

(12) **United States Design Patent** (10) **Patent No.: US D1,089,622 S**
Bradish, III et al. (45) **Date of Patent: ** Aug. 19, 2025**

(54) **HANDHELD BREATH DETECTOR**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **Consumer Safety Technology, LLC,**
Des Moines, IA (US)

CA 209969 8/2023
CA 209968 10/2023

(Continued)

(72) Inventors: **David Edward Bradish, III,** Clive, IA (US); **Stephen Roger Nyberg,** Kansas City, MO (US); **Ryan Daryl Zumbach,** Seattle, WA (US); **Eric Robert Hoofman,** Merriam, KS (US); **Kathryn Ann Kanne,** Merriam, KS (US); **Nicholas Greusel,** Overland Park, KS (US)

OTHER PUBLICATIONS

Mini Home Breathalyzer for Alcohol Tester. Apr. 1, 2021. Site visited Aug. 2, 2024. [https://tinyurl.com/d5y9ymm5] (Year: 2021).*

(Continued)

Primary Examiner — Michelle E. Wilson

Assistant Examiner — Maheen Khurshid

(74) *Attorney, Agent, or Firm* — Pauly, DeVries Smith & Deffner LLC

(73) Assignee: **Consumer Safety Technology, LLC,**
Des Moines, IA (US)

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

(57) **CLAIM**

(21) Appl. No.: **29/937,213**

The ornamental design for a handheld breath detector, as shown and described.

(22) Filed: **Apr. 12, 2024**

Related U.S. Application Data

DESCRIPTION

(62) Division of application No. 29/801,370, filed on Jul. 28, 2021, now Pat. No. Des. 1,033,624.

(51) **LOC (15) Cl.** **24-01**

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

USPC **D24/107;** D24/164; D10/81

(58) **Field of Classification Search**

USPC D24/107, 164, 133, 146, 200, 209, 214, D24/188; D10/78, 80, 81, 85, 94, 96

(Continued)

FIG. 1 is a top front right side perspective view of a handheld breath detector.

FIG. 2 is a front view of the handheld breath detector of FIG. 1.

FIG. 3 is a rear view of the handheld breath detector of FIG. 1.

FIG. 4 is a right side view of the handheld breath detector of FIG. 1.

FIG. 5 is a left side view of the handheld breath detector of FIG. 1.

FIG. 6 is a top view of the handheld breath detector of FIG. 1; and,

FIG. 7 is a bottom view of the handheld breath detector of FIG. 1.

The broken lines in the drawings illustrate portions of the handheld breath detector that form no part of the claim.

(56) **References Cited**

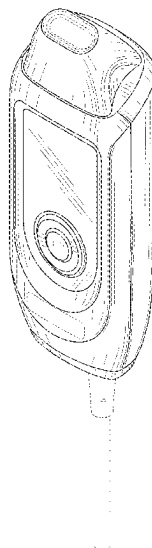
U.S. PATENT DOCUMENTS

6,004,277 A * 12/1999 Maharaj A61B 5/0871 600/538

6,450,969 B1 * 9/2002 Farr A61B 5/087 600/533

(Continued)

1 Claim, 5 Drawing Sheets



(58) **Field of Classification Search**

CPC A61B 5/082; A61B 5/097; A61B 5/0836;
 A61B 5/087; A61B 5/42; A61B 5/083;
 A61B 5/0833; A61B 5/091; A61B 5/222;
 A61B 5/0002; A61B 5/02438; A61B
 5/08; G10L 17/00; Y10S 436/90
 See application file for complete search history.

(56)

References Cited

U.S. PATENT DOCUMENTS

D539,683	S	*	4/2007	Shaw	.....	D10/81
D661,999	S		6/2012	Pulford		
D692,786	S	*	11/2013	Fechner	.....	D10/78
D710,223	S		8/2014	Nothacker et al.		
D749,441	S		2/2016	Rekow		
D775,350	S		12/2016	Buess		
D782,927	S	*	4/2017	Nothacker	.....	D10/81
D822,515	S		7/2018	Fornoff et al.		
D826,751	S	*	8/2018	Fornoff	.....	D10/81
D827,467	S		9/2018	Fornoff et al.		
D828,192	S		9/2018	Fornoff et al.		
D828,193	S	*	9/2018	Fornoff	.....	D10/81
D834,974	S		12/2018	Nothacker et al.		
D864,775	S		10/2019	Nothacker et al.		
D887,544	S	*	6/2020	Inoue	.....	D24/107
D902,381	S		11/2020	Inoue et al.		
D903,095	S	*	11/2020	Boyle	.....	D24/164
D903,852	S		12/2020	Inoue et al.		
D933,812	S		10/2021	Lary et al.		
D965,788	S		10/2022	Buess		
D1,032,828	S	*	6/2024	Bradish, III	.....	D24/107
D1,033,624	S	*	7/2024	Bradish, III	.....	D24/107
2010/0063408	A1		3/2010	Nothacker et al.		
2014/0155777	A1		6/2014	Kong		
2020/0253487	A1		8/2020	Fridman et al.		

FOREIGN PATENT DOCUMENTS

CA	224427	10/2023
GB	6189270	1/2022
GB	6189271	1/2022

OTHER PUBLICATIONS

The next-level breathalyzer: Drager Alcotest 7000. Jun. 26, 2024. Site visited Aug. 2, 2024. [https://www.youtube.com/watch?v=XUNs4z85png] (Year: 2024).*

"BACtrack C-Series Breathalyzer Mouthpieces," Mar. 21, 2018, https://www.amazon.com/bactrack-breathalyzer-mouthpieces-compatible-alcohol/dp/B07BP9BV23?th=1, visited Sep. 13, 2023 (6 pages).

"BACtrack Mobile Smartphone Breathalyzer," Mar. 28, 2018, https://www.amazon.com/dp/B07BWL2DKH/, visited Sep. 13, 2023 (6 pages).

"Breathalyzer FC100 Ignition Interlock," Training Video for LifeSaver Ignition Interlock device published by RealAutoSolution on Youtube Nov. 13, 2012. URL <https://www.youtube.com/watch?v=PX6ki8kJ9fQ> (3 pages).

"Draeger Alcotest 3820 Alcohol Screening Device," Draeger Product Description 2017 (6 pages).

"Examination Report," for Canadian Design Application No. 209968 (our file 365.0058CA01) mailed Aug. 7, 2023 (2 pages).

"FC100 Ignition Interlock User's Guide," LifeSaver Ignition Interlock User manual published May 8, 2020 (24 pages).

"L250 Ignition Interlock User's Guide," LifeSaver Ignition Interlock User manual published Nov. 2015 (24 pages).

"LCI-777 Handset Reference and Troubleshooting User Guide," LowCost Interlock Device Operations Manual published at least as early as Apr. 4, 2018 (12 pages).

"Mini Home Breathalyzer," Apr. 1, 2021, https://www.amazon.com/dp/B091J1DQHL, visited Sep. 16, 2023 (8 pages).

"Non-Final Office Action," for U.S. Appl. No. 29/801,370 (our file 365.0058US01) mailed Oct. 2, 2023 (28 pages).

"Non-Final Office Action," for U.S. Appl. No. 29/801,377 (our file 365.0060US01) mailed Oct. 3, 2023 (13 pages).

"Notice of Allowance," for U.S. Appl. No. 29/801,370 (our file 365.0058US01) mailed Jan. 8, 2024 (9 pages).

"Notice of Allowance," for U.S. Appl. No. 29/801,377 (our file 365.0060US01) mailed Jan. 23, 2024 (11 pages).

"Response to Examination Report," for Canadian Patent Application No. 209968 (our file 365.0058CA01) filed Sep. 22, 2023 (10 pages).

"Response to Non Final Office Action," for U.S. Appl. No. 29/801,370 (our file 365.0058US01), filed on Nov. 30, 2023 (7 pages).

"Response to Non Final Office Action," for U.S. Appl. No. 29/801,377 (our file 365.0060US01), filed on Nov. 30, 2023 (6 pages).

"RS588G Volunteer Ignition Interlock Breathalyzer," SkyFine USA Voluntary Use Interlock Device Description available at URL <https://www.skyfineusa.com/product/rs588g-volunteer-ignition-interlock-breathalyzer> at least as early as Nov. 5, 2016 (4 pages).

"Smart Start Devices," 2020 Device Manual page accessible at <Smartstartinc.com/clients/manuals/> (3 pages).

"SSI-20/30 User Instructions," Smart Start User Instructions for SSI-20/30 published Oct. 15, 2009 (2 pages).

Ogle, Robert "Smart Start Introduces Revolutionary Flex as its Latest Ignition Interlock Device," Smart Start Press Release Apr. 15, 2021 (2 pages).

"Ex Parte Quayle," for U.S. Appl. No. 29/937,221 (our file 365.0058USD2) mailed Sep. 24, 2024 (12 pages).

"Non-Final Office Action," for U.S. Appl. No. 29/945,075 (our file 365.0060USC1) mailed Oct. 9, 2024 (14 pages).

"Notice of Allowance," for U.S. Appl. No. 29/937,221 mailed Apr. 30, 2025 (9 pages).

* cited by examiner

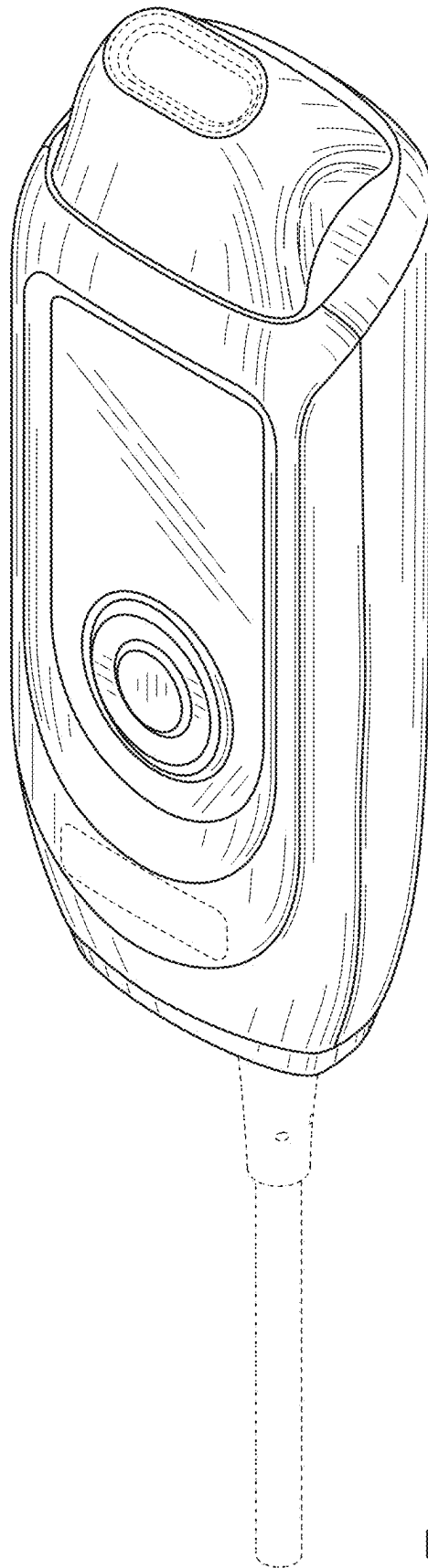


FIG. 1

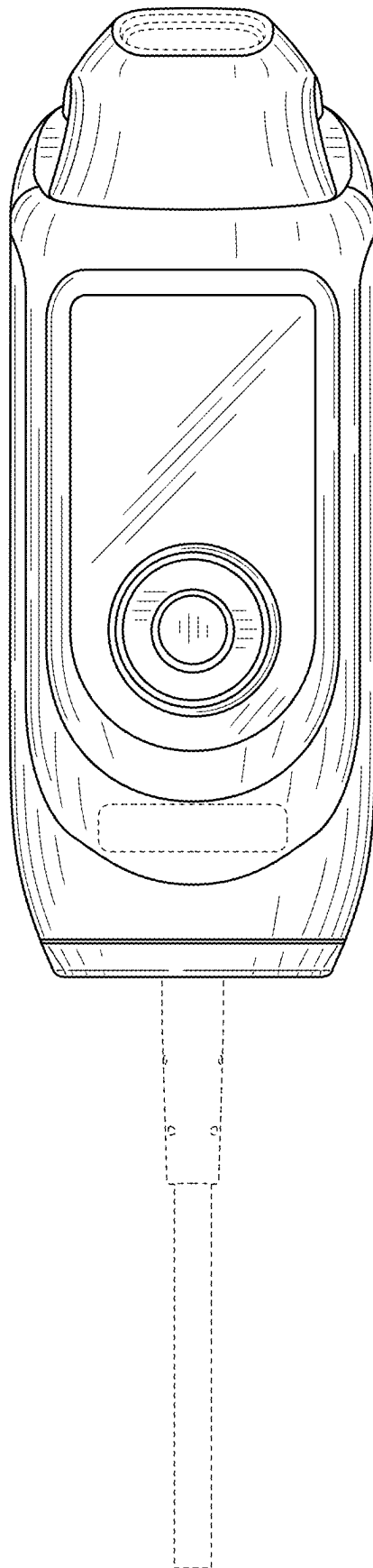


FIG. 2

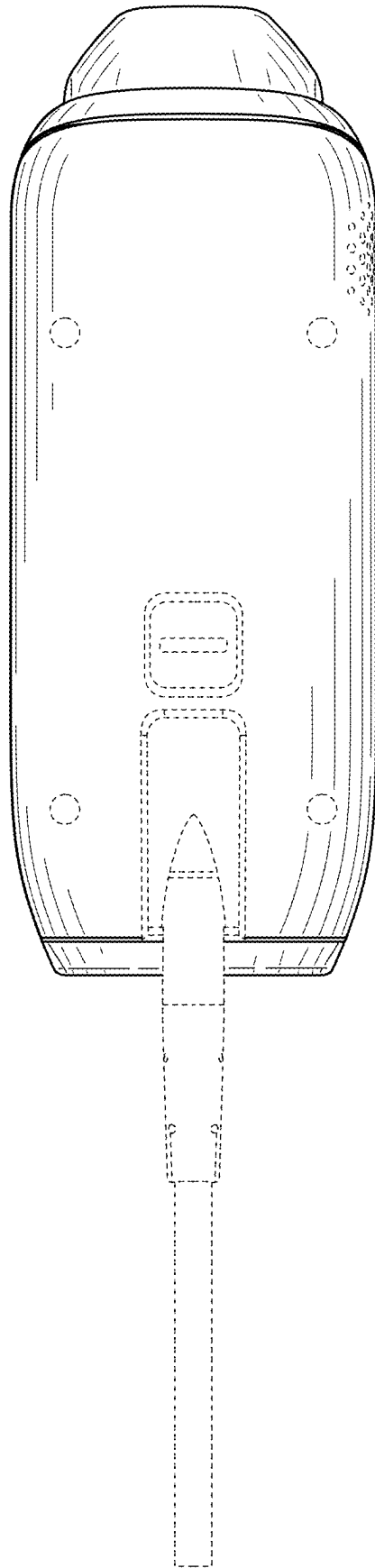


FIG. 3

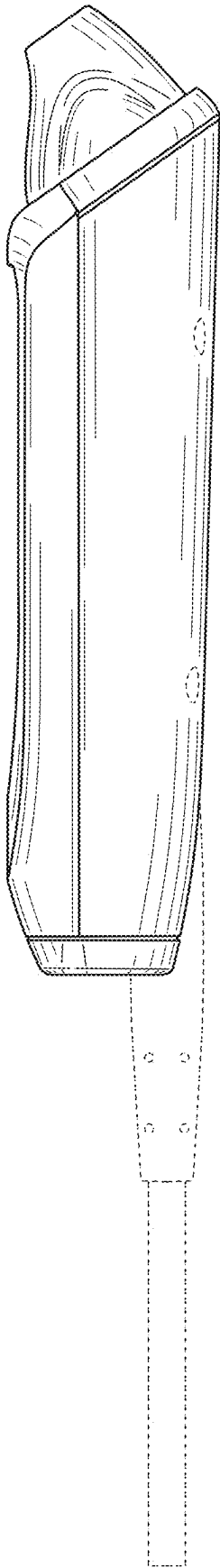


FIG. 4

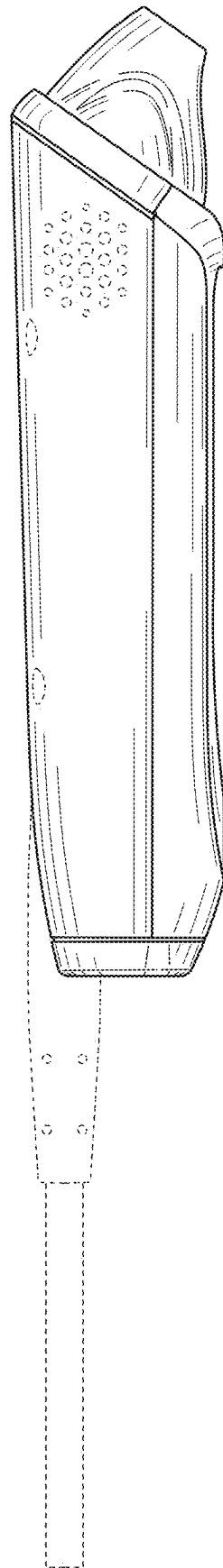


FIG. 5

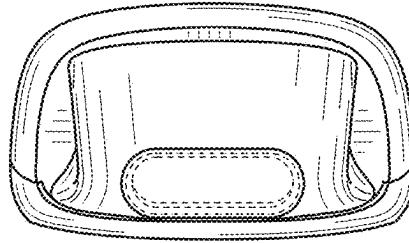


FIG. 6

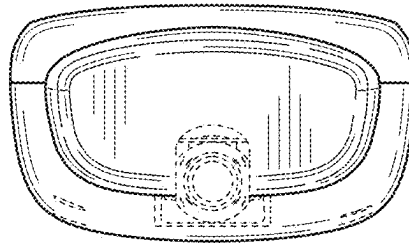


FIG. 7