

Bogotá, Junio 17 de 2009

18

15

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 07-088302- -00002-0000

ha: 2009-06-18 12:32:16 Dep. 2020 NUECREACIONE
MODELO Eve: 1 REGDEPOSITO
Act. 593 IMPULSOPROCESAL Folios: 1

Señores
Superintendencia de Industria y Comercio
E.S.M.

Referencia: Patente Modelo de Utilidad, Radicado No. 07-088302.

El día 12 de mayo de 2008, se pagó el estudio de fondo de la patente modelo de utilidad de la referencia; ya ha transcurrido más de un año y no tengo respuesta sobre la misma.

El plazo administrativo ya se cumplió y la Superintendencia no me ha dado respuesta ni positiva, ni negativa y quisiera saber cuando puedo obtener mi patente, por vencimiento de términos.

Muchas gracias por su amable atención y quedo en espera de una respuesta pronta y positiva.

Cordial saludo,

Liliam Fabiola Vallejo M.
Celular: 311 330 02 70

19

16



DIVISION DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No 07-88302

EXTRACTO DE LA PRESENTE SOLICITUD DE MODELO DE UTILIDAD FUE

PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No 589 DE FECHA

29 DE FEBRERO DE 2008 EL TERMINO HABIL SEÑALADO POR LA LEY

EXPIRA EL 16 DE ABRIL DE 2008.

NOTA: Dentro del plazo de los tres (3) meses siguientes a partir de la fecha de publicación en la gaceta de Propiedad Industrial, deberá solicitar y cancelar el examen de patentabilidad so pena de que la solicitud caiga en abandono, de acuerdo con lo establecido en el Artículo 44 y en concordancia con el artículo 85 de la Decisión 486/2000.

SE PRESENTARON OPOSICIONES POR PARTE DE TERCEROS.

SI _____

NO _____ **X** _____

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISIÓN DE NUEVAS CREACIONES

2020
Bogotá, D.C.

Solicitante
Liliam Fabiola Vallejo Montoya

ASUNTO	Radicación	07 – 88 302
	Trámite	003
	Evento	001
	Actuación	430
	Oficio	11174
	Folios	016

Patente de Invención ☐ Patente de Modelo de Utilidad ☒

Como resultado del examen de fondo, realizado con fundamento en el artículo 85 en concordancia con el artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le comunica:

1. De los documentos estudiados

Descripción: Folios 4 y 5 como se radicó inicialmente
Reivindicaciones: Folio 5 como se radicó inicialmente
Dibujos: Folios 7 a 9 como se radicó inicialmente

2. Del objeto de la solicitud

Título de la solicitud: *Top diseñado anatómicamente para ayudar a disminuir problemas asociados con la condición fibroquística y el dolor mamario, folio 1*

Se aclara que *top*, según el Diccionario de la Real Academia Española (DRAE), significa: *m. Prenda de vestir femenina, generalmente ajustada, que cubre el pecho y llega como mucho hasta la cintura.*
Se hace esta aclaración debido a que este término no es muy utilizado con este significado en el lenguaje científico.

El objeto de la presente solicitud de patente de modelo de utilidad consiste en suministrar un top que tiene refuerzo en las cargaderas y cubrimiento frontal y lateral; y, además, una banda elástica, ancha, inferior.

El problema planteado en esta solicitud es obtener un buen soporte de las mamas a la vez que se impide que haya zonas de concentración de esfuerzos sobre el cuerpo de la usuaria.

Para solucionar este problema técnico la solicitud en estudio proporciona un top que tiene unas cargaderas anchas y una banda elástica inferior también ancha.

3. De la solicitud de Patente de Modelo de Utilidad

Antes de entrar en detalles específicos, se le dan al solicitante ciertas indicaciones generales, algunas de las cuales son aplicables a este caso y todas deberán ser tenidas en cuenta en las eventuales modificaciones:

El título o nombre de la invención debe concordar con lo que se reclama en el capítulo reivindicatorio. Esto es, si en las reivindicaciones se reclama un producto, tal producto debe ser mencionado en el título, y si en las reivindicaciones se reclama un procedimiento o un sistema o un método, también debe ser mencionado allí. Normalmente, el título debe contener máximo diez palabras aunque eventualmente pueden ser más. El título no debe contener palabras cuyo significado no esté reconocido dentro del sector de la técnica de que se trate. Preferiblemente, deben ser palabras cuyo significado se encuentre en el Diccionario de la Real Academia Española (DRAE).

En Colombia, la máxima autoridad en cuestiones del lenguaje es la Academia Colombiana de la Lengua. En caso de duda sobre el significado de las palabras, se debe acoger la definición que trae el Diccionario de la Real Academia Española (DRAE).

En Colombia, es de uso obligatorio el Sistema Internacional de unidades. Esto implica, también, que la coma decimal es de uso obligatorio. Cuando aparezca algún valor con unidades diferentes a las exigidas, deberá incluirse su correspondiente conversión al Sistema Internacional.

La parte técnica de la solicitud se divide en tres secciones, debidamente separadas, preferiblemente en este orden: El capítulo descriptivo, el capítulo reivindicatorio y el juego de dibujos o figuras. Se prefiere que el texto se presente escrito de manera mecánica, en una sola columna. Ninguna de estas secciones podrá llevar membretes (encabezamientos o pies de página) ajenos al contenido técnico de la solicitud.

Por lo menos el capítulo descriptivo debe estar debidamente paginado y estar escrito a doble espacio, con el fin de facilitar la referencia a los apartados del texto. Se debe evitar, en lo posible, el uso de mayúsculas corridas, hay que recordar que ese empleo equivale a gritar en el lenguaje oral. Se pueden emplear las mayúsculas para resaltar ciertos apartados del texto, pero si todo el texto está escrito en mayúsculas, nada queda resaltado.

La terminología empleada en la descripción y en las reivindicaciones debe ser igual para designar las diferentes partes, piezas, elementos, detalles o aspectos de lo que se mencione en ellas; los cuales, a su vez, deben estar designados con números o signos de referencia.

Dentro del texto de la descripción y las reivindicaciones se aconseja encerrar entre paréntesis el número o signo de referencia cada vez que se mencione el detalle correspondiente, con el fin de distinguirlo de otros tipos de números o signos que eventualmente aparezcan allí. Estos números o signos de referencia deben aparecer dentro del juego de dibujos (preferiblemente, sin paréntesis, aunque pueden estar encerrados dentro de un círculo) siempre acompañados de líneas o flechas que señalen o indiquen a qué parte, pieza, elemento o aspecto se encuentran asociados.

Las reivindicaciones deben estar numeradas individual y consecutivamente (1, 2, ... 5, 6, etc.) El capítulo reivindicatorio no debe tener subtítulos.

Normalmente se pueden encontrar dos categorías de reivindicaciones: una, la de producto; y, la otra, de procedimiento.

En las reivindicaciones se deben definir los alcances de la protección que desea el solicitante. En consecuencia, las reivindicaciones forman un cuerpo aparte de la descripción y como tal debe ser redactado: la primera vez que se mencione un nombre dentro de las reivindicaciones debería estar acompañado de un artículo indeterminado; y, la inclusión -entre paréntesis- de un número de referencia no sustituye la definición del elemento o aspecto al que se refiere, simplemente sirve de información complementaria. Se debe entender que la descripción sirve para interpretar las reivindicaciones y, en consecuencia, si en una reivindicación se reclama un aparato, por ejemplo, no se deberían mencionar aspectos del funcionamiento del aparato dentro de la reivindicación, limitándose a definir únicamente los elementos que constituyen el aparato.

Para detectar si una definición de producto está bien hecha, se debe poder responder a la cuestión: ¿cómo es el producto reclamado? Si no se puede dar una respuesta razonable, es porque el producto está mal definido o no ha sido definido en absoluto. Otra prueba común es la de invertir el razonamiento: ¿son las características definidas -en determinada reivindicación- propias de un producto? Si la definición de una característica de un producto empieza por un verbo, muy seguramente no es una característica propia del producto.

Normalmente no se puede definir un producto por el procedimiento de su obtención, porque el producto, en la mayoría de los casos, es producido en cantidades industriales por una variedad de procedimientos, muchos de los cuales no dejan trazas o huellas que se puedan detectar satisfactoriamente en el producto terminado y puesto a disposición del público.

Por lo demás, los productos industriales son bienes tangibles, son algo concreto, tienen existencia física, y por tanto son susceptibles de definición mediante sus características físicas -en la mayoría de los casos- o físico-químicas en los restantes, aunque existen unas pocas excepciones -que pertenecen a ciertas tecnologías emergentes- en donde resulta más fácil su identificación por el procedimiento de obtención, pero éste no es el caso en la presente oportunidad.

Cada una de las figuras debe estar debidamente identificada, preferiblemente con un número consecutivo: Figura 1, figura 2, ...

Las figuras deben ser realizadas siguiendo las reglas del dibujo técnico.

Se prefiere que dentro de las figuras no se incluya ningún texto. Cada uno de los detalles ilustrados en las figuras deberá estar señalado con un número o signo de referencia, el cual será el mismo en todas las figuras en donde se encuentre el detalle en cuestión. Si en alguna figura no se encuentran números de referencia, se entiende que no se va a decir nada sobre ella dentro del texto de la descripción y, entonces, es preferible que se omita tal figura. Análogamente, si en una figura no se encuentra señalado algún detalle con el respectivo número de referencia, es preferible que se omita tal detalle.

La patente de **modelo de utilidad** no puede incluir los procedimientos, por definición. Si alguna de las reivindicaciones de una solicitud de patente de modelo de utilidad reclama un procedimiento, debe ser suprimida.

De la descripción (artículo 28 D. 486)

Durante el análisis del texto de la descripción y de las ilustraciones anexadas, se observaron los siguientes defectos:

- (1) El capítulo descriptivo no se encuentra claramente diferenciado del resumen ni del capítulo reivindicatorio. Como se trata de capítulos aparte, deben encontrarse aparte.
- (2) El capítulo descriptivo debe tener su paginación propia, individual, con el fin de facilitar hacer las referencias a los apartados del texto.
- (3) Dentro del capítulo descriptivo se encuentra una reseña de las figuras en el folio 5, después de que se ha hecho expresa referencia, en el folio 4, a ellas. La reseña debe preceder a la mención de los detalles ilustrados en las figuras.
- (4) En el folio 4 aparece la expresión *figura 1/1* pero dentro del juego de dibujos, folios 7 a 9, no se encuentra tal designación.
- (5) En el mismo folio 4 aparece por primera vez el término *brasier* que no ha sido admitido por el DRAE. El solicitante deberá sustituirlo por una expresión que tenga sentido reconocido.
- (6) Dentro del juego de dibujos aparecen dos ilustraciones diferentes designadas con una misma expresión: *figura 1*, ver folio 7. Otro tanto sucede con las ilustraciones que aparecen en los folios 8 y 9. Cada una de las ilustraciones diferentes debe estar designada con una expresión distintiva, única. Además, lo ilustrado en la parte superior de la figura 1, folio 7, es igual a lo ilustrado en la parte superior de la figura 2, folio 8. En este caso se considera inconducente repetir una ilustración y designarla de manera distinta.
- (7) En las ilustraciones aparecen flechas, números y líneas interrumpidas cuyo significado no es claro. Cada uno de los detalles ilustrados en cada una de las ilustraciones deberá estar asociado a un número [o un signo] de referencia, el cual deberá estar definido dentro del texto de la descripción. Si un mismo detalle aparece en dos o más ilustraciones, deberá conservar la misma designación en ellas.
- (8) Las ilustraciones deben realizarse siguiendo las reglas del dibujo técnico.
- (9) En el folio 5 se anuncia una figura 4 que no fue anexada.
- (10) La descripción no es suficientemente clara y completa como para que un tercero pueda ejecutarla. Concretamente, en el folio 4 se hace alusión a una tela -para confeccionar el top- que es producida con nanotecnología pero no se da la indicación de dónde se obtiene o cómo se puede fabricar. Esto es importante porque, en la reivindicación única, folio 5, se afirma que: *el refuerzo... va recubierto con la misma tela del top* y, si se desconoce qué tela es,... no se puede conceder el privilegio por falta de definición. Además, dentro de la descripción se hace referencia a parámetros que dependen de la anatomía de la usuaria [se dice que tiene *los centímetros requeridos que ayuda a levantar los senos...* que está *separado 1 cm de la base del seno... sus medidas... evitan el roce del pezón con la tela...*], lo que insinúa la fabricación sobre medidas, no apropiada a nivel industrial. También, se menciona un *elástico* pero no se dan las características esenciales de tal material para su uso con el objeto de la solicitud.

Se le advierte al solicitante que, según lo dispuesto en el artículo 34, D 486, si bien el solicitante de una patente puede pedir que se modifique su solicitud en cualquier momento del trámite, la modificación propuesta no puede implicar una ampliación de la protección que correspondería a lo expuesto en la divulgación de la solicitud inicial; y, como la objeción sobre la falta de completitud de la descripción trataría de unos defectos no subsanables dentro de esta misma solicitud, en principio, no prosperaría una solicitud de modificación.

La descripción no cumple con los requisitos de claridad y de completitud que exige el Art. 28 de la Decisión 486.

De las Reivindicaciones (artículo 30 D 486)

Durante el análisis del texto de las reivindicaciones se observaron los siguientes defectos:

- 1) En la reivindicación única, folio 5, se reclama un *top anatómicamente diseñado...* pero dentro de la descripción no se ha establecido claramente qué implica que un top esté *anatómicamente diseñado*. Esta reivindicación carece de definición por esta causa.
- 2) En la misma reivindicación aparece la expresión *separado de la base del seno a un centímetro* pero, dado que la anatomía humana, y la anatomía femenina en particular, no es homogénea, al introducir este parámetro relativo se está indicando una fabricación sobre medidas, no indicada para explotación industrial.
- 3) En la misma reivindicación se mencionan unos refuerzos para los hombros y una cargadera, un[a banda de material] elástico y un refuerzo de la cargadera ¿es el mismo, mencionado antes?; pero, con estos elementos no se puede elaborar un top, faltaría un cuerpo central al cual se unan tales elementos. Esta reivindicación carece de definición por esta causa.

Las reivindicaciones que dependan de una reivindicación objetada también se objetarían por las mismas causas.
Las reivindicaciones no cumplen con los requisitos de claridad y de definición que exige el Art. 30 de la Decisión 486.

Se deben presentar, entonces, nuevos capítulos descriptivo y reivindicatorio, ambos completos, junto con un nuevo juego de dibujos, donde se hayan corregido todas las objeciones que se han hecho arriba. Esto con el fin de evitar -cuando solo se presentan algunas páginas sueltas corregidas- que el lector tenga que desplazarse desde un sitio a otro de la solicitud y luego regresar a donde estaba antes sin perder la ilación de la lectura, porque esto produce confusión y afecta negativamente la claridad de dichos capítulos.

4. De la determinación del estado de la técnica

La fecha que se ha tenido en cuenta para determinar el Estado de la Técnica es la
Fecha de presentación de la solicitud nacional 2007-08-29

Durante la búsqueda de anterioridades se encontraron los siguientes documentos, que forman parte del estado de la técnica más cercano al objeto de la solicitud:

n.º	Documento	Título	Fecha de publicación
D1	Patente US 1 980 767, cuyo inventor es Howard B. Snader	«Brassière»(Un sostén)	1934-11-13
D2	Patente US 2 021 906, cuya inventora es harriet B. Whitaker	«Brassière»(Un sostén)	1935-11-26
D3	Patente US 2 070 369, cuya inventora es Elinor Miller	«Brassière»(Un sostén)	1937-02-09
D4	Patente US 2 258 209, cuya inventora es Stella De Jorio	«Breast form and brassière»(Un molde de seno y un sostén)	1941-10-07
D5	Patente US 3 628 539, cuyo inventor es Simon Fredricks	«Mammary support»(Un soporte mamario)	1971-12-21

Se anexan copias de algunas páginas pertinentes de estos documentos.

NOTAS: No se realizó una evaluación de los demás requisitos de patentabilidad, porque se objetó la claridad y definición de las reivindicaciones y porque se objetó,

también la falta de completitud de la descripción. Una vez hayan sido superadas las objeciones establecidas en este Concepto Técnico, se podrán hacer los exámenes correspondientes.

No obstante lo anterior, con base en los documentos encontrados hasta el momento, no se prevén objeciones respecto a la novedad del objeto solicitado.

5. De las conclusiones:

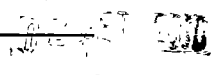
Los requisitos de patentabilidad de la presente solicitud se encontrarían afectados negativamente por la falta de claridad de la descripción y las reivindicaciones y por la falta de definición de estas últimas.

En cumplimiento del artículo 85 en concordancia con el artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le indica al solicitante que debe dar respuesta dentro del término de treinta días contados a partir de la fecha de notificación de la presente comunicación. En caso de no dar respuesta al presente requerimiento, o si a pesar de la respuesta subsistieran los impedimentos para la concesión, se denegará la patente.

Notifíquese el presente oficio conforme a lo dispuesto en el artículo 8 de la resolución reglamentaria n.º 00210 del 15 de enero de 2001, advirtiéndole que contra él no procede recurso alguno en la vía gubernativa.


ALIX CARMENZA CÉSPEDES DE VERGEL
Jefe de División de Nuevas Creaciones

El anterior requerimiento fue notificado por fijación en lista, de fecha



CONCEPTO TÉCNICO n.º 2971

EXAMINADOR TÉCNICO
Código n.º 202009

Nov. 13, 1934.

H. B. SNADER

1,980,767

BRASSIÈRE

Filed Oct. 3, 1932

2 Sheets-Sheet 1

Fig. 1.

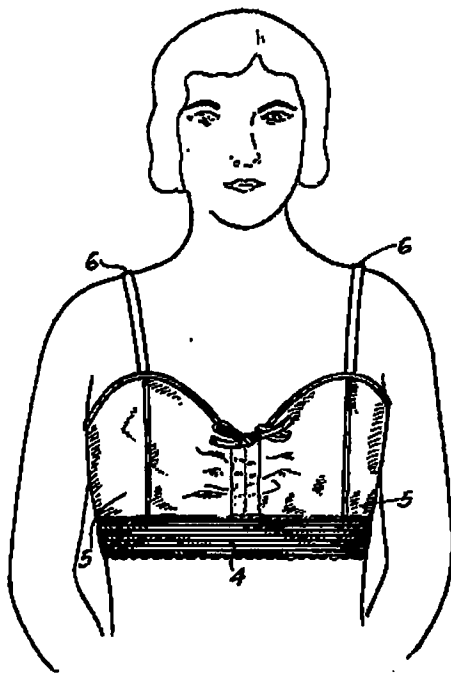


Fig. 2.

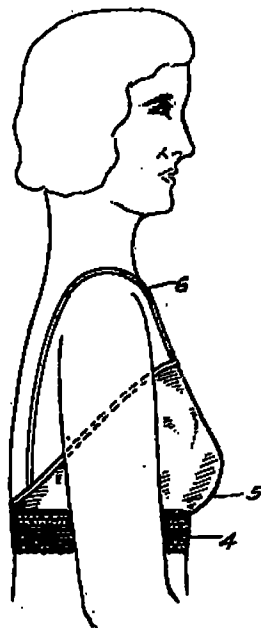
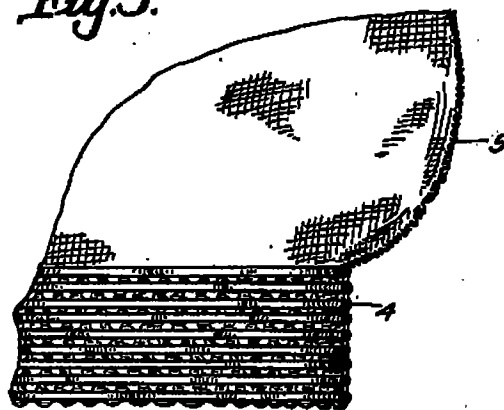


Fig. 3.



Inventor

HOWARD B. SNADER

By *Walter F. Lawrence*
Attorney

UNITED STATES PATENT OFFICE

1,980,767

BRASSIÈRE

Howard B. Snader, Reading, Pa.

Application October 3, 1932, Serial No. 636,069

1 Claim. (Cl. 2--42)

This invention relates to apparel and it has for its object the provision of a brassière designed to uplift the breasts at the base without any attempt at molding or conforming the contour of the breasts, so that the shape of the breasts assumes and maintains the natural softness and fullness of youth.

Another object of the invention is to provide in a brassière a relatively heavy or stiff elastic trunk encircling band at the lower part of a relatively sheer or filmy body portion, the band clinging contractively to the body just below the breasts, and the firm upper edge of the band functioning as a ledge to uplift and support the breasts at the base only, in substantially a line contact, and to prevent the breasts slipping beneath the lower edge of the brassière, the body portion being formed at the front with cupped areas of such extent and depth as to contain the breasts without engaging them compressively and therefore, without in any sense modifying their contour.

A further object of the invention is to so construct and arrange the elastic band as to give the lower edge of the band when the brassière is on the figure, greater tension than the upper edge of the band so as to prevent it rolling upon itself.

Another object of the invention is to make the elastic band of open mesh webbing so as to give it a ventilating function.

Other objects of the invention will appear as the following description of a preferred and practical embodiment thereof proceeds.

In the drawings which accompany and form a part of the following specification and throughout the several figures of which the same characters of reference have been employed to denote identical parts:

Figures 1 and 2 are respectively, front and side elevations of a brassière embodying the principles of the present invention, displayed on a figure;

Figure 3 is a side sectional view on an enlarged scale illustrating the nature of the support afforded by the relatively heavy or stiff elastic band,

Figure 4 is a front elevation of the brassière, laid flat showing the deflecting of the front of the elastic band by the vertical adjustable feature; and

Figure 5 is a similar view showing a slightly modified form of the invention in which the elastic band is normally deflected by having its ends attached in the front, at an angle.

Referring now in detail to the several figures the numeral 1 represents in general, the brassière

which consists of a body portion 2 of relatively filmy or sheer material, such for example, as silk or rayon, and to the lower end of which is attached a band 3 of elastic webbing adapted to encircle the trunk immediately below the breasts.

The elastic band is made of relatively heavy or stiff material, and is stretched in conforming to the contour of the body, clinging contractively thereto in a zone immediately beneath the breasts as indicated at 4 in Figures 1 and 2. The upper edge of the front part of the elastic band engages the lower parts of the breasts, at the base and uplifts them, improving the fullness as is indicated in Figure 2.

The body portion 2 is formed with cup-shaped areas of such extent and depth as to envelope the breasts without however, compressively engaging them, thus permitting the breasts freely to assume a natural and unrestrained position, giving them the appearance of the soft lines and fullness of youth.

This brassière distinguishes from known brassières in the fact that while it is old in the art to provide cup-shaped brassières for enveloping the breasts, these support the breasts, compressively molding and conforming the convex contour thereof, giving them an artificial and conventional fullness, while the present invention leaves the breasts entirely unrestrained except for the uplifting support applied solely in a line contact at the base of the breasts.

The brassière has shoulder straps 6, the function of which is not to apply the cup-shaped portions 5 compressively against the breasts, but merely to hold the brassière in place.

One of the defects of known brassières is the rolling up upon itself of the lower edge due to flexing of the body. This makes an unsightly ridge visible through the outer garments.

One of the features of the present invention by which this objection is avoided is in the construction of the elastic band 3 in such a manner that the lower edge thereof in front is of less length than the upper edge. In Figure 4, this is accomplished by drawing the elastic band upward into an arc by means of the draw string 10, which affects the vertical adjustment for fullness. The sides 8 and 9 of the band are thus deflected inwardly and the lower edge of the front of the band made normally shorter than the upper edge. When the garment is worn, the sides 8 and 9 are stretched outwardly, drawing the deflected portion of the band down into a rectilinear position, and tensioning the lower edge of the band to a greater extent than its upper edge.

Nov. 26, 1935.

H. B. WHITAKER

2,021,906

BRASSIÈRE

Filed April 20, 1934

Fig. 1.

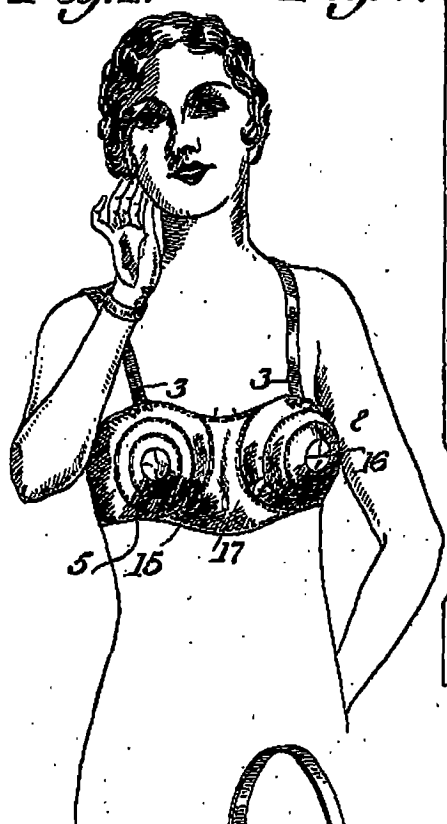


Fig. 3.

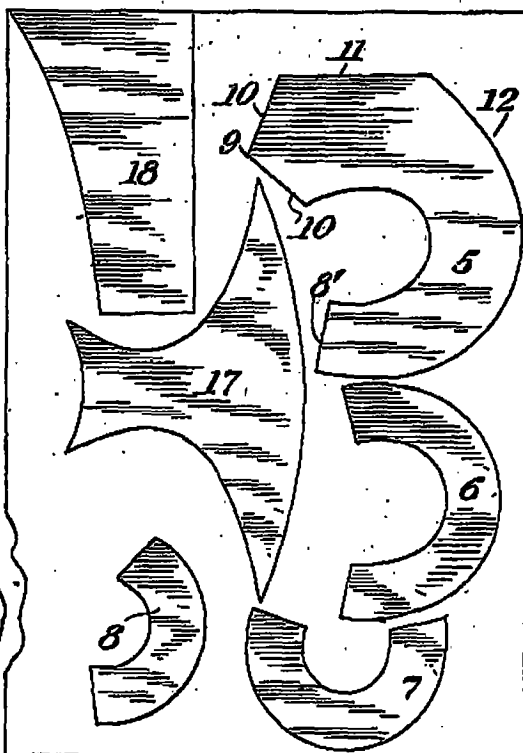
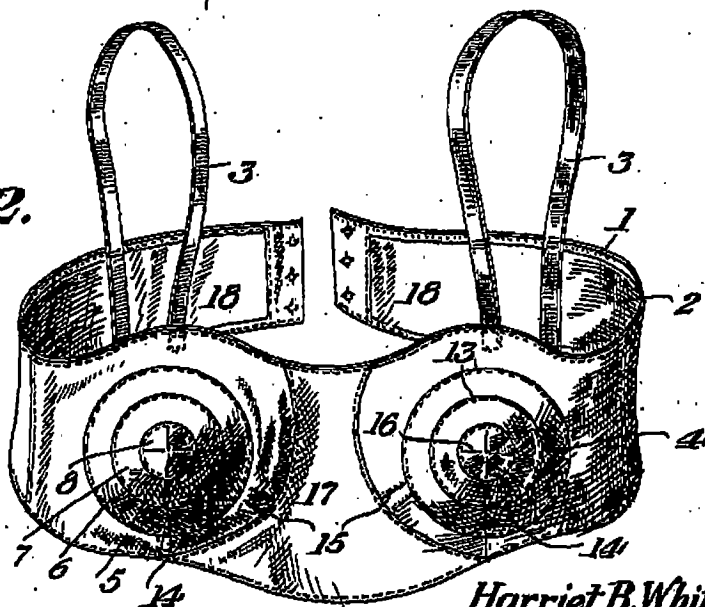


Fig. 2.



Harriet B. Whitaker

INVENTOR

BY Victor J. Evans & Co.

ATTORNEYS

Patented Nov. 26, 1935

2,021,906

UNITED STATES PATENT OFFICE

2,021,906

BRASSIERE

Harriet Bradley Whitaker, Mount Pleasant, Tenn.

Application April 20, 1934, Serial No. 721,591

3 Claims. (Cl. 2-42)

This invention relates to brassieres and has for the primary object, the provision of a device of this character which will efficiently support breasts which have become misshapen in a natural firm and rounded shape and is so constructed that it will be extremely comfortable to the wearer and will remain in proper position during the various movements of the wearer's body and will prevent the breasts from slipping upwardly or downwardly out of a proper natural position.

With these and other objects in view this invention consists in certain novel features of construction, combination and arrangement of parts to be hereinafter more fully described and claimed.

For a complete understanding of my invention, reference is to be had to the following description and accompanying drawing, in which

Figure 1 is a view illustrating the application of a brassiere to a person and the brassiere constructed in accordance with my invention.

Figure 2 is a perspective view illustrating the brassiere.

Figure 3 is a plan view illustrating a pattern from which the brassiere is made from.

Referring in detail to the drawing, the numeral 1 indicates a brassiere having a body encircling portion 2 and shoulder straps 3. The body encircling portion carries cup-shaped portions 4 to receive and support the breasts of the wearer in a firm and rounded condition. Each cup-shaped portion is constructed from curved or arcuate shaped strips 5, 6, 7 and 8. The strips 6 and 7 are similarly shaped except the strip 6 is made or cut to a slightly larger dimension or size than the strip 7. The strip 5 has a substantially straight end 8' while the opposite end is cut to form a pointed portion 9 providing oppositely diverging faces or edges 10. The strip 5 from one of the edges 10 is cut or formed with a straight edge 11 which extends a short distance and merges into the arcuate or curved outer edge 12 of the strip 5. The strip 6 is positioned on the strip 5 and the strip 7 is positioned on the strip 6. The strips 5, 6 and 7 are stitched or otherwise secured together, as shown at 13. The connected strips have their ends brought together and stitched to form a seam 14 thereby forming the cup for the breast with a centrally arranged opening for the nipple to project through. The seam 14 reinforces the cup and underlies the breast to aid in supporting the breast in proper position. The strip 5 is also provided with a pair of darts 15 located adjacent the seam 14 which also aid in supporting the breast and causes

the strip 5 to more readily form into proper shape for the supporting of the breast when assembled with the strips 6 and 7. The arcuate-shaped strip 8 is folded upon itself to form a series of darts extending from the inner curved edge toward the outer curved edge of said strip and the strip is stitched to retain the darts in said strip. The ends of the strip are also stitched together so that the strip thus folded and stitched forms a cap 16 which is then stitched to the strip 7 and receives therein the nipple of the breast and forms a closure for the opening in the cup.

The body encircling portion 2 besides comprising the cups heretofore described in detail also consists of a cup connecting-strip 17 and elongated strips 18. The strips 18 extend over the back of the wearer and are detachably connected in any suitable manner and the opposite ends thereof are secured to the straight edges 11 of the strips 5 of the cups. The strip 17 has opposite edges thereof arcuately curved and said edges are stitched to the curved edges of the strips 5 of the cups. The strip 17 is of greater width at one end than at the opposite end so as to readily fit in the space between the breasts of the wearer and thereby accentuate, by the proper position of the cups, the natural position or effect of the breasts.

It is to be understood that the various strips heretofore described in the construction of the 30 brassiere may be made from any material suitable for the purpose and that the brassiere may be artistically embroidered or have applied thereto lace or similar materials to give a pleasing appearance to the device.

Having described the invention, I claim:

1. A brassiere comprising a body encircling portion, said body encircling portion including an intermediate strip and end strips, means for detachably connecting the end strips, cup-shaped portions connected to the end strips and the intermediate strip, and each cup-shaped portion including four arcuately shaped strips adapted to be superimposed and stitched together to form the cup-shaped portion having a pointed effect, said strips of the cup-shaped portion having their ends brought together and stitched to form a seam lying under the breast to aid in supporting the latter.

2. A brassiere comprising a body encircling portion, said body encircling portion including an intermediate strip and end strips, means for detachably connecting the end strips, cup-shaped

30 27

Feb. 9, 1937.

E. MILLER

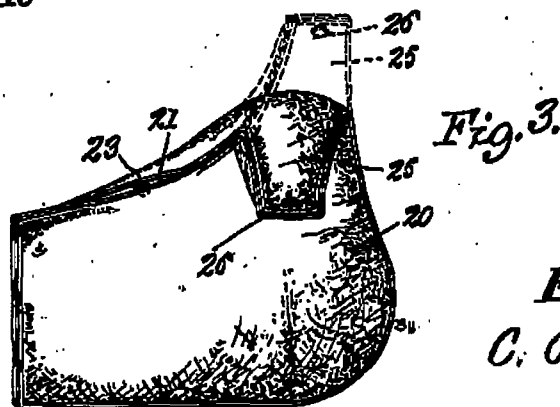
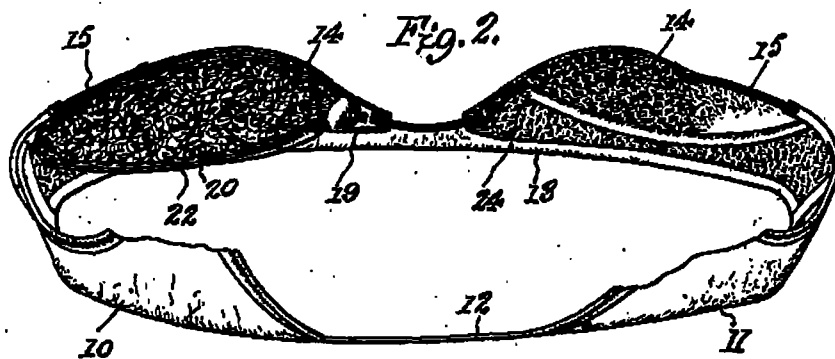
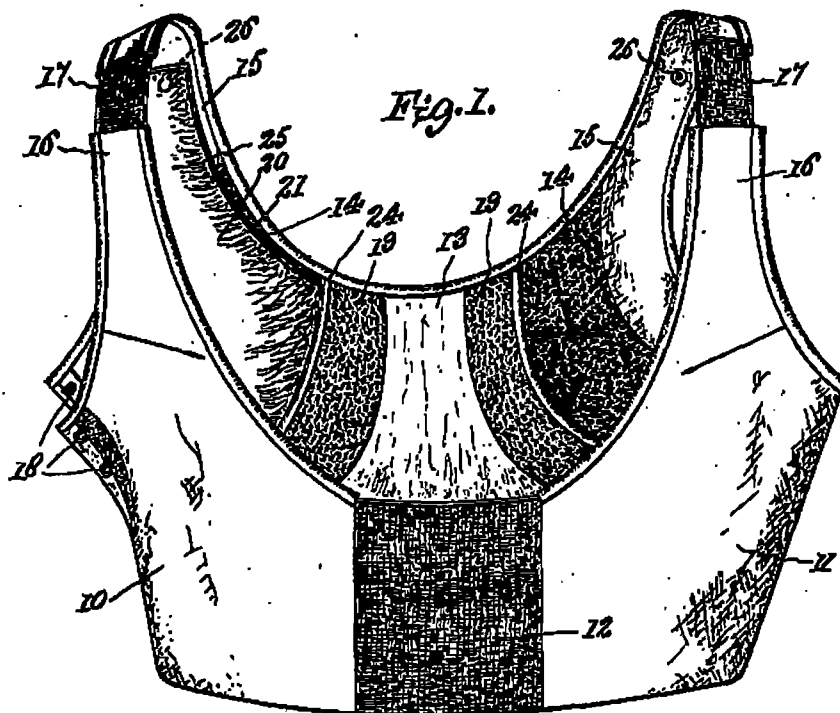
2,070,369

BRASSIÈRE

Filed Aug. 20, 1936

2 Sheets-Sheet 1

D3



Inventor
Elinor Miller
C. P. Goepel
Attorney

Patented Feb. 9, 1937

2,070,369

UNITED STATES PATENT OFFICE

2,070,369

BRASSIÈRE

Ellnor Miller, New York, N. Y.

Application August 20, 1936, Serial No. 97,064

7 Claims. (Cl. 2-42)

The present invention relates to brassières, and has for an object to provide a brassière for use where a bust or breast operation has been performed and a breast has been removed.

Another object of the invention is to provide a brassière with a dummy or artificial breast capable of adaptation as to size and which is detachably and effectively held in the brassière not only in the body portion thereof but also directly from the shoulder strap for quick and easy removal.

A further object is to provide a brassière of general conventional shape and construction and which has the artificial pad so disposed therein that it is observable only upon the closest scrutiny.

Another object of the invention is to provide a brassière with the usual breast pockets or supports and with lower marginal strips which not only reinforce the pockets but which provide flanges or seats for the lower marginal edge portions of the dummy pads to center and hold the same in correct position and wherein the pads may be interchangeable for use in either or both sides of the brassière, the pads having strap engaging extensions for detachable securement to the inner sides of the shoulder straps of the garment.

With the foregoing and other objects in view, the invention will be more fully described hereinafter, and will be more particularly pointed out in the claims appended hereto.

In the drawings, wherein like symbols refer to like or corresponding parts throughout the several views,

Figure 1 is a rear side perspective view of a brassière embodying the features of the present invention.

Figure 2 is a transverse section taken through the garment near the top thereof.

Figure 3 is a detail side elevation of the dummy pad used with the top portion turned down in solid lines, the dotted lines showing its position when in the garment.

Figure 4 is a rear side perspective view, partly broken away, of a modified form of this invention.

Figure 5 is an enlarged section taken on the line 5-5 of Fig. 4.

Figure 6 is a section taken on the lines 6-6 of Fig. 5.

Figure 7 is a detail side elevation of the dummy pad used in the modified form of the invention.

Referring to the drawings, the brassière com-

prises a back composed of the two side portions 10 and 11 interconnected by a central back portion 12 of elastic material or the like.

The front of the garment is composed of a bottom section 13 of substantially inverted T-shape the opposite upper edges of which are curved to the configuration of the lower portions of the breast pockets 14 which are stitched or otherwise secured to the bottom section 13 and extend upwardly therefrom. Top front sections 15 are secured across the upper marginal edges of the pockets 14. The back side sections 10 and 11 and the top front sections 14 are extended upwardly and reduced to provide shoulder straps 16 of suitable length and which may have elastic inserts 17 if desired. The garment may have an opening at one side or edge detachably closed by the fasteners 18 to admit the ready positioning and removal of the garment.

The pockets 14 are made of the full size of the normal bust, and the garment may be used in the conventional way. To reinforce the pockets 14 at their lower edges and provide an additional support for the bust strips 19 are secured to the bottom edges of the pockets at their inner sides and extend from the top of the front central section 13 to the opposite sides or edges of the garment. These strips 19 are made from any suitable material, and may, if desired, be of open mesh construction. The strips 19 extend upwardly from their lower edges of attachment and overlap the pockets 14 and provide a retaining or seating flange or strip for each pocket.

Within either or both pockets 14 may be placed removable and adjustable dummy pads or artificial breasts 20. The body portion of the pad 20 is in the form of an envelope or pouch the side walls of which have the desired fullness which has an opening 21 along its top edge for the introduction and removal of a packing 22 for adjusting the size of the pad 20 and for renewing the packing and cleaning the envelope itself. The opening 21 may be closed by one or more separable fasteners 23 to hold the packing in place and provide a neat and finished upper edge for the pad.

The pad 20 fits in a pocket 14 behind the strip 19 and the strip 19 has its opposite ends secured at 24 to the body portion of the garment to hold the pad 20 from shifting out of place. The pad 20 has a shoulder extension 25 at its upper outer corner adapted to lie against the inner side of the adjacent shoulder strap 16 of the garment. A separable fastener 26 has its parts secured to

Oct. 7, 1941.

S. DE JORIO

2,258,209

BREAST FORM AND BRASSIÈRE

Filed May 20, 1936

2 Sheets-Sheet 1

FIG. 1

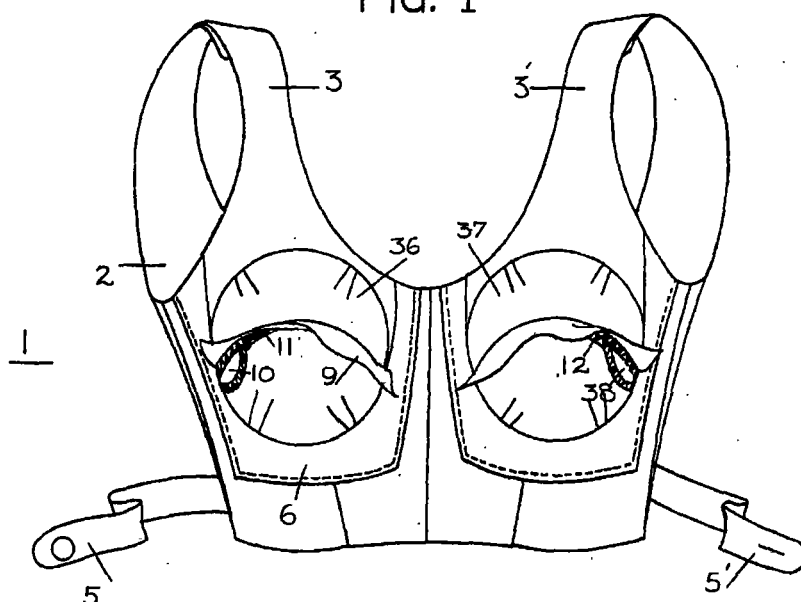
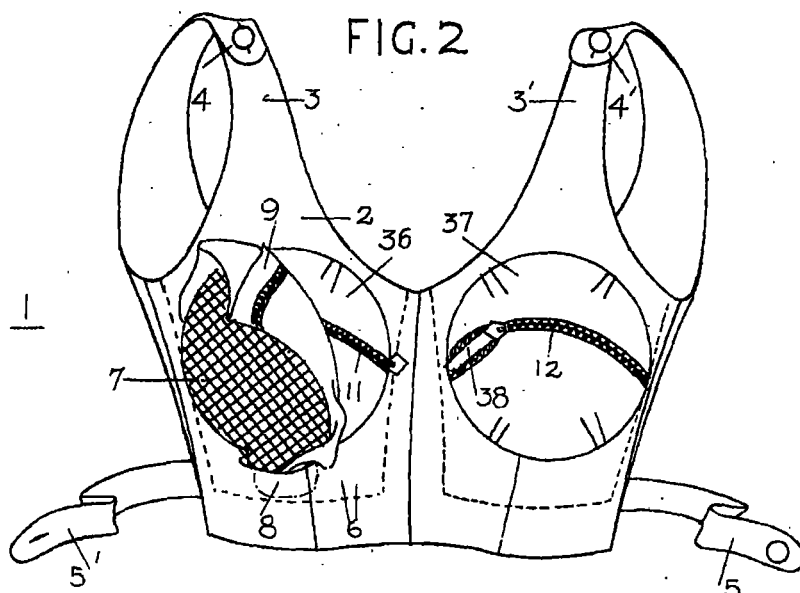


FIG. 2



INVENTOR.

Stella De Jorio

UNITED STATES PATENT OFFICE

2,258,209

BREAST FORM AND BRASSIÈRE

Stella De Jorio, La Canada, Calif.

Application May 20, 1936, Serial No. 80,799

3 Claims. (Cl. 128—282)

This invention relates to the art of sanitary pads or dressings and has to do more particularly with a sanitary absorbent breast form, to be used in conjunction with an impervious brassière.

An object of the present invention is to supplement a subnormal female breast after a breast amputation with an inexpensive sterile absorbent breast form. This is accomplished by providing a bust form composed of alternate layers of sterilized materials, such as cotton and cellulose fibers covered with a gauze or cloth sheath, whereby discharges from the breast wound are conveyed to the body of the bust form by means of the capillary action of cellulose fibers.

Another object of the invention is to protect the clothes of a nursing mother from overflowing milk ducts in the breast, and at the same time allow such mother to easily gain access to the breast.

This is accomplished by providing a soft, non-irritating concave breast form, composed of sterilized cotton and cellulose fiber covered with a sheath of sterile gauze or the like, and a protective brassière made of a soft impervious material such as softex. A trough in the brassière is adapted to receive a supporting arm, integral with the pad, and thereby maintain such pad and its complementary breast in relative proximity to each other. An aperture is provided in the brassière adjacent each breast pad and is opened or closed by means of a standard slide fastener. In this way a wet pad may be removed with comparative ease.

Many other advantages will be apparent from the following detailed description when read in conjunction with the accompanying drawings, wherein:

Fig. 1 is a rear elevation of the brassière of this invention.

Fig. 2 is a front elevation showing the brassière and a complementary sanitary absorbent breast pad.

Fig. 3 is a side elevation showing a preferred form of concave absorbent breast pad.

Fig. 4 is a front elevation of the brassière of this invention in place on a female figure.

Fig. 5 is a back elevation of the brassière or harness of the invention showing the construction thereof.

Fig. 6 is a front elevation of a female figure with the absorbent breast form in place.

Fig. 7 is a side elevation partly in cross section of an absorbent breast form for use with an amputated breast.

Referring now to Fig. 1, the brassière 1 con-

sists of a harness 2 shaped to fit a female figure. A pair of supporting shoulder straps 3 and 3' are adjustably fastened by means of a conventional button and buttonhole arrangement 4, conveniently located adjacent the shoulder of a wearer. Adjustable belts 5 and 5' are continuations of the straps 3 and 3', and secure the base of the brassière firmly around the torso of the wearer. The brassière 2 is so constructed that the belts 5 and 5' are adapted to cross at the back of the wearer as shown in Fig. 5. Belt 5 passes through an aperture 40 at the side of the brassière 2 and is adjustably fastened at the front of the wearer in a conventional manner. Thus by adjusting the belts 5 and 5' an upward pressure is exerted upon breast pockets 36 and 37, thereby elevating the breasts of a wearer and assisting the breast muscles in holding the breasts in a proper position.

A trough or pocket 6 is located at the base of the harness 2 and the front of the harness 2 is arranged in the form of two breast pockets 36 and 37. Each pocket is adapted to receive a breast pad such as 7. An extended tongue 8 on the pad 7 is adapted to be received in the reservoir in the bottom of the trough 6, thus providing a firm support for pad 7 and preventing it from slipping out of place. This reservoir is formed by stitching, as indicated in Figure 3 and referred to by numeral 8', this separating the reservoir from the rest of the trough. A flap 9 covers an aperture 10 in the breast pocket 36 of the brassière or harness 2 and provides a body-guard for a conventional slide fastener 11, which serves to open and close aperture 10 at will. The same arrangement is used for each breast as is shown in Fig. 4, wherein the second slide fastener 12 is used to close aperture 38 (similar to aperture 10) in the breast pocket 37.

Different types of sanitary breast pads are designed to be used in conjunction with this brassière, varied in shape according to the breast condition that is to be corrected. Thus, where the device is being used by a nursing mother to protect her clothes from excess flow from her milk ducts, a pad such as 7, shown in Fig. 3, is used wherein the pad 7 consists of a series of alternate layers of cellulose fiber and absorbent cotton 14—15—16—17 pressed into a substantially concave cone shape to fit an enlarged breast. Pad 7 is covered with a notched gauze or cheese cloth sheath 18, stitched to pad 7 to form a tight fitting cover. The lower side 19 of pad 7 is thicker than the upper side 20 in order to absorb

34 31

1971-12-21

United States Patent

[11] 3,628,539

[72] Inventor **Simon Fredricks**
5111 Contour Place, Houston, Tex. 77035
[21] Appl. No. 13,729
[22] Filed Feb. 24, 1970
[45] Patented Dec. 21, 1971

3,393,681 7/1968 Sachs 128/494 X
2,723,396 11/1955 Stack 128/482
2,803,823 8/1957 Broadwin 128/482 X

Primary Examiner—Richard J. Scanlan, Jr.
Attorney—Bernard A. Reiter

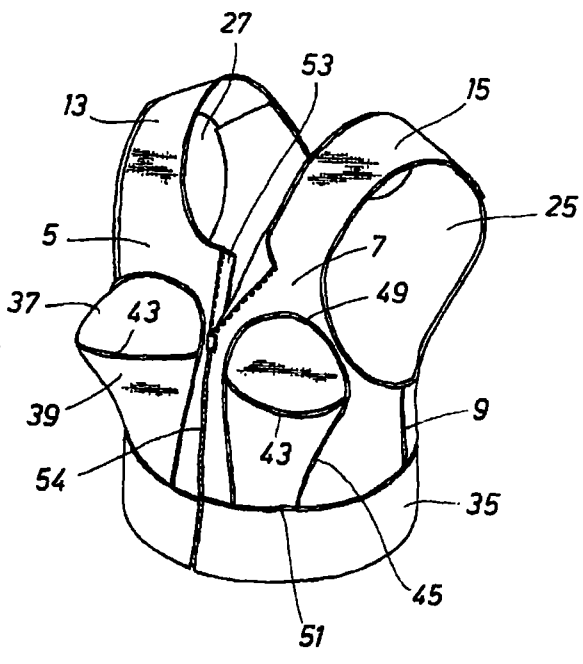
[54] **MAMMARY SUPPORT**
8 Claims, 4 Drawing Figs.

[52] U.S. CL..... 128/427,
128/482, 128/490, 128/504, 128/510
[51] Int. Cl..... A41c 3/00
[50] Field of Search..... 128/427,
429, 458, 482, 490, 494, 500, 501, 504, 508, 510,
512

[56] **References Cited**
UNITED STATES PATENTS
2,250,094 6/1941 Cornibert et al..... 128/455

ABSTRACT: A mammary supportive dressing constructed of uniformly distensible material and having a back panel and front panels, the latter detachably connected to one another for facilitating application and removal of the dressing. Each front panel includes a breast cup means having an upper section of elliptical profile and a lower section of semielliptical profile arranged and connected to one another and to the detachable panels in a manner reducing respiratory restriction and post operative hematoma and seroma formation while at the same time exerting such uniform force as to maintain artificial implants in position during healing.

D5



MAMMARY SUPPORT

BACKGROUND OF THE INVENTION

This invention pertains to dressing means for use on female patients in a post operative condition. More particularly the invention is directed to an improved supportive dressing to be worn by a patient subsequent to a breast operation.

Heretofore a variety of different methods have been utilized for dressing of female patients subsequent to all types of surgery of the breast. One of the more conventional methods has been the application of an adhesive dressing in which an adhesive tape or bandage or the like is wrapped in deliberate manner around the upper torso. Such a dressing is not only time consuming and difficult to apply, but is frequently painful to the patient and not uncommonly produces allergic response resulting in blistering, itching and other types of discomfort. Still further, there may result from the blistering various surgical complications which in themselves require further treatment. One such complication results from blistering and resides in the form of a permanent pigmentation of the skin which causes cosmetic embarrassment of the patient.

Another type of dressing commonly used is the elastic bandage. This bandage is made of an expansible material having restrictive characteristics and because of these characteristics there is applied to the body a constrictive force causing labored respiration on the part of the patient. Like the adhesive-type dressing, the elastic variety predisposes the patient to medical complications which in themselves must be treated. Pneumonia and atelectasis are such complications. Further, the elastic bandage is particularly uncomfortable to the patient and may cause cuts and/or bruises of the shoulders. Still further is the ever present danger of brachial palsy.

These and numerous other complications and functional disadvantages characterize the dressings presently used. It becomes readily apparent that a new and improved dressing to be used on patients undergoing substantially any type of breast surgery is not only long over due but, in fact, is urgently called for.

SUMMARY OF THE INVENTION

The present invention is, therefore, directed to a new and improved supportive dressing which not only eliminates the allergic response produced by adhesive dressings but also eliminates or at least substantially reduces the totally restrictive effect which has been a consequence of the elastic type of bandage. Naturally, the complications resulting from each of the prior art types of dressing are eliminated upon utilization of the improved supportive dressing otherwise referred to as the mammary support.

The supportive dressing or mammary support not only eliminates all of the hazards presently in prior dressings but additionally is uniquely adapted to hold artificial implants in position so that substantially no dislodging or slippage occurs during the healing process. Also, the mammary support discourages post operative bleeding, hematoma and/or seroma formation. This is due to the uniformly compressive and equally distensible material and unique construction of the support, all of which calls for a uniform and equal distribution of pressure in a painless and relatively comfortable manner. Still further it affords easy post operative examination of the patient and eliminates costs of numerous redressings post operatively. Also, it permits safe early ambulation of the patient, thereby minimizing risks of post operative complications of phlebitis and/or pulmonary emboli.

These and numerous other features and advantages of the invention will become more readily apparent upon a reading and careful examination of the following detailed description claims and drawings wherein like numerals denote like elements in the various views and wherein:

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a slightly rotated frontal view of a preferred embodiment of the invention.

FIG. 2 is a slightly rotated rear view of the preferred embodiment of FIG. 1.

FIG. 3 shows a profile outline of the cup upper section.

FIG. 4 shows a profile outline of the cup lower section.

DETAILED DESCRIPTION

With reference now to the drawings and particularly FIGS. 1 and 2 there is shown the mammary support comprising the back panel 3 and a right and left front panel 5 and 7 respectively. The panels 5, 7 are integrally connected to back panel 3 at the body seams 9, 11 to form a bodylike shirt. Each of the front panels is further characterized by a somewhat tapered upper portion which defines the right and left shoulder straps 13 and 15. The back panel 3 (FIG. 2) is likewise characterized by a somewhat tapered upper section which defines the shoulder straps 15a and 13a. Each of the terminal ends of the four shoulder straps 13, 15, 15a, 13a contains some appropriate connection means so that, for example, the right shoulder strap 13 extending from the front panel can fixedly engage the terminal end of the shoulder strap 13a extending from the back panel. Such connection means will preferably take the form of conventional Velcrostrip tape or other hook 21 and pile 23 material.

As shown in both FIGS. 1 and 2, the side portion of the back panel 3 and each of the front panels 5, 7 contain a substantial cutout 25, 27 defining the arm and shoulder opening for the patient. The mating shoulder straps 13, 13a and 15, 15a can be totally separated from one another in order to facilitate positioning and connecting of the support to the patient. Additionally the size of the arm and shoulder opening 25, 27 can be varied by moveably connecting the Velcro pile 23 to the Velcro hook 21 at different positions on the latter.

As best shown in FIG. 2 the back panel 3, front panels 5, 7 and shoulder straps further define a cutout head and neck opening 31 through which the patient's neck normally extends. It is apparent that the cutout sections from the various body panels 3, 5 and 7 each merge smoothly into one another in order to define the respective arm and shoulder openings 25, 27 and the head and neck opening 31.

Circumferentially extending around the support at a position slightly above the waist of the patient is an extensible body band 35. The body band is constructed of a material adapted to be stretchable only along the circumferential direction. The primary function of the body band is to securely maintain the position of the support at a point intermediate the waist and the cup means so as to prevent slippage or creep of the support upwardly while the patient is wearing it. Inferior results can only accrue if the body band is distensible in any but the circumferential direction for significant benefits are derived by the consistent and reliable positioning of the support on the body of the wearer.

As best shown in FIG. 1, the support is further characterized by a respective cup means in each the right and left front panels 5, 7. The cup means each comprise an upper cup section 37 and a lower cup section 39 connected to one another along the common horizontal seam 43. The seam 43 connecting the two sections of the cup is most appropriately disposed in the horizontal direction in order to avoid transverse contact with normally disposed breast incisions, thereby avoiding or at least reducing sources of irritation. Each of the cup sections 37, 39 is integrally connected to the front panels 5, 7 along the cutout profile defined by the lower cup seam 45 and the upper cup seam 49. The lower cup section 39 is connected to the body band 35 along the lower bottom seam 51 so as to thereby provide for a total breast cup construction of markedly improved design. Also, due to the direct connection of cup section 39 to band 35 all tensile forces are directly transmitted to the band.

With reference to FIG. 3 there is shown the upper section 37 of the cup illustrating the elliptical profile thereof. It will be recognized that this section is so shaped in order to normally engage without substantial distension of the upper portion of