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(12) **United States Design Patent** (10) **Patent No.:** **US D800,990 S**
Clements et al. (45) **Date of Patent:** **** Oct. 31, 2017**

(54) **SHAPED TORTILLA**

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(**) Term: **15 Years**

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(52) **U.S. Cl.**
USPC **D1/123; 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, 359, 388, 409; D21/386; D19/91; 426/92, 94, 95, 99, 101, 426/138-139, 143, 279, 282, 283, 391, 426/514; D11/146, 151, 154, 164; D14/480.5, 484.1; D28/41; D25/38.1, D25/100, 114, 119, 138, 140, 141; D23/365; 52/312, 560
CPC A21D 13/0029; A21D 13/0074; A21D 13/0022; A21D 13/0006; A23L 1/1641; A23L 1/005

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
(Continued)

FOREIGN PATENT DOCUMENTS

WO WO-2004/037016 5/2004

OTHER PUBLICATIONS

Norpro Nonstick Tortilla Bowl, Amazon. Nov. 13, 2010. Web. Apr. 21, 2015, <<http://www.amazon.com/Norpro-Nonstick-Tortilla-Bowl-Makers/dp/B00005EBH7>>.

(Continued)

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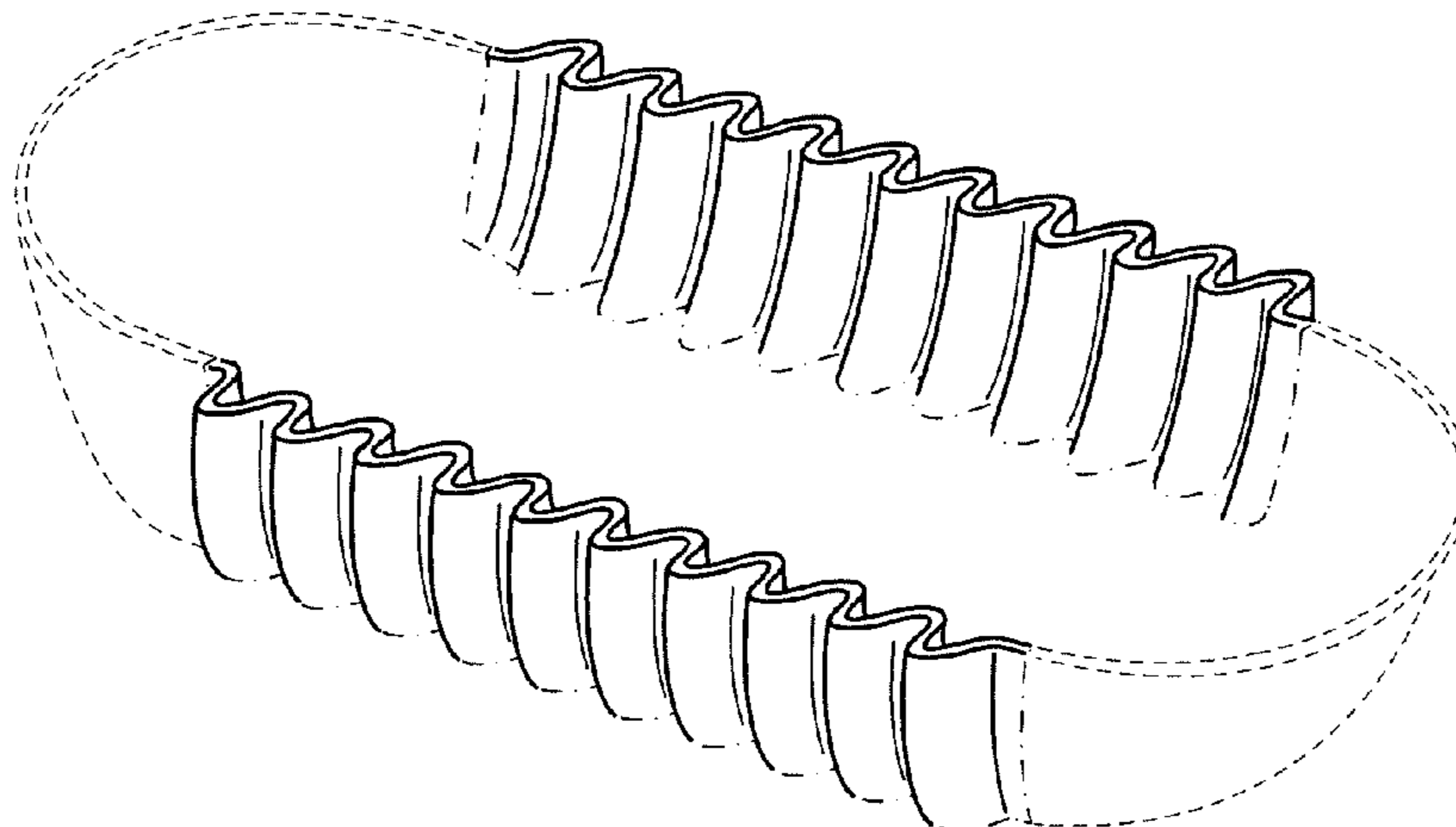
(57) **CLAIM**

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

DESCRIPTION

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

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D31,600 S	10/1899	Terry	4,915,964 A	4/1990	Smietana
909,715 A	1/1909	Troegeler	4,919,946 A	4/1990	Pak et al.
1,455,009 A	5/1923	Schenk	4,929,458 A	5/1990	Smietana
D62,515 S	6/1923	Wood	D314,887 S	2/1991	Tomaras
1,529,670 A	3/1925	Pritchard et al.	5,002,783 A	3/1991	Ruiz
D67,821 S	7/1925	Yohai et al.	5,009,902 A	4/1991	Mercenari
1,552,671 A	9/1925	Bellocchio	D316,622 S	5/1991	Popiel
1,816,283 A	7/1931	Holibaugh	D318,001 S	7/1991	Gavin et al.
1,842,576 A	1/1932	Bemis	D318,361 S	7/1991	Malim
D87,362 S	7/1932	Sherman	D318,984 S	8/1991	Wickham et al.
D89,341 S	2/1933	Hamsen	D324,603 S	3/1992	Cope et al.
1,909,930 A	5/1933	De Ridder	5,117,584 A	6/1992	Ottenwalder et al.
D93,019 S	8/1934	Hose	D334,111 S	3/1993	Yockey et al.
2,120,710 A	6/1938	Nieding	5,203,493 A	4/1993	Moody
2,145,481 A	1/1939	Harvey	D335,758 S	5/1993	Stickle
2,274,344 A	2/1942	Palmer	5,223,286 A	6/1993	Selbak
D141,423 S	5/1945	Lewis	5,236,727 A	8/1993	Huston
2,508,724 A	5/1950	Moffett, Jr.	D339,899 S	10/1993	Kittleson
2,547,295 A	4/1951	Weeks	5,298,273 A	3/1994	Ito
2,598,927 A	6/1952	May	5,298,279 A	3/1994	Hayashi
2,601,822 A	7/1952	Hopkins	D350,671 S	9/1994	Asner
2,630,389 A	3/1953	Lipshutz	5,364,016 A	11/1994	Capy et al.
2,664,812 A	1/1954	Molina	D354,159 S	1/1995	Martin
2,739,464 A	3/1956	Smith	D358,018 S	5/1995	Lindemann
D178,162 S *	6/1956	Van Ike D11/154	D369,451 S	5/1996	Gornet et al.
2,892,719 A	6/1959	Lynn	D370,086 S	5/1996	Yeh
3,222,697 A	12/1965	Scheermesser	D374,844 S	10/1996	Weder et al.
D205,126 S	6/1966	Haessler	5,567,455 A	10/1996	Alsbrook, Sr.
3,290,154 A	12/1966	Turner	5,567,459 A	10/1996	Gonzalez-Hernandez et al.
3,341,167 A	9/1967	Weiss	D376,893 S	12/1996	Gornet
3,481,458 A	12/1969	Mayeaux	D377,257 S	1/1997	Calvin
3,541,587 A	11/1970	Washburn	5,626,897 A	5/1997	Goldstein
D222,682 S	11/1971	Douglas	D380,885 S	7/1997	Goll
3,653,337 A	4/1972	Hanson	5,652,010 A	7/1997	Gimmler et al.
3,794,455 A	2/1974	Heiderpriem	D383,589 S	9/1997	Morales
3,908,022 A	9/1975	Selleck	D387,109 S	12/1997	Winans
3,930,049 A	12/1975	Mattson	D387,701 S	12/1997	Shieh
4,018,905 A	4/1977	Adamek et al.	D389,373 S	1/1998	Belue
4,055,670 A	10/1977	Belmont	5,709,898 A	1/1998	Biggs et al.
4,065,092 A	12/1977	Spinks, Sr. et al.	D392,503 S	3/1998	Cummings
4,065,581 A	12/1977	Heiderpriem	D392,786 S	3/1998	Kieser
4,075,107 A	2/1978	Smith	D393,136 S	4/1998	Gornet
D247,868 S	5/1978	Britt	5,756,976 A	5/1998	Akasaka
D251,396 S	3/1979	Hutchinson	D395,937 S	7/1998	Zada
D251,816 S	5/1979	Majeski	D402,085 S	12/1998	Gornet
D252,845 S	9/1979	Gavin	D402,502 S	12/1998	Liaw
4,214,517 A	7/1980	Caldwell	D402,739 S *	12/1998	McClements D23/309
4,250,091 A	2/1981	Papa et al.	D404,684 S	1/1999	Shea
4,251,554 A	2/1981	Baisden	5,897,900 A	4/1999	Groulx et al.
4,270,660 A	6/1981	Putt	D412,770 S	8/1999	Martinez et al.
4,313,964 A	2/1982	Dembecki	D413,547 S	9/1999	Wagner
D263,786 S	4/1982	Kohan	5,984,697 A	11/1999	Moran et al.
D265,387 S *	7/1982	Nattrass D11/156	5,993,871 A	11/1999	Beehler
4,381,837 A	5/1983	Cortopassi	5,996,476 A	12/1999	Schultz
4,444,795 A	4/1984	Weinstein	5,997,921 A	12/1999	Tirillo
D274,115 S	6/1984	Gavin et al.	D421,272 S	2/2000	Patel
D277,234 S	1/1985	Bank	D425,685 S	5/2000	Kitslaar
D278,199 S	4/1985	Richards	6,156,357 A	12/2000	Franklin
D279,160 S	6/1985	Hunt	6,245,374 B1	6/2001	Thomas et al.
4,530,275 A	7/1985	Stickle et al.	D444,816 S	7/2001	Stravitz
D282,338 S	1/1986	Putt	D447,086 S *	8/2001	Weder D11/164
4,573,579 A	3/1986	Murdick et al.	D450,420 S	11/2001	Brost et al.
D285,740 S	9/1986	Watanabe	D467,121 S	12/2002	Zietz et al.
4,626,438 A	12/1986	Glantz	D467,669 S	12/2002	Givens et al.
4,650,684 A	3/1987	Penrose	D478,393 S	8/2003	Alduby
4,666,799 A	5/1987	Runquist et al.	6,607,169 B1	8/2003	Gershfeld
4,733,521 A	3/1988	Weder et al.	6,615,495 B1	9/2003	Evens et al.
4,735,811 A	4/1988	Skarra et al.	D485,307 S	1/2004	Sheldon et al.
4,746,010 A	5/1988	Fournier	D493,943 S	8/2004	Mendenhall
D296,284 S	6/1988	Colby	D515,274 S	2/2006	Griebel et al.
4,781,932 A	11/1988	Skarra et al.	D516,275 S	3/2006	Anaya
4,812,376 A	3/1989	Rudolph	7,008,655 B1	3/2006	Aslanis
D300,707 S	4/1989	Walmesley	D520,814 S	5/2006	Wegmann
4,855,151 A	8/1989	Fielding	D523,289 S	6/2006	David
4,896,820 A	1/1990	Harrington	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

(56)

References Cited

U.S. PATENT DOCUMENTS

D547,235	S	7/2007	Stanton et al.
D552,785	S	10/2007	De'Armond
D579,626	S	11/2008	Schulman
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
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
D653,079	S	1/2012	King
D655,886	S	3/2012	Kovich et al.
D664,399	S	7/2012	Henry
D673,402	S	1/2013	Kuzyk
D691,400	S	10/2013	Young
D691,401	S	10/2013	Sobran
D722,821	S	2/2015	Liu
2001/0043973	A1	11/2001	Keck et al.
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.
2008/0095908	A1	4/2008	Vendl 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

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 gnpd, "Crispy Tacho Shells", <http://www.gnpd.com>.
 Food Beast, "*DOPE: Seaweed Cupcake Wrappers*", <http://www.foodbeast.com/news/seaweed-cupcake-wrappers>>. Feb. 13, 2015.
 Bento Tools—Bento!, <http://obentolunch.weebly.com/bento-tools.html>>.
 "American Hits", Oct. 30, 2007, <http://www.salomon-online.com/p3filesen/produkte/americanhits.shtml>.

"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-2011935>.
 "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://excitetech.com/TheWalkAboutConeDocV7.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.
 The Nibble, Mar. 12, 2009, Tumaro's Tortillas, Gourmet for Sandwich Wraps, Mexican Recipes & Desserts: <http://www.thenibble.com/reviews/main/breadstuffs/tumaro.tortillas.asp>.
 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.eeecooks.com/recipes/2004/02/17/shell>.
 GoogleGroups, May 1999, rec.food.cooking, http://groups.google.com/group/rec.food.cooking/browse_thread/thread/25cf043af2ac4457/7cb26bbc141f38fe?hl=en&ie=UTF-8&oe=UTF-8&q=orte.
 Hessong, Athena, "Desserts Made with Tortilla Shells", 10.5.2012, http://www.ehow.com/info_10001655_desserts-made-tortilla-shells.html.

* cited by examiner

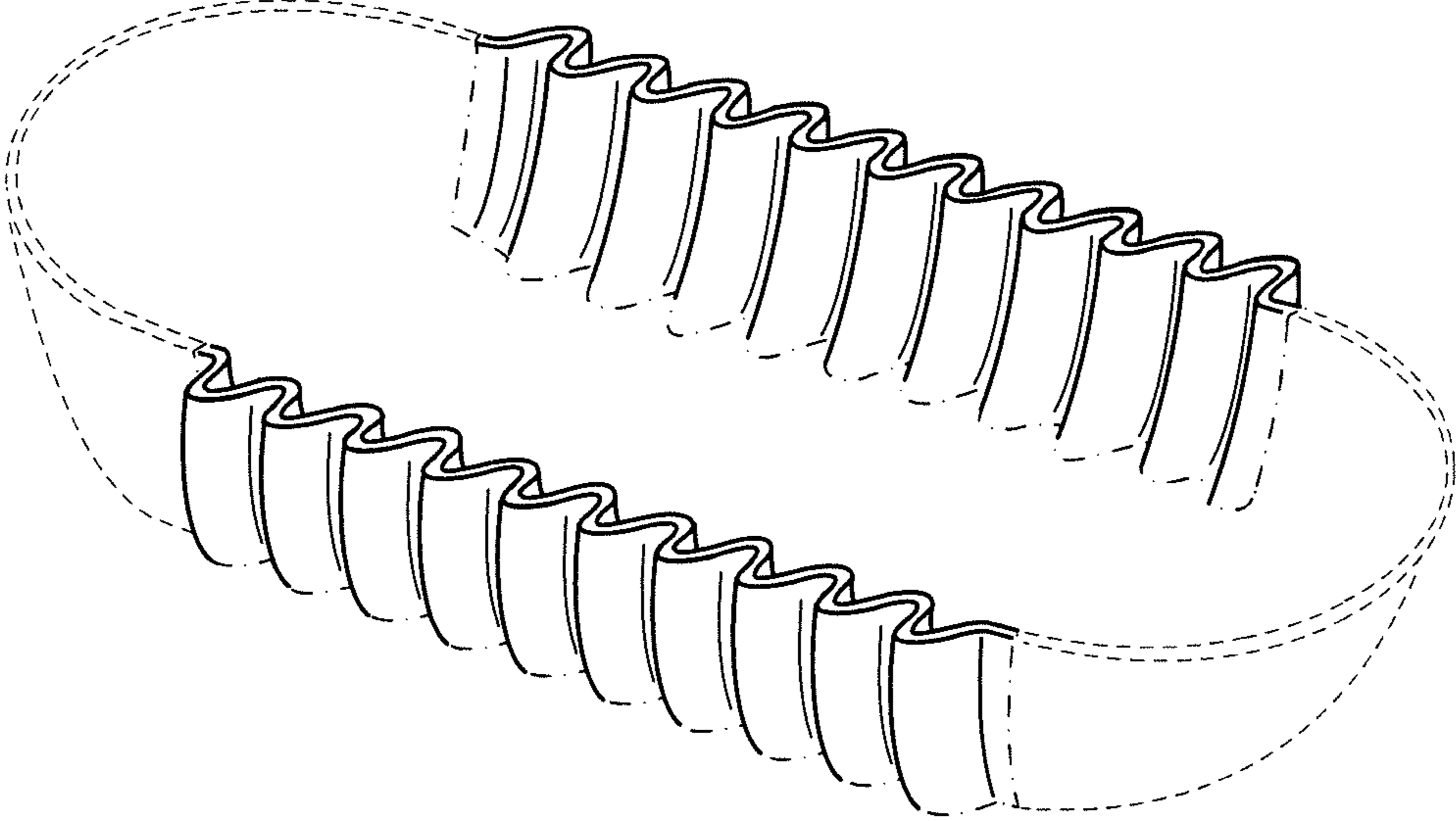


FIG. 1

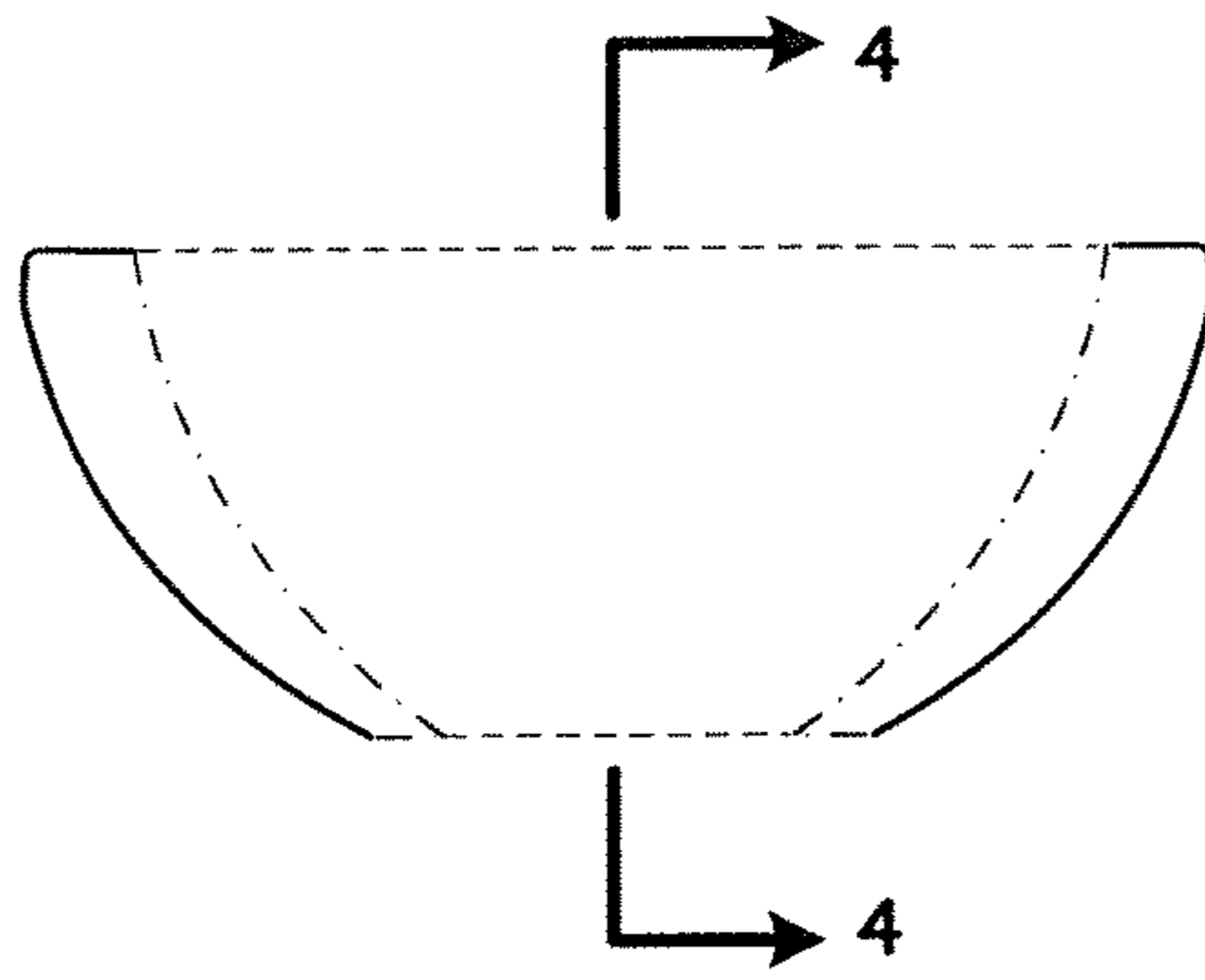


FIG. 2

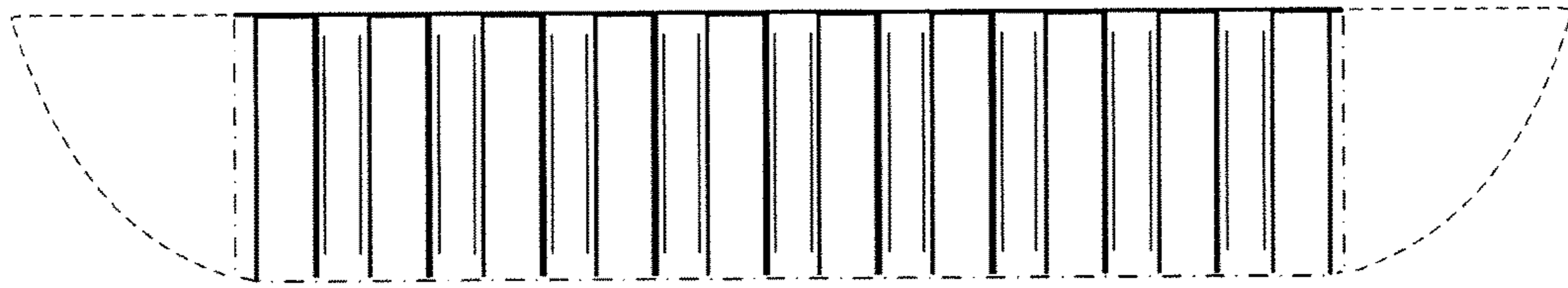


FIG. 3

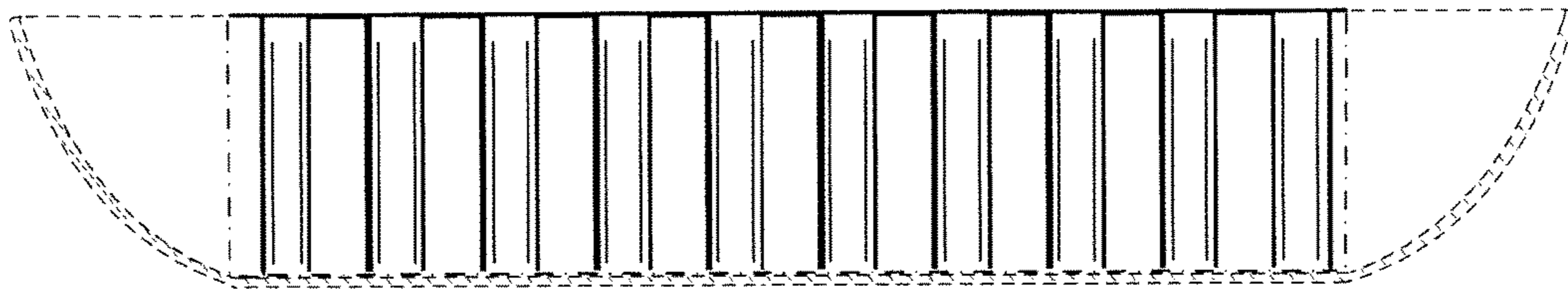


FIG. 4

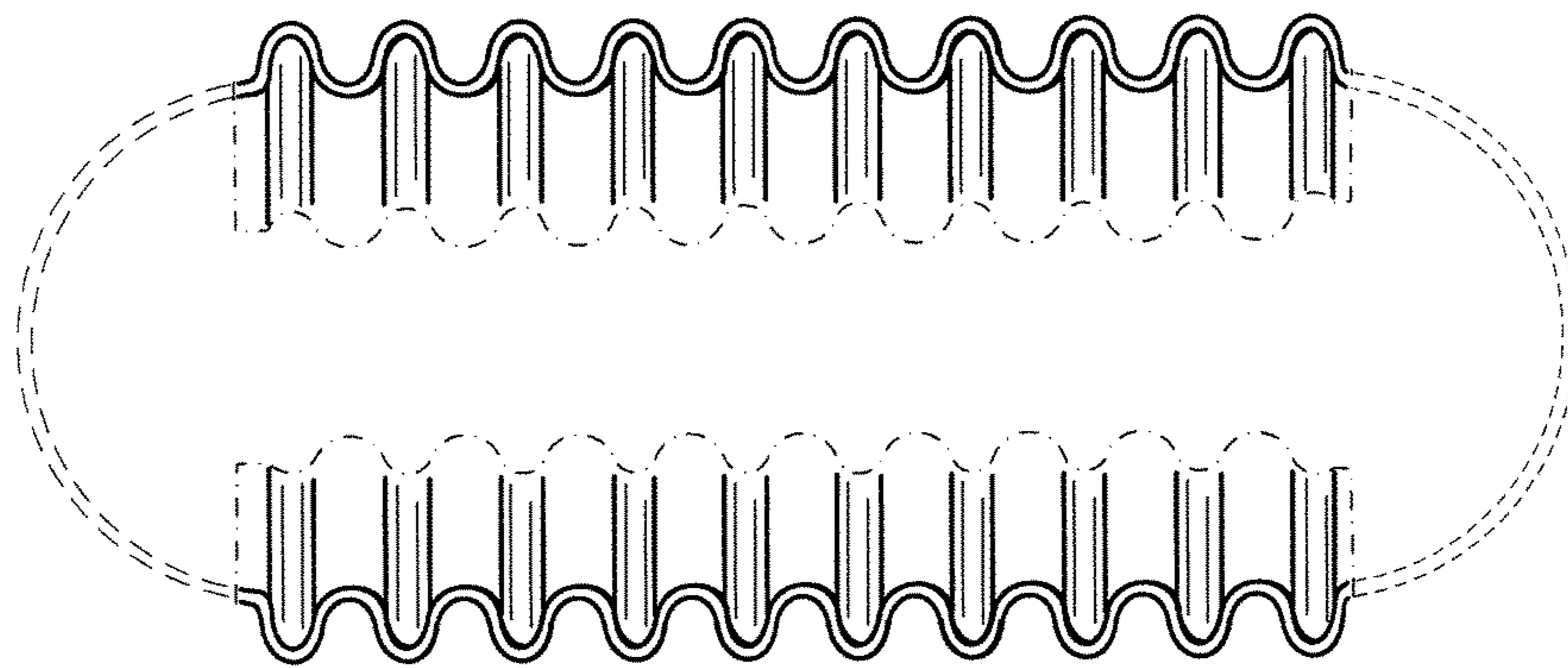


FIG. 5

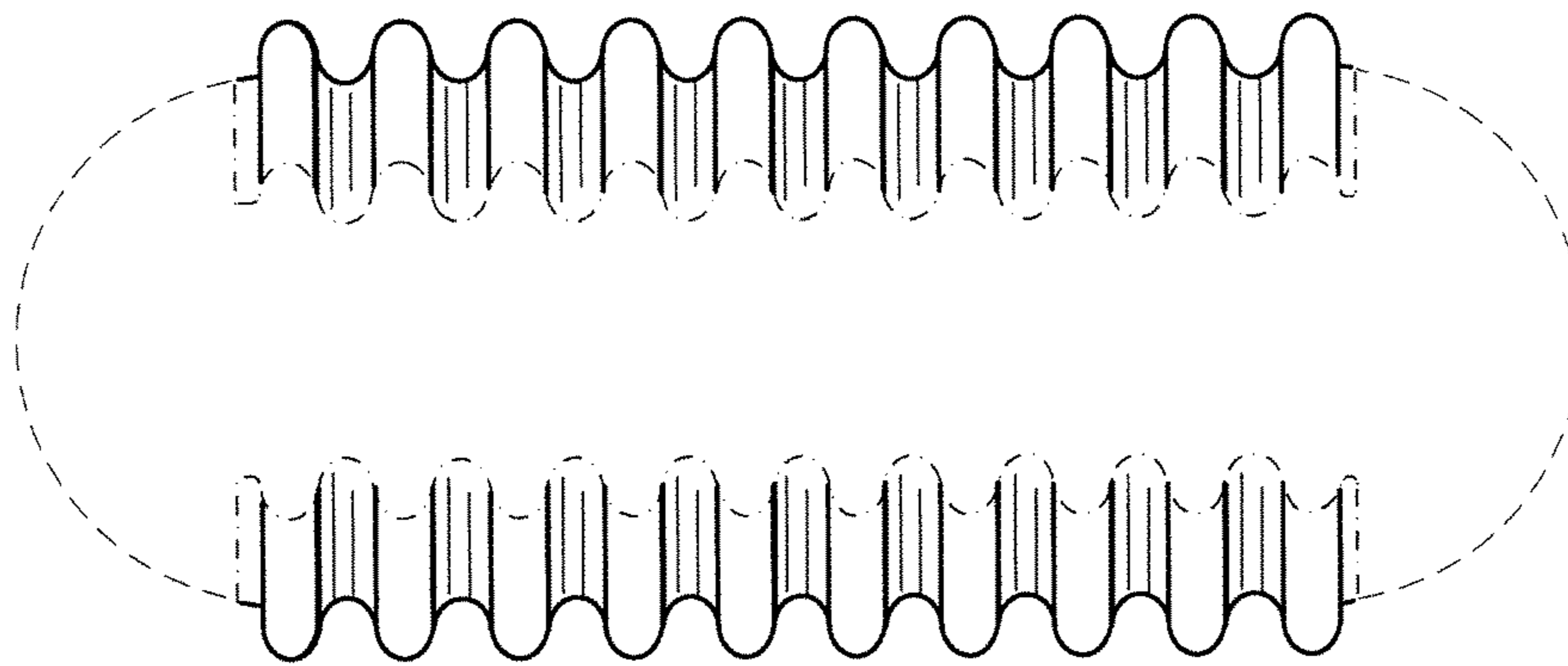


FIG. 6