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

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(54) **CONTAINER**

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(73) Assignee: **Mary Kay Inc.**, Dallas, TX (US)

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

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(52) **U.S. Cl.** **D9/504**

(58) **Field of Classification Search** D9/50,
D9/502-505, 516, 549, 558, 682, 686, 688-692,
D9/537, 539, 545; D28/76, 78, 82; D7/509,
D7/602; 215/379, 381-382; 220/660, 662,
220/669, 675

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D051,066 S	7/1917	Hoffman	.....	D9/772
1,443,564 A	1/1923	Dolan	.....	229/5.5
1,491,783 A	4/1924	Bartold	.....	229/5.6
1,532,830 A	4/1925	Marceau	.....	132/307
1,551,006 A	8/1925	Bruns	.....	220/996
1,582,631 A	4/1926	Bruns	.....	220/23.87
1,717,464 A	6/1929	Nelly	.....	206/527
D96,604 S *	8/1935	Hankar	.....	D9/504
2,012,942 A	9/1935	Acker	.....	229/125.05
2,036,928 A	4/1936	Dreux et al.	.....	229/123.2
2,057,293 A	10/1936	Dreux et al.	.....	493/108
2,076,549 A *	4/1937	Conner	.....	215/6
2,211,885 A	8/1940	Dreux et al.	.....	229/125.19
D128,850 S	8/1941	Petzold	.....	D25/88
2,307,648 A	1/1943	Tremolieres	.....	206/525
2,315,635 A	4/1943	McCarthy et al.	.....	493/86
2,446,080 A	7/1948	Dennis	.....	132/29
D153,938 S	5/1949	Graham	.....	D28/77
2,797,839 A	7/1957	Root	.....	220/23.87
2,808,090 A	10/1957	Casalino	.....	220/62.18
D188,138 S	6/1960	Bindman	.....	D9/552
3,023,886 A *	3/1962	Abrams	.....	401/183
D196,393 S	9/1963	Sanders et al.	.....	D9/448

3,156,279 A	11/1964	Grebowiec et al.	.....	215/12.1
3,206,016 A	9/1965	Fowler et al.	.....	206/403
3,244,313 A *	4/1966	De Wayne Miles	.....	220/288
3,254,803 A	6/1966	Meshberg	.....	222/182
3,311,248 A	3/1967	Marchant	.....	215/13.1
D216,552 S	2/1970	Curry et al.	.....	D7/629
D217,438 S	5/1970	Barbach et al.	.....	D9/154
3,514,017 A	5/1970	Malone	.....	222/321.7
3,520,452 A	7/1970	Malone	.....	222/321.1
3,534,890 A	10/1970	Iannacone	.....	222/402.14

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/306,117, filed Apr. 2, 2008, DeMarco.

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(57) **CLAIM**

The ornamental designs for container, as shown and described.

DESCRIPTION

FIG. 1 is a top perspective view of a container showing my new design;

FIG. 2 is a front elevation view thereof, the left side, right side and rear elevation views being identical;

FIG. 3 is a top plan view thereof;

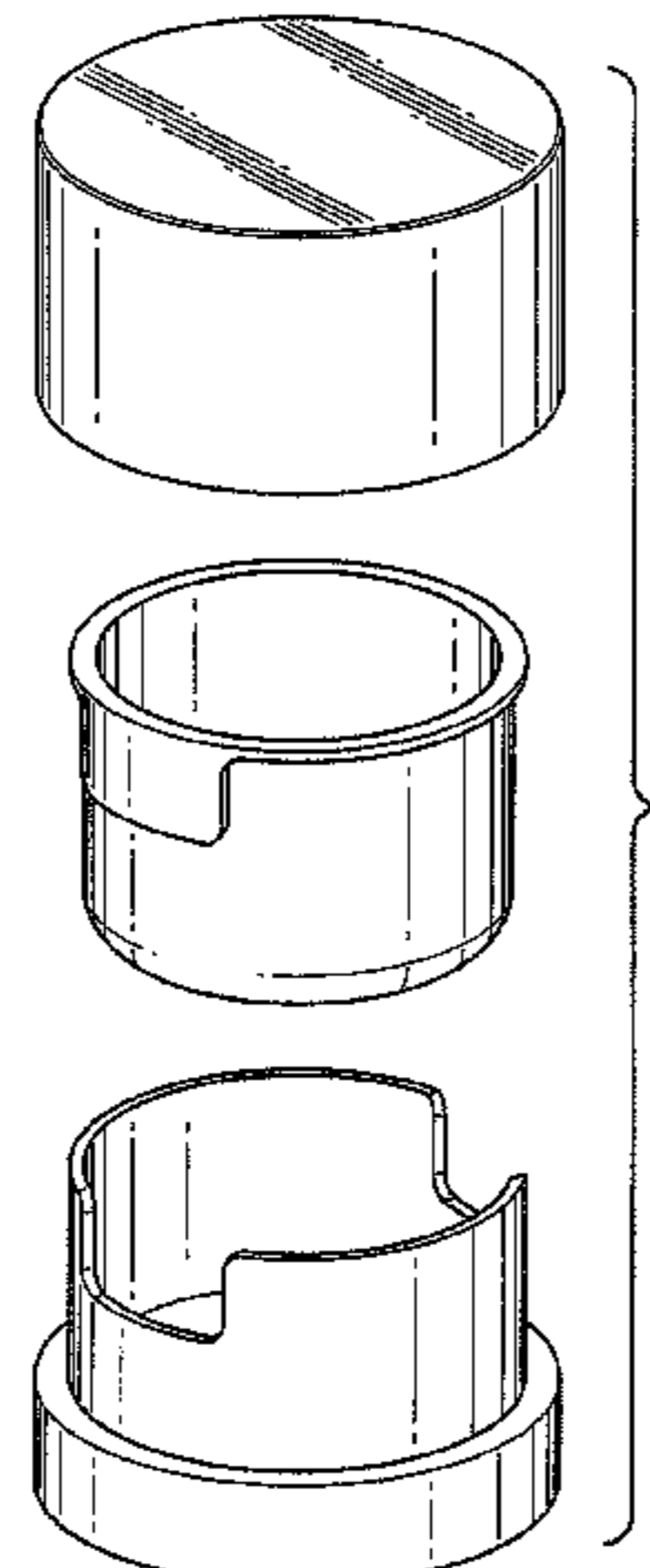
FIG. 4 is a bottom plan view thereof;

FIG. 5 is an exploded, top perspective view thereof;

FIG. 6 is an exploded front elevation view thereof, the exploded rear elevation view being identical; and,

FIG. 7 is an exploded left side elevation view thereof, the exploded right side perspective view being identical.

1 Claim, 5 Drawing Sheets



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U.S. PATENT DOCUMENTS		
3,550,803 A	12/1970	Pelli 215/12.1
3,620,399 A	11/1971	Rapeaud 215/13
D223,691 S	5/1972	Newman D28/77
D227,003 S	5/1973	Graham D9/141
D232,916 S	9/1974	Bettonica D9/164
4,162,010 A *	7/1979	Hovsepian 206/229
4,311,255 A	1/1982	Meshberg 222/183
4,369,799 A	1/1983	Napoleon 132/294
4,370,989 A	2/1983	Taylor 132/317
D272,006 S	12/1983	Geiger D28/5
4,421,127 A	12/1983	Geer 132/294
D272,804 S	2/1984	Morris D9/353
4,429,798 A	2/1984	Borows 215/12.1
D274,848 S	7/1984	Chevassus D28/76
D275,733 S	10/1984	Pardo D9/352
4,526,302 A	7/1985	Brunet 222/321.7
D280,975 S	10/1985	Van Dine D9/353
D281,054 S	10/1985	Menrad D9/688
D281,764 S *	12/1985	Legrottaglie D9/504
D282,630 S	2/1986	Braun D9/504
D287,824 S *	1/1987	Rayner D9/780
4,676,408 A	6/1987	Speitel 222/183
4,826,014 A	5/1989	Schefer 206/581
D303,584 S	9/1989	Bakic D28/91
4,863,034 A	9/1989	Contreras, Sr. 206/581
D306,826 S	3/1990	Bormioli D9/504
4,944,430 A	7/1990	Graf et al. 222/259
4,982,751 A	1/1991	Oishi et al. 132/299
5,005,697 A	4/1991	Jimbo et al. 206/235
D322,391 S	12/1991	Morane D9/688
D322,392 S	12/1991	Schneider et al. D9/689
D322,750 S	12/1991	Sommer D9/688
D324,171 S	2/1992	Morane D9/688
5,099,998 A	3/1992	Curzon et al. 206/514
5,123,571 A	6/1992	Rebeyrolle et al. 222/105
5,161,556 A	11/1992	Audebourg et al. 132/296
D334,705 S	4/1993	Pereira et al. D9/689
D335,086 S	4/1993	Wacker D9/529
5,199,451 A	4/1993	Montoli 132/315
D344,017 S	2/1994	Lang et al. D9/727
D346,328 S *	4/1994	Labrie D9/778
D347,571 S	6/1994	Wacker D9/688
5,323,924 A	6/1994	Wolff 220/23.87
5,328,055 A	7/1994	Battle 222/83.5
D350,837 S	9/1994	Kirby D28/82
5,358,147 A	10/1994	Adams et al. 222/183
D352,896 S	11/1994	Jones D9/428
5,373,862 A	12/1994	Blachut 132/294
5,431,177 A	7/1995	Kecman 132/303
D364,669 S	11/1995	Winner D22/117
D365,020 S	12/1995	Dinand D9/689
D367,423 S	2/1996	Stanley D9/424
D367,996 S	3/1996	Rausch D9/602
5,503,302 A	4/1996	DeJonge 222/82
5,516,006 A	5/1996	Meshberg 222/25
5,526,960 A	6/1996	Breidenbach et al. 222/183
5,549,200 A	8/1996	Cowan et al. 206/362
5,553,748 A	9/1996	Battle 222/94
5,586,694 A	12/1996	Breidenbach et al. 222/183
5,605,167 A	2/1997	Montoli 132/294
5,664,700 A	9/1997	Battle 222/105
D385,793 S	11/1997	Marsal D9/203
D388,320 S	12/1997	Lamb D9/688
D388,549 S	12/1997	Mouyiaris D28/82
D389,060 S	1/1998	De Laforcade D9/448
5,704,378 A	1/1998	Machelett 132/304
D391,159 S	2/1998	Sheffler D9/500
5,772,083 A	6/1998	Joulia 222/396
D396,329 S	7/1998	Litton D28/82
D398,079 S	9/1998	Denison D28/82
D400,783 S	11/1998	De Mourgues D9/691
5,842,604 A	12/1998	Stahley et al. 222/95
D403,589 S	1/1999	Wong D9/529
D404,295 S	1/1999	Bertolini et al. D9/691
5,871,700 A	2/1999	Konrad 422/102
D408,285 S	4/1999	Favre D9/503
D409,086 S	5/1999	Brown et al. D9/428
D411,100 S	6/1999	Torres D9/692
D411,742 S	6/1999	Kokenge et al. D9/434
D411,747 S	6/1999	Kokenge et al. D9/503
D413,257 S	8/1999	Favre D9/690
5,938,016 A	8/1999	Erdtmann 206/221
D413,793 S	9/1999	Favre D9/692
D416,800 S	11/1999	Herrmann D9/500
5,975,093 A	11/1999	Joulia 132/293
6,009,885 A	1/2000	Nam 132/293
D420,466 S	2/2000	Coates et al. D28/76
D420,766 S	2/2000	Coates et al. D28/76
6,021,784 A	2/2000	Yuhara 132/293
6,021,924 A	2/2000	Suck et al. 222/105
D422,902 S	4/2000	Kikuchi D9/689
6,047,710 A	4/2000	Irving et al. 132/293
6,053,363 A	4/2000	Revenu 222/82
D423,922 S	5/2000	Ohchi et al. D9/688
D424,749 S	5/2000	Zalzal D28/76
D424,750 S	5/2000	Zalzal D28/76
6,055,992 A	5/2000	Skarne 132/293
D426,160 S	6/2000	Lindsay et al. D9/500
D426,466 S	6/2000	Nevins et al. D9/529
D426,768 S	6/2000	Gattineri D9/690
6,076,679 A	6/2000	Yuhara et al. 206/581
6,085,927 A	7/2000	Kusz 220/23.87
H001855 H	8/2000	Litton et al. D28/82
D432,017 S	10/2000	Alvarado D9/529
D432,720 S	10/2000	Finocchio et al. D28/76
D432,722 S	10/2000	Wardlaw D28/76
D433,190 S	10/2000	Finocchio et al. D28/76
6,129,089 A	10/2000	Yuhara 132/300
6,138,686 A	10/2000	Yuhara 132/294
D434,221 S	11/2000	Chao D3/265
D434,324 S	11/2000	Gobe D9/504
6,149,008 A	11/2000	Yuhara 206/581
D434,667 S	12/2000	Gobe D9/529
D435,449 S	12/2000	Moretti D9/500
D435,450 S	12/2000	Eisenbarth D9/500
D436,233 S *	1/2001	Faillant-Dumas D28/91
D436,532 S	1/2001	Richardson D9/428
D437,212 S	2/2001	Adachi et al. D9/686
D438,785 S	3/2001	Baron D9/689
D440,150 S	4/2001	Tsai D9/689
D443,821 S	6/2001	Bakic D9/500
6,264,054 B1	7/2001	Miyake et al. 220/23.83
D446,456 S	8/2001	Adachi et al. D9/529
D447,290 S	8/2001	Huai D30/129
6,302,607 B1	10/2001	Burrowes et al. 401/18
6,311,701 B1	11/2001	Yuhara et al. 132/294
6,334,449 B1	1/2002	Burrowes et al. 132/114
6,354,452 B1	3/2002	DeSalvo et al. 220/23.87
6,401,955 B1	6/2002	Yang 220/23.87
D460,692 S	7/2002	Cumberbatch D9/500
6,505,986 B1	1/2003	Oder 401/183
D469,684 S	2/2003	Lerolle D9/682
D470,273 S	2/2003	Revivo D28/76
D472,152 S	3/2003	Joubert D9/529
D474,405 S	5/2003	Togasawa D9/504
D474,974 S	5/2003	Bakic D9/504
D474,978 S	5/2003	Varlet D9/549
D476,233 S	6/2003	Versace D9/504
D476,572 S	7/2003	Merritt D9/504
D477,216 S	7/2003	Gronwall D9/727
D477,225 S	7/2003	Pinnavaia D9/454
6,588,960 B1	7/2003	Barwin et al. 401/125
6,622,890 B2	9/2003	Gueret 222/1
D480,307 S *	10/2003	Canamasas Puigbo D9/504

US D588,916 S

6,648,538 B2	11/2003	Gueret	401/130	D524,161 S	7/2006	Sauer	D9/529
6,651,835 B2	11/2003	Iskra	220/23.87	D525,136 S	7/2006	Bakic	D9/522
D483,527 S *	12/2003	Ashiwa et al.	D28/91	D526,205 S	8/2006	Priestman	D9/529
D484,644 S	12/2003	Noh	D28/76	D527,642 S	9/2006	Priestman	D9/529
D485,016 S	1/2004	Noh	D28/76	D530,208 S	10/2006	Danne et al.	D9/504
D485,017 S	1/2004	Noh	D28/76	D530,622 S	10/2006	Geiberger	D9/688
6,749,078 B2	6/2004	Iskra	220/23.87	D531,036 S	10/2006	Bried et al.	D9/504
D493,721 S	8/2004	Puigbo	D9/504	D531,041 S	10/2006	Sauer et al.	D9/529
D494,474 S	8/2004	Pace et al.	D9/504	7,134,577 B1	11/2006	Verma	222/321.9
D497,809 S	11/2004	Fenton et al.	D9/500	D541,176 S	4/2007	Bried	D9/780
D498,678 S	11/2004	Ames	D9/529	D542,149 S	5/2007	Boucher	D9/686
D499,338 S	12/2004	Mulder et al.	D9/500	D543,458 S	5/2007	Dittmer et al.	D9/504
6,832,702 B2	12/2004	Garcia	222/183	D560,495 S *	1/2008	Mettler et al.	D9/504
D502,649 S	3/2005	Martinez	D9/529	2002/0011492 A1	1/2002	Iskra	220/23.87
D503,086 S	3/2005	Tsai	D9/685	2002/0036155 A1	3/2002	Freeman et al.	206/581
D504,542 S	4/2005	Noh	D28/76	2002/0104840 A1	8/2002	Iskra	220/23.87
D505,074 S	5/2005	Bakic	D9/504	2003/0071040 A1	4/2003	Brodner et al.	220/23.87
6,910,597 B2	6/2005	Iskra	220/23.87	2003/0080128 A1	5/2003	Brodner et al.	220/23.87
6,923,347 B2	8/2005	Winckels	222/206	2003/0155358 A1	8/2003	Goto et al.	220/23.87
D509,434 S	9/2005	Haruta	D9/504	2003/0213723 A1	11/2003	Lombardi	206/581
D509,739 S	9/2005	Haruta	D9/504	2004/0089741 A1	5/2004	Mathiez	239/302
6,945,419 B2	9/2005	Bertazza et al.	220/23.87	2005/0115991 A1	6/2005	Dave	222/325
D510,524 S	10/2005	Houk et al.	D9/503	2005/0178694 A1	8/2005	Mecca et al.	206/581
D512,636 S	12/2005	Pace	D9/504	2005/0184090 A1	8/2005	DeJonge	222/129
D513,386 S	1/2006	Pace et al.	D9/504	2005/0194384 A1	9/2005	Petit	220/230
6,983,864 B1	1/2006	Cagle	222/131	2005/0218033 A1	10/2005	Curtis	206/581
D514,936 S	2/2006	Pace et al.	D9/504	2005/0247731 A1	11/2005	Mathiez	222/162
D515,426 S	2/2006	Pace et al.	D9/504	2005/0284891 A1	12/2005	Ramet et al.	222/321.7
D515,439 S	2/2006	Pace	D9/746	2006/0027481 A1	2/2006	Gelardi et al.	206/581
D515,516 S	2/2006	Mayo et al.	D13/171	2006/0043109 A1	3/2006	Masuda	222/105
D515,928 S	2/2006	Pace	D9/504	2006/0118454 A1	6/2006	Kang	206/581
D516,923 S	3/2006	Moore	D9/682	2006/0186019 A1	8/2006	Lu	206/581
D518,381 S	4/2006	Egawa	D9/504	2006/0196804 A1	9/2006	Koga et al.	206/581
D519,027 S *	4/2006	Haber et al.	D9/428	2007/0020032 A1	1/2007	Abbas	401/188 A
D521,383 S	5/2006	Priestman	D9/529	2007/0029226 A1	2/2007	Yuhara et al.	206/581
D521,386 S	5/2006	Priestman	D9/529	2007/0163919 A1	7/2007	Yuhara et al.	206/581
D522,695 S	6/2006	Desdoigts	D28/82				
D523,752 S	6/2006	Bried et al.	D9/524				

* cited by examiner

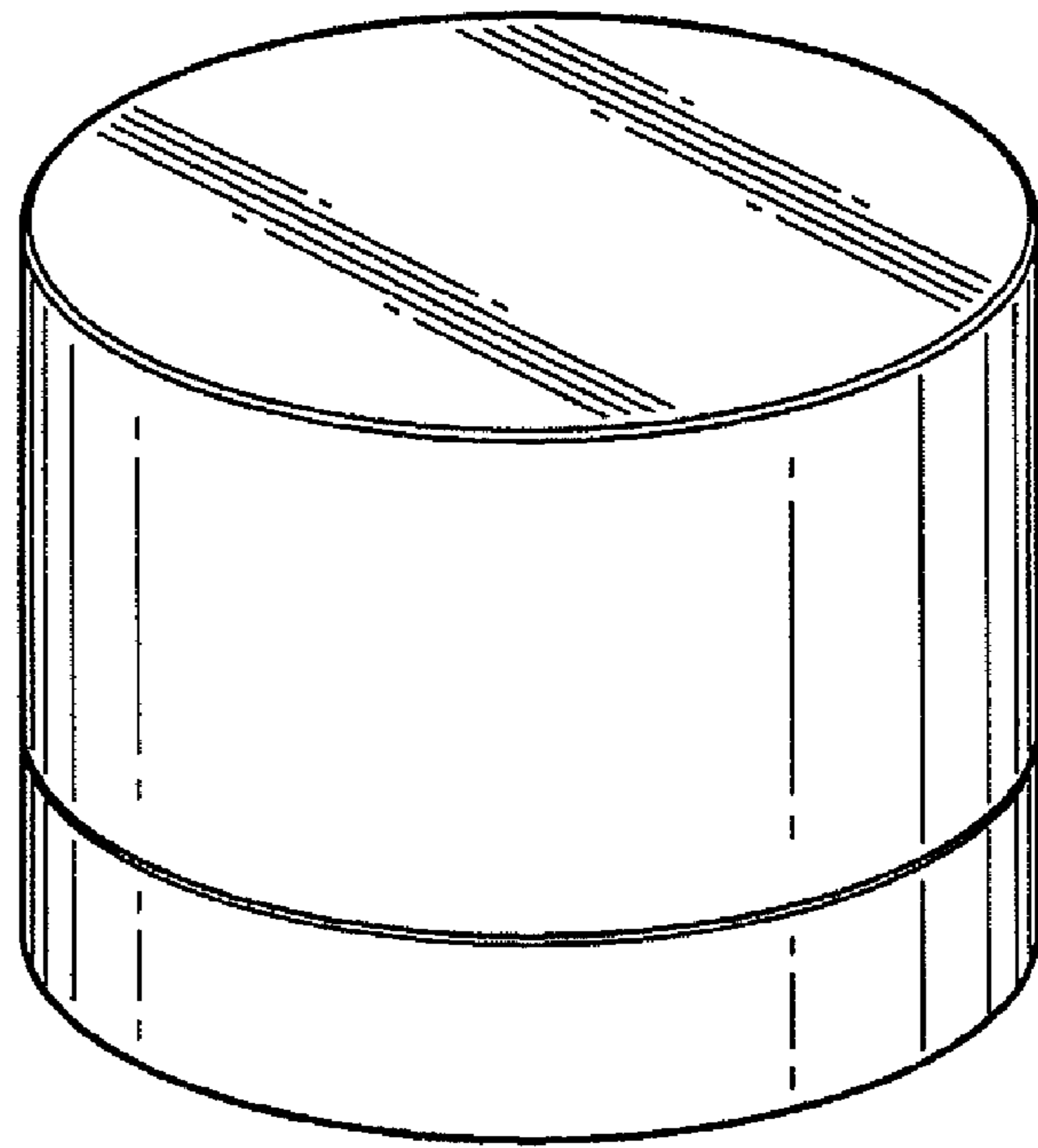


FIG. 1

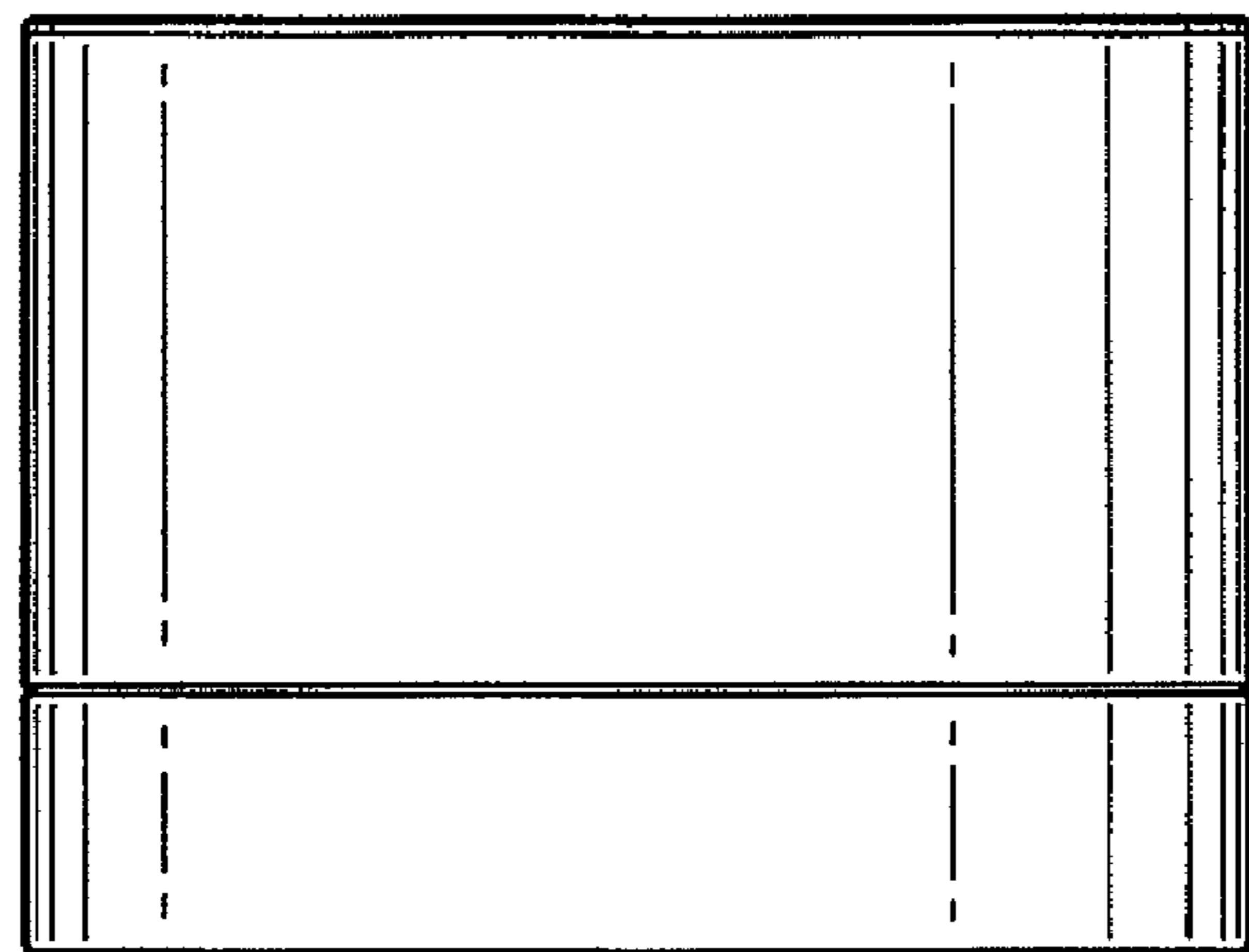


FIG. 2

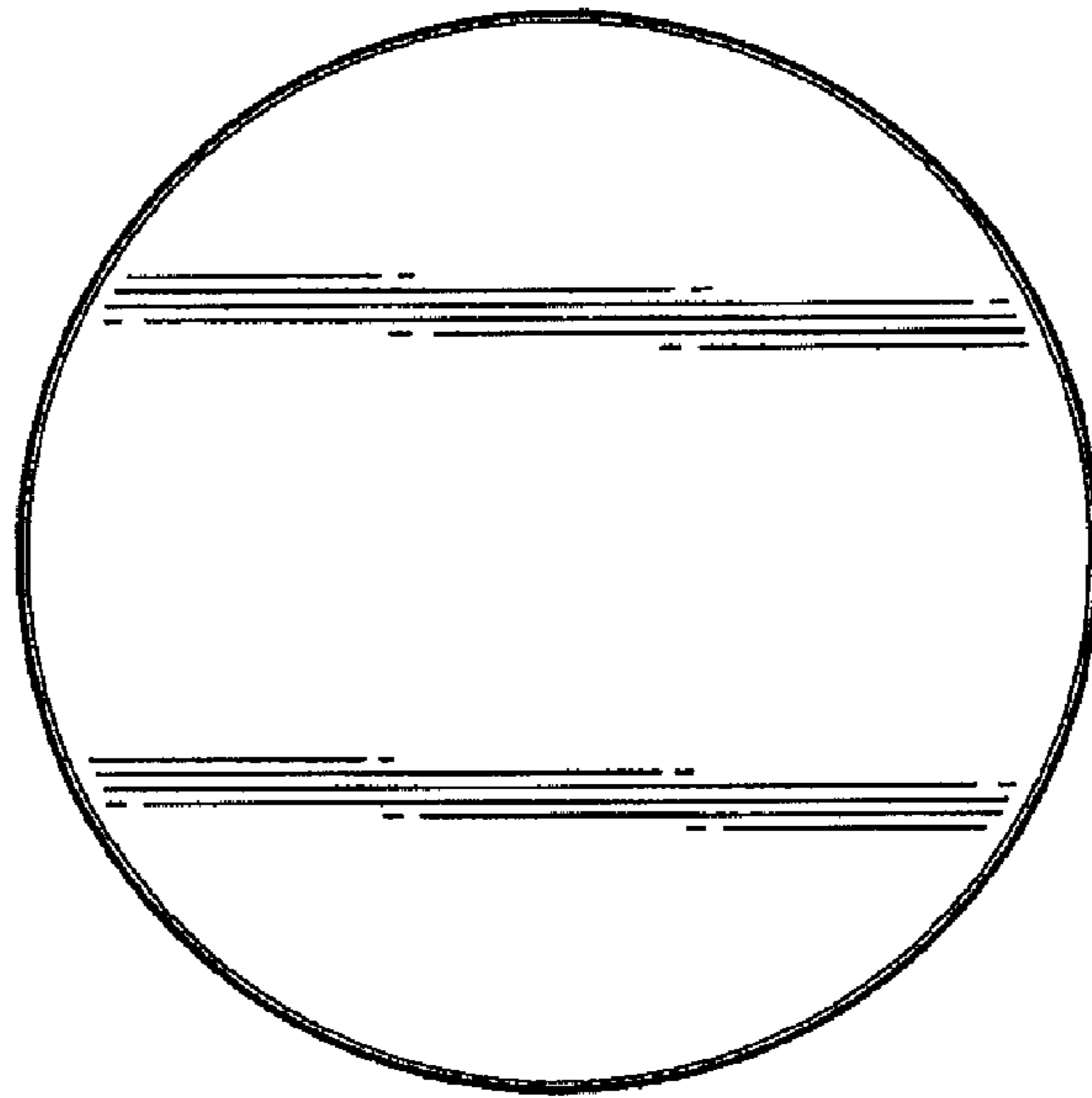


FIG. 3

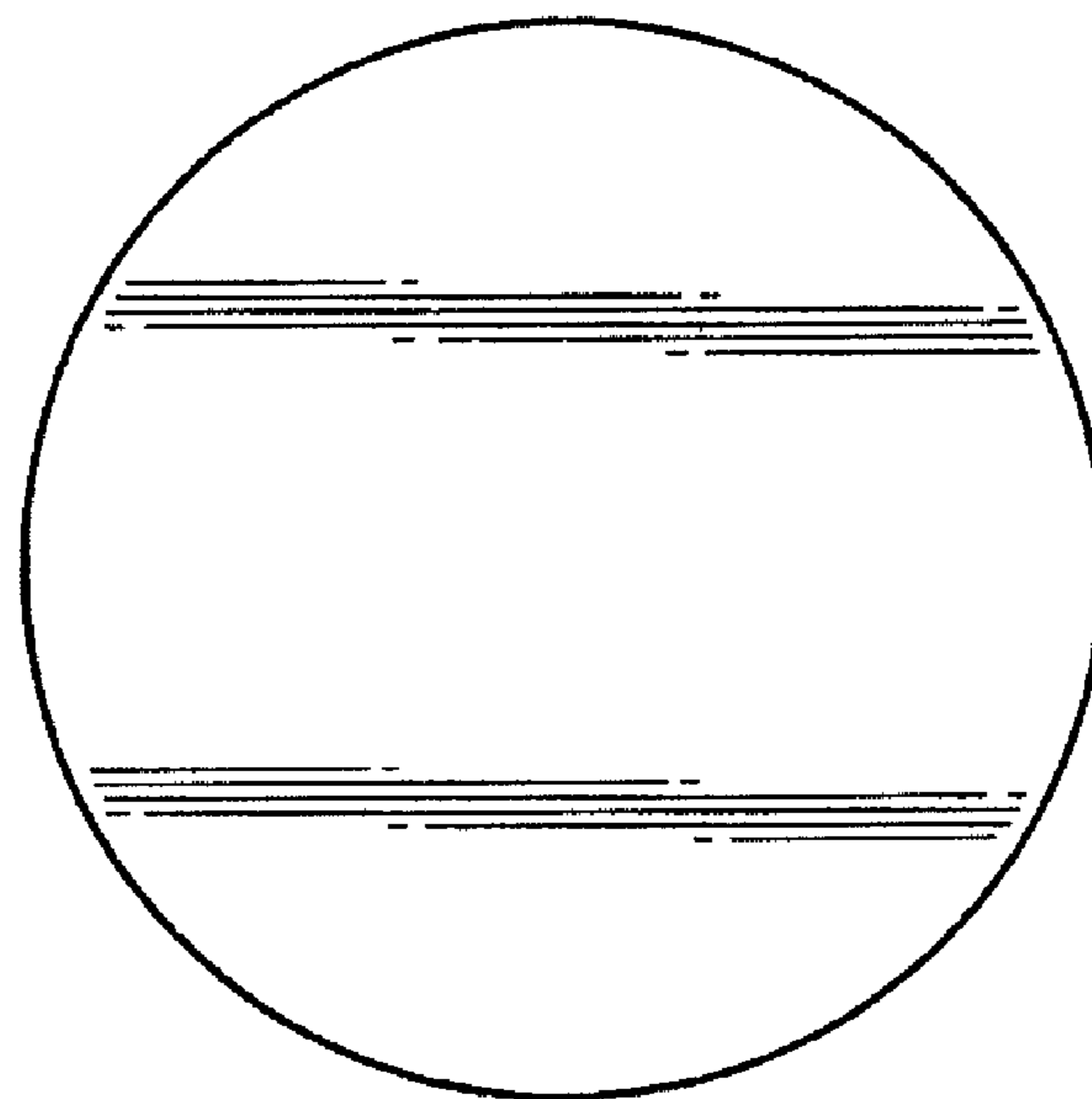


FIG. 4

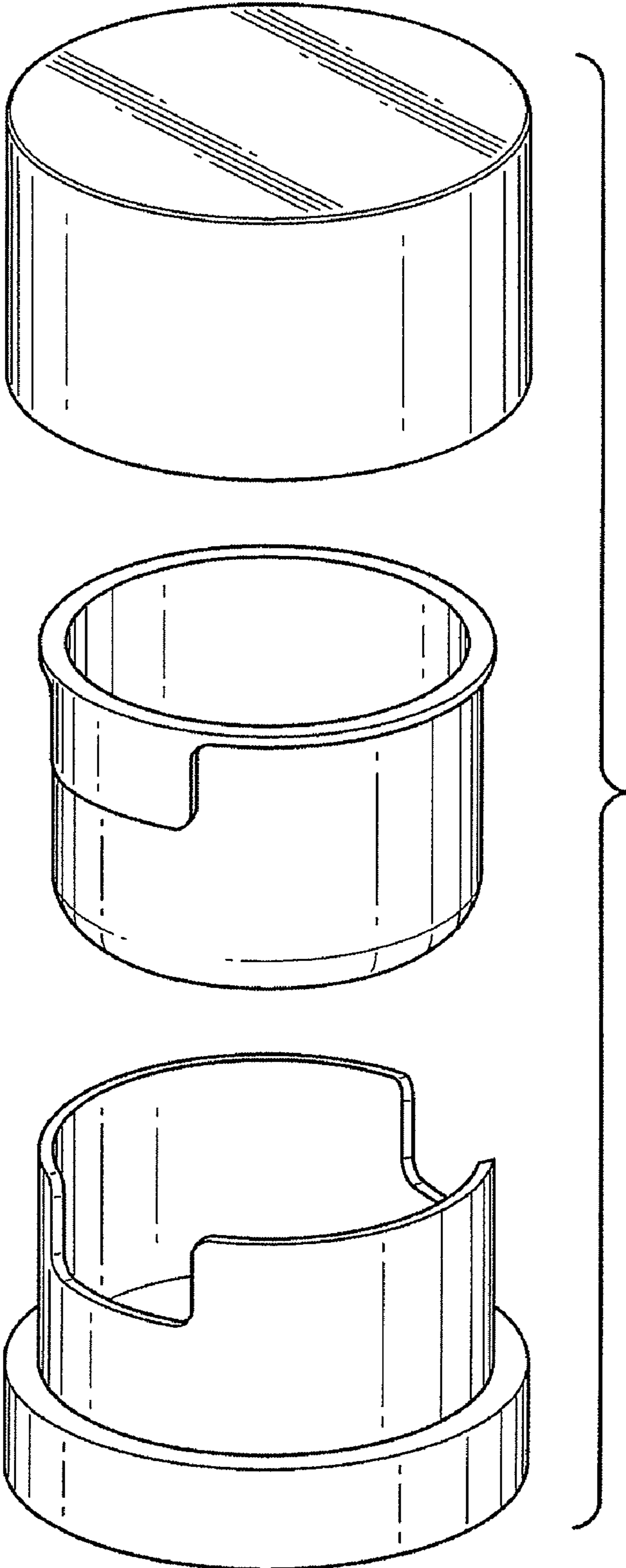


FIG. 5

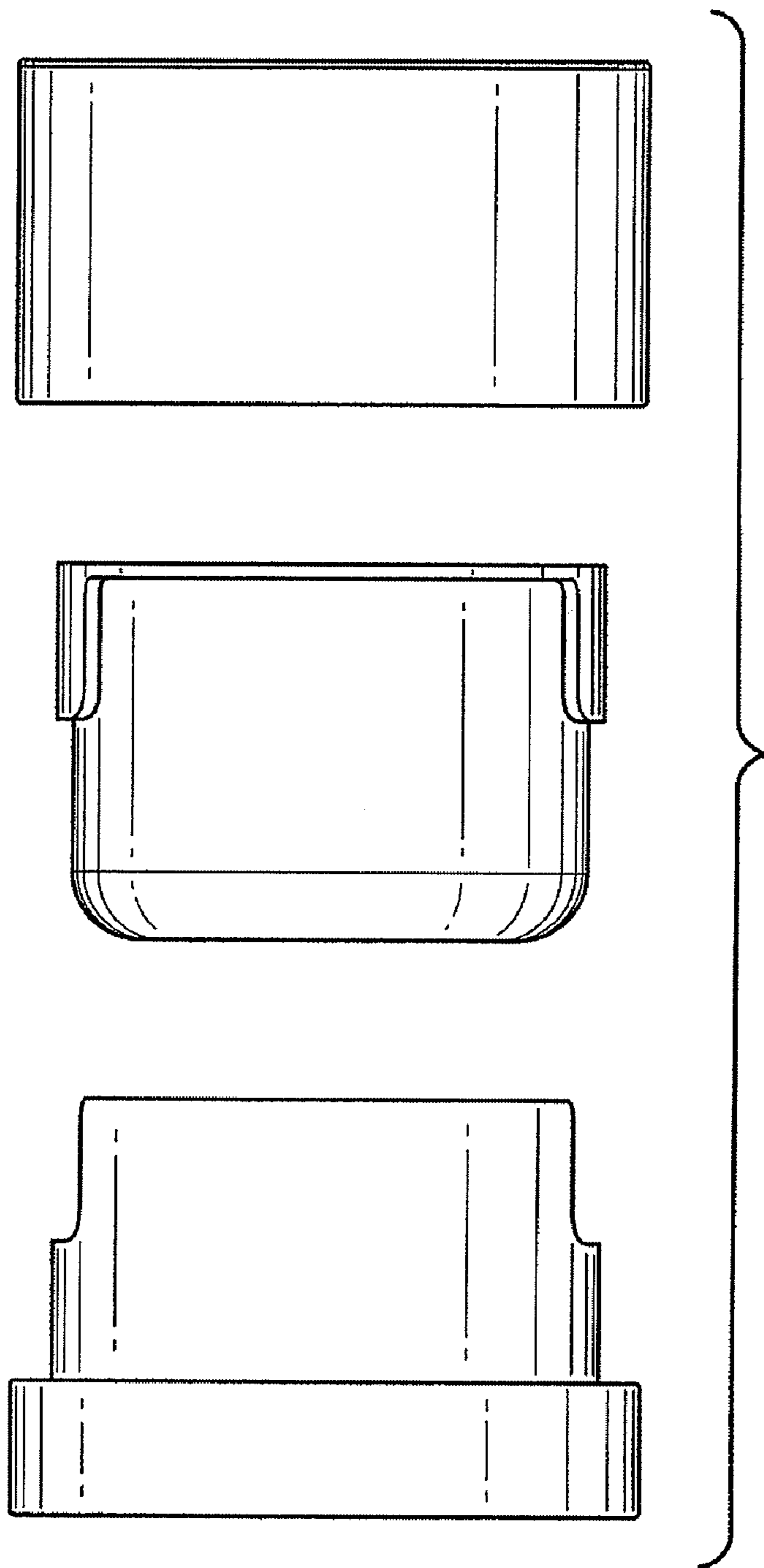


FIG. 6

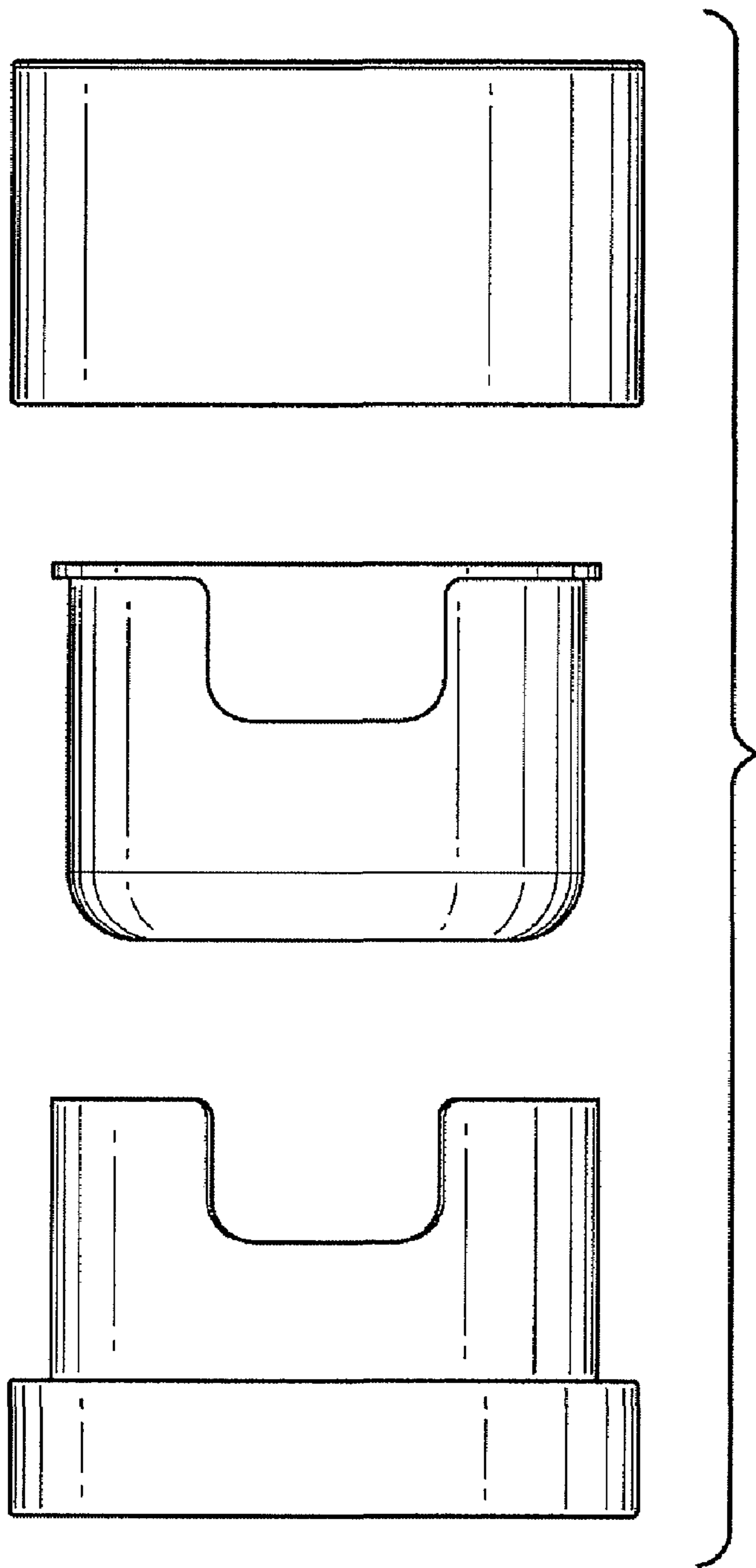


FIG. 7