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(12) **United States Design Patent** (10) **Patent No.:** **US D959,740 S**
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(54) **THIN HEADBAND WITH A SINGLE ROW OF STITCHING**
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(**) Term: **15 Years**
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(52) **U.S. Cl.**
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(58) **Field of Classification Search**
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See application file for complete search history.

(56) **References Cited**
U.S. PATENT DOCUMENTS
D4,516 S 12/1870 Smith
354,882 A 12/1886 Bracher
409,001 A 8/1889 Ashworth
D19,530 S 12/1889 LaPierre
478,291 A 7/1892 Shrier
497,085 A 5/1893 Yule et al.
1,156,487 A 10/1915 Kunstadter
1,187,096 A 6/1916 Reichard
1,811,842 A * 6/1931 Bossart A45D 8/34
132/273

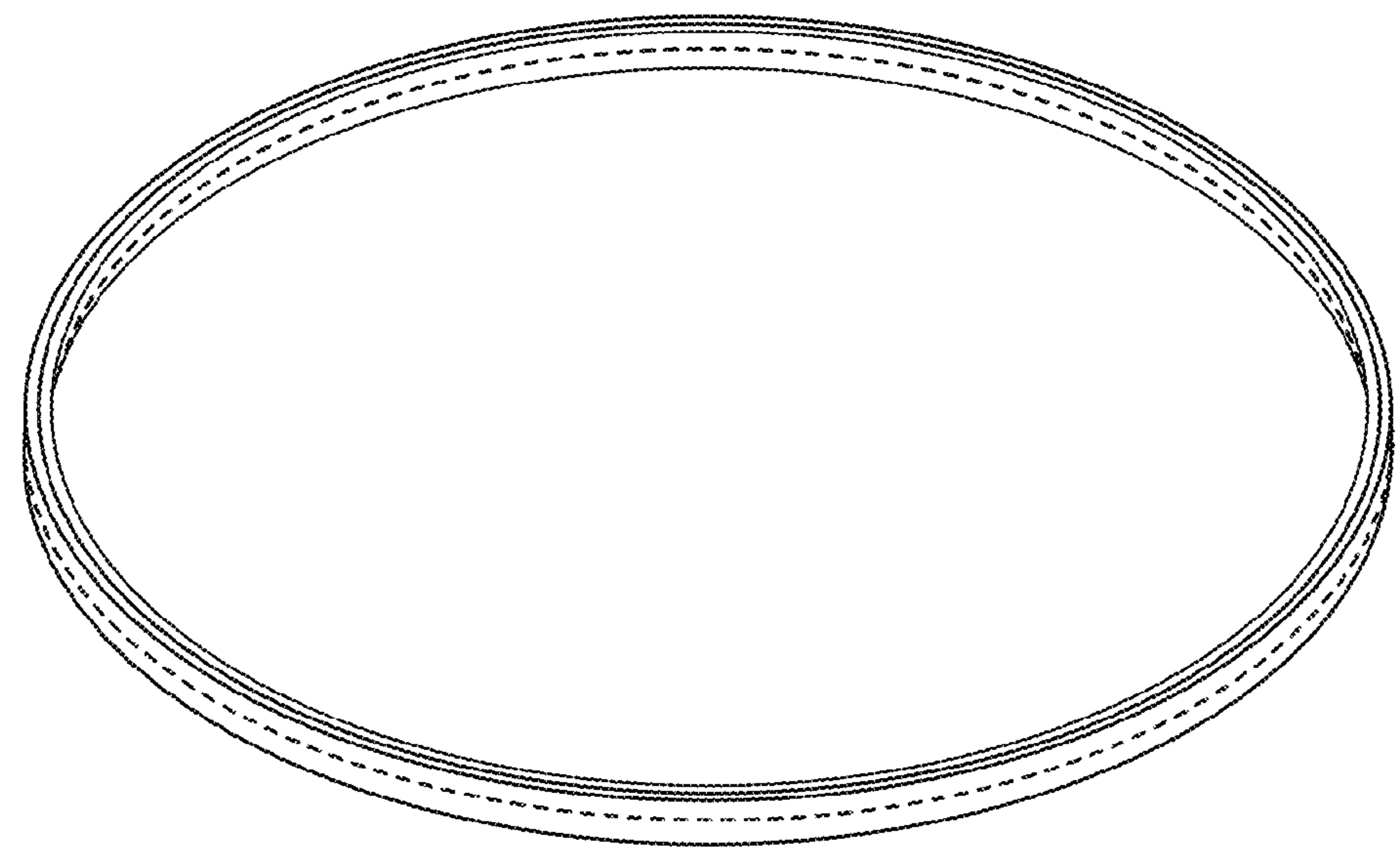
(Continued)
FOREIGN PATENT DOCUMENTS
CA 144200 11/2012
CN 2678415 Y 2/2005
(Continued)

OTHER PUBLICATIONS
Epic Inspiration Facebook Photo, blue headband, [online]; [photo uploaded to the Internet on Sep. 5, 2011]; [retrieved from the Internet on Dec. 18, 2019]; URL:https://www.facebook.com/epicinspirationonetsy/photos/a.215713711818955/215713881818938/?type=3&theater. (1 pg). (Year: 2011).
(Continued)
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(57) **CLAIM**
The ornamental design for a thin headband with a single row of stitching, as shown and described.

DESCRIPTION
FIG. 1 is a first perspective view of a design for a thin headband with a single row of stitching in an example environment.
FIG. 2 is a second perspective view of the design for a thin headband with a single row of stitching.
FIG. 3 is a left side view of the design for a thin headband with a single row of stitching.
FIG. 4 is a right side view of the design for a thin headband with a single row of stitching.
FIG. 5 is a front view of the design for a thin headband with a single row of stitching.
FIG. 6 is a rear view of the design for a thin headband with a single row of stitching.
FIG. 7 is a top view of the design for a thin headband with a single row of stitching; and,
FIG. 8 is a bottom view of the design for a thin headband with a single row of stitching.
The thin headband with a single row of stitching as shown in FIGS. 1-8 has a width of between 0.6 cm and 0.9 cm. Features shown in broken lines depict environment and form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,992,285 A 2/1935 Blum
 2,116,082 A 5/1938 Radford
 2,143,483 A 1/1939 Iglauer
 2,181,446 A 11/1939 Ames
 2,294,654 A 9/1942 Cooper
 2,339,189 A 1/1944 Pickles
 2,343,408 A 3/1944 Glass
 2,351,132 A 6/1944 Kling
 2,406,700 A 8/1946 Miller
 2,580,323 A 12/1951 Russell
 2,651,044 A 9/1953 Ruth
 2,769,308 A 11/1956 Krasno
 2,997,072 A 8/1961 Messer
 3,229,308 A 1/1966 Jensen
 3,467,111 A 9/1969 Benson
 3,474,798 A 10/1969 Tillotson
 D217,521 S 5/1970 Shores
 D222,194 S 10/1971 Basche
 3,668,707 A 6/1972 Williams
 3,672,362 A 6/1972 Basche
 D234,236 S 2/1975 Miller
 3,945,050 A 3/1976 Bohash
 4,317,238 A 3/1982 Amin
 4,416,633 A 11/1983 Gulack
 D272,865 S 3/1984 Edelmann
 4,517,685 A 5/1985 Lesley
 4,630,317 A 12/1986 Brown
 4,811,430 A 3/1989 Janusz
 4,833,734 A 5/1989 Der Estephanian
 4,910,806 A 3/1990 Baker et al.
 4,918,758 A 4/1990 Rendina
 4,947,488 A 8/1990 Ashinoff
 D316,774 S 5/1991 Falk
 5,111,975 A 5/1992 Roberts
 D343,282 S 1/1994 Irish
 5,307,582 A 5/1994 Quintel
 D351,052 S 10/1994 Russell
 D355,047 S 1/1995 Grimes
 D375,612 S 11/1996 Elder
 5,579,540 A 12/1996 Walker
 5,590,422 A 1/1997 Henderson
 D382,989 S 9/1997 Simpson
 D384,790 S 10/1997 Juergens
 D389,636 S 1/1998 Davis
 5,715,540 A 2/1998 Cho
 5,806,535 A 9/1998 Becker
 D402,091 S 12/1998 Bratcher
 5,848,981 A 12/1998 Herbranson
 5,862,523 A 1/1999 Proctor
 5,893,376 A * 4/1999 Glassberg A45D 8/34
 132/273
 D409,357 S 5/1999 Hirata
 5,901,381 A 5/1999 Nelson
 5,963,989 A 10/1999 Robertson
 5,978,969 A 11/1999 Vinding Diers
 6,000,062 A 12/1999 Trakh
 6,000,105 A 12/1999 Le
 6,018,821 A 2/2000 Adams
 6,115,843 A 9/2000 Travalgia
 6,122,859 A * 9/2000 Lazar A01G 9/128
 47/44
 6,205,590 B1 3/2001 Gorman
 6,227,011 B1 5/2001 Cortinovis
 6,237,611 B1 5/2001 Lecrone
 6,295,992 B1 10/2001 Sapp
 6,418,562 B1 7/2002 Shwartz
 6,470,896 B1 * 10/2002 Mensonides A45D 8/36
 132/200
 D468,013 S 12/2002 Mason
 6,502,245 B1 1/2003 McBride
 6,553,577 B2 4/2003 Montague
 D482,633 S * 11/2003 Highfill D11/3
 6,701,532 B1 3/2004 Glassberg
 D497,467 S 10/2004 Srivastava
 D511,036 S 11/2005 Moses

7,020,900 B2 4/2006 Ngan
 D519,716 S 5/2006 Smith
 7,058,989 B2 6/2006 Domingos
 D528,744 S 9/2006 Nelson
 7,234,174 B2 6/2007 Abraham
 7,398,559 B2 7/2008 Flatt
 D578,742 S 10/2008 Cho
 D640,860 S 7/2011 Lambertz
 D668,843 S 10/2012 Lalonde
 D689,652 S 9/2013 Hines
 9,173,467 B2 11/2015 Passarello
 9,392,827 B2 7/2016 Farney
 D779,120 S * 2/2017 Cull D28/41
 D780,376 S 2/2017 Johnson
 D785,911 S 5/2017 Aernson
 2002/0055317 A1 5/2002 Kopelowicz
 2003/0121127 A1 7/2003 Walker
 2003/0131395 A1 7/2003 Putman
 2004/0213979 A1 10/2004 Vito et al.
 2005/0061345 A1 3/2005 Srivastava
 2005/0132470 A1 6/2005 Wong
 2005/0132473 A1 6/2005 Upton
 2006/0032515 A1 2/2006 Thall
 2006/0042139 A1 3/2006 Mendes
 2006/0085891 A1 4/2006 Larkin
 2006/0162046 A1 7/2006 Chudzik
 2006/0249172 A1 11/2006 Ballew
 2008/0022438 A1 1/2008 Schweers et al.
 2009/0077716 A1 3/2009 Farney
 2009/0090378 A1 4/2009 Chudzik et al.
 2010/0024091 A1 2/2010 Mehtab
 2010/0107307 A1 5/2010 Lee
 2010/0162464 A1 7/2010 Beard
 2010/0242980 A1 9/2010 D'Assis
 2011/0290872 A1 12/2011 Bock
 2012/0180193 A1 7/2012 Curiel
 2012/0234344 A1 9/2012 Hsu
 2013/0167416 A1 7/2013 Brazell
 2013/0291887 A1 11/2013 Passarello
 2015/0047099 A1 2/2015 Koh
 2015/0241915 A1 8/2015 Goyal
 2015/0328519 A1 11/2015 Lake
 2015/0335124 A1 * 11/2015 Passarello A45D 8/36
 132/275
 2016/0029722 A1 2/2016 Klopfer
 2019/0216149 A1 7/2019 Diaz
 2020/0196690 A1 6/2020 Sohn
 2020/0297052 A1 9/2020 Olivares
 2021/0045488 A1 2/2021 Vargas
 2021/0145144 A1 5/2021 Passarello

FOREIGN PATENT DOCUMENTS

CN 302193829 11/2012
 EM 001311914-0001 3/2012
 GB 2184754 7/1987
 RU 82529 U1 5/2009

OTHER PUBLICATIONS

Epic Inspiration Facebook Photo, headband, [online]; [photo uploaded to the Internet on Sep. 5, 2011]; [retrieved from the Internet on Dec. 18, 2019]; URL: <https://www.facebook.com/epicinspirationonetsy/photos/a.215713711818955/215713738485619/?type=3&theater>. (1 pg). (Year: 2011).
 Fitness Fashion: We love Sparkly Soul Headbands, [on-line post]; [blog posted to the Internet on Oct. 14, 2011]; URL: <https://www.rnorngenerations.com/2011/10/fitness-fashion-we-love-sparkly-soul-headbands/>. (3 pgs). (Year: 2011).
 Goody Hair Bands (Gold and Burgundy Glitter), "Crowning Glory", Beauty Marie Claire, Marie Claire Magazine Dec. 2008, p. 150.
 International Search Report and the Written Opinion of the International Searching Authority for PCT/US2012/048081, dated Oct. 11, 2012 (7 pages).
 International Search Report of PCT/US2016/045062 dated Oct. 6, 2016.

(56)

References Cited

OTHER PUBLICATIONS

No-Slip Thin Glitter/Sparkly Headband . . . [on-line]; [review posted to the Internet on Sep. 16, 2011]; [retrieved from the Internet on Aug. 1, 2018]; URL: see bottom of first page. (3 pgs). (Year: 2011).

Sparkly Soul—Fitness Headbands, [on-line]; [posted to the Internet Feb. 22, 2013]; [retrieved from the Internet Nov. 8, 2016]; URL: <<https://www.youtube.com/watch?v=3aHOyaaixo4&feature=youtu.be>> (2 pages).

Sparkly Soul, photo post [on-line]; [posted to the Internet Jul. 31, 2011]; [retrieved from the Internet Nov. 8, 2016]; URL: <https://www.facebook.com/sparklysoulinc/photos/a.263148203702249.85880.263148047035598/263148210368915/?type=3&theater> (1 page).

Sparkly Thin Headband, [on-line]; [posted to the Internet with a crawlback date of Oct. 6, 2011]; [retrieved from the Internet Nov. 8, 2016]; URL: <https://web.archive.org/web/20111006045951http://shop.sparklysoul.com/SparklySmallHeadband_c2.htm>(3 pages).

Sparkly Thin Headbands . . . [on-line]; [Wayback Machine Internet crawl-back date Oct. 5, 2011]; [retrieved from the Internet on Jul. 31, 2018]; URL: <https://web.archive.org/web/20111005165632/http://www.sparklysoul.com/>. (1 pg). (Year: 2011).

USPTO Final Office Action for U.S. Appl. No. 29/398,269, dated Feb. 11, 2015 (7 pages).

USPTO Final Office Action for U.S. Appl. No. 29/398,269, dated Jun. 6, 2014 (7 pages).

USPTO Final Office Action for U.S. Appl. No. 29/593,644, dated Aug. 2, 2020 (7 pages).

USPTO Final Office Action for U.S. Appl. No. 29/593,644, dated Feb. 15, 2019 (17 pages).

USPTO Non-Final Office Action for U.S. Appl. No. 29/398,269, dated Sep. 17, 2013 (10 pages).

USPTO Non-Final Office Action for U.S. Appl. No. 29/593,644, dated Aug. 7, 2018 (24 pages).

USPTO Non-Final Office Action for U.S. Appl. No. 29/593,644, dated Dec. 26, 2019 (8 pages).

* cited by examiner

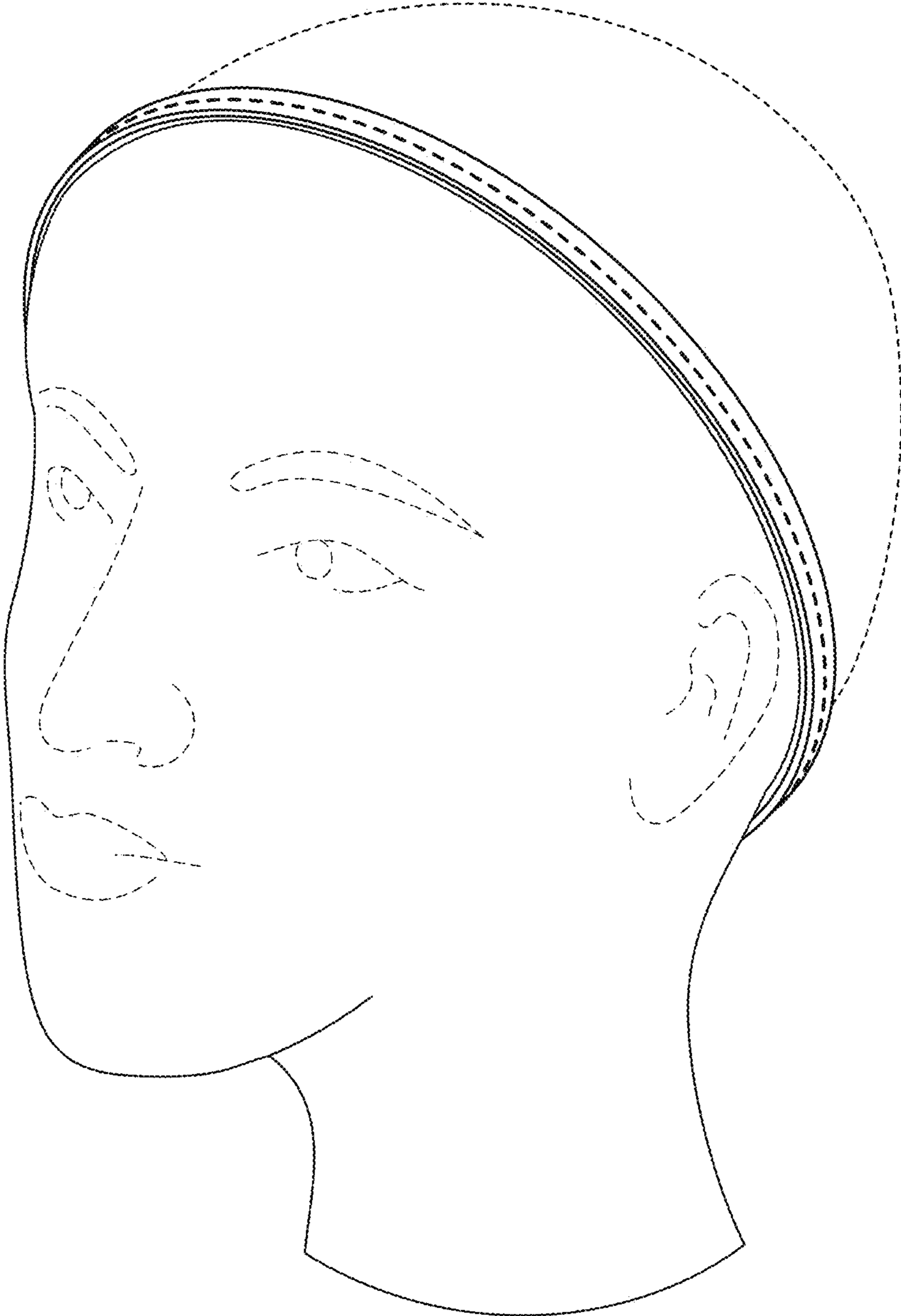


FIG. 1

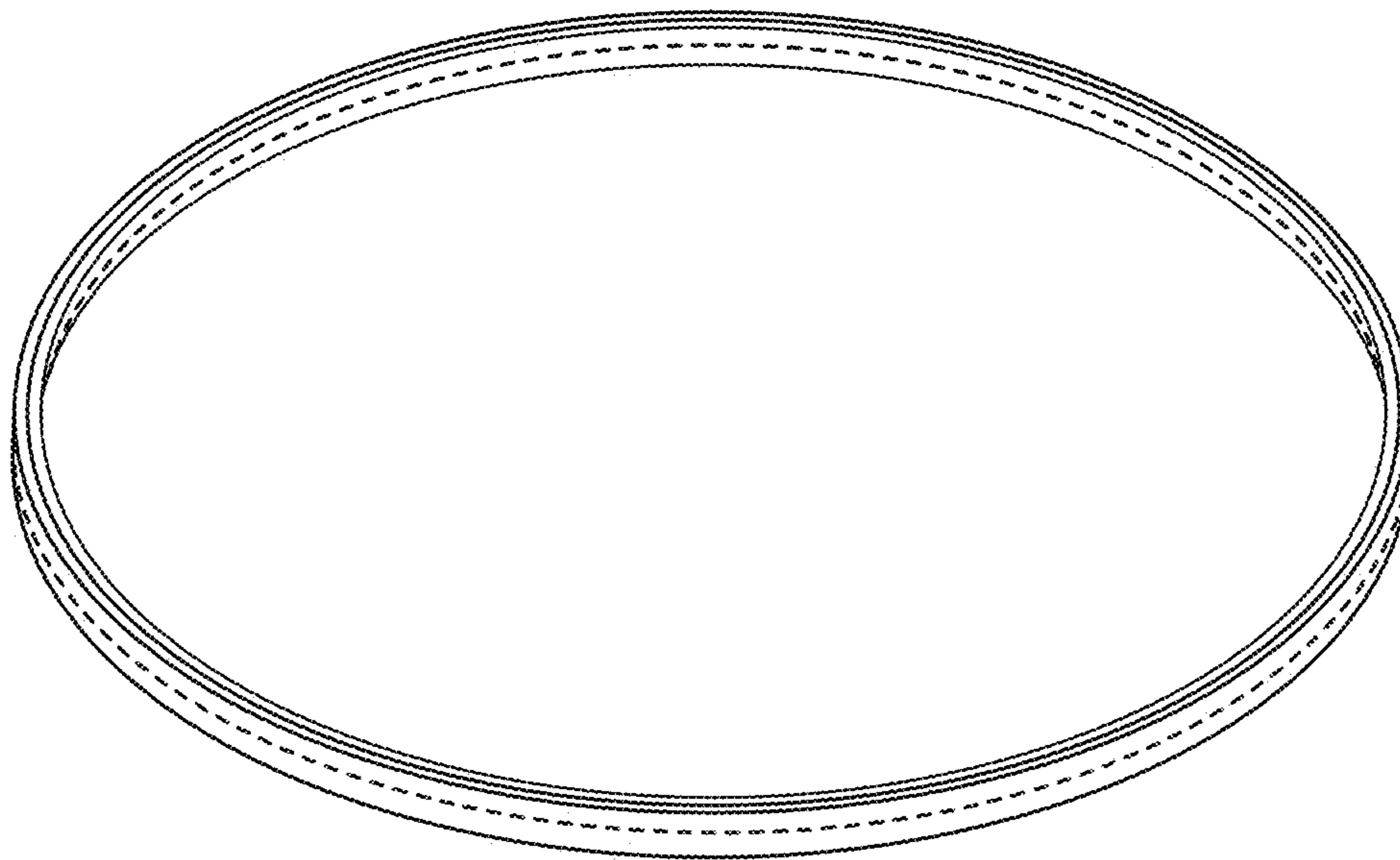


FIG. 2



FIG. 3



FIG. 4



FIG. 5



FIG. 6

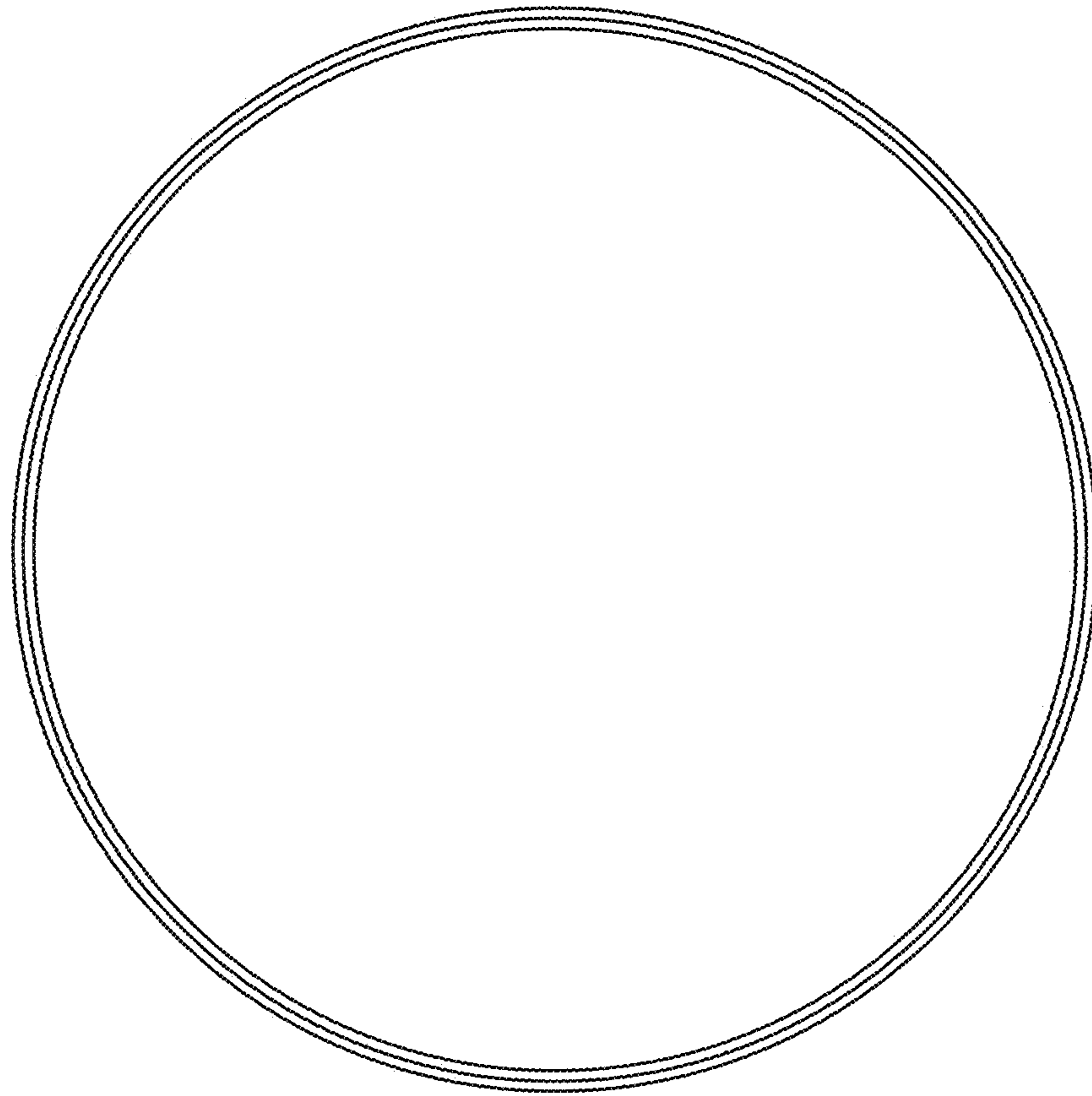


FIG. 7

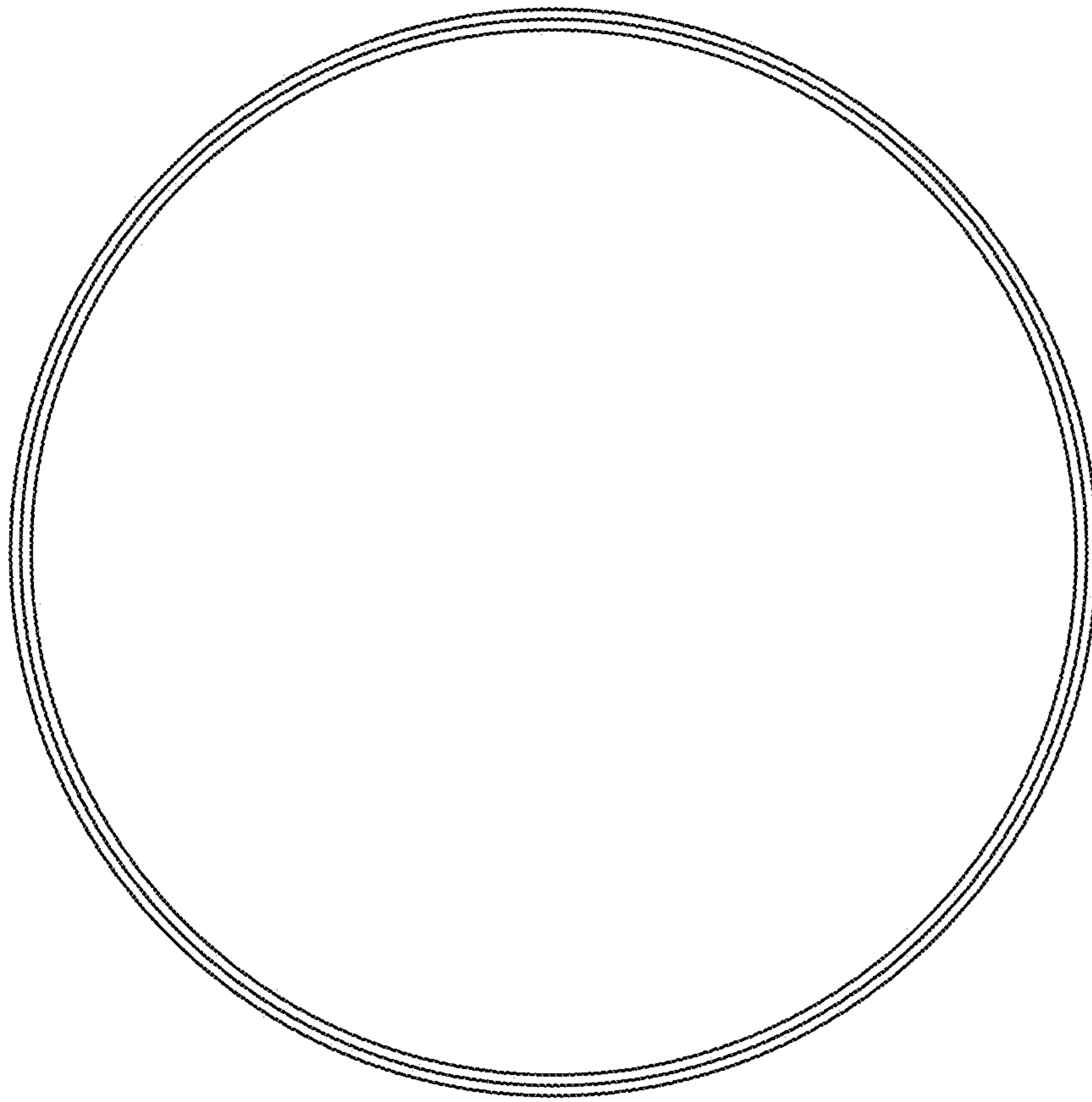


FIG. 8