



US00D918404S

(12) **United States Design Patent** (10) **Patent No.:** **US D918,404 S**
Wersland et al. (45) **Date of Patent:** **** May 4, 2021**

- (54) **MESSAGE ELEMENT**
- (71) Applicant: **Theragun, Inc.**, Beverly Hills, CA (US)
- (72) Inventors: **Jason Wersland**, Manhattan Beach, CA (US); **Benjamin Nazarian**, Los Angeles, CA (US); **Jaime Sanchez Solana**, Los Angeles, CA (US)
- (73) Assignee: **THERAGUN, INC.**, Beverly Hills, CA (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/740,763**
- (22) Filed: **Jul. 7, 2020**

Related U.S. Application Data

- (62) Division of application No. 29/677,157, filed on Jan. 17, 2019, now Pat. No. Des. 890,943.
- (51) **LOC (13) Cl.** **28-03**
- (52) **U.S. Cl.**
USPC **D24/211**
- (58) **Field of Classification Search**
USPC D24/200, 211, 212, 213, 214, 215;
D26/113, 154; D8/300, 378; D9/434,
D9/443, 454; D11/181
CPC A61H 2015/0014; A61H 2015/0042; A61H
23/006; A61H 33/6089; A61H 7/007
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D101,245 S	9/1936	Tompkins
D190,636 S	6/1961	Schlosser
D271,285 S	11/1983	Lauren
D275,733 S	10/1984	Pardo
D286,182 S	10/1986	Hilman
D324,106 S	2/1992	Greenblatt
D357,322 S	4/1995	Matthews

D372,185 S	7/1996	Doughty	
D378,539 S *	3/1997	Scott	D24/211
5,678,703 A	10/1997	Sawyer	
D403,076 S *	12/1998	York	D24/214
6,013,042 A	1/2000	Sakai	
6,102,876 A	8/2000	Winger	
6,309,331 B1	10/2001	Raymond	

(Continued)

OTHER PUBLICATIONS

Theragun, "Dampener", Mar. 2, 2021. <https://www.theragun.com/US/en-US/dampener.html?cgid=percussive-devices-accessories#prefn1=collectionsPLP&prefv1=accessories&start=1>. Shown on p. 1. (Year: 2021).*

(Continued)

Primary Examiner — Cynthia Ramirez

Assistant Examiner — Michael S Maharajh

(74) *Attorney, Agent, or Firm* — Jeffer Mangels; Butler & Mitchell LLP; Brennan C. Swain, Esq.

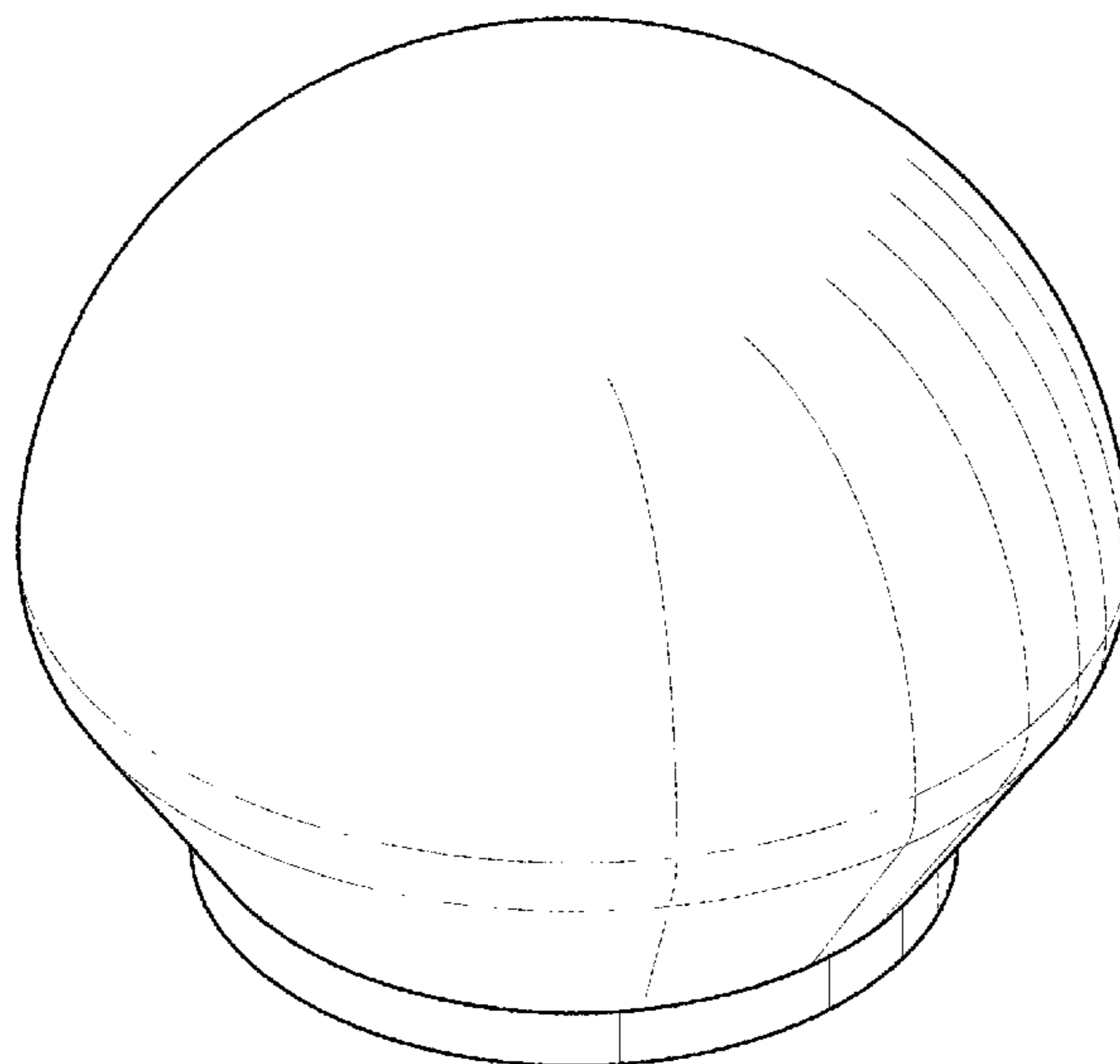
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a top perspective view of a massage element showing our new design;
 FIG. 2 is a top plan view thereof;
 FIG. 3 is a bottom plan view thereof;
 FIG. 4 is a front elevational view, the rear elevational view, right side elevational view and left side elevational view being mirror images thereof;
 FIG. 5 is a bottom perspective view thereof; and,
 FIG. 6 is a front elevational view thereof with a portion shown in cross-section.
 The broken lines in the drawings are for the purposes of illustrating portions of the massage element, which form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D481,823 S * 11/2003 McClow D26/113
 D502,264 S 2/2005 Timmer
 D516,741 S 3/2006 Schuyler
 D517,241 S 3/2006 Schuyler
 D517,726 S 3/2006 Schuyler
 D517,727 S 3/2006 Schuyler
 D534,076 S 12/2006 Green
 D563,557 S 3/2008 Fink
 D567,951 S 4/2008 Fink
 D567,953 S 4/2008 Fink
 7,481,783 B1 1/2009 Kelley
 D595,570 S 7/2009 Moretti
 D600,177 S 9/2009 Komiyama
 D607,116 S * 12/2009 Morganstern D24/211
 D624,232 S * 9/2010 Summers F21V 33/0064
 D638,134 S * 5/2011 Nikitzuk D26/113
 D667,131 S 9/2012 Faussett D24/215
 D725,790 S * 3/2015 Givord D24/214
 D759,488 S 6/2016 Gibson
 D769,120 S 10/2016 Albuquerque
 D772,689 S 11/2016 Zimmer
 D774,655 S * 12/2016 Ho D24/200
 D791,958 S 7/2017 Ho
 D799,963 S 10/2017 Akiyama
 D820,086 S 6/2018 Lynd
 D822,842 S 7/2018 Viner
 D825,067 S * 8/2018 Ho D24/200
 D833,028 S * 11/2018 Olivares D24/215
 D833,630 S * 11/2018 Butler D24/200
 D837,636 S 1/2019 Wersland
 D837,995 S * 1/2019 Josselyn D24/215
 D841,829 S 2/2019 Evans
 D845,499 S 4/2019 Wersland
 D845,500 S 4/2019 Wersland
 D848,631 S 5/2019 Reay
 D849,260 S 5/2019 Wersland
 D849,261 S 5/2019 Wersland
 D850,639 S 6/2019 Wersland
 D850,640 S 6/2019 Wersland
 10,357,425 B2 7/2019 Wersland
 D859,680 S 9/2019 Wersland
 D861,182 S 9/2019 Wersland
 D861,260 S 9/2019 Cunniff
 D864,409 S * 10/2019 Ehret D24/215
 D865,987 S 11/2019 Jacobs
 D867,860 S 11/2019 Wersland
 10,470,970 B2 11/2019 Nazarian
 D870,896 S 12/2019 Komaki

D872,295 S * 1/2020 Friedman D24/215
 D874,668 S 2/2020 Park
 D885,190 S 5/2020 Chen
 D885,601 S 5/2020 Wersland
 D888,265 S * 6/2020 Dumler D24/215
 D888,979 S * 6/2020 Chernyavskiy D24/214
 D890,942 S * 7/2020 Wersland D24/211
 D890,943 S * 7/2020 Wersland D24/211
 D896,393 S * 9/2020 Wersland D24/211
 D910,192 S * 2/2021 Schwarz D24/214
 2003/0212354 A1 * 11/2003 Kahn A61H 7/002
 601/99
 2004/0260213 A1 12/2004 Szczepanski
 2008/0164393 A1 7/2008 Hung
 2011/0247174 A1 10/2011 Keishold
 2012/0103924 A1 5/2012 Chuang
 2012/0261082 A1 10/2012 Stoughton
 2012/0310125 A1 * 12/2012 Hall A61H 39/04
 601/120
 2013/0082017 A1 4/2013 Tang
 2016/0255980 A1 9/2016 Barrett
 2017/0000280 A1 1/2017 Mullet
 2017/0027302 A1 2/2017 Gieux
 2017/0304145 A1 * 10/2017 Pepe A61H 23/006
 2019/0015294 A1 * 1/2019 Nazarian A61H 15/0085
 2019/0017528 A1 1/2019 Wersland
 2019/0175434 A1 * 6/2019 Zhang A61H 23/06
 2019/0232403 A1 * 8/2019 Candelaria A61H 23/006
 2019/0350793 A1 11/2019 Wersland
 2020/0069510 A1 * 3/2020 Wersland A61H 15/0085
 2020/0214930 A1 * 7/2020 Wersland A61H 1/00
 2020/0261306 A1 * 8/2020 Pepe A61H 23/0254
 2020/0352820 A1 * 11/2020 Nazarian A61H 23/02
 2020/0390644 A1 * 12/2020 Yang A61H 1/00
 2020/0405574 A1 * 12/2020 Wersland A61H 23/006
 2021/0022955 A1 * 1/2021 Wersland A61B 5/1118
 2021/0031030 A1 * 2/2021 Min H05B 45/20

OTHER PUBLICATIONS

Amazon, "Theragun Elite", Aug. 27, 2020. https://www.amazon.com/Theragun-Elite-Generation-Percussive-Treatment/dp/B086Z6XSW4/ref=cm_cr_arp_d_product_top?ie=UTF8. Shown on p. 1. (Year: 2020).*

Amazon, "Theragun G3", May 24, 2019. https://www.amazon.com/Theragun-Percussive-Treatment-Stimulator-Performance/product-reviews/B07W6KNZ26/ref=cm_cr_getr_d_paging_btm_next_17?ie=UTF8&reviewerType=all_reviews&sortBy=recent&pageNumber=17. Shown on p. 1. (Year: 2019).

* cited by examiner

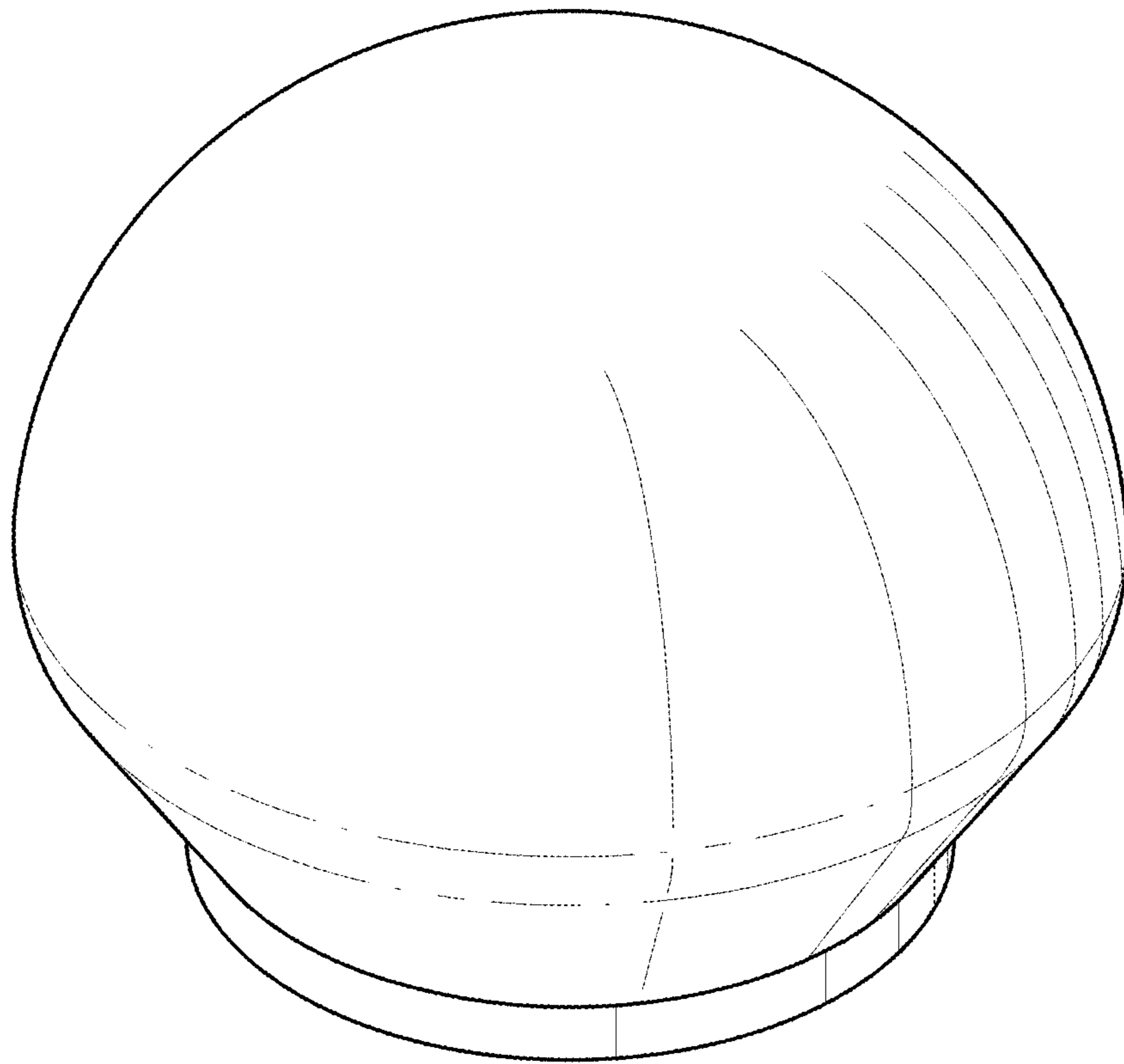


FIG. 1

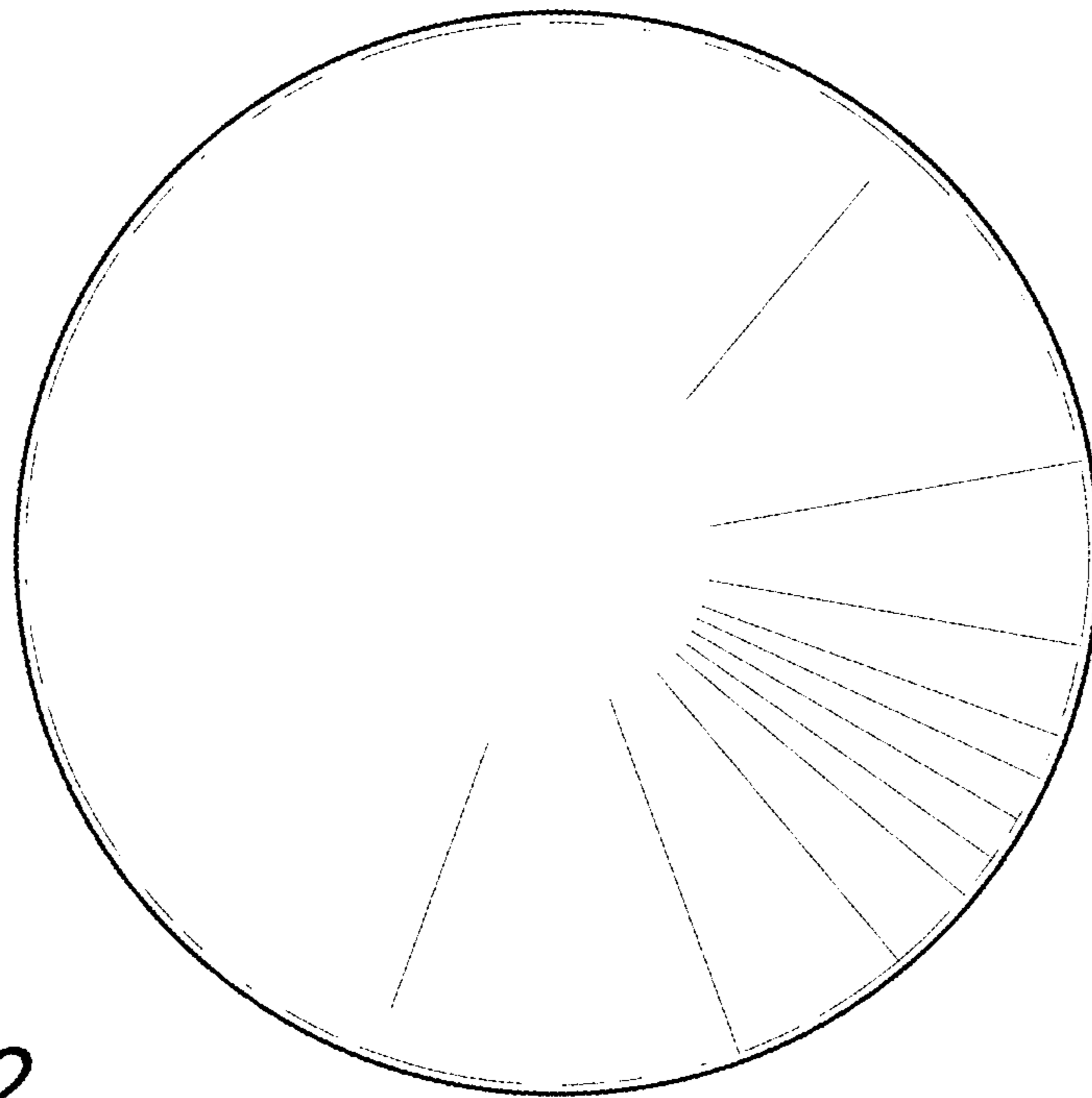


FIG. 2

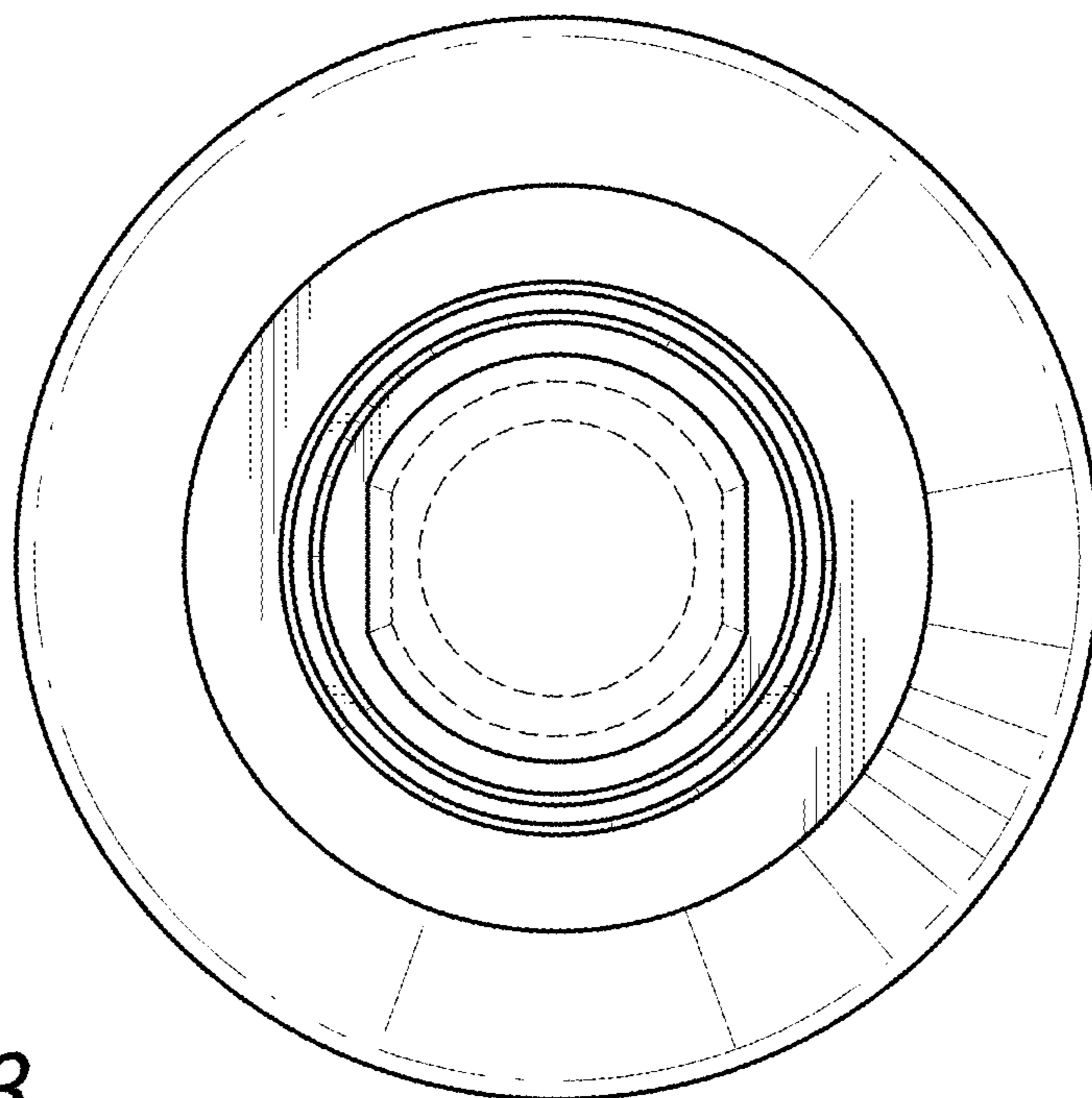


FIG. 3

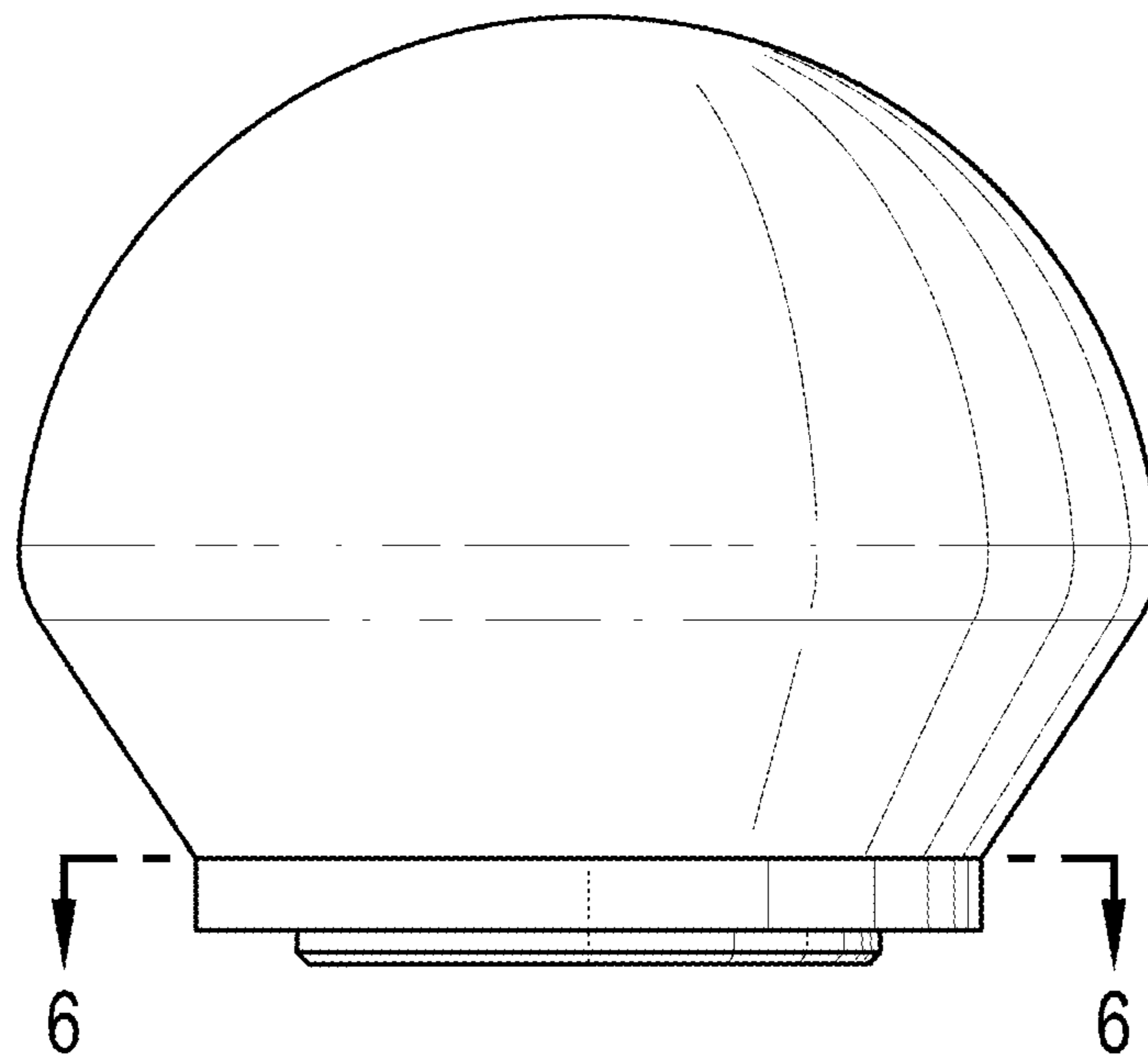


FIG. 4

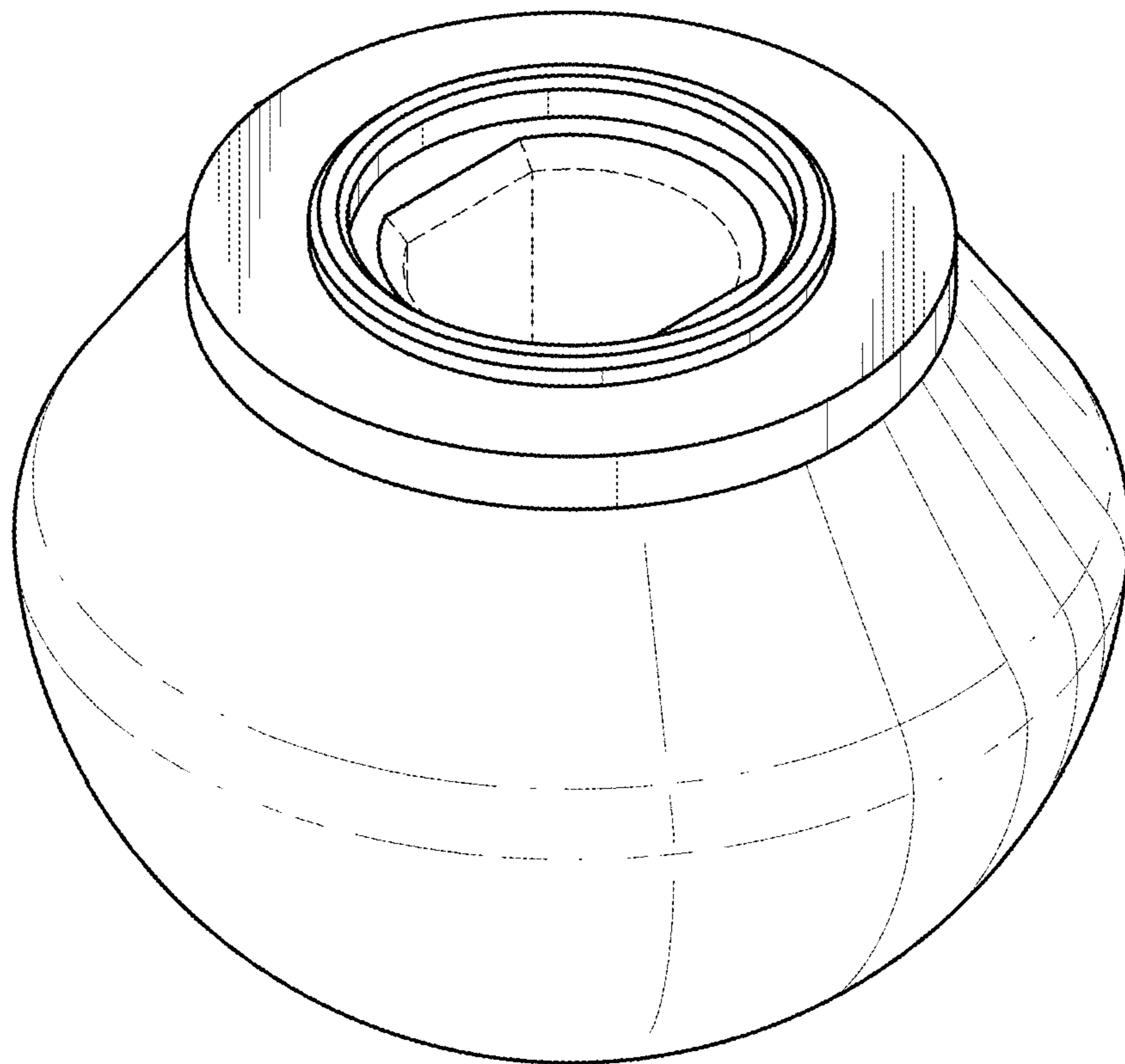


FIG. 5

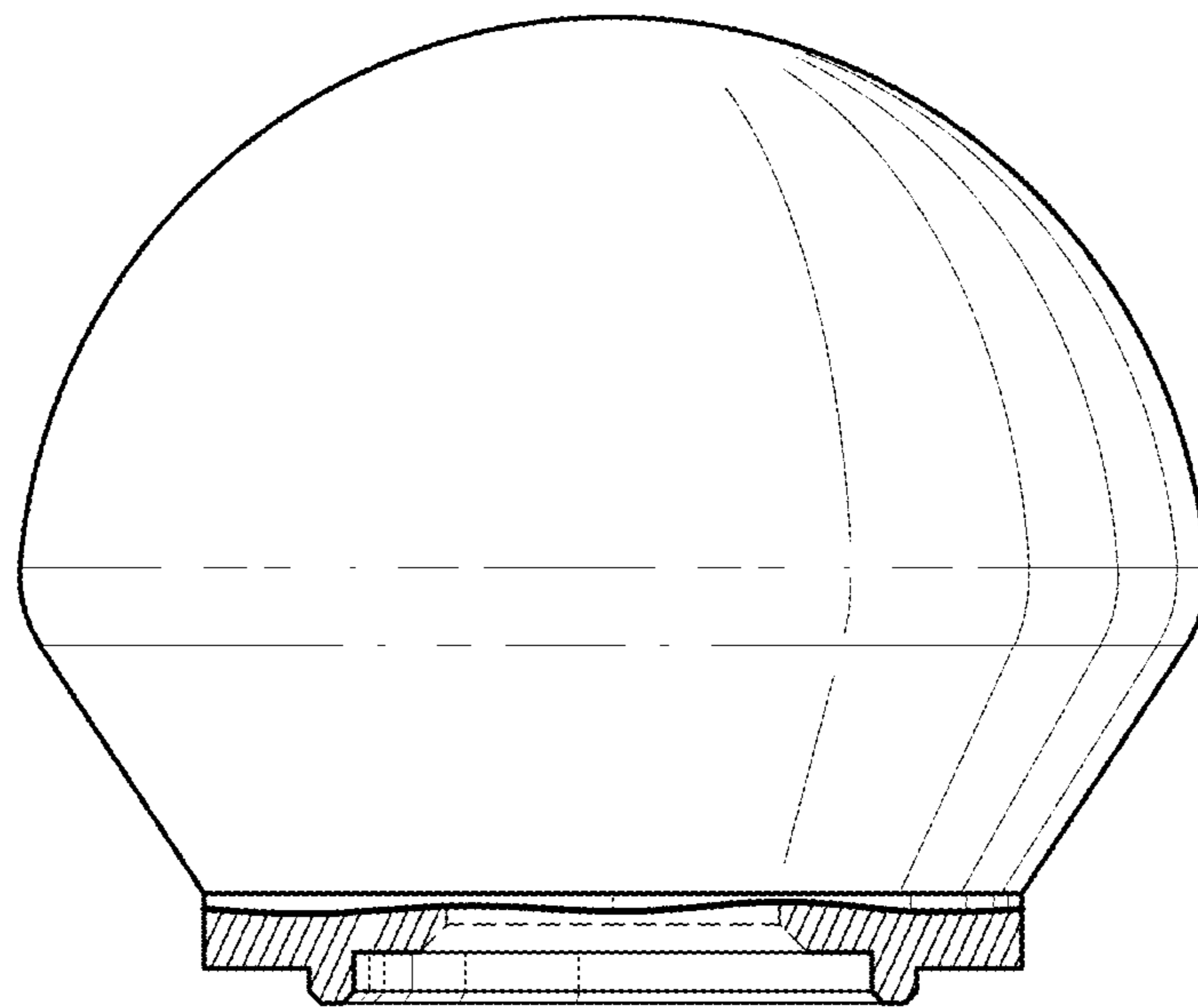


FIG. 6