CV-05 1939

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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ APR 21 2005 ★
LONG ISLAND OFFICE

(S.J.)

SPATT, J.

BOYLE, M.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

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SPOTLESS ENTERPRISES INCORPORATED

Plaintiff

v.

THE ACCESSORY CORPORATION

Defendant.

----------X

COMPLAINT

Plaintiff, Spotless Enterprises Incorporated (hereinafter "Spotless Enterprises"), for its complaint against Defendant, The Accessory Corporation (hereinafter "Accessory Corporation") allege as follows:

1. Plaintiff Spotless Enterprises is a corporation organized and existing under the laws of the State of New York, and has a principal place of business at 150 Motor Parkway, Hauppauge, New York.

2. On information and belief, Accessory Corporation is a corporation organized under the laws of New York having its principal place of business at 236 West 40th Street, New York, NY 10018.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et. seq*. This is a claim for a declaratory judgment of patent invalidity, unenforceability and non-infringement. This Court has jurisdiction of the subject matter of this claim pursuant to 28 U.S.C. §§ 1338(a), 2201, 2202.

4. Venue is proper in this Court under 28 U.S.C. §§ 1391(b), (c) and/or 1400(b).

BACKGROUND

5. On November 5, 2002, United States Letters Patent No. 6,474,517 (hereinafter "the '517 Patent) was issued for a purported invention entitled "Clamp-Type Garment Hanger", identifying Accessory Corporation as the assignee. A true and correct copy of the '517 Patent is attached hereto as Exhibit "A".

6. The '517 Patent issued from a United States Patent Application No. 09/891,789 filed on June 26, 2001.

7. The '517 Patent is broadly directed to a garment hanger having a hook, a body and at least one clamp coupled to the body, the clamp having a base member, a lever member movable relative to the base member and a clip coupling the base member to the lever member.

8. On February 16, 2005, Accessory Corporation filed a complaint (hereinafter "the Accessory Complaint") for patent infringement naming Spotless Plastics Pty. Ltd. a/k/a Plasti-Form a/k/a Plasti-Form Spotless Group (hereinafter "Spotless Pty.") as the defendant. A copy of the Accessory Complaint is attached hereto as Exhibit "B".

9. The Accessory Complaint alleges that Spotless Pty. infringes the '517 Patent by using, selling, or offering to sell hangers in the United States that infringe one or more claims of the '517 Patent.

10. The Accessory Complaint further alleges that, Spotless Pty. has engaged and continues to engage in providing customers in the United States with hangers that infringe one or more claims of the '517 Patent. Specifically, the Accessory Complaint alleges that hanger model numbers WP65xx, where xx denotes a hanger length in inches, infringe the claims of the '517 Patent.

11. Spotless Pty. is a parent corporation of Spotless Plastics (USA) Inc., which is the parent of Spotless Enterprises.

12. Certain of the hangers identified in the Accessory Complaint are sold in the United States by Spotless Enterprises.

13. The hangers identified in the Accessory Complaint are not made, used, sold or offered for sale by Spotless Pty.

14. Spotless Enterprises has a reasonable apprehension of suit for infringement of the '517 Patent due to the fact that its hanger models were identified as allegedly infringing the '517 Patent in the Accessory Complaint.

FIRST CAUSE OF ACTION FOR A DECLARATORY JUDGMENT OF INVALIDITY AND UNENFORCEABILITY

15. The allegations of the foregoing paragraphs 1-14, inclusive, are hereby incorporated by reference.

16. There is an actual, justiciable controversy between Plaintiff and Defendant respecting at least the validity, enforceability and infringement of the '517 Patent.

17. The claims of the '517 Patent are invalid and/or unenforceable under one or more provisions of Title 35 of the United States Code including §§ 101, 102, 103 and 112.

SECOND CAUSE OF ACTION FOR A DECLARATORY JUDGMENT OF INVALIDITY AND UNENFORCEABILITY

18. The allegations of the foregoing paragraphs 1-17, inclusive, are hereby incorporated by reference.

19. The claims of the '517 Patent are unenforceable, *inter alia*, on grounds of inequitable conduct manifest during the prosecution of the application for the '517 Patent in the United States Patent and Trademark Office.

20. On information and belief, Accessory Corporation failed to disclose United States Patent No. 5,398,854 (hereinafter "the '854 Patent"), a highly material reference to the United States Patent and Trademark Office during the prosecution of the '517 Patent. A true and correct copy of the '854 Patent is attached hereto as Exhibit "C".

21. On information and belief, Accessory Corporation had knowledge of the '854 Patent during the prosecution and prior to issuance of the '517 Patent.

22. The '854 Patent is listed on the front pages of United States Patent Nos. 6,173,872 (hereinafter "the '872 Patent") and 6,199,728 (hereinafter "the '728 Patent), both issued to Bernard J. Cohen on January 16, 2001 and March 13, 2001, respectively, both assigned to defendant Accessory Corporation and both issued more than three months prior to the filing of the application underlying the '517 Patent.

23. On information and belief, Accessory Corporation submitted the '854 Patent to the United States Patent and Trademark Office during the prosecution of the application underlying United States Patent No. 6,609,641 (hereinafter "the '641 Patent), which is a related continuation-in-part application of the '517 Patent in issue.

24. On information and belief, Accessory Corporation knowingly and intentionally failed to submit the '854 Patent during the prosecution of the '517 Patent, failing to comply with the duty of disclosure under 37 C.F.R. § 1.56.

25. On information and belief, the '854 Patent renders at least one of the claims of the '517 Patent invalid and unpatentable under 35 U.S.C § 102 and/or § 103.

26. On information and belief, Accessory Corporation exacerbated the misconduct by intentionally making a misrepresentation to the United States Patent and Trademark Office during the prosecution of the '517 Patent.

27. On information and belief, Accessory Corporation knowingly and intentionally misrepresented the teachings of the prior art in a recorded statement submitted in an Amendment and Response dated February 12, 2002 during the prosecution of the '517 Patent. A copy of the Amendment and Response is attached as Exhibit "D".

28. As a direct and proximate consequence of this series of intentional acts of inequitable conduct before the United States Patent and Trademark Office, Accessory Corporation obtained the '517 Patent.

29. As a direct and proximate consequence of this series of intentional acts of inequitable conduct the '517 Patent is invalid and unenforceable.

THIRD CAUSE OF ACTION DECLARATORY JUDGMENT OF NONINFRINGMENT

30. Paragraphs 1-29 above, inclusive, are hereby incorporated herein by reference.

31. Plaintiff has not infringed any valid claim of the '517 Patent.

32. Plaintiff has not induced or contributed to any infringement of any valid claim of the '517 Patent.

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

(A) That the Court declares that the '517 Patent is invalid and unenforceable;

(B) That the Court declares that the '517 Patent was obtained by inequitable conduct;

(C) That the Court declares that none of the products manufactured, used or sold by Plaintiff infringe any claims of the '517 Patent;

(D) That the Court declares this case an exceptional case and awards the Plaintiff its reasonable costs and attorneys fees pursuant to 35 U.S.C. §285;

(E) That the Court grants such other and further relief as it may deem just and appropriate.

Dated: New York, New York
April 20, 2005

SPOTLESS ENTERPRISES INCORPORATION

By: _____

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EXHIBIT A

US006474517B1

(12) **United States Patent**
Sutton

(10) **Patent No.: US 6,474,517 B1**
(45) **Date of Patent: Nov. 5, 2002**

(54) **CLAMP-TYPE GARMENT HANGER**

(75) Inventor: **Steven Sutton**, Brooklyn, NY (US)

(73) Assignee: **The Accessory Corporation**, 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 132 days.

(21) Appl. No.: **09/891,789**

(22) Filed: **Jun. 26, 2001**

(51) **Int. Cl.**[7] **A47G 25/48**
(52) **U.S. Cl.** **223/96**
(58) **Field of Search** 223/90, 91, 93, 223/96, 95, 85

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,496,531 A * 2/1950 Gray 223/96
6,019,261 A * 2/2000 Morgan et al. 223/96
6,105,836 A * 8/2000 Batts et al. 223/96
6,119,906 A * 9/2000 Bond et al. 223/96

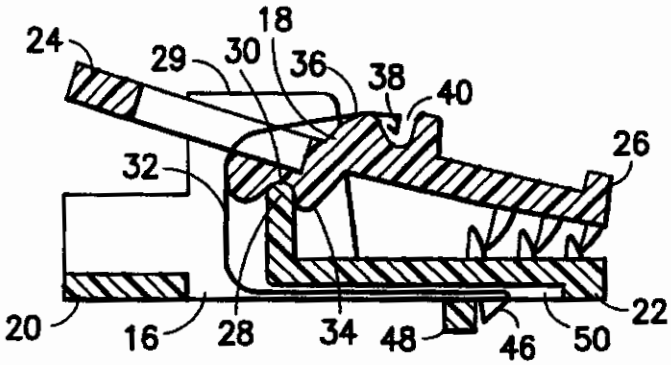
* cited by examiner

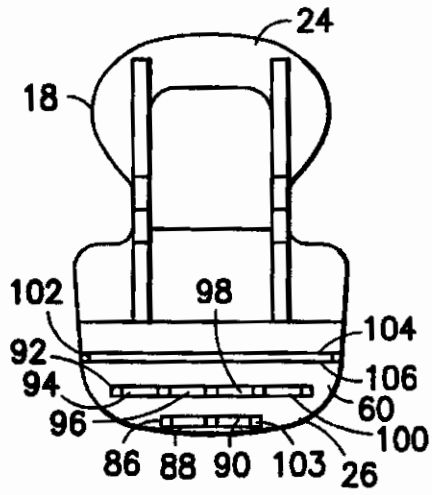
Primary Examiner—Bibhu Mohanty
(74) *Attorney, Agent, or Firm*—David P. Gordon; David S. Gordon; Tom A. Gallagher

(57) **ABSTRACT**

A garment hanger includes a clamp having a pair of jaw members, wherein at least one jaw member is pivotable relative to the other between open and closed positions. The jaw members are provided with an arrangement of ridges, at least some of the ridges defining a plurality of teeth. The ridges are preferably arranged in three rows in each of the jaw members, and each row preferably extends substantially across the respective jaw member. Each of the ridges preferably has a rear wall which extends substantially perpendicular to the surface on which the ridges are located, and a front wall which extends from the surface on which the ridges are located to the rear wall such that each of the ridges in cross-section has a cuspid-like appearance. The clamp has been demonstrated to have superior gripping ability on denim jeans garments.

29 Claims, 4 Drawing Sheets





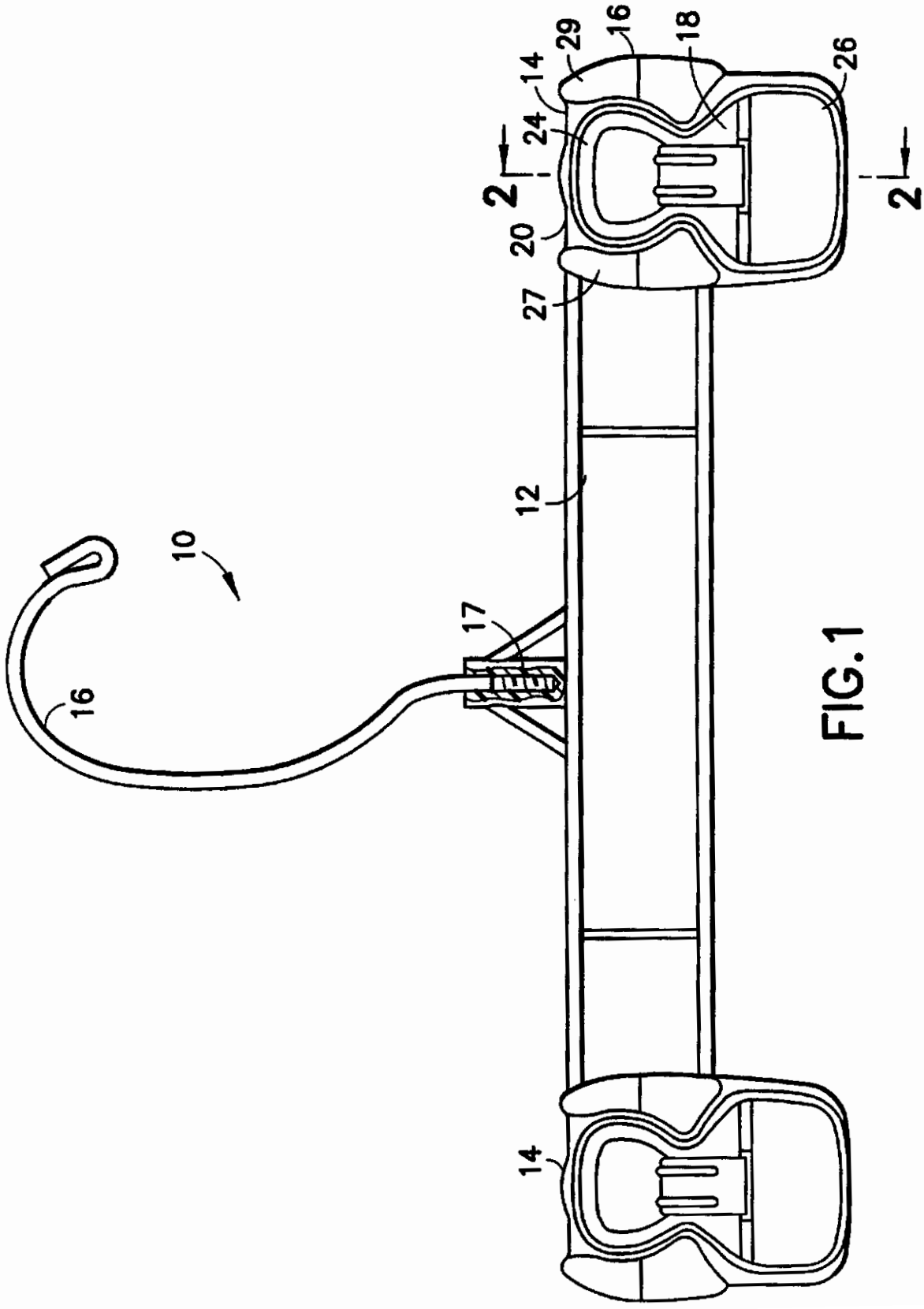


FIG. 1

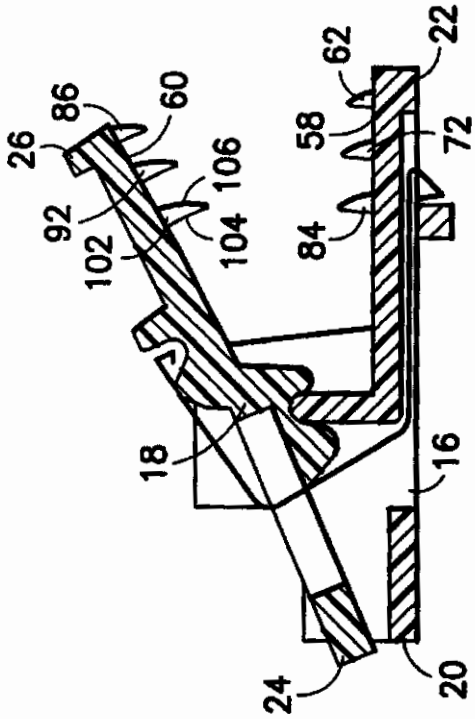


FIG.2B

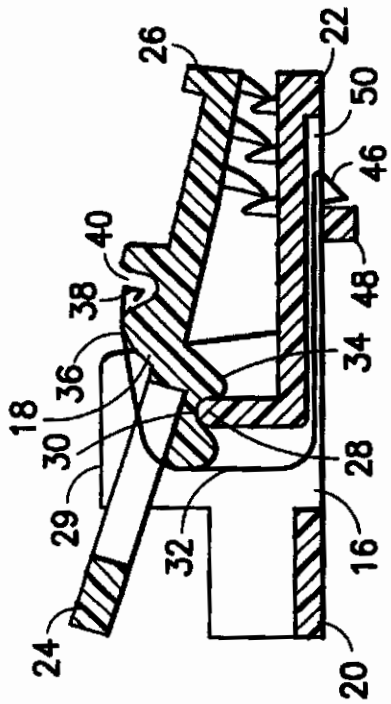


FIG.2A

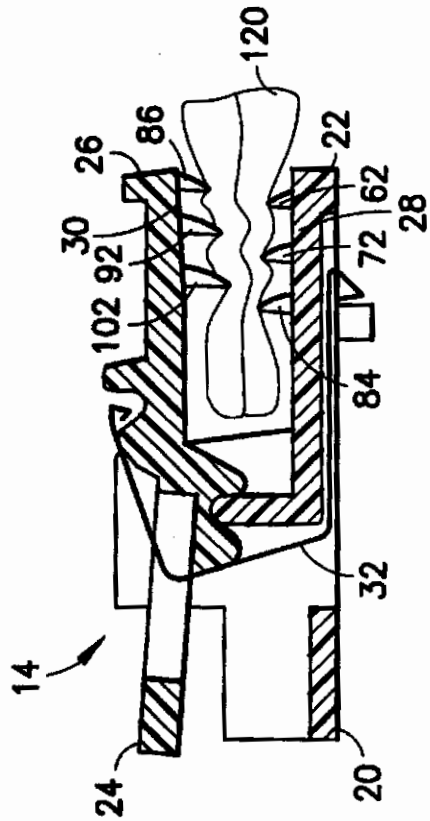


FIG.2C

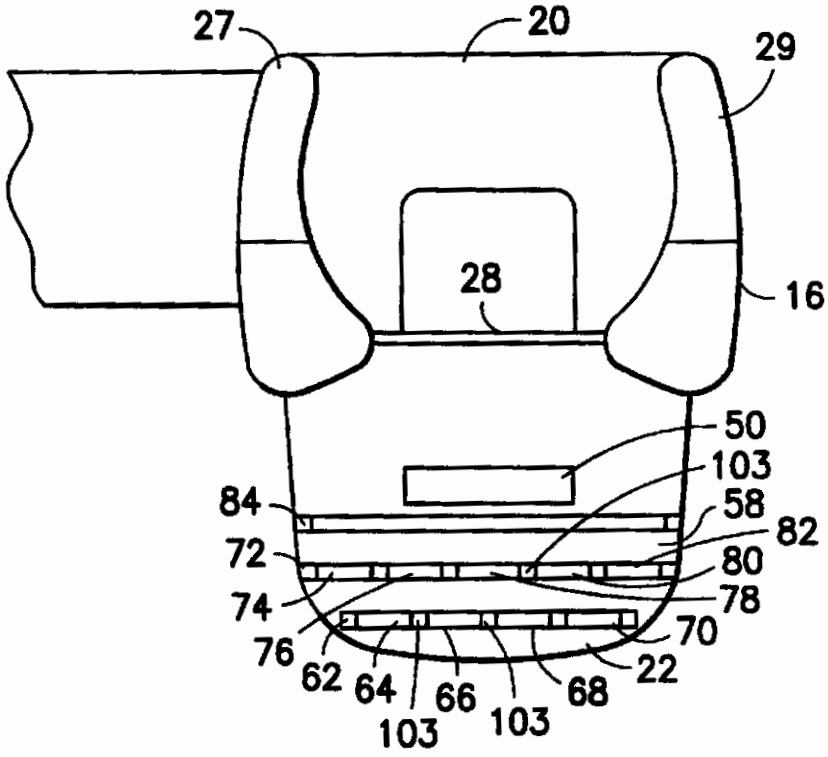

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FIG.3

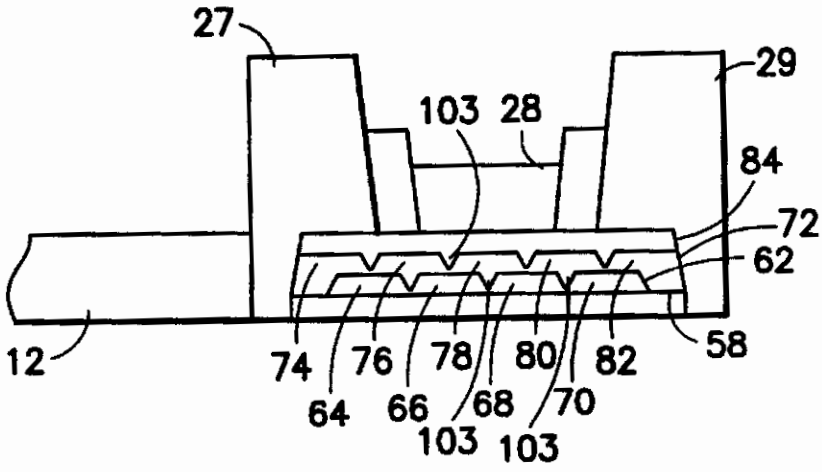
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FIG.4

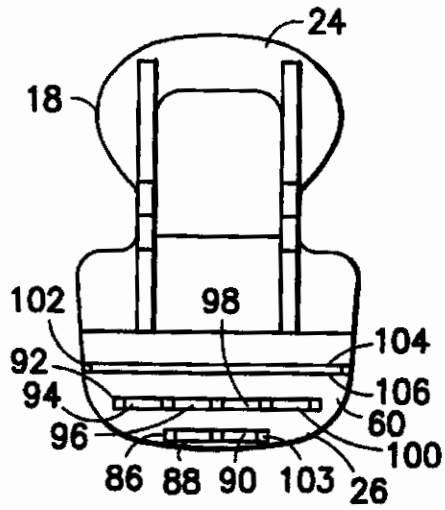

FIG.5

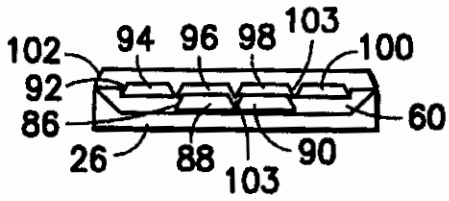

FIG.6

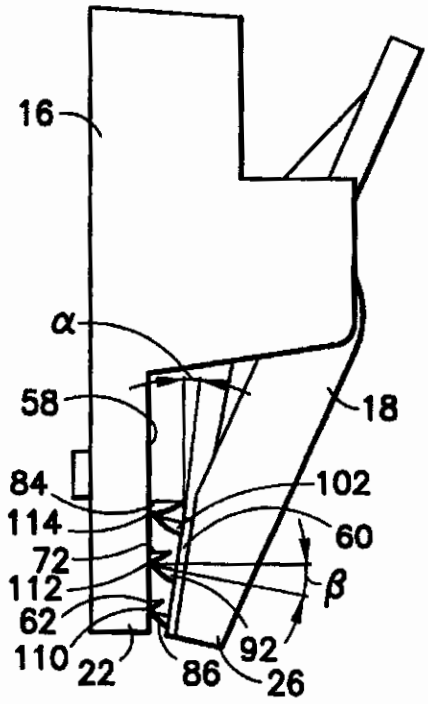

FIG.7

CLAMP-TYPE GARMENT HANGER

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to clamp-type garment hangers. More specifically, the present invention relates to a pinch clamp for securing a garment, and particularly denim jeans, to a garment hanger.

2. State of the Art

Clamp-type garment hangers having at least one clamp are well-known for the suspension or hanging of garments such as pants, skirts, etc. The "pinch-type" clamp is a variety of clamp which has a clamp end having a pair of opposed clamp or jaw members between which a portion of the garment is secured, and a handle portion having a pair of spaced apart handles. Provision is made for biasing the jaw members towards each other to create the clamping force necessary to retain an a garment between inner surfaces of the jaw members. The jaw end of the clamp is hinged to the handle portion such that squeezing or pinching the handles toward one another, i.e., to reduce the space between the handles, causes the jaw members to open to receive or release a garment. To further retain the garment between the inner surfaces of the members, the clamp or jaw members typically also include inner surfaces gripping elements or friction increasing surfaces.

An example of a pinch-type clamp hanger is shown in U.S. Pat. No. 5,398,854 to Blanchard, which describes a hanger with a clamp having a jaw end, a handle portion at an opposite end from the jaw end, and a hinge point between the two ends. The jaw ends are provided with resilient friction pads to engage a garment provided in the clamp. A C-shaped spring clip provides the means for biasing the jaws to a closed position. Another exemplar pinch-type clamp hangers is shown in U.S. Pat. No. 4,395,799 to Batts. This clamp hanger has two sets of toothed elements on the inside of one of the jaws, which surround a single toothed element on the other of the jaws to secure a garment in the clamp of the hanger.

While the known pinch-type clamp hangers are useful in holding a variety of garments, all the known pinch-type clamp hangers fail at adequately holding denim jeans. The denim of jeans can be relatively thick and heavy, and due to the weight and characteristics of the denim material, jeans tend to be prematurely released from the currently available clamps. When garments are prematurely released from a hanger, garments may be lost or damaged, or the garments must be re-hung in a time consuming process.

SUMMARY OF THE INVENTION

It is therefore an object of the invention to provide a pinch-type garment clamp for a garment hanging device which does not release a jeans garment accidentally during shipping, transportation or handling.

It is another object of the invention to provide a pinch-type garment clamp which retains a jeans garment more securely.

It is a further object of the invention to provide a pinch-type garment clamp which readily permits release of the garment when desired.

It is also an object of the invention to provide a secure clamp for a garment hanging device which is inexpensively and easily manufactured.

In accordance with the preferred embodiment, a hanger has at least one clamp which includes a handle portion

connected to a pair of jaw members, wherein at least one jaw member is pivotable relative to the other. The jaw members are capable of being in a closed position where one jaw member is urged towards the other jaw member sufficiently to secure a garment, and an open position where one jaw member is pivoted away from the other jaw member to receive or release the garment. The jaw members are provided with an arrangement of ridges, at least some of which define a plurality of teeth. The ridges are preferably arranged in three rows in each of the jaw members, and each row preferably extends substantially across the respective jaw member. In a first jaw member, a front ridge preferably defines four teeth, a second ridge preferably defines five teeth, and a third ridge preferably defines one elongate tooth. In a second jaw member, a front ridge preferably defines two teeth, a second ridge preferably defines four teeth, and a third ridge preferably defines one elongate tooth.

When the jaw members are in the closed position, the front ridge of the second jaw member is directed toward the base of the front ridge of the first jaw member, the second ridge of the second jaw member is directed toward the base of the second ridge of teeth of the first jaw member, and the third ridge of the second jaw member is directed toward the base of the third ridge of the first jaw member. Each of the ridges preferably has a rear wall which extends substantially perpendicular to the surface on which the respective ridge is located, and a front wall which extends from the surface on which the respective ridge is located to the rear wall such that each of the ridges in cross-section has a cuspid-like appearance.

The clamp of the hanger has been demonstrated to have superior gripping ability on denim jeans garments, but may be useful to securely grip other garments.

Additional objects and advantages of the invention will become apparent to those skilled in the art upon reference to the detailed description taken in conjunction with the provided figures.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. **1** is a front view of a garment hanger having a clamp according to the invention at each end of a hanger body;

FIG. **2A** is a sectional view of the garment clamp according to the invention taken along line **2**—**2** in FIG. **1**, with the jaw members in a fully closed position;

FIG. **2B** is a sectional view of the garment clamp according to the invention taken along line **2**—**2** in FIG. **1**, with the jaw members in a fully open position;

FIG. **2C** is a sectional view of the garment clamp according to the invention taken along line **2**—**2** in FIG. **1**, with the jaw members shown closed on a portion of a denim jeans garment;

FIG. **3** is a broken front view of an inside of a first jaw member of the garment clamp according to the invention shown attached to a part of a hanger body;

FIG. **4** is bottom view of the first jaw member shown in FIG. **3**, shown attached to a part of a hanger body;

FIG. **5** is broken rear view of an inside of a second jaw member of the garment clamp according to the invention;

FIG. **6** is bottom view of the second jaw member shown in FIG. **5**; and

FIG. **7** is an enlarged broken side view of the left clamp in FIG. **1** in a closed position.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Referring now to FIG. **1**, a garment hanger **10** includes a hanger body **12** having at each end a pinch-type clamp **14**.

Garment hanger **10** includes a partial loop or hook member **16**, which may be formed from plastic or metal wire or any other appropriate material. The partial loop or hook member may be secured via threads **17** to the body **12**, as shown, or may be integrally formed from the same material as body **12**, or may be connected to the body in any other manner. The body **12** is preferably made from any number of well known plastic or resin materials, such as "k"-resin, polystyrene, polypropylene, polyethylene, styrene-butadiene copolymers and blends, polycarbonates, and combinations thereof.

Referring now to FIGS. **1** and **2A**, the clamps **14** are preferably formed from the same material as the body **12**. Each clamp **14** has a base member **16** which is preferably integrally formed with the body, and a lever member **18** movable relative thereto. The base member **16** includes a handle portion **20** and a jaw end **22**, and the lever member **18** includes a handle portion **24** which is opposite handle portion **20**, and a jaw end **26** which is positioned opposite jaw end **22**. The lever member **18** is pivotally supported on the base member **16** along a pivot wall **28** extending between two supports **27, 29** on the base member **16**. The pivot wall **28** is received in a pivot groove **30** on the back of lever member **18**. A C-shaped spring clip **32**, preferably made of metal, is dimensioned to receive a portion of the base member **16** and a portion of the lever member **18** and is positioned over those portions such that facing inner surfaces of the spring clip **32** bear against outwardly facing surfaces **34, 36** of the base member **16** and the lever member **18**, respectively. A front end of the spring clip **32** has a flange **38** that engages within an aperture **40** in the lever member **18** to secure the spring clip **32** to the lever member. A rear end of the spring clip **32** has a tab **46** which engages a strut **48** spanning an aperture **50** in the base member **16** to secure the spring clip to the base member. The spring clip **32** urges the lever member jaw end **26** towards the base member jaw end **22**.

Turning now to FIGS. **2B** through **6**, according to the invention, each jaw end **22, 26** is provided with a ridged gripping surface **58, 60**, respectively, each including an arrangement of three substantially parallel rows of ridges (numbered below). The ridges extend substantially across the respective jaw members in a direction parallel to both the body **12** and the pivot axis of the base and lever members **14, 16**. In the jaw end **22** of base member **16**, a front ridge **62** is preferably comprised of four relatively smaller elongate teeth **64, 66, 68, 70**, a middle ridge **72** is preferably comprised of five-relatively smaller elongate teeth **74, 76, 78, 80, 82**, and a back ridge **84** preferably is one elongate tooth. In the jaw end **26** of the lever member **18**, a front ridge **86** is preferably comprised of two relatively smaller elongate teeth **88, 90**, a middle ridge **92** is preferably comprised of four relatively smaller elongate teeth **94, 96, 98, 100**, and a back ridge **102** preferably is one elongate tooth. Each of the teeth of a particular ridge are separated from adjacent teeth by V-shaped grooves (or slots) **103** in the ridge. With respect to the middle ridges **72, 92**, the grooves **103** are offset such that they do not align when the clamp **14** is in a closed or partially closed position; i.e., the grooves **103** between teeth **74** and **76, 76** and **78, 78** and **80**, etc. are located adjacent teeth **94, 96, 98**, and **100**, and the grooves **103** between teeth **94** and **96, 96** and **98**, and **98** and **100** are located adjacent teeth **76, 78**, and **80**. Each of the ridges, e.g., ridge **102**, preferably has a rear wall **104** which extends substantially perpendicular to the surface **60** from which the ridge extends, and a front wall **106** which extends from the surface **60** and curves toward the rear wall **104** such that the ridge in cross-section (FIGS. **2** and **2B**) has a cuspid-like appearance.

Each of the smaller teeth **64, 66, 68, 70, 74, 76, 78, 80, 82, 88, 90, 94, 96, 98**, and **100** preferably has the same length, approximately ¼ inch. The height of front ridges **62, 86** is preferably approximately 0.06–0.07 inch, the height of the middle ridges **72, 92** is preferably approximately 0.07–0.09 inch, and the height of the back ridges **84, 102** is preferably approximately 0.13–0.014 inch.

The front and middle ridges **62, 72** on the base member **16** are separated by preferably approximately 0.12 inch, as are the front and middle ridges **86, 92** on the lever member **18**. The middle and back ridges **72, 84** on the base member **16** are also separated by preferably approximately 0.12 inch, as are the middle and back ridges **92, 102** on the lever member **18**.

Referring now to FIG. **7**, the surface **60** on the jaw end **26** of lever member **18** is angled at an angle α relative to the surface **58** on the jaw end **22** of the base member **16**. When the jaw ends are in the closed position (FIG. **2A**), angle α is preferably between 50 and 25°, and more preferably approximately 12°. In addition, while it was previously stated that the rear walls of the ridges are substantially perpendicular to the clamp surfaces, each of the ridges of lever **18** preferably angle backward relative to a normal to surface **60** by a small angle β which is between 10 and 100, and most preferably approximately 3°. These relative angles α and β, as well as the ridge configuration provide that when the base and lever members **16, 18** are in the fully closed position, the front ridge **86** of the lever member **18** is directed toward a front base **110** of the front ridge **62** of the base member **16**, the middle ridge **92** of the lever member **18** is directed toward a front base **112** of the middle ridge **72** of the base member, and the back ridge **102** of the lever member **18** is directed toward a front base **114** of the back ridge **84** of the base member. In each case, in the fully closed position, the ridges of lever **18** preferably contact (or nearly contact) the ridges of the base **16** at an angle of between 6° and 35° (and most preferably approximately 15°) when the clamp is fully closed.

In use, jaw ends **22, 26** are spread apart by application of pressure to the handle portions **20, 24** sufficient to overcome the bias of the spring clip **32**. With the jaw ends spread, a garment such as denim jeans can be received between the jaw ends or released from between the gripping surfaces of the jaw ends. Referring to FIG. **2C**, to secure a garment **120** in the clamp **14**, a part of the garment is positioned between the gripping surfaces **28, 30** of the jaw ends **22, 26**, the handle portions **20, 24** are released, and the gripping surfaces are allowed to come together under the urging of the spring clip **32** and contact the garment **120**. With a typical pair of denim jeans, when the clamp is closed about the jeans, ridges **62, 72** and **84** are offset from ridges **86, 92, 102**. The shape and configuration of the ridges provide a superior gripping ability on denim jeans garments and prevent the premature release of a garment from the hanger, thereby eliminating the loss, damage and time required to re-hang garments when garments are prematurely released. While having excellent ability to securely hold a garment, the clamps of the hanger also permit ready release of the garment from the hanger clamp when desired, and do not damage the denim garment while holding it.

There have been described and illustrated herein several embodiments of clamp for a garment hanging device. While particular embodiments of the invention have been described, it is not intended that the invention be limited thereto, as it is intended that the invention be as broad in scope as the art will allow and that the specification be read likewise. Thus, while three ridges are preferred, it will be

appreciated that two ridges or more than three ridges may be used. Also, while particular dimensions and relative angles are provided for the ridges, it will be appreciated that other dimensions and relative angles may be used. In addition, while the clamp is shown securely attached to the hanger body as an integral part of hanger body, it will be understood that this attachment method is merely illustrative of the most cost effective method of manufacturing a sturdy, attractive hanger. Furthermore, the clamp may alternatively be made separately from a material that is the same or different from the material of hanger body, and may be fixedly or movably attached to the hanger body by known means or methods. Moreover, the clamp may also be attached to hanger body by one or more intervening elements, such as, for example, a bar or rod (not shown) supported below hanger body. It will therefore be appreciated by those skilled in the art that yet other modifications could be made to the provided invention without deviating from its spirit and scope as claimed.

What is claimed is:

1. A garment hanger, comprising:

a) a body;

b) a hook member coupled to said body from which said hanger can be suspended; and

c) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,

wherein each of said first and second jaw ends includes a plurality of substantially parallel elongate ridges extending transversely across respective said jaw ends, at least one of said ridges on each of said first and second jaw ends having a cuspid cross-sectional shape.

2. A garment hanger according to claim 1, wherein:

each of said first and second jaw ends includes front, middle, and back elongate ridges.

3. A garment hanger according to claim 2, wherein:

at least one of said elongate ridges comprises distinct teeth.

4. A garment hanger according to claim 3, wherein:

said front ridge of said first jaw end comprises four teeth, and said middle ridge of said first jaw end comprises five teeth.

5. A garment hanger according to claim 3, wherein:

said front ridge of said second jaw end comprises two teeth, and said middle ridge of said first jaw end comprises four teeth.

6. A garment hanger according to claim 1, wherein:

said ridges of said first jaw end are each of a different height, and said ridges of said second jaw end are each of a different height.

7. A garment hanger according to claim 1, wherein:

said ridges on said second jaw end are angled relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.

8. A garment hanger according to claim 1, wherein:

said ridges on said second jaw end are directed at said angle toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.

9. A garment hanger, comprising:

a) a body;

b) a hook member coupled to said body from which said hanger can be suspended; and

c) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,

wherein each of said first and second jaw ends includes exactly three substantially parallel elongate ridges extending transversely across respective said jaw ends, at least one of said elongate ridges on each of said first and second jaw ends comprising distinct teeth.

10. A garment hanger according to claim 9, wherein:

a front ridge and a middle ridge of each of said first and second jaw ends each comprises a plurality of teeth, and a back ridge of each of said first and second jaw ends each comprises a single elongate tooth.

11. A garment hanger according to claim 9, wherein:

a front ridge of said three ridges on said first jaw end comprises four teeth, and a middle ridge of said three ridges on said first jaw end comprises five teeth.

12. A garment hanger according to claim 9, wherein:

a front ridge of said three ridges on said second jaw end comprises two teeth, and a middle ridge of said three ridges of said first jaw end comprises four teeth.

13. A garment hanger according to claim 8, wherein:

said ridges of said first jaw end are each of a different height, and said ridges of said second jaw end are each of a different height.

14. A garment hanger according to claim 13, wherein:

a front ridge of said ridges on said first jaw has a first height, a middle ridge of said ridges on said first jaw has a second height, and a back ridge of said ridges on said first jaw has a third height, wherein said first height is smaller than said second height, and said second height is smaller than said third height.

15. A garment hanger according to claim 13, wherein:

a front ridge of said ridges on said second jaw has a first height, a middle ridge of said ridges on said second jaw has a second height, and a back ridge of said ridges on said second jaw has a third height, wherein said first height is smaller than said second height, and said second height is smaller than said third height.

16. A garment hanger according to claim 15, wherein:

said first height is 0.06–0.07 inch, said second height is approximately 0.07–0.09 inch, and said third height is approximately 0.13–0.014 inch.

17. A garment hanger according to claim 9, wherein:

said ridges on said second jaw end are angled relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.

18. A garment hanger according to claim 9, wherein:

said ridges on said second jaw end are directed toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.

19. A garment hanger according to claim 9, wherein:

each of said ridges has a cuspid cross-sectional shape.

20. A garment hanger, comprising:

a) a body;

b) a hook member coupled to said body from which said hanger can be suspended; and

c) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,

wherein each of said first and second jaw ends includes a plurality of substantially parallel elongate ridges extending transversely across respective said jaw ends, said ridges on said second jaw end being angled at an angle toward said second handle portion relative to a normal to a surface from which said ridges on said second jaw end extend.

21. A garment hanger according to claim **20**, wherein:

said angle is between 1° and 10°.

22. A garment hanger according to claim **20**, wherein:

said ridges on said second jaw end are angled between 5° and 25° relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.

23. A garment hanger according to claim **20**, wherein:

said ridges on said second jaw end are directed toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.

24. A garment hanger according to claim **20**, wherein:

each of said teeth has a length of approximately ¼ inch.

25. A garment hanger, comprising:

a) a body;

b) a hook member coupled to said body from which said hanger can be suspended; and

c) at least one clamp coupled said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,

wherein said first and second jaw ends each includes a plurality of substantially parallel elongate ridges extending transversely across said respective first and second jaw ends, said ridges on said second jaw end being angled at an angle relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.

26. A garment hanger according to claim **25**, wherein:

said ridges on said second jaw end are directed toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.

27. A garment hanger according to claim **25**, wherein:

said angle is 5° to 25°.

28. A garment hanger according to claim **25**, wherein:

said angle is approximately 12°.

29. A denim jeans garment and garment hanger assembly, comprising:

a) a denim jeans garment; and

b) a garment hanger, including,

i) a body;

ii) a hook member coupled to said body from which said hanger can be suspended, and

iii) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other,

wherein each of said first and second jaw ends includes a plurality of substantially parallel elongate ridges molded integrally with said respective jaw ends and extending transversely across respective said jaw ends, at least one of said ridges on each of said first and second jaw ends having a pointed cross-sectional shape, and each of said ridges on each of said respective jaw ends having a different height from the others,

wherein said ridges on said first jaw end are offset relative to said ridges on said second jaw end when said garment is provided in said clamp and said jaw ends are in a closed position, about said garment.

* * * * *

Exhibit B

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The Accessory Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

The Accessory Corporation, Plaintiff, v. Spotless Plastics Pty. Ltd. a/k/a Plasti-Form, a/k/a Plasti-Form Spotless Group, Defendants.	Jury Trial Demanded

COMPLAINT

Plaintiff, The Accessory Corporation, as and for its complaint of patent infringement against the defendants, Spotless Plastics Pty. Ltd. A/k/a Plasti-Form, (referred to as the "Defendant") alleges as follows:

PARTIES

1. Plaintiff is a corporation organized under the laws of New York having its principal place of business at 236 West 40th Street, New York, NY 10018.

2. Upon information and belief, defendant Spotless Plastics Pty. Ltd. a/k/a Plasti-Form a/k/a Plasti-Form Spotless Group is a corporation organized under the laws of Australia, with offices at 150 Motor Parkway, Hauppauge, New York 11788, and has, at all times material hereto, conducted business in the City of New York, State of New York.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 271 and 281-285. Subject matter jurisdiction is conferred on this Court by 28 U.S.C. §§ 1331 and 1338(a). Venue is proper in this Court under 28 U.S.C. §§ 1391(b), 1391(c) and/or 1400(b).

BACKGROUND

4. On November 5, 2002, United States Letters Patent No. 6,474,517 (the "Clamp Patent") was issued for an invention entitled "Clamp-Type Garment Hanger", listing plaintiff, The Accessory Corp. as the assignee. A true and correct copy of the Clamp Patent is attached hereto as Exhibit "A".

5. The Clamp Patent is broadly directed to a garment hanger having a body, a hook, and at least one clamp having a base member, a lever member, and a clip coupling the base to the lever. The base member and lever member have ridges which are defined according to the different claims.

6. On information and belief, the Defendants have engaged and continue to engage in providing customers in the United States (including Wal-Mart and K-Mart) with hangers which infringe one or more claims of the Clamp Patent. Specifically, the Defendant's item numbers' WP65xx, where xx denotes a hanger length in inches (e.g., WP6508, WP 6510, WP6514, WP 6610, etc.), infringe the claims of the Clamp Patent.

COUNT I

PATENT INFRINGEMENT

7. Paragraphs 1-6 above, inclusive, are hereby incorporated herein by reference.

8. Defendants have used, sold or offered to sell, and will continue to use, sell or offer to sell, hangers that infringe each of the elements of one or more claims of the Clamp

Patent, without license from Plaintiff, in this judicial district and elsewhere throughout the United States.

9. By using, selling, and/or offering for sale their hangers, Defendants have directly and contributorily infringed, and will continue to directly and contributorily infringe, one or more claims of the Clamp Patent under 35 U.S. C. § 271 (a), (b), (c), and/or (f), literally and/or under the doctrine of equivalents.

10. By making, using, selling, and/or offering for sale its hangers, Defendants have induced infringement of, and will continue to induce infringement of, one or more claims of the Clamp Patent under 35 U.S. C. § 271 (b), and/or (f), literally and/or under the doctrine of equivalents.

11. On information and belief, Defendants' infringement of the Clamp Patent has been and continues to be willful and deliberate.

12. As a direct and proximate consequence of the acts and practices of Defendants, Plaintiff has been, is being and, unless such acts and practices are enjoined by the Court, will continue to be injured in its business and property rights, and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under 35 U.S.C. § 284.

13. As a direct and proximate consequence of its acts and practices, Defendants have also caused, is causing and, unless such acts and practices are enjoined by the Court, will continue to cause irreparable harm to Plaintiff for which there is no adequate remedy at law, and for which Plaintiff is entitled to injunctive relief under 35 U. S. C. § 283.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the entry of a judgment from this Court:

a. Declaring that United States Letters Patent 6,474,517 was duly and legally issued, is valid and is enforceable;

b. Declaring that Defendants have directly infringed, contributorily infringed, and/or

induced infringement of one or more claims of the Clamp Patent;

c. Declaring that Defendants have willfully infringed one or more claims of the Clamp Patent;

d. Deeming this to be an "exceptional" case within the meaning of 35 U.S.C. § 285, entitling Plaintiff to an award of its reasonable attorney fees, expenses and costs in this action; and

e. Preliminarily and permanently enjoining Defendants and their respective officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, from committing further acts of infringement under 35 U.S.C. § 271 of any one or more claims of the Clamp Patent pursuant to 35 U.S.C. § 283;

f. Awarding Plaintiff damages in accordance with 35 U.S.C. § 284;

g. Awarding Plaintiff its costs in connection with this action; and

h. Awarding Plaintiff such other and further relief as this Court may deem to be just and proper.

Dated: New York, New York
February 14, 2005

THE ACCESSORY CORPORATION

By: _____

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RECYCLED

United States Patent *6,474,517*
Sutton November 5, 2002

Clamp-type garment hanger

Abstract

A garment hanger includes a clamp having a pair of jaw members, wherein at least one jaw member is pivotable relative to the other between open and closed positions. The jaw members are provided with an arrangement of ridges, at least some of the ridges defining a plurality of teeth. The ridges are preferably arranged in three rows in each of the jaw members, and each row preferably extends substantially across the respective jaw member. Each of the ridges preferably has a rear wall which extends substantially perpendicular to the surface on which the ridges are located, and a front wall which extends from the surface on which the ridges are located to the rear wall such that each of the ridges in cross-section has a cuspid-like appearance. The clamp has been demonstrated to have superior gripping ability on denim jeans garments.

Inventors: **Sutton; Steven** (Brooklyn, NY)
Assignee: **The Accessory Corporation** (New York, NY)
Appl. No.: **891789**
Filed: **June 26, 2001**

Current U.S. Class: 223/96
Intern'l Class: A47G 025/48
Field of Search: 223/90,91,93,96,95,85

References Cited [Referenced By]

U.S. Patent Documents

2496531 Feb., 1950 Gray 223/96.
6019261 Feb., 2000 Morgan et al. 223/96.

6105836 Aug., 2000Batts et al. 223/96.
6119906 Sep., 2000 Bond et al. 223/96.
Primary Examiner: Mohanty; Bibhu
Attorney, Agent or Firm: Gordon; David P., Gordon; David S., Gallagher; Tom A.

Claims

What is claimed is:

1. A garment hanger, comprising:

a) a body;

b) a hook member coupled to said body from which said hanger can be suspended; and

c) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,

wherein each of said first and second jaw ends includes a plurality of substantially parallel elongate ridges extending transversely across respective said jaw ends, at least one of said ridges on each of said first and second jaw ends having a cuspid cross-sectional shape.

2. A garment hanger according to claim 1, wherein:

each of said first and second jaw ends includes front, middle, and back elongate ridges.

3. A garment hanger according to claim 2, wherein:

at least one of said elongate ridges comprises distinct teeth.

4. A garment hanger according to claim 3, wherein:

said front ridge of said first jaw end comprises four teeth, and said middle ridge of said first jaw end comprises five teeth.

5. A garment hanger according to claim 3, wherein:

said front ridge of said second jaw end comprises two teeth, and said middle ridge of said first jaw end comprises four teeth.

6. A garment hanger according to claim 1, wherein:
said ridges of said first jaw end are each of a different height, and said ridges of said second jaw end are each of a different height.
7. A garment hanger according to claim 1, wherein:
said ridges on said second jaw end are angled relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.
8. A garment hanger according to claim 1, wherein:
said ridges on said second jaw end are directed at said angle toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.
9. A garment hanger, comprising:
a) a body;
b) a hook member coupled to said body from which said hanger can be suspended; and
c) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,
wherein each of said first and second jaw ends includes exactly three substantially parallel elongate ridges extending transversely across respective said jaw ends, at least one of said elongate ridges on each of said first and second jaw ends comprising distinct teeth.
10. A garment hanger according to claim 9, wherein:
a front ridge and a middle ridge of each of said first and second jaw ends each comprises a plurality of teeth, and a back ridge of each of said first and second jaw ends each comprises a single elongate tooth.
11. A garment hanger according to claim 9, wherein:
a front ridge of said three ridges on said first jaw end comprises four teeth, and a middle ridge of said three ridges on said first jaw end comprises five teeth.
12. A garment hanger according to claim 9, wherein:

a front ridge of said three ridges on said second jaw end comprises two teeth, and a middle ridge of said three ridges of said first jaw end comprises four teeth.

13. A garment hanger according to claim 8, wherein:
said ridges of said first jaw end are each of a different height, and said ridges of said second jaw end are each of a different height.

14. A garment hanger according to claim 13, wherein:
a front ridge of said ridges on said first jaw has a first height, a middle ridge of said ridges on said first jaw has a second height, and a back ridge of said ridges on said first jaw has a third height, wherein said first height is smaller than said second height, and said second height is smaller than said third height.

15. A garment hanger according to claim 13, wherein:
a front ridge of said ridges on said second jaw has a first height, a middle ridge of said ridges on said second jaw has a second height, and a back ridge of said ridges on said second jaw has a third height, wherein said first height is smaller than said second height, and said second height is smaller than said third height.

16. A garment hanger according to claim 15, wherein:
said first height is 0.06-0.07 inch, said second height is approximately 0.07-0.09 inch, and said third height is approximately 0.13-0.014 inch.

17. A garment hanger according to claim 9, wherein:
said ridges on said second jaw end are angled relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.

18. A garment hanger according to claim 9, wherein:
said ridges on said second jaw end are directed toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.

19. A garment hanger according to claim 9, wherein:
each of said ridges has a cuspid cross-sectional shape.

20. A garment hanger, comprising:
a) a body;
b) a hook member coupled to said body from which said hanger can be suspended; and

c) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,
wherein each of said first and second jaw ends includes a plurality of substantially parallel elongate ridges extending transversely across respective said jaw ends, said ridges on said second jaw end being angled at an angle toward said second handle portion relative to a normal to a surface from which said ridges on said second jaw end extend.

21. A garment hanger according to claim 20, wherein:
said angle is between 1.degree. and 10.degree..

22. A garment hanger according to claim 20, wherein:
said ridges on said second jaw end are angled between 5.degree. and 25.degree. relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.

23. A garment hanger according to claim 20, wherein:
said ridges on said second jaw end are directed toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.

24. A garment hanger according to claim 20, wherein:
each of said teeth has a length of approximately 1/4 inch.

25. A garment hanger, comprising:
a) a body;
b) a hook member coupled to said body from which said hanger can be suspended; and
c) at least one clamp coupled said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other into a closed position,

wherein said first and second jaw ends each includes a plurality of substantially parallel elongate ridges extending transversely across said respective first and second jaw ends, said ridges on said second jaw end being angled at an angle relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position.

26. A garment hanger according to claim 25, wherein:
said ridges on said second jaw end are directed toward a front base of each of said ridges on said first jaw end when said first and second jaw ends are in said closed position.

27. A garment hanger according to claim 25, wherein:
said angle is 5.degree. to 25.degree..

28. A garment hanger according to claim 25, wherein:
said angle is approximately 12.degree..

29. A denim jeans garment and garment hanger assembly, comprising:
a) a denim jeans garment; and
b) a garment hanger, including,
i) a body;
ii) a hook member coupled to said body from which said hanger can be suspended, and
iii) at least one clamp coupled to said body, said clamp having a base member having a first handle portion and a first jaw end, a lever member movable relative to said base member and having a second handle portion and a second jaw end, and a clip coupling said base member and said lever member together such that said first and second jaw ends are urged toward each other,
wherein each of said first and second jaw ends includes a plurality of substantially parallel elongate ridges molded integrally with said respective jaw ends and extending transversely across respective said jaw ends, at least one of said ridges on each of said first and second jaw ends having a pointed cross-sectional shape, and each of said ridges on each of said respective jaw ends having a different height from the others,
wherein said ridges on said first jaw end are offset relative to said ridges on said second jaw end when said garment is provided in said clamp and said jaw ends are in a closed position, about said garment.

Description

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to clamp-type garment hangers. More specifically, the present invention relates to a pinch clamp for securing a garment, and particularly denim jeans, to a garment hanger.

2. State of the Art

Clamp-type garment hangers having at least one clamp are well-known for the suspension or hanging of garments such as pants, skirts, etc. The "pinch-type" clamp is a variety of clamp which has a clamp end having a pair of opposed clamp or jaw members between which a portion of the garment is secured, and a handle portion having a pair of spaced apart handles. Provision is made for biasing the jaw members towards each other to create the clamping force necessary to retain an a garment between inner surfaces of the jaw members. The jaw end of the clamp is hinged to the handle portion such that squeezing or pinching the handles toward one another, i.e., to reduce the space between the handles, causes the jaw members to open to receive or release a garment. To further retain the garment between the inner surfaces of the members, the clamp or jaw members typically also include inner surfaces gripping elements or friction increasing surfaces.

An example of a pinch-type clamp hanger is shown in U.S. Pat. No. 5,398,854 to Blanchard, which describes a hanger with a clamp having a jaw end, a handle portion at an opposite end from the jaw end, and a hinge point between the two ends. The jaw ends are provided with resilient friction pads to engage a garment provided in the clamp. A C-shaped spring clip provides the means for biasing the jaws to a closed position. Another exemplar pinch-type clamp hangers is shown in U.S. Pat. No. 4,395,799 to Batts. This clamp hanger has two sets of toothed elements on the inside of one of the jaws, which surround a single toothed element on the other of the jaws to secure a garment in the clamp of the hanger.

While the known pinch-type clamp hangers are useful in holding a variety of garments, all the known pinch-type clamp hangers fail at adequately holding denim jeans. The denim of jeans can be relatively thick and heavy, and due to the weight and characteristics of the denim material, jeans tend to be prematurely released from the currently available clamps. When garments are prematurely released from a hanger, garments may be lost or damaged, or the garments must be re-hung in a time consuming process.

SUMMARY OF THE INVENTION

It is therefore an object of the invention to provide a pinch-type garment clamp for a garment hanging device which does not release a jeans garment accidentally during shipping, transportation or handling.

It is another object of the invention to provide a pinch-type garment clamp which retains a jeans garment more securely.

It is a further object of the invention to provide a pinch-type garment clamp which readily permits release of the garment when desired.

It is also an object of the invention to provide a secure clamp for a garment hanging device which is inexpensively and easily manufactured.

In accordance with the preferred embodiment, a hanger has at least one clamp which includes a handle portion connected to a pair of jaw members, wherein at least one jaw member is pivotable relative to the other. The jaw members are capable of being in a closed position where one jaw member is urged towards the other jaw member sufficiently to secure a garment, and an open position where one jaw member is pivoted away from the other jaw member to receive or release the garment. The jaw members are provided with an arrangement of ridges, at least some of which define a plurality of teeth. The ridges are preferably arranged in three rows in each of the jaw members, and each row preferably extends substantially across the respective jaw member. In a first jaw member, a front ridge preferably defines four teeth, a second ridge preferably defines five teeth, and a third ridge preferably defines one elongate tooth. In a second jaw member, a front ridge preferably defines two teeth, a second ridge preferably defines four teeth, and a third ridge preferably defines one elongate tooth.

When the jaw members are in the closed position, the front ridge of the second jaw member is directed toward the base of the front ridge of the first jaw member, the second ridge of the second jaw member is directed toward the base of the second ridge of teeth of the first jaw member, and the third ridge of the second jaw member is directed toward the base of the third ridge of the first jaw member. Each of the ridges preferably hasa rear wall which extends substantially perpendicular to the surface on which the respective ridge is located, and a front wall which extends from the surface on which the respective ridge is located to the rear wall such that each of the ridges in cross-section has a cuspid-like appearance.

The clamp of the hanger has been demonstrated to have superior gripping ability on denim jeans garments, but may be useful to securely grip other garments.

Additional objects and advantages of the invention will become apparent to those skilled in the art upon reference to the detailed description taken in conjunction with the provided figures.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a front view of a garment hanger having a clamp according to the invention at each end of a hanger body;

FIG. 2A is a sectional view of the garment clamp according to the invention taken along line 2--2 in FIG. 1, with the jaw members in a fully closed position;

FIG. 2B is a sectional view of the garment clamp according to the invention taken along line 2--2 in FIG. 1, with the jaw members in a fully open position;

FIG. 2C is a sectional view of the garment clamp according to the invention taken along line 2--2 in FIG. 1, with the jaw members shown closed on a portion of a denim jeans garment;

FIG. 3 is a broken front view of an inside of a first jaw member of the garment clamp according to the invention shown attached to a part of a hanger body;

FIG. 4 is bottom view of the first jaw member shown in FIG. 3, shown attached to a part of a hanger body;

FIG. 5 is broken rear view of an inside of a second jaw member of the garment clamp according to the invention;
FIG. 6 is bottom view of the second jaw member shown in FIG. 5; and
FIG. 7 is an enlarged broken side view of the left clamp in FIG. 1 in a closed position.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Referring now to FIG. 1, a garment hanger 10 includes a hanger body 12 having at each end a pinch-type clamp 14. Garment hanger 10 includes a partial loop or hook member 16, which may be formed from plastic or metal wire or any other appropriate material. The partial loop or hook member may be secured via threads 17 to the body 12, as shown, or may be integrally formed from the same material as body 12, or may be connected to the body in any other manner. The body 12 is preferably made from any number of well known plastic or resin materials, such as "k"-resin, polystyrene, polypropylene, polyethylene, styrene-butadiene copolymers and blends, polycarbonates, and combinations thereof.

Referring now to FIGS. 1 and 2A, the clamps 14 are preferably formed from the same material as the body 12. Each clamp 14 has a base member 16 which is preferably integrally formed with the body, and a lever member 18 movable relative thereto. The base member 16 includes a handle portion 20 and a jaw end 22, and the lever member 18 includes a handle portion 24 which is opposite handle portion 20, and a jaw end 26 which is positioned opposite jaw end 22. The lever member 18 is pivotally supported on the base member 16 along a pivot wall 28 extending between two supports 27, 29 on the base member 16. The pivot wall 28 is received in a pivot groove 30 on the back of lever member 18. A C-shaped spring clip 32, preferably made of metal, is dimensioned to receive a portion of the base member 16 and a portion of the lever member 18 and is positioned over those portions such that facing inner surfaces of the spring clip 32 bear against outwardly facing surfaces 34, 36 of the base member 16 and the lever member 18, respectively. A front end of the spring clip 32 has a flange 38 that engages within an aperture 40 in the lever member 18 to secure the spring clip 32 to the lever member. A rear end of the spring clip 32 has a tab 46 which engages a strut 48 spanning an aperture 50 in the base

member 16 to secure the spring clip to the base member. The spring clip 32 urges the lever member jaw end 26 towards the base member jaw end 22.

Turning now to FIGS. 2B through 6, according to the invention, each jaw end 22, 26 is provided with a ridged gripping surface 58, 60, respectively, each including an arrangement of three substantially parallel rows of ridges (numbered below). The ridges extend substantially across the respective jaw members in a direction parallel to both the body 12 and the pivot axis of the base and lever members 14, 16. In the jaw end 22 of basemember 16, a front ridge 62 is preferably comprised of four relatively smaller elongate teeth 64, 66, 68, 70, a middle ridge 72 is preferably comprised of five-relatively smaller elongate teeth 74, 76, 78, 80, 82, and a back ridge 84 preferably is one elongate tooth. In the jaw end 26 of the lever member 18, a front ridge 86 is preferably comprised of two relatively smaller elongate teeth 88, 90, a middle ridge 92 is preferably comprised of four relatively smaller elongate teeth 94, 96, 98, 100, and a back ridge 102 preferably is one elongate tooth. Each of the teeth of a particular ridge are separated from adjacent teeth by V-shaped grooves (or slots) 103 in the ridge. With respect to the middle ridges 72, 92, the grooves 103 are offset such that they do not align when the clamp 14 is in a closed or partially closed position; i.e., the grooves 103 between teeth 74 and 76, 76 and 78, 78 and 80, etc. are located adjacent teeth 94, 96, 98, and 100, and the grooves 103 between teeth 94 and 96, 96 and 98, and 98 and 100 are located adjacent teeth 76, 78, and 80. Each of the ridges, e.g., ridge 102, preferably has a rear wall 104 which extends substantially perpendicular to the surface 60 from which the ridge extends, and a front wall 106 which extends from the surface 60 and curves toward the rear wall 104 such that the ridge in cross-section (FIGS. 2 and 2B) has a cuspid-like appearance.

Each of the smaller teeth 64, 66, 68, 70, 74, 76, 78, 80, 82, 88, 90, 94, 96, 98, and 100 preferably has the same length, approximately 1/4 inch. The height of front ridges 62, 86 is preferably approximately 0.06-0.07 inch, the height of the middle ridges 72, 92 is preferably approximately

0.07-0.09 inch, and the height of the back ridges 84, 102 is preferably approximately 0.13-0.014 inch.

The front and middle ridges 62, 72 on the base member 16 are separated by preferably approximately 0.12 inch, as are the front and middle ridges 86, 92 on the lever member 18. The middle and back ridges 72, 84 on the base member 16 are also separated by preferably approximately 0.12 inch, as are the middle and back ridges 92, 102 on the lever member 18.

Referring now to FIG. 7, the surface 60 on the jaw end 26 of lever member 18 is angled at an angle .alpha. relative to the surface 58 on the jaw end 22 of the base member 16. When the jaw ends are in the closed position (FIG. 2A), angle .alpha. is preferably between 50 and 25.degree., and more preferably approximately 12.degree.. In addition, while it was previously stated that the rear walls of the ridges are substantially perpendicular to the clamp surfaces, each of the ridges of lever 18 preferably angle backward relative to a normal to surface 60 by a small angle .beta. which is between 10 and 100, and most preferably approximately 3.degree.. These relative angles .alpha. and .beta., as well as the ridge configuration provide that when the base and lever members 16, 18 are in the fully closed position, the front ridge 86 of the lever member 18 is directed toward a front base 110 of the front ridge 62 of the base member 16, the middle ridge 92 of the lever member 18 is directed toward a front base 112 of the middle ridge 72 of the base member, and the back ridge 102 of the lever member 18 is directed toward a front base 114 of the back ridge 84 of the base member. In each case, in the fully closed position, the ridges of lever 18 preferably contact (or nearly contact) the ridges of the base 16 at an angle of between 6.degree. and 35.degree. (and most preferably approximately 15.degree.) when the clamp is fully closed.

In use, jaw ends 22, 26 are spread apart by application of pressure to the handle portions 20, 24 sufficient to overcome the bias of the spring clip 32. With the jaw ends spread, a garment such as denim jeans can be received between the jaw ends or released from between the gripping surfaces of the jaw ends. Referring to FIG. 2C, to secure a garment 120 in the clamp 14, a part of the garment is positioned between the gripping surfaces 28, 30 of the jaw ends 22, 26, the handle portions 20, 24 are

released, and the gripping surfaces are allowed to come together under the urging of the spring clip 32 and contact the garment 120. With a typical pair of denim jeans, when the clamp is closed about the jeans, ridges 62, 72 and 84 are offset from ridges 86, 92, 102. The shape and configuration of the ridges provide a superior gripping ability on denim jeans garmentsand prevent the premature release of a garment from the hanger, thereby eliminating the loss, damage and time required to re-hang garments when garments are prematurely released. While having excellent ability to securely hold a garment, the clamps of the hanger also permit ready release of the garment from the hanger clamp when desired, and do not damage the denim garment while holding it.

There have been described and illustrated herein several embodiments of clamp for a garment hanging device. While particular embodiments of the invention have been described, it is not intended that the invention be limited thereto, as it is intended that the invention be as broad in scope as the art will allow and that the specification be read likewise. Thus, while three ridges are preferred, it will be appreciated that two ridges or more than three ridges may be used. Also, while particular dimensions and relative angles are provided for the ridges, it will be appreciated that other dimensions and relative angles may be used. In addition, while the clamp is shown securely attached to the hanger body as an integral part of hanger body, it will be understood that this attachment method is merely illustrative of the most cost effective method of manufacturing a sturdy, attractive hanger. Furthermore, the clamp may alternatively be made separately from a material that is the same or different from the material of hanger body, and may be fixedly or movably attached to the hanger body by known means or methods. Moreover, the clamp may also be attached to hanger body by one or more intervening elements, such as, for example, a bar or rod (not shown) supported below hanger body. It will therefore be appreciated by those skilled in the art that yet other modifications could be made to the provided invention without deviating from its spirit and scope as claimed.

* * * * *

Index No. Year RJI No. Hon.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

The Accessory Corporation

Plaintiffs,

-against-

Spotless Plastics Pty, Ltd. a/k/a Plasti-Form, a/k/a Plasti-Form Spotless Group,

Defendants.

JURY TRIAL DEMANDED

GOLDBERG, RIMBERG & FRIEDLANDER, PLLC
BY: Robert L. Rimberg, Esq.
Attorney for Plaintiff
Office and Post Office Address, Telephone
115 BROADWAY - 3RD FLOOR
NEW YORK, NEW YORK 10006
(212) 697-3250

To Signature (Rule 130-1.1-a)

Print name beneath

Attorneys for

Service of a copy of the within is hereby admitted.

Dated,

Attorneys for

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

United States District Court

SOUTHERN DISTRICT OF NEW YORK

THE ACCESSORY CORPORATION

Judge Casey

SUMMONS IN A CIVIL CASE

CASE NUMBER:

SPOTLESS PLASTICS PTY., LTD. a/k/a PLASTI-FORM a/k/a PLASTI-FORM SPOTLESS GROUP

05 CV 2185

ECF CASE

TO: (Name and address of defendant)

SPOTLESS PLASTICS PTY., LTD. a/k/a PLASTI-FORM a/k/a PLASTI-FORM SPOTLESS GROUP
150 MOTOR PARKWAY
HAPPAUGE, NY 11788

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

GOLDBERG, RIMBERG & FRIEDLANDER, PLLC
ATTN.: ROBERT L. RIMBERG
115 BROADWAY, 3rd FLOOR
NEW YORK, NEW YORK 10006

an answer to the complaint which is herewith served upon you, within THIRTY (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

FEB 16 2005

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE

Service of the Summons and Complaint was made by me[1]	DATE
NAME OF SERVER *(PRINT)*	TITLE

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☐ Other *(specify)*: _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

_____
Signature of Server

_____
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Exhibit C

US005398854A

United States Patent [19]

Blanchard

[11] **Patent Number: 5,398,854**

[45] **Date of Patent: Mar. 21, 1995**

[54] **ADJUSTABLE GARMENT HANGER**

[75] Inventor: **Russell O. Blanchard**, Zeeland, Mich.

[73] Assignee: **Batts, Inc.**, Zeeland, Mich.

[21] Appl. No.: **161,637**

[22] Filed: **Dec. 3, 1993**

[51] Int. Cl.[6] **A47G 25/48**

[52] U.S. Cl. **223/96**; 223/85; 223/93

[58] Field of Search 223/85, 96, 95, 93, 223/91, 90; 211/113; D6/315, 326, 323

[56] **References Cited**

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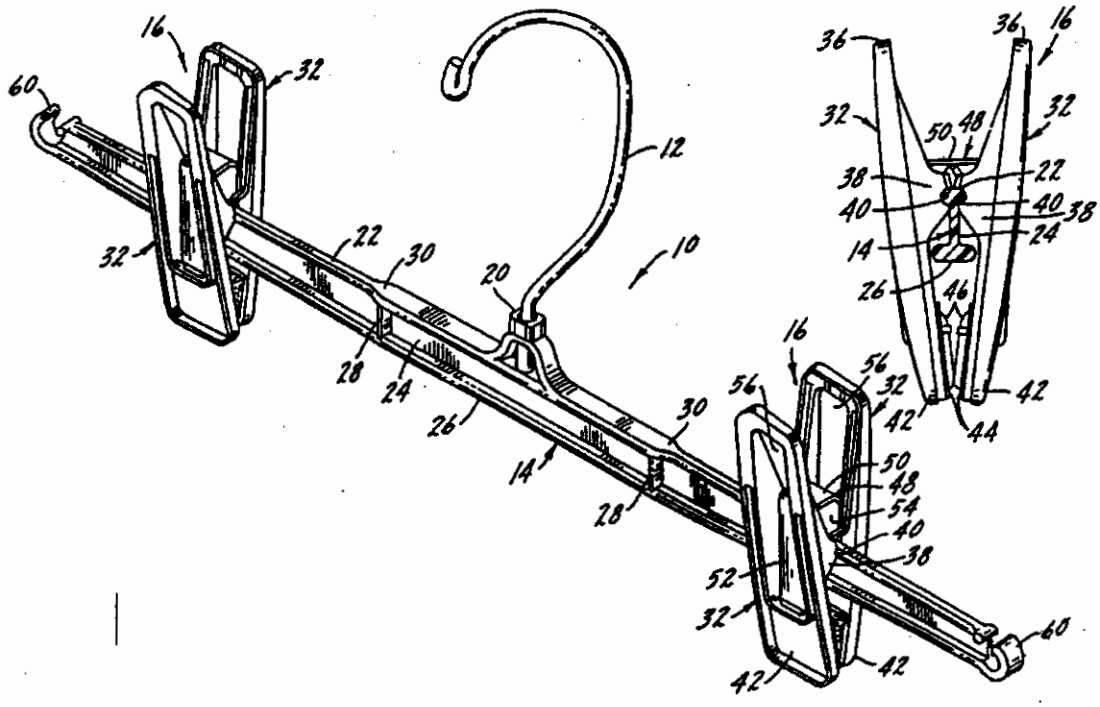
Primary Examiner—Clifford D. Crowder
Assistant Examiner—Bibhu Mohanty
Attorney, Agent, or Firm—Baker & McKenzie

[57] **ABSTRACT**

An improved plastic, clamp-style garment hanger is provided. The hanger provides two clamps disposed on an I-beam-like crossbar on opposing sides of a hook. The lateral positions of the clamp are adjustable. The spring-clip that biases the garment engaging surfaces of the clamps together also provides frictional engagement between the clamps and the upper ridge of the crossbar. Hooks disposed at either end of the crossbar are suitable for engaging straps and also limit the outward lateral position of the clamps. Steps or stacking ribs disposed adjacent to the hook limit the inward lateral movement of the clamps. The spring bias of the spring-clip against the clamps resists clamp creep under the weight of a heavy garment.

21 Claims, 3 Drawing Sheets



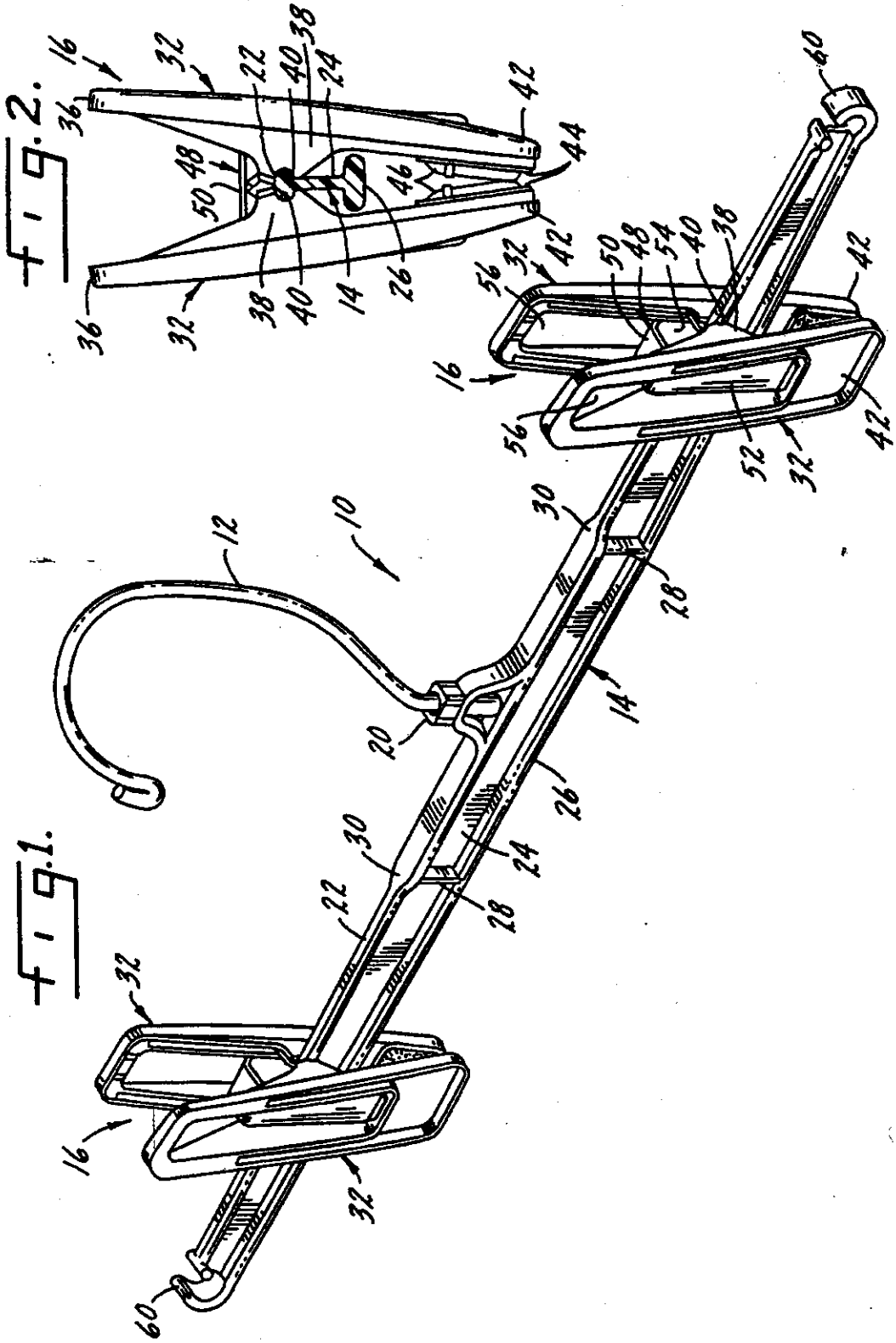


FIG. 1.

FIG. 2.

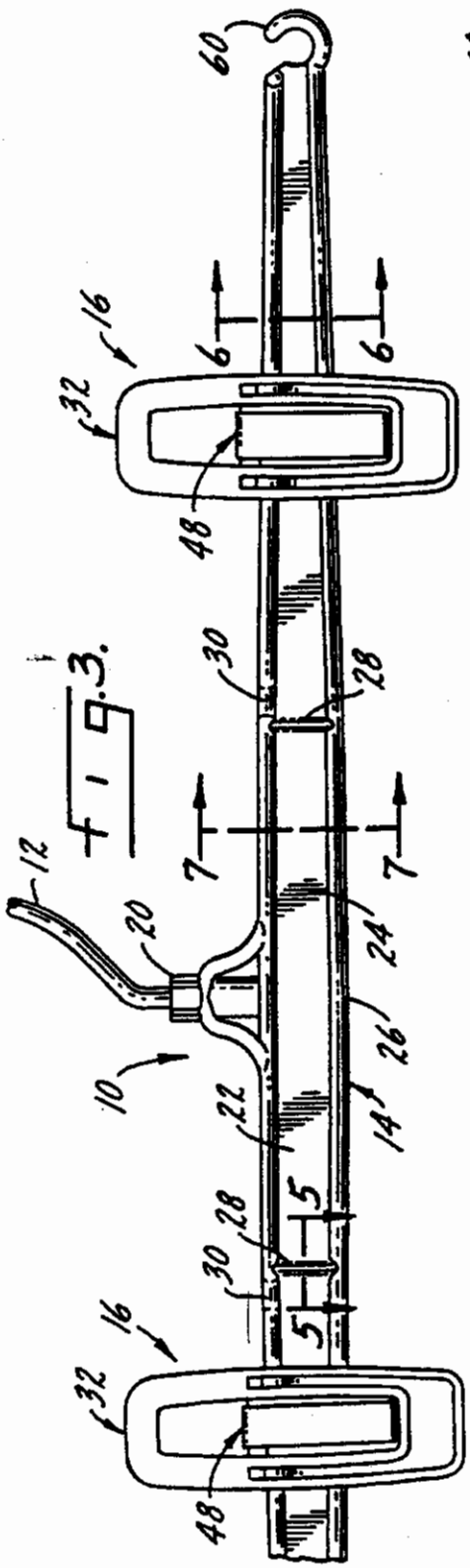


FIG. 3.

FIG. 4.

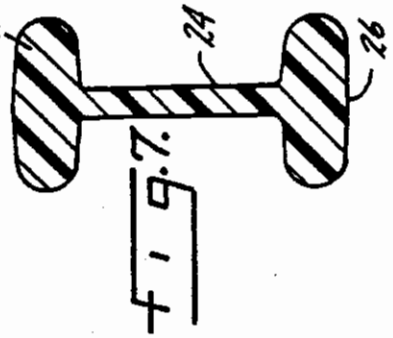


FIG. 7.

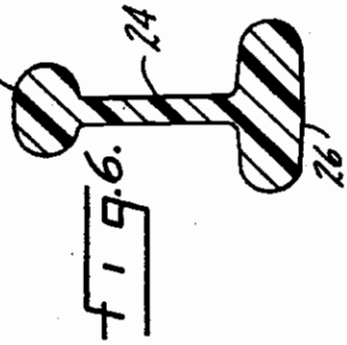


FIG. 6.

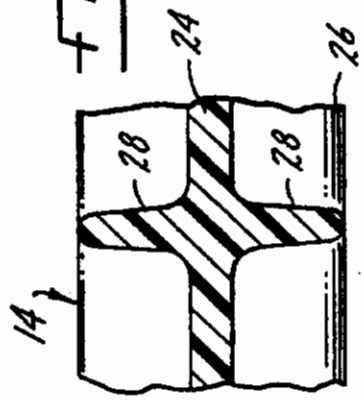


FIG. 5.

Fig.8.

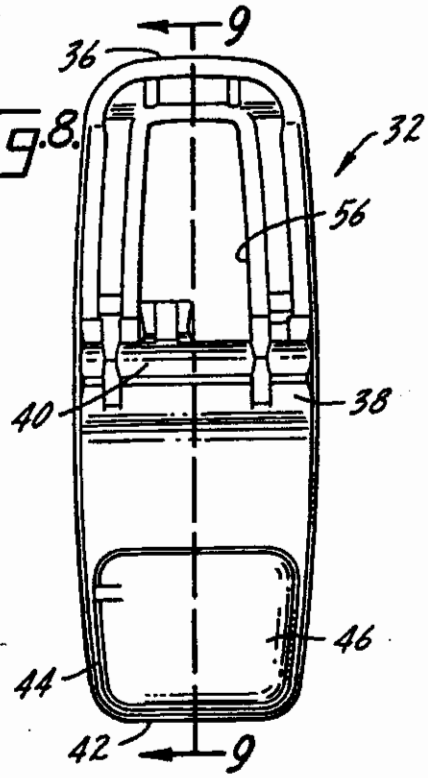


Fig.9.

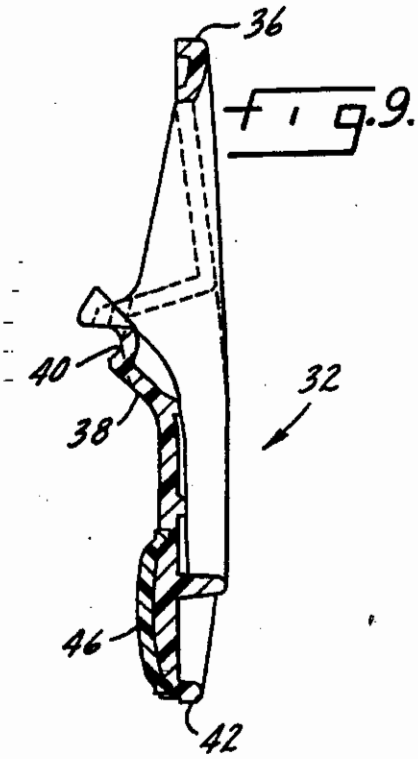


Fig.10.

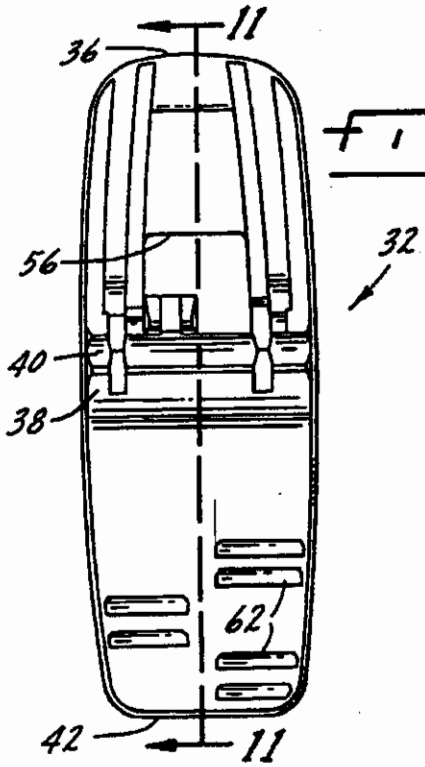
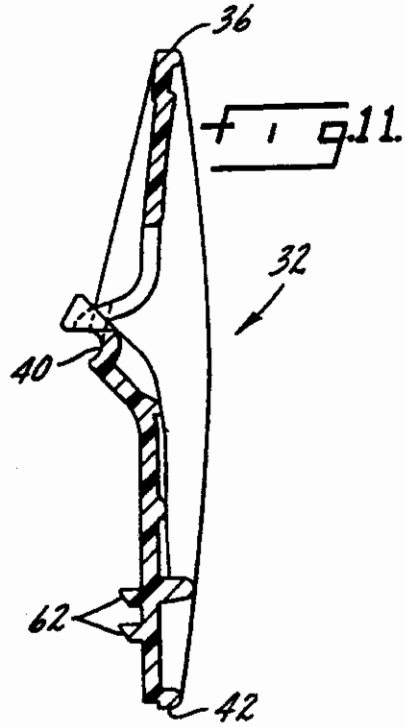


Fig.11.



ADJUSTABLE GARMENT HANGER

FIELD OF THE INVENTION

This invention relates generally to garment hangers and more specifically to clamp-type garment hangers. The garment hanger of the present invention includes improved laterally adjustable clamps.

BACKGROUND OF THE INVENTION

Clamp-type garment hangers, that is garment hangers featuring a crossbar with two clamps disposed at opposing ends thereof, are well-known. Further, clamp-type garment hangers with clamps whose position along the crossbar is laterally adjustable are also known. However, the means for adjusting the lateral position of the clamps along the crossbar has been relatively ineffective and the present invention makes a significant contribution to that effect.

The contribution made by the present invention can be best understood after consideration of the prior art. The first garment hangers equipped with laterally adjustable clamps included a wire or metal crossbar with two metal pinch clips disposed around the crossbar. To avoid the possibility of the clips creeping along the crossbar under the weight of the garment, the frictional engagement between the clips and the crossbar was significant, making it difficult for the consumer to adjust the position of the clips along the crossbar. However, if the portion of the clips that engage the crossbar became loose or worn, the clips moved too easily along the crossbar and the garment would not hang properly. Specifically, if a pair of pants is hung from the pant cuffs from a crossbar, it is highly desirable to stretch the cuff tight between the two clips. For the consumer, this position tends to avoid wrinkling of the pants during storage in the closet. For the retailer, this position is essential for an aesthetically appealing display of the garment in the retail setting.

Plastic clamp-type garment hangers are also known. Further, garment hangers comprised of plastic crossbars and plastic clamps with laterally adjustable clamps are also known. However, the currently available laterally adjustable plastic clamps are not convenient to use or aesthetically appealing from a retail standpoint. Some plastic clamps engage the garment and crossbar so tightly that they cannot be moved once they assume the clamping position. Other plastic clamps are too loose and are disposed to creep as discussed above.

Accordingly, there is a need for a plastic clamp-style garment hanger that is aesthetically appealing and therefore useful in the retail setting and further that includes laterally adjustable clamps that are convenient to use but are not disposed to creeping along the crossbar under the weight of heavy garments such as wool slacks.

SUMMARY OF THE INVENTION

The present invention makes a significant contribution to the garment hanger art by providing an improved clamp-style garment hanger with laterally adjustable clamps that are easy to use and easy to adjust. The hanger includes a hook or hang means connected to a middle or central portion of a plastic crossbar. The crossbar includes two ends and an upper ridge that extends forward and rearward. For aesthetic or structural purposes, the crossbar may include a lower ridge and therefore be configured similar to a I-beam. However, the lower ridge is not a necessary element of the present invention.

The hanger also includes two garment clamps, one slidably connected to each side of the crossbar on opposing sides of the hook. The clamps pivotally engage the upper ridge of the crossbar by providing a front and rear jaw, each with a detent disposed at the middle portion of the jaw for engaging the upper ridge of the crossbar. Specifically, the detent disposed at the middle portion of the front jaw engages the portion of the upper ridge that extends forward. The detent disposed at the middle portion of the rear jaw engages the portion of the upper ridge extending rearward.

Each jaw also includes a lower clamping surface and an upper end which serves as a finger or thumb grip for opening and closing the clamp. A U-shaped spring clip biases the lower clamping surfaces of the front and rear jaws together. The clip includes a front leg disposed in a slot extending down the outer surface of the front jaw and a rear leg disposed in a slot extending down a rear surface of the rear jaw. The U-shaped upper end of the clip passes through and is disposed between slots in the upper ends of the front and rear jaws.

The detents disposed in the central portions of the front and rear jaws as well as the upper ridge of the crossbar are disposed below the U-shaped upper end of the U-shaped clip. The clip firmly biases the detents of the jaws against the upper ridge of the crossbar but not so firmly as to preclude lateral adjustment of the clamps with relative ease. In one preferred embodiment, a rounded hook with a relatively smooth outer surface is disposed at either end of the crossbar. The hook comfortably engages the palm of the hand when fingers are used to grasp and pull the clamp laterally outward toward the hook. Further, the clamp may be easily moved laterally inward by grasping the crossbar with one hand disposed on the opposing side of the hook and pushing the clamp toward the hook with the other hand. The force required for lateral adjustment of the clamp is not great, but is sufficient enough so as to preclude clamp creep when a heavy garment is suspended from the two clamps.

Also in the preferred embodiment, the upper ridge includes a means for limiting lateral inward movement of the clamps. Said means may take three principal forms. First, two vertical stacking ribs may be disposed on either side of the hook. The ribs extend outward from each side of the wall of the crossbar disposed below the upper ridge. The middle portion of the jaws where the detents are connected to the jaws engages the vertical ribs to limit the lateral inward movement of the clamps.

A second form of limiting the lateral inward movement of the clamps includes two outward steps in the upper ridge of the crossbar disposed on either side of the hook. The steps extend outward in both the front and rear directions and engage the detents of both the front and rear jaws to preclude further laterally inward movement of the clamp.

A third means for precluding laterally inward movement of the clamps would be to gradually taper the upper ridge outward as the ridge approaches the hook. The frictional engagement between the detents and the ridge would increase due to the bias imposed by the U-shaped clip as the upper ridge widens thereby effectively limiting the inward movement of the clamps.

It is therefore an object of the present invention to provide an improved clamp-style garment hanger with laterally adjustable clamps.

Yet another object of the present invention is to provide an improved clamp-type garment hanger that is aesthetically pleasing as well as easy to use.

BRIEF DESCRIPTION OF THE DRAWINGS

This invention is illustrated more or less diagrammatically in the accompanying drawings, wherein:

FIG. 1 is a perspective view of a garment hanger made in accordance with the present invention;

FIG. 2 is side elevation of a garment hanger clamp made in accordance with the present invention;

FIG. 3 is a partial front view of the garment hanger shown in FIG. 1;

FIG. 4 is a top view of the crossbar of the garment hanger shown in FIG. 3, the hook being removed;

FIG. 5 is a sectional view taken substantially along line 5—5 of FIG. 3;

FIG. 6 is a sectional view taken substantially along line 6—6 of FIG. 3;

FIG. 7 is a sectional view taken substantially along line 7—7 of FIG. 3;

FIG. 8 is an elevational view of a jaw of a clamp made in accordance with the present invention;

FIG. 9 is a sectional view taken substantially along line 9—9 of FIG. 8;

FIG. 10 is an elevational view of a jaw of an alternative clamp made in accordance with the present invention; and

FIG. 11 is a sectional view taken substantially along line 11—11 of FIG. 10.

It should be understood that the drawings are not necessarily to scale and that the embodiments are sometimes illustrated by graphic symbols, phantom lines, diagrammatic representations and fragmentary views. In certain instances, details which are not necessary for an understanding of the present invention or which render other details difficult to perceive may have been omitted. It should be understood, of course, is not necessarily limited to the particular embodiments illustrated herein.

DETAILED DESCRIPTION OF THE INVENTION

Like reference numerals will be used to refer to like or similar parts from Figure to Figure in the following description of the drawings.

Turning to FIG. 1, the garment hanger 10 includes a hook 12 mounted along a central portion of a crossbar 14. Two clamps both indicated at 16 are disposed on opposing sides of the hook 12. The hook 12 is pivotally mounted in a hollow boss indicated at 20. Other means for attaching the hook 12 to the crossbar 14 will be apparent to those skilled in the art. Further, a metallic hook similar to the one shown at 12 in FIG. 1 is not required, the hook may be plastic and may be molded integrally with the crossbar 14 or other hanging means may be provided, such as theft-proof hanging means employed in many hotels.

The crossbar 14 includes an upper ridge 22 disposed on top of a wall 24. A lower ridge 26 is disposed at the lower side of the wall 24. Vertical stacking ribs indicated at 28 are provided for strength as well as a means to preclude laterally inward movement of the clamps 16 inward past the ribs 28 and toward the hook 12. Further, the enlarged portions or steps in the upper ridge shown at 32 preclude further inward lateral movement of the clamps.

Turning to FIG. 2, a clamp 16 is illustrated. The clamp 16 includes a front and rear jaws both of which may be identical as in the case of the embodiment shown in FIG. 2. Accordingly, both jaws are indicated at 32. Further, because the front jaw 32 and rear jaw 32 are identical in configuration and all like parts will be similarly numbered. The upper ends 36 may be ergonomically configured to accommodate finger or thumb grips. The central portion 38 includes a C-shaped detent 40 (see FIGS. 9 and 11) that pivotally engages the upper ridge 22 of the crossbar 14. As seen in FIG. 2, the lower ridge 26 of the crossbar 14 does not engage either the front jaw 32 or rear jaw 32 but does add to the structural integrity of the crossbar 14. The lower end 42 of the each jaw 32 includes a garment engaging surface 44. In the embodiment illustrated in FIG. 2, the garment engaging surface 44 accommodate a resilient friction pad 46. The lower ends 42 of the front and rear jaws 32 are spring-biased together by the U-shaped clip 48 of which the U-shaped upper end 50 is partially illustrated in FIG. 2.

Returning to FIG. 1, the U-shaped clip 48 includes an upper end 50, a front leg 52 and rear leg 54. The front leg 52 and rear leg 54 are accommodated in the slots 56 disposed in the front jaw 32 and rear jaw 32 respectively. The front leg 52 and rear leg 54 of the U-shaped clip 48 are spring-biased toward one another and accordingly, spring-bias the lower ends 42 of the jaws 32 toward each other.

Turning to FIG. 3, the lateral adjustability of the clamps 16 is illustrated. Either clamp 16 may be moved laterally inward toward the hook 12 until the C-shaped detent 40 (see FIGS. 9 and 11) engages either the step 32 disposed in the upper ridge 22 of the crossbar 14 or until the C-shaped detent 40 engages the rib 28. The hook illustrated at 60 serves at least two purposes. First, the hook 60 may accommodate straps of garments such as lingerie. Further, the hook 60 includes a flat configuration (see FIG. 1) that is accommodated comfortably in the palm of the hand if one were to grab the clamp 18 and pull it outward toward the hook 60 with one's fingers. Thus, a sharp end to the crossbar 14 is not preferred and would preclude the easy outward lateral adjustment provided by the grasping motion illustrated above.

Turning to FIGS. 4, 6 and 7, the effect of the step 32 is illustrated. The relative width of the upper ridge 22 at line 6—6 is illustrated in FIG. 6. The width of the upper ridge 22 illustrated in FIG. 6 enables the clamp 18 to be adjusted laterally with relative ease. However, on an opposing side of the step 32 at line 7—7, the upper ridge is much wider and cannot be accommodated between the C-shaped detents due to the spring-bias of the U-shaped clip 48. Accordingly, the inward lateral movement of the clamps 16 may be limited by widening the upper ridge 22. Another way to limited the inward lateral movement of the clamps 16 is illustrated in FIG. 5. Specifically, ribs such as those shown at 28 may be disposed on opposing sides of the wall 24 of the crossbar 14. As shown in FIG. 3, the ribs 28 extends between the lower ridge 26 and upper ridge 22 or step 32.

Turning to FIGS. 8 through 11, two embodiments of a jaw 32 are illustrated. Other configurations of the jaw 32 will be apparent to those skilled in the art. Turning first to FIG. 8, the jaw includes a resilient friction pad 46 accommodated at a lower clamping surface 44 dis-

posed at the lower end 42 of the jaw 32. The detent 40 disposed in the middle portion 38 of the jaw 32 accommodates the upper ridge 22 of the crossbeam 14. The U-shaped clip 48 is inserted through the slot 56, Referring not to FIG. 9, the upper end 36 of the jaw 32 may be reconfigured to provide a more ergonomically designed thumb grip or finger grip. FIGS. 10 and 11 illustrate a jaw 32 with teeth 62 opposed to a resilient pad 46. Still other jaw configurations will be apparent to those skilled in the art.

Thus, an improved plastic clamp-style garment hanger 10 is provided. Preferably, the crossbar 14 is fabricated from plastic and may be provided in a variety of colors or clear plastic. The plastic clamps 16 are also aesthetically designed for the satisfaction of retailers. The frictional engagement between the C-shaped detents 40 and the upper ridge 22 of the crossbar 14 avoids clamp creep yet enables the clamps 16 to be moved relatively easily. The garment hanger 10 illustrated is easy to use and is thereby suitable for home use and further is aesthetically appealing which is required by retail establishments.

Although only two embodiments of the present invention have been illustrated and described, it will at once be apparent to those skilled in the art that variations may be made within the spirit and scope of the present invention. Accordingly, it is intended that the scope of the present invention be limited solely by the scope of the hereafter appended claims and not by any specific wording in the foregoing description.

I claim:

1. A laterally adjustable clamp-type garment hanger comprising:

a hang means;

the hang means connected to a central portion of a crossbar, the crossbar including two ends, the crossbar further including a wall connected to an upper ridge, the upper ridge and the wall connecting the two ends of the crossbar, the upper ridge extending frontward and rearward from the wall;

two garment clamps slidably and pivotally engaging the upper ridge of the crossbar on opposing sides of the hang means, each clamp including

a front jaw and a rear jaw, each jaw including a lower clamping surface, an upper end and a central portion disposed therebetween, the lower clamping surface of the front jaw being spring biased toward the lower clamping surface of the rear jaw by a U-shaped clip,

the U-shaped clip including a front leg and a rear leg connected together at a U-shaped upper end, the front leg being accommodated in a slot disposed in a front outer surface of the front jaw, the rear leg being accommodated in a slot disposed in a rear outer surface of the rear jaw, the U-shaped upper end being disposed between the upper ends of the front and rear jaws,

the central portion of the front jaw including a plurality of detents for pivotally engaging a front end of the upper ridge of the crossbar, the central portion of the rear jaw including a plurality of detents for pivotally engaging a rear end the upper ridge of the crossbar,

the detents of the front and rear jaws of each clamp being capable of sliding laterally along the upper ridge of the crossbar.

2. The garment hanger of claim 1,

wherein the lower clamping surfaces of the front and rear jaws include teeth for gripping a garment.

3. The garment hanger of claim 1,

wherein the lower clamping surfaces of the front and rear jaws carry at least one resilient pad,

a first side of the resilient pad being secured to and carried by the lower clamping surface, a second side of the resilient pad being presented for contact with a garment to be hung from the hanger,

the resilient pad being fabricated from resilient friction material.

4. The garment hanger of claim 1,

wherein the upper ridge includes means for precluding laterally inward movement of the clamps beyond stop points disposed on opposing sides of the hang means.

5. The garment hanger of claim 4,

wherein the means for precluding laterally inward movement of the clamps includes two vertical ribs disposed on opposing sides of the crossbar, the ribs precluding sliding of the clamps inward past the ribs toward the hang means.

6. The garment hanger of claim 4,

wherein the means for precluding laterally inward movement of the clamps includes two outwardly protruding steps disposed on the upper ridge on opposing sides of the hang means, the steps precluding sliding of the clamps inward past the steps toward the hang means.

7. The garment hanger of claim 1,

wherein the means for precluding laterally inward movement of the clamps includes the upper ridge being tapered outward away from the wall as the upper ridge nears the hang means and the upper ridge is tapered inward toward the wall as the upper ridge nears the ends of the crossbar.

8. The garment hanger of claim 1,

wherein the upper ridge includes two outwardly protruding stops, one stop disposed adjacent to each end of the crossbar to preclude the sliding of the clamps off of the crossbar.

9. A laterally adjustable clamp-type garment hanger comprising:

a hang means;

the hang means connected to a central portion of a crossbar, the crossbar including two ends, the crossbar further including an upper ridge for slidably engaging clamps disposed on opposing sides of the hang means, the crossbar further including a wall connected to the upper ridge, the,upper ridge and the wall connecting the two ends of the crossbar, the upper ridge extending frontward and rearward from the wall;

two garment clamps slidably and pivotally engaging said crossbar on opposing sides of the hang means, each clamp including

a front jaw and a rear jaw, each jaw including a garment engaging surface,

a U-shaped clip for biasing the garment engaging surface of the front jaw toward the garment engaging surface of the rear jaw, the U-shaped clip including a front leg and a rear leg connected together at a U-shaped upper end, the front leg being accommodated in a slot disposed in a front outer surface of the front jaw, the rear leg being accommodated in a slot disposed in a rear outer surface of the rear jaw, the U-shaped upper end passing through apertures disposed in

an upper end of the front jaw and an upper end of the rear jaw,

each jaw including a plurality of detents for pivotally engaging the upper ridge of the crossbar, the detents of the front and rear jaws cooperatively permitting the clamp to be slid laterally along the upper ridge of the crossbar, each jaw further includes a central portion, the central portion of each front jaw accommodating the detents for pivotally engaging a front end of the Upper ridge of the crossbar, the central portion of each rear jaw accommodating the detent for pivotally engaging a rear end the upper ridge of the crossbar.

10. The garment hanger of claim 9,

wherein the lower clamping surfaces of the front and rear jaws include teeth for gripping a garment.

11. The garment hanger of claim 9,

wherein the lower clamping surfaces carry at least one resilient pad,

a first side of the resilient pad being secured to and carried by the lower clamping surface, a second side of the resilient pad being presented for contact with a garment to be hung from the hanger,

the resilient pad being fabricated from resilient friction material.

12. The garment hanger of claim 9,

wherein the upper ridge includes means for precluding laterally inward movement of the clamps beyond stop points disposed on opposing sides of the hang means.

13. The garment hanger of claim 12

wherein the means for precluding laterally inward movement of the clamps includes two vertical ribs disposed on opposing sides of the crossbar, the ribs engaging the detents of the front and rear jaws and precluding sliding of the clamps inward past the ribs toward the hang means.

14. The garment hanger of claim 12

wherein the means for precluding laterally inward movement of the clamps includes two outwardly protruding steps disposed on opposing sides of the hang means, the steps engaging the detents of the jaws and precluding sliding of the clamps inward past the steps toward the hang means.

15. The garment hanger of claim 12,

wherein the means for precluding laterally inward movement of the clamps includes the upper ridge being tapered outward away from the wall as the upper ridge nears the hang means and the upper ridge is tapered inward toward the wall as the upper ridge nears the ends of the crossbar.

16. The garment hanger of claim 9,

wherein the upper ridge includes two outwardly protruding stops, one stop disposed adjacent to each end of the crossbar to preclude the sliding of a clamp off of the crossbar.

17. A laterally adjustable clamp-type garment hanger comprising:

a hook;

the hook connected to a central portion of a crossbar, the crossbar including two ends, the crossbar further including a wall connected to an upper ridge, the upper ridge and the wall connecting the two ends of the crossbar, the upper ridge extending frontward and rearward from the wall, the upper ridge further including two outwardly protruding stops, one stop disposed adjacent to each end of the crossbar to preclude the sliding of the clamps off of the crossbar, the wall further including two vertical stop ribs, one stop rib disposed on either side of the hook;

two garment clamps slidably connected to and pivotally engaging the upper ridge of the crossbar on opposing sides of the hook, each clamp including

a front jaw and a rear jaw, each jaw including a lower clamping surface, an upper end and a central portion disposed therebetween, the lower clamping surface of the front jaw being spring biased toward the lower clamping surface of the rear jaw by a U-shaped clip,

the U-shaped clip including a front leg and a rear leg connected together at a U-shaped upper end, the front leg being accommodated in a slot disposed in a front outer surface of the front jaw, the rear leg being accommodated in a slot disposed in a rear outer surface of the rear jaw, the U-shaped upper end being disposed between the upper ends of the front and rear jaws,

the central portion of the front jaw including at least one detent for pivotally engaging a front end of the upper ridge of the crossbar, the central portion of the rear jaw including at least one detent for pivotally engaging a rear end the upper ridge of the crossbar,

the detents of the front and rear jaws of each clamp being capable of sliding laterally along the upper ridge of the crossbar.

18. A laterally adjustable clamp-type garment hanger comprising:

a hang means;

a crossbar including two ends and an upper ridge connecting the two ends of the crossbar, the upper ridge protruding outward in frontward and rearward directions;

two garment clamps slidably and pivotally engaging the upper ridge of the crossbar on opposing sides of the hang means, each clamp including

a front jaw and a rear jaw, each jaw including a lower clamping surface and an inside central portion, the lower clamping surface of the front jaw being spring biased toward the lower clamping surface of the rear jaw by a U-shaped clip,

the inside central portion of the front jaw including at least one detent for pivotally engaging a front end of the upper ridge of the crossbar, the inside central portion of the rear jaw including at least one detent for pivotally engaging a rear end the upper ridge of the crossbar, the upper ridge of the crossbar being disposed between the detent of the front jaw and the detent of the rear jaw,

the detents of the front and rear jaws of each clamp being capable of sliding laterally along the upper ridge of the crossbar.

19. The garment hanger of claim 18,

wherein the front jaw and the rear jaw of each clamp include a plurality detents for engaging the upper ridge of the crossbar.

20. A laterally adjustable clamp-type garment hanger comprising:

a hook;

the hook connected to a central portion of a crossbar, the crossbar including two ends, the crossbar further including an upper ridge, the upper ridge connecting the two ends of the crossbar, the upper

ridge protruding outward in frontward and rearward directions,

two garment clamps slidably and pivotally engaging the upper ridge of the crossbar on opposing sides of the hook, each clamp including

a front jaw and a rear jaw, each jaw including a lower clamping surface, an upper end and a central portion disposed therebetween, the lower clamping surface of the front jaw being spring biased toward the lower clamping surface of the rear jaw by a U-shaped clip,

the central portion of the front jaw including at least one detent for slidably and pivotally engaging a front end of the upper ridge of the crossbar, the central portion of the rear jaw including at least one detent for slidably and pivotally engaging a rear end the upper ridge of the crossbar.

21. The garment hanger of claim 20,

wherein the front jaw and the rear jaw of each clamp include a plurality detents for slidably engaging the upper ridge of the crossbar.

* * * * *

Exhibit D

OIPE JC144 MAR 19 2002 PATENT & TRADEMARK OFFICE

3765
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MAR 25 2002
TC 3700 MAIL ROOM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Steven Sutton

SERIAL NO.: 09/891,789 GROUP ART UNIT: 3765

FILED: June 26, 2001 EXAMINER: Bibhu Mohanty

FOR: Clamp-Type Garment Hanger ATT'Y DOCKET: ACC-006

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I hereby certify that this correspondence is being deposited on this day with the United States Postal Service as first class mail in an envelope addressed to : Commissioner of Patents and Trademarks, Washington, D.C. 20231.

David S. Jacobson
Reg. No. 39,235

2/12/02
Date

PETITION FOR ONE MONTH EXTENSION OF TIME TO REPLY

The applicant hereby petitions the Commissioner of Patents and Trademarks for a one month extension of time to reply to an Office Action (paper #2) dated October 12, 2001. With the extension of time, the time for reply is extended from January 12, 2002 to February 12, 2002 making this reply timely in nature. The $55 small entity fee for the one month extension is enclosed herewith.

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REMARKS

Claims 1-29 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,019,261 to Morgan. The applicant respectfully traverses the Examiner's rejection for the following reasons.

Claim 1 requires that "ridges on each of said first and second jaw ends having a cuspid cross-sectional shape." Claim 9 requires that "each of said first and second jaw ends includes exactly three substantially parallel elongate ridges". Claim 25 requires that "ridges on said second jaw end [are] angled at an angle toward said second handle portion relative to a normal to a surface from which said ridges on said second jaw end extend". Claim 28 requires that "ridges on said second jaw end [are] angled at an angle relative to said ridges on said first jaw end when said first and second jaw ends are in said closed position." The Examiner acknowledges that Morgan fails to teach any of the above referenced claim limitations.

Nevertheless, the Examiner finds that it is well known that varying a frictional surface will vary the frictional effect in a clamp jaw, and finds that it would have been obvious to one of ordinary skill to modify Morgan to have the claimed features based upon the desired frictional characteristics of the clamp.

The applicant traverses this reasoning. As discussed in the State of the Art section of the application, all of the known pinch-type clamp hangers fail at adequately holding denim jeans. The type (size) of garment and the weight and characteristics of the denim material, cause jeans to prematurely be released from the currently available clamps (Page 2, lines 17-22). In the garment and hanger industries, this is a serious problem.

Yet, no one has proposed a hanger like Morgan's or otherwise which adequately overcomes the problem. If the solution was as simple as the Examiner assumes, presumably a suitable hanger would have previously been invented. However, a solution has not previously presented itself. This is especially telling in a field a crowded as garment hangers, where hundreds of hanger inventions, some with relatively minor variations, co-exist. This fact refutes the Examiner's argument that the invention is obvious.

Moreover, there is no suggestion to one skilled in the art to provide a hanger having the specifically claimed features of the invention; i.e., a particular number of teeth (claims 4 and 5), a particular height pattern (claims 6 and 13-16), and a particular angle of the ridges (claims 21-23 and 27-28). These are not obvious features, but rather features found through good

engineering and trial-and-error which happen to provide particularly good retention of denim jeans.

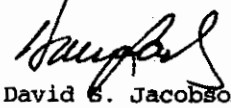
Furthermore, with regard to claim 25, the ridges of the claimed hanger are particularly suited for retaining denim jeans. Thus, the hanger is particularly suited for hanging denim jeans. There is no suggestion to use the Morgan hanger for denim jeans. The Morgan patent references garments in general, but it is noted in the present application that denim jeans pose a problem due to their weight and the general difficulty in gripping the fabric (page 2, lines 17-22).

In view of all of the above, it is submitted that the claims are not obvious in view of Morgan.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is

invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,



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February 12, 2002