"Swoosh Pocket Bra" 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 Pocket Bra (also referred to as the "Icon Clash") product directly and indirectly infringes claims 1, 2, 4, 7, and 11 of the '510 Patent. The Swoosh Pocket Bra features each element of each of those claims literally or by the doctrine of equivalents. When an item is inserted into the back pocket of the Swoosh Pocket Bra product, claim 9 is additionally infringed.

Here are three images of the Swoosh Pocket Bra:[1]

References:[2]

- *NIKE Women's Swoosh Icon Clash Pocket Medium Padded Sports Bra,* SPORTCHEK.CA, https://www.sportchek.ca/product/NIKE-womens-swoosh-icon-clash-pocket-medium-padded-sports-bra-333102419.html (last visited May 15, 2023).

[1] *NIKE Women's Swoosh Icon Clash Pocket Medium Padded Sports Bra,* SPORTCHEK.CA, https://www.sportchek.ca/product/NIKE-womens-swoosh-icon-clash-pocket-medium-padded-sports-bra-333102419.html (last visited May 15, 2023).

[2] All photos are from this reference.

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U.S. Patent No. 10,869,510 (Claim 1)	**Infringing NIKE Product** (Swoosh Pocket Bra)
1. [pre] A pocket bra comprising:	The Swoosh Pocket Bra "5 hidden pockets let you carry everything you need while you run or train."[3]
[1.1] a strap assembly including a chest strap and shoulder straps,	The Swoosh Pocket Bra 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 Pocket Bra'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.

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[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 Pocket Bra 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 Pocket Bra has a back pocket (5) that is formed of stretchable fabric:

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[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:

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U.S. Patent No. 10,869,510 (Claim 2)	**Infringing NIKE Product** (Swoosh Pocket Bra)
2. The pocket bra of claim 1 wherein the bra is a sports bra.	The Swoosh Pocket Bra is advertised as a sports bra.[4]

U.S. Patent No. 10,869,510 (Claim 4)	**Infringing NIKE Product** (Swoosh Pocket Bra)
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 Pocket Bra 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 Pocket Bra)
7. The pocket bra of claim 1 wherein the opening is formed adjacent to a top of the patch.	The back pocket opening (7) is adjacent to the top of the patch:

[4] *See supra*, note 1.

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U.S. Patent No. 10,869,510 (Claim 9)	**Infringing NIKE Product** (Swoosh Pocket Bra)
9. The pocket bra of claim 1 further comprising an item removably positioned in the back pocket.	Users admit that they place items within the bra's pockets: "I've been on the hunt for a sports bra that has pockets...and luckily this has 5! When I run I hate having to hold my phone or have it in legging or shorts pockets, so having a sports bra where I can put my phone between my shoulder blades and forget about it is amazing!"[5]

U.S. Patent No. 10,869,510 (Claim 11)	**Infringing NIKE Product** (Swoosh Pocket Bra)
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:

[5] *See supra*, note 1.

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