



US00D937634S

(12) **United States Design Patent**
Bontrager

(10) **Patent No.:** **US D937,634 S**

(45) **Date of Patent:** **** Dec. 7, 2021**

(54) **FOOD CONTAINER**

(71) Applicant: **Zume, Inc.**, Mountain View, CA (US)

(72) Inventor: **Rick Bontrager**, Mountain View, CA (US)

(73) Assignee: **ZUME, INC.**, Camarillo, CA (US)

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

(21) Appl. No.: **29/718,155**

(22) Filed: **Dec. 20, 2019**

(51) **LOC (13) Cl.** **07-01**

(52) **U.S. Cl.**
USPC **D7/584**

(58) **Field of Classification Search**
USPC D7/586, 584, 587; 220/574; D30/129;
D9/428
CPC A47G 19/025; A47G 19/02
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D26,062 S	9/1896	Hunter
D30,094 S	1/1899	Busch
2,770,957 A	11/1956	Bronson
2,816,589 A	12/1957	Tupper
2,893,163 A	7/1959	Hazel, Jr.
2,998,158 A	8/1961	Tupper
D194,794 S	3/1963	Rahr
3,283,939 A	11/1966	Miller
D207,356 S	4/1967	McCormick
3,401,825 A	9/1968	Weiss
D213,390 S	2/1969	Bruce
3,946,897 A	3/1976	Wolff
D243,231 S	2/1977	Smith
4,027,776 A	6/1977	Douglas
4,076,123 A	2/1978	Davis
D249,935 S	10/1978	Williams

D257,933 S	1/1981	Conti
D260,492 S	9/1981	Scott
4,346,816 A	8/1982	Caille
D266,818 S	11/1982	Trombly
4,407,426 A	10/1983	McLaren

(Continued)

FOREIGN PATENT DOCUMENTS

CA	131468	4/2010
IN	257714-0001	10/2014

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/699,813, Notice of Allowance dated Sep. 18, 2020, 11 pages.

(Continued)

Primary Examiner — Cynthia R Underwood
(74) *Attorney, Agent, or Firm* — Merchant & Gould P.C.

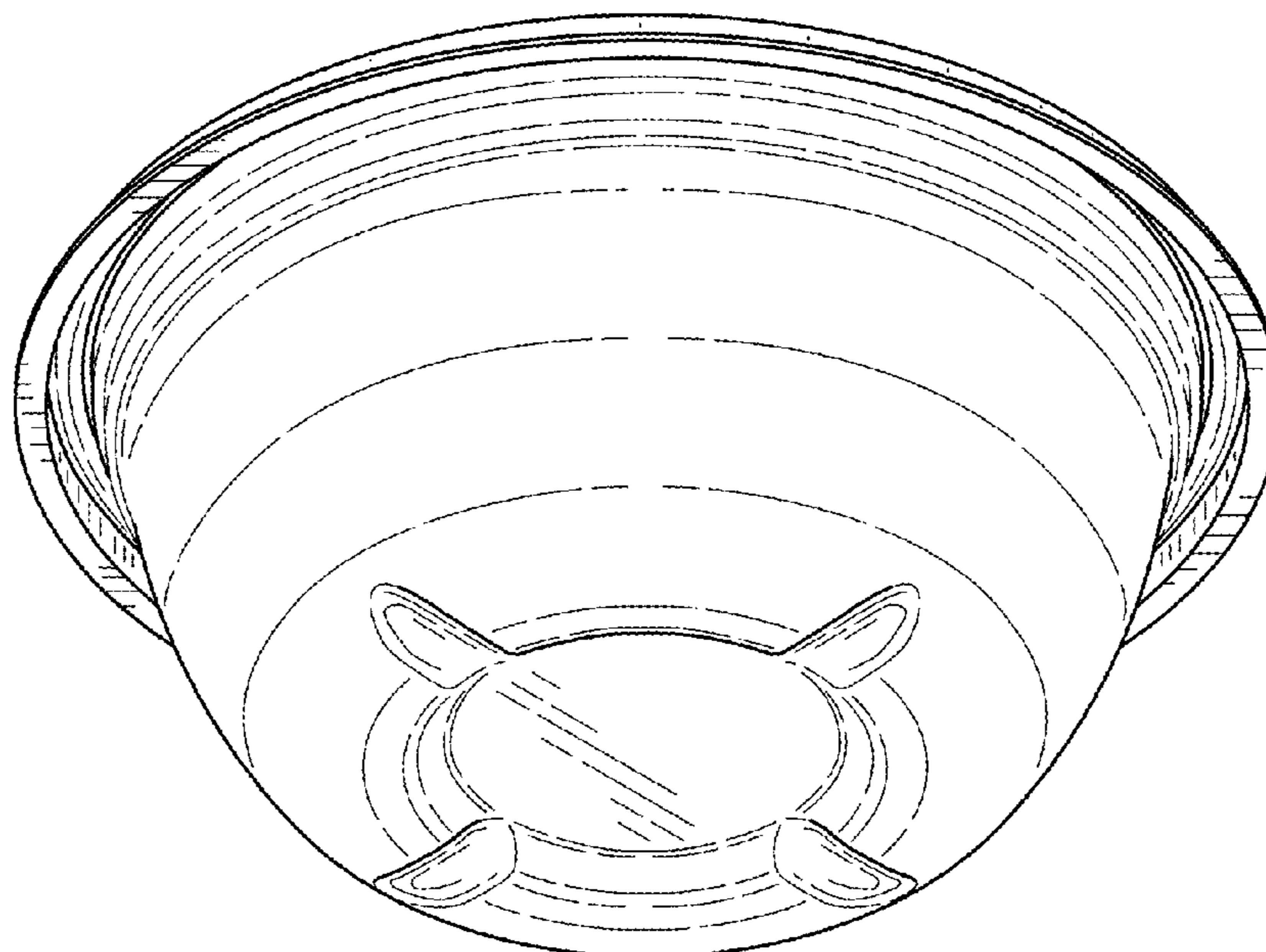
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a top perspective view of an embodiment of a food container showing our new design.
FIG. 2 is a bottom perspective view of the food container of FIG. 1.
FIG. 3 is a front view of the food container of FIG. 1.
FIG. 4 is a back view of the food container of FIG. 1.
FIG. 5 is a right side view of the food container of FIG. 1.
FIG. 6 is a left side view of the food container of FIG. 1.
FIG. 7 is a top view of the food container of FIG. 1.
FIG. 8 is a bottom view of the food container of FIG. 1; and, FIG. 9 is a section view of the food container of FIG. 1 taken along line 9—9 in FIG. 7.

1 Claim, 9 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D275,636 S	9/1984	Picozza	
4,471,880 A	9/1984	Taylor	
D280,484 S	9/1985	Conti	
D281,758 S	12/1985	Trombley	
4,562,937 A	1/1986	Iyengar	
D282,616 S	2/1986	Gallgher	
D286,026 S	10/1986	Rayner	
4,705,172 A	11/1987	Gage	
D297,297 S	8/1988	Lacey	
4,782,976 A	11/1988	Kenyon	
4,930,656 A	6/1990	Blachette	
D311,140 S	10/1990	Nelson	
D322,760 S	12/1991	Blanchette	
D322,940 S	1/1992	Rivera	
D323,383 S	1/1992	Keays	
D327,808 S	7/1992	Kline	
D339,958 S	10/1993	Olsen	
D343,338 S	1/1994	Bucher	
D344,209 S	2/1994	Cousins	
D350,688 S	9/1994	Wardell, Jr.	
D351,220 S	10/1994	Bames	
D359,451 S	6/1995	Dees	
D362,389 S	9/1995	Frye	
D373,704 S	9/1996	Doxey	
D373,932 S	9/1996	Onneweer	
D376,952 S	12/1996	Rausch	
D381,267 S	7/1997	Rush	
D381,268 S	7/1997	Rush	
D381,864 S	8/1997	Feer	
D383,939 S	9/1997	Jeppesen	
5,709,314 A	1/1998	Petry	
D415,385 S	10/1999	Loew	
D415,652 S	10/1999	Loew	
D417,584 S	12/1999	Lillelund	
D417,817 S	12/1999	Lowe	
D419,371 S	1/2000	Haley	
D428,771 S *	8/2000	Novi	D7/523
6,168,044 B1	1/2001	Zettle	
D445,687 S	7/2001	Gilbertson	
D450,537 S	11/2001	Hayes	
D457,037 S	5/2002	Hayes	
6,431,389 B1 *	8/2002	Jerstroem	A47J 36/02 220/574
D466,762 S	12/2002	Cote	
6,561,375 B1	5/2003	Nagy	
D475,573 S	6/2003	Jalet	
D475,897 S	6/2003	Zettle	
D476,861 S	7/2003	Zettle	
D478,469 S	8/2003	Roth	
D480,264 S	10/2003	de Groote	
D482,232 S	11/2003	Zettle	
D482,283 S	11/2003	Wichmann	
D483,222 S	12/2003	Willis	
D484,412 S	12/2003	Willis	
D485,126 S *	1/2004	Watson	D7/584
D489,578 S	5/2004	Lai	
6,739,500 B1	5/2004	Gentile	
D495,600 S	9/2004	Kouri	
D497,548 S	10/2004	Nordland	
D499,936 S	12/2004	Wiedmeyer	
D502,050 S	2/2005	Munson	
D502,052 S	2/2005	Meade	
D504,053 S	4/2005	Bertulis	
D506,359 S	6/2005	Lettle	
D507,937 S	8/2005	Dais	
D508,187 S	8/2005	Dais	
D508,188 S	8/2005	Zettle	
D512,872 S	12/2005	McMahon, III	
D513,940 S	1/2006	Kolflat	
D524,604 S	7/2006	Wendi	
D528,359 S	9/2006	Laib	
D547,179 S	7/2007	Bouveret	
D549,040 S *	8/2007	Henry	D7/354
D549,050 S	8/2007	Spencer	
D563,785 S	3/2008	Maki	
D565,253 S	3/2008	Modi	
D565,356 S *	4/2008	Mellen	D7/376
D575,114 S	8/2008	Moghavem	
D579,276 S	10/2008	Burd	
D582,218 S	12/2008	Curtin	
D591,590 S *	5/2009	Wilson	D9/428
D598,238 S *	8/2009	Durdon	D7/354
D606,368 S	12/2009	Wu	
D607,329 S *	1/2010	Diss	D7/587
D611,769 S	3/2010	Hauser	
D612,196 S	3/2010	Furlong	
D614,439 S	4/2010	Olivari	
D614,453 S *	4/2010	Curtin	D7/629
D628,477 S	12/2010	Shaver	
D628,894 S	12/2010	Pontes	
D629,264 S	12/2010	Curtin	
D632,527 S	2/2011	Olivari	
D632,528 S	2/2011	Olivari	
D632,959 S	2/2011	Peters	
D636,229 S	4/2011	Koennecke	
D636,230 S	4/2011	Koennecke	
D636,674 S	4/2011	Golota	
D641,209 S	7/2011	Ablo	
D642,057 S	7/2011	Reed	
D642,921 S	8/2011	Endert	
D643,720 S	8/2011	Maeda	
D651,865 S *	1/2012	Smyers	D7/630
D656,818 S	4/2012	Dunwoody	
D658,451 S	5/2012	Jost	
D659,464 S	5/2012	Albers	
D660,136 S	5/2012	Jarowenko	
D660,148 S	5/2012	Killandi	
D665,663 S	8/2012	Krupa	
D666,306 S	8/2012	Belue	
D676,276 S	2/2013	Muspratt-Williams	
D676,284 S	2/2013	Pallotto	
D676,745 S	2/2013	MacNeill	
D676,746 S	2/2013	Shaffer	
D677,159 S	3/2013	Sina	
D677,162 S	3/2013	Sharma	
D679,547 S	4/2013	Chen	
D689,701 S	9/2013	Mischel, Jr.	
D689,730 S	9/2013	Goto	
D689,735 S	9/2013	Redfern	
D700,800 S	3/2014	Ludeman	
D705,051 S	5/2014	Cassens	
D708,470 S	7/2014	Heiberg	
D710,696 S	8/2014	Kwon	
D717,104 S	11/2014	Redfem	
D719,410 S	12/2014	Lee	
D722,814 S	2/2015	Heiberg	
D728,865 S *	5/2015	Tsengas	D30/129
D730,731 S	6/2015	Bewley, Jr.	
D731,239 S	6/2015	Rothfield	
D731,241 S	6/2015	Kessin	
D745,228 S *	12/2015	Scaba	D30/129
D746,626 S	1/2016	Lagsdin	
D746,640 S	1/2016	Myoung	
D752,383 S	3/2016	Zox	
D756,769 S	5/2016	Tuchrelo	
D761,061 S *	7/2016	McConnell	D7/587
D762,475 S	8/2016	Turner	
9,474,397 B2 *	10/2016	Minnette	A47G 19/02
D770,233 S *	11/2016	Raphael	D7/584
D772,002 S	11/2016	Affatato	
D774,900 S	12/2016	Longoni	
D778,204 S	2/2017	Thuma	
D787,274 S *	5/2017	Gagnon	D7/586
D795,058 S	8/2017	Buck	
D795,069 S	8/2017	Haddad	
D795,070 S	8/2017	Haddad	
D796,898 S	9/2017	Robotti	
D776,296 S	10/2017	Wainwright	
D799,963 S	10/2017	Akiyama	
D803,677 S	11/2017	Yang	
D811,214 S	2/2018	Wu	
D811,215 S	2/2018	Wu	
D811,811 S	3/2018	Wachter	
D813,665 S *	3/2018	White	D9/428

(56)

References Cited

FOREIGN PATENT DOCUMENTS

U.S. PATENT DOCUMENTS

D814,294 S * 4/2018 White D9/428
 D815,915 S 4/2018 Raphael
 D816,500 S 5/2018 Torrison
 D821,194 S 6/2018 Van Wingerden
 D823,643 S 7/2018 Paul
 D835,455 S 12/2018 Sedgwick
 D835,459 S 12/2018 Sedgwick
 D838,585 S 1/2019 Kui
 D840,760 S 2/2019 Carrette
 D845,758 S 4/2019 Van Wingerden
 D845,763 S 4/2019 Savenok
 D845,765 S 4/2019 Stammen
 D848,207 S 5/2019 Holding
 D848,784 S 5/2019 Hazelton
 D849,469 S 5/2019 Hazelton
 D850,848 S 6/2019 Wachter
 D854,926 S * 7/2019 Tung D9/428
 D856,068 S 8/2019 Barber
 D857,492 S 8/2019 Dominion
 D859,978 S 9/2019 Barrett
 D861,480 S * 10/2019 Barrett D9/428
 D861,481 S 10/2019 Barrett
 D861,486 S 10/2019 Stammen
 D866,266 S * 11/2019 Arseneau D7/586
 D868,543 S 12/2019 Carrette
 D869,240 S * 12/2019 Modi D7/584
 D871,834 S 1/2020 Samoff
 D871,906 S 1/2020 Ramsey
 D877,558 S 3/2020 Dorfmueeller
 D880,224 S 4/2020 Wiggins
 D891,859 S 8/2020 Ramirez
 D897,834 S * 10/2020 Lee D9/428
 D899,252 S 10/2020 Wang
 D908,002 S 1/2021 Bontrager
 D915,828 S * 4/2021 Schiermeier D7/554.2
 D918,712 S * 5/2021 Bontrager D9/428
 D919,428 S * 5/2021 Shah D9/428
 D920,097 S * 5/2021 Rapparini D9/428
 D922,194 S * 6/2021 Kazemahvazi D9/428
 2002/0112614 A1 * 8/2002 Zoss A21D 10/025
 99/426
 2002/0175171 A1 11/2002 Stewart
 2003/0155354 A1 8/2003 Tucker
 2003/0160051 A1 8/2003 Ciccone
 2004/0206765 A1 10/2004 McMahon, III
 2004/0222226 A1 11/2004 Gottainer
 2004/0245261 A1 12/2004 Stanos
 2005/0127074 A1 6/2005 Kasuma
 2005/0230404 A1 10/2005 Dark
 2008/0099476 A1 5/2008 Fung
 2009/0039086 A1 2/2009 Auer
 2009/0241417 A1 10/2009 Smith
 2010/0147848 A1 6/2010 Rider, Jr.
 2012/0017837 A1 * 1/2012 Crawford A01K 5/01
 119/61.1
 2012/0138608 A1 6/2012 Rusnak
 2012/0145728 A1 6/2012 Pounder
 2012/0285965 A1 11/2012 Ekkert
 2013/0068780 A1 3/2013 Meers
 2013/0104505 A1 * 5/2013 Minnette B65B 7/2878
 53/471
 2014/0326735 A1 * 11/2014 Minnette A47G 19/02
 220/574
 2014/0374428 A1 12/2014 Watson
 2015/0060459 A1 3/2015 Wu
 2015/0307240 A1 10/2015 Hung
 2016/0009464 A1 1/2016 Lewellen
 2016/0152384 A1 6/2016 Kopolas
 2018/0362223 A1 12/2018 Kosmeh
 2019/0090672 A1 3/2019 Bishop
 2019/0193903 A1 6/2019 Tamshe
 2019/0256252 A1 8/2019 Mundy
 2019/0300263 A1 10/2019 Chiang

IN 257719-0001 1/2015
 JP D1405825 1/2011
 JP D1503070 S 6/2014
 JP D1657787 S 3/2020
 JP D167467 11/2020
 KR 300855906.0000 5/2016
 KR 300885506.0000 12/2016
 KR 300900062.0000 3/2017
 KR 300936340.0000 12/2017
 KR 300964777.0000 7/2018
 SK 30-0885506 12/2016
 TW 207485 6/1993
 TW 531175 5/2003
 TW D138732 1/2011
 TW D145336 2/2012
 TW D166244 3/2015

OTHER PUBLICATIONS

U.S. Appl. No. 29/699,812, Notice of Allowance dated Sep. 10, 2020, 12 pages.
 Zume Food Containers: Site Visited [Aug. 27, 2020], "Select Products—Zume Store", Available from Internet URL: <https://zume.com/collections/food-products/products/select-products>, 5 pages.
 Pizza Hut Box: Announced Oct. 2, 2019 [online]. Site Visited [Aug. 27, 2020], "Pizza Hut is testing a new round pizza box that looks like a spaceship and is meant to keep pizza fresher", Available from Internet URL: <https://www.businessinsider.com/pizza-hut-new-round-pizza-box-keeps-pizza-fresher-compostable-2019-10>, 7 pages.
 Food Container Lids: Site Visited [Aug. 27, 2020], "Direct Source Products.com", Available from Internet URL: <https://directsourceproducts.com/products/12-to-32-oz-food-container-lids-case-of-500>, 7 pages.
 U.S. Appl. No. 29/707,458, Notice of Allowance dated Sep. 10, 2020, 9 pages.
 U.S. Appl. No. 29/707,458, Notice of Allowance dated Nov. 27, 2020, 4 pages.
 U.S. Appl. No. 29/708,375, Notice of Allowance dated Nov. 25, 2020, 10 pages.
 U.S. Appl. No. 29/707,455, Notice of Allowance dated Dec. 31, 2020, 8 pages.
 U.S. Appl. No. 29/707,458, Notice of Allowance dated Dec. 15, 2020, 4 pages.
 U.S. Appl. No. 29/708,371, Office Action dated Dec. 3, 2020, 10 pages.
 Compostable Sugarcane Bowl: Announced May 31, 2019 (online), site visited Jul. 30, 2020, Available on the internet at: https://www.amazon.com/SpecialT-Sugarcane-Bowls-Lids-Biodegradable/dp/B07HFD238T/ref=cm_cr_arp_d_product_top?ie=UTF8, 9 pages.
 OTOR Food Container with Airtight Lids: Announced May 31, 2019 (online), site visited Jul. 30, 2020, Available on the internet at: <https://www.amazon.com/dp/B07VH4F86S?th=1>, 11 pages.
 U.S. Appl. No. 29/708,374, Office Action dated Dec. 3, 2020, 10 pages.
 U.S. Appl. No. 29/708,375, Notice of Allowance dated Dec. 15, 2020, 4 pages.
 U.S. Appl. No. 29/718,156, Office Action dated Jan. 14, 2021, 15 pages.
 U.S. Appl. No. 29/718,159, Office Action dated Jan. 6, 2021, 13 pages.
 U.S. Appl. No. 29/725,188, Ex-Parte Quayle Action dated Feb. 19, 2021, 6 pages.
 Taiwanese Search Report in Application 109301295, dated Dec. 9, 2020, 1 page.
 Mono Magazine, No. 21, vol. 24 (Dec. 2, 2005), p. 117, JPO Archive No. HA17017421, 3 pages total.
 ASKUL Kabushiki Kaisha website, JPO Archive No. J24049395, 3 pages total.
 U.S. Appl. No. 29/718,152, Notice of Allowance dated Jul. 1, 2021, 8 pages.

(56)

References Cited

OTHER PUBLICATIONS

U.S. Appl. No. 29/718,154, Notice of Allowance dated Jul. 1,
2021,10 pages.

* cited by examiner

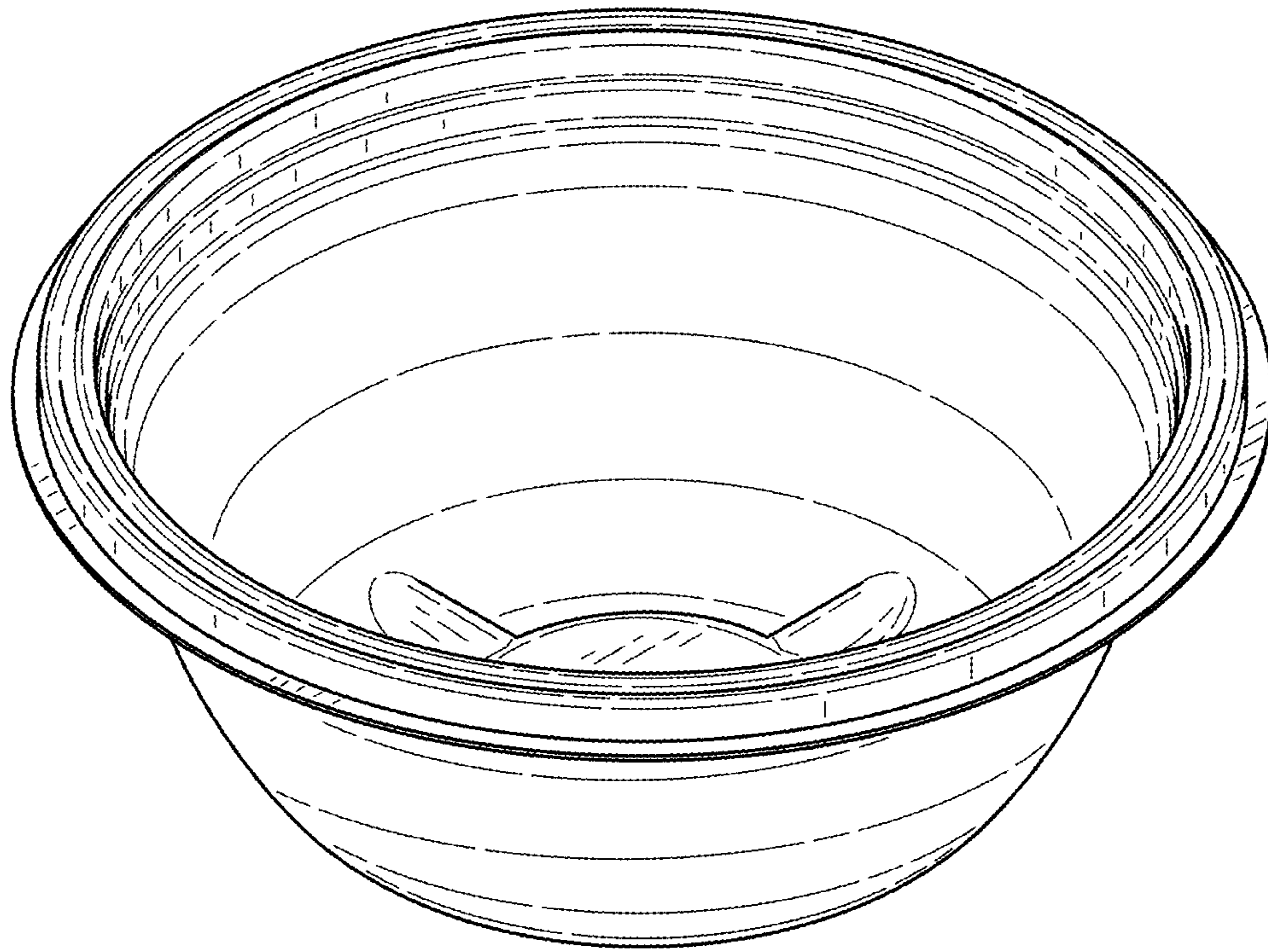


FIG.1

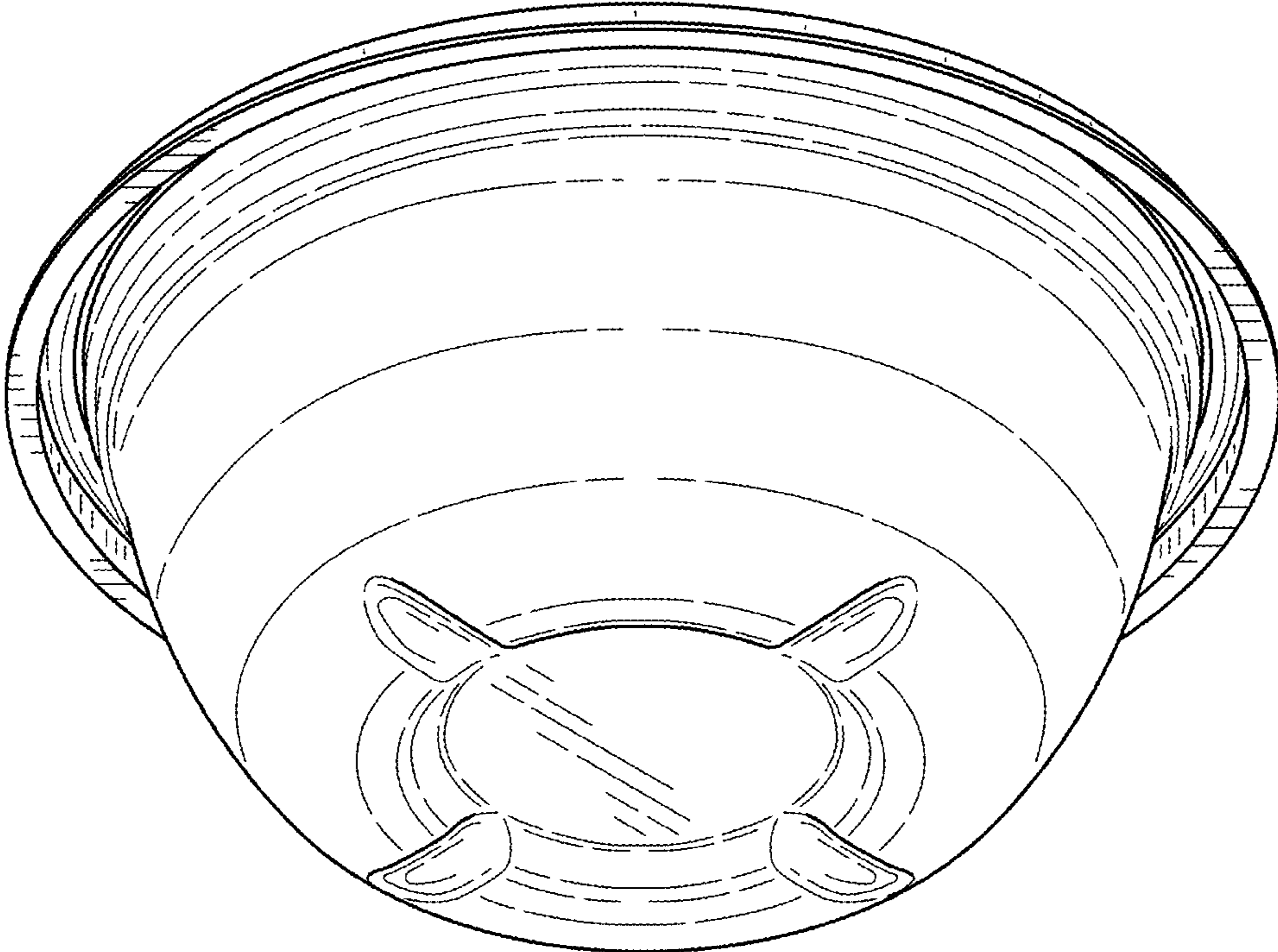


FIG.2

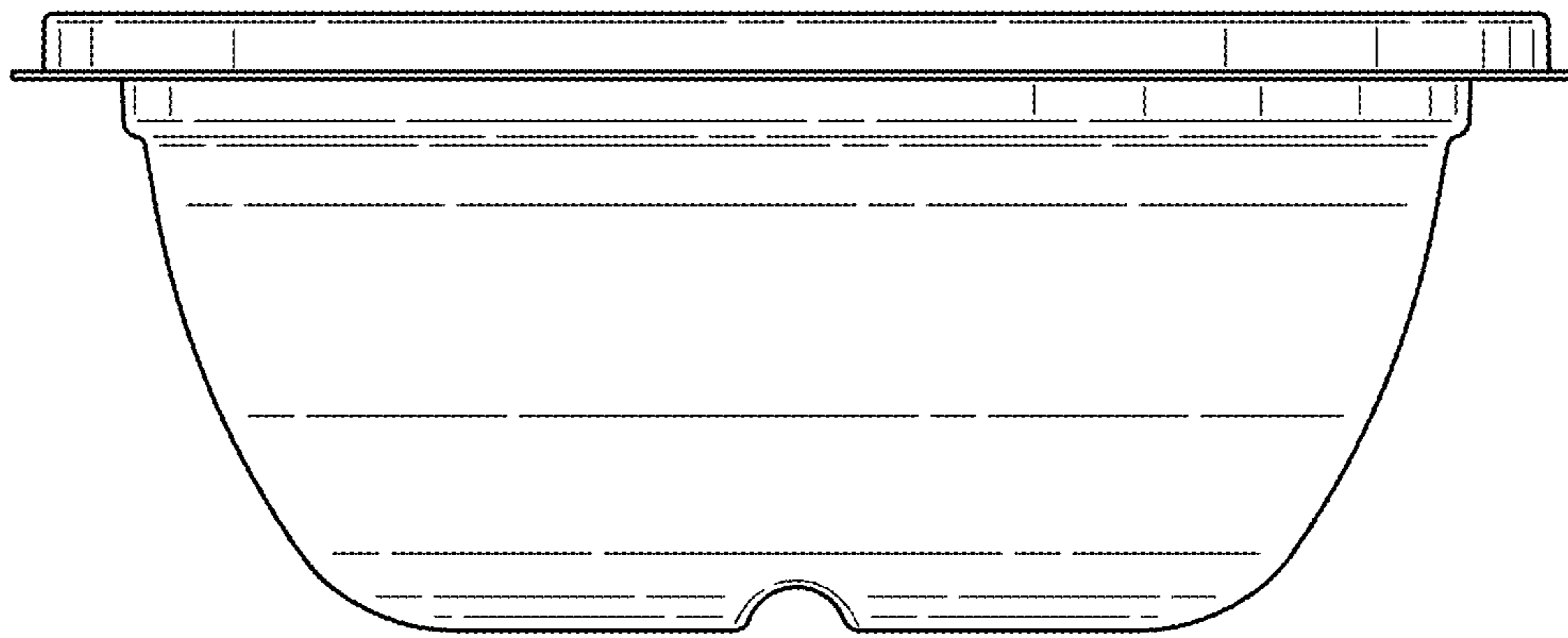


FIG.3

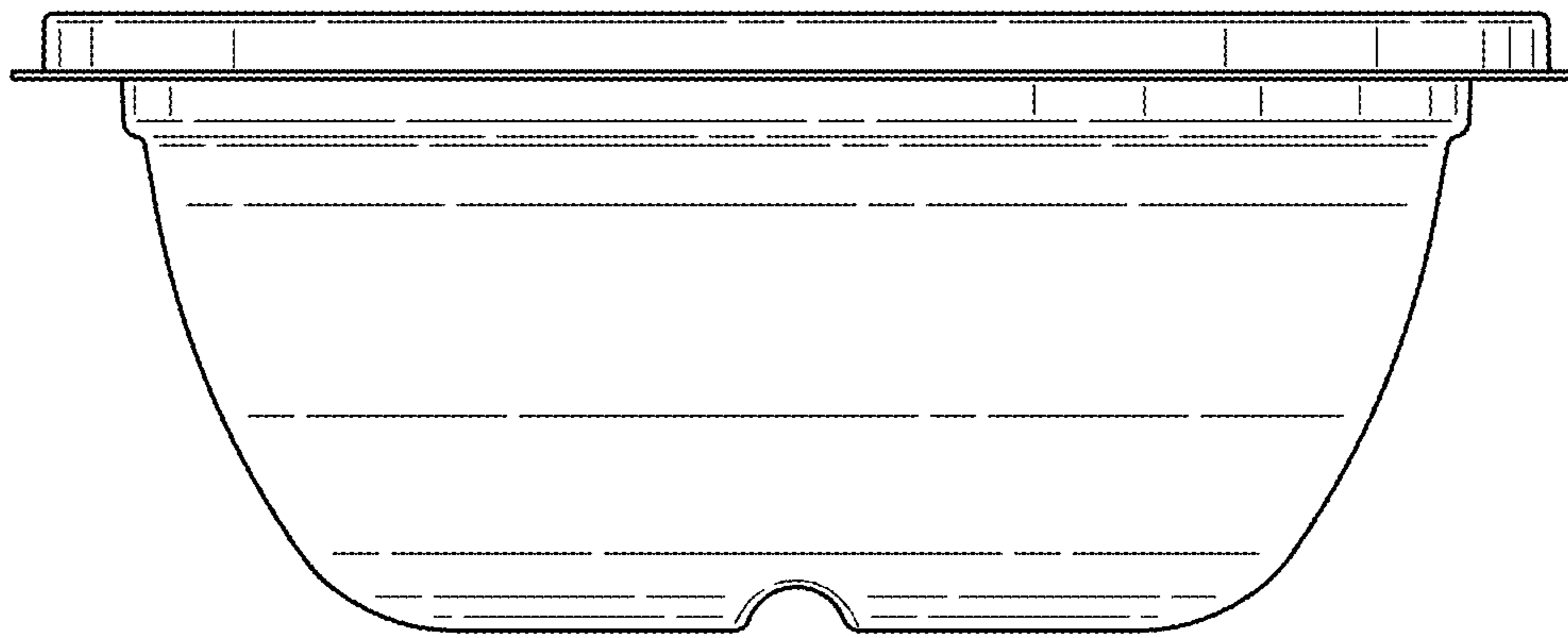


FIG.4

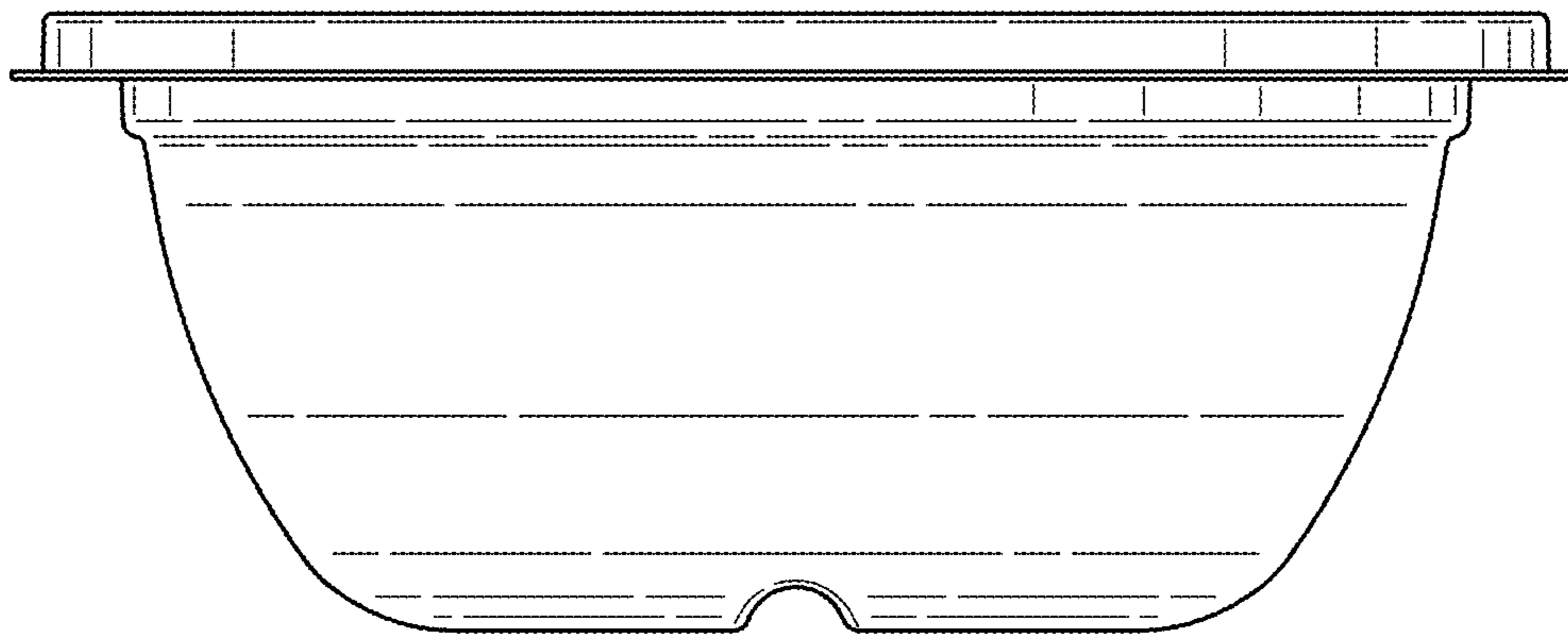


FIG.5

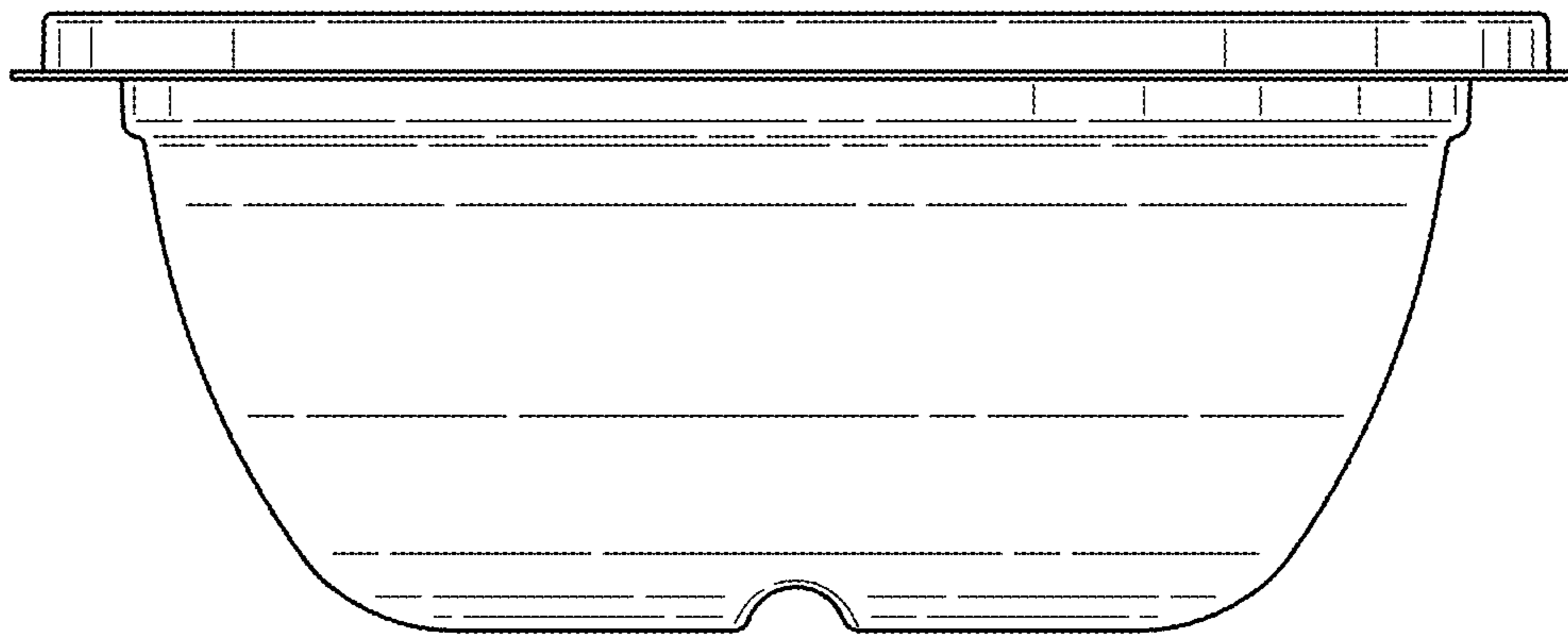


FIG.6

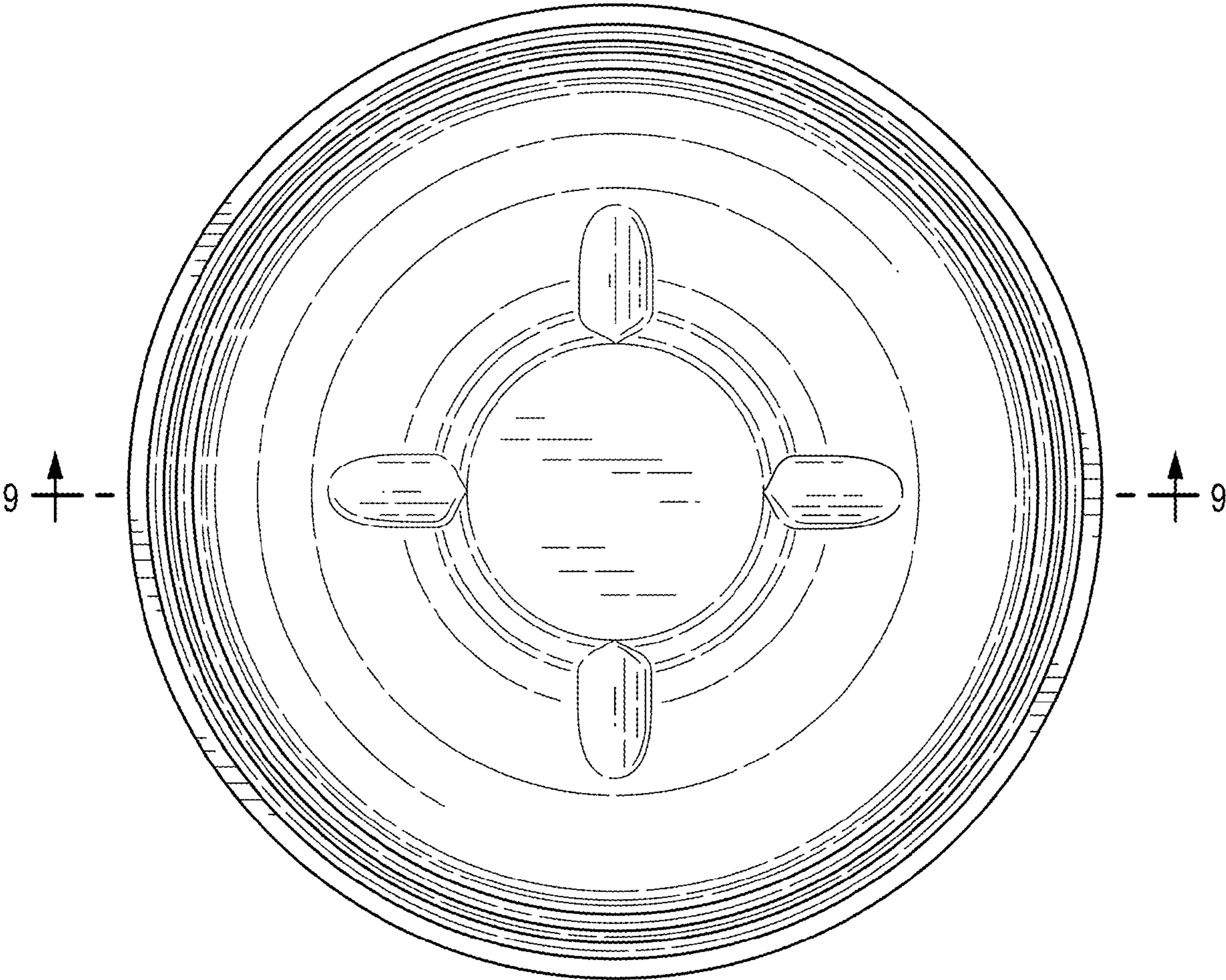


FIG.7

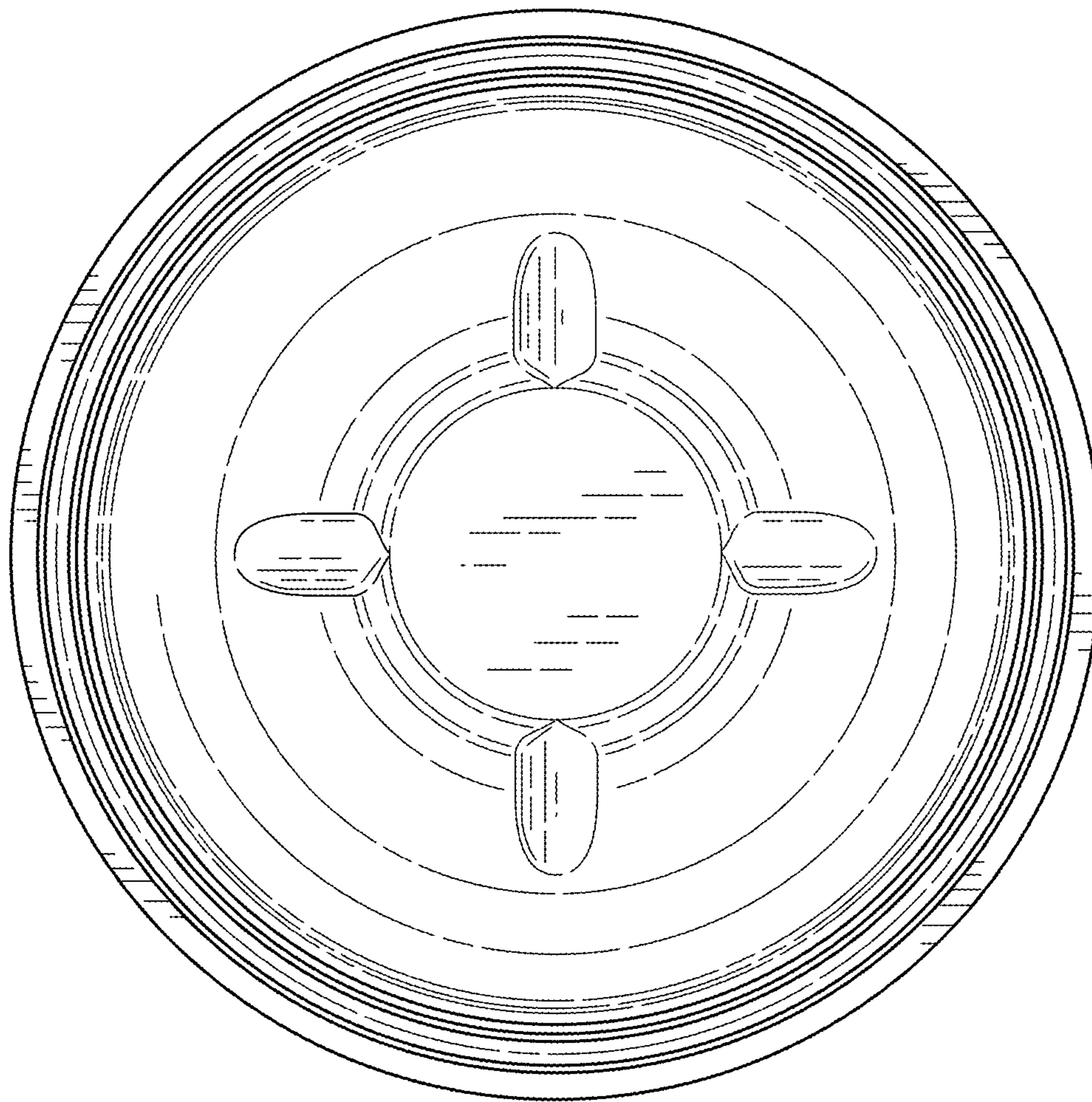


FIG.8

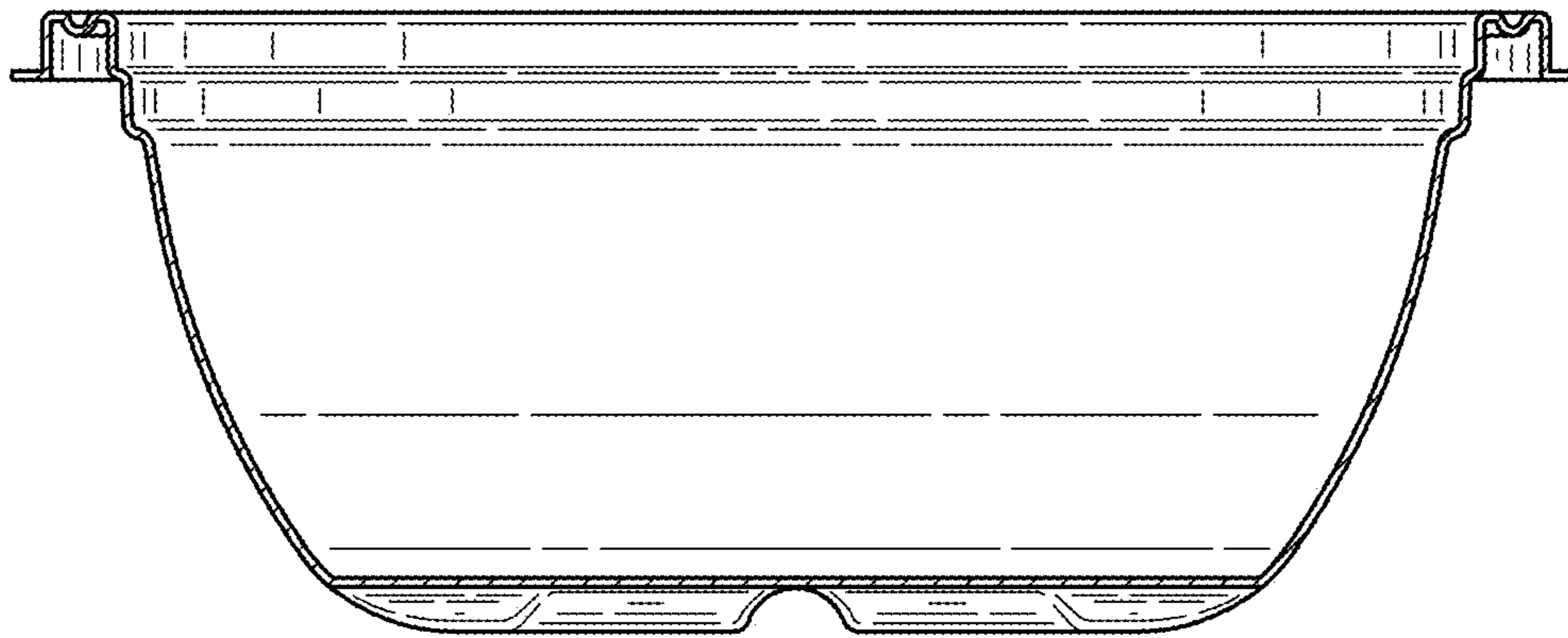


FIG.9