



US00D635016S

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

(10) **Patent No.:** **US D635,016 S**  
(45) **Date of Patent:** **\*\* Mar. 29, 2011**

(54) **HOURLASS CARTON**

(74) *Attorney, Agent, or Firm* — J. Bennett Mullinax, LLC

(75) Inventor: **Roderick William Kalberer**, Cincinnati, OH (US)

(57) **CLAIM**  
The ornamental design for a hourglass carton, as shown and described.

(73) Assignee: **Evergreen Packaging, Inc.**, Memphis, TN (US)

**DESCRIPTION**

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

FIG. 1 is a perspective view of the hourglass carton according to the present invention.

(21) Appl. No.: **29/370,051**

FIG. 2 is a front elevation view of the hourglass carton as shown in FIG. 1.

(22) Filed: **May 28, 2010**

FIG. 3 is a back elevation view of the hourglass carton as shown in FIG. 1.

**Related U.S. Application Data**

FIG. 4 is a left side elevation view of the hourglass carton as shown in FIG. 1.

(63) Continuation of application No. 29/336,676, filed on May 7, 2009, now Pat. No. Des. 616,739.

FIG. 5 is a right side elevation view of the hourglass carton as shown in FIG. 1.

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

FIG. 6 is a top plan view of the hourglass carton as shown in FIG. 1.

(52) **U.S. Cl.** ..... **D9/431**

(58) **Field of Classification Search** ..... D9/430-433, D9/414, 418, 420-423, 434; D11/221; 206/278, 206/297, 299, 457, 770, 737, 810, 822; 229/100, 229/101, 101.3, 106, 108, 108.1, 116.1, 116.3, 229/116.5, 121, 122, 201, 213, 221, 222, 229/227, 922, 939, 942, 87.08, 101.2, 193, 229/195, 197

FIG. 7 is a bottom plan view of the hourglass carton as shown in FIG. 1.

See application file for complete search history.

FIG. 8 is a perspective view of a second embodiment of the hourglass carton.

(56) **References Cited**

FIG. 9 is a front elevation view of the hourglass carton as shown in FIG. 8.

**U.S. PATENT DOCUMENTS**

2,964,227 A \* 12/1960 Goldsholl ..... 229/128  
3,010,571 A 11/1961 Transport  
3,089,590 A \* 5/1963 Mell ..... 206/467  
3,343,743 A \* 9/1967 Hamilton ..... 229/117.24

FIG. 10 is a back elevation view of the hourglass carton as shown in FIG. 8.

(Continued)

FIG. 11 is a right side elevation view of the hourglass carton as shown in FIG. 8.

**FOREIGN PATENT DOCUMENTS**

EM 596572-0014 9/2006

(Continued)

FIG. 12 is a left side elevation view of the hourglass carton as shown in FIG. 8.

*Primary Examiner* — T. Chase Nelson

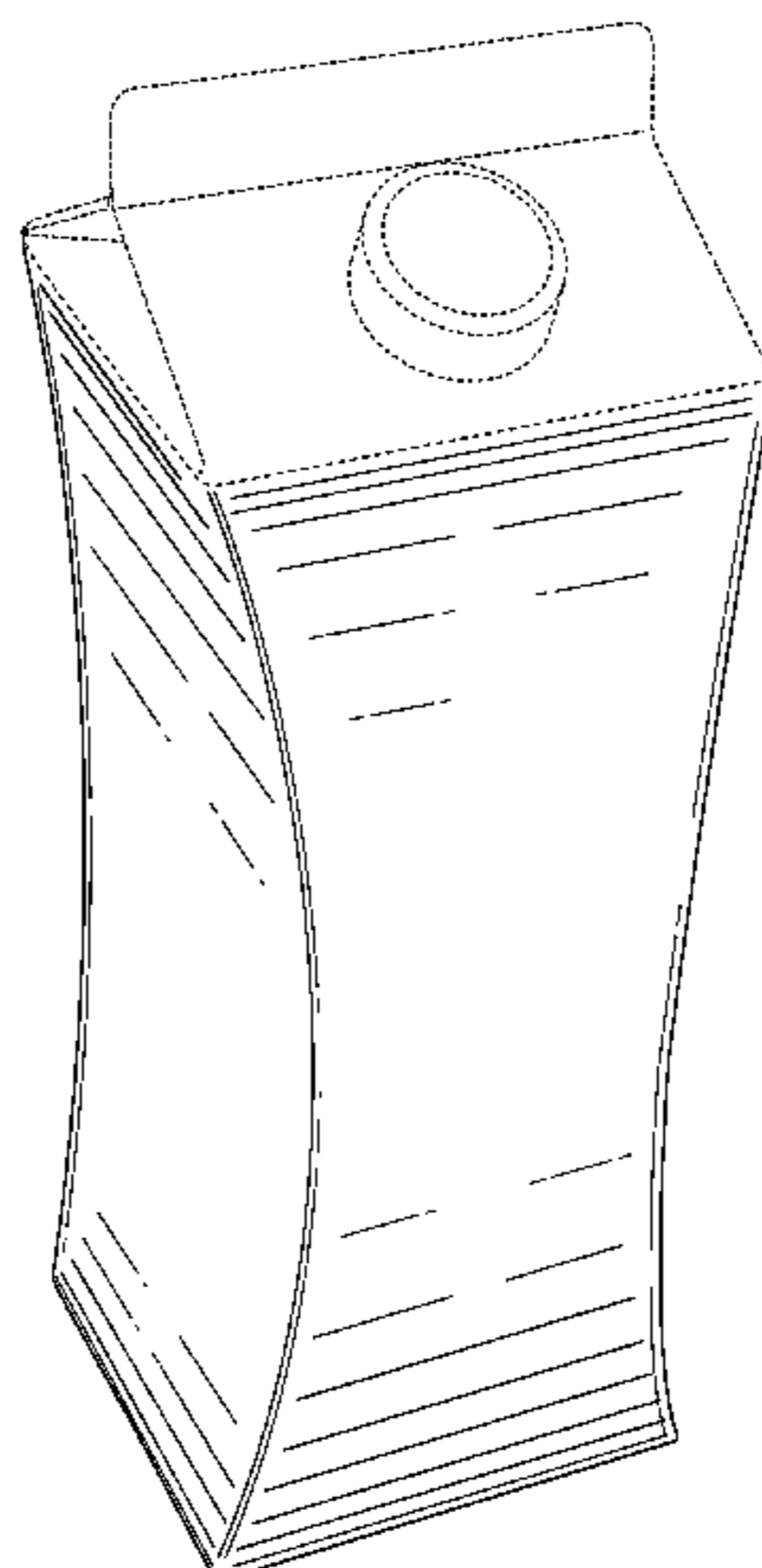
*Assistant Examiner* — Karen Acker

FIG. 13 is a top plan view of the hourglass carton as shown in FIG. 8; and,

FIG. 14 is a bottom plan view of the hourglass carton as shown in FIG. 8.

The broken lines and the areas within the broken lines including the pour spout within the gable of the hourglass carton and the seam line shown in side FIGS. 3, 6, 10 and 13 and bottom views FIGS. 7 and 14 represent unclaimed environmental subject matter and form no part of the claimed design. The broken lines form no part of the claimed design.

**1 Claim, 11 Drawing Sheets**



# US D635,016 S

Page 2

## U.S. PATENT DOCUMENTS

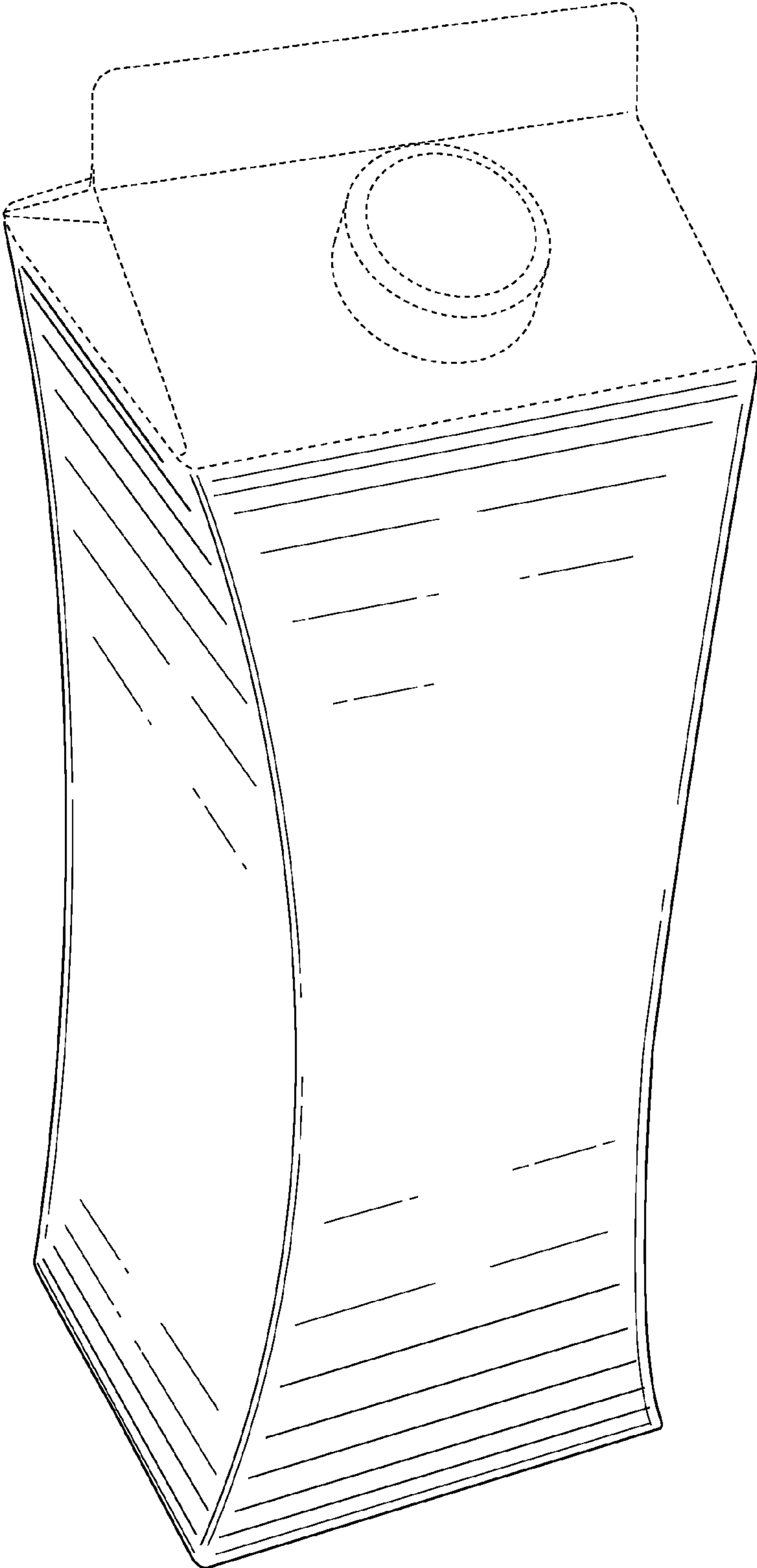
3,390,827 A 7/1968 Malby  
4,192,446 A \* 3/1980 Naito ..... 229/137  
5,000,375 A 3/1991 Färber et al.  
5,248,054 A 9/1993 Berggren et al.  
5,255,813 A 10/1993 Berggren et al.  
5,636,785 A 6/1997 Kalberer et al.  
5,816,487 A 10/1998 Skinner  
D422,210 S \* 4/2000 Sturkie et al. .... D9/707  
D436,032 S \* 1/2001 Croft et al. .... D9/416  
D438,105 S \* 2/2001 Conner et al. .... D9/430  
D447,689 S 9/2001 Navet et al.  
D454,495 S 3/2002 Bryan et al.  
D461,404 S 8/2002 Steiger  
6,599,225 B2 7/2003 Ammons et al.  
D486,731 S 2/2004 Meeker et al.  
6,881,180 B2 4/2005 Ammons et al.  
D543,851 S 6/2007 Franic  
D548,591 S 8/2007 Learn et al.

D549,575 S 8/2007 Pinkstone  
D554,509 S \* 11/2007 Ghalebi ..... D9/523  
D558,047 S 12/2007 Pinkstone  
7,325,719 B2 2/2008 Palm  
D568,762 S 5/2008 Keberlein  
D568,763 S 5/2008 Keberlein  
D570,683 S \* 6/2008 Kortsmit et al. .... D9/431  
D576,031 S 9/2008 Bone et al.  
D578,389 S 10/2008 Kalberer  
7,451,909 B2 \* 11/2008 Sexton ..... 229/92.8  
D589,791 S 4/2009 Kalberer  
2006/0278688 A1 \* 12/2006 Learn ..... 229/116.1

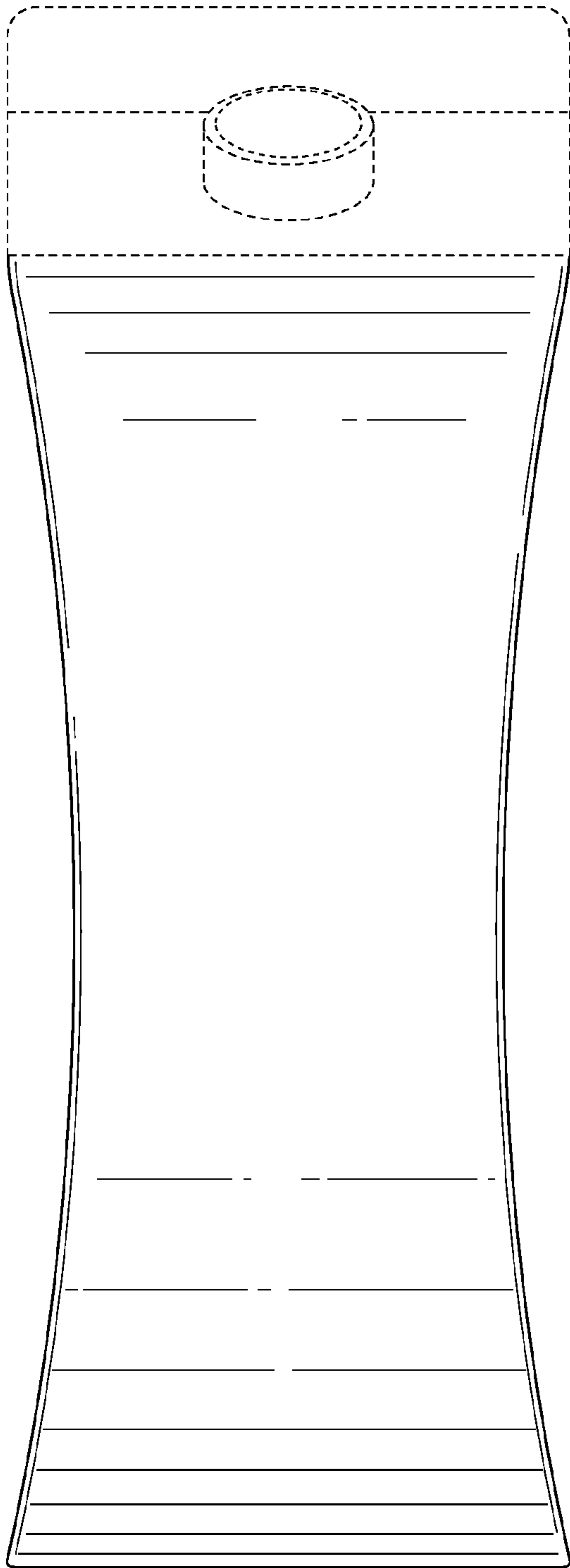
## FOREIGN PATENT DOCUMENTS

EM 778576-0001 8/2007  
JP 1144509 4/2002  
WO WO 2004076302 A1 9/2004  
WO WO 2005097606 A2 10/2005

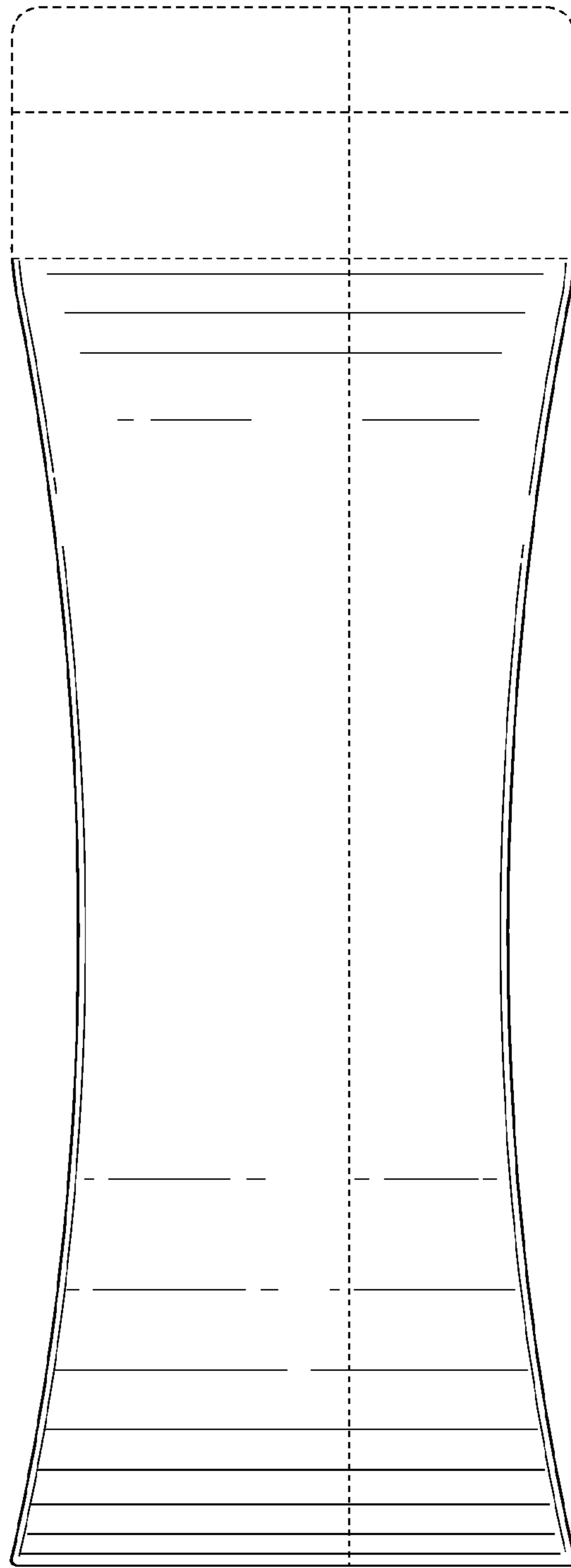
\* cited by examiner



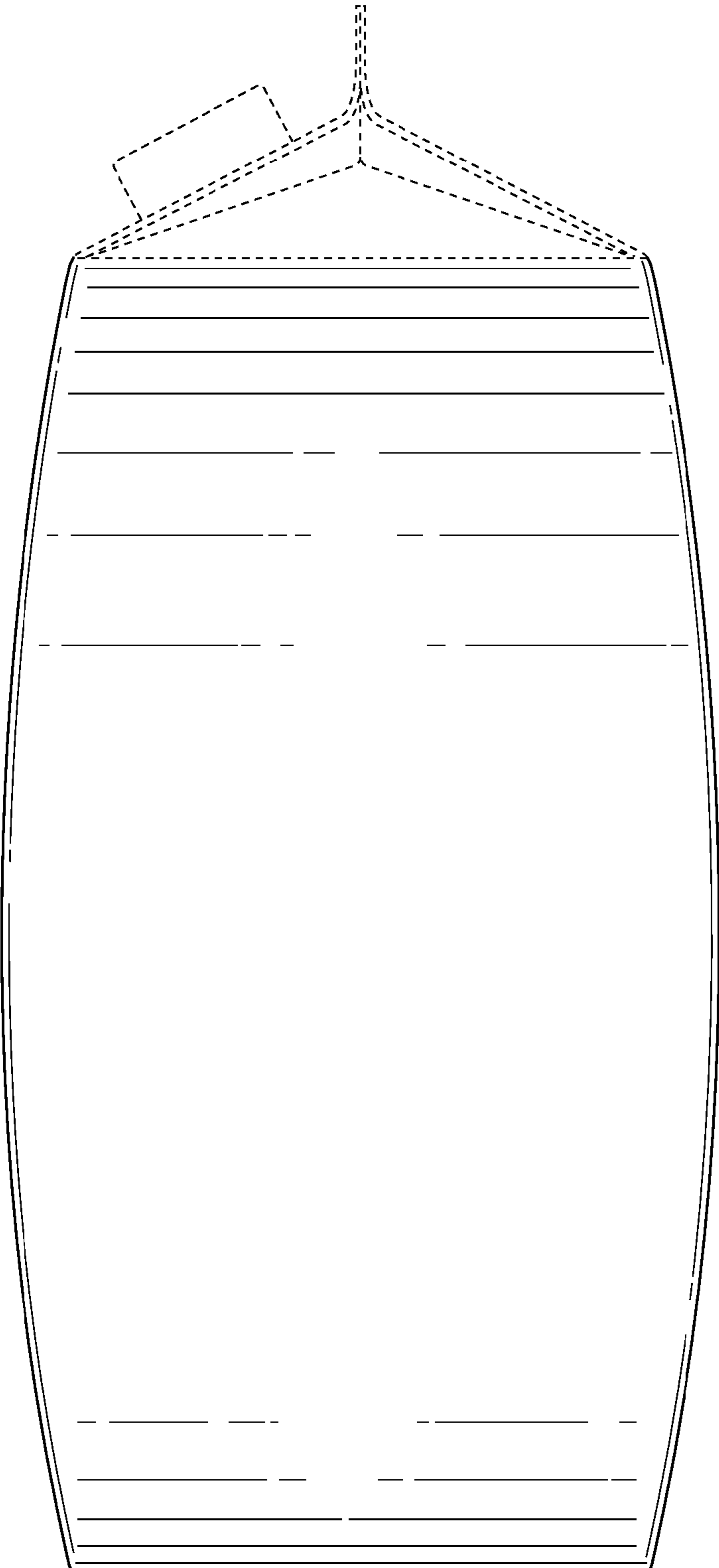
**FIG. 1**



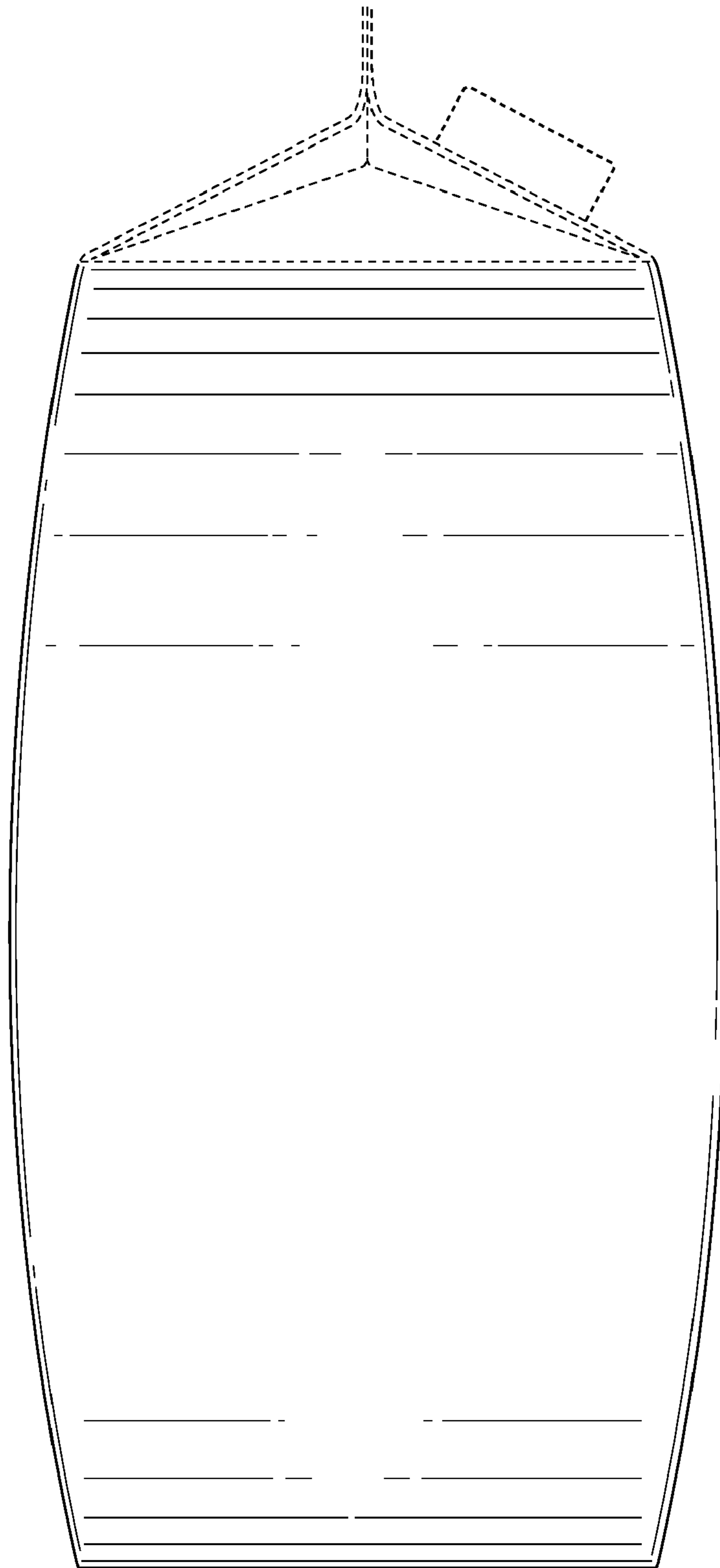
**FIG. 2**



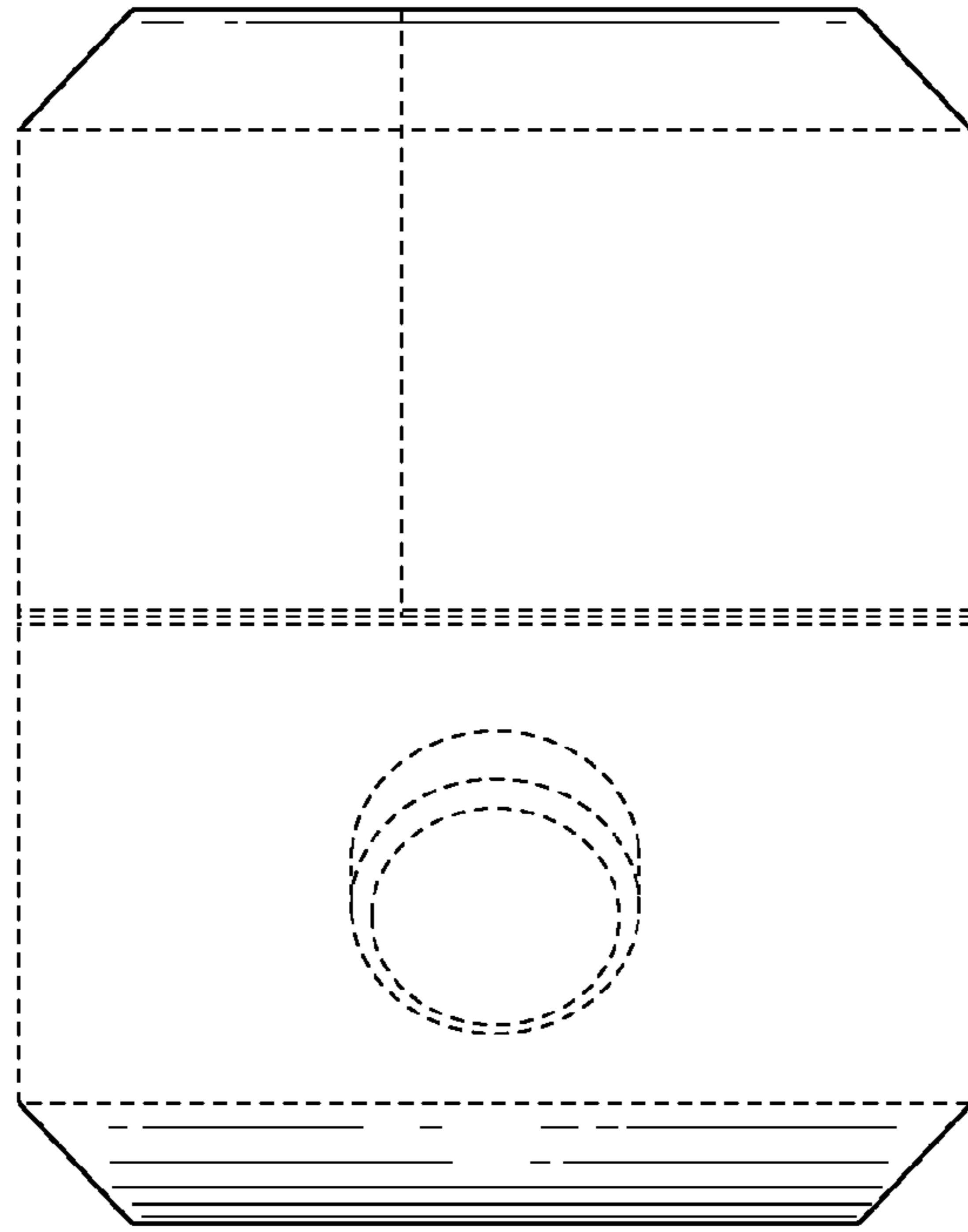
**FIG. 3**



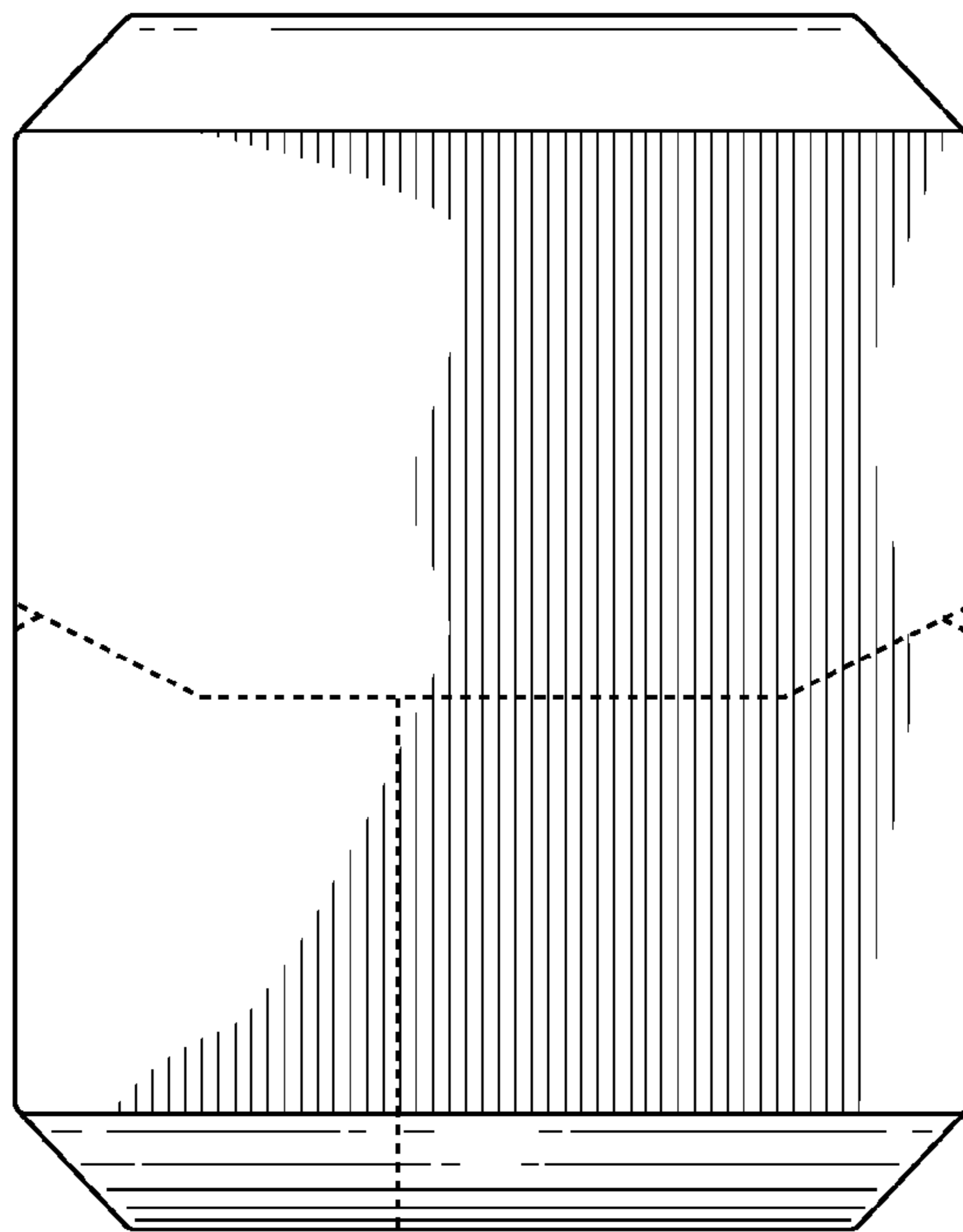
**FIG. 4**



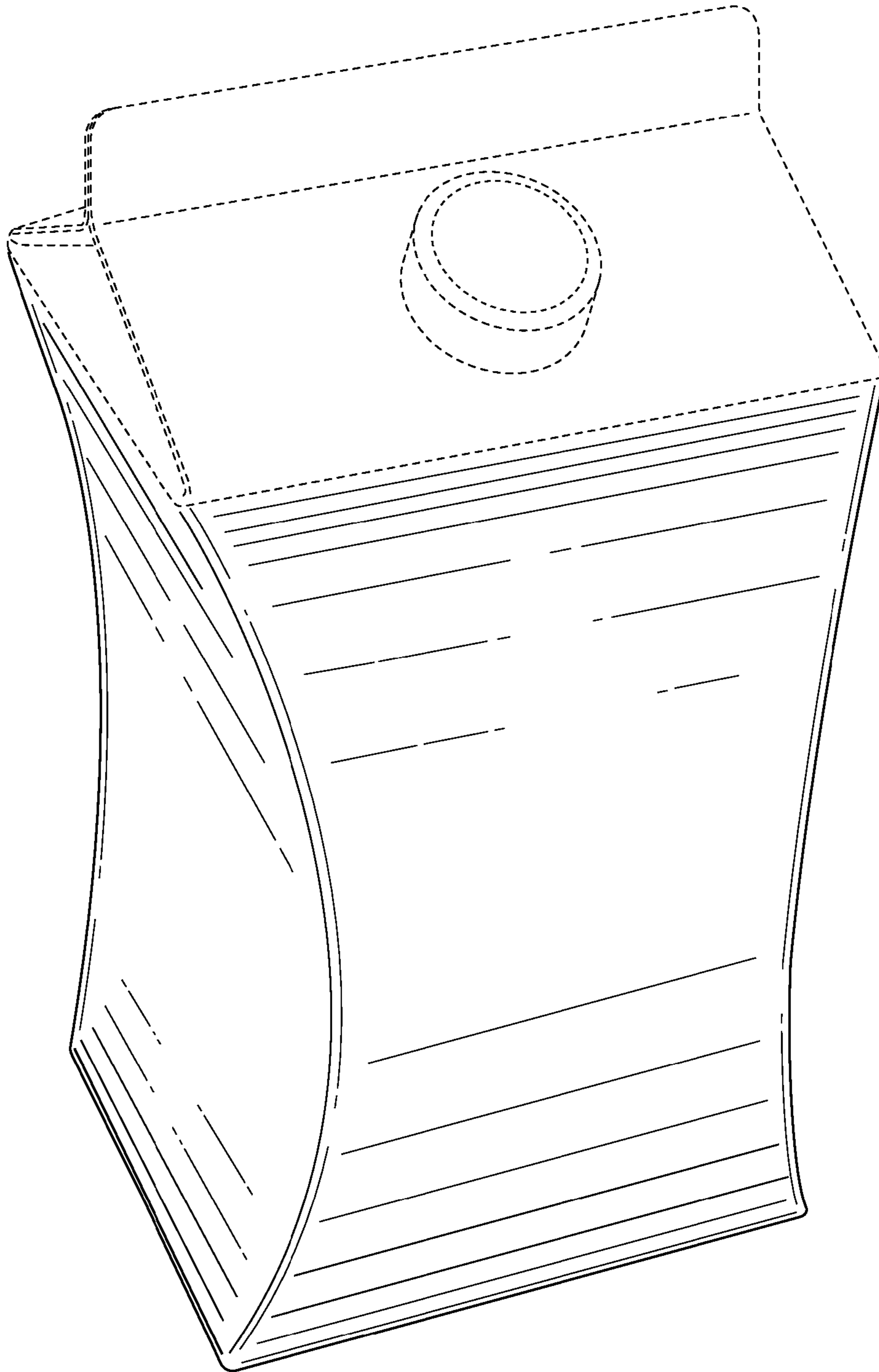
**FIG. 5**



**FIG. 6**

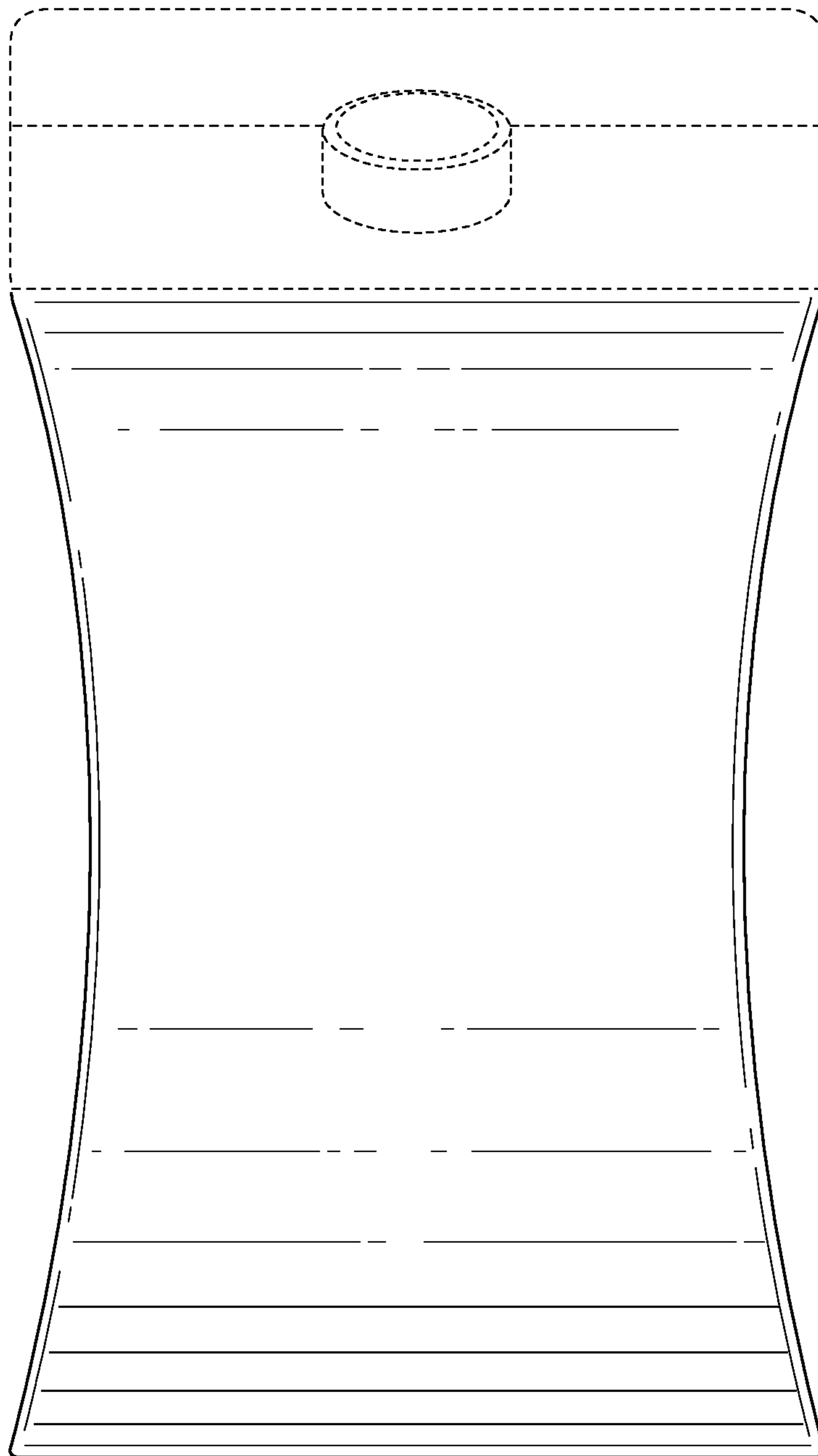


**FIG. 7**

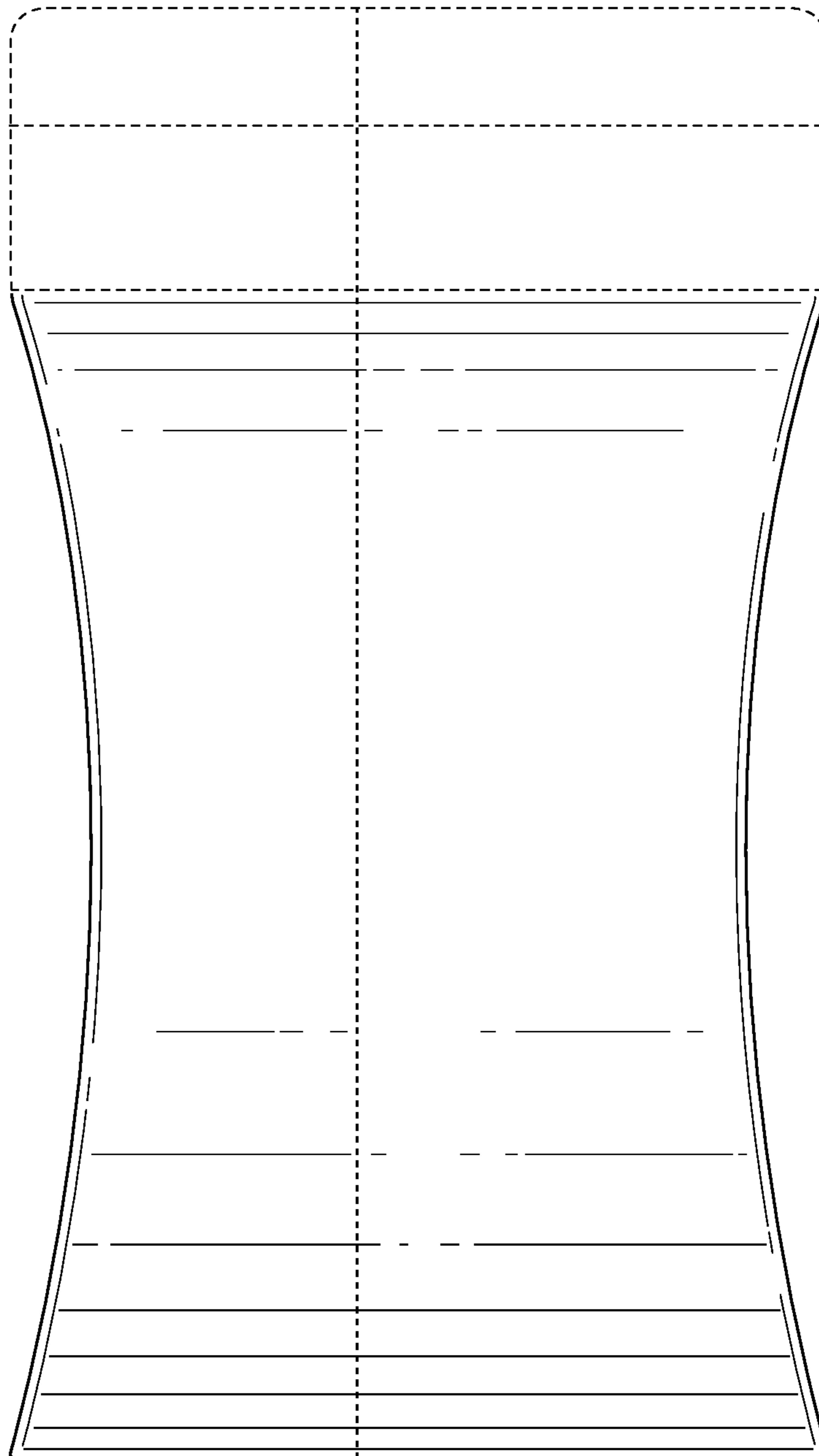


**FIG. 8**

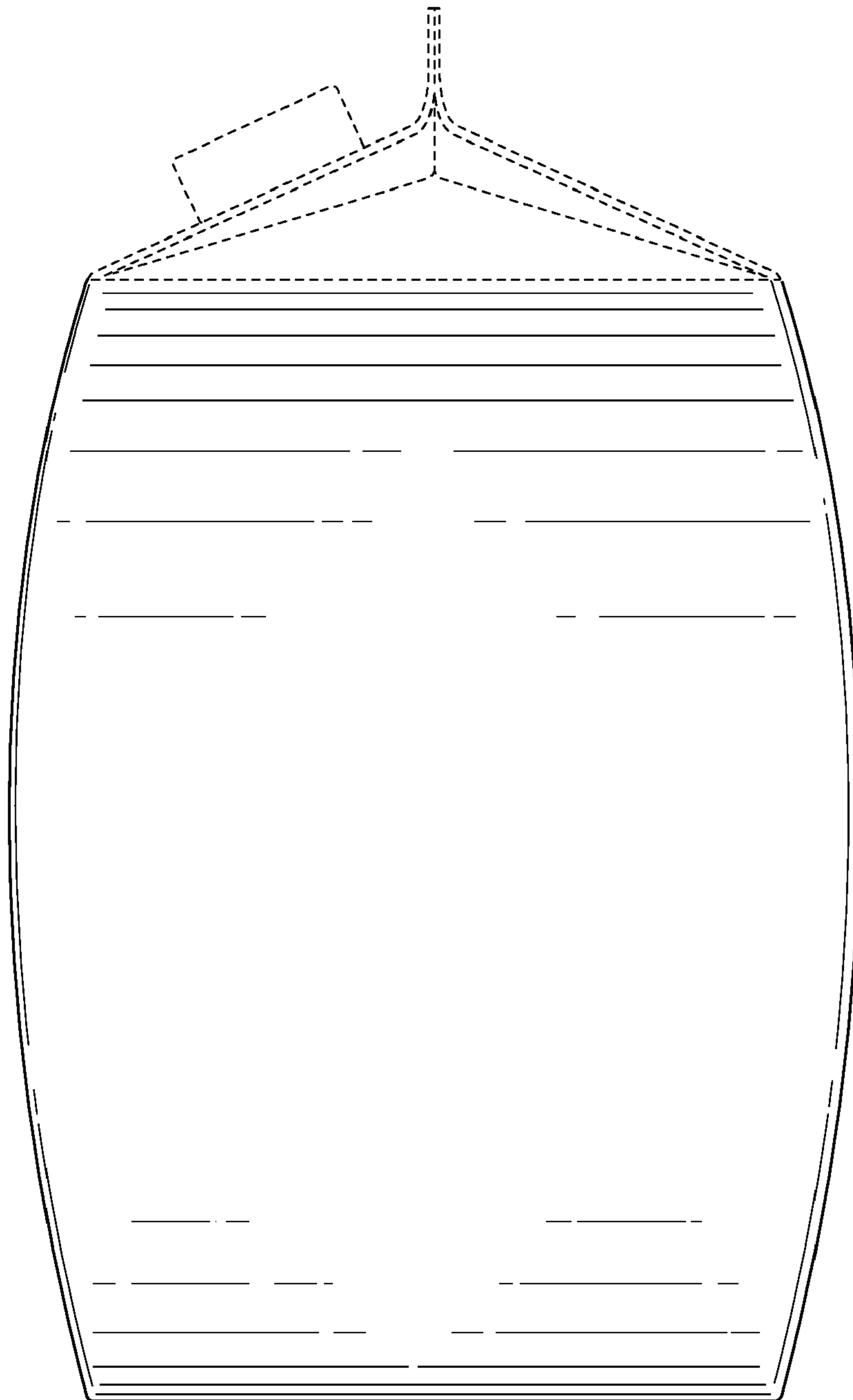




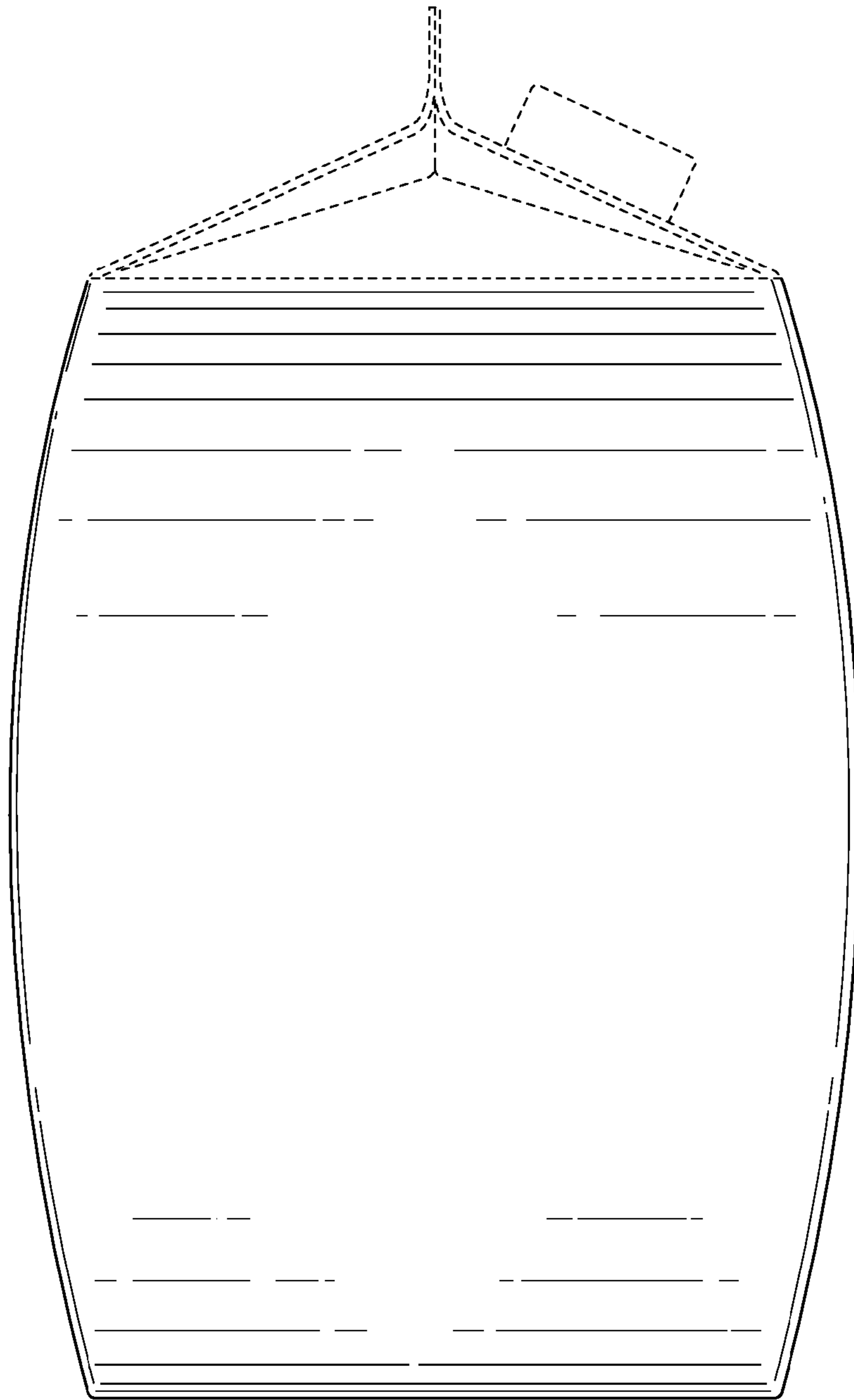
**FIG. 9**



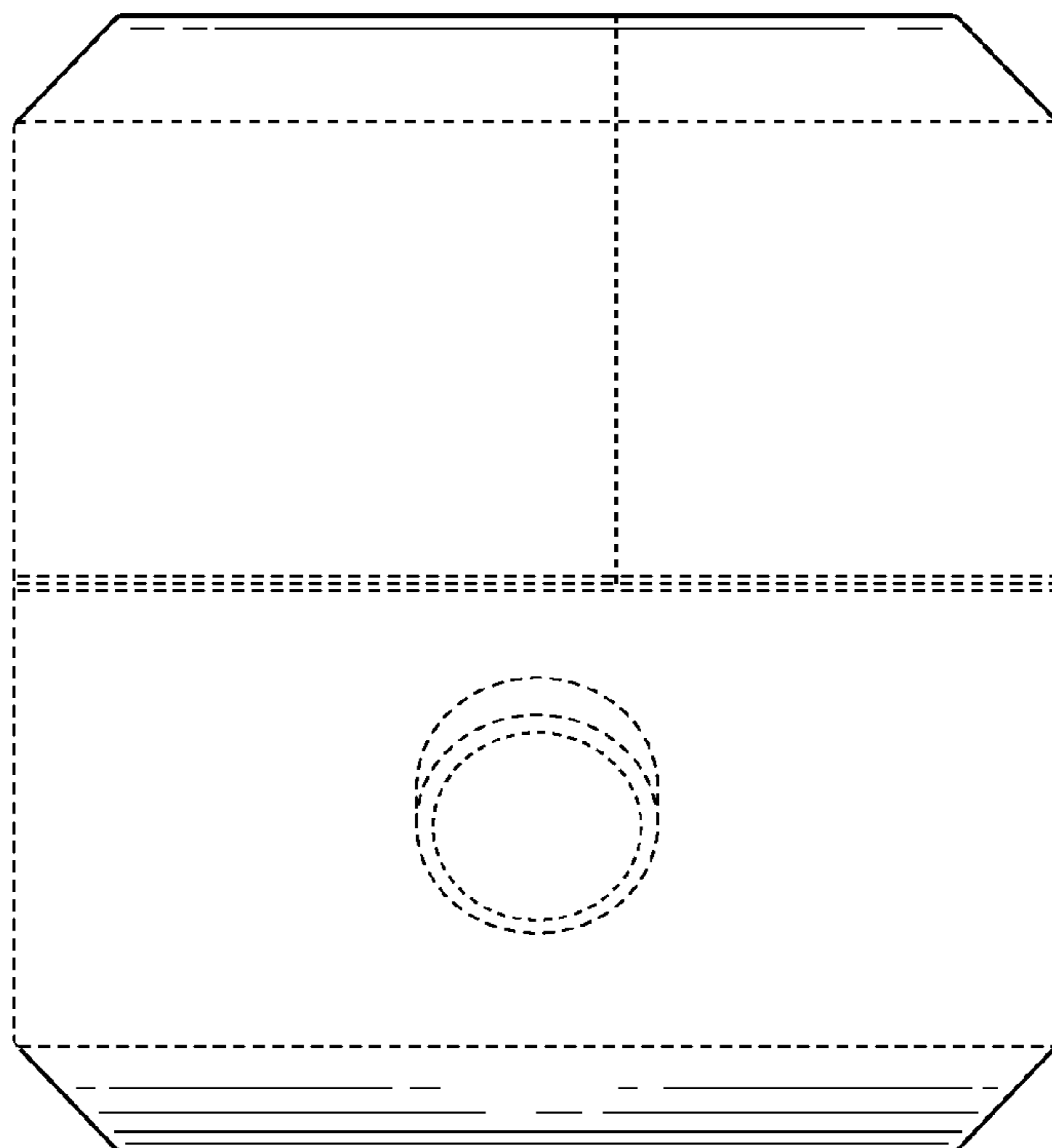
**FIG. 10**



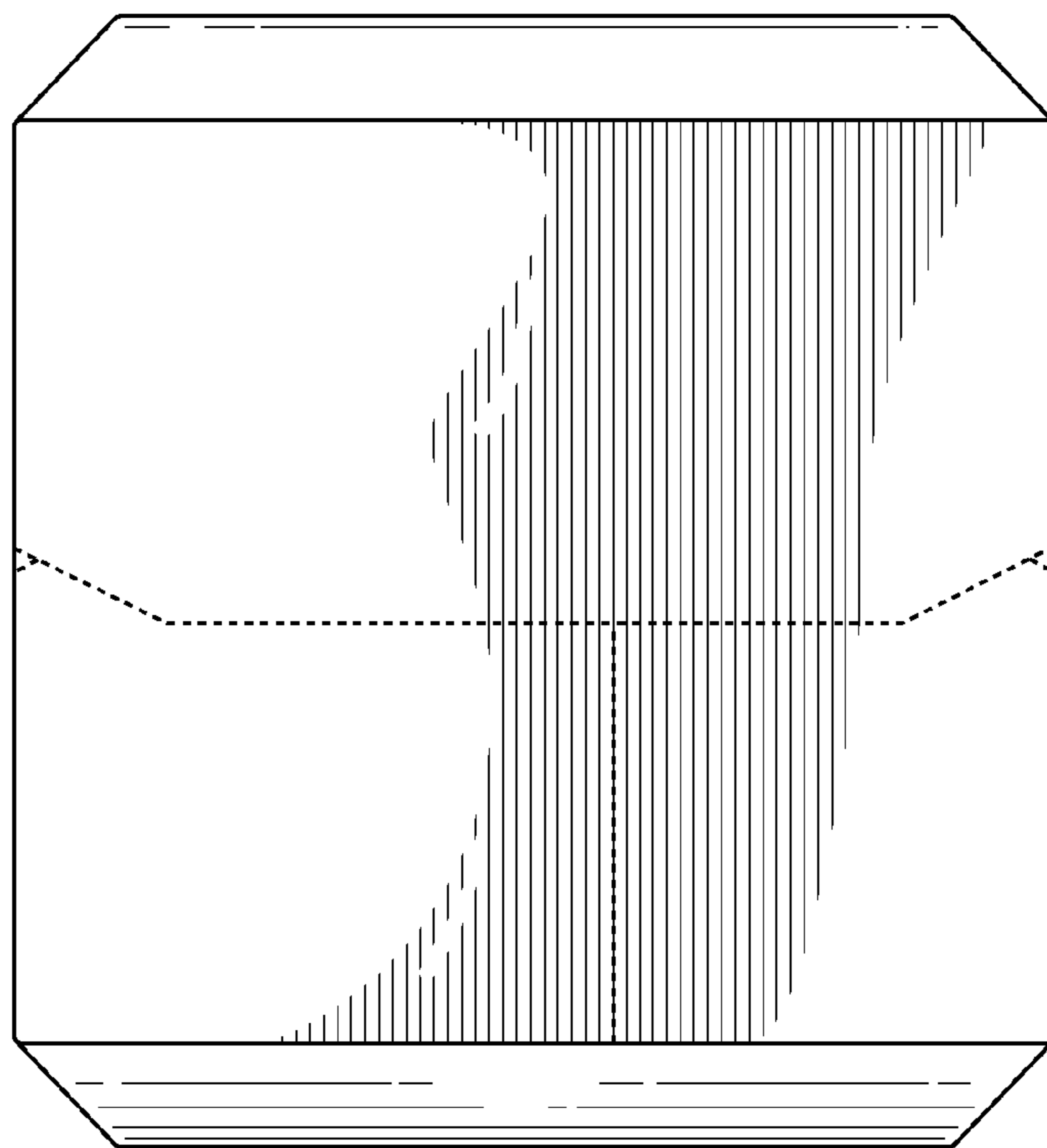
**FIG. 11**



**FIG. 12**



**FIG. 13**



**FIG. 14**