

US00D588781S

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

(10) **Patent No.:** **US D588,781 S**

(45) **Date of Patent:** **** *Mar. 24, 2009**

(54) **COSTUME**

(75) Inventor: **Leslie Lopez**, San Antonio, TX (US)

(73) Assignee: **GlowMan Costumes LLC**, San Antonio, TX (US)

(*) Notice: This patent is subject to a terminal disclaimer.

(**) Term: **14 Years**

(21) Appl. No.: **29/303,197**

(22) Filed: **Feb. 1, 2008**

(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
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
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

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—R. Johnson

(74) *Attorney, Agent, or Firm*—Fulbright & Jaworski L.L.P.

(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;

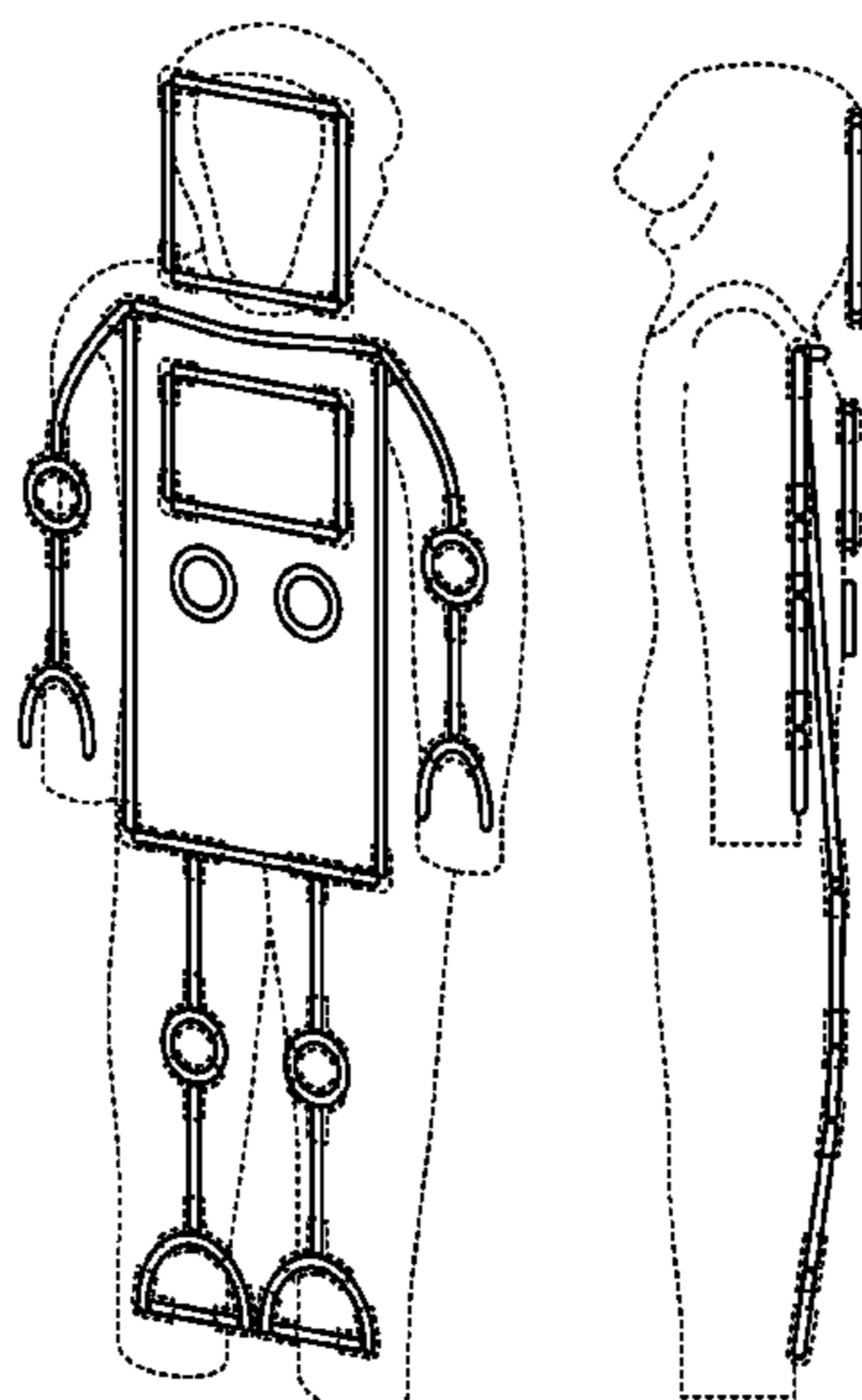
FIG. 2 is a front view of the costume shown in FIG. 1;

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

Coollest Homemade Costumers. <http://www.coollest-homemade-costmes.com/glow-in-the-dark-costume.html>. Date Unknown Viewed Jul. 2003. Costume: center of page.*

Extreme Glow: Wholesale Glow Sticks. 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.coollest-homeade-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 and 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>; the 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; the date is unknown.

* cited by examiner

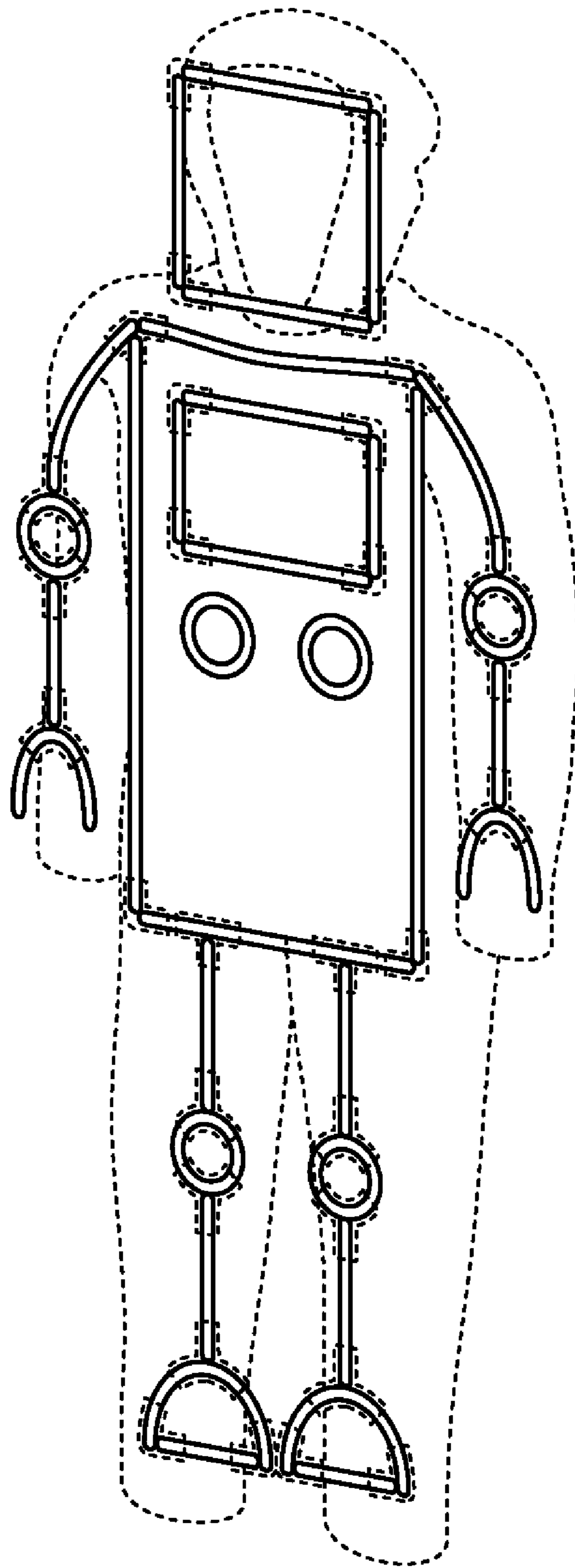


FIG. 1

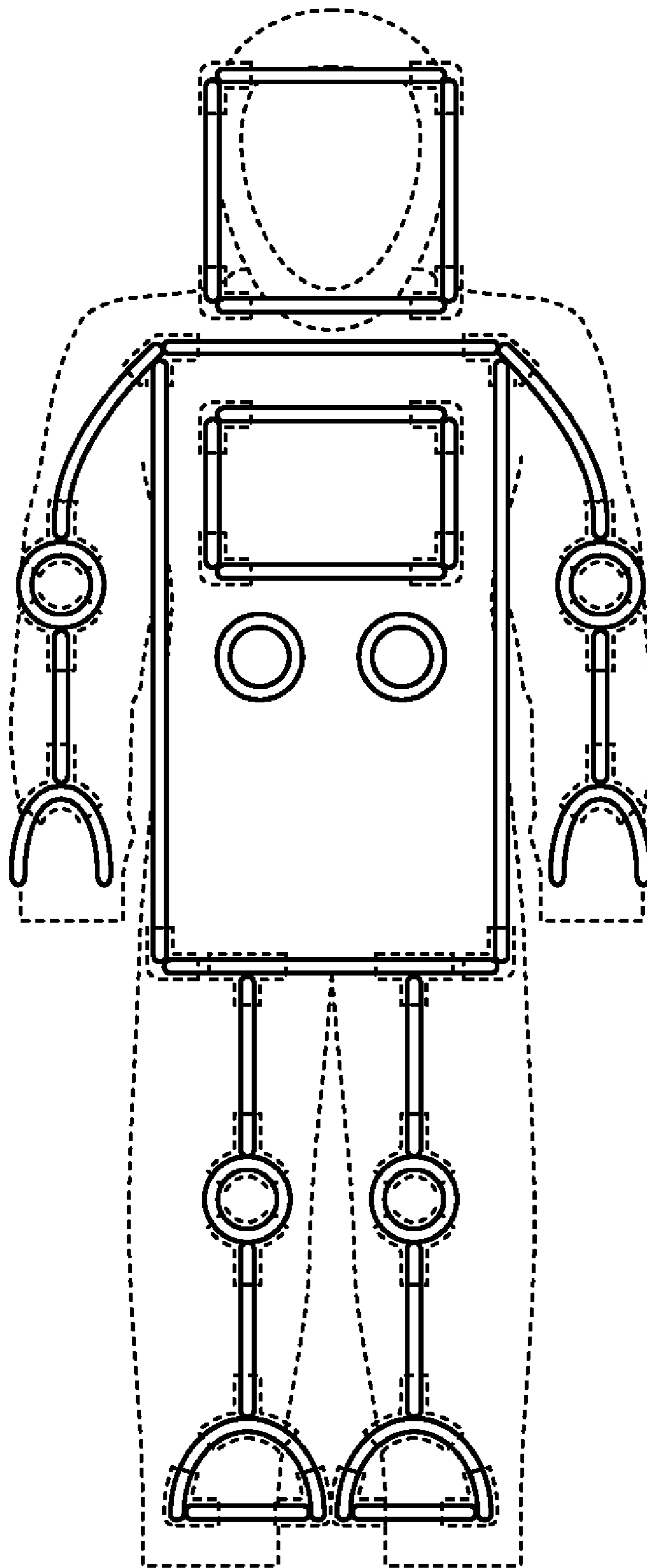


FIG. 2

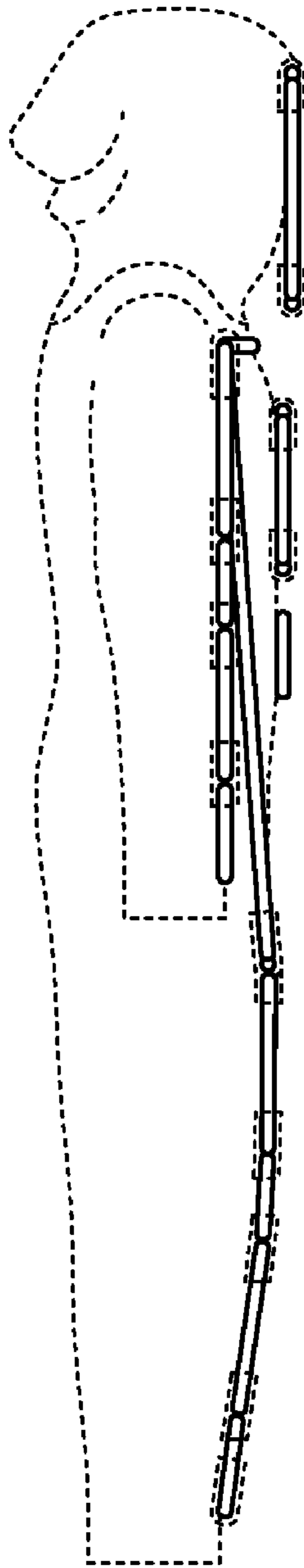


FIG. 3

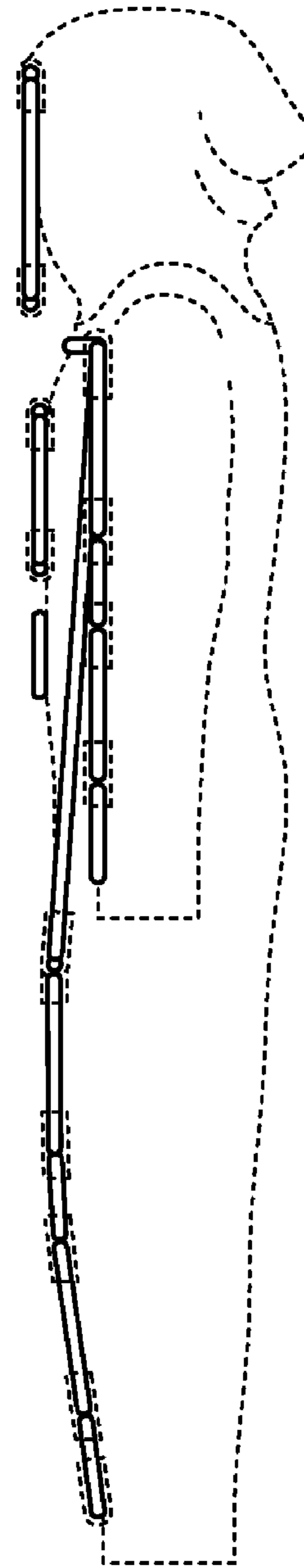


FIG. 4