



US00D532691S

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

(10) **Patent No.:** **US D532,691 S**
(45) **Date of Patent:** **** Nov. 28, 2006**

(54) **CLOSURE FOR A CONTAINER**

(75) Inventor: **William C. Vogel**, Mequon, WI (US)

(73) Assignee: **Gateway Plastics, Inc.**, Mequon, WI (US)

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

(21) Appl. No.: **29/217,725**

(22) Filed: **Nov. 20, 2004**

(51) **LOC (8) Cl.** **09-07**

(52) **U.S. Cl.** **D9/435**; D9/449

(58) **Field of Classification Search** D9/450,
D9/449, 447, 445, 440, 438, 435, 434; D7/596,
D7/591; D32/29.1; 222/556, 546, 498, 480;
220/254.1–254.9, 835, 253; 215/344, 253,
215/245, 237, 235, 216

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | |
|-------------|---------|------------------|
| 181,615 A | 8/1876 | Albertson |
| 199,896 A | 2/1878 | Burger |
| 785,116 A | 3/1905 | Perry |
| 847,726 A | 3/1907 | Brannon |
| 893,469 A | 7/1908 | Essmuller |
| 947,025 A | 1/1910 | Pearl et al. |
| 1,330,365 A | 2/1920 | Alexander |
| 1,773,553 A | 8/1930 | Taylor et al. |
| 2,094,600 A | 10/1937 | Hothersall |
| 2,108,063 A | 2/1938 | Hothersall |
| D110,872 S | 8/1938 | Lewis |
| 2,177,589 A | 10/1939 | Jacker |
| 2,276,635 A | 3/1942 | Weber |
| 2,388,738 A | 11/1945 | Gudheim |
| 2,562,647 A | 7/1951 | Shaver |
| 2,576,416 A | 11/1951 | Randlett |
| 2,625,306 A | 1/1953 | Murphy |
| 2,690,861 A | 10/1954 | Tupper |
| 2,780,395 A | 2/1957 | Schlabach et al. |
| 2,817,451 A | 12/1957 | Giles et al. |

(Continued)

FOREIGN PATENT DOCUMENTS

| | | |
|----|--------------|---------|
| EP | 0 631 942 A1 | 1/1995 |
| FR | 1153553 | 3/1958 |
| GB | 2120219 | 11/1983 |

OTHER PUBLICATIONS

Cap of a type understood to be commercially available from Weatherchem Corporation (six photographs; one sheet).

Cap of a type understood to be commercially available from Weatherchem Corporation (seven photographs; one sheet).

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Cap of a type understood to be commercially available from Weatherchem Corporation (seven photographs; one sheet).

(Continued)

Primary Examiner—Robert M. Spear

Assistant Examiner—Susan Bennett Hattan

(74) *Attorney, Agent, or Firm*—Foley & Lardner LLP

(57) **CLAIM**

We claim the ornamental design for a closure for a container, as shown and described.

DESCRIPTION

FIG. 1 is a top perspective view of a closure for a container;

FIG. 2 is a top perspective view of the design of FIG. 1;

FIG. 3 is a bottom perspective view of the design of FIG. 1;

FIG. 4 is a bottom perspective view of the design of FIG. 1;

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

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

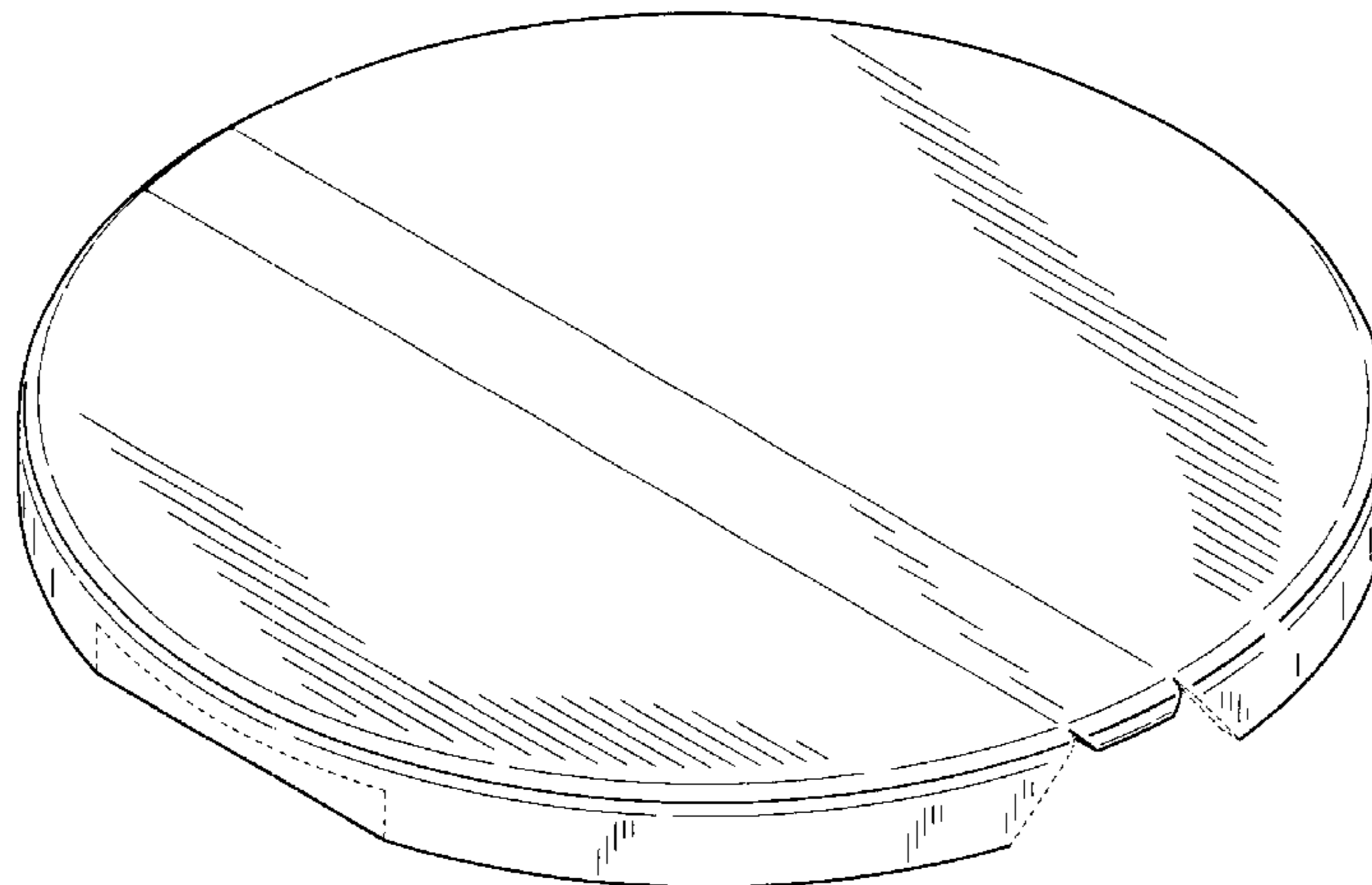
FIG. 7 is a right side view of the design of FIG. 1, the left side view being a mirror image;

FIG. 8 is a front view of the design of FIG. 1; and,

FIG. 9 is a rear view of the design of FIG. 1.

The broken lines in the drawings are for illustrative purposes only and form no part of the claimed design.

1 Claim, 7 Drawing Sheets



US D532,691 S

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|----------|---------------------|-------------|-----------|-----------------------------|
| 2,826,343 A | 3/1958 | Albiani | 4,144,985 A | 3/1979 | Kinslow |
| 2,849,164 A | 8/1958 | Weisgerber | 4,155,481 A | 5/1979 | Takahashi et al. |
| 2,851,203 A | 9/1958 | Nowak | 4,163,496 A | 8/1979 | Dogliotti |
| 2,894,654 A | 7/1959 | Lohrer | 4,165,015 A | 8/1979 | Hasegawa |
| 2,954,148 A | 9/1960 | Corrinet et al. | 4,170,315 A | 10/1979 | Dubach et al. |
| 2,961,132 A | 11/1960 | Ankney | D255,326 S | 6/1980 | Pettengill |
| 2,961,133 A | 11/1960 | Ankney | 4,231,486 A | 11/1980 | Bock |
| 2,971,681 A | 2/1961 | Galbierz | 4,234,099 A | 11/1980 | Tarro |
| 3,018,931 A | 1/1962 | Westgate | 4,253,587 A | 3/1981 | Otterson |
| 3,031,111 A | 4/1962 | Stull | 4,258,876 A | 3/1981 | Ljungcrantz |
| 3,036,746 A | 5/1962 | Hagen | 4,267,937 A | 5/1981 | Piltz et al. |
| 3,058,630 A | 10/1962 | Abt | 4,274,563 A | 6/1981 | Otterson |
| 3,059,816 A | 10/1962 | Goldstein | 4,280,636 A | 7/1981 | Lewis |
| 3,100,589 A | 8/1963 | Love, Jr. | 4,284,200 A | 8/1981 | Bush et al. |
| 3,113,693 A | 12/1963 | Stull | 4,291,818 A | 9/1981 | Nozawa et al. |
| 3,117,701 A | 1/1964 | Stull | 4,299,339 A | 11/1981 | Giroux et al. |
| 3,140,019 A | 7/1964 | Barr | 4,346,823 A | 8/1982 | Eppenbach |
| 3,143,256 A | 8/1964 | Lazure et al. | D266,390 S | 10/1982 | Haner |
| 3,155,285 A | 11/1964 | Van Baam | 4,359,171 A | 11/1982 | Lewis |
| D200,024 S | 1/1965 | Lombardo | 4,361,250 A | 11/1982 | Foster |
| D200,270 S | 2/1965 | Waterman | 4,362,253 A | * 12/1982 | Wortley et al. 220/276 |
| 3,180,537 A | 4/1965 | Collins | 4,369,901 A | 1/1983 | Hidding |
| 3,181,746 A | 5/1965 | Tupper | 4,414,705 A | 11/1983 | Ostrowsky |
| 3,203,571 A | 8/1965 | Plunkett | D272,807 S | 2/1984 | Ruhl |
| 3,217,921 A | 11/1965 | Frehse | 4,442,950 A | 4/1984 | Wilson |
| 3,217,949 A | 11/1965 | Davis | 4,457,458 A | 7/1984 | Heinol |
| D204,509 S | 4/1966 | Waterman | 4,463,869 A | 8/1984 | Lewis |
| 3,262,606 A | 7/1966 | Waterman | 4,467,938 A | 8/1984 | Allen |
| 3,281,982 A | 11/1966 | Salisbury | D276,981 S | 1/1985 | Cleevely |
| 3,322,308 A | 5/1967 | Foster | 4,494,679 A | 1/1985 | Cleevely |
| 3,323,671 A | 6/1967 | Minarik, Jr. et al. | 4,500,016 A | 2/1985 | Funfstuck |
| 3,351,242 A | 11/1967 | Lodding et al. | 4,503,991 A | 3/1985 | Joyce |
| 3,370,757 A | 2/1968 | Foster | D278,602 S | 4/1985 | Rosenstein |
| 3,372,832 A | 3/1968 | Yeater et al. | 4,533,058 A | 8/1985 | Uhlig |
| 3,397,823 A | 8/1968 | Kirkpatrick | 4,538,731 A | 9/1985 | Cillario |
| 3,412,890 A | 11/1968 | Rich | 4,541,541 A | 9/1985 | Hickman et al. |
| 3,428,208 A | 2/1969 | Kosar | 4,545,495 A | 10/1985 | Kinsley |
| 3,463,364 A | 8/1969 | Rehag | 4,545,508 A | 10/1985 | Cribb, Jr. et al. |
| 3,469,732 A | 9/1969 | Foster | 4,580,687 A | 4/1986 | Lewis |
| 3,486,665 A | 12/1969 | La Croce | 4,610,371 A | 9/1986 | Karkiewicz |
| 3,499,588 A | 3/1970 | Bartilson et al. | 4,611,725 A | 9/1986 | Kacalief |
| D218,289 S | 8/1970 | Posada | 4,621,744 A | 11/1986 | Foster |
| 3,542,235 A | 11/1970 | Hidding | 4,629,081 A | 12/1986 | McLaren |
| 3,563,426 A | 2/1971 | Bartilson | 4,648,528 A | 3/1987 | LaBarge et al. |
| 3,651,992 A | 3/1972 | Hazard | 4,651,885 A | 3/1987 | Gach |
| 3,659,756 A | 5/1972 | Lancaster | 4,658,980 A | 4/1987 | Lindstrom |
| 3,675,812 A | 7/1972 | Foster | D291,411 S | 8/1987 | Crawford |
| 3,741,377 A | 6/1973 | Krellen | 4,693,399 A | 9/1987 | Hickman et al. |
| 3,744,662 A | 7/1973 | Zundel | D292,491 S | 10/1987 | Ross et al. |
| 3,782,583 A | 1/1974 | Abbey | 4,714,181 A | 12/1987 | Kozlowski et al. |
| 3,788,510 A | 1/1974 | Collins | 4,723,693 A | 2/1988 | DeCoster |
| 3,871,550 A | 3/1975 | Chiappe | 4,726,091 A | 2/1988 | Joyce |
| 3,874,580 A | 4/1975 | Weatherhead, III | 4,735,334 A | 4/1988 | Abbott |
| 3,877,604 A | 4/1975 | Brown | 4,739,906 A | 4/1988 | LoTurco |
| 3,888,373 A | 6/1975 | Gach et al. | 4,752,014 A | 6/1988 | House et al. |
| 3,952,912 A | 4/1976 | Perry | 4,778,071 A | 10/1988 | Fillmore |
| 3,966,080 A | 6/1976 | Bittel | 4,792,054 A | 12/1988 | Weidman |
| 4,022,352 A | 5/1977 | Pehr | 4,793,501 A | 12/1988 | Beck |
| 4,029,033 A | 6/1977 | Kerwin et al. | 4,793,502 A | 12/1988 | Beck |
| 4,029,202 A | 6/1977 | Lasich et al. | 4,823,995 A | 4/1989 | Lewis |
| 4,030,630 A | 6/1977 | Yealy | 4,838,441 A | 6/1989 | Chernack |
| D245,750 S | 9/1977 | Maclean | 4,848,612 A | 7/1989 | Beck |
| 4,059,201 A | 11/1977 | Foster | 4,854,473 A | 8/1989 | Dubach |
| 4,069,942 A | 1/1978 | Marshall et al. | 4,878,589 A | 11/1989 | Webster et al. |
| D247,475 S | 3/1978 | Newman | 4,881,668 A | 11/1989 | Kitterman et al. |
| 4,082,201 A | 4/1978 | Bittel | 4,881,688 A | 11/1989 | Hankvist et al. |
| D248,204 S | * 6/1978 | Daenen D7/591 | D305,206 S | 12/1989 | Hickman et al. |
| D249,023 S | 8/1978 | Ames | D305,734 S | 1/1990 | Allen |
| 4,106,672 A | 8/1978 | Tecco et al. | 4,898,292 A | 2/1990 | VerWeyst et al. |
| 4,120,432 A | 10/1978 | Fuchs | D306,563 S | 3/1990 | Johnson |
| | | | D306,701 S | 3/1990 | Beck |

US D532,691 S

| | | | | | | | |
|---------------|---------|---------------------|-----------|-------------------|---------|---------------------|------------|
| 4,925,067 A * | 5/1990 | Zemlo et al. | 222/480 | D385,791 S | 11/1997 | Forsyth et al. | |
| 4,927,065 A | 5/1990 | Beck | | 5,697,509 A * | 12/1997 | Hayes | 215/235 |
| 4,934,590 A | 6/1990 | Robichaud et al. | | 5,743,444 A | 4/1998 | Beck et al. | |
| 4,936,494 A | 6/1990 | Weidman | | 5,762,216 A | 6/1998 | Takeuchi | |
| 4,938,390 A | 7/1990 | Markva | | 5,785,193 A | 7/1998 | Kobayashi et al. | |
| 4,940,167 A | 7/1990 | Fillmore et al. | | 5,799,838 A | 9/1998 | Miller | |
| 4,955,504 A | 9/1990 | Lesscher | | 5,829,609 A | 11/1998 | Beck | |
| 4,955,513 A | 9/1990 | Bennett | | 5,829,611 A | 11/1998 | Beck | |
| 4,967,941 A | 11/1990 | Beck | | 5,842,592 A | 12/1998 | Beck | |
| 4,971,213 A | 11/1990 | Ishinabe et al. | | 5,865,353 A | 2/1999 | Baudin | |
| 4,984,716 A | 1/1991 | Beck | | 5,875,907 A | 3/1999 | Lay | |
| 4,993,606 A | 2/1991 | Bolen, Jr. et al. | | D407,976 S | 4/1999 | Ekkert | |
| 5,007,555 A | 4/1991 | Beck | | 5,913,435 A | 6/1999 | Fuchs | |
| 5,016,787 A | 5/1991 | Beck | | D413,064 S | 8/1999 | Bansal | |
| D318,777 S * | 8/1991 | Freese | D7/392 | D414,698 S | 10/1999 | Mogard et al. | |
| D318,778 S | 8/1991 | Fiore et al. | | 5,971,231 A | 10/1999 | Samz et al. | |
| D319,588 S | 9/1991 | Beck | | 5,975,368 A | 11/1999 | Wood | |
| 5,048,730 A | 9/1991 | Forsyth et al. | | 5,996,859 A | 12/1999 | Beck | |
| D320,739 S | 10/1991 | Camus | | D419,069 S | 1/2000 | Beck et al. | |
| D320,746 S | 10/1991 | Bolen, Jr. et al. | | 6,024,256 A | 2/2000 | Beck et al. | |
| D321,137 S | 10/1991 | Hofmann et al. | | 6,102,257 A | 8/2000 | Goyet | |
| 5,052,572 A | 10/1991 | Pherigo | | D435,445 S | 12/2000 | Arai et al. | |
| D321,476 S | 11/1991 | Alcover | | 6,158,632 A | 12/2000 | Ekkert | |
| 5,067,624 A | 11/1991 | Thanisch | | 6,164,503 A | 12/2000 | Forsyth et al. | |
| D323,461 S | 1/1992 | Beck | | D436,040 S | 1/2001 | Warner et al. | |
| D323,462 S | 1/1992 | Beck | | 6,170,664 B1 | 1/2001 | Dar | |
| 5,083,671 A | 1/1992 | Hayes | | 6,202,872 B1 | 3/2001 | Smeyak et al. | |
| D324,175 S | 2/1992 | Beck | | D440,156 S | 4/2001 | Lonczak et al. | |
| 5,085,331 A | 2/1992 | Groya et al. | | 6,250,507 B1 | 6/2001 | Ekkert | |
| 5,129,531 A | 7/1992 | Beck et al. | | 6,250,517 B1 | 6/2001 | Samz et al. | |
| 5,129,533 A | 7/1992 | Loffler | | 6,283,317 B1 | 9/2001 | Benoit gonin et al. | |
| 5,143,234 A | 9/1992 | Lohrman et al. | | 6,289,906 B1 | 9/2001 | Vanden Dries et al. | |
| D331,877 S | 12/1992 | Robichaud et al. | | 6,296,130 B1 | 10/2001 | Forsyth et al. | |
| D331,878 S | 12/1992 | Forsyth | | 6,299,033 B1 | 10/2001 | VerWeyst et al. | |
| 5,167,338 A | 12/1992 | Kick | | 6,308,870 B1 | 10/2001 | Samz et al. | |
| 5,183,171 A * | 2/1993 | Pherigo | 220/258.3 | 6,321,923 B1 | 11/2001 | Wood | |
| 5,197,634 A | 3/1993 | Beck | | 6,325,231 B1 | 12/2001 | Ketting et al. | |
| 5,211,301 A | 5/1993 | Groya et al. | | 6,332,551 B1 | 12/2001 | Copeland | |
| 5,215,204 A | 6/1993 | Beck et al. | | D453,892 S | 2/2002 | Lindsay et al. | |
| 5,219,100 A | 6/1993 | Beck et al. | | RE37,634 E | 4/2002 | Hickman et al. | |
| D339,065 S | 9/1993 | Forsyth et al. | | 6,364,169 B1 * | 4/2002 | Knickerbocker | 222/189.02 |
| D340,187 S | 10/1993 | Forsyth | | 6,382,476 B1 | 5/2002 | Randall et al. | |
| D340,188 S | 10/1993 | Forsyth | | 6,405,885 B1 | 6/2002 | Elliott | |
| 5,282,540 A | 2/1994 | Beck | | 6,439,410 B1 | 8/2002 | Dubach | |
| 5,297,688 A | 3/1994 | Beck et al. | | 6,460,712 B1 | 10/2002 | Smith et al. | |
| 5,305,931 A | 4/1994 | Martin et al. | | 6,460,718 B1 | 10/2002 | Vogel | |
| D346,958 S | 5/1994 | Olson | | 6,460,726 B1 | 10/2002 | Hierzer et al. | |
| 5,314,093 A | 5/1994 | Gross et al. | | 6,464,113 B1 | 10/2002 | Vogel | |
| D347,974 S | 6/1994 | McBride | | 6,474,491 B1 | 11/2002 | Benoit-Gonin et al. | |
| 5,328,063 A | 7/1994 | Beck et al. | | 6,477,743 B1 | 11/2002 | Gross et al. | |
| 5,330,082 A | 7/1994 | Forsyth | | 6,481,589 B1 | 11/2002 | Blomdahl et al. | |
| 5,339,993 A | 8/1994 | Groya et al. | | 6,488,187 B1 | 12/2002 | Sheffler et al. | |
| 5,356,017 A | 10/1994 | Rohr et al. | | 6,494,346 B1 | 12/2002 | Gross et al. | |
| D355,121 S | 2/1995 | Kohl | | D468,639 S | 1/2003 | Wennerstrom et al. | |
| 5,423,442 A | 6/1995 | Nozawa et al. | | 6,508,373 B1 | 1/2003 | Robinson | |
| 5,467,879 A | 11/1995 | Moore | | 6,510,971 B1 | 1/2003 | Martin | |
| 5,489,035 A | 2/1996 | Fuchs | | 6,575,323 B1 | 6/2003 | Martin et al. | |
| 5,494,200 A | 2/1996 | Sheffler et al. | | D476,892 S | 7/2003 | Martin et al. | |
| 5,499,736 A | 3/1996 | Kohl | | 6,691,901 B1 | 2/2004 | Parve et al. | |
| 5,507,419 A | 4/1996 | Martin et al. | | D509,426 S * | 9/2005 | Samz et al. | D9/447 |
| 5,509,582 A | 4/1996 | Robbins, III | | 7,007,830 B1 * | 3/2006 | Parve et al. | 222/556 |
| 5,511,679 A | 4/1996 | Beck | | D522,362 S * | 6/2006 | Liebe | D9/449 |
| 5,542,579 A | 8/1996 | Robbins, III | | 2003/0071041 A1 | 4/2003 | Vogel | |
| 5,566,850 A | 10/1996 | Forsyth et al. | | 2003/0090036 A1 | 5/2003 | Vogel | |
| 5,579,957 A | 12/1996 | Gentile et al. | | 2003/0111495 A1 | 6/2003 | Parve et al. | |
| 5,588,546 A | 12/1996 | Farside | | 2004/0089678 A1 * | 5/2004 | Martin | 222/556 |
| 5,601,213 A | 2/1997 | Daniello | | 2004/0118846 A1 * | 6/2004 | Merolla | 220/254.2 |
| 5,632,417 A | 5/1997 | Robbins, III et al. | | 2004/0134942 A1 | 7/2004 | Parve et al. | |
| 5,642,824 A | 7/1997 | Hess, III et al. | | 2004/0173645 A1 | 9/2004 | Vogel et al. | |
| 5,667,089 A | 9/1997 | Moore | | 2004/0226950 A1 | 11/2004 | Samz et al. | |
| 5,680,968 A | 10/1997 | Moore | | 2005/0023304 A1 | 2/2005 | Vogel et al. | |

OTHER PUBLICATIONS

Cap of a type understood to be commercially available from Weatherchem Corporation (six photographs; one sheet).

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Cap of a type understood to be commercially available from Kraft Foods North America, Inc. (six photographs; one sheet).

Cap of a type understood to be commercially available and having two flaps with two dispensing openings (six photographs, one sheet).

Cap of a type understood to be commercially available from Weatherchem Corporation (seven photographs; one sheet).

Cap of a type understood to be commercially available from Kraft Foods North America, Inc. (fourteen photographs, two sheets).

Cap of a type understood to be commercially available from Kraft Foods North America, Inc. (ten photographs, one sheet).

Cap of a type understood to be commercially available from Nestle Purine Petcare Company (twelve photographs, two sheets).

Cap of a type understood to be commercially available from Resibel N.V. in or about 1996 and made available/obtained during discovery in *Gateway Plastics, Inc. v. Weatherchem Corp.*, Case No. 02-C-0870 (E.D. Wis.) (twelve photographs, two sheets).

Amended complaint, *Gateway Plastics, Inc. v. Weatherchem Corporation*, Case No. 02-C-0870 (E.D. Wis.), Dated Nov. 18, 2002, with legible copy of Exhibit D.

Answer and Counterclaim, *Gateway Plastics, Inc. v. Weatherchem Corporation*, Case No. 02-C-0870 (E.D. Wis.), Dated Dec. 5, 2002.

Amended Answer and Counterclaim, *Gateway Plastics, Inc. v. Weatherchem Corp.*, Case No. 02-C-0870 (E.D. Wis.); filed Sep. 2, 2003.

Brief in Support of Motion by Plaintiff Gateway Plastics, Inc. for a Preliminary Injunction, *Gateway Plastics, Inc. v. Weatherchem Corp.*, Case No. 02-C-0870 (E.D. Wis.); filed Dec. 19, 2003.

Weatherchem's Brief in Opposition to Gateway's Motion for Preliminary Injunction, *Gateway Plastics, Inc. v. Weatherchem Corp.*, Case No. 02-C-0870 (E.D. Wis.); filed Feb. 4, 2004.

Decision and Order, *Gateway Plastics, Inc. v. Weatherchem Corp.*, Case No. 02-C-0870 (E.D. Wis.); filed Dec. 17, 2003.

Weatherchem Exhibit Nos. WC 601-WC 648 and WC 651-WC 653B in Opposition to Preliminary Injunction, *Gateway Plastics, Inc. v. Weatherchem Corp.*, Case No. 02-C-0870 (E.D. Wis.); filed Feb. 4, 2004.

* cited by examiner

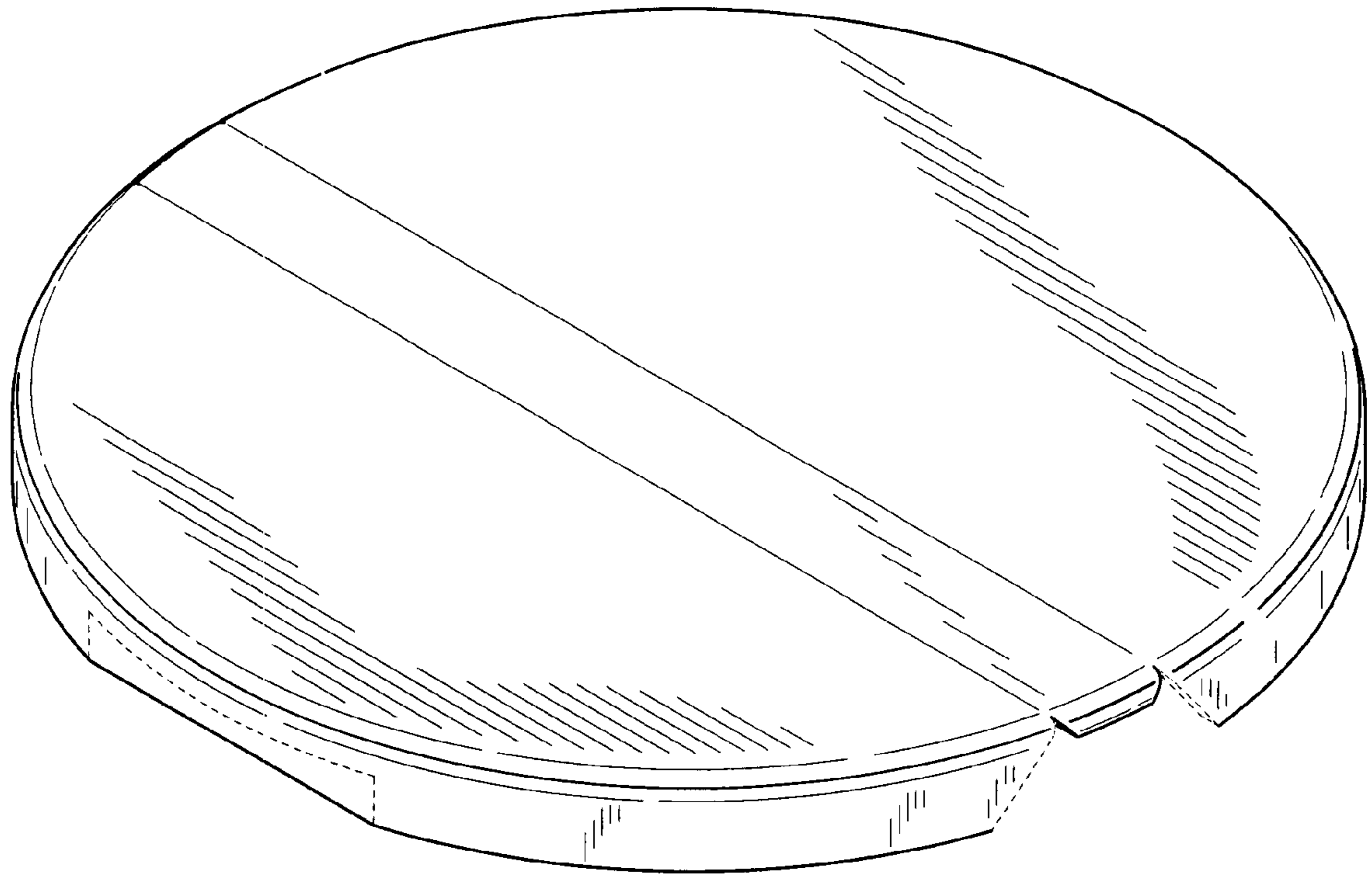


FIGURE 1

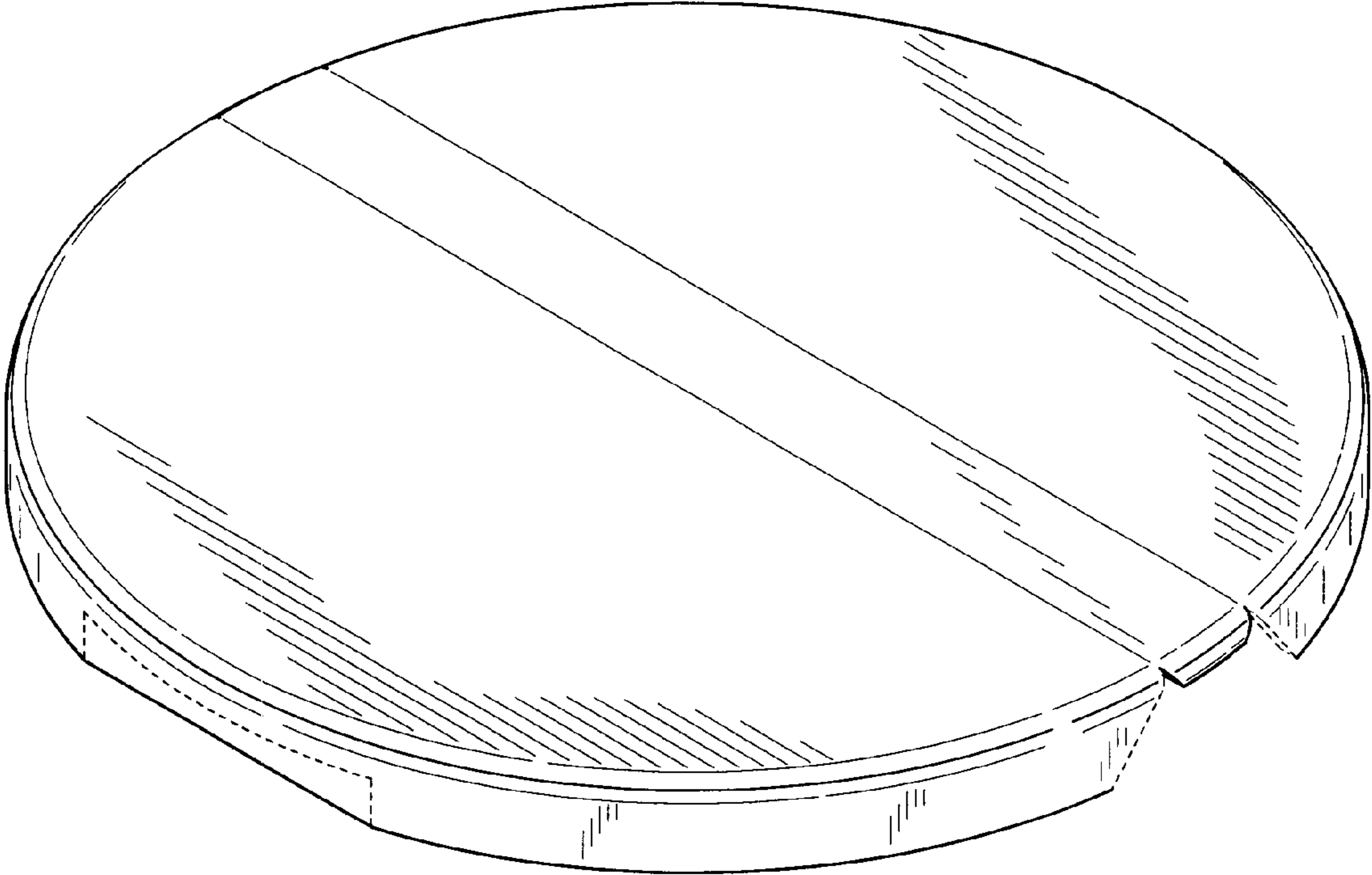


FIGURE 2

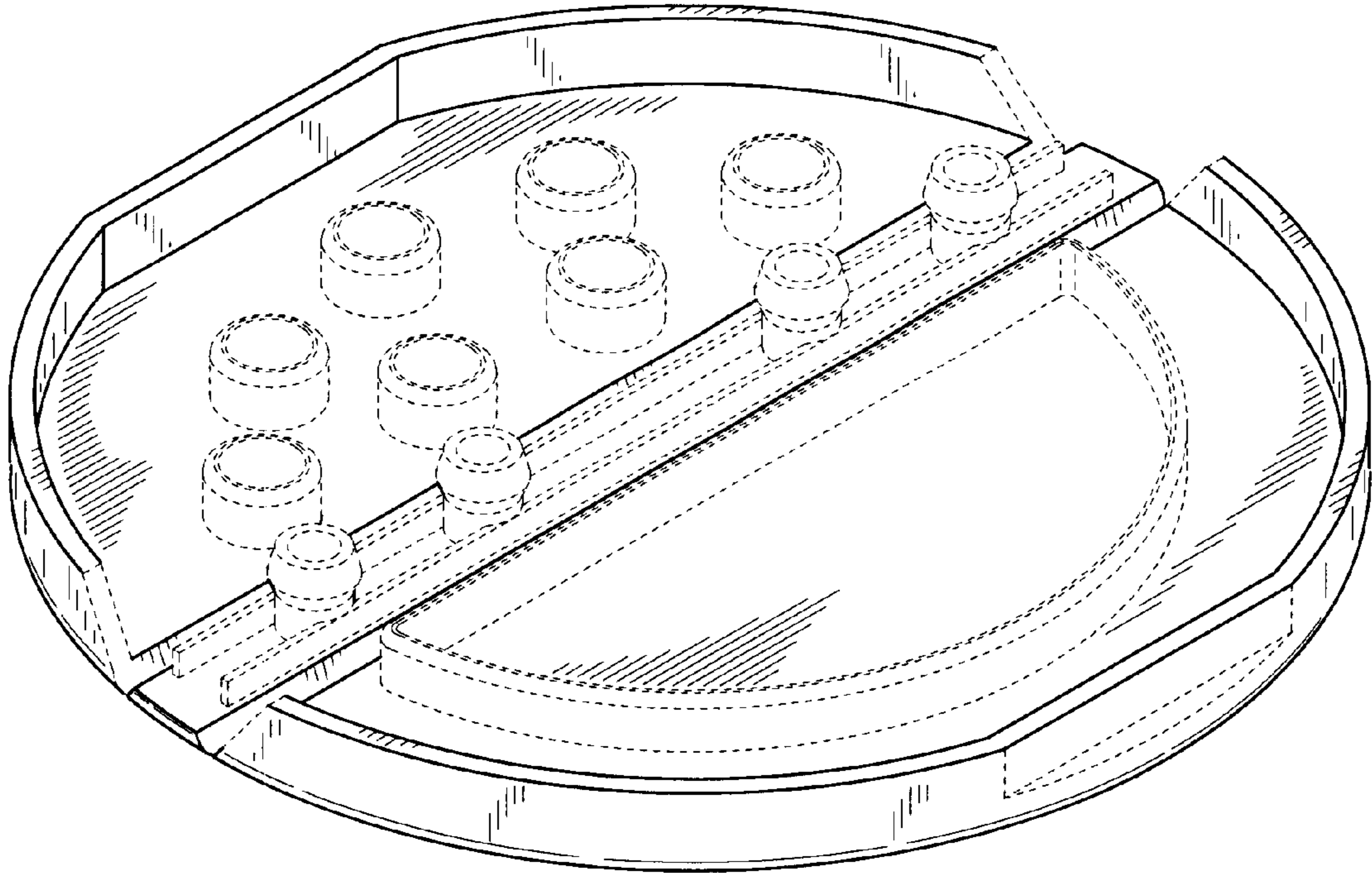


FIGURE 3

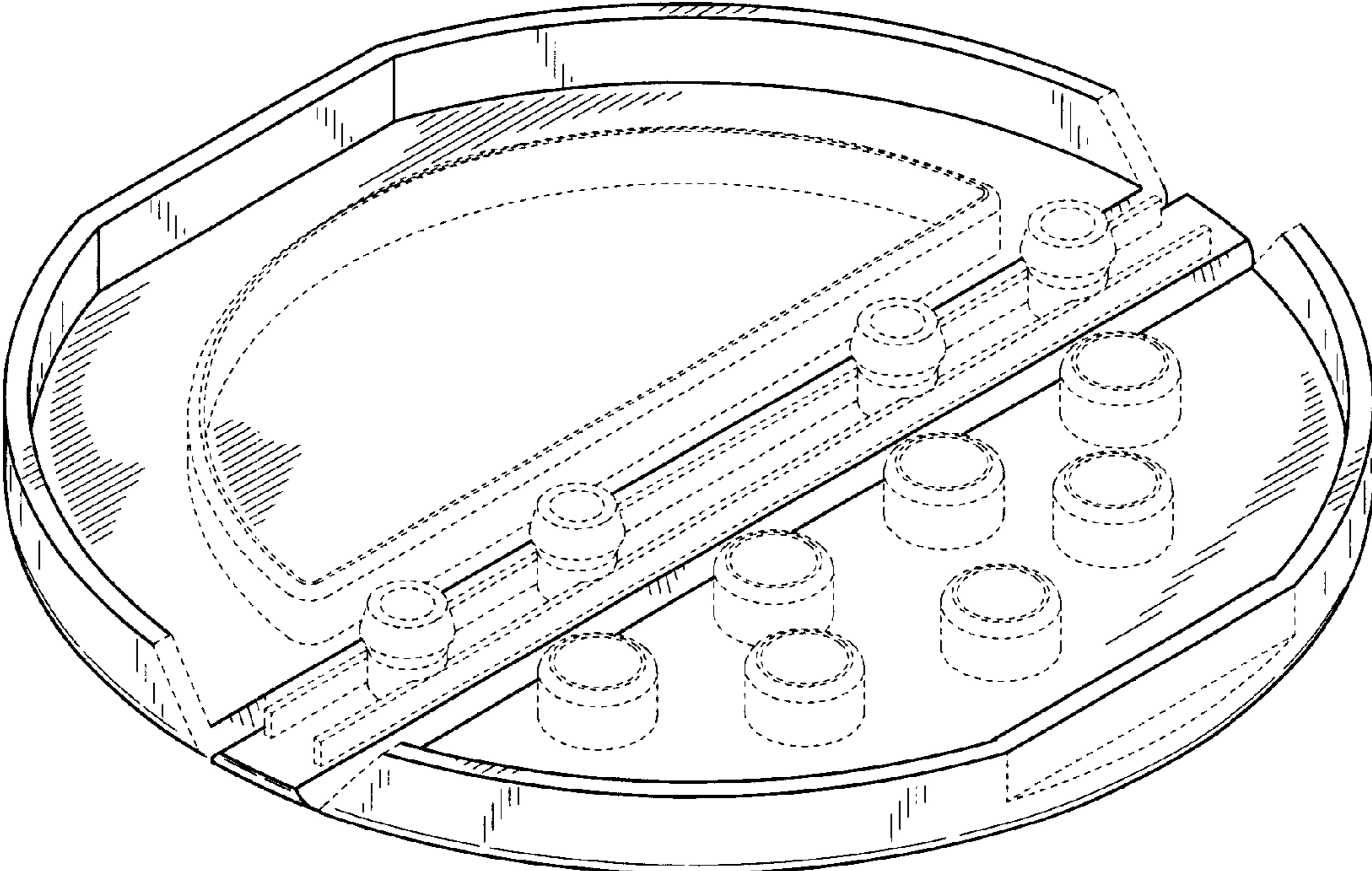


FIGURE 4

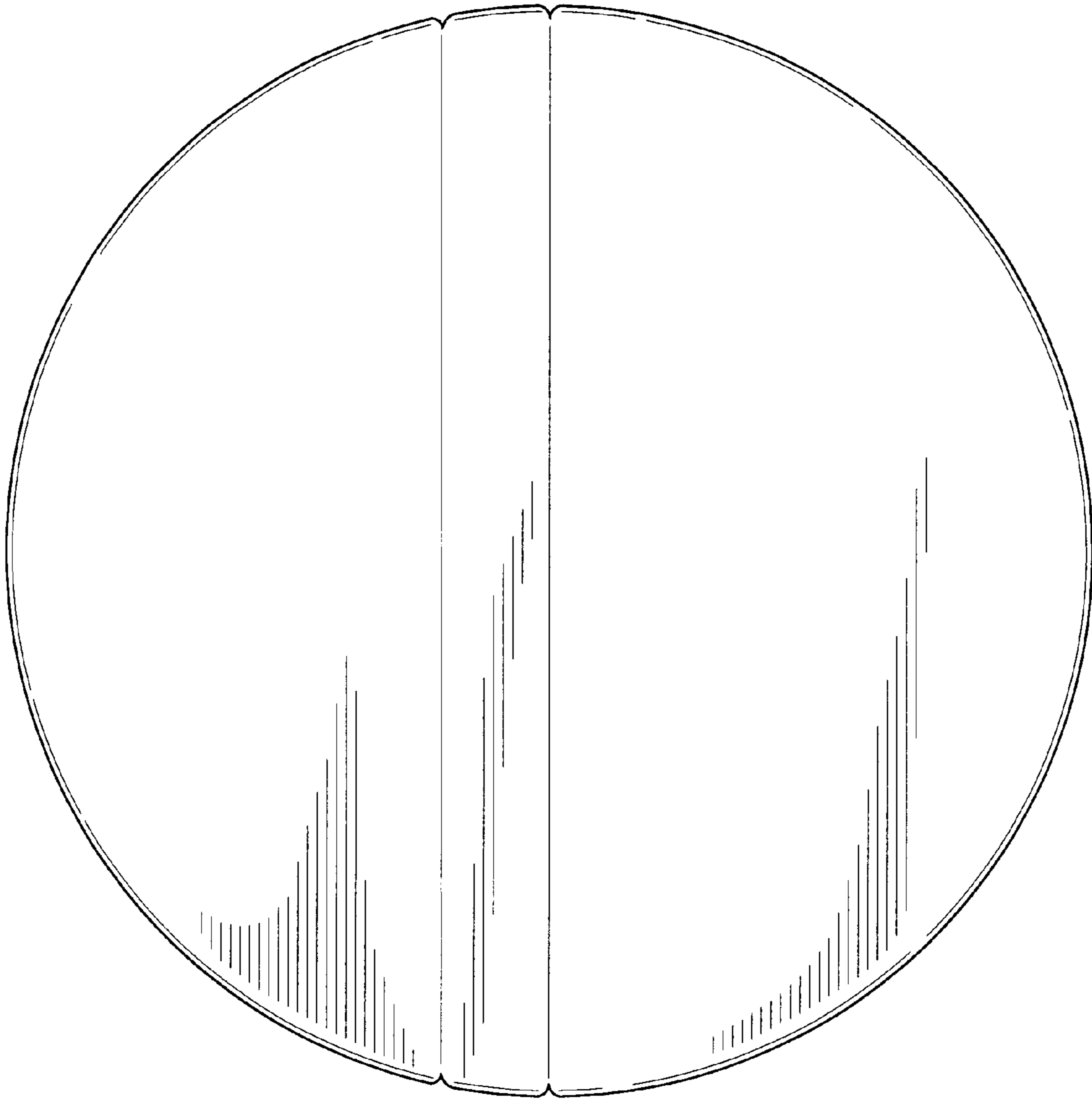


FIGURE 5

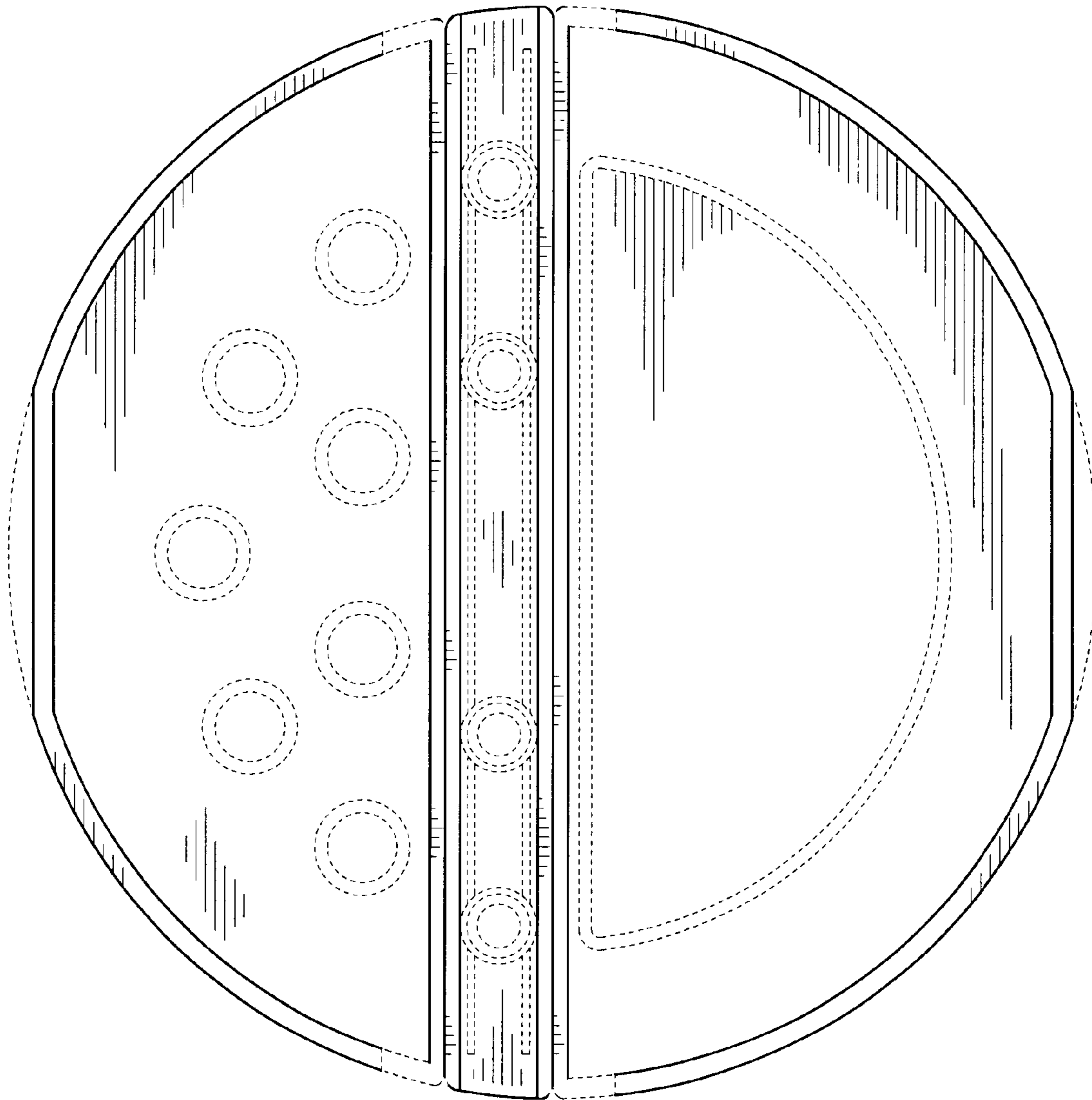


FIGURE 6

FIGURE 7

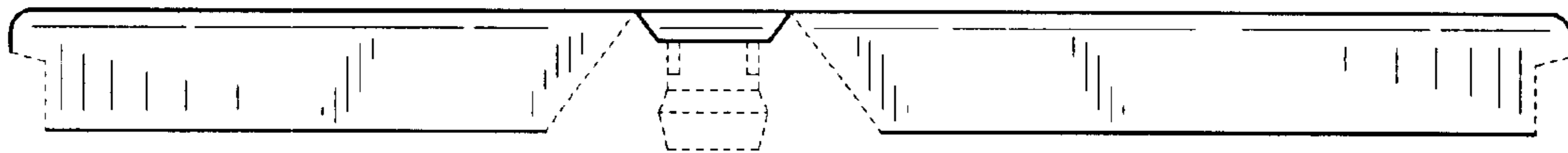


FIGURE 8

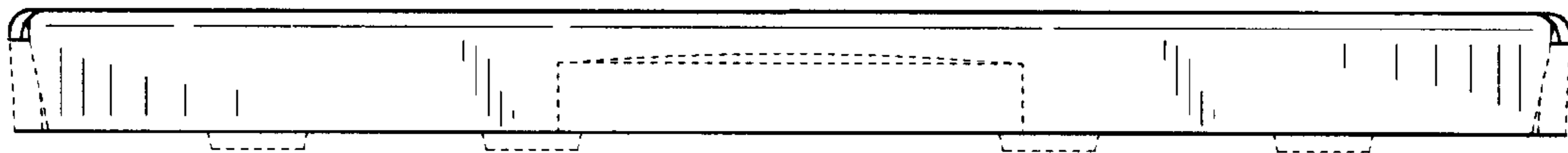


FIGURE 9

