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

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(54) **BEVERAGE CONTAINER**

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D290,811 S 7/1987 Cleveland, Jr.
4,844,270 A 7/1989 Coffman
4,892,214 A 1/1990 Hamaguchi et al.
4,976,368 A 12/1990 Klein
D318,225 S * 7/1991 Cassai et al. D9/772

(Continued)

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

FOREIGN PATENT DOCUMENTS

(21) Appl. No.: **29/331,520**

BE 376464 11/1931

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(Continued)

(51) **LOC (9) Cl.** **09-03**

(52) **U.S. Cl.** **D9/767**

(58) **Field of Classification Search** D9/500,
D9/501, 503, 504, 505, 763, 766, 767, 772,
D9/779, 78, 776, 777, 783, 903; 220/62.12,
220/200, 254.4, 265-273, 277, 278, 592.16,
220/592.17, 592.18, 674; 222/153.07; 229/117.3
See application file for complete search history.

OTHER PUBLICATIONS

Rexam Beverage Can Company, Office Action issued Dec. 14, 2009
in pending Chile Design Patent Application No. 3105-2008 which
claims priority to U.S. Appl. No. 29/317,088 filed Apr. 22, 2008, now
US Design Patent No. D587,137.

(Continued)

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(74) *Attorney, Agent, or Firm*—Ungaretti & Harris LLP

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,443,682 A 1/1923 Gueritey
1,621,487 A 3/1927 Aulbach
2,195,257 A 3/1940 Paris
2,337,616 A 12/1943 McManus, et al.
D241,017 S 8/1976 Baker
D246,229 S 11/1977 Saunders
4,058,998 A 11/1977 Franek et al.
4,402,419 A 9/1983 MacPherson
D271,281 S 11/1983 Abbott et al.
D271,854 S 12/1983 Berry
D272,508 S 2/1984 Conti
4,441,354 A 4/1984 Bodega
D275,834 S 10/1984 Slade
4,512,172 A 4/1985 Abbott et al.
4,643,330 A 2/1987 Kennedy

(57)

CLAIM

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

DESCRIPTION

FIG. 1 is a perspective view of the present invention;

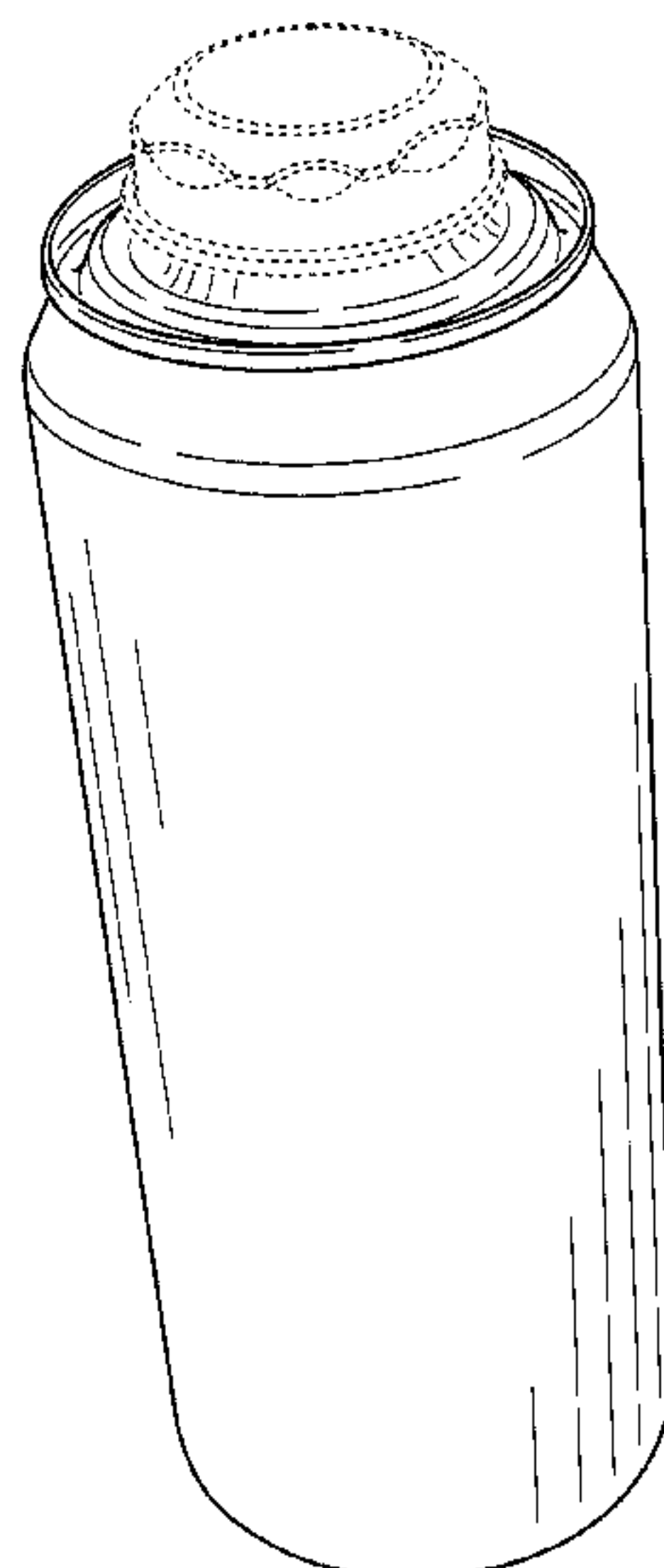
FIG. 2 is a side view of the present invention;

FIG. 3 is a top view of the present invention; and,

FIG. 4 is a bottom view of the present invention.

Features shown in broken lines in the drawings are not part of
the claim.

1 Claim, 2 Drawing Sheets



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U.S. PATENT DOCUMENTS

D319,580	S *	9/1991	Cassai et al.	D9/772
D320,153	S *	9/1991	Cassai et al.	D9/772
5,052,576	A	10/1991	Budenbender	
5,061,140	A	10/1991	Hamaguchi et al.	
D327,218	S	6/1992	Nickerson	
5,135,124	A	8/1992	Wobser	
5,190,181	A	3/1993	Budenbender	
5,293,765	A	3/1994	Nussbaum-Pogacnik	
5,355,710	A	10/1994	Diekhoff	
5,448,903	A	9/1995	Johnson	
5,497,900	A	3/1996	Caleffi et al.	
D369,977	S	5/1996	Sexton, Jr.	
D371,075	S *	6/1996	Stonehouse	D9/772
5,557,963	A	9/1996	Diekhoff	
5,572,893	A	11/1996	Goda et al.	
5,605,248	A	2/1997	Jentzsch	
5,645,190	A *	7/1997	Goldberg	220/674
5,660,301	A	8/1997	Kaplowitz	
D384,888	S	10/1997	Diekhoff	
5,704,240	A	1/1998	Jordan	
5,711,447	A	1/1998	Plester	
5,713,235	A	2/1998	Diekhoff	
5,718,852	A	2/1998	Campbell et al.	
5,778,723	A	7/1998	Diekhoff	
D396,916	S	8/1998	Ochs, Sr.	
5,822,843	A	10/1998	Diekhoff et al.	
5,875,909	A	3/1999	Guglielmini	
5,881,907	A	3/1999	Schultz	
6,010,026	A	1/2000	Diekhoff et al.	
6,010,028	A	1/2000	Jordan et al.	
6,082,944	A	7/2000	Bachmann et al.	
6,105,807	A	8/2000	McCrossen	
D432,015	S *	10/2000	Holiday	D9/772
D434,323	S	11/2000	Pattison	
D437,233	S	2/2001	Gibert	
6,206,222	B1	3/2001	Cudzik	
D444,385	S	7/2001	Dixon	
D448,669	S	10/2001	Carducci et al.	
D451,027	S	11/2001	Dugrot	
6,463,776	B1	10/2002	Enoki et al.	
6,499,329	B1	12/2002	Enoki et al.	
6,543,636	B1	4/2003	Flecheux et al.	
6,575,325	B2 *	6/2003	Dickie et al.	220/269
6,761,280	B2	7/2004	Zonker et al.	
6,779,677	B2	8/2004	Chupak	
D497,961	S	11/2004	Rolfes	
6,857,304	B2	2/2005	Enoki	
6,907,653	B2	6/2005	Chupak	
6,959,830	B1	11/2005	Kanou et al.	
7,014,060	B2	3/2006	Richardson	
7,069,763	B2	7/2006	Cook et al.	
D549,595	S	8/2007	Lowther, Sr. et al.	
D554,000	S	10/2007	Walsh	
D570,228	S *	6/2008	van Dam	D9/772
D587,137	S *	2/2009	Hayden et al.	D9/772
D593,876	S *	6/2009	Hayden et al.	D9/772
D596,048	S *	7/2009	Hayden et al.	D9/772
D601,436	S *	10/2009	Stephens et al.	D9/772
D603,722	S *	11/2009	Reimer	D9/766
D604,181	S *	11/2009	Reimer	D9/766
D604,639	S	11/2009	Huls et al.	
D605,060	S *	12/2009	Reimer	D9/766
D607,754	S	1/2010	Hayden et al.	
2001/0040167	A1	11/2001	Flecheux	
2005/0205575	A1	9/2005	Kobayashi	

2006/0011633 A1 1/2006 Cook
2007/0138178 A1* 6/2007 Erickson 220/254.4

FOREIGN PATENT DOCUMENTS

CA	678389	1/1964
DE	4439464 C1	5/1996
DE	19513886 A1	10/1996
DE	29512058 U1	12/1996
DE	19806481 A1	8/1998
DE	19722628 A1	12/1998
EP	0281543 A2	9/1988
EP	0182646 B1	3/1989
EP	0380662 A1	8/1990
EP	0510291 A1	10/1992
EP	0512131 A2	11/1992
EP	0537773 A1	4/1993
EP	0549987 A1	7/1993
EP	0581568 B1	2/1994
EP	0667299 A1	8/1995
EP	0693434 B1	1/1996
EP	0743260 A1	11/1996
EP	0864385 A2	9/1998
EP	1134046 A1	9/2001
EP	1136154 A1	9/2001
EP	1459997 A1	9/2004
EP	1468925 A1	10/2004
FR	633497	1/1928
FR	26884341 A1	9/1993
FR	2708252 A1	2/1995
GB	2330548 A	4/1999
JP	01210136	8/1989
JP	11139438	5/1999
JP	2001-90898	4/2001
JP	2002037442	2/2002
JP	2002-137032 A	5/2002
JP	2003-181577 A	7/2003
JP	2003-290854 A	10/2003
JP	2007-039095 A	2/2007
RU	59523	7/2006
WO	91/11274 A1	8/1991
WO	96/015865 A1	5/1996
WO	96/16754 A1	6/1996
WO	97/42091 A1	11/1997
WO	98/06636 A1	2/1998
WO	99/18013 A1	4/1999
WO	99/32363 A1	7/1999
WO	99/43558 A1	9/1999
WO	99/46176 A1	9/1999
WO	99/48764 A1	9/1999
WO	01/015829 A1	3/2001
WO	03/047991 A1	6/2003
WO	05/108216 A1	11/2005

OTHER PUBLICATIONS

Rexam Beverage Can Company, Office Action issued Dec. 14, 2009 in pending Chile Design Patent Application No. 3106-2008 which claims priority to U.S. Appl. No. 29/317,087 filed Apr. 22, 2008, now US Design Patent No. D596,048.
Rexam Beverage Can Company, Office Action issued Dec. 14, 2009 in pending Chile Design Patent Application No. 3107-2008 which claims priority to U.S. Appl. No. 29/317,086 filed Apr. 22, 2008, now US Design Patent No. D593,876.
International Search Report for PCT/US08/54212 mailed Jun. 25, 2008.

* cited by examiner

FIG. 1

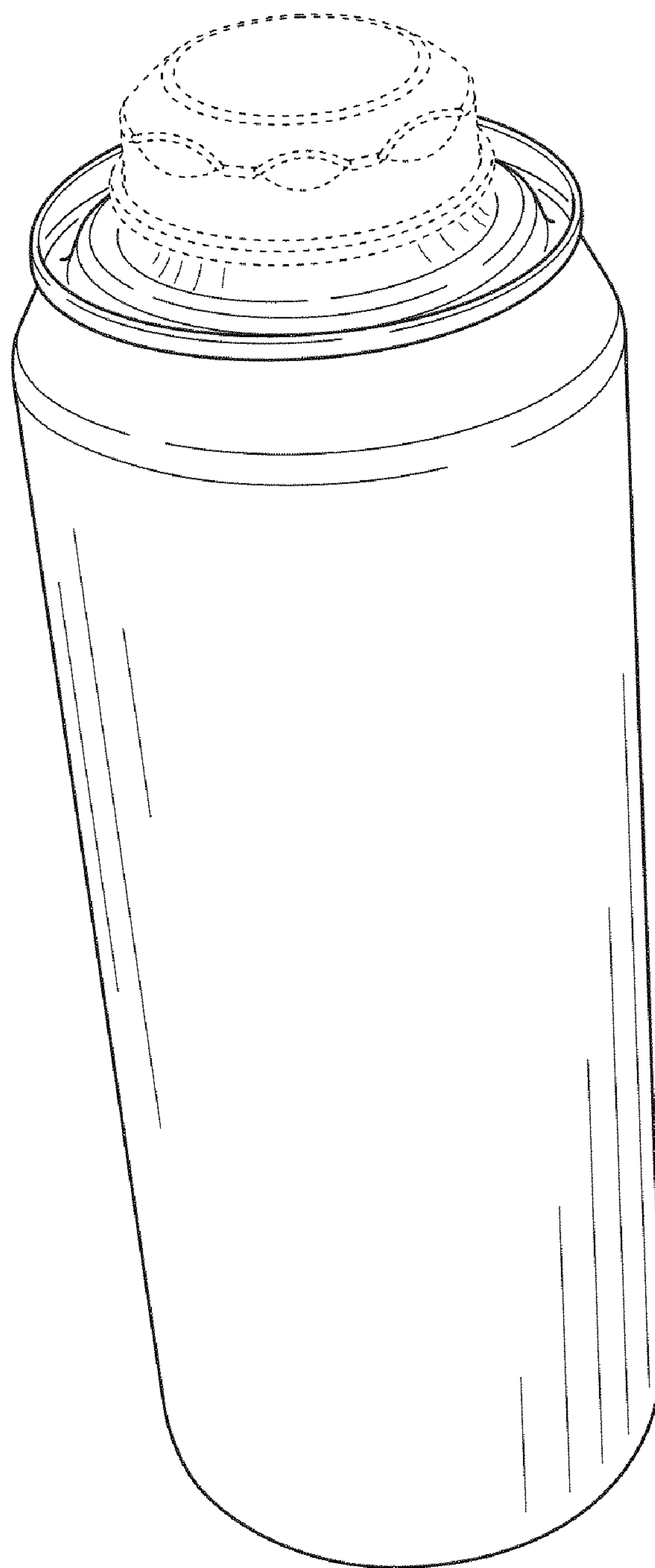


FIG. 2

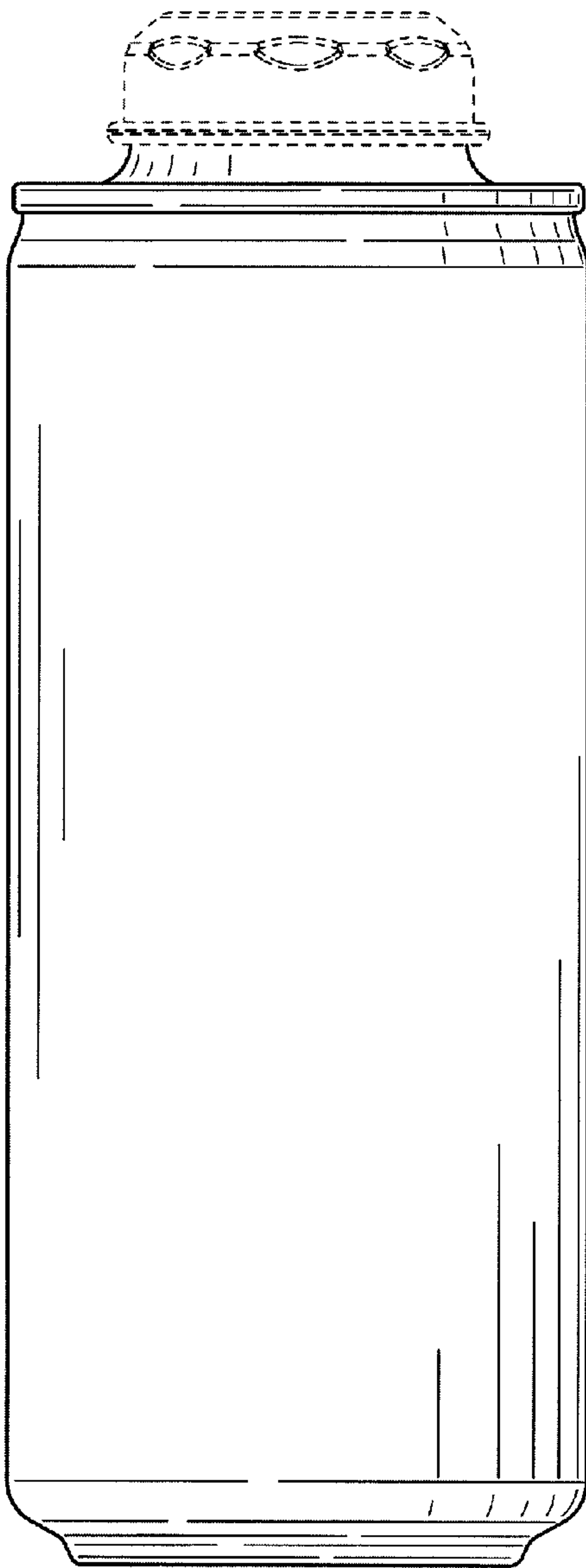


FIG. 3

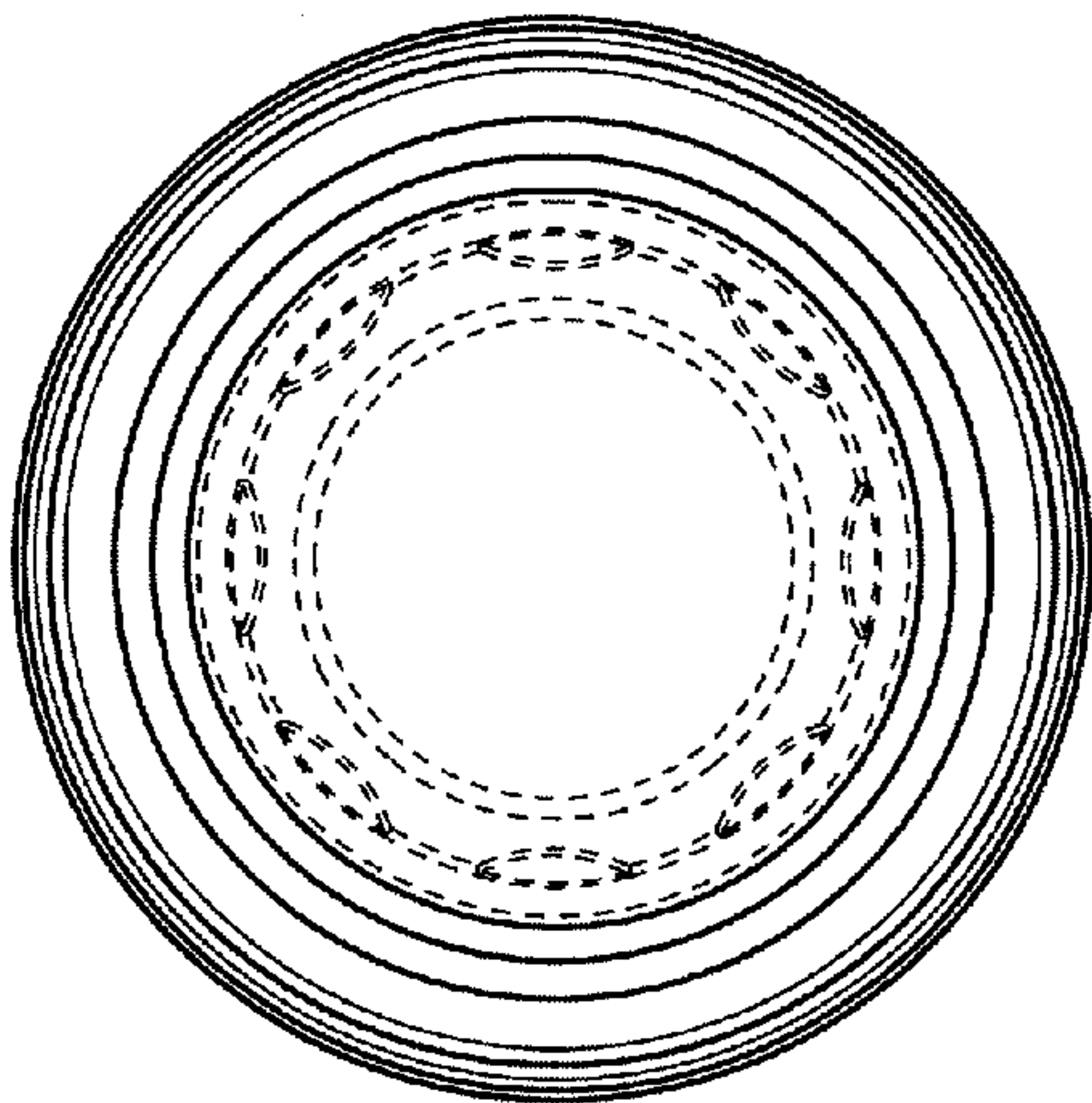


FIG. 4

