

(19)



(11)

EP 2 124 670 B1

(12)

EUROPEAN PATENT SPECIFICATION

(45) Date of publication and mention
of the grant of the patent:
13.04.2011 Bulletin 2011/15

(51) Int Cl.:
A45D 33/00 (2006.01) **A45D 40/00** (2006.01)
A45D 34/00 (2006.01)

(21) Application number: **07869836.2**

(86) International application number:
PCT/US2007/088713

(22) Date of filing: **21.12.2007**

(87) International publication number:
WO 2008/080130 (03.07.2008 Gazette 2008/27)

(54) COSMETIC CONTAINER WITH COLOR INSERT

KOSMETISCHES BEHÄLTNIS MIT FARBEINSATZ

RÉCEPTACLE COSMÉTIQUE COMPORTANT UN ENCART COULEUR

(84) Designated Contracting States:
**AT BE BG CH CY CZ DE DK EE ES FI FR GB GR
HU IE IS IT LI LT LU LV MC MT NL PL PT RO SE
SI SK TR**

(30) Priority: **21.12.2006 US 275360**
18.05.2007 US 750546

(43) Date of publication of application:
02.12.2009 Bulletin 2009/49

(73) Proprietor: **MARY KAY INC.**
Dallas, TX 75001 (US)

(72) Inventor: **MADDY, Timothy**
Dallas, TX 76229 (US)

(74) Representative: **UEXKÜLL & STOLBERG**
Patentanwälte
Beselerstrasse 4
22607 Hamburg (DE)

(56) References cited:
GB-A- 604 534 US-A- 3 990 577
US-B1- 6 375 375

EP 2 124 670 B1

Note: Within nine months of the publication of the mention of the grant of the European patent in the European Patent Bulletin, any person may give notice to the European Patent Office of opposition to that patent, in accordance with the Implementing Regulations. Notice of opposition shall not be deemed to have been filed until the opposition fee has been paid. (Art. 99(1) European Patent Convention).

Description

BACKGROUND OF THE INVENTION

1. Field of the Invention

[0001] Embodiments of the present invention relate to containers for holding lipstick.

2. Description of Related Art

[0002] Cosmetic containers such as lipstick cases typically consist of a base and a cap encasing a lipstick tube or cartridge. If a user desires to determine the color of the lipstick, the user is typically required to remove the cap from the cartridge and base and visually inspect the color of the lipstick. In some instances, the lipstick may be recessed or retracted in a cartridge so that visual inspection is not easily accomplished simply by removing the cap. For example, if a significant portion of the lipstick has been removed during previous applications, merely removing the cap may not provide adequate visual access to the lipstick for an accurate color determination. While the lipstick may be visible with the cap removed, the lipstick may be retracted in the cartridge to such a degree that there is insufficient light inside the cartridge to determine the lipstick color. In such cases, it may be necessary to manipulate the cartridge (typically by rotating a portion of the cartridge) to extend the lipstick from the cartridge.

[0003] Removing the cap and manipulating the cartridge to extend the lipstick is a relatively time-consuming task, especially if the process must be repeated for several cases in order to locate the desired lipstick color. In addition, removing the cap and extending the lipstick may unnecessarily expose the lipstick to the outside environment if the user determines that the lipstick is not the desired color. Such unnecessary exposure may have negative effects on the lipstick, including creating hygienic issues due to possible contamination of the lipstick (for example if the lipstick is dropped or comes into contact with a foreign particle while exposed). Repeated exposure of the lipstick may also lead to drying out the lipstick.

[0004] In certain instances, it may be desirable for a user to replace the lipstick cartridge within a specific case. For example, when the lipstick has been consumed or when the user desires to change lipstick colors, a user may wish to change lipstick cartridges within a specific case. This is particularly likely when the lipstick case is a decorative item rather than a disposable good. In such an instance, it would be desirable to provide an external visual indication of the color of the lipstick cartridge that is being replaced in the lipstick case.

[0005] Certain existing lipstick cases may provide a visual indication of the color of the lipstick contained within the case. However, these visual indicators are often adhesive labels that can be inadvertently removed from

the lipstick case. In addition, other existing refillable lipstick cases do not have visual color indicators are interchangeable, so that a user cannot retain the existing case and replace the lipstick and the color indicator with a different color.

[0006] It is therefore desirable to provide a cosmetic container that overcomes the deficiencies noted in prior apparatuses and methods.

10 SUMMARY OF THE INVENTION

[0007] Embodiments of the present disclosure provide a container and method for holding a lipstick according to claim 1.

15 **[0008]** In particular embodiments, the insert is configured to be removed from the first end of the elongate cap by inserting an elongate instrument into the second end and applying a force against the insert with the elongate instrument.

20 **[0009]** Certain embodiments also comprise a replacement insert, wherein the replacement insert is configured to replace the insert and indicate a second color. Still other embodiments also comprise a replacement lipstick product, wherein the replacement lipstick product is the second color. In particular embodiments, the insert is retained in the first end of the elongate cap by a friction, interference, or snap fit. Certain embodiments comprise a first weight disposed in the elongate cap, and other embodiments further comprise a second weight disposed in the elongate body. In certain embodiments, the insert is flush with the first end of the elongate cap. In particular embodiments, the cap comprises a protrusion configured to engage the insert.

30 **[0010]** Other embodiments comprise: a generally cylindrical body containing a lipstick product, wherein the lipstick product is a first color; a generally cylindrical cap comprising a first end and a second end, wherein the second end is configured to engage the elongate body; and an insert coupled to the generally cylindrical cap, wherein the insert is a second color and wherein the first color and the second color are substantially similar.

35 **[0011]** In certain embodiments, the insert comprises a plurality of ribs that engage a plurality of slots in the generally cylindrical cap. Particular embodiments comprise a replacement insert and a replacement lipstick product, wherein the replacement insert is a third color and the replacement lipstick product is a fourth color and the third color and the fourth color are substantially similar.

40 **[0012]** The embodiments further comprise additional weights to increase the mass of container 100. In particular embodiments, the insert is configured to be removed from the first end of the generally cylindrical cap. In certain embodiments, the insert is molded from a uniform material, and the cross-section of the insert may be substantially a uniform color.

45 **[0013]** As used herein, the terms "a" and "an" are defined as one or more unless this disclosure explicitly requires otherwise.

[0014] The term "substantially" and its variations are defined as being largely but not necessarily wholly what is specified as understood by one of ordinary skill in the art, and in one non-limiting embodiment the term "substantially" refers to ranges within 10%, preferably within 5%, more preferably within 1%, and most preferably within 0.5% of what is specified.

[0015] The terms "comprise" (and any form of comprise, such as "comprises" and "comprising"), "have" (and any form of have, such as "has" and "having"), "include" (and any form of include, such as "includes" and "including") and "contain" (and any form of contain, such as "contains" and "containing") are open-ended linking verbs. As a result, a method or device that "comprises," "has," "includes" or "contains" one or more steps or elements possesses those one or more steps or elements, but is not limited to possessing only those one or more elements. Likewise, a step of a method or an element of a device that "comprises," "has," "includes" or "contains" one or more features possesses those one or more features, but is not limited to possessing only those one or more features. Furthermore, a device or structure that is configured in a certain way is configured in at least that way, but may also be configured in ways that are not listed.

[0016] The term "coupled," as used herein, is defined as connected, although not necessarily directly, and not necessarily mechanically.

[0017] Other features and associated advantages will become apparent with reference to the following detailed description of specific, example embodiments in connection with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

[0018] The following drawings form part of the present specification and are included to further demonstrate certain aspects of the invention. The invention may be better understood by reference to one or more of these drawings in combination with the detailed description of example embodiments presented here. The drawings are not to scale, and certain distances or spacings may be exaggerated to provide clarity. The drawings are examples only. They do not limit the claims.

FIG. 1 is a perspective view of an assembled container, in accordance with embodiments of this disclosure.

FIG. 2 is a perspective view of a container in an exploded position, in accordance with embodiments of this disclosure.

FIG. 3 is a partial cross section of a component of a container, in accordance with embodiments of this disclosure.

FIG. 4 is an end view of a component of a container,

in accordance with embodiments of this disclosure.

FIG. 5 is a partial cross section of a component of a container, in accordance with embodiments of this disclosure.

DESCRIPTION OF ILLUSTRATIVE EMBODIMENTS

[0019] Embodiments of this disclosure provide an apparatus for containing a lipstick.

[0020] Referring initially to Figure 1, a cosmetic container 100 is shown in an assembled view. Figure 2 illustrates cosmetic container 100 in an exploded view so that internal components of cosmetic container are visible. In this embodiment, cosmetic container comprises a base 110, a cap 120, an insert 130, a cartridge 140, a cosmetic product 150, a first weight 160 and a second weight 170.

[0021] As shown in Figure 2, cosmetic container 100 can be assembled so that second weight 170 (with an aperture 171) and cartridge 140 are inserted into base 110. In the embodiment shown, cartridge 140 comprises cosmetic product 150, and cap 120 comprises a first end 122, a second end 124, a protrusion 126, and a support member 125. In certain embodiments, support member 125 is a wall protruding partially across the interior of cap 120 with an aperture 127 through support member 125.

[0022] The embodiment of Figures 1 and 2 also comprises a first weight 160 with an aperture 161 and an insert 130 inserted into first end 122 of cap 120. In this embodiment, support member 125 supports first weight 160, and insert 130 is retained in first end 122 by a friction or snap fit provided by protrusion 126. In this embodiment, protrusion 126 is a raised ridge that extends around the inner perimeter of cap 120 proximal to first end 122.

[0023] During assembly of the disclosed embodiment, cartridge 150 extends into second end 124 so that second end 124 engages base 110. As shown in Figure 1, cosmetic product 150 is not visible when cosmetic container 100 is assembled. Therefore, without an external indication of the color of cosmetic product 150, a user would be required to remove cap 120 to examine cosmetic product 150 in order to determine the color of cosmetic product 150.

[0024] In the embodiment of Figures 1 and 2, insert 130 comprises a material that is substantially similar in color to cosmetic product 150. Therefore, a user of cosmetic container 100 can determine the color of cosmetic product 150 without removing cap 120 from base 110 and examining cosmetic product 150. In this manner, cosmetic container 100 can remain closed and still allow the user to determine the color of cosmetic product 150.

[0025] In certain embodiments, insert 130 may be molded from a material that is substantially similar in color to cosmetic product 150. Such embodiments may provide benefits over other containers using other configurations, such as adhesive labels, to indicate color. For example, if insert 130 is uniform in color, a scratch to the surface of insert 130 will not change the color of insert

130. In addition, an adhesive label may become separated from the cap, thereby eliminating the ability to externally visually detect the color of the cosmetic product contained inside.

[0026] The embodiment shown in Figures 1 and 2 may therefore allow a user to more quickly determine the color of cosmetic product 150. In addition, the disclosed embodiment may provide hygienic benefits by reducing the frequency that cap 120 is removed from base 110 and cosmetic product 140 is exposed to the outside environment.

[0027] Furthermore, if cartridge 140 is replaced with another cartridge (not shown) containing a cosmetic product of a color different from cosmetic product 150, insert 130 can also be replaced with another insert (not shown) having a color corresponding to the replacement cosmetic product. In certain embodiments, a user may remove insert 130 from cap 120 by placing an elongate instrument (such as a pencil, not shown) in second end 124. The elongate object can be extended through apertures 127 and 161 and pressed against insert 130 so that insert 130 can be forced out of first end 122. A replacement insert (having a color corresponding to the replacement cosmetic product) may then be inserted into first end 122. In certain embodiments, a replacement cartridge and insert can be sold as a matched pair so that a user can replace both the cartridge and the insert at the same time.

[0028] In the embodiment shown, insert 130 is fully inserted into end 122 so that it is flush with end 122. In other embodiments, insert 130 may extend beyond end 122. In the embodiment of Figures 1 and 2, protrusion 126 provides a retention mechanism so that insert 130 is retained in cap 120 until a user desires to intentionally remove insert 130. Other embodiments may comprise different configurations that maintain a friction, interference, or snap fit. For example a partial section of another embodiment of a cap 220 is shown in Figure. 3 Cap 220 comprises a first end 222 and a second end 224. Cap 220 also comprises a center post 221 and ribs 223 in the interior of cap 220 in addition to a protrusion 226. As shown in the end view of Figure 4, cap 220 also comprises a series of recesses or slots 229 distributed around the perimeter of cap 220. In this embodiment, end 224 comprises a relief 227 configured to engage a base (not shown).

[0029] A partial cross section of another embodiment of an insert 230 is shown in Figure 4. This embodiment comprises a protrusion 236 on a rib 235. In certain embodiments, protrusion 236 can extend past protrusion 226 in cap 220 to provide a snap fit. Rib 235 may flex to aid in the insertion or removal of insert 230 into end 222 of cap 220. In certain embodiments, rib 235 may engage recess 229 of cap 220.

[0030] The embodiment of Figures 1 and 2 also comprises first weight 160 and second weight 170 to add weight to cosmetic container 100. Increasing the weight of cosmetic container 100 improves the tactile qualities

of cosmetic container 100.

Claims

1. A container for holding a lipstick, the container comprising:
 - an elongate body (110);
 - a lipstick (150) disposed within the elongate body (110), wherein the lipstick (150) is a first color; and
 - an elongate cap (120; 220) comprising a first end (122; 222) and a second end (124; 224), wherein the elongate body (110) is configured to be inserted into the second end (124; 224);

characterized in that

 - the elongate cap (120; 220) is opaque; and
 - the container further comprises an insert (130; 230) coupled to the elongate cap (120; 220), wherein the insert (130; 230) is opaque and is configured to indicate the first color of the lipstick (150), and wherein the insert (130; 230) is flush with or extends beyond the first end (122; 222) of the elongate cap (120; 220), and
 - wherein a first weight (160) different from the insert (130; 230) coupled to the elongate cap (120; 220) is disposed in the elongate cap (120; 220) and/or a second weight (170) is disposed in the elongate body (110).
2. The container of claim 1 wherein the insert (130; 230) is coupled to the elongate cap (120; 220) proximal to the first end (122; 222).
3. The container of claim 1 wherein the insert (130; 230) is configured to be removed from the first end (122; 222) of the elongate cap (120; 220) by inserting an elongate instrument into the second end (124; 224) and applying a force against the insert (130; 230) with the elongate instrument.
4. The container of claim 1, further comprising a replacement insert, wherein the replacement insert is configured to replace the insert (130; 230) and indicate a second color, and further comprising a replacement lipstick, wherein the replacement lipstick is the second color.
5. The container of claim 1, wherein the insert (130; 230) is retained in the first end (122; 222) of the elongate cap (120; 220) by a friction, interference, or snap fit.
6. The container of claim 1, wherein the cap (120) comprises a protrusion (126) configured to engage the insert (130).

7. The container of claim 1, wherein the elongate body (110) and the elongate cap (120; 220) have essentially cylindrical shapes.
8. The container of claim 1 wherein the insert (230) comprises a plurality of ribs (235) that engage a plurality of slots (229) in the generally cylindrical cap (220).
9. The container of claim 1, further comprising a replacement insert and a replacement lipstick, wherein the replacement insert is a third color and the replacement lipstick is a fourth color and the third color and the fourth color are substantially similar.
10. The container of claim 1, wherein the insert (130; 230) is configured to be removed from the first end (122; 222) of the generally cylindrical cap (120; 220).
11. The container of claim 1, wherein the insert (130; 230) is molded from a uniform material.
12. The container of claim 1, wherein a cross-section of the insert (130; 230) is substantially a uniform color.

Patentansprüche

1. Behälter zum Aufnehmen eines Lippenstiftes, wobei der Behälter aufweist:
 einen länglichen Körper (10),
 einen Lippenstift (150), der in dem länglichen Körper (110) angeordnet ist, wobei der Lippenstift (150) von einer ersten Farbe ist, und
 eine längliche Kappe (120; 220), die ein erstes Ende (122; 222) und ein zweites Ende (124; 224) aufweist, wobei der längliche Körper (110) ausgestaltet ist, um in das zweite Ende (124; 224) eingeführt zu werden,
dadurch gekennzeichnet, dass
 die längliche Kappe (120; 220) lichtundurchlässig ist
 und
 der Behälter ferner einen Einsatz (130; 230) aufweist, der mit der länglichen Kappe (120; 220) gekoppelt ist, wobei der Einsatz (130; 230) lichtundurchlässig ist und ausgestaltet ist, um die erste Farbe des Lippenstiftes (150) anzuzeigen, und wobei der Einsatz (130; 230) mit dem ersten Ende (122; 222) der länglichen Kappe (120; 220) bündig ist oder sich über dieses hinaus erstreckt und
 wobei ein erstes Gewicht (160), das von dem Einsatz (130; 230), der mit der länglichen Kappe (120; 220) gekoppelt ist, verschieden ist, in der länglichen Kappe (120; 220) angeordnet ist und/oder ein zweites Gewicht (170) in dem längli-

chen Körper (110) angeordnet ist.

2. Behälter nach Anspruch 1, bei dem der Einsatz (130; 230) mit der länglichen Kappe (120; 220) in der Nähe des ersten Endes (122; 222) gekoppelt ist.
3. Behälter nach Anspruch 1, bei dem der Einsatz (130; 230) ausgestaltet ist, um von dem ersten Ende (122; 222) der länglichen Kappe (120; 220) entfernt zu werden, indem ein längliches Instrument in das zweite Ende (124; 224) eingeführt wird und mit dem länglichen Instrument eine Kraft gegen den Einsatz (130; 230) ausgeübt wird.
4. Behälter nach Anspruch 1, der ferner einen Austauscheinsatz aufweist, wobei der Austauscheinsatz ausgestaltet ist, um den Einsatz (130; 230) zu ersetzen und eine zweite Farbe anzuzeigen, und der ferner einen Austauschlippenstift aufweist, wobei der Austauschlippenstift die zweite Farbe aufweist.
5. Behälter nach Anspruch 1, bei dem der Einsatz (130; 230) durch kraftschlüssige Verbindung, Festsitz oder eine Schnappverbindung in dem ersten Ende (122; 222) der länglichen Kappe (120; 220) festgehalten wird.
6. Behälter nach Anspruch 1, bei dem die Kappe (120) einen Vorsprung (126) aufweist, der ausgestaltet ist, um an dem Einsatz (130) anzugreifen.
7. Behälter nach Anspruch 1, bei dem der längliche Körper (110) und die längliche Kappe (120; 220) im Wesentlichen zylindrische Formen aufweisen.
8. Behälter nach Anspruch 1, bei dem der Einsatz (230) eine Vielzahl von Rippen (235) aufweist, die mit einer Vielzahl von Schlitzten (229) in der im Wesentlichen zylindrischen Kappe (220) in Eingriff stehen.
9. Behälter nach Anspruch 1, der ferner einen Austauscheinsatz und einen Austauschlippenstift aufweist, wobei der Austauscheinsatz eine dritte Farbe aufweist und der Austauschlippenstift eine vierte Farbe aufweist und die dritte Farbe und die vierte Farbe im Wesentlichen ähnlich sind.
10. Behälter nach Anspruch 1, bei dem der Einsatz (130; 230) ausgestaltet ist, um von dem ersten Ende (122; 222) der im Wesentlichen zylindrischen Kappe (120; 220) entfernt zu werden.
11. Behälter nach Anspruch 1, bei dem der Einsatz (130; 230) aus einem einheitlichen Material geformt ist.
12. Behälter nach Anspruch 1, bei dem ein Querschnitt des Einsatzes (130; 230) eine im Wesentlichen einheitliche Farbe aufweist.

Revendications

1. Réceptacle pour contenir un rouge à lèvres, le réceptacle comprenant :

un corps allongé (110) ;
un rouge à lèvres (150) placé à l'intérieur du corps allongé (110), le rouge à lèvres (150) étant une première couleur et
un capuchon allongé (120 ; 220) comprenant une première extrémité (122 ; 222) et une seconde extrémité (124 ; 224), le corps allongé (110) étant configuré pour être inséré dans la seconde extrémité (124 ; 224),

caractérisé en ce que

le capuchon allongé (120 ; 220) est opaque et le réceptacle comprend de plus un insert (130 ; 230) couplé au capuchon allongé (120 ; 220), l'insert (130 ; 230) étant opaque et étant configuré pour indiquer la première couleur du rouge à lèvres (150) et l'insert (130 ; 230) étant en affleurement avec ou s'étendant au-delà de la première extrémité (122 ; 222) du capuchon allongé (120 ; 220) et
dans lequel un premier poids (160), différent de l'insert (130 ; 230) couplé au capuchon allongé (120 ; 220), est placé dans le capuchon allongé (120 ; 220) et/ou un second poids (170) est placé dans le corps allongé (110).

2. Réceptacle selon la revendication 1 dans lequel l'insert (130 ; 230) est couplé au capuchon allongé (120 ; 220) à proximité de la première extrémité (122 ; 222).

3. Réceptacle selon la revendication 1 dans lequel l'insert (130 ; 230) est configuré pour être enlevé de la première extrémité (122 ; 222) du capuchon allongé (120 ; 220) en insérant un instrument allongé dans la seconde extrémité (124 ; 224) et en appliquant une force contre l'insert (130 ; 230) avec l'instrument allongé.

4. Réceptacle selon la revendication 1 comprenant de plus un insert de remplacement, l'insert de remplacement étant configuré pour remplacer l'insert (130 ; 230) et pour indiquer une seconde couleur, et comprenant de plus un rouge à lèvres de remplacement, le rouge à lèvres de remplacement étant la seconde couleur.

5. Réceptacle selon la revendication 1 dans lequel l'insert (130 ; 230) est retenu dans la première extrémité (122 ; 222) du capuchon allongé (120 ; 220) par friction, interférence ou par insertion par enclenchement.

6. Réceptacle selon la revendication 1 dans lequel le

capuchon (120) comprend une saillie pour enclencher l'insert (130).

7. Réceptacle selon la revendication 1 dans lequel le corps allongé (110) et le capuchon allongé (120 ; 220) ont des formes substantiellement cylindriques.

8. Réceptacle selon la revendication 1 dans lequel l'insert (230) comprend une pluralité de nervures (235) qui s'enclenchent dans une pluralité de fentes (229) dans le capuchon de forme généralement cylindrique (220).

9. Réceptacle selon la revendication 1 comprenant de plus un insert de remplacement et un rouge à lèvres de remplacement, l'insert de remplacement étant une troisième couleur et le rouge à lèvres de remplacement étant une quatrième couleur et la troisième couleur et la quatrième couleurs étant substantiellement similaires.

10. Réceptacle selon la revendication 1 dans lequel l'insert (130 ; 230) est configuré pour être enlevé de la première extrémité (122 ; 222) du capuchon de forme généralement cylindrique (120 ; 220).

11. Réceptacle selon la revendication 1 dans lequel l'insert (130 ; 230) est moulé à partir d'un matériau uniforme.

12. Réceptacle selon la revendication 1 dans lequel une section transversale de l'insert (130 ; 230) est substantiellement une couleur uniforme.

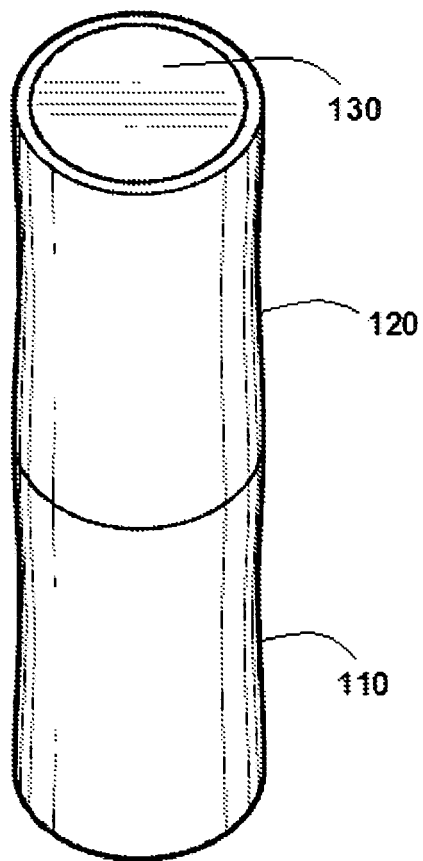


FIG. 1

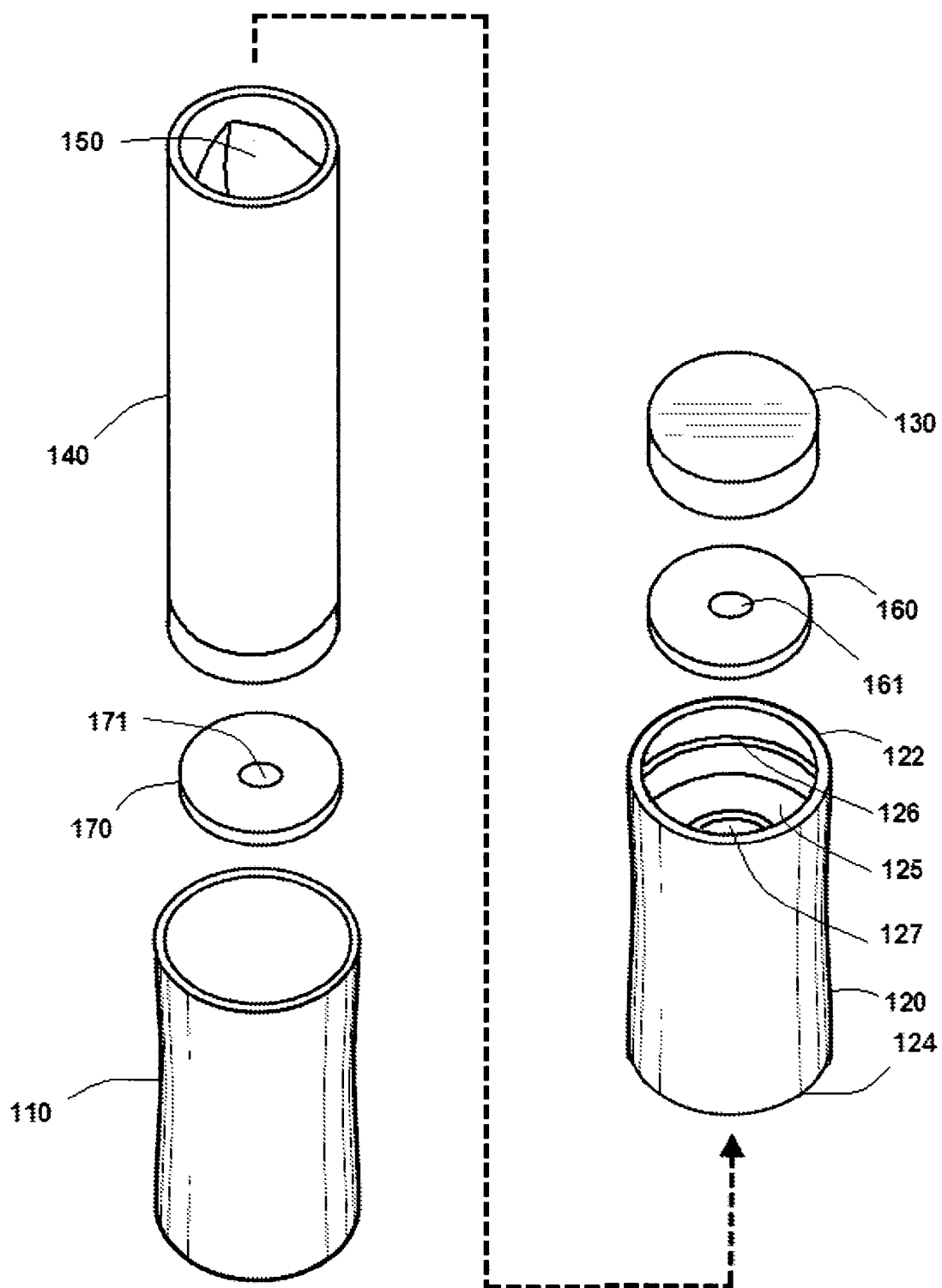


FIG. 2

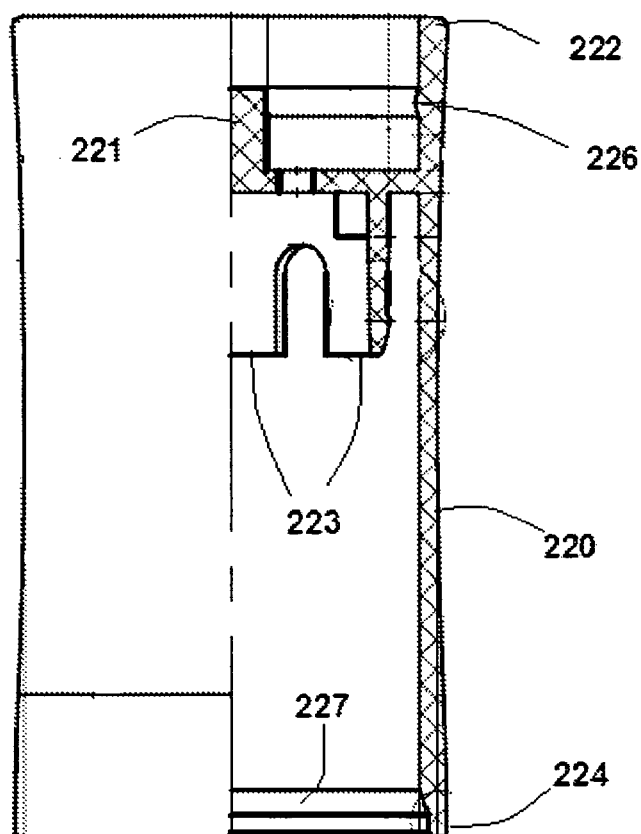


FIG. 3

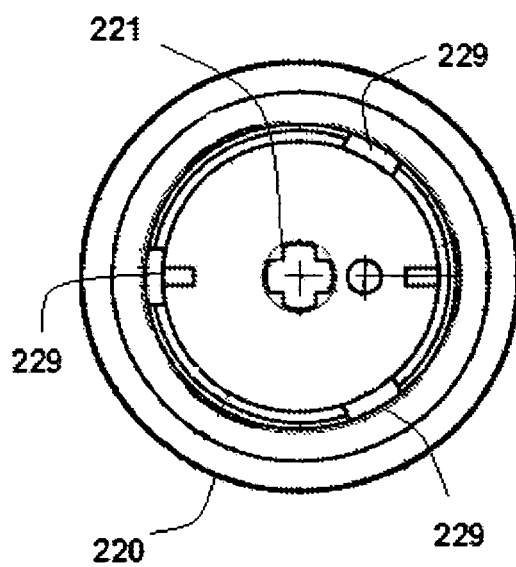


FIG. 4

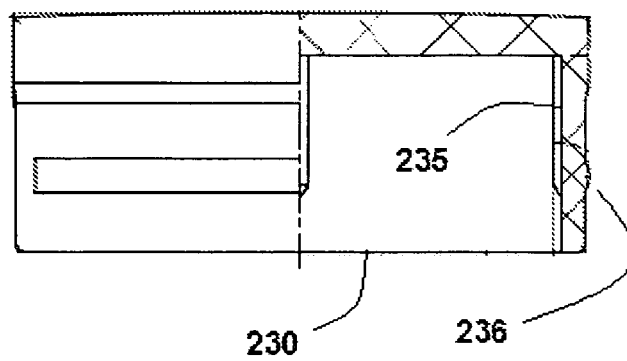


FIG. 5