



US00D718918S

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

(10) **Patent No.:** **US D718,918 S**
(45) **Date of Patent:** **** Dec. 9, 2014**

(54) **LOWER BODY GARMENT GUSSET PANEL WITH POINTED END**

(71) Applicant: **Michelle L. Wexler**, Highland Park, IL (US)

(72) Inventor: **Michelle L. Wexler**, Highland Park, IL (US)

(73) Assignee: **The Underwares Group, LLC**, Highland Park, IL (US)

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

(21) Appl. No.: **29/449,571**

(22) Filed: **Mar. 15, 2013**

(51) **LOC (10) Cl.** **02-01**

(52) **U.S. Cl.**
USPC **D2/713**

(58) **Field of Classification Search**
CPC A41D 1/067; A41B 9/12; A41B 9/004; A41B 11/00; A61F 2013/4708; A61F 2013/1513; A61F 2013/15113
USPC D2/704, 712, 713, 714, 715, 716, 731, D2/733, 736, 737, 738, 739, 742, 745, 860, D2/863, 862, 864, 980, 981, 982, 983, 984, D2/985, 986, 987, 988, 989, 990; D24/124, 125, 126; 2/67, 239, 240, 2/241, 400, 401, 402, 403, 404, 405, 406, 2/407, 408, 409; 604/304, 359, 366, 604/385.01, 385.03, 385.04, 385.08, 387, 604/396

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

549,048 A 10/1895 Basch
D39,760 S 1/1909 Moses
1,406,225 A * 2/1922 Rathsmill 2/46

(Continued)

FOREIGN PATENT DOCUMENTS

GB 3011011 5/2003
GB 4017455 * 10/2010

(Continued)

OTHER PUBLICATIONS

4-page printout from Website: <http://www.robinsonsequestrian.co.uk/equine-product-details.asp?ID=2392> Equitech Pro Brief—Equine products and Outdoor Clothing from Robinsons Equestrian; Images, content and design (c) 2008 Lady Hall Ltd T/A Equitech. (Website first accessed and printed by Applicant on or about Aug. 1, 2011.).

(Continued)

Primary Examiner — Karen E Eldridge Powers

(74) *Attorney, Agent, or Firm* — McAndrews, Held & Malloy, Ltd.

(57) **CLAIM**

The ornamental design for a lower body garment gusset panel with pointed end, substantially as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a lower body garment gusset panel with pointed end of the present invention, as it may be used in panty hose (the broken lines shown on the lower body garment gusset panel and on the panty hose represent unclaimed features);

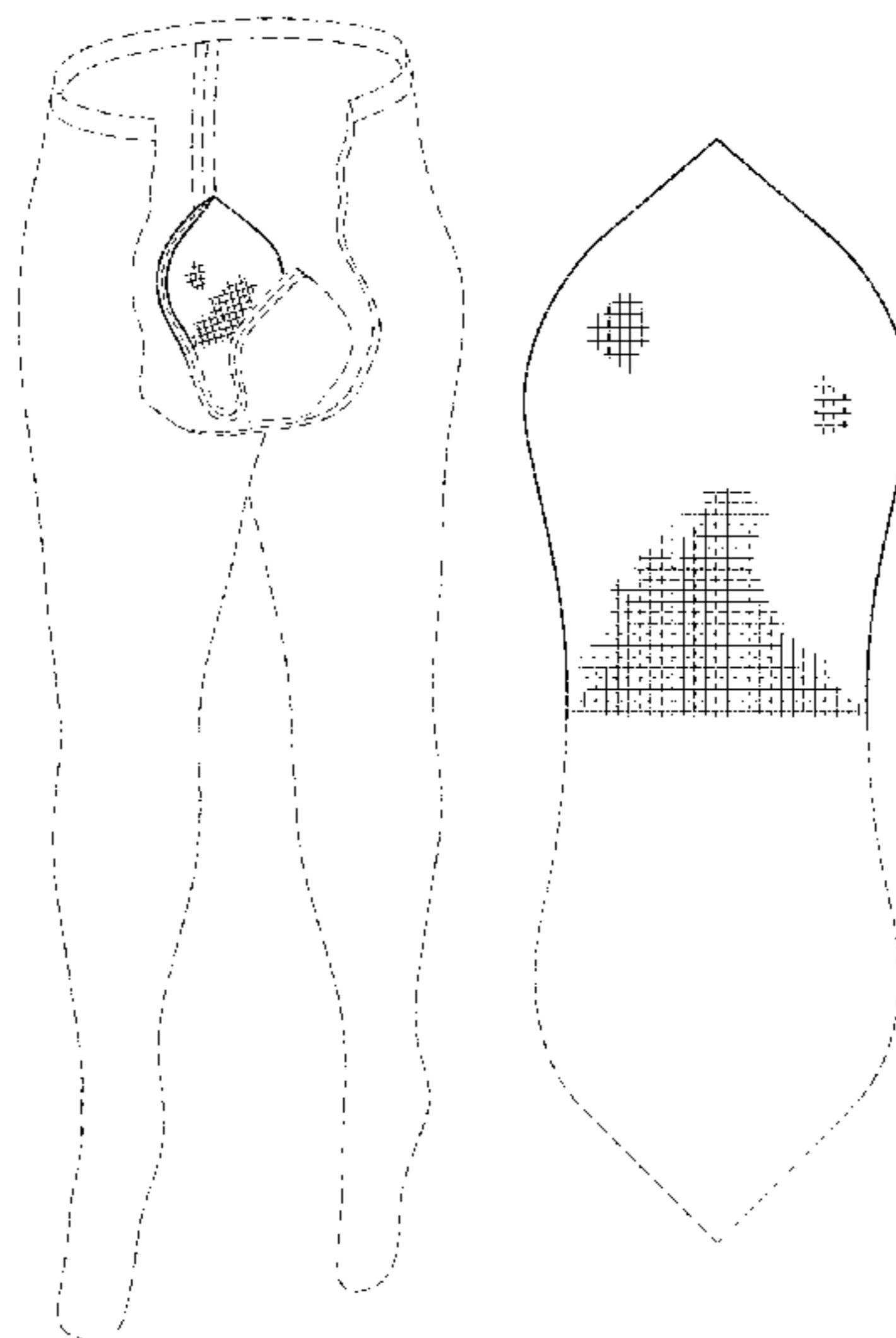
FIG. 2 is an enlarged front elevational view of the claimed lower body garment gusset panel design;

FIG. 3 is an enlarged plan view of the claimed lower body garment gusset panel design;

FIG. 4 is an enlarged rear elevational view of the claimed lower body garment gusset panel design; and,

FIG. 5 is an enlarged right side elevational view of the claimed lower body garment gusset panel design (the left side elevational enlarged view is a mirror image thereof).

1 Claim, 2 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,679,206 A	7/1928	Crossingham	6,231,556 B1	5/2001	Osborn, III
1,808,614 A	6/1931	Stein	D444,231 S	6/2001	Renz et al.
2,003,654 A	6/1935	Polson	D444,554 S	7/2001	O'Hara
2,013,554 A	9/1935	De Benedetto	D445,498 S	7/2001	Renz et al.
2,232,246 A	2/1941	Klein	6,313,371 B1	11/2001	Conant et al.
2,285,692 A	6/1942	Wickman	6,397,397 B1	6/2002	Chen
2,306,514 A	12/1942	Wilker	6,398,770 B1	6/2002	Drevik
2,321,123 A	6/1943	Bogart	6,409,712 B1	6/2002	Dutari
2,363,959 A	11/1944	Hanes	D460,818 S	7/2002	Levy et al.
2,435,945 A	2/1948	Redmond	D466,608 S	12/2002	Magee et al.
2,443,474 A *	6/1948	Morgan 2/67	D474,273 S	5/2003	Yamamoto
D160,328 S	10/1950	Marks	6,557,183 B1	5/2003	Truong et al.
D165,872 S	2/1952	Royce	6,560,786 B2	5/2003	Lipton
2,617,112 A	11/1952	Neilson	6,565,548 B1	5/2003	Glaug et al.
2,629,094 A	2/1953	Goldsmith	D476,082 S	6/2003	Gell
2,739,314 A	3/1956	Friedman	D482,782 S	11/2003	Glaug et al.
2,809,510 A	10/1957	West	D483,481 S	12/2003	Ceman et al.
3,314,422 A	4/1967	Phillips	D483,866 S	12/2003	Pollard
3,339,208 A	9/1967	Marbach	D486,228 S	2/2004	Fonseca et al.
3,411,504 A	11/1968	Glassman	D489,451 S	5/2004	Glaug et al.
3,463,154 A *	8/1969	Hendricks 604/370	D489,821 S	5/2004	Glaug et al.
3,570,491 A	3/1971	Sneider	6,807,685 B1	10/2004	Hasegawa et al.
3,595,034 A *	7/1971	Safrit 66/27	6,824,535 B2	11/2004	Kolby-Falk
D228,034 S	7/1973	Krusko	D500,131 S	12/2004	Choice
D231,142 S	4/1974	Koury	6,899,701 B2 *	5/2005	Carstens et al. 604/385.01
D231,274 S	4/1974	Krusko	6,908,456 B1	6/2005	Drevik
3,815,156 A *	6/1974	Gaither 2/409	D516,731 S	3/2006	Harris et al.
D234,162 S	1/1975	Andersen	D528,656 S	9/2006	Glaug et al.
RE28,483 E	7/1975	Ralph	7,122,023 B1 *	10/2006	Hinoki 604/385.101
3,894,542 A	7/1975	Sacristan	D537,525 S	2/2007	Buchanan
3,897,784 A *	8/1975	Fitzgerald 604/380	7,172,584 B2	2/2007	Karami
D243,561 S	3/1977	Alvarez	7,288,080 B2	10/2007	Edens et al.
4,014,044 A	3/1977	Figueroa et al.	7,291,136 B1	11/2007	Drevik et al.
4,072,151 A	2/1978	Levine	D560,802 S	1/2008	Stratton
D252,656 S	8/1979	Bergh	7,316,673 B2	1/2008	Drevik et al.
D256,288 S	8/1980	Stern	7,341,579 B2	3/2008	Kinoshita et al.
4,394,781 A	7/1983	Axmann	D571,534 S	6/2008	Rudolph
4,490,856 A	1/1985	Dost	7,430,766 B2	10/2008	Coccia
4,548,603 A	10/1985	Ichijo	D589,611 S	3/2009	Parker
4,581,771 A	4/1986	Williams	D593,200 S	5/2009	Gagliardi et al.
4,602,388 A	7/1986	Underwood et al.	7,628,778 B2	12/2009	Zehner et al.
D293,617 S	1/1988	Barrett	7,662,138 B2	2/2010	Hermansson et al.
D301,080 S	5/1989	Gay, Jr.	7,669,248 B2	3/2010	Toratani
4,838,886 A	6/1989	Kent	7,799,007 B2	9/2010	Hermansson et al.
4,862,574 A *	9/1989	Seidy 29/415	7,842,022 B2	11/2010	Veglio et al.
4,917,697 A	4/1990	Osborn et al.	7,854,022 B2	12/2010	Warren et al.
5,114,419 A	5/1992	Daniel et al.	7,857,798 B2	12/2010	Buettner
5,131,386 A	7/1992	Simmons	7,931,639 B2	4/2011	Suga et al.
5,167,655 A	12/1992	McCoy	D638,118 S	5/2011	Mateo
D336,549 S	6/1993	Stabile	D638,119 S	5/2011	Mateo
5,274,854 A	1/1994	Wenner et al.	7,941,872 B2	5/2011	Martz
D352,151 S	11/1994	Warnock	D646,047 S	10/2011	Arensndorf
5,388,275 A	2/1995	Oram	8,042,194 B2	10/2011	Connor
D356,660 S	3/1995	Leonard et al.	D660,551 S	5/2012	Steele
5,396,662 A	3/1995	Leonard et al.	D663,920 S	7/2012	Wexler
D359,609 S	6/1995	Deslippe	D663,921 S	7/2012	Wexler
D360,971 S	8/1995	Speth et al.	8,230,520 B2	7/2012	Riondato
5,514,104 A	5/1996	Cole et al.	8,292,862 B2	10/2012	Dennis et al.
D378,700 S	4/1997	Taylor et al.	8,333,746 B2 *	12/2012	Ponomarenko et al. . 604/385.01
5,620,430 A	4/1997	Bamber	D675,809 S	2/2013	Silva
5,651,779 A	7/1997	Burrell	D679,004 S	3/2013	Norman et al.
D384,152 S	9/1997	Raufman	8,419,699 B2	4/2013	Giloh
5,713,884 A	2/1998	Osborn et al.	D681,913 S	5/2013	Wexler
5,832,535 A	11/1998	Davis	D690,898 S	10/2013	Wexler
5,870,778 A	2/1999	Tharpe	D690,899 S	10/2013	Wexler
D411,007 S	6/1999	Peck	D690,900 S	10/2013	Wexler
D414,914 S	10/1999	Rauterkus	D690,901 S	10/2013	Wexler
6,042,575 A	3/2000	Osborn et al.	D690,902 S	10/2013	Wexler
D424,195 S	5/2000	Talon	D690,903 S	10/2013	Wexler
D425,687 S	5/2000	Gonzalez	8,550,094 B2 *	10/2013	Cocuzza 132/201
6,074,274 A *	6/2000	Pyatt et al. 450/101	D699,919 S *	2/2014	Wexler D2/712
6,093,178 A	7/2000	Osborn et al.	D699,920 S *	2/2014	Wexler D2/712
6,107,572 A	8/2000	Miyazaki	D699,921 S *	2/2014	Wexler D2/712
6,156,951 A	12/2000	Gustafsson et al.	D701,018 S *	3/2014	Wexler D2/712
6,210,387 B1	4/2001	Rudberg et al.	D701,367 S *	3/2014	Wexler D2/712

(56)

References Cited

OTHER PUBLICATIONS

U.S. PATENT DOCUMENTS

8,758,547	B2 *	6/2014	Popp et al.	156/324
2002/0065497	A1	5/2002	Kolby-Falk	
2002/0193758	A1 *	12/2002	Sandberg	604/304
2004/0068247	A1	4/2004	Connor	
2004/0092898	A1	5/2004	Schfer et al.	
2005/0066408	A1	3/2005	Varela	
2007/0060901	A1	3/2007	Alletsee	
2007/0124850	A1	6/2007	Buettner	
2008/0222781	A1	9/2008	Rhew	
2008/0229487	A1	9/2008	Keweon	
2008/0302460	A1 *	12/2008	Angelino et al.	156/60
2008/0312630	A1	12/2008	Seo	
2009/0131899	A1	5/2009	Ross	
2009/0151042	A1 *	6/2009	Kusters	2/67
2009/0240225	A1	9/2009	Noda et al.	
2010/0049154	A1	2/2010	Burd	
2010/0095442	A1	4/2010	Kuipers	
2010/0152687	A1	6/2010	Carlozzi	
2010/0180359	A1	7/2010	Andrews	
2010/0191205	A1	7/2010	Carbonari et al.	
2011/0301559	A1 *	12/2011	Sasayama et al.	604/364
2012/0311770	A1	12/2012	Nakajima et al.	
2012/0324632	A1	12/2012	Hurvitz	
2013/0018344	A1	1/2013	Dennis et al.	
2013/0042394	A1	2/2013	Wexler	
2013/0263362	A1	10/2013	Wexler	

FOREIGN PATENT DOCUMENTS

JP	2006322100	11/2006
JP	2006322120	11/2006
WO	WO D075666-001	7/2011

Office Action, Notification Date Dec. 20, 2012, regarding U.S. Appl. No. 29/431,954, filed Sep. 12, 2012, "Response to Final Office Action of Apr. 23, 2013" filed on May 22, 2013.

Office Action, Notification Date Mar. 17, 2014, U.S. Appl. No. 29/449,529, filed Mar. 15, 2013, Current status: Issue Fee paid May 27, 2014.

8-page printout from Website: <http://www.robinsonsequestrian.co.uk/equine-product-details.asp?ID=2392>, online advertisement for Equitech Horse Riding Wear—Underwear, as accessed on Aug. 22, 2013. (Applicant and the undersigned counsel first became aware of this website subject matter on or about Aug. 1, 2011, and have no information about when the subject matter was first created or first available to the public.).

2-page printout from Website <http://myshreddies.com/store/incontinence/> for healthcare underwear, as accessed on Nov. 18, 2013. (Applicant and undersigned counsel first became aware of this website subject matter on or about Nov. 18, 2013, and have no information when the subject matter was first available to the public).

Office Action, Notification Date Jul. 11, 2013, U.S. Appl. No. 29/449,529, filed Mar. 15, 2013, Response filed Oct. 8, 2013.

Office Action, Notification Date Jul. 18, 2013, U.S. Appl. No. 29/448,745, filed Mar. 13, 2013, Response filed Oct. 3, 2013.

Notice of Allowance and Fees Due Date 0.38/08/2013, U.S. Appl. No. 29/448,091, filed Mar. 8, 2013.

Office Action, Notification Date Jul. 16, 2013, U.S. Appl. No. 29/448,760, filed Mar. 13, 2013, Response filed Oct. 3, 2013.

Office Action, Notification Date Mar. 13, 2013, U.S. Appl. No. 29/448,773, filed Mar. 13, 2013, Response filed Oct. 3, 2013.

Office Action, Notification Date Jul. 18, 2013, U.S. Appl. No. 29/448,777, filed Mar. 13, 2013, Response filed Oct. 3, 2013.

* cited by examiner

Fig. 1

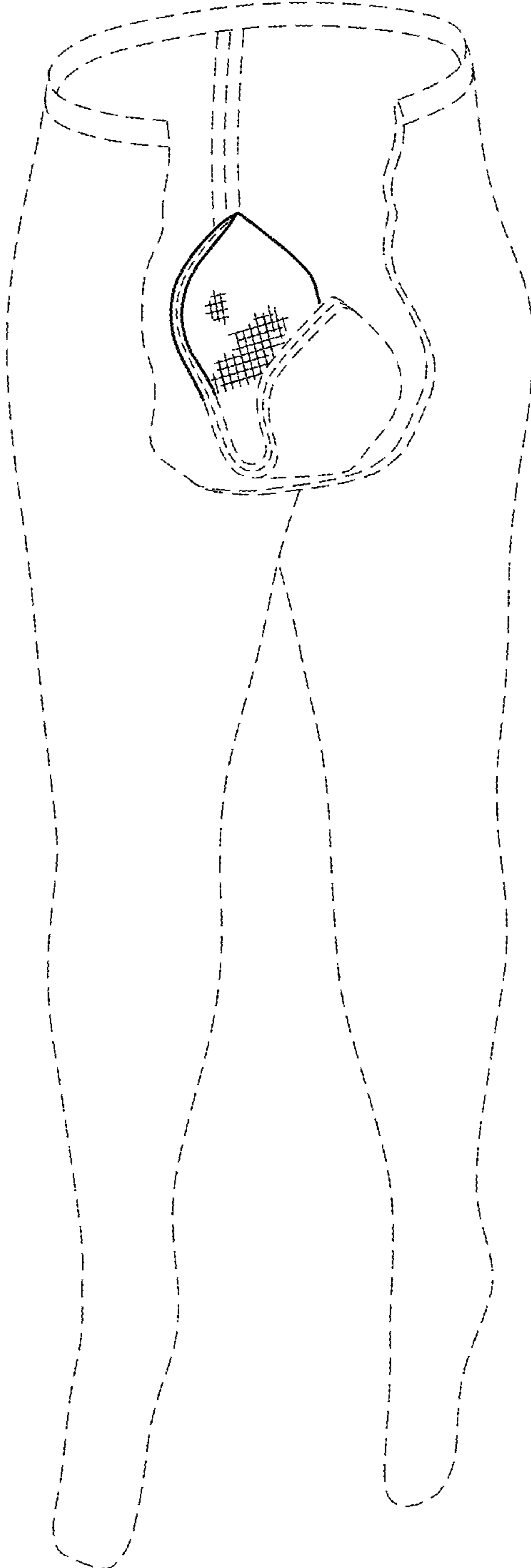


Fig. 2

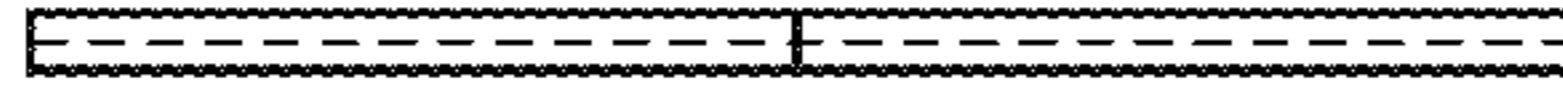


Fig. 3

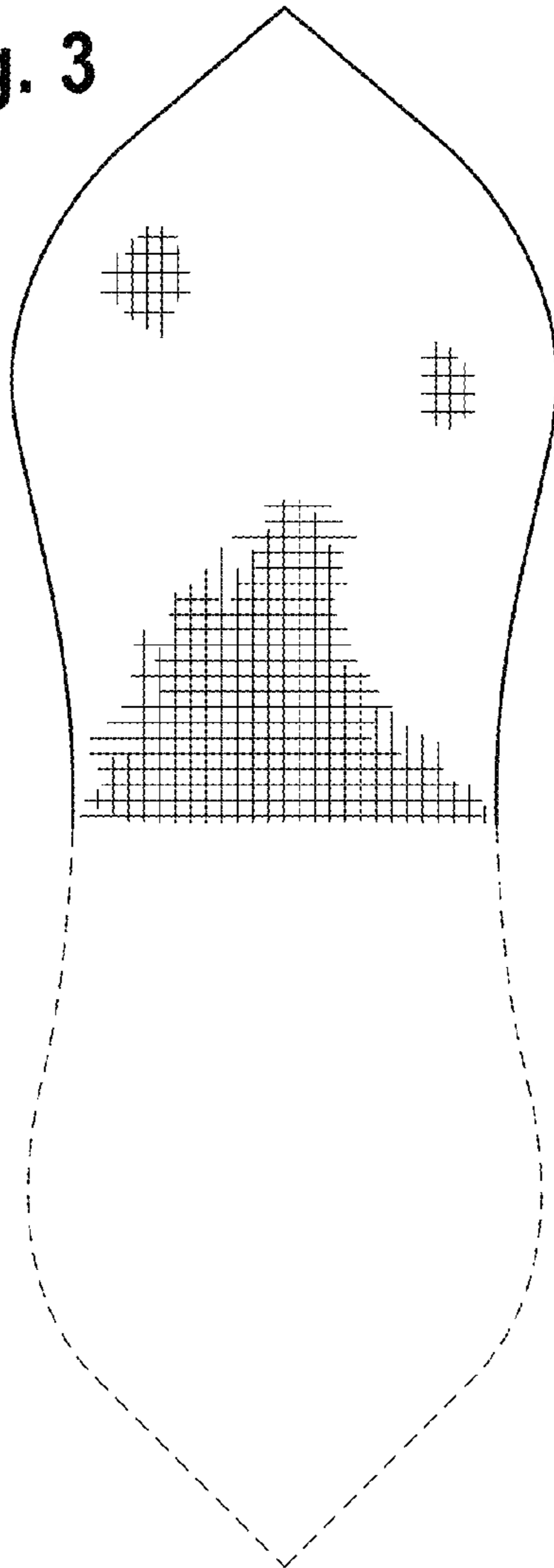


Fig. 4

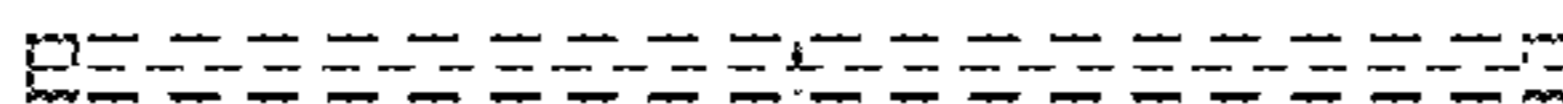


Fig. 5

