



US00D988503S

(12) **United States Design Patent** (10) **Patent No.:** **US D988,503 S**
Prentice et al. (45) **Date of Patent:** **** Jun. 6, 2023**

(54) **FACE MASK CUSHION**

(56) **References Cited**

(71) Applicant: **Fisher & Paykel Healthcare Limited**,
Auckland (NZ)

U.S. PATENT DOCUMENTS

(72) Inventors: **Craig Robert Prentice**, Auckland (NZ);
Bernard Tsz Lun Ip, Auckland (NZ);
Mark Arvind McLaren, Auckland
(NZ); **Kyle Gregory Brown**, Auckland
(NZ); **Chris Onin Limpin Hipolito**,
Auckland (NZ); **Mark Richard**
Tomlinson, Auckland (NZ); **Melissa**
Catherine Bornholdt, Auckland (NZ)

4,522,369 A 6/1985 Ansite
4,630,604 A 12/1986 Montesi
(Continued)

FOREIGN PATENT DOCUMENTS

JP D1605994 * 5/2018

OTHER PUBLICATIONS

(73) Assignee: **Fisher & Paykel Healthcare Limited**,
Auckland (NZ)

Fisher & Paykel Announces Eson 2 Mask at Investor Day. Sleep
Review. Oct. 12, 2015. <<http://www.sleepreviewmag.com/2015/10/fisher-paykel-announces-eson-2-mask-investor-day/>>.

(Continued)

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

Primary Examiner — Daniel J Domino

(21) Appl. No.: **29/761,991**

Assistant Examiner — Lee D. Starr

(22) Filed: **Dec. 14, 2020**

(74) *Attorney, Agent, or Firm* — Knobbe Martens Olson
& Bear LLP

Related U.S. Application Data

(57) **CLAIM**

(60) Continuation of application No. 29/720,444, filed on
Jan. 13, 2020, now Pat. No. Des. 908,207, which is a
continuation of application No. 29/686,949, filed on
Apr. 9, 2019, now Pat. No. Des. 875,924, which is a
continuation of application No. 29/653,378, filed on
(Continued)

The ornamental design for a face mask cushion, as shown
and described.

DESCRIPTION

(51) **LOC (14) Cl.** **29-02**

(52) **U.S. Cl.**
USPC **D24/110.4**

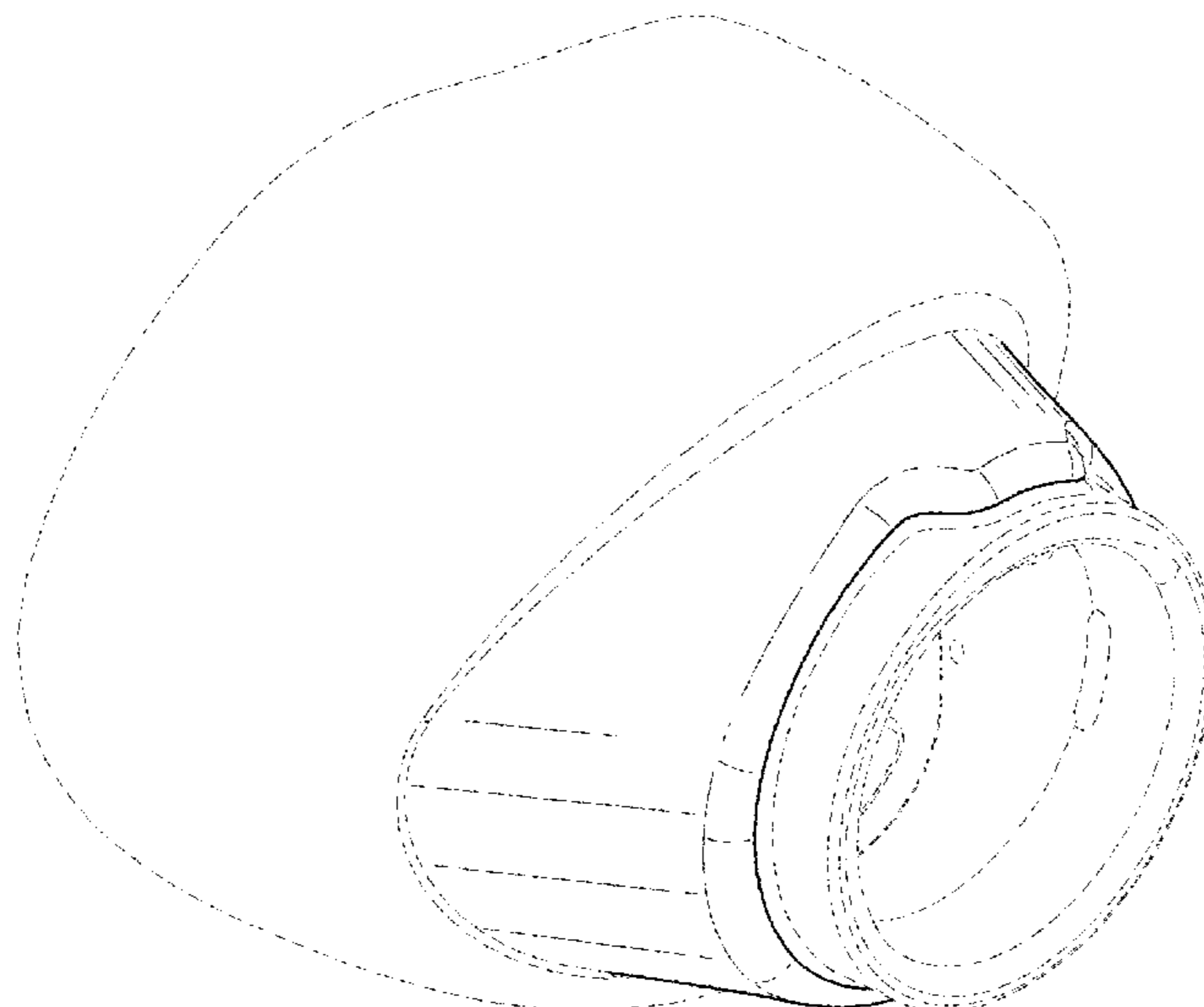
(58) **Field of Classification Search**
USPC D24/110, 110.1–110.6, 127
CPC A61M 16/06; A61M 16/0605; A61M
16/0616; A61M 16/0622; A61M 16/0633;
A61M 16/0644; A61M 16/0666; A61M
16/0672; A61M 16/0683; A61M 16/08;
A61M 16/0816

FIG. 1 is a top, front, and left side perspective view of a face
mask cushion;
FIG. 2 is a top, rear, and left side perspective view thereof;
FIG. 3 is a front view thereof;
FIG. 4 is a rear view thereof;
FIG. 5 is a left side view thereof;
FIG. 6 is a right side view thereof;
FIG. 7 is a top view thereof; and,
FIG. 8 is a bottom view thereof.

The dashed broken lines in the figures are used to illustrate
portions of the face mask cushion that form no part of the
claimed design.

See application file for complete search history.

1 Claim, 8 Drawing Sheets



Related U.S. Application Data

Jun. 14, 2018, now Pat. No. Des. 849,931, which is a continuation of application No. 29/622,639, filed on Oct. 18, 2017, now Pat. No. Des. 824,022, which is a division of application No. 29/540,684, filed on Sep. 25, 2015, now Pat. No. Des. 800,895.

(56)

References Cited

U.S. PATENT DOCUMENTS

D383,204 S 9/1997 Lomas et al.
 D476,407 S 6/2003 Snyder
 6,631,718 B1 10/2003 Lovell et al.
 6,691,707 B1 2/2004 Gunaratnam et al.
 6,817,362 B2 11/2004 Gelinias et al.
 D504,947 S 5/2005 McAuley et al.
 D539,901 S 4/2007 McAuliffe et al.
 D550,834 S 9/2007 Samaras
 7,290,546 B2 11/2007 Sprinkle et al.
 D556,899 S 12/2007 Veliss et al.
 D579,105 S 10/2008 Jones et al.
 D585,979 S 2/2009 Stallard et al.
 D591,420 S 4/2009 Selvarajan et al.
 D597,202 S 7/2009 Reid et al.
 D597,660 S 8/2009 Maurer
 D619,449 S 7/2010 Smith
 7,793,987 B1 9/2010 Busch et al.
 D637,283 S 5/2011 Selvarajan et al.
 D651,304 S 12/2011 Edwards et al.
 D656,231 S 3/2012 Henry et al.
 D673,245 S 12/2012 Cooney
 D679,376 S 4/2013 Von Hollen et al.
 D679,377 S 4/2013 Von Hollen et al.
 D679,378 S 4/2013 Von Hollen et al.
 D683,447 S 5/2013 Olsen et al.
 D685,463 S 7/2013 Veliss et al.
 D691,257 S 10/2013 Siew et al.
 D692,554 S 10/2013 Siew et al.
 D693,459 S 11/2013 Prentice
 D695,887 S 12/2013 Ozolins et al.
 D696,767 S 12/2013 Scheiner et al.
 D697,203 S 1/2014 Clarke et al.
 D706,413 S 6/2014 Veliss et al.
 8,789,525 B2 7/2014 Snow
 D717,945 S 11/2014 Neff et al.
 8,950,404 B2 2/2015 Formica et al.
 D740,934 S 10/2015 Formica et al.
 9,155,855 B2 10/2015 Tebbutt
 D748,242 S 1/2016 Campbell et al.
 D751,188 S 3/2016 Skipper et al.
 D752,199 S 3/2016 Berkman
 D753,813 S 4/2016 Ozolins et al.
 D754,328 S 4/2016 Bowsher
 D757,252 S 5/2016 Von Moger et al.
 D758,564 S 6/2016 Eves et al.
 D764,049 S 8/2016 Cullen et al.
 D767,750 S 9/2016 Nakai et al.
 D769,440 S 10/2016 Amarasinghe et al.
 D770,035 S 10/2016 Prentice et al.
 D790,054 S 1/2017 Prentice et al.
 9,539,403 B2 1/2017 Eves et al.
 D779,652 S 2/2017 Nga et al.
 D782,030 S 3/2017 Prentice et al.
 D782,031 S 3/2017 Prentice et al.
 D782,032 S 3/2017 Prentice et al.
 D782,655 S 3/2017 Blanch et al.
 D784,515 S 4/2017 Prentice et al.
 D784,516 S 4/2017 Prentice et al.
 9,707,368 B2 7/2017 McAuley et al.
 9,713,693 B2 7/2017 Parr et al.
 D797,277 S 9/2017 Blanch et al.
 D797,921 S 9/2017 Huang et al.
 D798,439 S 9/2017 Siew et al.
 D800,895 S 10/2017 Prentice et al.
 D801,500 S 10/2017 Prentice
 D809,132 S 1/2018 Bornholdt et al.

D821,569 S 1/2018 Bornholdt et al.
 D824,511 S 1/2018 Prentice et al.
 9,878,118 B2 1/2018 Formica et al.
 D809,649 S 2/2018 Bornholdt et al.
 D810,277 S 2/2018 Amarasinghe
 D814,020 S 3/2018 Bornholdt et al.
 D823,455 S 7/2018 Bornholdt et al.
 D824,020 S * 7/2018 Bornholdt D24/110.4
 D824,021 S 7/2018 Prentice et al.
 D824,022 S 7/2018 Prentice
 D828,917 S 9/2018 Prentice et al.
 D837,971 S 1/2019 Prentice et al.
 D837,972 S 1/2019 Bornholdt et al.
 D837,973 S * 1/2019 Bornholdt D24/110.4
 D849,931 S 5/2019 Prentice et al.
 D851,749 S 6/2019 Siew et al.
 D868,959 S 12/2019 Bornholdt et al.
 D870,266 S 12/2019 Bornholdt et al.
 D871,569 S 12/2019 Barbara et al.
 D875,924 S 2/2020 Prentice
 D876,616 S 2/2020 Prentice et al.
 10,576,227 B2 3/2020 Mebasser et al.
 10,576,234 B2 3/2020 Brown et al.
 10,603,457 B2 3/2020 Chang
 D882,066 S 4/2020 Niccol et al.
 10,632,274 B2 4/2020 Norsted
 10,632,276 B2 4/2020 Fyfe et al.
 D884,151 S 5/2020 Eves et al.
 D892,307 S 8/2020 Wang et al.
 D895,105 S * 9/2020 Eves D24/110.4
 10,828,453 B2 11/2020 Stephenson et al.
 D908,206 S 1/2021 Prentice et al.
 D908,207 S * 1/2021 Prentice D24/110.4
 10,898,662 B2 1/2021 Huddart et al.
 D935,602 S * 11/2021 Eves D24/110.4
 D958,696 S 7/2022 Prentice et al.
 2002/0020416 A1 * 2/2002 Namey B29C 45/1676
 128/205.25
 2002/0023649 A1 2/2002 Gunaratnam
 2002/0026934 A1 3/2002 Lithgow
 2003/0196659 A1 10/2003 Gradon et al.
 2004/0035428 A1 2/2004 Olsen et al.
 2004/0083534 A1 5/2004 Ruiz
 2004/0112377 A1 6/2004 Amarasinghe
 2005/0126573 A1 6/2005 Jaffre et al.
 2006/0124131 A1 6/2006 Chandran
 2007/0175480 A1 8/2007 Gradon et al.
 2008/0192459 A1 8/2008 Kwok et al.
 2008/0302366 A1 * 12/2008 McGinnis A61M 16/0633
 128/206.24
 2009/0194111 A1 8/2009 Fu et al.
 2010/0000538 A1 1/2010 Edwards et al.
 2010/0031963 A1 2/2010 Lee et al.
 2010/0059058 A1 3/2010 Kuo
 2011/0072553 A1 3/2011 Ho
 2011/0146685 A1 6/2011 Allan
 2011/0197341 A1 8/2011 Formica et al.
 2011/0290253 A1 12/2011 McAuley et al.
 2012/0138061 A1 * 6/2012 Dravitzki A61M 16/0825
 128/205.25
 2012/0204881 A1 8/2012 Davidson et al.
 2012/0234326 A1 9/2012 Mazzone et al.
 2012/0305001 A1 12/2012 Tatkov et al.
 2013/0152937 A1 6/2013 Jablonski et al.
 2013/0152938 A1 6/2013 Jablonski et al.
 2013/0239972 A1 9/2013 McAuley et al.
 2014/0090649 A1 4/2014 Groll et al.
 2014/0096774 A1 4/2014 Olsen et al.
 2014/0174446 A1 6/2014 Prentice
 2014/0216460 A1 8/2014 Bothma et al.
 2014/0236041 A1 8/2014 Gulliver et al.
 2014/0261427 A1 9/2014 Foote
 2014/0305433 A1 10/2014 Rothermel
 2014/0326246 A1 11/2014 Chodkowski et al.
 2014/0366882 A1 12/2014 Ng et al.
 2015/0000671 A1 1/2015 Frerichs et al.
 2015/0151069 A1 6/2015 Zeijlstra et al.
 2015/0174354 A1 6/2015 Matula, Jr. et al.
 2015/0174355 A1 6/2015 Willard

(56)

References Cited

U.S. PATENT DOCUMENTS

2015/0202397 A1 7/2015 Pastoor et al.
 2015/0202402 A1 7/2015 Kat
 2015/0209540 A1 7/2015 Hendricks et al.
 2015/0246200 A1 9/2015 Neff, Jr. et al.
 2015/0306320 A1 10/2015 Markus
 2015/0328422 A1 11/2015 Chodkowski
 2015/0367092 A1 12/2015 Goff et al.
 2016/0008558 A1 1/2016 Huddart et al.
 2016/0045700 A1 2/2016 Amarasinghe et al.
 2016/0067441 A1 3/2016 Salmon et al.
 2016/0067442 A1 3/2016 Salmon et al.
 2016/0074611 A1 3/2016 Higgins et al.
 2016/0082218 A1 3/2016 Lau et al.
 2016/0121067 A1 5/2016 VanMiddendorp et al.
 2016/0151596 A1 6/2016 Slight et al.
 2016/0220781 A1 8/2016 Arrowsmith et al.
 2016/0250436 A1 9/2016 Brown et al.
 2016/0287915 A1 10/2016 Lenfeld et al.
 2016/0325067 A1 11/2016 Harwood et al.
 2016/0354572 A1 12/2016 Lim
 2017/0065786 A1 3/2017 Stephenson et al.
 2017/0087329 A1 3/2017 Huddart et al.
 2017/0232219 A1 8/2017 Dravitzki et al.
 2017/0239437 A1 8/2017 Scheirlink et al.
 2017/0246411 A1 8/2017 Mashal et al.
 2017/0281894 A1 10/2017 Walls et al.
 2017/0312470 A1 11/2017 Norsted
 2017/0326325 A1 11/2017 Allan et al.
 2017/0333657 A1 11/2017 Stephenson et al.
 2017/0368288 A1 12/2017 Stephens et al.
 2018/0008794 A1 1/2018 Salmon et al.
 2018/0133429 A1 5/2018 Reddy
 2018/0140797 A1 5/2018 Gunaratnam et al.
 2018/0185598 A1 7/2018 Olsen et al.
 2018/0185600 A1 7/2018 Jablonski
 2018/0207384 A1 7/2018 Zhou et al.
 2018/0207389 A1 7/2018 Fyfe et al.
 2018/0214655 A1 8/2018 Kooij
 2018/0250485 A1 9/2018 Zhan et al.
 2018/0280648 A1 10/2018 Baiko
 2018/0304035 A1 10/2018 Chang
 2018/0318540 A1 11/2018 Barlow et al.
 2018/0361101 A1 12/2018 Frerichs et al.
 2018/0369529 A1 12/2018 Grashow et al.
 2019/0001094 A1 1/2019 Liu et al.
 2019/0091429 A1 3/2019 Skipper et al.
 2019/0160249 A1 5/2019 Rose et al.
 2019/0175863 A1 6/2019 Hocking et al.
 2019/0184126 A1 6/2019 Todd et al.
 2019/0217040 A1 7/2019 Amarasinghe et al.

2019/0255275 A1 8/2019 Dravitzki et al.
 2019/0258749 A1 8/2019 Ho
 2019/0314593 A1 10/2019 Judson et al.
 2019/0314594 A1 10/2019 Eifler
 2019/0372369 A1 12/2019 Wing et al.
 2020/0001034 A1 1/2020 Chen et al.
 2020/0016356 A1 1/2020 Patel et al.
 2020/0129724 A1 4/2020 Nelson et al.
 2020/0206446 A1 7/2020 Blaxland
 2020/0215289 A1 7/2020 Harwood et al.
 2020/0254208 A1 8/2020 Brown et al.
 2020/0353199 A1 11/2020 Salmon et al.
 2021/0001072 A1 1/2021 Lim et al.
 2021/0106780 A1 4/2021 Nelson
 2021/0113788 A1 4/2021 Huddart
 2021/0187234 A1 6/2021 Tebbutt et al.
 2022/0016374 A1 1/2022 Lucey et al.

OTHER PUBLICATIONS

New—Eson 2 Fisher & Paykel Nasal Mask. CPAP Victoria: Snoring & Sleep Apnoea Solutions. cpapvictoria.com.au. Date accessed: May 21, 2016. <<http://cpapvictoria.com.au/new-eson-2-fisher-paykel-nasal-mask.html>>.
 Fisher & Paykel Eson 2 Nasal Mask. CPAP Direct. cpapdirect.com.au. Date accessed: May 21, 2016. <<https://cpapdirect.com.au/wp-content/uploads/2-15/12/Eson2-Exploded-Image.jpg>>.
 Swivel for Fisher Paykel Eson2 Nasal Mask #400FPH241. CPAP Australia. www.cpapastralia.com.au. Date accessed: May 21, 2016. <<https://www.cpapastralia.com.au/shopping/swivel-for-fisher-paykel-eson2-nasal-mask-400fph241.html>>.
 Office Action for U.S. Appl. No. 29/540,662 dated May 19, 2016.
 Office Action for U.S. Appl. No. 29/540,681 dated May 19, 2016.
 Office Action for U.S. Appl. No. 29/540,693 dated Jun. 2, 2016.
 Office Action for U.S. Appl. No. 29/540,684 dated Sep. 15, 2016.
 Office Action for U.S. Appl. No. 29/540,680 dated Jun. 2, 2016.
 S-1225, image post date Jul. 30, 2017, site visited Nov. 24, 2017, (online), <https://www.tineye.com/search/5a303183b2900291d1429fe660f391f2c1a0f159/?sort=crawl_date&order=asc>.
 Direct-home-medical-parts-for-cpap-masks-bipap-masks, image post date Sep. 27, 2017, site visited Nov. 24, 2017, (online), <<https://www.tineye.com/search/58ef6f11e162268d500494d731e8e5c6c671dc48/>>.
 F&P Eson 2 Nasal CPAP Mask Pack with Headgear, image post date Nov. 20, 2016, site visited Nov. 24, 2017, (online), <<http://www.directhomemedical.com/eson-2-nasal-cpap-mask-fisher-paykel-healthcare.html#reviews>>.

* cited by examiner

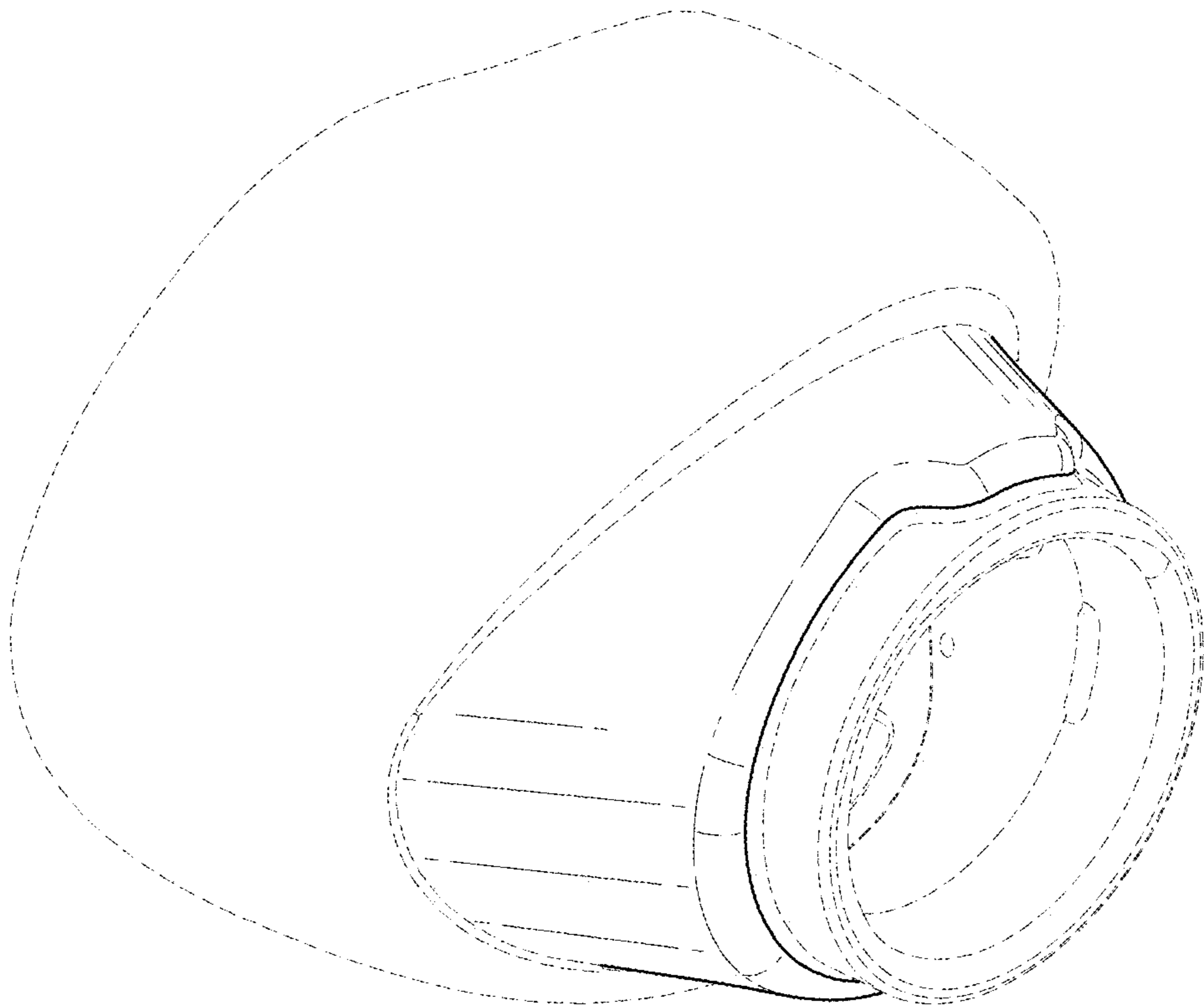


FIG. 1

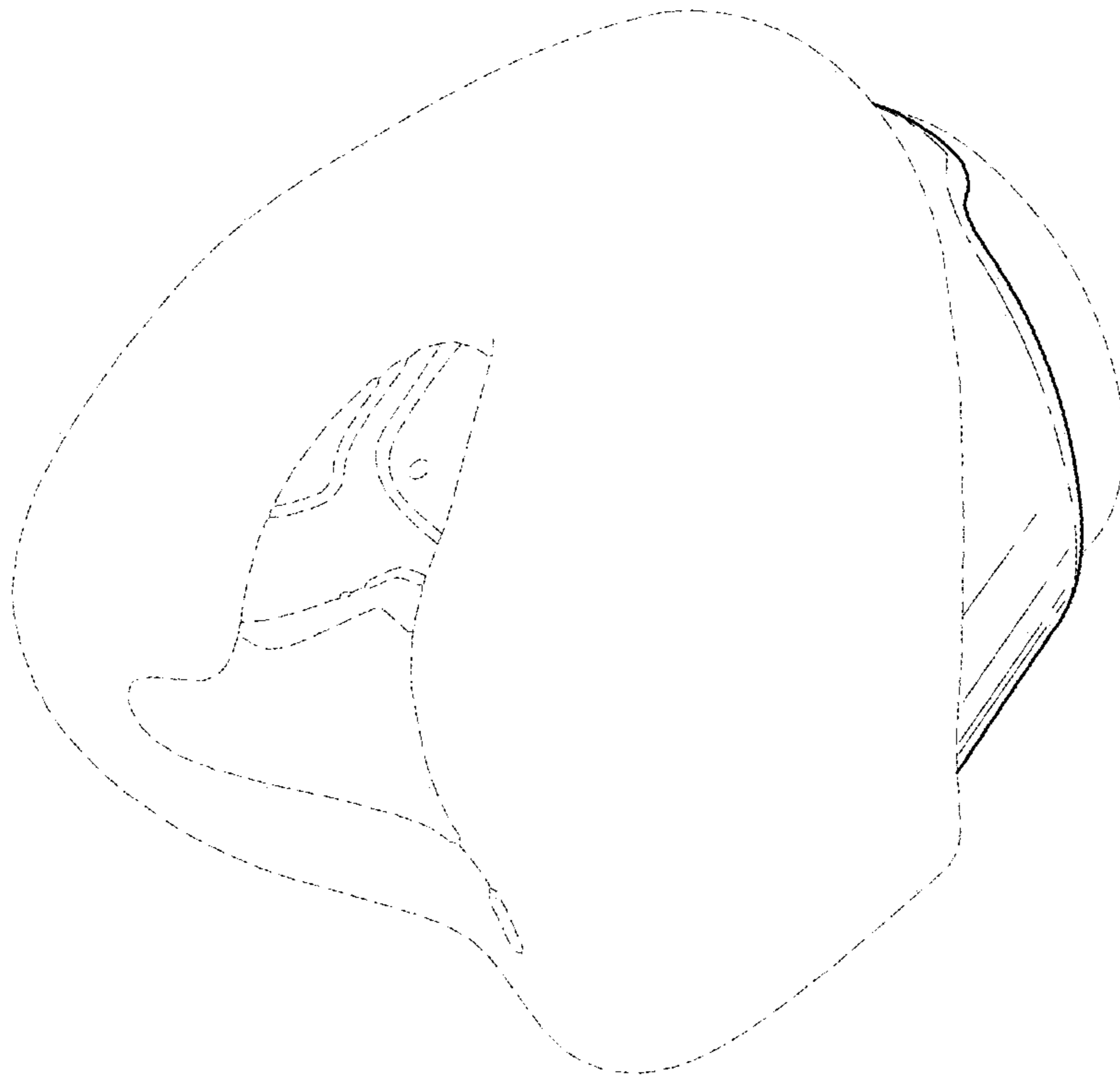


FIG. 2

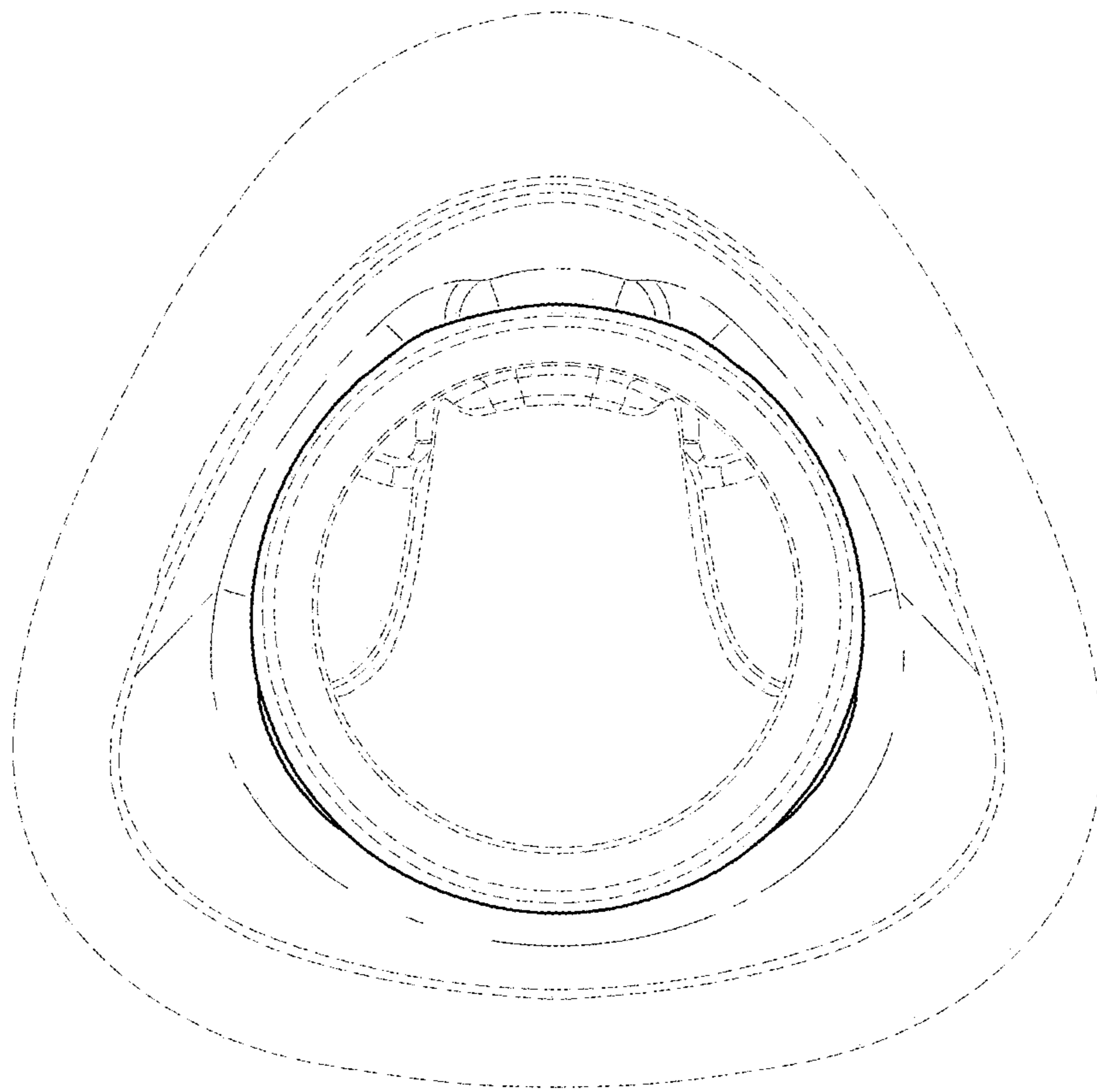


FIG. 3

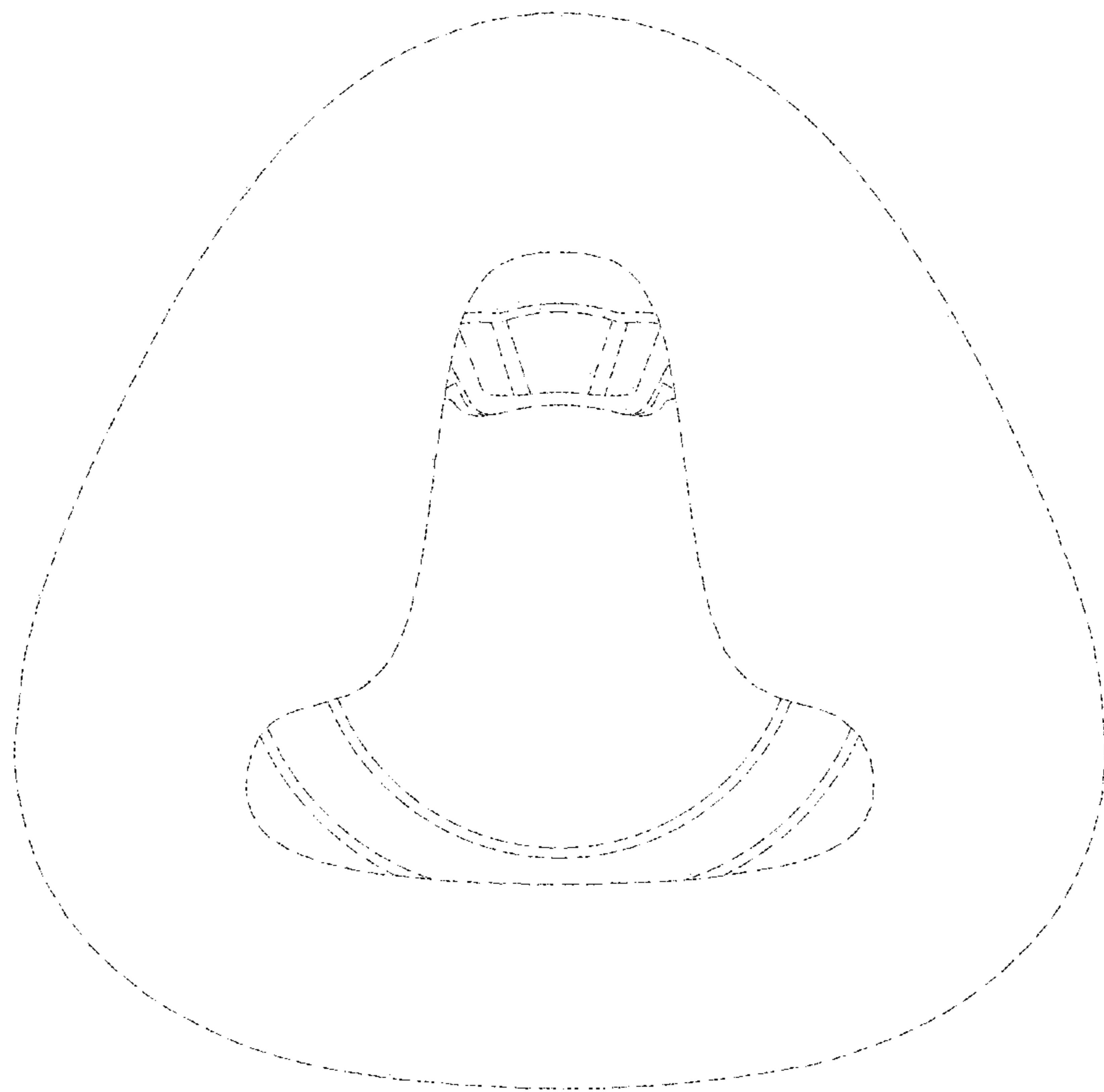


FIG. 4

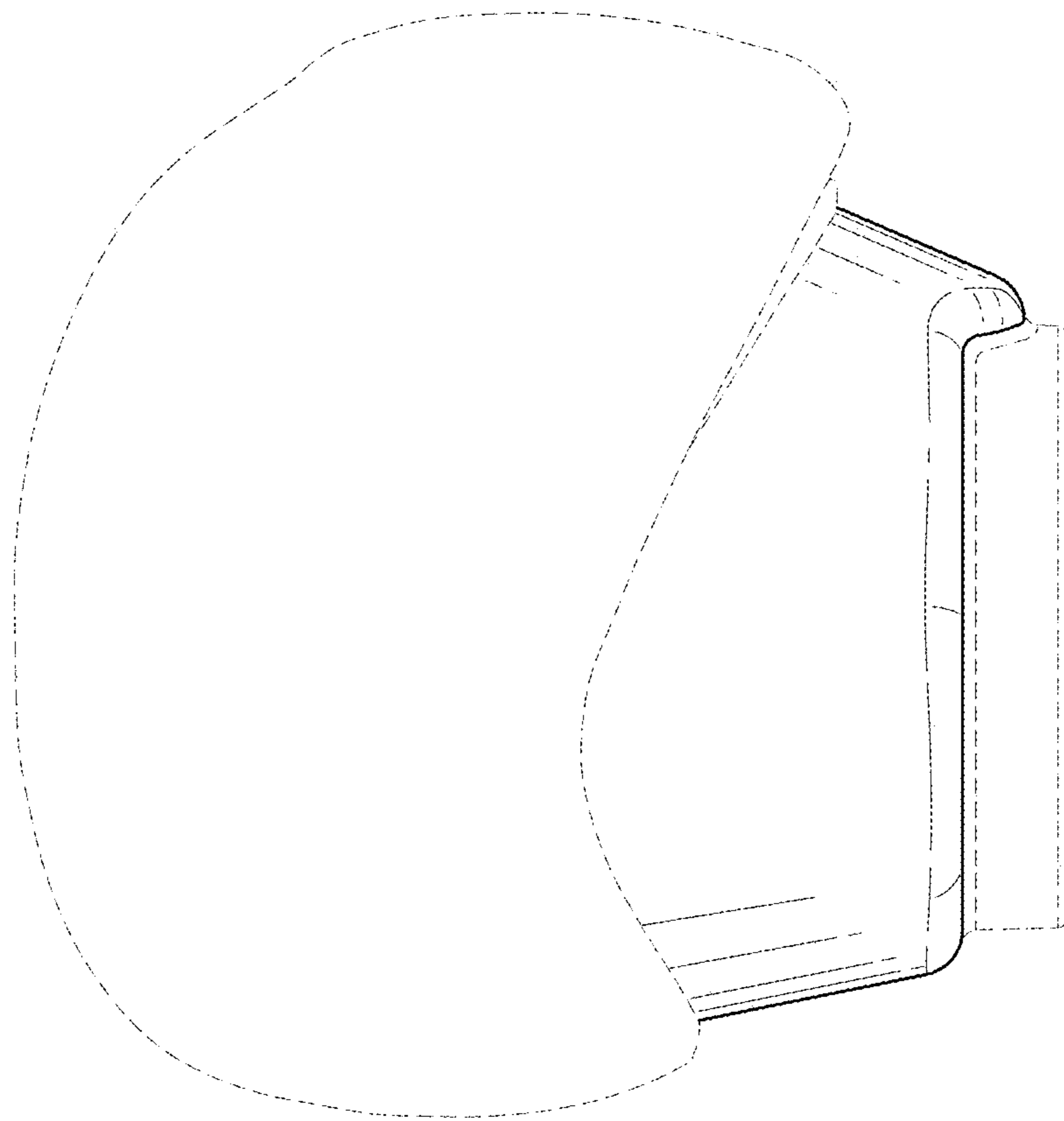


FIG. 5

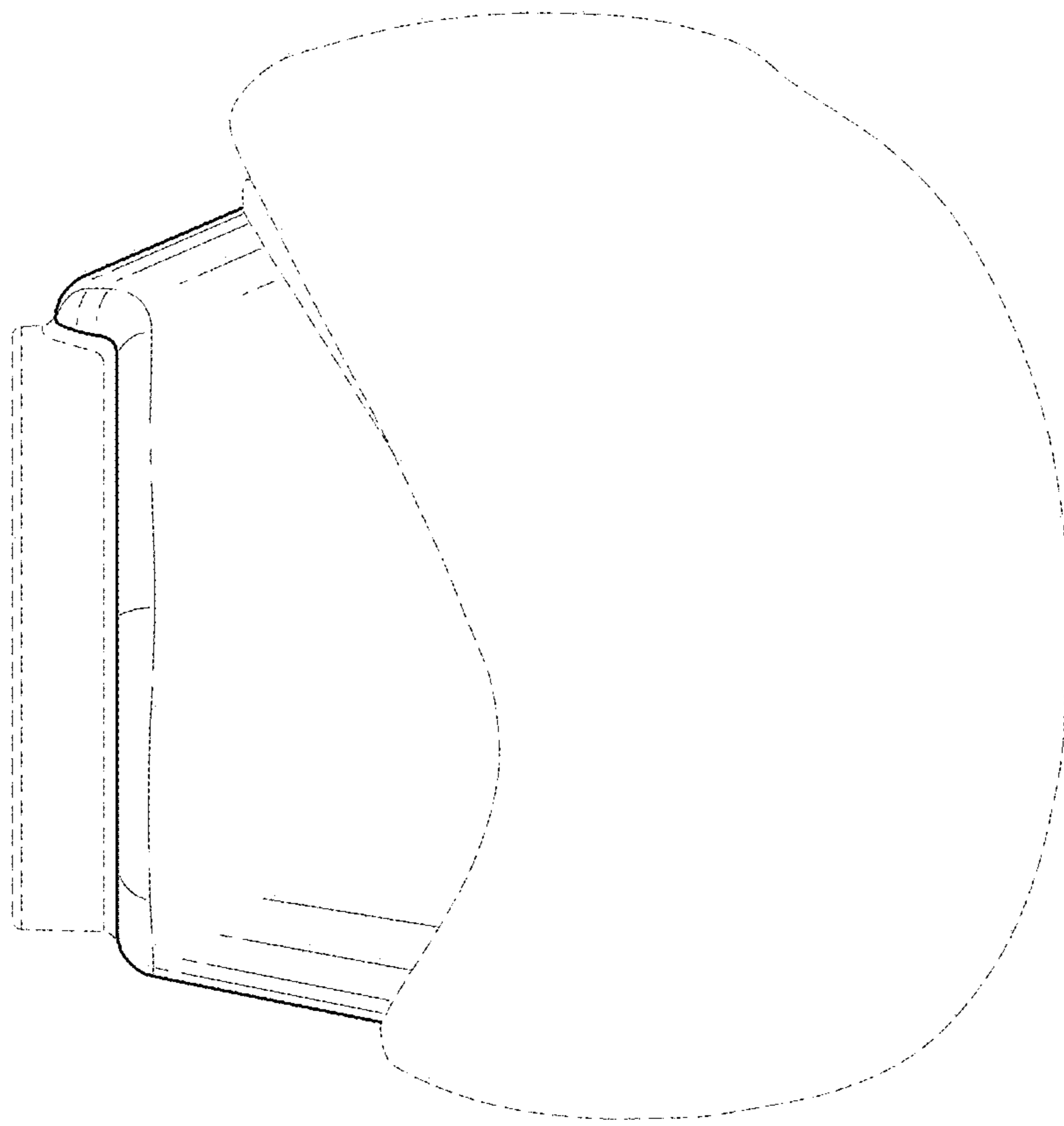


FIG. 6

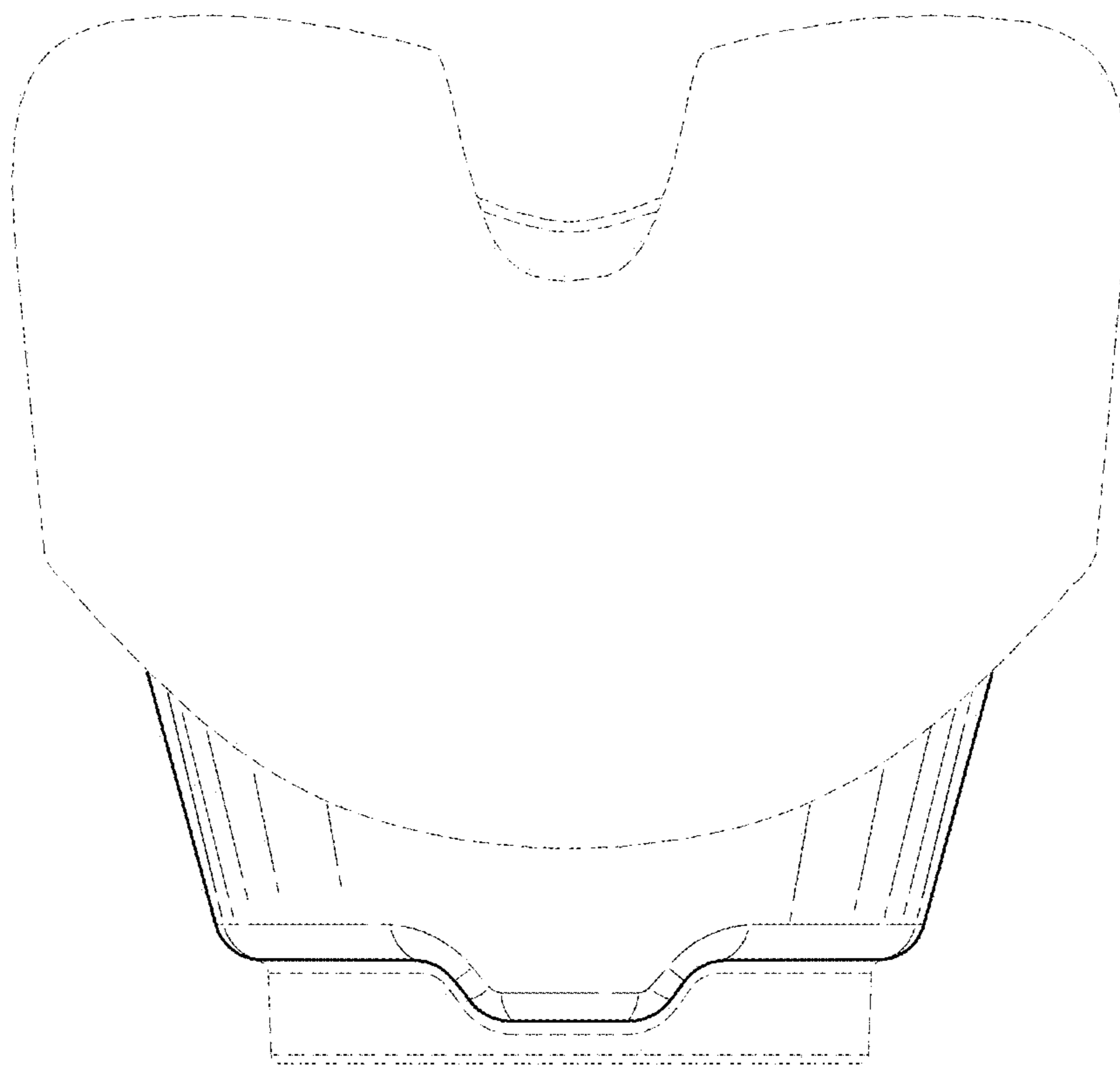


FIG. 7

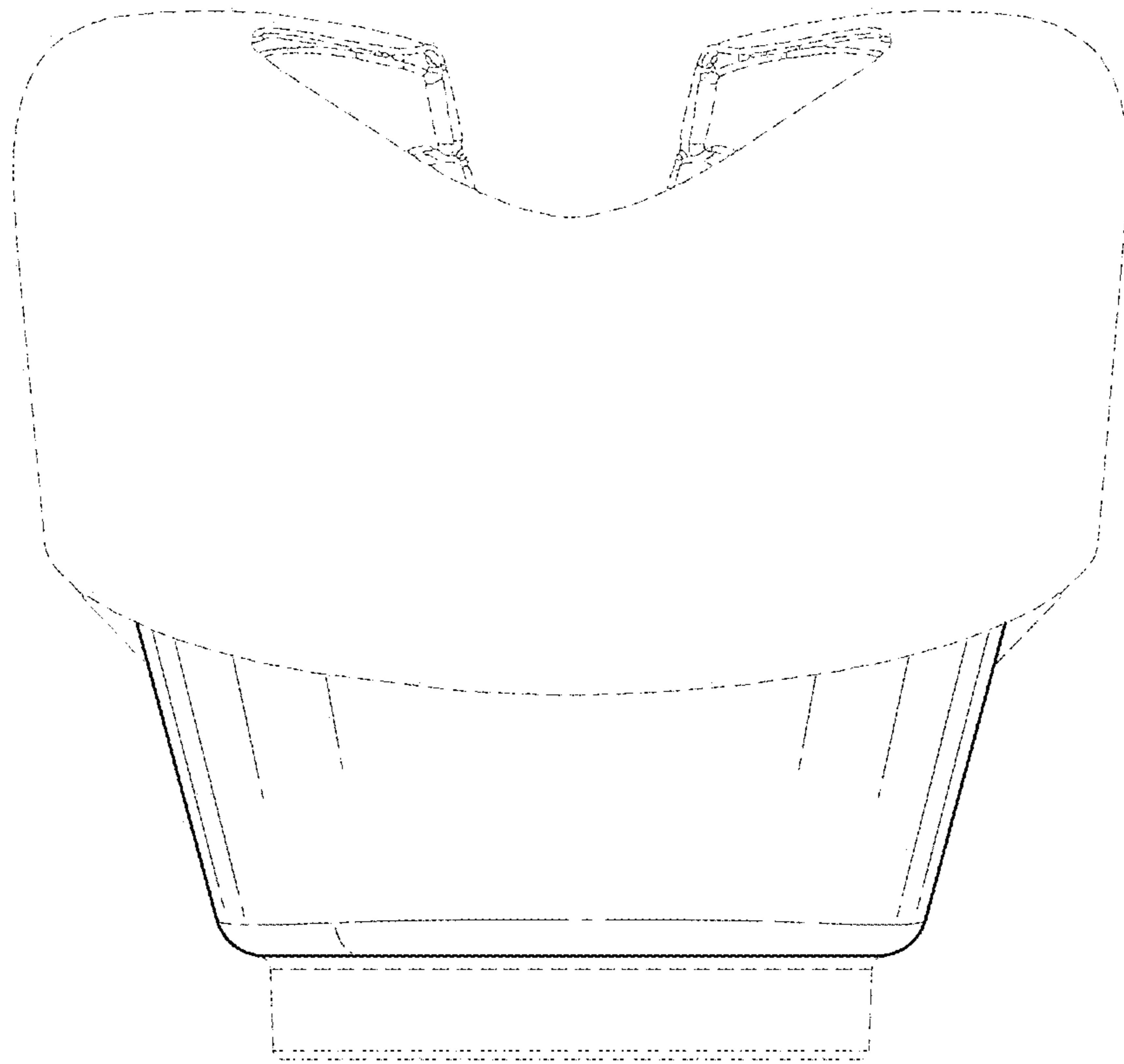


FIG. 8