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(12) **United States Design Patent**
McCabe et al.

(10) **Patent No.:** **US D906,055 S**
(45) **Date of Patent:** **** Dec. 29, 2020**

(54) **BEVERAGE CONTAINER**

FOREIGN PATENT DOCUMENTS

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CA 153365 * 6/2014
CN 302521468 * 8/2013

(Continued)

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OTHER PUBLICATIONS

US Acrylic, "Classic 8-piece Premium Quality Plastic Tumblers,"
Jul. 22, 2011, Amazon.com, www.amazon.com/dp/B00L8751XK
(Year: 2011).*

(Continued)

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

(57) **CLAIM**

We claim the ornamental design for a beverage container, as
shown and described.

(21) Appl. No.: **29/681,636**

DESCRIPTION

(22) Filed: **Feb. 27, 2019**

(51) **LOC (12) Cl.** **07-01**

(52) **U.S. Cl.**
USPC **D7/529; D7/624.2**

(58) **Field of Classification Search**
USPC D7/536, 592, 510, 300.1, 507, 511, 679,
D7/300.2, 392.1, 392, 608, 523, 624.2,
D7/532, 509, 413, 376, 378, 384, 529,
D7/624.3, 533; 206/37; D9/504, 683,
D9/517, 541, 688, 454, 689, 503, 500,
(Continued)

FIG. 1 is a top perspective view of the beverage container
according to the new design;
FIG. 2 is a bottom perspective view of the beverage con-
tainer shown in FIG. 1;
FIG. 3 is a front elevation view of the beverage container
shown in FIG. 1;
FIG. 4 is a rear elevation view of the beverage container
shown in FIG. 1;
FIG. 5 is a left side elevation view of the beverage container
shown in FIG. 1;
FIG. 6 is a right side elevation view of the beverage
container shown in FIG. 1;
FIG. 7 is a top plan view of the beverage container shown
in FIG. 1; and,
FIG. 8 is a bottom plan view of the beverage container
shown in FIG. 1.

The broken lines in the drawings illustrate portions of the
beverage container that form no part of the claimed design.

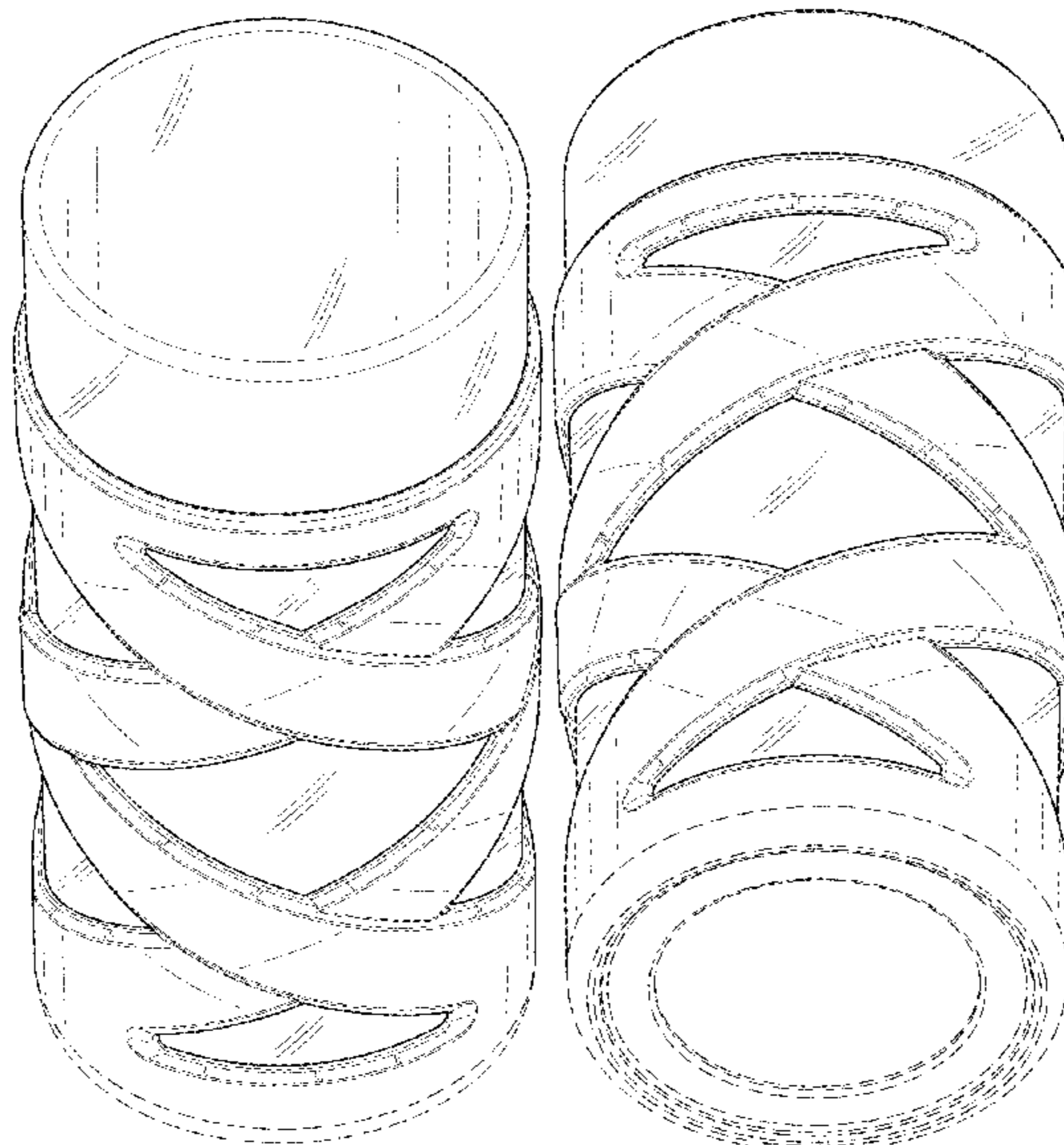
(56) **References Cited**

U.S. PATENT DOCUMENTS

D364,810 S 12/1995 Meisner
D471,455 S 3/2003 Laveault et al.

(Continued)

1 Claim, 8 Drawing Sheets



(58) **Field of Classification Search**

USPC D9/529, 526, 449, 448, 445, 530, 553,
 D9/443, 414, 415, 432, 434, 435, 754,
 D9/527, 452, 565, 552; D24/121;
 D14/191; D28/89, 88, 91, 91.1;
 220/568, 708, 705, 710, 509, 592.15,
 220/592.17, 710.5, 495.03; D3/202,
 D3/203.2, 294, 318; 215/6
 CPC A45C 11/34; A45C 11/00; B65D 41/04;
 B65D 1/02; B65D 47/265; B65D 51/247;
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 B65D 47/066; A47G 19/2205; A47G
 19/065; A47G 19/22; A47G 19/2272;
 A47J 43/27; A45F 5/021; A45F 3/20;
 A61J 1/00; A61J 1/1412

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D485,132 S 1/2004 Ohno et al.
 D505,294 S 5/2005 Gauss
 D508,185 S 8/2005 Gauss
 D515,357 S 2/2006 Ward et al.
 D528,862 S 9/2006 Li
 D533,061 S 12/2006 Li
 D564,841 S 3/2008 Clemens et al.
 D579,722 S 11/2008 Sakulsacha et al.
 D581,727 S 12/2008 Pinelli et al.
 D585,700 S * 2/2009 Chu D7/396.2
 D592,456 S 5/2009 Pinelli et al.
 D592,905 S 5/2009 Pinelli et al.
 D592,913 S 5/2009 Pinelli et al.
 7,546,933 B2 6/2009 Pinelli
 D609,964 S 2/2010 Lane
 D618,065 S * 6/2010 Joy D7/624.2
 D643,249 S 8/2011 Miller et al.
 7,997,442 B2 8/2011 Pinelli
 D655,580 S 3/2012 Kotani
 D656,787 S 4/2012 Phillips et al.
 D661,945 S 6/2012 Eyal
 D675,060 S 1/2013 Lane
 8,360,267 B1 1/2013 Chiou et al.
 D686,871 S 7/2013 Lane
 D693,629 S 11/2013 Miller
 D693,630 S 11/2013 Hurley et al.
 8,579,133 B2 11/2013 Marcus et al.
 8,590,731 B2 11/2013 Pinelli
 D697,833 S * 1/2014 Garcia D11/146
 D700,012 S 2/2014 Hurley et al.
 D700,802 S 3/2014 Miller
 D707,087 S * 6/2014 Joy D7/624.2
 8,978,906 B2 3/2015 Feeley et al.
 D725,966 S 4/2015 Boroski et al.
 D739,183 S 9/2015 Lane
 9,266,643 B2 2/2016 Marcus et al.
 D758,189 S 6/2016 Roth et al.
 D758,790 S 6/2016 Boroski
 D765,472 S * 9/2016 Metaxatos D7/523
 D780,578 S 3/2017 Lane et al.
 D781,113 S * 3/2017 Kocsis D7/624.2
 D785,402 S 5/2017 Shirley et al.
 D787,267 S * 5/2017 Maas D7/510
 D790,278 S * 6/2017 Szymanski D7/510
 D793,804 S 8/2017 Herbst et al.
 D794,453 S 8/2017 Boroski et al.
 D795,011 S 8/2017 Pisarevsky
 D799,898 S 10/2017 Yao
 D801,471 S * 10/2017 Zach D23/208
 D802,993 S 11/2017 Joseph et al.
 D804,903 S 12/2017 Mason et al.
 D804,904 S 12/2017 Noveletsky et al.
 D807,702 S * 1/2018 Szymanski D7/510
 D808,220 S 1/2018 Bums et al.

D809,384 S 2/2018 Best et al.
 D814,398 S 4/2018 Yasunaga
 D817,713 S 5/2018 Lin
 D818,767 S 5/2018 Nezu
 D819,404 S * 6/2018 Metaxatos D7/523
 D821,136 S 6/2018 Silsby et al.
 D821,137 S 6/2018 Boroski
 D821,815 S 7/2018 Chung
 D822,427 S 7/2018 Sorensen et al.
 D831,425 S 10/2018 Best et al.
 D831,433 S 10/2018 Fleischhut
 D835,939 S 12/2018 Yee et al.
 D839,044 S 1/2019 Potter et al.
 D842,052 S * 3/2019 Laustsen D7/624.2
 D848,787 S 5/2019 Tatsukawa et al.
 D850,921 S * 6/2019 Shen A47J 43/27
 D9/553
 D853,181 S 7/2019 Stanton
 D853,784 S 7/2019 Wu
 D864,724 S * 10/2019 Pinard D9/553
 D865,457 S 11/2019 Kotani
 D869,230 S 12/2019 Hao
 D870,509 S 12/2019 Bo
 2011/0089059 A1 4/2011 Lane et al.
 2012/0312832 A1 12/2012 Lane
 2013/0343148 A1 * 12/2013 Avila A47J 43/27
 366/130
 2014/0339177 A1 11/2014 Lane
 2015/0282654 A1 10/2015 Kurabe et al.
 2017/0297785 A1 10/2017 Maruyama et al.

FOREIGN PATENT DOCUMENTS

CN 304025046 * 10/2016
 CN 304164809 * 12/2016
 CN 304164807 * 6/2017

OTHER PUBLICATIONS

Zulu, "Zulu element sans BPA Verre Bouteille d'eau," Jun. 29, 2015, Amazon.ca, www.amazon.ca/dp/B00VF26TDE/ (Year: 2015).*

Aquasana, "Premium Borosilicate Glass Bottle with Designer Silicone Sleeve," Feb. 4, 2016, Amazon.com, www.amazon.com/dp/B01BH1WUP8 (Year: 2016).*

MIU Color, "MIU Color Glass Water Bottles 800ML," Oct. 11, 2017, Amazon.co.uk, www.amazon.co.uk/dp/B076DH2FQM (Year: 2017).*

Ello, "Ello cru Veres à vin avec protection en silicone," Mar. 5, 2018, Amazon.ca, www.amazon.ca/dp/B079Y7Y3QX (Year: 2018).*

Ello, "Ello Max Bouteille d'eau isotherme en acier inoxydable pour enfants," Jul. 15, 2018, Amazon.ca, www.amazon.ca/dp/B07DHXD622 (Year: 2018).*

Ello Products, "Time to celebrate!" Jan. 5, 2018, Facebook.com, www.facebook.com/ElloProducts/photos/a.753323724689903/1680711731951093 (Year: 2018).*

Ello Products, "Who else is ready for warmer weather?" Mar. 9, 2018, Facebook.com, www.facebook.com/ElloProducts/photos/a.753323724689903/1749886908366908 (Year: 2018).*

Zulu, "Atlas20 oz Glass Water Bottle," accessed on-line at: https://www.zuluathletic.com/shop-all/atlas-glass-water-bottle (available at least as early as Feb. 27, 2019).

Kor, "Vida Bottle—25oz," accessed on-line at: https://waterbottles.com/kor-vida-bottle-25-oz (available at least as early as Feb. 27, 2019).

Thermos, "Hydration Bottle with Rotating Intake Meter, 24oz," accessed on-line at: https://www.thermos.com/genuine-thermos-brand-hydration-bottle-with-rotating-intake-meter-24oz.html (available at least as early as Feb. 27, 2019).

Thermos, "Shaker Bottle with Integrated Mixer, 24oz," accessed on-line at: https://www.thermos.com/genuine-thermos-brand-shaker-bottle-with-integrated-mixer-24oz-clear-green-accent.html (available at least as early as Feb. 27, 2019).

Tervis, "Custom Water Bottle," accessed on-line at: https://www.tervis.com/turtle-sunset-stainless-steel-24oz-stainless-water-bottle-1362572.html (available at least as early as Feb. 27, 2019).

(56)

References Cited

OTHER PUBLICATIONS

Swell, "Bottles," accessed on-line at: <https://www.swell.com/shop/swell/bottles/> (available at least as early as Feb. 27, 2019).

Tritan, "32 oz Soft Straw Plastic Water Bottle," accessed on-line at: <http://www.pogogear.com/32oz-tritan-straw> (available at least as early as Feb. 27, 2019).

Tritan, "32oz Chug Plastic Water Bottle," accessed on-line at: <http://www.pogogear.com/32oz-tritan-chug> (available at least as early as Feb. 27, 2019).

Tritan, "18oz Chug Plastic Water Bottle," accessed on-line at: <http://www.pogogear.com/18oz-tritan-chug> (available at least as early as Feb. 27, 2019).

Ello, "chi 24oz BPA-Free Tritan Plastic Water Bottle," accessed on-line at: <https://www.elloproducts.com/water-bottles/chi-24oz-plastic-water-bottle> (available at least as early as Feb. 27, 2019).

Ello, "Dash 16oz 2pk Tritan Plastic Water Bottles," accessed on-line at: <https://www.elloproducts.com/kids/dash-16oz-tritan-plastic-water-bottle> (available at least as early as Feb. 27, 2019).

Ello, "Cru Stemless Wine glass Set with Silicone Protection," accessed on-line at: <https://www.elloproducts.com/tumblers/cru-stemless-wine-glass-set-with-silicone-protection> (available at least as early as Feb. 27, 2019).

Ello "Elsie 22oz Glass Water Bottle," accessed on-line at: <https://www.elloproducts.com/water-bottles/elsie-22oz-glass-water-bottle> (available at least as early as Feb. 27, 2019).

Ello, "Beacon 24oz Vacuum Insulated Stainless Tumbler," accessed on-line at: <https://www.elloproducts.com/tumblers/beacon-24oz-vacuum-insulated-stainless-tumbler> (available at least as early as Feb. 27, 2019).

Ello, "Rise 12oz Vacuum Insulated Stainless Steel Tumbler with Optional Straw," accessed on-line at: <https://www.elloproducts.com/kids/rise-12oz-vacuum-insulated-stainless-steel-tumbler> (available at least as early as Feb. 27, 2019).

Ello, "Hammertime 18oz Stainless Steel Travel Mug," accessed on-line at: <https://www.elloproducts.com/travel-mugs/hammertime-18oz-vacuum-insulated-stainless-steel-travel-mug> (available at least as early as Feb. 27, 2019).

Ello, "Pure 20oz Glass Water Bottle," accessed on-line at: <https://www.elloproducts.com/water-bottles/pure-20oz-glass-water-bottle> (available at least as early as Feb. 27, 2019).

Ello, "Max 12oz Vacuum-Insulated Stainless Steel Kids Water Bottle," accessed on-line at: <https://www.elloproducts.com/kids/max-12oz-vacuum-insulated-stainless-steel-kids-water-bottle> (available at least as early as Feb. 27, 2019).

Ello, "Syndicate 20oz Glass Water Bottle," accessed on-line at: <https://www.elloproducts.com/water-bottles/syndicate-20oz-glass-water-bottle> (available at least as early as Feb. 27, 2019).

Camelbak, "Eddy+ 1L Bottle," accessed on-line at: https://www.camelbak.com/en/bottles/R02056--Eddy_75L_2019?color=6bbd0584f3a64b0eb30d406f7e03797e (available at least as early as Feb. 27, 2019).

Contigo, "Autoseal West Loop 2.0 Stainless," accessed on-line at: <https://www.gocontigo.com/20-oz-autoseal-west-loop-stainless-travel-mug-with-easy-clean-lid.html> (available at least as early as Feb. 27, 2019).

Contigo, "Autospout Straw Striker Chill," accessed on-line at: <https://www.gocontigo.com/14-oz-autospout-striker-kids-water-bottle.html> (available at least as early as Feb. 27, 2019).

Zojirushi, "Travel Mug SM-YAE48," accessed on-line at: <https://www.zojirushi.com/app/product/smyae> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-KC3648," accessed on-line at: <https://www.zojirushi.com/app/product/smkc> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Bottle SJ-JS10," accessed on-line at: <https://www.zojirushi.com/app/product/sjjs> (available at least as early as Feb. 27, 2019).

Zojirushi, "Flip-and-Go Stainless Mug SM-QHE48/60," accessed on-line at: <https://www.zojirushi.com/app/product/smqhe> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-TAE48SA, Ichimatsu Collection," accessed on-line at: <https://www.zojirushi.com/app/product/smtae> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-TA36/48/60," accessed on-line at: <https://www.zojirushi.com/app/product/smta> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-SE36/48/60," accessed on-line at: <https://www.zojirushi.com/app/product/smse> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-SD36/48/60," accessed on-line at: <https://www.zojirushi.com/app/product/smsd> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-SHE48/60," accessed on-line at: <https://www.zojirushi.com/app/product/smshe> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-KHE36/48," accessed on-line at: <https://www.zojirushi.com/app/product/smkhe> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-SC36/48/60" accessed on-line at: <https://www.zojirushi.com/app/product/smsc> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-KC36/48," accessed on-line at: <https://www.zojirushi.com/app/product/smkc> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-PC20/30," accessed on-line at: <https://www.zojirushi.com/app/product/smpc> (available at least as early as Feb. 27, 2019).

Zojirushi, "Stainless Mug SM-PB30/34," accessed on-line at: <https://www.zojirushi.com/app/product/smpb> (available at least as early as Feb. 27, 2019).

Migo, "Enjoy Sport Water Bottle," accessed on-line at: <https://www.pinterest.ru/pin/12666442685646757/> (available at least as early as Feb. 27, 2019).

Coleman, "Switch SS," accessed on-line at: https://www.coleman.com/all-camp-kitchen/drinkware/switch-ss/col_2038485_pr/COL_2038485 (available at least as early as Feb. 27, 2019).

Corkcicle, "Classic Arctican," accessed on-line at: <https://corkcicle.com/products/classic-arctican?variant=475182759951> (available at least as early as Feb. 27, 2019).

* cited by examiner

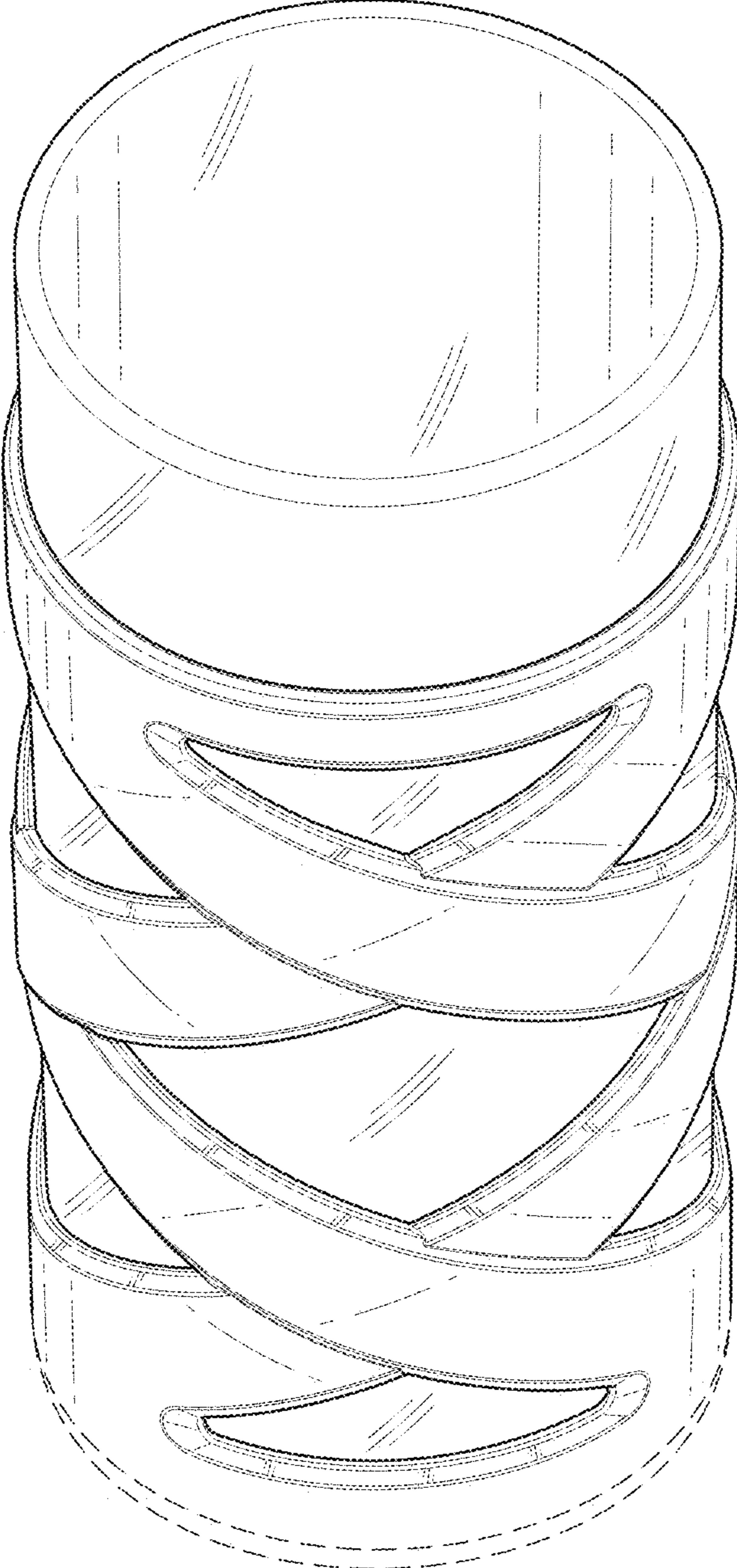


FIG. 1

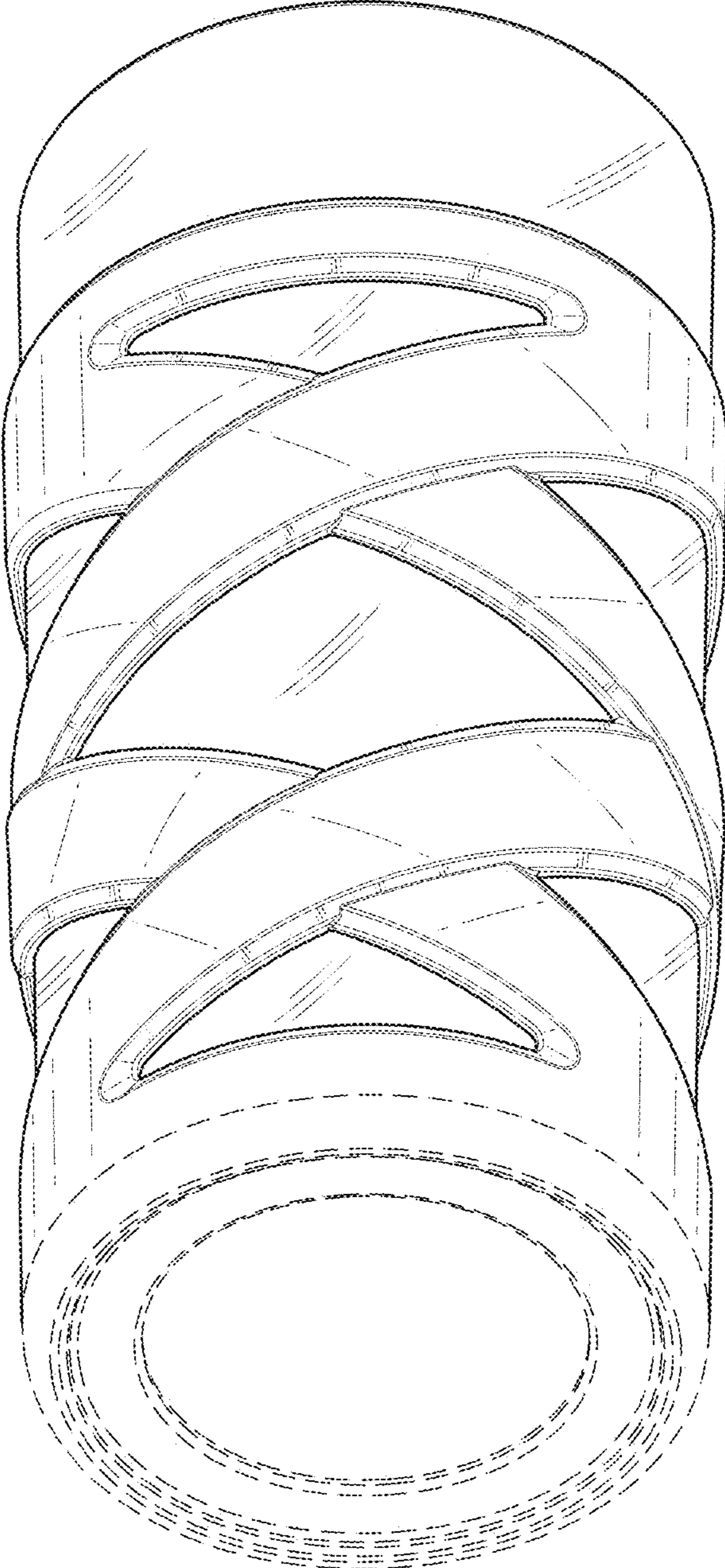


FIG. 2

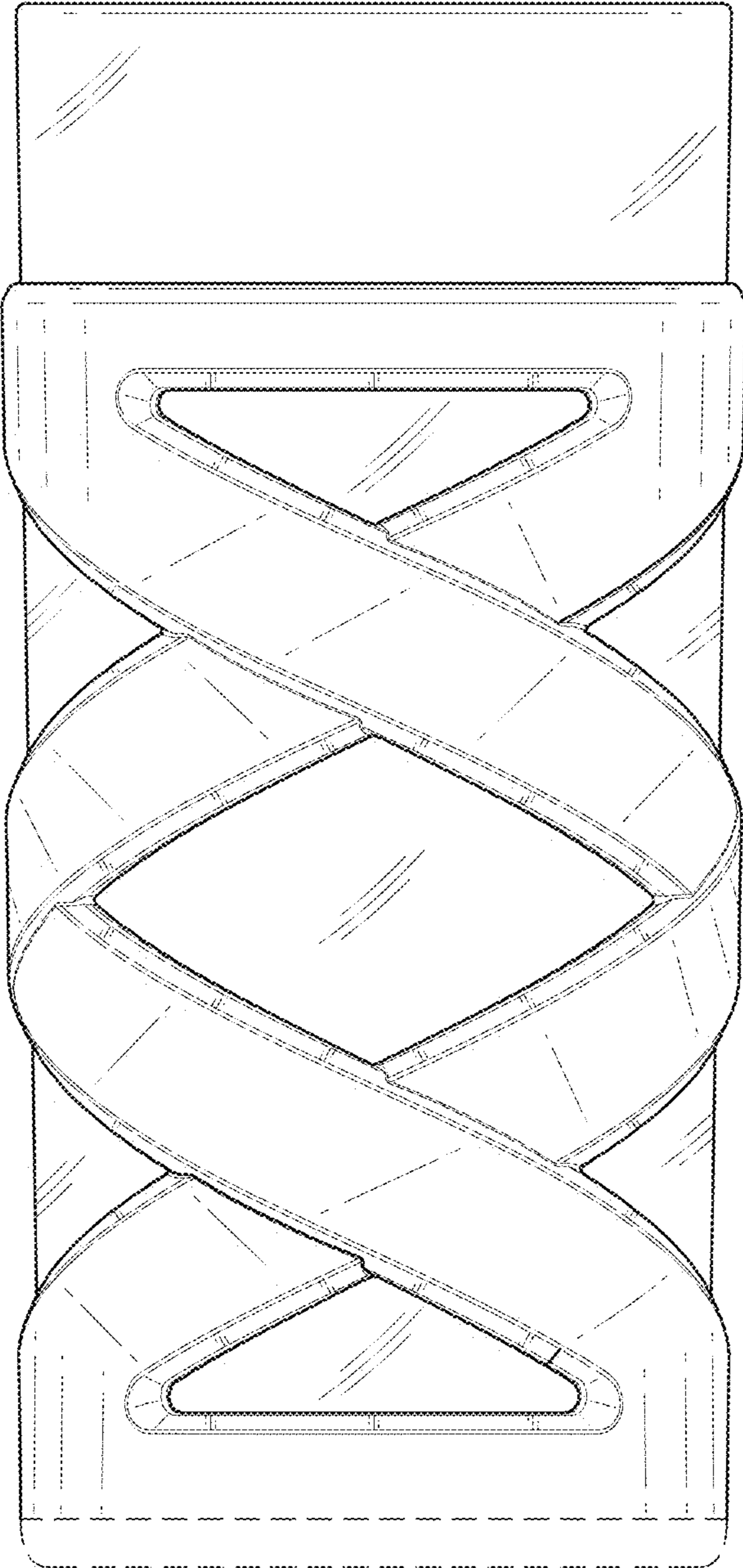


FIG. 3

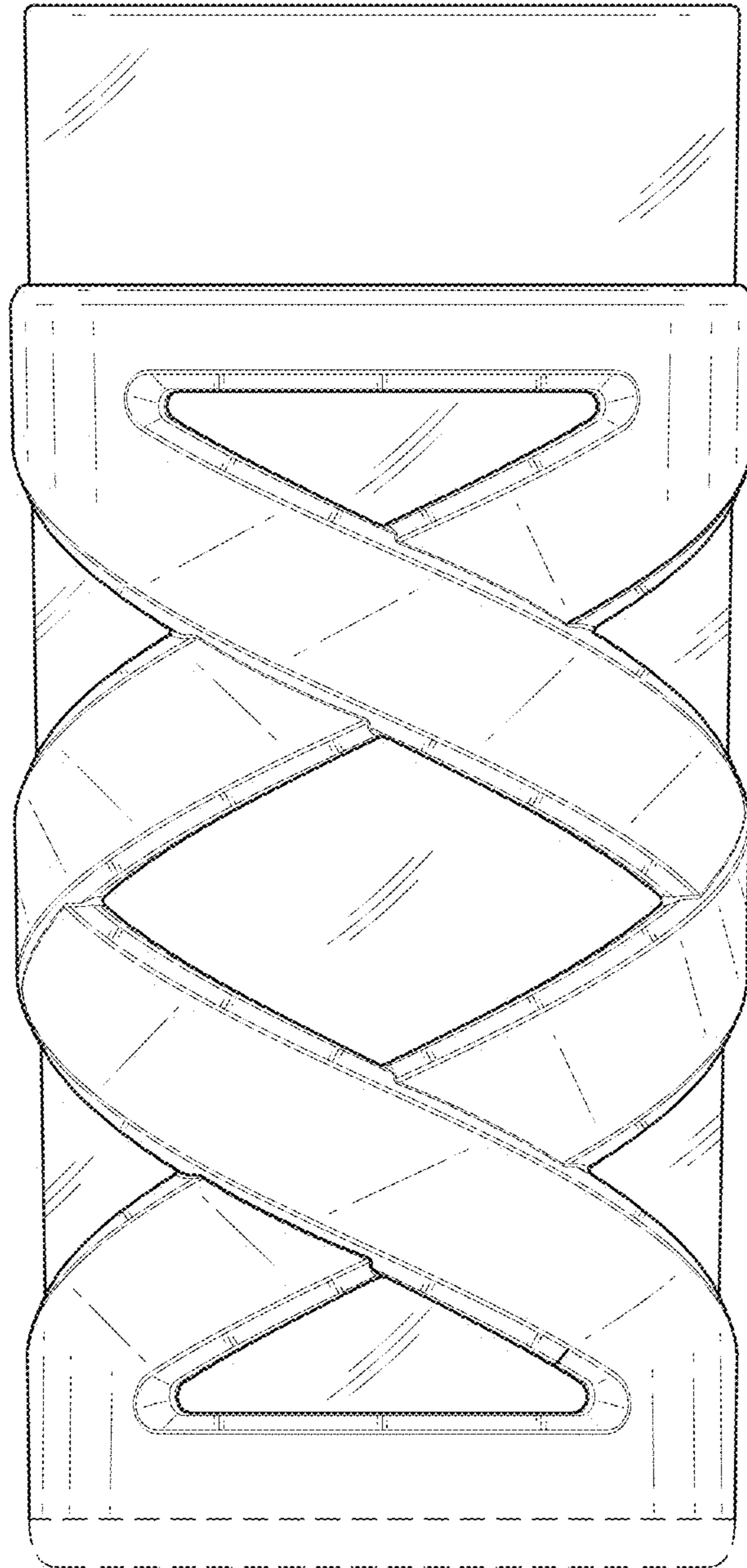


FIG. 4

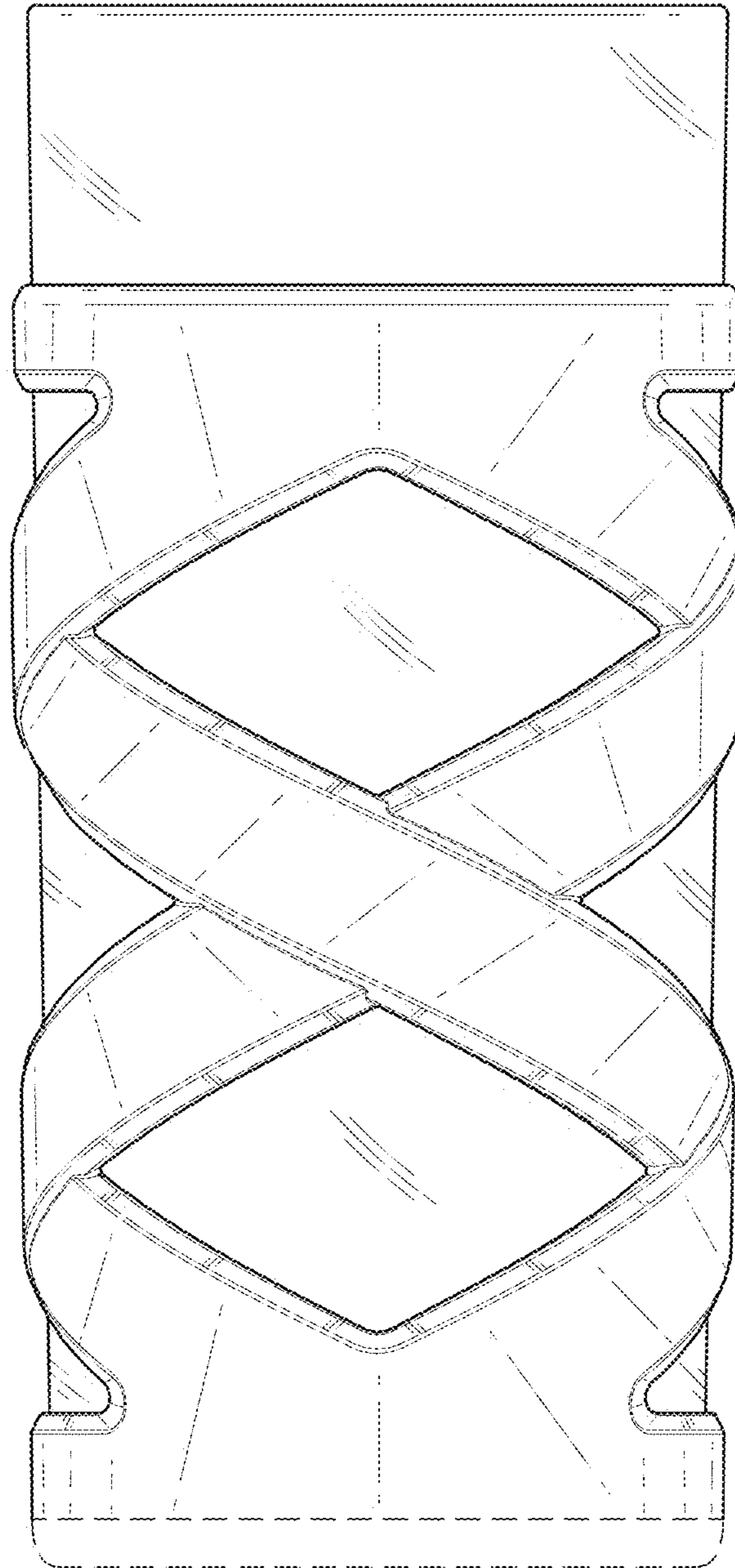


FIG. 5

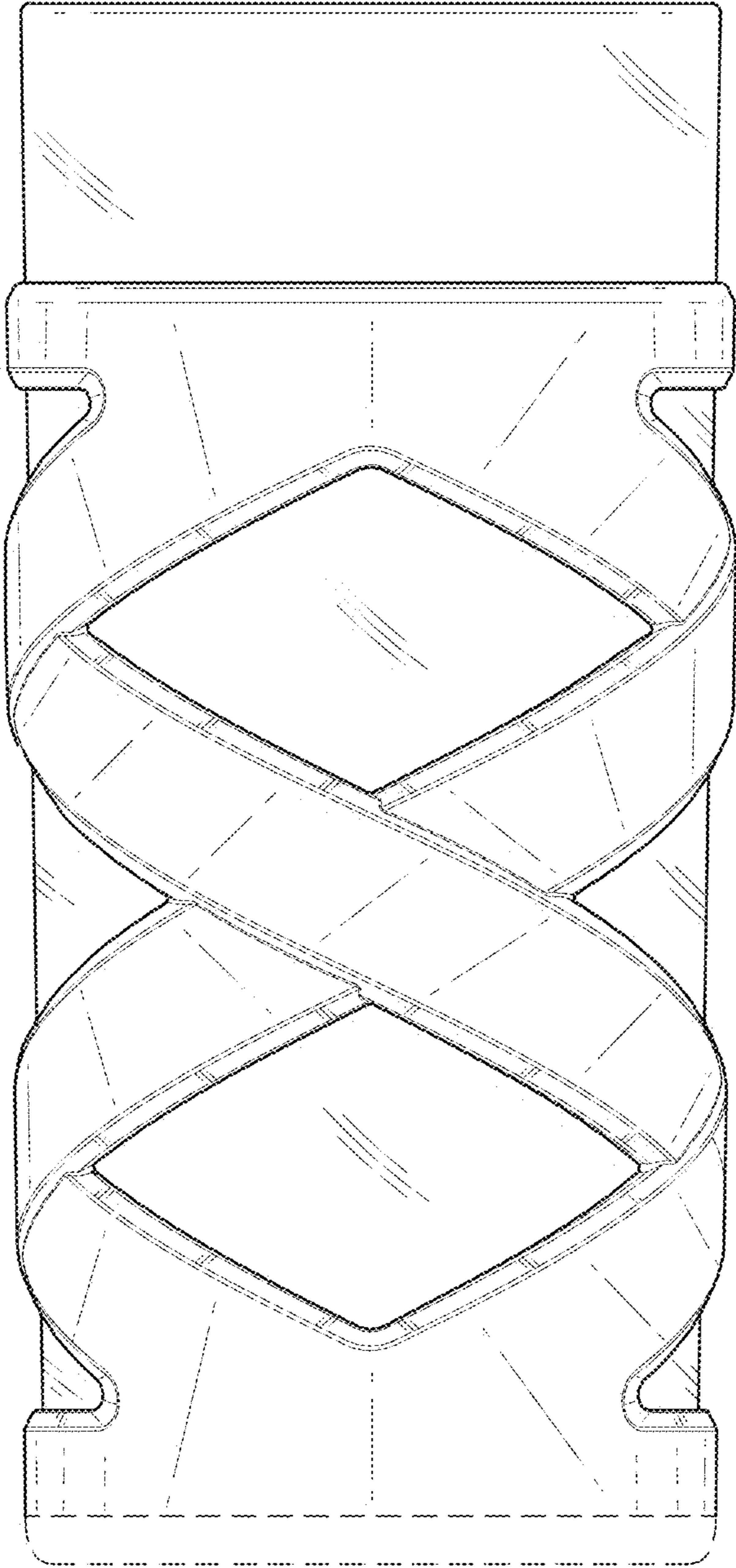


FIG. 6

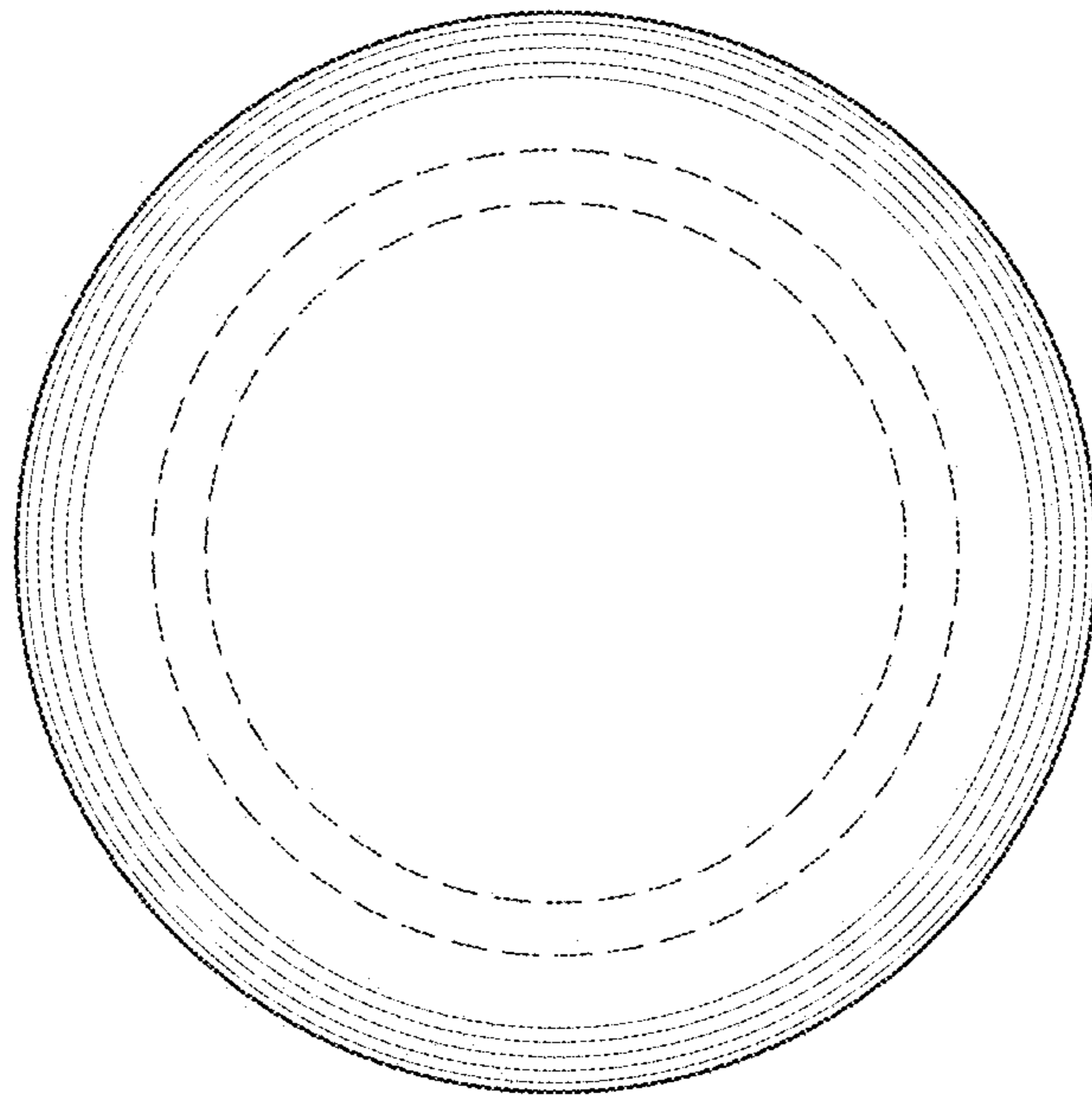


FIG. 7

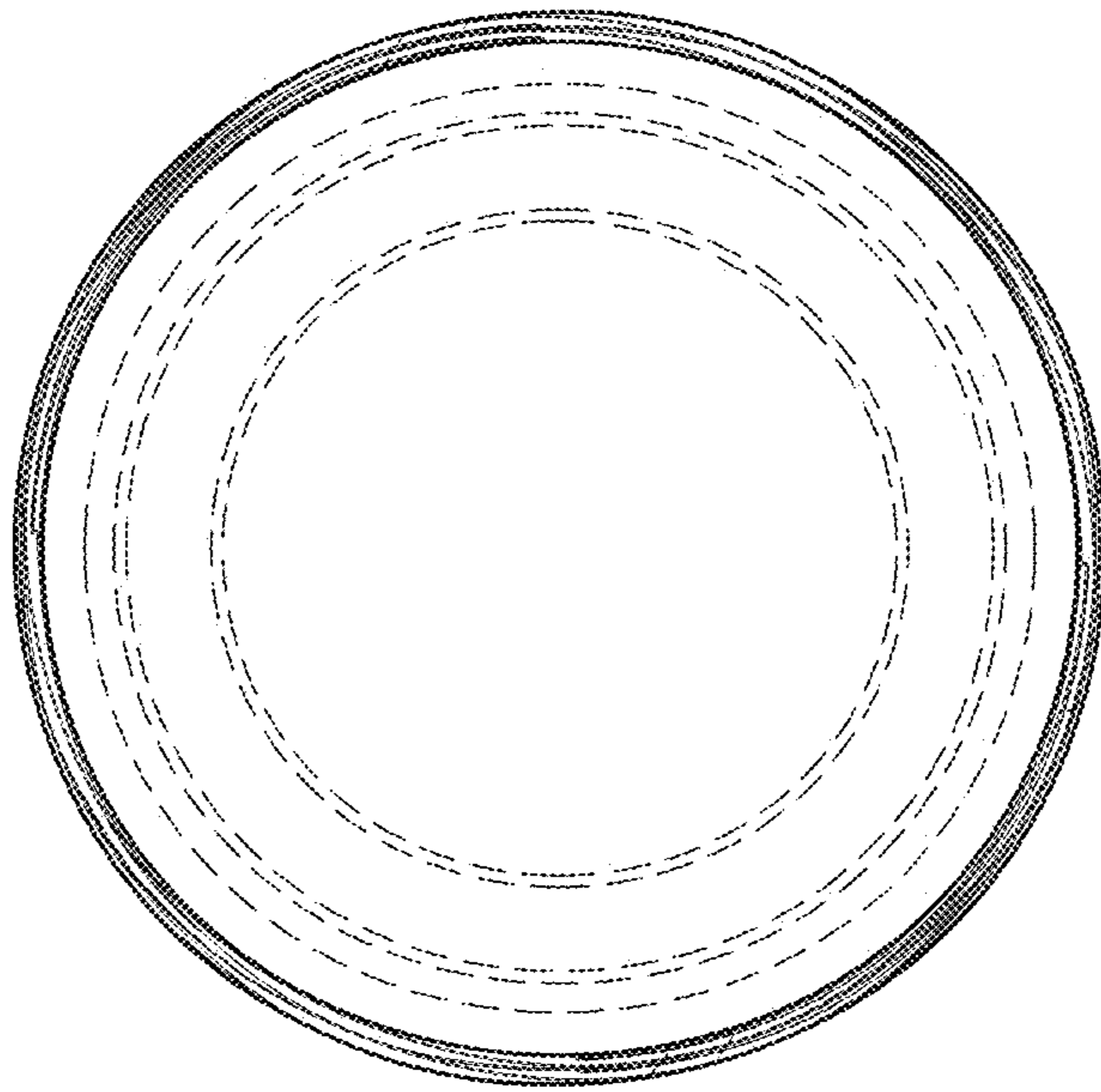


FIG. 8