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

(10) **Patent No.:** **US D744,833 S**  
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- (54) **BOTTLE**
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1,096,613 A	5/1914	Ernst et al.
D57,672 S	4/1921	Knowles
D58,203 S	6/1921	Anderson
1,443,682 A	1/1923	Gueritey
1,549,080 A	8/1925	Henson
1,582,681 A	4/1926	Hammer
1,621,487 A	3/1927	Aulbach
1,635,070 A *	7/1927	Clark ..... 215/2
D81,520 S	7/1930	Bromilet
D86,037 S	1/1932	Lloyd
1,891,794 A *	12/1932	Bobrick ..... 215/387

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

(Continued)

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FOREIGN PATENT DOCUMENTS

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BE	376464	11/1931
CA	678389	1/1964

(Continued)

(30) **Foreign Application Priority Data**

OTHER PUBLICATIONS

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

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(52) **U.S. Cl.**

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(58) **Field of Classification Search**

USPC ..... D9/500, 502-505, 516, 529-530,  
D9/537-541, 544-545, 549, 558, 682,  
D9/685-686, 688-691, 715, 719, 724,  
D9/763-764, 772, 776-777; D7/300,  
D7/300.1, 598; D24/197; 215/379,  
215/381-383; 220/660, 662, 669-670, 672,  
220/675  
CPC ..... B65D 1/00; B65D 1/02; B65D 1/12;  
B65D 1/14; B65D 1/16; B65D 1/165; B65D  
23/00; B65D 81/00; B65D 2501/00; B65D  
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Peter Klobuchar

See application file for complete search history.

(57)

**CLAIM**

I claim the ornamental design for a bottle, as shown and described.

(56) **References Cited**

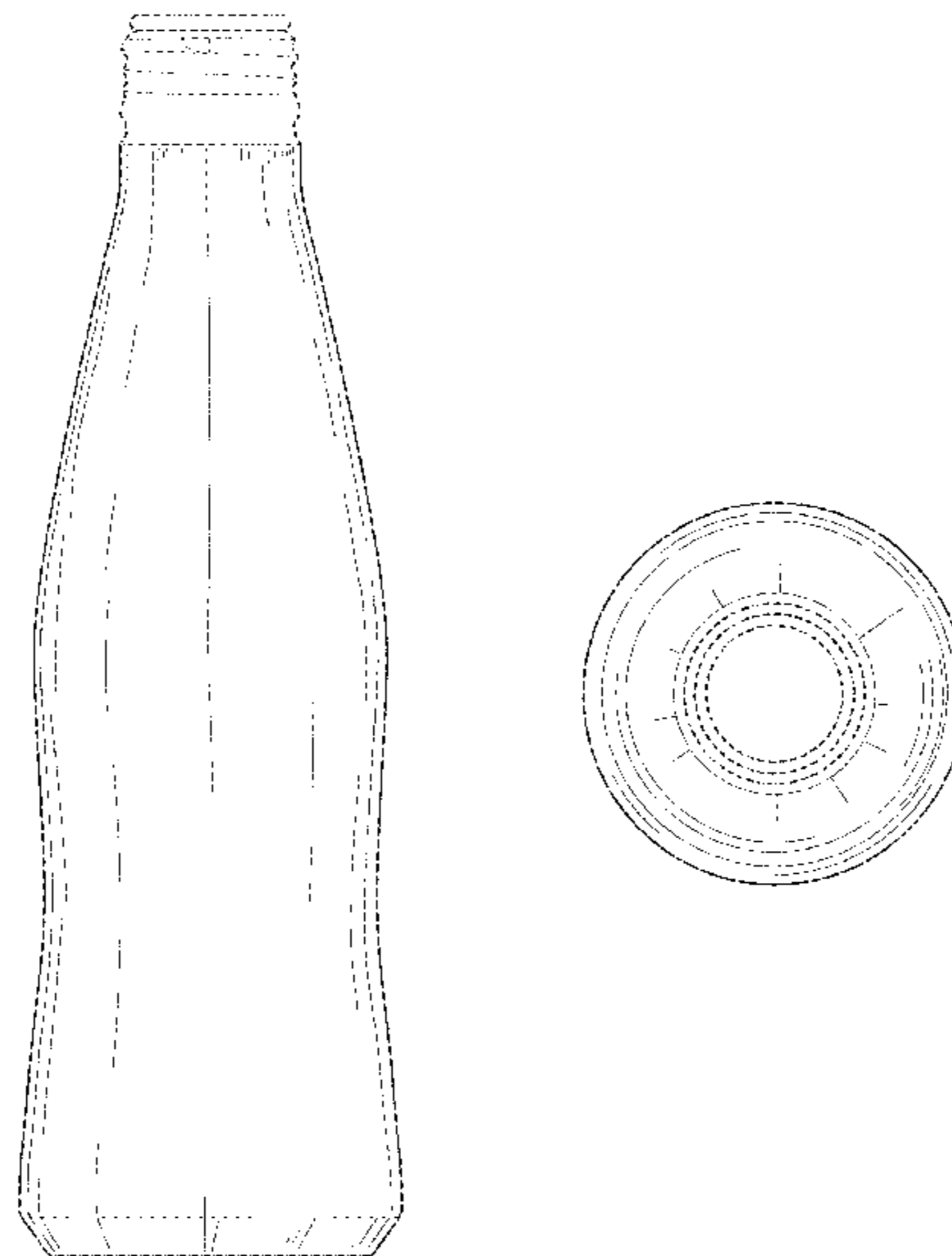
**DESCRIPTION**

U.S. PATENT DOCUMENTS

D33,364 S	10/1900	Lindemeyr
1,079,403 A	11/1913	Crecelius

FIG. 1 is a perspective view of the design for a bottle;  
FIG. 2 is a side elevation view of the design for a bottle; and,  
FIG. 3 is a top plan view of the design for a bottle.  
Features shown in broken lines in the drawings are not part of  
the claim.

**1 Claim, 3 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D104,696 S \* 5/1937 Mas ..... D9/538  
 2,195,257 A 3/1940 Paris  
 2,337,616 A 12/1943 McManus et al.  
 2,384,810 A 9/1945 Calleson et al.  
 D193,032 S \* 6/1962 Waser ..... D9/500  
 3,402,844 A 9/1968 Chin  
 D216,627 S \* 2/1970 Lawton ..... D9/501  
 D217,850 S \* 6/1970 Lawton et al. .... D9/501  
 D221,836 S 9/1971 Giles  
 3,785,519 A 1/1974 Huh  
 3,823,032 A \* 7/1974 Ukai ..... 215/12.2  
 3,995,572 A 12/1976 Saunders  
 D245,964 S 10/1977 Sexton, Sr. et al.  
 D246,030 S 10/1977 Sexton et al.  
 D246,229 S 11/1977 Saunders  
 4,058,998 A 11/1977 Franek et al.  
 4,065,589 A \* 12/1977 Lenard et al. .... 428/34.7  
 D247,772 S 4/1978 Sexton, Jr.  
 D248,927 S 8/1978 Cassia  
 D250,933 S 1/1979 Saunders  
 D260,732 S 9/1981 Walker  
 D271,281 S 11/1983 Abbott et al.  
 D271,854 S 12/1983 Berry  
 4,441,354 A 4/1984 Bodega  
 D275,834 S 10/1984 Slade  
 4,512,172 A 4/1985 Abbott et al.  
 D287,933 S 1/1987 Mills et al.  
 4,643,330 A 2/1987 Kennedy  
 D288,906 S 3/1987 Strand  
 D290,811 S 7/1987 Cleveland, Jr.  
 4,768,667 A 9/1988 Magnusson  
 4,844,270 A 7/1989 Coffman  
 4,892,214 A 1/1990 Hamaguchi et al.  
 D306,967 S 4/1990 Matsuura et al.  
 D308,828 S 6/1990 Magnusson  
 D319,580 S 9/1991 Cassai et al.  
 5,052,576 A 10/1991 Budenbender  
 5,061,140 A 10/1991 Hamaguchi et al.  
 D327,218 S 6/1992 Nickerson  
 5,135,124 A 8/1992 Wobser  
 D329,803 S 9/1992 Otsuka  
 D333,434 S 2/1993 Sosenko  
 5,190,181 A 3/1993 Budenbender  
 5,293,765 A 3/1994 Nussbaum-Pogacnik  
 5,355,710 A 10/1994 Diekhoff  
 D353,771 S 12/1994 Klitsner  
 5,448,903 A 9/1995 Johnson  
 5,497,900 A 3/1996 Caleffi et al.  
 D369,977 S 5/1996 Sexton, Jr.  
 D371,075 S 6/1996 Stonehouse  
 5,557,963 A 9/1996 Diekhoff  
 5,572,893 A 11/1996 Goda et al.  
 5,605,248 A 2/1997 Jentzsch  
 D379,307 S \* 5/1997 Marriage ..... D9/503  
 5,660,301 A 8/1997 Kaplowitz  
 D384,888 S 10/1997 Diekhoff  
 D384,889 S \* 10/1997 Nasrallah ..... D9/500  
 5,704,240 A 1/1998 Jordan  
 5,711,447 A 1/1998 Plester  
 D390,467 S 2/1998 Blackburn  
 5,713,235 A 2/1998 Diekhoff  
 5,718,352 A 2/1998 Diekhoff et al.  
 5,778,723 A 7/1998 Diekhoff  
 5,822,843 A 10/1998 Diekhoff et al.  
 5,875,909 A 3/1999 Guglielmini  
 5,881,907 A 3/1999 Schutz  
 6,010,026 A 1/2000 Diekhoff et al.  
 6,010,028 A 1/2000 Jordan et al.  
 6,082,944 A 7/2000 Bachmann et al.  
 6,105,807 A 8/2000 McCrossen  
 D432,015 S 10/2000 Holiday  
 D434,323 S 11/2000 Pattison  
 D434,608 S 12/2000 Hansen  
 D435,648 S 12/2000 Shah et al.  
 D435,649 S 12/2000 Shah et al.

D437,233 S 2/2001 Gibert  
 6,206,222 B1 3/2001 Cudzik  
 D444,385 S 7/2001 Dixon  
 D451,027 S 11/2001 Dugrot  
 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.  
 D478,286 S 8/2003 Futral et al.  
 D478,287 S 8/2003 Corker et al.  
 D481,949 S 11/2003 Pinnavaia  
 D483,264 S 12/2003 Canepa  
 D489,620 S 5/2004 Goodell et al.  
 6,761,280 B2 7/2004 Zonker et al.  
 6,779,677 B2 8/2004 Chupak  
 D501,140 S \* 1/2005 Fung et al. .... D9/503  
 6,857,304 B2 2/2005 Enoki  
 D503,343 S 3/2005 Canino  
 6,907,653 B2 6/2005 Chupak  
 6,959,830 B1 11/2005 Kanou et al.  
 7,014,060 B2 3/2006 Richardson  
 D523,345 S 6/2006 Kamineni  
 7,069,763 B2 7/2006 Cook et al.  
 D525,870 S \* 8/2006 Allen et al. .... D9/500  
 D528,000 S \* 9/2006 Davis et al. .... D9/500  
 7,152,766 B1 12/2006 Walsh et al.  
 D536,616 S \* 2/2007 Rubin et al. .... D9/500  
 7,171,840 B2 2/2007 Kanou et al.  
 D549,595 S 8/2007 Lowther, Sr. et al.  
 D550,080 S 9/2007 Rica  
 D554,000 S 10/2007 Walsh  
 D559,694 S \* 1/2008 Le Bras-Brown et al. .... D9/538  
 D564,881 S 3/2008 Chupak  
 D569,252 S 5/2008 Borsari et al.  
 D570,228 S 6/2008 van Dam  
 D572,134 S 7/2008 Bourne  
 D572,589 S \* 7/2008 Coulis et al. .... D9/500  
 D573,023 S 7/2008 Pivert  
 D581,278 S \* 11/2008 Shibata et al. .... D9/529  
 D582,774 S 12/2008 Klemm et al.  
 D584,623 S 1/2009 Chupak  
 D592,060 S 5/2009 Chupak  
 D596,488 S 7/2009 Chupak  
 D596,942 S 7/2009 Britto  
 D600,556 S 9/2009 Chupak  
 D600,557 S 9/2009 Chupak  
 D608,204 S 1/2010 Caroen et al.  
 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  
 D625,616 S 10/2010 Gogola et al.  
 D630,519 S 1/2011 Toms et al.  
 D638,708 S 5/2011 Walsh  
 D639,164 S 6/2011 Walsh  
 D639,659 S \* 6/2011 Biondich et al. .... D9/500  
 D642,469 S 8/2011 Laurent  
 8,016,148 B2 9/2011 Walsh  
 D646,165 S 10/2011 Chupak  
 D665,265 S 8/2012 Fonseca  
 D670,167 S 11/2012 Winter  
 D675,527 S 2/2013 Rogers et al.  
 D697,803 S 1/2014 Cox et al.  
 D699,576 S 2/2014 Rogers et al.  
 D699,577 S 2/2014 Rogers et al.  
 D708,522 S \* 7/2014 Santamaria et al. .... D9/500  
 D710,206 S \* 8/2014 Rajesh et al. .... D9/538  
 D714,150 S 9/2014 Vendramin  
 2001/0040167 A1 11/2001 Flecheux et al.  
 2005/0205575 A1 9/2005 Kobayashi et al.  
 2006/0011633 A1 1/2006 Cook et al.

FOREIGN PATENT DOCUMENTS

DE 4439464 C1 5/1996  
 DE 19513886 A1 10/1996  
 DE 29512058 U1 12/1996  
 DE 19806481 A1 8/1998



(56)

References Cited

FOREIGN PATENT DOCUMENTS

DE	19722628	A1	12/1998
DE	40402024-0003		3/2005
DE	40402706-0007		3/2005
DE	40405124-0002		3/2005
DE	40405388-0004		4/2005
DE	40405388-0005		4/2005
EP	0281543	A2	9/1988
EP	0182646	B1	3/1989
EP	0380662	A1	8/1990
EP	0510291	A1	10/1992
EP	0512131	A2	11/1992
EP	0537773	A1	4/1993
EP	0549987	A1	7/1993
EP	0581568	B1	2/1994
EP	0667299	A1	8/1995
EP	0693434	B1	1/1996
EP	0743260	A1	11/1996
EP	0864385	A2	9/1998
EP	1134046	A1	9/2001
EP	1136154	A1	9/2001
EP	1459997	A1	9/2004
EP	1468925	A1	10/2004
FR	633497		1/1928
FR	26884341	A1	9/1993
FR	942042-017	*	4/1994
FR	942042-020	*	4/1994
FR	2708252	A1	2/1995
GB	2330548	A	4/1999
GB	3000547		1/2002
IT	458853		3/1951
JP	01210136		8/1989
JP	11139438		5/1999
JP	2001-90898		4/2001
JP	2002037442		2/2002
JP	2002-137032	A	5/2002
JP	2003-181577	A	7/2003
JP	2003-290854	A	10/2003
JP	2007-039095	A	2/2007

RU	50159	S	5/2001
RU	52780		7/2003
RU	58096		11/2005
RU	59523		7/2006
UA	5333		11/2001
WO	91/11274	A1	8/1991
WO	96/015865	A1	5/1996
WO	96/16754	A1	6/1996
WO	97/42091	A1	11/1997
WO	98/06636	A1	2/1998
WO	DM/047733		3/1999
WO	99/18013	A1	4/1999
WO	99/32363	A1	7/1999
WO	99/43558	A1	9/1999
WO	99/46176	A1	9/1999
WO	99/48764	A1	9/1999
WO	01/015829	A1	3/2001
WO	DM/062281		12/2002
WO	DM/063368		4/2003
WO	03/047991	A1	6/2003
WO	05/108216	A1	11/2005
WO	DM/052387		7/2007
WO	DM/069480		7/2007
WO	DM/073013	*	1/2010
WO	DM/079130	*	9/2012
WO	DM/081760		9/2013

OTHER PUBLICATIONS

Doronenkova, O.V., Leading State IP Examiner of the Industrial Designs Department, Rospatent Federal Office for Intellectual Property, Patents and Trademarks, Inquiry of Substantive Examination dated Dec. 19, 2011 in co-pending Russian Design Application No. 2010503861 (in Russian, with English translation attached). "Tailgater", Commercial Designs: Gallery; ALuminex. CCL Container, Bottlecan.com, 1 page, retrieved Oct. 2, 2014, <[http://www.bottlecan.com/image\\_gallery-aluminex.html](http://www.bottlecan.com/image_gallery-aluminex.html)>.

\* cited by examiner

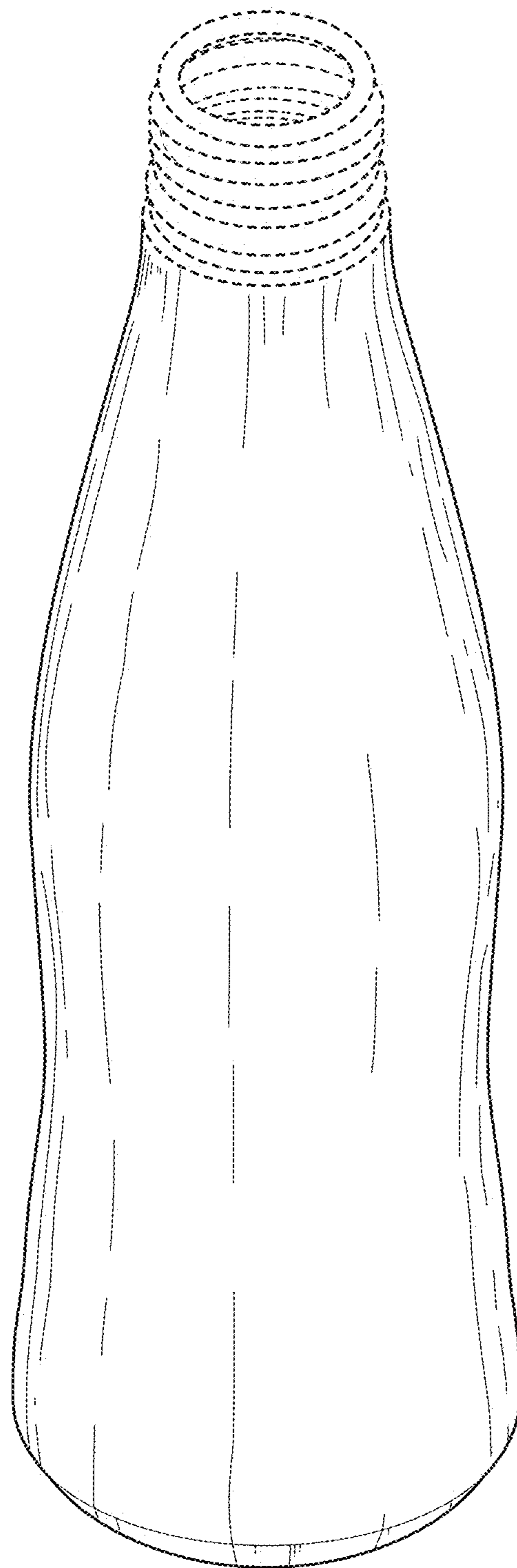


FIG. 1

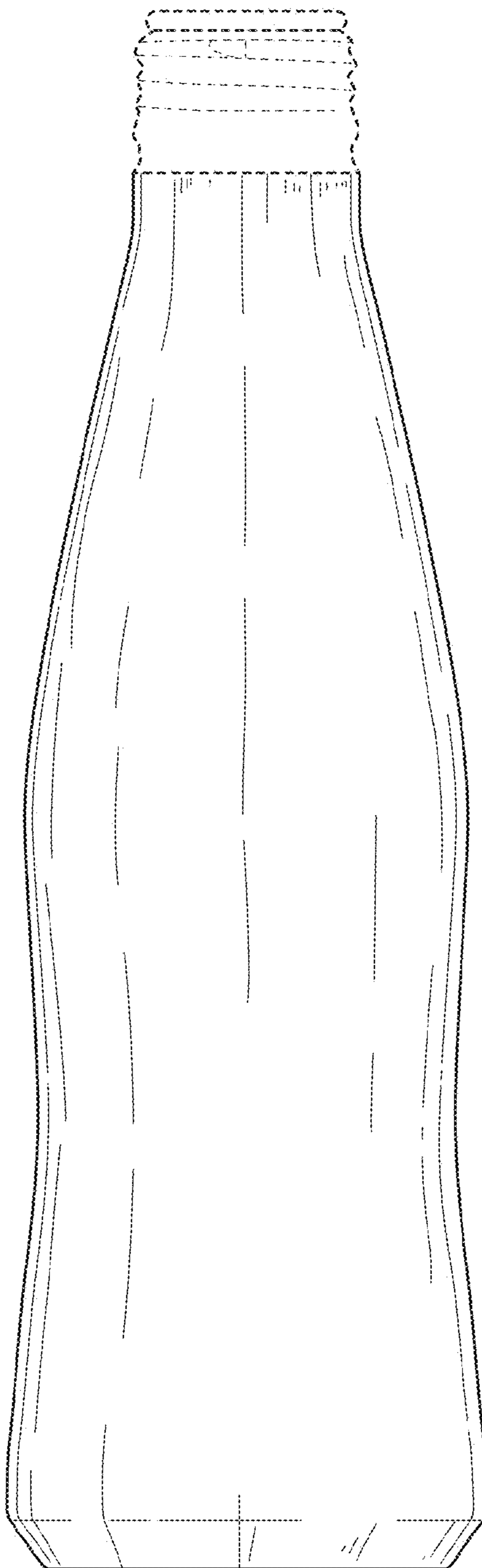


FIG. 2

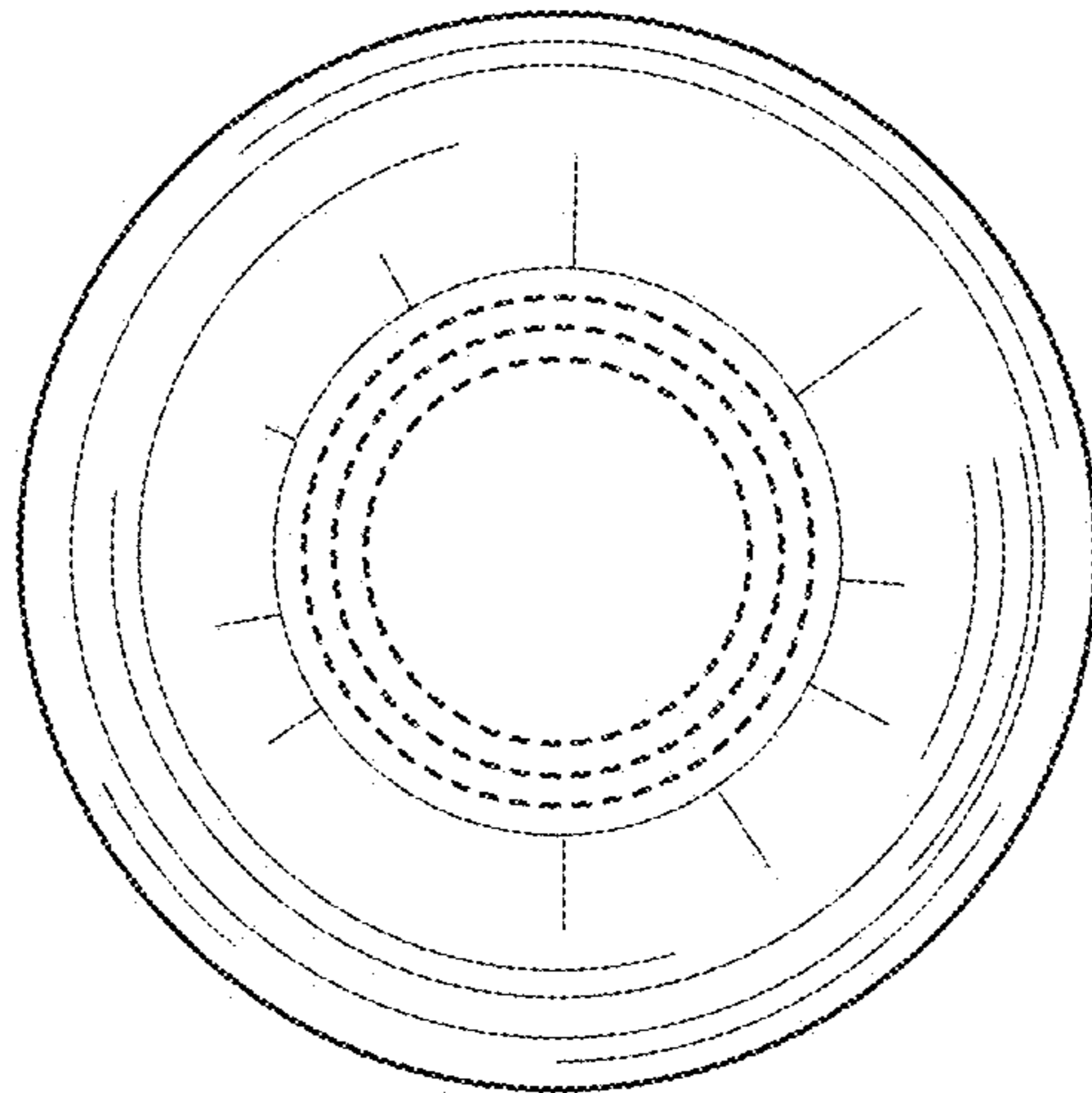


FIG. 3