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

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- (54) **CONTAINER**
- (75) Inventor: **Robert Ziegler**, E Windsor, NJ (US)
- (73) Assignee: **Silgan Containers LLC**, Woodland Hills, CA (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/341,052**
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- D67,869 S 7/1925 Boswell
- D73,511 S 9/1927 Schrader
- 1,832,806 A 11/1931 Dawson
- D98,420 S 2/1936 Deskey
- D101,728 S 10/1936 Bennett
- D120,226 S 4/1940 Lundy
- D120,587 S 5/1940 Hinkins
- D124,645 S 1/1941 Palmer
- D124,880 S 1/1941 Teunisz
- 2,252,915 A 8/1941 Conill

(Continued)

Related U.S. Application Data

- (60) Continuation-in-part of application No. 29/332,379, filed on Feb. 13, 2009, now abandoned, which is a division of application No. 29/306,258, filed on Apr. 4, 2008, now Pat. No. Des. 588,016.
- (51) **LOC (9) Cl.** **09-02**
- (52) **U.S. Cl.** **D9/773**
- (58) **Field of Classification Search** D9/500,
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D9/686, 688-692, 763-764, 772-774, 776-779;
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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

FOREIGN PATENT DOCUMENTS

- FR 2584680 1/1987
- (Continued)

OTHER PUBLICATIONS

Notice of Allowance for U.S. Appl. No. 29/344,029, mail date Nov. 16, 2009, 6 pages.

(Continued)

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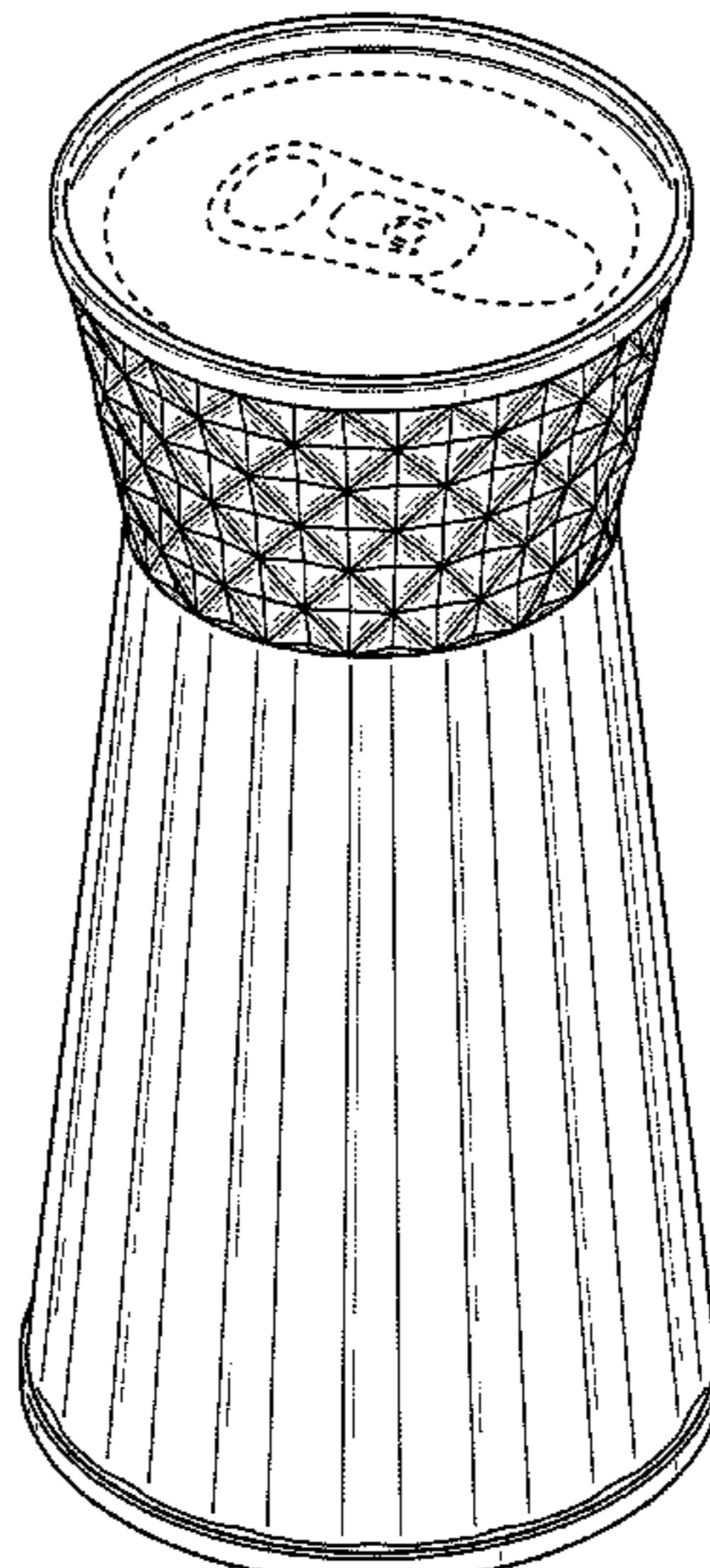
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of a container showing my new design;
FIG. 2 is a front view thereof, with the rear, left and right views being the same;
FIG. 3 is a top view thereof; and,
FIG. 4 is a bottom view thereof.
The broken lines in the drawings show unclaimed subject matter only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



US D653,123 S

Page 2

U.S. PATENT DOCUMENTS					
D129,604 S	9/1941	Forgue	D419,444 S	1/2000	Zhang
D185,649 S	7/1959	Schlumbohm	D419,886 S	2/2000	Gans
3,297,194 A	1/1967	Schaper et al.	D420,587 S	2/2000	Cheng et al.
3,302,813 A	2/1967	Schaich	D421,393 S	3/2000	Pavely et al.
D207,133 S	3/1967	Stenger	D421,720 S	3/2000	Eberle et al.
3,317,110 A	5/1967	Palmer	D421,907 S	3/2000	Benge et al.
3,349,987 A	10/1967	Weitzner	D423,336 S	4/2000	Gray
D212,525 S	10/1968	Kneapler	D423,365 S	4/2000	Eberle et al.
3,648,884 A	3/1972	Mansolino	D425,424 S	5/2000	Cheng et al.
D224,516 S	8/1972	Amberg	6,062,409 A	5/2000	Eberle
D224,642 S	8/1972	Mascia et al.	D426,164 S	6/2000	Gans et al.
D226,176 S	1/1973	Bystedt et al.	D427,057 S	6/2000	Roth et al.
D227,863 S	7/1973	Mascia	D427,514 S	7/2000	Roth et al.
D227,868 S	7/1973	Stanley et al.	D427,515 S	7/2000	Roth et al.
D228,229 S	8/1973	Mascia	D427,905 S	7/2000	Eberle
D231,087 S	4/1974	Edwards	6,092,688 A	7/2000	Eberle et al.
D231,773 S	6/1974	Mascia	D429,151 S	8/2000	Cheng et al.
D234,251 S	2/1975	Edwards	D429,164 S	8/2000	Peek et al.
D235,184 S	5/1975	Achenbach	6,095,360 A	8/2000	Shmagin et al.
D237,853 S	12/1975	Katz	6,123,211 A	9/2000	Rashid et al.
4,010,860 A	3/1977	Garber	D431,465 S	10/2000	Cheng et al.
D249,111 S	8/1978	Geyer	D431,470 S	10/2000	Henderson
D252,798 S	9/1979	Vosti et al.	D432,423 S	10/2000	Rashid
D288,527 S	3/1987	Maguire	D432,424 S	10/2000	Andrew
D299,426 S	1/1989	Andersson et al.	6,131,761 A	10/2000	Cheng et al.
4,804,105 A	2/1989	Zysset et al.	D435,455 S	12/2000	Gans
D307,238 S	4/1990	May	6,161,713 A	12/2000	Krich
D317,405 S	6/1991	Yasika	6,164,474 A	12/2000	Cheng et al.
5,040,698 A	8/1991	Ramsey et al.	6,164,480 A	12/2000	Heinicke et al.
D319,580 S	9/1991	Cassai et al.	D437,229 S	2/2001	Andrew
D320,153 S	9/1991	Cassai et al.	D437,230 S	2/2001	Andrew
5,052,573 A	10/1991	Zysset	6,206,222 B1	3/2001	Cudzik
D323,290 S	1/1992	Keedy, Jr.	6,213,325 B1	4/2001	Cheng et al.
D345,105 S	3/1994	Ramsey	6,220,475 B1	4/2001	Nayar et al.
D352,898 S	11/1994	Vacher	D441,295 S	5/2001	Krich
D355,129 S	2/1995	Gruodis	6,230,912 B1	5/2001	Rashid
D355,368 S	2/1995	Gruodis	D445,339 S	7/2001	Bazlur
D357,413 S	4/1995	Kornick et al.	D445,693 S	7/2001	Rashid
D357,414 S	4/1995	Kornick et al.	D445,694 S	7/2001	Gans
D364,568 S	11/1995	Ishimoto	D446,455 S	8/2001	McGowan
D365,021 S	12/1995	Park	D446,458 S	8/2001	Gans
D367,426 S	2/1996	Ruff	D447,061 S	8/2001	Peek
D373,084 S	8/1996	Choi	6,280,679 B1	8/2001	Rashid et al.
D378,572 S	3/1997	Culverwell et al.	D447,422 S	9/2001	Peek
D379,589 S	6/1997	Rhodes et al.	D448,302 S	9/2001	Cheng et al.
D381,259 S	7/1997	Hayes	D448,303 S	9/2001	Cheng et al.
D383,037 S	9/1997	Asberg	D448,304 S	9/2001	Cheng et al.
5,711,448 A	1/1998	Clarke, III	6,294,131 B1	9/2001	Jaffrey
5,720,412 A	2/1998	Ficken	D448,666 S	10/2001	Fields
5,722,561 A	3/1998	Biondich et al.	D448,671 S	10/2001	Gans et al.
5,749,488 A	5/1998	Bagwell et al.	D448,672 S	10/2001	Cheng et al.
D398,531 S	9/1998	DeVries	D448,675 S	10/2001	Thierjung
D399,129 S	10/1998	Ramsey	D448,677 S	10/2001	Krich
D399,425 S	10/1998	Ramsey	D449,539 S	10/2001	Lakatosh et al.
D399,428 S	10/1998	Ramsey	D449,993 S	11/2001	Schumann
D399,429 S	10/1998	Ramsey	D450,244 S	11/2001	Rashid
D399,430 S	10/1998	Ramsey	6,321,927 B2	11/2001	Cavella
D399,753 S	10/1998	Ramsey	D453,003 S	1/2002	Rashid
D401,152 S	11/1998	DeVore et al.	6,341,709 B1	1/2002	Wilson
D403,962 S	1/1999	Ramsey	6,347,717 B1	2/2002	Eberle
D403,963 S	1/1999	Ramsey	D454,073 S	3/2002	Crawford
D404,254 S	1/1999	Asberg	D455,656 S	4/2002	Gans et al.
D404,970 S	2/1999	Asberg	6,374,657 B1	4/2002	Kirk et al.
D406,065 S	2/1999	Cheng	D456,712 S	5/2002	Krich
D406,236 S	3/1999	Brifcani et al.	D457,435 S	5/2002	Rashid
D408,221 S	4/1999	Asberg	6,398,052 B1	6/2002	Cheng et al.
D409,496 S	5/1999	Ramsey	6,419,874 B2	7/2002	Rashid et al.
D411,106 S	6/1999	Conrad	D464,569 S	10/2002	Moore et al.
D412,118 S	7/1999	Rodea	6,472,007 B2	10/2002	Bezek et al.
D412,441 S	8/1999	Cheng et al.	D465,158 S	11/2002	Peek et al.
D413,519 S	9/1999	Eberle et al.	D465,418 S	11/2002	Thierjung
5,957,647 A	9/1999	Hinton	D466,019 S	11/2002	Thierjung et al.
D414,693 S	10/1999	Cheng et al.	D466,021 S	11/2002	Thierjung et al.
D416,200 S	11/1999	Pavely et al.	D466,024 S	11/2002	Thierjung et al.
5,988,416 A	11/1999	Cheng et al.	D466,813 S	12/2002	Thierjung et al.
5,988,417 A	11/1999	Cheng et al.	D466,817 S	12/2002	Thierjung et al.
D417,392 S	12/1999	Zhang	D469,360 S	1/2003	Moore et al.
D419,058 S	1/2000	Roth et al.	6,575,684 B2	6/2003	Heinicke et al.
			D476,889 S	7/2003	Fields

US D653,123 S

Page 3

D476,896 S	7/2003	Cheng et al.	D588,018 S	3/2009	Metzger et al.
6,585,125 B1	7/2003	Peek	D588,019 S	3/2009	Diss
D478,286 S	8/2003	Futral et al.	D588,020 S	3/2009	VanScoyoc et al.
D478,287 S	8/2003	Corker et al.	D588,021 S	3/2009	Ziegler et al.
D479,999 S	9/2003	Moore	D596,500 S	7/2009	Diss et al.
D480,650 S	10/2003	Moore et al.	D596,501 S	7/2009	Diss et al.
D480,956 S	10/2003	Mooney et al.	D596,502 S	7/2009	Diss et al.
D480,957 S	10/2003	Mooney et al.	D596,503 S	7/2009	Diss
D481,317 S	10/2003	Corker et al.	D596,504 S	7/2009	Diss
D484,808 S	1/2004	Thierjung et al.	D596,505 S	7/2009	Diss et al.
D485,182 S	1/2004	Gaydon	D596,955 S	7/2009	Diss et al.
6,685,417 B2	2/2004	Heinicke et al.	D596,956 S	7/2009	Diss et al.
D489,983 S	5/2004	Futral et al.	D596,957 S	7/2009	Diss
D489,984 S	5/2004	Futral et al.	D596,958 S	7/2009	Diss et al.
D491,288 S	6/2004	Young	D618,563 S *	6/2010	Ziegler D9/776
D493,370 S	7/2004	Kamineni et al.	2001/0002671 A1	6/2001	Heinicke et al.
D494,475 S	8/2004	Thierjung et al.	2001/0009107 A1	7/2001	Cheng et al.
6,769,561 B2	8/2004	Futral et al.	2001/0009244 A1	7/2001	Cheng et al.
D498,143 S	11/2004	Rashid	2002/0172578 A1	11/2002	Heinicke et al.
6,877,607 B2	4/2005	Jenkins	2005/0082299 A1	4/2005	Jenkins
D505,074 S	5/2005	Bakic	2006/0131257 A1	6/2006	Gatewood et al.
6,889,862 B2	5/2005	Vaughan	2006/0186082 A1	8/2006	Gatewood et al.
D507,485 S	7/2005	Fields	2007/0012648 A1	1/2007	Gatewood
D510,024 S	9/2005	Jacobson et al.	2007/0068943 A1	3/2007	Ramsey et al.
D511,458 S	11/2005	Dunwoody et al.	2007/0102425 A1	5/2007	Richardson et al.
D512,917 S	12/2005	Frisch et al.	2007/0108196 A1	5/2007	Richardson et al.
D522,371 S	6/2006	Livingston	2007/0108197 A1	5/2007	Richardson et al.
D523,341 S	6/2006	Livingston et al.	2007/0108198 A1	5/2007	Richardson et al.
D523,347 S	6/2006	Livingston	2007/0138181 A1	6/2007	Heinicke et al.
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.			
D537,366 S	2/2007	Pedersen			
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.			
D588,016 S	3/2009	Ziegler			
D588,017 S	3/2009	Ziegler 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. 29/318,021, filed May 12, 2008, Takata et al.
 U.S. Appl. No. 29/318,022, filed May 12, 2008, Diss.
 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, Diss.
 U.S. Appl. No. 29/318,036, filed May 12, 2008, Diss.
 U.S. Appl. No. 29/318,041, filed May 12, 2008, Takata 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

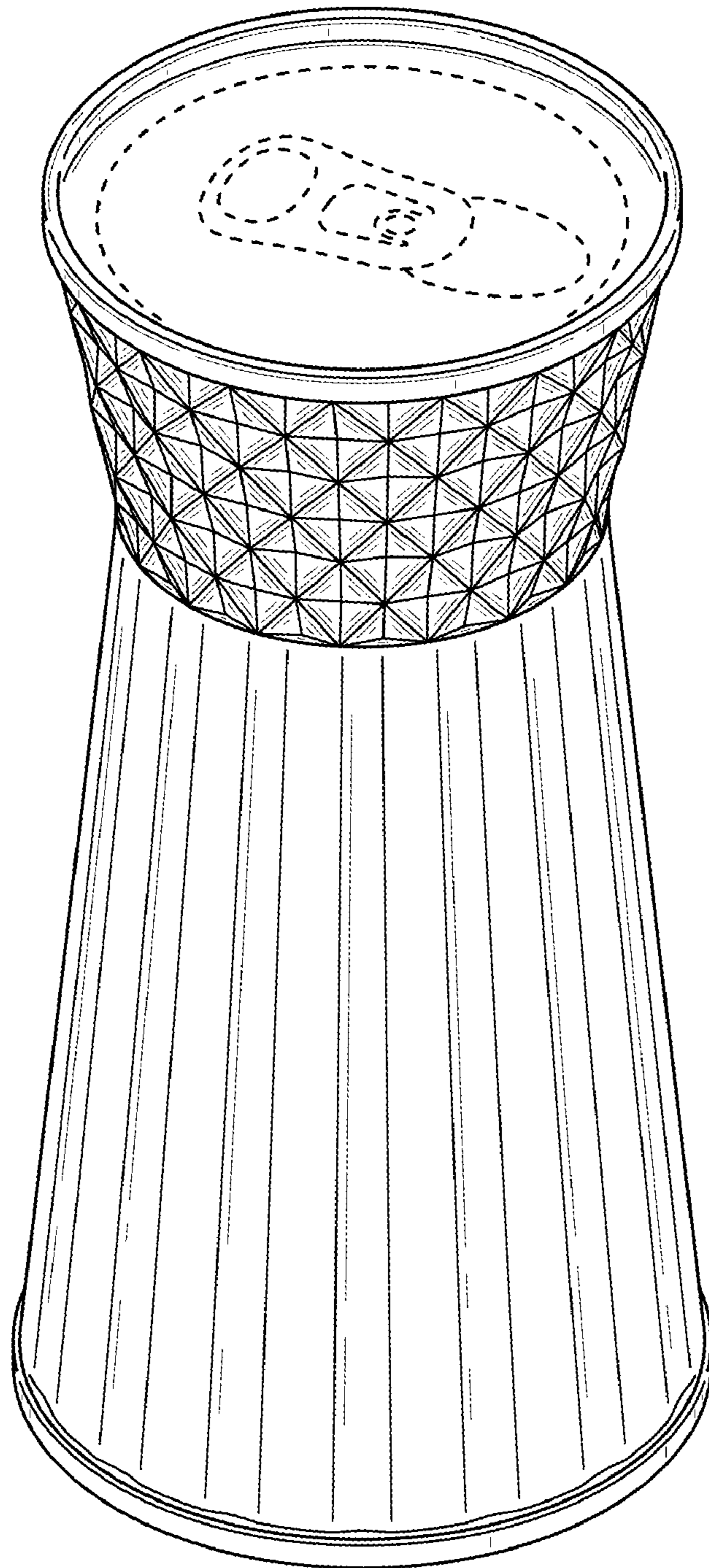


FIG. 1

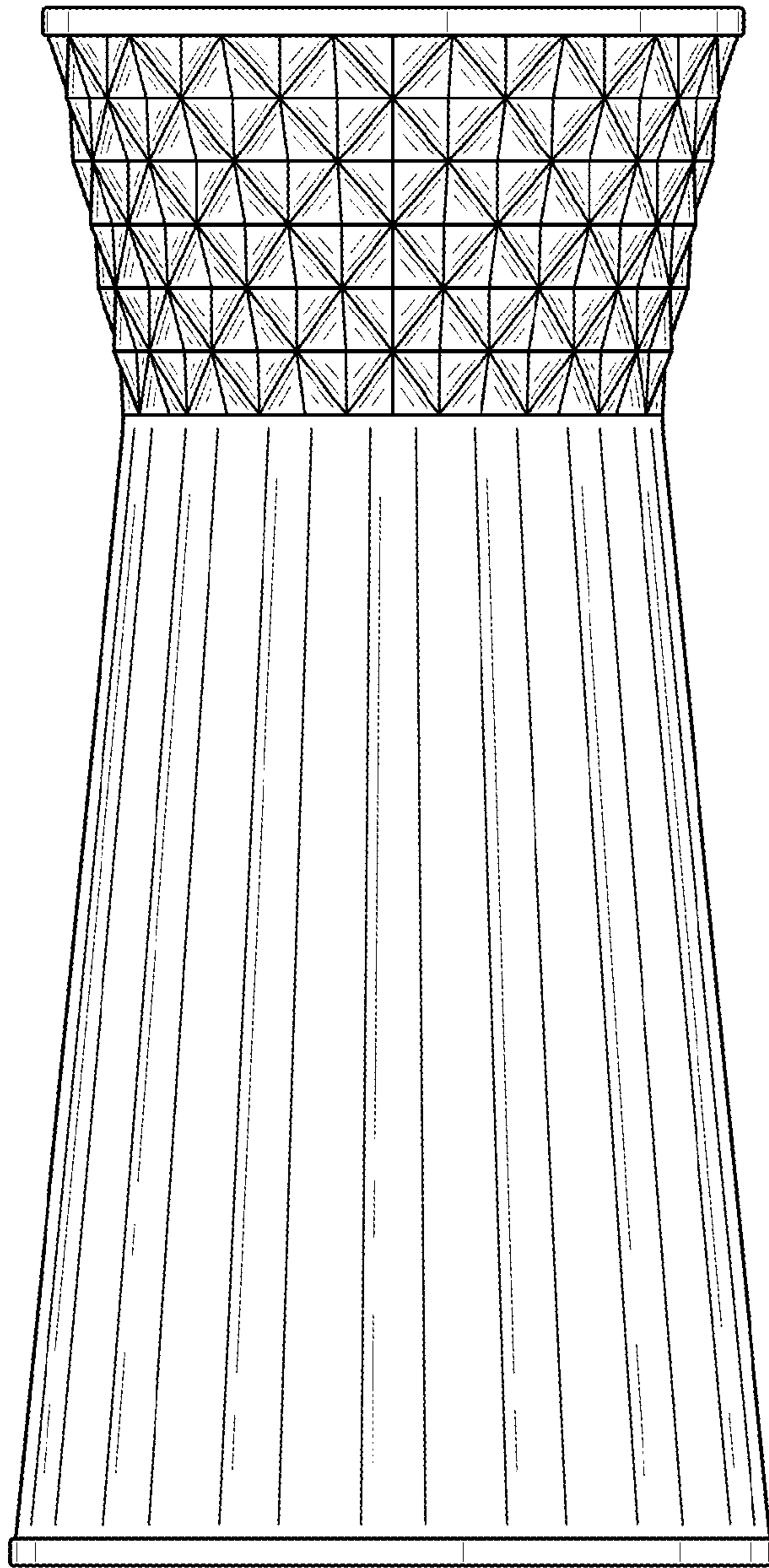


FIG. 2

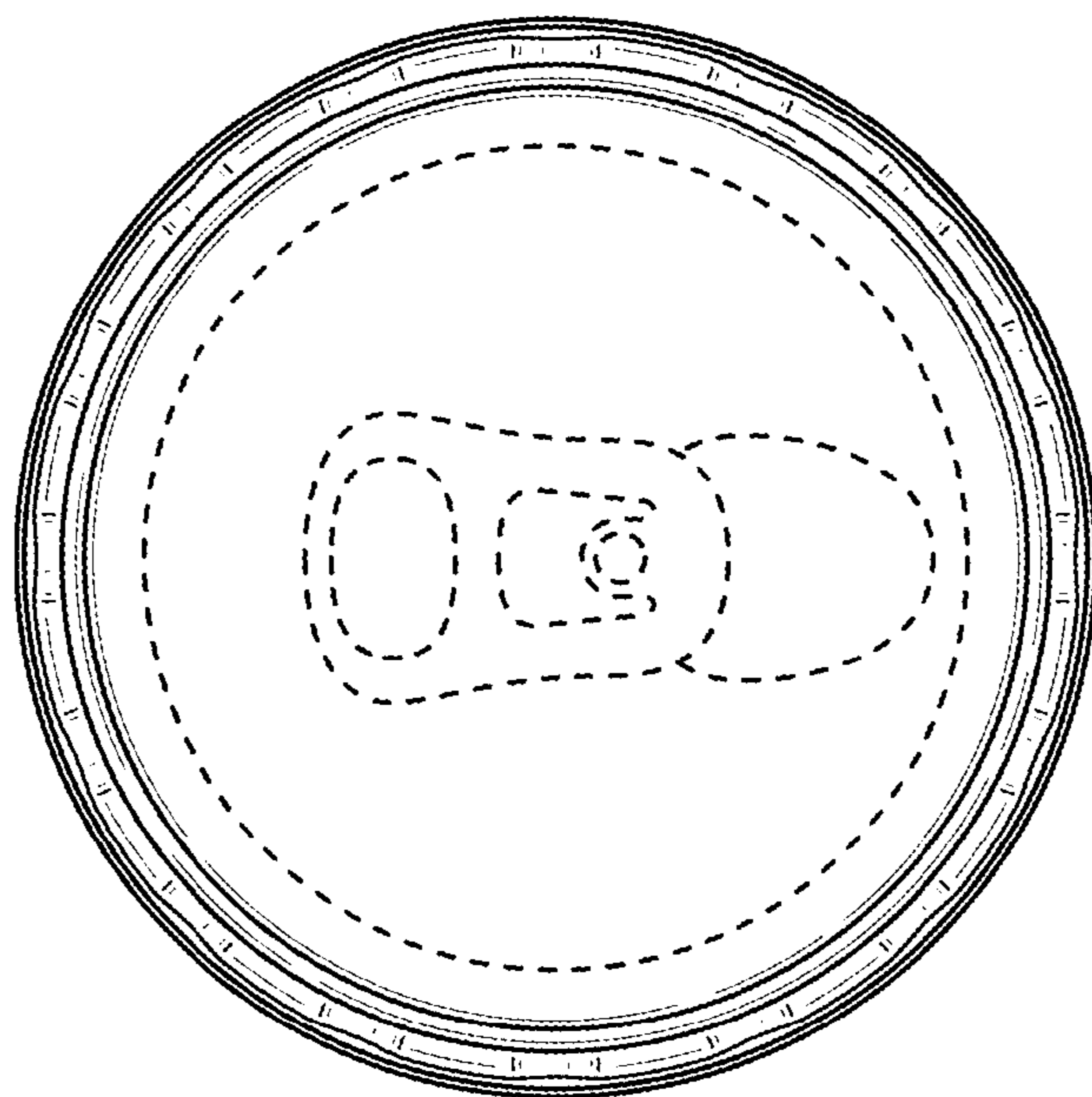


FIG. 3

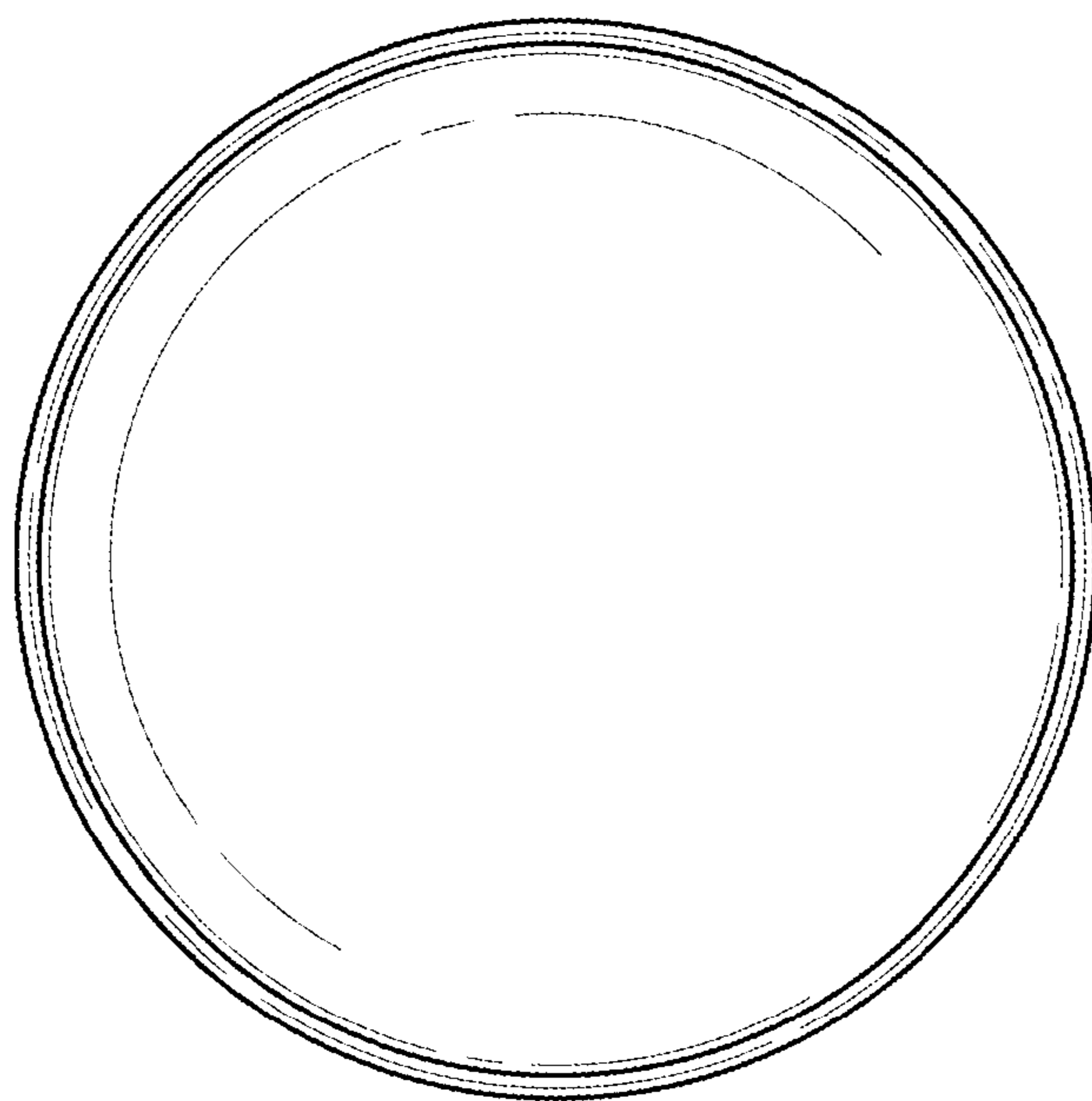


FIG. 4