

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO
EASTERN DIVISION**

Robison's, Inc., an Idaho Corporation

Plaintiff,

vs.

Civil Action No:
Hon.
COMPLAINT AND
JURY TRIAL DEMAND

Helmet House, Inc., a California Corporation,

Defendant.

COMPLAINT

Plaintiff - Robison's, Inc. (hereinafter "Robisons" or "Plaintiff"), by and through its attorneys, for its complaint against Defendant - Helmet House, Inc. (hereinafter "Helmet House" or "Defendant"), avers and alleges as follows:

PARTIES

1. Plaintiff – Robison's, Inc. is a corporation organized and existing under the laws of the State of Idaho, and has its principle place of business at 925 Turnbull Drive, Idaho Falls, Idaho 83401.
2. Defendant – Helmet House, Inc. is a corporation organized and existing under the laws of the State of California, and has its principle place of business at 26855 Malibu Hills Road, Agoura Hills, California 91301.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 100 *et seq.* Jurisdiction and venue are conferred upon this court by 28 U.S.C. § 1338(a) and § 1400(b), respectively.

GENERAL ALLEGATIONS

4. United States Patent No. 7,111,328, entitled “Hybrid Ventilated Garment,” attached as Exhibit “A”, was duly and legally issued on September 26, 2006 (“the ‘328 Patent”). Robisons is the assignee of the ‘328 Patent.

5. United States Patent No. D498,037, entitled “Jacket”, attached as Exhibit “B”, was duly and legally issued on November 9, 2004 (“the ‘037 Patent”). Robisons is the assignee of the ‘037 Patent.

6. At least as early as March of 2007, Robisons put Helmet House on actual notice of the ‘328 Patent.

7. At least as early as June of 2007, Robisons put Helmet House on actual notice of the ‘037 Patent.

COUNT I: INFRINGEMENT OF THE ‘328 PATENT

8. Paragraphs 1-7 are incorporated herein by reference.

9. Upon information and belief, the Defendant has infringed and is now infringing, inducing infringement by others and/or contributorily infringing one or more claims of the ‘328 Patent, by making, using, selling, offering for sale and/or importing jackets within the scope of such claims, all without authority or license from Plaintiff. For

example and not by way of limitation, upon information and belief, at least the Defendant's Tourmaster Flex motorcycle jacket is infringing one or more claims of the '328 Patent.

10. Upon information and belief, Helmet House's actions of infringement, contributory infringement and/or inducement of infringement have been willful.

11. Helmet House has actual notice of the '328 Patent.

12. As a direct result of said infringement, Robisons has been irreparably damaged and will continue to be irreparably damaged unless this Court enjoins the Defendant from its continuing infringement.

COUNT II: INFRINGEMENT OF THE '037 PATENT

13. Paragraphs 1-7 are incorporated herein by reference.

14. Upon information and belief, the Defendant has infringed and is now infringing, inducing infringement by others and/or contributorily infringing the claim of the '037 Patent, by making, using, selling, offering for sale and/or importing jackets within the scope of such claims, all without authority or license from Plaintiff. For example and not by way of limitation, upon information and belief, at least the Defendant's Tourmaster Flex motorcycle jacket is infringing one or more claims of the '037 Patent.

15. Upon information and belief, Helmet House's actions of infringement, contributory infringement and/or inducement of infringement have been willful.

16. Helmet House has actual notice of the '037 Patent.

17. As a direct result of said infringement, Robisons has been irreparably damaged and will continue to be irreparably damaged unless this Court enjoins the Defendant from its continuing infringement.

RELIEF REQUESTED

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

A. That a judgment be entered that Defendant has infringed, actively induced others to infringe, and/or contributorily infringed United States Patent Nos. 7,111,328 and D498,037.

B. That Defendant, its agents, sales representatives, distributors, servants and employees, attorneys, affiliates, subsidiaries, successors and assigns, and any and all persons or entities acting at, through, under or in active concert or in participation with any or all of them, be enjoined and restrained preliminarily during the pendency of this action, and thereafter permanently, from infringing, actively inducing others to infringe, and/or contributorily infringing United States Patent Nos. 7,111,328 and D498,037.

C. That a judgment be entered that Defendant must pay over to Plaintiff all damages sustained by Plaintiff due to such patent infringement and that such damages be trebled pursuant to 35 U.S.C. § 284 for the willful acts of infringement complained of herein.

D. That this case be adjudged and decreed exceptional under 35 U.S.C. § 285 entitling Plaintiff to an award of its reasonable attorney fees and that such reasonable attorney fees be awarded.

E. That Plaintiff be awarded its costs and prejudgment interest on all damages.

F. That Defendant be required to file with the Court within thirty (30) days after entry of final judgment of this cause a written statement under oath setting forth the manner in which Defendant has complied with the final judgment.

G. That Plaintiff be awarded such other and further relief as the Court deems just and equitable.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff hereby demands a trial by jury on all issues triable of right by a jury.

Dated: August 7, 2007

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(12) **United States Patent**
Bay

(10) **Patent No.:** **US 7,111,328 B2**
(45) **Date of Patent:** **Sep. 26, 2006**

(54) **HYBRID VENTILATED GARMENT**

(75) Inventor: **Marc A. Bay**, Farmington, MI (US)

(73) Assignee: **Robison's Inc.**, Idaho Falls, ID (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 87 days.

(21) Appl. No.: **10/366,625**

(22) Filed: **Feb. 13, 2003**

(65) **Prior Publication Data**

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(51) **Int. Cl.**
A41D 3/00 (2006.01)

(52) **U.S. Cl.** **2/86; 2/93; 2/97; 2/DIG. 1**

(58) **Field of Classification Search** 2/455,
2/459, 461, 69, 85, 93, 97, 119, 126, 267,
2/268, 272, 904, 94, DIG. 1, 108, 102, 2.5,
2/114, 269

See application file for complete search history.

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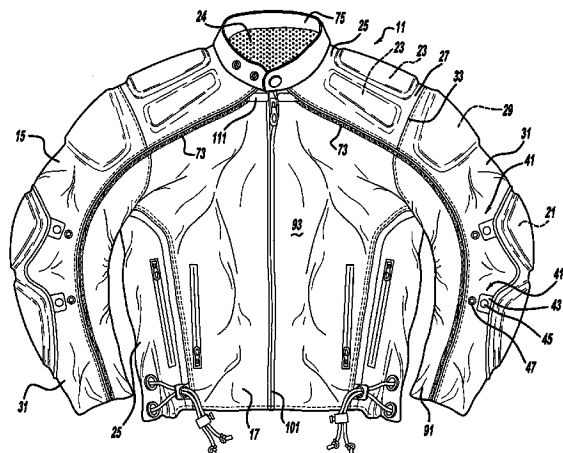
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Primary Examiner—Alissa L. Hoey

(57) **ABSTRACT**

A hybrid, ventilated garment is provided. Another aspect of the present invention employs a jacket having a body portion with sleeves and a torso, and a removable shell portion having sleeve and a torso segments. A further aspect of the present invention provides wind resistant shoulder and sleeve segments which are permanently attached together, and an air permeable and/or perforated lower torso segment attached to at least the shoulder segment.

47 Claims, 8 Drawing Sheets



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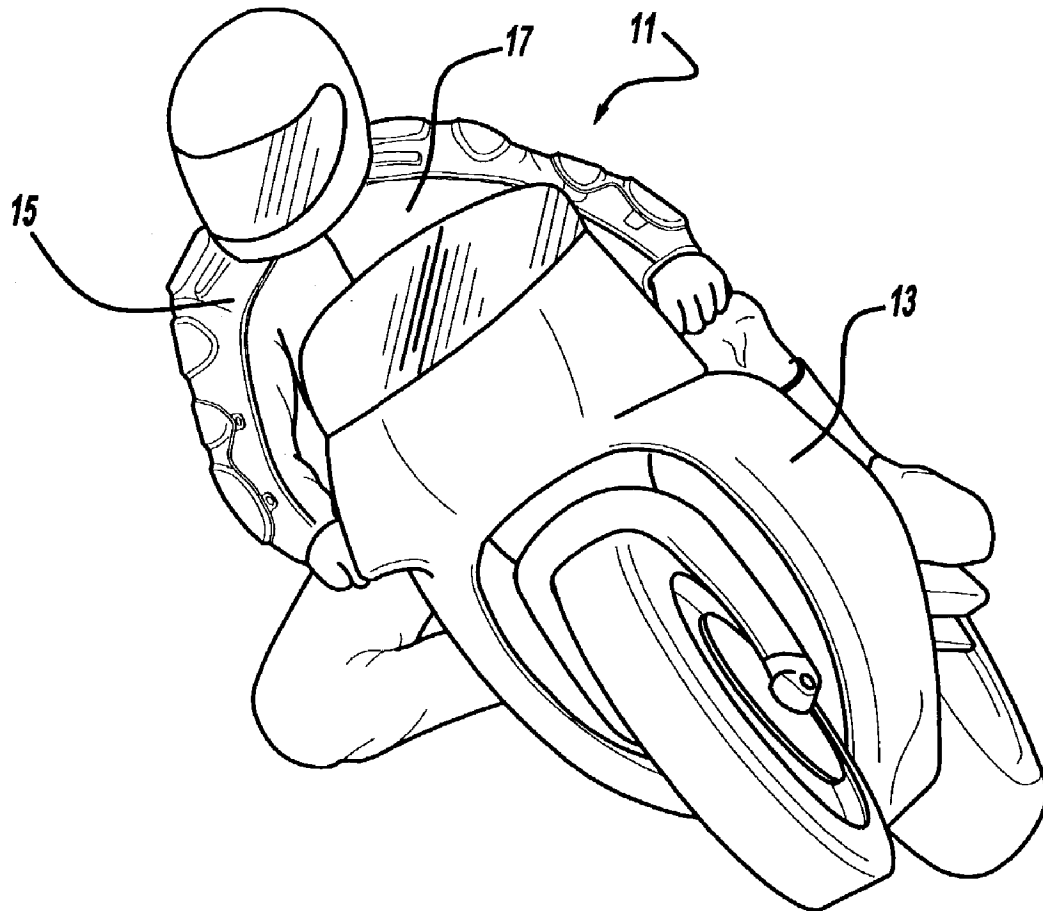
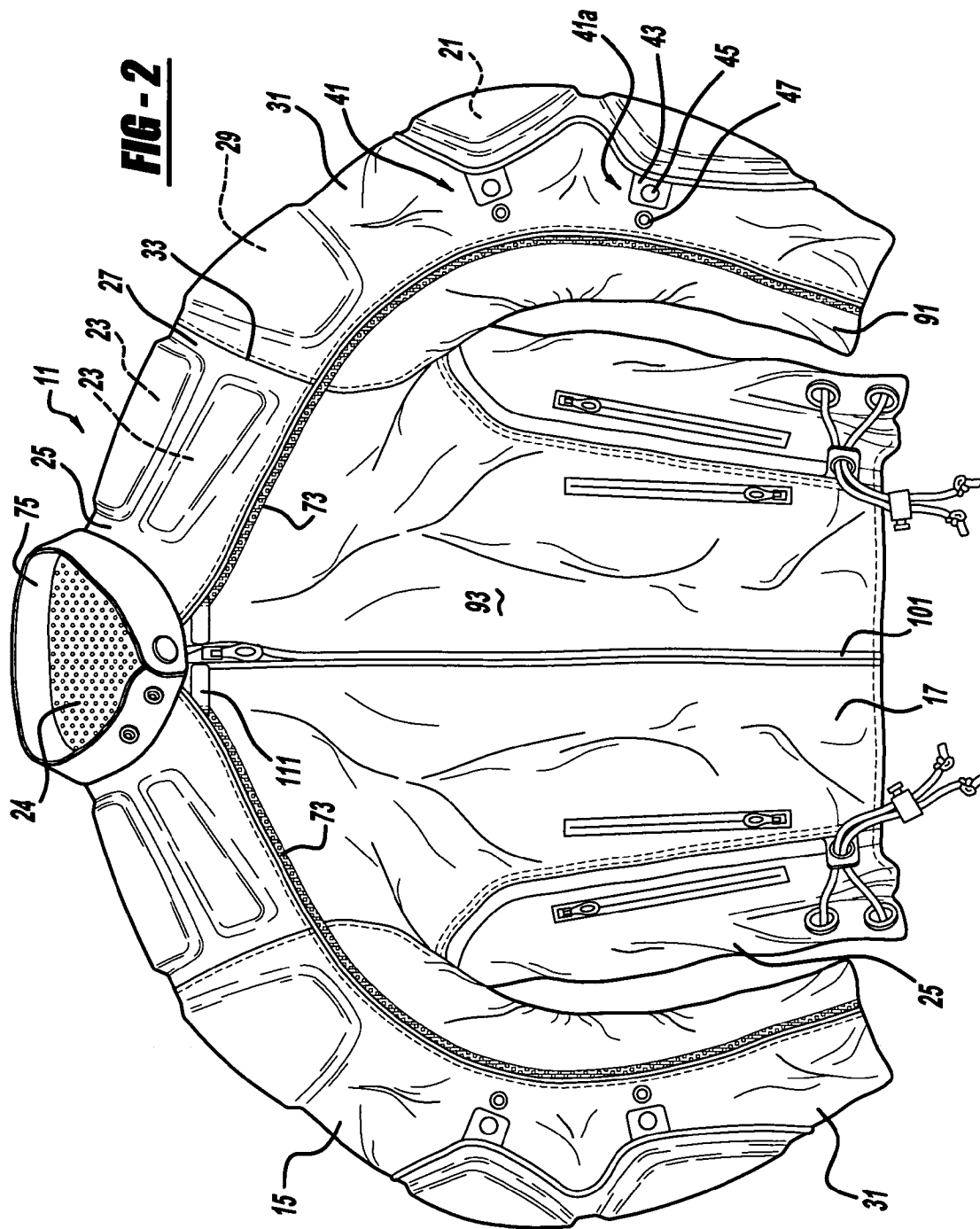
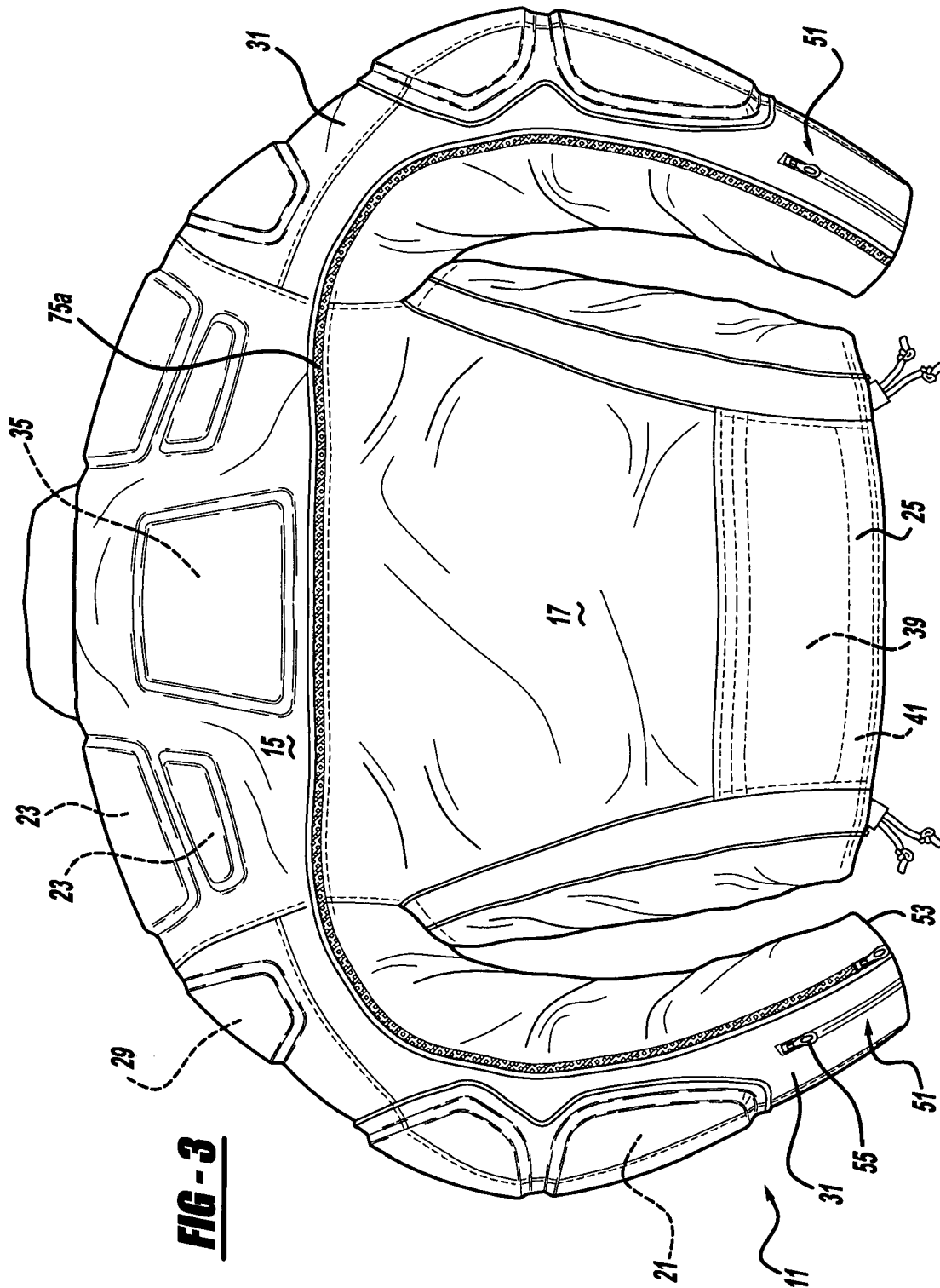


FIG - 1



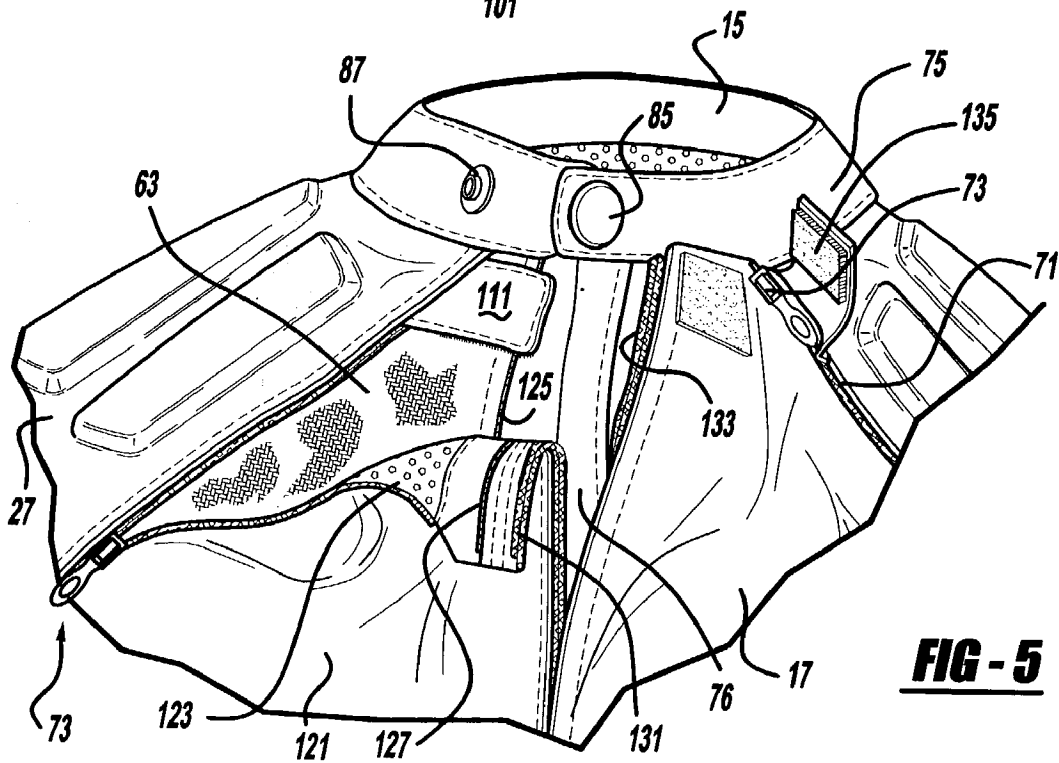
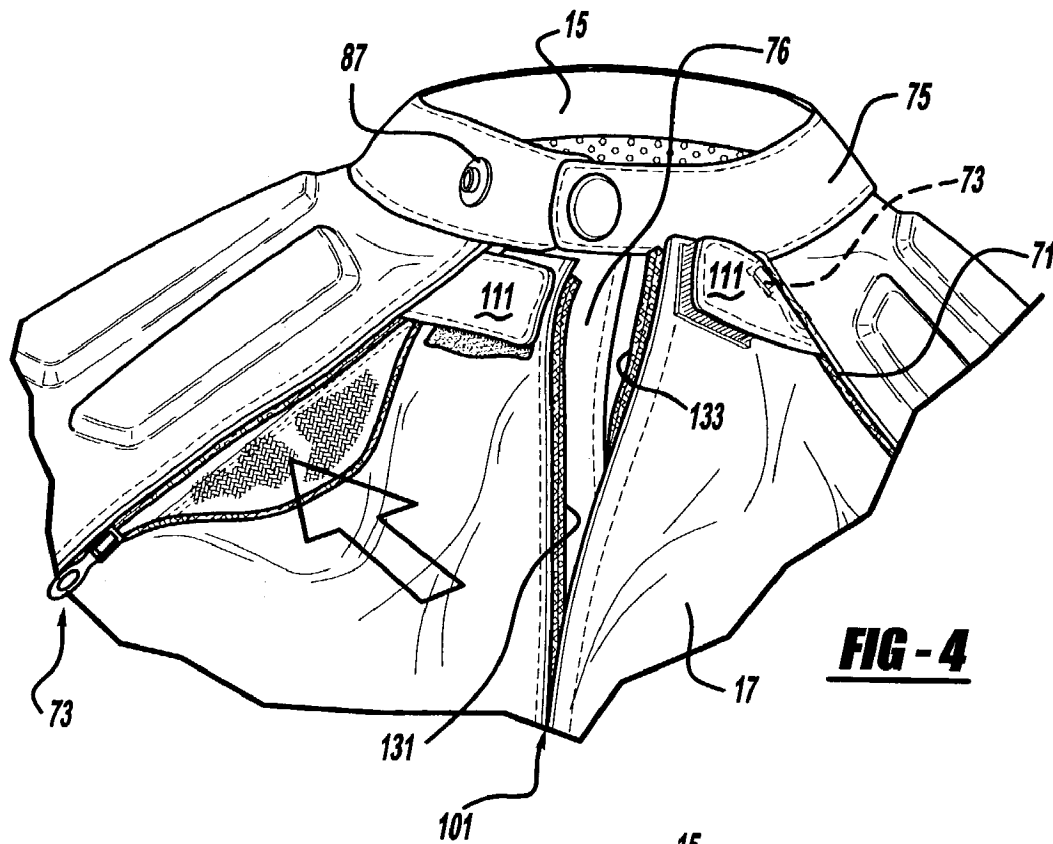


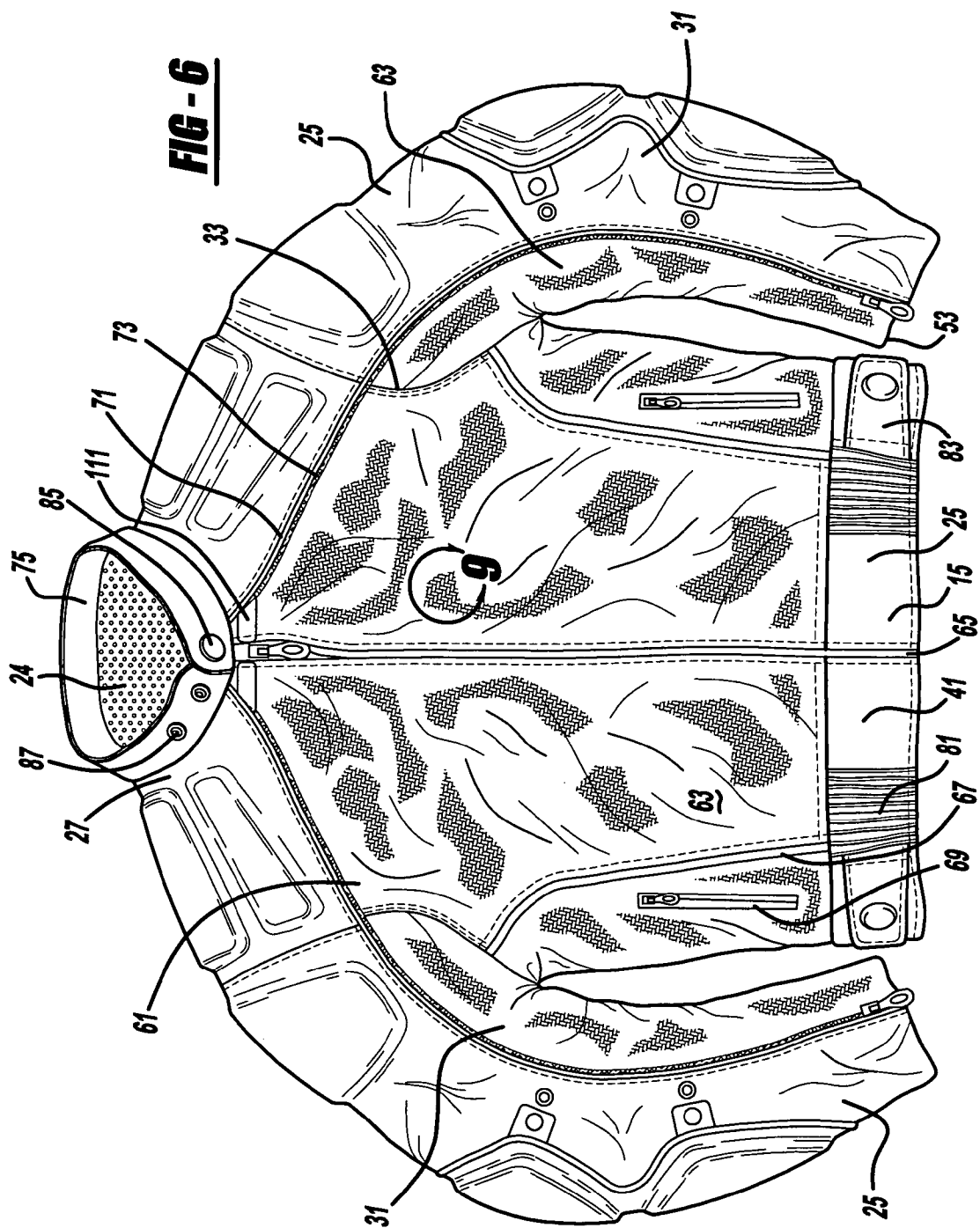
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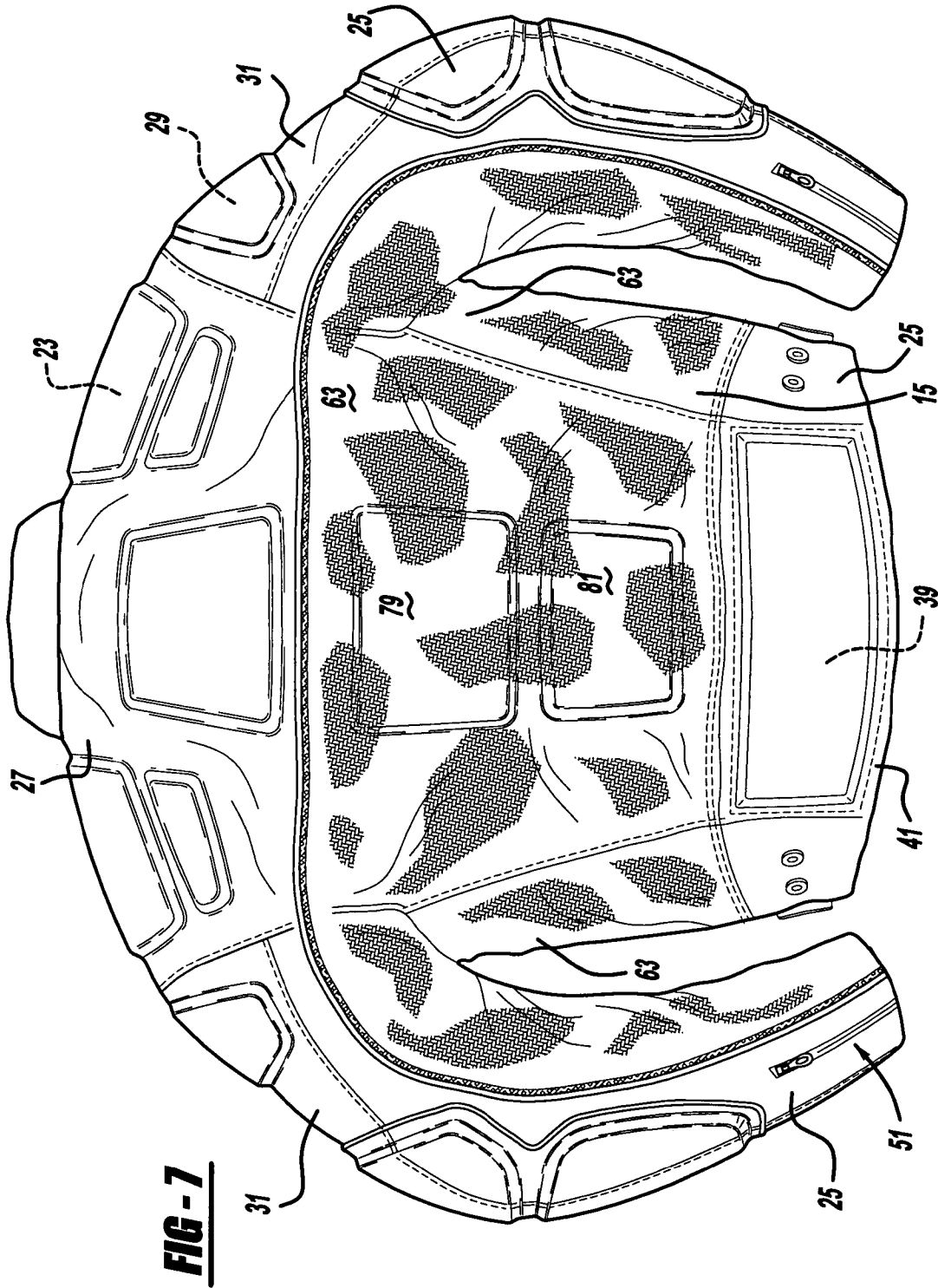
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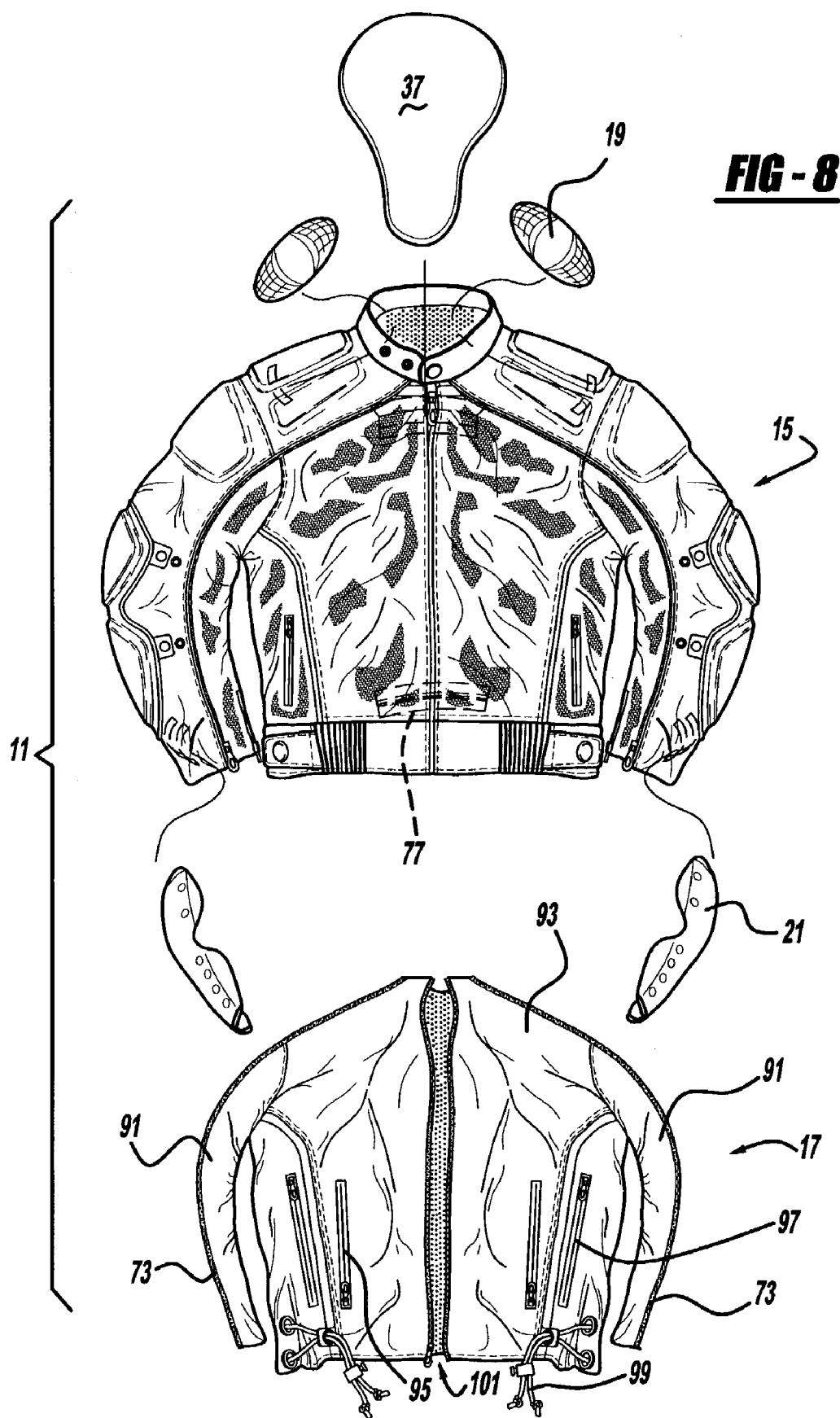


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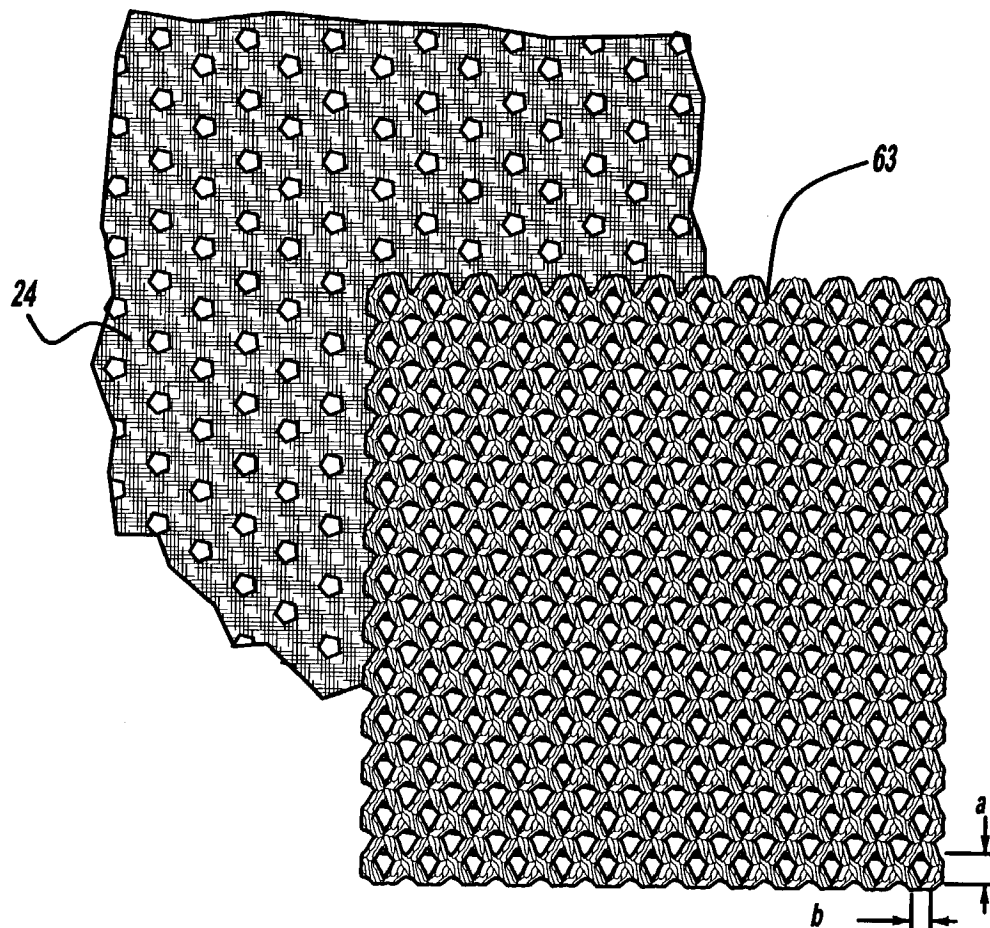


FIG - 9

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HYBRID VENTILATED GARMENT**BACKGROUND OF THE INVENTION**

The present invention relates generally to a garment and more particularly to a hybrid ventilated garment.

Garments, such as jackets and combined pant/jacket racing suits, are commonly used by people operating motor sport vehicles such as a motorcycle, all-terrain vehicle or snowmobile. Such jackets and suits commonly employ an outer shell covering the complete torso and arms of the person, and an inner insulative liner which can be removed for warm weather use. For example, reference should be made to U.S. Pat. No. 6,263,510 entitled "Ventilating Garment" which issued to Bay et al. on Jul. 24, 2001. This patent is incorporated by reference herein.

Another conventional motorcycle jacket employed a leather torso have perforations on the shoulder, chest, back and lower torso regions. It also had solid and non-perforated sleeves sewn to the torso. A non-perforated and wind resistant vest was optionally provided to externally cover the perforated torso of the jacket but could be removed to allow air entry through the torso holes. A first vertical zipper was provided for the front of the jacket torso and a second front vertical zipper was provided for the vest. This conventional jacket, however, suffered from the disadvantages of allowing undesired air flow through the sleeve-to-torso openings between the vest and jacket interface, ultraviolet light penetrating through the perforated shoulders of the torso when the vest was removed thereby leading to sunburn of the wearer, crash protection not being provided at the shoulders of the jacket when the vest was removed, and the two-piece appearance of the vest and jacket being unattractive.

SUMMARY OF THE INVENTION

In accordance with the present invention, a hybrid, ventilated garment is provided. Another aspect of the present invention employs a jacket having a body portion with sleeves and a torso, and a removable shell portion having a sleeve and a torso segments. A further aspect of the present invention provides wind resistant shoulder and sleeve segments which are permanently attached together, and an air permeable and/or perforated lower torso segment attached to at least the shoulder segment. In still another aspect of the present invention, an air permeable and/or perforated sleeve section is attached to an ultraviolet light blocking upper sleeve section and a dense weave shell is removably attachable to cover the air permeable sleeve section. In a further aspect of the present invention, a flap operably covers a supplemental and diagonal zipper without covering a main front and generally vertical zipper.

The present invention garment is advantageous over traditional jackets in that the present invention always provides ultraviolet light blockage along the wearer's shoulders and upper arm portions. The present invention is further advantageous by providing crash protective pads and/or body armor, at least some of which are preformed, even if an outer torso shell is removed. Moreover, the present invention is advantageous by allowing significant torso and sleeve ventilation for use in hot weather yet easily allows attachment of a wind resistant, and/or thermally insulating and/or waterproof portion to cover the underlying air permeable and/or perforated material. The present invention is also aesthetically fashionable and provides easy to use attachment systems which effectively reduce air entry holes when the ventilating material is covered. Additional advantages and

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features of the present invention will become apparent from the following description and appended claims, taken in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view showing the preferred embodiment of the hybrid ventilated garment of the present invention, used by a rider on a motorcycle;

FIG. 2 is a front elevational view showing the preferred embodiment garment, with a shell attached to a body;

FIG. 3 is a rear elevational view showing the preferred embodiment garment, with the shell attached to the body;

FIG. 4 is an enlarged front elevational view showing shell attachment systems in a first positional arrangement employed with the preferred embodiment garment;

FIG. 5 is an enlarged front elevational view showing shell-to-body attachment systems in a second positional arrangement employed with the preferred embodiment garment;

FIG. 6 is a front elevational view showing the preferred embodiment garment, with the shell removed;

FIG. 7 is a rear elevational view showing the preferred embodiment garment, with the shell removed;

FIG. 8 is a partially exploded, front elevational view showing the preferred embodiment garment; and

FIG. 9 is an enlarged and fragmentary, front elevational view, taken with circle 9 of FIG. 6, showing the air permeable mesh employed in the preferred embodiment jacket.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Referring to FIGS. 1-3 and 8, the preferred embodiment of a hybrid ventilated garment, preferably a jacket 11 or a jacket portion of a combined jacket/pant racing suit, of the present invention is worn by a person riding a motorcycle 13 or other motorized vehicle such as an all-terrain vehicle or snowmobile. Hybrid jacket 11 includes two major portions, a body 15 and a shell 17. Body 15 has a mesh inner liner 24, an outer wind resistant material 25 and an outer mesh material 63.

Crash absorbing padding, also known as body armor, are positioned as follows. A pair of preformed, convex shoulder pads 19 are internally attached within pockets sewn to mesh inner liner 24. These pockets are closed at their top edges by hook and loop-type fasteners. Furthermore, preformed elbow pads 21 are inserted into internal pockets sewn to an inside of liner 24 and the elbow pockets are closed at their bottom edges by hook and loop-type fasteners. Three predominantly flat shoulder pads 23 are directly sewn to an inside surface of wind resistant material 25 located at each side of shoulder segment 27 of body 15. A mesh intermediate layer (not shown), locally sewn to the inside of wind resistant material 25 of each side of shoulder segment 27, assists in retaining shoulder pads 23 to material 25. A predominantly flat upper arm pad 29 is also sewn to the inside surface of the wind resistant material, with an additional and localized intermediate mesh, at each sleeve segment 31 of body 15 adjacent a sleeve-to-torso sewn seam 33. A generally flat upper back pad 35 is similarly sewn to an inside of wind resistant material 25 and secured by another localized, intermediate mesh material. Furthermore, a preformed, waffle-patterned, spine pad 37 is removably located in a pocket sewn within liner 24 having a horizontal hook and loop attachment and opening across a middle of the pocket. A generally flat, lower back pad 39 is sewn to the

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inside of a waistband segment **41**, also made of wind resistant material **25**. Finally, a pair of flat intermediate, back pads **79** and **81** are sewn to an inside surface of outer mesh fabric **63**. The generally flat pads are more flexible than are the preformed ones and they are preferably made of a

5 The much denser wind resistant and ultraviolet light blocking material **25** located on body **15** and shell **17** are preferably a 600 denier polyester fabric having a polyurethane inside coating, but may alternately be Taslen or Cordura® brand nylon fabric.

A pair of sleeve diameter adjustments **41a** are located on each sleeve **31** adjacent the elbow area. Each sleeve adjustment includes a fabric tab **43** upon which is mounted a female snap attachment **45**. A pair of spaced apart, male snap attachments **47** protrude from the sleeve for selective attachment with female snap attachment **45**. Moreover, a cuff adjustment **51** is disposed adjacent a distal open end **53** of each sleeve which corresponds to a wrist area of the user. Each cuff adjustment **51** includes a zipper assembly **55** with a flexible piece of triangularly-shaped fabric sewn between the zipper tracks and which can be expanded when the zipper **55** is unzipped or hidden from view when zipped. The positioning of cuff adjustments **51** and the body armor is highly advantageous by allowing same to be worn by the motorcycle rider regardless of whether hybrid jacket **11** is in its fully closed, wind blocking mode or in its fully ventilated mode with shell **17** removed from body **15** as will be discussed in greater detail hereinafter.

Referring now to FIGS. 6-9, a lower torso segment **61**, herein defined as the entire front, back and side areas of the jacket body between shoulder segment **27** and waistband **41**, is made from outer mesh fabric material **63** and perforated liner **24** which are air permeable for two-way ventilation. A front central and vertically elongated zipper attachment system **65** is disposed on the front of torso segment **61** and includes a pair of parallel zipper tracks with teeth and a zipper pull slide. Outer mesh material **63** laterally extends around the entire torso from zipper track to zipper track of central zipper system **65** and is interrupted by front piping welts **67** and zipped pocket openings **69** sewn thereto. Outer mesh material **63** is further located on the lower areas of each sleeve **31** extending from distal end **53** to armpit seam **33**. Thus, outer mesh material **63** is permanently sewn to wind resistant material **25** along the entire front and rear sleeve segments **31** and shoulder segment **27** with a piping welt **71**, supplemental frontal zipper attachment systems **73** and a continuous rear zipper attachment system **75a** therebetween. Each zipper system includes a pair of toothed zipper tracks and a zipper pull slide. In other words, rear zipper system **75a** extends from one sleeve distal end **53**, horizontally across the back of the torso and to the opposite sleeve distal end **53**. Inner liner **24** is sewn essentially within the entire body **15** of jacket **11** between internally folded cuffs at distal ends **53** of the sleeves, and between waistband **41** and an upper collar **75**, except at wind resistant storm flaps **76** extending inwardly by between 60-100 millimeters from the zipper tracks associated with central zipper system **65**. An optional pant zipper attachment **77** is horizontally

sewn across an inside surface of inner liner **24** at a back of the torso segment between spine pad **37** and waistband **41**. Outer mesh material **63** is preferably a knitted, polypropylene fabric having perforated holes of approximately 3 millimeters high at dimension "a" by approximately 2 millimeters wide at dimension "b" (see FIG. 9); one such fabric can be obtained from Geo Change Fabric Co. stock

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number GCN-7151, SH-Mesh. Inner liner **24** is preferably a lighter weight, polyester knitted fabric having perforated holes of approximately the same size as for the outer mesh material but offset therefrom when sewn into the garment.

10 Waistband **41** includes a pair of elastic sections **81** with vertical stitches between each fold and an inner elastic strip which laterally contracts. A waist attachment system **83** is also provided at each forward side of waistband **41**. Each waist attachment system **83** includes a fabric flap sewn adjacent elastic section **81** with a female snap attachment secured thereto. Three horizontally spaced male attachments protrude from a laterally outboard section of waistband **41** for selective fastening to the female snap attachment.

Collar **75** includes an outer layer made of wind resistant material **25** and an attached inner layer lined with a fleece-like material. A female snap attachment **85** is secured to a protruding front end of collar **75** while selectively matable and spaced apart male attachment fasteners **87** are secured to the opposite end of collar **75** to allow variable diameter neck closure.

15 Shell **17** can best be observed in FIGS. 2, 3 and 8. Shell **17** includes left and right sleeve halves **91** which are permanently sewn to a lower torso segment **93**. Shell **17** includes an outer fabric layer **121** made from the wind resistant material and an inner fabric layer **123** made of the perforated liner material like the body. One each zipper track of supplemental zipper attachment systems **73** and **75a** are sewn to an upper edge of sleeve half segments **91** and continue along upper edges of lower torso segment **93**. This allows for sleeve half segments **91** and the upper edges of torso segment **93** to be removably zipped onto sleeve segments **31** and shoulder segments **27** of body **15** at the front and rear of the jacket. Left and right front torso zippers **95** are provided in shell **17** to allow access to pockets sewn into the shell. A pair of torso side zippers **97** are openable to allow access to corresponding pocket zippers **69** within body **15** and/or to provide localized venting into jacket **11** even when shell **17** is secured to body **15**. A pair of elasticized pull cords **99**, externally held together at each end by a compressible polymeric toggle and fabric tab, enter eyelets on each side of shell **17** and extend between the outer fabric layer and the inner fabric layer. These cords are used to tighten the lateral periphery of shell **17** in use to minimize air entry. A main zipper attachment system **101** vertically extends along a front torso centerline.

20 As can best be observed in FIGS. 2, 4-6 and 8, the front zipper scheme is as follows. When shell **17** is removed from body **15**, the front centerline torso is closed by zipper system **65** as shown in FIG. 6. When shell **17** is attached to body **15**, however, an inwardly projecting zipper track **125** of main zipper system **65** engages with an outwardly projecting zipper track **127** which has a zipper pull slide, of shell's main zipper system **101**, for each side of the central opening. Furthermore, when in the attached shell-to-body condition, the inwardly projecting zipper tracks **131** and **133** of main zipper system **101** engage each other to serve as the sole front closure between the left and right front torso sections for both shell **17** and body **15**. This allows for very easy, single zipper use of the jacket when the user wishes to secure or unsecure the front. Additionally, when shell **17** is attached to body **15**, flaps **111** are positioned to cover the upper ends of front supplemental zipper systems **73** to deter wind and

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cold from entering between the upper edge of shell 17 and collar 75. More specifically, a proximal end of each flap 111 is sewn to shoulder segment 27 adjacent piping welt 71. Flap 111 is made of a flexible fabric material and has one portion of a hook and loop-type fastener attachment 135 on an inside thereof for mating with the opposite side of the hook and loop-type fastener attachment sewn onto shell 17. Thus, each flap 111 extends across the underlying supplemental zipper system 71 but without obstructing or covering main vertical zipper system 101, or even central zipper 65 when shell 17 is removed from body 15. Furthermore, one or both supplemental zipper systems 73 can be partially unzipped with the flap attachment 135 engaged, as shown in FIG. 4, to allow for localized front venting while shell 17 is otherwise still in place.

While various aspects of the present invention have been disclosed, it should be appreciated that variations may be made without departing from the scope of the present invention. For example, shell 17 may include a thermally insulative layer sewn to the inside thereof, containing polyester fiber batting, foam or goose down, for protection against cold weather; in this variation, a lightweight shell fabric (with less abrasion resistance) of about 70 denier would be used with insulation of about 70 to 200 grams. Furthermore, it is alternately envisioned that a fleece or other non-mesh, yet air permeable, material can be substituted in place of the mesh lower torso segment of body 15. Moreover, snap, hook and loop, interlocking barb, button and other disengagable fasteners can be employed instead of the preferred zippers and snaps, although some of the wind deterrent benefits of the present invention may not be realized. Shirts and other such garments may readily employ certain aspects of the present invention, although some of the advantages of the present invention may not be achieved. The preferred mesh ventilation material may solely be used on the sleeves, the torso, and/or localized portions thereof as long as an outer removable covering is provided, although again, some of the advantages of the present invention may not be fulfilled. Additional PVC or other waterproof coatings may be provided on any of the fabric layers to provide water resistance or waterproofing. It is also envisioned that the outer mesh material employed on the lower torso area of the body can be perforated with 1 millimeter by 4 millimeter long slits or cuts as long as ventilation is achieved. The present invention may alternately be used by bicycle riders, waist bags can be provided at the rear of the body for receiving the removed shell, and waterproof zippers can be provided in place of those disclosed herein. Furthermore, various materials have been disclosed in an exemplary fashion, but other materials may of course be employed, although some of the advantages of the present invention may not be realized. It is intended by the following claims to cover these and any other departures from the disclosed embodiments which fall within the true spirit of the invention.

The invention claimed is:

1. A hybrid motorcycle garment comprising:

a garment body having sleeve segments, a shoulder segment and at least one torso segment;

a fabric shell including sleeve segments and a torso segment; and

at least one attachment operable to connect the shell to the body;

wherein the shell externally covers at least a majority of the torso segment of the garment body when attached thereto;

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wherein the shell is removable from the garment body to expose the otherwise underlying torso segment of the garment body; and

wherein at least part of the sleeve and shoulder segments of the garment body and at least a majority of the sleeve and torso segments of the shell include a wind resistant outer material, and at least parts of both the sleeve and shoulder segments of the garment body are externally exposed even when the shell is attached to the garment body.

2. The garment of claim 1 further comprising air permeable material located in a substantially continuous manner along right and left lower front torso regions, right and left side regions, and right and left rear torso regions of the body below the shoulder segment.

3. The garment of claim 2 wherein the air permeable material is a perforated, polymeric mesh.

4. The garment of claim 1 further comprising:

a second attachment vertically extending substantially adjacent to a front center of the body, the second attachment disengagably attaching together the body and shell;

a third attachment located at the front of the body; and

a disengagably attachable flap locally extending across the top of one of the attachments from the body to the shell but without obstructing at least one of the second and third attachments.

5. The garment of claim 1 further comprising a cuff opening adjustment member entirely located on the body.

6. The garment of claim 1 wherein the wind resistant outer material has a density of about 400 to 800 denier.

7. The garment of claim 1 further comprising motorcycle body armor located adjacent an elbow area.

8. The garment of claim 1 further comprising a back zipper extending substantially from a first sleeve end, up a first of the sleeve segments, across an upper back portion, down a second of the sleeve segments and terminating substantially at a second sleeve end.

9. A motorcycle jacket comprising:

(a) a garment body having sleeve segments, a shoulder segment and torso segments;

(b) an air permeable material located on the body;

(c) a shell including sleeve segments and a torso segment;

(d) a back zipper system operable to continuously connect the shell to the body along at least the sleeve segments and the shoulder segment;

(e) a front zipper system disengagably attaching together the body and the shell substantially from an open end of each of the sleeve segments to a neck opening; and

(f) a third zipper system vertically extending substantially adjacent to a front center of the garment;

(g) wherein the shell externally covers at least a majority of the torso segments and sections of the sleeve segments of the garment body when attached thereto;

(h) wherein the shell is removable from the garment body to expose the otherwise underlying sleeve and torso segments of the garment body;

(i) wherein at least parts of both the sleeve and shoulder segments of the garment body are externally exposed even when the shell is attached to the garment body;

(j) wherein the sleeve and torso segments of the shell are permanently attached together and the shell is entirely removable from the body; and

(k) wherein the body is configured for use in motorcycle riding.

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10. The jacket of claim 9 wherein both of the torso and sleeve segments of the garment body include air permeable material.

11. The jacket of claim 10 wherein at least part of the sleeve and shoulder segments of the garment body and the sleeve and torso segments of the shell include a wind resistant outer material.

12. The jacket of claim 9 wherein the wind resistant upper sections extend substantially continuously from open sleeve ends to a neck opening.

13. The jacket of claim 9 further comprising an air permeable material of each of the sleeves of the garment body being substantially continuously located between a cuff and an armpit seam.

14. The jacket of claim 9 further comprising a cuff opening adjustment member entirely located on the body.

15. The jacket of claim 9 further comprising preformed and polymeric body armor attached to the body.

16. A garment comprising:

(a) a first garment portion comprising:

permanently attached sleeves each having a first section including an air flow deterring material and a second section including an air permeable material, the first and second sleeve sections being permanently attached together;

a torso including front and back sections including an air permeable material;

wherein the torso of the first garment portion includes a shoulder segment having a wind resistant material; wherein each of the first sleeve sections has an upper and wind resistant sleeve section which substantially extends from an open distal end of the sleeve to the shoulder segment;

(b) a second garment portion comprising:

a sleeve section including an air flow deterring material; and

a torso section including an air flow deterring material;

(c) the second garment portion being removably attachable to the first garment portion in order to deter air flow through the air permeable sections of the first garment portion but allowing air to pass through the air permeable sections of the first garment portion when the second garment portion is removed.

17. The garment of claim 16 further comprising at least one attachment system disengagably attaching together the first and second garment portions substantially from an open distal end of each of the sleeves to a neck opening.

18. The garment of claim 17 wherein the attachment system includes an elongated zipper, and the sleeve section and the torso section of the second garment portion are sewn together.

19. The garment of claim 17 further comprising:

a second attachment system vertically extending substantially adjacent to a front center of the garment, the second attachment system disengagably attaching together the first and second garment portions;

a third attachment system located at the front of the garment, the third attachment system disengagably attaching together left and right front torso areas of the second garment portion; and

a disengagably attachable flap locally extending across the top of the first attachment system from the torso of the first garment portion to the second garment portion but without obstructing at least one of the second and third attachment systems.

20. The garment of claim 16 wherein at least part of the second garment portion is fabric.

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21. The garment of claim 16 wherein the garment is a motorsport garment and the sleeves substantially extend to a user's wrist.

22. The garment of claim 21 wherein the air permeable material at the torso is located in a substantially continuous manner along right and left lower front torso regions, right and left side regions, and right and left rear torso regions below the shoulder segment.

23. The garment of claim 16 wherein the air permeable material of each of the sleeves of the first garment portion is substantially continuously located between a cuff and an armpit seam.

24. The garment of claim 16 further comprising a cuff opening adjustment member entirely located on the first section.

25. The garment of claim 16 further comprising preformed and polymeric body armor attached to the first garment portion.

26. The garment of claim 16 wherein the first garment portion is configured for use in motorcycle riding and the air flow deterring material has a density of about 400 to 800 denier.

27. The garment of claim 16 wherein the air permeable material is a perforated, polymeric mesh, and the second garment portion externally covers the air permeable material of the first garment portion.

28. The garment of claim 16 wherein the air permeable material is a fleece material.

29. The garment of claim 16 wherein the second garment portion includes cold weather insulation.

30. A hybrid motorcycle garment comprising:

a garment body having sleeve segments, a shoulder segment and at least one torso segment;

a fabric shell;

at least one attachment operable to connect the shell to the body; and

a back zipper extending from a location substantially adjacent a first sleeve end, up a first of the sleeve segments, across an upper back portion, down a second of the sleeve segments and terminating at a location substantially adjacent a second sleeve end;

wherein the shell externally covers at least a majority of the torso segment of the garment body when attached thereto; and

wherein the shell is removable from the garment body to expose the otherwise underlying torso segment of the garment body.

31. The garment of claim 30 wherein at least part of the torso and sleeve segments of the garment body include air permeable material, and the shell is entirely removable from the garment body.

32. The garment of claim 30 further comprising an air permeable material of each of the sleeves of the first garment portion is substantially continuously located between a cuff and an armpit seam.

33. The garment of claim 30 further comprising a cuff opening adjustment member entirely located on the body.

34. The garment of claim 30 further comprising preformed body armor attached to the body.

35. The garment of claim 30 wherein the body is configured for use in motorcycle riding.

36. A hybrid garment comprising:

a garment body having sleeve segments, a shoulder segment and torso segments;

a shell including sleeve segments and a torso segment; and

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at least one attachment disengageably attaching together the body and the shell substantially from an open end of each of the sleeve segments to a neck opening; wherein the shell externally covers at least a majority of the torso segments and sections of the sleeve segments of the garment body when attached thereto; and wherein the shell is removable from the garment body to expose the otherwise underlying sleeve and torso segments of the garment body.

37. The garment of claim 36 further comprising:
 a second attachment system vertically extending substantially adjacent to a front center of the garment, the second attachment system disengageably attaching together the first and second garment portions;
 a third attachment system located at the front of the garment, the third attachment system disengageably attaching together left and right front torso areas of the second garment portion; and
 a disengageably attachable flap locally extending across the top of the first attachment system from the torso of the first garment portion to the second garment portion but without obstructing at least one of the second and third attachment systems.

38. The garment of claim 36 further comprising:
 a substantially vertical main zipper located at a front torso region;
 at least one supplemental zipper located in a front and upper torso region, the supplemental zipper being angled between about 30°–150° relative to the vertical main zipper;
 a collar, upper ends of the main and supplemental zippers being located adjacent the collar;
 a flap attachment located on one torso side of the supplemental zipper; and
 a flap extending from the other side of the supplemental zipper, across the upper end of the supplemental zipper and disengageably attaching to the flap attachment but without covering the main zipper.

39. The garment of claim 36 wherein the shell is totally removable from the body as a single piece and the shell is fabric.

40. The garment of claim 36 further comprising polymeric, motorcycle body armor coupled to the body.

41. A hybrid garment comprising:
 a garment body having sleeve segments, a shoulder segment and torso segments;
 a shell including sleeve segments and a torso segment; and
 at least one attachment operable to connect the shell to the body along at least the sleeve segments and the torso segments;
 wherein the shell externally covers at least a majority of the torso segments and sections of the sleeve segments of the garment body when attached thereto;
 wherein the shell is removable from the garment body to expose the otherwise underlying sleeve and torso segments of the garment body;
 wherein at least parts of both the sleeve and shoulder segments of the garment body are externally exposed even when the shell is attached to the garment body; and

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wherein the exposed parts of the sleeve and shoulder segments are upper sections that include an outer wind resistant material.

42. The garment of claim 41 wherein the wind resistant upper sections extend substantially continuously from open sleeve ends to a neck opening.

43. A hybrid garment comprising:
 a garment body having sleeve segments, a shoulder segment and torso segments;
 a shell including sleeve segments and a torso segment; and
 at least one attachment operable to connect the shell to the body along at least the sleeve segments and the torso segments;
 wherein the shell externally covers at least a majority of the torso segments and sections of the sleeve segments of the garment body when attached thereto;
 wherein the shell is removable from the garment body to expose the otherwise underlying sleeve and torso segments of the garment body;
 wherein at least parts of both the sleeve and shoulder segments of the garment body are externally exposed even when the shell is attached to the garment body; and
 wherein the sleeve and torso segments of the shell are permanently attached together and the shell is entirely removable from the body.

44. The garment of claim 43 further comprising a back zipper extending from a first sleeve end, up a first of the sleeve segments, across an upper back portion, down a second of the sleeve segments and terminating at a second sleeve end.

45. The garment of claim 43 further comprising polymeric, motorcycle body armor coupled to the body.

46. A motorcycle garment comprising:
 a first garment portion having sleeve segments, a shoulder segment and at least one torso segment, at least one of the segments including an open mesh material;
 a second garment portion; and
 a back zipper extending from a location substantially adjacent a first sleeve end, up a first of the sleeve segments, across an upper back portion, down a second of the sleeve segments and terminating at a location substantially adjacent a second sleeve end, the back zipper being operable to connect together the first and second garment positions;
 wherein the second garment portion is at least partially removable from the first garment portion to allow airflow through the mesh material.

47. The garment of claim 46, further comprising body armor located at elbow areas and the shoulder segment of the first garment portion, and a substantially vertical front zipper connecting together the first and second garment portions, the garment portions being fabric.

* * * * *

(12) **United States Design Patent** (10) **Patent No.:** **US D498,037 S**
Bay (45) **Date of Patent:** **** Nov. 9, 2004**

(54) **JACKET**

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(75) Inventor: **Marc A. Bay**, Farmington, MI (US)
(73) Assignee: **Robison's Inc.**, Idaho Falls, ID (US)
(**) Term: **14 Years**

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(51) **LOC (7) Cl.** **02-02**

(52) **U.S. Cl.** **D2/830; D2/828; D2/839**

(58) **Field of Search** D2/714, 716, 739,
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49.2, 49.3, 49.4, 49.5; D24/187; 2/79, 93,
102, 108, 125, 138, 227, 230, 459, 462,
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(57) **CLAIM**

I claim the ornamental design for a jacket, as shown and described.

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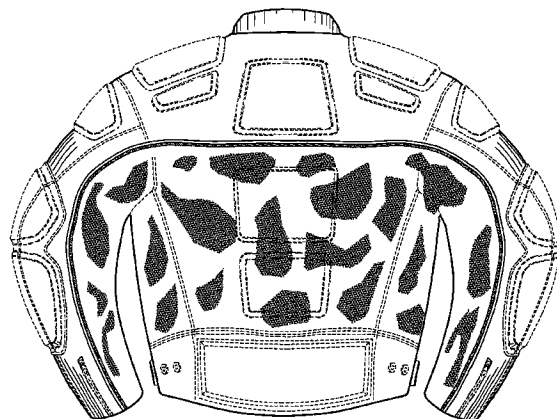
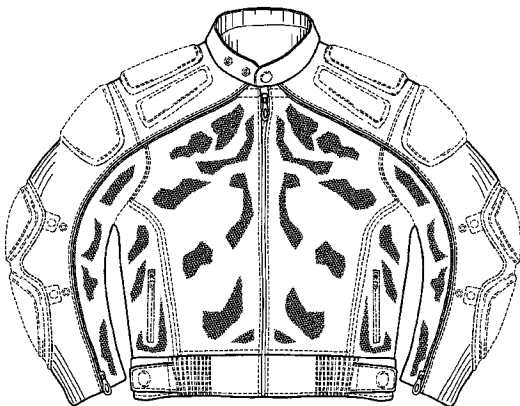
DESCRIPTION

FIG. 1 is a front elevational view of a jacket showing a zipper system on a front section of each sleeve, showing my new design; and,

FIG. 2 is a rear elevational view thereof.

The mesh pattern samples along the lower torso and bottom sleeve segments are understood to continue across the surfaces. The outermost double dot-dash lines around the padded areas on the shoulders and sleeves form the interior boundaries of the design. The broken lines symbolizing stitching as well as the remainder of the broken lines on the surface of the jacket, illustrate portions of the design that form no part of the claim.

1 Claim, 2 Drawing Sheets



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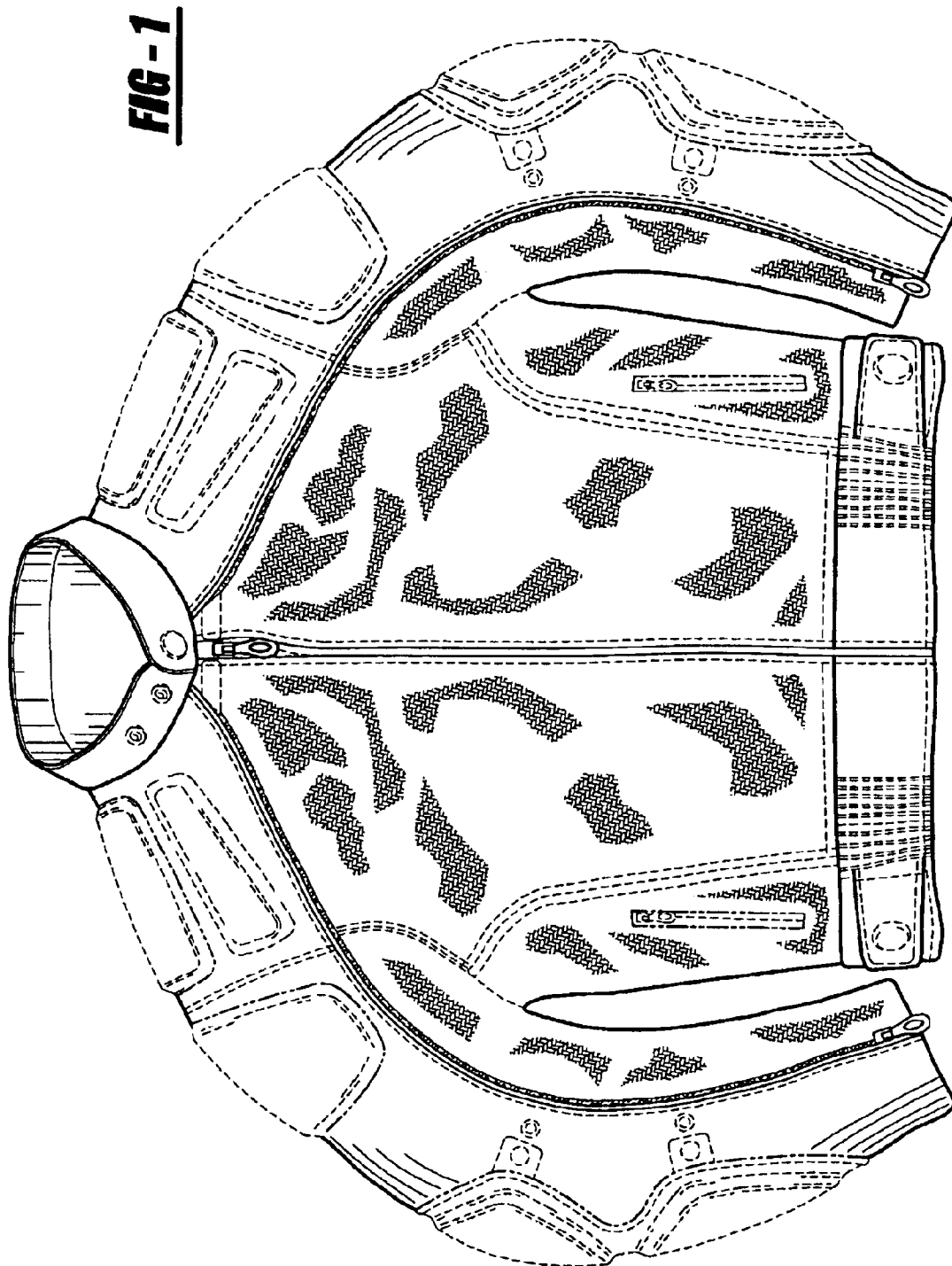
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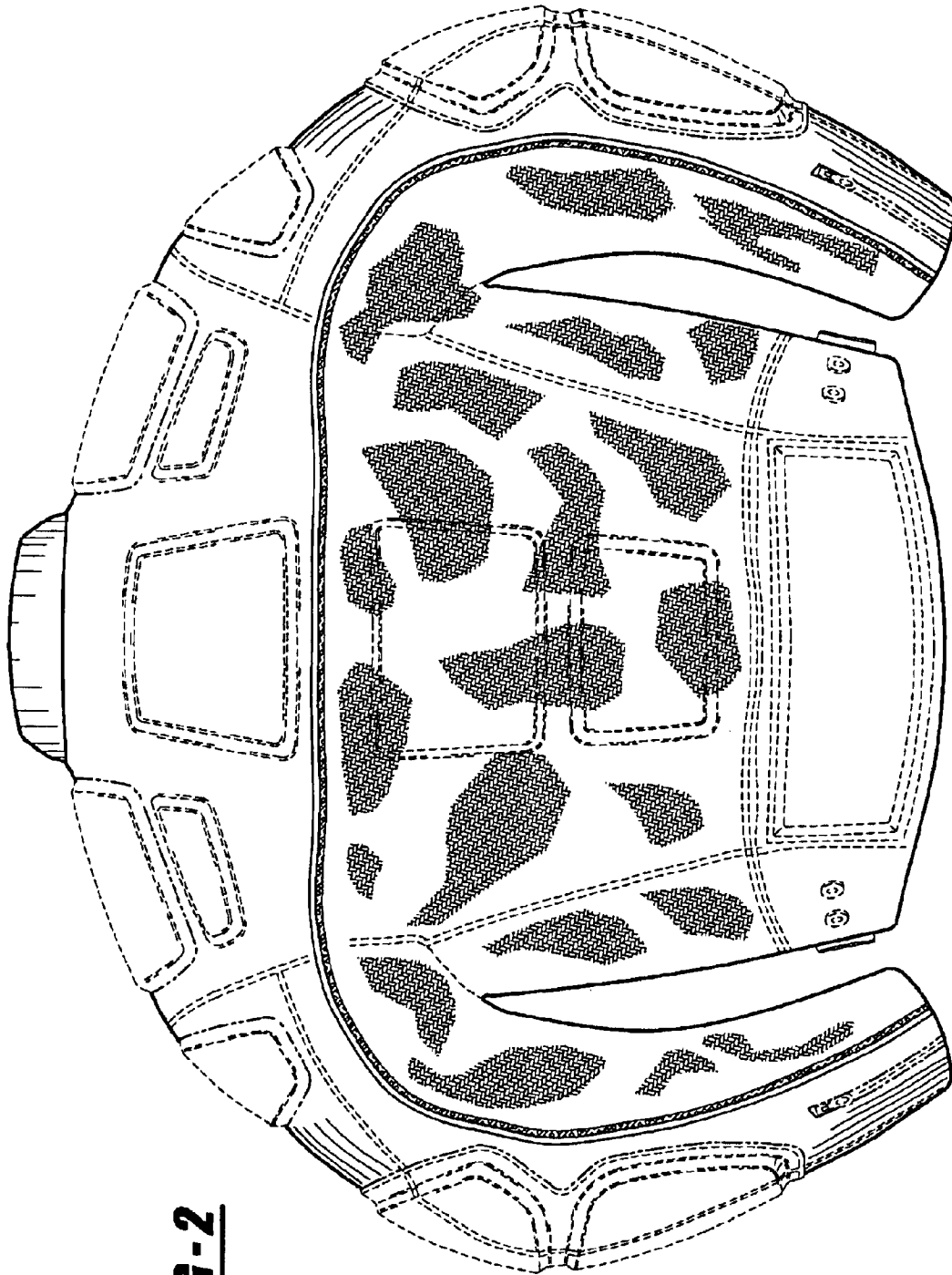


FIG - 2