



US00D584029S

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

(10) **Patent No.:** **US D584,029 S**  
(45) **Date of Patent:** **\*\* Jan. 6, 2009**

(54) **COSTUME**  
(75) Inventor: **Leslie Lopez**, San Antonio, TX (US)  
(73) Assignee: **GlowMan Costumes LLC**, San Antonio, TX (US)  
(\*\*) Term: **14 Years**  
(21) Appl. No.: **29/303,194**  
(22) Filed: **Feb. 1, 2008**

6,864,131	B2	3/2005	Thornton	.....	436/169
6,908,206	B1	6/2005	Pinciario	.....	362/34
6,964,493	B1	11/2005	Whitlock	.....	362/103
7,222,980	B1	5/2007	Pinciario	.....	362/34
D553,196	S	10/2007	Canon	.....	D20/31
D568,407	S *	5/2008	Francis	.....	D20/43
2003/0026089	A1	2/2003	Hsu	.....	362/103
2003/0115656	A1	6/2003	Leblang	.....	2/69
2003/0150545	A1 *	8/2003	Szczesuil et al.	.....	156/145

(51) **LOC (9) Cl.** ..... **02-02**  
(52) **U.S. Cl.** ..... **D2/741**  
(58) **Field of Classification Search** ..... D2/741,  
D2/739, 844; 2/1, 300, 302; D29/101.1-101.4;  
D20/25, 31; 362/551, 570, 565, 84, 808;  
D26/99, 126

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

433,732	A *	8/1890	Horstmann	.....	2/1
D58,447	S *	7/1921	McKinley	.....	D2/741
D102,204	S	12/1936	Couchman	.....	D2/741
D114,199	S *	4/1939	Rettenmeyer	.....	D20/31
D130,025	S *	10/1941	Kilgrariff	.....	D20/31
2,528,639	A *	11/1950	Clayton	.....	2/216
D193,101	S *	6/1962	Del Grosso	.....	D2/741
D197,114	S *	12/1963	Crowle	.....	D2/741
3,395,484	A	8/1968	Smith	.....	446/374
3,693,283	A *	9/1972	Marcus	.....	446/28
4,154,183	A *	5/1979	Nunez	.....	2/302
D252,936	S *	9/1979	Tibbitts, Jr.	.....	D21/578
4,963,117	A	10/1990	Gualdoni	.....	446/219
D345,764	S *	4/1994	Duncan et al.	.....	D20/31
5,567,054	A	10/1996	Dalgleish	.....	383/10
D375,760	S *	11/1996	Hayden	.....	D20/31
5,613,756	A	3/1997	Allen	.....	362/103
5,809,567	A *	9/1998	Jacobs et al.	.....	2/1
D403,359	S *	12/1998	Dahl	.....	D20/31
6,431,724	B1	8/2002	Tedham et al.	.....	362/154
6,746,303	B2	6/2004	Beidokhti	.....	446/374
6,854,131	B1	2/2005	Spongberg	.....	2/69
6,860,614	B1	3/2005	Pinciario	.....	362/34

**OTHER PUBLICATIONS**

Xanga Site-Weblog. <http://www.xanga.com/unity303/624810650/glowstick-man-glowstick-girl.html>. Date Unknown: Viewed Jul. 2007. Glowstick Man & Glowstick Girl: Both images on page.\*

(Continued)

*Primary Examiner*—Ian Simmons  
*Assistant Examiner*—Rashisa Johnson  
(74) *Attorney, Agent, or Firm*—Fulbright & Jaworski LLP

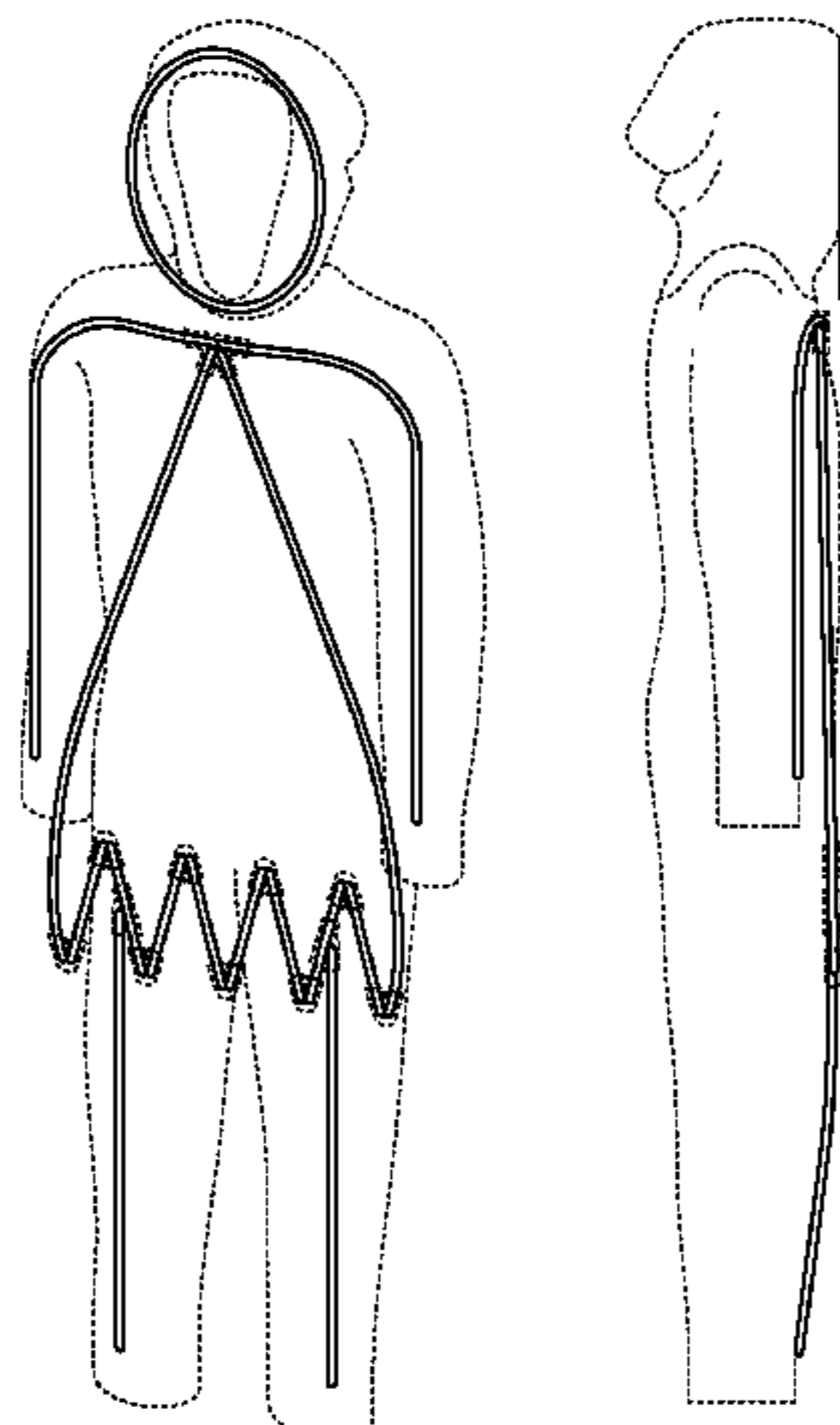
(57) **CLAIM**

The ornamental design for a costume, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a costume showing my new design;  
FIG. 2 is a front view of the costume shown in FIG. 1;  
FIG. 3 is a left side view of the costume shown in FIG. 1; and,  
FIG. 4 is a right side view of the costume shown in FIG. 1.  
The broken lines, which represent the environmental structure of a jumpsuit and connectors, form no part of the claimed design. All other surface(s) and portion(s) of the costume not shown in the figures or otherwise described in the specification form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



OTHER PUBLICATIONS

Coolest Homemade Costumes. <http://www.coolest-homemade-costumes.com/glow-in-the-dark-costume.html>. Date Unknown Viewed Jul. 2008. Costume: center of page.\*

Extreme Glow: Wholesale Glow Sticks. [http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category\\_Code=ABOUTUS](http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category_Code=ABOUTUS). Dec. 2005. Halloween Costume: top left on page.\*

Xanga Site-Weblog. <http://www.xanga.com/unity303/624810650/glowstick-man-glowstick-girl.html>. Date Unknown: Viewed Jul. 2007. Glowstick Man & Glowstick Girl: Both images on page.\*

Coolest Homemade Costumes. <http://www.coolest-homemade-costumes.com/glow-in-the-dark-costume.html>. Date Unknown Viewed Jul. 2008. Costume: Center of page.\*

Extreme Glow: Wholesale Glow Sticks. [http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category\\_Code=ABOUTUS](http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category_Code=ABOUTUS). Dec. 2005. Halloween Costume: Top left on page.\*

Extreme Glow: Wholesale Glow Sticks. [http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category\\_Code=ABOUTUS](http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category_Code=ABOUTUS). Dec. 2005. Halloween Costume: Top left on page.\*

Extreme Glow: Wholesale Glow Sticks. [http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category\\_Code=ABOUTUS](http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category_Code=ABOUTUS). Dec. 2005. Halloween Costume: Top left on page.\*

Eight (8) pages printed on Jul. 31, 2008 from <http://www.coolest-homemade-costumes.com/glow-in-the-dark-costume.html>; date is

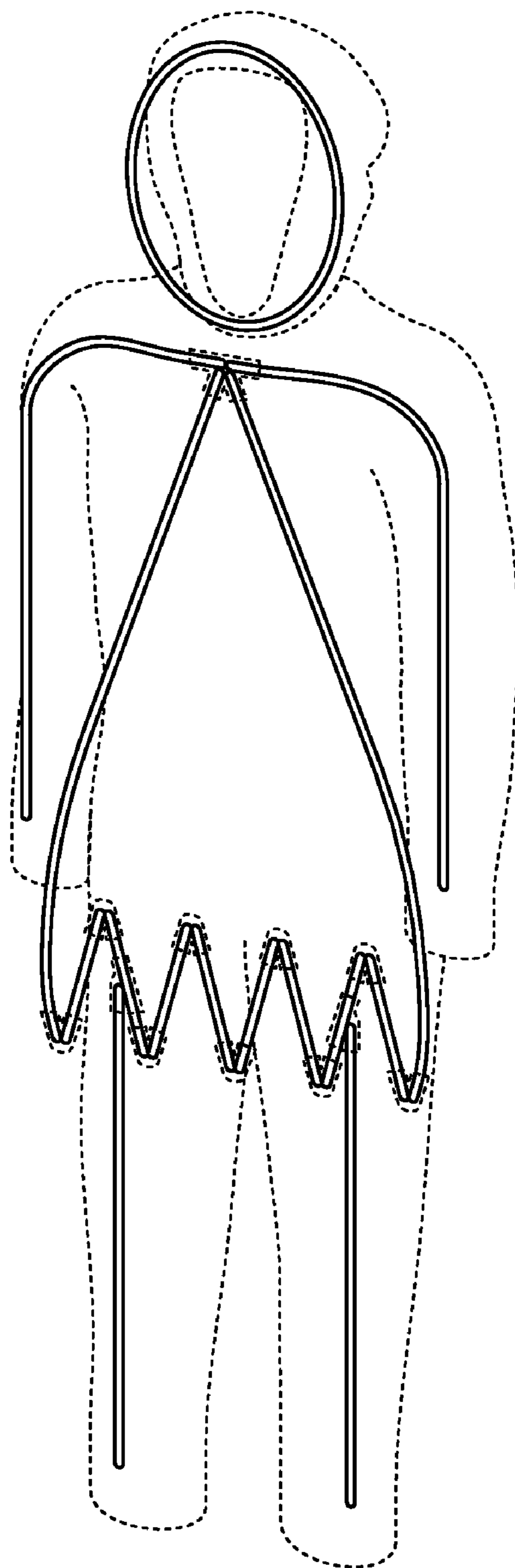
unknown, though the printed pages state that the depicted costume is “3rd Place Winner of our 2007 Homemade Halloween Costumes Contest”; the 2 images of the costume appear to be front back images of the same costume.

Fifteen (15) color screen shots of a video (“Glowing stick costumes”) taken from <http://abc.go.com/primetime/afv/index?pn=player&itemId=364331>, a page on the website for America’s Funniest Home Videos; the date is unknown, but the video from which the screen shots were taken is listed on the web page as “Aired on Oct. 26, 2006” and “Added on Jun. 13, 2007 by AFV.”

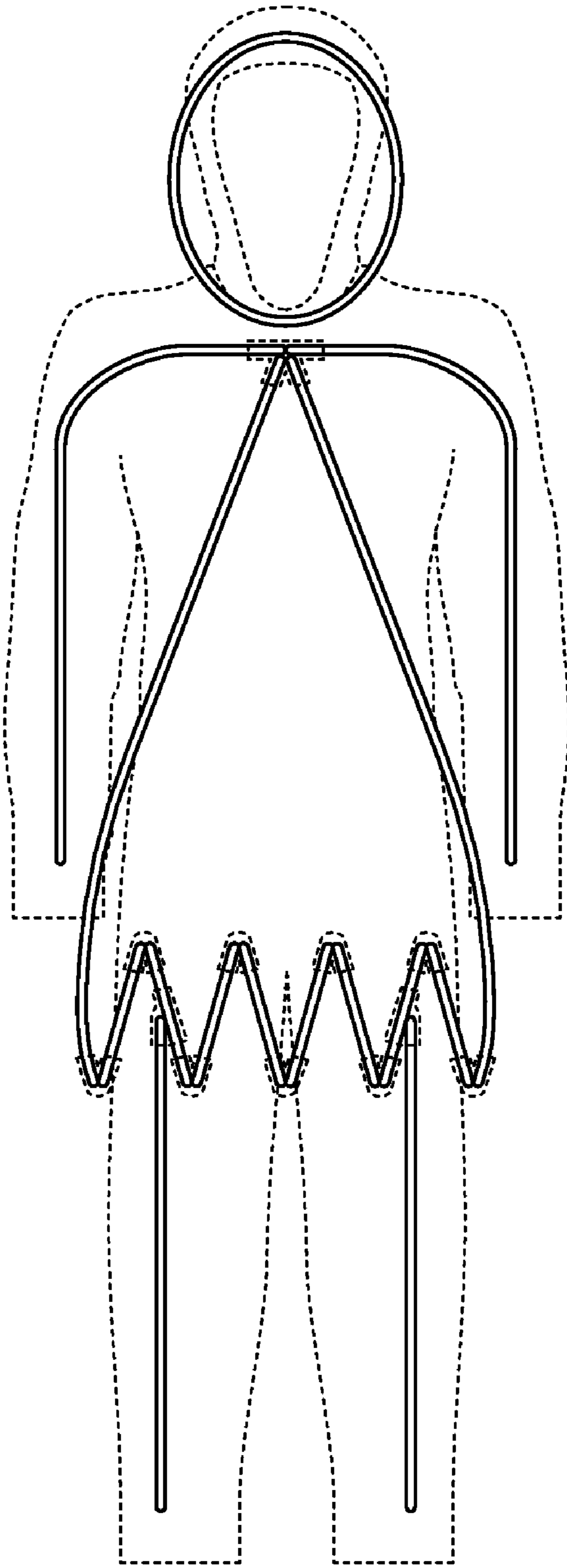
Six (6) pages printed from <http://www.xanga.com/unity303/624810650/glowstick-man-glowstick-girl.html>; date is unknown, but the blog post lists “Nov. 2, 2007.” The third of the 6 pages shows a YOUTUBE link to fifteen (15) videos that all show some kind of costume(s) made with glowsticks.

Eight (8) pages printed on Jul. 31, 2008 from [http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category\\_Code=ABOUTUS](http://www.extremeglow.com/Merchant4/merchant.mvc?Screen=CTGY&Category_Code=ABOUTUS); the date is unknown.

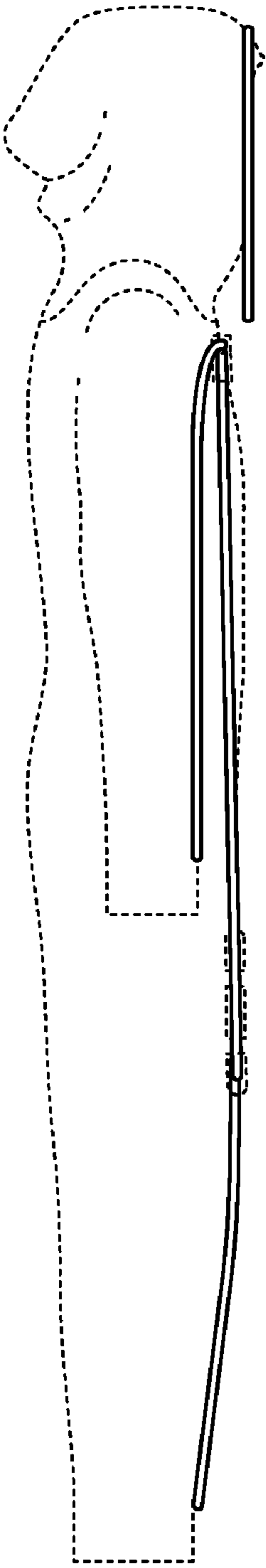
\* cited by examiner



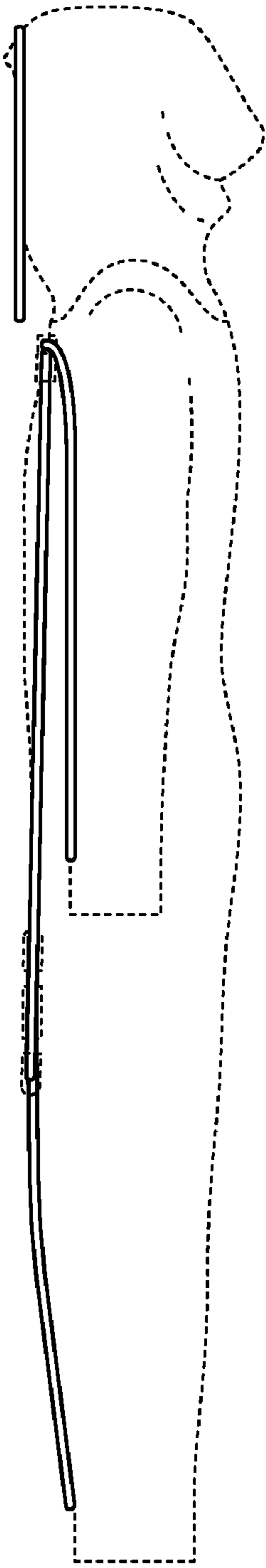
**FIG. 1**



**FIG. 2**



**FIG. 3**



**FIG. 4**