



US00D639445S

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

(10) **Patent No.:** **US D639,445 S**  
(45) **Date of Patent:** **\*\* Jun. 7, 2011**

(54) **CONTAINER WITH LABEL**  
(75) Inventors: **Linda Newman**, Santa Rosa, CA (US);  
**Venus Happ**, Sonoma, CA (US); **Jim Happ**, Glen Ellen, CA (US); **Tom Moulton**, San Francisco, CA (US)  
(73) Assignee: **Labcon, North America**, Petaluma, CA (US)

(\*\*) Term: **14 Years**  
(21) Appl. No.: **29/339,244**

(22) Filed: **Jun. 26, 2009**  
(51) **LOC (9) Cl.** ..... **24-02**  
(52) **U.S. Cl.** ..... **D24/224; D20/27**  
(58) **Field of Classification Search** ..... D20/10,  
D20/11, 19, 22-29, 40, 42, 99; 40/27.5,  
40/124.01-124.04, 124.06, 124.191, 259,  
40/299.01, 305-313, 324, 360, 584, 594,  
40/600, 617, 638, 640, 641, 642, 657, 662;  
D6/613; D19/1, 9; D24/126, 212, 223, 224;  
24/17 R; 283/56, 67, 71, 80, 81; 428/1.61,  
428/40.1, 40.2, 41.8, 42.1-42.3, 43, 195.1,  
428/200, 211.1, 914; D9/341, 570; 422/58,  
422/61, 100-104, 215; 220/4.24, 4.27; 430/70,  
430/809; 604/403, 404

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,059,092 A \* 10/1936 Donovan ..... 40/662  
2,264,629 A \* 12/1941 Engert et al. .... 428/200  
2,338,749 A \* 1/1944 Wilbur ..... 24/17 R  
D229,748 S \* 1/1974 White et al. .... D24/224  
D284,291 S \* 6/1986 Levine ..... D20/27  
D319,669 S \* 9/1991 Kronberg ..... D20/22  
5,397,542 A \* 3/1995 Nelms et al. .... 422/562  
5,458,938 A \* 10/1995 Nygard et al. .... 428/40.2

5,578,365 A \* 11/1996 Kume et al. .... 428/195.1  
5,745,227 A \* 4/1998 Dufresne et al. .... 356/39  
5,773,110 A \* 6/1998 Shields ..... 428/40.1  
D425,113 S \* 5/2000 Kleman et al. .... D19/1  
D429,284 S \* 8/2000 Conley et al. .... D20/22  
D430,902 S \* 9/2000 Aakermann ..... D20/22  
D432,245 S \* 10/2000 Stevens et al. .... D24/224  
D435,662 S \* 12/2000 Stevens et al. .... D24/224

(Continued)

FOREIGN PATENT DOCUMENTS

DE 3433293 A1 \* 3/1986

OTHER PUBLICATIONS

Blue reflector macro 1—photos.com © 2010 Photos.com, a division of Getty Images. All rights reserved www.photos.com/search/royaltyfree/92475613 pulled from the web—May 05, 2010.\*

(Continued)

*Primary Examiner* — Mary Ann Calabrese  
(74) *Attorney, Agent, or Firm* — Butzel Long

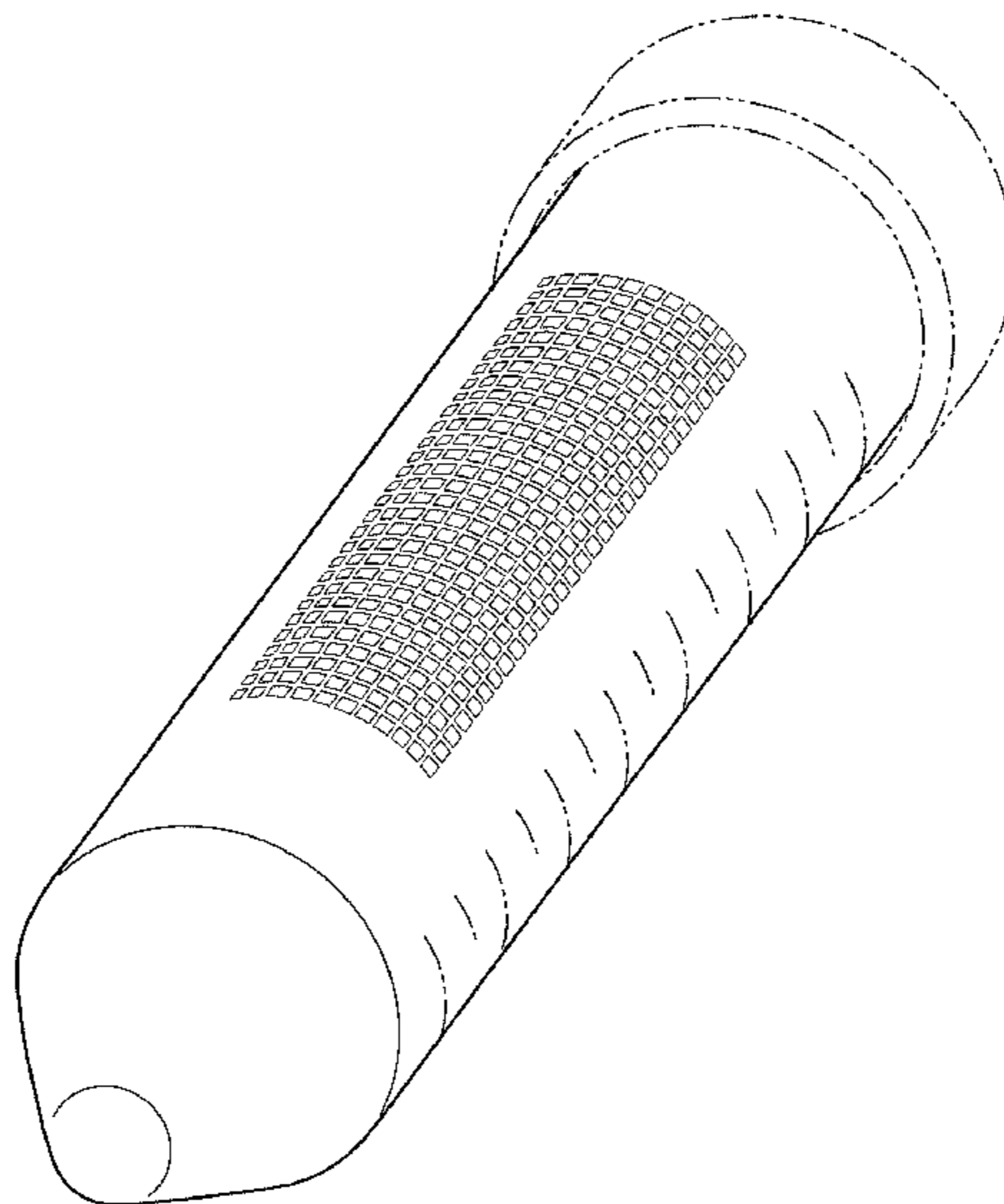
(57) **CLAIM**

The ornamental design for the container with label, as shown and described.

**DESCRIPTION**

FIG. 1 is a front elevational view of a container with label according to the present invention;  
FIG. 2 is a side elevational view of a container with label according to the present invention, the opposite view being identical thereto; and,  
FIG. 3 is a perspective view of a container with label according to the present invention.  
The broken line structures shown in the drawings, which depict a representative container cover and graduation lines on the surface of the container body, are for environmental purposes only and form no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



# US D639,445 S

Page 2

## U.S. PATENT DOCUMENTS

D435,663	S *	12/2000	Stevens et al. ....	D24/224
D435,664	S *	12/2000	Stevens et al. ....	D24/224
D436,182	S *	1/2001	Stevens et al. ....	D24/224
D436,183	S *	1/2001	Stevens et al. ....	D24/224
D444,885	S *	7/2001	Conway .....	D24/224
D444,886	S *	7/2001	Conway .....	D24/224
2003/0026956	A1 *	2/2003	Ogino et al. ....	428/195
2003/0211270	A1 *	11/2003	McReynolds et al. ....	428/40.1
2005/0019520	A1 *	1/2005	Milliorn et al. ....	428/42.3
2007/0207285	A1 *	9/2007	Lin .....	428/40.1
2008/0113139	A1 *	5/2008	Tokutsu et al. ....	428/40.1
2009/0136721	A1 *	5/2009	Staub et al. ....	428/195.1
2010/0080965	A1 *	4/2010	Reid .....	428/195.1

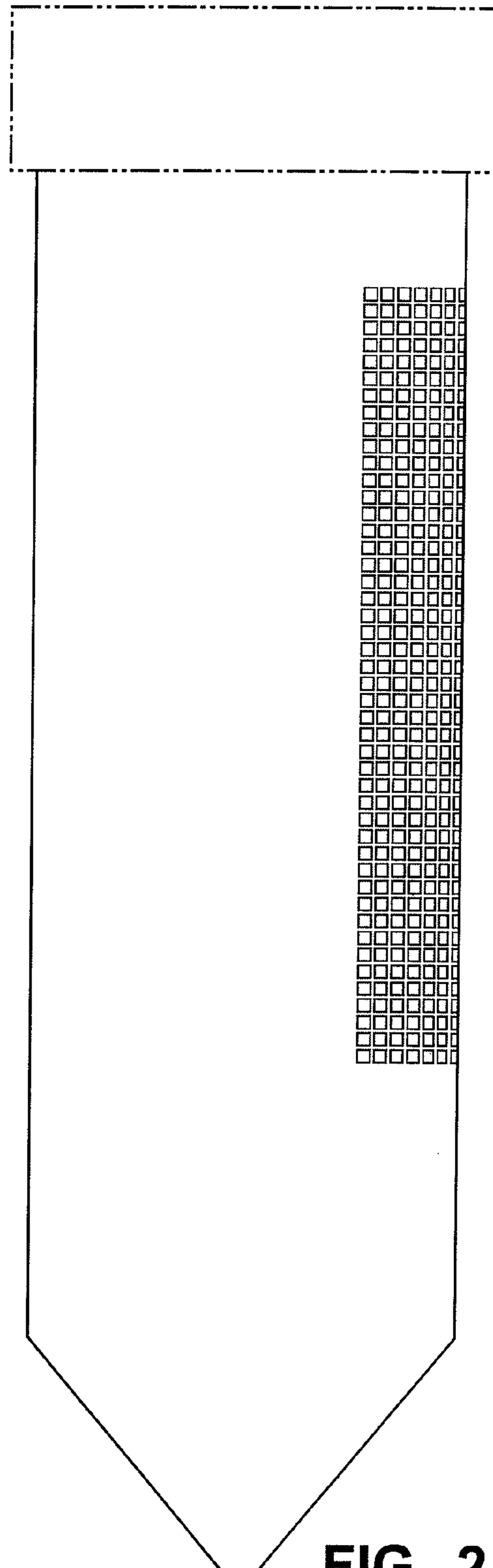
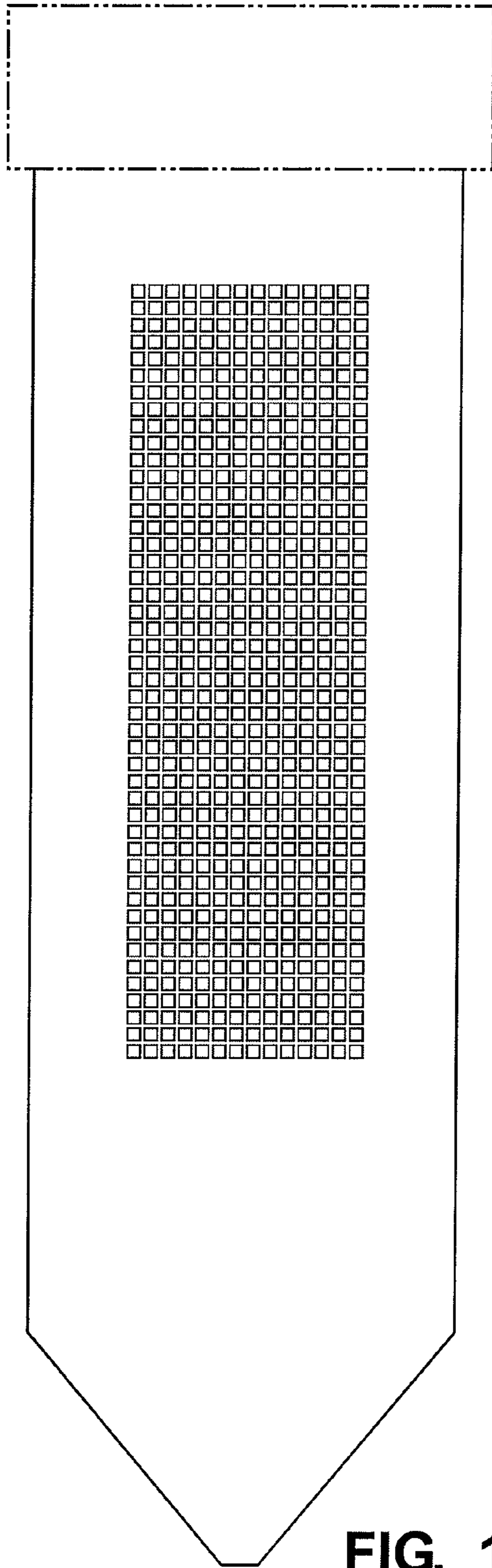
## OTHER PUBLICATIONS

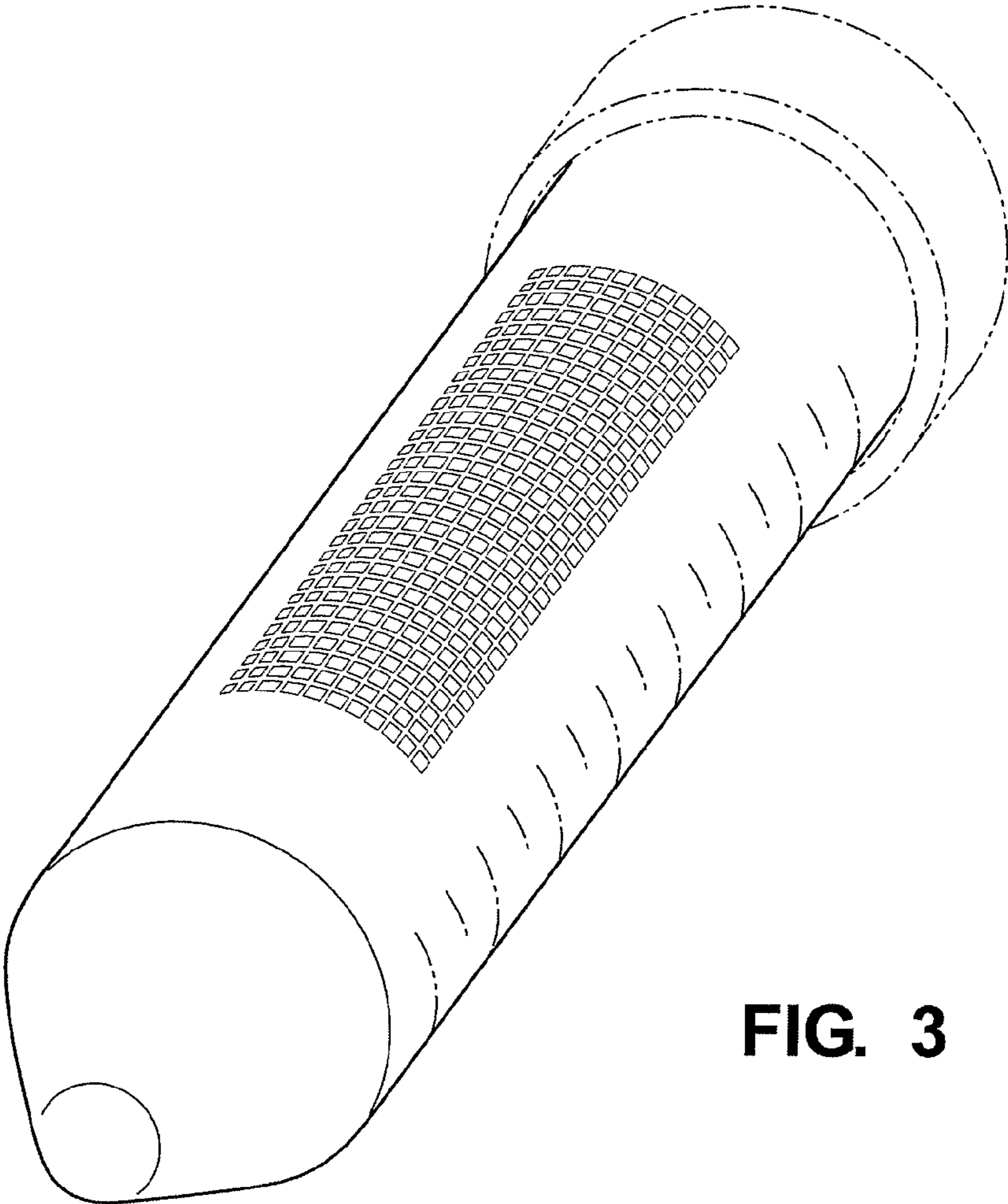
Square tile patern—p. 31 Infinite Design Allover Patterns, 46 Plates  
by Muncie Hendler © 1976, 1985 by Dover Publications, Inc.\*

Web page from BD Falcon—Conical Tubes—BD Sciences <http://www.bdbiosciences.com/ptProduct.jsp?prodId=346269>  
&key=test+tubes&param=se pulled from the web Jul. 14, 2010.

Web page from Corning Life Sciences Catalog—Pyrex Vista Test  
Tubes, Beaded Rim <http://catalog2.corning.com/Lofesciences/en>  
pulled from the web Jul. 14, 2010.

\* cited by examiner





**FIG. 3**