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(12) **United States Design Patent** (10) **Patent No.:** **US D932,902 S**
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(54) **BOTTLE WITH CAP**

FOREIGN PATENT DOCUMENTS

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EP 0 395 380 B1 9/1993
EP 0 545 678 B1 2/1998

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(Continued)

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OTHER PUBLICATIONS

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

“Packaging Flavor Enhancers Move Beyond Water”, Perimeter Brand Packaging, post dated Oct. 3, 2014, 9 pages, < <https://perimeterbp.wordpress.com/2014/10/03/packaging-flavor-enhancers-move-beyond-water/> >.*

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(51) **LOC (13) Cl.** **09-01**

(52) **U.S. Cl.**

USPC **D9/529**; D9/449; D9/542

(58) **Field of Classification Search**

USPC D9/414, 434–435, 447, 449, 516, 529, D9/530, 539, 542–543, 549, 558, 574, D9/715, 719

CPC B65D 1/00; B65D 1/02; B65D 1/0223; B65D 1/10; B65D 81/00; B65D 2501/00; B65D 2501/0009; B65D 2501/0081

See application file for complete search history.

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of a bottle with cap.
FIG. 2 is top plan view of the bottle with cap of FIG. 1.
FIG. 3 is a bottom plan view of the bottle with cap of FIG. 1.
FIG. 4 is a front elevational view of the bottle with cap of FIG. 1.
FIG. 5 is a back elevational view of the bottle with cap of FIG. 1.
FIG. 6 is a right side elevational view of the bottle with cap of FIG. 1; and,
FIG. 7 is a left side elevational view of the bottle with cap of FIG. 1.
The broken lines in the drawings illustrate the portions of the bottle with cap that form no part of the claimed design.

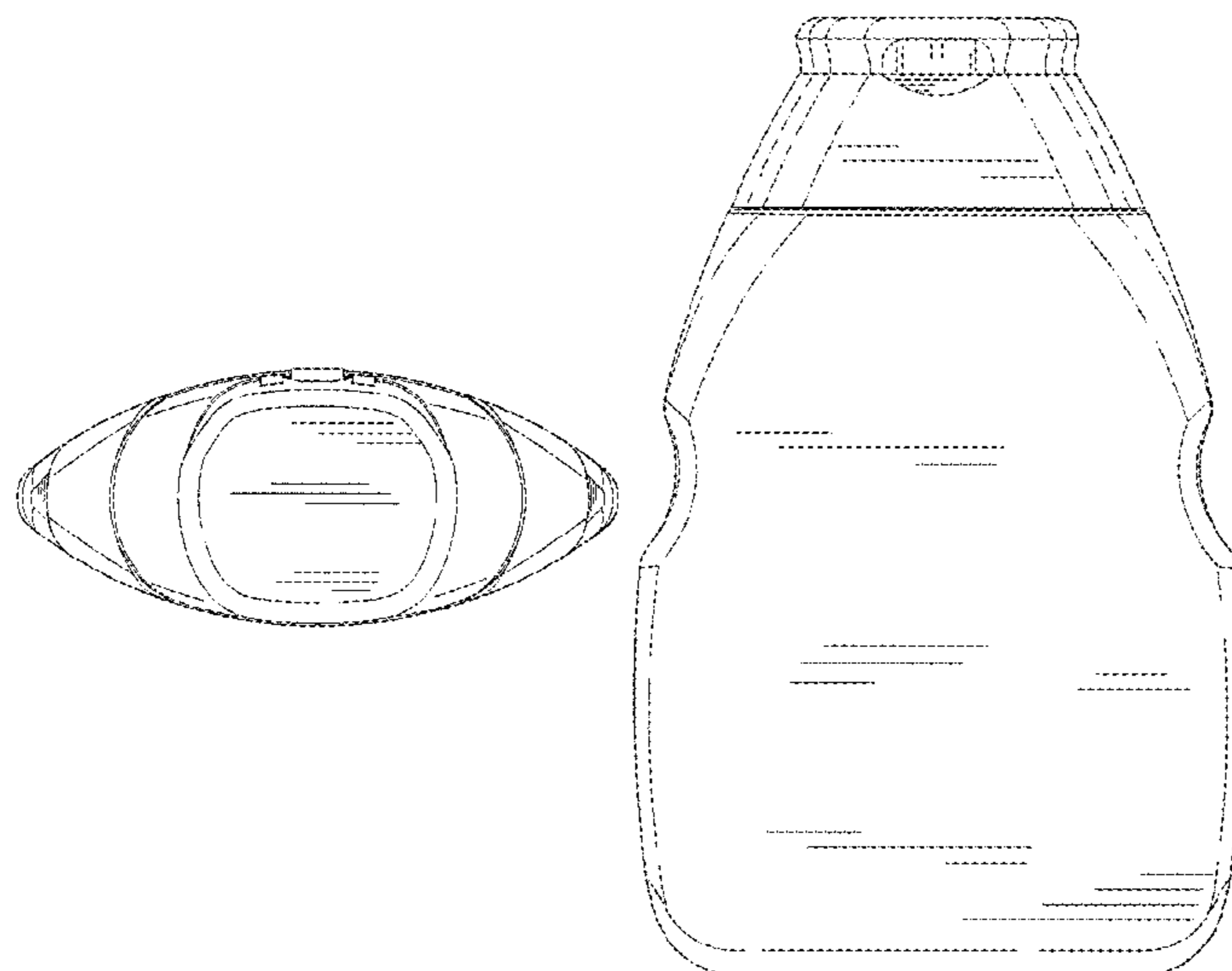
(56) **References Cited**

U.S. PATENT DOCUMENTS

1,206,661 A 11/1916 Booth
1,825,553 A 9/1931 Smith
1,989,714 A 2/1935 Statham
2,175,052 A 10/1939 Bull et al.
2,656,842 A * 10/1953 Ammarell A45D 29/22
132/73

(Continued)

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D202,662 S	10/1965	Williams		6,230,940 B1	5/2001	Manning et al.	
D202,824 S *	11/1965	Gould	D9/529	D444,392 S *	7/2001	Dalmou	D9/549
3,231,155 A	1/1966	McConnell		6,269,986 B1	8/2001	Gross	
D211,316 S	6/1968	Kusterman		6,273,296 B1	8/2001	Brown	
3,490,488 A	1/1970	Grist		6,279,783 B1	8/2001	Brown et al.	
D227,224 S *	6/1973	Schweizer	D9/571	D447,953 S	9/2001	Brynstad et al.	
3,907,145 A	9/1975	Horvath		6,293,437 B1	9/2001	Socier et al.	
D239,368 S *	3/1976	McDonald	D9/558	D449,536 S	10/2001	Kokubo et al.	
D240,829 S	8/1976	Jones et al.		6,321,923 B1	11/2001	Wood	
3,980,194 A	9/1976	Costa		6,371,340 B1	4/2002	Pateman et al.	
D242,126 S *	11/1976	Morea	D9/558	6,405,901 B1	6/2002	Schantz et al.	
RE29,779 E	9/1978	Morris		D459,659 S	7/2002	Chung	
D254,651 S *	4/1980	Shortino	D9/574	D460,348 S	7/2002	Crawford et al.	
D259,542 S *	6/1981	Shortino	D9/571	6,427,874 B2	8/2002	Brown et al.	
4,375,859 A	3/1983	Fillmore		D463,280 S	9/2002	Brozell	
4,519,530 A	5/1985	Schmidt		D463,744 S	10/2002	Brozell	
4,524,876 A	6/1985	Kusz		D463,747 S	10/2002	Peon et al.	
4,533,058 A	8/1985	Uhlig		D463,983 S	10/2002	Wendt et al.	
4,545,495 A	10/1985	Kinsley		6,460,726 B1	10/2002	Hierzer et al.	
D285,659 S	9/1986	Paulovich et al.		D471,818 S	3/2003	Weber	
4,625,898 A	12/1986	Hazard		6,530,504 B2	3/2003	Socier	
4,653,676 A	3/1987	Stull		6,543,652 B1	4/2003	Kelder et al.	
4,728,006 A	3/1988	Drobish et al.		D480,008 S	9/2003	Maus	
4,749,108 A	6/1988	Dornbusch et al.		6,616,012 B2	9/2003	Dark	
4,793,501 A	12/1988	Beck		D480,316 S *	10/2003	Wolpert	D9/516
4,793,502 A	12/1988	Beck		D481,638 S *	11/2003	Bressen	D9/529
4,801,054 A	1/1989	Nycz		D482,286 S	11/2003	Samson et al.	
4,805,790 A	2/1989	Leonetti et al.		D484,808 S	1/2004	Thierjung et al.	
4,991,745 A	2/1991	Brown		6,672,487 B1	1/2004	Lohrman	
5,033,655 A	7/1991	Brown		D486,065 S	2/2004	Hutchinson et al.	
5,038,974 A	8/1991	DaCosta		D488,383 S	4/2004	Kudo et al.	
5,071,017 A	12/1991	Stull		D489,626 S	5/2004	Pitassi	
5,097,974 A	3/1992	Rozenberg		6,769,577 B1	8/2004	Feierabend	
5,115,950 A	5/1992	Rohr		D496,284 S	9/2004	Bain	
5,213,236 A	5/1993	Brown et al.		6,786,363 B1	9/2004	Lohrman	
D336,614 S	6/1993	Crawford		D497,810 S	11/2004	Maus	
5,292,017 A	3/1994	Reifers		D498,144 S	11/2004	Illenberger et al.	
D347,389 S	5/1994	Crawford		D498,415 S	11/2004	Schuller et al.	
D349,058 S	7/1994	Farce		D498,680 S	11/2004	Cleary	
5,339,995 A	8/1994	Brown et al.		6,821,239 B2	11/2004	Hierzer et al.	
D353,775 S *	12/1994	Thompson	D9/545	D503,626 S	4/2005	Maus	
5,377,877 A	1/1995	Brown et al.		D504,320 S	4/2005	Maus	
D356,038 S	3/1995	Biesecker		D506,140 S	6/2005	Maus	
5,409,144 A	4/1995	Brown		6,910,607 B2	6/2005	Gaiser et al.	
5,439,143 A	8/1995	Brown et al.		D510,029 S	9/2005	Marcot	
5,588,546 A	12/1996	Farside		6,951,295 B1	10/2005	Gaus et al.	
D379,930 S	6/1997	Gobe		D511,970 S	11/2005	Cleary	
D380,389 S	7/1997	Crawford		D523,754 S	6/2006	Williams	
5,642,824 A	7/1997	Hess, III et al.		D525,136 S	7/2006	Bakic	
D391,855 S	3/1998	Fenton et al.		7,077,296 B2	7/2006	Brown et al.	
D392,193 S	3/1998	Crawford		D527,640 S	9/2006	Cummings et al.	
5,743,443 A	4/1998	Hins		D529,810 S	10/2006	Davies et al.	
D398,530 S	9/1998	Gavin		D529,812 S	10/2006	Ratzlaff	
5,839,614 A	11/1998	Brown		7,128,245 B2	10/2006	Lee	
D407,316 S	3/1999	Zaksenberg		D535,565 S	1/2007	Pitassi	
5,904,275 A	5/1999	Suffa		D536,253 S	2/2007	Howes et al.	
D412,121 S	7/1999	Crawford		D538,668 S	3/2007	Campbell et al.	
5,927,566 A	7/1999	Mueller		D539,155 S	3/2007	Steinmann	
D413,268 S	8/1999	Crawford		7,198,180 B2	4/2007	Foster et al.	
5,936,208 A	8/1999	Hamery		D542,141 S	5/2007	Okin et al.	
5,944,234 A	8/1999	Lampe et al.		D543,115 S	5/2007	Flurer et al.	
D414,425 S	9/1999	Crawford		D544,351 S	6/2007	Dittmer et al.	
5,954,237 A	9/1999	Lampe et al.		D545,201 S	6/2007	Pitassi	
6,062,436 A	5/2000	Fuchs		D547,190 S	7/2007	Kuzma et al.	
6,065,642 A	5/2000	Brown		D548,097 S	8/2007	Whipple	
6,070,693 A	6/2000	Hamery		7,255,250 B2	8/2007	Pugne	
D428,344 S	7/2000	Preston		7,281,638 B2	10/2007	Hierzer et al.	
6,112,951 A	9/2000	Mueller		7,398,900 B2	7/2008	Friedman	
D433,333 S	11/2000	Kokenge et al.		D574,246 S	8/2008	Russell et al.	
6,152,320 A	11/2000	Hierzer et al.		D580,767 S	11/2008	Okin et al.	
D436,317 S	1/2001	Jones et al.		D581,794 S	12/2008	Haubert, III et al.	
D437,559 S	2/2001	Fenton et al.		D585,290 S	1/2009	Toh	
6,191,691 B1	2/2001	Serrault		D587,117 S	2/2009	Crawford	
D438,459 S	3/2001	Holthaus		D588,459 S	3/2009	Davis et al.	
D439,165 S	3/2001	Erckelbout et al.		D588,460 S	3/2009	Davis et al.	
				D588,462 S	3/2009	Davis et al.	
				7,503,469 B2	3/2009	Bloom et al.	
				7,510,095 B2	3/2009	Comeau et al.	
				D592,957 S	5/2009	Davis et al.	

(56)

References Cited

U.S. PATENT DOCUMENTS

D598,752 S 8/2009 Wilson et al.
 D601,899 S 10/2009 Davis et al.
 D601,907 S * 10/2009 Gainey D9/539
 D602,356 S 10/2009 Shurtleff et al.
 D604,628 S 11/2009 Schultz
 D605,510 S 12/2009 Weber
 7,637,402 B2 12/2009 Romanov et al.
 D607,738 S 1/2010 Kuzma et al.
 D607,742 S 1/2010 Kuzma et al.
 D608,639 S 1/2010 Jackel
 D609,098 S 2/2010 Almstead, Jr. et al.
 D609,572 S 2/2010 Ribadeneira Mejia
 D610,022 S 2/2010 Kanfer et al.
 D612,737 S 3/2010 Bansal
 D612,738 S 3/2010 Bansal
 7,681,750 B2 3/2010 Jäckel
 D613,173 S 4/2010 Bansal
 D613,176 S 4/2010 Gameros et al.
 7,699,193 B2 4/2010 Feierabend
 7,717,281 B2 5/2010 Baudin
 7,731,042 B2 6/2010 Blomdahl et al.
 7,735,699 B2 6/2010 Brannon et al.
 D621,260 S 8/2010 Brannon et al.
 7,784,652 B2 8/2010 Gaus et al.
 7,789,254 B2 9/2010 Geho
 7,810,663 B2 10/2010 Young
 D628,490 S 12/2010 Sato et al.
 D629,685 S 12/2010 Brannon et al.
 7,857,155 B2 12/2010 Roberts et al.
 7,861,393 B2 1/2011 Pugne
 7,870,980 B2 1/2011 Wilson et al.
 D632,962 S 2/2011 Traldi
 D635,023 S 3/2011 Stolle
 D635,860 S 4/2011 Sahu et al.
 D638,713 S 5/2011 de Cleir et al.
 D638,714 S 5/2011 de Cleir et al.
 D638,715 S 5/2011 Albaum et al.
 D644,530 S 9/2011 Padain et al.
 D644,531 S 9/2011 Padain et al.
 D646,171 S 10/2011 Howell et al.
 8,511,472 B2 8/2013 Dupuis et al.
 D690,202 S 9/2013 Beck et al.
 D720,622 S 1/2015 Gelov
 D720,623 S * 1/2015 Bunce D9/529
 D722,876 S 2/2015 Hughes
 D723,376 S * 3/2015 Adair D9/539
 D726,544 S * 4/2015 Kuzma D9/539
 D727,160 S * 4/2015 Kuzma D9/539
 D730,737 S * 6/2015 Bunce D9/550
 D737,684 S 9/2015 de Cleir
 D738,732 S 9/2015 Gelov
 D749,421 S * 2/2016 Nandha D9/529
 D756,793 S 5/2016 Macias Mejia
 D757,557 S 5/2016 Melms, Jr.
 D758,870 S 6/2016 Macias Mejia
 D769,715 S 10/2016 Bois
 D773,307 S * 12/2016 Ashbee D9/529

D776,725 S 1/2017 Harms et al.
 D789,200 S 6/2017 Deringer
 D817,175 S * 5/2018 Gelov D9/529
 D907,509 S * 1/2021 Stadelmaier D9/558
 D908,015 S * 1/2021 Stadelmaier D9/558
 2001/0025862 A1 10/2001 Brown et al.
 2004/0251278 A1 12/2004 Arai
 2007/0023453 A1 2/2007 Simkins
 2007/0102455 A1 5/2007 Stark et al.
 2007/0253761 A1 11/2007 May
 2007/0289651 A1 12/2007 Brown et al.
 2008/0237271 A1 10/2008 Olechowski
 2008/0264961 A1 10/2008 Sawyer
 2008/0264979 A1 10/2008 Nijland et al.
 2009/0212078 A1 8/2009 Gaus
 2009/0236339 A1 9/2009 Blomdahl
 2011/0062107 A1 3/2011 Goto et al.

FOREIGN PATENT DOCUMENTS

EP 0 794 127 B1 6/2000
 EP 0 794 126 B1 8/2001
 EP 0 869 912 B1 3/2004
 EP 0 994 047 B1 8/2004
 EP 1 426 303 B1 11/2008
 WO WO 2011/031985 A2 3/2011

OTHER PUBLICATIONS

Trademark Electronic Search System (TESS) search results for search terms 190902[dc] and 191101[dc] on Jun. 22, 2011, 76 images.
 Trademark Electronic Search System (TESS) search results for search terms 260328[dc] and (191101[dc] or 190902[dc]) on Jun. 22, 2011, 26 images.
 Trademark Electronic Search System (TESS) search results for search terms 190902[dc] and “032”[cc] and (“032” a b “200”)[ic] on Jun. 22, 2011, 245 images.
 Trademark Electronic Search System (TESS) search results for search terms 260309[dc] and (190902[dc] or 191101[dc]) on Jun. 22, 2011, 3 records.
 Trademark Electronic Search System (TESS) search results for search terms 260309[dc] and “032”[cc] and (“032” a b “200”)[ic] on Jun. 22, 2011, 68 images.
 Trademark Electronic Search System (TESS) search results for search terms (190901 190903 190904)[dc] and (029 030 031 032 033)[ic] and live [Id] and (beverage drink water flavored sports energy)[gs] on Jun. 23, 2011, 381 images.
 Six photographs of bottle for Mio Liquid Water Enhancer, 1.62 fl. oz. size, Kraft Foods Global, Inc., available approximately May 2011.
 “Aleve” Jul. 14, 2014, nationalpainreport.com, site visited Jan. 20, 2017 <<http://nationalpainreport.com/naproxen-raises-riskof-heart-problems-in-older-women-8824234.html>>.

* cited by examiner

FIG. 1

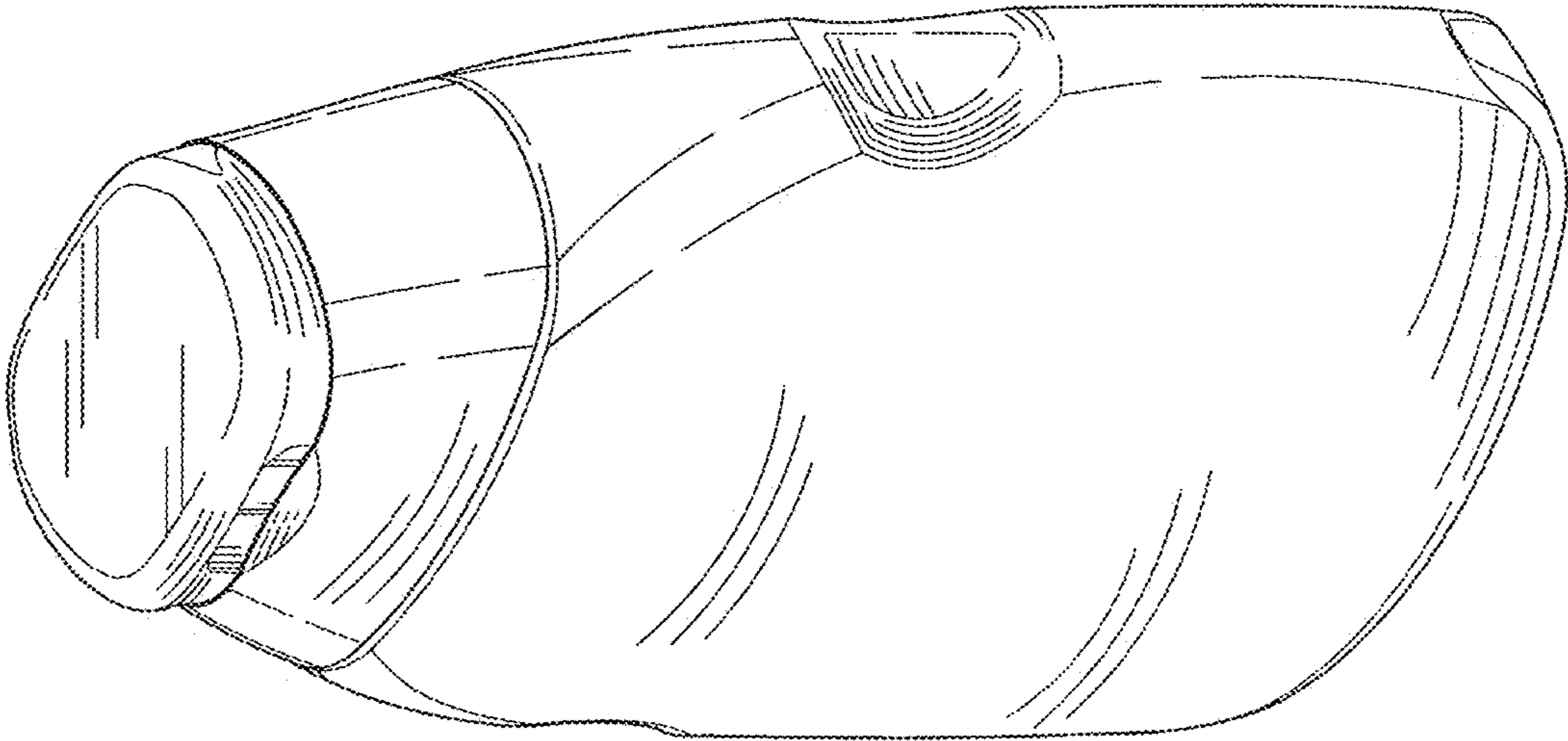


FIG. 2

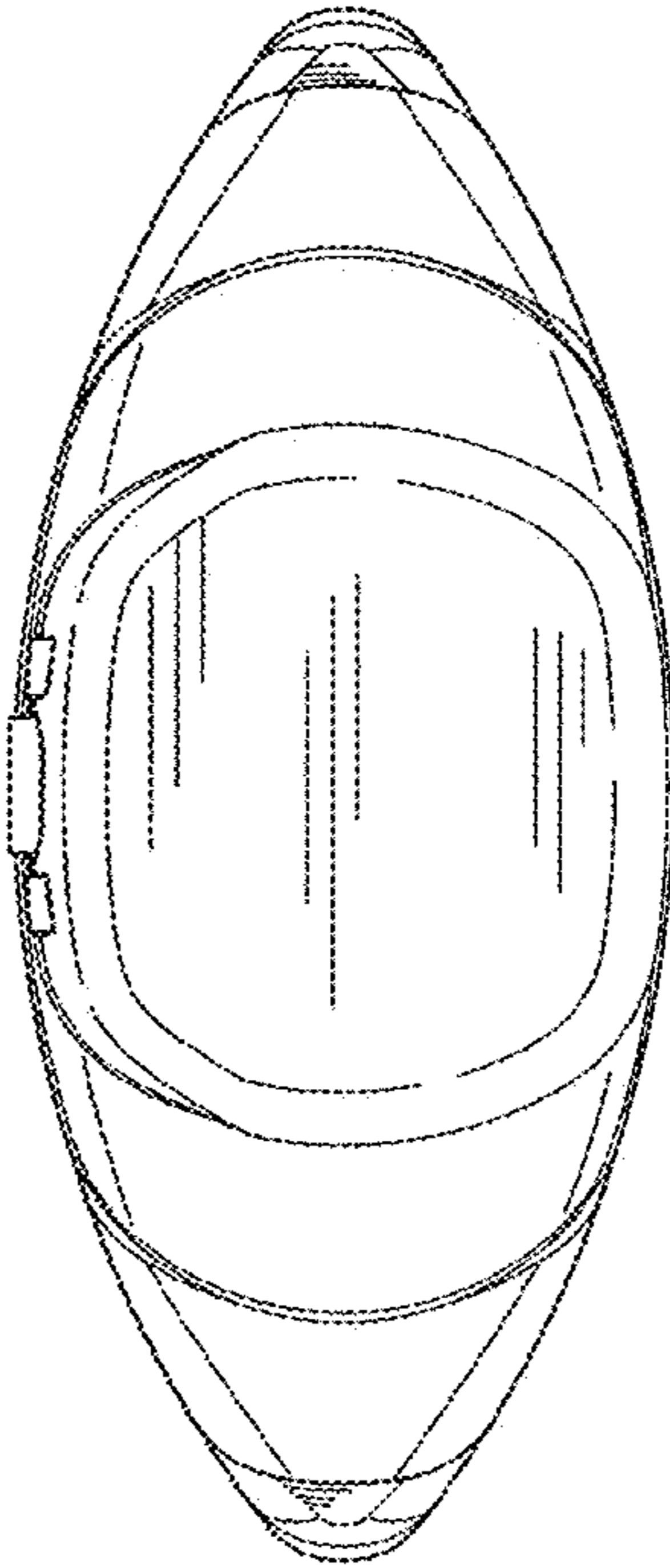


FIG. 3

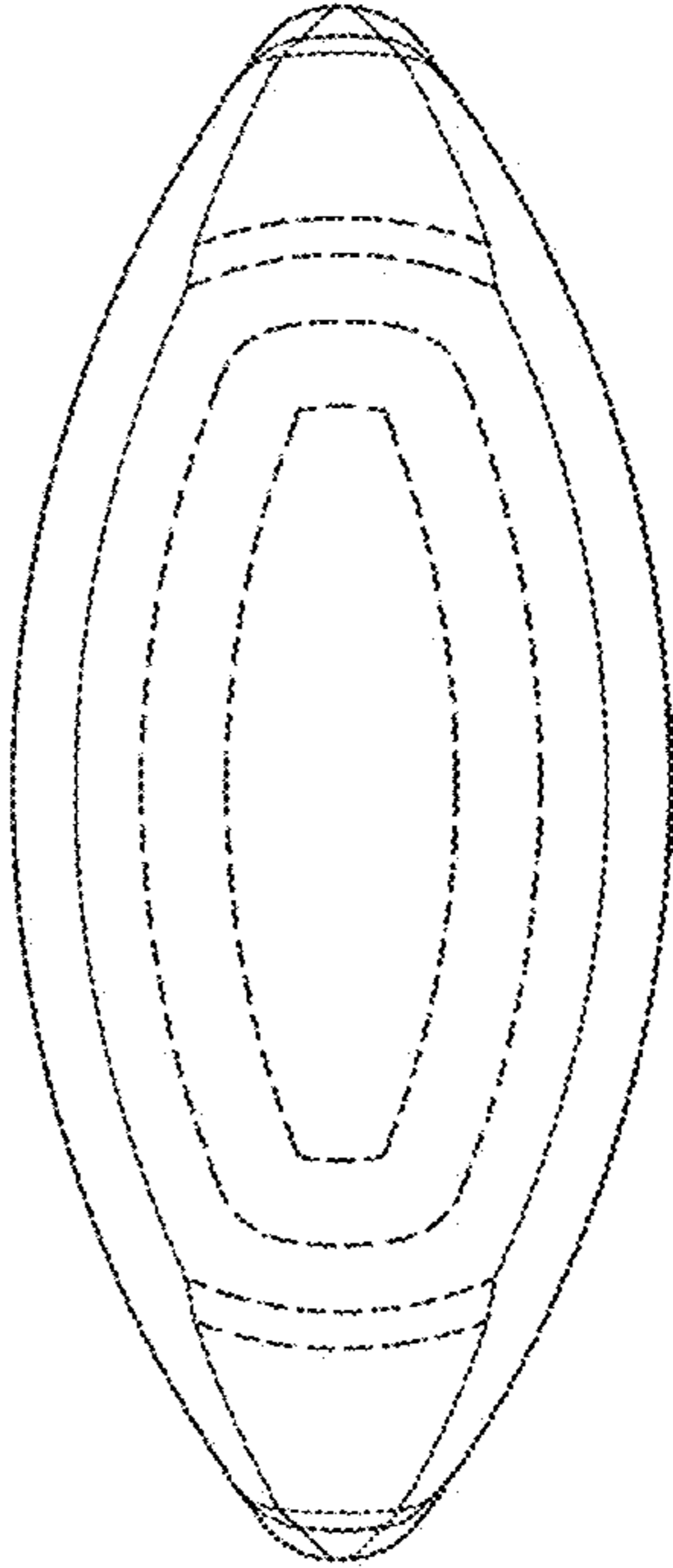


FIG. 5

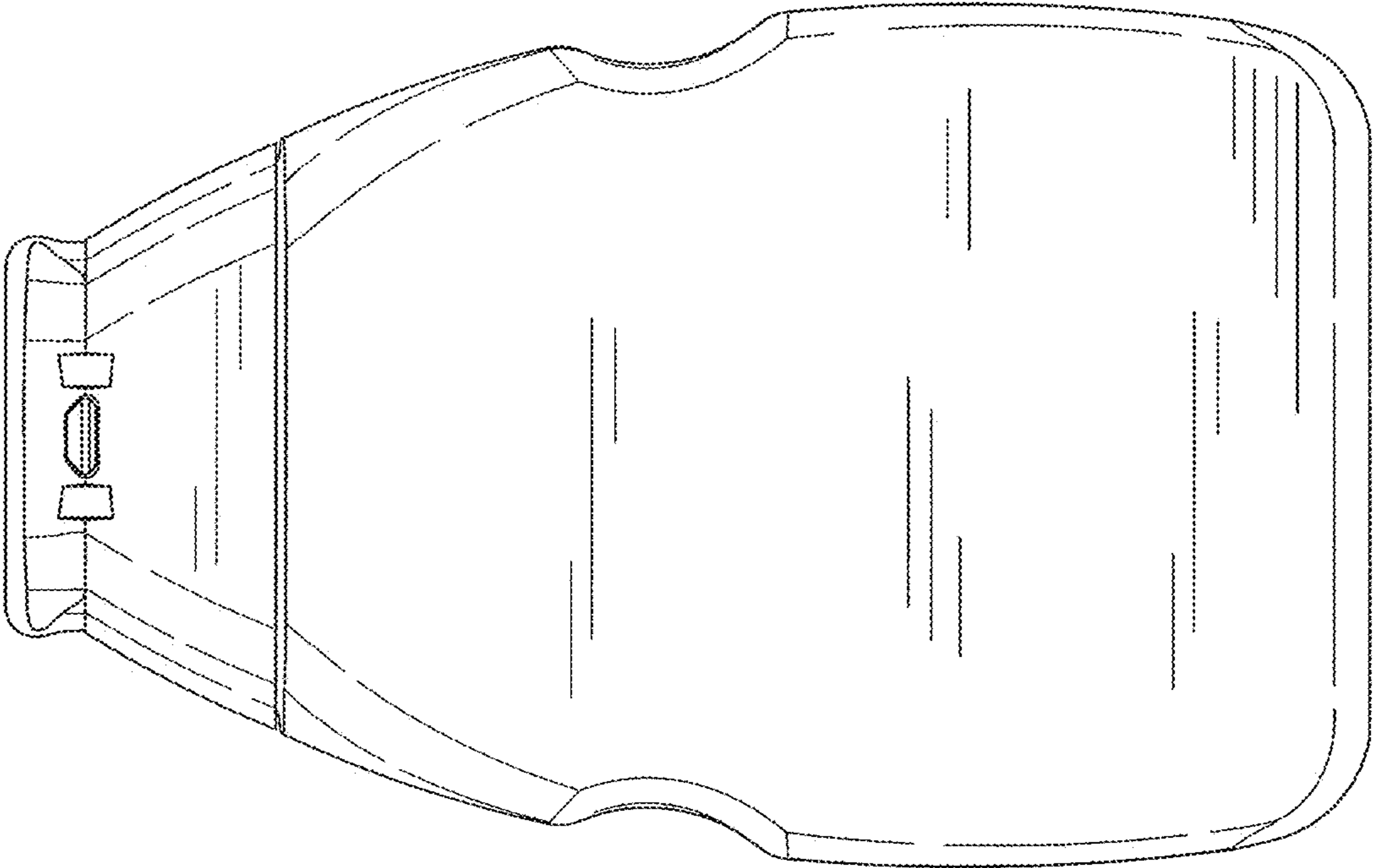


FIG. 4

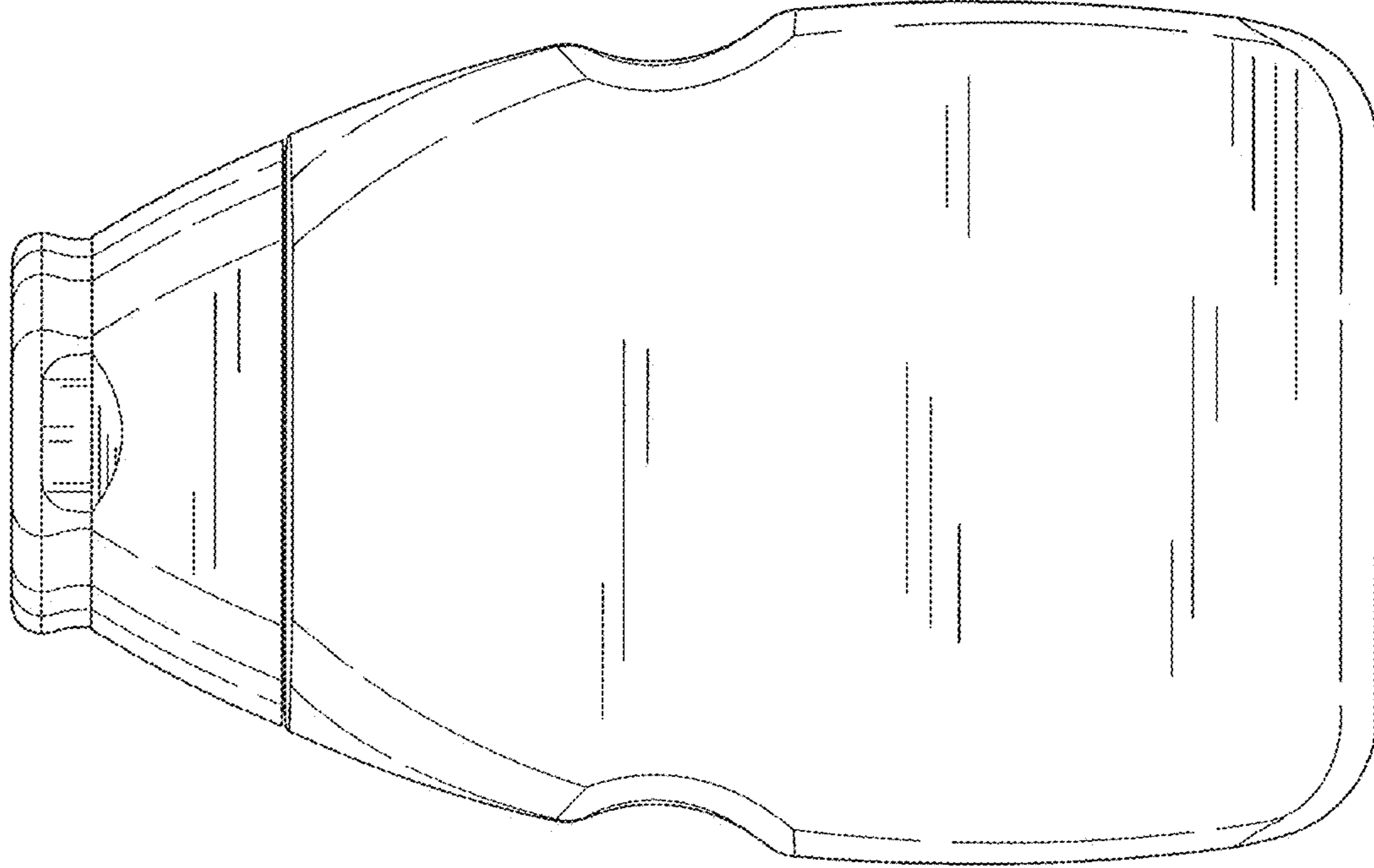


FIG. 7

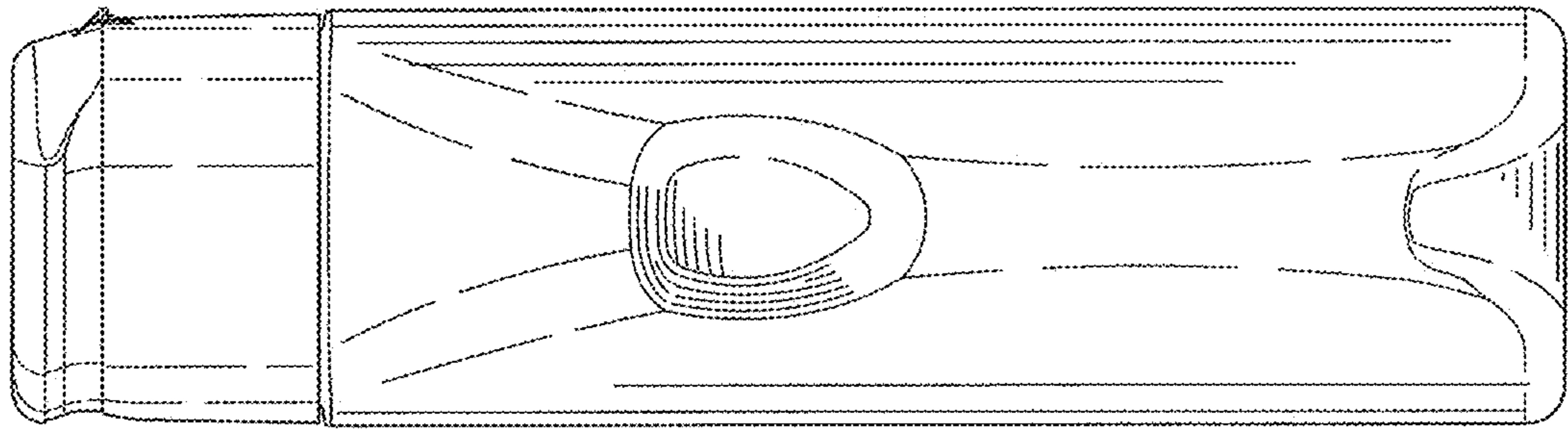


FIG. 6

