



US00D753904S

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

(10) **Patent No.:** **US D753,904 S**
(45) **Date of Patent:** **** Apr. 19, 2016**

- (54) **BALL CAP WITH INDICIA**
- (71) Applicant: **Ballbusters Mascot & Logos, LLC**,
Seminole, FL (US)
- (72) Inventors: **James A. Fitzpatrick**, Seminole, FL
(US); **Christopher M. Fitzpatrick**,
Friendwood, TX (US)
- (73) Assignee: **Game Day Ready, LLC**, Clearwater, FL
(US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/472,161**
- (22) Filed: **Nov. 8, 2013**
- (51) **LOC (10) Cl.** **02-03**
- (52) **U.S. Cl.**
USPC **D2/869; D2/882**
- (58) **Field of Classification Search**
USPC D2/865, 866, 868, 869, 872, 874, 877,
D2/879, 881, 882, 884, 891, 895;
D11/200; D21/386, 712; 2/171, 175.1,
2/183, 195.1, 209.12, 209.13, 209.3
CPC A41B 1/00; A41B 1/22; A41B 1/248;
A41B 1/24; A41B 1/225
See application file for complete search history.

- D453,201 S * 1/2002 Frisina D21/712
- D453,261 S * 2/2002 Pisarevsky D2/882
- D517,125 S * 3/2006 Crasnick D21/390
- 7,062,793 B2 * 6/2006 Liao 2/172
- D551,721 S * 9/2007 Cooper D21/406
- D584,778 S * 1/2009 Bevier D21/712
- D619,789 S * 7/2010 Barany D2/882
- D635,336 S * 4/2011 Alger D2/866
- D636,562 S * 4/2011 Lam et al. D2/882

(Continued)

OTHER PUBLICATIONS

“2014 New Classic Football Throwback Leather Red Strapback Hats,” available for sale online at Ali Express. Retrieved on Mar. 9, 2015. URL: <http://www.aliexpress.com/item/2014-NEW-Classic-Football-Throwback-Leather-red-Strapback-hats-brand-name-sport-baseball-vintage-snap-back/32216420604.html>. (2 pages).*

(Continued)

Primary Examiner — Karen E. Eldridge Powers
Assistant Examiner — Jasmine Mlinarcik
(74) *Attorney, Agent, or Firm* — George P. Kobler

(57) **CLAIM**

An ornamental design for a ball cap with indicia comprising a football skin, as shown and described.

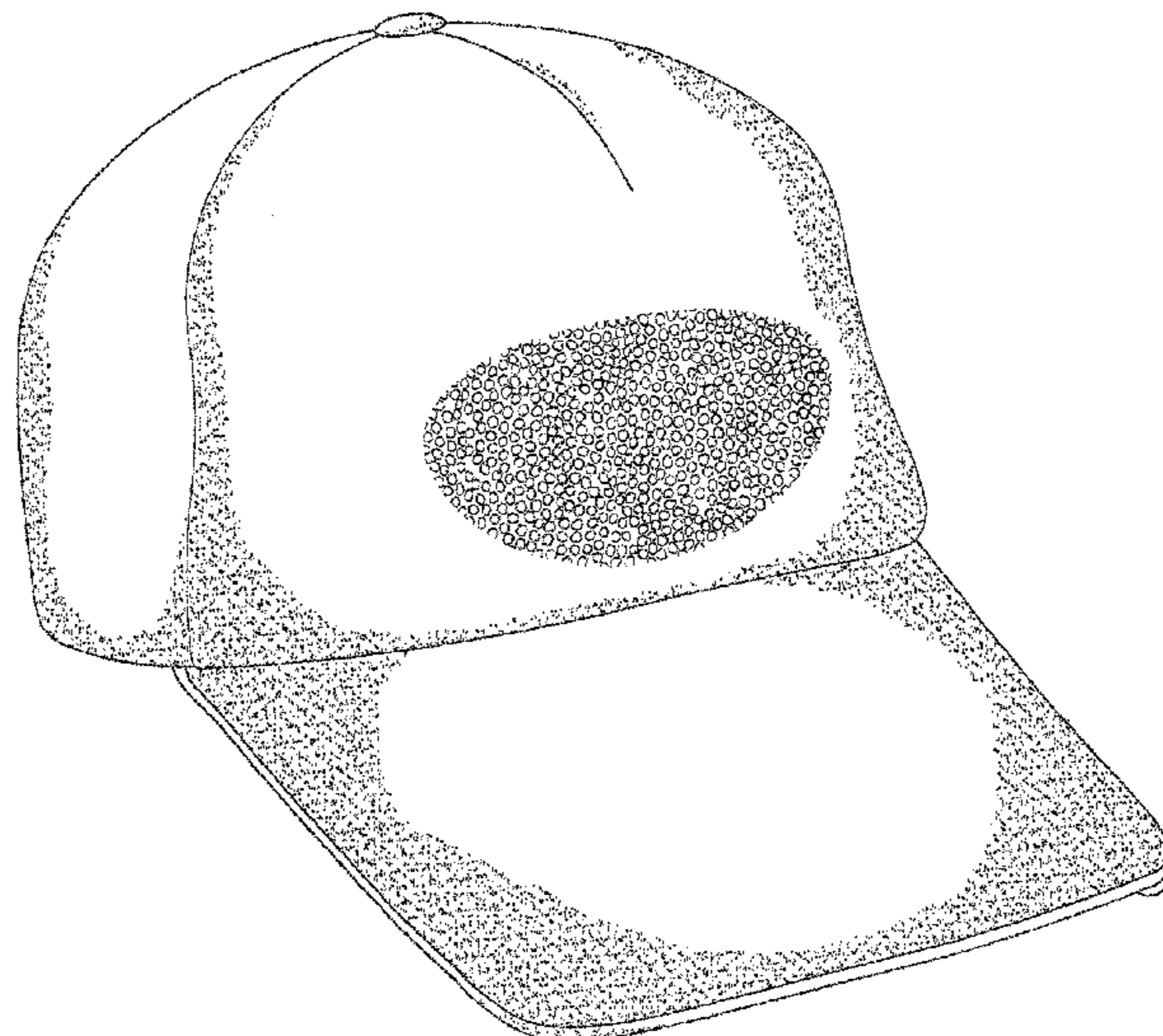
DESCRIPTION

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

1 Claim, 5 Drawing Sheets

(56) **References Cited**
U.S. PATENT DOCUMENTS

- D80,328 S * 1/1930 Mann D11/200
- D80,329 S * 1/1930 Mann D11/200
- D316,279 S * 4/1991 Reynolds D21/386
- 5,359,733 A * 11/1994 Brannon et al. 2/195.1
- 5,740,557 A * 4/1998 Reid et al. 2/209.13
- D396,546 S * 8/1998 Marrs D2/881
- D407,890 S * 4/1999 Frank D2/884
- D414,219 S * 9/1999 Karls D21/386
- D416,666 S * 11/1999 Ballew D2/882
- 6,154,992 A * 12/2000 Lee 40/329



(56)

References Cited

U.S. PATENT DOCUMENTS

D709,675 S * 7/2014 Cho D2/882
8,869,312 B2 * 10/2014 Tuohy et al. 2/209.13
2010/0299979 A1 * 12/2010 LaMere 40/329

OTHER PUBLICATIONS

“2014 Fashion Casual Baseball Cap Winter Leather Biker Trucker Outdoor Sports Snapback Hats Unisex Caps,” available for sale on Ali Express. Retrieved on Mar. 9, 2015. URL: <http://www.aliexpress.com/item/2014-High-Quality-Baseball-Cap-Winter-Leather-Biker-Trucker-Outdoor-Sports-Snapback-Hats-Unisex-Caps-199/32226704476.html>.

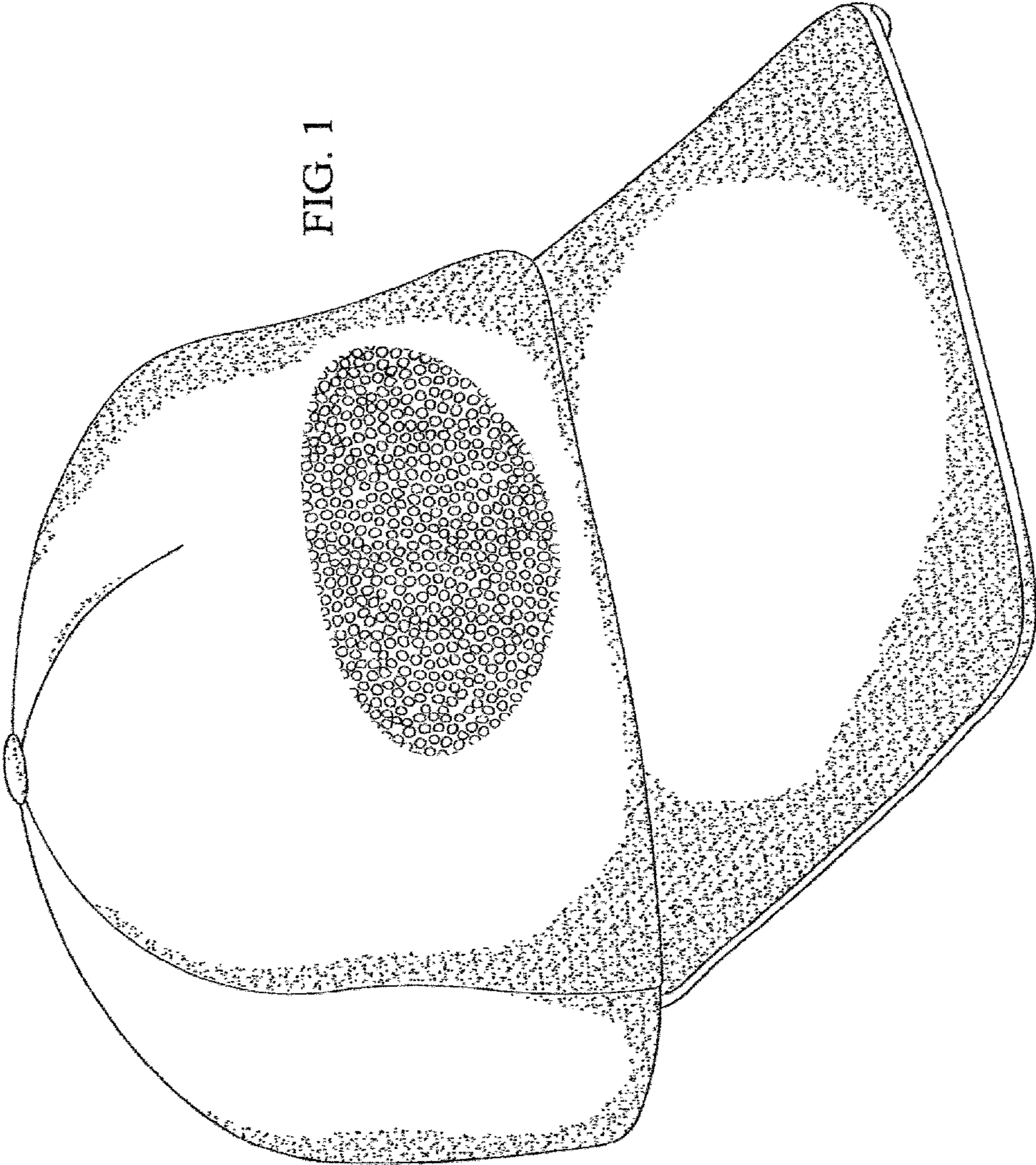
com/item/2014-High-Quality-Baseball-Cap-Winter-Leather-Biker-Trucker-Outdoor-Sports-Snapback-Hats-Unisex-Caps-199/32226704476.html. (3 pages).*

Football image available on-line. Publication date unknown. Retrieved from the Internet on Nov. 29, 2015. URL: <https://www.bigtimefootballs.com/catalog/?category=3148&product=5635>. (1 page).*

“Turn of the Century Melon Style Football made by Reach,” images available on-line. Publication date unknown. Retrieved from the Internet on Nov. 29, 2015. URL: <http://www.sports-memorabilia-museum.com/football-history/vintage-equipment.shtml>. (3 pages).*

* cited by examiner

FIG. 1



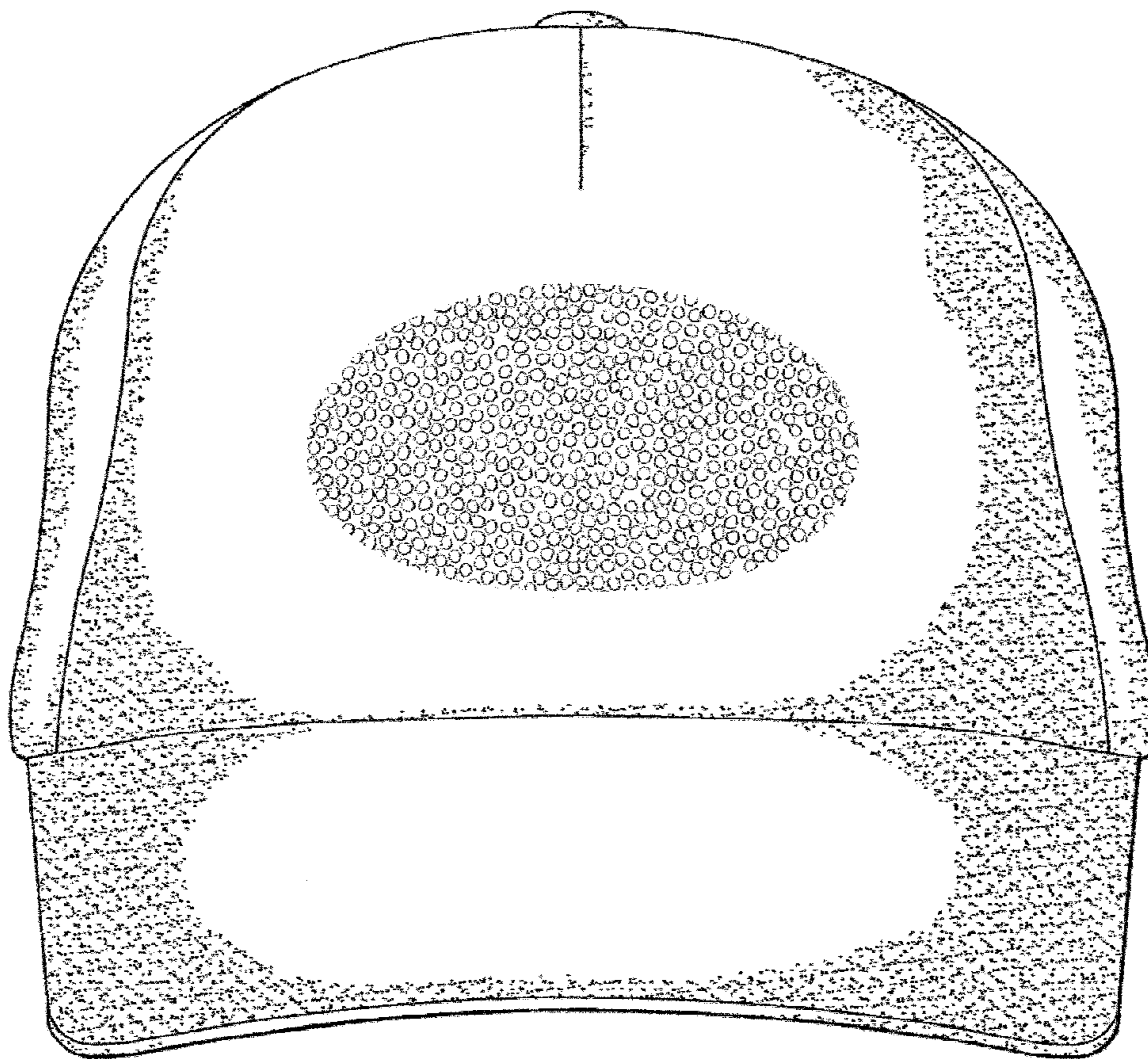


FIG. 2

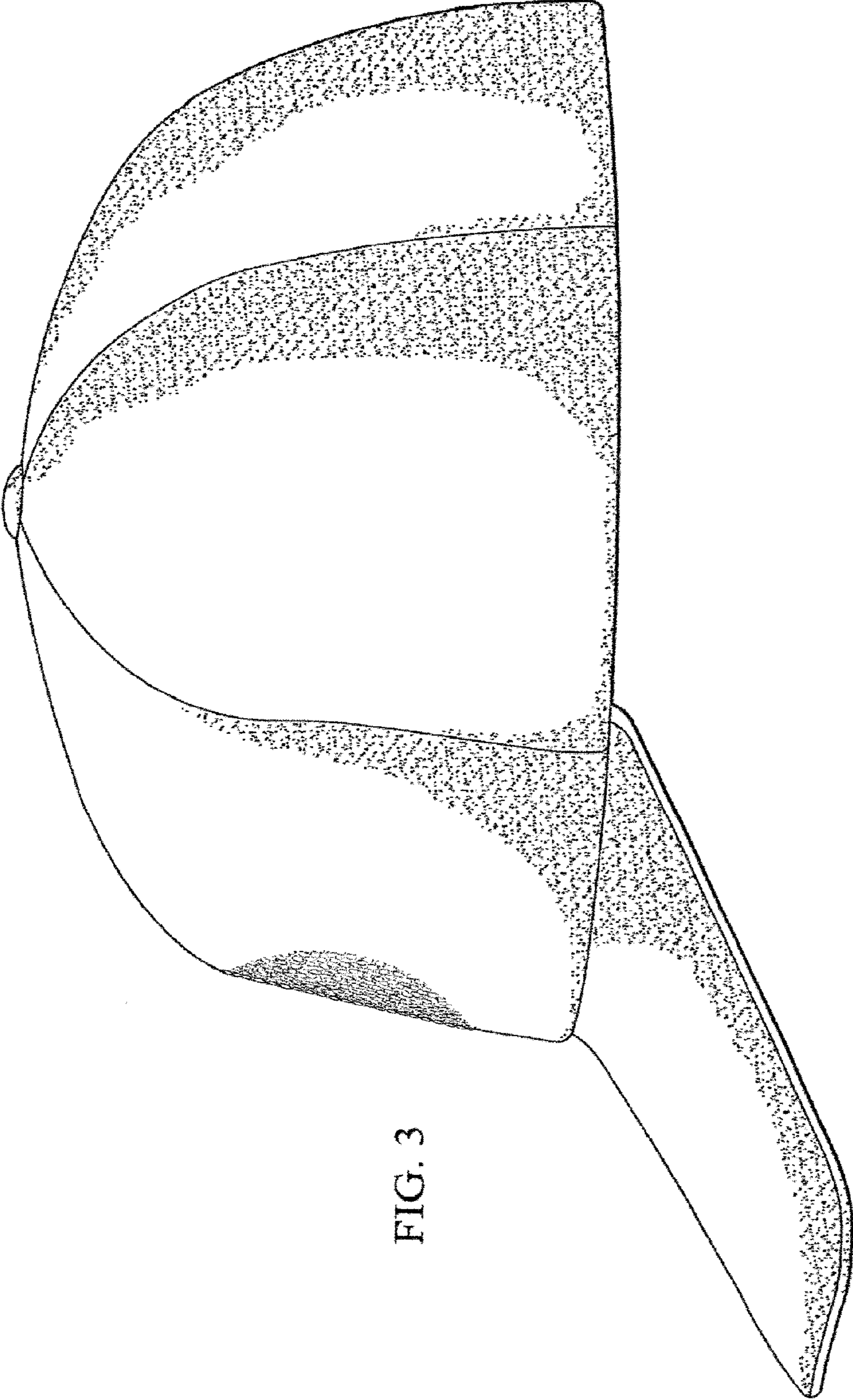


FIG. 3

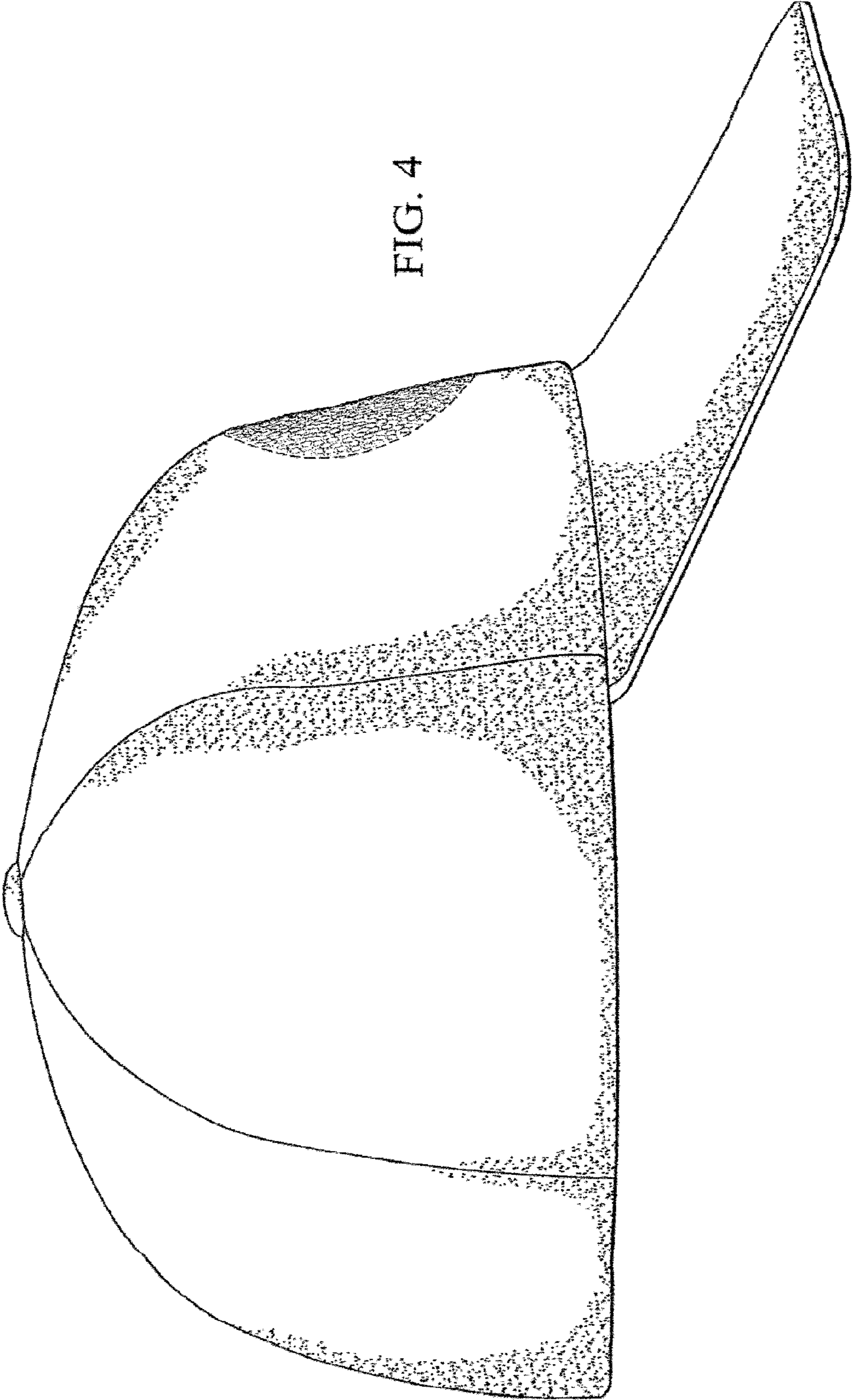


FIG. 4

FIG. 5

