

US00D898579S

(12) **United States Design Patent** (10) **Patent No.:** **US D898,579 S**
Riedel et al. (45) **Date of Patent:** **** *Oct. 13, 2020**

(54) **CONTAINER WITH CAP**

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(*) Notice: This patent is subject to a terminal disclaimer.

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

(21) Appl. No.: **29/671,283**

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Related U.S. Application Data

(62) Division of application No. 29/589,933, filed on Jan. 5, 2017, now Pat. No. Des. 838,184.

(51) **LOC (12) Cl.** **09-01**

(52) **U.S. Cl.**
USPC **D9/574**

(58) **Field of Classification Search**
USPC D9/434-435, 439, 447, 449, 450, 452,
D9/454, 516, 520, 522-524, 528-531,
(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D94,101 S 12/1934 Spence
 - D203,360 S 12/1965 Becker
- (Continued)

OTHER PUBLICATIONS

Oval Clear Tube. Online, published date unknown. Retrieved on Jan. 1, 2020 from URL: <http://perfectionpack.com/shop/oval-clear-tube/>.*

(Continued)

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(57) **CLAIM**

The ornamental design for a container with cap, as shown and described.

DESCRIPTION

FIG. 1 is an exploded, top perspective view of a container with cap showing one embodiment of our new design; FIG. 2 is an exploded, bottom perspective view thereof; FIG. 3 is a non-exploded, front view thereof, the rear view being a mirror image of the front view; FIG. 4 is a non-exploded, right side view thereof, the left side view being a mirror image of the right side view; FIG. 5 is a non-exploded, top view thereof; and FIG. 6 is a non-exploded, bottom view thereof.

FIG. 7 is an exploded, top perspective view of a container with cap showing one embodiment of our new design; FIG. 8 is an exploded, bottom perspective view thereof; FIG. 9 is a non-exploded, front view thereof, the rear view being a mirror image of the front view; FIG. 10 is a non-exploded, right side view thereof, the left side view being a mirror image of the right side view; FIG. 11 is a non-exploded, top view thereof; and FIG. 12 is a non-exploded, bottom view thereof.

FIG. 13 is an exploded, top perspective view of a container with cap showing one embodiment of our new design; FIG. 14 is an exploded, bottom perspective view thereof; FIG. 15 is a non-exploded, front view thereof, the rear view being a mirror image of the front view; FIG. 16 is a non-exploded, right side view thereof, the left side view being a mirror image of the right side view; FIG. 17 is a non-exploded, top view thereof; and,

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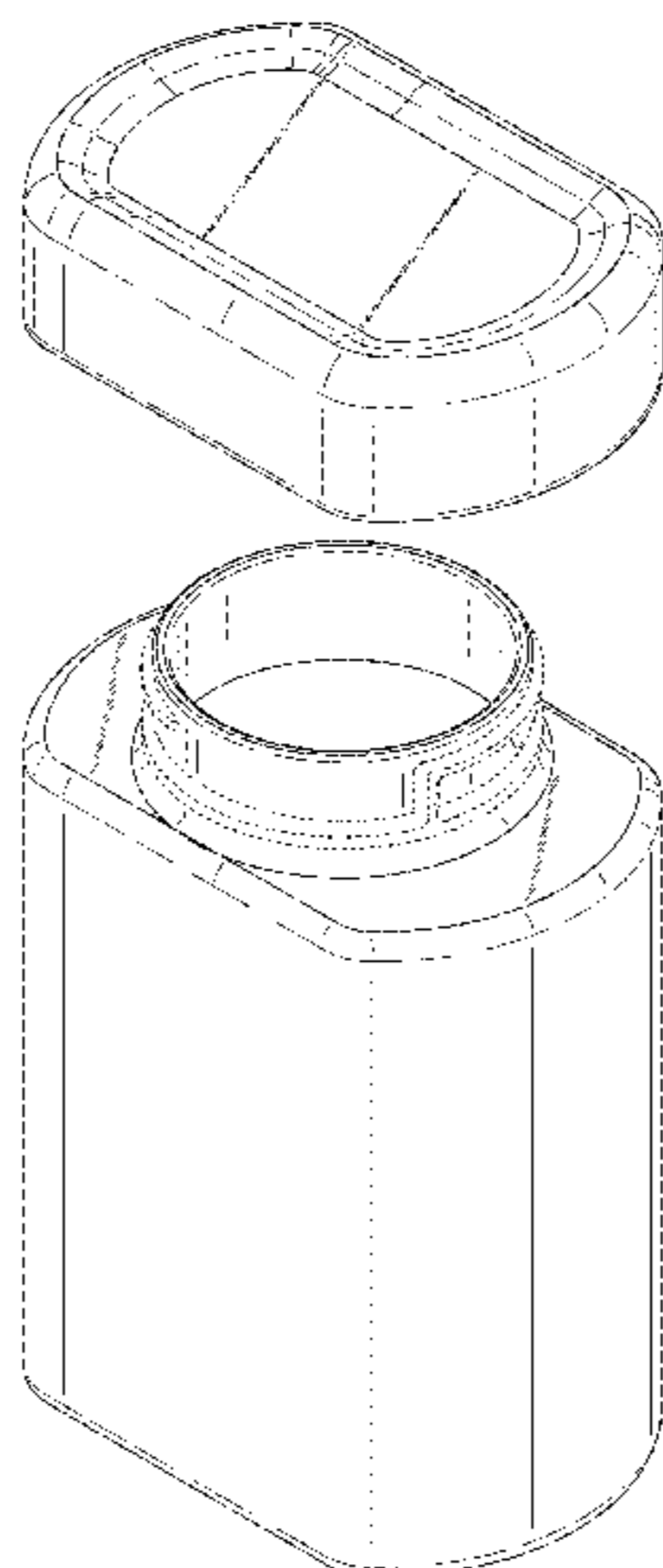


FIG. 18 is a non-exploded, bottom view thereof. The dash lines depict portions of the container with cap that form no part of the claimed design. The long dash-short dash bolded broken lines depict the bounds of the claimed design and form no part thereof.

1 Claim, 14 Drawing Sheets

(58) **Field of Classification Search**

USPC D9/541-544, 549-551, 558-560, 563, D9/565-566, 571-575, 682, 686, 687, D9/693-694, 715, 719; D7/300, 300.1, D7/316, 317, 598; D23/211, 225
CPC ... B65D 1/00; B65D 1/02; B65D 1/12; B65D 1/18; B65D 1/20; B65D 1/0223
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,832,220	A	5/1989	Quenessen
D301,837	S	6/1989	Peterson et al.
D334,143	S	3/1993	Rothfos
D363,028	S	10/1995	Mansau
5,699,925	A	12/1997	Petruzzi
D398,241	S	9/1998	Krebs
D484,797	S	1/2004	Kipperman et al.
D520,877	S	5/2006	Toth et al.
D521,380	S	5/2006	Jackson et al.
D523,344	S	6/2006	Toth et al.
D529,387	S	10/2006	Toth et al.
D537,724	S	3/2007	Toth et al.
D540,688	S	4/2007	Lascaux
D541,163	S	4/2007	Altonen et al.
D551,970	S	10/2007	Didier
D562,151	S	2/2008	Larocca et al.
D563,228	S	3/2008	Nottingham et al.
D563,795	S	3/2008	Canamasas Puigbo
D568,739	S	5/2008	Darr
D577,292	S	9/2008	Moretti
D577,600	S	9/2008	Kim et al.
D579,784	S	11/2008	Varlet
D585,754	S	2/2009	McGregor et al.
D587,589	S	3/2009	Varlet
D598,296	S	8/2009	Serrano Diaz
D604,630	S	11/2009	Canamasas Puigbo
D613,177	S	4/2010	Lee
D617,043	S	6/2010	Patel et al.
D621,224	S	8/2010	Wang Chen
D625,911	S	10/2010	Lee et al.
D627,656	S	11/2010	Wendt
D630,100	S	1/2011	Wanet
D635,031	S	3/2011	Themann
D639,667	S	6/2011	Bogert et al.
D640,131	S	6/2011	Gibson et al.
D646,581	S	10/2011	Baron
D649,284	S	11/2011	Patel et al.
D650,268	S	12/2011	Gibson et al.
D655,158	S	3/2012	Drozek et al.

D664,849	S	8/2012	Fracasso
D673,848	S	1/2013	Bailey et al.
D674,688	S	1/2013	Loftin et al.
D675,516	S	2/2013	Horton et al.
D677,572	S	3/2013	Papiernik
D679,183	S	4/2013	Kopulos et al.
D684,824	S	6/2013	Sweet et al.
D688,938	S	9/2013	Bailey et al.
D689,771	S	9/2013	Berggren
D690,588	S	10/2013	Pipes et al.
D692,298	S	10/2013	Pipes et al.
D704,245	S	5/2014	Kim et al.
D712,746	S	9/2014	Widdison
D732,394	S	6/2015	DeMarco et al.
D734,550	S *	7/2015	Schlatter D28/83
D742,756	S	11/2015	DeVore et al.
D747,969	S	1/2016	Baron et al.
D756,234	S	5/2016	Orset
D757,560	S	5/2016	Venturini Fendi
D764,928	S	8/2016	Staab
D766,093	S	9/2016	Otani
D767,405	S	9/2016	Orset
9,445,631	B1	9/2016	Patel et al.
9,511,890	B2	12/2016	Gill et al.
D786,078	S *	5/2017	Futagami D28/8
D787,895	S *	5/2017	Kilduff D7/629
D788,593	S	6/2017	Dalton
D823,686	S *	7/2018	Beaudouin D9/449
D836,432	S *	12/2018	Riedel D9/443
D837,060	S *	1/2019	Riedel D9/574
D838,184	S *	1/2019	Riedel D9/574
D840,242	S *	2/2019	Riedel D9/574
D865,529	S *	11/2019	Tidwell D9/529
2010/0018883	A1	1/2010	Patel
2016/0083280	A1	3/2016	Sato et al.

OTHER PUBLICATIONS

A vintage fountain pen leaning against an open bottle of ink on a white background. Online, published date unknown. Retrieved on Nov. 14, 2017 from URL: <http://www.alamy.com/stock-photo-a-vintage-fountain-pen-leaning-against-an-open-bottle-of-ink-on-a-48134748.html?pv=1&stamp=2&imageid=F5B0091C-B9C1-40E3-9032-86C1477>.

Sanford's Tug Boat Ink Bottle. Online, published date unknown. Retrieved Nov. 14, 2017 from URL: <http://www.marthasvintageattic.com/ink-bottles-and-inkwells/sanfords-tug-boat-ink-bottle-vintage/>.

U.S. Appl. No. 20/589,930, filed Jan. 5, 2017 (95 pages).

U.S. Appl. No. 29/589,931, filed Jan. 5, 2017 (58 pages).

U.S. Appl. No. 29/589,929, filed Jan. 5, 2017 (95 pages).

"Lock Ups", printed from www.containerstore.com/s/gift-packaging/containers/boxes/lock-ups/123d?productId=10028612, publicly available at least as early as Aug. 18, 2016 (4 pages).

Photographs of CVS Health Packaged Vitamins publicly available at least as early as Oct. 31, 2016 (1 page).

Crate & Barrel. OXO Steel Pop 4-Qt. Container. 2018 [earliest online date], [site visited Apr. 11, 2018]. Available from Internet, <URL: <https://www.crateandbarrel.com/oxo-steel-pop-4-qt-container/s610735>>. (Year: 2018).

* cited by examiner

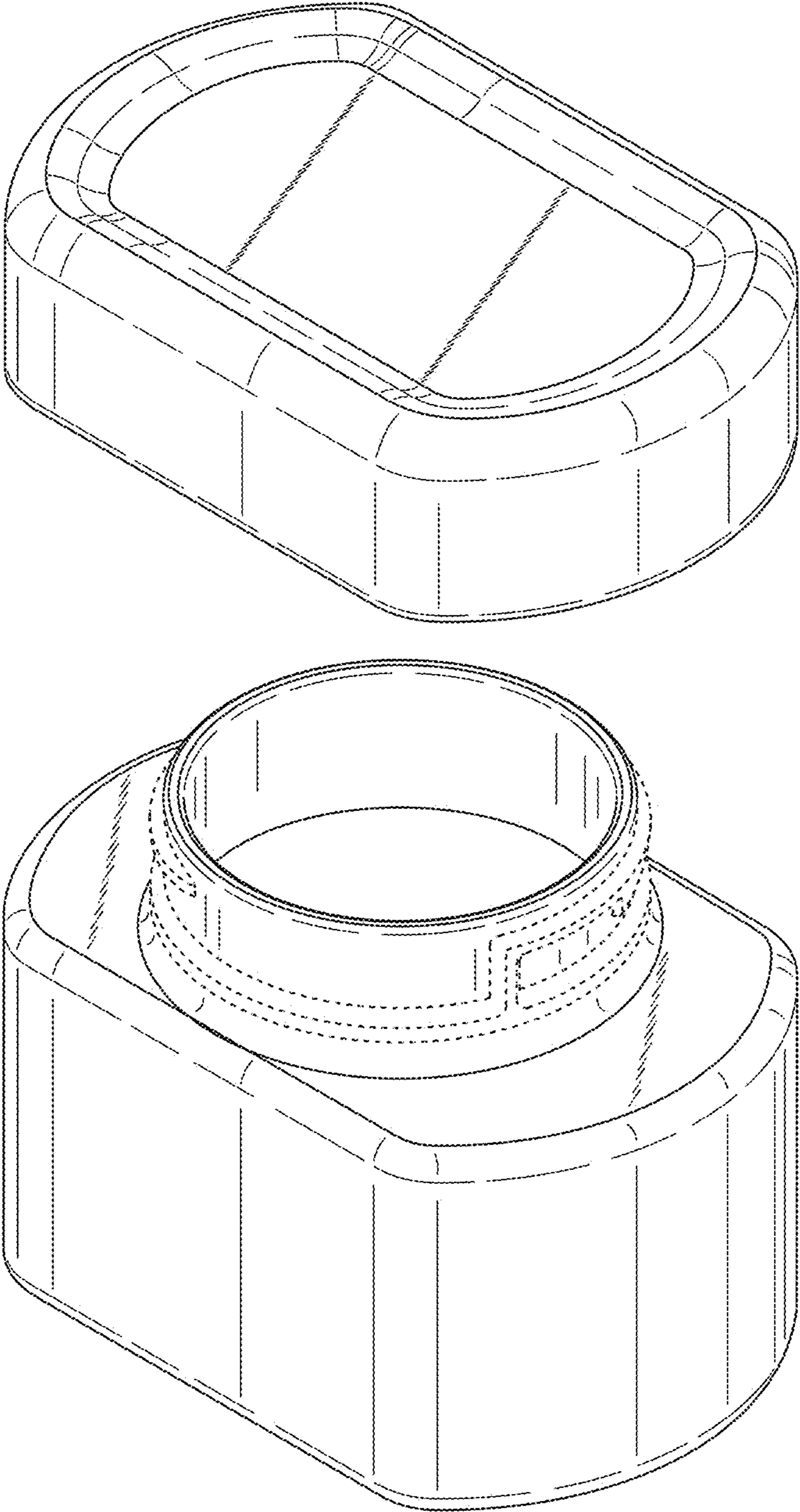


FIG. 1

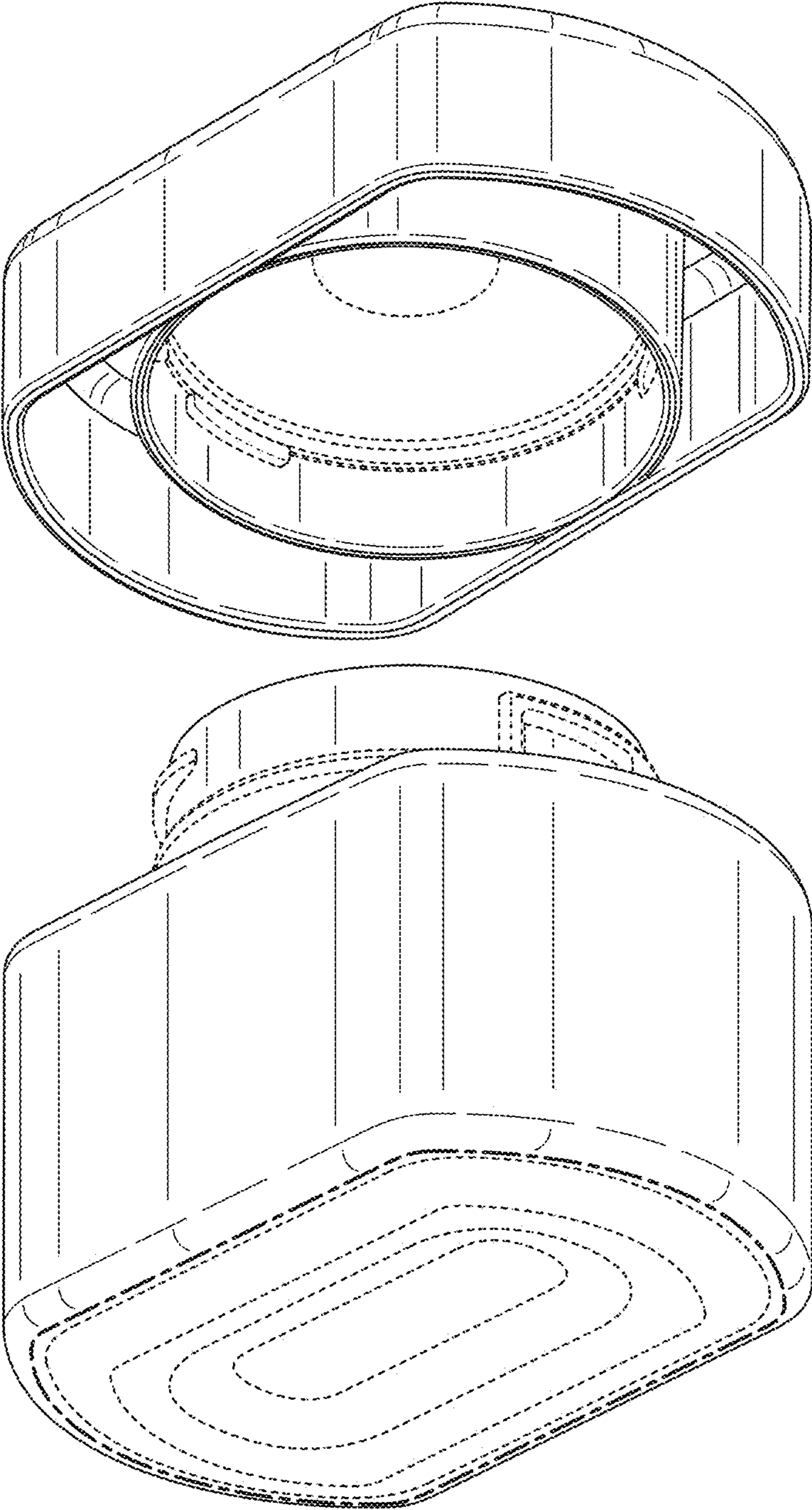


FIG. 2

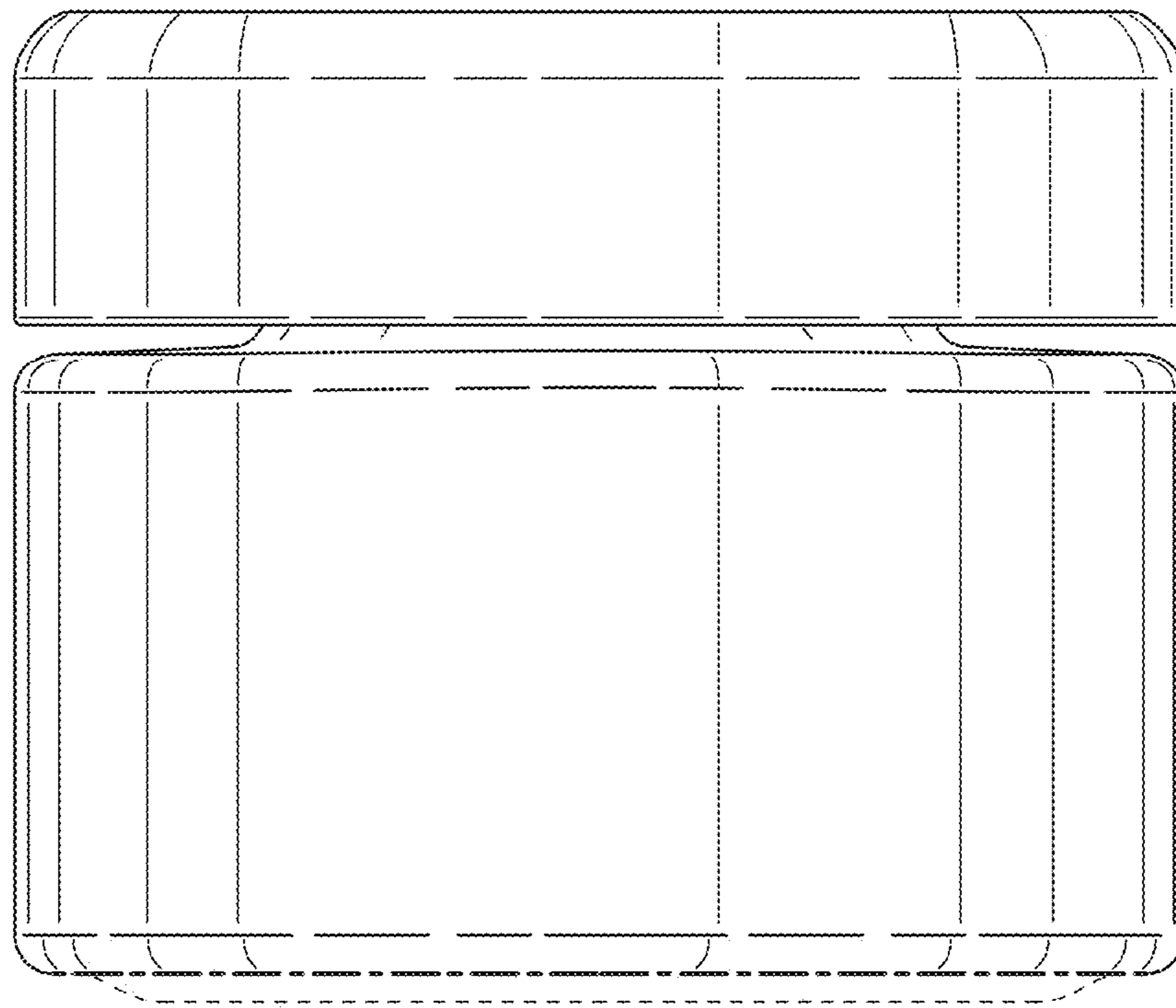


FIG. 3

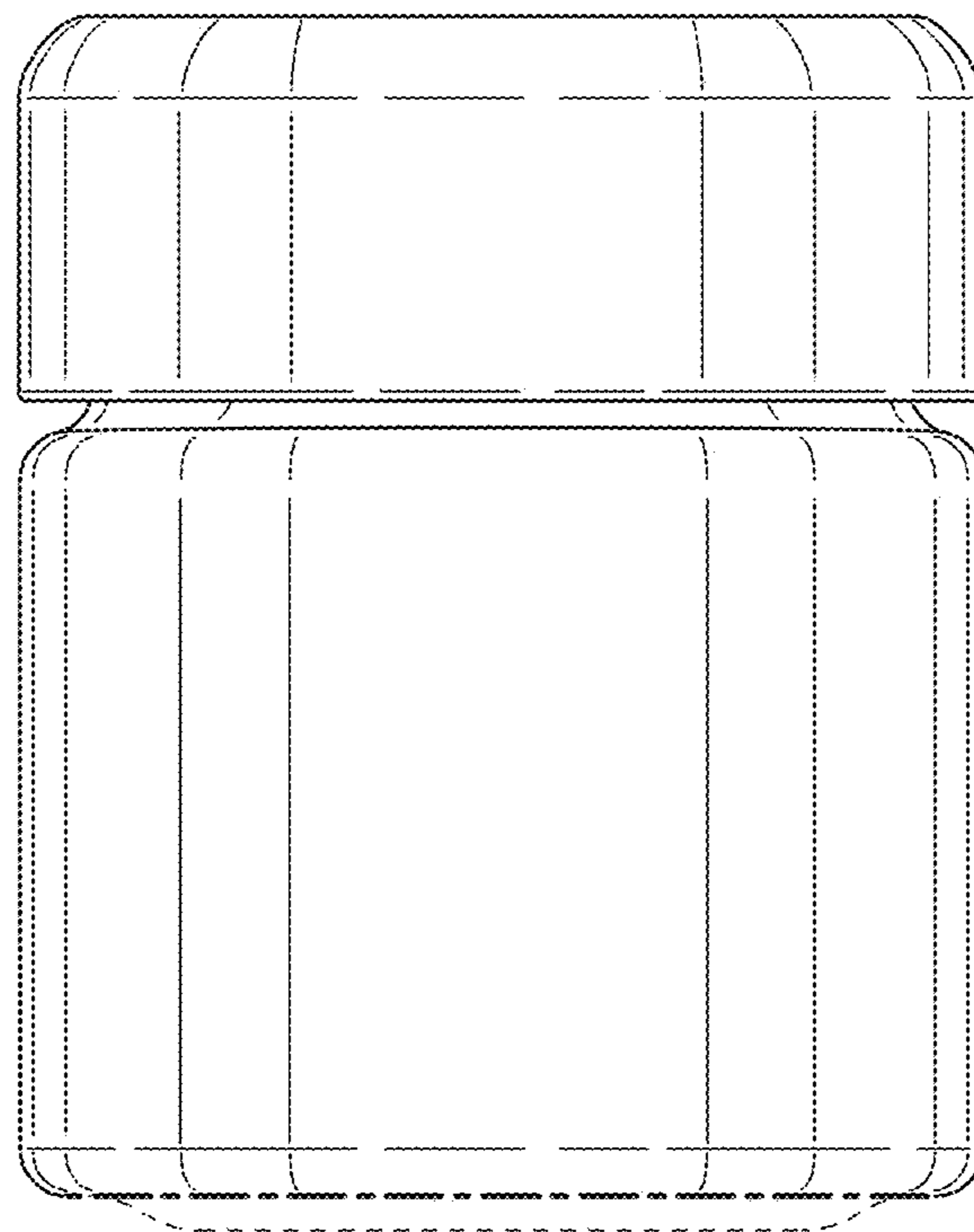


FIG. 4

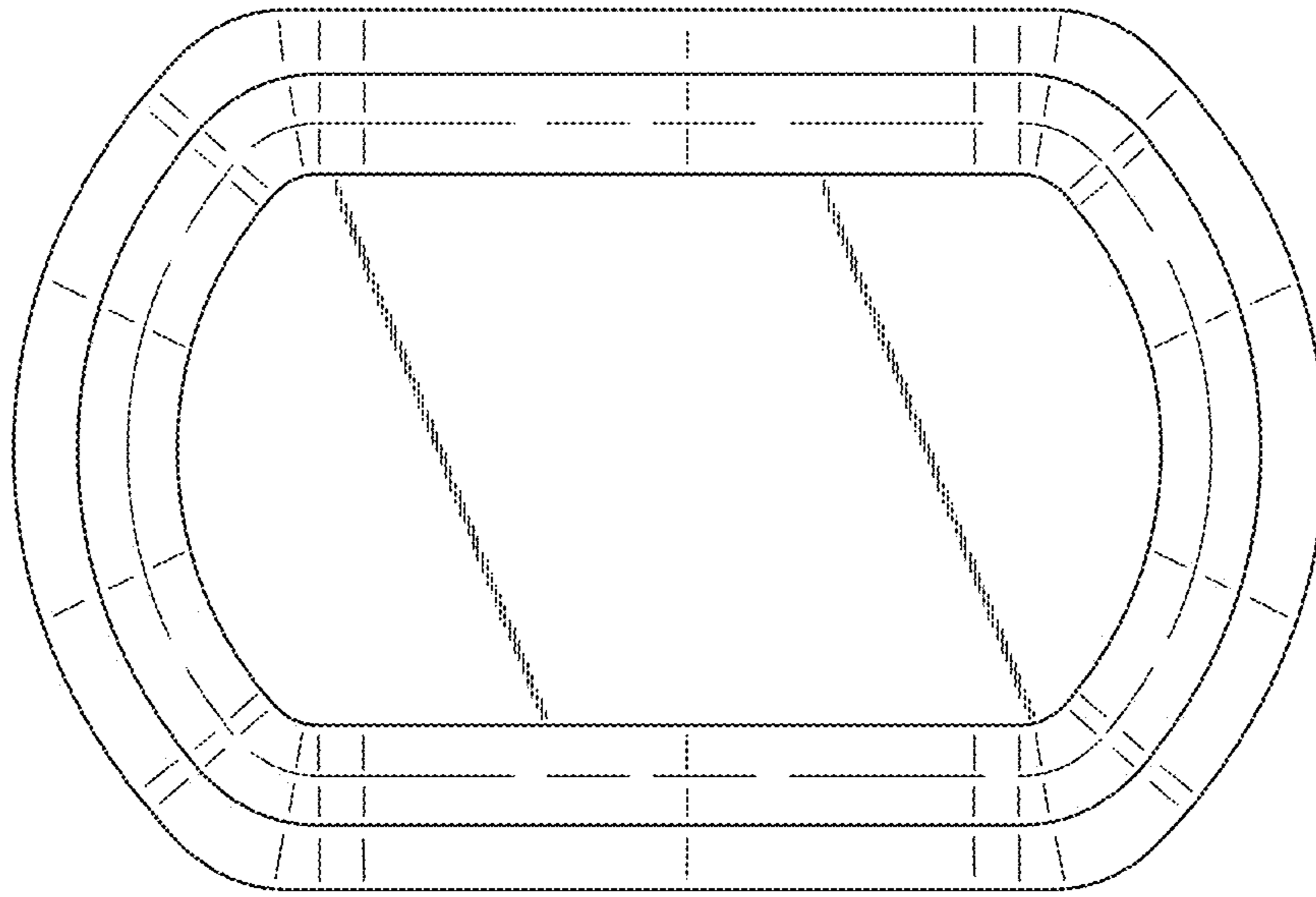


FIG. 5

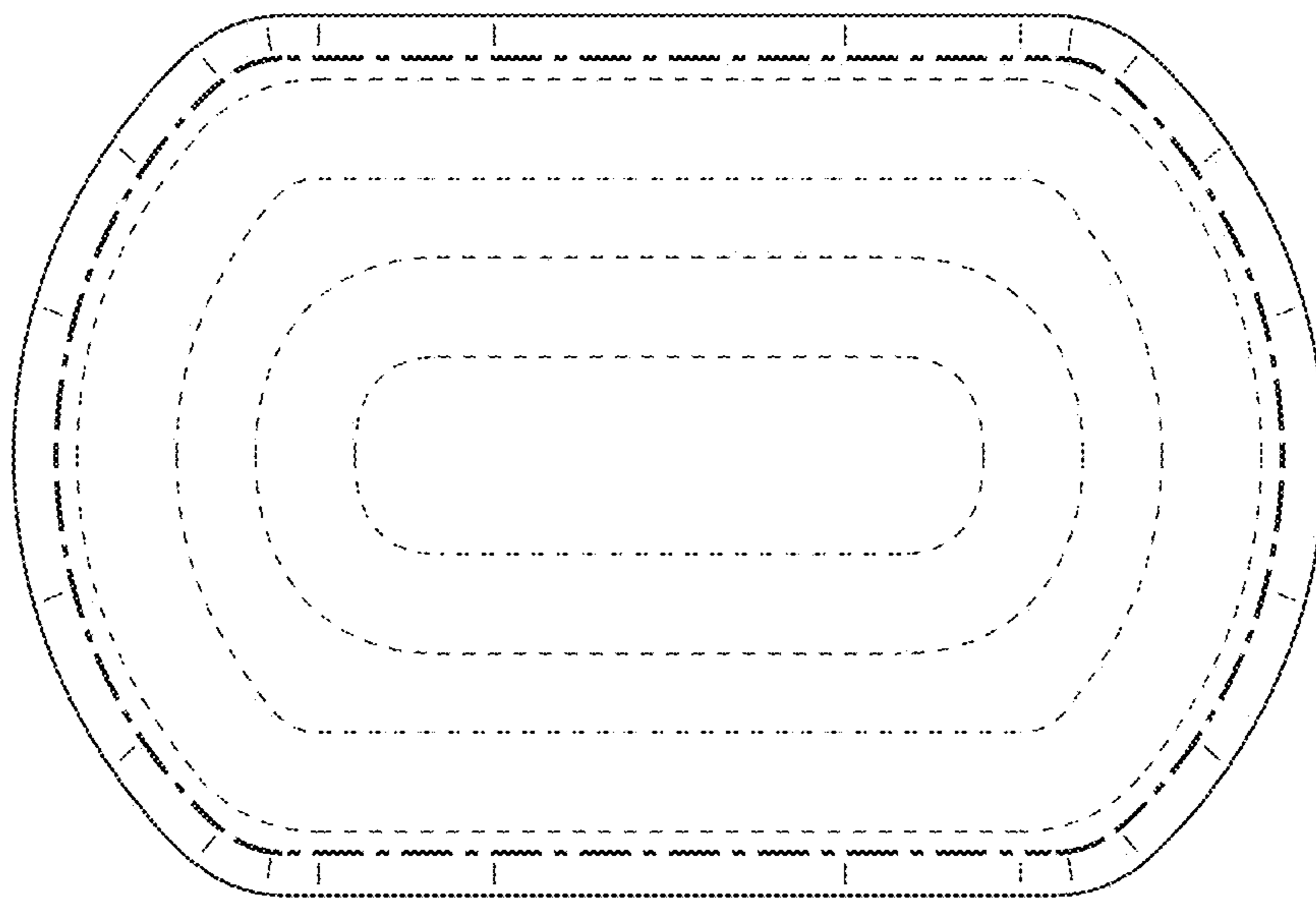


FIG. 6

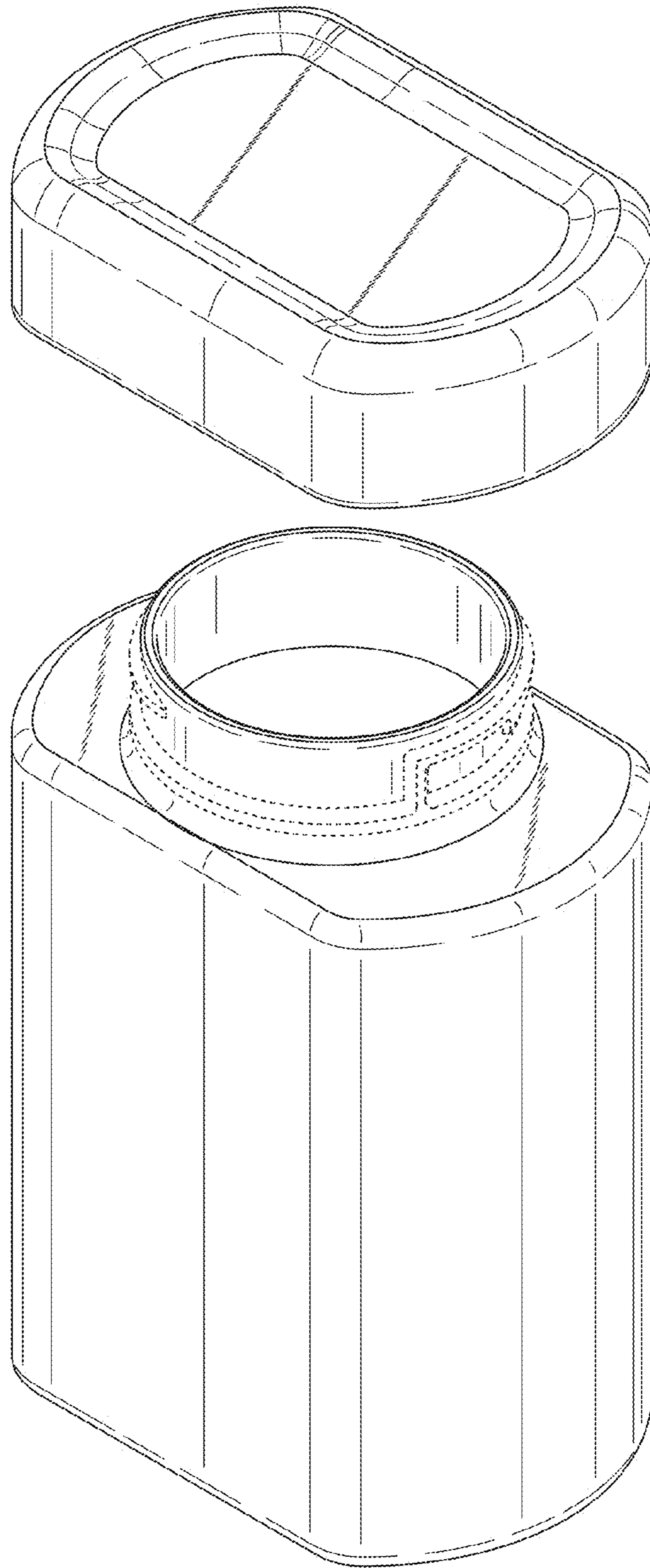


FIG. 7

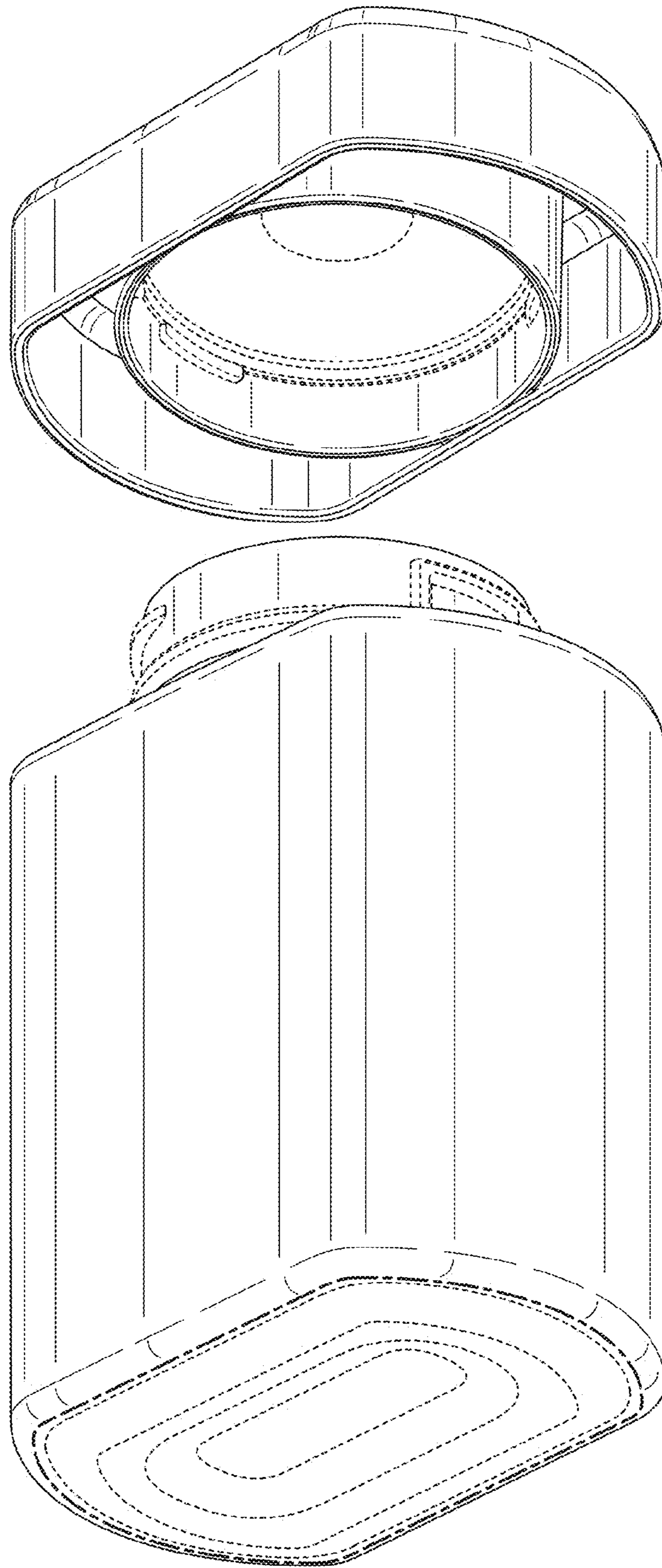


FIG. 8

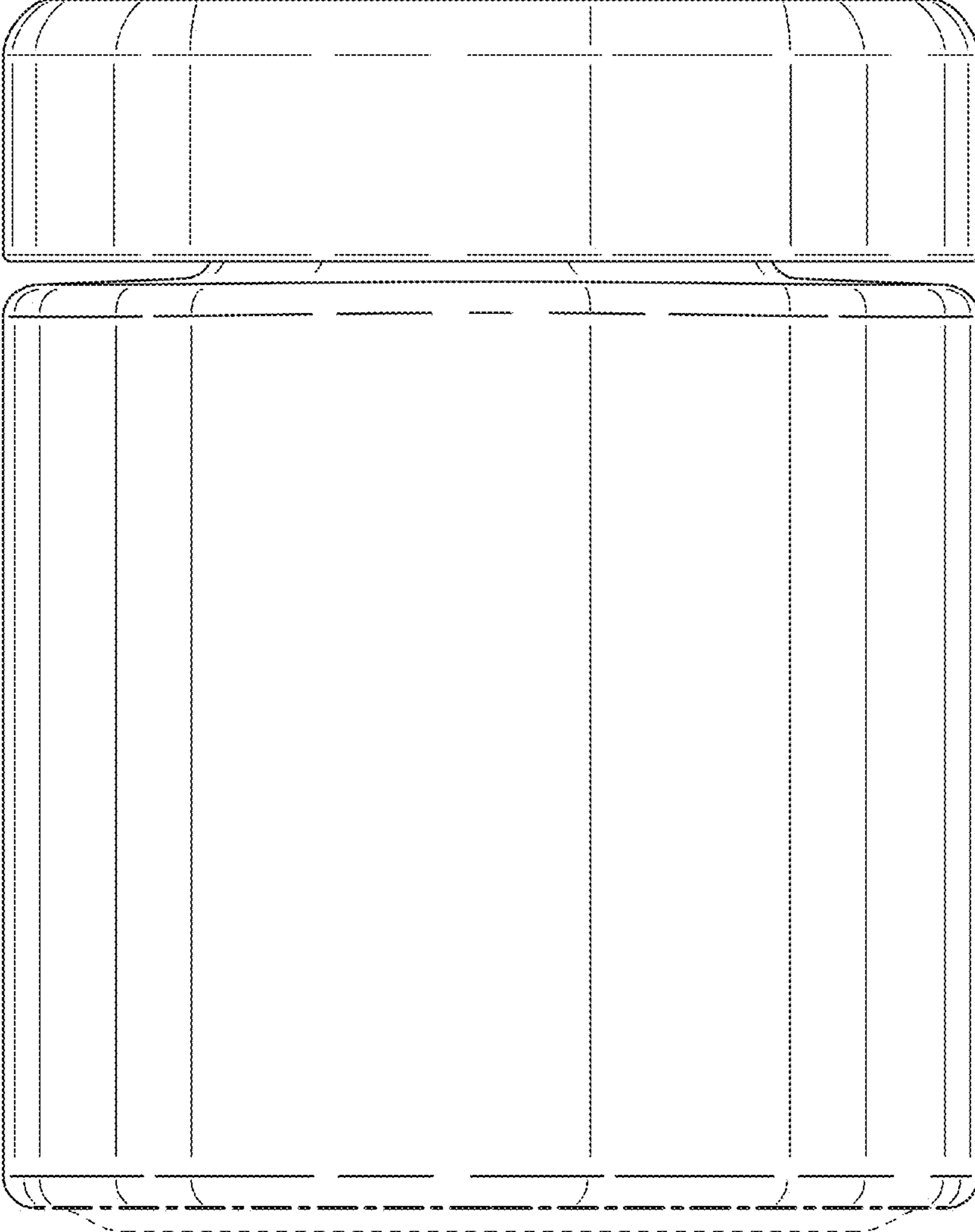


FIG. 9

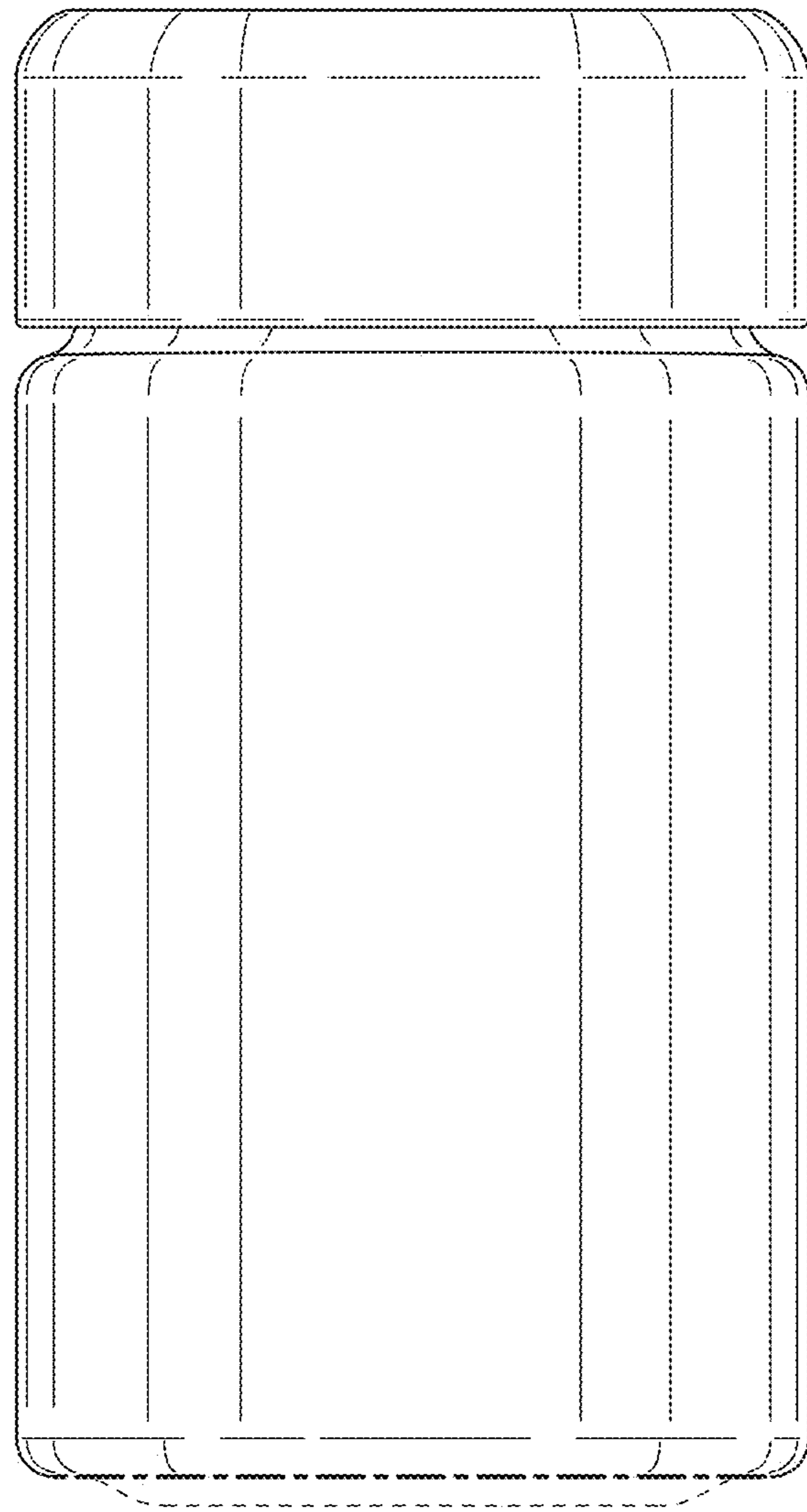


FIG. 10

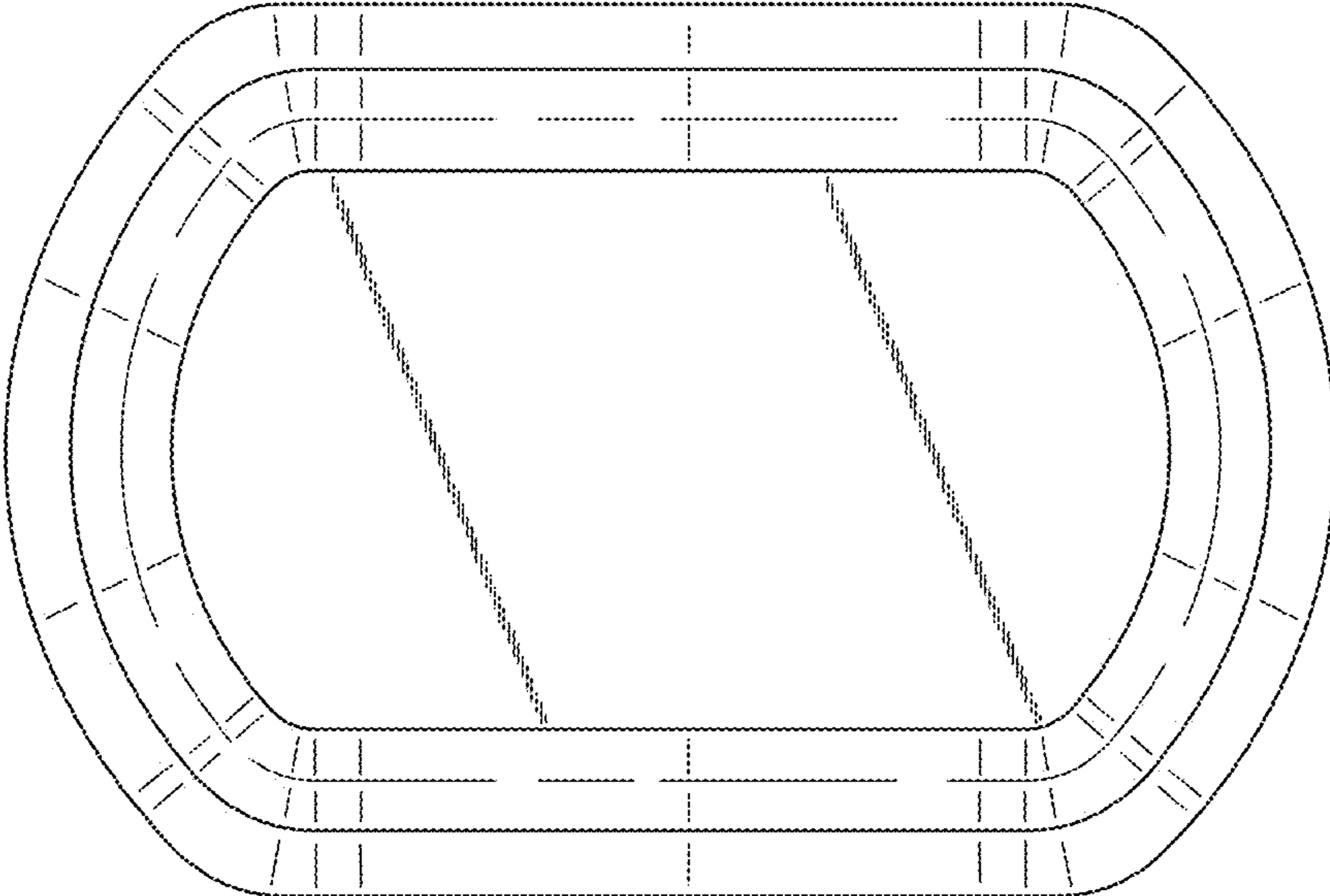


FIG. 11

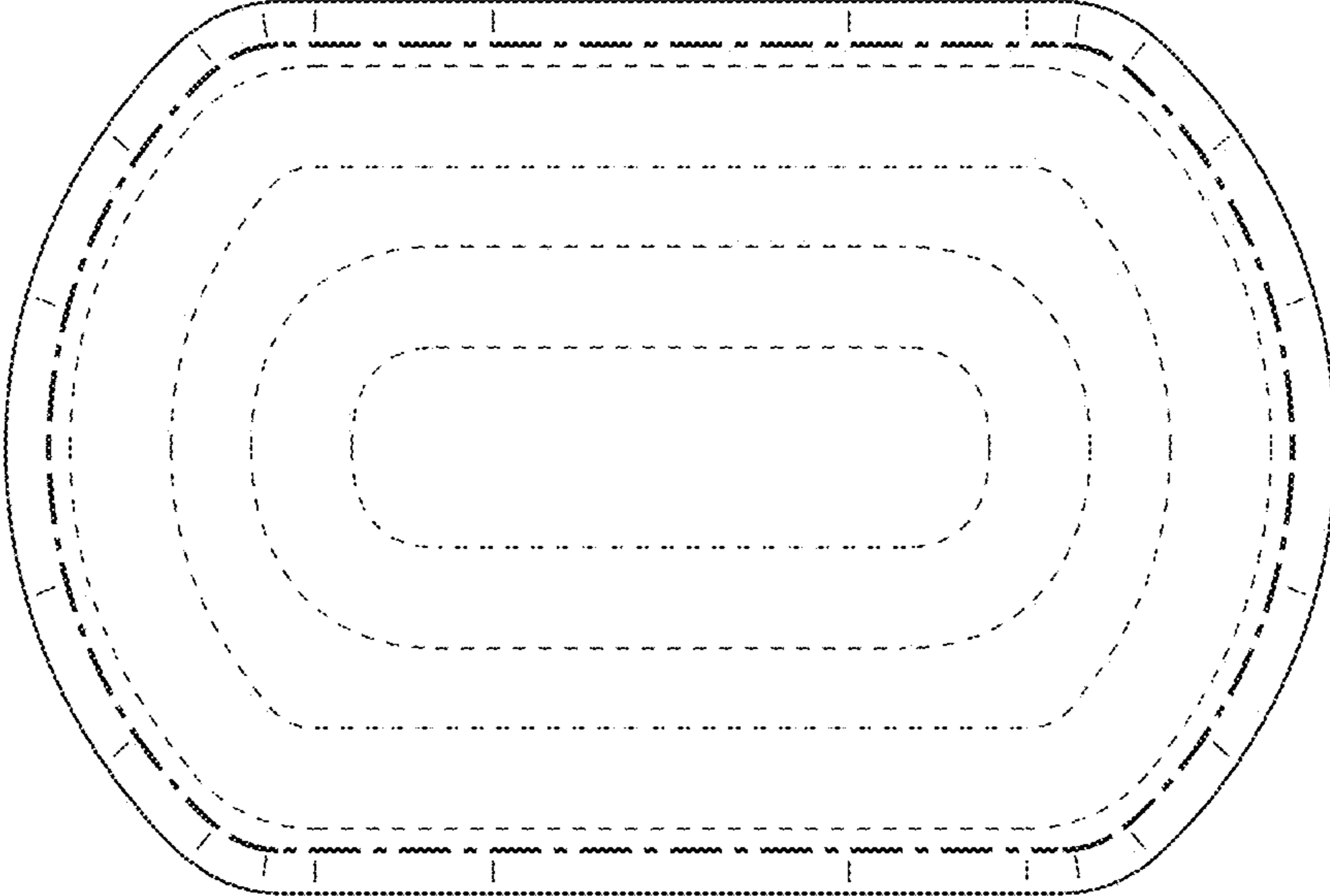


FIG. 12

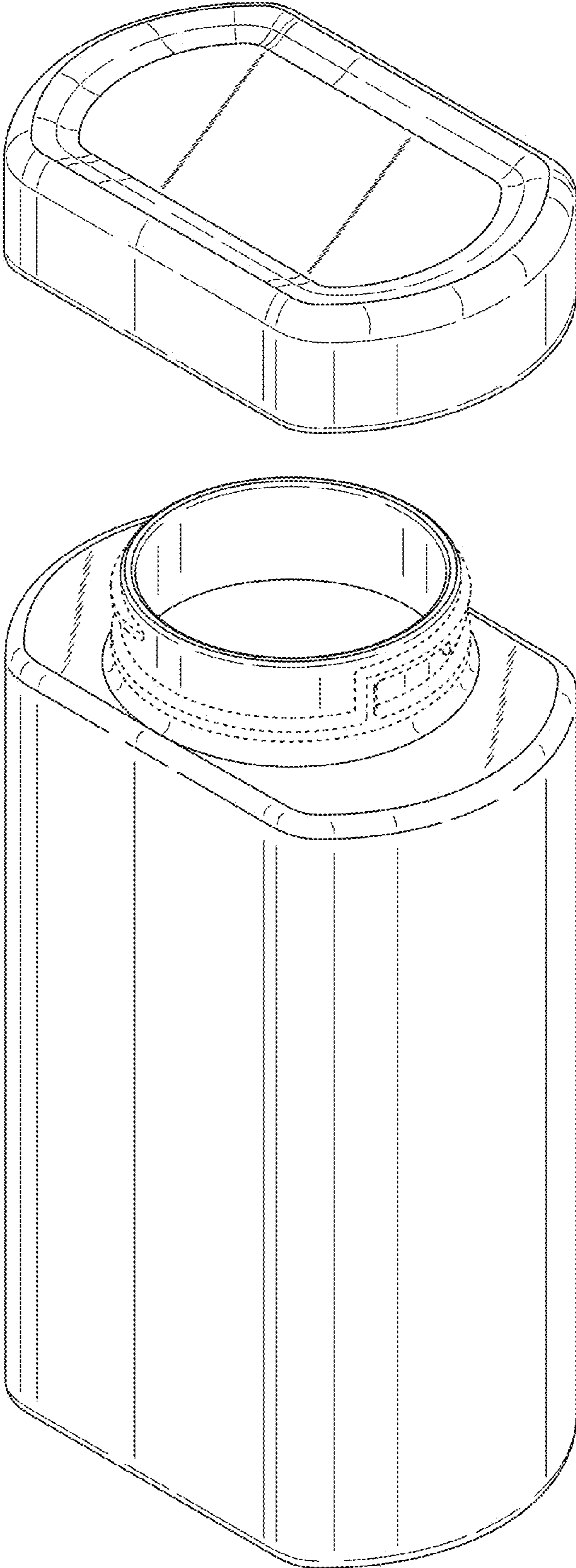


FIG. 13

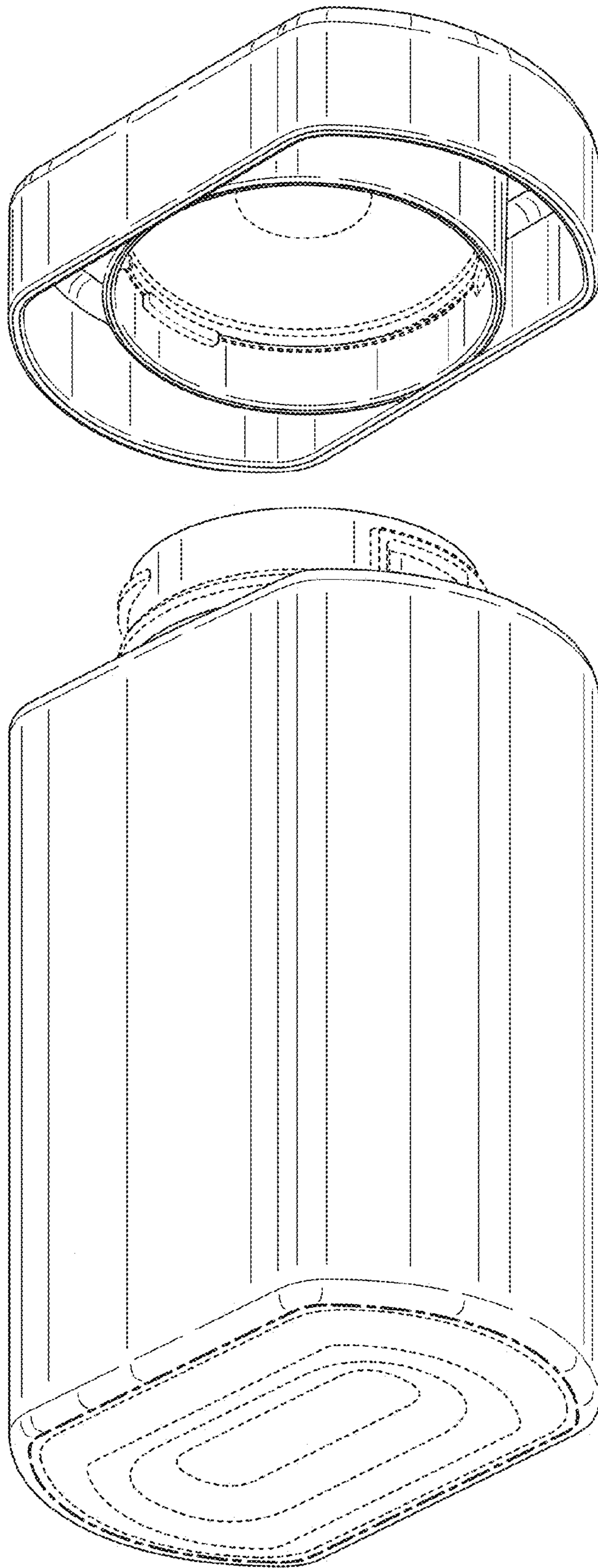


FIG. 14

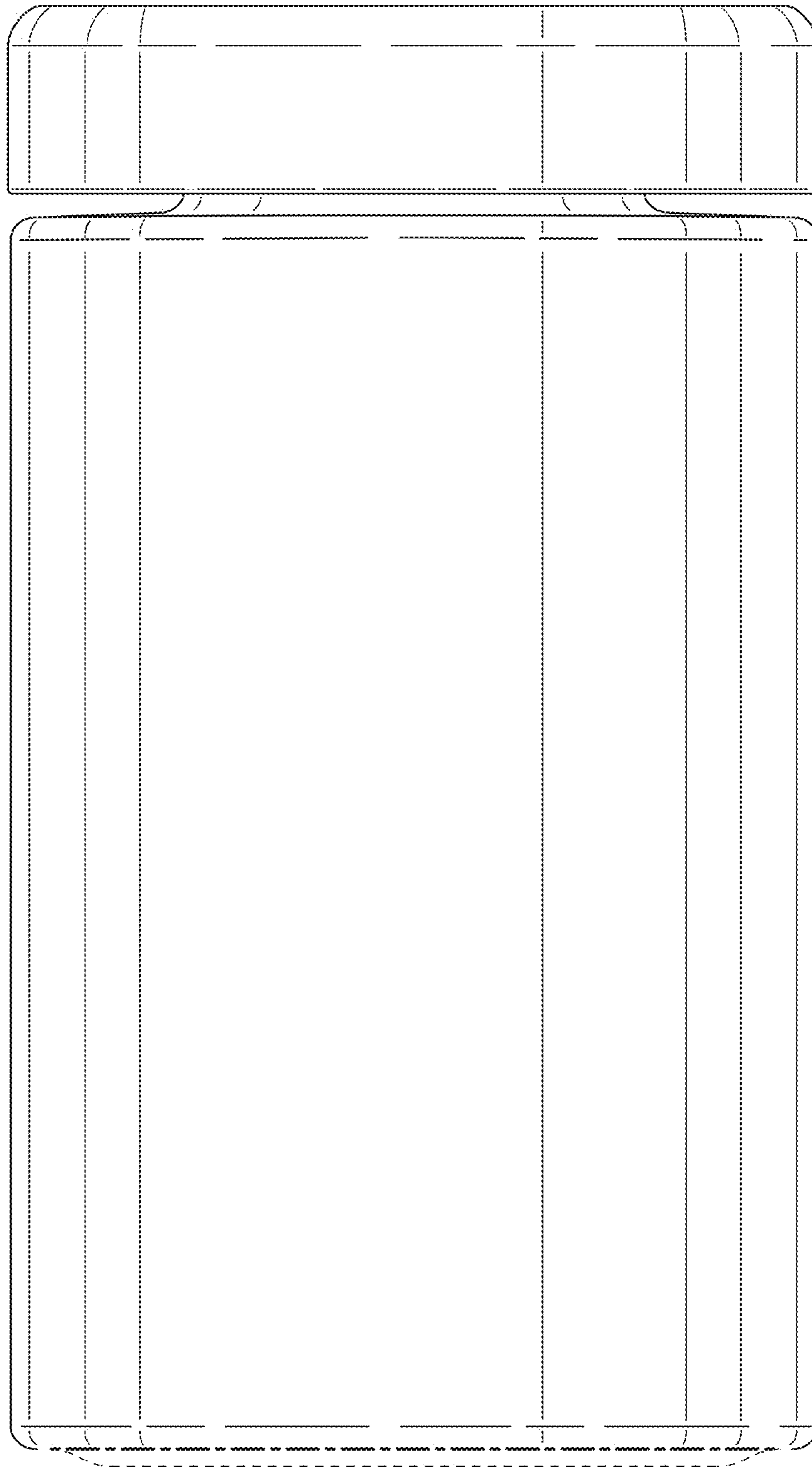


FIG. 15

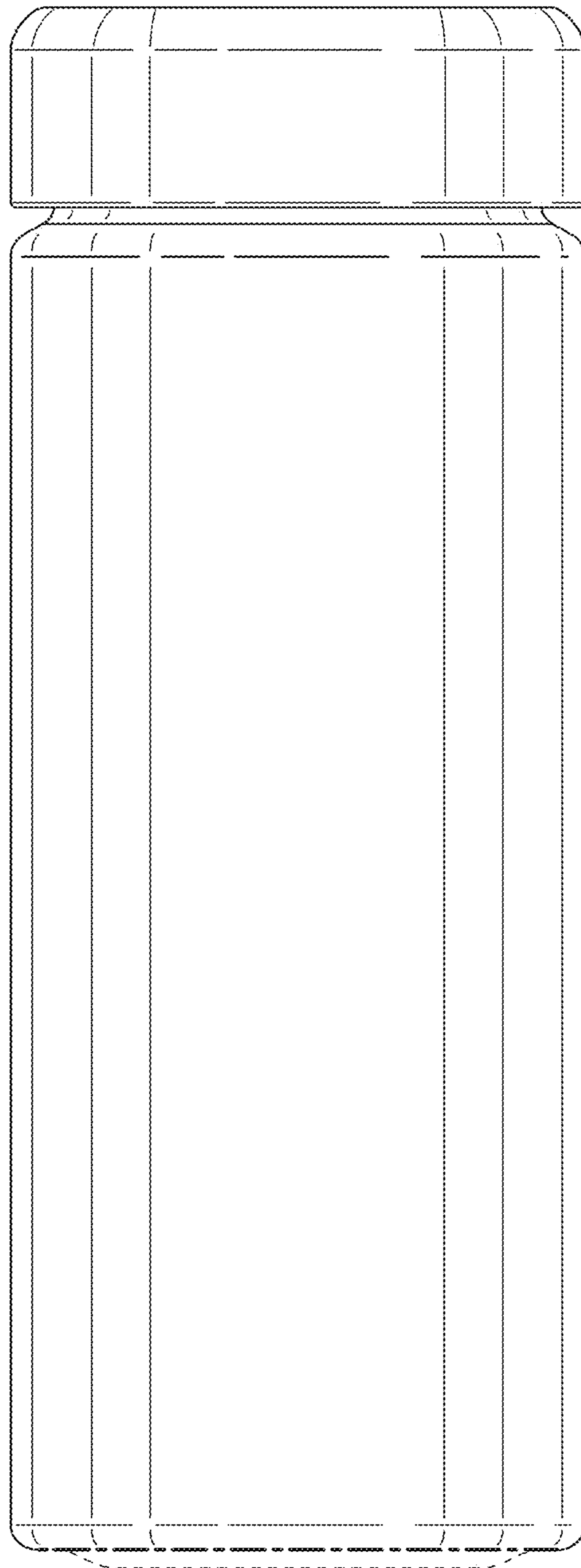


FIG. 16

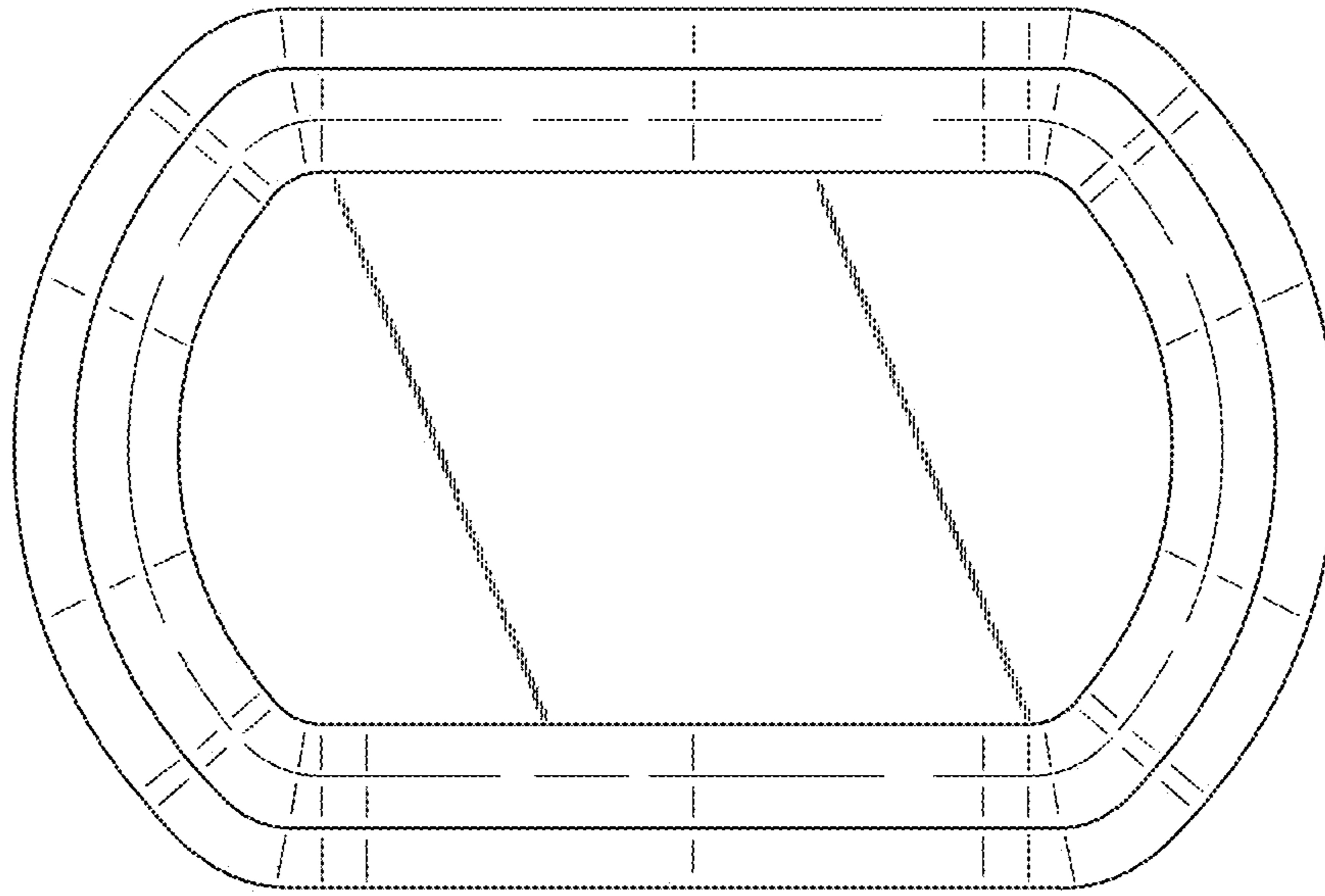


FIG. 17

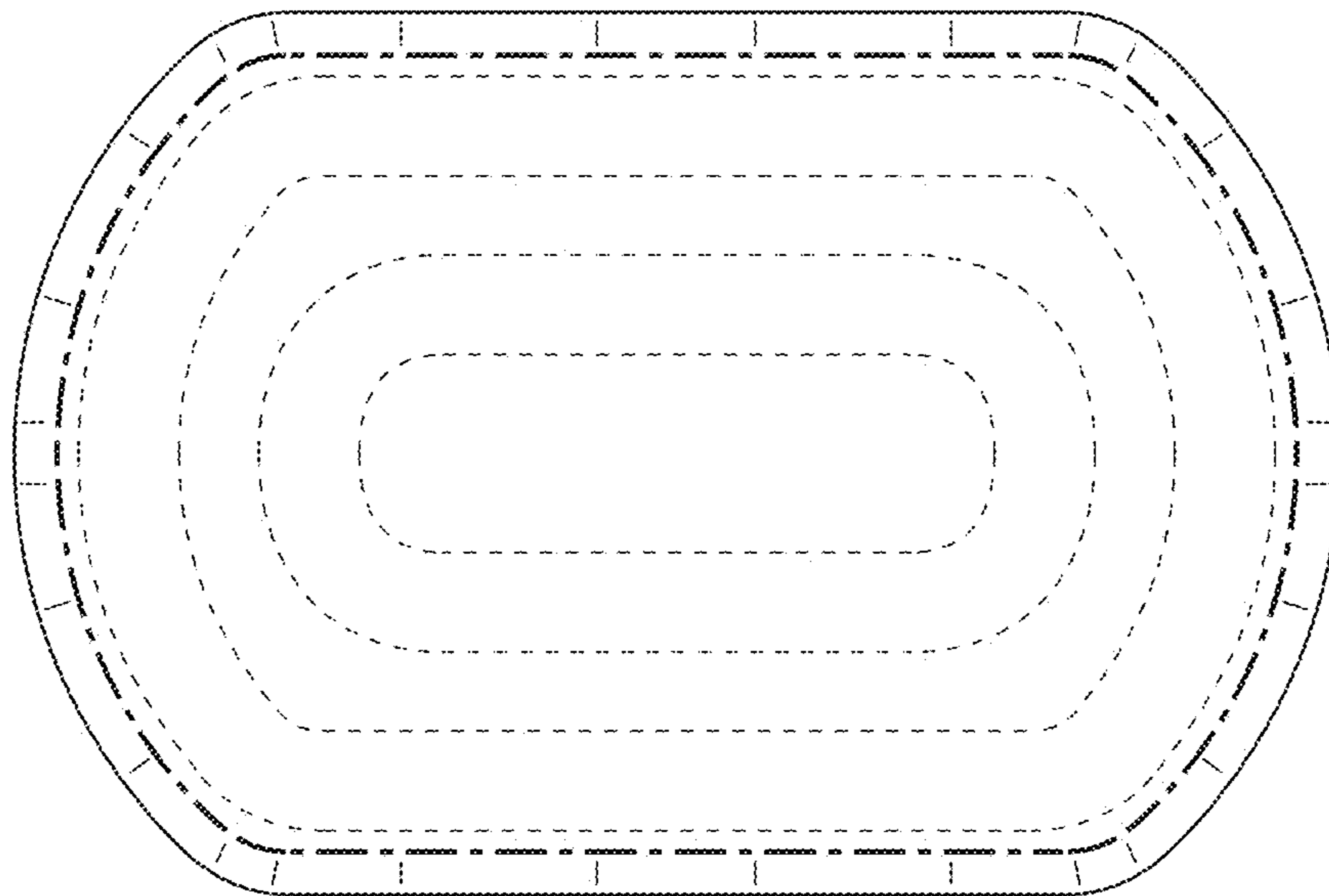


FIG. 18