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(12) **United States Design Patent**
MacPhee

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(54) **CHEESECAKE IN A CONE**

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(**) Term: **14 Years**

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Related U.S. Application Data

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Jan. 19, 2000, now Pat. No. Des. 434,204.

(51) **LOC (7) Cl.** **01-01**

(52) **U.S. Cl.** **D1/101; D1/129**

(58) **Field of Search** D1/101-103, 116-119,
D1/127-129, 199; 426/68, 89, 94, 100-104,
132, 134, 143, 249, 580-583

(56) **References Cited**

U.S. PATENT DOCUMENTS

D. 241,687	10/1976	Warren et al.	.....	D1/106
D. 300,380	3/1989	Groobert et al.	.....	D1/102
D. 321,580	11/1991	Jones	.....	D1/116
D. 411,754	7/1999	Barad	.....	D1/101
2,001,371 *	5/1935	Thoke	.....	426/132
2,925,347	2/1960	Cummings et al.	.....	426/283
2,965,499 *	12/1960	Wise	.....	426/101 X
4,144,356	3/1979	McDaniel	.....	426/134 X

OTHER PUBLICATIONS

Vie de France Bakery, cheesecakes on sell sheet, Jan. 1995.*
Gillespie, Gregg, R. 1001 Muffins, Black Dog & Leventhal
Publishers, Inc., New York, NY., Cinnamon muffin on p.
104, ©1998.*

* cited by examiner

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(57) **CLAIM**

The ornamental design for a cheesecake in a cone, as shown
and described.

DESCRIPTION

FIG. 1 is a front perspective view of a cheesecake in a cone,
showing my new design, where the cheesecake is shown
with the consistency of a cheesecake as opposed to the
consistency of ice cream, frozen yogurt, or other frozen
dessert, the cheesecake including sprinkles;

FIG. 2 is a top view thereof;

FIG. 3 is a front elevational view thereof, the rear, left side,
and right side elevational views being substantially identical
thereto;

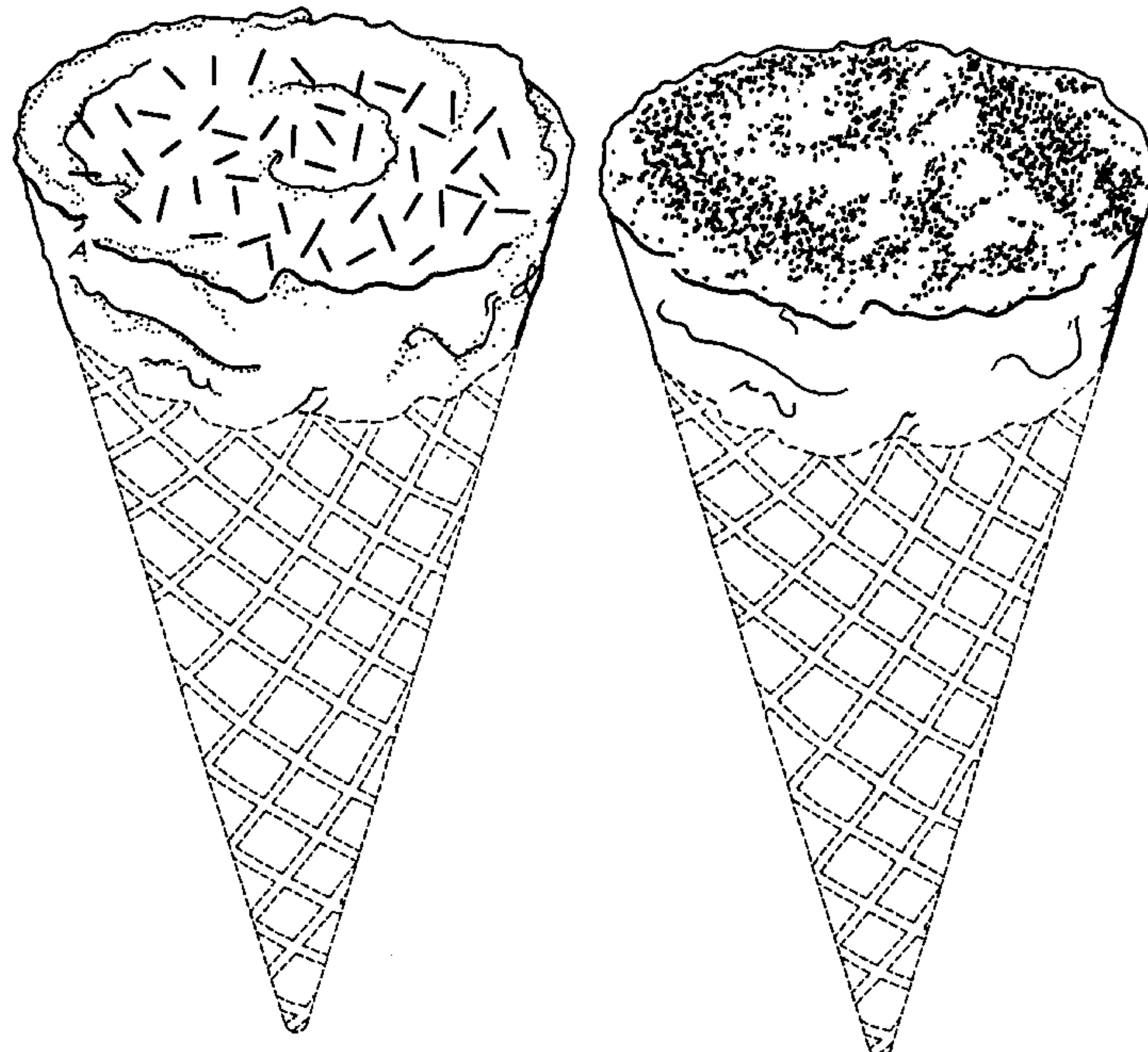
FIG. 4 is a bottom view thereof;

FIG. 5 is a front perspective view of a second embodiment
of the invention, substantially similar to FIG. 1, in which the
cheesecake includes a powdered topping; and,

FIG. 6 is a front perspective view of a third embodiment of
the invention, substantially similar to FIG. 1, in which the
cheesecake includes no topping.

The broken lines shown are for illustrative purposes only
and form no part of the claimed design.

1 Claim, 5 Drawing Sheets



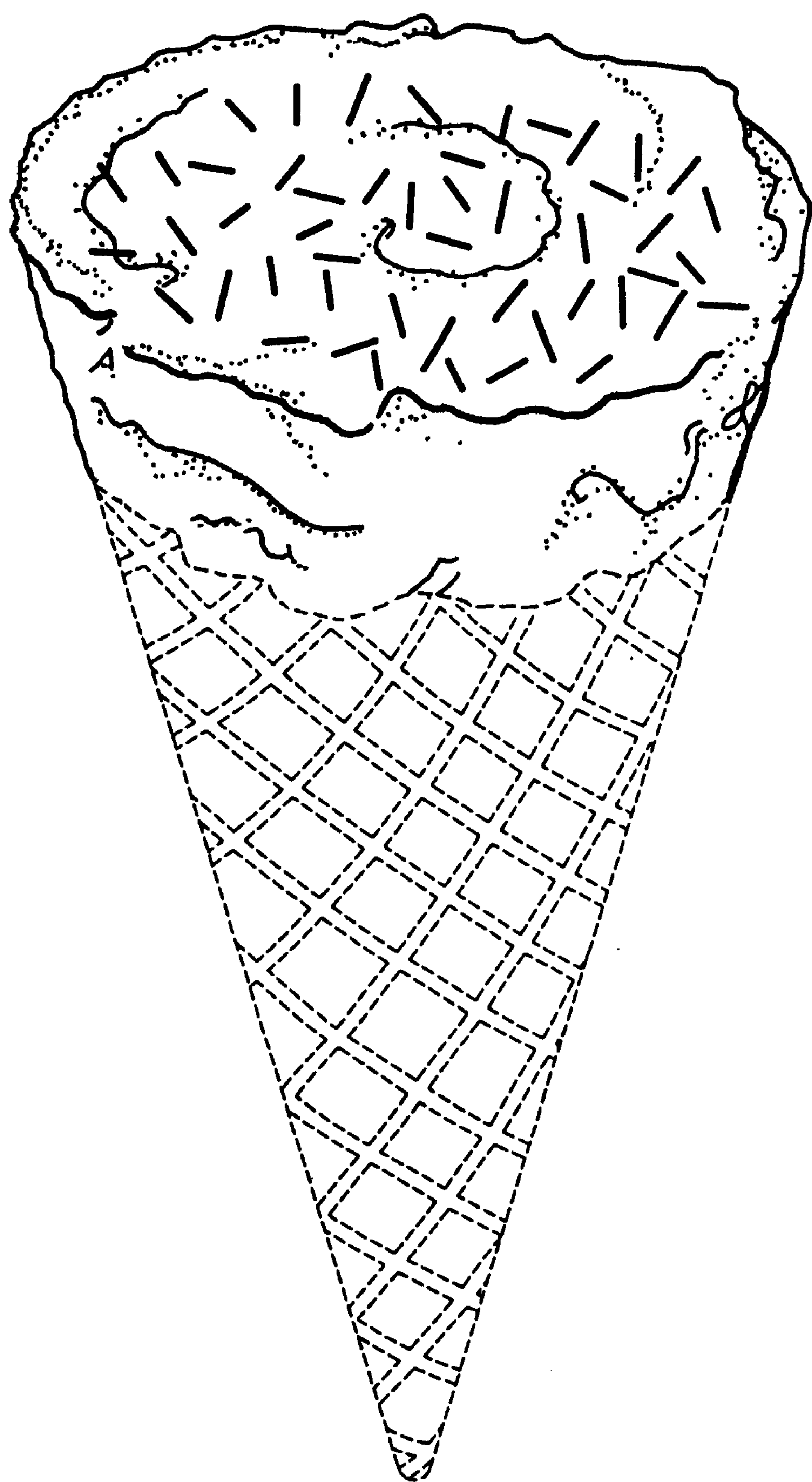


FIG. 1

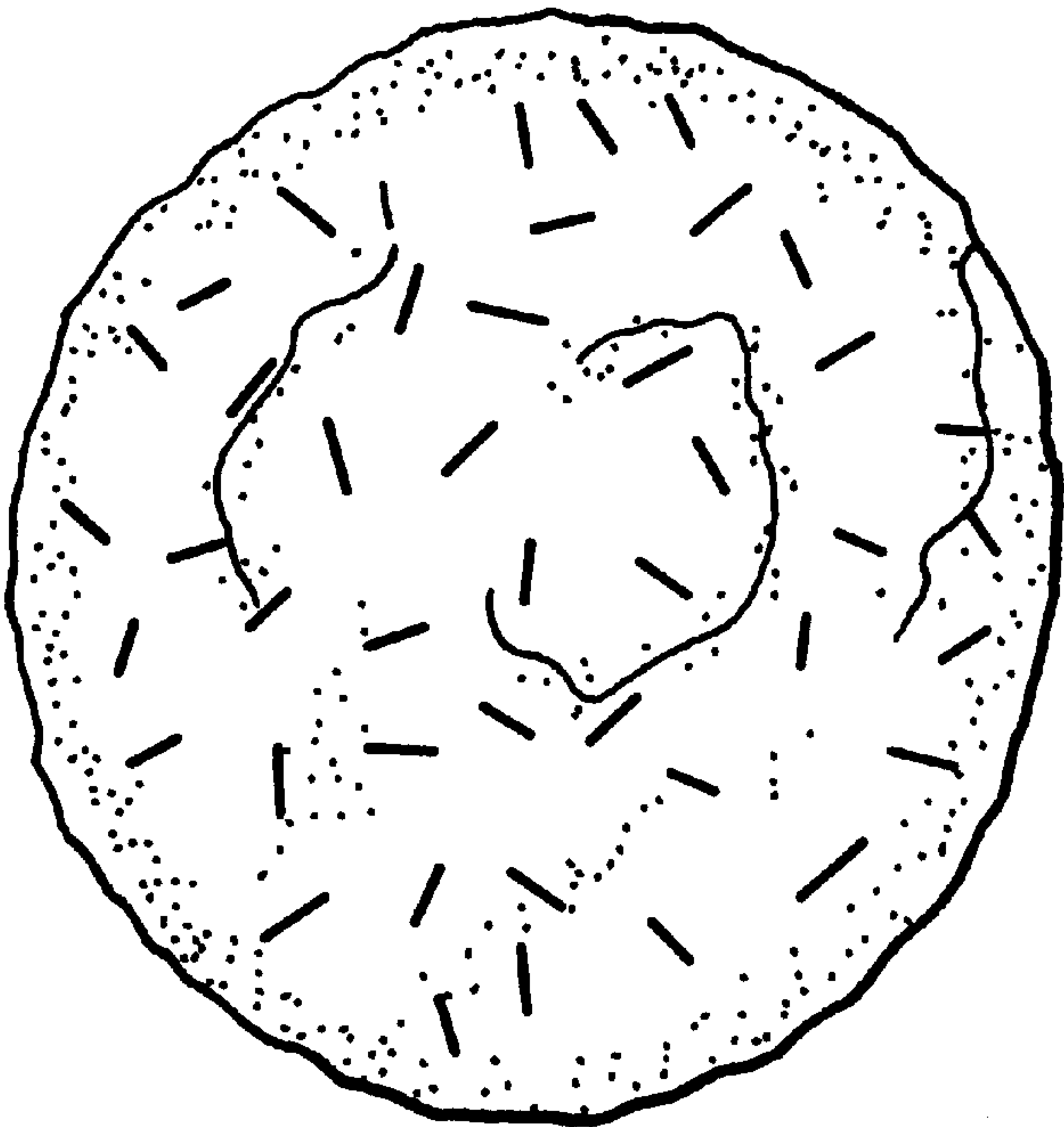


FIG.2

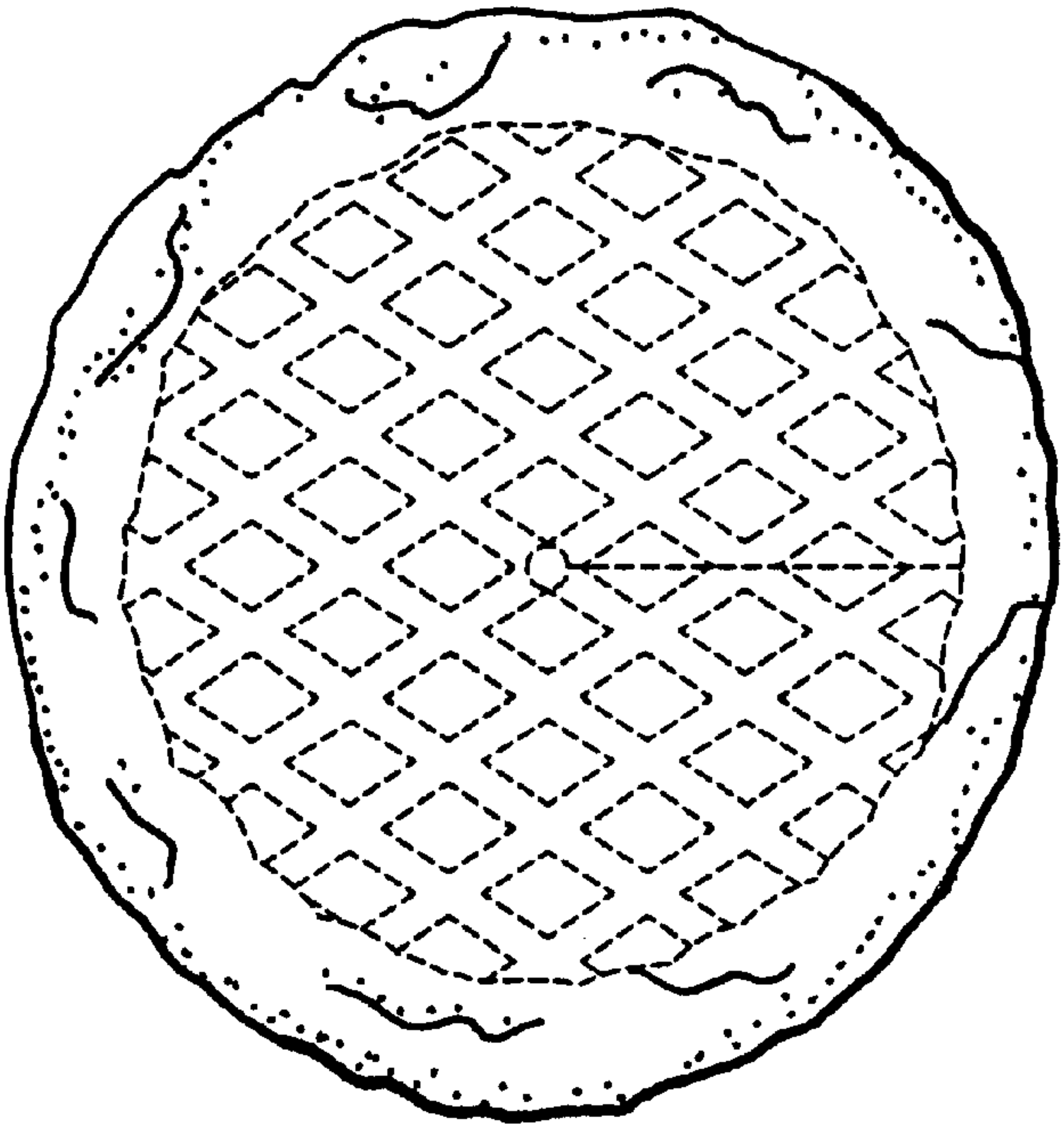


FIG.4

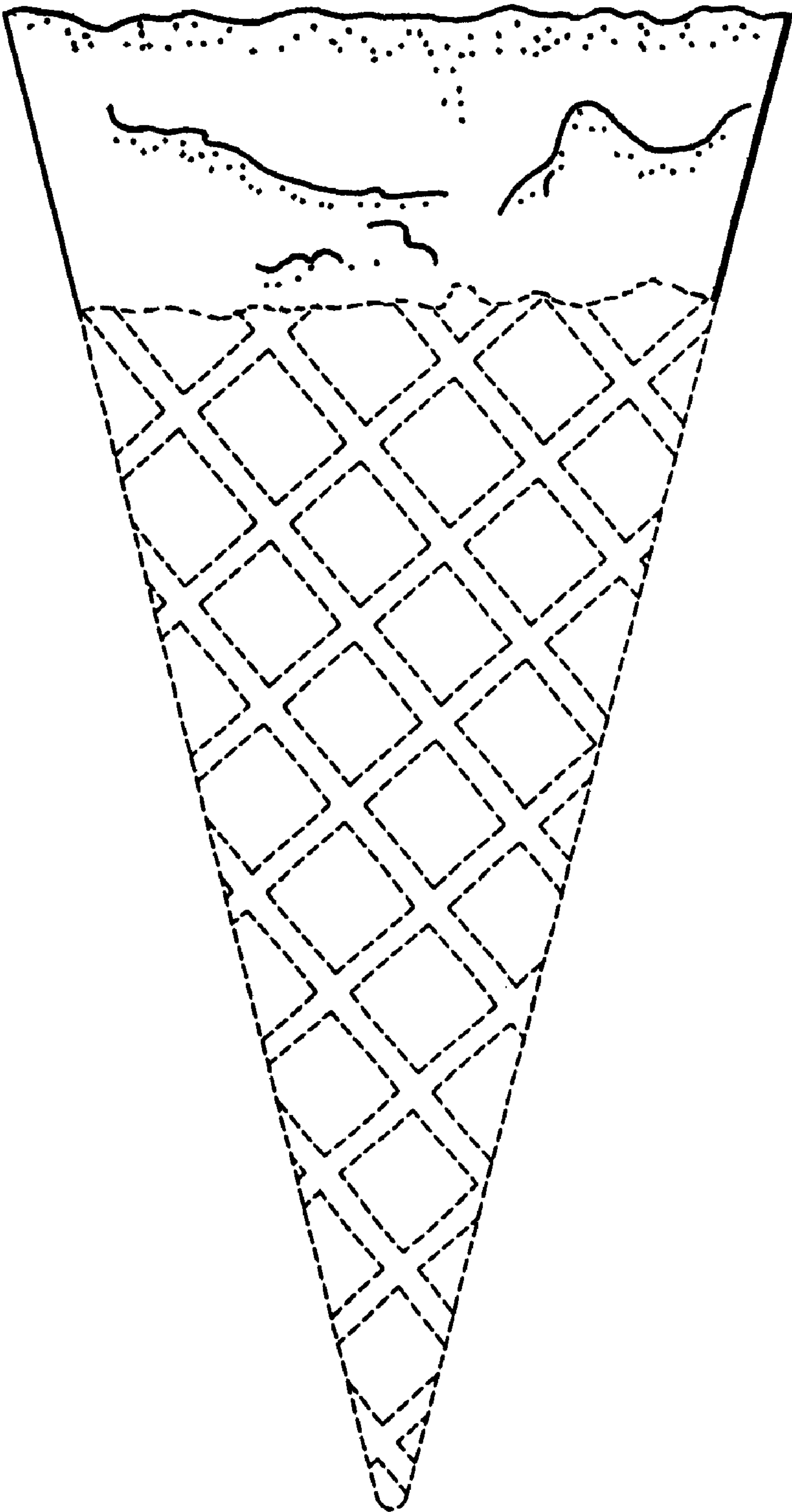


FIG.3

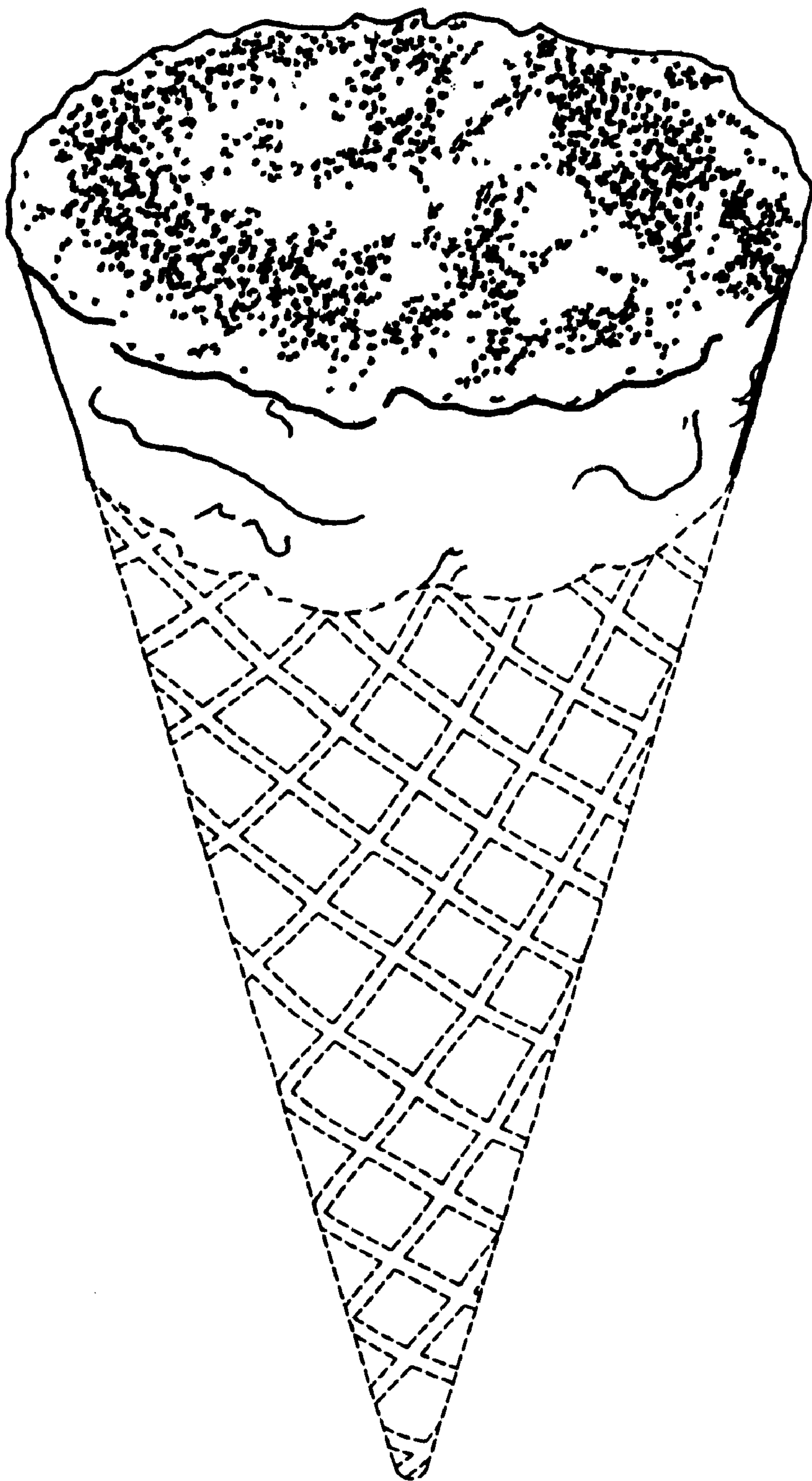


FIG.5

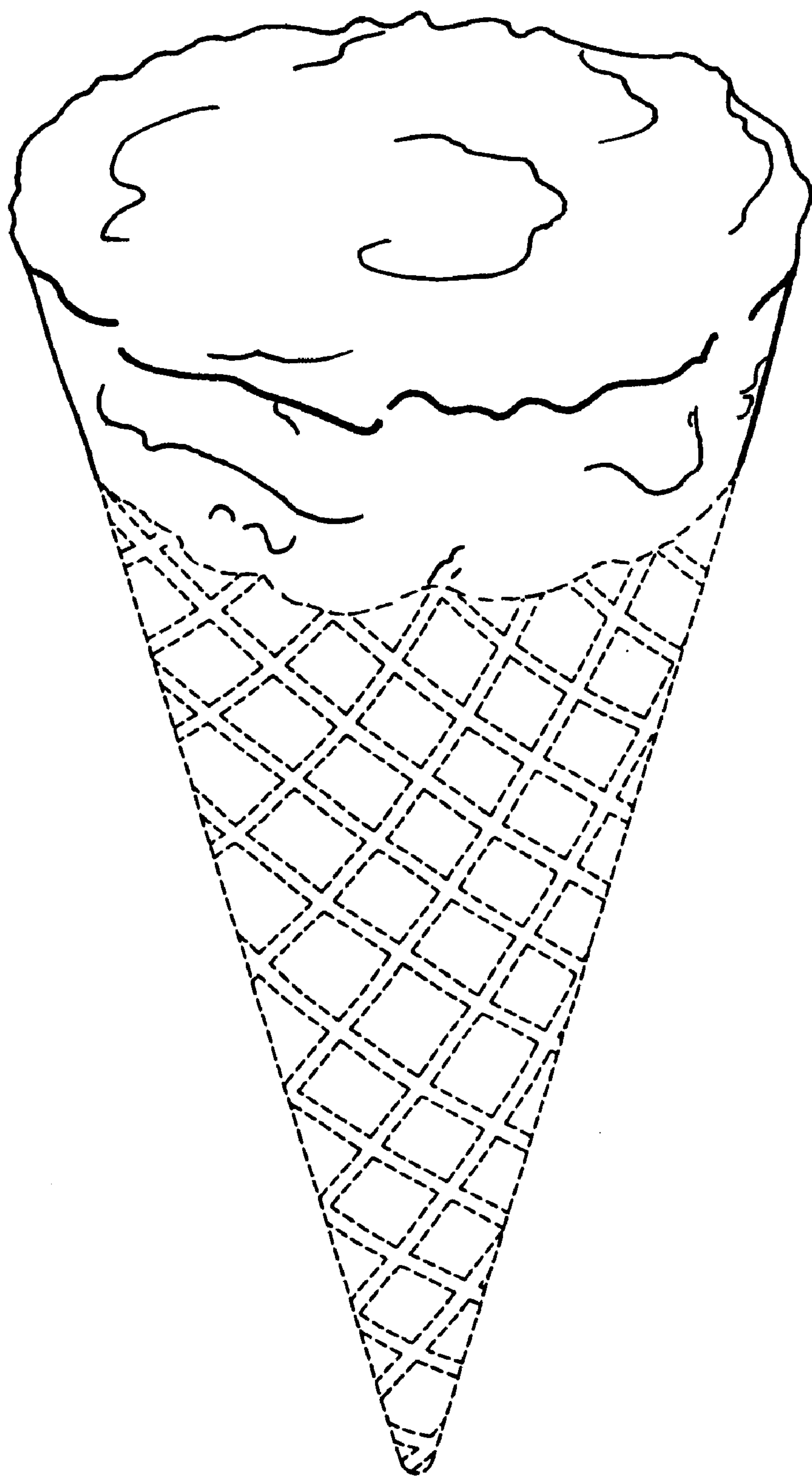


FIG.6