



US00D789654S

(12) **United States Design Patent** (10) **Patent No.:** **US D789,654 S**  
**Aitch** (45) **Date of Patent:** **\*\* Jun. 20, 2017**

(54) **UNDERSHIRT WITH UNDERARM GUSSET** 5,608,913 A \* 3/1997 Lacoste ..... A41D 13/00  
2/108  
(71) Applicant: **Our Own Products LLC**, Lansing, MI 5,772,492 A \* 6/1998 Erwin ..... A41B 9/06  
(US) 2/106  
6,000,993 A \* 12/1999 Erwin ..... A41B 9/06  
(72) Inventor: **Lauren Aitch**, Lansing, MI (US) 2/106  
6,183,339 B1 2/2001 Thompson  
6,282,720 B1 9/2001 Mayer  
(\*\*) Term: **15 Years** (Continued)

(21) Appl. No.: **29/538,481**  
(22) Filed: **Sep. 3, 2015**

**Related U.S. Application Data**

(63) Continuation of application No. 29/473,812, filed on Nov. 26, 2013, now Pat. No. Des. 739,118, which is a continuation-in-part of application No. 29/449,864, filed on Mar. 15, 2013, now abandoned.

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

(52) **U.S. Cl.**  
USPC ..... **D2/717**

(58) **Field of Classification Search**  
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D2/715, 716, 717, 718, 720, 724, 728,  
D2/735, 736, 737, 741, 750, 755, 756,  
D2/759, 760, 761, 769, 771, 779, 786,  
D2/799, 800, 801, 802, 803, 814, 815,  
D2/823, 828, 840, 847, 851, 853, 855,  
D2/861, 852

CPC ..... A41B 9/06; A41D 1/22  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

2,439,149 A 4/1948 Smicker  
2,562,508 A 7/1951 Rand  
3,037,210 A 6/1962 Neuman  
3,296,627 A 1/1967 Beard et al.  
D241,185 S 8/1976 Schlechter  
4,625,338 A \* 12/1986 Starling ..... A41B 9/06  
2/106  
D331,138 S 11/1992 Kopp et al.

**OTHER PUBLICATIONS**

Dress Shields: Hacks Don't Work, [online], [site visited Sep. 19, 2016]. Available from Internet, <URL: https://annienymotee.com/category/deodorant-marks/>.\*

Male and Female Performance Undergarments It's Time for Your Undergarments to Perform for You, [online], [site visited Sep. 19, 2016]. Available from Internet, <URL:http://www.ourownshirts.com/>.\*

(Continued)

*Primary Examiner* — Karen S Acker

*Assistant Examiner* — Katrina Gonzalez

(74) *Attorney, Agent, or Firm* — McDonnell Boehnen Hulbert & Berghoff LLP

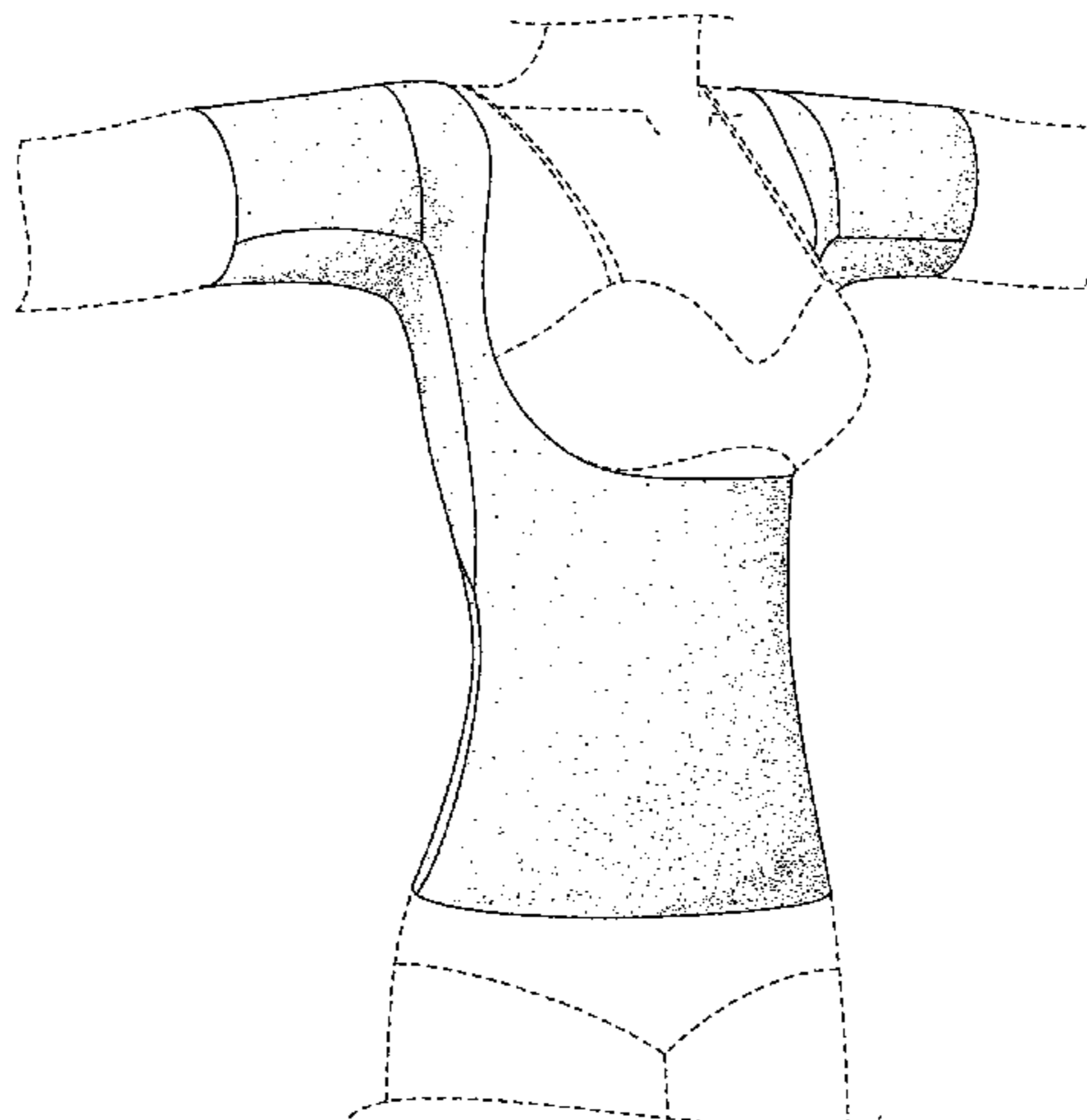
(57) **CLAIM**

The ornamental design for an undershirt with an underarm gusset, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of the undershirt with underarm gusset showing the new design positioned on a body; FIG. 2 is a front elevational view thereof; FIG. 3 is a back elevational view thereof; FIG. 4 is a right side elevational view thereof; FIG. 5 is a left side elevational view thereof; FIG. 6 is a top plan view thereof; and, FIG. 7 is a bottom plan view thereof. The broken line portions of the drawings depict environmental subject matter only and form no part of the claimed design.

**1 Claim, 7 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

7,356,851	B2	4/2008	Spruill	
7,429,206	B2	9/2008	Perry	
D577,877	S	10/2008	Saincome-Vawter	
7,730,551	B2	6/2010	Price	
D632,050	S	2/2011	Zarabi	
D637,790	S *	5/2011	Stoffle .....	D2/717
D639,527	S *	6/2011	Stoffle .....	D2/717
8,256,027	B2 *	9/2012	Pedersen .....	A41C 1/02 2/109
D668,431	S	10/2012	MacGillivray	
8,365,313	B2	2/2013	Greenblat	
D683,929	S *	6/2013	Bryan .....	D2/701
8,695,115	B2	4/2014	Leyva	
D733,401	S *	7/2015	Coburn .....	D2/840
D745,249	S *	12/2015	Aitch .....	D2/700
D758,045	S *	6/2016	Suarez .....	D2/700
2008/0052802	A1 *	3/2008	Bryan .....	A41B 9/06 2/54
2008/0086791	A1 *	4/2008	Kirkwood Samuel .....	A41D 27/13 2/54
2009/0098801	A1 *	4/2009	Pedersen .....	A41C 1/06 450/7
2011/0207382	A1	8/2011	Kent	
2011/0271420	A1	11/2011	Lawrence	
2014/0196188	A1	7/2014	Brady	
2014/0206257	A1 *	7/2014	Musarra-Leonard ....	A41C 3/08 450/32

OTHER PUBLICATIONS

Single Scoop Neck, [online], [site visited Sep. 19, 2016]. Available from Internet, <URL: <http://www.sweatshieldundershirt.com/single-scoop-neck/>>.\*

TinEye Results,[online], [site visited Sep. 19, 2016]. Available from Internet, <URL:<https://tineye.com/search/08a7b35260af1fe84e00bdacdb1bb18377d47ba5/?pluginver=chrome-1.1.5>>.\*

Male and Female Performance Undergarments,[online], [site visited Sep. 19, 2016]. Available from Internet, <URL:<https://www.ourownshirts.com>>.\*

Single Scoop Neck undershirt (on-line); Article for sale posted to the Internet. Retrieved from the Internet on Aug. 27, 2014. URL: <http://www.sweatshieldundershirt.com/single-scoop-neck!>. (2 pages).

Single Undershirt (on-line); Article for sale posted to the Internet, Wayback Machine crawl date is Feb. 13, 2012. Retrieved from the internet on Sep. 9, 2014. URL: <http://web.archive.org/web/20120213150135/http://www.sweatshieldundershirt.com/purchase.htm#>. (2 pages).

Scoop Neck Women's Sweashield Undershirt (on-line); Article for sale posted to the Internet, Wayback Machine crawl date is Feb. 11, 2012. Retrieved from the internet on Sep. 9, 2014. URL: [http://web.archive.org/web/20120211164737/http://www.sweatshieldundershirt.com/product\\_details.htm](http://web.archive.org/web/20120211164737/http://www.sweatshieldundershirt.com/product_details.htm). (2 pages).

\* cited by examiner

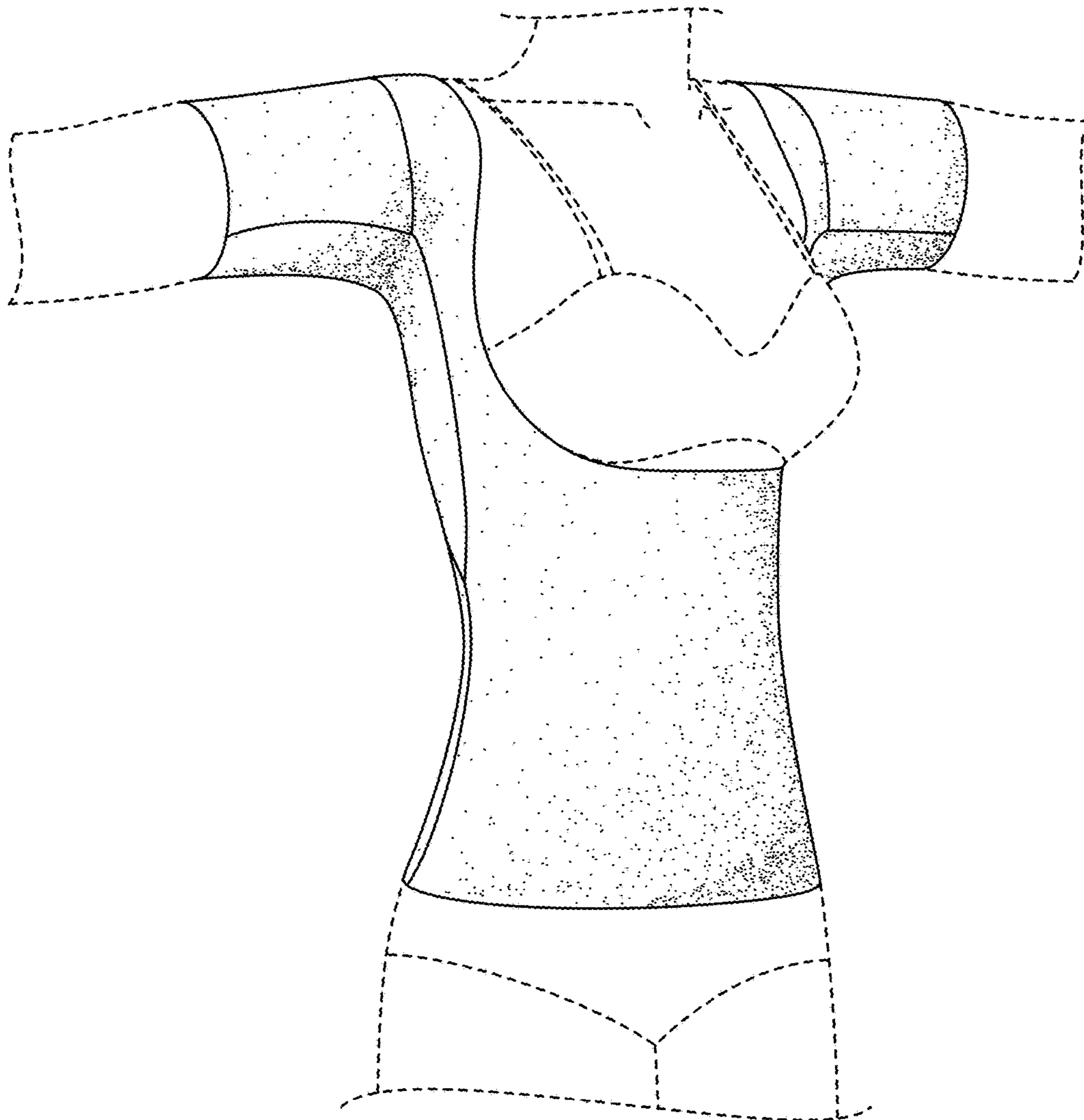


FIG. 1

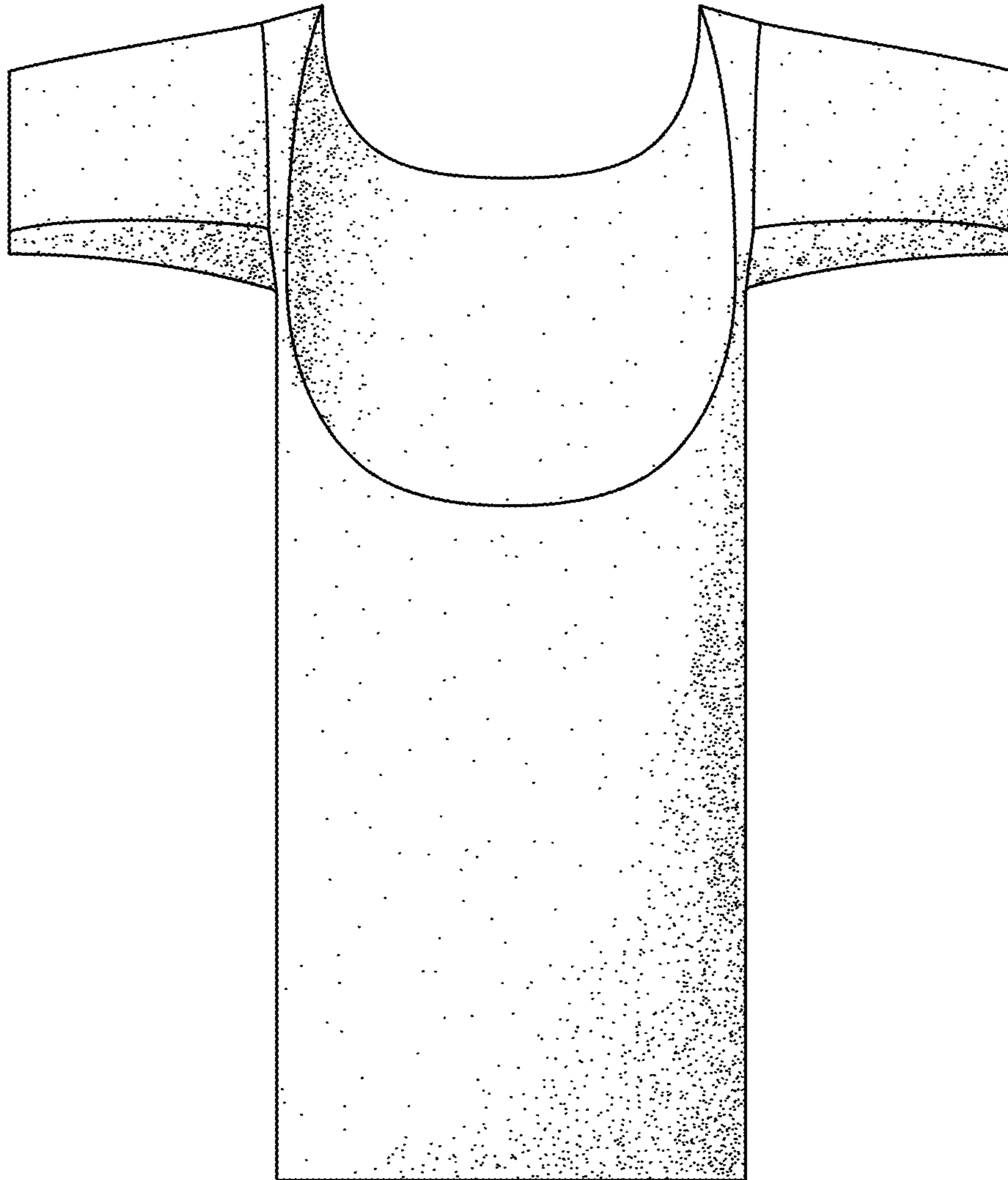


FIG. 2

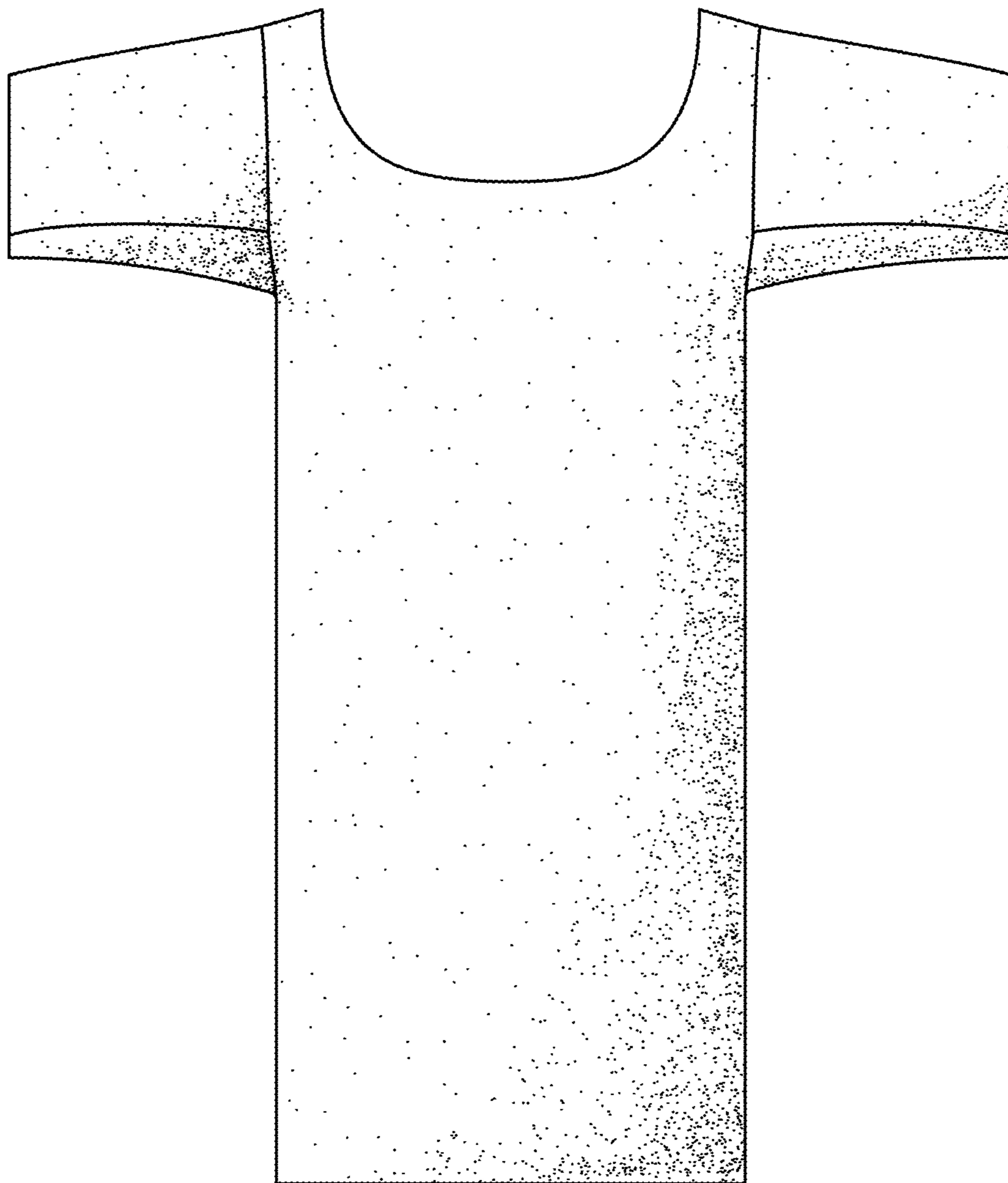


FIG. 3

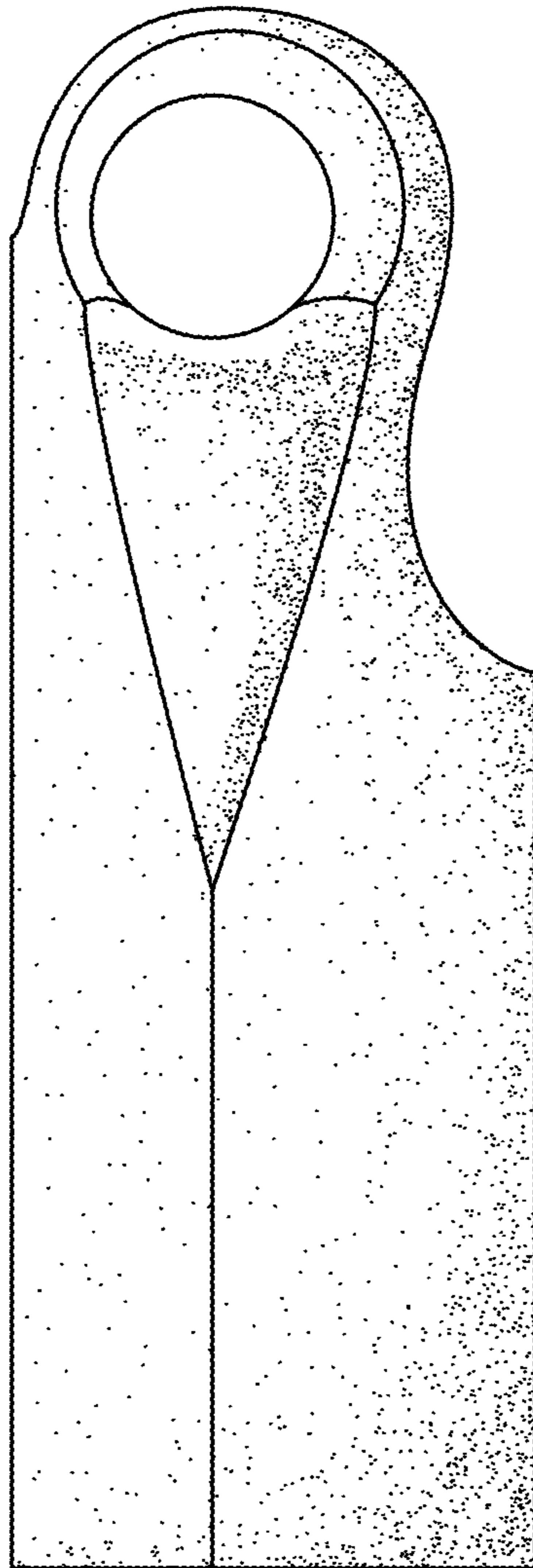


FIG. 4

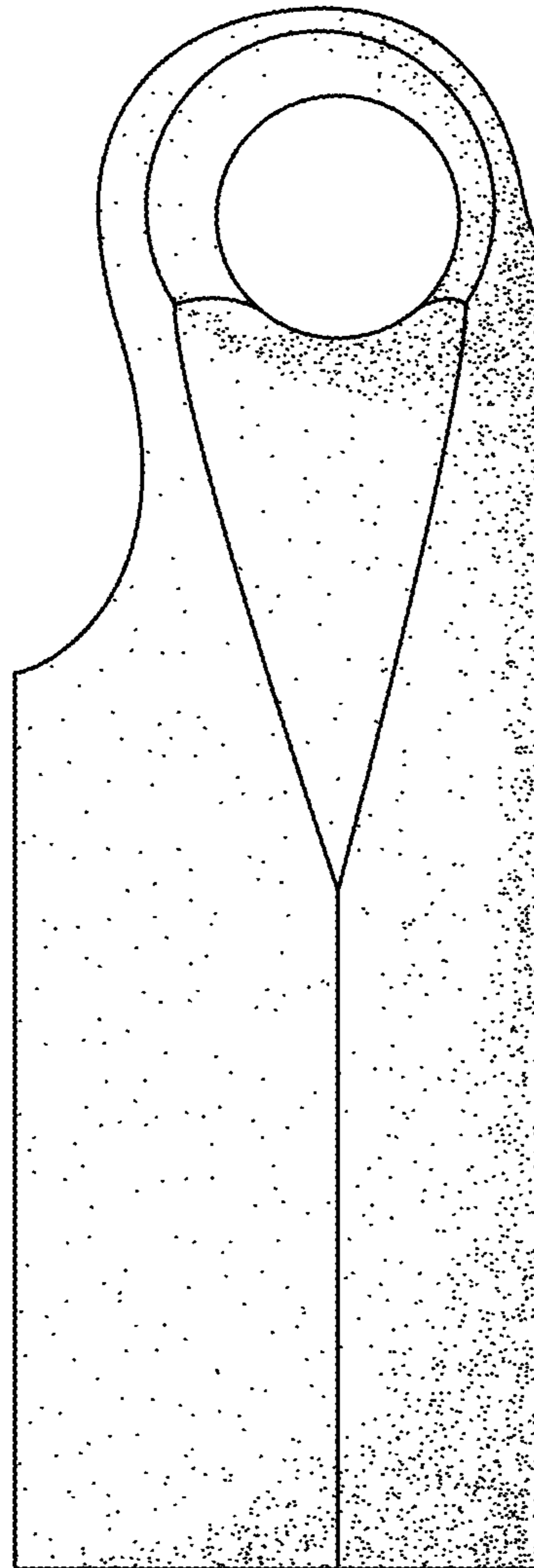


FIG. 5

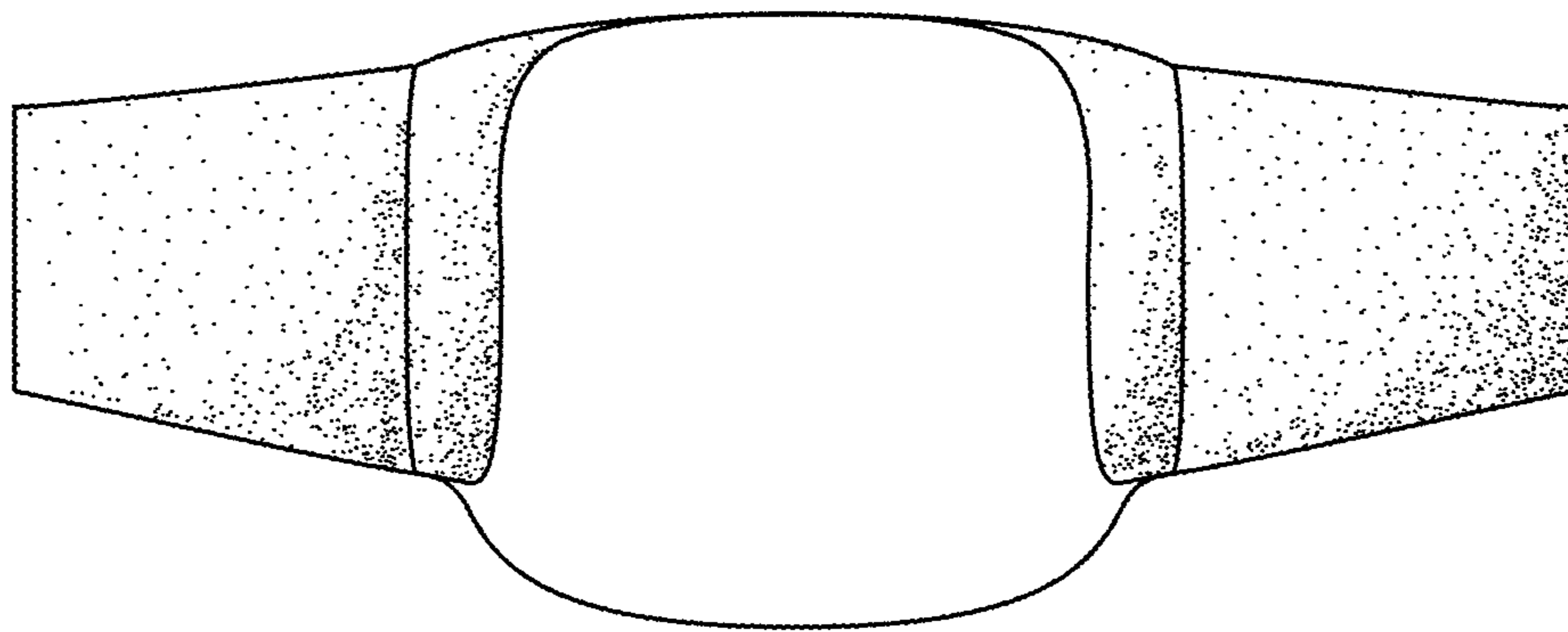


FIG. 6



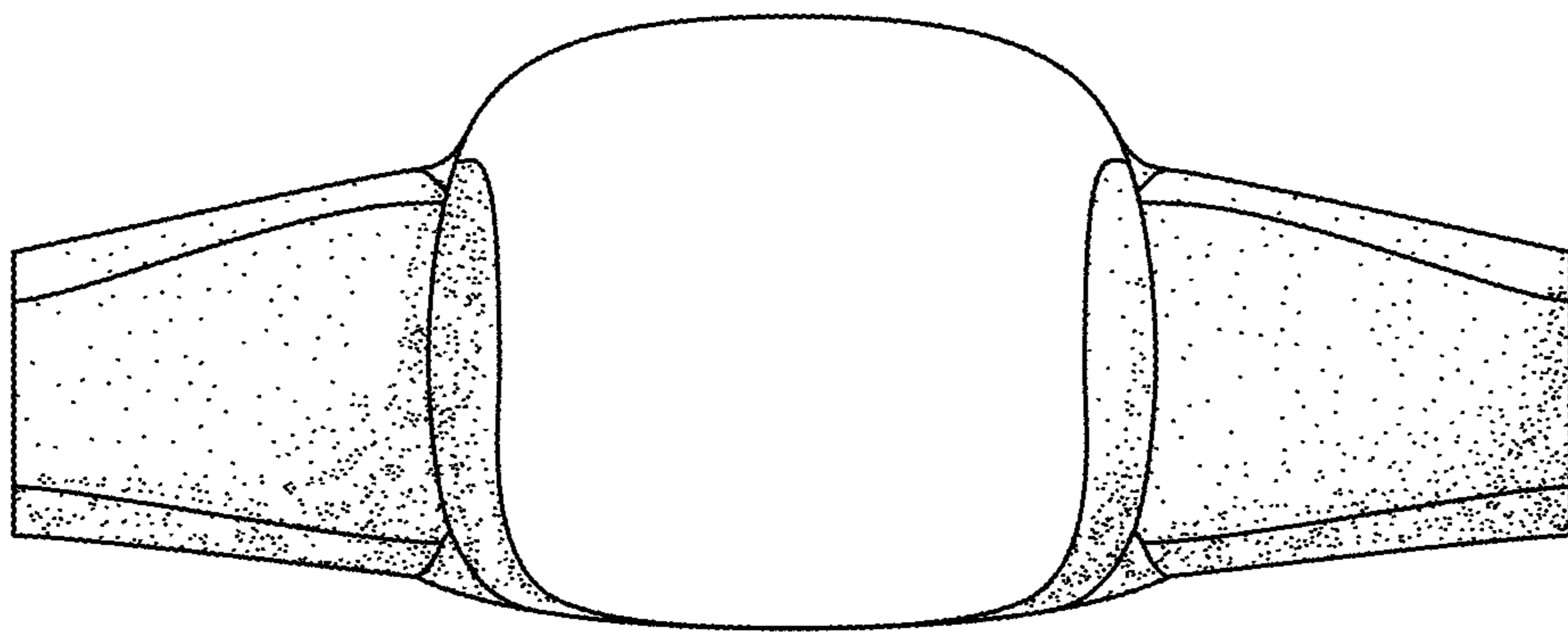


FIG. 7