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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 ..... 220/268

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(Continued)

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

FOREIGN PATENT DOCUMENTS

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

(52) **U.S. Cl.** ..... **D9/767; D7/510; D7/608;**  
D9/772

(58) **Field of Classification Search** ..... D7/523,  
D7/507, 510, 511, 509, 608, 615; D9/772,  
D9/529, 766, 549, 537, 696, 504, 505, 767,  
D9/518; D24/224; 220/739, 524, 592.17  
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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(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**

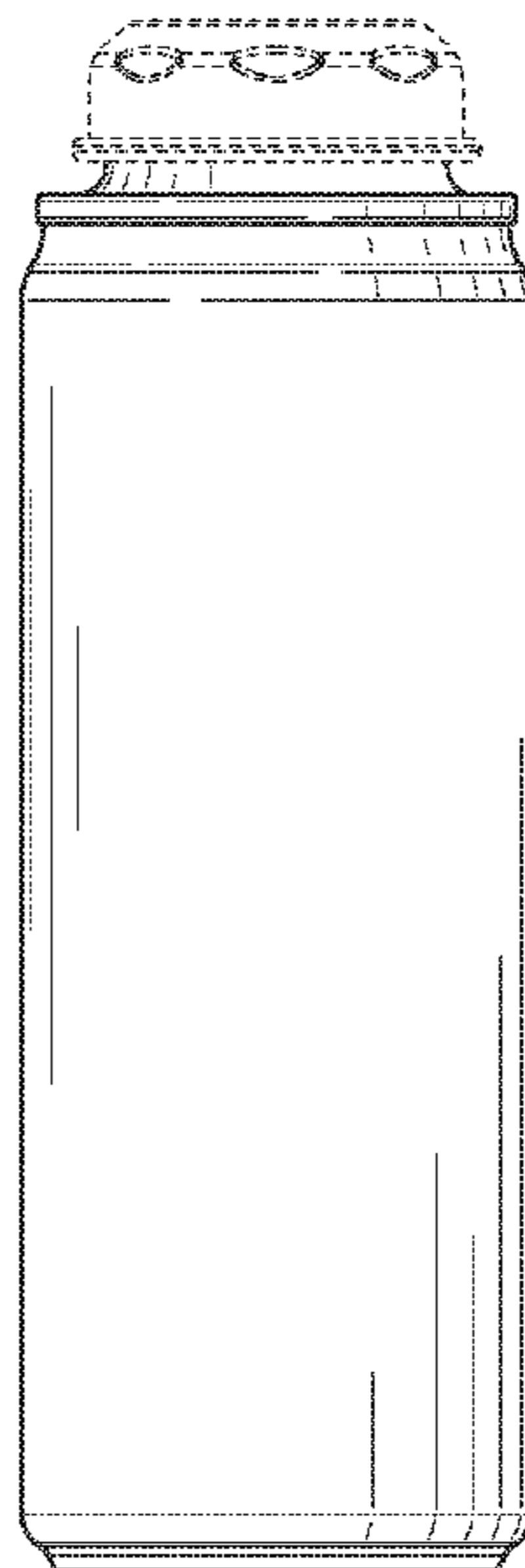
I claim the ornamental design for a beverage container, as  
shown and described.

**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.

The broken lines in the drawings are included for the purpose  
of illustration and form no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



# US D625,616 S

## U.S. PATENT DOCUMENTS

D318,225	S	*	7/1991	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	
5,660,301	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	Diekhoff 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	Schutz	
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	
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, I	
D448,669	S	*	10/2001	Carducci et al. ....	D9/454
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.	
6,761,280	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
D596,048	S	*	7/2009	Hayden et al. ....	D9/772
D601,436	S	*	10/2009	Stephens et al. ....	D9/772
D604,639	S	*	11/2009	Huls et al. ....	D9/772
D605,060	S	*	12/2009	Reimer .....	D9/766
D607,754	S	*	1/2010	Hayden et al. ....	D9/772
2001/0040167	A1		11/2001	Flecheux	
2005/0205575	A1		9/2005	Kobayashi	
2006/0011633	A1		1/2006	Cook	

## 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	9/1993
EP	0581568	B1	2/1994
EP	0667299	A1	8/1995
EP	0693434	A1	8/1995
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	96/15865	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	01/15829	A1	3/2001
WO	03/047991	A1	6/2003
WO	2005/108216	A1	11/2005

## OTHER PUBLICATIONS

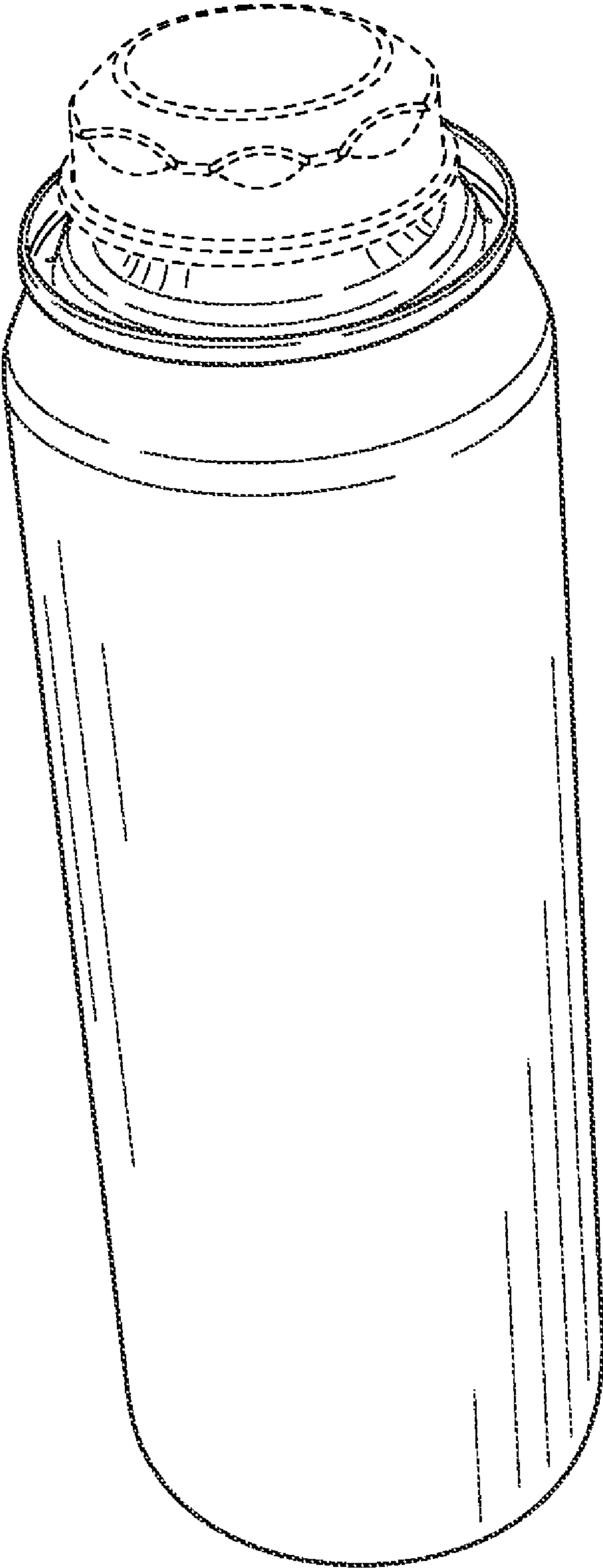
Rexam Beverage Can Company, Office Action issued Dec. 14, 2009 in pending Chile Design Patent Application No. 3106-2008 which claims priority to U.S. Appl. No. 29/317,087 filed Apr. 22, 2008, now US Design Patent No. D596,048.

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.

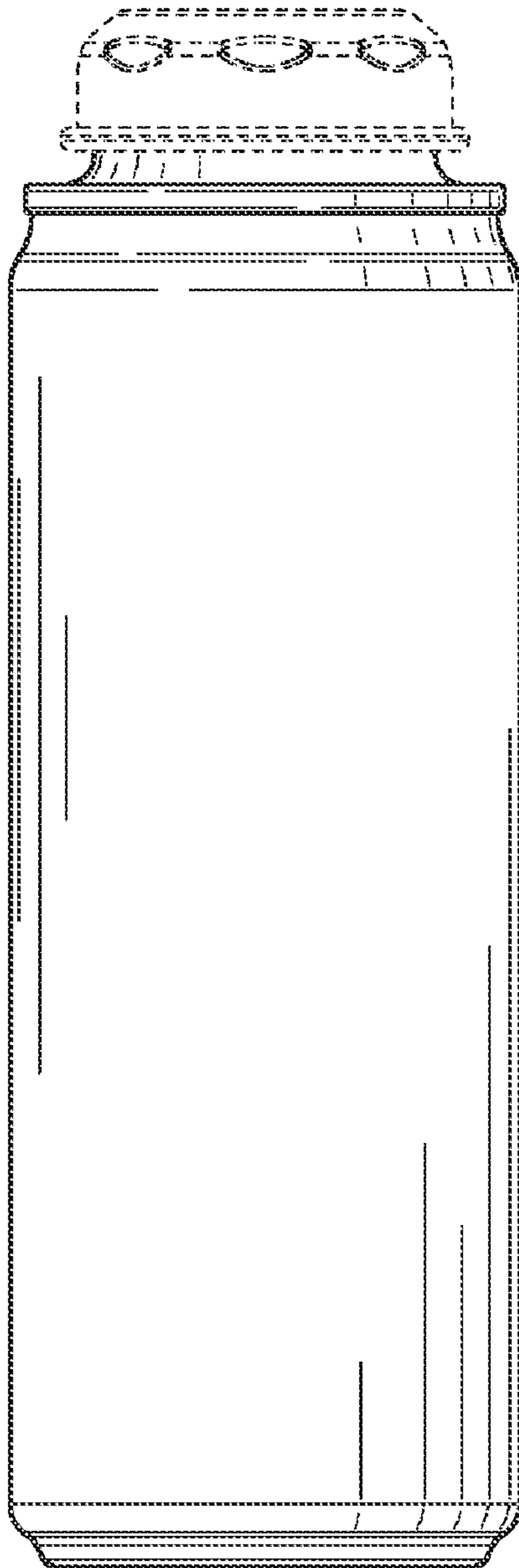
International Search Report for PCT/US08/54212 mailed Jun. 25, 2008.

\* cited by examiner

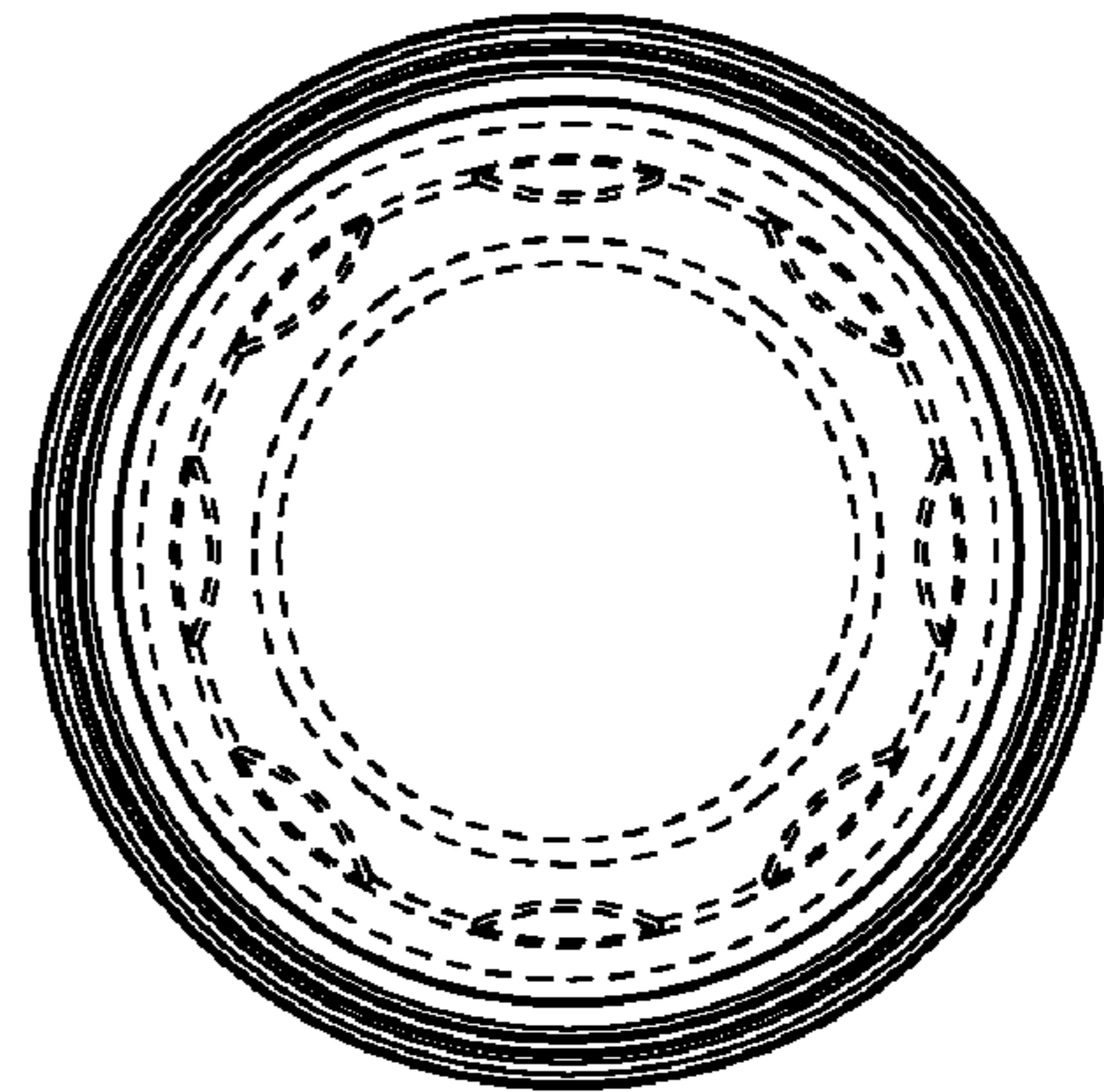
**FIG. 1**



**FIG. 2**



**FIG. 3**



**FIG. 4**

