



US00D653126S

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

(10) **Patent No.:** **US D653,126 S**
(45) **Date of Patent:** **** Jan. 31, 2012**

(54) **CONTAINER**

(75) Inventor: **Thomas Murphy**, Lake Mills, WI (US)

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

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

(21) Appl. No.: **29/344,574**

(22) Filed: **Sep. 30, 2009**

(51) **LOC (9) Cl.** **09-02**

(52) **U.S. Cl.** **D9/776**

(58) **Field of Classification Search** D9/500,
D9/502-505, 516, 537-539, 545, 549, 556,
D9/686, 688-692, 763-779; 206/459.1,
206/497, 505, 515; 220/660, 669-673, 675;
215/379, 381-384; D26/6; D11/143, 146,
D11/152-154; D99/5

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
- 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
- D129,604 S * 9/1941 Forgue
- D185,649 S * 7/1959 Schlumbohm
- 3,297,194 A 1/1967 Schaper et al.
- D207,133 S * 3/1967 Stenger
- 3,317,110 A 5/1967 Palmer
- 3,349,987 A 10/1967 Weitzner
- 3,648,884 A 3/1972 Mansolino
- D224,642 S * 8/1972 Mascia et al.

(Continued)

FOREIGN PATENT DOCUMENTS

FR 2584680 1/1987

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/302,067, filed Jan. 9, 2008, Millspaw et al.

(Continued)

Primary Examiner — Thomas Johannes

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

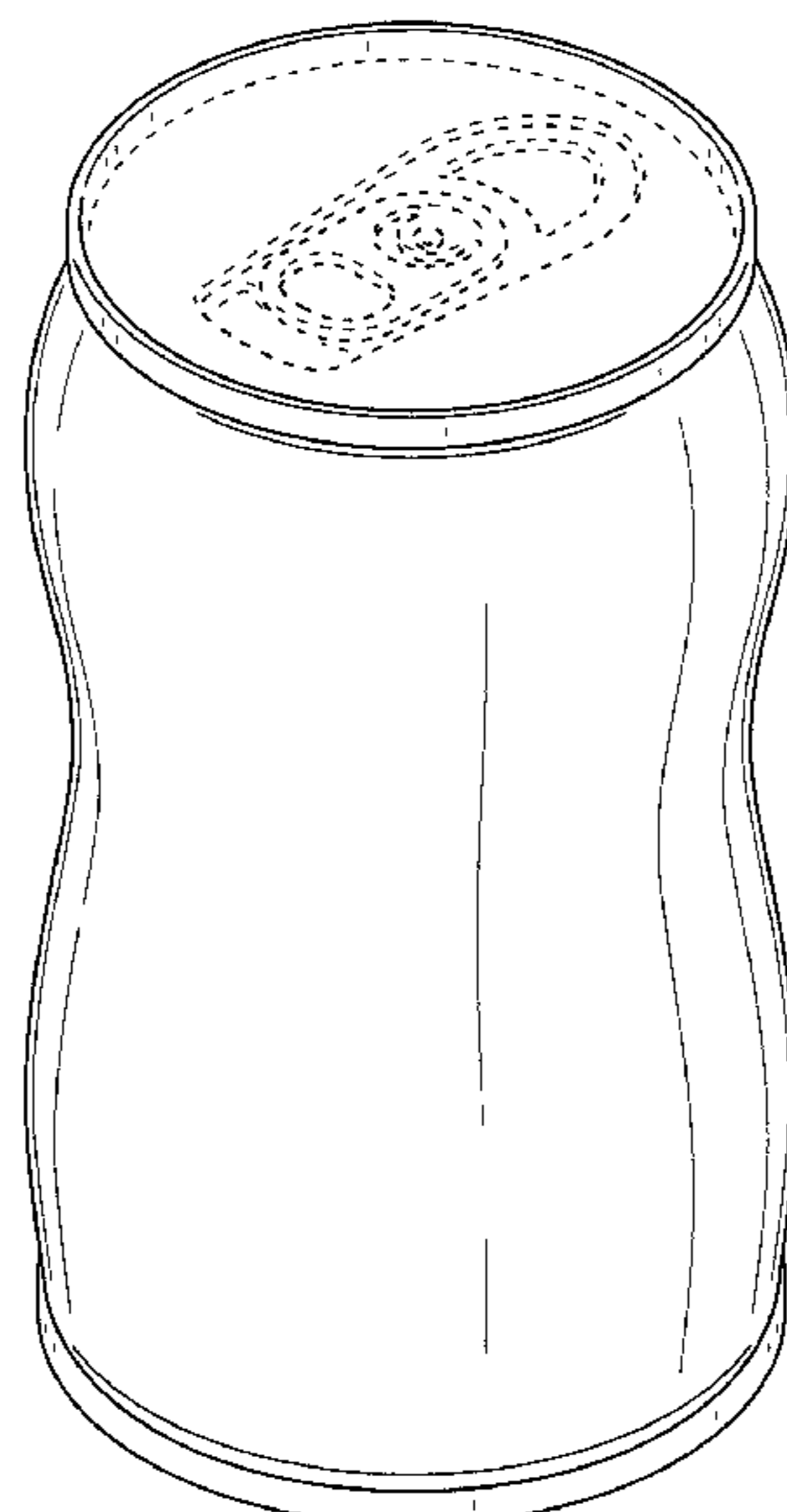
(57) **CLAIM**

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 side 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 D653,126 S

Page 2

U.S. PATENT DOCUMENTS							
D226,176	S *	1/1973	Bystedt et al.	D448,677	S	10/2001	Krich
D227,863	S *	7/1973	Mascia	D449,539	S	10/2001	Lakatosh et al.
D227,868	S *	7/1973	Stanley et al.	D449,993	S	11/2001	Schumann
D228,229	S *	8/1973	Mascia	D450,244	S	11/2001	Rashid
D231,087	S *	4/1974	Edwards	6,321,927	B2	11/2001	Cavella
D231,773	S *	6/1974	Mascia	D452,954	S	1/2002	Westphal
D235,184	S *	5/1975	Achenbach	D453,003	S	1/2002	Rashid
D237,853	S *	12/1975	Katz	6,341,709	B1	1/2002	Wilson
4,010,860	A	3/1977	Garber	6,347,717	B1	2/2002	Eberle
D249,111	S *	8/1978	Geyer	D454,073	S	3/2002	Crawford
D252,798	S *	9/1979	Vosti et al.	D455,656	S	4/2002	Gans et al.
D288,527	S *	3/1987	Maguire	6,374,657	B1	4/2002	Kirk et al.
D299,426	S *	1/1989	Andersson et al.	D456,712	S	5/2002	Krich
4,804,105	A	2/1989	Zysset et al.	D457,435	S	5/2002	Rashid
D307,238	S *	4/1990	May	6,398,052	B1	6/2002	Cheng et al.
D317,405	S *	6/1991	Yasika	6,419,874	B2	7/2002	Rashid et al.
5,040,698	A	8/1991	Ramsey et al.	D464,569	S	10/2002	Moore et al.
D319,580	S *	9/1991	Cassai et al.	D465,158	S	11/2002	Peek et al.
D320,153	S *	9/1991	Cassai et al.	D465,418	S	11/2002	Thierjung
5,052,573	A	10/1991	Zysset	D466,019	S	11/2002	Thierjung et al.
D323,290	S	1/1992	Keedy, Jr.	D466,021	S	11/2002	Thierjung et al.
D357,413	S	4/1995	Kornick et al.	D466,024	S	11/2002	Thierjung et al.
D357,414	S	4/1995	Kornick et al.	D466,813	S	12/2002	Thierjung et al.
D365,021	S	12/1995	Park	D466,817	S	12/2002	Thierjung et al.
D373,084	S	8/1996	Choi	D469,360	S	1/2003	Moore et al.
D379,589	S	6/1997	Rhodes et al.	6,575,684	B2	6/2003	Heinicke et al.
D383,037	S	9/1997	Asberg	D476,889	S	7/2003	Fields
5,711,448	A	1/1998	Clarke, III	D476,896	S	7/2003	Cheng et al.
5,720,412	A	2/1998	Ficken	6,585,125	B1	7/2003	Peek
5,722,561	A	3/1998	Biondich et al.	D478,286	S	8/2003	Futral et al.
5,749,488	A	5/1998	Bagwell et al.	D478,287	S	8/2003	Corker et al.
D398,531	S	9/1998	DeVries	D479,999	S	9/2003	Moore
D404,254	S	1/1999	Asberg	D480,650	S	10/2003	Moore et al.
D404,970	S	2/1999	Asberg	D480,956	S	10/2003	Mooney et al.
D408,221	S	4/1999	Asberg	D480,957	S	10/2003	Mooney et al.
5,957,647	A	9/1999	Hinton	D481,317	S	10/2003	Corker et al.
5,988,416	A	11/1999	Cheng et al.	D484,808	S	1/2004	Thierjung et al.
5,988,417	A	11/1999	Cheng et al.	D485,182	S	1/2004	Gaydon
6,062,409	A	5/2000	Eberle	6,685,417	B2	2/2004	Heinicke et al.
6,092,688	A	7/2000	Eberle et al.	D489,983	S	5/2004	Futral et al.
D429,151	S	8/2000	Cheng et al.	D489,984	S	5/2004	Futral et al.
D429,164	S	8/2000	Peek et al.	D490,317	S	5/2004	Chang
6,095,360	A	8/2000	Shmagin et al.	D491,288	S	6/2004	Young
6,123,211	A	9/2000	Rashid et al.	D493,370	S	7/2004	Kamineni et al.
D431,465	S	10/2000	Cheng et al.	D494,475	S	8/2004	Thierjung et al.
D431,470	S	10/2000	Henderson	6,769,561	B2	8/2004	Futral et al.
D432,423	S	10/2000	Rashid	D498,143	S	11/2004	Rashid
D432,424	S	10/2000	Andrew	D502,396	S	3/2005	Frisch et al.
6,131,761	A	10/2000	Cheng et al.	6,877,607	B2	4/2005	Jenkins
D435,455	S	12/2000	Gans	6,889,862	B2	5/2005	Vaughan
6,161,713	A	12/2000	Krich	D507,485	S	7/2005	Fields
6,164,474	A	12/2000	Cheng et al.	D510,024	S	9/2005	Jacobson et al.
6,164,480	A	12/2000	Heinicke et al.	D511,458	S	11/2005	Dunwoody et al.
D437,229	S	2/2001	Andrew	D512,917	S	12/2005	Frisch et al.
D437,230	S	2/2001	Andrew	D517,417	S	3/2006	Livingston et al.
6,206,222	B1	3/2001	Cudzik	D522,371	S	6/2006	Livingston
D440,498	S	4/2001	Buxton et al.	D523,341	S	6/2006	Livingston et al.
6,213,325	B1	4/2001	Cheng et al.	D523,347	S	6/2006	Livingston
6,220,475	B1	4/2001	Nayar et al.	D525,129	S	7/2006	Hutter et al.
D441,295	S	5/2001	Krich	D525,139	S	7/2006	Livingston et al.
6,230,912	B1	5/2001	Rashid	D525,530	S	7/2006	Livingston et al.
D445,339	S	7/2001	Bazlur	7,108,469	B2	9/2006	Jenkins
D445,693	S	7/2001	Rashid	7,112,771	B2	9/2006	Richardson et al.
D445,694	S	7/2001	Gans	D529,822	S	10/2006	Munn
D446,455	S	8/2001	McGowan	D530,614	S	10/2006	Gatewood
D446,458	S	8/2001	Gans	D532,306	S	11/2006	MacLeod et al.
D447,061	S	8/2001	Peek	7,134,565	B1	11/2006	Wan et al.
6,280,679	B1	8/2001	Rashid et al.	D533,783	S	12/2006	Klinger et al.
D447,422	S	9/2001	Peek	D534,079	S	12/2006	Livingston
D447,693	S	9/2001	Warner et al.	D534,428	S	1/2007	Reed et al.
D448,302	S	9/2001	Cheng et al.	D536,262	S	2/2007	Ioannides et al.
D448,303	S	9/2001	Cheng et al.	D536,263	S	2/2007	Ioannides et al.
D448,304	S	9/2001	Cheng et al.	D536,264	S	2/2007	Ioannides et al.
6,294,131	B1	9/2001	Jaffrey	D538,645	S	3/2007	McDowell et al.
D448,666	S	10/2001	Fields	D538,646	S	3/2007	McDowell et al.
D448,671	S	10/2001	Gans et al.	D538,660	S	3/2007	Gatewood
D448,672	S	10/2001	Cheng et al.	D540,194	S	4/2007	Cummings
D448,675	S	10/2001	Thierjung	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.
 D548,111 S 8/2007 Ioannides et al.
 D548,528 S 8/2007 Cha et al.
 D549,596 S 8/2007 Ioannides et al.
 D555,514 S 11/2007 Munn
 D559,120 S 1/2008 Farrow et al.
 D559,121 S 1/2008 Farrow et al.
 D562,685 S 2/2008 Millspaw et al.
 D587,137 S 2/2009 Hayden et al.
 D588,016 S 3/2009 Ziegler
 D588,017 S 3/2009 Ziegler et al.
 D588,018 S 3/2009 Metzger et al.
 D588,019 S 3/2009 Diss
 D588,020 S 3/2009 VanScoyoc et al.
 D588,021 S 3/2009 Ziegler et al.
 D596,500 S 7/2009 Diss
 D596,501 S 7/2009 Diss et al.
 D596,502 S 7/2009 Diss et al.
 D596,503 S 7/2009 Diss
 D596,504 S 7/2009 Diss
 D596,505 S 7/2009 Diss et al.
 D596,955 S 7/2009 Diss et al.
 D596,956 S 7/2009 Diss et al.
 D596,957 S 7/2009 Diss
 D596,958 S 7/2009 Diss et al.
 D599,677 S 9/2009 Ziegler et al.
 D599,678 S 9/2009 Ziegler et al.
 D614,508 S * 4/2010 Hu D9/776
 D615,877 S * 5/2010 Hu D9/774
 D626,015 S * 10/2010 Diss et al. D9/774
 D631,759 S * 2/2011 Diss et al. D9/774
 D632,187 S * 2/2011 Diss et al. D9/774
 2001/0002671 A1 6/2001 Heinicke et al.
 2001/0009107 A1 7/2001 Cheng et al.
 2001/0009244 A1 7/2001 Cheng et al.
 2002/0172578 A1 11/2002 Heinicke et al.
 2005/0082299 A1 4/2005 Jenkins
 2006/0131257 A1 6/2006 Gatewood et al.
 2006/0186082 A1 8/2006 Gatewood et al.
 2007/0012648 A1 1/2007 Gatewood
 2007/0068943 A1 3/2007 Ramsey et al.
 2007/0102425 A1 5/2007 Richardson et al.
 2007/0108196 A1 5/2007 Richardson et al.
 2007/0108197 A1 5/2007 Richardson et al.
 2007/0108198 A1 5/2007 Richardson et al.
 2007/0138181 A1 6/2007 Heinicke et al.

FOREIGN PATENT DOCUMENTS

WO DM/046294 10/1998
 WO DM/051799 3/2000

OTHER PUBLICATIONS

U.S. Appl. No. 29/312,033, filed May 12, 2008, Murphy 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. 29/318,036, 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 et al.
 U.S. Appl. No. 29/333,068, filed Mar. 2, 2009, Diss et al.
 U.S. Appl. No. 29/332,329, filed Feb. 12, 2009, VanScoyoc et al.
 U.S. Appl. No. 29/332,379, filed Feb. 13, 2009, Ziegler.
 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. 29/338,659, 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.
 U.S. Appl. No. 29/338,670, filed Jun. 16, 2009, Diss et al.
 U.S. Appl. No. 29/343,210, filed Sep. 9, 2009, Murphy.
 Soudronic Image believed to be available by Apr. 24, 2007 (1 pg.).
 Photograph of Can developed by Assignee at least by Aug. 4, 2006 (1 pg.).
 Engineering Drawing of Cans developed by Assignee at least by Jul. 12, 2006 (1 pg.).
 "The Revolutionary Stretching Technology" brochure, believed to be available by 2001 at www.canstretch.com, (1 pg).
 "Stretch Machine" brochure, believed to be available by 2001 at www.canstretch.com, (1 pg).
 Photograph of Six Cans, believed to be available by 2001 at www.canstretch.com, (1 pg).

* cited by examiner

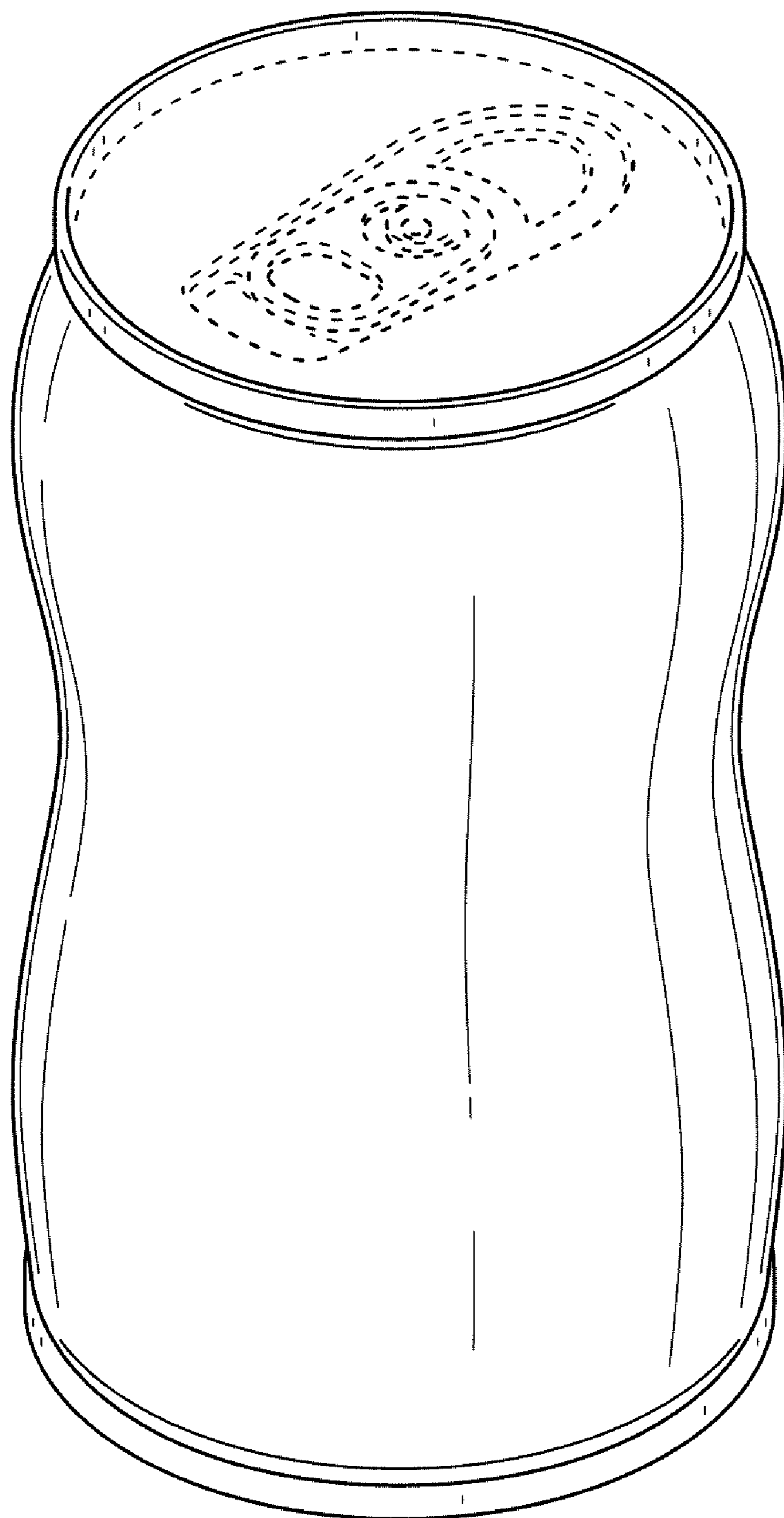


FIG. 1

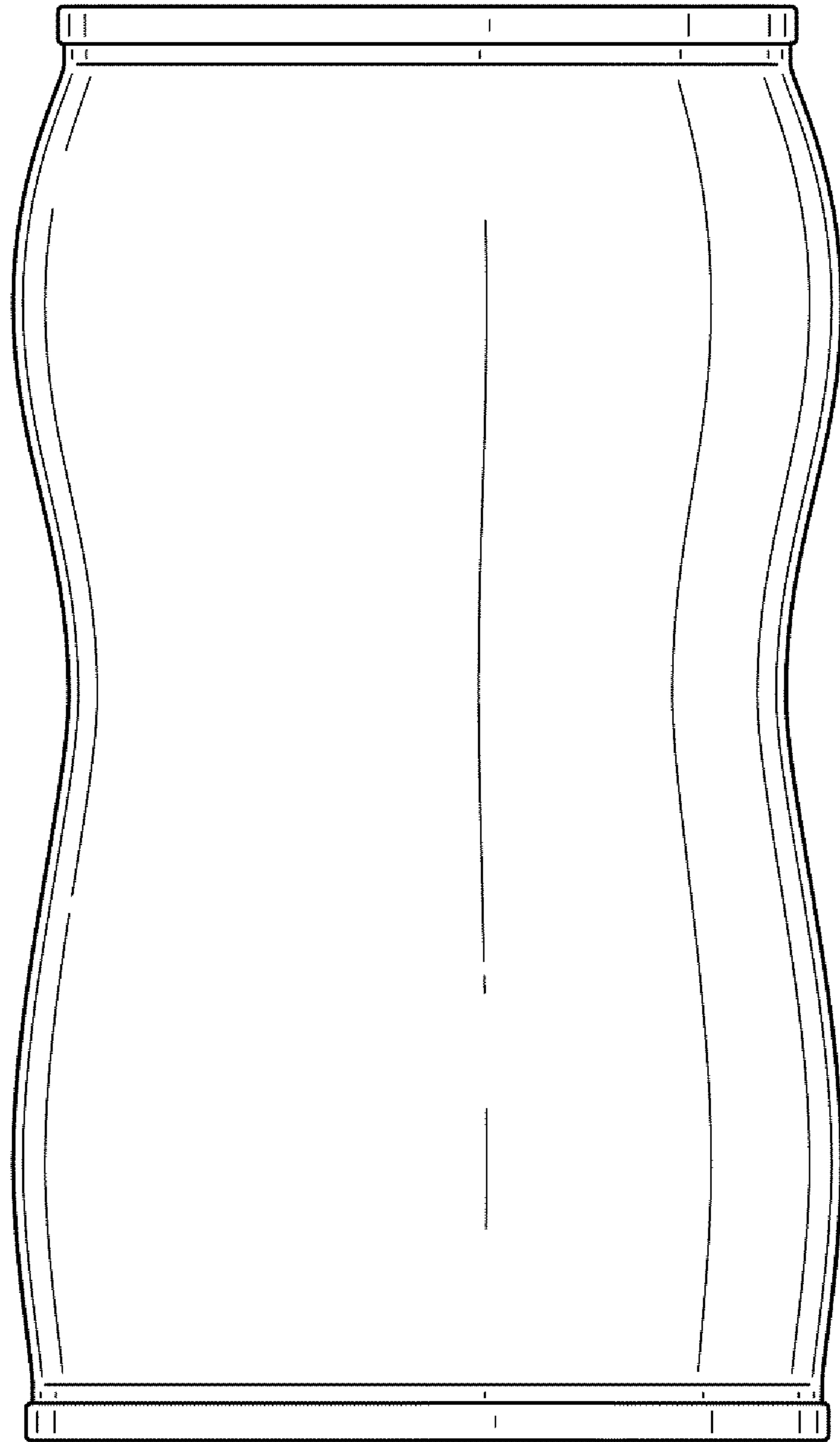


FIG. 2

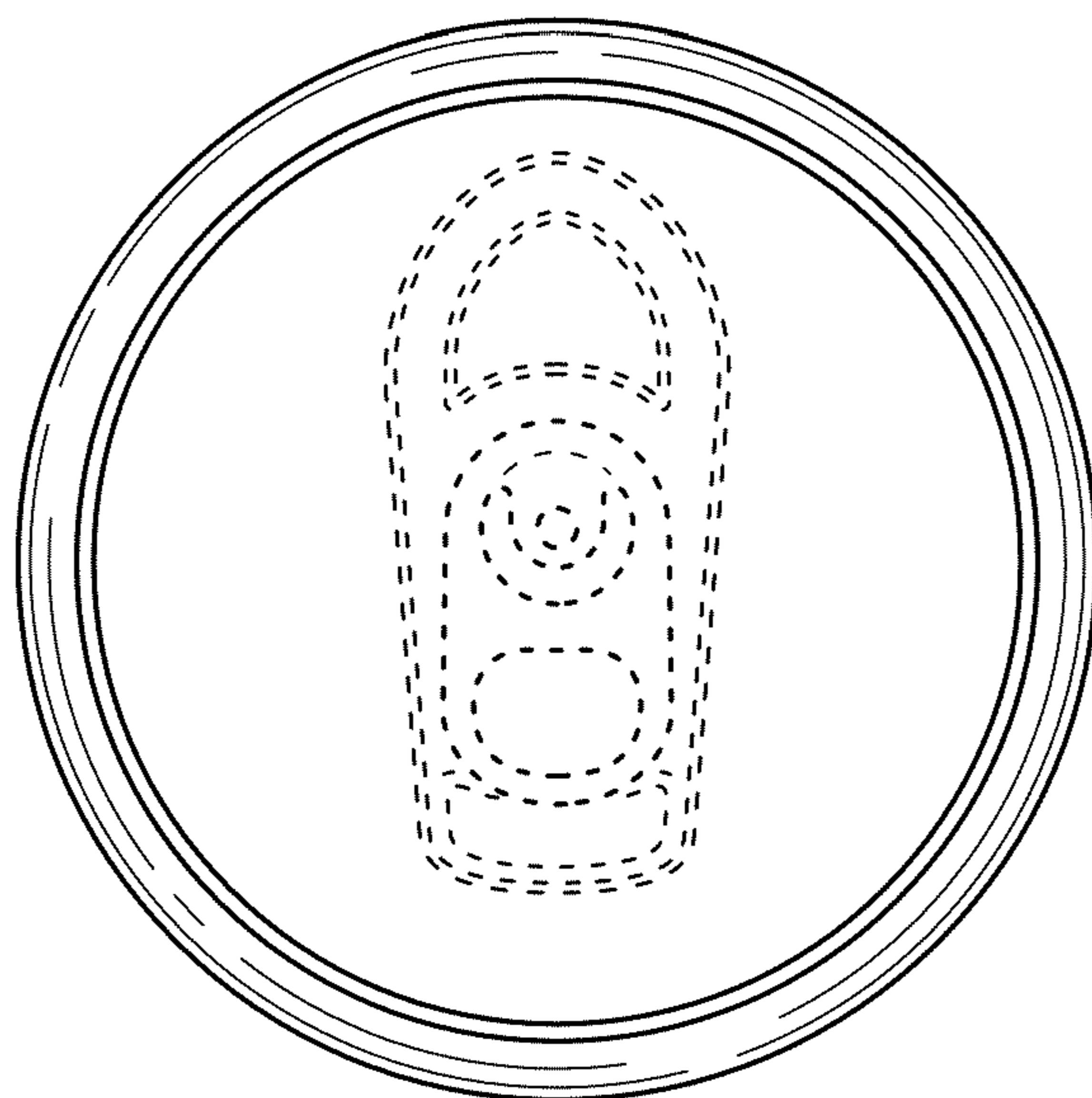


FIG. 3

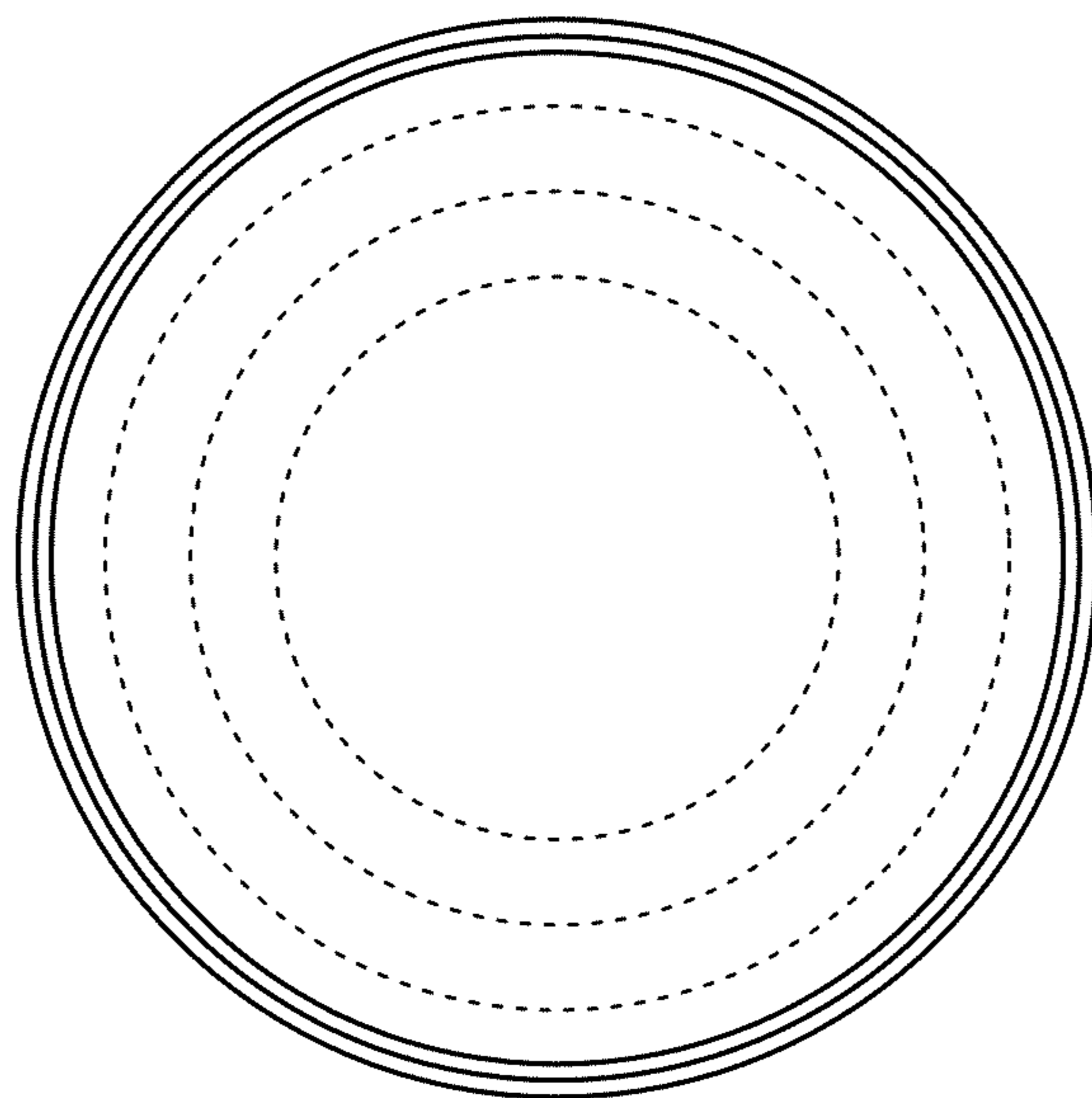


FIG. 4