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

(10) **Patent No.:** **US D497,544 S**
(45) **Date of Patent:** **** Oct. 26, 2004**

(54) **SIDE GUSSETED FLEXIBLE BEVERAGE POUCH WITH SHAPED BODY**

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(73) Assignee: **Saddlesprings Beverage Company, Inc.**, Torrance, CA (US)

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

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(22) Filed: **Feb. 26, 2004**

Related U.S. Application Data

(62) Division of application No. 29/178,902, filed on Apr. 2, 2003, now Pat. No. Des. 490,303, which is a division of application No. 29/159,516, filed on Apr. 23, 2002, now Pat. No. Des. 474,682.

(51) **LOC (7) Cl.** **09-05**

(52) **U.S. Cl.** **D9/305**

(58) **Field of Search** D9/302, 305-306, D9/442; 383/100, 104, 120, 121, 906; 229/123.1; 222/92, 105, 107, 541.1, 541.5, 495.01, 495.03, 495.08

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,380,646 A 4/1968 Doyen et al.
3,502,487 A * 3/1970 Byrd 383/100 X

(List continued on next page.)

FOREIGN PATENT DOCUMENTS

CA 1152 038 8/1983
DE 3925871 2/1991
JP 5-77838 5/1991
JP 5330561 A 12/1993

OTHER PUBLICATIONS

Purported Translation of Abstract of JP5330561A, “,” (Dec. 14, 1993).

Purported Translation of Abstract of DE3925871, “,” (Feb. 7, 1991).

Rudolf Wild GmbH & Co KG Limited Partnership, “Trademark of design for fruit juice container,” U.S. Trademark Electronic Search System, (Nov. 12, 2001).

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(57) **CLAIM**

The ornamental design for a side gusseted flexible beverage pouch with shaped body, as shown and described.

DESCRIPTION

FIG. 1 is a front elevational view of my new design illustrating the characteristic features of the design which resides in its shape together with having an opaque upper portion, transparent diagonal middle portion, and opaque lower portion on both the front and back sides of the pouch; FIG. 2 is a rear elevational view of the embodiment illustrated in FIG. 1;

FIG. 3 is a left side elevational view of the design illustrated in FIG. 1;

FIG. 4 is a right side elevational view of the design illustrated in FIG. 1;

FIG. 5 is a top view of the design illustrated in FIG. 1;

FIG. 6 is a bottom view of the design illustrated in FIG. 1;

FIG. 7 is a front elevational view of an alternative embodiment of my new design illustrating the characteristic features of the design which resides in its shape together with having an transparent upper portion, opaque diagonal middle portion, and transparent lower portion on both the front and back sides of the pouch;

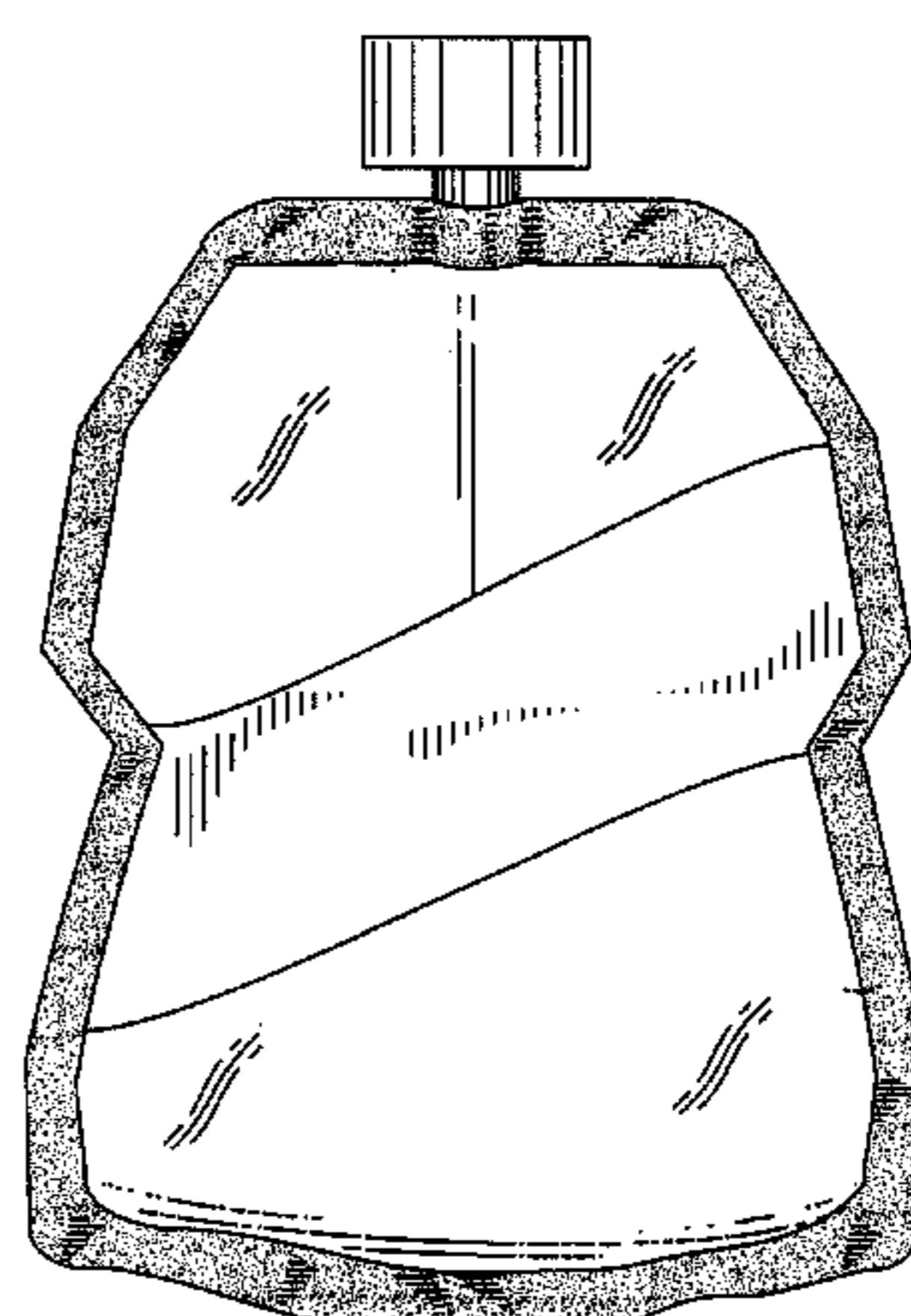
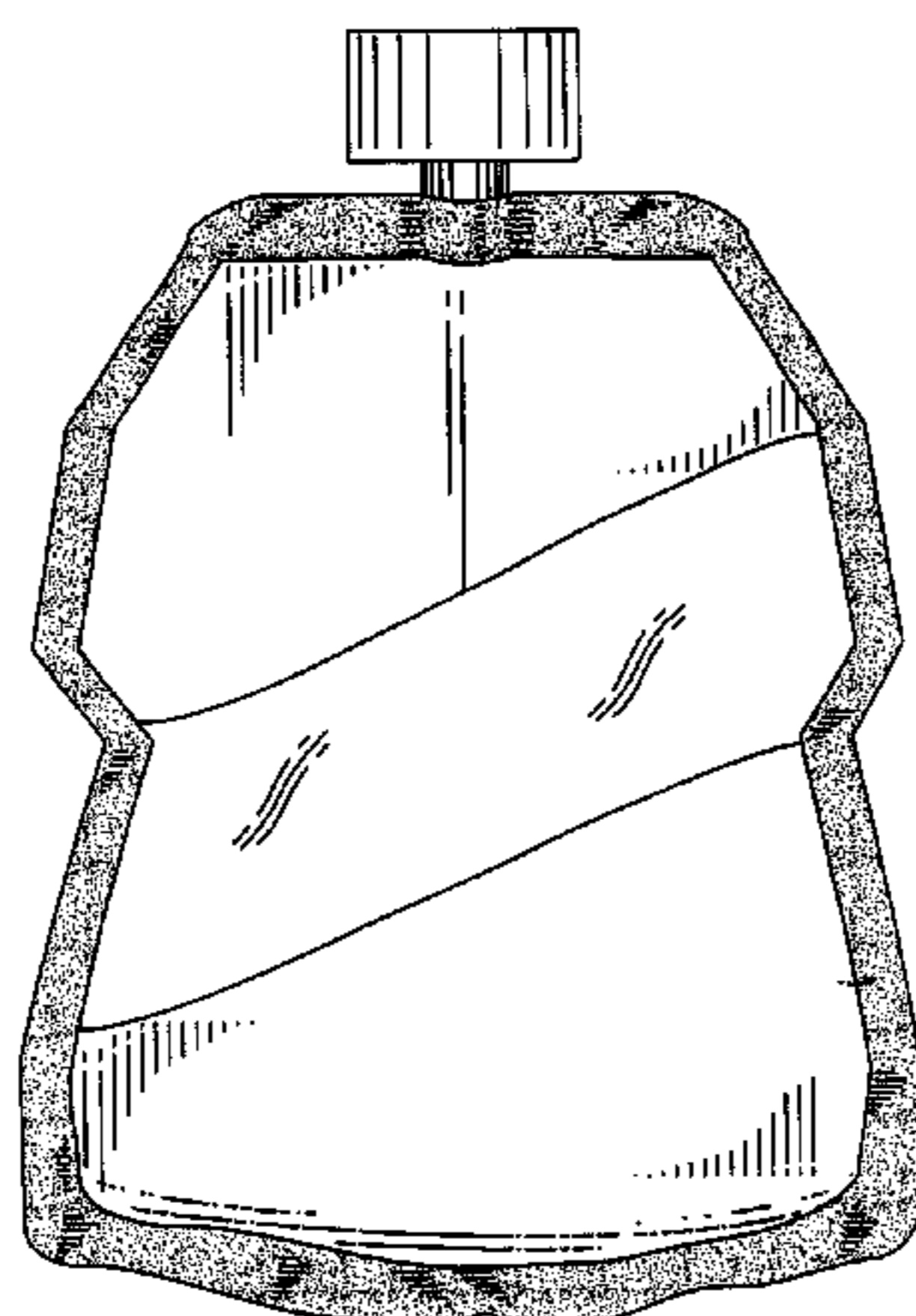
FIG. 8 is a rear elevational view of the embodiment illustrated in FIG. 7;

FIG. 9 is a left side elevational view of the embodiment illustrated in FIG. 7, the right side elevational view being identical;

FIG. 10 is a top view of the embodiment illustrated in FIG. 7; and,

FIG. 11 is a bottom view of the embodiment illustrated in FIG. 7.

1 Claim, 3 Drawing Sheets



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U.S. PATENT DOCUMENTS						
				D433,625 S	11/2000	Berman
				D434,976 S	12/2000	Berman
3,687,358 A	8/1972	Wink et al.		D436,847 S	1/2001	Berman
4,650,452 A	3/1987	Jensen		D436,848 S	1/2001	Berman
4,718,738 A *	1/1988	Bell	383/121	D437,549 S	2/2001	Berman
4,818,544 A	4/1989	Seward		D440,868 S	4/2001	Berman
4,886,373 A *	12/1989	Corella	383/104	D452,816 S	1/2002	Berman
5,059,036 A	10/1991	Richison et al.		D452,817 S	1/2002	Berman
5,352,043 A	10/1994	Takagaki et al.		D452,818 S	1/2002	Berman
D410,838 S	6/1999	Berman		D452,819 S	1/2002	Berman
D420,900 S	2/2000	Berman		D453,001 S	1/2002	Berman
D425,410 S	5/2000	Berman		D474,682 S *	5/2003	Berman
6,076,968 A	6/2000	Smith et al.		D490,303 S *	5/2004	Berman
D429,459 S	8/2000	Berman				D9/305
6,102,252 A *	8/2000	Overman et al.	222/105			D9/305

* cited by examiner

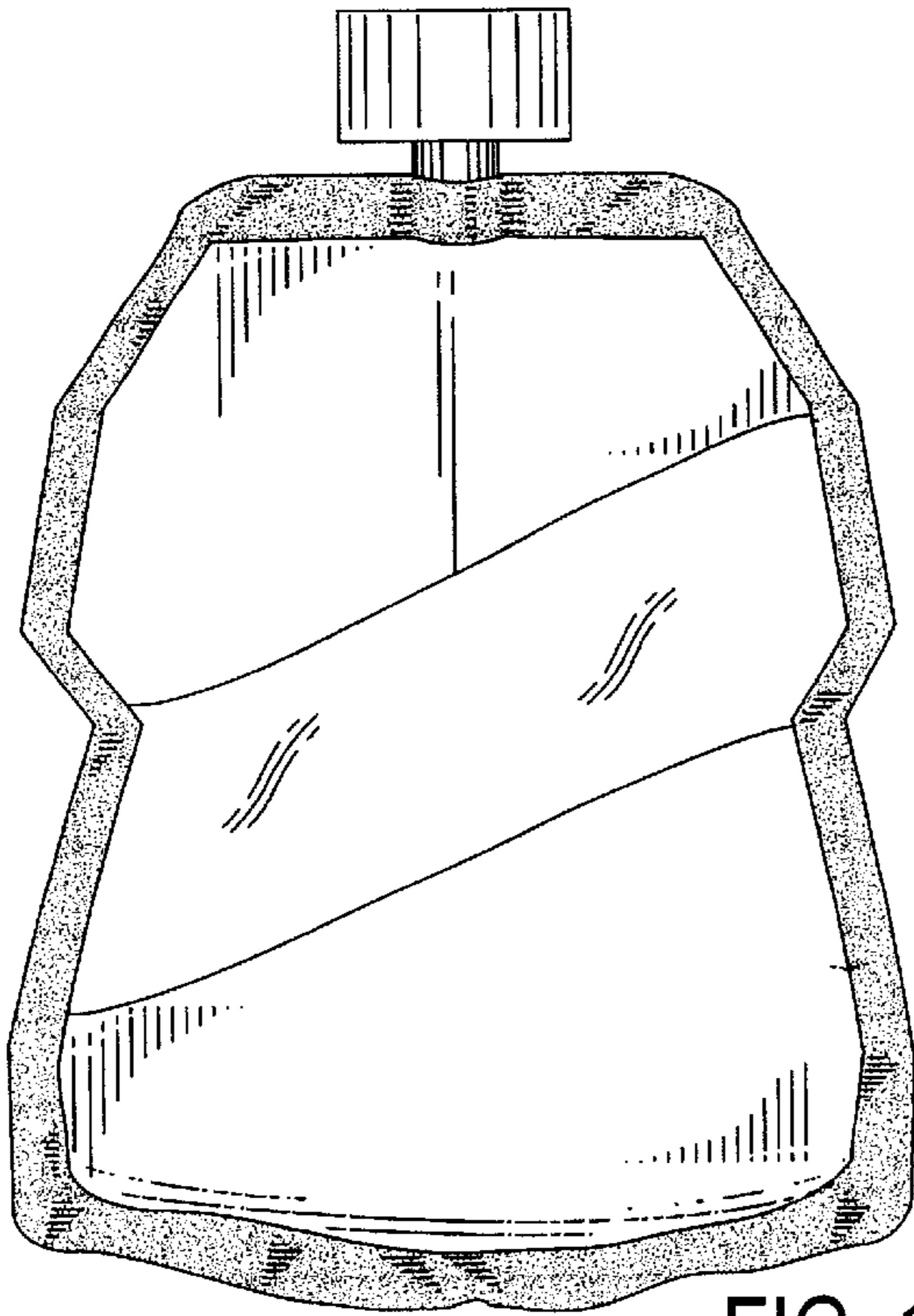


FIG. 1

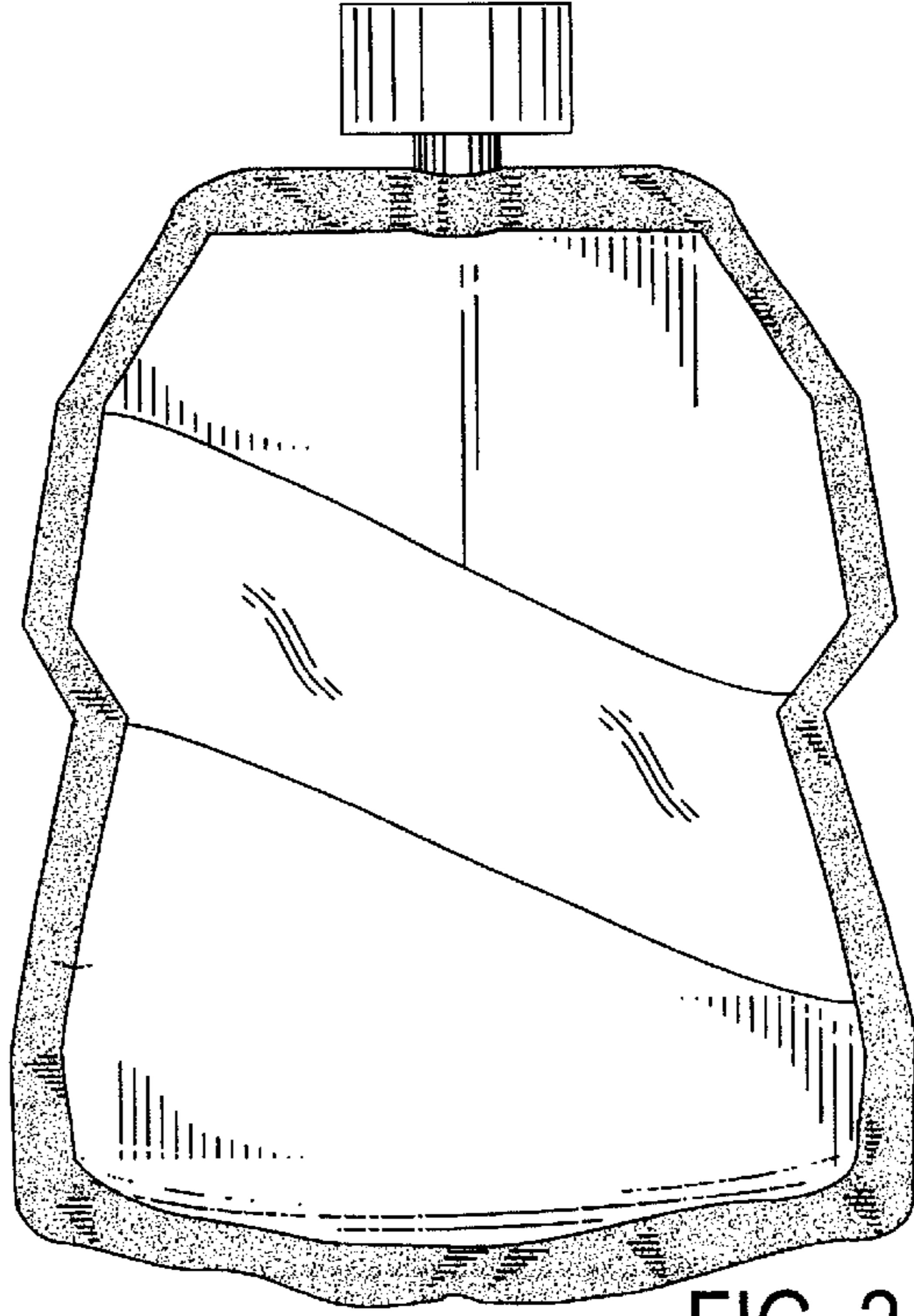


FIG. 2

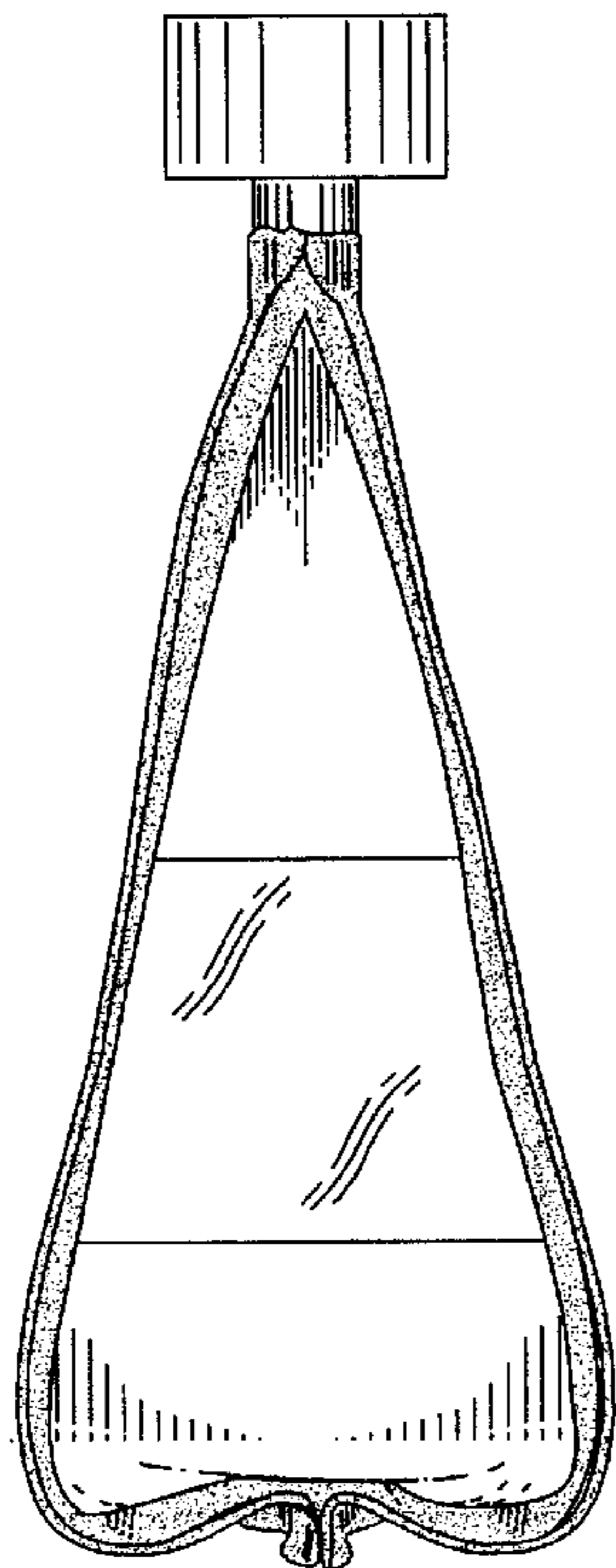


FIG. 3

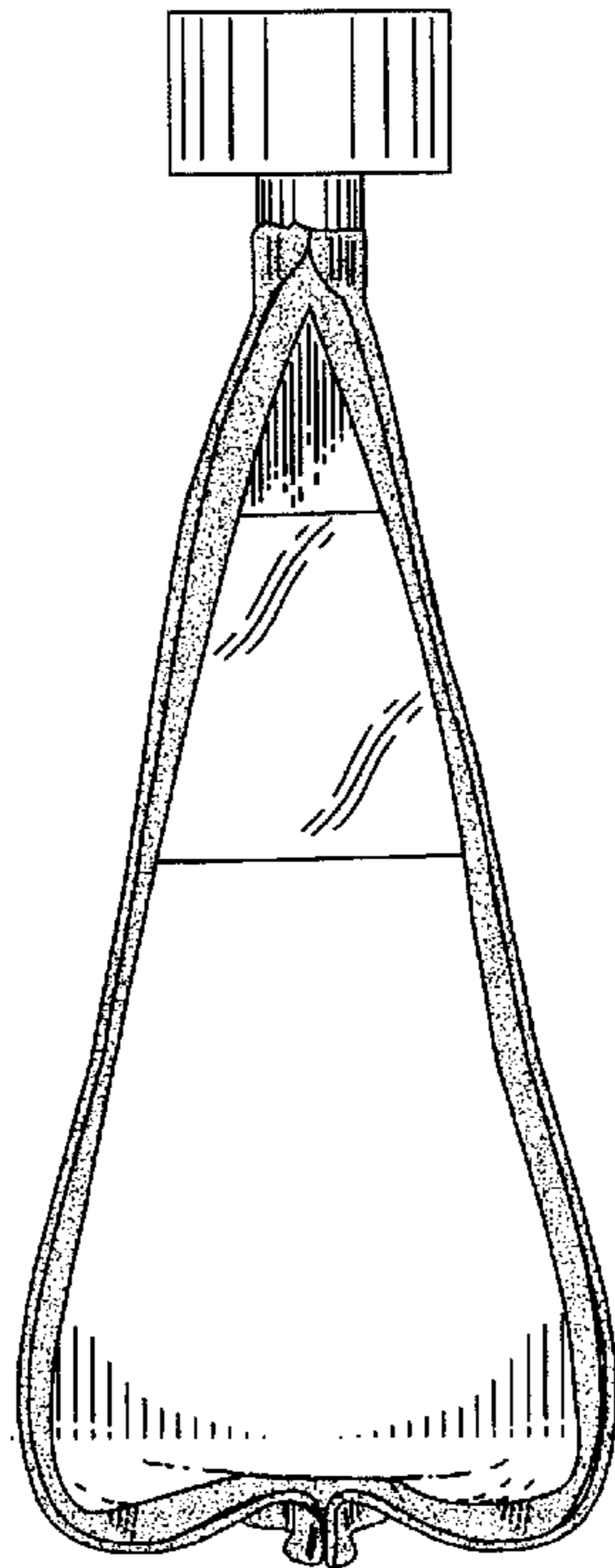


FIG. 4

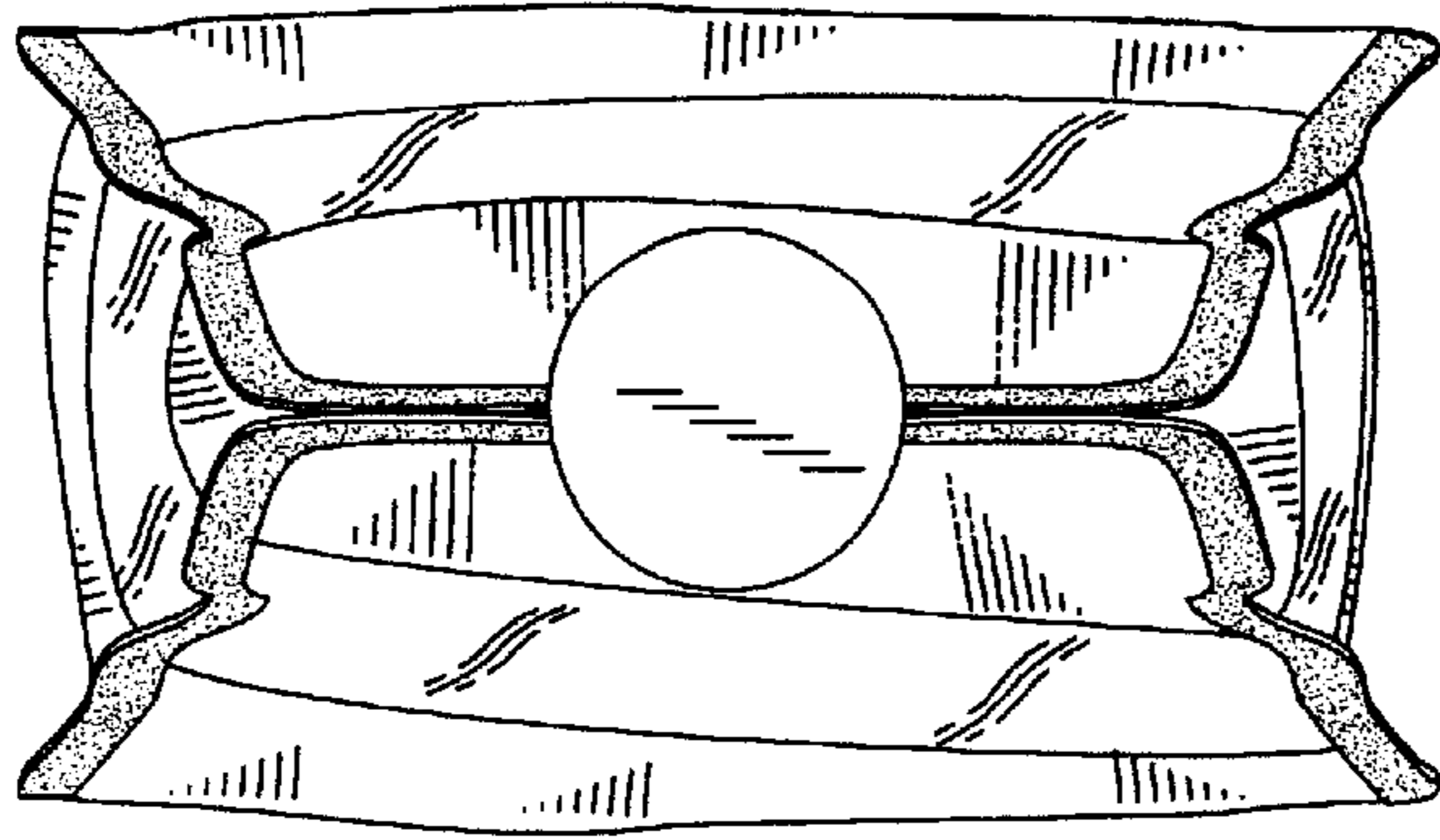


FIG. 5

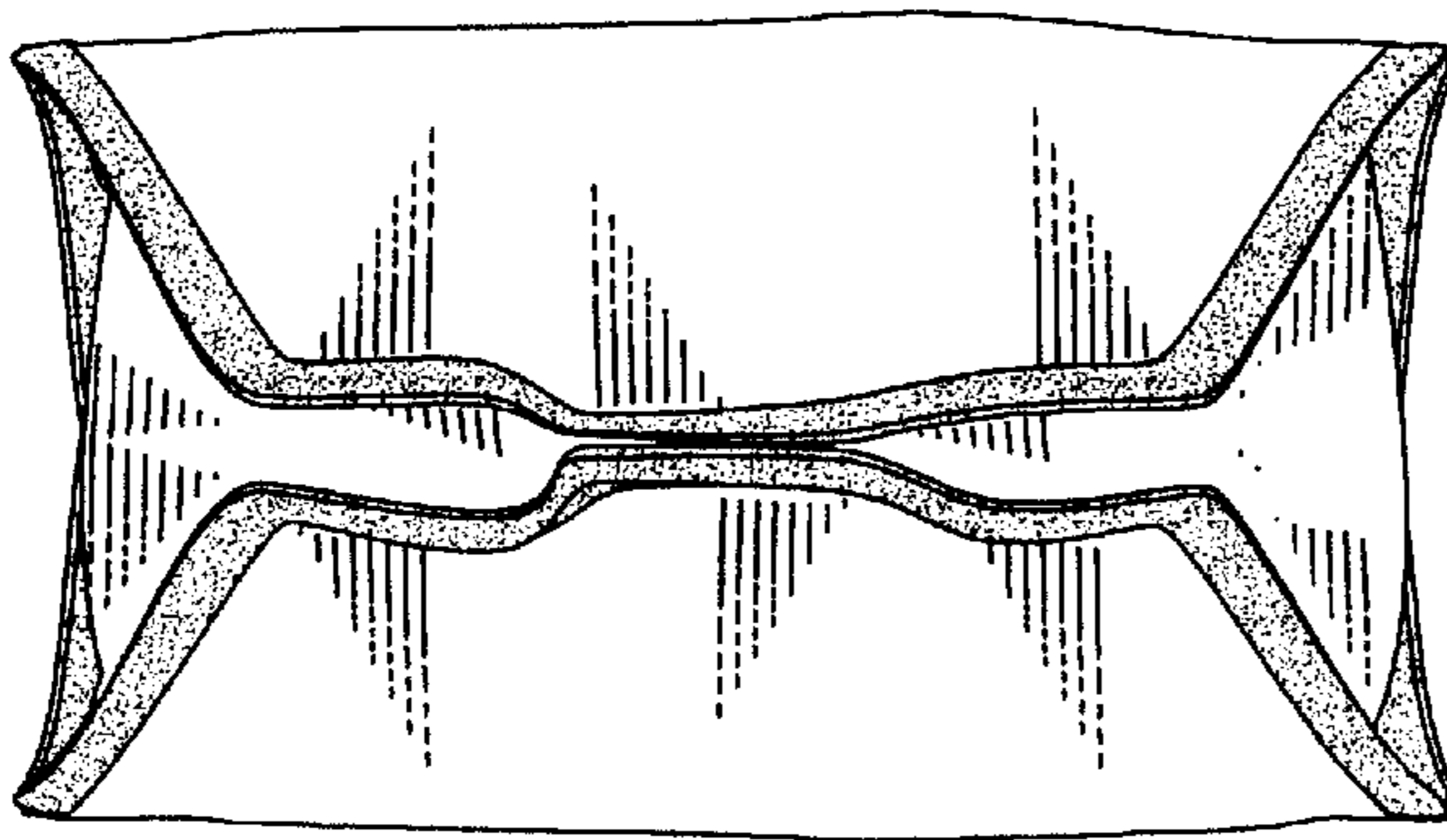


FIG. 6

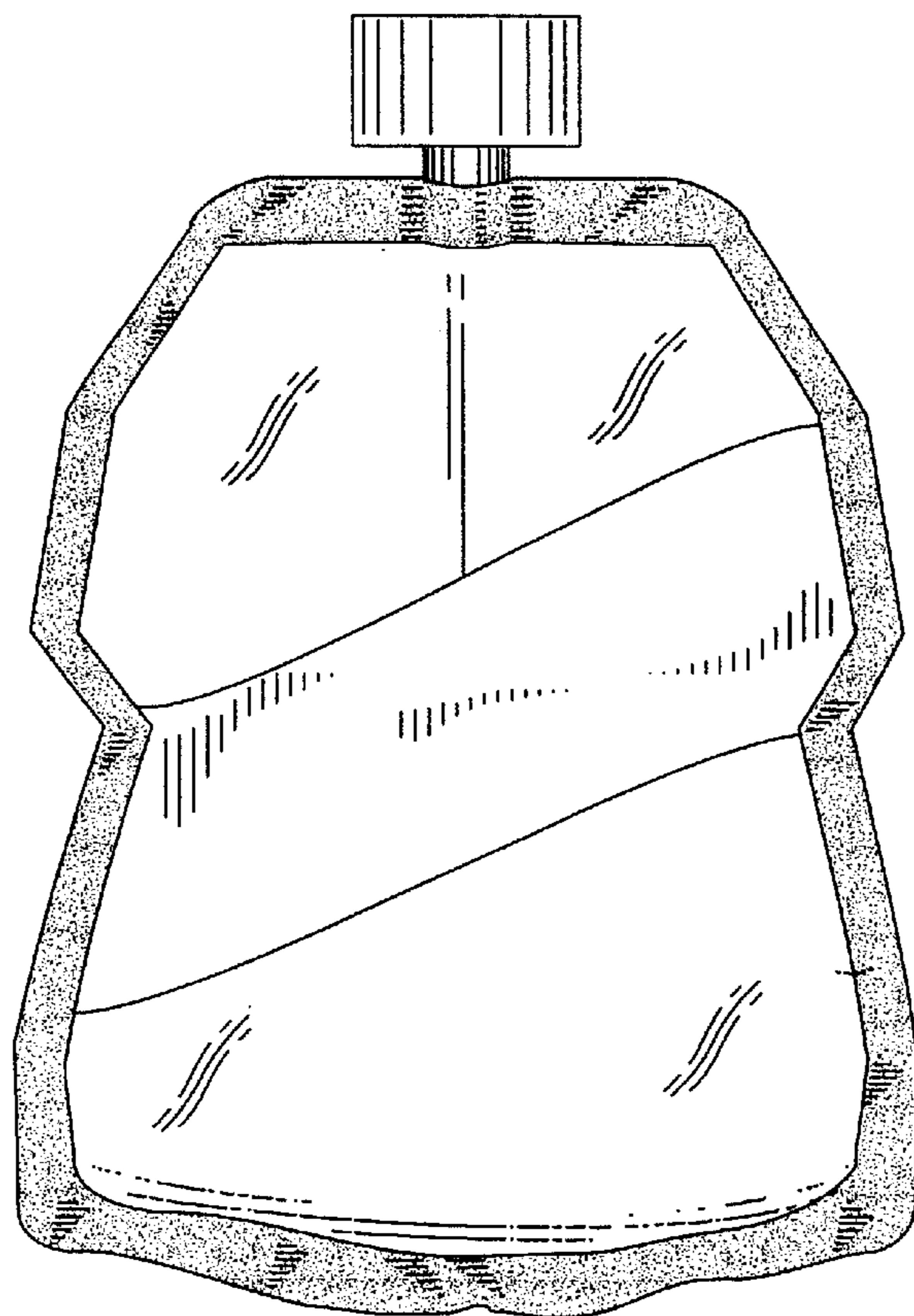


FIG. 7

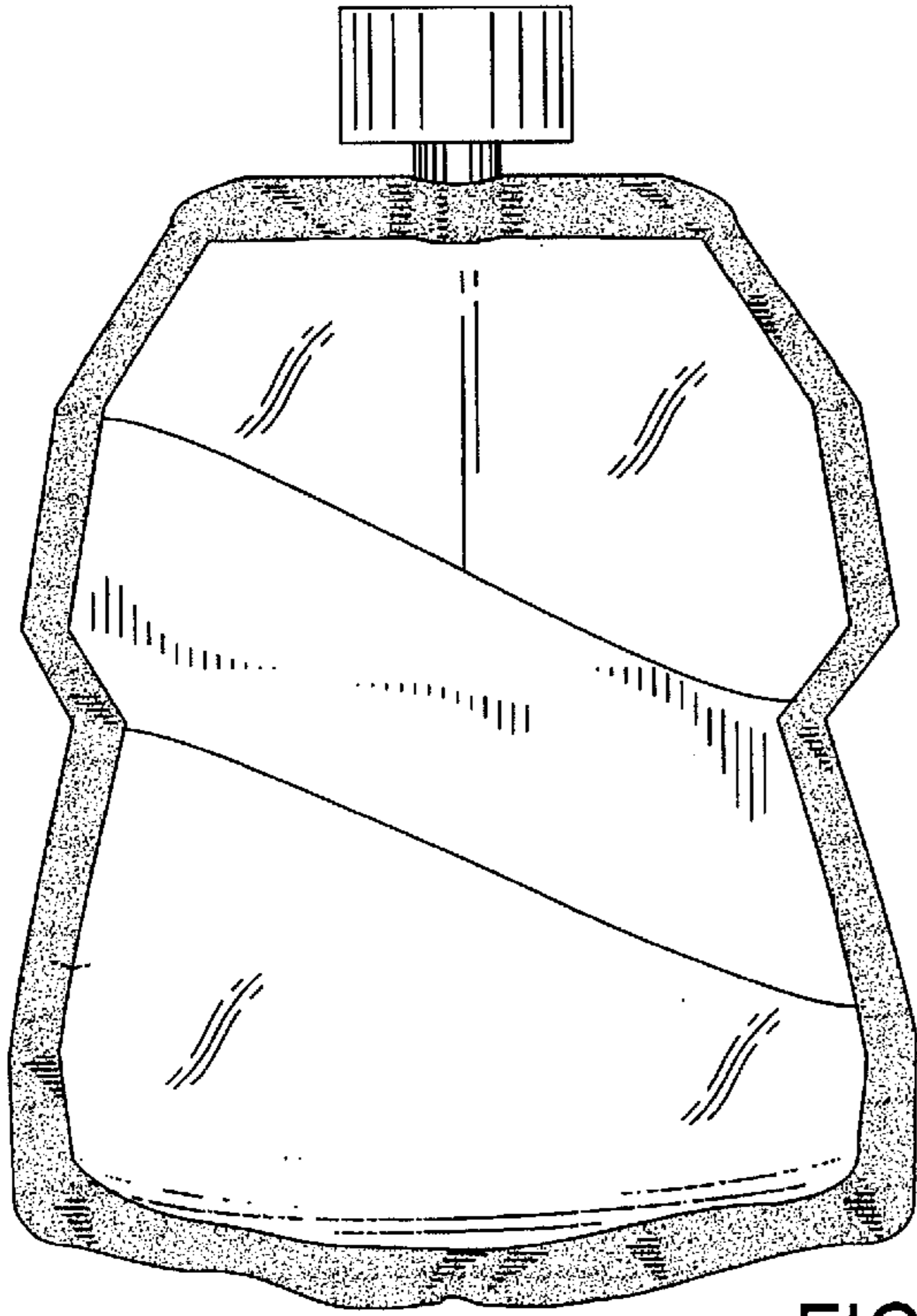


FIG. 8

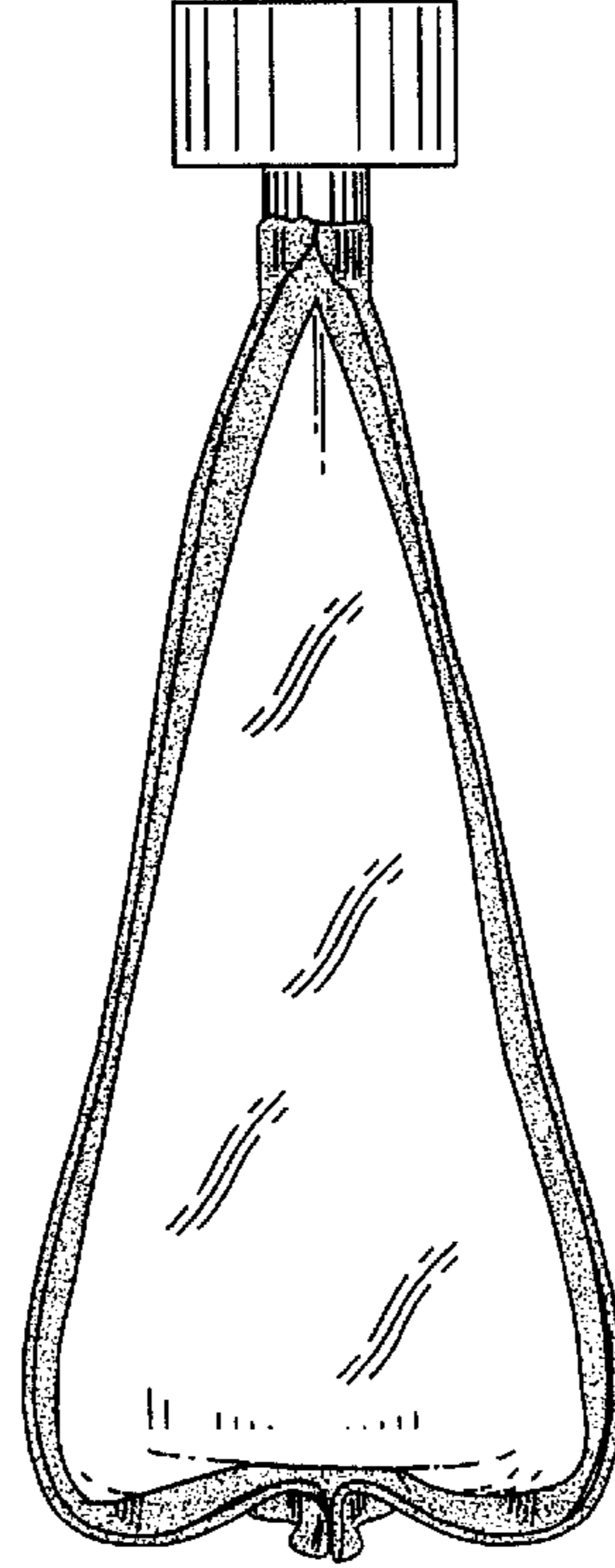


FIG. 9

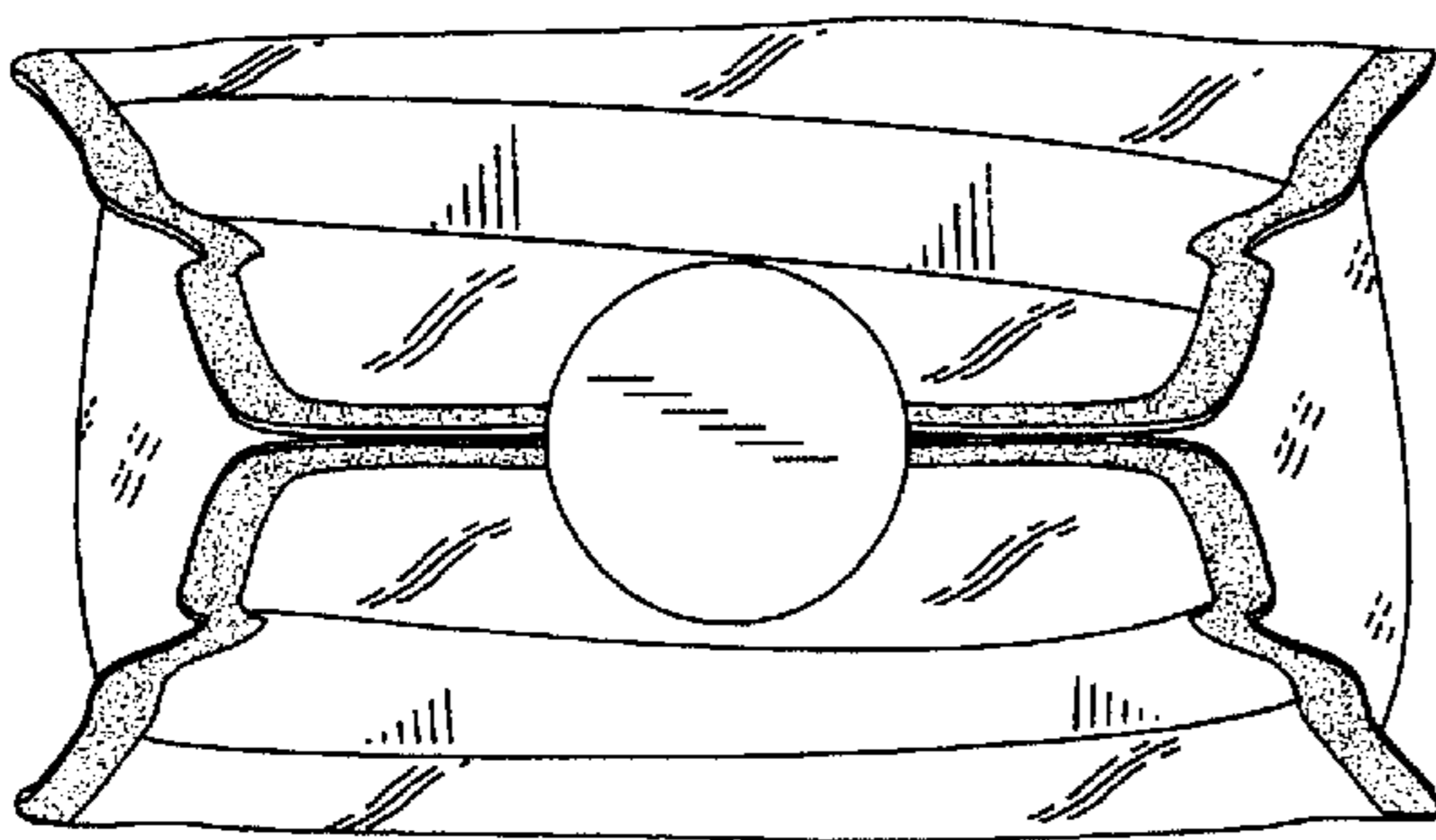


FIG. 10

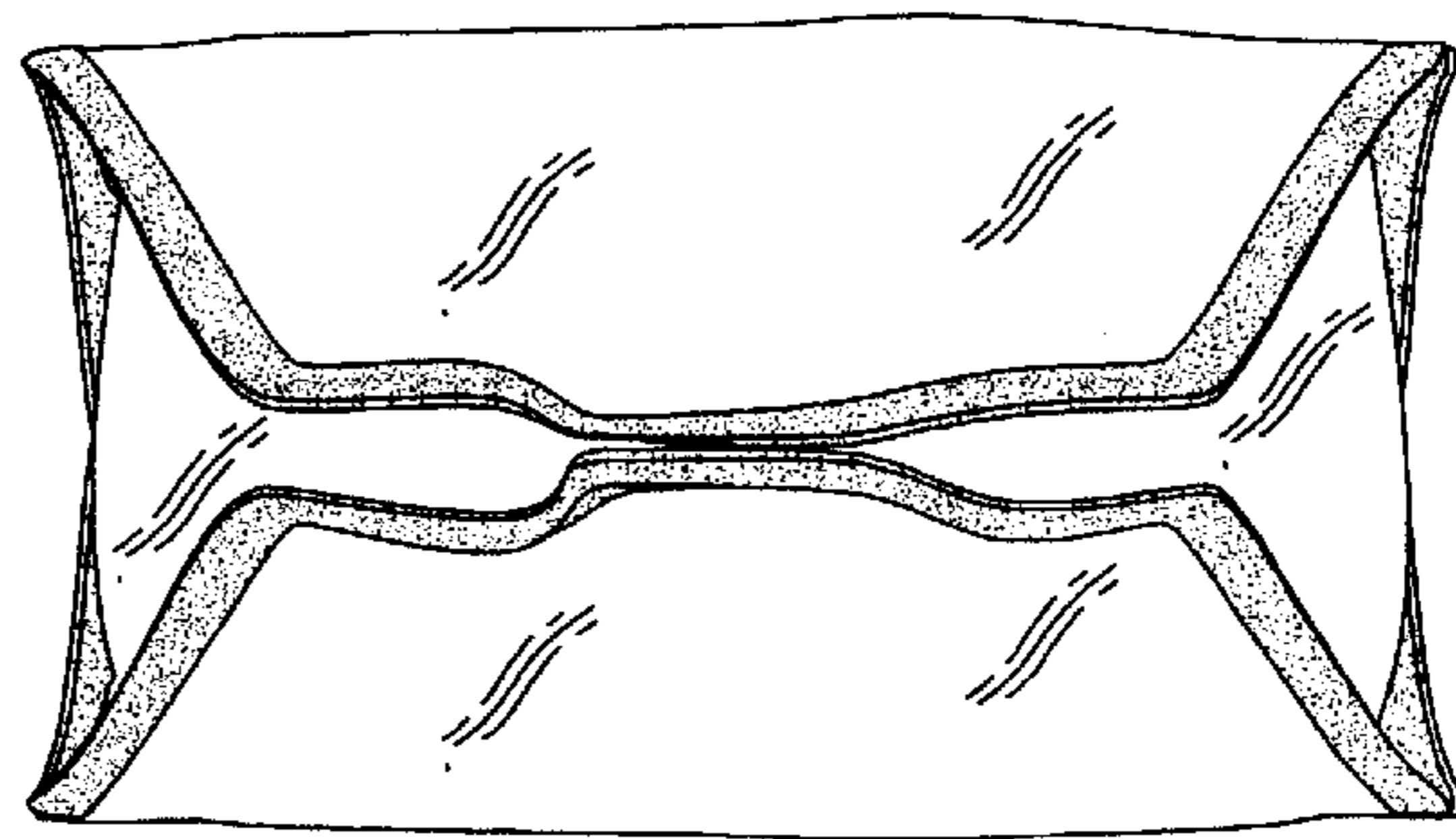


FIG. 11