



US00D523343S

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

(10) **Patent No.:** **US D523,343 S**
(45) **Date of Patent:** **** Jun. 20, 2006**

(54) **FOOD AND BEVERAGE CONTAINER**

(76) Inventor: **John B. Castner**, 1455 Tullamore La.,
Phoenixville, PA (US) 19460

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

(21) Appl. No.: **29/179,892**

(22) Filed: **Apr. 16, 2003**

(51) **LOC (8) Cl.** **09-03**

(52) **U.S. Cl.** **D9/518**

(58) **Field of Classification Search** D9/506,
D9/516, 518, 523, 499, 416; D7/601, 602,
D7/619.1, 633, 213; 206/527; 220/890
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D3,376 S	*	2/1869	Pratt	.....	D9/506
891,878 A	*	6/1908	Thatcher	.....	229/125.05
1,743,283 A		1/1930	Porges		
2,209,663 A	*	7/1940	Riedel	.....	220/619
2,244,341 A	*	6/1941	Maclean	.....	422/37
D143,586 S		1/1946	Green		
3,172,386 A		3/1965	West		
3,409,166 A	*	11/1968	Croce et al.	.....	220/273
3,420,367 A		1/1969	Carmichael		
3,759,203 A		9/1973	Frankenberg		
4,267,937 A	*	5/1981	Piltz et al.	.....	220/267
4,390,104 A	*	6/1983	Cummings		
4,690,294 A	*	9/1987	Jones	.....	220/707
D304,686 S	*	11/1989	Jarrin	.....	D9/518
D604,686		11/1989	Jarrin		
4,938,374 A		7/1990	Wuchterl		
D364,815 S	*	12/1995	Wallace	.....	D9/518
D422,917 S		4/2000	Van Herrewegen		
D424,445 S		5/2000	Papp et al.		

OTHER PUBLICATIONS

Printout from the World Wide Web site: www.sommetrade.com/ingles/not_notas.htm; printed on Apr. 28, 2003.

Printout from the World Wide Web site: www.idom.es/ada/References/ref-lecarre/ref-lecarre.htm; printed on Apr. 28, 2003.

* cited by examiner

Primary Examiner—Stella Reid
Assistant Examiner—Daniel Bui

(74) *Attorney, Agent, or Firm*—John F. A. Earley, III; Frank J. Bonini, Jr.; Harding, Earley, Follmer & Frailey

(57) **CLAIM**

The ornamental designs for a food and beverage container, substantially as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of the first embodiment of a food and beverage container, showing my new design;

FIG. 2 is a front elevation view of the first, third and fifth embodiments thereof. The rear, left and right side elevations are identical thereto;

FIG. 3 is a front elevation view of the second, fourth and sixth embodiments thereof, wherein the overall shape approximates a cube. The rear, left and right side elevations are identical thereto;

FIG. 4 is a top plan view of the first, second, third and fourth embodiments thereof;

FIG. 5 is a bottom plan view of the first, second, fifth and sixth embodiments thereof;

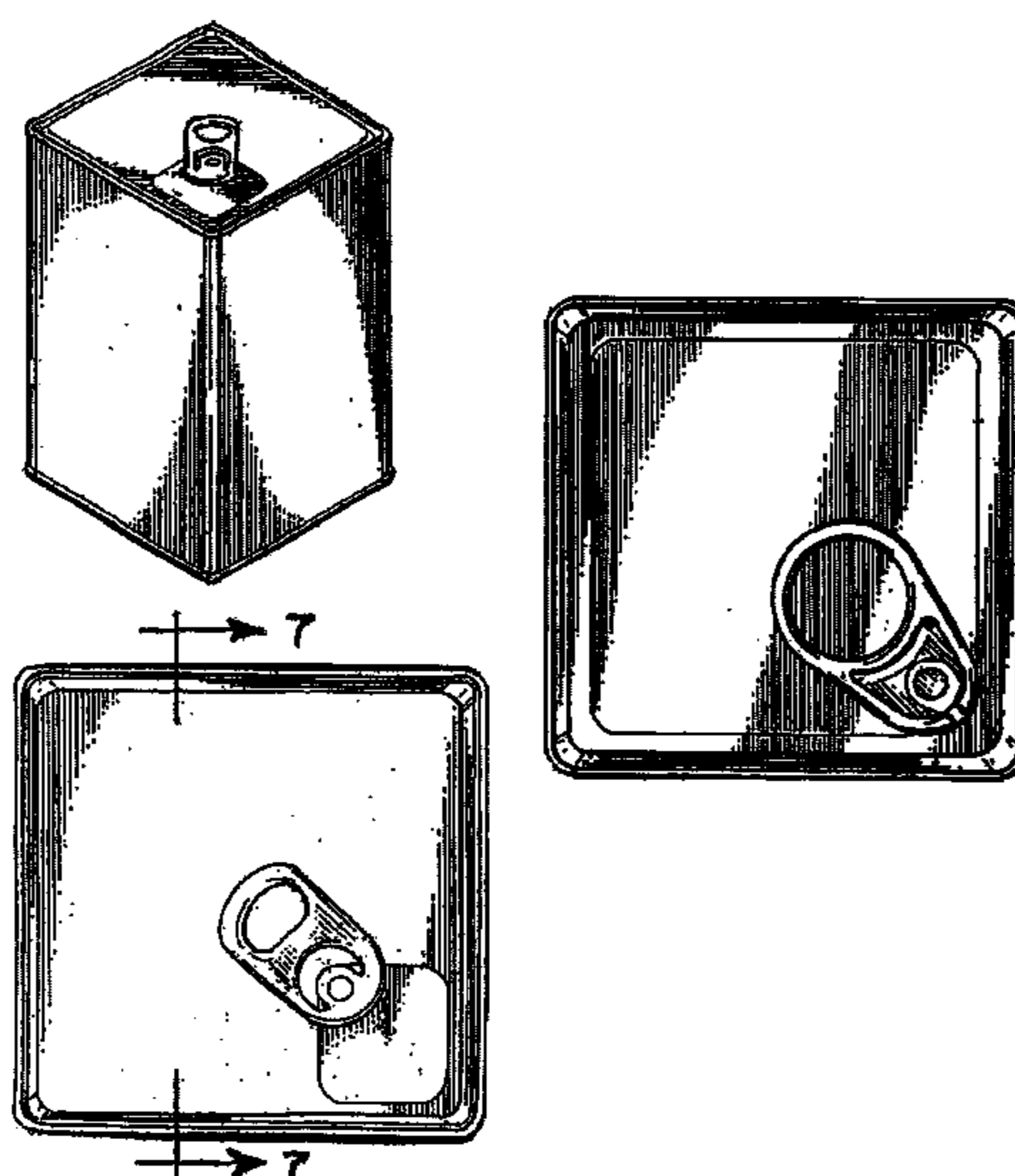
FIG. 6 is a bottom plan view of the third and fourth embodiment thereof;

FIG. 7 is a cross sectional view taking along line 7—7 in FIGS. 4 and 5;

FIG. 8 is a cross sectional view taking along line 8—8 in FIG. 6; and,

FIG. 9 is a top plan view of the fifth and sixth embodiments thereof.

1 Claim, 3 Drawing Sheets



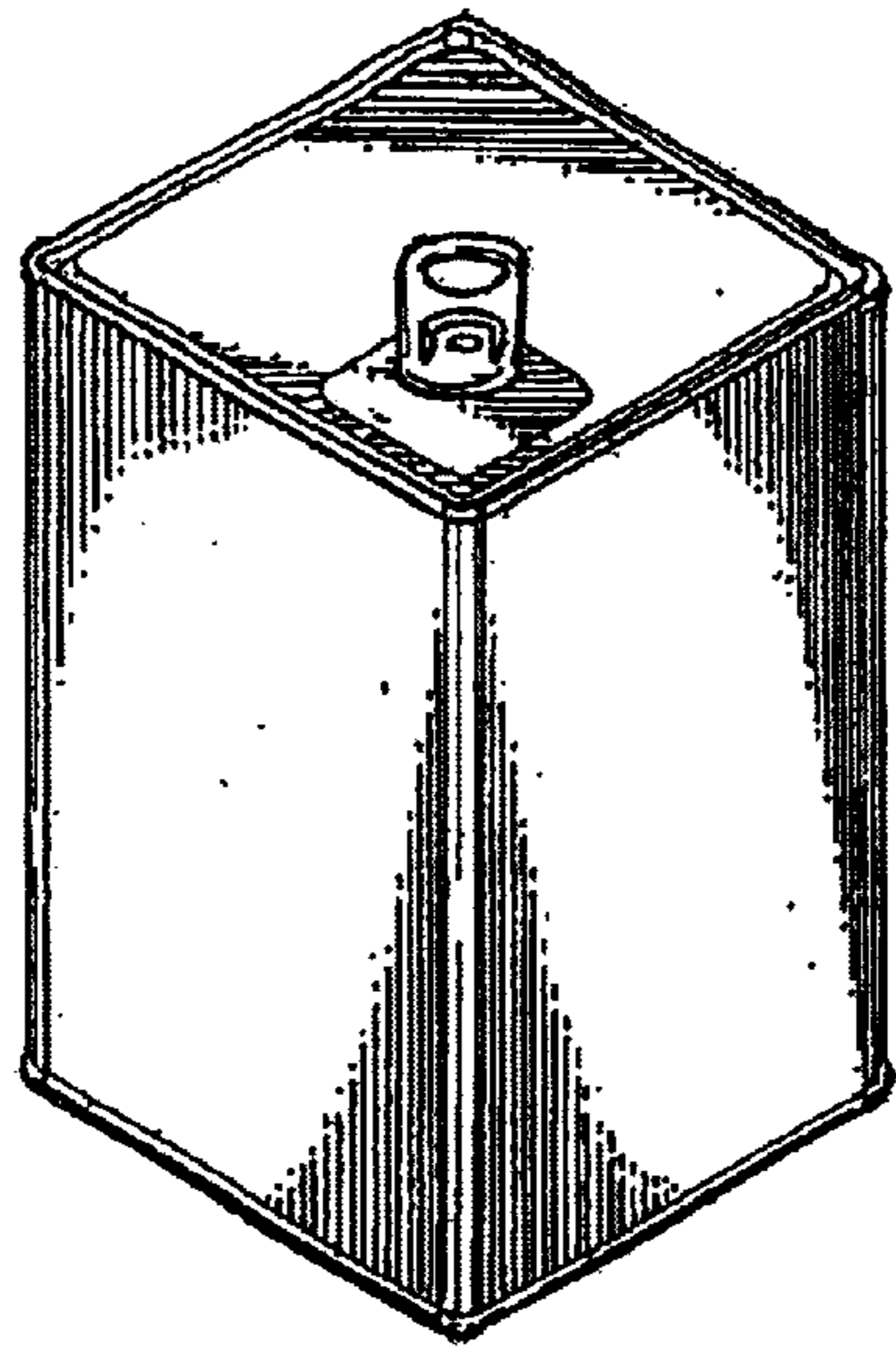


FIG. 1

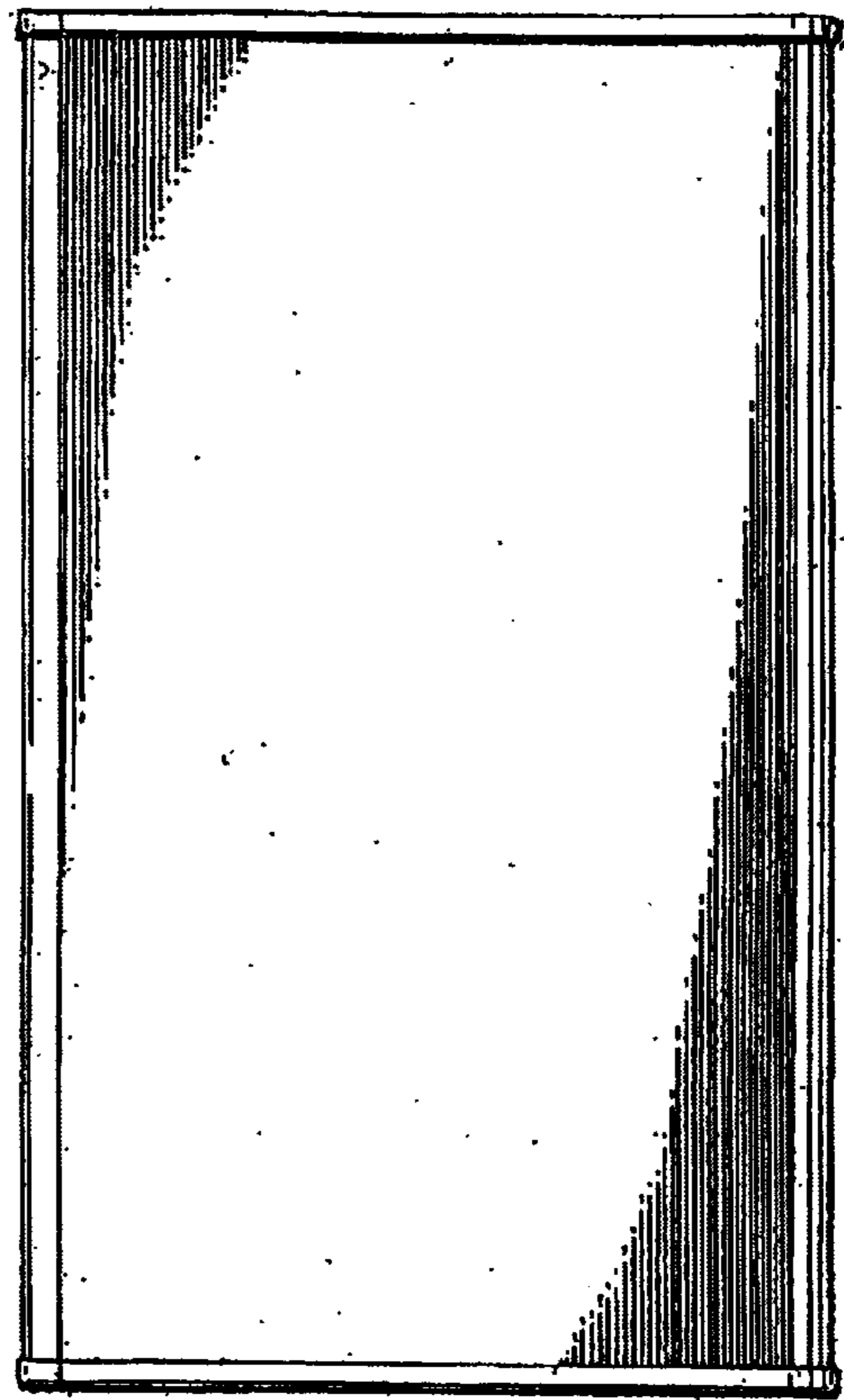


FIG. 2

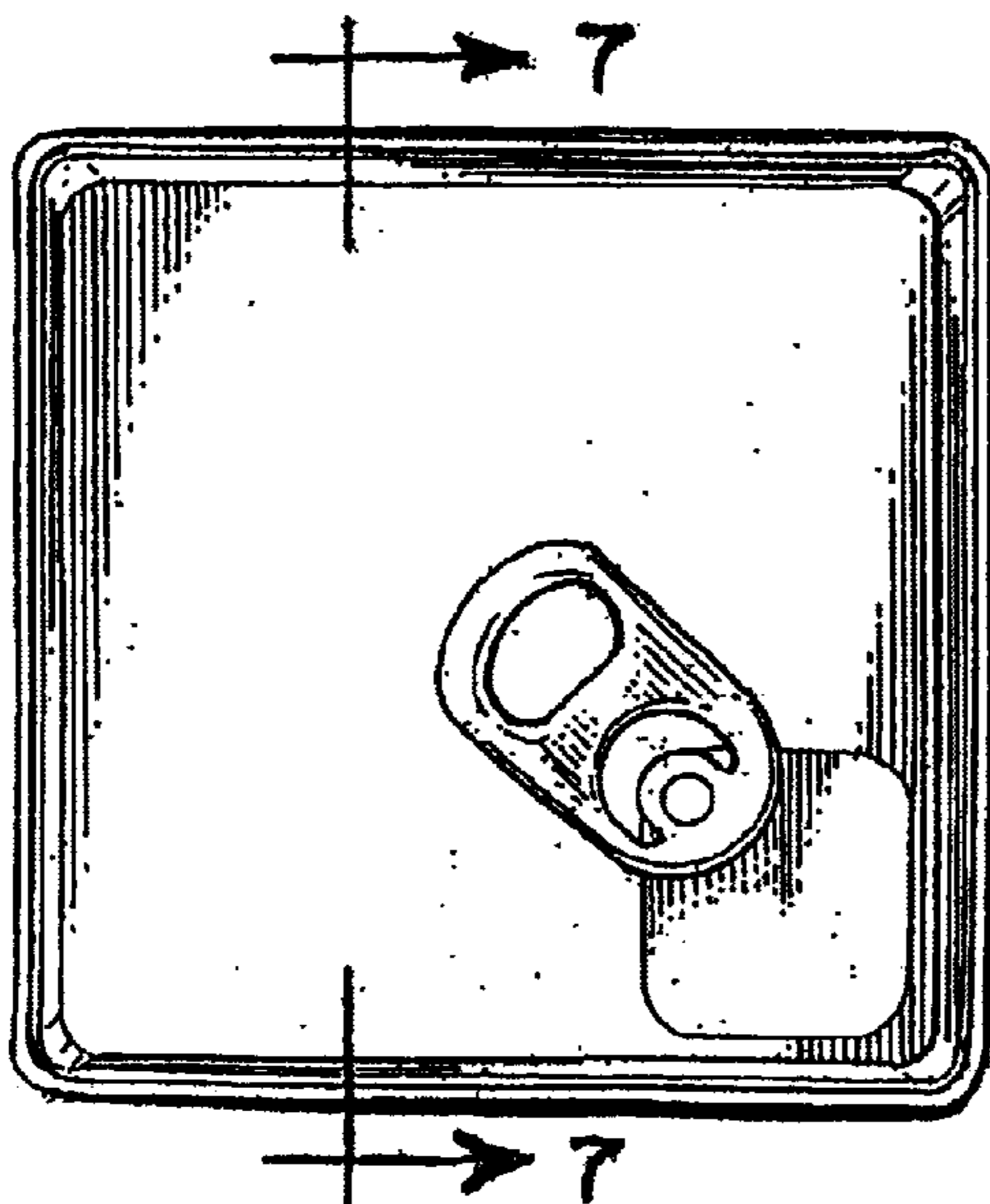


FIG. 4

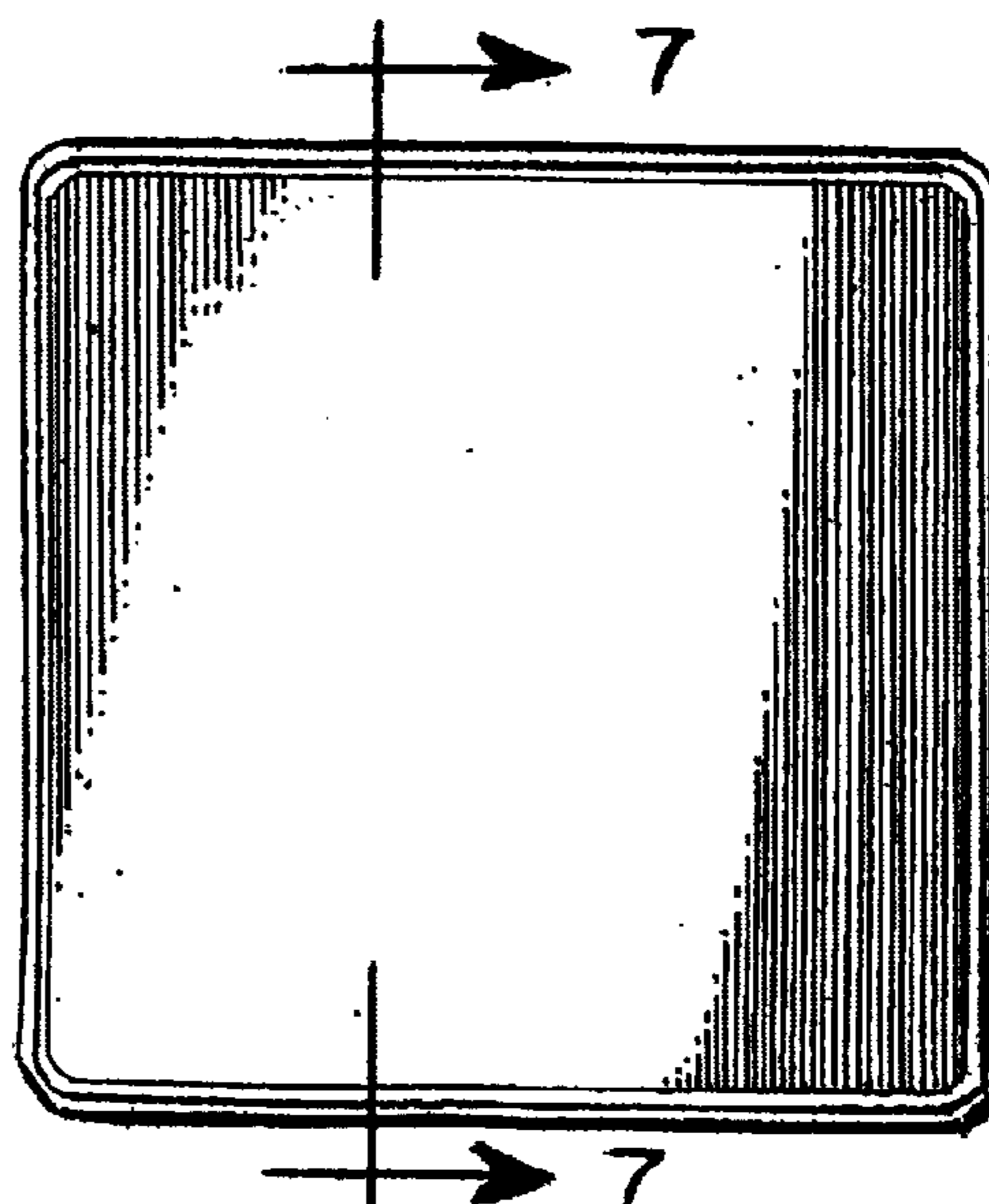


FIG. 5

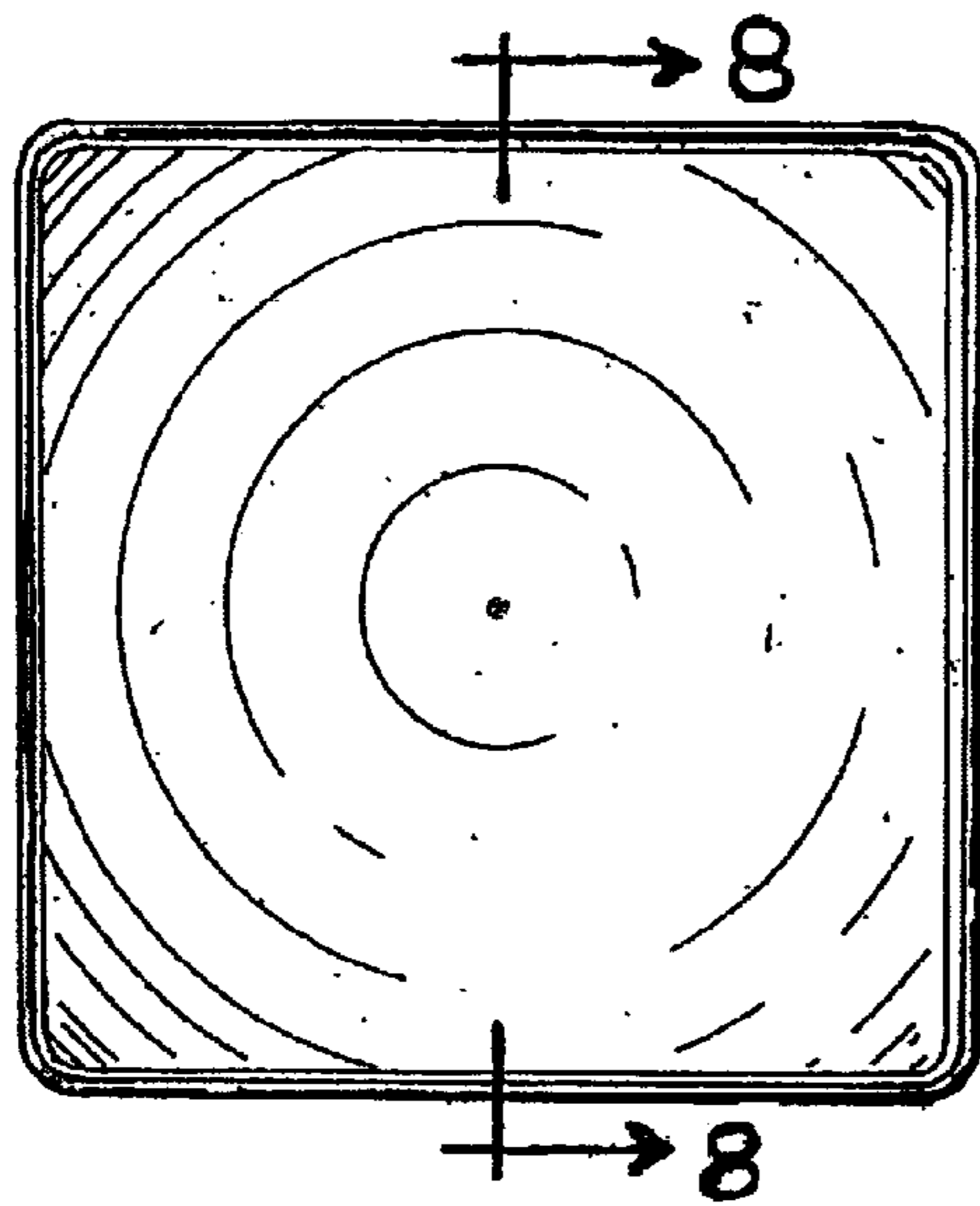


FIG. 6

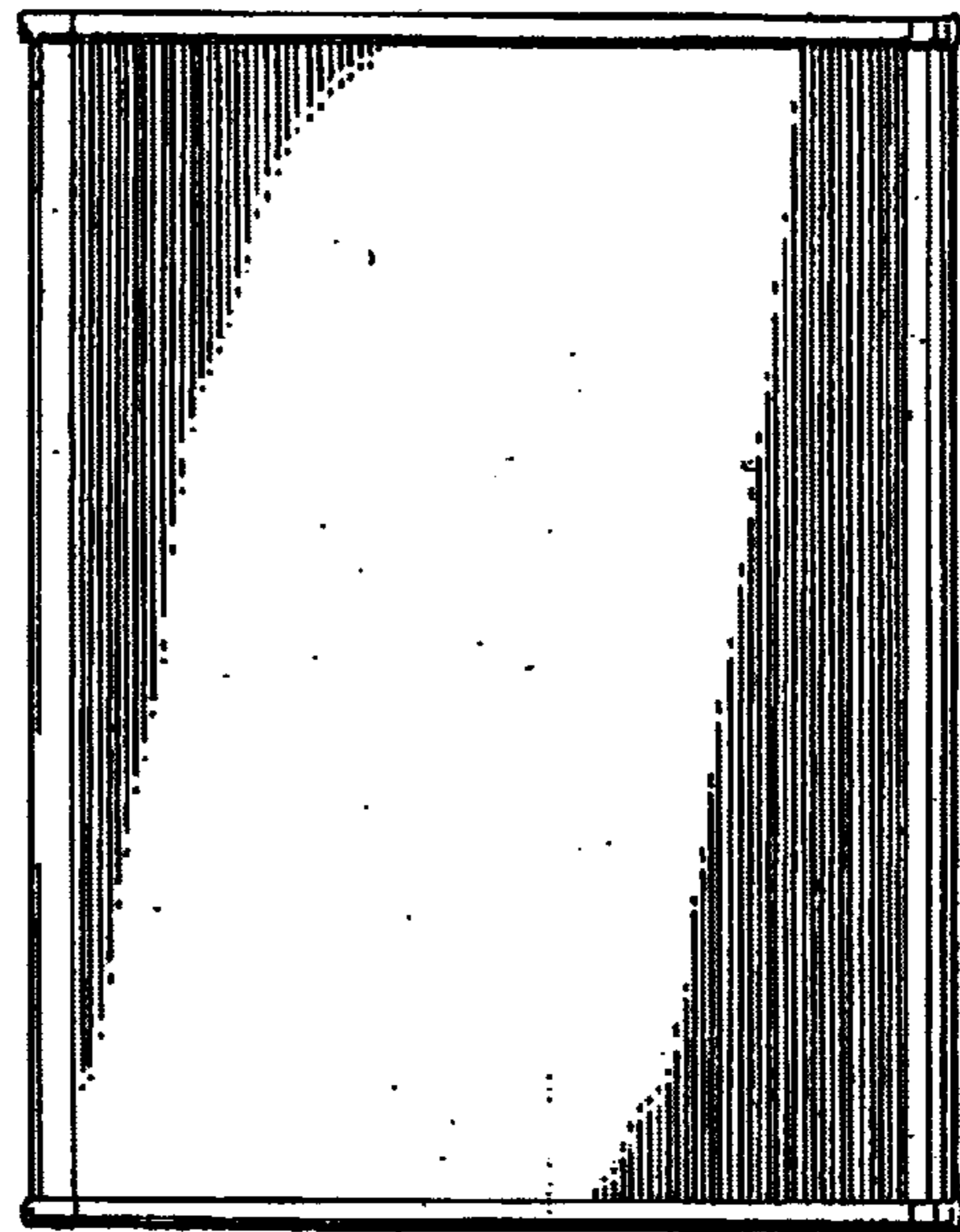


FIG. 3

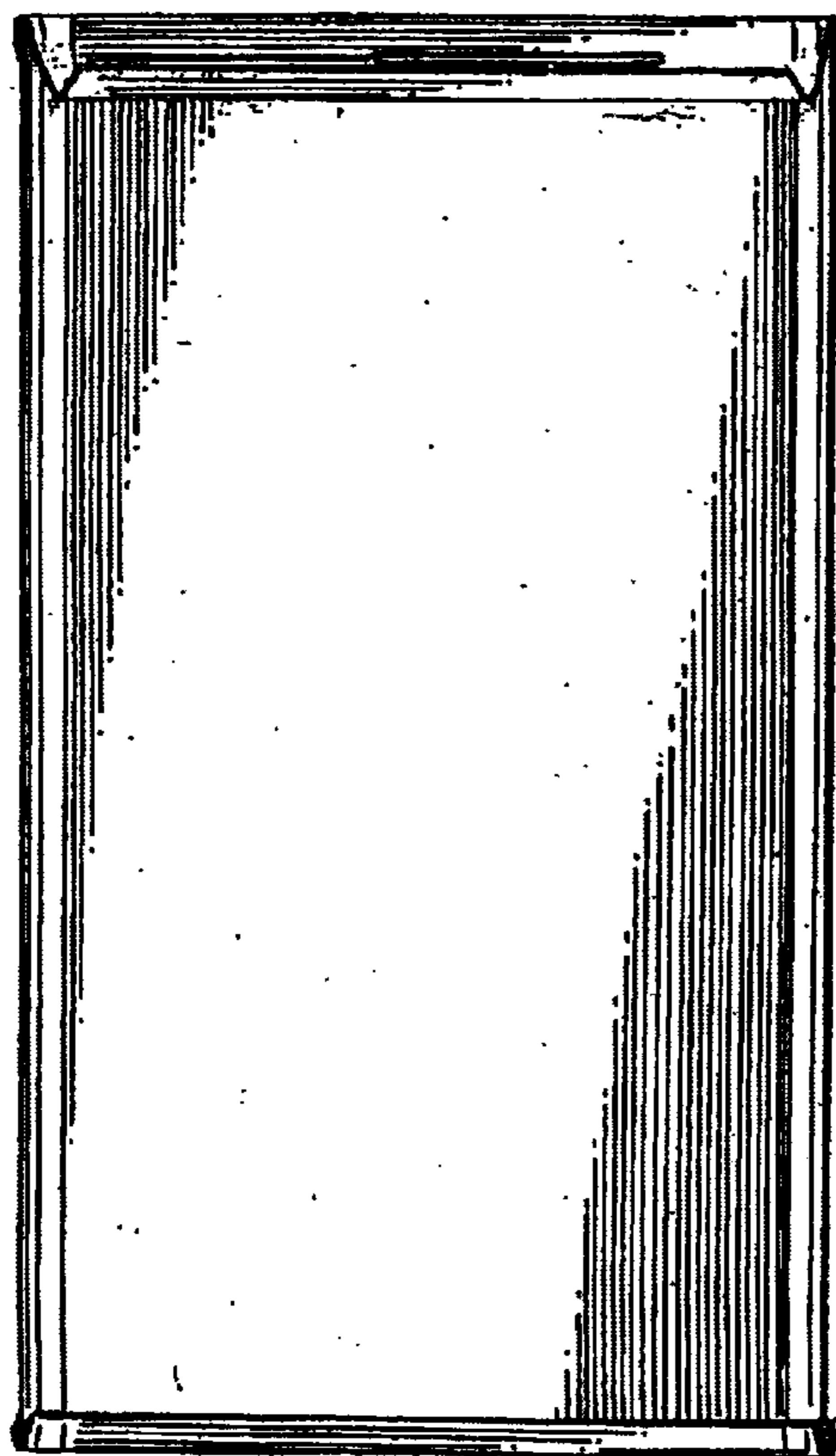


FIG. 7

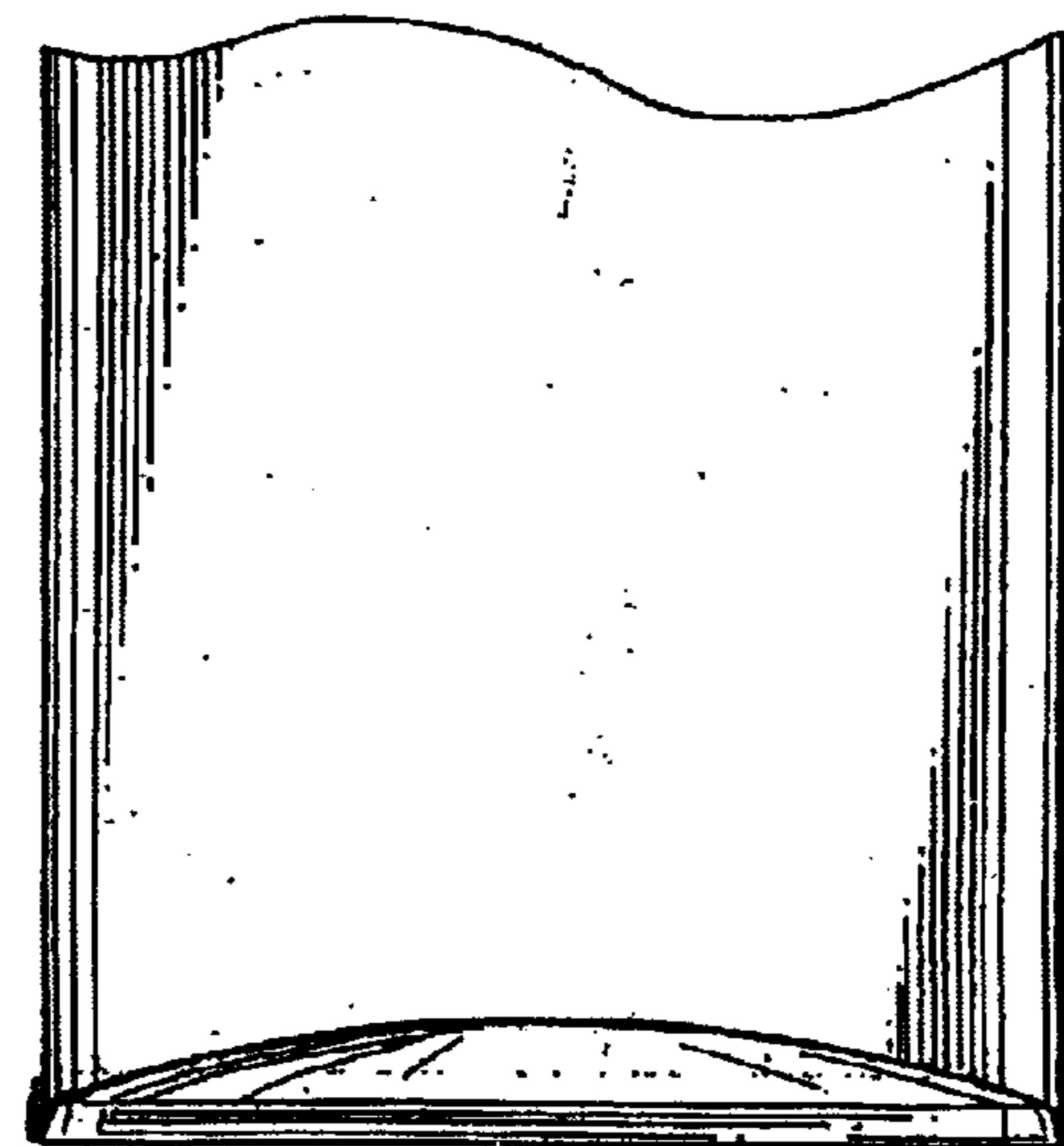


FIG. 8

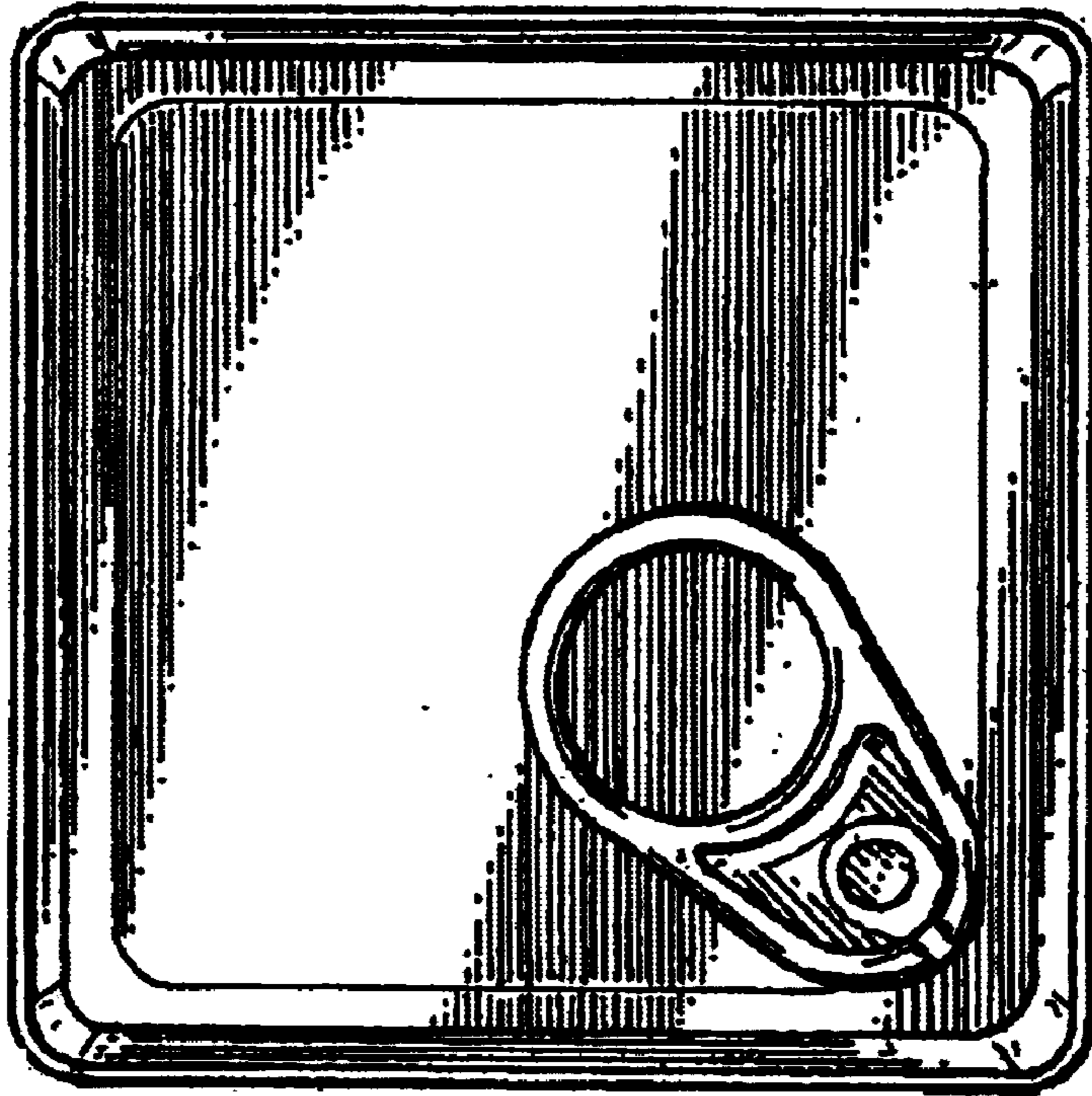


FIG. 9