



US0D1042120S

(12)

United States Design Patent

Kearns et al.

(10)

Patent No.:

US D1,042,120 S

(45)

Date of Patent:

** Sep. 17, 2024

(54) TRAY

(71) Applicant: Graphic Packaging International, LLC, Atlanta, GA (US)

(72) Inventors: Matthew R. Kearns, Woodstock, GA (US); Thomas Brink, Grand Rapids, MI (US); Scott Thomas Strand, Lindstrom, MN (US)

(73) Assignee: Graphic Packaging International, LLC, Atlanta, GA (US)

(**) Term: 15 Years

(21) Appl. No.: 29/785,900

(22) Filed: May 27, 2021

(51) LOC (14) Cl. 09-03

(52) U.S. Cl. USPC D9/456; D9/433

(58) Field of Classification Search USPC D9/414, 430, 431, 433, 444-445, 456, D9/711, 715, 718, 721, 748, 418, 427, D9/755, 761, 425; D7/601, 602, 538, D7/540, 550.1; D3/203.5, 202, 207, 210; D4/116 CPC B65D 5/00; B65D 5/0015; B65D 5/0045; B65D 5/13; B65D 5/40; B65D 5/2033; B65D 1/22; B65D 1/225; B65D 1/24; B65D 1/34; B65D 1/38 See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

622,921 A	4/1899	Fuller
667,634 A	2/1901	Schmidt
1,683,761 A	9/1928	Craig
1,894,209 A	1/1933	Wikstrom
1,999,461 A	4/1935	Kells

2,016,754 A	10/1935	Perkit
2,028,276 A	1/1936	Evans
2,037,502 A	4/1936	Cox
2,043,104 A	6/1936	Clancy

(Continued)

FOREIGN PATENT DOCUMENTS

DE	1810600 A1	7/1969
EP	0 270 838	6/1988

(Continued)

OTHER PUBLICATIONS

Frozen Food Europe: Announced [Jun. 29, 2021; online]. Retrieved [Nov. 2, 2023]. URL: <https://www.frozenfoodeurope.com/graphic-packaging-presents-new-dual-ovenable-cook-tray/> (Year: 2021).*

(Continued)

Primary Examiner — Darcey E Gottschalk
Assistant Examiner — Haley K Schnebele
(74) Attorney, Agent, or Firm — Womble Bond Dickinson (US) LLP

(57)

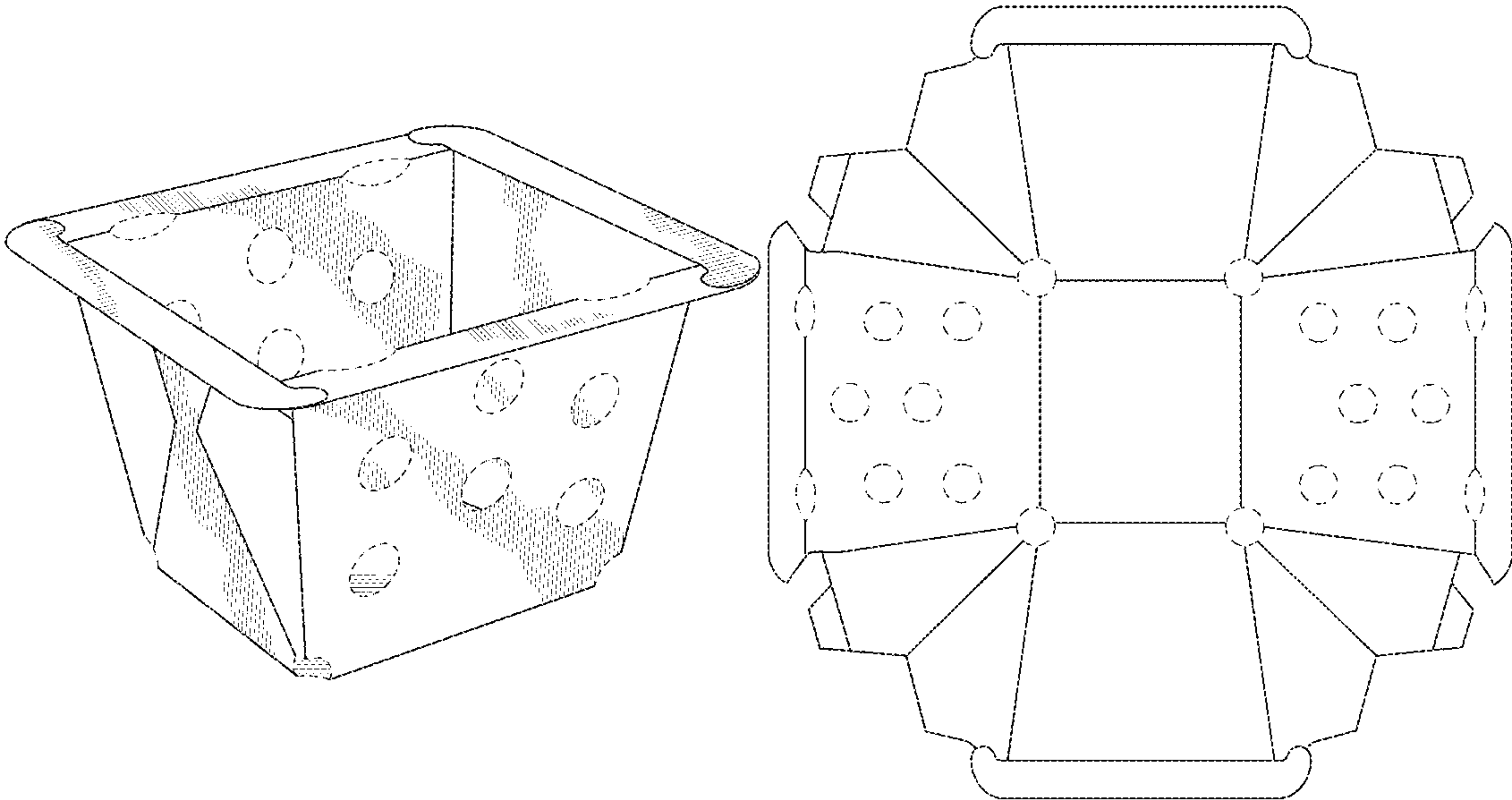
CLAIM

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

DESCRIPTION

FIG. 1 is a perspective view of a tray showing our new design.
FIG. 2 is a left elevation view of the tray of FIG. 1, the right elevation view is a mirror image.
FIG. 3 is a front elevation view of the tray of FIG. 1, the rear elevation view is a mirror image.
FIG. 4 is a top plan view of the tray of FIG. 1.
FIG. 5 is a bottom plan view of the tray of FIG. 1; and,
FIG. 6 is a plan view of the tray of FIG. 1 in an unfolded configuration.
In the drawings, the broken lines show portions of a tray that form no part of the claim.

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

2,163,017 A	6/1939	Berch	4,418,861 A	12/1983	McFarland et al.
2,232,088 A	2/1941	Waters	4,432,489 A	2/1984	Cote
2,279,670 A	4/1942	Ford	4,502,623 A	3/1985	Moore et al.
2,321,848 A	6/1943	O'Reilly	4,607,785 A	8/1986	Croley
2,740,576 A	4/1956	Franck	4,648,549 A	3/1987	Trutna
2,800,893 A	7/1957	Norman et al.	4,676,429 A	6/1987	Crowe et al.
2,836,339 A	5/1958	Pringle	D290,813 S	7/1987	Forbes, Jr.
2,858,630 A	11/1958	Gorman	4,682,727 A	7/1987	Stoll
2,859,905 A	11/1958	Choate	4,718,596 A	1/1988	Muller
2,944,721 A	7/1960	Choate	4,765,534 A	8/1988	Zion et al.
3,102,674 A	9/1963	Portola	4,775,771 A	10/1988	Pawlowski et al.
3,116,866 A	1/1964	Frank	4,792,084 A	12/1988	Dreeszen
3,246,830 A	4/1966	Smith	4,801,774 A	1/1989	Hart
3,276,660 A	10/1966	Vesak	4,836,439 A	6/1989	Hart
3,300,117 A	1/1967	Kossnar	4,846,398 A	7/1989	Johnson
3,316,102 A	4/1967	Doll	4,865,921 A	9/1989	Hollenberg et al.
3,355,085 A	11/1967	Olaf	4,871,111 A	10/1989	Mode
3,366,306 A	1/1968	Kotowick	4,890,439 A	1/1990	Smart
3,425,543 A	2/1969	Harvey	4,901,911 A	2/1990	Drexhage
3,447,672 A	6/1969	Bailey et al.	4,905,834 A	3/1990	Mur Gimeno et al.
3,478,950 A	11/1969	Stevens	4,915,235 A	4/1990	Roosa
3,515,331 A	6/1970	Guthrie, Sr.	4,919,267 A	4/1990	Stoll
3,516,594 A	6/1970	Stenzel	4,936,935 A	6/1990	Beckett
3,516,595 A	6/1970	Bailey	4,943,456 A	7/1990	Pollart et al.
3,536,248 A *	10/1970	Eriksson B65D 5/242	4,955,530 A *	9/1990	Rigby B65D 77/2056
		229/116			229/123.2
3,550,835 A *	12/1970	Persson B65D 77/2024	4,963,424 A	10/1990	Beckett
		229/123.2	4,998,669 A	3/1991	Karolyi
3,559,869 A *	2/1971	Reynolds B65D 5/248	5,002,826 A	3/1991	Pollart et al.
		229/905	5,039,364 A	8/1991	Beckett et al.
3,606,078 A	9/1971	Phillips, Jr.	5,049,710 A	9/1991	Prosisie et al.
3,630,430 A	12/1971	Struble	5,077,455 A	12/1991	Peleg et al.
3,637,130 A	1/1972	Farquhar	5,117,078 A	5/1992	Beckett
3,701,467 A *	10/1972	Johansson B65D 5/242	5,118,747 A	6/1992	Pollart et al.
		229/169	5,211,330 A	5/1993	Frey
3,715,853 A	2/1973	Bemiss	5,213,902 A	5/1993	Beckett
3,739,939 A	6/1973	Koenig	5,221,419 A	6/1993	Beckett
3,767,108 A	10/1973	Arneson	5,232,149 A	8/1993	Stoll
3,833,113 A	9/1974	Osier	5,247,149 A	9/1993	Peleg
3,845,897 A	11/1974	Buttery et al.	5,260,537 A	11/1993	Beckett
3,863,832 A *	2/1975	Gordon B65D 5/28	5,266,386 A	11/1993	Beckett
		229/905	5,294,765 A	3/1994	Archibald et al.
3,876,131 A	4/1975	Tolaas	5,326,021 A	7/1994	Farrell
3,877,632 A	4/1975	Steel	RE34,683 E	8/1994	Maynard et al.
3,912,331 A	10/1975	Turner et al.	5,338,921 A	8/1994	Maheux et al.
3,917,155 A	11/1975	Bemiss	5,340,436 A	8/1994	Beckett
3,927,823 A	12/1975	Persson	5,351,879 A	10/1994	Liu et al.
4,014,496 A	3/1977	Christensson	5,354,973 A	10/1994	Beckett
4,034,907 A	7/1977	Engdahl, Jr.	5,410,135 A	4/1995	Pollart et al.
4,049,188 A	9/1977	Persson	5,412,187 A	5/1995	Walters et al.
4,054,241 A	10/1977	Meyers et al.	5,424,517 A	6/1995	Habeger, Jr. et al.
4,079,853 A	3/1978	Casutt	5,433,374 A *	7/1995	Forbes, Jr. B65D 5/246
4,109,848 A	8/1978	Kipp et al.			229/123.2
4,114,797 A *	9/1978	Manizza B65D 5/247	5,519,195 A	5/1996	Keefer et al.
		229/188	5,520,322 A	5/1996	Conviser
4,124,160 A	11/1978	Meyers et al.	5,530,231 A	6/1996	Walters et al.
4,126,265 A	11/1978	Holmes	5,535,942 A	7/1996	Vilona
4,130,236 A *	12/1978	Manizza B65D 5/246	5,628,921 A	5/1997	Beckett
		229/114	5,672,407 A	9/1997	Beckett
4,166,567 A	9/1979	Beach, Jr. et al.	5,718,368 A	2/1998	Rench et al.
4,185,764 A	1/1980	Cote	5,720,429 A	2/1998	Cordle
4,199,097 A	4/1980	Christensson	5,726,426 A	3/1998	Davis et al.
4,205,775 A	6/1980	Swan	5,759,422 A	6/1998	Schmelzer et al.
4,227,640 A	10/1980	Roccaforte	5,762,225 A	6/1998	Byrd
4,244,472 A	1/1981	Brown	5,800,724 A	9/1998	Habeger et al.
4,267,955 A	5/1981	Struble	5,816,485 A	10/1998	Bernstein
4,277,506 A	7/1981	Austin	5,948,308 A	9/1999	Wischusen, III
4,283,427 A	8/1981	Winters et al.	5,961,035 A	10/1999	Correll
4,305,543 A	12/1981	Lai	6,019,276 A	2/2000	Auclair
4,308,985 A *	1/1982	Manizza B65D 81/343	6,050,482 A	4/2000	Cai
		229/940	6,050,483 A *	4/2000	Haraldsson B65D 5/2047
4,362,266 A	12/1982	Webinger			229/114
4,410,129 A	10/1983	Wischusen, III	6,092,720 A	7/2000	Karolyi
4,417,882 A	11/1983	Wallin	6,102,281 A	8/2000	Lafferty et al.
			6,114,679 A	9/2000	Lai et al.
			6,137,099 A	10/2000	Hamblin
			6,150,646 A	11/2000	Lai et al.
			6,170,740 B1	1/2001	Clark
			D437,557 S	2/2001	Ingelin et al.

US D1,042,120 S

Page 3

(56)

References Cited

U.S. PATENT DOCUMENTS

6,182,890 B1 2/2001 Sattler et al.
6,204,492 B1 3/2001 Zeng et al.
6,251,451 B1 6/2001 Zeng
6,273,610 B1 * 8/2001 Koyama B65D 75/32
229/245
6,359,272 B1 3/2002 Sadek et al.
6,371,363 B1 4/2002 Franklin et al.
6,371,364 B1 4/2002 Maillot
6,393,761 B1 * 5/2002 Deacon A01G 5/06
47/58.1 CF
6,414,290 B1 7/2002 Cole et al.
6,433,322 B2 8/2002 Zeng et al.
6,455,827 B2 9/2002 Zeng
6,513,704 B1 2/2003 Perot
6,552,315 B2 4/2003 Zeng et al.
6,561,414 B1 5/2003 Cai
6,588,652 B2 7/2003 Cai
6,677,563 B2 1/2004 Lai
6,717,121 B2 4/2004 Zeng et al.
6,719,190 B2 4/2004 Yocum
6,765,182 B2 7/2004 Cole et al.
6,808,105 B2 10/2004 Lee
7,007,838 B1 3/2006 Bostick, II
7,017,797 B2 3/2006 Goglio
7,019,271 B2 3/2006 Wnek et al.
7,140,532 B2 11/2006 Holt et al.
7,219,828 B2 5/2007 Lombardo
7,232,055 B1 6/2007 Lim
7,273,162 B2 9/2007 Baker
7,323,669 B2 1/2008 Robison et al.
7,328,833 B1 2/2008 Wiley
D563,155 S * 3/2008 Wyllie D7/387
D567,592 S * 4/2008 Fite, IV D7/567
7,351,942 B2 4/2008 Wnek et al.
7,365,292 B2 4/2008 Cole et al.
7,473,875 B2 1/2009 Fitzwater
7,514,659 B2 4/2009 Lafferty
7,541,562 B2 6/2009 Cole et al.
D600,550 S * 9/2009 King D9/433
D603,255 S * 11/2009 King D9/433
D603,256 S * 11/2009 King D9/433
7,648,031 B2 1/2010 Kari
7,648,059 B2 1/2010 Pavlu, Jr. et al.
7,667,167 B2 2/2010 Fitzwater
7,743,971 B2 * 6/2010 DeVine B65D 5/4608
229/114
7,748,536 B2 7/2010 Cassese et al.
7,762,394 B2 7/2010 Bradford et al.
D622,589 S * 8/2010 Elias D9/431
7,793,821 B2 9/2010 Oliveira
7,798,327 B1 9/2010 Berkani et al.
7,824,719 B2 11/2010 Cole et al.
7,870,995 B1 1/2011 Kaltman
7,893,389 B2 2/2011 Fitzwater
7,959,061 B2 * 6/2011 Kaltman B65D 5/2047
229/175
7,975,871 B2 7/2011 Wnek et al.
7,982,167 B2 7/2011 Fitzwater
7,982,349 B2 7/2011 Popov et al.
8,013,280 B2 9/2011 Robison et al.
8,063,344 B2 11/2011 Cole et al.
D650,667 S * 12/2011 Osentoski D9/434
8,087,570 B2 1/2012 Ho Fung
8,106,339 B2 1/2012 Robbins et al.
8,158,914 B2 4/2012 Wnek et al.
8,183,506 B2 5/2012 Fitzwater
8,186,570 B2 5/2012 Learn
8,252,217 B2 8/2012 Wnek et al.
8,309,896 B2 11/2012 Fitzwater
D677,154 S * 3/2013 Miller D9/424
8,492,690 B1 7/2013 Watkins
8,534,536 B2 9/2013 Mueller et al.
8,567,661 B2 10/2013 Sullivan
D699,447 S * 2/2014 Pirayesh D6/300
D719,019 S * 12/2014 Avis D9/432

9,027,825 B2 * 5/2015 Baker B65D 81/3216
206/524.1
9,078,296 B2 7/2015 Fitzwater
9,113,648 B2 8/2015 Burke
9,402,491 B1 8/2016 Debernardi
D775,947 S * 1/2017 Epstein D9/433
9,676,511 B2 * 6/2017 Kaltman B65D 5/248
10,232,973 B2 3/2019 Burke
10,336,500 B2 7/2019 Burke
D931,725 S * 9/2021 Rana D9/707
D942,267 S * 2/2022 Rana D9/433
11,247,799 B2 * 2/2022 Arnold B65D 5/246
11,345,508 B2 5/2022 Wisecarver
11,358,779 B2 * 6/2022 Tye B65D 77/22
11,370,576 B1 6/2022 Bevier
11,434,038 B2 * 9/2022 Tye B65D 5/2047
11,794,943 B2 * 10/2023 Sanchez B65D 85/345
2001/0032843 A1 10/2001 Aronsson et al.
2002/0084319 A1 7/2002 Yocum
2003/0006273 A1 1/2003 Tsern et al.
2003/0102363 A1 * 6/2003 Chang B65D 5/26
229/148
2003/0197053 A1 * 10/2003 Haraldsson B65D 5/246
229/125.35
2003/0226881 A1 12/2003 Liou
2004/0232034 A1 11/2004 Lebras
2004/0234653 A1 11/2004 Cogley et al.
2004/0238534 A1 12/2004 Mast
2005/0082355 A1 4/2005 Beutler
2005/0184066 A1 8/2005 Brooks et al.
2005/0194286 A1 9/2005 Ilyayeva et al.
2005/0205565 A1 9/2005 Cole et al.
2006/0006215 A1 1/2006 Chen
2006/0049190 A1 3/2006 Middleton et al.
2006/0096978 A1 5/2006 Lafferty et al.
2006/0113300 A1 6/2006 Wnek et al.
2006/0180644 A1 8/2006 Baker
2006/0278521 A1 12/2006 Stowell
2007/0056962 A1 3/2007 Hopkins, Sr. et al.
2007/0102424 A1 5/2007 Keefe
2007/0131744 A1 6/2007 Fitzwater
2007/0131745 A1 6/2007 Fitzwater
2007/0215611 A1 9/2007 O'Hagan et al.
2007/0251942 A1 11/2007 Cole et al.
2007/0251943 A1 11/2007 Wnek et al.
2007/0262487 A1 11/2007 O'Hagan et al.
2007/0275130 A1 11/2007 Cole et al.
2008/0000897 A1 1/2008 Robbins et al.
2008/0023469 A1 1/2008 Fitzwater
2008/0035634 A1 2/2008 Zeng et al.
2008/0047958 A1 2/2008 Cole et al.
2008/0078759 A1 4/2008 Wnek et al.
2008/0081095 A1 4/2008 Cole et al.
2008/0110966 A1 5/2008 Yocum
2009/0072015 A1 3/2009 Drew et al.
2009/0090708 A1 4/2009 Requena et al.
2009/0218338 A1 9/2009 Fitzwater
2010/0025393 A1 2/2010 Talpaert
2010/0038359 A1 2/2010 Laubhan et al.
2010/0051675 A1 3/2010 Sweet
2010/0065556 A1 3/2010 Cole
2010/0065621 A1 3/2010 Quaintance
2010/0072197 A1 3/2010 Neff et al.
2010/0102111 A1 4/2010 Learn
2010/0122999 A1 5/2010 Brand
2010/0193509 A1 8/2010 Fitzwater
2010/0264135 A1 10/2010 Cole
2011/0024413 A1 2/2011 Cole
2011/0089227 A1 4/2011 Kaltman et al.
2011/0114715 A1 5/2011 House
2011/0132903 A1 6/2011 Cole
2011/0233266 A1 9/2011 Pezzoli
2012/0228370 A1 9/2012 Faulon et al.
2013/0087607 A1 4/2013 Learn
2013/0299566 A1 11/2013 Sylvester
2014/0374953 A1 12/2014 Middleton
2015/0375468 A1 12/2015 Wnek
2016/0096648 A1 4/2016 Pinkstone

(56)

References Cited

U.S. PATENT DOCUMENTS

2016/0360912 A1* 12/2016 Chang A47G 23/0241
2021/0053714 A1 2/2021 Zwaga
2022/0048672 A1 2/2022 Bevier

FOREIGN PATENT DOCUMENTS

EP 0 270 551 B1 7/1990
EP 0 392 227 B1 2/1993
EP 1 481 922 12/2004
EP 1 364 558 3/2005
EP 2 240 385 6/2008
EP 2 605 974 3/2014
EP 2 974 973 1/2016
FR 2 867 346 9/2005
GB 2 042 474 A 9/1980
GB 2 137 170 A 10/1984
GB 2 234 958 A 2/1991
GB 2 479 703 A 10/2011
JP 53-161938 U 12/1978
JP 4-253670 9/1992
JP 6-293334 10/1994
JP 7-040968 2/1995
JP 2000-255546 A 9/2000
JP 2001-247122 2/2001
JP 2001-080628 A 3/2001
JP 2011-006071 1/2011
JP 2018-047939 A 3/2018
KR 20-0184133 Y1 6/2000
KR 10-1363935 2/2014
KR 10-1494078 B1 2/2015
KR 10-2019-0053053 A 5/2019
WO WO 94/05563 3/1994
WO WO 02/060223 8/2002
WO WO 03/066435 8/2003
WO WO 2005/077783 8/2005

WO WO 2006/076501 7/2006
WO WO 2007/127235 11/2007
WO WO 2007/127371 11/2007
WO WO 2007/133659 11/2007
WO WO 2007/136839 11/2007
WO WO 2009/006096 1/2009
WO WO 2012/024206 2/2012
WO WO 2019/092323 A1 5/2019
WO WO 2019/179930 A1 9/2019

OTHER PUBLICATIONS

PR Newswire: Announced [Apr. 20, 2021; online]. Retrieved [Nov. 2, 2023]. URL: <https://www.prnewswire.com/news-releases/graphic-packaging-international-adds-innovative-paperboard-punnet-to-sustainable-producepack-portfolio-301270801.html> (Year: 2021).*

AR Packaging: Announced [Mar. 4, 2021; online]. Retrieved [Nov. 2, 2023]. URL: <https://news.cision.com/ar-packaging/i/ar-packaging-fibre-tray-for-produce-dsc03115,c2884762> (Year: 2021).*

Produce Packaging: Announced [Date Not Available; online]. Retrieved [Nov. 2, 2023]. URL: https://bmxlovesk.xyz/product_details/12338874.html (Year: 2023).*

Start Packaging: Announced [Date Not Available; online]. Retrieved [Nov. 2, 2023]. URL: <https://www.goodstartpackaging.com/2-quart-reversible-paper-produce-containers-sample/> (Year: 2023).*

International Search Report and Written Opinion for PCT/US2021/058049 dated Feb. 22, 2022.

International Search Report and Written Opinion for PCT/US2021/058043 dated Feb. 18, 2022.

International Search Report and Written Opinion for PCT/US2021/058048 dated Feb. 18, 2022.

International Search Report and Written Opinion for PCT/US2021/058050 dated Feb. 22, 2022.

International Search Report and Written Opinion for PCT/US2021/058051 dated Feb. 17, 2022.

* cited by examiner

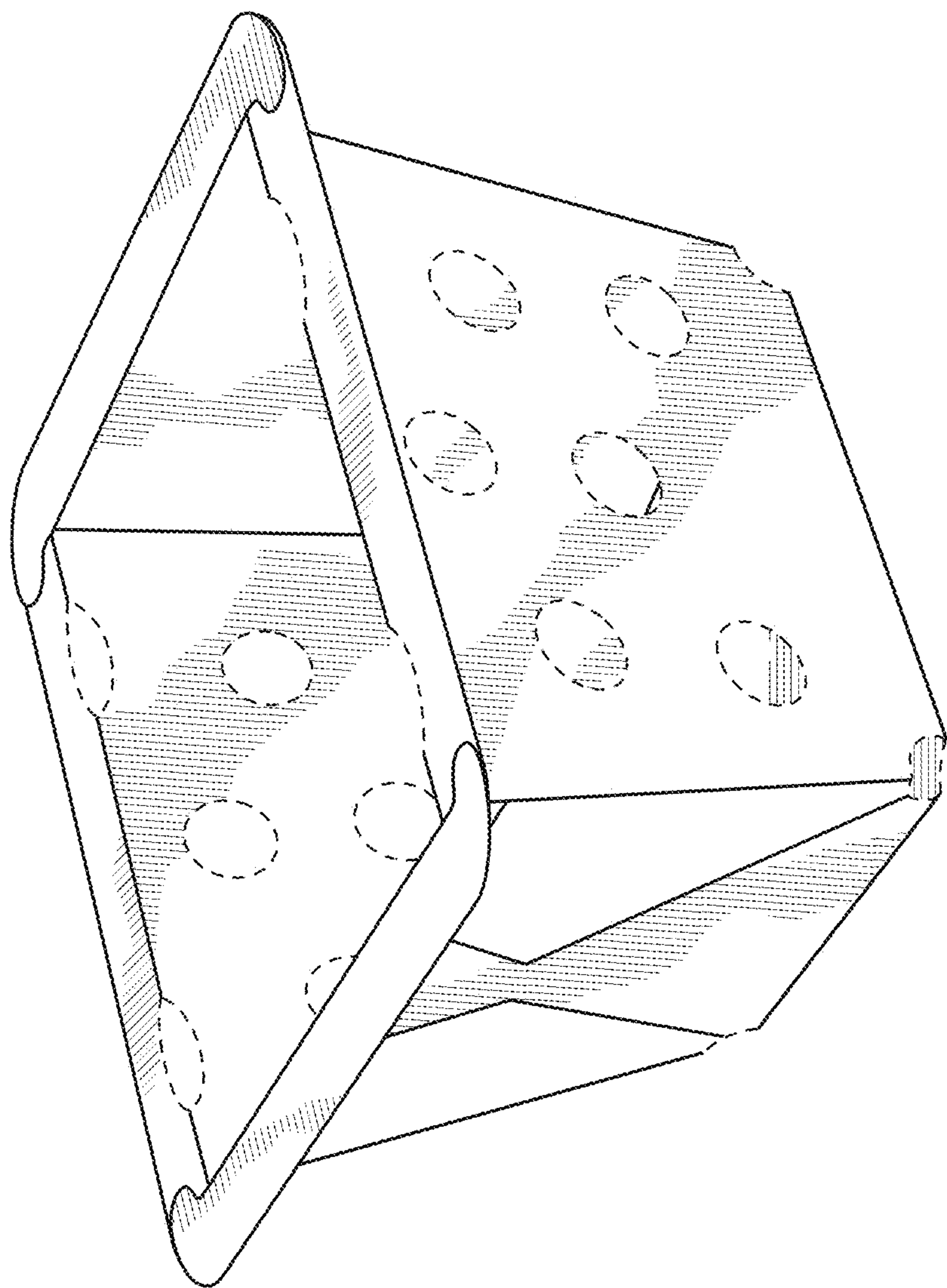


FIG. 1

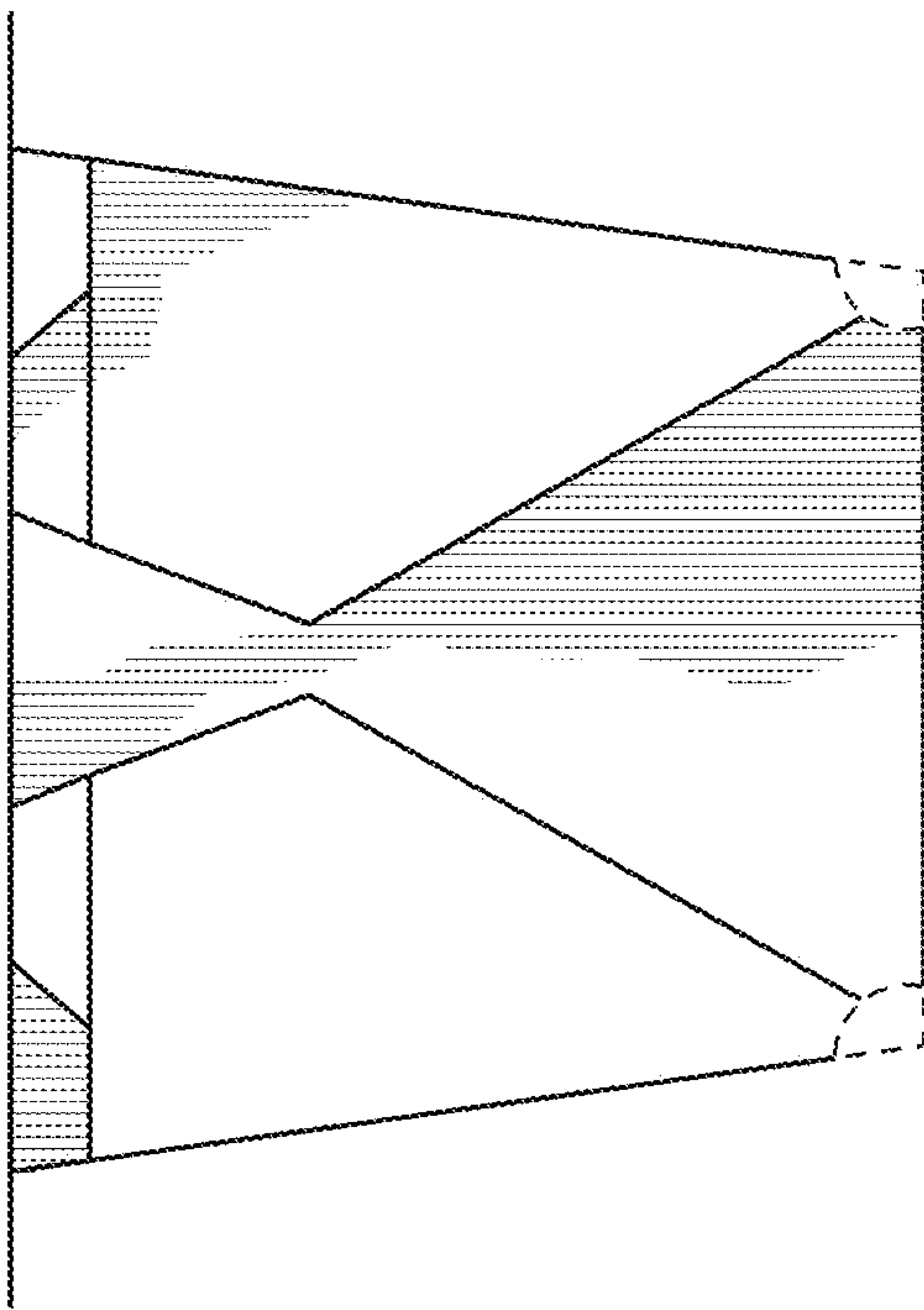


FIG. 2

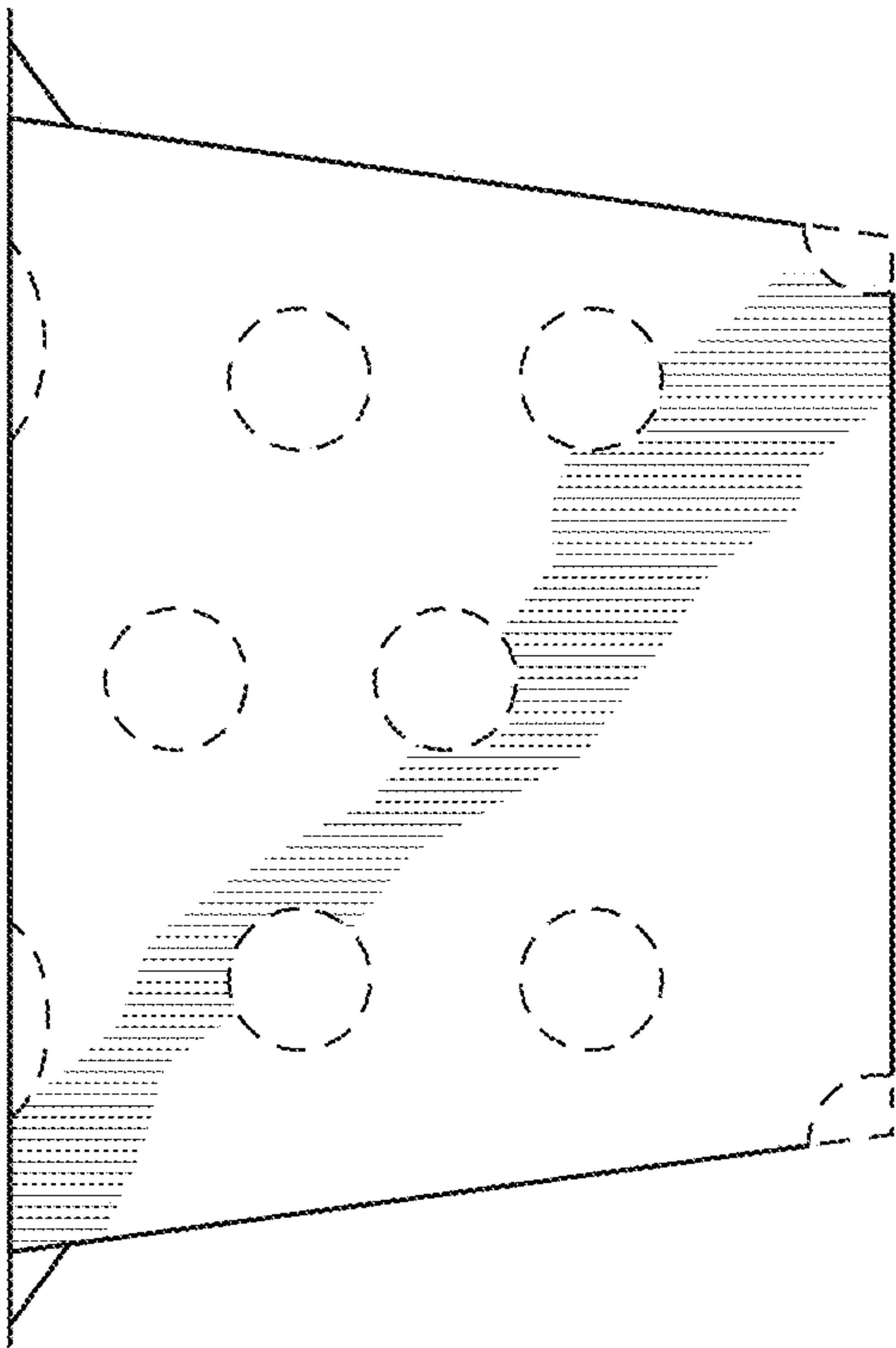


FIG. 3

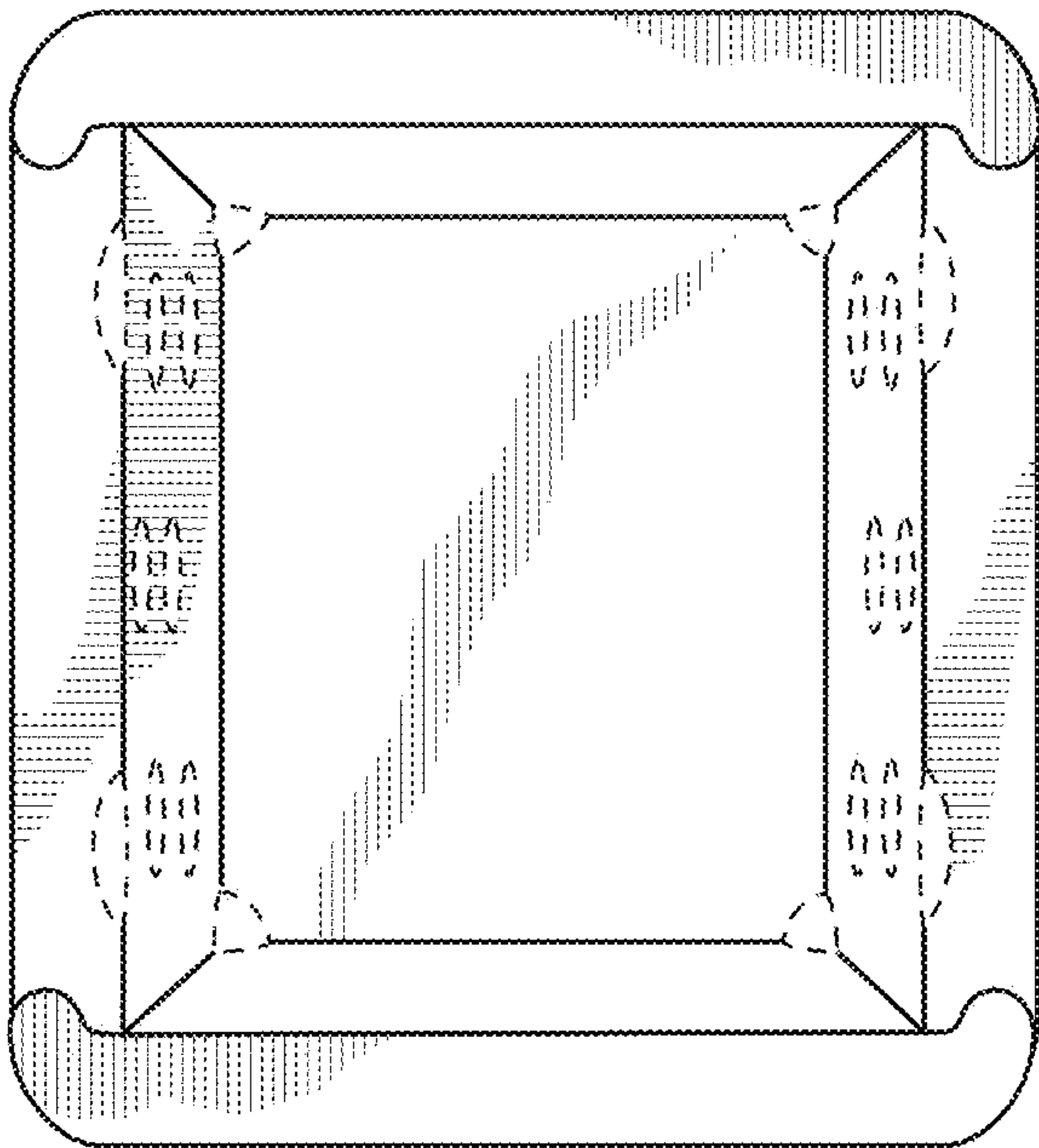


FIG. 4

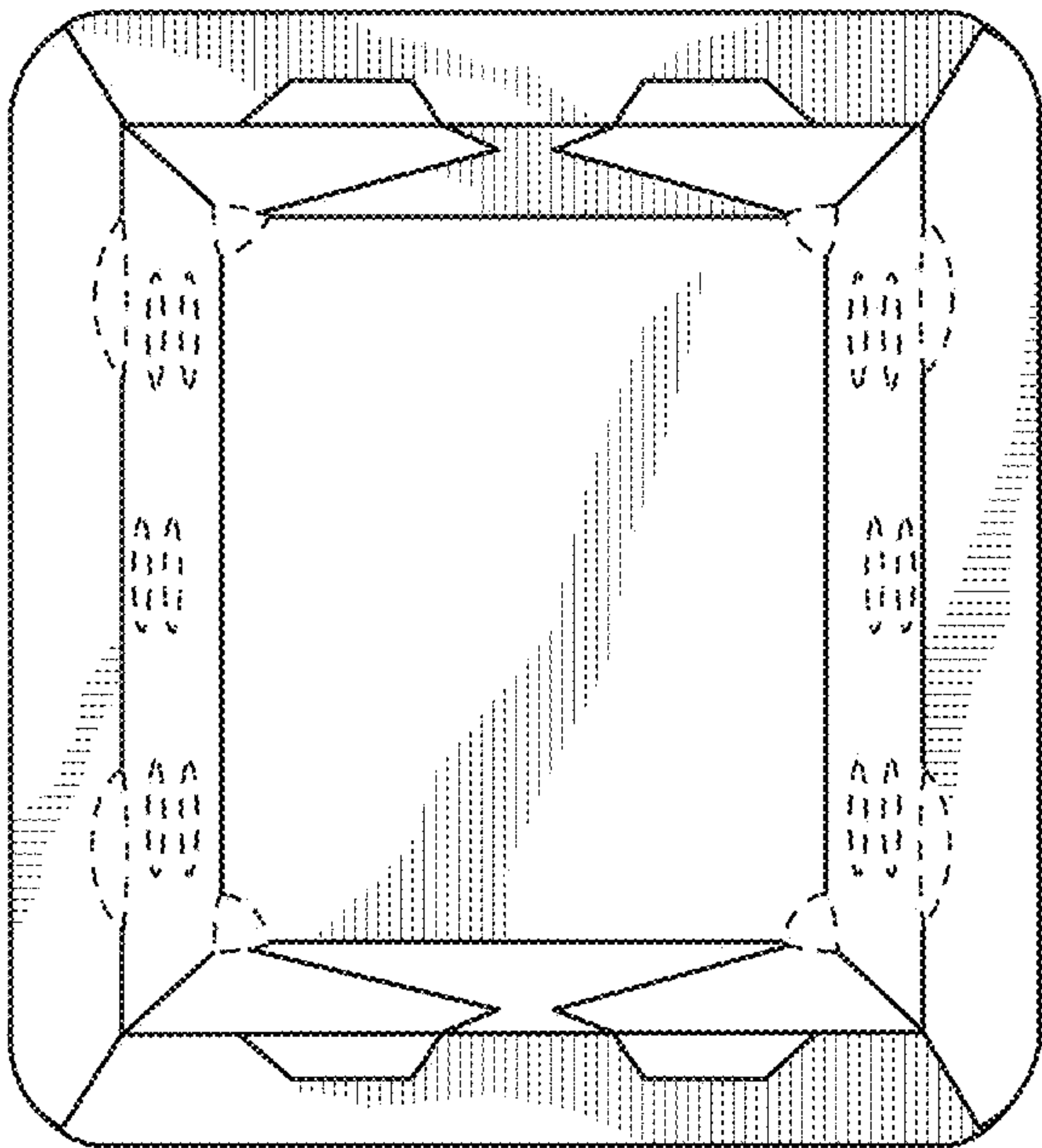


FIG. 5

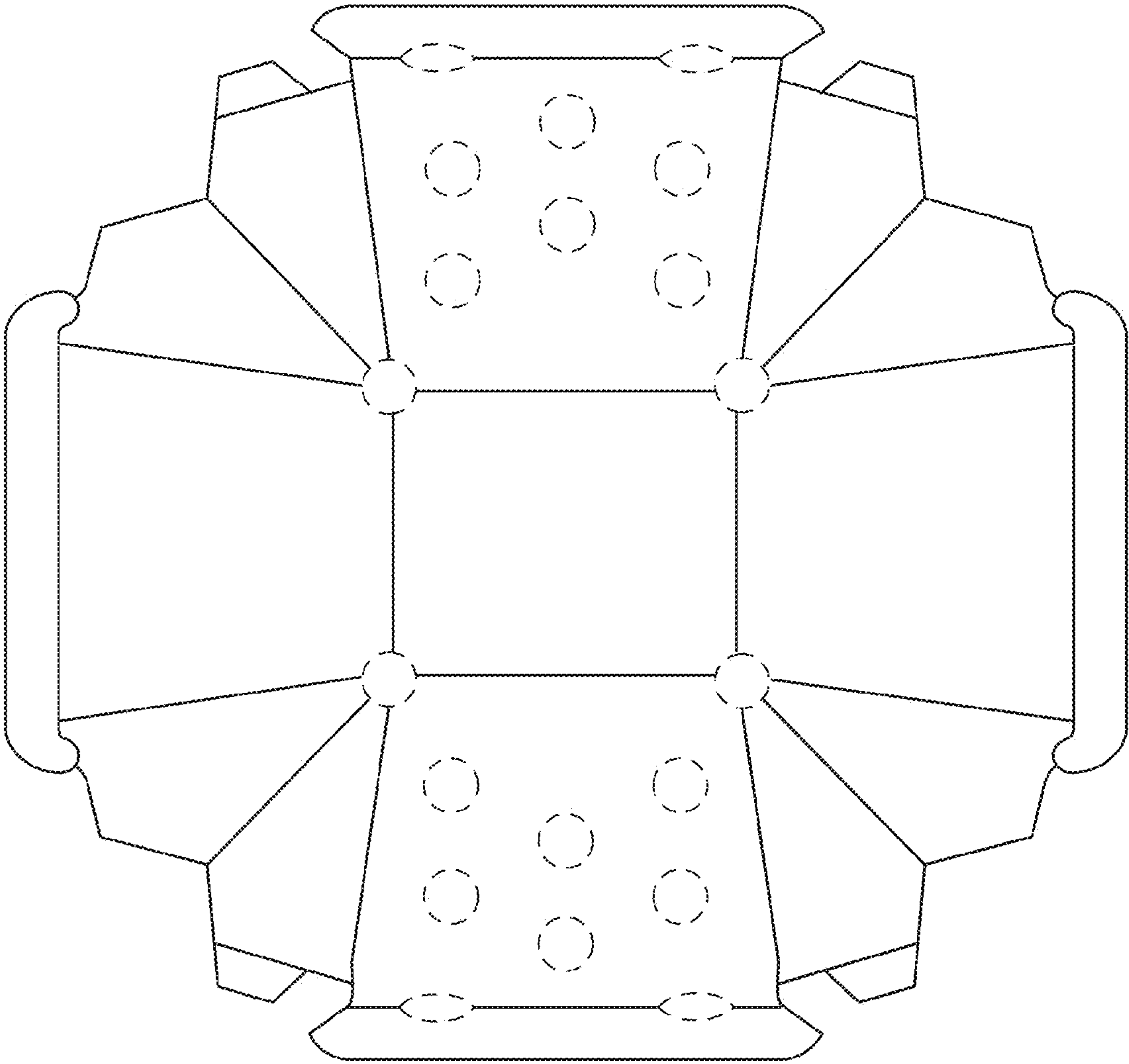


FIG. 6