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

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(54) **CONTAINER**

D98,420 S 2/1936 Deskey
D98,444 S * 2/1936 McManus D9/764

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(Continued)

FOREIGN PATENT DOCUMENTS

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

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(Continued)

Related U.S. Application Data

OTHER PUBLICATIONS

(63) Continuation-in-part of application No. 29/305,877, filed on Mar. 28, 2008, now Pat. No. Des. 596,500.

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(Continued)

(51) **LOC (9) Cl.** **09-02**

(52) **U.S. Cl.** **D9/774; D9/556**

(58) **Field of Classification Search** D9/500,
D9/502-505, 516, 537-539, 545, 549, 556,
D9/686, 688-692, 763-764, 772-774, 776-779;
D99/5; D11/143, 146, 152-154; D26/6;
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See application file for complete search history.

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(57) **CLAIM**

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

(56) **References Cited**

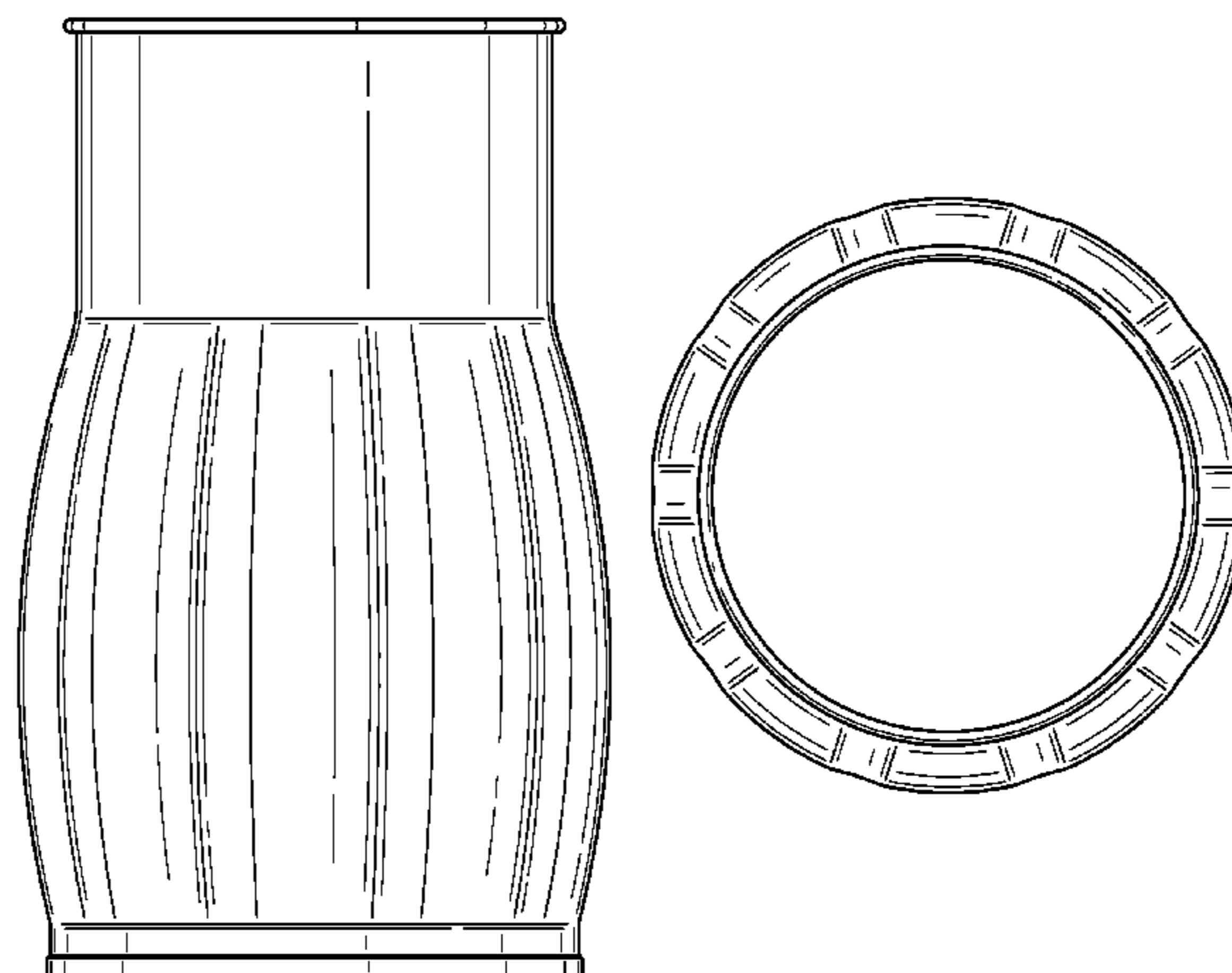
DESCRIPTION

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
- D74,835 S * 4/1928 Hothersall D9/779
- 1,832,806 A 11/1931 Dawson

FIG. 1 is a top perspective view of a container showing our new design;
FIG. 2 is a front elevation view thereof, the left side, right side and rear elevation view being identical;
FIG. 3 is a top plan view thereof; and,
FIG. 4 is a bottom plan view thereof.
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



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U.S. PATENT DOCUMENTS					
D101,728 S	10/1936	Bennett	D408,221 S	4/1999	Asberg
D120,226 S	4/1940	Lundy	D409,496 S	5/1999	Ramsey
D120,587 S	5/1940	Hinkins	D411,106 S	6/1999	Conrad
D124,645 S	1/1941	Palmer	D412,118 S	7/1999	Rodea
D124,880 S	1/1941	Teunisz	D412,441 S	8/1999	Cheng et al.
2,252,915 A	8/1941	Conill	D413,519 S	9/1999	Eberle et al.
D129,604 S	9/1941	Forgue	5,957,647 A	9/1999	Hinton
D152,514 S *	2/1949	Braun D9/556	D414,693 S	10/1999	Cheng et al.
D177,550 S *	5/1956	Bloomfiled D9/556	D416,200 S	11/1999	Pavely et al.
D185,649 S	7/1959	Schlumbohm	5,988,416 A	11/1999	Cheng et al.
3,297,194 A	1/1967	Schaper et al.	5,988,417 A	11/1999	Cheng et al.
D207,133 S	3/1967	Stenger	D417,392 S	12/1999	Zhang
3,317,110 A	5/1967	Palmer	D417,623 S	12/1999	Zimmer et al.
3,349,987 A	10/1967	Weitzner	D418,061 S *	12/1999	Starker D9/520
D212,525 S	10/1968	Kneapler	D419,058 S	1/2000	Roth et al.
3,648,884 A	3/1972	Mansolino	D419,444 S	1/2000	Zhang
D224,516 S	8/1972	Amberg	D419,886 S	2/2000	Gans
D224,642 S	8/1972	Mascia et al.	D420,587 S	2/2000	Cheng et al.
D226,176 S	1/1973	Bystedt et al.	D421,393 S	3/2000	Pavely et al.
D227,863 S	7/1973	Mascia	D421,720 S	3/2000	Eberle et al.
D227,868 S	7/1973	Stanley et al.	D421,907 S	3/2000	Benge et al.
D228,229 S	8/1973	Mascia	D423,336 S	4/2000	Gray
D231,087 S	4/1974	Edwards	D423,365 S	4/2000	Eberle et al.
D231,773 S	6/1974	Mascia	D425,424 S	5/2000	Cheng et al.
D234,251 S	2/1975	Edwards	6,062,409 A	5/2000	Eberle
D235,184 S	5/1975	Achenbach	D426,164 S	6/2000	Gans et al.
D237,853 S	12/1975	Katz	D427,057 S	6/2000	Roth et al.
4,010,860 A	3/1977	Garber	D427,514 S	7/2000	Roth et al.
D249,111 S	8/1978	Geyer	D427,515 S	7/2000	Roth et al.
D252,798 S	9/1979	Vosti et al.	D427,905 S	7/2000	Eberle
D288,527 S	3/1987	Maguire	6,092,688 A	7/2000	Eberle et al.
D299,426 S	1/1989	Andersson et al.	D429,151 S	8/2000	Cheng et al.
4,804,105 A	2/1989	Zysset et al.	D429,164 S	8/2000	Peek et al.
D307,238 S	4/1990	May	6,095,360 A	8/2000	Shmagin et al.
D317,405 S	6/1991	Yasika	6,123,211 A	9/2000	Rashid et al.
5,040,698 A	8/1991	Ramsey et al.	D431,465 S	10/2000	Cheng et al.
D319,580 S	9/1991	Cassai et al.	D431,470 S	10/2000	Henderson
D320,153 S	9/1991	Cassai et al.	D432,423 S	10/2000	Rashid
5,052,573 A	10/1991	Zysset	D432,424 S	10/2000	Andrew
D323,290 S	1/1992	Keedy, Jr.	6,131,761 A	10/2000	Cheng et al.
D345,105 S	3/1994	Ramsey	D435,455 S	12/2000	Gans
D352,898 S	11/1994	Vacher	6,161,713 A	12/2000	Krich
D355,129 S	2/1995	Gruodis	6,164,474 A	12/2000	Cheng et al.
D355,368 S	2/1995	Gruodis	6,164,480 A	12/2000	Heinicke et al.
D357,413 S	4/1995	Kornick et al.	D437,229 S	2/2001	Andrew
D357,414 S	4/1995	Kornick et al.	D437,230 S	2/2001	Andrew
D365,021 S	12/1995	Park	6,206,222 B1	3/2001	Cudzik
D367,426 S	2/1996	Ruff	6,213,325 B1	4/2001	Cheng et al.
D373,084 S	8/1996	Choi	6,220,475 B1	4/2001	Nayar et al.
D378,572 S	3/1997	Culverwell et al.	D441,295 S	5/2001	Krich
D379,589 S	6/1997	Rhodes et al.	6,230,912 B1	5/2001	Rashid
D381,259 S	7/1997	Hayes	D445,339 S	7/2001	Bazlur
D383,037 S	9/1997	Asberg	D445,693 S	7/2001	Rashid
5,711,448 A	1/1998	Clarke, III	D445,694 S	7/2001	Gans
5,720,412 A	2/1998	Ficken	D446,455 S	8/2001	McGowan
5,722,561 A	3/1998	Biondich et al.	D446,458 S	8/2001	Gans
5,749,488 A	5/1998	Bagwell et al.	D447,061 S	8/2001	Peek
D398,531 S	9/1998	De Vries	6,280,679 B1	8/2001	Rashid et al.
D399,129 S	10/1998	Ramsey	D447,422 S	9/2001	Peek
D399,425 S	10/1998	Ramsey	D448,302 S	9/2001	Cheng et al.
D399,428 S	10/1998	Ramsey	D448,303 S	9/2001	Cheng et al.
D399,429 S	10/1998	Ramsey	D448,304 S	9/2001	Cheng et al.
D399,430 S	10/1998	Ramsey	6,294,131 B1	9/2001	Jaffrey
D399,753 S	10/1998	Ramsey	D448,666 S	10/2001	Fields
D401,152 S	11/1998	DeVore et al.	D448,671 S	10/2001	Gans et al.
D403,962 S	1/1999	Ramsey	D448,672 S	10/2001	Cheng et al.
D403,963 S	1/1999	Ramsey	D448,675 S	10/2001	Thierjung
D404,254 S	1/1999	Asberg	D448,677 S	10/2001	Krich
D404,970 S	2/1999	Asberg	D449,539 S	10/2001	Lakatosh et al.
D406,065 S	2/1999	Cheng	D449,993 S	11/2001	Schumann
D406,236 S	3/1999	Brifcani et al.	D450,244 S	11/2001	Rashid
			6,321,927 B2	11/2001	Cavella
			D453,003 S	1/2002	Rashid

US D614,970 S

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U.S. Appl. No. 29/338,665, filed Jun. 16, 2009, Diss et al.

U.S. Appl. No. 29/338,667, filed Jun. 16, 2009, Diss et al.

U.S. Appl. No. 29/338,670, filed Jun. 16, 2009, Diss et al.

“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

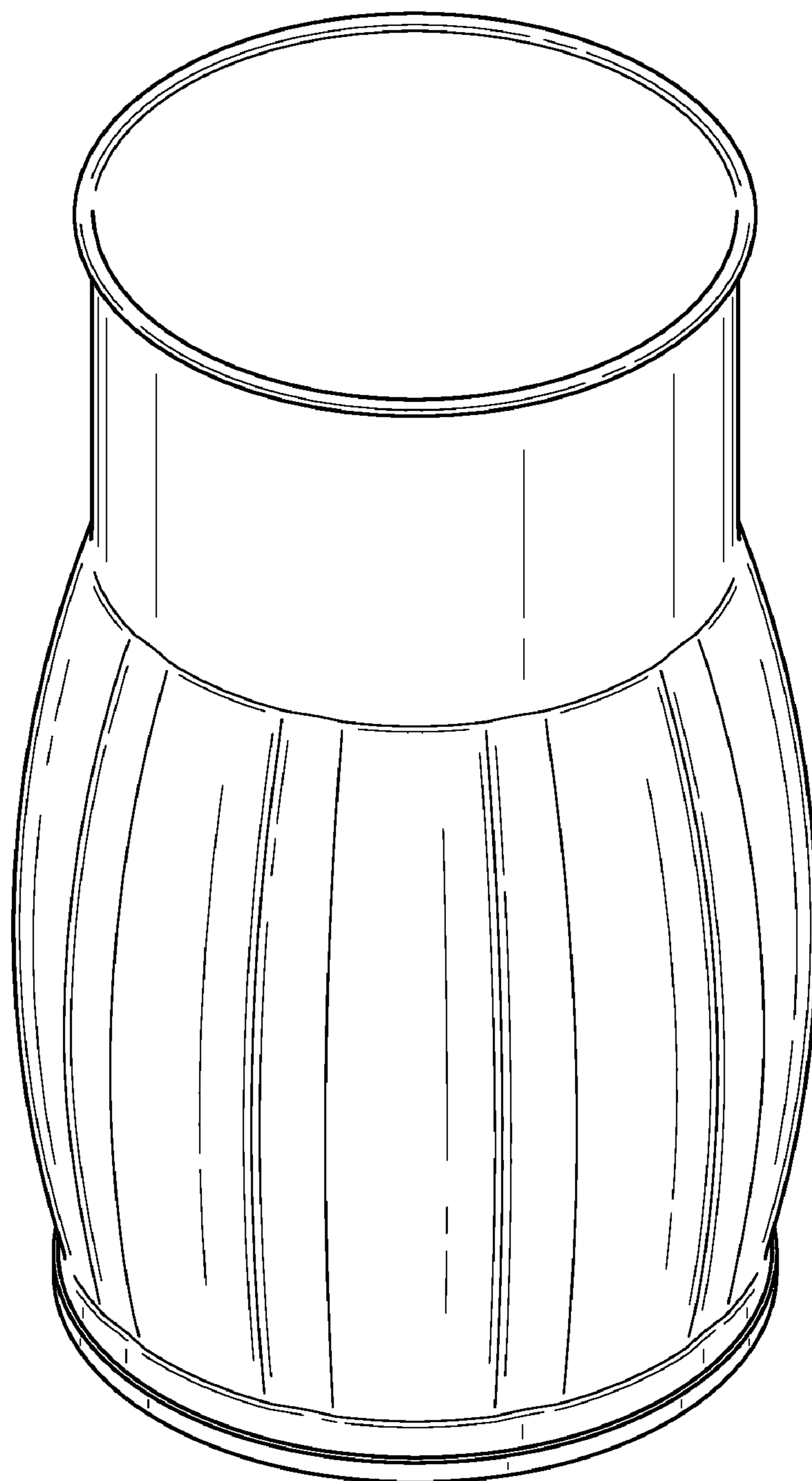


FIG. 1

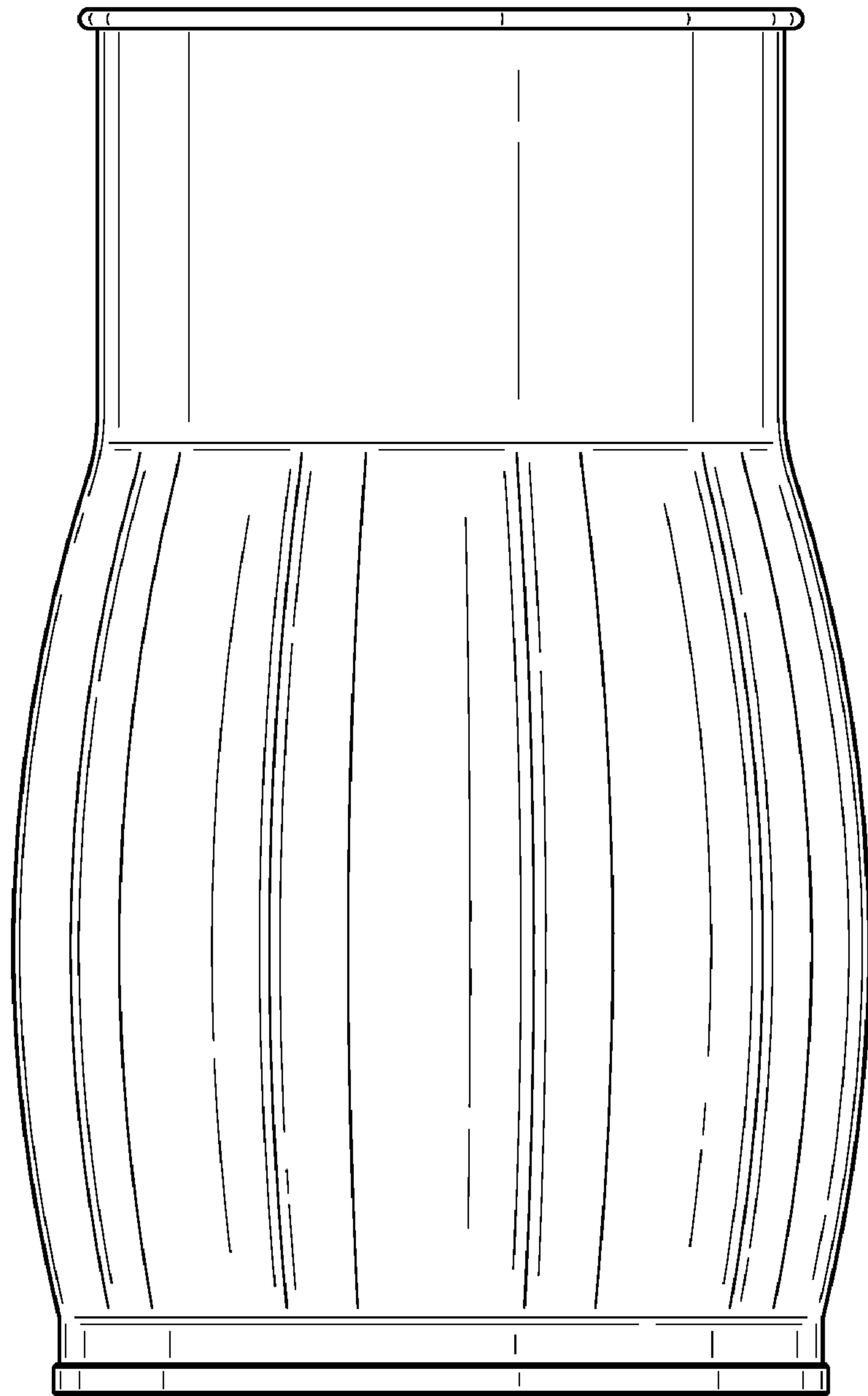


FIG. 2

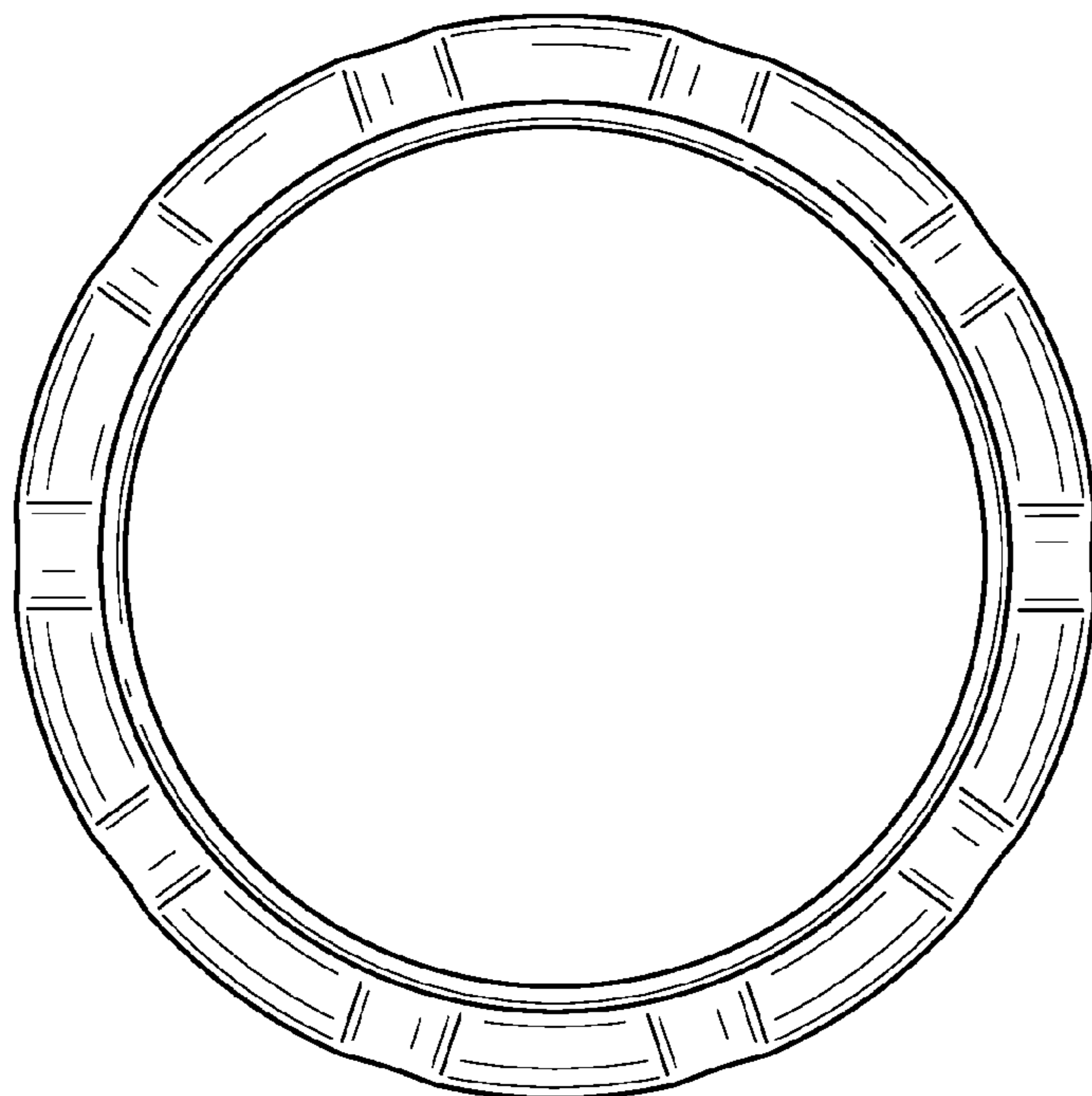


FIG. 3

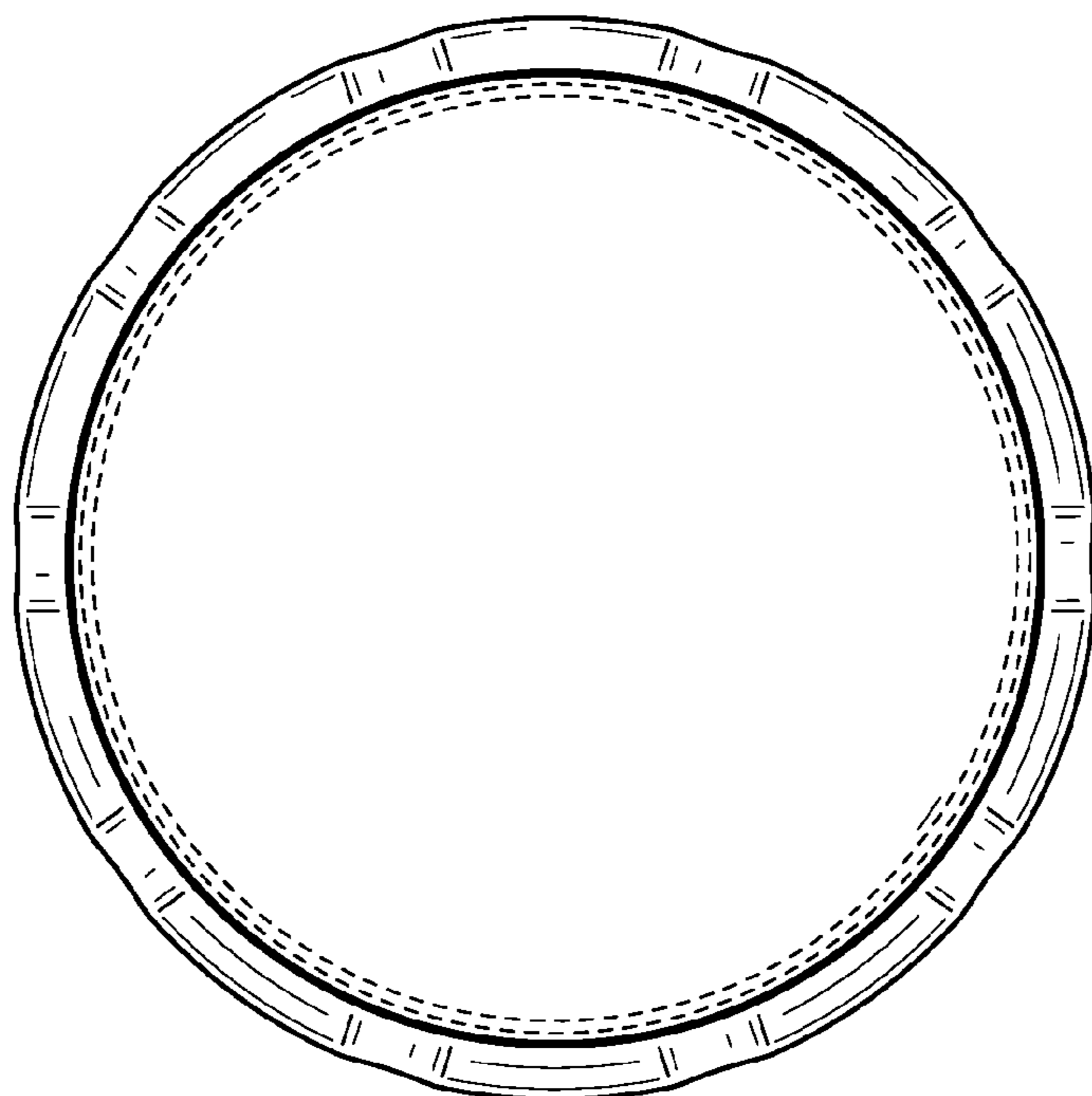


FIG. 4