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(12) **United States Design Patent**
Diss et al.

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(54) **CONTAINER**

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(*) Notice: This patent is subject to a terminal disclaimer.

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

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(51) **LOC (9) Cl.** **09-01**

(52) **U.S. Cl.** **D9/776; D9/500**

(58) **Field of Classification Search** D9/500,
D9/502-505, 516, 537-539, 545, 549, 686,
D9/688-692, 763-764, 772, 776-779; D99/5;
D11/143, 146, 152-154; D26/6; 215/379,
215/381-384; 220/660, 669-673, 675
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D2,820 S	11/1867	Barry
D22,751 S	8/1893	Lanning
D24,991 S	12/1895	Estes
D25,941 S	8/1896	Lindgren
566,067 A	8/1896	Duck
D28,732 S	5/1898	Cook
D28,842 S	6/1898	Griffith
D38,167 S	8/1906	Wintermann
829,477 A	8/1906	Kruse
1,013,775 A	1/1912	Hoffman
D56,181 S	8/1920	Lewis

D67,869 S	7/1925	Boswell
D73,511 S	9/1927	Schrader
1,832,806 A	11/1931	Dawson
D98,420 S	2/1936	Deskey

(Continued)

FOREIGN PATENT DOCUMENTS

FR	2584680	1/1987
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(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/298,989, filed Dec. 17, 2007, Diss.

(Continued)

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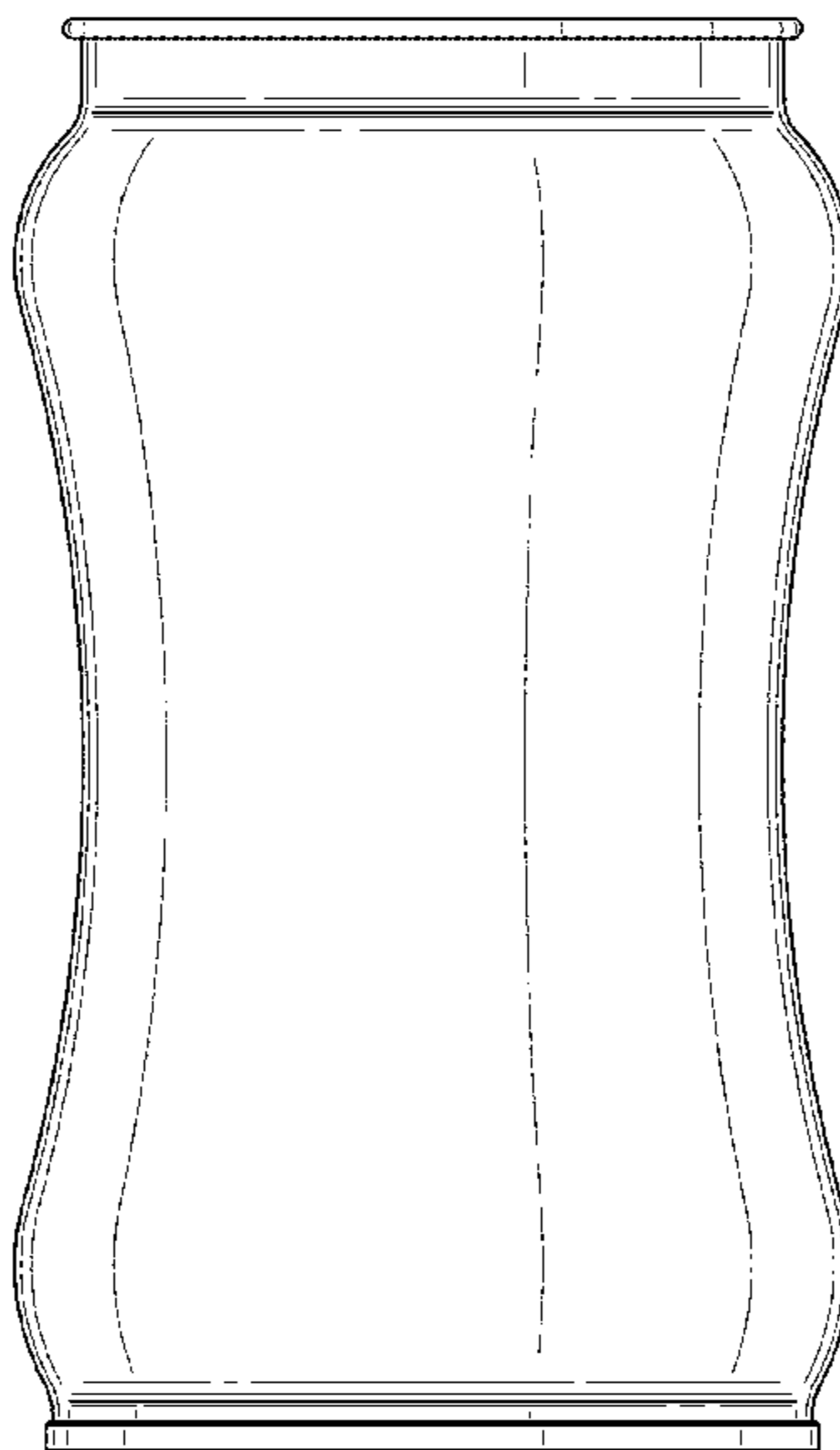
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of the claimed design;
FIG. 2 is a front view of the claimed design of FIG. 1, the rear view, the left side view, and the right side view being the same as the front view;
FIG. 3 is a top view of the claimed design of FIG. 1; and,
FIG. 4 is a bottom view of the claimed design of FIG. 1.
The ornamental design which is claimed is shown in solid lines in the drawings. The broken lines in the drawings are for illustrative purposes only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



US D614,049 S

U.S. PATENT DOCUMENTS					
D101,728 S	10/1936	Bennett	D409,496 S	5/1999	Ramsey
D120,226 S	4/1940	Lundy	D411,106 S	6/1999	Conrad
D120,587 S	5/1940	Hinkins	D412,118 S	7/1999	Rodea
D124,645 S	1/1941	Palmer	D412,441 S	8/1999	Cheng et al.
D124,880 S	1/1941	Teunisz	D413,519 S	9/1999	Eberle et al.
2,252,915 A	8/1941	Conill	5,957,647 A	9/1999	Hinton
D129,604 S	9/1941	Forgue	D414,693 S	10/1999	Cheng et al.
D185,649 S	7/1959	Schlumbohm	D416,200 S	11/1999	Pavely et al.
3,297,194 A	1/1967	Schaper et al.	5,988,416 A	11/1999	Cheng et al.
D207,133 S	3/1967	Stenger	5,988,417 A	11/1999	Cheng et al.
3,317,110 A	5/1967	Palmer	D417,392 S	12/1999	Zhang
3,349,987 A	10/1967	Weitzner	D419,058 S	1/2000	Roth et al.
D212,525 S	10/1968	Kneapler	D419,444 S	1/2000	Zhang
3,648,884 A	3/1972	Mansolino	D419,886 S	2/2000	Gans
D224,516 S	8/1972	Amberg	D420,587 S	2/2000	Cheng et al.
D224,642 S	8/1972	Mascia et al.	D421,393 S	3/2000	Pavely et al.
D226,176 S	1/1973	Bystedt et al.	D421,720 S	3/2000	Eberle et al.
D227,863 S	7/1973	Mascia	D421,907 S	3/2000	Benge et al.
D227,868 S	7/1973	Stanley et al.	D423,336 S	4/2000	Gray
D228,229 S *	8/1973	Mascia D9/776	D423,365 S	4/2000	Eberle et al.
D231,087 S	4/1974	Edwards	D425,424 S	5/2000	Cheng et al.
D231,773 S *	6/1974	Mascia D9/776	6,062,409 A	5/2000	Eberle
D234,251 S	2/1975	Edwards	D426,164 S	6/2000	Gans et al.
D235,184 S	5/1975	Achenbach	D427,057 S	6/2000	Roth et al.
D237,853 S *	12/1975	Katz D7/523	D427,514 S	7/2000	Roth et al.
4,010,860 A	3/1977	Garber	D427,515 S	7/2000	Roth et al.
D249,111 S	8/1978	Geyer	D427,905 S	7/2000	Eberle
D252,798 S	9/1979	Vosti et al.	6,092,688 A	7/2000	Eberle et al.
D288,527 S	3/1987	Maguire	D429,151 S	8/2000	Cheng et al.
D299,426 S	1/1989	Andersson et al.	D429,164 S	8/2000	Peek et al.
4,804,105 A	2/1989	Zysset et al.	6,095,360 A	8/2000	Shmagin et al.
D307,238 S	4/1990	May	6,123,211 A	9/2000	Rashid et al.
D317,405 S	6/1991	Yasika	D431,465 S	10/2000	Cheng et al.
5,040,698 A	8/1991	Ramsey et al.	D431,470 S	10/2000	Henderson
D319,580 S	9/1991	Cassai et al.	D432,423 S	10/2000	Rashid
D320,153 S	9/1991	Cassai et al.	D432,424 S	10/2000	Andrew
5,052,573 A	10/1991	Zysset	6,131,761 A	10/2000	Cheng et al.
D323,290 S	1/1992	Keedy, Jr.	D435,455 S	12/2000	Gans
5,261,558 A *	11/1993	Claydon 220/671	6,161,713 A	12/2000	Krich
D345,105 S	3/1994	Ramsey	6,164,474 A	12/2000	Cheng et al.
D352,898 S	11/1994	Vacher	6,164,480 A	12/2000	Heinicke et al.
D355,129 S	2/1995	Gruodis	D437,229 S *	2/2001	Andrew D9/516
D355,368 S	2/1995	Gruodis	D437,230 S	2/2001	Andrew
D357,413 S	4/1995	Kornick et al.	6,206,222 B1	3/2001	Cudzik
D357,414 S	4/1995	Kornick et al.	6,213,325 B1	4/2001	Cheng et al.
D365,021 S	12/1995	Park	6,220,475 B1	4/2001	Nayar et al.
D367,426 S	2/1996	Ruff	D441,295 S	5/2001	Krich
D373,084 S	8/1996	Choi	6,230,912 B1	5/2001	Rashid
D378,572 S	3/1997	Culverwell et al.	D445,339 S	7/2001	Bazlur
D379,589 S	6/1997	Rhodes et al.	D445,693 S	7/2001	Rashid
D381,259 S	7/1997	Hayes	D445,694 S	7/2001	Gans
D383,037 S	9/1997	Asberg	D446,455 S	8/2001	McGowan
5,711,448 A	1/1998	Clarke, III	D446,458 S	8/2001	Gans
5,720,412 A	2/1998	Ficken	D447,061 S	8/2001	Peek
5,722,561 A	3/1998	Biondich et al.	6,280,679 B1	8/2001	Rashid et al.
5,749,488 A	5/1998	Bagwell et al.	D447,422 S	9/2001	Peek
D398,531 S	9/1998	De Vries	D447,693 S	9/2001	Warner et al.
D399,129 S	10/1998	Ramsey	D448,302 S	9/2001	Cheng et al.
D399,425 S	10/1998	Ramsey	D448,303 S	9/2001	Cheng et al.
D399,428 S	10/1998	Ramsey	D448,304 S	9/2001	Cheng et al.
D399,429 S	10/1998	Ramsey	6,294,131 B1	9/2001	Jaffrey
D399,430 S	10/1998	Ramsey	D448,666 S	10/2001	Fields
D399,753 S	10/1998	Ramsey	D448,671 S	10/2001	Gans et al.
D401,152 S	11/1998	DeVore et al.	D448,672 S	10/2001	Cheng et al.
D403,962 S	1/1999	Ramsey	D448,675 S	10/2001	Thierjung
D403,963 S	1/1999	Ramsey	D448,677 S	10/2001	Krich
D404,254 S	1/1999	Asberg	D449,539 S	10/2001	Lakatosh et al.
D404,970 S	2/1999	Asberg	D449,993 S	11/2001	Schumann
D406,065 S	2/1999	Cheng	D450,244 S	11/2001	Rashid
D406,236 S	3/1999	Brifcani et al.	6,321,927 B2	11/2001	Cavella
D408,221 S	4/1999	Asberg	D452,954 S	1/2002	Westphal
			D453,003 S	1/2002	Rashid
			6,341,709 B1	1/2002	Wilson

6,347,717 B1 2/2002 Eberle
D454,073 S 3/2002 Crawford
D455,656 S 4/2002 Gans et al.
6,374,657 B1 4/2002 Kirk et al.
D456,712 S 5/2002 Krich
D457,435 S 5/2002 Rashid
6,398,052 B1 6/2002 Cheng et al.
6,419,874 B2 7/2002 Rashid et al.
D464,569 S 10/2002 Moore et al.
D465,158 S 11/2002 Peek et al.
D465,418 S 11/2002 Thierjung
D466,019 S 11/2002 Thierjung et al.
D466,021 S 11/2002 Thierjung et al.
D466,024 S 11/2002 Thierjung et al.
D466,813 S 12/2002 Thierjung et al.
D466,817 S 12/2002 Thierjung et al.
D469,360 S 1/2003 Moore et al.
6,575,684 B2 6/2003 Heinicke et al.
D476,889 S 7/2003 Fields
D476,896 S 7/2003 Cheng et al.
6,585,125 B1 7/2003 Peek
D478,286 S 8/2003 Futral et al.
D478,287 S 8/2003 Corker et al.
D479,999 S 9/2003 Moore
D480,650 S 10/2003 Moore et al.
D480,956 S 10/2003 Mooney et al.
D480,957 S 10/2003 Mooney et al.
D481,317 S 10/2003 Corker et al.
D484,808 S 1/2004 Thierjung et al.
D485,182 S 1/2004 Gaydon
6,685,417 B2 2/2004 Heinicke et al.
D489,983 S 5/2004 Futral et al.
D489,984 S 5/2004 Futral et al.
D490,317 S 5/2004 Chang
D491,288 S 6/2004 Young
D492,193 S * 6/2004 Miller et al. D9/688
D493,370 S 7/2004 Kamineni et al.
D494,475 S 8/2004 Thierjung et al.
6,769,561 B2 8/2004 Futral et al.
D498,143 S 11/2004 Rashid
D502,396 S 3/2005 Frisch et al.
6,877,607 B2 4/2005 Jenkins
6,889,862 B2 5/2005 Vaughan
D507,485 S 7/2005 Fields
D510,024 S 9/2005 Jacober et al.
D510,270 S * 10/2005 Khalifa D9/503
D511,458 S 11/2005 Dunwoody et al.
D512,917 S 12/2005 Frisch et al.
D514,937 S * 2/2006 Chang D9/506
D517,417 S 3/2006 Livingston et al.
D522,371 S 6/2006 Livingston
D523,341 S 6/2006 Livingston et al.
D523,347 S 6/2006 Livingston
D525,129 S 7/2006 Hutter et al.
D525,139 S 7/2006 Livingston et al.
D525,530 S 7/2006 Livingston et al.
7,108,469 B2 9/2006 Jenkins
7,112,771 B2 9/2006 Richardson et al.
D529,822 S 10/2006 Munn
D530,614 S 10/2006 Gatewood
D532,306 S 11/2006 MacLeod et al.
7,134,565 B1 11/2006 Wan et al.
D533,783 S 12/2006 Klinger et al.
D534,079 S 12/2006 Livingston
D534,428 S 1/2007 Reed et al.
D536,262 S 2/2007 Ioannides et al.
D536,263 S 2/2007 Ioannides et al.
D536,264 S 2/2007 Ioannides et al.
D538,645 S 3/2007 McDowell et al.

D538,646 S 3/2007 McDowell et al.
D538,660 S 3/2007 Gatewood
D540,194 S 4/2007 Cummings
7,198,168 B2 4/2007 Mizuma
D542,130 S 5/2007 McDowell et al.
D542,650 S 5/2007 McDowell et al.
D543,845 S 6/2007 Ioannides et al.
D546,183 S 7/2007 Clutter
7,243,808 B2 7/2007 Livingston et al.
D549,596 S 8/2007 Ioannides et al.
D555,514 S 11/2007 Munn
D562,685 S 2/2008 Millspaw et al.
D587,137 S * 2/2009 Hayden et al. D9/772
D588,018 S 3/2009 Metzger et al.
D588,019 S 3/2009 Diss
2001/0002671 A1 6/2001 Heinicke et al.
2001/0009107 A1 7/2001 Cheng et al.
2001/0009244 A1 7/2001 Cheng et al.
2002/0172578 A1 11/2002 Heinicke et al.
2005/0082299 A1 4/2005 Jenkins
2006/0131257 A1 6/2006 Gatewood et al.
2006/0186082 A1 8/2006 Gatewood et al.
2007/0012648 A1 1/2007 Gatewood
2007/0068943 A1 3/2007 Ramsey et al.
2007/0102425 A1 5/2007 Richardson et al.
2007/0108196 A1 5/2007 Richardson et al.
2007/0108197 A1 5/2007 Richardson et al.
2007/0108198 A1 5/2007 Richardson et al.
2007/0138181 A1 6/2007 Heinicke et al.

FOREIGN PATENT DOCUMENTS

WO DM/046294 10/1998
WO DM/051799 3/2000

OTHER PUBLICATIONS

U.S. Appl. No. 29/305,877, filed Mar. 28, 2008, Diss et al.
U.S. Appl. No. 29/305,883, filed Mar. 28, 2008, Diss et al.
U.S. Appl. No. 29/305,882, filed Mar. 28, 2008, Diss et al.
U.S. Appl. No. 29/305,878, filed Mar. 28, 2008, Diss et al.
U.S. Appl. No. 29/302,067, filed Jan. 9, 2008, Millspaw et al.
U.S. Appl. No. 29/304,271, filed Feb. 27, 2008, Metzger et al.
U.S. Appl. No. 29/305,881, filed Mar. 28, 2008, Diss et al.
U.S. Appl. No. 29/305,880, filed Mar. 28, 2008, Diss et al.
U.S. Appl. No. 29/305,879, filed Mar. 28, 2008, Diss et al.
U.S. Appl. No. 29/306,261, filed Apr. 4, 2008, VanScoyoc et al.
U.S. Appl. No. 29/306,263, filed Apr. 4, 2008, Ziegler et al.
U.S. Appl. No. 29/306,258, filed Apr. 4, 2008, Ziegler.
U.S. Appl. No. 29/306,257, filed Apr. 4, 2008, Ziegler et al.
Soudronic Image believed to be available by Apr. 24, 2007.
Engineering Drawing of Cans developed by Assignee at least by Jul. 12, 2006, 1 page.
Photograph of Can developed by Assignee at least by Aug. 4, 2008, 1 page.
U.S. Appl. No. 29/331,957, filed Feb. 5, 2009, Hu.
U.S. Appl. No. 29/332,322, filed Feb. 12, 2009, Diss.
U.S. Appl. No. 29/332,323, filed Feb. 12, 2009, Metzger et al..
U.S. Appl. No. 29/332,328, filed Feb. 12, 2009, Metzger et al..
Notice of Allowance and Issue Fee Due for U.S. Appl. No. 29/305,881, dated Mar. 20, 2009, 21 pages.
Notice of Allowance and Issue Fee Due for U.S. Appl. No. 29/305,879, dated Mar. 23, 2009, 22 pages.
"The Revolutionary Stretching Technology" brochure, believed to be available by 2001 at www.canstretch.com, 1 page.
"Stretch Machine" brochure, believed to be available by 2001 at www.canstretch.com, 1 page.
Photograph of Six Cans, believed to be available by 2001 at www.canstretch.com, 1 page.

* cited by examiner



FIG. 1

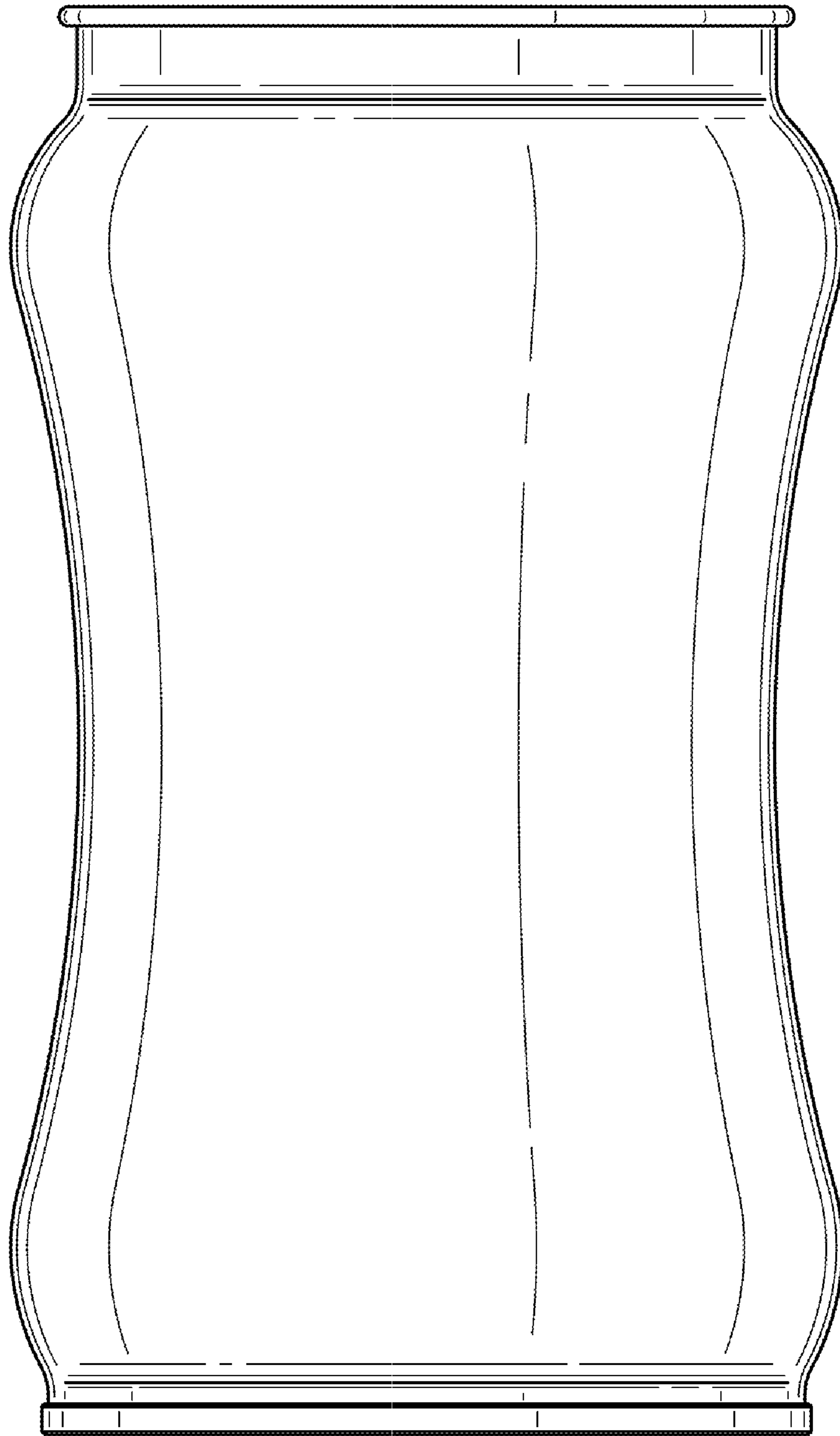


FIG. 2

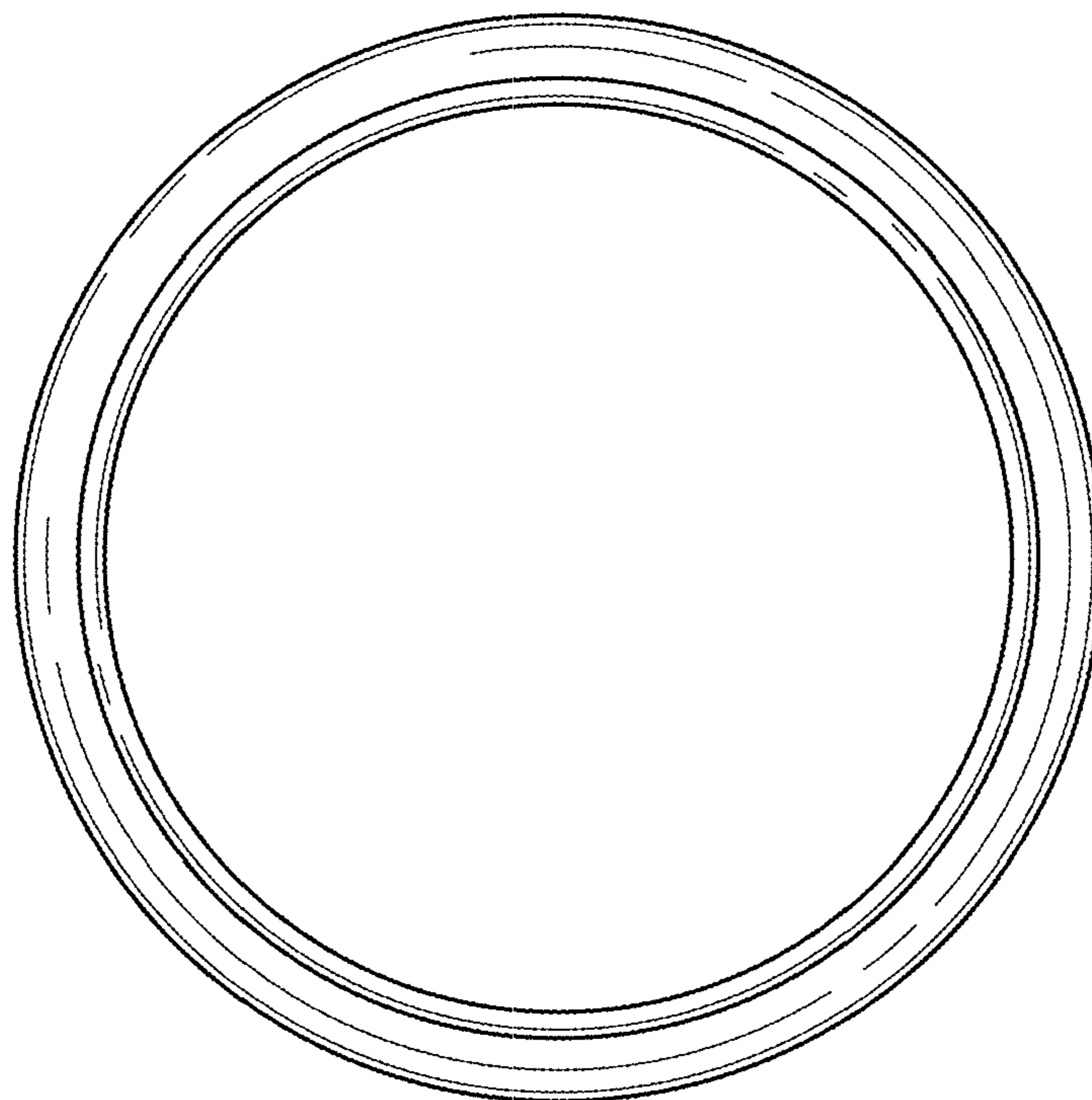


FIG. 3

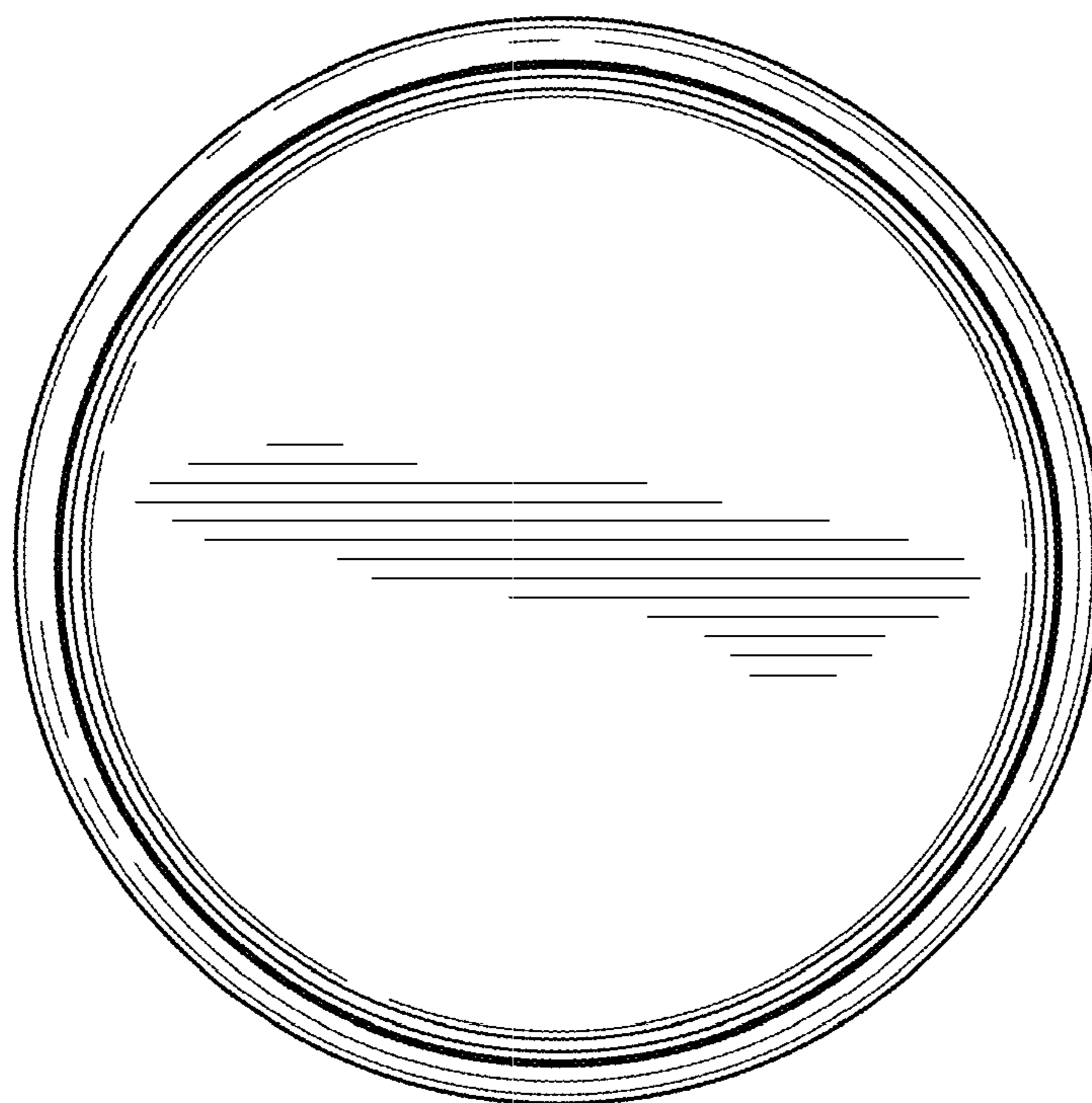


FIG. 4