



US00D389415S

United States Patent [19]

[11] Patent Number: **Des. 389,415**

Luh et al.

[45] Date of Patent: *****Jan. 20, 1998**

[54] **UPPER PORTION OF A CONTAINER**

[75] Inventors: **Michael Hung-Tai Luh; Aram Jesse Irwin**, both of Cincinnati, Ohio;
Roland Charriez, Peekskill, N.Y.;
Angela Katherine Carter, Cincinnati, Ohio

[73] Assignee: **The Procter & Gamble Company**, Cincinnati, Ohio

[*] Notice: The portion of the term of this patent subsequent to Jul. 22, 2011, has been disclaimed.

[**] Term: **14 Years**

[21] Appl. No.: **50,711**

[22] Filed: **Feb. 23, 1996**

[51] LOC (6) Cl. **09-01**

[52] U.S. Cl. **D9/566**

[58] Field of Search D9/434, 549, 553,
D9/566; 220/675, 755

- D. 95,872 6/1935 Stahl .
- D. 95,988 6/1935 Sakier .
- D. 95,989 6/1935 Sakier .
- D. 96,511 8/1935 Sakier .
- D. 96,543 8/1935 Guyer .
- D. 96,728 9/1935 De Vaultchier .
- D. 96,729 9/1935 De Vaultchier .
- D. 97,561 11/1935 Nichols .
- D. 98,026 12/1935 Barq .
- D. 98,172 1/1936 Levine .
- D. 98,730 2/1936 McCullough .
- D. 99,750 5/1936 Mackelfresh, Jr. .
- D. 100,495 7/1936 Goggin .
- D. 100,874 8/1936 Meyer .
- D. 101,450 10/1936 Du Pree, Jr. .
- D. 101,451 10/1936 Du Pree, Jr. .
- D. 103,164 2/1937 Smith .
- D. 104,479 5/1937 Steelman .
- D. 105,235 7/1937 Steelman .
- D. 105,540 8/1937 Smith .
- D. 107,104 11/1937 Steuer .
- D. 111,226 9/1938 Runnels .
- D. 111,411 9/1938 D'Addario .

(List continued on next page.)

OTHER PUBLICATIONS

"Modern Packaging", p. 40, Hoffman House Jar, Jun. 1961.

Primary Examiner—James Gandy
Assistant Examiner—Cathron B. Matta
Attorney, Agent, or Firm—Michael J. D'Amelio

[57] **CLAIM**

The ornamental design for an upper portion of a container, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of an upper portion of a container, embodying our new design; FIG. 2 is a top view thereof; and, FIG. 3 is a side elevational view thereof, all side views being identical thereto.

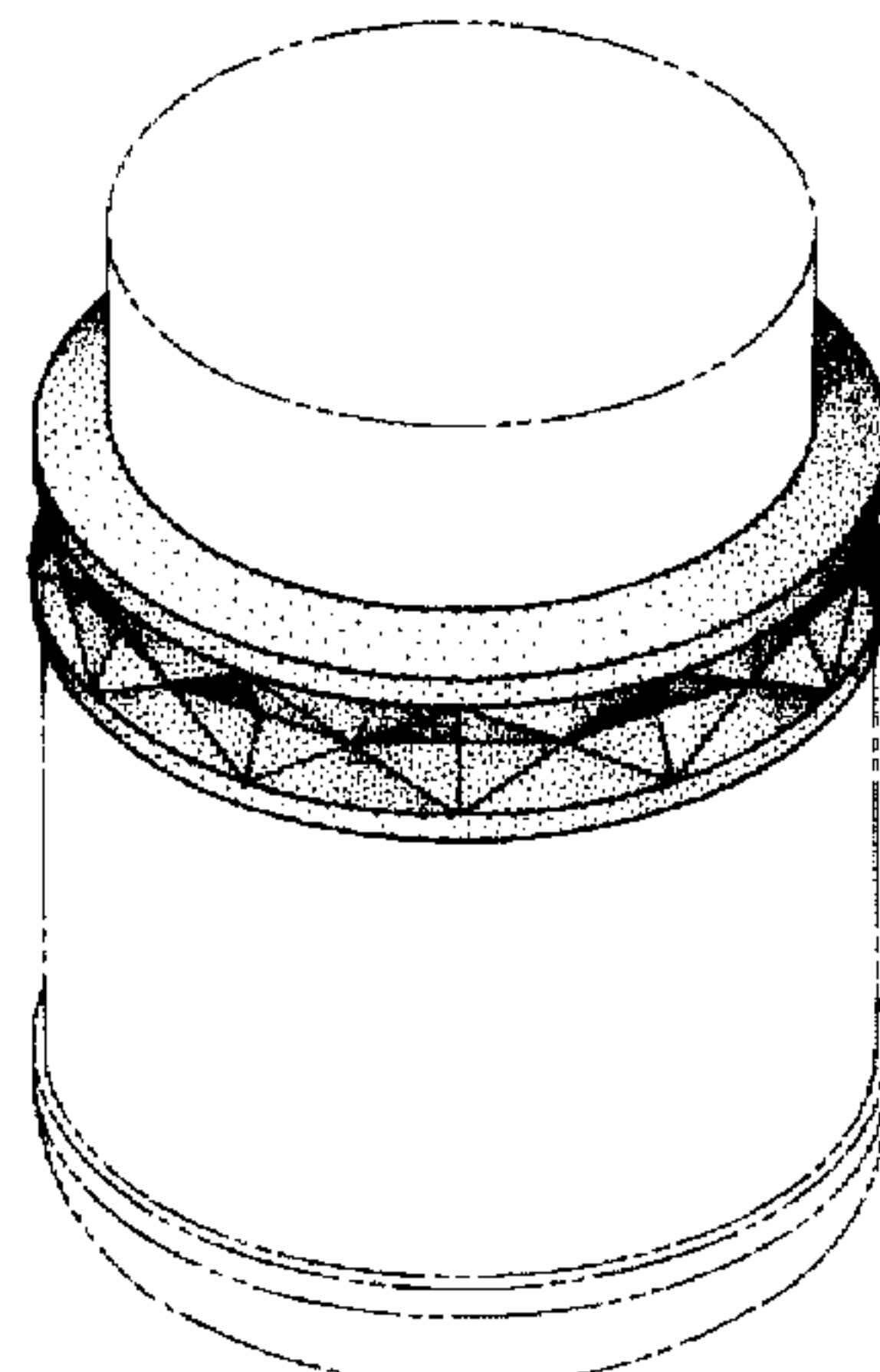
The broken line showing of a top and bottom portion of a container is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets

[56] **References Cited**

U.S. PATENT DOCUMENTS

- D. 17,243 4/1887 Ripley .
- D. 23,550 8/1894 Bevan .
- D. 25,617 6/1896 Gaskill .
- D. 58,121 6/1921 Wheaton, Jr. .
- D. 64,344 4/1924 Daltroff .
- D. 67,315 5/1925 Stewart .
- D. 69,398 2/1926 Katz .
- D. 70,855 8/1926 Oppenheim, Jr. .
- D. 71,288 10/1926 Marder .
- D. 75,788 7/1928 Ginter .
- D. 76,130 8/1928 Edwards .
- D. 79,460 9/1929 Failliot .
- D. 80,709 3/1930 Teague .
- D. 90,045 5/1933 Petty .
- D. 92,901 7/1934 Guyer .
- D. 93,072 8/1934 Westlake .
- D. 93,895 11/1934 Steelman .
- D. 94,393 1/1935 Steelman .
- D. 94,574 2/1935 Steelman .
- D. 94,575 2/1935 Steelman .



U.S. PATENT DOCUMENTS

D. 112,706	12/1938	Smith .			
D. 115,782	7/1939	Cobb .			
D. 121,369	7/1940	Du Pree .			
D. 124,933	1/1941	Gebhardt .			
D. 128,195	7/1941	Steelman .			
D. 149,506	5/1948	Mayfield .			
D. 152,875	3/1949	Frame	D58/8		
D. 155,134	9/1949	Dykstra	D58/8		
D. 157,683	3/1950	Jung	D9/453		
D. 166,477	4/1952	Margolis	D58/8		
D. 168,312	12/1952	Linnard	D58/6		
D. 169,239	4/1953	Dillon	D58/8		
D. 169,344	4/1953	Sollomi	D58/8		
D. 172,691	7/1954	Slavin	D58/6		
D. 178,529	8/1956	Lorenzen	D58/8		
D. 181,453	11/1957	Batchelor et al.	D58/6		
D. 181,825	12/1957	Vuillemenot	D58/25		
D. 182,734	5/1958	Luxardo et al.	D58/8		
D. 193,035	6/1962	Clute	D58/25		
D. 195,230	5/1963	Dubbs	D58/25		
D. 196,990	11/1963	Dubbs	D58/25		
D. 198,819	8/1964	Jackson	D58/26		
D. 200,266	2/1965	Brown	D58/17		
D. 200,267	2/1965	France et al.	D58/17		
D. 201,840	8/1965	Hauser	D58/8		
D. 205,802	9/1966	Pettengill	D58/25		
D. 211,932	8/1968	Plummer	D9/105		
D. 214,306	6/1969	Northgrave et al.	D9/122		
D. 215,703	10/1969	Morgan	D9/240		
D. 218,020	7/1970	Musson et al.	D9/92		
D. 220,168	3/1971	Gelak et al.	D9/225		
D. 220,250	3/1971	Plummer	D9/92		
D. 220,252	3/1971	Fernandez	D9/135		
D. 220,253	3/1971	Fernandez	D9/135		
D. 226,304	2/1973	Weckman	D9/125		
D. 228,176	8/1973	Plummer	D9/162		
D. 238,930	2/1976	Dadmun et al.	D9/160		
D. 245,315	8/1977	Mitchell	D9/107		
D. 253,934	1/1980	Talis	D9/121		
D. 259,097	5/1981	Kretz	D9/394		
D. 264,435	5/1982	Pettengill	D9/385		
D. 264,436	5/1982	Pettengill	D9/385		
D. 264,437	5/1982	Pettengill	D9/385		
D. 266,310	9/1982	Fidler et al.	D9/392		
D. 270,512	9/1983	Thrush	D7/54		
D. 271,282	11/1983	Thrush	D9/370		
D. 271,855	12/1983	Thrush	D9/370		
D. 275,556	9/1984	Thomson	D9/389		
D. 279,653	7/1985	Sherrill, Jr.	D9/395		
D. 292,486	10/1987	Tuler	D9/394		
D. 332,751	1/1993	Pischulit et al.	D9/560		
4,446,969	5/1984	Tyler	220/675 X		

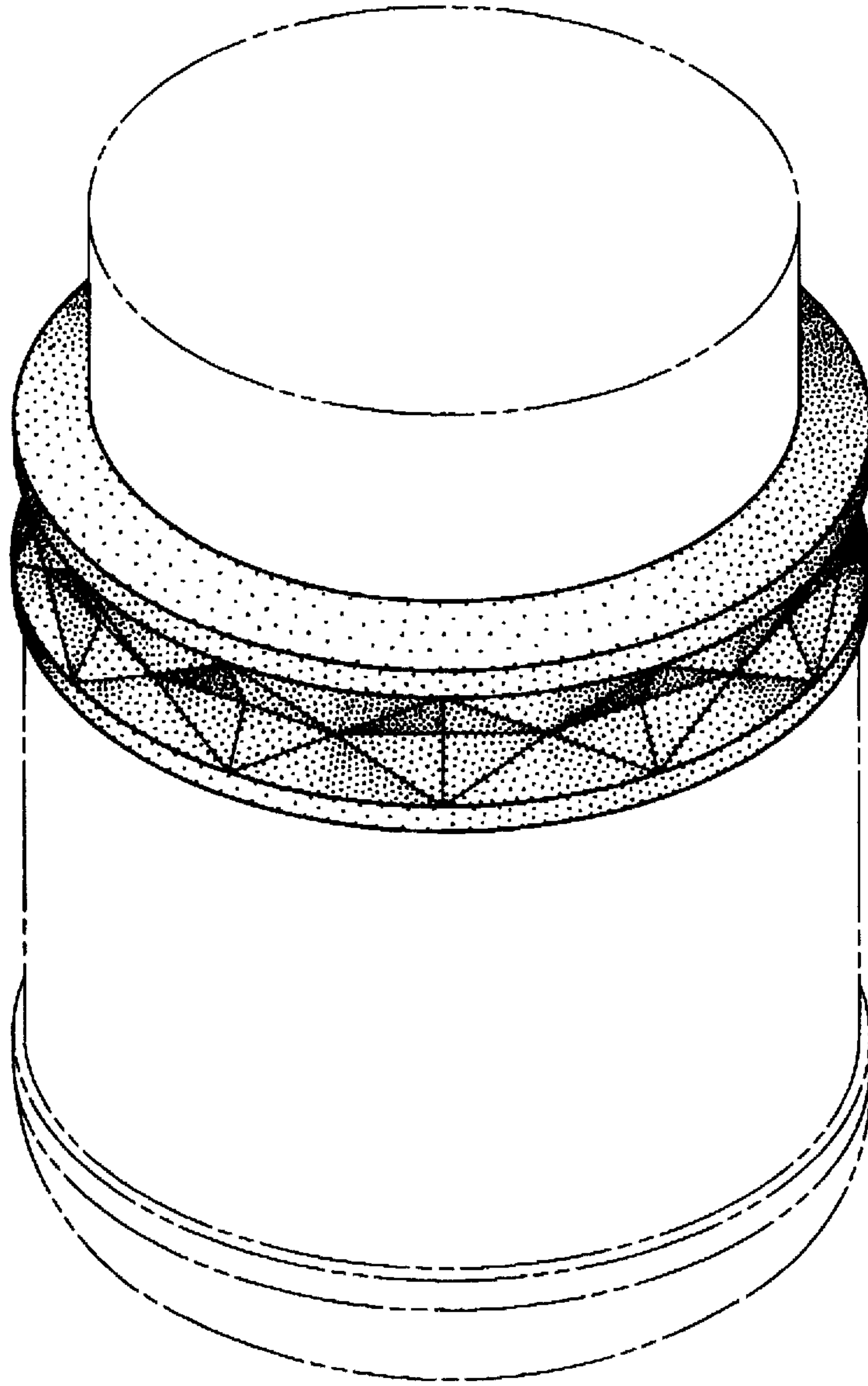


Fig. 1

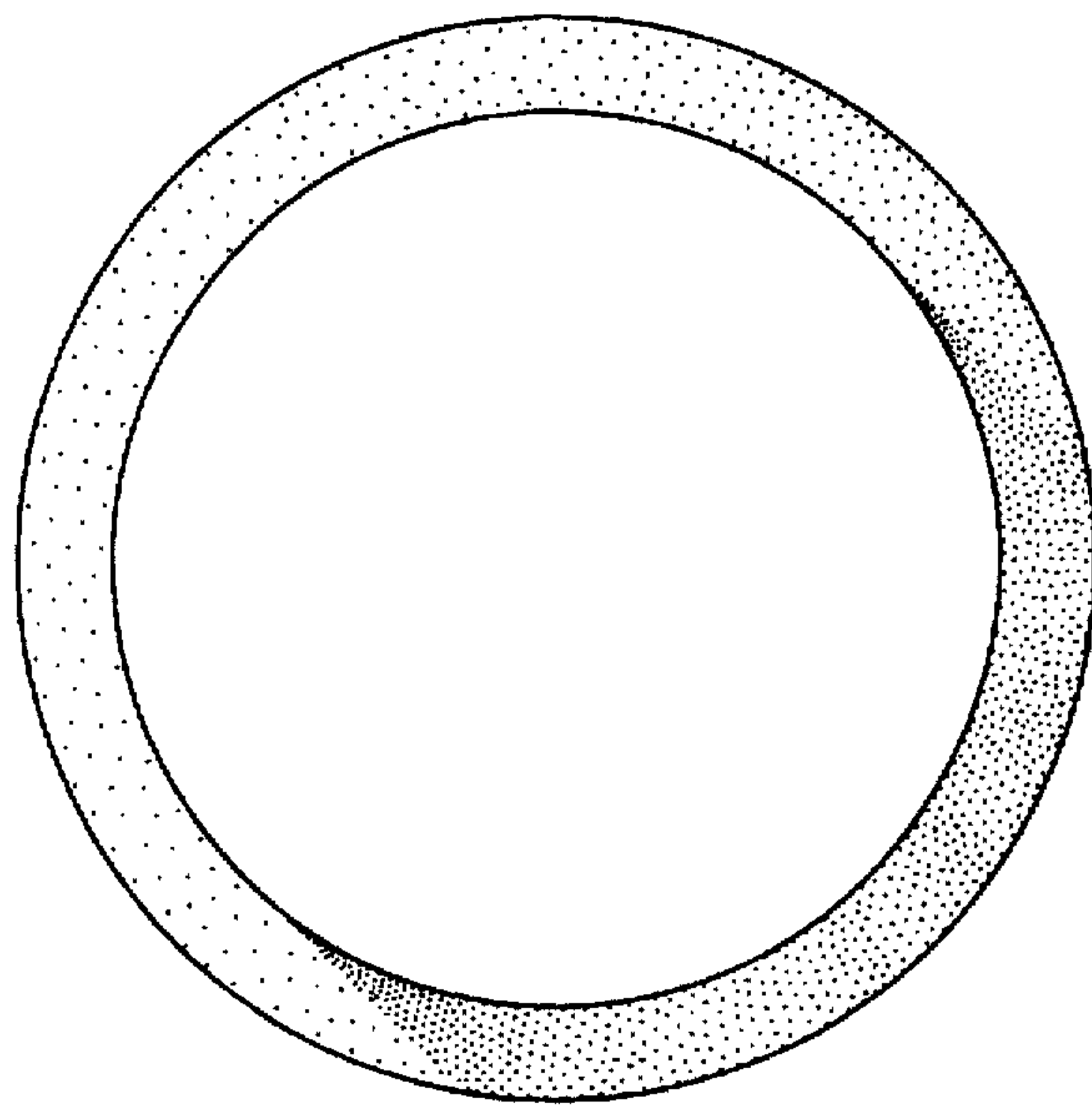


Fig. 2

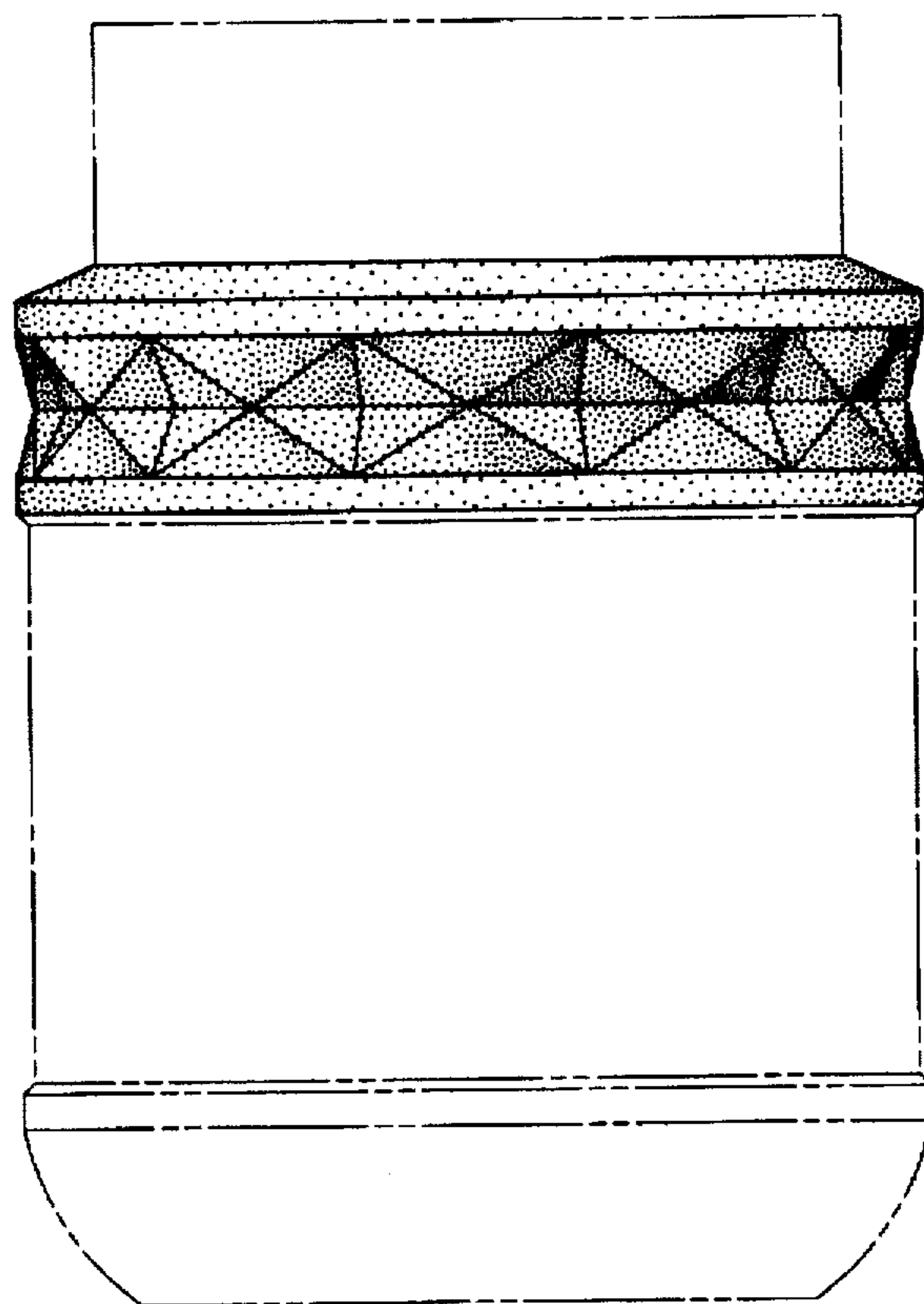


Fig. 3