



US00D736641S

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

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(45) **Date of Patent:** **** Aug. 18, 2015**

(54) **METAL CONTAINER**

OTHER PUBLICATIONS

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U.S. Appl. No. 29/440,048, filed Dec. 18, 2012, Manne et al.

(Continued)

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

(57) **CLAIM**

We claim the ornamental design for a metal container, as shown and described.

(21) Appl. No.: **29/440,049**

DESCRIPTION

(22) Filed: **Dec. 18, 2012**

(51) **LOC (10) Cl.** **09-01**

(52) **U.S. Cl.**
USPC **D9/560**

(58) **Field of Classification Search**

USPC D9/516, 559–560, 573–575, 715, 719,
D9/763–764, 766, 768, 770, 782; 215/379,
215/381–382; 220/660, 669, 675

CPC B65D 1/00; B65D 1/02; B65D 1/0223;
B65D 23/00; B65D 83/00; B65D 91/00;
B65D 91/02; B65D 2501/00; B65D
2501/0009; B65D 2501/0081

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D26,065 S 9/1896 Jenkins
D35,414 S 12/1901 Lorenz
D86,037 S 1/1932 Lloyd
D99,763 S 5/1936 Sansby

(Continued)

FIG. 1 is a perspective view of an embodiment of the claimed design;

FIG. 2 is a front view of the claimed design of FIG. 1;

FIG. 3 is a left side view of the claimed design of FIG. 1;

FIG. 4 is a right side view of the claimed design of FIG. 1;

FIG. 5 is a rear view of the claimed design of FIG. 1;

FIG. 6 is a top plan view of the claimed design of FIG. 1;

FIG. 7 is a bottom plan view of the claimed design of FIG. 1;

FIG. 8 is a perspective view of another embodiment of the claimed design;

FIG. 9 is a front view of the claimed design of FIG. 8;

FIG. 10 is a left side view of the claimed design of FIG. 8;

FIG. 11 is a right side view of the claimed design of FIG. 8;

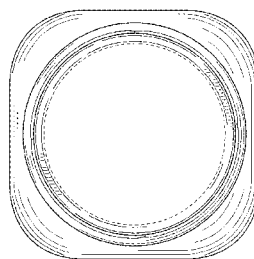
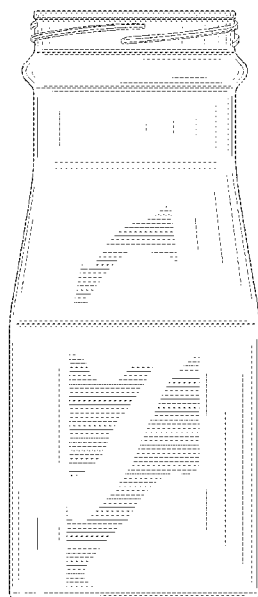
FIG. 12 is a rear view of the claimed design of FIG. 8;

FIG. 13 is a top plan view of the claimed design of FIG. 8; and,

FIG. 14 is a bottom plan view of the claimed design of FIG. 8.

The ornamental design which is claimed is shown in solid lines in the drawings. The broken lines in the drawings are for illustrative purposes only and form no part of the claimed design.

1 Claim, 12 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D230,710 S	3/1974	Purcell	
D236,429 S	8/1975	Strand	
D236,587 S *	9/1975	Kretz	D9/541
D240,591 S	7/1976	Kretz	
D242,527 S	11/1976	Plummer	
D247,471 S	3/1978	Strand	
D267,076 S *	11/1982	Hurtig	D9/520
D279,546 S	7/1985	Marcus	
D285,533 S	9/1986	Berish et al.	
D376,106 S	12/1996	Heckler	
D400,762 S	11/1998	Mecklenburg	
D411,712 S	6/1999	Mecklenburg	
D413,265 S *	8/1999	Hestehave et al.	D9/541
D431,468 S	10/2000	Potts	
D456,272 S *	4/2002	Sadeghi et al.	D9/560
D481,640 S *	11/2003	Biesecker	D9/560
D484,743 S	1/2004	Furlong	
D491,069 S *	6/2004	Heliste et al.	D9/560
D516,424 S	3/2006	Schweigert et al.	
D529,762 S	10/2006	Schweigert et al.	
D536,976 S	2/2007	Ciulla et al.	
D536,986 S	2/2007	Nix et al.	
D571,662 S	6/2008	Clark et al.	
D655,166 S	3/2012	Arand et al.	
D656,405 S *	3/2012	Byron	D9/560
D696,585 S *	12/2013	Manne et al.	D9/500
D717,661 S *	11/2014	McIntire et al.	D9/560

OTHER PUBLICATIONS

www.starbucks.com/menu/drinks/bottled-drinks/bottled-frappuccino-mocha, website showing bottled coffee drink, believed to be

commercially available from Starbucks Corporation at least one year before Dec. 18, 2012, 2 pages.

www.slashfood.com/2007/04/25/starbucks-store-frappuccino-vs-coffee-shop-frappuccino/, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 9 pages.

www.mycnymommy.com/2010/06/100-starbucks-frappuccino-single-bottle.html, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 4 pages.

http://caloriecount.about.com/calories-starbucks-coffee-frappuccino-mocha-flavor-i57214, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 2 pages.

http://caloriecount.about.com/calories-starbucks-coffee-frappuccino-vanilla-flavor-i57215, website showing an image of a bottle believed to be available before Dec. 18, 2012, 2 pages.

http://fatsmack.org/2011/11/food-equivalent-3/, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 3 pages.

www.target.com/p/starbucks-coffee-frappuccino-coffee-drink-13-7-oz-bottle/-/A-12959301, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 2 pages.

www.meltingmama.net/wls/2009/06/starbucks-bottle-mocha-lite-frappuccino.html, website showing an image of a bottle believed to be available at least one year before Dec. 18, 2012, 4 pages.

* cited by examiner

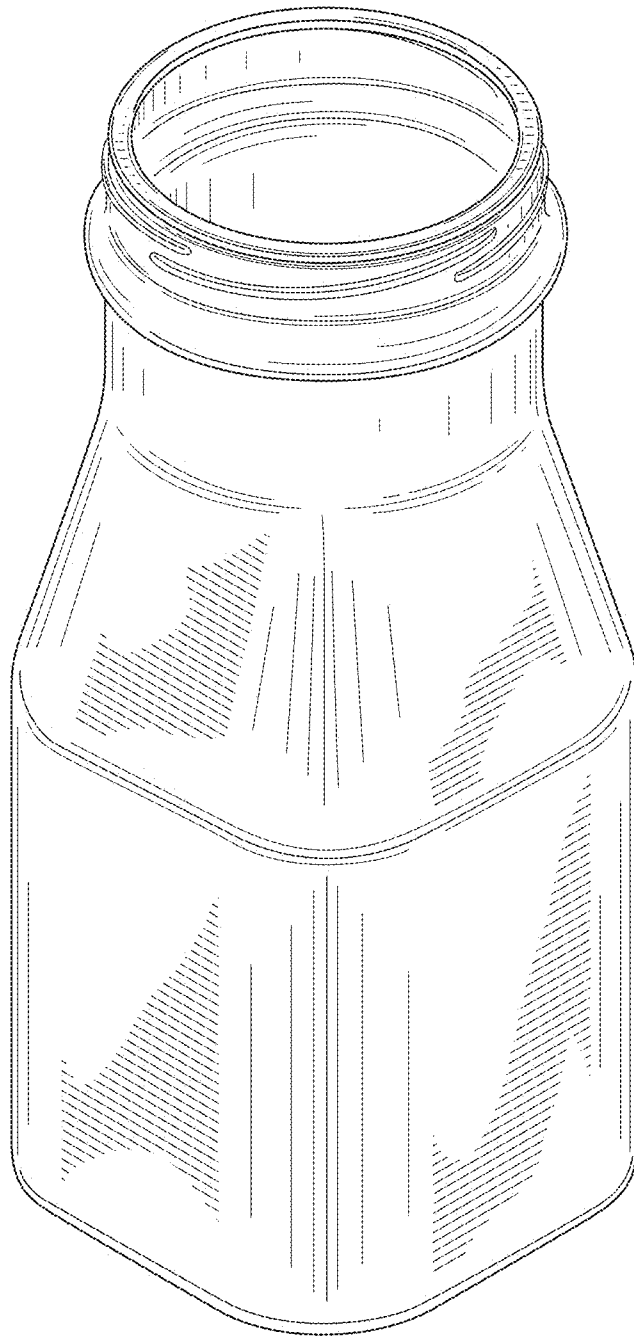


FIG. 1

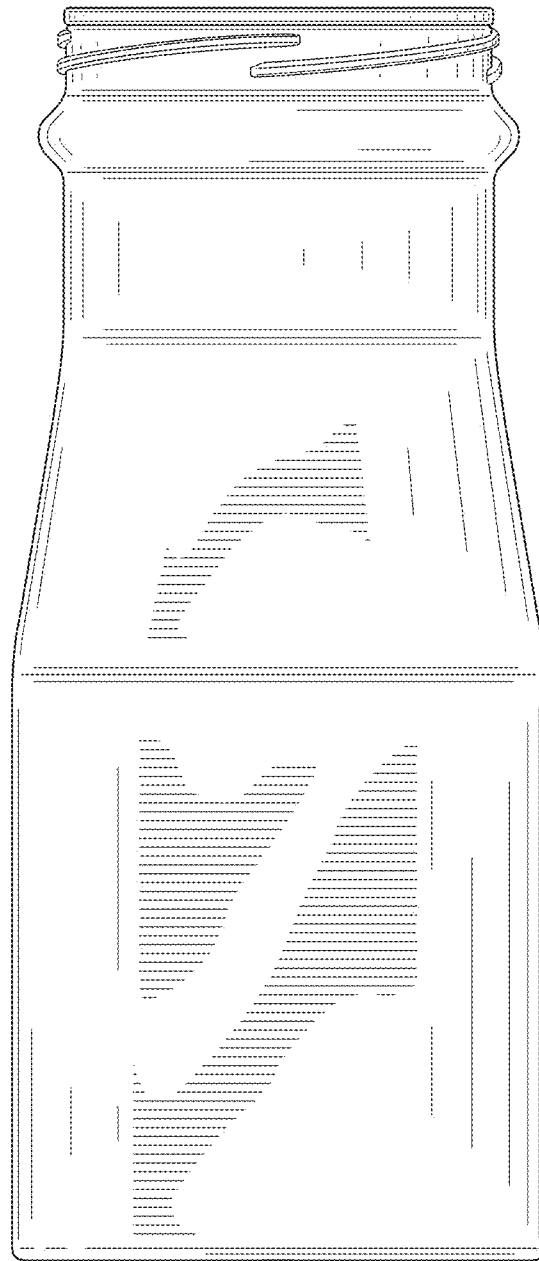


FIG. 2

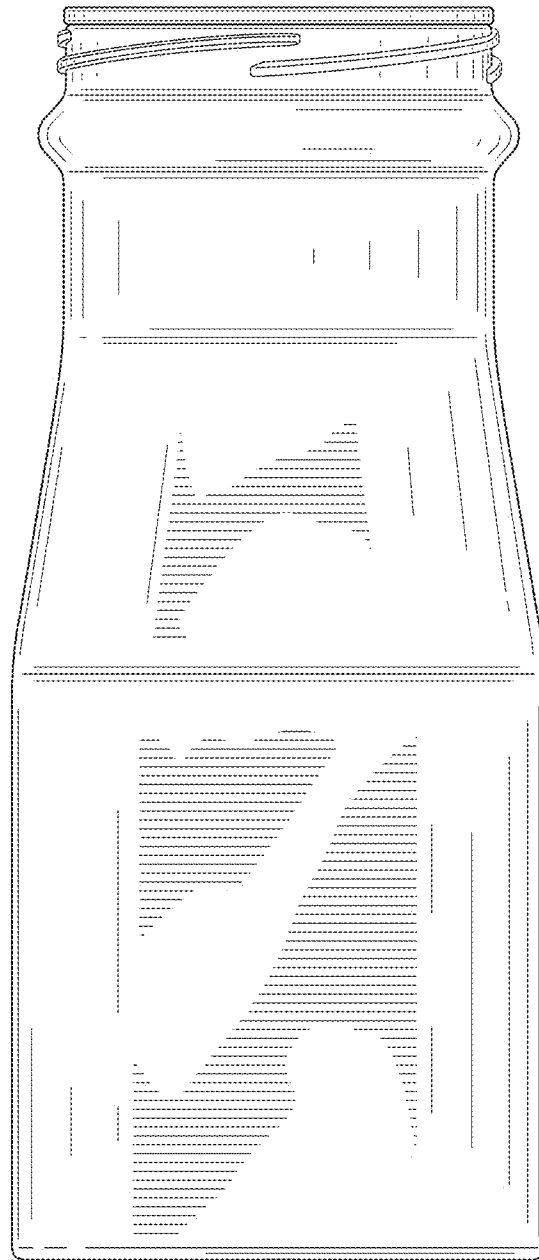


FIG. 3

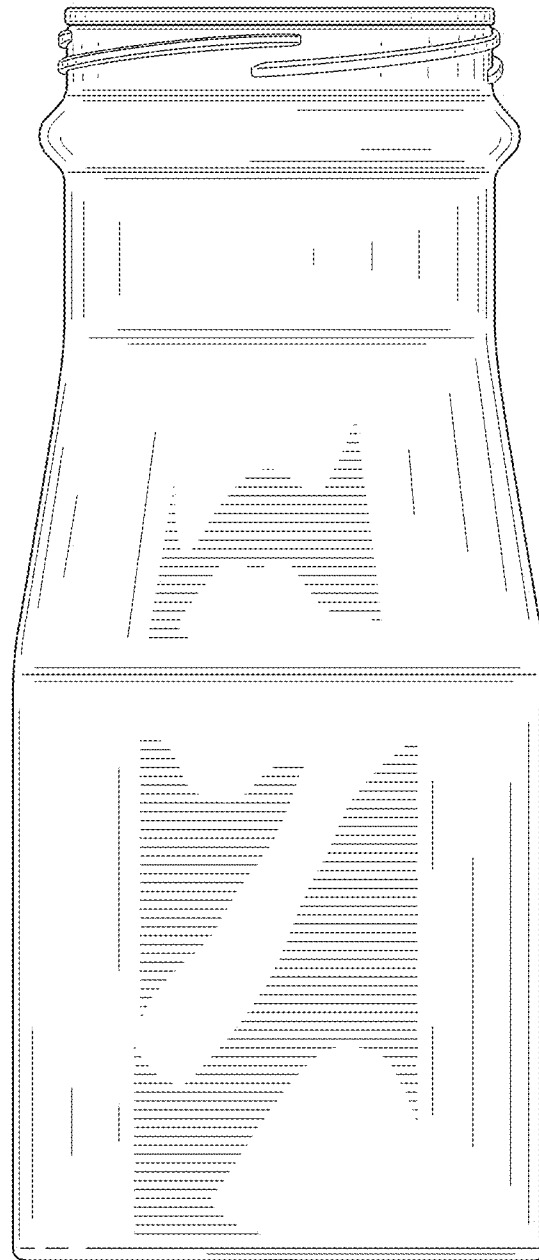


FIG. 4

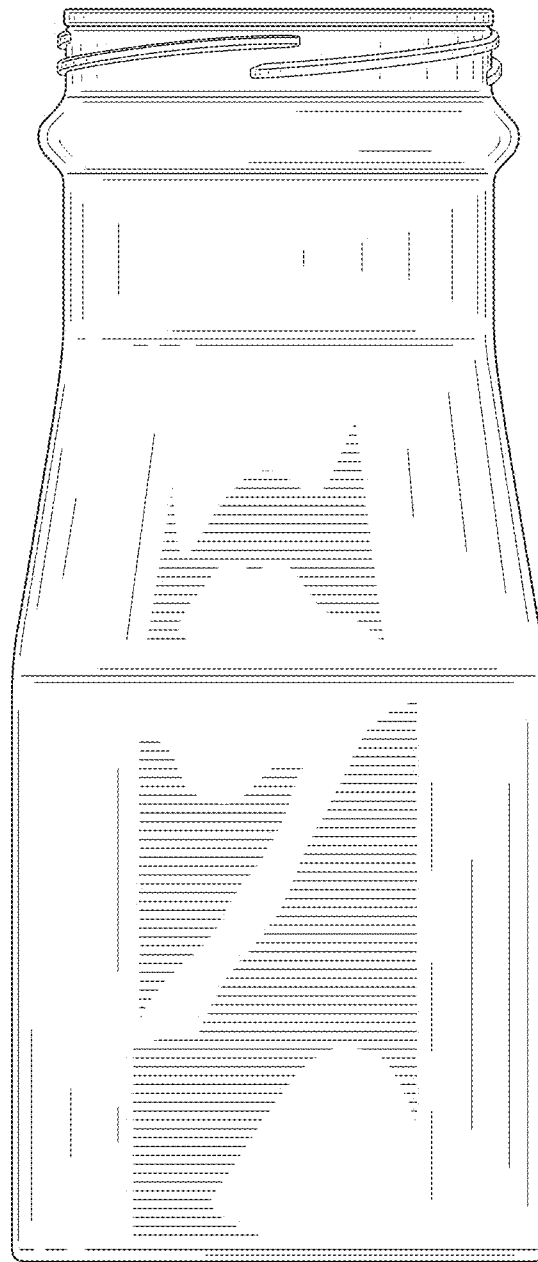


FIG. 5

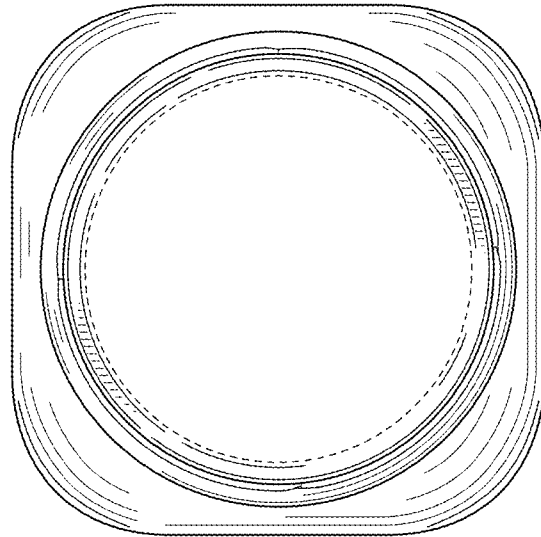


FIG. 6

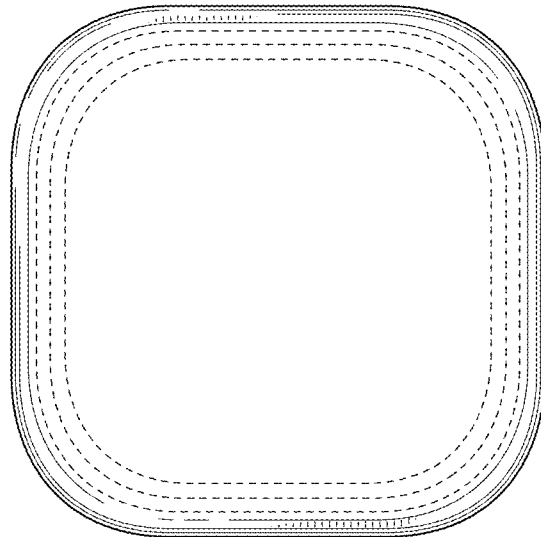


FIG. 7

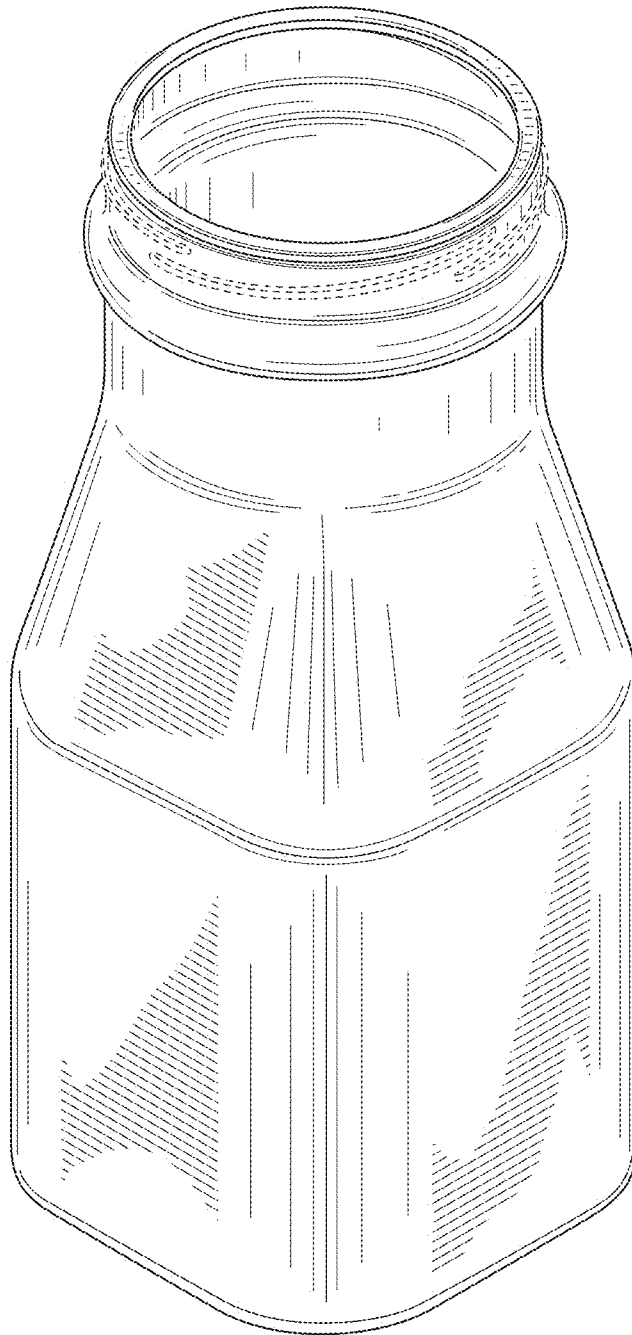


FIG. 8

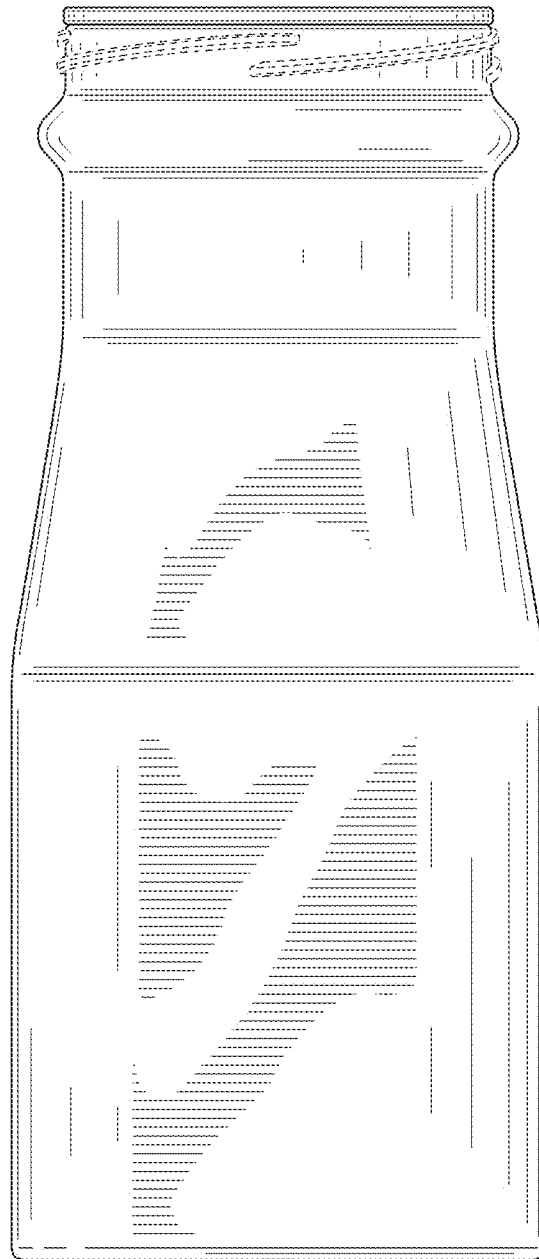


FIG. 9

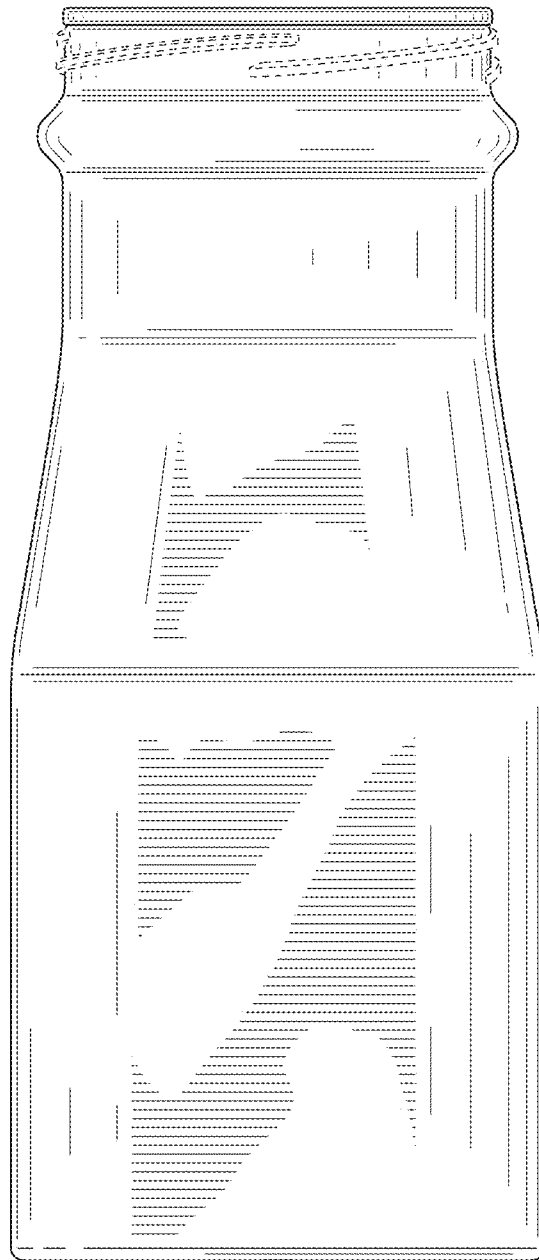


FIG. 10

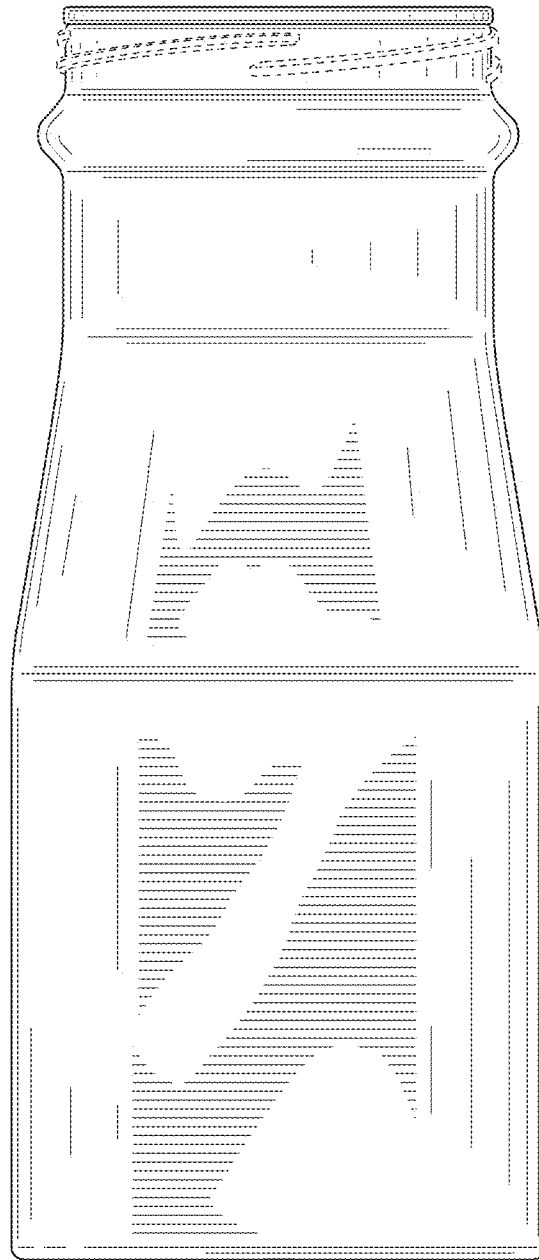


FIG. 11

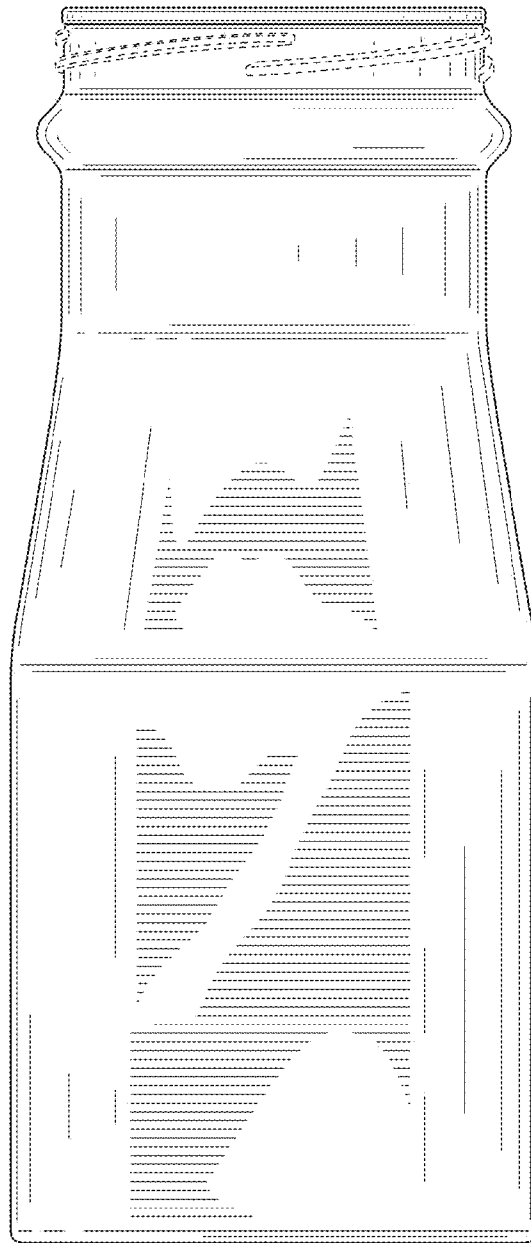


FIG. 12

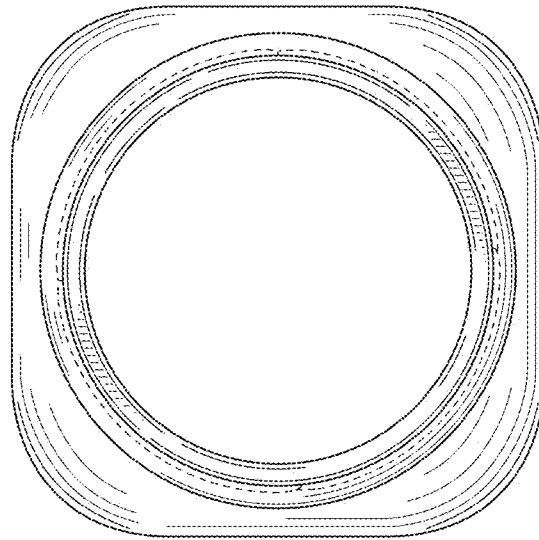


FIG. 13

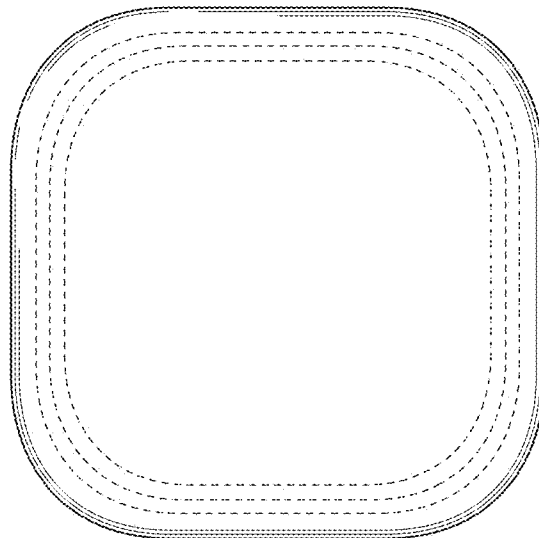


FIG. 14