



US00D696585S

(12) **United States Design Patent**
Manne et al.(10) **Patent No.:** **US D696,585 S**
(45) **Date of Patent:** **** Dec. 31, 2013**(54) **METAL CONTAINER**(71) Applicant: **Silgan Containers LLC**, Woodland Hills, CA (US)(72) Inventors: **Steven J. Manne**, Oconomowoc, WI (US); **Jianwen Hu**, Nashotah, WI (US); **Andrew W. Lakos**, Nashotah, WI (US)(73) Assignee: **Silgan Containers LLC**, Woodland Hills, CA (US)(**) Term: **14 Years**(21) Appl. No.: **29/440,048**(22) Filed: **Dec. 18, 2012**(51) LOC (9) Cl. **09-01**

(52) U.S. Cl.

USPC **D9/500**; D9/539; D9/558; D9/764;
D9/772(58) **Field of Classification Search**USPC D9/500, 502–505, 516, 537, 539, 549,
D9/550, 558; 215/379, 381–384; 220/660,
220/669–673, 675

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D26,065 S * 9/1896 Jenkins D9/500
D35,414 S * 12/1901 Lorenz D9/772

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/440,049, filed Dec. 18, 2012, Manne et al.

(Continued)

Primary Examiner — Terry Wallace*Assistant Examiner* — Dana L Meyrow(74) *Attorney, Agent, or Firm* — Reinhart Boerner Van Deuren s.c.(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of an embodiment of the claimed design;

FIG. 2 is a front view of the claimed design of FIG. 1;

FIG. 3 is a left side view of the claimed design of FIG. 1;

FIG. 4 is a right side view of the claimed design of FIG. 1;

FIG. 5 is a rear view of the claimed design of FIG. 1;

FIG. 6 is a top plan view of the claimed design of FIG. 1;

FIG. 7 is a bottom plan view of the claimed design of FIG. 1;

FIG. 8 is a perspective view of another embodiment of the claimed design;

FIG. 9 is a front view of the claimed design of FIG. 8;

FIG. 10 is a left side view of the claimed design of FIG. 8;

FIG. 11 is a right side view of the claimed design of FIG. 8;

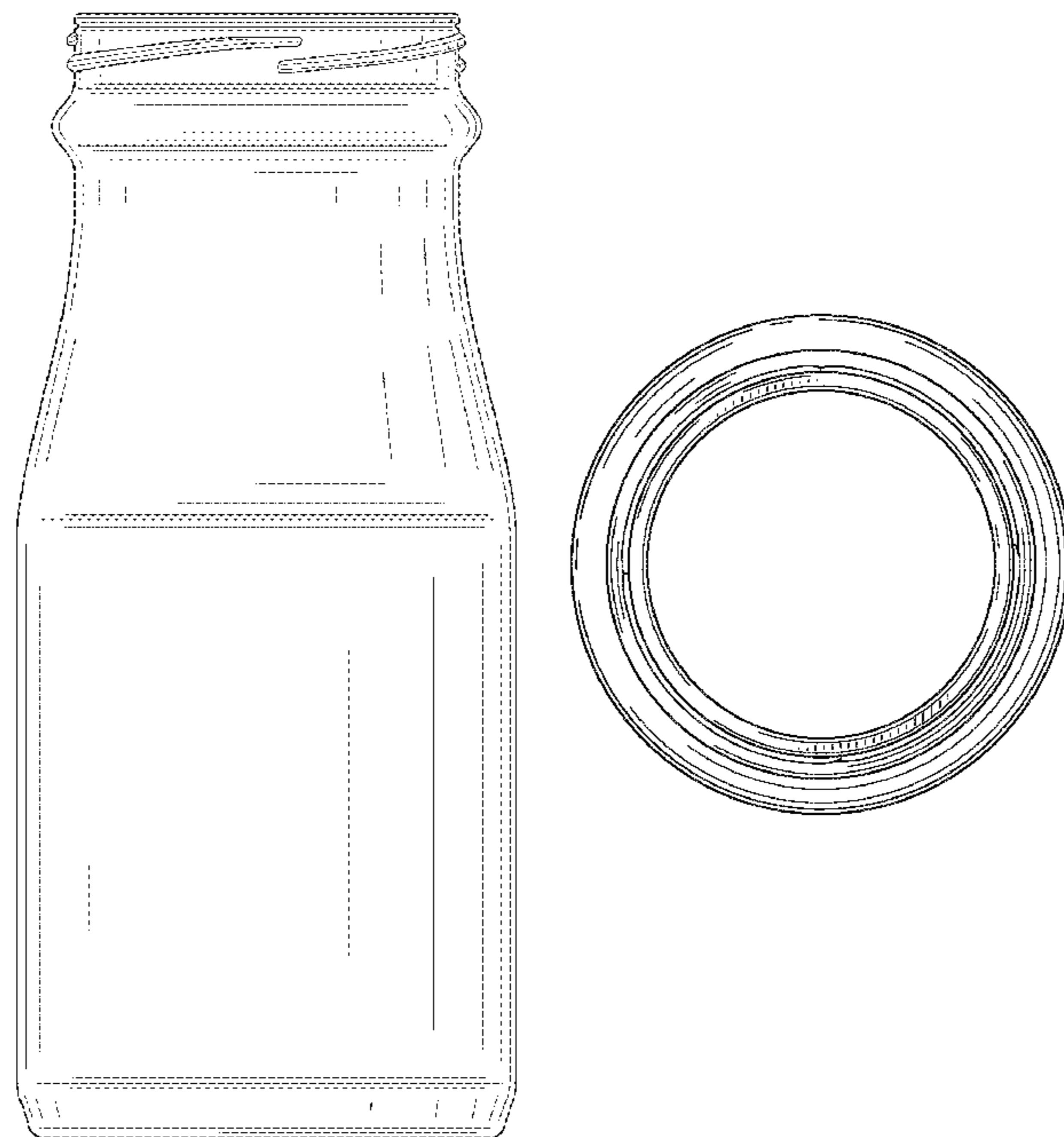
FIG. 12 is a rear view of the claimed design of FIG. 8;

FIG. 13 is a top plan view of the claimed design of FIG. 8; and,

FIG. 14 is a bottom plan view of the claimed design of FIG. 8.

The ornamental design which is claimed is shown in solid lines in the drawings. The evenly dashed-broken lines in the FIGS. 8–14 illustrate the portions of the design that form no part of the claim.

The dot-dot-dash broken line in FIG. 7 defines the bounds of the claim and forms no part thereof.

1 Claim, 12 Drawing Sheets

(56)

References Cited**U.S. PATENT DOCUMENTS**

D86,037 S *	1/1932	Lloyd	D9/500
D99,763 S *	5/1936	Sansby	D9/500
D230,710 S *	3/1974	Purcell	D9/504
D236,429 S *	8/1975	Strand	D9/501
D240,591 S *	7/1976	Kretz	D9/500
D242,527 S *	11/1976	Plummer	D9/500
D247,471 S *	3/1978	Strand	D9/500
D279,546 S *	7/1985	Marcus	D9/500
D285,533 S *	9/1986	Berish et al.	D9/503
D376,106 S	12/1996	Heckler	
D400,762 S	11/1998	Mecklenburg	
D411,712 S	6/1999	Mecklenburg	
D431,468 S *	10/2000	Potts	D9/500
D484,743 S	1/2004	Furlong	
D516,424 S	3/2006	Schweigert et al.	
D529,762 S	10/2006	Schweigert et al.	
D536,976 S	2/2007	Ciulla et al.	
D536,986 S	2/2007	Nix et al.	
D571,662 S *	6/2008	Clark et al.	D9/500
D655,166 S *	3/2012	Arand et al.	D9/500

OTHER PUBLICATIONS

www.starbucks.com/menu/drinks/bottled-drinks/bottled-frappuccino-mocha, website showing bottled coffee drink, believed to be

commercially available from Starbucks Corporation at least one year before Dec. 18, 2012, 2 pages.

www.slashfood.com/2007/04/25/starbucks-store-frappuccino-vs-coffee-shop-frappuccino/, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 9 pages.

www.mycnymommy.com/2010/06/100-starbucks-frappuccino-single-bottle.html, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 4 pages.

<http://caloriecount.about.com/calories-starbucks-coffee-frappuccino-mocha-flavor-i57214>, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 2 pages.

<http://caloriecount.about.com/calories-starbucks-coffee-frappuccino-vanilla-flavor-i57215>, website showing an image of a bottle believed to be available before Dec. 18, 2012, 2 pages.

<http://fatsmack.org/2011/11/food-equivalent-3/>, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 3 pages.

www.target.com/p/starbucks-coffee-frappuccino-coffee-drink-13-7-oz-bottle/-A-12959301, website showing image of a bottle believed to be available at least one year before Dec. 18, 2012, 2 pages.

www.meltingmama.net/wls/2009/06/starbucks-bottle-mocha-lite-frappuccino.html, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 4 pages.

* cited by examiner

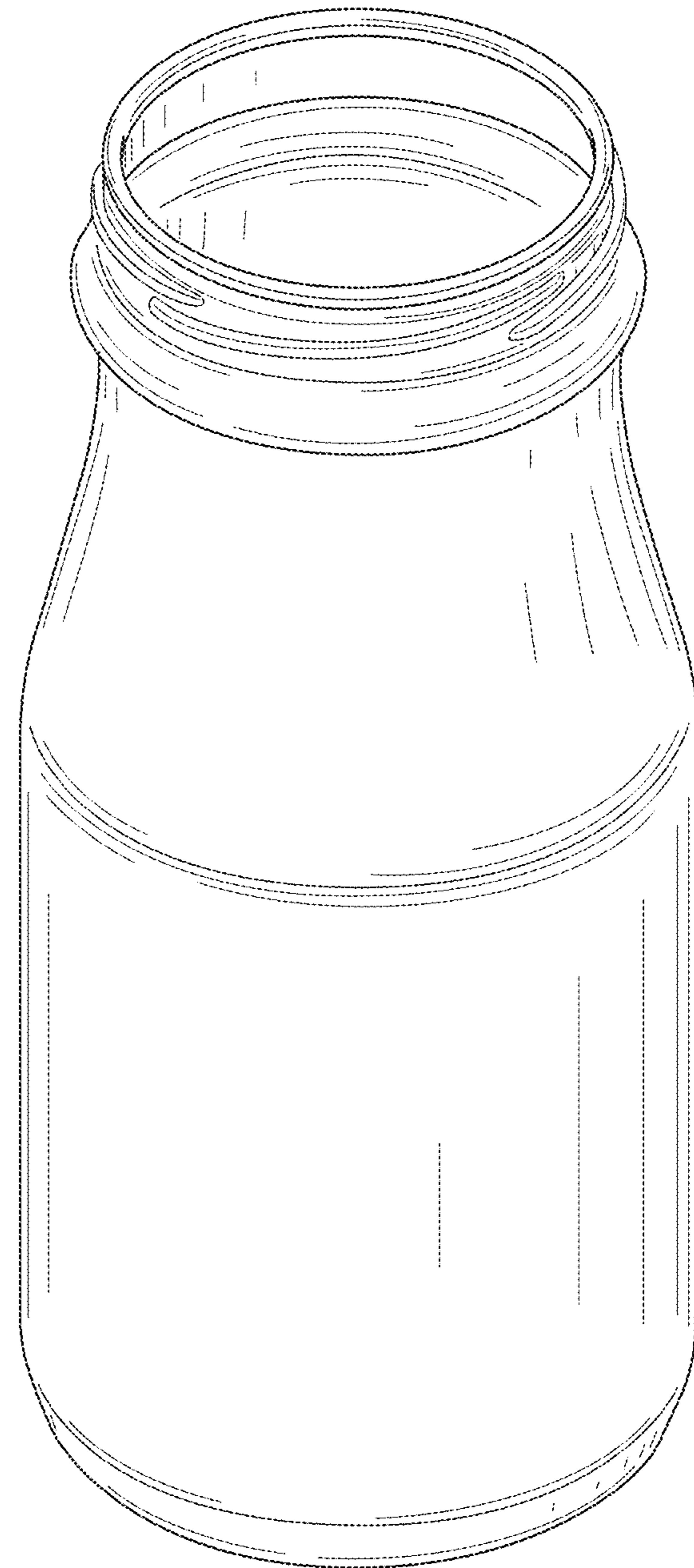


FIG. 1

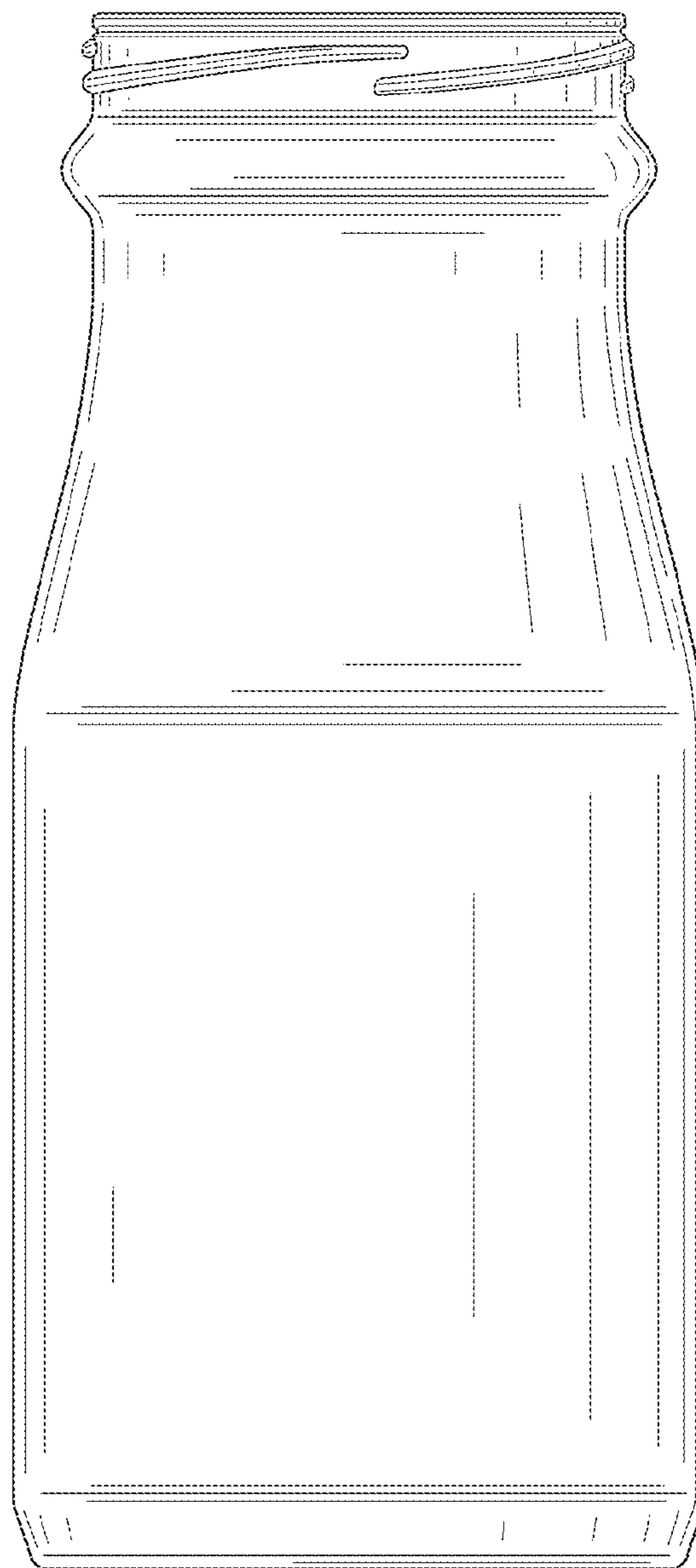


FIG. 2

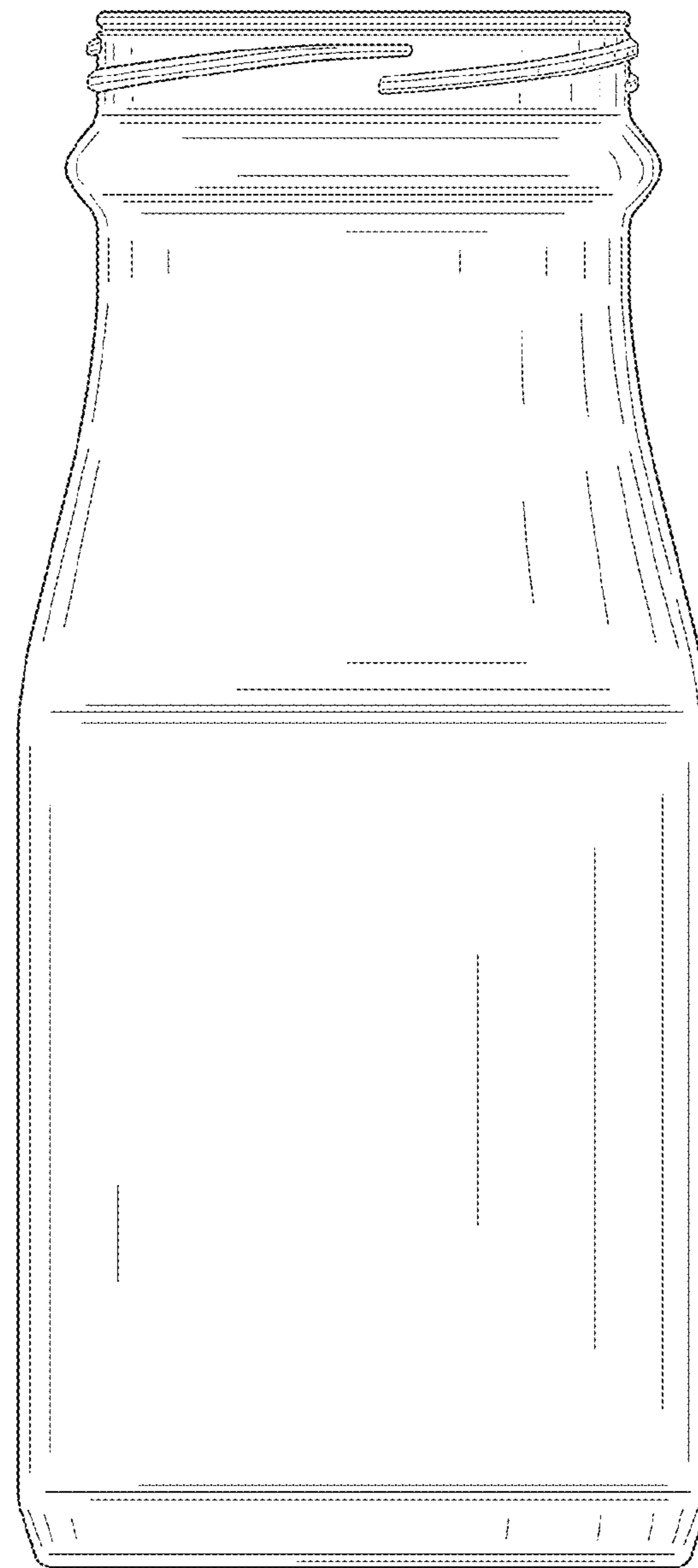


FIG. 3

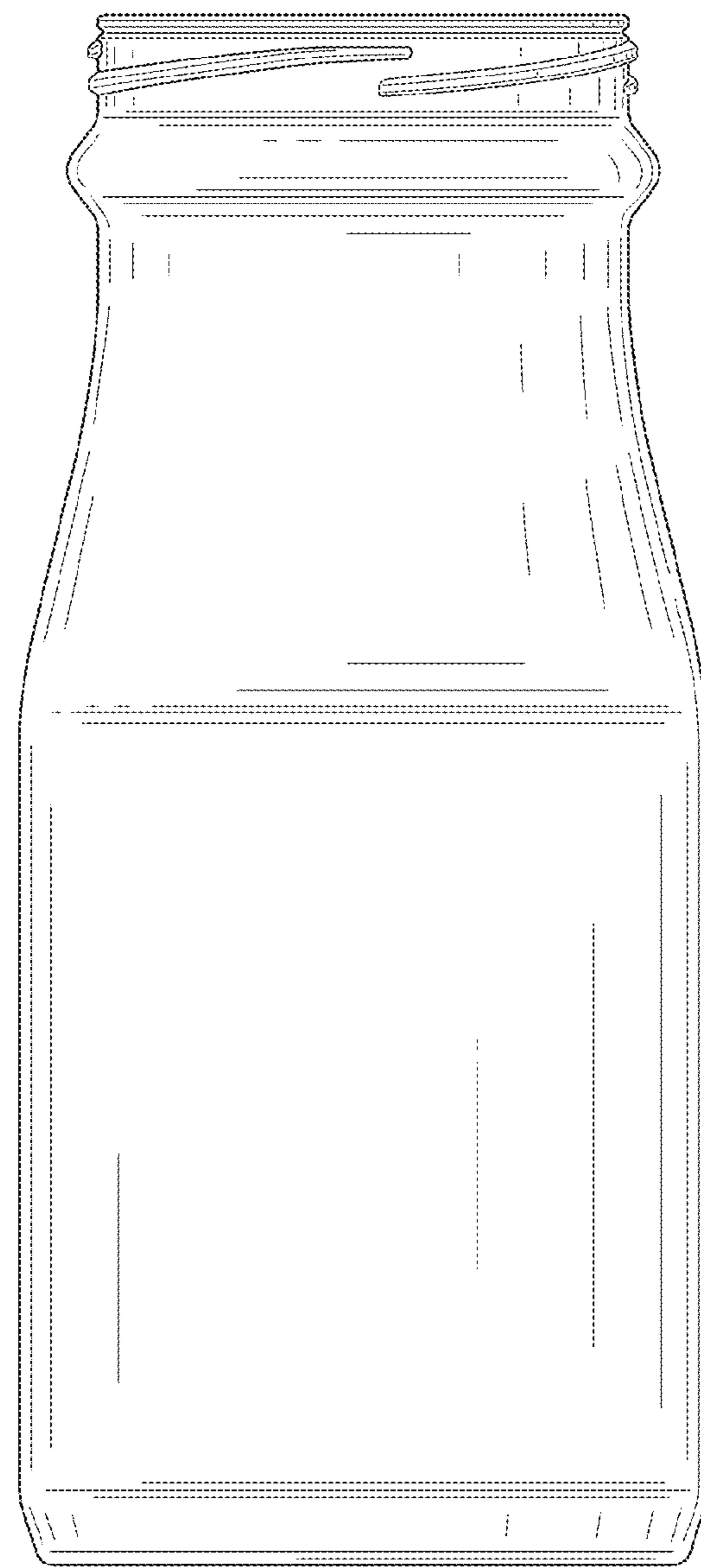


FIG. 4

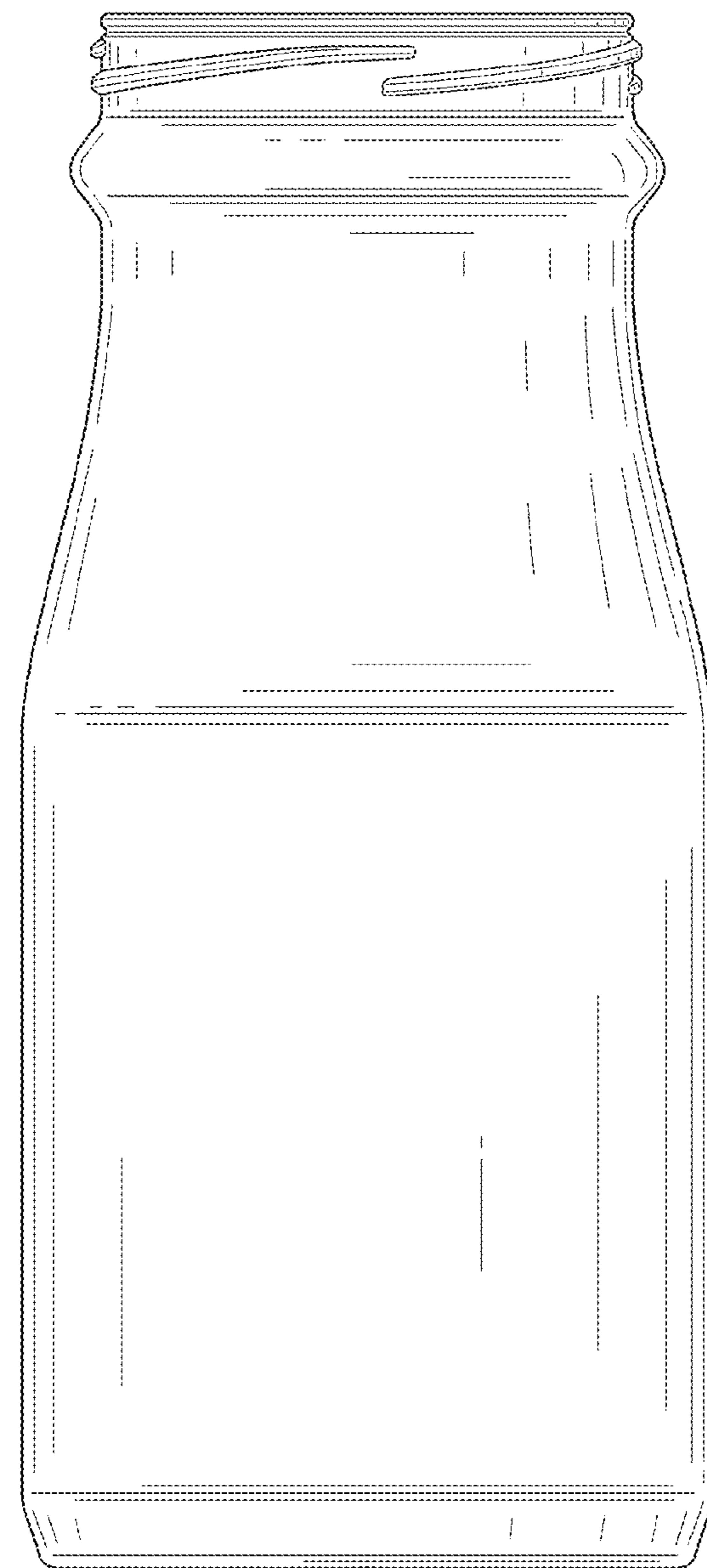


FIG. 5

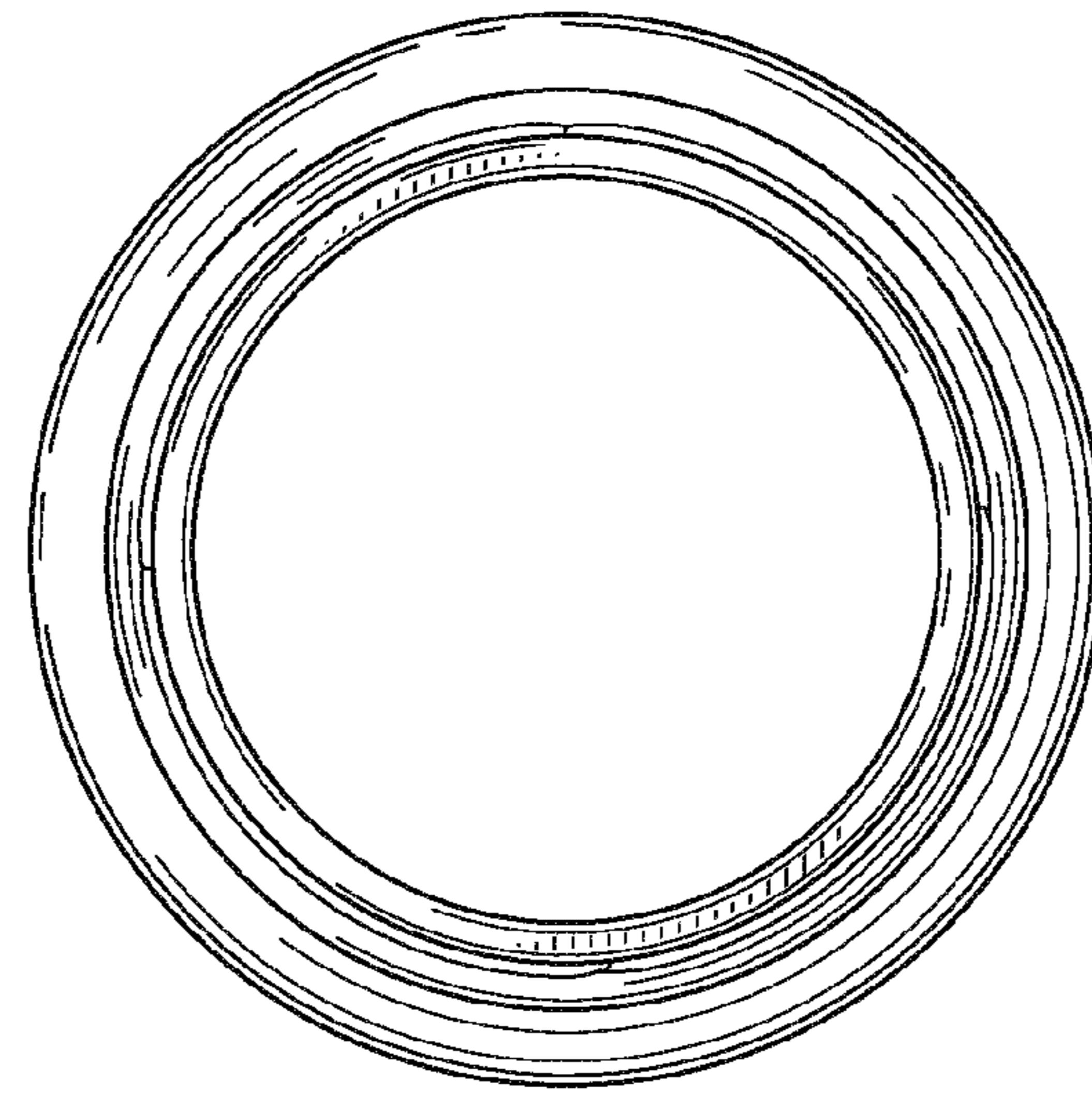


FIG. 6

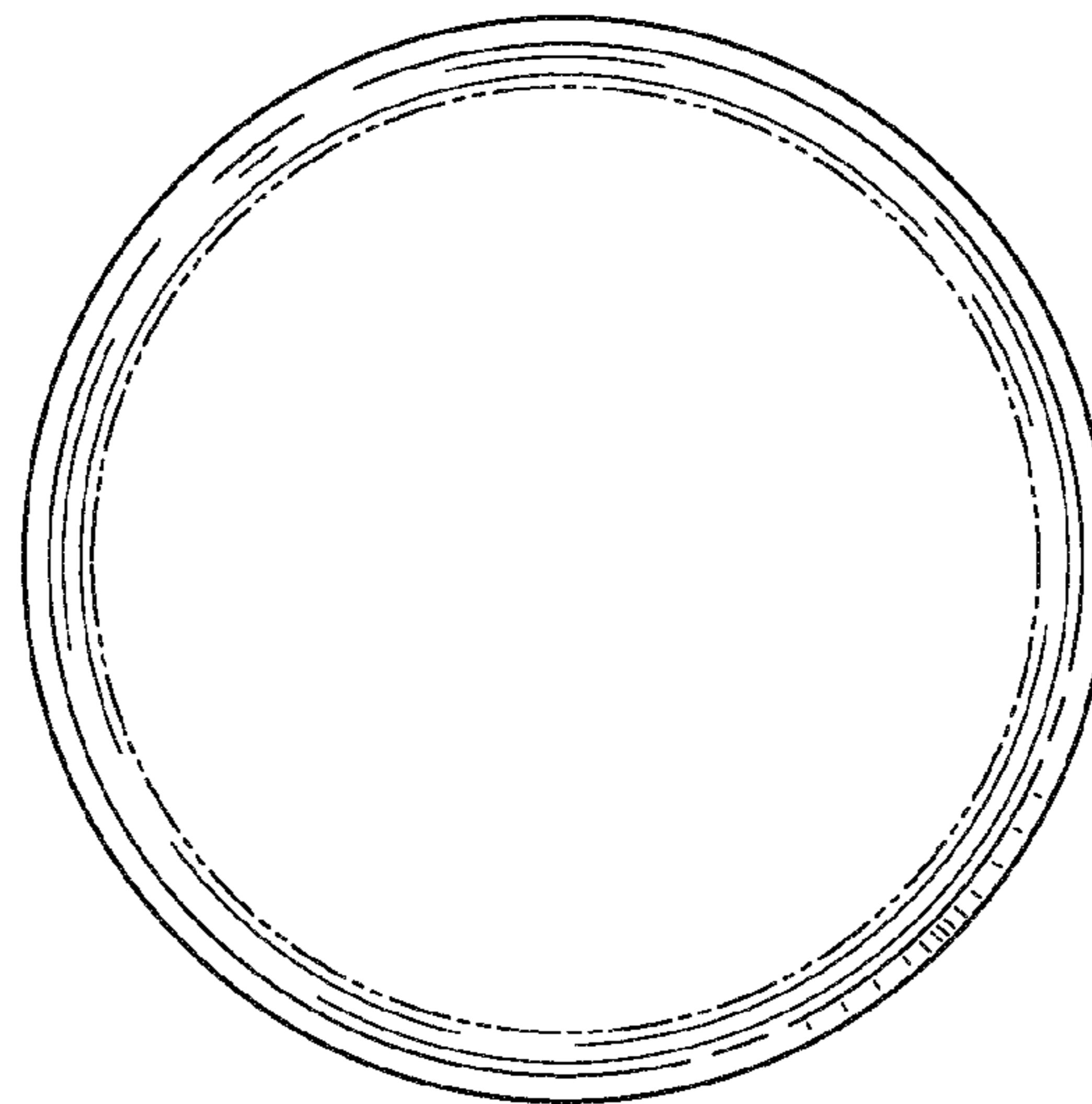


FIG. 7

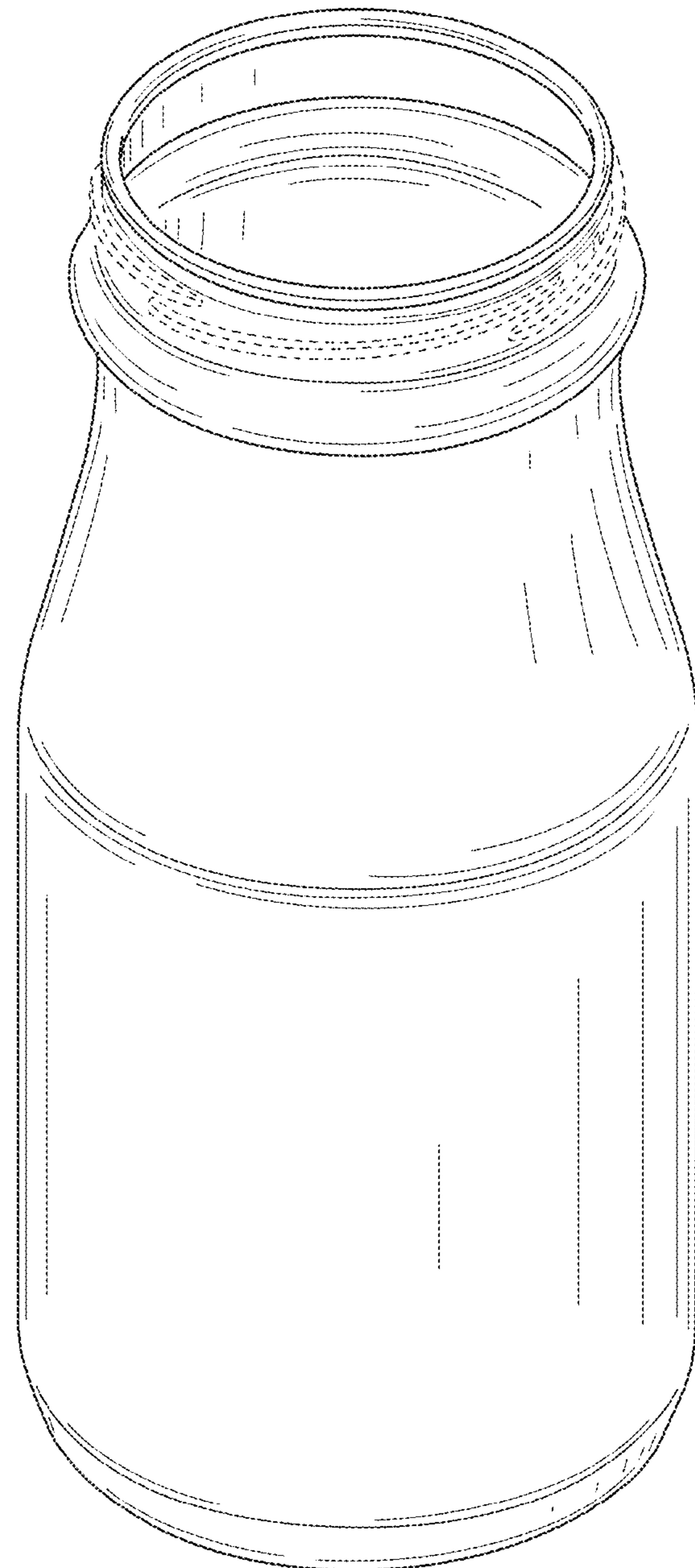


FIG. 8

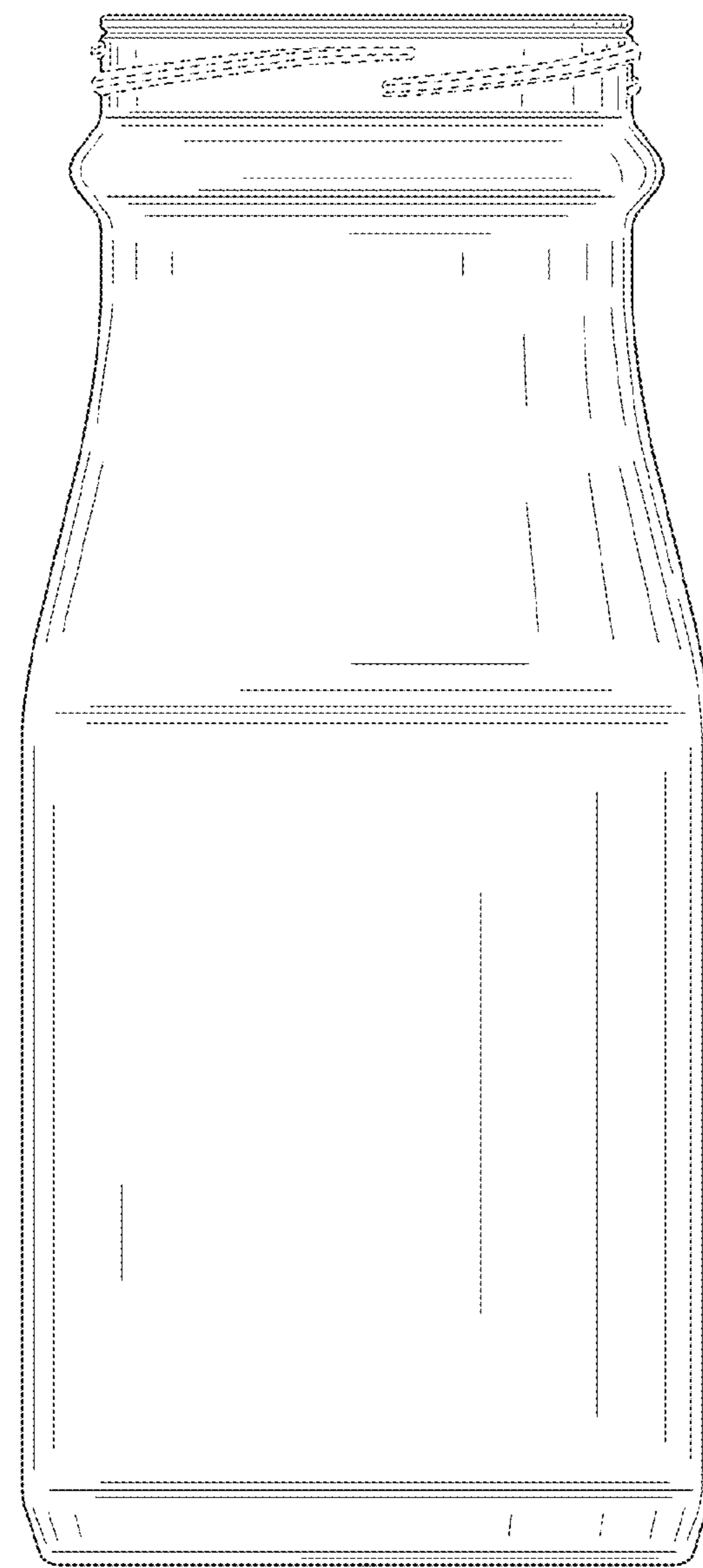


FIG. 9

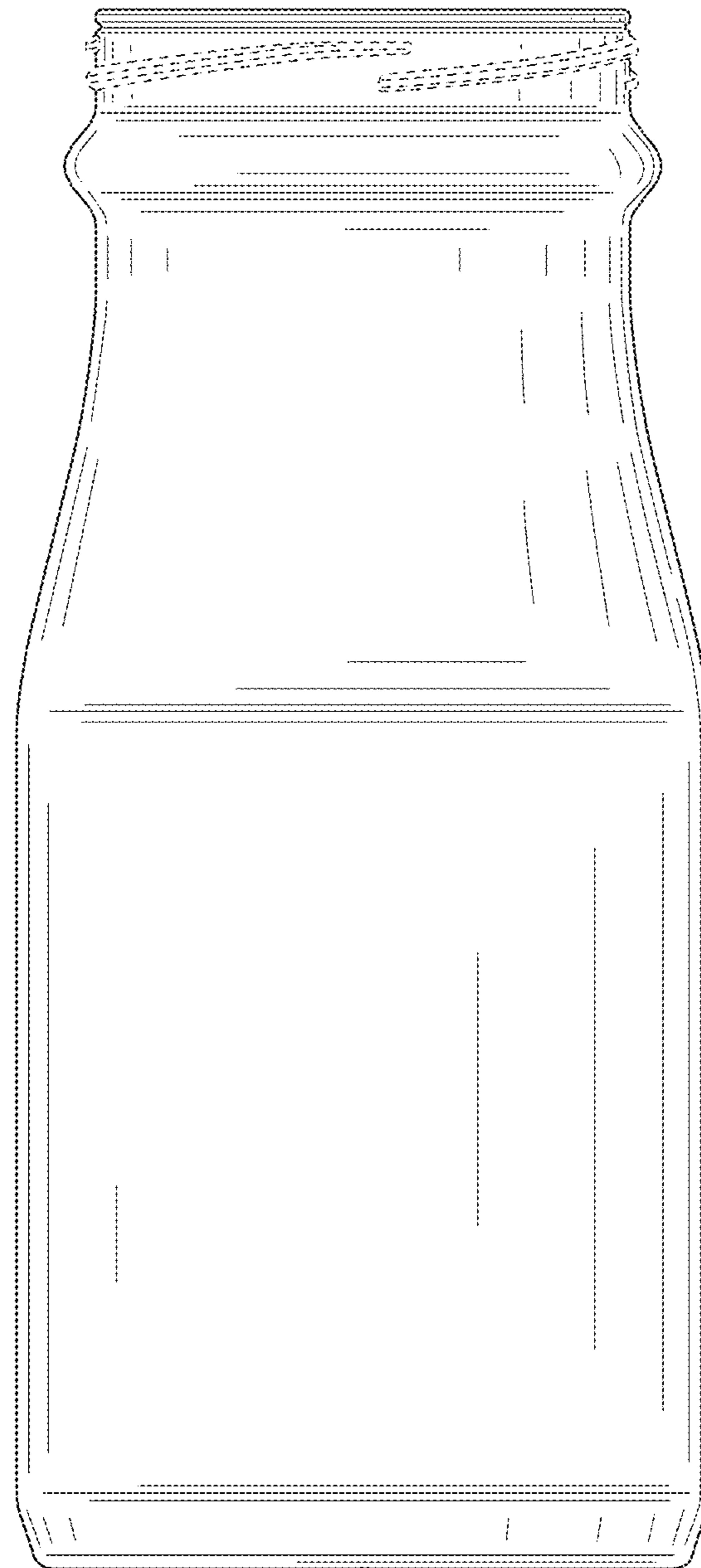


FIG. 10

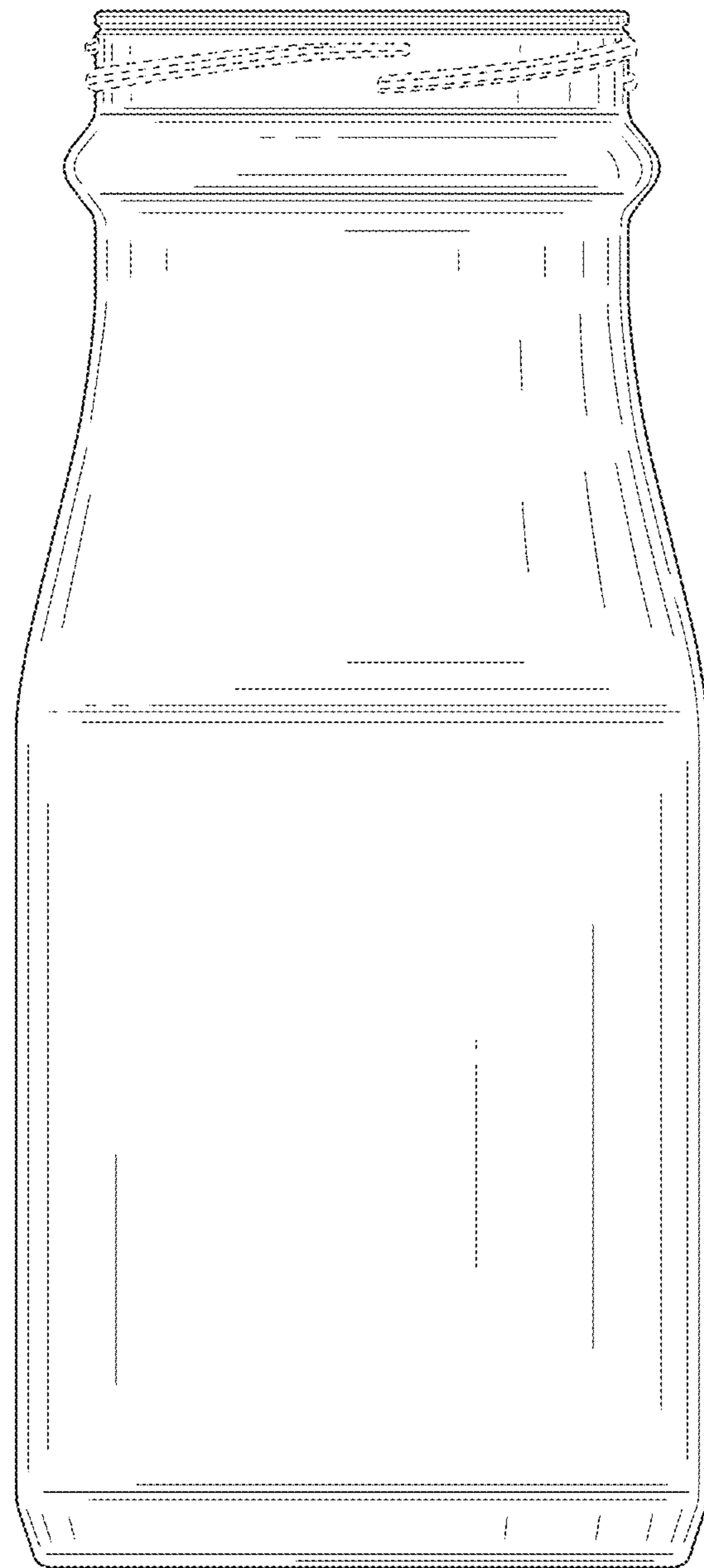


FIG. 11

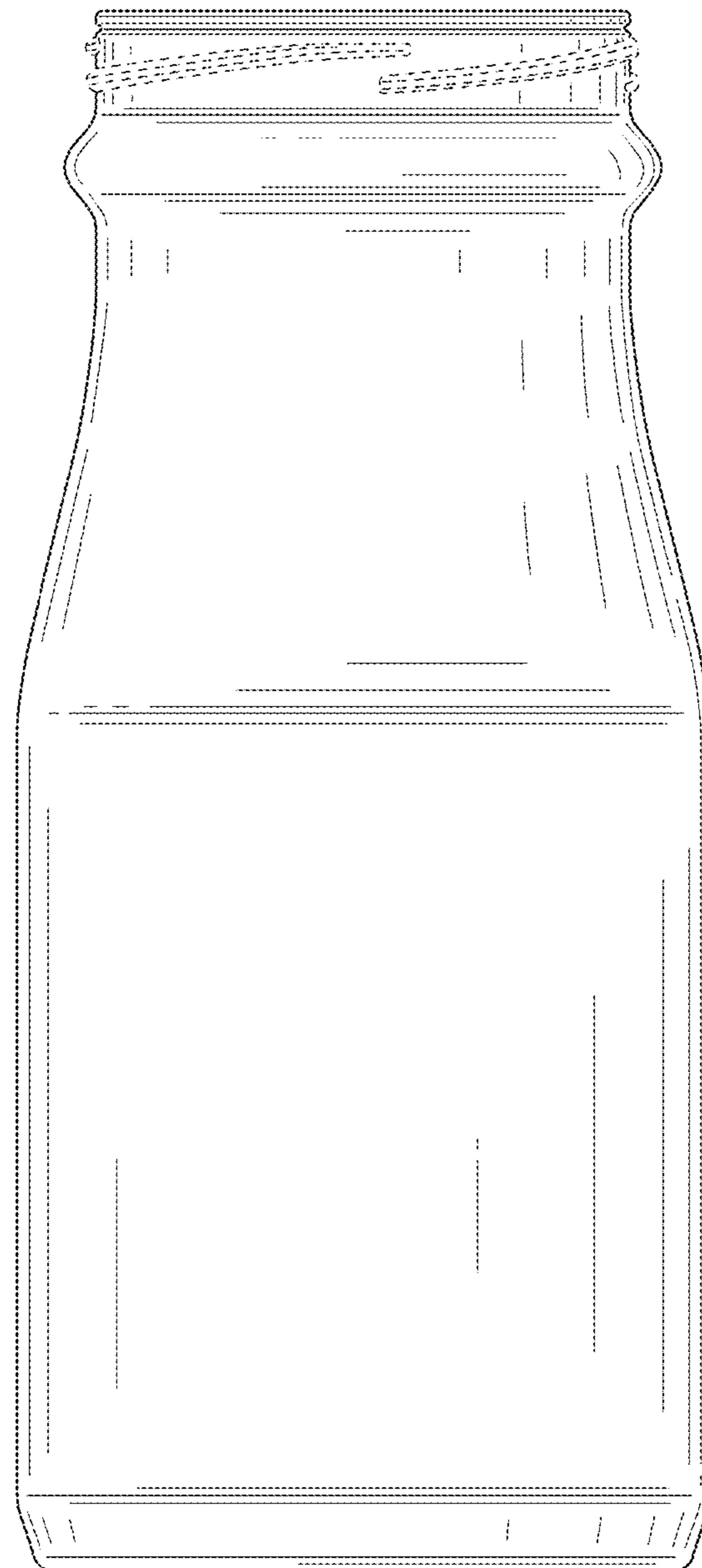


FIG. 12

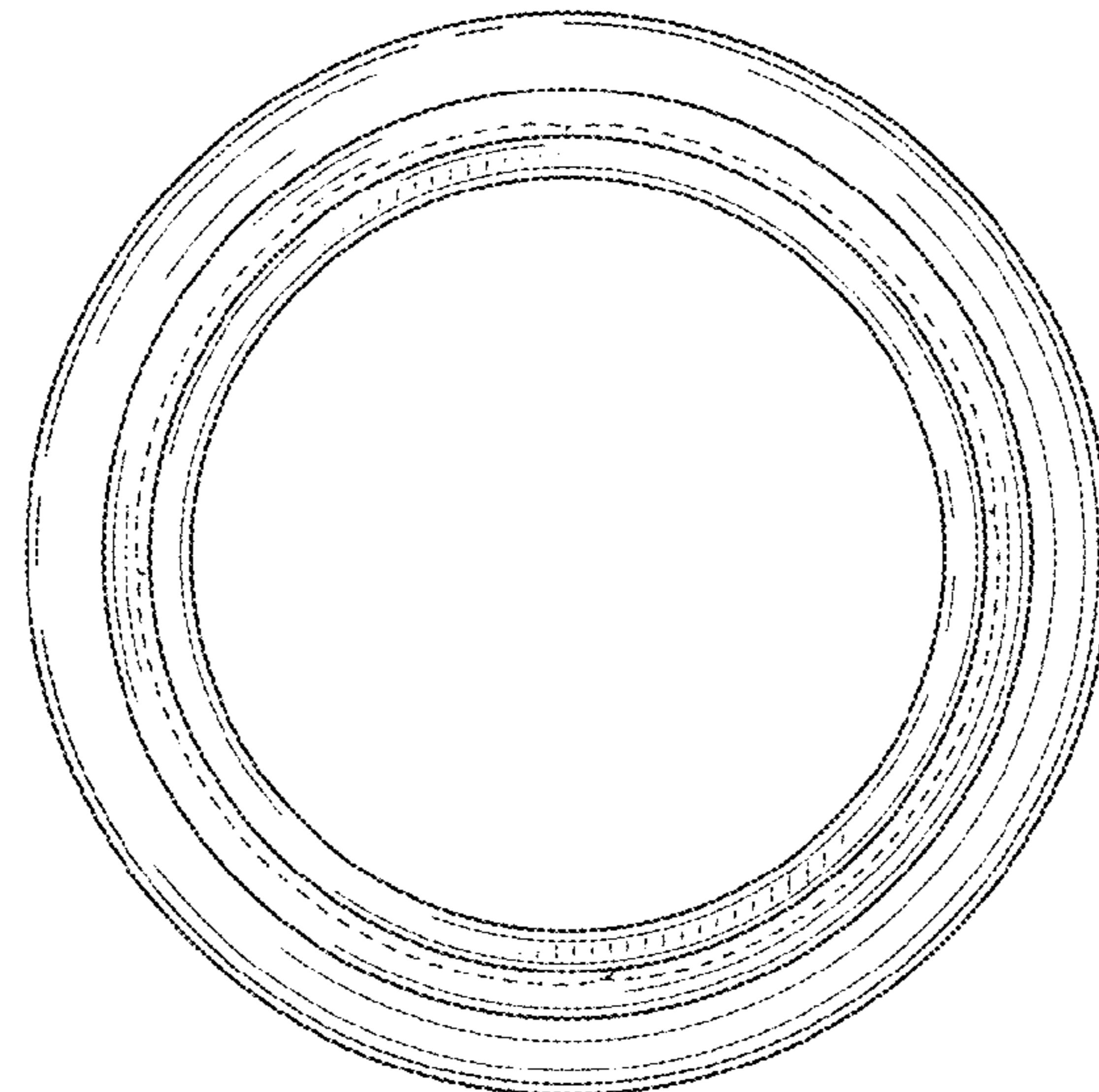


FIG. 13

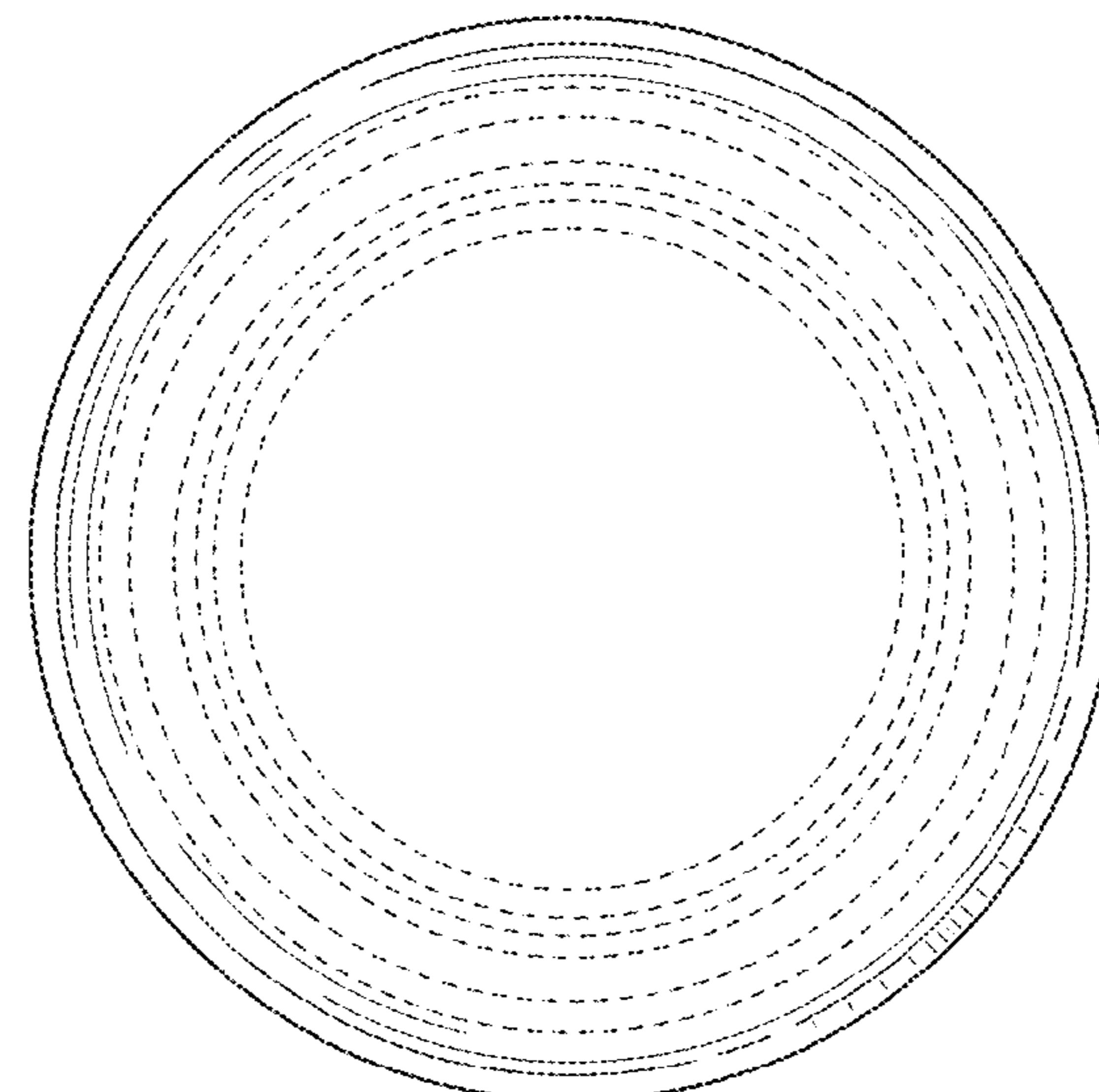


FIG. 14