



US00D854382S

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

(10) **Patent No.:** **US D854,382 S**
(45) **Date of Patent:** **** Jul. 23, 2019**

- (54) **FOOD STORAGE CONTAINER**
- (71) Applicant: **TUESDAY MORNING PARTNERS, LTD.**, Dallas, TX (US)
- (72) Inventor: **Timothy J. Bennett**, Colorado Springs, CO (US)
- (73) Assignee: **TUESDAY MORNING PARTNERS, LTD.**, Dallas, TX (US)

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

(21) Appl. No.: **29/542,913**

(22) Filed: **Oct. 19, 2015**

(51) **LOC (11) Cl.** **07-07**

(52) **U.S. Cl.**
USPC **D7/610**

(58) **Field of Classification Search**
USPC D7/610, 709, 601, 602, 612–615, 629,
D7/538–542, 703; D9/761, 414,
D9/424–432; D26/9, 10, 12
CPC A47G 19/26; A47G 19/02; A47G 19/08;
A47G 19/027; A47G 19/0241; A47G
23/08; A47G 23/02; B65D 85/36; B65D
2543/00296; B65D 2543/00518; B65D
2543/00555; B65D 2543/00351
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D102,510 S * 12/1936 Stallings et al. D7/610
D116,149 S * 8/1939 Sharlitt et al. D7/610
D116,150 S * 8/1939 Sharlitt et al. D7/610
2,530,910 A * 11/1950 Schnabel A47G 19/26
312/284
D170,561 S * 10/1953 Tupper D7/610
3,026,997 A * 3/1962 Bianchi, Jr. B65D 25/10
206/423
3,066,824 A * 12/1962 Bostrom B65D 43/0212
220/315

D210,311 S * 2/1968 Newman D7/501
3,470,944 A * 10/1969 Segal A47G 19/26
126/246
D216,271 S * 12/1969 Swett et al. D7/610
3,511,288 A * 5/1970 Swett A47F 3/145
206/45.2
3,590,988 A * 7/1971 Hollar B65D 43/0206
206/446

(Continued)

OTHER PUBLICATIONS

“2 in 1 Cake and Pie Carrier with Deviled Eggs Insert”, printed from www.amazon.com/Cake-Carrier-Deviled-Insert-Atoll/dp/B00V3RRSGS, publicly available at least as early as Jul. 2, 2014 (10 pages).

(Continued)

Primary Examiner — Shannon W Morgan
(74) *Attorney, Agent, or Firm* — Haynes and Boone LLP

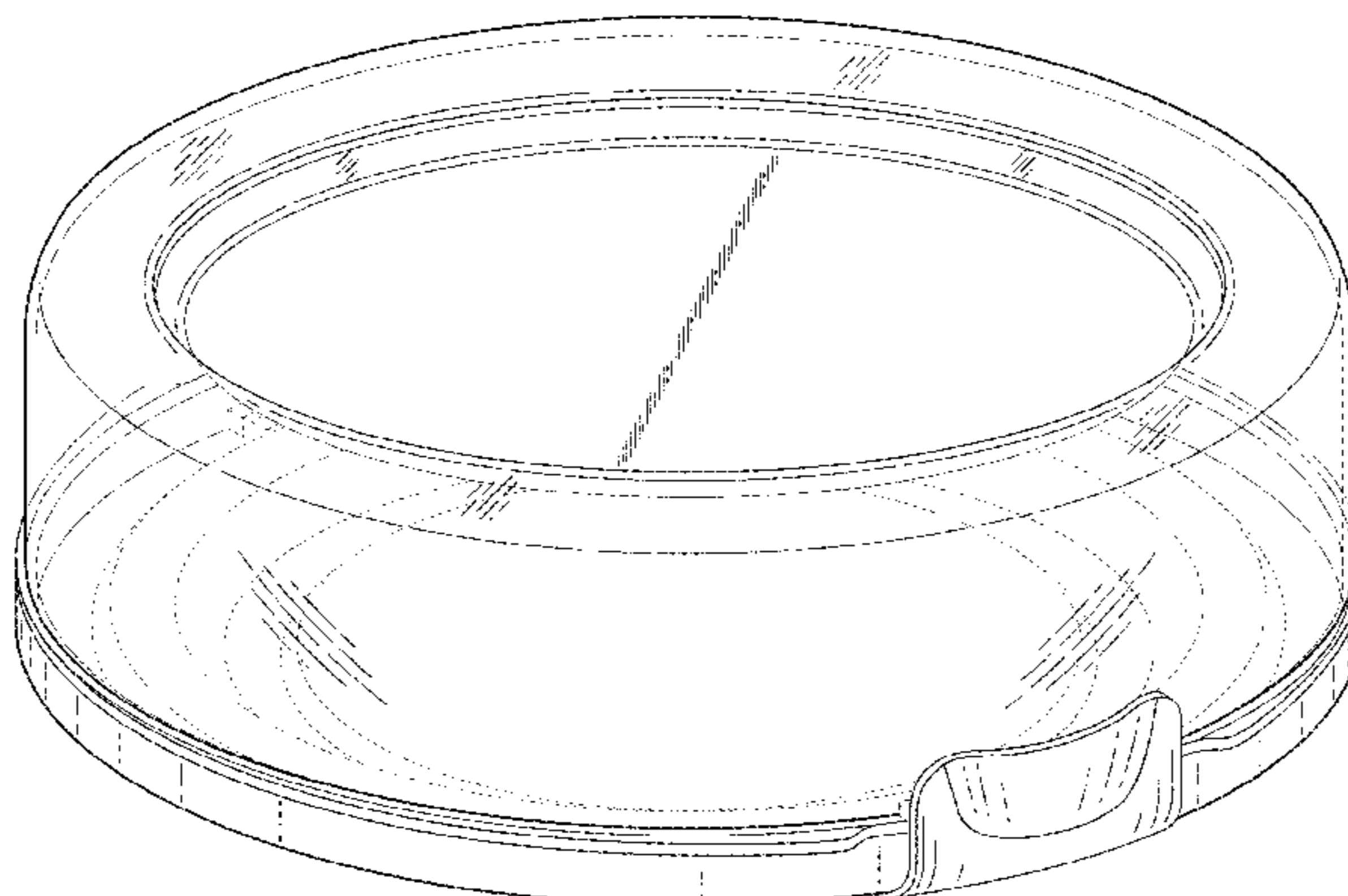
(57) **CLAIM**

The ornamental design for a food storage container, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a food storage container showing my new design;
FIG. 2 is a front view thereof, the rear view being a mirror image of the front view;
FIG. 3 is a right side view thereof, the left side view being a mirror image of the right side view;
FIG. 4 is a top view thereof; and
FIG. 5 is a bottom view thereof; and,
FIG. 6 is another front perspective view of the food storage container shown in FIG. 1.
The broken lines shown in the figures depict features of the food storage container and environmental subject matter that form no part of the claimed design. None of the broken lines form part of the claimed design.

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

3,645,758 A * 2/1972 MacManus B65D 11/02
206/525

3,737,068 A 6/1973 Bird

3,815,736 A * 6/1974 Sedlak A47G 19/26
206/501

3,861,433 A * 1/1975 Schier B65D 43/0222
220/782

RE28,720 E * 2/1976 Sedlak A47G 19/26
206/501

D252,178 S * 6/1979 Christian D7/629

D254,166 S 2/1980 Christian

4,197,940 A * 4/1980 DeRossett A47G 19/26
220/780

4,206,845 A * 6/1980 Christian A47G 19/26
206/508

D257,607 S * 12/1980 Smith D7/542

4,360,118 A 11/1982 Stern

4,375,862 A * 3/1983 Kurinsky B65D 43/0212
220/293

4,385,554 A * 5/1983 Daenen A47G 19/265
99/645

D270,322 S * 8/1983 Daenen D7/610

D274,300 S * 6/1984 Pozzi D7/542

4,452,356 A * 6/1984 Dahl B65D 77/204
206/467

4,600,253 A * 7/1986 Pongsengsook A47G 19/30
206/506

D290,326 S * 6/1987 Daenen D7/540

4,705,163 A * 11/1987 James A47G 19/26
206/467

D307,227 S * 4/1990 Sibilio D7/610

D384,554 S * 10/1997 Ancona D7/505

D391,850 S 3/1998 Krupa et al.

D405,651 S * 2/1999 Schmidt D7/610

D415,420 S 10/1999 Chen

D479,952 S * 9/2003 Zimmerman D7/610

D484,005 S * 12/2003 Levien D7/610

D484,744 S * 1/2004 Shamoon D7/540

D493,677 S * 8/2004 Meyer D7/610

D505,596 S 5/2005 Tucker et al.

D508,378 S 8/2005 Bertulis

D522,813 S 6/2006 Swinford et al.

D524,153 S 7/2006 Reinhard

D572,539 S 7/2008 Swinford et al.

D605,788 S * 12/2009 Ritzenhoff D26/9

D609,979 S 2/2010 Soibel et al.

D614,453 S 4/2010 Curtin et al.

D627,607 S 11/2010 Roth et al.

D628,021 S 11/2010 Curtin

D639,107 S 6/2011 Barber

D653,906 S 2/2012 Bull et al.

D658,012 S 4/2012 Dagan et al.

D678,730 S 3/2013 Stewart

D682,045 S 5/2013 Myoung

D682,046 S 5/2013 Myoung

D682,047 S 5/2013 Myoung

D699,081 S 2/2014 Dagan et al.

D708,912 S 7/2014 DeCraim

D710,157 S * 8/2014 Goodman D7/610

8,857,209 B2 10/2014 Wang

D725,972 S * 4/2015 Hong D7/629

D803,626 S * 11/2017 Burns D7/538

2004/0134911 A1 * 7/2004 Padovani B65D 43/021
220/4.24

2004/0188442 A1 * 9/2004 Ohyama A47J 36/027
220/367.1

2005/0000847 A1 * 1/2005 McNeeley A47G 19/26
206/527

2005/0127075 A1 * 6/2005 Smith B65D 17/506
220/253

2010/0200583 A1 * 8/2010 Curtin B65D 43/0206
220/4.27

2011/0233209 A1 * 9/2011 Tu B65D 43/0208
220/254.1

2012/0031901 A1 * 2/2012 Dudson A47G 19/08
220/200

2012/0223087 A1 * 9/2012 Wang A47G 19/26
220/592.2

2012/0234838 A1 * 9/2012 Cheng A47G 19/027
220/575

2013/0284727 A1 * 10/2013 Tai H05B 6/6479
219/731

2014/0290069 A1 * 10/2014 White, III B26D 3/24
30/114

2014/0305935 A1 * 10/2014 DeCraim B65D 1/40
220/4.03

2015/0305533 A1 * 10/2015 Yao A47G 21/04
220/574.1

OTHER PUBLICATIONS

“Andrew James Cup Cake Holder”, printed from www.ebay.co.uk/itm/Andrew-James-Cupcake-Holder-Cake-Carrier-Container-Storage-Box-Caddy-Holds-24-/390953988832, publicly available at least as early as Jul. 27, 2015 (15 pages).

“Pie Carrier”, printed from www.bedbathandbeyond.com/1/1/278430-pie-carrier.html, publicly available at least as early as Oct. 19, 2015, per <http://web.archive.org> (4 pages).

“Pie Carrier, 9 inches”, printed from www.chefscatalog.com/product/24639-round-pie-carrier-9-inch.aspx, publicly available at least as early as Jan. 6, 2008 (3 pages).

“Prepworks from Progressive BCC-1AZ Collapsible Cupcake and Cake Carrier”, printed from www.amazon.com/Progressive-International-Collapsible-Cupcake-Holder-Cake-Carrier-Container-Storage-Box-Caddy-Holds-24-/dp/B0039MDTDG/ref=pd_sim_sbs_79_1?ie=UTF8&refRID=1R3Z4EGQXONF4ZGRT4D3, publicly available at least as early as Jan. 16, 2014 (12 pages).

“Red Lock & Lock 2 Piece Glass Pie and Storage Set”, printed from www.ebay.com/itm/K37573-172-RED-LOCK-LOCK-2-PIECE-GLASS-PIE-AND-STORAGE-SET-/361409160856?hash=item5425aa2698:g:3a0AAOxyQj9RSfEp, publicly available at least as early as Jul. 24, 2015 (3 pages).

“Collapsible Pie Carrier”, printed from <http://bakingbites.com/2011/01/collapsible-pie-carrier/>, posted on Jan. 6, 2011 (4 pages).

“Pyrex Corning Pie Plate and Pie Keeper with Original Box”, printed from www.ebay.com/itm/PYREX-CORNING-PIE-PLATE-AND-PIE-KEEPER-with-ORIGINAL-BOX-1391186070640, publicly available at least as early as Jul. 20, 2015 (2 pages).

“Tupperware Round Pie & Pastry Container Mint Ice Cream”, printed from www.amazon.com/Tupperware-Round-Pastry-Container-Cream/d..ywords=tupperware+round+pie+%26+pastry+container+mint+ice+cream, publicly available at least as early as Dec. 22, 2014 (5 page).

“Tupperware Pie Stackable+ Works with Cake Taker”, printed from www.amazon.com/Tupperware-Pie-Stackable-Works-Taker/dp/B0...r=8-1&keywords=tupperware+pie+stackable++works+with+cake+taker, publicly available at least as early as Jul. 27, 2015 (4 pages).

“Starplast Pie Carrier”, printed from www.bedbathandbeyond.com/store/product/starplast-pie-carrier/1014383824, publicly available at least as early as Oct. 29, 2014, per <http://web.archive.org> (2 pages).

Rabanal, Jane, “Plate Topper Kitchen Accessory”, printed from www.coroflot.com/janerabanal/tasting, publicly available at least as early as Aug. 19, 2015 (6 page).

* cited by examiner

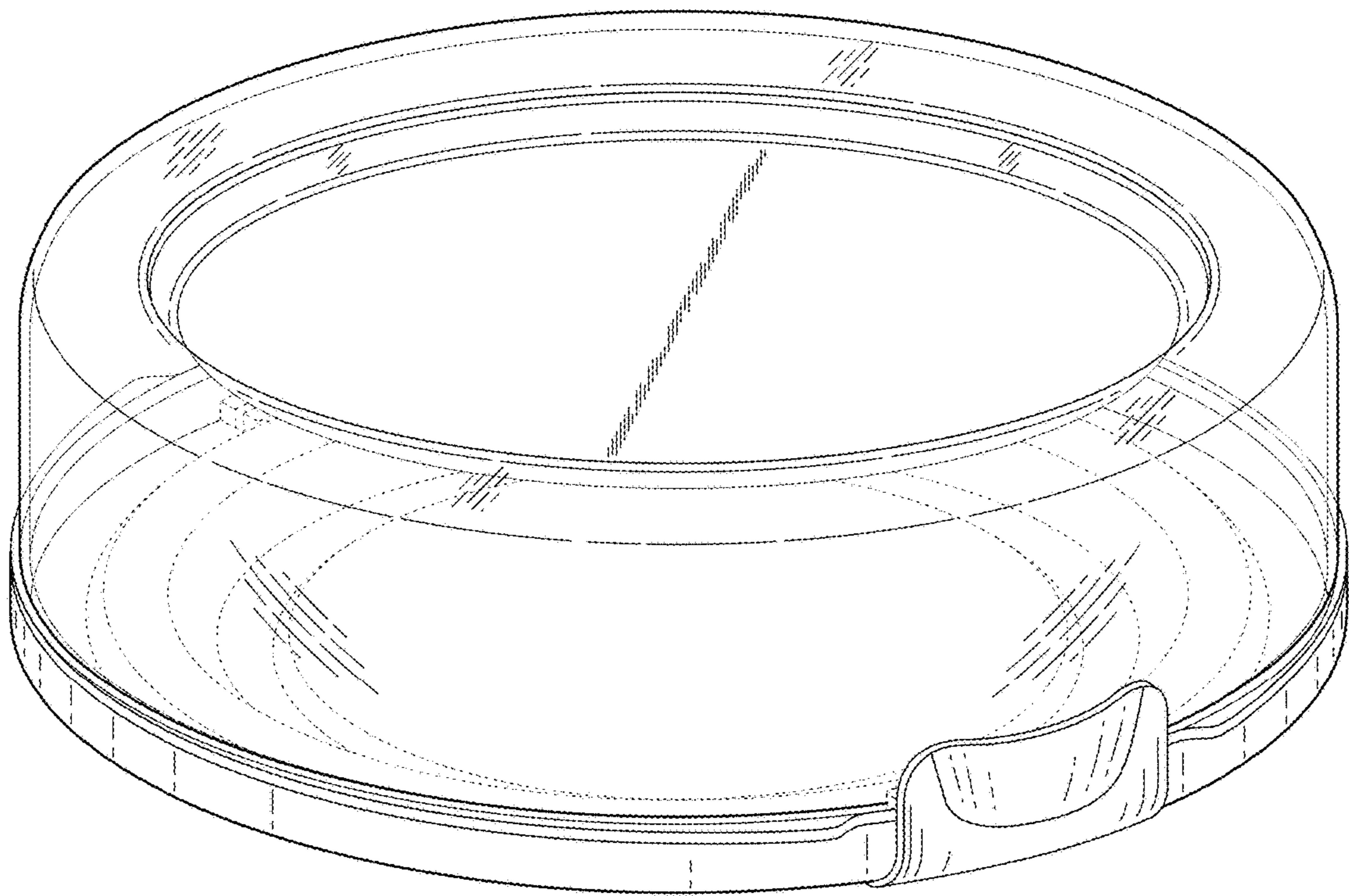


FIG. 1

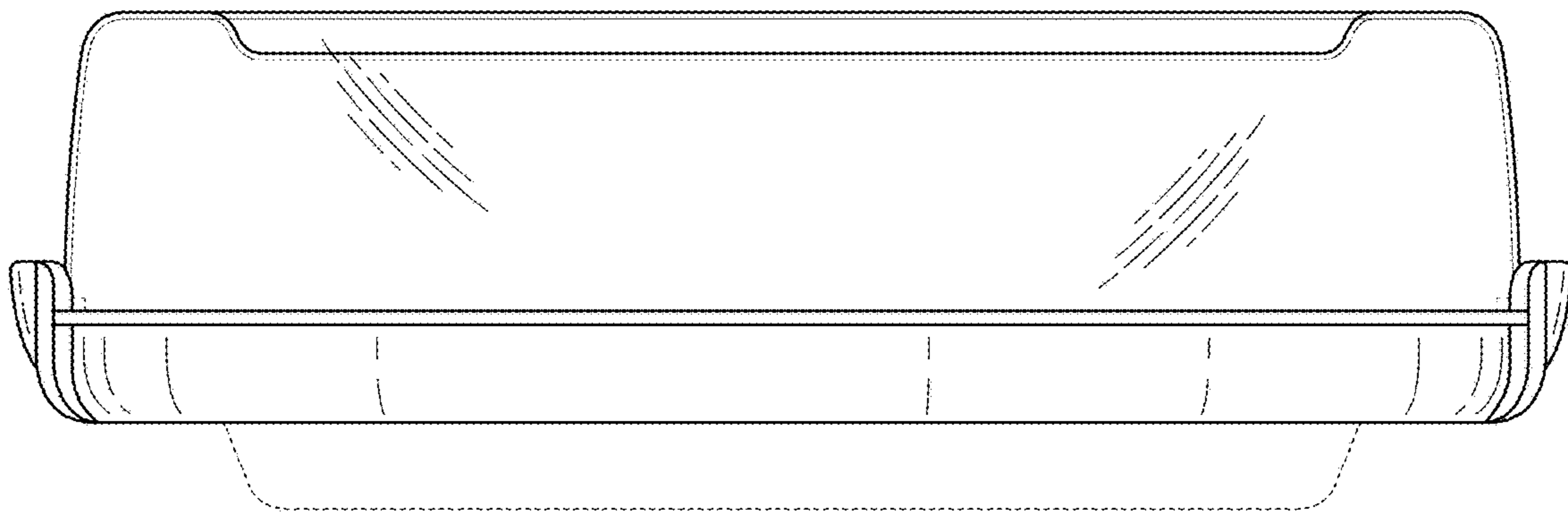


FIG. 2

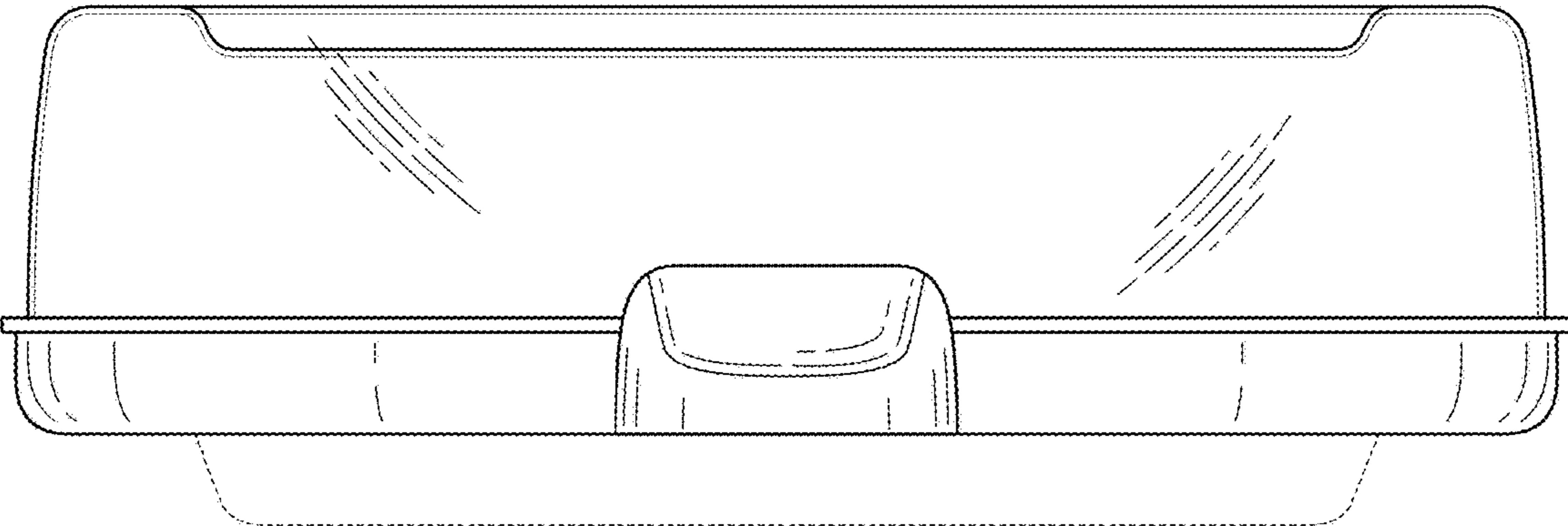


FIG. 3

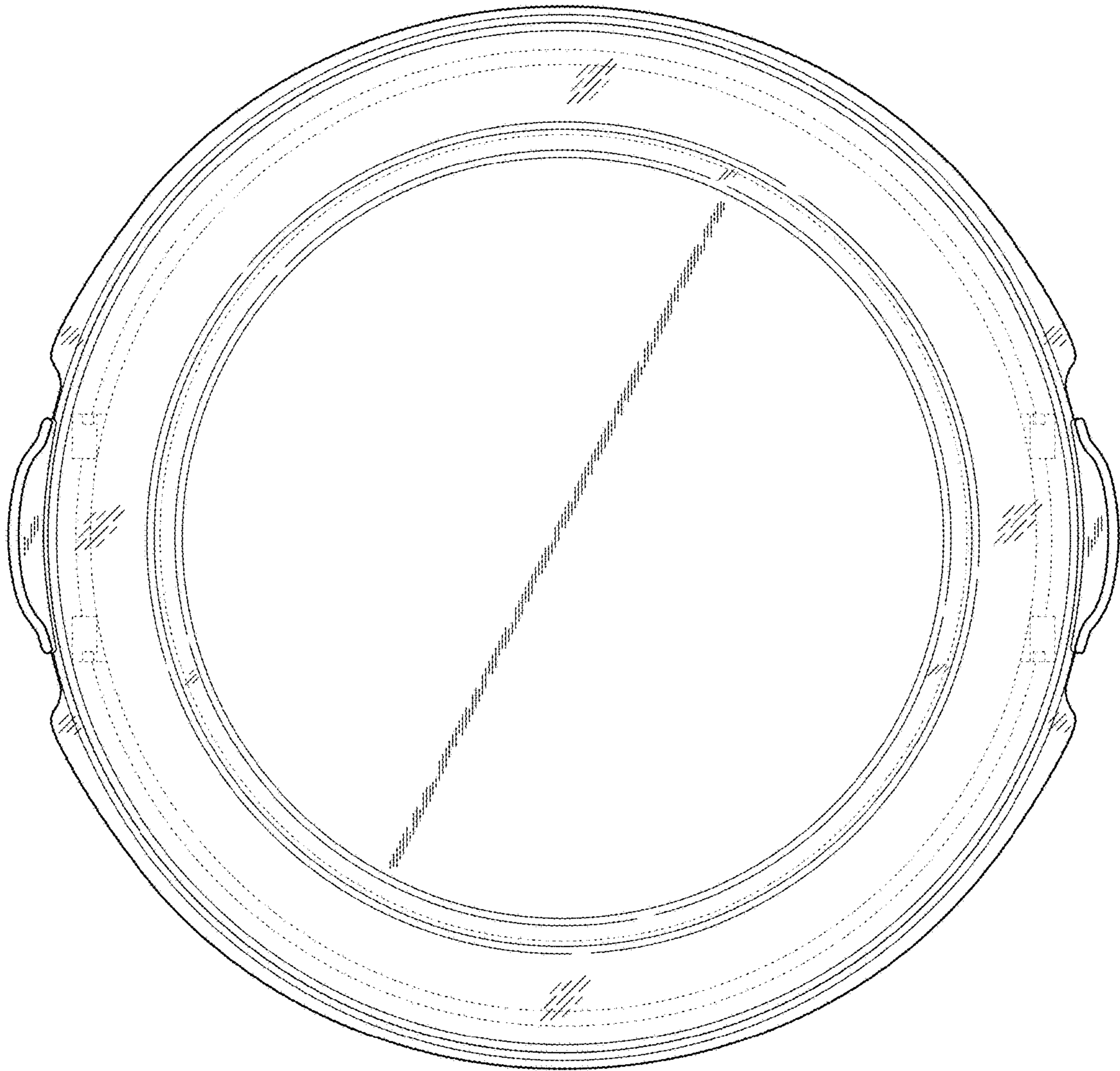


FIG. 4

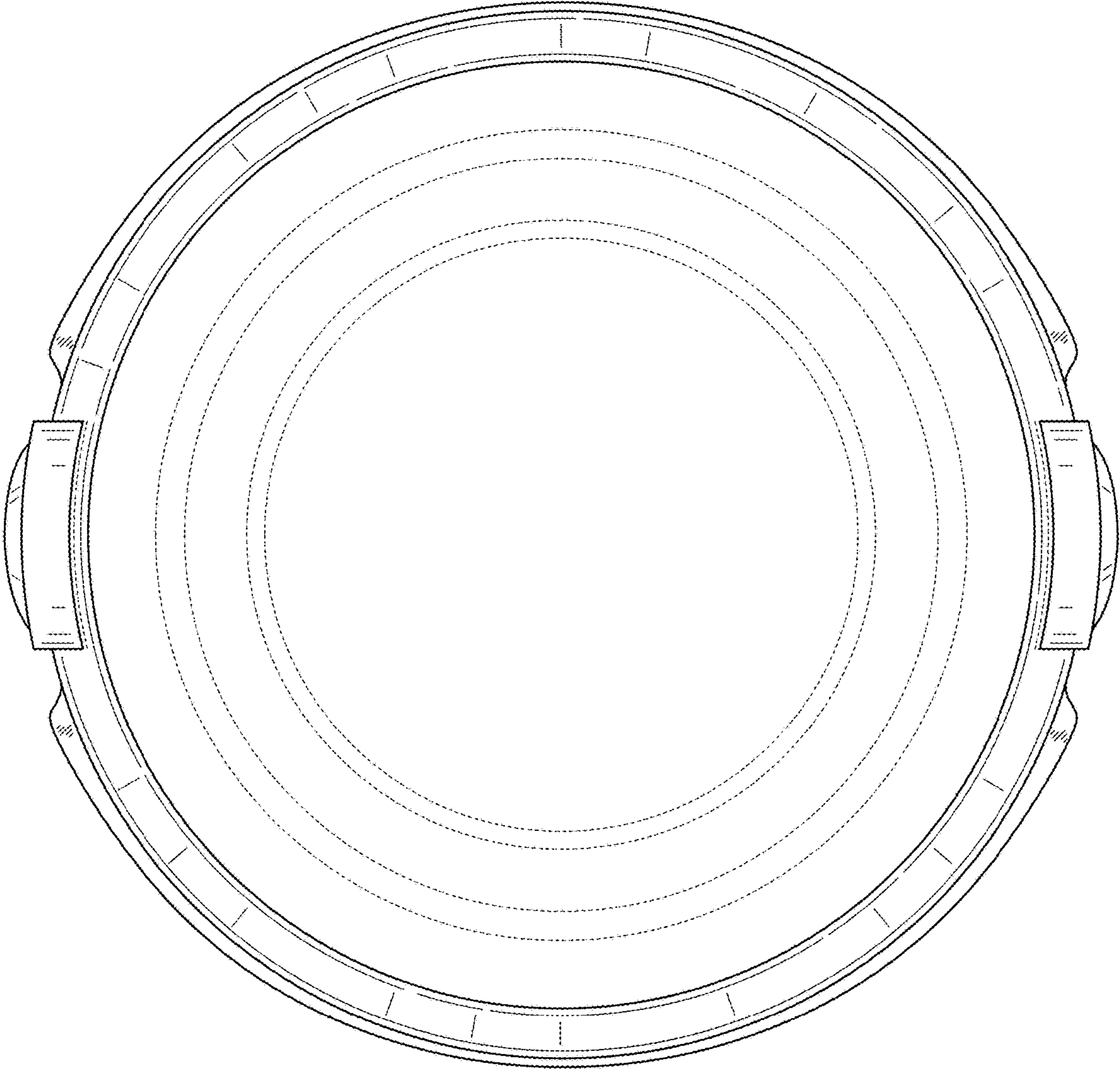


FIG. 5

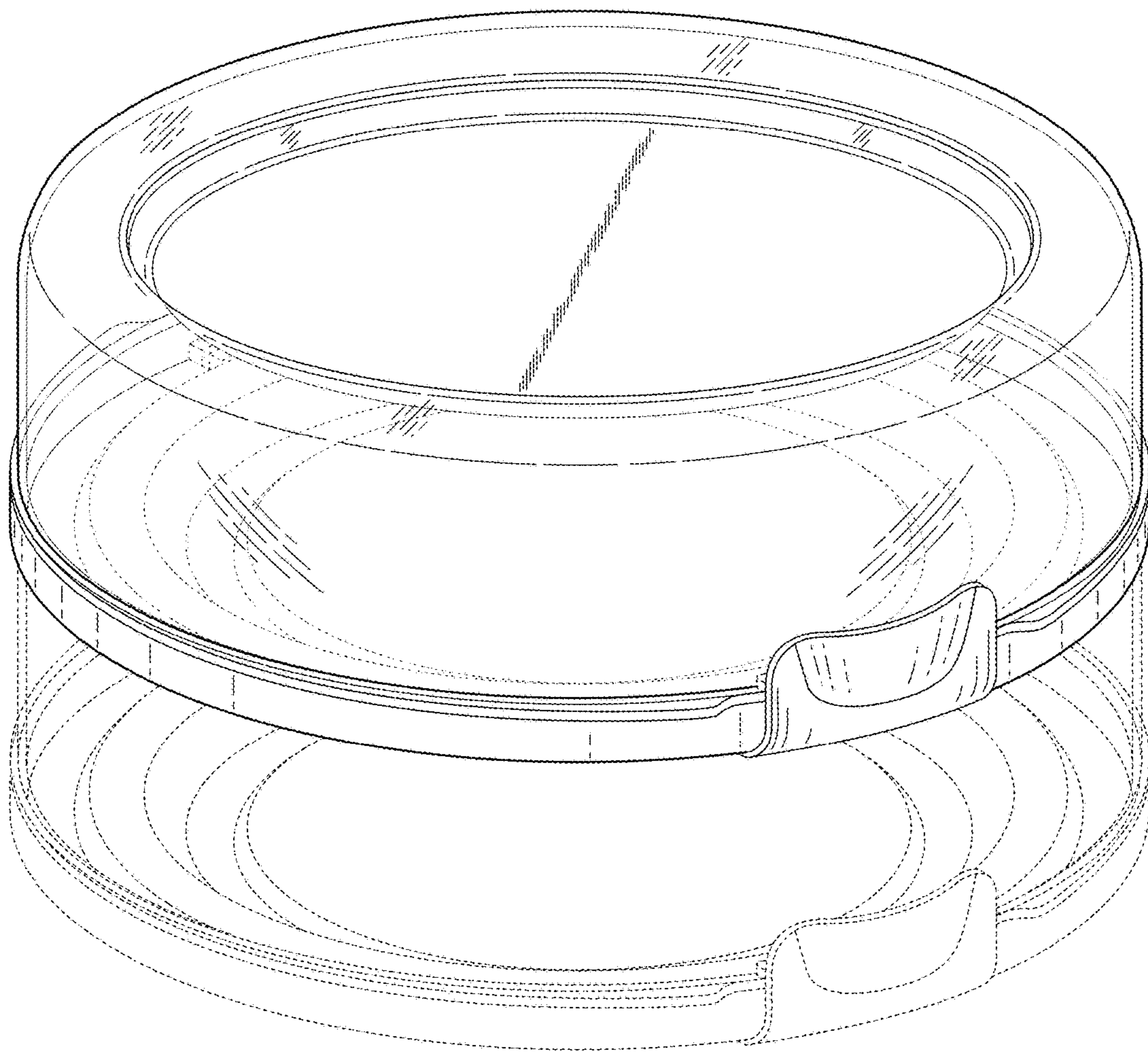


FIG. 6