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

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(54) **CONTAINER**

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

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Related U.S. Application Data

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

(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.

(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
D76,511 S 9/1927 Schrader

(Continued)

FOREIGN PATENT DOCUMENTS

FR 2584680 1/1987

(Continued)

OTHER PUBLICATIONS

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

(Continued)

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s.c.

(57) **CLAIM**

The ornamental design for a container, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of the claimed design;

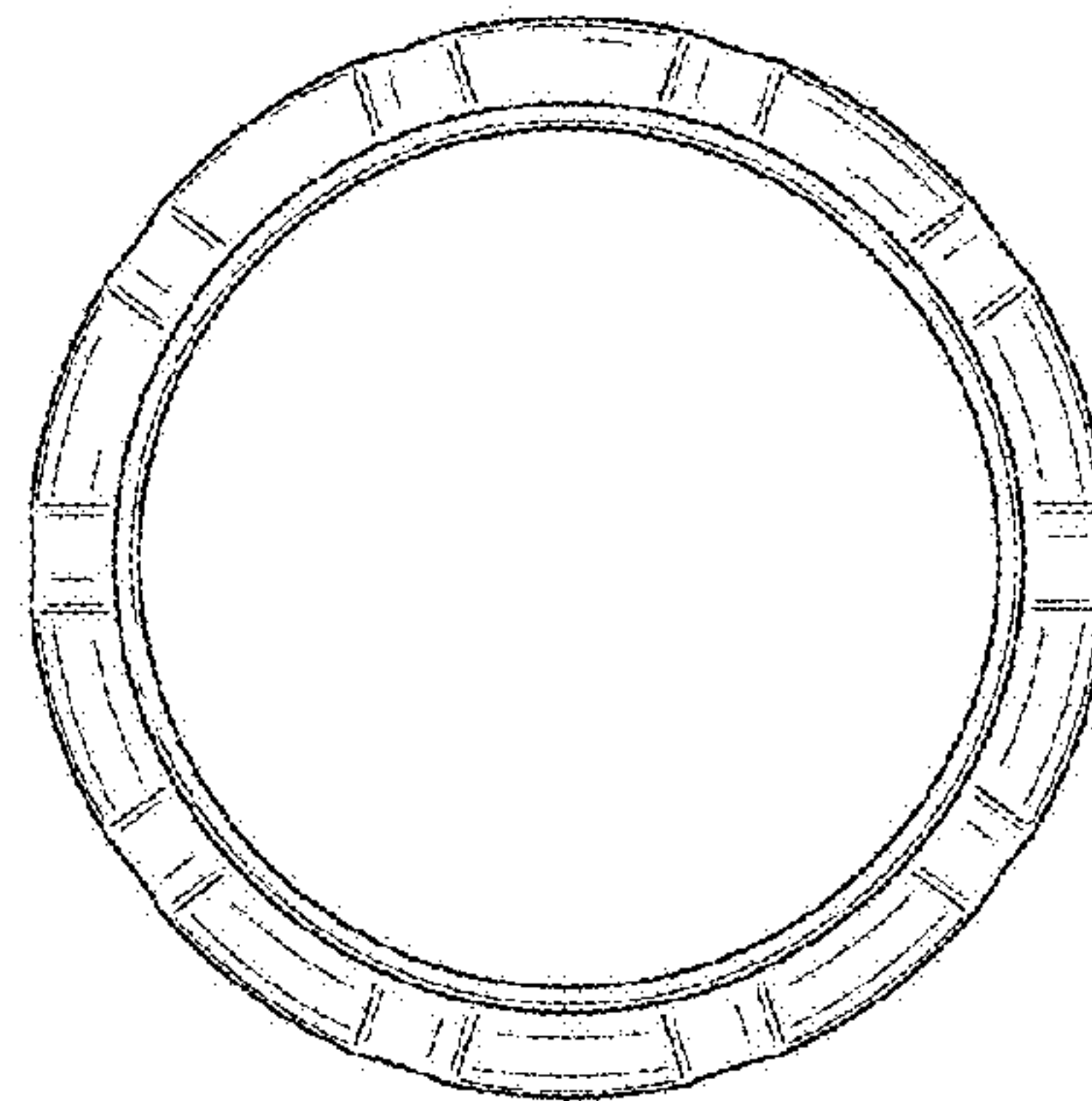
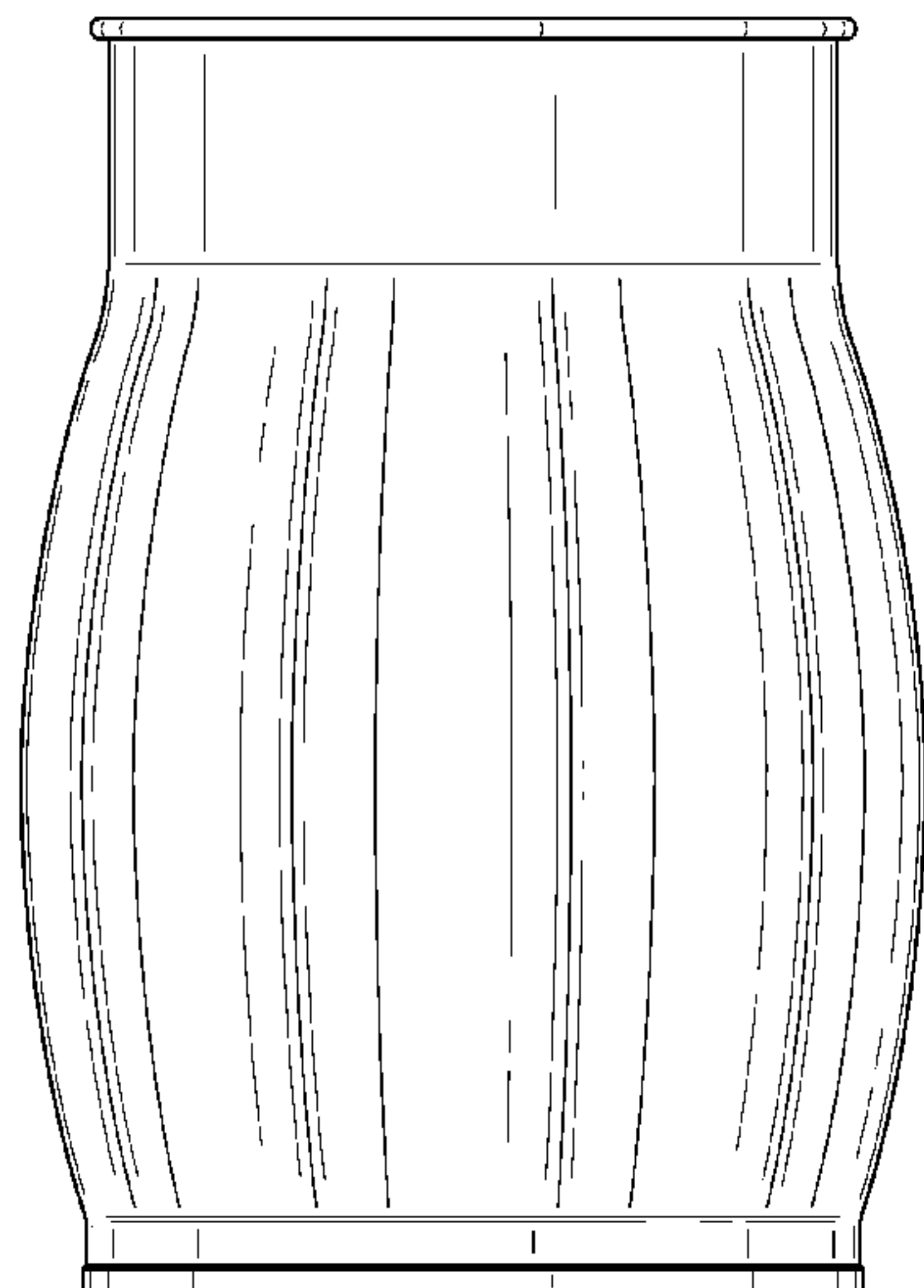
FIG. 2 is a front view of the claimed design, the rear view, the left side view, and the right side view being the same as the front view;

FIG. 3 is a top view of the claimed design; and,

FIG. 4 is a bottom view of the claimed design.

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					
1,832,806	A	11/1931 Dawson	D403,962	S	1/1999 Ramsey
D95,419	S *	4/1935 Grey D9/556	D403,963	S	1/1999 Ramsey
D98,420	S	2/1936 Deskey	D404,254	S	1/1999 Asberg
D98,444	S *	2/1936 McManus D9/764	D404,970	S	2/1999 Asberg
D101,728	S	10/1936 Bennett	D406,065	S	2/1999 Cheng
D110,882	S *	8/1938 Smith D9/556	D406,236	S	3/1999 Brifcani et al.
D120,226	S	4/1940 Lundy	D408,221	S	4/1999 Asberg
D120,587	S	5/1940 Hinkins	D409,496	S	5/1999 Ramsey
D124,645	S	1/1941 Palmer	D411,106	S	6/1999 Conrad
D124,880	S	1/1941 Teunisz	D412,118	S	7/1999 Rodea
2,252,915	A	8/1941 Conill	D412,441	S	8/1999 Cheng et al.
D129,604	S	9/1941 Forgue	D413,519	S	9/1999 Eberle et al.
D185,649	S	7/1959 Schlumbohm	5,957,647	A	9/1999 Hinton
3,297,194	A	1/1967 Schaper et al.	D414,693	S	10/1999 Cheng et al.
D207,133	S	3/1967 Stenger	D416,200	S	11/1999 Pavely et al.
3,317,110	A	5/1967 Palmer	5,988,416	A	11/1999 Cheng et al.
3,349,987	A	10/1967 Weitzner	5,988,417	A	11/1999 Cheng et al.
D212,525	S	10/1968 Kneapler	D417,392	S	12/1999 Zhang
3,648,884	A	3/1972 Mansolino	D417,623	S	12/1999 Zimmer et al.
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
D226,176	S	1/1973 Bystedt et al.	D419,886	S	2/2000 Gans
D227,863	S	7/1973 Mascia	D420,587	S	2/2000 Cheng et al.
D227,868	S	7/1973 Stanley et al.	D421,393	S	3/2000 Pavely et al.
D228,229	S	8/1973 Mascia	D421,720	S	3/2000 Eberle et al.
D231,087	S	4/1974 Edwards	D421,907	S	3/2000 Benge et al.
D231,773	S	6/1974 Mascia	D423,336	S	4/2000 Gray
D234,251	S	2/1975 Edwards	D423,365	S	4/2000 Eberle et al.
D235,184	S	5/1975 Achenbach	D425,424	S	5/2000 Cheng et al.
D237,853	S	12/1975 Katz	6,062,409	A	5/2000 Eberle
4,010,860	A	3/1977 Garber	D426,164	S	6/2000 Gans et al.
D249,111	S	8/1978 Geyer	D427,057	S	6/2000 Roth et al.
D252,798	S	9/1979 Vosti et al.	D427,514	S	7/2000 Roth et al.
D286,374	S *	10/1986 Bussell D9/692	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.
D357,413	S	4/1995 Kornick et al.	6,164,480	A	12/2000 Heinicke et al.
D357,414	S	4/1995 Kornick et al.	D437,229	S	2/2001 Andrew
D365,021	S	12/1995 Park	D437,230	S	2/2001 Andrew
D367,426	S	2/1996 Ruff	6,206,222	B1	3/2001 Cudzik
D368,035	S *	3/1996 Ahern, Jr. D9/556	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
D392,566	S *	3/1998 Vahjen et al. D9/776	D446,458	S	8/2001 Gans
5,722,561	A	3/1998 Biondich et al.	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 De Vries	D447,422	S	9/2001 Peek
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.
			D448,675	S	10/2001 Thierjung
			D448,677	S	10/2001 Krich

D449,539 S 10/2001 Lakatos et al.
 D449,993 S 11/2001 Schumann
 D450,244 S 11/2001 Rashid
 6,321,927 B2 11/2001 Cavella
 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.
 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
 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.
 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.
 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 Kliger 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
 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.
 D562,685 S 2/2008 Millspaw et al.
 D580,790 S 11/2008 Westphal
 D581,281 S 11/2008 Westphal
 D581,289 S 11/2008 Westphal
 D594,750 S * 6/2009 Westphal D9/536
 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 Diss
 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.
 D612,740 S * 3/2010 Leone D9/553
 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. 29/306,261, 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.
 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. 29/318,033, filed May 12, 2008, Murphy 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.
 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.
 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. 29/338,619, filed Jun. 16, 2009, Diss.
 U.S. Appl. No. 29/338,651, filed Jun. 16, 2009, Diss et al.

US D632,188 S

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U.S. Appl. No. 29/338,654, filed Jun. 16, 2009, Diss et al.
U.S. Appl. No. 29/338,656, filed Apr. 23, 2009, Diss.
U.S. Appl. No. 29/338,657, filed Jun. 16, 2009, Hu.
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

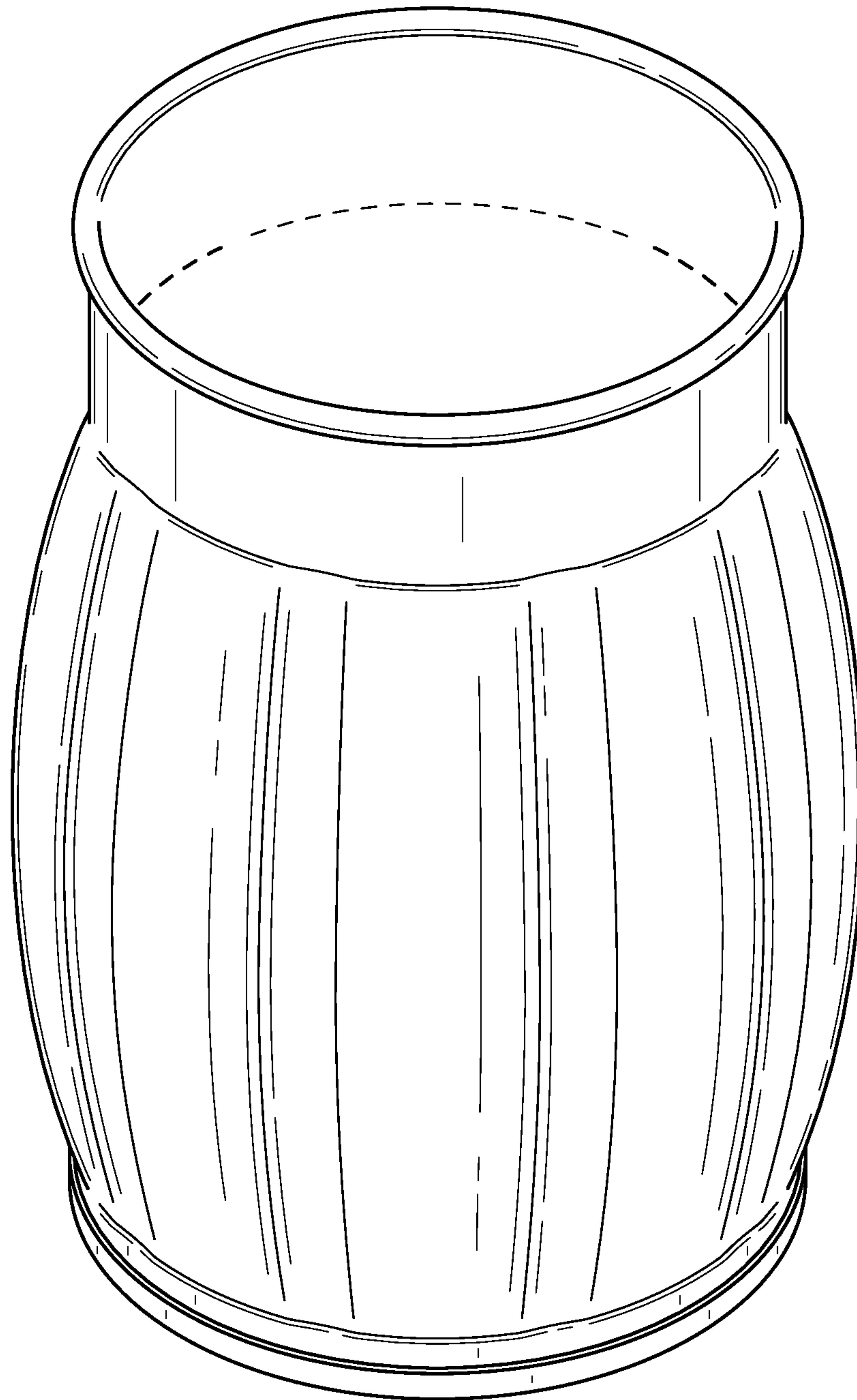


FIG. 1

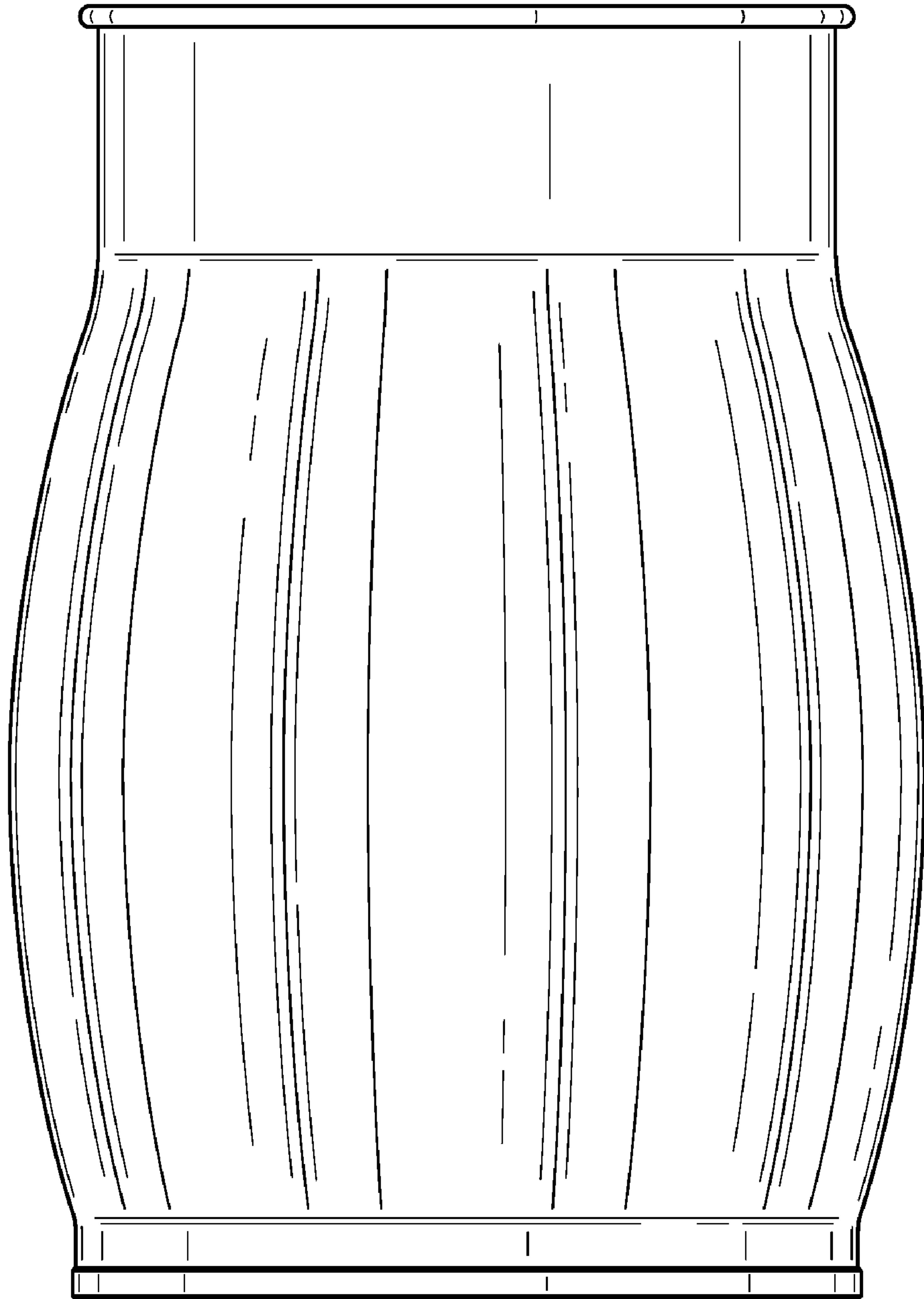


FIG. 2

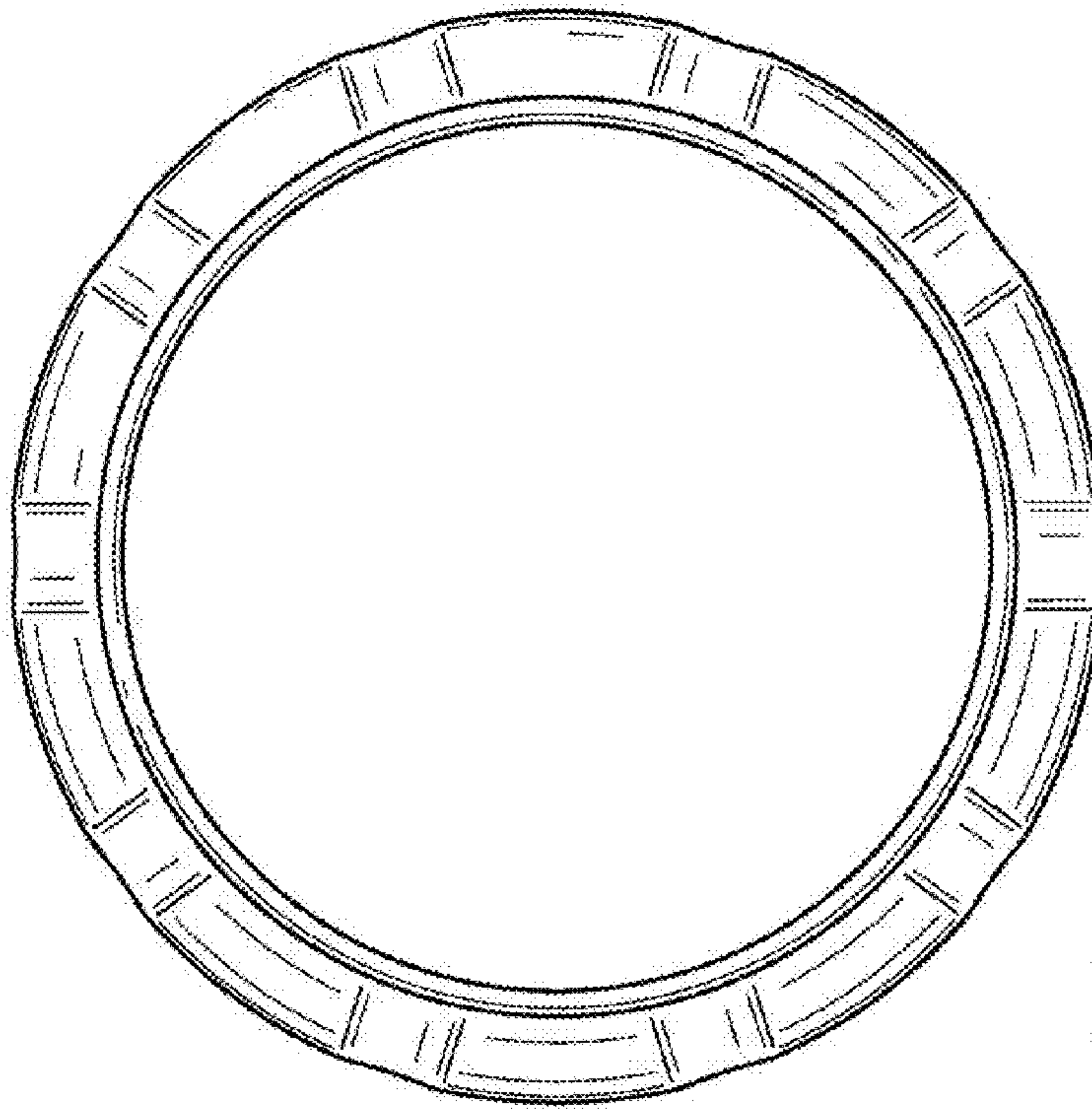


FIG. 3

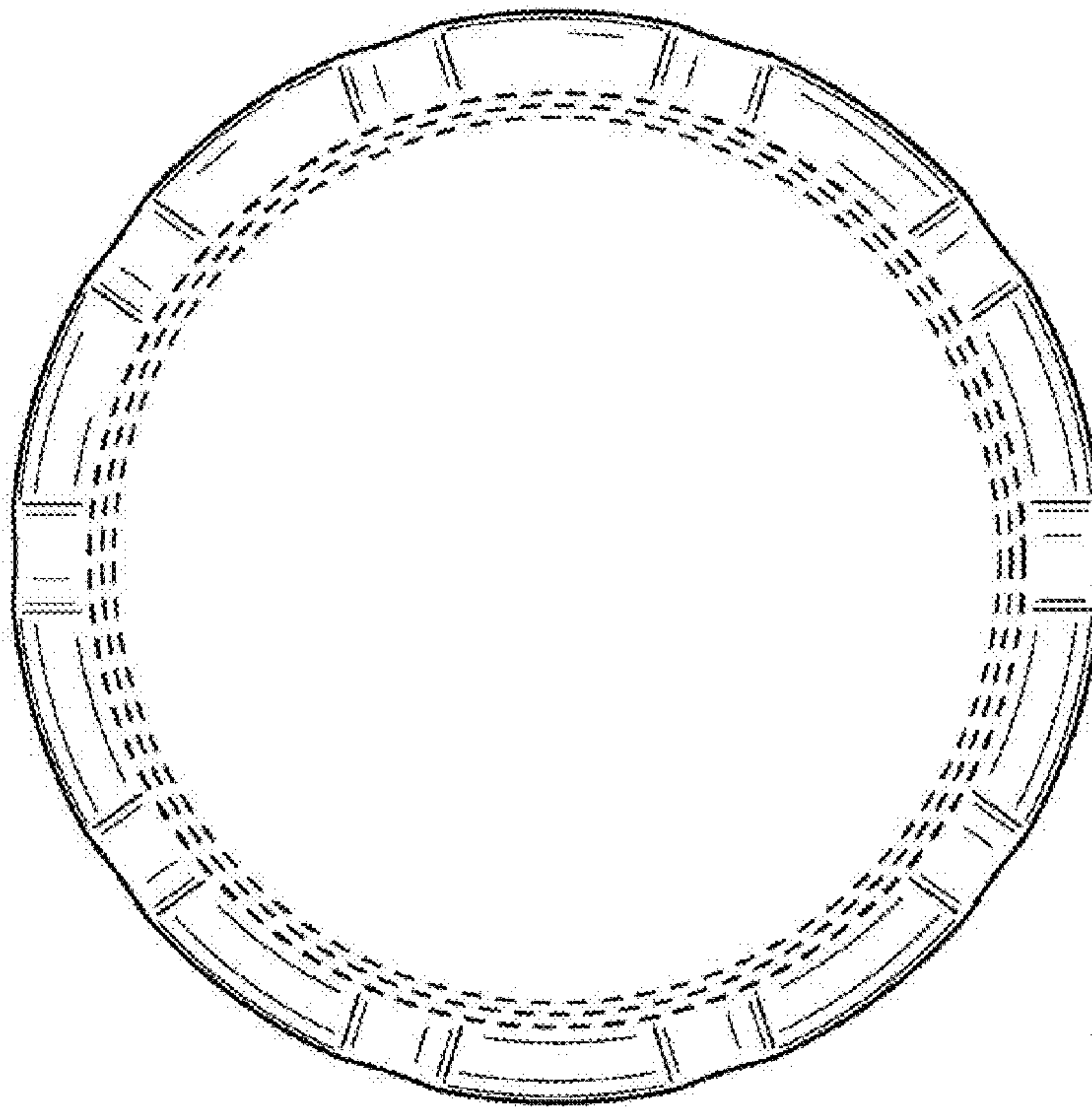


FIG. 4