



US00D779151S

(12) **United States Design Patent** (10) **Patent No.:** **US D779,151 S**
Clements et al. (45) **Date of Patent:** **** Feb. 21, 2017**

(54) **SHAPED TORTILLA**

(71) Applicant: **General Mills, Inc.**, Minneapolis, MN
(US)

(72) Inventors: **Robert G Clements**, Plymouth, MN
(US); **Shivakumar Elayedath**, Eden
Prairie, MN (US); **Amy R. Fleury**,
Arden Hills, MN (US); **Zachary**
Harder, Crystal, MN (US)

(73) Assignee: **General Mills, Inc.**, Minneapolis, MN
(US)

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

(21) Appl. No.: **29/476,443**

(22) Filed: **Dec. 13, 2013**

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

(52) **U.S. Cl.**
USPC **D1/122; D1/125**

(58) **Field of Classification Search**
USPC D1/100–130, 199; D7/504, 509, 510,
D7/523, 524, 555, 566, 568, 584–587,
D7/602, 672, 300.1, 629, 653, 654, 667,
D7/400; D21/386; D19/91; 426/92, 94,
426/95, 99, 101, 138–139, 143, 279, 282,
426/283, 391, 514; D11/146, 151, 154;
D14/480.5, 484.1

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D17,628 S 8/1887 Carr
D19,696 S 3/1890 Beckstein
D31,600 S 10/1899 Terry
909,715 A 1/1909 Troegeler
D62,515 S 6/1923 Wood
1,529,670 A 3/1925 Pritchard et al.

D67,821 S 7/1925 Yohai et al.
1,552,671 A 9/1925 Bellocchio
1,816,283 A 7/1931 Holibaugh
1,842,576 A 1/1932 Bemis

(Continued)

FOREIGN PATENT DOCUMENTS

WO WO-2004/037016 5/2004

OTHER PUBLICATIONS

“American Hits”, Oct. 30, 2007, <http://www.salomon-online.com/p3filesen/produkte/americanhits.shtml>.

(Continued)

Primary Examiner — Garth Rademaker

Assistant Examiner — Katie Stofko Mroczka

(74) *Attorney, Agent, or Firm* — Rachel A. Kahler;
Diederiks & Whitelaw, PLC; Annette M. Frawley, Esq.

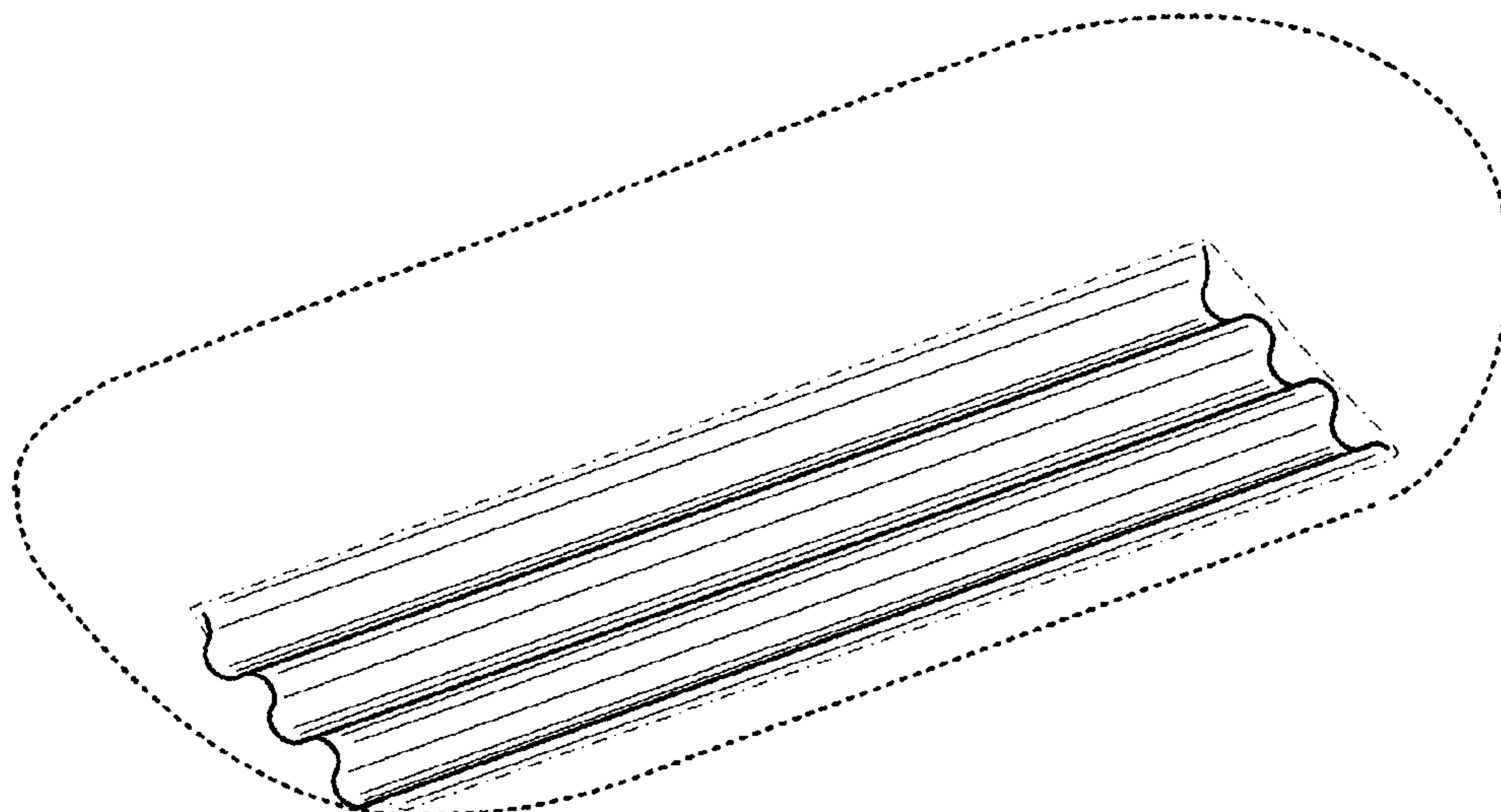
(57) **CLAIM**

The ornamental design for a shaped tortilla, as shown and described.

DESCRIPTION

FIG. 1 is a top perspective view of the shaped tortilla;
FIG. 2 is a bottom perspective view of the shaped tortilla of
FIG. 1;
FIG. 3 is an end view of the shaped tortilla of FIG. 1;
FIG. 4 is a side view of the shaped tortilla of FIG. 1;
FIG. 5 is a cross-sectional view of the shaped tortilla of FIG.
1, taken along line 5-5 in FIG. 3;
FIG. 6 is a top view of the shaped tortilla of FIG. 1; and,
FIG. 7 is a bottom view of the shaped tortilla of FIG. 1.
The evenly-spaced broken lines in FIGS. 1-7 illustrate
portions of the shaped tortilla that form no part of the
claimed design. The dash-dot-dash broken lines in FIGS. 1-7
illustrate the boundary of the claimed design which forms no
part thereof.

1 Claim, 3 Drawing Sheets



US D779,151 S

Page 2

(56)

References Cited

U.S. PATENT DOCUMENTS

D89,341 S 2/1933 Hamsen
 1,909,930 A 5/1933 De Ridder
 D93,019 S 8/1934 Hose
 2,120,710 A 6/1938 Nieding
 D116,174 S * 8/1939 Trabold D1/199
 2,274,344 A 2/1942 Palmer
 D141,423 S 5/1945 Lewis
 2,598,927 A 6/1952 May
 2,601,822 A 7/1952 Hopkins
 2,630,389 A 3/1953 Lipshutz
 2,664,812 A 1/1954 Molina
 2,739,464 A 3/1956 Smith
 2,892,719 A 6/1959 Lynn
 3,222,697 A * 12/1965 Scheermesser 428/160
 D205,126 S 6/1966 Haessler
 3,290,154 A 12/1966 Turner
 3,341,167 A 9/1967 Weiss
 3,481,458 A 12/1969 Mayeaux
 3,541,587 A 11/1970 Washburn
 D222,682 S 11/1971 Douglas
 3,653,337 A 4/1972 Hanson
 3,794,455 A 2/1974 Heiderpriem
 3,908,022 A * 9/1975 Selleck 426/27
 3,930,049 A 12/1975 Mattson
 4,018,905 A 4/1977 Adamek et al.
 4,055,670 A 10/1977 Belmont
 4,065,092 A 12/1977 Spinks, Sr. et al.
 4,065,581 A 12/1977 Heiderpriem
 D247,868 S 5/1978 Britt
 D251,396 S 3/1979 Hutchinson
 D251,816 S 5/1979 Majeski
 4,214,517 A 7/1980 Caldwell
 4,250,091 A 2/1981 Papa et al.
 4,251,554 A 2/1981 Baisden
 4,270,660 A 6/1981 Putt
 4,313,964 A 2/1982 Dembecki
 D263,786 S 4/1982 Kohan
 4,381,837 A 5/1983 Cortopassi
 4,444,795 A 4/1984 Weinstein
 D277,234 S 1/1985 Bank
 D278,199 S 4/1985 Richards
 D279,160 S 6/1985 Hunt
 4,530,275 A 7/1985 Stickle et al.
 D282,338 S 1/1986 Putt
 4,573,579 A 3/1986 Murdick et al.
 D285,740 S * 9/1986 Watanabe D1/122
 4,626,438 A 12/1986 Glantz
 4,650,684 A * 3/1987 Penrose 426/144
 4,666,799 A 5/1987 Runquist et al.
 4,735,811 A 4/1988 Skarra et al.
 4,746,010 A 5/1988 Fournier
 D296,284 S 6/1988 Colby
 4,781,932 A 11/1988 Skarra et al.
 4,812,376 A 3/1989 Rudolph
 D300,707 S 4/1989 Walmesley
 4,855,151 A * 8/1989 Fielding 426/144
 4,896,820 A 1/1990 Harrington
 4,915,964 A 4/1990 Smietana
 4,919,946 A 4/1990 Pak et al.
 4,929,458 A 5/1990 Smietana
 D314,887 S 2/1991 Tomaras
 5,002,783 A 3/1991 Ruiz
 5,009,902 A 4/1991 Mercenari
 D316,622 S 5/1991 Popiel
 D318,984 S 8/1991 Wickham et al.
 D324,603 S 3/1992 Cope et al.
 D334,111 S 3/1993 Yockey et al.
 5,203,493 A 4/1993 Moody
 D335,758 S 5/1993 Stickle
 5,223,286 A 6/1993 Selbak
 5,236,727 A 8/1993 Huston
 D339,899 S 10/1993 Kittleson
 5,298,273 A 3/1994 Ito
 5,298,279 A 3/1994 Hayashi
 D350,671 S 9/1994 Asner

5,364,016 A 11/1994 Capy et al.
 D354,159 S 1/1995 Martin
 D358,018 S 5/1995 Lindemann
 5,419,903 A * 5/1995 Evans et al. 426/144
 D364,995 S * 12/1995 Koziol D7/409
 D369,451 S 5/1996 Gornet et al.
 5,567,455 A 10/1996 Alsbrook, Sr.
 5,567,459 A 10/1996 Gonzalez-Hernandez et al.
 D376,893 S 12/1996 Gornet
 D377,257 S 1/1997 Calvin
 5,626,897 A 5/1997 Goldstein
 D380,885 S * 7/1997 Goll D1/125
 5,652,010 A 7/1997 Gimmmler et al.
 D383,589 S 9/1997 Morales
 D387,109 S 12/1997 Winans
 5,709,898 A 1/1998 Biggs et al.
 D392,786 S 3/1998 Kieser
 D393,136 S 4/1998 Gornet
 5,756,976 A 5/1998 Akasaka
 D395,937 S 7/1998 Zada
 D402,085 S 12/1998 Gornet
 5,897,900 A 4/1999 Groulx et al.
 D411,111 S * 6/1999 Rodriguez et al. D1/125
 D412,770 S 8/1999 Martinez et al.
 5,984,697 A 11/1999 Moran et al.
 5,993,871 A 11/1999 Beehler
 5,996,476 A 12/1999 Schultz
 5,997,921 A 12/1999 Tirillo
 D421,272 S 2/2000 Patel
 D425,685 S 5/2000 Kitslaar
 6,156,357 A 12/2000 Franklin
 6,245,374 B1 6/2001 Thomas et al.
 D444,816 S 7/2001 Stravitz
 D450,420 S 11/2001 Brost et al.
 D453,977 S * 2/2002 Park et al. D30/160
 D467,121 S 12/2002 Zietz et al.
 D467,669 S 12/2002 Givens et al.
 6,607,169 B1 8/2003 Gershfeld
 6,615,495 B1 9/2003 Evens et al.
 D485,307 S 1/2004 Sheldon et al.
 D493,943 S 8/2004 Mendenhall
 D495,852 S * 9/2004 Barber D1/125
 D515,274 S 2/2006 Griebel et al.
 D516,275 S 3/2006 Anaya
 7,008,655 B1 3/2006 Aslanis
 D520,814 S 5/2006 Wegmann
 D523,289 S 6/2006 David
 D523,698 S 6/2006 David
 D523,701 S 6/2006 Dodge et al.
 D524,112 S 7/2006 Cogley
 D527,052 S 8/2006 Wolff et al.
 D544,408 S 6/2007 Weekes
 D547,235 S 7/2007 Stanton et al.
 D579,586 S * 10/2008 Mattingly D25/138
 D579,626 S 11/2008 Schulman
 D579,719 S * 11/2008 King et al. D7/409
 D590,126 S 4/2009 Kovich et al.
 D602,396 S 10/2009 Conway et al.
 7,648,374 B2 1/2010 Koskondy
 D609,712 S 2/2010 Bedol
 D610,156 S 2/2010 Mudrick
 D610,405 S * 2/2010 McConnell D7/409
 D622,927 S 9/2010 Griebel
 D622,928 S 9/2010 Griebel
 D623,376 S 9/2010 Griebel
 D623,826 S 9/2010 Griebel
 D629,586 S 12/2010 Griebel
 D639,526 S * 6/2011 Allen et al. D1/125
 D655,886 S 3/2012 Kovich et al.
 D673,402 S * 1/2013 Kuzyk D6/703
 D679,476 S * 4/2013 Barber et al. D1/125
 D690,896 S * 10/2013 Barber et al. D1/125
 D691,401 S * 10/2013 Sobran D6/606
 D692,690 S * 11/2013 Sobran D6/606
 D702,417 S * 4/2014 King et al. D1/199
 D706,017 S * 6/2014 King et al. D1/199
 D717,516 S * 11/2014 King et al. D1/125
 D722,821 S * 2/2015 Liu D7/409
 2001/0043973 A1 11/2001 Keck et al.

(56)

References Cited

U.S. PATENT DOCUMENTS

2002/0168453 A1 11/2002 McCutchan
 2004/0058048 A1 3/2004 Chedid et al.
 2004/0071854 A1 4/2004 Chedid et al.
 2005/0281921 A1 12/2005 Langston et al.
 2006/0147587 A1 7/2006 Kovich et al.
 2008/0193613 A1 8/2008 Kovich et al.
 2008/0220132 A1 9/2008 Taminich
 2008/0220144 A1 9/2008 Richards
 2009/0285950 A1 11/2009 Baker
 2010/0272863 A1 10/2010 Griebel et al.

OTHER PUBLICATIONS

“Chili in Tortilla Bowls” published Oct. 21, 2006, <http://www.favoritebrandrecipes.com/Recipes/335/1531521335.htm>.
 How to make Really Good Soft Taco Shells, Jul. 21, 2007, <http://forums.macresource.com/read.php?1,330158,330263>.
 “Mushrooms in Garlic Sauce, Served in a Soft Tortilla Shell” Apr. 27, 2006, <http://www.foodnetwork.com/recipes/mushrooms-in-garlic-sauce-served-in-a-soft-tortilla-shell-recipe.html#!>.
 “Ortega” Published Dec. 23, 2007, http://web.archive.org/web/20071228042139/http://www.ortega.com/products/dinner_kits.asp.
 “Rachel Ray Show”, Jul. 3, 2007, <http://www.rachaelrayshow.com/food/recipes/healthy-tortilla-ice-cream-bowls/>.
 “Recipe Book—Mexican Beef Soup in Tortilla Bowls”, Jul. 30, 2007, <http://www.txbeef.org/recipe.php3?944689164>.
 “The Cook’s Thesaurus” Jan. 30, 2008, <http://web.archive.org/web/20080130010346/http://foodsubs.com/Flatbread.html>.

“The Glass of Frederick Carder”. New York: Corning Museum of Glass, 1971. Print p. 158, item No. 1956.

The Revolutionary New Fast Food Concept From Down Under, Xcitetech Technology Solutions, Inc., 2002, <http://excitetechnology.com/TheWalkAroundConeDocV7.o.pdf>, brochure.

Old El Paso Dinner Kit, 2002.

Pizzacona, Oct. 17, 2007, <http://www.crispycones.com/crispy/menu.htm>.

R. S. Chavan et al., 2010, “Microwave Baking in Food Industry: A Review”. International Journal of Dairy Science, 5:113-127.

Bethlehem Steel Catalog, Copyright 1931: p. 9, extrusion, bottom row.

Clark, Chefs and Food Scientists Develop ‘grab and go’ foods, Food Sci. & Tech Abs. 2007, Dialog Accession No. 01077407.

CrispyCones, Oct. 17, 2007, <http://www.crispycones.com/crispy/faq.htm>.

EEE Cooks: Tortilla Shell (Recipe), Mar. 12, 2009: <http://www.eecooks.com/recipes/2004/02/17/shell>.

GoogleGroups, May 1999, rec.food.cooking, http://groups.google.com/group/rec.food.cooking/browse_thread/thread/25d043af2ac445777cb26bbc141f38fe?hl=en&ie=UTF-8&q=orte.

Hessong, Athena, “Desserts Made with Tortilla Shells”, Oct. 5, 2012, http://www.ehow.com/info_10001655_desserts-made-tortilla-shells.html.

Hollingsworth, Pierce, “One-handed Cuisine and Other Business Trends to Watch”, Food Technology; v. 56:4 p. 18 (Apr. 2002) abstract.

<http://www.slashfood.com/tag/taco/>, Jul. 2007.

Mintel gn timer, “Crispy Tacho Shells”, <http://www.gn timer.com>.

* cited by examiner

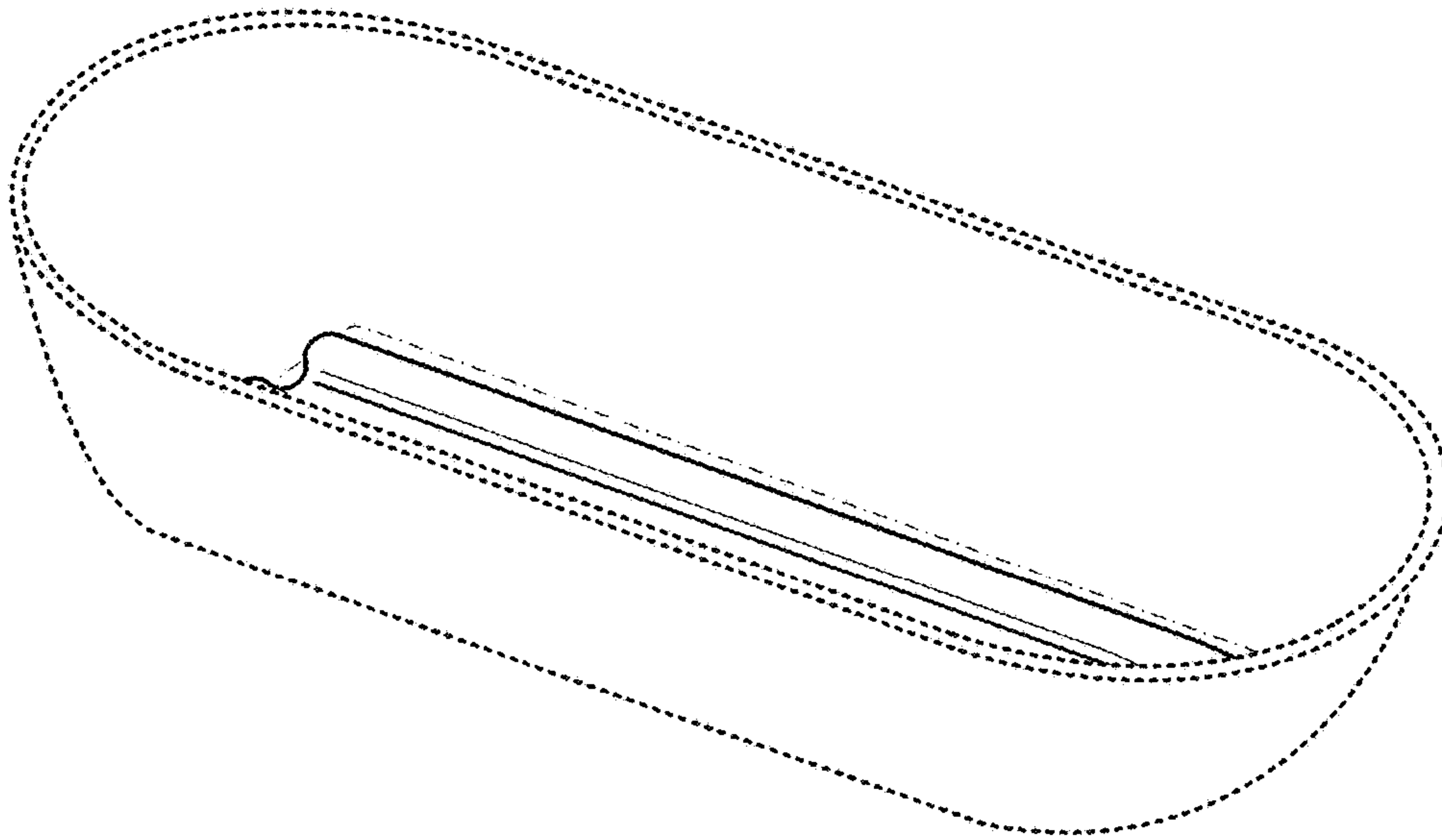


FIG. 1

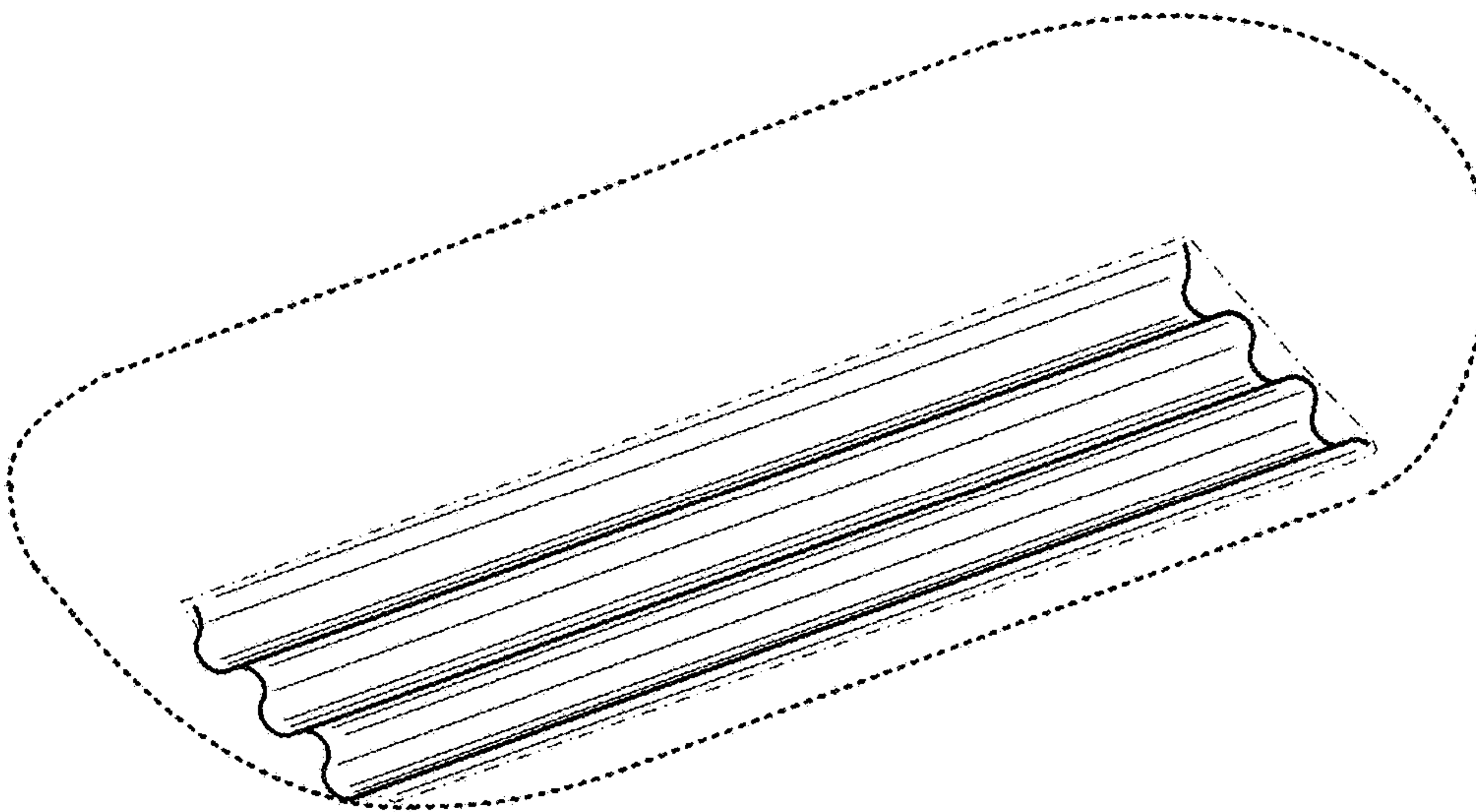


FIG. 2

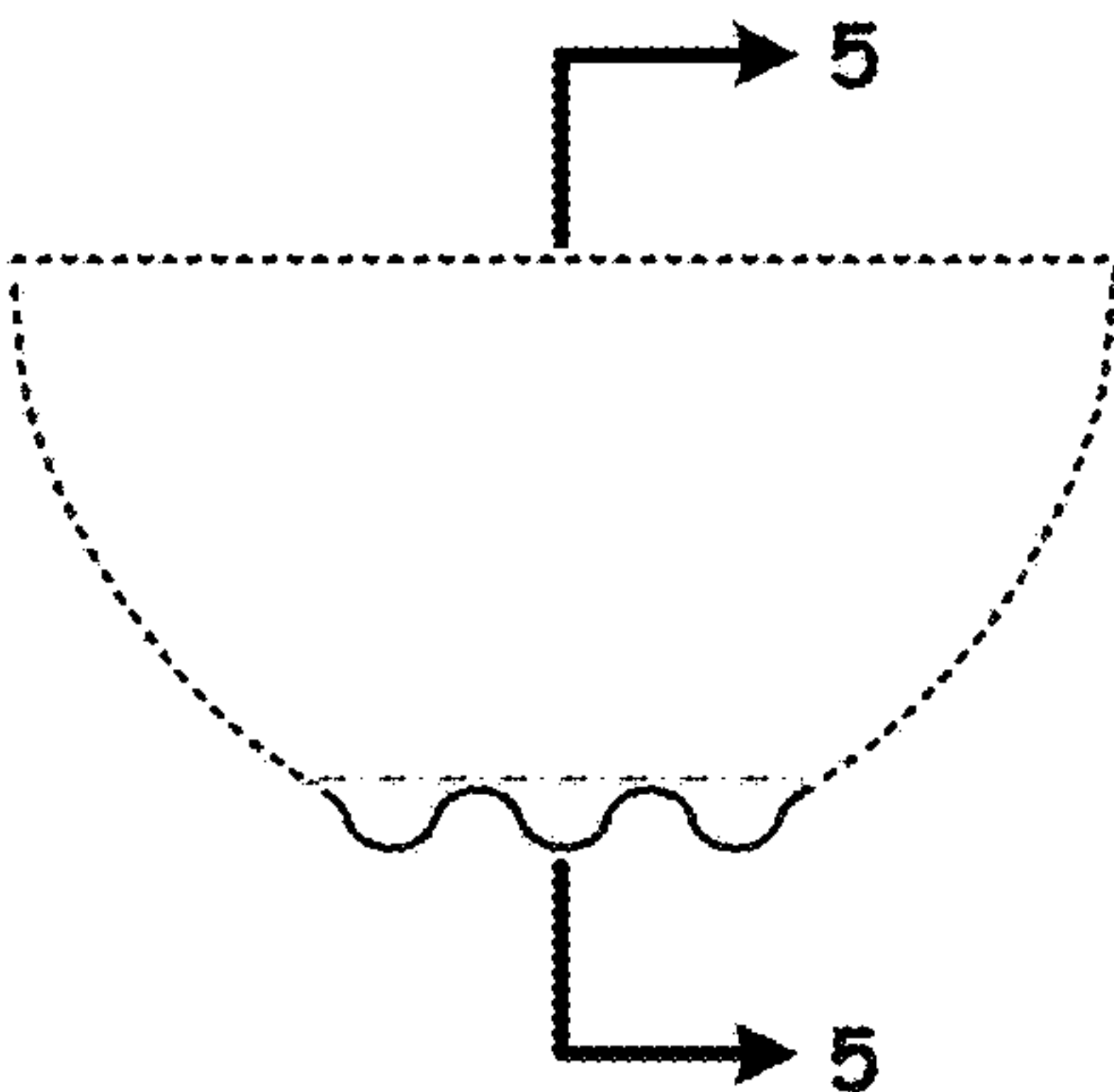


FIG. 3

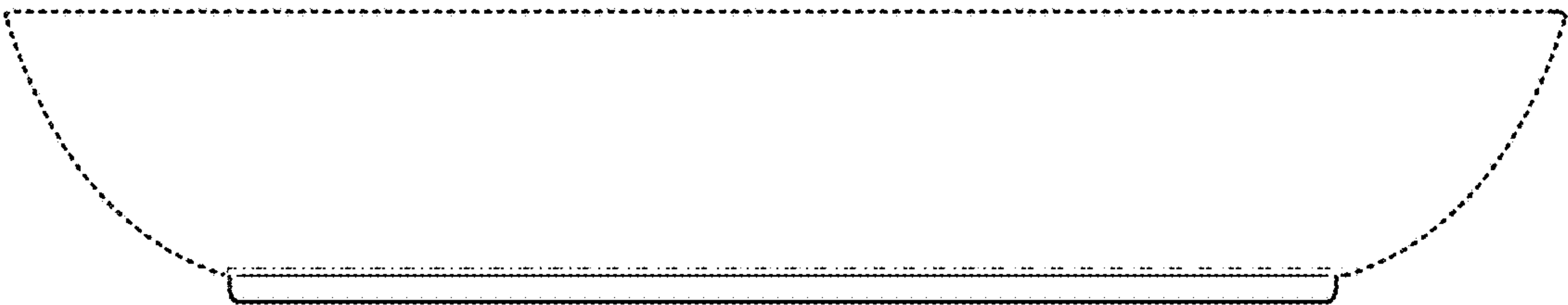


FIG. 4

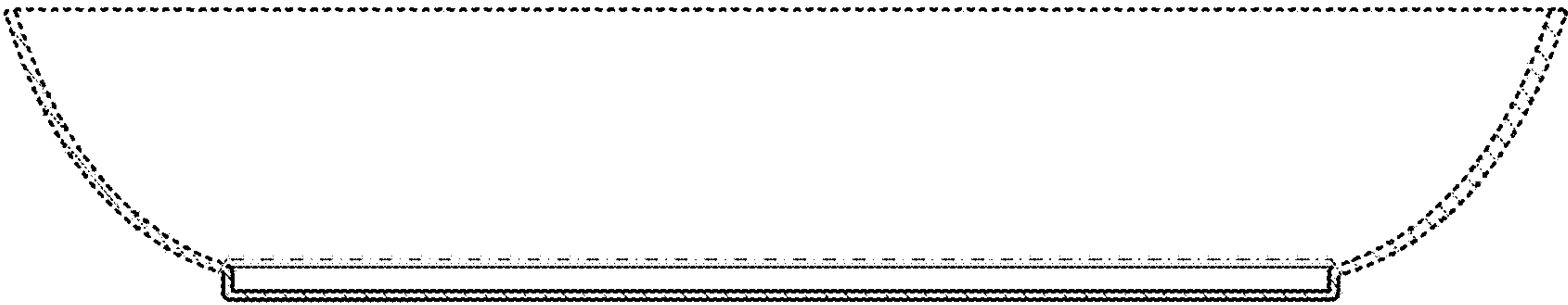


FIG. 5

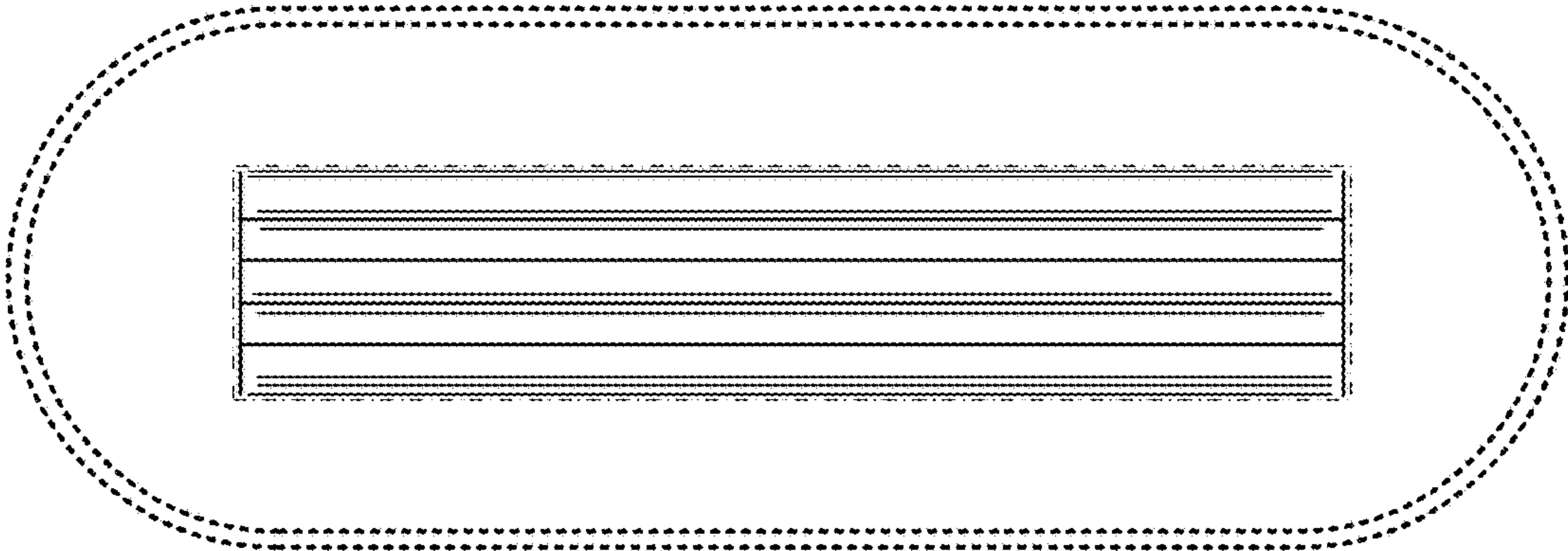


FIG. 6

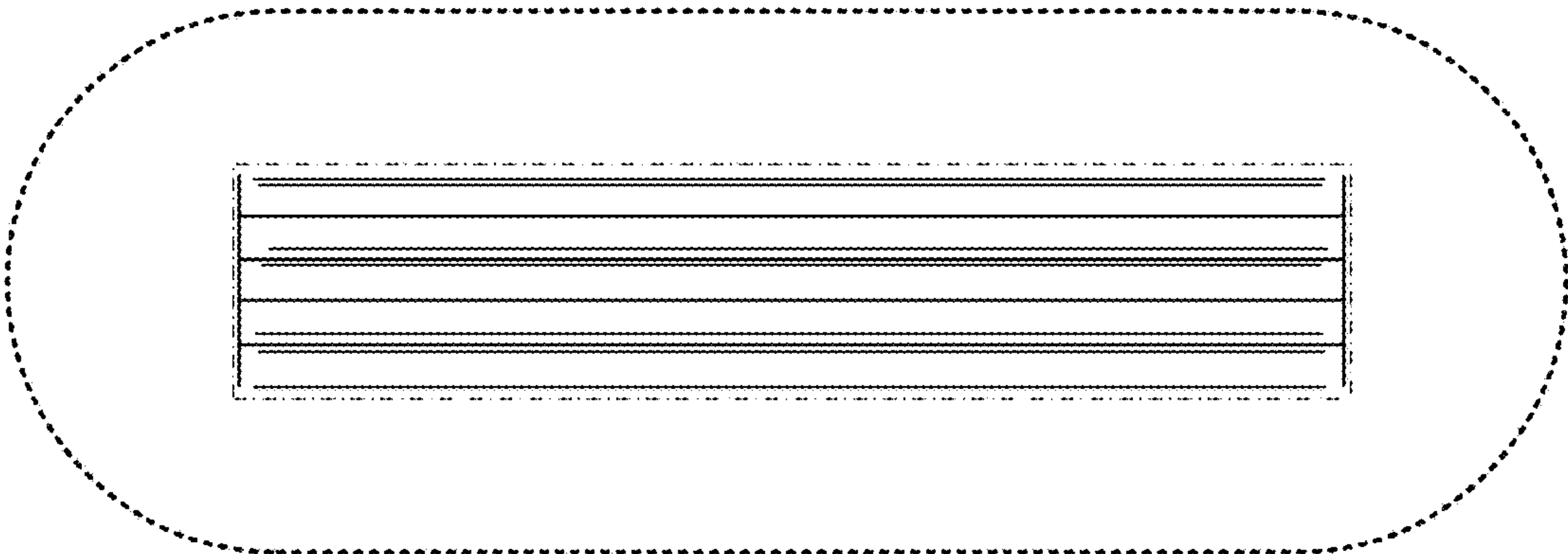


FIG. 7