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(54) **BOTTLE** A47J 41/028; A47J 41/00; A47J 41/0077;
A47J 41/0005; A47J 41/0083; A45C
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(**) Term: **15 Years**

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

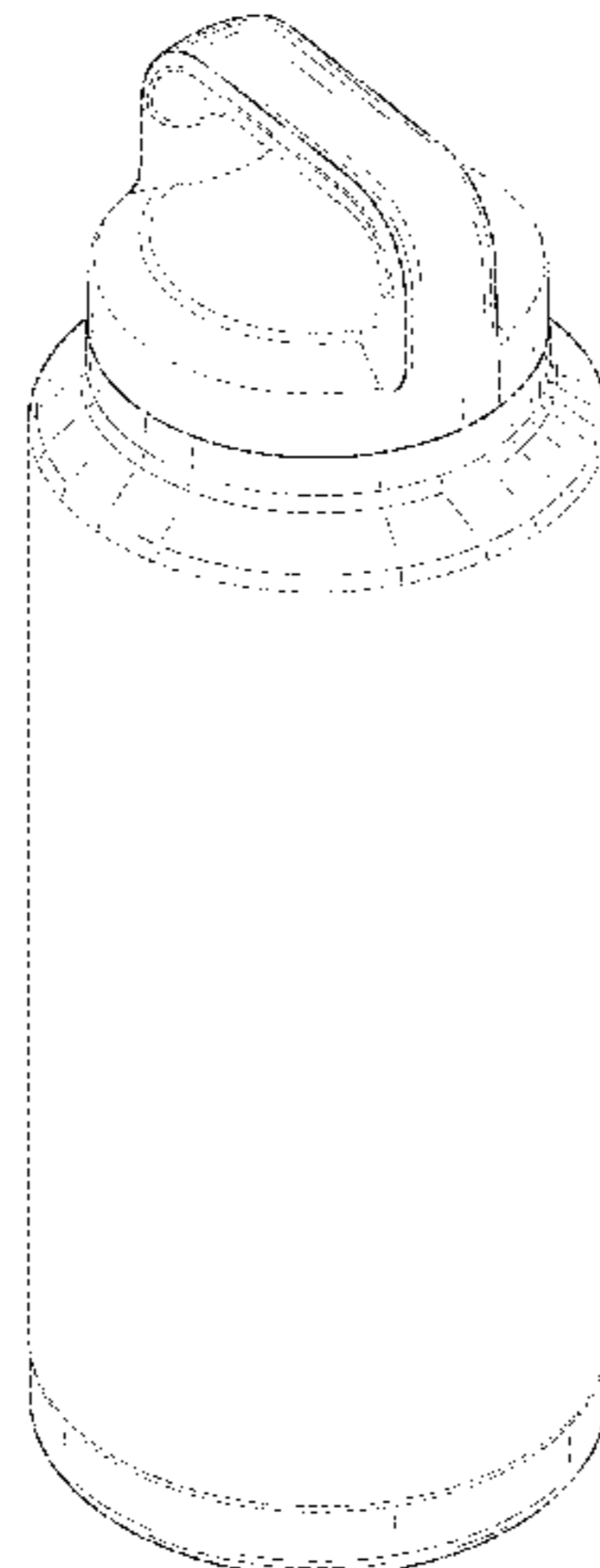
(52) **U.S. Cl.**
USPC **D7/608**

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(56) **References Cited**

U.S. PATENT DOCUMENTS

D109,331 S	4/1938	McManus et al.	
D154,378 S	7/1949	Fuller	
D177,761 S	5/1956	Reinhardt	
2,963,187 A *	12/1960	Bramming	A47J 41/02 215/12.1
3,089,603 A	5/1963	Leslie-Smith	
D224,646 S	8/1972	Vollquartz	
D235,303 S	6/1975	Boucher	
D256,651 S	9/1980	Leung et al.	
D279,346 S *	6/1985	Ruxton	D7/321
D281,567 S	12/1985	Zimmermann	
D286,604 S	11/1986	Bierlein et al.	
D286,847 S	11/1986	Zimmermann	
D287,211 S	12/1986	Weiss	
D316,371 S	4/1991	Vola	
D321,628 S *	11/1991	Kobayashi	D7/608
D332,379 S	1/1993	Murphy	
D347,359 S	5/1994	Robbins, III	
D354,915 S	1/1995	Schneider et al.	
D368,224 S	3/1996	Arndt	
D369,525 S	5/1996	Winters	
D396,191 S	7/1998	Kuzma et al.	
D398,193 S	9/1998	Sanchez	
D405,650 S	2/1999	Meier	
D415,395 S	10/1999	Hunt et al.	
D417,127 S	11/1999	Steadward et al.	
D422,916 S	4/2000	Herrmann	
6,332,557 B1 *	12/2001	Moran	A47J 41/0083 215/12.1
D456,669 S	5/2002	Munari	
D458,133 S	6/2002	Berish et al.	
D458,134 S	6/2002	Berish et al.	
D466,814 S	12/2002	Hurlburt	
D479,800 S	9/2003	McRae	
D482,607 S	11/2003	McRae	
D494,425 S	8/2004	Segura	
D524,909 S	7/2006	Bakke et al.	
D525,518 S	7/2006	Baldwin	
D533,032 S	12/2006	Liu et al.	
D535,151 S	1/2007	Seum et al.	
D536,929 S *	2/2007	Kingsley	D7/510
D548,082 S *	8/2007	Kingsley	D9/500
D553,914 S	10/2007	Wahl	



US D941,638 S

D554,000 S	10/2007	Walsh	D668,913 S	*	10/2012	Mayer	D7/510
D564,363 S	3/2008	Rhea	D670,137 S		11/2012	Gilbert	
D572,585 S	7/2008	Perrin et al.	D672,238 S		12/2012	Aziz et al.	
D584,623 S	1/2009	Chupak	D672,609 S		12/2012	Aziz et al.	
D586,184 S	2/2009	Miller et al.	D675,100 S		1/2013	Herbst	
D587,533 S	3/2009	Carreno	D676,764 S		2/2013	Moore et al.	
D592,909 S	5/2009	Alviar et al.	D678,772 S		3/2013	Johnson et al.	
D596,460 S	7/2009	Nezu	D680,389 S		4/2013	Zemel et al.	
D601,436 S	10/2009	Stephens et al.	D680,431 S		4/2013	Hopkins et al.	
D603,331 S	11/2009	Schupp	D684,059 S		6/2013	Johnson et al.	
D603,722 S	11/2009	Reimer	D686,078 S		7/2013	Johnson et al.	
D604,181 S	11/2009	Reimer	D688,093 S		8/2013	Roth et al.	
D604,561 S	11/2009	Chisholm	D693,698 S		11/2013	Miller, Jr.	
D605,040 S	12/2009	Fry et al.	D695,138 S		12/2013	Ball	
D605,060 S	12/2009	Reimer	D696,945 S		1/2014	Newman	
D611,346 S	3/2010	Camomile	D697,404 S		1/2014	Johnson et al.	
D612,235 S	3/2010	Cresswell et al.	D698,668 S		2/2014	Vaughn	
D614,918 S	5/2010	Chisholm	D701,464 S		3/2014	Ogata et al.	
D615,360 S	5/2010	Joy et al.	D702,092 S		4/2014	Mettler et al.	
D615,816 S	5/2010	Joy et al.	D702,506 S		4/2014	Mettler et al.	
D616,703 S	6/2010	Joy et al.	D708,954 S	*	7/2014	Barnes	D9/504
D616,743 S	6/2010	Cresswell et al.	D709,734 S		7/2014	Kotani	
D616,744 S	6/2010	Cresswell et al.	D712,254 S		9/2014	Geis et al.	
D619,457 S	7/2010	Walsh	D712,255 S		9/2014	Geis et al.	
D619,458 S	7/2010	Walsh	D713,268 S		9/2014	Jones et al.	
D619,459 S	7/2010	Walsh	D713,365 S		9/2014	Green	
D620,798 S	8/2010	Cresswell et al.	D717,102 S		11/2014	Taketani et al.	
D621,257 S	8/2010	Gullickson et al.	D724,385 S	*	3/2015	Hurley	D7/511
D621,258 S	8/2010	Gullickson et al.	D725,968 S		4/2015	George	
D622,089 S	8/2010	Daniel et al.	D728,315 S		5/2015	Bo	
D622,145 S	8/2010	Walsh	D728,995 S		5/2015	Barberi	
D623,475 S	9/2010	Aamoudse et al.	D729,579 S	*	5/2015	Molayem	D7/507
D623,896 S	9/2010	Wahl et al.	D729,584 S		5/2015	Weston et al.	
D625,560 S	* 10/2010	Olson	D732,402 S		6/2015	Jones et al.	
D625,563 S	10/2010	He	D734,154 S		7/2015	Johnson et al.	
D625,564 S	10/2010	He	D735,578 S		8/2015	Mazurkiewicz et al.	
D625,616 S	10/2010	Gogola et al.	D741,655 S		10/2015	Whelan et al.	
D626,414 S	11/2010	Cresswell et al.	D743,742 S		11/2015	Rummel et al.	
D626,416 S	11/2010	Cresswell et al.	D744,781 S		12/2015	Rummel et al.	
D627,601 S	11/2010	Eyal	D754,472 S		4/2016	Munari	
D627,602 S	11/2010	Eyal	D758,859 S		6/2016	Sorensen et al.	
D627,604 S	11/2010	Eyal	D760,586 S		7/2016	Seiders et al.	
D628,486 S	12/2010	Lane	D780,577 S		3/2017	Seiders et al.	
D629,689 S	12/2010	Cresswell et al.	D781,145 S		3/2017	Seiders et al.	
D629,690 S	12/2010	Cresswell et al.	D781,146 S		3/2017	Seiders et al.	
D629,691 S	12/2010	Cresswell et al.	D782,881 S		4/2017	Seiders et al.	
D630,474 S	1/2011	Gilbert	D783,367 S		4/2017	Seiders et al.	
D630,475 S	1/2011	Lu	D783,368 S		4/2017	Seiders et al.	
D631,666 S	2/2011	Lim et al.	D788,544 S		6/2017	Seiders et al.	
D632,522 S	2/2011	Wahl et al.	D790,285 S		6/2017	Seiders et al.	
D633,338 S	3/2011	Rosbach et al.	D794,397 S		8/2017	Seiders et al.	
D633,794 S	3/2011	Cresswell et al.	D795,020 S		8/2017	Seiders et al.	
D633,795 S	3/2011	Cresswell et al.	D799,898 S		10/2017	Yao	
D633,796 S	3/2011	Cresswell et al.	D799,907 S		10/2017	Seiders et al.	
D633,797 S	3/2011	Cresswell et al.	D803,005 S		11/2017	Lane	
D635,457 S	* 4/2011	Lane	D804,255 S		12/2017	Seiders et al.	
D635,856 S	4/2011	Lauret	D804,256 S		12/2017	Seiders et al.	
D638,695 S	5/2011	Woodrow et al.	D805,852 S		12/2017	Seiders et al.	
D638,708 S	5/2011	Walsh	D807,125 S		1/2018	Seiders et al.	
D639,164 S	6/2011	Walsh	D807,126 S		1/2018	Seiders et al.	
D639,166 S	6/2011	Carreno	D808,713 S		1/2018	Rane et al.	
D639,661 S	6/2011	Llerena	D808,731 S		1/2018	Boroski et al.	
D639,663 S	6/2011	Llerena	D808,732 S		1/2018	Boroski	
D641,591 S	7/2011	Tsukida	D809,344 S		2/2018	Guthrie	
D651,847 S	1/2012	Gilbert	2011/0186585 A1		8/2011	Lu	
D652,255 S	1/2012	Carland	2014/0353275 A1		12/2014	Hung	
D652,682 S	1/2012	Eyal	2017/0119212 A1		5/2017	Petrillo et al.	
D654,762 S	2/2012	Gilbert					
D655,134 S	3/2012	Gilbert					
D655,581 S	3/2012	Kotani					
D657,196 S	4/2012	Beyers, III					
D658,064 S	4/2012	Barnes et al.	CN	300731684	1/2008		
D658,445 S	5/2012	Carreno	CN	301110494	1/2010		
D659,007 S	5/2012	Pape	CN	301801861 S	1/2012		
D660,084 S	5/2012	Gilbert	CN	301964464 S	6/2012		
D662,360 S	* 6/2012	George	CN	301990728 S	7/2012		
8,215,511 B1	7/2012	Lin	CN	303009846 S	11/2014		
D664,809 S	8/2012	Eyal	CN	203987709 U	12/2014		
D665,621 S	8/2012	Eyal	CN	303344737 S	8/2015		
			CN	303374336 S	9/2015		

FOREIGN PATENT DOCUMENTS

CN	303528321	12/2015
CN	303823421 S	8/2016
CN	303905254	11/2016
DE	29707837 U1	7/1997
EP	2567909 A1	3/2013
JP	D1446118	7/2012
JP	D1489966	2/2014
JP	2014210613 A	11/2014
JP	1530358 S	8/2015
KR	300303813.0000	8/2002
KR	300764889.0000	10/2014
KR	300888536.0000	1/2017
WO	D088688-002	1/2016

OTHER PUBLICATIONS

“64 oz Double-Wall Vacuum-Insulated Growler” published on Nov. 14, 2014, retrieved from https://web.archive.org/web/*/http://www.fiftyfiftybottles.com/64oz-growler/ on Sep. 22, 2016.

“Hydro Flask Insulated Stainless Steel Water Bottle” published on Dec. 29, 2014, retrieved from http://web.archive.org/web/*/https://www.amazon.com/dp/B004X55L9I/ref=twister_B00GA03LG4?_encoding=UTF8&psc=1 on Sep. 22, 2016.

“Eco Vessel 64 ounce Growler” published on Jan. 28, 2015, retrieved from http://web.archive.org/web/*/http://www.snewsnet.com/press-release/eco-vessel-launches-the-boss-insulated-growler/ on Sep. 22, 2016.

“Classic Vacuum Bottle—1.1 qt,” published on Feb. 22, 2015, retrieved from http://www.amazon.com/Stanley-Classic-Vacuum-Bottle-1-1qt/dp/images/B004E7NY3U/ref=dp_image_1_0?ie=UTF8&s=spring-goods&img=color_name=1.

“UA Beyond 18 oz. Vacuum Insulated Water Bottle” published on Mar. 29, 2015, retrieved from http://web.archive.org/web/*/https://www.underarmour.com/en-us/beyond-18-oz-vacuum-insulated-ss-bottle-with-flip-top-lid/pid1232014 on Sep. 22, 2016.

“KB8 20 oz. Double Wall Stainless Bottle,” published on May 22, 2015, retrieved from <https://web.archive.org/web/20150807054814/http://thermo-steel.com/work/keen-kb8> on Sep. 27, 2016.

“2015 Boulder Insulated Water Bottle with Tea, Fruit, Ice Strainer” published on Jun. 28, 2015, retrieved from http://web.archive.org/web/*/http://www.ecovessel.com/boulder-insulated-water-bottle-with-tea-fruit-ice-strainer-20-oz/ on Sep. 22.

“Klean Kanteen Insulated Classic with Polypropylene” published on Jul. 7, 2015, retrieved from http://web.archive.org/web/*/https://www.lifewithoutplastic.com/store/klean-kanteen-insulated-classic-with-polypropylene-loop-cap-0-95-l-32-oz.html on Sep. 22, 2016.

KOLD Vacuum Insulated Stainless Steel Sports Bottle: Announced Dec. 8, 2015 [online], site visited [May 11, 2016]. Available from Internet URL: <http://www.amazon.com/KOLD-Sports-Water-Bottles-Insulated/dp/B018YH K79E/ref=cm>.

Yeti 36 oz. Rambler: Announced Jan. 11, 2016 [online], site visited [May 10, 2016], Available from Internet URL: <http://yeticoolers.com/rambler-bottle-36-oz/>.

United States District Court Western District of Texas Austin Division, “Complaint for Damages and Injunctive Relief,” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC and RTIC Web Services, LLC*, Case: 1:16-cv-00985, Document #1, filed Aug. 18, 2016, 27 pages.

English translation of Office Action dated Sep. 6, 2016 for JP Application No. 2016-9603, 4 pages.

English translation of Office Action dated Sep. 6, 2016 for JP Application No. 2016-9604, 3 pages.

United States District Court Western District of Texas Austin Division, “Defendants’ Motion to Dismiss Pursuant to Rule 12(b)(6),” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC and RTIC Web Services, LLC*, Case: 1:16-cv-00985, Document 9, filed Sep. 23, 2016, 27 pages.

English translation of Office Action dated Oct. 4, 2016 for JP Application No. 2016-9607, 2 pages.

English translation of Office Action dated Oct. 4, 2016 for JP Application No. 2016-9608, 2 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ First Amended Complaint,” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC, and RTIC Web Services, LLC*, Case 1:16-cv-00985-RP, Document 15, filed Oct. 14, 2016, 26 pages.

United States District Court Western District of Texas Austin Division, “Defendants’ Notice of Responsive Pleading to Plaintiff’s First Amended Complaint,” *Yeti Coolers, LLC v. RTIC Coolers, LLC, RTIC Drinkware, LLC, and RTIC Web Services, LLC*, Case 1:16-cv-00985-RP, Document 23, filed Oct. 26, 2016, 4 pages.

English translation of Office Action dated Nov. 1, 2016 for JP Application No. 2016-9605, 2 pages.

English translation of Office Action dated Nov. 1, 2016 for JP Application No. 2016-9606, 2 pages.

Feb. 6, 2017—(WO) International Search Report and Written Opinion—App No. PCT/US2016/059481—12 pages.

United States District Court Western District of Texas Austin Division, “Plaintiff Yeti Coolers, LLC’s Original Complaint,” *Yeti Coolers, LLC v. Ontel Products Corporation and World Pack USA, LLC*, Case: 1:17-cv-00091-RP, Document #1, filed Feb. 8, 2017, 65 pages.

United States District Court Western District of Texas Austin Division, “Defendants’ Answers and Defenses to Plaintiff’s Original Complaint,” *Yeti Coolers, LLC v. Ontel Products Corporation and World Pack USA, LLC*, Case: 1:17-cv-00091-RP, Document #14, filed Mar. 21, 2017, 45 pages.

English Translation of Office Action dated Apr. 4, 2017 for JP Application No. 2016-9605, 11 pages.

English Translation of Office Action dated Apr. 4, 2017 for JP Application No. 2016-9606, 10 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ Complaint for Damages and Injunctive Relief,” *Yeti Coolers, LLC v. Houssam Rabi d/b/a Hoo-Sizzy*, Case 1:17-cv-00418, Document 1, filed May 5, 2017, 84 pages.

United States District Court Western District of Texas Austin Division, “Plaintiffs’ Complaint for Damages and Injunctive Relief,” *Yeti Coolers, LLC v. Seth Stevens d/b/a SDS Marketing d/b/a Eskimo Coolers, Panther Group LLC d/b/a Eskimo Coolers, Panther Group Sales, LLC d/b/a Eskimo Coolers, and Silver Fox Sales, LLC*, Case 1:17-cv-00423, Document 1, filed May 5, 2017, 283 pages.

United States District Court Western District of Texas Austin Division, “Second Amended Complaint,” *Yeti Coolers, LLC v. Sam’s West, Inc., and Sam’s East, Inc., and CY Top, Ltd.*, Case: 1:16-cv-00829-RP, Document #51, filed Sep. 22, 2017, 49 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Costco Wholesale Corporation*, Case: 1:17-cv-07025, Document #1, filed Sep. 28, 2017, 99 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Alibaba Group Holding Limited, Alibaba (China) Technology Co., Ltd., Alibaba.com Hong Kong Limited, Alibaba.com Singapore E-Commerce Private Limited, Hangzhou Alibaba Advertising Co. Ltd., and Huizhou Dashu Trading Co., Ltd.*, Case: 1:17-cv-00936, Document #1, filed Sep. 28, 2017, 272 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. ContextLogic, Inc. d/b/a Wish.com*, Case: 1:17-cv-00937, Document #1, filed Sep. 28, 2017, 238 pages.

United States District Court Western District of Texas Austin Division, “Complaint,” *Yeti Coolers, LLC v. Dunhuang Group, SZ Flowerfairy Technology Co., Ltd., Tan Er Pa Technology Co., Ltd., Shenzhen Great Electronic Technology Co., Ltd., and Huagong Trading Co.*, Case: 1:17-cv-00938, Document #1, filed Sep. 28, 2017, 272 pages.

United States International Trade Commission of Washington, DC, “Complaint Under Section 337 of the Tariff Act of 1930, as Amended,” *Yeti Coolers, LLC vs. Alibaba (China) Technology Co., Ltd., Alibaba Group Holding Limited, Alibaba.com Hong Kong Limited, Alibaba.com Singapore E-Commerce Private Limited, Bonanza.com, Inc., ContextLogic, Inc. d/b/a Wish, Dunhuang Group, Hangzhou*

Alibaba Advertising Co. Ltd., Huizhou Dashu Trading Co., Ltd., Huagong Trading Co., and Tan Er Pa Technology Co., Ltd., filed Sep. 28, 2017, 191 pages.

United States District Court Western District of Texas Austin Division, "Complaint," *Yeti Coolers, LLC v. SF Associates, Inc.*, Case: 1:17-cv-01070, Document#1, filed Nov. 10, 2017, 39 pages. United States International Trade Commission Washington, DC, Respondents Alibaba, Dunhuang Group, and Bonanza.com's "Notice of Prior Art", Inv. No. 33-TA-1084 dated Feb. 9, 2018, 8 pages. Jan. 29, 2021 (CN) Chinese Evaluation Report app No. 201630164049. 0.

United States District Court Southern District of Texas, Houston Division, "Complaint", *YETI Coolers, LLC v. Igloo Products Corporation*, Case 4:21-cv-03203, filed Oct. 1, 2021, 54 pages.

* cited by examiner

Primary Examiner — Terry A Wallace

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(57)

CLAIM

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

DESCRIPTION

FIG. 1 is a top, front, right perspective view of a bottle showing our new design;

FIG. 2 is a front view thereof, where the rear view is mirror image of FIG. 2;

FIG. 3 is a right side view thereof, where the left side view is a mirror image of FIG. 3; and,

FIG. 4 is a top view thereof.

The uneven-length broken lines and the even-length broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The even-length broken lines depicting the remainder of the bottle show features that form no part of the claimed design.

1 Claim, 3 Drawing Sheets

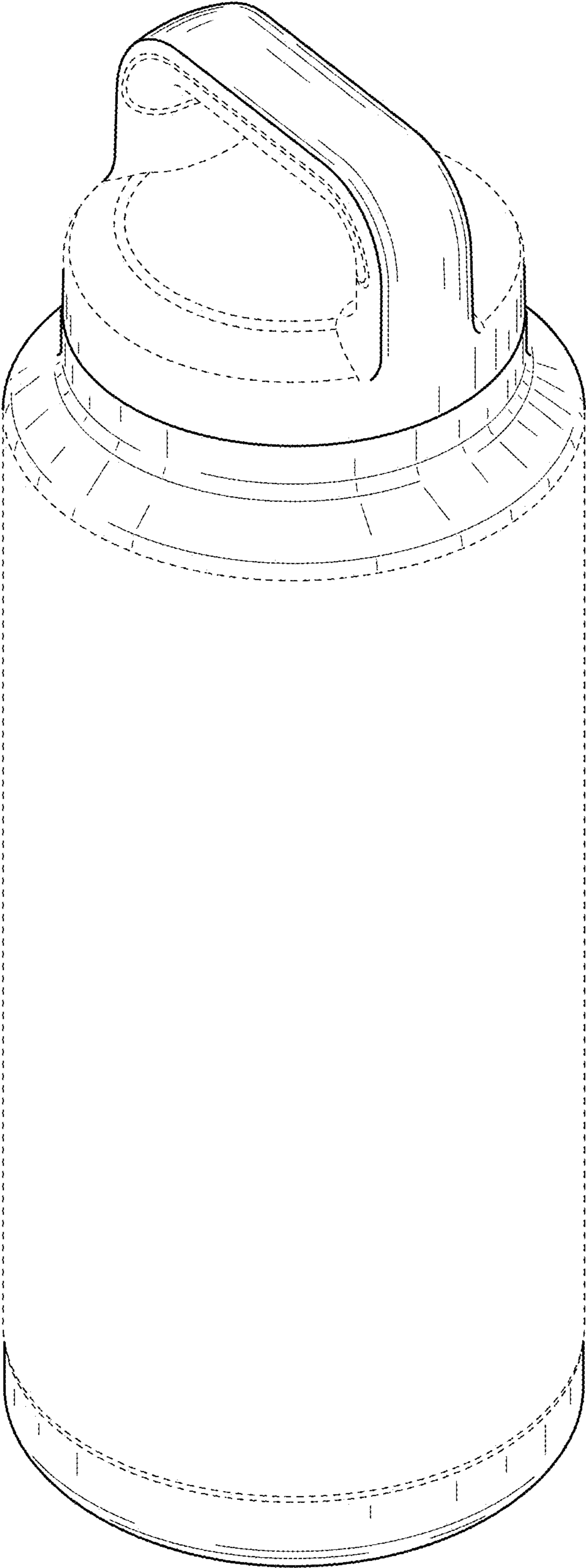


FIG. 1

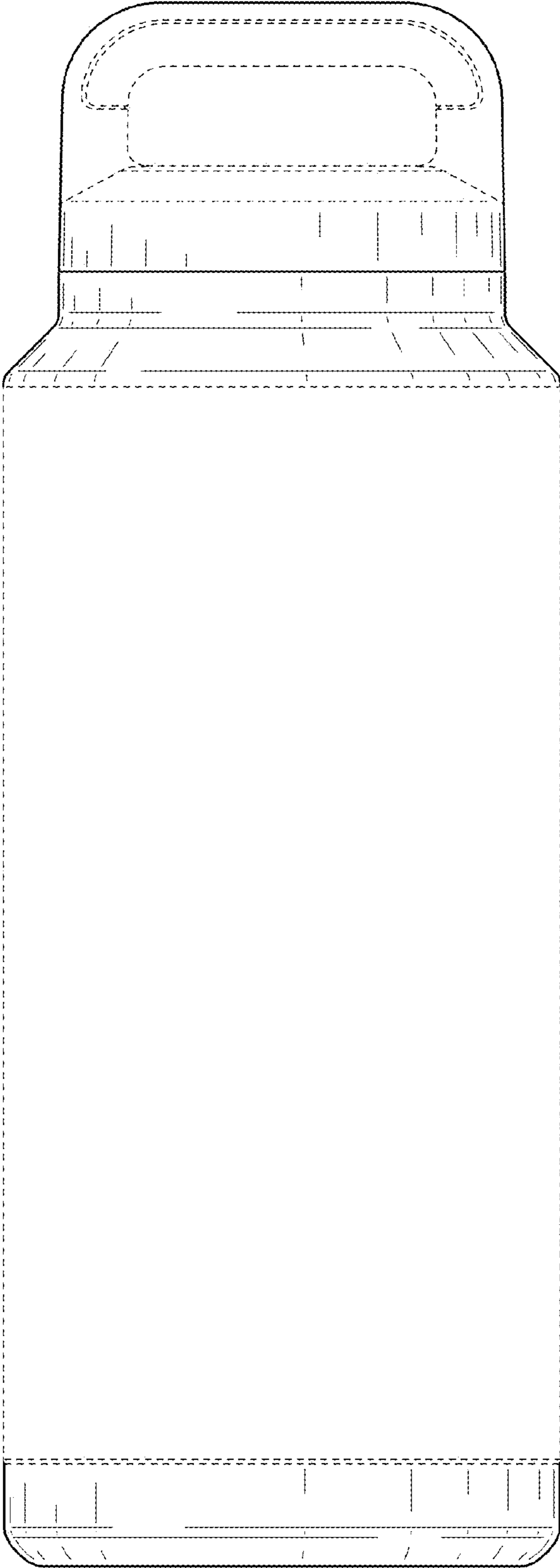


FIG. 2

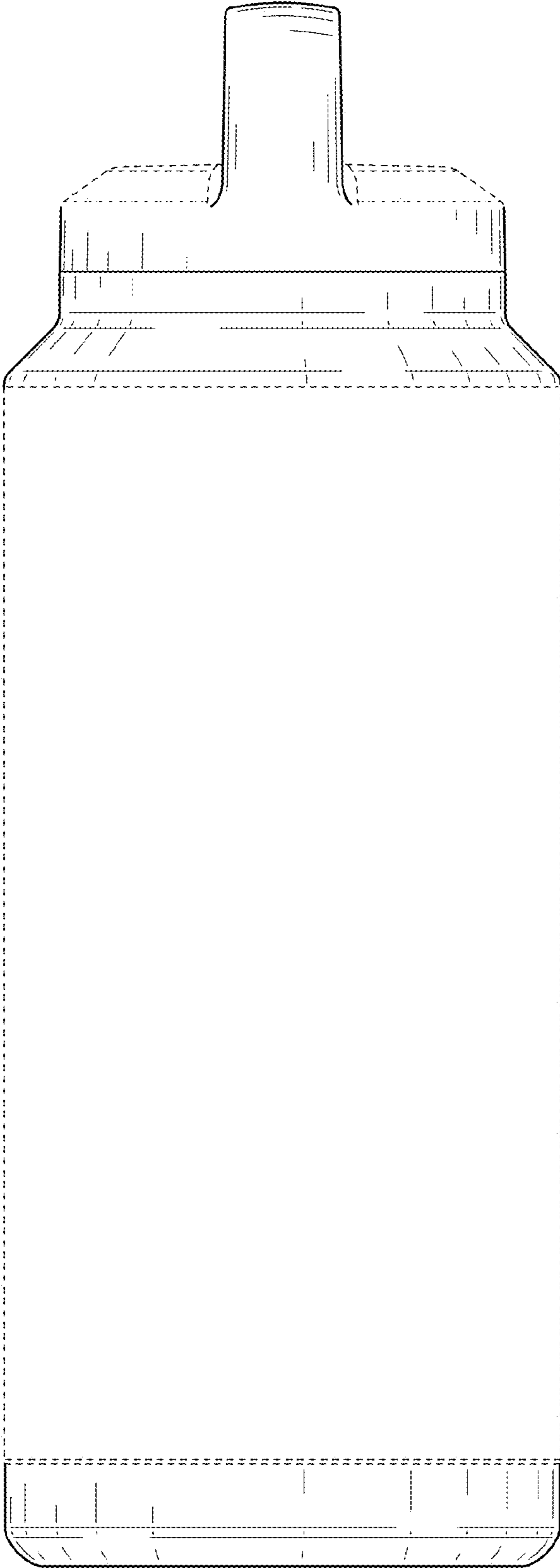


FIG. 3

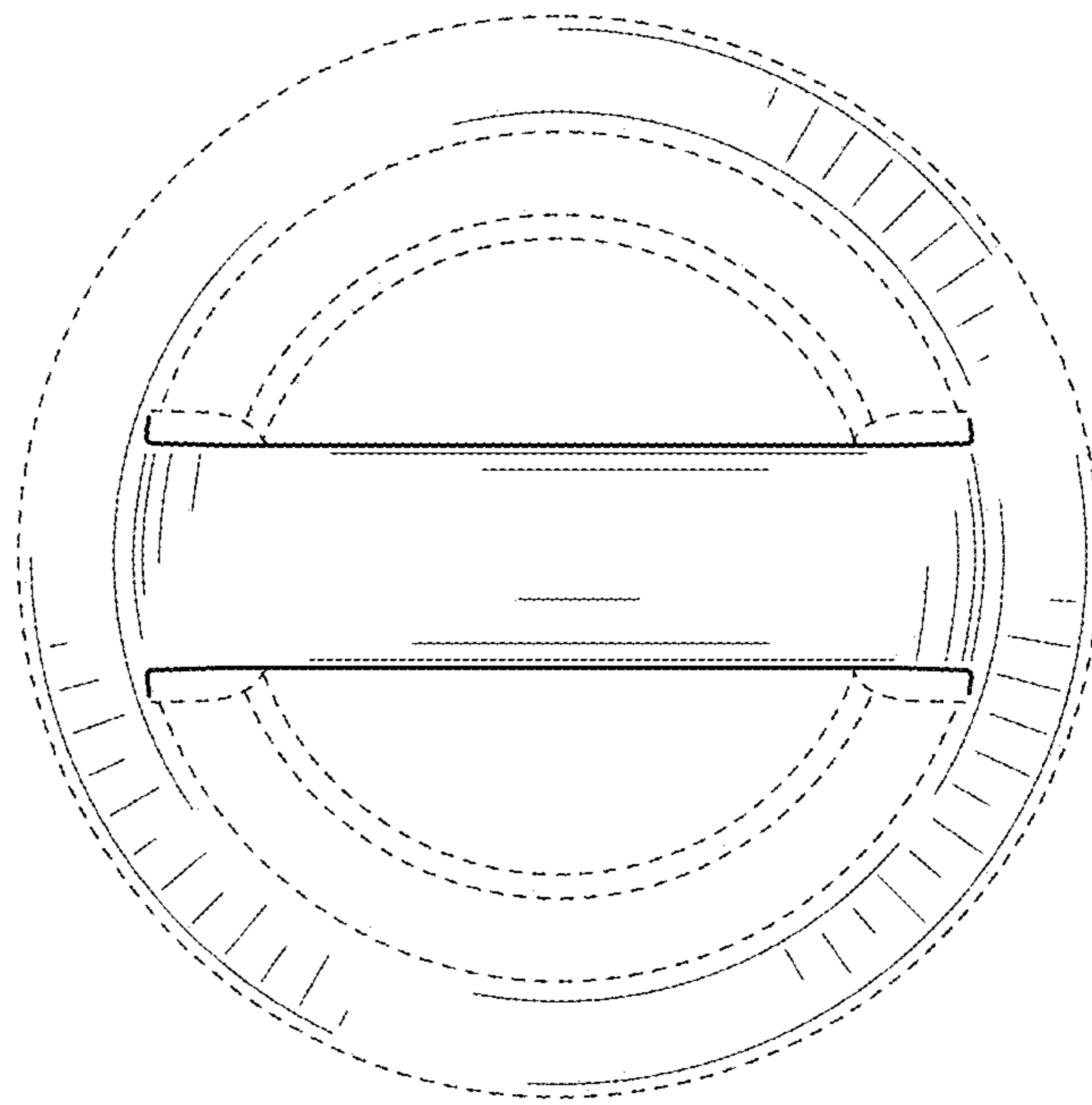


FIG. 4