



(12) **United States Design Patent** (10) **Patent No.:** **US D945,620 S**
Schwartz et al. (45) **Date of Patent:** **** Mar. 8, 2022**

(54) **GREAT TOE IMPLANT**

(71) Applicant: **BioPoly, LLC**, Fort Wayne, IN (US)

(72) Inventors: **Herbert E. Schwartz**, Fort Wayne, IN (US); **Matthew L. Mroczkowski**, Fort Wayne, IN (US); **Stone Miguel**, Fort Wayne, IN (US)

(73) Assignee: **BioPoly, LLC**, Fort Wayne, IN (US)

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

(21) Appl. No.: **29/722,418**

(22) Filed: **Jan. 29, 2020**

(51) **LOC (13) Cl.** **24-03**

(52) **U.S. Cl.**
USPC **D24/155**

(58) **Field of Classification Search**

USPC D2/617; D3/201, 203.1, 203.6, 203.7, D3/304, 306, 314; D8/382; D14/205, D14/223; D15/199; D24/101, 102, 104, D24/133, 141, 155, 171, 188, 190, 193, D24/194, 196, 216, 224, 227, 228, 229, D24/231; D29/123; D28/76, 85
CPC .. A41D 19/00; A41D 19/0017; A41D 19/015; A41D 19/0055; A61B 17/80; A61B 2017/00292; A61B 2017/00796; A61B 2017/00969; A61B 50/30; A61B 50/33; A61B 17/8033; A61B 17/8038; A61B 17/8042; A61B 17/8047; A61B 17/8052; A61B 17/8057; A61B 17/8061; A61B 17/86; A61B 17/68; A61B 17/683; A61B 2017/564; A61F 2/00; A61F 2/02; A61F 2002/046; A61F 2/12; A61F 2/20; A61F 2/203; A61F 2/26; A61F 2/28; A61F 2002/2853; A61F 2/30; A61F 2/50; A61F 2002/5038; A61F 2002/5058; A61F 2002/5064; A61F 2/52; A61F 2002/526; A61F 2/54; A61F 2/58; A61F 2/583; A61F 2/60; A61F 2/604; A61F 2/64; A61F 2/66;

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

D283,649 S * 4/1986 Casberg D22/122
D501,549 S * 2/2005 McAllister D24/104

(Continued)

FOREIGN PATENT DOCUMENTS

EP 1096906 5/2001
JP 2014506177 3/2014

OTHER PUBLICATIONS

PPM, "FDA Approves First Ever Synthetic Joint Implant", first available Jul. 7, 2016. (<https://www.practicalpainmanagement.com/resources/news-and-research/fda-approves-first-ever-synthetic-joint-implant>) (Year: 2016).*

(Continued)

Primary Examiner — Lauren D McVey

Assistant Examiner — Justin A Johnson

(74) *Attorney, Agent, or Firm* — Heslin Rothenberg Farley & Mesiti PC

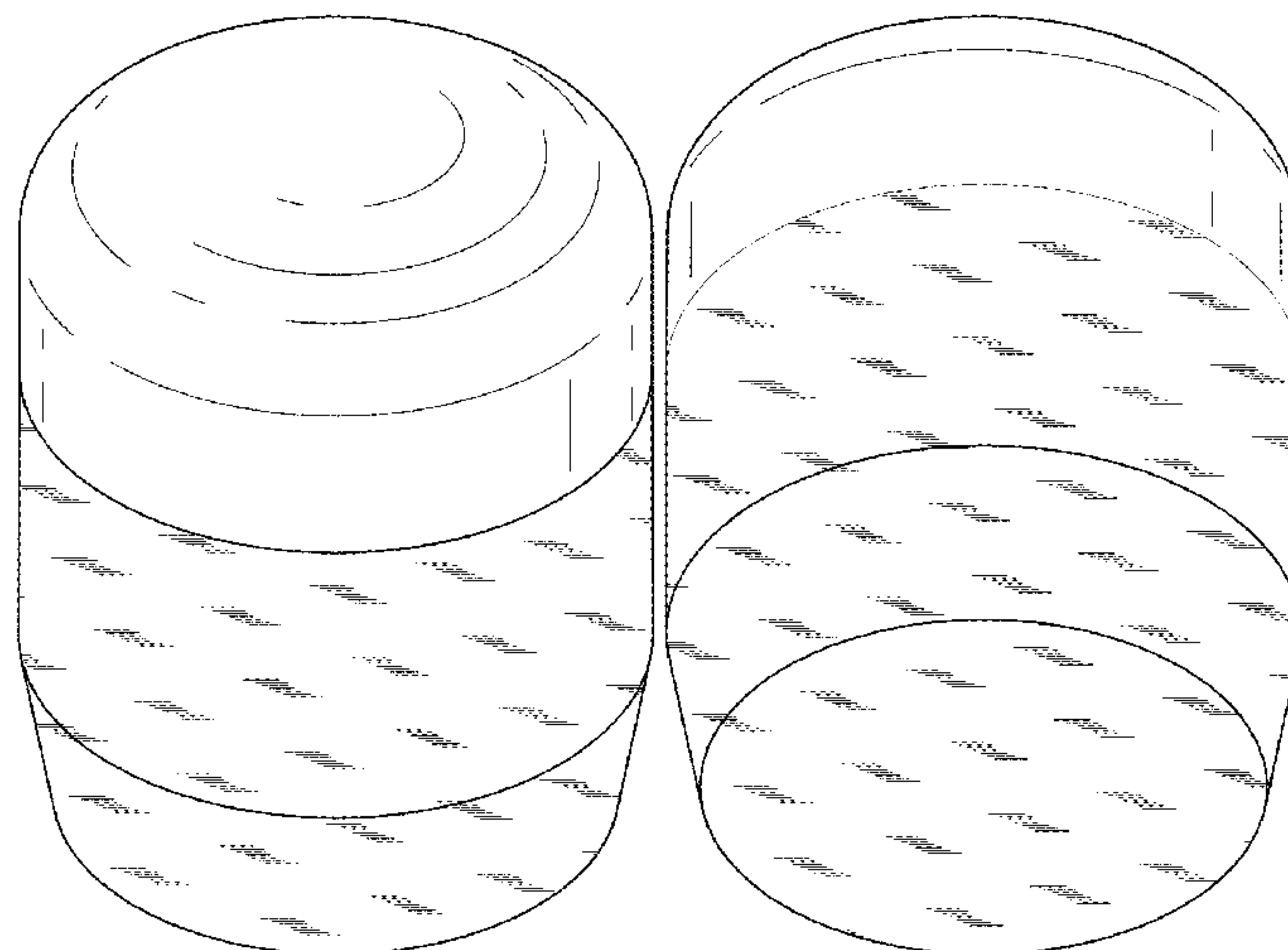
(57) **CLAIM**

The ornamental design for a great toe implant, as shown and described.

DESCRIPTION

FIG. 1 is a top perspective view of a great toe implant comprising the new design;
FIG. 2 is a bottom perspective view of the design of FIG. 1;
FIG. 3 is a side elevational view of the design of FIG. 1, where the front and back views are mirror images;
FIG. 4 is a top view of the design of FIG. 1; and,
FIG. 5 is a bottom view of the design of FIG. 1.
The consistent oblique line shading represents a contrast in appearance.

1 Claim, 4 Drawing Sheets



(58) **Field of Classification Search**

CPC A61F 2002/6614; A61F 2002/6621; A61F 2002/6628; A61F 2/82; A61F 2/86; A61F 2/88; A61F 2/885; A61F 2/4014; A61F 2002/4018; A61F 2002/4022; A61F 2002/4029; A61F 2002/4033; A61F 2002/4037; A61F 2002/4044; A61F 2002/4051; A61F 2/4059; A61F 2002/4062; A61F 2002/4066; A61F 2002/407; A61F 2002/4074; A61F 2002/4077; A61F 2/4081; A61F 2002/4085; A61F 2002/4088; A61F 2002/4092; A61F 2002/4096; A61F 2/442; A61F 2/4425; A61F 2/4455; A61F 2/4465; A61F 2/447; A61F 2/4611; A61F 2002/2817; A61F 2002/2835; A61F 2002/3083; A61F 2002/30092; A61F 2002/30523; A61F 2002/30538; A61F 2/30771; A61F 2/30942; A61F 2002/30617; A61F 2002/30774; A61F 2002/30784; A61F 2002/30892; A61F 2002/30828; A61F 2002/3008; A61F 2002/30428; A61F 2002/30471; A61F 2002/30507; A61F 2002/30904; A61F 2002/30421; A61F 2002/443; A61N 1/05; A61N 1/0551; A61N 1/20; A61M 16/04
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D510,139 S * 9/2005 Gilad D24/104
D628,077 S * 11/2010 Lee D9/529
D640,925 S * 7/2011 Rodriguez D9/529
8,303,664 B1 11/2012 Burstein et al.
D699,112 S * 2/2014 Jung D9/504
9,044,332 B2 6/2015 Goswami et al.

D733,967 S * 7/2015 Schlatter D28/88
D740,424 S * 10/2015 Dacosta D24/155
D747,791 S * 1/2016 Kaser D24/104
D802,760 S * 11/2017 Neby D24/130
D839,096 S * 1/2019 Fux D9/503
10,307,257 B2 6/2019 Grotz
D858,771 S * 9/2019 Kugler D24/155
D862,694 S * 10/2019 Narvekar D24/130
D864,502 S * 10/2019 Costanz D30/161
D868,254 S * 11/2019 Lintula D24/155
D878,675 S * 3/2020 Budich D28/8.1
D896,393 S * 9/2020 Wersland D24/211
D914,199 S * 3/2021 Levy D24/113
D927,716 S * 8/2021 Wersland D24/215
2003/0083433 A1 5/2003 James et al.
2005/0112397 A1 5/2005 Rolfe et al.
2007/0078518 A1 4/2007 Lavi
2009/0240337 A1 9/2009 Myung et al.
2011/0257753 A1 10/2011 Gordon et al.
2014/0039621 A1 2/2014 Gordon et al.
2014/0188244 A1 7/2014 Thomas et al.
2017/0367828 A1 12/2017 Steines et al.
2018/0036142 A1 2/2018 Wahl et al.

OTHER PUBLICATIONS

Ortho Spine News, “Cartiva, Inc., Announces Multiple Presentations”, first available Jul. 10, 2017. (<https://orthospinenews.com/2017/07/10/cartiva-inc-announces-multiple-presentations-at-american-orthopaedic-foot-and-ankle-society-annual-meeting-2017/>) (Year: 2017).*

Instagram, “A ‘Gears’ capsule pot”, first available Apr. 23, 2017. (<https://www.instagram.com/p/BTOFfoFF1vb/>) (Year: 2017).*

Amazon, “Sistema Snack Capsule to Go”, first available May 24, 2018. (<https://www.amazon.co.uk/Sistema-Snack-Capsule-Assorted-Colours/dp/B07D4TLCRF>) (Year: 2018).*

International Search Report and Written Opinion of the International Searching Authority for PCT/US2021/013905, dated Apr. 1, 2021, 8 pages.

* cited by examiner

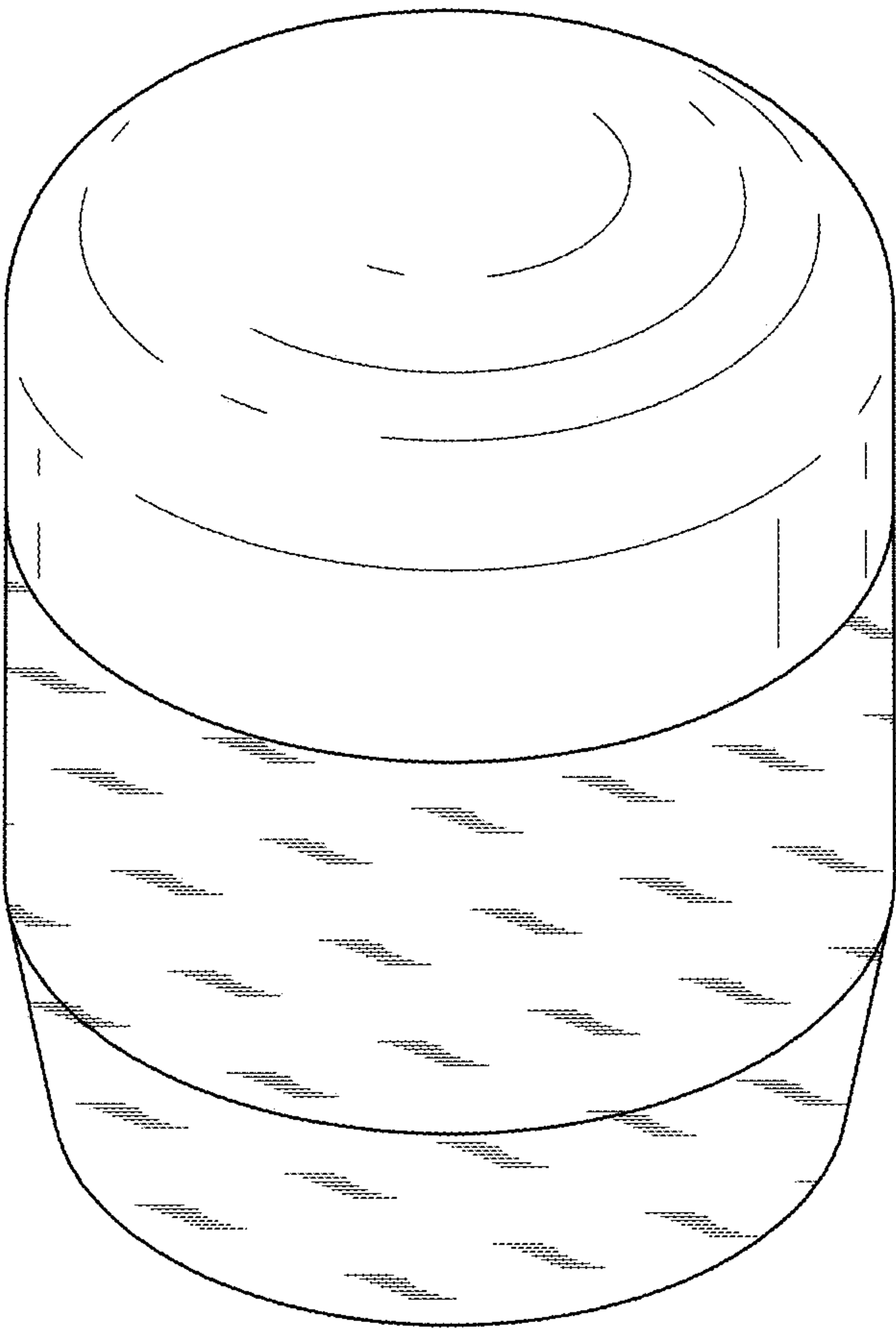


FIG. 1

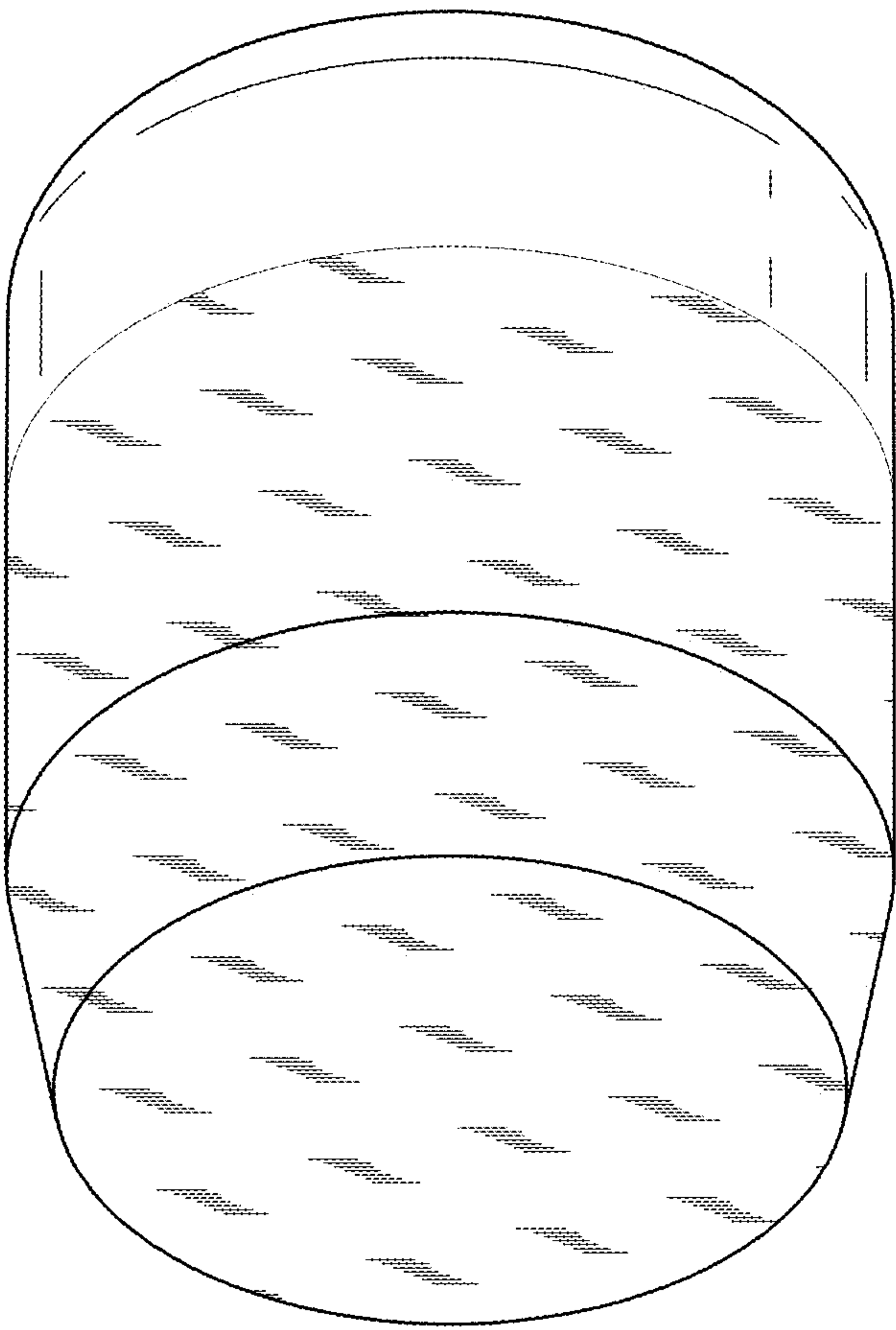


FIG. 2

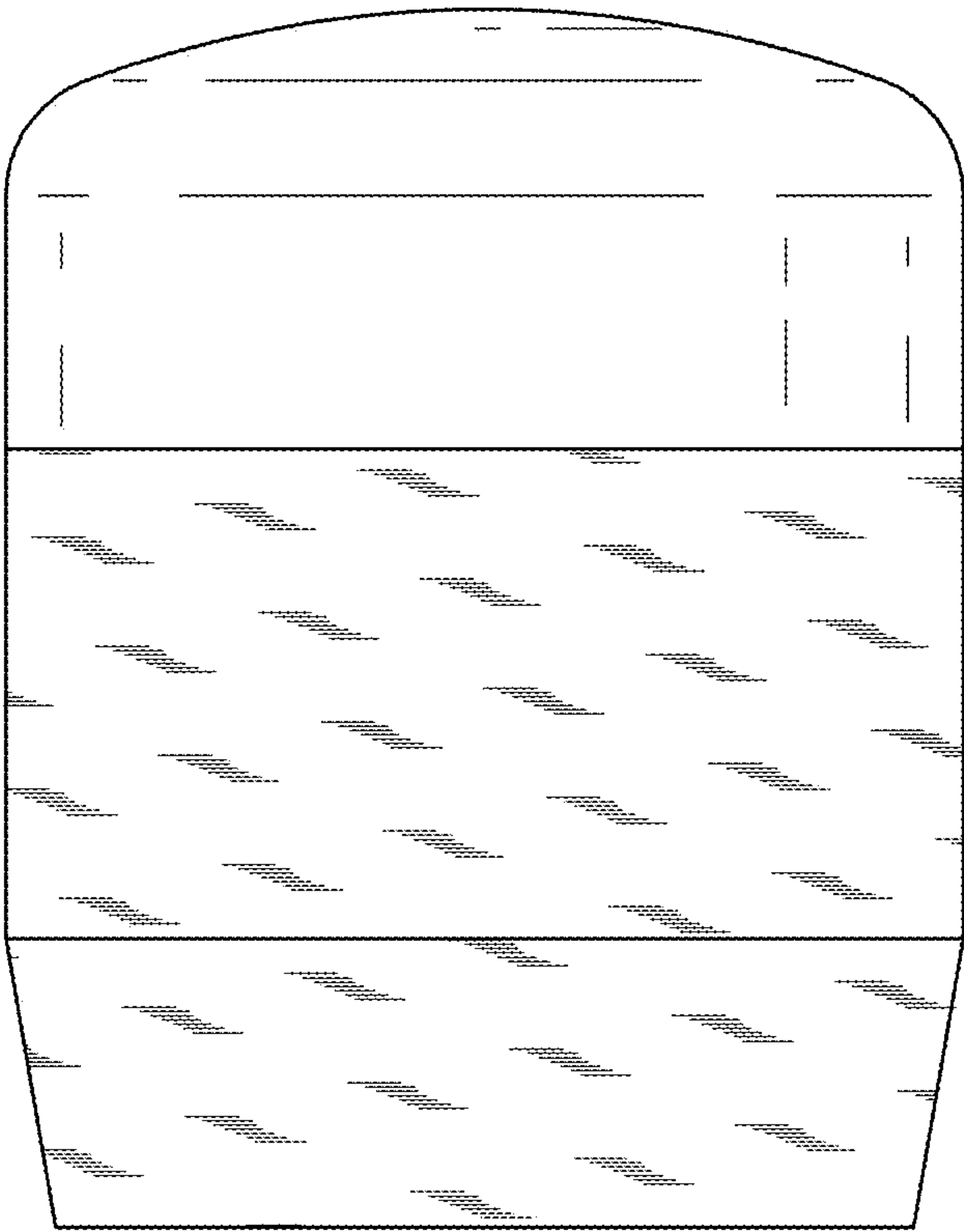


FIG. 3

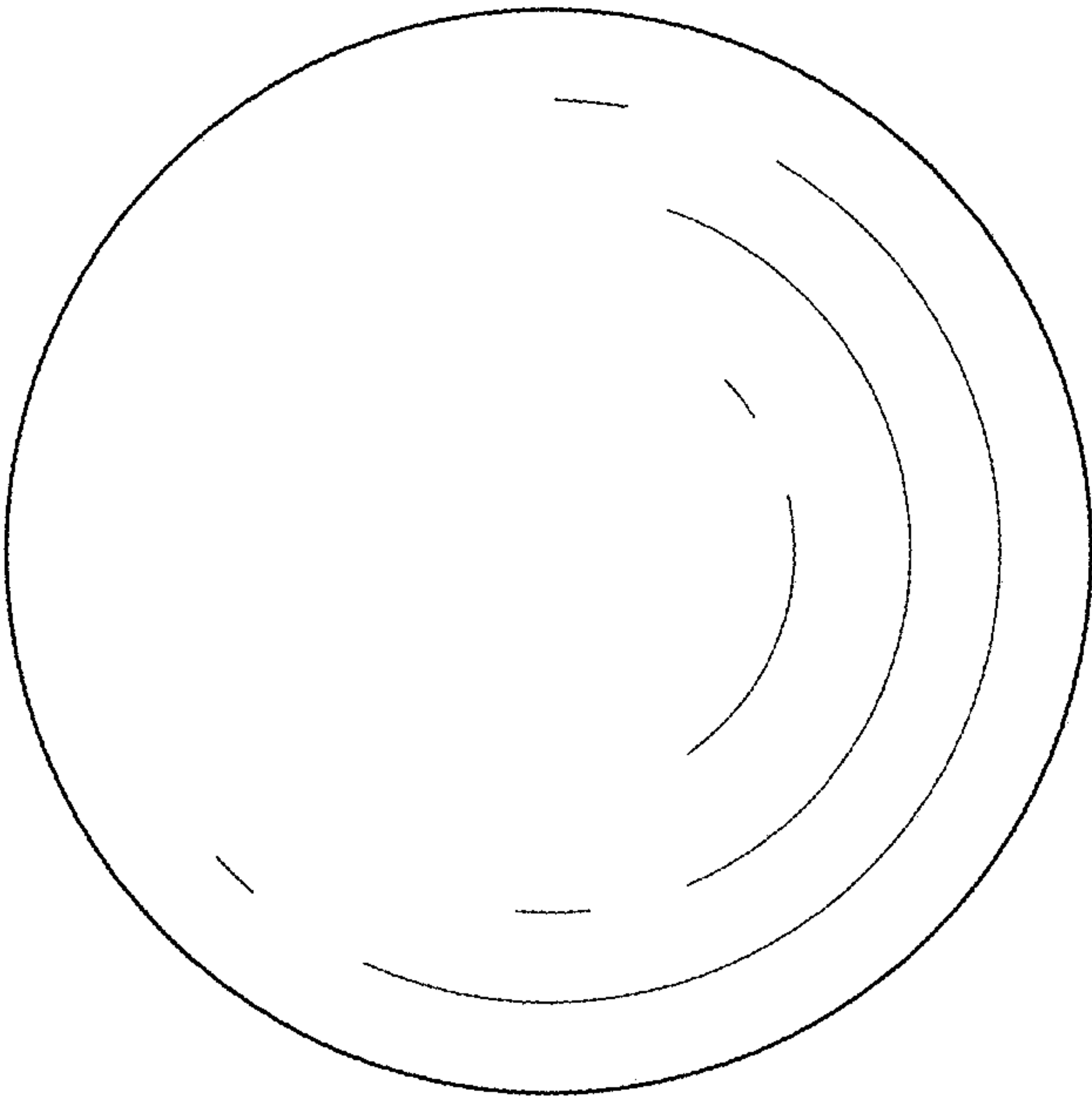


FIG. 4

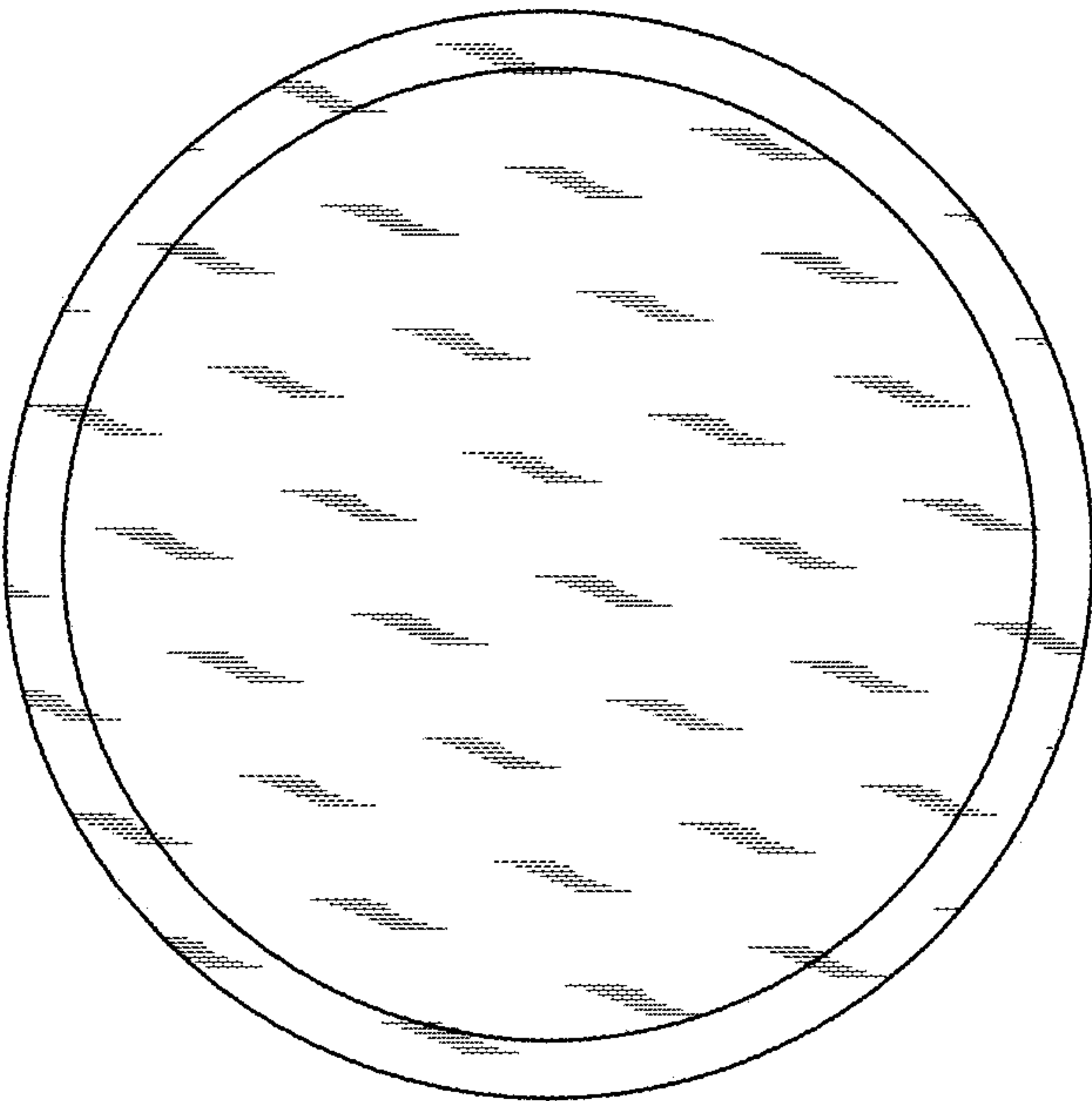


FIG. 5