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(12) **United States Design Patent** (10) **Patent No.:** **US D959,661 S**
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(54) **MEDICAL VIEWING DEVICE**

CPC . A61B 1/227; A61B 1/00009; A61B 1/00096;
A61B 1/05

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See application file for complete search history.

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(56) **References Cited**

U.S. PATENT DOCUMENTS

(73) Assignee: **Welch Allyn, Inc.**, Skaneateles Falls,
NY (US)

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

(21) Appl. No.: **29/813,764**

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D207,372 S	4/1967	Pulos	
3,586,424 A	6/1971	Schenk et al.	
3,614,214 A	10/1971	Cornsweet et al.	
3,638,641 A	2/1972	Abromavage et al.	
3,675,641 A	7/1972	Fiore	
3,698,099 A	10/1972	Matsura	
3,698,387 A	10/1972	Moore et al.	
3,840,004 A	10/1974	Heine	
3,893,447 A	7/1975	Hochheimer et al.	
3,914,032 A	10/1975	Takano et al.	
3,978,850 A	9/1976	Moore et al.	
D243,973 S	4/1977	Pulos et al.	
4,132,466 A	1/1979	Matsumura	
4,252,420 A	2/1981	Kohayakawa	
4,265,518 A	5/1981	Matsumura	
D265,504 S	7/1982	Nash	D24/137
4,366,811 A	1/1983	Riester	
4,439,024 A	3/1984	Ito	
4,442,736 A	4/1984	True et al.	
4,526,449 A	7/1985	Newman et al.	
4,564,273 A	1/1986	Iba et al.	
4,567,881 A	2/1986	Heller	
D286,814 S	11/1986	Brainard, II	600/200
D288,960 S	3/1987	Riester	D24/137
D289,197 S	4/1987	Ware	D24/137
4,662,360 A	5/1987	O'Hara et al.	
4,679,919 A	7/1987	Itoh et al.	
4,682,866 A	7/1987	Volk	
4,721,378 A	1/1988	Volk	
4,785,796 A	11/1988	Mattson	
4,856,872 A	8/1989	Spitznas et al.	
4,997,419 A	3/1991	Lakatos et al.	
5,070,883 A	12/1991	Kasahara	
5,093,719 A	3/1992	Prescott	
5,139,936 A	8/1992	Botstein et al.	
5,200,772 A	4/1993	Perkins et al.	
5,202,710 A	4/1993	Perkins	
5,255,025 A	10/1993	Volk	
5,363,839 A	11/1994	Lankford	
5,390,663 A	2/1995	Schaefer	
5,424,789 A	6/1995	Volk	
5,579,063 A	11/1996	Magnante et al.	
D377,393 S	1/1997	Sams	
5,624,453 A	4/1997	Ahmed	
D379,514 S	5/1997	Laun et al.	

Related U.S. Application Data

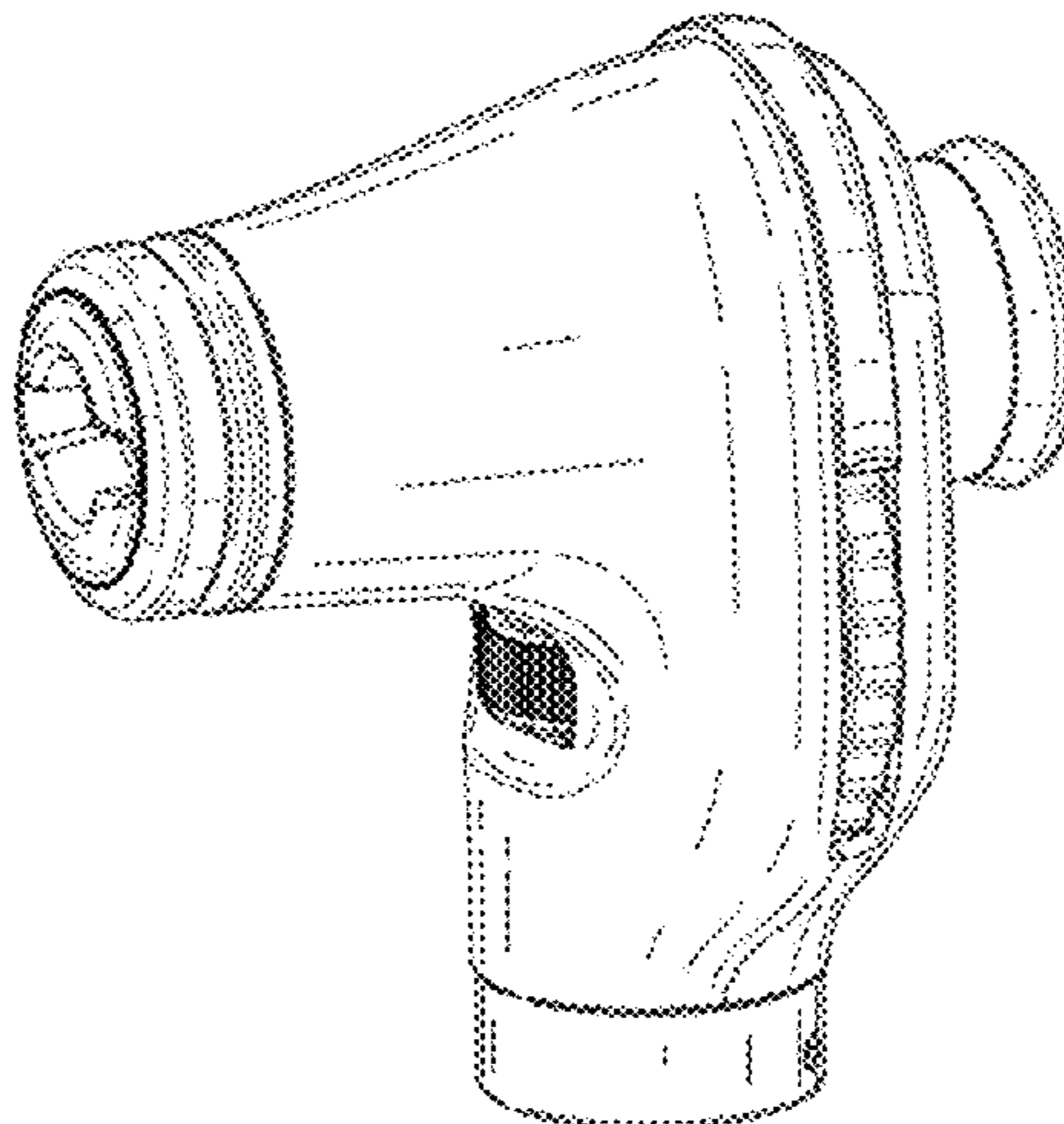
(63) Continuation of application No. 17/483,347, filed on
 Sep. 23, 2021, which is a continuation of application
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 11,147,441, which is a continuation-in-part of
 application No. 29/676,213, filed on Jan. 9, 2019,
 now Pat. No. Des. 905,240, and a continuation-in-part
 of application No. 29/676,212, filed on Jan. 9, 2019,
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(51) **LOC (13) Cl.** **24-02**

(52) **U.S. Cl.**
USPC **D24/137**

(58) **Field of Classification Search**
USPC D24/137, 138, 133, 160, 134



US D959,661 S

5,658,235 A	8/1997	Priest et al.	D709,191 S	7/2014	Wood et al.
5,713,047 A	1/1998	Kohayakawa	8,816,604 B2	8/2014	Carli
5,720,756 A	2/1998	Green et al.	8,890,489 B2	11/2014	Wood
5,722,762 A	3/1998	Soil	8,944,596 B2	2/2015	Wood et al.
5,751,395 A	5/1998	Thall	9,001,326 B2	4/2015	Goldfain
5,795,067 A	8/1998	Fraden et al.	9,022,566 B2	5/2015	Utagawa
5,842,971 A	12/1998	Yoon	9,153,994 B2	10/2015	Wood et al.
5,880,813 A	3/1999	Thall	9,191,562 B1	11/2015	Schorr, II
5,919,130 A	7/1999	Monroe et al.	9,289,122 B2	3/2016	Chinnock et al.
5,982,255 A	11/1999	Melville et al.	D760,388 S	6/2016	Slawson et al.
6,019,721 A	2/2000	Holmes et al.	D760,895 S	7/2016	McMahon et al.
D423,668 S	4/2000	Coe	9,392,933 B2	7/2016	Bedard et al.
6,053,875 A	4/2000	Rosenbaum et al.	9,392,938 B2	7/2016	Cheng et al.
6,065,837 A	5/2000	Goldfain et al.	9,411,215 B2	8/2016	Hunt
D429,333 S	8/2000	Sander et al.	9,445,713 B2	9/2016	Douglas et al.
6,099,537 A	8/2000	Sugai et al.	9,516,711 B2	12/2016	Weil et al.
6,106,457 A	8/2000	Perkins et al.	D776,809 S	1/2017	Vallee et al.
6,129,661 A	10/2000	Lafrati et al.	9,532,708 B2	1/2017	Juhasz et al.
6,130,520 A	10/2000	Wawro et al.	9,596,987 B2	3/2017	Fujino et al.
6,142,934 A	11/2000	Lagerway et al.	9,655,517 B2	5/2017	Su et al.
6,147,705 A	11/2000	Krauter et al.	9,795,293 B2	10/2017	Howes
6,190,310 B1	2/2001	Cook	9,826,894 B2	11/2017	Masaki A61B 1/00009
6,213,938 B1	4/2001	Cook	9,833,133 B2	12/2017	Stone F21V 23/005
6,254,271 B1	7/2001	Lin	9,904,013 B2	2/2018	Schultheis et al.
6,273,565 B1	8/2001	Matsumoto	9,931,021 B2	4/2018	Ruppersberg et al.
6,331,156 B1	12/2001	Haefele et al.	D905,237 S *	12/2020	Knieriem D24/137
6,359,677 B2	3/2002	Itoh et al.	D905,238 S *	12/2020	Englert D24/137
6,383,133 B1	5/2002	Jones	D905,239 S *	12/2020	Englert D24/137
6,425,857 B1	7/2002	Rudischhauser et al.	D905,240 S *	12/2020	Knieriem D24/137
6,450,970 B1	9/2002	Mahler et al.	D940,312 S *	1/2022	Heine D24/133
6,475,138 B1	11/2002	Schechter et al.	2001/0014112 A1	8/2001	Yamaka
6,511,420 B1	1/2003	Farrell et al.	2002/0085616 A1	7/2002	Yu
6,537,208 B1	3/2003	Konno	2002/0143239 A1	10/2002	Henzler
6,554,765 B1	4/2003	Yarush et al.	2002/0188177 A1	12/2002	Miyanaga
6,569,090 B1	5/2003	Mezzoli et al.	2002/0193665 A1	12/2002	Jones
6,692,431 B2	2/2004	Kazakevich	2003/0063386 A1	4/2003	Slawson et al.
6,705,726 B2	3/2004	Tanassi et al.	2003/0187331 A1	10/2003	Faludi et al.
6,968,127 B2	11/2005	Nanjyo	2004/0003925 A1	2/2004	Roberts et al.
7,029,439 B2	4/2006	Roberts et al.	2004/0039251 A1	2/2004	Roberts et al.
7,048,379 B2	5/2006	Miller et al.	2004/0174498 A1	9/2004	Zorn et al.
7,177,088 B2	2/2007	Hirata	2004/0186352 A1	9/2004	Roberts et al.
7,224,822 B2	5/2007	Heacock	2005/0027168 A1	2/2005	Strom et al.
7,276,025 B2	10/2007	Roberts A61B 1/227 315/312	2005/0027169 A1	2/2005	Goldfain et al.
7,290,882 B2	11/2007	Collins et al.	2005/0043588 A1	2/2005	Tsai
D566,270 S	4/2008	Strom et al.	2005/0043591 A1	2/2005	Witte
D566,838 S	4/2008	Slawson et al.	2005/0110949 A1	5/2005	Goldfain et al.
7,354,399 B2	4/2008	Strom et al.	2006/0020176 A1	1/2006	Berall
7,364,297 B2	4/2008	Goldfain et al.	2006/0159155 A1	7/2006	Lantz et al.
7,399,275 B2	7/2008	Goldfain et al.	2006/0183977 A1	8/2006	Ishigami et al.
7,448,753 B1	11/2008	Chinnock	2007/0219417 A1	9/2007	Roberts et al.
D594,555 S	6/2009	Hsu	2007/0255108 A1	11/2007	Schmitz
7,583,035 B2	9/2009	Shteynberg et al.	2008/0051637 A1	2/2008	Andreassen et al.
7,597,443 B2	10/2009	Fujii et al.	2008/0079897 A1	4/2008	Goldfain et al.
7,677,730 B2	3/2010	Shimizu	2008/0309876 A1	12/2008	Massie
D618,794 S	6/2010	Onuma	2009/0287192 A1	11/2009	Vivencio et al.
7,744,219 B2	6/2010	Davis	2010/0081875 A1	4/2010	Fowler et al.
D619,708 S	7/2010	Ellman	2010/0317924 A1	12/2010	Sisko et al.
7,762,950 B2	7/2010	Hirata	2011/0060184 A1	3/2011	Rothberg et al.
7,803,110 B2	9/2010	Goldfain et al.	2011/0234977 A1	9/2011	Verdooner
7,854,510 B2	12/2010	Verdooner et al.	2012/0209074 A1	8/2012	Titus
7,862,173 B1	1/2011	Ellman	2012/0229617 A1	9/2012	Yates et al.
D635,257 S	3/2011	Ellman D24/137	2012/0320340 A1	12/2012	Coleman, III
7,901,353 B2	3/2011	Vayser et al.	2013/0083183 A1	4/2013	Cheng et al.
8,043,211 B2	10/2011	Hirata	2013/0128223 A1	5/2013	Wood et al.
8,066,634 B2	11/2011	Andreassen et al.	2013/0150675 A1	6/2013	Folley
8,100,826 B2	1/2012	MacKinnon et al.	2013/0178707 A1	7/2013	Kwong
8,109,981 B2	2/2012	Gertner et al.	2013/0208241 A1	8/2013	Lawson et al.
8,152,718 B2	4/2012	Cheng	2013/0267783 A1	10/2013	Davis et al.
8,159,153 B2	4/2012	Hum	2013/0300919 A1	11/2013	Fletcher et al.
D659,840 S	5/2012	Cheng et al.	2014/0051923 A1	2/2014	Mirza et al.
8,197,403 B2	6/2012	Strom et al.	2014/0146288 A1	5/2014	Anand et al.
8,210,680 B2	7/2012	Tanguay, Jr. et al.	2014/0213936 A1	7/2014	Monouvoukas A61B 5/1075 600/587
8,231,522 B2	7/2012	Endo et al.	2015/0103317 A1	4/2015	Goldfain et al.
8,459,794 B2	6/2013	Juhasz et al.	2015/0126810 A1	5/2015	Wood et al.
8,459,844 B2	6/2013	Lia et al.	2015/0223678 A1	8/2015	Goldfain et al.
8,550,626 B2	10/2013	Griggio et al.	2015/0342458 A1	12/2015	Watanabe et al.
8,602,971 B2	12/2013	Farr	2015/0374208 A1	12/2015	Ruppersberg et al.
8,684,526 B2	4/2014	Neal	2016/0051142 A1	2/2016	Howes

2016/0073875	A1	3/2016	Goldfain et al.
2016/0128555	A1	5/2016	McMahon et al.
2016/0262611	A1	9/2016	Rotenstreich
2016/0296112	A1	10/2016	Fletcher et al.
2016/0367134	A1	12/2016	Su
2017/0006683	A1	1/2017	Shiyu et al.
2017/0119237	A1	5/2017	Bedard et al.
2017/0123131	A1	5/2017	Root et al.
2017/0215719	A1	8/2017	Goldfain et al.
2017/0239012	A1	8/2017	Wood et al.
2017/0280524	A1	9/2017	West
2017/0303857	A1	10/2017	Perkins et al.
2018/0000336	A1	1/2018	Gilad-Gilor et al.
2018/0049637	A1	2/2018	Marquez et al.
2018/0084996	A1	3/2018	Su et al.
2018/0116509	A1	5/2018	Myung et al.
2018/0125345	A1	5/2018	Rebella et al.
2018/0153399	A1	6/2018	Fink et al.
2018/0153402	A1	6/2018	Saidman et al.
2018/0303329	A1	10/2018	Goldfain et al.

FOREIGN PATENT DOCUMENTS

CN	103082999	A	5/2013
CN	103118585	A	5/2013
CN	103687532	A	3/2014
DE	197 44 131	A1	4/1998
DE	10 2007 036 683	B4	10/2017
EP	1 152 687	B1	9/2004
EP	2 473 092		3/2011
JP	2007-115594	A	5/2007
JP	2012-119541	A	6/2012
SU	501374		10/1976
TW	201216916	A1	5/2012
TW	201229557	A1	7/2012
WO	WO 99/42760		8/1999
WO	WO 02/056756	A2	7/2002
WO	WO 2005/020804	A1	3/2005
WO	WO 2005/044098	A1	5/2005
WO	WO 2005/053519	A1	6/2005
WO	WO 2006/131770	A2	12/2006
WO	WO 2007/026158	A1	3/2007
WO	WO 2011/042722	A1	4/2011
WO	WO 2011/047214	A2	4/2011
WO	WO 2011/050496	A1	5/2011
WO	WO 2015/049404	A1	4/2015
WO	WO 2016/193998	A2	12/2016
WO	WO 2016/193998	A3	12/2016
WO	WO 2017/195223	A1	11/2017
WO	WO 2017/201584	A1	11/2017
WO	WO 2018/013923	A1	1/2018
WO	WO 2018/043657	A1	3/2018
WO	WO 2018/049480	A1	3/2018
WO	WO 2018/069346	A1	4/2018

OTHER PUBLICATIONS

Australian Examination Report for AU 2001263366; dated Dec. 9, 2004; 2 pages.

Australian Examination Report for AU 2001263366; dated Dec. 19, 2005; 2 pages.

Australian Examination Report for AU 2012335072; dated May 24, 2016; 2 pages.

European Search Report for EP 08 798 437.3; dated Oct. 27, 2010; 7 pages.

European Examination Report for EP 12 791 644.3; dated Apr. 24, 2018; 3 pages.

European Office Action for EP 15 771 386.8; dated Aug. 3, 2018; 2 pages.

European Office Action for EP 15 771 386.8; dated Mar. 20, 2019; 3 pages.

International Preliminary Report on Patentability and Written Opinion for PCT/US2015/050165; dated Mar. 21, 2017; 8 pages.

International Search Report and Written Opinion for PCT/US2007/065367; dated Jun. 3, 2008; 9 pages.

International Search Report for PCT/US2008/073956; dated Mar. 10, 2009; 2 pages.

International Search Report and Written Opinion for PCT/US2012/064510; dated Apr. 29, 2013; 16 pages.

International Search Report and Written Opinion for PCT/US2017/029322; dated Oct. 17, 2017; 18 pages.

International Search Report and Written Opinion for PCT/US2019/013775; dated Mar. 28, 2019; 13 pages.

Invitation to Pay Additional Fees, and Where Applicable, Protest Fee; Dated Dec. 2, 2015; 6 pages.

Japanese Notice of Grounds for Rejection for JP 2000-583418; dated Jan. 31, 2006; 3 pages.

U.S. Appl. No. 29/207,233, filed Jun. 10, 2004; Roberts et al.; 7 pages.

Large Field of View, Modular, Stabilized, Adaptive-Optics-Based Scanning Laser Ophthalmoscope; Stephen A. Burns, Remy Tumber and Ann E. Elsner; <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2443858/pdf/nihms21600>; Published in May 2007; 24 pages.

Adaptive Optics Scanning Laser Ophthalmoscope With Integrated Wide-Field Retinal Imaging and Tracking; R. Daniel Ferguson, Zhangyi Zhong, Daniel X. Hammer, Mircea Mujat, Ankit H. Patel, Cong Deng, Weiyao Zou and Stephen A. Burns; <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3071649/pdf/nihms-250025>; Published in Nov. 2010; 27 pages.

Medimaging Integrated Solution Inc.; <http://www.miis.com.tw/?option=product&language=zh-tw&mod=5>, accessed Apr. 18, 2013; 11 pages.

Digital Hand-held Diagnostic Set, Medimaging Integrated Solution, Inc.; 3 pages.

Rudolf Riester GmbH—medical diagnostic instruments, Source: <http://www.riester.de/Home.1+B6Jkw9MSZMPTA.0.html>, Date Accessed: Sep. 14, 2012; 2 pages.

Parnes et al. (1996); Advances in the Development of the Interferometric Otoscope; The Laryngoscope, 106: 263-267; 5 pages.

Nishikawa, et al. (2011); A Novel Colonoscope with High Color-Rendering White Light-Emitting Diodes, 73: 598-602; 5 pages.

Rajewski (2012); An Optical Engineering Feat from the Kitchen; Cummings School of Veterinary Medicine at Tufts University; 2 pages.

All-N1 Video Otoscope (MD Scope); Source: <http://www.jedmed.com/products/all-n1-video-otoscope>; Date accessed: Oct. 25, 2011; 2 pages.

Dreher, Andreas W.; Field Portable Digital Ophthalmoscope/Fundus Camera; Laser Diagnostic Technologies, Inc.; Jun. 1997; 26 pages.

Smithwick et al.; Non-Paraxial Design for a Transportable Digital Retinal Imager; <http://www.opticsinfobase.org/abstract.cfm?url=FiO-2004-FWM5>; 1 page.

Optomap Panoramic200; <http://www.joneseyecenters.com/index.cfm/technology/optomap>; Date Accessed: Feb. 27, 2013; 3 pages.

International Preliminary Report on Patentability for PCT/US2019/013775; dated Nov. 19, 2019; 7 pages.

U.S. Appl. No. 29/650,401, filed Jun. 6, 2018, Knieriem et al.

U.S. Appl. No. 29/676,213, filed Jan. 9, 2019, Knieriem et al.

U.S. Appl. No. 29/654,308, filed Jun. 22, 2018, Englert et al.

U.S. Appl. No. 29/676,212, filed Jan. 9, 2019, Englert et al.

3.5 V Diagnostic Oscopes [online] [retrieved Jun. 10, 2014]. Retrieved from the Internet: <URL:<http://intl.welchallyn.com/apps/products/product.jsp?id=11-ac-100-000000001141>>. (2011) 1 page.

3.5 V Standard Ophthalmoscope [online] [retrieved Jun. 10, 2014]. Retrieved from the Internet: <URL:<http://intel.welchallyn.com/apps/products/product.jsp?id=11-ac-100-000000001137>>. (2011) 1,page.

PocketScope Ophthalmoscope [online] [retrieved Jun. 10, 2014]. Retrieved from the Internet: <URL:<http://intel.welchallyn.com/apps/products/product.jsp?id=11-ac-100-000000001139>>. (2011) 1 page.

PocketScope Oscope with Throat Illuminator [online] [retrieved Jun. 10, 2014]. Retrieved from the Internet: <URL:<http://intel.welchallyn.com/apps/products/product.jsp?id=11-ac-100-000000001148>>. (2011) 1 page.

Welch Allyn 2.5v PocketScope Ophthalmoscope with AA Handle (Model 12820) [online] [retrieved Jun. 10, 2014]. Retrieved from the Internet:<URL: <http://www.amazon.com/Welch-allyn-PocketScope->

Ophthalmoscope-Handle/dp/B002MBRHROQ/repd_sim_sbs_hpc_1?ie=UTF8&refRID=0KV7EFBWEAQ08K . . . >, (undated) 2 pages.

Welch Allyn Otoline/ophthalmoscope Diagnostic Set MOD 95001 [online] [retrieved Jun. 10, 2014]. Retrieved from the Internet: <URL:http://www.amazon.com/Welch-Allyn-ophthalmoscope-MOD95001/dp/BOOORJXUDS/ref=pd_sxp_grid_pt_0_1>, (undated) 2 pages.

Welch Allyn PocketScope Otoline w/“AA” Handle and Soft Case, 1/Ea, 22821 [online] [retrieved Jun. 10, 2014], Retrieved from the Internet: <URL:http://www.amazon.com/Welch-Allyn-PocketScope-Otoline-22821/dp/BOOOROJ8UW/re-pd_sim_hpc_3?ie=UTF8&refRID=13090GMJV3SHNBVAQPKS>, (undated) 2 pages.

* cited by examiner

Primary Examiner — Eliza Z Harvey
(74) *Attorney, Agent, or Firm* — Barclay Damon LLP

(57) **CLAIM**

An ornamental design for a medical viewing device, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of an embodiment of a medical viewing device made in accordance with our new design;

FIG. 2 is a rear perspective view thereof;
FIG. 3 is a left side perspective view thereof;
FIG. 4 is a right side elevation view thereof;
FIG. 5 is a front elevation view thereof;
FIG. 6 is a rear elevation view thereof;
FIG. 7 is a top plan view thereof;
FIG. 8 is a bottom plan view thereof;
FIG. 9 is another perspective view thereof in a use condition with an attached handle;
FIG. 10 is a front perspective view of a medical viewing device made in accordance with another embodiment;
FIG. 11 is a rear perspective view thereof;
FIG. 12 is a left side elevation view thereof;
FIG. 13 is a right side elevation view thereof;
FIG. 14 is a front elevation view thereof;
FIG. 15 is a rear elevation view thereof;
FIG. 16 is a top plan view thereof;
FIG. 17 is a bottom plan view thereof; and,
FIG. 18 is a front perspective view of the medical viewing device thereof in a use condition with an attached handle. Broken lines as shown are intended to show the environment of the design and do not form a part of the claimed design.

1 Claim, 18 Drawing Sheets

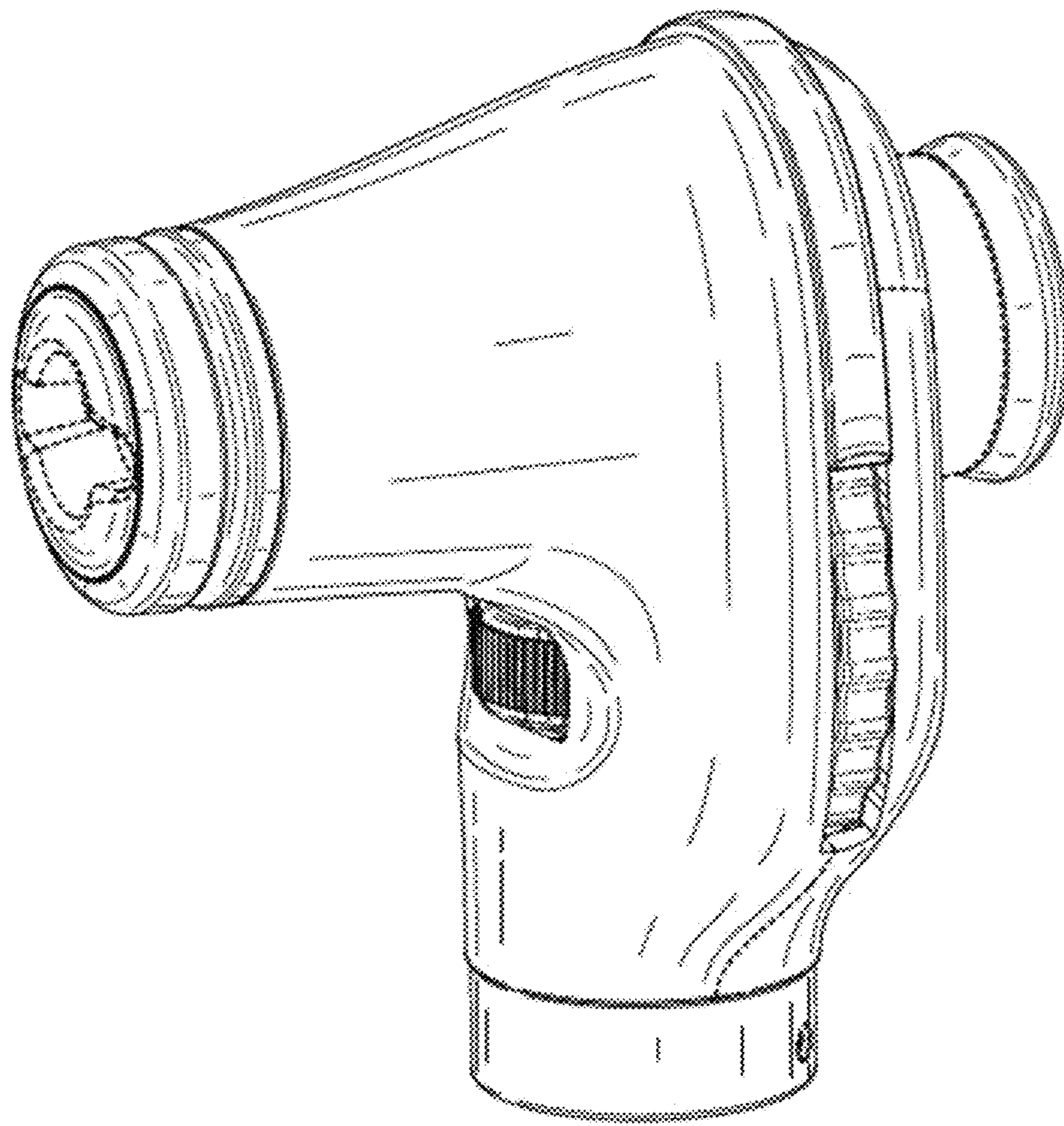


FIG. 1

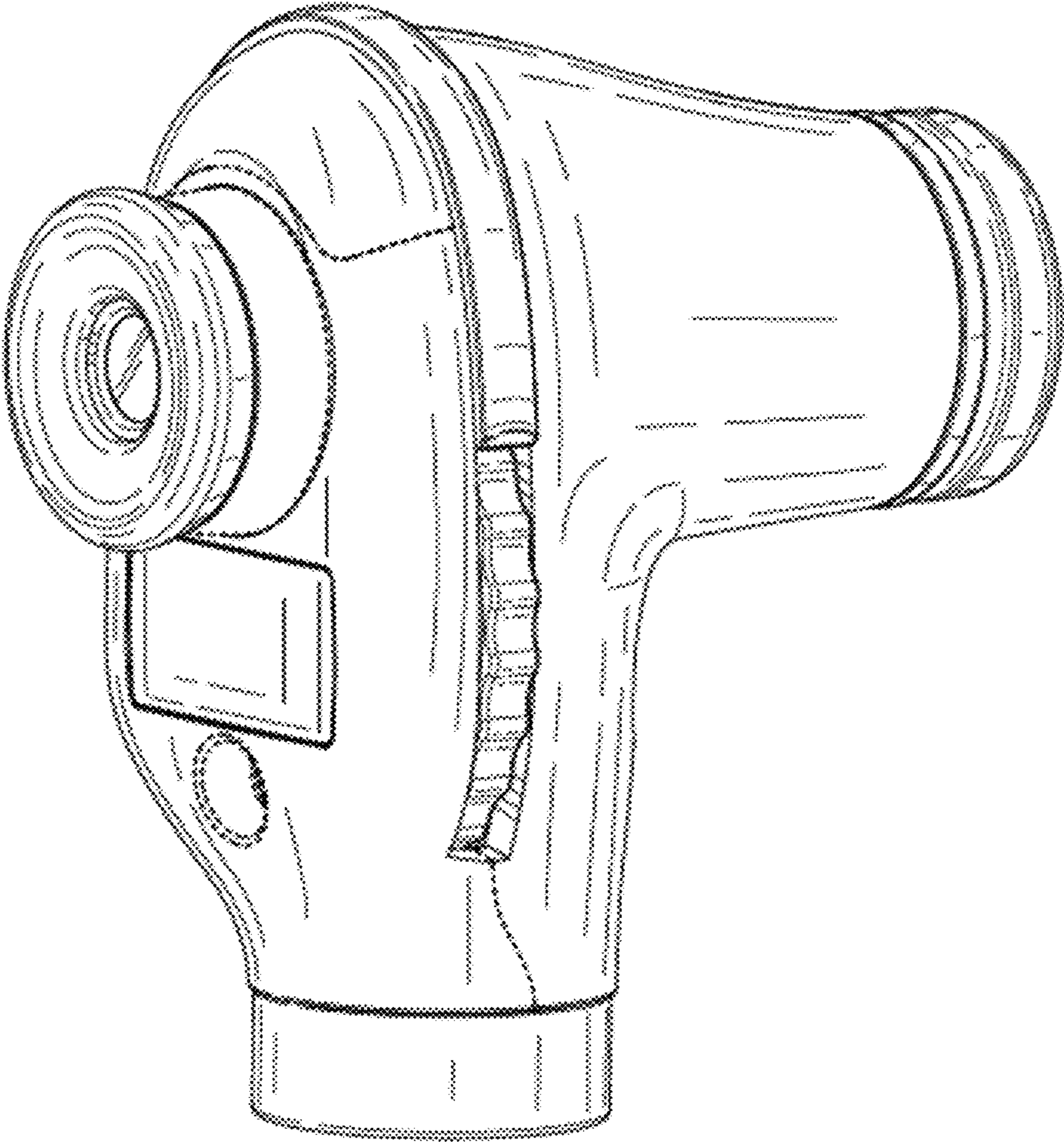


FIG. 2

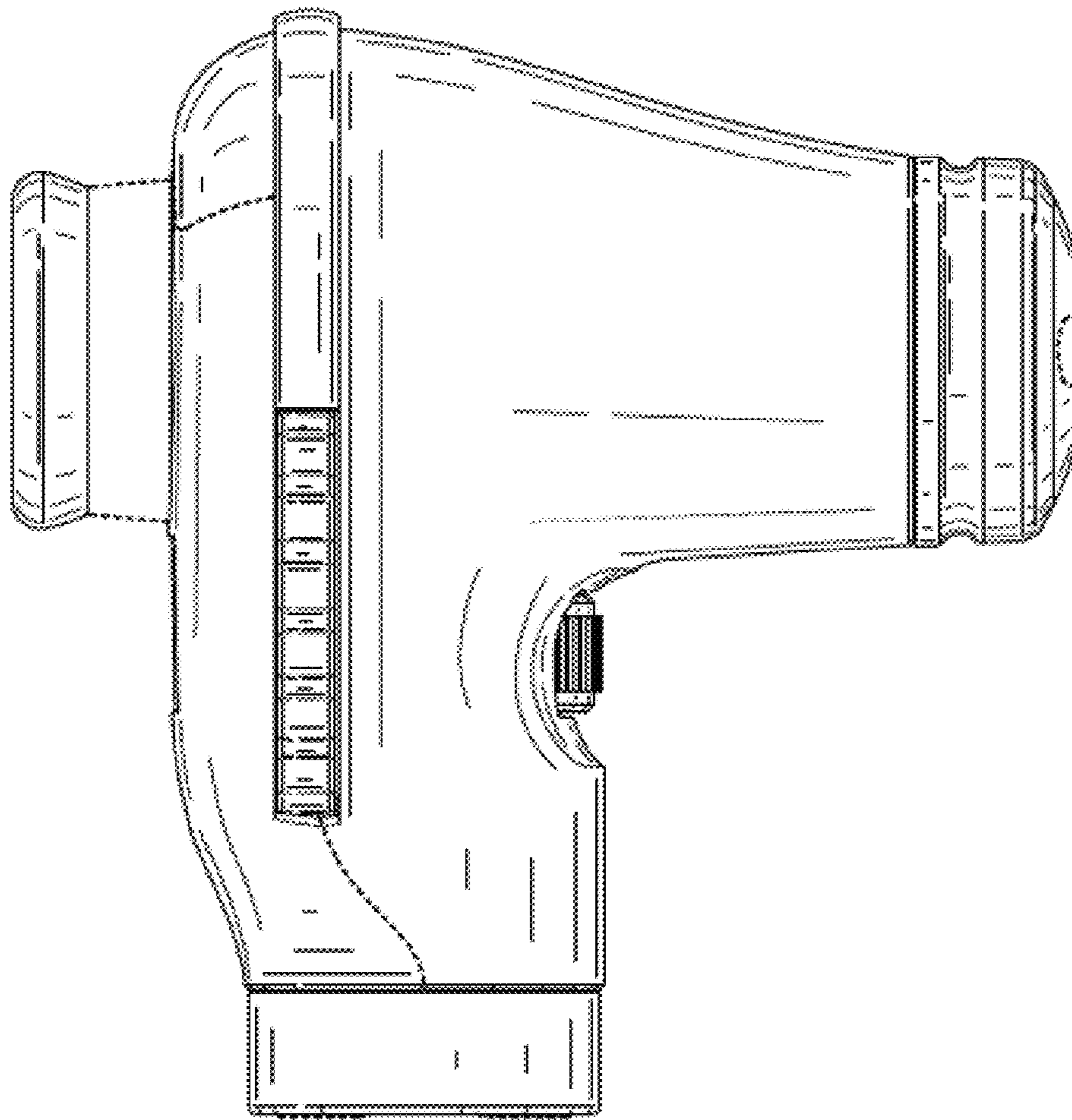


FIG. 3

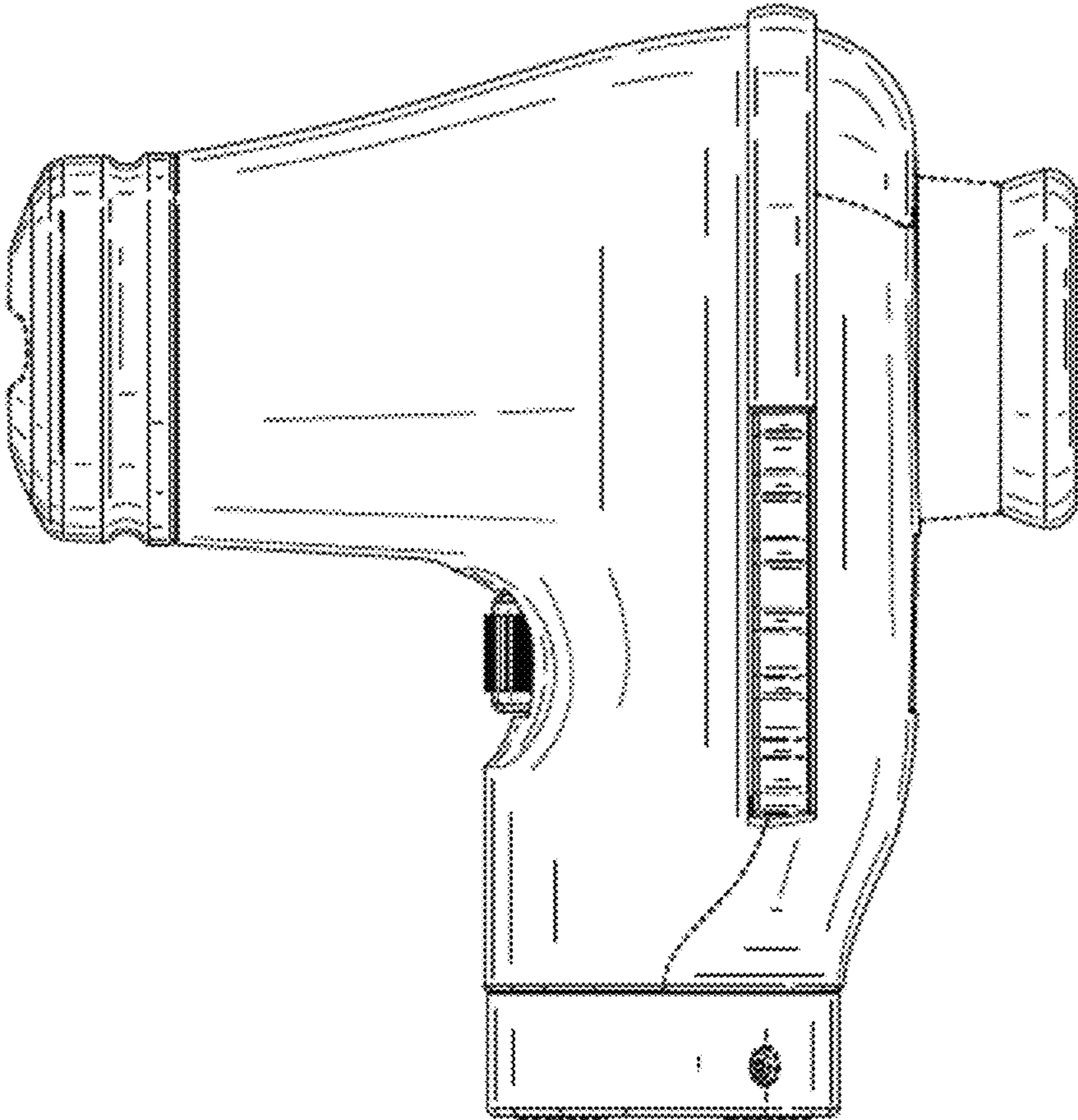


FIG. 4

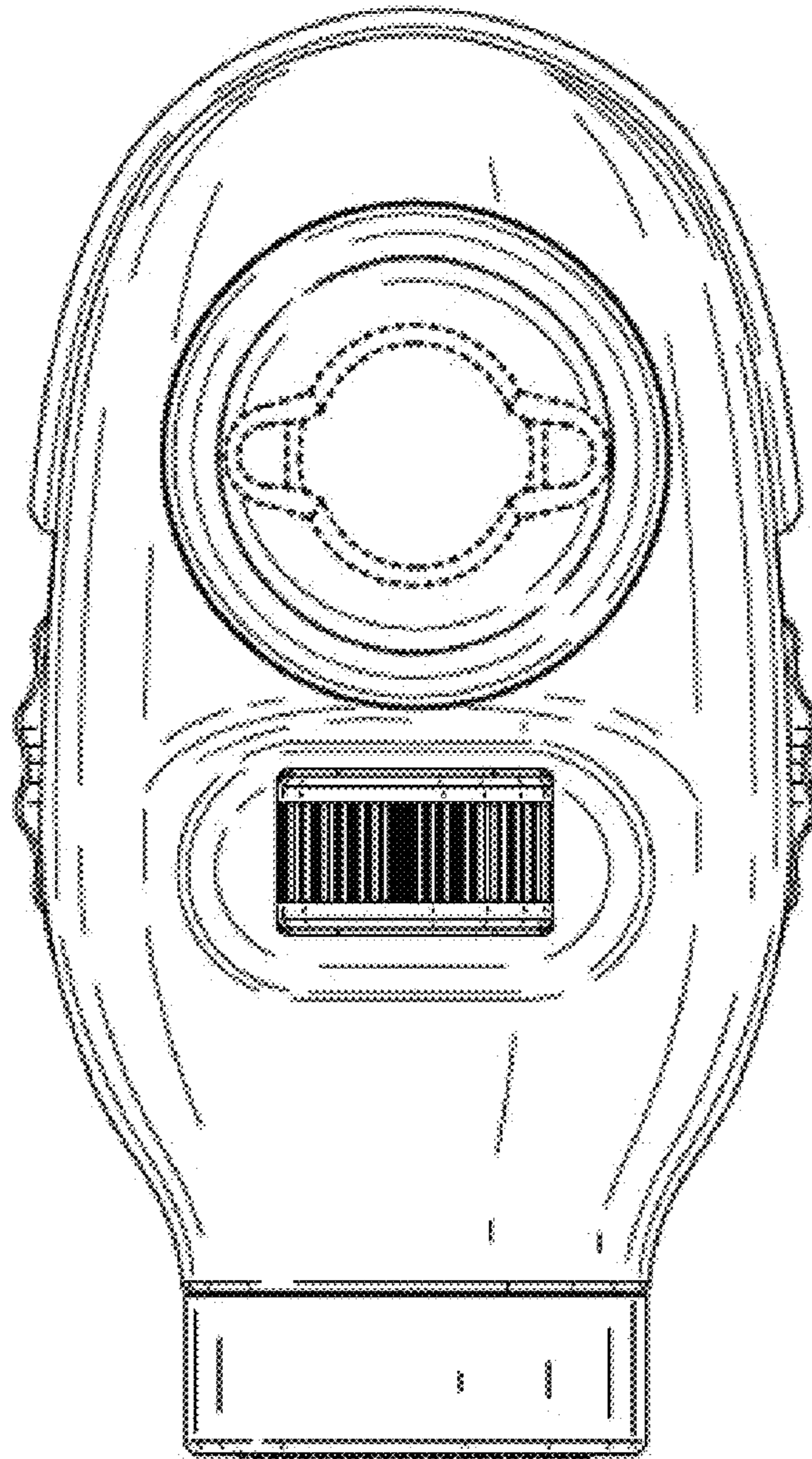


FIG. 5

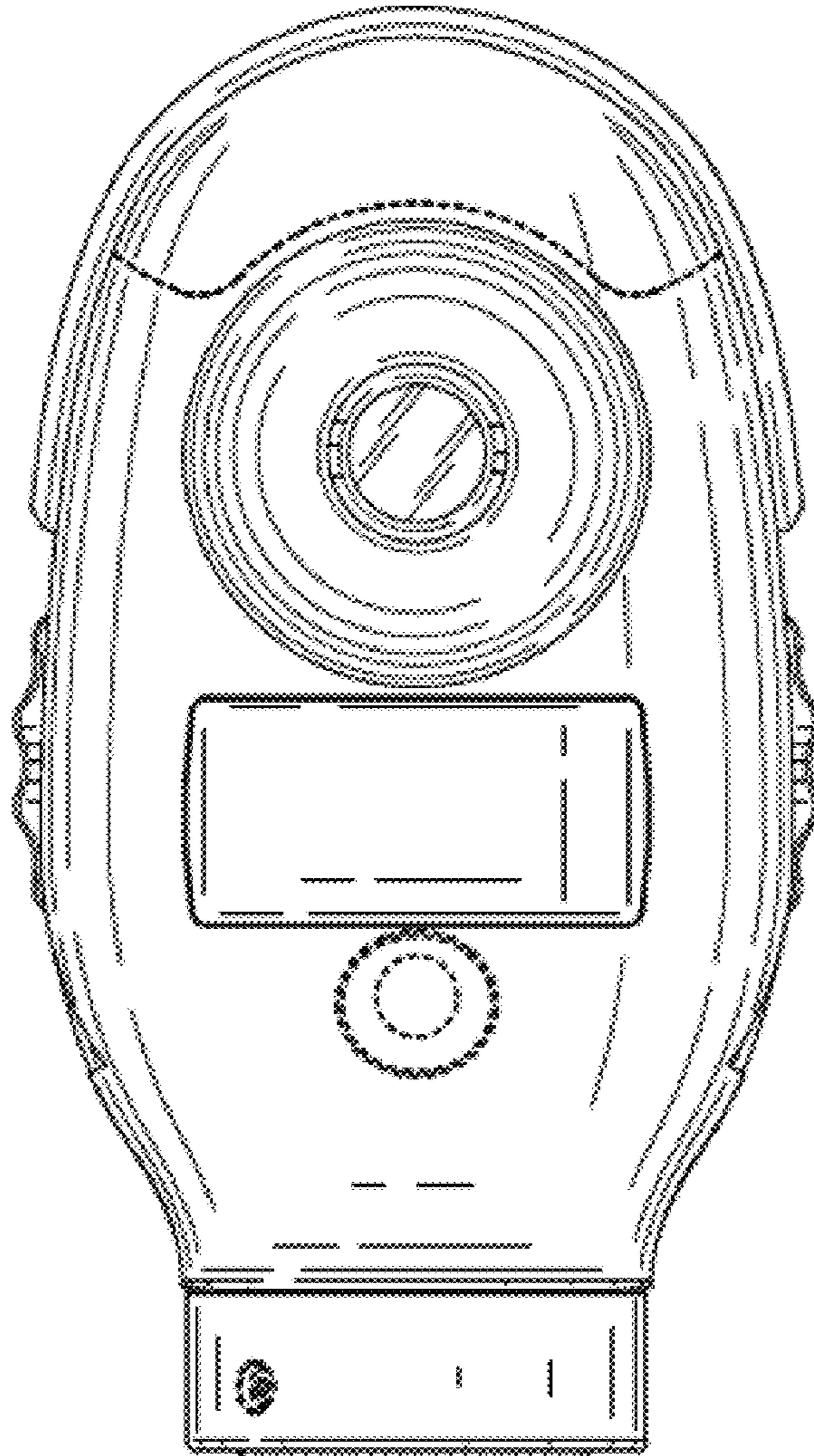


FIG. 6

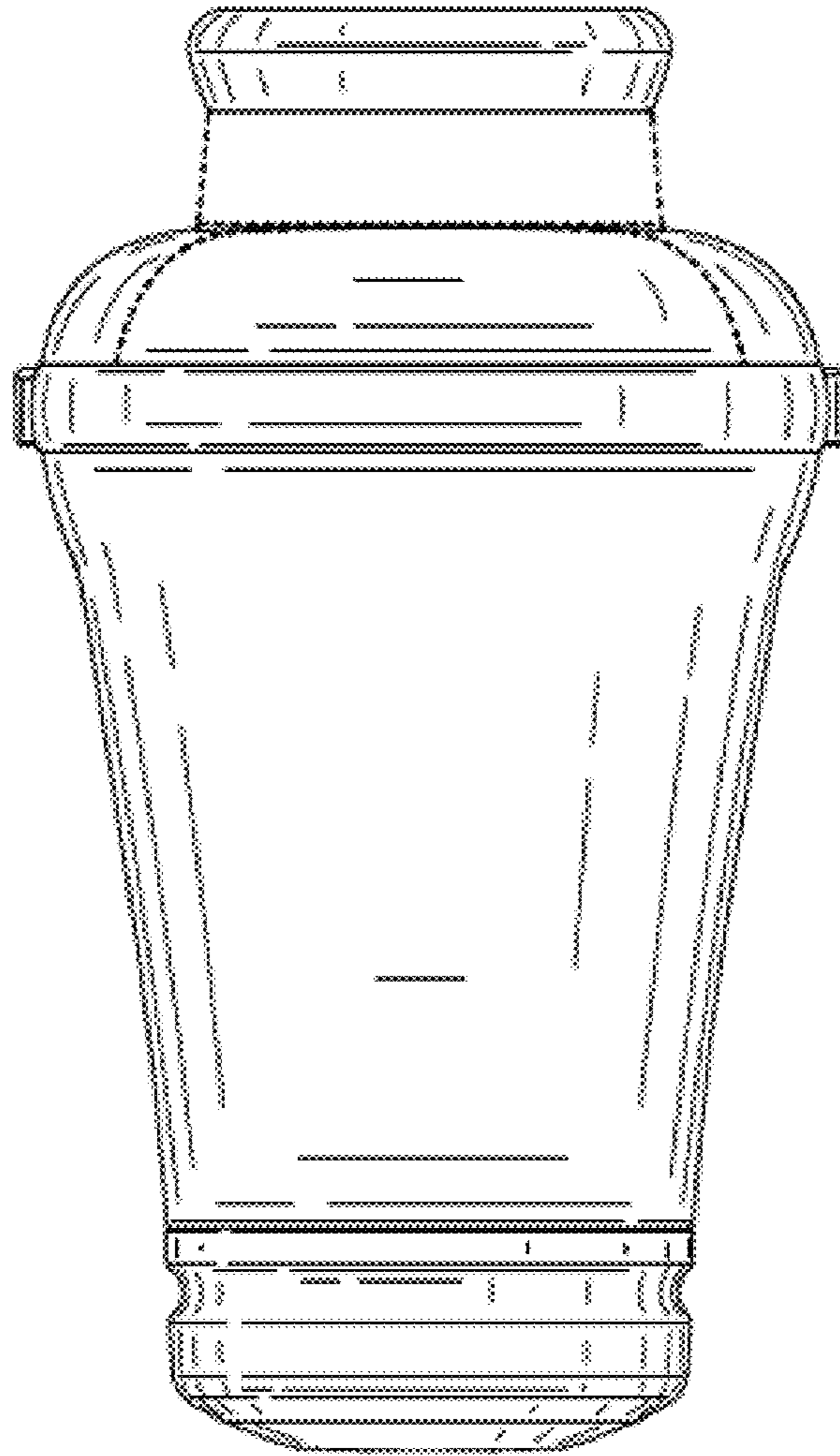


FIG. 7

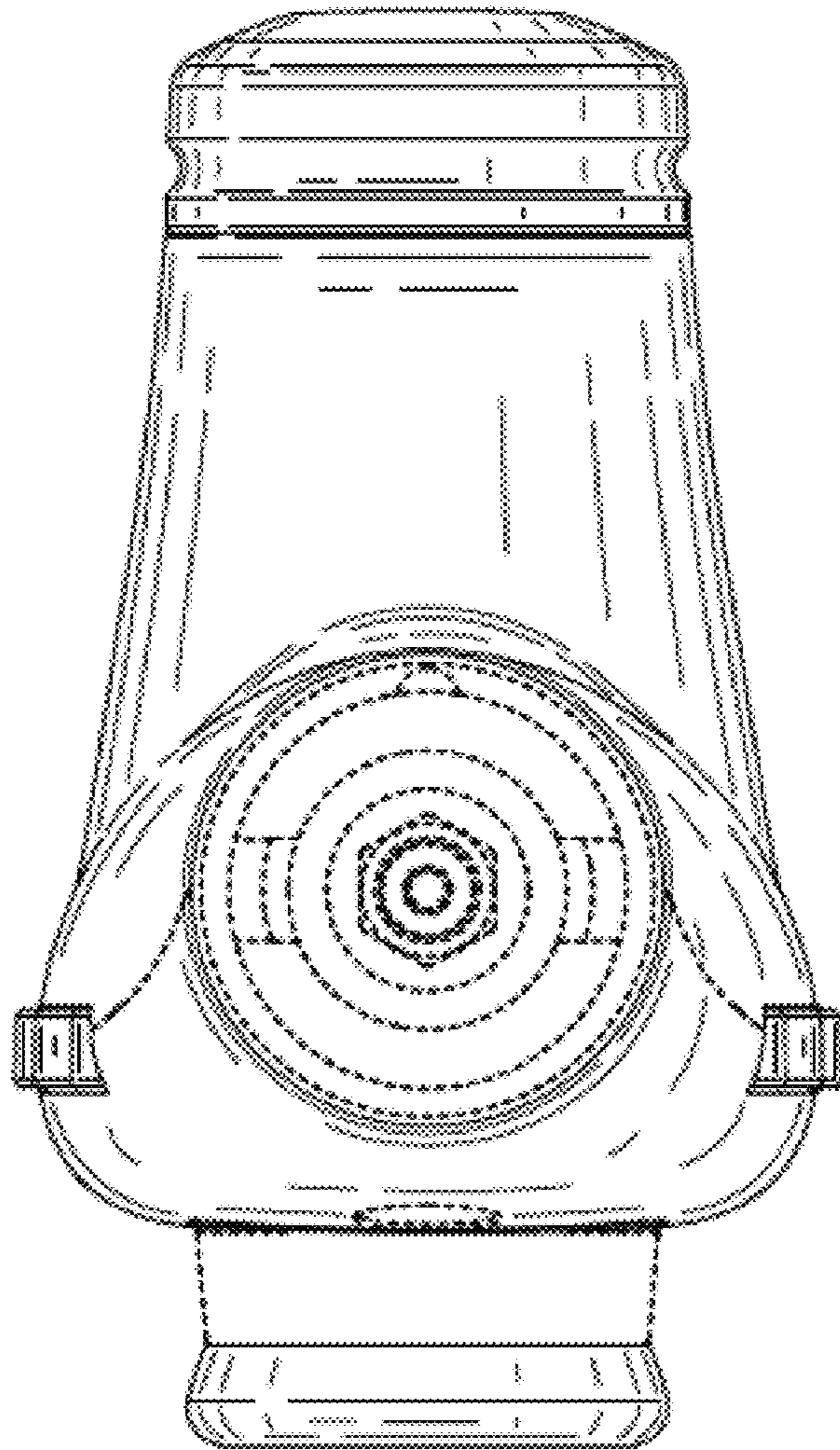


FIG. 8

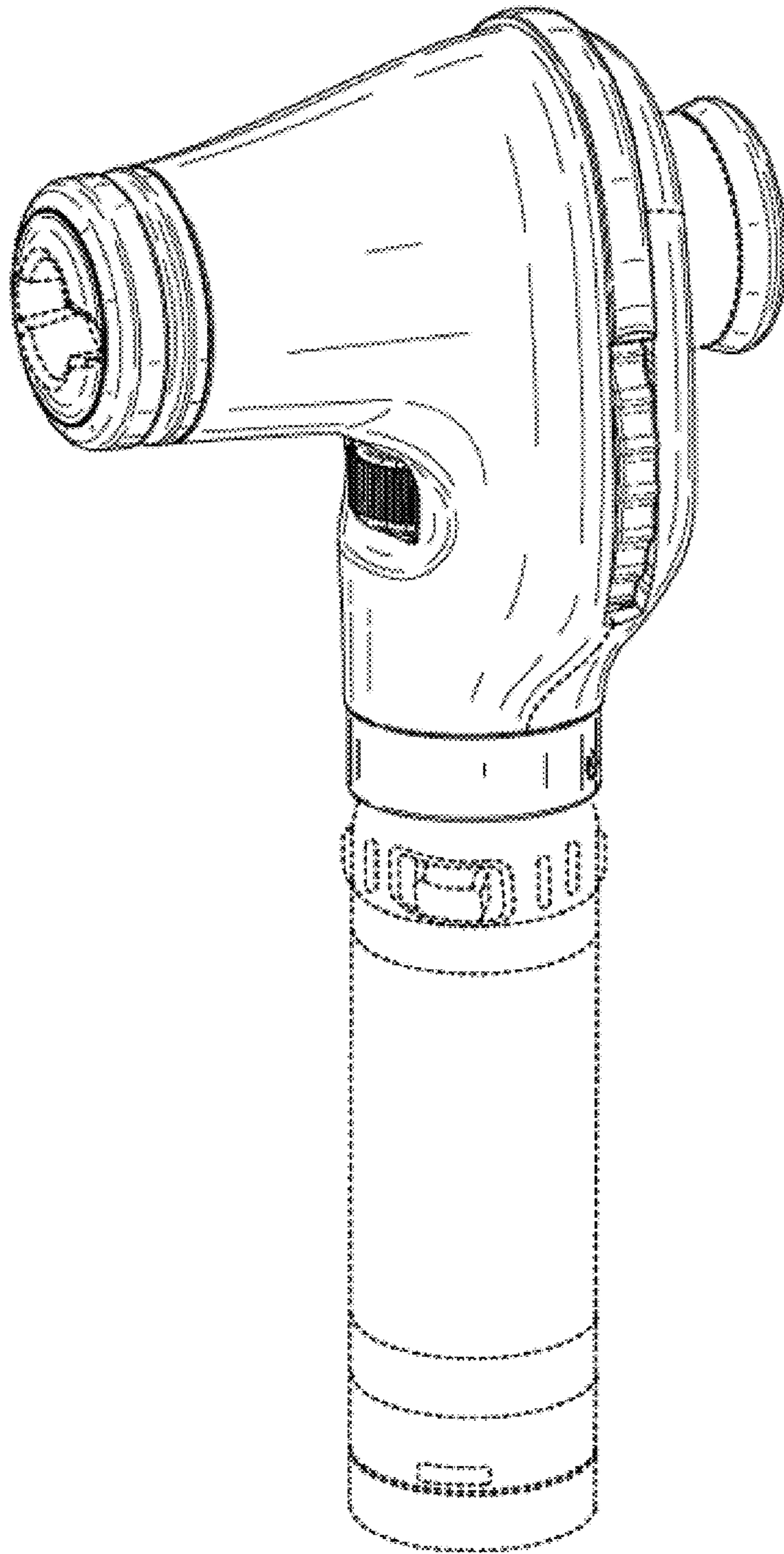


FIG. 9

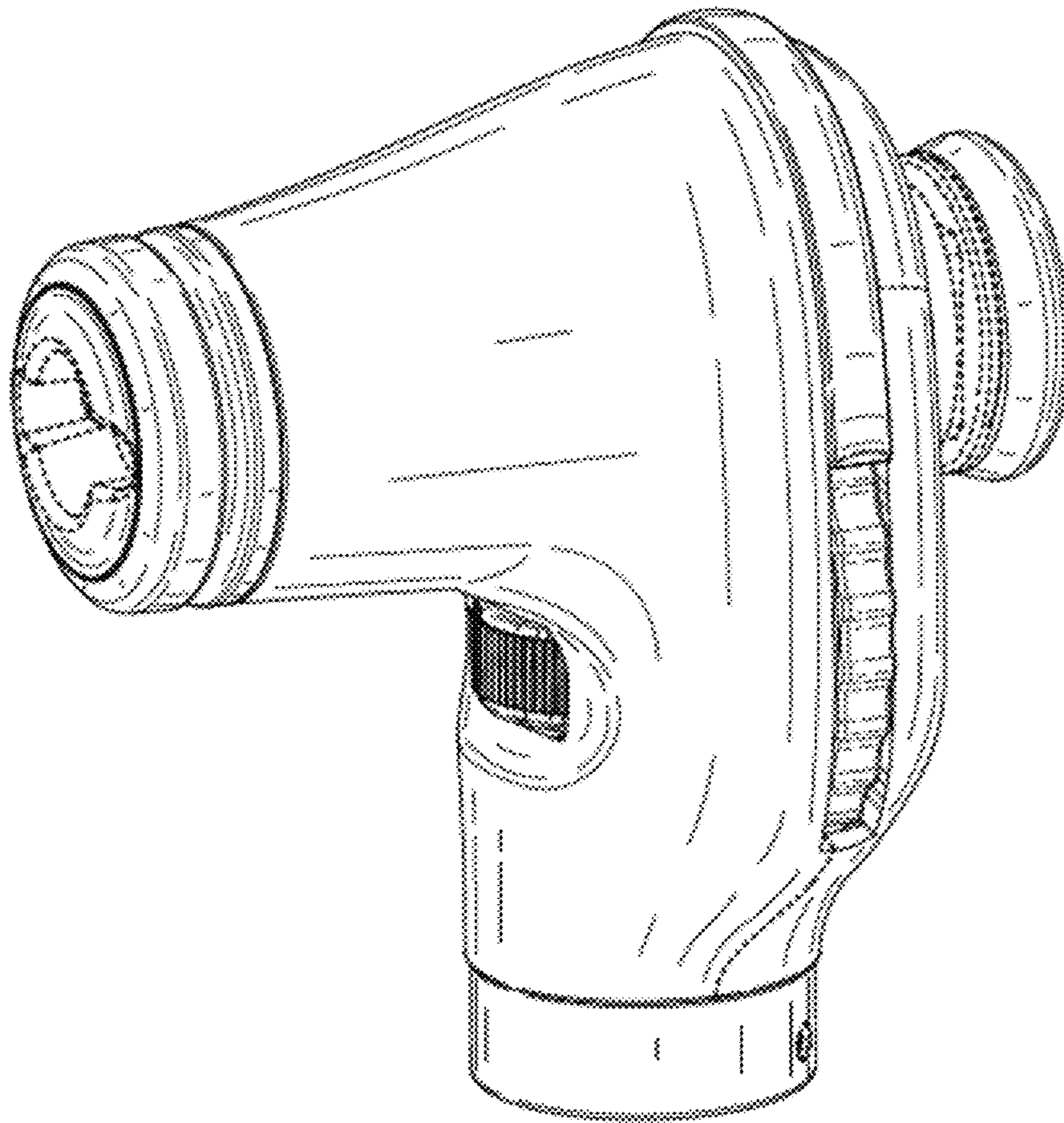


FIG. 10

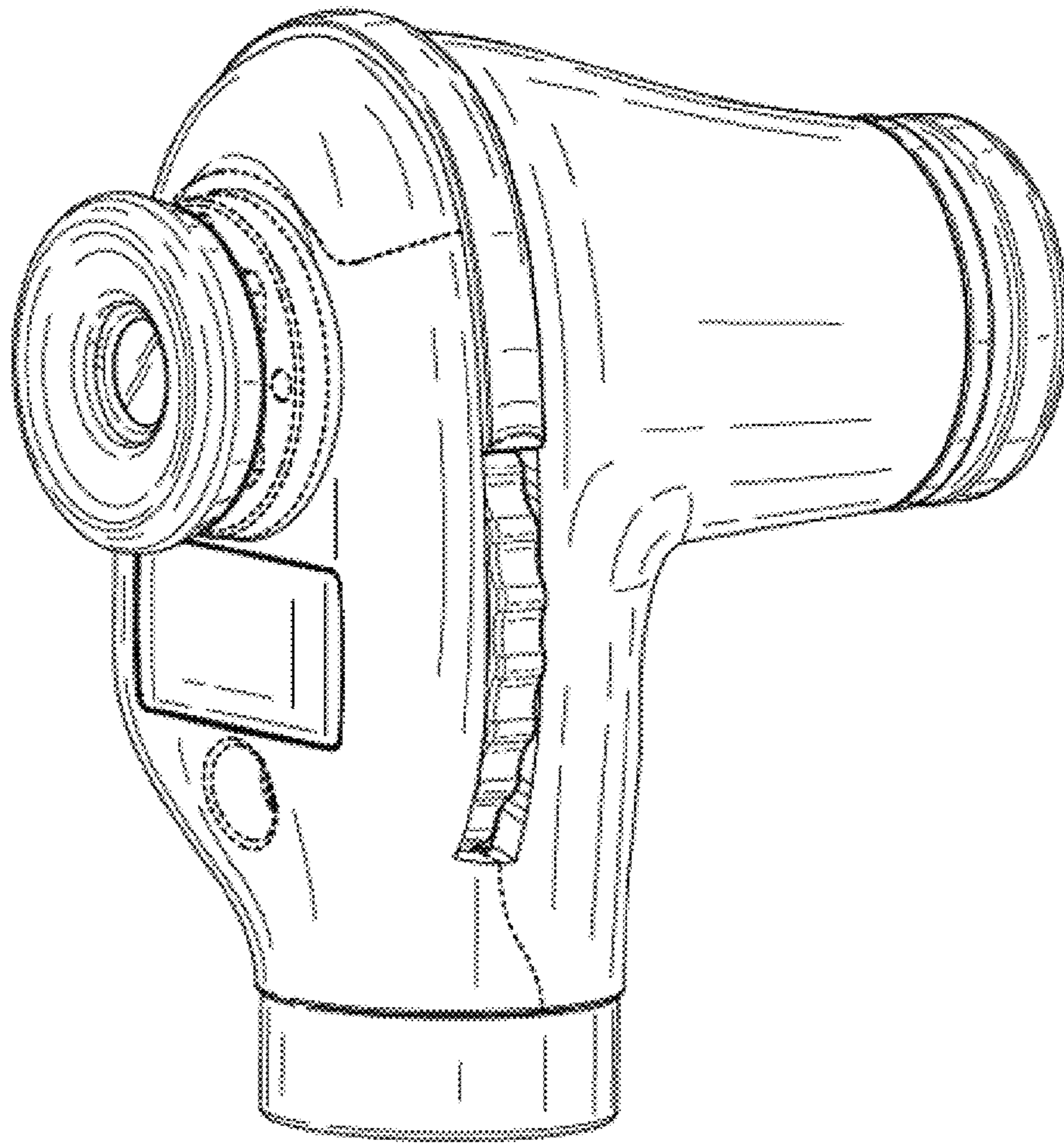


FIG. 11

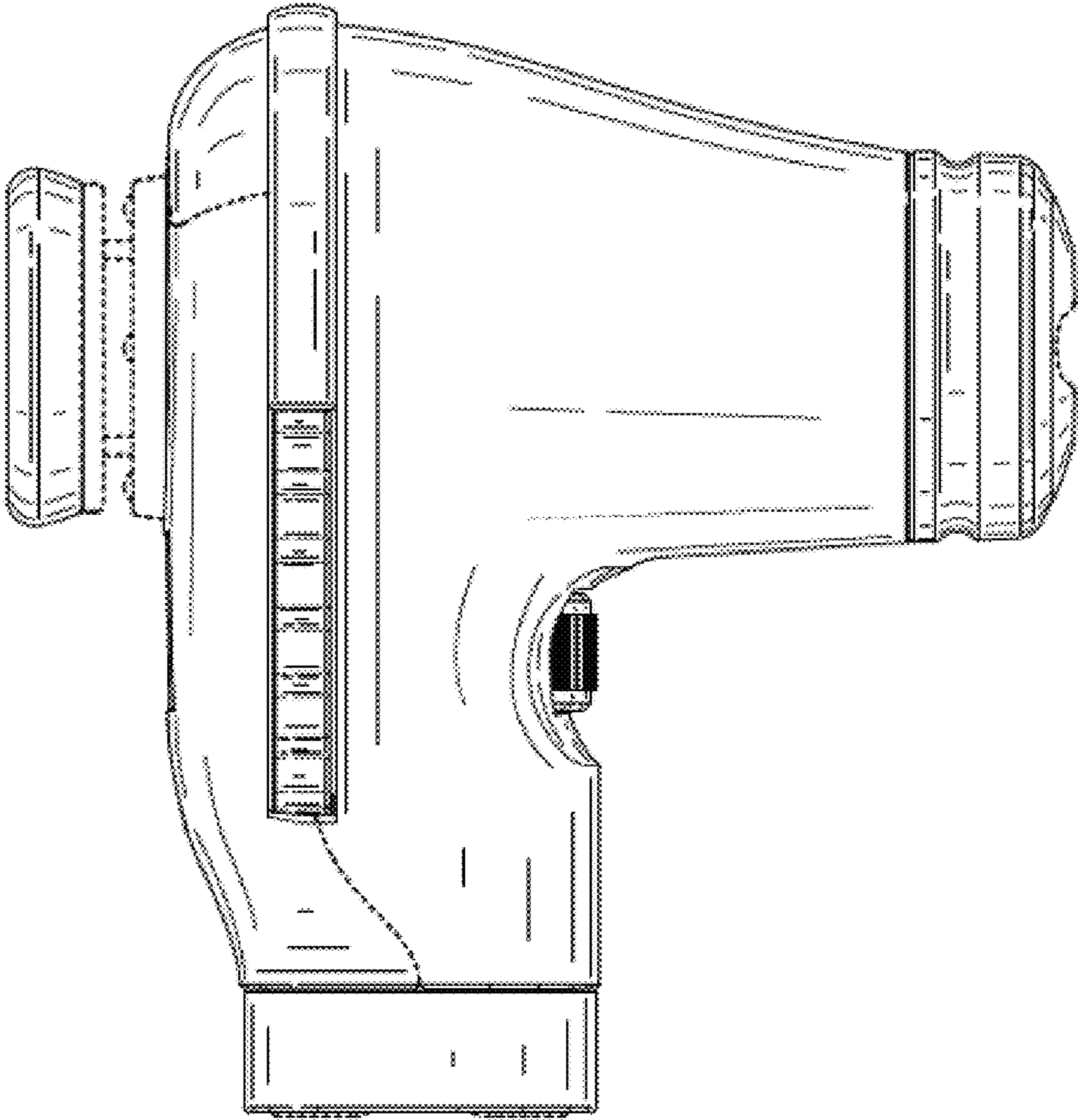


FIG. 12

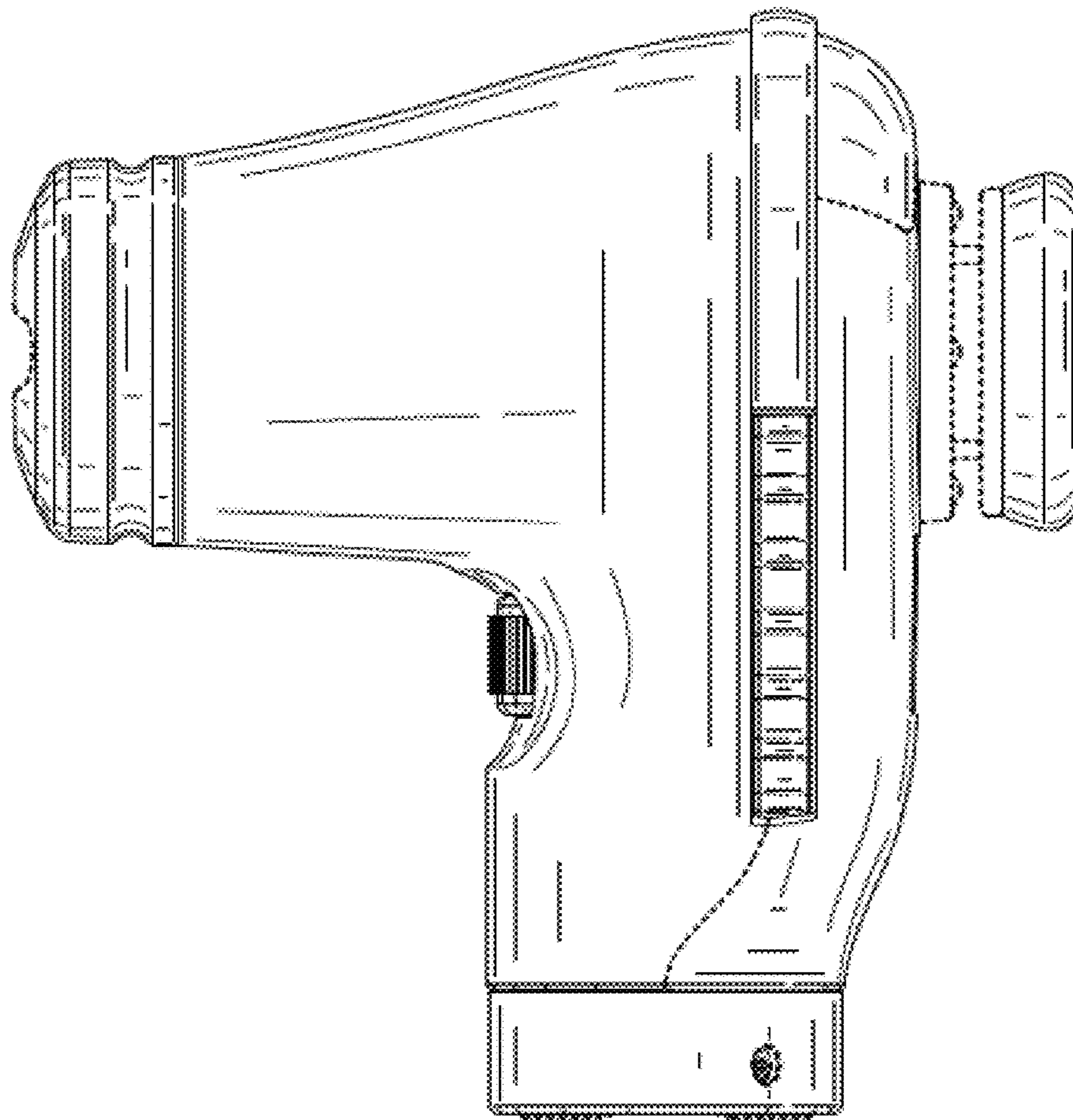


FIG. 13

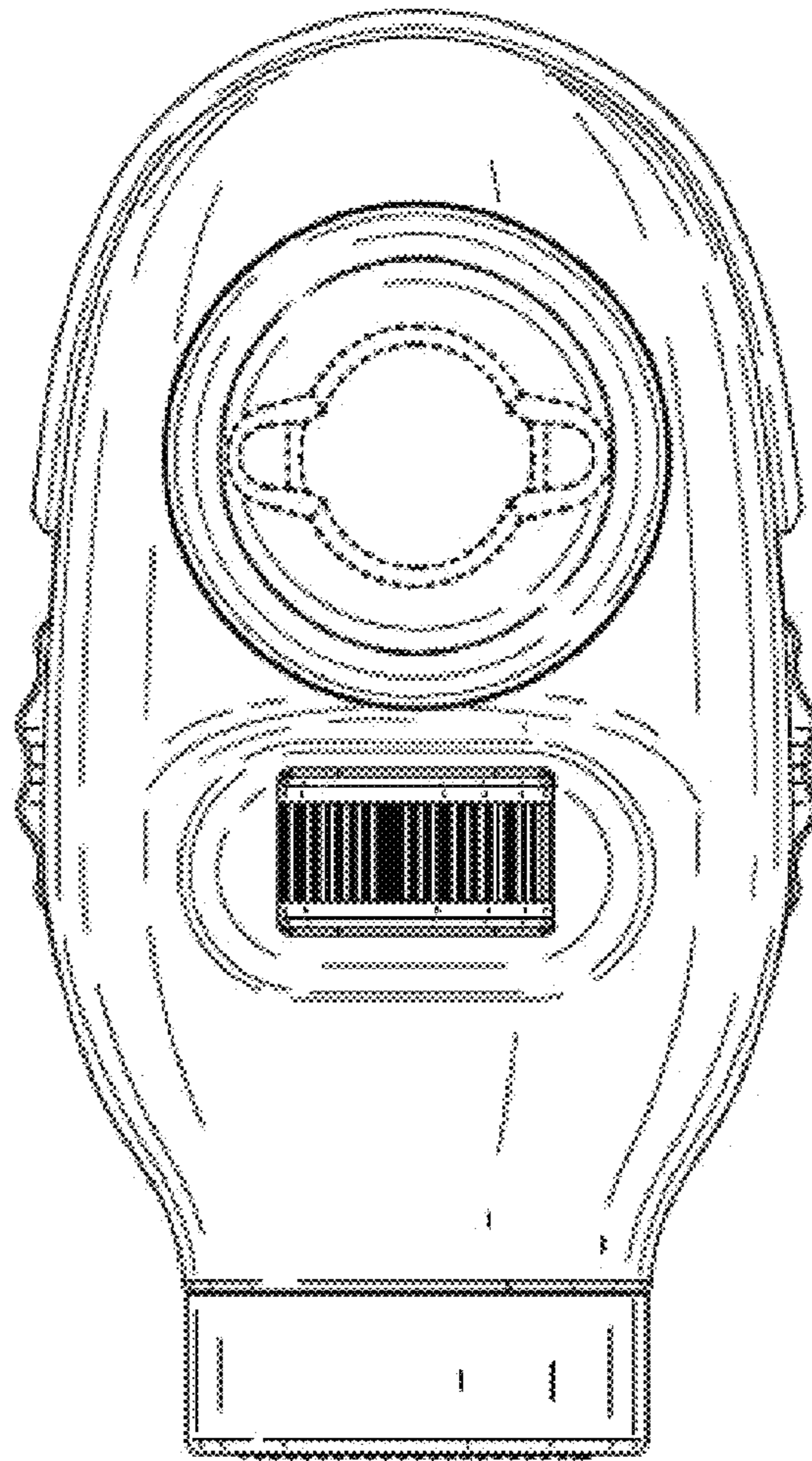


FIG. 14

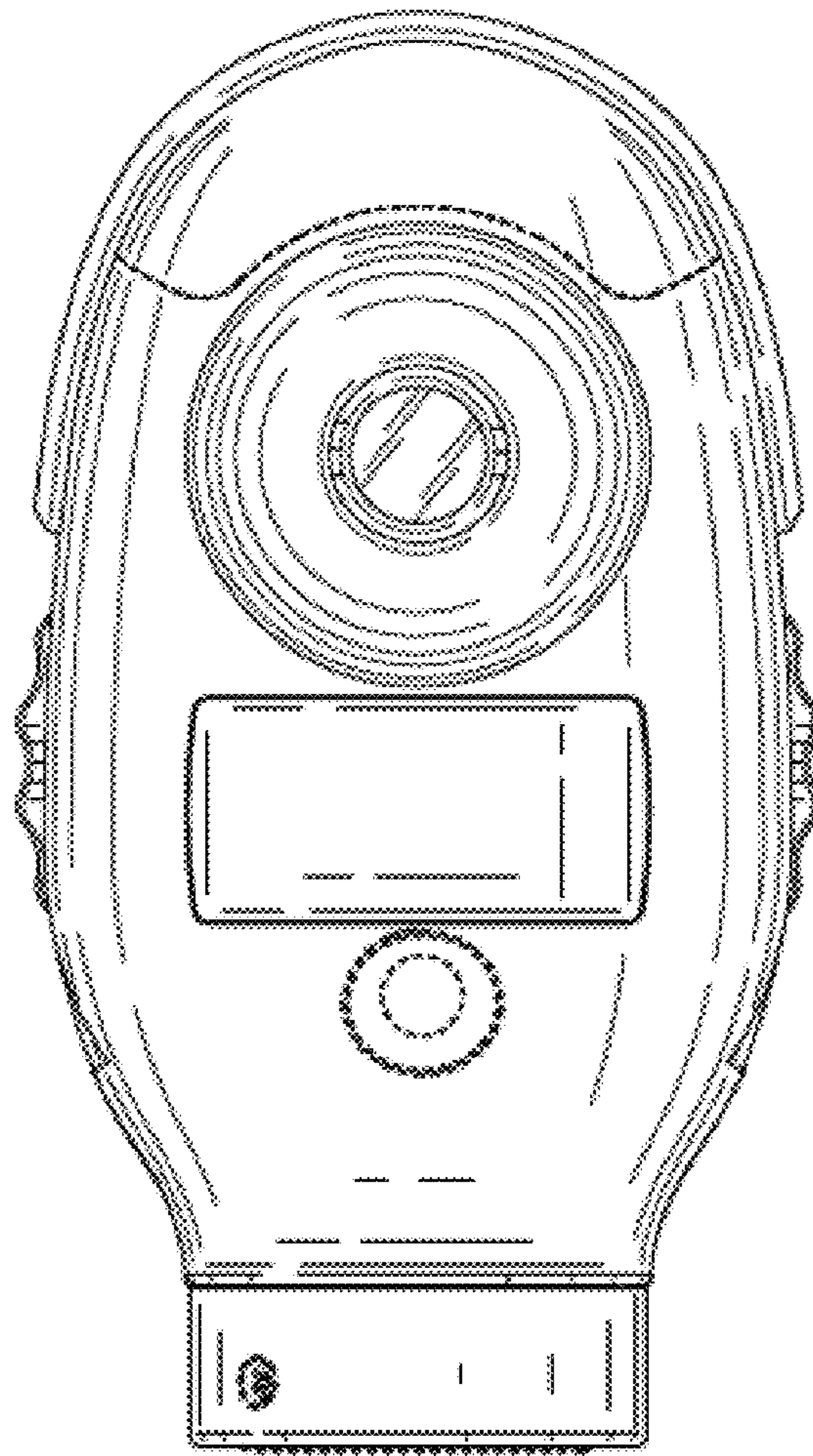


FIG. 15

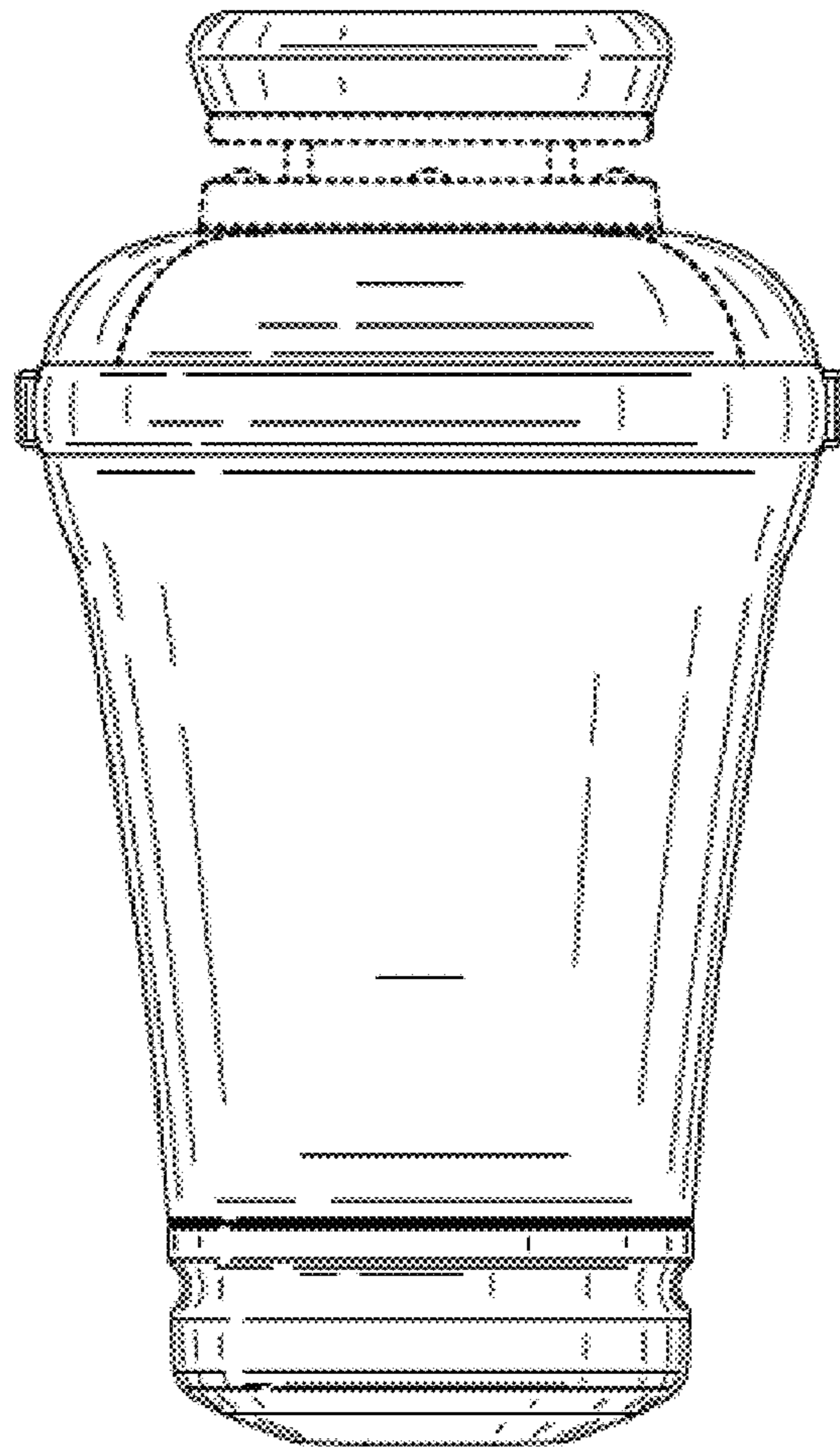


FIG. 16

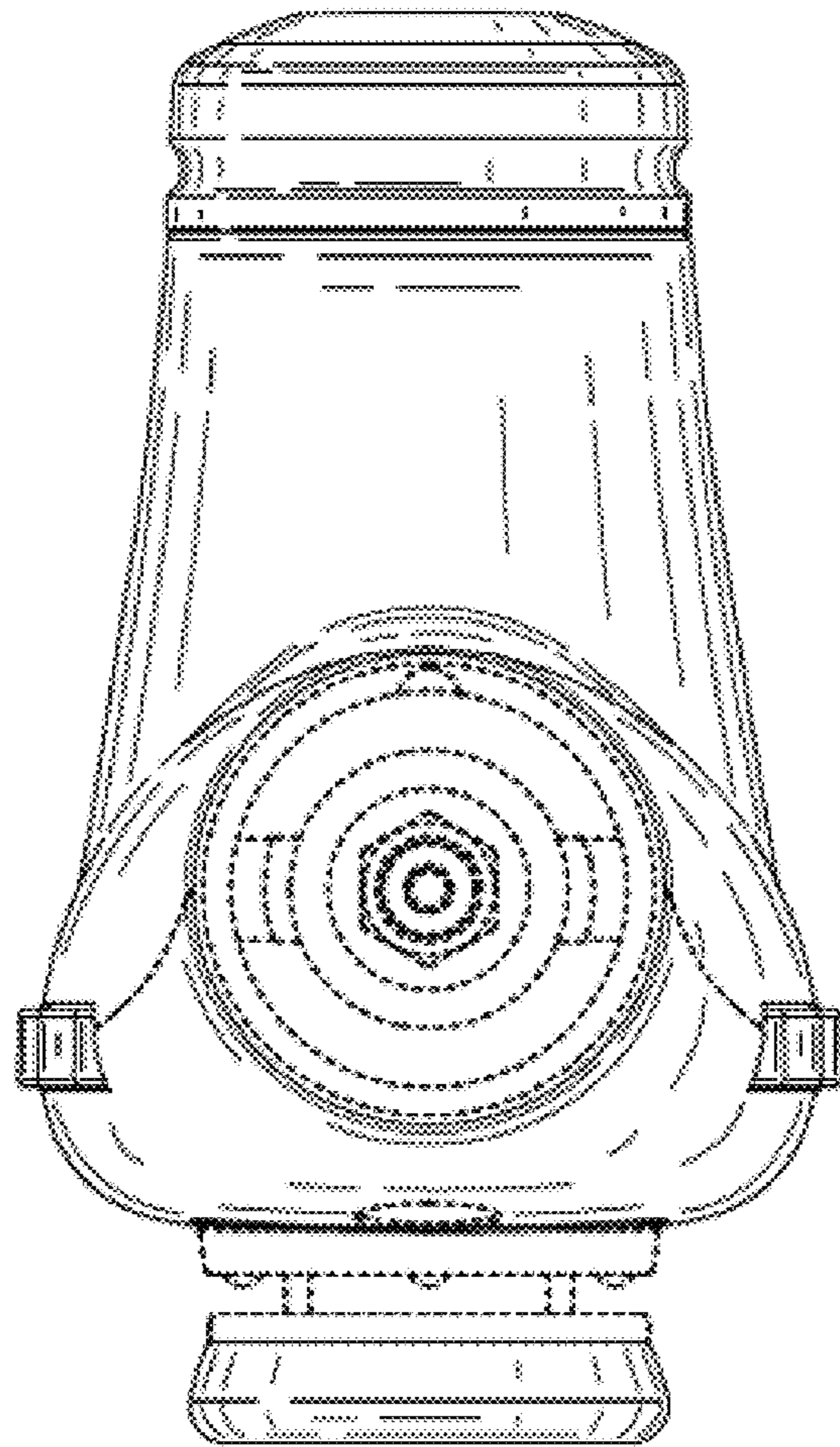


FIG. 17

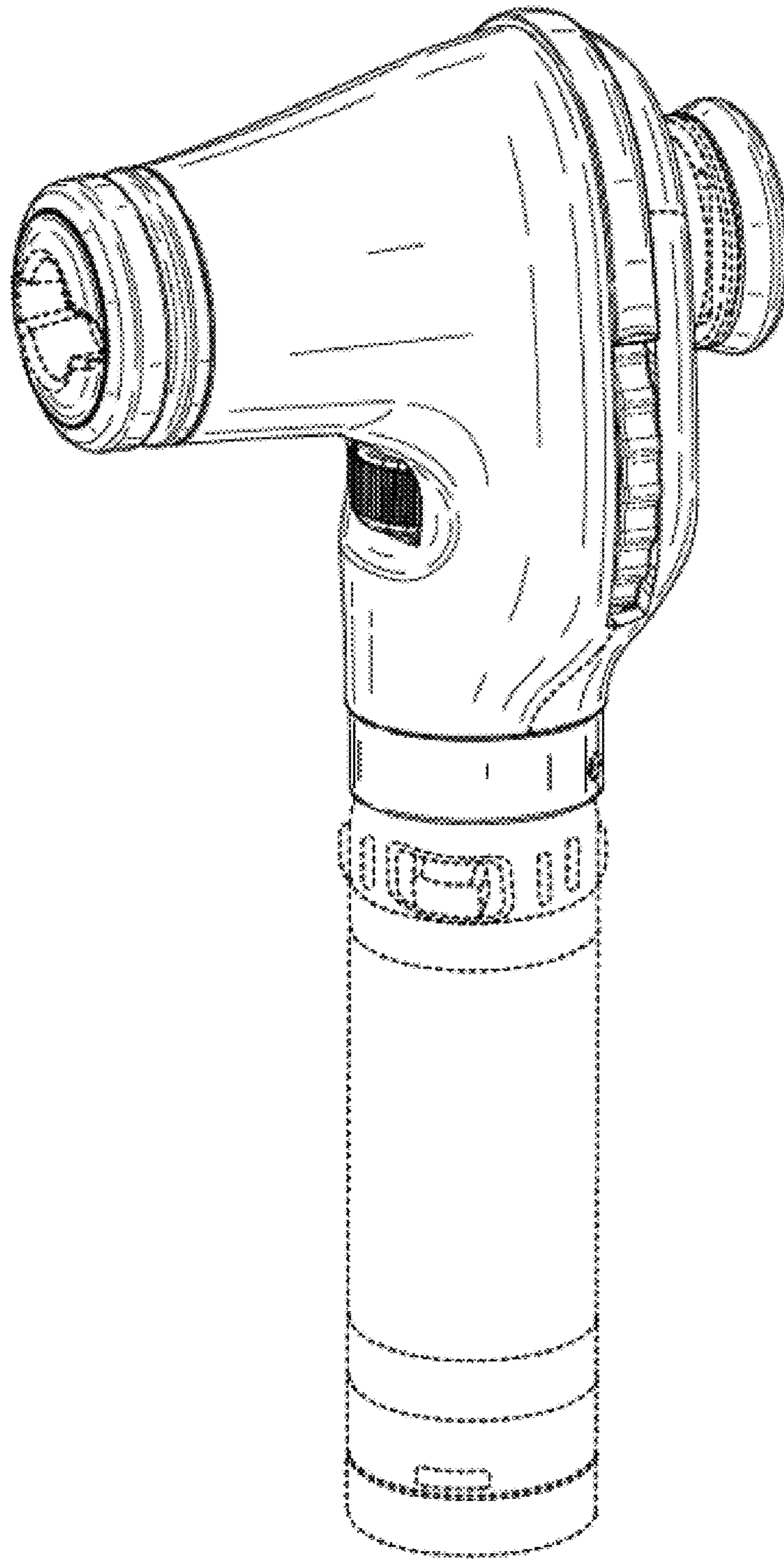


FIG. 18