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"Swoosh On The Run" Infringement Claim Chart for U.S. Patent No. 10,869,510 ("the '510 Patent")

NIKE's making, using, offering to sell, and selling of the Swoosh On The Run product directly and indirectly infringes claims 1, 2, 4, 7, and 11 of the '510 Patent. The Swoosh On The Run features each element of each of those claims literally or by the doctrine of equivalents. NIKE also inserts a phone into the back pocket of the Swoosh On The Run, directly infringing claim 9 literally or by the doctrine of equivalents—which it also knowingly and intentionally induces purchasers and users of the product to do.

Here are two images of the Swoosh On The Run product 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 12, 2023).

[1] *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 12, 2023).

[2] All images are from this reference.

U.S. Patent No. 10,869,510 (Claim 1)	**Infringing NIKE Product** (Swoosh On The Run)
1. [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]
[1.1] a strap assembly including a chest strap and shoulder straps,	The Swoosh On The Run has a chest strap (1) and shoulder straps (2):
[1.2] the strap assembly joining the chest strap and shoulder straps at a central area adapted to be positioned on a back of a wearer when worn;	The Swoosh On The Run's chest strap (1) and shoulder straps (2) are joined at a central area (4) positioned on the back of the wearer:

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

[1.3] a bra portion comprising left and right cups, each cup being an area to receive a breast of the wearer, the strap assembly attached to the bra portion; and	The Swoosh On The Run has a bra portion comprising left and right cups (3), each cup being able to receive a breast of the wearer. The bra's strap assembly is attached to the bra portion:
[1.4] a back pocket formed entirely of stretchable fabric positioned on the central area,	The Swoosh On The Run has a back pocket (5) that is formed of stretchable fabric:

[1.4.1] the back pocket having an opening that is biased in a closed position at rest.	The back pocket has an opening (7) that is biased in the closed position while at rest:

U.S. Patent No. 10,869,510 (Claim 2)	**Infringing NIKE Product** (Swoosh on The Run)
2. The pocket bra of claim 1 wherein the bra is a sports bra.	NIKE advertises the Swoosh On The Run as a "sports bra."[5]

[5] *See supra,* note 1.

U.S. Patent No. 10,869,510 (Claim 4)	**Infringing NIKE Product** (Swoosh On The Run)
4. The pocket bra of claim 1 wherein the back pocket is formed by a patch connected to the back portion of the at least one of the chest strap and shoulder straps by stitching about a part of a perimeter of the patch, a gap in the stitching leaving a portion of the perimeter of the patch unattached, thereby forming the opening providing access to a pocket interior portion formed by the patch.	The Swoosh On The Run has a back pocket (5) that is formed by a patch stitched to the chest strap and shoulder straps. The top edge of the patch is unstitched leaving a gap that provides an opening to access the pocket:

U.S. Patent No. 10,869,510 (Claim 7)	**Infringing NIKE Product** (Swoosh On The Run)
7. The pocket bra of claim 1 wherein the opening is formed adjacent to a top of the patch.	The Swoosh On The Run's back pocket opening (7) is adjacent to the top of the patch:

U.S. Patent No. 10,869,510 (Claim 9)	Infringing NIKE Product (Swoosh On The Run)
9. The pocket bra of claim 1 further comprising an item removably positioned in the back pocket.	NIKE's marketing material shows a phone inserted into the back pocket of the Swoosh On The Run:

U.S. Patent No. 10,869,510 (Claim 11)	Infringing NIKE Product (Swoosh On The Run)
11. The pocket bra of claim 1 wherein the opening provides access to a pocket interior.	The back pocket opening (7) provides access to the interior of a pocket:

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