



US00D528863S

(12) **United States Design Patent** (10) **Patent No.:** **US D528,863 S**  
**Hayes et al.** (45) **Date of Patent:** **\*\* Sep. 26, 2006**

(54) **CUP**  
(75) Inventors: **Thomas J. Hayes**, McHenry, IL (US);  
**Ashwin N. Shah**, Fairport, NY (US);  
**Jeff Wolcott**, Grayslake, IL (US); **Jesse**  
**P. Carlson**, Bay Village, OH (US);  
**David K. Orr**, Austin, TX (US);  
**Michael J. Maczuzak**, Bratenahl, OH  
(US)

(73) Assignee: **Pactiv Corporation**, Lake Forest, IL  
(US)

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

(21) Appl. No.: **29/240,857**

(22) Filed: **Oct. 18, 2005**

**Related U.S. Application Data**

(63) Continuation of application No. 11/069,794, filed on Mar. 1,  
2005, which is a continuation-in-part of application No.  
29/215,059, filed on Oct. 12, 2004.

(51) **LOC (8) Cl.** ..... **07-01**

(52) **U.S. Cl.** ..... **D7/523; D7/532**

(58) **Field of Classification Search** ..... D7/396.2,  
D7/396.1, 531, 532, 530, 509, 523, 510;  
215/10, 12.1, 382, 384, 387, DIG. 7; D9/429,  
D9/556, 428, 42; D11/143, 153; 229/103.1,  
229/403, 404, 400, 106; 426/86; 206/519,  
206/520, 217, 503, 505, 515; 220/645, 671,  
220/675, 592.17, 780, 608, 592.16, 70; 29/401.1  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,636,174 A 7/1927 Dolan et al.  
1,746,869 A 2/1930 Rosenthal ..... 29/401.1  
D94,553 S \* 2/1935 Marquot ..... D7/531

(Continued)

**FOREIGN PATENT DOCUMENTS**

DE 1 175 564 8/1964

DE 1 216 139 5/1966  
DE 9412997 10/1994  
DE 20109219 9/2001  
EP 0 371 918 11/1989  
EP 1 112 710 A2 7/2001  
FR 2 207 836 11/1973  
GB 974241 11/1964  
GB 1 085 536 10/1967  
GB 1 096 451 12/1967  
GB 1 251 595 10/1971  
GB 1 264 114 2/1972  
GB 1266 909 3/1972  
GB 1 461 394 1/1977  
GB 1 564 097 4/1980  
GB 2 073 581 10/1981  
GB 2 104 473 A 3/1983  
JP 06135444 5/1994

**OTHER PUBLICATIONS**

Photograph of Hefty 16 oz cup having textured sidewall,  
date circa 1988.

Photograph of 8 oz. cup with textured ring on sidewall, date  
unknown.

Photograph of 8 oz. cup having Northwest Airlines insignia  
and textured sidewall, date unknown.

*Primary Examiner*—M. N. Pandozzi

(74) *Attorney, Agent, or Firm*—Winston & Strawn LLP

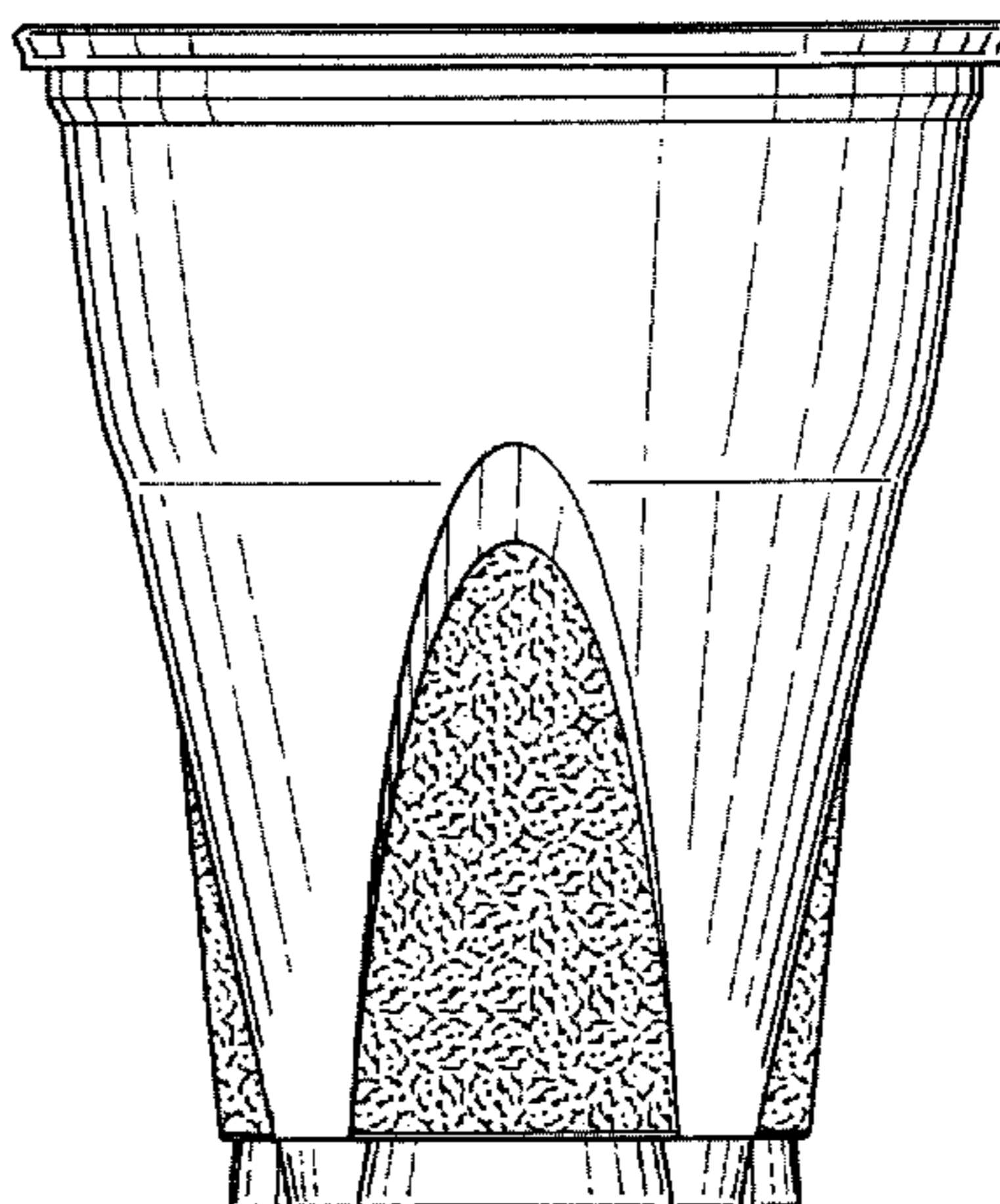
(57) **CLAIM**

The ornamental design for a cup, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of the cup;  
FIG. 2 is a side view of the cup of FIG. 1;  
FIG. 3 is a top view of the cup of FIG. 1;  
FIG. 4 is a bottom view of the cup of FIG. 1;  
FIG. 5 is a perspective view of another embodiment of the  
cup;  
FIG. 6 is a perspective view of a second embodiment of the  
cup;  
FIG. 7 is a top view of the cup of FIG. 5; and,  
FIG. 8 is a bottom view of the cup of FIG. 5.

**1 Claim, 6 Drawing Sheets**



# US D528,863 S

Page 2

## U.S. PATENT DOCUMENTS

2,016,434 A	10/1935	Huntely	229/21	D256,309 S	*	8/1980	Saffell	D7/527
D105,431 S	7/1937	Cobel	D7/531	4,245,685 A		1/1981	Nemitz et al.	150/52
2,168,186 A	* 8/1939	Adamson	229/106	4,261,501 A		4/1981	Watkins et al.	229/1.5
D187,605 S	4/1960	Dreitzer	D7/530	4,420,081 A		12/1983	Dart	206/519
3,091,360 A	5/1963	Edwards	220/97	D275,252 S		8/1984	Durand	D7/530
3,126,139 A	3/1964	Schechter	229/1.5	D293,869 S		1/1988	Durand	D7/531
3,128,029 A	4/1964	Price et al.	229/400	D294,911 S		3/1988	Durand	D7/531
3,139,213 A	6/1964	Edwards	220/97	D299,320 S		1/1989	Durand	D11/153
D199,579 S	11/1964	Davis	D44/9	D299,625 S		1/1989	Durand	D11/153
3,157,335 A	11/1964	Maier	229/1.5	D320,744 S		10/1991	Palisin, Jr.	D9/429
3,222,330 A	12/1965	Edwards	229/1.5	D320,745 S		10/1991	Palisin, Jr.	D9/429
3,288,340 A	11/1966	Shapiro et al.	229/1.5	D321,652 S		11/1991	Palisin, Jr.	D9/429
3,342,370 A	9/1967	Johnson	220/97	D322,032 S		12/1991	Palisin, Jr.	D9/429
D210,767 S	4/1968	Anglada	D9/220	5,415,339 A		5/1995	Howard	229/403
D211,514 S	6/1968	Amberg	D9/219	D369,519 S		5/1996	Wilson	D7/523
D213,094 S	1/1969	Davis	D9/220	D428,307 S		7/2000	Yeandel	D7/531
D213,174 S	1/1969	Davis	D9/220	D452,415 S		12/2001	McDonough et al.	D7/510
3,437,253 A	4/1969	Davis et al.	229/1.5	D483,613 S		12/2003	Gluck	D7/531
3,443,714 A	5/1969	Edwards	220/671	D484,362 S		12/2003	Harris et al.	D7/531
D223,999 S	6/1972	Klose	D9/429	D499,934 S		12/2004	Smith et al.	D7/396.2
3,893,567 A	7/1975	Davis et al.	206/520	D499,935 S		12/2004	Smith et al.	D7/396.2
3,910,414 A	10/1975	McCay	206/515	2003/0157224 A1		8/2003	Westerhof et al.	426/394
D239,358 S	3/1976	Kjellquist	D7/523	2004/0031714 A1		2/2004	Hanson	206/505
4,061,782 A	12/1977	Baxter	426/86	2005/0061821 A1		3/2005	Smith et al.	220/675
D253,872 S	1/1980	Reynolds	D9/428					

\* cited by examiner

FIG. 1

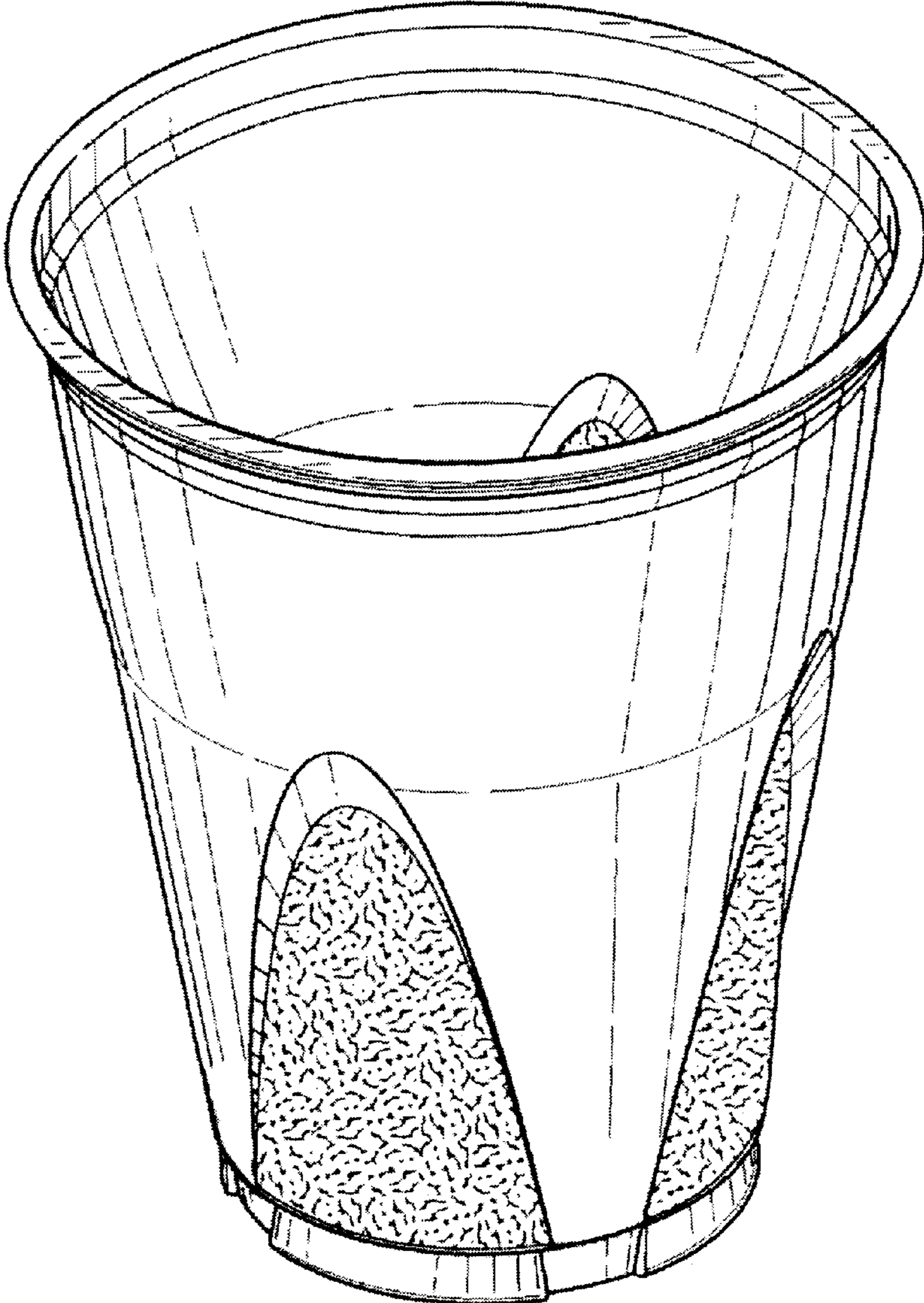
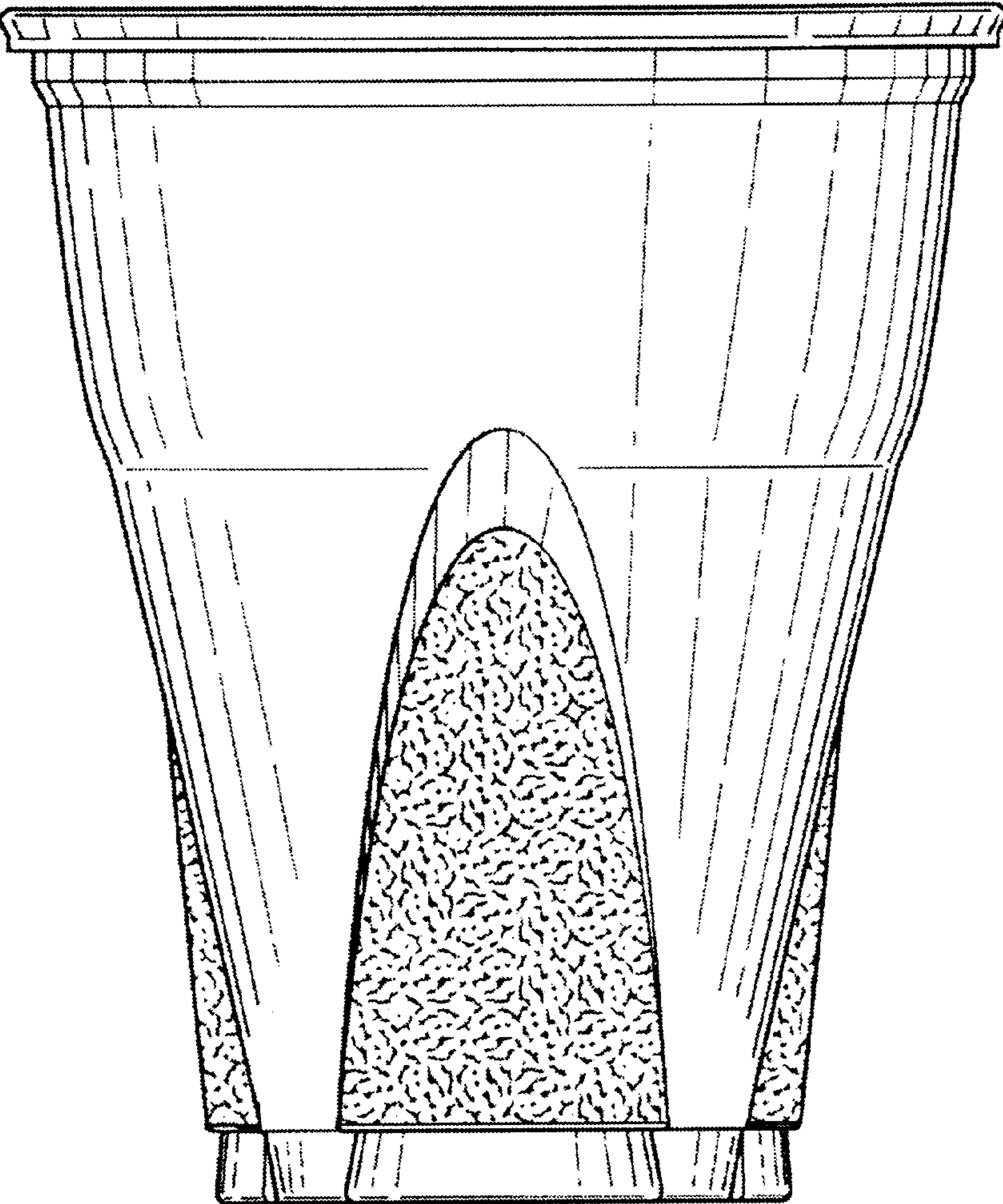
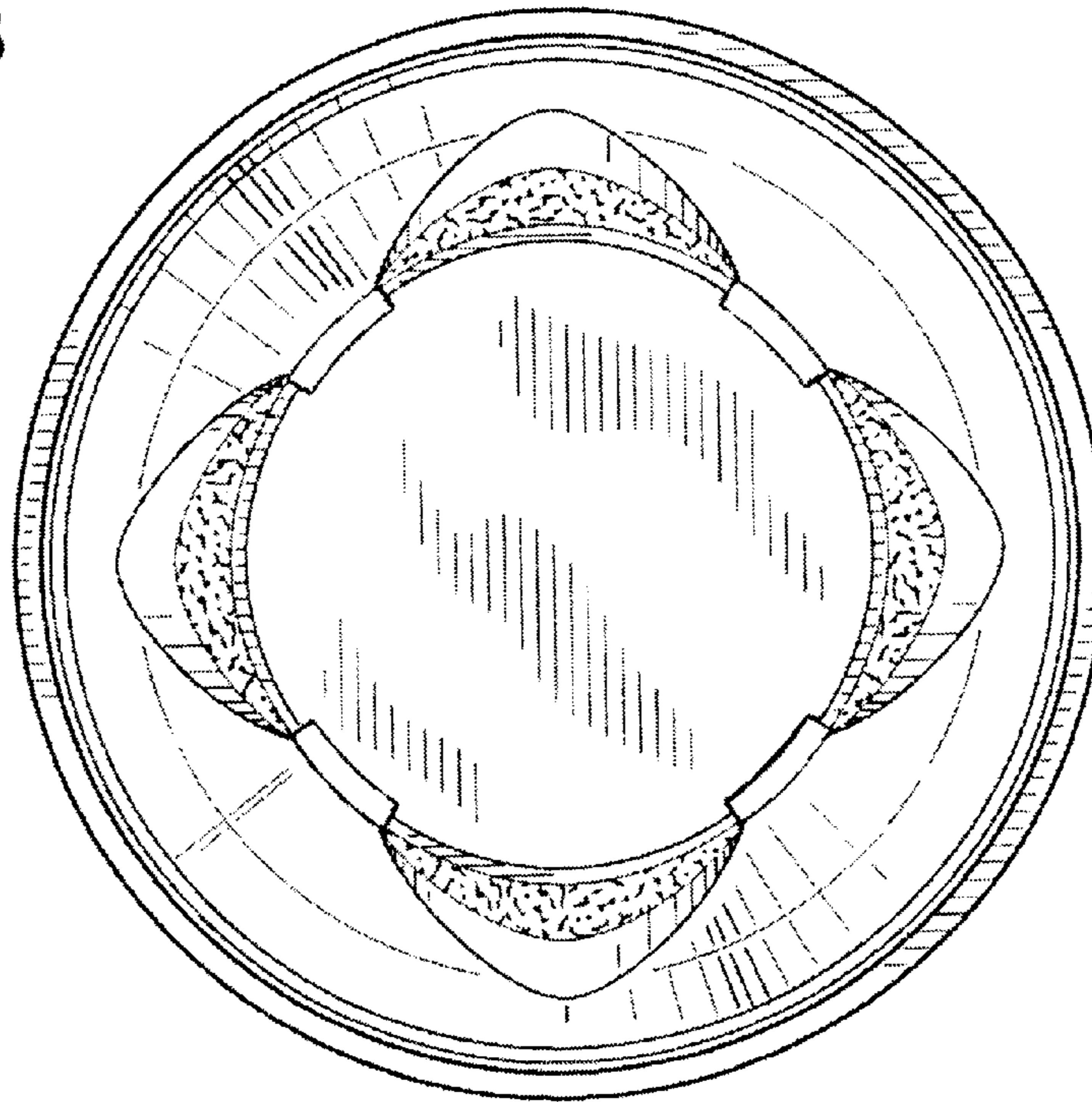


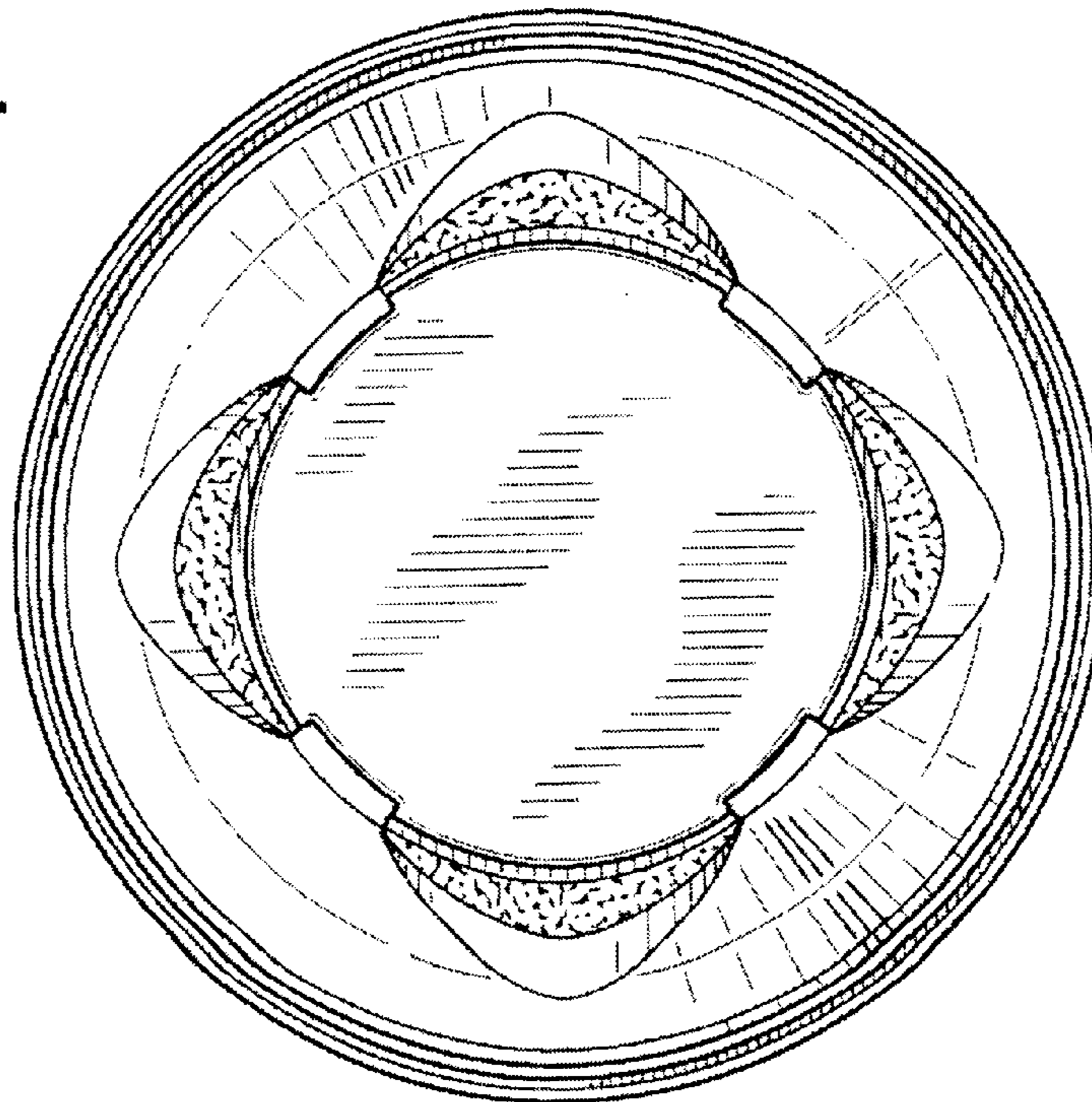
FIG. 2



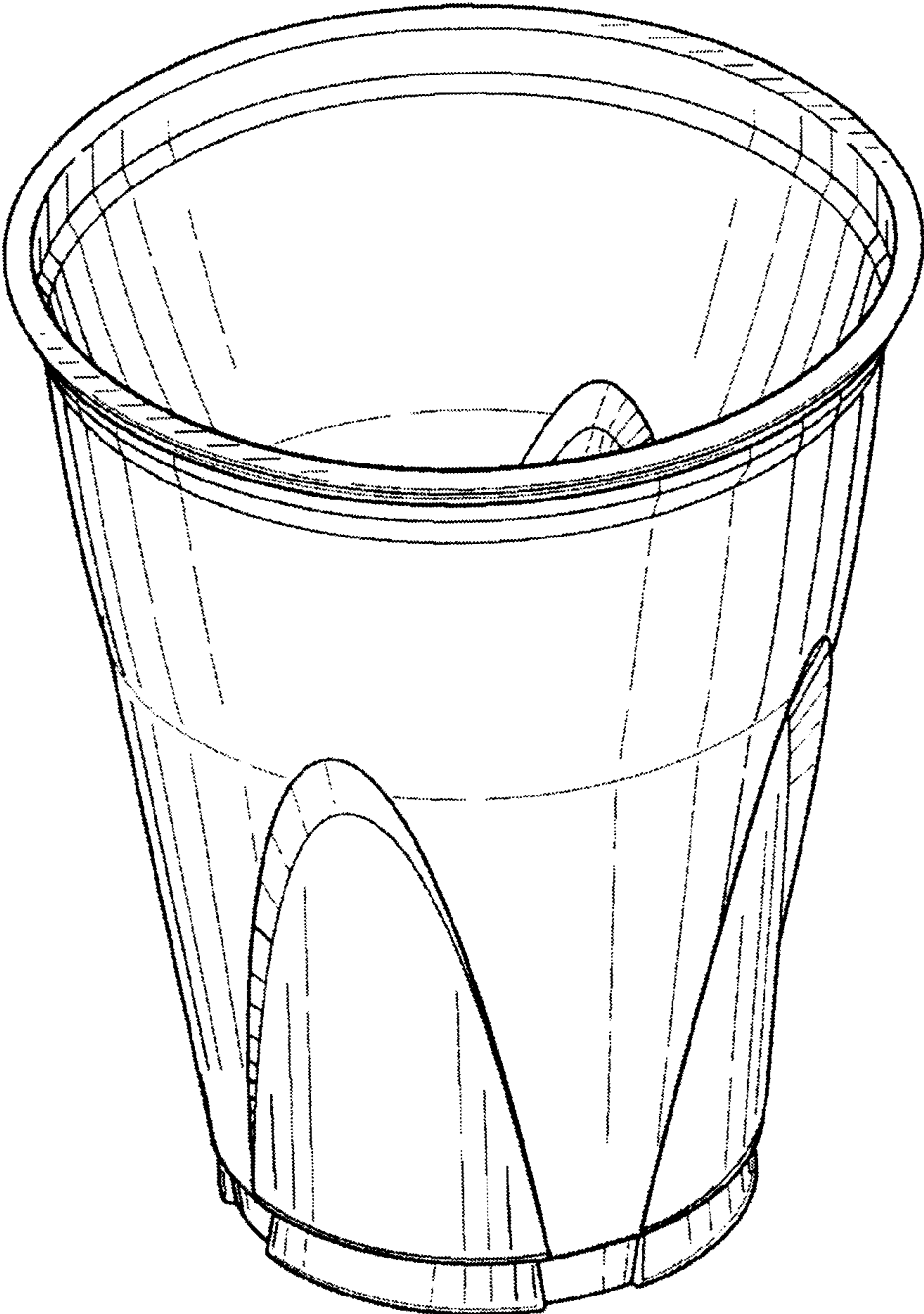
**FIG. 3**



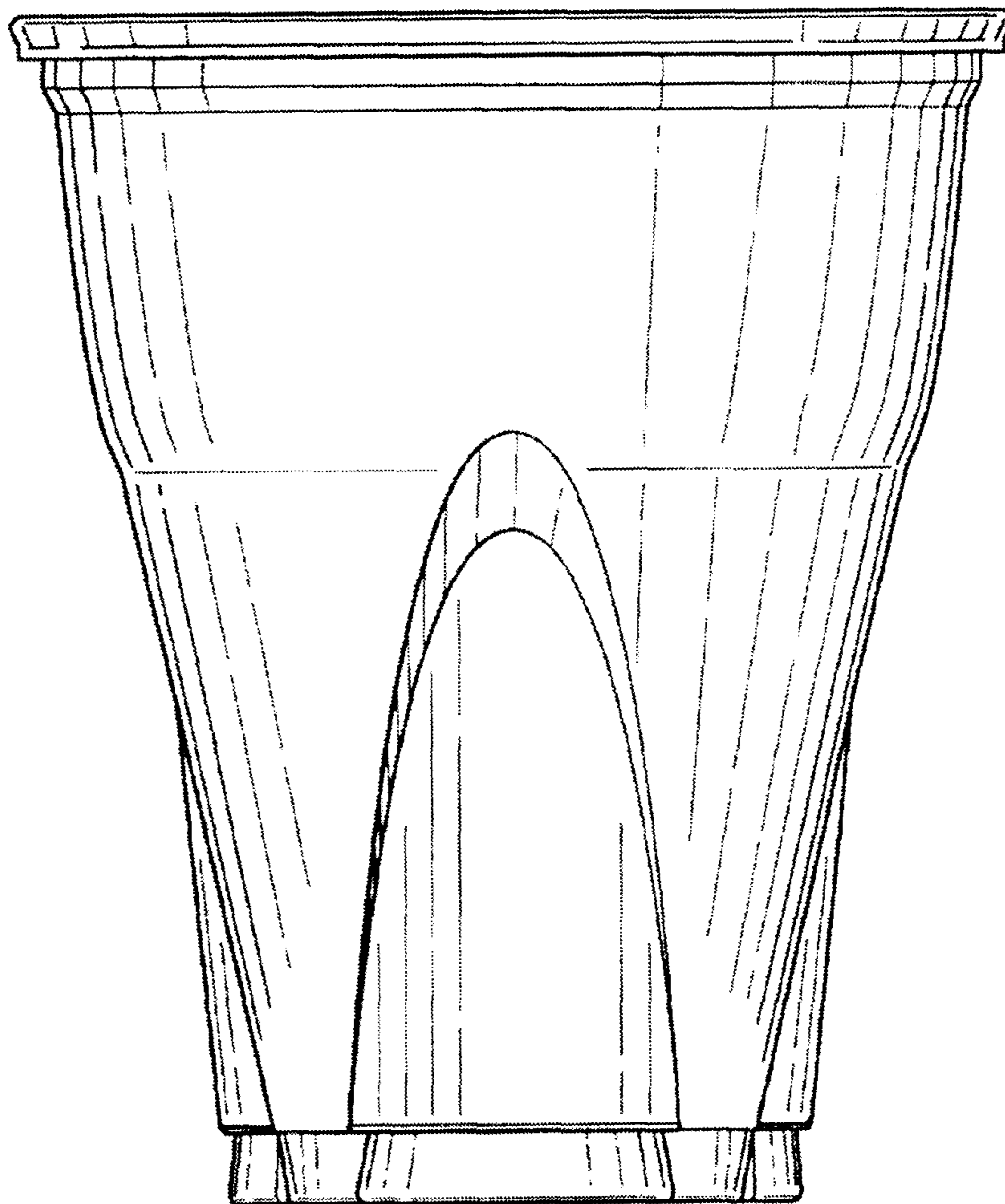
**FIG. 4**



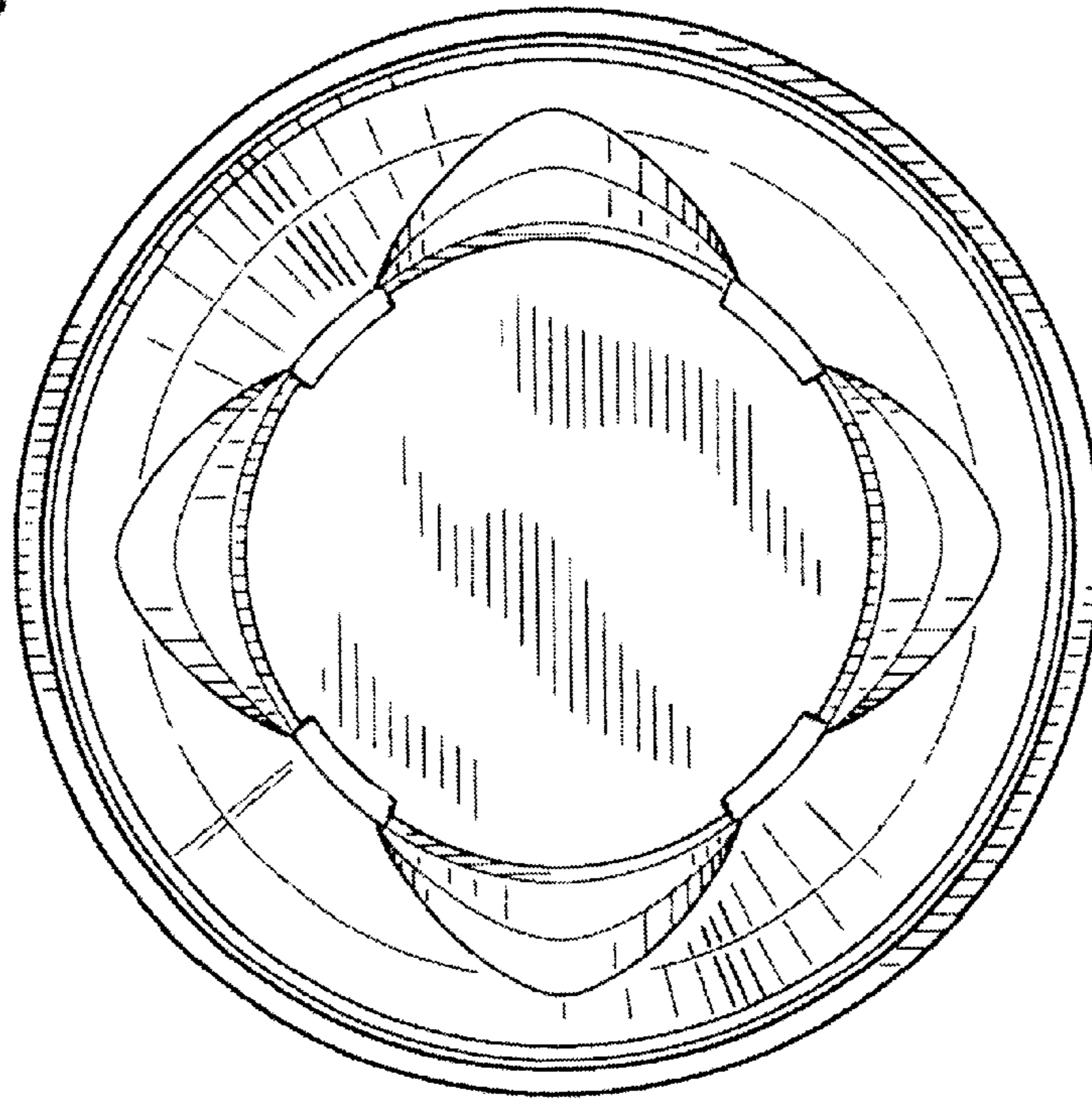
**FIG. 5**



**FIG. 6**



**FIG. 7**



**FIG. 8**

