



US00D778095S

(12) **United States Design Patent** (10) **Patent No.:** **US D778,095 S**  
**Gamelli et al.** (45) **Date of Patent:** **\*\* Feb. 7, 2017**

(54) **BEVERAGE CONTAINER** 1,657,927 A 1/1928 Heizen  
1,740,223 A 12/1929 Burvenick  
1,748,483 A \* 2/1930 Hyde ..... A47J 43/27  
220/568  
1,765,129 A 6/1930 Cooke  
D96,965 S 9/1935 Fuerst  
2,013,615 A 9/1935 Fontan  
2,090,320 A 8/1937 Amick  
(Continued)

(71) Applicants: **Mocktail Beverages Inc.**, Wenham,  
MA (US); **TRICORBRAUN INC.**, St.  
Louis, MO (US)  
(72) Inventors: **William D. Gamelli**, Wenham, MA  
(US); **Craig Sawicki**, Oak Brook, IL  
(US); **Jon-Paul Genest**, Webster, NY  
(US)

FOREIGN PATENT DOCUMENTS

(73) Assignees: **Mocktail Beverages Inc.**, Wenham,  
MA (US); **TricorBraun Inc.**, St. Louis,  
MO (US)

EP 0 654 417 5/1995  
WO WO 2010/126341 A2 11/2010  
WO WO 2011/089505 7/2011

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

OTHER PUBLICATIONS

(21) Appl. No.: **29/518,839**

K&D Wines and Spirits, Cointreau Cocktail Recipes and Shaker,  
Sep. 9, 2010; retrieved from internet www.kdwine.com/r/article/9/  
9-Cointreau.

(22) Filed: **Feb. 27, 2015**

(Continued)

(51) **LOC (10) Cl.** ..... **07-01**

(52) **U.S. Cl.**  
USPC ..... **D7/300.1; D7/510**

(58) **Field of Classification Search**  
USPC ..... D7/507, 509, 510, 511, 523, 529, 532,  
D7/608, 300, 300.1, 591, 592, 598,  
D7/396.1, 396.2, 213, 900, 396.6, 534,  
D7/400, 553.4, 553.6, 503; D9/435, 904,  
D9/905, 447, 449, 453, 520, 549, 726;  
222/547, 129.1; 220/703, 713, 592.17,  
220/504, 505, 527, 62.12, 625  
CPC ..... A47G 19/22; A47G 19/2211; A45F 3/16;  
A47J 43/27  
See application file for complete search history.

*Primary Examiner* — Marianne Pandozzi  
*Assistant Examiner* — Jae Liang

(74) *Attorney, Agent, or Firm* — Hamilton, Brook, Smith  
& Reynolds, P.C.

(57) **CLAIM**

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

**DESCRIPTION**

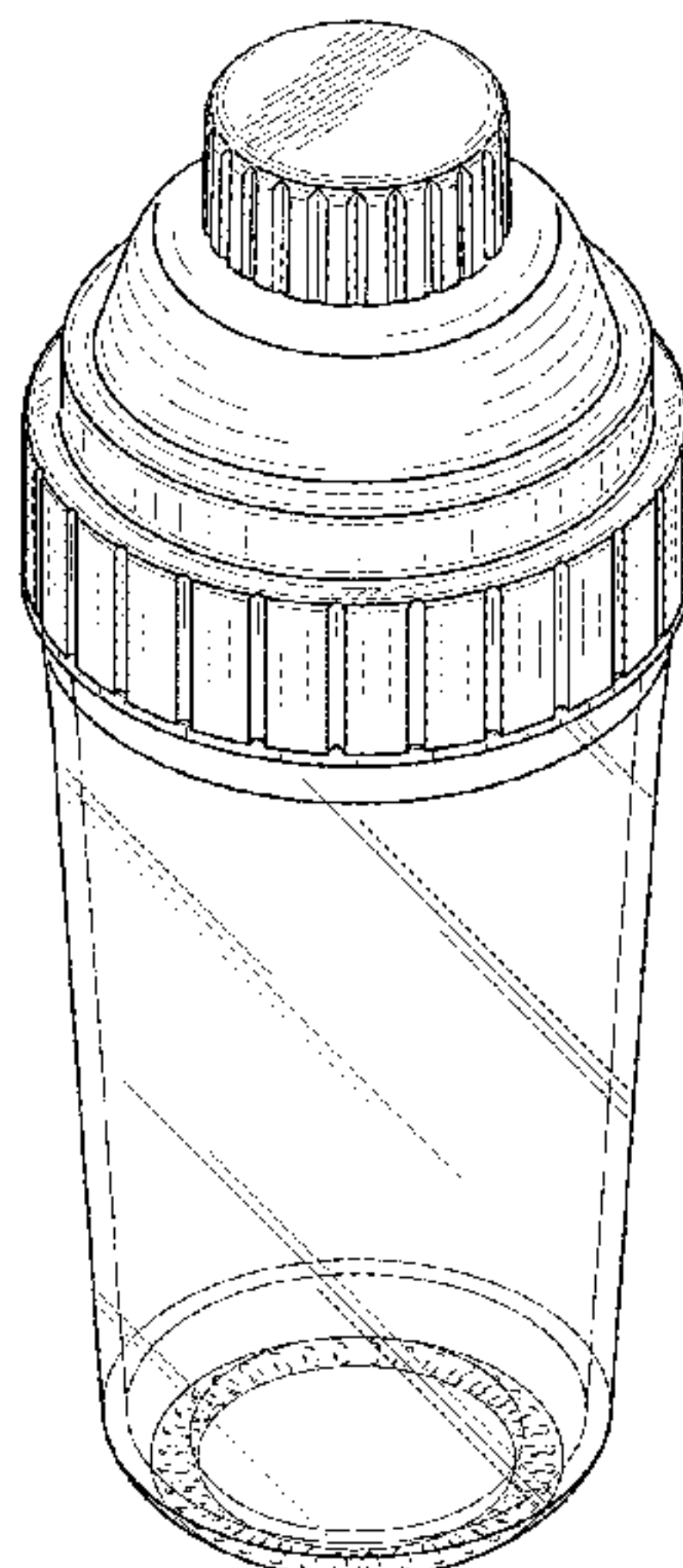
FIG. 1 is an upper perspective view of a beverage container  
showing our new design;  
FIG. 2 is a lower perspective view thereof;  
FIG. 3 is a side elevational view thereof;  
FIG. 4 is a top view thereof; and,  
FIG. 5 is a bottom view thereof.  
The broken lines in the drawings depict portions of the  
beverage container that form no part of the claimed design.  
The article is a beverage container for retail sale.

(56) **References Cited**

U.S. PATENT DOCUMENTS

300,867 A 6/1884 Hauck  
324,173 A 8/1885 Seips  
1,042,751 A 10/1912 Barker  
1,201,284 A 10/1916 Gilchrist  
1,568,691 A \* 1/1926 Pierson ..... A47J 19/022  
99/508

**1 Claim, 2 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

2,090,998 A \* 8/1937 Gessler ..... A47J 43/27  
220/568

D116,858 S 9/1939 Martin  
2,385,648 A 9/1945 Prager  
2,433,248 A 12/1947 Swcicr  
2,725,733 A 12/1955 Davis  
D189,164 S 11/1960 Hollister  
D199,413 S 10/1964 Levinson  
D210,004 S \* 1/1968 Pettengill ..... D7/300.1  
3,640,416 A 2/1972 Temple  
3,765,559 A 10/1973 Saucy et al.  
3,856,138 A 12/1974 Maekawa et al.  
4,203,517 A 5/1980 Hildebrandt et al.  
D283,595 S \* 4/1986 Fortuna ..... D9/428  
D283,793 S \* 5/1986 Fortuna ..... D9/428  
4,682,689 A 7/1987 Pereira et al.  
4,793,475 A 12/1988 Itzel  
4,872,764 A 10/1989 McClean  
D304,551 S 11/1989 Desgrippes  
D364,566 S 11/1995 Douer  
5,465,835 A 11/1995 Schumacher et al.  
5,547,275 A 8/1996 Lillelund et al.  
5,588,550 A 12/1996 Meyer  
D384,236 S 9/1997 Douer  
D390,462 S 2/1998 Mao  
D424,444 S 5/2000 Lefebvre  
D429,593 S 8/2000 Thuma  
6,159,513 A 12/2000 Judlowe et al.  
D438,758 S 3/2001 Tal et al.  
D439,111 S 3/2001 Tal et al.  
D480,590 S 10/2003 Linz et al.  
D480,599 S 10/2003 Linz et al.  
D483,981 S 12/2003 Linz et al.  
D483,982 S 12/2003 Irvine  
6,716,396 B1 4/2004 Anderson et al.  
D489,627 S 5/2004 Klitsner et al.  
D493,327 S 7/2004 Marsden et al.  
6,913,165 B2 \* 7/2005 Linz ..... A47J 43/27  
220/568

D510,497 S 10/2005 Hou  
D519,835 S 5/2006 Dubs et al.  
D520,654 S 5/2006 Freeman et al.  
D536,986 S 2/2007 Nix et al.  
D576,495 S 9/2008 Slubski  
7,571,830 B2 8/2009 Lin  
D604,984 S 12/2009 Kalamaras  
D608,141 S 1/2010 Sanders

D610,005 S 2/2010 McKinney  
D619,001 S 7/2010 McKinney  
D623,460 S \* 9/2010 Krasner ..... D30/132  
D625,541 S 10/2010 Kauer  
D630,037 S 1/2011 Kauer  
D631,356 S 1/2011 Barsoumian  
D632,133 S \* 2/2011 Giraud ..... D7/510  
D648,488 S 11/2011 Tsai  
D654,752 S 2/2012 Krasner  
8,365,941 B2 2/2013 Mayer  
D689,336 S 9/2013 Slocumb et al.  
D694,109 S 11/2013 Tanner  
D697,354 S 1/2014 Kauer  
D703,008 S \* 4/2014 Wampold ..... D7/606  
D725,953 S 4/2015 Gamelli et al.  
D727,671 S 4/2015 Gamelli  
D754,999 S 5/2016 Gamelli  
D761,607 S 7/2016 Gamelli et al.  
D761,608 S 7/2016 Gamelli et al.  
D761,609 S 7/2016 Gamelli et al.  
2003/0002385 A1 1/2003 Pola et al.  
2003/0230575 A1 12/2003 Laurent  
2004/0066705 A1 4/2004 Linz et al.  
2006/0102584 A1 5/2006 Wellman  
2010/0024660 A1 2/2010 Wallace  
2011/0024320 A1 2/2011 Roman et al.  
2011/0042374 A1 2/2011 Chang  
2011/0180545 A1 7/2011 Marino et al.  
2011/0226770 A1 9/2011 Tiesberger  
2013/0126369 A1 5/2013 Gamelli  
2014/0312040 A1 10/2014 Gamelli  
2015/0050405 A1 \* 2/2015 Trager ..... B65D 81/3211  
426/519

OTHER PUBLICATIONS

U.S. Appl. No. 29/451,689 entitled "Beverage Container for Retail Sale" filed Apr. 5, 2013.  
U.S. Appl. No. 29/451,696 entitled "Beverage Container for Retail Sale" filed Apr. 5, 2013.  
Japanese Design Registration No. 1154509, published Sep. 30, 2002.  
Komori Collections, vol. 6, p. 10, 496056 (Japanese PTO, Design Division Prior Art No. HC20019183), published Dec. 17, 2008.  
Article placed in website of Arnest Co., Ltd. (Japanese PTO, Design Division Prior Art No. HJ24058089), published Jan. 7, 2013.  
<http://www.bevnet.com/news/2014/mocktail-beverages-launches-line-of-non-alcoholic-cocktails> Posted Sep. 9, 2014.

\* cited by examiner



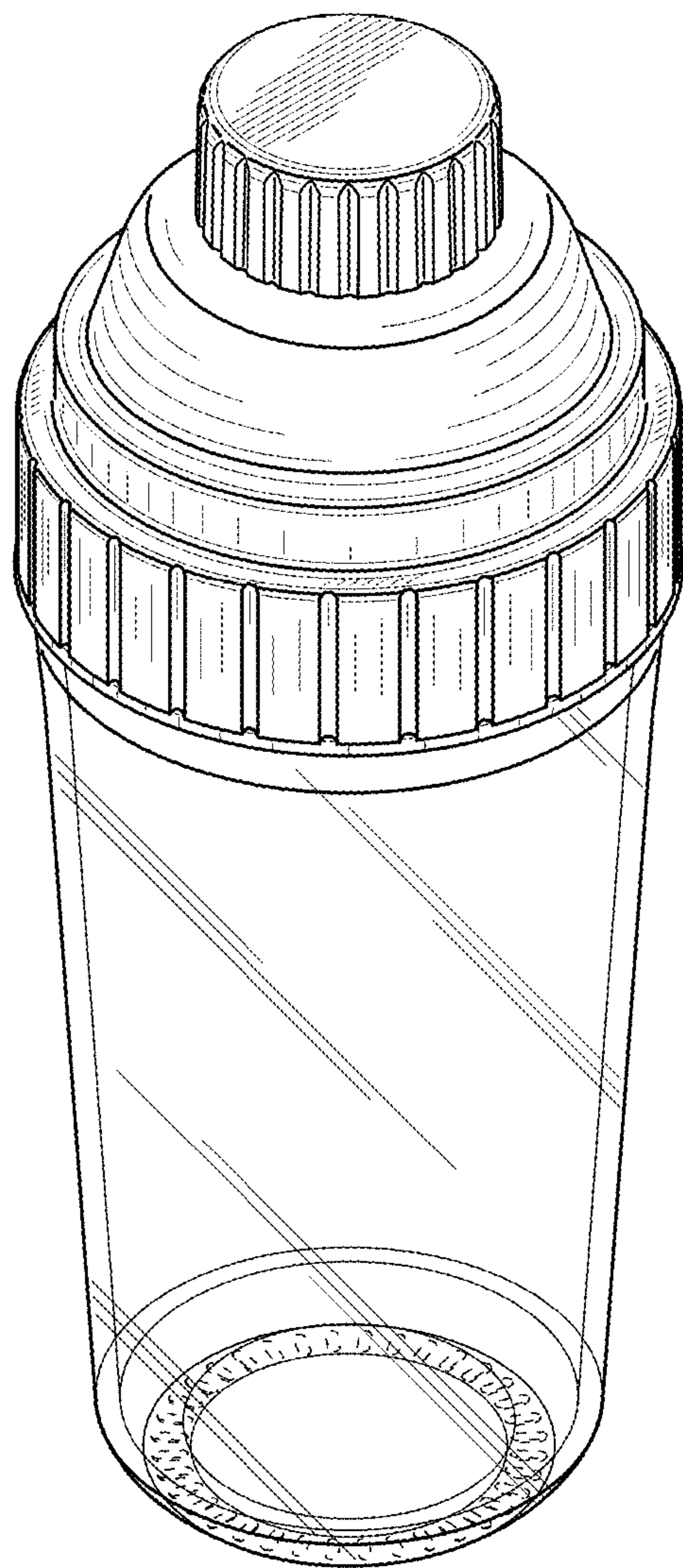


FIG. 1

FIG. 2

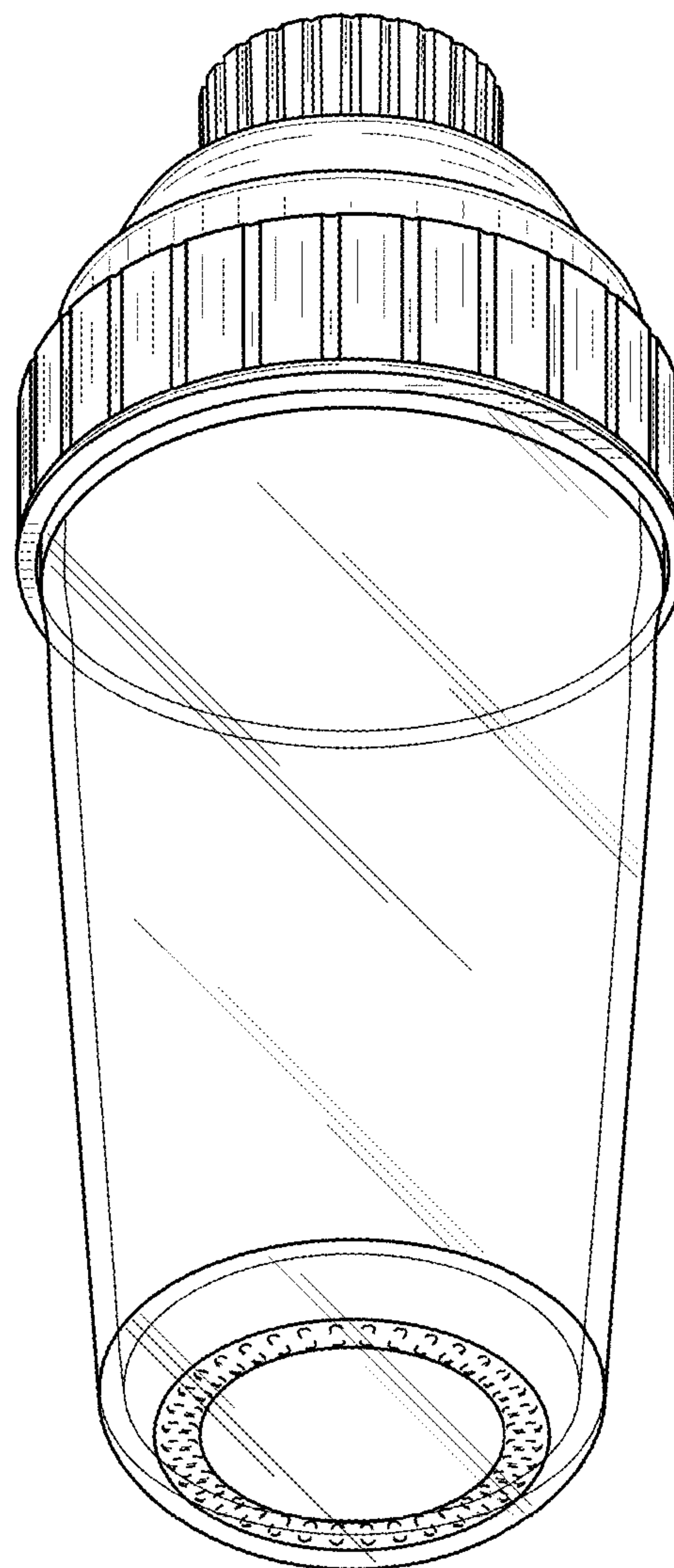


FIG. 3

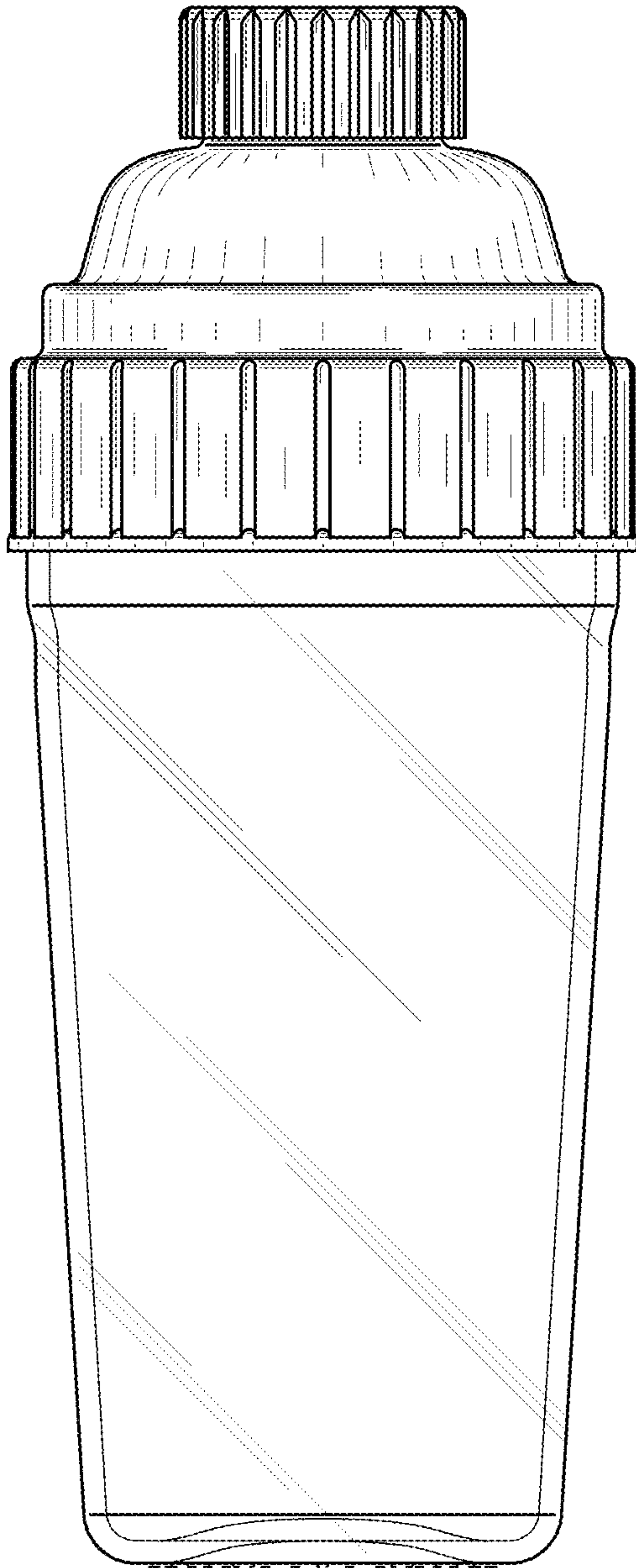


FIG. 4

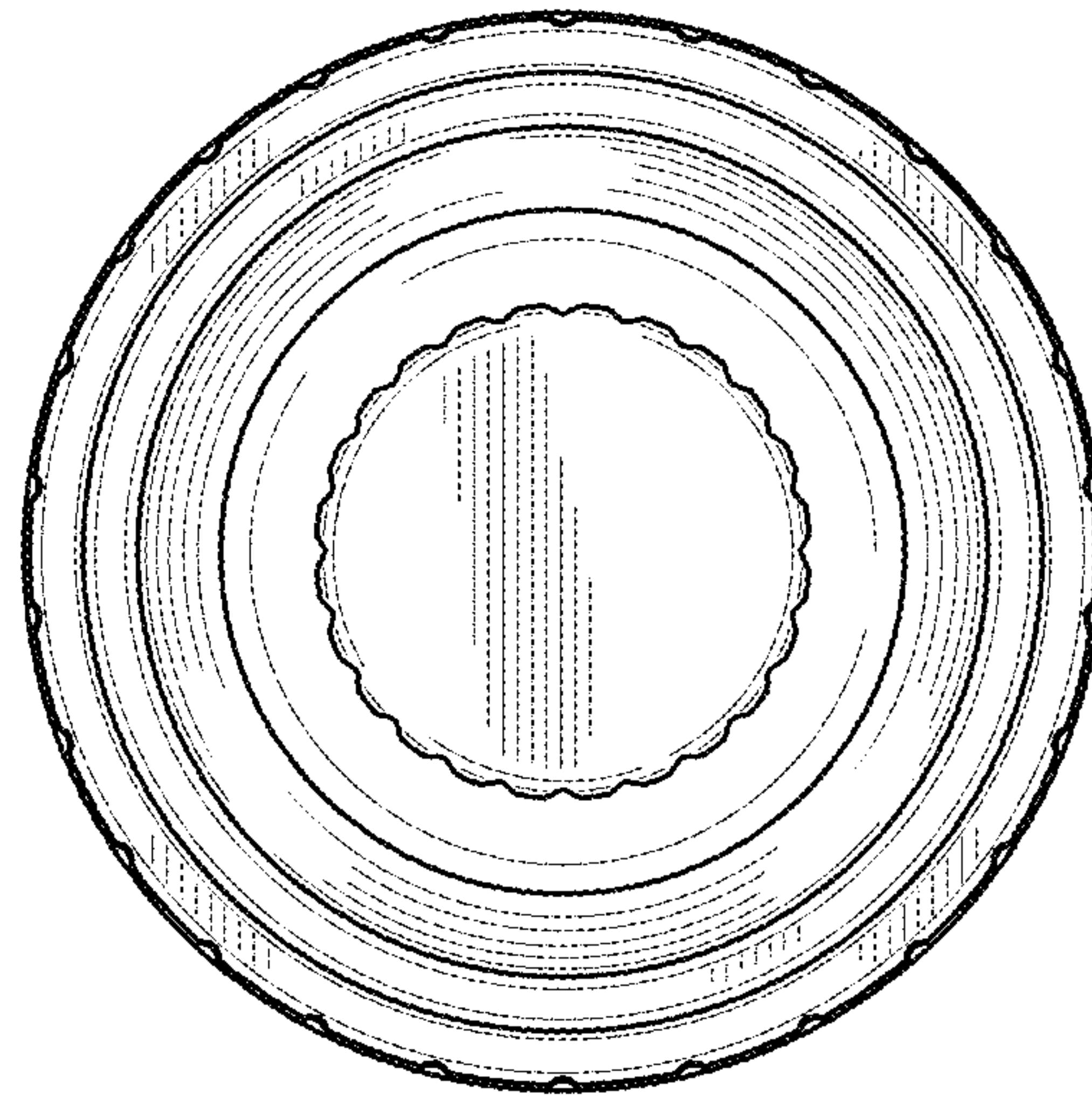


FIG. 5

