



US00D828753S

(12) **United States Design Patent** (10) **Patent No.:** **US D828,753 S**  
**Zabaleta et al.** (45) **Date of Patent:** **\*\* Sep. 18, 2018**

(54) **AXIALLY ORIENTED PERIPHERAL SIDEWALLED BEVERAGE CONTAINER LID**

(71) Applicants: **Daniel A Zabaleta**, Cooper City, FL (US); **Sam D Hackett**, Fort Lauderdale, FL (US); **Joseph D Bulso**, Canton, OH (US); **Daniel Edward Livezey**, Feasterville, PA (US); **William Allen Hibbs, Jr.**, Bolivar, OH (US)

(72) Inventors: **Daniel A Zabaleta**, Cooper City, FL (US); **Sam D Hackett**, Fort Lauderdale, FL (US); **Joseph D Bulso**, Canton, OH (US); **Daniel Edward Livezey**, Feasterville, PA (US); **William Allen Hibbs, Jr.**, Bolivar, OH (US)

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

(21) Appl. No.: **29/615,252**

(22) Filed: **Aug. 28, 2017**

**Related U.S. Application Data**

(60) Continuation-in-part of application No. 29/560,269, filed on Apr. 5, 2016, now Pat. No. Des. 795,693, which is a continuation-in-part of application No. 29/491,268, filed on May 19, 2014, now Pat. No. Des. 752,978, which is a continuation-in-part of application No. 15/056,216, filed on Feb. 29, 2016, now Pat. No. 9,637,269, which is a continuation-in-part of application No. 14/665,102, filed on Mar. 23, 2015, now Pat. No. 9,272,819, which is a division of application No. 13/787,012, filed on Mar. 6, 2013, now Pat. No. 8,985,371, which is a continuation-in-part of application No. 13/572,404, filed on Aug. 10, 2012, now Pat. No. 8,844,761, application No. 29/615,252, which is a continuation-in-part of application No. 15/494,498, filed on Apr. 22, 2017, which is a division of application No. 15/056,216, filed on Feb. 29, 2016, now Pat. No. 9,637,269, which is a continuation-in-part of application No. 14/665,102, filed on Mar. 23, 2015, now Pat. No. 9,272,819,

which is a division of application No. 13/787,012, filed on Mar. 6, 2013, now Pat. No. 8,985,371, which is a continuation-in-part of application No. 13/572,404, filed on Aug. 10, 2012, now Pat. No. 8,844,761.

(51) **LOC (11) CI.** ..... **09-07**

(52) **U.S. CI.**  
USPC ..... **D9/435**

(58) **Field of Classification Search**

USPC ..... D9/415, 434, 435, 440, 446-450, 452, D9/453, 454, 455-457, 499, 773, 780, D9/903; D7/387, 388, 396.2, 396.4, D7/396.6, 398, 403, 509, 510, 511; D3/202, 203.2, 247, 294, 304, 318; D28/91.1; D8/343, 346, 352, 382, 397, D8/399

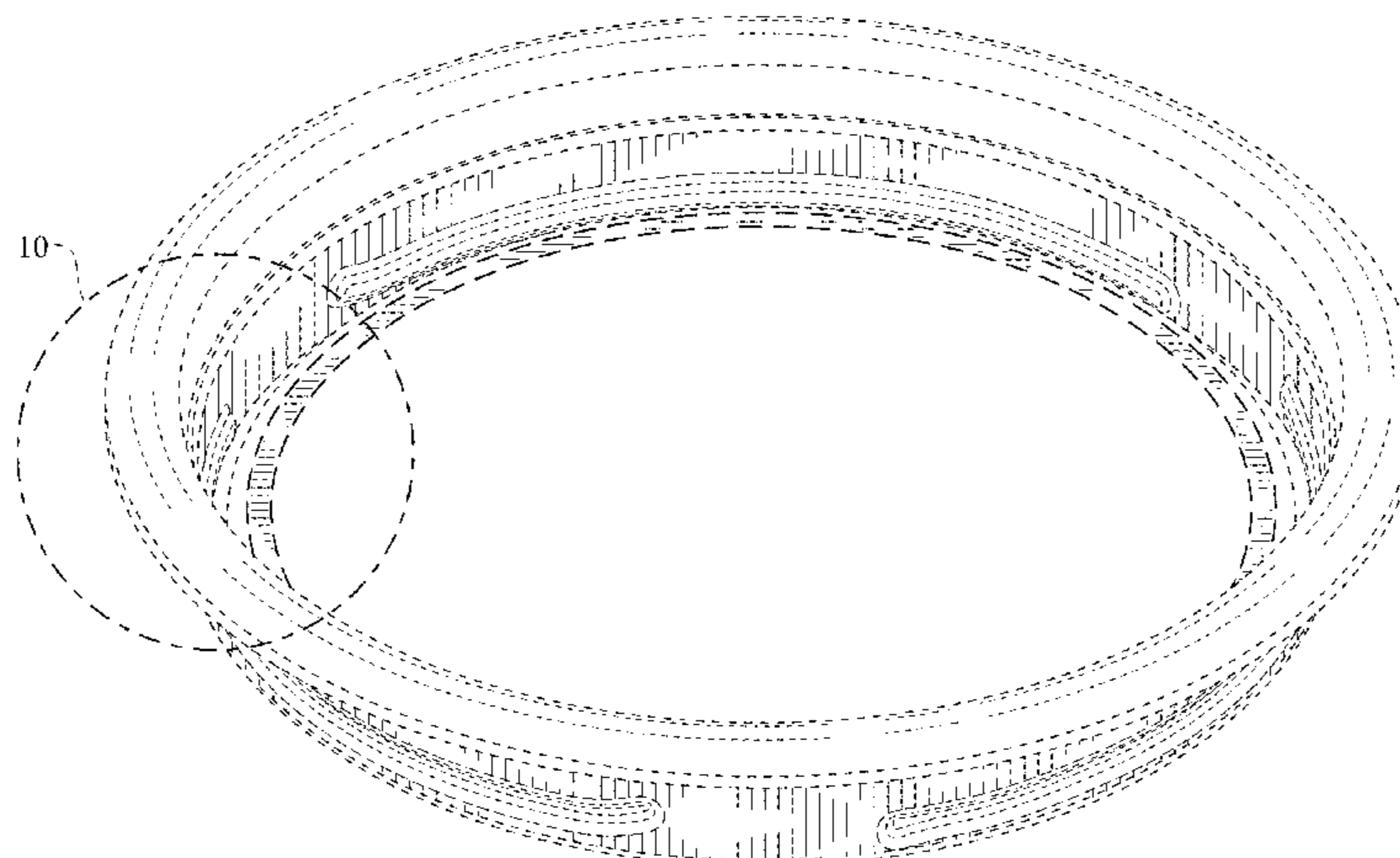
CPC .. A61J 1/00; A61J 1/1412; B65D 1/00; B65D 1/02; B65D 1/10; B65D 1/46; B65D 2585/56; B65D 41/00; B65D 41/56; B65D 41/62; B65D 47/06; B65D 47/08; B65D 2543/00046; B65D 2543/00092; B65D 2543/00296

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,798,246 A *	3/1931	Braner .....	F16J 15/128 277/598
2,004,964 A	6/1935	Behr et al.	
2,112,231 A	3/1938	Speidel et al.	
2,303,205 A	11/1942	Frankenberg	
2,384,810 A	9/1945	Calleson	
2,409,788 A	10/1946	Osborne	
2,426,550 A	8/1947	Coyle	
2,602,565 A	7/1952	Regan	
2,683,579 A *	7/1954	Stanley .....	A47J 47/19 220/630
3,026,507 A	4/1962	Blosser et al.	
3,029,507 A	4/1962	Gaggini	
3,439,640 A	3/1964	Fraze	
3,176,872 A	4/1965	Zundel	
3,191,564 A	6/1965	Fraze	
3,225,957 A	12/1965	Huth	
3,255,917 A	6/1966	Fraze	
3,303,960 A	2/1967	Fraze	





US D828,753 S

3,349,949 A	10/1967	Brown	5,975,322 A	11/1999	Reid
3,361,291 A	1/1968	Fraze	6,010,026 A	1/2000	Jordan et al.
3,439,833 A	4/1969	Fraze	6,010,028 A	1/2000	Jordan et al.
3,446,389 A	5/1969	Brown	6,082,944 A	7/2000	Bachmann
3,480,175 A	11/1969	Khoury	6,105,807 A	8/2000	Peter McCrossen
3,638,597 A	2/1972	Fraze	D434,983 S	12/2000	Hurst
3,643,833 A	2/1972	Fraze et al.	6,206,222 B1	3/2001	Cudzik
3,726,432 A	4/1973	Gentile	6,216,904 B1	4/2001	Cagan
3,752,353 A	8/1973	Slade	6,234,338 B1	5/2001	Searle
3,795,342 A	3/1974	Ashton	D452,155 S	12/2001	Stodd
3,844,443 A	10/1974	Cudzik	6,330,954 B1	12/2001	Turner et al.
3,856,184 A	12/1974	Luviano	6,332,551 B1	12/2001	Copeland
3,871,314 A	3/1975	Stargell	6,450,358 B1	9/2002	Berro
3,877,604 A	4/1975	Brown	6,460,723 B2	10/2002	Nguyen et al.
3,880,318 A	4/1975	Fraze	D470,050 S	2/2003	Renz
3,910,453 A	10/1975	Kneusel	6,575,325 B2	6/2003	Dickie et al.
3,924,777 A	12/1975	Peysen	6,609,634 B2	8/2003	De Laforcade et al.
3,938,693 A	2/1976	Patel et al.	6,626,314 B1	9/2003	McHenry et al.
3,952,911 A	4/1976	Bozek et al.	D480,304 S *	10/2003	Stodd ..... D9/434
3,967,752 A	7/1976	Cudzik	6,651,833 B2	11/2003	Sciarini
4,007,848 A	2/1977	Snyder	6,739,471 B2	5/2004	Goetz et al.
4,042,144 A	8/1977	Henning	6,779,677 B2	8/2004	Chupak
4,065,025 A	12/1977	Potts	6,877,941 B2	4/2005	Brifeani et al.
4,078,695 A	3/1978	Potts	6,889,862 B2	5/2005	Vaughan
4,116,360 A	9/1978	McKernan et al.	6,910,598 B2	5/2005	Goetz et al.
4,116,361 A	9/1978	Stargell	7,014,060 B2	3/2006	Richardson
4,122,971 A	10/1978	Potts	D518,885 S	4/2006	Stout, Jr.
4,172,532 A	10/1979	Palsson	D525,127 S	7/2006	Cogley
4,182,460 A	1/1980	Holk	D559,680 S	1/2008	Jacober et al.
4,262,815 A	4/1981	Klein	D587,118 S *	2/2009	Sadiq ..... D9/516
4,286,728 A	9/1981	Fraze et al.	7,500,577 B2	3/2009	Ichelhaus
4,386,713 A	6/1983	Baumeyer	7,743,635 B2	6/2010	Jentzsch
4,399,925 A	8/1983	Fundom	7,823,740 B2	11/2010	Perra
D273,846 S	5/1984	Fraze	7,841,222 B2	11/2010	Cook et al.
4,476,987 A	10/1984	Nolan	7,891,517 B2	2/2011	Simmons
D277,826 S	3/1985	Brown, Sr.	7,918,359 B2	4/2011	Paris et al.
4,567,746 A	2/1986	Fraze et al.	7,918,363 B2	4/2011	Morabito et al.
4,574,975 A	3/1986	Cudzik et al.	D641,622 S	7/2011	Fields
4,685,849 A	8/1987	LaBarge et al.	D647,400 S	10/2011	Fields
4,705,186 A	11/1987	Barrash	D649,049 S *	11/2011	Fields ..... D9/435
4,711,611 A	12/1987	Fraze	D651,452 S *	1/2012	Hillebrenner ..... D7/396.2
4,723,687 A	2/1988	Kutterer	8,215,513 B1	7/2012	Grissom
4,793,510 A	12/1988	Arfert et al.	8,328,041 B2	12/2012	Brifcani
4,821,912 A	4/1989	Wells	8,336,726 B2	12/2012	Ramsey et al.
RE32,927 E	5/1989	Taylor	8,336,728 B2	12/2012	Forrest
4,865,215 A	9/1989	Wells	D681,176 S	4/2013	Chacko
4,872,597 A	10/1989	Hanafusa	8,534,490 B2	9/2013	Chapin
4,928,244 A	5/1990	Vermesse	8,556,106 B1	10/2013	Bayat et al.
4,928,844 A	5/1990	La Barge	D696,113 S	12/2013	Stein
4,982,862 A	1/1991	La Barge	8,608,007 B2	12/2013	Seo
5,052,576 A	10/1991	Budenbender	8,720,717 B2	5/2014	Kaanta et al.
5,121,851 A	6/1992	Lyon et al.	D706,908 S	6/2014	Knapp
D337,521 S	7/1993	McNulty	8,939,311 B2	1/2015	Christopoulos et al.
D338,621 S	8/1993	Balson	D728,757 S	5/2015	Graham
5,248,053 A	9/1993	Lundgren	D730,734 S	6/2015	Rapparini
5,292,025 A	3/1994	Dubreul	9,145,239 B2	9/2015	Wohlgenannt
5,293,765 A	3/1994	Nussbaum	9,162,796 B2	10/2015	Bratsch
D348,137 S	6/1994	Campbell	9,228,684 B2 *	1/2016	Knapp ..... F16J 15/025
5,356,030 A	10/1994	Budenbender	D761,398 S *	7/2016	Murphy ..... D23/269
D355,735 S	2/1995	Shaffer	D767,329 S *	9/2016	Mock ..... D7/392.1
D356,456 S *	3/1995	Henry ..... D11/39	D770,895 S *	11/2016	Brown ..... D7/900
5,421,480 A	6/1995	Cudzik	D777,034 S *	1/2017	Sill ..... D9/454
5,443,175 A	8/1995	Kelly et al.	9,555,936 B2 *	1/2017	Martindale ..... B65D 47/06
5,511,920 A	4/1996	Artrip	D782,907 S *	4/2017	Sowieja ..... D9/447
D387,987 S	12/1997	Neiner	D786,673 S *	5/2017	Moffat ..... D7/392.1
5,692,633 A	12/1997	Gordon	D792,220 S *	7/2017	Simons ..... D7/396.2
5,711,447 A	1/1998	Plester	D793,861 S *	8/2017	Siegel ..... D9/439
5,713,235 A	2/1998	Diekhoff	D798,656 S *	10/2017	Steel ..... D7/396.2
5,718,352 A	2/1998	Diekhoff	D799,215 S *	10/2017	Pacha ..... D3/318
5,779,086 A	6/1998	Barrash	D809,868 S *	2/2018	Eyal ..... D7/523
5,778,723 A	7/1998	Diekhoff	D812,474 S *	3/2018	Rust ..... D9/449
5,785,198 A	7/1998	Credle	D813,606 S *	3/2018	O'Nan ..... D7/532
D397,062 S	8/1998	Hollington	2001/0040167 A1	11/2001	Flecheux et al.
5,799,775 A	9/1998	Spring	2002/0030053 A1	3/2002	Copeland
5,816,428 A	10/1998	Plester	2003/0116521 A1	6/2003	Chupak
5,820,016 A *	10/1998	Stropkay ..... B65D 1/265 229/403	2003/0213709 A1	11/2003	Gibler et al.
			2003/0213803 A1	11/2003	Chasteen
5,822,843 A	10/1998	Diekhoff et al.	2004/0159662 A1	8/2004	Johnson
5,947,318 A	9/1999	Palm	2004/0256386 A1	12/2004	LaFortune



2005/0029264	A1	2/2005	Werth	
2005/0115969	A1	6/2005	Mizuma	
2005/0127077	A1	6/2005	Chupak	
2005/0150889	A1	7/2005	Perra	
2007/0045318	A1	3/2007	Gibson et al.	
2007/0170184	A1	7/2007	Canede	
2008/0053997	A1	3/2008	Perra	
2008/0099480	A1	5/2008	Chang	
2008/0110922	A1	5/2008	Sines	
2008/0237235	A1	10/2008	Morabito	
2009/0026201	A1	1/2009	Hall et al.	
2009/0045158	A1	2/2009	Suriol	
2009/0200306	A1	8/2009	Breunig	
2009/0261101	A1	10/2009	Forrest	
2010/0126992	A1	5/2010	Phillips	
2010/0133275	A1	6/2010	Phillips	
2010/0294768	A1	11/2010	Ramsey et al.	
2010/0320207	A1	12/2010	Sjogren et al.	
2011/0036839	A1	2/2011	Gardner	
2011/0036840	A1	2/2011	Zakai	
2011/0056945	A1	3/2011	Ramsey	
2011/0062106	A1	3/2011	Caspar	
2011/0100946	A1	5/2011	Perra	
2011/0168709	A1	7/2011	Wells	
2011/0226636	A1	9/2011	Petti	
2011/0232423	A1	9/2011	Raymond	
2012/0012586	A1	1/2012	Rinderer	
2012/0037631	A1	2/2012	Weist	
2012/0228294	A1	9/2012	Grissom	
2012/0273490	A1	11/2012	Jensen	
2013/0082055	A1	4/2013	Ramsey et al.	
2013/0200034	A1	8/2013	Kaanta	
2013/0240527	A1	9/2013	Philippe	
2014/0042164	A1	2/2014	Zabaleta	
2014/0238994	A1	8/2014	Christopoulos et al.	
2015/0190003	A1	7/2015	Kelاهر	
2016/0016700	A1	1/2016	Stevens	
2016/0166473	A1*	6/2016	Young	A61J 7/0046 206/570
2017/0174398	A1*	6/2017	Cox	B65D 41/0471
2018/0002065	A1*	1/2018	Thielen	B65D 17/165

FOREIGN PATENT DOCUMENTS

CA	476789	9/1951
EP	0414249 A2	2/1991
EP	2212215 B1	2/2012
EP	2555988 A1	6/2014
WO	WO2011025327 A2	3/2011
WO	WO2011124552 A1	10/2011

OTHER PUBLICATIONS

Customized Logo 401# Stretch Tin Can Lids for Food and Wine Paper Tube, <http://papercanspackaging.sell.curiousexpeditions.org/iz6fge2df-customised-logo-401-stretch-tin-can-lids-for-food-and-wine-paper-tube-images>.

Gold Candle Jars Timpla 307# Stretch Metal Can Lids, [curiousexpeditions.org](http://curiousexpeditions.org), 2 Pages. Found online Nov. 11, 2015 at <http://papercanspackaging.sell.curiousexpeditions.org/iz6fge2dc-gold-candle-jars-tinplate-307-images>.

\* cited by examiner

*Primary Examiner* — Karen S Acker

*Assistant Examiner* — Wendy L Arminio

(74) *Attorney, Agent, or Firm* — Allen D. Hertz, P.A.; Allen D. Hertz

(57) **CLAIM**

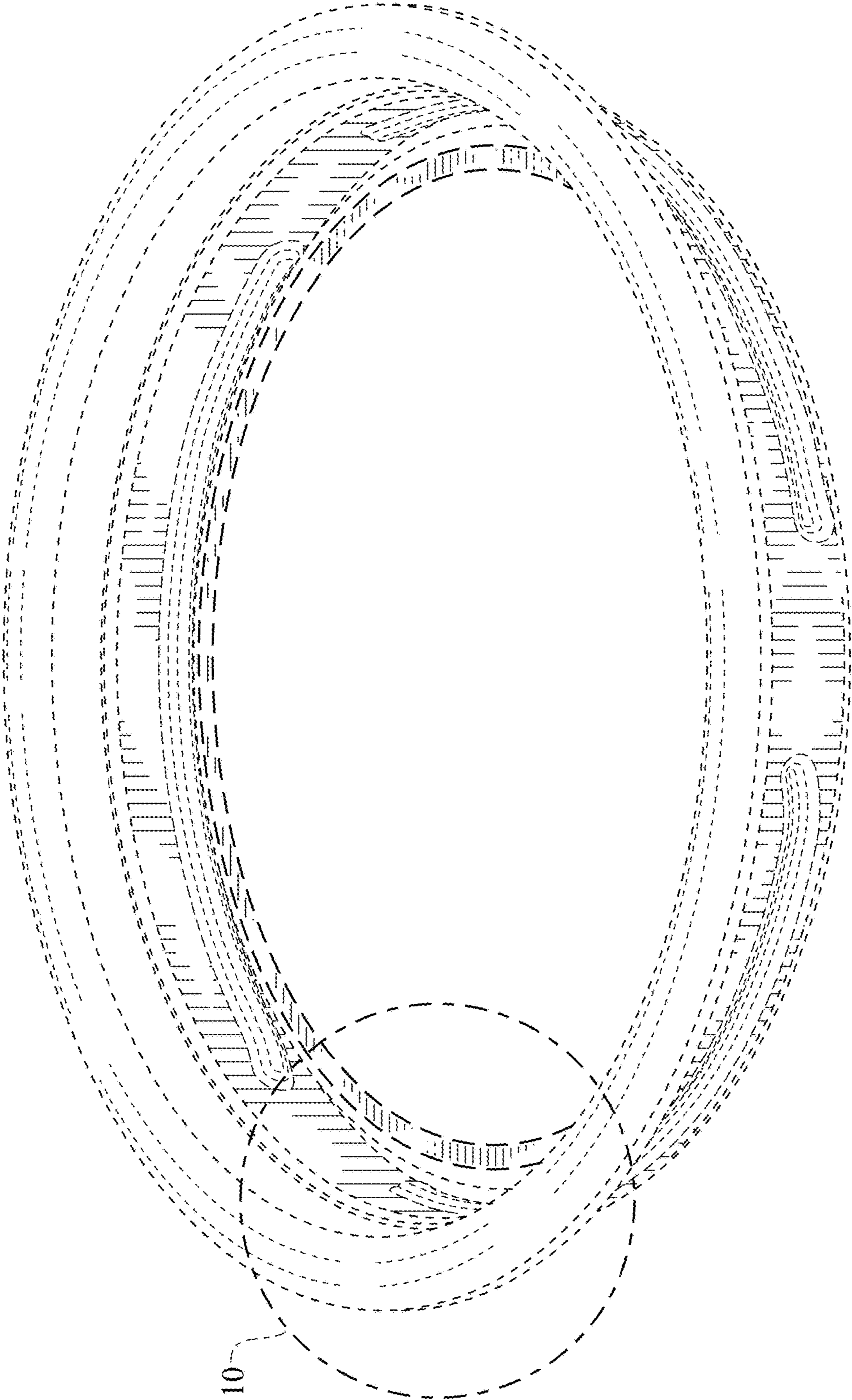
We claim the ornamental design for an axially oriented peripheral sidewalled beverage container lid, as shown and described.

**DESCRIPTION**

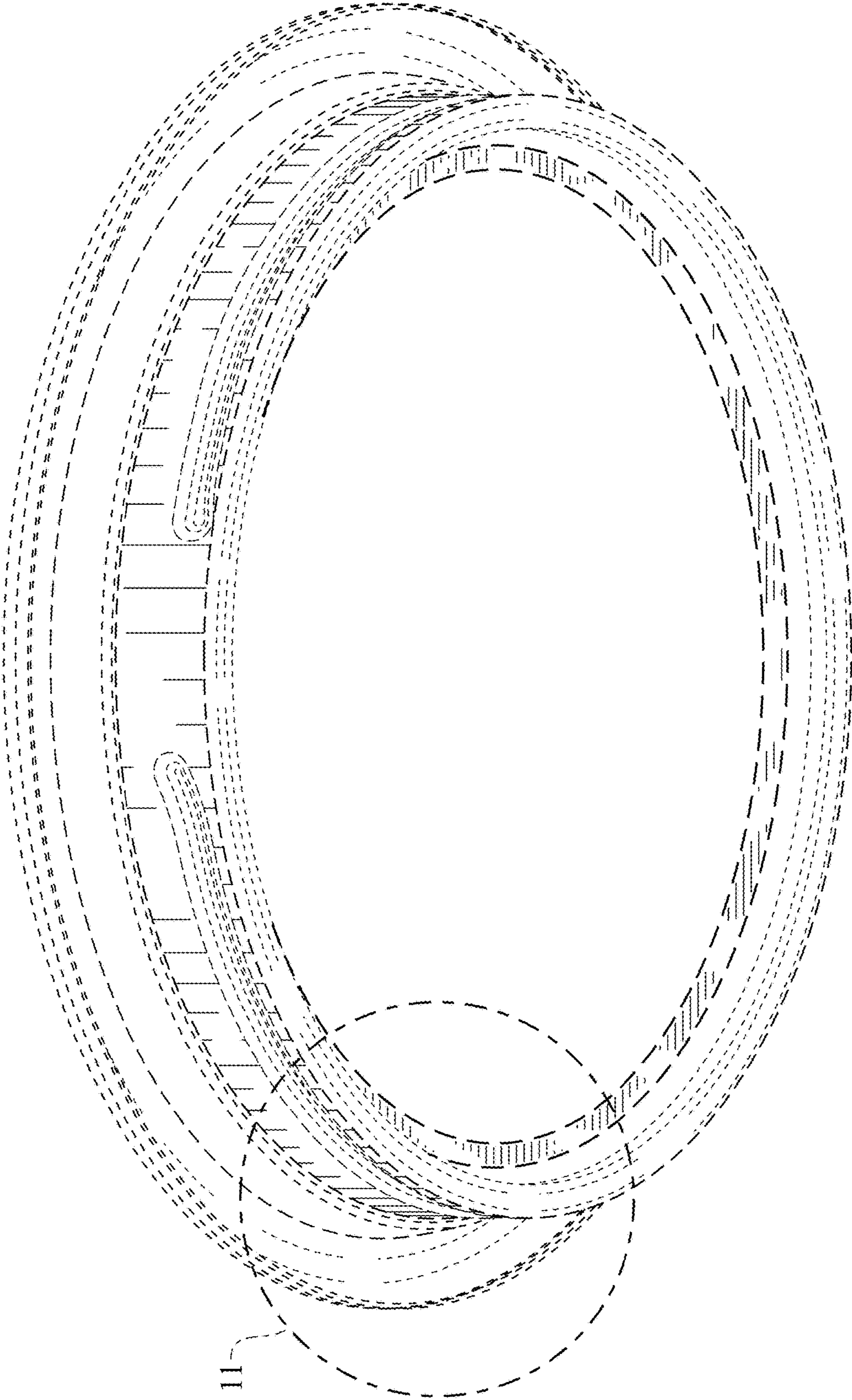
FIG. 1 is an isometric top view of an axially oriented peripheral sidewalled beverage container lid;  
 FIG. 2 is an isometric bottom view thereof;  
 FIG. 3 is a top view thereof;  
 FIG. 4 is a bottom view thereof;  
 FIG. 5 is a front view thereof;  
 FIG. 6 is a right side view thereof;  
 FIG. 7 is a rear view thereof;  
 FIG. 8 is a left side view thereof;  
 FIG. 9 is a sectioned elevation left side view thereof, the section being taken in a direction of section line 9--9 of FIG. 3;  
 FIG. 10 is an enlarged detail view of area 10 circumscribed within FIG. 1;  
 FIG. 11 is an enlarged detail view of area 11 circumscribed within FIG. 2;  
 FIG. 12 is an enlarged detail view of area 12 circumscribed within FIG. 3;  
 FIG. 13 is an enlarged detail view of area 13 circumscribed within FIG. 4;  
 FIG. 14 is an enlarged detail view of area 14 circumscribed within FIG. 9; and,  
 FIG. 15 is an enlarged detail view of area 15 circumscribed within FIG. 9.

The dash-dash broken lines and the unshaded areas in between the dash-dash broken lines depict portions of the axially oriented peripheral sidewalled beverage container lid that form no part of the claimed design. The dot-dash-dot broken lines in FIGS. 1-4 and FIGS. 9-15 surrounding the detail areas and views form no part of the claimed design.

**1 Claim, 15 Drawing Sheets**

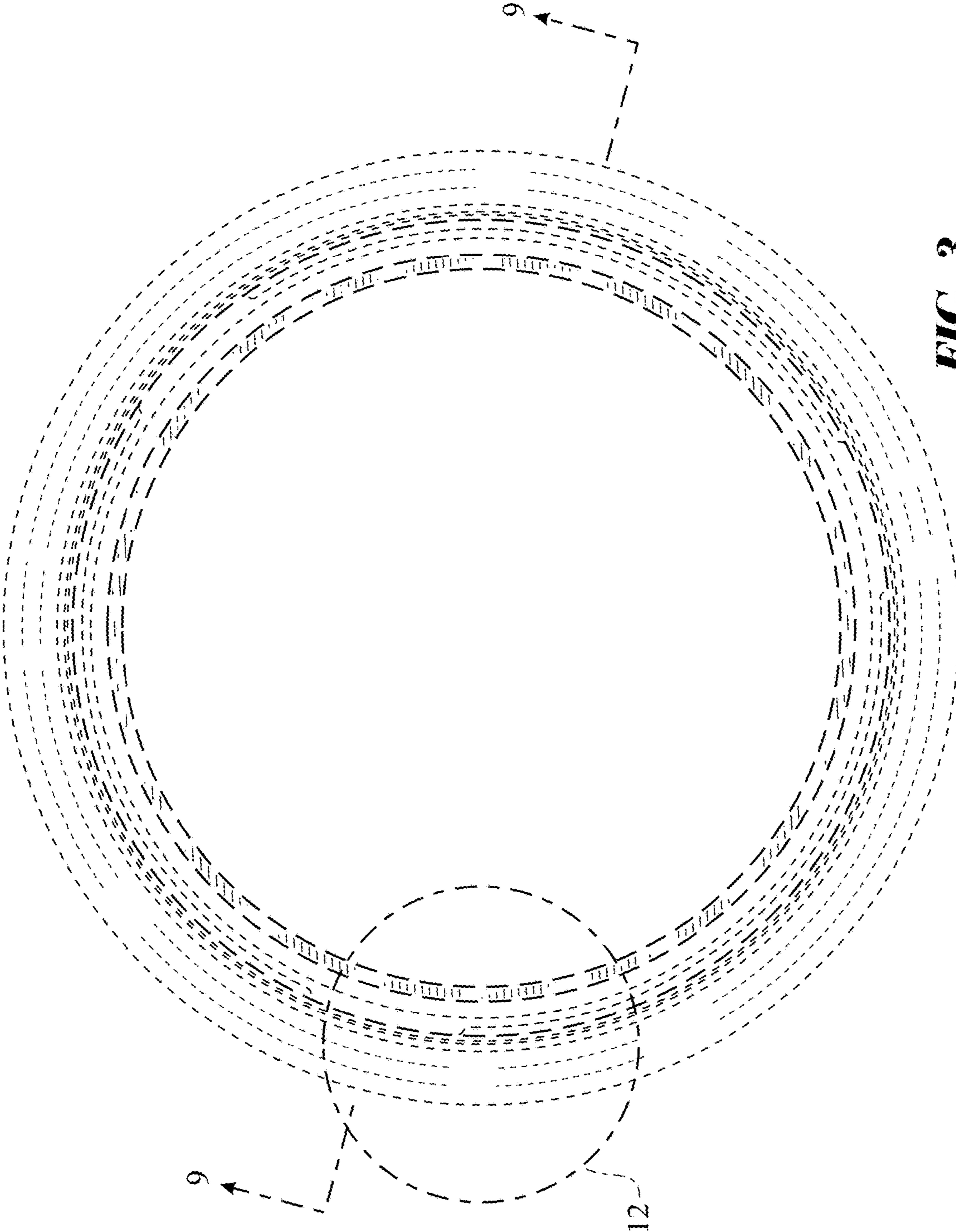


**FIG. 1**

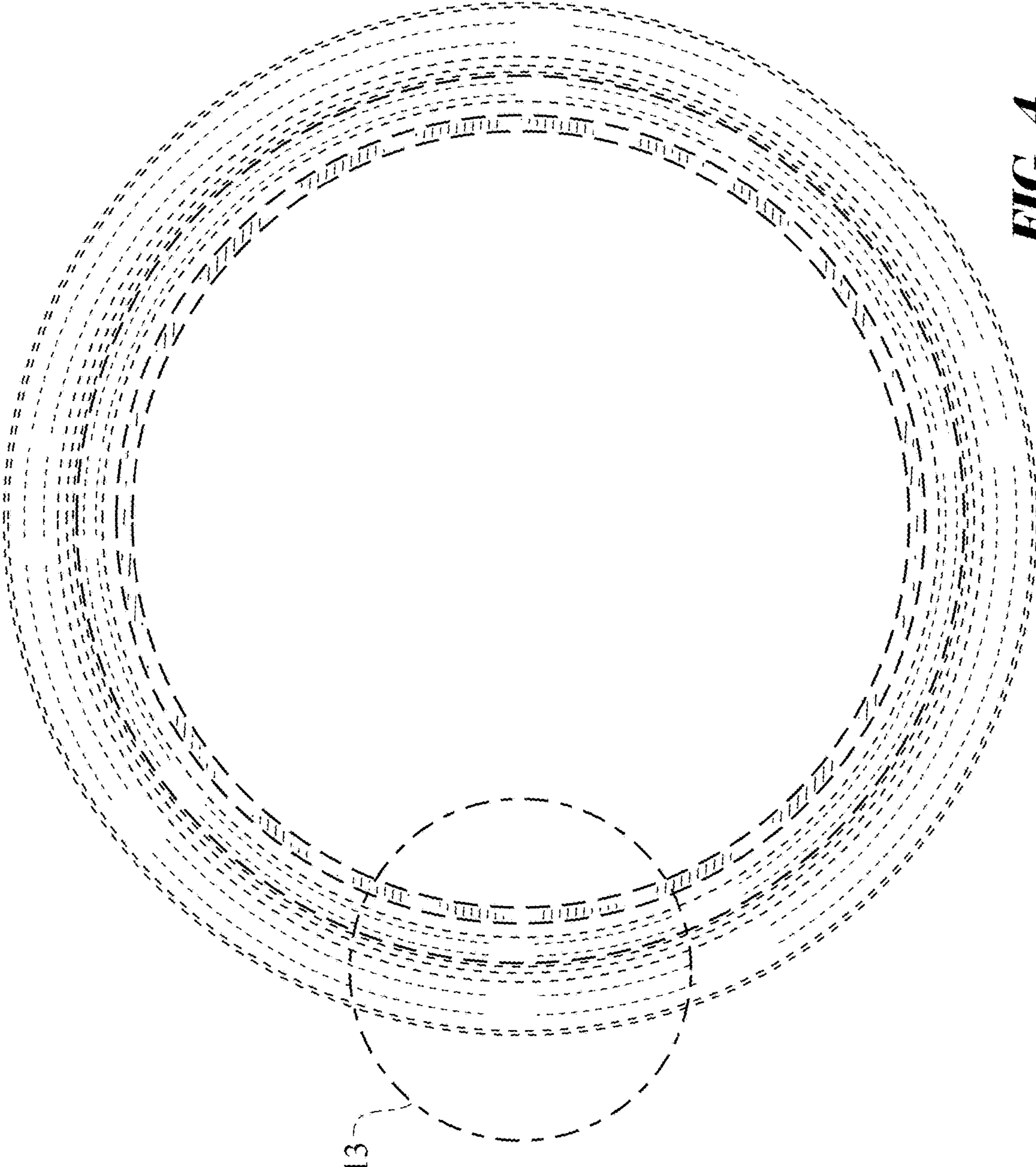


**FIG. 2**

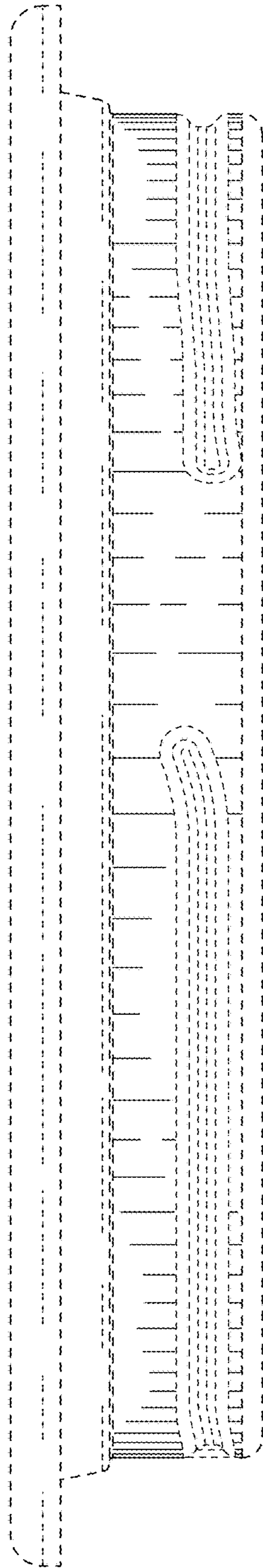




**FIG. 3**

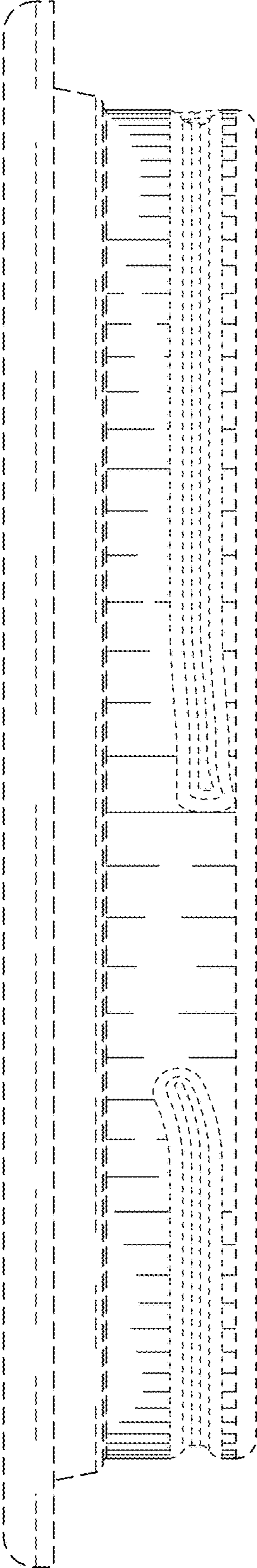


**FIG. 4**

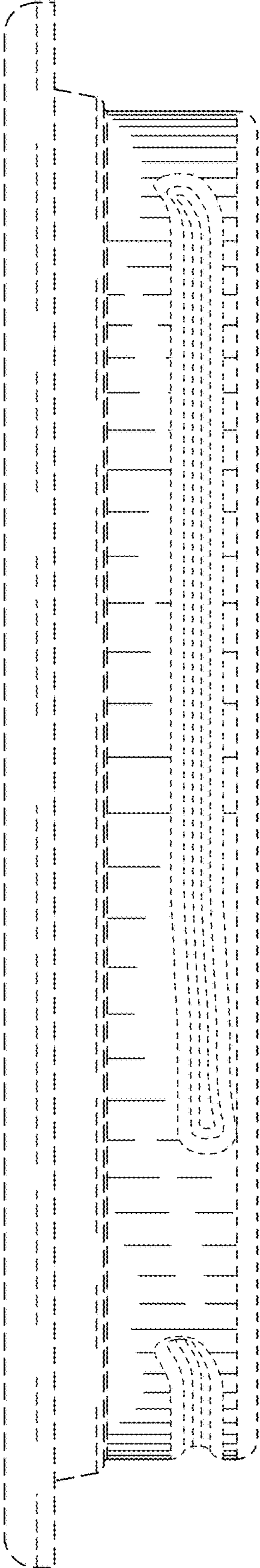


**FIG. 5**

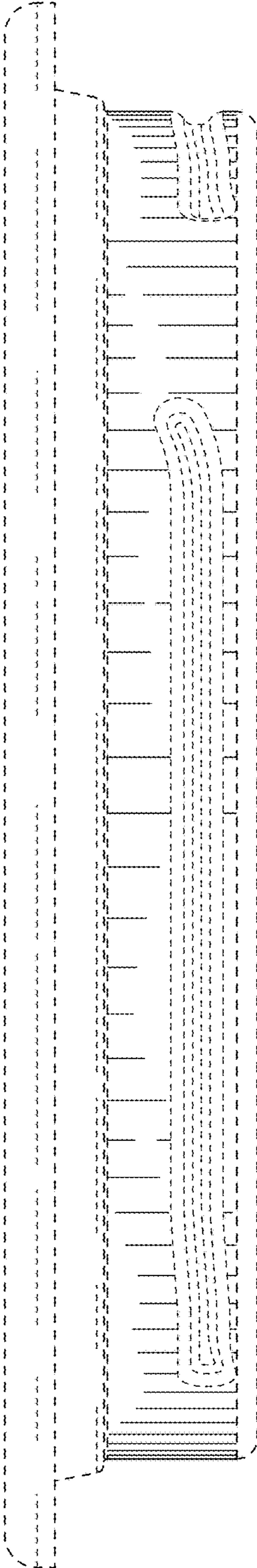




**FIG. 6**

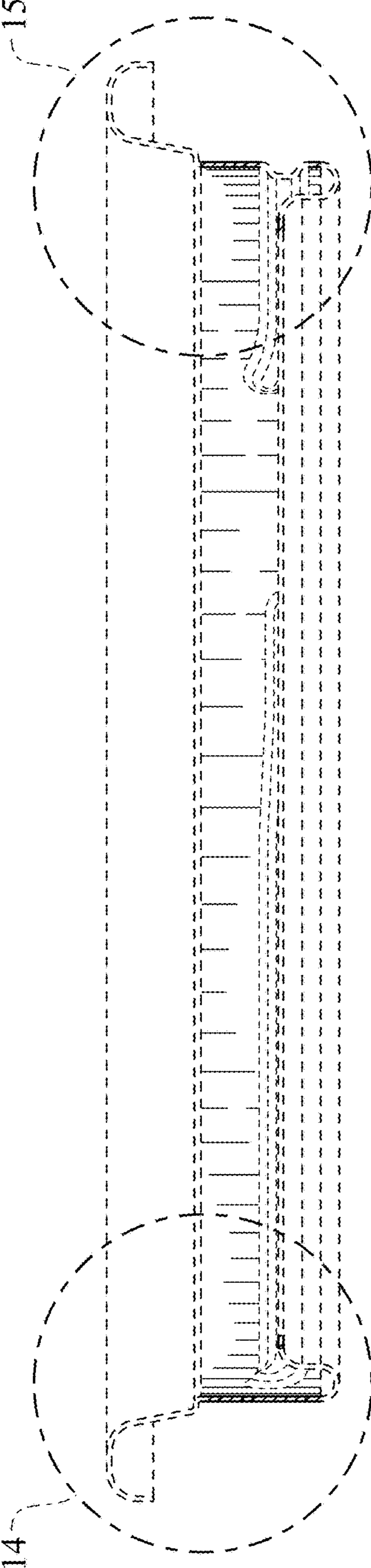


**FIG. 7**

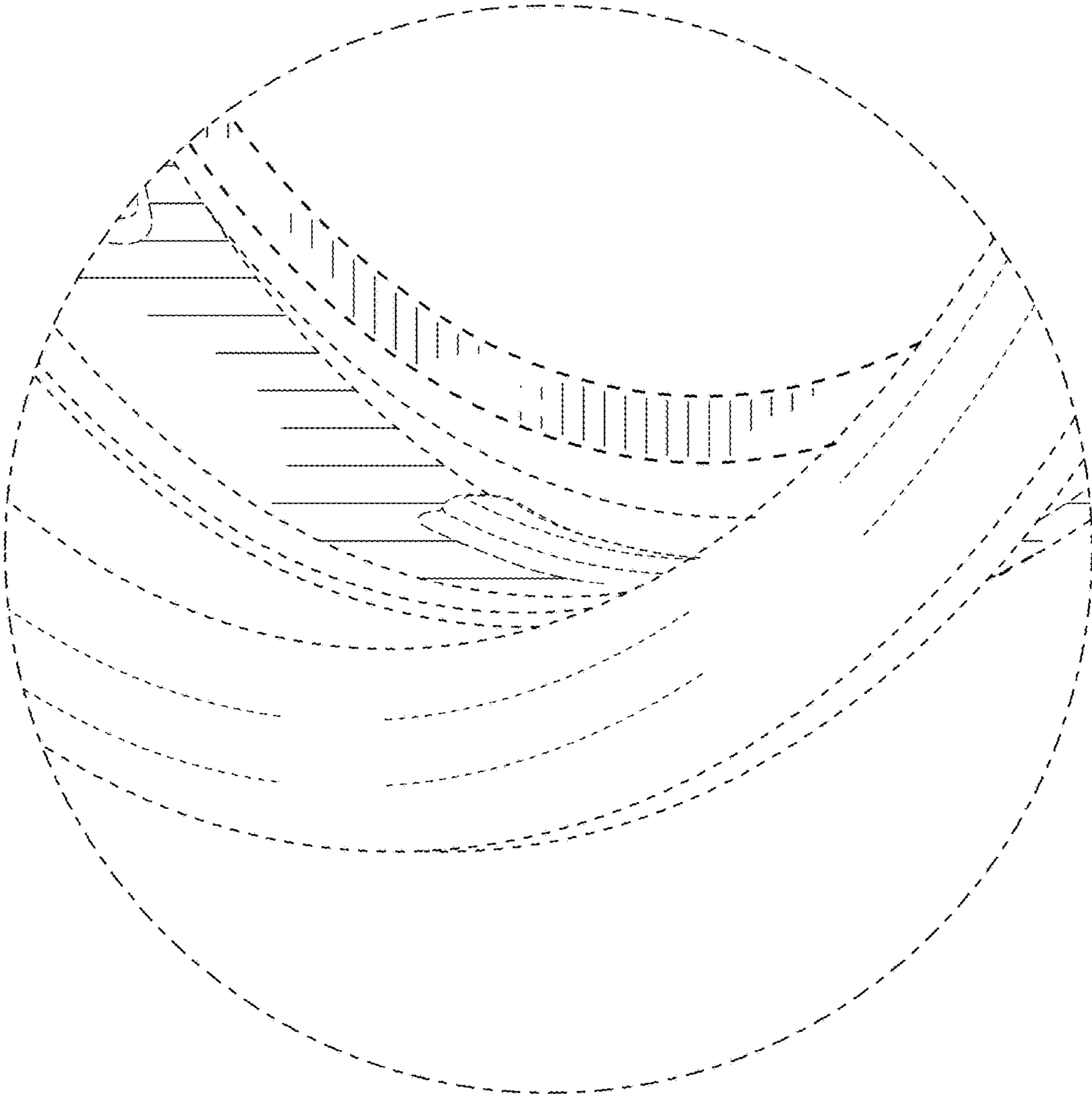


**FIG. 8**

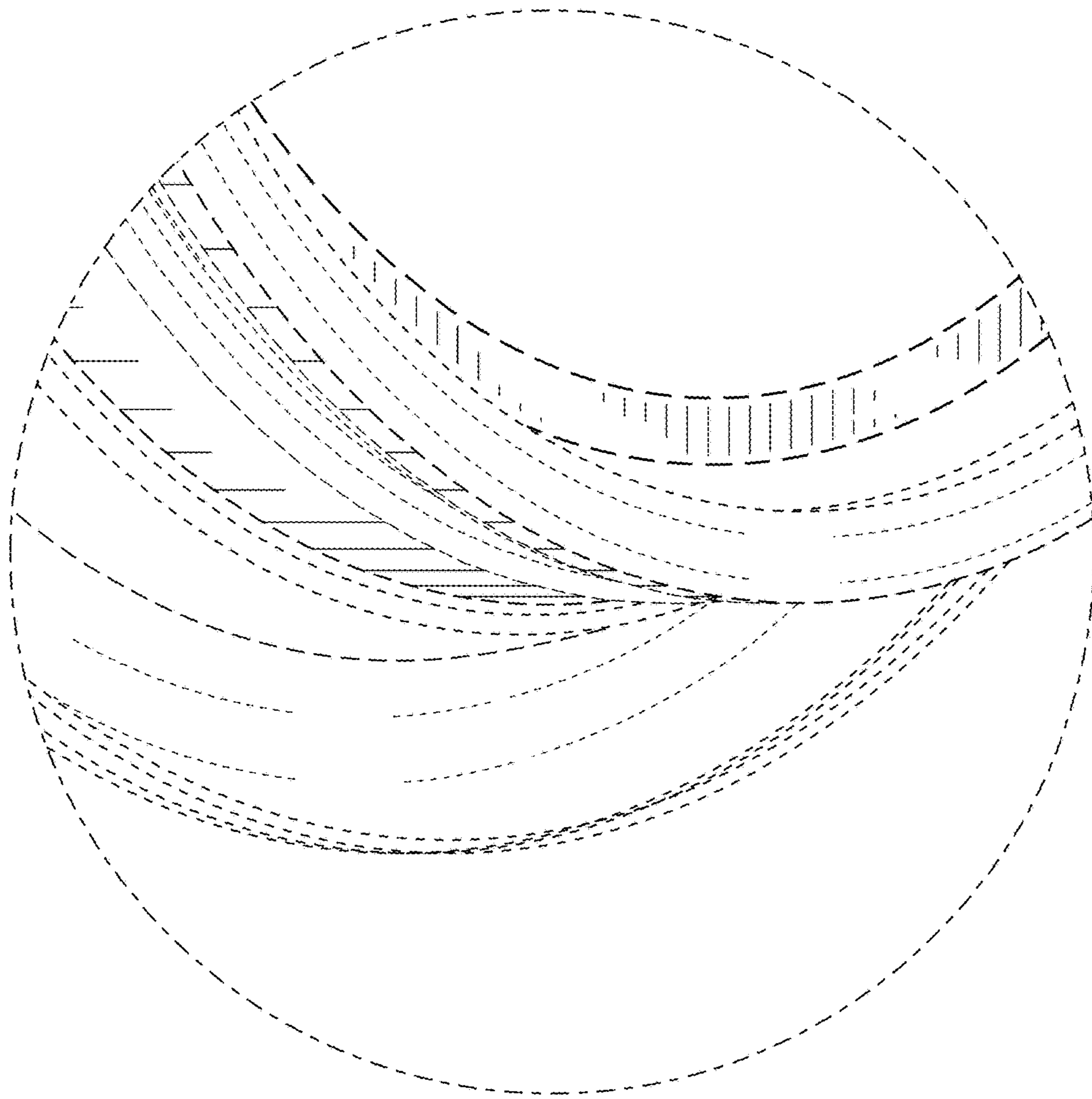




**FIG. 9**

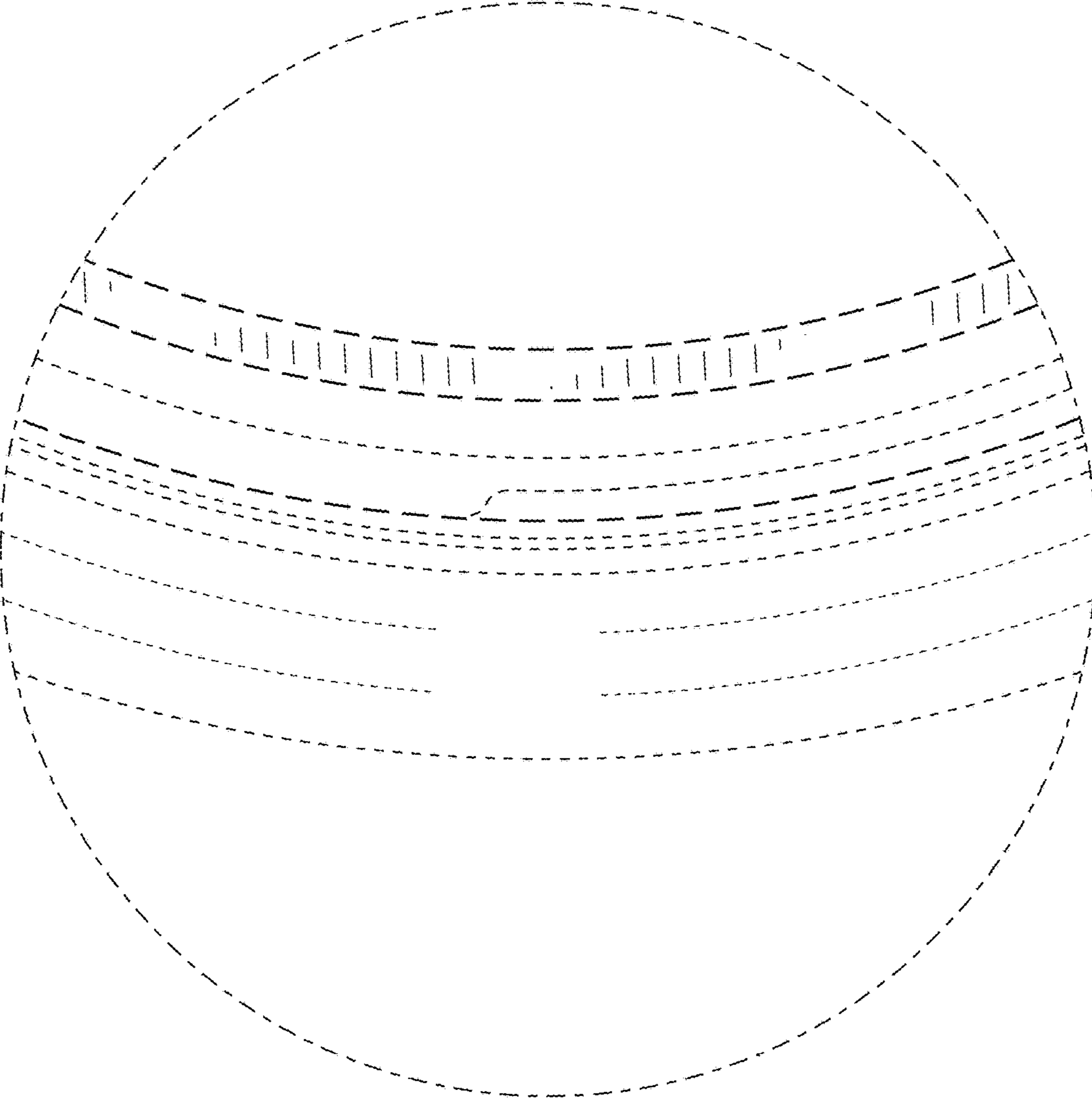


**FIG. 10**

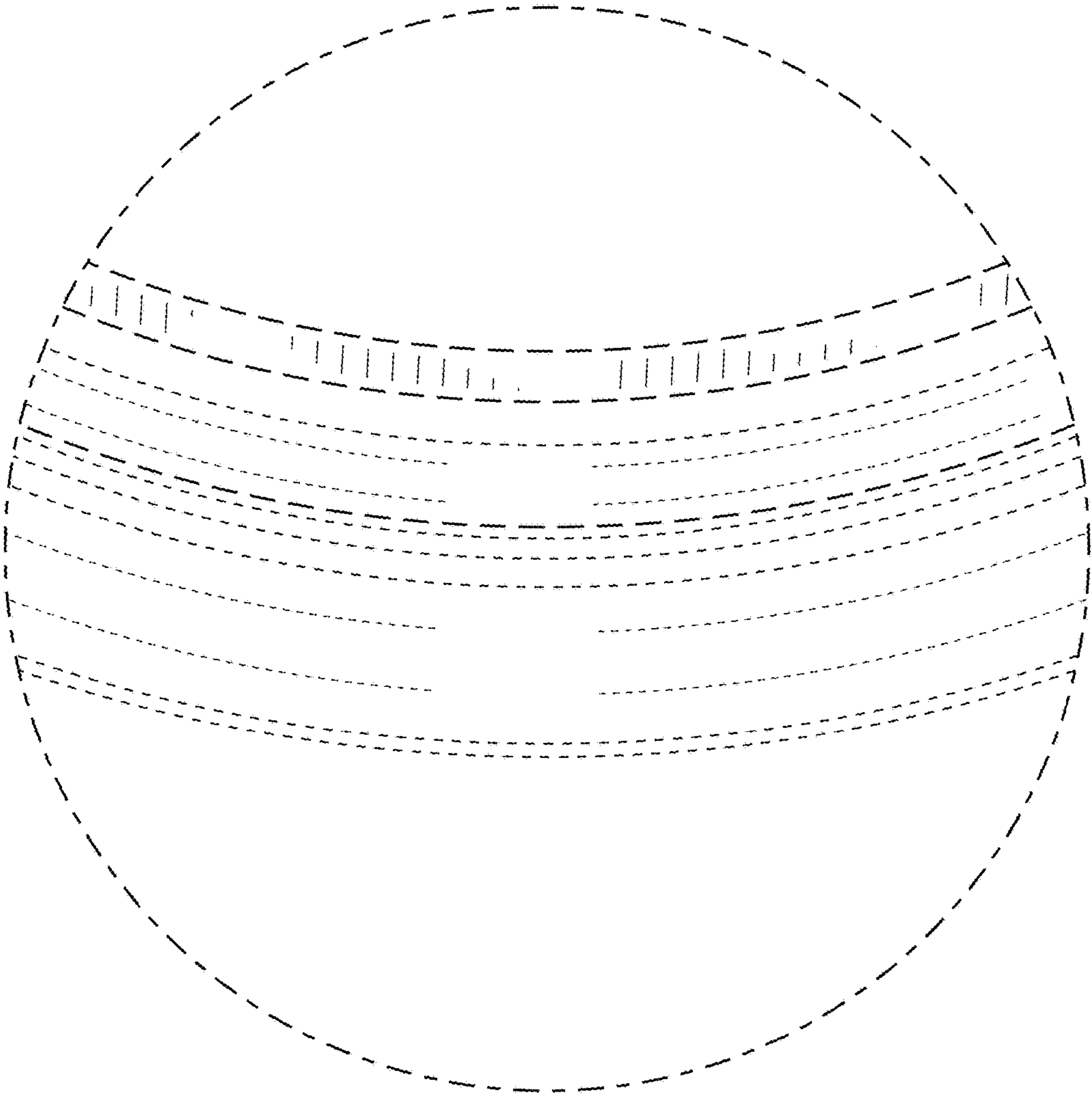


**FIG. 11**

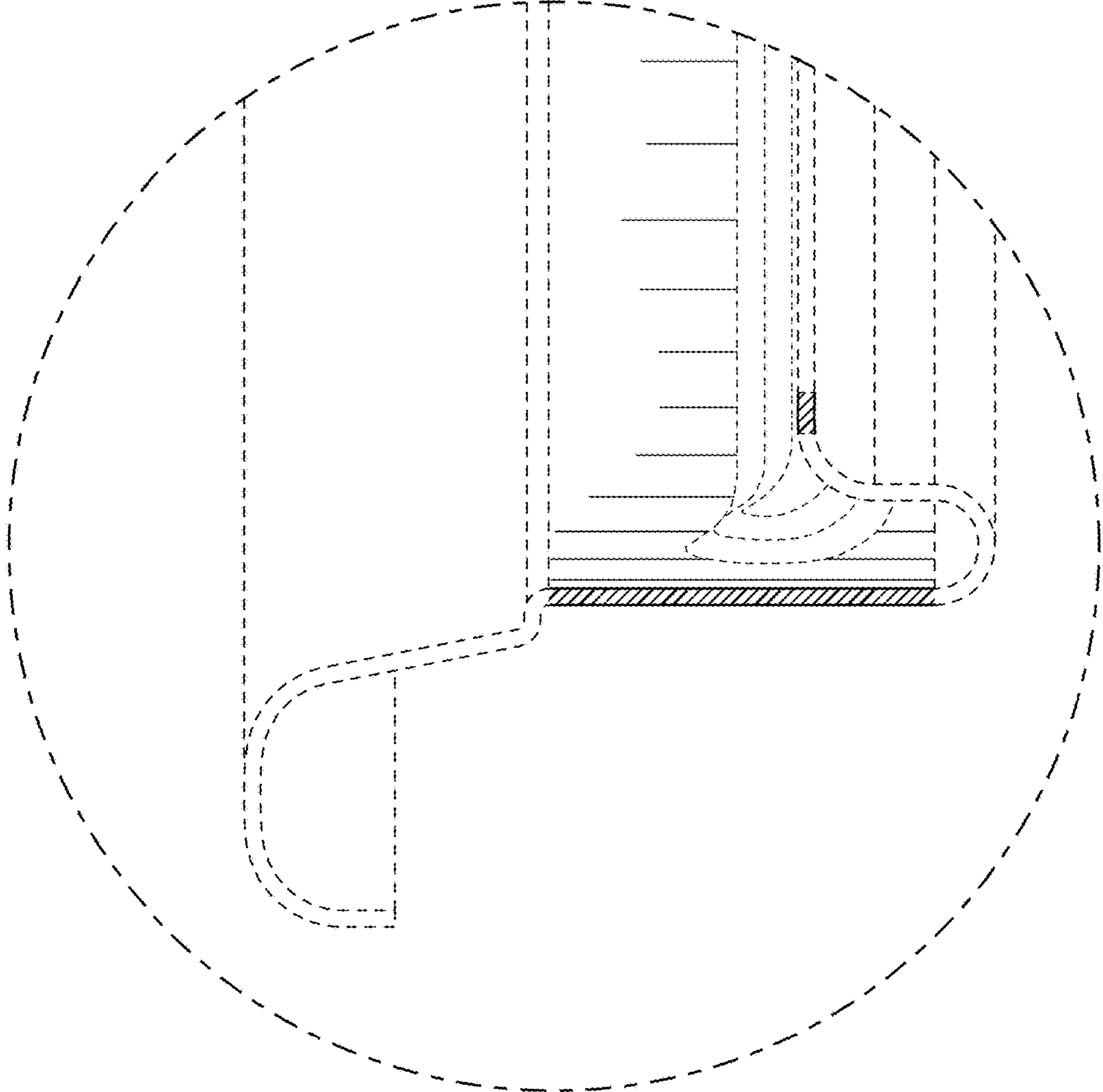




**FIG. 12**

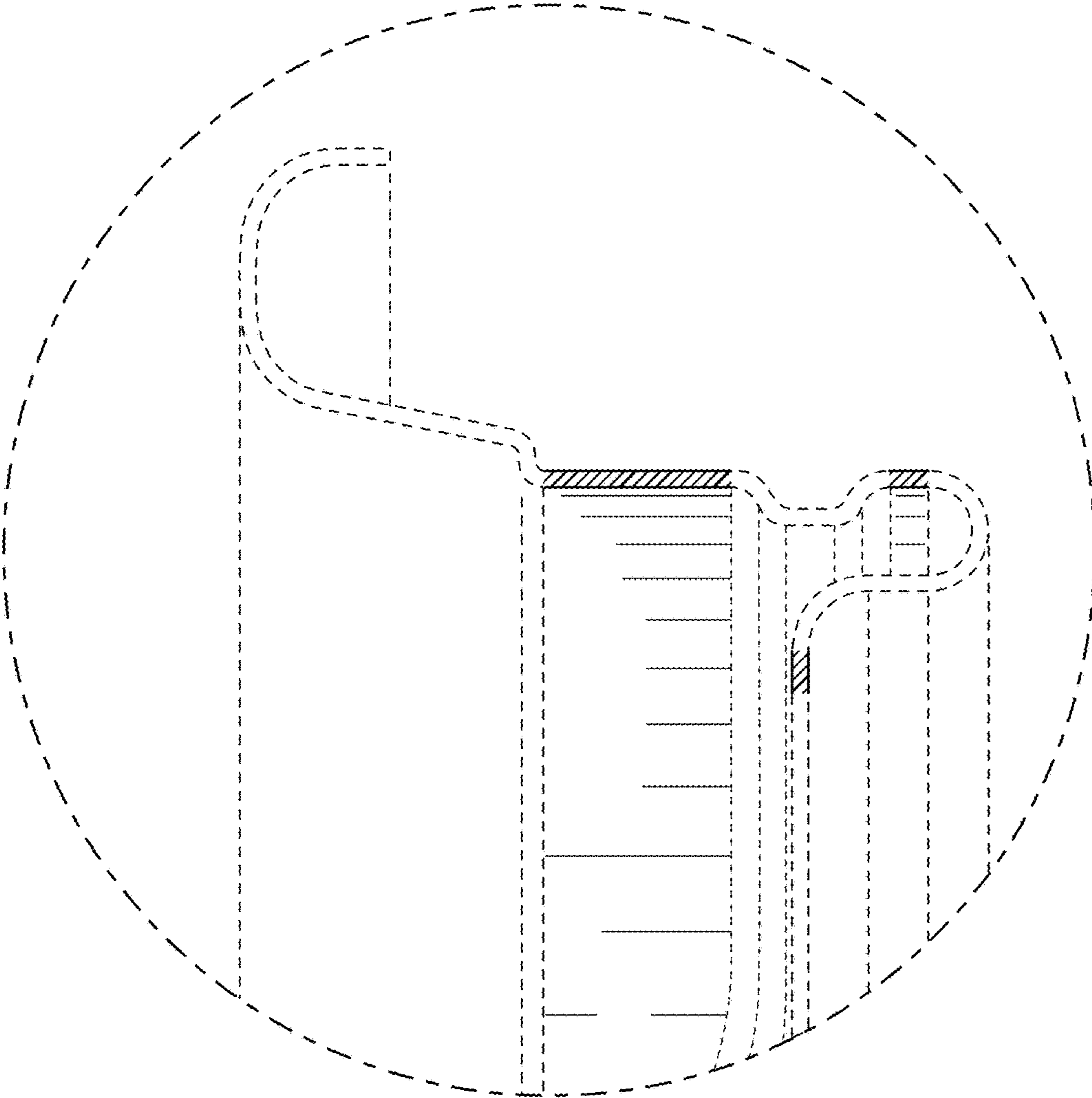


**FIG. 13**



**FIG. 14**





**FIG. 15**