

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

TIMES THREE CLOTHIER, LLC,

Plaintiff,

v.

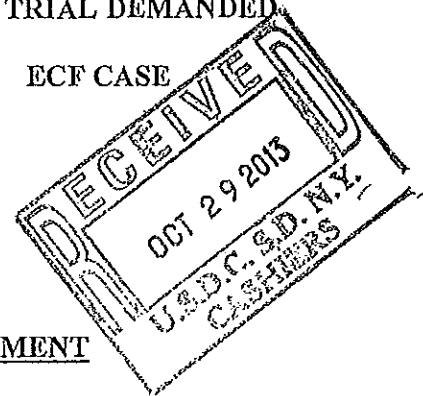
SPANX, INC.

Defendant.

13 CV 7635
Civil Action No.

JURY TRIAL DEMANDED

ECF CASE



COMPLAINT FOR PATENT INFRINGEMENT

Times Three Clothier, LLC d/b/a/ Yummie Tummie ("Yummie Tummie") sues Defendant Spanx, Inc. d/b/a Spanx by Sara Blakely ("Defendant Spanx by Sara Blakely") and, on information and belief, alleges as follows:

Introduction

1. Yummie Tummie owns the invention claimed in United States Patent No. 8,568,195 ("the '195 Patent" or "the patent-in-suit"), entitled "Multi-Fabric Garment". Defendant Spanx by Sara Blakely has copied Yummie Tummie's patented invention in garments that it makes, uses, sells, and offers to sell, without Yummie Tummie's permission, and has contributed to or induced, and continues to contribute to or induce, others to infringe the patents-in-suit. Yummie Tummie seeks damages from Defendant Spanx by Sara Blakely, in an amount no less than a reasonable royalty and/or an injunction preventing Defendant Spanx by Sara Blakely from making, using, selling, or offering to sell, and from contributing to and inducing

others to make, use, sell, or offer to sell, Yummie Tummie's patented invention without its permission.

Jurisdiction and Venue

2. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 271 and 281, et seq. The Court has original jurisdiction over this patent infringement action under 28 U.S.C. §§ 1338(a). This action is related to two other litigations pending in the United States District Court for the Southern District of New York, the first entitled *Times Three Clothier, LLC v. Spanx, Inc.* Case No 13-cv-2157-DLC, and the second entitled *Spanx, Inc. v. Times Three Clothier LLC v. Spanx, Inc.* Case No. 13-cv-07260-DLC, as all three actions concern substantially the same products made by Defendant Spanx by Sara Blakely.

3. Venue is proper in this Court because Yummie Tummie is located in the Southern District of New York and Defendant Spanx by Sara Blakely is responsible for acts of infringement occurring in the Southern District of New York as alleged in this Complaint, and has delivered or caused to be delivered its infringing products in the Southern District of New York.

Plaintiff Yummie Tummie

4. Yummie Tummie is a limited liability company organized and existing under the laws of the State of New York, with its principal place of business in New York, New York.

5. Yummie Tummie is an independent manufacturer of shapewear garments that embody innovative technology that are marketed, distributed, and sold under the well-known brand names Yummie Tummie®, Yummie by Heather Thomson®, Tumny Tank®, Tummylicious™, RIPT Fusion® and Core Form™ (collectively, "Yummie Tummie®").

Yummie Tummie's expansive Yummie Tummie® product line was conceived and designed by Heather Thomson, a fashion designer and creative director who has contributed to many acclaimed fashion collections, including Sean John by Sean Combs, Sweetface by Jennifer Lopez, and House of Derón by Beyonce Knowles.

6. Yummie Tummie has invested significant time, effort and expense to protect its inventions and innovative designs and has a patent portfolio of twelve patents, including the patent-in-suit. Ms. Thomson's patented technology and designs are embodied in an expansive line of Yummie Tummie® products, all of which offer consumers attractive and fashion-forward women's shapewear. Yummie Tummie has launched a range of Yummie Tummie® branded shapewear products based on its patented innovations, including a variety of styles of tops, apparel, and intimates for women of all sizes. Yummie Tummie's Yummie Tummie® line of shapewear is sold at such retailers as Saks Fifth Avenue, Nordstrom, The Home Shopping Network, Bloomingdale's and Lord & Taylor.

Yummie Tummie's Patent

7. The United States Patent and Trademark Office issued the '195 Patent on October 29, 2013. A copy of the '195 Patent is attached hereto as Exhibit 1. Through assignment, Yummie Tummie is the owner of all right, title, and interest in the '195 Patent.

8. Yummie Tummie has complied with the statutory requirement of placing a notice of the patents-in-suit on all necessary garments it manufactures and sells.

Defendant Spanx by Sara Blakely and its Acts of Infringement

9. Defendant Spanx by Sara Blakely is a Georgia corporation, doing business in New York, NY through many retailers and a showroom.

10. Defendant Spanx by Sara Blakely has infringed, directly or indirectly, the '195 Patent either literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States or importing into the United States, without Yummie Tummie's permission, products covered by one or more claims of the '195 Patent, including, but not limited to, Defendant Spanx by Sara Blakely's "The Top This Tank Style 1847" and "The Top This Cami Style 1846" (collectively the "Infringing Garments").

11. Defendant Spanx by Sara Blakely has contributed to or induced, and continues to contribute to or induce, others, including third party garment retailers, including, *inter alia*, JC Penny and Kohl's, and garment purchasers, to infringe the patents-in-suit by using, offering for sale, and selling at least one of the Infringing Garment that are covered by at least one of the claims of patent-in-suit.

12. As noted previously, this action is related to two other litigations pending before this Court, because in the those actions, Yummie Tummie has accused Defendant Spanx by Sara Blakely's "The Top This Tank Style 1847" and "The Top This Cami Style 1846" of infringement of certain of Yummie Tummie's design patents. The design patents therein cover the ornamental appearance of the garments. However, in the present action, Yummie Tummie has accused, *inter alia*, the same products of infringement of a utility patent, which covers the fabrication and/or function of the garment.

COUNT I
(PATENT INFRINGEMENT, 35 U.S.C. §§ 271)

13. Yummie Tummie incorporates the allegations contained in paragraphs 1 through 12 as though fully set forth herein.

14. Defendant Spanx by Sara Blakely has been and, on information and belief, still is making, using, offering to sell, selling, and/or importing in the United States Infringing Garments that infringe the '195 Patent in violation of 35 U.S.C. § 271(a).

15. On information and belief, Defendant Spanx by Sara Blakely has been and still is actively inducing others to infringe the '195 Patent in violation of 35 U.S.C. § 271(b).

16. By reason of Defendant Spanx by Sara Blakely's infringement, Yummie Tummie has suffered, and unless Defendant Spanx by Sara Blakely's conduct is permanently enjoined, will continue to suffer, actual damages and irreparable harm, as to which it has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Yummie Tummie respectfully requests that this Court:

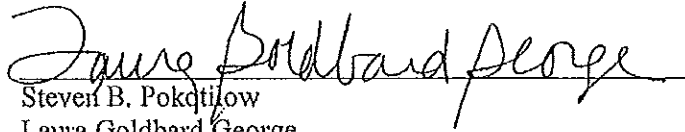
1. Enter judgment in favor of Yummie Tummie;
2. Permanently enjoin Defendant Spanx by Sara Blakely and its predecessors, successors, divisions, subsidiaries, or joint ventures thereof, together with any and all parent or affiliated companies or corporations, and all officers, directors, employees, agents, attorneys, representatives, those acting in privity or concern with Defendant Spanx by Sara Blakely, or on its behalf, from further infringing the '195 Patent, and from inducing others to infringe the '195 Patent;
3. Award Yummie Tummie its actual damages under 35 U.S.C. § 284 in an amount to be determined at trial;
4. Award Yummie Tummie all of its actual costs and reasonable attorneys' fees in this action as authorized by 35 U.S.C. § 285; and
5. Grant to Yummie Tummie such other relief as may be just and warranted under the circumstances.

JURY TRIAL DEMAND

Yummie Tummie demands a trial by jury on all issues so triable.

Dated: October 29, 2013

By:



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Exhibit 1



US008568195B1

(12) **United States Patent**
Schindler

(10) **Patent No.:** US 8,568,195 B1

(45) **Date of Patent:** Oct. 29, 2013

- (54) **MULTI-FABRIC GARMENT**
- (75) **Inventor:** Heather Thomson Schindler, New York, NY (US)
- (73) **Assignee:** Times Three Clothier, LLC, New York, NY (US)
- (*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1027 days.

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(21) **Appl. No.:** 12/353,752

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(22) **Filed:** Jan. 14, 2009

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- Related U.S. Application Data**
- (60) **Provisional application No. 61/021,212, filed on Jan. 15, 2008.**

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(Continued)

- (51) **Int. Cl.**
A41C 1/06 (2006.01)
- (52) **U.S. Cl.**
USPC 450/30; 450/33; 450/7
- (58) **Field of Classification Search**
USPC 450/96-112, 7-11, 30-33; 2/67, 69, 2/78.1-78.4, 113, 115, 105, 106, 109, 73
See application file for complete search history.

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Primary Examiner — Gloria Hale
(74) *Attorney, Agent, or Firm* — Stroock & Stroock & Lavan LLP

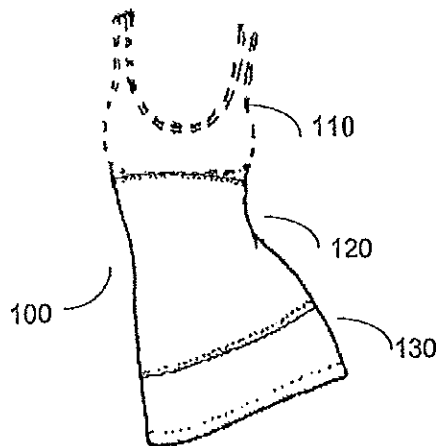
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- (57) **ABSTRACT**

A multi-fabric garment for slenderizing the midsection of a user includes a noncompressive upper section, a slenderizing compressive middle section, and a noncompressive lower section. The slenderizing middle section can include both compressive and noncompressive materials.

77 Claims, 34 Drawing Sheets



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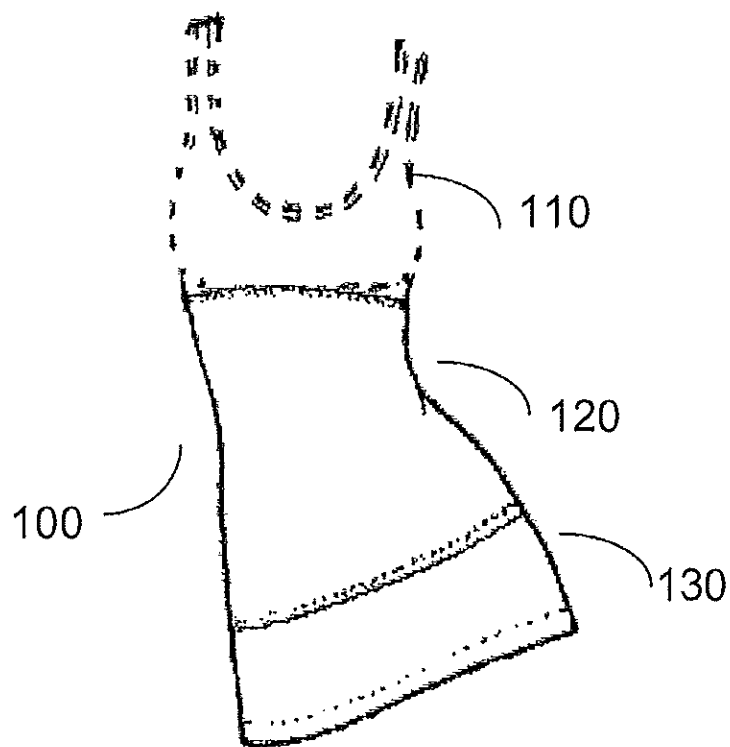


FIG. 1

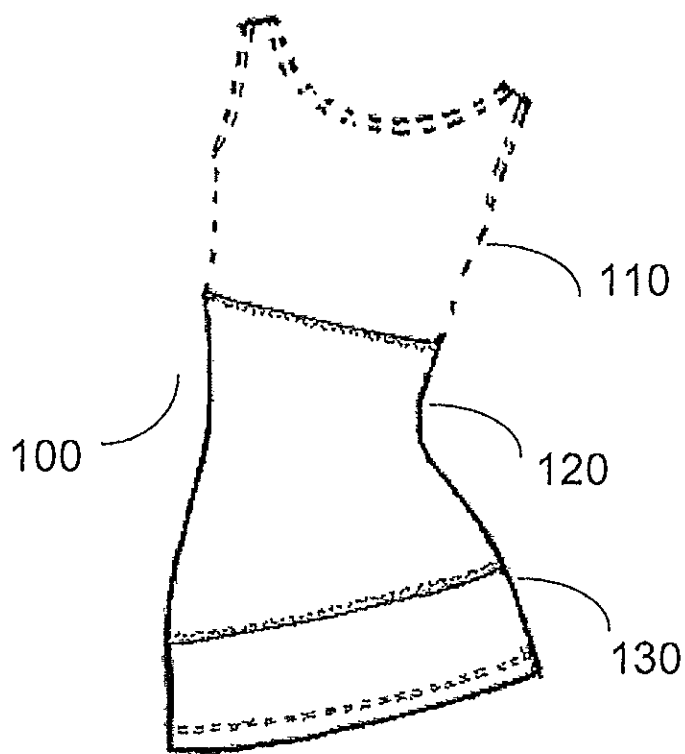


FIG. 2

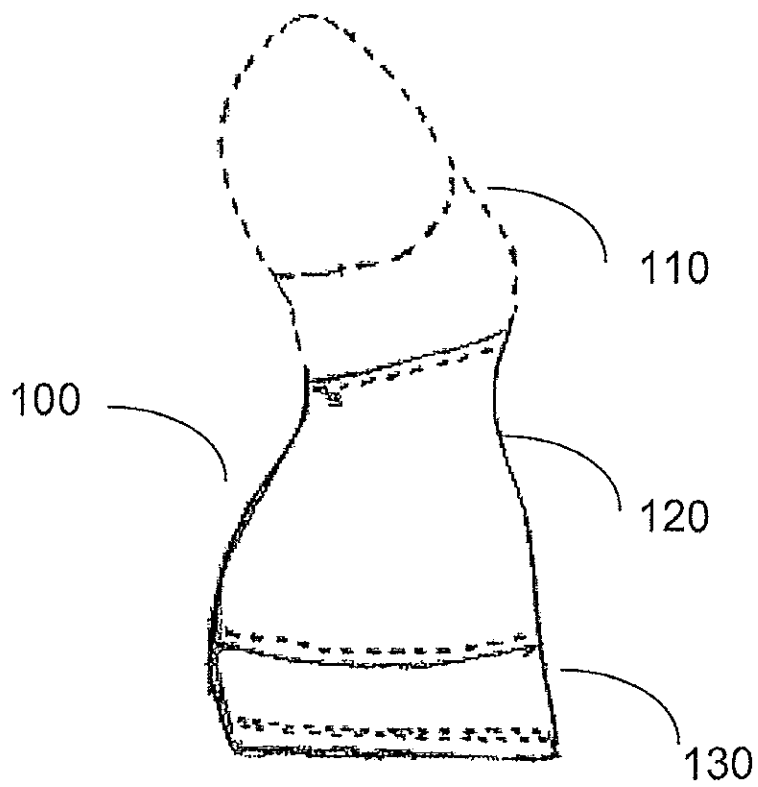


FIG. 3

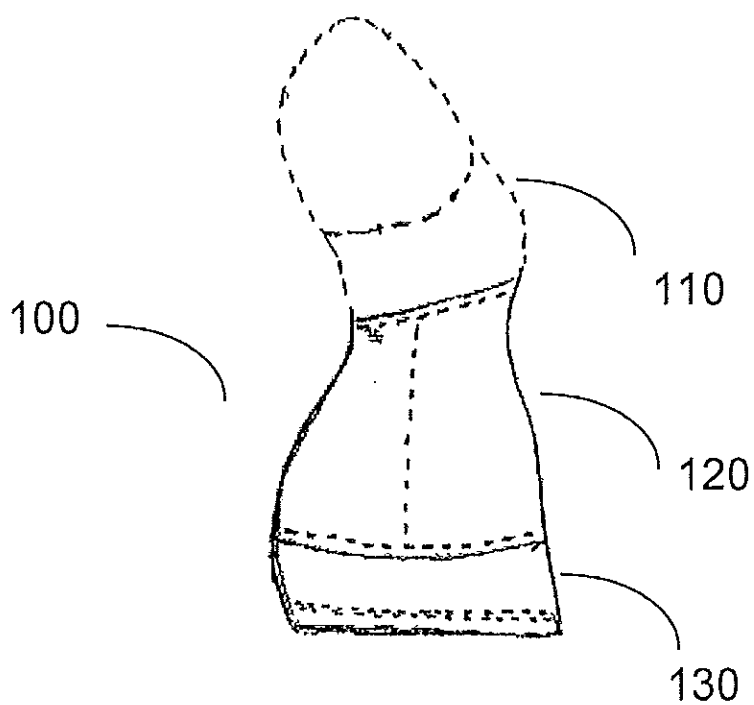


FIG. 4

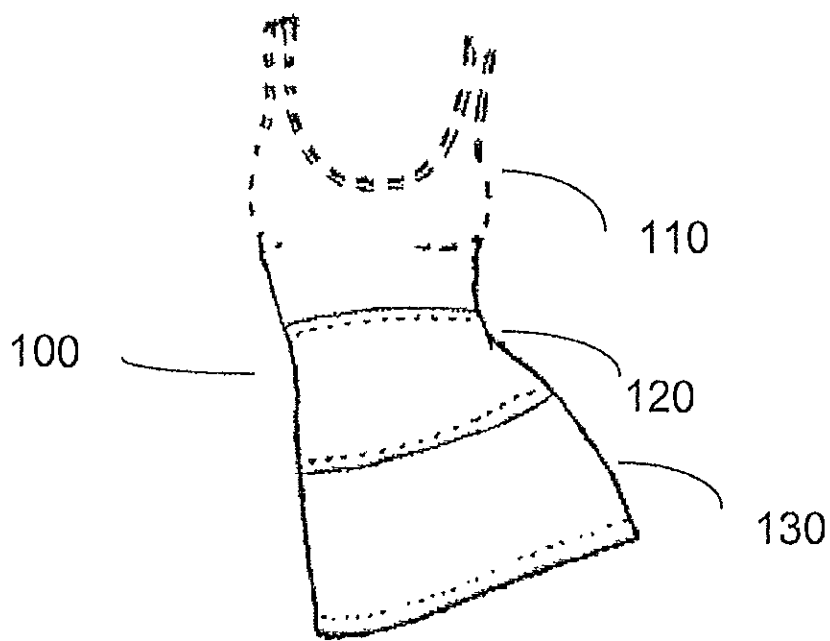


FIG. 5

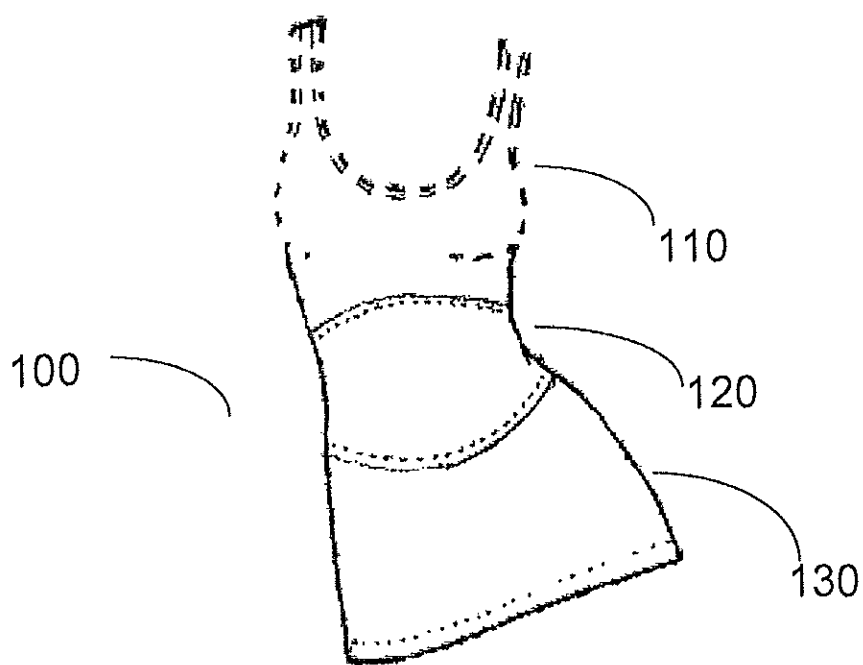


FIG. 6

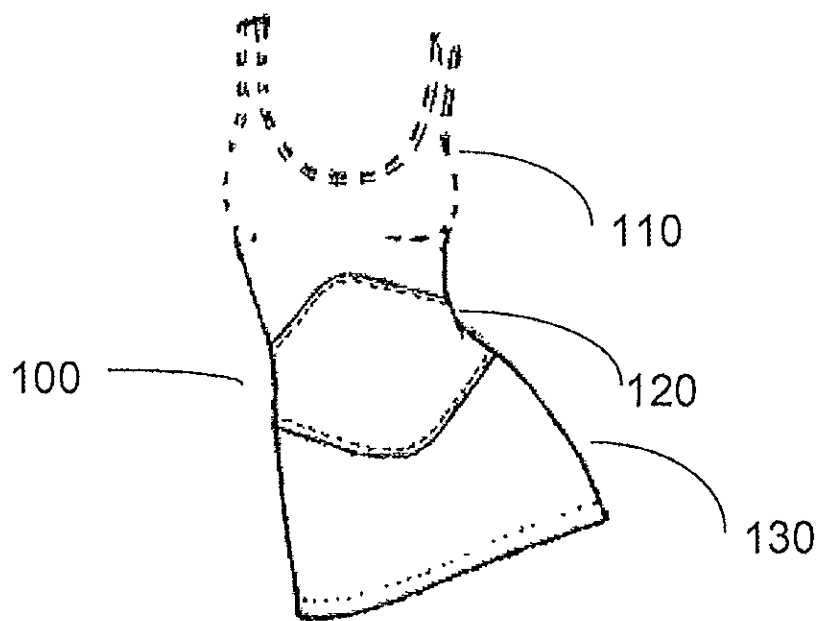


FIG. 7

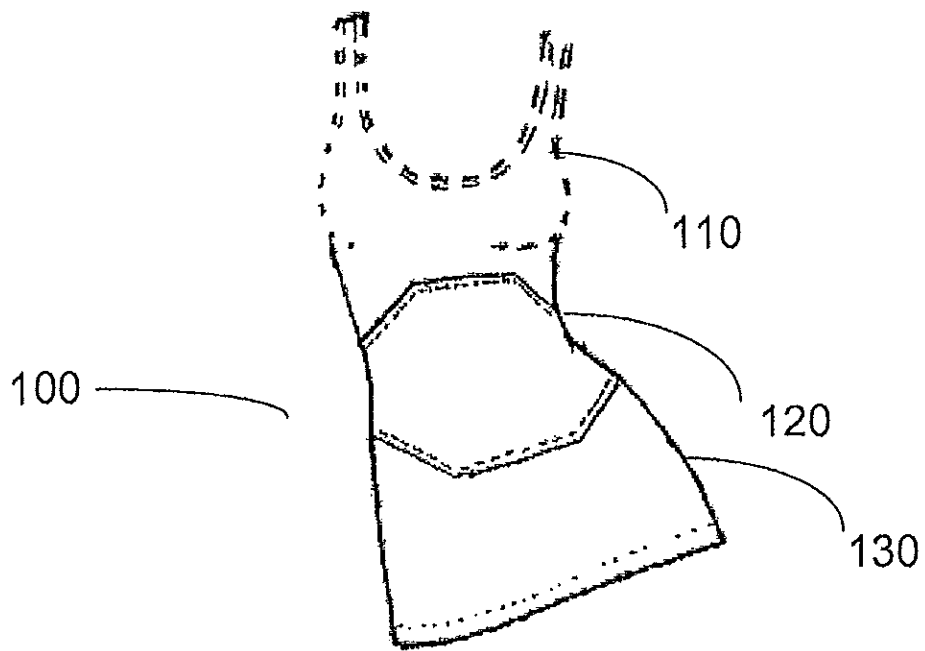


FIG. 8

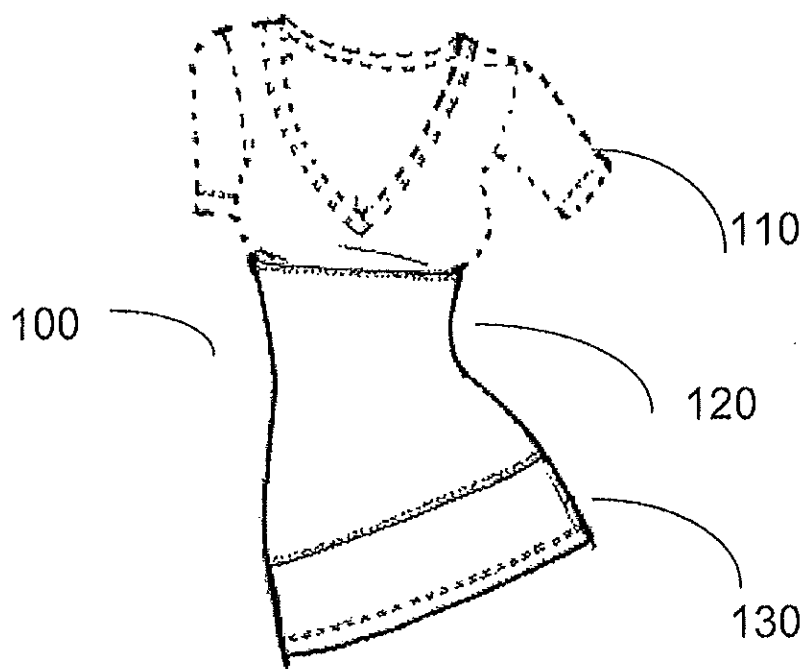


FIG. 9

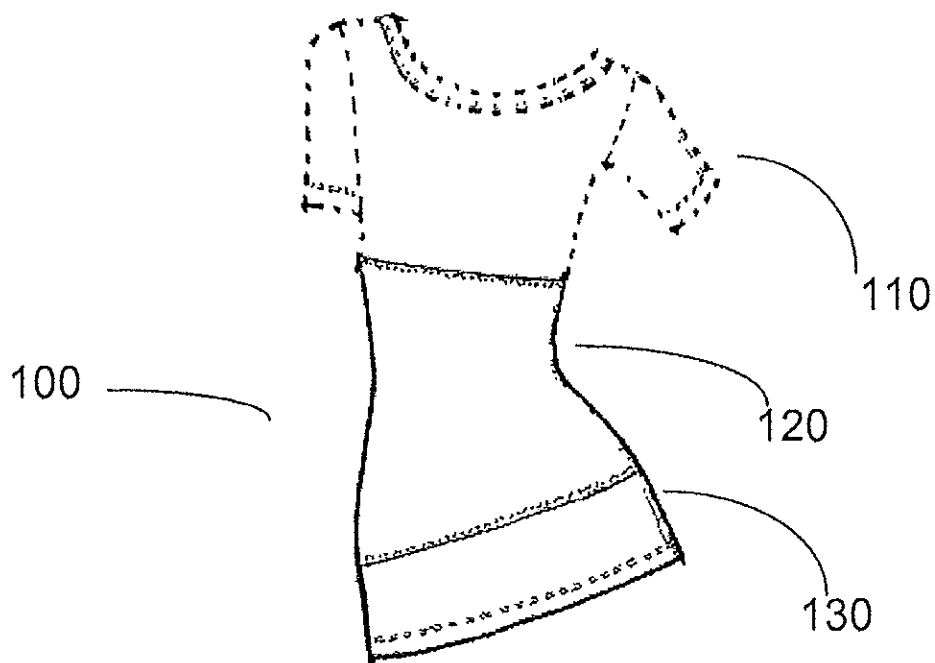


FIG. 10

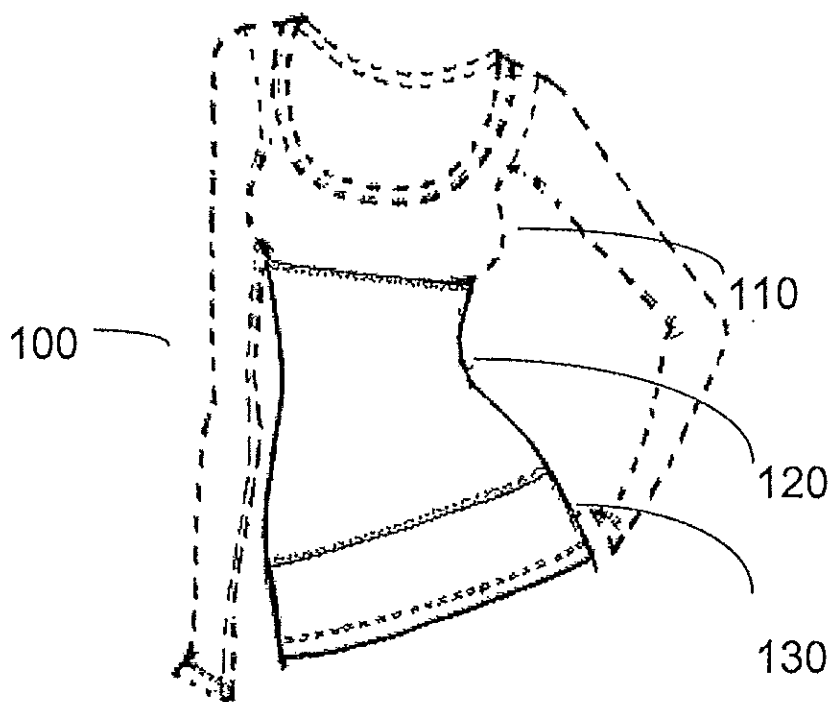


FIG. 11

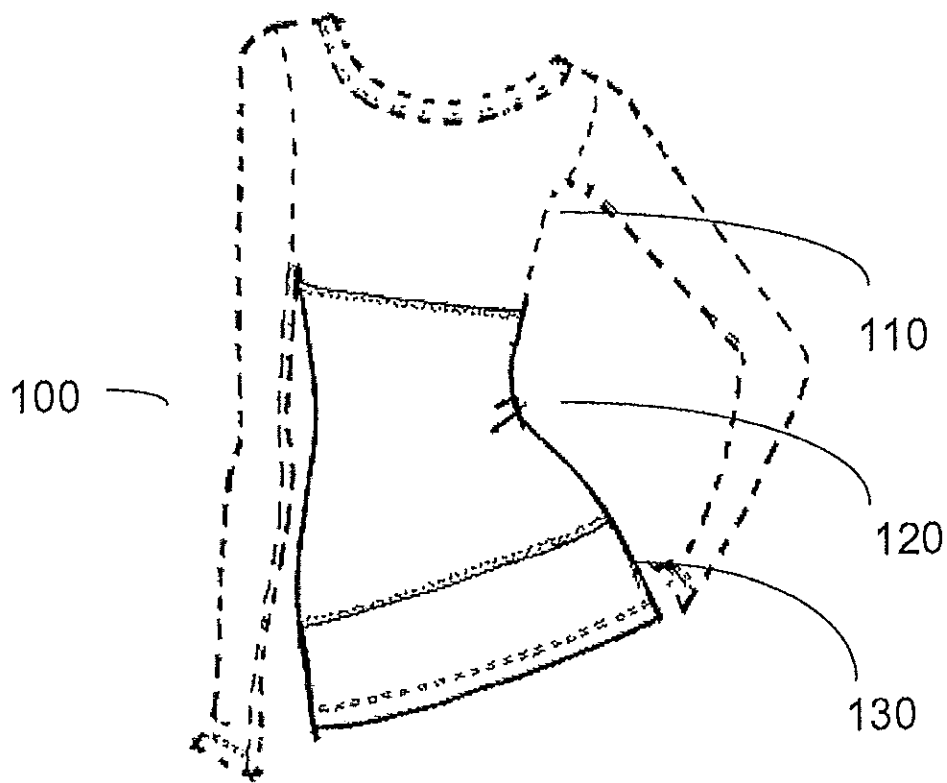


FIG. 12

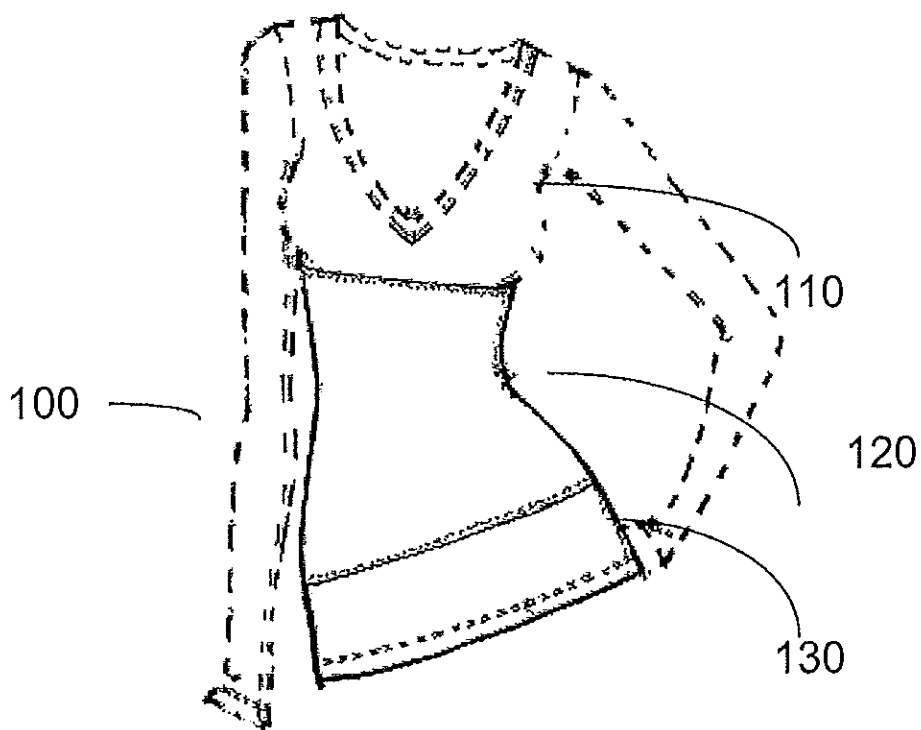


FIG. 13

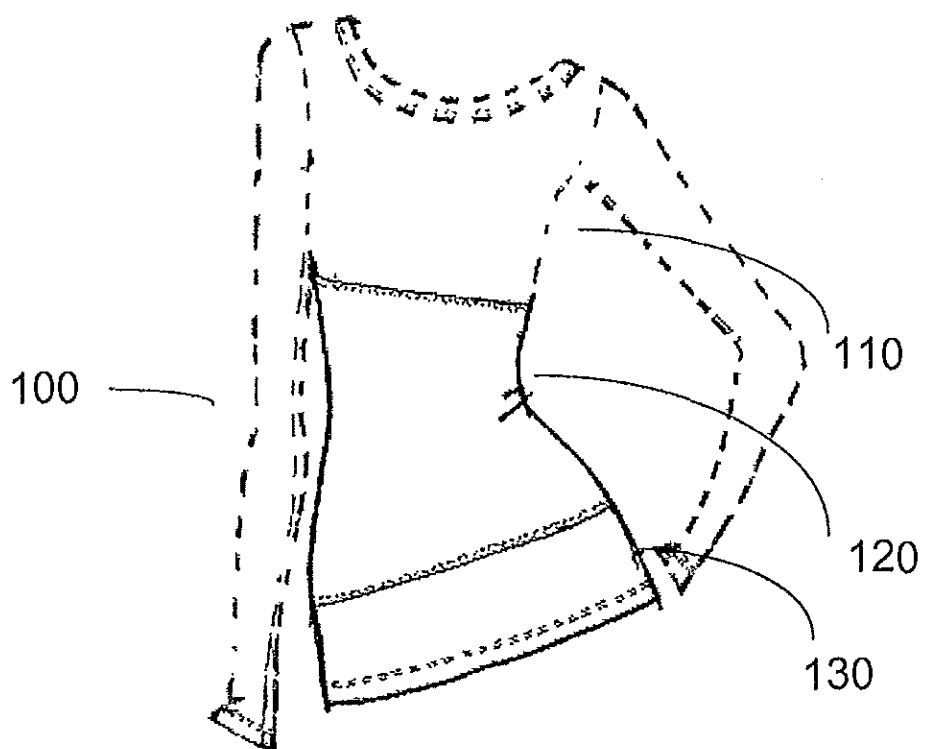


FIG. 14

FIG. 15A

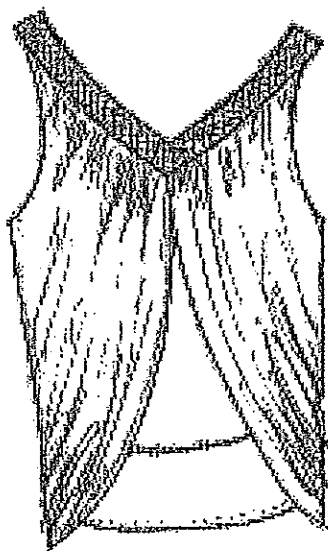


FIG. 15B

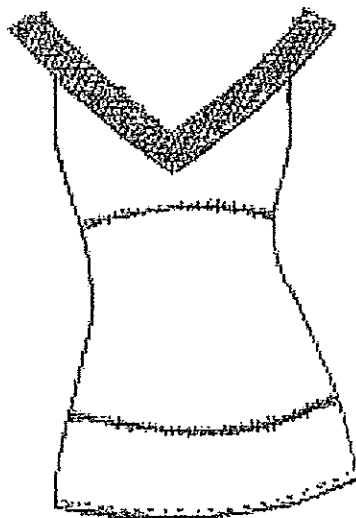
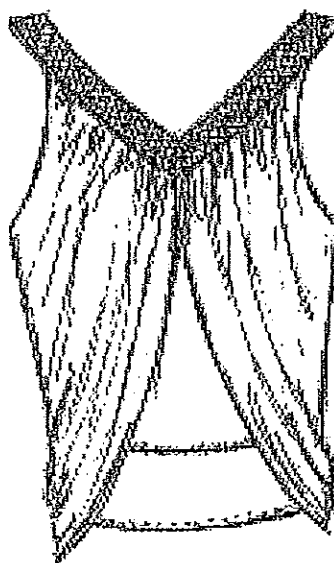


FIG. 15C



FIG. 15D

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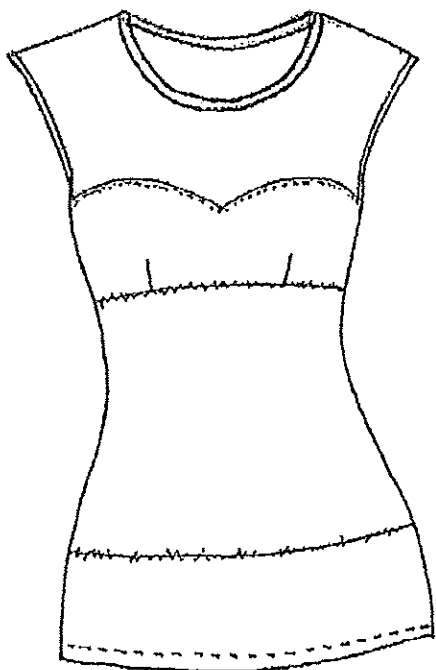


FIG. 16A

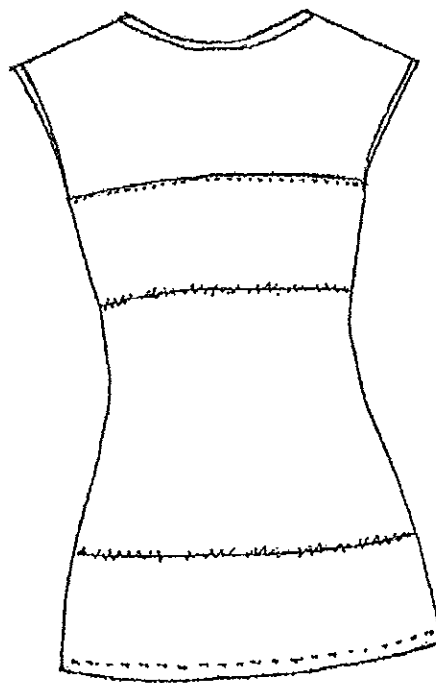


FIG. 16B

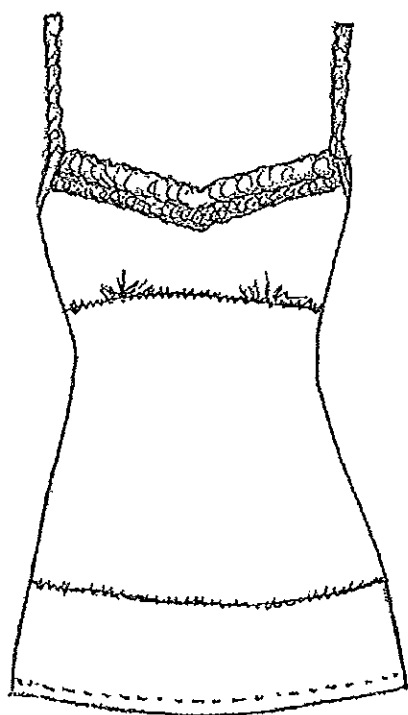


FIG. 17A

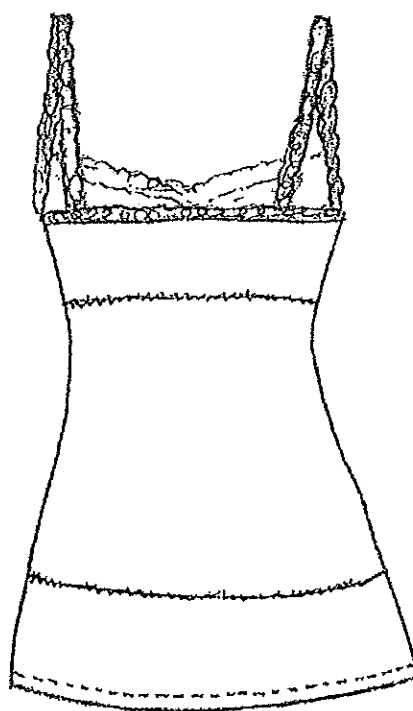


FIG. 17B

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FIG. 18A

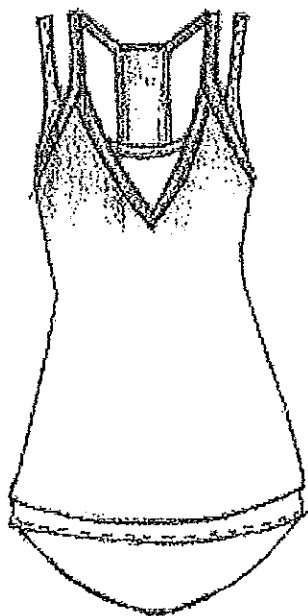


FIG. 18B

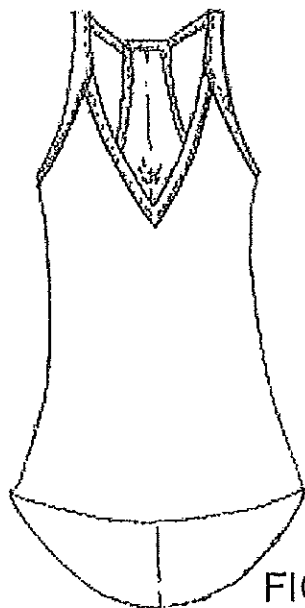
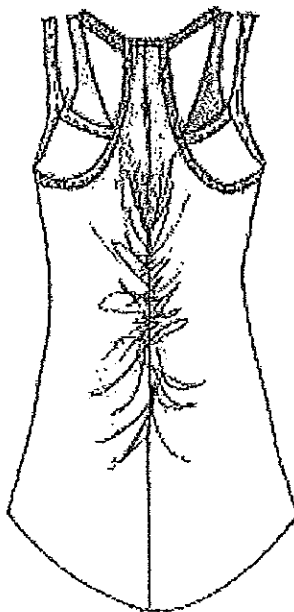


FIG. 18C

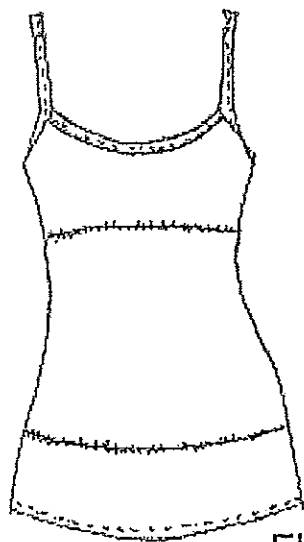


FIG. 18D

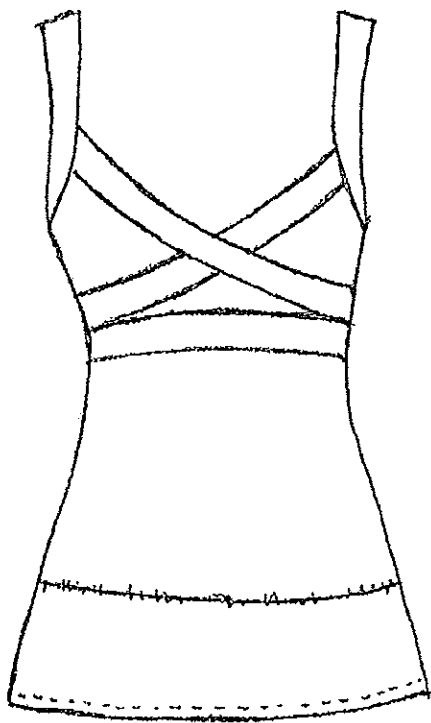


FIG. 19A

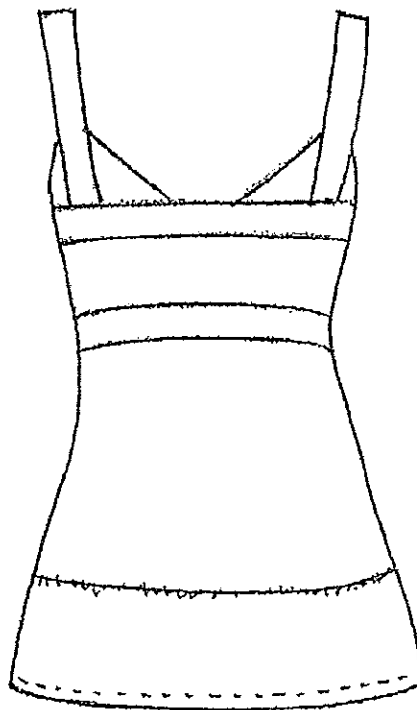


FIG. 19B

FIG. 20A

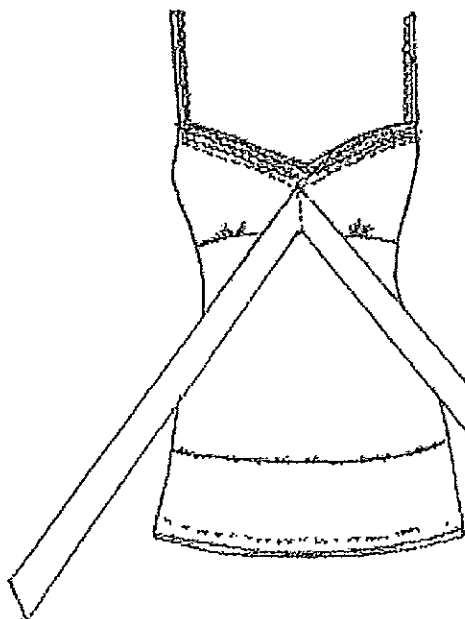


FIG. 20B

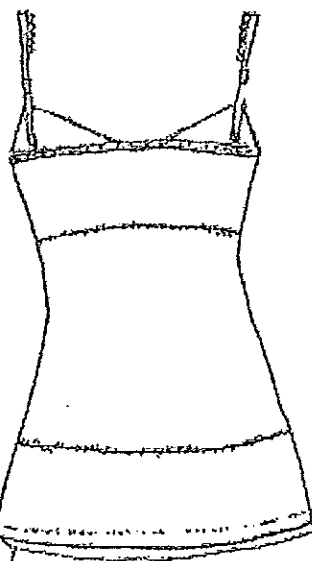
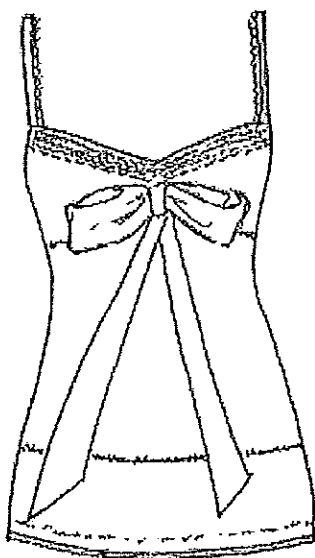


FIG. 20C



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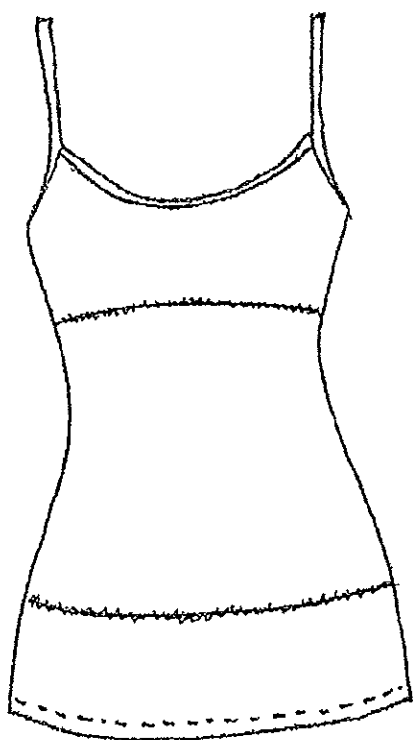


FIG. 21A

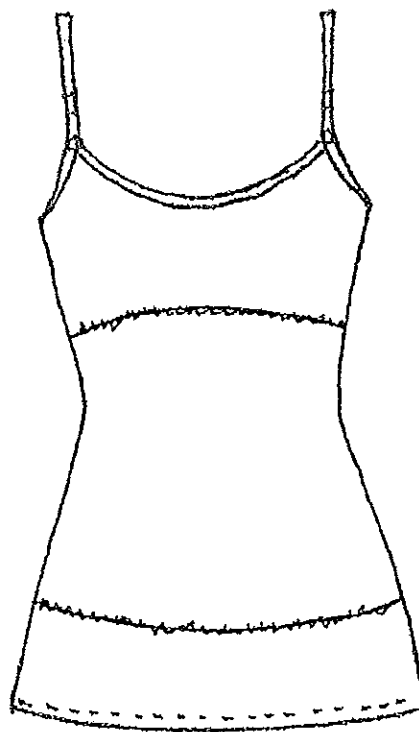


FIG. 21B

FIG. 22A

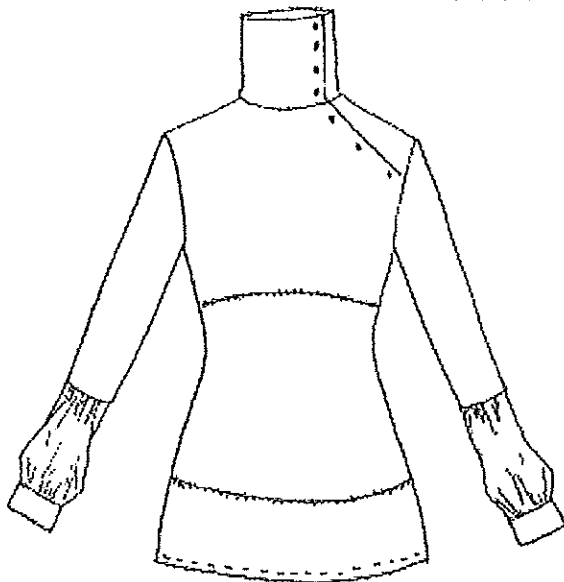
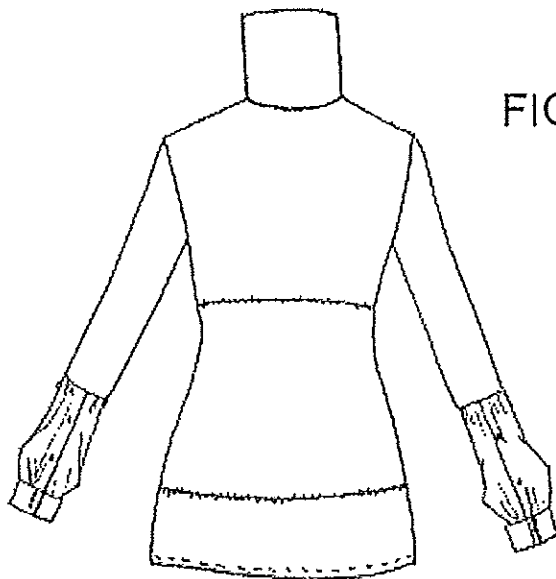


FIG. 22B



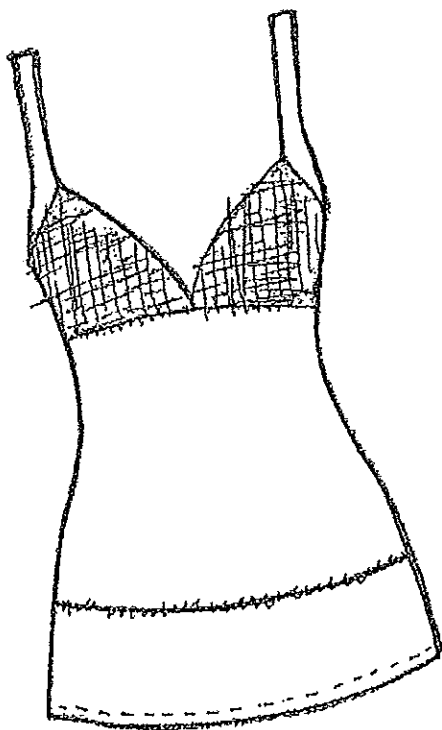


FIG. 23A

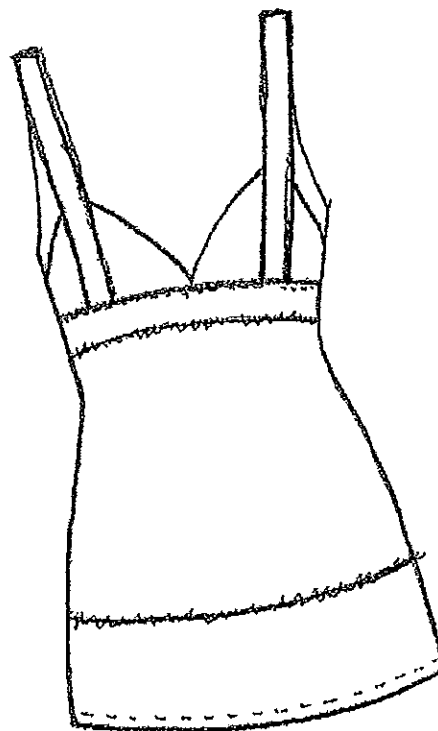


FIG. 23B

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FIG. 24

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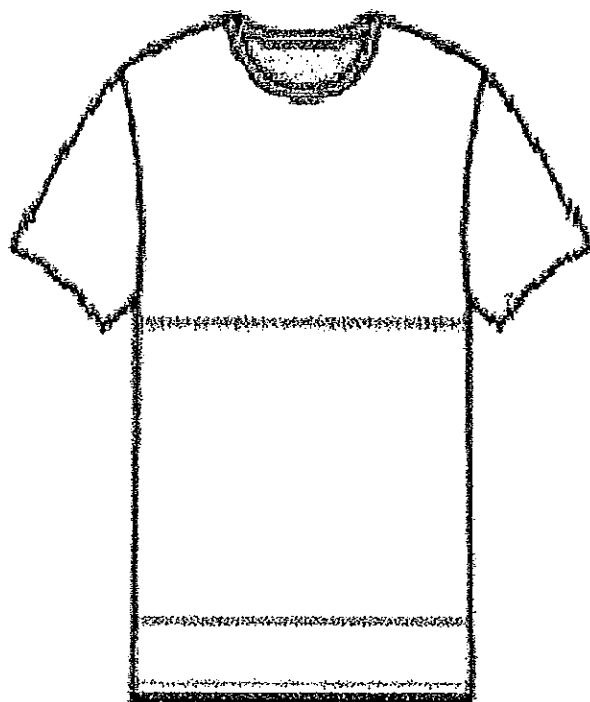


FIG. 25

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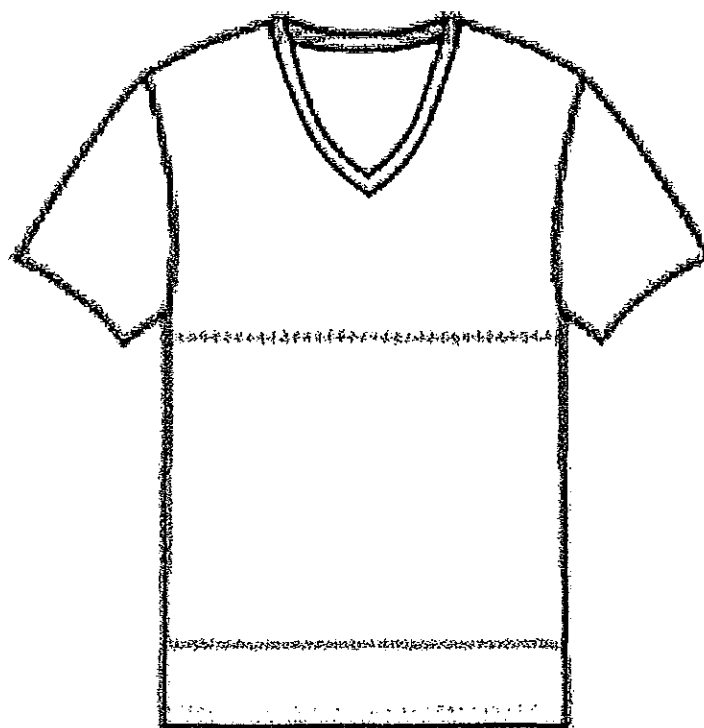


FIG. 26

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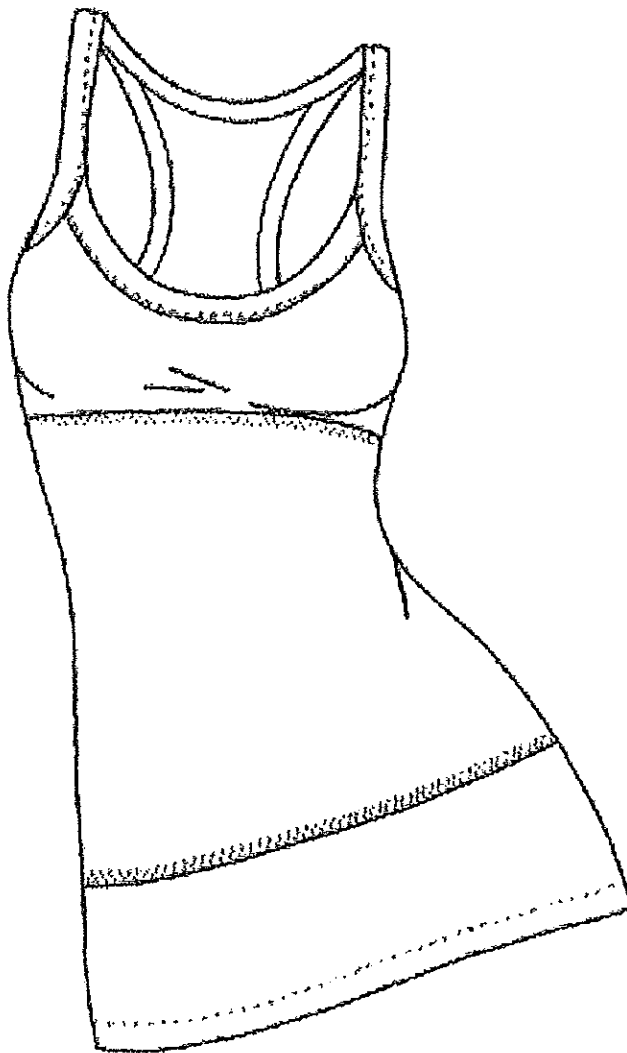


FIG. 27

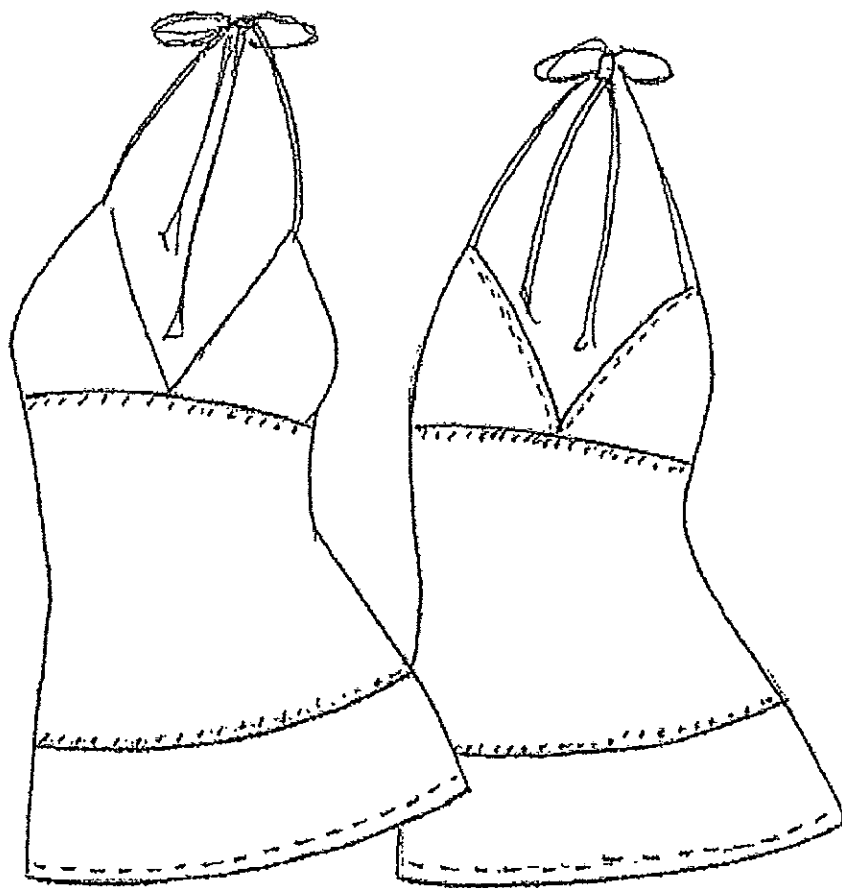


FIG. 29A

FIG. 29B

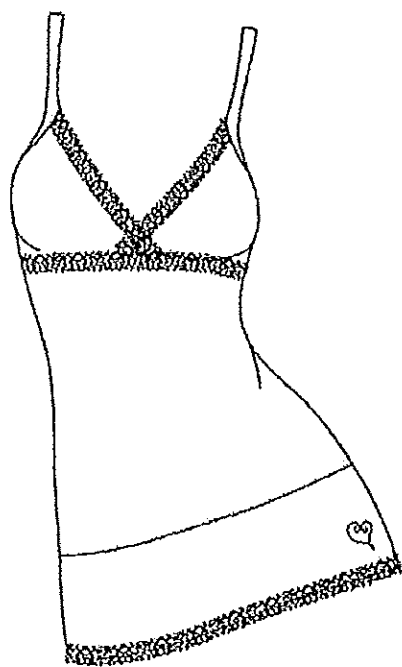


FIG. 30A

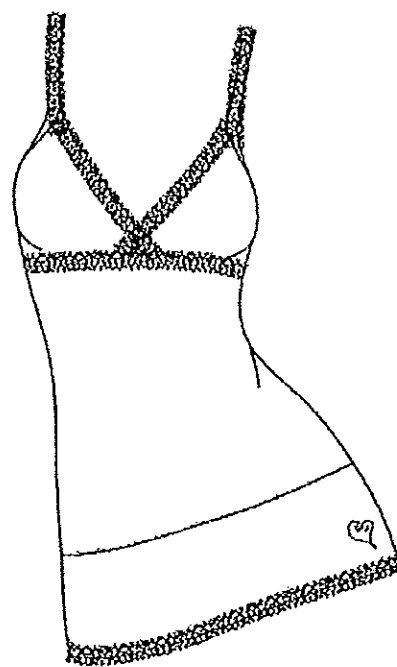


FIG. 30B

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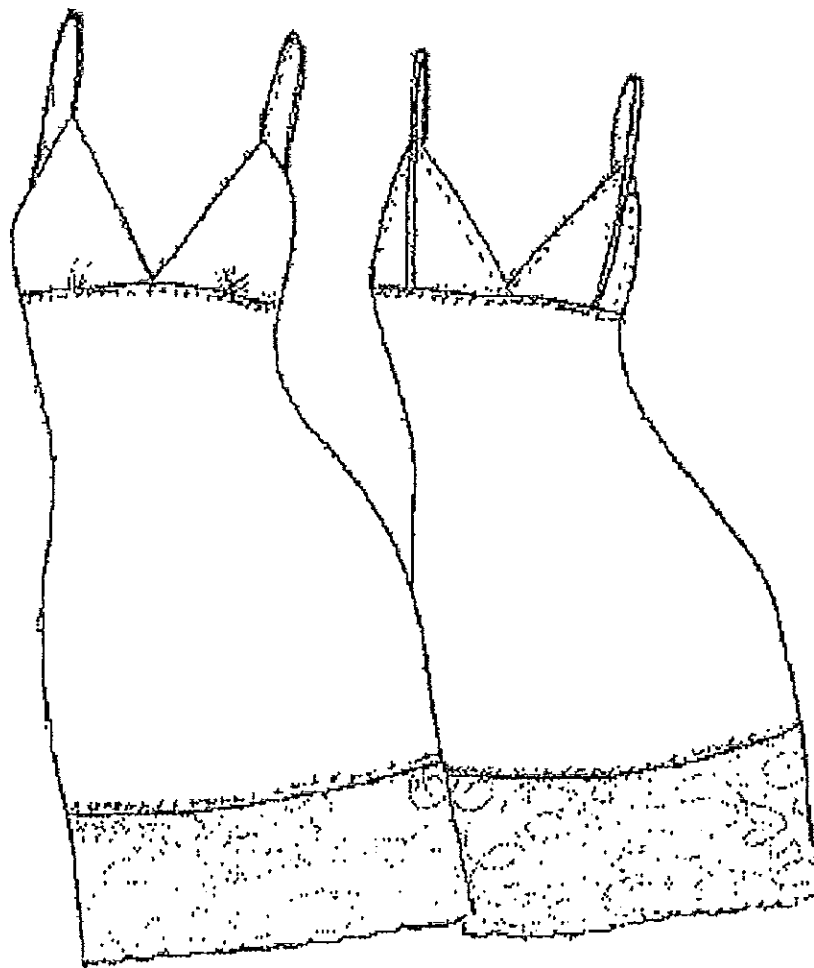


FIG. 32A

FIG. 32B

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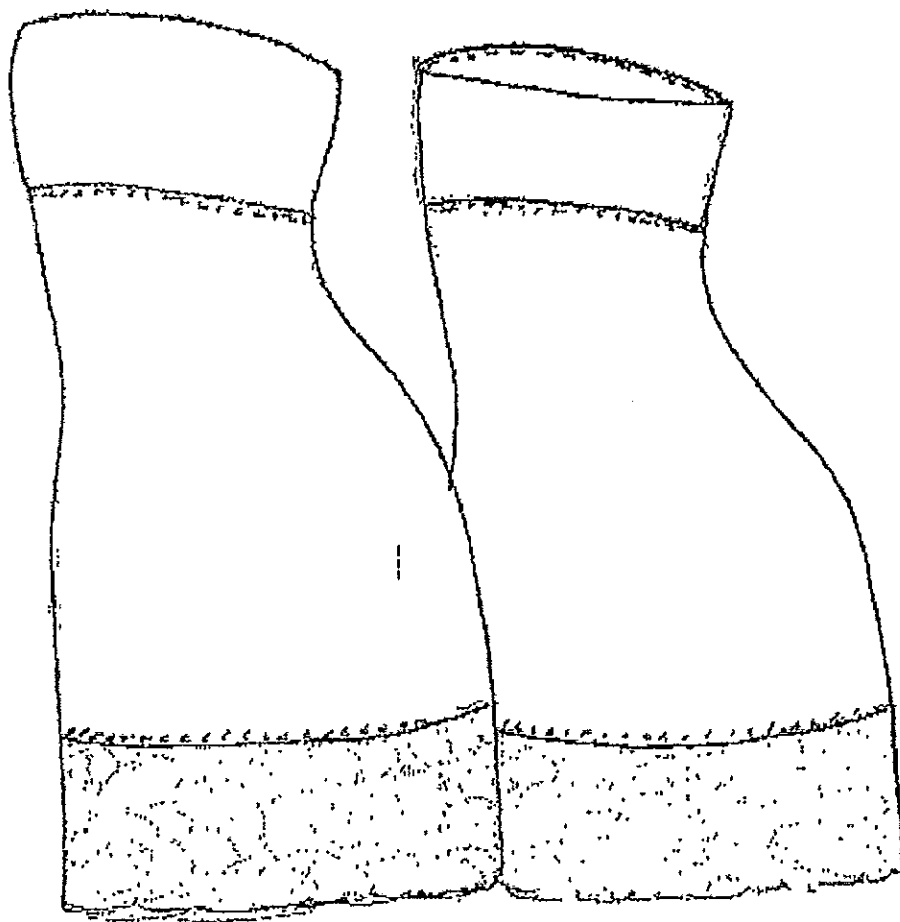


FIG. 33A

FIG. 33B

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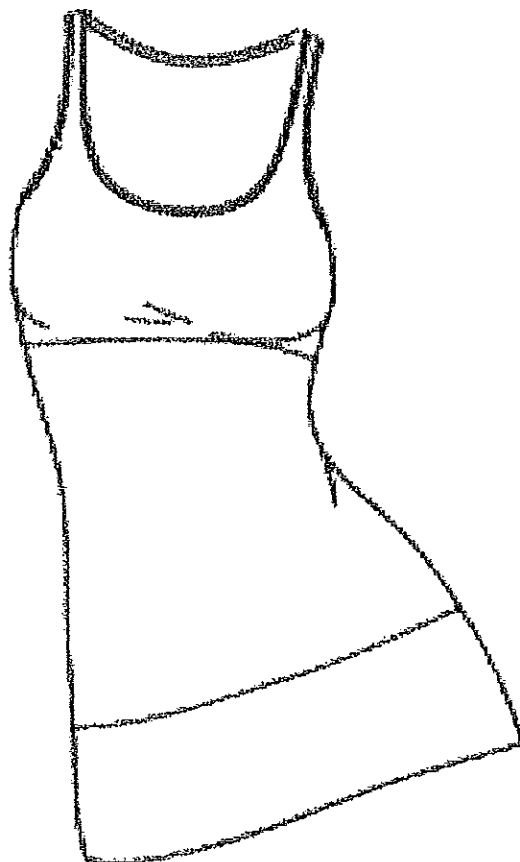


FIG. 34

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MULTI-FABRIC GARMENT

CROSS-REFERENCE TO RELATED
APPLICATION

This application claims priority to provisional application Ser. No. 61/021,212, filed Jan. 15, 2008, which is incorporated herein by reference.

FIELD OF THE INVENTIONS

The present invention relates generally to multi-fabric garments. More specifically, the present invention relates to multi-fabric garments for slenderizing the midsection of a user.

BACKGROUND

Different garments provide different features for users, including aesthetic and functional features, some of which overlap. Functional features include covering certain portions of the wearer's body and providing support for certain other body portions. Aesthetic features include the overall image presented when a person wears a particular garment, as well as a change in the outward appearance of certain portions of a wearer's body due to wearing the garment.

Garments known in the art have incorporated compressive materials in order to more firmly support areas of a wearer's body than traditional materials, to give the appearance of a more slender figure. Some such garments are made exclusively of compressive materials. Others combine compressive materials with traditional noncompressive materials to balance the aesthetic and functional features of the garments.

For example, Japan Patent Laid-open Application JP 2006-316359, incorporated herein by reference, describes a sleeveless underwear garment that is a sort of undershirt one can put on downward from the head, which has a length enough to cover from shoulders to the vicinity of the crotch portion, and fits the body so as not to have an effect on the surface of the outer clothes. The sleeveless underwear consists on the front main body part and rear main body part, which are cylindrically formed together by round-braid knitting. A part of the sleeveless underwear includes different knitting organization to have the different tightening forces to corresponding parts. Specifically, in the vicinity of the waistline, a rib stitch provides a great straining force. The area with prescribed upper and lower width along the upper edge and lower edge of the support area has a cushioning area, which is formed by the different types of rib stitch to have a weaker straining force than the support area.

In addition, U.S. published application 2008-0134409, incorporated herein by reference, describes a shirt for supporting and shaping the mid-section of a wearer. The mid-section of the shirt includes an upper and lower region each constructed having a plurality of fabric densities or integrated elasticity portions. These elasticity portions provide support for the abdominal region, back, and back-side regions of the wearer where "love handles" sometime develop. The top-section of the shirt has a substantially loose fitting construction to yield a simple, clean and comfortable fit that facilitates breath-ability and comfort to the wearer. The shirt may be worn as an undershirt or as outerwear to minimize the wearer's torso. In another embodiment, the shirt further comprises an outer portion that extends over and covers the mid-section so that the mid-section acts as an internal support structure when the shirt is worn as a T-shirt or outerwear.

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Notwithstanding the prior art support undergarments, there remains a need in the art for a women's garment adapted to support and shape the mid-section of a woman that is comfortable to wear and easy to position and/or maintain the position correctly. In addition, there is a need in the art for a woman's garment that shapes the mid-section of a woman in a comfortable manner.

SUMMARY

The inventions described here relate to multi-fabric garments for slenderizing the midsection of a user. In one aspect, the invention is a multi-fabric garment for slenderizing the midsection of a user, shaping the waistline of the user, and minimizing the roll up of the garment over the abdomen area of the user, comprising an upper section including a first non-compressive material, a slenderizing middle section including a compressive material, where the compressive material slenderizes the midsection of the user and shapes the waistline of the user, and a lower section including a second non-compressive material, where the lower section minimizes the roll up of the garment over the abdomen area of the user. Advantageously, the present invention includes lower section that also conceals additional abdominal and/or buttocks areas and can also serve to re-position the garment on the wearer/user. In addition, while one embodiment of the invention is focused on a women's multi-fabric garment, alternative embodiments of the multi-fabric garment may be used for men.

In some embodiments, the invention includes a compressive material in a front portion of the garment and a noncompressive material in a back portion of the garment. In some embodiments, the lower section of the garment is designed to alternatively be exposed for viewing or to be tucked into other clothes so as to not be exposed for viewing. In some embodiments, the invention is in the form of a women's tank top garment, including in some embodiments a halter top and/or racer back. In some embodiments, the compressive material substantially fully encompasses the abdominal area of a wearer.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 illustrates a multi-fabric tank top garment according to one aspect of the invention.

FIG. 2 illustrates a multi-fabric garment according an embodiment of the invention.

FIG. 3 illustrates a side view of a multi-fabric garment according an embodiment of the invention.

FIG. 4 illustrates a side view of a multi-fabric garment according another embodiment of the invention.

FIG. 5 illustrates a multi-fabric tank top garment according to an embodiment of the invention.

FIG. 6 illustrates a multi-fabric tank top garment according to another embodiment of the invention.

FIG. 7 illustrates a multi-fabric tank top garment according to yet another embodiment of the invention.

FIG. 8 illustrates a multi-fabric tank top garment according to another embodiment of the invention.

FIG. 9 illustrates a multi-fabric short-sleeved v-neck garment according to an embodiment of the invention.

FIG. 10 illustrates a multi-fabric short-sleeved garment according to an embodiment of the invention.

FIG. 11 illustrates a multi-fabric long-sleeved scoop neck garment according to an embodiment of the invention.

FIG. 12 illustrates a multi-fabric long-sleeved garment according to another embodiment of the invention.

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FIG. 13 illustrates a multi-fabric long-sleeved v-neck garment according to an embodiment of the invention.

FIG. 14 illustrates a multi-fabric long-sleeved garment according to another embodiment of the invention.

FIGS. 15A-15D illustrate a multi-fabric garment according to a fly-away embodiment of the invention.

FIGS. 16A and 16B illustrate a multi-fabric sleeveless garment according to an embodiment of the invention.

FIGS. 17A and 17B illustrate a multi-fabric garment according to an embodiment of the invention.

FIGS. 18A-18D illustrate a multi-fabric multi-layer garment according to an embodiment of the invention.

FIGS. 19A and 19B illustrate a multi-fabric garment according to an embodiment of the invention.

FIGS. 20A-20C illustrate a multi-fabric garment with a bow according to an embodiment of the invention.

FIGS. 21A and 21B illustrate a multi-fabric lace strappy garment according to another embodiment of the invention.

FIGS. 22A and 22B illustrate a multi-fabric turtleneck garment according to an embodiment of the invention.

FIGS. 23A and 23B illustrate a multi-fabric rock 'n roll garment according to an embodiment of the invention.

FIG. 24 illustrates a multi-fabric lace print strappy garment according to an embodiment of the invention.

FIG. 25 illustrates a multi-fabric men's crew neck garment according to an embodiment of the invention.

FIG. 26 illustrates a multi-fabric men's v-neck garment according to an embodiment of the invention.

FIG. 27 illustrates a multi-fabric racerback tank garment according to an embodiment of the invention.

FIGS. 28A and 28B illustrate a multi-fabric tube top garment according to an embodiment of the invention.

FIGS. 29A and 29B illustrate a multi-fabric garment according to an embodiment of the invention.

FIGS. 30A and 30B illustrate a multi-fabric lace tank garment according to an embodiment of the invention.

FIG. 31 illustrates a multi-fabric teddie garment according to an embodiment of the invention.

FIGS. 32A and 32B illustrate a multi-fabric halter slip garment according to an embodiment of the invention.

FIGS. 33A and 33B illustrate a multi-fabric strapless slip garment according to an embodiment of the invention.

FIG. 34 illustrates a multi-fabric skinny tank garment according to an embodiment of the invention.

DETAILED DESCRIPTION

The following description includes many specific details. The inclusion of such details is for the purpose of illustration only and should not be understood to limit the invention. Moreover, certain features which are well known in the art are not described in detail in order to avoid complication of the subject matter of the present invention. In addition, it will be understood that features in one embodiment may be combined with features in other embodiments of the invention.

Before explaining at least one embodiment of the invention in detail, it is to be understood that the invention is not limited in its application to the details of construction and to the arrangements of the components set forth in the following description or illustrated in the drawings. The invention is capable of other embodiments and of being practiced and carried out in various ways. Also, it is to be understood that the phraseology and terminology employed herein are for the purpose of description and should not be regarded as limiting.

As such, those skilled in the art will appreciate that the conception, upon which this disclosure is based, may readily be utilized as a basis for the designing of other structures,

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methods and systems for carrying out the several purposes of the present invention. It is important, therefore, that the invention be regarded as including equivalent constructions to those described herein insofar as they do not depart from the spirit and scope of the present invention.

In addition, features illustrated or described as part of one embodiment can be used on other embodiments to yield a still further embodiment. Additionally, certain features may be interchanged with similar devices or features not mentioned yet which perform the same or similar functions. It is therefore intended that such modifications and variations are included within the totality of the present invention.

In some embodiments, the present invention encompasses a dual and/or multiple fabric garment as described herein. Specifically, the present invention comprises multi-fabric garments including one or more of, for example, a body contouring shaper tank top, a body contouring shaper tank top with a built in shelf bra, a body contouring shaper tank top with adjustable straps, a body contouring shaper short sleeve tee shirt, a body contouring shaper long sleeve tee shirt, a body contouring shaper tube top for the midsection, and/or a body contouring shaper boy short for the belly and buttocks without a top and/or pullover top. In some embodiments, the present invention comprises a multi-fabric garment with a racer back top, backless top or slip dress configuration with an extended lower section of non-compressive material such as cotton and/or lace.

In some embodiments, the multi-fabric garment of the present invention comprises different lengths, and/or different section sizes used in the garment. For example, the multi-fabric garment comprises v-neck and scoop neck configurations.

In some embodiments, the multi-fabric garment of the present invention is constructed to provide the following product details:

- Secret minimizing panel shapes entire waistline from the bust to the hips visibly taking off inches.
- Firm Control microfiber panel comfortably smoothes and naturally wicks moisture.
- Made with sleek yarns that do not cling.
- Exclusive dual fabric strategy provides a hip design and full coverage that stays in place.
- Extra long design does not roll up over the abdomen and is great for layering over or tucking into pants and skirts.
- Tag-less for added comfort.

Advantageously, the multi-fabric garment of the present invention slenderizes the mid section and camouflages visible lumps and bumps. The multi-fabric garment of the present invention minimizing panel shapes the entire waistline from the bust to the hips, visibly taking off inches from the waistline. The multi-fabric garment of the present invention uses in some embodiments firm control microfiber for the hidden panel to comfortably slenderize, smooth and/or naturally wick moisture. In some embodiments, the multi-fabric garment is made with sleek yarns that do not cling. The dual fabric strategy of other embodiments provides a hip design and full coverage that stays in place.

In some embodiments, the multi-fabric garment of the present invention is constructed to minimize the roll up over the belly or abdomen area of the body, and can be used for layering over or tucking into pants and skirts. In other embodiments, the multi-fabric garment of the present invention utilizes any generally compressive type fabric for the mid section, such as a micro denier, Spandex, also sometimes referred to as elastane, or other type of garment.

In some embodiments, the multi-fabric garment of the present invention includes one or more adjustable straps and/

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or an inner shelf bra configuration. In some embodiments, the multi-fabric garment of the present invention advantageously includes a third lower section which is preferably comprised of cotton or other fabric that can be displayed or exposed for viewing. In some embodiments, the present invention is used not only to tuck into pants, but the longer design can be used as a layering garment. In addition, this third section of fabric or exclusive dual fabric design helps to keep the garment of the present invention in place. In fact, other body shapers roll up and do not stay put as well, whereas the three section or multi fabric design of embodiments of the present invention are functional to minimize or prevent roll up.

In some embodiments, the middle or shaper section of the multi-fabric garment of the present invention is shaped as a band like, and can take on a variety of shapes. In some embodiments, the multi-fabric garment of the present invention comprises a front only micro denier/spandex version that is connected to the back portion of the garment directly, for example, on the sides. In this embodiment, the back portion of the center section may be comprised of the same material as the top and lower portion, or may be comprised of other materials that generally are not used for compressive actions. In this embodiment, the multi fabric garment would perform differently from the full spandex version in that it would only slim and slenderize the abdomen or tummy area in the front. The back area of the body would not generally be slimmed in this embodiment, as the back would be of standard non-compressive type of material.

FIG. 1 illustrates a multi-fabric garment according to one aspect of the invention. Multi-fabric garment 100 includes upper section 110, slenderizing middle section 120, and lower section 130. Multi-fabric garment 100 can take many shapes, including long-sleeve, short-sleeve, sleeveless, tank top (including halter top), and many other shapes. The neckline of upper section 110 can also take many shapes, including scoop neck, crew neck, racer back, halter top and/or v-neck by way of nonlimiting examples.

FIG. 2 illustrates a multi-fabric sleeveless garment according to an aspect of the invention. Multi-fabric garment 100 includes upper section 110, slenderizing middle section 120, and lower section 130.

FIGS. 3 and 4 illustrate side views of multi-fabric garments according to aspects of the invention. Referring to both figures, multi-fabric garment 100 includes upper section 110, slenderizing middle section 120, and lower section 130.

FIGS. 5 through 8 illustrate multi-fabric tank top garments according to aspects of the invention. Referring to FIGS. 5 through 8, multi-fabric garment 100 includes upper section 110, slenderizing middle section 120, and lower section 130. FIG. 5 illustrates slenderizing middle section 120 of nearly constant width around the multi-fabric garment. FIGS. 6 through 8 illustrate variable-width slenderizing middle sections 120. In each of FIGS. 6 through 8, the width of slenderizing middle section 120 is largest near a centerline of the body of the wearer, and smallest near the sides of the body of the wearer.

FIGS. 9 and 10 illustrate multi-fabric short-sleeved garments according to aspects of the invention. Referring to both figures, multi-fabric garment 100 includes upper section 110, slenderizing middle section 120, and lower section 130. FIG. 9 illustrates a v-neck upper section 110, while FIG. 10 illustrates a higher neck upper section 110.

FIGS. 11 through 14 illustrate multi-fabric long-sleeved garments according to aspects of the invention. Referring to FIGS. 11 through 14, multi-fabric garment 100 includes upper section 110, slenderizing middle section 120, and lower section 130. FIG. 11 illustrates a scoop neck multi-fabric

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long-sleeved garment. FIGS. 12 and 14 illustrate higher neck line multi-fabric long-sleeved garments. FIG. 13 illustrates a v-neck multi-fabric long-sleeved garment.

FIGS. 15A-15D illustrate a multi-fabric garment according to a fly-away embodiment of the invention. FIGS. 15A and B illustrate a rear view of the embodiment or alternatively a front view of the embodiment. FIG. 15C illustrates a front view of the embodiment or alternatively a rear view of the embodiment. FIG. 15D illustrates a side view of the embodiment. FIGS. 15A and 15B illustrate the fly-away portion of the embodiment at least partially covering the slenderizing middle section of the garment.

FIGS. 16A and 16B illustrate a multi-fabric sleeveless garment according to an embodiment of the invention. FIG. 16A illustrates a front view of this embodiment, while FIG. 16B illustrates a rear view of this embodiment.

FIGS. 17A and 17B illustrate a multi-fabric garment according to an embodiment of the invention. FIG. 17A illustrates a front view of this embodiment, while FIG. 17B illustrates a rear view of this embodiment.

FIGS. 18A-18D illustrate a multi-fabric multi-layer garment according to an embodiment of the invention. FIG. 18D illustrates an inside layer of the garment according to this embodiment. FIG. 18C illustrates an outside layer of the garment. The inside layer, as illustrated in FIG. 18D, includes the slenderizing middle section as previously discussed. The outside layer, as illustrated in FIG. 18C, is worn outside of the inside layer. FIG. 18A illustrates a front view of both layers together, while FIG. 18B illustrates a rear view of both layers together.

FIGS. 19A and 19B illustrate a multi-fabric garment according to an embodiment of the invention. FIG. 19A illustrates a front view of this embodiment, while FIG. 19B illustrates a rear view of this embodiment.

FIGS. 20A-20C illustrate a multi-fabric garment with a bow according to an embodiment of the invention. FIG. 20A is a front view of this embodiment, showing an unconstructed bow. FIG. 20B is a rear view of this embodiment. FIG. 20C is a front view of this embodiment, showing a constructed bow.

FIGS. 21A and 21B illustrate a multi-fabric lace strappy garment according to an embodiment of the invention.

FIGS. 22A and 22B illustrate a multi-fabric turtleneck garment according to an embodiment of the invention. FIG. 22A illustrates a front view of this embodiment, while FIG. 22B illustrates a rear view of this embodiment.

FIGS. 23A and 23B illustrate a multi-fabric rock 'n roll garment according to an embodiment of the invention. FIG. 23A illustrates a front view of this embodiment, while FIG. 23B illustrates a rear view of this embodiment.

FIG. 24 illustrates a multi-fabric lace print strappy garment according to an embodiment of the invention.

FIG. 25 illustrates a multi-fabric men's crew neck garment according to an embodiment of the invention.

FIG. 26 illustrates a multi-fabric men's v-neck garment according to an embodiment of the invention.

FIG. 27 illustrates a multi-fabric racerback tank garment according to an embodiment of the invention.

FIGS. 28A and 28B illustrate a multi-fabric tube top garment according to an embodiment of the invention. FIG. 28A illustrates a front view of this embodiment, while FIG. 28B illustrates a rear view of this embodiment.

FIGS. 29A and 29B illustrate a multi-fabric garment according to an embodiment of the invention. FIG. 29A illustrates a front view of this embodiment, while FIG. 29B illustrates a rear view of this embodiment.

FIGS. 30A and 30B illustrate a multi-fabric lace tank garment according to an embodiment of the invention.

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FIG. 31 illustrates a multi-fabric teddie garment according to an embodiment of the invention.

FIGS. 32A and 32B illustrate a multi-fabric halter slip garment according to an embodiment of the invention. FIG. 32A illustrates a front view of this embodiment, while FIG. 32B illustrates a rear view of this embodiment.

FIGS. 33A and 33B illustrate a multi-fabric strapless slip garment according to an embodiment of the invention. FIG. 33A illustrates a front view of this embodiment, while FIG. 33B illustrates a rear view of this embodiment.

FIG. 34 illustrates a multi-fabric skinny tank garment according to an embodiment of the invention.

Although the present invention has been described and illustrated in the foregoing exemplary embodiments, it is understood that the present disclosure has been made only by way of example, and that numerous changes in the details of implementation of the invention may be made without departing from the spirit and scope of the invention.

What is claimed:

1. A multi-fabric women's garment for slenderizing the midsection of a user, shaping the waistline of the user, and minimizing the roll up of the garment over the abdomen area of the user, the garment comprising:

an upper section including a first substantially non-compressive shaper material;

a slenderizing middle section configured to be substantially horizontally around an abdomen of the user when worn and including a compressive material, where the compressive material is configured to slenderize the abdomen of the user and shapes the waistline of the user;

a lower section including a second substantially non-compressive shaper material, where the lower section is configured to be used at least to position the garment over the abdomen area of the user; and

a third material covering at least a portion of the slenderizing middle section, and concealing the at least a portion of the slenderizing middle section from the exterior of the multi-fabric garment.

2. The multi-fabric garment of claim 1, wherein the slenderizing middle section comprises the compressive material in a front portion of the garment and a fourth material is located in a back portion of the garment.

3. The multi-fabric garment of claim 1, wherein the third material covers at least a portion of the upper section, hiding at least a portion of the upper section from the exterior.

4. The multi-fabric garment of claim 3, wherein the third material covers all of the compressive material, hiding the compressive material from the exterior of the multi-fabric garment.

5. The multi-fabric garment of claim 1, wherein the slenderizing middle section substantially fully encompasses the abdominal area of the user.

6. The multi-fabric garment of claim 5, wherein the upper section has a tank top shape.

7. The multi-fabric garment of claim 6, wherein the tank top shape is a body contouring shaper tank top.

8. The multi-fabric garment of claim 7, further comprising a built in shelf bra.

9. The multi-fabric garment of claim 6, wherein the tank top shape is at least one of a halter top and racer tank.

10. The multi-fabric garment of claim 1, wherein the lower section is designed to be exposed for viewing while worn by the user.

11. The multi-fabric garment of claim 1, wherein the lower section is designed to be tucked into other clothes that cover a bottom portion of the user.

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12. The multi-fabric garment of claim 1, wherein the upper section further comprises one or more adjustable straps.

13. The multi-fabric garment of claim 1, wherein the upper section further comprises an inner shelf bra.

14. The multi-fabric garment of claim 1, wherein the slenderizing middle section comprises a firm control microfiber.

15. The multi-fabric garment of claim 1, wherein the slenderizing middle section comprises at least one of micro denier fabric and Spandex.

16. The multi-fabric garment of claim 1, wherein the shape of the slenderizing middle section comprises a band.

17. The multi-fabric garment of claim 1, wherein one or more of the substantially non-compressive shaper materials comprise one or more of cotton, yarn, wool, polyester, viscose, and linen.

18. The multi-fabric garment of claim 1, wherein the first substantially non-compressive shaper material comprises a same material as the second substantially non-compressive shaper material.

19. The multi-fabric garment of claim 1, wherein the upper section comprises a tank top shape.

20. The multi-fabric garment of claim 19, wherein the tank top shape is at least one of a halter top and racer back.

21. A multi-fabric women's garment for slenderizing the midsection of a user, shaping the waistline of the user, and minimizing the roll up of the garment over the abdomen area of the user, the garment comprising:

an upper section including a first substantially non-compressive shaper material comprising a tank top shape with adjustable shoulder straps;

a slenderizing middle section configured to be substantially horizontally around an abdomen of the user when worn and including a compressive material comprising at least one of micro denier fabric and Spandex and sized to encompass the abdominal area of the user, and wherein the compressive material is configured to slenderize the abdomen of the user and shape the waistline of the user;

a lower section including a second substantially non-compressive shaper material, where the lower section is configured at least to position the garment over the abdomen area of the user and is designed to be exposed for viewing; and

a third material completely covering the slenderizing middle section, and completely concealing the slenderizing middle section from the exterior while worn by the user.

22. The multi-fabric garment of claim 21, wherein the third material conceals at least a portion of the upper section from the exterior.

23. The multi-fabric garment of claim 21, wherein the third material conceals all of the upper section from the exterior.

24. The multi-fabric garment of claim 21, wherein the third material conceals at least a portion of the lower section of the exterior.

25. The multi-fabric garment of claim 21, wherein the third material is the same material of at least one of the first and the second non-compressive shaper materials.

26. A multi-fabric women's garment for slenderizing the midsection of a user, shaping the waistline of the user, and minimizing the roll up of the garment over the abdomen area of the user, the garment comprising:

an upper section including a first substantially non-compressive shaper fabric;

a lower section including a second substantially non-compressive shaper fabric, where the lower section is con-

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figured to position the garment over the abdomen area of the user and is designed to be exposed for viewing; and a compressive middle section configured to be substantially horizontally around an abdomen of the user when worn and including a compressive fabric comprising at least one of micro denier fabric and Spandex and sized to encompass the abdominal area of the user, wherein the compressive fabric is adapted to provide a compressive functionality that slenderizes the abdomen of the user and shapes the waistline of the user, and wherein the compressive material is not visible from the exterior of the garment when worn, and

wherein the compressive fabric is joined to the first substantially non-compressive shaper fabric and the second substantially non-compressive shaper fabric.

27. The multi-fabric women's garment of claim 26, wherein the compressive middle section comprises the compressive fabric in a front portion of the garment and a third material is located in a back portion of the garment.

28. The multi-fabric women's garment of claim 26, further comprising a third material covering at least a portion of the upper section, hiding at least a portion of the upper section from the exterior.

29. The multi-fabric women's garment of claim 26, further comprising a third fabric covering all of the compressive middle section, hiding the compressive fabric from the exterior of the multi-fabric garment.

30. The multi-fabric women's garment of claim 26, wherein the compressive middle section substantially fully encompasses the abdominal area of the user.

31. The multi-fabric women's garment of claim 26, wherein the upper section has a tank top shape.

32. The multi-fabric women's garment of claim 31, wherein the tank top shape is a body contouring shaper tank top.

33. The multi-fabric women's garment of claim 32, further comprising a built in shelf bra.

34. The multi-fabric women's garment of claim 33, wherein the tank top shape is at least one of a halter top and racer back.

35. The multi-fabric women's garment of claim 26, wherein the lower section is designed to be exposed for viewing while worn by the user.

36. The multi-fabric women's garment of claim 26, wherein the lower section is designed to be tucked into other clothes that cover a bottom portion of the user.

37. The multi-fabric women's garment of claim 26, wherein the upper section further comprises one or more adjustable straps.

38. The multi-fabric women's garment of claim 26, wherein the upper section further comprises an inner shelf bra.

39. The multi-fabric women's garment of claim 26, wherein the compressive middle section comprises a firm control microfiber.

40. The multi-fabric women's garment of claim 26, wherein the compressive middle section comprises at least one of micro denier fabric and Spandex.

41. The multi-fabric women's garment of claim 26, wherein the shape of the compressive middle section comprises a band.

42. The multi-fabric women's garment of claim 26, wherein one or more of the substantially non-compressive shaper fabrics comprise one or more of cotton, yarn, wool, polyester, viscose, and linen.

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43. The multi-fabric women's garment of claim 26, wherein the first substantially non-compressive shaper fabric comprises a same material as the second substantially non-compressive shaper fabric.

44. The multi-fabric women's garment of claim 26, wherein the upper section comprises a tank top shape.

45. The multi-fabric women's garment of claim 32, wherein the tank top shape is at least one of a halter top and racer back.

46. The multi-fabric women's garment of claim 26, further comprising a third material covering all of the compressive middle section.

47. The multi-fabric women's garment of claim 26, further comprising a third material covering all of the compressive middle section and the lower section.

48. The multi-fabric women's garment of claim 26, further comprising a third material covering the upper section, the lower section, and the compressive middle section.

49. The multi-fabric garment of claim 1, wherein the third material conceals at least a portion of the lower section from the exterior.

50. The multi-fabric garment of claim 1, wherein the third material is the same material of at least one of the first and the second substantially non-compressive shaper materials.

51. The multi-fabric garment of claim 1, wherein the first substantially non-compressive shaper material comprises a different material as the second substantially non-compressive shaper material.

52. A multi section women's garment for slenderizing the midsection of a user, shaping the waistline of the user, and minimizing the roll up of the garment over the abdomen area of the user, the garment comprising:

an upper section including a first material comprising a first shaping characteristic;

a lower section including a second material comprising a second shaping characteristic, where the lower section is configured to be used at least to position the garment over the abdomen area of the user;

a slenderizing middle section configured to be substantially horizontally around an abdomen of the user when worn and providing an inward force on the body of the user, wherein the slenderizing middle section slenderizes or supports the abdomen of the user, shapes the abdomen of the user and includes a compressive inward force greater than the first and second shaping characteristics; and

a third material covering at least a portion of the slenderizing middle section, and concealing the at least a portion of the slenderizing middle section from the exterior of the multi-fabric garment.

53. The multi-fabric women's garment of claim 52, wherein the slenderizing middle section comprises a compressive material in a front portion of the garment and the third material is located in a back portion of the garment.

54. The multi-fabric women's garment of claim 52, wherein the third material covers at least a portion of the upper section, hiding at least a portion of the upper section from the exterior.

55. The multi-fabric women's garment of claim 52, wherein the third material covers all of the slenderizing middle section, hiding the slenderizing middle section from the exterior of the multi-fabric garment.

56. The multi-fabric women's garment of claim 52, wherein the slenderizing middle section substantially fully encompasses the abdominal area of the user.

57. The multi-fabric women's garment of claim 52, wherein the upper section comprises a tank top shape.

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58. The multi-fabric women's garment of claim 57, wherein the tank top shape is a body contouring shaper tank top.

59. The multi-fabric women's garment of claim 57, further comprising a built in shelf bra.

60. The multi-fabric women's garment of claim 57, wherein the tank top shape is at least one of a halter top and racer tank.

61. The multi-fabric women's garment of claim 52, wherein the lower section is designed to be exposed for viewing while worn by the user.

62. The multi-fabric women's garment of claim 52, wherein the lower section is designed to be tucked into other clothes that cover a bottom portion of the user.

63. The multi-fabric women's garment of claim 52, wherein the upper section further comprises one or more adjustable straps.

64. The multi-fabric women's garment of claim 52, wherein the upper section further comprises an inner shelf bra.

65. The multi-fabric women's garment of claim 52, wherein the slenderizing middle section comprises a firm control microfiber.

66. The multi-fabric women's garment of claim 52, wherein the slenderizing middle section comprises at least one of micro denier fabric and Spandex.

67. The multi-fabric women's garment of claim 52, wherein the shape of the slenderizing middle section comprises a band.

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68. The multi-fabric women's garment of claim 52, wherein one or more of the sections comprise one or more of cotton, yarn, wool, polyester, viscose, and linen.

69. The multi-fabric women's garment of claim 52, wherein the first material comprises a same material as the second material.

70. The multi-fabric women's garment of claim 52, wherein the third material conceals at least a portion of the lower section from the exterior.

71. The multi-fabric women's garment of claim 52, wherein the third material is the same material of at least one of the first and the second materials.

72. The multi-fabric garment of claim 52, wherein the first material comprises a different material as the second material.

73. The multi-fabric women's garment of claim 52, wherein the third material covers all of the slenderizing middle section.

74. The multi-fabric women's garment of claim 52, wherein the third material covers all of the slenderizing middle section and the lower section.

75. The multi-fabric garment of claim 1, wherein the third material covers the upper section, the lower section, and the slenderizing middle section.

76. The multi-fabric garment of claim 1, wherein the third material covers all of the slenderizing middle section.

77. The multi-fabric garment of claim 1, wherein the third material covers all of the slenderizing middle section and the lower section.

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