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# United States Patent [19]

[11] Patent Number: **Des. 361,298**

Weder et al.

[45] Date of Patent: **\*\* Aug. 15, 1995**

- [54] **FLOWER POT COVER**
- [75] Inventors: **Donald E. Weder; Joseph G. Straeter**, both of Highland, Ill.
- [73] Assignee: **Highland Supply Corporation**, Highland, Ill.
- [\*\*] Term: **14 Years**
- [21] Appl. No.: **808,563**
- [22] Filed: **Dec. 16, 1991**

- D. 293,223 12/1987 Weder et al. .... D11/164
  - D. 293,224 12/1987 Weder et al. .... D11/164
  - D. 293,304 12/1987 Weder et al. .... D11/164
- (List continued on next page.)

### FOREIGN PATENT DOCUMENTS

- 103316 5/1938 Australia ..... 229/922
- 153402 7/1903 Germany ..... 47/72
- 560532 4/1975 Switzerland .

### OTHER PUBLICATIONS

Exhibit A—Speed Cover® Brochure—The Simple Solution . . . , ©1989.

Exhibit A. Curtis Wagner Co., Inc., Houston, Tex., shows thick, stiff shiny red plastic pot cover with large scalloped border. (Photograph) Date unknown.

Exhibit B. Jacobson Pot Cover Company of Scranton, Pennsylvania advertising literature. Date of first use unknown.

Exhibit C. Photograph of pot cover, manufacturer unknown, but very similar to #C21 on Exhibit B (Jacobson literature). Date unknown.

(List continued on next page.)

### Related U.S. Application Data

- [63] Continuation-in-part of Ser. No. 710,272, Jun. 4, 1991, which is a continuation-in-part of Ser. No. 617,454, Nov. 21, 1990, abandoned, Ser. No. 411,249, Sep. 22, 1989, Ser. No. 411,247, Sep. 22, 1989, and Ser. No. 411,245, Sep. 22, 1989.
- [52] U.S. Cl. .... **D11/164; D11/143**
- [58] Field of Search ..... **D11/143, 152, 153, 154, D11/155, 156, 164; 47/66, 72; 206/423; 215/100.5; 229/1.5 B, 4.5, 922; 248/27.8, 35.1, 542.6**

### References Cited

#### U.S. PATENT DOCUMENTS

- 43,242 6/1864 Thompson ..... 206/423 X
- D. 47,800 9/1915 Pick .
- D. 132,559 5/1942 Sawyer ..... D11/153
- 209,788 11/1978 Affel .
- D. 254,659 4/1980 Karotseris ..... D11/143
- D. 287,950 1/1987 Weder et al. .... D11/143
- D. 289,024 3/1987 Vaughn ..... D11/164
- D. 289,982 5/1987 Weder et al. .... D11/164
- D. 292,182 10/1987 Weder et al. .... D11/164
- D. 292,183 10/1987 Weder et al. .... D11/164
- D. 292,184 10/1987 Weder et al. .... D11/164
- D. 292,185 10/1987 Weder et al. .... D11/164
- D. 292,186 10/1987 Weder et al. .... D11/164
- D. 292,187 10/1987 Weder et al. .... D11/164
- D. 292,188 10/1987 Weder et al. .... D11/164
- D. 292,189 10/1987 Weder et al. .... D11/164
- D. 292,190 10/1987 Weder et al. .... D11/164
- D. 292,191 10/1987 Weder et al. .... D11/164
- D. 292,561 11/1987 Weder et al. .... D11/164
- D. 292,562 11/1987 Weder et al. .... D11/164
- D. 292,563 11/1987 Weder et al. .... D11/164
- D. 293,222 12/1987 Weder et al. .... D11/164

Primary Examiner—Martie Thompson  
Attorney, Agent, or Firm—Dunlap & Codding

### [57] CLAIM

The ornamental design for a flower pot cover, as shown and described.

### DESCRIPTION

FIG. 1 is a perspective view of our new flower pot cover design;

FIG. 2 is a reduced side elevational view thereof;

FIG. 3 is a reduced top plan view thereof;

FIG. 4 is a reduced bottom plan view thereof;

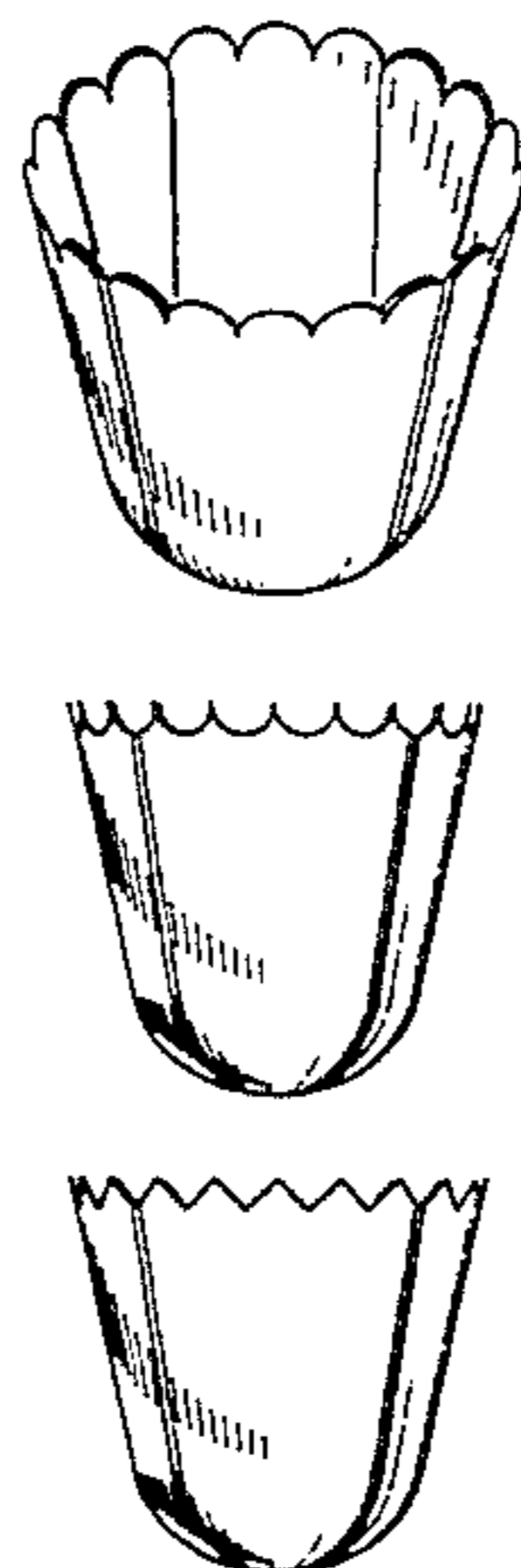
FIG. 5 is a side elevational view of a second embodiment of our new design;

FIG. 6 is a side elevational view of a third embodiment of our new design;

FIG. 7 is a side elevational view of a fourth embodiment of our new design; and,

FIG. 8 is a side elevational view of a fifth embodiment of our new design.

The flower pot cover has no substantial thickness.



## U.S. PATENT DOCUMENTS

|            |         |                 |       |           |
|------------|---------|-----------------|-------|-----------|
| D. 293,305 | 12/1987 | Weder et al.    | ..... | D11/164   |
| D. 293,306 | 12/1987 | Weder et al.    | ..... | D11/164   |
| D. 293,307 | 12/1987 | Weder et al.    | ..... | D11/164   |
| D. 293,308 | 12/1987 | Weder et al.    | ..... | D11/164   |
| D. 293,774 | 1/1988  | Weder et al.    | ..... | D11/164   |
| D. 293,775 | 1/1988  | Weder et al.    | ..... | D11/164   |
| D. 296,535 | 7/1988  | Weder et al.    | ..... | D11/149   |
| D. 297,422 | 8/1988  | Weder et al.    | ..... | D11/164   |
| D. 298,017 | 10/1988 | Weder et al.    | ..... | D11/164   |
| D. 301,565 | 6/1989  | Weder           | ..... | D11/152   |
| D. 302,139 | 7/1989  | Weder           | ..... | D11/153   |
| D. 302,253 | 7/1989  | Weder           | ..... | D11/153   |
| D. 302,254 | 7/1989  | Weder           | ..... | D11/153   |
| D. 302,404 | 7/1989  | Weder           | ..... | D11/153   |
| D. 302,405 | 7/1989  | Weder           | ..... | D11/155   |
| D. 302,406 | 7/1989  | Weder           | ..... | D11/155   |
| D. 302,407 | 7/1989  | Weder           | ..... | D11/155   |
| D. 303,759 | 10/1989 | Mileos          | ..... | D9/306    |
| D. 303,775 | 10/1989 | Weder           | ..... | D11/155   |
| D. 313,376 | 1/1991  | Weder           | ..... | D11/164   |
| D. 313,573 | 1/1991  | Weder et al.    | ..... | D11/164   |
| D. 313,574 | 1/1991  | Weder et al.    | ..... | D11/164   |
| D. 313,575 | 1/1991  | Weder et al.    | ..... | D11/164   |
| D. 313,576 | 1/1991  | Weder           | ..... | D11/164   |
| D. 314,732 | 2/1991  | Weder           | ..... | D11/164   |
| D. 315,534 | 3/1991  | Weder et al.    | ..... | D11/164   |
| D. 315,878 | 4/1991  | Weder et al.    | ..... | D11/164   |
| D. 315,879 | 4/1991  | Weder et al.    | ..... | D11/164   |
| D. 315,880 | 4/1991  | Weder et al.    | ..... | D11/164   |
| D. 315,881 | 4/1991  | Weder et al.    | ..... | D11/164   |
| D. 315,882 | 4/1991  | Weder           | ..... | D11/164   |
| D. 315,883 | 4/1991  | Weder           | ..... | D11/164   |
| D. 316,060 | 4/1991  | Weder           | ..... | D11/164   |
| D. 316,061 | 4/1991  | Weder           | ..... | D11/164   |
| D. 316,062 | 4/1991  | Weder et al.    | ..... | D11/164   |
| D. 316,837 | 5/1991  | Weder et al.    | ..... | D11/164   |
| D. 316,838 | 5/1991  | Weder et al.    | ..... | D11/164   |
| D. 316,985 | 5/1991  | Weder           | ..... | D11/164   |
| D. 317,424 | 6/1991  | Weder           | ..... | D11/164   |
| D. 317,582 | 6/1991  | Weder           | ..... | D11/164   |
| D. 317,583 | 6/1991  | Weder et al.    | ..... | D11/164   |
| D. 318,029 | 7/1991  | Weder           | ..... | D11/164   |
| D. 318,030 | 7/1991  | Weder et al.    | ..... | D11/164   |
| D. 318,635 | 7/1991  | Weder et al.    | ..... | D11/164   |
| D. 319,034 | 8/1991  | Weder et al.    | ..... | D11/164   |
| D. 319,417 | 8/1991  | Weder et al.    | ..... | D11/164   |
| D. 319,991 | 9/1991  | Weder           | ..... | D11/164   |
| 1,065,486  | 6/1913  | Washburn        | ..... | 229/1.5 B |
| 1,069,675  | 8/1913  | Claussen        | .     |           |
| 1,446,563  | 2/1923  | Hughes          | .     |           |
| 1,520,647  | 12/1924 | Hennegan        | .     |           |
| 1,632,347  | 6/1927  | Pipkin          | .     |           |
| 1,794,212  | 2/1931  | Snyder          | ..... | 206/423 X |
| 1,868,853  | 7/1932  | Sievers         | .     |           |
| 1,924,926  | 8/1933  | Gray            | .     |           |
| 1,951,642  | 3/1934  | Augustin et al. | ..... | 47/34     |
| 2,054,934  | 9/1936  | Graffenberger   | ..... | 229/1.5 B |

(List continued on next page.)

## OTHER PUBLICATIONS

Exhibit D. Photocopy of photo of pot cover ("Platform Pot Dresser") made by John Raisen Corp., San Francisco, Calif. Date of first use unknown.

Exhibit E. Photograph of 2-part pot cover system made by Floral Decor, subsidiary of John Henry Co., Lansing Mich.

Exhibit F. Photo of pot cover amde by a Holland company (K.P.I.). Date of first public use believed to be late 1984.

Exhibit G. "The Glass of Frederick Carder", copyright 1971 by P. V. Gardner, showing various styles of glass basket-like vases or containers.

Exhibit H. "Speed Cover®" brochure, published in 1983 by Applicants, showing various pot covers for sale.

Exhibit I. "Speed Cover®" brochure, published in 1983 by Applicants, showing various pot covers for sale.

(List continued on next page.)

## U.S. PATENT DOCUMENTS

|           |         |                    |           |                                                                                                                                          |         |               |         |
|-----------|---------|--------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------|---------|---------------|---------|
| 2,102,510 | 12/1937 | Cecil, II          | 229/1.5 B | 4,508,223                                                                                                                                | 4/1985  | Catrambone    | 206/423 |
| 2,302,259 | 11/1942 | Rothfuss           | 41/10     | 4,712,725                                                                                                                                | 12/1987 | Moore         | 229/8   |
| 2,317,067 | 4/1943  | Knaust             | 229/1.5 B | 4,733,521                                                                                                                                | 3/1988  | Weder et al.  | 53/580  |
| 2,355,559 | 8/1944  | Renner             | 229/8     | 4,773,182                                                                                                                                | 9/1988  | Weder et al.  | 47/72   |
| 2,482,981 | 9/1949  | Kamrass            | 41/13     | 4,795,601                                                                                                                                | 1/1989  | Cheng         | 264/138 |
| 2,570,954 | 10/1951 | Kasman             | 65/53     | 4,813,862                                                                                                                                | 3/1989  | Bowers et al. | 425/87  |
| 2,967,652 | 1/1961  | Canfield et al.    | 229/5.5   | 4,835,834                                                                                                                                | 6/1989  | Weder         | 29/525  |
| 3,022,605 | 2/1962  | Reynolds           | 47/58     | OTHER PUBLICATIONS                                                                                                                       |         |               |         |
| 3,232,469 | 2/1966  | Piazzè             | 215/38    | Exhibit J. Item published in 1936 by Gellman Bros., Minneapolis, Minn. Shows an assortment of paper hats.                                |         |               |         |
| 3,271,922 | 9/1966  | Wallerstein et al. | 53/3      | Exhibit K. Photo of various other flower pot wrappings, sold in rolls or sheets and used in the floral industry for years. Date unknown. |         |               |         |
| 3,488,022 | 1/1970  | Vittori            | 248/152   | Exhibit L. Photo of pot cover made of woven straw--like material. Date unknown.                                                          |         |               |         |
| 3,542,616 | 11/1970 | Cain et al.        | 156/224   | Exhibit M. Photo of basket-type pot cover used in the floral industry. Date unknown.                                                     |         |               |         |
| 3,820,684 | 6/1974  | Harrison           | 206/520   | Exhibit N. "Speed Cover®" brochure, published in 1984 by Applicants, showing various pot covers for sale.                                |         |               |         |
| 3,962,503 | 6/1976  | Crawford           | 428/40    |                                                                                                                                          |         |               |         |
| 4,043,077 | 8/1977  | Stonehocker        | 47/66     |                                                                                                                                          |         |               |         |
| 4,118,890 | 10/1978 | Shore              | 47/28     |                                                                                                                                          |         |               |         |
| 4,170,618 | 10/1979 | Adams              | 264/101   |                                                                                                                                          |         |               |         |
| 4,216,620 | 8/1980  | Weder et al.       | 47/72     |                                                                                                                                          |         |               |         |
| 4,300,312 | 11/1981 | Weder et al.       | 47/72     |                                                                                                                                          |         |               |         |
| 4,408,644 | 10/1983 | Svantesson         | 150/55    |                                                                                                                                          |         |               |         |
| 4,413,725 | 11/1983 | Bruno et al.       | 206/45.33 |                                                                                                                                          |         |               |         |

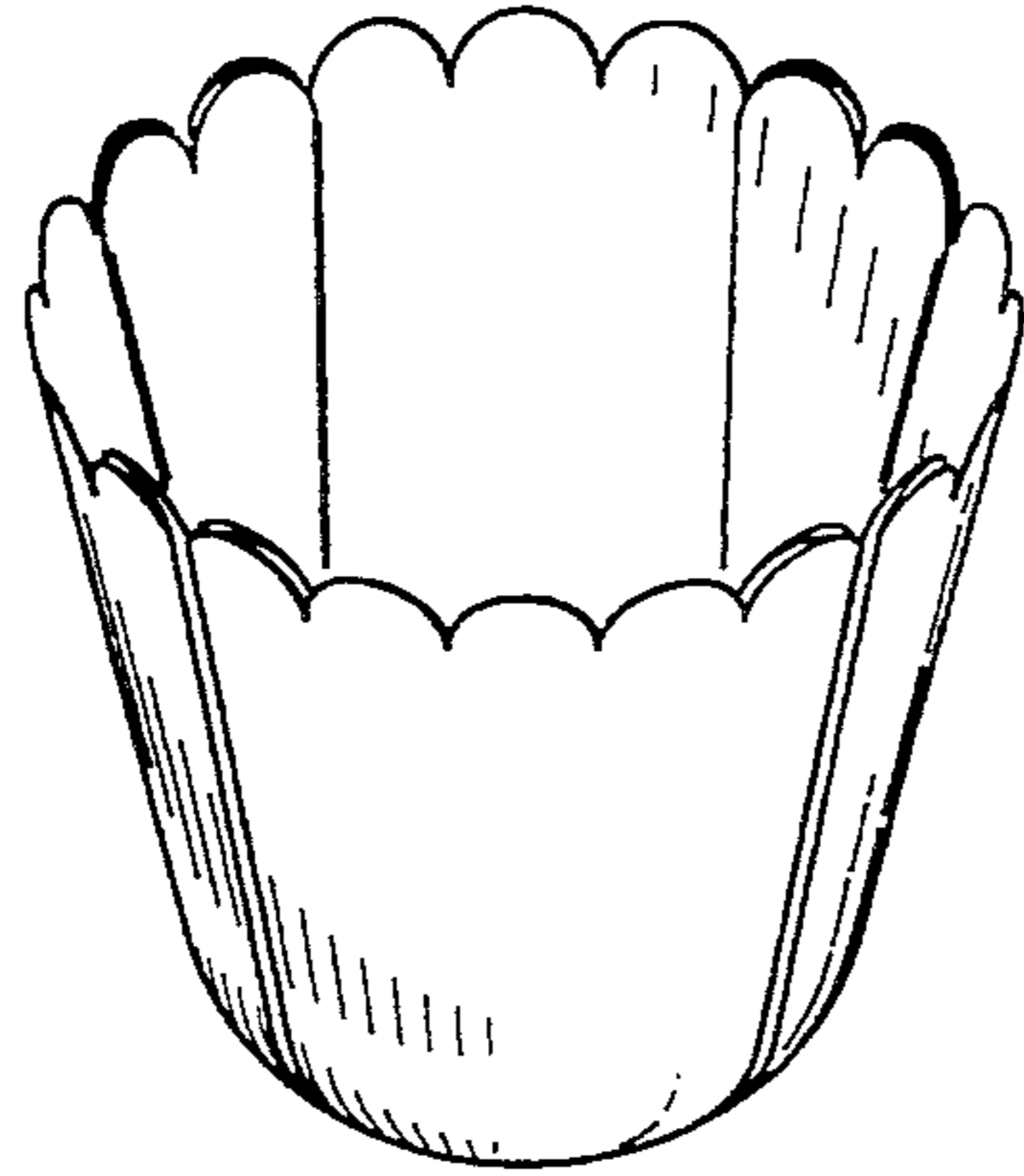


FIG. 1

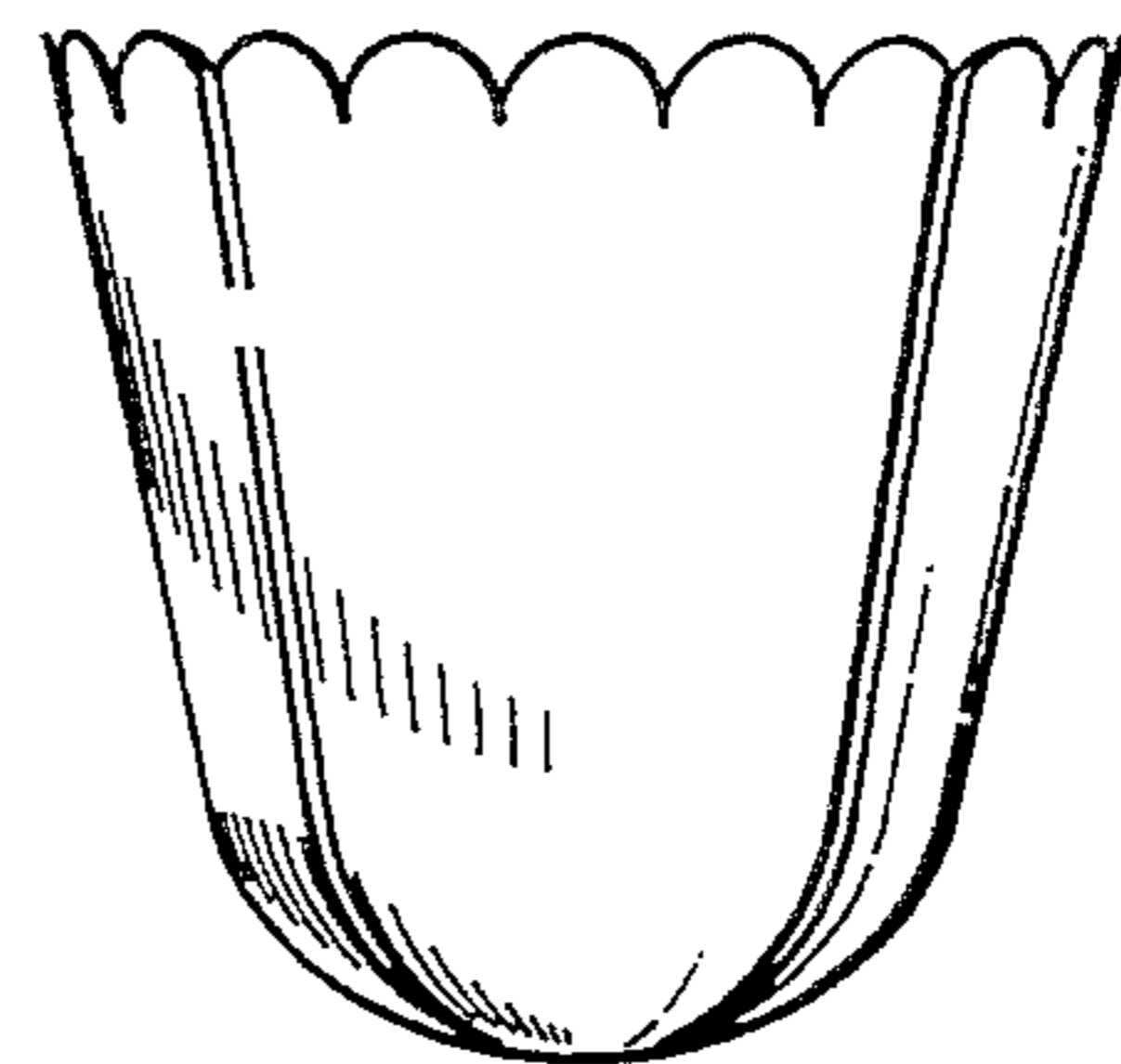


FIG. 2

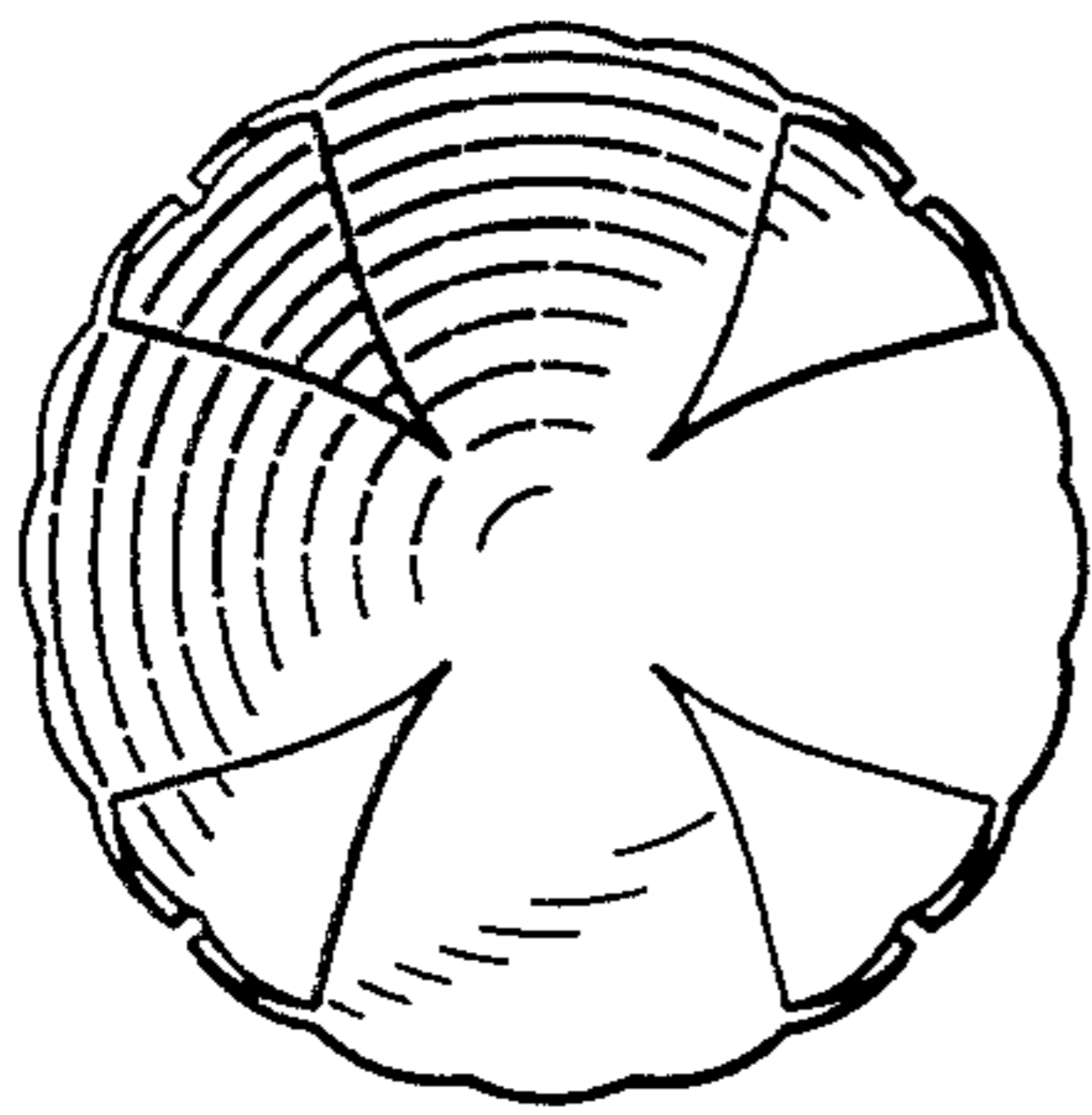


FIG. 3

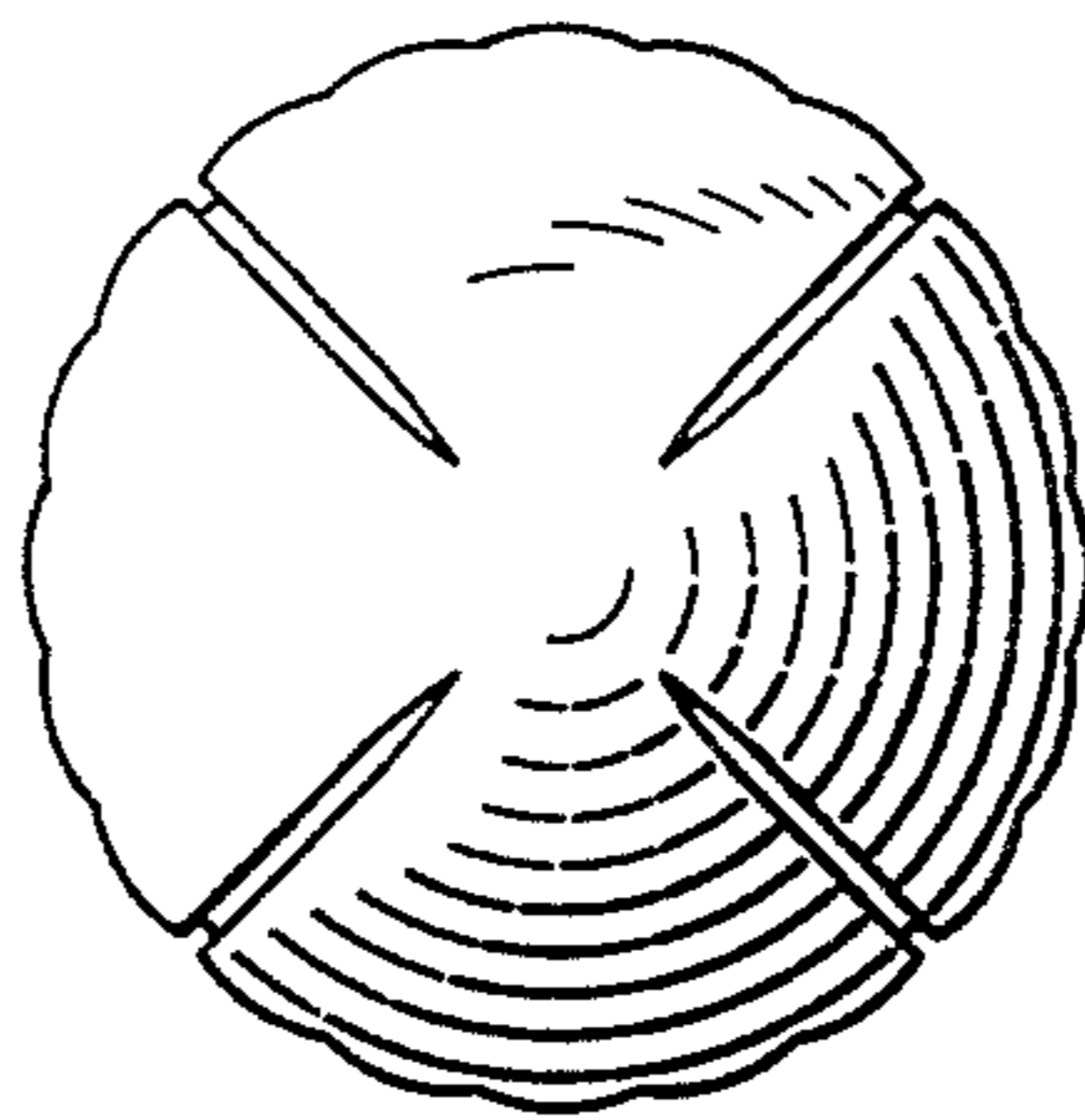


FIG. 4

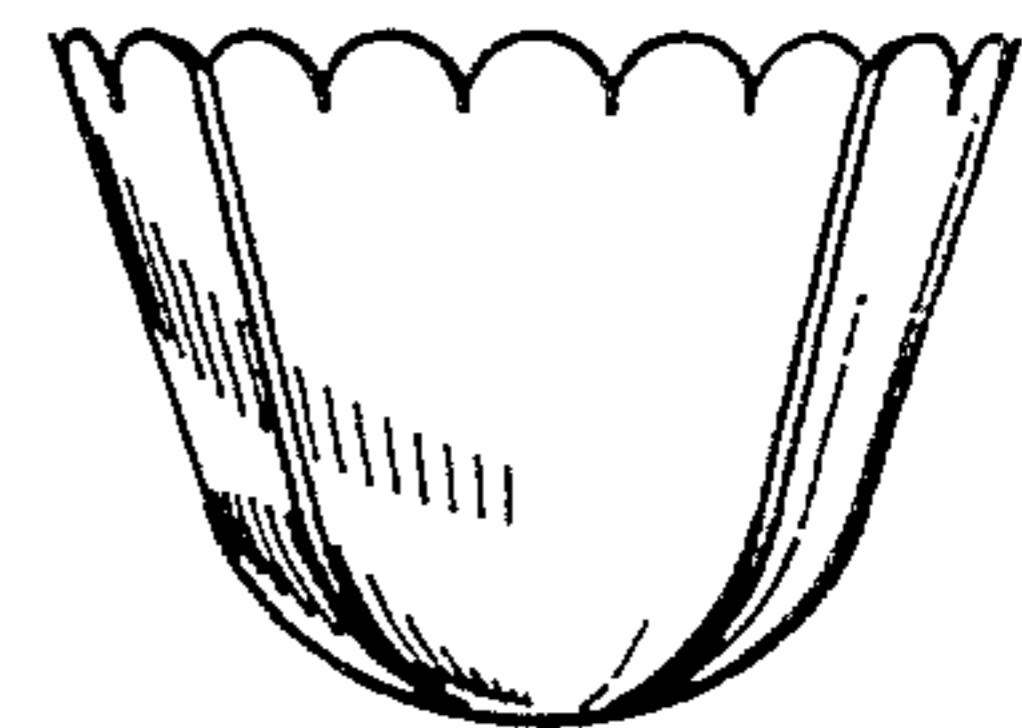


FIG. 5

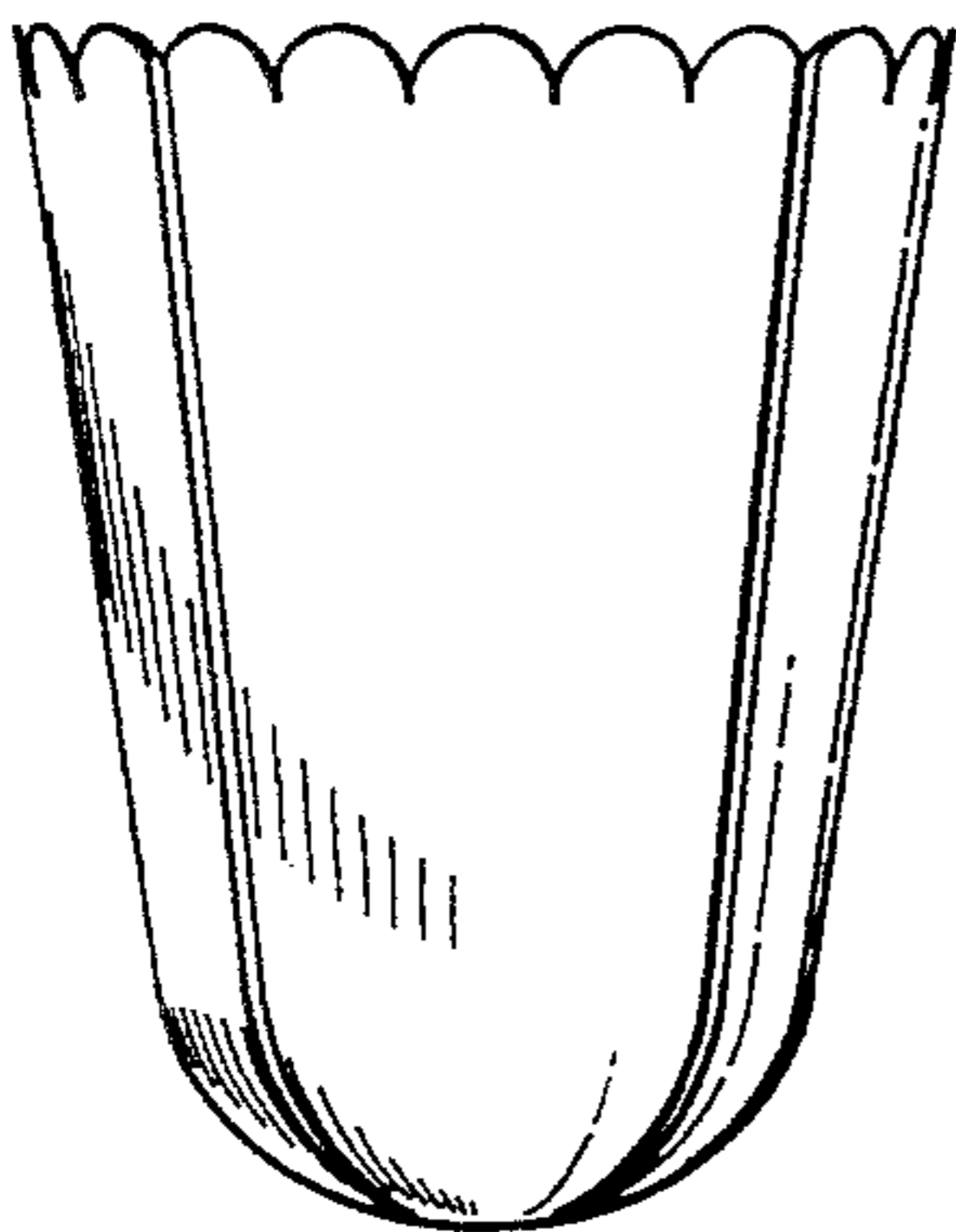


FIG. 6

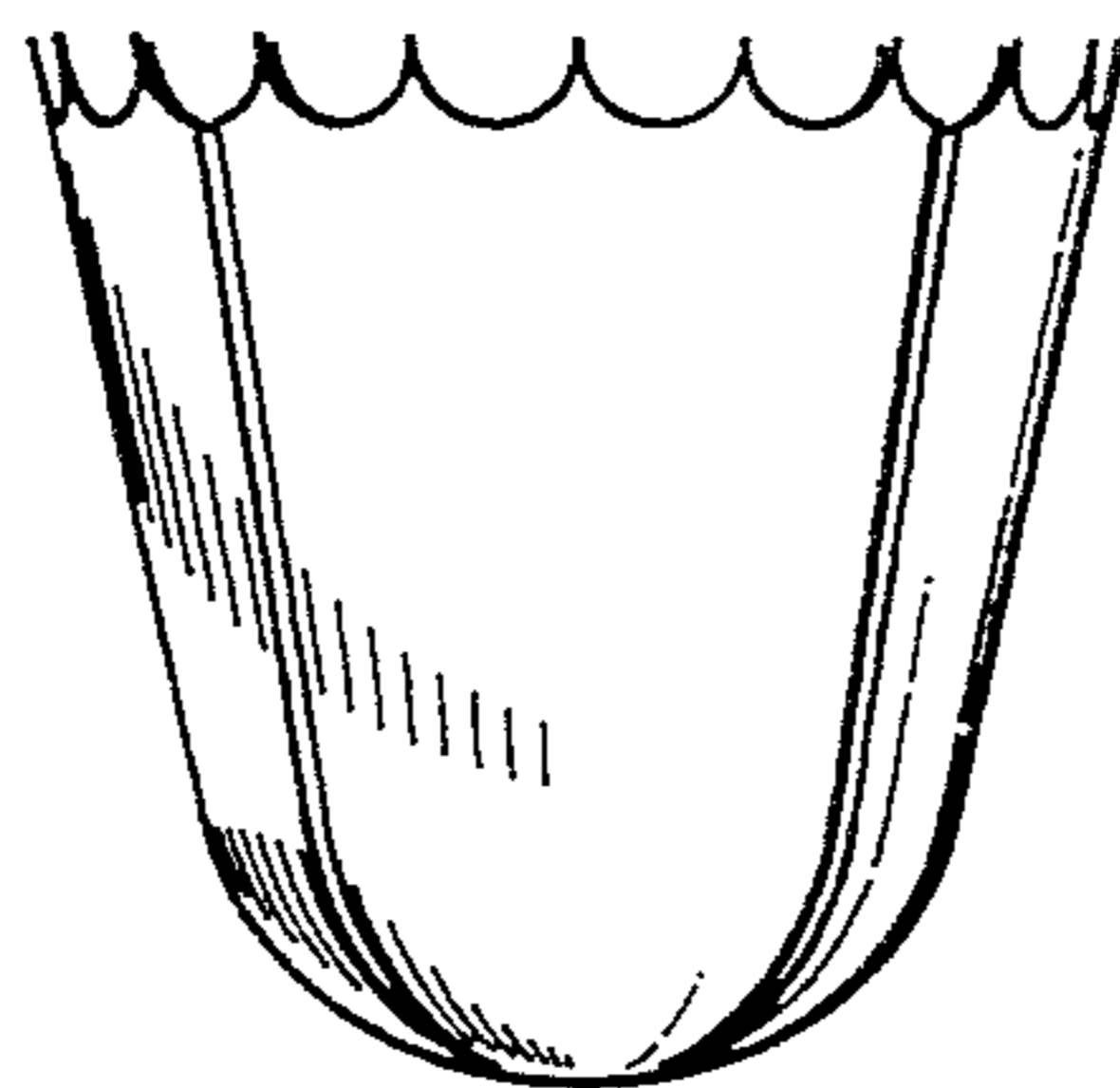


FIG. 7

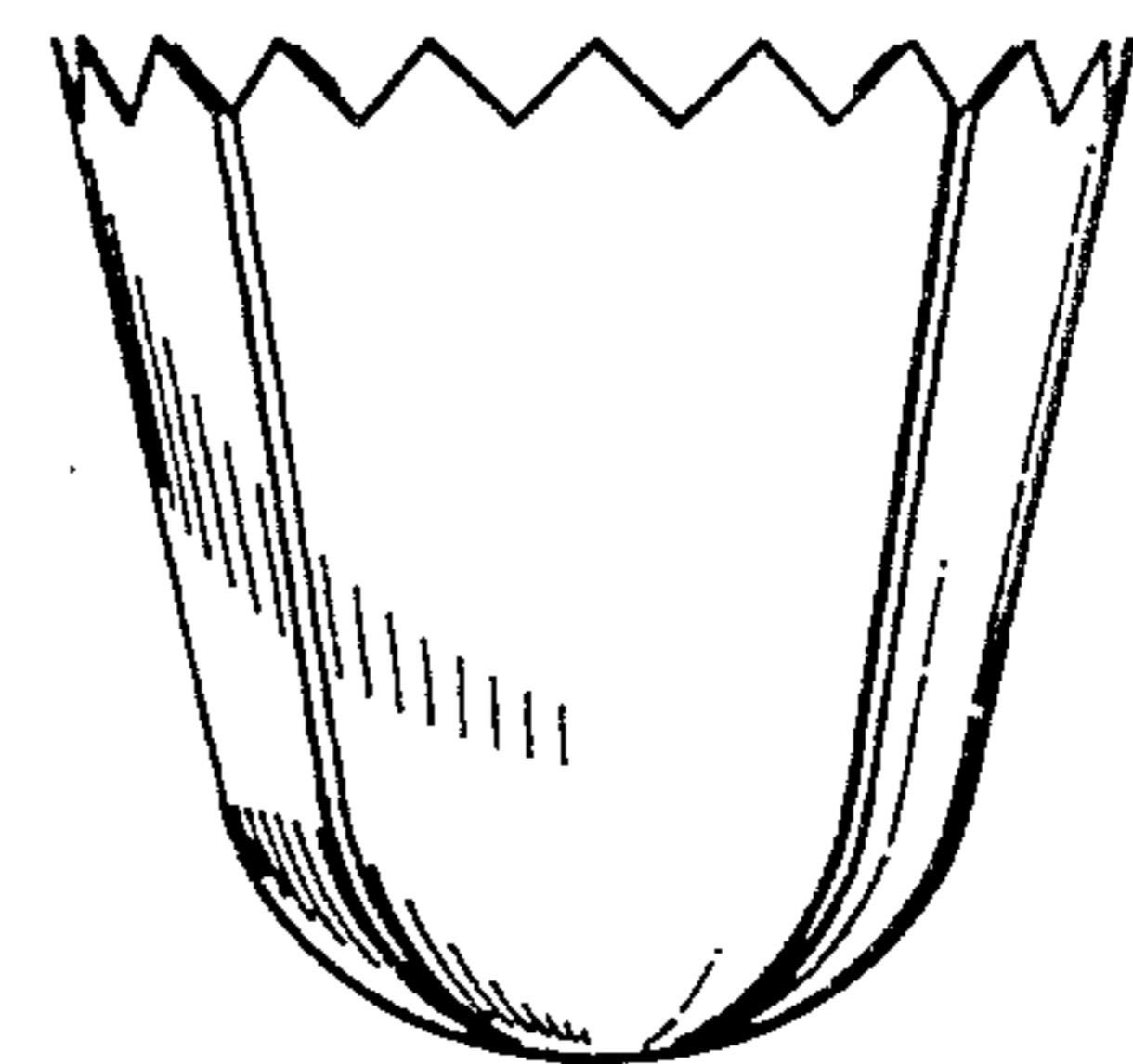


FIG. 8