

US00D760471S

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

(10) **Patent No.:** **US D760,471 S**
(45) **Date of Patent:** **** Jul. 5, 2016**

(54) **GARMENT**

- (71) Applicant: **Spanx, Inc.**, Atlanta, GA (US)
- (72) Inventors: **Tosha L. Hays**, Atlanta, GA (US);
Sylma Colon-Otten, Atlanta, GA (US)
- (73) Assignee: **Spanx, Inc.**, Atlanta, GA (US)
- (**) Term: **15 Years**

(21) Appl. No.: **29/529,616**

(22) Filed: **Jun. 9, 2015**

Related U.S. Application Data

(63) Continuation of application No. 29/462,332, filed on Aug. 1, 2013, now Pat. No. Des. 733,994.

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

(52) **U.S. Cl.**
USPC **D2/701**

(58) **Field of Classification Search**

USPC D2/625, 700, 701, 702, 703, 704, 712,
D2/713, 714, 721, 722, 728, 731, 738, 742
CPC A41B 9/00; A41B 9/04; A41B 9/06;
A41B 9/08; A41C 1/00; A41C 1/003; A41C
1/02; A41C 1/06; A41C 1/08; A41D 7/00;
A41D 13/0015; A41D 13/0017

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,156,757 A * 10/1915 Collett A41B 9/06
2/113
2,168,009 A 8/1939 Praag

(Continued)

FOREIGN PATENT DOCUMENTS

DE 19942996 3/2001
FR 2808972 11/2001

(Continued)

OTHER PUBLICATIONS

Spanx Skinny Britches Open-Bust Mid-Thigh Body (on-line);
Reviews posted May 9, 2013. Retrieved on Aug. 27, 2014. URL:
http://www.spanx.com/...ar/style/open-bust/skinny-britches-open-bust-mid-thigh-body-zid38-1909/cat-38-catid-fncat_spx_sw_styl_openb?CategoryDomainName=SPXNA-38&var_id=38-1909&_t=pfm%3Dcategory%26pfmvalue%3Dfaceted. (6 pgs).*

(Continued)

Primary Examiner — Karen E. Eldridge Powers

Assistant Examiner — Jasmine Mlinarcik

(74) *Attorney, Agent, or Firm* — Meunier Carlin & Curfman LLC

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front perspective view of an embodiment of a garment.

FIG. 2 is a front elevation view of the embodiment depicted in FIG. 1.

FIG. 3 is a back elevation view of the embodiment depicted in FIG. 1.

FIG. 4 is a right side elevation view of the embodiment depicted in FIG. 1.

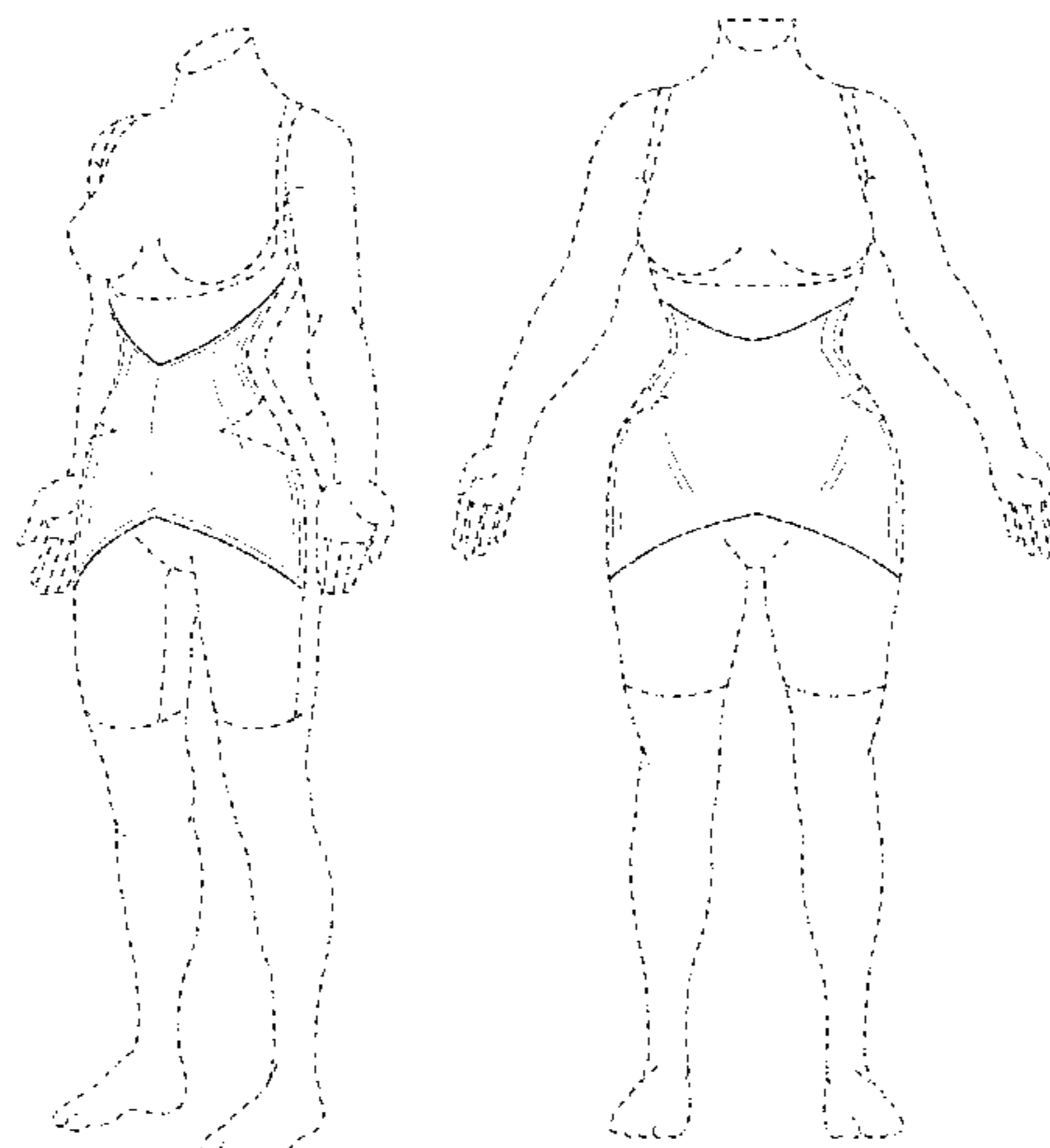
FIG. 5 is a left side elevation view of the embodiment depicted in FIG. 1.

FIG. 6 is a top plan view of the embodiment depicted in FIG. 1; and,

FIG. 7 is a bottom plan view of the embodiment depicted in FIG. 1.

The partial human figure rendered in broken lines illustrates environmental subject matter intended to assist in showing how the design appears when in use and forms no part of the claim. The broken lines showing elements of the garment in the drawings illustrate features of the article of manufacture that form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D132,058 S 4/1942 Sarge
 2,305,736 A * 12/1942 Rhea A41B 9/04
 128/889
 2,310,864 A 2/1943 Pegg
 RE23,202 E 3/1950 Long
 2,527,926 A 10/1950 Frischer
 2,644,945 A 7/1953 Lewis
 2,758,310 A 8/1956 Lewis et al.
 D179,336 S 12/1956 Bayer et al.
 3,168,099 A 2/1965 Morano
 3,339,554 A 9/1967 Nobbs
 3,393,675 A 7/1968 Trznadel et al.
 3,431,913 A 3/1969 Bugnon et al.
 D213,667 S 4/1969 Salisky
 D213,947 S 4/1969 Dubner
 3,683,935 A 8/1972 Rosner
 3,813,697 A 6/1974 Belpaume
 5,465,594 A 11/1995 Imboden et al.
 5,756,180 A 5/1998 Squires et al.
 5,863,633 A 1/1999 Squires et al.
 5,944,708 A * 8/1999 Philpott A61F 13/68
 2/406
 6,430,752 B1 8/2002 Bay
 6,874,337 B2 * 4/2005 Uno A41D 1/08
 2/401
 7,074,204 B2 7/2006 Fujii et al.
 7,087,032 B1 8/2006 Ikeda
 7,418,742 B2 9/2008 Yoo
 7,509,822 B2 * 3/2009 Ishida A63B 21/4025
 2/401
 7,559,093 B2 7/2009 Sudo et al.
 D642,768 S 8/2011 Sawle et al.
 D645,644 S 9/2011 Iamartino
 D654,247 S 2/2012 Osbourne
 D661,872 S 6/2012 Iamartino
 D662,281 S 6/2012 Iamartino
 8,381,314 B2 * 2/2013 Takamoto A41D 7/00
 2/243.1
 D692,208 S 10/2013 Lacour-Phillippi
 8,752,216 B2 6/2014 Sawle et al.
 D707,920 S 7/2014 Hays et al.
 8,784,351 B2 * 7/2014 Dumpson A41C 1/02
 2/401

8,850,619 B2 * 10/2014 Rush A41D 1/08
 2/228
 D730,624 S 6/2015 Prpic et al.
 D733,994 S 7/2015 Hays et al.
 9,179,713 B2 * 11/2015 Hays A41C 1/12
 2001/0008672 A1 7/2001 Norvell et al.
 2004/0107479 A1 * 6/2004 Dicker A41D 13/0015
 2/227
 2008/0292788 A1 11/2008 Giloh
 2009/0038047 A1 2/2009 Di Lorenzo
 2009/0221982 A1 9/2009 Cecconi et al.
 2009/0271914 A1 11/2009 Bauer
 2011/0314590 A1 * 12/2011 Perron A41D 13/0017
 2/227
 2012/0029407 A1 * 2/2012 Sawle A41D 13/0015
 602/61
 2012/0164406 A1 6/2012 Defaux et al.
 2013/0186150 A1 7/2013 Pilawa et al.
 2014/0208484 A1 7/2014 Huff et al.

FOREIGN PATENT DOCUMENTS

WO 03034853 5/2003
 WO 2009133469 11/2009
 WO 2011/045655 4/2011

OTHER PUBLICATIONS

Skinny Britches Underbust Mid Thigh Shaper (on-line); Article for sale with reviews posted to Norstrom.com as early as May 9, 2013. Retrieved from the internet on Sep. 3, 2014 and Sep. 25, 2014. URL: <http://shop.nordstrom.com/s/spanx-skinny-britches-underbust-mid-thigh-shaper/3465205>. (7 pgs).*

Spanx Skinny Britches Super Open-Bust Mid-Thigh Body Shaper (on-line); Article for sale with reviews posted to Zappos.com as early as Jun. 19, 2013. Retrieved from the internet on Aug. 27, 2014 and Sep. 25, 2014. URL: <http://www.zappos.com/spanx-skinny-britches-super-open-bust-mid-thigh-body-shaper?orderBy=latest>. (8 pgs).*

Spanx Skinny Britches Open-Bust Mid-Thigh Body (on-line); Article for sale with reviews posted to Amazon.com as early as Jun. 20, 2013. Retrieved from the internet on Sep. 25, 2014. URL: http://www.amazon.com/SPANX-Britches-Open-Bust-Mid-Thigh-Natural/dp/B00945C8QQ/ref=cm_cr_pr_pb_i. (7 pgs).*

* cited by examiner

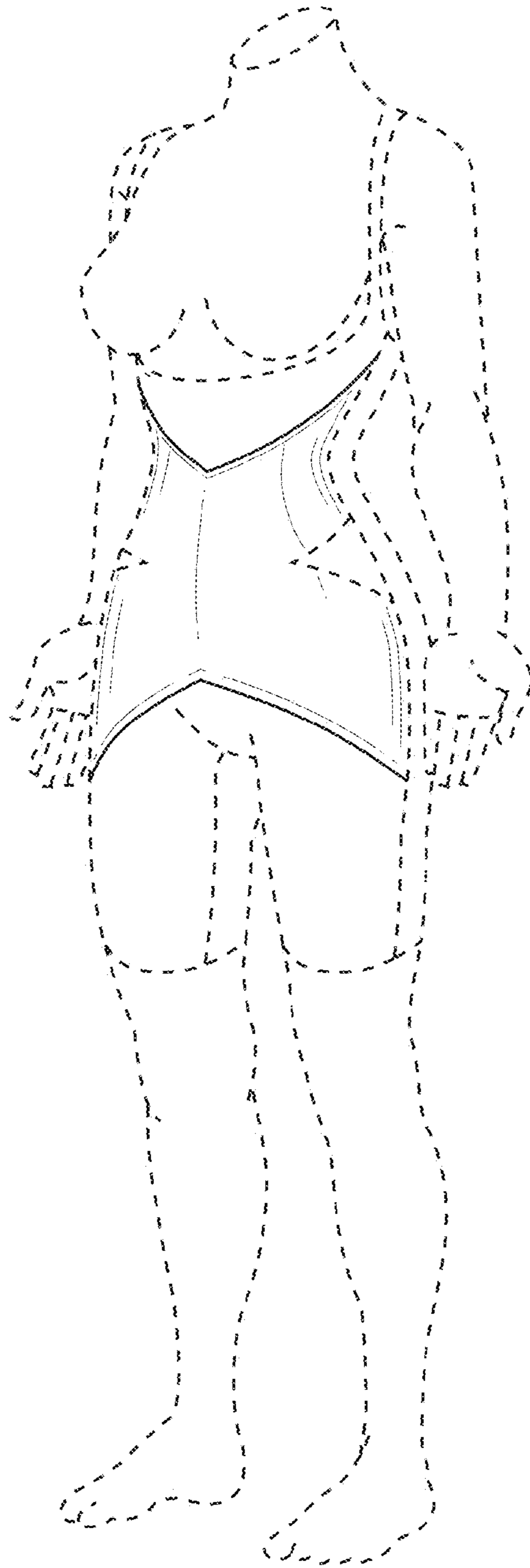


FIG. 1

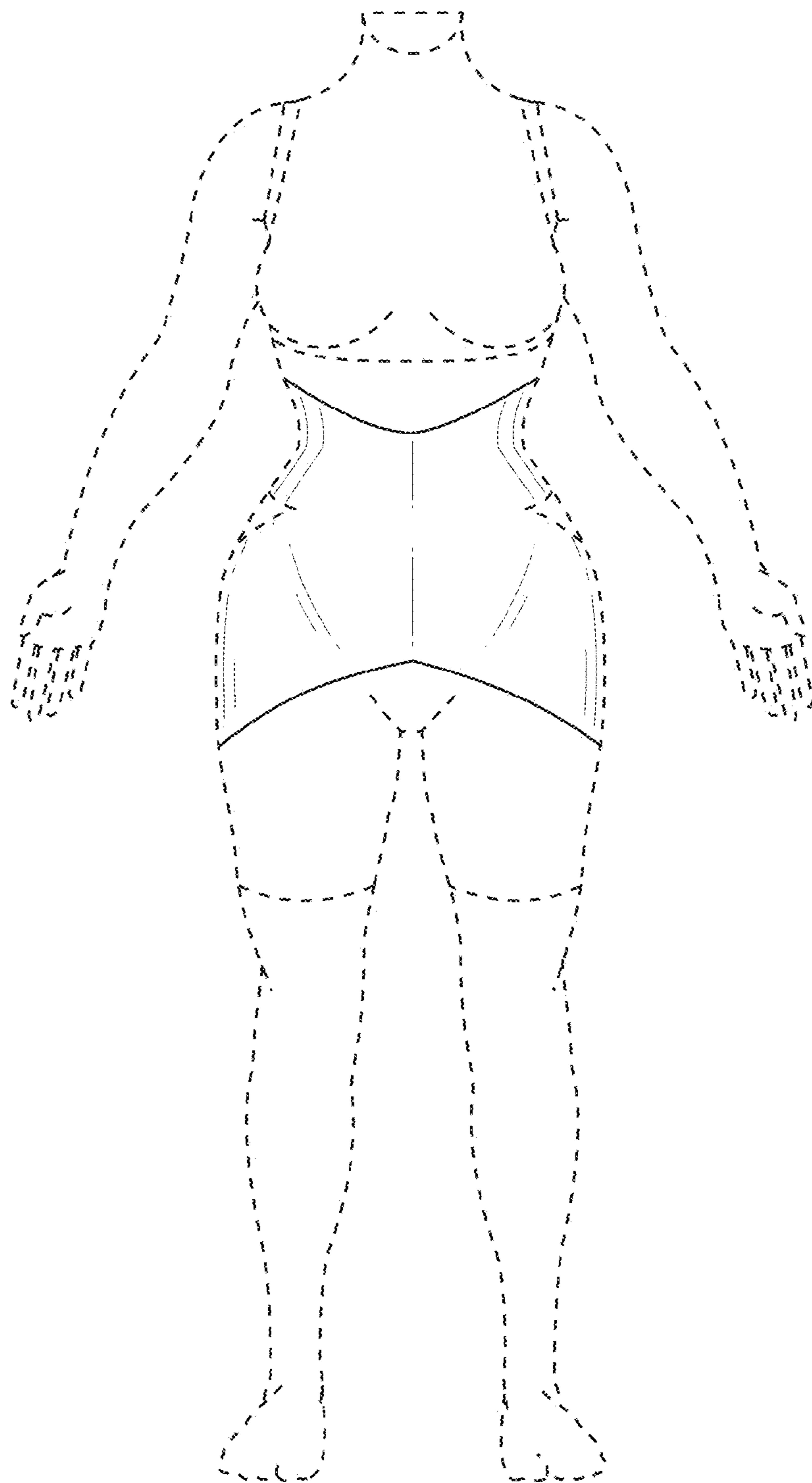


FIG. 2

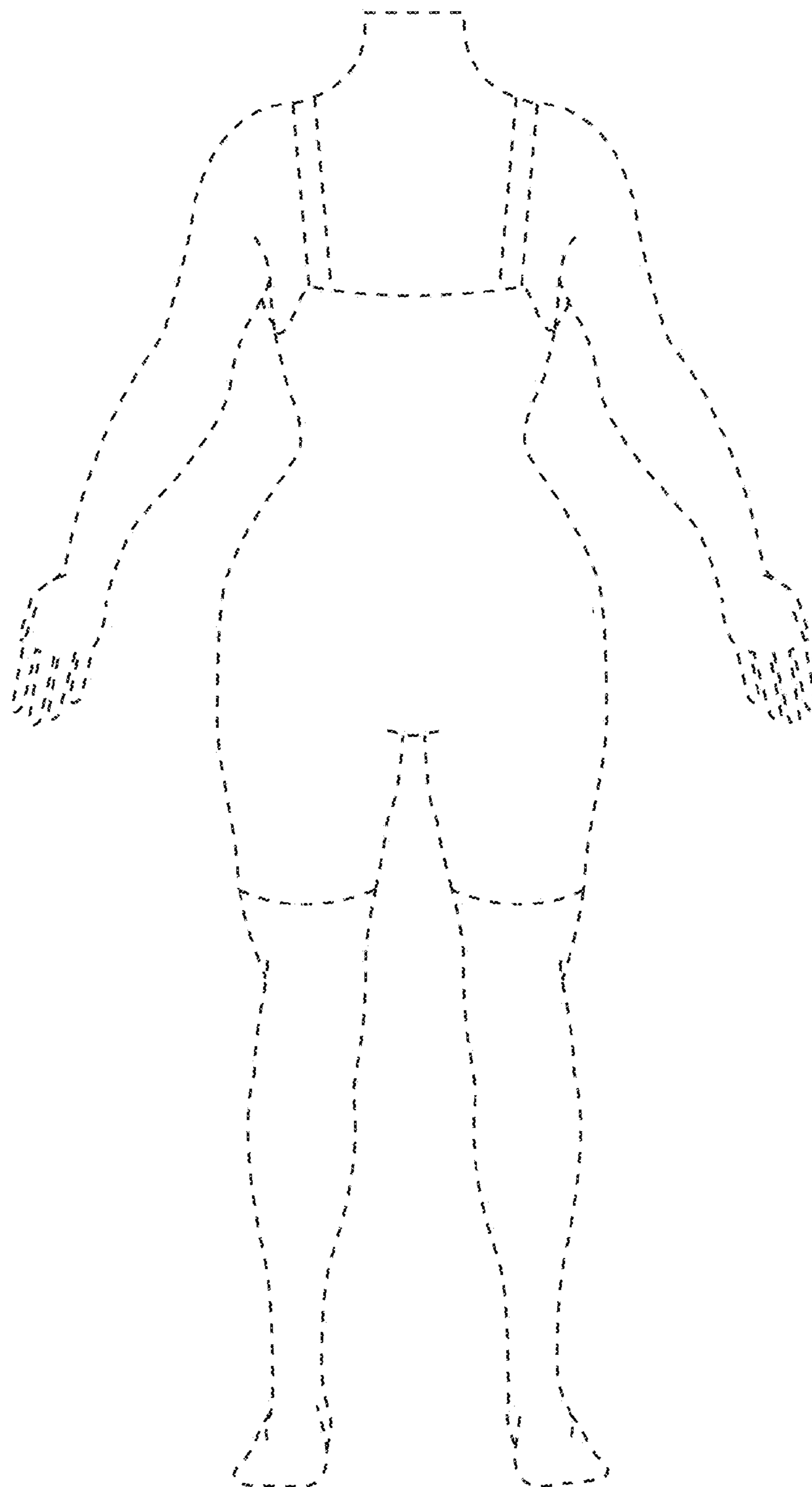


FIG. 3

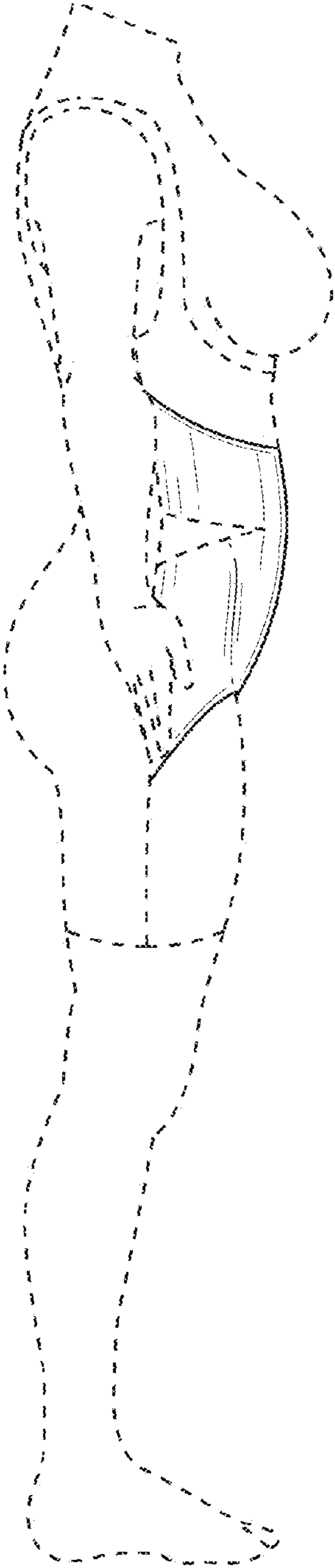


FIG. 4

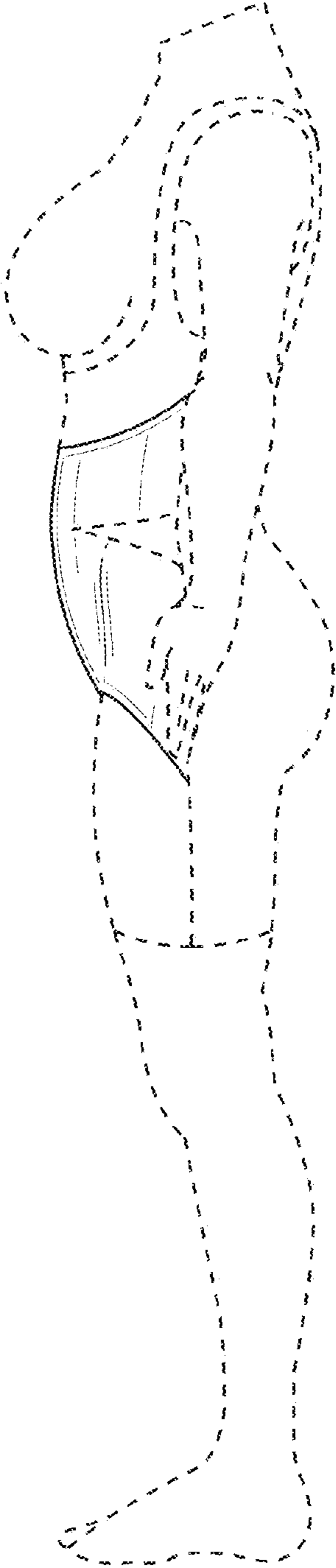


FIG. 5

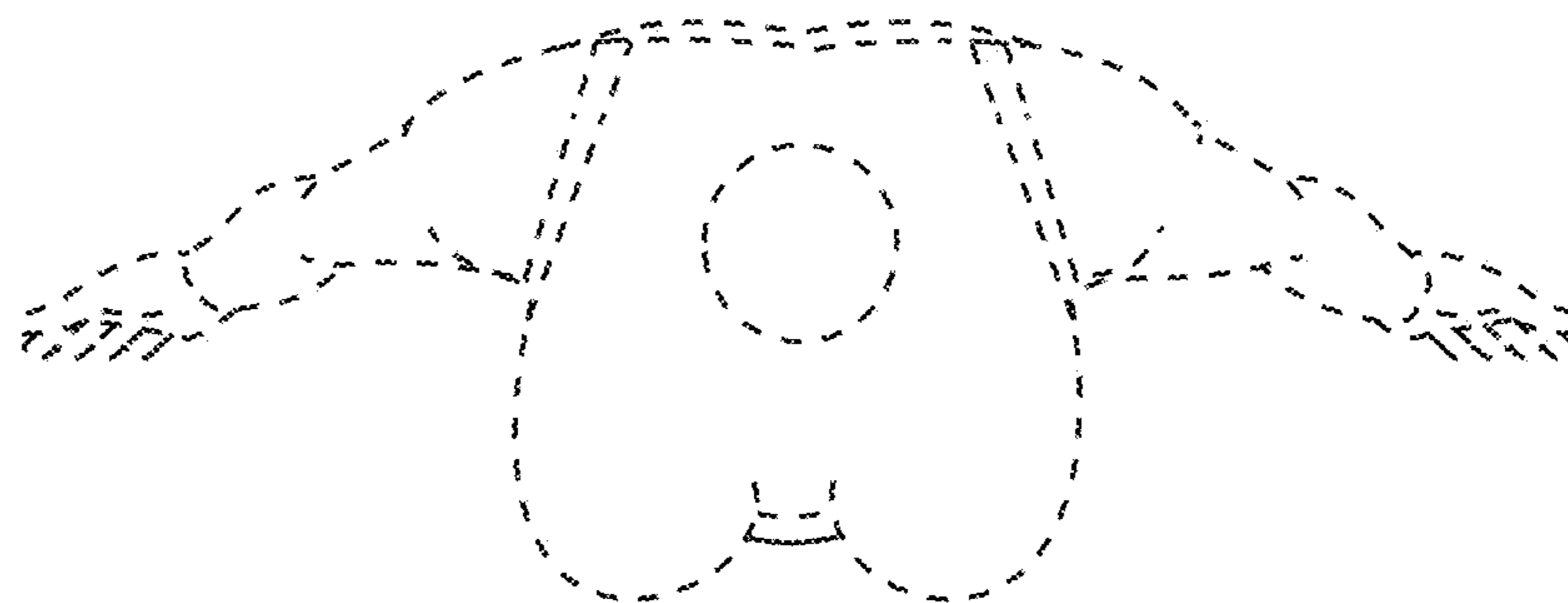


FIG. 6

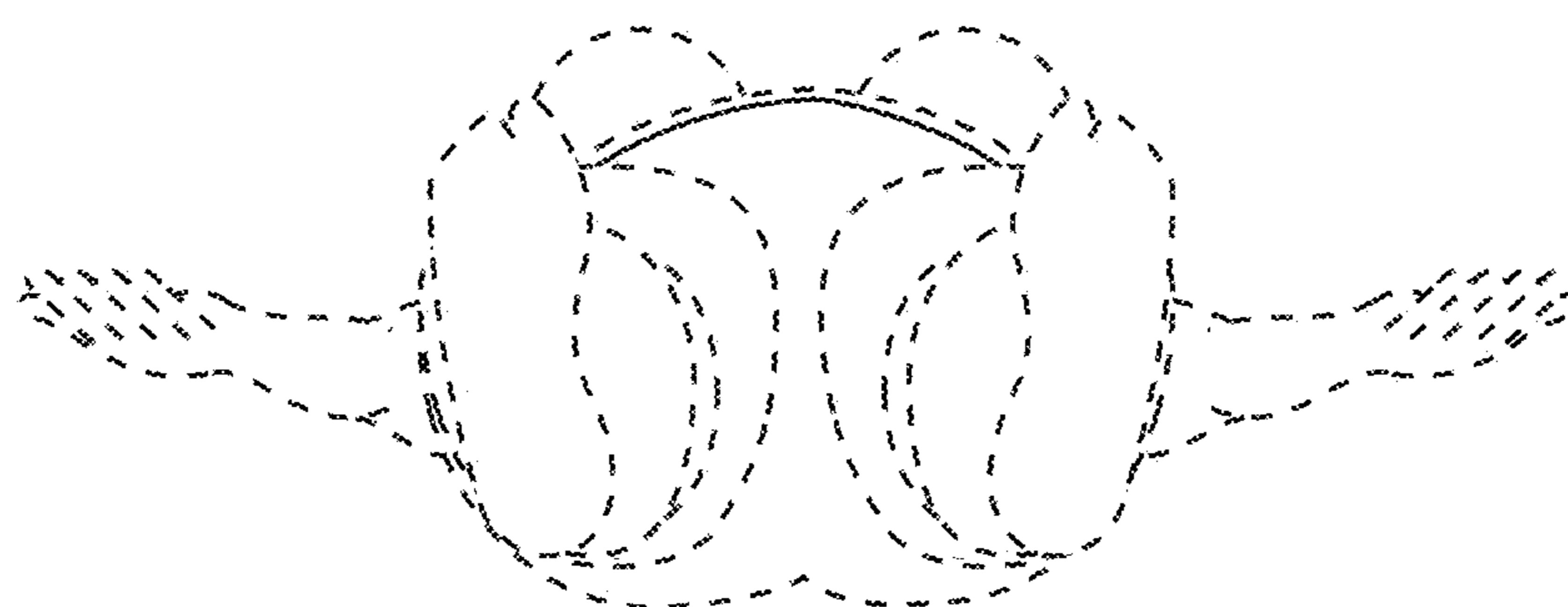


FIG. 7