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**(12) United States Design Patent** **(10) Patent No.:** **US D440,868 S**  
**Berman** **(45) Date of Patent:** **\*\* \*Apr. 24, 2001**

**(54) STRAIGHT OPAQUE UPPER TRANSPARENT LOWER FLEXIBLE BEVERAGE CONTAINER**

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**(\*) Notice:** This patent is subject to a terminal disclaimer.

**(\*\*) Term:** **14 Years**

**(21) Appl. No.:** **29/109,051**

**(22) Filed:** **Aug. 9, 1999**

**(51) LOC (7) Cl.** **09-05**

**(52) U.S. Cl.** **D9/305**

**(58) Field of Search** **D9/302, 305; D24/207; 222/92, 107; 383/36, 61, 104, 106, 122, 906, 907**

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Photocopy and sample of Capri Sun Beverage Container, undated.

Photocopy and of Hi-C Beverage Container, undated.

Three sheets of design patent applications drawings from the Coca-Cola company, undated.

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**(57)**

**CLAIM**

The ornamental design for the straight opaque upper transparent lower flexible beverage container, as shown and described.

**DESCRIPTION**

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FIG. 1 is a front perspective view of my design for a straight opaque upper transparent lower flexible beverage container showing the characteristic feature of the design, which resides in its shape together with having an opaque upper portion and a transparent lower portion.

FIG. 2 is a top view thereof.

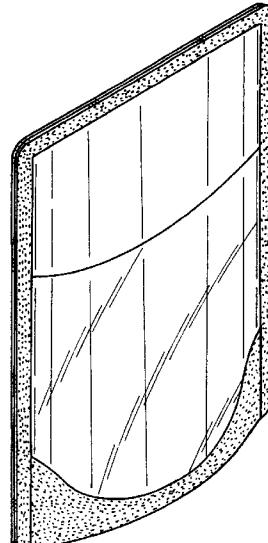
FIG. 3 is a bottom view thereof.

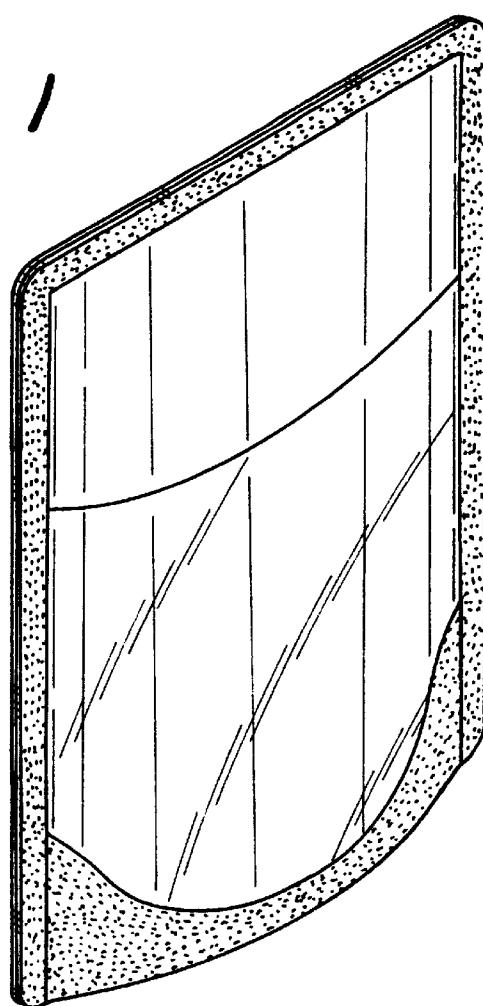
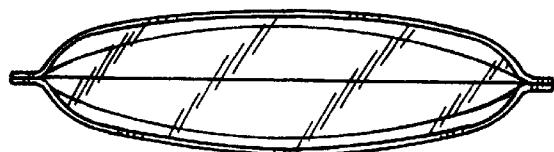
FIG. 4 is a front elevational view thereof.

FIG. 5 is a right side elevational view thereof, the left side is identical; and,

FIG. 6 is a rear elevational view thereof.

**1 Claim, 2 Drawing Sheets**



*Fig. 1**Fig. 2**Fig. 3*

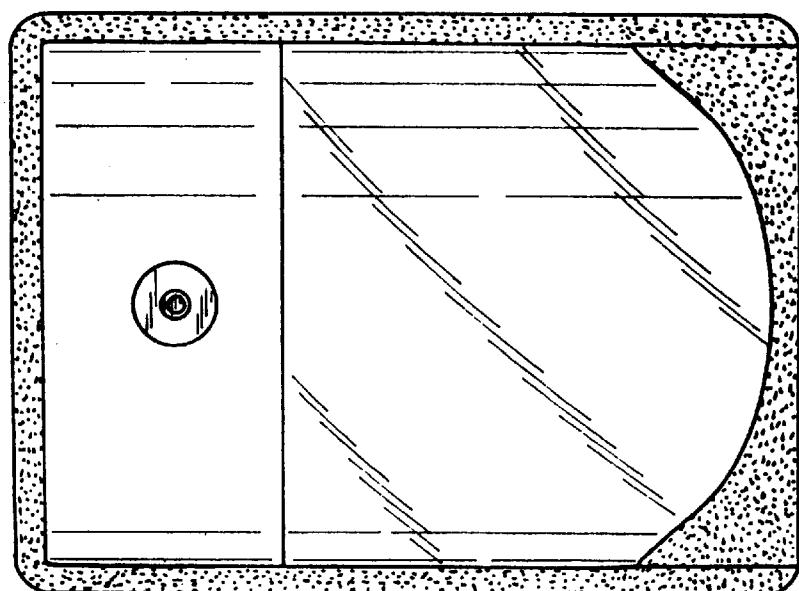


Fig. 6

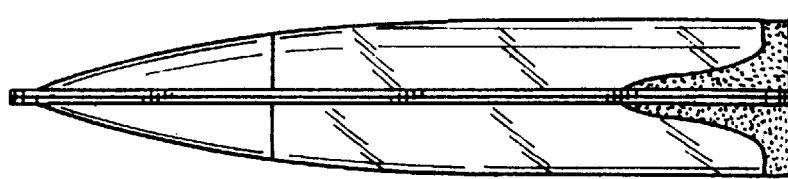


Fig. 5

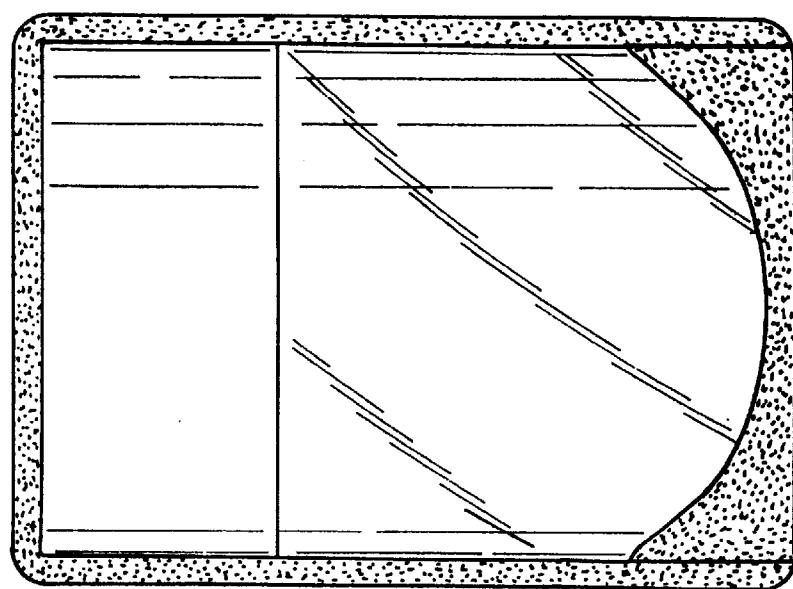


Fig. 4