



US00D824218S

(12) **United States Design Patent** (10) **Patent No.:** **US D824,218 S**
Seiders et al. (45) **Date of Patent:** **** Jul. 31, 2018**

- (54) **BOTTLE**
- (71) Applicant: **YETI Coolers, LLC**, Austin, TX (US)
- (72) Inventors: **Roy Joseph Seiders**, Austin, TX (US);
Steve Charles Nichols, Austin, TX (US); **Matthew Joseph Petrillo**, Austin, TX (US)
- (73) Assignee: **YETI Coolers, LLC**, Austin, TX (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/618,950**
- (22) Filed: **Sep. 26, 2017**

Related U.S. Application Data

- (63) Continuation of application No. 29/605,440, filed on May 25, 2017, now Pat. No. Des. 799,907, which is a continuation of application No. 29/560,869, filed on Apr. 11, 2016, now Pat. No. Des. 795,020, which is a continuation of application No. 29/544,215, filed on Oct. 30, 2015, now Pat. No. Des. 781,145, which is a continuation of application No. 29/544,185, filed on Oct. 30, 2015, now Pat. No. Des. 794,397, which is a
(Continued)

- (51) **LOC (11) Cl.** **07-01**
- (52) **U.S. Cl.**
USPC **D7/608**
- (58) **Field of Classification Search**
USPC D7/603–608, 509–511; D9/500–505,
D9/443, 516, 532, 522, 558
CPC A47G 19/2205; A47G 19/2294; A47G
19/23; A47G 19/2272; F25D 3/08; B65D
1/0215; B65D 81/3823; B65D 81/3818;
B65D 81/3846; A47J 41/02; A47J 41/022;
A47J 41/024; A47J 41/026; A47J 41/028;
A47J 41/00; A47J 41/0077; A45C 11/20
See application file for complete search history.

(56) **References Cited**
U.S. PATENT DOCUMENTS

- D109,331 S 4/1938 McManus et al.
- D154,378 S 7/1949 Fuller
- (Continued)

FOREIGN PATENT DOCUMENTS

- CN 301110494 1/2010
- CN 203987709 U 12/2014
- (Continued)

OTHER PUBLICATIONS

“64 oz Double-Wall Vacuum-Insulated Growler” published on Nov. 14, 2014, retrieved from https://web.archive.org/web/*/http://www.fiftyliftybottles.com/64oz-growler/ on Sep. 22, 2016.

(Continued)

Primary Examiner — Terry A Wallace

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57) **CLAIM**

The ornamental design for a bottle, as shown and described.

DESCRIPTION

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;

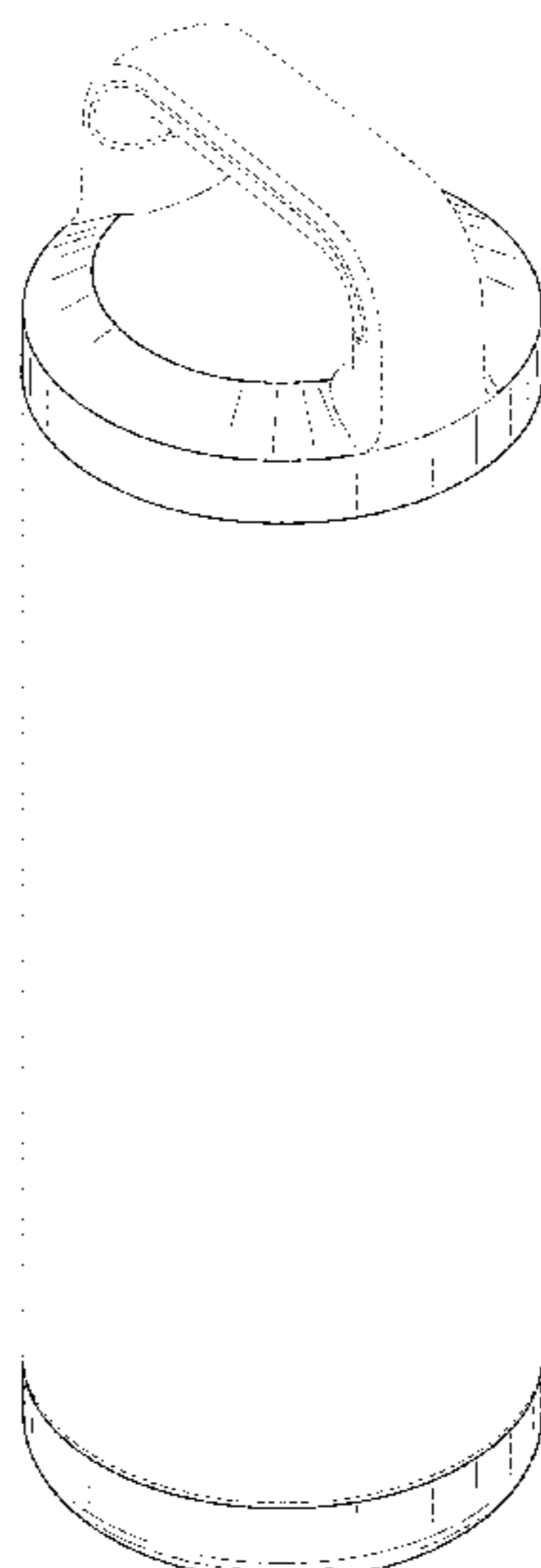
FIG. 3 is a right side view thereof, wherein the left side view is a mirror image of FIG. 3;

FIG. 4 is a top view thereof; and,

FIG. 5 is a bottom view thereof.

The uneven broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The broken lines showing the remainder of the bottle represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



Related U.S. Application Data

continuation of application No. 29/544,211, filed on Oct. 30, 2015, now Pat. No. Des. 780,577.

(56)

References Cited

U.S. PATENT DOCUMENTS

D177,761 S 5/1956 Reinhardt
 2,963,187 A 12/1960 Bramming
 3,089,603 A 5/1963 Leslie-Smith
 D224,646 S 8/1972 Vollquartz
 D235,303 S 6/1975 Boucher
 D256,651 S 9/1980 Leung et al.
 D279,346 S 6/1985 Ruxton
 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.
 D417,127 S 11/1999 Steadward et al.
 D422,916 S 4/2000 Herrmann
 6,332,557 B1 12/2001 Moran
 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.
 D535,151 S 1/2007 Seum 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
 D586,184 S 2/2009 Miller et al.
 D587,533 S 3/2009 Carreno
 D592,909 S 5/2009 Alviar et al.
 D596,460 S 7/2009 Nezu
 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 et al.
 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 et al.
 D625,563 S 10/2010 He
 D625,564 S 10/2010 He
 D625,616 S 10/2010 Gogola et al.
 D626,414 S 11/2010 Cresswell et al.
 D626,416 S 11/2010 Cresswell et al.
 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
 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
 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
 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 et al.
 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
 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.

(56)

References Cited

U.S. PATENT DOCUMENTS

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
D799,898 S	10/2017	Yao
D803,005 S	11/2017	Lane
D808,731 S	1/2018	Boroski et al.
D808,732 S	1/2018	Boroski
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
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&p=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/St 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.

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: 1:16-cv-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 Plaintiff’s 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 dated Apr. 4, 2017 for JP Application No. 2016-9605, 11 pages.

English Translation of Office Action dated 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, 84 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, 283 pages.

United States District Court Western District of Texas Austin Division, “Second Amended Complaint,” *Yeti Coolers, LLC v. Sam’s West, Inc., and Sam’s East, Inc., and CY Top, Ltd.*, Case: 1:16-cv-00829-RP, Document #51, filed Sep. 22, 2017, 49 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Costco Wholesale Corporation*, Case: 1:17-cv-07025, Document #1, filed Sep. 28, 2017, 99 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Alibaba Group Holding Limited, Alibaba (China) Technology Co., Ltd., Alibaba.com Hong Kong Limited, Alibaba.com Singapore E-Commerce Private Limited, Hangzhou Alibaba Advertising Co. Ltd., and Huizhou Dashu Trading Co., Ltd.*, Case: 1:17-cv-00936, Document #1, filed Sep. 28, 2017, 272 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. ContextLogic, Inc. d/b/a Wish.com*, Case: 1:17-cv-00937, Document #1, filed Sep. 28, 2017, 238 pages.

(56)

References Cited

OTHER PUBLICATIONS

United States District Court Western District of Texas Austin Division, "Complaint," *Yeti Coolers, LLC v. Dunhuang Group, SZ Flowerfairy Technology Co., Ltd., Tan Er Pa Technology Co., Ltd., Shenzhen Great Electronic Technology Co., Ltd., and Huagong Trading Co.*, Case: 1:17-cv-00938, Document #1, filed Sep. 28, 2017, 272 pages.

United States District Court Western District of Texas Austin Division, "Complaint," *Yeti Coolers, LLC v. SF Associates, Inc.*, Case: 1:17-cv-01070, Document #1, filed Nov. 10, 2017, 39 pages.

United States International Trade Commission Washington, DC, Respondents Alibaba, Dunhuang Group, and Bonanza.com's "Notice of Prior Art", Inv. No. 33-TA-1084 dated Feb. 9, 2018, 8 pages.

* cited by examiner

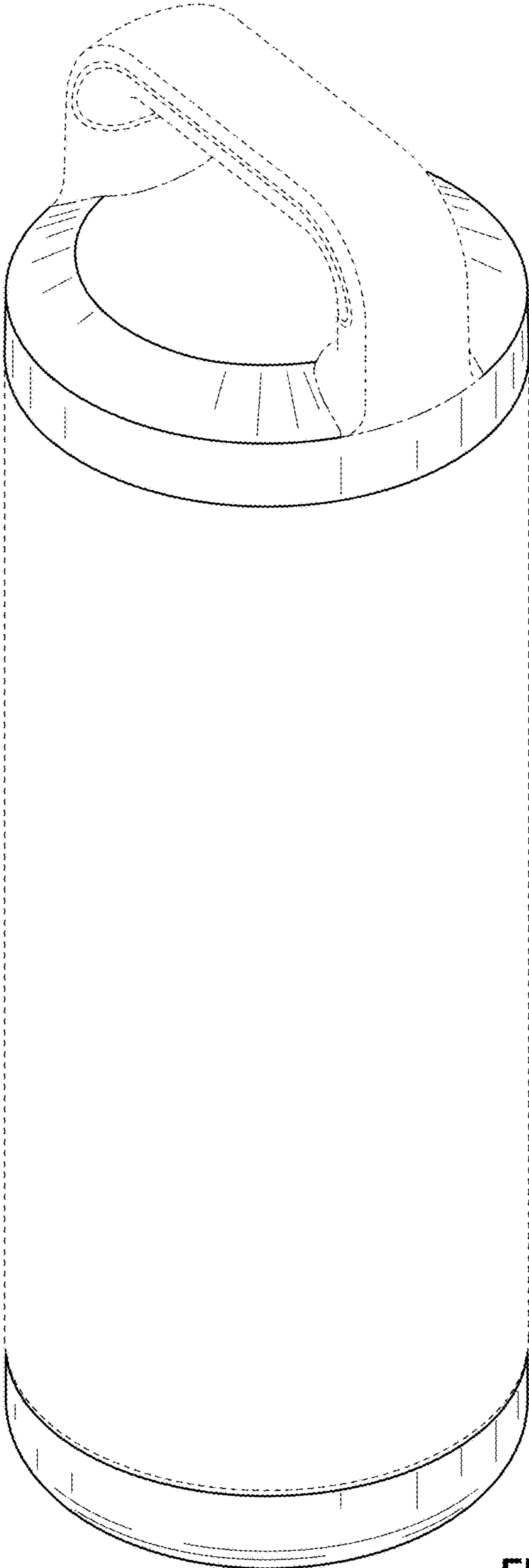


FIG. 1

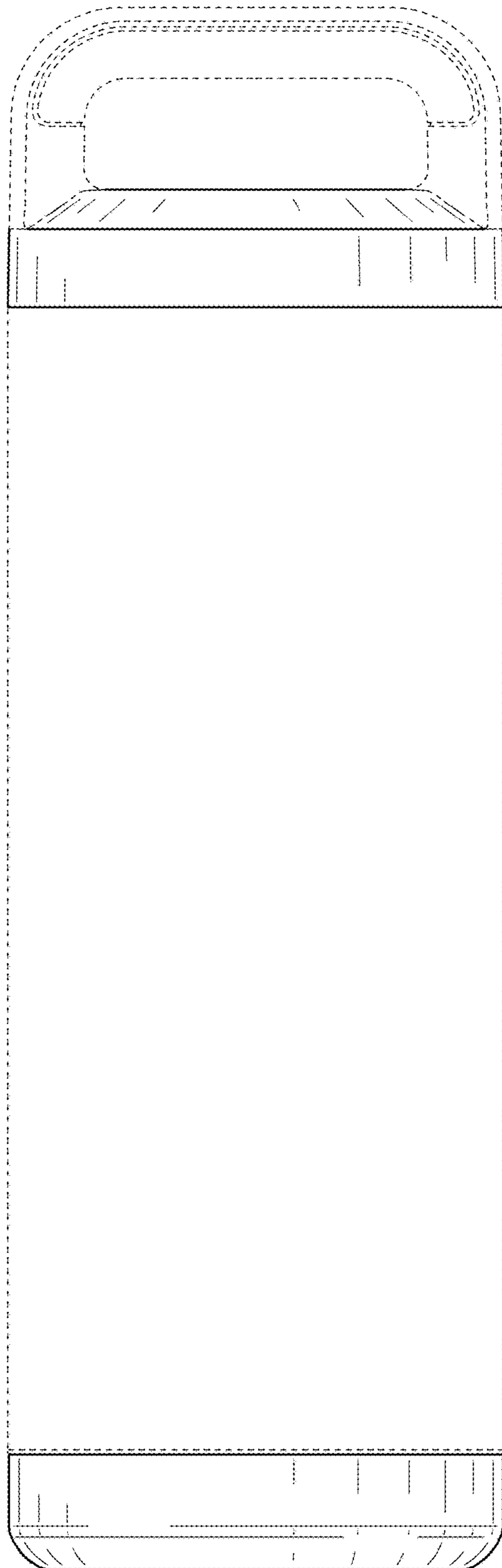


FIG. 2

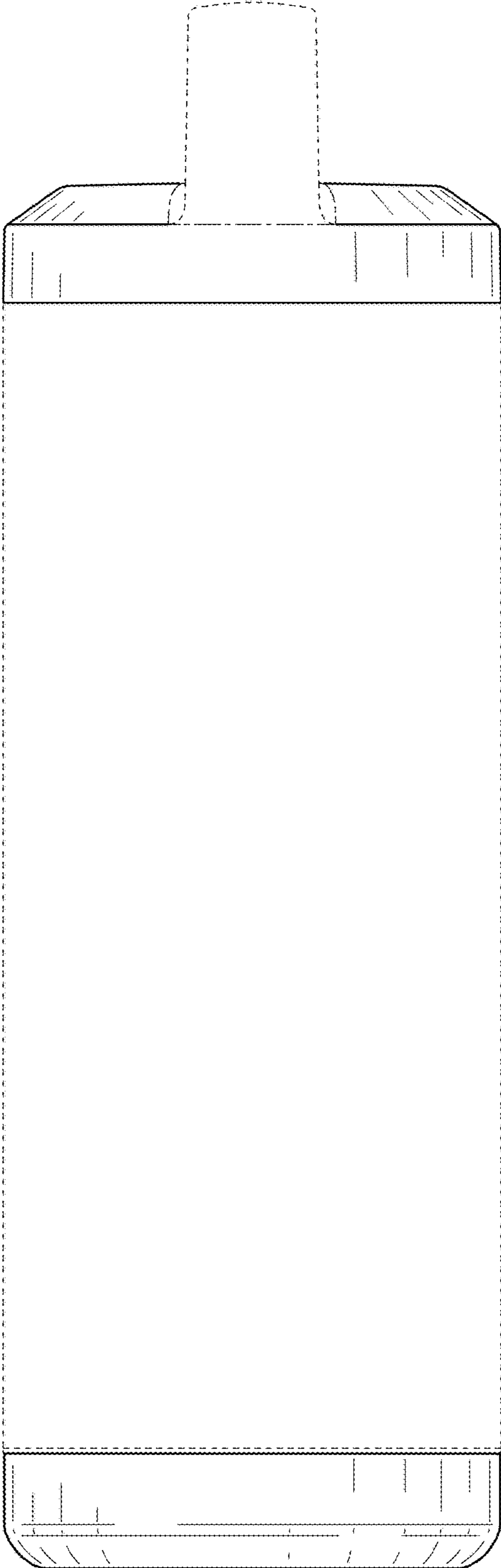


FIG. 3

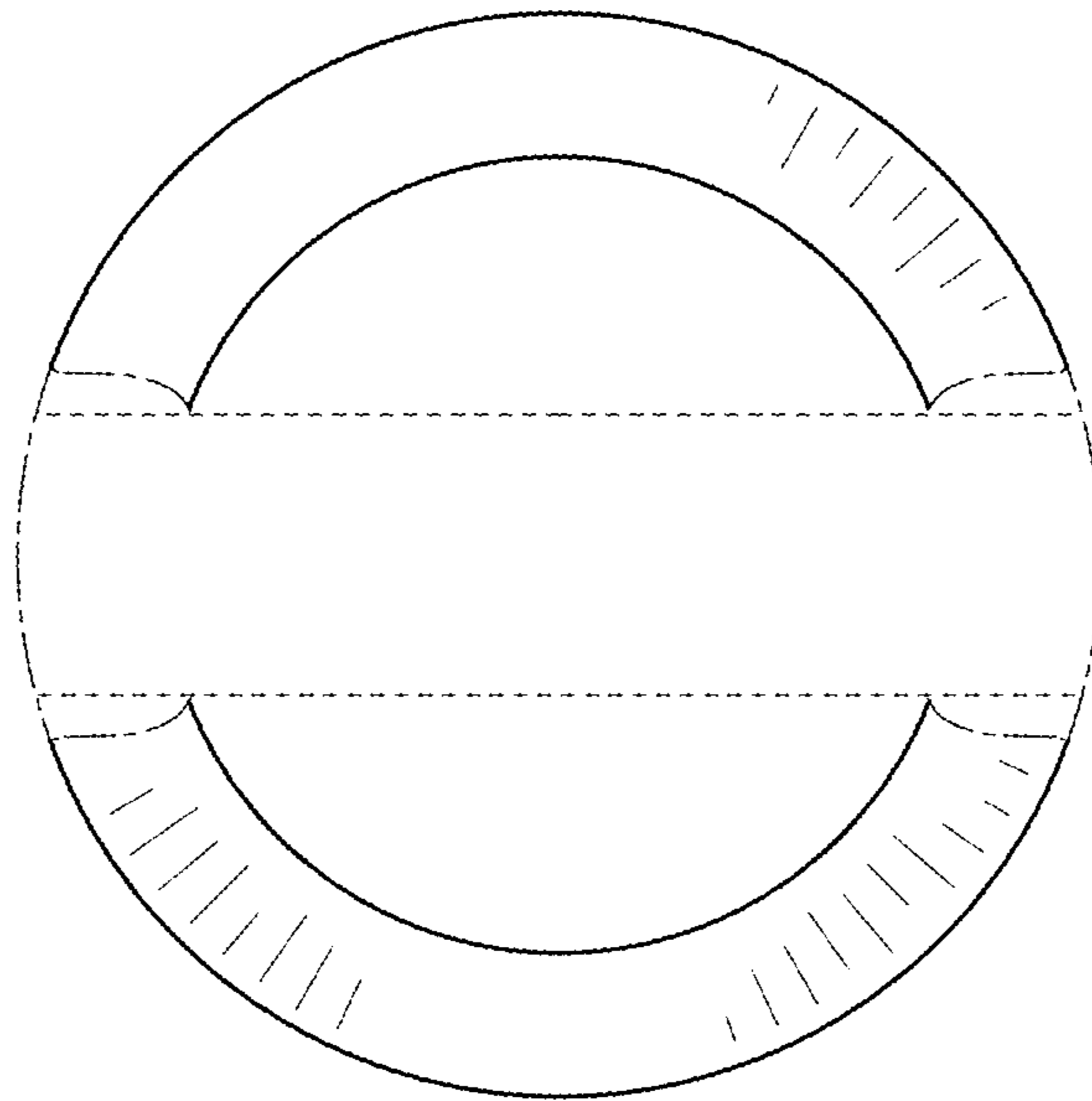


FIG. 4

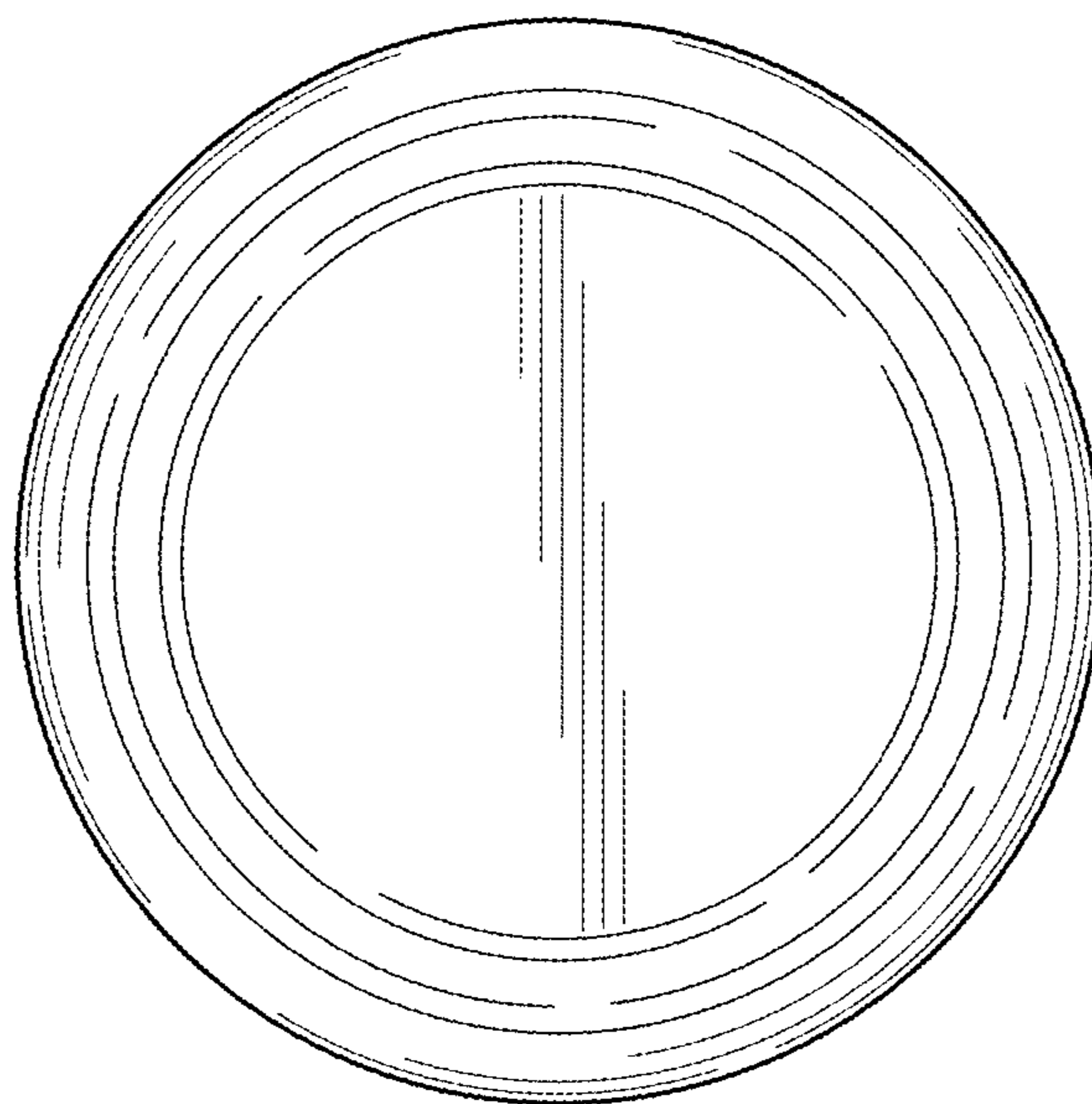


FIG. 5