



US00D999373S

(12) **United States Design Patent**  
**Ierulli**

(10) **Patent No.:** **US D999,373 S**

(45) **Date of Patent:** **\*\* Sep. 19, 2023**

(54) **NASAL DILATOR WITH RELIEF CUTS**

(71) Applicant: **Horizon IP Tech, LLC**, Honolulu, HI (US)

(72) Inventor: **Joseph V. Ierulli**, Sarasota, FL (US)

(73) Assignee: **Horizon IP Tech, LLC**, Honolulu, HI (US)

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

(21) Appl. No.: **29/809,971**

(22) Filed: **Sep. 30, 2021**

**Related U.S. Application Data**

(62) Division of application No. 29/704,176, filed on Sep. 3, 2019, now Pat. No. Des. 932,620.

(51) **LOC (14) Cl.** ..... **24-02**

(52) **U.S. Cl.**  
USPC ..... **D24/135**

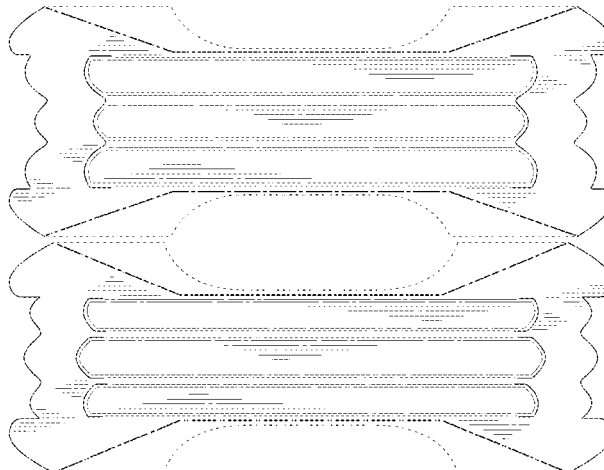
(58) **Field of Classification Search**  
USPC ..... D24/135, 133, 189  
CPC ..... A61F 5/08; B29L 2031/753  
See application file for complete search history.

**References Cited**

**U.S. PATENT DOCUMENTS**

1,149,781 A	8/1915	Palmer
5,476,091 A	12/1995	Johnson
5,479,944 A	1/1996	Petruson
5,533,499 A	7/1996	Johnson
5,533,503 A	7/1996	Doubek et al.
5,546,929 A	8/1996	Muchin
5,549,103 A	8/1996	Johnson
RE35,408 E	12/1996	Petruson
5,611,333 A	3/1997	Johnson
5,653,224 A	8/1997	Johnson
5,706,800 A	1/1998	Cronk et al.
5,718,224 A	2/1998	Muchin
5,769,089 A	6/1998	Hand et al.
5,890,486 A	4/1999	Mitra et al.
5,931,854 A	8/1999	Dillon
5,957,126 A	9/1999	Neeser

6,006,746 A	12/1999	Karell
6,029,658 A	2/2000	Voss
D422,358 S	4/2000	Lundy, Jr. et al.
D422,702 S	4/2000	Lundy, Jr. et al.
D422,703 S	4/2000	Lundy, Jr. et al.
6,058,931 A	5/2000	Muchin
6,065,470 A	5/2000	Cromvoirt et al.
D429,332 S	8/2000	Ierulli
D430,295 S	8/2000	Ierulli
6,098,616 A	8/2000	Lundy, Jr. et al.
D432,652 S *	10/2000	Ierulli ..... D24/135
D434,146 S *	11/2000	Ierulli ..... D24/189
D437,641 S	2/2001	Ierulli
6,196,228 B1	3/2001	Kreitzer et al.
6,244,265 B1	6/2001	Cronk et al.
6,276,360 B1	8/2001	Cronk et al.
6,318,362 B1	11/2001	Johnson
6,357,436 B1	3/2002	Kreitzer et al.
6,375,667 B1	4/2002	Ruch
6,453,901 B1	9/2002	Ierulli
6,470,883 B1	10/2002	Beaudry
6,550,474 B1	4/2003	Anderson et al.
6,694,970 B2	2/2004	Spinelli et al.
6,769,428 B2	8/2004	Cronk et al.
6,769,429 B1	8/2004	Benetti
7,067,710 B1	6/2006	Beaudry
7,114,495 B2	10/2006	Lockwood, Jr.
D639,762 S	6/2011	Brogden et al.
D644,324 S	8/2011	Brunner et al.
D644,325 S	8/2011	Brunner et al.
8,047,201 B2	11/2011	Guyuron et al.
8,062,329 B2	11/2011	Ierulli
D651,710 S	1/2012	Brogden et al.
8,115,049 B2	2/2012	Beaudry
D659,245 S	5/2012	Ierulli
8,188,330 B2	5/2012	Beaudry
D662,203 S	6/2012	Smith
D667,543 S	9/2012	Ierulli
D671,643 S	11/2012	Ierulli
D672,461 S	12/2012	Brogden et al.
D672,872 S	12/2012	Brunner et al.
D673,270 S	12/2012	Brunner et al.
8,342,173 B2	1/2013	Lockwood, Jr.
8,444,670 B2	5/2013	Ierulli
8,584,671 B2	11/2013	Ierulli
8,616,198 B2	12/2013	Guyuron et al.
8,617,199 B2	12/2013	Eull et al.
8,641,852 B2	2/2014	Ierulli
D706,925 S *	6/2014	Reyers ..... D24/135
D706,926 S *	6/2014	Reyers ..... D24/135
D707,814 S	6/2014	Ierulli
D707,815 S	6/2014	Ierulli
8,834,511 B2	9/2014	Holmes et al.



# US D999,373 S

8,834,512 B1	9/2014	Brown et al.	2011/0000483 A1	1/2011	Matthias et al.
8,834,514 B2	9/2014	Smith	2011/0054517 A1	3/2011	Holmes et al.
8,858,587 B2	10/2014	Ierulli	2011/0166594 A1	7/2011	Eull et al.
D722,161 S	2/2015	Reyers	2011/0224717 A1	9/2011	Lockwood, Jr.
D722,162 S	2/2015	Reyers	2012/0004683 A1	1/2012	Gray et al.
D725,772 S	3/2015	Ierulli	2012/0022582 A1	1/2012	Guyuron et al.
D725,773 S	3/2015	Ierulli et al.	2012/0067345 A1	3/2012	Shilon
9,095,422 B2	8/2015	Gray et al.	2012/0172923 A1	7/2012	Fenton et al.
D738,496 S	9/2015	Peck	2012/0209313 A1	8/2012	Ierulli
D739,015 S	9/2015	Martin	2012/0232455 A1	9/2012	Beaudry
9,119,620 B2	9/2015	Peterson et al.	2013/0104882 A1	5/2013	Ierulli
D741,997 S	10/2015	Ierulli	2013/0118488 A1	5/2013	Ledogar
D741,998 S	10/2015	Martin	2014/0148844 A1	5/2014	Ierulli
D743,544 S	11/2015	Ierulli	2014/0194922 A1	7/2014	Ierulli
D743,545 S	11/2015	Ierulli	2014/0296904 A1	10/2014	Andre
D743,565 S	11/2015	Engel et al.	2014/0350596 A1	11/2014	Smith
D745,147 S	12/2015	Ierulli	2015/0005812 A1	1/2015	Holmes et al.
9,204,988 B1	12/2015	Fischell	2015/0012035 A1	1/2015	Ierulli
D746,982 S	1/2016	Ierulli	2015/0051636 A1	2/2015	Lockwood, Jr.
D747,478 S	1/2016	Brunner et al.	2015/0090398 A1	4/2015	Ierulli
D753,294 S	4/2016	Guyuron et al.	2015/0090399 A1	4/2015	Ierulli
D755,376 S	5/2016	Ierulli	2015/0094757 A1	4/2015	Ierulli
D758,575 S	6/2016	Ierulli	2015/0094758 A1	4/2015	Ierulli
D758,576 S	6/2016	Ierulli et al.	2015/0216709 A1	8/2015	Peck
D759,240 S	6/2016	Ierulli	2015/0230966 A1	8/2015	Ierulli
D759,241 S	6/2016	Ierulli	2015/0250637 A1	9/2015	Ierulli
D759,242 S	6/2016	Ierulli	2015/0259654 A1	9/2015	Sackstein
9,364,367 B2	6/2016	Ierulli	2015/0290021 A1	10/2015	Gray et al.
9,364,368 B2	6/2016	Ierulli	2016/0008161 A1	1/2016	Ierulli et al.
9,381,332 B2	7/2016	Judd	2016/0278967 A1	9/2016	Ierulli
D764,055 S	8/2016	Ierulli et al.	2016/0278968 A1	9/2016	Ierulli
D764,662 S	8/2016	Ierulli et al.	2016/0339619 A1	11/2016	Gray et al.
9,414,957 B1	8/2016	Fischell	2017/0112653 A9	4/2017	Ierulli
9,427,945 B2	8/2016	Gray et al.	2017/0143531 A9	5/2017	Ierulli
D779,666 S	2/2017	Ierulli et al.	2017/0151084 A9	6/2017	Ierulli
D779,667 S	2/2017	Ierulli et al.	2018/0021163 A9	1/2018	Ierulli
9,566,183 B1	2/2017	Fischell	2018/0028346 A1	2/2018	Ierulli
D788,298 S	5/2017	Guyuron et al.	2018/0071131 A1	3/2018	Ierulli
9,642,995 B2	5/2017	Fenton et al.	2019/0167464 A1	6/2019	Lovato et al.
D789,531 S	6/2017	Ierulli	2020/0315834 A1	10/2020	Ierulli
D790,058 S	6/2017	Ierulli et al.	2020/0315835 A1	10/2020	Ierulli
D790,695 S	6/2017	Ierulli	2022/0370229 A1*	11/2022	Ierulli ..... A61F 13/126
D791,312 S	7/2017	Peck			
D791,314 S	7/2017	Ierulli			
9,730,827 B2	8/2017	Ierulli			
9,730,828 B2	8/2017	Ierulli			
9,775,738 B2	10/2017	Andre	EM 005326667-0001	* 7/2018	
9,844,456 B2	12/2017	Ierulli	EM 005326667-0002	* 7/2018	
9,901,479 B2	2/2018	Holmes et al.	EM 005326667-0003	* 7/2018	
9,901,480 B2	2/2018	Ierulli	EM 005326667-0004	* 7/2018	
9,901,481 B2	2/2018	Ierulli	EM 005326667-0005	* 7/2018	
D812,749 S	3/2018	Ierulli	EM 005289295-0001	* 8/2018	
D813,387 S	3/2018	Ierulli et al.	EM 005289295-0002	* 8/2018	
D814,029 S	3/2018	Ierulli	EM 005289295-0003	* 8/2018	
10,010,422 B2	7/2018	Dees, Jr.	EM 005289295-0004	* 8/2018	
10,328,625 B2	6/2019	Gray et al.	EM 005289295-0005	* 8/2018	
D857,887 S	8/2019	Ierulli	EM 005289295-0006	* 8/2018	
D857,888 S	8/2019	Ierulli	EM 005289295-0007	* 8/2018	
D857,889 S	8/2019	Ierulli	EM 005289295-0008	* 8/2018	
D858,762 S	9/2019	Ierulli et al.	EM 005289295-0009	* 8/2018	
D859,654 S	9/2019	Ierulli	EM 005289295-0010	* 8/2018	
D894,382 S	8/2020	Ierulli	EM 005289295-0011	* 8/2018	
D896,957 S	9/2020	Ierulli	EM 005289295-0012	* 8/2018	
D898,193 S	10/2020	Ierulli et al.	EM 005289295-0013	* 8/2018	
D900,314 S	10/2020	Ierulli	EM 005289295-0014	* 8/2018	
D902,399 S	11/2020	Ierulli	EM 005289295-0015	* 8/2018	
D902,400 S	11/2020	Ierulli	EM 005289295-0016	* 8/2018	
D903,114 S	11/2020	Ierulli	EM 005289295-0017	* 8/2018	
D932,620 S *	10/2021	Ierulli ..... D24/135	EM 005289295-0018	* 8/2018	
D959,660 S *	8/2022	Ierulli ..... A61F 5/08	EM 005289295-0019	* 8/2018	
		D24/135	EM 005289295-0020	* 8/2018	
2008/0058858 A1	3/2008	Smith	EP 855175 A1	7/1998	
2008/0097517 A1	4/2008	Holmes et al.	ES 289561 U	4/1986	
2008/0257341 A1*	10/2008	Ierulli ..... A61F 5/08	GB 9005289295-0001	* 5/2018	
		128/200.24	GB 9005289295-0002	* 5/2018	
2009/0125052 A1	5/2009	Pinna et al.	GB 9005289295-0003	* 5/2018	
2009/0234383 A1	9/2009	Ierulli	GB 9005289295-0004	* 5/2018	
2010/0210988 A1	8/2010	Dallison et al.	GB 9005289295-0005	* 5/2018	
2010/0298861 A1	11/2010	Fenton	GB 9005289295-0006	* 5/2018	
			GB 9005289295-0007	* 5/2018	

## FOREIGN PATENT DOCUMENTS

GB 9005289295-0008 \* 5/2018  
 GB 9005289295-0009 \* 5/2018  
 GB 9005289295-0010 \* 5/2018  
 GB 9005289295-0011 \* 5/2018  
 GB 9005289295-0012 \* 5/2018  
 GB 9005289295-0013 \* 5/2018  
 GB 9005289295-0014 \* 5/2018  
 GB 9005289295-0015 \* 5/2018  
 GB 9005289295-0016 \* 5/2018  
 GB 9005289295-0017 \* 5/2018  
 GB 9005289295-0018 \* 5/2018  
 GB 9005289295-0019 \* 5/2018  
 GB 9005289295-0020 \* 5/2018  
 GB 9005326667-0001 \* 6/2018  
 GB 9005326667-0002 \* 6/2018  
 GB 9005326667-0003 \* 6/2018  
 GB 9005326667-0004 \* 6/2018

1GH5RN3P83KW1&keywords=Nasal%2BStrips&qid=1675783971  
 &sprefix=nasal%2Bstrips%2Caps%2C145&sr=8-53&th=1 >.\*

\* cited by examiner

*Primary Examiner* — Bridget L Eland  
 (74) *Attorney, Agent, or Firm* — Christopher M. Ramsey;  
 GrayRobinson, P.A.

#### (57) CLAIM

The ornamental design for a nasal dilator with relief cuts, as shown and described.

#### DESCRIPTION

#### OTHER PUBLICATIONS

Clear Passage Nasal Strips Extra Strength, Tan, Date First Available: Sep. 11, 2017, [online], [retrieved on Feb. 7, 2023]. Retrieved from Internet, <URL: [Clear Passage Nasal Strips Large, Tan, Date First Available: Jan. 28, 2018, \[online\], \[retrieved on Feb. 7, 2023\]. Retrieved from Internet, <URL: \[Clear Passage Nasal Strips Medium, Tan, Date First Available: Feb. 7, 2022, \\[online\\], \\[retrieved on Feb. 7, 2023\\]. Retrieved from Internet, <URL: \\[Clear Passage Nasal Strips Medium, Clear, Date First Available: Sep. 10, 2017, \\\[online\\\], \\\[retrieved on Feb. 7, 2023\\\]. Retrieved from Internet, <URL: \\\[Clear Passage Extra Strength Nasal Strips, Date First Available: Mar. 9, 2022, \\\\[online\\\\], \\\\[retrieved on Feb. 7, 2023\\\\]. Retrieved from Internet, <URL: \\\\[Clear Passage Performance Nasal Strips, Date First Available: Jan. 29, 2018, \\\\\[online\\\\\], \\\\\[retrieved on Feb. 7, 2023\\\\\]. Retrieved from Internet, <URL: \\\\\[FIG. 1 is a top plan view of a first embodiment of a nasal dilator with relief cuts;\\\\\]\\\\\(https://www.amazon.com/Clear-Passage-Performance-Instantly-Breathing/dp/B07HBC53LF/ref=sr\\\\\_1\\\\\_53?crd=</a></p>
</div>
<div data-bbox=\\\\\)\\\\]\\\\(https://www.amazon.com/Clear-Passage-Strength-Congestion-Performance/dp/B09V6WBXNW/ref=sr\\\\_1\\\\_14\\\\_sspa?crd=1GH5RN3P83KW1&keywords=Nasal+Strips&qid=1675783971&sprefix=nasal+strips%2Caps%2C145&sr=8-14-spons&psc=1&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUFKN0dXSIdKREpQTEUmZW5jcnldGVkSWQ9QTAWmZAxNTAzRU9JTDc1MTI4MkVXJmVuY3J5cHRlZEFkSWQ9QTANTEyNzUxQTBGNTjBEQkVDEhPjndpZGdldE5hbWU9c3BfbXRmJmFjdGlvbj1jbGJlaj1JIZGIyZWNoJmRvTm90TG9nQ2xpY2s9dHJIZQ==>.\\\\*</a></p>
</div>
<div data-bbox=\\\\)\\\]\\\(https://www.amazon.com/Clear-Passage-Instantly-Congestion-Allergies/dp/B07D6VHMFQ/ref=sr\\\_1\\\_6?crd=1GH5RN3P83KW1&keywords=Nasal+Strips&qid=1675783971&sprefix=nasal+strips&qid=1675783971&sprefix=nasal+strips%2Caps%2C145&sr=8-6>.\\\*</a></p>
</div>
<div data-bbox=\\\)\\]\\(https://www.amazon.com/Clear-Passage-Instantly-Congestion-Allergies/dp/B09DDBHKZ8/ref=sr\\_1\\_23\\_sspa?crd=1GH5RN3P83KW1&keywords=Nasal+Strips&qid=1675783971&sprefix=nasal+strips%2Caps%2C145&sr=8-23-spons&psc=1&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUFKN0dXSIdKREpQTEUmZW5jcnldGVkSWQ9QTAWmZAxNTAzRU9JTDc1MTI4MkVXJmVuY3J5cHRlZEFkSWQ9QTANTEyNzUxQTBGNTjBEQkVDEhPjndpZGdldE5hbWU9c3BfbXRmJmFjdGlvbj1jbGJlaj1JIZGlyZWNoJmRvTm90TG9nQ2xpY2s9dHJIZQ==>.\\*</a></p>
</div>
<div data-bbox=\\)\]\(https://www.amazon.com/Clear-Passage-Instantly-Congestion-Allergies/dp/B07D6W89L6/ref=sr\_1\_20?crd=1GH5RN3P83KW1&keywords=Nasal+Strips&qid=1675783971&sprefix=nasal+strips%2Caps%2C145&sr=8-20>.\*</a></p>
</div>
<div data-bbox=\)](https://www.amazon.com/Clear-Passage-Instantly-Congestion-Allergies/dp/B075JKBVCZ/ref=sxin_15_pa_sp_search_thematic_sspa?content-id=amzn1.sym.f0c5ad8f-c1b9-48f0-8868-482b84b2d5eb&pf_rd_r=P32EJPPV9RVSXJHJ72AS&qid=1675783971&sprefix=nasal+strips%2Caps%2C145&sr=1-3-a73d1c8c-2fd2-4f19-aa41-2df022bcb241-spons&psc=1&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUFKN0dXSIdKREpQTEUmZW5jcnldGVkSWQ9QTAWmZAxNTAzRU9JTDc1MTI4MkVXJmVuY3J5cHRlZEFkSWQ9QTANTEyNzUxQTBGNTjBEQkVDEhPjndpZGdldE5hbWU9c3Bfe2VhcmNoX3RoZW1hdGJlJmFjdGlvbj1jbGJlaj1JIZGlyZWNoJmRvTm90TG9nQ2xpY2s9dHJIZQ==>.*</p>
</div>
<div data-bbox=)

FIG. 2 is a flat perspective view thereof;

FIG. 3 is a perspective view thereof, shown in a slightly flexed state;

FIG. 4 is a perspective view thereof, shown in a state of use;

FIG. 5 is a top plan view of a second embodiment of a nasal dilator with relief cuts;

FIG. 6 is a flat perspective view thereof;

FIG. 7 is a perspective view thereof, shown in a slightly flexed state;

FIG. 8 is a perspective view thereof, shown in a state of use;

FIG. 9 is a top plan view of a third embodiment of a nasal dilator with relief cuts;

FIG. 10 is a flat perspective view thereof;

FIG. 11 is a perspective view thereof, shown in a slightly flexed state;

FIG. 12 is a perspective view thereof, shown in a state of use;

FIG. 13 is a top plan view of a fourth embodiment of a nasal dilator with relief cuts;

FIG. 14 is a flat perspective view thereof;

FIG. 15 is a perspective view thereof, shown in a slightly flexed state;

FIG. 16 is a perspective view thereof, shown in a state of use;

FIG. 17 is a top plan view of a fifth embodiment of a nasal dilator with relief cuts;

FIG. 18 is a flat perspective view thereof;

FIG. 19 is a perspective view thereof, shown in a slightly flexed state;

FIG. 20 is a perspective view thereof, shown in a state of use;

FIG. 21 is a top plan view of a sixth embodiment of a nasal dilator with relief cuts;

FIG. 22 is a flat perspective view thereof;

FIG. 23 is a perspective view thereof, shown in a slightly flexed state;

FIG. 24 is a perspective view thereof, shown in a state of use;

FIG. 25 is a top plan view of a seventh embodiment of a nasal dilator with relief cuts;

FIG. 26 is a flat perspective view thereof;

FIG. 27 is a perspective view thereof, shown in a slightly flexed state;

FIG. 28 is a perspective view thereof, shown in a state of use;

FIG. 29 is a top plan view of an eighth embodiment of a nasal dilator with relief cuts;

FIG. 30 is a flat perspective view thereof;

FIG. 31 is a perspective view thereof, shown in a slightly flexed state; and,

FIG. 32 is a perspective view thereof, shown in a state of use.

Long broken lines depicting a nose in the side-view figures are directed to environment. Short broken lines show portions of the nasal dilator with relief cuts that form no part of the claimed design. Heavy dot-dash broken lines show the bounds of the claimed design. Light and irregularly-broken lines show surface contours and shading.

**1 Claim, 16 Drawing Sheets**

FIG. 1

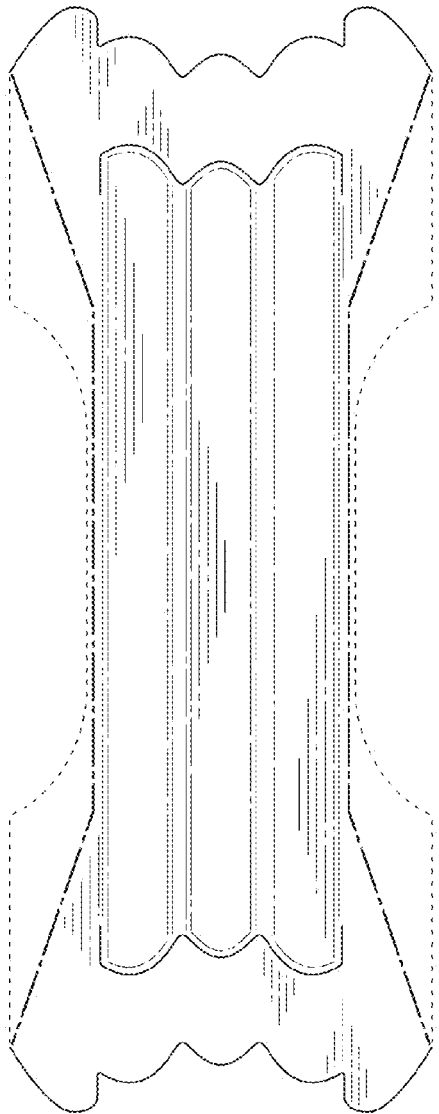
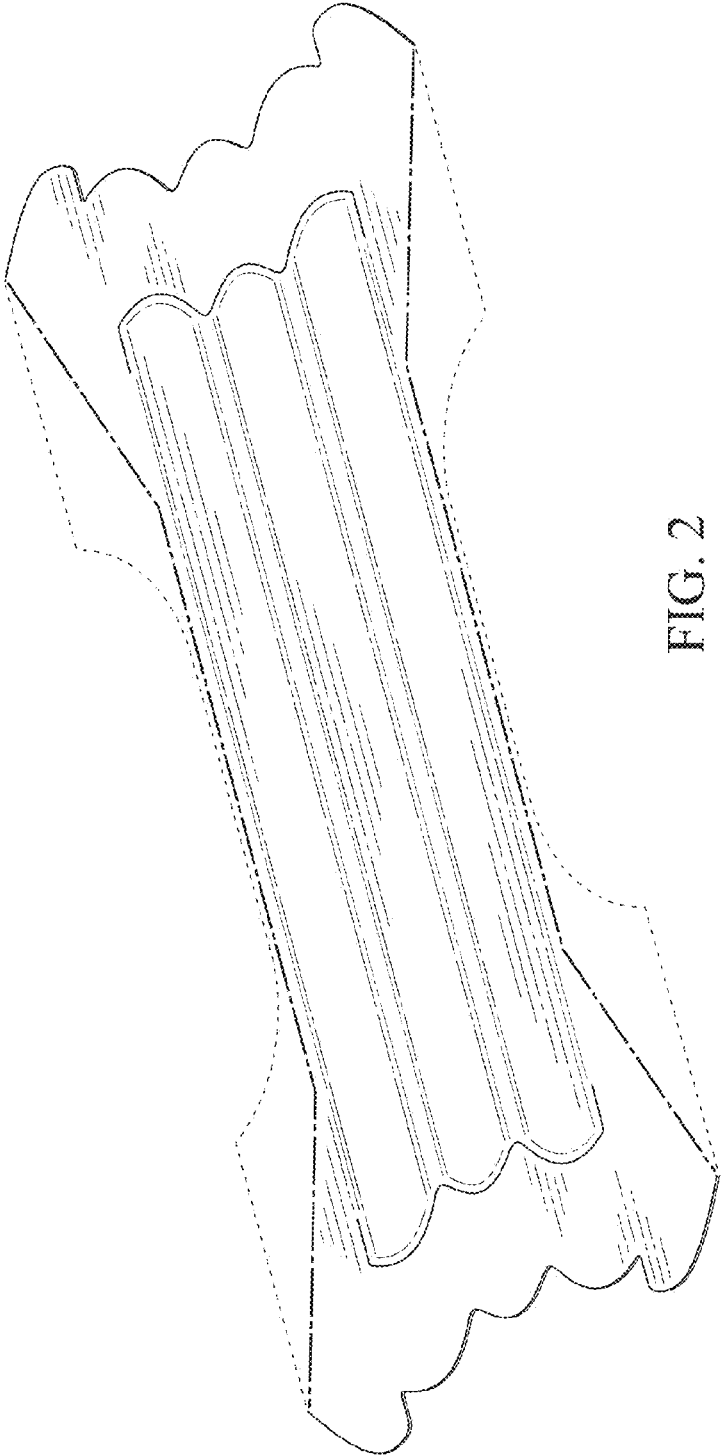


FIG. 2



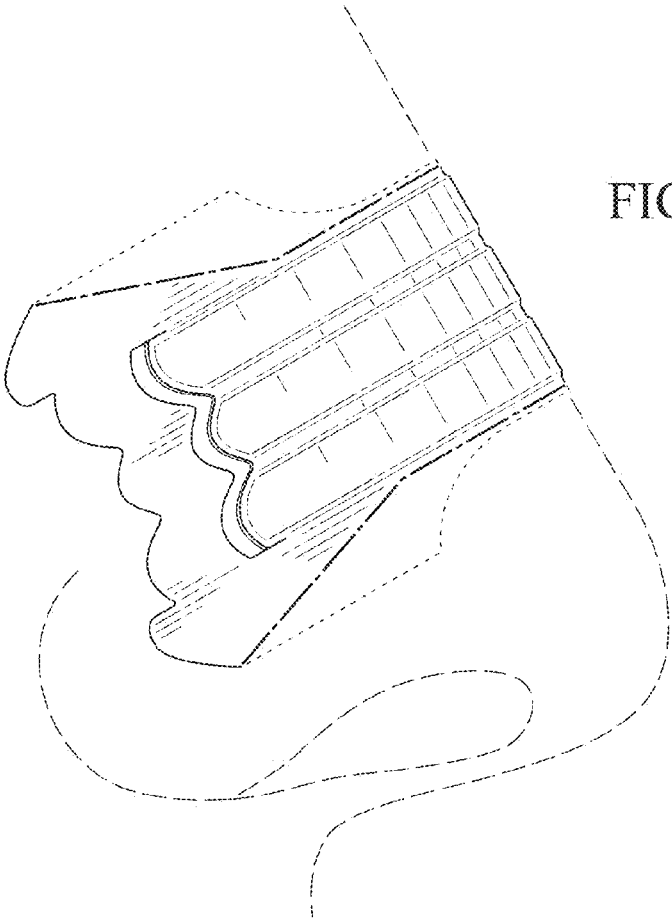


FIG. 4

FIG. 3

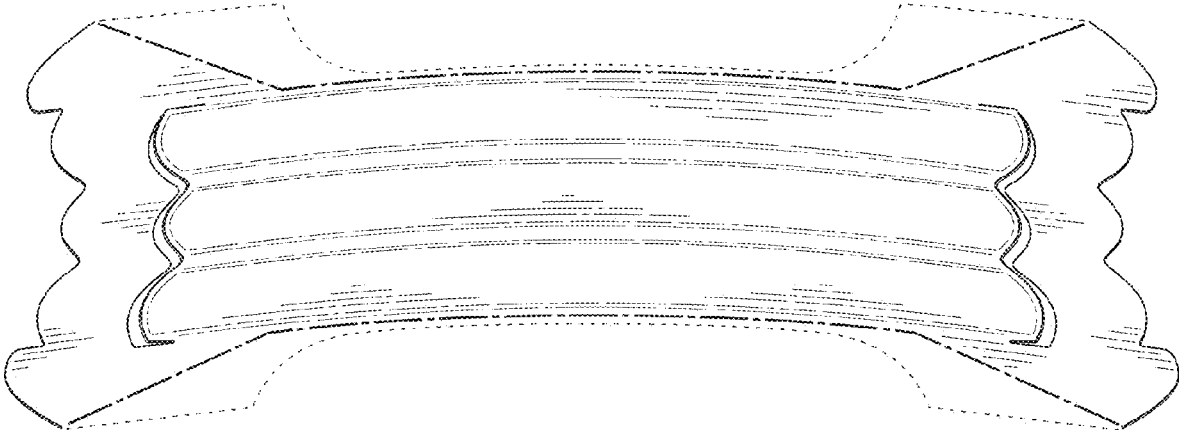


FIG. 5

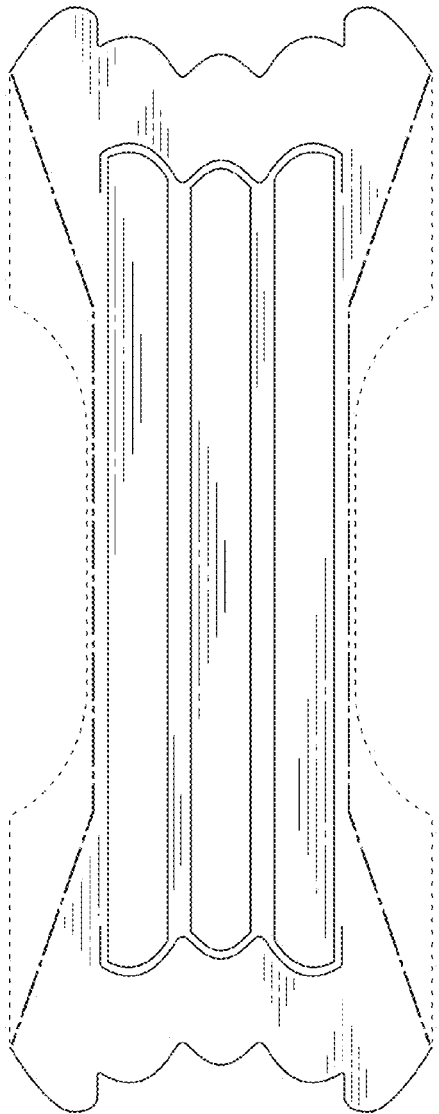
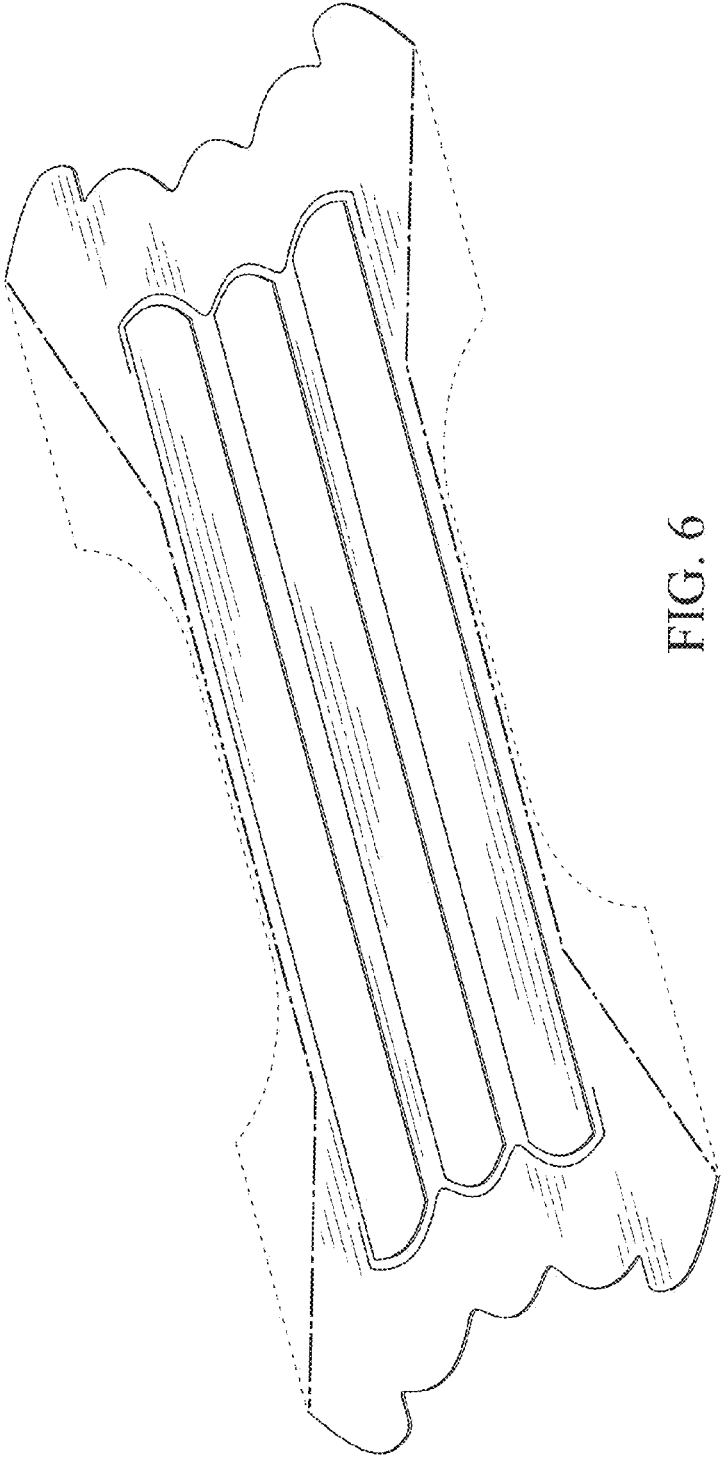


FIG. 6



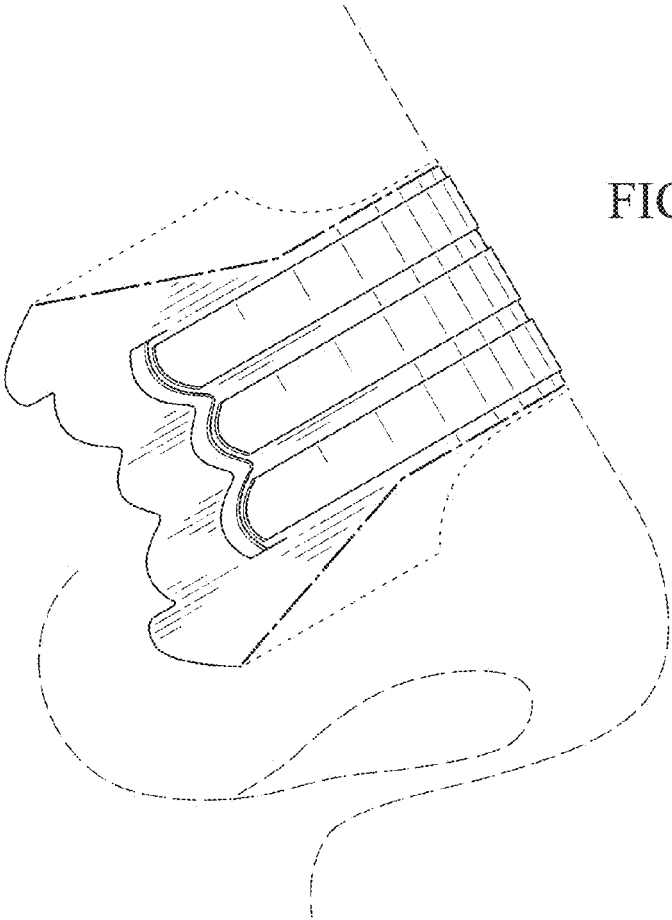


FIG. 8

FIG. 7

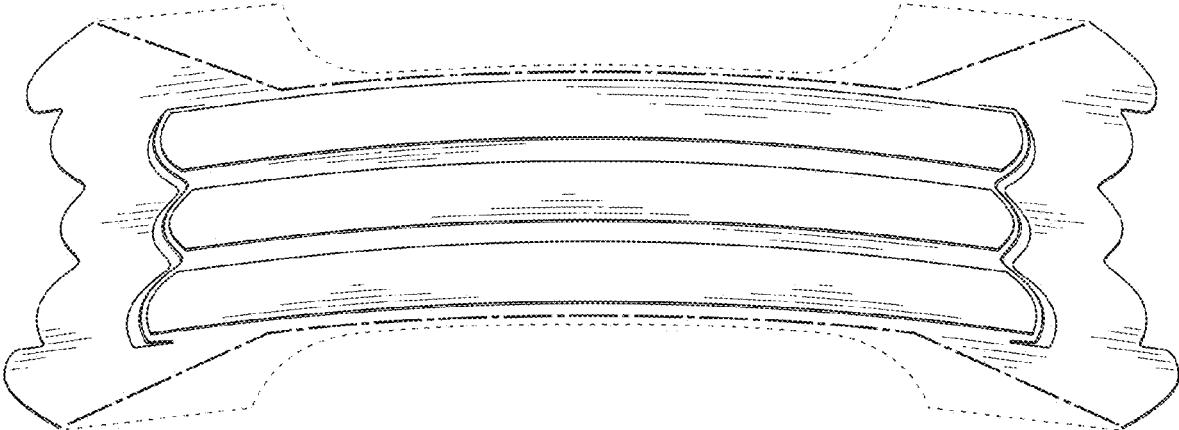




FIG. 9

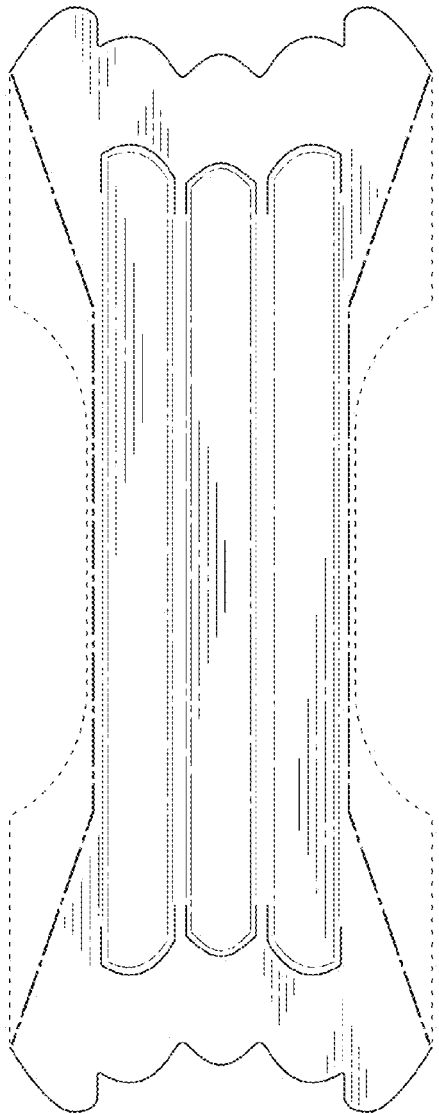
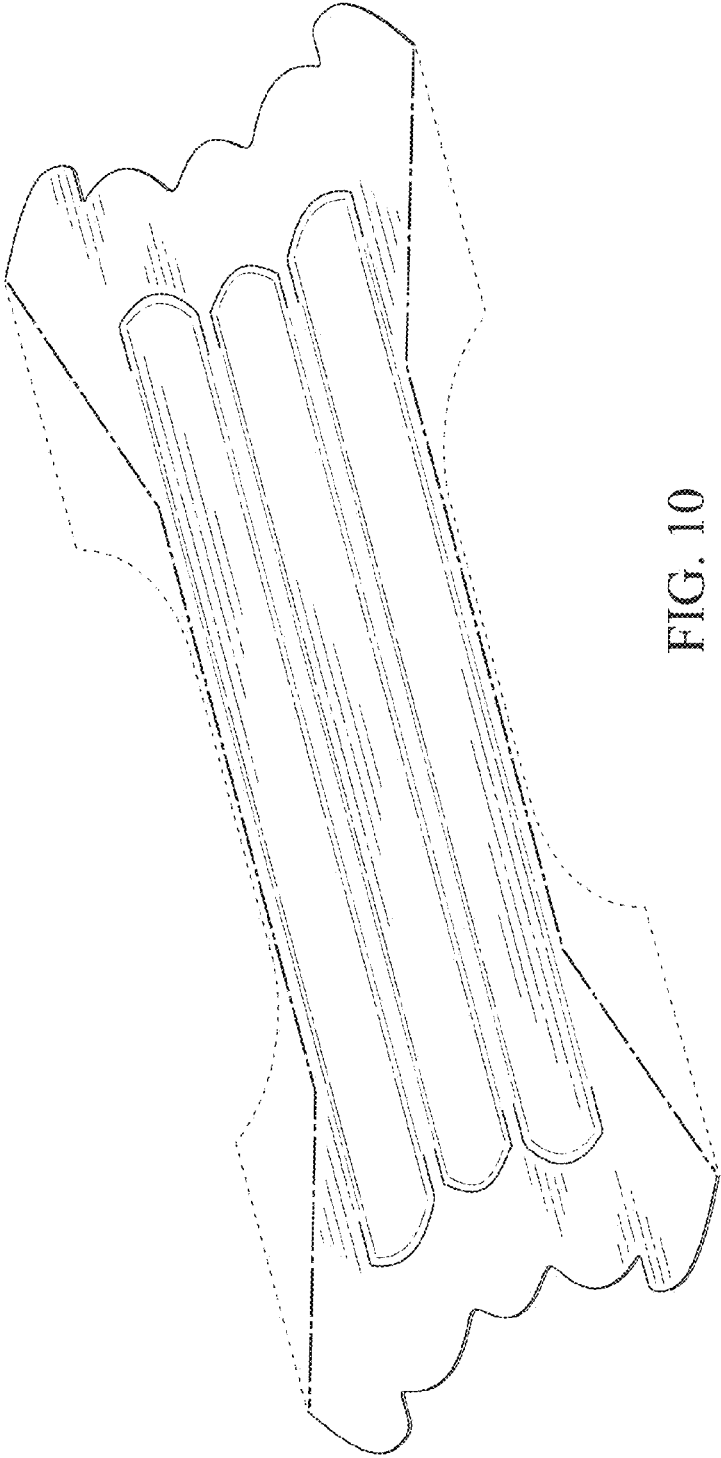


FIG. 10



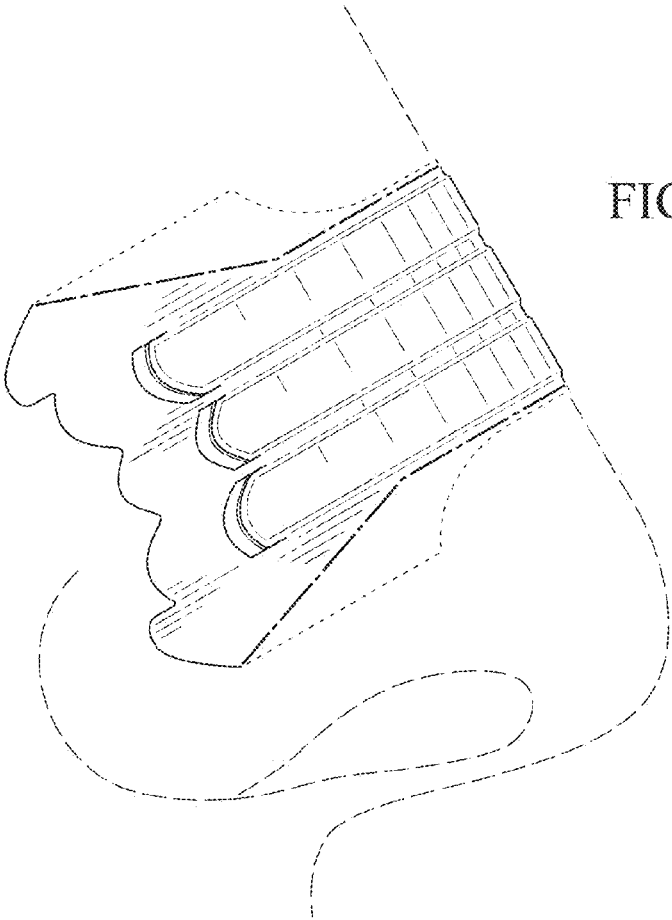


FIG. 12

FIG. 11

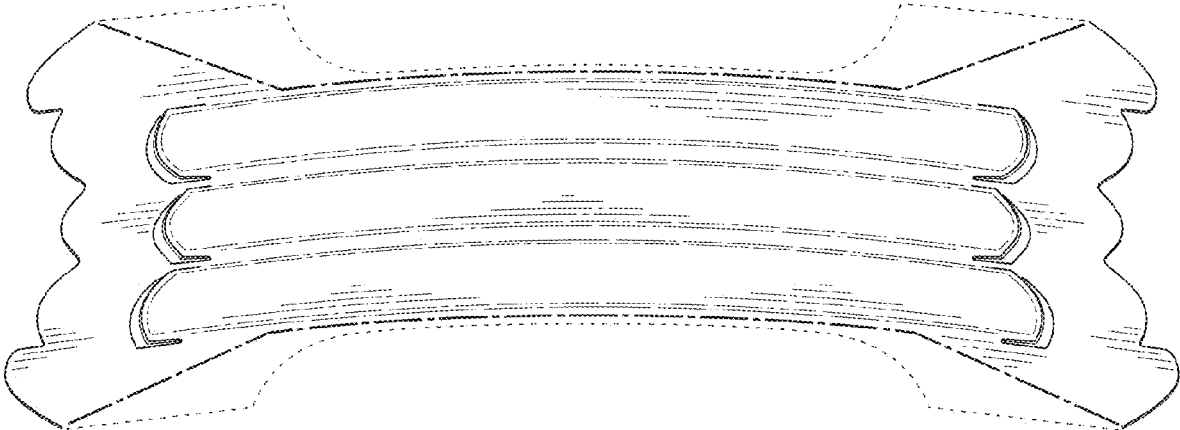


FIG. 13

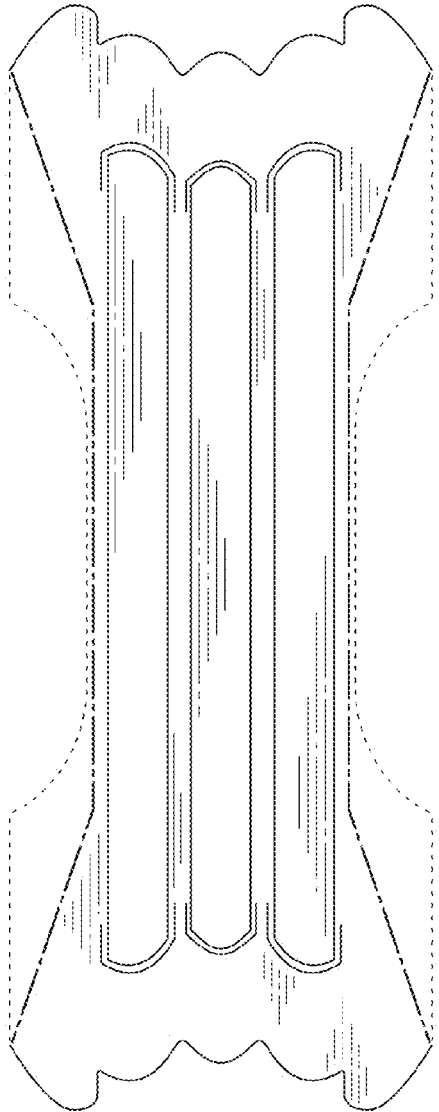
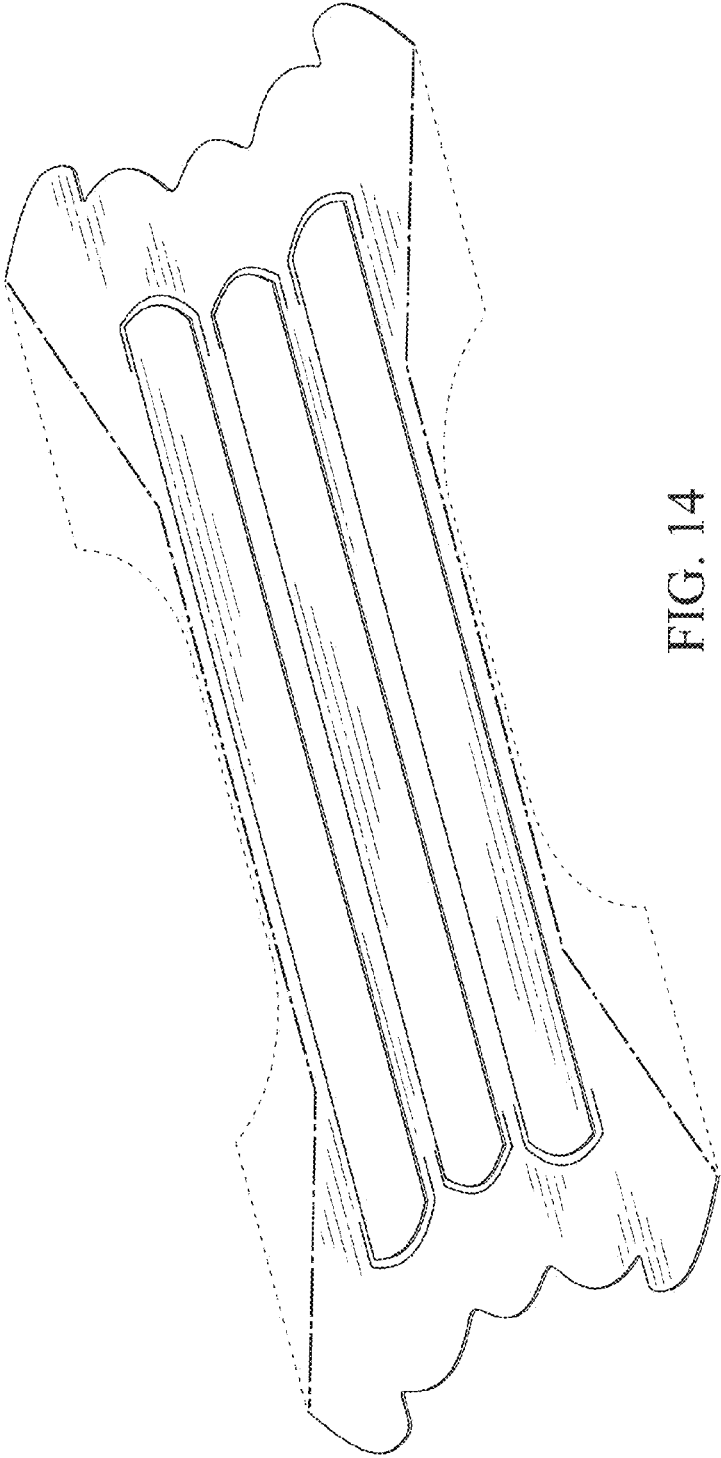


FIG. 14



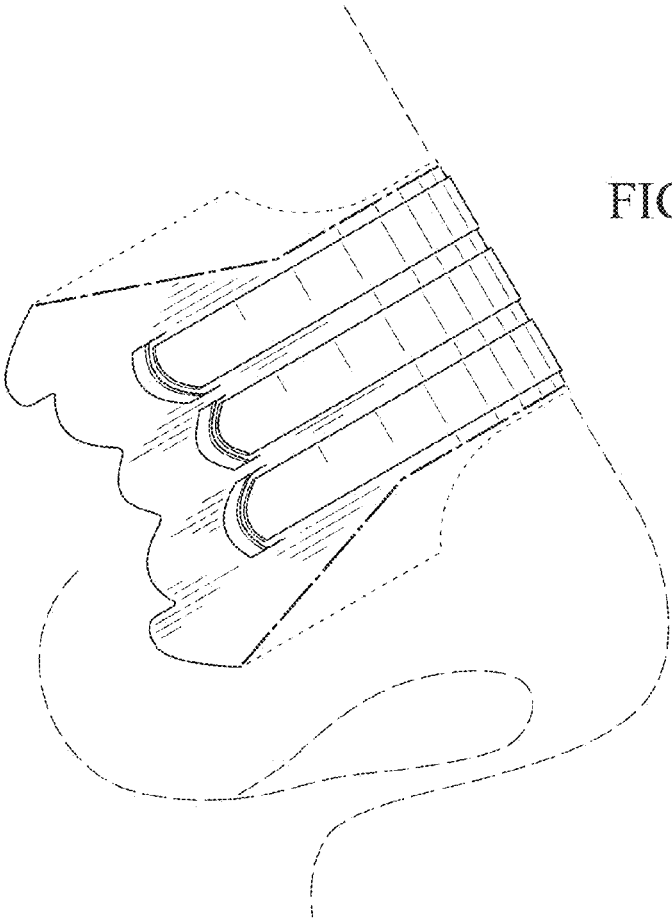


FIG. 16

FIG. 15

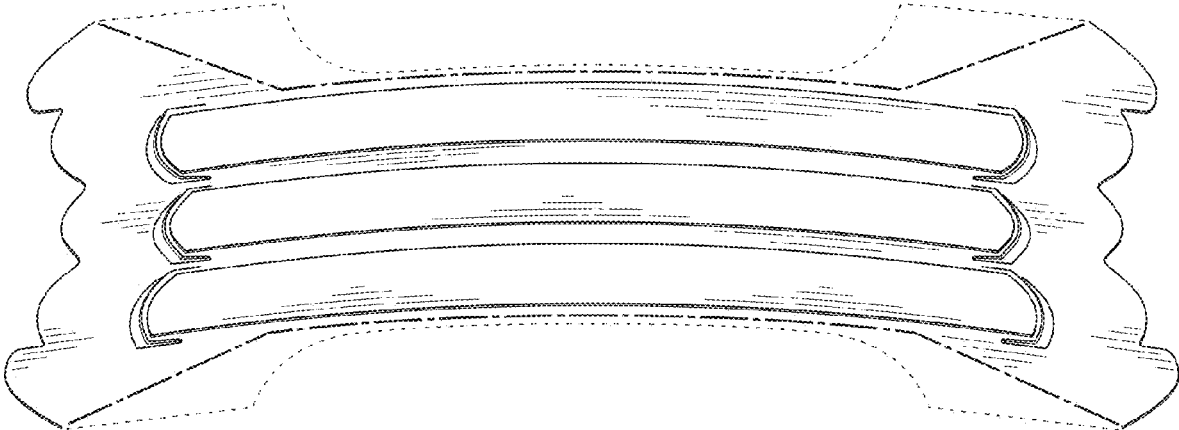


FIG. 17

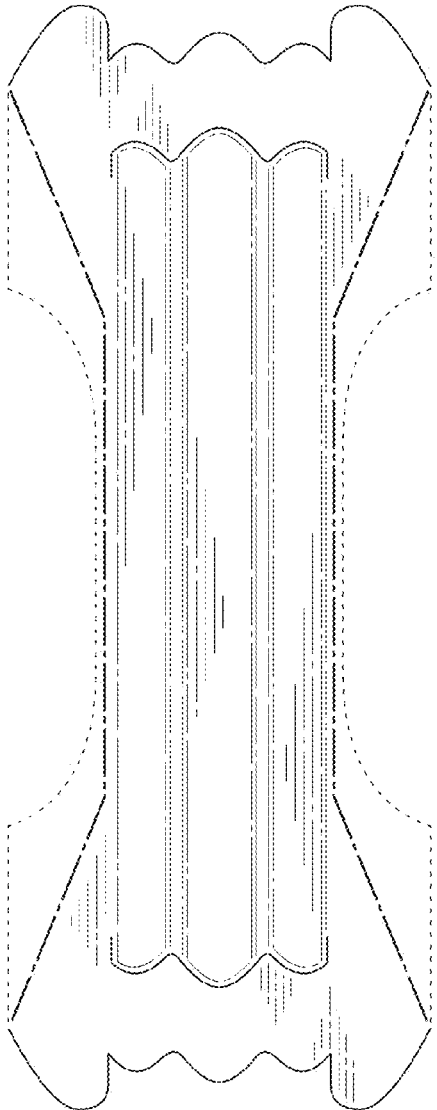
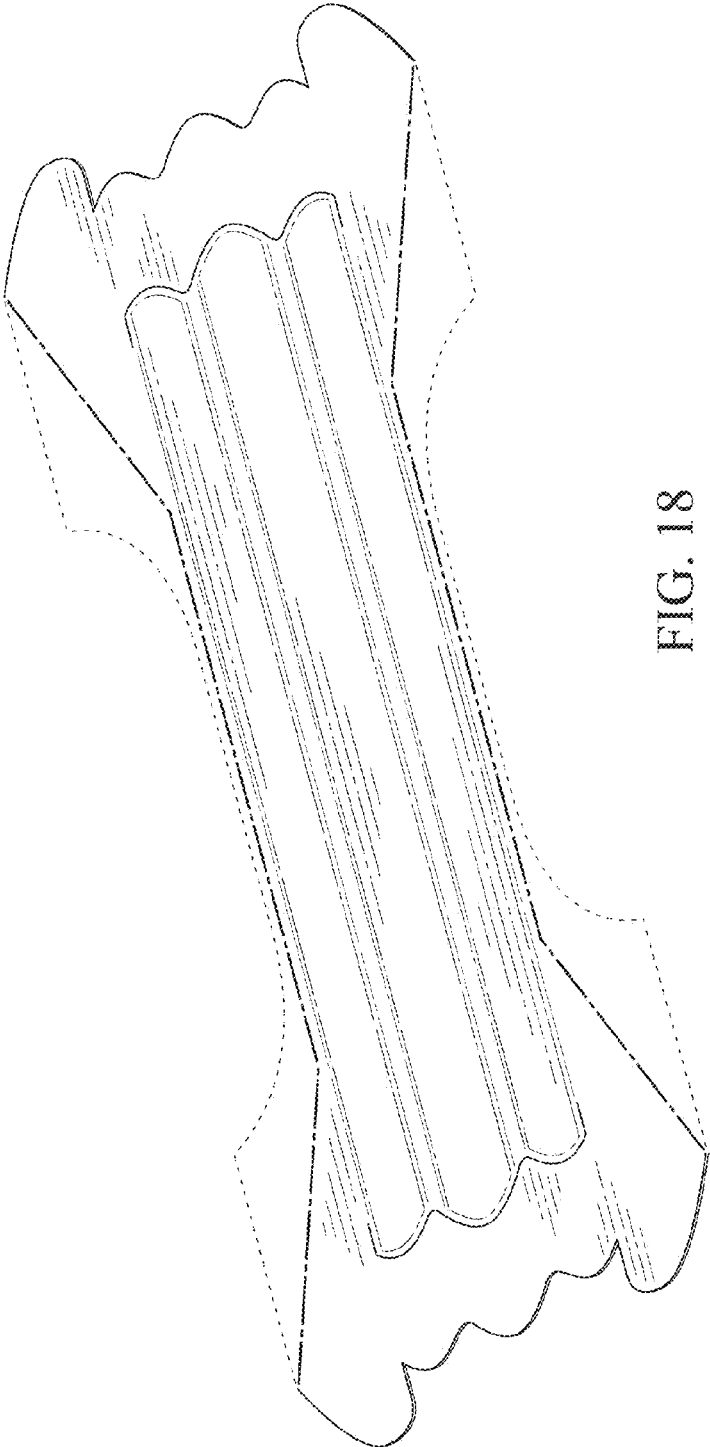


FIG. 18



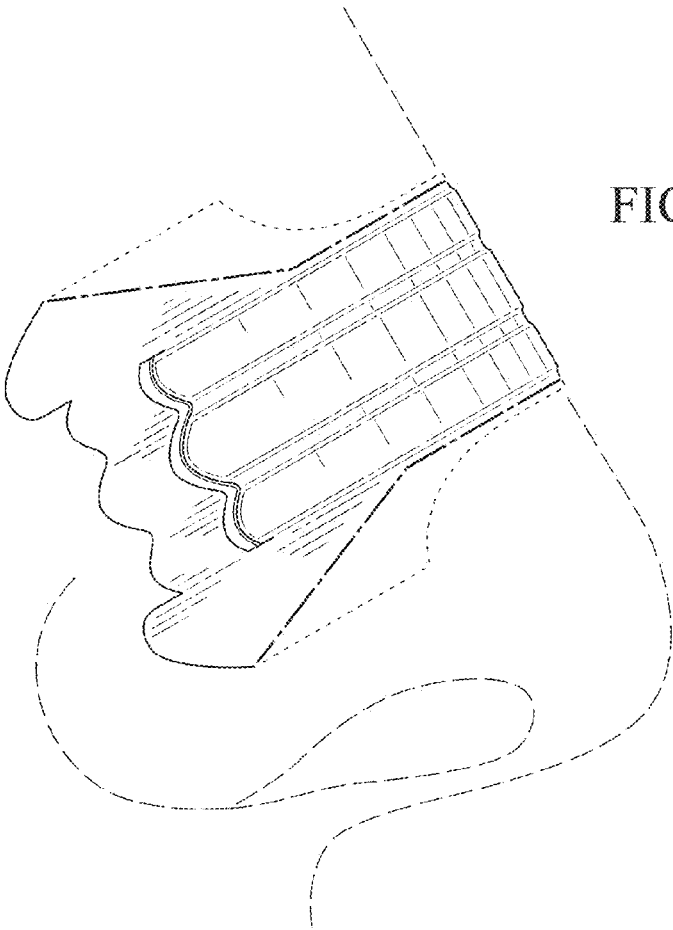


FIG. 20

FIG. 19

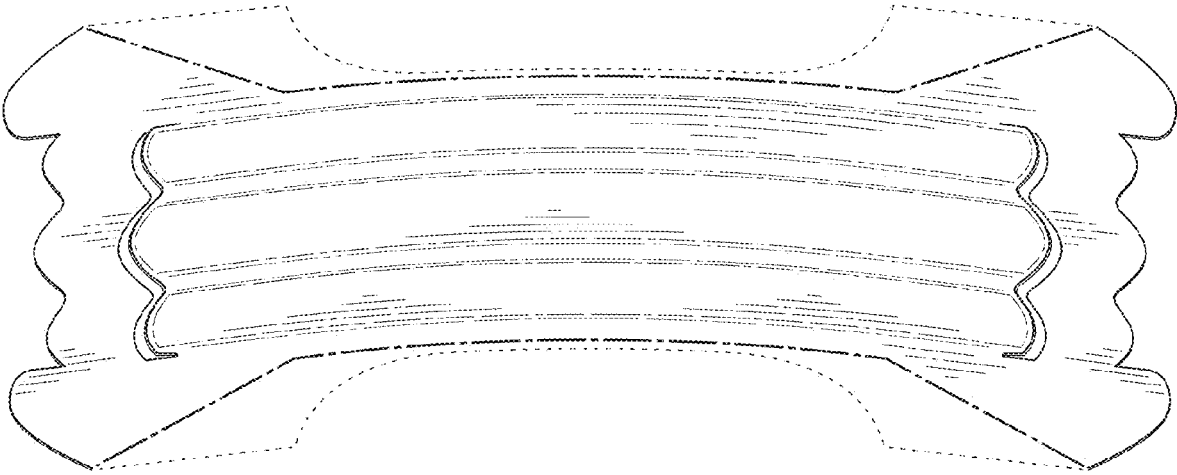


FIG. 21

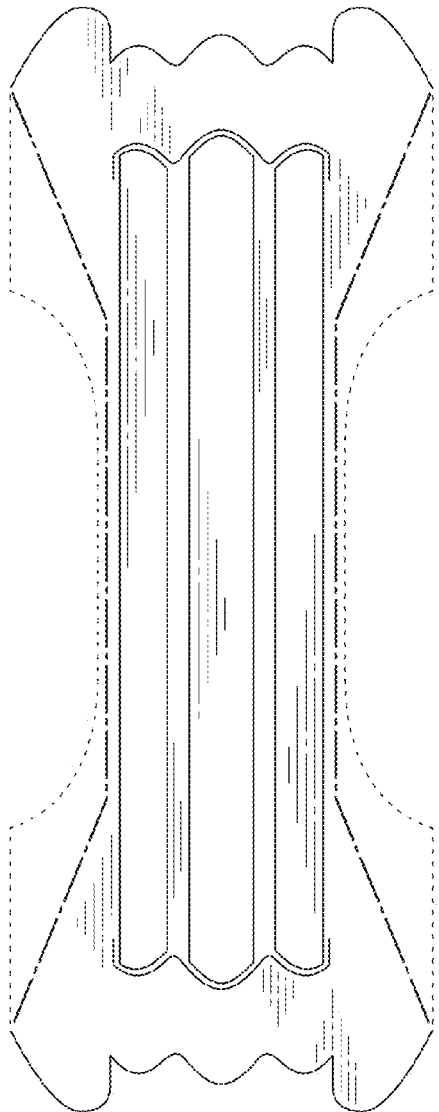
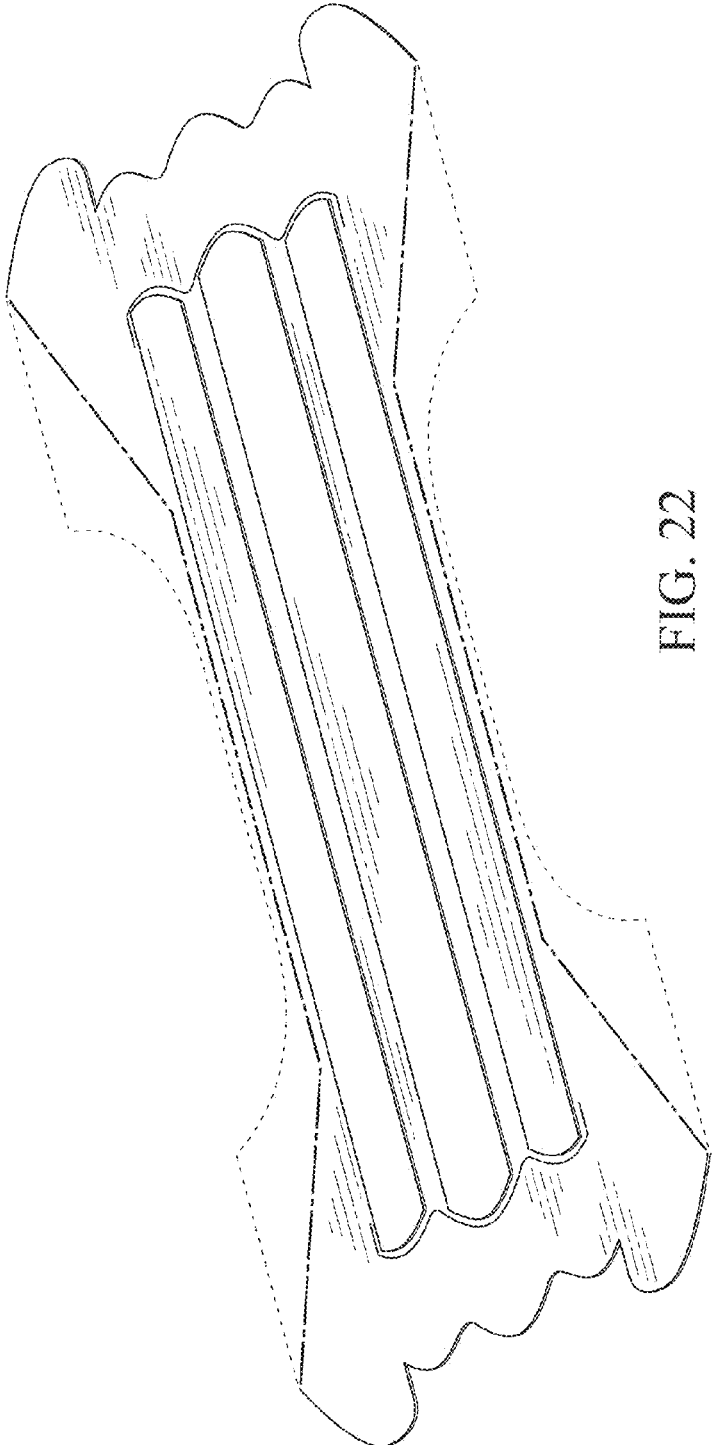


FIG. 22



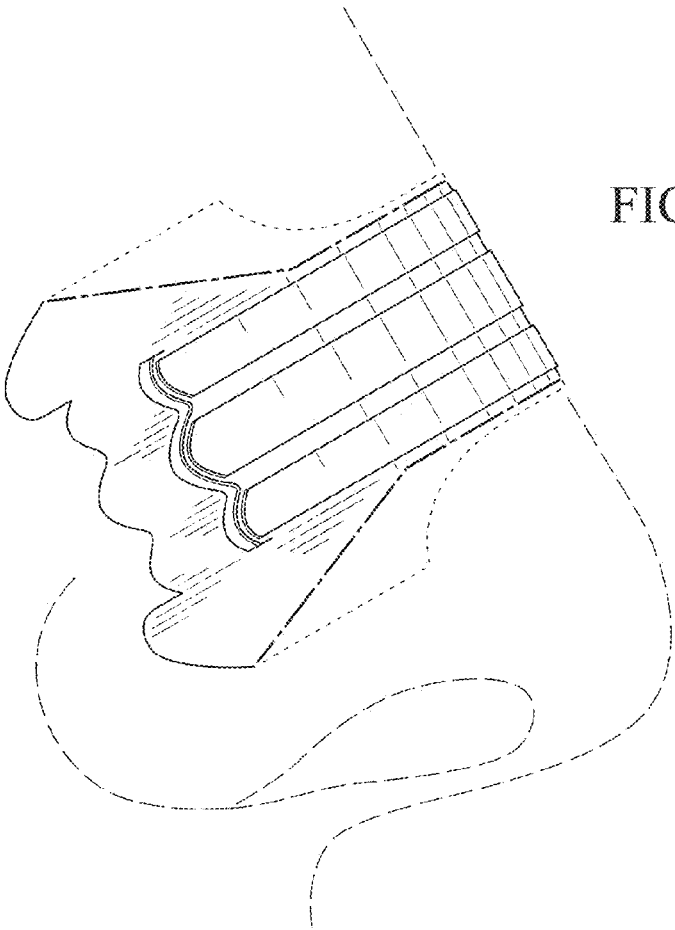


FIG. 24

FIG. 23

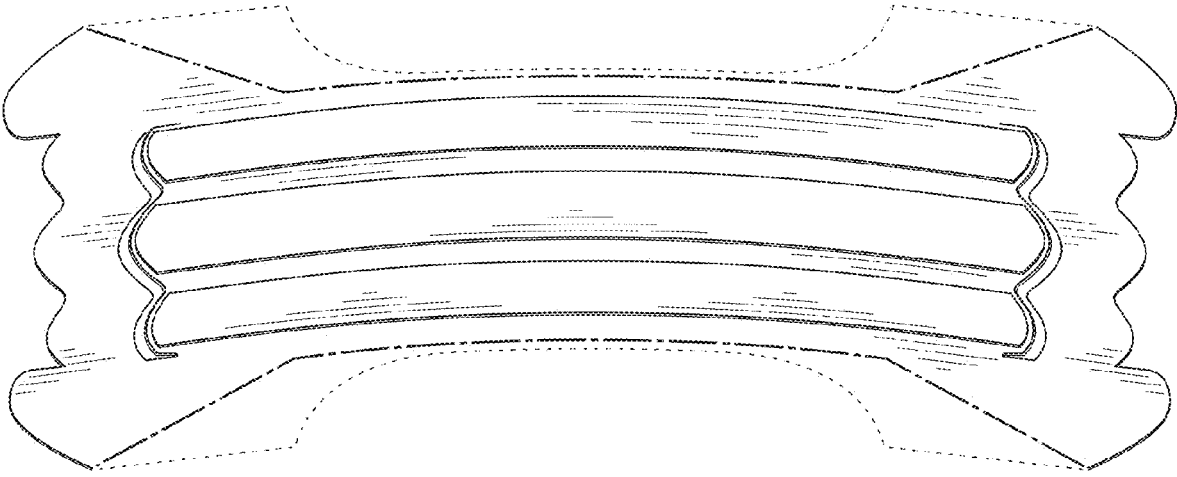




FIG. 25

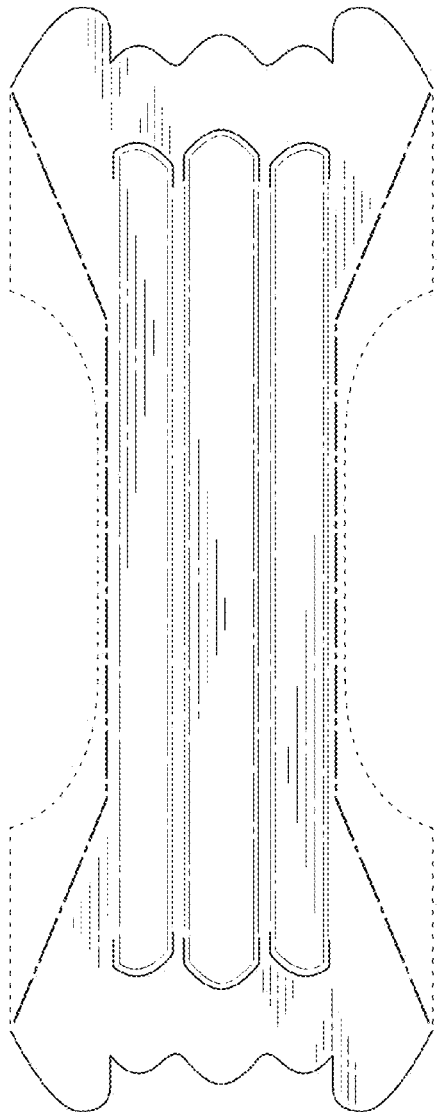
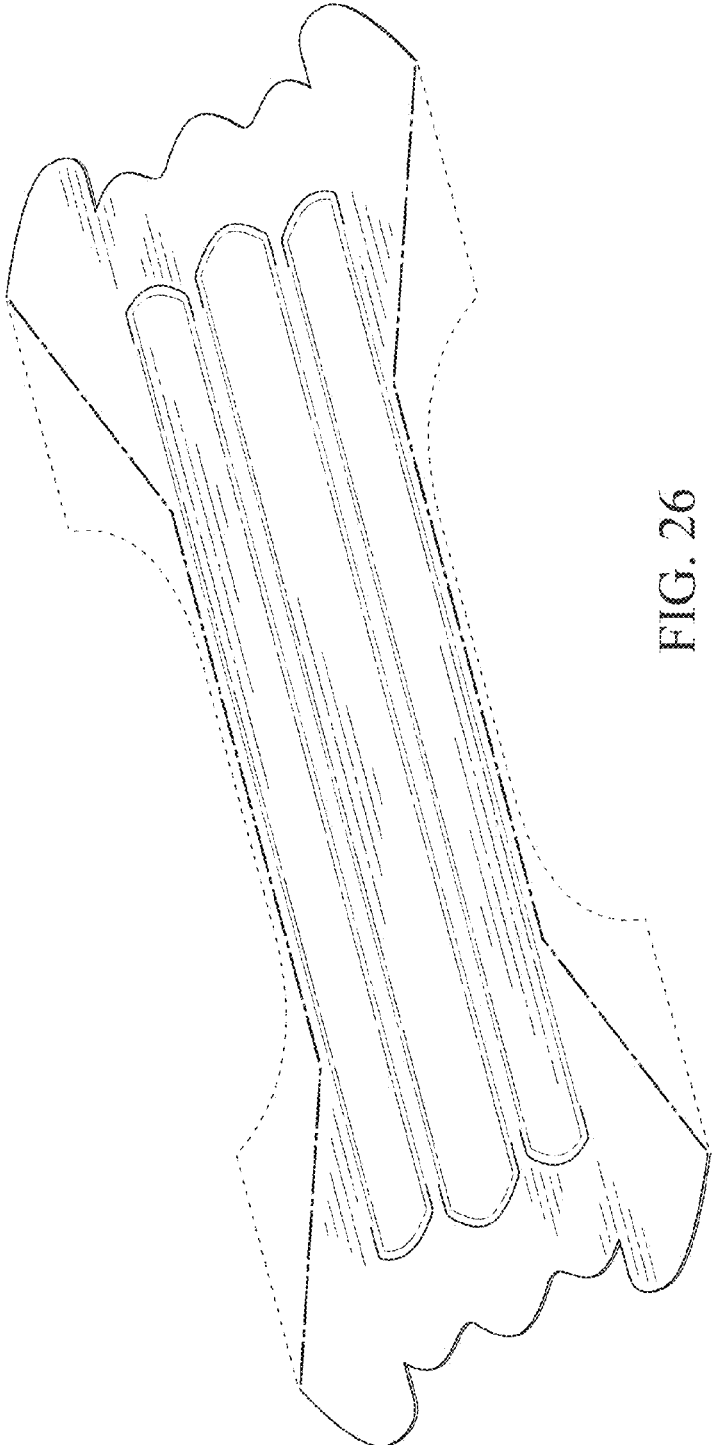


FIG. 26



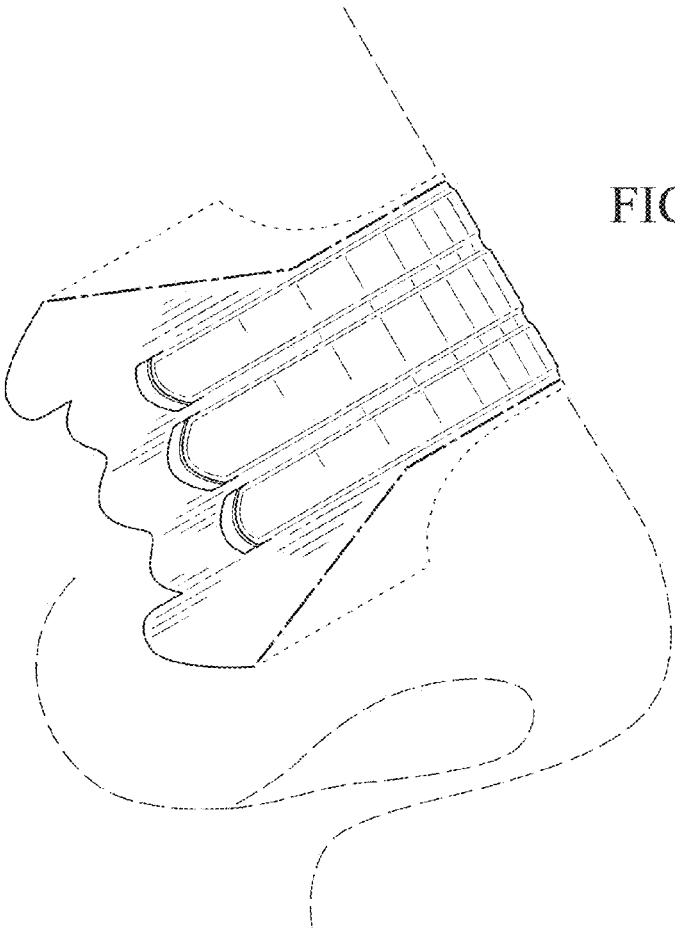


FIG. 28

FIG. 27

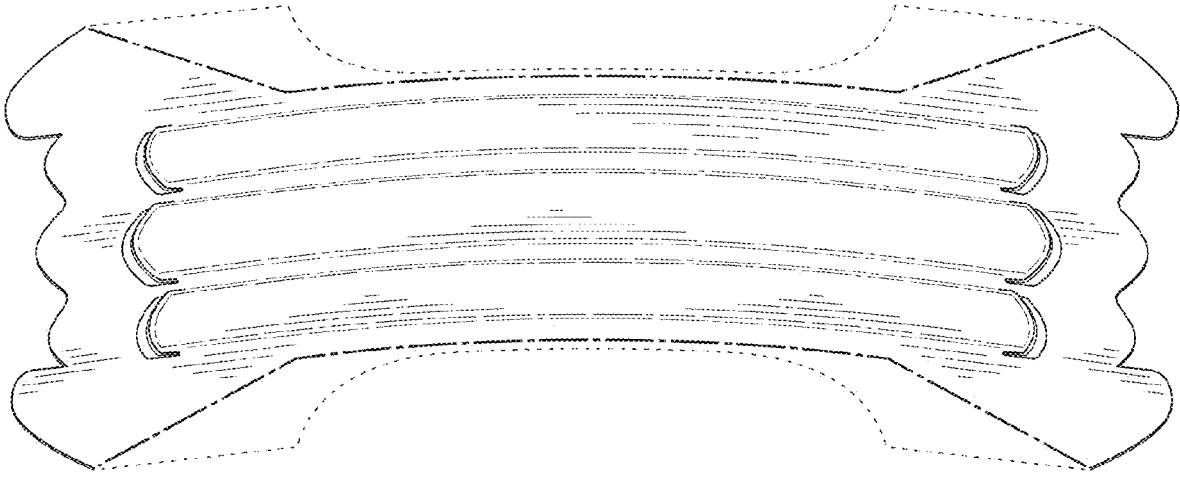


FIG. 29

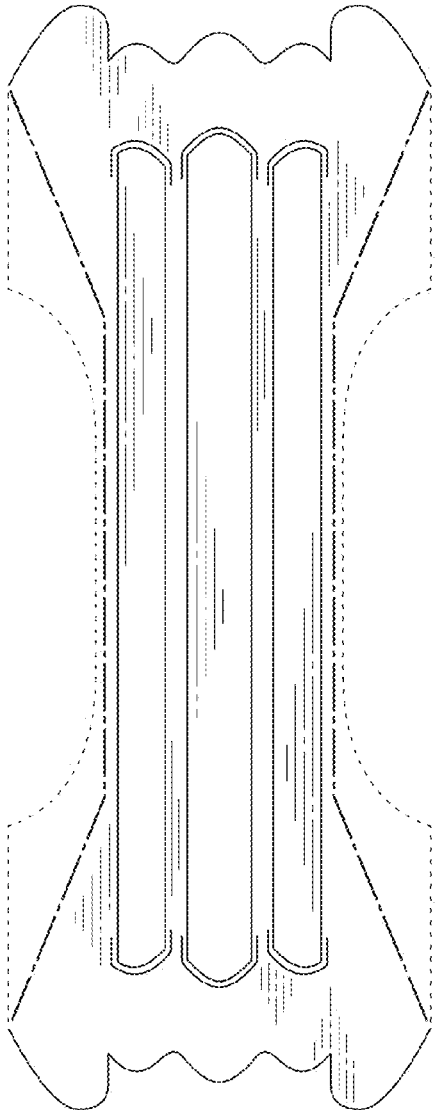
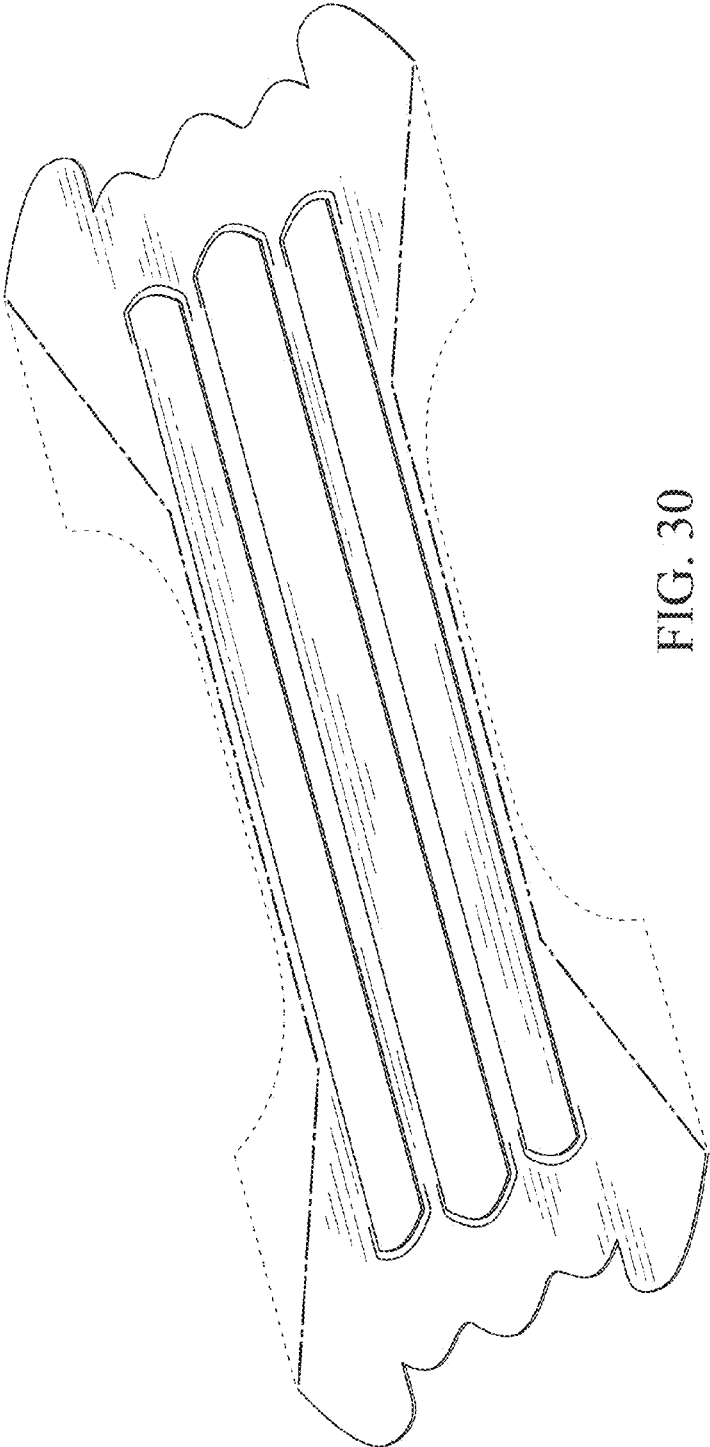


FIG. 30



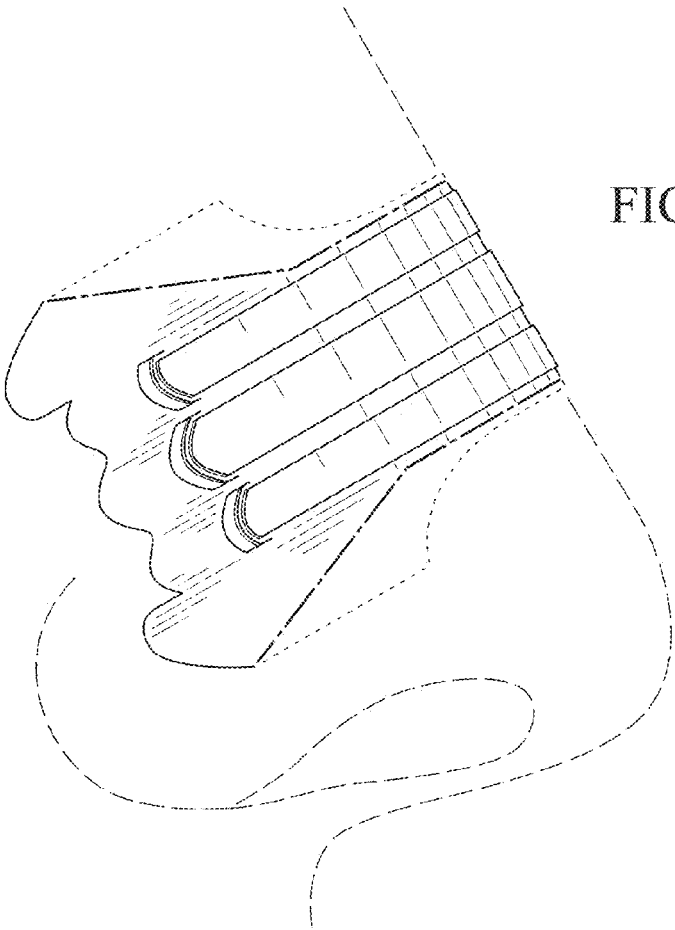


FIG. 32

FIG. 31

