



US00D876728S

(12) **United States Design Patent** (10) **Patent No.:** **US D876,728 S**
Evans et al. (45) **Date of Patent:** **** Feb. 25, 2020**

- (54) **MOUTH GUARD**
- (71) Applicant: **Battle-ABC, LLC.**, Omaha, NE (US)
- (72) Inventors: **Michael Evans**, Elkhorn, NE (US);
Christopher W. Circo, Bennington, NE (US); **Jeffrey M. Evans**, Omaha, NE (US)
- (73) Assignee: **BATTLE-ABC, LLC.**, Grand Island, NE (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/569,787**
- (22) Filed: **Jun. 30, 2016**

2,521,084 A	9/1949	Oberto	
2,521,039 A *	9/1950	Carpenter	A63B 71/085 128/861
2,857,911 A	11/1956	Bennett	
3,082,765 A *	3/1963	Helmer	A63B 71/085 128/857
3,223,085 A	12/1965	Gores et al.	
D215,685 S	10/1969	Helmer	
3,505,995 A	4/1970	Greenberg	
3,682,164 A	8/1972	Miller	
3,692,025 A	9/1972	Greenberg	
D228,048 S	8/1973	Miller	

(Continued)

FOREIGN PATENT DOCUMENTS

KR 20-2008-0005716 11/2008

OTHER PUBLICATIONS

International Search Report and Written Opinion dated May 29, 2012 for International Application No. PCT/US2011/056911.
(Continued)

Primary Examiner — Lilyana Bekic
(74) *Attorney, Agent, or Firm* — Perkins Coie LLP

(57) **CLAIM**

The ornamental design for a mouth guard, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the mouth guard; FIG. 2 is a rear perspective view of the mouth guard; FIG. 3 is a front elevation view of the mouth guard; FIG. 4 is a top plan view of the mouth guard; FIG. 5 is a rear elevation view of the mouth guard; FIG. 6 is a side elevation view of the mouth guard; and, FIG. 7 is a bottom plan view of the mouth guard. The broken lines in the drawings depict portions of the mouth guard that form no part of the claimed design.

1 Claim, 7 Drawing Sheets

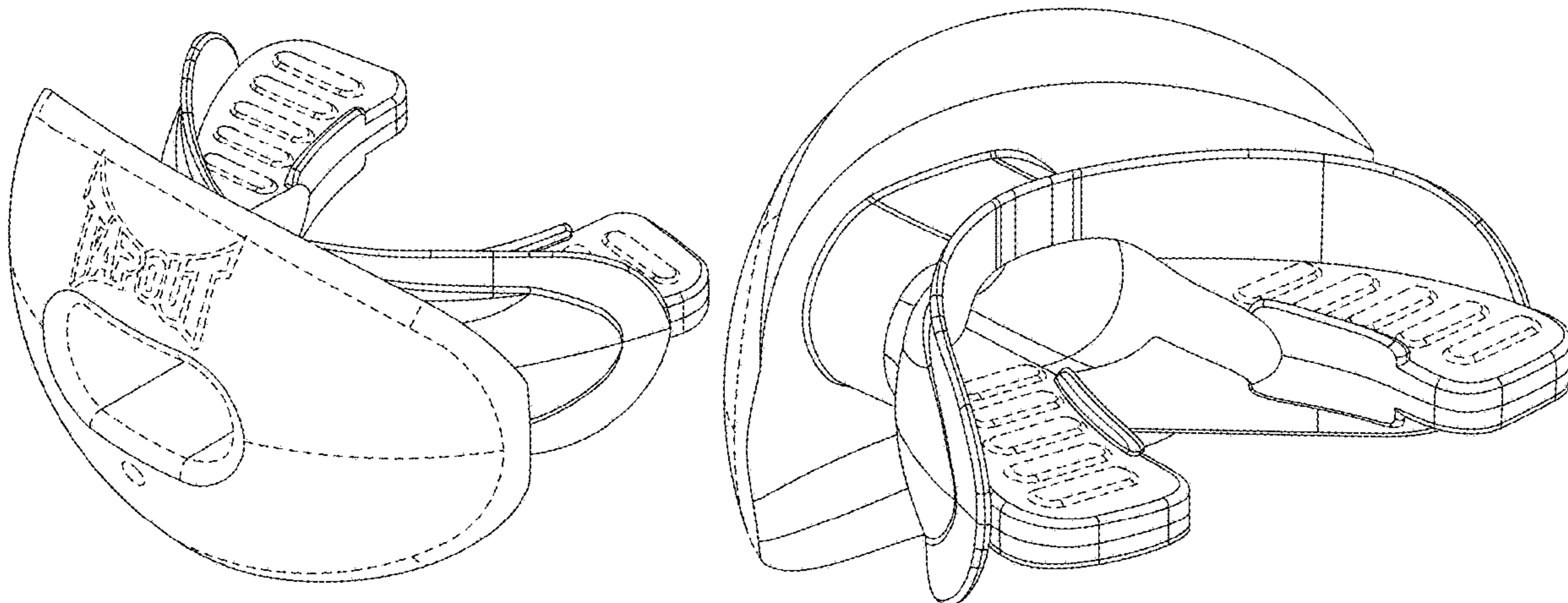
Related U.S. Application Data

- (63) Continuation-in-part of application No. 29/511,660, filed on Dec. 12, 2014, now Pat. No. Des. 760,889, which is a continuation-in-part of application No. 13/666,698, filed on Nov. 1, 2012, now Pat. No. 8,931,488.
- (51) **LOC (12) Cl.** **29-02**
- (52) **U.S. Cl.**
USPC **D29/108**; D24/181; D24/110.5
- (58) **Field of Classification Search**
USPC D24/110, 110.1, 110.4, 110.5, 127, 164, D24/180, 181; D29/108
CPC A63B 71/085; A63B 2071/088; A63B 2071/086; A61M 16/0493; A61M 16/0497; A61M 16/0488; A61M 16/049; A61M 16/0495; A61C 7/36; A61B 1/24; A61B 2019/204
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D31,395 S 8/1899 Geraghty
1,483,694 A 2/1921 Stukey



(56)

References Cited

U.S. PATENT DOCUMENTS

3,768,465 A 10/1973 Helmer
 4,495,945 A 1/1985 Liegner
 4,664,109 A * 5/1987 Rasocha A62B 9/06
 128/201.11
 4,765,324 A 8/1988 Lake et al.
 4,791,941 A 12/1988 Schaefer
 D300,059 S 2/1989 Pier
 4,825,881 A 5/1989 Bessler
 4,955,393 A 9/1990 Adell
 5,031,611 A 7/1991 Moles et al.
 5,152,301 A 10/1992 Kittelsen et al.
 5,293,880 A 3/1994 Levitt
 5,323,787 A 6/1994 Pratt et al.
 5,353,810 A 10/1994 Kittelsen et al.
 5,546,609 A 8/1996 Rush, III
 5,720,302 A 2/1998 Belfer
 5,816,255 A 10/1998 Fishman et al.
 5,865,170 A 2/1999 Moles et al.
 5,921,241 A 7/1999 Belfer
 6,405,729 B1 6/2002 Thornton
 D462,438 S 9/2002 Masuda
 6,675,804 B1 1/2004 Pivovarov
 6,736,139 B1 5/2004 Wix
 6,966,319 B2 11/2005 Fitton et al.
 D538,926 S 3/2007 Jeong et al.
 7,526,389 B2 4/2009 Greenwald et al.
 D593,714 S * 6/2009 Hirshberg D29/108
 7,549,423 B1 * 6/2009 Hirshberg A63B 71/085
 128/848
 D603,101 S * 10/2009 Hirshberg D29/108
 D615,187 S 5/2010 Bowden
 D615,709 S 5/2010 Manzo
 D616,152 S * 5/2010 Manzo D29/108
 D618,399 S * 6/2010 Manzo D29/108
 7,785,514 B2 8/2010 McCarthy et al.
 D623,357 S * 9/2010 Manzo D29/108
 D626,292 S * 10/2010 Farrell D29/108
 D627,107 S * 11/2010 Manzo D29/108
 D629,909 S 12/2010 Chiu
 D630,382 S 1/2011 Manzo et al.
 D634,480 S 3/2011 Manzo et al.
 7,913,695 B1 3/2011 Moore et al.
 D642,277 S * 7/2011 Farrell D24/181
 D648,900 S * 11/2011 Manzo D29/108
 D650,133 S 12/2011 Rascoe, III
 8,074,659 B2 12/2011 Hanna
 D654,173 S * 2/2012 Farrell D24/181
 D658,813 S * 5/2012 Manzo D29/108
 D717,449 S * 11/2014 Farrell D24/181
 D717,450 S * 11/2014 Farrell D24/181
 8,931,488 B2 * 1/2015 Evans A63B 71/085
 128/861
 D727,570 S 4/2015 Brett
 D734,556 S 7/2015 Brett et al.
 9,192,845 B2 * 11/2015 Ho A42B 3/04
 D752,295 S * 3/2016 Lovat D29/108
 9,333,413 B2 5/2016 Evans
 D759,252 S * 6/2016 Bergersen D24/181
 D760,889 S * 7/2016 Evans D24/110.5

D765,919 S * 9/2016 Croll D29/108
 D767,146 S * 9/2016 Farrell D24/181
 9,433,850 B2 * 9/2016 Swann A63B 71/085
 D782,743 S * 3/2017 Engel D29/108
 D790,068 S * 6/2017 Lehtonen D24/180
 9,717,975 B2 * 8/2017 Evans A63B 71/085
 D807,583 S * 1/2018 Evans D29/108
 D815,291 S * 4/2018 Farrell D24/181
 D816,210 S * 4/2018 Gerschman D24/110.5
 D839,485 S * 1/2019 Turkbash D29/108
 D841,257 S * 2/2019 Turkbash D29/108
 D841,818 S * 2/2019 Farrell D24/181
 D854,679 S * 7/2019 Gerschman D24/110.5
 D854,753 S * 7/2019 Turkbash D29/108
 D857,301 S * 8/2019 Turkbash D29/108
 D862,703 S * 10/2019 Chen D24/181
 D862,704 S * 10/2019 Chen D24/181
 2003/0150450 A1 * 8/2003 Fitton A61M 16/0488
 128/200.24
 2004/0103905 A1 * 6/2004 Farrell A61C 7/08
 128/861
 2005/0236003 A1 10/2005 Meader et al.
 2006/0219250 A1 10/2006 Farrell et al.
 2010/0318024 A1 12/2010 Makowski et al.
 2011/0005531 A1 * 1/2011 Manzo A63B 71/085
 128/862
 2011/0132380 A1 6/2011 Goldsby
 2012/0000472 A1 1/2012 Martucci
 2012/0021375 A1 1/2012 Binner et al.
 2012/0090625 A1 4/2012 Evans et al.
 2013/0104913 A1 5/2013 Evans et al.
 2014/0238410 A1 8/2014 Goldsby
 2014/0345626 A1 11/2014 Brett et al.
 2015/0083139 A1 * 3/2015 Evans A63B 71/085
 128/861
 2015/0209645 A1 7/2015 Zents
 2016/0339324 A9 * 11/2016 Zents A63B 71/085
 2017/0209300 A1 * 7/2017 Radmand A61F 5/566
 2017/0296901 A1 * 10/2017 Evans A63B 71/085
 2018/0280785 A1 * 10/2018 Circo A63B 71/085
 2019/0015726 A1 * 1/2019 Turkbash A63B 71/085
 2019/0209911 A1 * 7/2019 Turkbash A63B 71/085
 2019/0336843 A1 * 11/2019 Haiola A63B 71/085

OTHER PUBLICATIONS

Carbon Fiber Mouth Guard. Harbour Dental. Yelp. Date posted: Aug. 20, 2013. Retrieved from internet: <https://www.yelp.com/biz_photos/harbour-dental-huntington-beach-2?select=WVSLStHKAJOe_U_1_uQpt-Q> (Year: 2013).
 Removed Badge, Carbon over Ford Oval, Fordflex.net sticker. Posted by HoustonTXFlex. Ford Flex. Date published: Jun. 7, 2015. Retrieved from internet: <<https://www.fordflex.net/forums/viewtopic.php?t=14572>> (Year: 2015).
 Exhaust Cover: Ducati Hypermotard 1100/1 OOS, 2007-2008. Only Carbon. Copyright 2016. Retrieved from Internet: <<https://www.onlycarbon.eu/ducati/ducati-hypermotard/deck-of-escape-motorcycle-ducati-hypermotard-1100-11-OOs-a-os-2007-2008.html>> (Year: 2016).

* cited by examiner

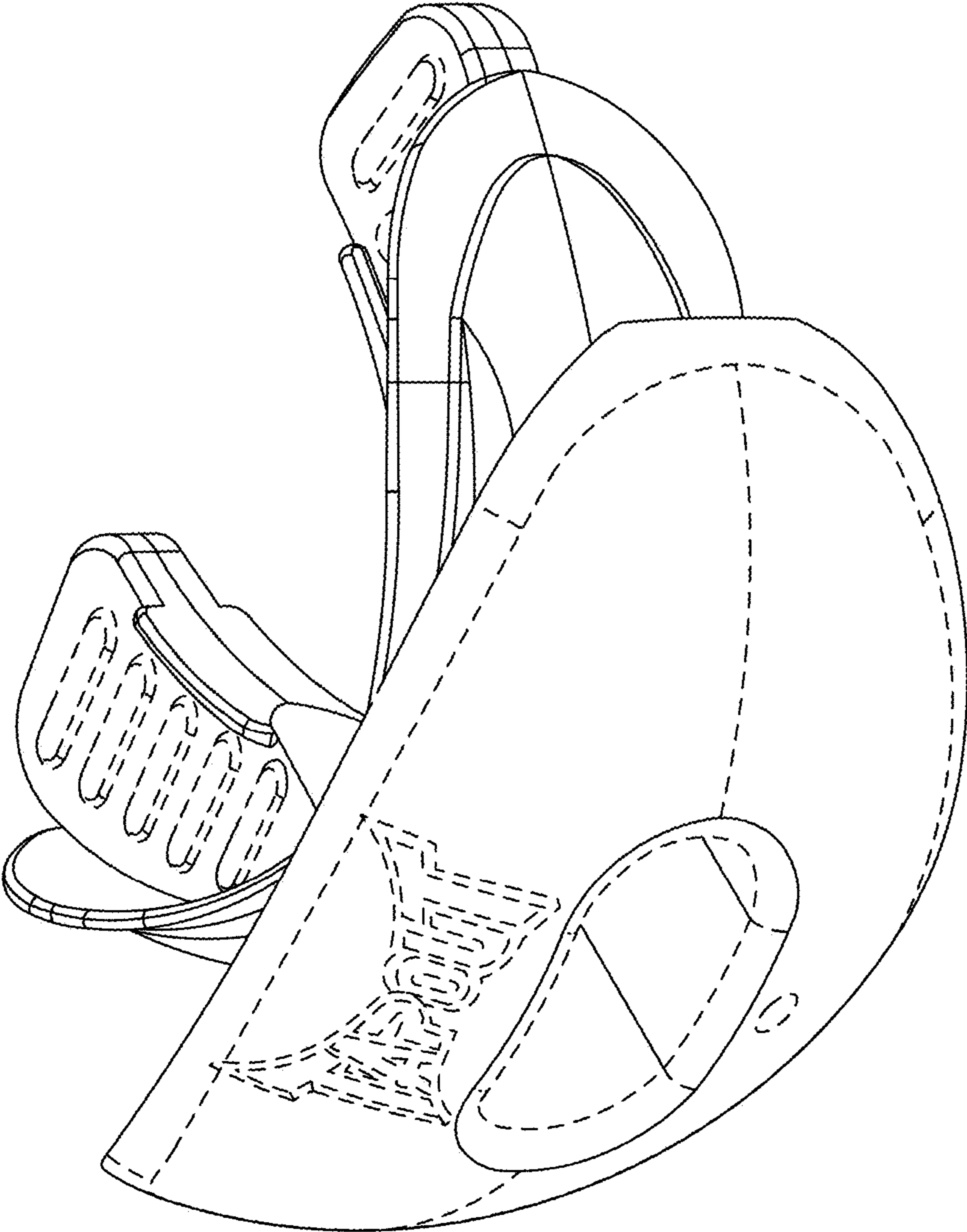


FIG. 1

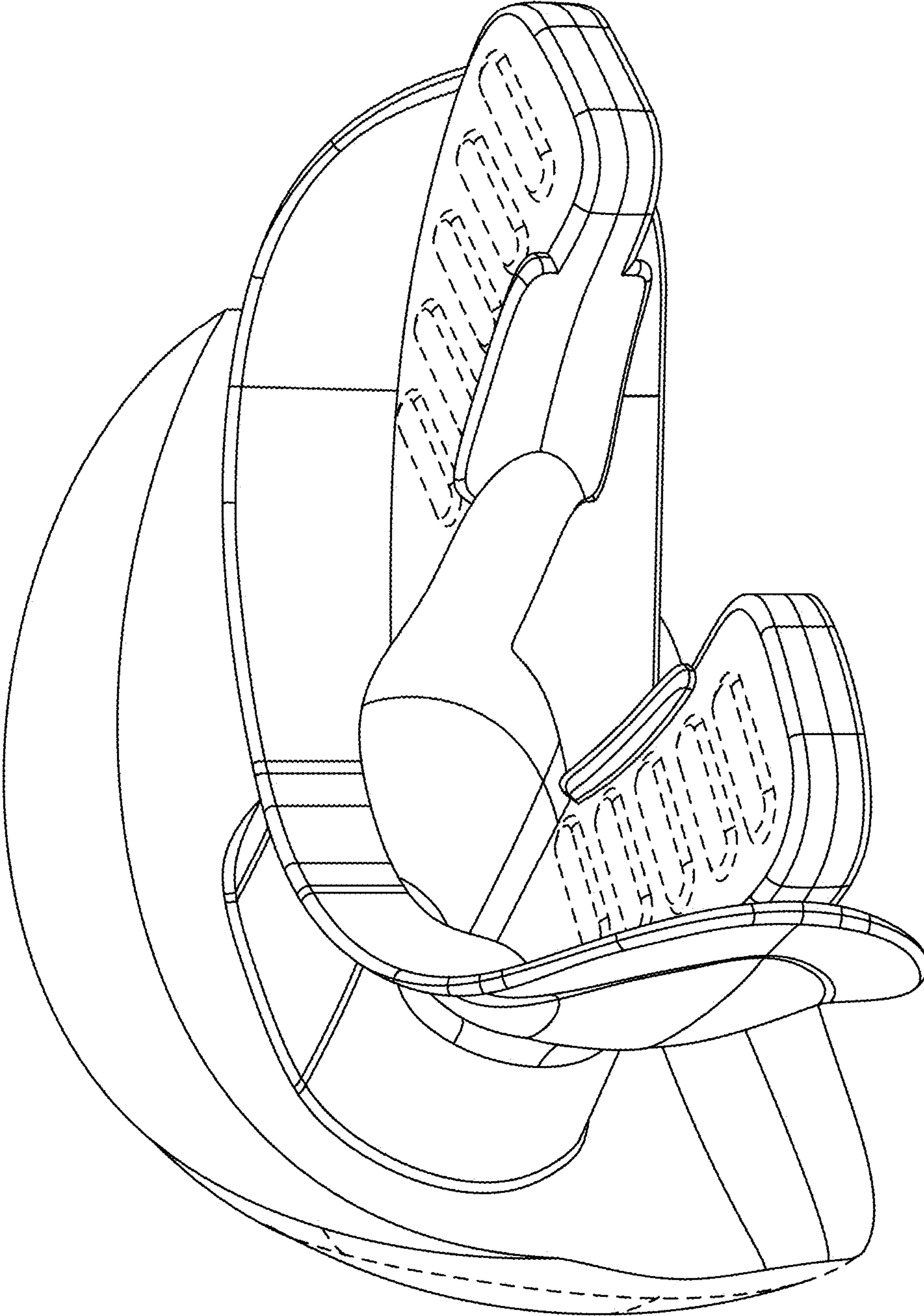


FIG. 2

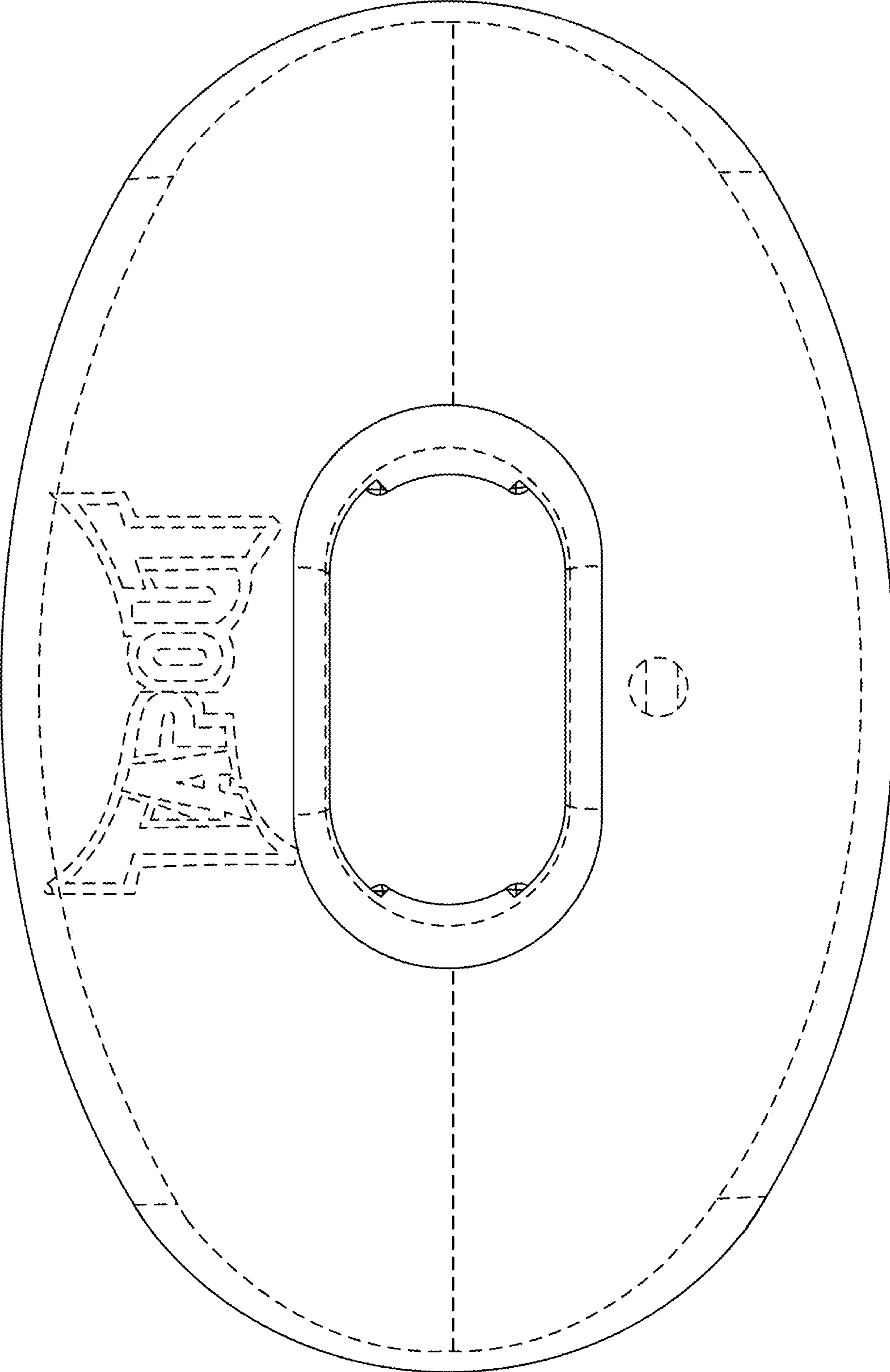


FIG. 3

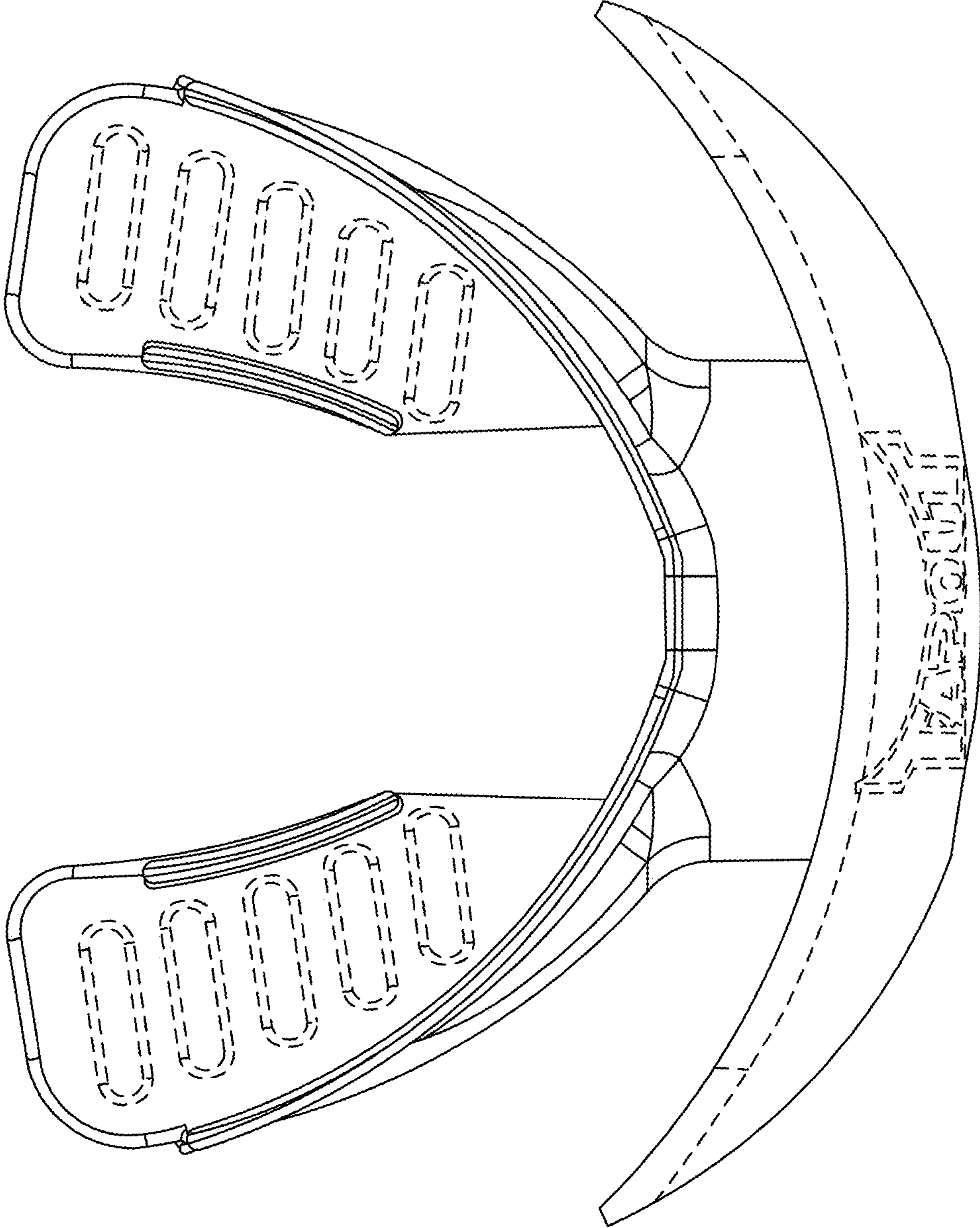


FIG. 4

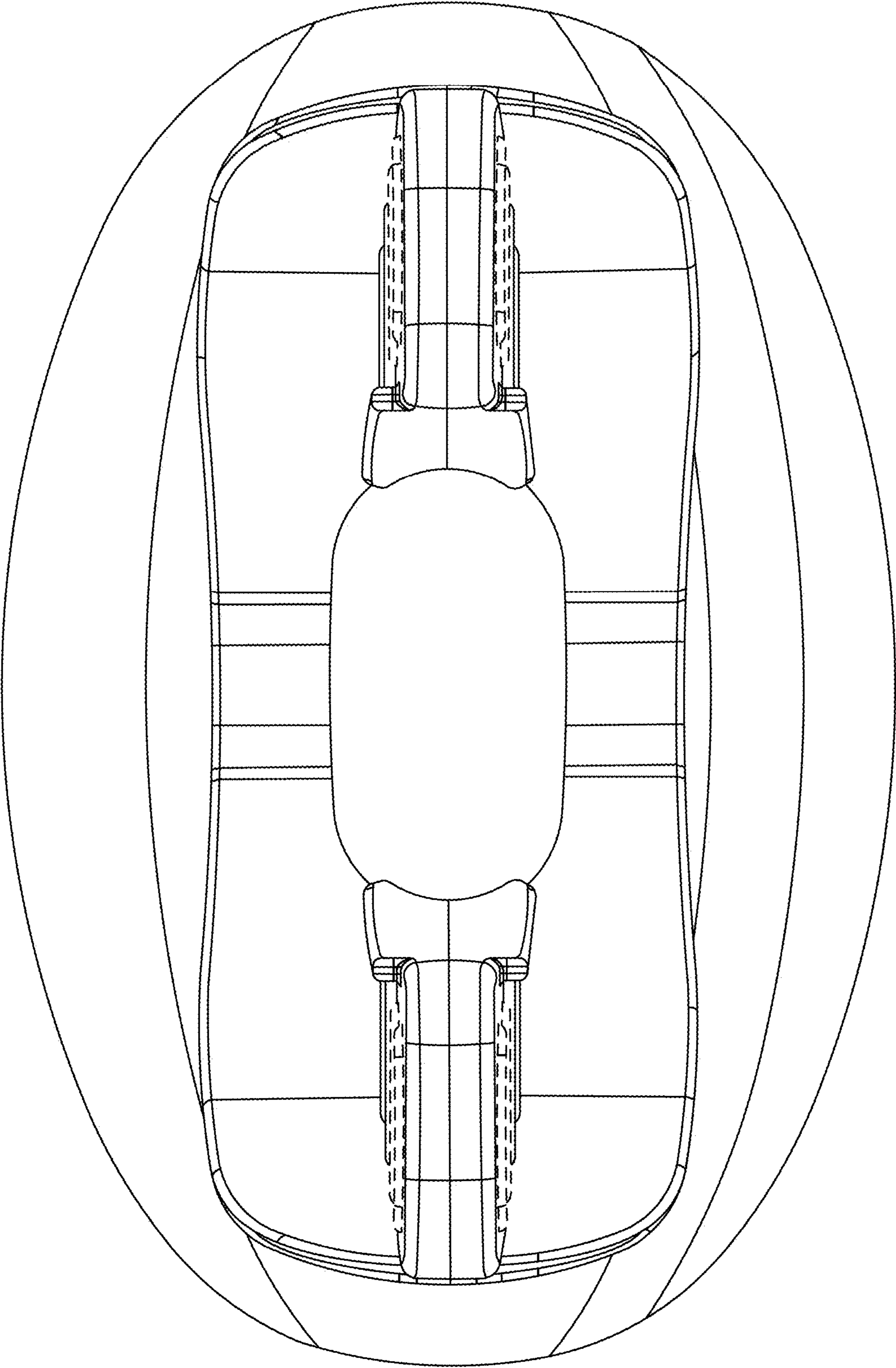


FIG. 5

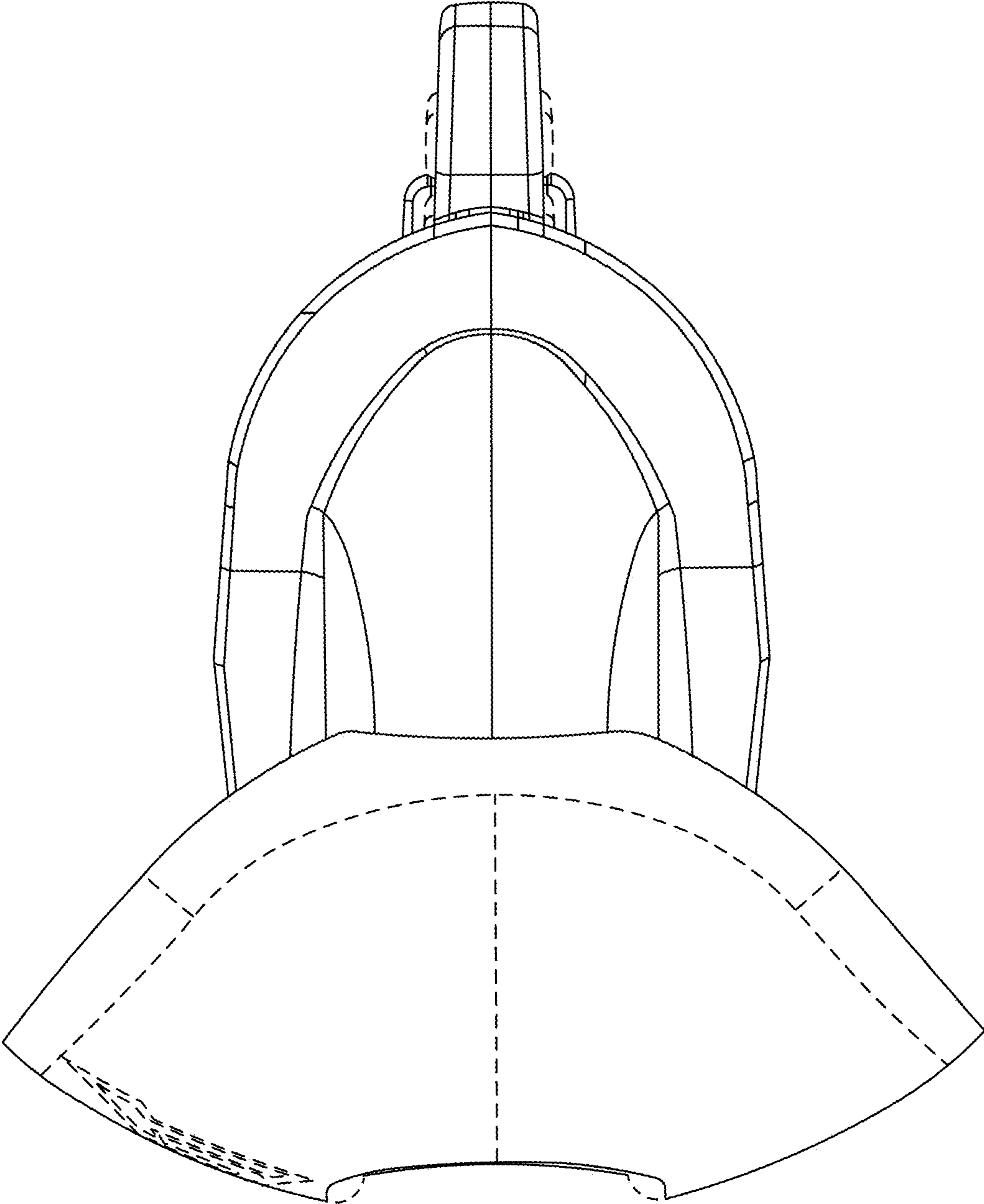


FIG. 6

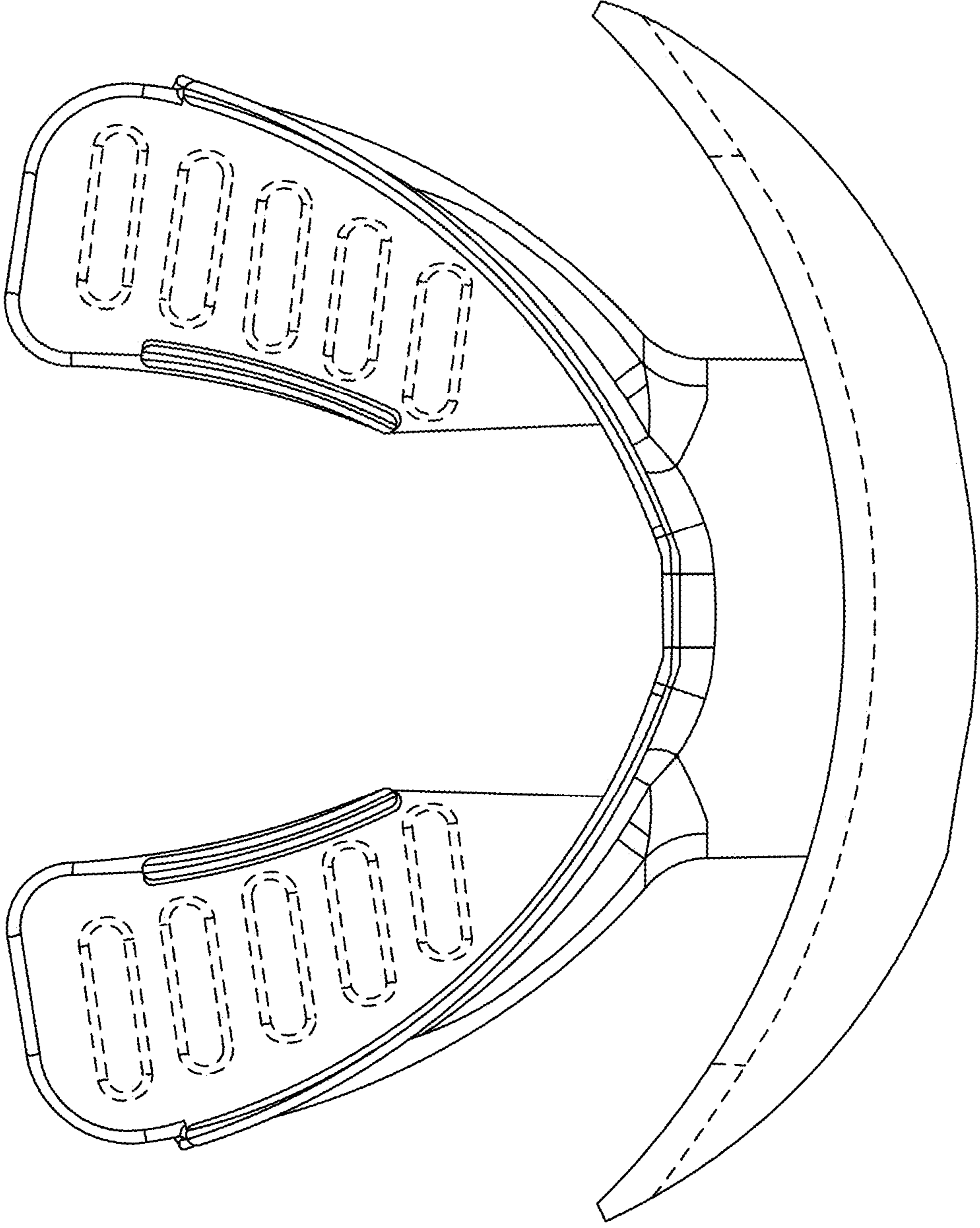


FIG. 7