



US00D978482S

(12) **United States Design Patent** (10) **Patent No.:** **US D978,482 S**
Torano et al. (45) **Date of Patent:** **** Feb. 21, 2023**

(54) **GARMENT**

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(73) Assignee: **Spanx, LLC**, Atlanta, GA (US)

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

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(51) **LOC (14) Cl.** **02-01**

(52) **U.S. Cl.**
USPC **D2/701**

(58) **Field of Classification Search**
USPC D2/700–705, 712–716, 728, 731–734,
D2/741, 840–843

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D14,535 S * 1/1884 Bowers D2/702
D15,215 S * 8/1884 Ramsey D2/702
(Continued)

FOREIGN PATENT DOCUMENTS

CN 306145531 * 11/2020
CN 306275470 * 1/2021
(Continued)

OTHER PUBLICATIONS

Spanx Thinstincts Collection, available at spanx.com, date not available [online], site visited Nov. 15, 2021, Available from the internet URL: https://spanx.com/collections/thinstincts-collection?gclid=EAlalQobChMI04ni3uCa9AIVYQalCR3KbwzXEAAAYASA BEgJO4vD_BwE&gclid=aw.ds.*

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(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front perspective view of a garment showing our new design according to a first embodiment.

FIG. 2 is a front view of our new design shown in FIG. 1.

FIG. 3 is a rear view of our new design shown in FIG. 1.

FIG. 4 is a right-side view of our new design shown in FIG. 1.

FIG. 5 is a left-side view of our new design shown in FIG. 1.

FIG. 6 is a top view of our new design shown in FIG. 1.

FIG. 7 is a bottom view of our new design shown in FIG. 1.

FIG. 8 is a front perspective view of the garment shown in an alternate configuration in a state of use.

FIG. 9 is a cross-sectional view of the garment taken in the direction of line 9-9 of FIG. 4.

FIG. 10 is a cross-sectional view of the garment taken in the direction of line 10-10 of FIG. 4.

FIG. 11 is a cross-sectional view of the garment taken in the direction of line 11-11 of FIG. 2.

FIG. 12 is a front perspective view of a garment showing our new design according to a second embodiment.

FIG. 13 is a front view of our new design shown in FIG. 12.

FIG. 14 is a rear view of our new design shown in FIG. 12.

FIG. 15 is a right-side view of our new design shown in FIG. 12.

FIG. 16 is a left-side view of our new design shown in FIG. 12.

FIG. 17 is a top view of our new design shown in FIG. 12.

FIG. 18 is a bottom view of our new design shown in FIG. 12.

FIG. 19 is a front perspective view of the garment shown in an alternate configuration in a state of use.

FIG. 20 is a cross-sectional view of the garment taken in the direction of line 20-20 of FIG. 15.

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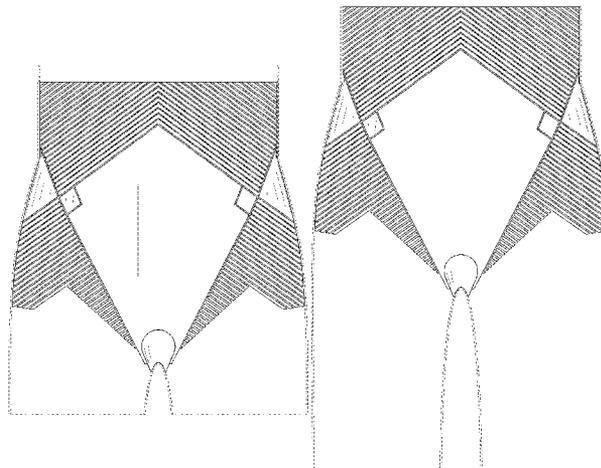


FIG. 21 is a cross-sectional view of the garment taken in the direction of line 21-21 of FIG. 15; and,

FIG. 22 is a cross-sectional view of the garment taken in the direction of line 22-22 of FIG. 13.

The short broken lines showing elements of the garment in the drawings illustrate portions of the garment that form no part of the claimed design. The human figure rendered in short broken lines in FIGS. 8 and 19 illustrates environmental subject matter intended to assist in showing how the design appears when in use and forms no part of the claim.

1 Claim, 22 Drawing Sheets

(56)

References Cited

U.S. PATENT DOCUMENTS

1,414,205 A * 4/1922 Redmond A41B 9/08
2/78.3
1,693,799 A * 12/1928 Scofield A41C 1/06
450/19
D87,354 S * 7/1932 Pittman D2/840
2,021,033 A * 11/1935 Thomas A41B 9/08
450/33
D118,425 S * 1/1940 Kops D2/702
2,471,348 A * 5/1949 Redmond A41B 9/02
2/403
D161,608 S * 1/1951 Arseneault D2/861
D162,661 S * 3/1951 Imershein D2/702
D166,363 S * 4/1952 Terry D2/712
D167,631 S * 9/1952 Imershein D2/708
2,641,762 A * 6/1953 Greco A41C 1/00
450/131
D170,694 S * 10/1953 Kahn D2/702
2,707,280 A * 5/1955 Mayer A41C 1/00
450/124
D175,171 S * 7/1955 Kaupp D2/703
2,719,973 A * 10/1955 Blatt A41C 1/00
450/155
D177,067 S * 3/1956 Riesenfeld D2/702
2,745,103 A * 5/1956 Van Horne A41C 1/00
450/130
D179,815 S * 3/1957 Newman D2/702
3,035,586 A * 5/1962 Bell A41C 1/003
450/100
3,056,410 A * 10/1962 Pierson A41C 1/06
450/8
3,137,300 A * 6/1964 Gingras A41C 1/003
450/100
3,137,301 A * 6/1964 Gingras A41C 1/003
450/104
3,175,560 A * 3/1965 Menzies A41C 1/04
450/97
3,194,240 A * 7/1965 Mayer A41C 1/003
450/103
3,212,504 A * 10/1965 Sheldon A41C 1/10
450/104
3,245,409 A * 4/1966 Martin A41C 1/003
450/104
D205,894 S * 10/1966 Lobbenberg D2/702
3,283,759 A * 11/1966 Welsch A41C 1/003
450/104
3,339,554 A * 9/1967 Nobbs A41C 1/003
450/104
3,478,748 A * 11/1969 Bjorn-Larsen A41C 1/003
450/111
3,756,247 A * 9/1973 Hand A41C 1/02
450/94
D238,623 S * 2/1976 Lo Cascio D2/703
D245,292 S * 8/1977 Curry D2/714
D321,083 S * 10/1991 Thygesen D2/706

D338,543 S * 8/1993 van Laar D2/712
D348,973 S * 7/1994 Stewart D2/731
D370,552 S * 6/1996 Erwin D2/732
D376,403 S * 12/1996 Kato D2/627
D413,424 S * 9/1999 Davies D2/731
D416,124 S * 11/1999 Davies D2/728
D491,334 S * 6/2004 Parker D99/1
D576,777 S * 9/2008 Herbert D2/712
7,631,367 B2 * 12/2009 Caillibotte A41D 13/0015
2/228
D607,547 S * 1/2010 Maier D23/262
8,376,808 B2 * 2/2013 Hopkins A41C 3/08
450/30
D697,693 S * 1/2014 Choi D2/617
D707,920 S * 7/2014 Hays D2/738
D725,347 S * 3/2015 Kirkwood D2/701
9,750,288 B2 * 9/2017 Gehlhausen A41C 3/0078
D818,597 S * 5/2018 Worstman D24/207
D909,009 S * 2/2021 Huang D2/702
D922,731 S * 6/2021 Toudjine-Williams D2/728
D923,916 S * 7/2021 Warren, Jr. D2/743
2015/0038052 A1 * 2/2015 Hays A41C 1/12
450/154
2016/0073704 A1 * 3/2016 Basta A41D 13/0007
2/230
2019/0045855 A1 * 2/2019 Musciacchio A41D 13/012

FOREIGN PATENT DOCUMENTS

EM 000018361-0001 * 9/2003
JP D1295165 * 2/2007
JP D1375277 * 12/2009
JP D1416124 * 6/2011
JP D1468790 * 5/2013

OTHER PUBLICATIONS

Spanx Thinstincts 2.0 Mid-Thigh High Waist Shorts, available at dillards.com, earliest customer review date Apr. 2021 [online], site visited Nov. 15, 2021, Available from the internet URL: <https://www.dillards.com/p/spanx-thinstincts-2.0-mid-thigh-high-waist-shorts/512511302> (Year: 2021).*

Spanx Thinstincts 2.0 High-Waisted Mid Thigh Shorts, available at dillards.com, earliest customer review date Mar. 2021 [online], site visited Nov. 15, 2021, Available from the internet URL: <https://www.dillards.com/p/spanx-thinstincts-2.0-high-waisted-mid-thigh-shorts/512511252> (Year: 2021).*

Spanx Thinstincts 2.0 High Waisted MidThigh Short, available at qvc.com, earliest customer review date Aug. 10, 2021 [online], site visited Nov. 15, 2021, Available from the internet URL: <https://www.qvc.com/Spanx-Trust-Your-Thinstincts-20-High-Waisted-Mid-Thigh-Short.product.A399799.html?TZ=EST> (Year: 2021).*

Spanx Thinstincts 2.0 Open-Bust Mid-Thigh Bodysuit, available at dillards.com, earliest customer review date Apr. 2021 [online], site visited Nov. 15, 2021, Available from the internet URL: <https://www.dillards.com/p/spanx-thinstincts-2.0-open-bust-mid-thigh-bodysuit/512511305> (Year: 2021).*

Spanx Thinstincts 2.0 Flat Neck Tummy Shaping Tank, available at dillards.com, earliest customer review date Aug. 2021 [online], site visited Nov. 15, 2021, Available from the internet URL: <https://www.dillards.com/p/spanx-thinstincts-2.0-lightweight-flat-neck-tummy-shaping-tank/513360775> (Year: 2021).*

Spanx Trust Your Thinstincts 2.0 Brief Panty, available at qvc.com, earliest customer review date Aug. 18, 2018 [online], site visited Nov. 15, 2021, Available from the internet URL: <https://www.qvc.com/Spanx-Trust-Your-Thinstincts-20-Brief-Panty.product.A399796.html> (Year: 2018).*

Spanx Thinstincts 2.0 Mid-Thigh Short Black, available at kastner-oebler.de, date not available [online], site visited Nov. 15, 2021, Available from the internet URL: <https://www.kastner-oebler.de/spanx-thinstincts-20-mid-thigh-short-soft-nude-beige-7402910.html> (Year: 2021).*

* cited by examiner

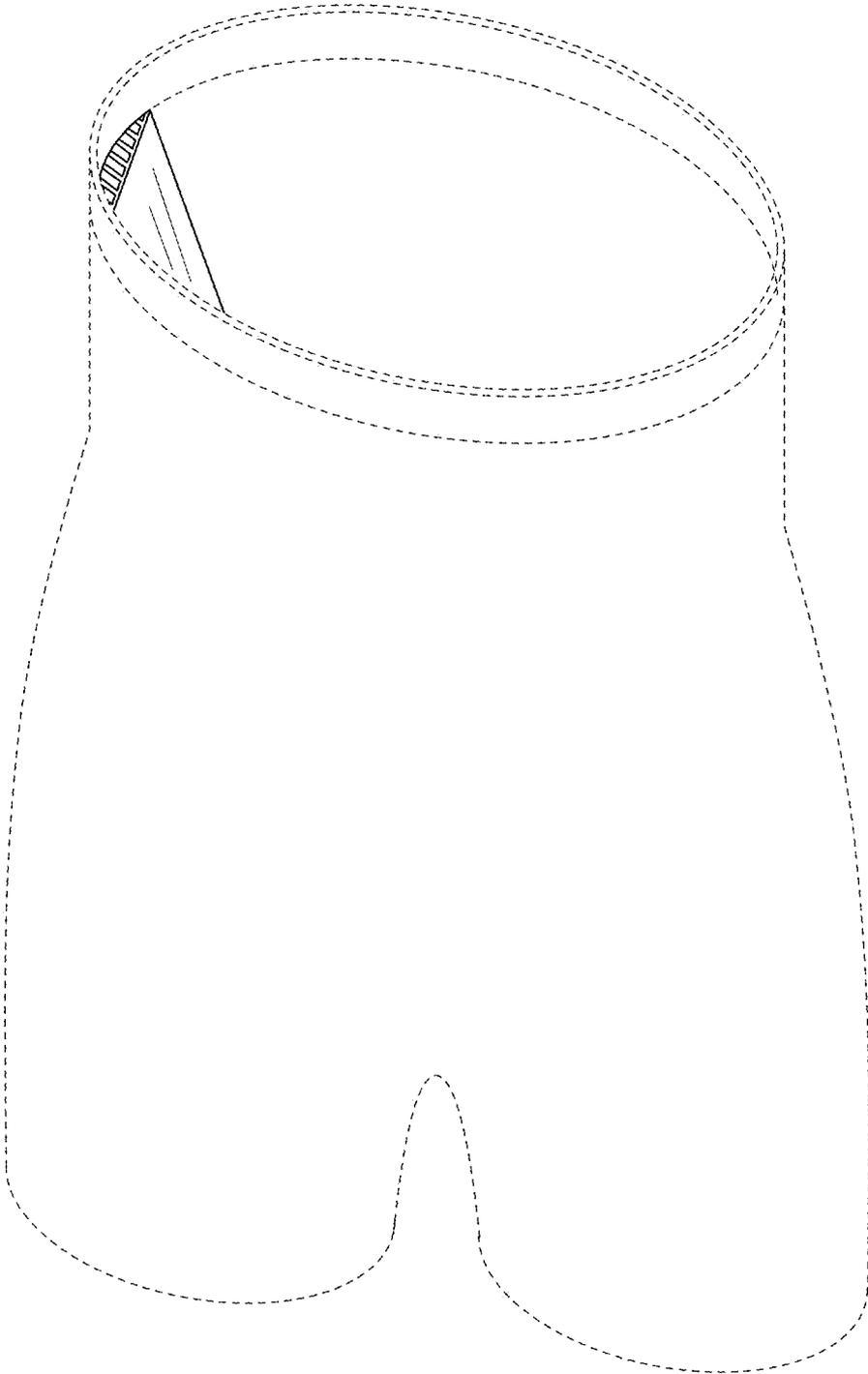


FIG. 1

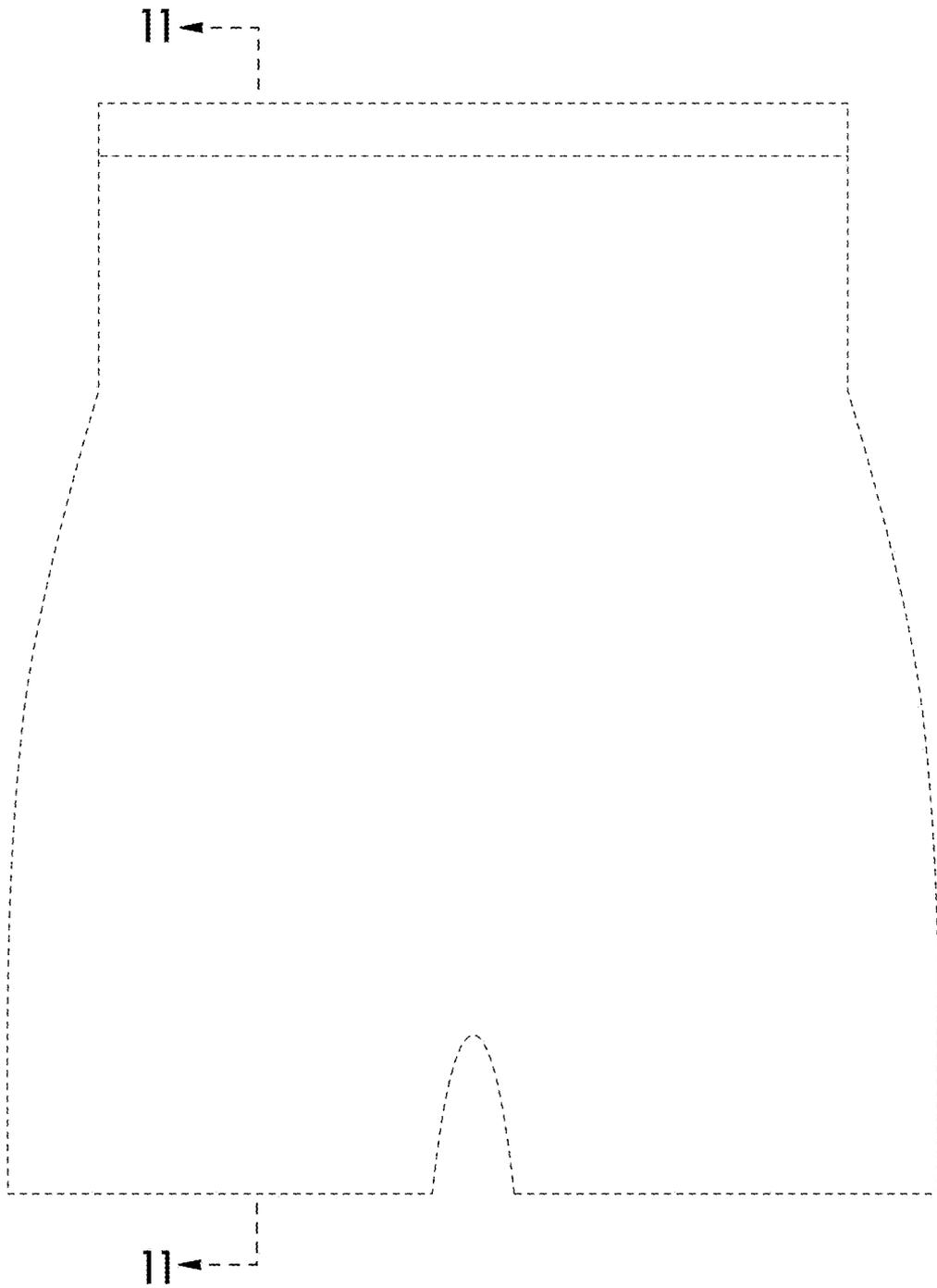


FIG. 2

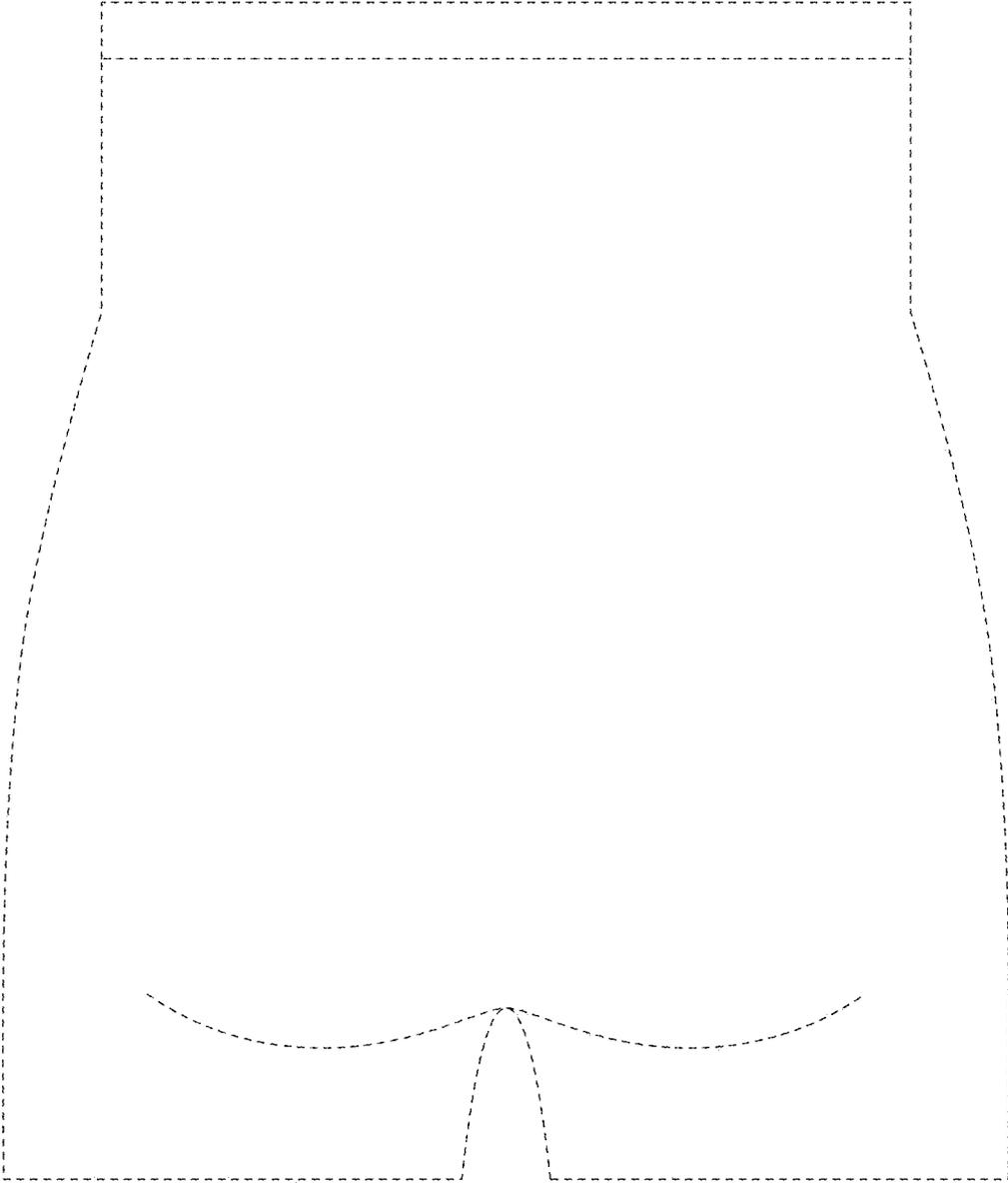


FIG. 3

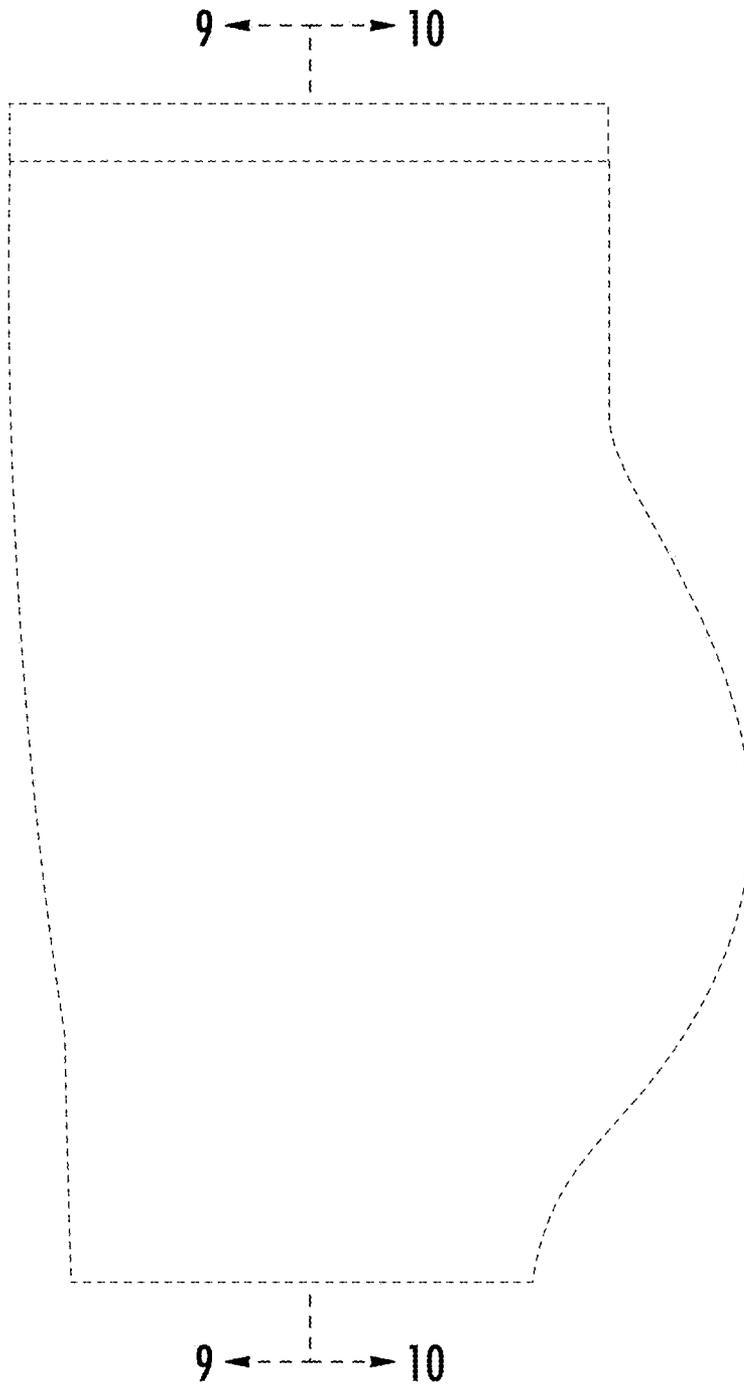


FIG. 4

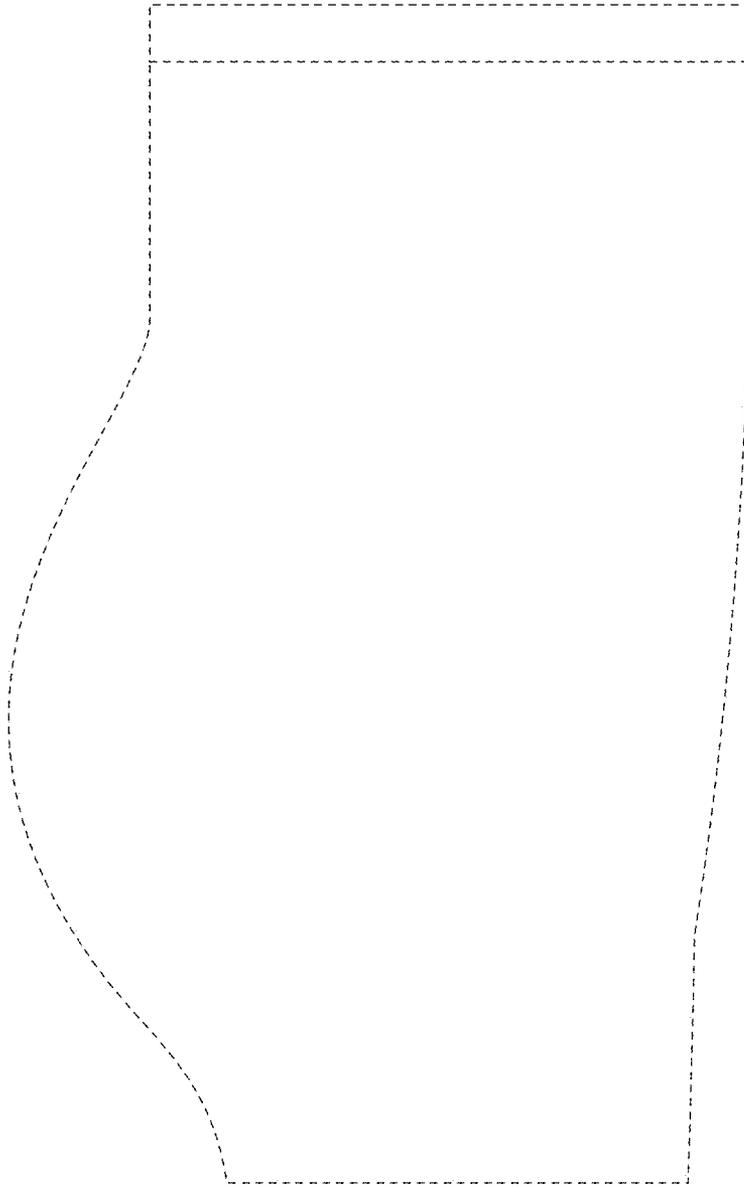


FIG. 5

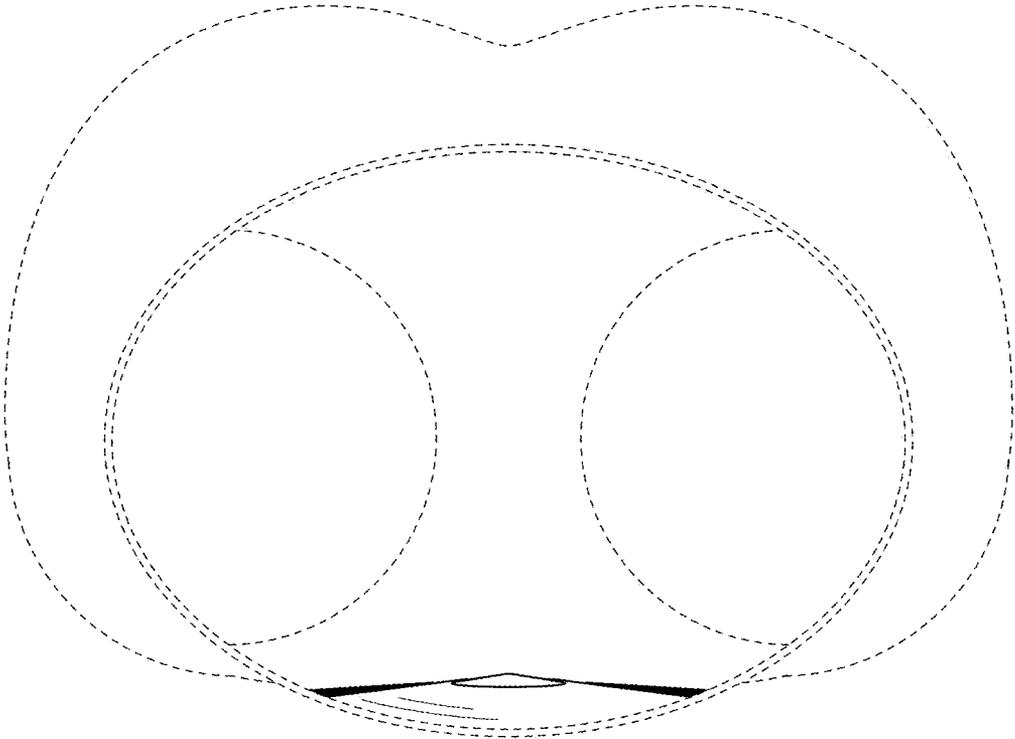


FIG. 6

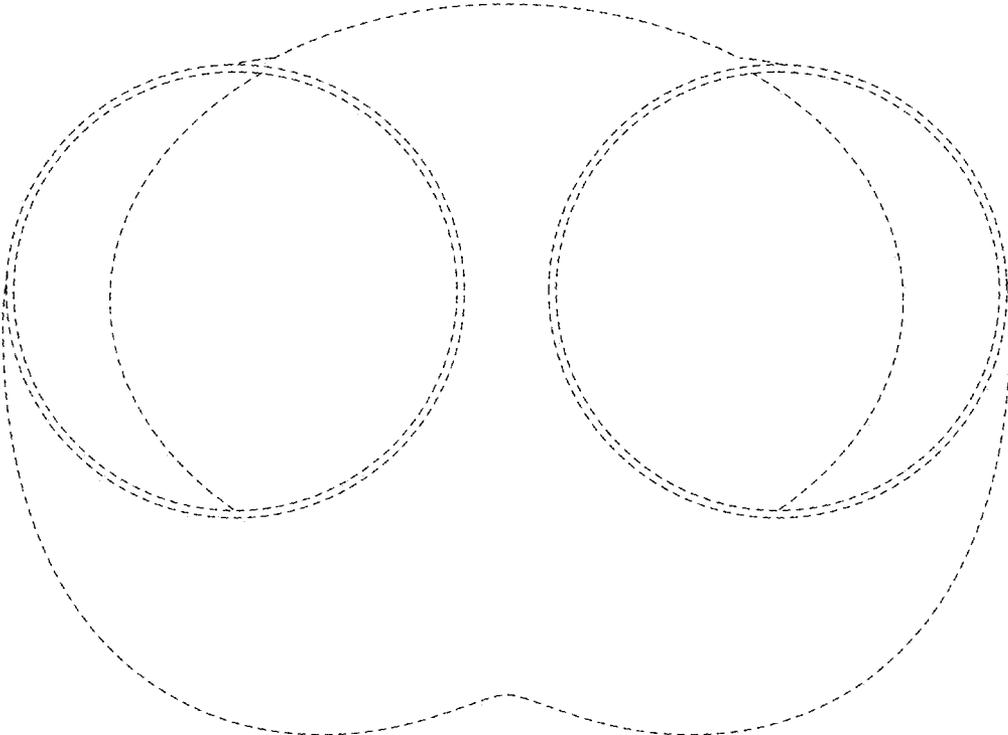


FIG. 7

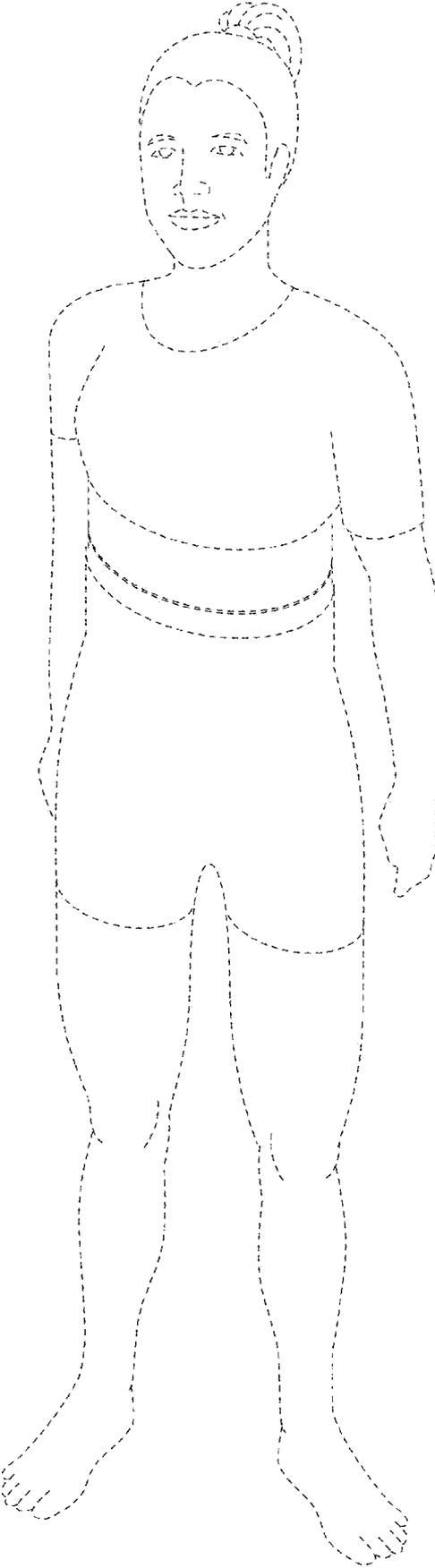


FIG. 8

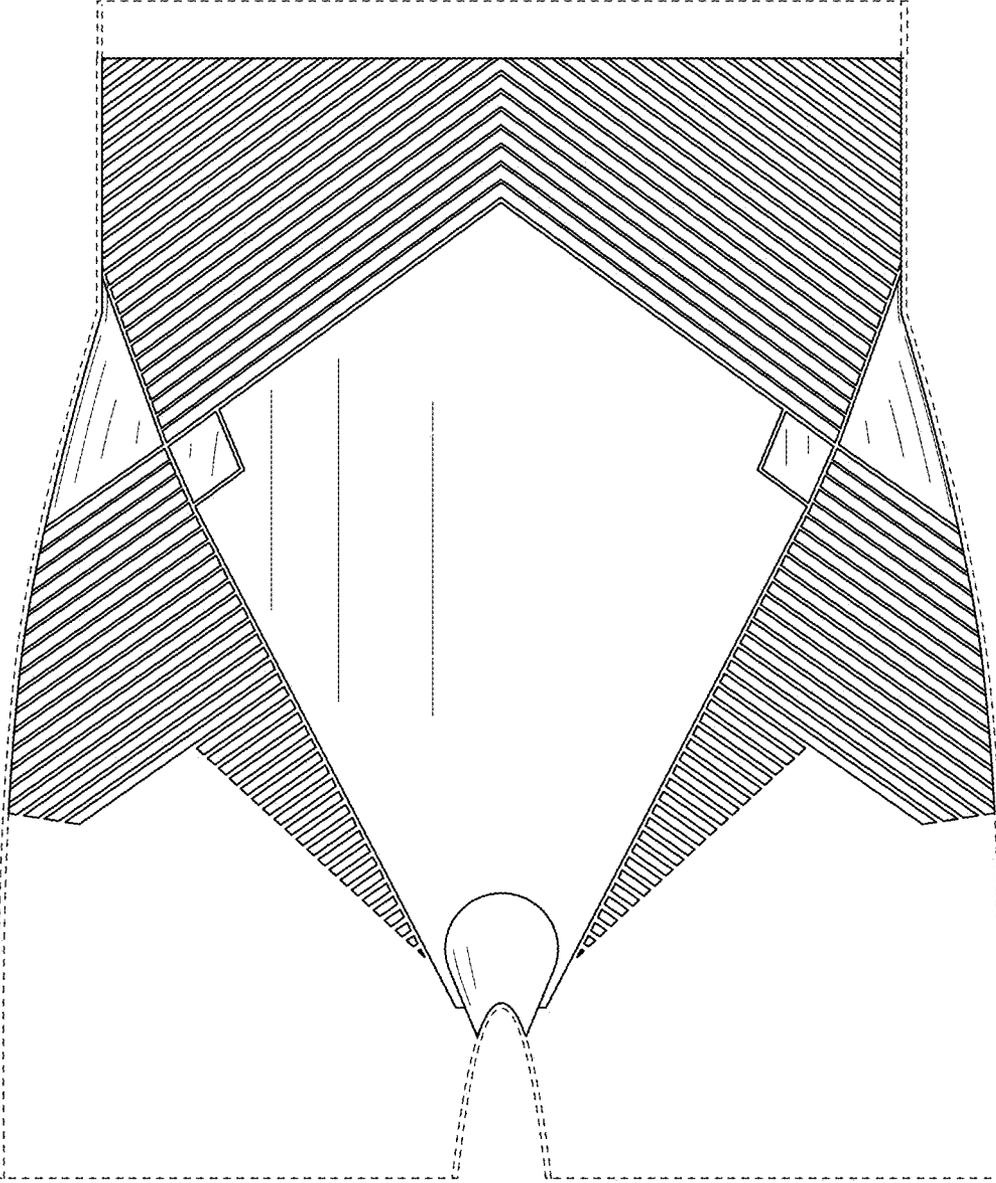


FIG. 9

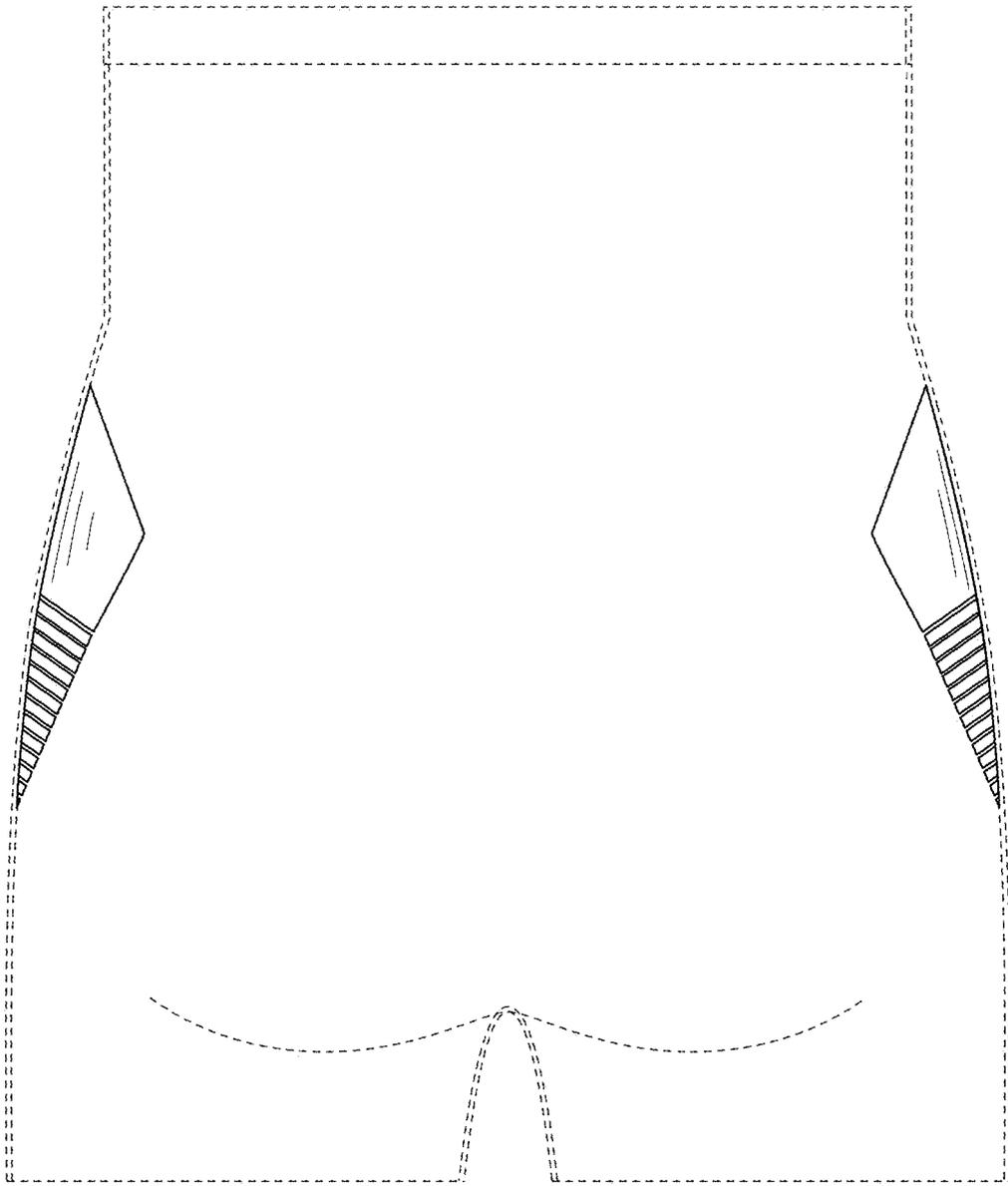


FIG. 10

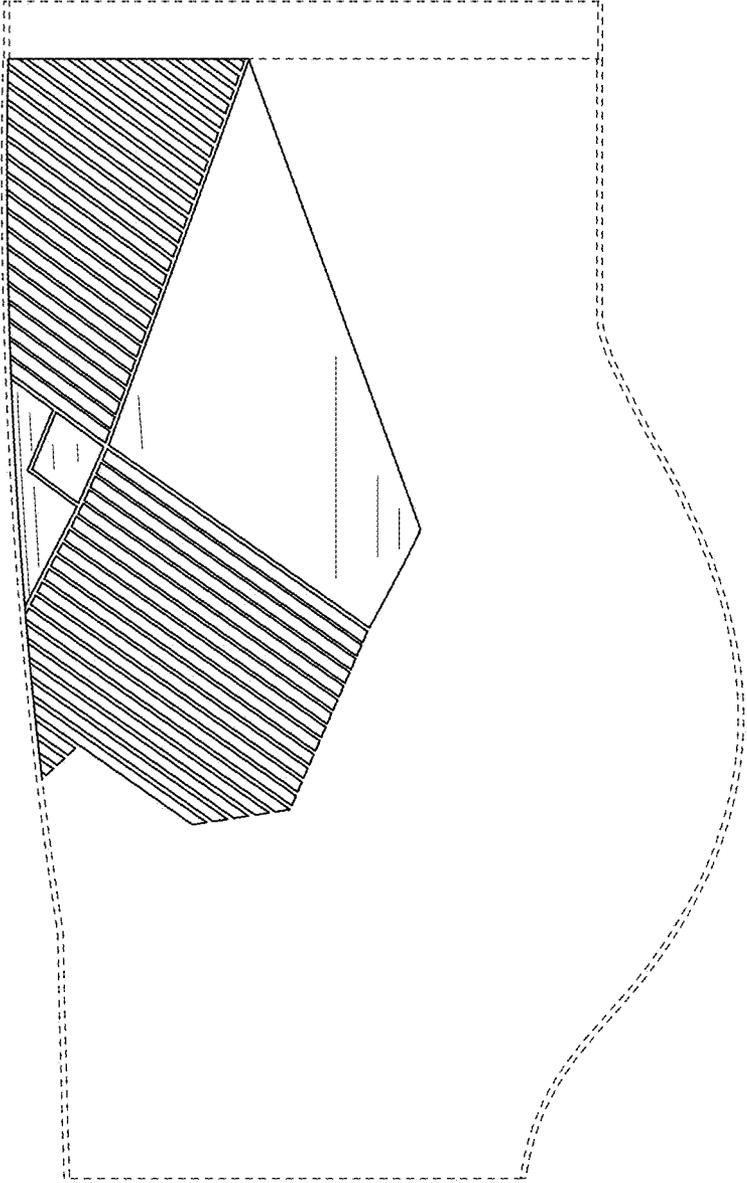


FIG. 11

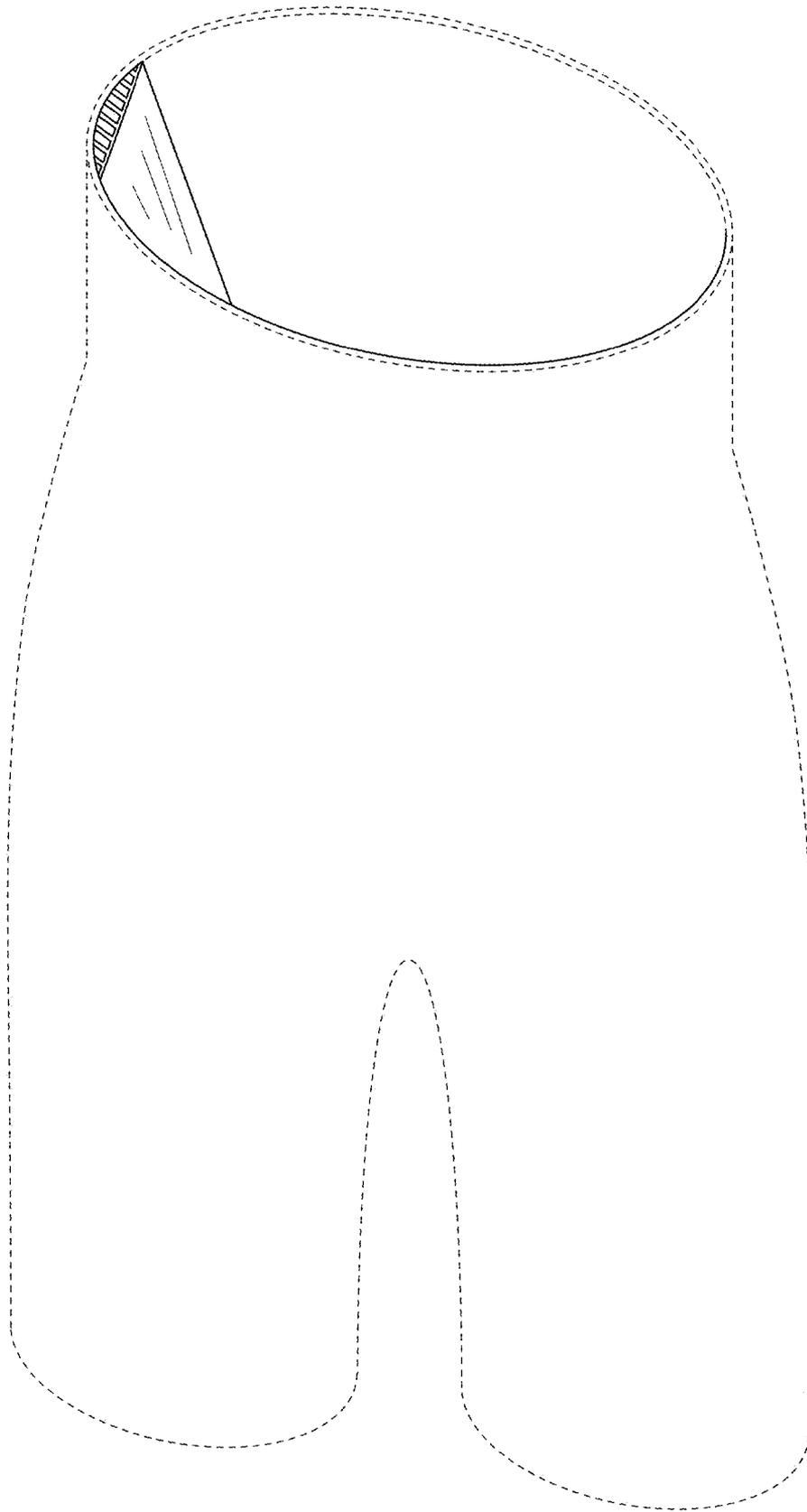


FIG. 12

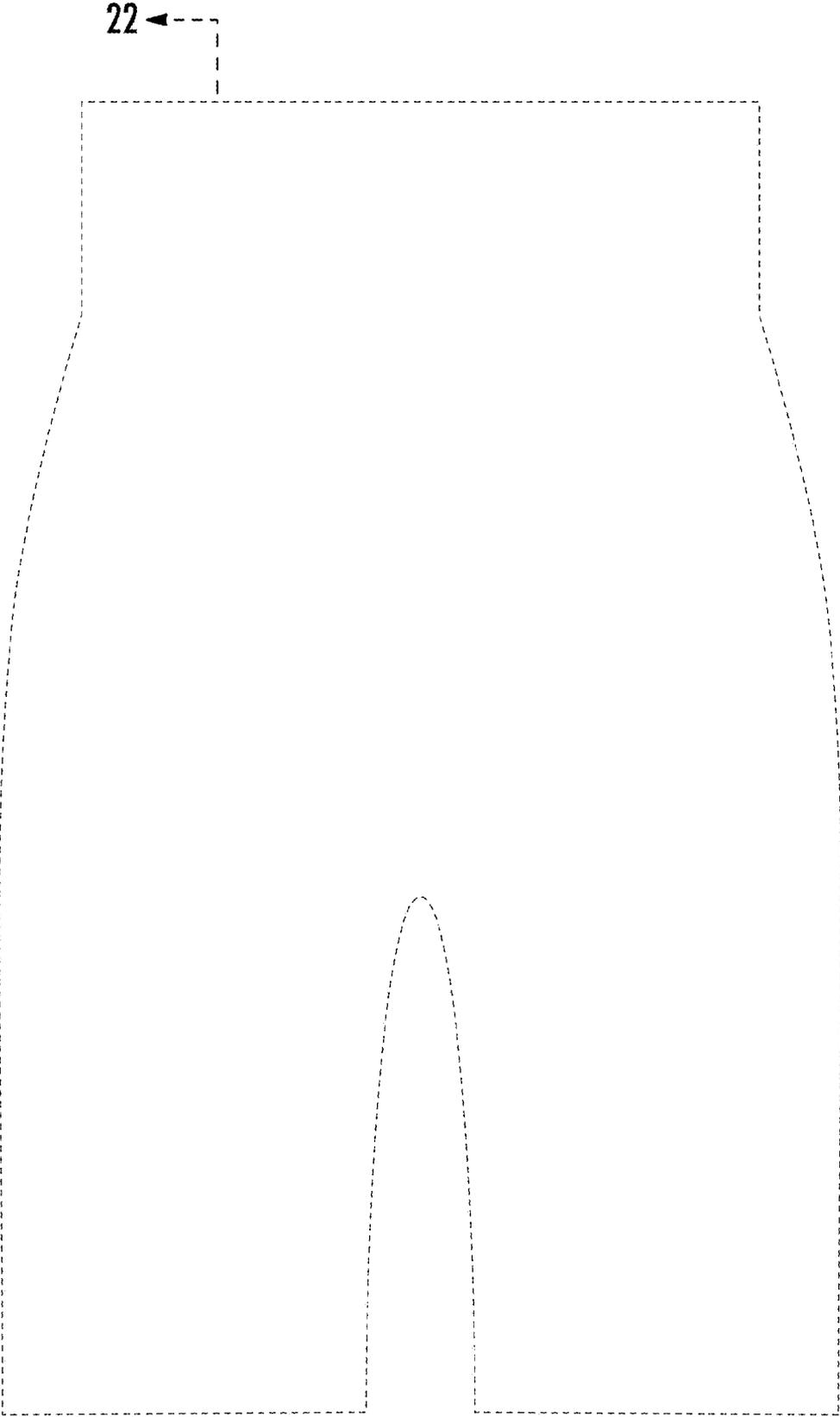


FIG. 13

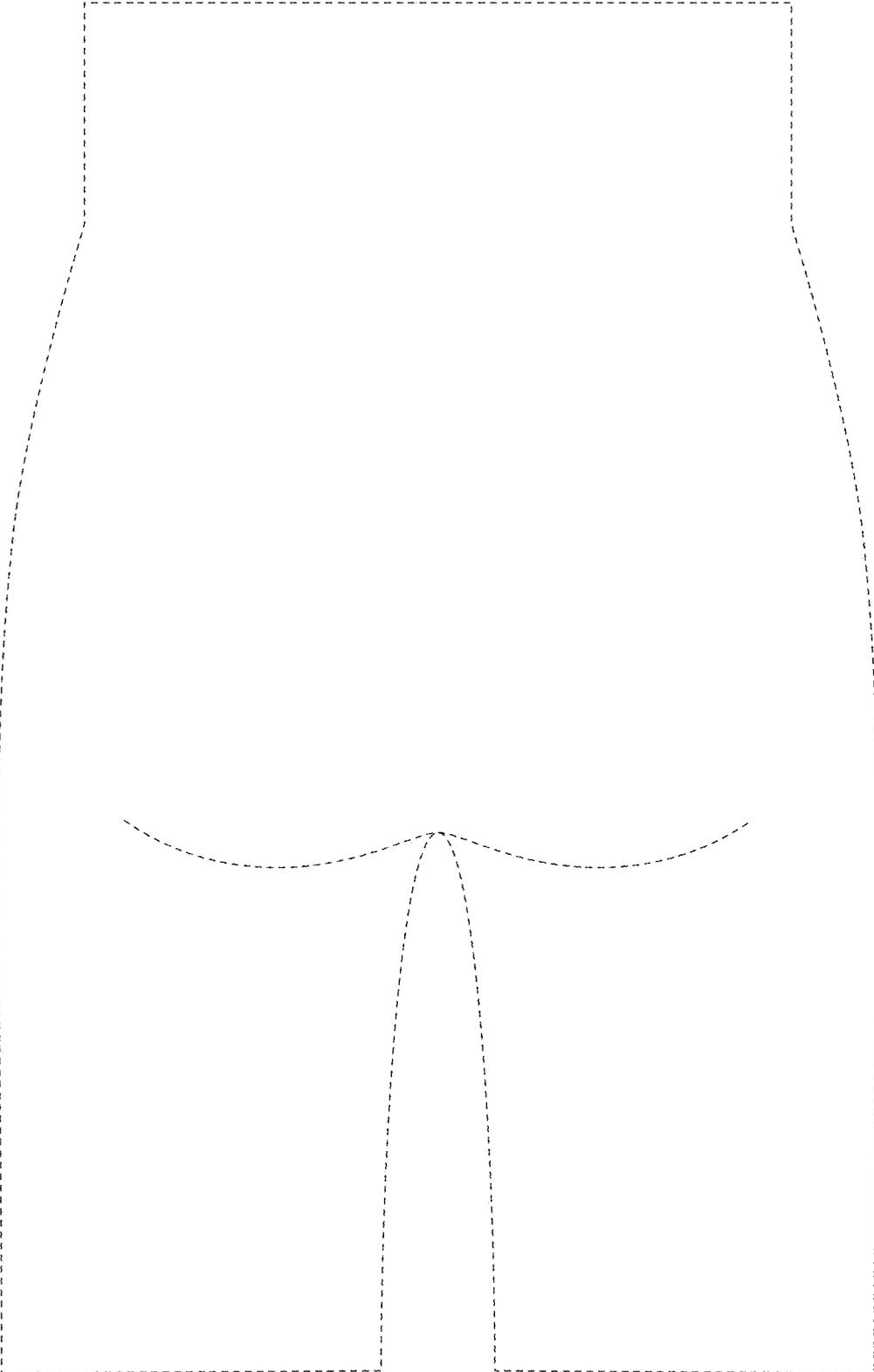


FIG. 14

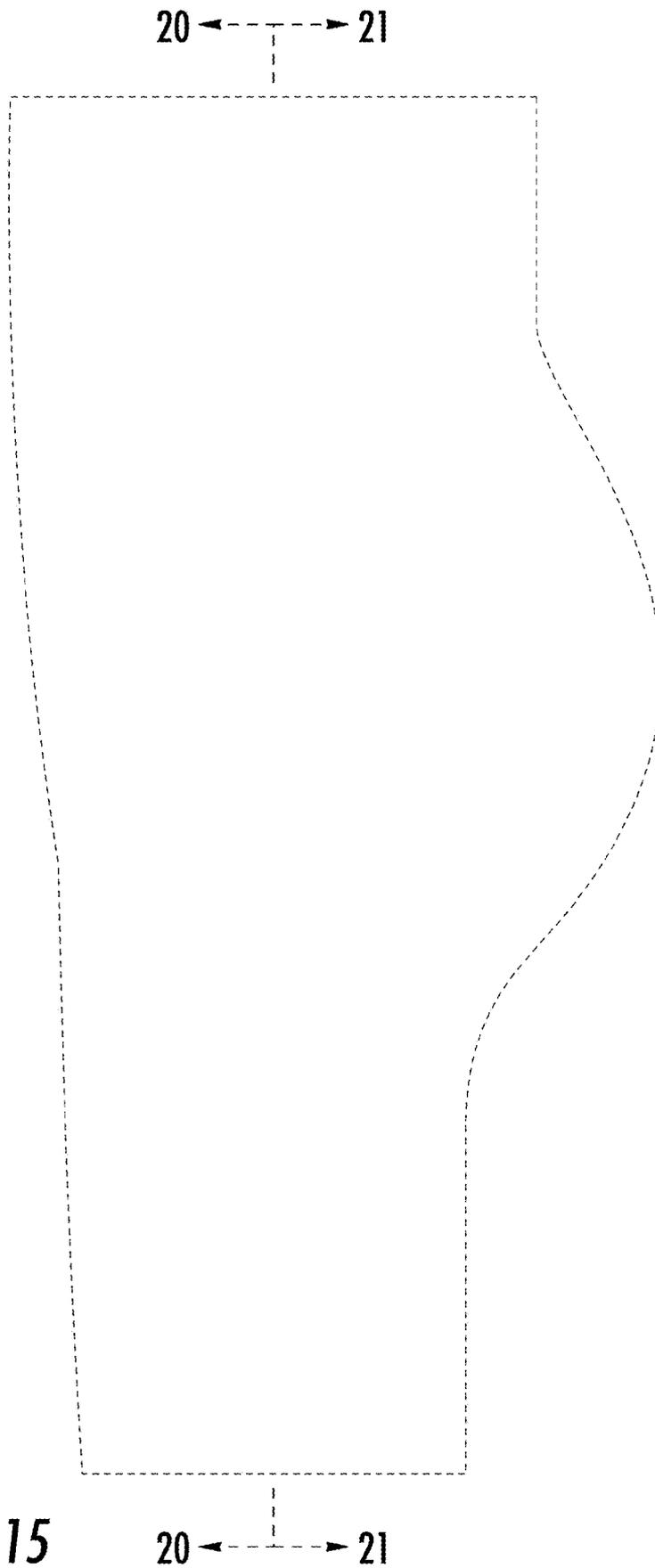


FIG. 15

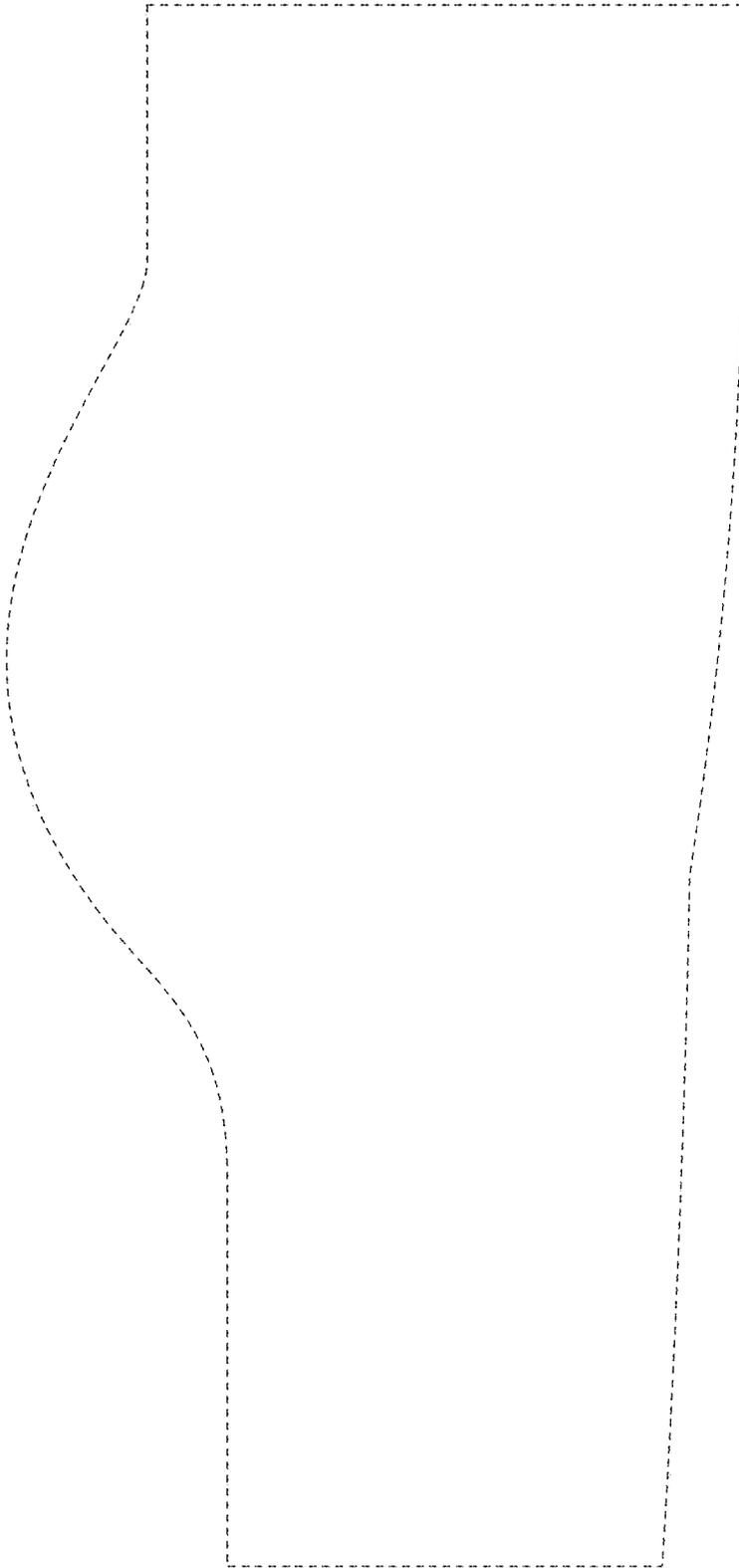


FIG. 16

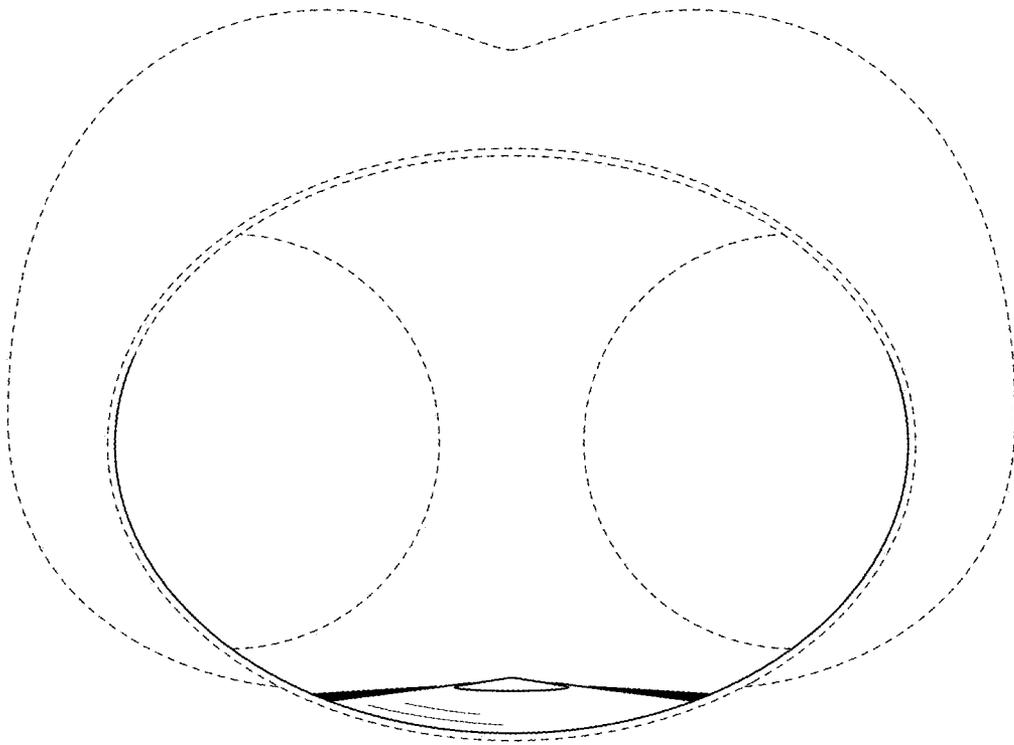


FIG. 17

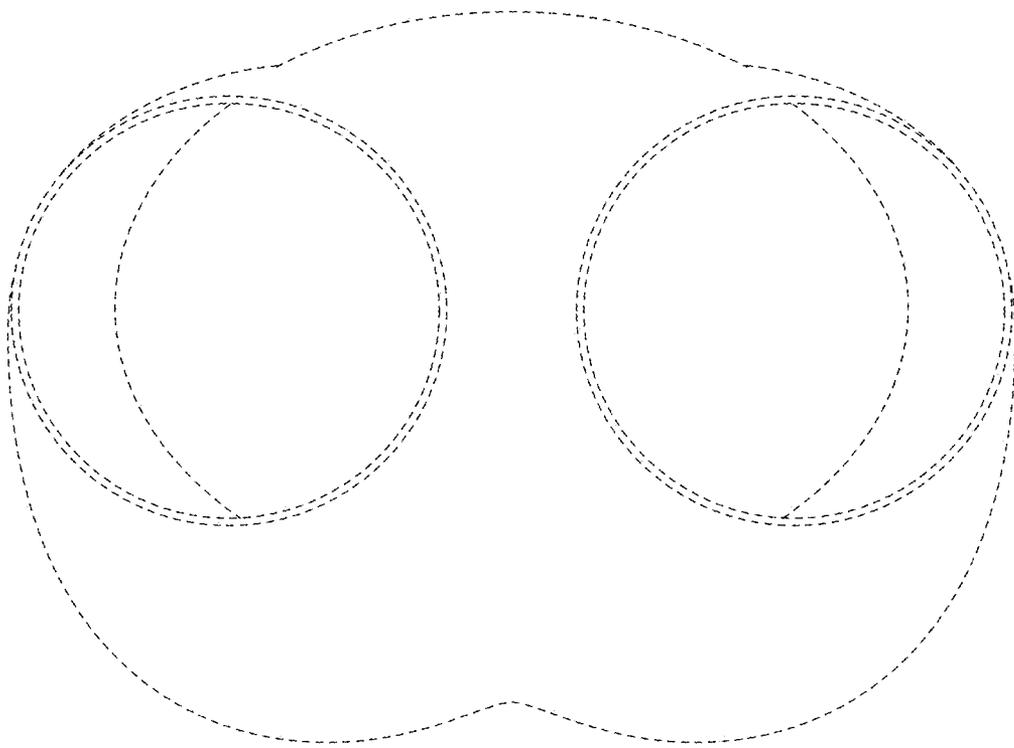


FIG. 18

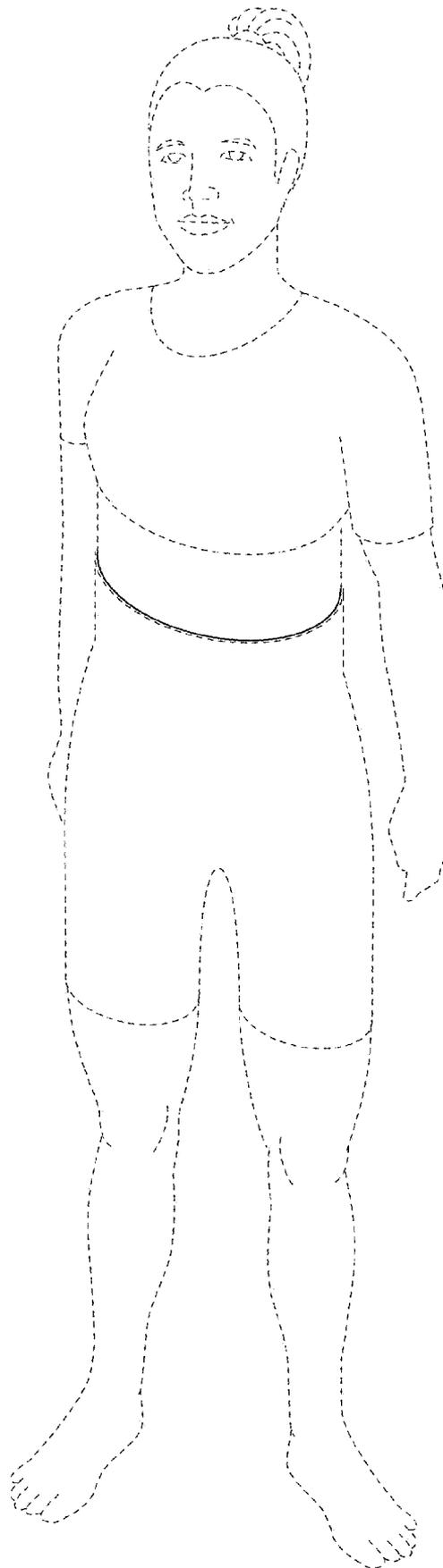


FIG. 19

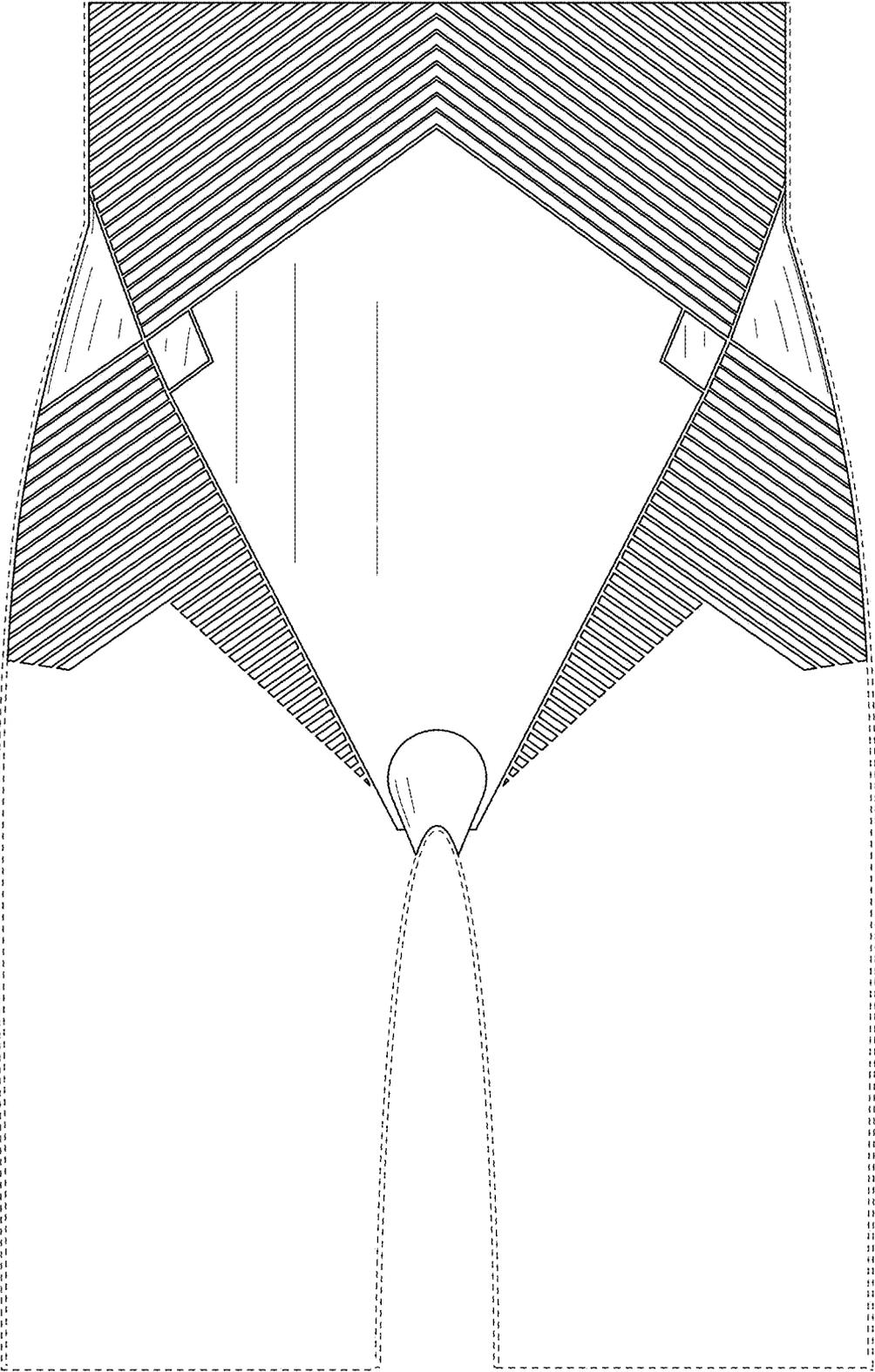


FIG. 20

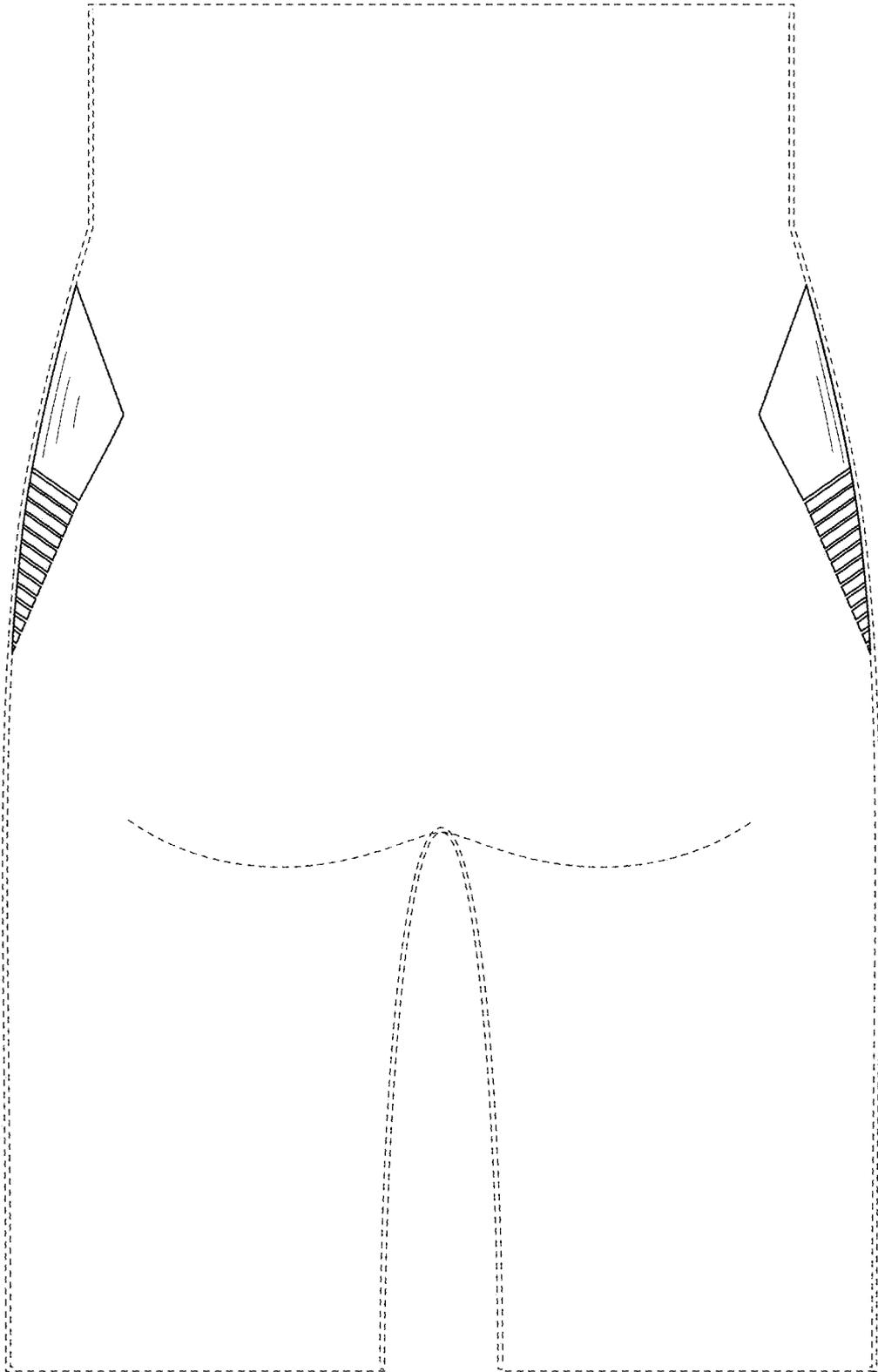


FIG. 21

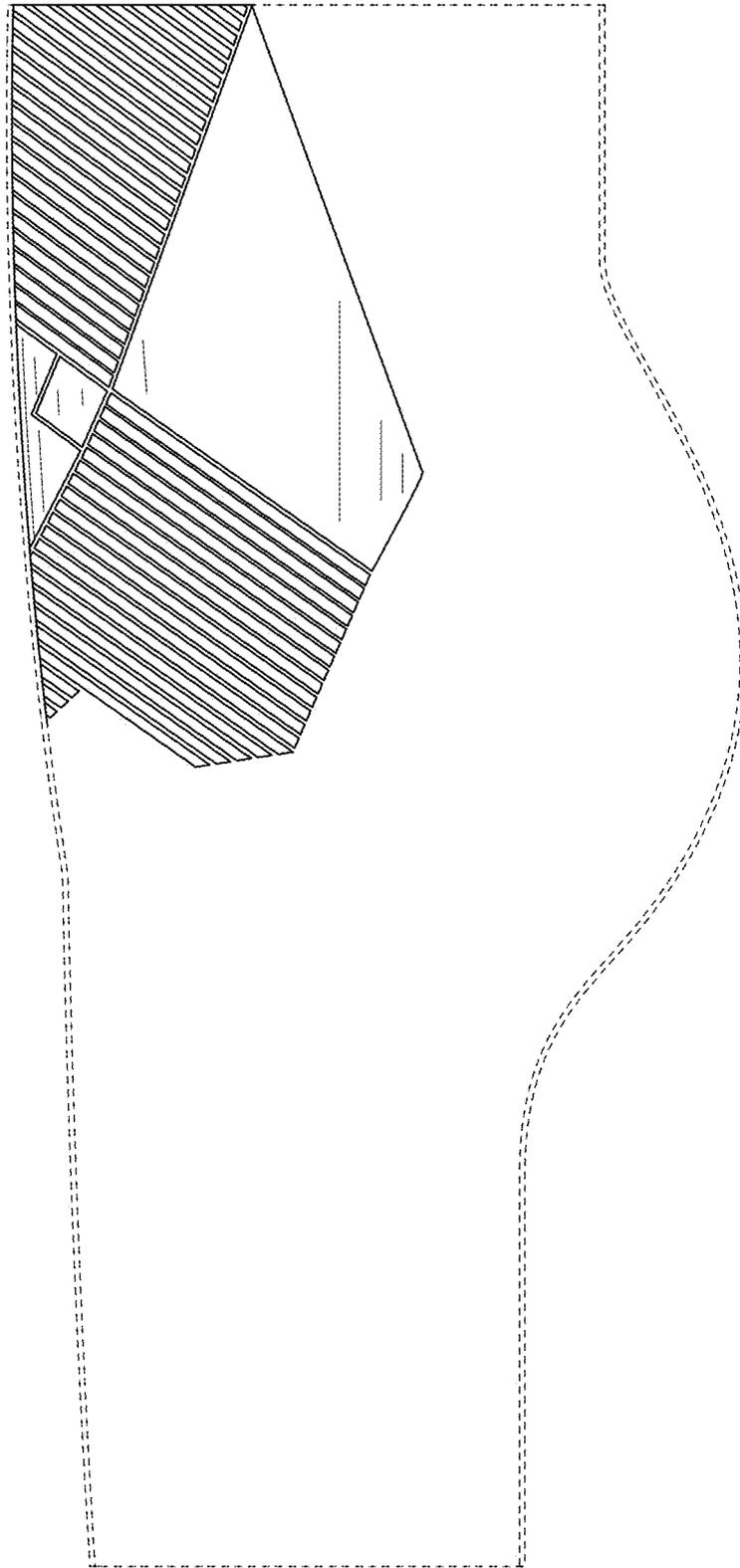


FIG. 22