



US00D917237S

(12) **United States Design Patent** (10) **Patent No.:** **US D917,237 S**
Bennett (45) **Date of Patent:** **** Apr. 27, 2021**

- (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.: **29/695,728**
- (22) Filed: **Jun. 21, 2019**

- D210,311 S 2/1968 Newman
- 3,470,944 A 10/1969 Segal
- D216,271 S 12/1969 Swett et al.
- 3,511,288 A 5/1970 Swett
- 3,590,988 A 7/1971 Hollar
- 3,645,758 A 2/1972 Macmanus
- 3,737,068 A 6/1973 Bird

(Continued)

Related U.S. Application Data

- (62) Division of application No. 29/542,913, filed on Oct. 19, 2015, now Pat. No. Des. 854,382.
- (51) **LOC (13) Cl.** **07-07**
- (52) **U.S. Cl.**
USPC **D7/610**
- (58) **Field of Classification Search**
USPC D7/610, 602, 301, 368, 552.1, 554.2;
D26/12, 10; 428/7; 431/295, 253, 296;
206/457; 99/645
CPC F21V 35/00; A47G 19/26
See application file for complete search history.

References Cited

U.S. PATENT DOCUMENTS

- D102,510 S 12/1936 Stallings et al.
- D116,149 S 8/1939 Sharlitt et al.
- D116,150 S 8/1939 Sharlitt et al.
- 2,178,274 A * 10/1939 Ratner A47G 19/02
220/574
- 2,530,910 A 11/1950 Schnabel
- D170,561 S 10/1953 Tupper
- 3,026,997 A 3/1962 Bianchi, Jr.
- 3,066,824 A 12/1962 Bostrom

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 — Cynthia R Underwood
(74) *Attorney, Agent, or Firm* — Haynes and Boone, LLP

(57) **CLAIM**

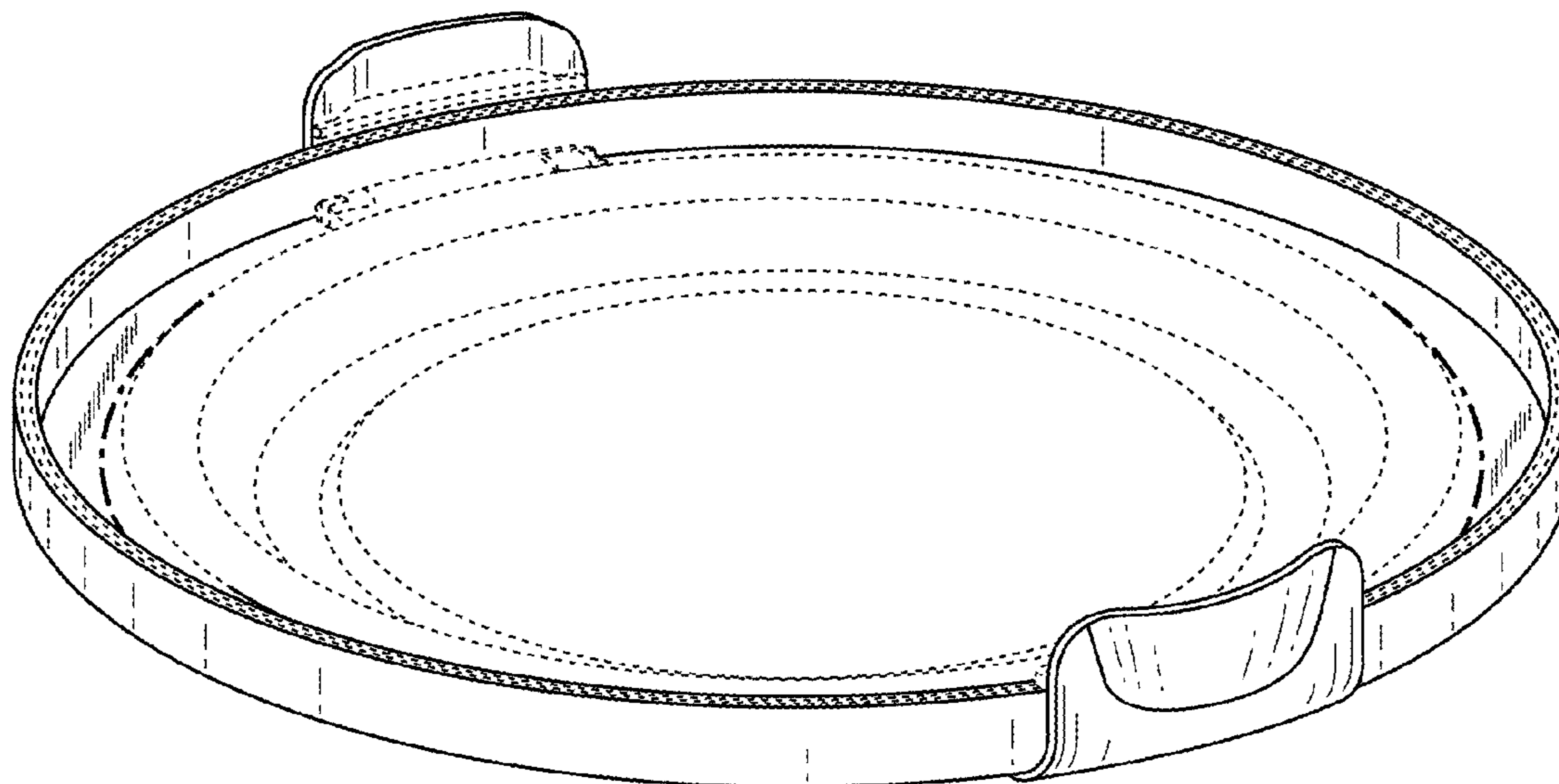
The ornamental design for a food storage container, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a food storage container showing my new design;
 FIG. 2 is a bottom perspective view thereof;
 FIG. 3 is a front view thereof, the review view being a mirror image of the front view;
 FIG. 4 is a right side view thereof, the left side view being a mirror image of the right side view;
 FIG. 5 is a top view thereof; and,
 FIG. 6 is a bottom view thereof.

The features shown in broken lines are portions of the food storage container or environmental subject matter to the food storage container forming no part of the claimed design. The features shown in long dash-short dash bolded broken lines indicate the bounds of the claimed design and otherwise form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

3,940,010 A * 2/1976 Sears A47G 19/02
 220/23.86

3,989,158 A * 11/1976 Florian A47G 19/2283
 220/23.83

D250,565 S * 12/1978 Stowell D7/543

D254,166 S 2/1980 Christian

4,360,118 A 11/1982 Stern

D314,119 S * 1/1991 Kauffman D7/505

5,158,202 A * 10/1992 Kosonen A47G 19/02
 220/574

D365,498 S * 12/1995 Lillelund D7/505

5,485,937 A * 1/1996 Tseng A47G 19/02
 220/571

D379,134 S * 5/1997 Joergensen D7/543

D385,462 S * 10/1997 Ferris D7/543

D390,752 S * 2/1998 DeCoster D7/505

D391,850 S 3/1998 Krupa et al.

D415,420 S 10/1999 Chen

D417,584 S * 12/1999 Lillelund D7/392.1

D452,417 S * 12/2001 Whitmore D7/543

D473,752 S * 4/2003 Kerr D7/316

D500,937 S * 1/2005 Bravard D7/543

D505,596 S 5/2005 Tucker et al.

D508,378 S 8/2005 Bertulis

D512,604 S * 12/2005 Panepinto D7/505

D512,872 S * 12/2005 McMahon, III D7/392

D522,813 S 6/2006 Swinford et al.

D524,153 S 7/2006 Reinhard

D564,138 S * 3/2008 Dunn D30/129

D572,539 S 7/2008 Swinford et al.

D609,979 S 2/2010 Soibel et al.

D612,196 S * 3/2010 Furlong D7/392.1

D613,127 S * 4/2010 Olivari D7/543

D614,453 S 4/2010 Curtin et al.

D627,607 S 11/2010 Roth et al.

D628,021 S 11/2010 Curtin

D630,061 S * 1/2011 Kellermann D7/545

D639,107 S 6/2011 Barber

D653,906 S 2/2012 Bull et al.

D653,910 S * 2/2012 Stamper D7/543

D656,793 S * 4/2012 Mastroianni D7/587

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

D692,272 S * 10/2013 Montgomery D7/396.1

D699,081 S 2/2014 Dagan et al.

D708,912 S 7/2014 Decraim

8,857,209 B2 10/2014 Wang

D722,251 S * 2/2015 Morga D7/500

D732,891 S * 6/2015 Bonilla D30/129

D749,908 S * 2/2016 Cai D7/543

D763,625 S * 8/2016 Wright D7/545

D796,269 S * 9/2017 Grepper D7/586

D805,836 S * 12/2017 Yessin D7/391

D816,417 S * 5/2018 Hutton D7/565

D823,063 S * 7/2018 Guo D7/552.1

D823,642 S * 7/2018 Ribeiro-Ramalhosa D7/543

10,311,748 B2 * 6/2019 Hight G09B 19/0092

10,325,515 B2 * 6/2019 Hight A47G 19/025

D869,239 S * 12/2019 Wands D7/543

2005/0127073 A1 * 6/2005 Kusuma B65D 21/086
 220/6

2009/0159069 A1 * 6/2009 Choi A47G 19/027
 126/263.01

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-Carrier-24-1-1?ie=UTF8&s=home-garden&qid=1295645471&sr=8-1-catcorr, publicly available at least as early as Nov. 8, 2009 (7 pages).

“Fresh Keeper Dual and Single Food Tote”, printed from www.amazon.com/Fresh-Keeper-Dual-Food-Tote/dp/B0039MDTDG/ref=pd_sim_sbs_79_1?ie=UTF8&refRID=1R3Z4EGXQNF4ZGRT4D3, 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-/391186070640, publicly available at least as early as Jul. 20, 2015 (2 pages).

“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).

Office Action dated May 24, 2018 in U.S. Appl. No. 29/542,913, 10 pgs.

Final Office Action dated Dec. 6, 2018 in U.S. Appl. No. 29/542,913, 9 pgs.

Notice of Allowance dated Feb. 27, 2019 in U.S. Appl. No. 29/542,913, 13 pgs.

* cited by examiner

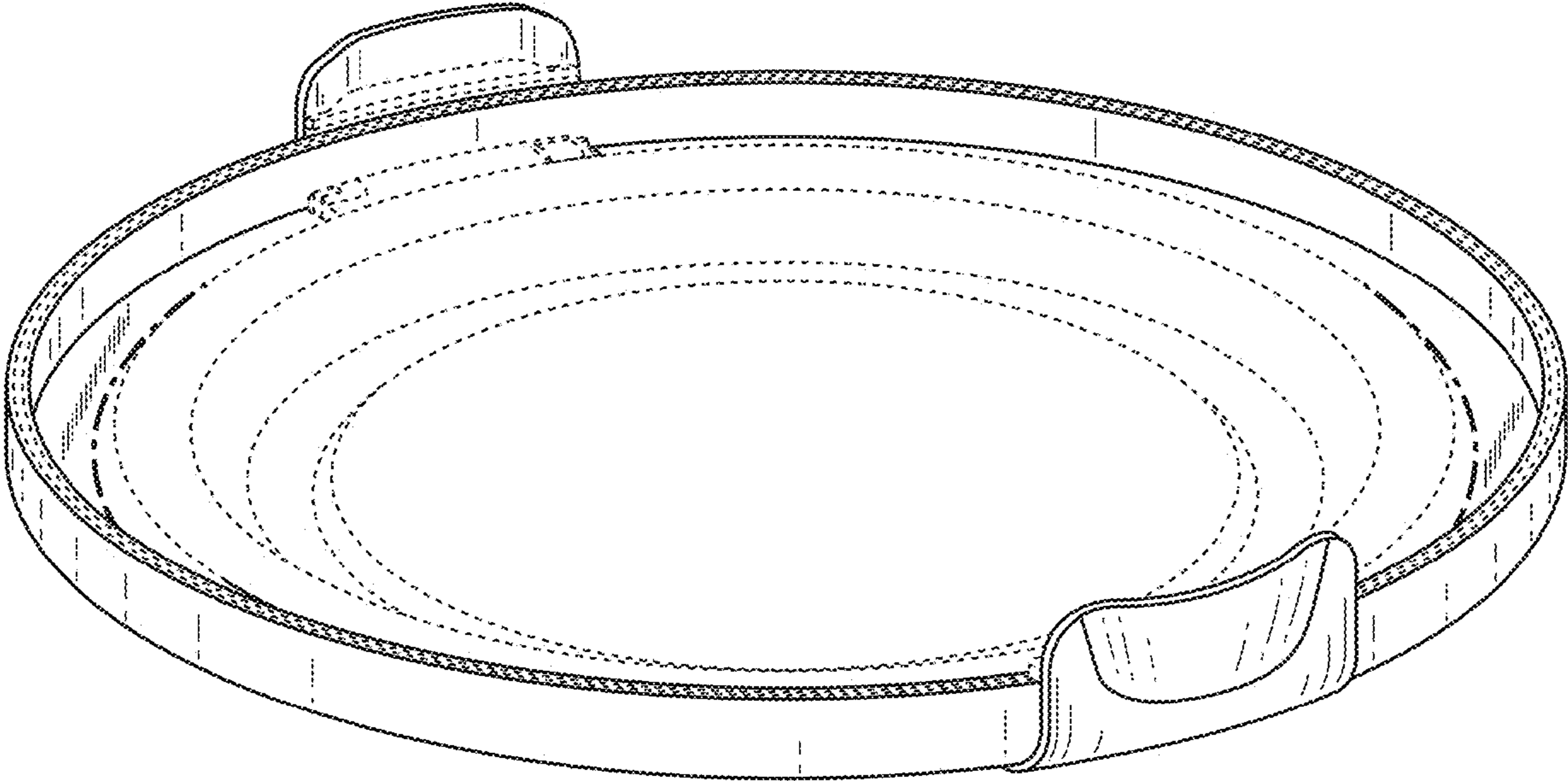


FIG. 1

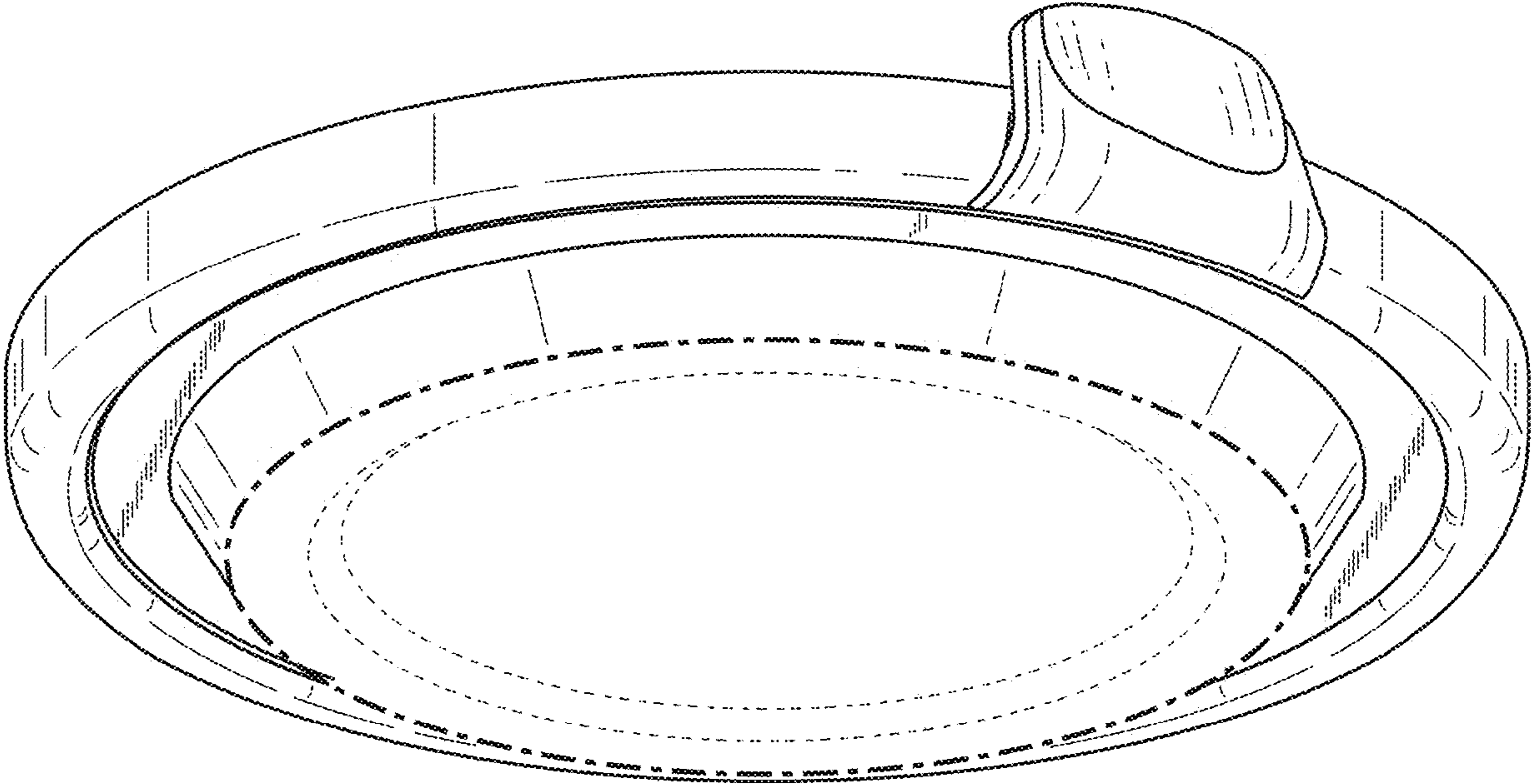


FIG. 2

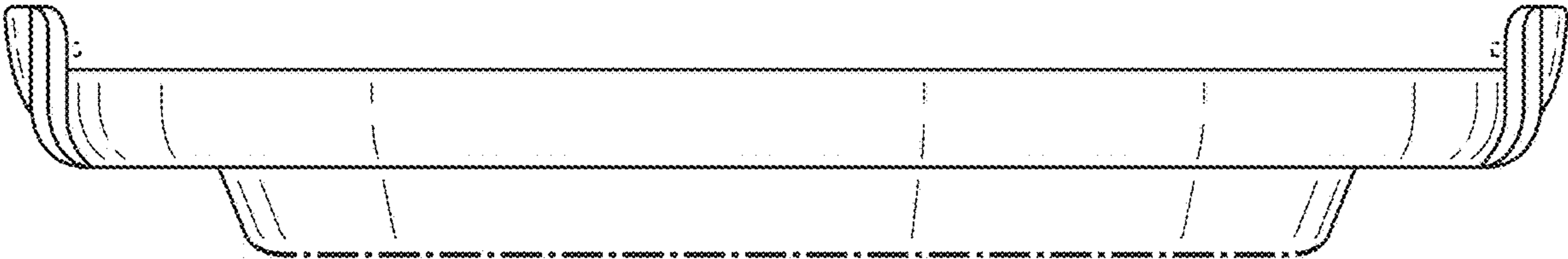


FIG. 3

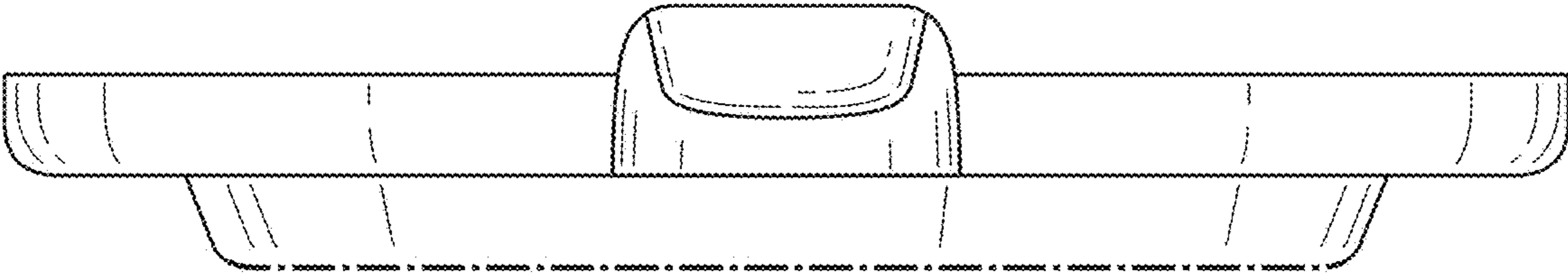


FIG. 4



FIG. 5

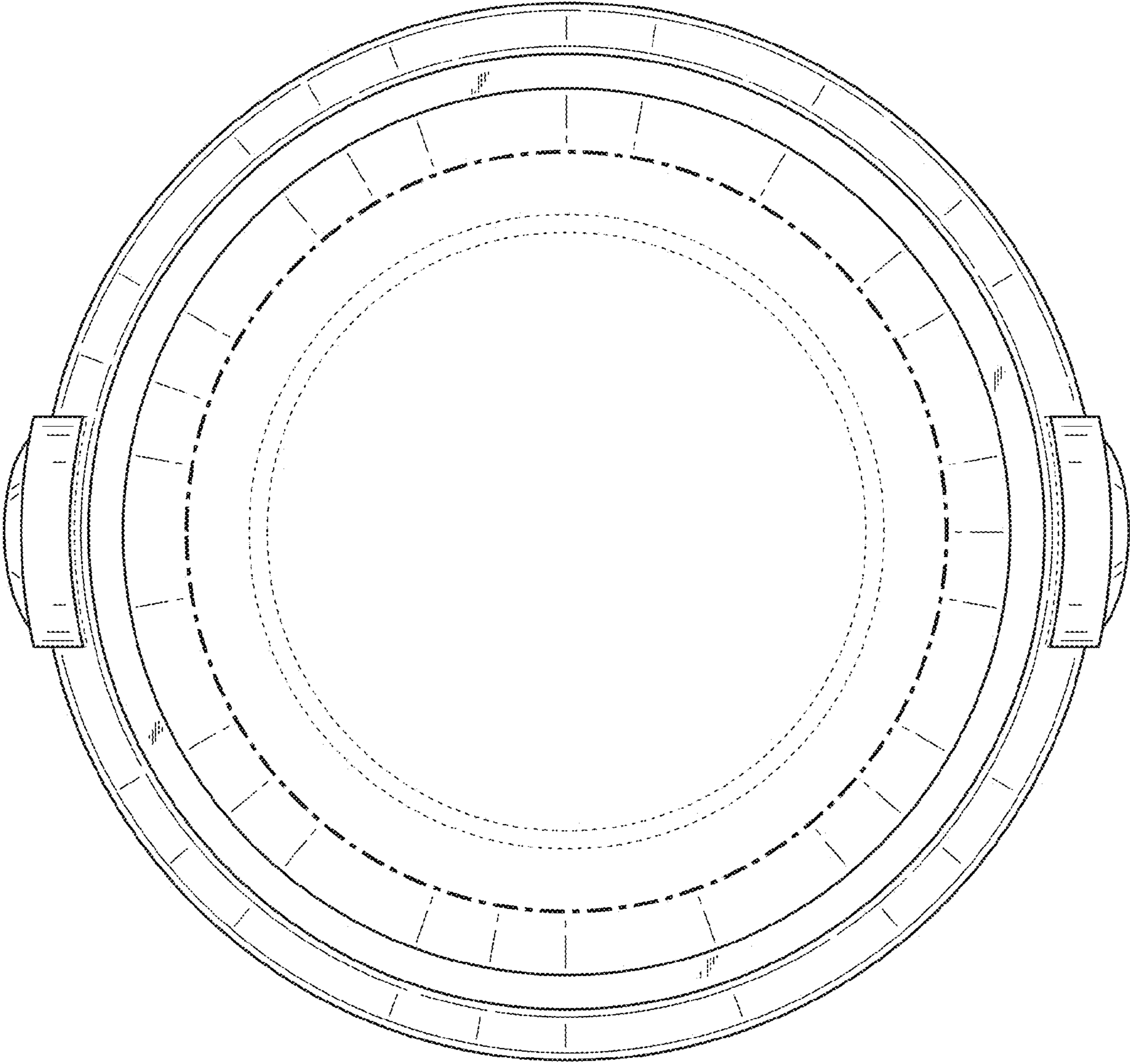


FIG. 6