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(12) **United States Design Patent**
De Lorme

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(54) **BOTTLE**

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(73) Assignee: **Monster Energy Company**, Corona, CA (US)

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

(21) Appl. No.: **29/578,946**

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(51) **LOC (11) Cl.** **09-01**

(52) **U.S. Cl.**
USPC **D9/516**; D9/560; D9/575

(58) **Field of Classification Search**
USPC D9/516, 520, 560, 567, 570, 572, 573, D9/574, 715, 719; D28/73, 76-77, 91; D3/203.1

CPC ... B65D 1/02; B65D 1/04; B65D 1/12; B65D 1/18; B65D 1/20; B65D 2501/0081; B65D 5/5045; B65D 81/361

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D7,105 S	1/1874	Michael
D34,165 S	3/1901	De St. George
1,127,141 A	2/1915	Whitcomb
D60,557 S	3/1922	Marble
D71,251 S	10/1926	Potoxab
D81,520 S	7/1930	Bromiley
D90,433 S	8/1933	Borokoff
D191,685 S	10/1961	Denhoff
D203,522 S	1/1966	Benes
3,331,521 A	7/1967	Paige
D209,100 S	10/1967	Du Pree
D216,778 S	3/1970	Stone

D217,230 S	4/1970	Kissig
D235,971 S	7/1975	Visola
D238,143 S	12/1975	Bay
D241,225 S	8/1976	McCurdy

(Continued)

FOREIGN PATENT DOCUMENTS

JE	HH1750640700	4/2005
JP	HH2731597900	7/2015

OTHER PUBLICATIONS

Amazon.com, Starbucks Frappuccino, Caramel, 9.5 Oz. Glass Bottles/12 PK, <http://www.amazon.com/Starbucks-Frapuccino-Caramel-Glass-Bottles/dp/B001CB7XKQ>, apparently available May 30, 2012, 6 pages.

(Continued)

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(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front elevation view of a bottle embodying my design, the rear elevation view, left side elevation view, and right side elevation view being the same as the front elevation view;

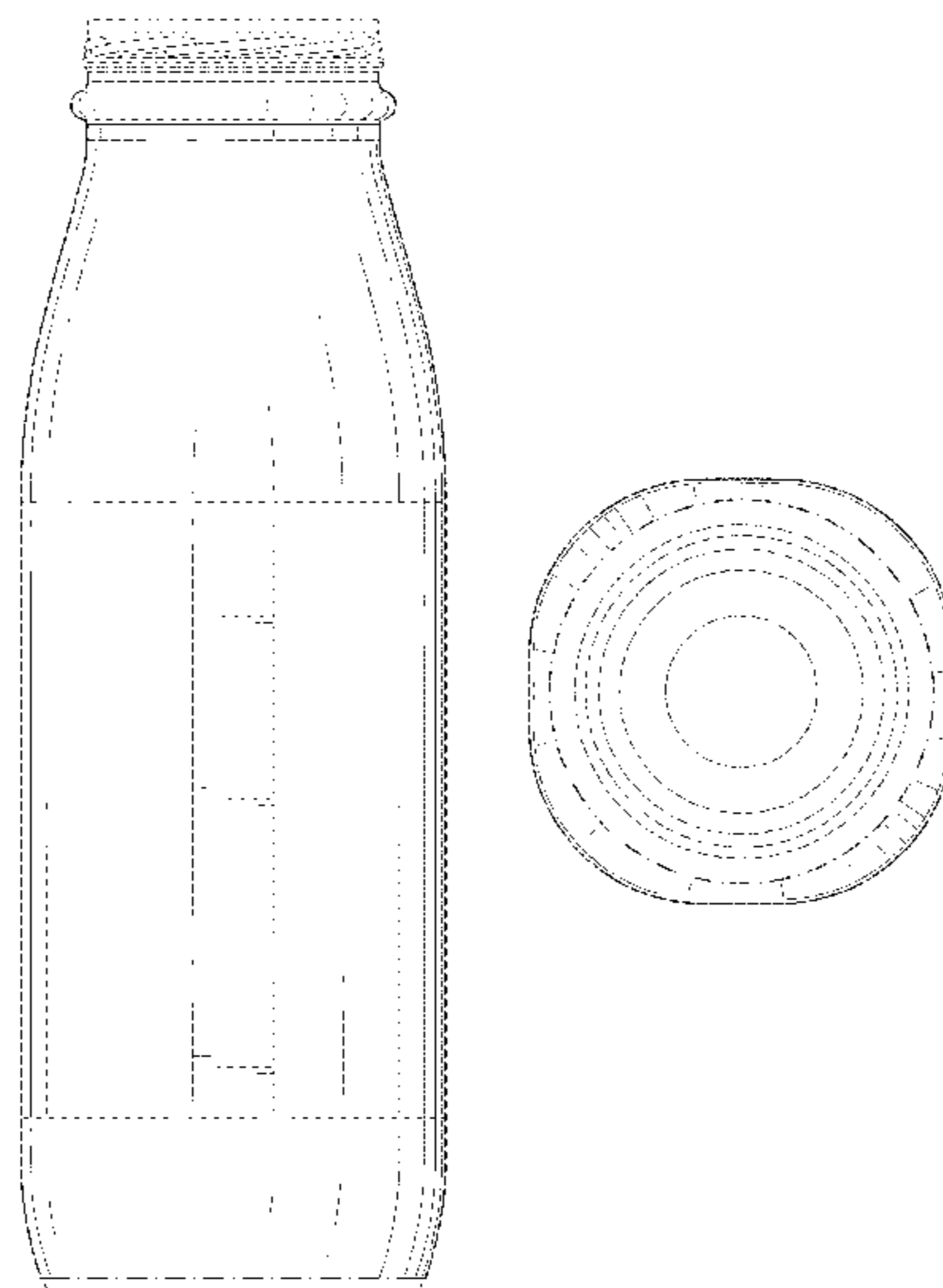
FIG. 2 is an elevation view of the bottle of FIG. 1 taken in the direction of line FIG. 2-FIG. 2 in FIG. 3;

FIG. 3 is a top plan view of the bottle of FIG. 1; and,

FIG. 4 is a bottom plan view of the bottle of FIG. 1.

The broken lines in the drawings illustrate portions of the bottle that form no part of the claimed design. The dash-dot line in FIG. 4 represents a boundary of the claimed subject matter.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D248,835 S 8/1978 Korsmeyer
 D249,021 S 8/1978 Pettengill
 D249,330 S 9/1978 Pigeon
 D257,580 S 12/1980 Hayes
 D258,198 S 2/1981 Segal
 D260,239 S 8/1981 Barrash
 D267,076 S 11/1982 Hurtig
 D268,395 S 3/1983 Humphries
 D270,520 S 9/1983 Strand
 D282,910 S * 3/1986 Biesecker D9/560
 D292,269 S 10/1987 Jacobs et al.
 D301,203 S 5/1989 Jolly et al.
 D305,984 S 2/1990 Alberghini et al.
 D315,295 S 3/1991 Reece et al.
 D320,455 S 10/1991 Malcolm
 D322,213 S 12/1991 Maginnis, Jr.
 D330,334 S 10/1992 Rusnock et al.
 D351,348 S 10/1994 Marriage
 D363,026 S 10/1995 Sillince et al.
 D364,347 S 11/1995 Sillince et al.
 D374,176 S 10/1996 Sillince et al.
 D379,150 S 5/1997 Richardson
 D405,698 S 2/1999 Lykken et al.
 D407,648 S 4/1999 Glaser et al.
 D413,265 S * 8/1999 Hestehave D9/541
 D413,511 S 9/1999 Guthrie et al.
 D414,417 S 9/1999 Alt
 D415,414 S 10/1999 Pekarev
 D426,161 S 6/2000 Hestehave et al.
 D431,192 S 9/2000 Ogg et al.
 D442,091 S 5/2001 Ogg et al.
 D446,686 S 8/2001 Holthus
 D450,536 S 11/2001 Holthus
 D454,309 S 3/2002 Warner et al.
 D458,144 S 6/2002 Trabal
 D463,292 S 9/2002 Bianco
 D475,926 S 6/2003 Rusnock et al.
 D482,976 S 12/2003 Melrose
 D489,983 S 5/2004 Futral et al.
 D491,069 S * 6/2004 Heliste D9/560
 D498,143 S 11/2004 Rashid
 D509,746 S 9/2005 Mero et al.
 D510,872 S 10/2005 Mount et al.
 D522,870 S 6/2006 Venkataraman et al.
 D522,874 S 6/2006 Livingston et al.
 D522,875 S 6/2006 Uryevich
 D523,341 S 6/2006 Livingston et al.
 D531,913 S 11/2006 Heisner et al.
 D535,884 S 1/2007 Davis et al.
 D538,168 S 3/2007 Davis et al.
 D551,986 S 10/2007 Rubin et al.
 D561,597 S 2/2008 Venkataraman et al.
 D563,230 S 3/2008 Watts
 D563,231 S 3/2008 Watts
 D569,261 S * 5/2008 Sequeira D9/560
 D569,734 S * 5/2008 Imperato D9/500
 D581,272 S 11/2008 Yourist et al.
 D596,949 S 7/2009 Flude
 D619,899 S 7/2010 Mero et al.
 D622,145 S 8/2010 Walsh
 D626,840 S 11/2010 Hall
 D628,074 S 11/2010 Mero et al.
 D628,897 S 12/2010 Eisenberger et al.
 D632,584 S 2/2011 Eisenberger et al.
 D632,968 S 2/2011 Hughes et al.
 D633,395 S 3/2011 Clark et al.

D637,088 S 5/2011 Eisenberger et al.
 D643,723 S 8/2011 Snyder et al.
 D644,115 S 8/2011 Bonadio
 D644,533 S 9/2011 Hall
 D648,222 S 11/2011 Snyder et al.
 D651,905 S 1/2012 Bartolomei
 D652,724 S 1/2012 Snyder et al.
 D652,725 S 1/2012 Snyder et al.
 D652,726 S 1/2012 Snyder et al.
 D652,733 S 1/2012 Oommen et al.
 D656,405 S * 3/2012 Byron D9/560
 D663,621 S 7/2012 Lepoitevin
 D671,007 S 11/2012 Lovelace, Jr. et al.
 D679,605 S 4/2013 Bonadio
 D679,606 S 4/2013 Bonadio
 D696,585 S 12/2013 Marine et al.
 D696,958 S * 1/2014 Rex D9/435
 D699,584 S 2/2014 Hall
 D700,519 S 3/2014 Eaton et al.
 D701,769 S * 4/2014 Eble D9/520
 D701,771 S 4/2014 Hall
 D705,074 S * 5/2014 Della Valle D9/560
 D717,661 S * 11/2014 McIntire D9/560
 D734,159 S * 7/2015 Brisson D9/560
 D735,046 S * 7/2015 De Lorme D9/560
 D742,744 S 11/2015 Hall
 D777,037 S * 1/2017 Serafin D9/435
 D779,335 S * 2/2017 Chia D9/560
 D797,568 S * 9/2017 Miller D9/560
 D808,278 S * 1/2018 Vindevogel D9/560
 2012/0248003 A1 10/2012 Hunter et al.

OTHER PUBLICATIONS

Starbucks, "Starbucks® Bottled Mocha Frappuccino® Coffee Drink", <http://www.starbucks.com/menu/drinks/bottled-drinks/bottled-frappuccino-mocha>, Internet Archive Wayback Machine, Jul. 13, 2014, 3 pages.
 Photo of Starbucks Frappuccino bottles, apparently taken before Sep. 26, 2016.
 Burlap & Denim, "Vintage Style Glass Milk Bottles" <http://www.burlapanddenim.com/2011/12/vintage-style-glass-milk-bottles>, Dec. 2, 2011, 8 pages.
 Lovely Package, "Spotted Cow", <http://lovelypackage.com/spotted-cow/>, Internet Archive Wayback Machine, Dec. 2, 2010, in 5 pages.
 WorthPoint Corporation, "rqp raw milk bottle beltzs dairy palmerton pa farm barn", <http://www.worthpoint.com/worthopedia/rqp-raw-milk-bottle-beltzs-dairy-132776954>, Feb. 3, 2011, 7 pages.
 "Sidekick Bottles," Mountain Dew Wiki, available at http://mountaindew.wikia.com/wiki/Sidekick_Bottles, 2009.
 "4sight and PepsiCo Create Ownable Mountain Dew Bottle," Packaging Design, Jul. 2011.
 "Mountain Dew Sidekick Bottle," CLDesigns, available at http://www.cl-designs.com/#!/_products---md-sidekick, 2011.
 Gatorade G Series Endurance Formula Ready to Drink, Amazon.com, Inc., available at https://www.amazon.com/Gatorade-Endurance-Formula-Ready-Drink/dp/B00DO747KA/ref=pd_lpo_121_tr_t_3?ie=UTF8&refRID=9AVVZPJQE6WVRV5JBR3R&th=1, apparently available Nov. 2014.
 Powerade Orange 32 fl oz Bottle, Amazon.com, Inc., available at https://www.amazon.com/gp/product/B000T9SZX6/ref=pd_sim_325_2?ie=UTF8&pd_rd_i=B000T9SZX6&pd_rd_r=YZKBPHAZT0239PEG56XV&pd_rd_w=WpJOT&pd_rd_wg=YkMp9&pvc=1&refRID=YZKBPHAZT0239PEG56XV, apparently available Feb. 2015.

* cited by examiner

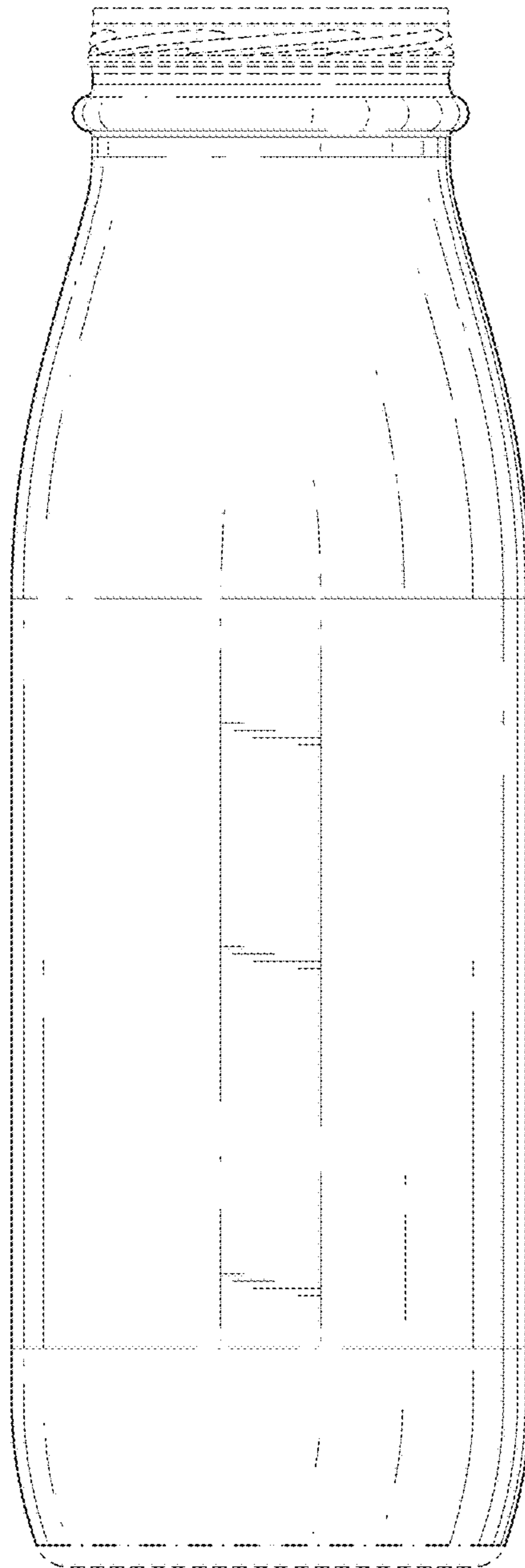


FIG. 1

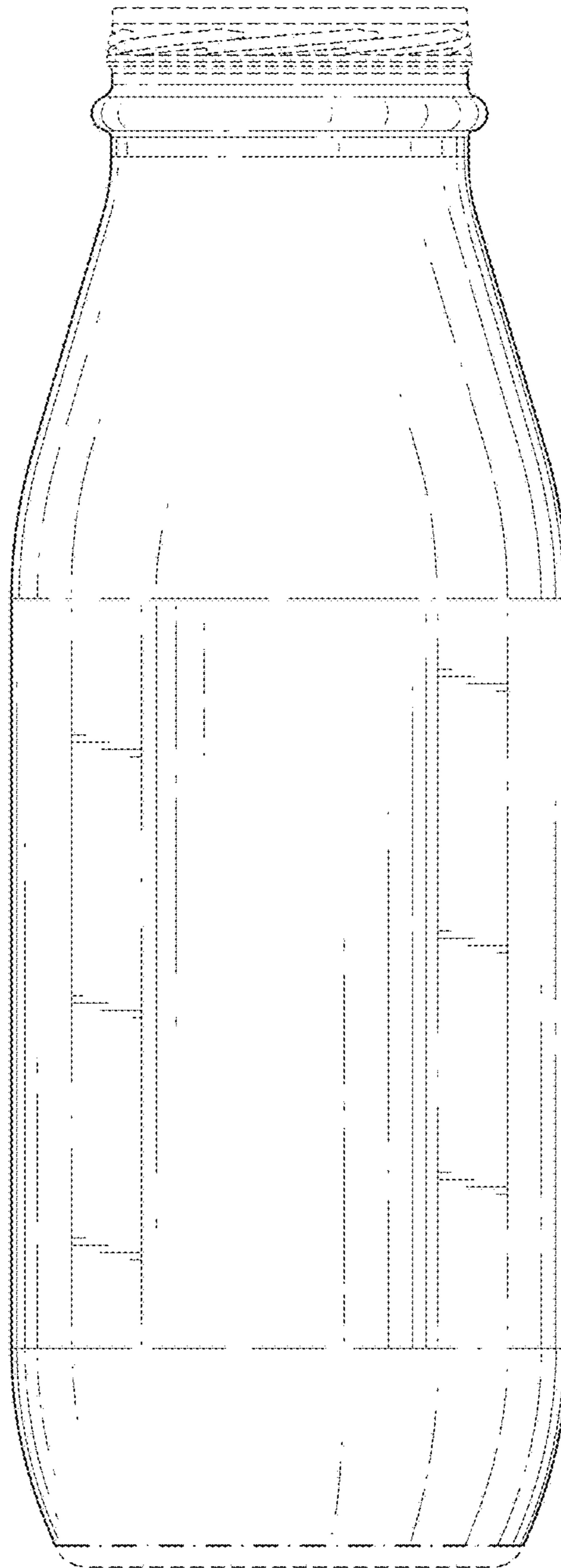


FIG. 2

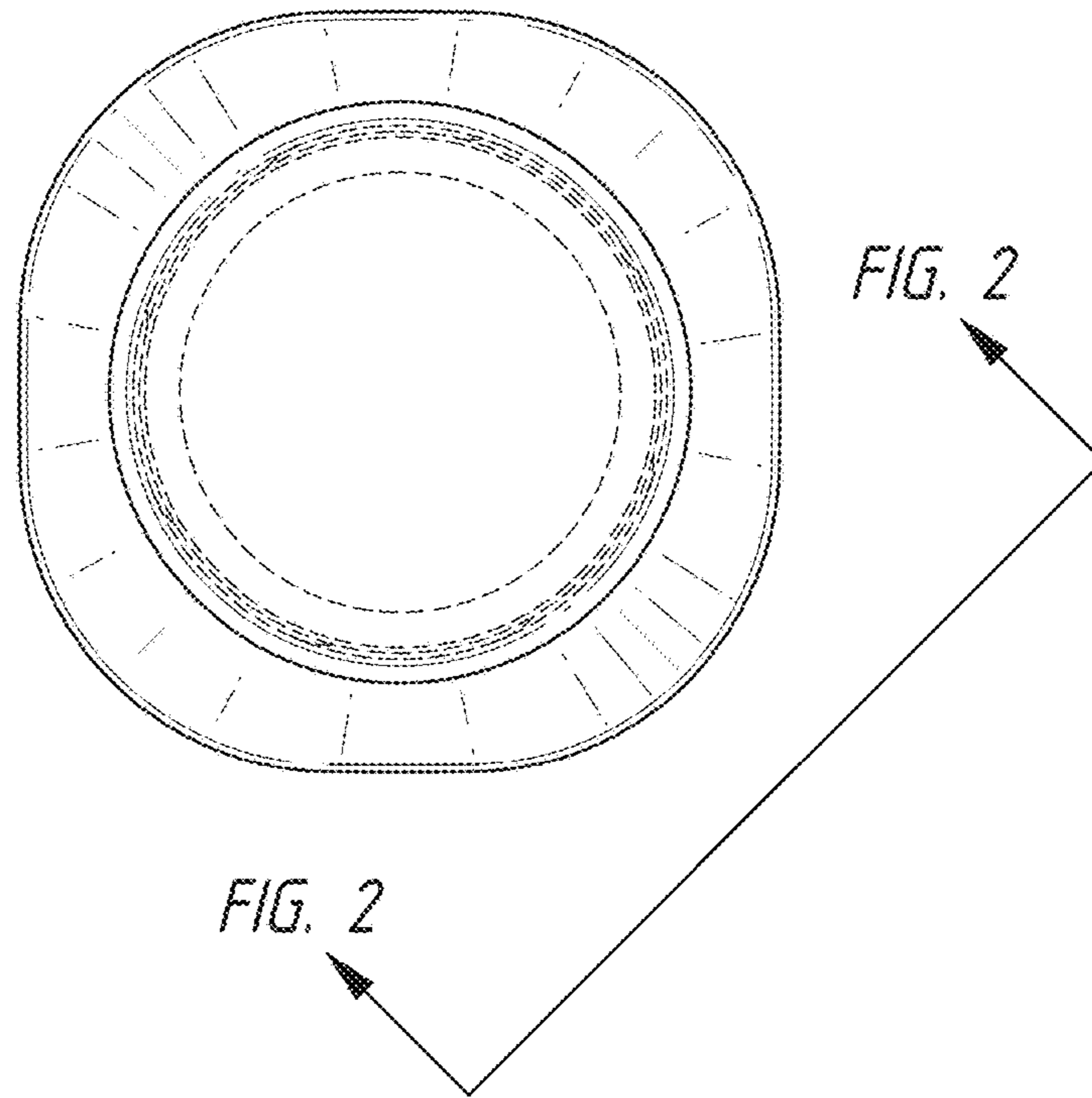


FIG. 3

