



US00RE48037E

(19) **United States**
(12) **Reissued Patent**
Marina et al.

(10) **Patent Number:** **US RE48,037 E**
(45) **Date of Reissued Patent:** **Jun. 9, 2020**

(54) **CAP AND CONTAINER**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **PepsiCo, Inc.**, Purchase, NY (US)
(72) Inventors: **Carlos Hernan Marina**, Deerfield Beach, FL (US); **Jorge Manuel Maquita Nakano**, Distrito Federal (MX); **Tucker Fort**, Brooklyn, NY (US); **Carlos Francisco Gomez**, Querétaro (MX); **Paul Katz**, New York, NY (US); **Jacob Pamborg**, New York, NY (US); **Christopher R. Xydis**, New York, NY (US)

CA 154626 11/2014
WO 2013/103589 7/2013

Primary Examiner — Philip S Hyder
(74) *Attorney, Agent, or Firm* — Sterne, Kessler, Goldstein & Fox P.L.L.C.

(73) Assignee: **PepsiCo, Inc.**, Purchase, NY (US)

(57) **CLAIM**

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

(21) Appl. No.: **29/620,463**

DESCRIPTION

(22) Filed: **Nov. 18, 2016**

Related U.S. Patent Documents

FIG. 1 is a top perspective view of a cap *and container* showing our new design;
FIG. 2 is a front view thereof;
FIG. 3 is a right side view thereof;
FIG. 4 is a rear view thereof;
FIG. 5 is a left side view thereof;
FIG. 6 is a top view thereof;
FIG. 7 is a bottom view thereof;
FIG. 8 is a bottom, front, right perspective view thereof;
FIG. 9 is a top perspective view thereof shown in an exemplary unclaimed environment;
FIG. 10 is a top perspective view thereof shown in an exemplary unclaimed environment; [and,]
FIG. 11 is a right side view thereof shown in an exemplary unclaimed environment[.];
FIG. 12 is a top perspective view of the container and cap;
FIG. 13 is a side view thereof; and,
FIG. 14 is a top perspective exploded view thereof.
The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken lines showing the remainder of the cap are for environmental purposes only and form no part of the claimed design.

Reissue of:

(64) Patent No.: **Des. 717,651**
Issued: **Nov. 18, 2014**
Appl. No.: **29/460,549**
Filed: **Jul. 11, 2013**

(51) **LOC (12) Cl.** **09-07**
(52) **U.S. Cl.**
USPC **D9/454**; D9/519
(58) **Field of Classification Search**
USPC D7/300, 392.1, 396.2, 703; D9/434, 435, D9/436, 440, 441, 447, 449, 499, 454
(Continued)

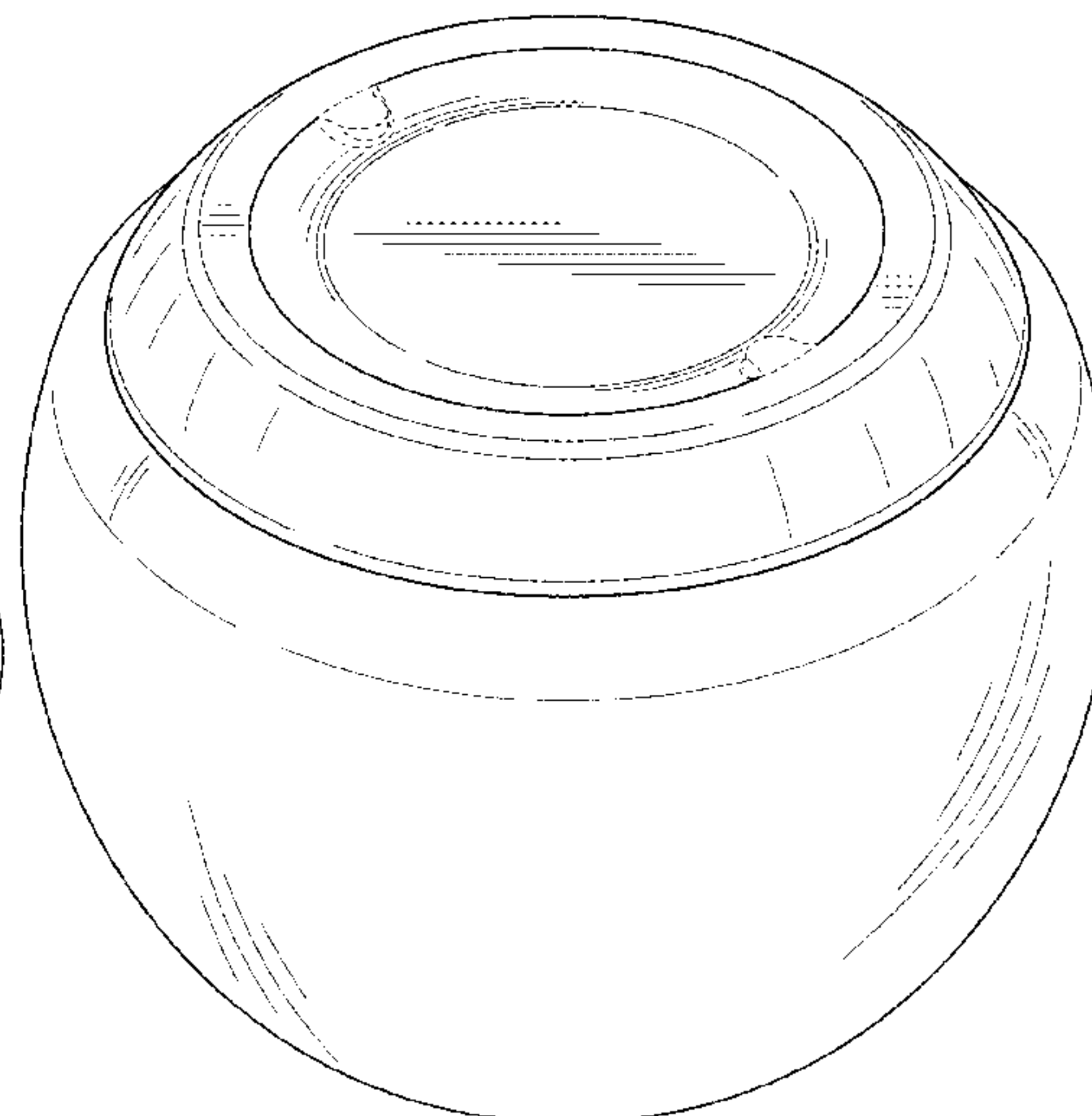
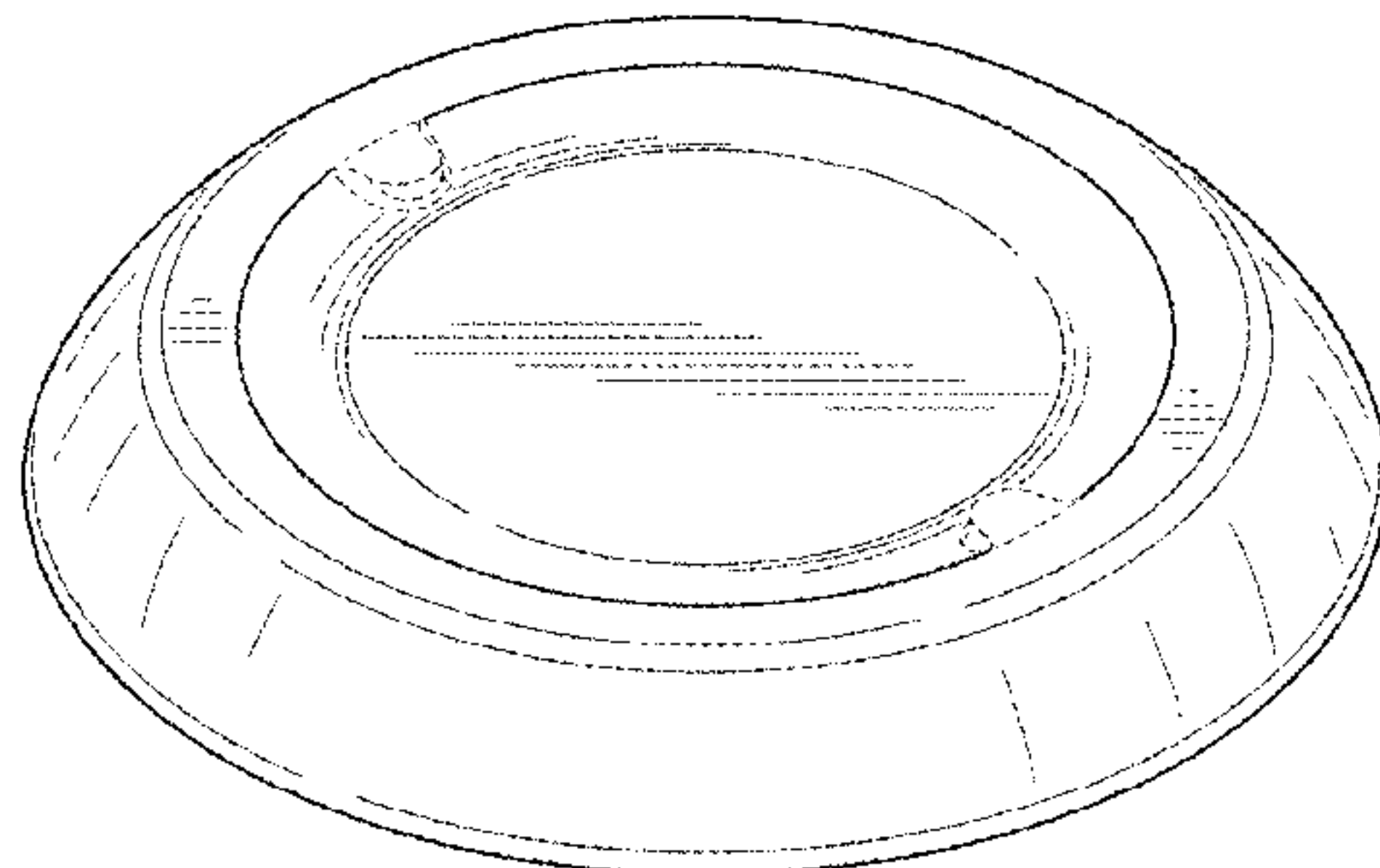
(56) **References Cited**

1 Claim, 10 Drawing Sheets

U.S. PATENT DOCUMENTS

D281,758 S * 12/1985 Trombly D7/391
D286,026 S * 10/1986 Rayner D9/435
(Continued)

Matter enclosed in heavy brackets [] appears in the original patent but forms no part of this reissue; matter printed in italics indicates the additions made by reissue.



(NEW)

(58) **Field of Classification Search**

CPC B65D 39/0029; B65D 39/0005; B65D
41/00; B65D 41/28; B65D 41/02; B65D
4/0464; B65D 41/0471; B65D 43/00;
B65D 43/02; B65D 51/02; B65D 51/04;
B65D 51/041; B65D 23/00

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D289,259	S	4/1987	Strand	
D298,592	S	11/1988	Stoop	
D309,109	S *	7/1990	Allen	D9/435
D373,727	S *	9/1996	Lowry	D9/445
D381,267	S *	7/1997	Rush et al.	D9/452
D381,268	S *	7/1997	Rush et al.	D9/452
D417,584	S *	12/1999	Lillelund et al.	D7/392.1
D474,978	S	5/2003	Varlet	
D475,573	S *	6/2003	Jalet et al.	D7/392.1
6,574,883	B2	6/2003	Giblin et al.	
D528,359	S *	9/2006	Laib	D7/392.1
D532,305	S	11/2006	Fellows et al.	
D552,473	S *	10/2007	Simkin	D9/516
D561,030	S *	2/2008	Simkin	D9/519

D570,212	S *	6/2008	Sussman	D9/444
D572,535	S *	7/2008	El-Ghouyel	D7/500
D588,870	S	3/2009	Rasmussen	
D605,523	S	12/2009	Dibnah et al.	
D610,009	S	2/2010	Prufer	
D622,835	S	8/2010	Mendheirn	
D641,209	S *	7/2011	Ablo	D7/392.1
D650,677	S	12/2011	Wurster et al.	
D660,700	S *	5/2012	MacNeill	D9/445
D664,853	S *	8/2012	Kipry	D28/73
D675,528	S	2/2013	Beaver	
D676,276	S *	2/2013	Muspratt-Williams	D7/392.1
D677,162	S *	3/2013	Sharma	D7/392.1
D697,800	S *	1/2014	Villarreal	D28/82
D699,578	S	2/2014	Marina et al.	
D701,767	S	4/2014	Marina et al.	
D732,978	S	6/2015	Kick	
D749,368	S	2/2016	Risso et al.	
D793,236	S *	8/2017	Santos	D9/454
2010/0055252	A1	3/2010	Marina et al.	A47J 31/407 426/77
2011/0166910	A1	7/2011	Marina et al.	B65D 51/2807 705/7.29
2012/0183657	A1	7/2012	Marina et al.	A47J 31/407 426/394

* cited by examiner

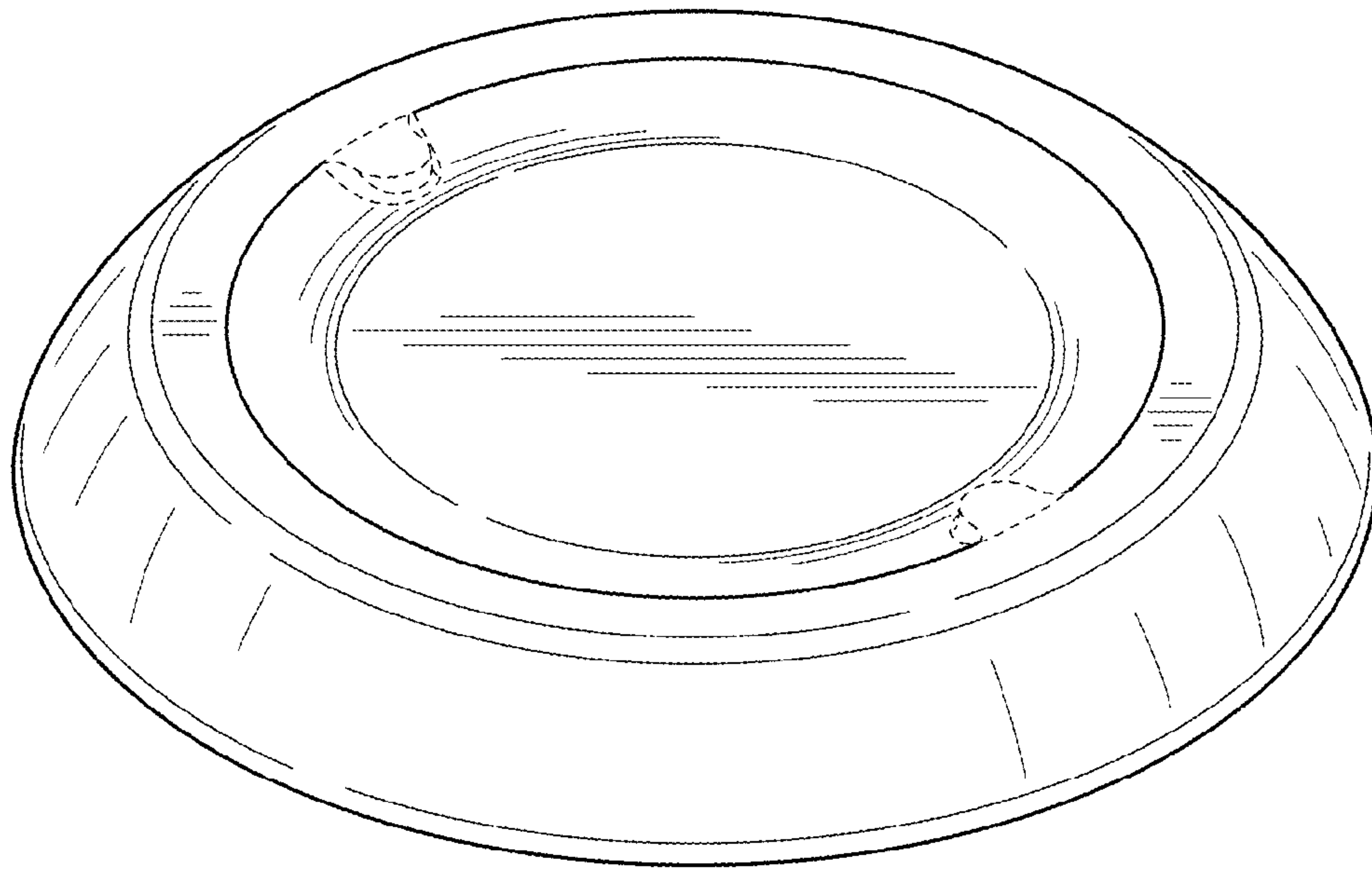


FIG. 1

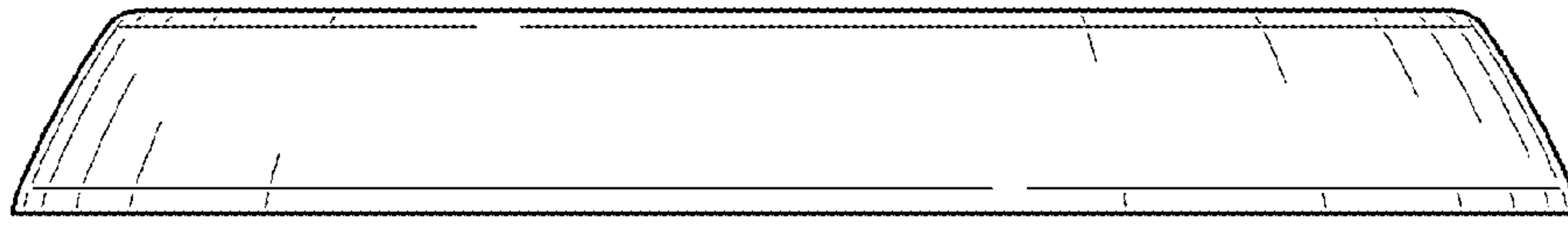


FIG. 2

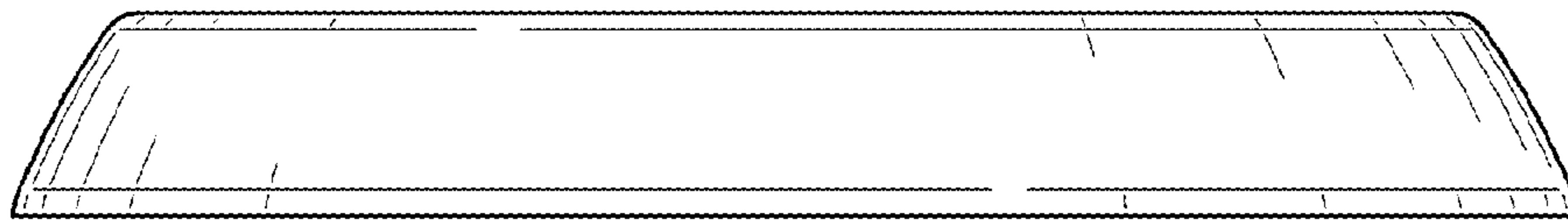


FIG. 3

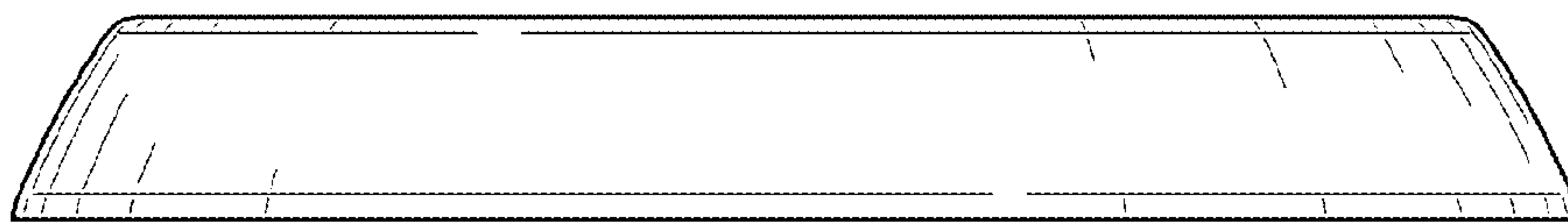


FIG. 4

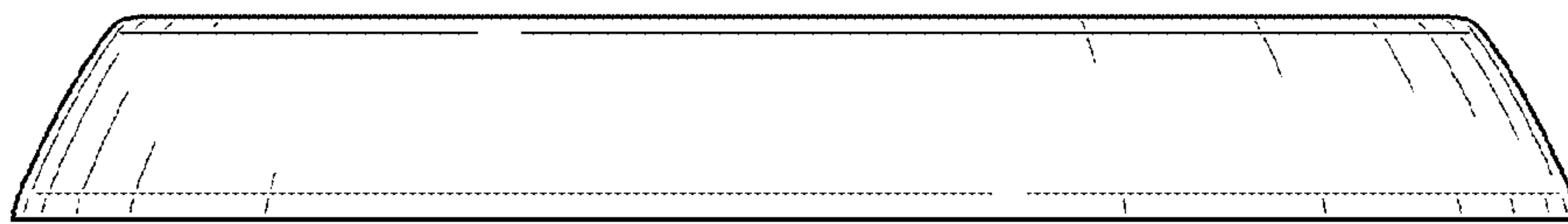


FIG. 5

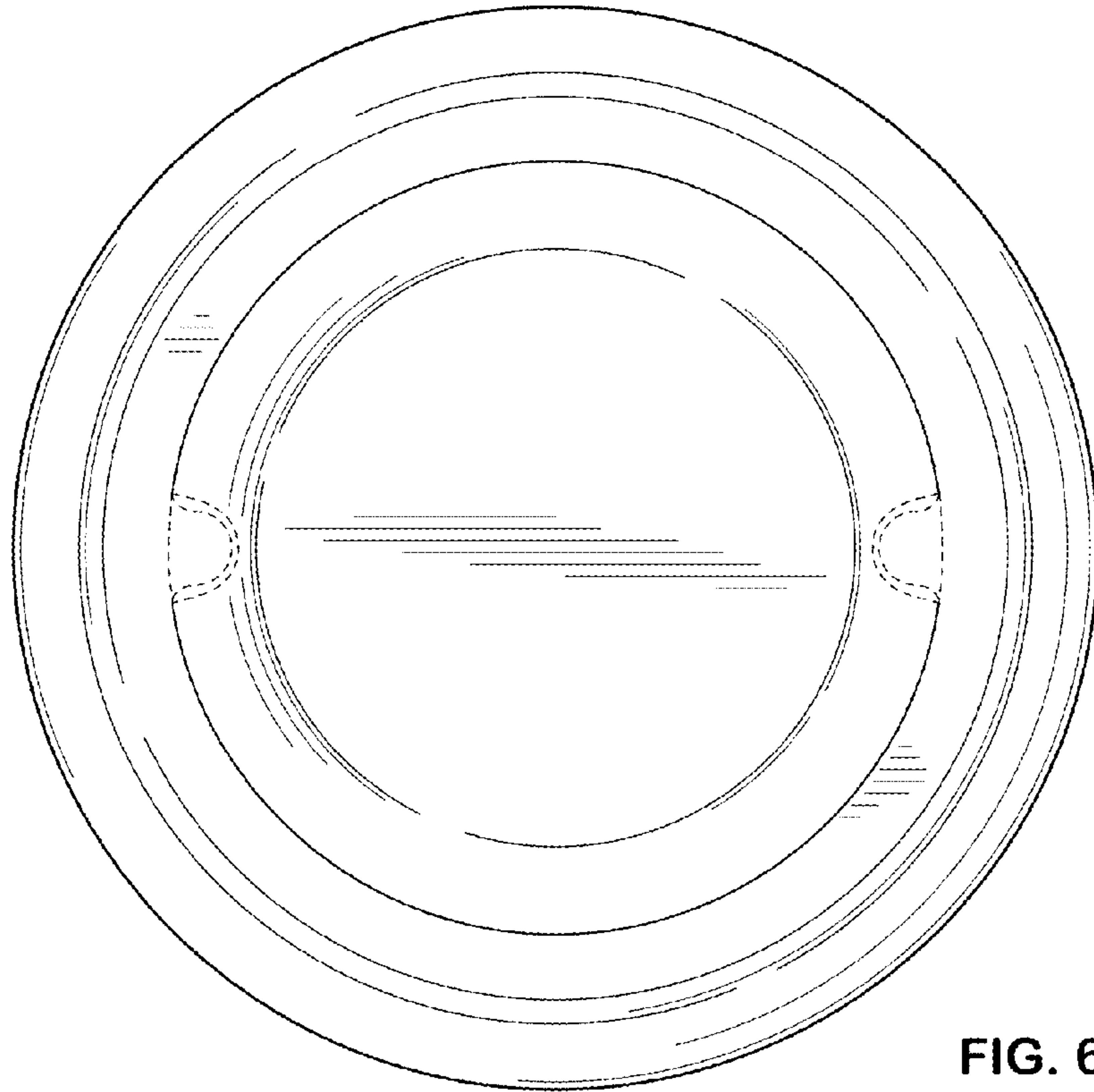


FIG. 6

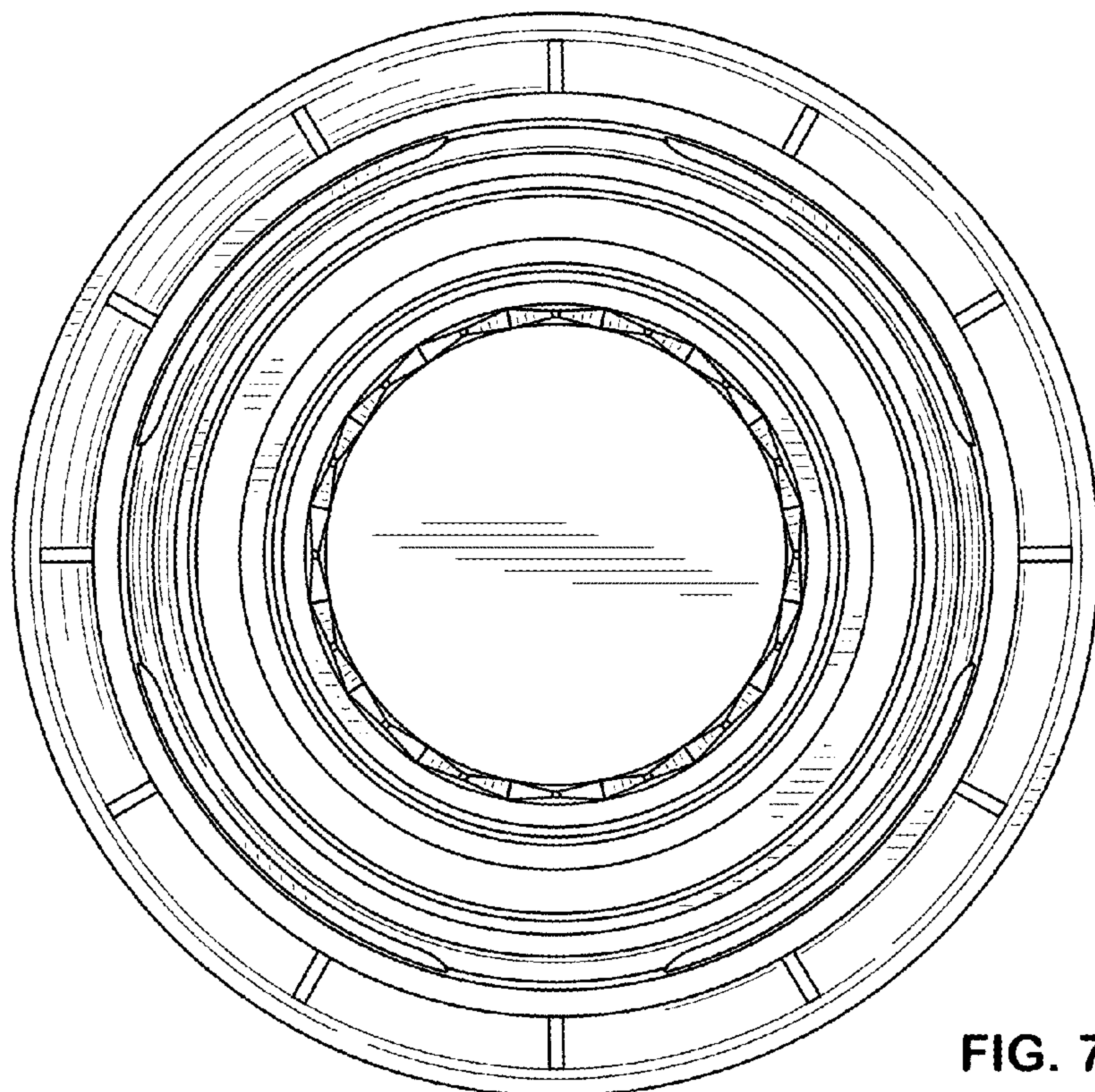


FIG. 7

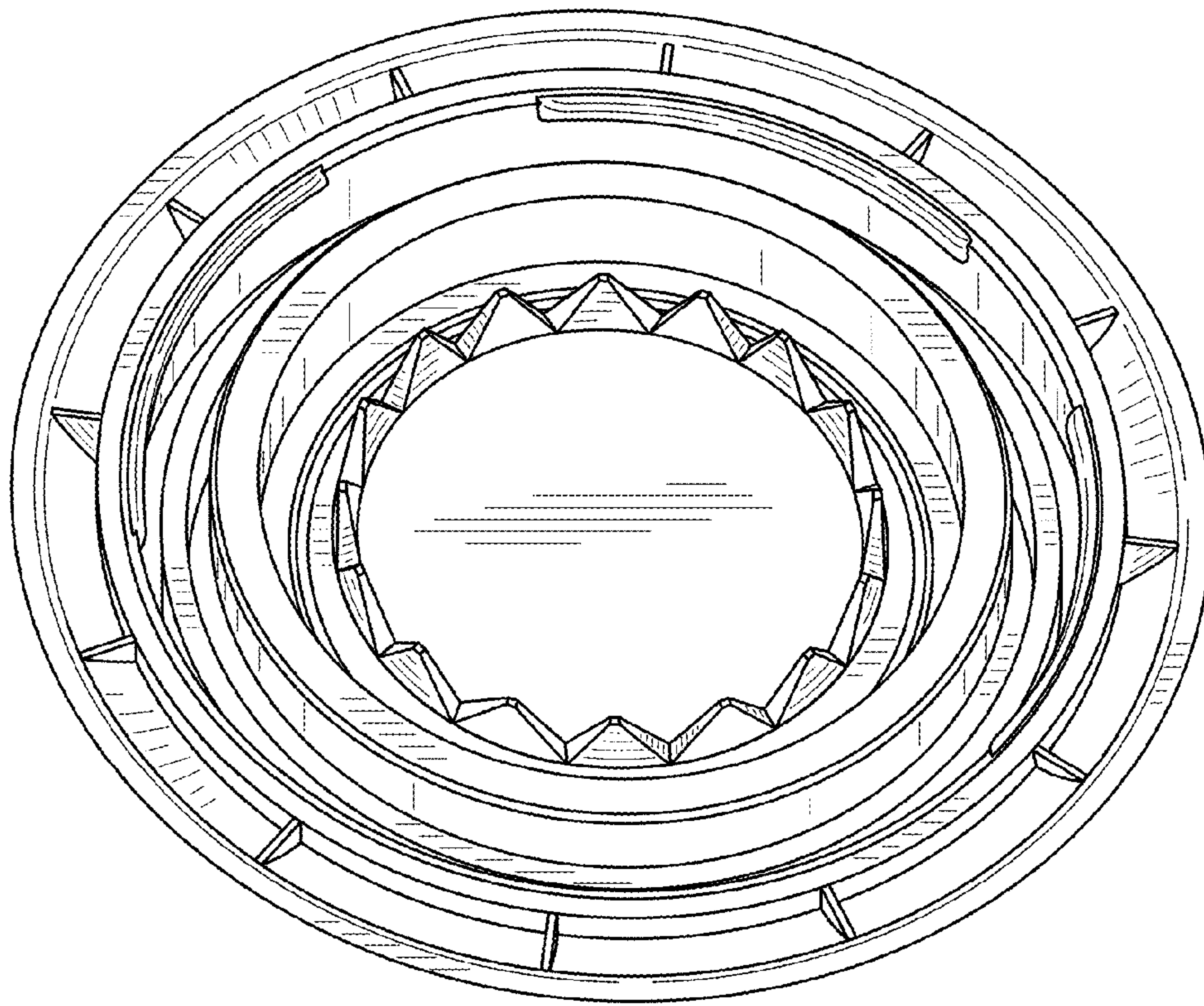


FIG. 8

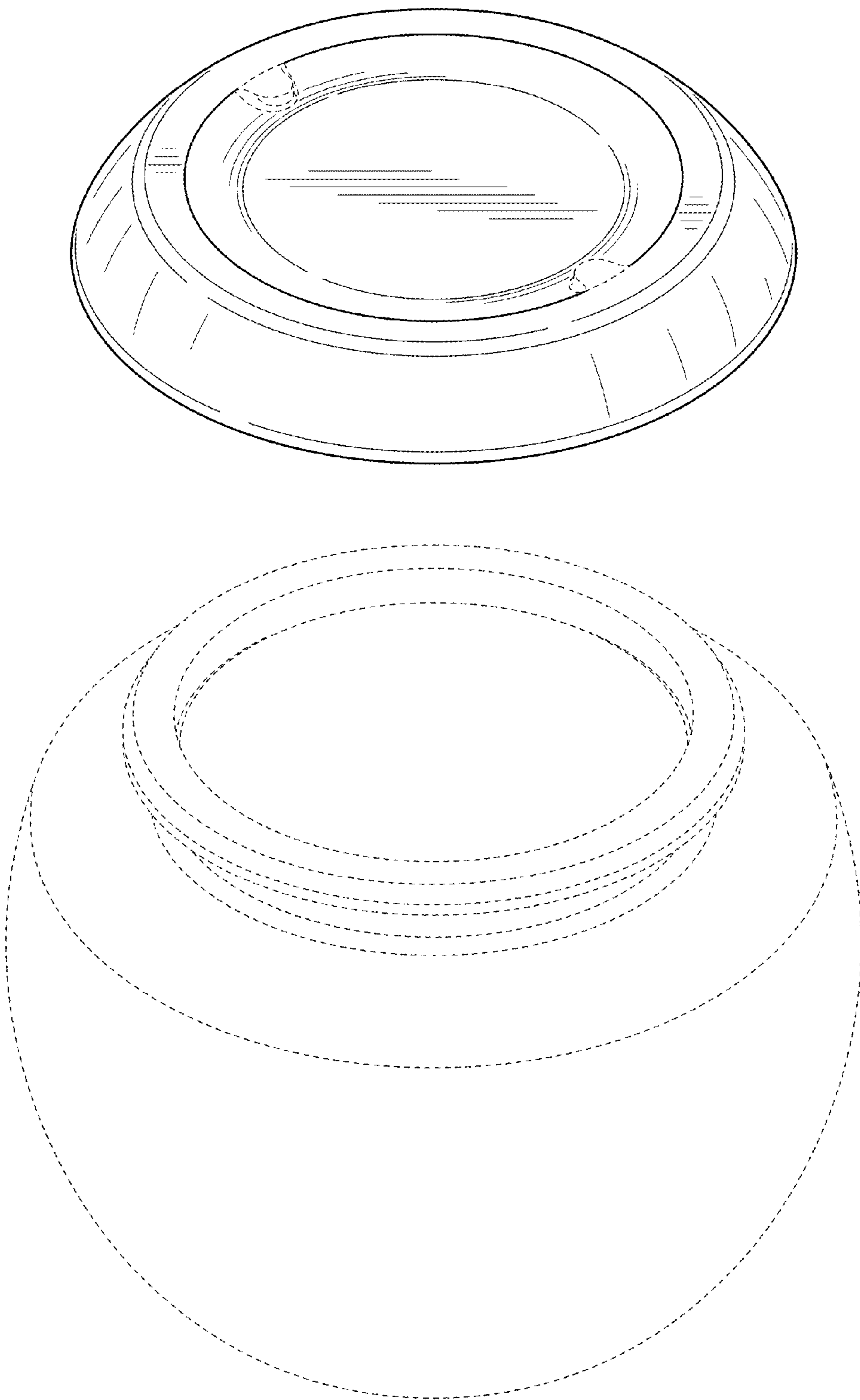


FIG. 9

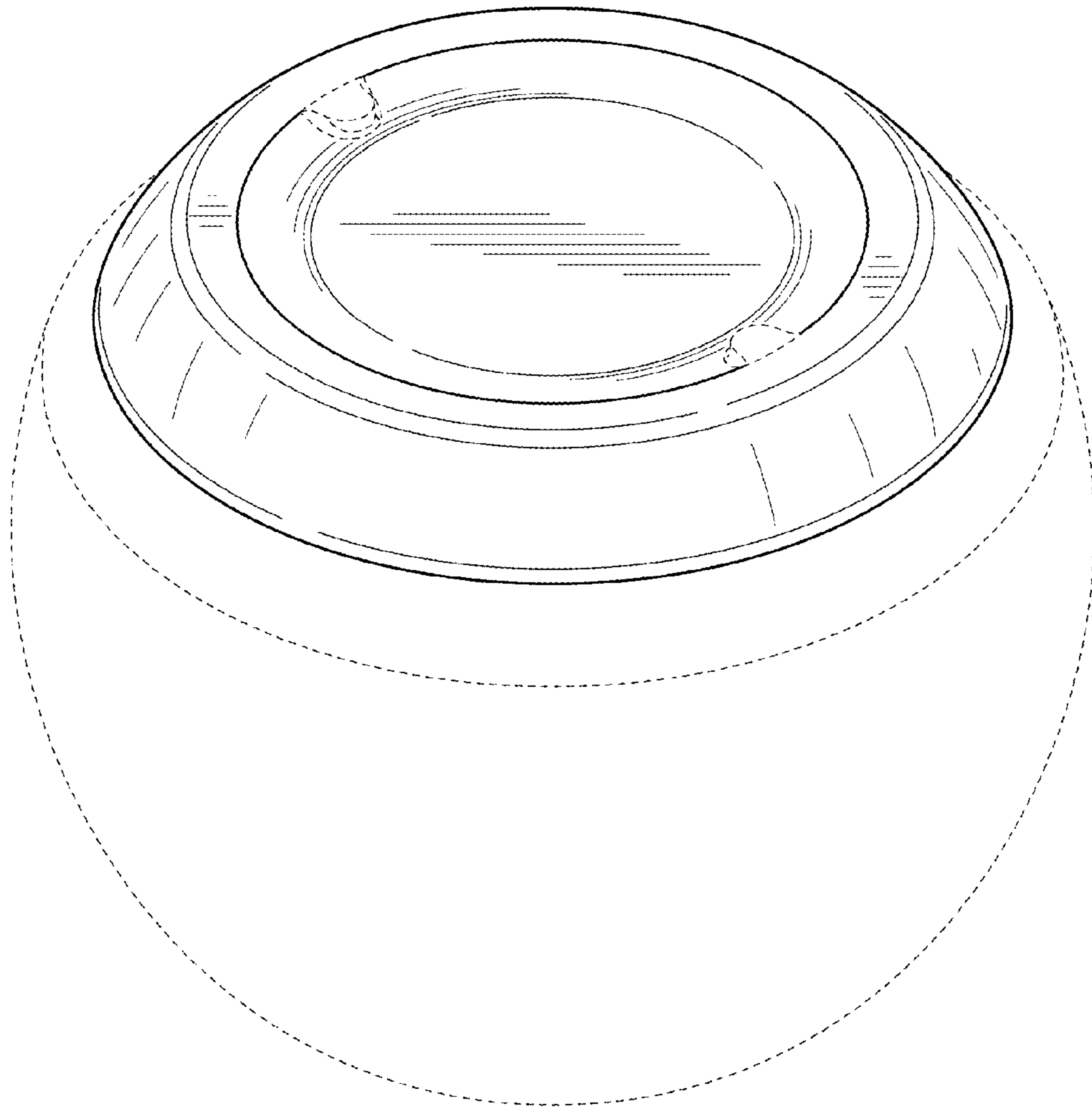


FIG. 10

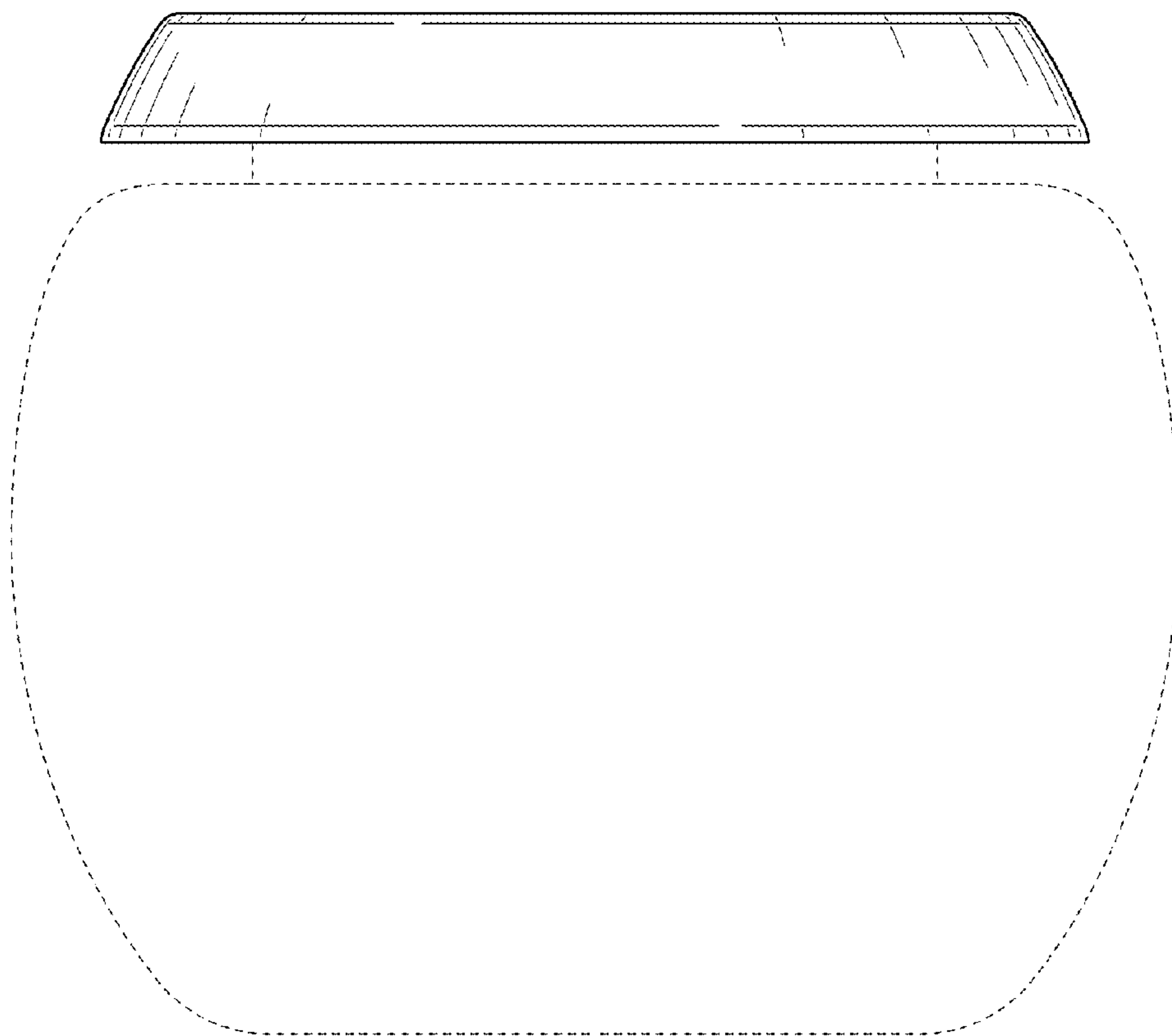


FIG. 11

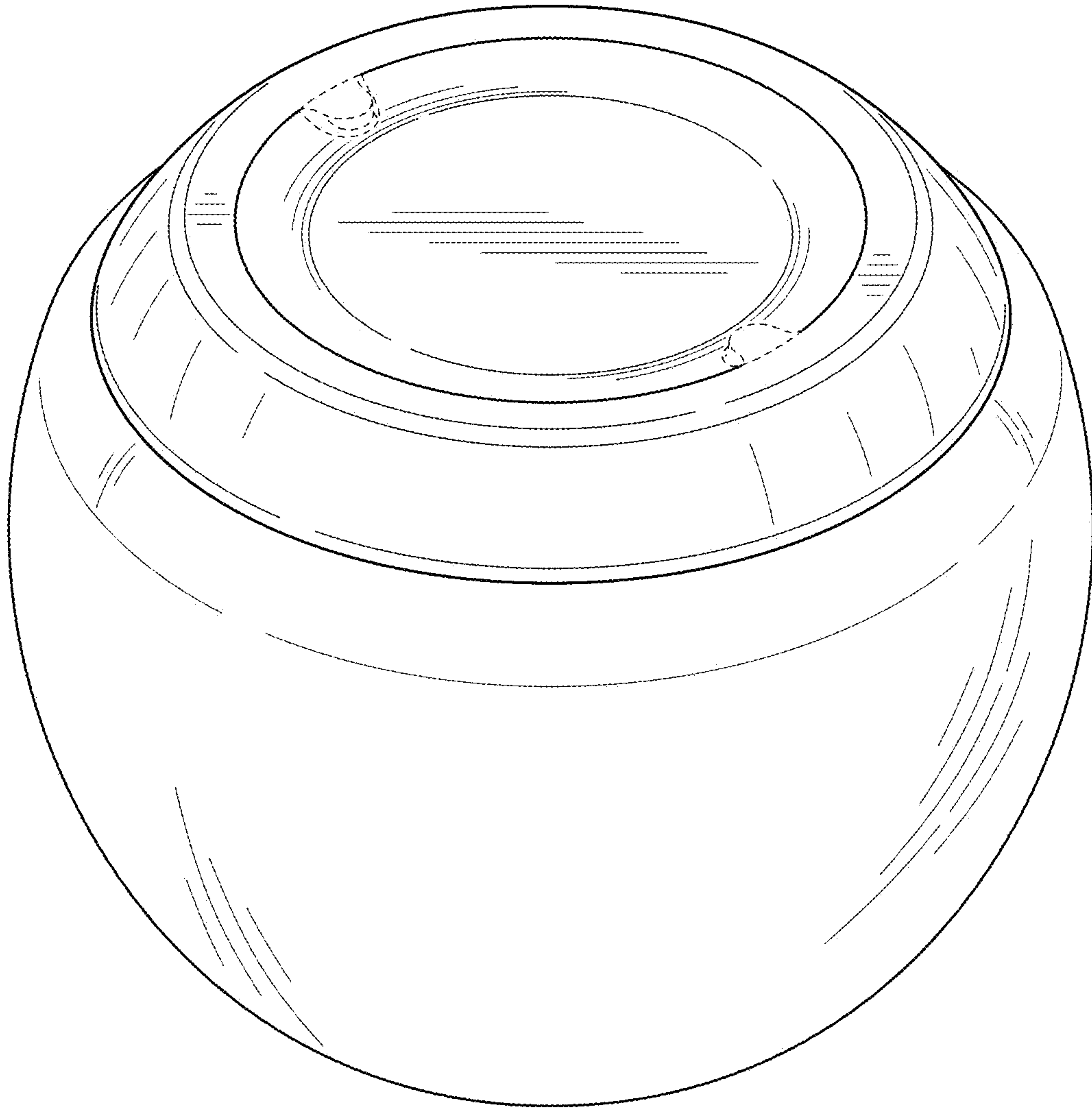


FIG . 12 (NEW)

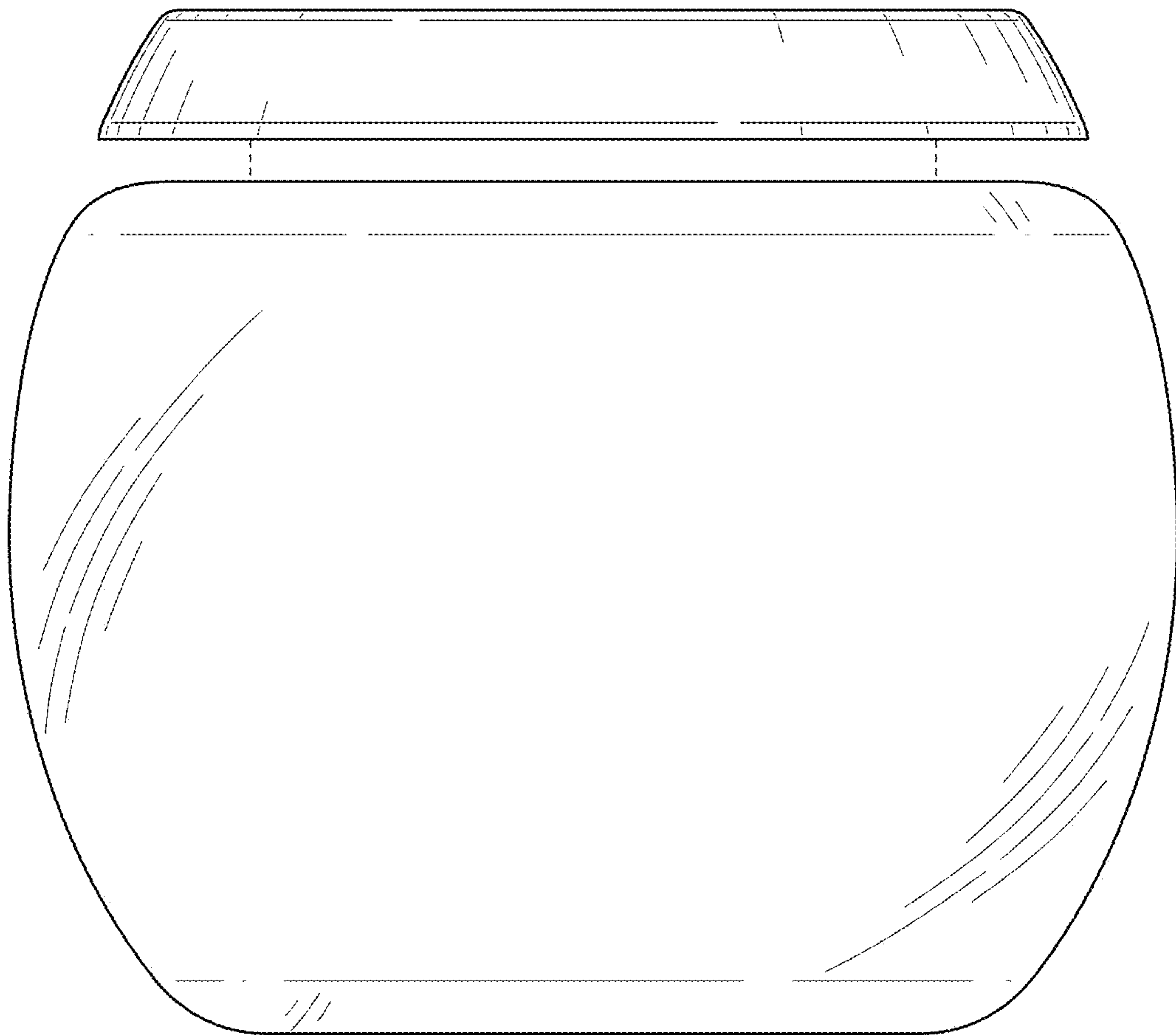


FIG . 13 (NEW)

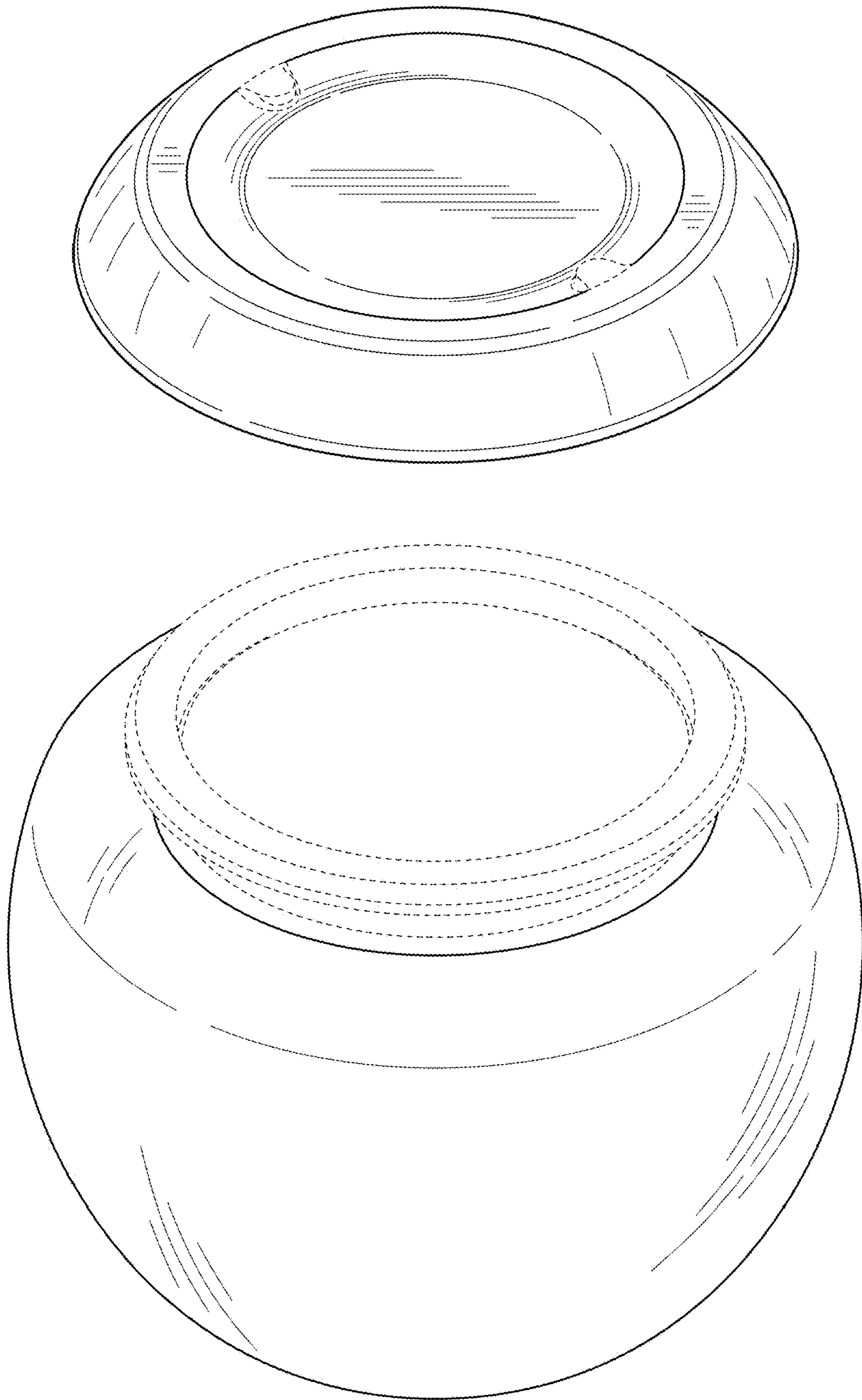


FIG . 14 (NEW)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : RE48,037 E
APPLICATION NO. : 29/620463
DATED : June 9, 2020
INVENTOR(S) : Marina et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page

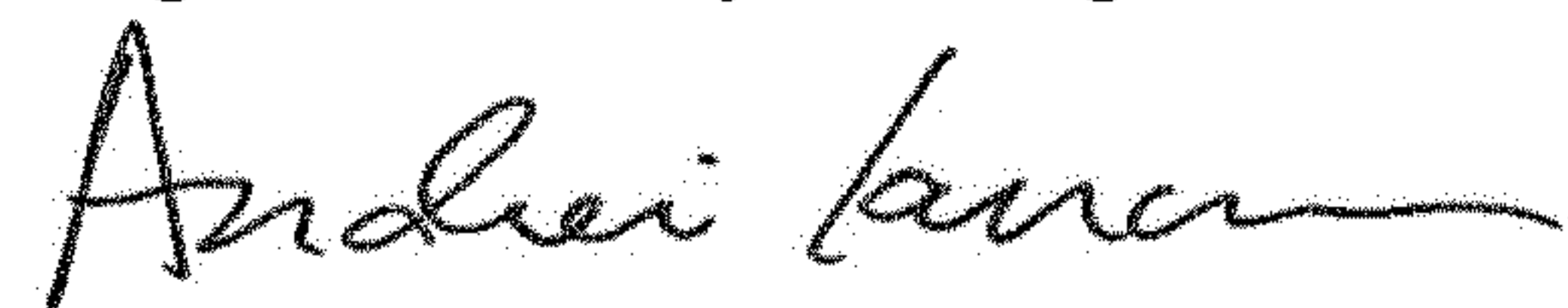
Item (57), under Description, at Lines 1-2, replace:

“FIG. 1 is a top perspective view of a cap and container showing our new design;”

With:

--FIG. 1 is a top perspective view of a cap showing our new design;--

Signed and Sealed this
Eighteenth Day of August, 2020



Andrei Iancu
Director of the United States Patent and Trademark Office