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**Fitzpatrick et al.**

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(54) **BALL CAP HAVING INDICIA COMPRISING A BASKETBALL SKIN**

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(52) **U.S. Cl.**  
USPC ..... **D2/882**

(58) **Field of Classification Search**  
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A42B 1/004; A42B 1/244; A42B 1/245;  
A42B 1/006; A42B 1/04; A42B 1/062;  
A42B 1/063; A42B 1/064; A42B 1/22  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- 4,611,355 A \* 9/1986 Galanto ..... A42B 1/248  
2/209.13
- 4,873,726 A \* 10/1989 Tapia ..... A42B 1/064  
2/10
- D313,496 S \* 1/1991 Pesta ..... D2/869
- D337,645 S \* 7/1993 Guziejka ..... 2/172
- 5,343,567 A \* 9/1994 Zumbiel ..... A42B 1/004  
2/195.1
- 5,359,733 A \* 11/1994 Brannon ..... A42B 1/248  
2/195.1
- 5,410,760 A \* 5/1995 Zumbiel ..... A42B 1/004  
2/195.1
- D359,159 S \* 6/1995 Barker ..... D2/872
- D362,960 S \* 10/1995 Stein ..... D3/226
- D366,064 S \* 1/1996 Milojevich ..... D19/86
- D399,339 S \* 10/1998 Malevitis ..... D2/882
- 5,901,370 A \* 5/1999 Linday ..... A41D 20/00  
2/10

- 6,158,053 A \* 12/2000 Wang ..... A42B 1/004  
2/175.1
- D453,609 S \* 2/2002 Sisera ..... D2/869
- D474,000 S \* 5/2003 O'Dell ..... D2/882
- D502,591 S \* 3/2005 Hathaway ..... D2/869
- D515,281 S \* 2/2006 Luciano ..... D2/615
- D544,180 S \* 6/2007 Cerullo ..... D2/891
- D553,014 S \* 10/2007 Foster ..... D10/6
- D636,562 S \* 4/2011 Lam ..... D2/882
- D659,322 S \* 5/2012 Davis ..... D32/40
- 2001/0034894 A1 \* 11/2001 Godfrey ..... A42B 1/248  
2/209.13
- 2006/0185061 A1 \* 8/2006 Wakefield ..... A42B 1/004  
2/195.1
- 2007/0143906 A1 \* 6/2007 Renteria ..... A42B 1/064  
2/195.1
- 2007/0256213 A1 \* 11/2007 Dunavin ..... A42B 1/069  
2/171

(Continued)

**OTHER PUBLICATIONS**

3D iphone skins (on-line), dated Apr. 25, 2009. Retrieved from Internet Aug. 29, 2015, URL: <http://textually.org/textually/archives/2009/04/> (2 pages).\*

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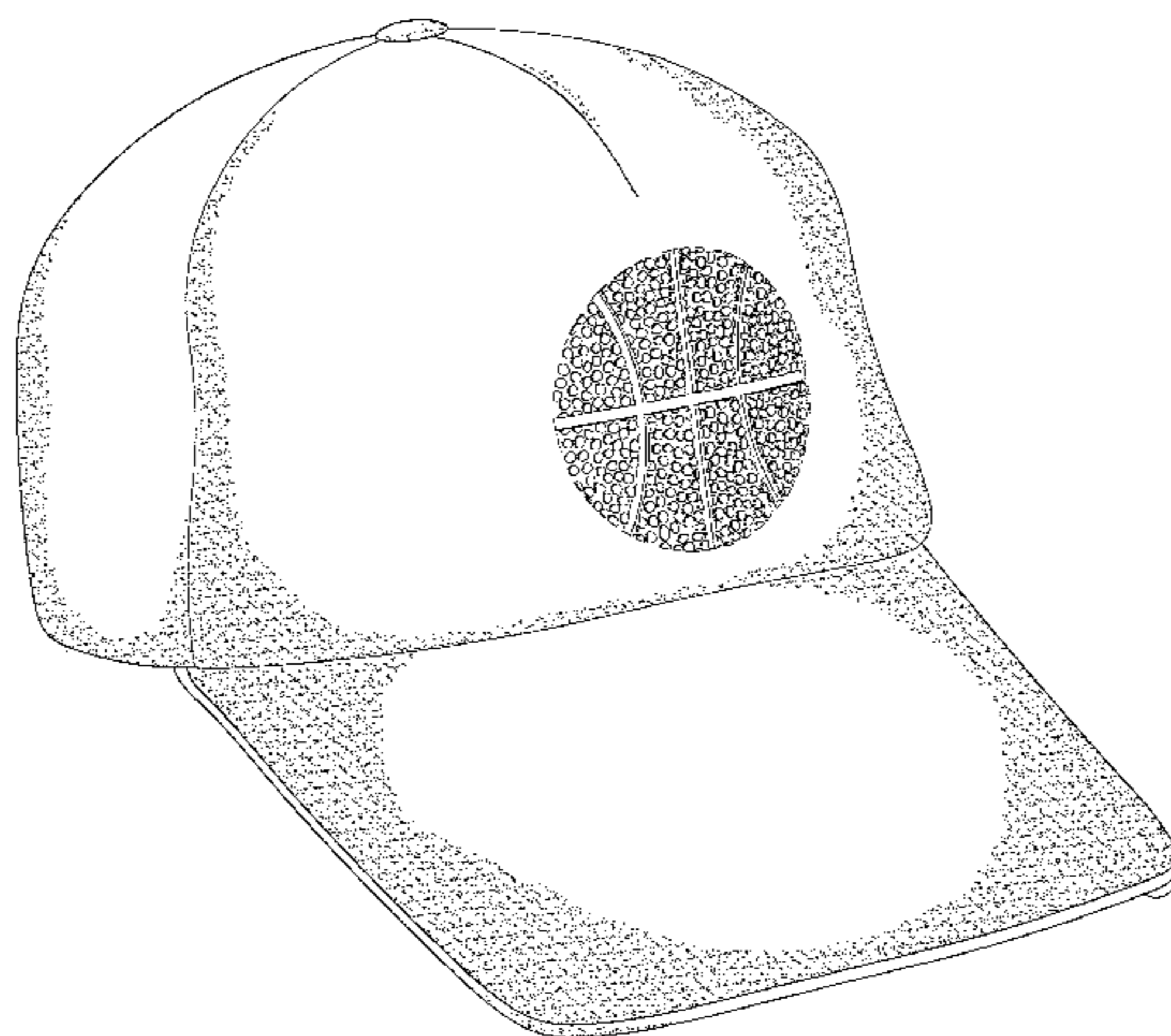
(57) **CLAIM**

The ornamental design for a ball cap having indicia comprising a basketball skin, as shown and described.

**DESCRIPTION**

FIG. 1 is a front, right perspective view of a ball cap having indicia comprising a basketball skin;  
FIG. 2 is a front elevation view thereof;  
FIG. 3 is a left side elevation view thereof;  
FIG. 4 is a right side elevation view thereof; and,  
FIG. 5 is a top plan view thereof.  
A characteristic feature of the design resides in the indicia on the front of the cap that comprises a basketball skin and the texture thereof.

**1 Claim, 5 Drawing Sheets**



# US D748,379 S

Page 2

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(56)

## References Cited

### U.S. PATENT DOCUMENTS

2009/0205109 A1*	8/2009	Butler .....	A42B 1/062 2/195.1
2014/0101824 A1*	4/2014	Spanks .....	A43B 17/18 2/239
2008/0028497 A1*	2/2008	Hayes .....	A42B 1/18 2/171

\* cited by examiner

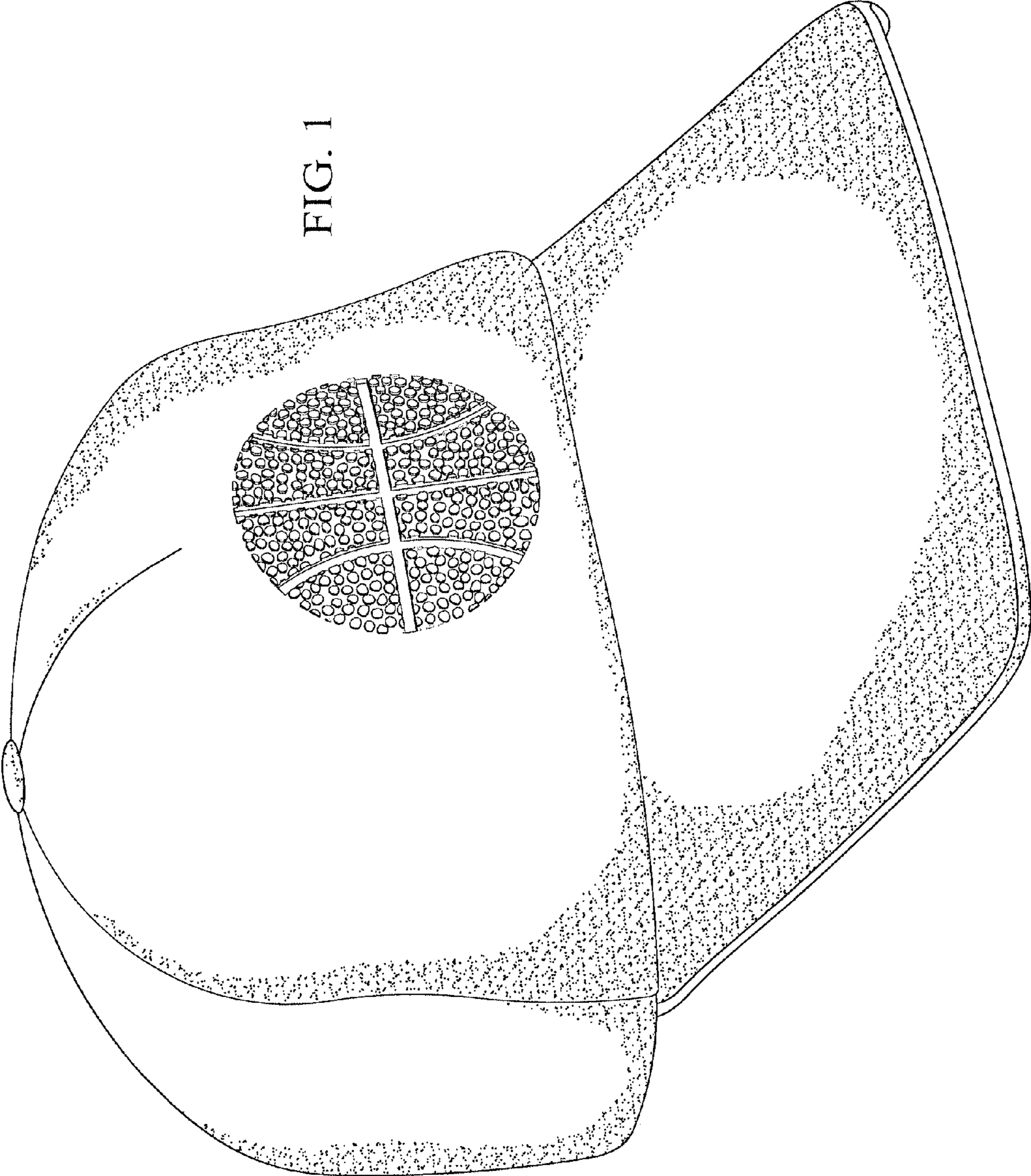


FIG. 1

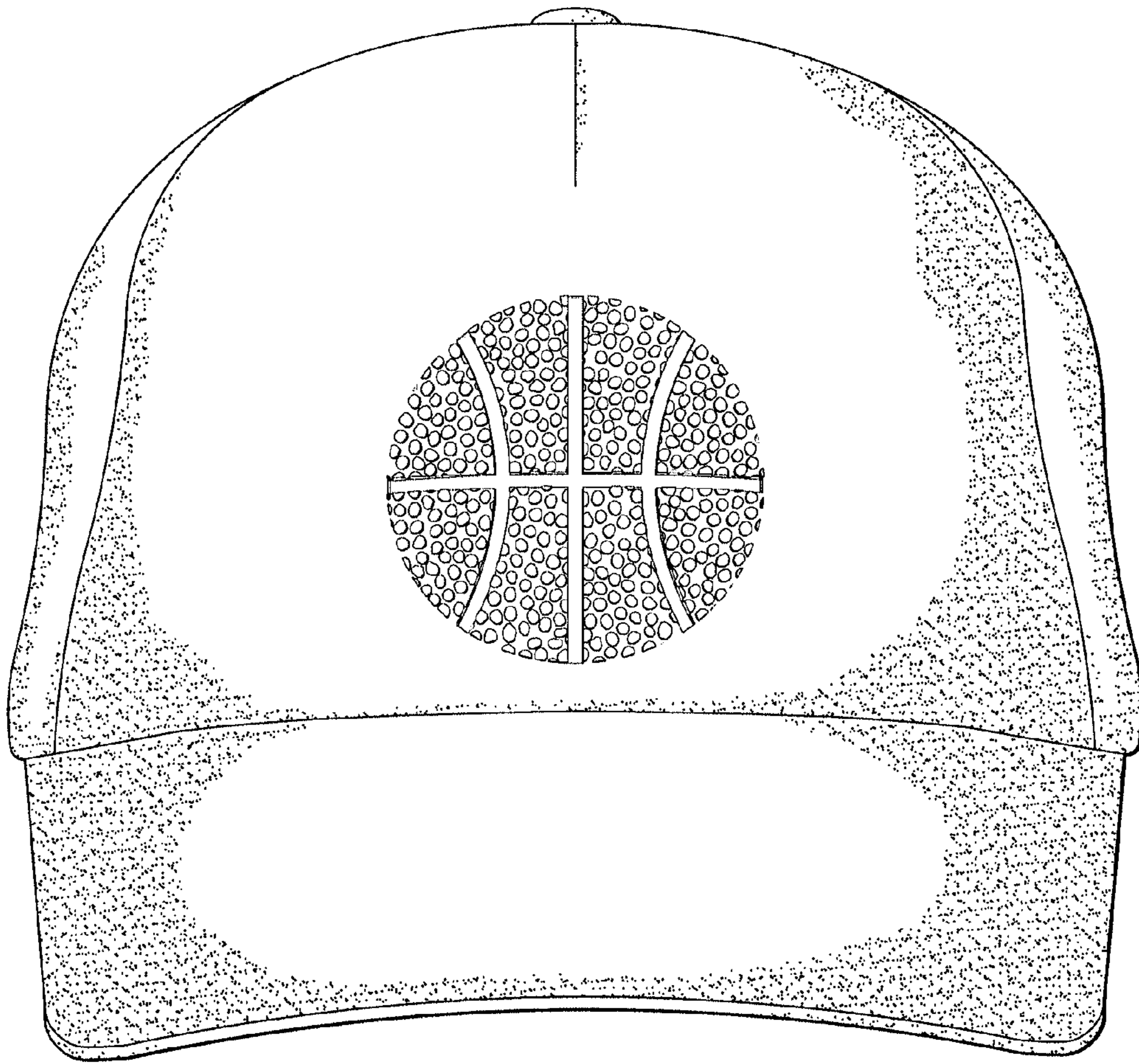


FIG. 2

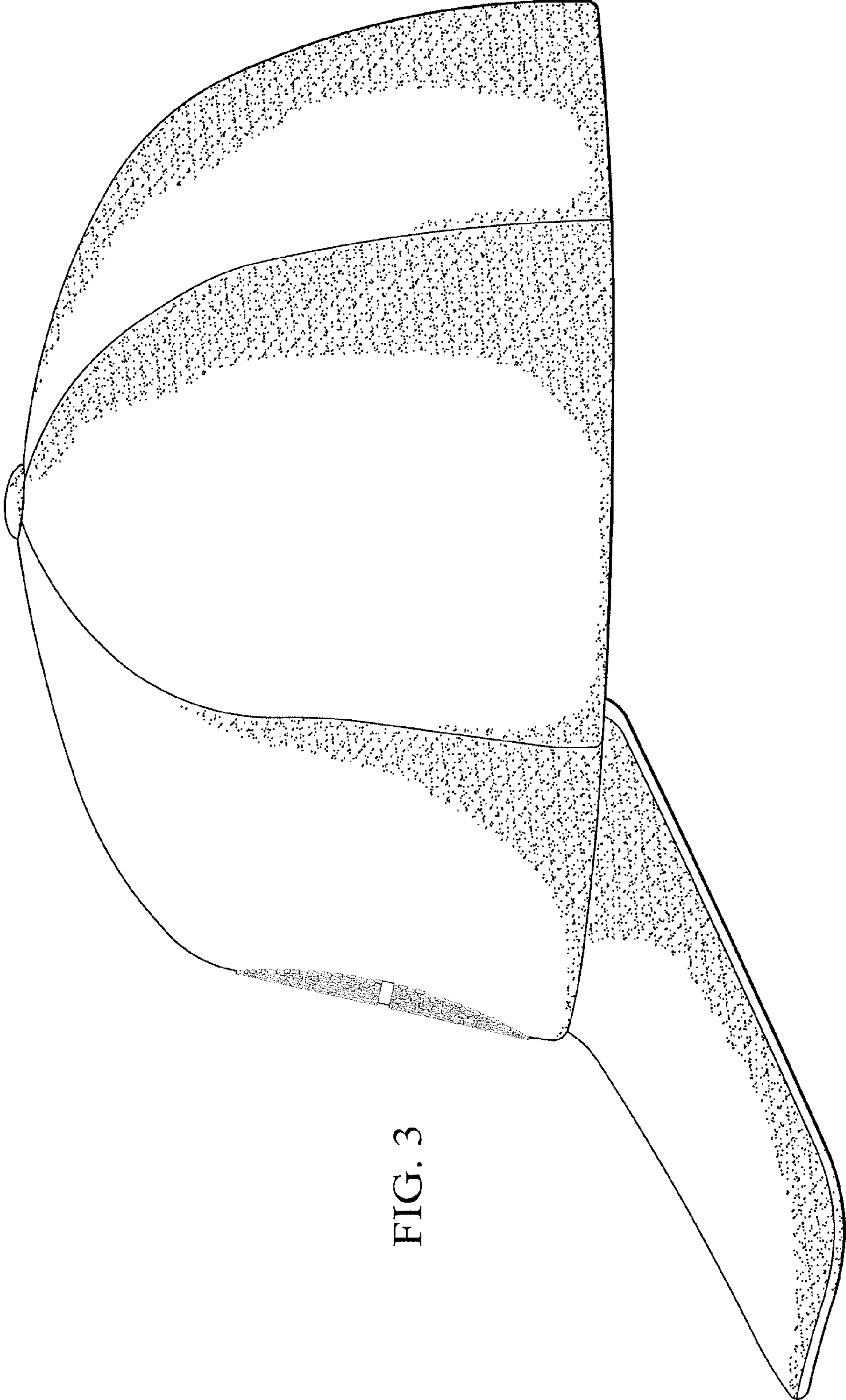


FIG. 3

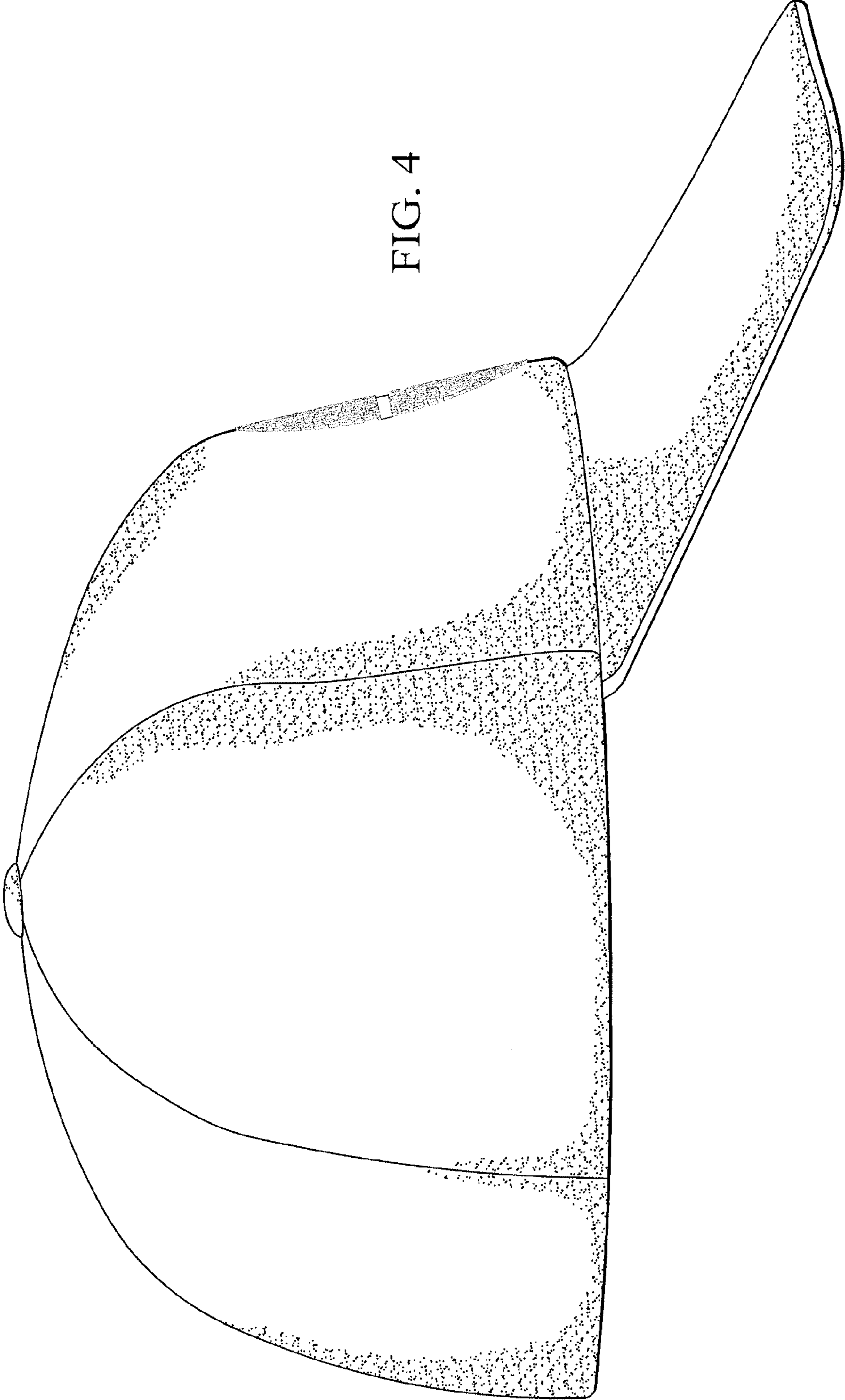


FIG. 4

FIG. 5

