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(12) **United States Design Patent** (10) Patent No.: **US D495,851 S**
Funk et al. (45) Date of Patent: **** Sep. 14, 2004**

(54) **LAYERED CEREAL BAR HAVING CEREAL
PIECES INCLUDED THEREON**

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(73) Assignee: **General Mills, Inc.**, Minneapolis, MN
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(**) Term: **14 Years**

(21) Appl. No.: **29/183,322**

(22) Filed: **Jun. 9, 2003**

Related U.S. Application Data

(60) Division of application No. 29/156,072, filed on Feb. 21,
2002, now Pat. No. Des. 478,704, which is a continuation-
in-part of application No. 29/111,593, filed on Sep. 30, 1999,
now Pat. No. Des. 458,728.

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

(52) **U.S. Cl.** **D1/101; D1/128**

(58) **Field of Search** D1/100, 101, 116-130,
D1/199; 426/94, 104, 274, 275, 282, 283,
285, 439, 440, 445, 446, 449, 450, 453,
458, 512, 559, 661

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,663,719 A	3/1928	Morley	
1,813,099 A	7/1931	Story	
1,890,697 A	12/1932	Scanian	
1,924,826 A	8/1933	Anderson	99/10
2,092,160 A	9/1937	Hawerlander	99/86
D119,054 S	2/1940	Tolmack	
2,190,949 A	2/1940	Plews	99/82
2,310,463 A	2/1943	Russell	107/54
D193,170 S	7/1962	Porambo	D8/1
D212,070 S	8/1968	Hreschak	D1/2
D213,034 S	12/1968	Slaybaugh	D1/2
4,055,669 A	10/1977	Kelly et al.	426/93
D321,580 S	11/1991	Jones	D1/116

5,091,201 A	*	2/1992	Murata et al.	425/285
D334,274 S		3/1993	Creighton et al.	D1/128
D340,568 S	*	10/1993	Lane	D1/121
D347,515 S		6/1994	Creighton et al.	D1/128
D354,386 S		1/1995	Smith et al.	D1/125
5,612,074 A		3/1997	Leach	426/74
D384,785 S		10/1997	Laughlin	D1/106
5,804,235 A		9/1998	Altschul	426/104
5,827,564 A		10/1998	Bodkin, Sr.	426/620
D409,355 S		5/1999	Citarella et al.	D1/107
6,242,033 B1		6/2001	Sander	426/559
6,432,460 B1		8/2002	Zietlow et al.	426/74

OTHER PUBLICATIONS

Great American Favorite Brand Name Cookbook. Illinois,
Publications International, Ltd., ©1993. Raspberry Oatmeal
Bars on p. 433.*

“Clif raises the bar”, *Food Processing*, Advertisement,(May
1999), 1 page.

“Packaging Flat for Balance”, *Bio-Foods*, (1994),2 pages.

“Packaging Flat for Balance Outdoor”, *Balance Bar*, (Jul.
1999), 1 page.

“Packaging Flat for Boost”, *Mead Johnson*, (Feb. 1998), 1
page.

“Packaging Flat for Breakfast Bars”, *Hain Pure Foods*, (Jun.
1997),2 pages.

(List continued on next page.)

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Assistant Examiner—Linda Brooks

(74) *Attorney, Agent, or Firm*—John A. O’Toole; Barbara J.
Clark; Douglas J. Taylor

(57) **CLAIM**

The ornamental design for a layered cereal bar having cereal
pieces included thereon, as shown.

DESCRIPTION

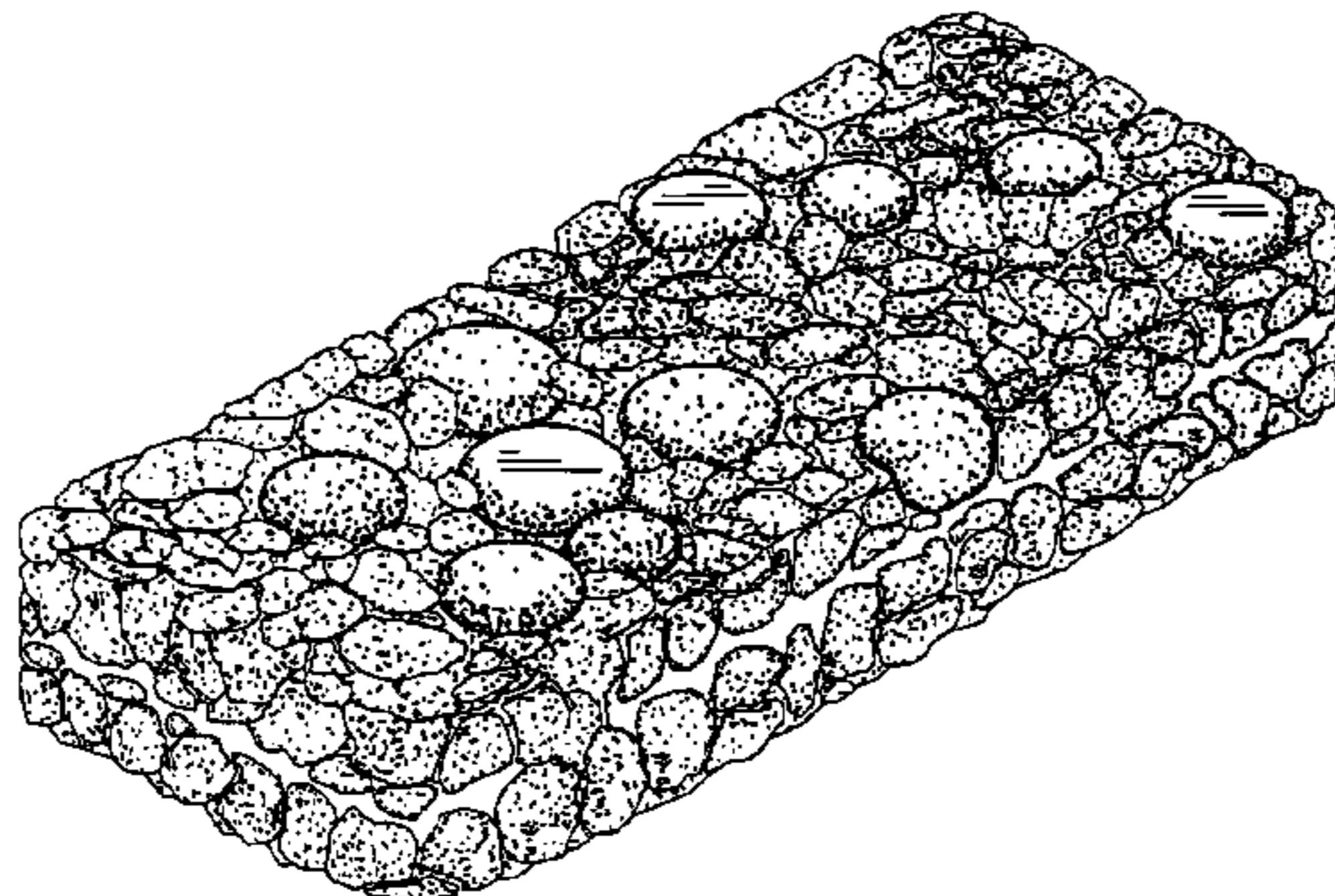
FIG. 1 is a perspective view of a layered cereal bar having
cereal pieces included thereon.

FIG. 2 is a top view of the layered cereal bar of FIG. 1.

FIG. 3 is a side view of the layered cereal bar of FIG. 1; and,

FIG. 4 is an end view of the layered cereal bar of FIG. 1.

1 Claim, 2 Drawing Sheets



OTHER PUBLICATIONS

- “Packaging Flat for Breakfast Squares”, *General Mills*, (Apr. 1970),2 pages.
- “Packaging Flat for Breakthru Nutrition Bar”, *Glenn Foods*, (Mar. 1998), 1 page.
- “Packaging Flat for Cap’n Crunch Treats”, *Quaker*, (Mar. 1997),2 pages.
- “Packaging Flat for Carnation Instant Breakfast Bars”, *Nestle*, (prior to 1997),2 pages.
- “Packaging Flat for Chewy Granola Bars”, *Quaker*, (Jan. 1990),2 pages.
- “Packaging Flat for Clif Bar”, *Kali’s Sports Naturals*, (Sep. 1991), 1 page.
- “Packaging Flat for Clif Kicks Bar”, *Kali’s Sports Naturals*, (Jul. 1997),2 pages.
- “Packaging Flat for Coco Pops Cereal & Milk Bars”, *Kellogg’s*, (1999),3 pages.
- “Packaging Flat for Corny Snack Bars”, *Schwartz*, (Nov. 1999),2 pages.
- “Packaging Flat for Crunchy Nut Corn Flake Cereal Bars”, *Kellogg’s*, Australia,(Feb. 1998),2 pages.
- “Packaging Flat for Diet Fuel”, *Twin Lab*, (Jul. 1999), 1 page.
- “Packaging Flat for Edge Bar”, *Nutritional N–Er–G Products*, (Jul. 1991),2 pages.
- “Packaging Flat for Frosties Cereal & Milk Bars”, *Kellogg’s*, 1 page.
- “Packaging Flat for Fruit and Oatmeal”, *Quaker*, (May 1997),2 pages.
- “Packaging Flat for Glenny’s Chocolate Crunch”, *Glenn Foods*, (Jan. 1996), 1 page.
- “Packaging Flat for Golden Grahams Treats”, *General Mills*, (Oct. 1996),3 pages.
- “Packaging Flat for Golf Pro Nutrition Bar”, (Nov. 1993), 1 page.
- “Packaging Flat for Healthy Cheesecake Bars”, *Health Valley*, (Jan. 1995), 1 page.
- “Packaging Flat for Hoffman’s Energy Bar”, *York Barbell*, (Nov. 1997), 1 page.
- “Packaging Flat for Just Right Cereal Bars (Australia)”, *Kellogg’s*, (Feb. 1998),2 pages.
- “Packaging Flat for Kudos”, *Mars*, (Oct. 1989),2 pages.
- “Packaging Flat for Kushi Cuisine Crispy Rice Bars”, *Kushi Macrobiotics*, (Jan. 1996), 1 page.
- “Packaging Flat for Luna Chocolate Pecan Pie”, *Clifbar*, (Mar. 1999), 1 page.
- “Packaging Flat for Meal Pack”, *Bear Valley Foods*, (Sep. 1980), 1 page.
- “Packaging Flat for MET–Rx Food Bar”, *MET–Rx Substrate Technology*, (Sep. 1992), 1 page.
- “Packaging Flat for Nature’s Choice Natural Delight Yogurt Dipped Desserts”, *Barbara’s Bakery*, (Jul. 1999),2 pages.
- “Packaging Flat for Nesquik Biscuit Sticks”, *Nestle*, (Sep. 1999),2 pages.
- “Packaging Flat for New Yorker Breakfast Bar”, *Renshaw Scott Ltd. (England)*, (Jul. 1999),2 pages.
- “Packaging Flat for Nutri Grain”, *Kellogg’s*, (Mar. 1991),2 pages.
- “Packaging Flat for Nutri Grain Twists”, *Kellogg’s*, (Oct. 1998),2 pages.
- “Packaging Flat for Nutri–Grain Twists”, *Kellogg’s*, Forest Fruits and Yogurt,(1998),2 pages.
- “Packaging Flat for Oatmeal Creme Bar Chewy Whole Grain Snack Bar”, *Starbucks*, (Dec. 1998), 1 page.
- “Packaging Flat for Oatmeal Crisp Fruit’n Cereal Bars”, *General Mills*, 2 Pages.
- “Packaging Flat for Oreo Granola Bars”, *Nabisco*, (Mar. 1994),2 pages.
- “Packaging Flat for Power Bar”, *Powerfood*, (Jun. 1991), 1 page.
- “Packaging Flat for Pro Tour”, *Barbara’s Bakery*, (Jan. 1996), 1 page.
- “Packaging Flat for Prozone”, *NutriBiotic*, (Aug. 1996), 1 page.
- “Packaging Flat for Rice Cake Sandwich Choco and Cheese”, *Granco*, (Jul. 1999), 4 pages.
- “Packaging Flat for Rice Krispies Treats Chocolate Chip”, *Kellogg’s*, (May 1997),2 pages.
- “Packaging Flat for Rice Krispies Treats Cocoa Crispy Marshmallow Squares”, *Kellogg’s*, (Apr. 1992),2 pages.
- “Packaging Flat for Rice Krispies Treats Crispy Marshmallow Squares”, *Kellogg’s*, (Apr. 1999),4 pages.
- “Packaging Flat for Rice Krispies Treats Peanut Butter Chocolate”, *Kellogg’s*, (Apr. 1999),3 pages.
- “Packaging Flat for Shaqbar”, *Amway*, (Oct. 1995),2 pages.
- “Packaging Flat for Snackwell’s Cereal Bars”, *Nabisco*, (Jun. 1996), 1 page.
- “Packaging Flat for Snackwell’s Hearty Fruit’n Grain Cereal Bars”, *Nabisco*, (prior to 1999),2 pages.
- “Packaging Flat for Source Bar”, *Empowered Athletics*, (Aug. 1996), 1 page.
- “Packaging Flat for Stoker Energy Bar”, *BTU Stoker*, (May 1994), 1 page.
- “Packaging Flat for Sustain Cereal Bars (Australia)”, *Kellogg’s*, (Feb. 1998),2 pages.
- “Packaging Flat for Think Interactive Bar”, *Personal Health Development*, (Jan. 1996),4 pages.
- “Packaging Flat for Trek Barr”, *Mountain Biscuit*, (Feb. 1997), 1 page.
- “Packaging Flat for Whole Grain Bars”, *Earth’s Best*, (May 1996),2 pages.
- “Packaging Flat for Zone Perfect”, *Elcotech Corp.*, (1999),2 pages.
- “Packaging Flat Smacks Cereal and Milk Bars”, *Kellogg’s*, England,(1999), 1 page.
- “Power Bark for Fido”, *Food Processing*, Advertisement, (May 1999), 1 page.

* cited by examiner

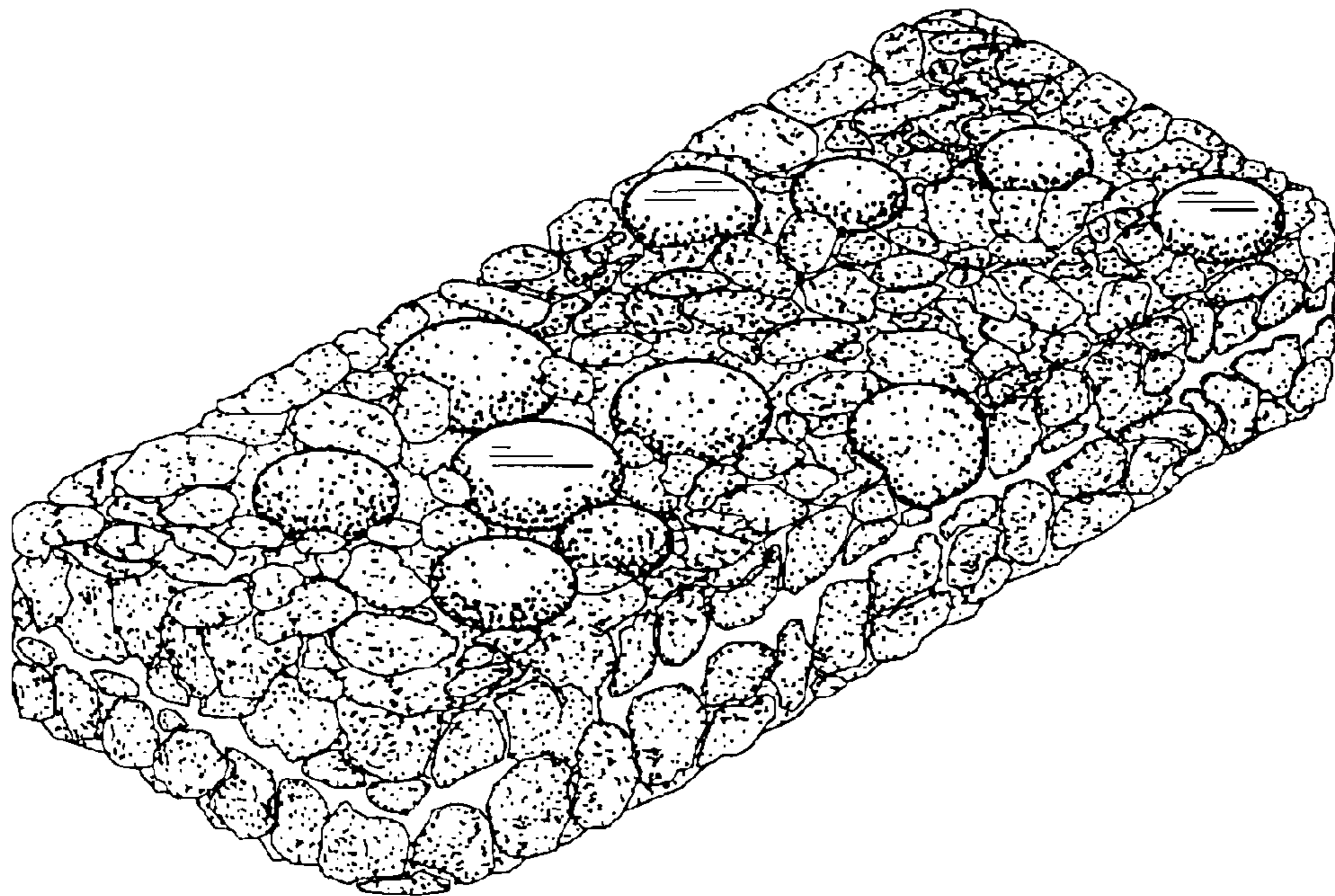


FIG. 1

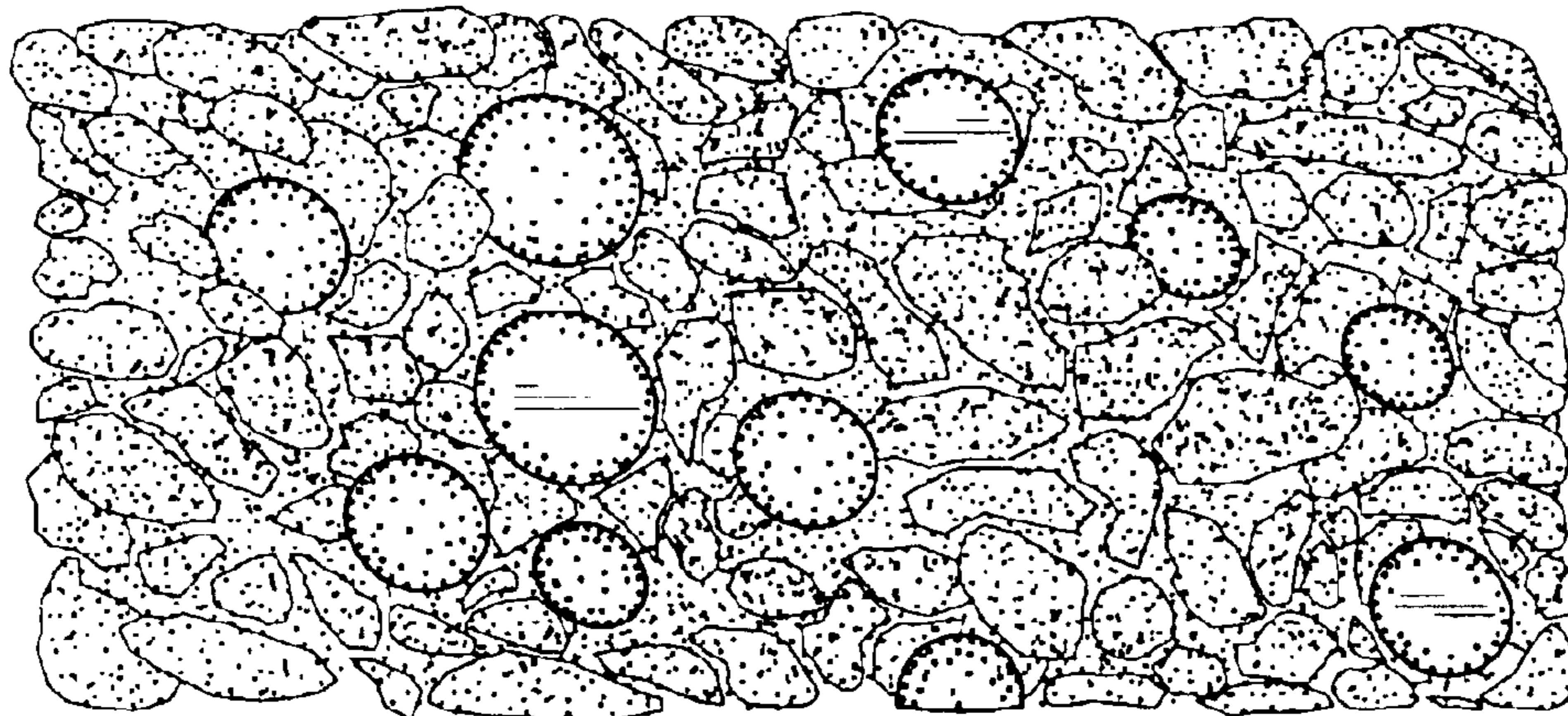


FIG. 2

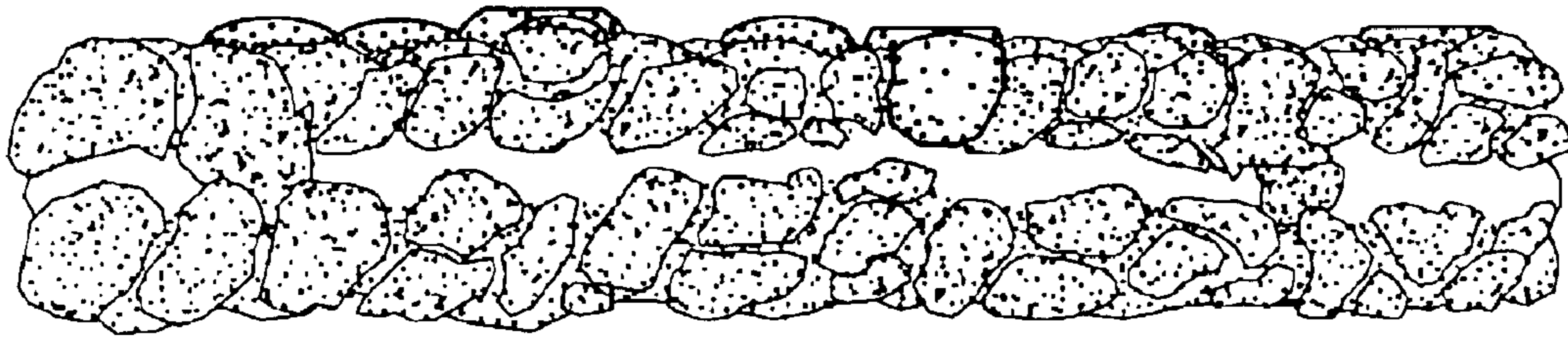


FIG. 3

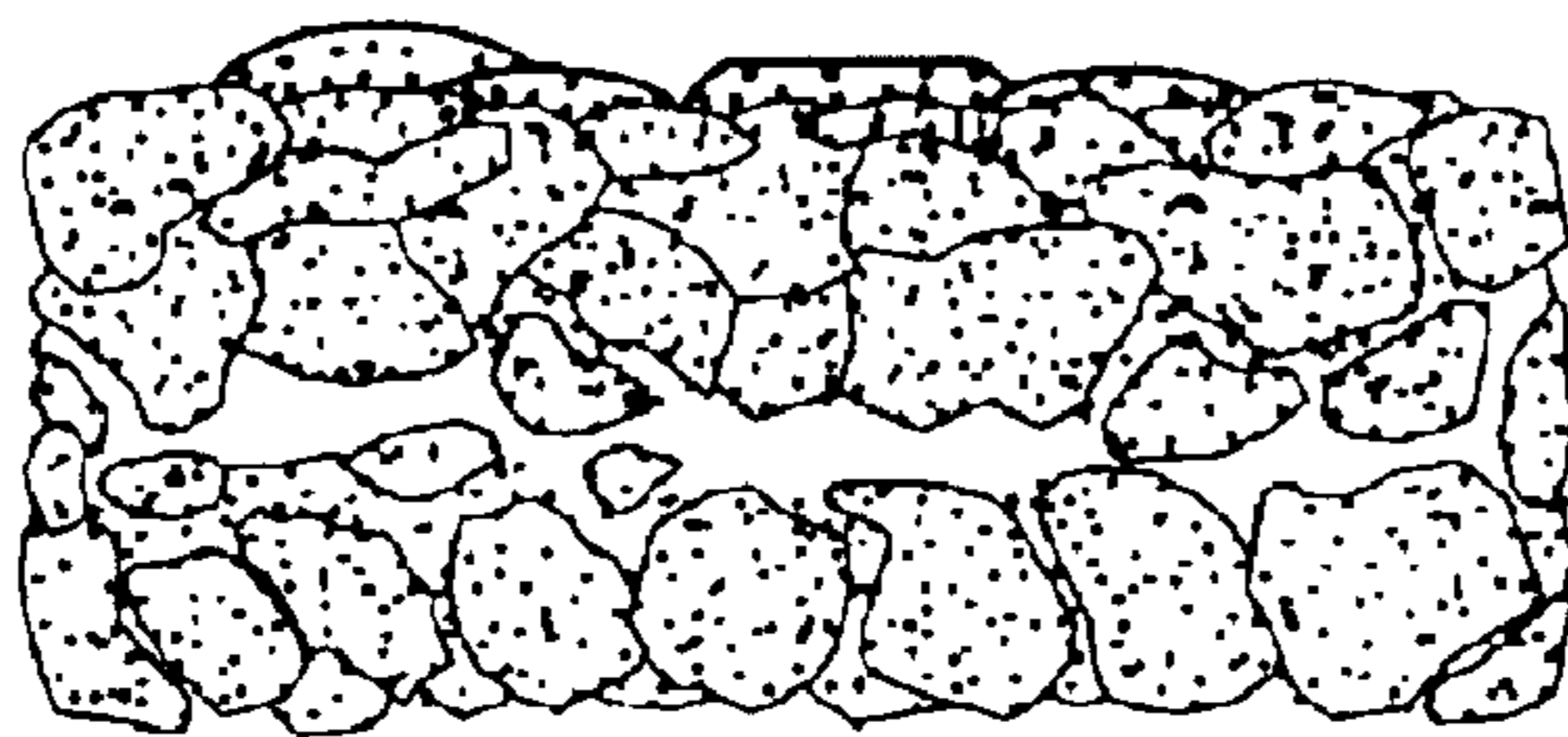


FIG. 4

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : Des. 495,851 S
DATED : September 14, 2004
INVENTOR(S) : Funk et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

Item [56], **References Cited**, U.S. PATENT DOCUMENTS, delete "Scanian" and insert -- Scanlan --, therefor.

OTHER PUBLICATIONS,

"Packaging Flat for Diet Fuel", reference delete "(Jul. 1999)" and insert -- (Jul. 1998) --, therefor.

"Packaging Flat for Rice Krispies Treats Chocolate Chips", reference delete "(Apr. 1992)" and insert -- (Apr. 1999) --, therefor.

"Packaging Flat for Zone Perfect", reference delete "*Elcotech*" and insert -- *Eicotech* --, therefor.

"Packaging Flat Smacks Cereal and Milk Bars", reference insert -- for -- before "Smacks".

Signed and Sealed this

Fourteenth Day of December, 2004

A handwritten signature in black ink on a light gray dotted background. The signature reads "Jon W. Dudas" in a cursive style.

JON W. DUDAS

Director of the United States Patent and Trademark Office