



US00D875320S

(12) **United States Design Patent** (10) **Patent No.:** **US D875,320 S**
Teller et al. (45) **Date of Patent:** **** Feb. 11, 2020**

- (54) **COMBINED LIP BALM AND CONTAINER**
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- (**) Term: **15 Years**
- (21) Appl. No.: **29/634,090**
- (22) Filed: **Jan. 18, 2018**

- D161,051 S 11/1950 Piccoli
 - 2,545,444 A 3/1951 Brasel Ton
 - D192,673 S 4/1962 Silson
 - D207,323 S 4/1967 Hanna et al.
 - D271,049 S 10/1983 Du Cret
 - D278,750 S * 5/1985 Pisani D28/4
 - D303,631 S 9/1989 Demarest
 - D311,073 S 10/1990 Bakic
- (Continued)

FOREIGN PATENT DOCUMENTS

CN 304889558 * 11/2018

OTHER PUBLICATIONS

ChristinaHello Blog, "olika Holika x Sweet Peko water drop tint bomb & melty jelly lip balm Review and swatches", Posted Jun. 10, 2018. (<http://www.christinahello.com/holika-holika-x-sweet-peko-water-drop-tint-bomb-melty-jelly-lip-balm-review-and-swatches/>) (Year: 2018).*

(Continued)

Related U.S. Application Data

- (62) Division of application No. 29/530,726, filed on Jun. 18, 2015, now abandoned.
- (51) **LOC (12) Cl.** **28-03**
- (52) **U.S. Cl.**
USPC **D28/89**; D28/4
- (58) **Field of Classification Search**
USPC D28/4, 7, 85, 88, 89, 76, 86
CPC A45D 33/00; A45D 33/14; A45D 34/06;
A45D 40/02; A45D 40/06; A45D 40/20;
A45D 2040/0025; A61K 8/0229
See application file for complete search history.

Primary Examiner — April Rivas

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(57) **CLAIM**

The ornamental design of a combined lip balm and container, as shown and described.

DESCRIPTION

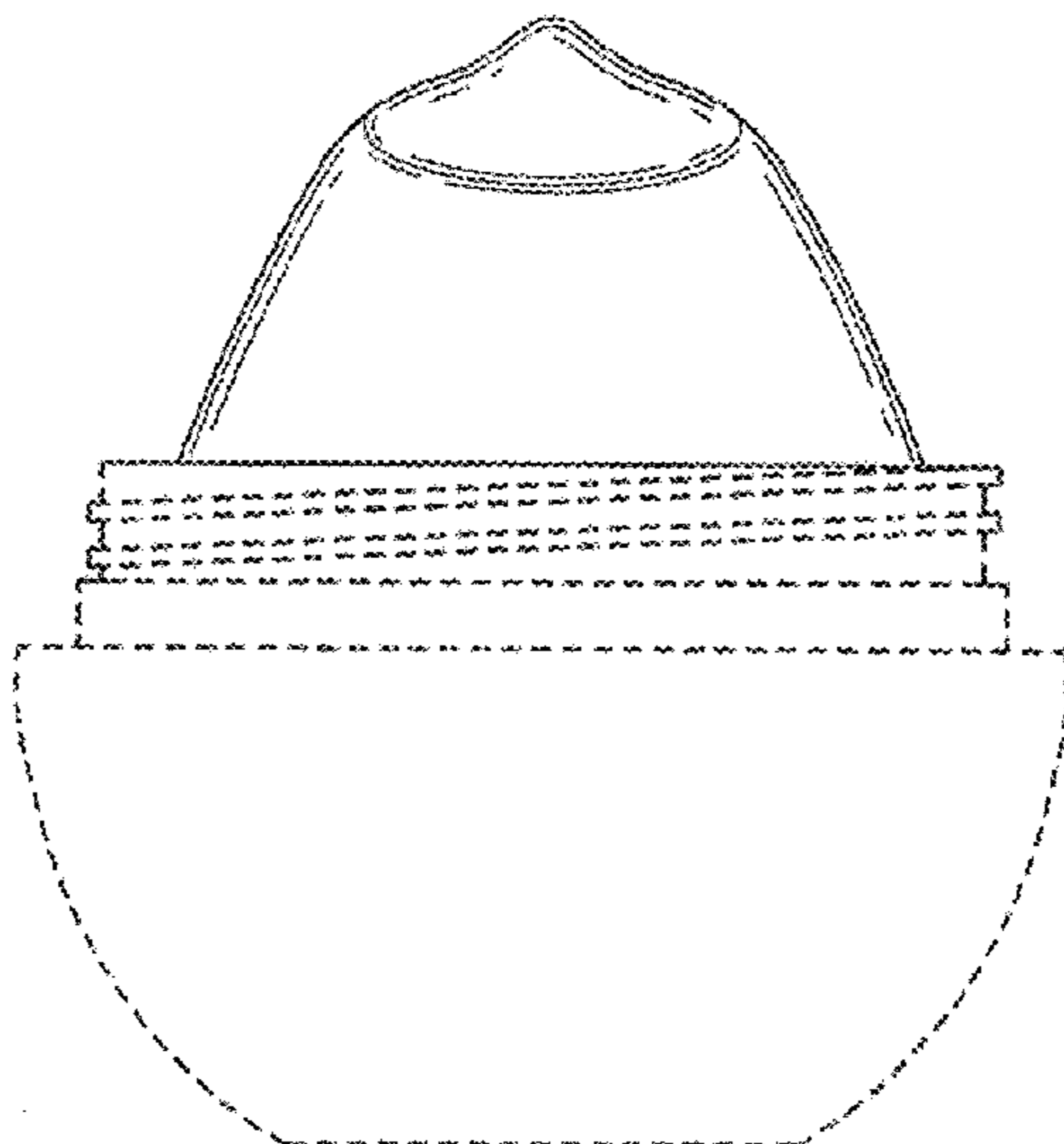
FIG. 1 is a top plan view of the combined lip balm and container, showing the new design;
FIG. 2 is a front elevation view of the combined lip balm and container thereof, showing the new design;
FIG. 3 is a right side elevation view of the combined lip balm and container thereof, showing the new design;
FIG. 4 is a left side elevation view of the combined lip balm and container thereof, showing the new design; and,
FIG. 5 is a rear elevation view of the combined lip balm and container thereof, showing the new design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 1,592,907 A 7/1926 Seman
- 2,162,584 A 6/1939 Kole
- D130,375 S 11/1941 Zimmerman
- 2,264,482 A 12/1941 Ridner, Sr.
- D133,779 S 9/1942 Kairalla

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

4,991,987 A 2/1991 Holloway
D315,426 S * 3/1991 Pisani D28/4
D331,815 S 12/1992 Disomma
D365,176 S 12/1995 Heinrich
6,193,427 B1 2/2001 Benguigui
D448,121 S * 9/2001 Gebb D28/88
D468,869 S 1/2003 Thorpe
6,695,510 B1 2/2004 Look
D490,561 S 5/2004 Angeletta
D496,135 S 9/2004 Hillock
D516,251 S * 2/2006 Py D28/89
D538,473 S 3/2007 Rhoades
D538,479 S 3/2007 Martinez
D539,980 S * 4/2007 Kadlubowski D28/76
D557,862 S 12/2007 Tajima
D558,926 S * 1/2008 Breidenbach D28/88
D625,469 S 10/2010 Dubitsky
D644,939 S 9/2011 Teller
D663,836 S 7/2012 Ruiz, Sr.
D666,357 S 8/2012 Albers
D679,861 S 4/2013 Choi
D680,264 S 4/2013 Manalo
8,444,337 B2 5/2013 Teller et al.
D687,595 S 8/2013 Albers
D692,320 S 10/2013 Seymour
D708,791 S 7/2014 Schlatter
D710,544 S 8/2014 Shen
8,888,391 B2 11/2014 Teller et al.
D732,240 S 6/2015 Brown
D734,894 S 7/2015 Schlatter
D735,413 S 7/2015 Smith
D739,077 S 9/2015 Kloman
D741,004 S 10/2015 Kloman
D756,037 S 5/2016 Schlatter
D758,668 S * 6/2016 Bonnin D28/7
D758,867 S * 6/2016 Tsai D28/89
D762,010 S 7/2016 Xavier
D764,713 S 8/2016 Teller
9,585,458 B2 3/2017 Teller et al.

D809,707 S * 2/2018 Celia D28/7
D831,886 S * 10/2018 Patel D28/7
D832,506 S * 10/2018 Celia D28/7
D836,245 S * 12/2018 Stawinski D28/7
D840,591 S * 2/2019 Villarreal D28/7
D851,329 S * 6/2019 Celia D28/7
D854,239 S * 7/2019 Martinek D28/7
2011/0135377 A1 6/2011 Teller
2013/0302080 A1 11/2013 Teller et al.
2013/0322950 A1 12/2013 Teller
2013/0341832 A1 12/2013 Teller et al.
2013/0341833 A1 12/2013 Teller et al.
2014/0013712 A1 1/2014 Teller
2014/0105666 A1 4/2014 Teller
2015/0182004 A1 7/2015 Teller et al.
2016/0262522 A1 9/2016 Teller et al.
2017/0013936 A1 1/2017 Schlatter et al.
2018/0110315 A1* 4/2018 McGraw A45D 40/00
2018/0255906 A1* 9/2018 Delia A45D 40/00

OTHER PUBLICATIONS

Bloglovin'—The Happy Sloth's blog, "clinique dramatically different lipstick . . .", Posted Nov. 9, 2018. (<https://www.bloglovin.com/blogs/happy-sloths-4911417/clinique-dramatically-different-lipstick-6630908773>) (Year: 2018).*

Volleysparkle blog, "Well at Walgreens Watermelon Lip Balm , Review", Posted Feb. 18, 2014, Accessed Apr. 4, 2017. (<http://volleysparkle.weebly.com/makeup/well-at-walgreens-watermelon-lip-balm-review>).

U.S. Appl. No. 13/891,264, filed May 2013, Teller.
U.S. Appl. No. 14/973,717, filed Dec. 2015, Teller.
U.S. Appl. No. 14/988,740, filed Jan. 2016, Teller.
U.S. Appl. No. 15/016,257, filed Feb. 2016, Teller.
Volleysparkleblog, "Well at Walgreens Watermelon Lip Balm/ Review", Posted Feb. 18, 2014, Accessed Apr. 4, 2017. (<http://volleysparkle.weebly.com/makeup/wall-at-walgreens-watermelon-lip-balm-review>).

* cited by examiner

FIG. 1

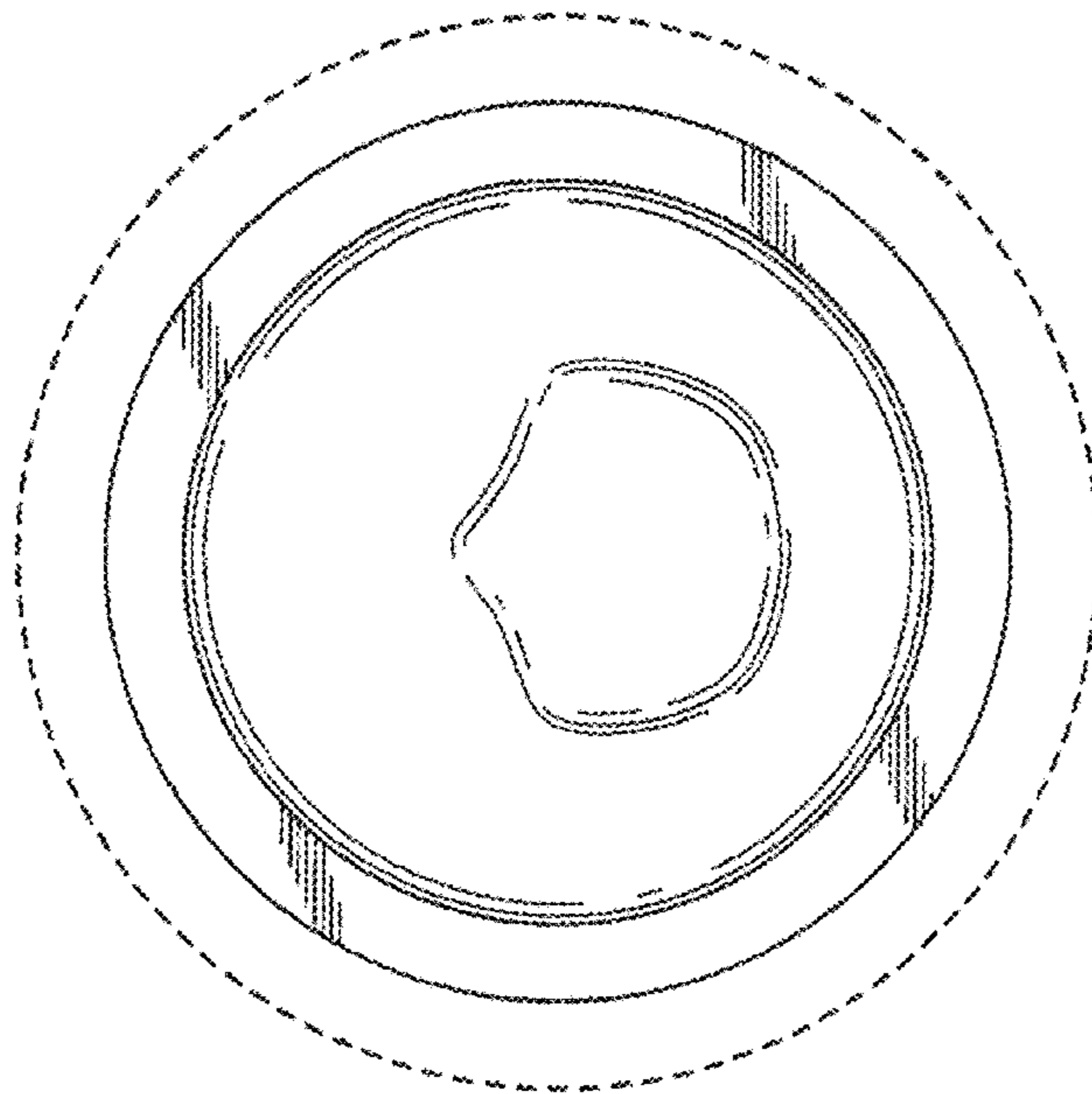


FIG. 2

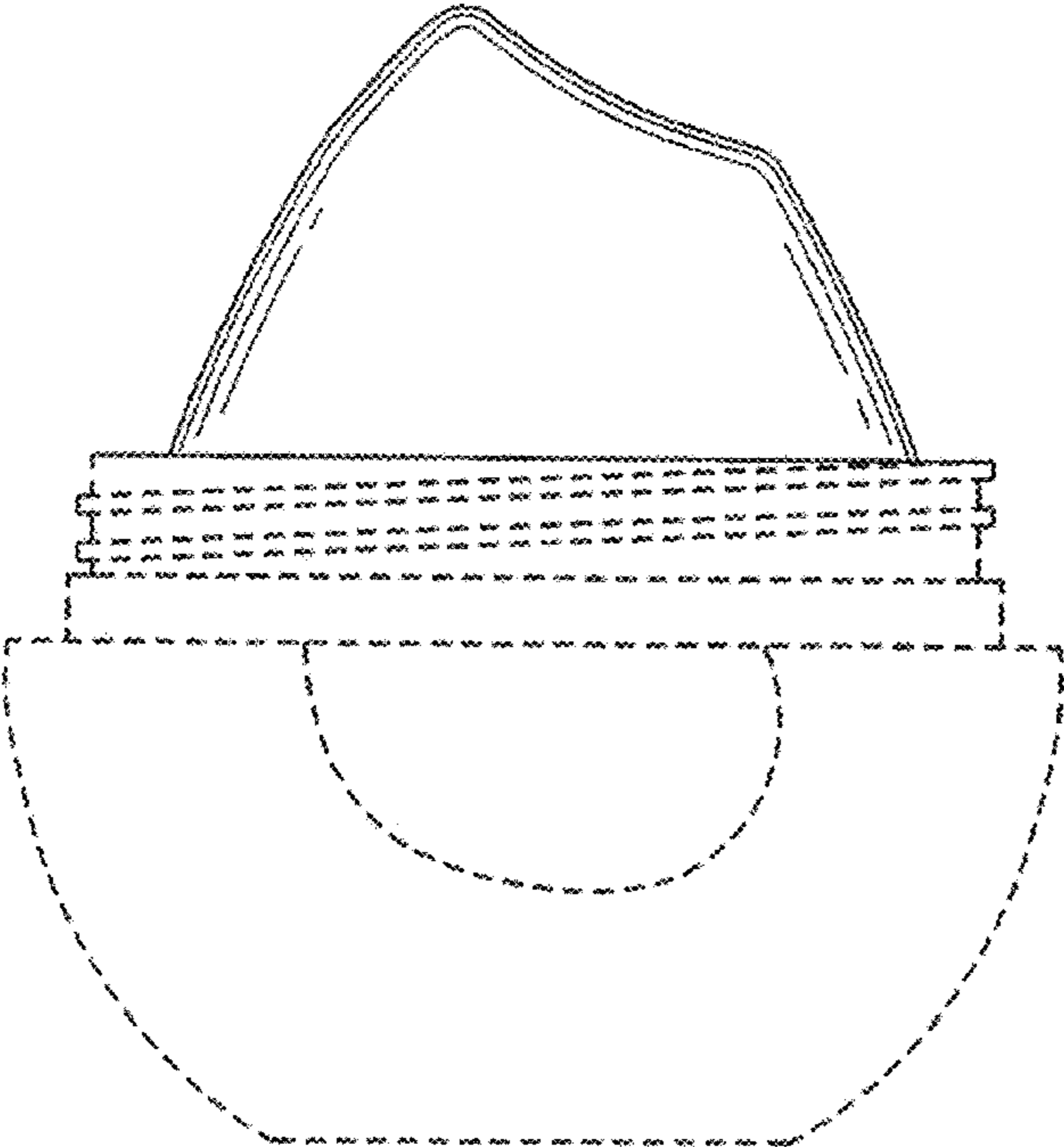


FIG. 3

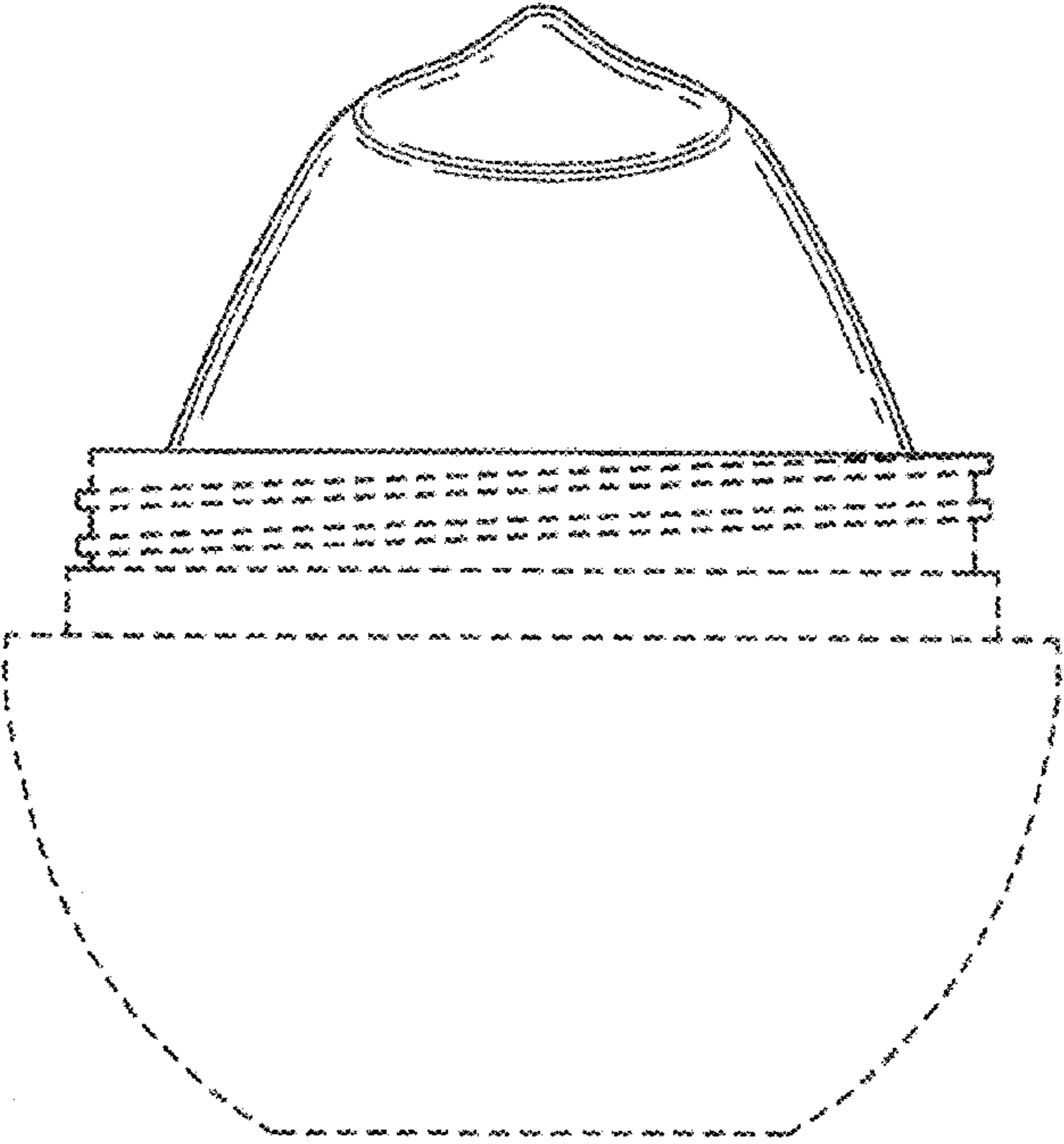


FIG. 4

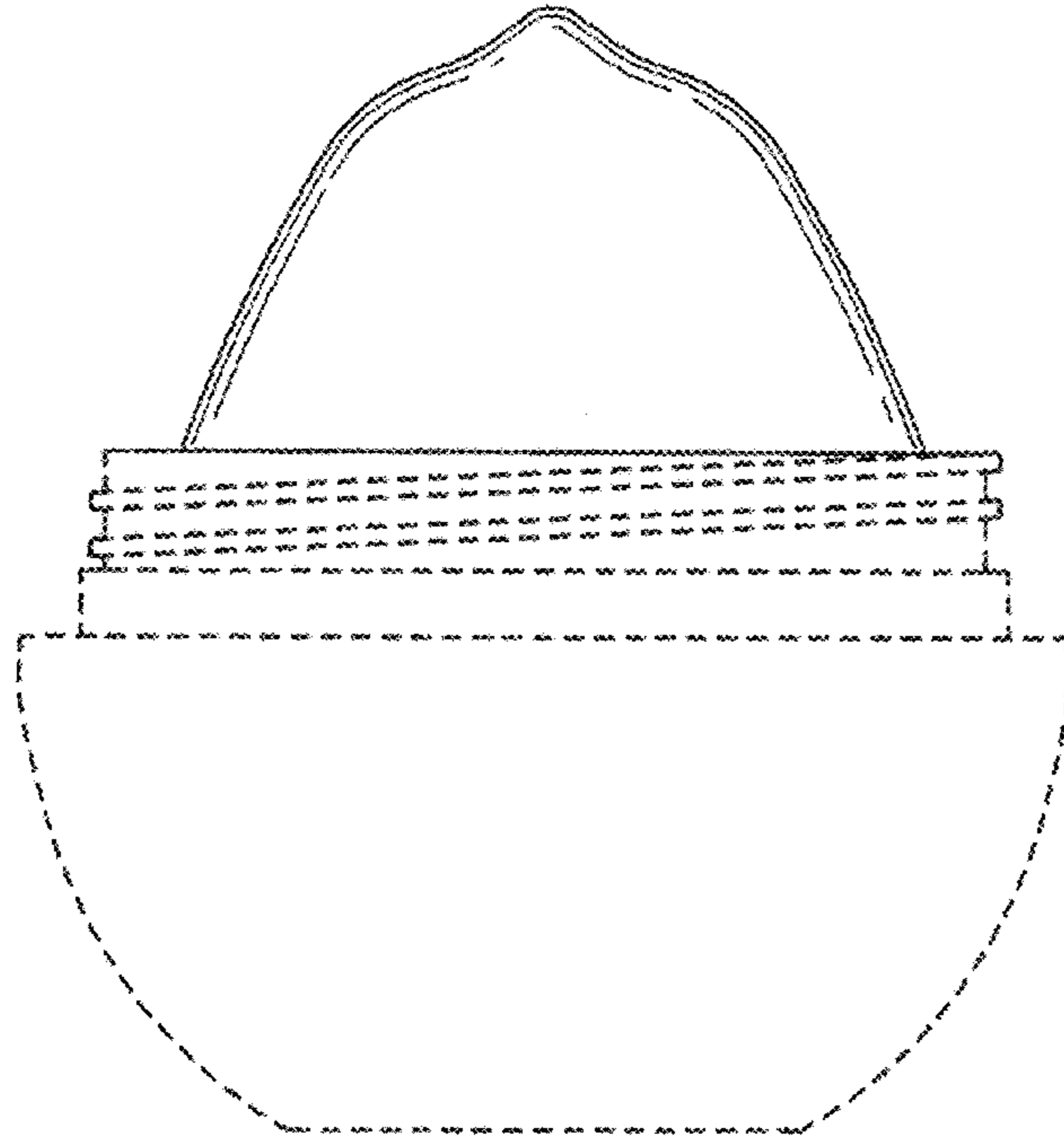


FIG. 5

