



US00D697407S

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

(10) **Patent No.:** **US D697,407 S**
(45) **Date of Patent:** **** Jan. 14, 2014**

- (54) **METAL BEVERAGE CONTAINER**
- (71) Applicant: **Ball Corporation**, Broomfield, CO (US)
- (72) Inventor: **Linda A. Hines**, Westminster, CO (US)
- (73) Assignee: **Ball Corporation**, Broomfield, CO (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/437,075**
- (22) Filed: **Nov. 13, 2012**
- (51) **LOC (10) Cl.** **09-01**
- (52) **U.S. Cl.**
USPC **D9/500; D9/558; D9/772**
- (58) **Field of Classification Search**
USPC D9/500, 502-505, 516, 537, 539-540,
D9/545, 549, 558, 682, 685-686, 688-692,
D9/763, 772-773, 764; 215/379, 382;
220/660, 669-673, 675
See application file for complete search history.

D301,203 S 5/1989 Jolly et al.
4,878,589 A 11/1989 Webster et al.
4,928,835 A 5/1990 Collette et al.

(Continued)

FOREIGN PATENT DOCUMENTS

AU 2003290205 3/2004
CA 2348438 3/2001

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/447,891, filed Mar. 7, 2013, Jentzsch et al.

(Continued)

Primary Examiner — Terry Wallace
Assistant Examiner — Dana L Meyrow
(74) *Attorney, Agent, or Firm* — Sheridan Ross P.C.

(57) **CLAIM**

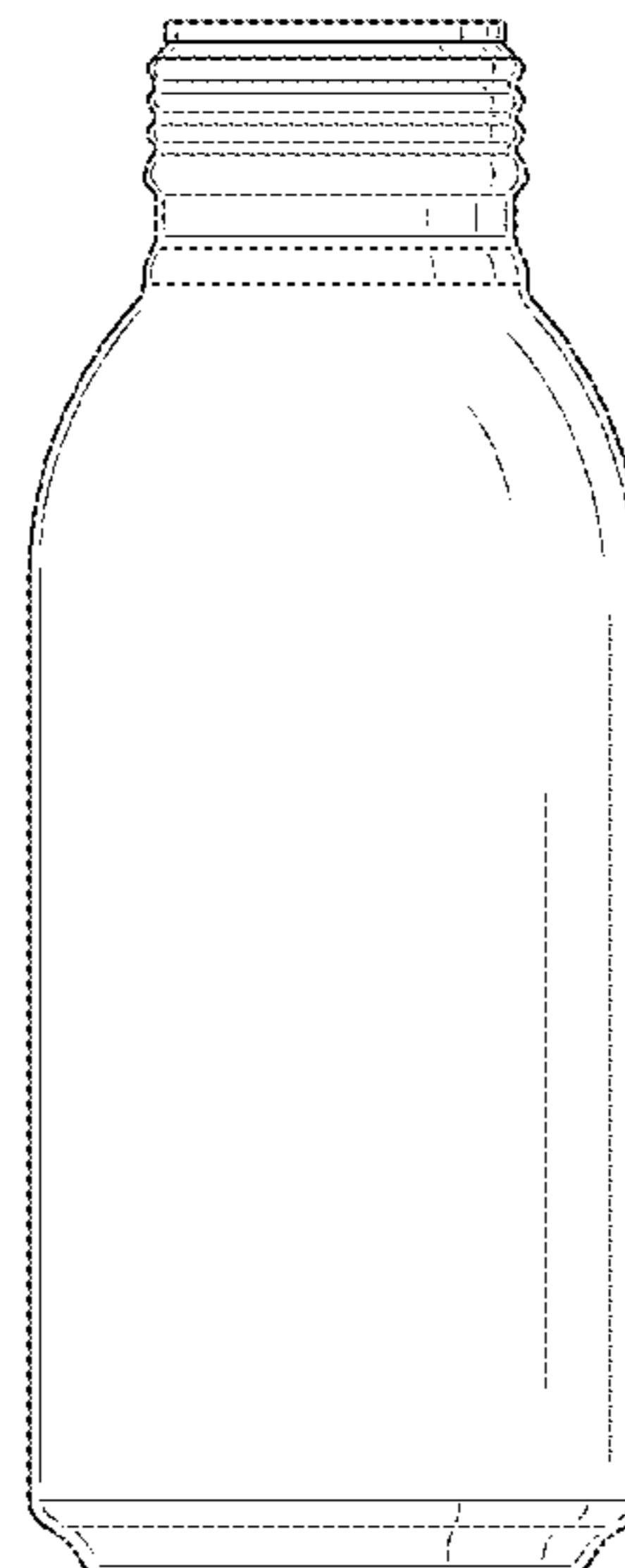
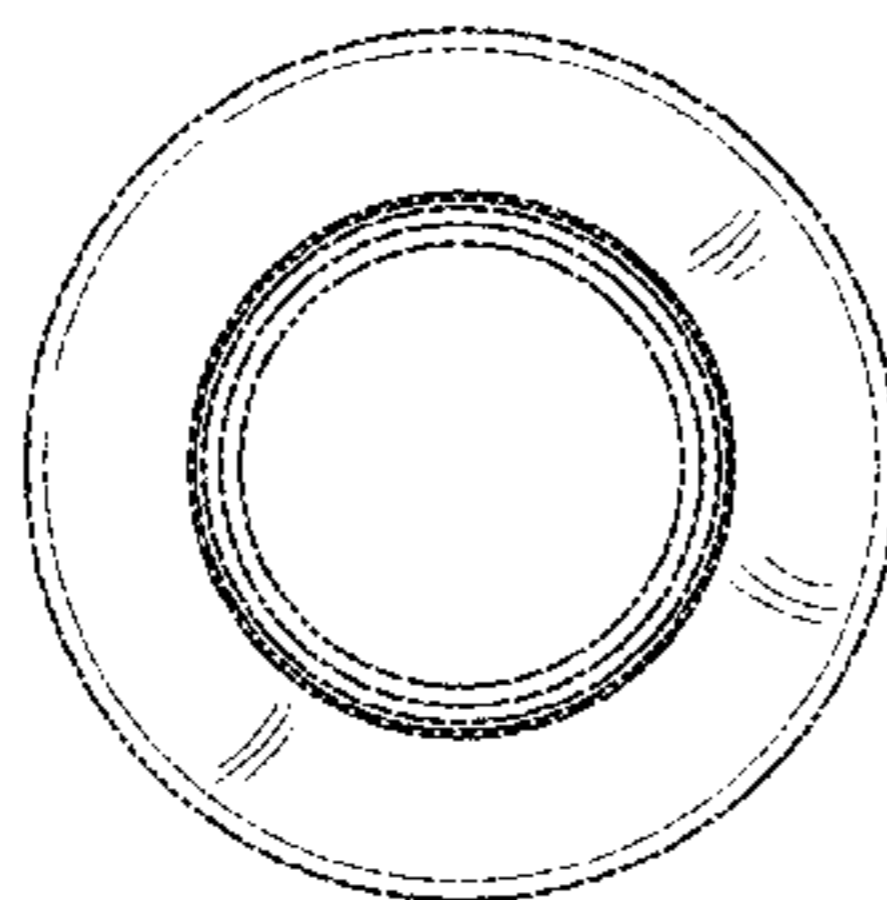
The ornamental design for a metal beverage container, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the metal beverage container;
FIG. 2 is a top plan view thereof;
FIG. 3 is front elevation view thereof;
FIG. 4 is a bottom plan view thereof;
FIG. 5 is a front perspective view of a metal beverage container according to an alternative embodiment;
FIG. 6 is a top plan view of the embodiment of FIG. 5;
FIG. 7 is a front elevation view of the embodiment of FIG. 5;
and,
FIG. 8 is a bottom plan view of the embodiment of FIG. 5.
The broken lines are provided for illustrating environment and form no part of the claimed design.

1 Claim, 6 Drawing Sheets

- (56) **References Cited**
- U.S. PATENT DOCUMENTS**
- D9,991 S 5/1877 Pinckney
- D35,068 S 9/1901 Lorenz
- 1,079,403 A 11/1913 Crecelius
- D58,203 S 6/1921 Anderson
- 2,157,896 A 5/1939 Held
- 2,734,650 A 2/1956 Meyer
- D227,656 S 7/1973 Broadhead
- D234,291 S 2/1975 Broadhead
- 3,995,572 A 12/1976 Saunders
- D248,927 S 8/1978 Cassia
- D249,330 S 9/1978 Pigeon
- D258,346 S 2/1981 Winchell et al.
- D260,732 S 9/1981 Walker
- 4,741,447 A 5/1988 John
- 4,777,085 A 10/1988 Murray, Jr. et al.



(56)

References Cited

U.S. PATENT DOCUMENTS

4,955,491 A * 9/1990 Marshall et al. 215/12.1
 D328,420 S 8/1992 Miller
 D335,455 S 5/1993 Brown
 5,251,424 A 10/1993 Zenger et al.
 D347,571 S 6/1994 Wacker
 D352,004 S * 11/1994 Bikoff et al. D9/503
 D364,347 S 11/1995 Sillince et al.
 D368,528 S * 4/1996 Allegre D24/197
 5,572,893 A 11/1996 Goda et al.
 5,605,996 A 2/1997 Chuu et al.
 5,660,290 A 8/1997 Hayes
 D383,067 S 9/1997 Gower et al.
 D384,888 S 10/1997 Diekhoff
 5,704,240 A 1/1998 Jordan
 5,713,235 A * 2/1998 Diekhoff 72/352
 5,718,352 A 2/1998 Diekhoff et al.
 5,755,354 A 5/1998 Lang
 5,822,843 A 10/1998 Diekhoff et al.
 D414,238 S 9/1999 Kupperman
 6,010,028 A 1/2000 Jordan et al.
 D422,914 S 4/2000 Lasky
 D435,648 S 12/2000 Shah et al.
 D435,649 S 12/2000 Shah et al.
 6,179,143 B1 1/2001 Grob
 D441,657 S 5/2001 Brown
 6,338,415 B1 1/2002 Grob
 6,375,020 B1 4/2002 Marquez
 D461,674 S 8/2002 Dorney
 6,463,776 B1 10/2002 Enoki et al.
 6,499,329 B1 * 12/2002 Enoki et al. 72/348
 6,543,636 B1 * 4/2003 Flecheux et al. 220/288
 D475,630 S 6/2003 Canino
 D492,599 S * 7/2004 Enoki et al. D9/500
 6,779,677 B2 8/2004 Chupak
 6,857,304 B2 2/2005 Enoki
 D503,343 S 3/2005 Canino
 6,907,653 B2 6/2005 Chupak
 6,945,085 B1 9/2005 Goda
 6,959,830 B1 11/2005 Kanou et al.
 D518,732 S 4/2006 Gedanke et al.
 D528,000 S 9/2006 Davis et al.
 D531,048 S 10/2006 Krause
 D531,903 S * 11/2006 Haubein D9/500
 7,140,223 B2 11/2006 Chupak
 7,171,840 B2 2/2007 Kanou et al.
 D540,171 S * 4/2007 Ko D9/503
 D554,000 S 10/2007 Walsh
 D564,881 S 3/2008 Chupak
 D568,746 S 5/2008 Goldsmith et al.
 D569,252 S 5/2008 Borsari et al.
 D570,228 S * 6/2008 van Dam D9/772
 D572,590 S 7/2008 Coulis et al.
 D575,154 S * 8/2008 Andrews et al. D9/500
 D584,623 S 1/2009 Chupak
 D587,137 S * 2/2009 Hayden et al. D9/772
 D592,060 S 5/2009 Chupak
 D593,876 S * 6/2009 Hayden et al. D9/772
 D596,048 S * 7/2009 Hayden et al. D9/772
 D596,488 S 7/2009 Chupak
 D600,556 S 9/2009 Chupak
 D600,557 S 9/2009 Chupak
 D605,040 S 12/2009 Fry et al.
 D607,754 S * 1/2010 Hayden et al. D9/772
 7,651,651 B2 1/2010 Riffer
 D619,457 S 7/2010 Walsh
 D619,458 S 7/2010 Walsh
 D619,459 S 7/2010 Walsh
 D620,360 S 7/2010 Walsh
 D621,723 S * 8/2010 Gogola et al. D9/767
 D622,145 S 8/2010 Walsh
 D624,417 S * 9/2010 Bentley et al. D9/500
 7,798,357 B2 9/2010 Hanafusa et al.
 D625,616 S * 10/2010 Gogola et al. D9/767

D631,360 S 1/2011 van Westreenen
 D638,708 S 5/2011 Walsh
 7,946,436 B2 5/2011 Laveault et al.
 D639,164 S 6/2011 Walsh
 D639,165 S 6/2011 Dingenouts
 D644,515 S 9/2011 Tieleman et al.
 8,016,148 B2 9/2011 Walsh
 D646,165 S 10/2011 Chupak
 D646,166 S 10/2011 Chupak
 D653,966 S 2/2012 Kohara et al.
 D654,379 S 2/2012 Kohara et al.
 D654,380 S 2/2012 Kohara et al.
 D654,794 S 2/2012 Morais et al.
 D656,822 S 4/2012 Jacober
 D669,356 S 10/2012 Jacober
 D671,010 S 11/2012 Shefler
 D677,169 S 3/2013 Roos et al.
 D678,772 S * 3/2013 Johnson et al. D9/500
 D684,059 S * 6/2013 Johnson et al. D9/500
 D687,710 S * 8/2013 Johnson et al. D9/500
 2003/0102278 A1 6/2003 Chupak
 2003/0197018 A1 * 10/2003 Chupak 220/661
 2004/0035871 A1 2/2004 Chupak
 2005/0127077 A1 6/2005 Chupak
 2007/0017089 A1 1/2007 Hosoi
 2007/0051687 A1 3/2007 Olson
 2008/0047922 A1 2/2008 Olson et al.
 2009/0261101 A1 10/2009 Forrest et al.
 2010/0252524 A1 10/2010 Dubs et al.
 2010/0282706 A1 11/2010 Gilliam

FOREIGN PATENT DOCUMENTS

CA	2352747	4/2001
CA	2495205	3/2004
CN	1675010	9/2005
DE	60218219	10/2007
EP	0381322	8/1990
EP	0949216	10/1999
EP	1461262	9/2004
EP	1531952	8/2006
EP	1731239	9/2009
EP	2119515	11/2009
WO	WO 88/08398	11/1988
WO	WO 95/10487	4/1995
WO	WO 99/38914	8/1999
WO	WO 01/15829	3/2001
WO	DM/062281	12/2002
WO	DM/063368	4/2003
WO	WO 03/047991	6/2003
WO	WO 2004/018121	3/2004
WO	WO 2004/039511	5/2004
WO	WO 2004/106426	12/2004
WO	WO 2008/103629	8/2008
WO	WO 2009/131994	10/2009

OTHER PUBLICATIONS

U.S. Appl. No. 29/378,145, filed Oct. 29, 2010, Johnson et al.
 U.S. Appl. No. 29/378,146, filed Oct. 29, 2010, Johnson et al.
 U.S. Appl. No. 29/378,147, filed Oct. 29, 2010, Johnson et al.
 U.S. Appl. No. 29/386,520, filed Mar. 2, 2011, Johnson et al.
 U.S. Appl. No. 29/408,689, filed Dec. 15, 2011, Johnson et al.
 U.S. Appl. No. 29/408,690, filed Dec. 15, 2011, Johnson et al.
 U.S. Appl. No. 29/408,691, filed Dec. 15, 2011, Johnson et al.
 U.S. Appl. No. 29/411,761, filed Jan. 25, 2012, Jacober et al.
 "100% Recyclable-Bottlecan by CCL Container," at www.Bottlecan.com/recycle.html, Jun. 22, 2011, 1 page.
 "Aluminum Beer Bottles," at www.bottless.org/Aluminum_Beer_Bottles_s/566.htm, Jun. 22, 2011, 2 pages.
 Wikipedia, "Aluminium bottle," at www.en.wikipedia.org/wiki/Aluminium_bottle, Jun. 22, 2011, 4 pages.
 U.S. Appl. No. 29/453,114, filed Apr. 25, 2013, Hines.
 U.S. Appl. No. 29/454,059, filed May 6, 2013, Johnson et al.

* cited by examiner

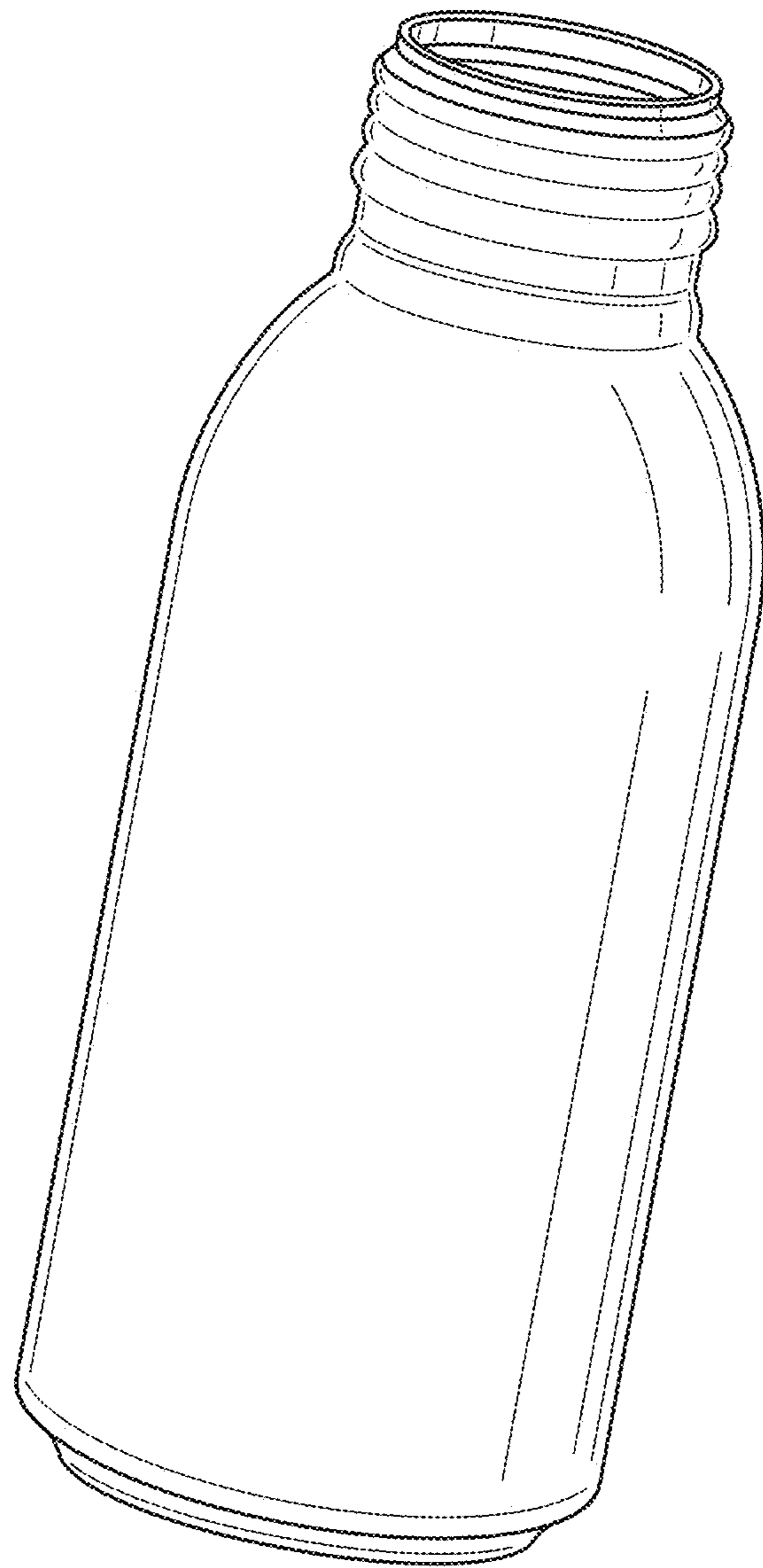


FIG. 1

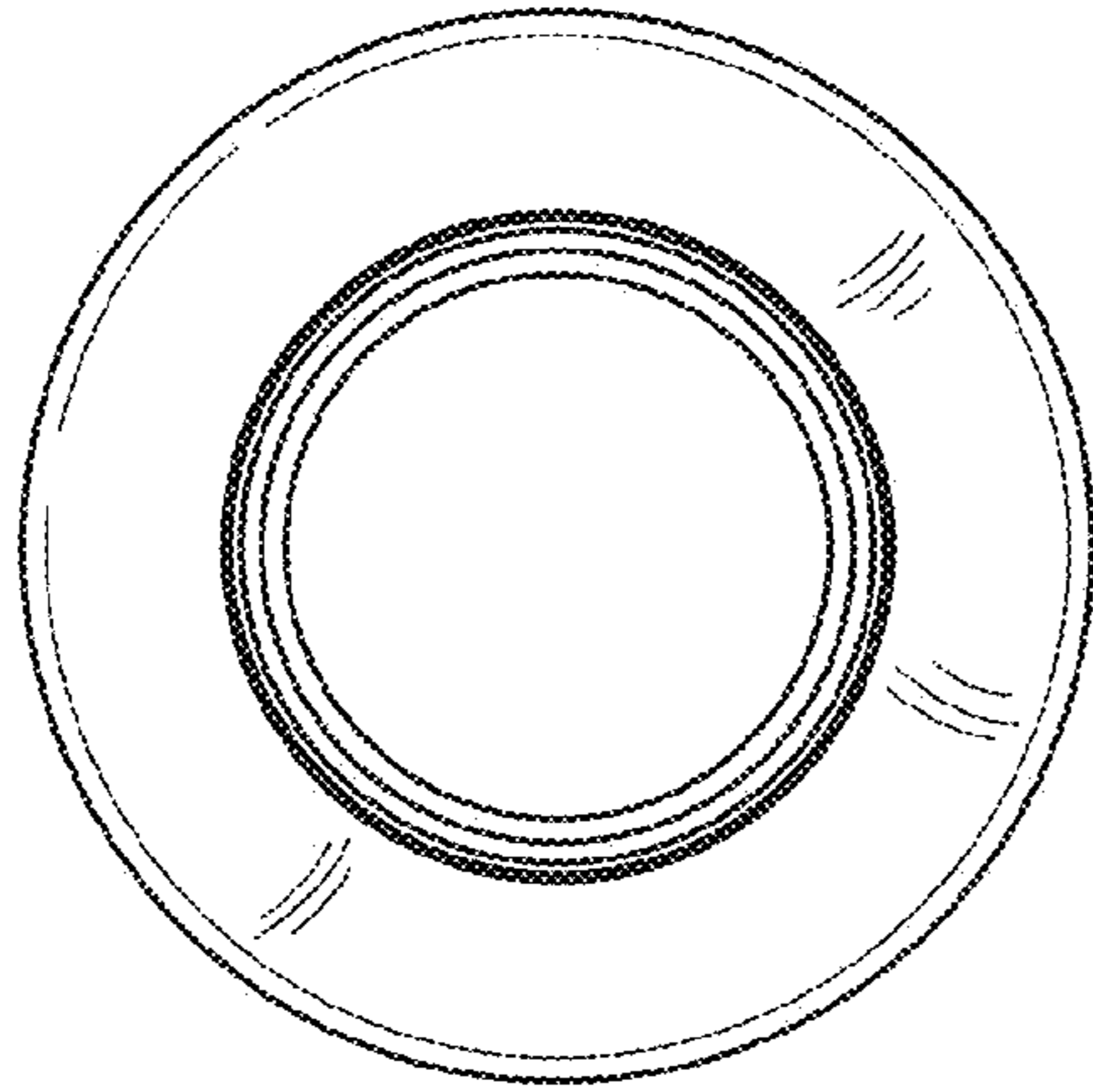


FIG. 2

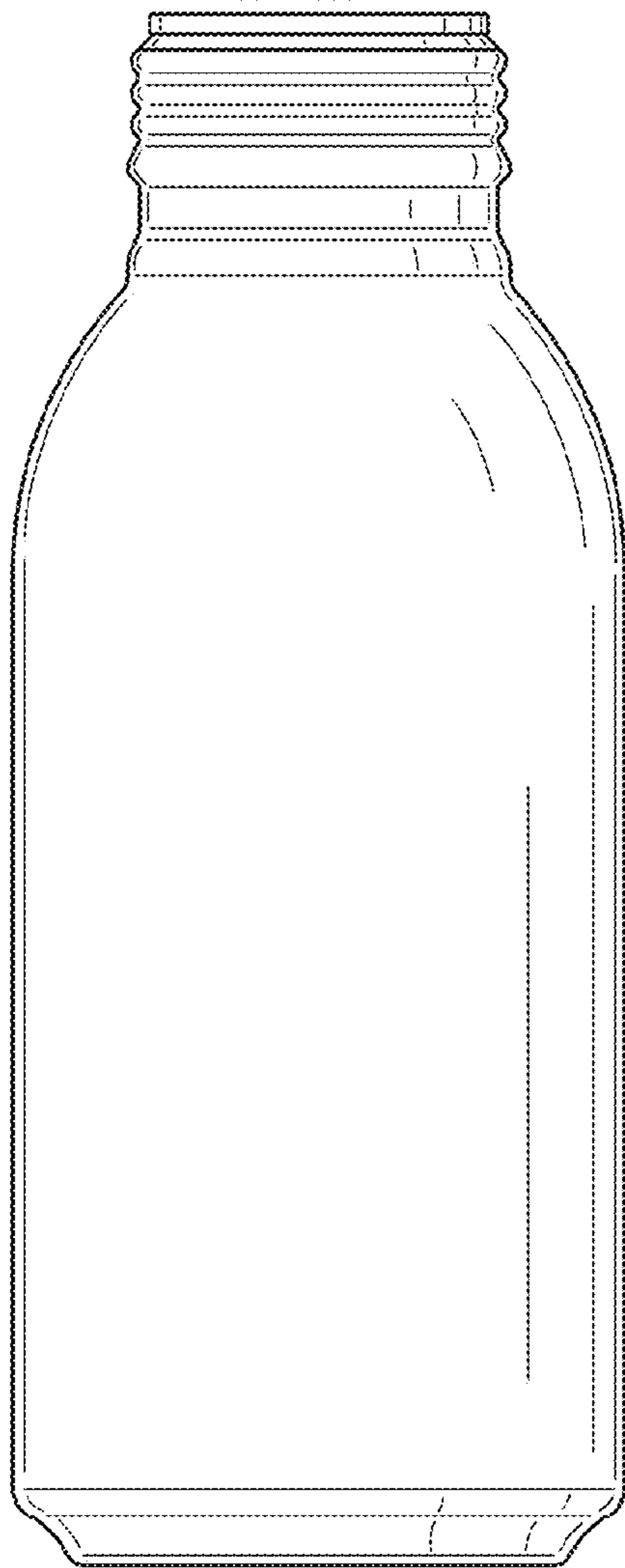


FIG. 3

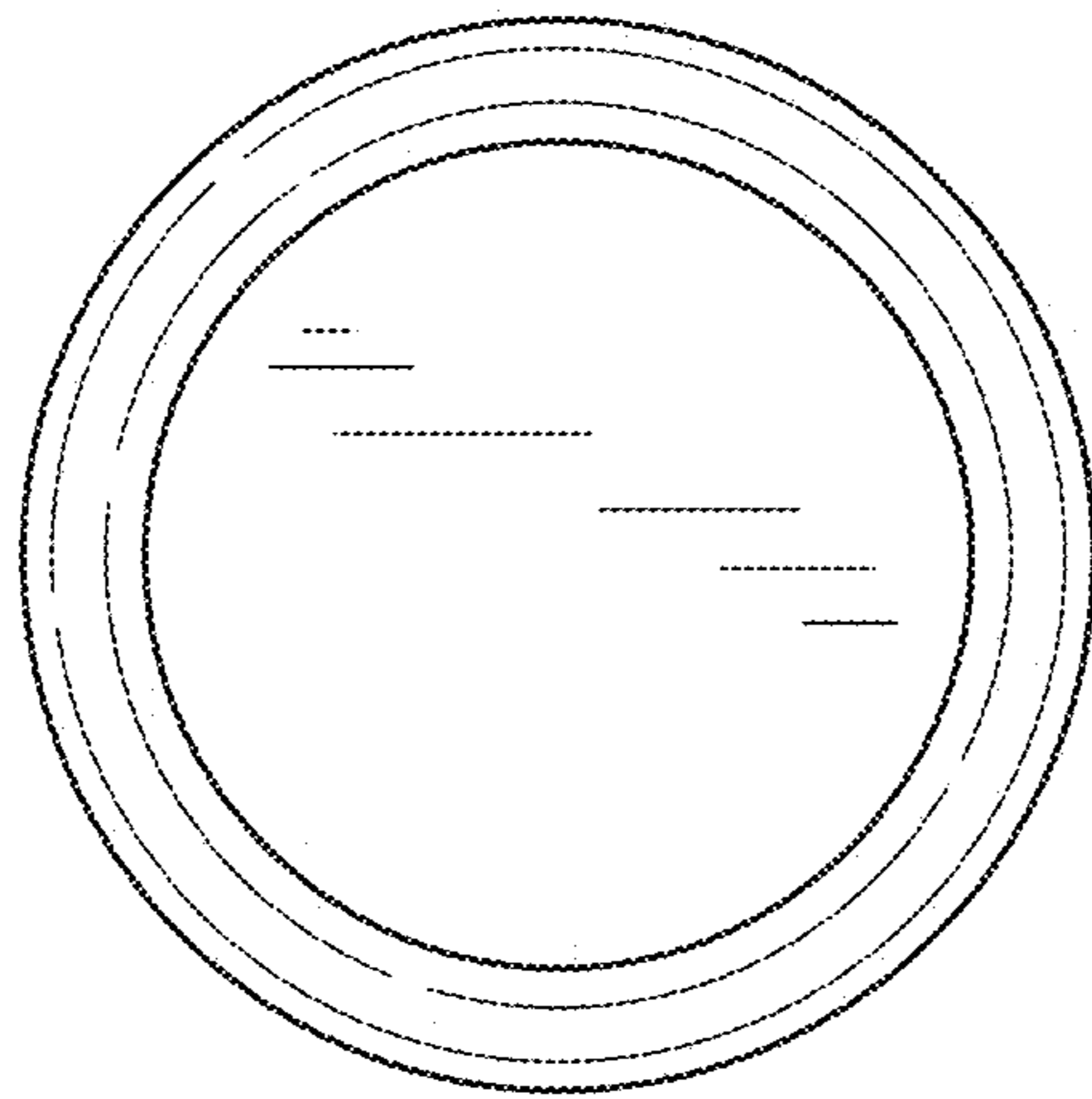


FIG.4

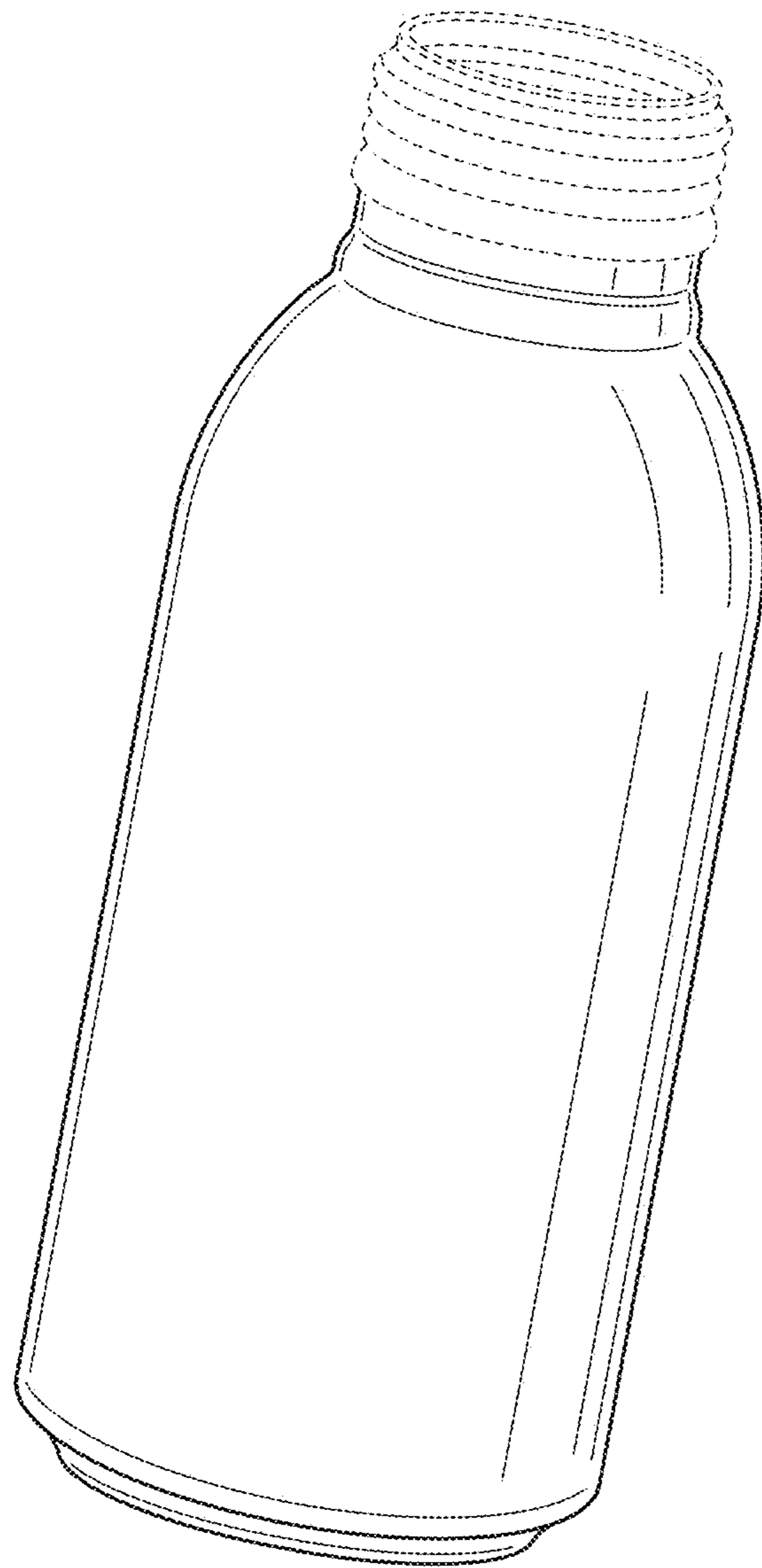


FIG. 5

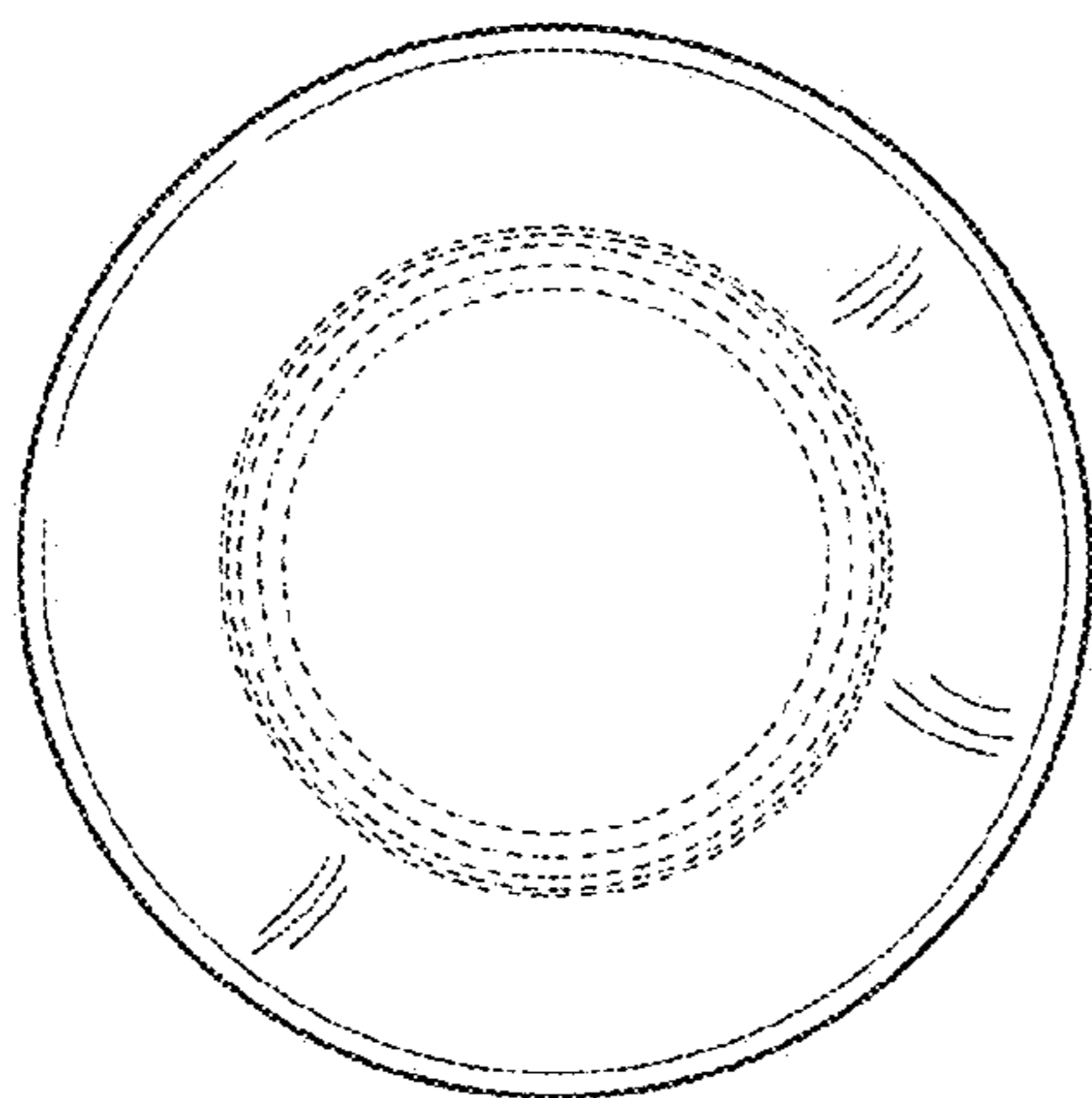


FIG. 6

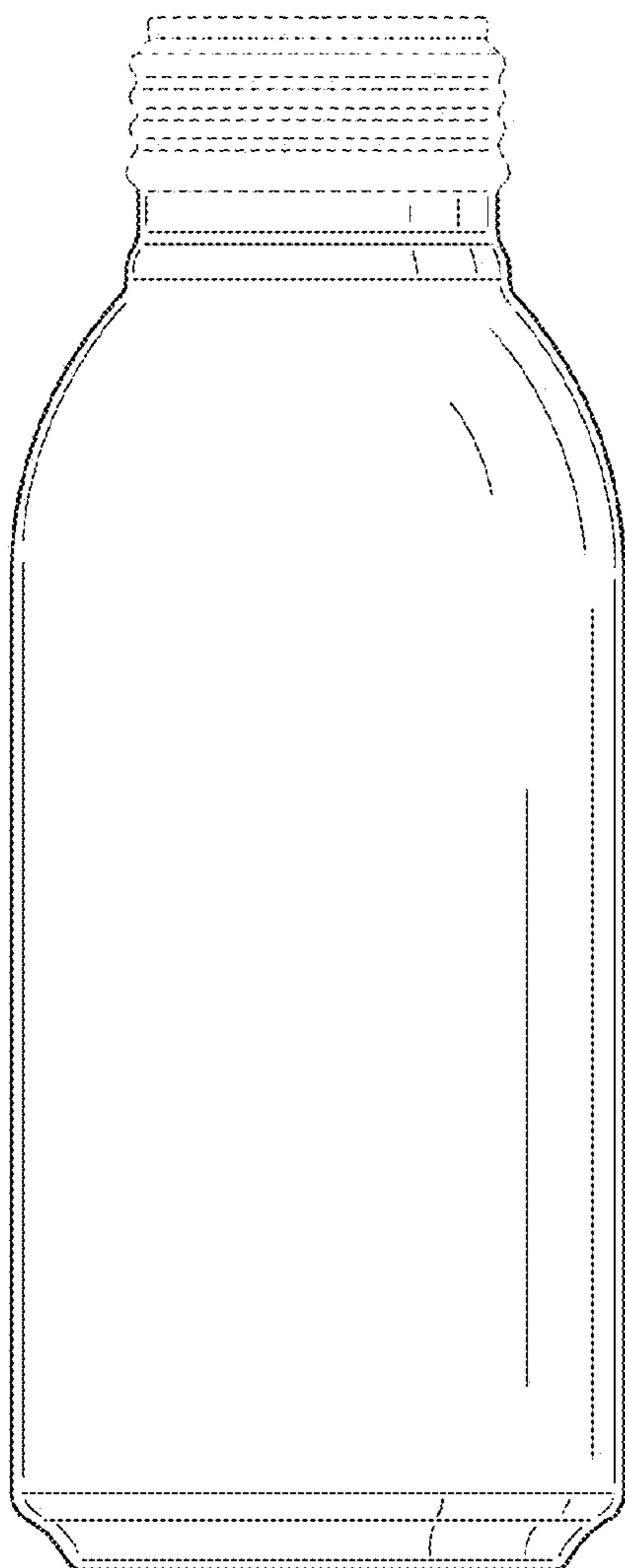


FIG. 7

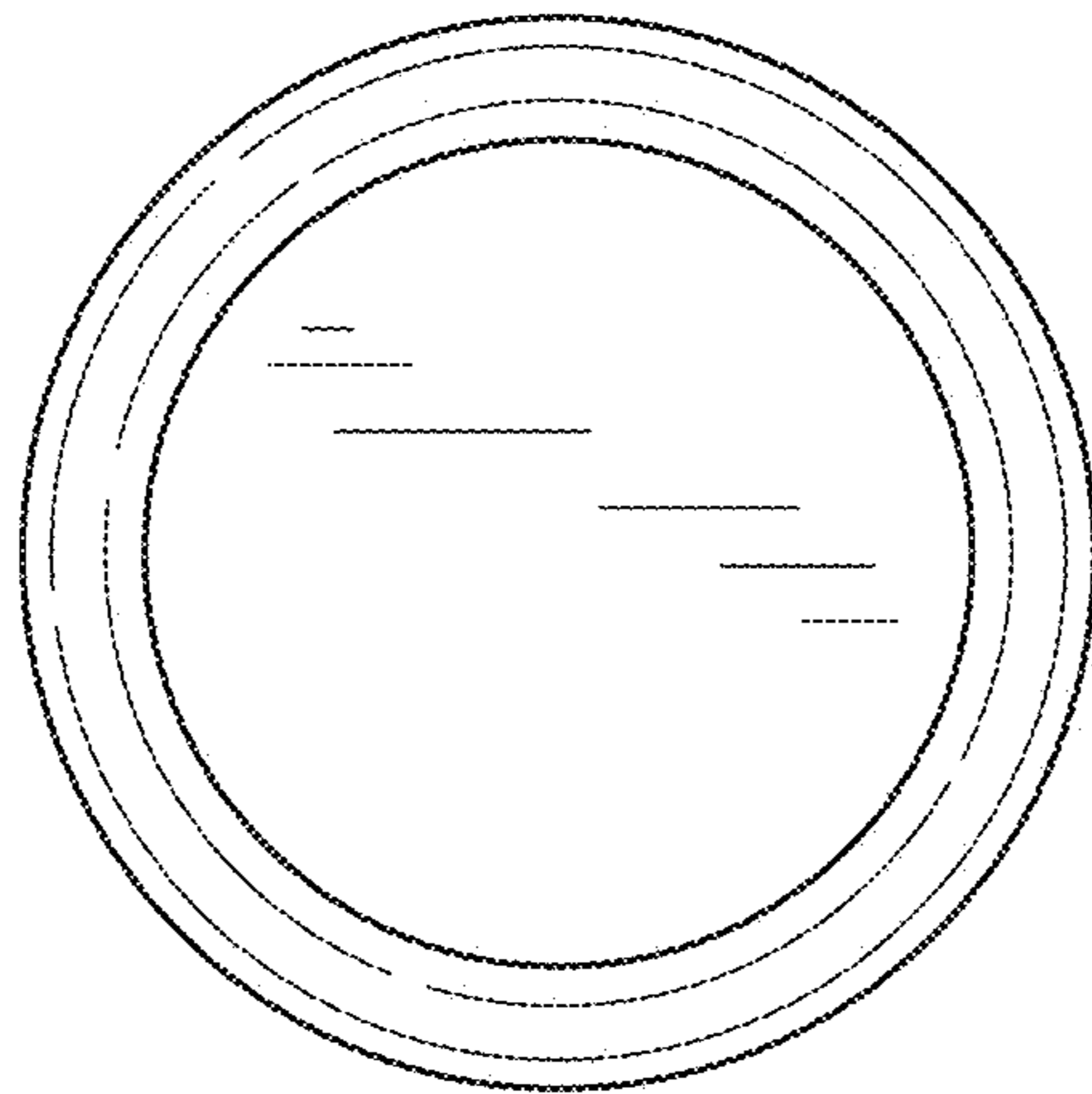


FIG. 8