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**Chiu et al.**

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(54) **CUP**  
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See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D98,420 S *	2/1936	Deskey .....	D7/523
D105,943 S *	9/1937	Fuerst .....	D7/523
2,782,614 A *	2/1957	Currie .....	220/718
2,984,035 A	5/1961	Nalle, Jr.	
3,095,132 A	6/1963	Hawley	
3,301,459 A	1/1967	Gardner	
3,349,950 A *	10/1967	Wanderer .....	220/787
3,384,265 A	5/1968	Frank	
3,557,995 A	1/1971	Mirasol, Jr. et al.	
3,598,271 A	8/1971	Holley	
3,606,262 A	9/1971	Hoff	

3,606,282 A	9/1971	Stokey	
3,868,043 A	2/1975	Freemyer	
3,954,178 A	5/1976	Mason, Jr.	
4,106,660 A	8/1978	Boyle	
4,121,835 A *	10/1978	Garabedian .....	369/68
4,187,954 A	2/1980	Striggow	
4,275,815 A	6/1981	Davis	
D272,793 S	2/1984	Appel et al.	
4,441,624 A	4/1984	Sokolowski	
4,494,668 A *	1/1985	Lottick .....	220/709
4,589,569 A	5/1986	Clements	
4,619,372 A	10/1986	McFarland	
D287,919 S	1/1987	Clements	
D299,010 S	12/1988	Wall	
4,814,568 A	3/1989	Keefer	
4,852,757 A	8/1989	Gold	

(Continued)

**OTHER PUBLICATIONS**

RCD-Online—Design Consultation Service—RCE Information, EU  
Design No.: 000805015-0002, Indication of the product “Mug  
Presses”, Sep. 10, 2007 (2 pages).

(Continued)

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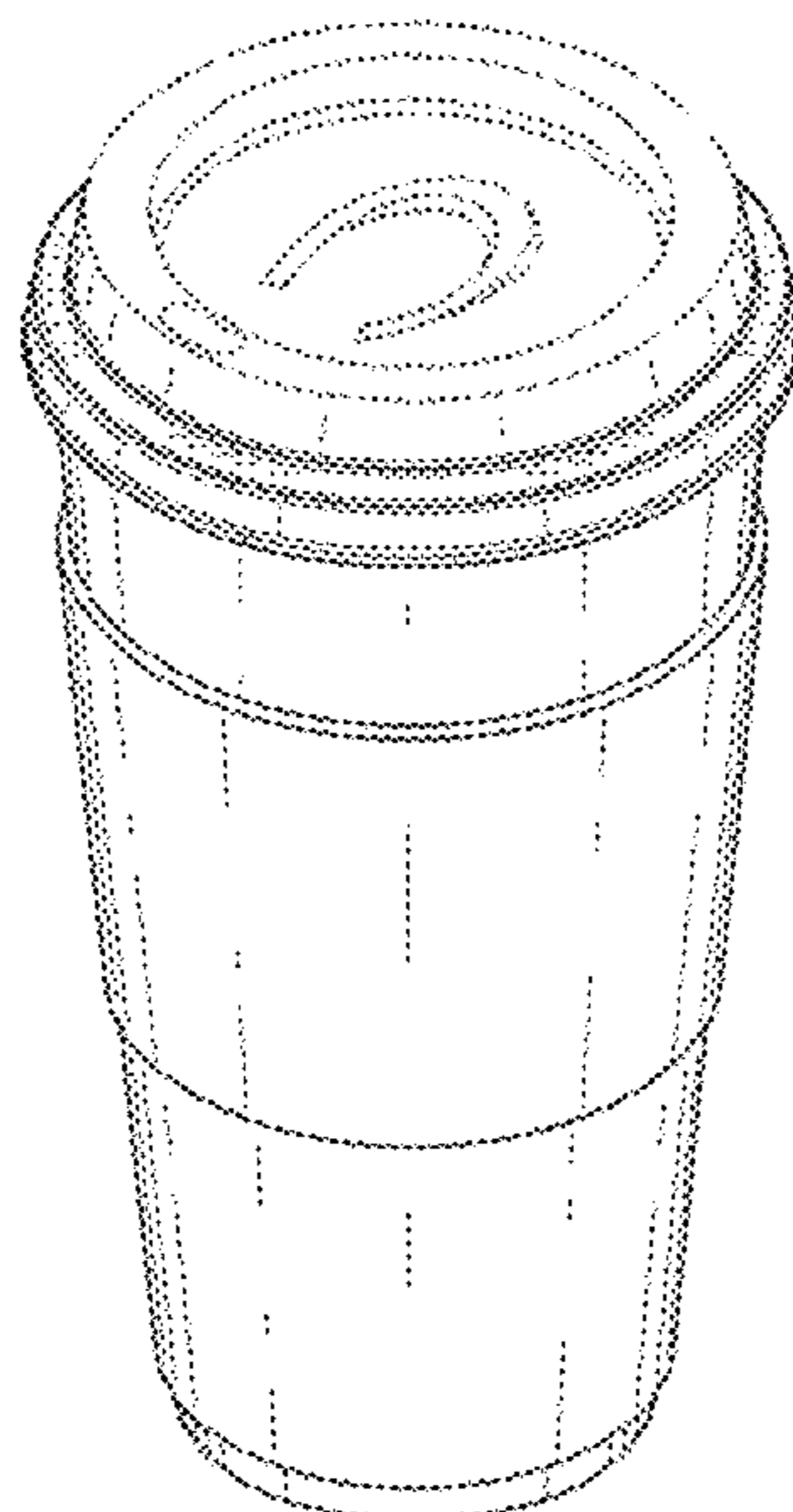
(57) **CLAIM**

We claim the ornamental design for a cup, as shown and  
described.

**DESCRIPTION**

FIG. 1 is a perspective front view of the cup;  
FIG. 2 is a side view of the cup shown in FIG. 1; FIG. 3 is a top  
view of the cup shown in FIG. 1; and,  
FIG. 4 is a bottom view of the cup shown in FIG. 1.  
The broken lines are included for illustrative purposes and  
form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



# US D658,443 S

## U.S. PATENT DOCUMENTS

4,986,437	A	1/1991	Farmer	
5,205,473	A	4/1993	Coffin, Sr.	
5,222,656	A *	6/1993	Carlson .....	229/403
5,253,781	A	10/1993	Van Melle et al.	
5,363,983	A	11/1994	Proshan	
5,366,109	A	11/1994	Proshan	
5,398,843	A	3/1995	Warden et al.	
5,454,484	A *	10/1995	Chelossi .....	220/738
5,460,286	A	10/1995	Rush et al.	
D365,247	S	12/1995	Sokolski et al.	
D369,109	S	4/1996	Proshan	
5,509,568	A	4/1996	Warden et al.	
D371,936	S	7/1996	Goto et al.	
5,624,053	A	4/1997	Freek et al.	
D379,928	S	6/1997	Freek et al.	
5,765,716	A	6/1998	Cai et al.	
5,798,079	A	8/1998	Freek et al.	
5,826,786	A	10/1998	Dickert	
D402,556	S	12/1998	Frye	
D412,806	S *	8/1999	Pierce .....	D7/300.1
D416,757	S *	11/1999	Ginuntoli .....	D7/523
D417,845	S	12/1999	Sadlier et al.	
5,996,837	A	12/1999	Freek et al.	
6,068,182	A	5/2000	Tokunaga	
6,176,390	B1	1/2001	Kemp	
D437,185	S	2/2001	Freed	
D437,223	S	2/2001	Coy et al.	
D438,298	S	2/2001	McNutt	
6,265,040	B1 *	7/2001	Neale et al. ....	428/36.5
6,286,709	B1	9/2001	Hudson	
6,286,754	B1	9/2001	Stier et al.	
6,419,105	B1	7/2002	Bruce et al.	
6,419,112	B1	7/2002	Bruce et al.	
6,431,390	B1	8/2002	Waller	
6,523,712	B1	2/2003	McGushion	
D471,764	S	3/2003	Janky	
D475,578	S	6/2003	Hurlbut et al.	
D475,891	S *	6/2003	Bin .....	D7/510
D479,692	S	9/2003	Nilsson	
D485,123	S	1/2004	Gullickson et al.	
6,814,253	B2 *	11/2004	Wong .....	220/739
D502,396	S	3/2005	Frisch et al.	
6,889,859	B1	5/2005	Leon	
D509,707	S	9/2005	Tien	
D512,874	S	12/2005	Poulson et al.	
6,991,128	B1	1/2006	Russo et al.	
D516,424	S	3/2006	Schweigert et al.	
D526,190	S	8/2006	Bolt et al.	
D530,568	S *	10/2006	Wingenter .....	D7/507
D534,770	S	1/2007	Gluck	
D535,561	S	1/2007	Smith et al.	
D536,249	S	2/2007	Smith et al.	
7,175,043	B2	2/2007	O'Neal	
7,185,781	B2	3/2007	Pitts	
D539,649	S	4/2007	Smith et al.	
D539,650	S	4/2007	Smith et al.	
D540,167	S	4/2007	Smith et al.	
D543,777	S	6/2007	Seum et al.	
D547,605	S	7/2007	Edelstein et al.	
7,246,716	B2	7/2007	Durdon	
D548,012	S	8/2007	Tien	
7,284,676	B2	10/2007	Dantani	
D556,509	S *	12/2007	Bonini .....	D7/507
D569,246	S	5/2008	Thanisch et al.	
D570,213	S	6/2008	Newman	
7,380,685	B2	6/2008	Simmons et al.	
D572,083	S	7/2008	Tien	
D590,662	S	4/2009	Cheng	
D591,151	S	4/2009	Freeman	
D591,595	S	5/2009	Tedford, Jr.	
D592,056	S	5/2009	Tedford, Jr.	
7,537,136	B2 *	5/2009	Hechmati .....	220/739
D593,361	S	6/2009	Hundley	
D597,725	S	8/2009	Smeaton	
D599,622	S *	9/2009	Gilbert et al. ....	D7/538
7,581,640	B2	9/2009	Lopez	
7,591,393	B2	9/2009	Crudgington, Jr.	
D601,852	S *	10/2009	Newman .....	D7/532

7,614,523	B1	11/2009	Fixler et al.	
D606,364	S *	12/2009	Gilbert et al. ....	D7/510
D608,147	S *	1/2010	Sykes .....	D7/507
7,717,325	B2 *	5/2010	Puls et al. ....	229/403
D618,967	S *	7/2010	Bodum .....	D7/615
D621,659	S	8/2010	Liu	
D622,546	S	8/2010	Bodum	
D623,474	S	9/2010	Carlson et al.	
D623,476	S *	9/2010	Carlson et al. ....	D7/510
D640,094	S *	6/2011	Carlson et al. ....	D7/510
2004/0084452	A1	5/2004	Hsieh	
2004/0128877	A1 *	7/2004	Luedde .....	40/306
2005/0173443	A1	8/2005	Crudgington, Jr.	
2005/0211713	A1	9/2005	Goeking et al.	
2005/0224505	A1	10/2005	Brown et al.	
2006/0071008	A1	4/2006	Sadlier	
2006/0169707	A1	8/2006	Walz et al.	
2006/0186129	A1 *	8/2006	Allnutt et al. ....	220/737
2006/0226148	A1	10/2006	Hundley et al.	
2006/0243734	A1	11/2006	Tedford, Jr.	
2007/0023442	A1	2/2007	Auzenne	
2007/0114236	A1	5/2007	Shiffer et al.	
2007/0181591	A1 *	8/2007	Pierce et al. ....	220/801
2008/0000921	A1	1/2008	Leon	
2008/0041862	A1	2/2008	Bal	
2008/0061069	A1	3/2008	Edelstein et al.	
2008/0078824	A1	4/2008	Spiegel et al.	
2009/0050641	A1	2/2009	Ivey	
2009/0236409	A1	9/2009	Flores	
2009/0266829	A1	10/2009	Bailey	
2009/0283535	A1	11/2009	Mesalic	
2009/0294459	A1	12/2009	Hovsepian et al.	
2009/0294460	A1	12/2009	Hovsepian et al.	
2010/0012657	A1	1/2010	Levey	

## OTHER PUBLICATIONS

Pattern Non-Paper Cup, Set of 2, jjam 1303's wish list, Nov. 15 2009, www.wishpot.com (1 page).

Caribou Cup, Flickr—Photo Sharing, 2 pages, Feb. 15, 2008.

Seasonal Dirty Chai, Flickr—Photo Sharing! 2 pages, Nov. 9, 2008.

15 Minutes Late, Flickr—Photo Sharing! 2 pages, Dec. 12, 2008.

Caribou's Christmas Cups Rock, Flickr, Photo Sharing! 1 page Nov. 27, 2005.

Coffee Bean & Tea Leaf, Flickr—Photo Sharing! 1 page, Jan. 10, 2007.

The Coffee Bean & Tea Leaf, Flickr—Photo Sharing! 2 pages, Nov. 20, 2008.

Coffee Bean and tea leaf, Flickr—Photo Sharing! 1 page, Nov. 23, 2008.

Café latte at coffee bean & tea leaf, Flickr—Photo Sharing! 1 page, Mar. 25, 2005.

Stopping for nourishment, Flickr—Photo Sharing! 2 pages, Aug. 14, 2005.

Small Coffee from Coffee Beanery, Flickr—Photo Sharing! 1 page, Feb. 3, 2007.

Tollef likes this coffee photo, Flickr—Photo Sharing! 1 page, Dec. 14, 2007.

Coffee Beanery, Flickr—Photo Sharing! 2 pages, Apr. 19, 2006.

Dunkin' Donuts—A morning Ritual, Flickr—Photo Sharing! 2 pages, May 4, 2007.

Dunkin' Donuts—mmmmm . . .caffeine, Flickr—Photo Sharing! 2 pages, Aug. 14, 2008.

Dunkin Donuts on the Porch, Flickr—Photo Sharing! 2 pages Oct. 3, 2007.

Thanks a latte . . . —Flickr—Photo Sharing! 1 page, Mar. 22, 2008.

Happy HoliDDays—Flickr—Photo Sharing! 1 page, Dec. 22, 2008.

Dunkin' Donuts—Flickr—Photo Sharing! 2 pages, Sep. 26, 2006.

Gloria Jeans Coffee Cup—Flickr—Photo Sharing! Mar. 22, 2008.

@ Gloria Jean's—Flickr—Photo Sharing! 1 page, Jul. 7, 2007.

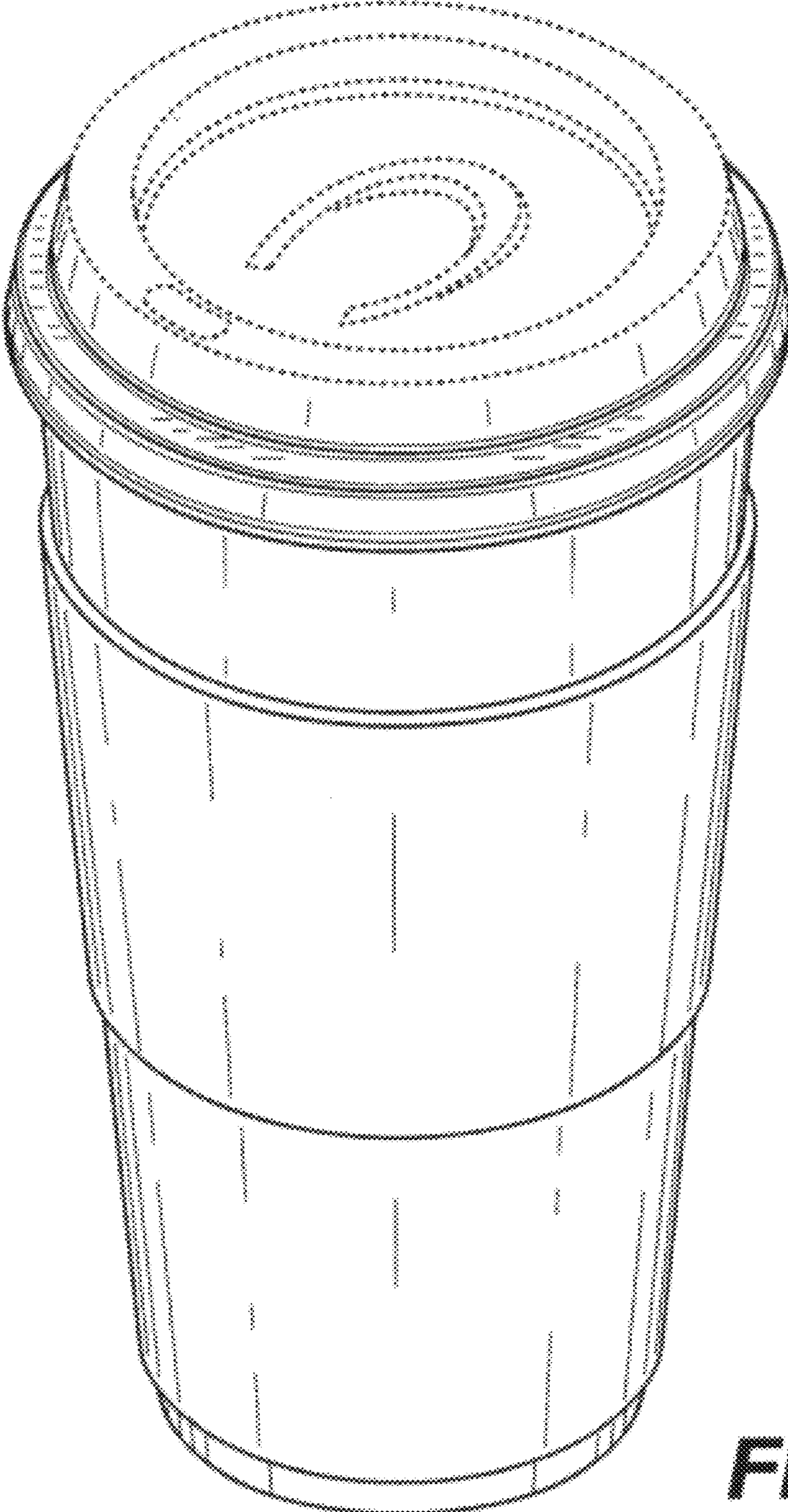
McDonald's Coffee, Flickr—Photo Sharing! 2 page, Dec. 3, 2008.

McDonald's Premium Roast Coffee—Flickr—Photo Sharing! 1 page, Feb. 16, 2008.

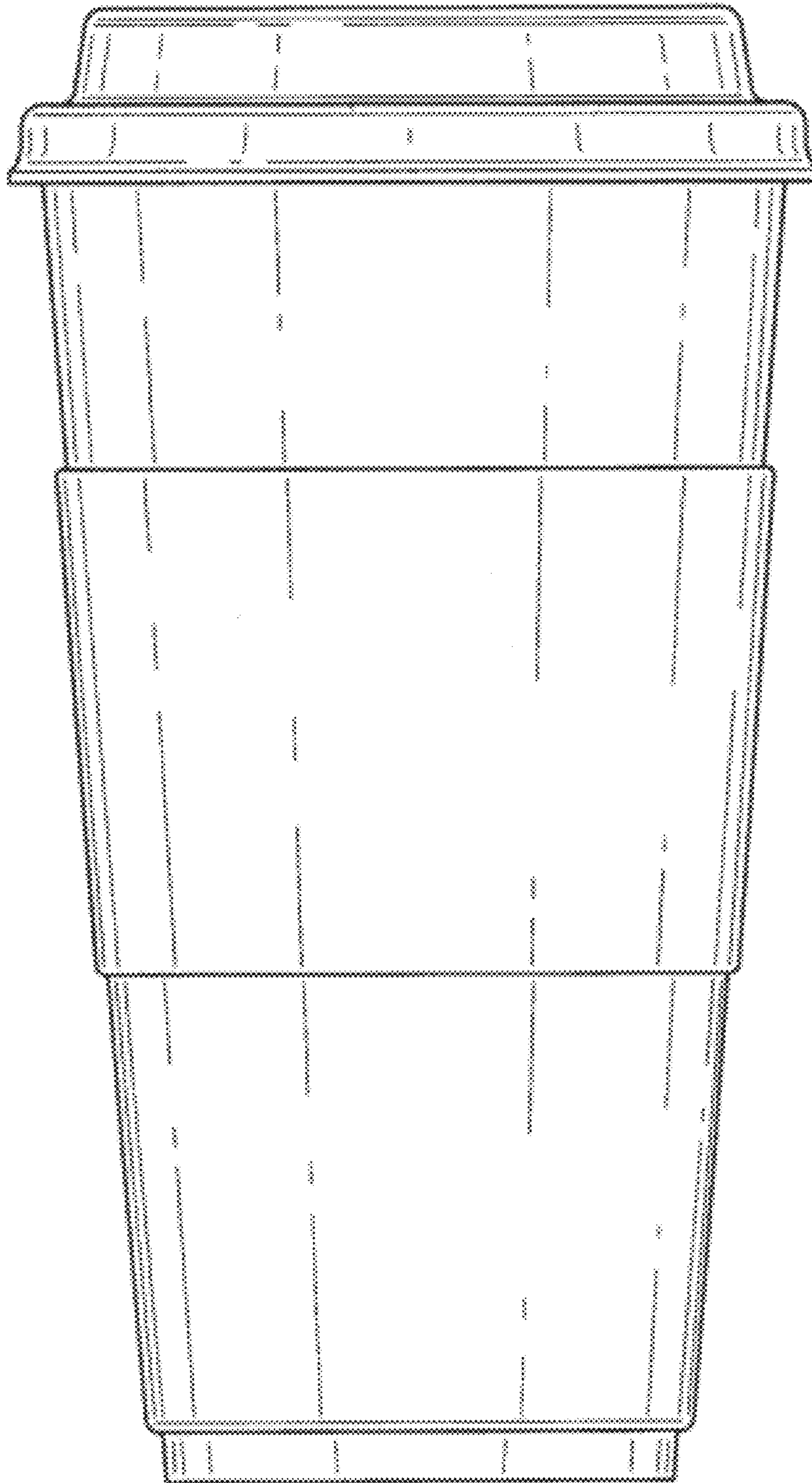
20/12/2006 McCafe Caffe Latte—Flickr—Photo Sharing! 1 page, Dec. 20, 2006.

- Pancakes . . . Coffee.—Flickr—Photo sharing! 2 pages Aug. 30, 2006.
- McDo Coffee—Flickr—Photo Sharing! 2 pages, Feb. 14, 2008.
- Found Coffee Cups III—Flickr—Photo Sharing! 1 page, Apr. 30, 2008.
- 365 Cups: day nineteen.—Flickr—Photo Sharing! 2 pages, Feb. 1, 2007.
- Morning is Forgiving—Flickr—Photo Sharing! 1 page May 26, 2007.
- McDonald's Coffee Cup—Flickr Photo Sharing! 1 page, Jan. 14, 2008.
- McDonald's Airport Coffee—Flickr—Photo Sharing! 1 page, Jul. 17, 2005.
- Grand(e) Coffee Cup Lineup—Flickr—Photo Sharing! 1 page, Dec. 7, 2006.
- Seattle Coffee Stand—Flickr—Photo Sharing! 1 page, Jun. 4, 2008.
- Sunset Cozy—Front View—Flickr—Photo Sharing 2 pages, Nov. 20, 2007.
- Frontier Café Coffee Cup—Flickr—Photo Sharing! 1 page, Sep. 19, 2008.
- Torrefazione Coffee Cup—Flickr—Photo Sharing! 1 page, Sep. 21, 2008.
- Playing with Coffee Cups—Flickr—Photo Sharing! 2 pages, Apr. 13, 2005.
- Panera—Flickr—Photo Sharing! 2 pages, May 18, 2008.
- IMG\_0513—Flickr—Photo Sharing! 1 page, Sep. 22, 2008.
- Panera Coffee—Flickr—Photo Sharing! 1 page, May 1, 2006.
- A Cup of Peets Coffee—Flickr—Photo Sharing! 1 page Jun. 3, 2007.
- Peets Pattern—Flickr—Photo Sharing! 1 page, Feb. 8, 2008.
- Peet's Coffee—Flickr—Photo Sharing! 1 page, Apr. 13, 2008.
- Americano—Flickr—Photo Sharing! 1 page, Apr. 21, 2008.
- Numbers—37/365—Flickr—Photo Sharing! 2 pages, Aug. 6, 2008.
- Life: This is a Peet's Medium Latte and a Butter Croissant. (week 6,38/365, jreyes)—Flickr—. . . 1 page, Jan. 7, 2008.
- I'm trying an experiment—Flickr—Photo Sharing! 2 pages, May 11, 2008.
- Joe—Flickr—Photo Sharing! 1 page, Jan. 14, 2008.
- Seattles Best—Flickr, 1 page, Jun. 13, 2008.
- 070302 Starbucks—Flickr—Photo Sharing! 1 page, Mar. 3, 2007.
- The Starbucks Family—Flickr—Photo Sharing! 1 page, Feb. 16, 2000.
- Holiday Season—Flickr—Photo Sharing! 1 page, Jan. 1, 2002.
- Freshly Pre-packaged Starbucks—Flickr—Photo Sharing! 1 page, Jan. 4, 2007.
- Starbucks Cup—Flickr—Photo Sharing! 1 page, Mar. 27, 2006.
- Coffee Consumption—Flickr—Photo Sharing! 1 page, Jan. 12, 2007.
- Starbucks Cup—Flickr—Photo Sharing! 2 pages, Oct. 29, 2006.
- Starbucks Cups Pile up after a day or so—Flickr—Photo Sharing! 2 pages, Apr. 24, 2008.
- Special Edition Starbucks Coffee Cups Christmas Ornaments—Flickr—Photo Sharing! 1 page, Feb. 4, 2008.
- Starbucks Coffee Cup with my Ipod—Flickr—Photo Sharing! 2 pages, Dec. 24, 2006.
- Yuck. (aka New "Pike Place" Brew Sucks)—Flickr—Photo Sharing! 3 pages, Apr. 13, 2008.
- New Cups at Starbucks . . . People will be talking.—Flickr—Photo Sharing! 1 page, Apr. 8, 2008.
- Starbucks Cup Front—Flickr—Photo Sharing! 1 page, Nov. 20, 2008.
- Starbucks Cups—Flickr—Photo Sharing! 2 pages, Sep. 23, 2008.
- 'Tis the Season—14 of 365 Days. My Favorite Drink . . . —Flickr—Photo Sharing! 2 pages, Nov. 18, 2006.
- Starbucks "Akeelah" Sleeve—Flickr—Photo Sharing! 1 page, Apr. 9, 2006.
- IMG\_0096—Flickr—Photo Sharing! 2 pages, Sep. 11, 2006.
- Cup by the Fountain—Flickr—Photo Sharing! 2 pages, May 27, 2006.
- Timmy's Cup on the Beach—Flickr—Photo Sharing! 1 page, Jul. 5, 2008.
- DSC04977 Tim Horton—Flickr—Photo Sharing! 1 page, Sep. 23, 2007.
- POD49 Contractor Classic, Tim Horton—Flickr—Photo Sharing! 1 page, Oct. 16, 2008.
- American Tim Hortons Cups—Flickr—Photo Sharing! 1 page, Dec. 8, 2007.
- Holiday Coffee, Tim Hortons, Flickr—Photo Sharing! 2 pages, Dec. 9, 2005.
- Tims—Flickr—Photo Sharing! 1 page, Jun. 17, 2007.
- Eco Cup Holiday Edition, DCi Product Décor Craft Inc., Apr. 2008, Décor Craft Inc., www.dcgift.com (1 page).

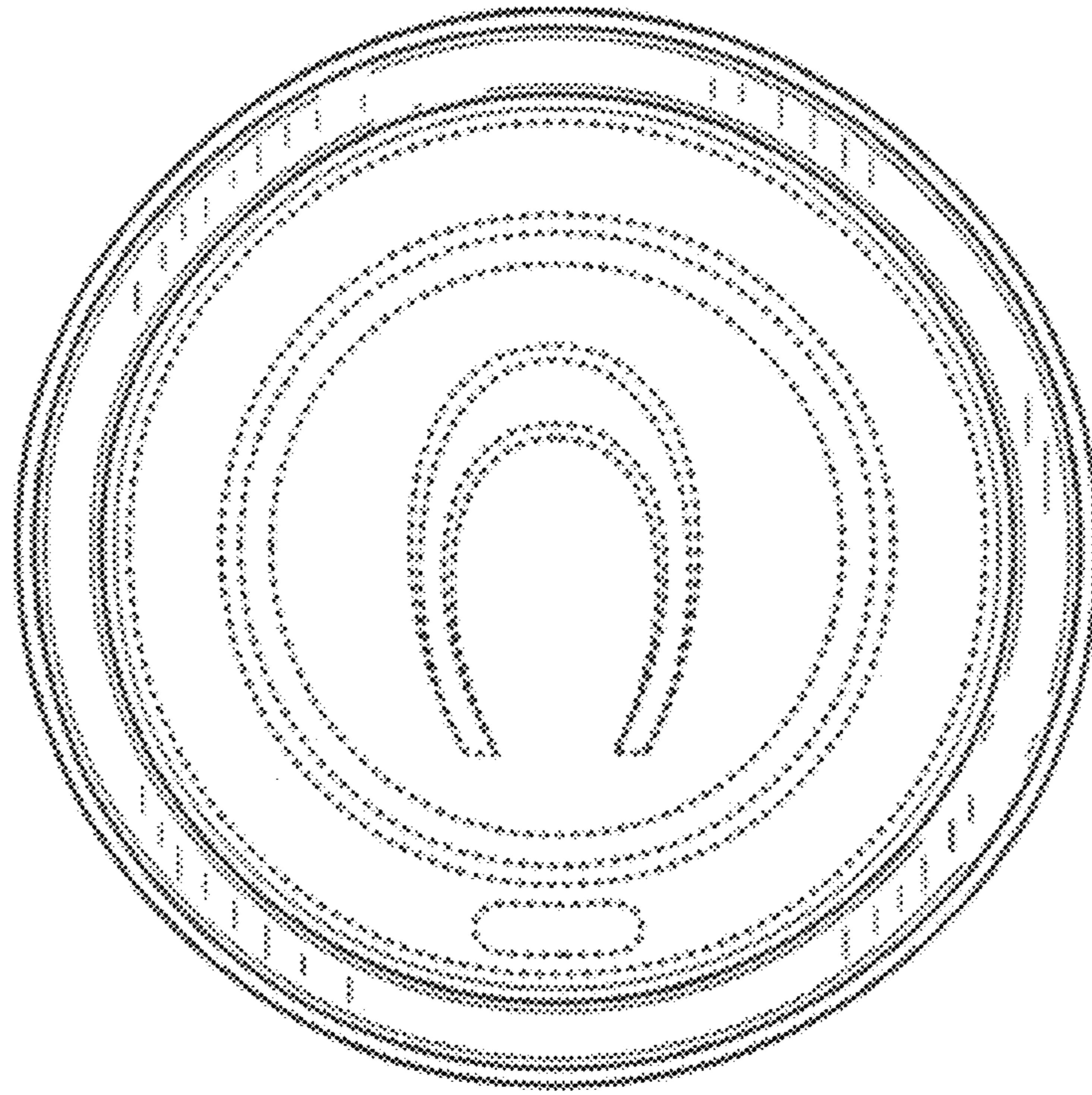
\* cited by examiner



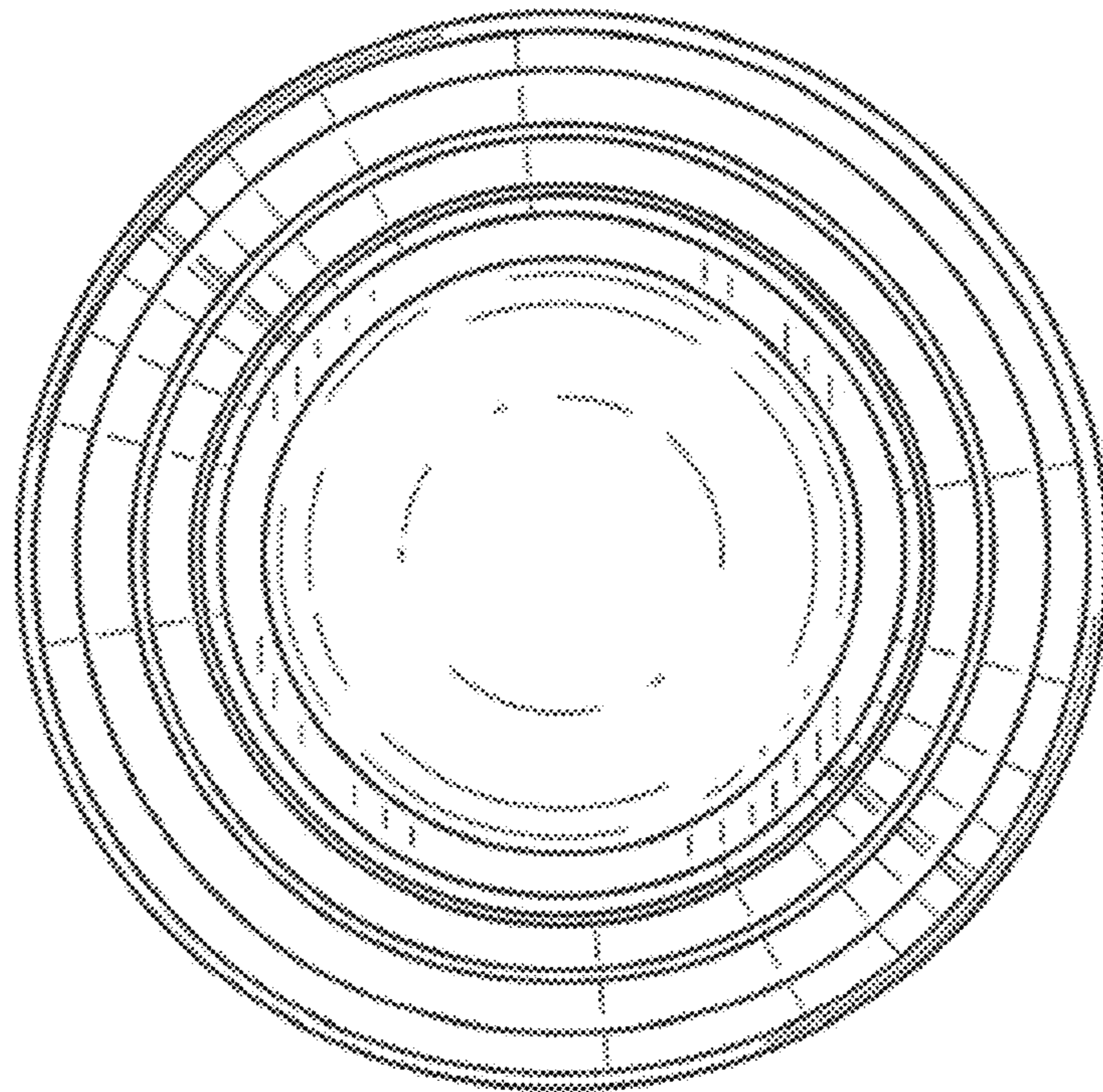
**FIG. 1**



**FIG. 2**



**FIG. 3**



**FIG. 4**