



US00D796780S

(12) **United States Design Patent** (10) **Patent No.:** **US D796,780 S**
Hays et al. (45) **Date of Patent:** **** *Sep. 12, 2017**

(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)
- (*) Notice: This patent is subject to a terminal disclaimer.
- (**) Term: **15 Years**
- (21) Appl. No.: **29/565,714**
- (22) Filed: **May 24, 2016**

Related U.S. Application Data

- (63) Continuation of application No. 29/529,616, filed on Jun. 9, 2015, now Pat. No. Des. 760,741, which is a
(Continued)

- (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,
D2/742

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 1,156,757 A 10/1915 Collett
- 1,909,273 A * 5/1933 Hennessy A41C 1/06
450/104

(Continued)

FOREIGN PATENT DOCUMENTS

- DE 19942996 3/2001
- FR 2808972 11/2001

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/462,332 to Tosha L. Hays and Sylma Colon-Otten, filed Aug. 1, 2013, and issued Jul. 14, 2015, and the prosecution history thereof.*

(Continued)

Primary Examiner — Karen E. Eldridge Powers
Assistant Examiner — Jasmine Mlinarcik
(74) *Attorney, Agent, or Firm* — Meunier Carlin & Curfman LLC

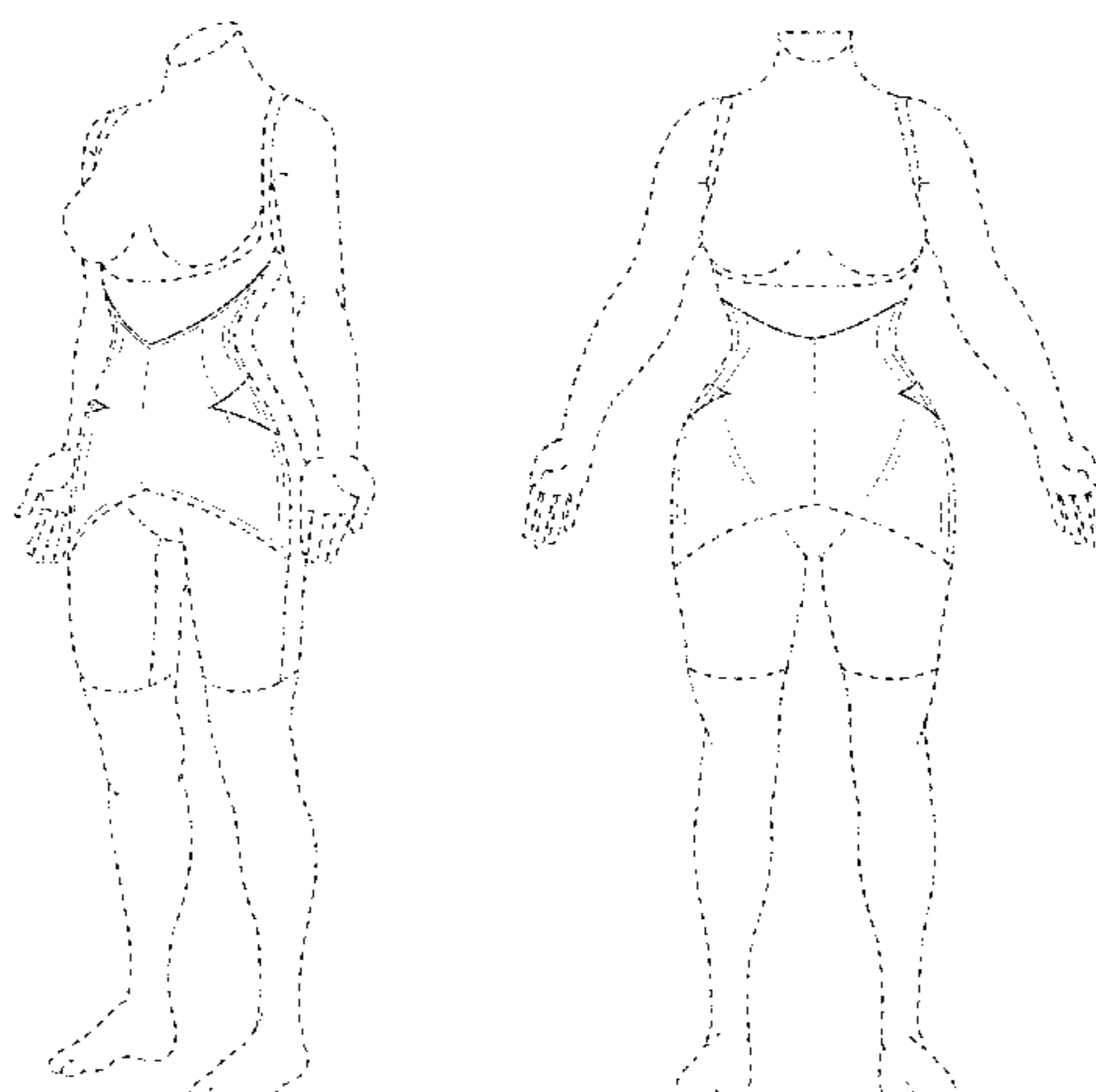
(57) **CLAIM**

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 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 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



Related U.S. Application Data

continuation of application No. 29/462,332, filed on Aug. 1, 2013, now Pat. No. Des. 733,994.

(58) **Field of Classification Search**

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

2,168,009 A	8/1939	Praag	
D123,777 S *	12/1940	Greco	D2/702
2,250,218 A *	7/1941	Cadous	A41B 9/04 2/401
D132,058 S	4/1942	Sarge	
2,305,736 A	12/1942	Rhea	
2,310,864 A	2/1943	Pegg	
RE23,202 E	3/1950	Long	
2,527,926 A	10/1950	Frischer	
2,531,769 A *	11/1950	Desrochers	A41C 1/00 450/132
D165,698 S *	1/1952	Rockwell	D2/702
2,644,945 A	7/1953	Benn Lewis	
2,758,310 A	8/1956	Lewis et al.	
D179,336 S	12/1956	Bayer	
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	
D238,623 S *	2/1976	Casclo	D2/703
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	
6,430,752 B1	8/2002	Bay	
6,874,337 B2	4/2005	Uno	
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	
7,559,093 B2	7/2009	Sudo et al.	
D622,477 S *	8/2010	Schindler	D2/700
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	
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	
8,850,619 B2	10/2014	Rush	
D730,624 S	6/2015	Prpic et al.	
D733,994 S	7/2015	Hays et al.	
9,179,713 B2	11/2015	Hays	
D760,471 S *	7/2016	Hays	D2/701

2001/0008672 A1	7/2001	Norvell et al.
2004/0107479 A1	6/2004	Dicker
2008/0292788 A1	11/2008	Giloh
2009/0038047 A1	2/2009	Di Lornezo
2009/0221982 A1	9/2009	Cecconi et al.
2009/0271914 A1	11/2009	Bauer
2011/0314590 A1	12/2011	Perron
2012/0029407 A1	2/2012	Sawle
2012/0164406 A1	6/2012	Defaux et al.
2013/0186150 A1	7/2013	Pilawa
2014/0208484 A1	7/2014	Huff et al.
2015/0038052 A1	2/2015	Hays
2015/0296894 A1	10/2015	Turlan-Van Der Hoeven et al.
2015/0342265 A1	12/2015	Hays

FOREIGN PATENT DOCUMENTS

WO	03034853	5/2003
WO	2009/133469	11/2009
WO	2011/045655	4/2011

OTHER PUBLICATIONS

U.S. Appl. No. 29/462,338 to Tosha L. Hays and Sylma Colon-Otten, filed Aug. 1, 2013, and issued Jul. 14, 2015, and the prosecution history thereof.*

U.S. Appl. No. 29/488,647 to Tosha L. Hays and Sylma Colon-Otten, filed Apr. 22, 2014, and the prosecution history thereof.*

U.S. Appl. No. 29/529,616 to Tosha L. Hays and Sylma Colon-Otten, filed Jun. 9, 2015, and the prosecution history thereof.*

U.S. Appl. No. 14/822,280 to Tosha L. Hays and Sylma Colon-Otten, filed Aug. 10, 2015, and the prosecution history thereof.*

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-catidfnat_spx_sw_styl_openb?CategoryDomainName=SPXNA-38&var_id=38-1909&t=pfm%3Dcategory%26pfmvalue%3Dfaceted. (2 pgs).

Skinny Britches Underbust Mid Thigh Shaper (on-line); Article for sale with reviews posted to Nordstrom.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-britchesunderbust-mid-thigh-shaper/3465205>. (18 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-skinnybritches-super-open-bust-mid-thigh-body-shaper?orderBy=latest>. (26 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. (5 pgs).

Skinny Britches Mid-Thigh Shaper (on-line); Similar article for sale with reviews posted to Nordstrom.com as early as May 3, 2013. Retrieved from the internet on Aug. 27, 2014. URL: <http://shop.nordstrom.com/s/spanx-skinny-britches-mid-thighshaper/3465206>. (4 pgs).

U.S. Appl. No. 13/957,101 to Tosha L. Hays, filed Aug. 1, 2013, and the prosecution history thereof.

* cited by examiner

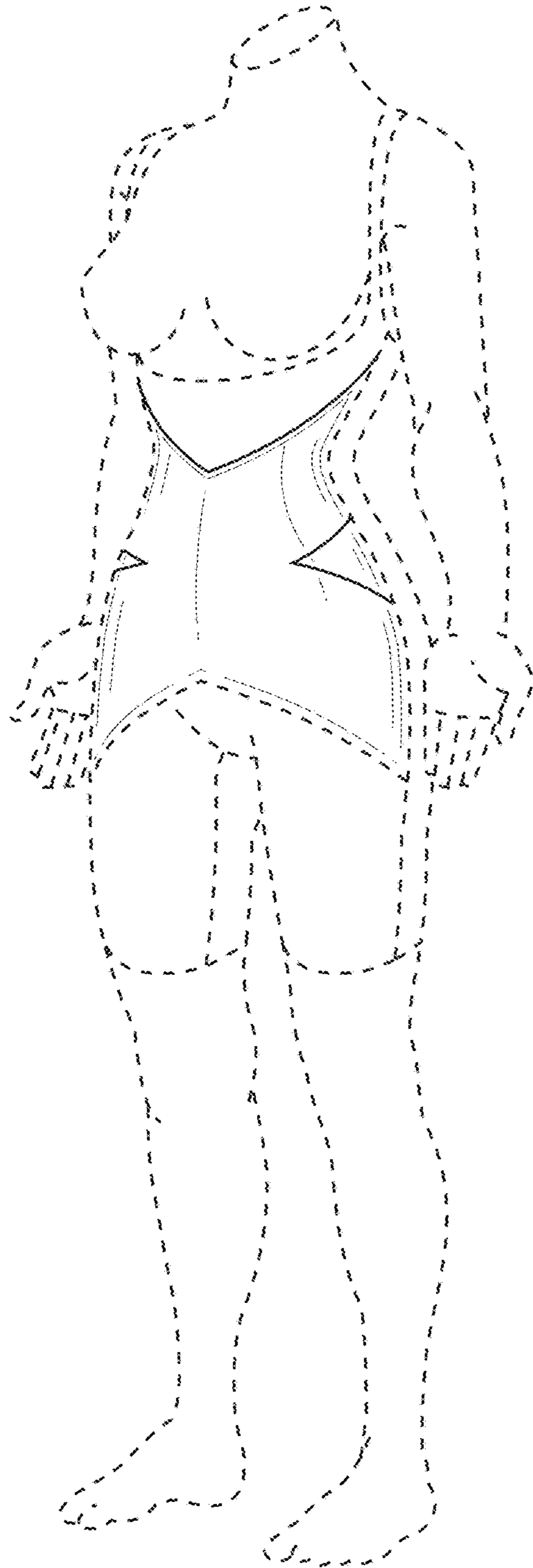


FIG. 1

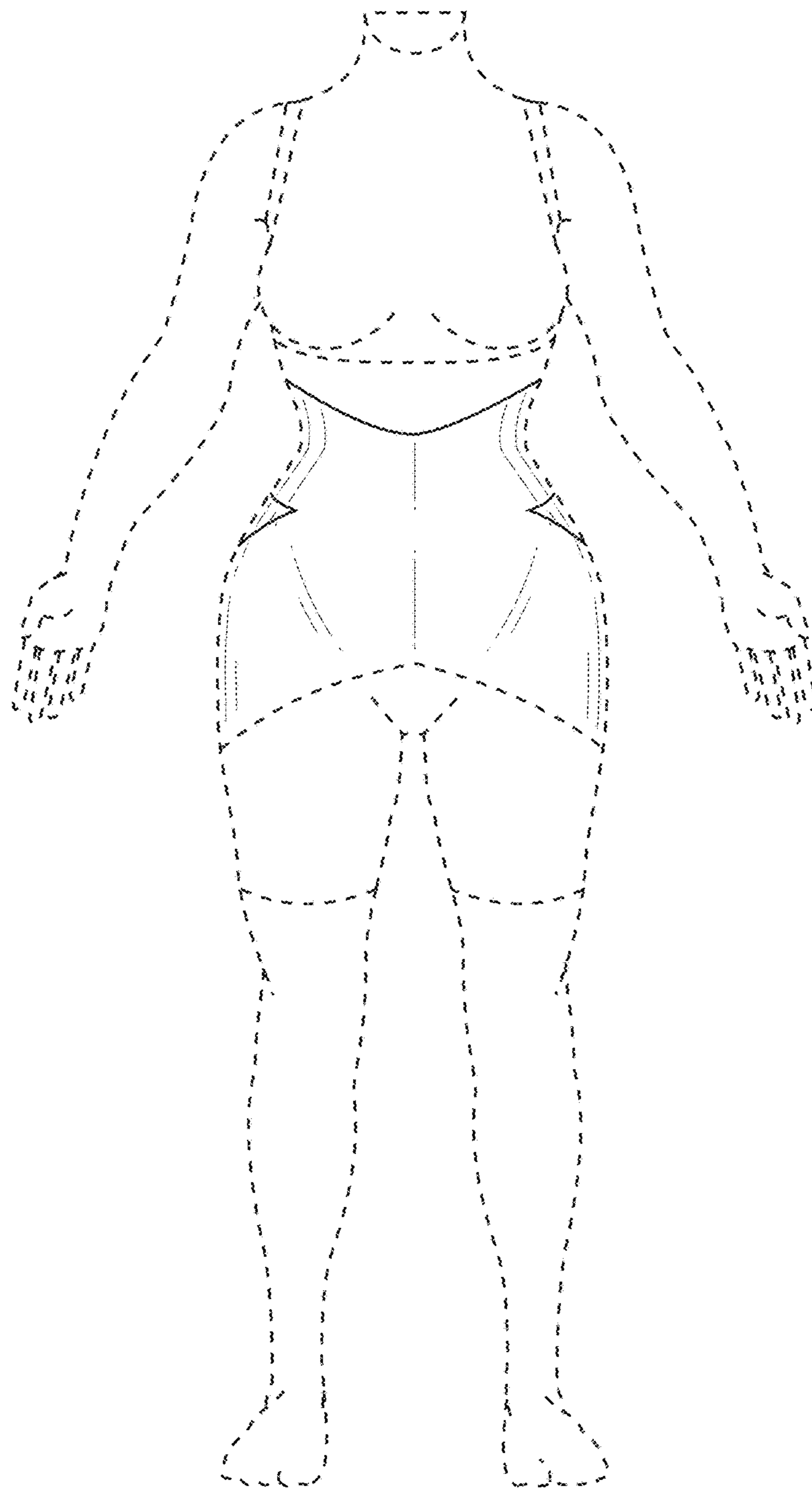


FIG. 2

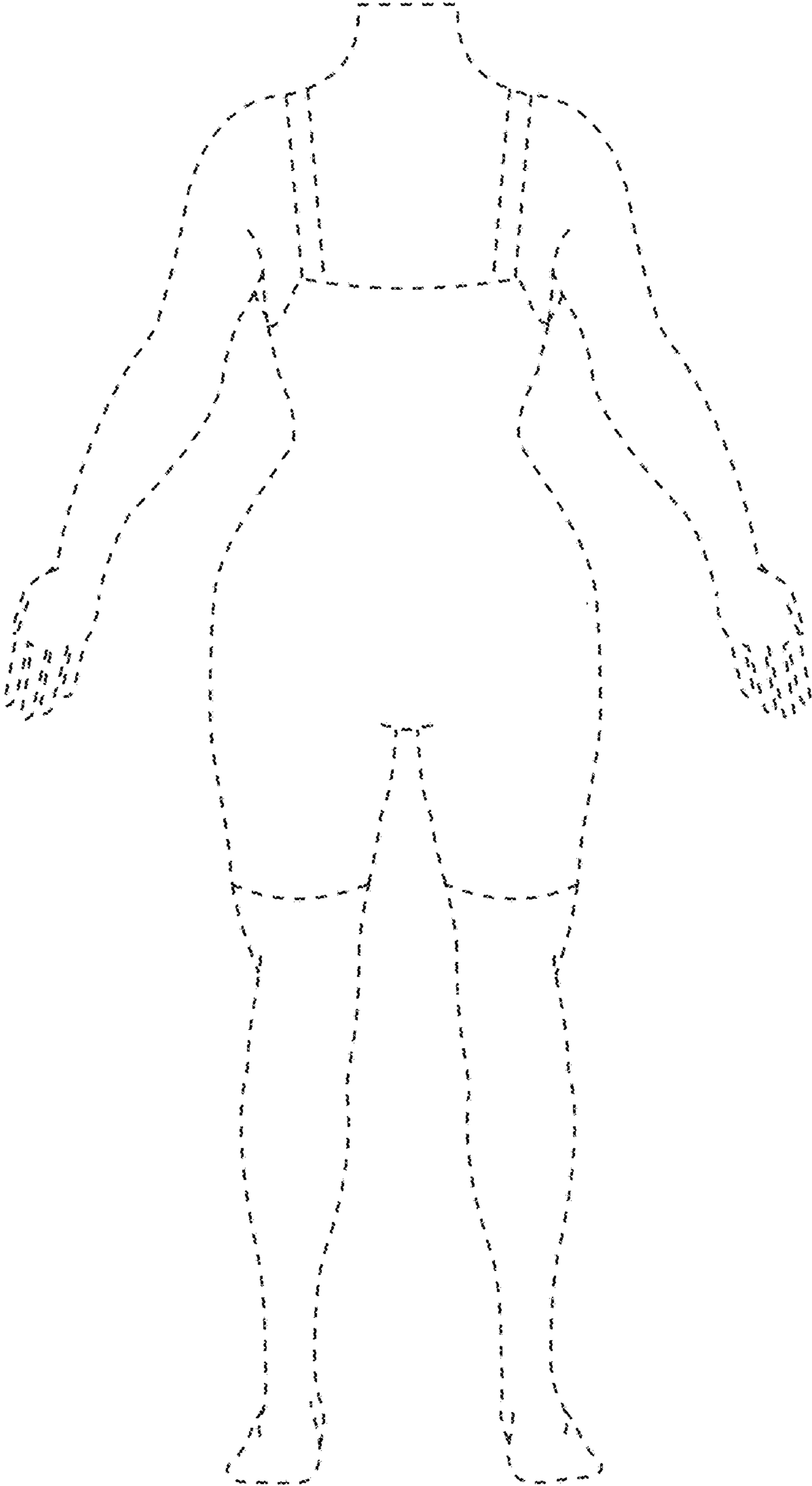


FIG. 3

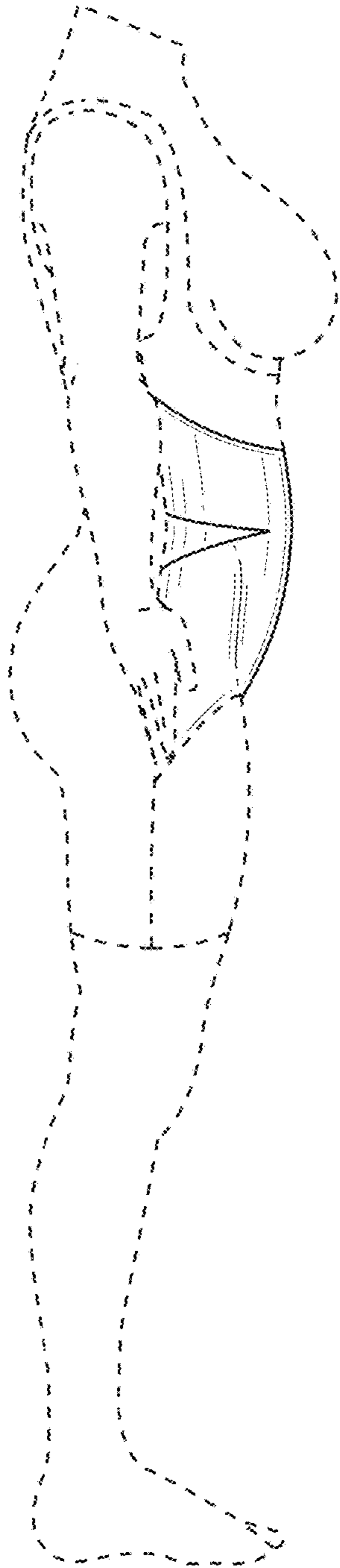


FIG. 4

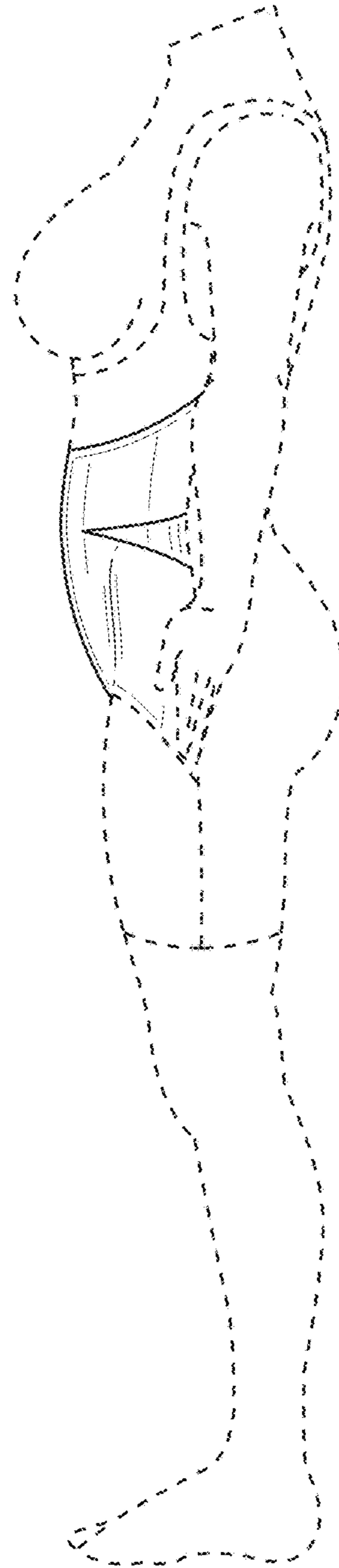


FIG. 5

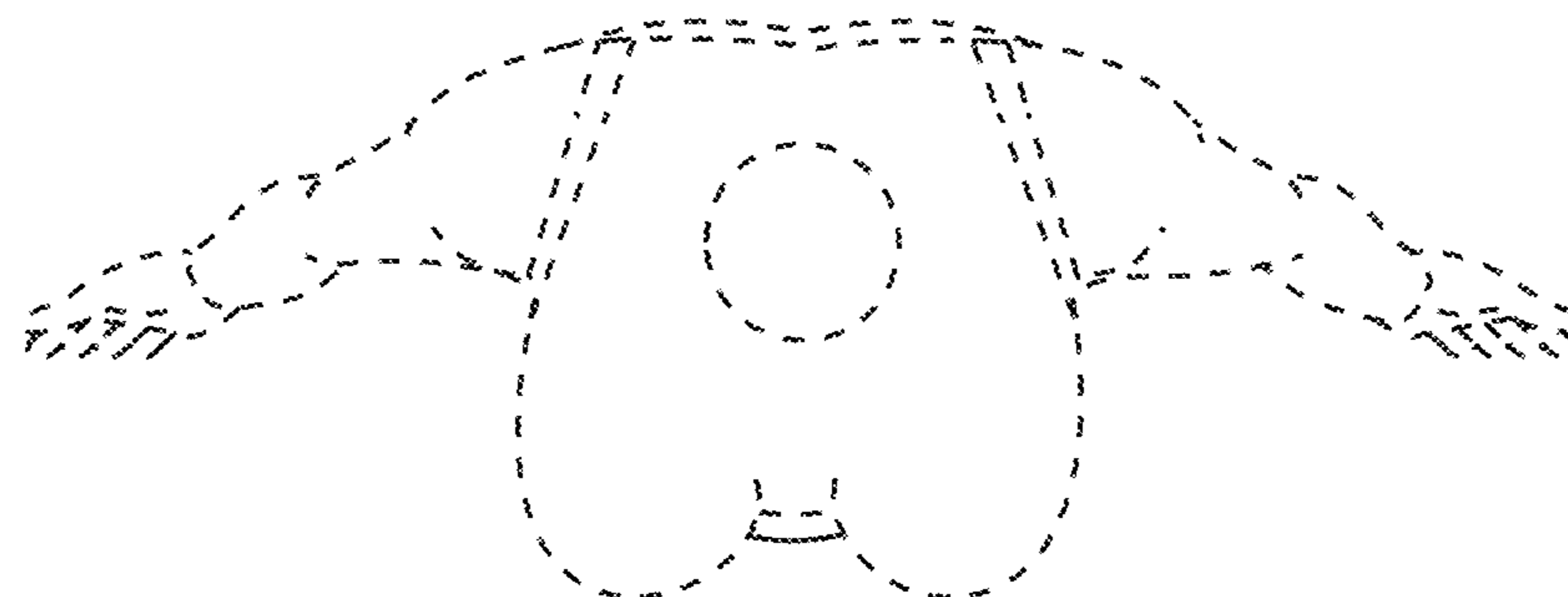


FIG. 6

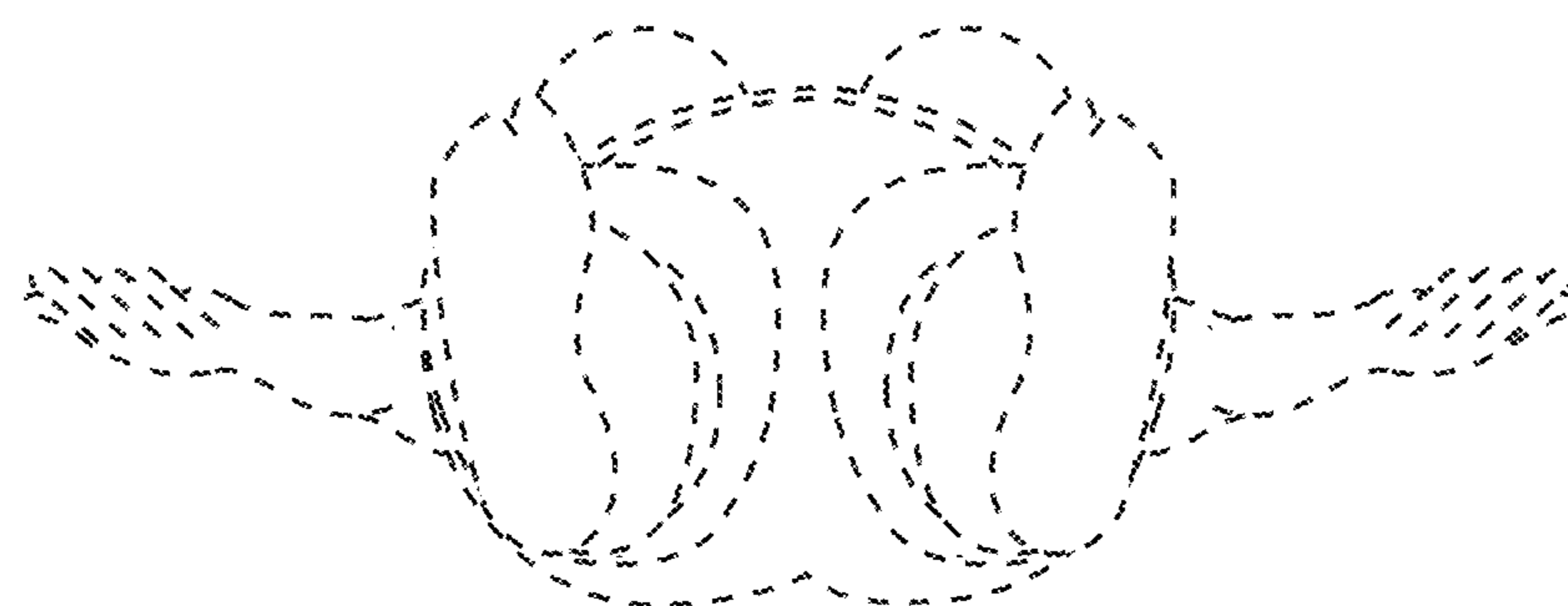


FIG. 7