



US00D823133S

(12) **United States Design Patent**
Keating

(10) **Patent No.:** **US D823,133 S**
(45) **Date of Patent:** **** Jul. 17, 2018**

- (54) **CONTAINER DIVIDER**
- (71) Applicant: **TUESDAY MORNING PARTNERS, LTD.**, Dallas, TX (US)
- (72) Inventor: **Daniel S. Keating**, Colorado Springs, CO (US)
- (73) Assignee: **TUESDAY MORNING PARTNERS, LTD.**, Dallas, TX (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/542,499**
- (22) Filed: **Oct. 14, 2015**
- (51) **LOC (11) Cl.** **09-03**
- (52) **U.S. Cl.**
USPC **D9/737**
- (58) **Field of Classification Search**
USPC D9/456, 434, 436, 549, 737, 738;
D7/637-640, 555, 557, 387;
D3/318-320, 315, 316; D6/300-314;
D20/10, 15, 17, 19, 21, 27, 39-41, 43;
40/700-703, 709, 720, 768, 769, 777,
40/797-799, 771
CPC A47G 5/00; E04B 2/7427; B65D 25/04;
B65D 81/32; G09F 7/22
See application file for complete search history.

- (56) **References Cited**
U.S. PATENT DOCUMENTS
420,335 A * 1/1890 Craig 220/23.2
D53,935 S * 10/1919 Reaper D7/557
D72,249 S * 3/1927 Orzo D28/76
1,943,295 A * 1/1934 Block G09F 23/00
40/358
3,052,368 A * 9/1962 Atkins A47J 47/02
215/10

3,073,047 A * 1/1963 Jones F03D 3/062
40/479
D205,210 S * 7/1966 Ford et al. D20/21
D211,546 S * 6/1968 Reibold et al. D6/680
(Continued)

OTHER PUBLICATIONS

Chefs Signature Tool Crock (via CHEFS catalog by Daniel Keating), available Dec. 22, 2015, [online], [site visited Oct. 20, 2017]. Available from internet, <URL: <http://www.coroflot.com/danielkeating/CHEFS-catalog> (Year: 2015).*
(Continued)

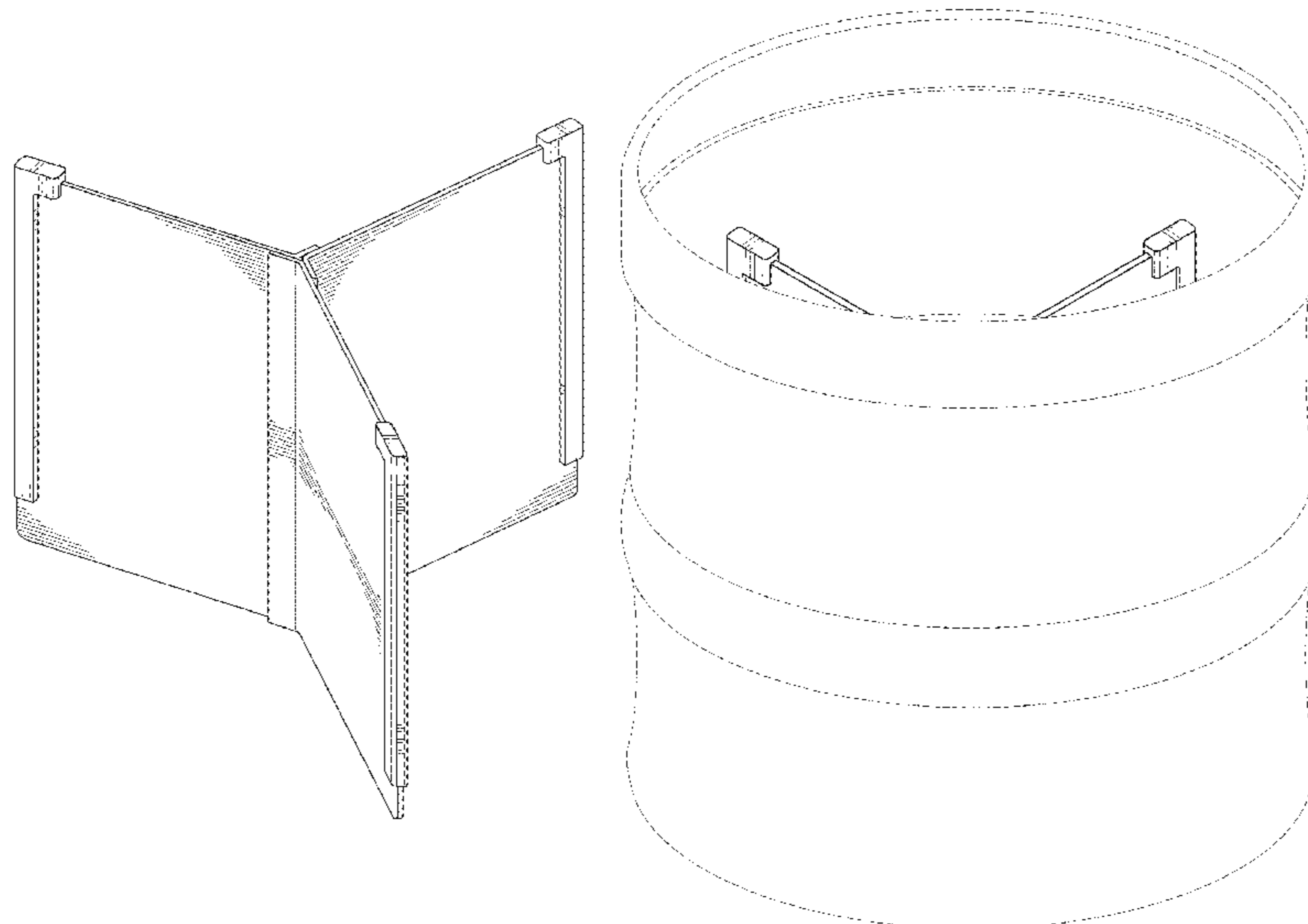
Primary Examiner — Cathron C Brooks
Assistant Examiner — W. A. Teddy Falloway
(74) *Attorney, Agent, or Firm* — Haynes and Boone, LLP

(57) **CLAIM**
The ornamental design for a container divider, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a container divider showing our new design;
FIG. 2 is a front view thereof;
FIG. 3 is a rear view thereof;
FIG. 4 is a right side view thereof;
FIG. 5 is a left side view thereof;
FIG. 6 is a top view thereof; and
FIG. 7 is a bottom view thereof.
FIG. 8 is a front perspective view of the container divider of FIG. 1 during use in a container;
FIG. 9 is a front view thereof, the rear view being a mirror image of the front view;
FIG. 10 is a right side view thereof, the left side view being a mirror image of the right side view;
FIG. 11 is a top view thereof; and,
FIG. 12 is a bottom view thereof.
The broken lines illustrate environmental structure and form no part of the claimed design.

1 Claim, 12 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

3,463,218 A * 8/1969 Byrens A47G 5/00
160/135
3,565,152 A * 2/1971 Cohn, Jr. A47G 5/00
160/135
D227,070 S * 6/1973 Dembar D6/301
D233,430 S 10/1974 Saltz
D238,931 S * 2/1976 Du Molin D6/514
3,952,437 A * 4/1976 Mitchell G09F 1/12
40/720
D255,186 S * 6/1980 Hupalowsky D6/332
D320,942 S * 10/1991 Lillelund D9/434
D322,096 S * 12/1991 Adams D20/21
D334,265 S 3/1993 Giugiaro
5,249,771 A * 10/1993 Wear G09F 7/22
248/300
5,291,700 A * 3/1994 Chew A47D 13/00
160/135
D355,735 S * 2/1995 Shaffer D32/53
D360,781 S * 8/1995 Hill D6/643.1
D364,537 S * 11/1995 Anderson D7/553.6
D367,408 S 2/1996 Fordyce
D395,377 S * 6/1998 Wallays D7/387
D401,058 S * 11/1998 Blackburn D3/260
D477,636 S 7/2003 Chen
D567,558 S 4/2008 Rubin
D642,622 S 8/2011 Trinkle et al.
D669,322 S 10/2012 Evans et al.
D695,875 S * 12/2013 Siudyla D22/134
2016/0060004 A1 * 3/2016 Dunn A47G 19/02
222/144.5
2017/0015467 A1 * 1/2017 Baer B65D 25/04

OTHER PUBLICATIONS

Acrylic Six-Sided Table Tent Card Holder (via amazon.com), available May 16, 2012, [online], [site visited Oct. 20, 2017]. Available from internet, <URL: <https://www.amazon.com/Acrylic-Six-Sided-Table-Tent-Holder/dp/B008MMZK8K> (Year: 2012).*

Stock Pot Divider, available Sep. 10, 2016, [online], [site visited Oct. 20, 2017]. Available from internet, <URL: https://www.amazon.com/dp/B01LVWPM88/ref=asc_df_B01LVWPM885223952/?tag=hyprod-20&creative=395033&creativeASIN=B01LVWPM88&linkCode=df0&hvadid=198087151093&hvpos=1o1&hvnetw=g&hvrand (Year: 2016).*

Turning Divider for Sink, available Aug. 12, 2010, [online], [site visited Oct. 20, 2017]. Available from internet, <URL: <http://www.coroflot.com/leoxzhao/turning-divider-for-sink-> (Year: 2010).*

White Utensil Crock with Divider, available Oct. 20, 2017, [online], [site visited Oct. 20, 2017]. Available from internet, <URL: http://www.pfaltzgraff.com/white-utensil-crock-with-divider/5164685.html?gclid=CjwKCAjwmqHPBRBQEiwAOvBR805i4PHSL9Jtm5VjFMXPqBK_CoACqhpq_wWPcRzM0KR9P5_2aDGP4BoC0VIQAvD_BwE (Year: 2017).*

“Bistro Utensil Holder by Bodum”, printed from www.wayfair.com/Bodum-Bistro-Utensil-Holder-11551-BMO1669.html?piid%5B0%5D=12802237, publicly available at least as early as Feb. 3, 2015 (5 pages).

“Chefs Fresh Valley Farm Tool Crock”, printed from www.target.com/p/chefs-fresh-valley-farm-tool-crock-off-white/-/A-16333616#prodSlot=medium_1_21, publicly available at least as early as Mar. 3, 2015, per <http://web.archive.org> (5 pages).

Kitchen Tool Crock first offered for sale by CHEFS on www.chefscatalog.com on Aug. 2, 2012 (3 pages).

“Mainstays Stainless Steel Utensil Holder”, printed from http://guide.alibaba.com/shop/mainstays-stainless-steel-utensil-holder_10772181.html, publicly available at least as early as Sep. 4, 2015 (3 pages).

“Good Grip Rotating Utensil Holder by OXO”, printed from www.wayfair.com/OXO-Good-Grips-Stainless-Steel-Rotating-Utensil-Holder-1386400-OXO1481.html, publicly available at least as early as Dec. 9, 2014 (5 pages).

“Typhoon® Novo Utensil Holder in Cream”, printed from www.bedbathandbeyond.com/1/1/249499-typhoon-novo-utensil-holder-cream.html, publicly available at least as early as Sep. 4, 2015 (4 pages).

“Cutlery Holder”, printed from <https://wanelo.com/shop/cutlery-holder>, publicly available at least as early as Jan. 13, 2015 (5 pages).

* cited by examiner

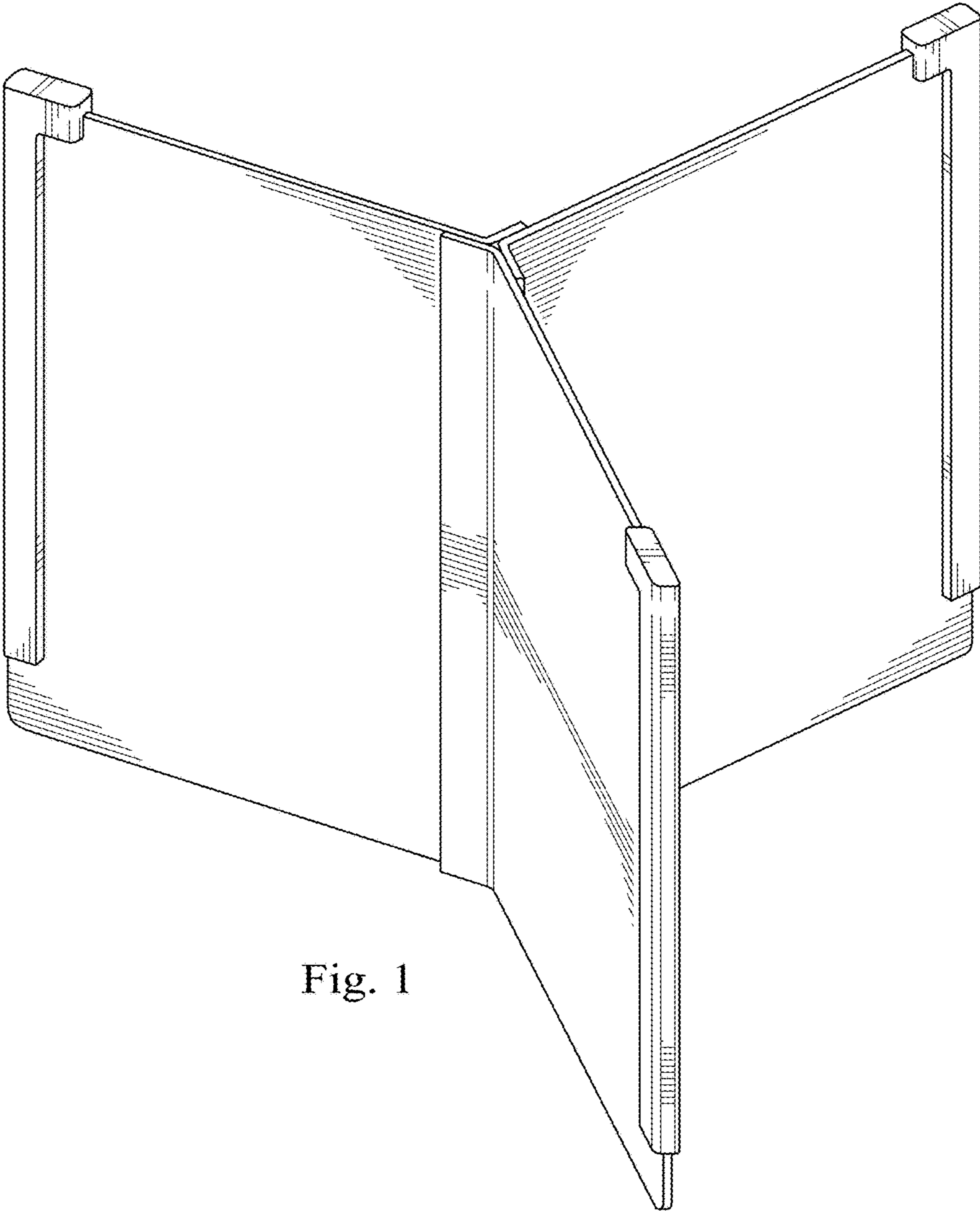


Fig. 1

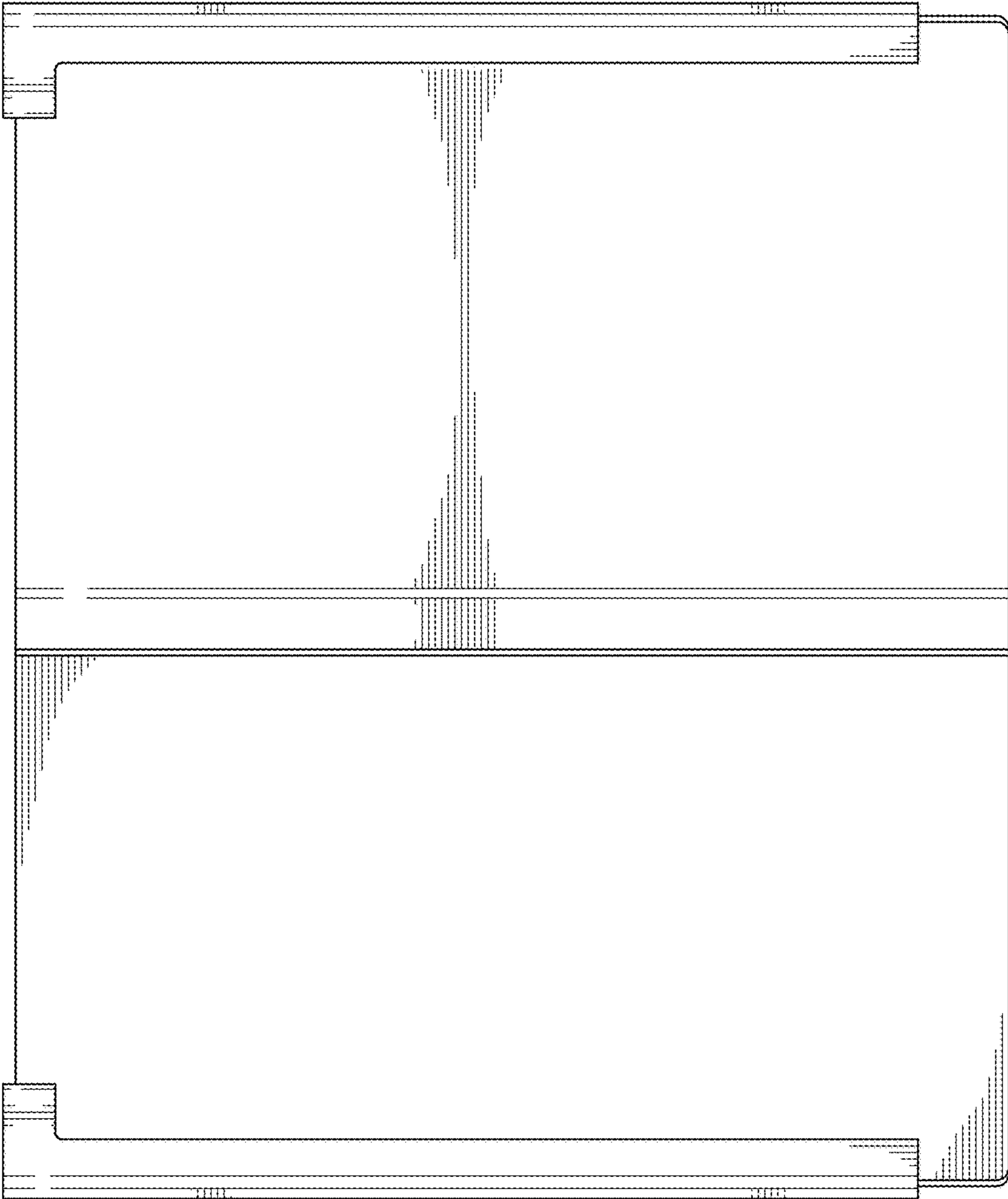


Fig. 2

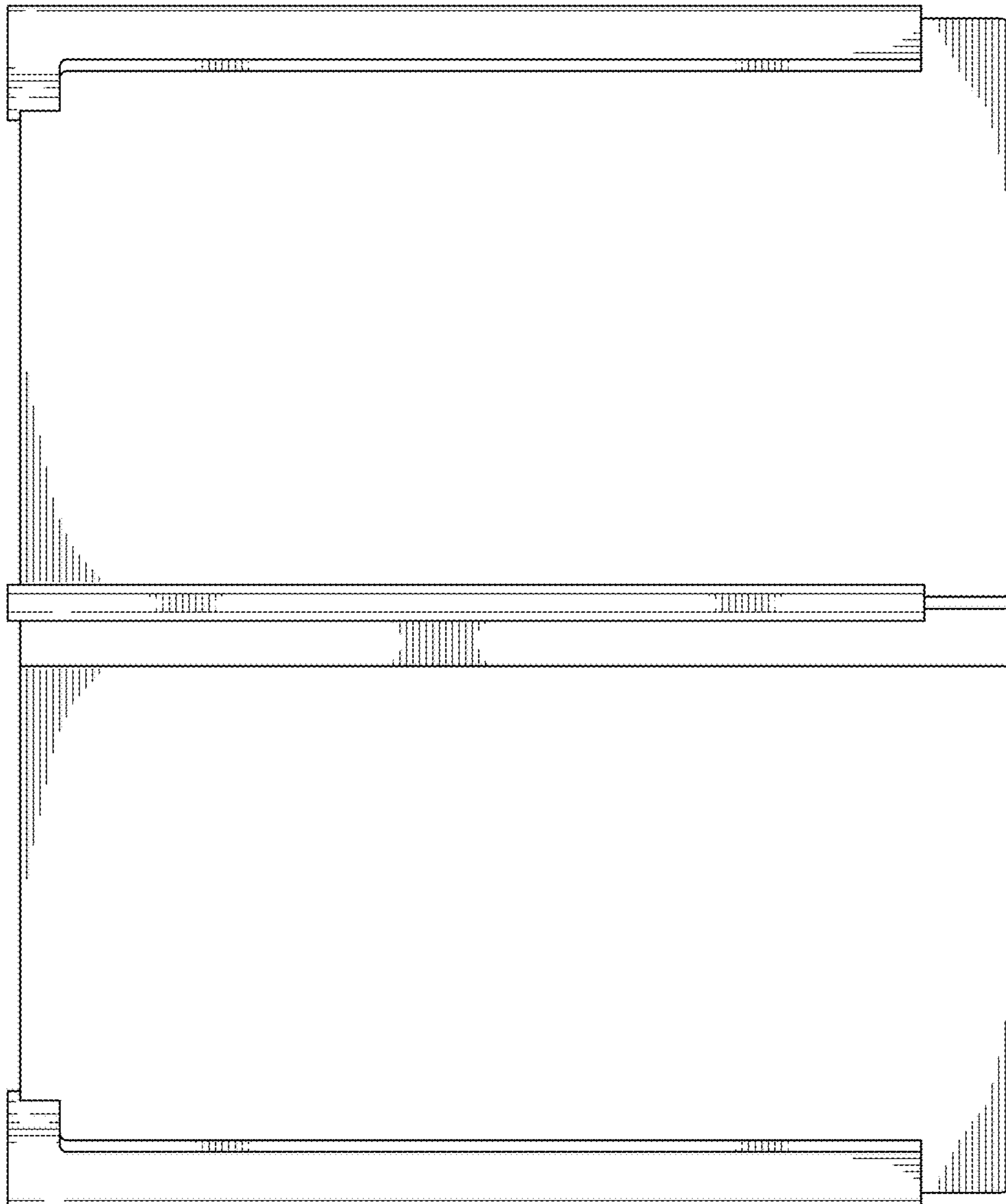


Fig. 3

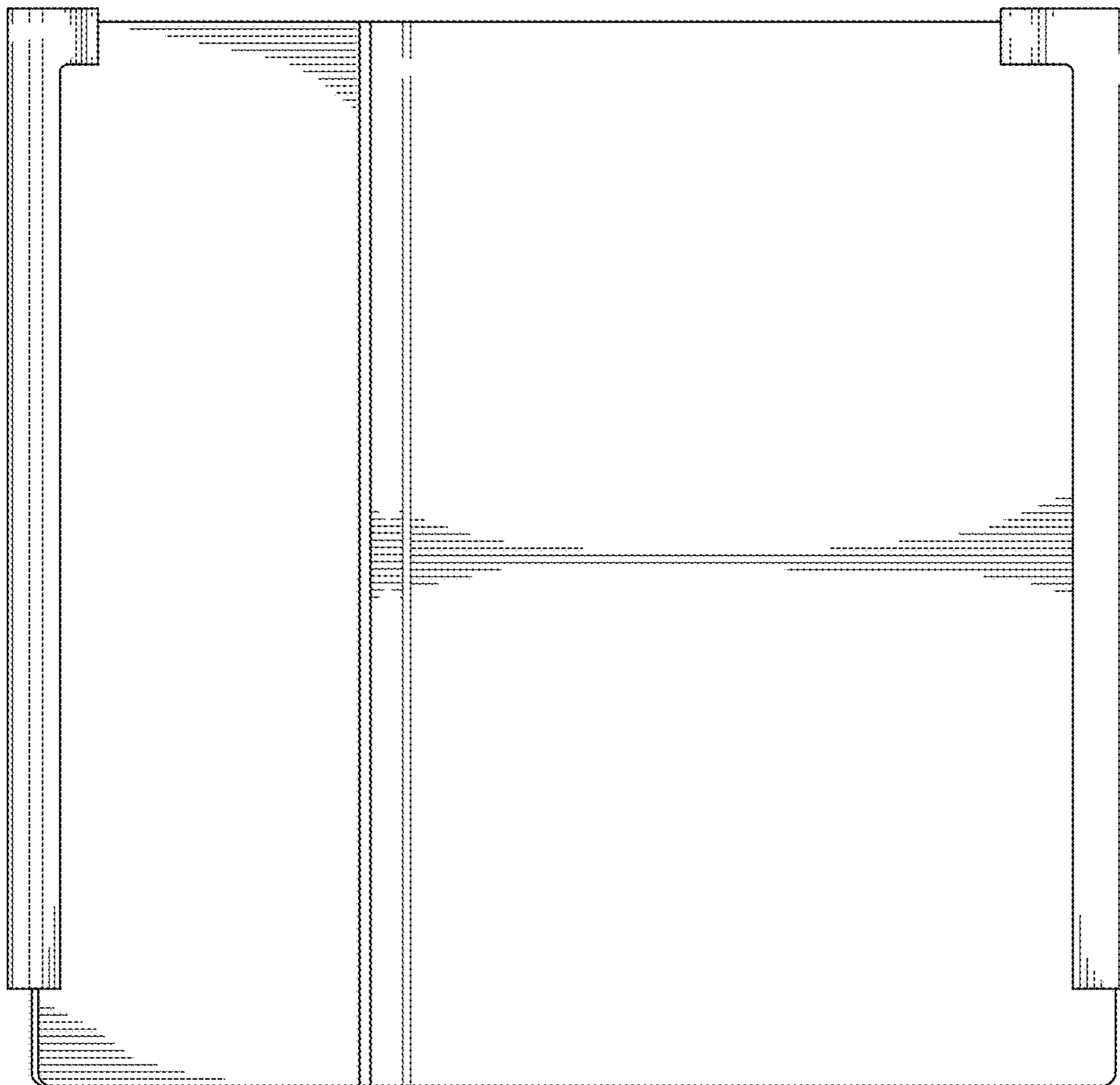


Fig. 4

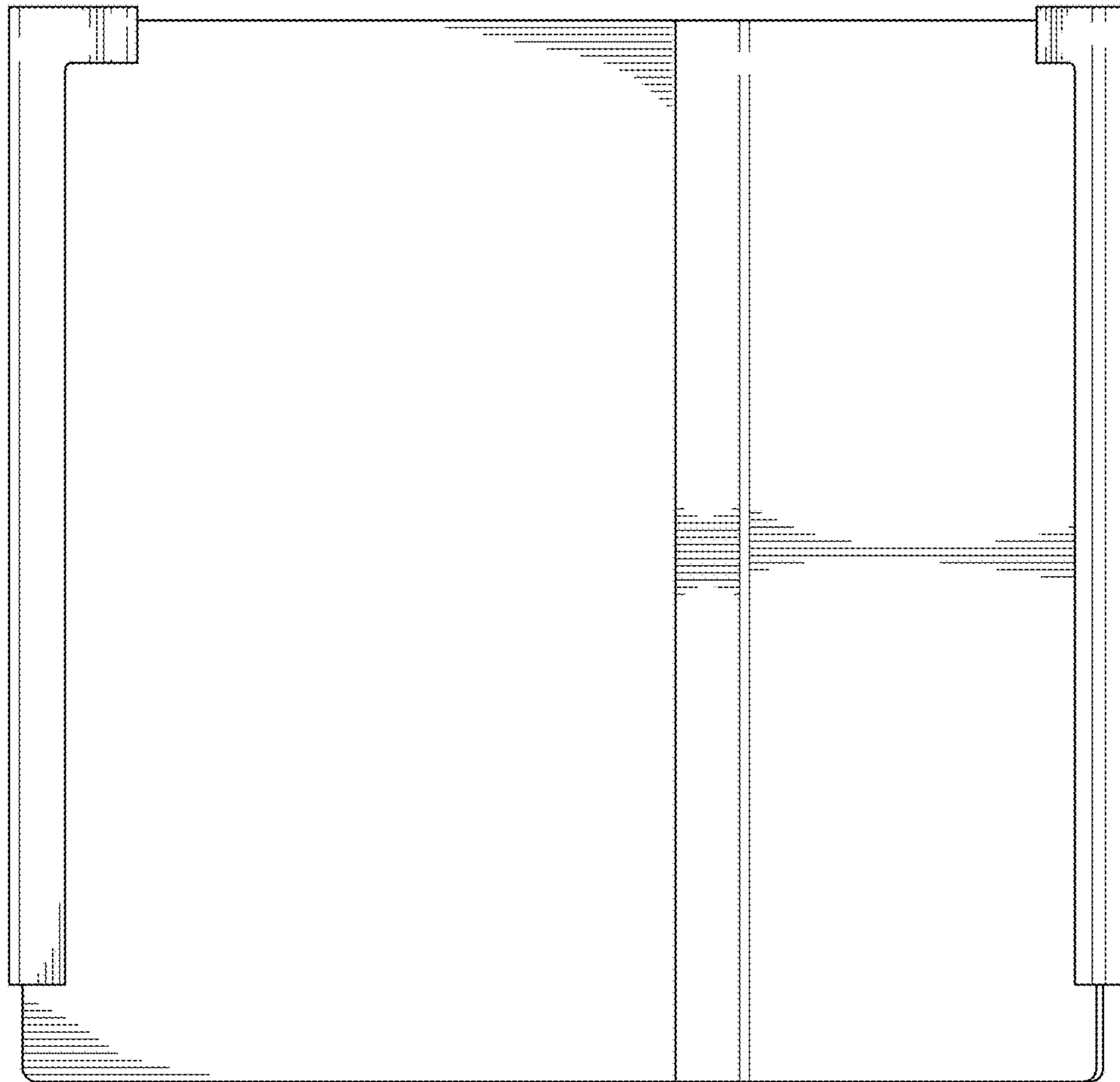
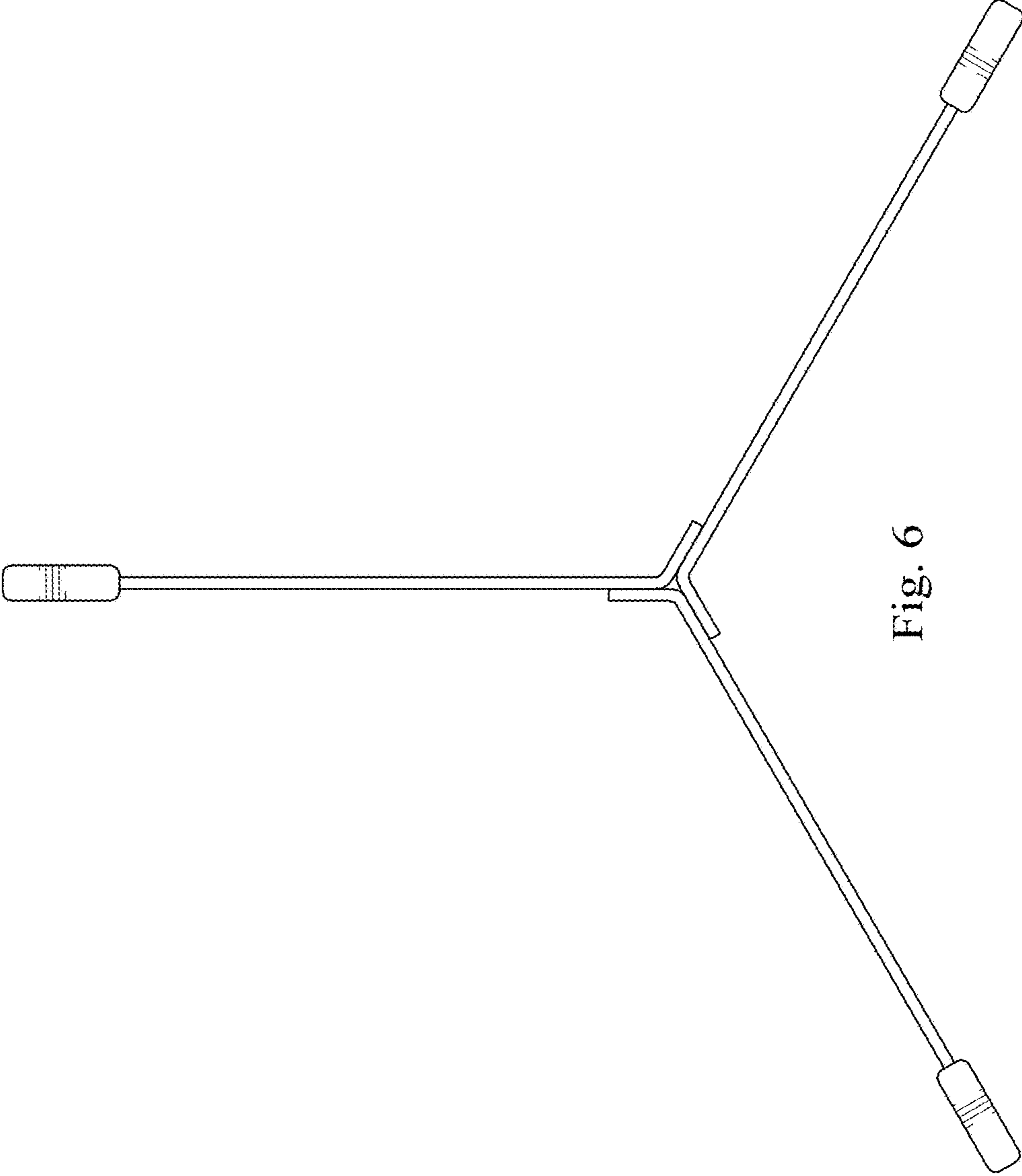


Fig. 5



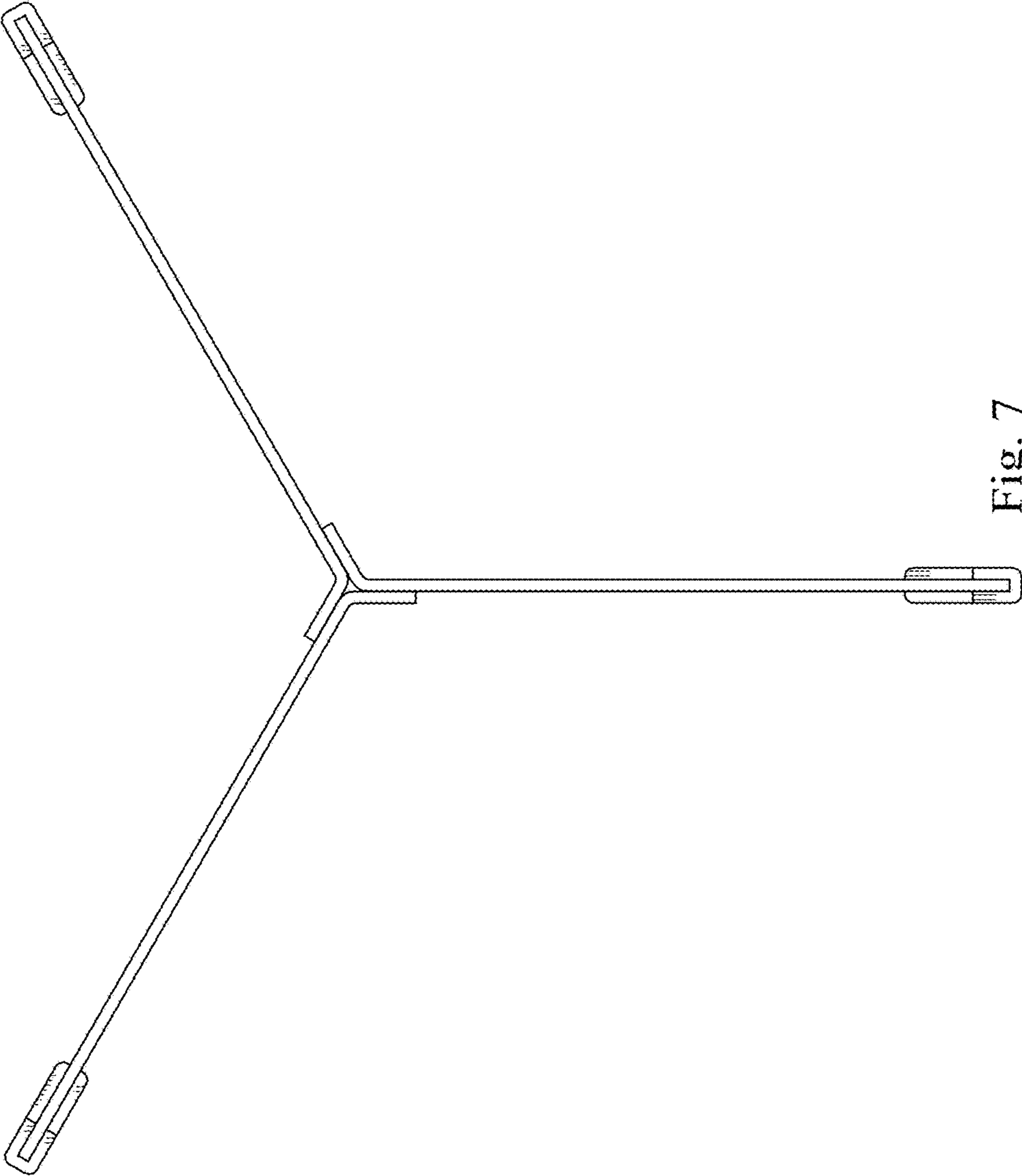


Fig. 7

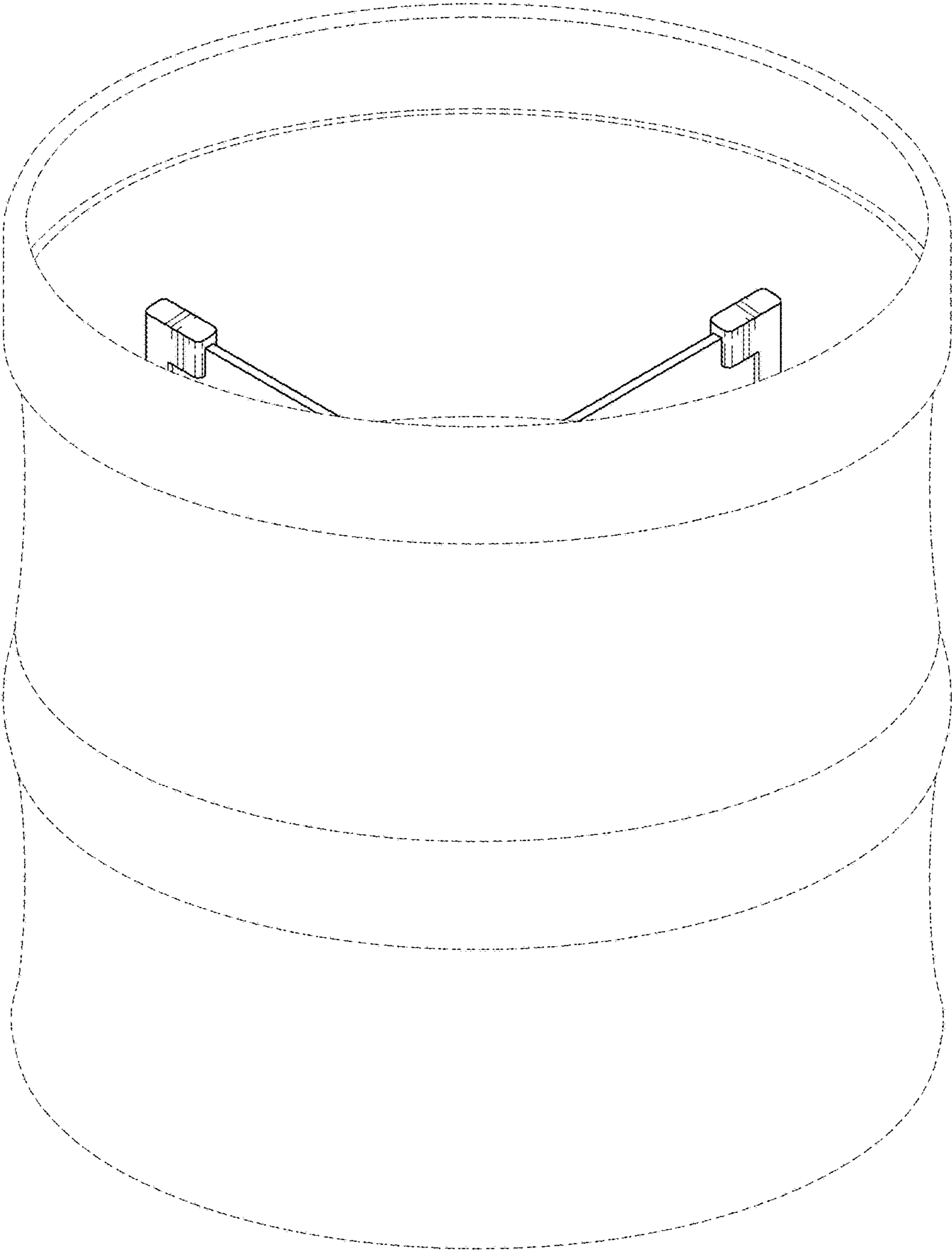


Fig. 8

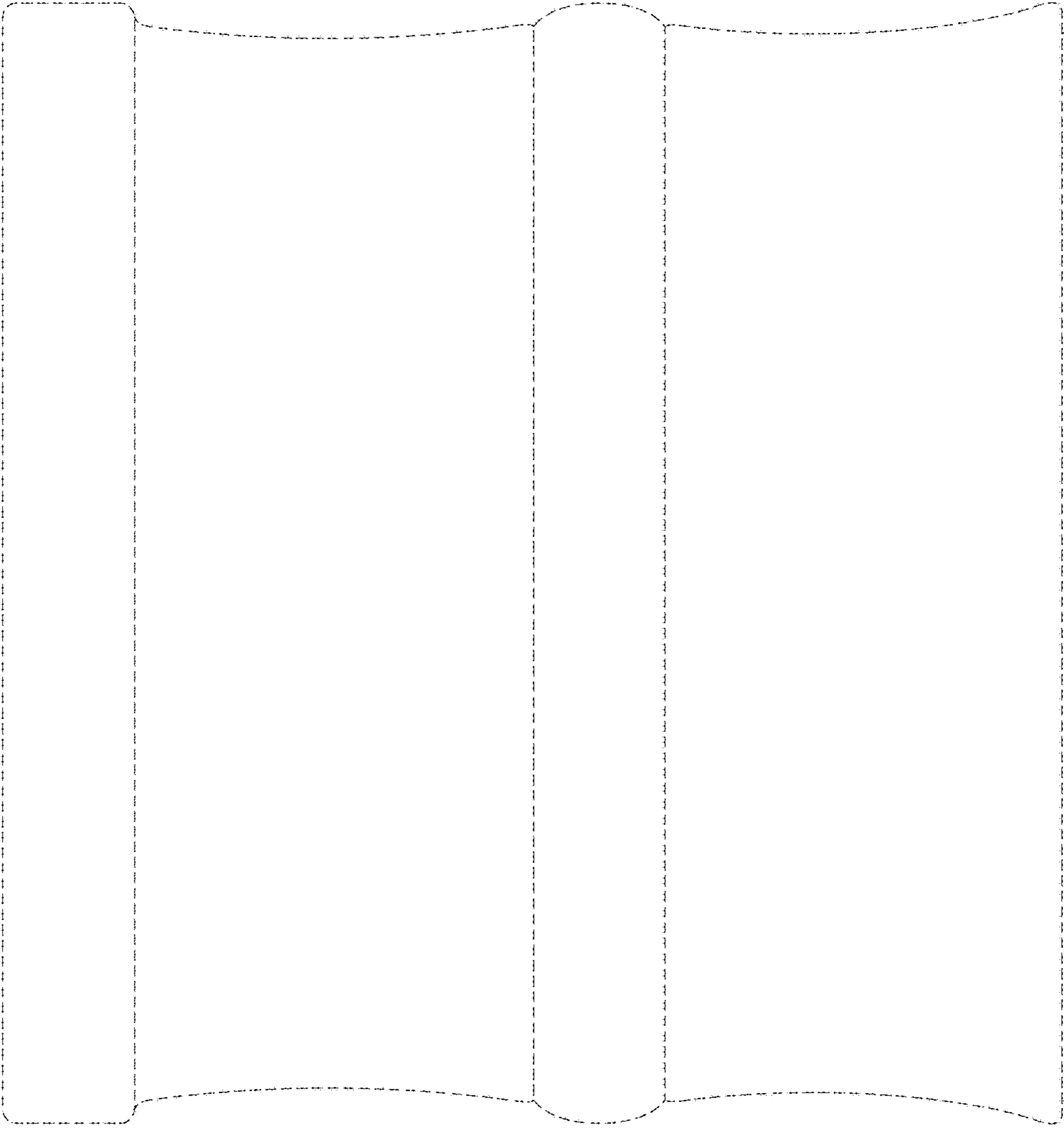


Fig. 9

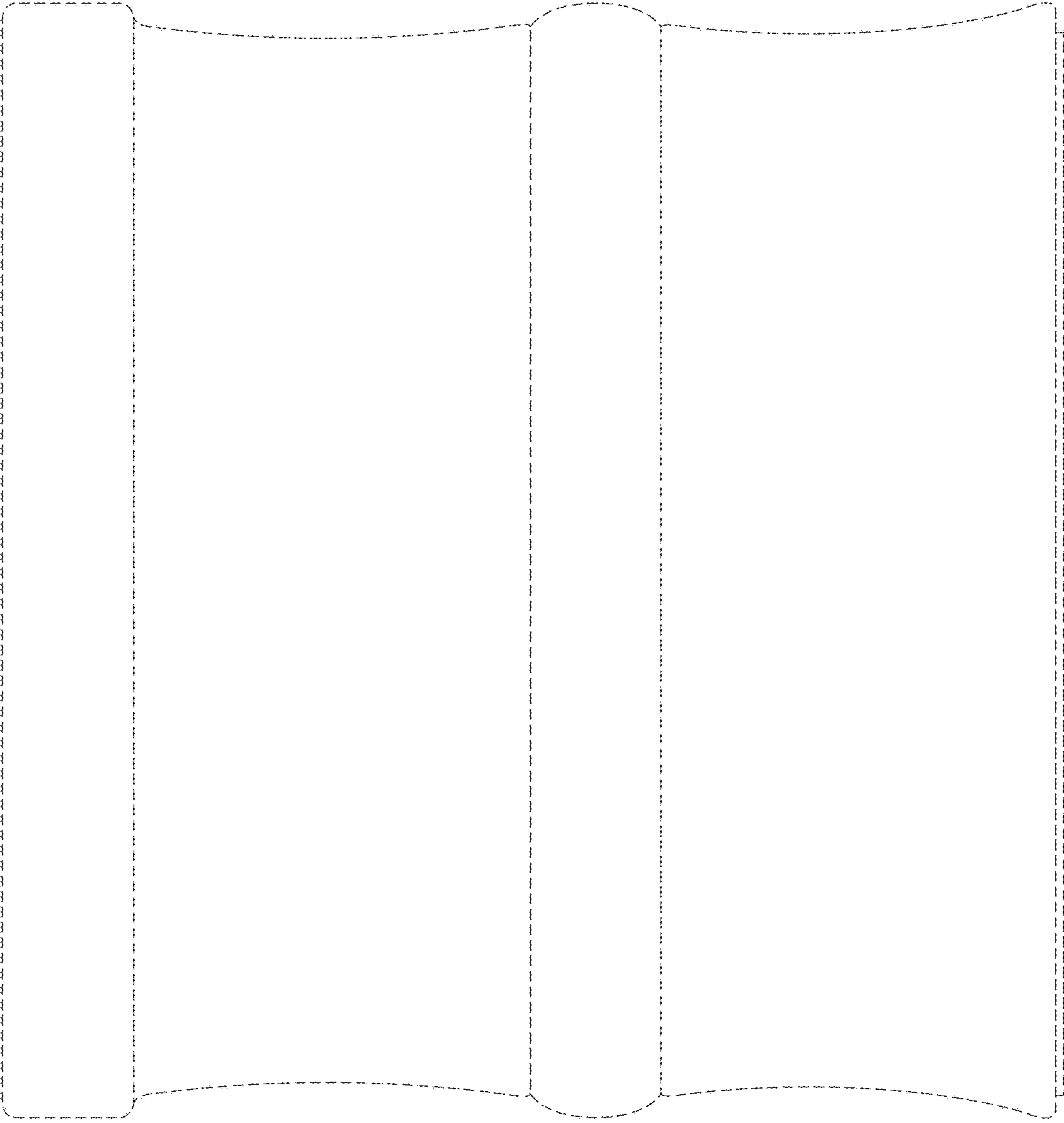


Fig. 10

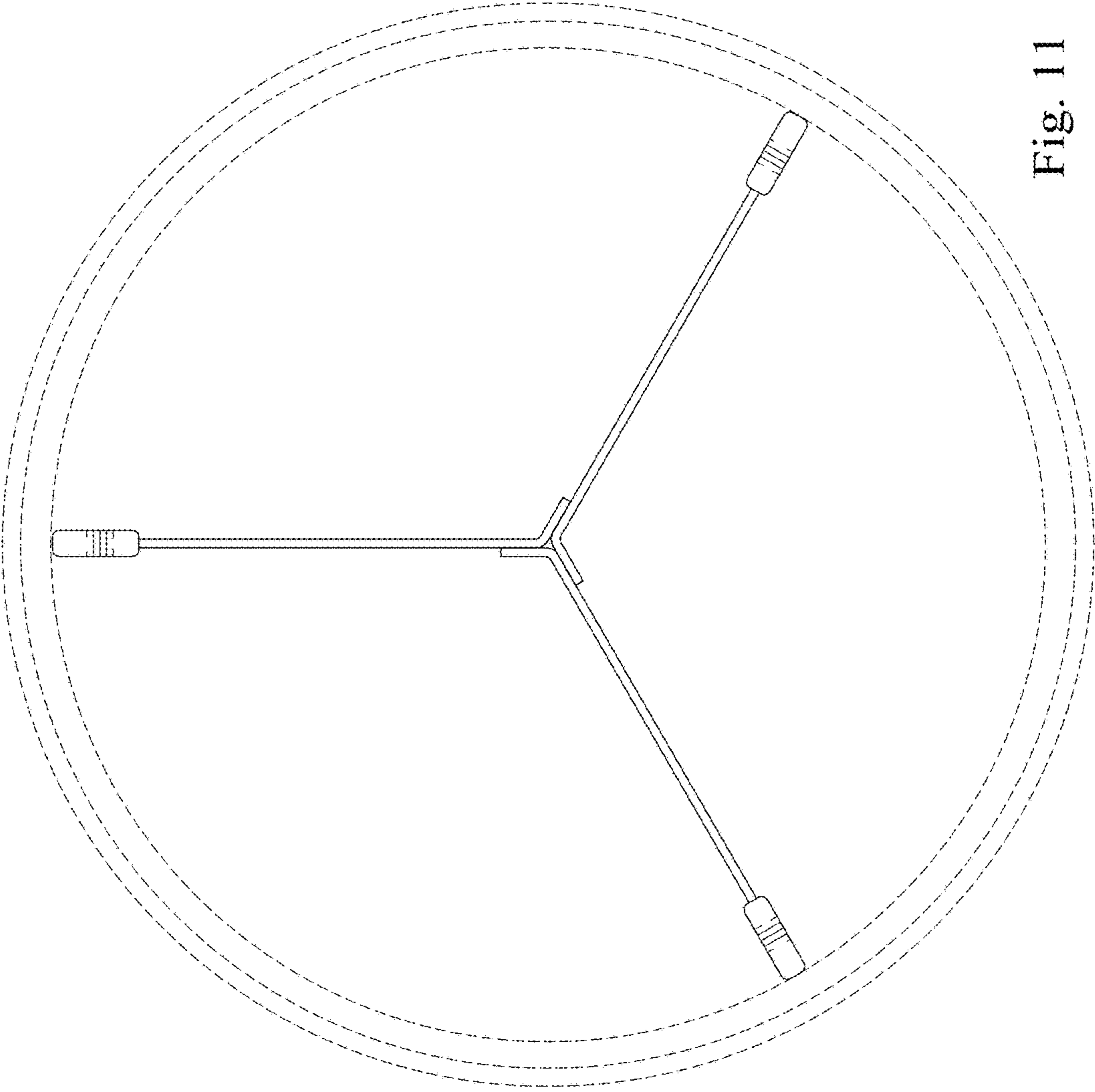


Fig. 11

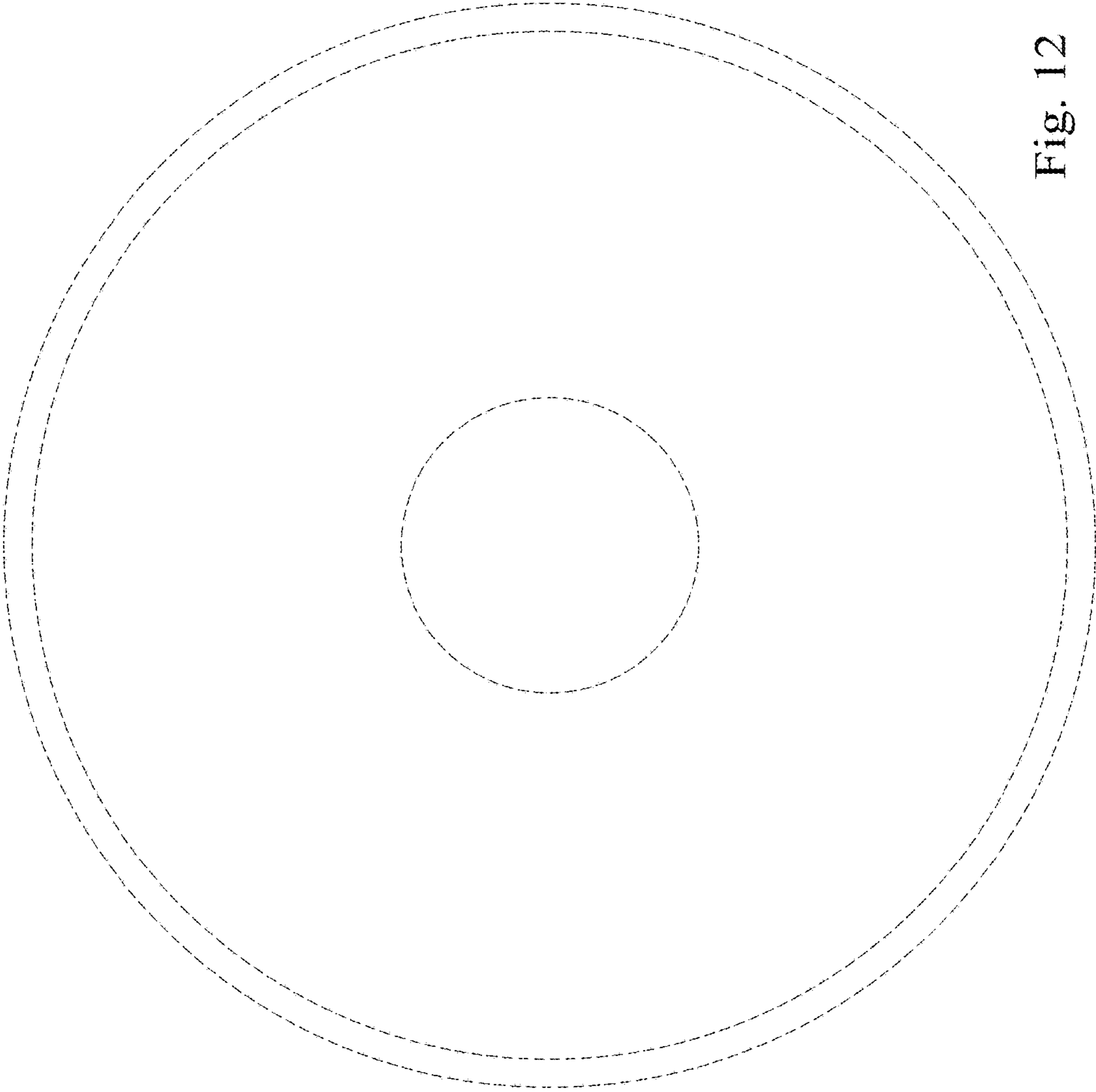


Fig. 12