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(12) **United States Design Patent** (10) **Patent No.:** **US D539,650 S**  
**Smith et al.** (45) **Date of Patent:** **\*\* Apr. 3, 2007**

(54) **UPPER PANEL OF A DRINK CUP LID** 4,938,379 A \* 7/1990 Kellner ..... 220/370  
4,978,024 A 12/1990 Newman et al.  
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(US); **Kevin Ray Smith**, Round Lake 5,348,181 A 9/1994 Smith et al.  
Beach, IL (US); **Robert Joseph** 5,398,843 A 3/1995 Warden et al.  
**Schaefer**, Baltimore, MD (US); D368,624 S 4/1996 Forrer  
**Bradley F. Rademaker**, LaGrange, IL 5,588,561 A 12/1996 Ness  
(US) 5,624,053 A 4/1997 Freek et al.  
D379,928 S 6/1997 Freek et al.  
D394,184 S \* 5/1998 Demore ..... D7/391

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

(21) Appl. No.: **29/239,151**

(22) Filed: **Sep. 27, 2005**

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

(52) **U.S. Cl.** ..... **D9/454; D9/435**

(58) **Field of Classification Search** ..... D9/454, D9/450, 449, 447, 445, 441, 438, 435, 434; D7/629, 511, 510, 396.2, 392.1, 317, 391, D7/392; D3/203.2, 202; 222/555, 451.2; 220/713, 712, 270, 253; D20/28  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,725,393 A 8/1929 Cone  
D181,109 S \* 10/1957 Jocelyn ..... D12/92  
D209,483 S \* 12/1967 Frank ..... D9/454  
3,994,411 A 11/1976 Elfelt et al.  
4,138,033 A 2/1979 Payne et al.  
4,319,692 A \* 3/1982 Gundlach ..... 220/268  
4,350,260 A 9/1982 Prueher  
4,441,624 A 4/1984 Sokolowski  
4,460,103 A 7/1984 Rama et al.  
4,579,245 A 4/1986 Narushko  
4,589,569 A 5/1986 Clements  
4,615,459 A 10/1986 Clements  
4,619,372 A 10/1986 McFarland  
D287,919 S 1/1987 Clements  
4,753,365 A 6/1988 Seppala  
D299,010 S 12/1988 Wall

(Continued)

**OTHER PUBLICATIONS**

Web Page [www.lollicupstore.com/hotcupsili.htm](http://www.lollicupstore.com/hotcupsili.htm) from Lollicup® Coffee & Tea Website, Product Honor® Hot Cup Sipper Lid as an internet site image, (dated Sep. 29, 2005) known to exist as early as Sep. 26, 2005.

Patton, Phil, "Top This," I.D. Magazine, pp. 39-47, May/ Jun. 2005.

Publication of TM Application No. 76/357,255—Official Gazette, p. 260, Jun. 10, 2003.

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(57) **CLAIM**

We claim the ornamental design for an upper panel of a drink cup lid, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a first embodiment of an upper panel of a drink cup lid;

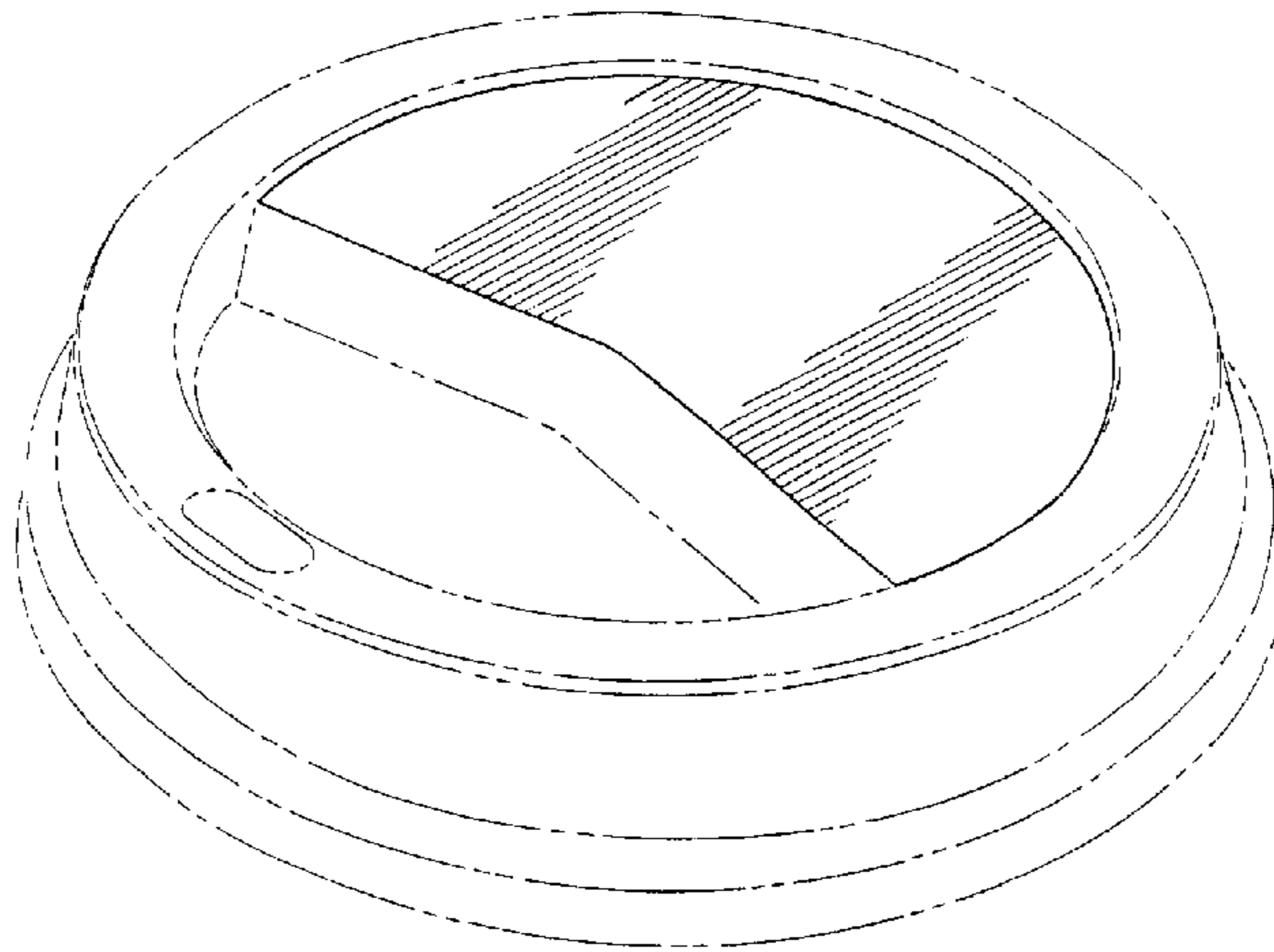
FIG. 2 is a top plan view of the upper panel of the drink cup lid of FIG. 1;

FIG. 3 is a perspective view of a second embodiment of the upper panel of a drink cup lid; and,

FIG. 4 is a top plan view of the of the upper panel of the drink cup lid of FIG. 3.

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

**1 Claim, 2 Drawing Sheets**



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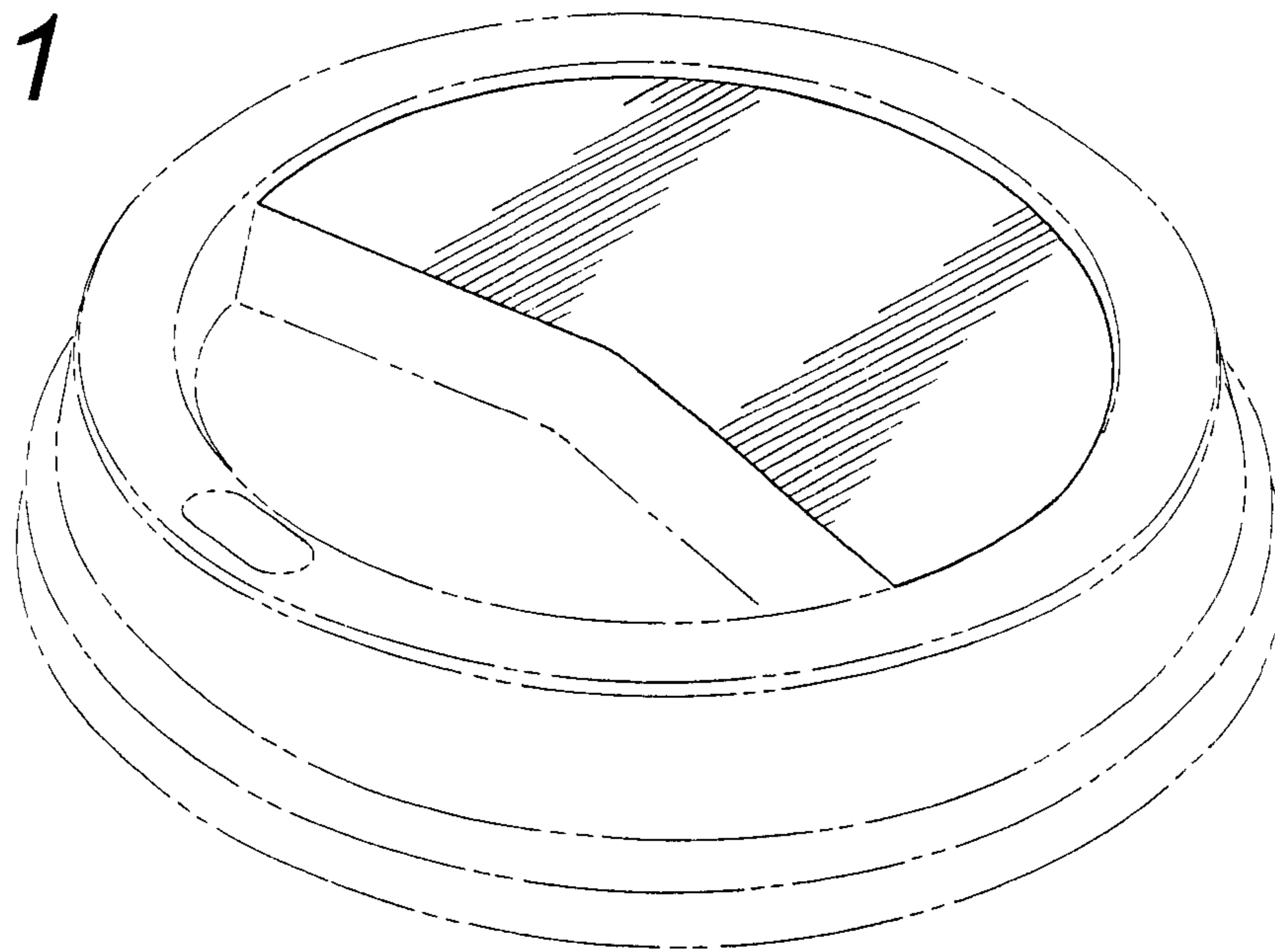
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## U.S. PATENT DOCUMENTS

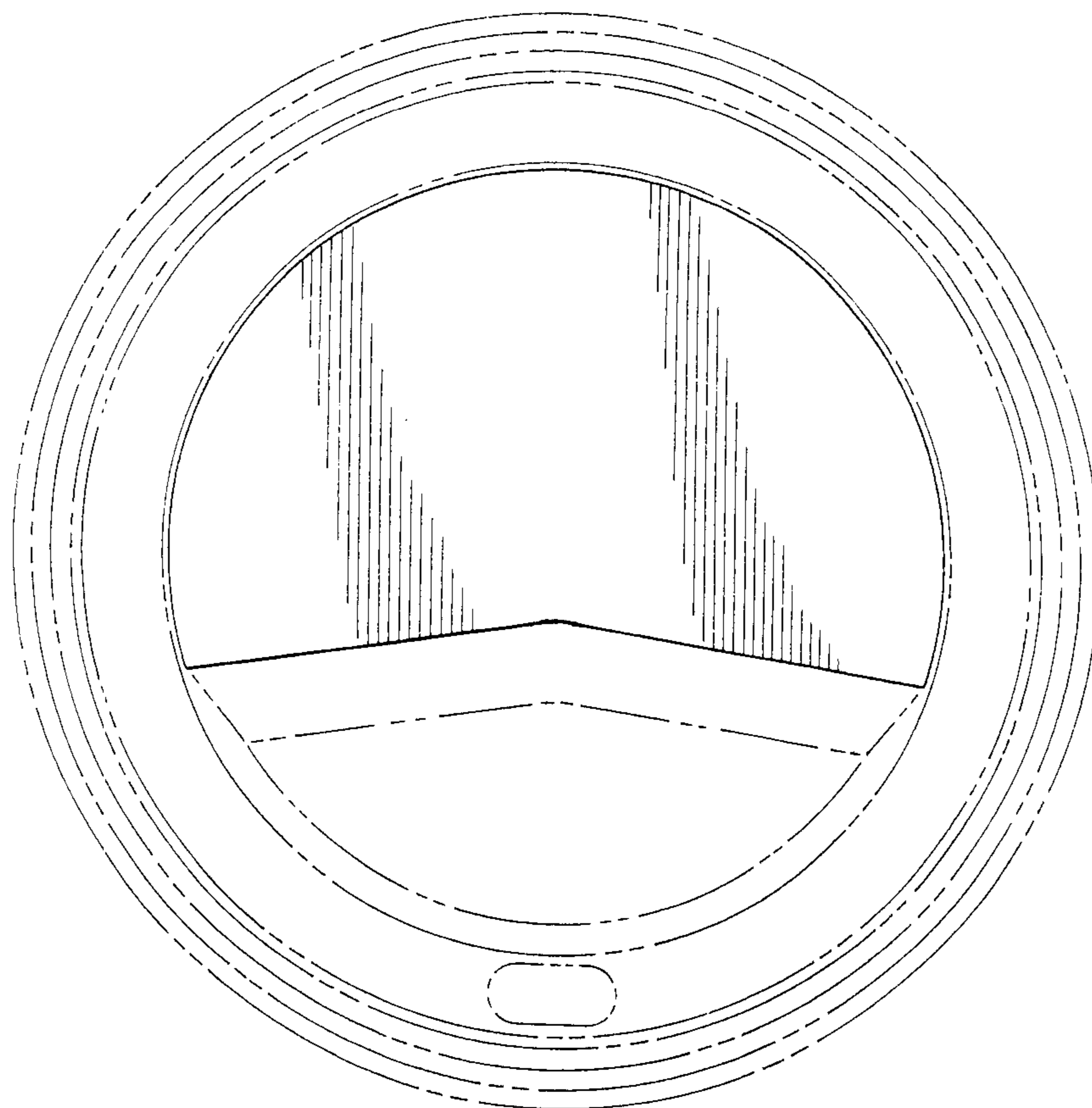
5,798,079 A	8/1998	Freek et al.	6,505,753 B1	1/2003	Freek et al.
D402,556 S	12/1998	Frye	D470,890 S *	2/2003	Meyer ..... D20/28
5,911,331 A	6/1999	Boller	6,578,726 B1	6/2003	Schaefer
5,947,323 A	9/1999	Freek et al.	D476,566 S	7/2003	Smith et al.
D416,755 S *	11/1999	Trombly ..... D7/392.1	D476,891 S	7/2003	Clarke et al.
D417,845 S	12/1999	Sadlier et al.	D477,223 S	7/2003	Smith et al.
5,996,837 A	12/1999	Freek et al.	6,612,456 B1	9/2003	Hundley et al.
D436,867 S *	1/2001	Spreitzer et al. .... D9/772	D480,968 S	10/2003	Atkins et al.
D437,223 S	2/2001	Coy et al.	6,644,490 B2	11/2003	Clarke
D447,412 S *	9/2001	Durdon ..... D9/438	6,679,397 B2	1/2004	Smith et al.
6,305,571 B1	10/2001	Chu	D500,343 S *	12/2004	McRobbie ..... D20/28
6,374,726 B1	4/2002	Melton	6,905,044 B1 *	6/2005	Russo et al. .... 220/719
6,419,105 B1	7/2002	Bruce et al.	6,991,128 B1 *	1/2006	Russo et al. .... 220/713
6,419,112 B1	7/2002	Bruce et al.	2003/0089713 A1	5/2003	Belt et al.
6,464,099 B1	10/2002	Portman et al.	2003/0141302 A1	7/2003	Ryan et al.
D467,500 S	12/2002	Cudmore et al.	2004/0195239 A1 *	10/2004	Rush et al. .... 220/254.3
D468,206 S	1/2003	Weiss et al.	2005/0211713 A1 *	9/2005	Goeking et al. .... 220/713

\* cited by examiner

*FIG. 1*

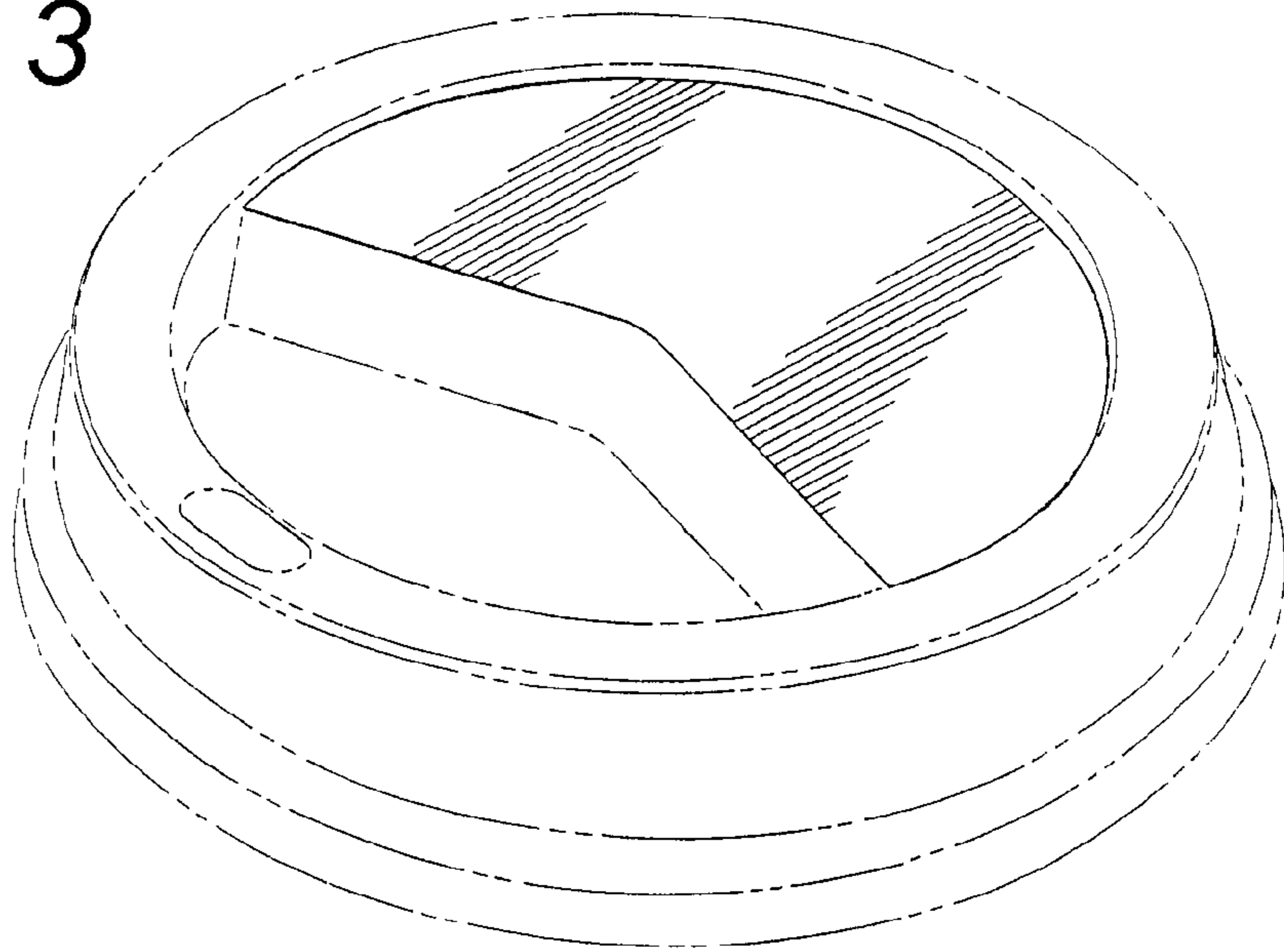


*FIG. 2*





*FIG. 3*



*FIG. 4*

