"Swoosh On The Run" Infringement Claim Chart for U.S. Patent No. 10,219,550 ("the '550 Patent")

NIKE's making, using, offering to sell, and selling of the Swoosh On the Run product directly and indirectly infringes claim 8, 9, 11, 12, 13 and 14 of the '550 Patent. The Swoosh On the Run product includes all the features embodied in those claims literally or by the doctrine of equivalents. Whenever an item is positioned in its front pockets—which NIKE has done and intentionally induces purchasers and users of the product to do—claim 10 is additionally infringed.

Here are two images of the Swoosh On the Run from NIKE's website:[1]

References:[2]

- *NIKE Swoosh On The Run,* NIKE.COM, https://www.NIKE.com/t/swoosh-on-the-run-womens-medium-support-lightly-lined-sports-bra-with-pockets-qQtjGS (last visited May 15, 2023).

[1] *Swoosh on the Run*, NIKE.COM, https://www.NIKE.com/t/swoosh-on-the-run-womens-medium-support-lightly-lined-sports-bra-with-pockets-qQtjGS (last visited May 15, 2023).
[2] All images in this chart are from this reference unless otherwise indicated.

U.S. Patent No. 10,219,550 (Claim 8)	**Infringing NIKE Product** (Swoosh On The Run)
8. [pre] A pocket bra comprising:	NIKE advertises the Swoosh On the Run as follows: "[a] women's medium-support lightly lined sports bra with pockets."[3] and; "3 mesh-lined pockets hold your phone, a snack or an extra layer so you can explore without limits."[4]
[8.1] a strap assembly comprising a chest strap; and	The Swoosh On The Run has a chest strap (1):
[8.2] comprising left and right cups, each cup being an area to receive a breast of a wearer and having inside and outside surfaces, the strap assembly being attached to the cups whereby the strap assembly connects the cups to the wearer, each cup having upper, lower, interior body facing, and opposite exterior edges;	The Swoosh On The Run has left and rights cups (3), each being an area for receiving the breasts of the wearer, and each with inside and outside surfaces:

[3] *See supra,* note 1.
[4] *See supra,* note 1.

	 The Swoosh On The Run has a strap assembly attached to the cups, connecting the cups to the wearer:
[8.3] a patch forming a pocket operatively associated with at least one of the left and right cups, the patch having an upper edge, a lower edge, and an exterior edge, the patch having inside and outside surfaces;	The Swoosh On The Run has two patches, each associated with a cup, which NIKE refers to as "PKT \ 01" and "PKT \ 02." Each patch has an upper, lower, and exterior edge. Each patch has an inside and outside surface. Each patch forms a pocket:

	  [5]
[8.4] the lower edge of the patch coupled to the bra adjacent to a lower edge of the at least one of the left and right cups, and the exterior edge of the patch coupled adjacent to the exterior edge of the at least one of the left and right cups, a pocket opening formed along the upper edge of the patch being unconnected to the at least one of the left and right cups;	The edges of the patch are attached to the bra with stitching. The top edge of the patch is unconnected, thus forming a pocket:

[5] Inside-out photo of the physical product.

[8.5] the pocket opening capable of repeated receiving and removal of an item when being worn by the wearer; and	The opening is capable of repeated receiving and removal of an item when worn by a wearer: "Feel confident and go all out—without having to leave anything behind—in this medium-support sports bra. 3 mesh-lined pockets hold your phone, a snack or an extra layer so you can explore without limits. The lightweight, sewn-in spacer lining feels breathable while still giving you a little coverage, and sweat-wicking tech helps you keep your cool on the run."[6]
[8.6] wherein the upper edge of the patch crosses over a surface of the cup to form the opening, the upper edge crossing such that the opening faces the interior edge of the at least one of the left and right cup to which it is attached.	The upper edge of the patch is offset from the upper edge of the cup. The opening is angled to the interior: "2 angled side pockets keep your phone in place while allowing easy access–no matter your dominant hand. Breathable mesh lines the pocket bags to keep you cool and the sweat off your belongings."[7] [8]

[6] *See supra*, note 1.
[7] *See supra*, note 1.
[8] *See supra*, note 5.

U.S. Patent No. 10,219,550 (Claim 10)	Infringing NIKE Product (Swoosh On The Run)
9. The pocket bra of claim 8 wherein the patch is operatively associated with only one of the left and right cups.	Each patch is operatively associated with one cup.

U.S. Patent No. 10,219,550 (Claim 10)	Infringing NIKE Product (Swoosh On The Run)
10. The pocket bra of claim 8 further comprising a non-padding item positioned in the pocket.	NIKE's marketing materials demonstrate that the Swoosh On The Run is to be used with items positioned in the front pockets: "3 mesh-lined pockets hold your phone, a snack or an extra layer so you can explore without limits."[9]

U.S. Patent No. 10,219,550 (Claim 10)	Infringing NIKE Product (Swoosh On The Run)
11. The pocket bra of claim 8 wherein the lower edge of the patch is coupled adjacent to the bra by a stitching.	The lower edge of the patch is coupled to the bra by stitching: [10]

[9] *See supra*, note 1.
[10] *See supra*, note 5.

U.S. Patent No. 10,219,550 (Claim 12)	Infringing NIKE Product (Swoosh On The Run)
12. The pocket bra of claim 8 wherein the exterior edge of the patch is coupled adjacent to the exterior edge of the at least one of the left and right cups by a stitching.	The exterior edge of each patch is coupled to the exterior edge of each cup with stitching: [11]

U.S. Patent No. 10,219,550 (Claim 13)	Infringing NIKE Product (Swoosh On The Run)
13. The pocket bra of claim 9 further comprising a second patch forming a second pocket operatively associated with the other of the left and right cups.	The Swoosh On The Run has two patches, each associated with a cup, which NIKE refers to as "PKT \ 01" and "PKT \ 02."[12]

U.S. Patent No. 10,219,550 (Claim 14)	Infringing NIKE Product (Swoosh On The Run)
14. The pocket bra of claim 8 wherein the patch lower and exterior edges are aligned with the lower and exterior edges of the at least one of the left and right cups by a stitching, and wherein the stitching is along the lower and exterior edges of the patch.	The lower and exterior edges of each patch are aligned with the lower and exterior edges of the associated cup by stitching:

[11] *See supra*, note 5.
[12] *See supra,* note 1.

	[13]

[13] *See supra,* note 5.