

US00D799906S

(12) **United States Design Patent** (10) **Patent No.:** **US D799,906 S**
Seiders et al. (45) **Date of Patent:** **** Oct. 17, 2017**

(54) **BOTTLE** 2,963,187 A * 12/1960 Bramming A47J 41/02
215/12.1

(71) Applicant: **YETI Coolers, LLC**, Austin, TX (US) 3,089,603 A 5/1963 Leslie-Smith
D224,646 S 8/1972 Vollquartz

(72) Inventors: **Roy Joseph Seiders**, Rollingwood, TX (US); **Steve Nichols**, Austin, TX (US);
Matthew Joseph Petrillo, Austin, TX (US) (Continued)

FOREIGN PATENT DOCUMENTS

(73) Assignee: **YETI Coolers, LLC**, Austin, TX (US) CN 301110494 1/2010
CN 203987709 U 12/2014

(Continued)

(**) Term: **15 Years** OTHER PUBLICATIONS

(21) Appl. No.: **29/605,434** "64 oz Double-Wall Vacuum-Insulated Growler" published on Nov.

(22) Filed: **May 25, 2017** 14, 2014, retrieved from https://web.archive.org/web/*/http://www.fiftyfiftybottles.com/64oz-growler/ on Sep. 22, 2016.

(Continued)

Related U.S. Application Data

(63) Continuation of application No. 29/544,208, filed on Oct. 30, 2015.
Primary Examiner — Terry Wallace

(51) **LOC (10) Cl.** **07-01** (74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(52) **U.S. Cl.** (57) **CLAIM**
The ornamental design for a bottle, as shown and described.

USPC **D7/608**

DESCRIPTION

(58) **Field of Classification Search**
USPC D7/605–608, 509, 510, 511;
D9/500–505, 443, 516, 532, 522, 558
CPC A47G 19/2205; A47G 2019/2294; A47G 19/23; A47G 19/2272; A47J 41/02; A47J 41/022; A47J 41/024; A47J 41/026; A47J 41/028; A47J 41/00; A47J 41/0077; B65D 81/3823; B65D 81/3818; B65D 81/3846
See application file for complete search history.

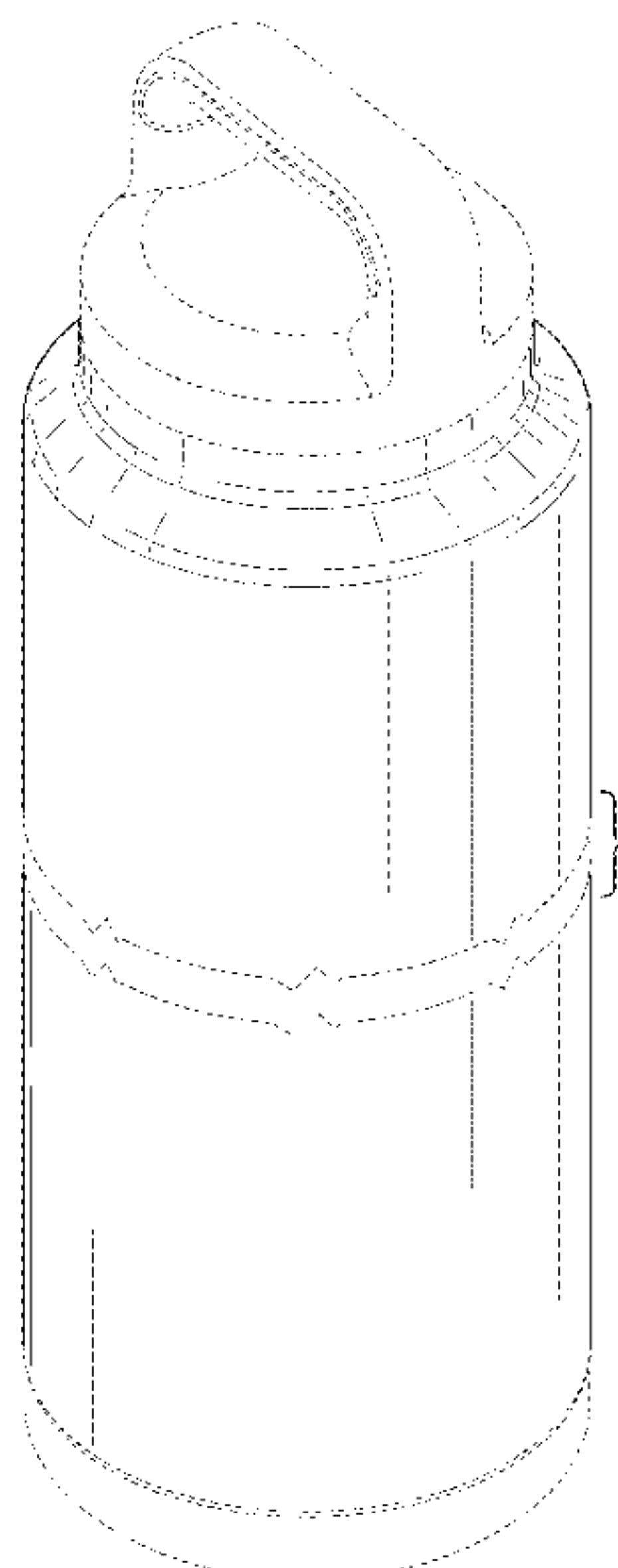
FIG. 1 is a top, front, right perspective view of a bottle showing our new design;
FIG. 2 is a front view thereof, wherein the rear view is a mirror image of FIG. 2;
FIG. 3 is a right side view thereof, wherein the left side view is a mirror image of FIG. 3;
FIG. 4 is a top view thereof; and,
FIG. 5 is a bottom view thereof.
The even-length break lines are imaginary lines and designate the indeterminate length is claimed. The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken lines showing the remainder of the bottle are for environmental purposes only and form no part of the claimed design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D109,331 S 4/1938 McManus et al.
D154,378 S 7/1949 Fuller
D177,761 S 5/1956 Reinhardt

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D235,303 S 6/1975 Boucher
 D256,651 S 9/1980 Leung et al.
 D279,346 S * 6/1985 Ruxton D7/321
 D281,567 S 12/1985 Zimmermann
 D286,604 S 11/1986 Bierlein et al.
 D286,847 S 11/1986 Zimmermann
 D287,211 S 12/1986 Weiss
 D316,371 S 4/1991 Vola
 D321,628 S * 11/1991 Kobayashi D7/608
 D332,379 S 1/1993 Murphy
 D354,915 S 1/1995 Schneider et al.
 D368,224 S 3/1996 Arndt
 D396,191 S 7/1998 Kuzma et al.
 D398,193 S 9/1998 Sanchez
 D405,650 S 2/1999 Meier
 D415,395 S 10/1999 Hunt et al.
 D422,916 S 4/2000 Herrmann
 6,332,557 B1 * 12/2001 Moran A47J 41/0083
 215/12.1
 D456,669 S 5/2002 Munari
 D458,133 S 6/2002 Berish et al.
 D458,134 S 6/2002 Berish et al.
 D466,814 S 12/2002 Hurlburt
 D479,800 S 9/2003 McRae
 D482,607 S 11/2003 McRae
 D494,425 S 8/2004 Segura
 D524,909 S 7/2006 Bakke et al.
 D525,518 S 7/2006 Baldwin
 D533,032 S 12/2006 Liu et al.
 D536,929 S * 2/2007 Kingsley D7/510
 D548,082 S * 8/2007 Kingsley D9/500
 D553,914 S 10/2007 Wahl
 D554,000 S 10/2007 Walsh
 D564,363 S 3/2008 Rhea
 D572,585 S 7/2008 Perrin et al.
 D584,623 S 1/2009 Chupak
 D587,533 S 3/2009 Carreno
 D601,436 S 10/2009 Stephens et al.
 D603,331 S 11/2009 Schupp
 D603,722 S 11/2009 Reimer
 D604,181 S 11/2009 Reimer
 D604,561 S 11/2009 Chisholm
 D605,040 S 12/2009 Fry et al.
 D605,060 S 12/2009 Reimer
 D611,346 S 3/2010 Camomile
 D612,235 S 3/2010 Cresswell et al.
 D614,918 S 5/2010 Chisholm
 D615,360 S 5/2010 Joy et al.
 D615,816 S 5/2010 Joy et al.
 D616,703 S 6/2010 Joy et al.
 D616,743 S 6/2010 Cresswell et al.
 D616,744 S * 6/2010 Cresswell D9/443
 D619,457 S 7/2010 Walsh
 D619,458 S 7/2010 Walsh
 D619,459 S 7/2010 Walsh
 D620,798 S 8/2010 Cresswell et al.
 D621,257 S 8/2010 Gullickson et al.
 D621,258 S 8/2010 Gullickson et al.
 D622,089 S 8/2010 Daniel et al.
 D622,145 S 8/2010 Walsh
 D623,475 S 9/2010 Aarnoudse et al.
 D623,896 S 9/2010 Wahl et al.
 D625,560 S * 10/2010 Olson D7/300.1
 D626,414 S 11/2010 Cresswell et al.
 D626,416 S * 11/2010 Cresswell D7/510
 D627,601 S 11/2010 Eyal
 D627,602 S 11/2010 Eyal
 D627,604 S 11/2010 Eyal
 D628,486 S 12/2010 Lane
 D629,689 S 12/2010 Cresswell et al.
 D629,690 S 12/2010 Cresswell et al.
 D629,691 S 12/2010 Cresswell et al.
 D630,474 S 1/2011 Gilbert
 D630,475 S 1/2011 Lu
 D631,666 S 2/2011 Lim et al.

D633,338 S 3/2011 Rosbach et al.
 D633,794 S 3/2011 Cresswell et al.
 D633,795 S 3/2011 Cresswell et al.
 D633,796 S 3/2011 Cresswell et al.
 D633,797 S 3/2011 Cresswell et al.
 D635,457 S * 4/2011 Lane D7/510
 D635,856 S 4/2011 Lauret
 D638,695 S 5/2011 Woodrow et al.
 D638,708 S 5/2011 Walsh
 D639,164 S 6/2011 Walsh
 D639,166 S 6/2011 Carreno
 D639,661 S 6/2011 Llerena
 D639,663 S 6/2011 Llerena
 D641,591 S 7/2011 Tsukida
 D651,847 S 1/2012 Gilbert
 D652,255 S 1/2012 Carland
 D652,682 S 1/2012 Eyal
 D654,762 S 2/2012 Gilbert
 D655,134 S 3/2012 Gilbert
 D655,581 S 3/2012 Kotani
 D657,196 S 4/2012 Beyers, III
 D658,064 S 4/2012 Barnes et al.
 D658,445 S 5/2012 Carreno
 D659,007 S 5/2012 Pape
 D660,084 S 5/2012 Gilbert
 D662,360 S * 6/2012 George D7/510
 8,215,511 B1 7/2012 Lin
 D664,809 S 8/2012 Eyal
 D665,621 S 8/2012 Eyal
 D668,913 S * 10/2012 Mayer D7/510
 D670,137 S 11/2012 Gilbert
 D672,238 S 12/2012 Aziz et al.
 D672,609 S 12/2012 Aziz et al.
 D675,100 S 1/2013 Herbst
 D676,764 S 2/2013 Moore et al.
 D678,772 S 3/2013 Johnson et al.
 D680,389 S 4/2013 Zemel et al.
 D684,059 S 6/2013 Johnson et al.
 D686,078 S 7/2013 Johnson et al.
 D688,093 S 8/2013 Roth et al.
 D693,698 S 11/2013 Miller, Jr.
 D695,138 S 12/2013 Ball
 D696,945 S 1/2014 Newman
 D697,404 S 1/2014 Johnson et al.
 D698,668 S 2/2014 Vaughn
 D701,464 S 3/2014 Ogata et al.
 D702,092 S 4/2014 Mettler et al.
 D702,506 S 4/2014 Mettler et al.
 D708,954 S * 7/2014 Barnes D7/511
 D709,734 S 7/2014 Kotani
 D712,254 S 9/2014 Geis et al.
 D712,255 S 9/2014 Geis et al.
 D713,268 S 9/2014 Jones et al.
 D713,365 S 9/2014 Green
 D717,102 S 11/2014 Taketani et al.
 D724,385 S 3/2015 Hurley et al.
 D728,315 S 5/2015 Bo
 D728,995 S 5/2015 Barberi
 D729,579 S * 5/2015 Molayem D7/507
 D729,584 S 5/2015 Weston et al.
 D732,402 S 6/2015 Jones et al.
 D734,154 S 7/2015 Johnson et al.
 D735,578 S 8/2015 Mazurkiewicz et al.
 D741,655 S 10/2015 Whelan et al.
 D743,742 S 11/2015 Rummel et al.
 D744,781 S 12/2015 Rummel et al.
 D754,472 S 4/2016 Munari
 2011/0186585 A1 8/2011 Lu
 2014/0353275 A1 12/2014 Hung

FOREIGN PATENT DOCUMENTS

CN 303528321 12/2015
 CN 303905254 11/2016
 DE 29707837 U1 7/1997
 EP 2567909 A1 3/2013
 JP 2014210613 A 11/2014
 JP 1530358 8/2015
 KR 300303813.0000 8/2002

(56)

References Cited

FOREIGN PATENT DOCUMENTS

KR	300751936.0000	7/2014
KR	300764889.0000	10/2014
WO	D088688-002	1/2016

OTHER PUBLICATIONS

“Hydro Flask Insulated Stainless Steel Water Bottle” published on Dec. 29, 2014, retrieved from http://web.archive.org/web/*/https://www.amazon.com/dp/B004X55L9l/ref=twister_B00GA03LG4?_encoding=UTF8&psc=1 on Sep. 22, 2016.

“Eco Vessel 64 ounce Growler” published on Jan. 28, 2015, retrieved from http://web.archive.org/web/*/http://www.snewsnet.com/press-release/eco-vessel-launches-the-boss-insulated-growler/ on Sep. 22, 2016.

“Classic Vacuum Bottle—1.1 qt,” published on Feb. 22, 2015, retrieved from http://www.amazon.com/Stanley-Classic-Vacuum-Bottle-1-1qt/dp/images/B004E7NY3U/ref=dp_image_1_0?ie=UTF8&s=sporing-goods&img=color_name=1.

“UA Beyond 18 oz. Vacuum Insulated Water Bottle” published on Mar. 29, 2015, retrieved from http://web.archive.org/web/*/https://www.underarmour.com/en-us/beyond-18-oz-vacuum-insulated-ss-bottle-with-flip-top-lid/pid1232014 on Sep. 22, 2016.

“KB8 20 oz. Double Wall Stainless Bottle,” published on May 22, 2015, retrieved from <https://web.archive.org/web/20150807054814/http://thermo-steel.com/work/keen-kb8> on Sep. 27, 2016.

“2015 Boulder Insulated Water Bottle with Tea, Fruit, Ice Strainer” published on Jun. 28, 2015, retrieved from http://web.archive.org/web/*/http://www.ecovessel.com/boulder-insulated-water-bottle-with-tea-fruit-ice-strainer-20-oz/ on Sep. 22.

“Klean Kanteen Insulated Classic with Polypropylene” published on Jul. 7, 2015, retrieved from http://web.archive.org/web/*/https://www.lifewithoutplastic.com/store/klean-kanteen-insulated-classic-with-polypropylene-loop-cap-0-95-l-32-oz.html on Sep. 22, 2016.

Kold Vacuum Insulated Stainless Steel Sports Bottle: Announced Dec. 8, 2015 [online], site visited [May 11, 2016]. Available from Internet URL: <http://www.amazon.com/KOLD-Sports-Water-Bottles-Insulated/dp/B018YH K79E/ref=cm>.

Yeti 36 oz. Rambler: Announced Jan. 11, 2016 [online], site visited [May 10, 2016]. Available from Internet URL: <http://yeticoolers.com/rambler-bottle-36-oz/>.

United States District Court Western District of Texas Austin Division, “Complaint for Damages and Injunctive Relief,” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC and RTIC Web Services, LLC*, Case: 1:16-cv-00985, Document #1, filed Aug. 18, 2016, 27 pages.

English translation of Office Action issued on Sep. 6, 2016 for JP Application No. 2016-9603, 4 pages.

English translation of Office Action issued on Sep. 6, 2016 for JP Application No. 2016-9604, 3 pages.

Office Action issued on Sep. 6, 2016 for JP Application No. 2016-9603, 4 pages.

Office Action issued on Sep. 6, 2016 for JP Application No. 2016-9604, 3 pages.

United States District Court Western District of Texas Austin Division, “Defendants’ Motion to Dismiss Pursuant to Rule 12(b)(6),” *YETI Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC and RTIC Web Services, LLC*, Case: 1:16wcv-00985, Document 9, filed Sep. 23, 2016, 27 pages.

English translation of Office Action issued on Oct. 4, 2016 for JP Application No. 2016-9607, 2 pages.

English translation of Office Action issued on Oct. 4, 2016 for JP Application No. 2016-9608, 2 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ First Amended Complaint,” *YETI coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC, and RTIC Web Services, LLC*, Case 1:16-cv-00985-RP, Document 15, filed Oct. 14, 2016, 26 pages.

United States District Court Western District of Texas Austin Division, “Defendants’ Notice of Responsive Pleading to Plaintiff’s First Amended Complaint,” *YETI Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC, and RTIC Web Services, LLC*, Case 1:16-cv-00985-RP, Document 23, filed Oct. 26, 2016, 4 pages.

English translation of Office Action issued on Nov. 1, 2016 for JP Application No. 2016-9605, 2 pages.

English translation of Office Action issued on Nov. 1, 2016 for JP Application No. 2016-9606, 2 pages.

Feb. 6, 2017—(WO) International Search Report and Written Opinion—App No. PCT/US2016/059481—12 pages.

United States District Court Western District of Texas Austin Division, “Plaintiff YETI Coolers, LLC’s Original Complaint,” *YETI Coolers, LLC v. Ontel Products Corporation and World Pack USA, LLC*, Case: 1:17-cv-00091-RP, Document #1, filed Feb. 8, 2017, 65 pages.

United States District Court Western District of Texas Austin Division, “Defendants’ Answers and Defenses to Plaintiffs Original Complaint,” *YETI Coolers, LLC v. Ontel Products Corporation and World Pack USA, LLC*, Case: 1:17-cv-00091-RP, Document #14, filed Mar. 21, 2017, 45 pages.

English Translation of Office Action issued on Apr. 4, 2017 for JP Application No. 2016-9605, 11 pages.

English Translation of Office Action issued on Apr. 4, 2017 for JP Application No. 2016-9606, 10 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ Complaint for Damages and Injunctive Relief,” *YETI Coolers, LLC v. Houssam Rabi d/b/a Hoo-Sizzy*, Case 1:17-cv-00418, Document 1, filed May 5, 2017, 37 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ Complaint for Damages and Injunctive Relief,” *YETI Coolers, LLC v. Seth Stevens d/b/a SDS Marketing d/b/a Eskimo Coolers, Panther Group LLC d/b/a Eskimo Coolers, Panther Group Sales, LLC d/b/a Eskimo Coolers, and Silver Fox Sales, LLC*, Case 1:17-cv-00423, Document 1, filed May 5, 2017, 77 pages.

* cited by examiner

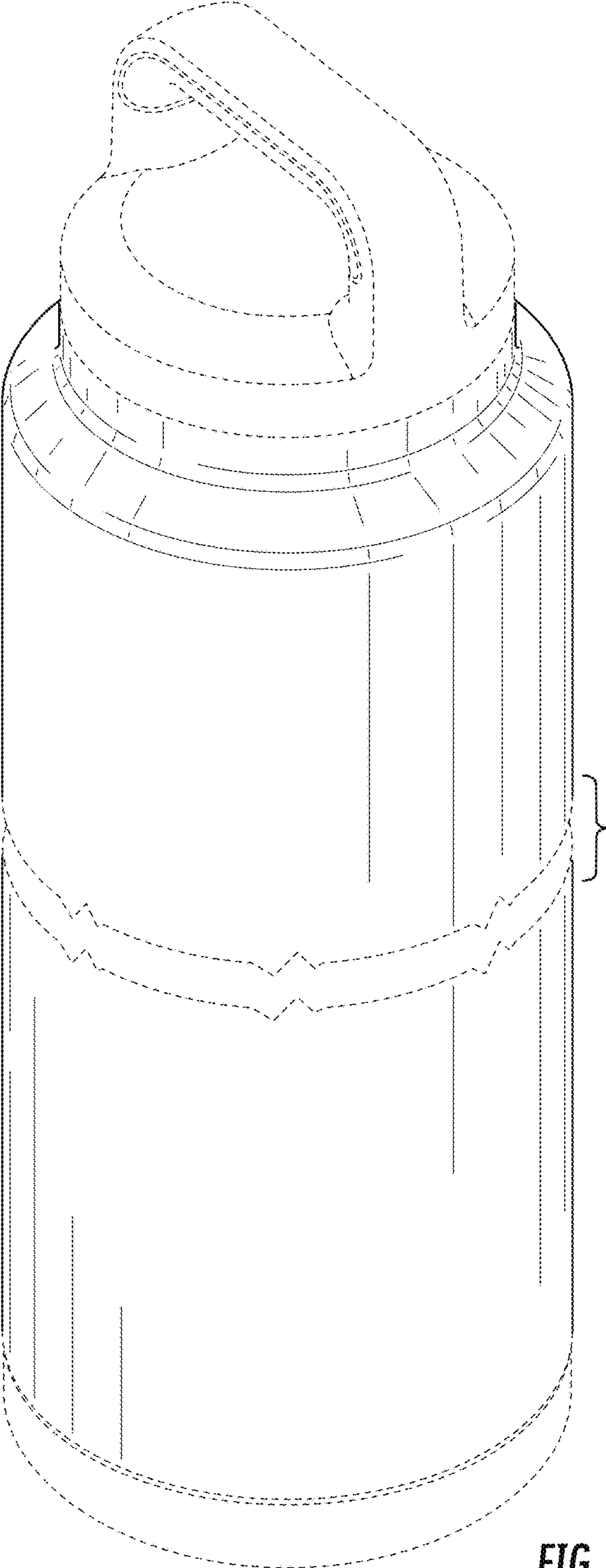


FIG. 1

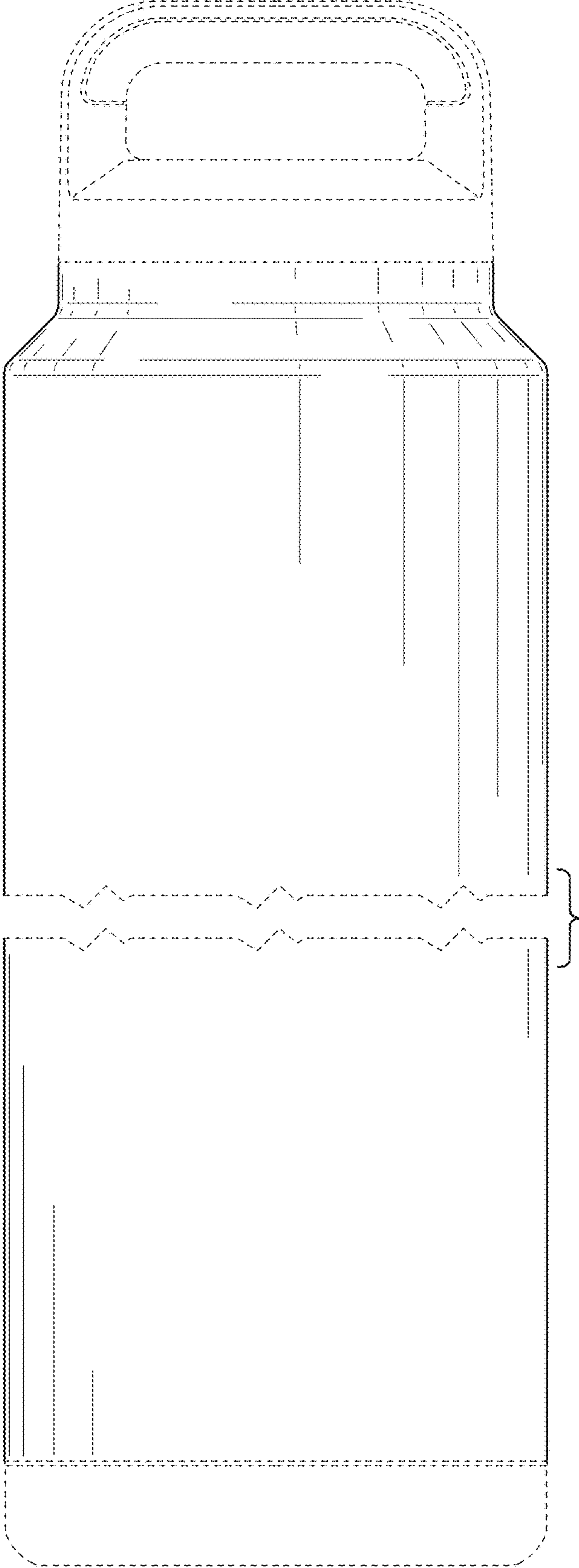


FIG. 2

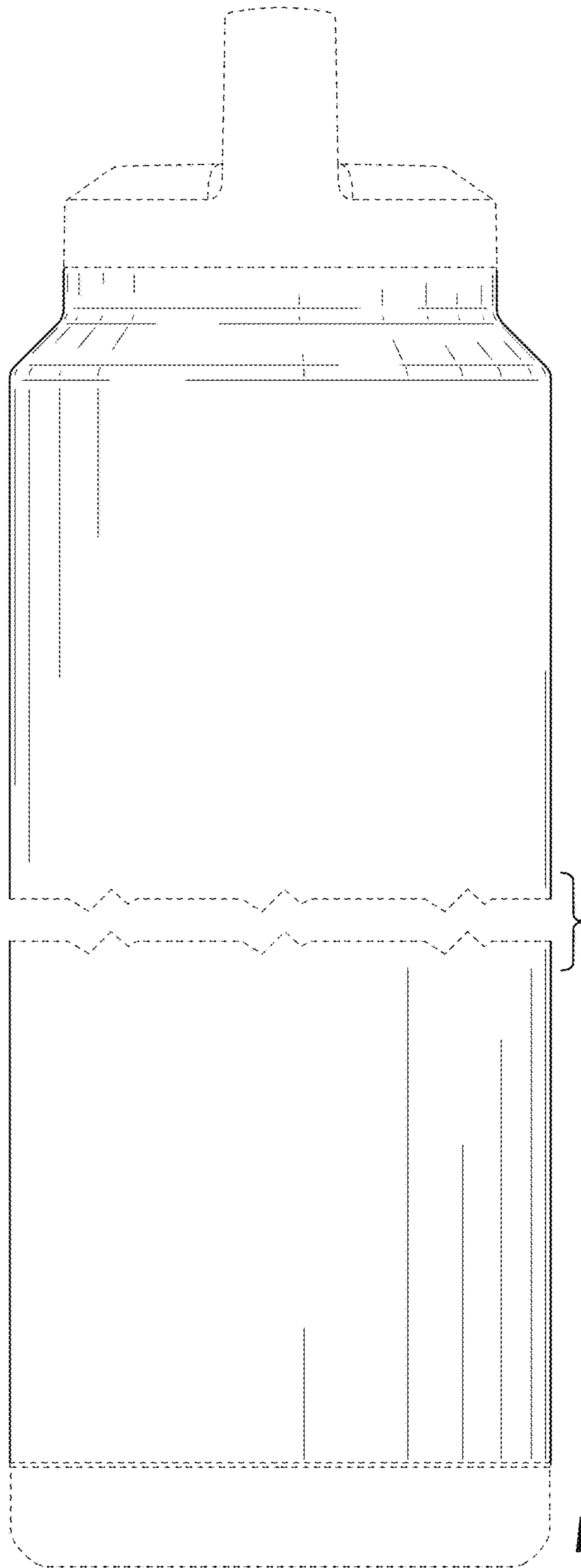


FIG. 3

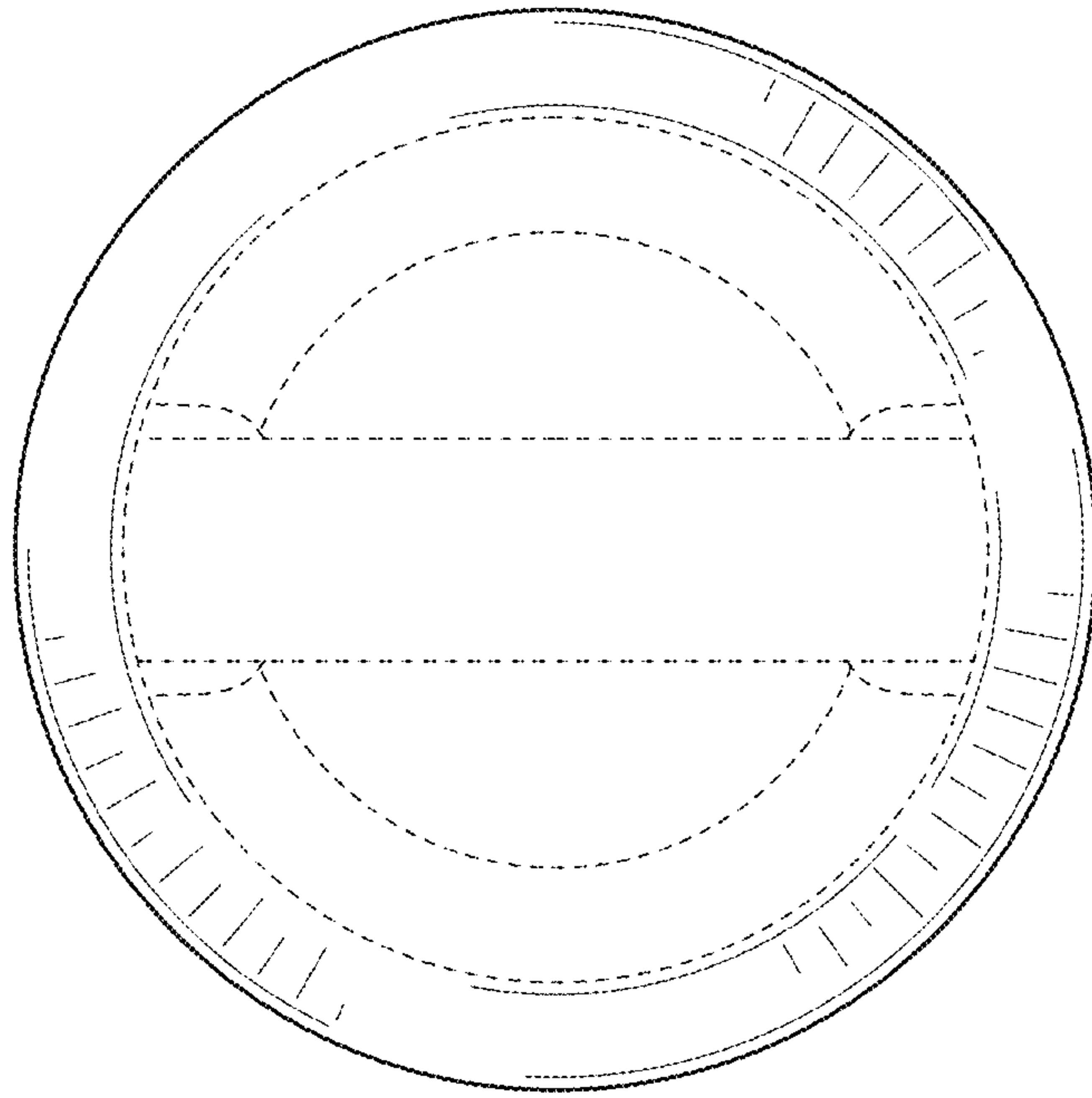


FIG. 4

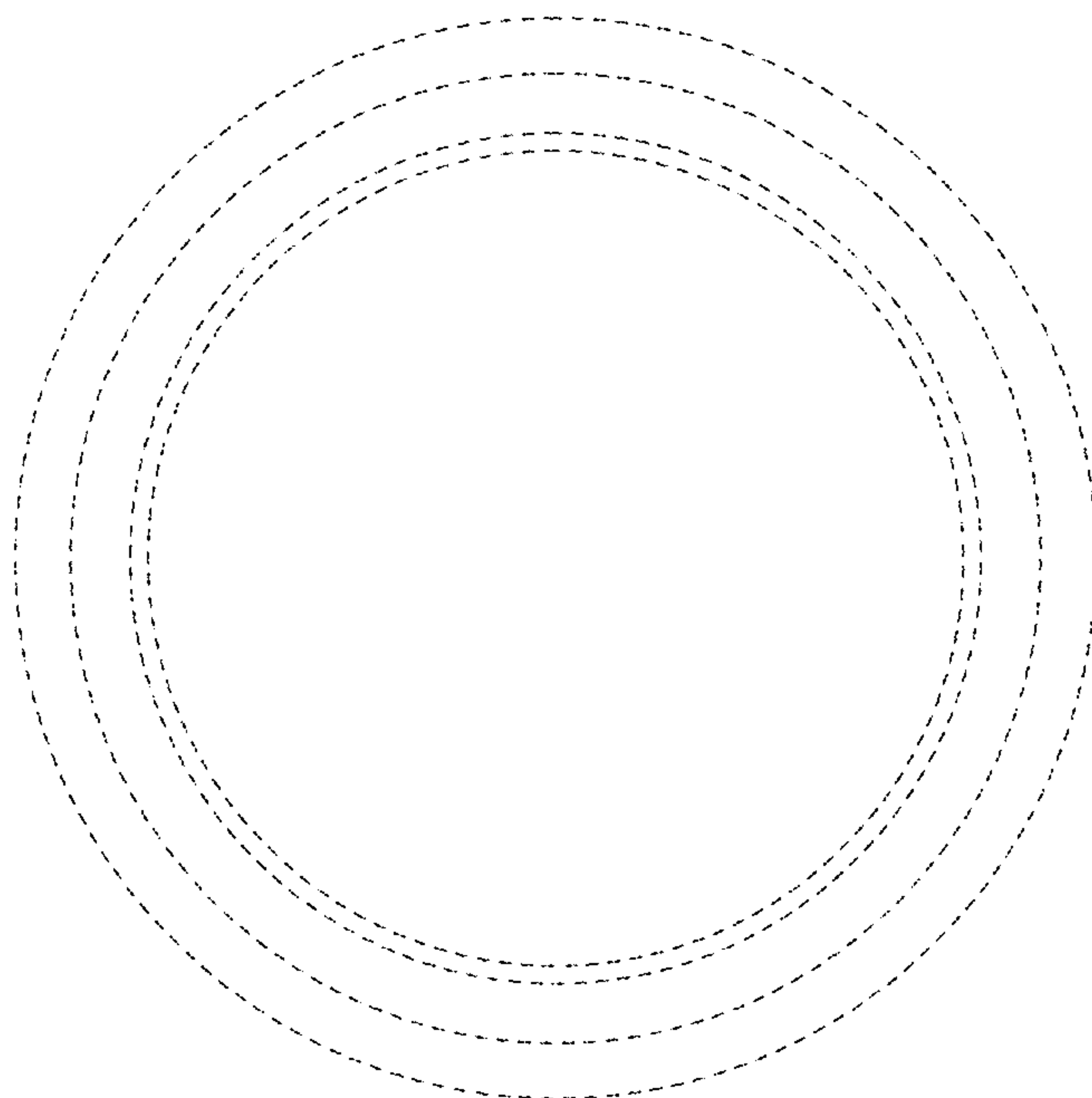


FIG. 5