



US00D951464S

(12) **United States Design Patent** (10) **Patent No.:** **US D951,464 S**  
**Baltazar** (45) **Date of Patent:** **\*\* May 10, 2022**

(54) **THERMAL PACK**

(56) **References Cited**

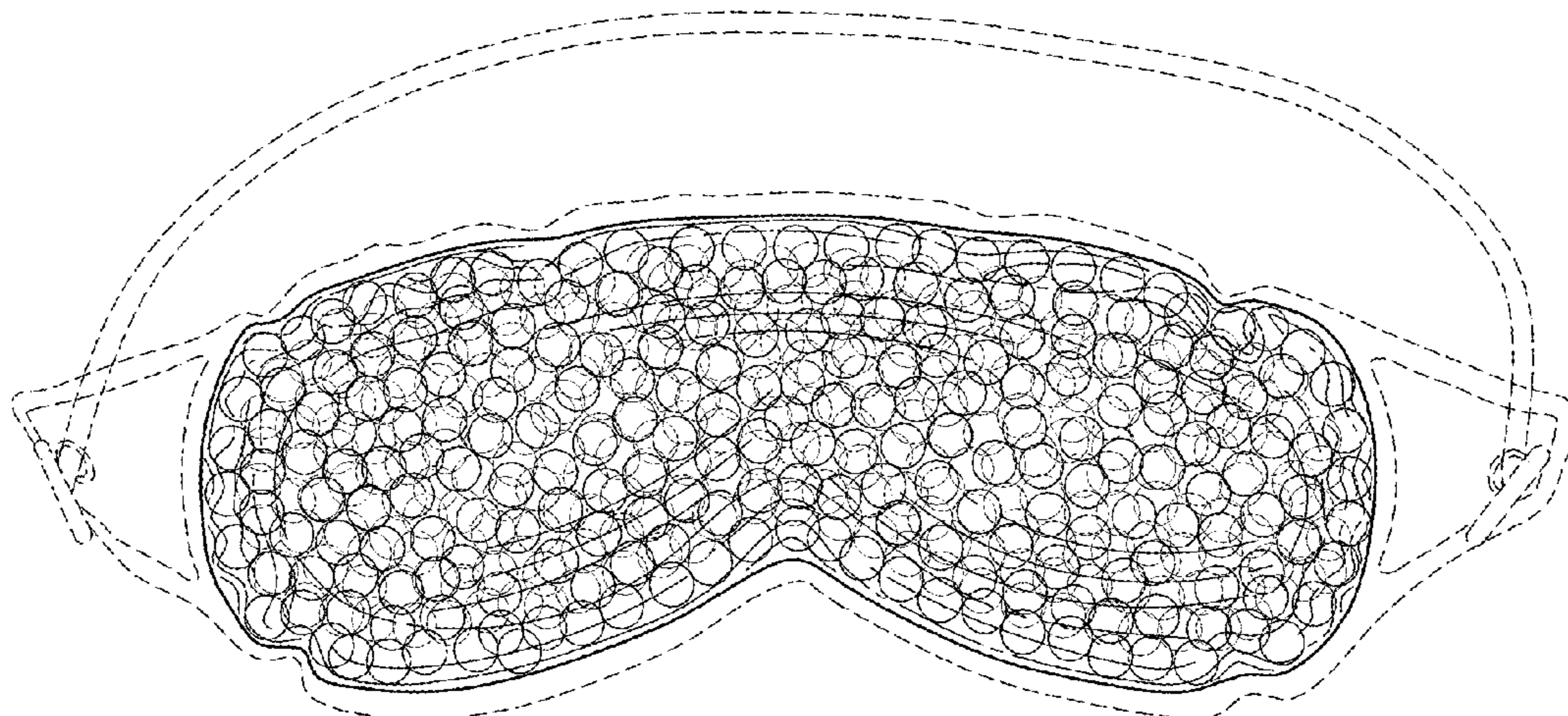
- (71) Applicant: **Biofreeze IP Holdings, LLC**, Akron, OH (US)
- (72) Inventor: **Carol Baltazar**, Glenwood, MD (US)
- (73) Assignee: **TheraPearl, LLC**, Columbia, MD (US)
- (\*\*) Term: **15 Years**
- (21) Appl. No.: **29/745,541**
- (22) Filed: **Aug. 6, 2020**

U.S. PATENT DOCUMENTS

264,814 A	9/1882	Wood	
D45,122 S	1/1914	Meinecke	
1,690,405 A	11/1928	Du Rocher	
1,924,315 A *	8/1933	Hemphill .....	A61F 9/04 2/15
2,038,275 A *	4/1936	Fogg .....	H05B 3/342 219/527
D111,793 S	10/1938	Myers	
D164,087 S	7/1951	Atkin	
2,932,052 A	4/1960	Morse	
2,955,331 A	10/1960	Nelson	
3,164,151 A	1/1965	Vere	
D204,884 S	5/1966	Waddington	
3,301,254 A	1/1967	Erich	
3,382,511 A	5/1968	Brooks	
3,545,230 A	12/1970	Morse	
3,561,435 A	2/1971	Nicholson	
D223,701 S	5/1972	Lausch	
3,736,769 A	6/1973	Petersen	
3,768,485 A *	10/1973	Linick .....	A61F 7/103 607/109
3,804,077 A	4/1974	Williams	
D232,995 S	10/1974	Molzen	
3,885,403 A	5/1975	Spencer	
D242,958 S	1/1977	Manschot et al.	
D243,121 S	1/1977	Ralston, Jr. et al.	
D243,715 S	3/1977	Trimnell	
D245,119 S	7/1977	Harris	
4,122,847 A *	10/1978	Craig .....	A61F 9/026 128/858
D251,258 S	3/1979	Power	
D251,576 S *	4/1979	Geenen-Megens .....	D16/301
D258,532 S *	3/1981	Wagner .....	D24/189
4,316,287 A	2/1982	Rule	
D265,704 S	8/1982	Yamamoto et al.	
4,462,224 A	7/1984	Dunshee et al.	
4,470,417 A	9/1984	Gruber	
D278,363 S	4/1985	Schenkel et al.	
4,530,220 A	7/1985	Nambu et al.	
4,559,047 A	12/1985	Kapralis et al.	
4,580,547 A	4/1986	Kapralis et al.	
4,585,797 A	4/1986	Cioca	
4,614,189 A *	9/1986	MacKenzie .....	A61F 7/08 128/DIG. 15
4,645,498 A	2/1987	Kosak	
4,668,564 A	5/1987	Orchard	
D293,004 S	12/1987	Emms	
D293,829 S	1/1988	Johnston	

**Related U.S. Application Data**

- (60) Continuation-in-part of application No. 29/740,213, filed on Jul. 1, 2020, which is a continuation-in-part of application No. 29/647,787, filed on May 15, 2018, now Pat. No. Des. 908,902, which is a continuation-in-part of application No. 29/558,747, filed on Mar. 21, 2016, now abandoned, which is a continuation of application No. 29/498,780, filed on Aug. 7, 2014, now Pat. No. Des. 787,080, which is a continuation-in-part of application No. 29/429,143, filed on Aug. 7, 2012, now abandoned, which is a division of application No. 12/794,576, filed on Jun. 4, 2010, now abandoned.
- (51) **LOC (13) Cl.** ..... **24-04**
- (52) **U.S. Cl.**  
USPC ..... **D24/206**
- (58) **Field of Classification Search**  
USPC ..... D24/206-208, 189-192, 118; 602/1-7, 602/17-27, 61-66, 74, 30; 128/112.1, 128/117.1, 95.1, 96.1, 97.1, 100.1, 101.1, 128/876; 606/204, 27; 607/96, 108, 109, 607/111, 112; D29/121.2, 122, 101.2, D29/101.5, 120.1, 121.1, 108; D3/327; D9/707; 601/15, DIG. 1; 126/204  
CPC .. A47G 9/1036; A61F 7/10; A61F 2007/0002  
See application file for complete search history.



# US D951,464 S

4,727,869 A *	3/1988	Leonardi .....	A61F 13/124 602/74	5,925,072 A	7/1999	Cramer et al.
D296,838 S	7/1988	Diaz		5,978,962 A	11/1999	Hamowy
D296,930 S	7/1988	Carabelli		5,984,953 A	11/1999	Sabin et al.
D300,645 S	4/1989	Bowden		D420,178 S	2/2000	Bionde et al.
D301,280 S	5/1989	Craig et al.		D426,308 S	6/2000	Negron
D302,213 S	7/1989	Motazedi		6,080,121 A	6/2000	Madow et al.
4,917,112 A	4/1990	Kalt		6,083,254 A	7/2000	Evans
D308,787 S	6/1990	Youngblood		D429,818 S	8/2000	Lamping et al.
D312,558 S	12/1990	Ilsen et al.		6,099,555 A	8/2000	Sabin
D318,075 S	7/1991	Capper et al.		D431,269 S	9/2000	Soderstrom
5,050,595 A	9/1991	Krafft		D433,757 S	11/2000	Jordan
D320,457 S *	10/1991	Dickinson .....	D24/208	D434,506 S	11/2000	Jordan
D324,915 S	3/1992	Wastchak		6,146,413 A	11/2000	Harman
D325,089 S	3/1992	Shaw		6,152,892 A	11/2000	Masini
D326,222 S	5/1992	McAtarian		D436,019 S	1/2001	Thomas
D327,329 S	6/1992	Hubbard et al.		D436,179 S	1/2001	Small
D327,330 S	6/1992	Noble		D436,525 S	1/2001	Lin
5,129,391 A	7/1992	Brodsky et al.		D438,307 S	2/2001	Schepcke
D328,792 S	8/1992	Salmon et al.		D442,078 S	5/2001	Fuquen
D329,497 S	9/1992	Pryor		D442,278 S	5/2001	Rury
D330,427 S	10/1992	Meijer		D442,285 S	5/2001	Perry
5,163,425 A	11/1992	Nambu et al.		6,226,820 B1	5/2001	Navarro
D332,310 S	1/1993	Ahlen		6,241,711 B1	6/2001	Weissberg et al.
5,179,944 A	1/1993	McSymytz		D446,927 S	8/2001	Rothschild
5,190,033 A	3/1993	Johnson		D448,850 S	10/2001	Fabricant
D336,339 S	6/1993	Pryor		6,320,094 B1	11/2001	Arnold et al.
5,219,625 A	6/1993	Matsunami et al.		D453,223 S	1/2002	Sherman
D341,022 S	11/1993	Zona		6,336,220 B1	1/2002	Sacks et al.
D341,284 S	11/1993	Martin		D453,541 S	2/2002	Steele et al.
5,274,865 A	1/1994	Takehashi		6,361,553 B1	3/2002	Bowen
D343,903 S	2/1994	Perteet		D459,986 S	7/2002	Yourist
5,300,103 A	4/1994	Stempel et al.		D460,914 S	7/2002	Yourist
5,300,105 A	4/1994	Owens		6,420,623 B2	7/2002	Augustine et al.
5,304,215 A	4/1994	MacWhinnie et al.		D461,903 S	8/2002	Garcia
5,314,005 A	5/1994	Dobry		D466,610 S	12/2002	Ashton et al.
D348,174 S	6/1994	Genis		6,524,331 B1	2/2003	Kohout et al.
D349,018 S	7/1994	Kaiser		D473,940 S	4/2003	Hantke et al.
D351,472 S *	10/1994	Mason .....	D24/200	D473,947 S	4/2003	Jacobson
D352,633 S	11/1994	Berggren		D476,080 S	6/2003	Hantke et al.
D353,892 S	12/1994	Shaw et al.		D477,086 S	7/2003	Tsuruda et al.
5,375,278 A	12/1994	VanWinkle et al.		6,610,084 B1	8/2003	Torres
D354,138 S	1/1995	Kelly		6,648,909 B2	11/2003	Helming
D355,457 S	2/1995	Miller		D484,240 S	12/2003	Lyons et al.
D356,329 S	3/1995	Frilot		D484,985 S	1/2004	Takizawa et al.
D357,747 S	4/1995	Kelly		D486,603 S	2/2004	Larkin et al.
5,409,500 A	4/1995	Dyrek		6,755,852 B2	6/2004	Lachenbruch et al.
D360,920 S	8/1995	Lessard		D505,041 S	5/2005	Lesosky
D363,670 S	10/1995	Sullivan		D507,056 S	7/2005	Friedland
D369,218 S	4/1996	Vandenbelt		6,916,334 B2	7/2005	Noonan
5,545,197 A	8/1996	Bowen		D512,511 S	12/2005	Friedland
5,628,772 A *	5/1997	Russell .....	A61F 7/10 601/112	6,972,029 B2	12/2005	Mayrhofer et al.
D383,213 S	9/1997	Ingram		7,022,130 B2	4/2006	Gammons et al.
D383,546 S	9/1997	Amis et al.		D525,533 S	7/2006	Edwards
D383,547 S	9/1997	Mason et al.		D527,108 S	8/2006	Krahner
D383,848 S	9/1997	Mason et al.		D531,790 S	11/2006	Wurzberg
D384,703 S	10/1997	Chuang		D532,523 S	11/2006	Krahner et al.
D387,506 S	12/1997	Kosh		D533,668 S	12/2006	Brown
5,707,645 A	1/1998	Wierson		D537,161 S	2/2007	Sinkiewicz
D390,057 S	2/1998	Gower		7,182,777 B2	2/2007	Mills
D392,742 S *	3/1998	Clark, Sr. ....	D24/206	D538,974 S	3/2007	Eknoian et al.
D392,787 S	3/1998	Barratt		7,195,660 B2	3/2007	Little et al.
5,800,491 A	9/1998	Kolen et al.		7,220,889 B2	5/2007	Sigurjonsson et al.
D401,317 S	11/1998	Gillies		D545,441 S	6/2007	Miyachika et al.
D402,147 S	12/1998	Scarborough		D548,405 S	8/2007	Purnell
5,842,475 A	12/1998	Duback et al.		D550,852 S	9/2007	Hoffman et al.
D403,774 S	1/1999	Laughlin et al.		7,291,164 B2	11/2007	Peterman et al.
D406,350 S	3/1999	Cutler		D557,810 S	12/2007	Eknoian et al.
D407,823 S	4/1999	Davis et al.		D564,705 S	3/2008	Ohnishi et al.
D407,939 S	4/1999	Bear		D565,740 S	4/2008	Sybrandts
5,895,656 A	4/1999	Hirshowitz et al.		D569,035 S	5/2008	Eknoian et al.
5,897,580 A	4/1999	Silver		7,370,689 B2	5/2008	Wang
D410,090 S	5/1999	Podd		D570,488 S	6/2008	Kirksey et al.
D410,165 S	5/1999	Bear		D570,541 S	6/2008	Ohnishi et al.
D410,167 S	5/1999	Bear		7,393,336 B2	7/2008	Sloot
D410,749 S	6/1999	Podd		D574,962 S	8/2008	Atkins et al.
D410,750 S	6/1999	Podd		D574,999 S	8/2008	Eknoian et al.
D411,624 S	6/1999	Podd		D575,875 S	8/2008	Robinson et al.
				D576,282 S	9/2008	Yanaki
				D577,606 S	9/2008	Friedland et al.

# US D951,464 S

D588,703 S 3/2009 Boleratz  
 D592,001 S 5/2009 Smith  
 D596,305 S 7/2009 Usui et al.  
 D597,678 S 8/2009 Wagner  
 D605,299 S 12/2009 Iwahashi et al.  
 D608,500 S 1/2010 Lu et al.  
 7,652,228 B2 1/2010 Igaki et al.  
 D613,181 S 4/2010 Friedland et al.  
 D615,278 S 5/2010 Reed  
 7,707,655 B2\* 5/2010 Braunecker ..... A61F 7/032  
2/206

D616,760 S 6/2010 Deuerer  
 D618,357 S 6/2010 Navies  
 D618,811 S 6/2010 Navies  
 D620,123 S 7/2010 Igwebuikie  
 D622,449 S 8/2010 Culley et al.  
 D624,346 S 9/2010 Salzman  
 D626,243 S 10/2010 Sagnip et al.  
 D627,527 S 11/2010 Ferguson, III et al.  
 D627,586 S 11/2010 Holdridge  
 D629,589 S 12/2010 Mayo  
 7,854,712 B2 12/2010 Evans et al.  
 D630,376 S 1/2011 Yamamoto  
 D634,473 S 3/2011 Koike  
 D635,272 S 3/2011 Gruber et al.  
 7,937,909 B2 5/2011 Carvallo  
 D646,842 S 10/2011 Roman  
 D647,146 S 10/2011 Islava  
 D648,439 S 11/2011 Greener et al.  
 D649,647 S 11/2011 Williams  
 D651,719 S 1/2012 Kusmierz  
 D656,235 S 3/2012 Howell  
 D660,447 S 5/2012 Baltazar  
 8,226,699 B2 7/2012 Evans  
 D667,957 S 9/2012 Baumwald  
 D668,343 S 10/2012 Baumwald et al.  
 D668,344 S 10/2012 Baumwald et al.  
 D668,345 S 10/2012 Baumwald  
 8,281,450 B2 10/2012 Spain  
 D670,816 S 11/2012 Suzuki et al.  
 D671,225 S 11/2012 Higley  
 D674,903 S 1/2013 Harder  
 D676,469 S 2/2013 Vanettes, Jr. et al.  
 D677,394 S 3/2013 Grust et al.  
 D683,018 S 5/2013 Herivel et al.  
 D693,015 S 11/2013 Dubbe  
 D694,309 S 11/2013 Shelledy  
 8,581,017 B2 11/2013 Holm et al.  
 D701,611 S 3/2014 Baumwald  
 8,887,962 B2 11/2014 Herivel et al.  
 D722,727 S 2/2015 Maruyama et al.  
 D726,245 S 4/2015 Johnson  
 D728,810 S 5/2015 Baumwald  
 D736,394 S 8/2015 Owoc  
 D738,576 S 9/2015 Harrell et al.  
 D741,474 S 10/2015 Chen et al.  
 9,170,059 B2 10/2015 Johnson et al.  
 9,186,276 B2 11/2015 Parziale  
 D749,232 S 2/2016 Baumwald et al.  
 D771,014 S 11/2016 Dubbe  
 D787,080 S 5/2017 Baltazar  
 D787,694 S 5/2017 Baltazar  
 D793,569 S 8/2017 Baumwald  
 D805,648 S 12/2017 Baumwald  
 D818,596 S 5/2018 Zheng  
 D821,597 S 6/2018 Martinez  
 D822,219 S 7/2018 Coates et al.  
 D836,208 S 12/2018 Dubbe

2003/0064042 A1 4/2003 Bergquist et al.  
 2004/0010302 A1 1/2004 Hoffmann et al.  
 2004/0024438 A1 2/2004 Hoffmann et al.  
 2004/0138601 A1 7/2004 Chalmers  
 2004/0147991 A1 7/2004 Lu  
 2004/0199114 A1 10/2004 Noda  
 2005/0187598 A1 8/2005 Shimizu et al.  
 2006/0015052 A1 1/2006 Crisp  
 2007/0021810 A1 1/2007 Paulin  
 2007/0068508 A1 3/2007 Wong  
 2007/0252115 A1 11/2007 Arehart et al.

2007/0262290 A1 11/2007 Beck et al.  
 2008/0039763 A1 2/2008 Sigurjonsson et al.  
 2008/0119916 A1 5/2008 Choucair et al.  
 2008/0208299 A1 8/2008 Martineau  
 2009/0048650 A1 2/2009 Junkins  
 2009/0143516 A1 6/2009 MacDonald et al.  
 2009/0163984 A1 6/2009 Robinson et al.  
 2010/0010597 A1 1/2010 Evans  
 2010/0010598 A1 1/2010 Igaki et al.  
 2010/0217363 A1 8/2010 Whitely  
 2012/0165910 A1 6/2012 Choucair et al.  
 2013/0073018 A1 3/2013 Harwood et al.  
 2014/0291585 A1 10/2014 Tozuka et al.  
 2014/0316314 A1 10/2014 Schubert  
 2015/0173942 A1 6/2015 Whitely

## FOREIGN PATENT DOCUMENTS

CA	146063 S	1/2013
CA	144326 S	3/2013
CA	146073 S	4/2013
CA	146980 S	7/2013
CA	156435 S	2/2015
CA	160958 S	12/2015
EP	162583 B1	8/1992
WO	2001078797 A1	10/2001
WO	2016093788 A1	6/2016

## OTHER PUBLICATIONS

Pakcare Catalog: 2008 Presentations.

Document entitled: "Theramal Gel Beads Innovations: the easier way to enjoy a cozy & effective relief"; author unknown; authenticity unknown and in question; unknown if ever published; date of creation unknown and in question. Disclosed by Applicant in abundance of caution.

Entire prosecution history of U.S. Appl. No. 10/672,132.  
 Entire prosecution history of U.S. Appl. No. 12/794,576.  
 Entire prosecution history of U.S. Appl. No. 29/402,951.  
 Entire prosecution history of U.S. Appl. No. 29/402,971.  
 Entire prosecution history of U.S. Appl. No. 29/402,974.  
 Entire prosecution history of U.S. Appl. No. 29/403,056.  
 Entire prosecution history of U.S. Appl. No. 29/403,478.  
 Entire prosecution history of U.S. Appl. No. 29/406,622.  
 Entire prosecution history of U.S. Appl. No. 29/406,623.  
 Entire prosecution history of U.S. Appl. No. 29/406,624.  
 Entire prosecution history of U.S. Appl. No. 29/410,928.  
 Entire prosecution history of U.S. Appl. No. 29/410,930.  
 Entire prosecution history of U.S. Appl. No. 29/413,705.  
 Entire prosecution history of U.S. Appl. No. 29/429,143.  
 Entire prosecution history of U.S. Appl. No. 29/429,147.  
 Entire prosecution history of U.S. Appl. No. 29/429,154.  
 Entire prosecution history of U.S. Appl. No. 29/429,157.  
 Entire prosecution history of U.S. Appl. No. 29/431,148.  
 Entire prosecution history of U.S. Appl. No. 29/431,399.  
 Entire prosecution history of U.S. Appl. No. 29/433,566.  
 Entire prosecution history of U.S. Appl. No. 29/433,567.  
 Entire prosecution history of U.S. Appl. No. 29/433,568.  
 Entire prosecution history of U.S. Appl. No. 29/433,570.  
 Entire prosecution history of U.S. Appl. No. 29/433,806.  
 Entire prosecution history of U.S. Appl. No. 29/433,907.  
 Entire prosecution history of U.S. Appl. No. 29/433,805.  
 Entire prosecution history of U.S. Appl. No. 29/434,757.  
 Entire prosecution history of U.S. Appl. No. 29/434,760.  
 Entire prosecution history of U.S. Appl. No. 29/434,763.  
 Entire prosecution history of U.S. Appl. No. 29/435,893.  
 Entire prosecution history of U.S. Appl. No. 29/435,896.  
 Entire prosecution history of U.S. Appl. No. 29/435,900.  
 Entire prosecution history of U.S. Appl. No. 29/435,901.  
 Entire prosecution history of U.S. Appl. No. 29/480,356.  
 Entire prosecution history of U.S. Appl. No. 29/498,780.  
 Entire prosecution history of U.S. Appl. No. 29/498,781.  
 Entire prosecution history of U.S. Appl. No. 29/498,785.  
 Entire prosecution history of U.S. Appl. No. 29/498,786.

Entire prosecution history of U.S. Appl. No. 29/499,977.  
Entire prosecution history of U.S. Appl. No. 29/558,747.  
Entire prosecution history of U.S. Appl. No. 29/558,750.  
Entire prosecution history of U.S. Appl. No. 29/558,755.  
Entire prosecution history of U.S. Appl. No. 29/558,760.  
Entire prosecution history of U.S. Appl. No. 29/644,299.  
Entire prosecution history of U.S. Appl. No. 29/644,302.  
Entire prosecution history of U.S. Appl. No. 29/644,303.  
Entire prosecution history of U.S. Appl. No. 29/647,787.  
<https://www.itamed.com/our-products/maternity-women-s-health-collection/post-surgical.html>, printed Sep. 13, 2004.  
Kendall Obstetric & Neonatal Products Brochure, Jan. 2004 ed.  
Office Action (and reference cited) issued in U.S. Appl. No. 29/435,900 dated Sep. 25, 2020.  
Office Action (and reference cited) issued in U.S. Appl. No. 29/435,901 dated Sep. 25, 2020.  
Office Action (and references cited) issued in U.S. Appl. No. 15/844,977 dated Jun. 12, 2020.  
<https://www.amazon.com/THERA-PEARL-Eye-Mask-Reusable/dp/B00KL4Y024#customerReviews>, last accessed Dec. 6, 2021.  
[https://www.amazon.com/Therapearl-Oval-Pack-2/dp/B002OSWW3E/ref=cm\\_cr\\_arp\\_d\\_bdcrb\\_top?ie=UTF8](https://www.amazon.com/Therapearl-Oval-Pack-2/dp/B002OSWW3E/ref=cm_cr_arp_d_bdcrb_top?ie=UTF8), last accessed Dec. 6, 2021.  
[https://www.amazon.com/TheraPearl-Reusable-Flexible-Compress-Swelling/dp/B002OSX0WG/ref=cm\\_cr\\_arp\\_d\\_bdcrb\\_top?ie=UTF8&th=1](https://www.amazon.com/TheraPearl-Reusable-Flexible-Compress-Swelling/dp/B002OSX0WG/ref=cm_cr_arp_d_bdcrb_top?ie=UTF8&th=1), last accessed Dec. 6, 2021.

\* cited by examiner

Primary Examiner — David G Muller

(74) *Attorney, Agent, or Firm* — Pequignot + Myers;  
Matthew A. Pequignot

(57) **CLAIM**

The ornamental design for a thermal pack, as substantially shown and described.

**DESCRIPTION**

FIG. 1 is a front elevation view of a thermal pack showing the new design.

FIG. 2 is a rear elevation view thereof.

FIG. 3 is a top elevation view thereof.

FIG. 4 is a bottom elevation view thereof.

FIG. 5 is a right-side elevation view thereof.

FIG. 6 is a left-side elevation view thereof; and,

FIG. 7 is a perspective view thereof.

The spheres or beads illustrated in the drawings are drawn to appear transparent or semi-transparent. The contour lines depicted in the drawings depict the surface and contours of the clear or transparent flexible outer pack shell, which encloses the illustrated spheres or beads. Structure illustrated in broken lines is not otherwise part of the claimed design.

**1 Claim, 3 Drawing Sheets**

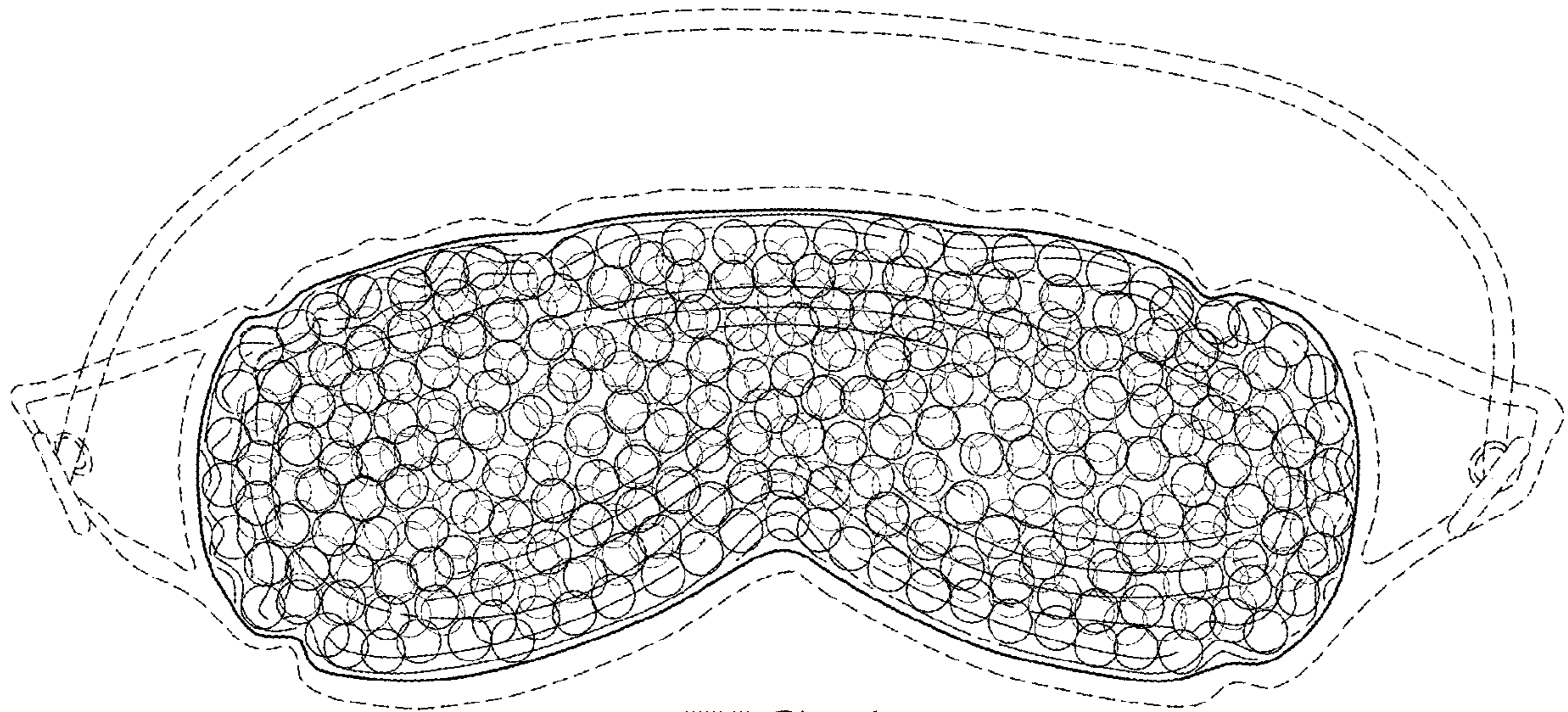


FIG. 1

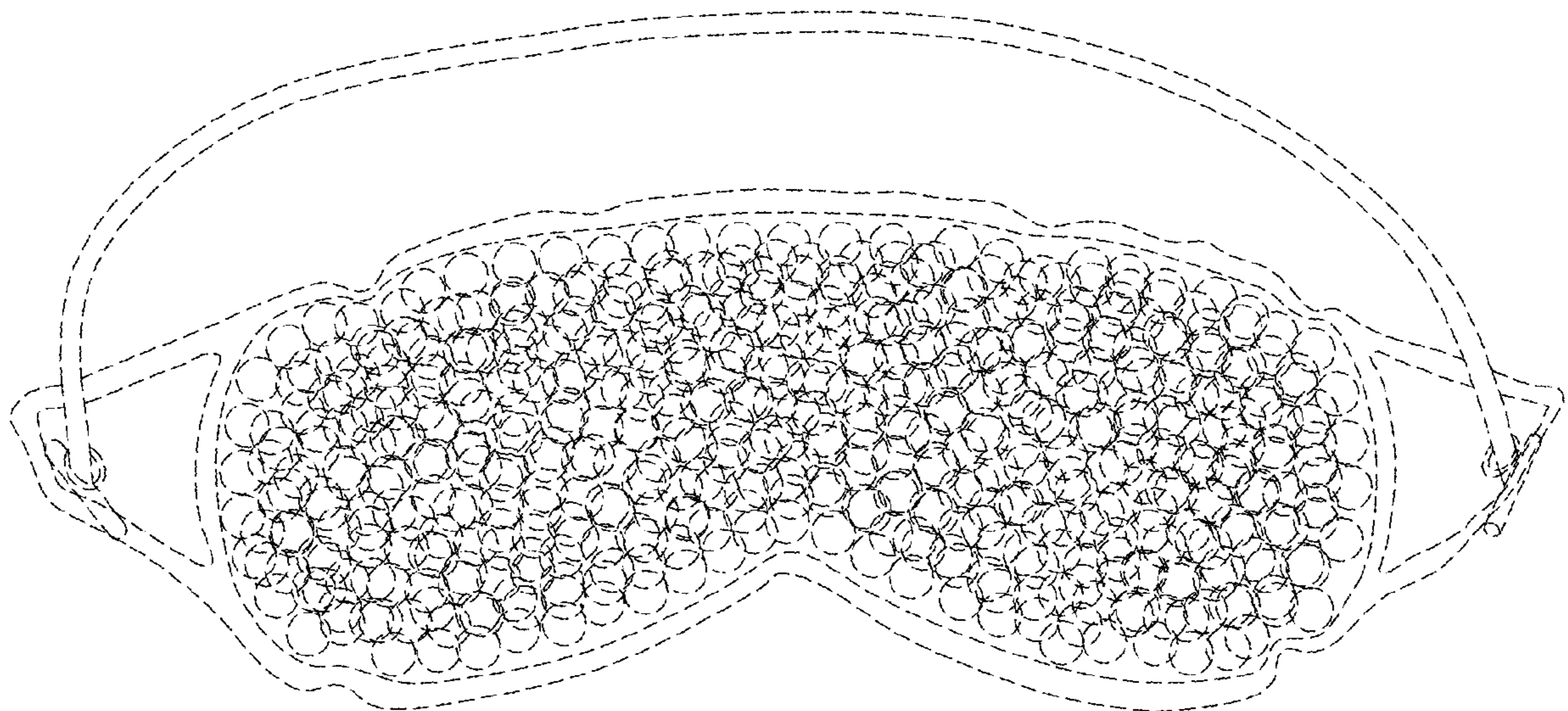


FIG. 2

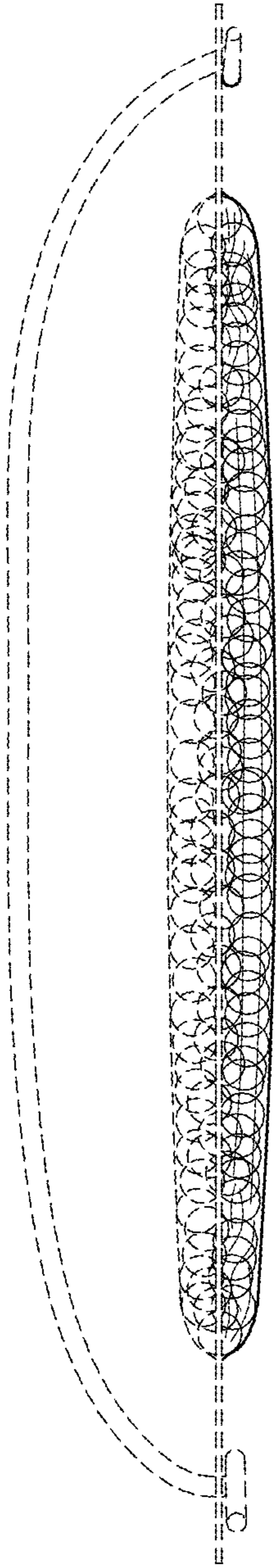


FIG. 3

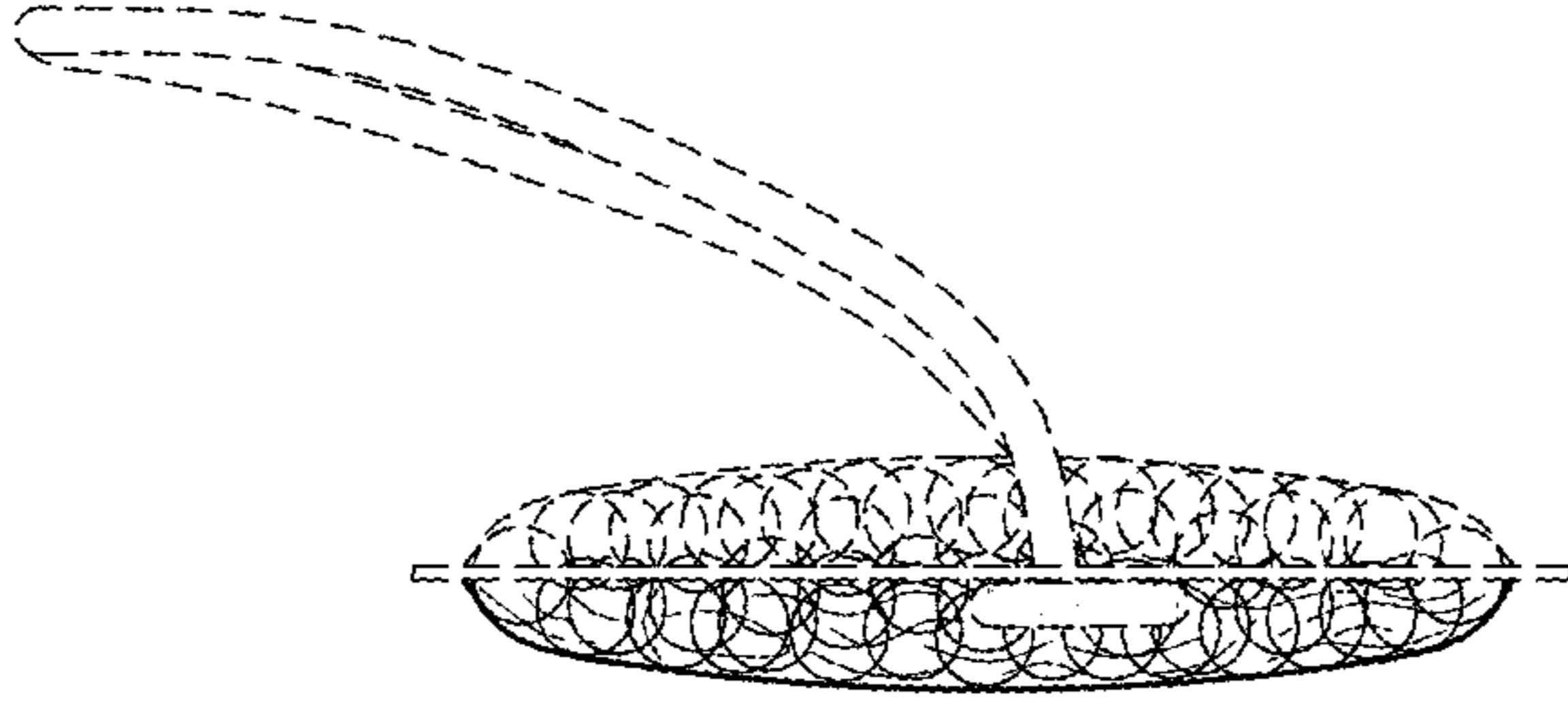


FIG. 6

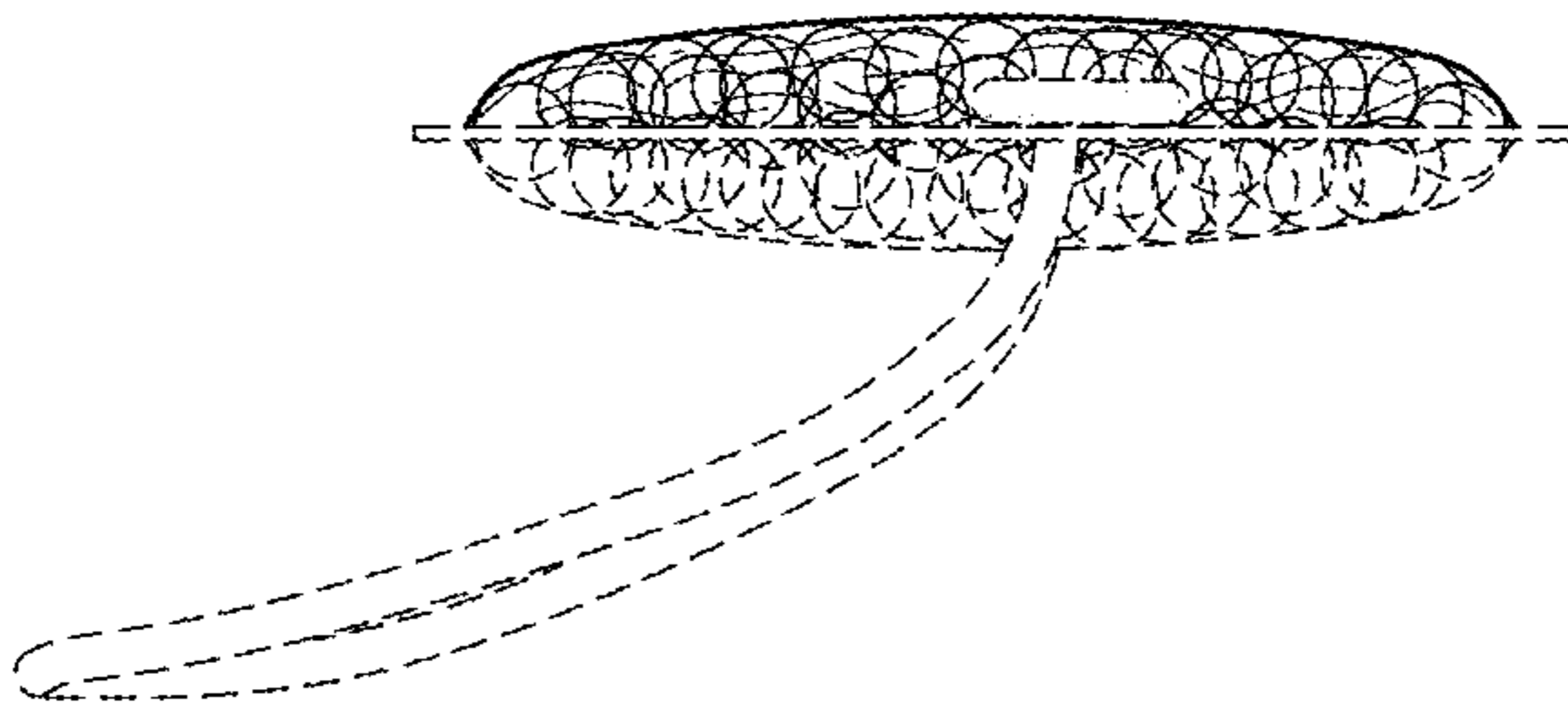


FIG. 5

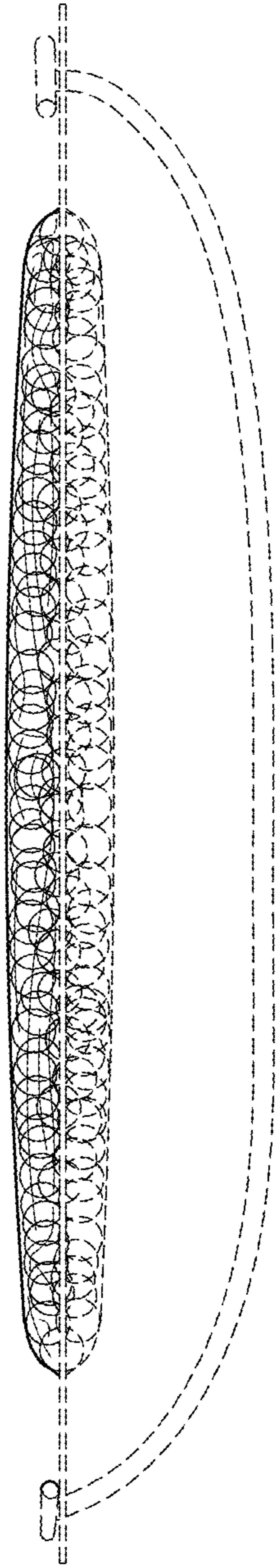


FIG. 4

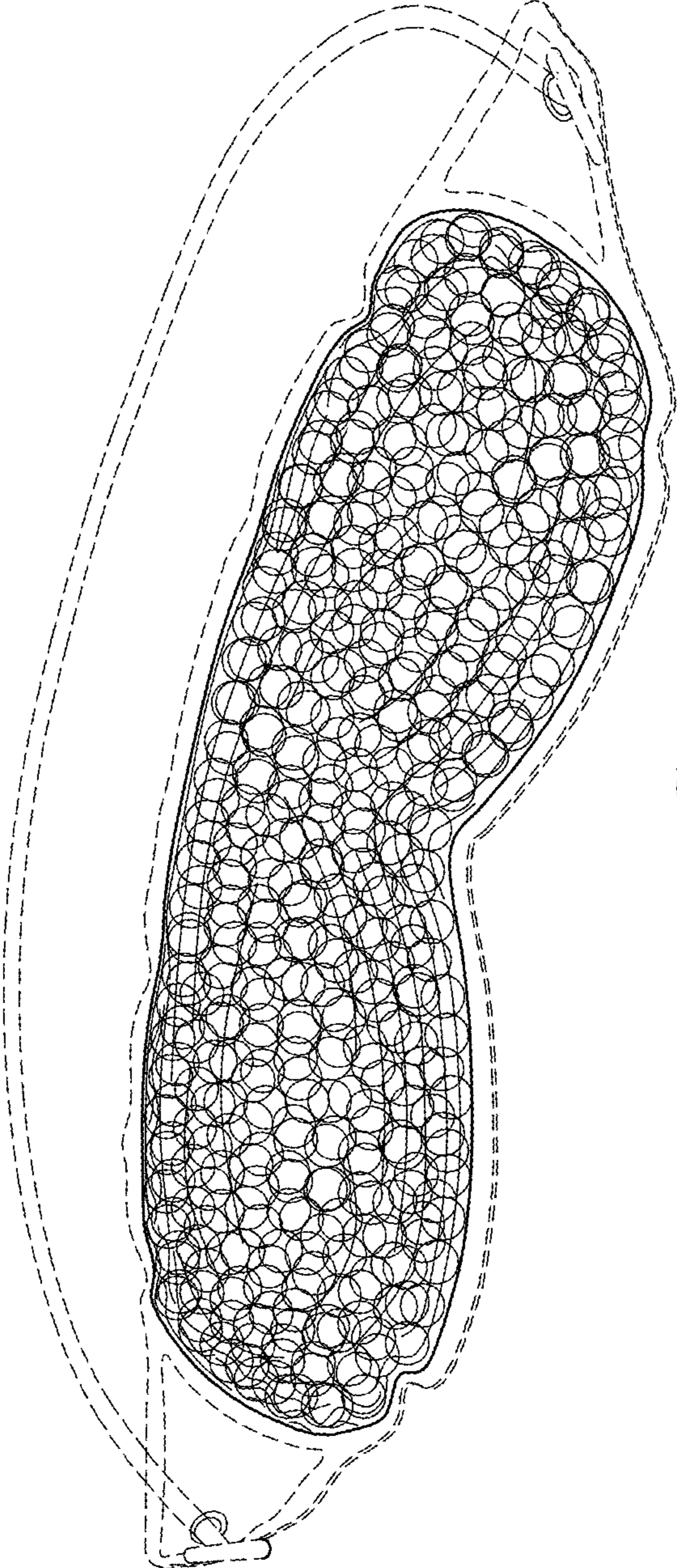


FIG. 7