LEGAL RESEARCH GUIDE SERIES

SPECIALIZED RESEARCH GUIDE # 2

U. S. PATENT LAW RESEARCH

THE GEORGE WASHINGTON UNIVERSITY
LAW SCHOOL
JACOB BURNS LAW LIBRARY

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U.S. Patent Law Research Guide

I. Introduction

Gaining a basic knowledge of patent information resources is an essential step in developing effective patent research skills. This guide describes publications and databases that facilitate research in U.S. patent law. It is intended primarily for users of the Jacob Burns Law Library, and indicates the location of materials within the Library or online.

To determine if a source listed in this guide is available through LexisNexis or Westlaw:

LexisNexis: Select the "**Find a Source**" tab and then type the name of the source or file name in the search box.
Examples: **Chisum on Patents** or **CHISUM**

Westlaw: If you are using Westlaw.com, type the name of the source in the "**Search for a database**" box. If you are using WestlawNext, type the name of the source in the WestlawNext search box and then select the resource from the drop down list.
Examples: **Moy's Walker on Patents** or **Patents Throughout the World**

II. Patents: A Brief Overview

A U.S. patent is a federal intellectual property right, derived from Article I, Section 8 of the U.S. Constitution, which gives its owner, the patentee, the right to exclude others from making, using, selling, or importing the patented invention for a limited time. In exchange for the patent grant, the inventor provides a full public disclosure of the invention. Title 35 of United States Code contains the main body of law concerning patents.

Patents are one of the four main types of U.S. intellectual property (along with copyrights, trademarks, and trade secrets). There are three main types of patents:

Utility Patents are the most common type of patent; they protect new machines, processes, articles of manufacture, or compositions of matter (35 U.S.C. § 101).

Design Patents are available for new and original ornamental designs of manufactured articles (35 U.S.C. § 171).

Plant Patents are granted for new, asexually produced plants (35 U.S.C. § 161).

Violation of any of the patentee's rights may constitute infringement and may lead to a suit for damages and/or injunctive relief. Like other forms of personal property, patents may be assigned and licensed. When a patent expires, the invention may be made, used, or sold by anyone without the patentee's permission.

A patent is also the legal document in which a patented invention is officially disclosed. It includes the following parts:

The Front Page shows the patent number and issue date, the inventor's name and location, the title of the invention, the assignee (person or organization to whom/which patent ownership may be transferred), and references to earlier patents and related technical literature. (See p. [A-1] on p. 25 at the end of this guide.)

The Specification describes the invention in detail, explains how to make and use it, and distinguishes it from preexisting technology (or the "prior art"). (See p. [A-2] on p. 26 at the end of this guide.)

The Claims define the patent and the scope of the patentee's property rights. (See p. [A-3] on p. 27 at the end of this guide.)

Patents encourage public disclosure of technology and provide incentives for innovation, including potential economic reward. Advances in high-tech fields such as computer software, telecommunications, biotechnology, chemical engineering, pharmaceuticals, and nanotechnology, not to mention substantial corporate investments, have given patents more commercial significance than ever before.

III. Starting Points for Patent Research

• Adelman, Martin J., Randall R. Rader, and Gordon P. Klancnik. Patent Law in a Nutshell. St. Paul, MN: Thomson West, 2008.
Print: KF2979 .C478 1992 (Location: RESERVE)

• Hunt, David, et al. Patent Searching: Tools & Techniques. Hoboken, N.J.: Wiley, 2007.
Print: T210 .P38 2007 (Location: SL1)

• See, Harold F. "Federal Patent and Trademark Law." in Specialized Legal Research (Penny A. Hazelton, General Editor), chapter 11. New York: Aspen Publishers, 1987- .
Print: KF240 .S686 (Location: Ready Reference at the Reference Desk)

IV. Selected Secondary Sources

Secondary sources can often be the best materials with which to begin legal research. Treatises and legal periodical articles enhance research by providing explanation of concepts and issues, commentary on relevant cases, and analysis of current legislative and administrative policy issues.

There are helpful secondary sources on LexisNexis, Westlaw, CCH IntelliConnect, and BNA's Intellectual Property Law Resource Center, as noted beneath the source below.

A. JACOB: the Library's catalog (http://jacob.law.gwu.edu)

JACOB may be used to locate treatises and other secondary sources held in the Library's collection. JACOB records link to selected Web materials and full-text journals. JACOB may be searched by keyword, title, author, and subject. There are advanced search options as well: **http://jacob.law.gwu.edu/search/X**.

Examples of subject and keyword searches:

Subject searches:

- Patents -- United States
- Patent Laws and Legislation -- United States
- Patents and Government Developed Inventions -- United States
- Patents, Government-Owned -- United States
- Patent Practice -- United States
- Patent Licenses -- United States
- Patent Suits -- United States
- Patents (International law)
- Biotechnology -- Patents

Keyword searches:

- Federal Circuit
- Patent Damages
- Patent Drafting
- Patent Infringement
- Patent Legislative History
- Patent Litigation
- Patent Practice
- Patent Prosecution
- Patent Suits

B. Secondary Sources

1. Primers

• Chisum, Donald S., and Michael A. Jacobs. Understanding Intellectual Property Law. New York: Matthew Bender, 1992.
Print: KF2979 .C478 1992 (Location: RESERVE)

• McJohn, Stephen M. Intellectual Property: Examples and Explanations. 3d ed. New York: Aspen Publishers, 2009.
Print: KF2980 .M42 2009 (Location: RESERVE)

• Miller, Arthur R., and Michael H. Davis. Intellectual Property: Patents, Trademarks, and Copyright in a Nutshell. 4th ed. MN: Thomson West, 2007.
Print: KF2980 .M52 2007 (Location: RESERVE)

• Mills, John G., et al. Patent Law Basics. St. Paul, Minn.: West, 2003- .
Online: Westlaw: PATBASICS
Print: KF3114 .M55 (2010 Updates) (Location: SL3)

• Mills, John G., et al. Patent Law Fundamentals. 2d ed. MN: West, 2002- .
Online: Westlaw: PATLAWF
Print: KF3114 .M57 (2011 Updates) (Location: SL3)

• Mueller, Janice M. Patent Law. 3rd ed. New York: Aspen Publishers, 2009.
Print: KF3114 .M84 2009 (RESERVE)

• Schechter, Roger E., and John R. Thomas. Principles of Patent Law. St. Paul, Minn.: West, 2004.
Print: KF3114 .S34 2004 (Location: RESERVE)

2. General Treatises

• Adelman, Martin J. Patent Law Perspectives. 2d ed. New York: Matthew Bender, 1982- .
Online: LexisNexis: MATBEN;PALPER
Print: KF3110 .D82 (2011 Updates) (Location: SL3)

• Chisum, Donald S. Patents: A Treatise on the Law of Patentability, Validity, and Infringement (also known as Chisum on Patents). NY: Matthew Bender, 1978- .
Online: LexisNexis: PATENT;CHISUM
Print: KF3114 .C47 (2011 Updates) (Location: RESERVE)

• Epstein, Michael A. Epstein on Intellectual Property. 5th ed. New York: Aspen Publishers, 2006- .

Online: Web: ***CCH IntelliConnect***
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF2979 .E6724 (2011 Updates) (Location: SL3)

• Harmon, Robert L. Harmon on Patents: Black-Letter Law and Commentary. Arlington, VA : BNA Books, 2007.

Online: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions* > *BNA Electronic Subscriptions* > *Intellectual Property Law Resource Center*
Print: KF3114 .H3465 2007 (Location: RESERVE)

• Moy, R. Carl. Moy's Walker on Patents. 4th ed. St. Paul, Minn.: West, 2003- .

Online: Westlaw: MOY-PAT
Print: KF3114 .W32 (Location: SL3)

3. Patent Applications, Claim Drafting, & Prosecution

• Becker, Stephen A. Patent Applications Handbook. MN: West Group, 2010.

Online: Westlaw: PATAPP
Print: KF3114 .P36 2011 (Location: SL3)

• Donner, Irah H. Patent Prosecution: Law, Practice, and Procedure. 6th ed. 2 vols. Arlington, VA: BNA Books, 2009.

Print: KF3120 .D66 2009 (2010 Updates) (Location: RESERVE)

• Faber, Robert C. Landis on Mechanics of Patent Claim Drafting. 5th ed. New York: Practising Law Institute, 2003- .

Online: LexisNexis: PLI;MPCD; Westlaw: PLIREF-PATCLAIM
Print: KF3125 .C5 L33 (Location: SL3)

• Kahrl, Robert C. Patent Claim Construction. NY: Aspen Law, 2001- .

Online: Web: ***CCH IntelliConnect***
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF3125.C5 K34 (2010 Supplement) (Location: SL3)

• U.S. Patent and Trademark Office. Manual of Patent Examining Procedure. 8th ed. Washington, D.C.: U.S. Dept. of Commerce.

Online: LexisNexis: PATENT;MPEP | Westlaw: FIP-MPEP8D
Web: **http://www.uspto.gov/web/offices/pac/mpep**
Print: KF3120 .A39 U54b (Location: RESERVE)
(Note: Library has 1979, 1983, 1995, 1998, and 2001 editions in HISTORIC.)

4. Patent Litigation & Interference Practice

• Battersby Gregory J. and Charles W. Grimes. Patent Disputes: Litigation Forms and Analysis. NY: Aspen Publishers, 2003- .
Online: Web: ***CCH IntelliConnect***
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF3155.A65 B38 (2011 Updates) (Location: SL3)

• Grossman, Barry L., and Gary M. Hoffman, eds. Patent Litigation Strategies Handbook. 3rd ed. DC: BNA Books, 2010.
Print: KF3155 .P37 2010 (Location: RESERVE)

• Rosenstock, Jerome. Patent Interference Practice Handbook. NY: Aspen Law & Business, 1998.
Online: Web: ***CCH IntelliConnect***
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF3125.C5 R67 (2011 Updates) (Location: SL3)

• Skenyon, John, et al. Patent Damages Law & Practice. MN: West Group, 1999- .
Online: Westlaw: PATDAMAGES
Print: KF3155 .S582 (2011 Updates) (Location: SL3)

• Sung, Lawrence M. Patent Infringement Remedies. D.C.: BNA Books, 2003- .
Print: KF3155 .S86 2003 (2010 Supplement) (Location: SL3)

• Thiele, Alan R., and Judith R. Blakeway and Charles M. Hosch. The Patent Infringement Litigation Handbook: Avoidance and Management. Chicago, Ill.: American Bar Association, 2010.
Print: KF3155 .T54 2010 (Location: SL3)

5. Patent Alternative Dispute Resolution

• Alternative Dispute Resolution Guide. Arlington, Va.: American Intellectual Property Law Ass'n., 1995.
Print: K2400 .A747 1995 (Location: SL2)

• Arnold, Tom. Patent Alternative Dispute Resolution Handbook. New York: Clark Boardman Callaghan, 1991.
Print: KF3095 .A86 1991 (Location: SL3)

• Grossman, Barry L., and Gary M. Hoffman, eds. Patent Litigation Strategies Handbook. 3rd ed. DC: BNA Books, 2010.
Print: KF3155 .P37 2010 (Location: RESERVE)
(Ch. 3: Use of ADR in Patent Infringement Litigation)

6. Patent Licensing

• Einhorn, Harold. Patent Licensing Transactions. 2 vols. New York: Matthew Bender, 1968- .
Online: LexisNexis: PATENT;PALITR
Print: KF3145 .E36 (Location: SL3)

• Holmes, Mark S. Patent Licensing: Strategy, Negotiation, Forms. New York: Practising Law Institute, 2000- .
Online: LexisNexis PLI;PATLIC | Westlaw: PLIREF-PATLIC
Print: KF3145 .H642 (2010 Updates) (Location: SL3)

• Lennon, Michael J. Drafting Technology Patent License Agreements. NY: Aspen Law & Business, 1999- .
Online: Web: ***CCH IntelliConnect*** (Last updated October 2010)
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF3145 .L46 1999 (2006 Updates) (Location: SL3)

• Milgrim, Roger M. Milgrim on Licensing. 4 vols. NY: Matthew Bender, 1990- .
Online: LexisNexis: MATBEN;LICENS
Print: KF3145 .M55 (Location: SL3)

• Wright, Bradley C. Drafting Patents for Litigation and Licensing. Arlington, VA: BNA Books; Chicago: Section of Intellectual Property Law, American Bar Association, 2008- . (2010 Supplement)
Print: KF3145 .D727 2010 (Location: RESERVE)

7. Patents and Antitrust Law

• Holmes, William C. Intellectual Property and Antitrust Law. 2 vols. St. Paul, Minn.: West Group, 1983- .
Online: Westlaw: IPANTITRST
Print: KF3116 .H64 1983 (2010 Supplement) (Location: SL3)

• Hovenkamp, Herbert. IP and Antitrust: An Analysis of Antitrust Principles Applied to Intellectual Property Law. 2d ed. 2 vols. New York: Aspen Law & Business, 2010.
Print: KF3116 .H682 (2010 Supplement) (Location: SL3)

8. Software Patents

• Lundberg, Steven W., et al. Electronic and Software Patents: Law and Practice. 2d ed. Washington, D.C.: BNA Books, 2005.
Print: KF3133 .C65 E43 2005 (2010 Supplement) (Location: SL3)

• Nimmer, Raymond T. The Law of Computer Technology: Rights, Licenses, Liabilities. 4th ed. Eagan, MN: West, c2009- .
Online: Westlaw: LCOMTECH
Print: KF390.5.C6 N53 (2011 Updates) (Location: SL2)

9. Biotechnology, Chemical, & Pharmaceutical Patents

• Cooper, Iver P. Biotechnology and the Law. 3 vols. Eagan, MN: West, 2002- .
Online: Westlaw: BIOTECHLAW
Print: KF3133 .B56 C662 (2011 Updates) (Location: SL2)

• Rosenstock, Jerome. The Law of Chemical & Pharmaceutical Invention: Patent and Nonpatent Protection. 2d ed. New York: Aspen Law & Business, 1998- .
Print: KF3133 .C4 R812 (2010 Updates) (Location: SL3)

• Thomas, John R. Pharmaceutical Patent Law. 2nd ed. Washington, D.C.: BNA Books, 2010.
Print: KF3133 .D78 T46 2010 (Location: RESERVE)

10. Business Method Patents

• Stobbs, Gregory A. Business Method Patents. New York: Aspen Law & Business, 2002- . (2011 Supplement)
Online: Web: ***CCH IntelliConnect***
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF3133.B87 S76 (2011 Supplement) (Location: SL3)

11. United States Court of Appeals for the Federal Circuit

• Chisum, Donald S. Cumulative Guide to the Patent-Related Decisions of the Court of Appeals for the Federal Circuit. New York: Matthew Bender, 1982- . (Chisum on Patents: Part III. Federal Circuit Guide).
Online: LexisNexis: PATENT;CHISUM
Print: KF3114 .C47 (Location: RESERVE)

• Harmon, Robert L. Patents and the Federal Circuit. 9th ed. Washington, D.C.: BNA Books, 2009. (2010 Supplement)
Online: LexisNexis: BNA;BNAPFC | Westlaw: BNA-PFC
Web: ***BNA Intellectual Property Law Resource Center***:
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF3114 .H347 2009 (2010 Supplement) (Location: RESERVE)

12. International Trade Commission Practice

• Duvall, Donald K. Unfair Competition and the ITC: Actions Before the International Trade Commission Under Section 337 of the Tariff Act of 1930. Deerfield, IL: Callaghan, 1992- .
Print: KF3195 .F42 2010 (Location: SL3)

• Schaumberg, Tom M. A Lawyer's Guide to Section 337 Investigations before the U.S. International Trade Commission. Chicago, Ill.: ABA Section of Intellectual Property Law, 2010.
Print: KF6660 .S43 2010 (Location: SL3)

13. Patent Law Reform

• Merrill, Stephen A. et al., eds. A Patent System for the 21st Century. Washington, D.C.: National Academies Press, 2004.
Online: **http://www.nap.edu/html/patentsystem/0309089107.pdf**
Print: T211 .P384 2004 (Location: SL1)

• Understanding Patent Reform Implications: Leading Lawyers on Defining Key Issues, Interpreting Current Proposed Legislation, and Projecting Future Developments. [Boston, Mass.]: Aspatore Books/Thomson West, 2009.
Print: KF3114 .U53 2009 (Location: SL3)

14. Encyclopedias & Practice Sets

• McCarthy, J. Thomas, et al. McCarthy's Desk Encyclopedia of Intellectual Property. 3d ed. Washington, D.C.: BNA Books, 2004.
Print: KF2976.4 .M38 2004 (Location: REFERENCE)

• McManis, Charles, et al. West's Federal Administrative Practice. 3d ed. Vol. 4: "Patents" §§ 3911-3963.
Print: KF8840 .V62 v. 4 (Location: LEGAL REFERENCE--LL1)

15. Dictionaries

• Aisenberg, Irwin M. Attorney's Dictionary of Patent Claims. 3 vols. New York: Matthew Bender, 1985- .
Print: KF3120 .A6 A862 (2011 Updates) (Location: SL3)

• Aisenberg, Irwin M. Modern Patent Law Precedent: Dictionary of Key Terms and Concepts. 12th ed. Eagan, MN: West/Thomson/Reuters, 2011.
Print: KF3109 .A35 2011 (Location: REFERENCE)

16. Form Books

• Horwitz, Lester. Patent Office Rules and Practice. Forms volumes "★" and "★★" New York: Matthew Bender, 1971- .
Online: LexisNexis: PATENT;PTORUL
Print: KF3120 .A6 H6 (Location: CIRC OVERSIZE--1st FL)

• Kramer, Barry, and Allen D. Brufsky. Patent Law Practice Forms: Rules, Annotations, Commentary. 5 vols. St. Paul, Minn.: West, 1985- .
Online: Westlaw: PATPRACFRM
Print: KF3111 .K73 (2011 updates) (Location: SL3)

17. Directories

• *FindLaw Lawyer Directory: Patent Lawyers*.
Online: **http://lawyers.findlaw.com/lawyer/practice/Patents**

• U.S. Patent and Trademark Office. *Registered Patent Attorneys and Agents*.
Online: **https://oedci.uspto.gov/OEDCI/**

• *West Legal Directory - Intellectual Property*.
Online: Westlaw: WLD-IP

C. Periodical Literature

1. Legal

LexisNexis: **2NDARY;IPLR** contains intellectual property articles from hundreds of general and specialized law journals.

Westlaw: **PAT-PRA-AN**, the *Patent Practitioner Analytical Library*, has combined access to patent law journals and treatises.

HeinOnline*'s *Intellectual Property Law Journal Library contains articles from many IP and technology-oriented periodicals:
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*

2. Non-Legal

The GWU Gelman Library provides access to a large number of article databases in business, engineering, the sciences, and the social sciences:
http://www.gelman.gwu.edu > *Articles & Databases*

V. Federal Case Law

Patent infringement actions are litigated in the **U.S. District Courts** (**http://www.uscourts.gov/districtcourts.html**), except for infringement suits brought against the U.S. government, which are handled by the **U.S. Court of Federal Claims** (**http://www.uscfc.uscourts.gov**) (under 28 U.S.C. § 1498). Although a patent is "presumed valid" in an infringement action (35 U.S.C. § 282), it may be invalidated by a federal court. Invalidity of a patent is commonly asserted as a defense in patent litigation–an invalid patent cannot be infringed.

The history of federal patent appeals is divided into two time periods:

Prior to October 1, 1982: Appeals from patent decisions of the U.S. District Courts went to the regional U.S. Courts of Appeals (2nd Circuit, 9th Circuit, etc.). Administrative appeals from the Patent and Trademark Office (known as just the Patent Office prior to 1975) were decided by the U.S. Court of Customs and Patent Appeals ("CCPA").

Starting on October 1, 1982: Due to conflicting patent precedent among the circuits, combined with the Supreme Court of the United State's inability to resolve these conflicts quickly, a new federal law directed patent appeals to a specialized court: the **United States Court of Appeals for the Federal Circuit**: **http://www.cafc.uscourts.gov**. The CCPA was abolished when the Federal Circuit was established.

A. United States Court of Appeals for the Federal Circuit http://www.cafc.uscourts.gov

Under 28 U.S.C. § 1295, the **United States Court of Appeals for the Federal Circuit** (known as the "Federal Circuit" or "CAFC") has exclusive jurisdiction over patent appeals from:

U.S. District Courts: **http://www.uscourts.gov/districtcourts.html**
U.S. Court of Federal Claims: **http://www.uscfc.uscourts.gov**
U.S. Patent and Trademark Office: **http://www.uspto.gov**
U.S. International Trade Commission: **http://www.usitc.gov**

With review of Federal Circuit decisions by the U.S. Supreme Court occurring somewhat infrequently, the case law of the Federal Circuit is of central importance to the development of U.S. patent law. The Federal Circuit has been instrumental in creating a more uniform patent jurisprudence.

The Federal Circuit's Rules of Practice supplement the Federal Rules of Appellate Procedure and apply to patent appeals; the rules are published by the Federal Circuit itself.

United States Court of Appeals for the Federal Circuit, Rules of Practice: Federal Rules of Appellate Procedure, Federal Circuit Rules, Practice Notes, Appellate Mediation Program Guidelines, Guide for *Pro Se* Petitioners and Appellants, Federal Circuit Attorney Discipline Rules. Washington, D.C.: U.S. Court of Appeals for the Federal Circuit, 1988- .

Online: LexisNexis: GENFED;FCRUL | Westlaw: US-RULES
Web: **http://www.cafc.uscourts.gov/rules-of-practice/rules.html**
Print: KF9053 .A4 (Location: SL3); KF9053 .A4 1982 (RESERVE)

B. West Reporters & Digests

Patent-related case law is published in the standard West reporters (e.g., Federal Reporter) and represented in the various West federal digests (e.g., Federal Practice Digest).

The West digest topic "Patents" (291 PATENTS) is divided into more than 300 subtopics, each designated with a West Key Number. The Key Number "Patents 328" provides summaries of court decisions on the validity and infringement of particular patents. Checking "Patents 328" would be similar to Shepardizing (on LexisNexis) or KeyCiting (on Westlaw) a patent.

C. **United States Patents Quarterly** (U.S.P.Q.) (published by BNA)

- Full-text of IP decisions from federal and state courts and administrative agencies, including the PTO's Board of Patent Appeals and Interferences ("BPAI") and the Trademark Trial and Appeal Board ("TTAB").
- U.S.P.Q. decisions feature headnotes summarizing points of law.
- Classification numbers (e.g., "115.1109, Claim adequacy") are assigned to the headnotes and tie each case into U.S.P.Q.'s unique classification system.
- To obtain relevant classification numbers, use the Topical Index or the classification outline (in current U.S.P.Q. binders or online).
- Coverage is 1929 (Vol. 1) to date.
- Note on historic research: the U.S.P.Q. classification system changed in 1987, and the first 15 volumes of U.S.P.Q. 2d contain conversion tables between the old and new systems.

Online: Web: ***BNA Intellectual Property Law Resource Center***:
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
LexisNexis: BNA;USPQ | Westlaw: USPQ
Print: Current U.S.P.Q. binders: KF2975 .A2 U5422 (Location: SL3)
KF2975 .A2 U54 (bound volumes) (Location: SL3)

D. **Cumulative Guide to the Patent-Related Decisions of the Court of Appeals for the Federal Circuit** (Volumes 11-17 of Chisum on Patents).

• **Abstracts** of all reported decisions of the Federal Circuit (1982 to date).
• Topical outline arrangement. Chronological table of cases included.

Online: LexisNexis: PATENT;CHISUM
(Click on "Part III. Federal Circuit Guide.")
Print: KF3114 .C47 (Location: RESERVE)

E. **U.S. Court of Customs and Patent Appeals (CCPA) Reports** (1929-1972)

• Official reporter for CCPA decisions: 1929-1972.
• Decisions from the CCPA also reported in the Federal Reporter and U.S.P.Q.
• CCPA decisions from 1972 to 1982 are summarized in The United States Court of Customs and Patent Appeals: 1972-1982.

Print: KF8764 .A85 1985 (Location: SL3)
Online: **LLMC Digital**:
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
LexisNexis: CCPA
Print: KF125.C8 C87 (Location: HISTORIC (LL2))

F. **Decisions of the Commissioner of Patents and of United States Courts in Patent and Trademark Cases** (1869-1968)

• "Digest of Decisions" found at end of each volume. No cumulative index.
• Parallel citations to West federal reporters and to the patent version of the Official Gazette included for many decisions.

Online: **LLMC Digital**:
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Print: KF3093.3 .A26 (Location: Off-site; see Reference Desk)

VI. Patent Regulations

For guidance in researching federal agency regulations, consult the Library's **Administrative Law** page: **http://law.gwu.libguides.com/content.php?pid=162652&sid=1379162**

A. Code of Federal Regulations (C.F.R.)

Regulations promulgated by the U.S. Patent and Trademark Office (PTO) are published in Title 37 of the C.F.R. Included in 37 C.F.R. are the rules of practice relating to patent applications, fees, interferences, appeals, reexaminations, and the allocation of patent rights under federally-funded research.

Online: LexisNexis: PATENT;CFR | Westlaw: FIP-CFR
Web: ***FDsys***: **http://www.gpo.gov/fdsys/**
Print: Current year on RESERVE
Microform: Microfiche #95 (1938-) (Location: LL1)

B. Federal Register and Official Gazette of the PTO

Proposed and final patent regulations, as well as PTO administrative notices, first appear in the Federal Register and in the "notices section" of the Official Gazette of the U.S. Patent and Trademark Office. (Note: there are separate versions of the Gazette for patents and trademarks.)

Federal Register
Online: LexisNexis: PATENT;FEDREG | Westlaw: FIP-FR
FDsys: **http://www.gpo.gov/fdsys/**
Print: Current month on RESERVE
Microform: Microfiche #96 (1971-) (Location: LL1)
Microfilm #96 (1936-1970) (Location: LL1)

Official Gazette of the U.S. Patent and Trademark Office. Patents.
Online: **http://www.uspto.gov/news/og/patent_og/** (current 52 issues)
Microform: Microfilm #110 (1872 to 1994) (Location: LL1)
Microfiche #C21.5 (1991-2001) (Location: LL1)

C. Unannotated Versions of Patent Regulations

Manual of Patent Examining Procedure. Washington, D.C.: U.S. Patent and Trademark Office. (Regulations are found in Appendix R.)
Online: **http://www.uspto.gov/web/offices/pac/mpep/mpep.htm**
Print: KF3120 .A39 U54b (Location: RESERVE)

Rules of Practice in Patent and Trademark Cases. MD: Rules Service Co., 1978- .
Print: KF3120 .A6 R8 (Location: RESERVE)

D. Important Secondary Sources

Horwitz, Lester. Patent Office Rules and Practice. New York: LexisNexis, 1971- . (Patent Office Rules and Practice is a multi-volume looseleaf treatise that provides text, explanation, and analysis of all PTO regulations. An index to the commentary is found in volume 4.)
Online: LexisNexis: PATENT;PTORUL
Print: KF3120 .A6 H6 (Location: SL3)

VII. Current Awareness

A. Selected Publications

1. BNA News Services & *Intellectual Property Law Resource Center*

The Library subscribes to print and online materials published by The Bureau of National Affairs (BNA) that track current developments in IP law, including the following:

Patent, Trademark & Copyright Journal
BioTech Watch
Media Law Reporter
Pharmaceutical Law & Industry
World Intellectual Property Report

Online: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions* > *BNA Electronic Subscriptions*

BNA has integrated its IP materials in its ***Intellectual Property Law Resource Center***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions* > *BNA Electronic Subscriptions*

Print: Search JACOB (**http://jacob.law.gwu.edu**) by title or keyword for a particular publication. **Note**: Courtesy print copies of BNA publications are located adjacent to the Reference Desk, on the first floor of the Library.

2. **Law360**: IP Law360

IP Law 360 Covers breaking news in IP law, as well as IP cases, legislative initiatives, regulatory developments, and personnel moves.

Online: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

3. CCH IntelliConnect

CCH IntelliConnect provides access to a number of current awareness and news sources, as well as treatises, including Drafting Technology Patent License Agreements by Michael J. Lennon. Email alerts via "Tracker News" can be set up to track developments in a particular area of research.

Online: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

B. Selected Web Sites and Blogs

Web Sites

• U.S. Patent and Trademark Office: Patents
http://www.uspto.gov/patents/

• Official Gazette of the U.S. Patent and Trademark Office: Patents
http://www.uspto.gov/web/patents/patog (current 52 weeks**)**

• U.S. Court of Appeals for the Federal Circuit: Recent Opinions & Orders
http://www.cafc.uscourts.gov/dailylog.html

• United States Patents Quarterly (U.S.P.Q.) via *BNA Intellectual Property Law Resource Center*
http://www.law.gwu.edu/Library/Research > *Database Subscriptions* > *BNA Electronic Subscriptions*

• Patent Law Community by LexisNexis
http://www.lexisnexis.com/community/patentlaw/

Blogs

• Anticipate This! (Patent and Trademark Law Blog)
http://anticipatethis.wordpress.com

• IPWatchdog.com (Patents & Patent Law)
http://www.ipwatchdog.com/

• Patent Baristas
http://www.patentbaristas.com

• Patent Docs
http://www.patentdocs.org

• Patently-O
http://www.patentlyo.com

• The Invent Blog
http://inventblog.com

VIII. Legislative History

For guidance in researching federal legislative history, consult the Library's **Legislative History** page: **http://law.gwu.libguides.com/content.php?pid=162652&sid=1379385**

A. *ProQuest Congressional*: U.S. Serial Set Digital Collection

ProQuest Congressional contains House and Senate committee reports, which are considered by many to be the most authoritative indicators of legislative intent.
Online: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

B. Important Patent Legislation

1. Patent Act of 1952 ("1952 Act")

Legislative History Documents

The House and Senate Reports on the Patent Act of 1952 (H.R. Rep. No. 82-1923; S. Rep. No. 82-1979):

Online: ***ProQuest Congressional: U.S. Serial Set Digital Collection***:
http://www.law.gwu.edu/Library/Research > *Database Subscriptions*
Westlaw: USCCAN (S. Rep. No. 82-1979)
Print: 1952 U.S.C.C.A.N. 2394 (S. Rep. No. 82-1979) (Location: LEGAL REFERENCE--LL1)

The House Judiciary Committee hearing on the 1952 Act, entitled Patent Law Codification and Revision. **Print**: KF3100 .U54 1951 (Location: SL3)

Selected legislative history documents relating to the 1952 Act:
Online: **http://www.ipmall.info/hosted_resources/lipa/patents/patentact.asp**

Analysis of the Legislative History of the 1952 Act

Federico, Pasquale J. "Origins of Section 103." 5 APLA Q.J. 87 (1977).
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

Harris, L. James. "Some Aspects of the Underlying Legislative Intent of the Patent Act of 1952." 23 Geo. Wash. L. Rev. 658 (1955).
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

Lutz, Karl B. "The New 1952 Patent Statute." 35 J. Pat. Off. Soc'y 155 (1953).
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

Rich, Giles S. "Infringement Under Section 271 of the Patent Act of 1952." 21 Geo.Wash. L. Rev. 521 (1953).
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

2. Patent Act of 1790 ("1790 Act")

Analysis of the Legislative History of the 1790 Act

Federico, Pasquale J. "The First Patent Act." 14 J. Pat. Off. Soc'y 237 (1932).
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

Lutz, Karl B. "Patents and Science: A Clarification of the Patent Clause of the U.S. Constitution." 18 Geo. Wash. L. Rev. 50 (1949).
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

Walterscheid, Edward C. "Charting a Novel Course: The Creation of the Patent Act of 1790." 25 AIPLA Q.J. 445 (1997).
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

3. Patent Act of 1793 ("1793 Act")

Analysis on the Legislative History of 1793 Act

Federico, Pasquale J. "The Patent Act of 1793." 18 J. Pat. Off. Soc'y, Centennial Number, July 1936, at 77.
Online: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*

Walterscheid, Edward C. "Enacting the Patent Act of 1793," in To Promote the Progress of the Useful Arts: American Patent Law and Administration, 1798-1836, at 195. Littleton, Colo.: Fred B. Rothman & Co., 1998.
Print: KF3114 .W36 1998 (Location: SL3)

IX. Patent Treaties

The United States is a party to numerous bilateral and multilateral patent treaties and to trade agreements that contain significant patent-related provisions. Patent treaties have the same force of law as federal statutes.

Selected multilateral patent treaties and trade agreements to which the U.S. is a party are listed below.

In the citations that follow:

U.S.T. = United States Treaties and Other International Agreements
Online: see entries below for individual treaties
Print: KZ235.3 .U55 (Location: LL2)

U.N.T.S. = United Nations Treaty Series
Online: see entries below for individual treaties
Print: KZ172 .T74 (Location: LL2)

I.L.M. = International Legal Materials
Online: see entries below for individual treaties
Print: K9 .N875 (Location: SL1)

• **Paris Convention for the Protection of Industrial Property**
(21 U.S.T. 1583; 828 U.N.T.S. 305)

- U.S.T. citation: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*
- U.N.T.S. citation: ***United Nations Treaty Series***: **http://treaties.un.org**
- World Intellectual Property Organization (WIPO) (in PDF and HTML): **http://www.wipo.int/treaties/en/ip/paris/**

• **Patent Cooperation Treaty**
(28 U.S.T. 7645; 1160 U.N.T.S. 231)

- U.S.T. citation: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*
- U.N.T.S. citation: ***United Nations Treaty Series***: **http://treaties.un.org**
- World Intellectual Property Organization (WIPO) (in PDF and HTML): **http://www.wipo.int/treaties/en/registration/pct/**
- Patent Cooperation Treaty and Regulations Under the PCT
Print: K1503.3 .P37 A22 (Location: SL2)

• **Patent Law Treaty**
(39 I.L.M. 1047)

- World Intellectual Property Organization (WIPO) (in PDF and HTML):
http://www.wipo.int/treaties/en/ip/plt/

• **Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure**
(32 U.S.T. 1241; 1861 U.N.T.S. 1241)

- U.S.T. citation: ***HeinOnline***: **http://www.law.gwu.edu/Library/Research** > *Database Subscriptions*
- U.N.T.S. citation: ***United Nations Treaty Series***: **http://treaties.un.org**
- World Intellectual Property Organization (WIPO) (in PDF and HTML):
http://www.wipo.int/treaties/en/registration/budapest/

• **International Convention for the Protection of New Varieties of Plants (1991)**

- S. Treaty Doc. No. 104-17 (1995)
Online: ***FDsys***:
http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=104_cong_documents&docid=f:td017.pdf
- Collection of the Texts of the UPOV Convention § 1
Online: **http://www.upov.int/en/publications/conventions/1991/act1991.htm**
Print: K3876 .A232 (Location: SL2)

• **North American Free Trade Agreement (NAFTA)**

- North American Free Trade Agreement, Chapter 17, Article 1709 (Patents)
Online: LexisNexis: INTLAW;NAFTA | Westlaw: NAFTA
Web: **http://www.nafta-sec-alena.org/en/view.aspx?x=343&mtpiID=149**
Print: KDZ944.A41993 A2 1993 (Location: RESERVE)

• **Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)**
(1869 U.N.T.S. 299)

- Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts, Annex 1C
Online: **http://www.wto.org/english/docs_e/legal_e/27-trips_01_e.htm**
http://www.wipo.int/clea/docs_new/pdf/en/wt/wt001en.pdf
Print: K4603 1987 .A4 1994b (Location: RESERVE & SL2)

X. Patent Searching

A. U.S. Patent Classification System (USPCS)

The USPCS, maintained by the **Office of Patent Classification** (**http://www.uspto.gov/patents/resources/classification/index.jsp**), is designed to facilitate patent searching. It consists of over 400 main divisions, called "classes," and approximately 152,000 subdivisions, called "subclasses." A careful search of the "prior art" (both patent and non-patent literature) is required to determine whether an invention is (a) new, (b) useful, and (c) nonobvious.

B. Steps and Tools for Patent Searching

Patent searches typically involve the following steps and specialized search tools:

1. Use the Index to the United States Patent Classification (USPC) System to determine the classification (class and subclass) that best represents the subject matter of the invention.

The Index is an alphabetical list of subject terms referring the user to specific patent classes and subclasses (e.g., electron microscopes are in class 250, subclass 311).
Online: LexisNexis: LEXPAT;INDEX
Web:
http://www.uspto.gov/web/patents/classification/uspcindex/indextouspc.htm
Print: T223 .A25 (Location: SL1) (Library has 1993 to date.)

2. Consult the Manual of Classification.

- Lists patent classes in numerical order.
- Provides a detailed outline of the subclasses.
- Guides user to most accurate classification of subject matter.

Tip: Use the "Class Definition" option on the Web version of the Manual to find:

(a) a detailed description of the subject matter of each class/subclass;
(b) lines of distinction among classes and subclasses;
(c) references to related classes/subclasses.

Online: LexisNexis: LEXPAT;CLMNL | Westlaw: FIP-USPATCL
Web: **http://www.uspto.gov/web/patents/classification**
Print: T223. F4 U5 (Location: SL1) (Library has 1979-1996)

3. Use the class/subclass numbers to identify patents and patent applications.

• Consult the PTO's ***Patent Full-Text and Full-Page Image Databases***: **http://patft.uspto.gov/**
• Because the databases are frequently updated to reflect changes in classification, the class/subclass on an original patent may be different from that patent's current class/subclass.

4. Read abstracts of patents and patent applications identified up to this point.

Patent abstracts are found using the following tools:
• PTO's ***Patent Full-Text and Full-Page Image Databases***:
http://patft.uspto.gov/
- Abstracts appear on front page of each patent or published application.
- Full-page images for patents: 1790 to date.
- Full-text of patents: 1976 to date.
- Patent applications published: March 15, 2001 to date.

• **Official Gazette of the U.S. Patent and Trademark Office. Patents**
- Official notification of U.S. patent issuance.
- May be browsed by classification or type of patent.
- Published every Tuesday in electronic form only.
- Each weekly issue includes a numerical class/subclass index and an alphabetical index to inventors and assignees.
- Each patent includes:
  a. Patent number, title, and name/location of inventor
  b. Name of the assignee (if any) at the time of issue
  c. Applicable U.S. and international classification numbers
  d. A representative claim and drawing.

Online: **http://www.uspto.gov/web/patents/patog** (recent 52 issues)
Microform: Microfilm #110 (1872 to 1994) (Location: LL1)
Microfiche #C21.5 (1991-2001) (Location: LL1)

5. Read the full text of most relevant patents and patent applications

It is essential to carefully read the abstract, claims, and current class/subclass to determine if a patent or published application is similar to your invention. Pay special attention to the claims, because they are the statements that detail how an invention is unique and why it is patentable.

Sources for full-text patents and published patent applications:

Online:

• PTO's ***Patent Full-Text and Full-Page Image Databases***:
http://patft.uspto.gov/
- Full-page images for patents: 1790 to date.
- Full-text of patents: 1976 to date.
- Patent applications published: March 15, 2001 to date.

• ***Google Patent Search***: **http://www.google.com/patents**
- Full-page images: 1790s to "the past few months."

• LexisNexis: **LEXPAT;ALL**
- Full-text of all U.S. utility, design, and plant patents, 1790 to date (full-text in HTML, drawing sheets in PDF).
  - Tip: Use "Get a Document": type **patno** then patent number (example: **patno 7,348,967**).
- **LEXPAT;USPGP**: published patent applications, 2001 to date.

• Westlaw: **US-PAT-ALL**
- Full-text of all U.S. utility, design, and plant patents, 1976 to date; published patent applications, 2001 to date; patent assignments, 1980 to date.
  - Tip: Use "Find": type **us pat** then patent number (e.g.: **us pat 821393**).

Print:

The Library is not a depository for U.S. patents. DC-area libraries open to the public and having patent collections (often in microform format):

• PTO's Public Search Facility, Alexandria, VA:
Information: 571-272-3275 or
http://www.uspto.gov/products/library/search/index.jsp

• Howard University Founders Library: 202-806-7252.

• University of Maryland Engineering and Physical Sciences Library (College Park campus): 301-405-9157.

For more information: Patent & Trademark Depository Libraries (PTDLs):
http://www.uspto.gov/products/library/ptdl/locations/index.jsp

6. Keep track of any post-issuance information on patents.

After a patent is issued, a number of changes to the patent may occur. These changes are reflected in information on matters such as: (a) assignments, (b) expirations, (c) certificates of correction, (d) notices of litigation, and (e) reexamination.

To research post-issuance information, use the following tools and search strategies:

LexisNexis: **LEXPAT;ALL**

- Find patents of an inventor: **inventor(jerome w/1 lemelson)**
- Find patents in a given classification (e.g., class 482, subclass 10): **us-cl(482#10)**
- Check whether a particular company is involved in patent litigation: **lit-reex(texas instruments & litigation)**

  Tip: Use "Select a Segment" to focus a search.

Westlaw: **US-PAT-ALL** (post-issuance information coverage is 1980 to date)

- Identify patents in which a particular firm or attorney represented the inventor: **at(Howrey)**
- Review patents in a field of technology issued after a certain date: **ab(nanotechnology nanoparticle nanostructured nanomaterial) & da(>2008)**

  Tip: Use "Fields" to focus a search.

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Ken Rodriguez, Reference & Intellectual Property Librarian
August 2011

Appendix

Sample Utility Patent, front page

Patent number

United States Patent [19]

Gallin

[11] **4,390,998**

[45] **Jul. 5, 1983**

Issue date

Patent title

[54] **PREFABRICATED CAP FRAME**

[75] Inventor: **Paul G. Gallin**, Bronxville, N.Y.

[73] Assignee: **Art Cap Company, Inc.**

[21] Appl. No.: **269,227**

[22] Filed: **Jun. 1, 1981**

[51] **Int. Cl.**[3] **A41C 5/00**

[52] **U.S. Cl.** **2/180**

[58] **Field of Search** 2/180, 175, 185, 190, 2/199

[56] **References Cited**

U.S. PATENT DOCUMENTS

2,848,722 8/1958 Krieger 2/199

3,548,416 12/1970 Bloom et al. 2/180

Primary Examiner—Doris L. Troutman
Attorney, Agent, or Firm—Curtis Ailes

[57] **ABSTRACT**

The cap frame is intended for use in a uniform cap of the type used by military officers, and is a unitary structure of synthetic resin including a perforated band portion with a thickened upper edge for reinforcement and an integral vertical stay portion extending from the upper edge of the band portion to support a grommet for supporting and stretching the top of the cap.

12 Claims, 11 Drawing Figures

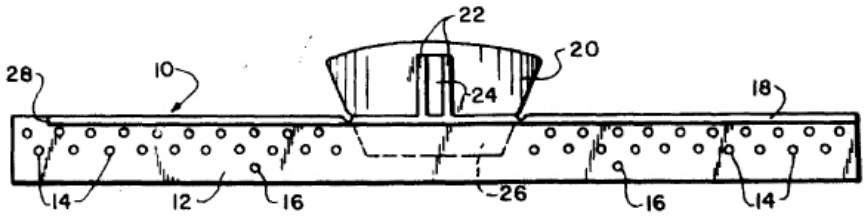
International & U.S. patent classification numbers

References to prior patents

Indication of how many claims and drawings are contained in the patent.

Classifications searched by patent examiner

Note: The bracketed numbers are international identification numbers used to designate what a particular line or block of data on the front page represents.



Selected figure from the drawings

[A-1]

PREFABRICATED CAP FRAME

This invention relates to prefabricated cap frames which are particularly useful for uniform caps of the type worn by military personnel and peace officers.

BACKGROUND OF THE INVENTION

It is the custom for military personnel and peace officers, and others who wear uniforms, to wear a cap of the type having a visor and a grommet for supporting and stretching the top of the cap, and including a stay in front of the cap to elevate the front of the grommet and the cap at the top.

In order to provide for the desired shape of the cap together with comfort for the wearer, it has become the custom to construct a cap frame which is very elaborate, and which is built up from at least ten different parts which must be fabricated and attached together in exactly the proper relationship. Typical parts for a prior art cap frame are illustrated in an exploded view in FIG. 6 of the accompanying drawings which is described more fully below. The associated FIGS. 7 and 8 show some of the details of the assembly of the prior art cap frame. The cost of the prior art cap frame, including the cost of all of the individual parts, together with the cost of assembling those parts in exactly the right way, is very substantial. The parts must be assembled in exactly the right relative positions, and without any defects in the attachments or the assembly process in order to avoid extra costs.

Accordingly, it is an important object of the present invention to produce uniform cap frames of reduced cost.

Another object of the invention is to provide uniform cap frames of improved quality.

Another object of the invention is to provide uniform cap frames which are lighter in weight and provide greater comfort to the wearer.

Further objects and advantages will be apparent from the following description and the accompanying drawings.

SUMMARY OF THE INVENTION

In carrying out the invention there is provided a prefabricated cap frame for a uniform cap of the type having a visor and a grommet for supporting and stretching the top of the cap comprising a one piece structure molded from a flexible synthetic resin and including a perforated band portion in the form of a substantially flat open strip adapted to be curved and joined at the ends to form the hat band, said band portion including a thickened portion at the upper edge thereof for reinforcement, and an integral vertical stay portion extending from the upper edge of said band portion. Thus, a single prefabricated, unitized structure replaces an elaborate assembly of parts.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a rear view of a prefabricated cap frame in accordance with the present invention prior to the interconnection of the ends of the band portion of the cap frame.

FIG. 2 is a detail illustrating how the ends of the band portion are joined.

FIG. 3 is a front view of the prefabricated cap frame with the ends of the band portion interconnected, and showing the other major components of the cap in phantom as they will appear when the cap is finished.

FIG. 4 is a sectional view of the cap frame taken at section 4—4 in FIG. 3.

FIG. 4A is a sectional detail taken at section 4A—4A of FIG. 4.

FIG. 5 is a sectional detail taken at section 5—5 in FIG. 2.

FIG. 6 is an exploded view of a prior art cap frame.

FIG. 7 is a sectional assembly view of the prior art cap frame of FIG. 6 and showing the portion of the cap frame corresponding to the portion of the invention illustrated in FIG. 4.

FIG. 8 is another sectional view of the prior art cap frame of FIG. 6 and illustrating the portion of the prior art cap frame corresponding to the portion of the invention illustrated in FIG. 5.

FIG. 9 is a rear view corresponding to FIG. 1 and showing an alternative embodiment of the invention.

FIG. 10 is a sectional detail view taken at section 10—10 in FIG. 9.

FIG. 11 is a sectional detail taken at section 11—11 of FIG. 9.

DESCRIPTION OF PREFERRED EMBODIMENT

FIG. 1 is a rear view of the prefabricated cap frame 10 in accordance with the present invention. It is preferably molded of a synthetic resin material, such as polyethelene, as one piece in an injection mold. The structure includes a band portion 12 which is preferably provided with a number of perforations 14, which may be in the form of round holes. The holes 14 provide for greater ventilation and circulation of air within the cap and thus promote comfort for the wearer. Additional holes may preferably be provided at 16 for the attachment of a threaded stud (not shown) to receive a threaded button for attachment of a cap cover to the frame at the band. The band 12 is a substantially flat open strip which is adapted to be curved and joined at the ends to form the hat band as shown and described more fully in connection with FIGS. 2 and 3.

The band portion 12 includes a thickened portion 18 at the upper edge for reinforcement of the band portion to provide for greater stiffness. Thickened portion 18 is sometimes referred to hereinafter as a "bead". The frame also includes an integral vertical stay portion 20 which extends from the upper edge of the band portion 12.

The stay portion 20 includes two vertically extending reinforcement ribs 22 integrally formed at the back surface. While only a single reinforcement rib may be provided, two are preferred, as shown. Furthermore, the material of the stay 20 is preferably thickened somewhat between the two ribs 22, as indicated at 24, to provide an even greater reinforcement of the stay. As shown in the drawing, the ribs 22 are integrally interconnected with a continuation of the thickened portion 18 of the band 12.

In order to further strengthen and reinforce the structure in the vicinity of the stay 20, the band portion 12 is reinforced by an extra thickness of material on the front of the frame in the vicinity of the stay 20, as indicated at 26. The front surface of the thickened portion 26 preferably is in the same plane as the front surface of the stay 20 so that together they form a continuous substantially flat surface. That surface is then curved when the ends of the band are joined as shown in FIG. 3.

[Claims]

ment wire **64** and cover **66**, as shown in FIGS. **10** and **11**.

The two features of the stay **20A** of the different shape illustrated in FIG. **9**, and the substitution of the reinforcement wire **66** and fabric cover **68** for the bead **18** in FIG. **9** do not necessarily have to go together. Thus, the stay shape **20A** of FIG. **9** can be used with the prefabricated cap frame structure previously described in connection with FIGS. **1** through **5**, and the stay shape **20** illustrated in FIG. **1** can be employed with the alternative reinforcement wire **66** and cover **68** in the structure of FIGS. **9**, **10**, and **11**.

It will be apparent from the above description that the invention, particularly in the preferred embodiment illustrated in FIGS. **1** through **5**, achieves all of the objects set forth at the beginning of the specification, including reducing the cost of cap frames, providing cap frames of improved quality, providing cap frames which are lighter in weight, and which provide greater comfort. It has also been found that the cap frames of the invention promote cleanliness since the structure is simpler and does not include so much fabric or so many crevices which can harbor and hold perspiration, and hair oil, and soil which enters and is held by the perspiration and hair oil.

While this invention has been shown and described in connection with a particular preferred embodiment, it is apparent that various changes and modifications, in addition to those mentioned above, may be made by those who are skilled in the art without departing from the basic features of the invention. Accordingly, it is the intention of the applicant to protect all variations and modifications within the true spirit and valid scope of this invention.

I claim:

1. A prefabricated cap frame for a uniform cap of the type having a visor and a grommet for supporting and stretching the top of the cap comprising a one piece structure molded from a flexible synthetic resin and including a perforated band portion in the form of a substantially flat open strip adapted to be curved and joined at the ends to form the hat band,

said band portion including a thickened portion at the upper edge thereof for reinforcement,

and an integral vertical stay portion extending from the upper edge of said band portion.

2. A structure as claimed in claim **1** wherein

said thickened portion at the upper edge of said band portion protrudes exclusively at the inside surface of said band portion.

3. A structure as claimed in claim **2** wherein

said vertical stay portion includes at least one vertically extending reinforcement rib integrally formed at the inner surface thereof.

4. A structure as claimed in claim **3** wherein

two vertically extending reinforcement ribs are provided and are positioned equidistant on opposite sides of the center line of said vertical stay portion.

5. A structure as claimed in claim **4** wherein

said vertical stay portion is additionally provided with a thickened region extending between said vertically extending reinforcement ribs.

6. A structure as claimed in claim **3** wherein

said band portion includes a thickened portion in the region directly adjacent to said integral vertical stay portion.

7. A structure as claimed in claim **6** wherein

the entire structure is composed of material having a relatively uniform thickness except for the reinforcement ribs and thickened portions specifically recited.

8. A structure as claimed in any one of the preceding claims which consists essentially of polyethylene.

9. A uniform cap combination comprising a visor and a soft suiting material top with a grommet for supporting and stretching the top of the cap,

and including a one piece synthetic resin prefabricated cap frame combination including a band and stay for supporting the grommet in an elevated position,

said combination band and stay structure including a perforated band portion in the form of a substantially flat open strip which is curved and joined at the ends to form the hat band and which includes a thickened portion at the upper edge thereof for reinforcement,

and said combined structure including an integral vertical stay portion extending from the upper edge of said band portion.

10. A structure as claimed in claim **2** wherein

said thickened portion at the upper edge of said band portion includes a metal wire reinforcement embeded therein.

11. A structure as claimed in claim **3** wherein

a metal wire reinforcement is embeded within each of said reinforcement ribs.

12. A prefabricated cap frame for a uniform cap of the type having a visor and a grommet for supporting and stretching the top of the cap comprising a structure molded from a flexible synthetic resin and including a perforated band portion in the form of a substantially flat open strip adapted to be curved and joined at the ends to form the hat band,

an integral vertical stay portion extending from the upper edge of said band portion,

and a reinforcement attached at the upper edge of said band portion and extending for the full length thereof,

said reinforcement comprising a metal wire enclosed within a fabric cover and attached by sewing the fabric cover to the upper edge of said band portion.

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[A-3]