

US00D760081S

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

(10) **Patent No.:** **US D760,081 S**
(45) **Date of Patent:** **** Jun. 28, 2016**

(54) **SPOUT**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **Silgan White Cap LLC**, Downers Grove, IL (US)

DE 296 09 596 U1 10/1996
JP 10-181758 A 7/1998

(Continued)

(72) Inventor: **Gary Berge**, Crystal Lake, IL (US)

OTHER PUBLICATIONS

(73) Assignee: **Silgan White Cap LLC**, Downers Grove, IL (US)

Flexible Packaging. Silgan White Cap to Introduce Secure-Spout Pouch Technology at Global Pouch Forum. Jun. 1, 2014 [online], [site visited Nov. 18, 2015]. Available from Internet, <URL:http://www.flexpackmag.com/keywords/4416-silgan-white-cap>.*

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

(Continued)

(21) Appl. No.: **29/507,935**

(22) Filed: **Oct. 31, 2014**

Primary Examiner — Robert M Spear

(51) **LOC (10) Cl.** **09-07**

Assistant Examiner — Darcey E Heflin

(52) **U.S. Cl.**
USPC **D9/447**

(74) *Attorney, Agent, or Firm* — Reinhart Boerner Van Deuren S.C.

(58) **Field of Classification Search**
USPC D3/318; D7/396.2, 398; D9/434-436, D9/439, 440, 443-446, 449, 452-455, 499, D9/530, 719, 722, 753; 215/252; 222/153.05, 153.06

(57) **CLAIM**
The ornamental design for a spout, as shown and described.

CPC B65D 41/3409; B65D 41/3419
See application file for complete search history.

DESCRIPTION

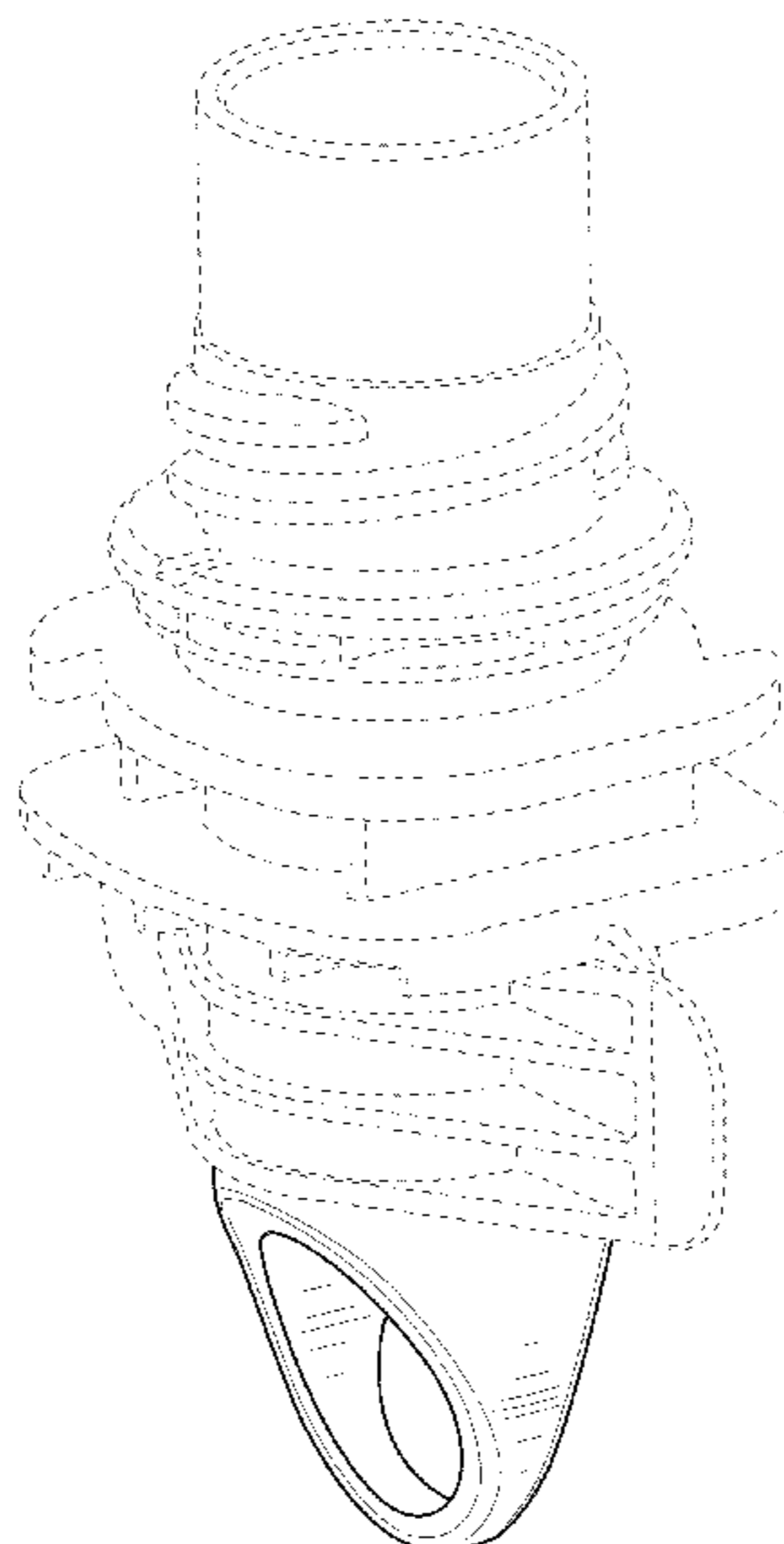
(56) **References Cited**

U.S. PATENT DOCUMENTS

2,148,864 A	2/1939	Kistner	
D190,204 S *	4/1961	Magnusson	D9/443
3,463,341 A	8/1969	Filedts	
D218,961 S *	10/1970	Kennedy	D9/438
4,305,516 A	12/1981	Perne	
D272,324 S	1/1984	Mumford et al.	
D273,368 S *	4/1984	Hayes	D9/434
4,503,986 A	3/1985	Nixdorff et al.	
4,505,401 A	3/1985	Berglund	
D278,311 S	4/1985	Brown et al.	
4,573,601 A	3/1986	Berglund	

(Continued)

1 Claim, 8 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

4,653,657 A 3/1987 Papavasiliopoulos
 4,805,791 A 2/1989 Begley
 4,852,751 A 8/1989 Halfacre
 D308,828 S * 6/1990 Magnusson D9/438
 5,040,692 A 8/1991 Julian
 5,295,600 A 3/1994 Kowal
 D359,683 S * 6/1995 Beach D9/434
 D361,265 S 8/1995 Doxey
 5,823,383 A 10/1998 Hins
 5,853,095 A 12/1998 Marshall et al.
 5,927,549 A 7/1999 Wood
 D422,916 S * 4/2000 Herrmann D9/443
 D445,678 S 7/2001 Malmborg
 6,330,959 B1 12/2001 Dark
 D454,066 S * 3/2002 Trabal D9/443
 D460,357 S 7/2002 Kras et al.
 D464,263 S * 10/2002 White D9/447
 D467,501 S 12/2002 Tacchella
 6,557,714 B2 5/2003 Babcock et al.
 D476,565 S 7/2003 Rosén
 6,612,466 B1 9/2003 Malin
 D489,978 S * 5/2004 Brown D9/440
 6,783,014 B2 8/2004 Luker
 6,811,047 B1 11/2004 Hicks et al.
 6,860,406 B2 3/2005 Kobetsky et al.
 6,958,033 B1 10/2005 Malin
 D531,030 S * 10/2006 Nukuto D9/443
 D542,654 S 5/2007 Szczesniak
 D542,655 S 5/2007 Szczesniak
 D542,656 S 5/2007 Szczesniak
 D544,348 S 6/2007 Szczesniak
 D547,657 S 7/2007 Tacchella
 D551,975 S 10/2007 Gomoll et al.
 D552,483 S 10/2007 Rigardo
 D564,884 S 3/2008 Rittman
 D568,740 S * 5/2008 Williams D9/436
 D572,585 S * 7/2008 Perrin D9/443
 D574,241 S * 8/2008 Braukmann D9/453
 D579,332 S 10/2008 Krivoshein
 D585,276 S * 1/2009 Hsu D9/434
 D600,973 S * 9/2009 Lane D7/387
 7,677,422 B2 3/2010 Lee
 D616,743 S * 6/2010 Cresswell D9/443
 D616,744 S * 6/2010 Cresswell D9/443
 D617,187 S * 6/2010 Murray D9/435
 7,735,666 B2 6/2010 Niwa et al.
 7,753,233 B2 7/2010 Umenaka
 D620,798 S * 8/2010 Cresswell D9/443
 D621,257 S * 8/2010 Gullickson D9/443
 D621,258 S * 8/2010 Gullickson D9/443
 D631,349 S 1/2011 Arnell et al.
 7,882,977 B2 2/2011 Johnson
 D633,386 S 3/2011 Taber et al.
 D634,199 S 3/2011 Taber et al.
 D634,200 S 3/2011 Taber et al.
 8,105,226 B2 1/2012 Wada
 D661,185 S 6/2012 Battat
 8,231,020 B2 7/2012 Taber et al.
 8,231,025 B2 7/2012 Johnson
 D672,238 S * 12/2012 Aziz D7/510
 D672,241 S * 12/2012 Sawicki D9/449
 D673,050 S * 12/2012 Pennington, IV D9/531
 D679,597 S 4/2013 Tamarindo
 D682,688 S * 5/2013 Murray D32/32
 8,443,999 B1 5/2013 Reinders
 D684,055 S 6/2013 Kwon
 D684,056 S 6/2013 Kwon
 D684,057 S 6/2013 Kwon
 D684,058 S 6/2013 Kwon
 D686,495 S * 7/2013 Murray D9/435
 8,528,757 B2 9/2013 Bisio
 D693,220 S 11/2013 Luo
 8,616,394 B2 12/2013 Kim
 D705,061 S * 5/2014 Jo D9/435
 D710,772 S 8/2014 Maiorana et al.

8,807,361 B2 8/2014 Luo
 D712,266 S * 9/2014 Romer D9/454
 D712,743 S 9/2014 Neputy et al.
 D712,744 S 9/2014 Neputy et al.
 8,950,939 B2 * 2/2015 Last B65D 75/5883
 215/252
 D735,578 S * 8/2015 Mazurkiewicz D9/443
 D747,136 S * 1/2016 Lane D7/396.2
 D747,918 S * 1/2016 Herbst D7/392.1
 2004/0200797 A1 10/2004 Hicks et al.
 2004/0245286 A1 12/2004 Lee
 2005/0011911 A1 1/2005 Vaughan
 2005/0040181 A1 2/2005 Kurosawa et al.
 2005/0139607 A1 6/2005 Kobetsky et al.
 2005/0205438 A1 9/2005 Hierzer et al.
 2008/0124432 A1 5/2008 Ma
 2008/0135513 A1 6/2008 Umenaka
 2009/0223963 A1 9/2009 Bisio
 2010/0213213 A1 * 8/2010 Albers B65D 41/3409
 222/153.05
 2011/0210122 A1 9/2011 Benoit-Gonin et al.
 2012/0211460 A1 8/2012 Tamarindo
 2012/0325769 A1 12/2012 Essebaggers et al.
 2013/0270270 A1 10/2013 Reinders
 2014/0010481 A1 1/2014 Last et al.
 2014/0048536 A1 2/2014 Bisio
 2014/0263475 A1 9/2014 Totten
 2015/0129533 A1 * 5/2015 Taber B65D 75/5883
 215/252
 2015/0232237 A1 * 8/2015 Berge B65D 47/06
 222/153.06

FOREIGN PATENT DOCUMENTS

JP 10-258850 9/1998
 JP 2002-104447 A 4/2002
 JP 2011/246128 12/2011
 JP 2014-019447 2/2014
 KR 2002-0024043 3/2002
 WO WO 2008/050361 A1 6/2004
 WO WO 2004/045977 A1 5/2008

OTHER PUBLICATIONS

U.S. Appl. No. 14/182,130, filed Feb. 17, 2014, Berge et al.
 U.S. Appl. No. 14/077,868, filed Nov. 12, 2013, Taber et al.
 U.S. Appl. No. 29/472,406, filed Nov. 12, 2013, Taber et al.
 U.S. Appl. No. 29/449,192, filed Mar. 14, 2013, Neputy et al.
 U.S. Appl. No. 29/449,157, filed Mar. 14, 2013, Neputy et al.
 Silgan White Cap, Secure-Spout—9mm Spout with Fitment Brochure, believed to be publically available on Jun. 11, 2014 2014 and representative of closure and spout believed to be publically available on Jun. 11, 2014, 3 pages.
 U.S. Appl. No. 29/482,293, filed Feb. 17, 2014, Gary Berge et al.
 Images of Spouts and Closures, document believed to be publicly available at least by Aug. 2012, 1 page.
 Gualapack System, Image of Spouts and Caps, dated Apr. 1, 2013, at <http://www.gualapack.com/img/pagine/prodotti/tappi/1.jpg>, believed to be publicly available from Gualapack System at least by Aug. 2012, 1 page.
 Gualapack System, Image of first stacked caps, dated Apr. 1, 2013, at <http://www.gualapack.com/img/pagine/prodotti/innovazione/1.jpg>, believed to be publicly available from Gualapack System at least by Aug. 2012, 1 page.
 Gualapack System, Image of second stack caps, dated Apr. 1, 2013, at <http://www.gualapack.com/img/pagine/prodotti/innovazione/2.jpg>, believed to be publicly available from Gualapack System at least by Aug. 2012, 1 page.
 Gualapack System, Image of third stacked caps, dated Apr. 1, 2013, at <http://www.gualapack.com/img/pagine/prodotti/innovazione/3.jpg>, believed to be publicly available from Gualapack System at least by Aug. 2012, 1 page.
 International Search Report and Written Opinion for PCT/US2015/056238, mailed Dec. 30, 2015, 11 pages.

* cited by examiner

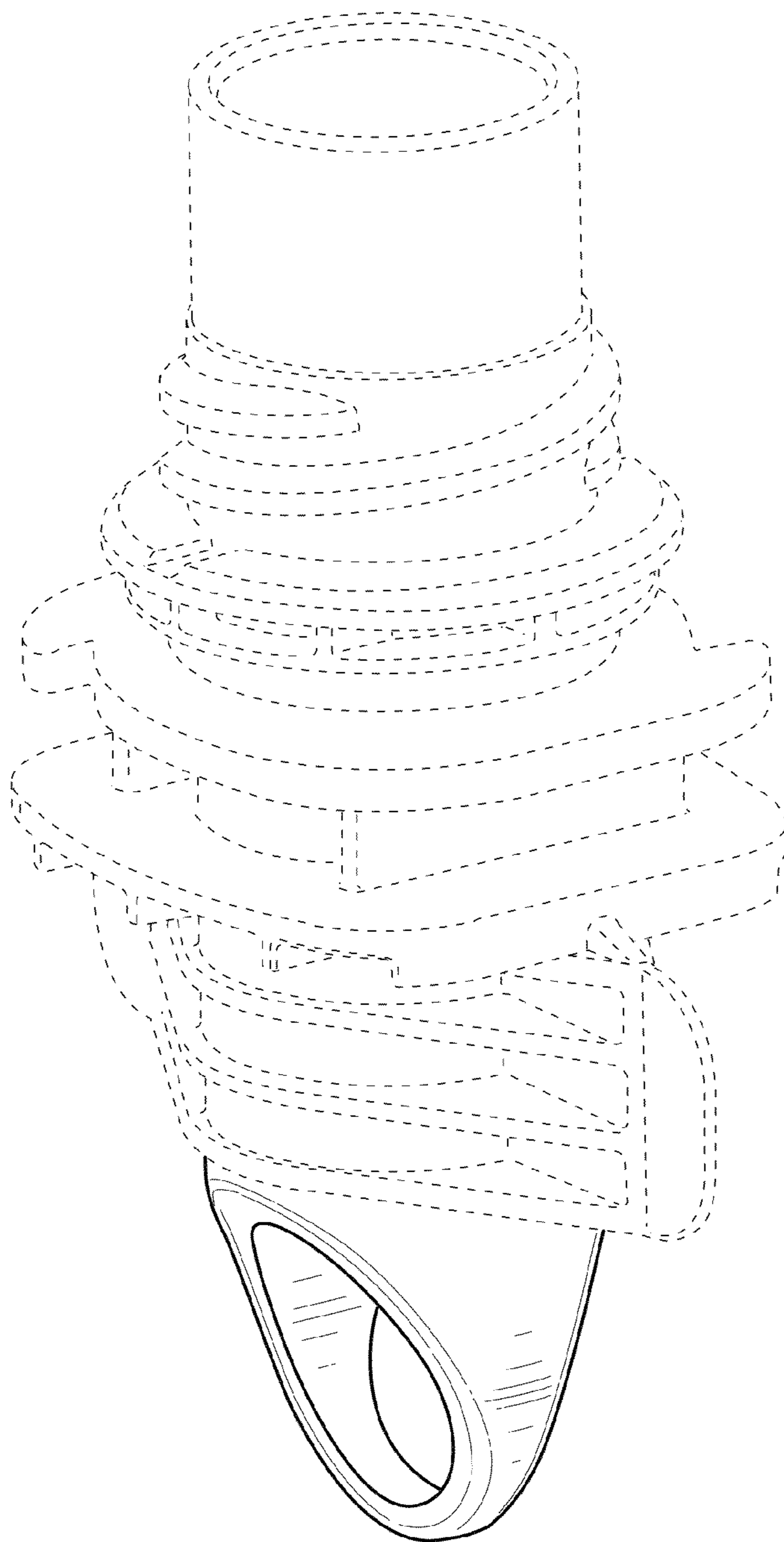


FIG. 1

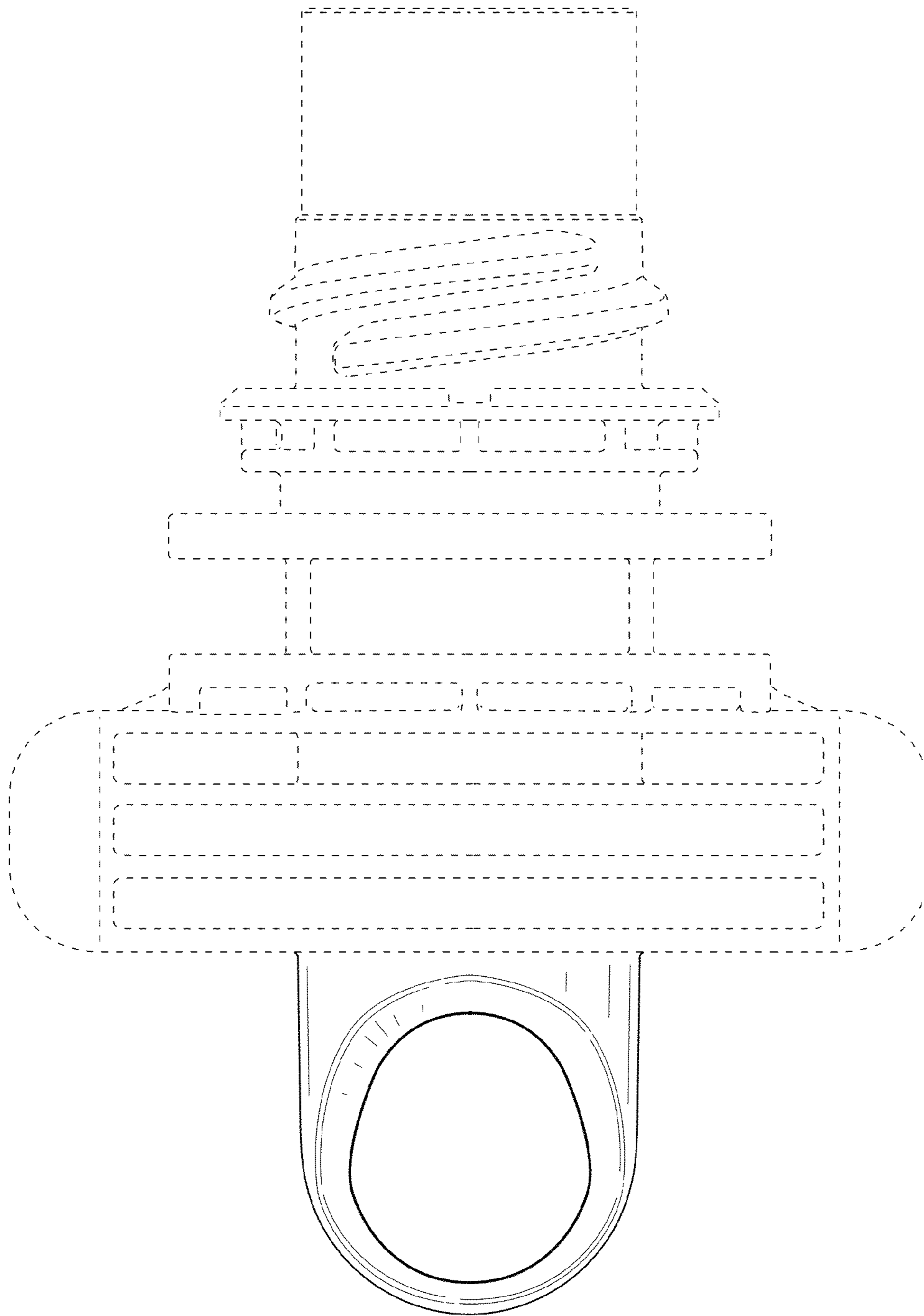


FIG. 2

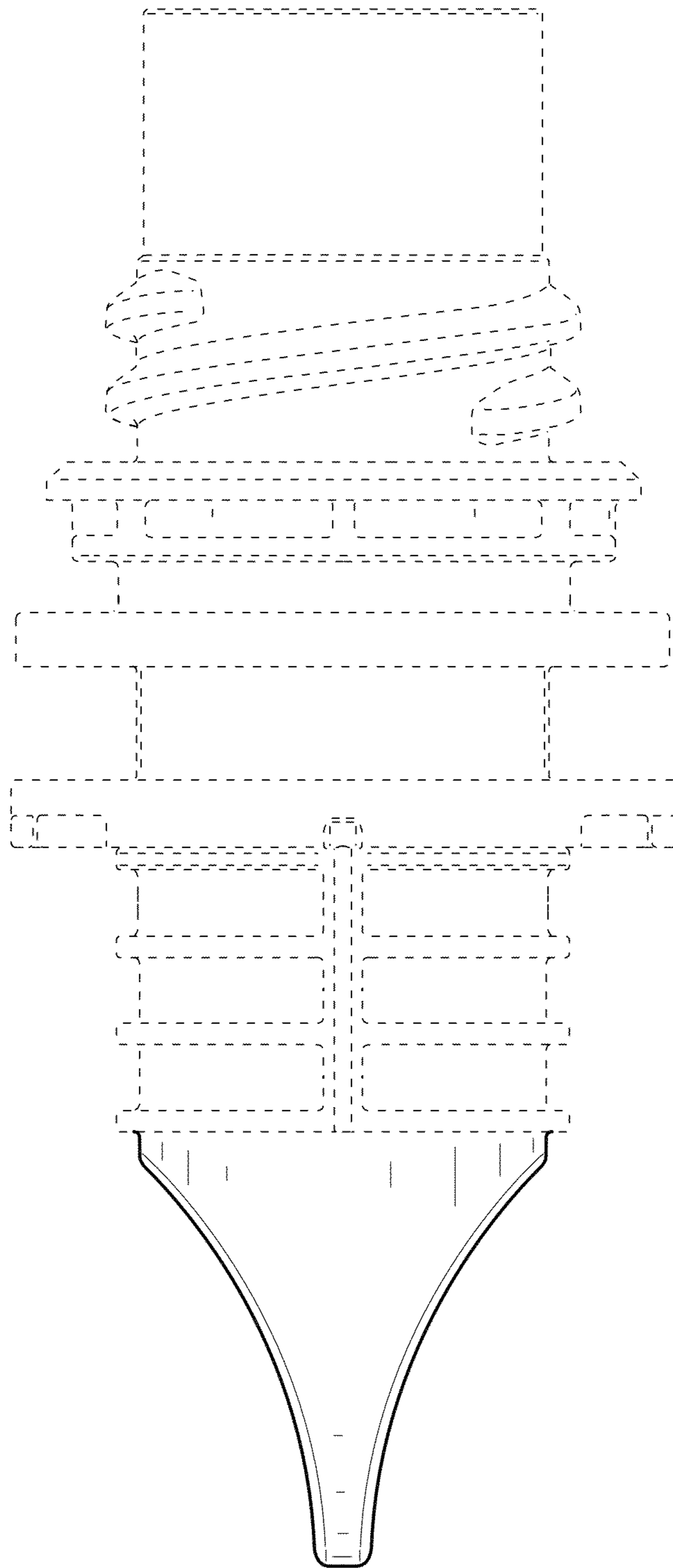


FIG. 3

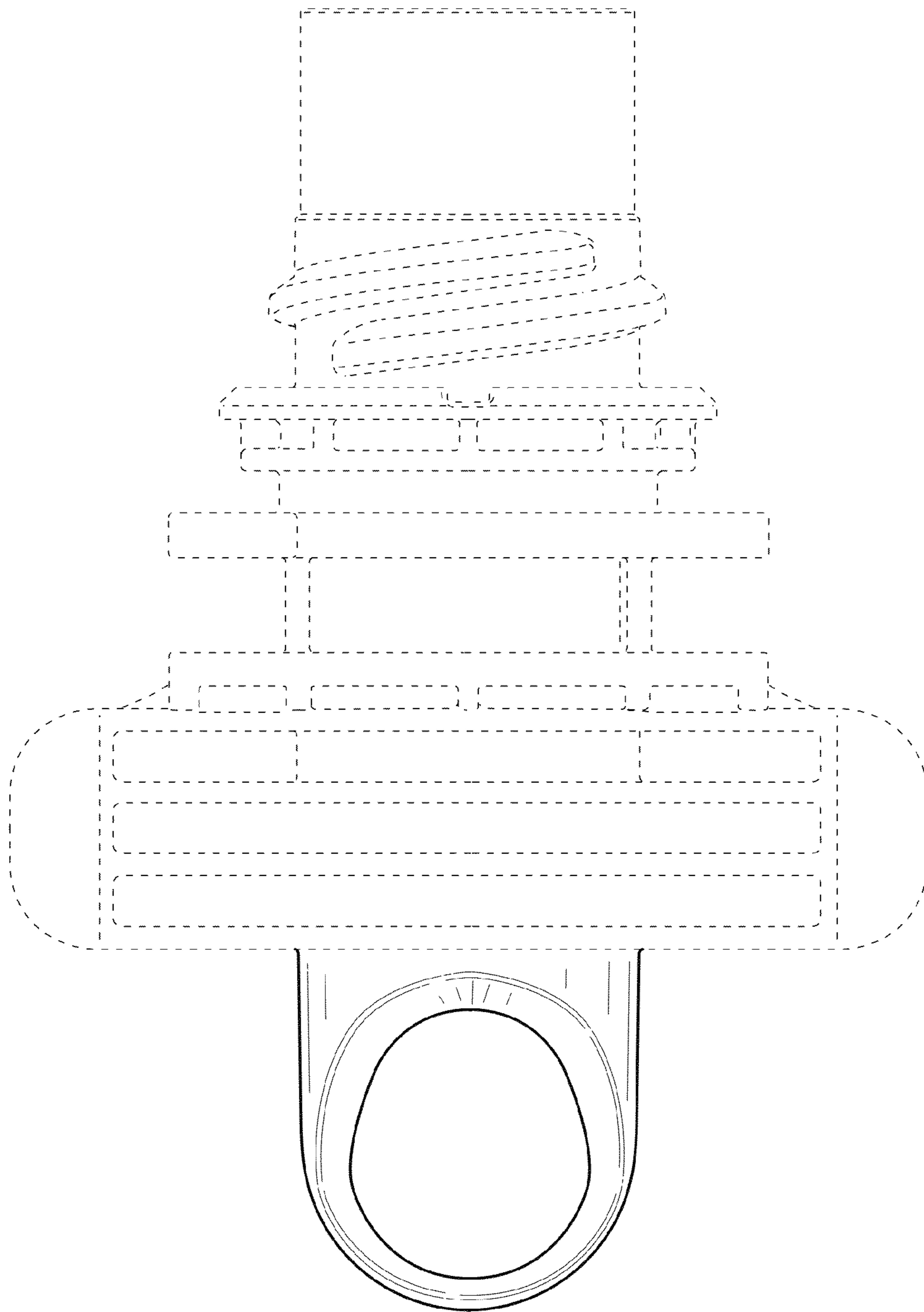


FIG. 4

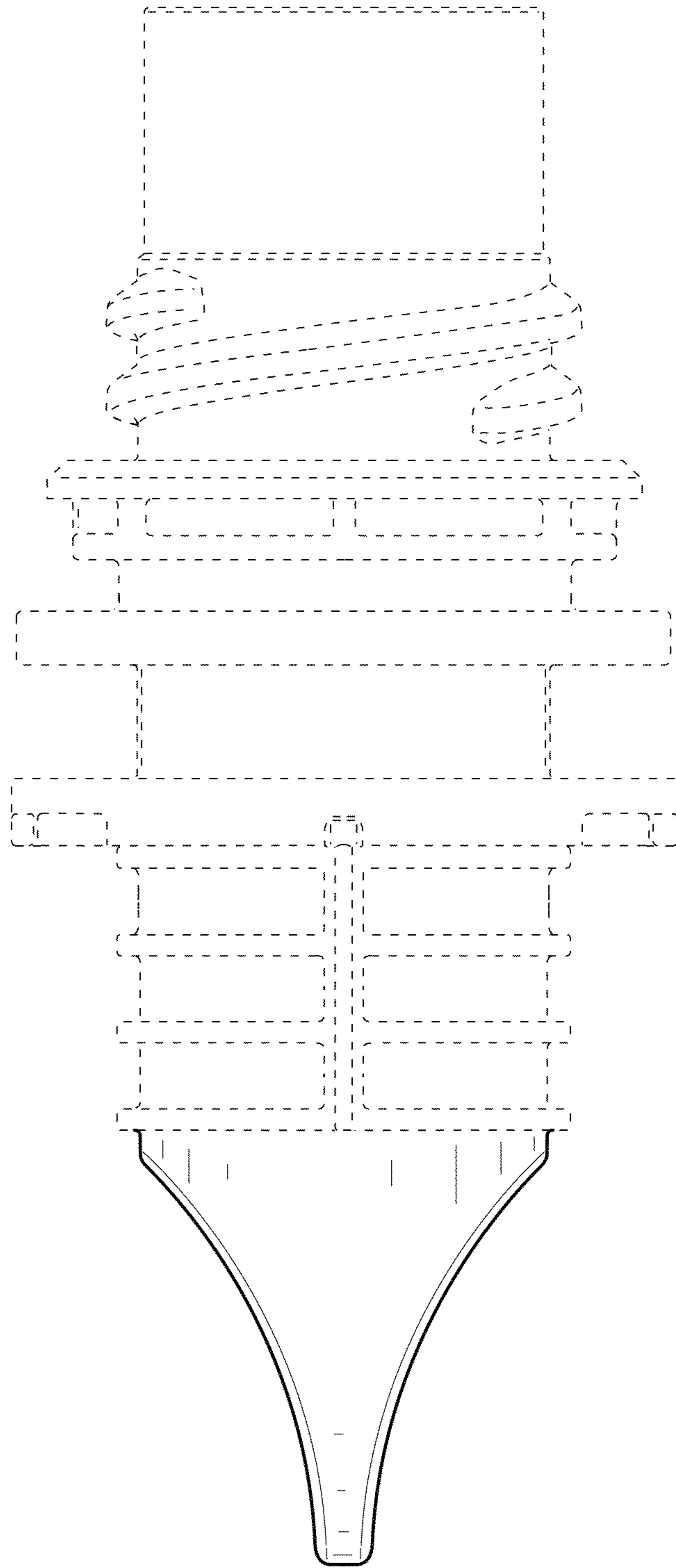


FIG. 5

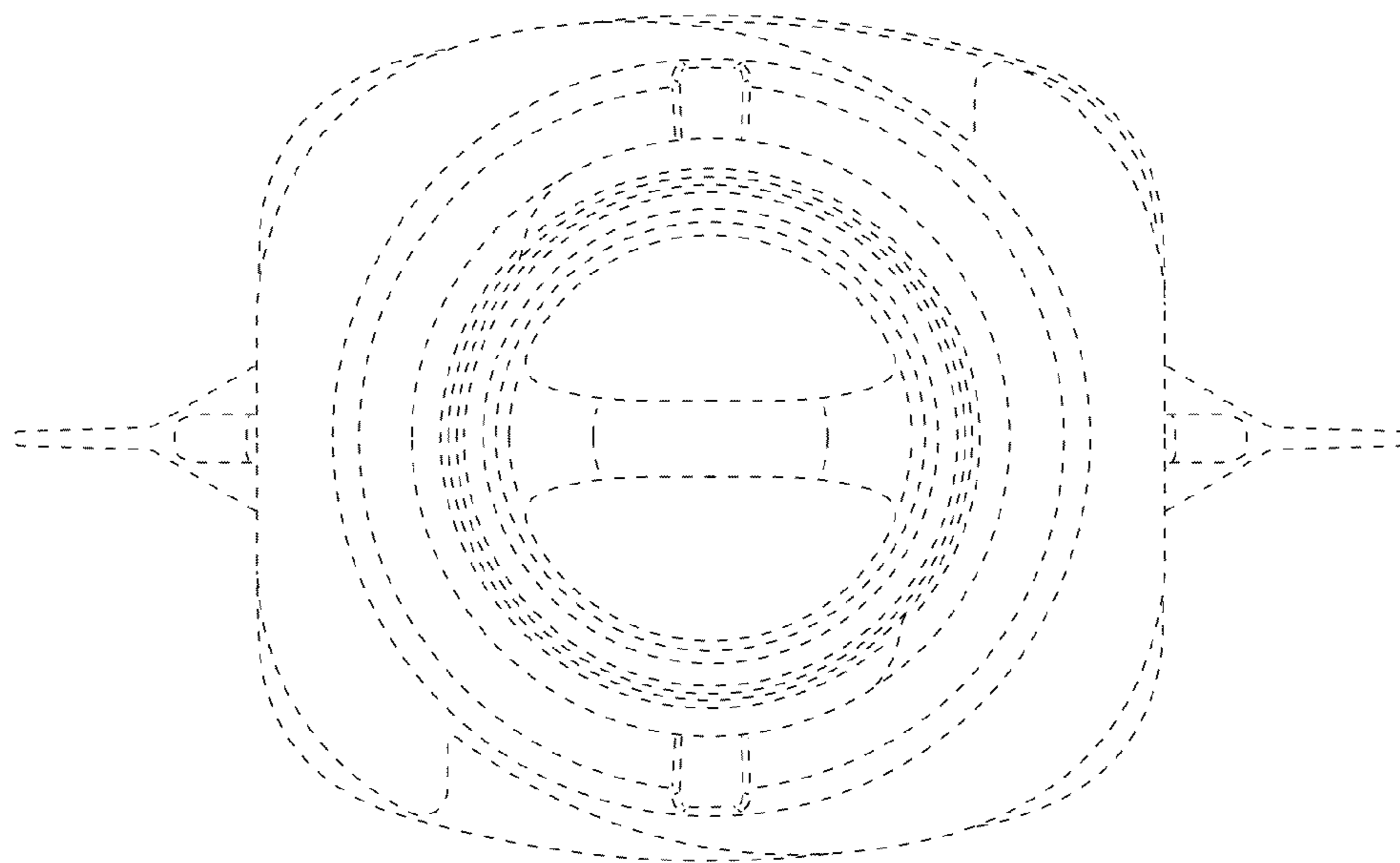


FIG. 6

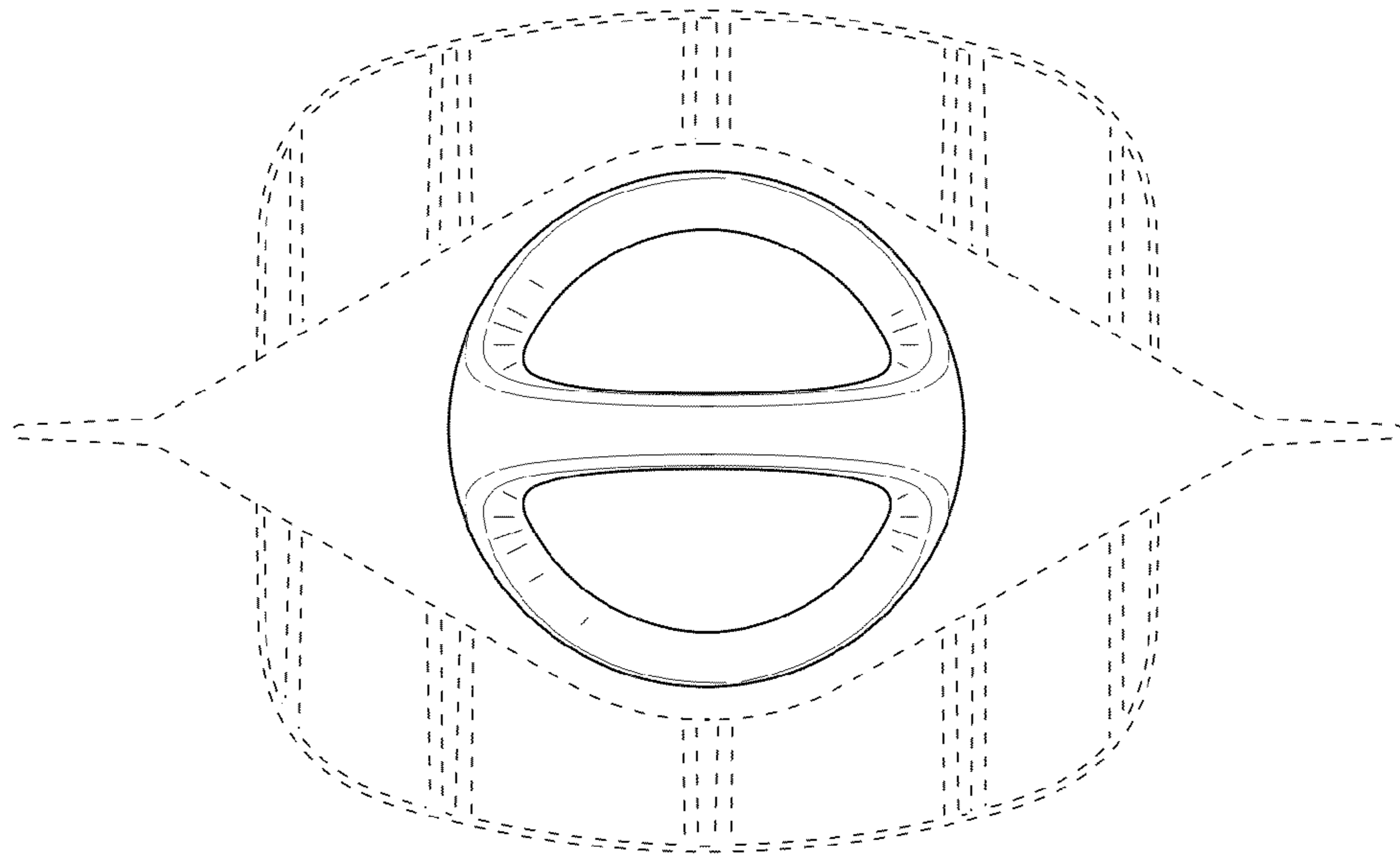


FIG. 7

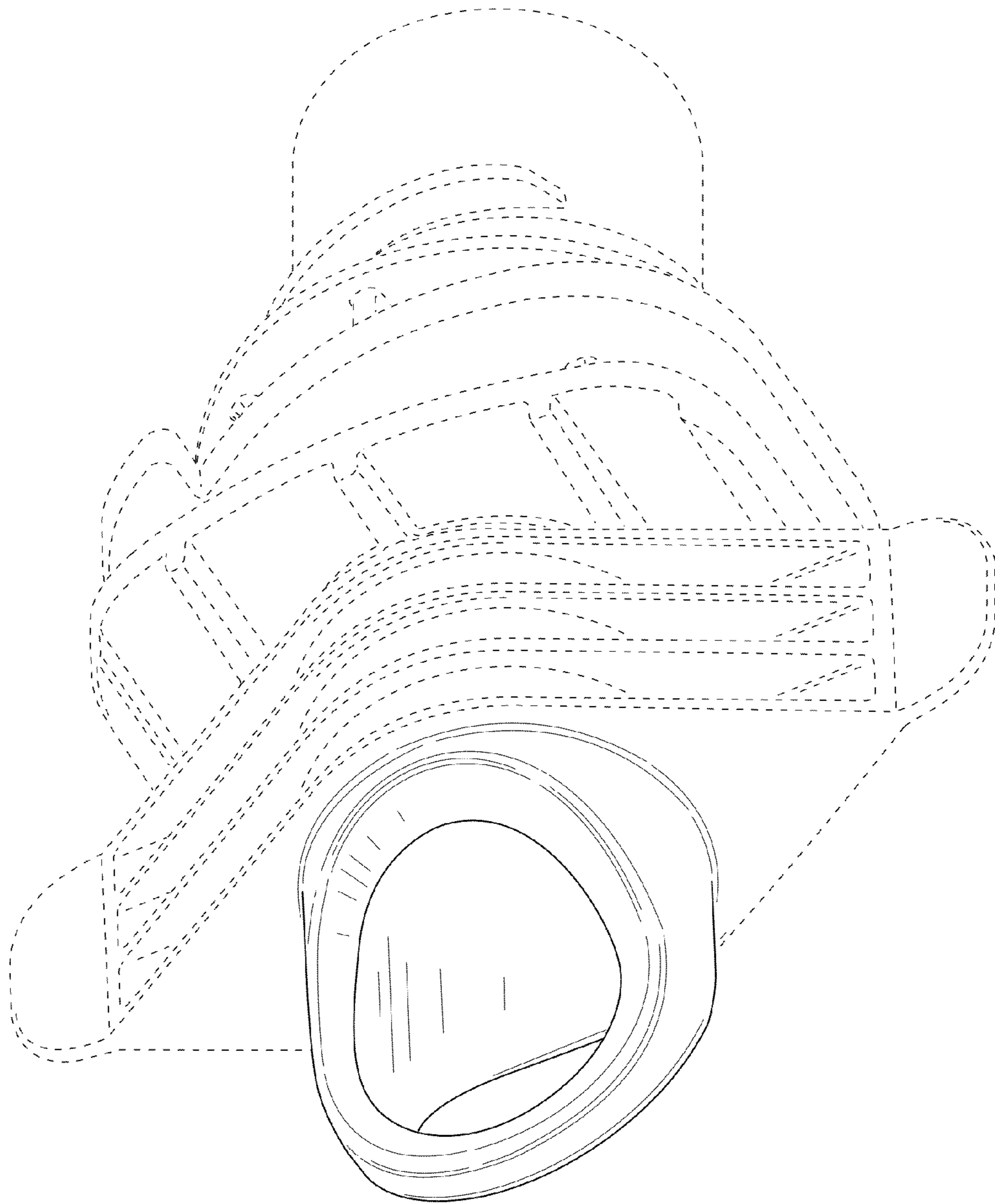


FIG. 8