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**United States Design Patent**  
**Jacobson et al.**

(10)

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(45)

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(54) **BEVERAGE CONTAINER**

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(73) Assignee: **Ball Corporation**, Broomfield, CO (US)

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

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|             |         |                    |
|-------------|---------|--------------------|
| 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             |
| D282,442 S  | 2/1986  | Kohnle             |
| 4,741,447 A | 5/1988  | John               |
| 4,777,085 A | 10/1988 | Murray, Jr. et al. |
| D301,203 S  | 5/1989  | Jolly et al.       |
| 4,878,589 A | 11/1989 | Webster et al.     |

(Continued)

**Related U.S. Application Data**

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(51) **LOC (10) Cl.** ..... **09-01**

(52) **U.S. Cl.**  
USPC ..... **D9/500; D9/764**

(58) **Field of Classification Search**  
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B65D 1/14; B65D 1/16; B65D 1/165; B65D  
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D9/776–777; 215/379, 381–384; 220/660,  
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See application file for complete search history.

(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 |

**FOREIGN PATENT DOCUMENTS**

|    |            |        |
|----|------------|--------|
| AU | 2003290205 | 3/2004 |
| CA | 2348438    | 3/2001 |

(Continued)

**OTHER PUBLICATIONS**

U.S. Appl. No. 29/378,147, filed Oct. 29, 2010, Johnson et al.  
(Continued)

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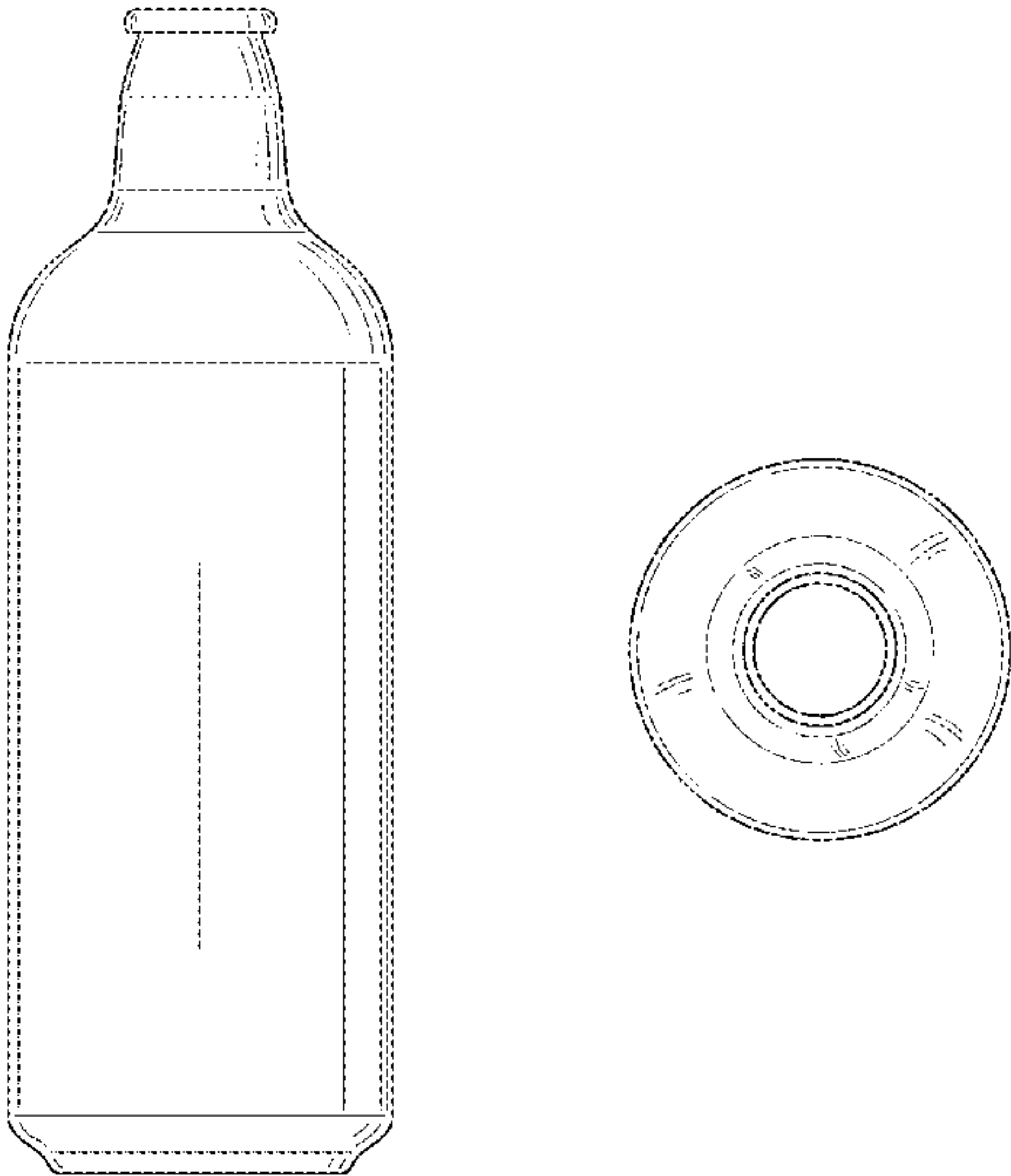
(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a front perspective view of a beverage container;  
FIG. 2 is a front elevation view thereof; and,  
FIG. 3 is a top plan view thereof.

**1 Claim, 3 Drawing Sheets**





(56)

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

4,928,835 A 5/1990 Collette et al.  
 4,955,491 A 9/1990 Marshall et al.  
 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.  
 D364,347 S 11/1995 Sillince et al.  
 D368,528 S 4/1996 Allegre  
 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  
 5,718,352 A 2/1998 Diekhoff et al.  
 5,755,354 A 5/1998 Lang  
 D395,395 S \* 6/1998 De Muschamp Payne .... D9/772  
 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.  
 6,543,636 B1 4/2003 Flecheux et al.  
 D475,630 S 6/2003 Canino  
 D492,599 S 7/2004 Enoki et al.  
 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.  
 7,036,671 B2 \* 5/2006 Hidalgo et al. .... 215/43  
 D528,000 S 9/2006 Davis et al.  
 D531,048 S 10/2006 Krause  
 D531,903 S 11/2006 Haubein  
 7,140,223 B2 11/2006 Chupak  
 7,171,840 B2 2/2007 Kanou et al.  
 D540,171 S 4/2007 Ko  
 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  
 D572,590 S 7/2008 Coulis et al.  
 D575,154 S 8/2008 Andrews et al.  
 D584,623 S 1/2009 Chupak  
 D587,137 S 2/2009 Hayden et al.  
 D592,060 S 5/2009 Chupak  
 D593,876 S 6/2009 Hayden et al.  
 D596,048 S 7/2009 Hayden et al.  
 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.  
 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.  
 D622,145 S 8/2010 Walsh  
 D624,417 S 9/2010 Bentley et al.  
 7,798,357 B2 9/2010 Hanafusa et al.

D625,616 S 10/2010 Gogola et al.  
 D631,360 S 1/2011 van Westreenen  
 D632,589 S \* 2/2011 George ..... D9/772  
 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.  
 D684,059 S 6/2013 Johnson et al.  
 D684,483 S \* 6/2013 Jahina et al. .... D9/772  
 D686,078 S 7/2013 Johnson et al.  
 D686,079 S 7/2013 Johnson et al.  
 D687,710 S 8/2013 Johnson et al.  
 D688,949 S 9/2013 Johnson et al.  
 D696,116 S \* 12/2013 Jacober et al. .... D9/500  
 2003/0102278 A1 6/2003 Chupak  
 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 DM/065799 \* 7/2004  
 WO WO 2004/106426 12/2004  
 WO WO 2008/103629 8/2008  
 WO WO 2009/131994 10/2009

**OTHER PUBLICATIONS**

U.S. Appl. No. 29/411,761, filed Jan. 25, 2012, Jacober et al.  
 U.S. Appl. No. 29/437,075, filed Nov. 13, 2012, Hines.  
 U.S. Appl. No. 29/447,891, filed Mar. 7, 2013, Jentzsch et al.  
 U.S. Appl. No. 29/453,114, filed Apr. 25, 2012, Hines.  
 U.S. Appl. No. 29/454,059, filed May 6, 2013, Johnson et al.  
 U.S. Appl. No. 29/466,619, filed Sep. 10, 2013, Jacober et al.  
 “100% Recyclable—Bottlecan by CCL Container,” at [www.Bottlecan.com/recycle.html](http://www.Bottlecan.com/recycle.html), Jun. 22, 2011, 1 page.  
 “Aluminum Beer Bottles,” at [www.bottless.org/Aluminum\\_Beer\\_Bottles\\_s/566.htm](http://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](http://www.en.wikipedia.org/wiki/Aluminium_bottle), Jun. 22, 2011, 4 pages.



(56)

References Cited

OTHER PUBLICATIONS

Official Action with English translation for China Patent Application No. 201130298975.4, dated Nov. 17, 2011 5 pages.  
Johnson et al. 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. 29/386,520, filed Mar. 2, 2011.  
Jacobson, U.S. Appl. No. 29/386,578, 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.  
Jacobson U.S. Appl. No. 29/411,487, filed Jan. 20, 2012.

\* cited by examiner





FIG.1



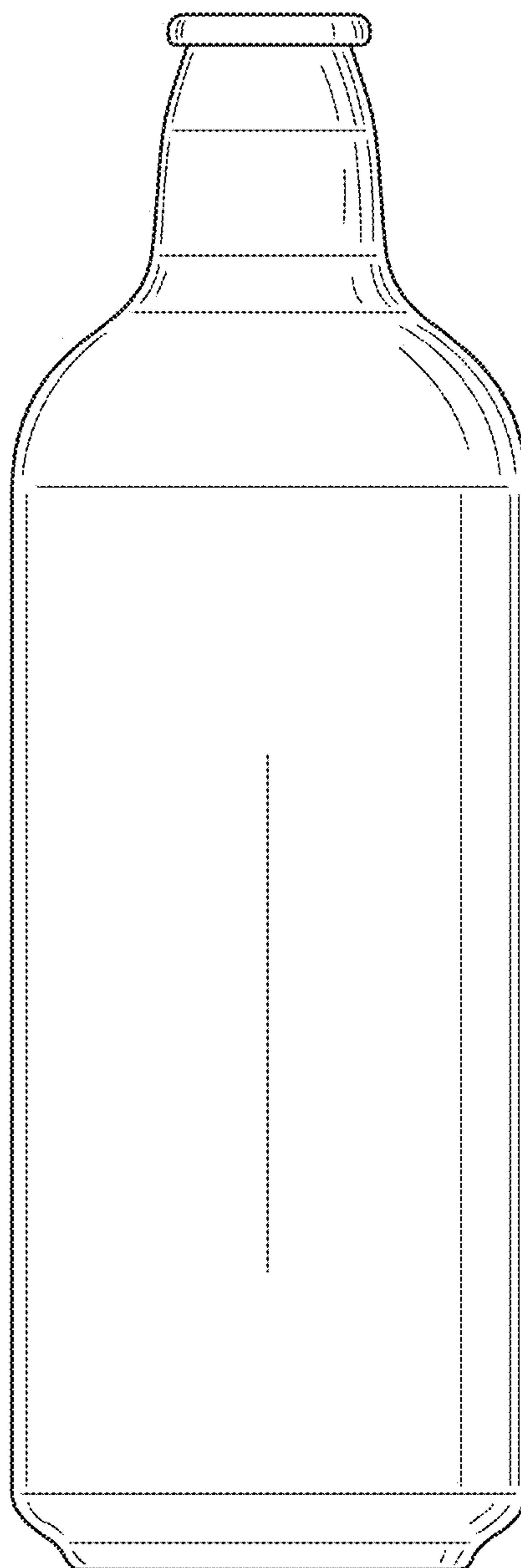


FIG.2



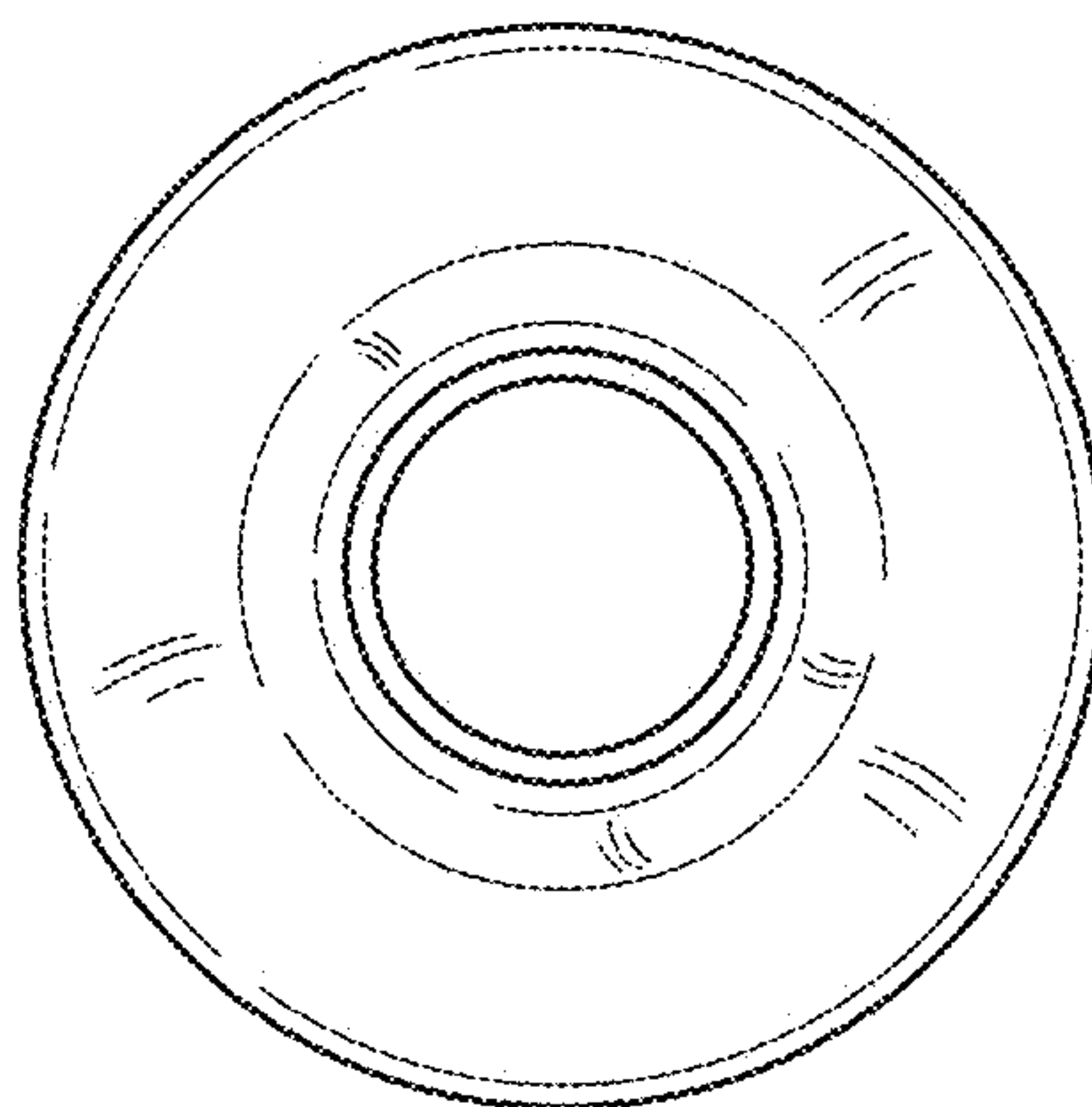


FIG.3