

(12) **United States Design Patent**
Risberg et al.

(10) **Patent No.:** **US D1,025,684 S**

(45) **Date of Patent:** **** May 7, 2024**

(54) **DRINKING UTENSIL**

(71) Applicant: **Everywhere Joe, LLC**, Lake Forest, IL (US)

(72) Inventors: **Joseph Charles Jones Risberg**, St. Paul, MN (US); **Nicholas Conrad Yehle**, Lake Forest, IL (US)

(73) Assignee: **Everywhere Joe LLC**, Saint Paul, MN (US)

(**) Term: **15 Years**

(21) Appl. No.: **29/773,807**

(22) Filed: **Mar. 11, 2021**

(51) **LOC (14) Cl.** **07-06**

(52) **U.S. Cl.**
USPC **D7/300.2**; D23/209

(58) **Field of Classification Search**
USPC D7/300, 300.2, 301, 635, 507, 509, 510; D27/101; D23/205, 209; D9/716, 717
CPC A47G 21/18; A47G 21/184; A47G 21/185; A47G 21/189; A47G 19/2266
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

735,429 A * 8/1903 Waters B29C 44/348 81/124.1

D43,108 S * 10/1912 Sanford D7/635

1,236,029 A * 8/1917 Williams A47G 21/18 239/33

1,678,051 A * 7/1928 Bastian B67D 1/02 92/163

2,815,981 A * 12/1957 Nonnamaker A47G 21/18 215/388

2,960,234 A * 11/1960 Fredrickson C10G 33/06 D23/209

3,173,566 A * 3/1965 Talbert B65D 77/283 215/229

D303,197 S * 9/1989 Turner, Jr. D7/300.2

5,039,012 A * 8/1991 Inaba A47G 21/18 215/388

D320,136 S * 9/1991 Adcock D7/300.2

(Continued)

FOREIGN PATENT DOCUMENTS

CN 307032128 * 12/2021

CN 307231753 * 4/2022

(Continued)

OTHER PUBLICATIONS

JoGo [online] URL: <https://jogostraw.com/pages/our-story> (site visited:Jun. 22, 2023) (Year: 2021).*

(Continued)

Primary Examiner — Jae Liang

Assistant Examiner — Tia Ruth-Renee Polidori

(74) Attorney, Agent, or Firm — Ballard Spahr LLP

(57) **CLAIM**

The ornamental design for a drinking utensil, as shown and described.

DESCRIPTION

FIG. 1 is a bottom perspective view of our new design for a drinking utensil;

FIG. 2 is a front elevational view thereof;

FIG. 3 is rear elevational view thereof;

FIG. 4 is a right side elevational view thereof;

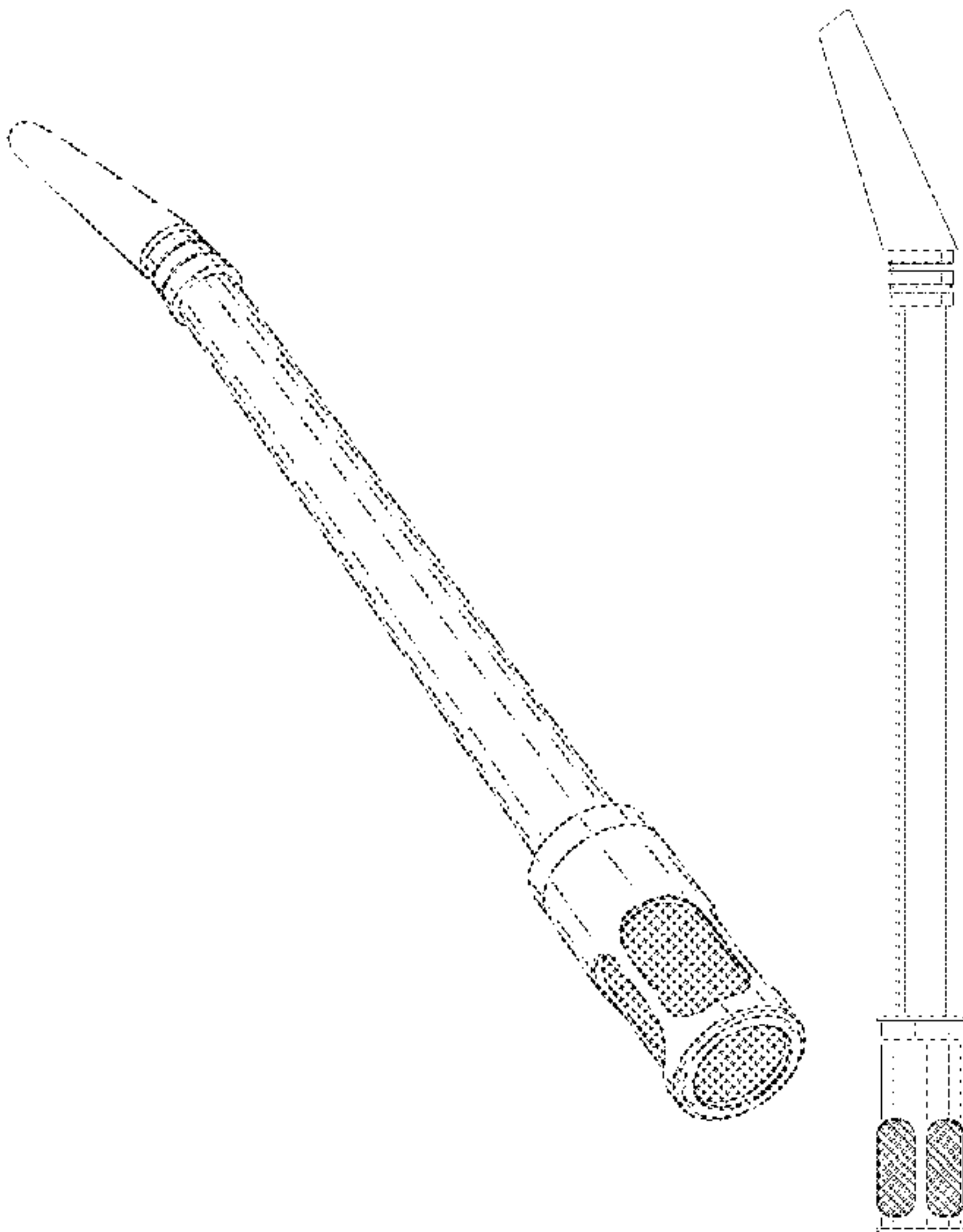
FIG. 5 is a left side elevational view thereof;

FIG. 6 is a top plan view thereof; and,

FIG. 7 is a bottom plan view thereof.

The lines on the outer surfaces of the drinking utensil represent contour line shading. In contrast to the solid lines that define the claimed design, the contour lines do not contact other lines and are provided with a reduced thickness.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

5,133,485 A * 7/1992 Ohno A61J 9/00
92/255
D334,503 S * 4/1993 Neubert, Sr. D7/300.2
5,334,348 A * 8/1994 Saito A61B 10/007
600/580
D374,476 S * 10/1996 Page D23/209
5,791,510 A * 8/1998 Paczonay A47G 21/185
215/11.4
6,105,787 A * 8/2000 Malkin B01D 29/15
210/488
D518,555 S * 4/2006 De Muro, Jr. D23/209
D526,383 S * 8/2006 Byerly D23/209
D550,496 S * 9/2007 Stribling D7/300.2
D551,318 S * 9/2007 MacNeil D23/209
D643,508 S * 8/2011 Wilkinson D23/209
D674,649 S * 1/2013 Ludwig D7/300.2
D687,513 S * 8/2013 Williams D23/209
D728,853 S * 5/2015 Han D27/101
D744,279 S * 12/2015 Arciero D7/510
D753,790 S * 4/2016 Torgerud D23/209
D755,345 S * 5/2016 Lüthi D23/209
D758,651 S * 6/2016 Wu D27/101
D765,220 S * 8/2016 Boudreau D23/209
D778,493 S * 2/2017 Scott D27/101
D780,990 S * 3/2017 Liu D27/101
D814,102 S * 3/2018 Lehoux D27/101
D815,247 S * 4/2018 Homer D23/209
D841,776 S * 2/2019 Smith D23/209
10,501,246 B1 * 12/2019 Bowles B65D 51/28
D873,479 S * 1/2020 Lehoux D27/167
D888,483 S * 6/2020 Lin D7/300.2
D901,621 S * 11/2020 Breitenmoser D23/209
D907,286 S * 1/2021 Fornarelli D27/162

D929,166 S * 8/2021 Omdahl, II D7/300.2
D930,112 S * 9/2021 Smith D23/209
11,116,342 B1 * 9/2021 Braziel A47G 21/189
D933,409 S * 10/2021 Serrahima D7/300.2
D940,949 S * 1/2022 Fornarelli D27/113
D948,111 S * 4/2022 Benhalima D27/162
2002/0036239 A1 * 3/2002 Banach A47G 21/18
239/24
2003/0183797 A1 * 10/2003 Yang F16K 15/18
251/345
2003/0230635 A1 * 12/2003 Banach A47G 21/18
239/33
2020/0390257 A1 * 12/2020 Leinbach A47G 21/186
2021/0315400 A1 * 10/2021 Cran A47G 21/18
2021/0369028 A1 * 12/2021 Risberg B01D 29/17

FOREIGN PATENT DOCUMENTS

GB 6188750 * 1/2022
GB 6199370 * 3/2022
GB 6280824 * 5/2023
JP D1741645 * 4/2023

OTHER PUBLICATIONS

EcoTeas [online] URL: <https://www.amazon.com/EcoTeas-Stainless-Bombilla-1-Count-Maintenance/dp/B00GSVR46S> (site visited: Jun. 22, 2023) (Year: 2013).*

Matear [online] URL: <https://www.amazon.com/Matear-Traditional-South-american-bombilla/dp/B09C4ZBQN8> (site visited: Jun. 22, 2023) (Year: 2021).*

Jiubilai Co [online] URL: <https://www.amazon.com/dp/B0B5X7JJZV> (site visited: Jun. 22, 2023) (Year: 2022).*

* cited by examiner

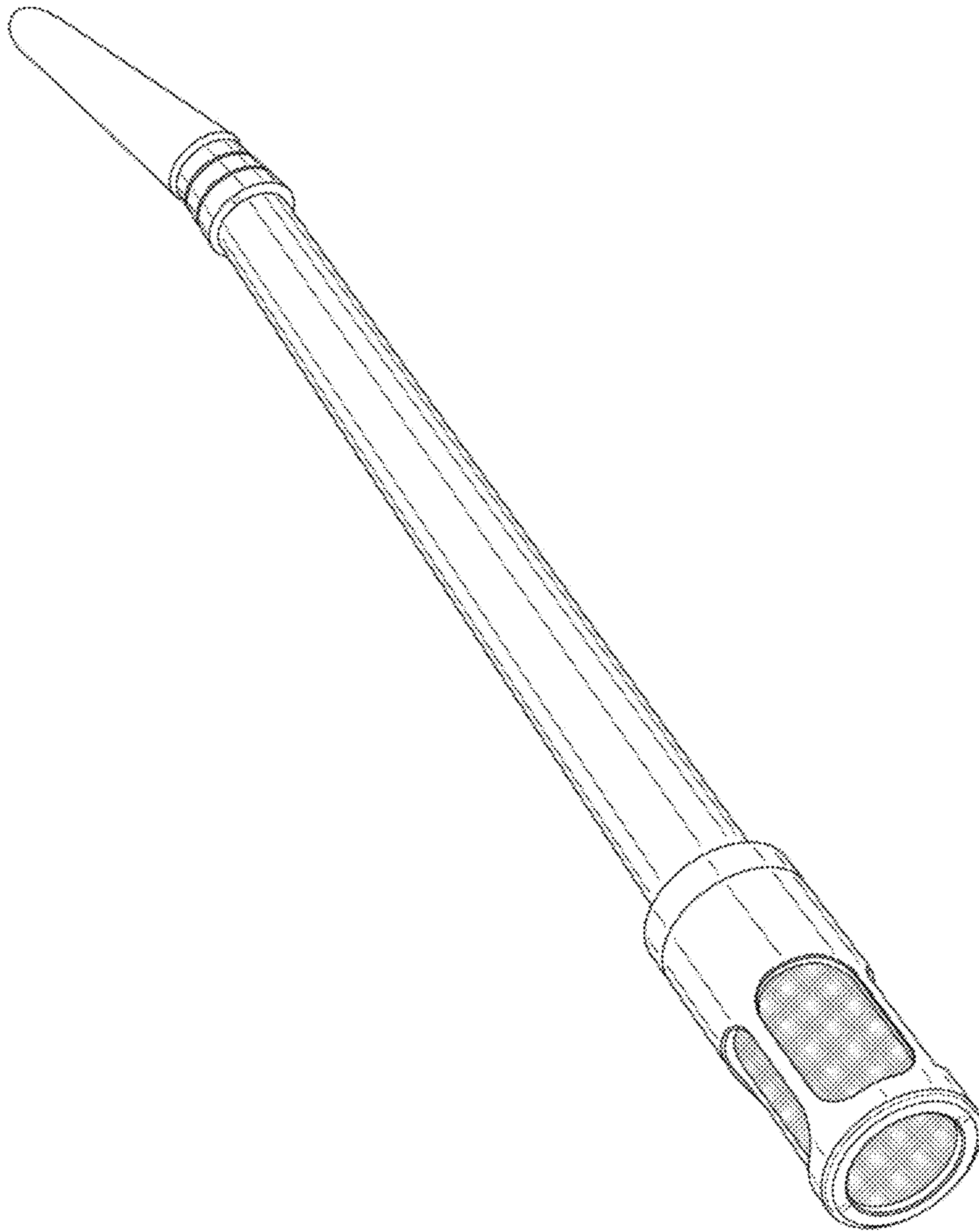


FIG. 1

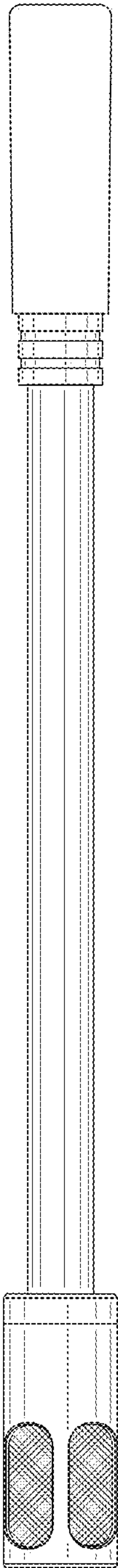


FIG. 2

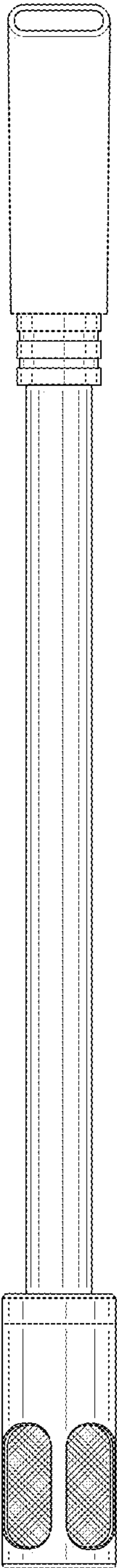


FIG. 3

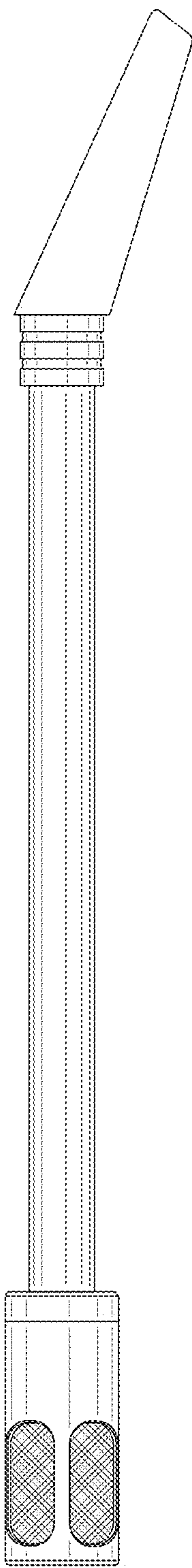


FIG. 4

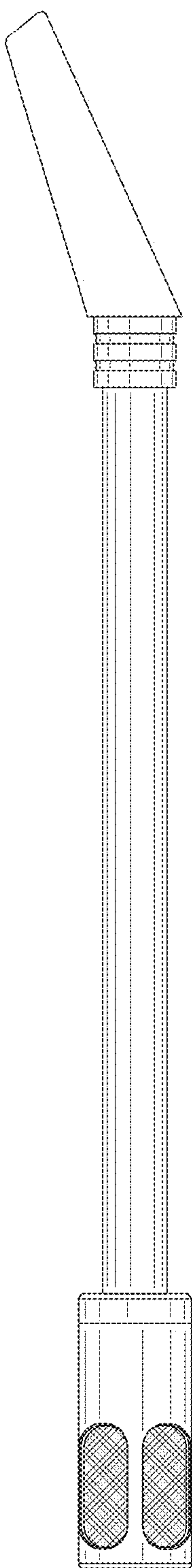


FIG. 5

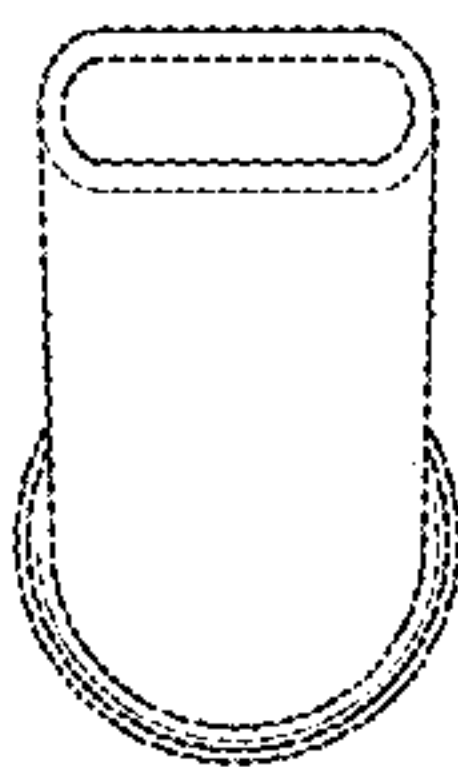


FIG. 6

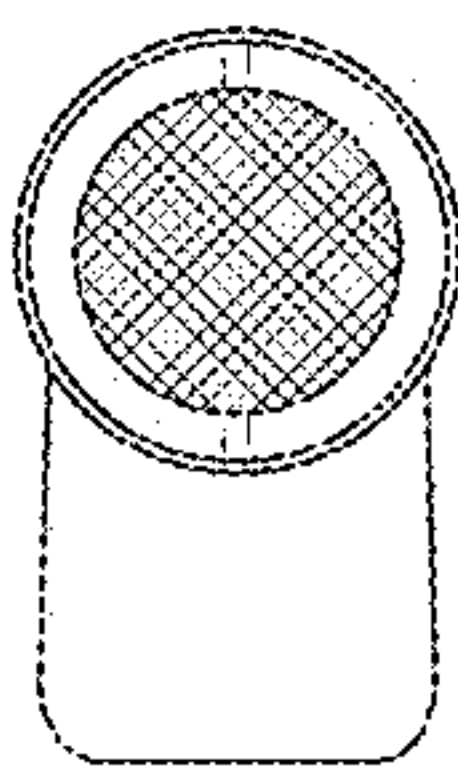


FIG. 7