/00; A61H 19/30; A61H 19/32; A61H 19/34; A61H 19/40; A61H 19/44; A61H 19/50; A61H 15/0007; A61H 15/0014; A61H 15/0042; A61H 15/00; A61H 7/00; A61H 7/001; A61H 7/002; A61H 7/003; A61H 7/005; A61H 7/008; A61F 2007/0001; A61F 2007/0008; A61F 2007/0011; A61F 2007/0024; B26B 1/10; B26B 5/003; B67B 7/30
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D223,786 S	6/1972	Bennett
D246,345 S	11/1977	Poncia
4,263,714 A	4/1981	Todd
4,461,285 A	7/1984	Courtin
4,546,782 A	10/1985	Kucher



RE45,657 E	8/2015	Cho	
D752,238 S	3/2016	Stock	
D752,239 S *	3/2016	Stock	D24/214
D753,317 S	4/2016	Eddy et al.	
D756,580 S	5/2016	Philip et al.	
D757,281 S	5/2016	Hsieh	
D757,291 S	5/2016	Chen	
D758,600 S	6/2016	Matsushita	
D767,780 S *	9/2016	Pursel	D24/214
D787,693 S	5/2017	Matsushita	
D792,600 S	7/2017	Dries et al.	
D792,601 S	7/2017	Dries et al.	
D805,764 S	12/2017	Liu	
D825,068 S	8/2018	van den Dries et al.	
D825,069 S	8/2018	Capobianco et al.	
D827,848 S *	9/2018	Iwagami	D24/215
D828,924 S *	9/2018	Maroney	D24/200
D828,926 S *	9/2018	Stock	D24/214
D846,137 S *	4/2019	Li	D24/215
D850,642 S *	6/2019	Yokoyama	D24/215
D857,223 S *	8/2019	Nagata	D24/215
D857,908 S *	8/2019	Matsushita	D24/211
2004/0203332 A1	10/2004	Hendrickson	
2005/0060894 A1	3/2005	Armstrong	
2006/0293619 A1	12/2006	Louis	
2008/0177207 A1	7/2008	Liao	
2009/0177210 A1	7/2009	Durso	
2009/0293681 A1	12/2009	Smith	
2011/0172573 A1	7/2011	Wallace	
2011/0295219 A1	12/2011	Hsu	
2012/0100516 A1	4/2012	Iwami et al.	
2014/0082850 A1	3/2014	Stokes et al.	
2014/0208594 A1	7/2014	Scimone et al.	
2014/0213944 A1	7/2014	Kojima	
2014/0358045 A1	12/2014	Toto	
2015/0231014 A1	8/2015	Capobianco et al.	
2017/0340509 A1	11/2017	Dries et al.	
2018/0008505 A1	1/2018	Rodriguez	
2018/0185233 A1 *	7/2018	Lang	A61H 7/003
2018/0333323 A1 *	11/2018	Hanson	A61H 7/003
2019/0008716 A1 *	1/2019	Giddings	A61H 7/003

FOREIGN PATENT DOCUMENTS

CH	10702 A	6/1895
JP	2003102796 A	4/2003
JP	2004244098 A	9/2004
KR	200367260	11/2004
WO	2010131108 A2	11/2010
WO	2015126405 A1	8/2015
WO	2016022843 A1	2/2016
WO	2017048318 A1	3/2017

OTHER PUBLICATIONS

RockBlades—Mohawk—Attachment; Retrieved from <http://shop.rocktape.com/rockblades-mohawk-attachment-compatible-iastm-system/>; reviewed Oct. 5, 2017 (Year: 2017).

Amazon, Wahl Mini Therapy Personal Handheld Massager, with 6 Interchangeable Attachments, Accupoint Attachment, Deep Muscle Attachment, Facial Attachment, General Body Attachment, Raised Bump Attachment, Scalp Attachment, and 2 Convenient Speeds, Retrieved from <https://www.amazon.com/Wahl-Interchangeable-Attachments-Attachment-Convenient/dp/B00GNFWSQA> on Nov. 8, 2016.

Chinese Intellectual Property Office, Notice of Allowance for counterpart Chinese Design Patent Application 2017304594183.

Chinese Intellectual Property Office, Notice of Allowance for counterpart Chinese Design Patent Application 2017304594376.

Chirobalance Spine & Sport, First look at RockBlades from RockTape (YouTube Video), May 3, 2016, <https://www.youtube.com/watch?v=YK7la9USuZ0>, Screenshot taken at 0:50 in the video on Sep. 23, 2017.

European Patent Office, International Search Report for PCT/US2017/060598, dated Feb. 5, 2018.

Hedderman, R, An Interview with Dr. Kevin Laudner & A Tour of Illinois State University: Go Red Birds, Jul. 15, 2015, at least pp. 17-18, <http://www.hurricanefitnessireland.com/blog/2015/7/7/an-interview-with-dr-kevin-laudner-at-illinois-state-university-go-red-birds>, (retrieved on Sep. 20, 2016).

IP Australia, Certificate of Registration—Design, #201715674, Cullen Maxwell Maroney, Gregory Van Den Dries, and Seven Capobianco, Designers, Nov. 1, 2017.

IP Australia, Certificate of Registration—Design, #201715675, Cullen Maxwell Maroney, Gregory Van Den Dries, and Seven Capobianco, Designers, Nov. 1, 2017.

IP Australia, Certificate of Registration—Design, #201715676, Cullen Maxwell Maroney, Gregory Van Den Dries, and Seven Capobianco, Designers, Nov. 1, 2017.

Osborn, Karrie, Tape It Up, Massage and Bodywork Magazine for the Visually Impaired, May/June. 2009 Article list.

Rocktape, Rockblades web page, Mar. 6, 2016 (from Wayback Machine), retrieved from <https://web.archive.org/web/20160506080648/http://www.rocktape.com:80/products/blades/> on Sep. 23, 2017.

Sears, Homedics Usa Complete Medical Supplies Percussion Action Massager Homedics, Jun. 2, 2015, Retrieved from <http://www.sears.com/homedics-usa-complete-medical-supplies-percussion-action-massager/p-SPM11726338215?plpSellerId=Bidlessnow&prdNo=10&blockNo=10&blockType=G10> on Nov. 8, 2016.

Tool Assisted Massage, More 1-day Courses Announced, Feb. 26, 2014, <http://toolassistedmassage.co.uk/more-1-day-courses-announced/>, downloaded on Feb. 9, 2015.

USPTO, Non-Final Office Action in Parent U.S. Appl. No. 29/610,198, dated Jun. 1, 2018.

USPTO, Notice of Allowance in Parent U.S. Appl. No. 29/610,198, dated Aug. 3, 2018.

Van den Dries, European Union Intellectual Property Office Certificate of Registration for Registered Community Design No. 002979104-0001, published Feb. 9, 2016.

Van den Dries, European Union Intellectual Property Office Certificate of Registration for Registered Community Design No. 002979104-0002, published Feb. 9, 2016.

Young, Bruce, Response to Non-Final Office Action in Parent U.S. Appl. No. 29/610,198, dated Jun. 5, 2018.

* cited by examiner

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(57)

CLAIM

The ornamental design for a massage tool, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of the massage tool in accordance with the present invention;

FIG. 2 is a front view thereof;

FIG. 3 is a rear view thereof;

FIG. 4 is a left side view thereof;

FIG. 5 is a right side view thereof;

FIG. 6 is a top view thereof; and,

FIG. 7 is a bottom view thereof.

The dash-dot lines in FIG. 1-3 are included to represent the boundaries of the claimed design and form no part of the claimed design.

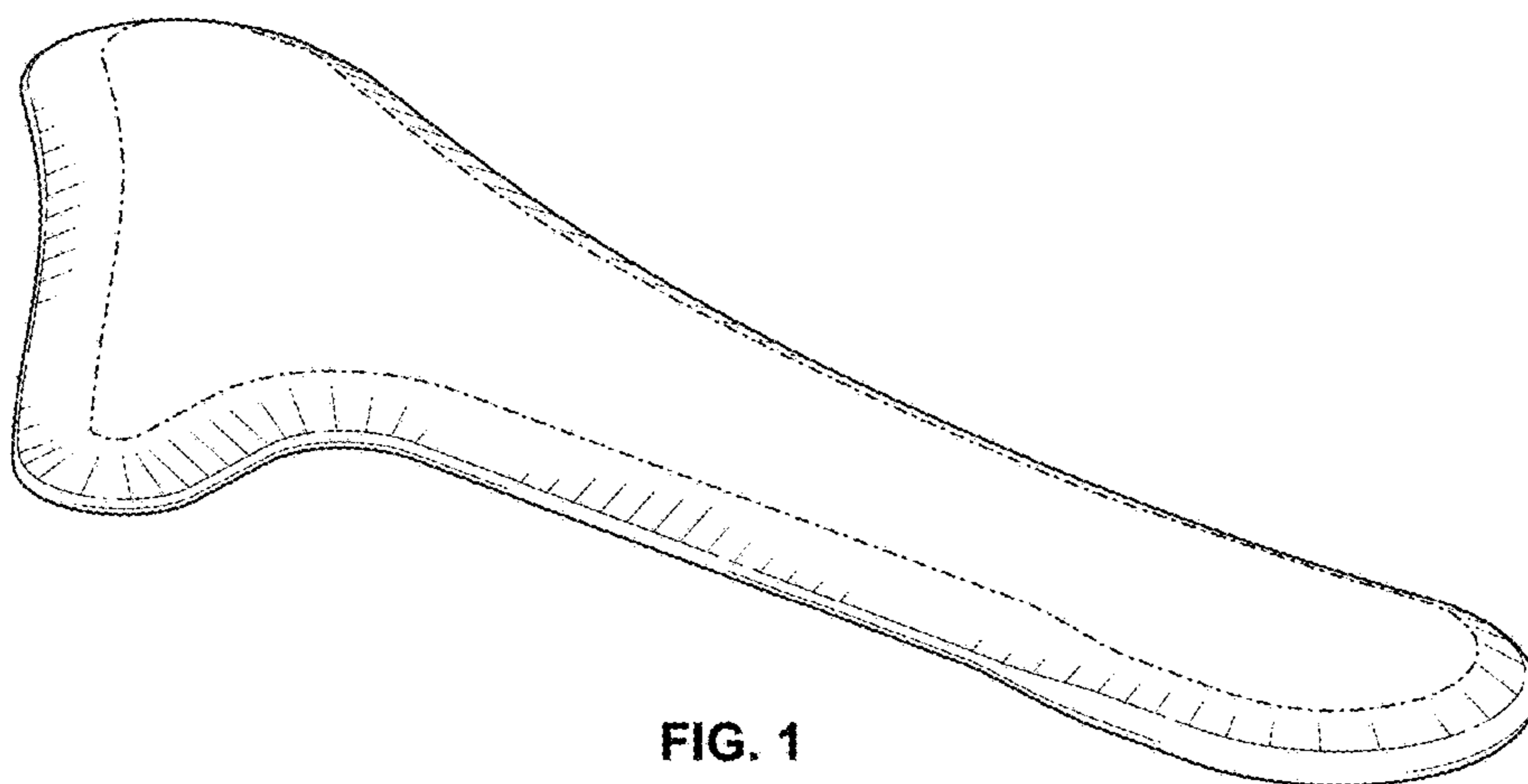


FIG. 1

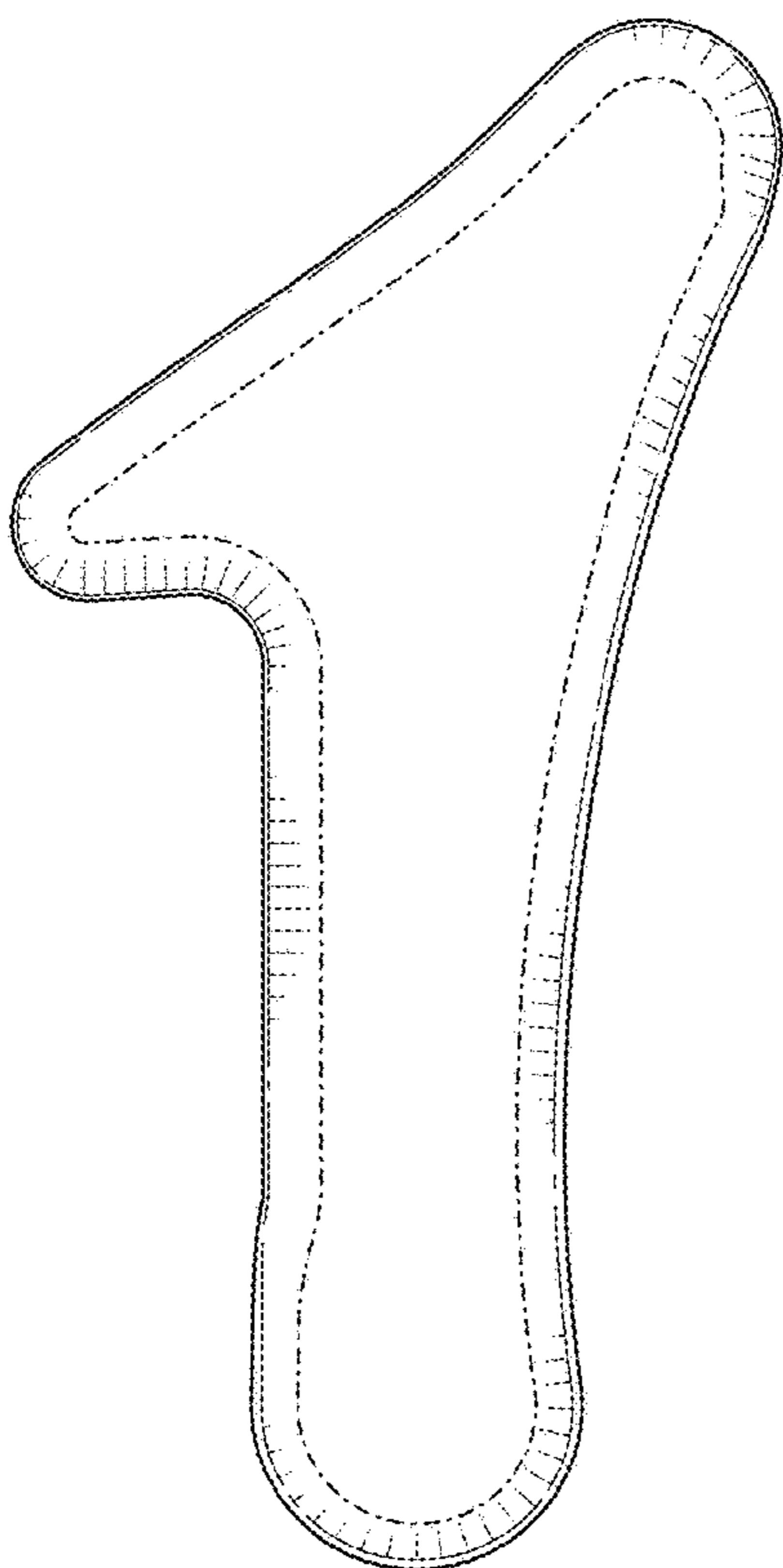


FIG. 2

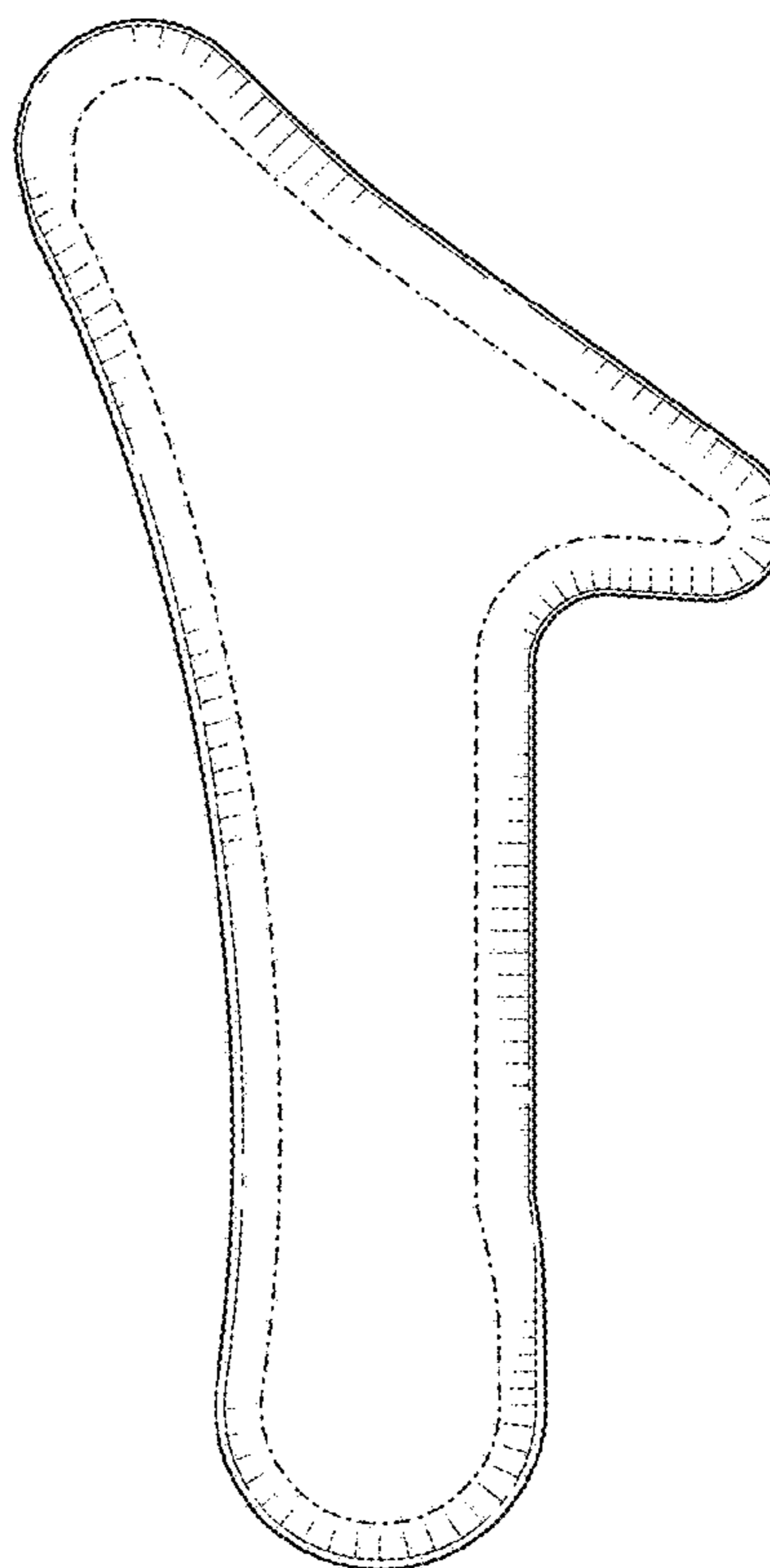


FIG. 3

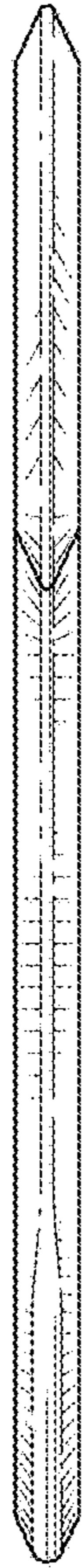


FIG. 4

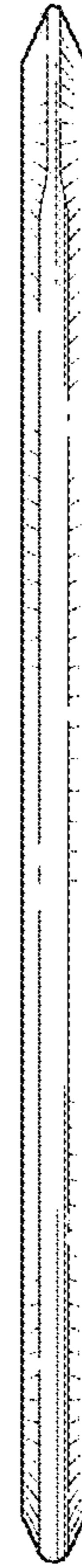


FIG. 5

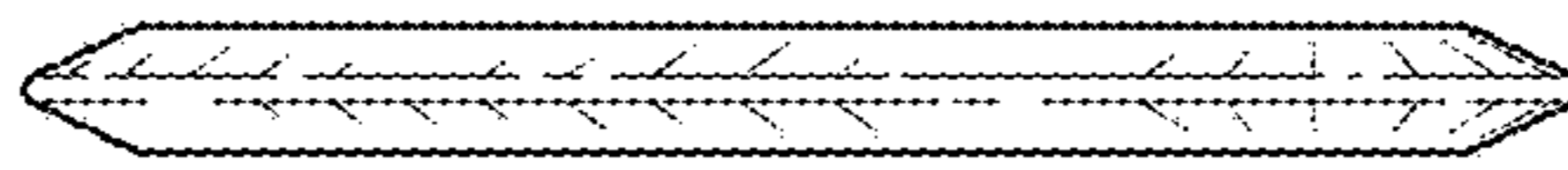


FIG. 6

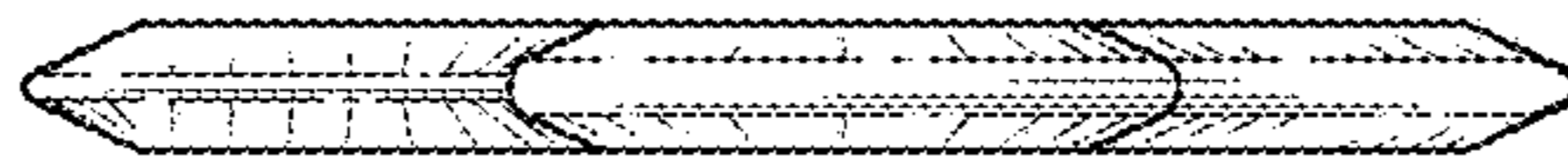


FIG. 7