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(12) **United States Design Patent**
Emrich et al.

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(45) **Date of Patent:** **** Jan. 5, 2016**

(54) **GARMENT**

(75) Inventors: **Kelly Emrich**, Louisville, CO (US); **Ron Rod**, Louisville, CO (US)

(73) Assignee: **DASHAMERICA, INC.**, Louisville, CO (US)

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

(21) Appl. No.: **29/398,721**

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

(52) **U.S. Cl.**
USPC **D2/857**

(58) **Field of Classification Search**
USPC D2/857, 738, 731, 742, 712; 2/227,
2/228, 238, 404, 247, 250–253
CPC A41D 2600/104; A41D 1/08; A41D 1/06
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

352,297	A	11/1886	Cohlman	
625,423	A	5/1899	Scriven	
791,676	A *	6/1905	Dondshon	2/227
924,013	A *	6/1909	Stecker	2/227
932,990	A *	8/1909	Madill et al.	2/227
1,497,460	A	6/1924	Nilssen	
1,787,706	A	1/1931	Bernard	

(Continued)

FOREIGN PATENT DOCUMENTS

EP	0034518	8/1981
EP	0951846	10/1999
WO	WO 93/25114	12/1993

OTHER PUBLICATIONS

Official Action for Canadian Patent Application No. 2,749,987 dated Jul. 10, 2013, 2 pages.

(Continued)

Primary Examiner — Ian Simmons

Assistant Examiner — Carissa C Fitts

(74) *Attorney, Agent, or Firm* — Sheridan Ross P.C.

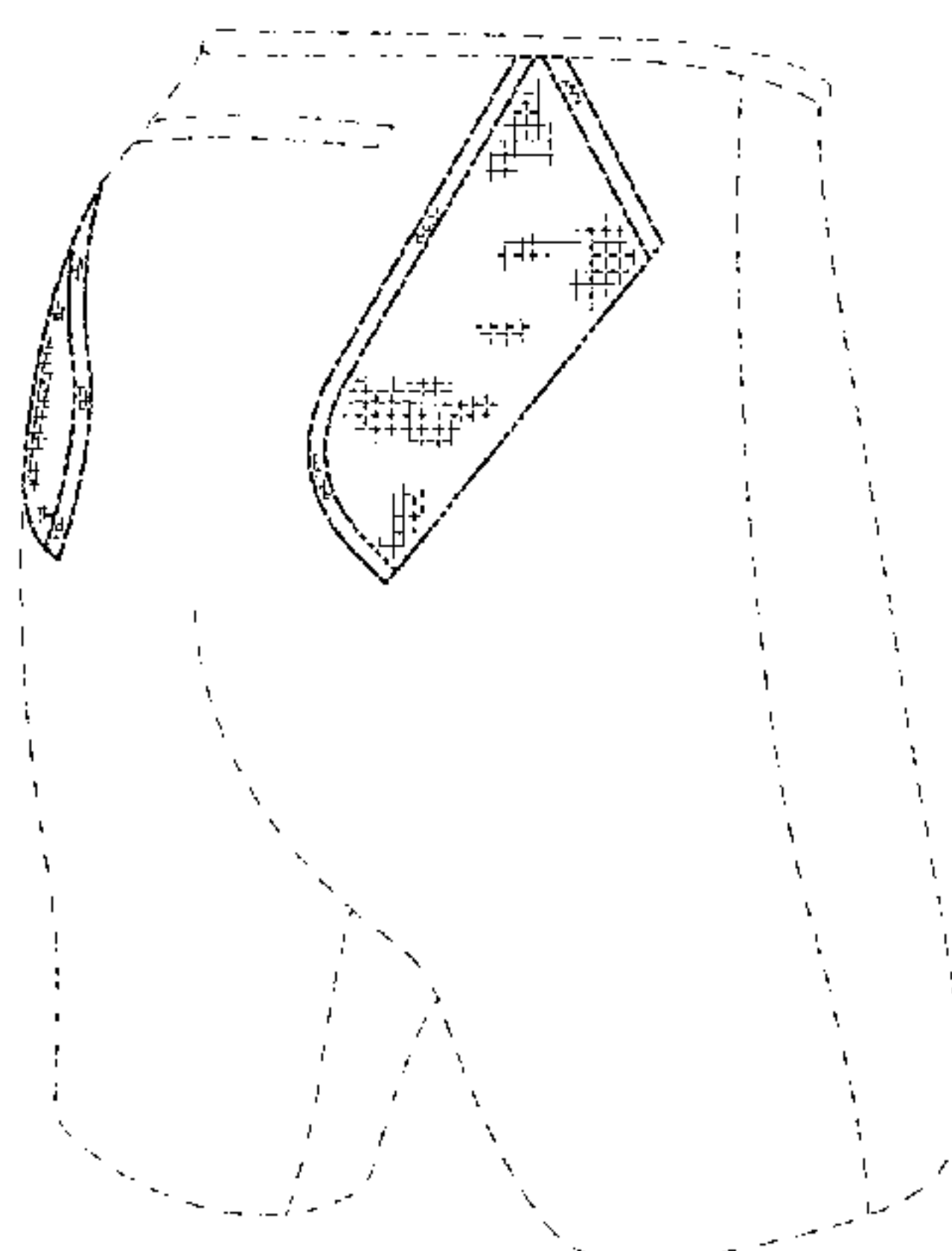
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a rear perspective view of an athletic short showing the new design for a pocket;
FIG. 2 is a front elevation view thereof;
FIG. 3 is a rear elevation view thereof;
FIG. 4 is a left elevation view thereof;
FIG. 5 is a right elevation view thereof;
FIG. 6 is a top plan view thereof;
FIG. 7 is a bottom plan view thereof;
FIG. 8 is a rear perspective view of an alternate embodiment of an athletic short showing the new design for a pocket, the only difference being the omission of the left pocket;
FIG. 9 is a front elevation view thereof;
FIG. 10 is a rear elevation view thereof;
FIG. 11 is a left elevation view thereof;
FIG. 12 is a right elevation view thereof;
FIG. 13 is a top plan view thereof;
FIG. 14 is a bottom plan view thereof;
FIG. 15 is a rear perspective view of an alternate embodiment of an athletic short showing the new design for a pocket, the only difference being the omission of the right pocket;
FIG. 16 is a front elevation view thereof;
FIG. 17 is a rear elevation view thereof;
FIG. 18 is a left elevation view thereof;
FIG. 19 is a right elevation view thereof;
FIG. 20 is a top plan view thereof; and,
FIG. 21 is a bottom plan view thereof.
The broken lines shown comprise environment for illustrative purposes only and form no part of the claimed invention.
The cross-hatch pattern applied to the drawings represents fabric.

1 Claim, 12 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

2,038,331 A 4/1936 Woolf
 2,087,123 A * 7/1937 Serak 2/253
 2,097,975 A 11/1937 Habegger
 D111,803 S * 10/1938 Bailey D2/857
 2,165,348 A 7/1939 Daiber
 2,209,197 A * 7/1940 Falkovitz 2/247
 2,263,538 A 1/1941 Freirich
 2,508,190 A 5/1950 Previdi
 2,521,410 A 9/1950 Rosen
 2,525,060 A * 10/1950 Axler 2/221
 D160,944 S * 11/1950 Bailey D2/857
 2,607,040 A 8/1952 Zaleski
 2,617,103 A 11/1952 Westgarth
 2,697,465 A 12/1954 Johnson
 2,846,685 A 8/1958 Ehrich
 3,533,459 A 10/1970 Ody
 3,813,697 A * 6/1974 Belpaume 2/227
 4,169,550 A 10/1979 Williams
 D257,596 S 12/1980 Rosenbloom
 4,461,030 A 7/1984 Knudsen
 D280,251 S * 8/1985 Forbes D2/738
 4,535,878 A 8/1985 Grahl
 4,637,075 A 1/1987 Ingrisano et al.
 D294,651 S * 3/1988 Ferre D2/857
 4,791,681 A 12/1988 Dean
 4,958,386 A 9/1990 Louis-Jeune
 5,207,254 A 5/1993 Fromm
 D337,193 S * 7/1993 Nguyen D2/857
 5,241,708 A * 9/1993 Rodarmel 2/79
 5,244,025 A 9/1993 Wewers
 5,244,136 A 9/1993 Collaso
 D341,918 S * 12/1993 Haywood D2/857
 D343,944 S * 2/1994 Krugler D2/857
 5,497,511 A * 3/1996 Zade 2/22
 5,509,147 A 4/1996 Busquets
 5,517,696 A 5/1996 Krugler
 5,592,697 A * 1/1997 Young 2/247
 5,652,961 A 8/1997 Knight-Yurt
 5,720,050 A 2/1998 Gioli
 D392,085 S * 3/1998 Head et al. D2/742
 5,724,679 A 3/1998 Hans
 5,852,828 A 12/1998 Foster
 5,870,777 A 2/1999 Hans
 D406,436 S * 3/1999 Roszell D2/737
 5,938,337 A 8/1999 Provan et al.
 5,987,644 A 11/1999 Mengato
 6,049,914 A 4/2000 Heilman
 6,148,443 A 11/2000 Maastricht
 6,219,846 B1 4/2001 Toole
 6,243,880 B1 * 6/2001 Lyden 2/228
 D448,541 S * 10/2001 Robinson D2/706
 6,298,485 B1 10/2001 Heller
 6,363,538 B1 4/2002 Davis
 D461,945 S 8/2002 Byrd
 D489,164 S * 5/2004 Isom D2/857
 6,760,922 B1 7/2004 Morales
 6,823,909 B1 11/2004 Marsteller
 6,993,940 B2 2/2006 Rabinowicz et al.
 7,058,987 B2 6/2006 Salazar
 7,219,373 B2 5/2007 McNamara
 7,364,491 B2 4/2008 Updyke
 7,631,368 B1 12/2009 Samson
 7,636,949 B1 12/2009 Shooshan
 D612,583 S 3/2010 Marois et al.
 7,681,255 B2 3/2010 Morales et al.

D623,830 S 9/2010 Marois et al.
 7,886,368 B2 2/2011 Hood
 D655,070 S * 3/2012 Gosse D2/742
 D663,922 S * 7/2012 Karik et al. D2/742
 D665,559 S * 8/2012 Ridge D2/742
 D668,023 S * 10/2012 Lawson D2/742
 8,302,212 B1 * 11/2012 Wiens 2/24
 8,312,568 B2 11/2012 Marois et al.
 D674,990 S * 1/2013 Johnson D2/742
 D674,992 S * 1/2013 Abbevik et al. D2/742
 D690,082 S * 9/2013 Grosbol D2/742
 D690,083 S * 9/2013 Grosbol D2/742
 D690,084 S * 9/2013 Grosbol D2/742
 D696,487 S * 12/2013 Kurmanow D2/742
 D703,920 S * 5/2014 Tanaka et al. D2/738
 8,732,865 B2 * 5/2014 Ishikawa et al. 2/227
 2005/0015844 A1 1/2005 Parsons
 2005/0193476 A1 9/2005 Chinn
 2005/0235398 A1 10/2005 Yoo
 2008/0047046 A1 2/2008 Maier
 2008/0196140 A1 8/2008 Mayerson et al.
 2009/0089913 A1 4/2009 Ehrlickman
 2009/0158493 A1 6/2009 Kim
 2009/0282600 A1 11/2009 Robinson
 2009/0300818 A1 12/2009 Waite et al.
 2010/0180361 A1 7/2010 Marois et al.

OTHER PUBLICATIONS

Extended European Search Report for European Patent Application No. 10732177.0 dated Nov. 30, 2012, 8 pages.
 Intention to Grant for European Patent Application No. 10732177.0 dated Sep. 20, 2013, 6 pages.
 Official Action for U.S. Appl. No. 13/145,092, mailed Jul. 3, 2013, 14 pages.
 U.S. Appl. No. 13/145,092, filed Sep. 21, 2011, Marois et al.
 Official Action for U.S. Appl. No. 12/355,638, mailed Nov. 14, 2011 8 pages.
 International Search Report for International (PCT) Patent Application No. PCT/US2010/021271, mailed Mar. 24, 2010 1 page.
 International Preliminary Report on Patentability for International (PCT) Patent Application No. PCT/US2010/021271, issued Jul. 19, 2011 10 pages.
 Official Action for U.S. Appl. No. 12/355,638, mailed Jun. 29, 2011 23 pages.
 Official Action for Canadian Patent Application No. 144050 dated Mar. 15, 2013, 1 page.
 Official Action for U.S. Appl. No. 13/145,092, mailed Mar. 11, 2013, 11 pages.
 International Search Report for International (PCT) Patent Application No. PCT/US2012/049593, mailed Oct. 19, 2012 3 pages.
 Written Opinion for International (PCT) Patent Application No. PCT/US2012/049593, mailed Oct. 19, 2012 5 pages.
 Official Action for Canadian Patent Application No. 2,749,987 dated Oct. 29, 2012, 3 pages.
 Official Action for U.S. Appl. No. 12/355,638, mailed Feb. 24, 2012.
 Official Action for U.S. Appl. No. 12/355,638, mailed Jun. 28, 2012, 16 pages.
 Notice of Allowance for U.S. Appl. No. 12/355,638, mailed Sep. 5, 2012, 5 pages.
 Intention to Grant for European Patent Application No. 10732177.0 dated Apr. 23, 2014, 7 pages.
 Official Action for U.S. Appl. No. 13/145,092, mailed May 12, 2014, 34 pages.

* cited by examiner

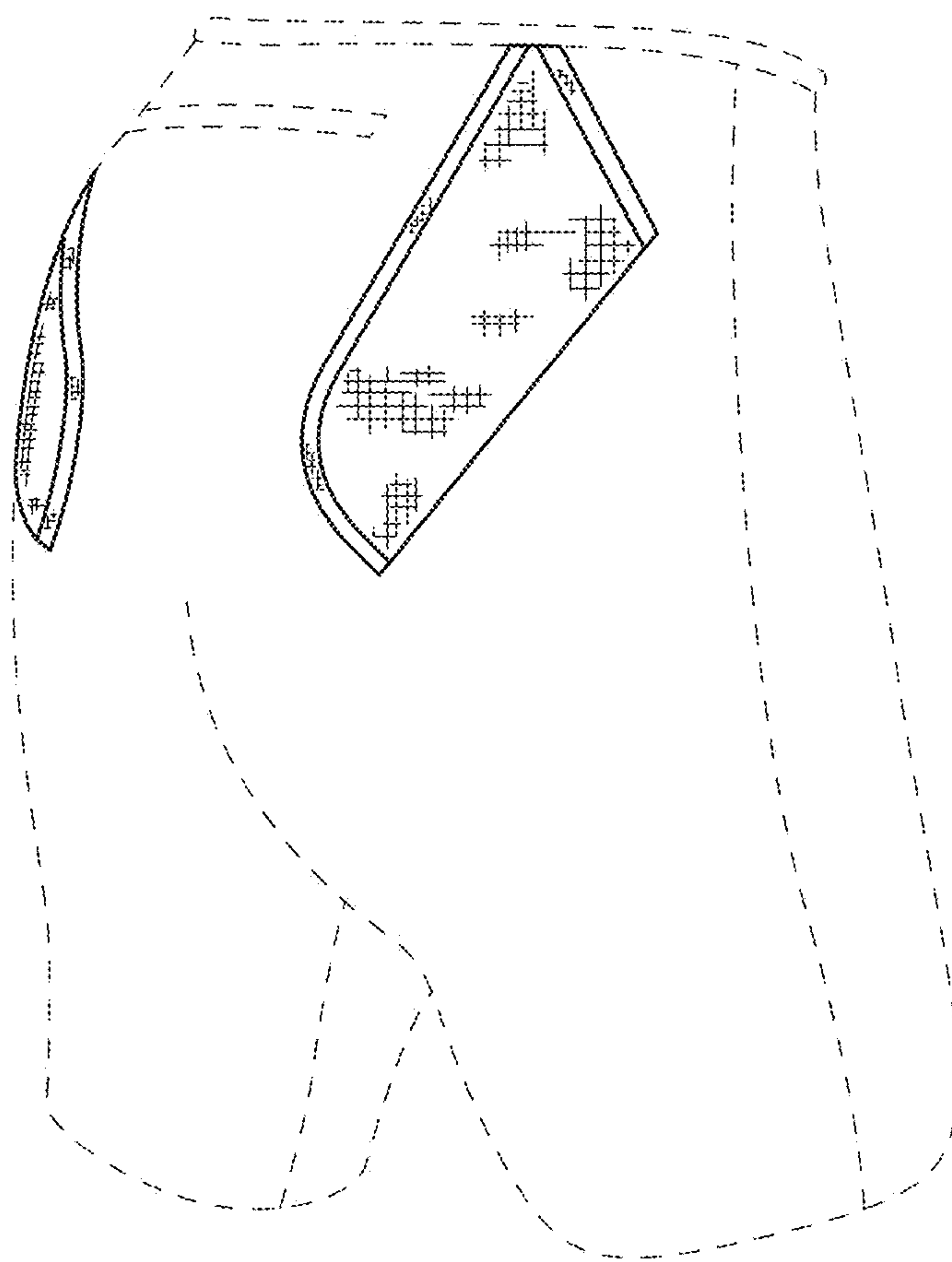


FIG.1

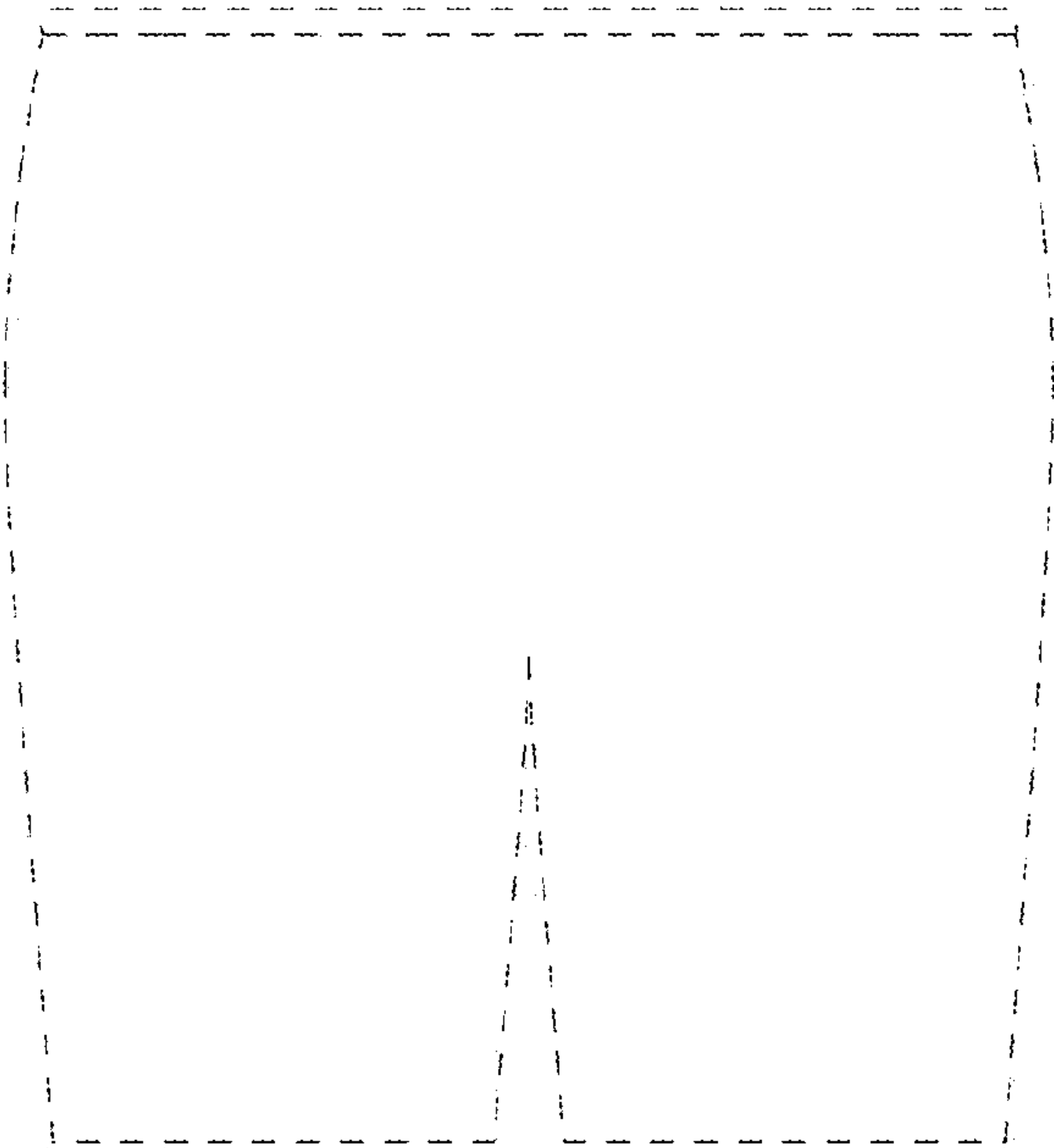


FIG.2

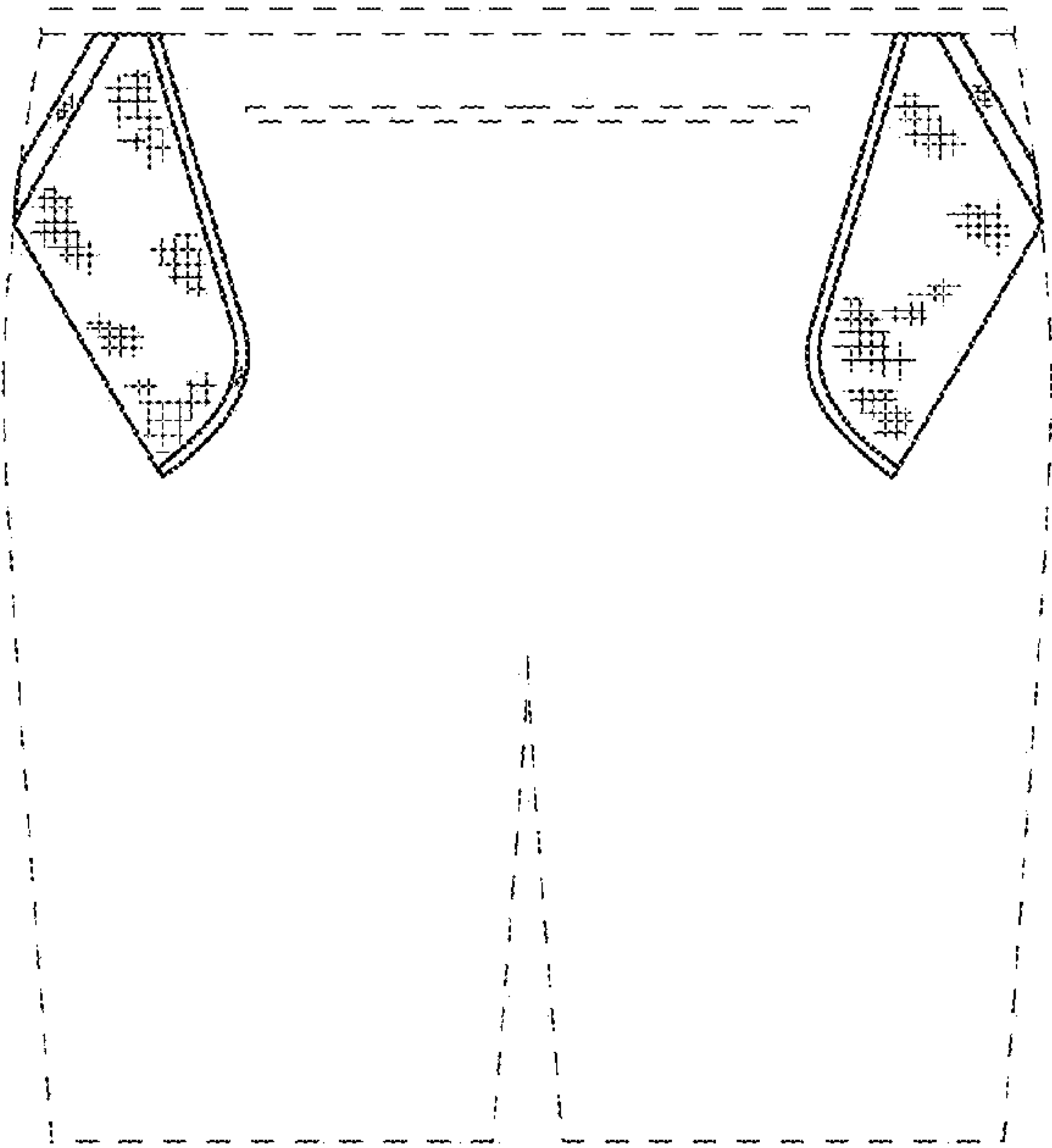


FIG.3

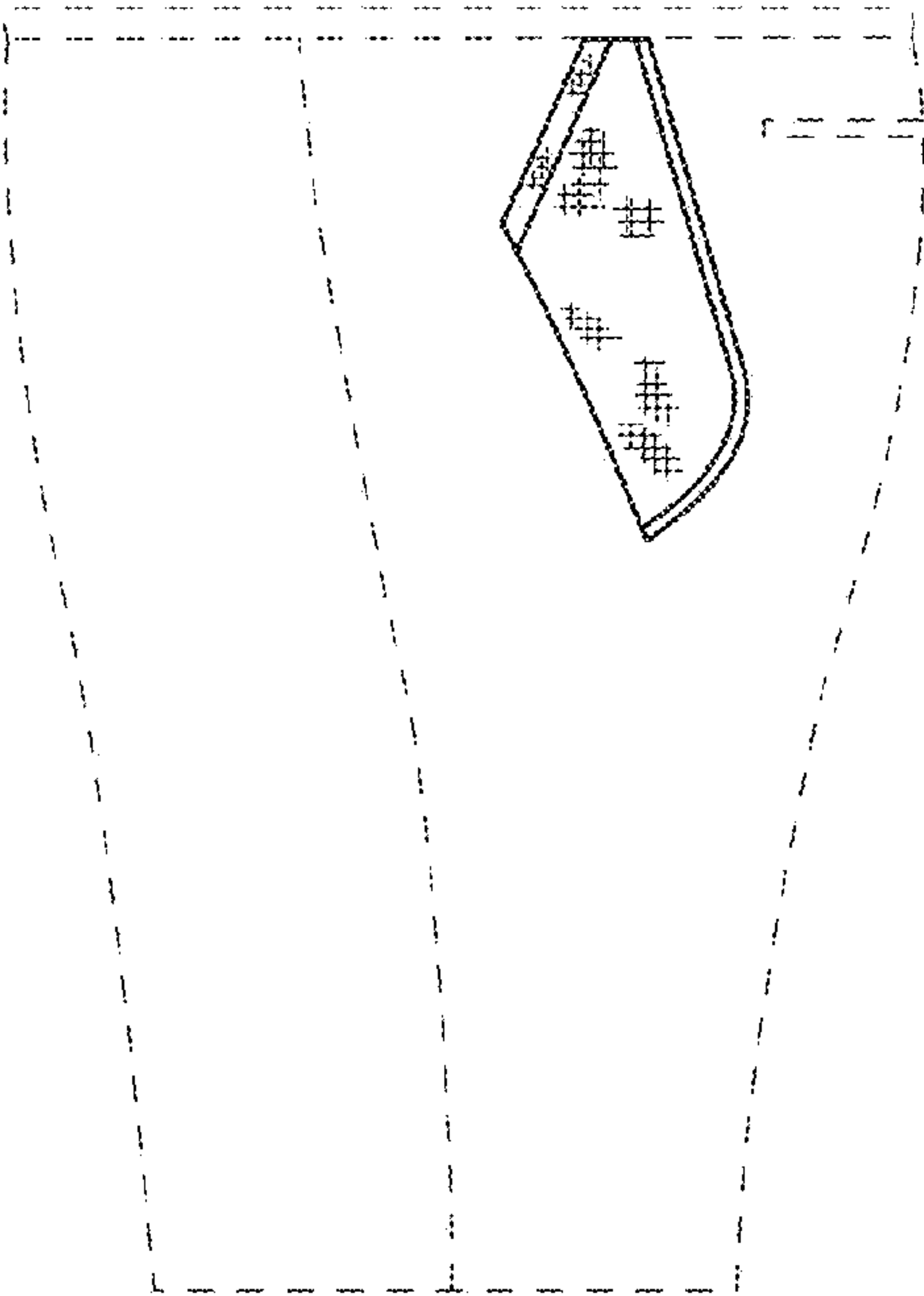


FIG.4

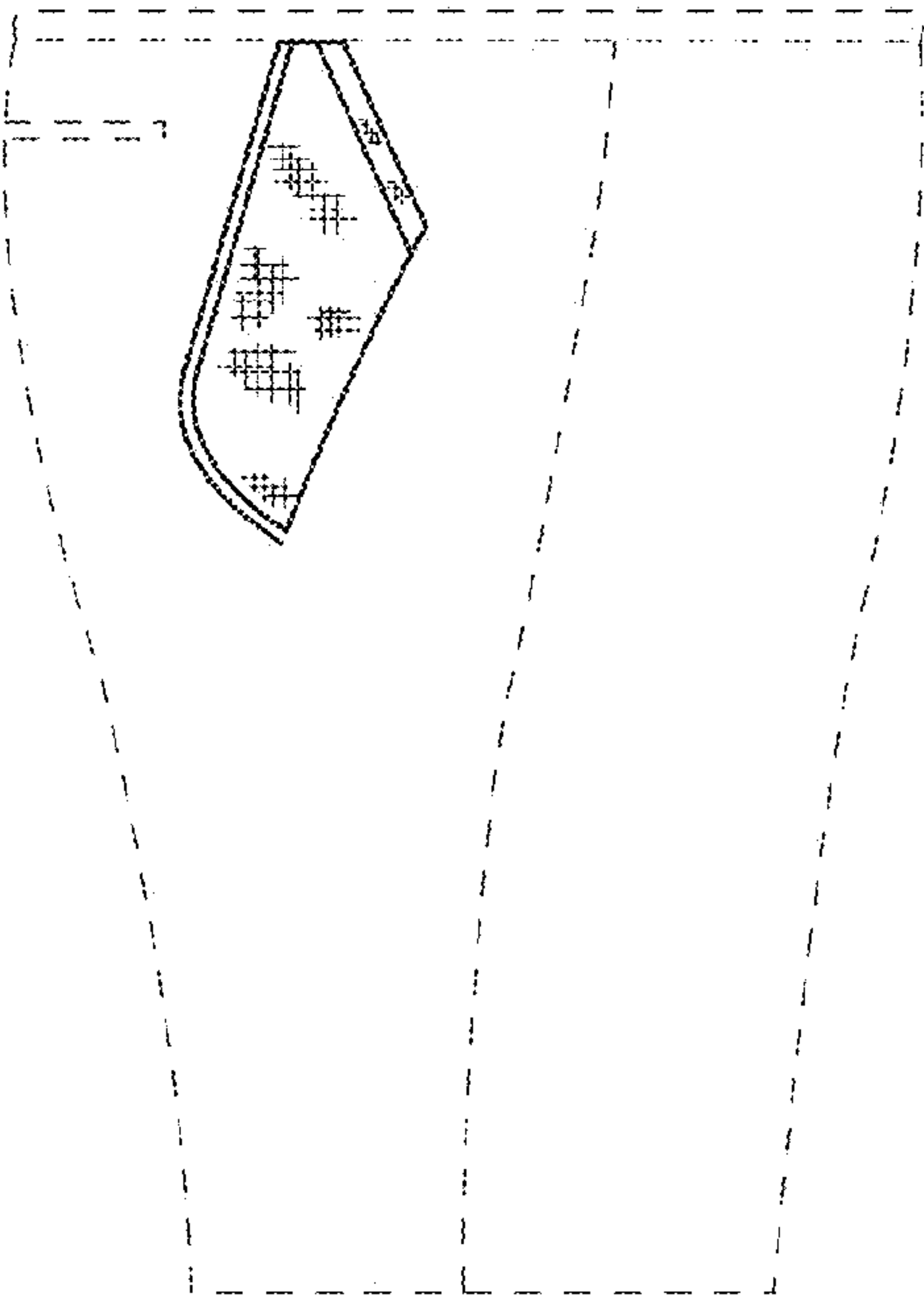


FIG.5

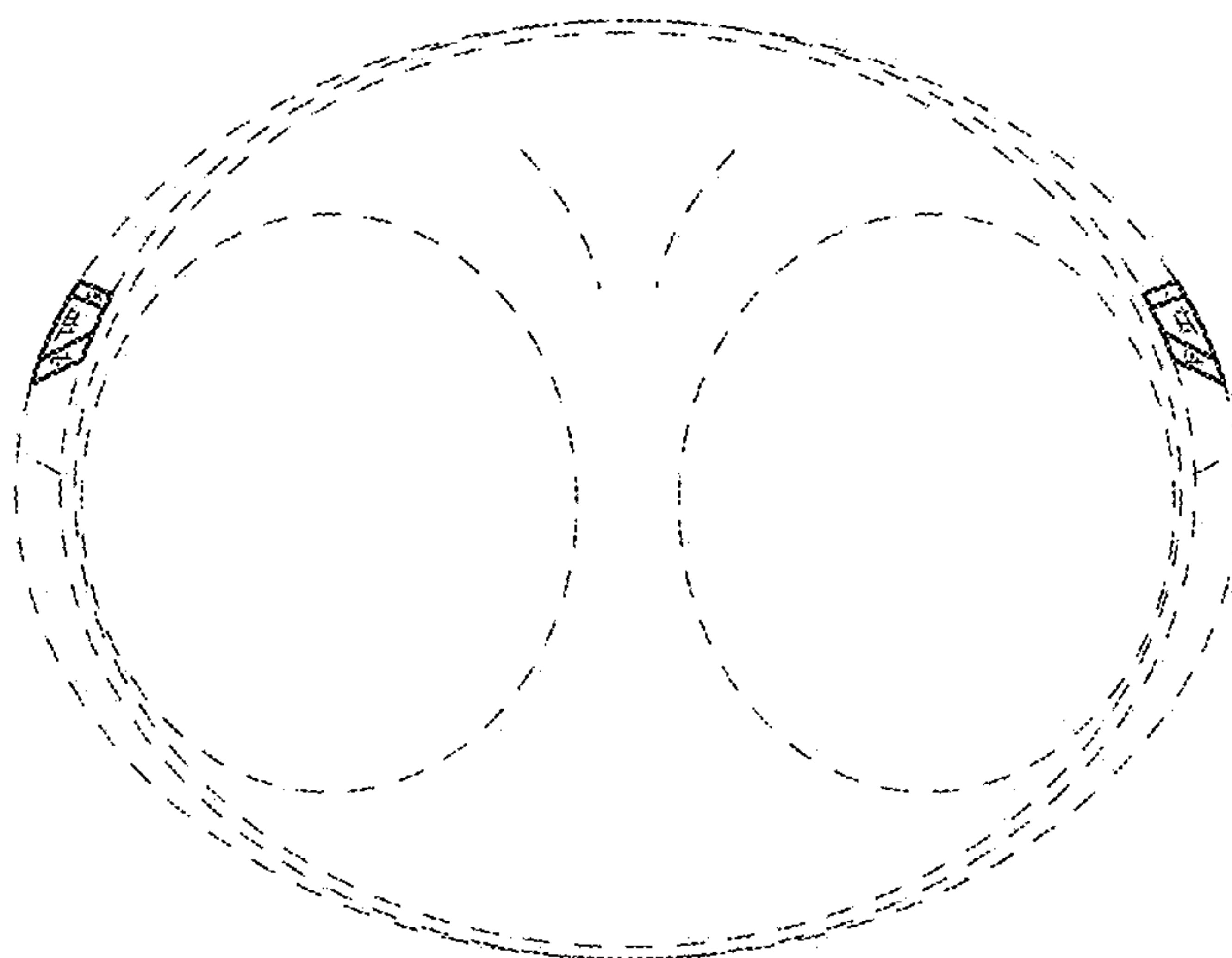


FIG. 6

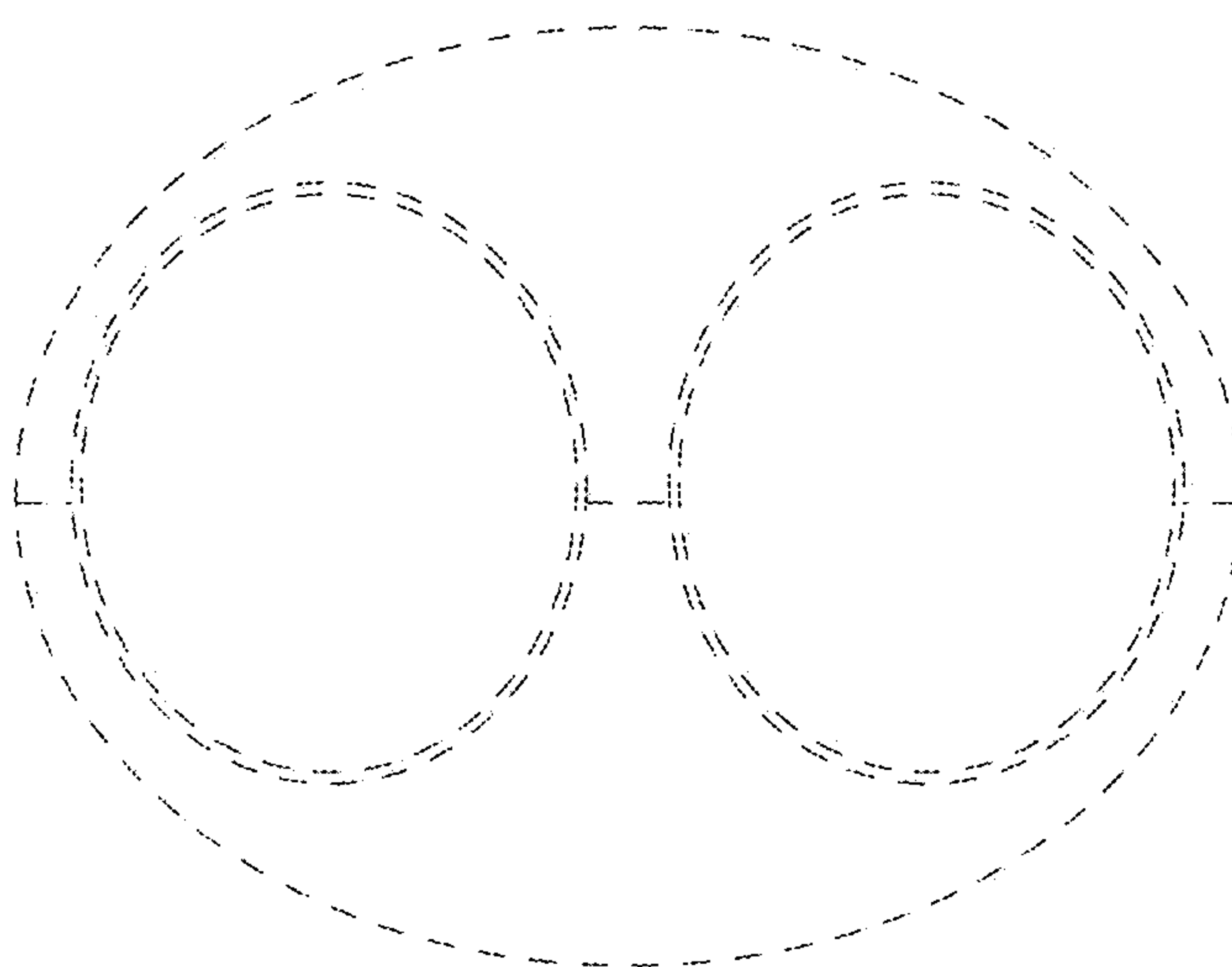


FIG. 7

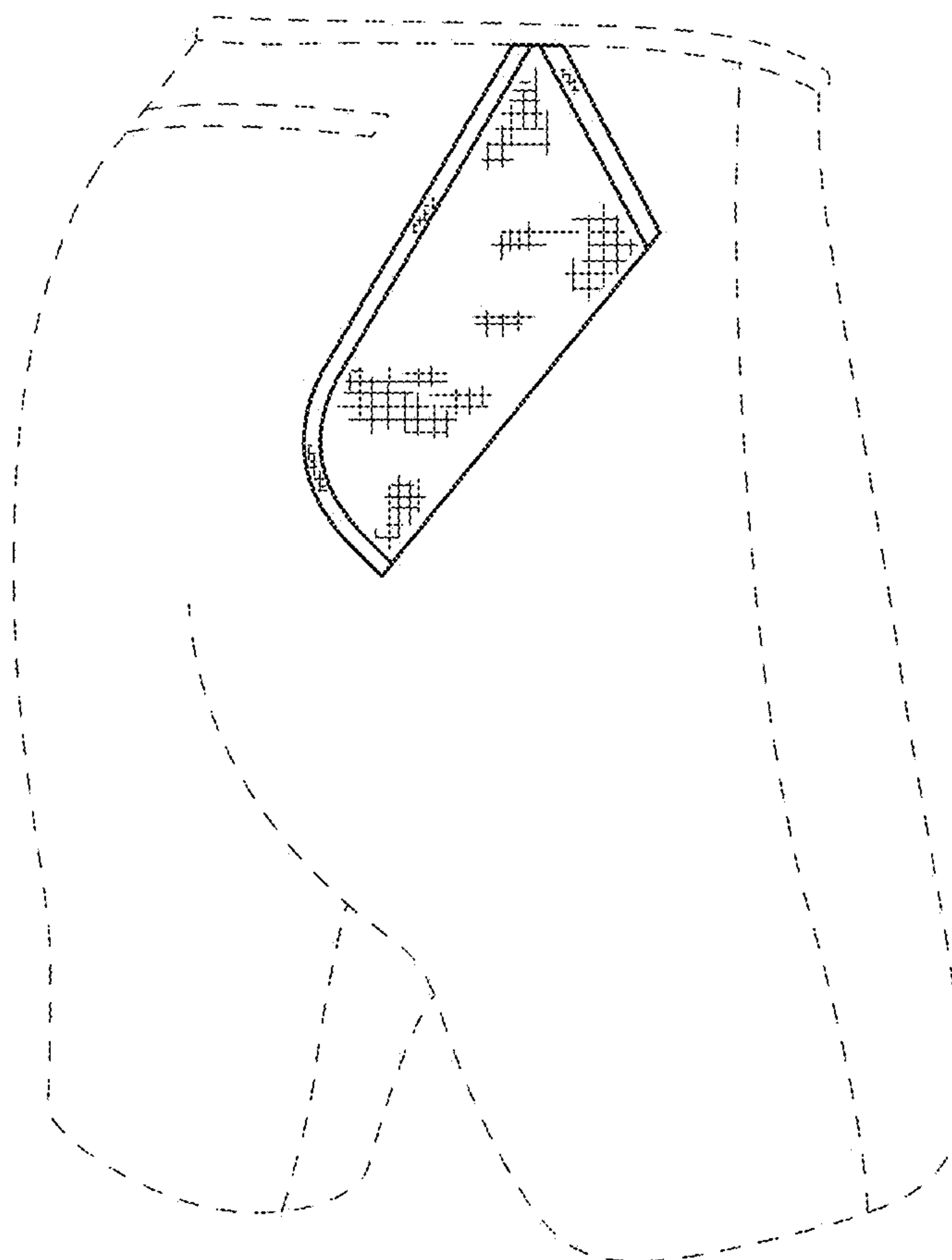


FIG.8

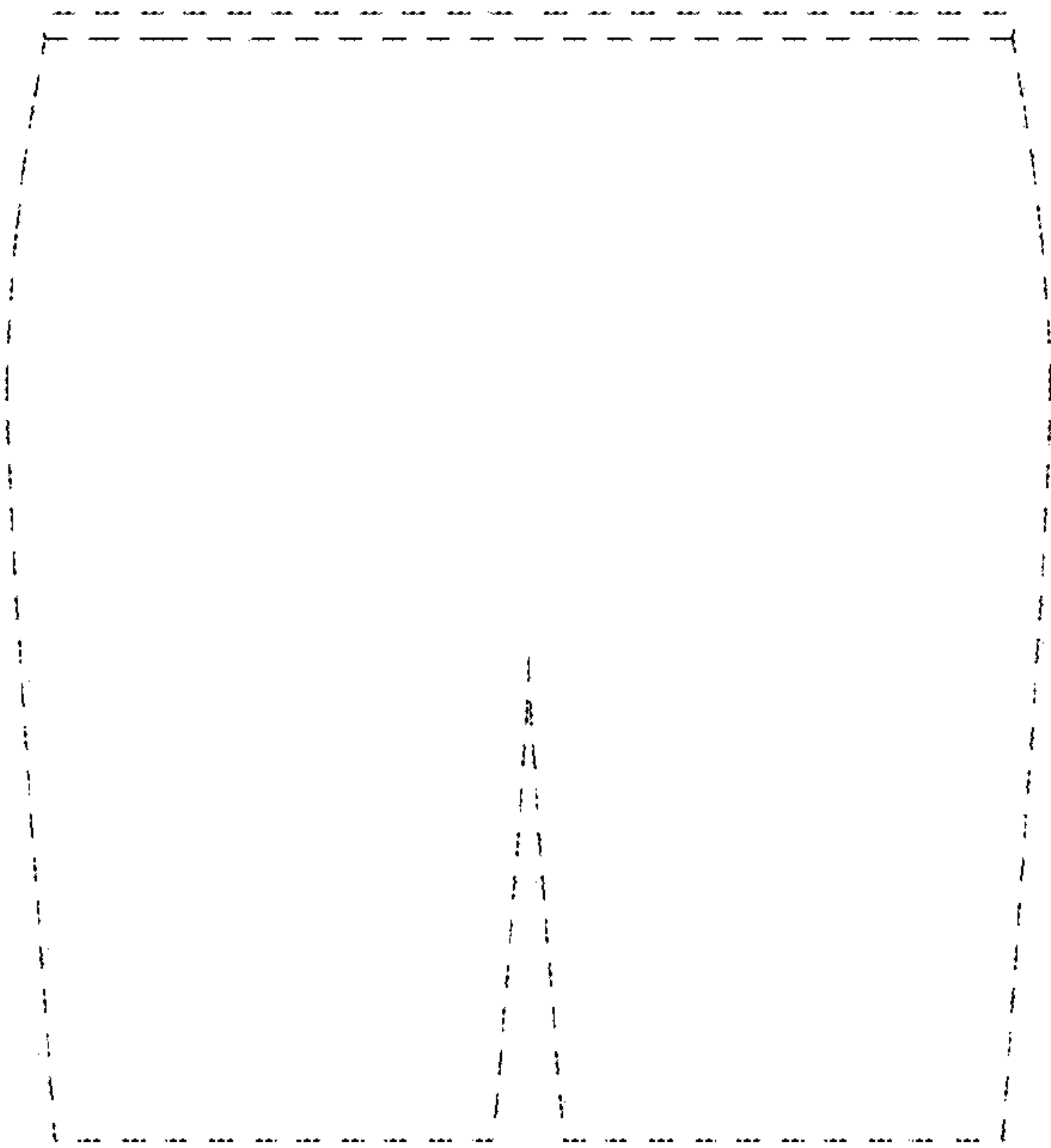
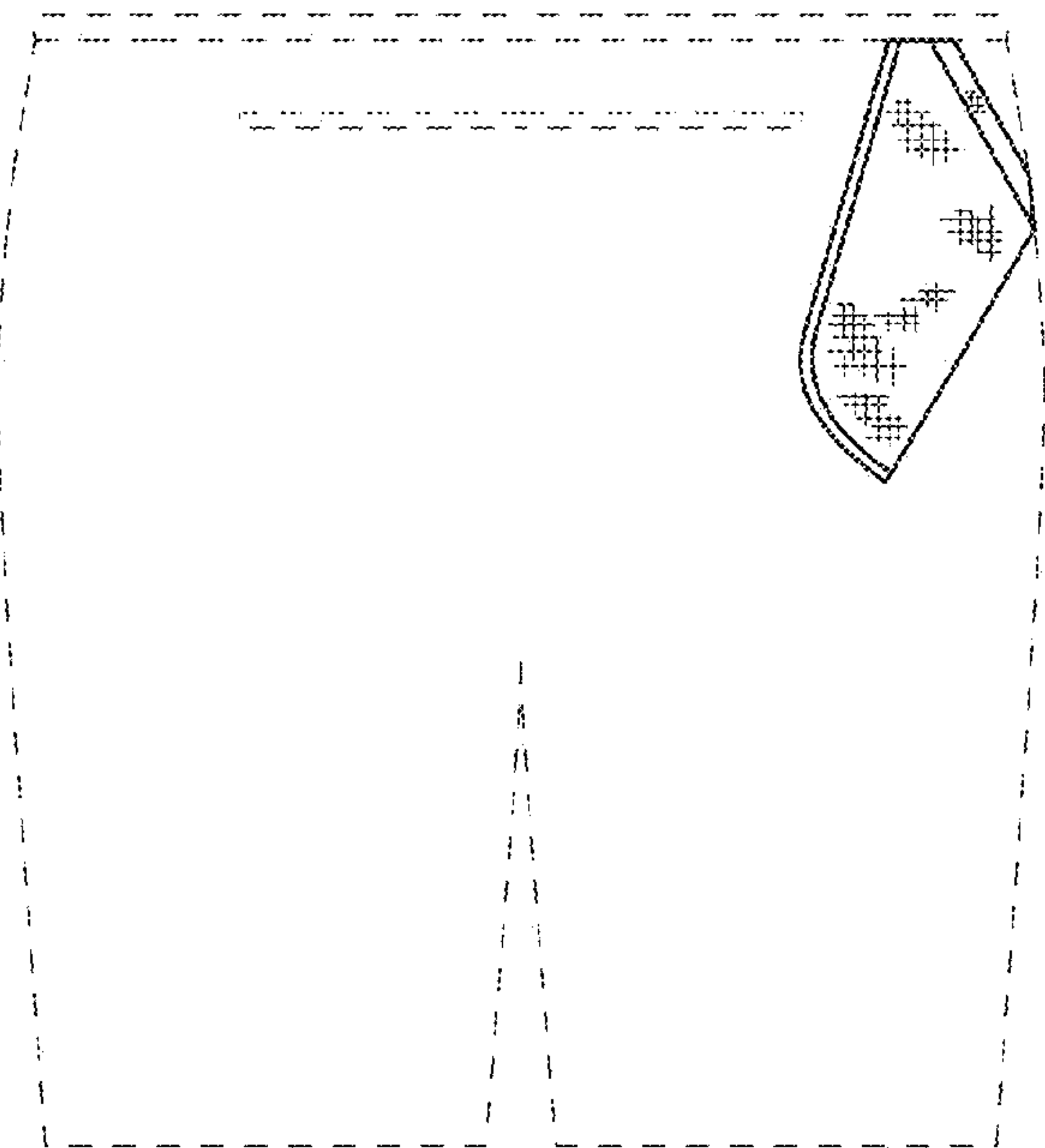


FIG.9

FIG.10



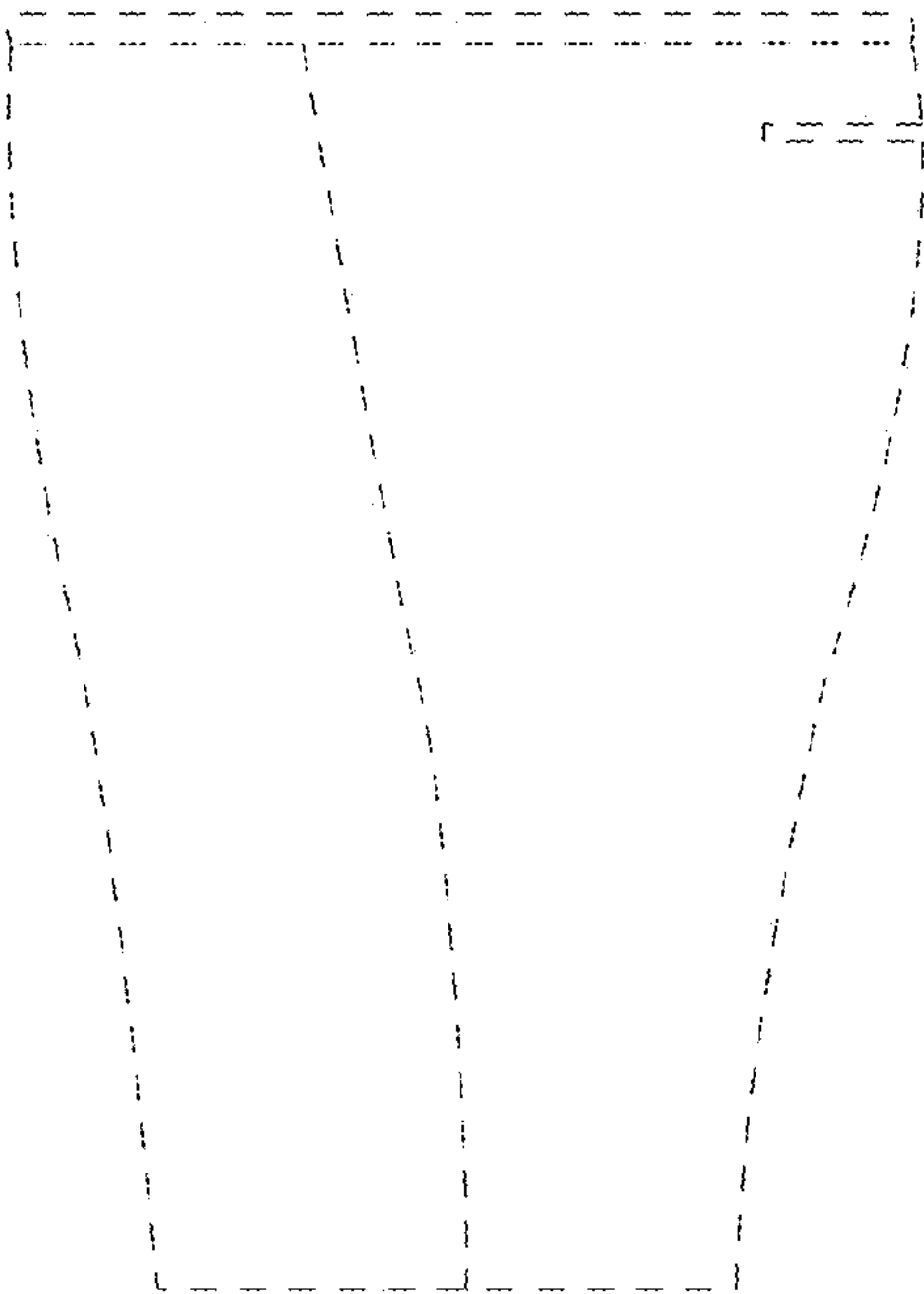


FIG.11

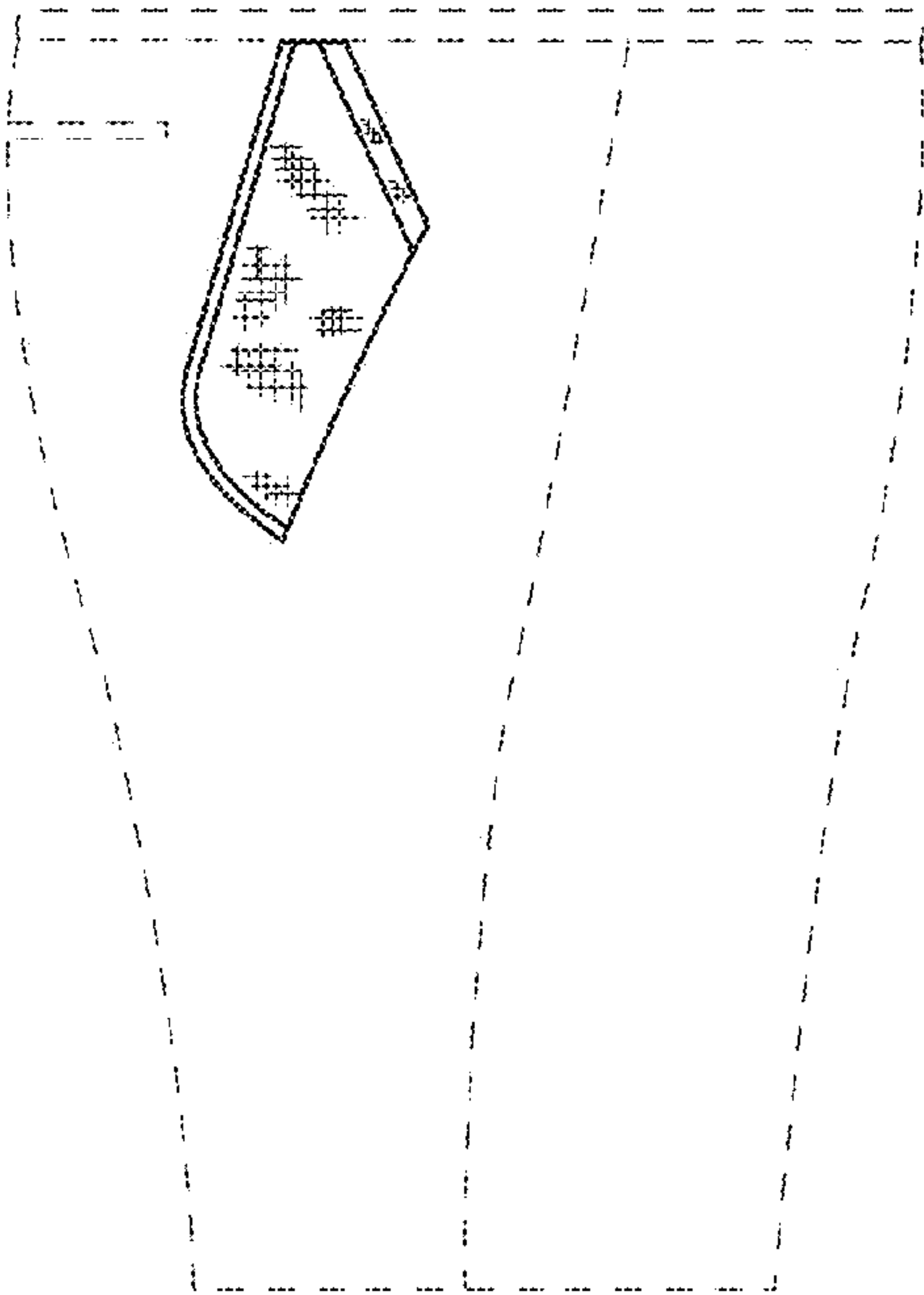


FIG.12

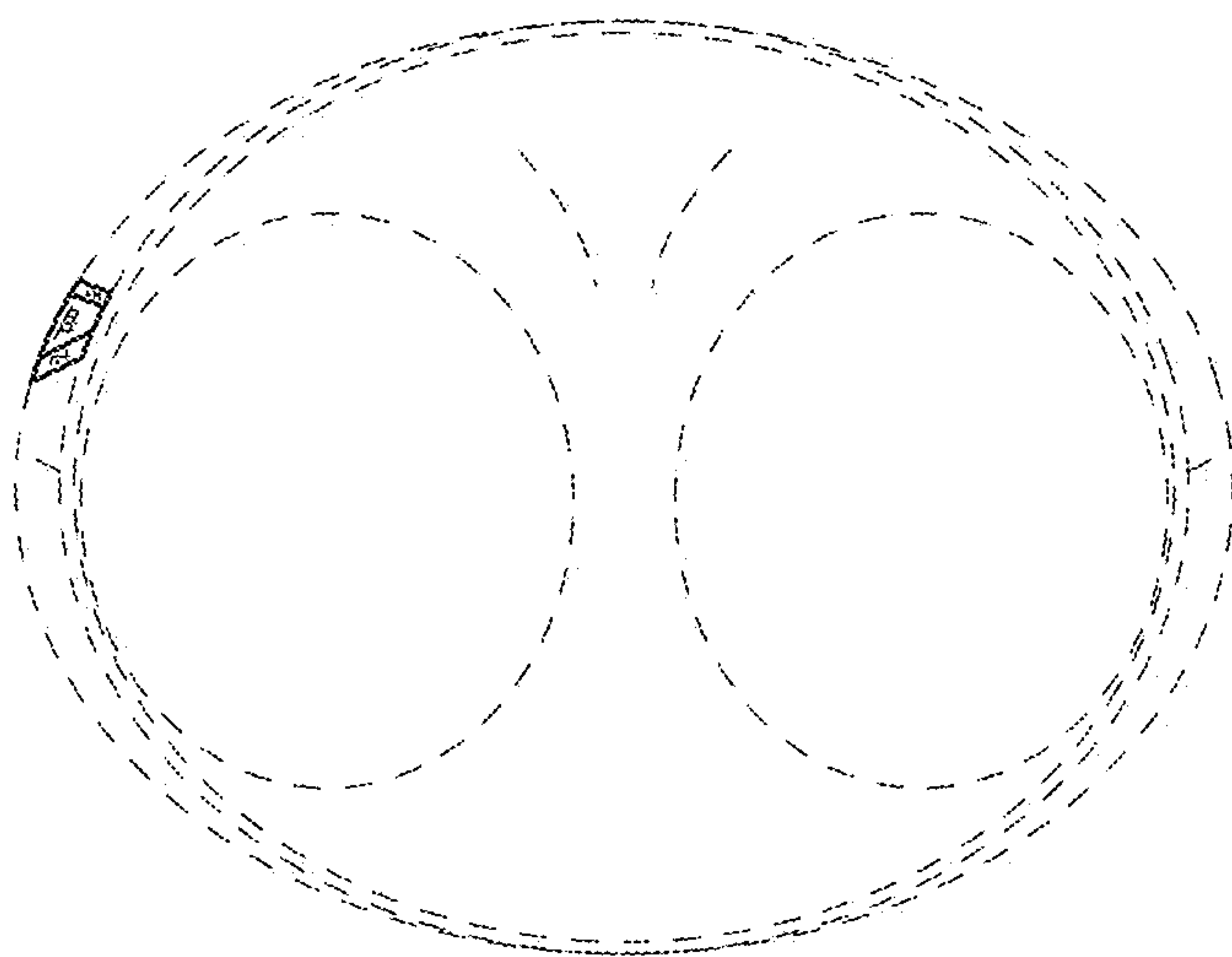


FIG.13

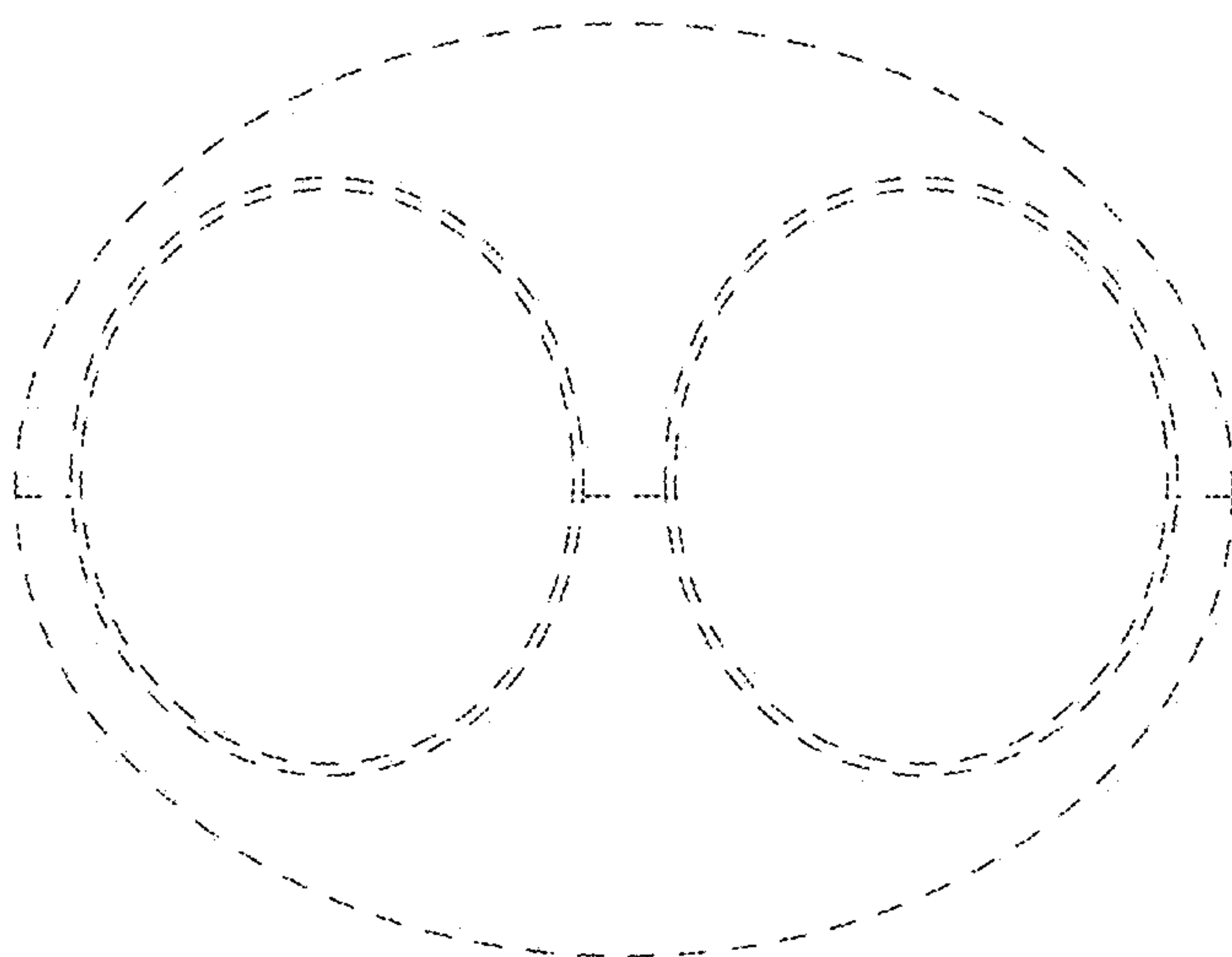


FIG.14

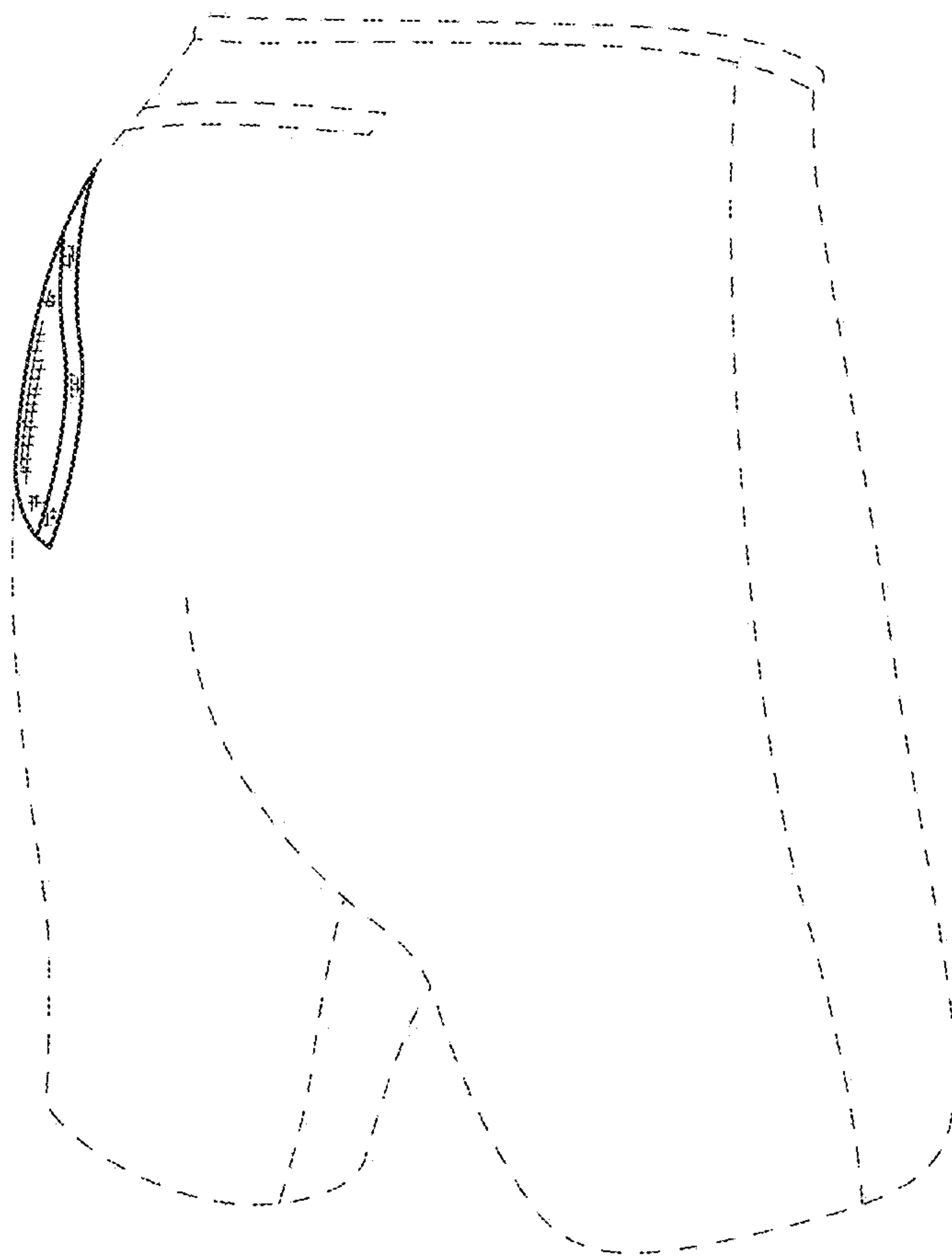


FIG.15

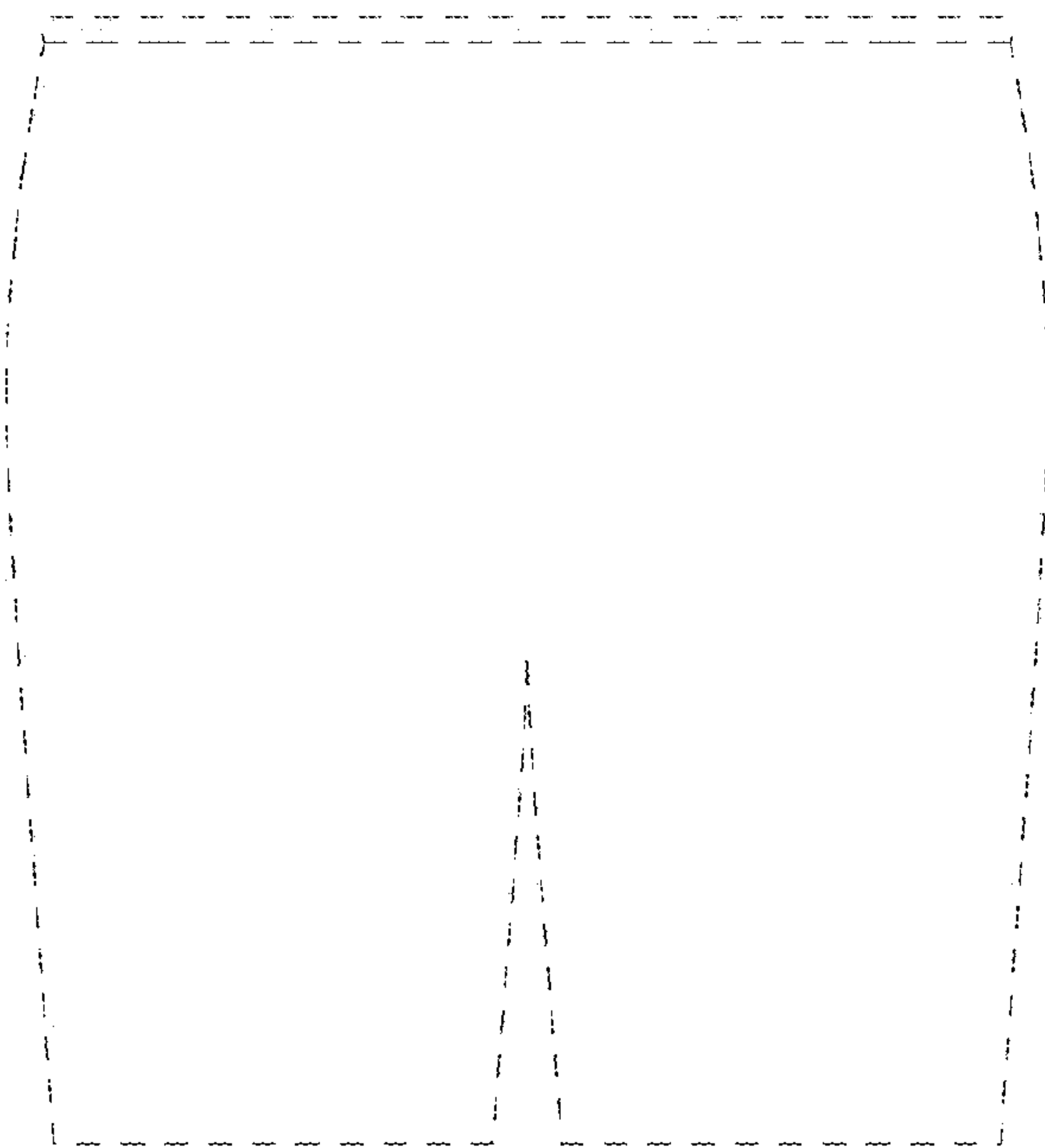


FIG.16

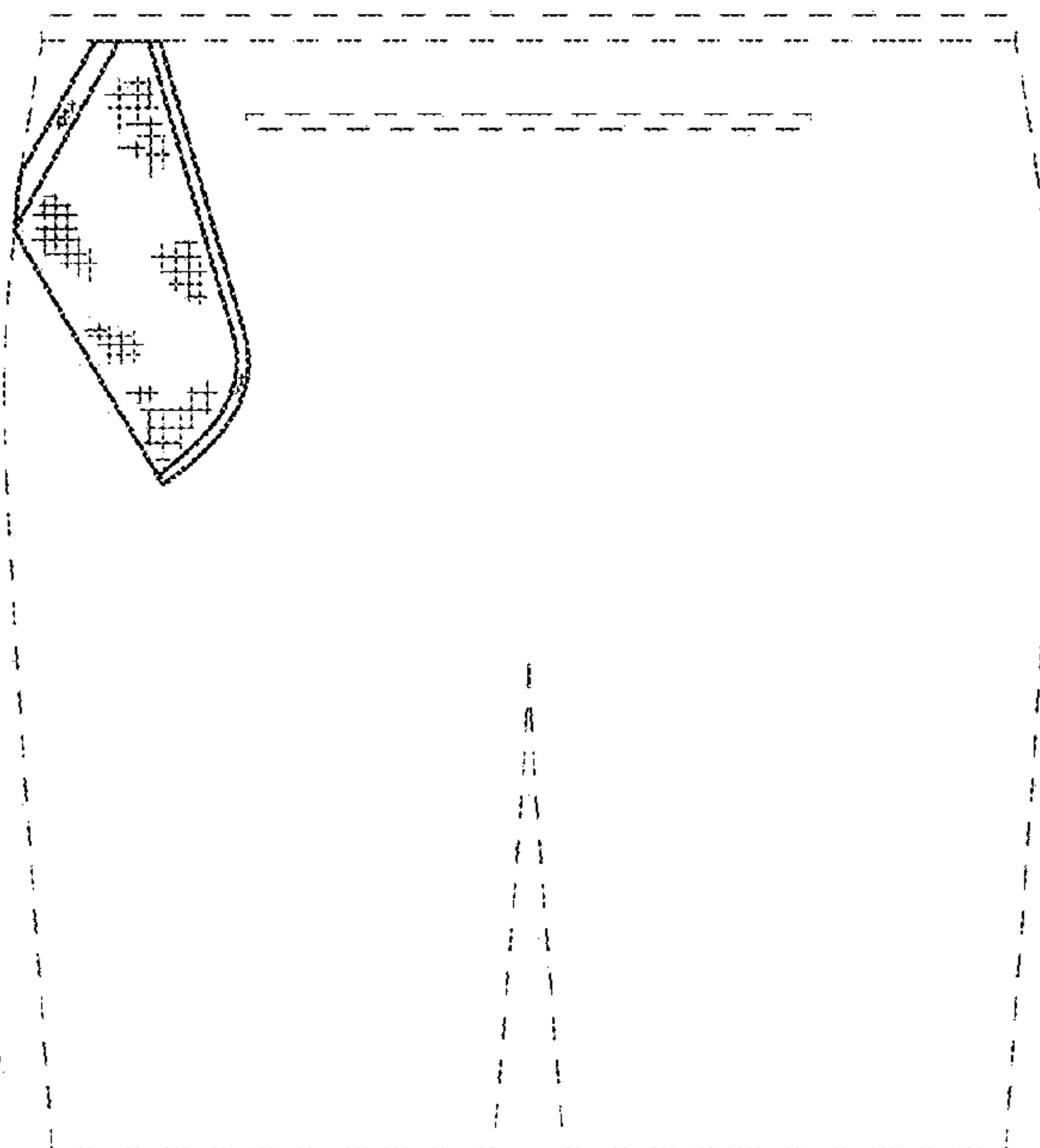


FIG.17

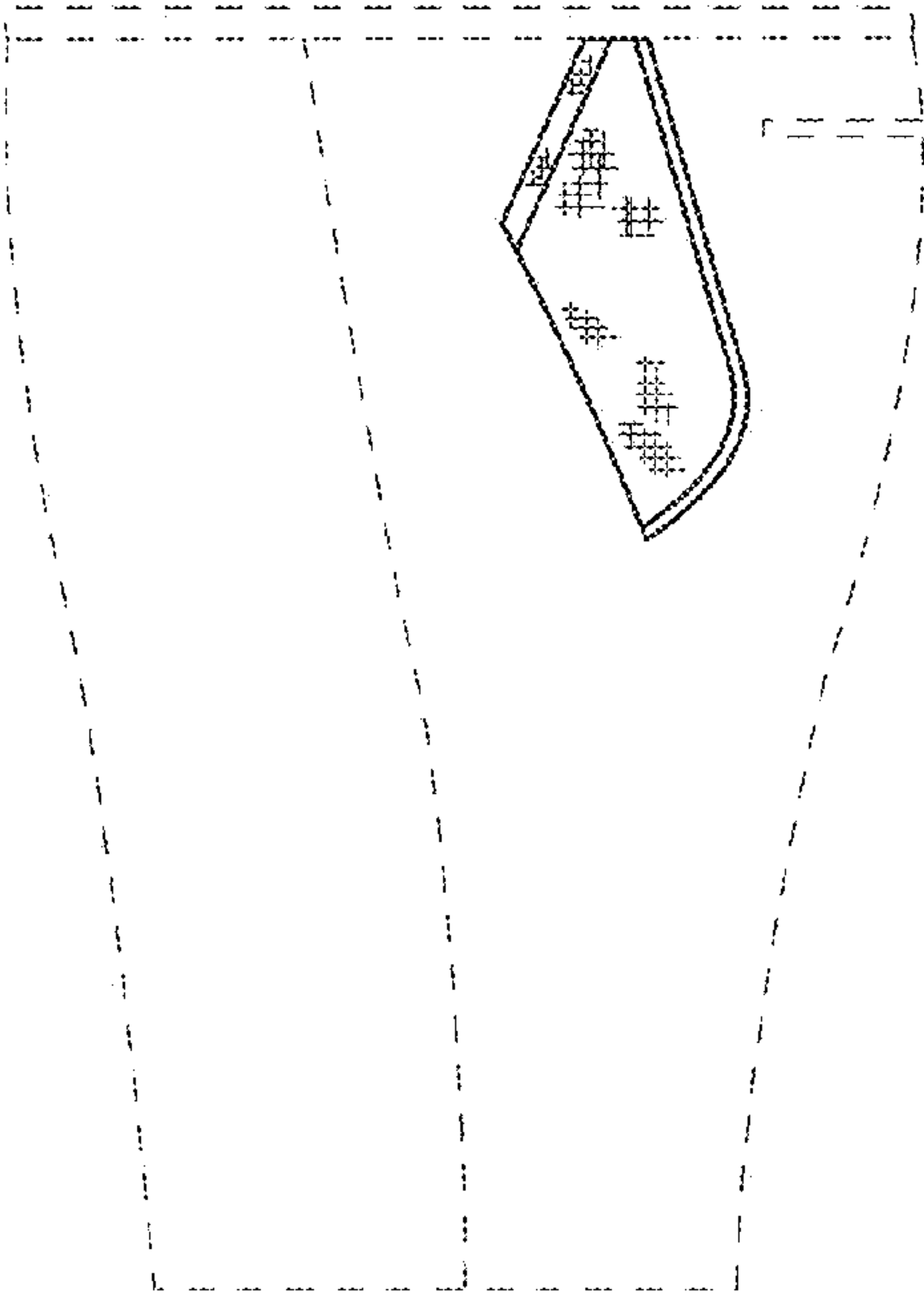


FIG.18

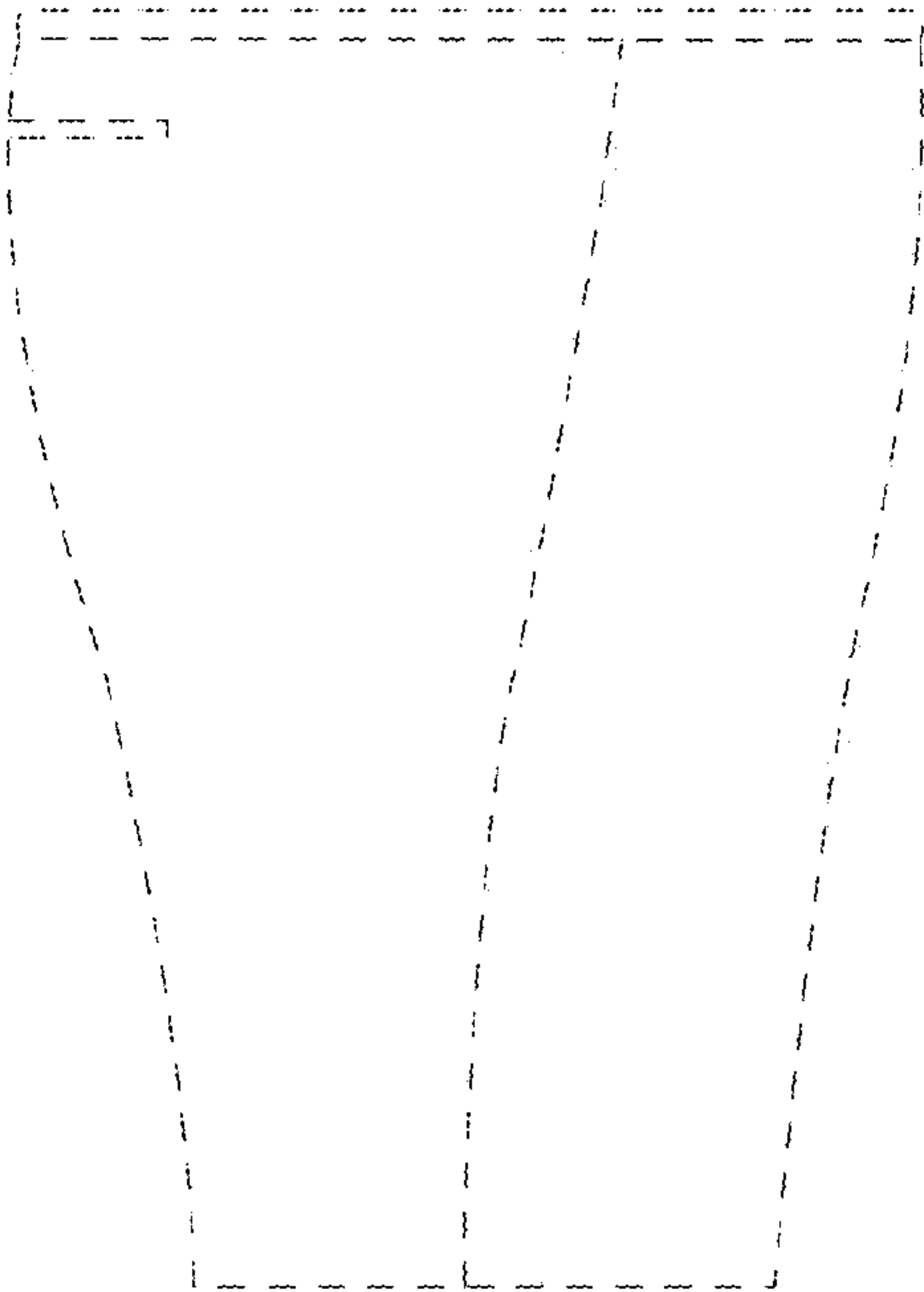


FIG.19

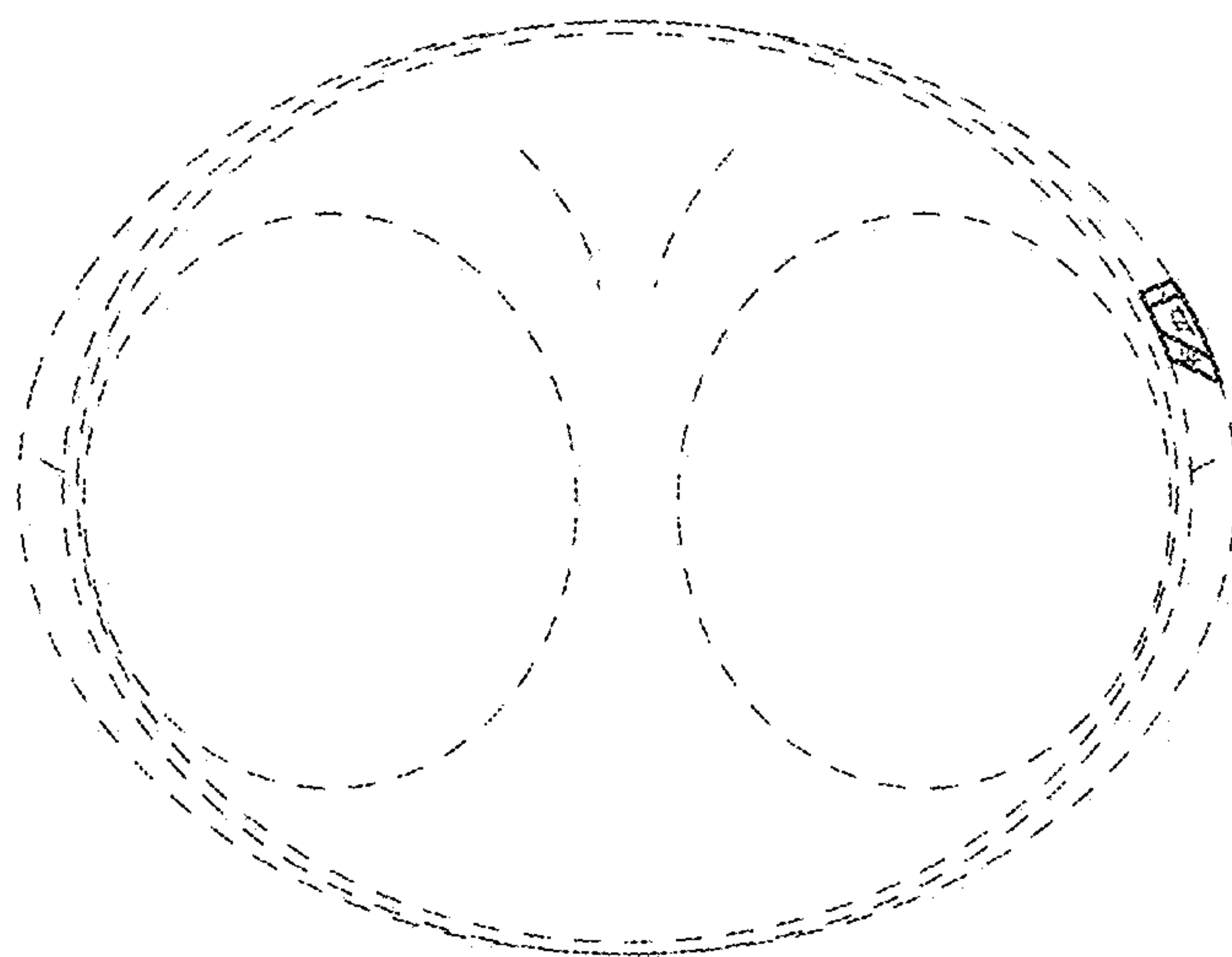


FIG.20

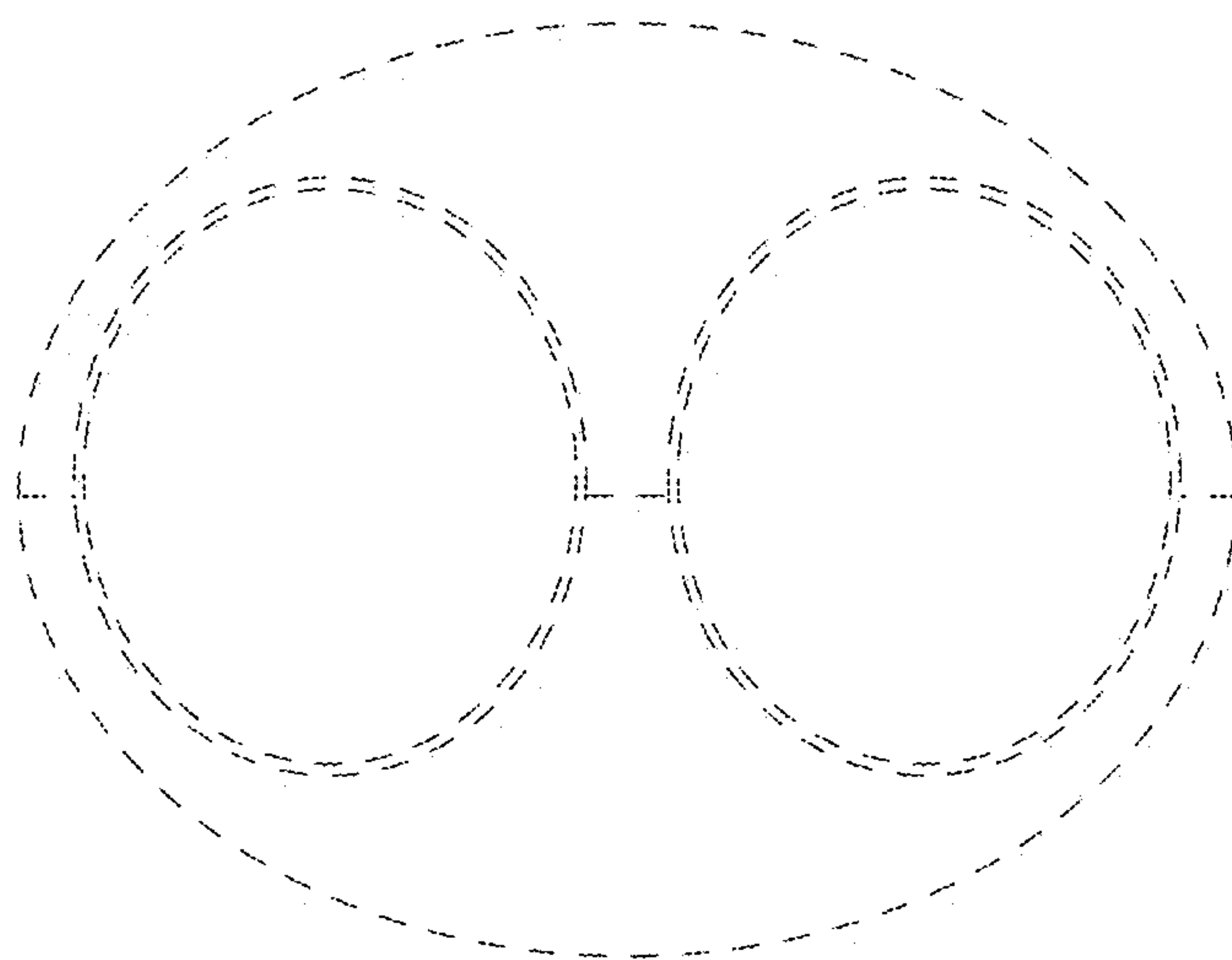


FIG.21