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(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

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(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**

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.

Related U.S. Patent Documents

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)

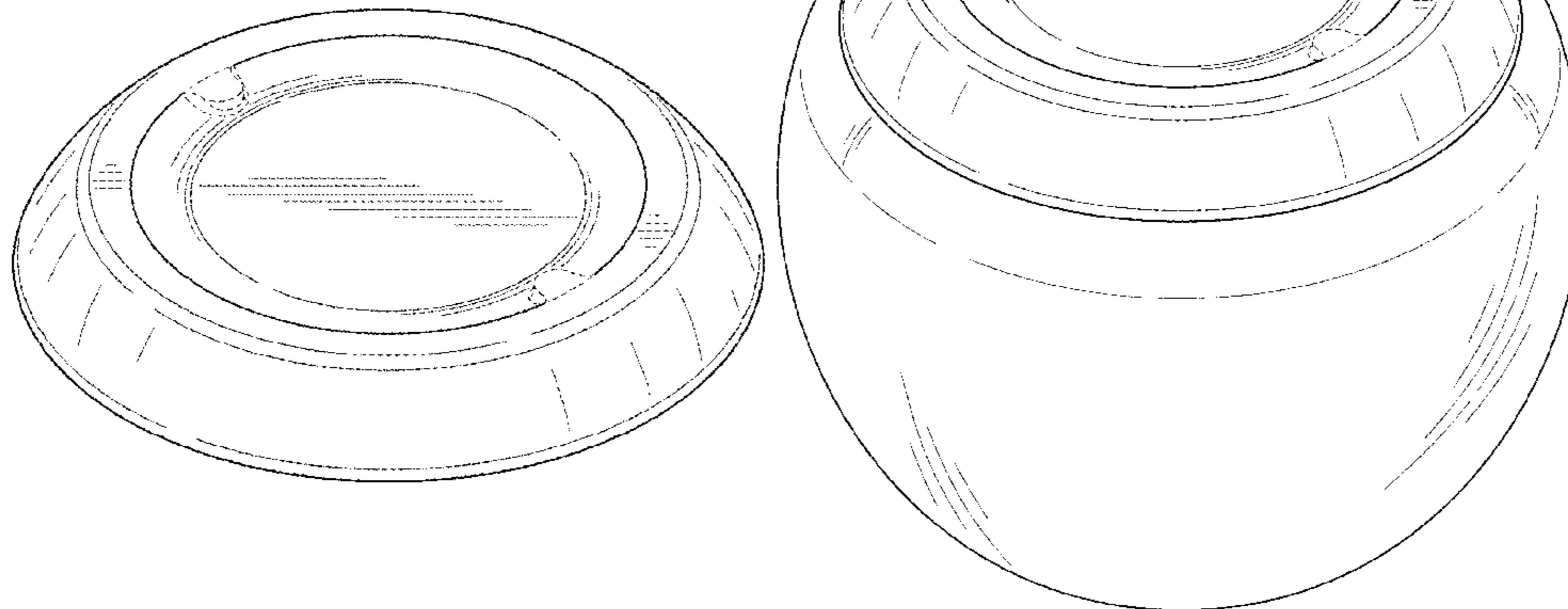
1 Claim, 10 Drawing Sheets

(56) **References Cited**

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

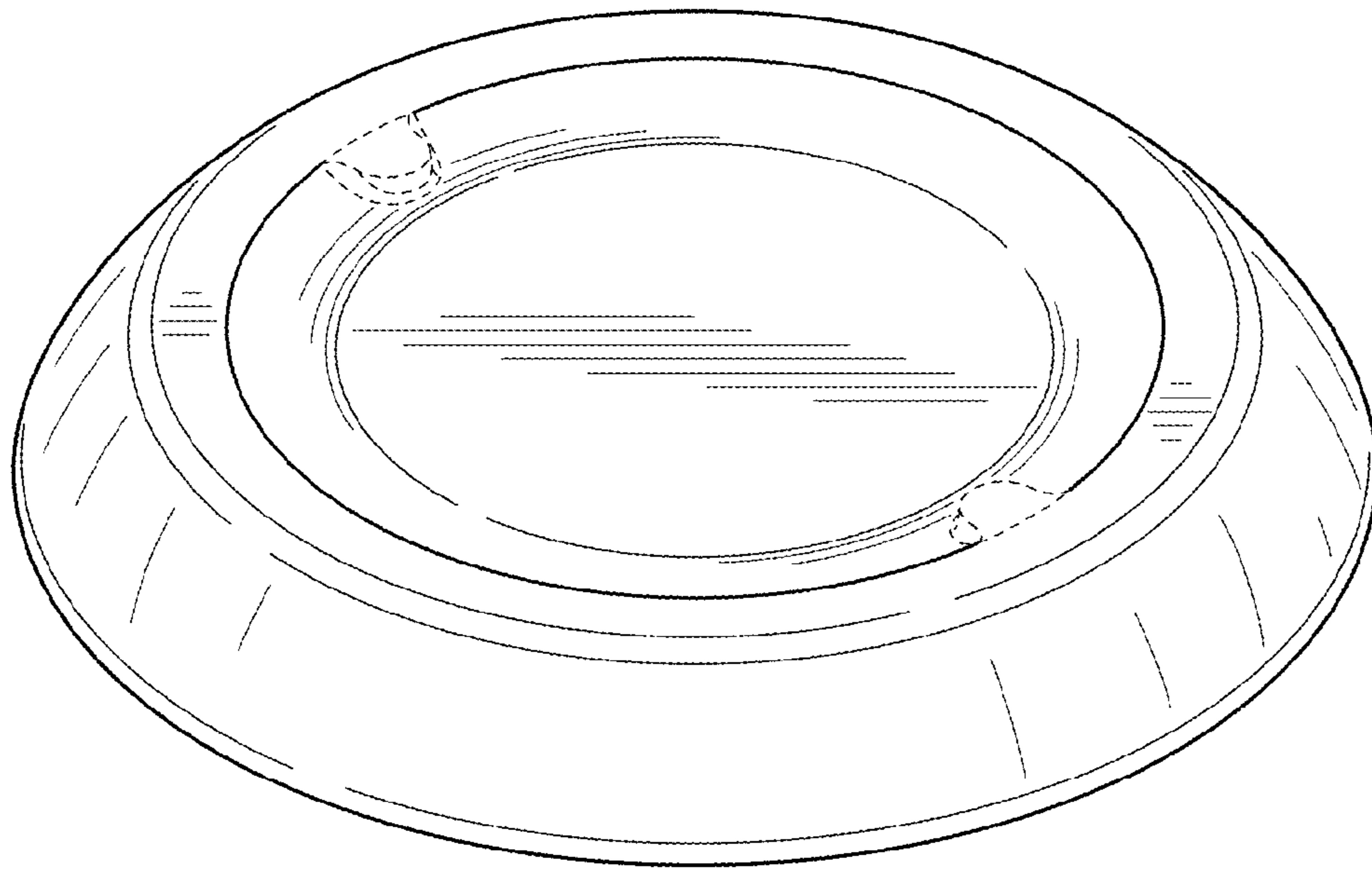


FIG. 1

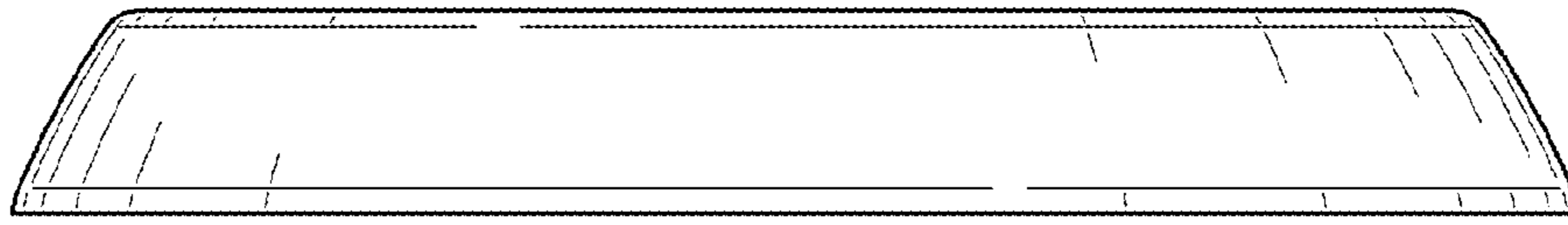


FIG. 2

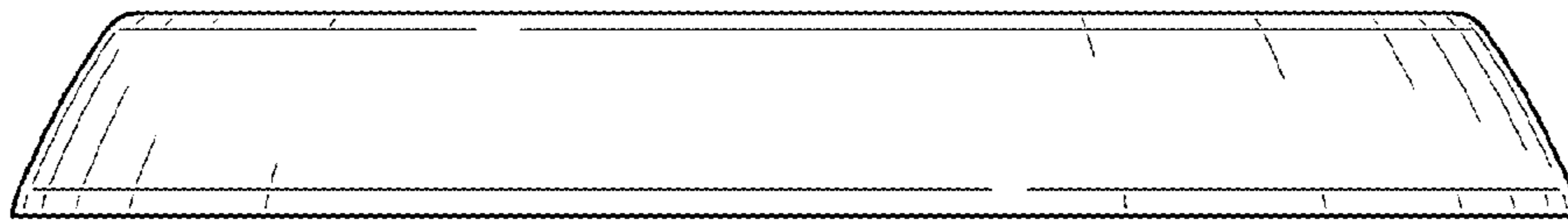


FIG. 3

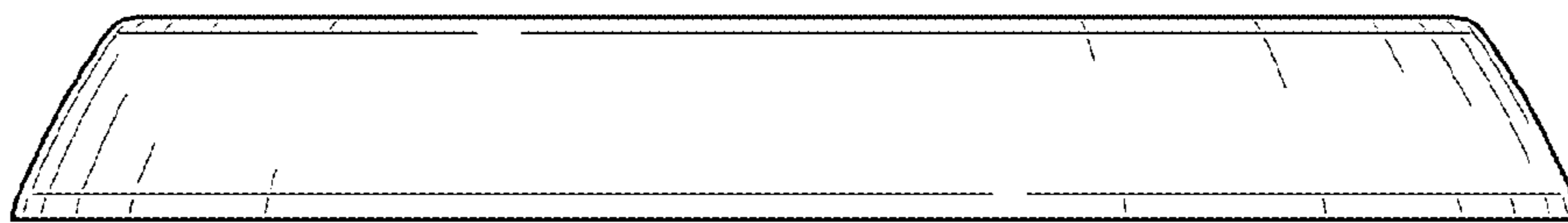


FIG. 4

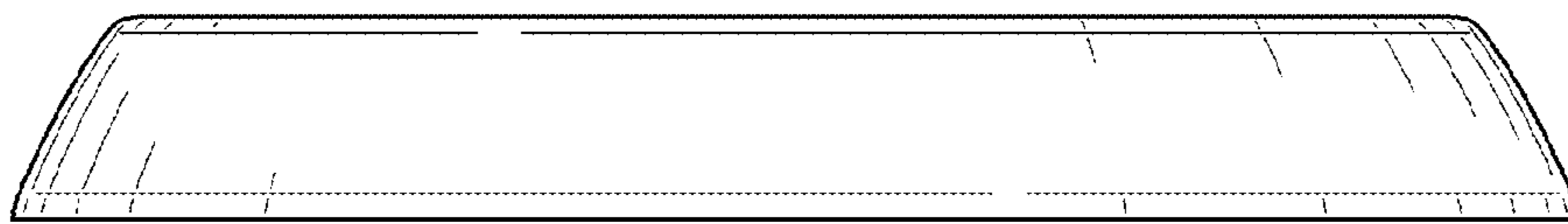


FIG. 5

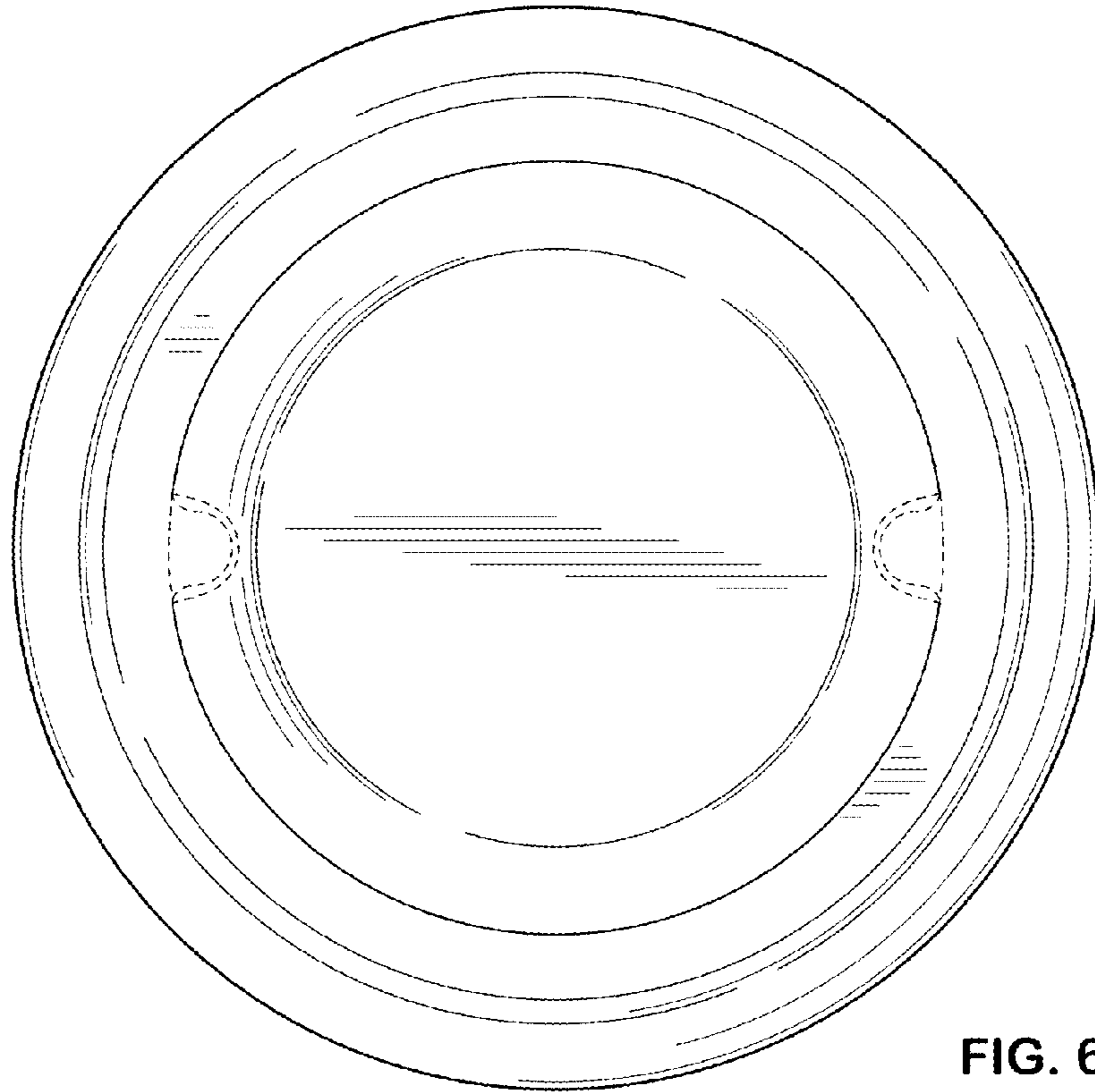


FIG. 6

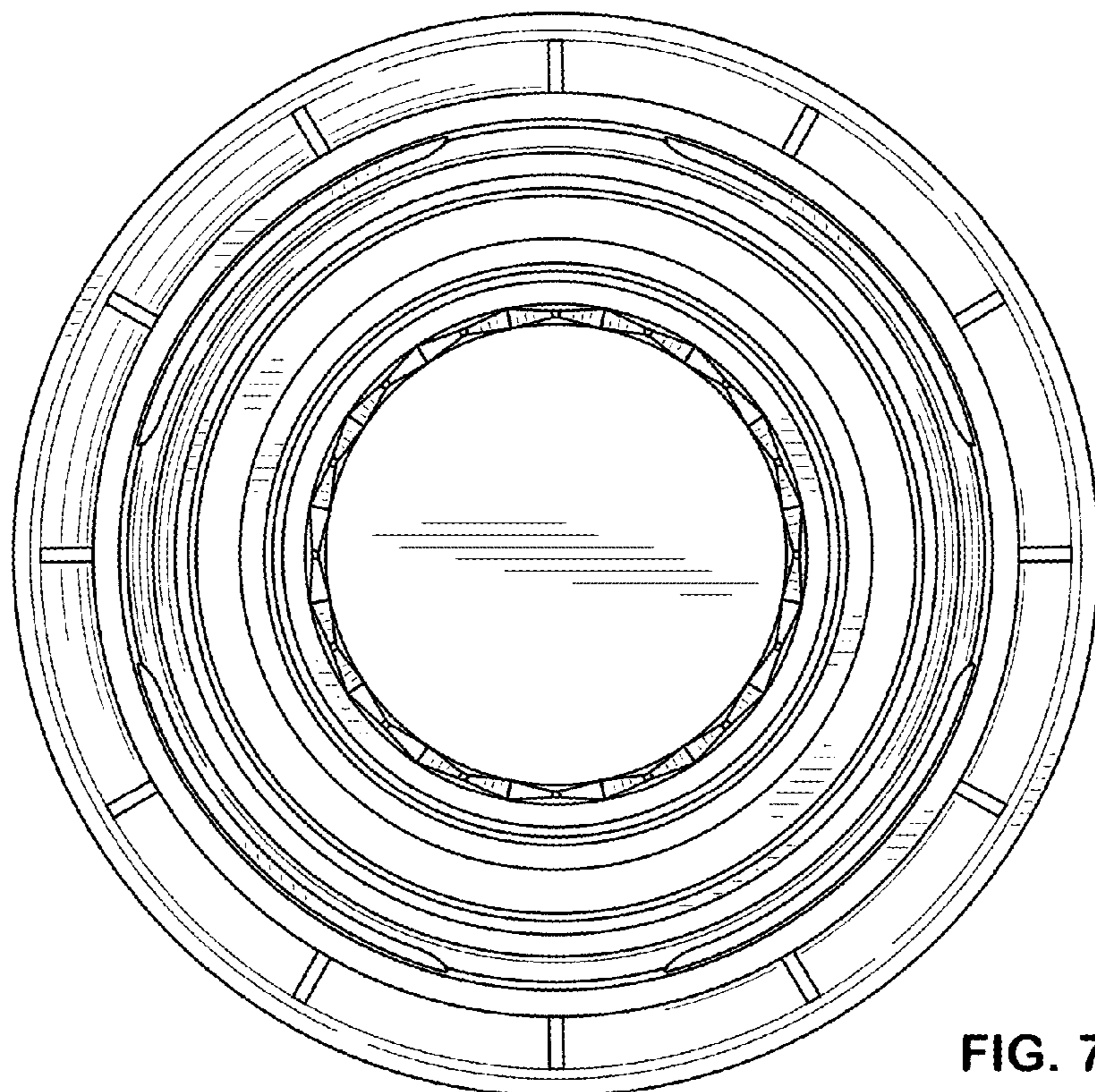


FIG. 7

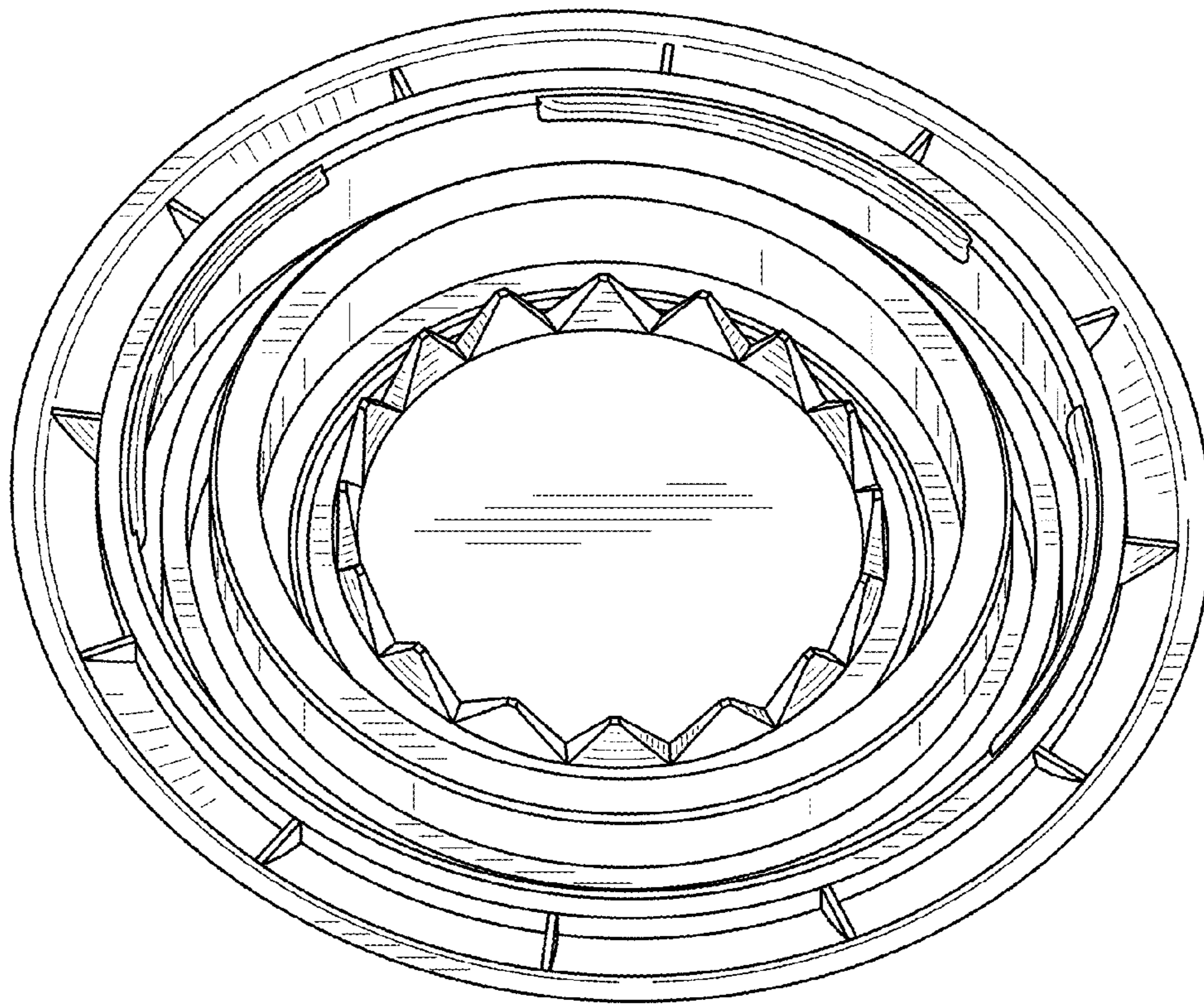


FIG. 8

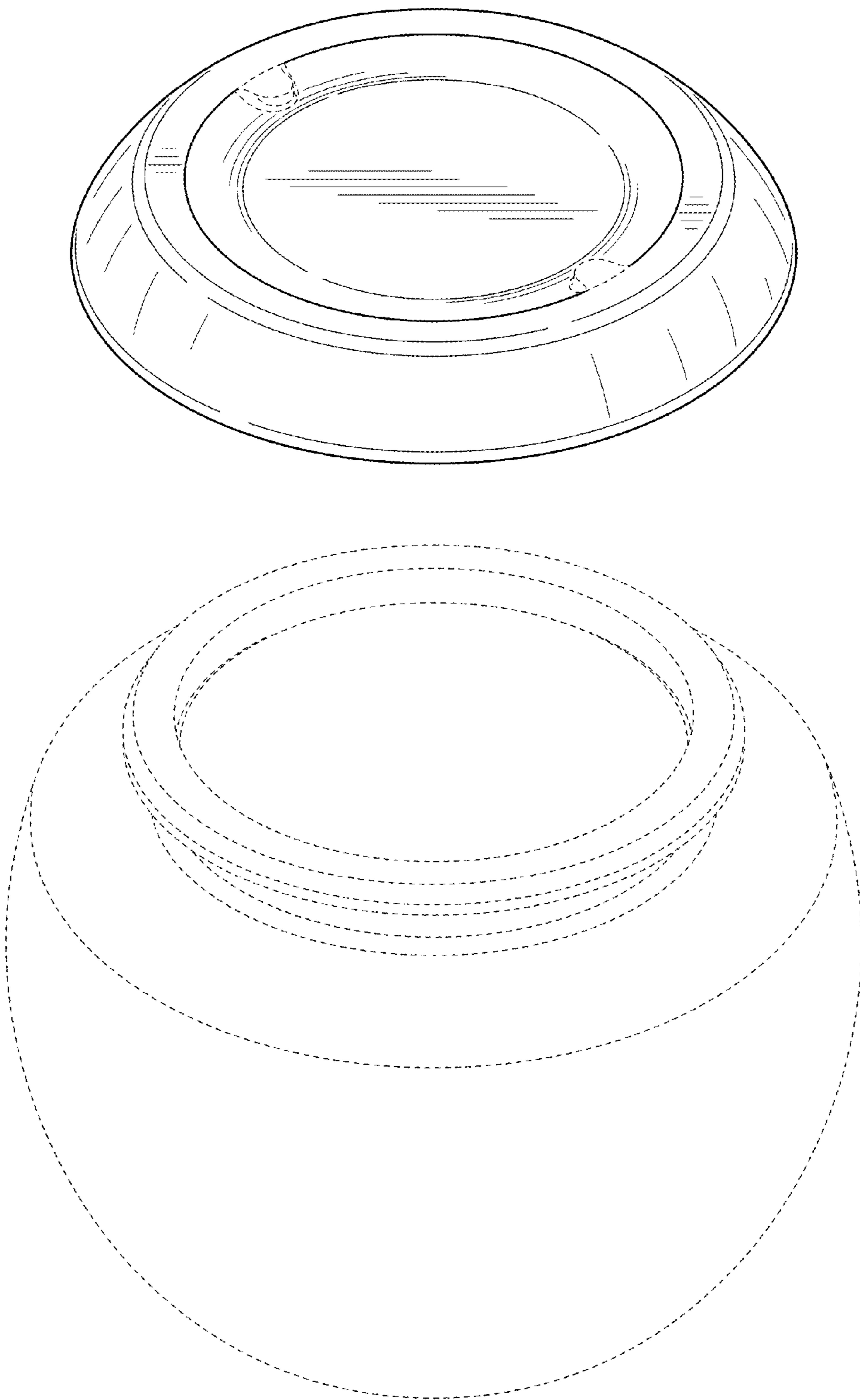


FIG. 9

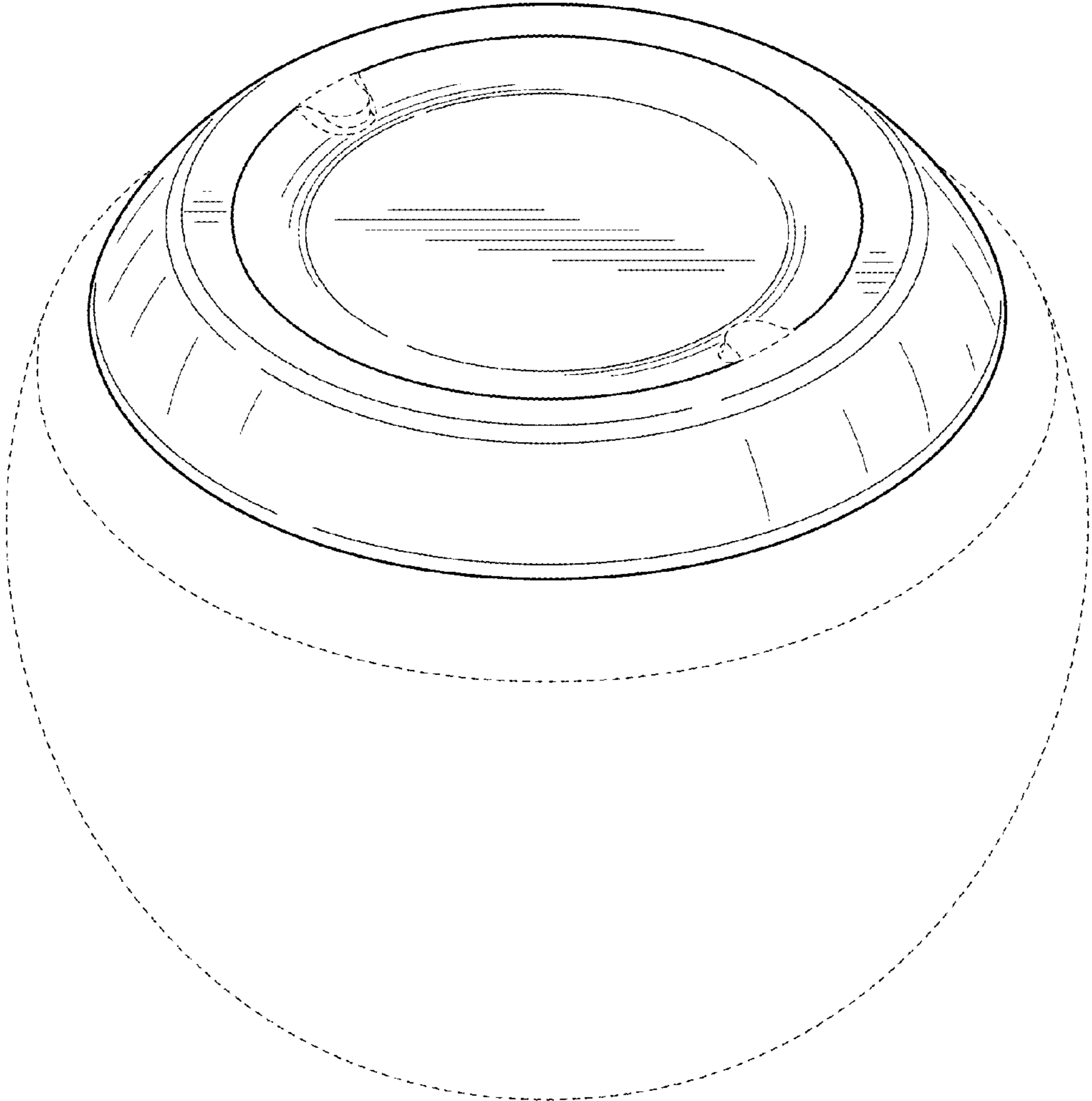


FIG. 10

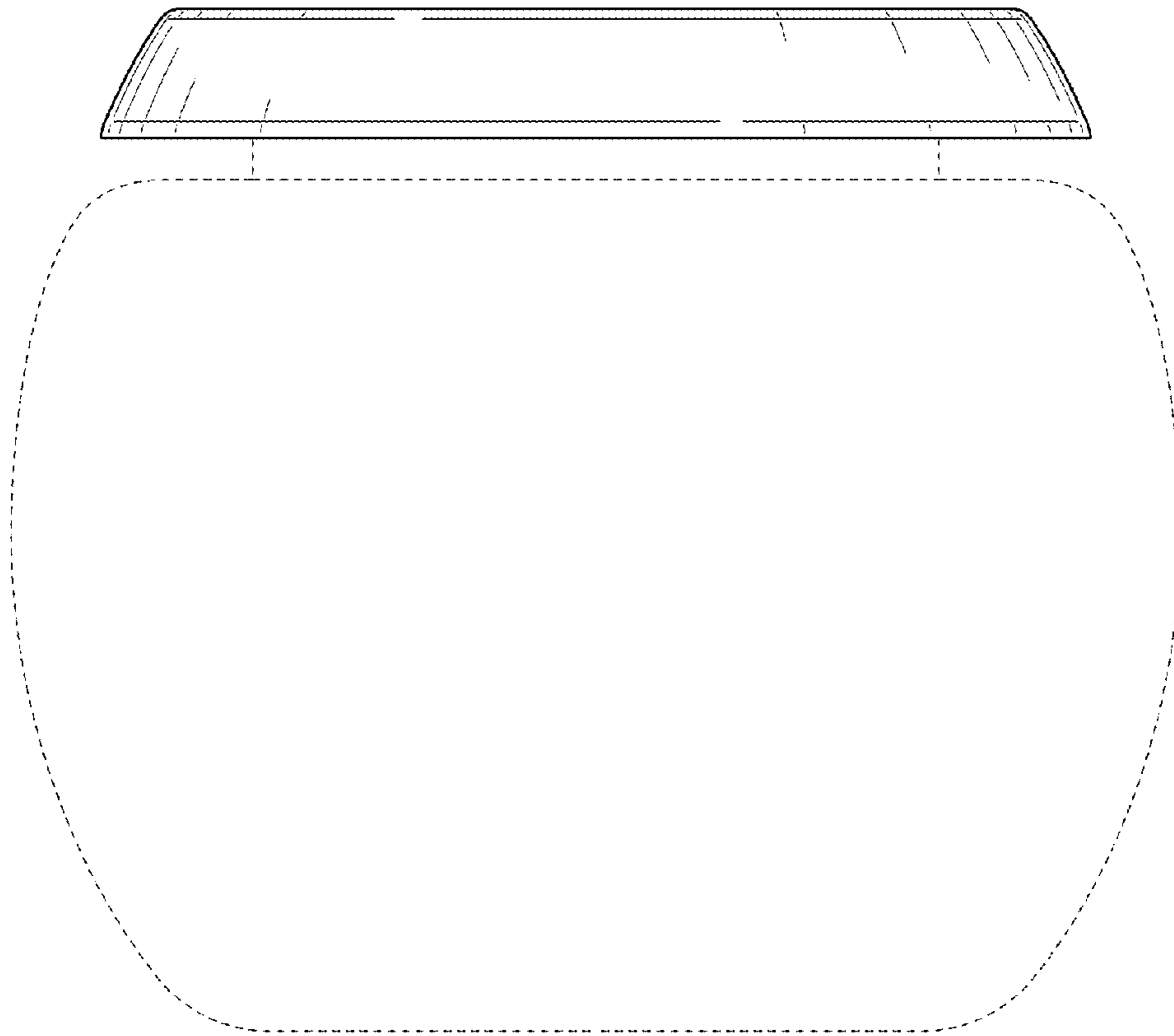


FIG. 11

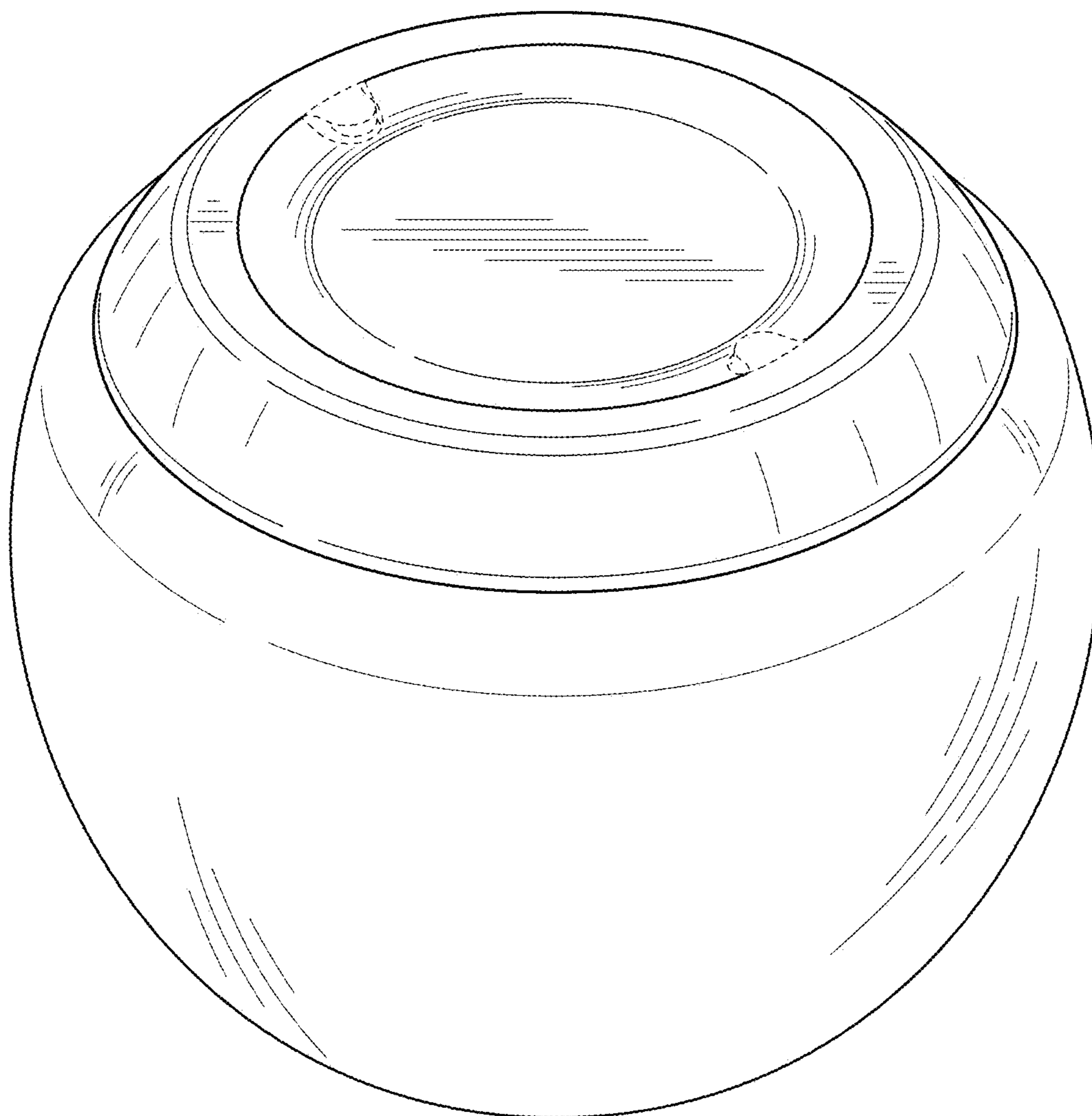


FIG . 12 (NEW)

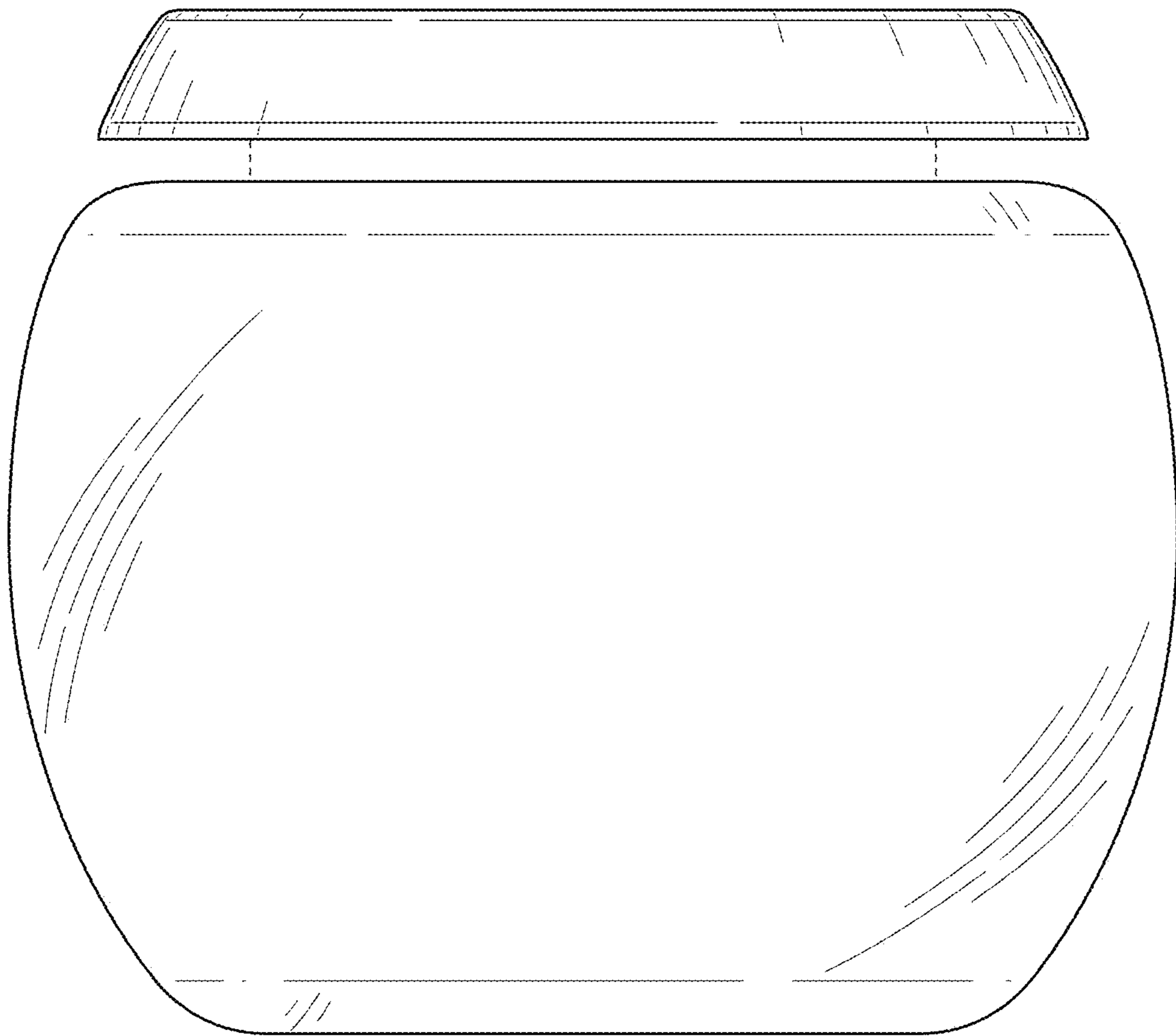


FIG . 13 (NEW)

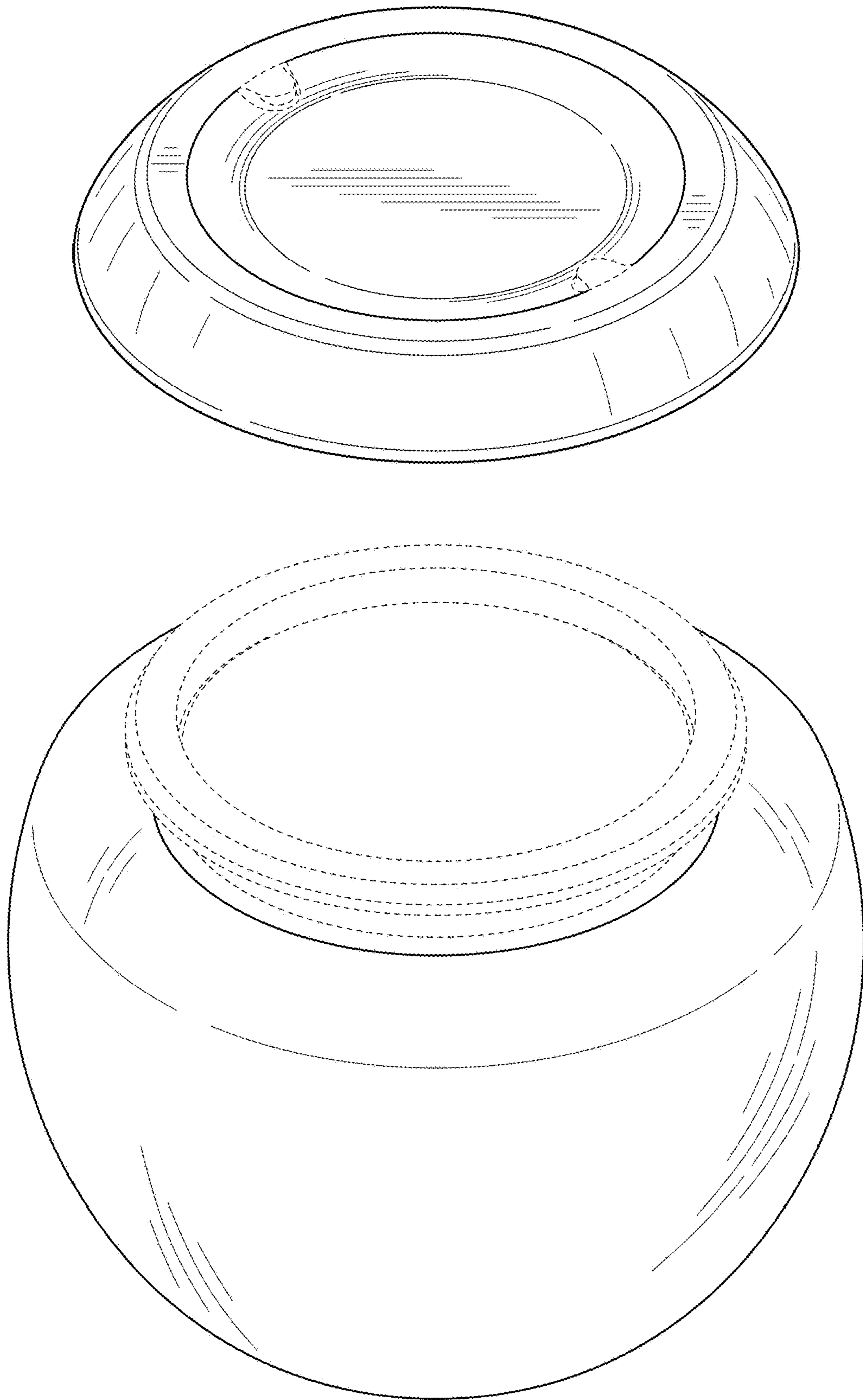


FIG . 14 (NEW)

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

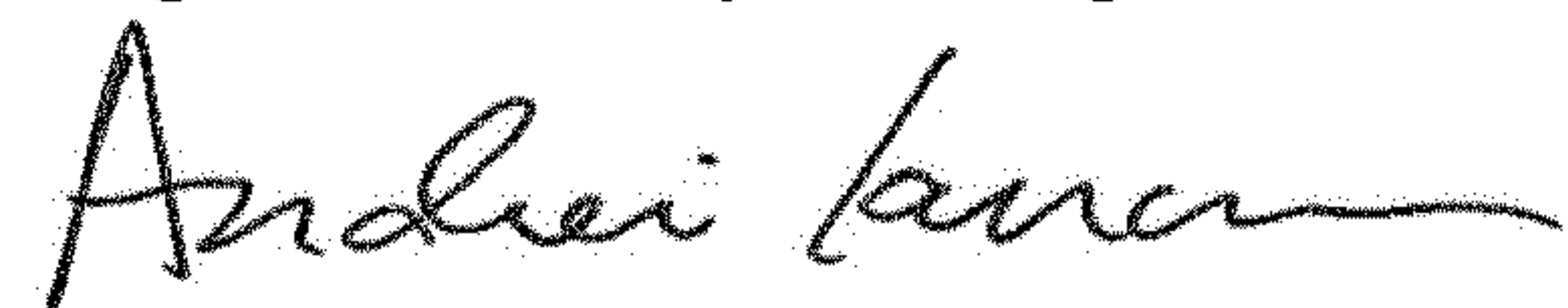
Item (57), under Description, at Lines 1-2, replace:

“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