

**“Swoosh Bra” Infringement Claim Chart for  
U.S. Patent No. 9,289,016 (“the ‘016 Patent”)**

NIKE’s making, using, offering to sell, and selling of the Swoosh Bra product directly and indirectly infringes claims 1 and 2 of the ‘016 Patent. The Swoosh Bra features each element of each of those claims literally or by the doctrine of equivalents. Whenever a handheld electronic device is inserted into either side pocket of the Swoosh Bra, claim 4 is additionally infringed.

Here are two images of the Swoosh Bra:<sup>1</sup>



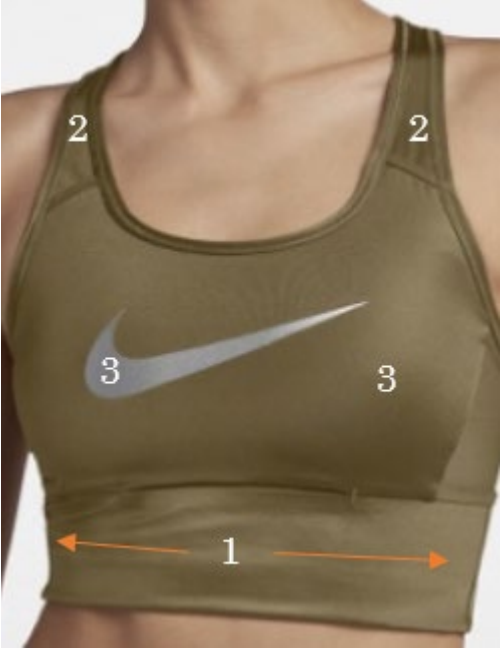
References:<sup>2</sup>

- *I Tried NIKE’s 6-Pocket Sports Bra, and It’s the Best Thing Since Avocado Toast*, WELLANDGOOD.COM, <https://www.wellandgood.com/sports-bra-for-running/> (last visited May 15, 2023).
- *NIKE Women’s Pocket Medium Support Bra*, POSHMARK.COM, <https://poshmark.com/listing/NIKE-Womens-Pocket-Medium-Support-Bra-5fadd8dd93649ffa40903769> (last visited May 15, 2023).



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<sup>1</sup> *I Tried NIKE’s 6-Pocket Sports Bra, and It’s the Best Thing Since Avocado Toast*, WELLANDGOOD.COM, <https://www.wellandgood.com/sports-bra-for-running/> (last visited May 15, 2023).

<sup>2</sup> All images are from these references.

<p align="center"><b>U.S. Patent No. 9,289,016</b> (Claim 1)</p>	<p align="center"><b>Infringing NIKE Product</b> (Swoosh Bra)</p>
<p>1. [pre] A pocket bra system comprising:</p>	<p>The Swoosh Bra has six pockets.<sup>3</sup></p>
<p>[1.1] a strap assembly including a chest strap and shoulder straps;</p>	<p>The Swoosh Bra has a chest strap (1) and shoulder straps (2):</p> 
<p>[1.2] a left cup and a right cup, each cup having inside and outside surfaces, the strap assembly being attached to the cups whereby the strap assembly holds the cups to a wearer;</p>	<p>The Swoosh Bra has a left and right cup (3). Each of the left and right cups have inside and outside surfaces. The strap assembly holds the cups to the wearer:</p>

<sup>3</sup> See *supra*, note 1.

	
<p>[1.3] a side patch on one of an inside or outside surface of each side of the chest strap adjacent to each of the left cup and right cup,</p>	<p>The Swoosh Bra has a side patch (4) on the outside surface of each side of the bra's chest strap. Each side patch is adjacent to an associated cup:</p> 
<p>[1.3.1] the side patches having upper and lower edges along at least part of a length of the strap, and side edges,</p>	<p>The side patches (4) have upper edges (5) and lower edges (6) that run along the bra's strap and side edges:</p>

	
<p>[1.3.2] each side patch having stitching along the lower and side edges thus forming an upper opening at each side patch such that each side patch forms a pocket, and</p>	<p>The side patches (4) have stitching along their lower and sides edges thus forming an upper opening (7):</p> 
<p>[1.3.3] wherein each side pocket extends onto the adjacent cup, such that each pocket spans both a part of the chest strap and a part of the adjacent cup.</p>	<p>Each side pocket extends onto its adjacent cup:</p> 

<b>U.S. Patent No. 9,289,016</b> (Claim 2)	<b>Infringing NIKE Product</b> (Swoosh Bra)
2. The system as set forth in claim 1 wherein the cups and the patches form pockets, the cups being fabricated of a resilient closed cell polyurethane foam with a thickness of from 2 to 4 millimeters.	On information and belief, the cups are fabricated of a resilient closed cell polyurethane foam with a thickness of from 2 to 4 millimeters.

<b>U.S. Patent No. 9,289,016</b> (Claim 4)	<b>Infringing NIKE Product</b> (Swoosh Bra)
4. The system as set forth in claim 1 and further including a handheld electronic device, the handheld electronic device placed within one of the side pockets.	Whenever a hand-held electronic device is placed within one of the Swoosh Bra's side pockets, claim 4 is infringed.