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(12) **United States Design Patent**
Bergman et al.

(10) **Patent No.:** **US D697,281 S**
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(54) **HAND-HELD CONTAINER**

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

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(52) **U.S. Cl.**
USPC **D32/53.1**

(58) **Field of Classification Search**
USPC D32/53, 53.1, 54, 35; D34/10, 28;
220/570, 574.3, 695, 739, 773, 507,
220/505; 15/257.06

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,304,415 A	5/1919	Tucker	
1,590,572 A	6/1926	Fredette	
1,734,976 A	11/1929	McClellan	
1,813,670 A	7/1931	Kessler	220/527
1,950,505 A	3/1934	Matters	
2,228,536 A	1/1941	Scalph	
2,314,835 A	3/1943	Johns	220/23.4
2,626,737 A	1/1953	Pitz	
2,661,858 A	12/1953	Howell	15/257.06
2,709,540 A	5/1955	Kenney	
2,712,668 A	7/1955	Thiele	15/264
D175,865 S	10/1955	Stone	
2,765,969 A	10/1956	Bennington	
D184,315 S	1/1959	Jennings et al.	

2,963,003 A	12/1960	Oberg	119/166
3,014,616 A	12/1961	Kavanaugh	206/509
3,138,280 A	6/1964	Shafer	

(Continued)

FOREIGN PATENT DOCUMENTS

GB	195523	4/1923
JP	10 287339	10/1998

OTHER PUBLICATIONS

Illustration (from Sporty's website showing a "Painter's Helper"
ID#: 1610T) of the paint container manufactured by Aqua-Tainer
Co., of Shorewood Illinois, (Published prior to Apr. 29, 2005).

(Continued)

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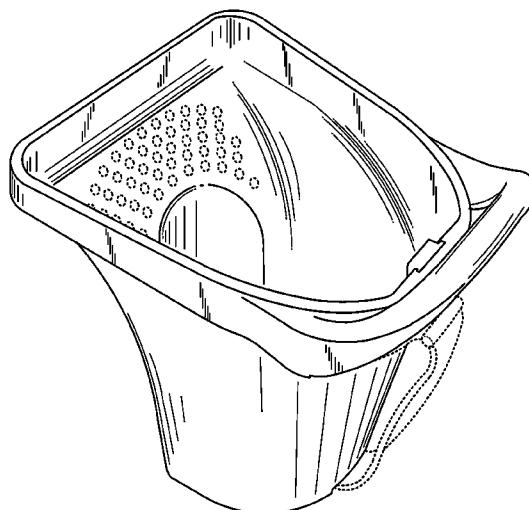
(57) **CLAIM**

The ornamental design for a hand-held container, as shown
and described.

DESCRIPTION

FIG. 1 is a perspective view of the hand-held container, as
viewed from the top, rear, and right side thereof;
FIG. 2 is a top plan view of the hand-held container of FIG. 1;
FIG. 3 is a front elevational view of the hand-held container of
FIG. 1;
FIG. 4 is a right side view of the hand-held container of FIG.
1;
FIG. 5 is a left side view of the hand-held container of FIG. 1;
FIG. 6 is a rear elevational view of the hand-held container of
FIG. 1; and,
FIG. 7 is a bottom plan view of the hand-held container of
FIG. 1.
The broken lines illustrating portions of the hand-held con-
tainer in the Figures form no part of the claimed design.

1 Claim, 7 Drawing Sheets



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(56)

References Cited

U.S. PATENT DOCUMENTS

3,139,646 A 7/1964 Vernon
 3,219,233 A 11/1965 Whiteford
 3,229,820 A 1/1966 Hentzi et al.
 3,311,252 A 3/1967 Swartwood et al.
 3,341,876 A 9/1967 Campbell 15/1
 3,351,970 A 11/1967 Engh 15/257.06
 3,425,012 A 1/1969 Gottinger
 D216,277 S 12/1969 James D32/53
 3,536,285 A 10/1970 Vaughn
 3,590,416 A 7/1971 Henningsen
 3,595,431 A 7/1971 Bird
 3,602,939 A 9/1971 Schoenholz
 D223,302 S * 4/1972 Golden et al. D32/53.1
 D223,864 S 6/1972 Vines D32/53.1
 3,682,352 A 8/1972 Douchette
 3,729,158 A 4/1973 Nagy
 3,828,389 A 8/1974 Heisler
 3,940,824 A 3/1976 Gioia et al.
 4,061,242 A 12/1977 Donlon
 4,101,046 A 7/1978 Puntillo
 4,145,789 A 3/1979 Morgan, Sr. 15/257.06
 4,164,299 A 8/1979 Fuhr
 D254,482 S 3/1980 Bell D9/435
 D277,080 S 1/1985 Gagnon
 4,519,565 A 5/1985 Whitmore
 4,627,546 A 12/1986 Carranza
 4,691,840 A 9/1987 Ferbrache
 4,798,307 A 1/1989 Evrard 220/501
 4,860,891 A 8/1989 Biggio
 4,895,269 A 1/1990 Cade
 4,927,046 A 5/1990 Armstrong
 4,928,873 A 5/1990 Johnson
 5,011,536 A 4/1991 Boom
 5,033,704 A 7/1991 Kerr
 5,083,733 A 1/1992 Marino et al.
 5,092,481 A 3/1992 Skelton
 5,147,067 A 9/1992 Effertz
 5,169,025 A 12/1992 Guo
 5,207,348 A 5/1993 Fischer et al. 220/697
 5,222,656 A 6/1993 Carlson
 5,297,695 A * 3/1994 Provence 220/697
 5,320,249 A 6/1994 Strech
 5,341,969 A 8/1994 Accardo et al.
 D350,632 S 9/1994 Cummins D32/53
 D353,241 S * 12/1994 Breen D32/53
 D353,697 S 12/1994 Breen et al.
 5,400,916 A 3/1995 Weber
 5,429,262 A 7/1995 Sharkey
 5,493,751 A 2/1996 Misiukowicz et al.
 5,511,279 A 4/1996 Ippolito
 5,549,216 A 8/1996 Scholl
 5,570,807 A 11/1996 Busch
 5,624,093 A 4/1997 Gemmell
 5,641,087 A 6/1997 Moffitt
 D389,626 S * 1/1998 Lundy D32/53
 5,746,346 A 5/1998 Crilly
 D397,833 S 9/1998 Adams Zurawin
 5,810,196 A 9/1998 Lundy
 RE35,933 E 10/1998 Scholl
 D401,116 S 11/1998 Demore
 5,836,469 A 11/1998 Zebrowski

5,899,354 A 5/1999 Garcia 220/669
 5,971,201 A 10/1999 Daw
 D422,450 S 4/2000 Conti
 6,065,633 A 5/2000 Abbey
 6,119,303 A 9/2000 Passafiume
 6,138,963 A 10/2000 Malvasio
 D435,728 S 1/2001 Miles et al.
 D444,929 S 7/2001 Cox
 6,260,730 B1 7/2001 Fellman
 6,276,554 B1 8/2001 Lallement et al. 220/570
 D452,130 S 12/2001 Richardson
 D458,723 S 6/2002 Malvasio
 D460,845 S 7/2002 Bergman
 6,419,106 B1 7/2002 Bebak
 6,446,829 B1 9/2002 Malvasio et al.
 D466,407 S 12/2002 Nance
 D466,787 S 12/2002 Clancy
 D467,784 S 12/2002 Maier
 D477,702 S * 7/2003 Kohn D32/53.1
 D482,274 S 11/2003 Walsh et al.
 D482,830 S 11/2003 Kohn
 D483,917 S * 12/2003 Frantz D32/53.1
 6,708,838 B2 3/2004 Bergman et al.
 D493,035 S 7/2004 Bergman
 D499,027 S 11/2004 Walsh et al.
 D509,420 S 9/2005 Hauber
 6,991,829 B2 1/2006 Bergman
 D518,263 S * 3/2006 Verhaar D32/53.1
 D528,706 S 9/2006 Jefferson D30/108
 D535,794 S 1/2007 Lundy et al. D32/53.1
 D537,996 S * 3/2007 Lundy D32/53.1
 7,191,913 B2 * 3/2007 Byrne 220/570
 D546,160 S 7/2007 Reithmeyer
 D546,514 S * 7/2007 Byrne D32/53
 D548,913 S 8/2007 Van Landingham, Jr. D32/53
 D549,913 S * 8/2007 Bergman D32/53
 D562,518 S 2/2008 Lundy D32/54
 D578,874 S 10/2008 Smith et al. D9/418
 D581,118 S * 11/2008 Bergman D32/53.1
 D607,624 S * 1/2010 Bergman D32/54
 D617,517 S * 6/2010 Bergman D32/53.1
 D630,393 S * 1/2011 Bergman D32/54
 7,959,030 B2 * 6/2011 Bergman 220/769
 D661,855 S * 6/2012 Bergman et al. D32/53.1
 D673,339 S * 12/2012 Bergman et al. D32/54
 D678,638 S * 3/2013 Bergman et al. D32/54
 2002/0036206 A1 3/2002 Bergman et al.
 2002/0056714 A1 5/2002 Schinkel
 2004/0118861 A1 6/2004 Bergman et al.
 2004/0173622 A1 9/2004 Findleton
 2004/0195248 A1 10/2004 Garcia
 2004/0206761 A1 10/2004 Frantz
 2004/0208083 A1 10/2004 Armendariz et al.
 2004/0256335 A1 12/2004 Sholem
 2005/0161462 A1 * 7/2005 Bergman 220/757
 2006/0219720 A1 * 10/2006 Lundy et al. 220/505
 2006/0226154 A1 * 10/2006 Lundy et al. 220/507
 2006/0243732 A1 * 11/2006 Bergman 220/757

OTHER PUBLICATIONS

Fourteen (14) photos of a pail known to the public prior to Apr. 29, 2004 (14 pages).

* cited by examiner

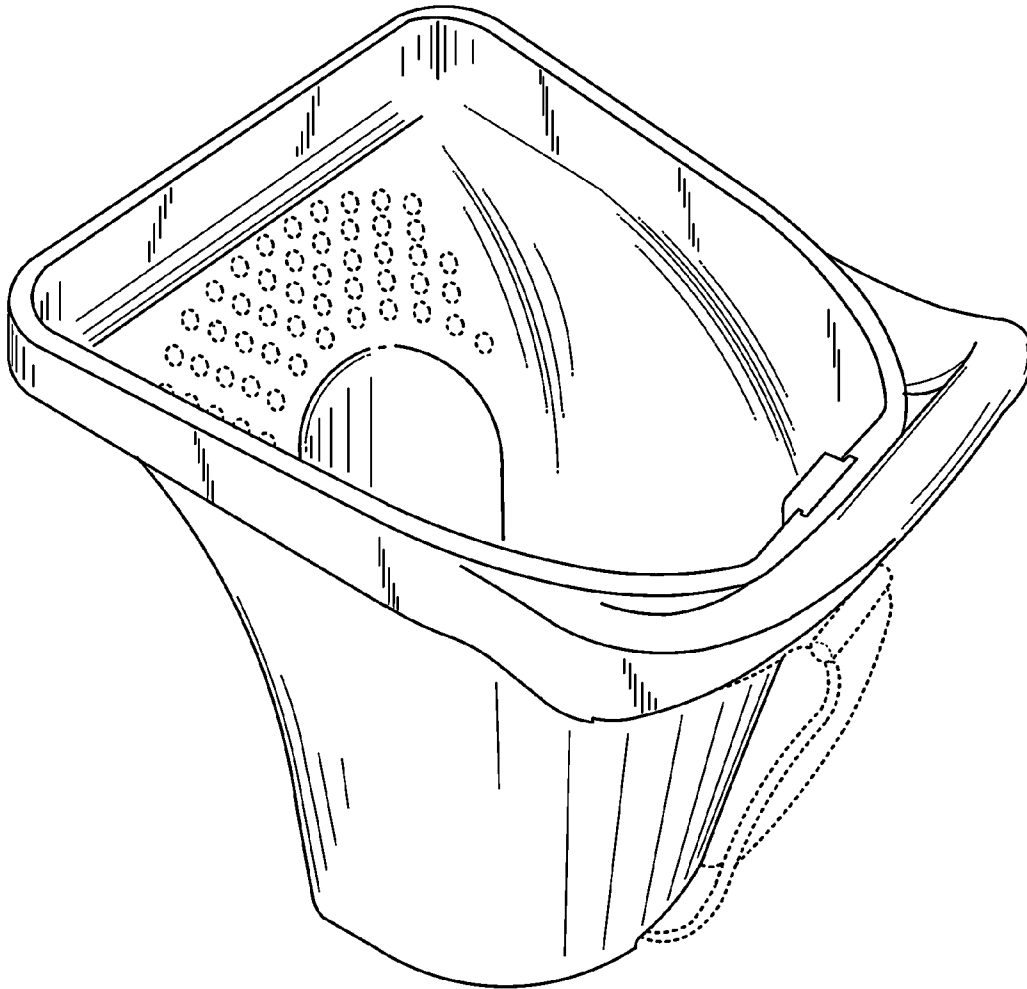


Fig. 1

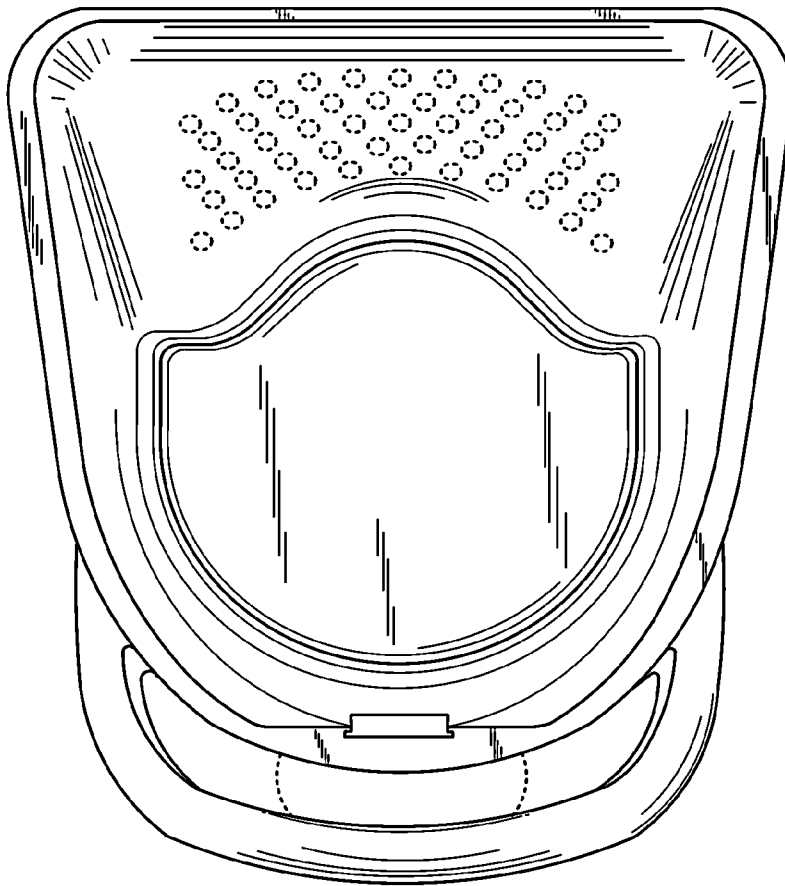


Fig. 2

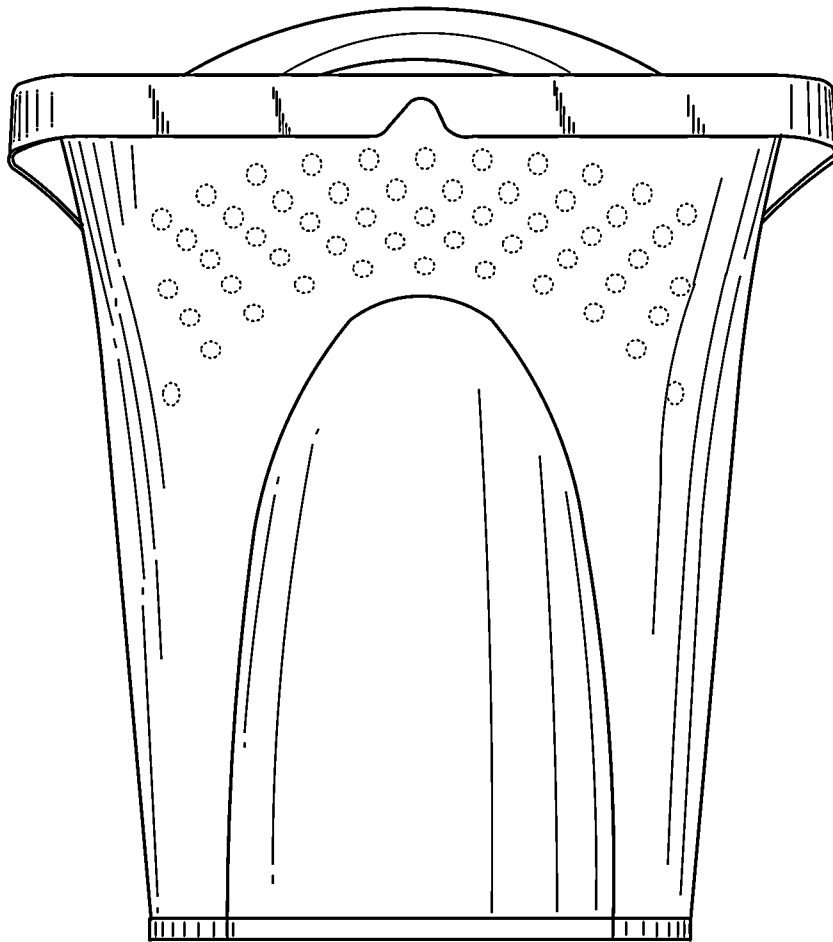


Fig. 3

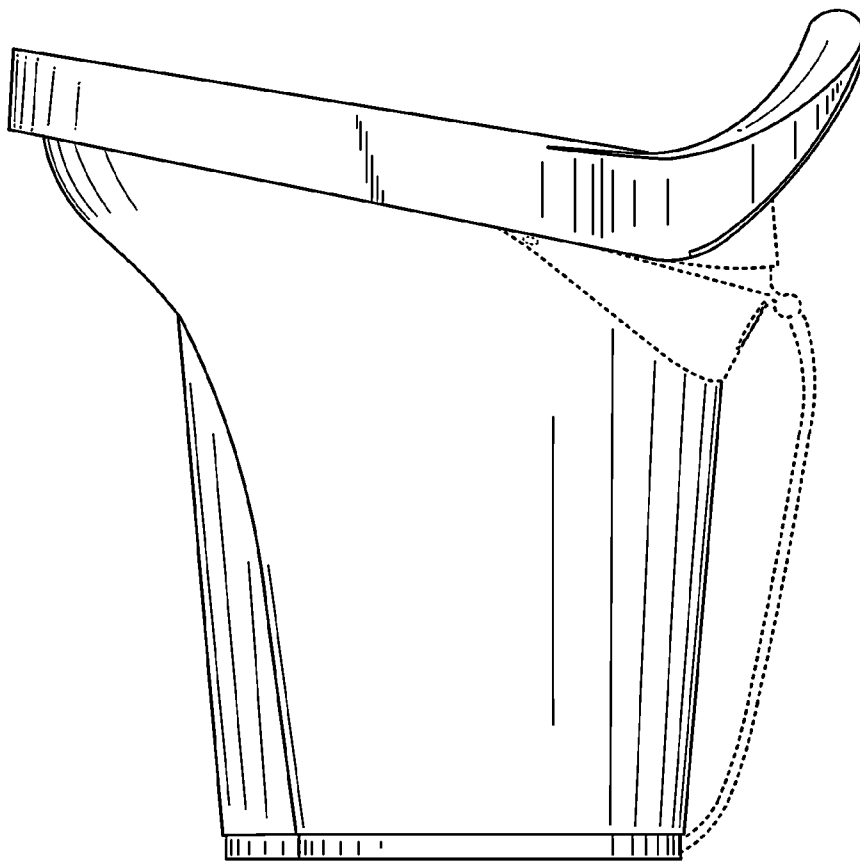


Fig. 4

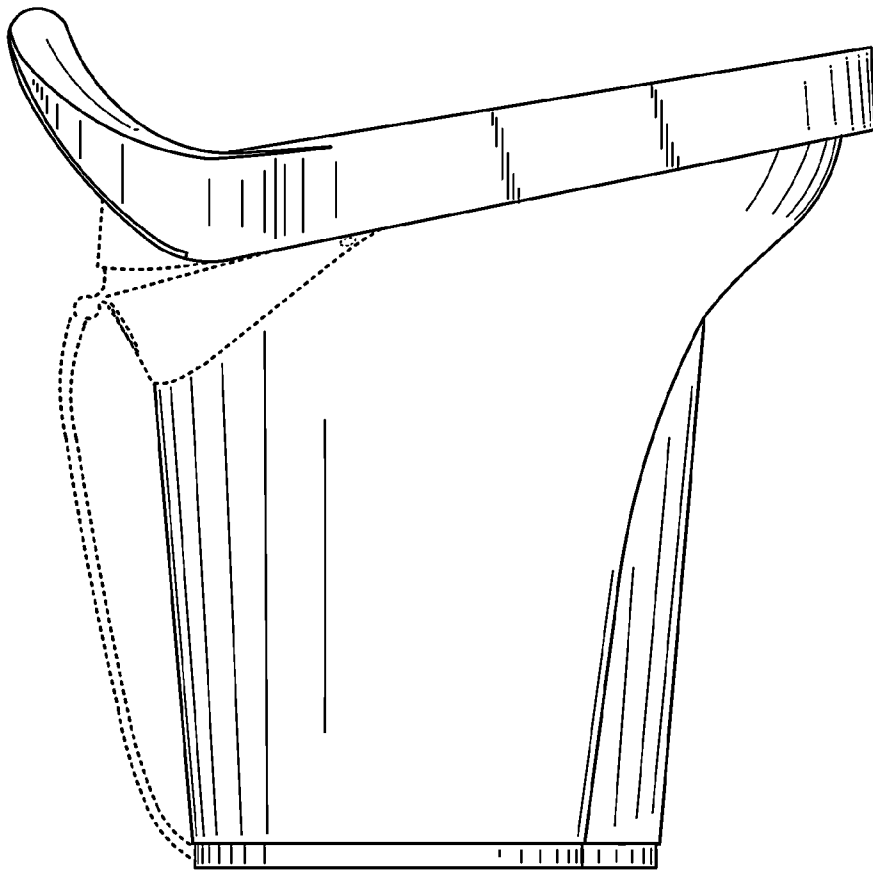


Fig. 5

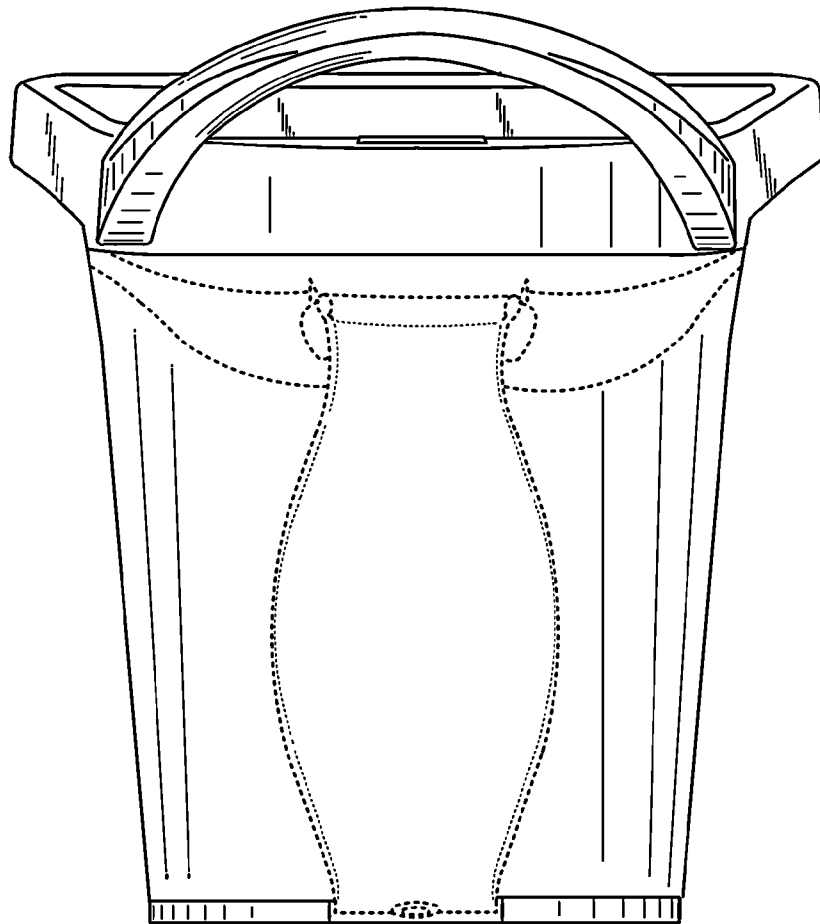


Fig. 6

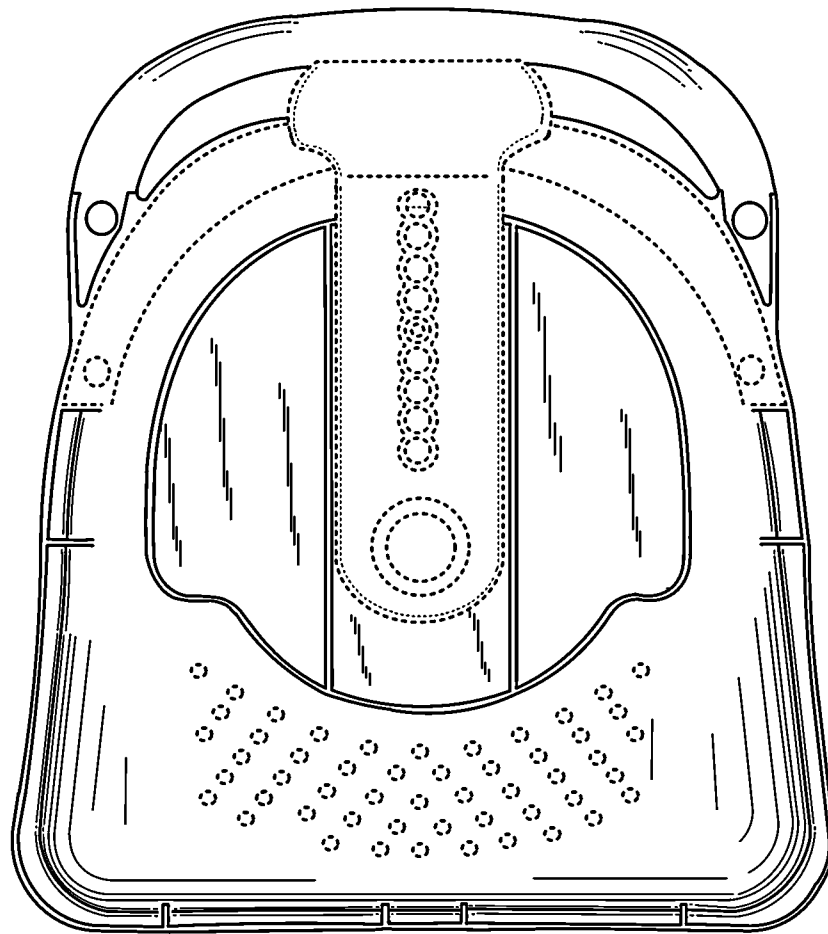


Fig. 7