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

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(54) **CAPSULE**

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(73) Assignee: **2266170 Ontario Inc.** (CA)

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

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**Related U.S. Application Data**

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15, 2013.

(51) **LOC (11) Cl.** ..... **09-03**

(52) **U.S. Cl.**

USPC ..... **D9/454**

(58) **Field of Classification Search**

USPC ..... D9/414, 416, 418, 419, 423, 424, 425,  
D9/428, 434, 435, 438, 440, 447, 454,  
D9/499, 442, 444, 500, 501, 502, 503,  
D9/504, 505, 535, 544, 696, 715, 716,  
D9/733, 777; D7/509, 510, 511, 532,

(Continued)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D4,260 S 7/1870 Doyle  
1,779,884 A 10/1930 Lange

(Continued)

**FOREIGN PATENT DOCUMENTS**

CN 3102737 2/1999  
CN 3102740 2/1999

(Continued)

**OTHER PUBLICATIONS**

U.S. Appl. No. 29/464,387, titled "Capsule," filed Aug. 15, 2013  
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(Continued)

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(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a top perspective view of a capsule showing my  
new design;

FIG. 2 is a bottom perspective view thereof;

FIG. 3 is a front view thereof, the rear, left and right side  
views being identical;

FIG. 4 is a top view thereof;

FIG. 5 is a bottom view thereof;

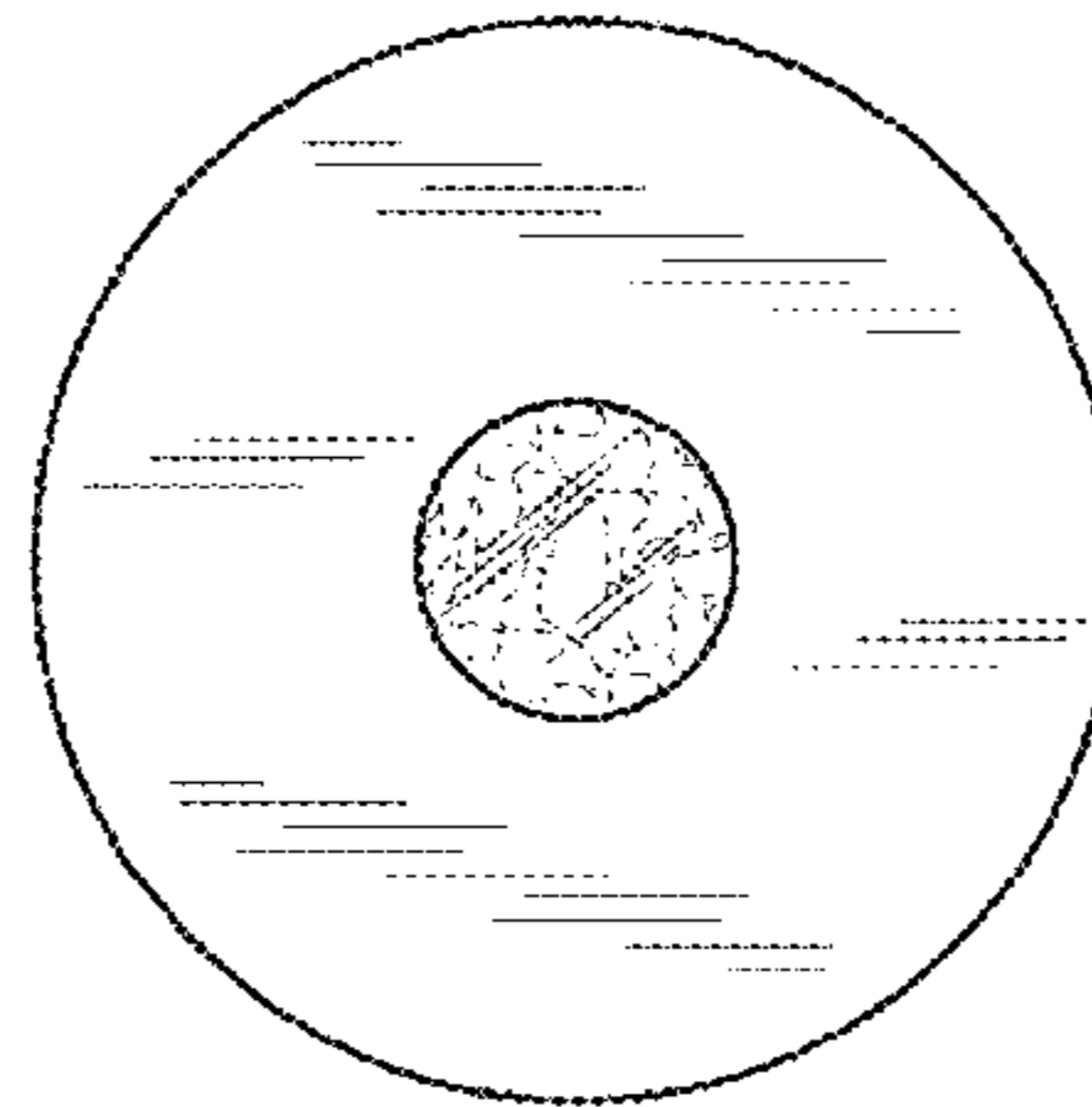
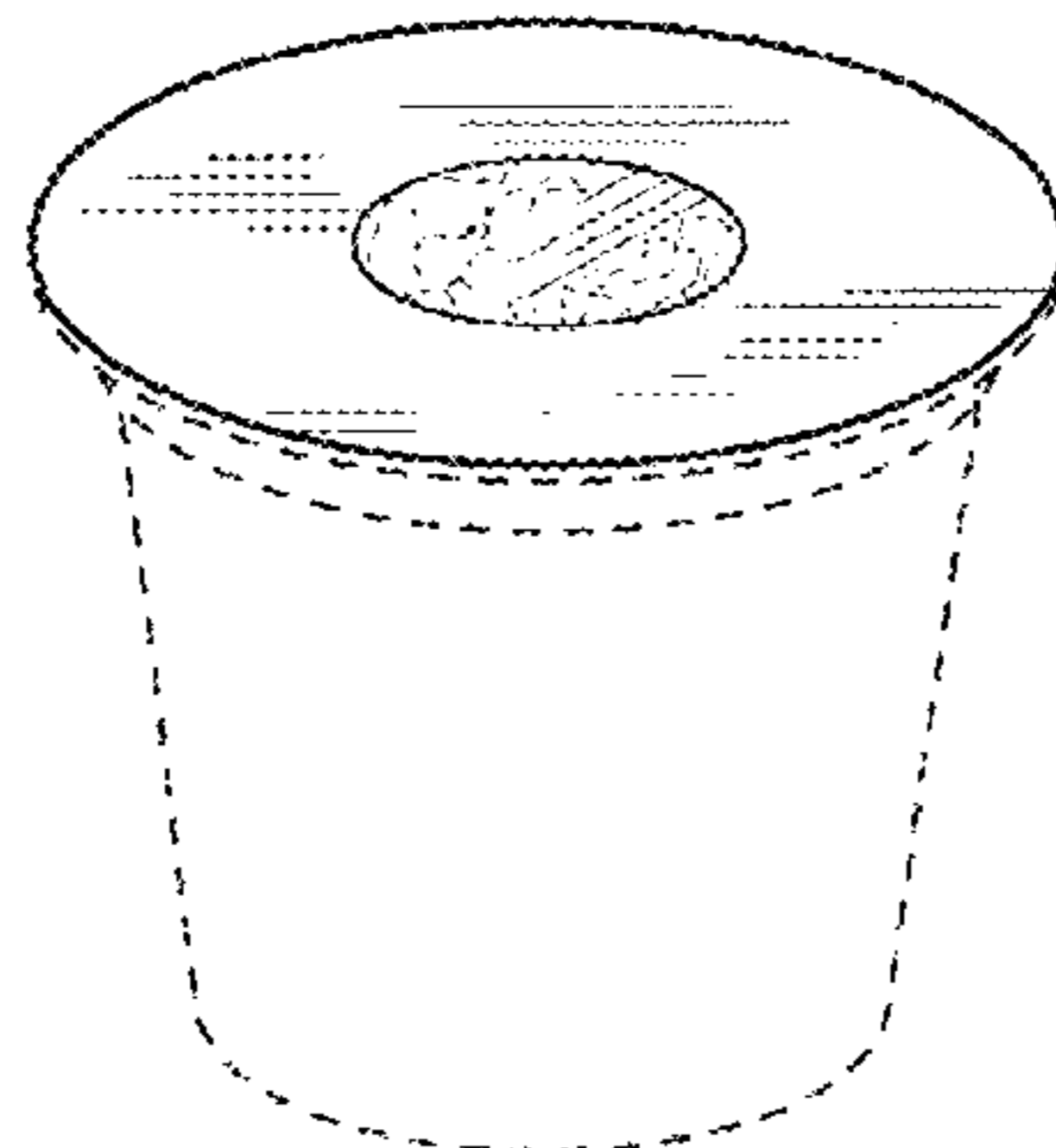
FIG. 6 is another top view thereof, showing the word  
"TEXT" in broken lines;

FIG. 7 is a top view of a second embodiment thereof, the  
bottom perspective, front, rear, left and right side and bottom  
views being identical to those of the first embodiment; and,

FIG. 8 is another top view thereof, showing the word  
"TEXT" in broken lines.

The dashed broken lines illustrate the capsule, the contents  
of the capsule and the ornamentation "text" and form no part  
of the claimed design. The oblique shade lines within the  
solid line circle illustrate transparency; the horizontal par-  
allel shade lines illustrate an opaque surface.

**1 Claim, 8 Drawing Sheets**



(58) **Field of Classification Search**

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 D7/415, 900; 229/906.1, 405;  
 220/359.2; 206/216, 5, 222, 217, 548,  
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 75/5883; B65D 81/18; B65D 81/3227;  
 B65D 85/70

See application file for complete search history.

D717,651 S 11/2014 Marina et al.  
 D722,833 S 2/2015 Miller  
 D726,537 S 4/2015 Trombetta  
 D731,239 S 6/2015 Rothfield et al.  
 D731,884 S 6/2015 Trombetta  
 D731,890 S 6/2015 Trombetta  
 D732,390 S 6/2015 Trombetta  
 D732,959 S 6/2015 Branstad  
 D778,157 S \* 2/2017 Trombetta ..... D9/438  
 D798,147 S \* 9/2017 Sanfilippo ..... D9/438  
 D799,318 S \* 10/2017 Wei ..... D9/438  
 D801,811 S \* 11/2017 Wei ..... D9/438  
 D801,812 S \* 11/2017 Wei ..... D9/438  
 D802,417 S \* 11/2017 Koberl ..... D9/438  
 2004/0013827 A1 \* 1/2004 Zuser ..... B32B 7/06  
 428/34.1

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,392,238 A 1/1946 Fankhanel  
 2,919,844 A 1/1960 Anderson  
 D244,063 S 4/1977 Christian  
 4,020,969 A 5/1977 Ando  
 D247,548 S 3/1978 Crary  
 4,209,126 A 6/1980 Elias  
 D258,350 S 2/1981 Scott et al.  
 D259,625 S 6/1981 Hamilton et al.  
 D261,620 S 11/1981 Scott et al.  
 D263,447 S 3/1982 Brown  
 D276,218 S \* 11/1984 Baldwin ..... D9/443  
 D290,346 S 6/1987 Siegel  
 4,684,015 A 8/1987 Vezirian et al.  
 D296,525 S 7/1988 Siegel  
 D312,400 S 11/1990 Schwaikert  
 D321,477 S 11/1991 Gunter  
 D334,113 S 3/1993 Lewis et al.  
 D344,209 S 2/1994 Cousins et al.  
 5,456,351 A 10/1995 Johnson  
 D365,024 S \* 12/1995 DuBow ..... D9/434  
 D379,588 S 6/1997 Pledger et al.  
 6,237,777 B1 5/2001 Bierly  
 D445,674 S 7/2001 Pritchett  
 D452,433 S 12/2001 Lazaris  
 D452,434 S 12/2001 Sweeney  
 D473,788 S 4/2003 Chen et al.  
 D474,110 S 5/2003 Sweeney  
 D474,111 S 5/2003 Lazaris  
 D501,368 S 2/2005 Roth et al.  
 D502,362 S 3/2005 Lazaris et al.  
 D536,579 S 2/2007 Roth et al.  
 D568,156 S 5/2008 Wilson et al.  
 D572,133 S 7/2008 Wilson et al.  
 D577,253 S 9/2008 Bodum  
 D577,288 S 9/2008 Wilson et al.  
 D604,157 S 11/2009 Reiterer et al.  
 D610,006 S 2/2010 Ortell  
 D623,519 S 9/2010 Richardson  
 D632,563 S 2/2011 Sitabkhan et al.  
 D632,959 S 2/2011 Peters  
 D636,670 S 4/2011 Schedl et al.  
 D637,484 S 5/2011 Winkler  
 D642,055 S 7/2011 Schedl et al.  
 D642,454 S 8/2011 Santoiemmo  
 D642,455 S 8/2011 Santoiemmo  
 D642,463 S 8/2011 Schedl et al.  
 D646,968 S 10/2011 Ortiz et al.  
 D647,398 S 10/2011 Winkler  
 D647,399 S 10/2011 Winkler  
 D651,508 S 1/2012 Layfield  
 D656,009 S 3/2012 Ortiz et al.  
 D656,010 S 3/2012 Ortiz et al.  
 D671,831 S 12/2012 Moreau  
 D676,746 S 2/2013 Shaffer et al.  
 D682,108 S 5/2013 Berggren  
 D698,939 S 2/2014 Wainwright et al.  
 D705,057 S 5/2014 Brunner  
 D714,148 S 9/2014 Miles et al.

2005/0218143 A1 10/2005 Niederer et al.  
 2007/0164095 A1 \* 7/2007 Schuetz ..... B65B 7/2878  
 229/123.1  
 2008/0190937 A1 \* 8/2008 Cho ..... B65D 51/1677  
 220/573.1  
 2012/0273373 A1 11/2012 Wu  
 2015/0041475 A1 2/2015 Swamy

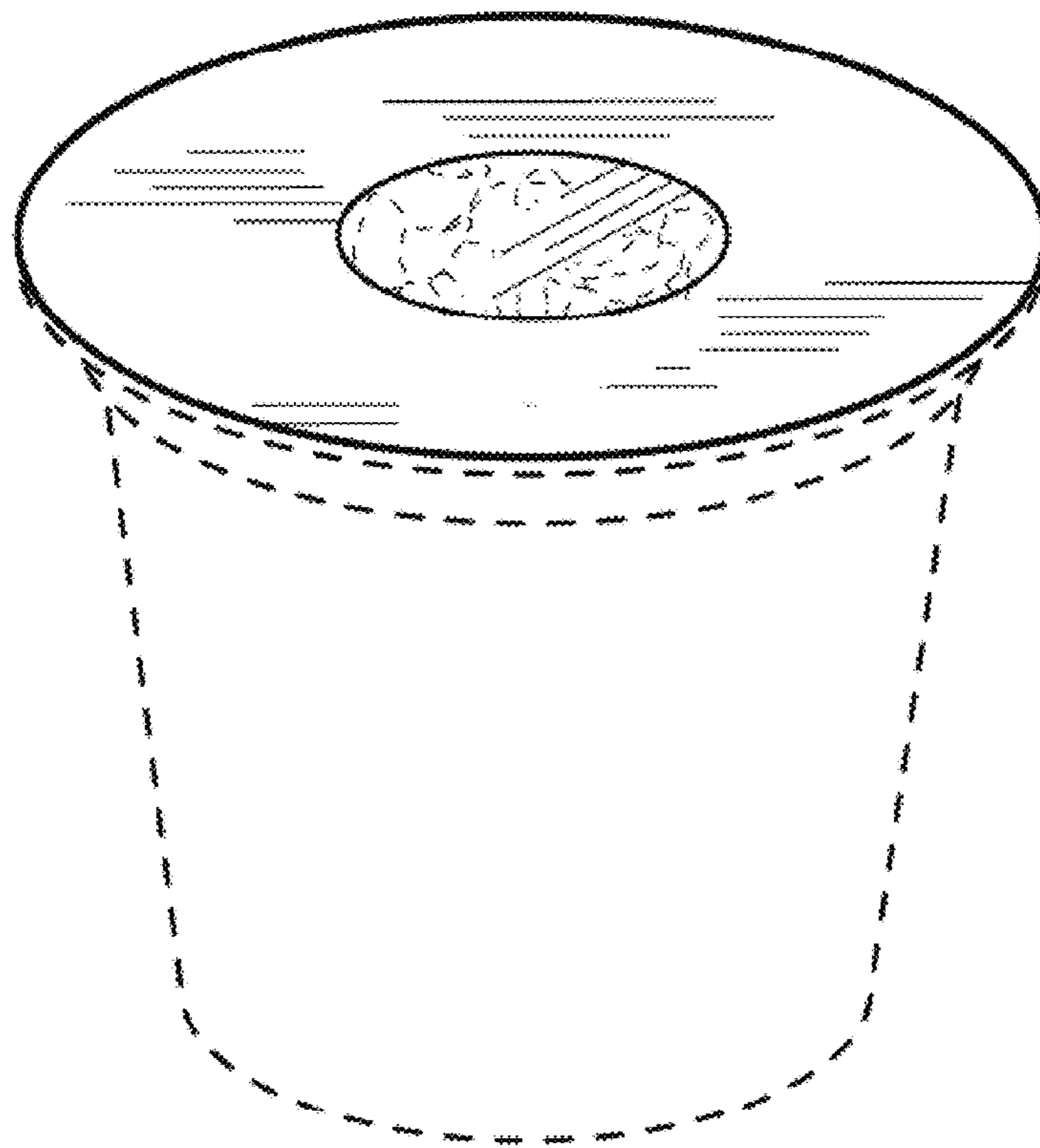
FOREIGN PATENT DOCUMENTS

CN 3102741 2/1999  
 CN 3103590 2/1999  
 CN 3336639 11/2003  
 CN 3336640 11/2003  
 CN 3336646 11/2003  
 CN 3340286 12/2003  
 CN 3386161 8/2004  
 CN 3429241 3/2005  
 CN 3442199 4/2005  
 CN 3442205 4/2005  
 CN 3448912 5/2005  
 CN 3448913 5/2005  
 CN 3469773 8/2005  
 CN 3570660 10/2006  
 CN 3597250 1/2007  
 CN 3614944 2/2007  
 CN 300707939 11/2007  
 CN 300707940 11/2007  
 CN 300707941 11/2007  
 CN 300707942 11/2007  
 CN 300710086 11/2007  
 CN 300710087 11/2007  
 CN 300710088 11/2007  
 CN 300710089 11/2007  
 CN 300815220 8/2008  
 CN 300833940 10/2008  
 CN 300843246 10/2008  
 CN 301347136 9/2010  
 CN 301437314 1/2011  
 CN 301505145 4/2011  
 CN 302041529 8/2012  
 CN 302141646 10/2012  
 CN 302141791 10/2012  
 CN 302297349 1/2013  
 CN 302370417 3/2013  
 CN 302439912 5/2013  
 KR 300341422.0000 12/2006

OTHER PUBLICATIONS

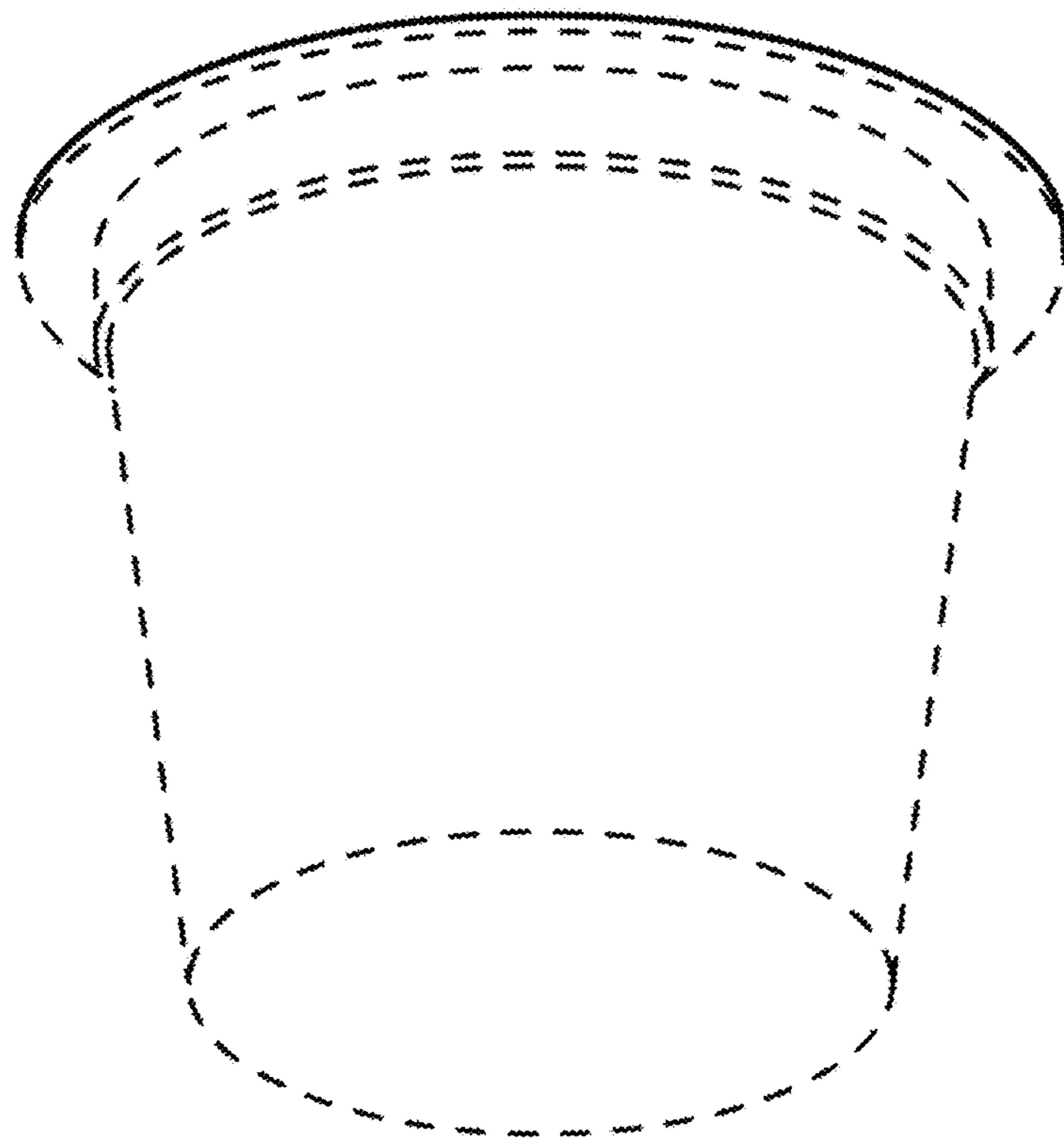
U.S. Appl. No. 29/464,380, titled "Capsule," filed Aug. 15, 2013 (unpublished).  
 U.S. Appl. No. 29/485,747, titled "Capsule," filed Mar. 21, 2014 (unpublished).  
 U.S. Appl. No. 29/485,783, titled "Capsule," filed Mar. 21, 2014 (unpublished).  
 U.S. Appl. No. 29/485,784, titled "Capsule and/or Logo," filed Mar. 21, 2014 (unpublished).

\* cited by examiner

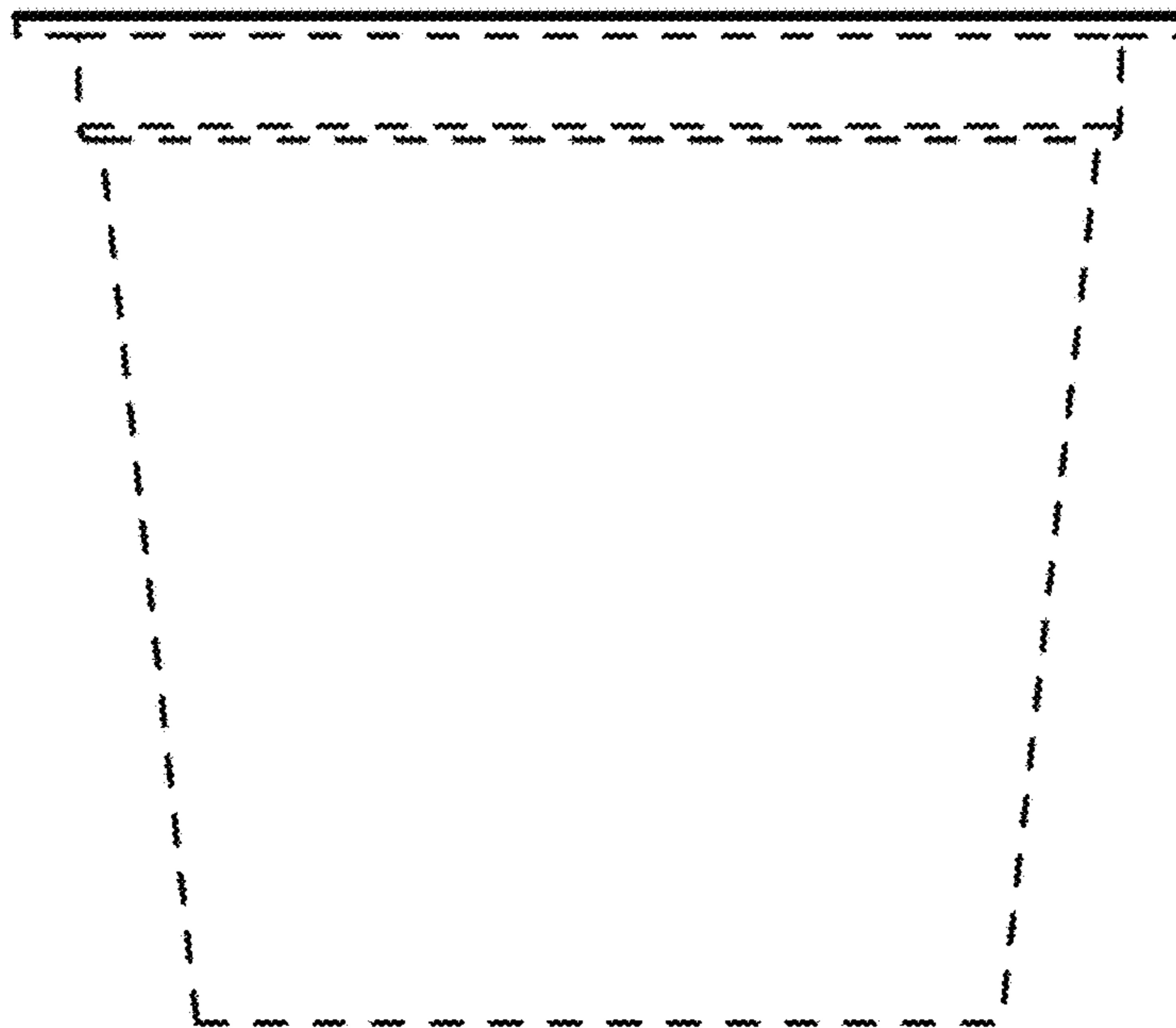


**FIG. 1**

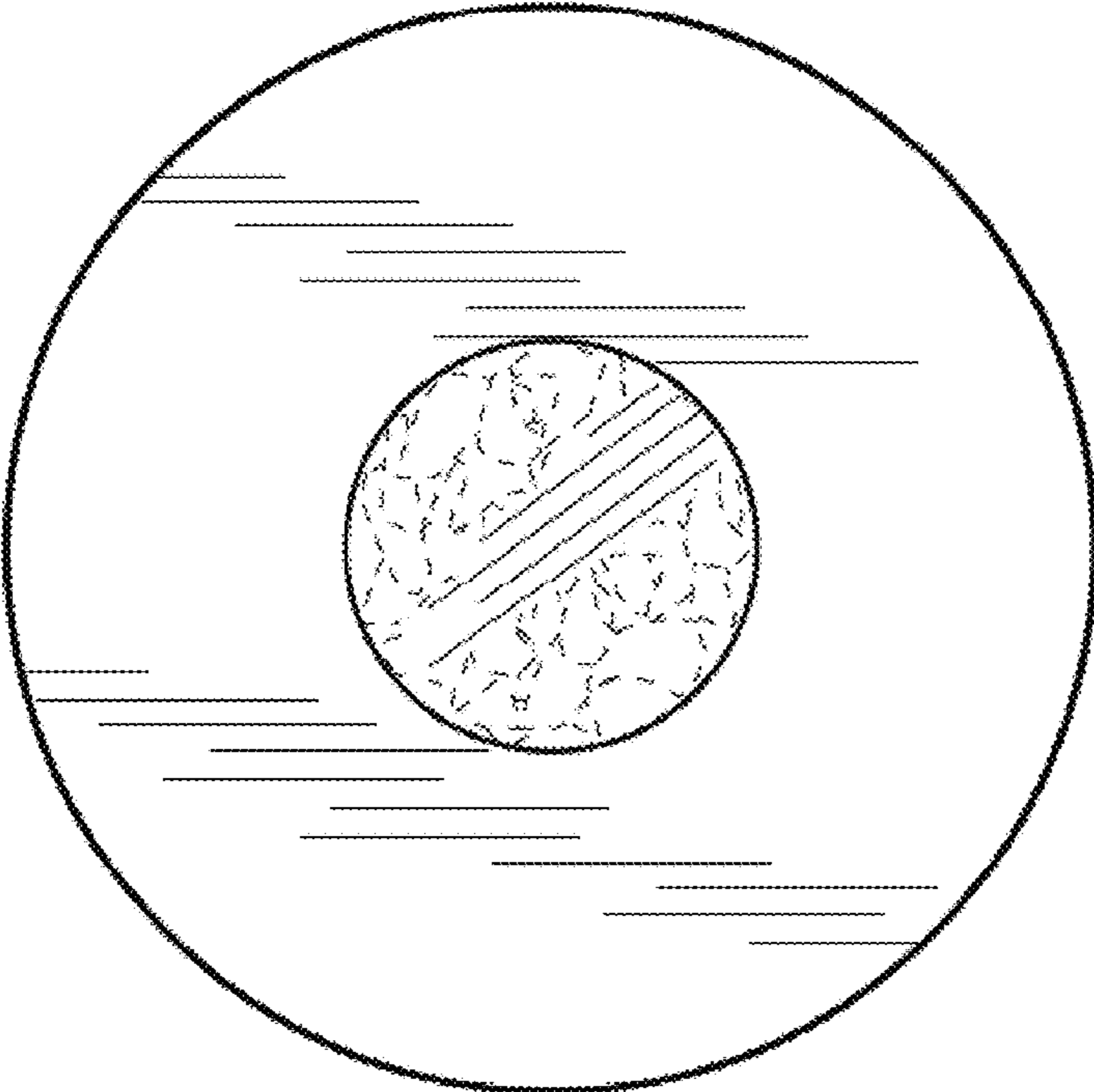




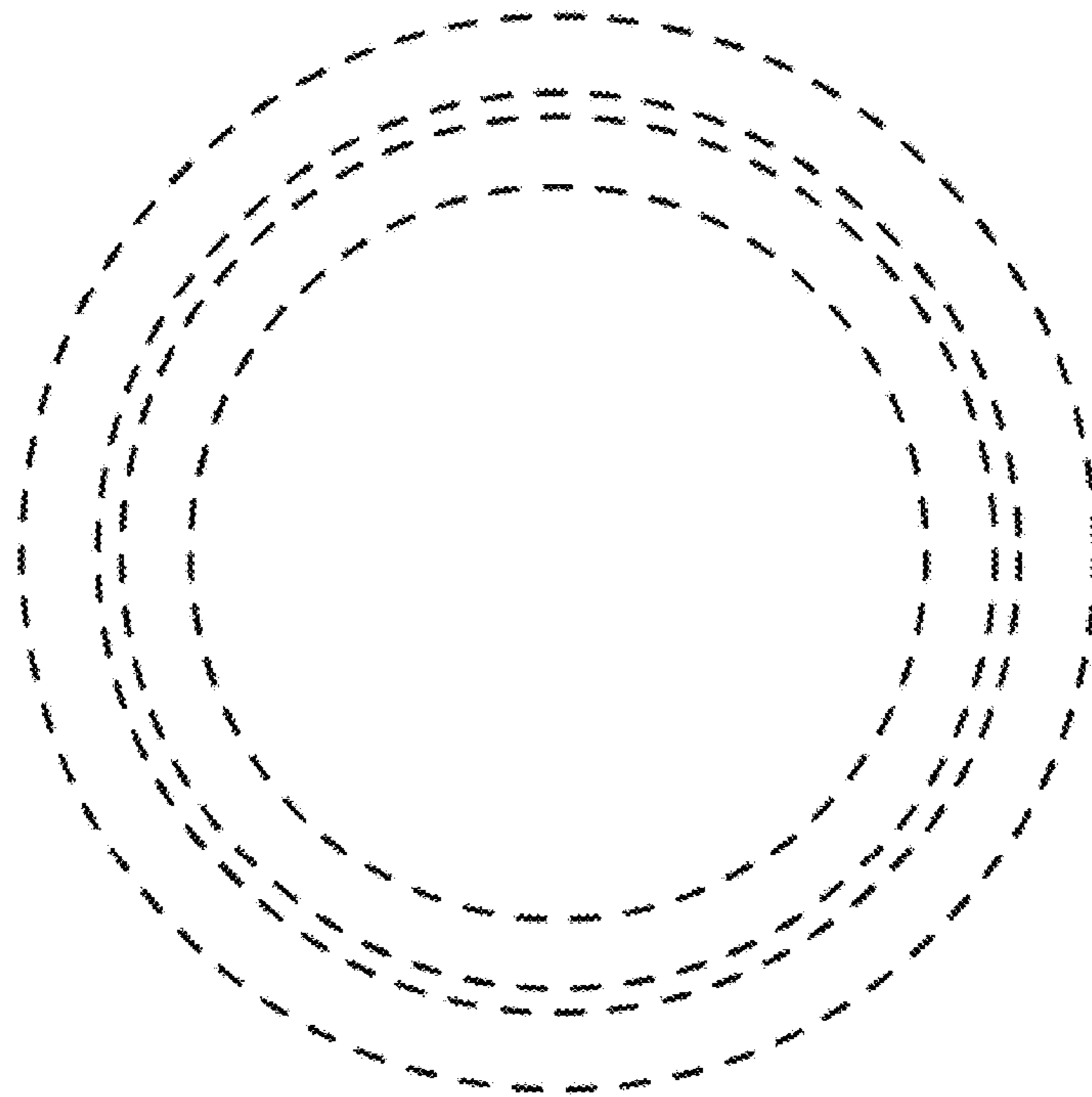
**FIG. 2**



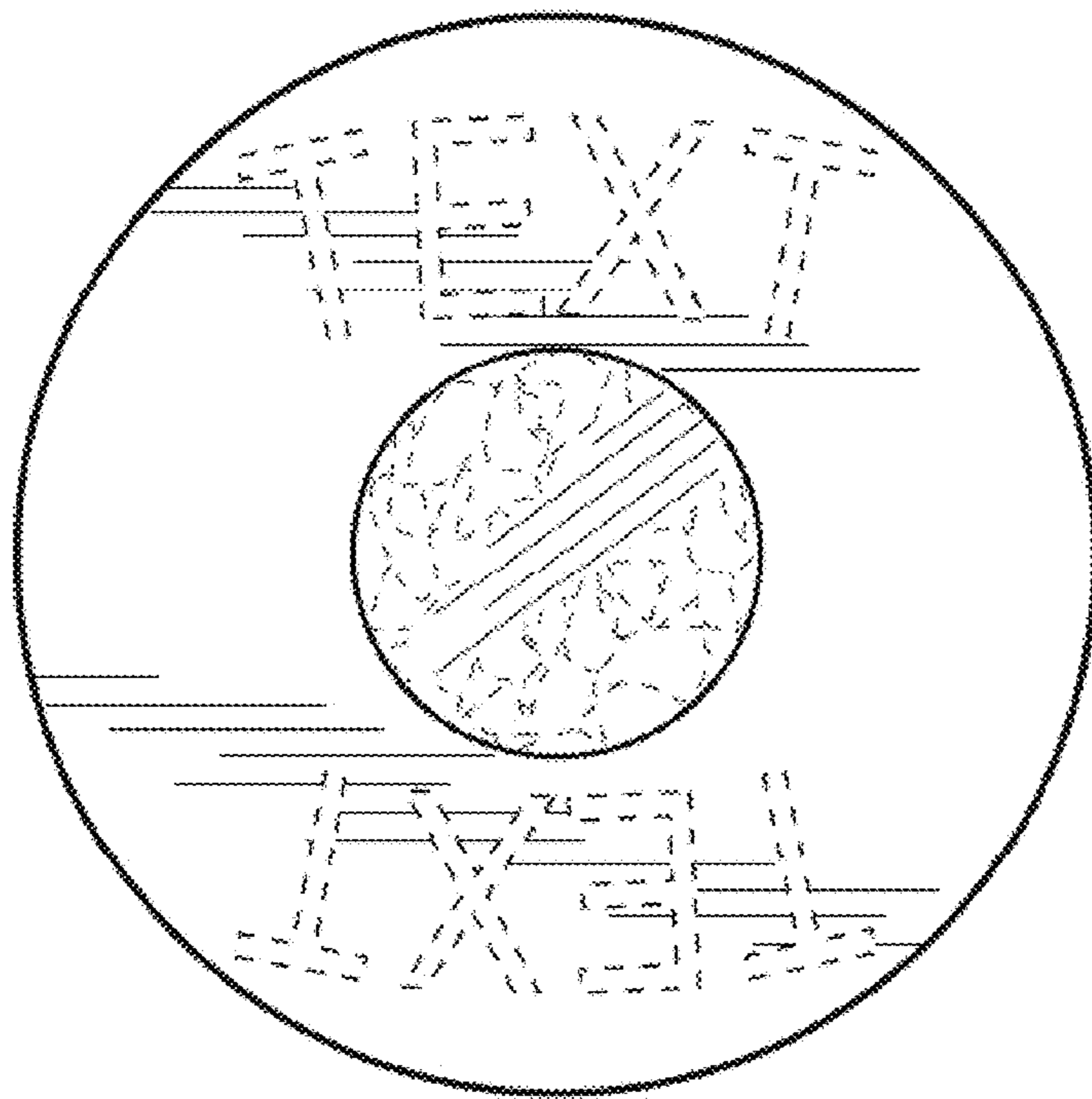
**FIG. 3**



**FIG. 4**

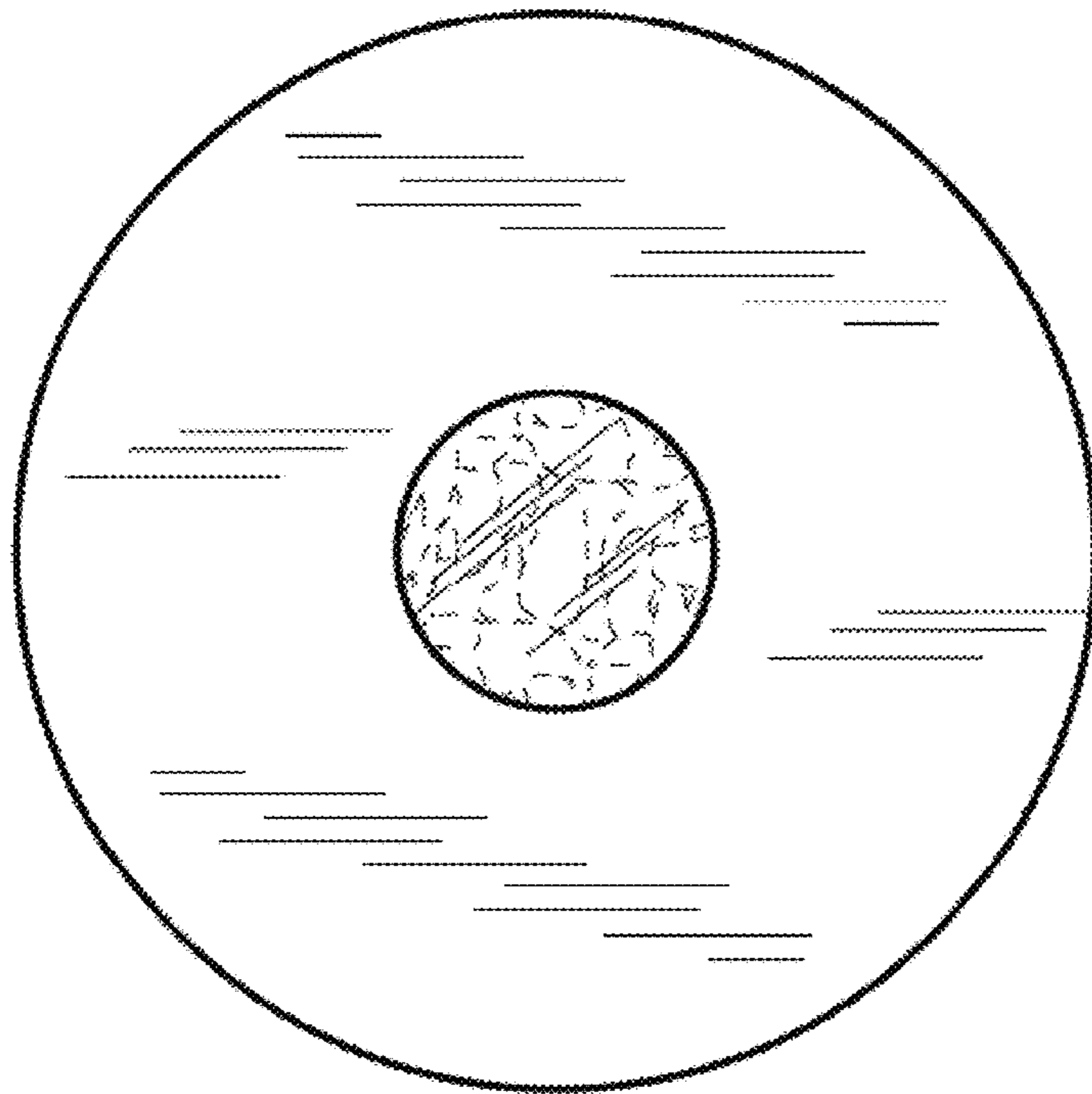


**FIG. 5**

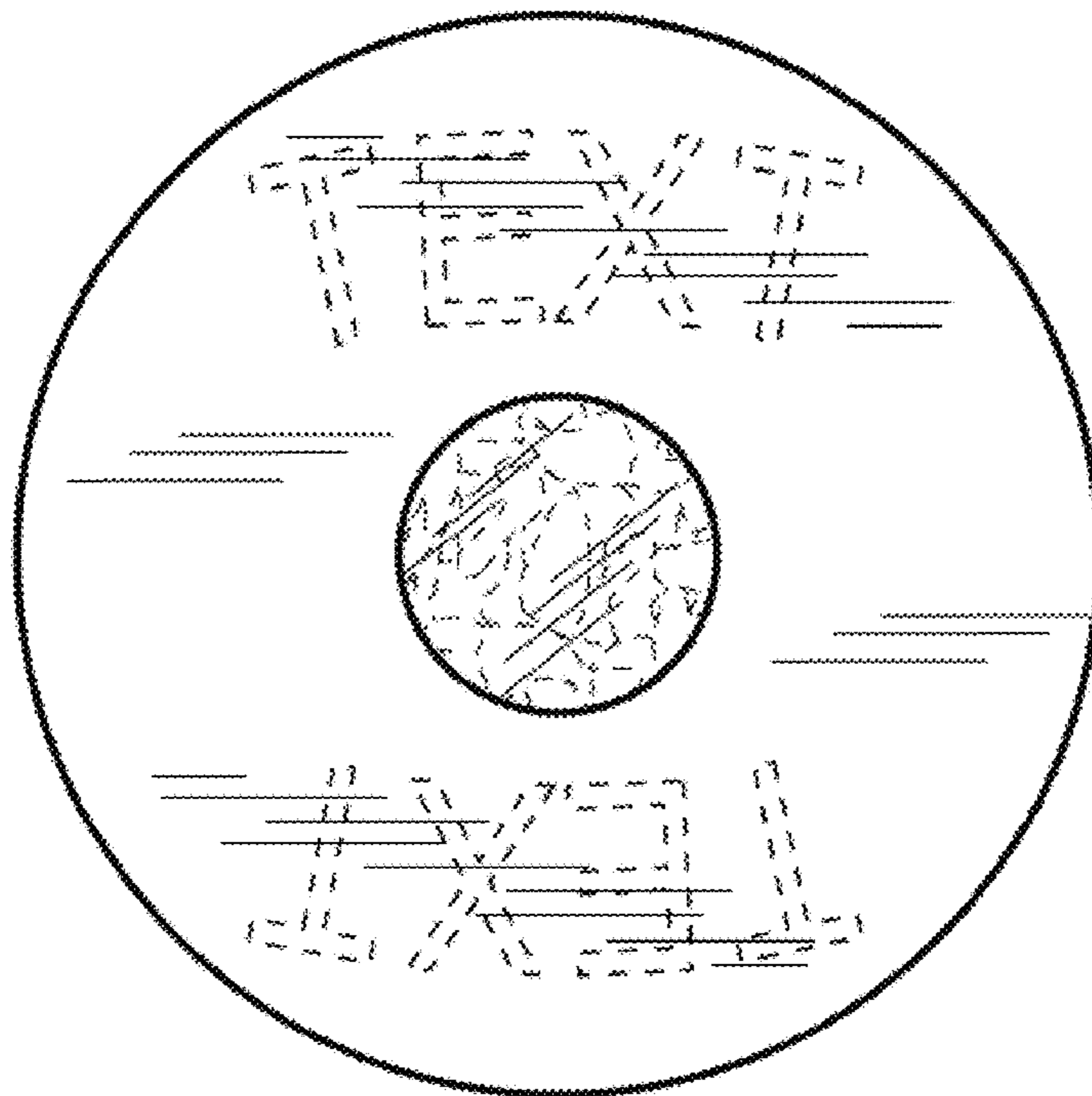


**FIG. 6**





**FIG. 7**



**FIG. 8**