

[Date]

[Client Name]

[Client Address]

[City, State, Zip Code]

RE: Design Patent Clearance Opinion for [Project/Product Name]

Dear [Client Contact Name],

At your request, we have conducted a design patent clearance search and analysis regarding the ornamental design of your proposed product, currently identified as [Product Name/Model Number]. The purpose of this letter is to provide our professional opinion regarding the freedom to operate in view of existing United States design patents.

1. Scope of Search

Our search was conducted on [Date] using the [Database Name, e.g., USPTO/WIPO] databases. We focused on the following classifications: [List Classifications]. The search was limited to the visual features of [Describe specific design elements, e.g., the handle shape, the outer casing].

2. Identified References

During our search, we identified the following relevant design patents:

- U.S. Design Patent No. D[Number] ("Reference A")
- U.S. Design Patent No. D[Number] ("Reference B")

3. Legal Standard

The standard for design patent infringement is the "Ordinary Observer" test. Infringement occurs if, in the eye of an ordinary observer, giving such attention as a purchaser usually gives, two designs are substantially the same, and the resemblance is such as to deceive such an observer, inducing him to purchase one supposing it to be the other.

4. Analysis and Opinion

[Detailed comparison between the client's design and the cited references. Note differences in silhouette, ornamentation, and surface configuration.]

Based on the differences identified above, it is our opinion that the [Product Name] design does not infringe the ornamental design claimed in the identified references. Specifically, [Provide primary reason for non-infringement].

5. Limitations

This opinion is based on the design drawings provided to us on [Date]. Any material changes to the product design may alter this conclusion. Furthermore, this search does not include pending "secret" design patent applications that have not yet been published or issued.

Please contact us if you have any questions regarding this analysis.

Sincerely,

[Attorney Name]
[Law Firm Name]