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

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(54) **CUPCAKE CONTAINER**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **Inline Plastics Corp.**, Monroe, CT (US)

CA 2776018 A1 11/2012
WO WO-2012162378 A1 11/2012

(72) Inventors: **Robert Sellari**, Huntington, CT (US);
Rafael Rivera, Bridgeport, CT (US);
Sameh Guirguis, Monroe, CT (US)

OTHER PUBLICATIONS

(73) Assignee: **Inline Plastics Corp.**, Monroe, CT (US)

Inline Plastics SureLock® Pet Food Container Clear, available May 21, 2015, [online], [site visited Feb. 2, 2016]. Available from internet, <URL: <https://www.pjmarketplace.com/inline-surelockr-hinged-lid-12-count-cupcake-container-pete.html>.*

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

(Continued)

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Primary Examiner — Cathron Brooks

(51) **LOC (10) Cl.** **09-03**

Assistant Examiner — Teddy Falloway

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

(74) *Attorney, Agent, or Firm* — Locke Lord LLP; Barry Kramer; David J. Silvia

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(58) **Field of Classification Search**

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220/4.21–4.24, 555, 556, 810, 836, 837,
220/841, 366.1, 467; D3/206, 270, 294,
D3/273, 20, 203.3, 276, 282, 284, 293,
D3/295–298, 302, 315, 901, 903, 905;
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CPC B65D 1/36; B65D 2543/00194; B65D
2543/00203; B65D 2543/00296; B65D
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See application file for complete search history.

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view showing the underside of an embodiment of the cupcake container of the subject disclosure;

FIG. 2 is a right side view of the cupcake container of FIG. 1; FIG. 3 is a left side view of the cupcake container of FIG. 1; FIG. 4 is a front side view of the cupcake container of FIG. 1; FIG. 5 is a rear side view of the cupcake container of FIG. 1; FIG. 6 is a top plan view of the cupcake container of FIG. 1; FIG. 7 is a bottom plan view of the cupcake container of FIG. 1; and,

FIG. 8 is a view from above illustrating the cupcake container of FIG. 1 in the open configuration.

The broken lines shown are included for the purpose of illustrating portions of the cupcake container that form no part of the claimed design.

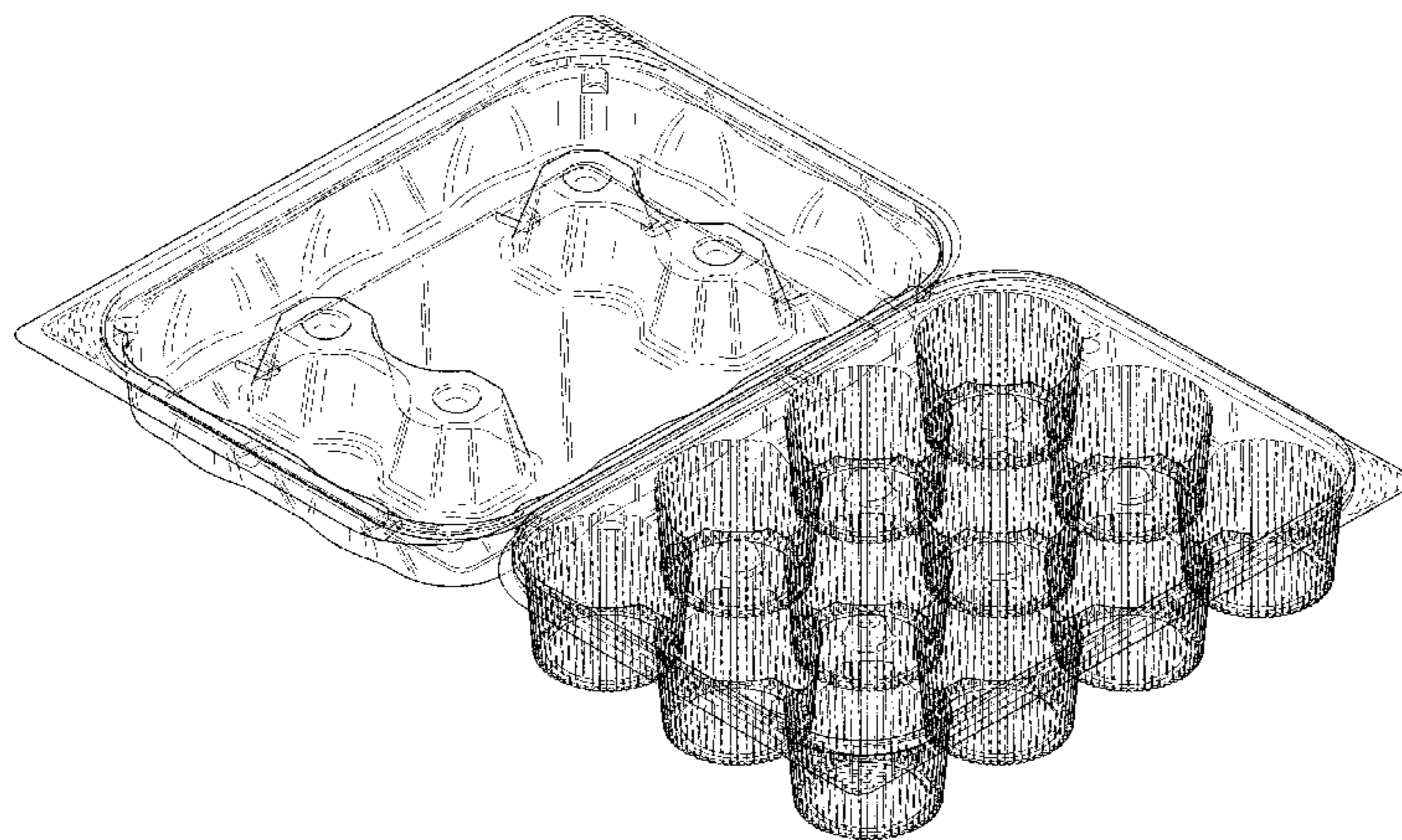
(56) **References Cited**

U.S. PATENT DOCUMENTS

3,234,030 A 2/1966 Knirim
3,512,458 A * 5/1970 Ehe B65D 1/30
206/564

(Continued)

1 Claim, 7 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

3,637,404	A	1/1972	MacManus	
4,193,531	A	3/1980	Saby	
D415,022	S *	10/1999	Gaudet	D9/756
6,003,671	A	12/1999	McDonough et al.	
6,231,906	B1	5/2001	Alessi	
D592,076	S *	5/2009	Sipe	D9/420
D592,077	S *	5/2009	Sipe	D9/420
D616,714	S *	6/2010	Kulzer	D7/701
D625,151	S	10/2010	Matthews	
D661,601	S *	6/2012	Sanfilippo	D9/737
D735,585	S *	8/2015	Tayara	D9/757
D748,992	S *	2/2016	Parikh	D9/761
2004/0251162	A1	12/2004	McGinnis et al.	
2005/0284307	A1	12/2005	Vovan	

2008/0308557	A1*	12/2008	Kyle	B65D 43/0235 220/359.1
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2009/0223966	A1	9/2009	Kidd et al.	
2009/0242569	A1	10/2009	Solmon	
2010/0059580	A1	3/2010	Voigt	
2011/0226663	A1	9/2011	Bushell et al.	
2013/0004625	A1	1/2013	Brummer et al.	

OTHER PUBLICATIONS

Brenmar 12 Count Plastic Cupcake Container, available Nov. 16, 2014, [online], [site visited Feb. 2, 2016]. Available from internet, <URL: [http://www.brenmarco.com/product/12-count-plastic-cupcake-container-2/#prettyPhoto\[product-gallery\]/1/](http://www.brenmarco.com/product/12-count-plastic-cupcake-container-2/#prettyPhoto[product-gallery]/1/)>.*

NASFT Fancy Food Show Bonus, San Francisco, CA (2011)—YouTube screen shot from Trade show, uploaded May 4, 2011.

* cited by examiner

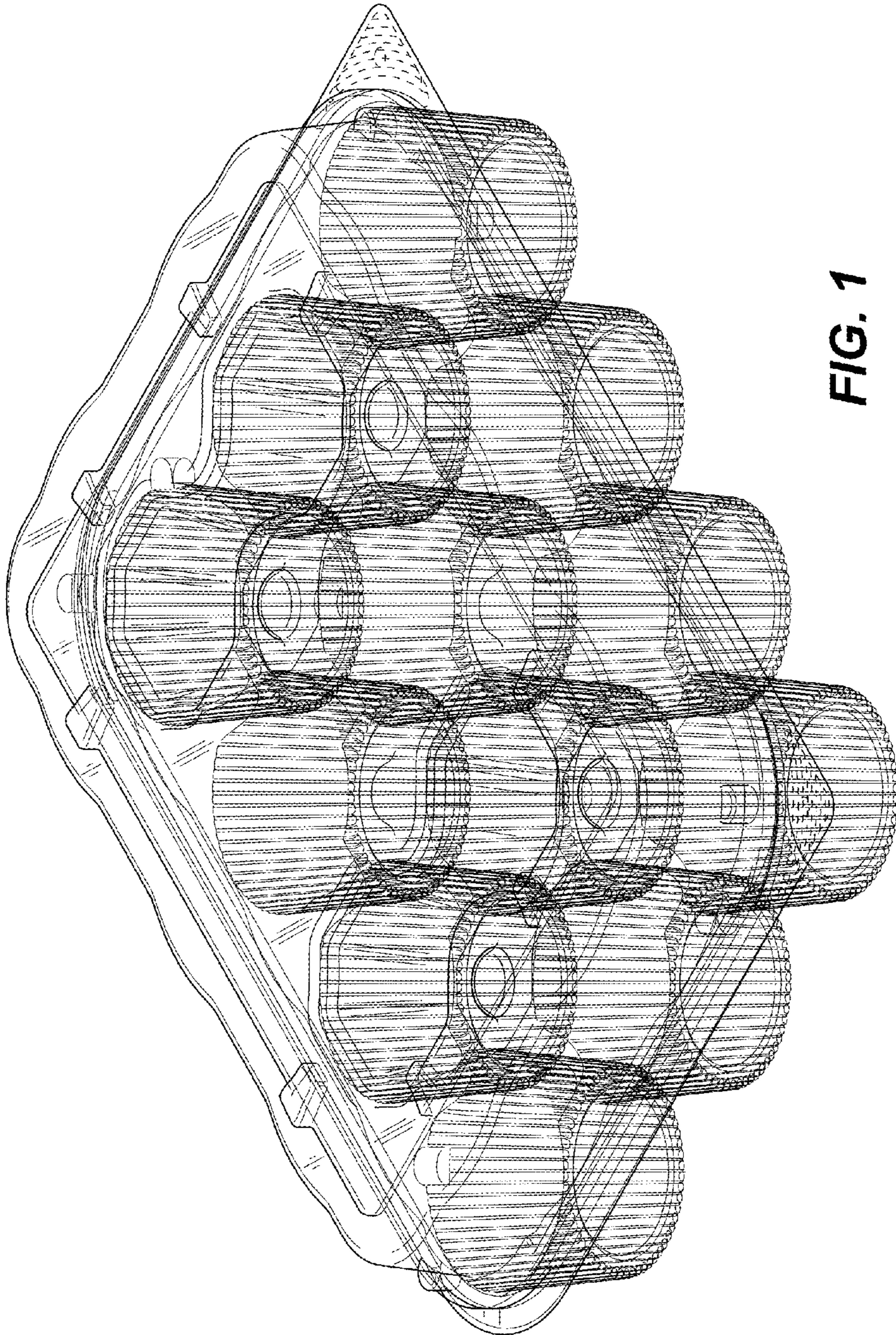


FIG. 1

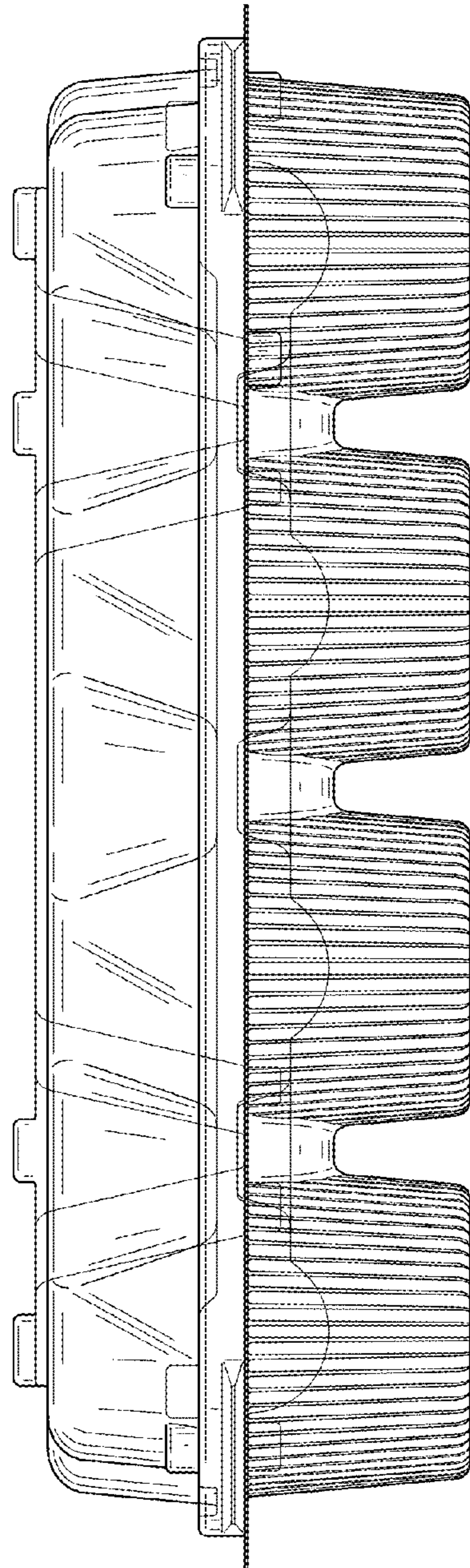


FIG. 2

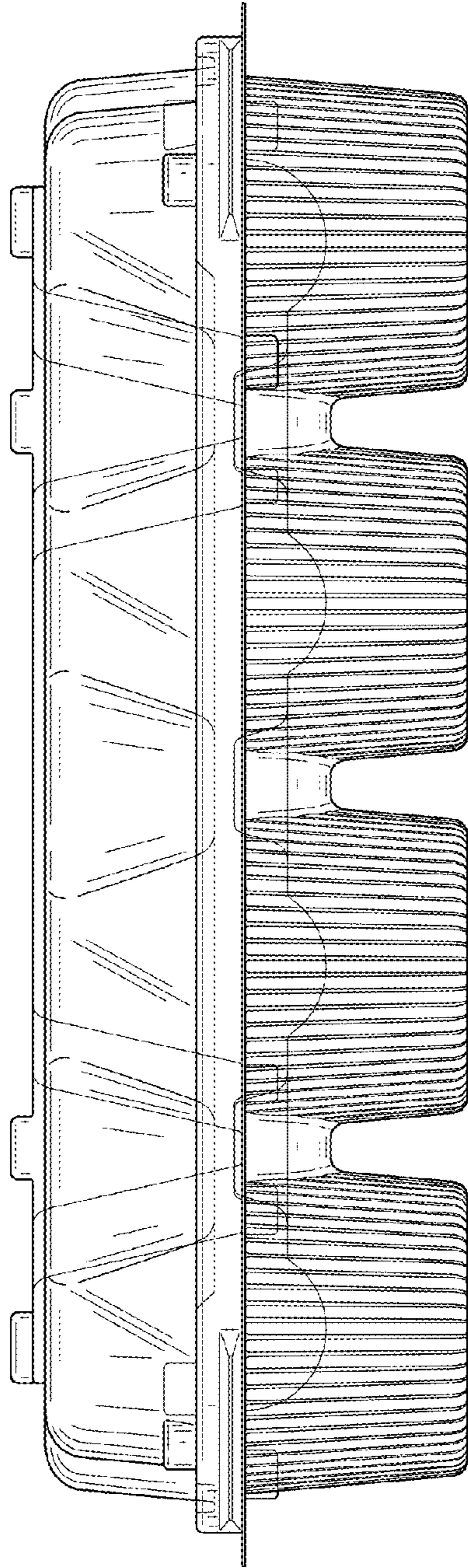


FIG. 3

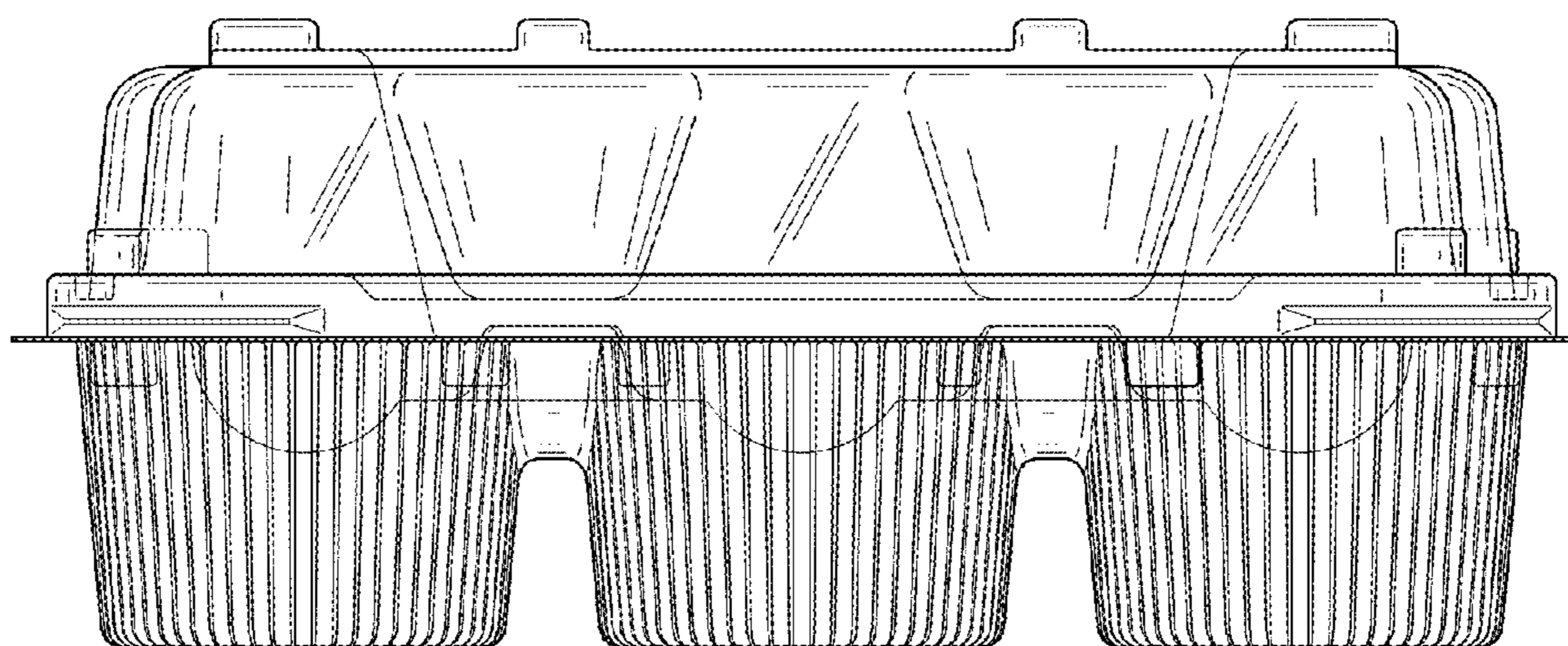


FIG. 4

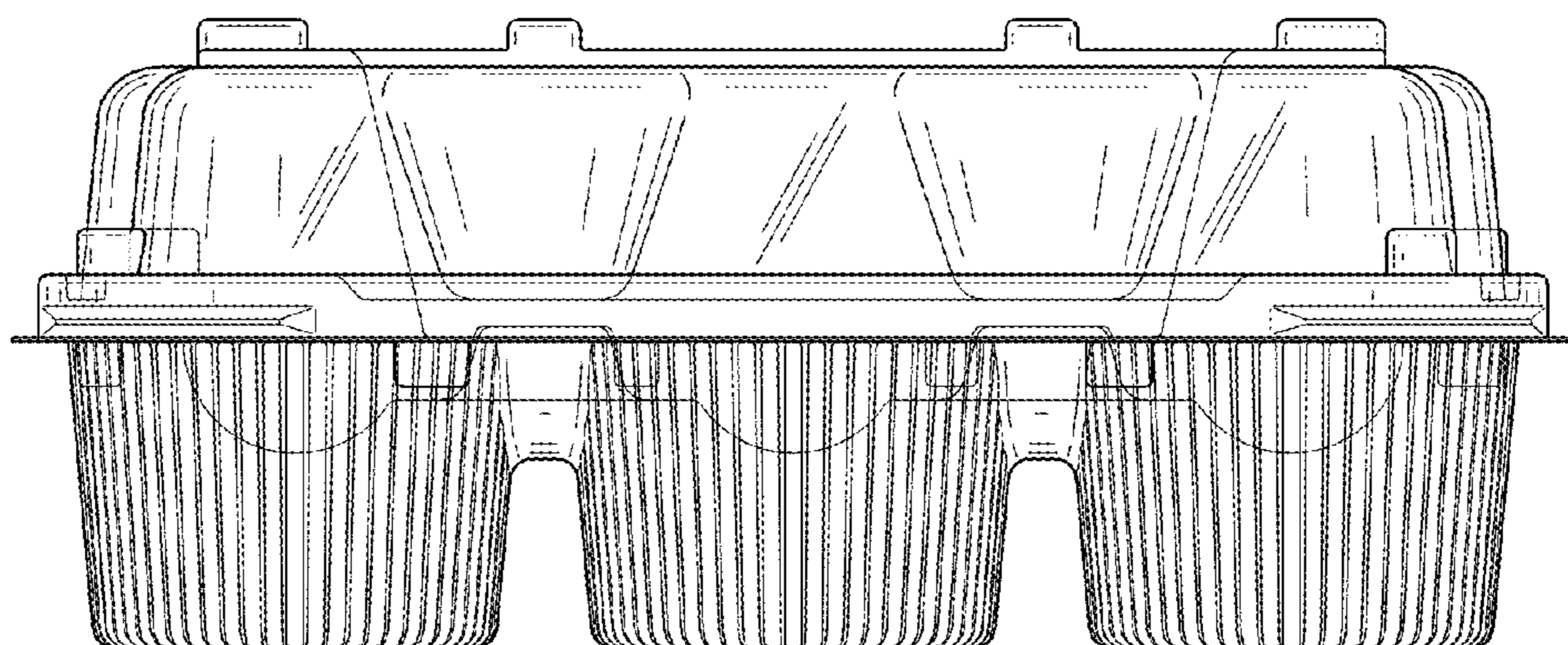


FIG. 5

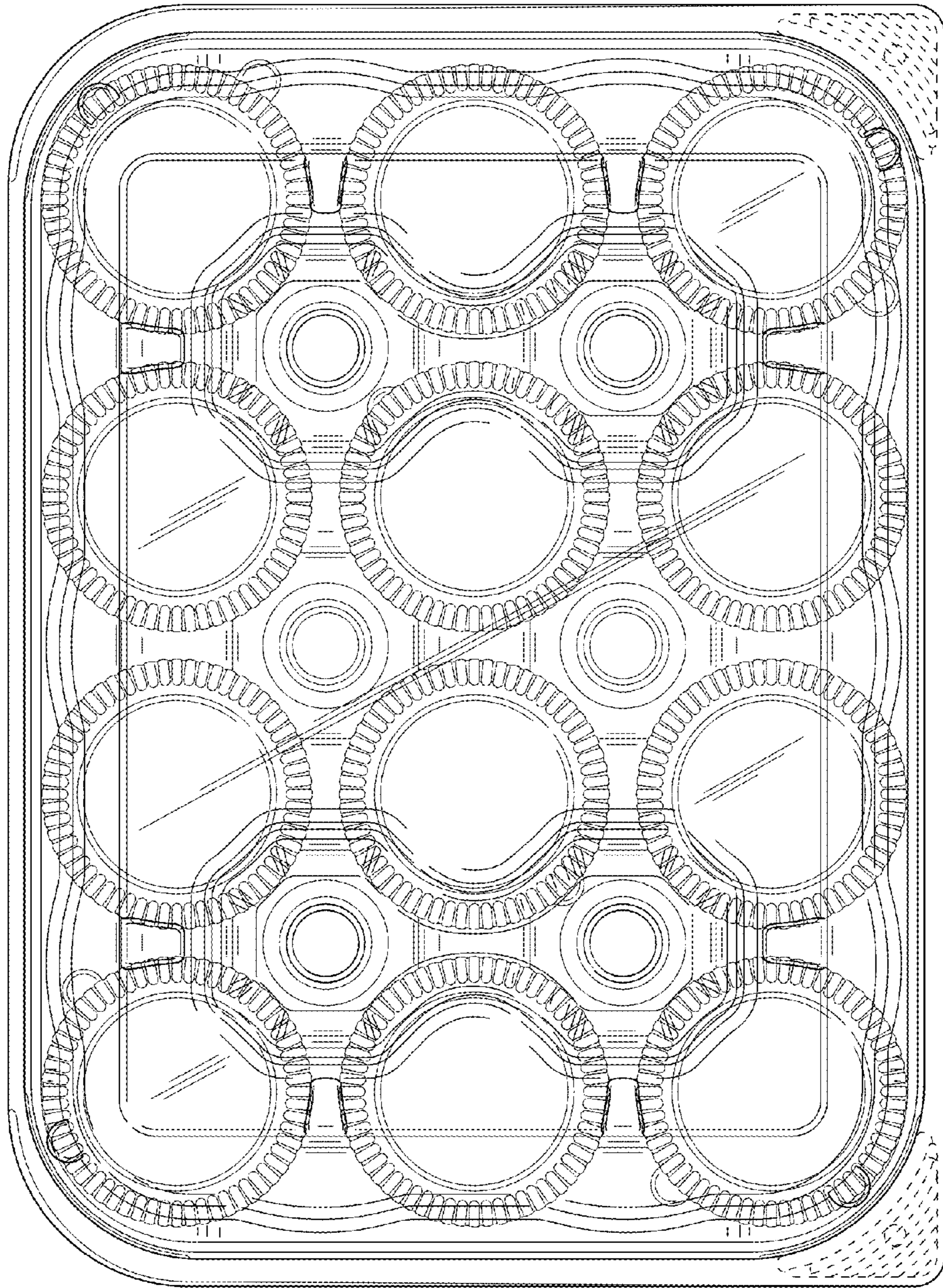


FIG. 6

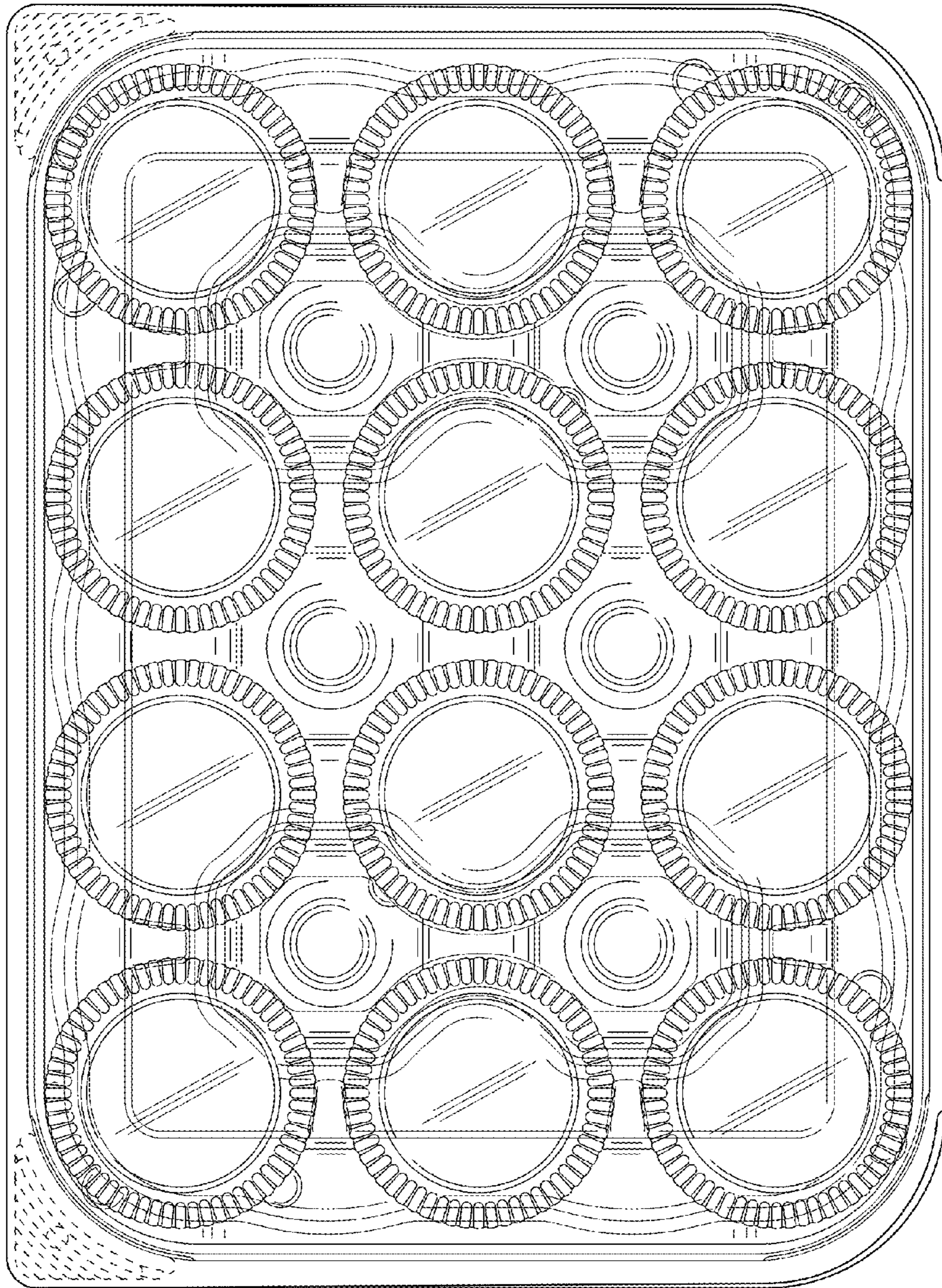


FIG. 7

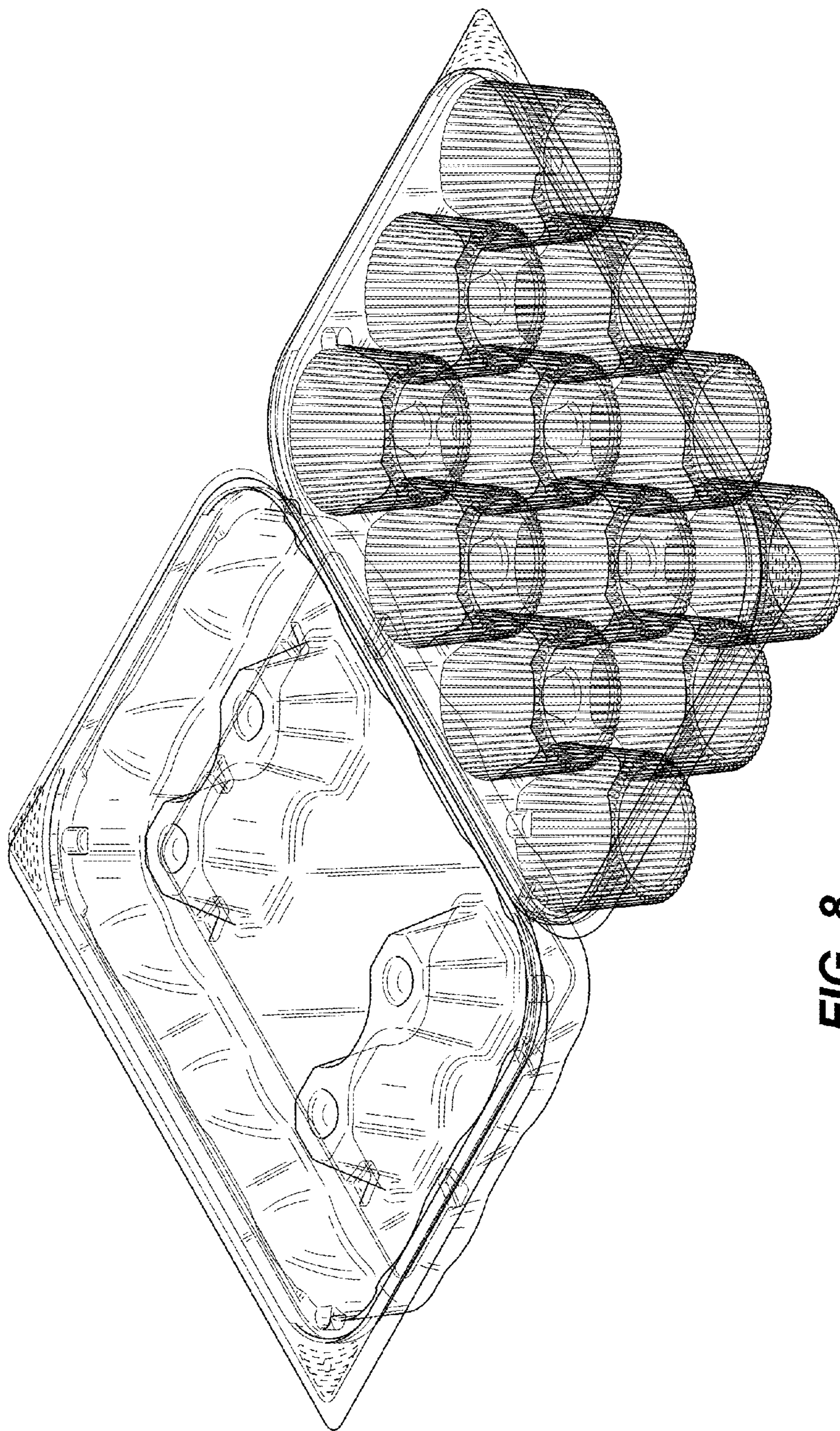


FIG. 8