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(12) **United States Design Patent** (10) **Patent No.:** **US D972,739 S**
Katz et al. (45) **Date of Patent:** **** Dec. 13, 2022**

(54) **VIBRATING FITNESS ROLLER**
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4,954,939 A 9/1990 Hutchins
D324,634 S 3/1992 Chen
5,123,406 A 6/1992 Masuda
D369,361 S 4/1996 Satake
5,554,102 A 9/1996 Chiou
5,736,089 A 4/1998 Stefani

(Continued)

FOREIGN PATENT DOCUMENTS

(73) Assignee: **Hyper Ice, Inc.**, Irvine, CA (US)
(**) Term: **15 Years**

DE 9200901 U1 7/1992
DE 102006058876 A1 10/2007

(Continued)

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OTHER PUBLICATIONS

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(52) **U.S. Cl.**

“Vyper 3” Dec. 8, 2021, Amazon, site visited Jun. 8, 2022: <https://amzn.to/3GDauzl> (Year: 2021).*

(Continued)

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(58) **Field of Classification Search**
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D21/400, 791, 725, 386; D7/624.2;
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CPC A61H 7/001; A61H 7/007; A61H 7/00;
A61H 15/0092; A61H 2015/0014; A61H
2201/0207; A61H 15/00; A61H 2205/081;
A61H 23/0263; A61H 2201/1284; A61H
2201/0161; A61H 2015/0028; A61H
2201/1695

(57) **CLAIM**

The ornamental design for a vibrating fitness roller, as shown and described.

See application file for complete search history.

DESCRIPTION

FIG. 1 is a front perspective view of a vibrating fitness roller of the present design;
FIG. 2 is a rear perspective view thereof;
FIG. 3 is a top view thereof, the bottom view, the left side view and the right side view being mirror images thereof;
FIG. 4 is a front view thereof; and,
FIG. 5 is a rear view thereof.

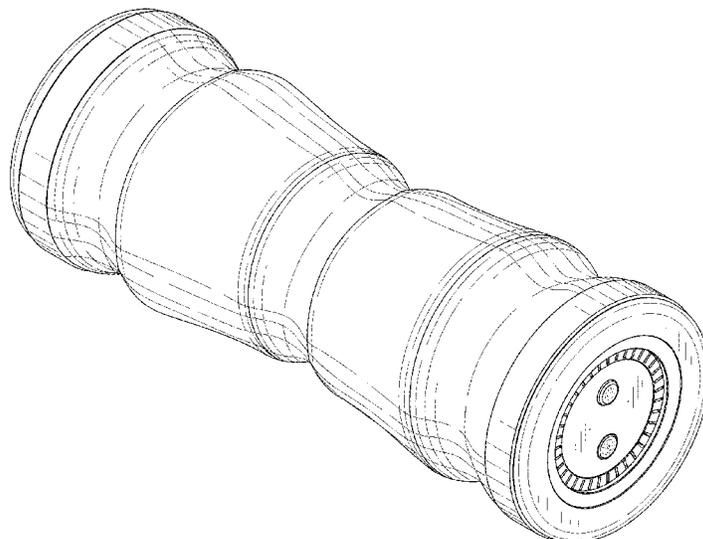
The broken lines in the drawings are for the purposes of illustrating portions of the vibrating fitness roller, which form no part of the claimed design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,428,953 A 10/1947 Adams
D166,659 S 5/1952 Colotti
2,675,800 A 4/1954 Voorhees et al.
D299,974 S 2/1989 Schmitt

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

6,694,550 B2 2/2004 Lee
 D546,402 S * 7/2007 Sonnier D21/694
 D555,742 S 11/2007 Lai
 D616,950 S 6/2010 Hersee et al.
 D637,244 S * 5/2011 Davis D21/662
 8,002,682 B2 8/2011 Dye
 D647,980 S * 11/2011 Davis D21/662
 D713,050 S 9/2014 Kao
 9,132,055 B1 9/2015 Wallace
 D740,337 S 10/2015 McCoy
 D755,304 S * 5/2016 Ackerman D21/698
 9,422,718 B2 8/2016 Ejsani
 D786,652 S 5/2017 Lira-Nunez
 9,668,933 B1 * 6/2017 Johnson A61H 15/00
 D797,951 S 9/2017 Miklavc
 9,763,850 B2 * 9/2017 Cheng A61H 15/00
 D805,649 S * 12/2017 Mizelle D24/211
 D809,612 S * 2/2018 Ganea D21/662
 D810,955 S 2/2018 Miklavc
 9,901,771 B1 2/2018 Silver
 D812,700 S 3/2018 Silver
 D813,323 S * 3/2018 Silver D21/694
 9,968,513 B1 * 5/2018 Marton A61H 23/0263
 D822,772 S * 7/2018 Jorgenson D24/211
 D825,695 S * 8/2018 Kim D21/662
 10,071,014 B2 9/2018 Yeh
 D837,615 S 1/2019 Winter et al.
 D843,522 S 3/2019 Miklavc et al.
 D857,131 S 8/2019 Marton et al.
 D858,779 S * 9/2019 Durfee D24/190
 D859,668 S * 9/2019 Durfee D24/190
 D872,198 S * 1/2020 Kim D21/662
 D878,079 S * 3/2020 Briden D6/523
 D882,805 S * 4/2020 Lien D24/211
 D884,804 S * 5/2020 Ross D24/211
 D886,314 S * 6/2020 Morris D24/211
 D886,315 S * 6/2020 Hicken D24/211
 D886,923 S 6/2020 Hsiung
 D889,335 S 7/2020 Bowman
 10,729,614 B2 8/2020 Marton et al.
 D900,258 S * 10/2020 Lin D21/691
 D900,945 S * 11/2020 Kyriacou D21/691
 D919,107 S * 5/2021 Huang D24/211
 11,039,976 B2 * 6/2021 Jorgenson A61H 15/00
 D924,417 S * 7/2021 Davis D24/211
 D927,711 S * 8/2021 Guerizec D24/211
 D930,922 S * 9/2021 Ruan D30/160
 11,141,345 B2 * 10/2021 Kyriacou A61H 1/00
 D947,297 S 3/2022 Flick
 D948,156 S 4/2022 Furuuchi
 D949,359 S * 4/2022 Lebovic D24/211
 D949,363 S * 4/2022 Wersland D24/211
 D952,070 S 5/2022 Gridley
 D957,663 S * 7/2022 Lebovic D24/211
 D957,742 S * 7/2022 Dickson D29/122
 D957,743 S * 7/2022 Dickson D29/122

2002/0170728 A1 11/2002 Holland et al.
 2005/0070827 A1 3/2005 Lee
 2009/0088307 A1 4/2009 Jelinek et al.
 2009/0176635 A1 7/2009 Brinson
 2009/0183817 A1 7/2009 Sinykin
 2013/0090220 A1 4/2013 Bertram et al.
 2013/0267396 A1 10/2013 Dye
 2015/0045707 A1 * 2/2015 Selvaggio A61H 15/0092
 2016/0074274 A1 3/2016 Mallory
 2016/0195163 A1 7/2016 Cavanaugh et al.
 2016/0279009 A1 * 9/2016 Somjee A61H 7/007
 2017/0042756 A1 * 2/2017 Nelson A61H 15/00
 2017/0065482 A1 * 3/2017 Downare A61H 15/00
 2018/0021211 A1 1/2018 Suokas et al.
 2018/0028388 A1 2/2018 Leier et al.
 2018/0071166 A1 * 3/2018 Lawrie A61H 15/0092
 2018/0207055 A1 * 7/2018 Davis A61F 7/007
 2018/0339216 A1 * 11/2018 Gencarelli A61M 21/002
 2021/0197011 A1 * 7/2021 Hadley A61H 15/0092

FOREIGN PATENT DOCUMENTS

DE 202014004900 U1 10/2014
 DE 202014004901 U1 10/2014
 DE 102014211779 A1 12/2015
 DE 102014211780 A1 12/2015
 DE 102015002235 A1 12/2015

OTHER PUBLICATIONS

Zyllion Rechargeable Vibrating Foam Roller, Oct. 13, 2017, Amazon, site visited Jun. 8, 2022: <https://amzn.to/38Uw3z6> (Year: 2017).
 “Hyperice Vyper Go”, Oct. 22, 2021, Amazon, site visited Jun. 8, 2022: <https://amzn.to/3O2drMb> (Year: 2021).
 “Nextrino Vibrating Foam Roller” May 25, 2016, Amazon, site visited Jul. 19, 2022: <https://amzn.to/3IWuGxm> (Year: 2016).
 “URBNFit Vibrating Foam Roller” Jan. 22, 2019, Amazon, site visited Jul. 19, 2022: <https://amzn.to/3oklRm5> (Year: 2019).
 “Does A Fit Roll Vibrating Foam Roller Work? A Review”, May 23, 2018, Youtube, site visited Jul. 19, 2022: <https://www.youtube.com/watch?v=lyrlnc78Gmg> (Year: 2018).
 “Hyperice | Vyper Vibrating Foam Roller,” www.hyperice.com/yper, accessed on Sep. 7, 2017, 10 pages.
 “Foam Roller Wrap,” Jun. 3, 2011, Amazon, site visited Jun. 3, 2022: <https://amzn.to/3wZfB8A> (Year: 2011).
 “Theraband Foam Rollers and Wrap,” Sep. 12, 2013, YouTube, site visited Jun. 3, 2022: <https://youtube.com/watch?v=rQ0PQWxPV0> (Year: 2013).
 “Peace of Muscle Foam Roller Review,” Nov. 2, 2016, YouTube, site visited Jun. 4, 2022: <https://www.youtube.com/watch?v=0P48FkFkil0> Year: 2016).
 “TriggerPoint Grid Caps,” Aug. 14, 2018, Amazon, site visited Jun. 6, 2022: <https://amzn.to/3tetEG3> (Year: 2018).
 “321 Strong 5 in 1 Foam Roller Set,” Mar. 8, 2019, Amazon, site visited Jun. 6, 2022: <https://amzn.to/3xnj5mJ> (Year: 2019).

* cited by examiner

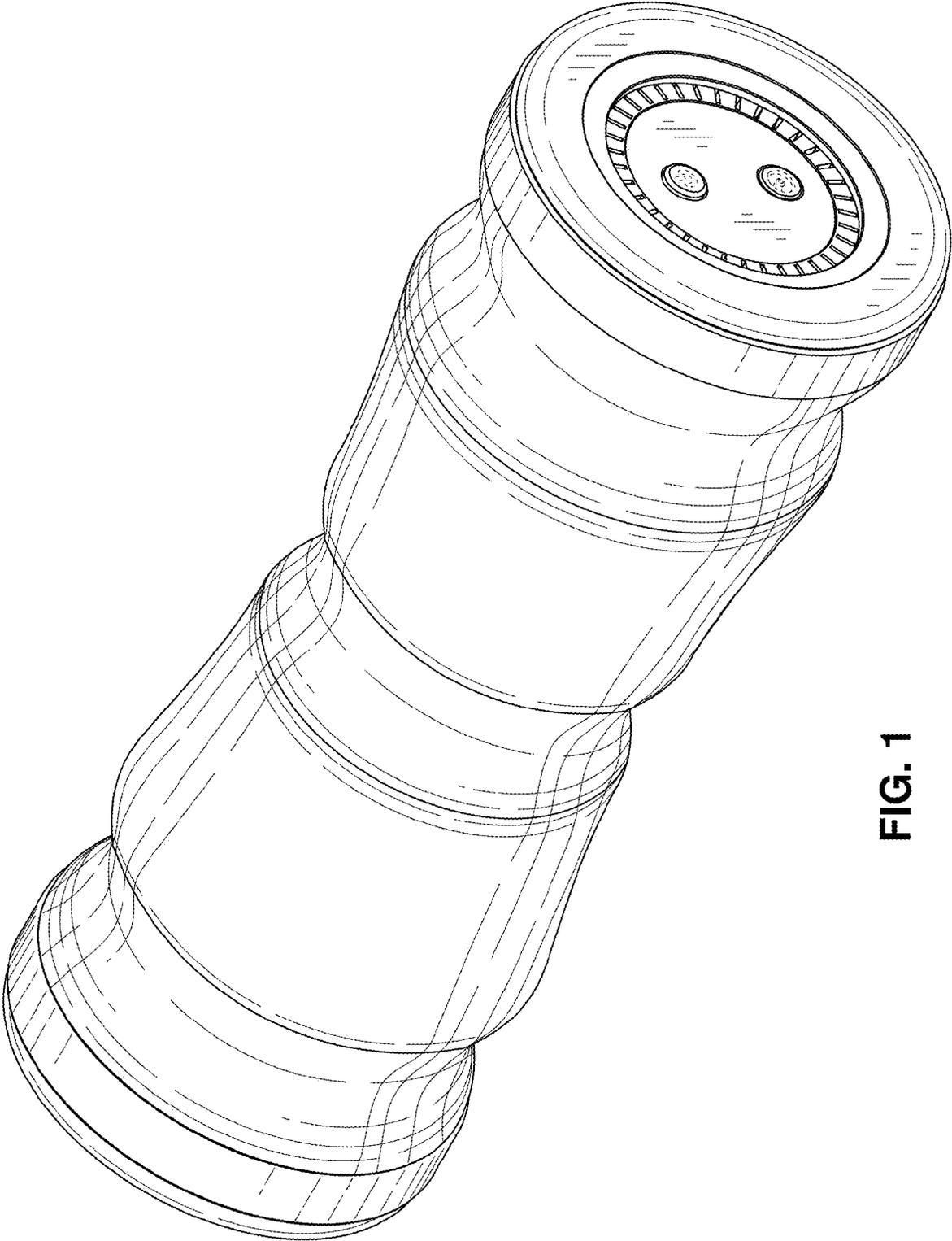


FIG. 1

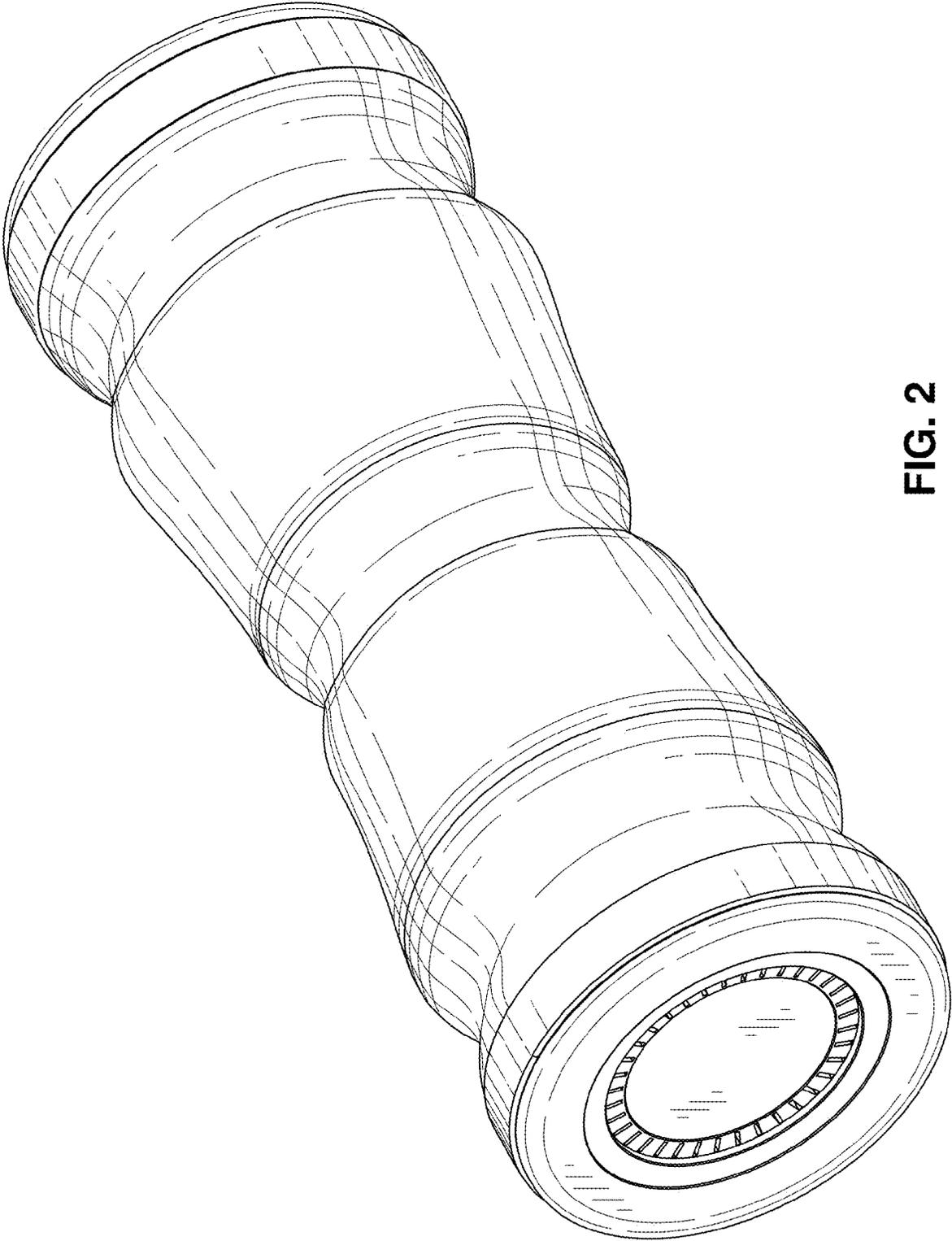


FIG. 2

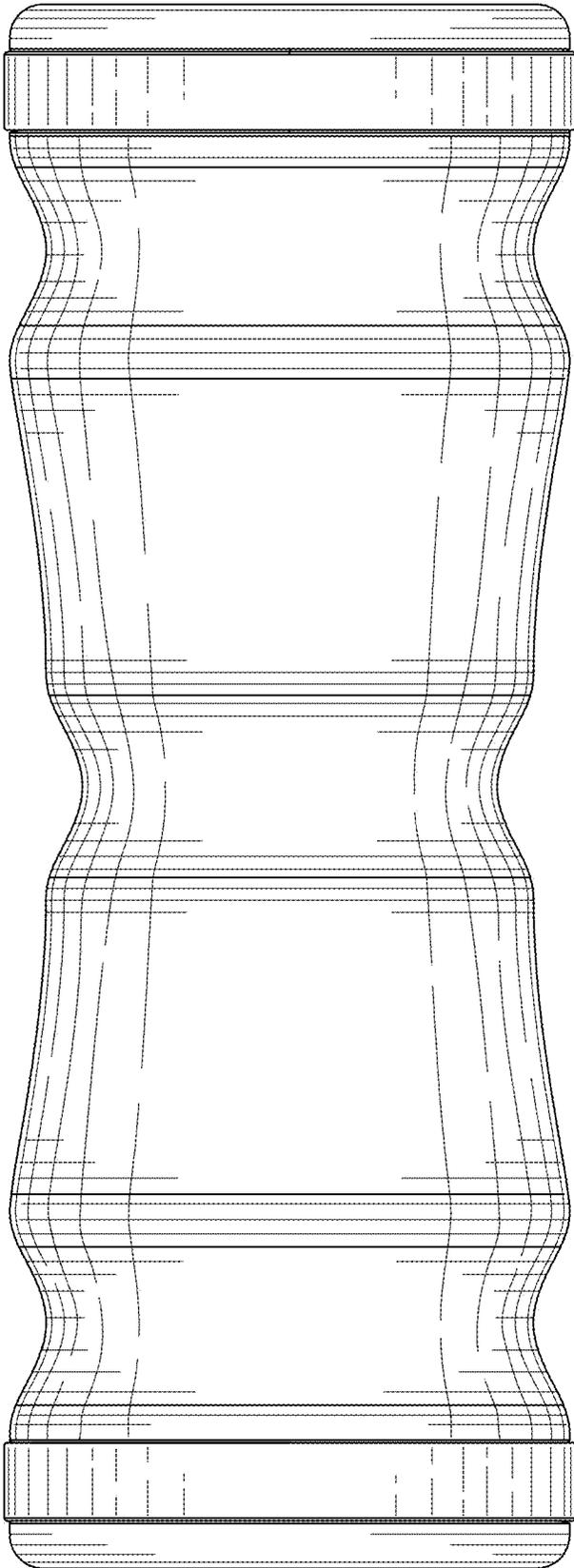


FIG. 3

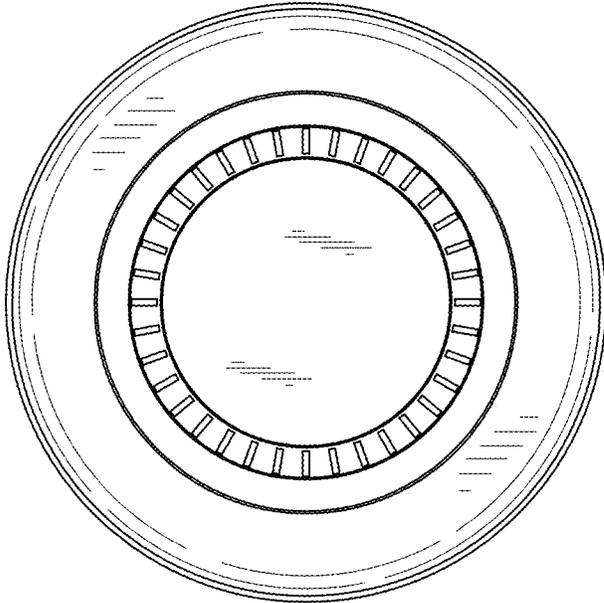


FIG. 5

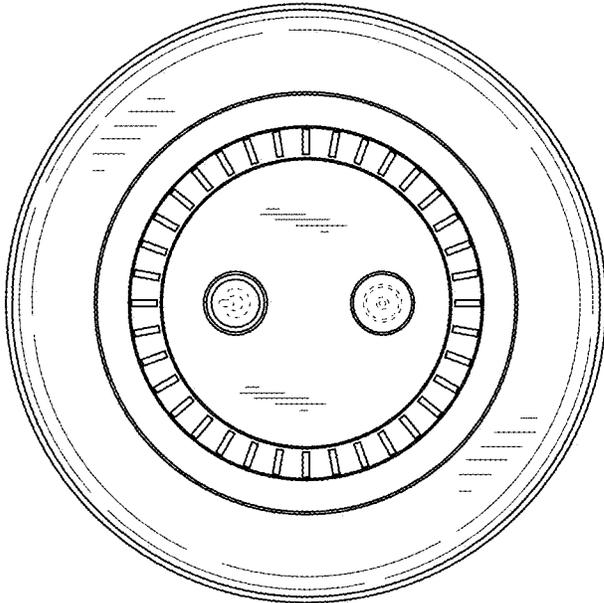


FIG. 4