



US00D750490S

(12) **United States Design Patent**
Moore et al.

(10) **Patent No.:** **US D750,490 S**
(45) **Date of Patent:** **** Mar. 1, 2016**

(54) **FLUID CONTAINER SPOUT**

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

(21) Appl. No.: **29/484,170**

(22) Filed: **Mar. 6, 2014**

(51) **LOC (10) Cl.** **09-06**

(52) **U.S. Cl.**
USPC **D9/446**

(58) **Field of Classification Search**
USPC D9/434, 435, 438, 439, 440, 445, 446,
D9/447, 449, 499; D7/392.1, 396.2
CPC B65D 47/14
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,099,082 A 6/1914 Decker
1,510,363 A 9/1924 Wangen et al.

(Continued)

FOREIGN PATENT DOCUMENTS

AU 2009200949 10/2009
CN 2813523 3/2013

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 14/258,462 including its prosecution history, the cited references and the Office Actions therein, Nov. 20, 2014, Moore, Roger et al.

(Continued)

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(74) *Attorney, Agent, or Firm* — Knobbe Martens Olson & Bear LLP

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front, top, and side perspective view of a first embodiment of a fluid container spout embodying our new design.

FIG. 2 is a left side view thereof.

FIG. 3 is a right side view thereof.

FIG. 4 is a front view thereof.

FIG. 5 is a back view thereof.

FIG. 6 is a top view thereof.

FIG. 7 is a bottom view thereof.

FIG. 8 is a front, top, and side perspective view of a second embodiment of a fluid container spout embodying our new design.

FIG. 9 is a left side view thereof.

FIG. 10 is a right side view thereof.

FIG. 11 is a front view thereof.

FIG. 12 is a back view thereof.

FIG. 13 is a top view thereof.

FIG. 14 is a bottom view thereof.

FIG. 15 is a front, top, and side perspective view of a third embodiment of a fluid container spout embodying our new design.

FIG. 16 is a left side view thereof.

FIG. 17 is a right side view thereof.

FIG. 18 is a front view thereof.

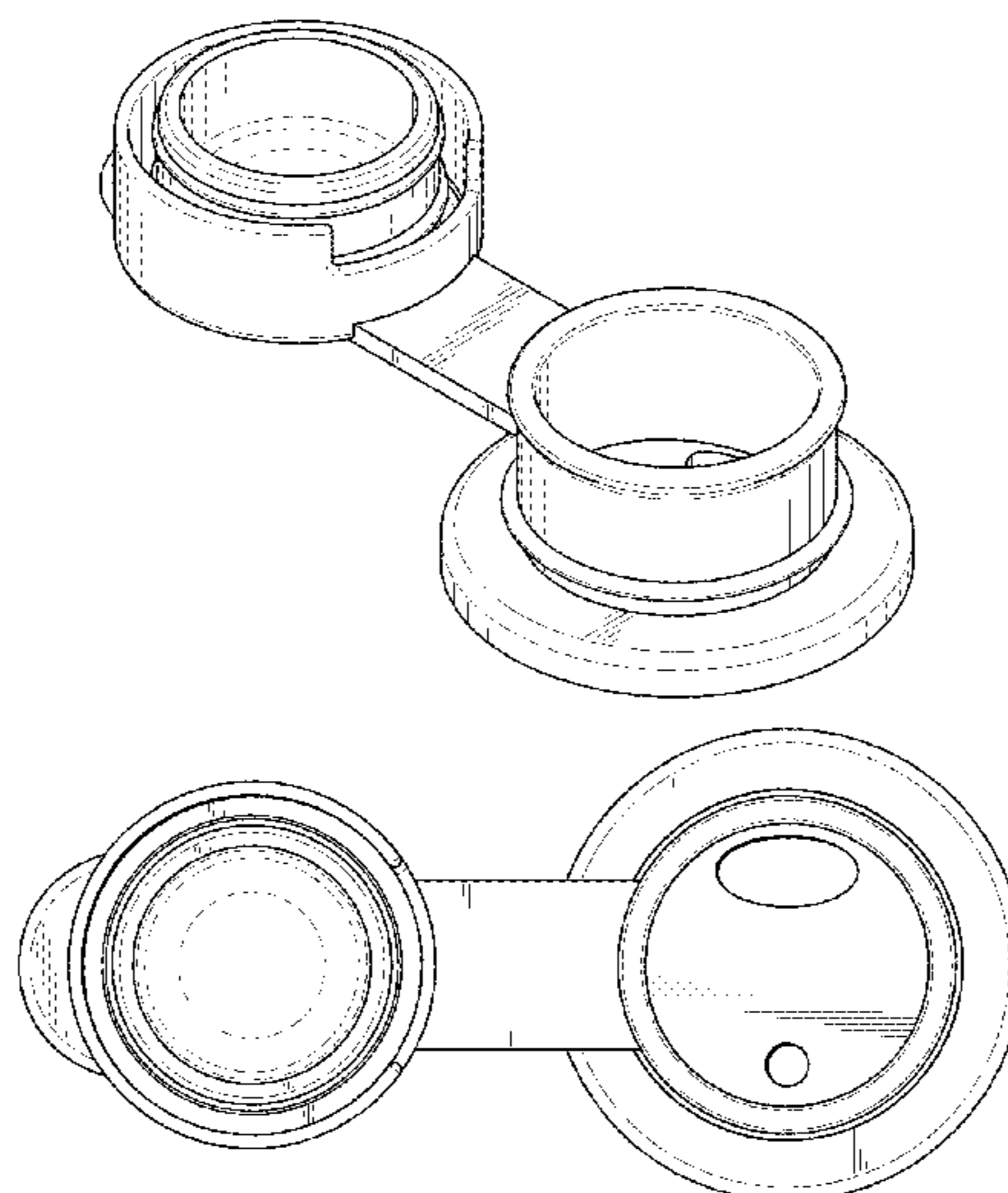
FIG. 19 is a back view thereof.

FIG. 20 is a top view thereof; and,

FIG. 21 is a bottom view thereof.

Broken lines are used to illustrate features of the fluid container spout which form no part of the claimed design. In the second embodiment of the spout, broken lines showing the round and elliptical holes form no part of the claimed design.

1 Claim, 12 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,659,784 A 2/1928 Pfister et al.
 1,733,184 A 10/1929 Decker
 1,797,433 A 3/1931 McCrea
 1,998,646 A 4/1935 Yager et al.
 2,008,593 A 4/1935 Pedersen
 2,157,896 A 5/1939 Held
 2,194,004 A 3/1940 Bukolt
 2,438,299 A 3/1948 Relis
 2,449,014 A 9/1948 Shaffer
 2,812,764 A 11/1957 Crisp
 2,836,321 A 5/1958 Soltesz et al.
 D188,393 S * 7/1960 Fagan D3/264
 D193,121 S * 6/1962 Wickman D9/446
 3,117,702 A * 1/1964 Henchert 222/543
 3,160,327 A * 12/1964 Porcelli 222/153.07
 3,292,809 A 12/1966 Shomock et al.
 3,445,023 A 5/1969 Giessler et al.
 D220,732 S 5/1971 Ritsi
 3,788,510 A 1/1974 Collins
 4,488,551 A 12/1984 Connelly
 4,613,050 A 9/1986 Atkin et al.
 D288,241 S 2/1987 Fuller
 D306,266 S 2/1990 Hargrove et al.
 4,993,568 A 2/1991 Morifuji et al.
 D324,824 S 3/1992 Hansen
 5,316,160 A 5/1994 Cautereels
 5,544,766 A 8/1996 Dunn et al.
 D378,975 S 4/1997 Reid
 D404,646 S * 1/1999 Black et al. D9/446
 D409,303 S 5/1999 Oepping
 5,909,820 A 6/1999 Yeh
 D424,937 S 5/2000 Tucker
 6,223,919 B1 5/2001 Kuehn
 D448,971 S 10/2001 Hughes
 6,371,315 B1 4/2002 Chien
 D463,567 S 9/2002 Morano
 D465,028 S 10/2002 Renz
 D479,606 S 9/2003 Randolph
 6,634,417 B1 10/2003 Kolowich
 D487,227 S * 3/2004 Haley D9/439
 D504,725 S 5/2005 Randolph et al.
 6,948,630 B2 9/2005 Julian et al.
 D514,935 S * 2/2006 Sturk D9/449
 6,994,225 B2 2/2006 Hakim
 7,070,065 B2 7/2006 Wong
 D555,795 S 11/2007 Mallet
 D567,384 S 4/2008 Sakulsacha et al.
 D588,616 S 3/2009 Tanaka et al.
 D617,465 S 6/2010 Hakim
 D634,439 S 3/2011 Hakim
 7,938,281 B2 5/2011 Horntrich et al.
 D639,968 S 6/2011 Pukall et al.
 D639,969 S 6/2011 Pukall et al.
 D643,722 S * 8/2011 Gorskey D9/439
 8,123,086 B2 * 2/2012 Haley 222/484
 D667,558 S 9/2012 Hakim
 D671,793 S 12/2012 Hakim
 D678,767 S * 3/2013 Haley D9/440
 D679,589 S * 4/2013 Hauth D9/446
 D681,216 S 4/2013 Smith
 D683,189 S 5/2013 Thomas
 8,573,436 B2 11/2013 Moore et al.
 D699,068 S 2/2014 Dunn et al.
 8,739,991 B2 6/2014 Moore et al.
 8,807,386 B2 8/2014 Lam
 D713,259 S 9/2014 Naef et al.
 D724,233 S 3/2015 Moore et al.
 D730,730 S * 6/2015 Haley et al. D9/440
 RE45,611 E * 7/2015 Haley
 2004/0124168 A1 7/2004 Silver
 2004/0221385 A1 11/2004 Su
 2005/0000930 A1 1/2005 Weissberg
 2005/0258201 A1 11/2005 Willows et al.
 2006/0011571 A1 1/2006 Silver
 2006/0261064 A1 11/2006 Holley, Jr.

2007/0102434 A1 5/2007 Dunwoody et al.
 2007/0221604 A1 9/2007 Hakim
 2008/0282907 A1 11/2008 Begin et al.
 2009/0261054 A1 10/2009 Shelby
 2009/0301990 A1 12/2009 Cresswell et al.
 2011/0062105 A1 3/2011 Itzek
 2012/0074090 A1 3/2012 Rees
 2014/0251939 A1 9/2014 Boonprasop
 2014/0339189 A1 11/2014 Moore et al.
 2015/0053637 A1 2/2015 Archer et al.

FOREIGN PATENT DOCUMENTS

CN ZL 201320170041.6 12/2013
 CN ZL 2013305348008 3/2014
 EP 0151862 A2 8/1985
 EP 1354579 A1 10/2003
 GB 2154451 A1 9/1985
 GB 2491790 4/2013
 KR 20-1999-0021881 6/1999
 KR 10-2000-0022013 4/2000
 KR 20-2000-0007813 5/2000
 KR 10-2000-0042244 7/2000
 WO WO 0016731 A1 3/2000
 WO WO 2011/116354 A2 9/2011
 ZA 2012/07314 11/2012

OTHER PUBLICATIONS

Design U.S. Appl. No. 29/431,287 including its prosecution history, the cited references, and the Office Actions therein, not yet published, Moore, Jenifer et al.
 Design U.S. Appl. No. 29/514,678, including its prosecution history, the cited references, and the Office Actions therein, Not yet published, Moore, Jenifer et al.
 Design U.S. Appl. No. 29/454,971 including its prosecution history, the cited references, and the Office Actions therein, Not yet published, Moore, Roger et al.
 Adams, Six baby bottle manufacturers quietly agree to remove BPA from baby bottles, http://www.naturalnews.com/025804_BPA_Baby_Bottles.html, Mar. 9, 2009.
 Alter, Time to pack in the polycarbonates, <http://www.treehugger.com/green-food/time-to-pack-in-the-polycarbonates.html>, Aug. 1, 2007.
 Consumer Reports, Major baby bottle manufacturers agree to ban BPA, <http://news.consumerreports.org/safety/2009/03/baby-bottle-makers-agree-to-ban-bpa.html>, Mar. 9, 2009.
 Cornell University, Plastics—Avoiding BPA, [http://envirocancer.cornell.edu](http://envirocancer.cornell.eduenvirocancer.cornell.eduhttp://envirocancer.cornell.edu), Mar. 2009.
 Daley, Harvard study backs bottle concern, says plastic used leaches Bisphenol A, The Boston Globe www.boston.com/lifestyle/green/articles/2009/05/22/harvard_study_backs_bottle_concern_and: www.organickidz.ca/stainless-steel-bpa/news-articles, May 22, 2009.
 Examination Report issued in United Kingdom Patent Application No. GB1218578.1 dated Oct. 31, 2012.
 Garvey, World's first stainless steel baby bottles—safe, strong and sustainable, www.gizmag.com/worlds-first-stainless-steel-baby-bottles/12910, Sep. 22, 2009.
 International Search Report and Written Opinion for International Application No. PCT/US2011/029098, Notification mailed Nov. 28, 2011.
 Mittelstaedt, Bisphenol A poses disease risk for adults, study says., theglobeandmail.com/technology/science/.../article1061117, Sep. 16, 2008.
 Mommyauctions, Bottle raid 2007!, [Mommyauctions.com/blog/2007/10/01/kitchen-raid-2007-what's-the-scoop-on-all-the-bpa-free-hype](http://Mommyauctions.com/blog/2007/10/01/kitchen-raid-2007-what-s-the-scoop-on-all-the-bpa-free-hype), Oct. 1, 2007.
 My Precious Kid, Baby Bottles—BPA free/stainless steel on sale, <http://www.mypreciouskid.com/blog/2009/10/baby-bottles-bpa-free-stainless-steel-on-sale/>, Oct. 21, 2009.
 Organickidz, About us, www.organickidz.ca/about-us/founder, Pub. Date Unknown.

(56)

References Cited

OTHER PUBLICATIONS

Stannard, Yale study details how and why of BPA's dangers, www.ehhi.org/plastics/taylor_nhregister_0310.shtml. and: www.organickidz.ca/stainless-steel-bpa/news-articles, Mar. 9, 2010.

Tejada, Avoid Bisphenol A when you can, www.azcentral.com/community/chandler/citizen/articles/2009/05/26/20090526fr-askexpert0527.html, May 26, 2009.

Wellings, Concerns over baby bottles, <http://au.news.yahoo.com/today-tonight/latest/article/-/6098435/concerns-over-baby-bottles>, Sep. 24, 2009.

Wiley, Stainless Steel Baby Bottles are the best alternative to plastic, voices.yahoo.com/stainless-steel-baby-bottles-best-alternative-2999481.html?cat=25, Mar. 6, 2009.

Nuby Replacement Sprouts, Copyright 2011.

Thinkbaby, The New Design—Stage B, Cross Cut, No Spill (6 to 12 months)—Two Pack, http://thinkbabybottles.3dcartstores.com/The-New-Design--Stage-B-Cross-Cut-No-Spill-6-to-12-months-Two-Pack-_p_200.html retrieved May 5, 2015. The publication date of this reference is not readily available. Applicant requests that the Examiner review the reference as prior art. Applicant reserves the right to disqualify the reference as prior art if needed.

* cited by examiner

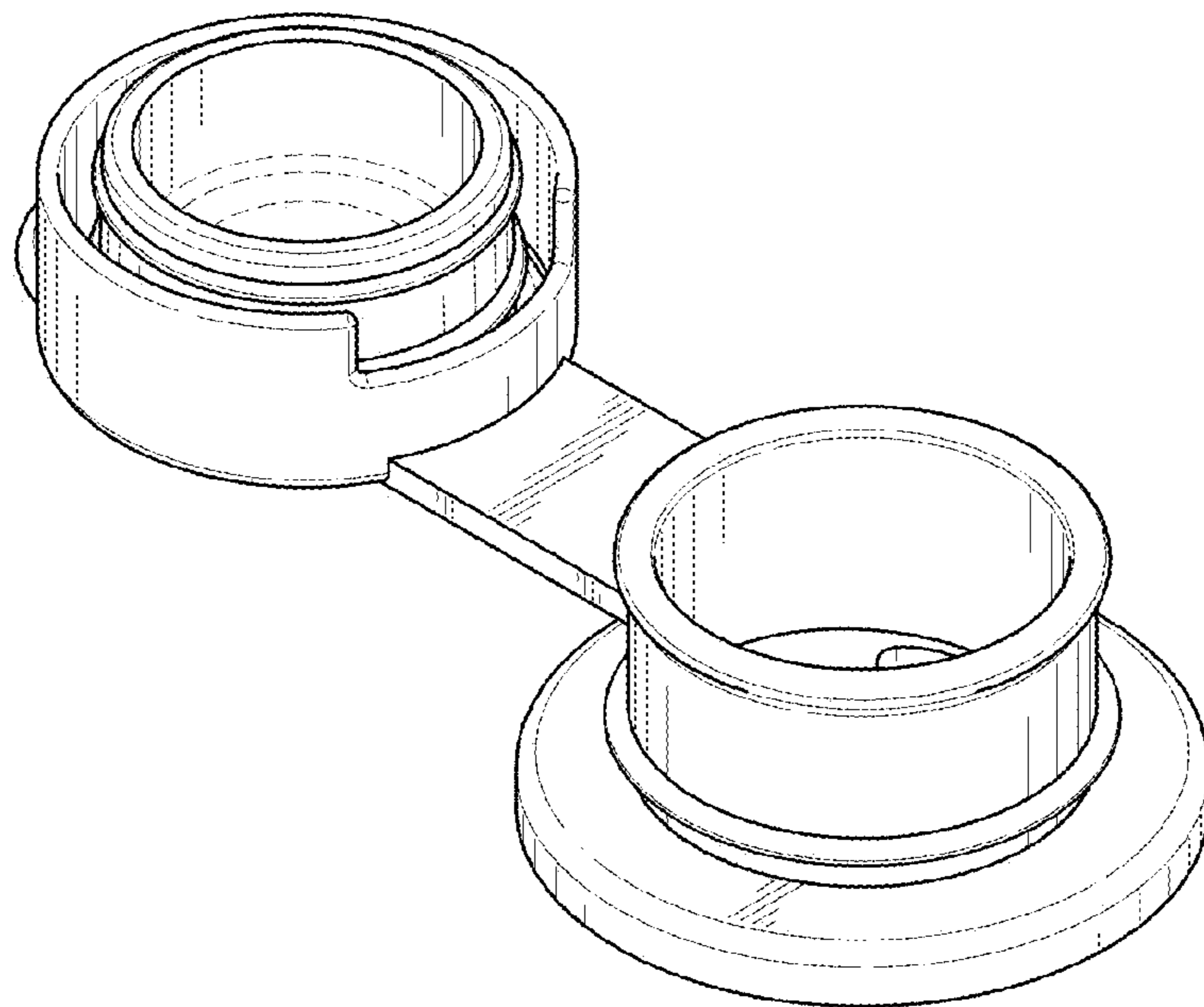


FIG. 1

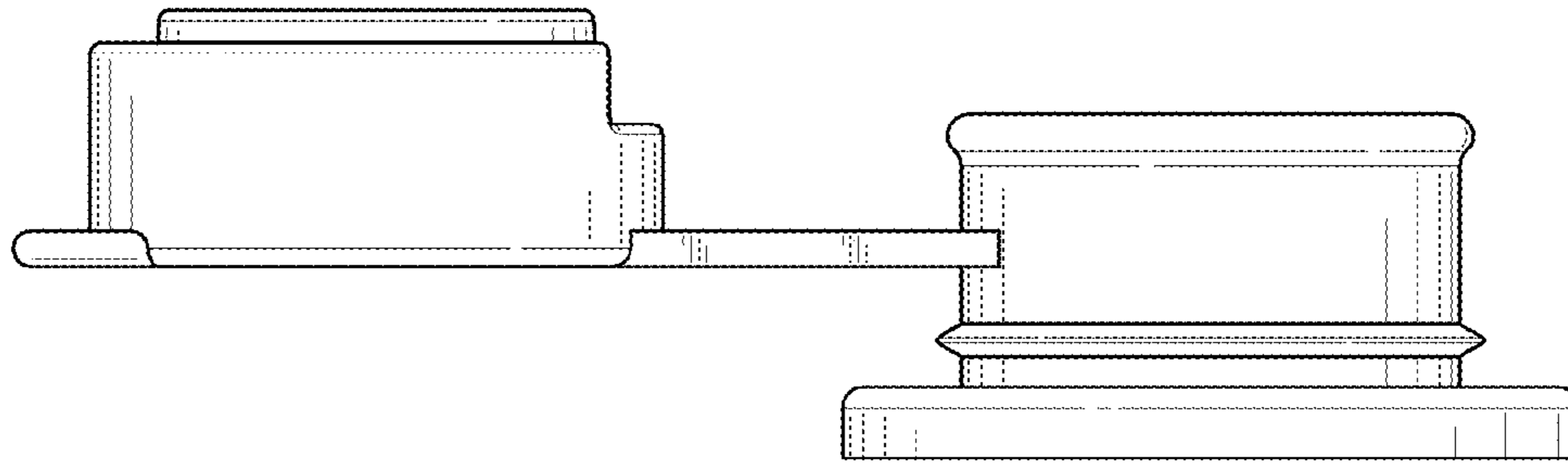


FIG. 2

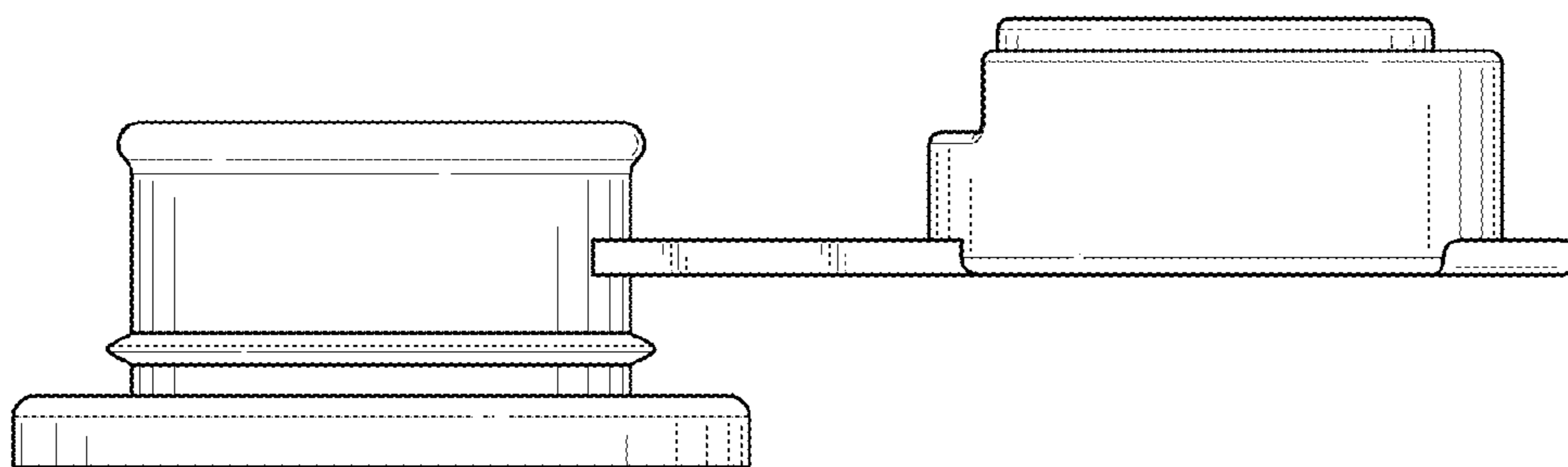


FIG. 3

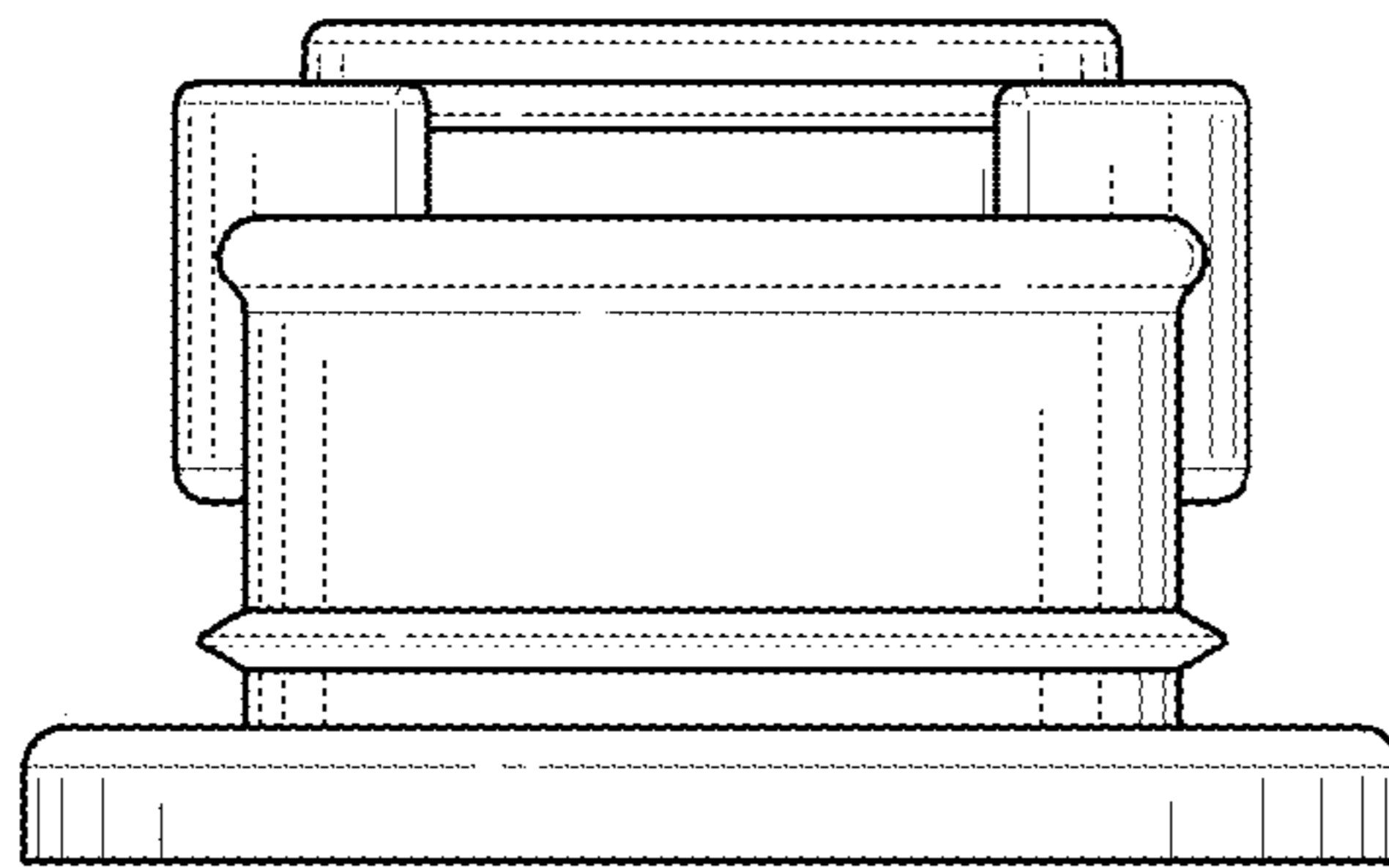


FIG. 4

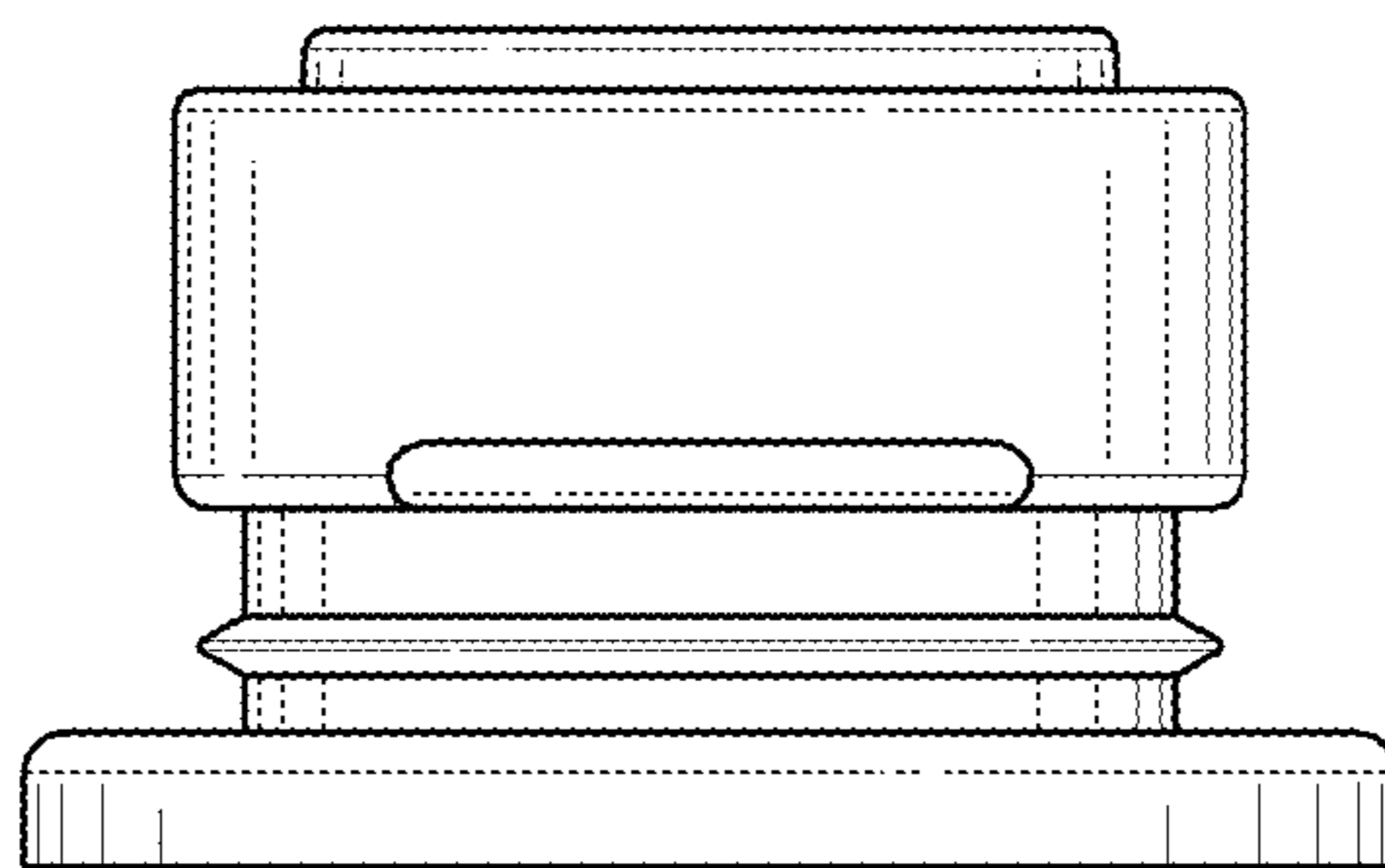


FIG. 5

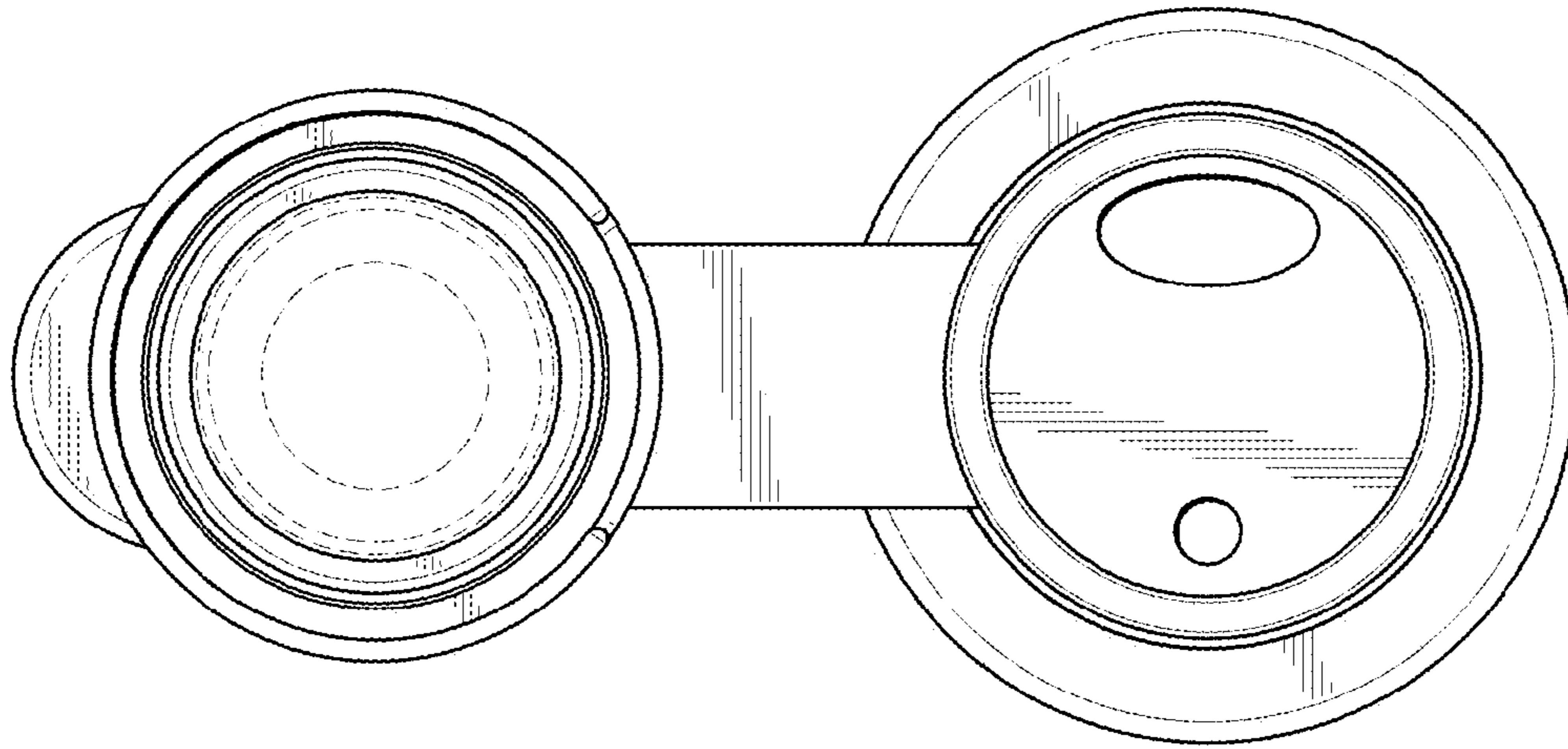


FIG. 6

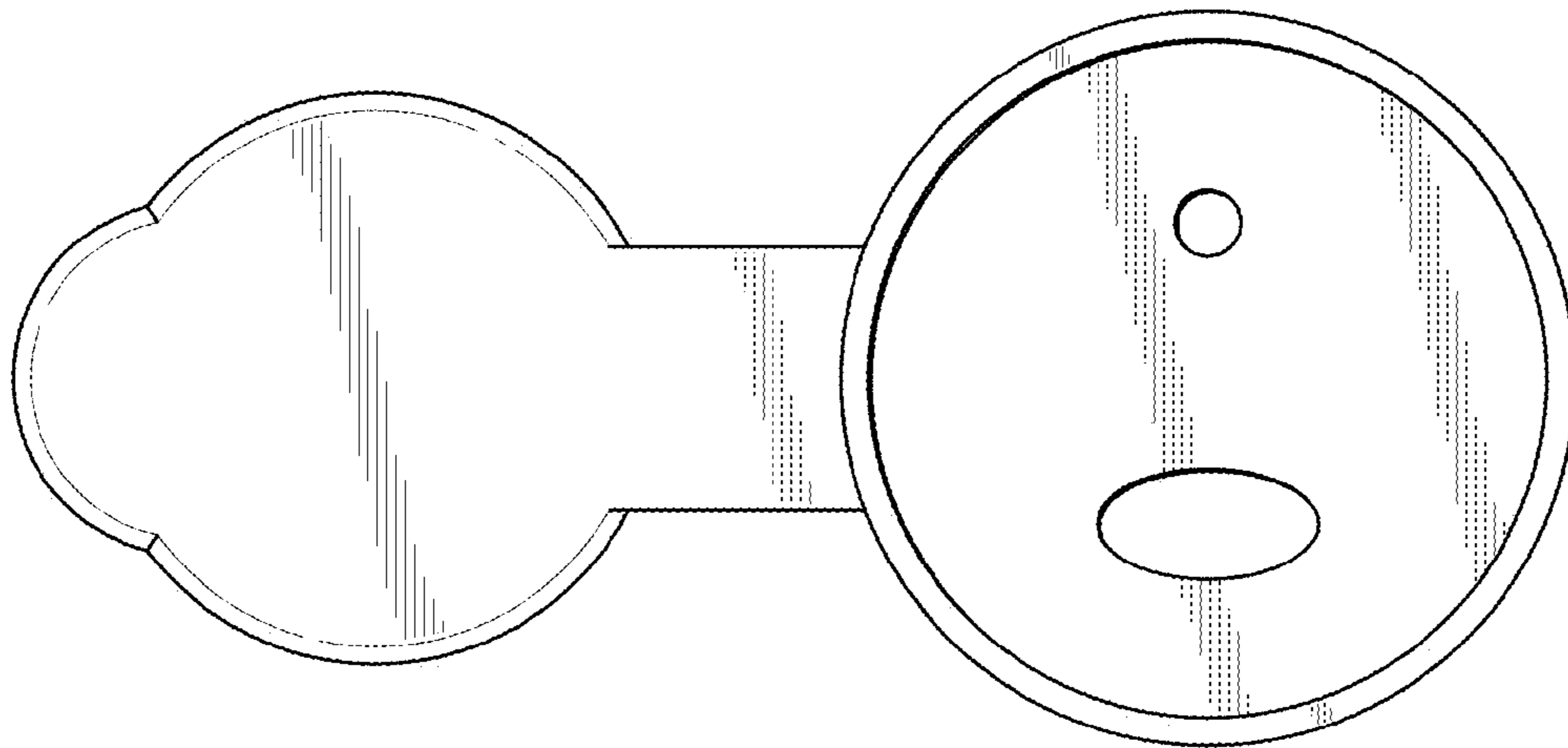


FIG. 7

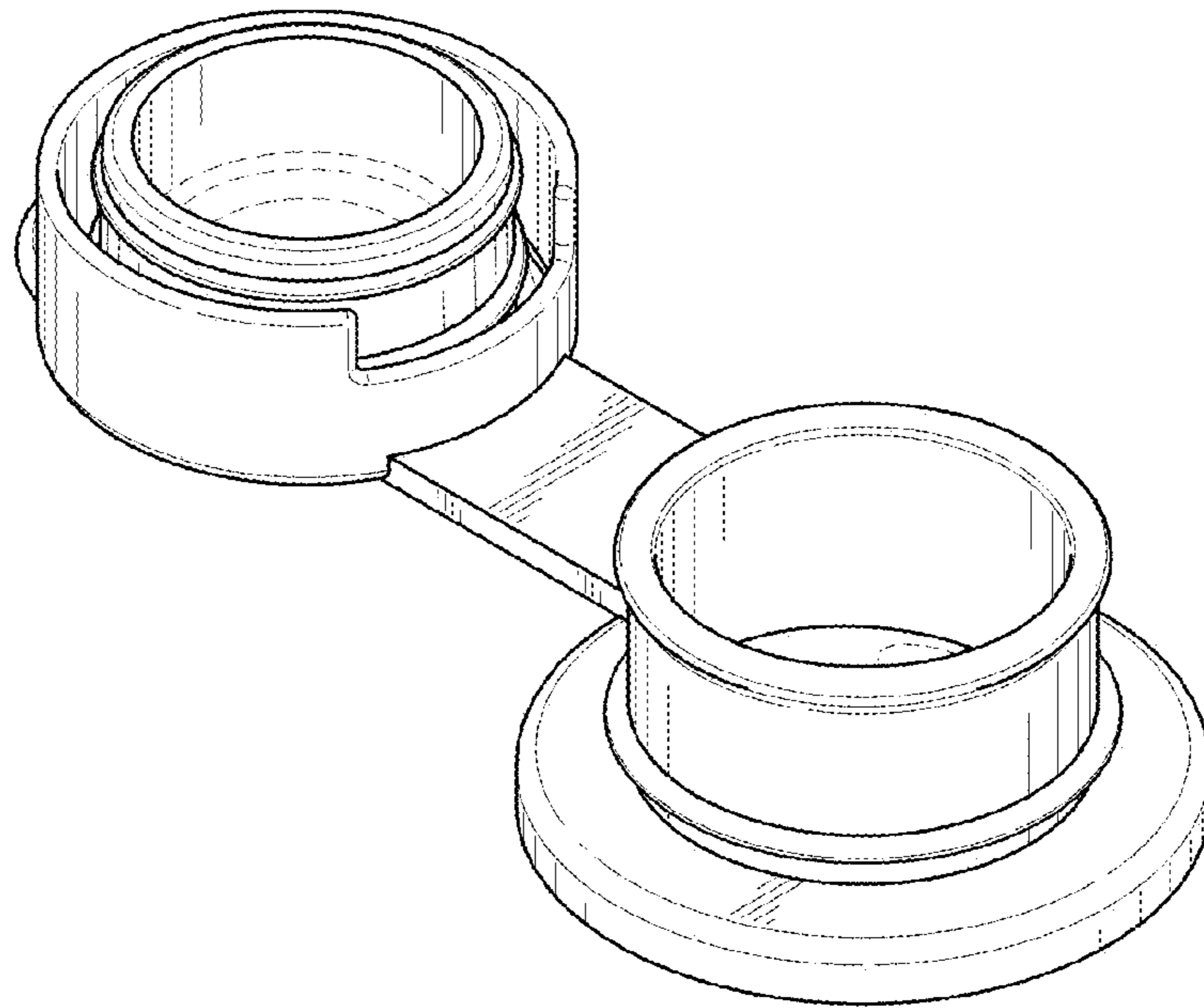


FIG. 8

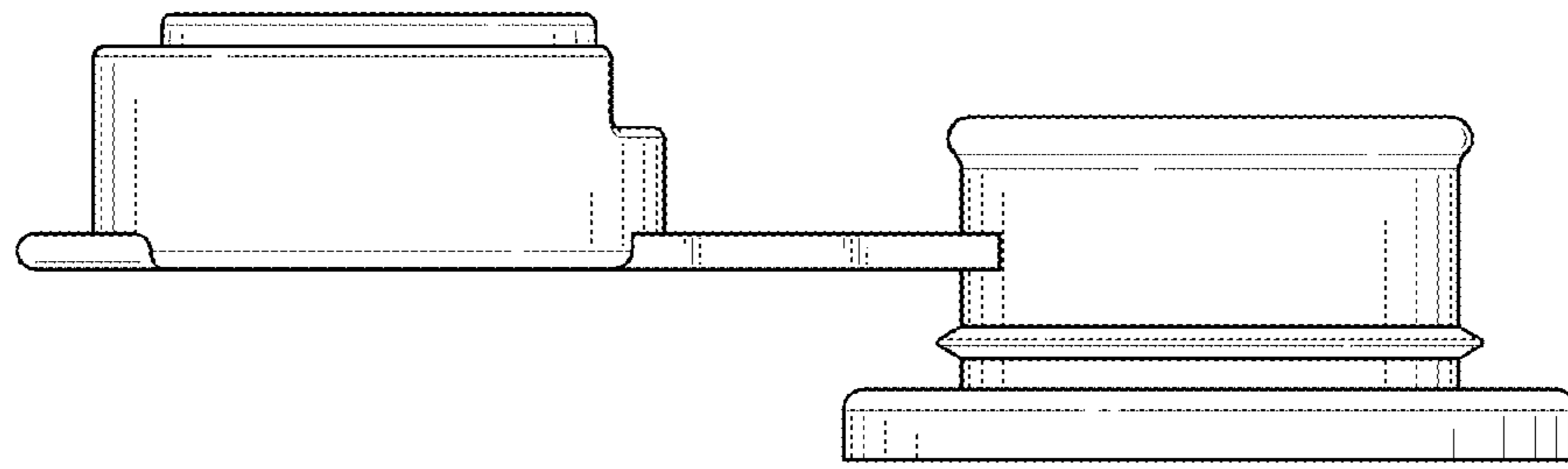


FIG. 9

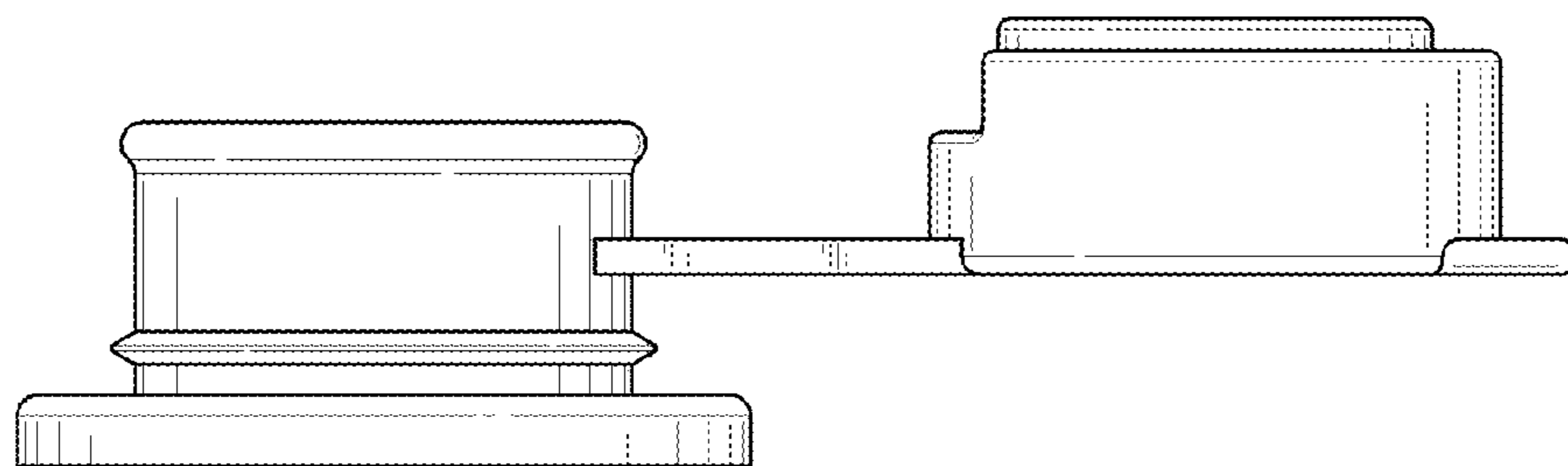


FIG. 10

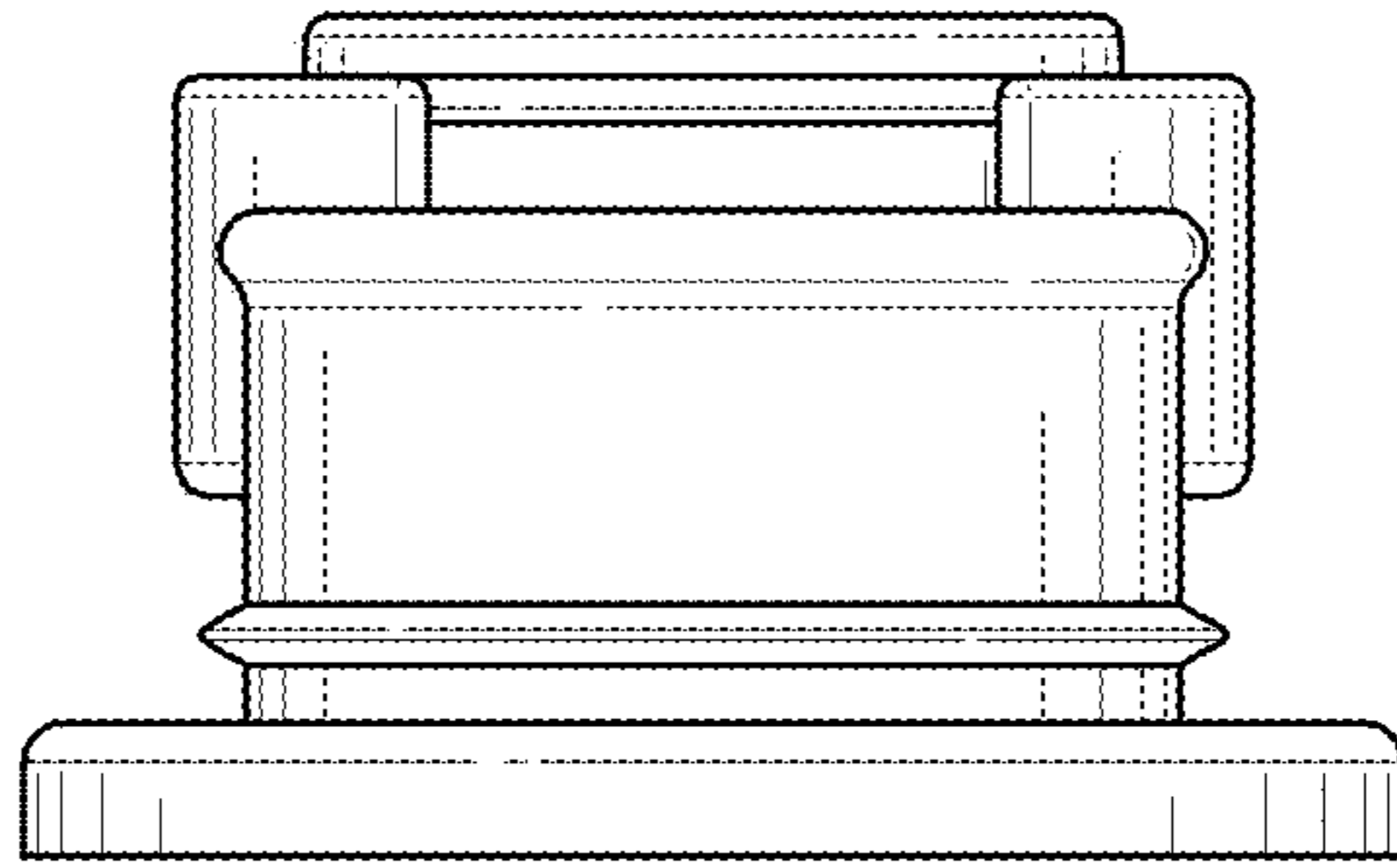


FIG. 11

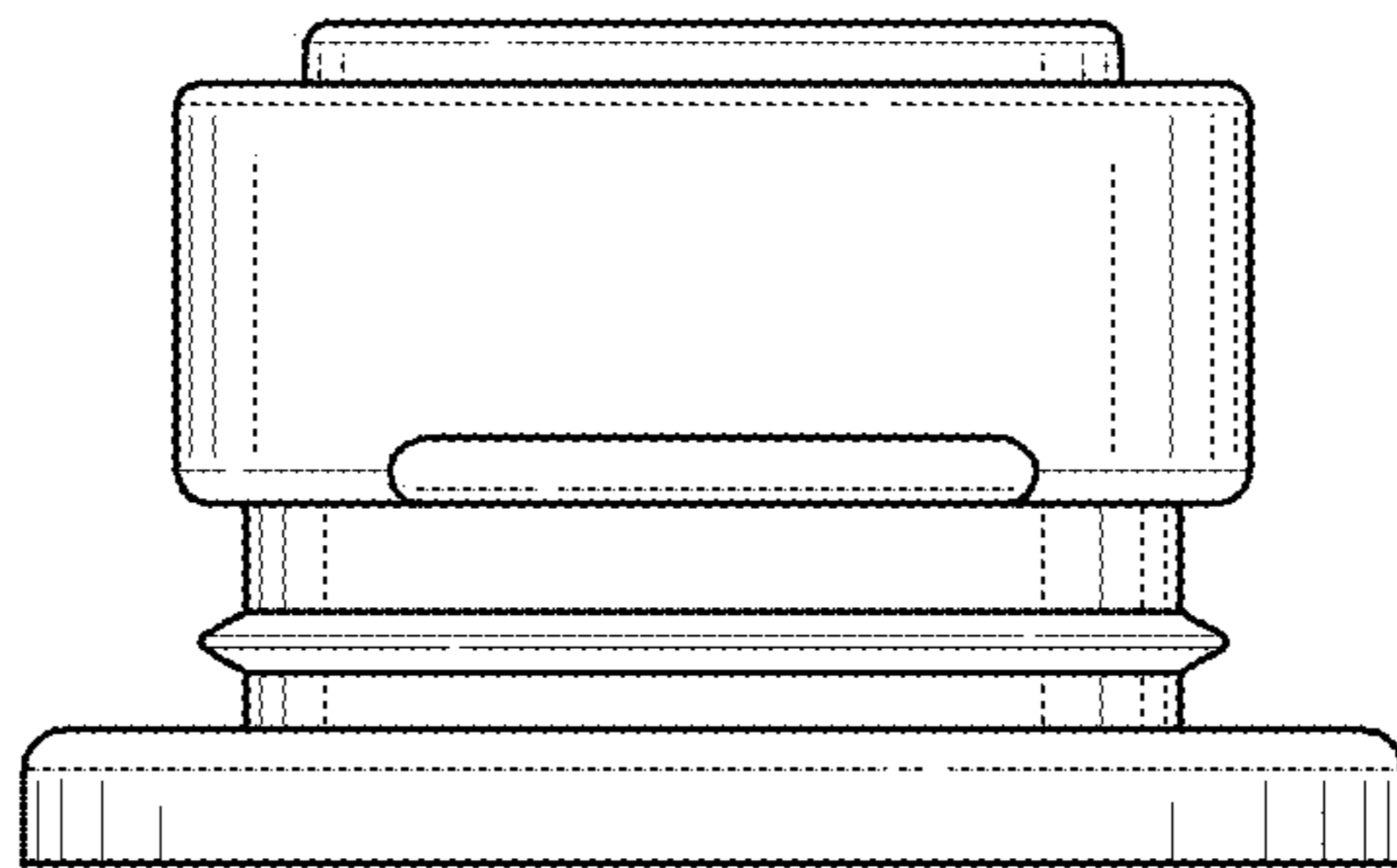


FIG. 12

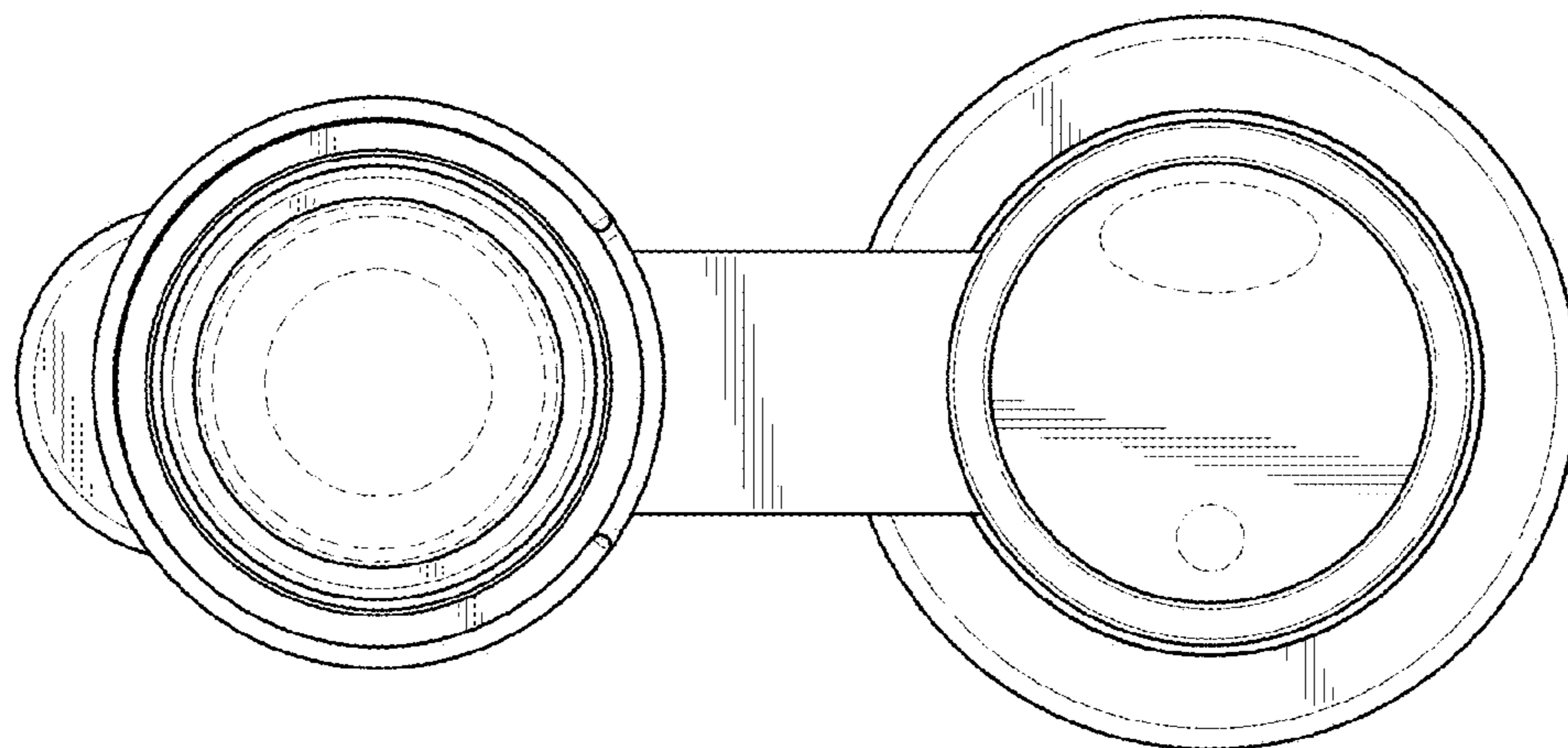


FIG. 13

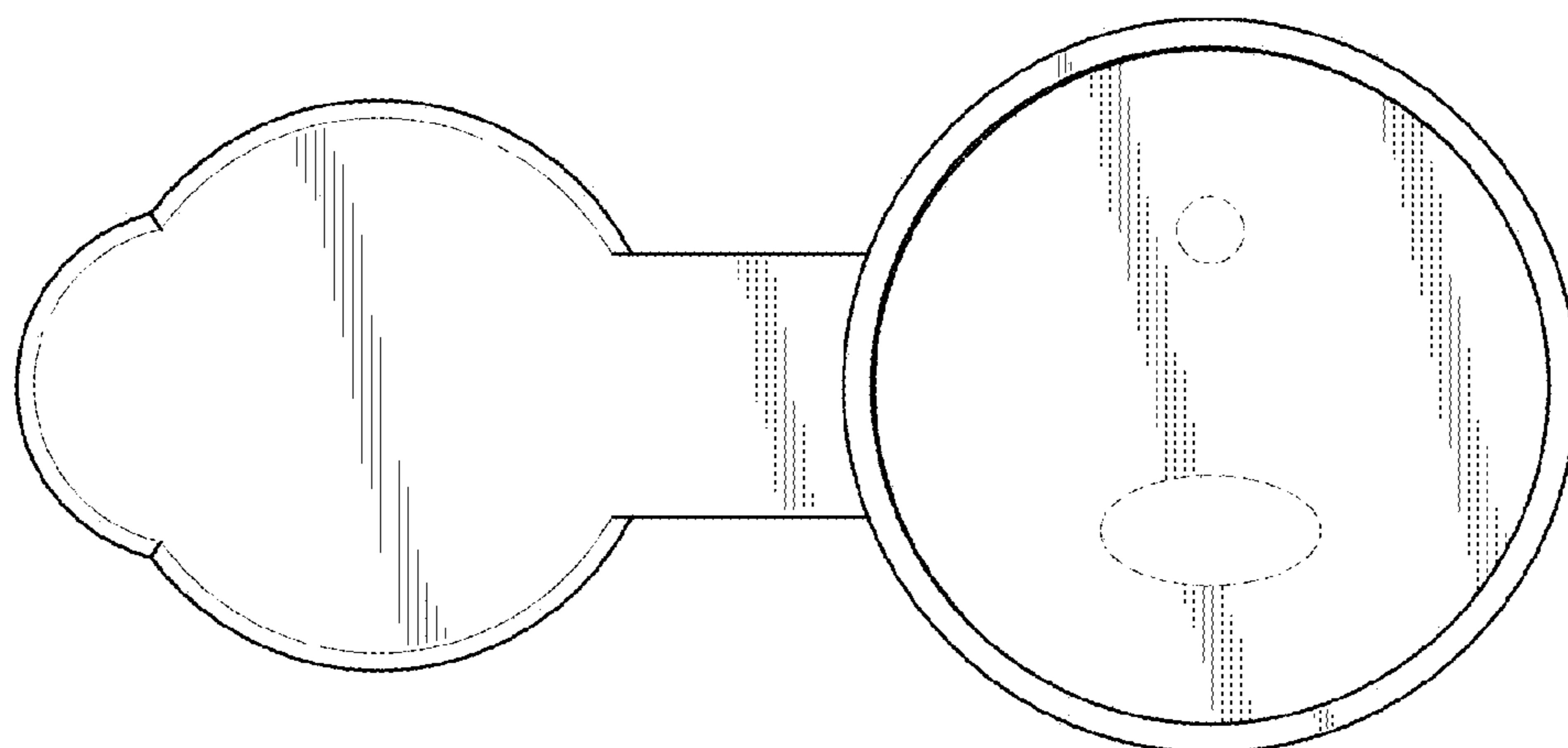


FIG. 14

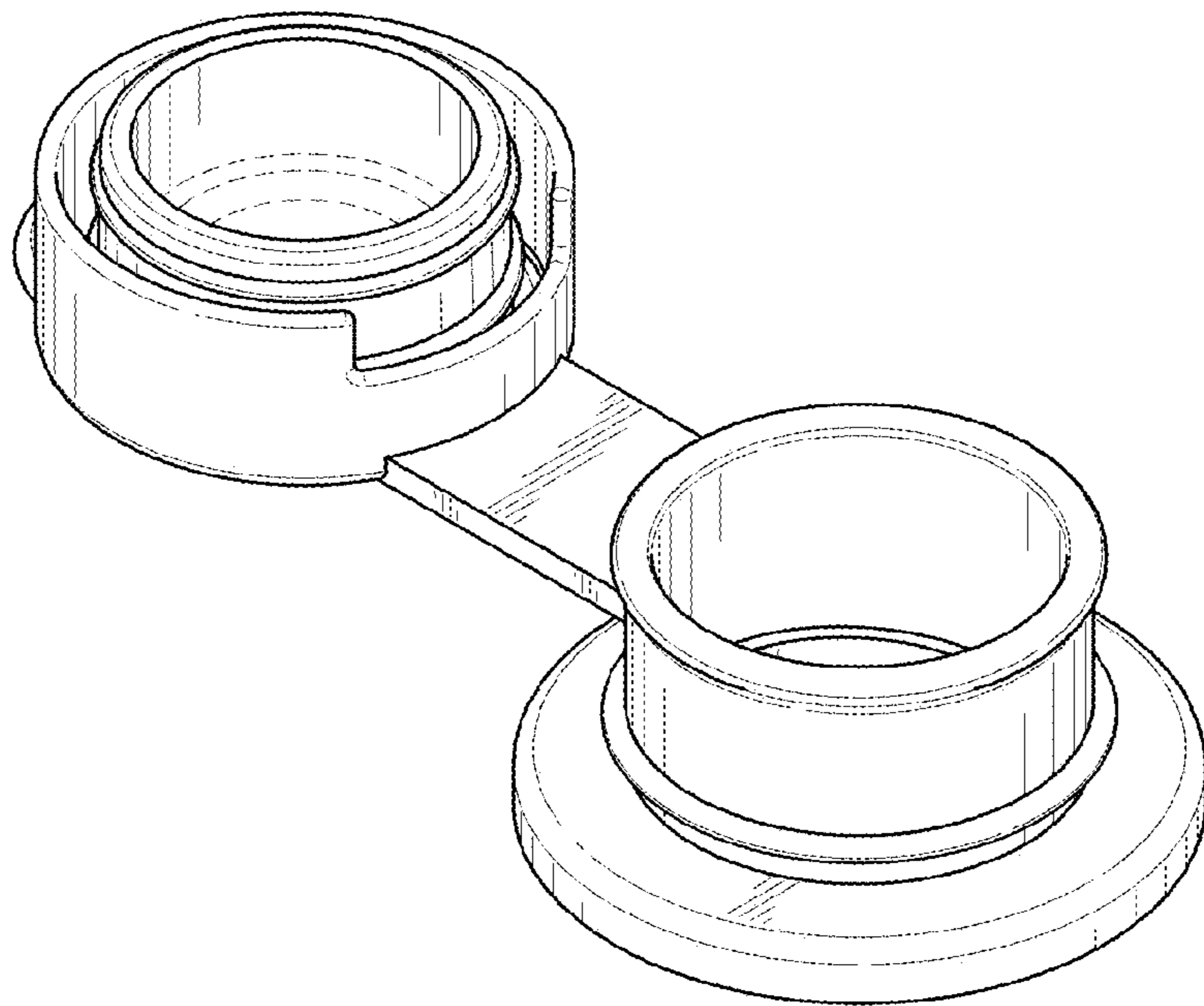


FIG. 15

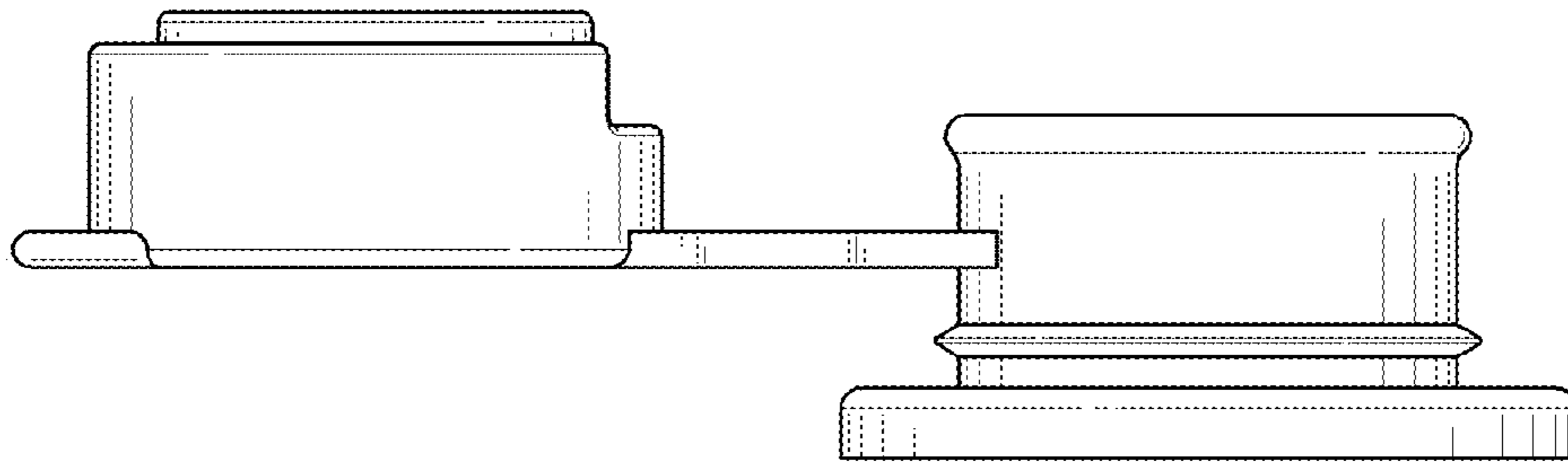


FIG. 16

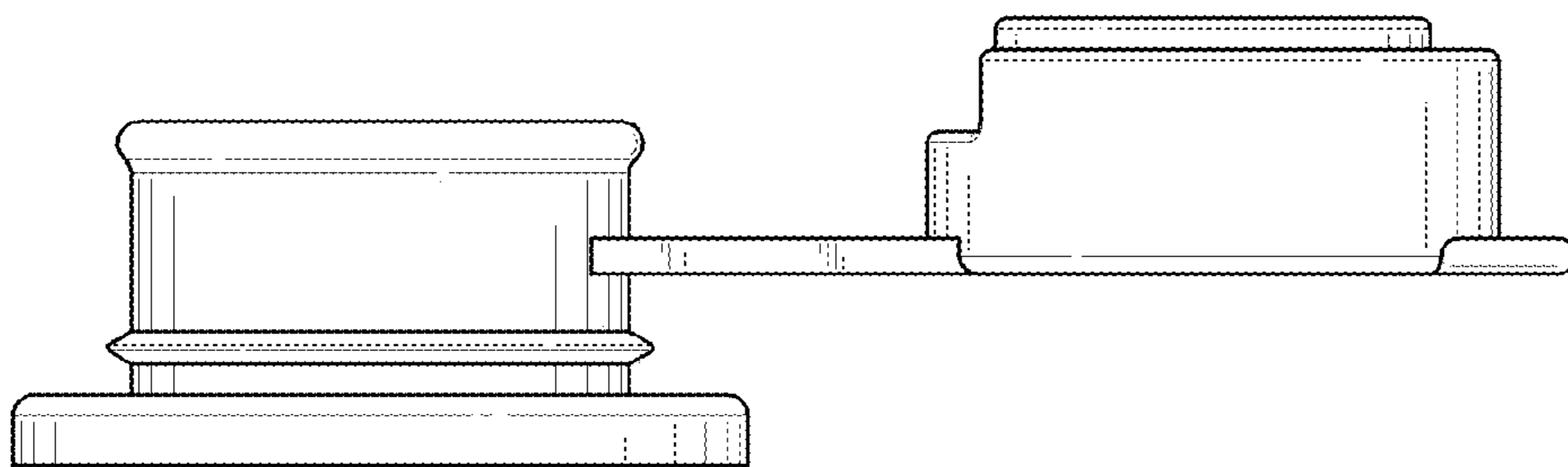


FIG. 17

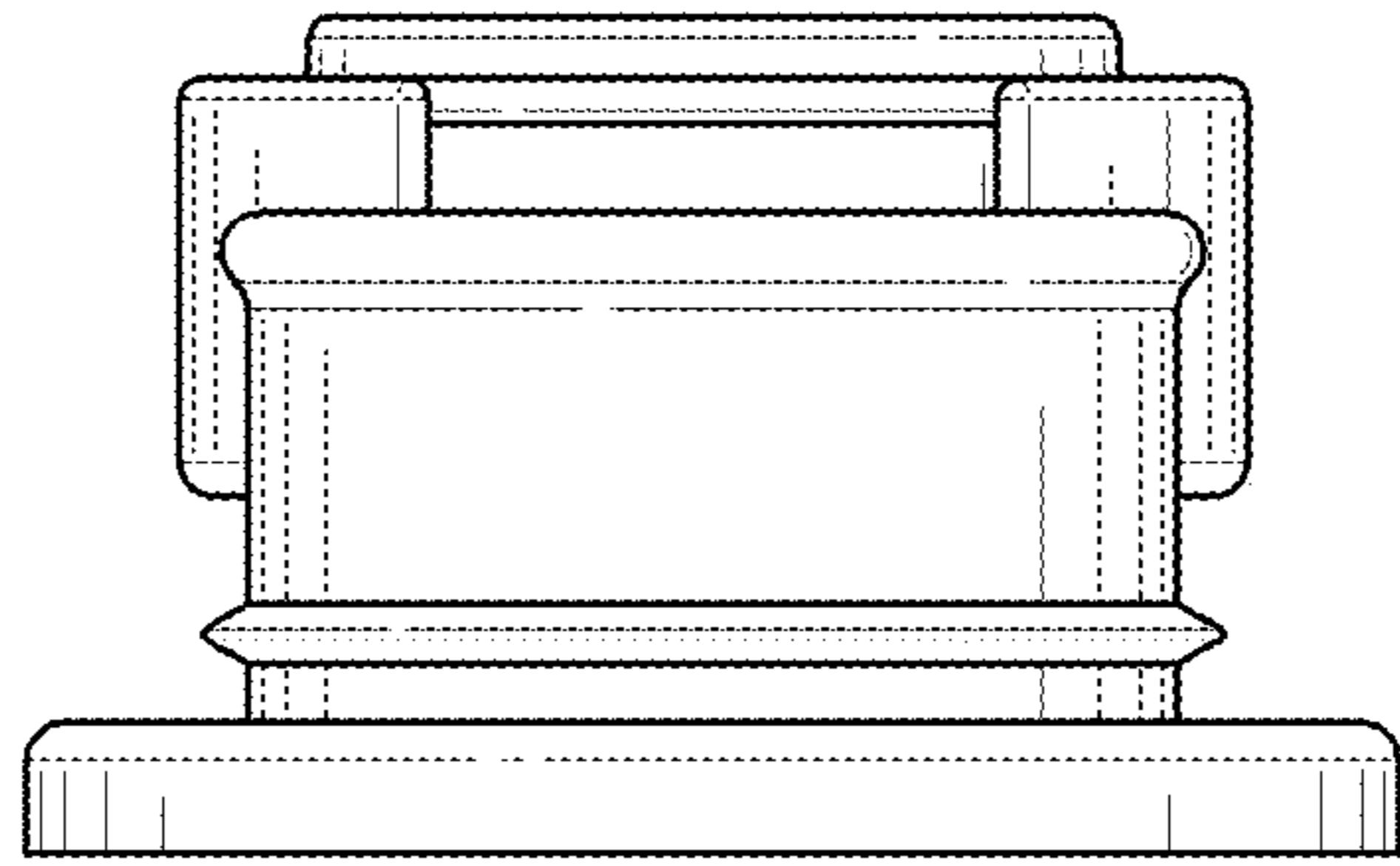


FIG. 18

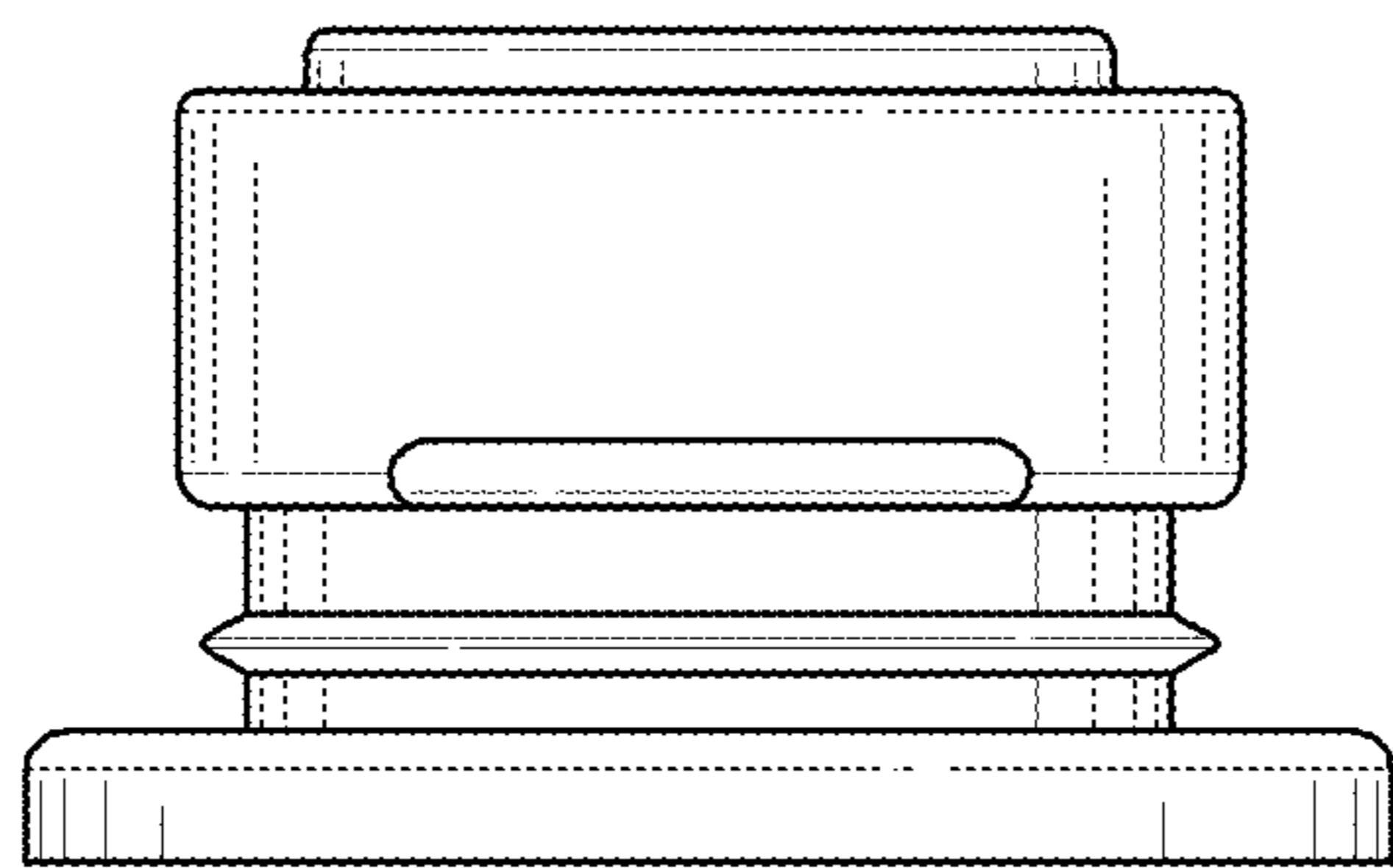


FIG. 19

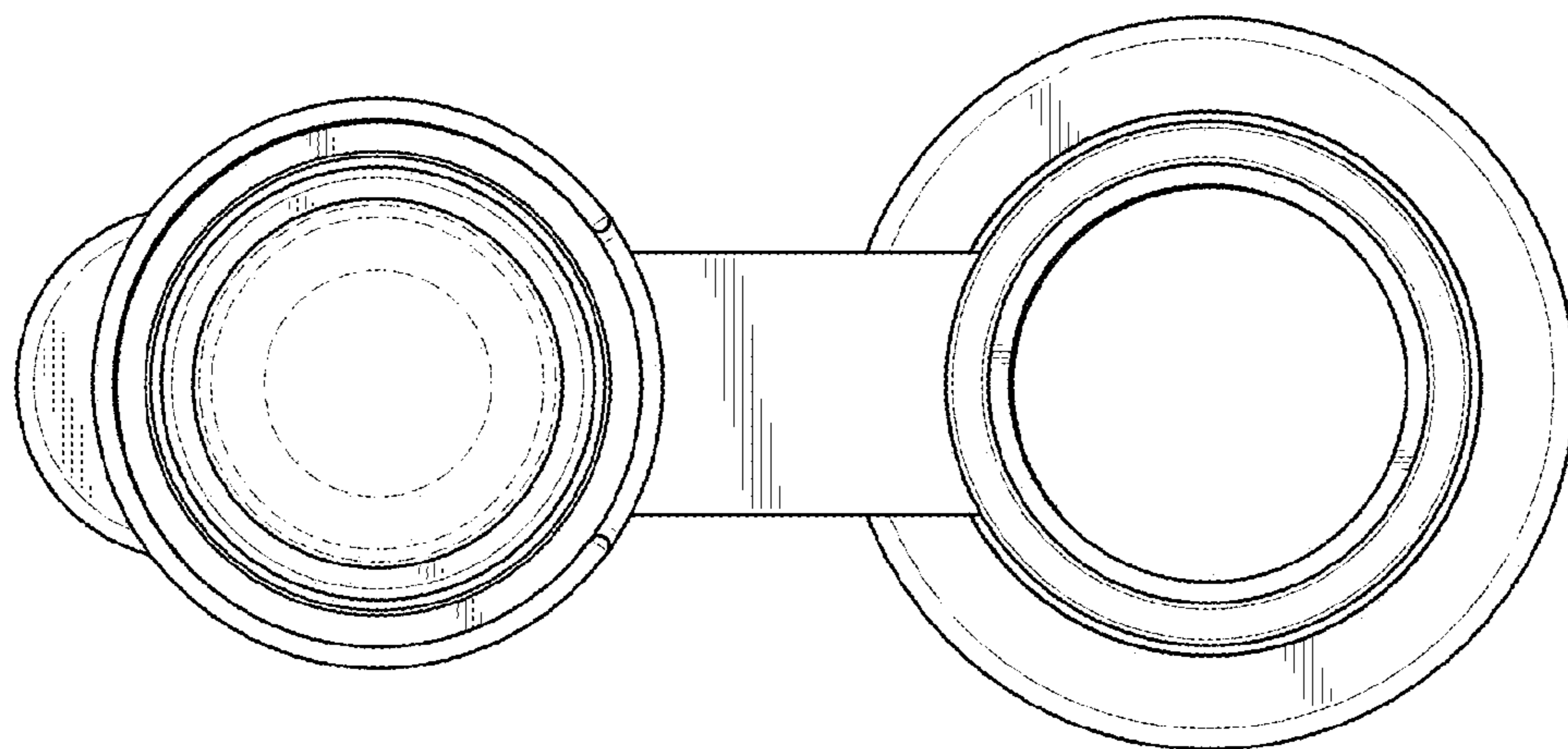


FIG. 20

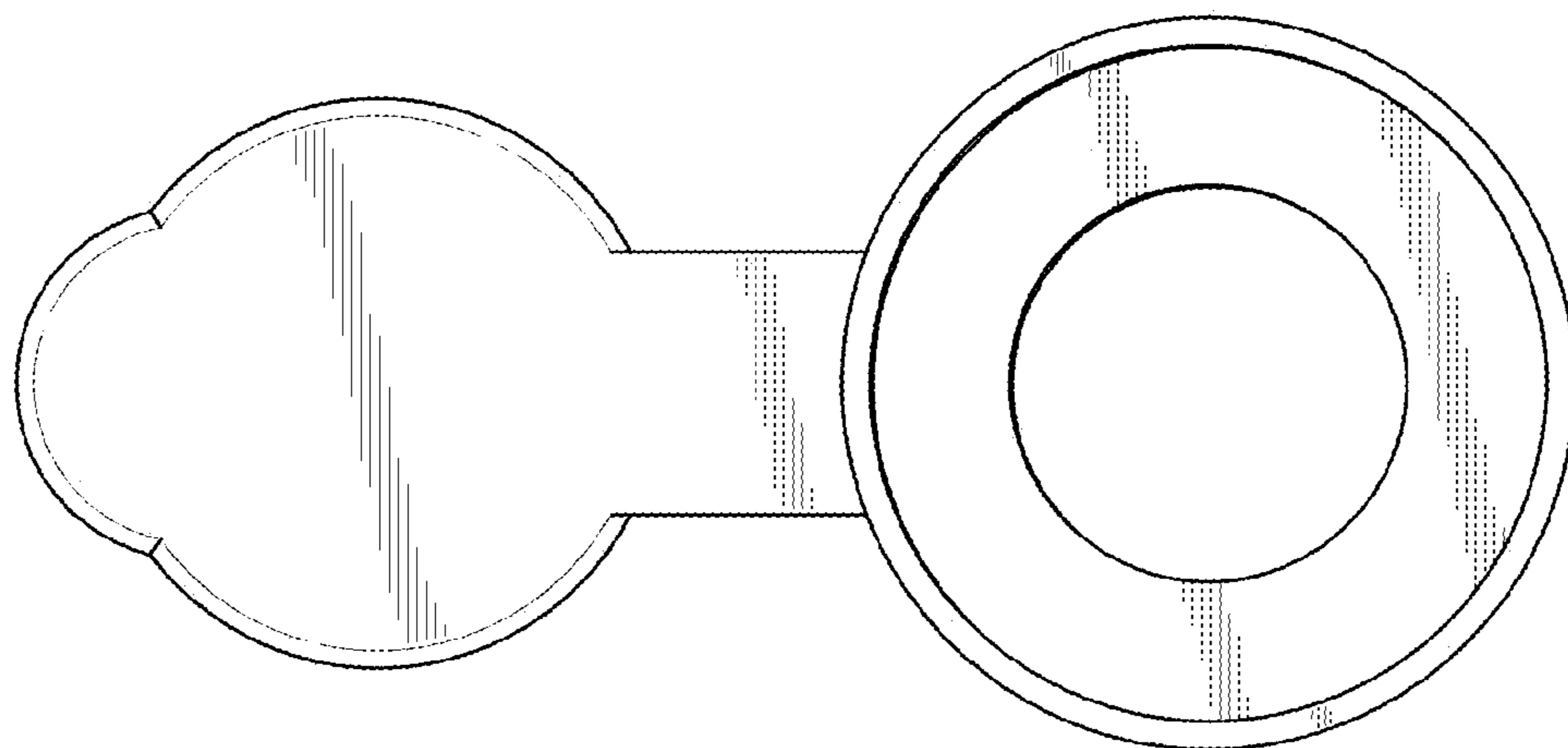


FIG. 21