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

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(54) **CONTAINER**

D120,226 S 4/1940 Lundy
D120,587 S 5/1940 Hinkins

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(Continued)

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

FOREIGN PATENT DOCUMENTS

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Related U.S. Application Data

OTHER PUBLICATIONS

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

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

(Continued)

(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;
215/379, 381-384; 220/660, 669-673, 675
See application file for complete search history.

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(57) **CLAIM**

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

(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
D88,258 S	11/1932	Rose
D98,420 S	2/1936	Deskey
D101,728 S	10/1936	Bennett

DESCRIPTION

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

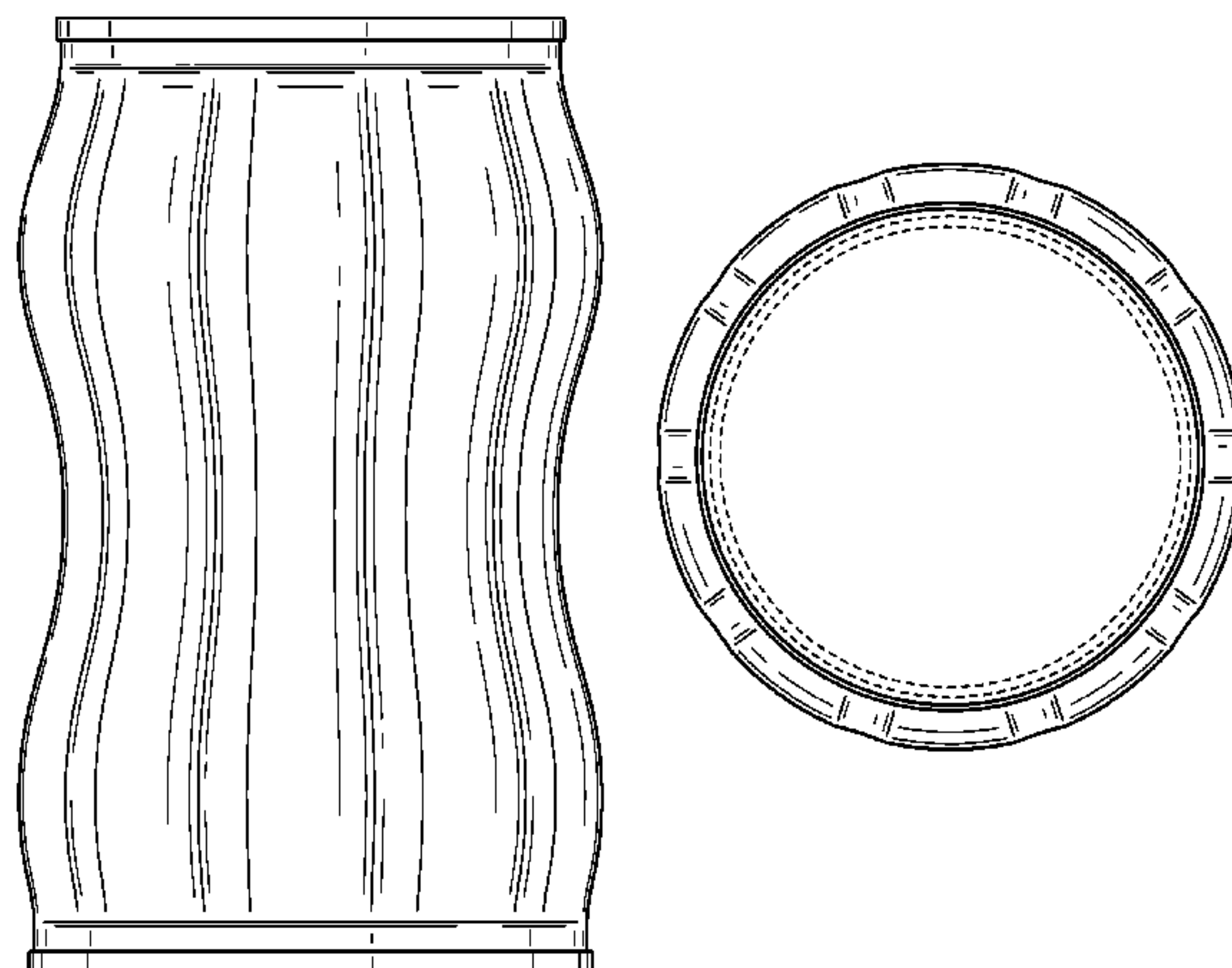
FIG. 2 is a front elevation view thereof, the left side, right side and rear elevation view being identical;

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					
D124,645 S	1/1941	Palmer	D409,496 S	5/1999	Ramsey
D124,880 S	1/1941	Teunisz	D411,106 S	6/1999	Conrad
2,252,915 A	8/1941	Conill	D412,118 S	7/1999	Rodea
D129,604 S	9/1941	Forgue	D412,441 S	8/1999	Cheng et al.
D185,649 S	7/1959	Schlumbohm	D413,519 S	9/1999	Eberle et al.
3,297,194 A	1/1967	Schaper et al.	5,957,647 A	9/1999	Hinton
D207,133 S	3/1967	Stenger	D414,693 S	10/1999	Cheng et al.
3,317,110 A	5/1967	Palmer	D416,200 S	11/1999	Pavely et al.
3,349,987 A	10/1967	Weitzner	5,988,416 A	11/1999	Cheng et al.
D212,525 S	10/1968	Kneapler	5,988,417 A	11/1999	Cheng et al.
3,648,884 A	3/1972	Mansolino	D417,392 S	12/1999	Zhang
D224,516 S	8/1972	Amberg	D419,058 S	1/2000	Roth et al.
D224,642 S	8/1972	Mascia et al.	D419,444 S	1/2000	Zhang
D226,175 S	1/1973	Bystedt et al.	D419,886 S	2/2000	Gans
D226,176 S	1/1973	Bystedt et al.	D420,587 S	2/2000	Cheng et al.
D227,863 S	7/1973	Mascia	D421,393 S	3/2000	Pavely et al.
D227,868 S	7/1973	Stanley et al.	D421,720 S	3/2000	Eberle et al.
D228,229 S	8/1973	Mascia	D421,907 S	3/2000	Benge et al.
D231,087 S	4/1974	Edwards	D423,336 S	4/2000	Gray
D231,773 S	6/1974	Mascia	D423,365 S	4/2000	Eberle et al.
D234,251 S	2/1975	Edwards	D425,424 S	5/2000	Cheng et al.
D235,184 S	5/1975	Achenbach	6,062,409 A	5/2000	Eberle
D237,853 S	12/1975	Katz	D426,164 S	6/2000	Gans et al.
4,010,860 A	3/1977	Garber	D427,057 S	6/2000	Roth et al.
D249,111 S	8/1978	Geyer	D427,514 S	7/2000	Roth et al.
D252,798 S	9/1979	Vosti et al.	D427,515 S	7/2000	Roth et al.
D288,527 S	3/1987	Maguire	D427,905 S	7/2000	Eberle
D299,426 S	1/1989	Andersson et al.	6,092,688 A	7/2000	Eberle et al.
4,804,105 A	2/1989	Zysset et al.	D429,151 S	8/2000	Cheng et al.
D307,238 S	4/1990	May	D429,164 S	8/2000	Peek et al.
D317,405 S	6/1991	Yasika	6,095,360 A	8/2000	Shmagin et al.
5,040,698 A	8/1991	Ramsey et al.	6,123,211 A	9/2000	Rashid et al.
D319,580 S	9/1991	Cassai et al.	D431,465 S	10/2000	Cheng et al.
D320,153 S	9/1991	Cassai et al.	D431,470 S	10/2000	Henderson
5,052,573 A	10/1991	Zysset	D432,423 S	10/2000	Rashid
D323,290 S	1/1992	Keedy, Jr.	D432,424 S	10/2000	Andrew
D345,105 S	3/1994	Ramsey	6,131,761 A	10/2000	Cheng et al.
D352,898 S	11/1994	Vacher	D435,455 S	12/2000	Gans
D355,129 S	2/1995	Gruodis	6,161,713 A	12/2000	Krich
D355,368 S	2/1995	Gruodis	6,164,474 A	12/2000	Cheng et al.
D356,501 S *	3/1995	Kornick et al. D9/774	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	D440,498 S	4/2001	Buxton et al.
D373,084 S	8/1996	Choi	6,213,325 B1	4/2001	Cheng et al.
D378,572 S	3/1997	Culverwell et al.	6,220,475 B1	4/2001	Nayar et al.
D379,589 S	6/1997	Rhodes et al.	D441,295 S	5/2001	Krich
D381,259 S	7/1997	Hayes	6,230,912 B1	5/2001	Rashid
D383,037 S	9/1997	Asberg	D445,339 S	7/2001	Bazlur
5,711,448 A	1/1998	Clarke, III	D445,693 S	7/2001	Rashid
5,720,412 A	2/1998	Ficken	D445,694 S	7/2001	Gans
D392,566 S	3/1998	Vahjen et al.	D446,455 S	8/2001	McGowan
5,722,561 A	3/1998	Biondich et al.	D446,458 S	8/2001	Gans
D393,778 S *	4/1998	Ochs, Sr. D7/606	D447,061 S	8/2001	Peek
5,749,488 A	5/1998	Bagwell et al.	6,280,679 B1	8/2001	Rashid et al.
D398,531 S	9/1998	DeVries	D447,422 S	9/2001	Peek
D399,129 S	10/1998	Ramsey	D447,693 S	9/2001	Warner et al.
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
D408,221 S	4/1999	Asberg	6,321,927 B2	11/2001	Cavella
			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
 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.
 D511,458 S 11/2005 Dunwoody et al.
 D512,315 S * 12/2005 Holm D9/506
 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
 D524,160 S * 7/2006 Endou et al. D9/518
 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.
 D548,111 S 8/2007 Ioannides et al.
 D548,528 S 8/2007 Cha et al.
 D549,596 S 8/2007 Ioannides et al.
 D555,514 S 11/2007 Munn
 D559,120 S 1/2008 Farrow et al.
 D559,121 S 1/2008 Farrow et al.
 D562,685 S 2/2008 Millspaw et al.
 D587,137 S 2/2009 Hayden et al.
 D588,018 S 3/2009 Metzger et al.
 D588,019 S 3/2009 Diss
 D596,500 S 7/2009 Diss
 D596,501 S 7/2009 Diss et al.
 D596,502 S 7/2009 Diss et al.
 D596,503 S 7/2009 Diss
 D596,504 S 7/2009 Murphy et al.
 D596,505 S 7/2009 Diss et al.
 D596,955 S 7/2009 Diss et al.
 D596,956 S 7/2009 Diss et al.
 D596,957 S 7/2009 Diss
 D596,958 S 7/2009 Diss et al.
 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. 29/302,067, 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. 29/306,257, filed Apr. 4, 2008, Ziegler et al.
 U.S. Appl. No. 29/306,258, filed Apr. 4, 2008, Ziegler.
 U.S. Appl. No. 29/306,261, 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. 29/312,033, filed May 12, 2008, Murphy et al.
 U.S. Appl. No. 29/318,021, filed May 12, 2008, Takata et al.
 U.S. Appl. No. 29/318,022, filed May 12, 2008, Murphy et al.
 U.S. Appl. No. 29/318,023, filed May 12, 2008, Diss.
 U.S. Appl. No. 29/318,024, filed May 12, 2008, Diss.
 U.S. Appl. No. 29/318,025, filed May 12, 2008, Diss.
 U.S. Appl. No. 29/318,026, filed May 12, 2008, Takata et al.
 U.S. Appl. No. 29/318,027, filed May 12, 2008, Diss.
 U.S. Appl. No. 29/318,029, filed May 12, 2008, Takata et al.
 U.S. Appl. No. 29/318,036, filed May 12, 2008, Murphy et al.
 U.S. Appl. No. 29/318,041, filed May 12, 2008, Takata et al.
 U.S. Appl. No. 29/331,956, filed Feb. 5, 2009, Hu.
 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.
 U.S. Appl. No. 29/333,068, filed Mar. 2, 2009, Diss et al.
 U.S. Appl. No. 29/332,329, filed Feb. 12, 2009, VanScoyoc et al.
 U.S. Appl. No. 29/332,376, filed Feb. 13, 2009, Ziegler et al.
 U.S. Appl. No. 29/332,378, filed Feb. 13, 2009, Ziegler et al.

US D615,877 S

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U.S. Appl. No. 29/332,379, filed Feb. 13, 2009, Ziegler.
U.S. Appl. No. 29/332,382, filed Feb. 13, 2009, Ziegler et al.
U.S. Appl. No. 29/333,068, filed Mar. 2, 2009, Diss.
U.S. Appl. No. 29/335,885, filed Jun. 16, 2009, Metzger et al.
U.S. Appl. No. 29/338,649, filed Jun. 16, 2009, Diss.
U.S. Appl. No. 29/338,651, filed Jun. 16, 2009, Diss et al.
U.S. Appl. No. 29/338,652, filed Jun. 16, 2009, Diss et al.
U.S. Appl. No. 29/338,654, filed Jun. 16, 2009, Diss et al.
U.S. Appl. No. 29/338,656, filed Jun. 16, 2009, Diss.
Soudronic Image believed to be available by Apr. 24, 2007 (1 pg.).
Photograph of Can developed by Assignee at least by Aug. 4, 2006 (1 pg.).
Engineering Drawing of Cans developed by Assignee at least by Jul. 12, 2006 (1 pg.).

U.S. Appl. No. 29/338,659, filed Jun. 16, 2009, Diss.
U.S. Appl. No. 29/338,660, filed Jun. 16, 2009, Diss.
U.S. Appl. No. 29/338,661, filed Jun. 16, 2009, Diss et al.
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. 29/338,669, 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

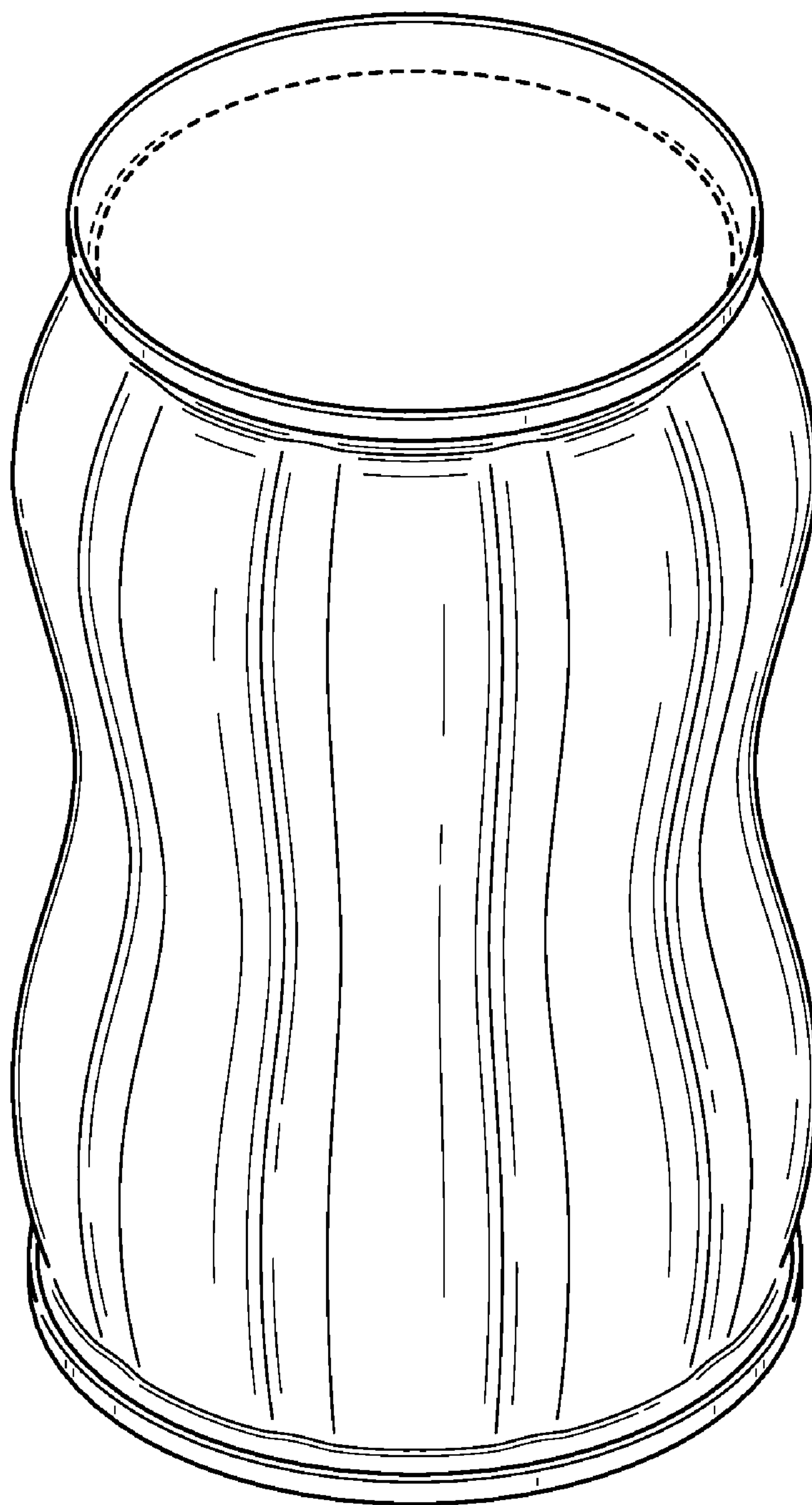


FIG. 1

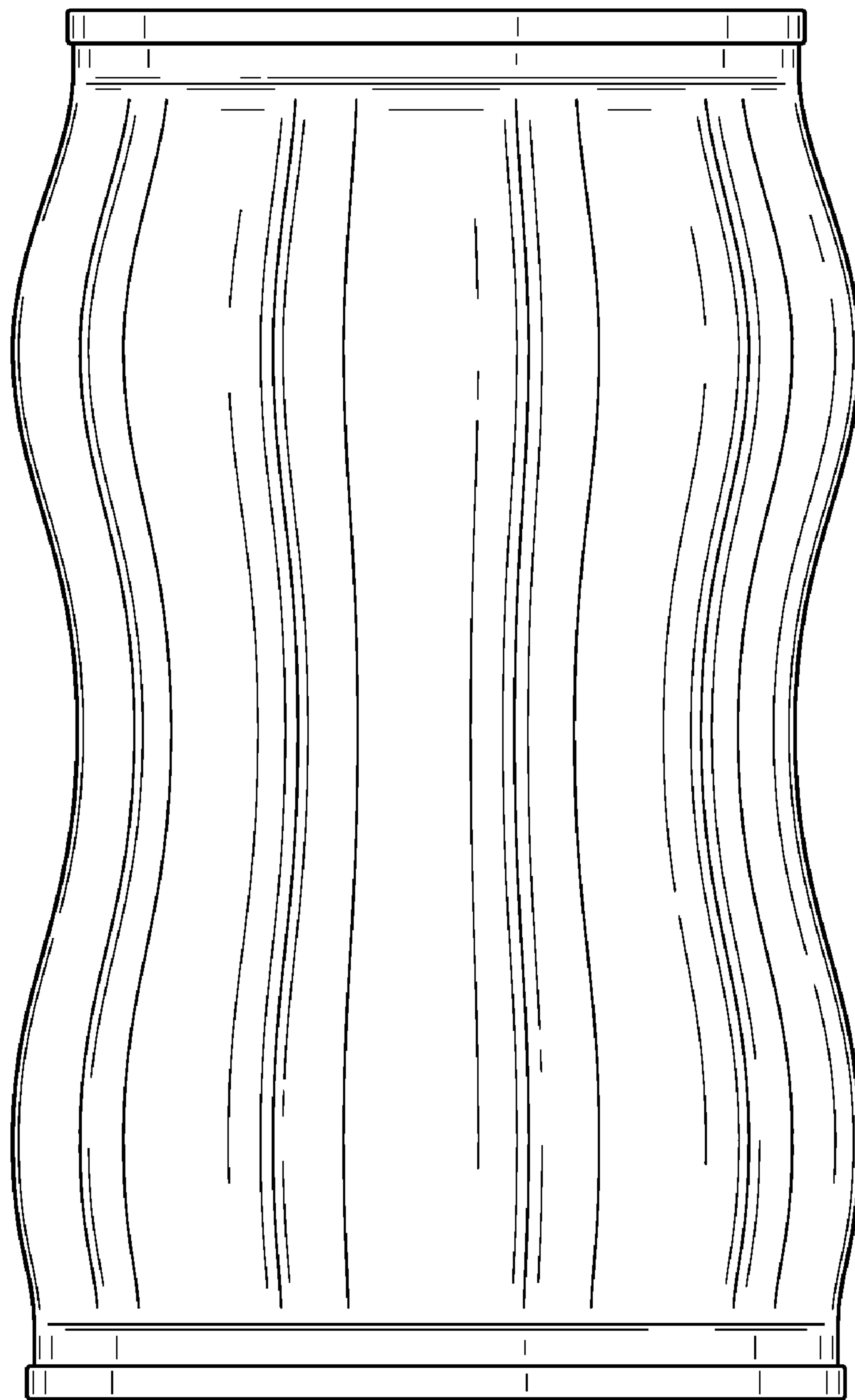


FIG. 2

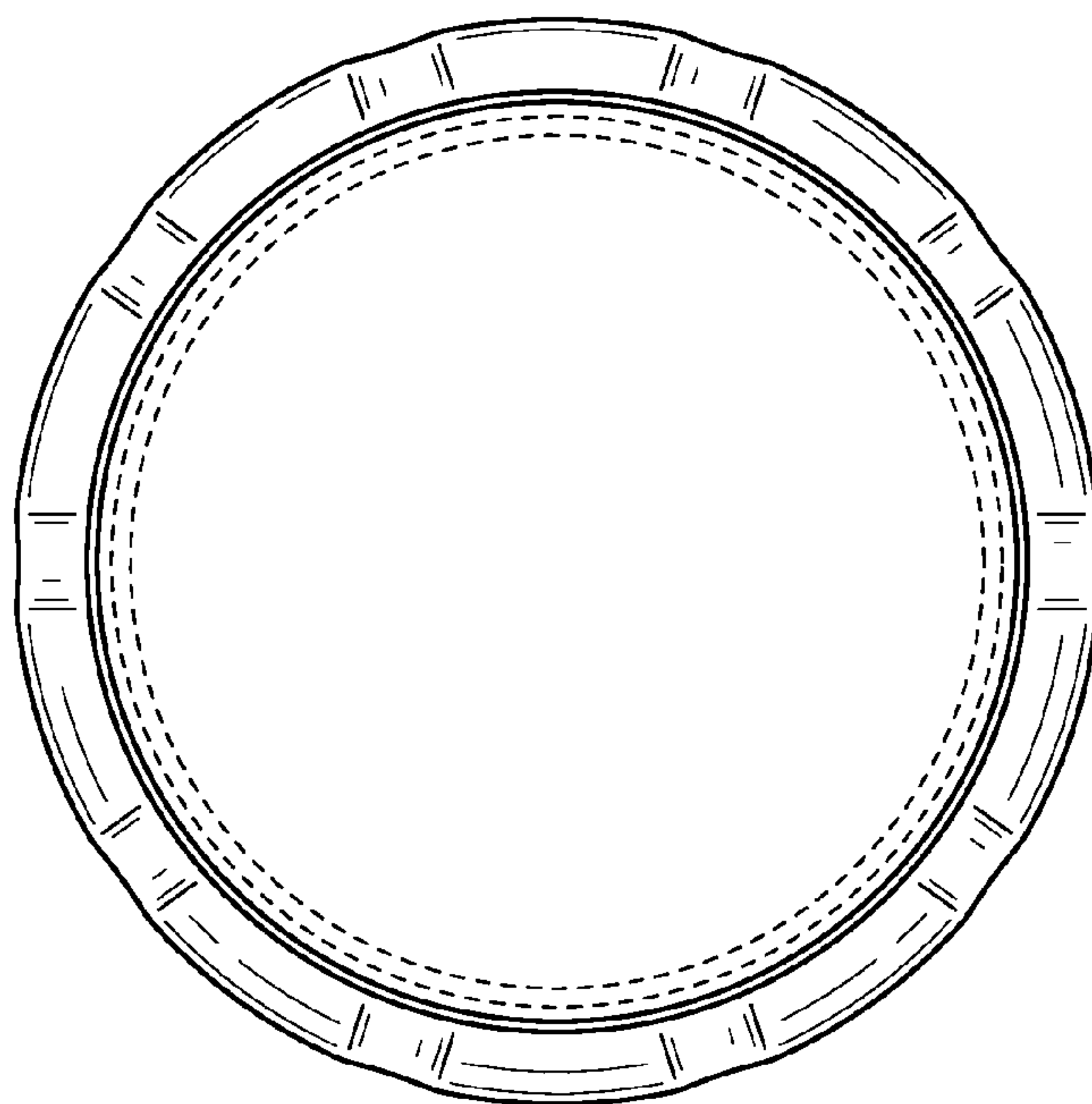


FIG. 3

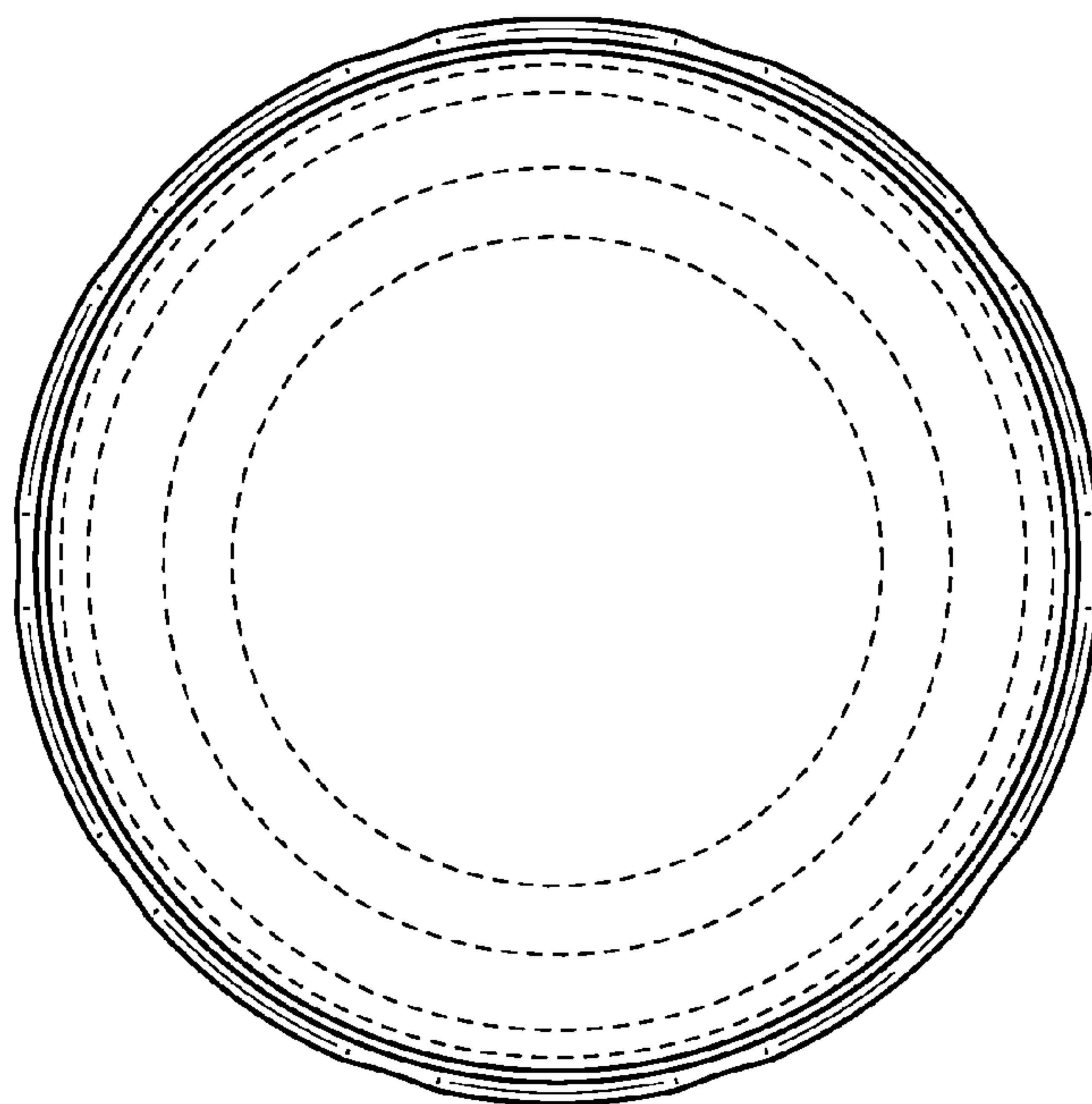


FIG. 4