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(12) **United States Design Patent**
Pikus-Pace

(10) **Patent No.:** **US D631,641 S**
(45) **Date of Patent:** **** Feb. 1, 2011**

- (54) **WINTER HAT WITH EAR FLAPS**
- (75) Inventor: **Noelle Pikus-Pace**, Eagle Mountain, UT (US)
- (73) Assignee: **Blurime LLC**, Eagle Mountain, UT (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/361,918**
- (22) Filed: **May 17, 2010**

- (51) **LOC (9) Cl.** **02-03**
- (52) **U.S. Cl.** **D2/889; D2/866**
- (58) **Field of Classification Search** D2/865, D2/866, 868, 869, 870, 872, 873, 876, 878, D2/879, 880, 881, 882, 889, 891, 894; D28/92, D28/93, 99; D29/109, 122; 2/171, 172, 2/181, 202, 204, 205, 209.13, 195.8, 200.1, 2/410, 416; 132/53, 54, 55, 105
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

33,984	A *	12/1861	Cohen	.....	2/208
1,286,854	A *	12/1918	Webb et al.	.....	2/203
1,604,087	A *	10/1926	Tate	.....	472/70
1,639,468	A *	8/1927	Rosenberg et al.	.....	2/172
1,655,007	A *	1/1928	Boettge	.....	2/6.1
1,879,353	A *	9/1932	Levi	.....	2/6.2
1,991,055	A *	2/1935	Levy	.....	2/172
2,184,043	A *	12/1939	Heilstedt et al.	.....	2/416

(Continued)

FOREIGN PATENT DOCUMENTS

EM 000021605-0009 * 4/2003

(Continued)

OTHER PUBLICATIONS

Blog posting by inventor [online] discussing creation of “Snowfire Hats” [Mar. 27, 2009]. Included in the blog are photos showing

various “Snowfire Hat” designs. Photos are undated. [Retrieved Sep. 9, 2010]. Retrieved from the Internet: URL: http://bobsled.teamusa.org/blogs/noellel-pikus-pace-s-blog/posts/666-snowfire-hats.*

(Continued)

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(57) **CLAIM**

I claim the ornamental design for a winter hat with ear flaps, as shown and described.

DESCRIPTION

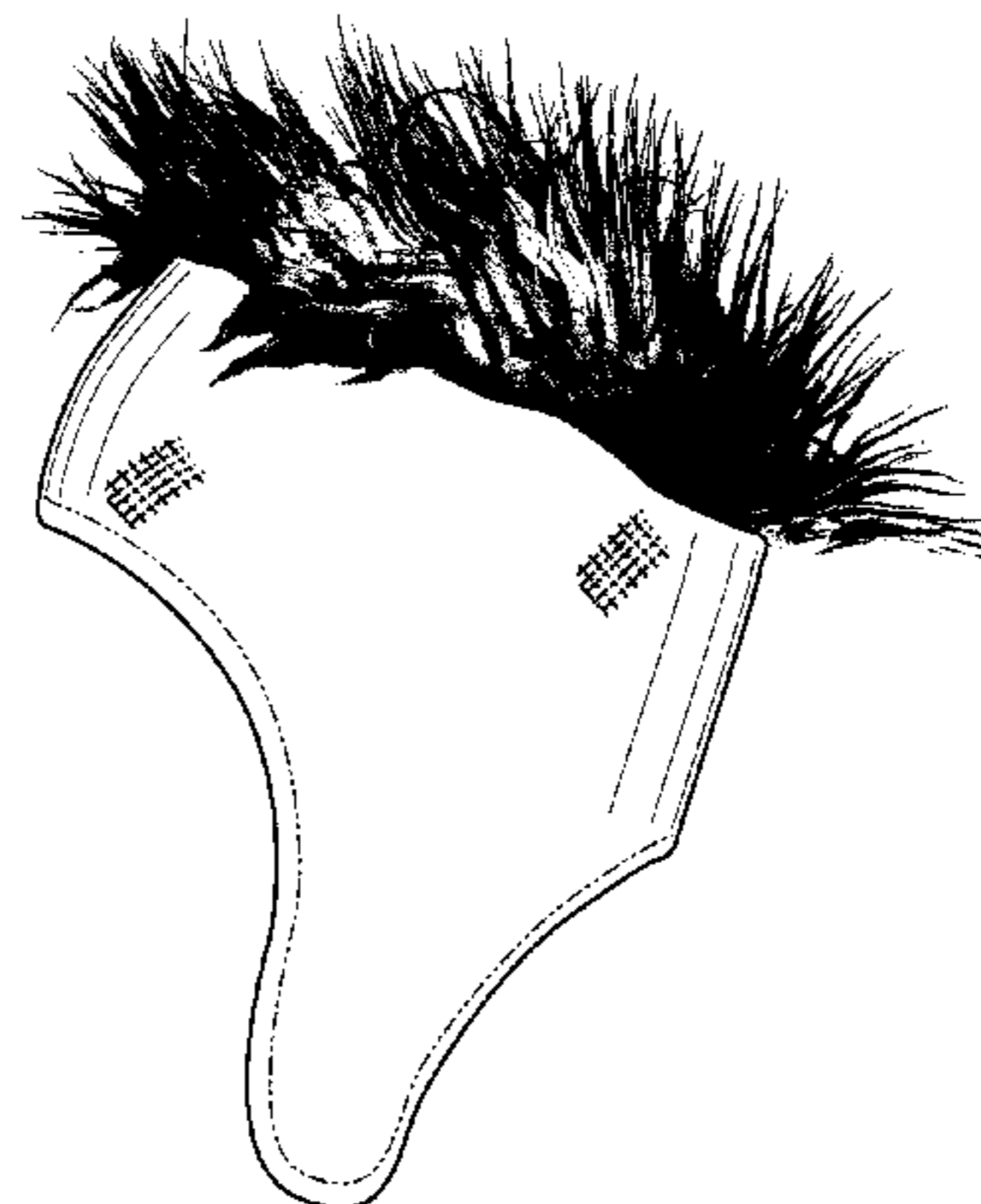
- FIG. 1 is a perspective view thereof;
- FIG. 2 is a side view thereof;
- FIG. 3 is a side view thereof;
- FIG. 4 is a front view thereof;
- FIG. 5 is a back view thereof; and,
- FIG. 6 is a top view thereof.

The broken line shown in the drawings illustrates features of the winter hat with ear flaps that form no part of the claimed design.

The crosshatched pattern, although shown intermittently, is meant to represent fabric, and is understood to be distributed uniformly over the surfaces of the claimed design.

The design consists partly of hair. Inconsistencies in how the hair appears in the different views are understood to be caused by the organic nature of the hair itself as well as to the different viewpoints from which the winter hat with ear flaps is shown, and not to deliberate changes in the configuration of the claimed design. The minor variations from one view to another do not show separate patentably distinct designs.

1 Claim, 4 Drawing Sheets



U.S. PATENT DOCUMENTS

2,199,473	A *	5/1940	Wengen	2/172
2,259,537	A *	10/1941	Wengen	2/202
2,286,843	A *	6/1942	Catalane et al.	2/410
2,339,080	A *	1/1944	Karabin	2/410
D205,056	S *	6/1966	Emmet	D2/865
3,366,971	A *	2/1968	Scherz	2/412
3,594,814	A *	7/1971	Schuessler et al.	2/410
4,091,469	A *	5/1978	Davidson	2/410
4,951,319	A *	8/1990	Phillips et al.	2/172
4,982,451	A *	1/1991	Graham	2/410
5,094,229	A *	3/1992	Pomatto et al.	602/17
5,309,574	A *	5/1994	Balaban et al.	2/202
D357,569	S *	4/1995	Jacobellis	D2/894
D378,627	S *	4/1997	O'Brien	D2/889
D399,338	S *	10/1998	Lund	D2/879
D442,746	S *	5/2001	Belcher	D29/122
D465,615	S *	11/2002	Brunelle	D28/99
D467,056	S *	12/2002	Rothschild	D2/870
D519,262	S *	4/2006	Davis	D2/878
D525,767	S *	8/2006	Boyle	D2/870
D539,010	S *	3/2007	Folkes	D2/866
D557,478	S *	12/2007	Nance	D2/876
D599,532	S *	9/2009	Sheng	D2/866
D618,446	S *	6/2010	Clare et al.	D2/878
D621,138	S *	8/2010	Roos et al.	D2/876
2009/0235945	A1 *	9/2009	Eaton	132/105

FOREIGN PATENT DOCUMENTS

EM	000129283-0004	*	1/2004
EM	000609169-0002	*	10/2006

OTHER PUBLICATIONS

#303499 Cocker MU hat, Style Fb. 008, Fb. 108, Fb. 508, and Fb. 308, by Eisbar, as shown in the second row, p. 4, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#303508 Cocker MU SP hat, Style Fb. 008, Fb. 108, Fb. 508, and Fb. 308, by Eisbar, as shown in the third row, p. 4, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#307176 Penny SP kids hat, Style Fb. 108, Fb. 208, and Fb.008, by Eisbar, as shown in the second row, p. 11, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#307177 Neon Penny SP kids hat and #307127 Neon Penny kids hat, Style Fb 906, by Eisbar, as shown in the second row, p. 11, of the

Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#307156 Gisbert MU SP kids hat, Style Fb. 557 and Fb. 592, by Eisbar, as shown in the third row, p. 11, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#323322 Gisbert MU SP hat, #327106 Gisbert MU kids hat, #323299 Gisbert Mu hat, and #327156 Gisbert MU SP kids hat, Style 509, 009, 209, 109, 309, 409, 751, 351, 951, 651, 451, 251, 040, 540, 140, 440, 240, 340, 281, 781, 581, 681, 481, 381, 100, 500, 300, 600, 200, and 400, as shown in rows 1 through 5, p. 57, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#323337 Gisbert mele MU SP hat, #327105 Gisbert mele MU kids hat, 323298 Gisbert mele MU hat, and 327155 Gisbert mele MU SP kids hat, Style 006, 806, 606, 506, 106, 706, 442, 742, 942, 842, 642, 542, 323, 223, 423, 723, 123, and 923 as shown in rows 6 through 8, p. 57, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#323508 Cocker MU SP hat, #327126 Penny MU kids hat, #323499 Cocker MU hat, and #327176 Penny MU SP kids hat, Style 208, 808, 708, 508, 108, 308, 231, 531, 431, 731, 406, 106, 006, 418, and 518, as shown in rows 1 through 4, p. 58, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#327180 Baby Cocker MU SP kids hat, Style 001, 777, 211, and 341, as shown in row 5, p. 58, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#323297 Magic Cocker MU hat, Style 100, 442, 792, 623, 341, 040, and 009, as shown in row 3, p. 59, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#323249 Talida MU hat, Style 200, 300, 100, 341, 009, and 109, as shown in row 4, p. 59, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#328002 Fidela MU hat, Sylte 442, 057, 341, 027, and 009, as shown in row 5, p. 59, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

#323471 Alpen Cocker MU hat, Style 431, 040, and 109, as shown in row 1, p. 60, of the Eisbar Sep. 2010 catalog (online) [Retrieved Sep. 16, 2010]. Retrieved from the Internet: URL: <http://www.eisbarusa.com>.

* cited by examiner



FIG. 1

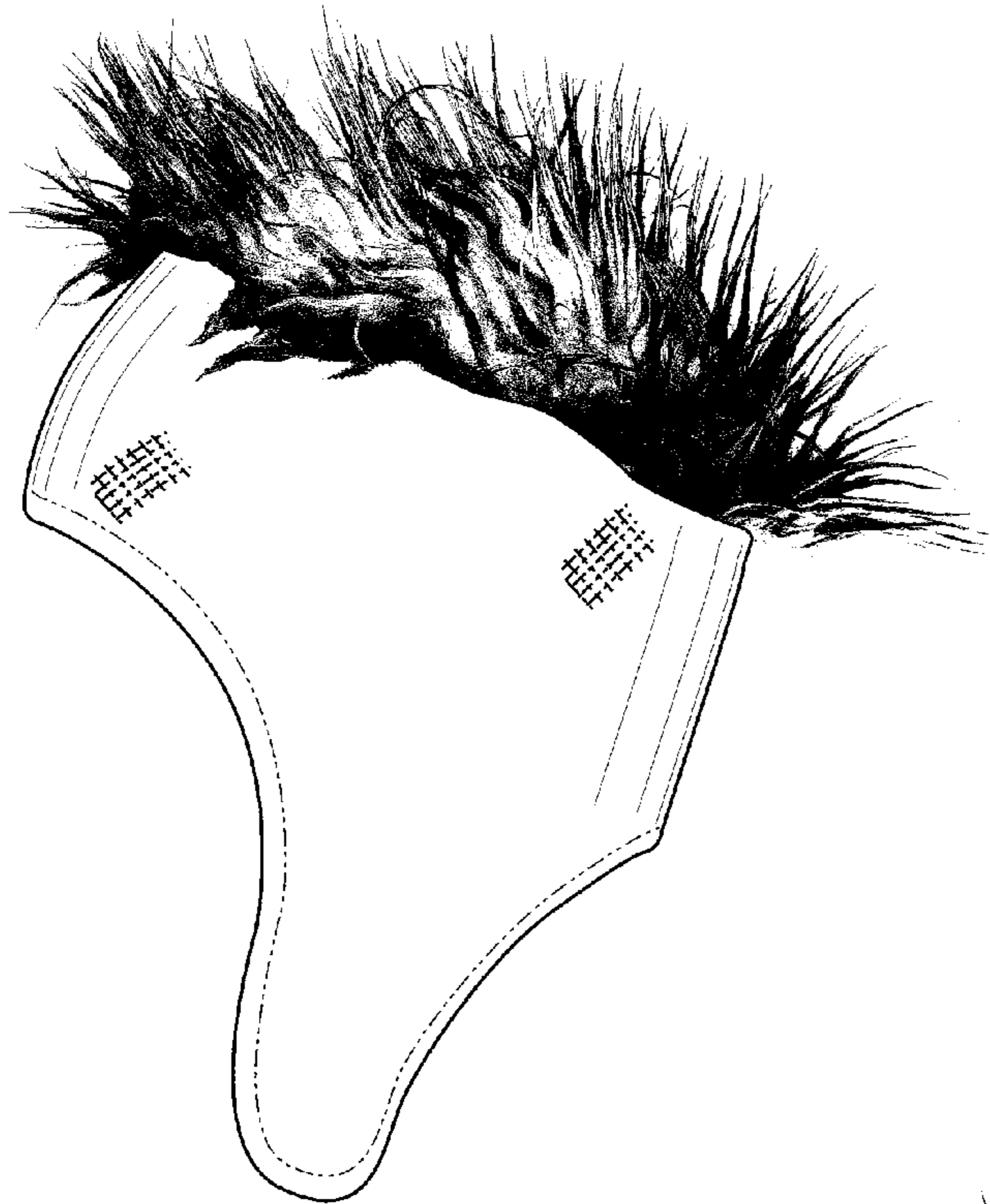


FIG. 2

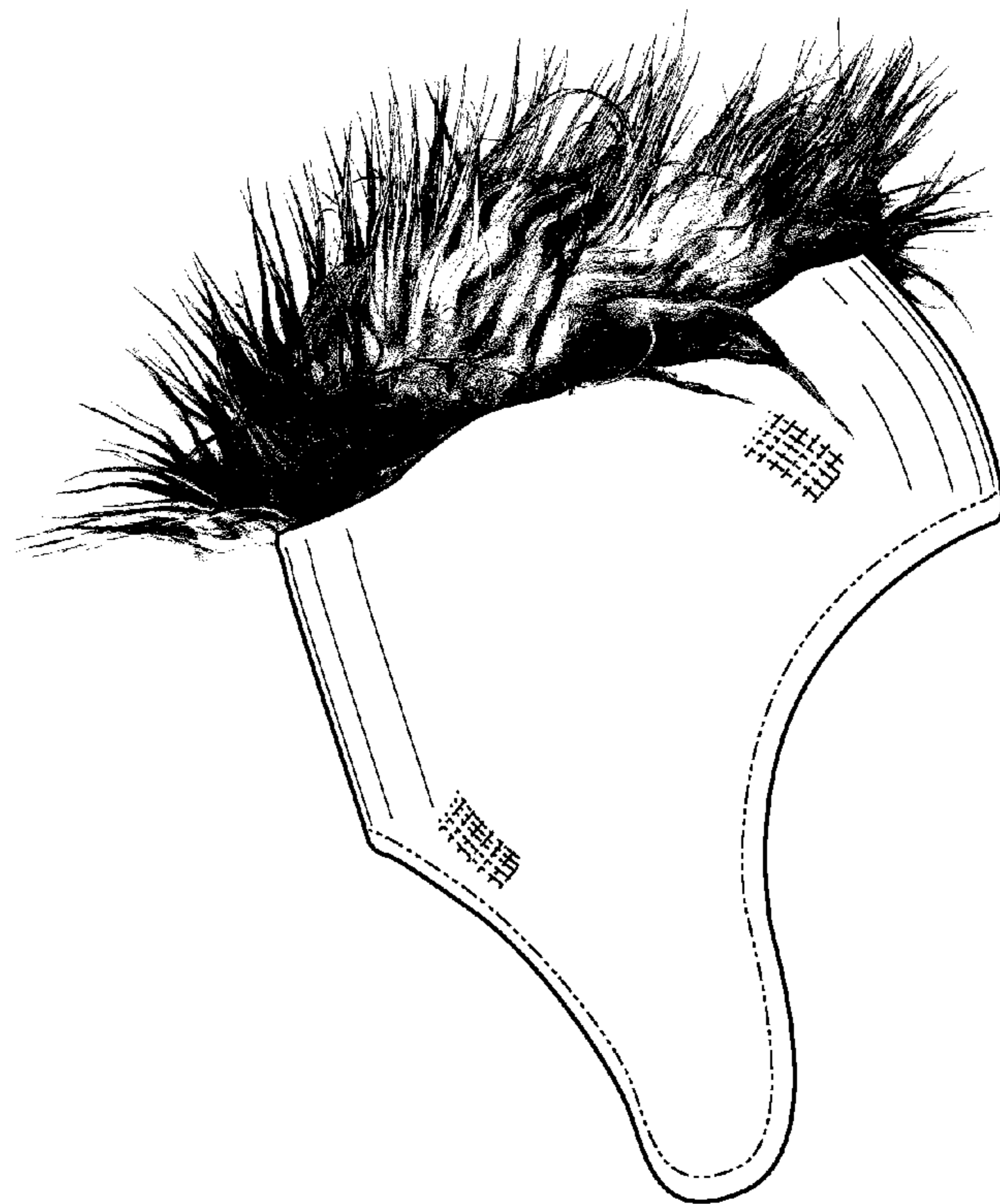


FIG. 3

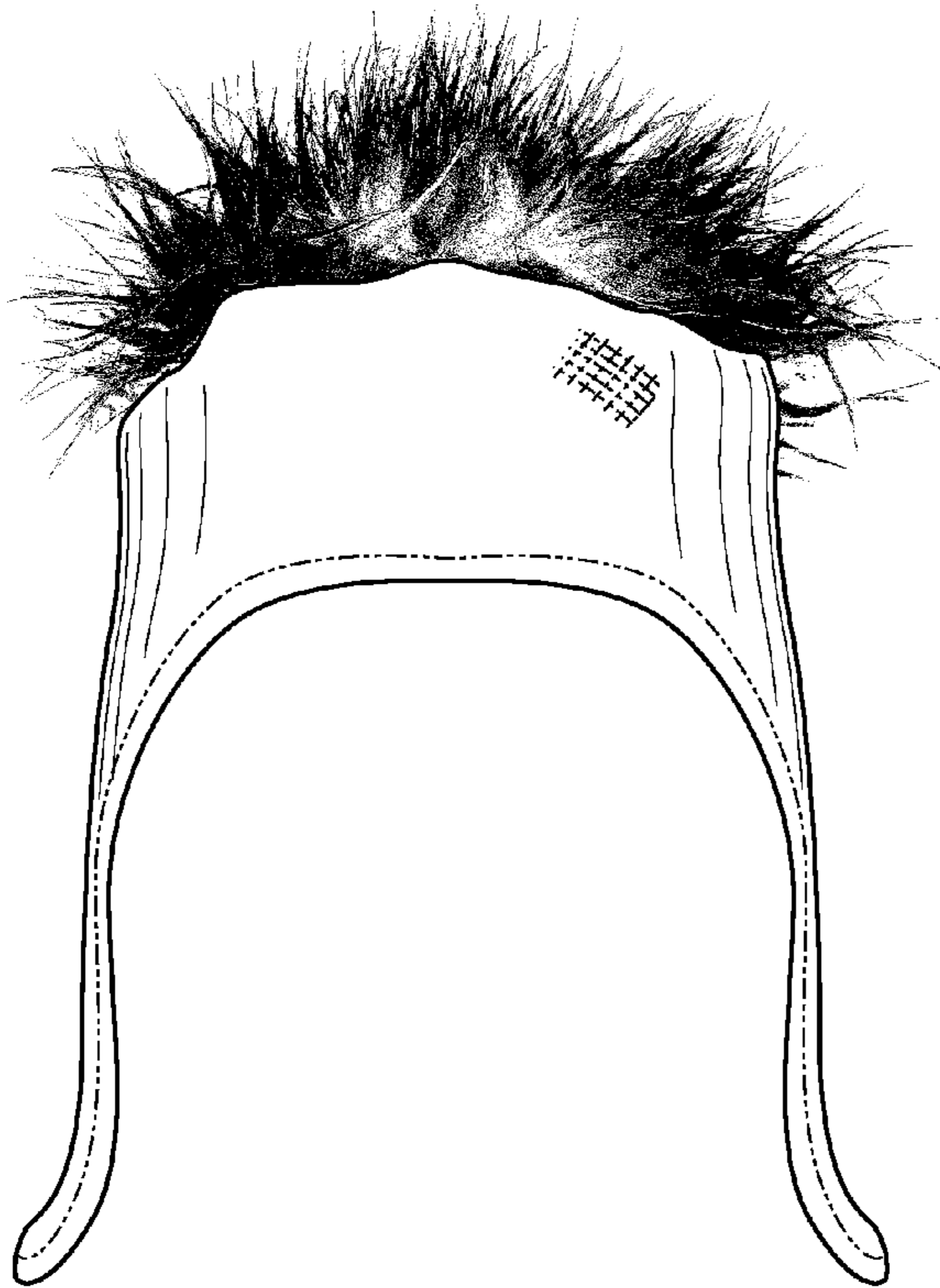


FIG. 4

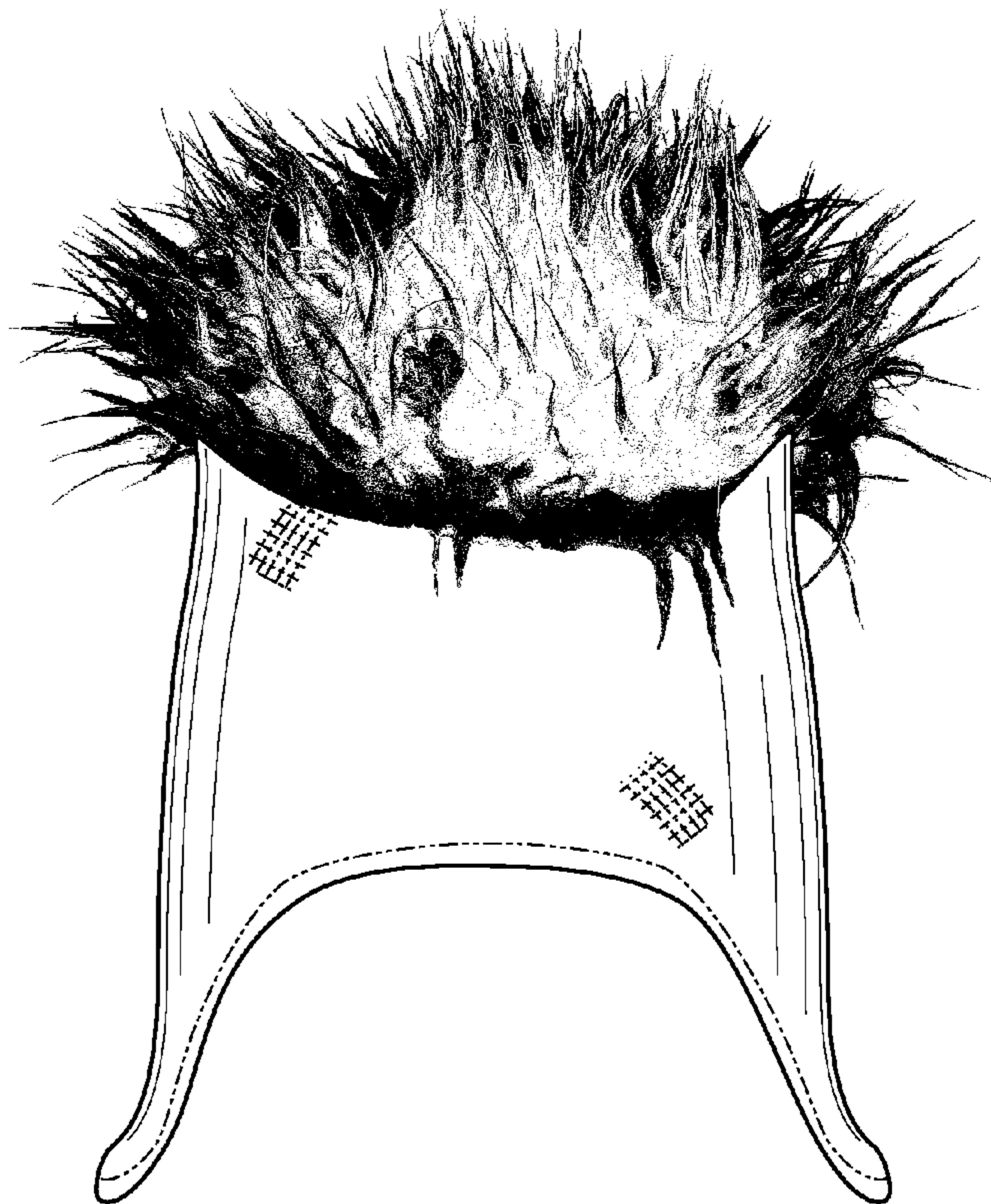


FIG. 5

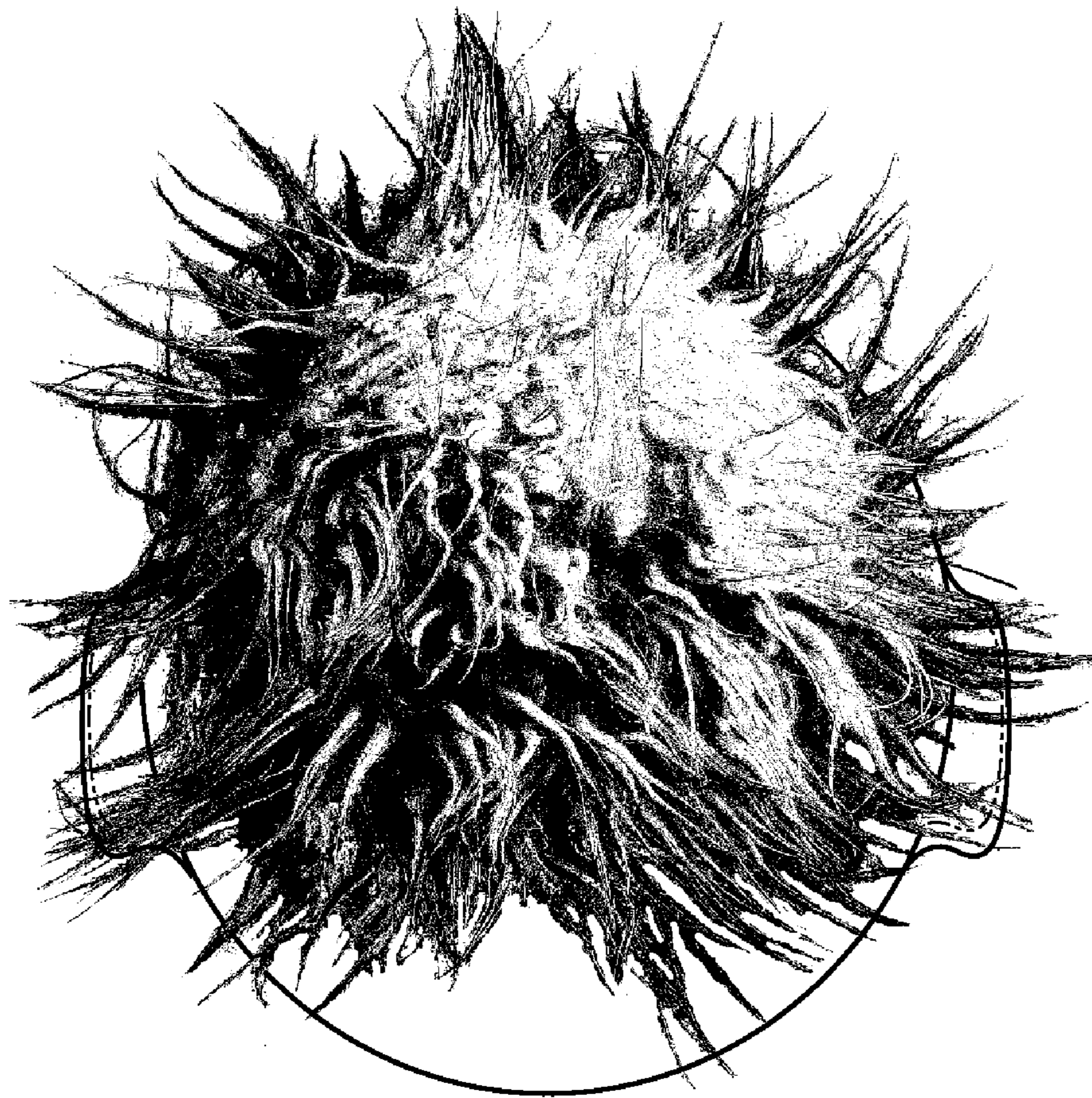


FIG. 6