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(12) **United States Design Patent** (10) **Patent No.:** **US D489,861 S**
Sagy et al. (45) **Date of Patent:** **** May 18, 2004**

(54) **TOP PORTION OF A CONTAINER AND
VISCOUS FLOWABLE FOOD PRODUCT**

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

(21) Appl. No.: **29/172,111**

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Related U.S. Application Data

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Jan. 16, 2002.

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

(52) **U.S. Cl.** **D1/102; D1/130**

(58) **Field of Search** D1/100-130, 199;
426/34-43, 104, 115, 130, 249, 330, 330.2,
383, 583; D7/562, 584; D9/337

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,765,909 A * 10/1973 Moline 426/383
4,884,717 A * 12/1989 Bussard et al. 426/115 X
6,068,865 A * 5/2000 Lee et al. 426/43
6,099,880 A * 8/2000 Klacik et al. 426/249

OTHER PUBLICATIONS

Trans Global Trading TM Sugar Free Starlight Mints, © 1999,
shown and described on pp. 1 and 2 from: <URL: <http://transglobaltrading.com/item.cfm?SupplierID=5&ProductID=426>, retrieved from the Internet Oct. 11, 2002.*

The Quilt Square Foundation Piecing Patterns, Peppermint
Candy quilt pattern, © 1997, shown and described on pp. 2
and 3 from: <URL: <http://www.members.aol.com/heart2hnd/Dec.html>, retrieved from the Internet on Oct. 11, 2002.*

Dairy Foods Dec. 2001 magazine, "Squeezing Swirls"
article by Donna Berry on p. 18.*

* cited by examiner

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(57) **CLAIM**

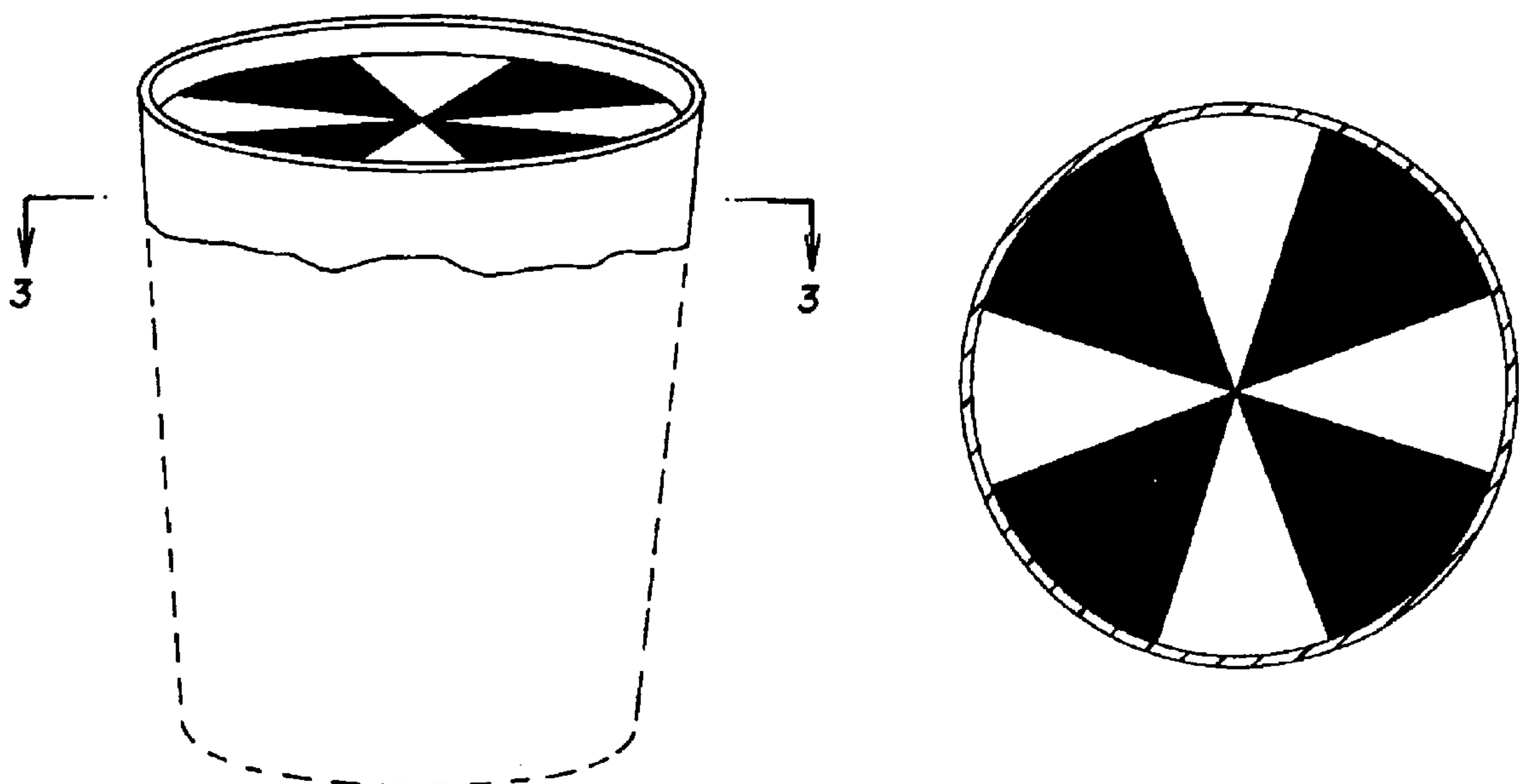
We claim the ornamental design for a top portion of a
container and viscous flowable food product, as shown and
described.

DESCRIPTION

FIG. 1 is a top plan view of a top portion of a container and
viscous flowable food product according to our new design.
FIG. 2 is a top front perspective view thereof with the broken
lines showing the remainder of the container which forms no
part of the claimed design; and,

FIG. 3 is a sectional view taken along line 3—3 of FIG. 2.
The color black represents a contrasting color.

1 Claim, 1 Drawing Sheet



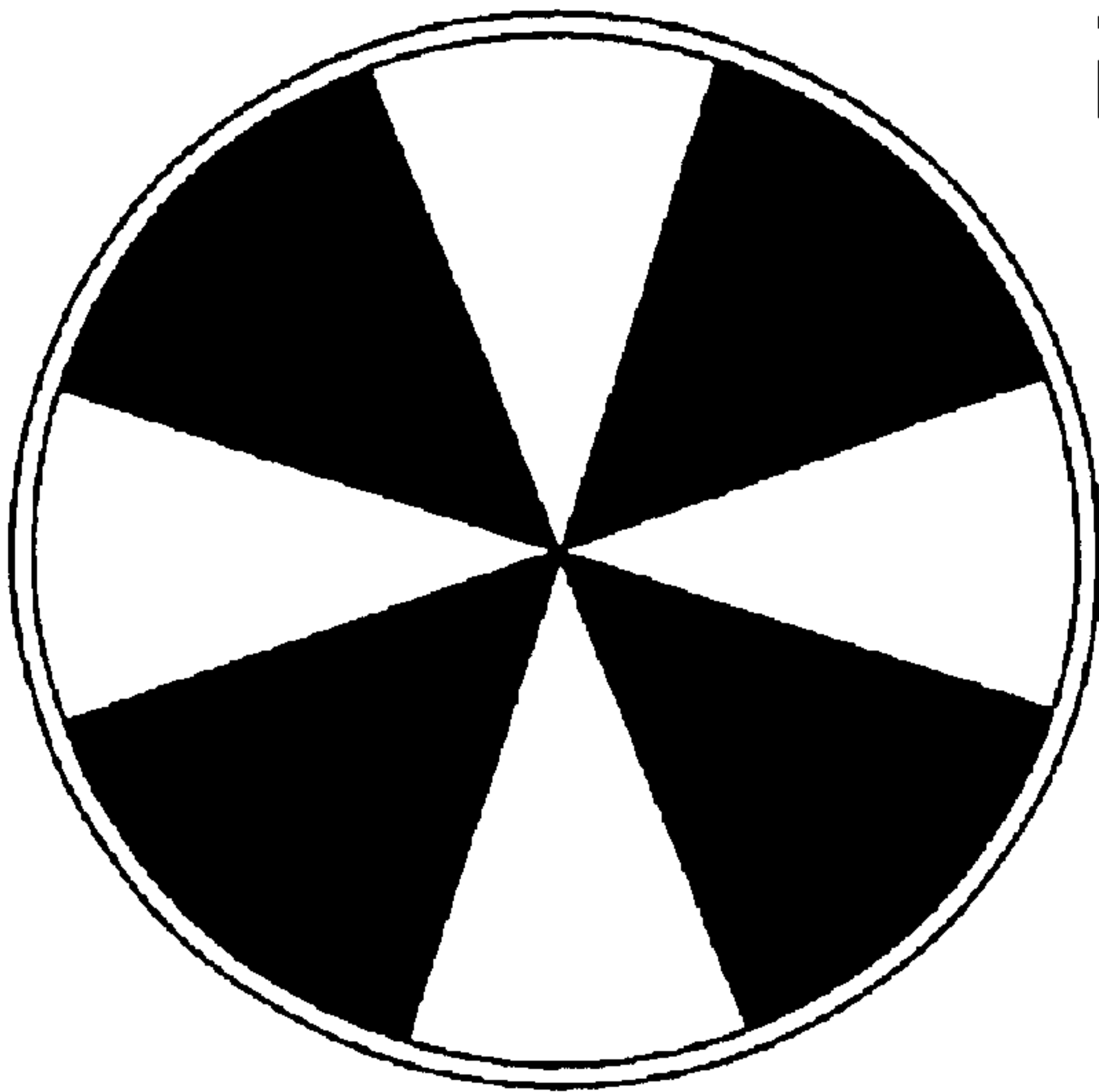


FIG. 1

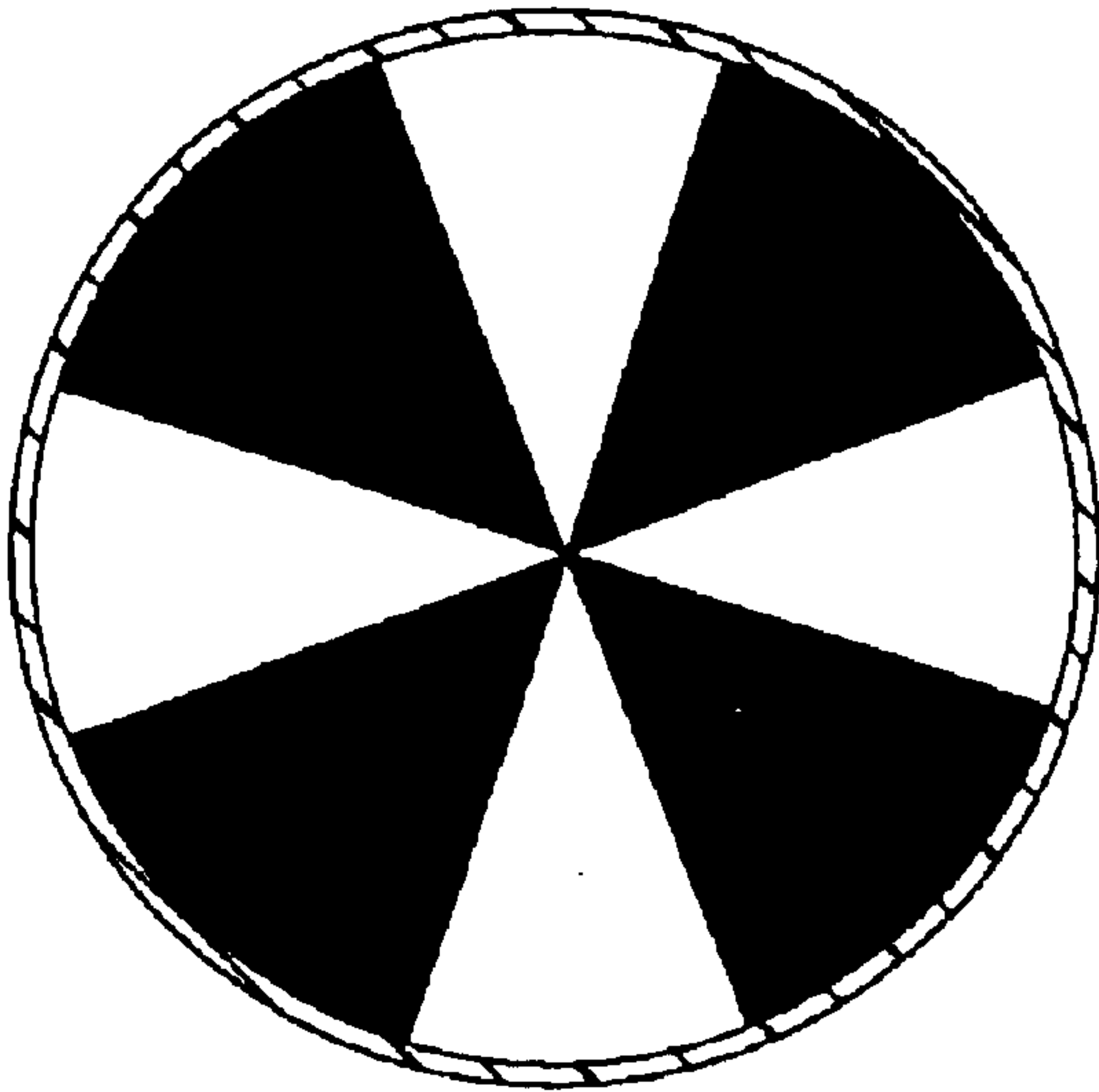


FIG. 3

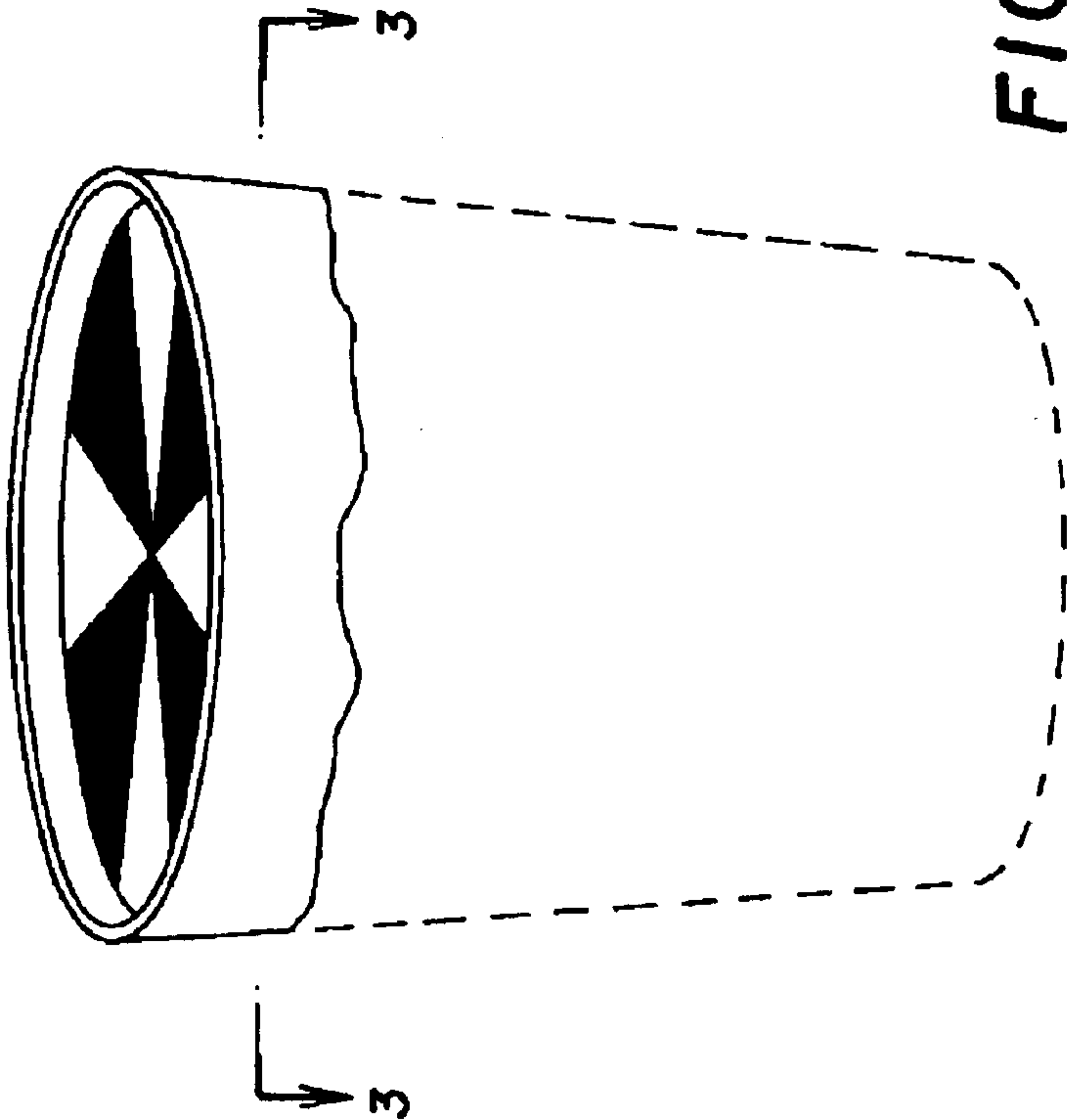


FIG. 2