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Seiders et al.

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(54) BOTTLE

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(**) Term: 15 Years

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(56) References Cited

U.S. PATENT DOCUMENTS

D109,331 S 4/1938 McManus et al.
D154,378 S 7/1949 Fuller
(Continued)

FOREIGN PATENT DOCUMENTS

CN 300731684 1/2008
CN 301110494 1/2010
(Continued)

OTHER PUBLICATIONS

“64 oz Double-Wall Vacuum-Insulated Growler” published on Nov. 14, 2014, retrieved from https://web.archive.org/web/*/http://www.fiftyfiftybottles.com/64oz-growler/ on Sep. 22, 2016.
(Continued)

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(74) Attorney, Agent, or Firm — Banner & Witcoff, Ltd.

(57) CLAIM

The ornamental design for a bottle, as shown and described.

DESCRIPTION

FIG. 1 is a top, front, right perspective view of a bottle showing our new design;
FIG. 2 is a front view thereof, where the rear view is a mirror image of FIG. 2;
FIG. 3 is a right side view thereof, where the left side view is a mirror image of FIG. 3;
FIG. 4 is a top view thereof; and,
FIG. 5 is a bottom view thereof.
The uneven-length broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The even-length broken lines depicting the remainder of the bottle form no part of the claimed design.

1 Claim, 4 Drawing Sheets

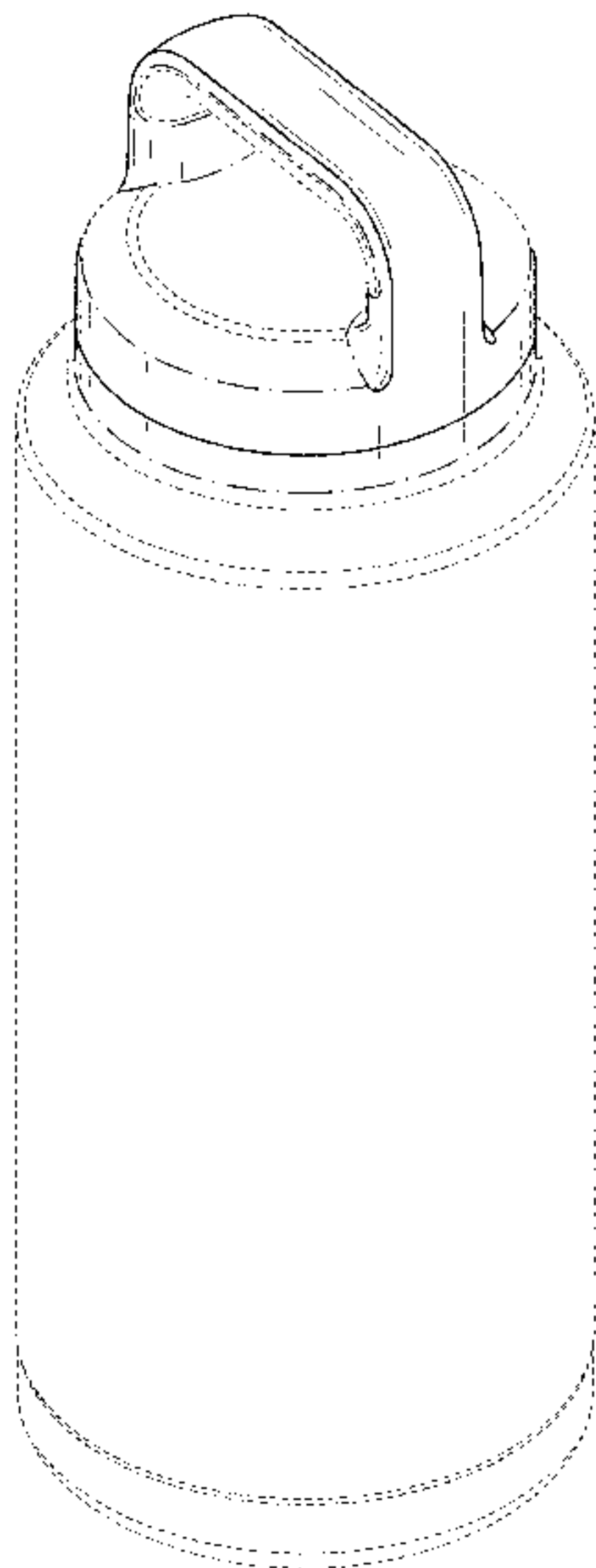
Related U.S. Application Data

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CPC B65D 81/3837; B65D 81/3839; B65D 81/3841; B65D 81/3844; B65D 81/3846; B65D 81/3869; B65D 81/3881; B65D 81/3876; A47J 41/0005; A47J 41/0083; A47J 41/02; A47J 41/024; A47J 41/026; A47J 41/028; A47J 41/0077; A47J 41/00; A47J 41/022; F25D 2331/803; F25D 3/08; A45C 11/20; A47G 19/22; A47G 19/2288; A47G 19/2205
See application file for complete search history.



Related U.S. Application Data

Dec. 18, 2019, now Pat. No. Des. 899,870, which is a continuation of application No. 29/656,789, filed on Jul. 16, 2018, now Pat. No. Des. 875,479, which is a continuation of application No. 29/618,672, filed on Sep. 22, 2017, now Pat. No. Des. 823,069, which is a continuation of application No. 29/605,434, filed on May 25, 2017, now Pat. No. Des. 799,906, which is a continuation of application No. 29/544,208, filed on Oct. 30, 2015, now Pat. No. Des. 804,256.

(56)

References Cited

U.S. PATENT DOCUMENTS

D177,761 S	5/1956	Reinhardt	D616,744 S	6/2010	Cresswell et al.
2,963,187 A	12/1960	Bramming	D619,457 S	7/2010	Walsh
3,089,603 A	5/1963	Leslie-Smith	D619,458 S	7/2010	Walsh
D224,646 S	8/1972	Vollquartz	D619,459 S	7/2010	Walsh
D235,303 S	6/1975	Boucher	D620,798 S	8/2010	Cresswell et al.
D256,651 S	9/1980	Leung et al.	D621,257 S	8/2010	Gullickson et al.
D279,346 S	6/1985	Ruxton	D621,258 S	8/2010	Gullickson et al.
D281,567 S	12/1985	Zimmermann	D622,089 S	8/2010	Daniel et al.
D286,604 S	11/1986	Bierlein et al.	D622,145 S	8/2010	Walsh
D286,847 S	11/1986	Zimmermann	D623,475 S	9/2010	Aarnoudse et al.
D287,211 S	12/1986	Weiss	D623,896 S	9/2010	Wahl et al.
D316,371 S	4/1991	Vola	D625,560 S	10/2010	Olson et al.
D321,628 S	11/1991	Kobayashi et al.	D625,563 S	10/2010	He
D332,379 S	1/1993	Murphy	D625,564 S	10/2010	He
D347,359 S	5/1994	Robbins, III	D625,616 S	10/2010	Gogola et al.
D354,915 S	1/1995	Schneider et al.	D626,414 S	11/2010	Cresswell et al.
D368,224 S	3/1996	Arndt	D626,416 S	11/2010	Cresswell et al.
D369,525 S	5/1996	Winters	D627,601 S	11/2010	Eyal
D396,191 S	7/1998	Kuzma et al.	D627,602 S	11/2010	Eyal
D398,193 S	9/1998	Sanchez	D627,604 S	11/2010	Eyal
D405,650 S	2/1999	Meier	D628,486 S	12/2010	Lane
D415,395 S	10/1999	Hunt et al.	D629,689 S	12/2010	Cresswell et al.
D417,127 S	11/1999	Steadward et al.	D629,690 S	12/2010	Cresswell et al.
D422,916 S	4/2000	Herrmann	D629,691 S	12/2010	Cresswell et al.
6,332,557 B1	12/2001	Moran	D630,474 S	1/2011	Gilbert
D456,669 S	5/2002	Munari	D630,475 S	1/2011	Lu
D458,133 S	6/2002	Berish et al.	D631,666 S	2/2011	Lim et al.
D458,134 S	6/2002	Berish et al.	D632,522 S	2/2011	Wahl et al.
D466,814 S	12/2002	Hurlburt	D633,338 S	3/2011	Rosbach et al.
D479,800 S	9/2003	McRae	D633,794 S	3/2011	Cresswell et al.
D482,607 S	11/2003	McRae	D633,795 S	3/2011	Cresswell et al.
D494,425 S	8/2004	Segura	D633,796 S	3/2011	Cresswell et al.
D524,909 S	7/2006	Bakke et al.	D633,797 S	3/2011	Cresswell et al.
D525,518 S	7/2006	Baldwin	D635,457 S	4/2011	Lane
D533,032 S	12/2006	Liu et al.	D635,856 S	4/2011	Lauret
D535,151 S	1/2007	Seum et al.	D638,695 S	5/2011	Woodrow et al.
D536,929 S	2/2007	Kingsley	D638,708 S	5/2011	Walsh
D548,082 S	8/2007	Kingsley	D639,164 S	6/2011	Walsh
D553,914 S	10/2007	Wahl	D639,166 S	6/2011	Carreno
D554,000 S	10/2007	Walsh	D639,661 S	6/2011	Llerena
D564,363 S	3/2008	Rhea	D639,663 S	6/2011	Llerena
D572,585 S	7/2008	Perrin et al.	D641,591 S	7/2011	Tsukida
D584,623 S	1/2009	Chupak	D651,847 S	1/2012	Gilbert
D586,184 S	2/2009	Miller et al.	D652,255 S	1/2012	Carland
D587,533 S	3/2009	Carreno	D652,682 S	1/2012	Eyal
D592,909 S	5/2009	Alviar et al.	D654,762 S	2/2012	Gilbert
D596,460 S	7/2009	Nezu	D655,134 S	3/2012	Gilbert
D601,436 S	10/2009	Stephens et al.	D655,581 S	3/2012	Kotani
D603,331 S	11/2009	Schupp	D657,196 S	4/2012	Beyers, III
D603,722 S	11/2009	Reimer	D658,064 S	4/2012	Barnes et al.
D604,181 S	11/2009	Reimer	D658,445 S	5/2012	Carreno
D604,561 S	11/2009	Chisholm	D659,007 S	5/2012	Pape
D605,040 S	12/2009	Fry et al.	D660,084 S	5/2012	Gilbert
D605,060 S	12/2009	Reimer	D662,360 S	6/2012	George
D611,346 S	3/2010	Camomile	8,215,511 B1	7/2012	Lin
D612,235 S	3/2010	Cresswell et al.	D664,809 S	8/2012	Eyal
D614,918 S	5/2010	Chisholm	D665,621 S	8/2012	Eyal
D615,360 S	5/2010	Joy et al.	D668,913 S	10/2012	Mayer
D615,816 S	5/2010	Joy et al.	D670,137 S	11/2012	Gilbert
D616,703 S	6/2010	Joy et al.	D672,238 S	12/2012	Aziz et al.
D616,743 S	6/2010	Cresswell et al.	D672,609 S	12/2012	Aziz et al.
			D675,100 S	1/2013	Herbst
			D676,764 S	2/2013	Moore et al.
			D678,772 S	3/2013	Johnson et al.
			D680,389 S	4/2013	Zemel et al.
			D680,431 S	4/2013	Hopkins et al.
			D684,059 S	6/2013	Johnson et al.
			D686,078 S	7/2013	Johnson et al.
			D688,093 S	8/2013	Roth et al.
			D693,698 S	11/2013	Miller, Jr.
			D695,138 S	12/2013	Ball
			D696,945 S	1/2014	Newman
			D697,404 S	1/2014	Johnson et al.
			D698,668 S	2/2014	Vaughn
			D701,464 S	3/2014	Ogata et al.
			D702,092 S	4/2014	Mettler et al.
			D702,506 S *	4/2014	Mettler D9/504
			D708,954 S	7/2014	Barnes et al.
			D709,734 S	7/2014	Kotani

(56)

References Cited

U.S. PATENT DOCUMENTS

D712,254 S 9/2014 Geis et al.
D712,255 S 9/2014 Geis et al.
D713,268 S 9/2014 Jones et al.
D713,365 S 9/2014 Green
D717,102 S 11/2014 Taketani et al.
D724,385 S 3/2015 Hurley et al.
D725,968 S 4/2015 George
D728,315 S 5/2015 Bo
D728,995 S 5/2015 Barberi
D729,579 S 5/2015 Molayem
D729,584 S 5/2015 Weston et al.
D732,402 S 6/2015 Jones et al.
D734,154 S 7/2015 Johnson et al.
D735,578 S 8/2015 Mazurkiewicz et al.
D741,655 S 10/2015 Whelan et al.
D743,742 S 11/2015 Rummel et al.
D744,781 S 12/2015 Rummel et al.
D754,472 S 4/2016 Munari
D758,859 S 6/2016 Sorensen et al.
D760,586 S 7/2016 Seiders et al.
D780,577 S 3/2017 Seiders et al.
D781,145 S 3/2017 Seiders et al.
D781,146 S 3/2017 Seiders et al.
D782,881 S 4/2017 Seiders et al.
D783,367 S * 4/2017 Seiders D9/504
D783,368 S 4/2017 Seiders et al.
D788,544 S 6/2017 Seiders et al.
D790,285 S 6/2017 Seiders et al.
D794,397 S 8/2017 Seiders et al.
D795,020 S 8/2017 Seiders et al.
D799,898 S 10/2017 Yao
D799,907 S 10/2017 Seiders et al.
D803,005 S 11/2017 Lane
D804,255 S 12/2017 Seiders et al.
D804,256 S 12/2017 Seiders et al.
D805,852 S 12/2017 Seiders et al.
D807,125 S 1/2018 Seiders et al.
D807,126 S 1/2018 Seiders et al.
D808,713 S 1/2018 Rane et al.
D808,731 S 1/2018 Boroski et al.
D808,732 S 1/2018 Boroski
D809,344 S 2/2018 Guthrie
D823,069 S * 7/2018 Seiders D7/608
D941,638 S * 1/2022 Seiders D7/608
D943,357 S * 2/2022 Seiders D7/608
2011/0186585 A1 8/2011 Lu
2014/0353275 A1 12/2014 Hung
2017/0119212 A1 5/2017 Petrillo et al.

FOREIGN PATENT DOCUMENTS

CN 301801861 S 1/2012
CN 301964464 S 6/2012
CN 301990728 S 7/2012
CN 303009846 S 11/2014
CN 203987709 U 12/2014
CN 303344737 S 8/2015
CN 303374336 S 9/2015
CN 303528321 12/2015
CN 303823421 S 8/2016
CN 303905254 11/2016
DE 29707837 U1 7/1997
EP 2567909 A1 3/2013
JP D1446118 7/2012
JP D1489966 2/2014
JP 2014210613 A 11/2014
JP 1530358 S 8/2015
KR 300303813.0000 8/2002
KR 300764889.0000 10/2014
KR 300888536.0000 1/2017
WO D088688-002 1/2016

OTHER PUBLICATIONS

“Hydro Flask Insulated Stainless Steel Water Bottle” published on Dec. 29, 2014, retrieved from http://web.archive.org/web/*/https://www.amazon.com/dp/B004X55L9I/ref=twister_B00GA03LG4?_encoding=UTF8&psc=1 on Sep. 22, 2016.
“Eco Vessel 64 ounce Growler” published on Jan. 28, 2015, retrieved from http://web.archive.org/web/*/http://www.snewsnet.com/press-release/eco-vessel-launches-the-boss-insulated-growler/ on Sep. 22, 2016.
“Classic Vacuum Bottle—1.1 qt,” published on Feb. 22, 2015, retrieved from http://www.amazon.com/St Stanley-Classic-VACuum-Bottle-1-1qt/dp/images/B004E7NY3U/ref=dp_image_1_0?ie=UTF8&s=sporing-goods&img=color_name=1.
“UA Beyond 18 oz. Vacuum Insulated Water Bottle” published on Mar. 29, 2015, retrieved from http://web.archive.org/web/*/https://www.underarmour.com/en-us/beyond-18-oz-vacuum-insulated-ss-bottle-with-flip-top-lid/pid1232014 on Sep. 22, 2016.
“KB8 20 oz. Double Wall Stainless Bottle,” published on May 22, 2015, retrieved from <https://web.archive.org/web/20150807054814/http://thermo-steel.com/work/keen-kb8> on Sep. 27, 2016.
“2015 Boulder Insulated Water Bottle with Tea, Fruit, Ice Strainer” published on Jun. 28, 2015, retrieved from http://web.archive.org/web/*/http://www.ecovessel.com/boulder-insulated-water-bottle-with-tea-fruit-ice-strainer-20-oz/ on Sep. 2022.
“Klean Kanteen Insulated Classic with Polypropylene” published on Jul. 7, 2015, retrieved from http://web.archive.org/web/*/https://www.lifewithoutplastic.com/store/klean-kanteen-insulated-classic-with-polypropylene-loop-cap-0-95-l-32-oz.html on Sep. 22, 2016.
Kold Vacuum Insulated Stainless Steel Sports Bottle: Announced Dec. 8, 2015 [online], site visited [May 11, 2016]. Available from Internet URL: <http://www.amazon.com/KOLD-Sports-Water-Bottles-Insulated/dp/B018YH K79E/ref=cm>.
Yeti 36 oz. Rambler: Announced Jan. 11, 2016 [online], site visited [May 10, 2016]. Available from Internet URL: <http://yeticoolers.com/rambler-bottle-36-oz/>.
United States District Court Western District of Texas Austin Division, “Complaint for Damages and Injunctive Relief,” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC and RTIC Web Services, LLC*, Case: 1:16-cv-00985, Document #1, filed Aug. 18, 2016, 27 pages.
English translation of Office Action issued on Sep. 6, 2016 for JP Application No. 2016-9603, 4 pages.
English translation of Office Action issued on Sep. 6, 2016 for JP Application No. 2016-9604, 3 pages.
United States District Court Western District of Texas Austin Division, “Defendants’ Motion to Dismiss Pursuant to Rule 12(b)(6),” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC and RTIC Web Services, LLC*, Case: 1:16-cv-00985, Document 9, filed Sep. 23, 2016, 27 pages.
English translation of Office Action issued on Oct. 4, 2016 for JP Application No. 2016-9607, 2 pages.
English translation of Office Action issued on Oct. 4, 2016 for JP Application No. 2016-9608, 2 pages.
United States District Court Western District of Texas Austin Division, “Plaintiffs’ First Amended Complaint,” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC, and RTIC Web Services, LLC*, Case 1:16-cv-00985-RP, Document 15, filed Oct. 14, 2016, 26 pages.
United States District Court Western District of Texas Austin Division, “Defendants’ Notice of Responsive Pleading to Plaintiff’s First Amended Complaint,” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC, and RTIC Web Services, LLC*, Case 1:16-cv-00985-RP, Document 23, filed Oct. 26, 2016, 4 pages.
English translation of Office Action issued on Nov. 1, 2016 for JP Application No. 2016-9605, 2 pages.
English translation of Office Action issued on Nov. 1, 2016 for JP Application No. 2016-9606, 2 pages.
Feb. 6, 2017—(WO) International Search Report and Written Opinion—App No. PCT/US2016/059481—12 pages.
United States District Court Western District of Texas Austin Division, “Plaintiff Yeti Coolers, LLC’s Original Complaint,” *Yeti*

(56)

References Cited

OTHER PUBLICATIONS

Coolers, LLC v. Ontel Products Corporation and World Pack USA, LLC, Case: 1:17-cv-00091-RP, Document #1, filed Feb. 8, 2017, 65 pages.

United States District Court Western District of Texas Austin Division, “Defendants’ Answers and Defenses to Plaintiff’s Original Complaint,” *Yeti Coolers, LLC v. Ontel Products Corporation and World Pack USA, LLC*, Case: 1:17-cv-00091-RP, Document #14, filed Mar. 21, 2017, 45 pages.

English Translation of Office Action issued on Apr. 4, 2017 for JP Application No. 2016-9605, 11 pages.

English Translation of Office Action issued on Apr. 4, 2017 for JP Application No. 2016-9606, 10 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ Complaint for Damages and Injunctive Relief,” *Yeti Coolers, LLC v. Houssam Rabi d/b/a Hoo-Sizzy*, Case 1:17-cv-00418, Document 1, filed May 5, 2017, 84 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ Complaint for Damages and Injunctive Relief,” *Yeti Coolers, LLC v. Seth Stevens d/b/a SDS Marketing d/b/a Eskimo Coolers, Panther Group LLC d/b/a Eskimo Coolers, Panther Group Sales, LLC d/b/a Eskimo Coolers, and Silver Fox Sales, LLC*, Case 1:17-cv-00423, Document 1, filed May 5, 2017, 283 pages.

United States District Court Western District of Texas Austin Division, “Second Amended Complaint,” *Yeti Coolers, LLC v. Sam’s West, Inc., and Sam’s East, Inc., and CY Top, Ltd.*, Case: 1:16-cv-00829-RP, Document #51, filed Sep. 22, 2017, 49 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Costco Wholesale Corporation*, Case: 1:17-cv-07025, Document #1, filed Sep. 28, 2017, 99 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Alibaba Group Holding Limited, Alibaba (China) Technology Co., Ltd., Alibaba.com Hong Kong Limited, Alibaba.com Singapore E-Commerce Private Limited, Hangzhou Alibaba Advertising Co. Ltd., and Huizhou Dashu Trading Co., Ltd.*, Case: 1:17-cv-00936, Document #1, filed Sep. 28, 2017, 272 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. ContextLogic, Inc. d/b/a Wish.com*, Case: 1:17-cv-00937, Document #1, filed Sep. 28, 2017, 238 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Dunhuang Group, SZ Flowerfairy Technology Co., Ltd., Tan Er Pa Technology Co., Ltd., Shenzhen Great Electronic Technology Co., Ltd., and Huagong Trading Co.*, Case: 1:17-cv-00938, Document #1, filed Sep. 28, 2017, 272 pages.

United States International Trade Commission of Washington, DC, “Complaint Under Section 337 of the Tariff Act of 1930, as Amended,” *Yeti Coolers, LLC vs. Alibaba (China) Technology Co., Ltd., Alibaba Group Holding Limited, Alibaba.com Hong Kong Limited, Alibaba.com Singapore E-Commerce Private Limited, Bonanza.com, Inc., ContextLogic, Inc. d/b/a Wish, Dunhuang Group, Hangzhou Alibaba Advertising Co. Ltd., Huizhou Dashu Trading Co., Ltd., Huagong Trading Co., and Tan Er Pa Technology Co., Ltd.*, filed Sep. 28, 2017, 191 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. SF Associates, Inc.*, Case: 1:17-cv-01070, Document #1, filed Nov. 10, 2017, 39 pages.

United States International Trade Commission Washington, DC, Respondents Alibaba, Dunhuang Group, and Bonanza.com’s “Notice of Prior Art”, Inv. No. 33-TA-1084 dated Feb. 9, 2018, 8 pages.

Jan. 29, 2021 (CN) Chinese Evaluation Report app No. 201630164049.0.

United States District Court Southern District of Texas, Houston Division, “Complaint,” *Yeti Coolers, LLC v. Igloo Products Corporation*, Case 4:21-cv-03203, filed Oct. 1, 2021, 54 pages.

United States District Court Middle District of Florida, Tampa Division, “Complaint for Damages and Injunctive Relief, and Demand for a Jury Trial”, *Yeti Coolers, LLC v. Bote, LLC*, Case 8:23-cv-00370, Document 1, filed Feb. 17, 2023, 125 pages.

United States District Court, Northern District of Georgia, Atlanta Division, “Complaint”, *YETI Coolers, LLC v. Rugged Road, LLC*, Case 1:24-cv-01688-VMC, Document 1, filed Apr. 19, 2024, 168 pages.

* cited by examiner

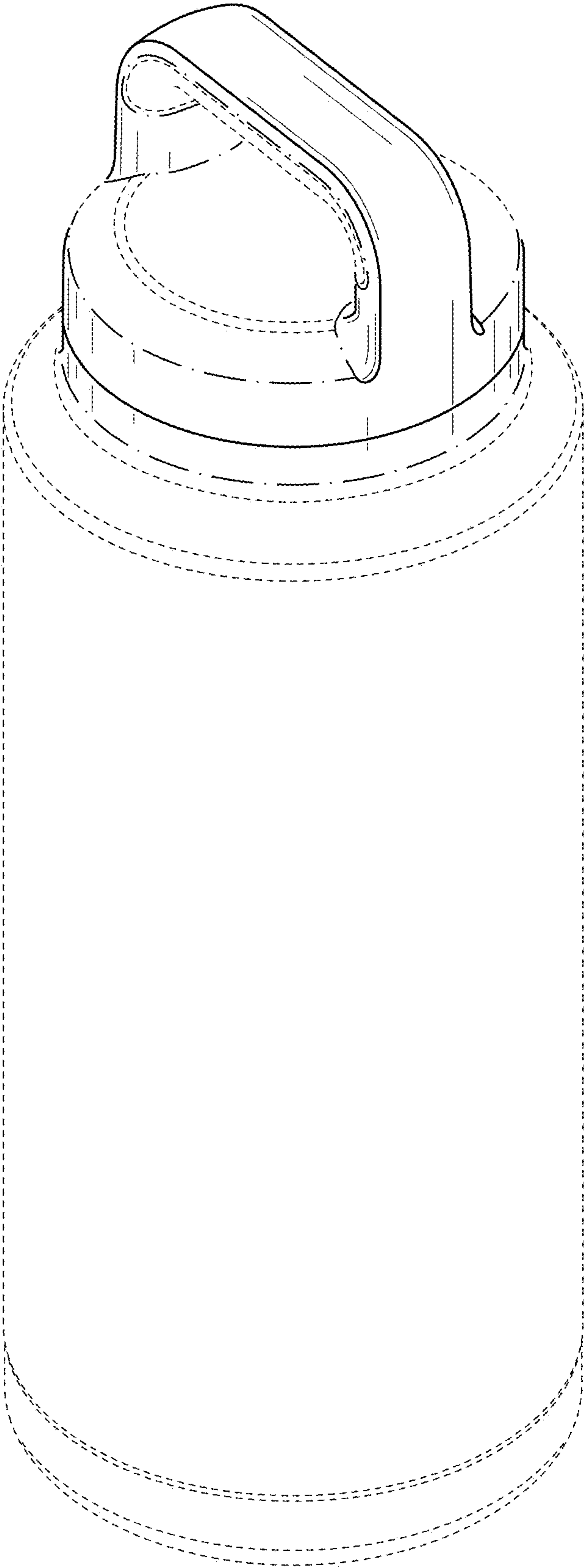


FIG. 1

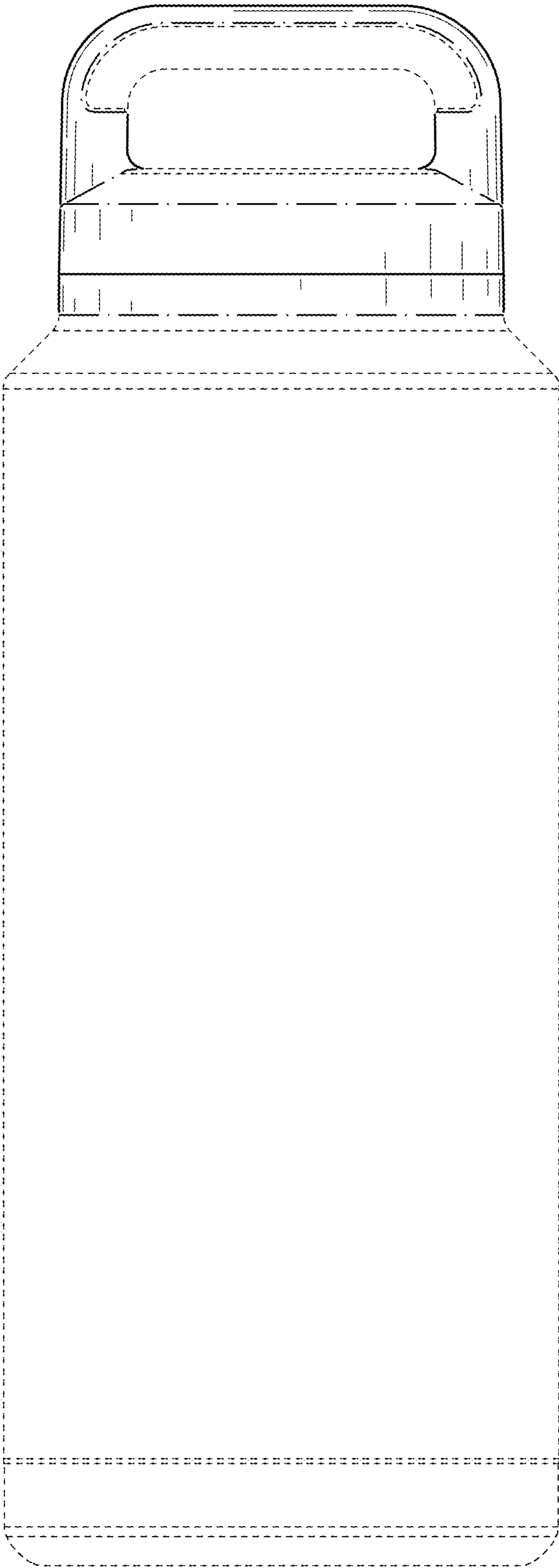


FIG. 2

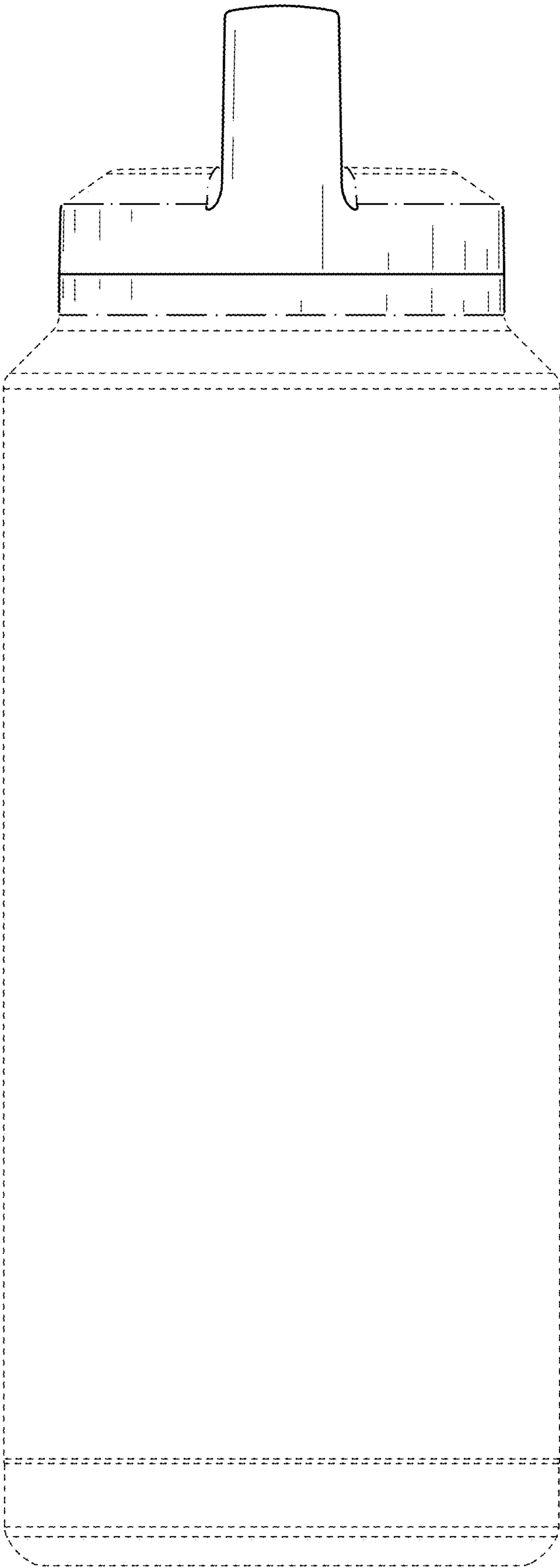


FIG. 3

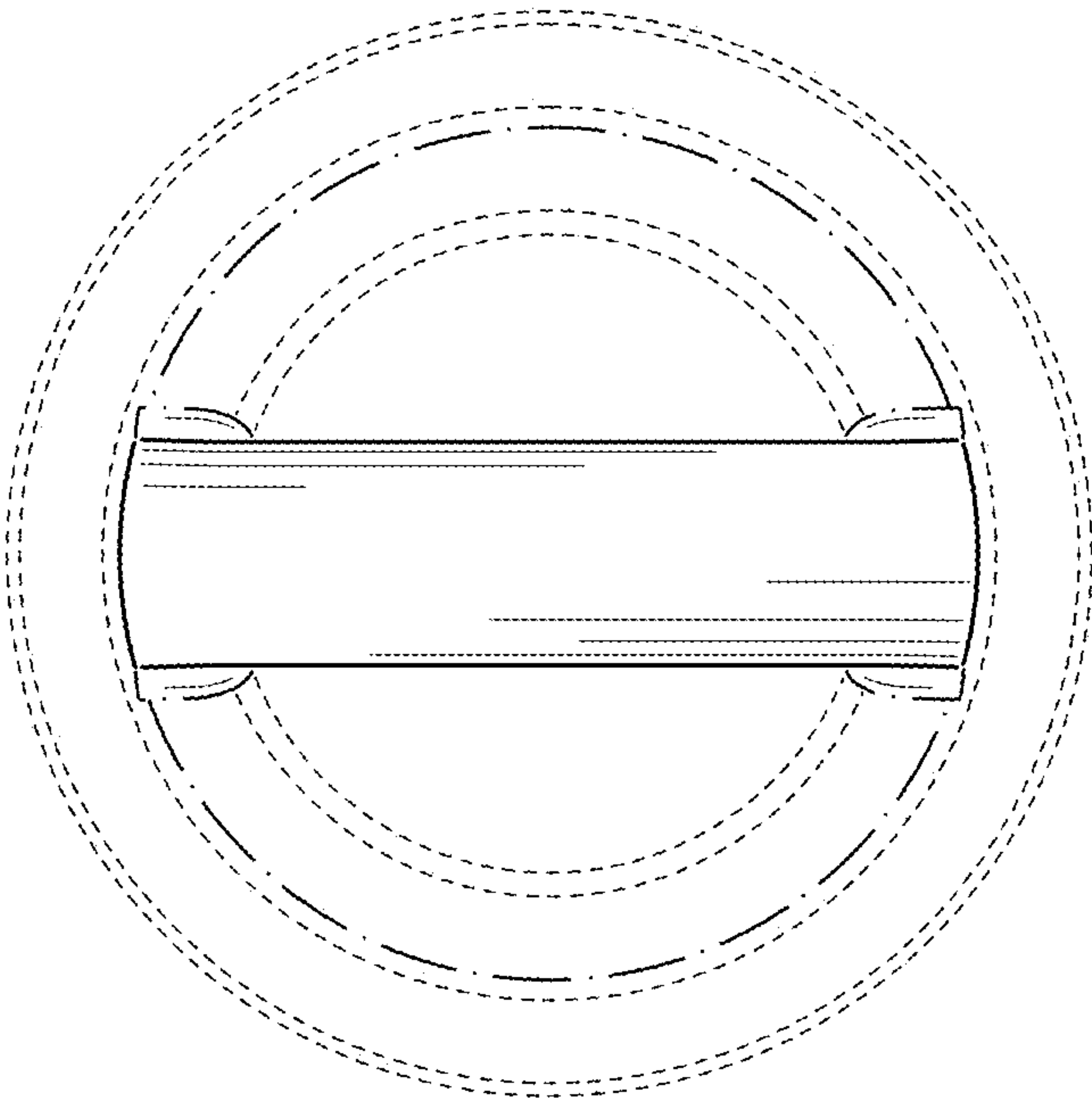


FIG. 4

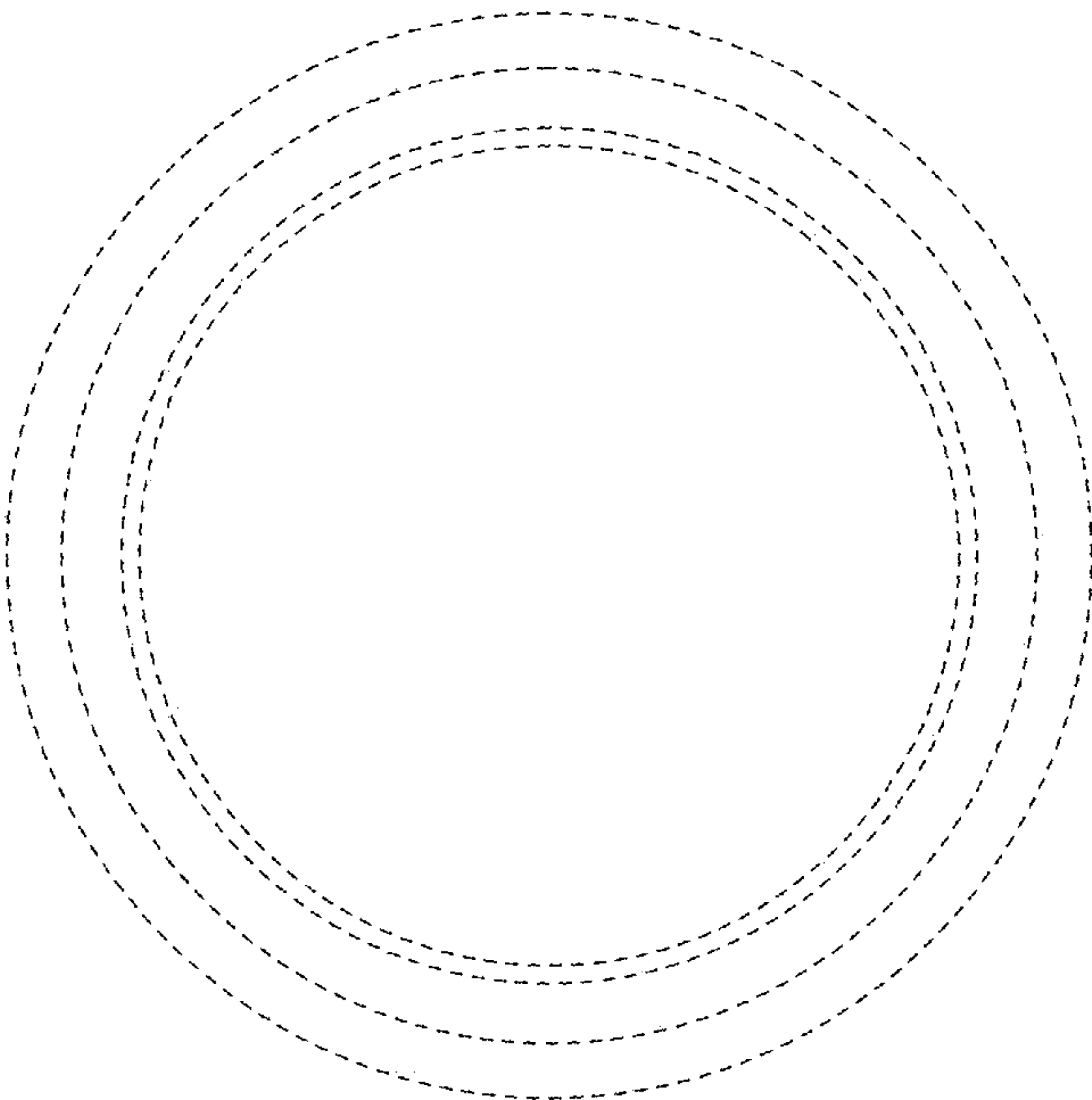


FIG. 5