



US00D841938S

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

(10) **Patent No.:** **US D841,938 S**
(45) **Date of Patent:** **** Mar. 5, 2019**

(54) **GARMENT**

(71) Applicant: **adidas AG**, Herzogenaurach (DE)

(72) Inventors: **Deborah Yeomans**, Herzogenaurach (DE); **Andreas Metzger**, Herzogenaurach (DE); **Bettina Weiss**, Herzogenaurach (DE); **Roger Hahn**, Herzogenaurach (DE)

(73) Assignee: **adidas AG**, Herzogenaurach (DE)

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

(21) Appl. No.: **29/626,818**

(22) Filed: **Nov. 20, 2017**

Related U.S. Application Data

(63) Continuation of application No. 29/565,603, filed on May 23, 2016, now Pat. No. Des. 809,245.

(30) **Foreign Application Priority Data**

Nov. 27, 2015 (EM) 002879551

(51) **LOC (11) Cl.** **02-02**

(52) **U.S. Cl.**
USPC **D2/731**

(58) **Field of Classification Search**
USPC D2/731, 712-714, 728, 732-734, 738, D2/742-743; 2/456-458, 2.15, 2.16, 67, 2/82
CPC A62B 17/001; A41B 11/00; A41D 7/00; A41D 1/06; A41D 1/08; A41D 13/02; A41D 13/0007; A41D 13/012; A41D 2400/24; A41D 15/00; B63C 9/087; B63C 11/04

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,128,682 A 2/1915 Homewood
1,277,074 A 8/1918 Hitzeman

1,535,481 A 4/1925 Kjelgaard
1,633,610 A 6/1927 Schneider
1,839,489 A 1/1932 Meroussis
(Continued)

FOREIGN PATENT DOCUMENTS

DE 102004006485 8/2005
DE 202013003618 9/2013
(Continued)

OTHER PUBLICATIONS

Design U.S. Appl. No. 29/565,603 , Ex Parte Quayle Action dated Oct. 5, 2017, 9 pages.

(Continued)

Primary Examiner — Eric L Goodman

Assistant Examiner — Amy C Wierenga

(74) *Attorney, Agent, or Firm* — Kilpatrick Townsend & Stockton LLP

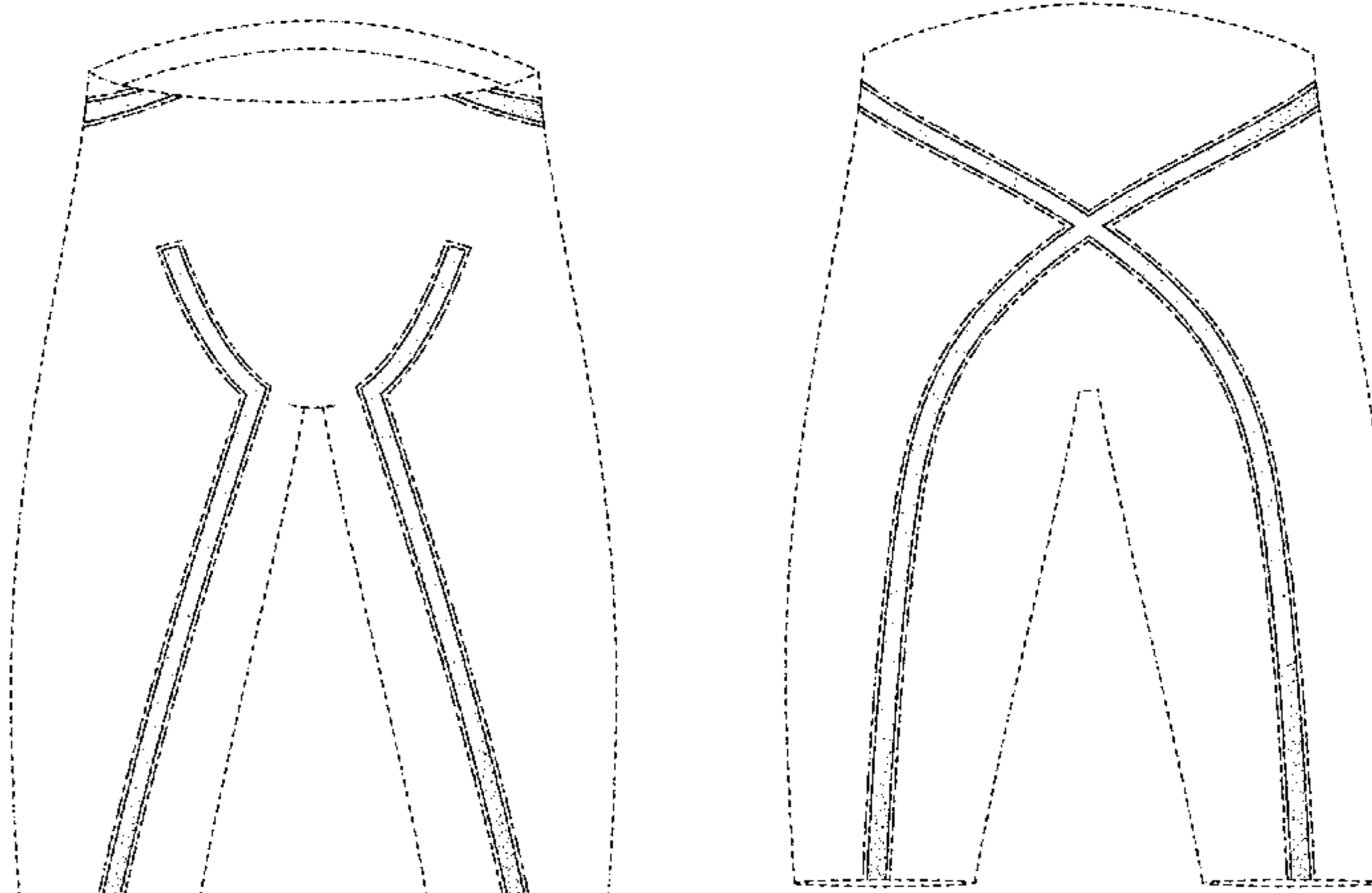
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front view of a garment;
FIG. 2 is a rear view of the garment of FIG. 1;
FIG. 3 is a right side view of the garment of FIG. 1, it being understood that the left side is a mirror image of the right side view;
FIG. 4 is a top view of the garment of FIG. 1; and,
FIG. 5 is a bottom view of the garment of FIG. 1.
The dashed broken lines in the drawings depict environmental subject matter that forms no part of the claim. The dash-dot-dash broken lines define the boundaries of the claim that form no part of the claim.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

2,550,327 A	4/1951	Christensen	6,231,488 B1	5/2001	Dicker et al.
3,015,829 A	1/1962	Gronkowski	6,258,014 B1	7/2001	Karecki
D202,976 S	11/1965	O'Neill	6,311,334 B1	11/2001	Reinhardt et al.
3,286,287 A	11/1966	Martin	6,314,584 B1	11/2001	Errera
3,786,526 A	1/1974	Ausseil	6,332,825 B1	12/2001	Henricksen
3,975,929 A	8/1976	Fregeolle	6,368,256 B1	4/2002	Rumbaugh
4,015,448 A	4/1977	Knohl	D456,588 S	5/2002	Fairhurst et al.
4,153,050 A	5/1979	Bishop et al.	D460,242 S	7/2002	Fairhurst et al.
4,176,665 A	12/1979	Terpening	D461,033 S	8/2002	Fairhurst et al.
4,180,065 A	12/1979	Bowen	6,430,752 B1	8/2002	Bay
4,311,135 A	1/1982	Brueckner et al.	6,430,753 B2	8/2002	Duran
4,371,989 A	2/1983	Polsky	6,438,755 B1	8/2002	MacDonald et al.
4,488,317 A	12/1984	Polsky	6,446,264 B2	9/2002	Fairhurst et al.
4,502,301 A	3/1985	Swallow et al.	6,546,560 B2	4/2003	Fusco et al.
4,502,473 A	3/1985	Harris et al.	D485,048 S	1/2004	Janes
4,538,615 A	9/1985	Pundyk	6,684,410 B2	2/2004	Robinett et al.
4,570,625 A	2/1986	Harris	D504,202 S	4/2005	Coutant
4,654,894 A	4/1987	Kudo	6,874,337 B2 *	4/2005	Uno A41B 9/001 2/401
4,670,913 A	6/1987	Morell et al.	D512,203 S	12/2005	Ota et al.
4,698,847 A	10/1987	Yoshihara	D513,830 S *	1/2006	Ota D2/731
4,785,480 A	11/1988	Polsky	D514,774 S	2/2006	Africa et al.
4,862,523 A	9/1989	Lipov	D515,282 S *	2/2006	Africa D2/714
4,946,453 A	8/1990	Monson	D518,276 S	4/2006	Fairhurst et al.
5,046,194 A	9/1991	Alaniz et al.	D520,715 S	5/2006	Ota et al.
5,052,053 A	10/1991	Peart et al.	7,074,204 B2 *	7/2006	Fujii A41C 1/003 128/96.1
5,055,075 A	10/1991	Waller, Jr.	D541,008 S	4/2007	Fairhurst et al.
5,109,546 A	5/1992	Dicker	D541,009 S	4/2007	Ota et al.
5,139,475 A	8/1992	Robicsek	D548,928 S *	8/2007	Wong D2/731
5,161,257 A	11/1992	Arensdorf et al.	D584,484 S	1/2009	Rance et al.
5,176,600 A	1/1993	Wilkinson	D586,081 S	2/2009	Rance et al.
5,186,701 A	2/1993	Wilkinson	D586,082 S	2/2009	Rance et al.
5,201,074 A	4/1993	Dicker	7,526,929 B2 *	5/2009	Takamoto A41B 11/14 66/177
D339,902 S *	10/1993	Doherty D2/738	D593,728 S *	6/2009	Rance D2/738
5,282,277 A	2/1994	Onozawa	D596,378 S	7/2009	Borchardt
5,306,222 A	4/1994	Wilkinson	D601,778 S	10/2009	Rance et al.
5,338,235 A	8/1994	Lee	D602,677 S	10/2009	Cowan
5,359,732 A	11/1994	Waldman	D606,283 S	12/2009	Rance et al.
5,367,708 A	11/1994	Fujimoto	7,631,367 B2	12/2009	Caillibotte et al.
5,431,030 A	7/1995	Ishizaki et al.	D608,981 S	2/2010	Cowan
5,465,428 A	11/1995	Earl	7,730,552 B2 *	6/2010	Ota A41D 13/0015 2/227
5,546,955 A	8/1996	Wilk	8,286,262 B2 *	10/2012	Rance A41D 7/00 2/67
5,570,472 A	11/1996	Dicker	8,356,363 B2	1/2013	Caillibotte et al.
5,603,232 A	2/1997	Throneburg	8,407,814 B2	4/2013	Caillibotte et al.
5,606,745 A	3/1997	Gray	D681,916 S *	5/2013	Tanaka D2/738
5,659,895 A	8/1997	Ford, Jr.	8,533,864 B1	9/2013	Kostrzewski
5,671,482 A	9/1997	Alvera	8,578,514 B2	11/2013	Caillibotte et al.
5,700,231 A	12/1997	Wilkinson	D698,518 S	2/2014	Tanaka et al.
5,707,266 A	1/1998	Arena	D702,918 S *	4/2014	Radford D2/712
5,720,042 A	2/1998	Wilkinson	9,179,713 B2	11/2015	Hays et al.
5,720,472 A	2/1998	Ohgitani	D750,348 S	3/2016	Hammer et al.
5,737,773 A	4/1998	Dicker et al.	D760,997 S *	7/2016	Gallo D2/731
5,745,917 A	5/1998	Dicker et al.	D768,357 S *	10/2016	White D2/731
5,768,703 A	6/1998	Machado et al.	D769,579 S	10/2016	Griffin
5,787,509 A	8/1998	Alvera	9,516,905 B2	12/2016	Pagnon
5,819,322 A	10/1998	Dicker	9,596,893 B2 *	3/2017	Fukuyo A41D 1/08
5,826,761 A	10/1998	Basaj	D785,292 S *	5/2017	Kandarian D2/742
5,839,122 A	11/1998	Dicker	D789,034 S	6/2017	Musciacchio
5,867,827 A	2/1999	Wilkinson	D789,036 S *	6/2017	Luong D2/731
5,875,491 A	3/1999	Wilkinson	D793,666 S	8/2017	Sun
5,894,970 A	4/1999	Belkin	D795,530 S	8/2017	Musciacchio
5,898,948 A	5/1999	Kelly et al.	D797,403 S	9/2017	Moore
D412,772 S *	8/1999	Fujii D2/731	D798,530 S *	10/2017	Cook D2/700
5,937,442 A	8/1999	Yamaguchi et al.	D803,521 S *	11/2017	Musciacchio D2/731
D416,124 S	11/1999	Davies et al.	D806,358 S	1/2018	Flockton et al.
5,978,966 A	11/1999	Dicker	D806,360 S	1/2018	Musciacchio
5,994,612 A	11/1999	Watkins	D809,245 S *	2/2018	Yeomans D2/731
5,996,120 A	12/1999	Balit	D811,694 S *	3/2018	Griffin D2/742
6,047,405 A	4/2000	Wilkinson	2001/0029224 A1	10/2001	Karecki
6,047,406 A	4/2000	Dicker	2003/0028952 A1	2/2003	Fujii et al.
D427,750 S	7/2000	Fujii	2003/0140391 A1	7/2003	Richards et al.
6,098,198 A	8/2000	Jacobs et al.	2003/0208829 A1	11/2003	Ragot et al.
6,112,502 A	9/2000	Frederick et al.	2004/0016043 A1	1/2004	Uno et al.
6,176,816 B1	1/2001	Dicker	2004/0078865 A1	4/2004	Culhane
6,186,970 B1	2/2001	Fujii et al.	2004/0107479 A1	6/2004	Dicker et al.
6,195,801 B1	3/2001	Meyers et al.			

(56)

References Cited

U.S. PATENT DOCUMENTS

2004/0111781	A1	6/2004	Miyake et al.	
2004/0255358	A1	12/2004	Ota et al.	
2005/0166298	A1	8/2005	Pieroranzio	
2005/0193461	A1	9/2005	Caillibotte et al.	
2005/0223753	A1	10/2005	Nordstrom et al.	
2007/0006356	A1	1/2007	Shiue	
2008/0256675	A1	1/2008	Di et al.	
2008/0141431	A1	6/2008	Rance et al.	
2009/0038047	A1	2/2009	Di et al.	
2009/0113596	A1*	5/2009	Young	A41D 13/0015 2/69
2010/0043114	A1	2/2010	Caillibotte et al.	
2011/0237995	A1*	9/2011	Ota	602/75
2012/0144549	A1	6/2012	Caillibotte et al.	
2012/0145290	A1	6/2012	Fronabarger et al.	
2012/0151653	A1	6/2012	Caillibotte et al.	
2014/0154949	A1	6/2014	Pagnon	
2014/0338089	A1	11/2014	Mas-Bertrand et al.	
2015/0107000	A1*	4/2015	Tanaka	A41D 13/0015 2/227
2016/0044971	A1	2/2016	Randall et al.	
2017/0079339	A1	3/2017	Yeomans et al.	

FOREIGN PATENT DOCUMENTS

EP	1110464	6/2001
EP	1563748	8/2005
EP	1935265	6/2008
EP	2589307	5/2013
GB	2501396	10/2013
JP	2002-212814	7/2002
KR	1020130012745	2/2013
WO	2005102083	11/2005
WO	2016027068	2/2016

OTHER PUBLICATIONS

U.S. Appl. No. 29/565,603, Notice of Allowance dated Dec. 7, 2017, 5 pages.

“Adidas Equipment Fullbody Suit: adidas Revolutionizes Swimming”, adidas International, B.V. (Sep. 4, year unknown) adidas Media Announcement: Photo Opportunity.

“The Most Innovative adidas Products Based on the Athletes Needs Engineered for Performance Information on Equipment Bodysuit.”, adidas International, B.V. (date unknown) adidas Equipment.

“A Swimsuit Issue: Out of the Frying Pan”, Author unknown, Sports Illustrated, Dec. 14, 1998, p. 34.

“adidas Equipment Bodysuit: Press Information.”, adidas International B.V., Jun. 25, 1998.

“adidas International B.V.”, Advertisement: Men’s Apparel, 1999.

“adizero XVI Launch Event”, adidas swim, retrieved from internet: <https://www.youtube.com/watch?v=JFt79tKoKGA>, 2015, 1 page.

“Lycra@ Power Only by DuPont”, DuPont (U.K.) Limited.

“Quick Swim Facts”, adidas international, B.V. (date unknown) adidas Media Announcement.

“Slippery When Wet: Teflon Suit Takes The Drag Out of Swimming”, Aqua Magazine, Feb 1999, p. 14.

“Swim in Your adidas”, City Sports Magazine., Nov. 1998.

“Technology Behind the Equipment Fullbody Suit”, adidas International, B.V. (date unknown) adidas Media Announcement.

“The Equipment Fullbody Suit”, Adidas America, Available web site: http://adidas_america/publications/scoops/swim/swim.htm, Accessed on: Oct. 27, 1998.

“The Influence of Proprioception?”, adidas International, B.V. (Feb. 14, 2000) adidas Media Release., Feb. 14, 2000.

Author Unknown, “Title Unknown”, Dec. 1998.

Binole, “Swimmers Hope to Go Faster with adidas Suit”, The Business Journal, Nov. 20, 1998.

Binole, “This Swimsuit Won’t Make SI’s Cover”, Sports Business Journal, Nov. 30, 1998.

Collcutt et al., “All-Over Costume Aims to Put Speed and Style in the Swim”, Times of London, Jul. 7, 1998.

Dolbow, “The Score: The Look of Swim to Come?”. Sportstyle, Oct. 1998, p. 7.

Feitelberg, “Sport Report: adidas Has Swimwear Covered”, Women’s Wear Daily, vol. 176, No. 72, p. 10., Oct. 15, 1998.

Kraemer et al., “Influence of a Compression Garment on Repetitive Power Output Production Before and After Different Types of Muscle Fatigue”, Sports Med., Training and Rehab., vol. 8, No. 2., 1998, pp. 163-184.

Lord, “Putting the Squeeze on in the Fast Lane”, Times of London, Jul. 15, 1998.

McMorris, ““Personal Trainer Great Gear: Does it Work?””, Sports Illustrated for Women. 1999, pp. 118-119.

Mendel, “Dressed to Compress”, Athletic Management, Feb./Mar. 1994, pp. 40, 42, and 44.

Parrack, “ASA National Championships and Commonwealth Trials”, Swimming Times, Aug. 1998, pp. 5 and 9.

Sharp et al., “Influence of Body Hair Removal on Physiological Responses During Breaststroke Swimming”, Medicine and Science in Sports and Exercise, vol. 21, No. 5, Oct. 1989, p. 576-580.

Smith, “The Man with the Golden Feet”, Sports Illustrated, Nov. 22, 1999, 7 pages ending on page No. 114.

Stromgren Supports, INC., “Online history and product information”, Available web site: <http://www.stromgren.com/history.htm> and <http://www.stromqren.com/study.htm>, Accessed on May 31, 2000, 1999-2000.

Torres, “PulseFitness: Does it Work? Well Suited”, Rodale’s Fitness Swimmer, May-Jun. 1999.

Weede, “Power Suits”, Sportstyle, Dec. 1998.

Weiss, “Can Lycra® Power Improve Your Performance?”, About.com [Online], Available web site: <http://bicycling.about.com/sports/bicycling/library/weekly/aa080697.htm?iam=ask&terms=lycra>, Accessed on: Feb. 23, 2000., Aug. 6, 1997.

Williams et al., “Swimming Performance and Hydrodynamic Characteristics of Harbor Seals Phoca Vitulina”, Physiological Zoology. vol. 58, No. 5, Sep.-Oct. 1985, pp. 576-589.

U.S. Appl. No. 29/626,792, Non-Final Office Action dated Jun. 27, 2018, 8 pages.

U.S. Appl. No. 29/626,798, Non-Final Office Action dated Jun. 28, 2018, 8 pages.

* cited by examiner

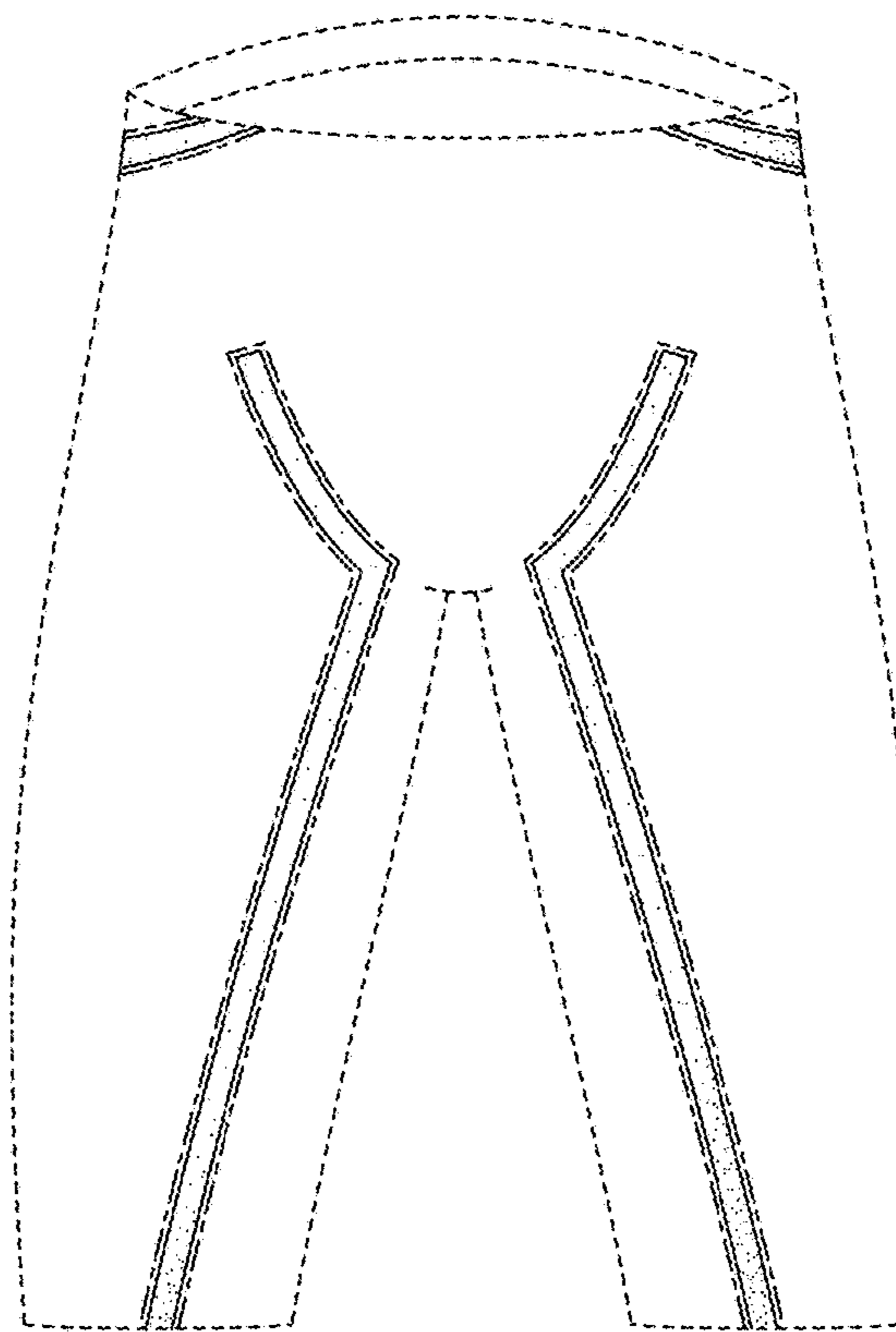


FIG. 1

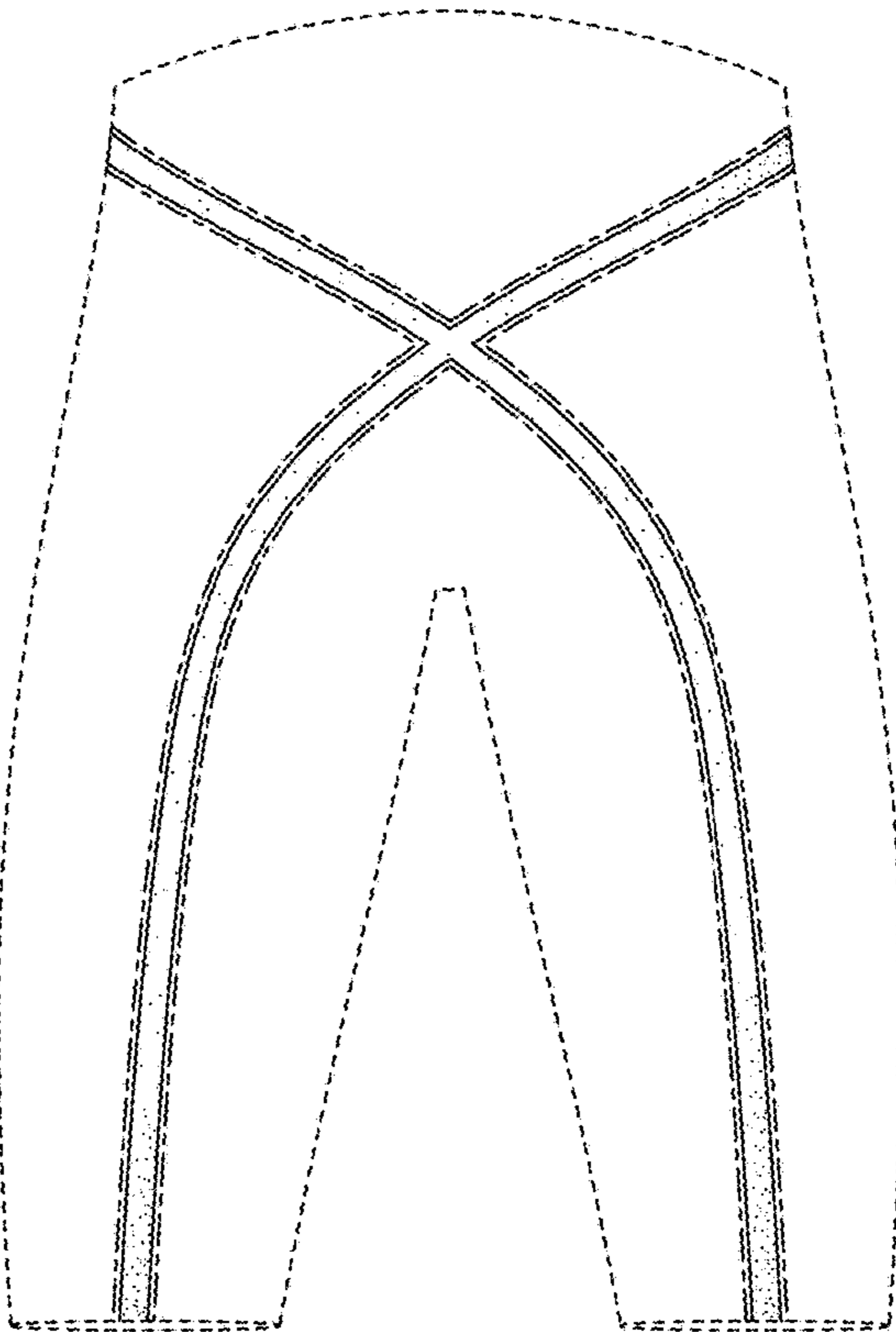


FIG. 2

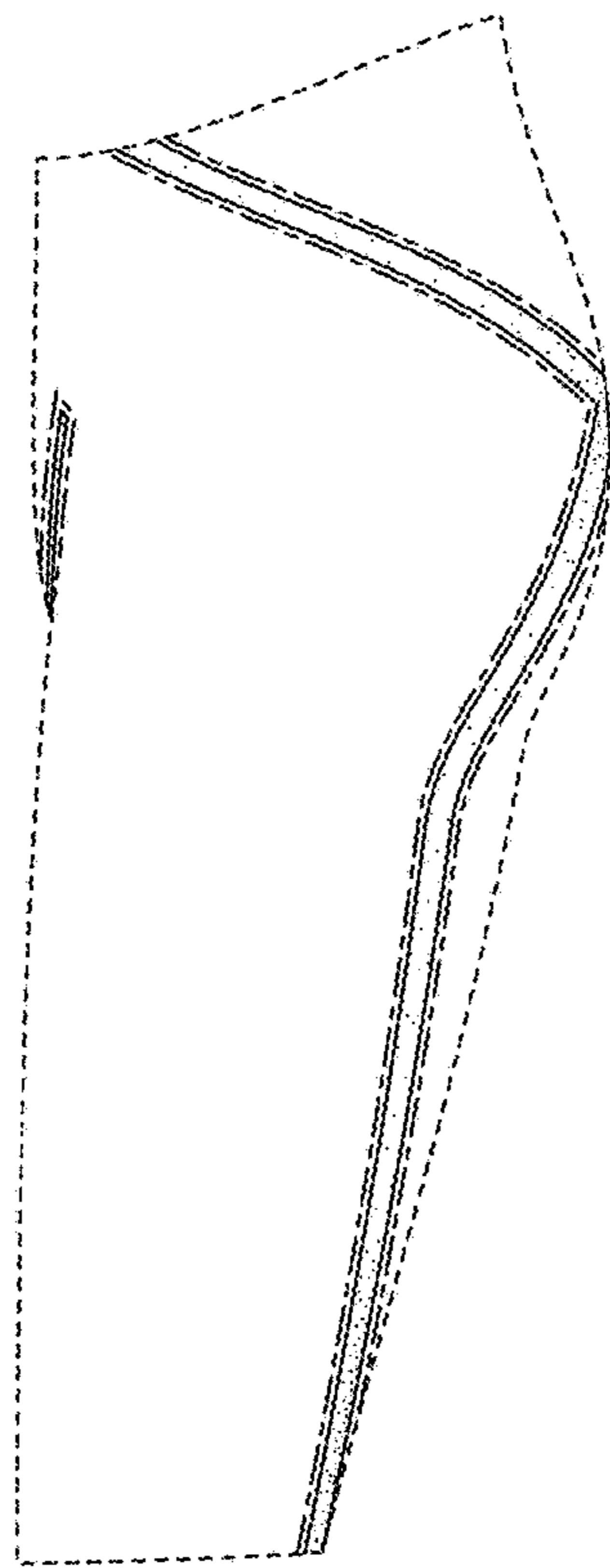


FIG. 3

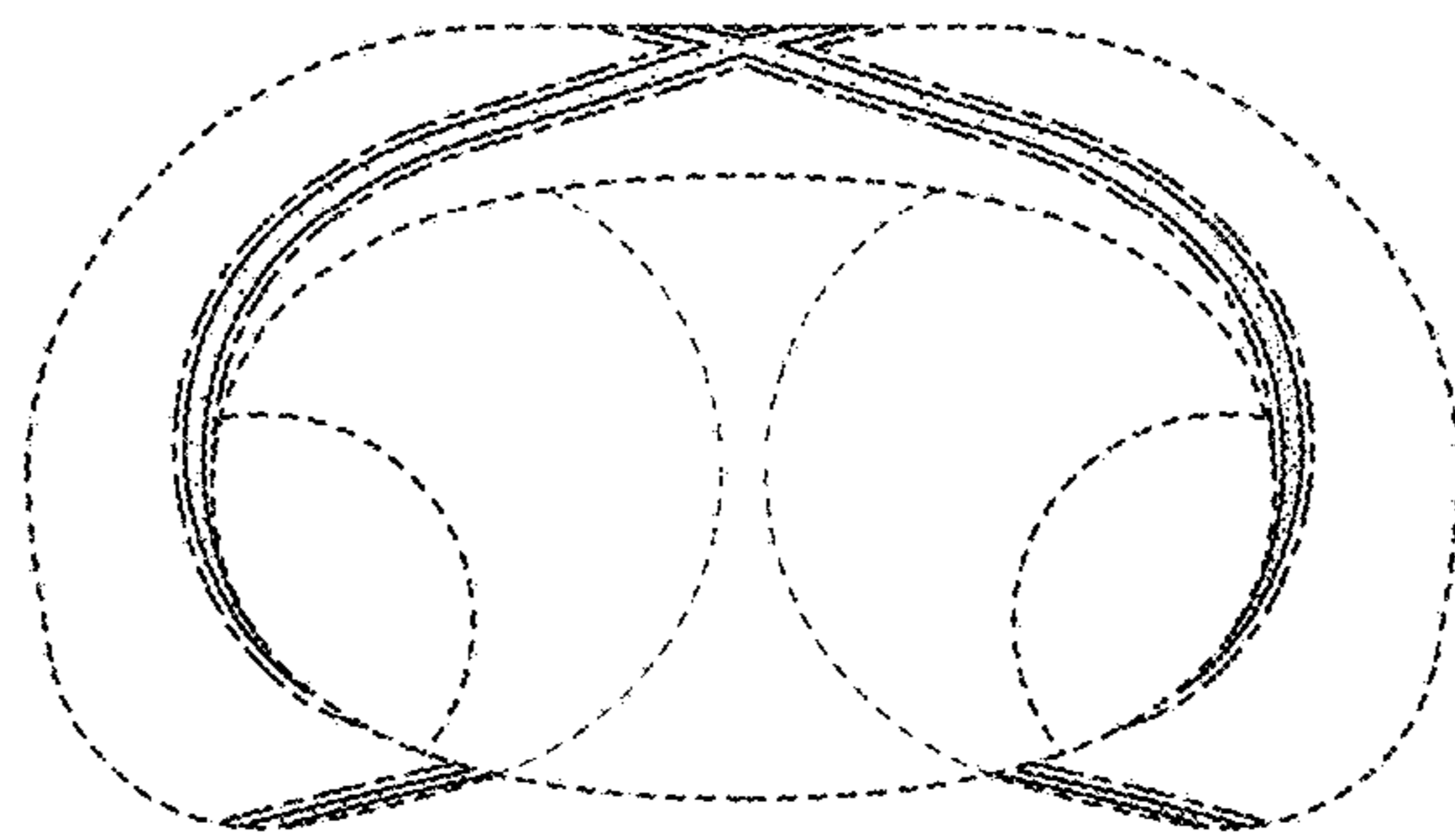


FIG. 4

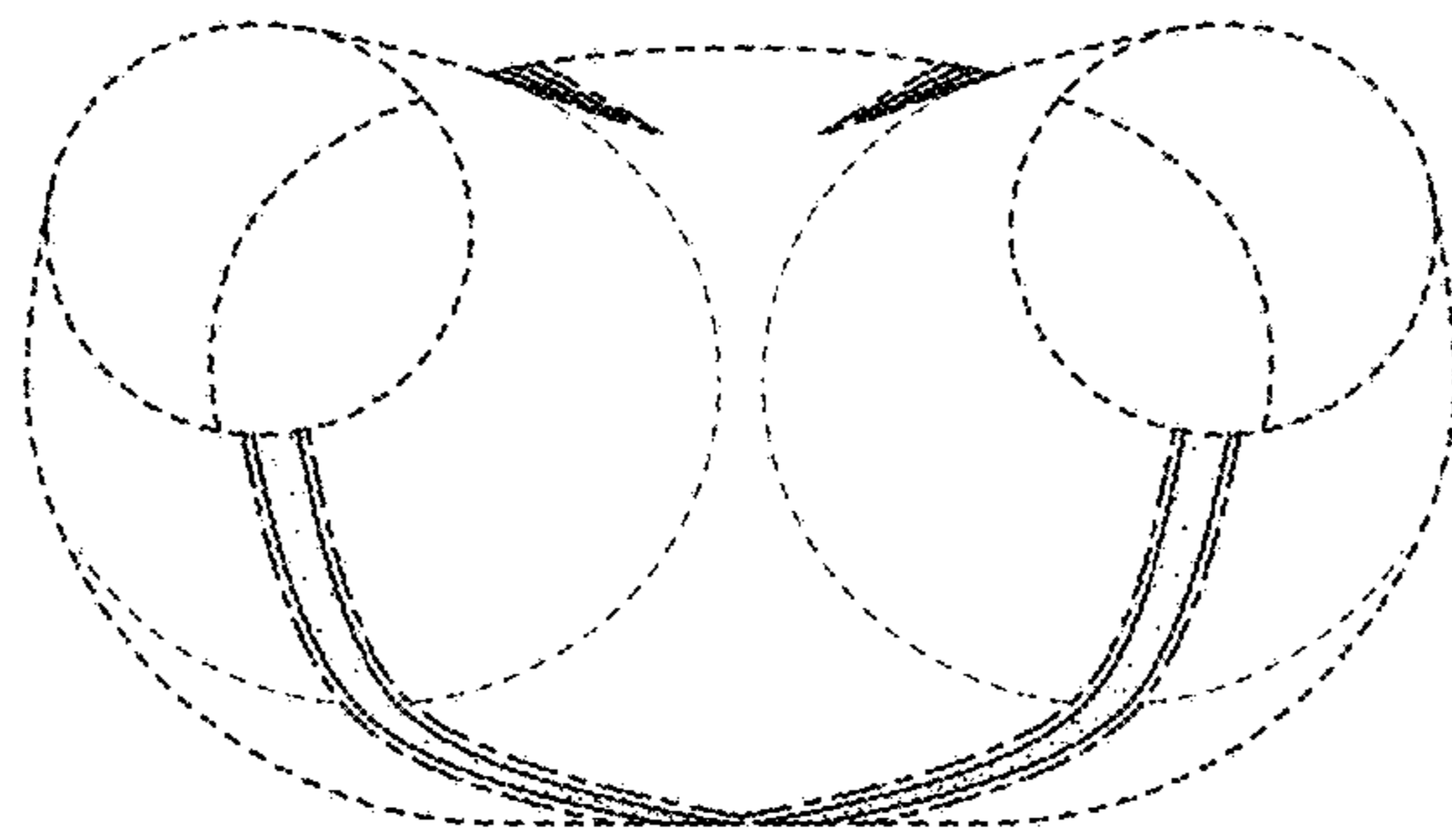


FIG. 5