



US00D632190S

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

(10) **Patent No.:** **US D632,190 S**  
(45) **Date of Patent:** **\*\* Feb. 8, 2011**

(54) **CONTAINER**

(75) Inventors: **Thomas S. Diss**, Waukesha, WI (US);  
**Kamchat Soisuvann**, Saugus, CA (US)

(73) Assignee: **Silgan Containers LLC**, Woodland Hills, CA (US)

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

(21) Appl. No.: **29/338,670**

(22) Filed: **Jun. 16, 2009**

**Related U.S. Application Data**

(63) Continuation-in-part of application No. 29/305,882, filed on Mar. 28, 2008, now Pat. No. Des. 596,505.

(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
D6,985 S	11/1873	Sleeper
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

(Continued)

**FOREIGN PATENT DOCUMENTS**

FR	2584680	1/1987
----	---------	--------

(Continued)

**OTHER PUBLICATIONS**

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

(Continued)

*Primary Examiner*—Ian Simmons

*Assistant Examiner*—Dana L Sipos

(74) *Attorney, Agent, or Firm*—Reinhart Boerner Van Deuren s.c.

(57) **CLAIM**

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

**DESCRIPTION**

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

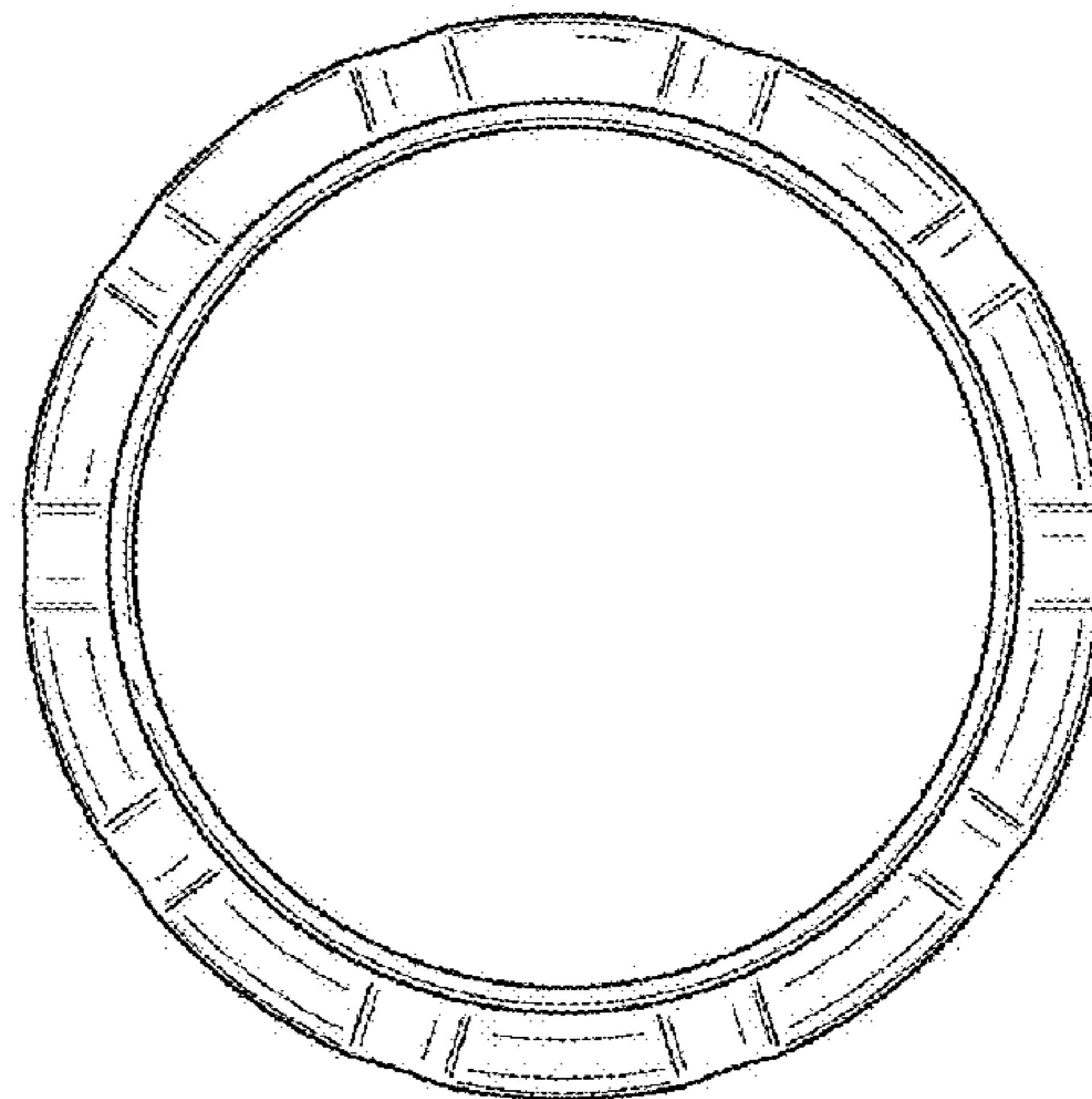
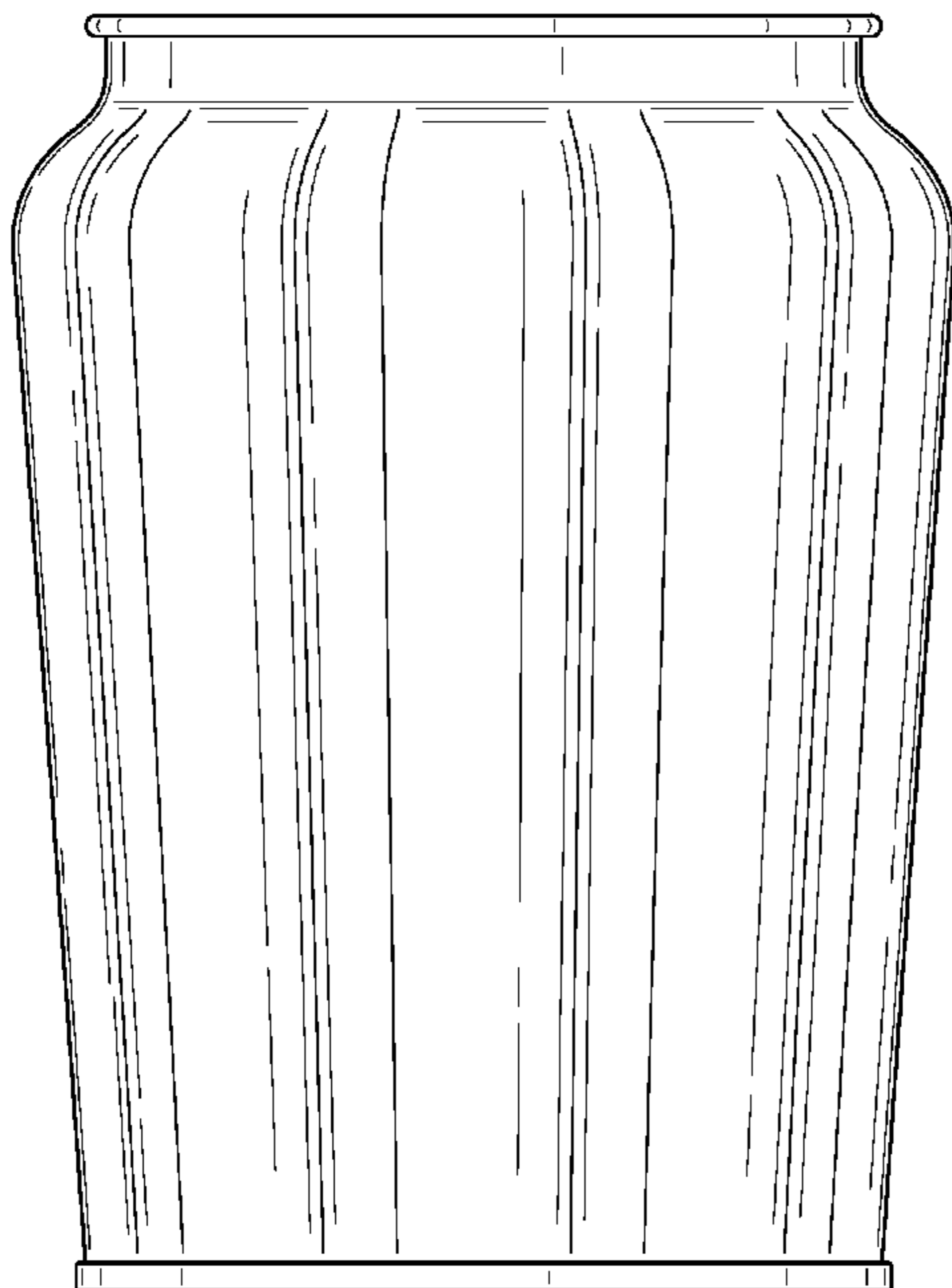
FIG. 2 is a front view of the claimed design, the rear view, the left side view, and the right side view being the same as the front view;

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**



# US D632,190 S

Page 2

U.S. PATENT DOCUMENTS					
D56,181	S	8/1920	Lewis	D399,129	S 10/1998 Ramsey
D67,869	S	7/1925	Boswell	D399,425	S 10/1998 Ramsey
D73,511	S	9/1927	Schrader	D399,428	S 10/1998 Ramsey
1,832,806	A	11/1931	Dawson	D399,429	S 10/1998 Ramsey
D95,419	S *	4/1935	Grey ..... D9/556	D399,430	S 10/1998 Ramsey
D96,413	S *	7/1935	Petaja ..... D9/645	D399,753	S 10/1998 Ramsey
D98,420	S	2/1936	Deskey	D401,152	S 11/1998 DeVore et al.
D101,728	S	10/1936	Bennett	D403,962	S 1/1999 Ramsey
D110,882	S *	8/1938	Smith ..... D9/556	D403,963	S 1/1999 Ramsey
D120,226	S	4/1940	Lundy	D404,254	S 1/1999 Asberg
D120,587	S	5/1940	Hinkins	D404,970	S 2/1999 Asberg
D124,645	S	1/1941	Palmer	D406,065	S 2/1999 Cheng
D124,880	S	1/1941	Teunisz	D406,236	S 3/1999 Brifcani et al.
2,252,915	A	8/1941	Conill	D408,221	S 4/1999 Asberg
D129,604	S	9/1941	Forgue	D409,496	S 5/1999 Ramsey
D185,488	S	6/1959	Burck et al.	D411,106	S 6/1999 Conrad
D185,649	S	7/1959	Schlumbohm	D412,118	S 7/1999 Rodea
D201,588	S *	7/1965	Linn ..... D9/538	D412,441	S 8/1999 Cheng et al.
3,297,194	A	1/1967	Schaper et al.	D413,519	S 9/1999 Eberle et al.
D207,133	S	3/1967	Stenger	5,957,647	A 9/1999 Hinton
3,317,110	A	5/1967	Palmer	D414,693	S 10/1999 Cheng et al.
3,349,987	A	10/1967	Weitzner	D416,200	S 11/1999 Pavely et al.
D212,525	S	10/1968	Kneapler	5,988,416	A 11/1999 Cheng et al.
3,648,884	A	3/1972	Mansolino	5,988,417	A 11/1999 Cheng et al.
D224,516	S	8/1972	Amberg	D417,392	S 12/1999 Zhang
D224,642	S	8/1972	Mascia et al.	D419,058	S 1/2000 Roth et al.
D226,176	S	1/1973	Bystedt et al.	D419,444	S 1/2000 Zhang
D227,863	S	7/1973	Mascia	D419,886	S 2/2000 Gans
D227,868	S	7/1973	Stanley et al.	D420,587	S 2/2000 Cheng et al.
D228,229	S	8/1973	Mascia	D421,393	S 3/2000 Pavely et al.
D230,953	S	3/1974	Edwards	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.
D375,266	S *	11/1996	Hiro et al. .... D9/556	D441,295	S 5/2001 Krich
D378,572	S	3/1997	Culverwell et al.	6,230,912	B1 5/2001 Rashid
D379,589	S	6/1997	Rhodes et al.	D445,339	S 7/2001 Bazlur
D381,259	S	7/1997	Hayes	D445,693	S 7/2001 Rashid
D383,037	S	9/1997	Asberg	D445,694	S 7/2001 Gans
5,711,448	A	1/1998	Clarke, III	D446,455	S 8/2001 McGowan
5,720,412	A	2/1998	Ficken	D446,458	S 8/2001 Gans
D392,032	S *	3/1998	Zaragoza et al. .... D23/369	D447,061	S 8/2001 Peek
5,722,561	A	3/1998	Biondich et al.	6,280,679	B1 8/2001 Rashid et al.
5,749,488	A	5/1998	Bagwell et al.	D447,422	S 9/2001 Peek
D398,531	S	9/1998	DeVries	D448,302	S 9/2001 Cheng et al.
				D448,303	S 9/2001 Cheng et al.
				D448,304	S 9/2001 Cheng et al.



# US D632,190 S

6,294,131 B1	9/2001	Jaffrey	D536,262 S	2/2007	Ioannides et al.
D448,666 S	10/2001	Fields	D536,263 S	2/2007	Ioannides et al.
D448,671 S	10/2001	Gans et al.	D536,264 S	2/2007	Ioannides et al.
D448,672 S	10/2001	Cheng et al.	D538,645 S	3/2007	McDowell et al.
D448,675 S	10/2001	Thierjung	D538,646 S	3/2007	McDowell et al.
D448,677 S	10/2001	Krich	D538,660 S	3/2007	Gatewood
D449,539 S	10/2001	Lakatosh et al.	7,198,168 B2	4/2007	Mizuma
D449,993 S	11/2001	Schumann	D542,130 S	5/2007	McDowell et al.
D450,244 S	11/2001	Rashid	D542,650 S	5/2007	McDowell et al.
6,321,927 B2	11/2001	Cavella	D543,845 S	6/2007	Ioannides et al.
D453,003 S	1/2002	Rashid	D546,183 S	7/2007	Clutter
6,341,709 B1	1/2002	Wilson	7,243,808 B2	7/2007	Livingston et al.
6,347,717 B1	2/2002	Eberle	D549,596 S	8/2007	Ioannides et al.
D454,073 S	3/2002	Crawford	D562,685 S	2/2008	Millspaw et al.
D455,656 S	4/2002	Gans et al.	D594,750 S *	6/2009	Westphal ..... D9/536
6,374,657 B1	4/2002	Kirk et al.	D596,500 S	7/2009	Diss
D456,712 S	5/2002	Krich	D596,501 S	7/2009	Diss et al.
D457,435 S	5/2002	Rashid	D596,502 S	7/2009	Diss et al.
6,398,052 B1	6/2002	Cheng et al.	D596,503 S	7/2009	Diss
6,419,874 B2	7/2002	Rashid et al.	D596,504 S	7/2009	Murphy et al.
D464,569 S	10/2002	Moore et al.	D596,505 S	7/2009	Diss et al.
D465,158 S	11/2002	Peek et al.	D596,955 S	7/2009	Diss et al.
D465,418 S	11/2002	Thierjung	D596,956 S	7/2009	Diss et al.
D466,019 S	11/2002	Thierjung et al.	D596,957 S	7/2009	Diss
D466,021 S	11/2002	Thierjung et al.	D596,958 S	7/2009	Diss et al.
D466,024 S	11/2002	Thierjung et al.	D612,740 S *	3/2010	Leone ..... D9/553
D466,813 S	12/2002	Thierjung et al.	2001/0002671 A1	6/2001	Heinicke et al.
D466,817 S	12/2002	Thierjung et al.	2001/0009107 A1	7/2001	Cheng et al.
D469,360 S	1/2003	Moore et al.	2001/0009244 A1	7/2001	Cheng et al.
6,575,684 B2	6/2003	Heinicke et al.	2002/0172578 A1	11/2002	Heinicke et al.
D476,889 S	7/2003	Fields	2005/0082299 A1	4/2005	Jenkins
D476,896 S	7/2003	Cheng et al.	2006/0131257 A1	6/2006	Gatewood et al.
6,585,125 B1	7/2003	Peek	2006/0186082 A1	8/2006	Gatewood et al.
D478,286 S	8/2003	Futral et al.	2007/0012648 A1	1/2007	Gatewood
D478,287 S	8/2003	Corker et al.	2007/0068943 A1	3/2007	Ramsey et al.
D479,999 S	9/2003	Moore	2007/0102425 A1	5/2007	Richardson et al.
D480,650 S	10/2003	Moore et al.	2007/0108196 A1	5/2007	Richardson et al.
D480,956 S	10/2003	Mooney et al.	2007/0108197 A1	5/2007	Richardson et al.
D480,957 S	10/2003	Mooney et al.	2007/0108198 A1	5/2007	Richardson et al.
D481,317 S	10/2003	Corker et al.	2007/0138181 A1	6/2007	Heinicke 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 ..... D9/774			
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.			
D514,937 S *	2/2006	Chang ..... D9/506			
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	Klinger et al.			
D534,079 S	12/2006	Livingston			
D534,428 S	1/2007	Reed 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. 29/312,033, 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.

# US D632,190 S

Page 4

---

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.  
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.  
“The Revolutionary Stretching Technology” brochure, believed to be available by 2001 at [www.canstretch.com](http://www.canstretch.com), 1 page.  
“Stretch Machine” brochure, believed to be available by 2001 at [www.canstretch.com](http://www.canstretch.com), 1 page.  
Photograph of Six Cans, believed to be available by 2001 at [www.canstretch.com](http://www.canstretch.com), 1 page.  
\* cited by examiner

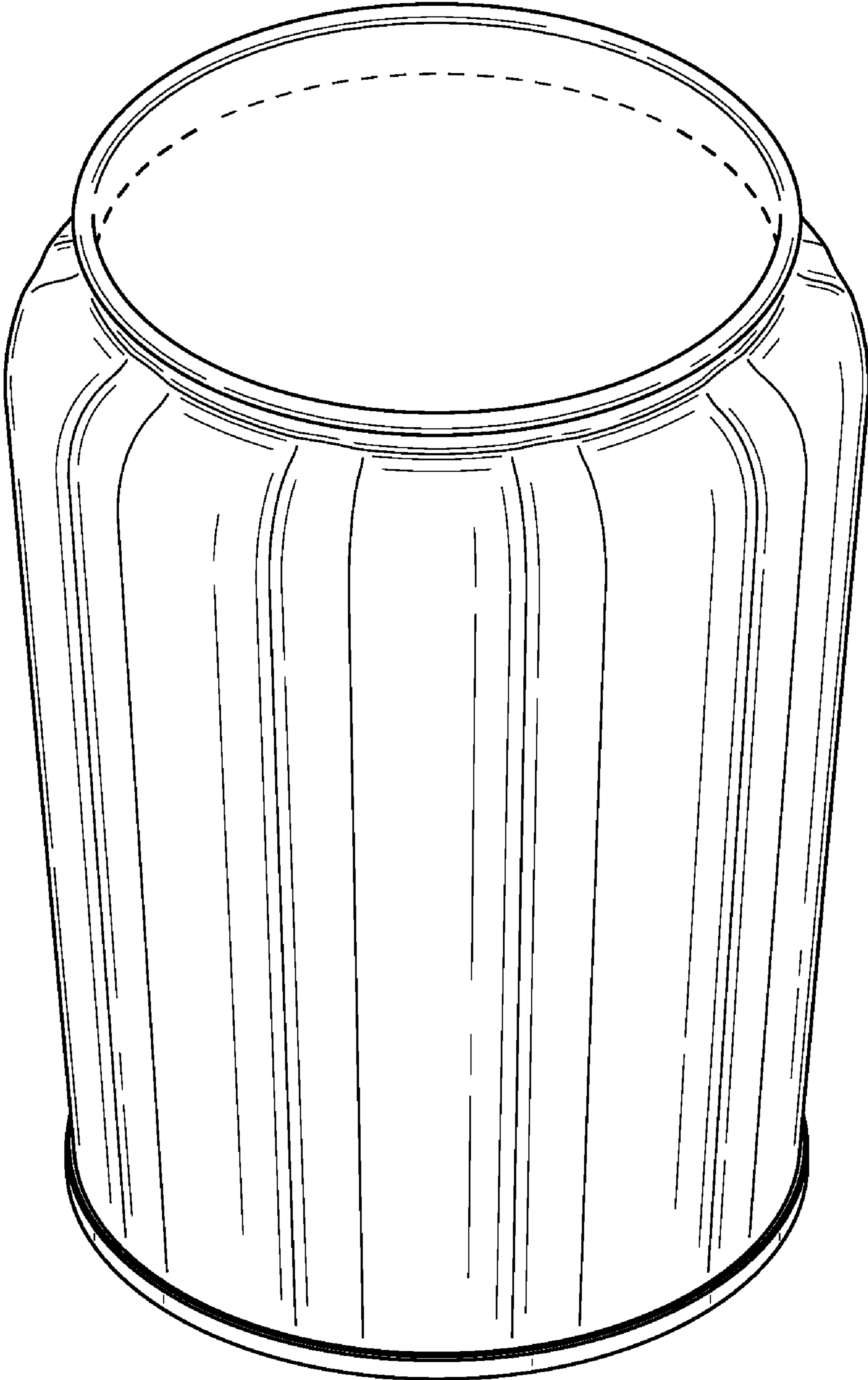


FIG. 1

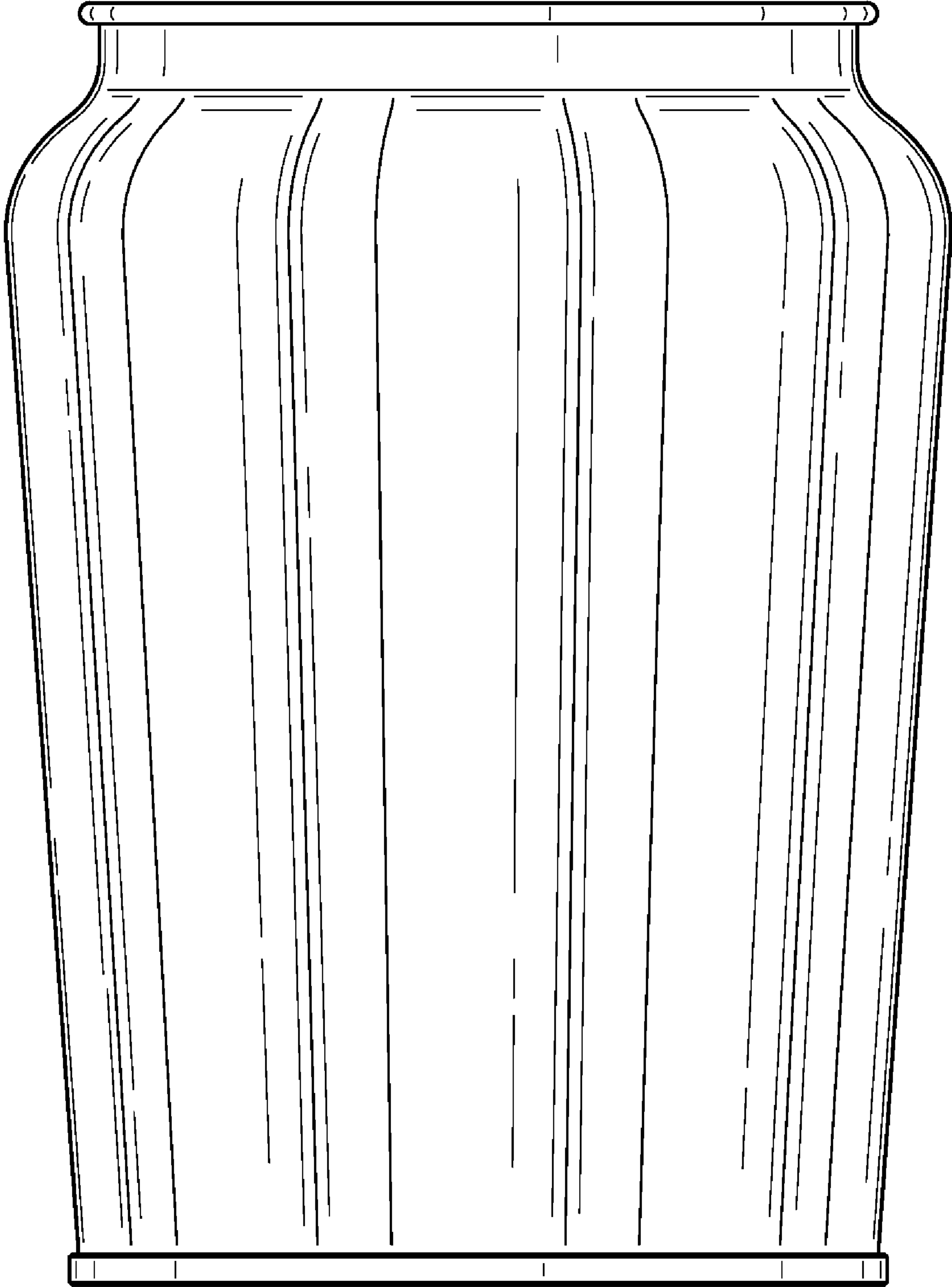


FIG. 2



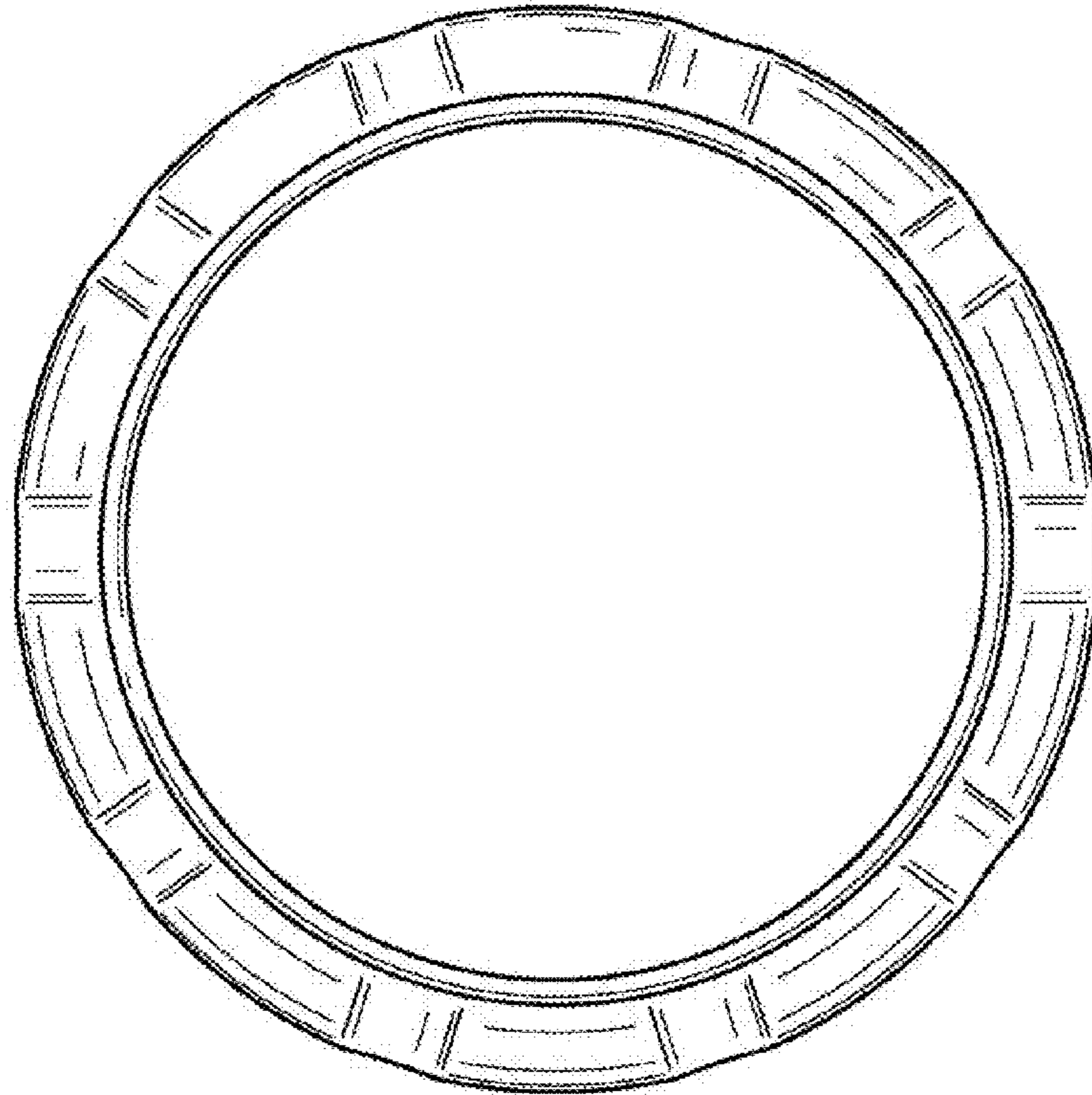


FIG. 3

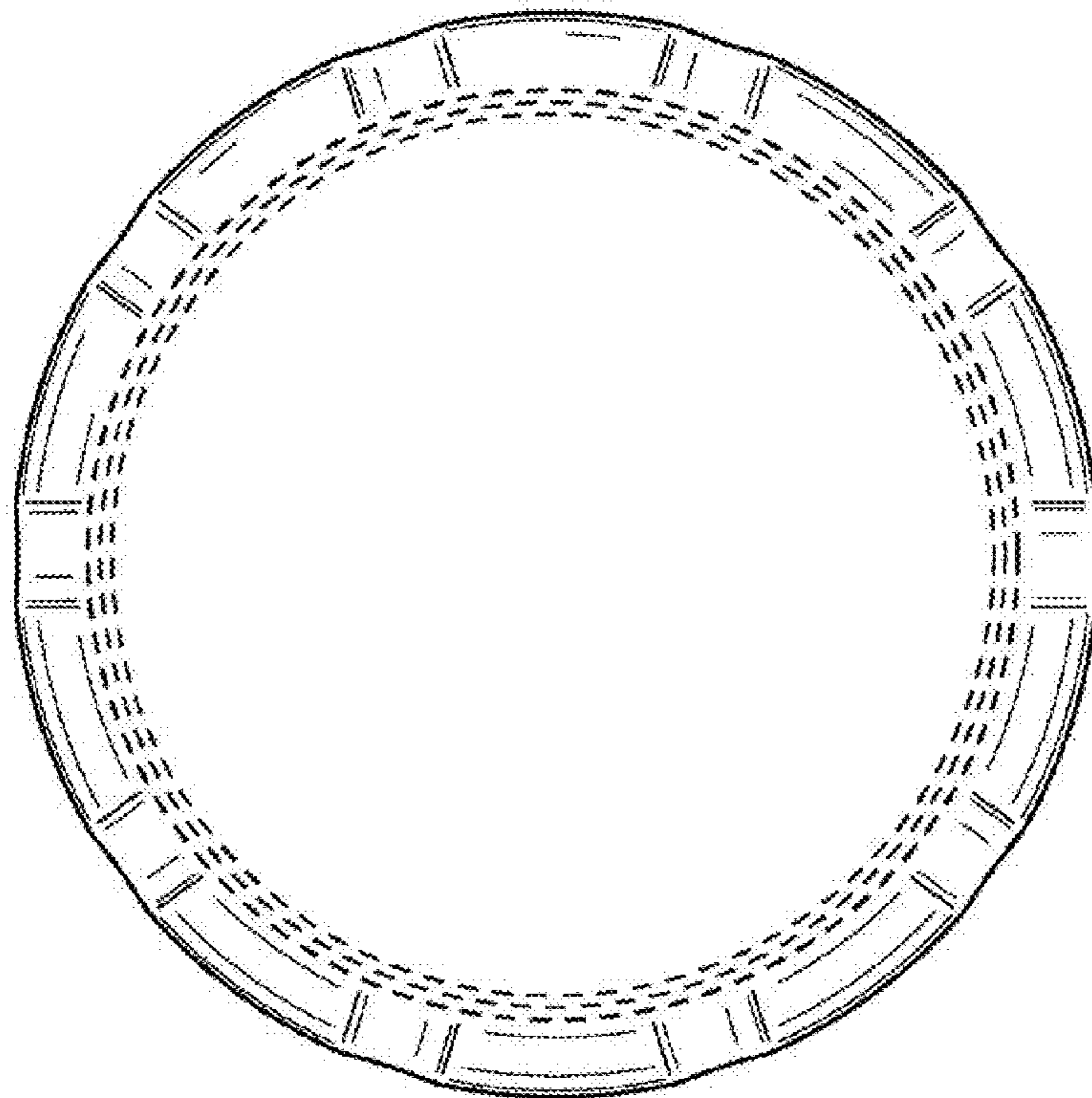


FIG. 4