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(12) **United States Design Patent**  
**Johnson**

(10) **Patent No.:** **US D801,642 S**

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(54) **NOVELTY HAT**

(71) Applicant: **Elope, Inc.**, Colorado Springs, CO (US)

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(73) Assignee: **ELOPE, LLC**, Colorado Springs, CO (US)

(\*\*) Term: **15 Years**

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(51) **LOC (10) Cl.** ..... **02-03**

(52) **U.S. Cl.**  
USPC ..... **D2/866; D2/882**

(58) **Field of Classification Search**  
USPC ..... D2/865, 866, 867, 868, 869, 870, 871, D2/872, 873, 874, 875, 876, 877, 878, D2/879, 880, 881, 882, 883, 884, 885, D2/886, 887, 888, 889, 890, 891, 892, D2/893, 894, 895; D29/102, 103, 122, D29/129  
CPC .. A42B 1/00; A42B 1/004; A42B 1/02; A42B 1/062; A42B 1/248; A42B 3/00; A42B 3/124; A42C 5/00

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- 2,218,590 A \* 10/1940 Szumkowski ..... A42C 5/02 2/181.8
- D294,877 S \* 3/1988 Burley ..... D2/893
- D297,584 S \* 9/1988 Lenox ..... D2/866
- 4,873,726 A \* 10/1989 Tapia ..... A42B 1/064 2/10
- D325,941 S \* 5/1992 Bertrand ..... D2/872
- D383,892 S \* 9/1997 Virzi ..... D2/866

- D393,738 S \* 4/1998 Eng ..... D2/865
- D393,740 S \* 4/1998 Stevens ..... D2/893
- D407,187 S \* 3/1999 Makki ..... D2/866
- D407,890 S \* 4/1999 Frank ..... D2/866
- D411,908 S \* 7/1999 Richlin ..... D2/866
- D437,472 S \* 2/2001 Ruscitti ..... D2/867
- D440,743 S \* 4/2001 Thornell ..... D2/882
- D481,525 S \* 11/2003 Kirnon ..... D2/885
- 6,643,847 B1 \* 11/2003 Dornak ..... A42B 1/248 2/195.1

(Continued)

**OTHER PUBLICATIONS**

How to Make Your Style with Toy Bricks . . . , [on-line]; [posted to the Internet Nov. 13, 2014]; [retrieved from the Internet Nov. 22, 2016]; URL: <<https://www.youtube.com/watch?v=XzSR6cvNbg4>>. (2 pages).\*

(Continued)

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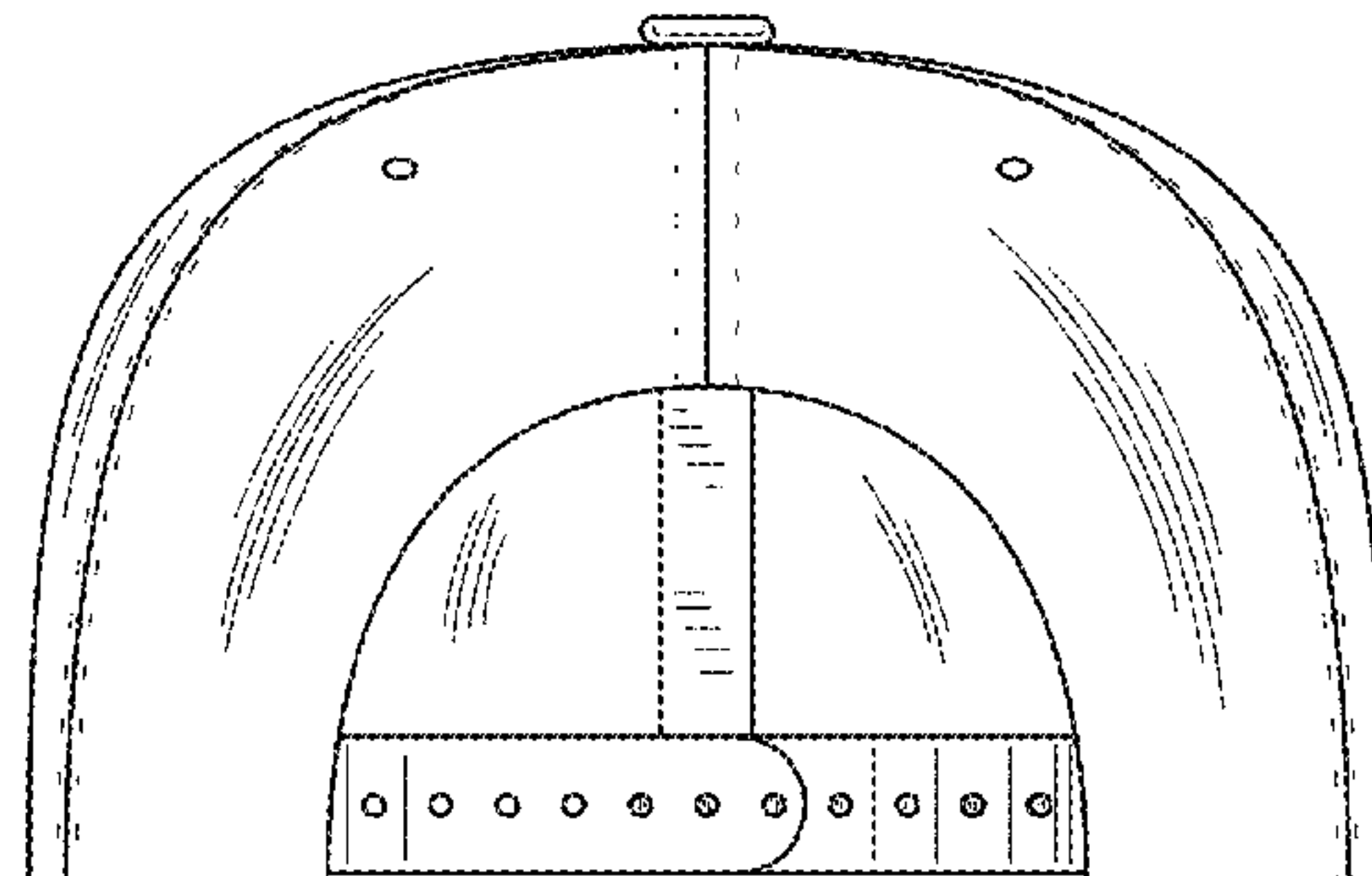
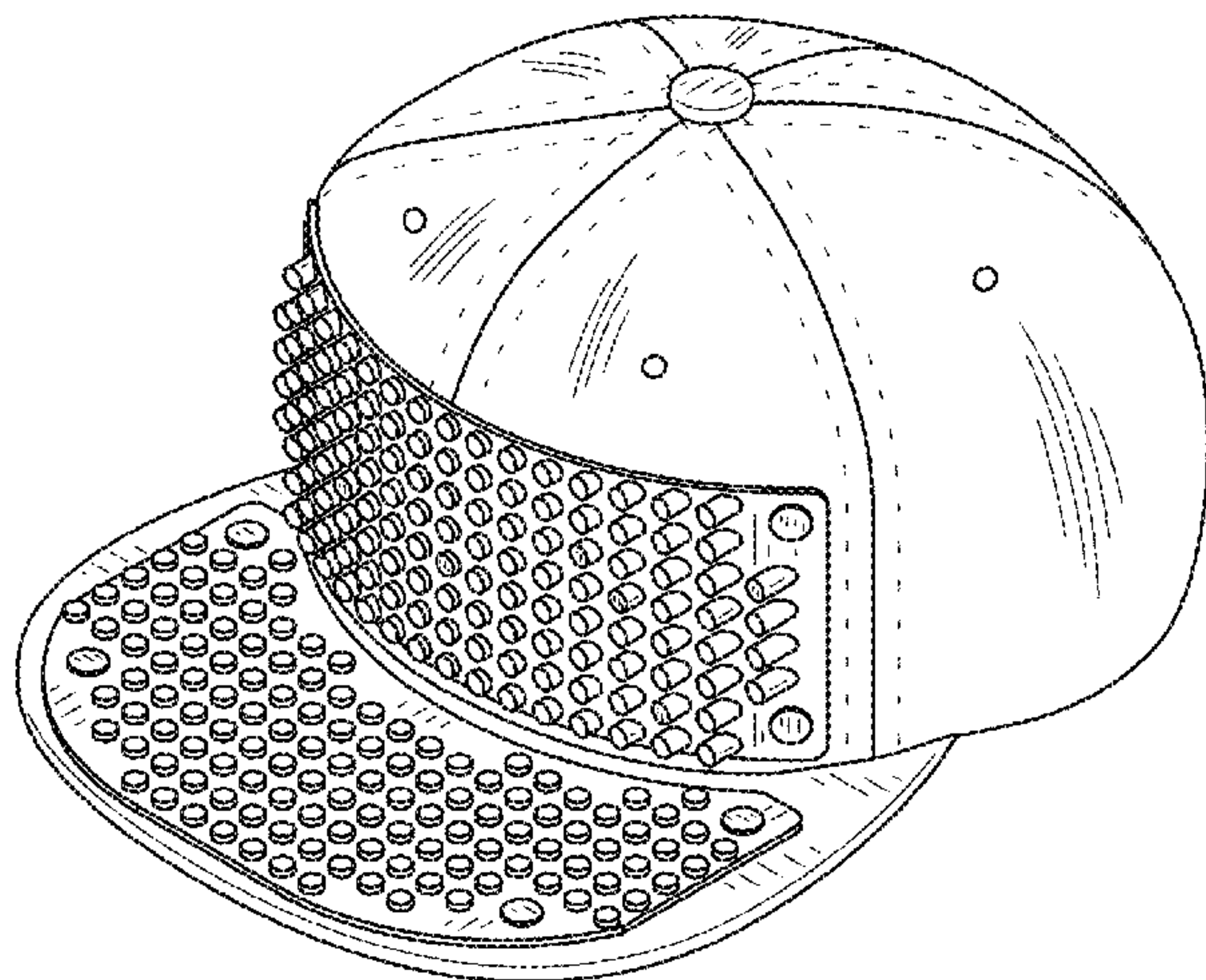
(57) **CLAIM**

The ornamental design for the novelty hat, as shown and described.

**DESCRIPTION**

FIG. 1 is a top front left perspective view of the novelty hat; FIG. 2 is a front elevation view of the novelty hat; FIG. 3 is a rear elevation view of the novelty hat; FIG. 4 is an elevation view of one side of the novelty hat; FIG. 5 is an elevation view of the opposite side of the novelty hat; FIG. 6 is a top plan view of the novelty hat; and, FIG. 7 is a bottom plan view of the novelty hat. The broken lines represent environmental structure that form no part of the claimed design.

**1 Claim, 5 Drawing Sheets**



(56)

**References Cited**

U.S. PATENT DOCUMENTS

6,837,590	B2 *	1/2005	Marston	.....	A43B 1/0036 36/27
D501,705	S *	2/2005	Hathaway	.....	D2/869
D521,191	S *	5/2006	Berger	.....	D29/122
D543,014	S *	5/2007	Sharpe	.....	D2/884
D719,319	S *	12/2014	Dahlquist	.....	D2/869
D734,926	S *	7/2015	Nam	.....	D2/893
D751,796	S *	3/2016	Gewirz	.....	D2/891
2006/0185061	A1 *	8/2006	Wakefield	.....	A42B 1/004 2/195.1

OTHER PUBLICATIONS

Introducing: Elope Bricky Blocks, [on-line]; [Wayback Machine crawl back date published to the Internet Feb. 18, 2015]; [retrieved from the Internet Nov. 22, 2016]; URL: <<https://web.archive.org/web/20150218014236/http://blog.elope.com/bricky-blocks>>. (3 pages).\*

Enjoy Your Day | Brick Brick . . . [on-line]; [posted to the Internet Mar. 3, 2015]; [retrieved from the Internet Nov. 22, 2016]; URL:

<<https://www.youtube.com/watch?v=oPsa0OgpmNc>>. (2 pages).\*  
US Trademark Application No. 86838871 for “Bricky Blocks,” filed Dec. 3, 2015 by Elope Inc. First Use in Commerce Date: Aug. 1, 2015. Retrieved on Nov. 22, 2016. (5 pages).\*

Brick Blocks Baseball Hat by Elope Compatible with Lego, [on-line]; [review posted to the Internet Aug. 24, 2015]; [retrieved from the Internet Nov. 22, 2016]; URL: <<https://www.amazon.com/Bricky-Blocks-Baseball-elope-Compatible/dp/B014DYSBHM>>. (4 pages).\*

Elope’s Build-On Bricky Blocks Accessories, [on-line]; [posted to the Internet Mar. 9, 2016]; [retrieved from the Internet Nov. 22, 2016]; URL: <[https://www.youtube.com/watch?v=FL\\_mlF1kgeU&index=1&list=PL9SjCz-NUH47OMYXReusw3YypN43uMImO](https://www.youtube.com/watch?v=FL_mlF1kgeU&index=1&list=PL9SjCz-NUH47OMYXReusw3YypN43uMImO)>. (4 pages).\*

Brick Your Style: Bricky Blocks at Café Velo, [on-line]; [posted to the Internet May 3, 2016]; [retrieved from the Internet Nov. 22, 2016]; URL: <[https://www.youtube.com/watch?v=CEqt\\_lz0Ca](https://www.youtube.com/watch?v=CEqt_lz0Ca)>. (2 pages).\*

Brick Brick Omega Hat Black—Kids, [on-line]; [publication date unknown]; [retrieved from the Internet Nov. 22, 2016]; URL: (2 pages).\*

\* cited by examiner

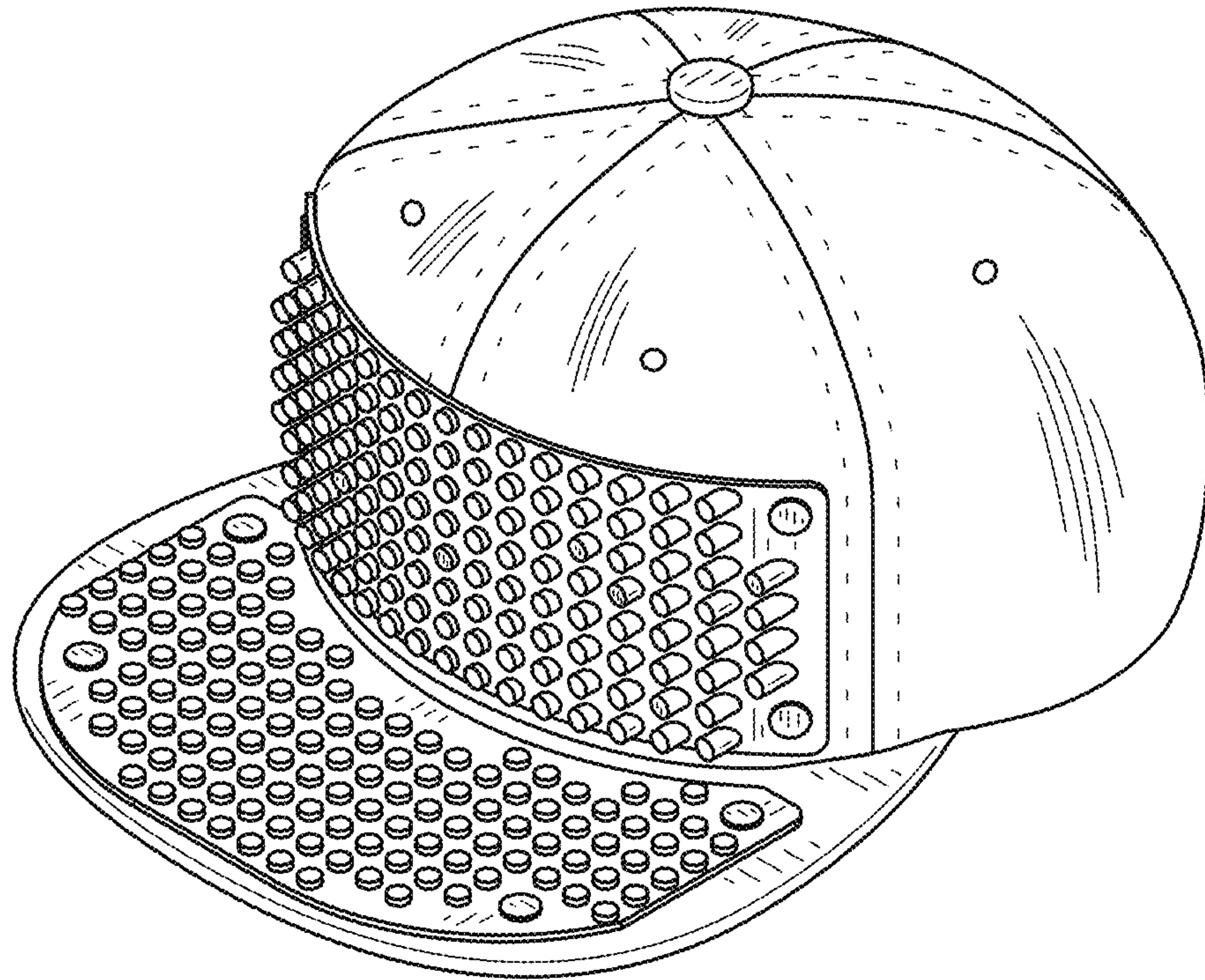


FIG.1



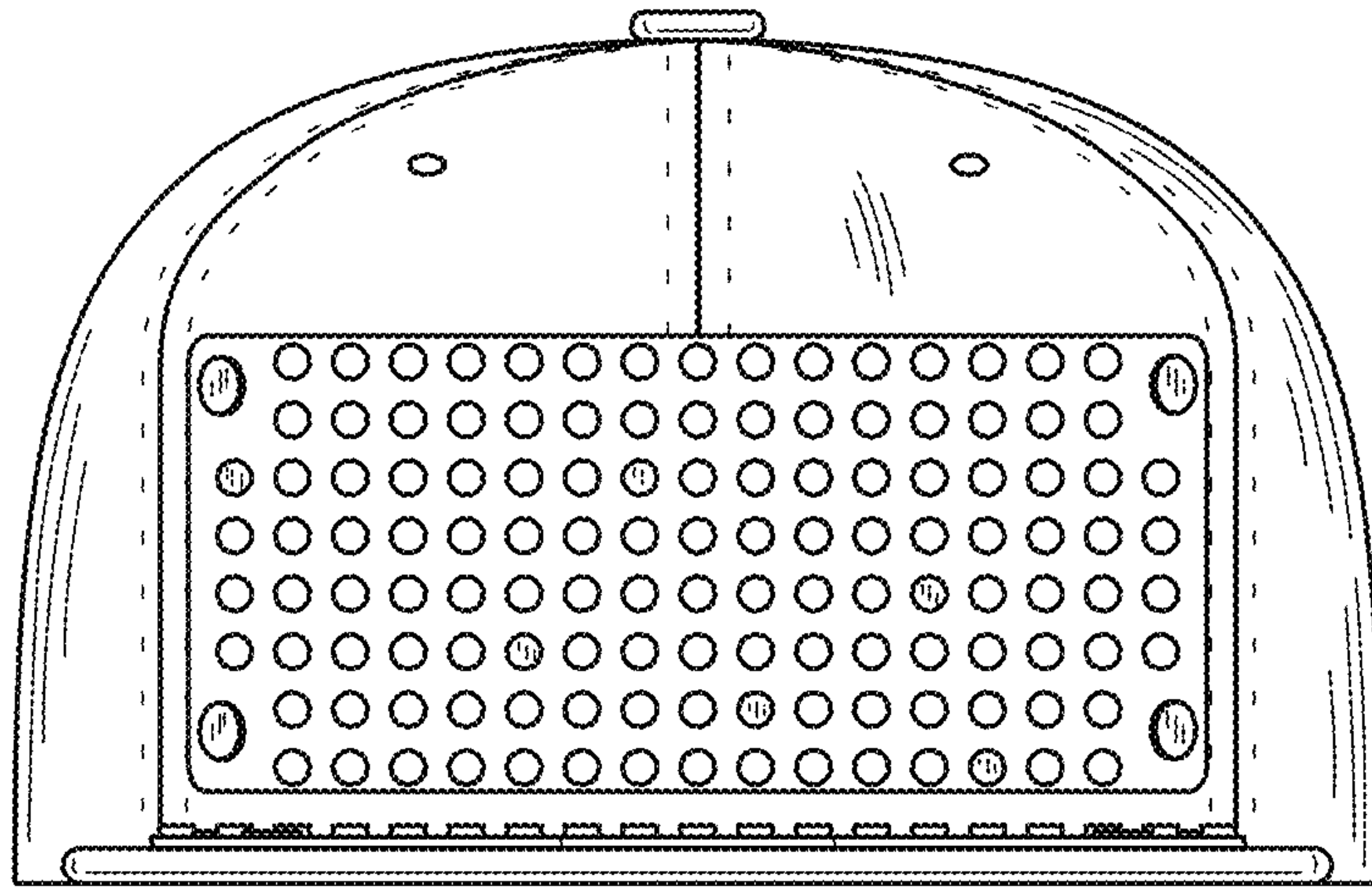


FIG. 2

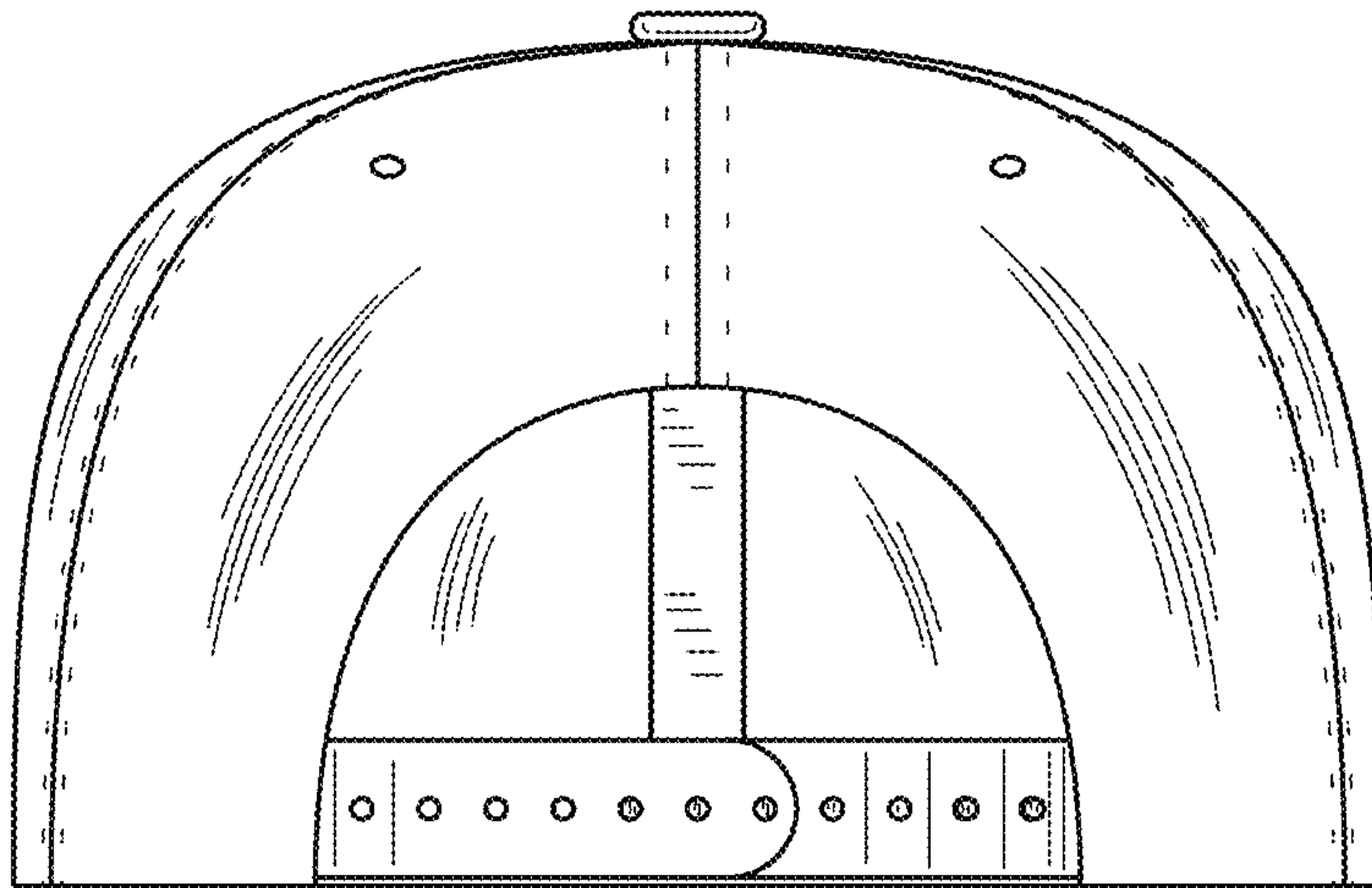


FIG. 3

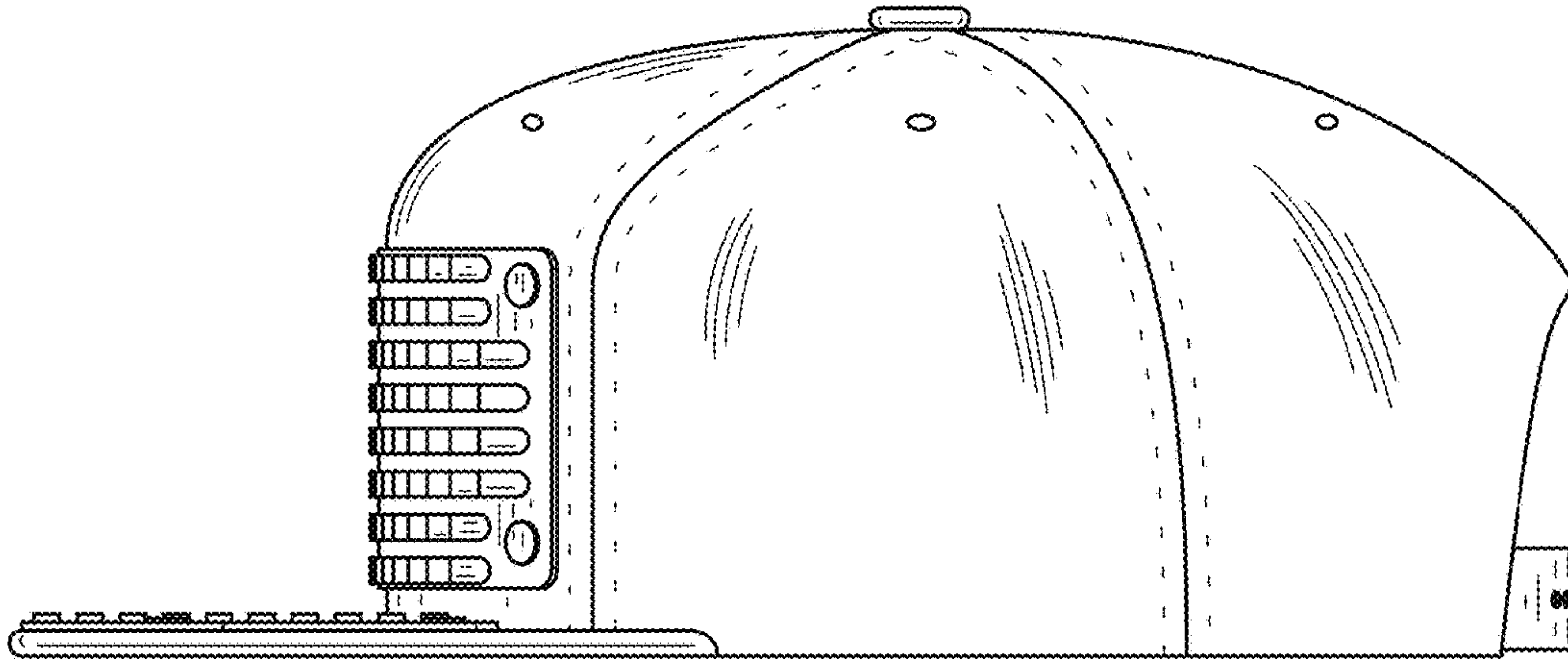


FIG. 4

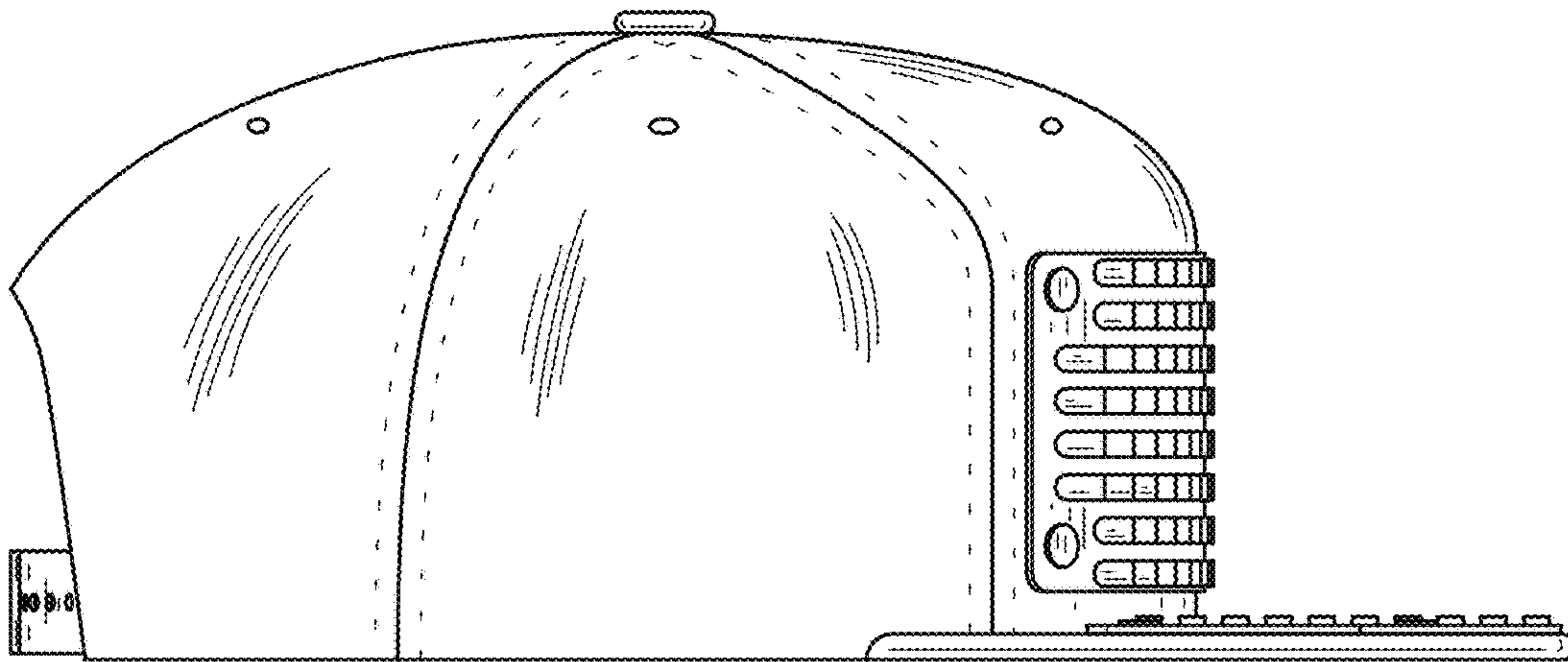


FIG. 5

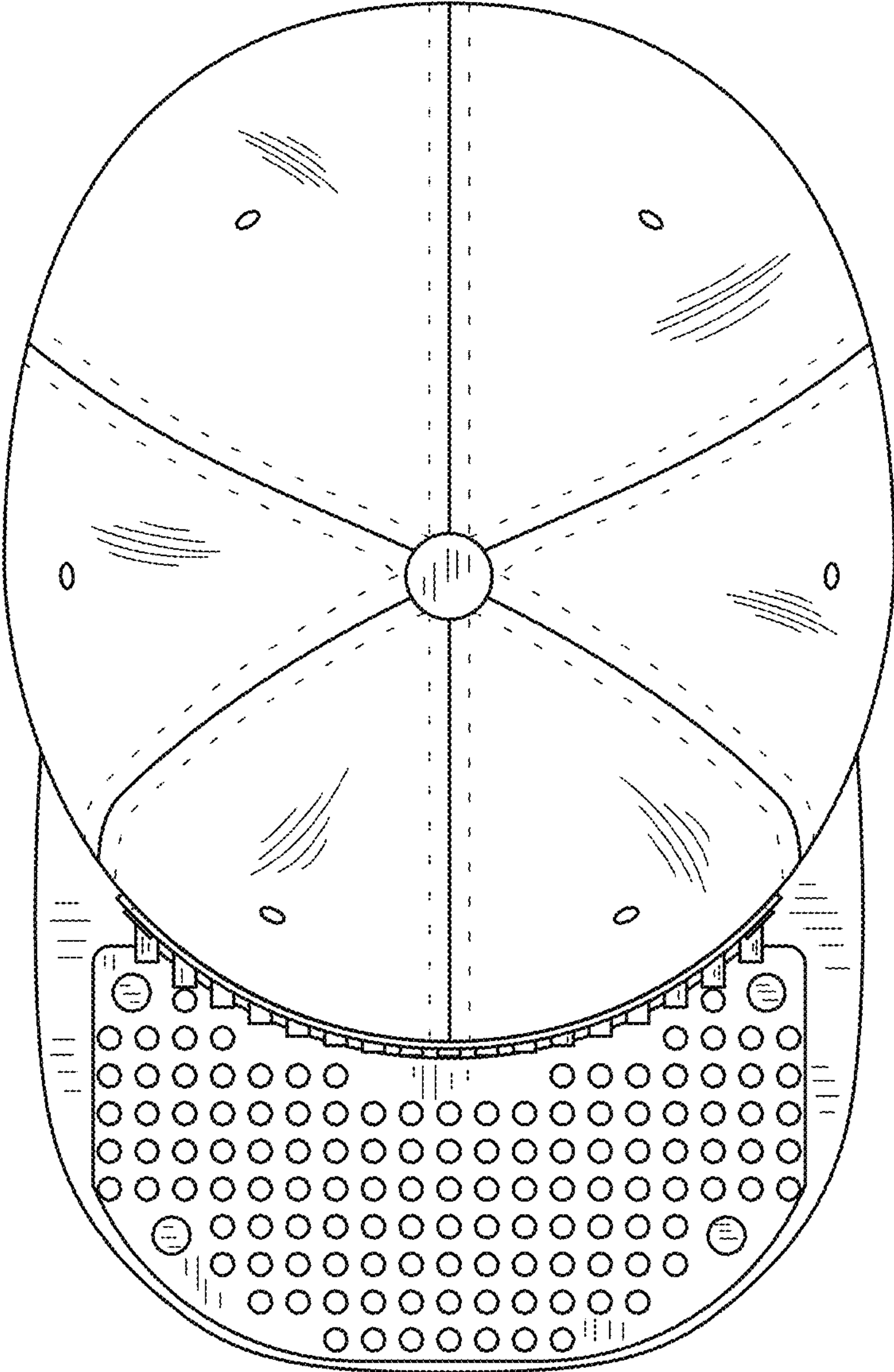


FIG.6

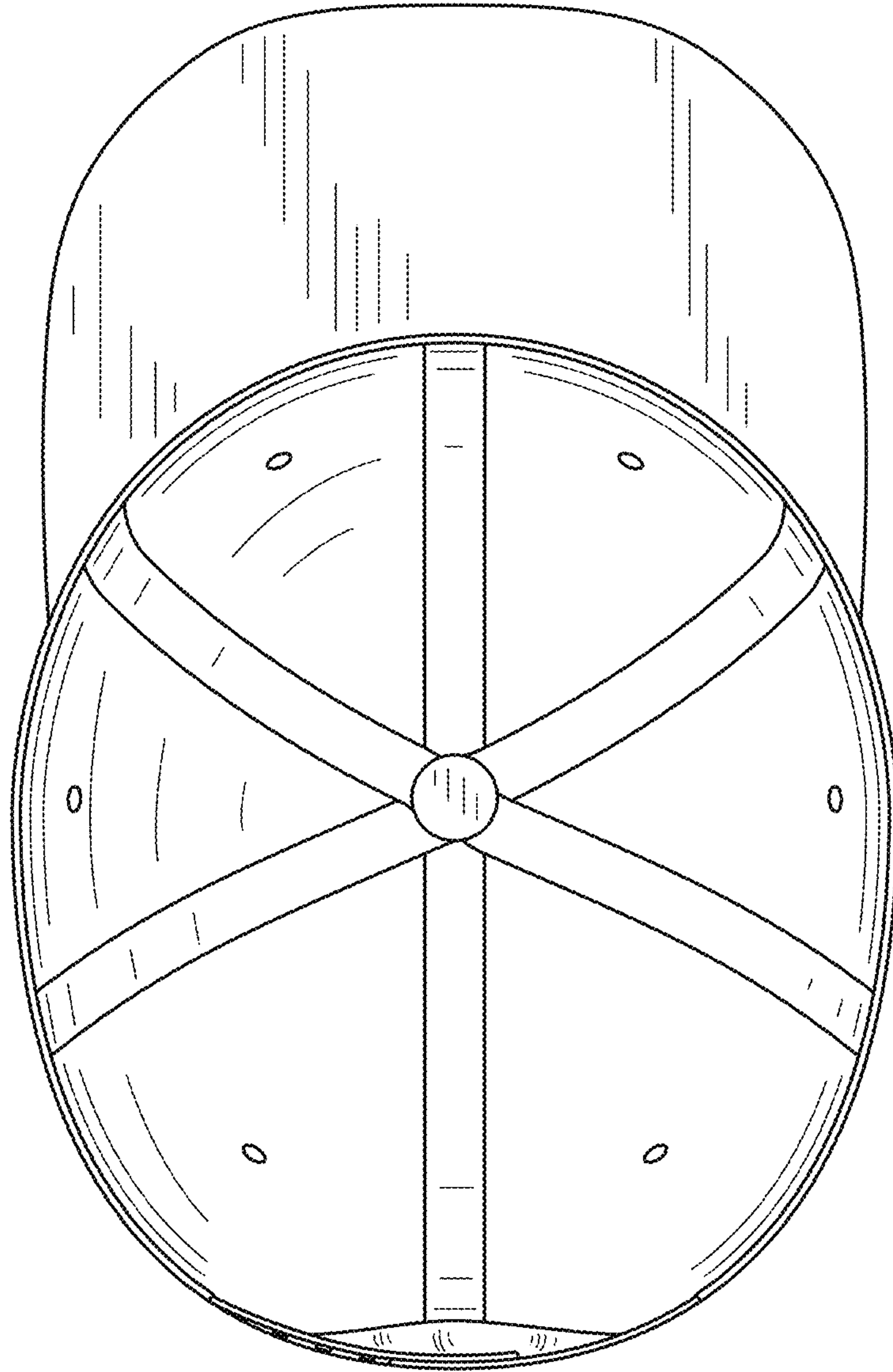


FIG.7