

US00D638135S

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

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(54) **PORTION OF A VIAL**

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

(21) Appl. No.: **29/333,365**

(22) Filed: **Mar. 6, 2009**

(51) **LOC (9) Cl.** **24-01**

(52) **U.S. Cl.** **D24/224**

(58) **Field of Classification Search** D24/216, D24/222-226, 231, 232, 169, 131; D10/80, D10/81; 422/99, 100, 102, 56, 58, 61, 68.1, 422/69; 435/288.1, 288.3, 289.1; D9/503, D9/504, 516, 517, 520; 206/365, 366
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D139,383 S * 11/1944 Lampl D24/224
4,046,138 A * 9/1977 Libman et al. 435/288.1
4,808,381 A * 2/1989 McGregor et al. 422/100
D355,735 S * 2/1995 Shaffer et al. D9/503
D360,576 S * 7/1995 Bech D9/520
D360,829 S * 8/1995 Leeds D9/504

D491,275 S * 6/2004 Walters et al. D24/224
D498,584 S * 11/2004 DiMarchi et al. D3/203.2
D530,616 S * 10/2006 Kipperman et al. D9/529
D543,111 S * 5/2007 Hoglund D9/504
D554,508 S * 11/2007 YunFu D9/520
D559,396 S * 1/2008 Dave D24/224
D605,522 S * 12/2009 Jaeger D9/503
2009/0166361 A1 * 7/2009 Lourenco 422/102

* cited by examiner

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(57) **CLAIM**

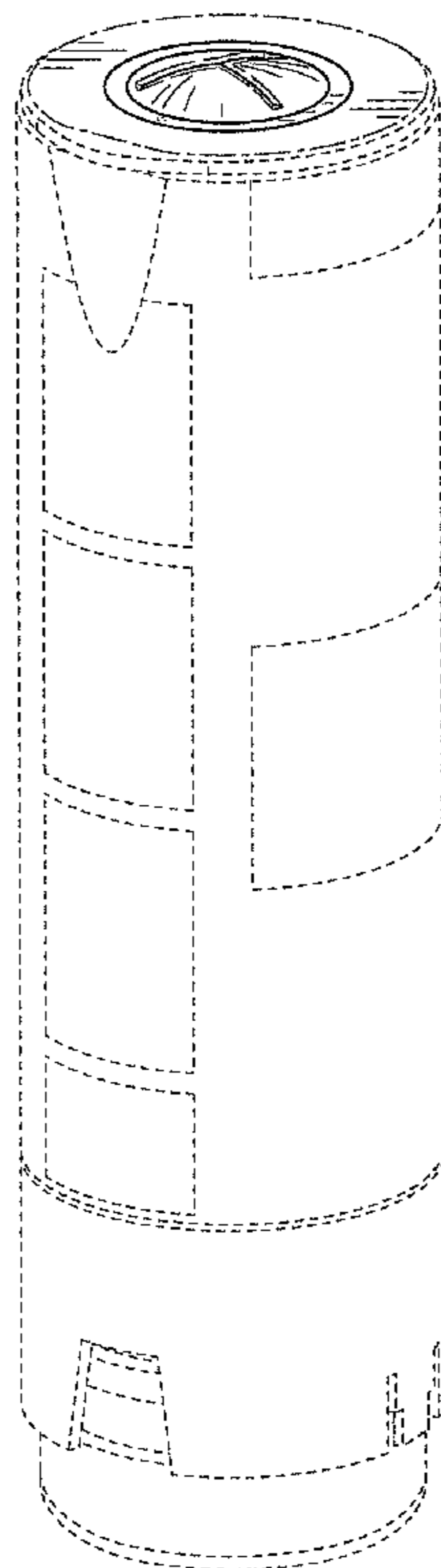
The ornamental design for a portion of a vial, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a portion of a vial showing our new design;
FIG. 2 is a top plan view thereof;
FIG. 3 is a bottom plan view thereof;
FIG. 4 is a rear elevation view
FIG. 5 is a front elevation view; and,
FIG. 6 is a side elevation view, the opposite side being a mirror image thereof.

In the drawing views, the dash-dot lines represent the bounds of the claim, and all other broken lines are included for the purpose of illustrating the unclaimed portions of the vial. None of the broken lines form a part of the claimed design.

1 Claim, 5 Drawing Sheets



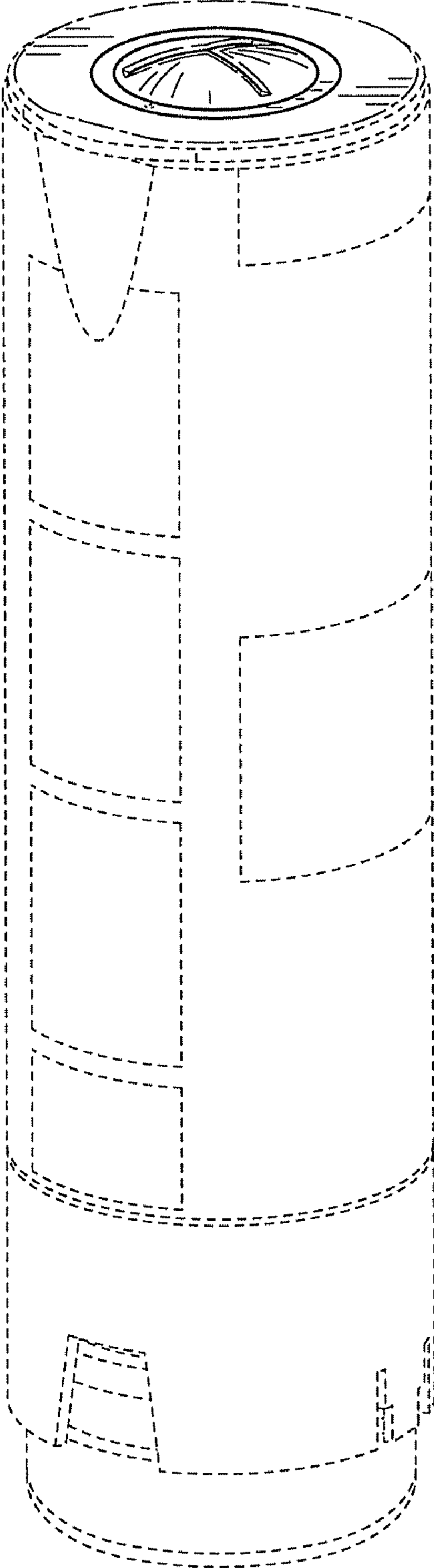


FIG. 1

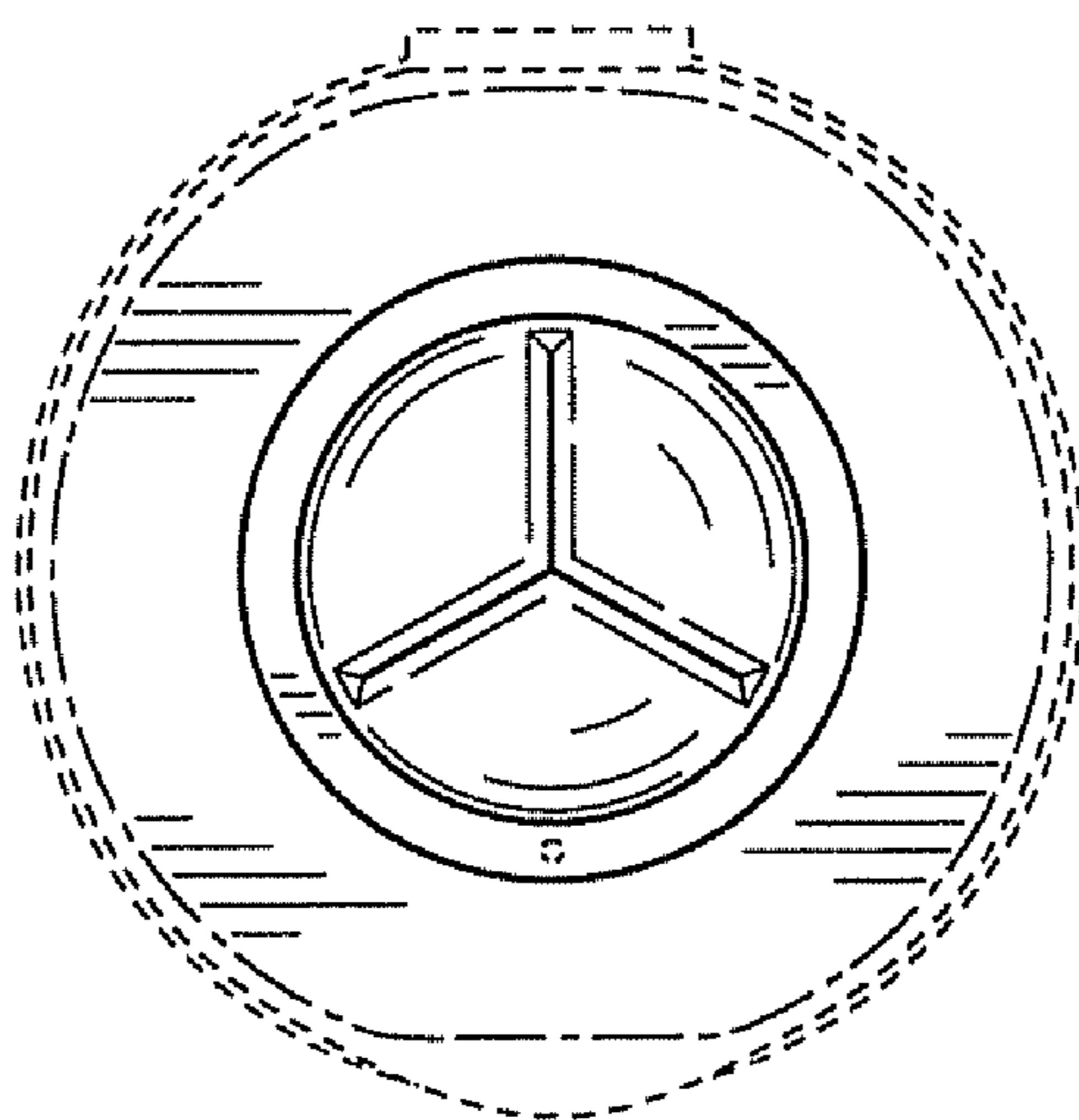


FIG. 2

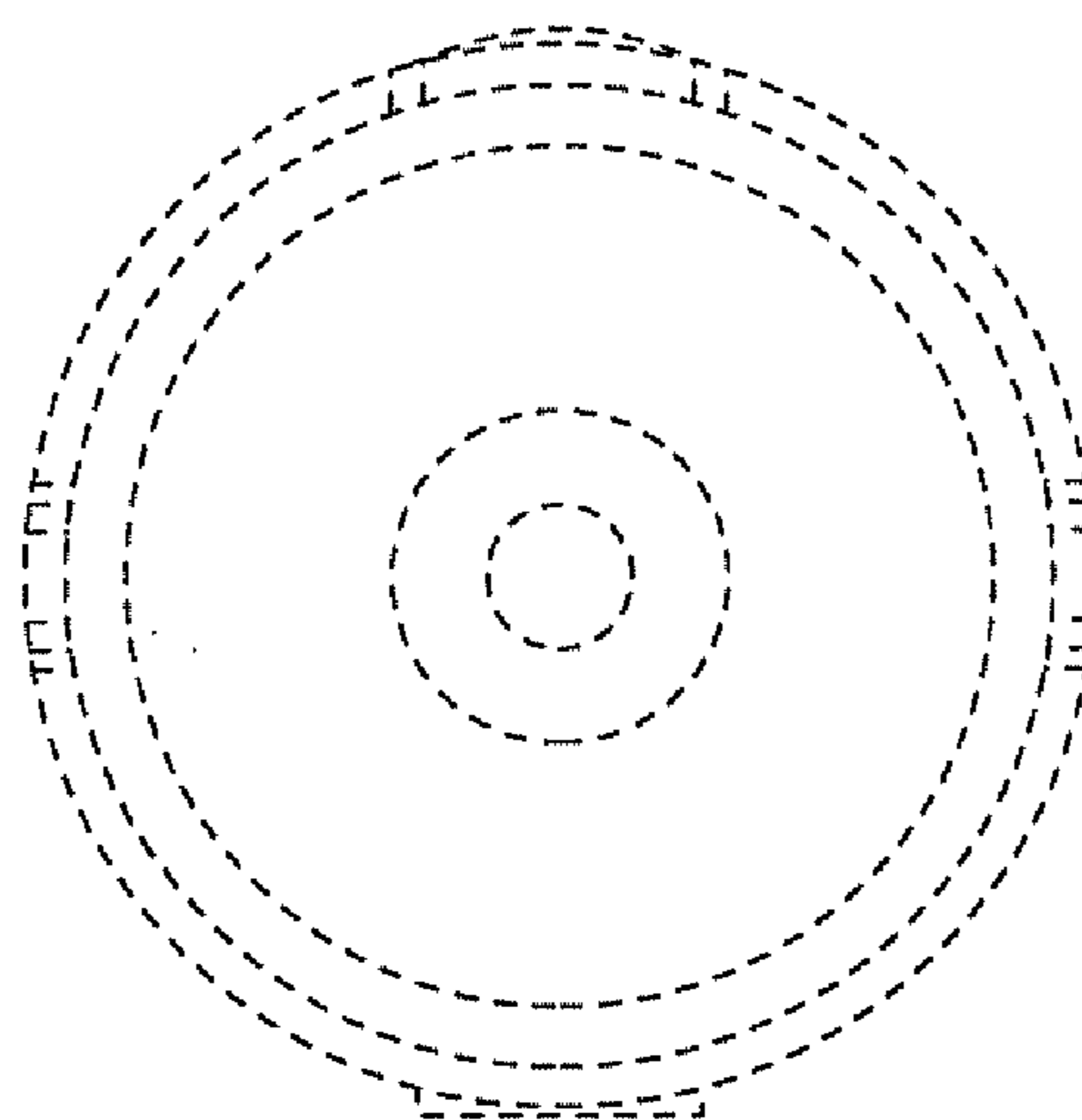


FIG. 3

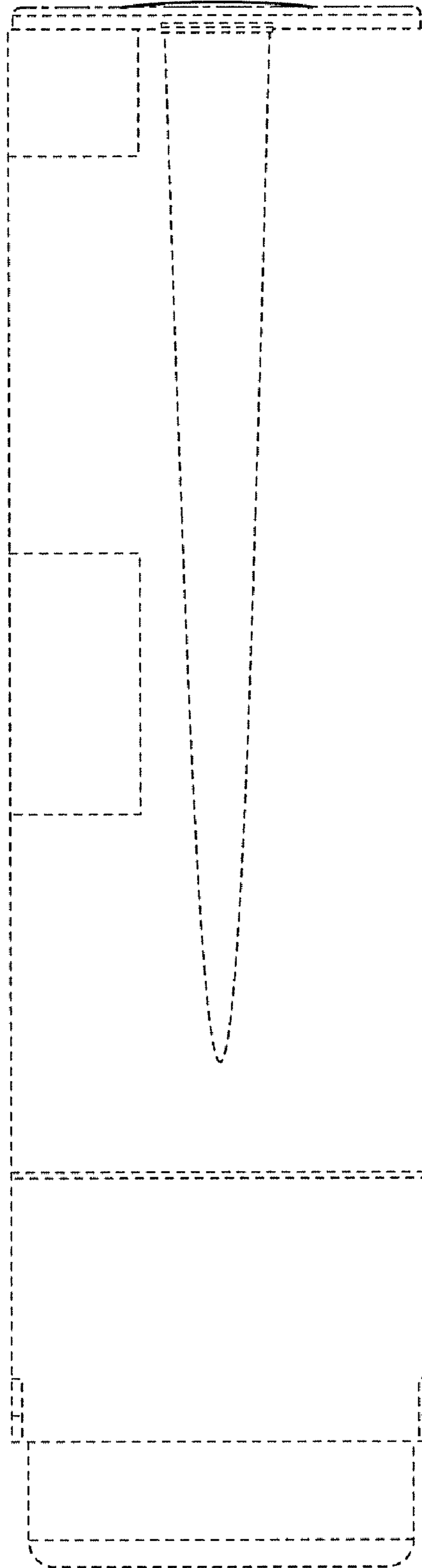


FIG. 4

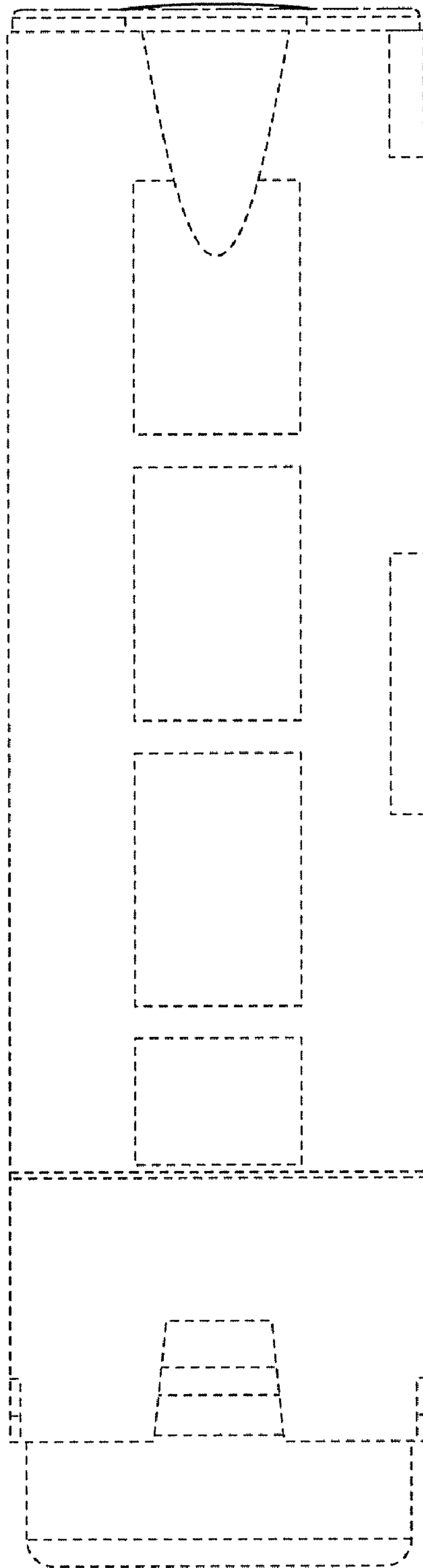


FIG. 5

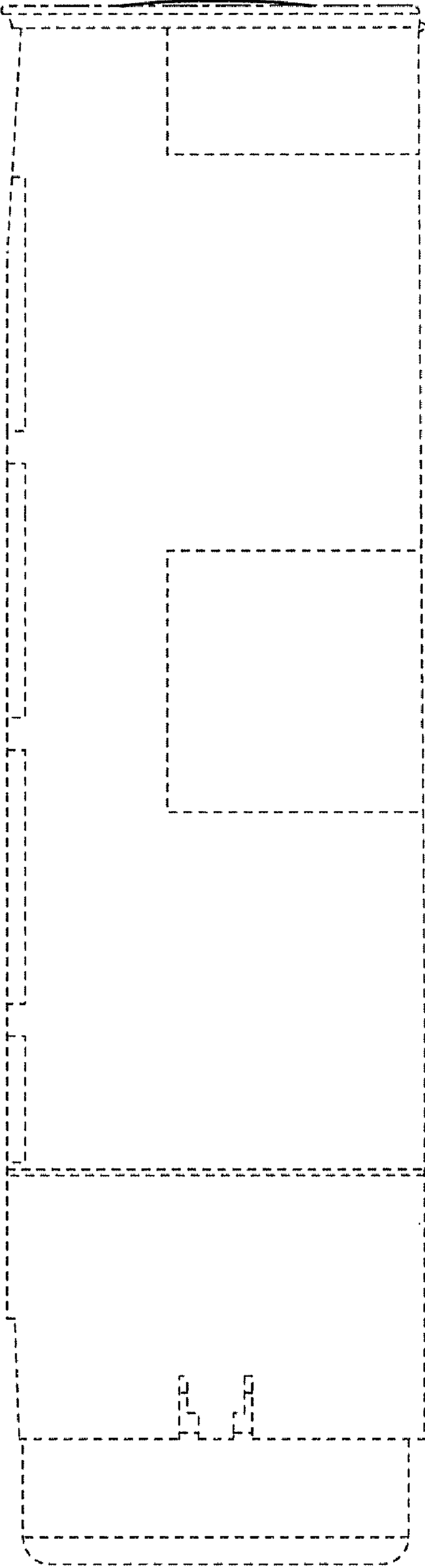


FIG. 6