



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

(10) **Patent No.:** **US D853,849 S**  
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(54) **BOTTLE**

**FOREIGN PATENT DOCUMENTS**

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EM 003507904-0001 \* 4/2017

**OTHER PUBLICATIONS**

Monster to unleash Mutant on Mtn Dew, posted at foodbusinessnew.net, posted on Jun. 20, 2016, [online], [site visited Apr. 19, 2017]. URL: [http://www.foodbusinessnews.net/articles/news\\_home/New-Product-Launches/2016/06/Monster\\_to\\_unleash\\_Mutant\\_on\\_M.aspx?ID=%7B20C261BC-2D64-4A0F-AE82-115AE2DAF803%7D](http://www.foodbusinessnews.net/articles/news_home/New-Product-Launches/2016/06/Monster_to_unleash_Mutant_on_M.aspx?ID=%7B20C261BC-2D64-4A0F-AE82-115AE2DAF803%7D)> (Year: 2016).\*

(Continued)

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(\*\*) Term: **15 Years**

(21) Appl. No.: **29/624,630**

(57) **CLAIM**

(22) Filed: **Nov. 2, 2017**

The ornamental design for a bottle, as shown and described.

**Related U.S. Application Data**

(63) Continuation of application No. 29/567,707, filed on Jun. 10, 2016.

(51) **LOC (11) Cl.** ..... **09-01**

(52) **U.S. Cl.**

USPC ..... **D9/549; D9/556**

(58) **Field of Classification Search**

USPC ..... D9/502, 516, 519, 520, 522, 536-543,  
D9/557-558, 549-552, 559, 563, 565,

(Continued)

**DESCRIPTION**

FIG. 1 is a top, front, side perspective view of a bottle embodying our design;

FIG. 2 is a front view thereof;

FIG. 3 is a rear view thereof;

FIG. 4 is a right side view thereof;

FIG. 5 is a left side view thereof;

FIG. 6 is a top view thereof; and,

FIG. 7 is a bottom view thereof.

The broken lines illustrate portions of the bottle that form not part of the claimed design. The dash-dot lines show boundaries of the claimed design.

Stippling in the figures represents a contrast in appearance.

(56) **References Cited**

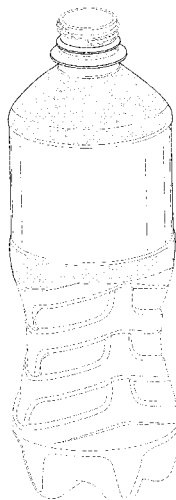
**U.S. PATENT DOCUMENTS**

D74,300 S 1/1928 Ginter

D139,892 S 1/1945 Riha

(Continued)

**1 Claim, 6 Drawing Sheets**



(58) **Field of Classification Search**  
 USPC ..... D9/567-571, 574-575, 667; D24/197;  
 215/379, 381-384; 220/660, 662,  
 220/669-673, 675  
 CPC ..... B65D 1/0223; B65D 2501/0036; B65D  
 79/005; B65D 23/102; B65D 2501/0027  
 See application file for complete search history.

8,596,479 B2 12/2013 Simon et al.  
 D700,519 S 3/2014 Eaton et al.  
 D719,449 S \* 12/2014 Eaton ..... D9/516  
 D736,628 S \* 8/2015 Fleischhacker ..... D9/500  
 D739,734 S 9/2015 Morrison et al.  
 D739,752 S \* 9/2015 Eaton ..... D9/540  
 D754,002 S \* 4/2016 Knight ..... D9/538  
 D764,297 S 8/2016 Impedovo et al.  
 D772,071 S \* 11/2016 Eaton ..... D9/516  
 2008/0302758 A1 12/2008 Mody et al.  
 2009/0014407 A1 1/2009 Strasser et al.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D409,919 S \* 5/1999 Young ..... D9/520  
 D463,292 S 9/2002 Bianco  
 D482,976 S 12/2003 Melrose  
 D509,746 S 9/2005 Mero et al.  
 D522,870 S 6/2006 Venkataraman et al.  
 D522,874 S 6/2006 Livingston et al.  
 D523,341 S 6/2006 Livingston et al.  
 D535,884 S 1/2007 Davis et al.  
 D536,255 S 2/2007 Corbett et al.  
 D538,168 S 3/2007 Davis et al.  
 D561,595 S \* 2/2008 Le Bras-Brown ..... D9/500  
 D561,596 S \* 2/2008 Hyde ..... D9/538  
 D561,597 S 2/2008 Venkataraman et al.  
 D564,889 S 3/2008 Boon  
 D583,672 S 12/2008 Lepoitevin  
 D584,628 S 1/2009 Lepoitevin  
 D588,921 S 3/2009 Williams  
 D600,122 S 9/2009 Strasser et al.  
 D600,559 S 9/2009 Lepoitevin  
 D619,011 S 7/2010 Zoppas  
 D619,899 S 7/2010 Mero et al.  
 D626,850 S 11/2010 Zoppas  
 D628,074 S 11/2010 Mero et al.  
 D637,908 S \* 5/2011 Fleischhacker ..... D9/502  
 D637,909 S 5/2011 Fleischhacker et al.  
 D643,723 S 8/2011 Snyder et al.  
 D644,929 S 9/2011 White et al.  
 D648,222 S 11/2011 Snyder et al.  
 D648,633 S \* 11/2011 Boukobza ..... D9/538  
 D651,901 S 1/2012 Miller et al.  
 D651,905 S 1/2012 Bartolomei  
 D652,724 S 1/2012 Snyder et al.  
 D652,725 S 1/2012 Snyder et al.  
 D652,726 S 1/2012 Snyder et al.  
 D652,733 S 1/2012 Oommen et al.  
 D661,196 S \* 6/2012 Heisner ..... D9/538  
 D663,214 S \* 7/2012 George ..... D9/538  
 D663,621 S 7/2012 Lepoitevin  
 D668,958 S \* 10/2012 George ..... D9/538  
 D671,007 S 11/2012 Lovelace, Jr. et al.

OTHER PUBLICATIONS

U.S. Appl. No. 29/567,708, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/567,704, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/567,702, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/567,709, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/567,705, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/567,710, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/567,706, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/567,707, filed Jun. 10, 2016, Hall et al.  
 U.S. Appl. No. 29/624,609, filed Nov. 2, 2017, Hall et al.  
 U.S. Appl. No. 29/641,242, filed Mar. 20, 2018, Hall et al.  
 U.S. Appl. No. 29/624,608, filed Nov. 2, 2017, Hall et al.  
 U.S. Appl. No. 29/624,629, filed Nov. 2, 2017, Hall et al.  
 U.S. Appl. No. 29/624,774, filed Nov. 3, 2017, Hall et al.  
 U.S. Appl. No. 29/666,514, filed Oct. 12, 2018, Hall et al.  
 U.S. Appl. No. 29/624,645, filed Nov. 2, 2017, Hall et al.  
 "Sidekick Bottles," Mountain Dew Wiki, available at [http://mountaindew.wikia.com/wiki/Sidekick\\_Bottles](http://mountaindew.wikia.com/wiki/Sidekick_Bottles), 2009.  
 "4sight and PepsiCo Create Ownable Mountain Dew Bottle," Packaging Design, Jul. 2011.  
 "Mountain Dew Sidekick Bottle," CLDesigns, available at <http://www.cl-designs.com/#!/products---md-sidekick>, 2011.  
 Gatorade G Series Endurance Formula Ready To Drink, Amazon.com, Inc., available at [https://www.amazon.com/Gatorade-Endurance-Formula-Ready-Drink/dp/B00DO747KA/ref=pd\\_lpo\\_121\\_tr\\_t\\_3?ie=UTF8&refRID=9AVVZPJQE6WVVRV5JBR3R&th=1](https://www.amazon.com/Gatorade-Endurance-Formula-Ready-Drink/dp/B00DO747KA/ref=pd_lpo_121_tr_t_3?ie=UTF8&refRID=9AVVZPJQE6WVVRV5JBR3R&th=1), apparently available Nov. 2014.  
 Powerade Orange 32 fl oz Bottle, Amazon.com, Inc., available at [https://www.amazon.com/gp/product/B000T9SZX6/ref=pd\\_sim\\_325\\_2?ie=UTF8&pd\\_rd\\_i=B000T9SZX6&pd\\_rd\\_r=YZKBPHAZT0239PEG56XV&pd\\_rd\\_w=WpIOT&pd\\_rd\\_wg=YkMp9&pvc=1&refRID=YZKBPHAZT0239PEG56XV](https://www.amazon.com/gp/product/B000T9SZX6/ref=pd_sim_325_2?ie=UTF8&pd_rd_i=B000T9SZX6&pd_rd_r=YZKBPHAZT0239PEG56XV&pd_rd_w=WpIOT&pd_rd_wg=YkMp9&pvc=1&refRID=YZKBPHAZT0239PEG56XV), apparently available Feb. 2015.  
 "Mountain Dew Ownable Structural Equity," <http://www.4sightinc.com/results/page/Mountain-Dew>, © 2012.

\* cited by examiner

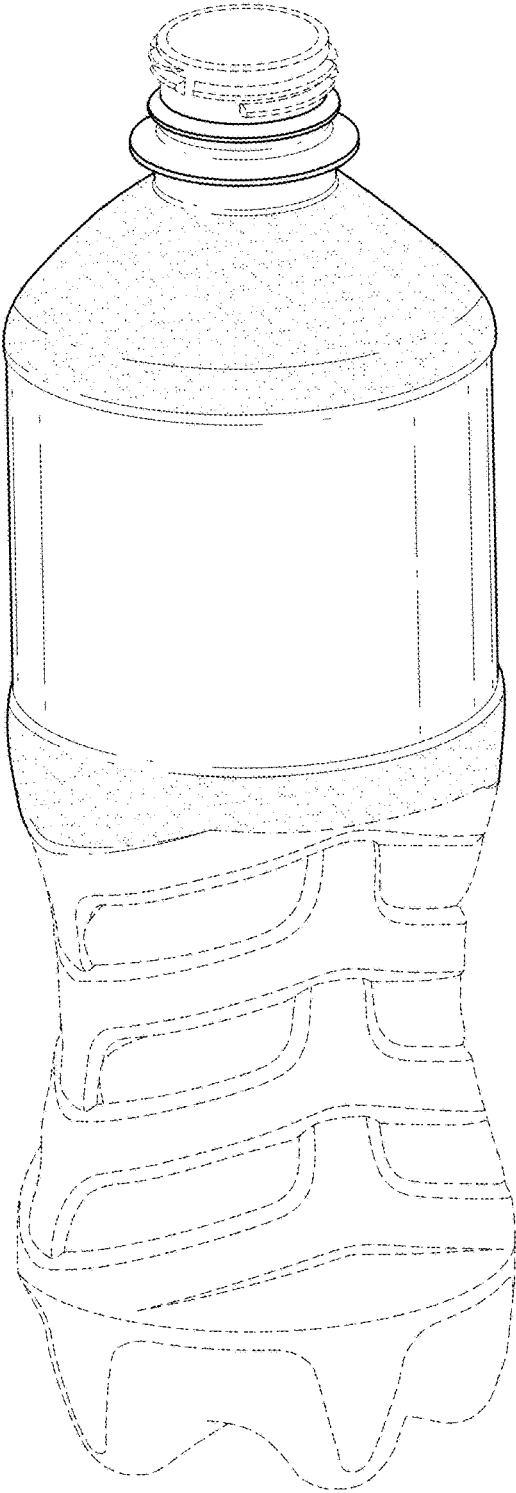


FIG. 1

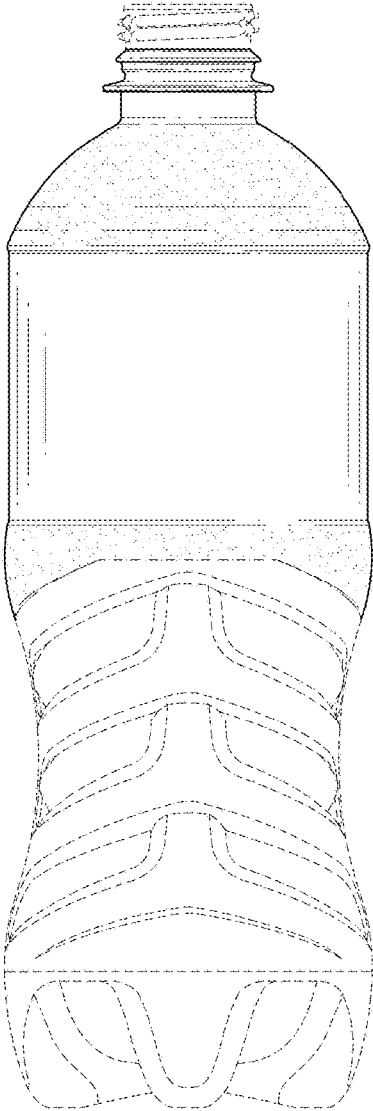


FIG. 2

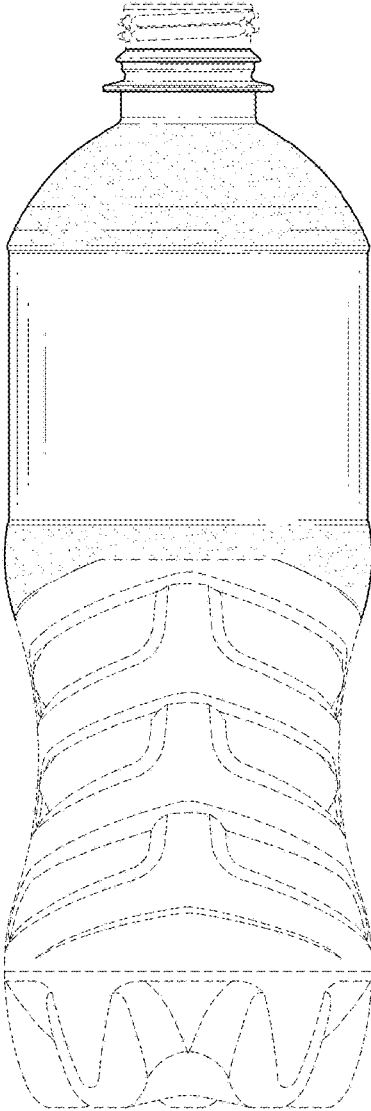


FIG. 3

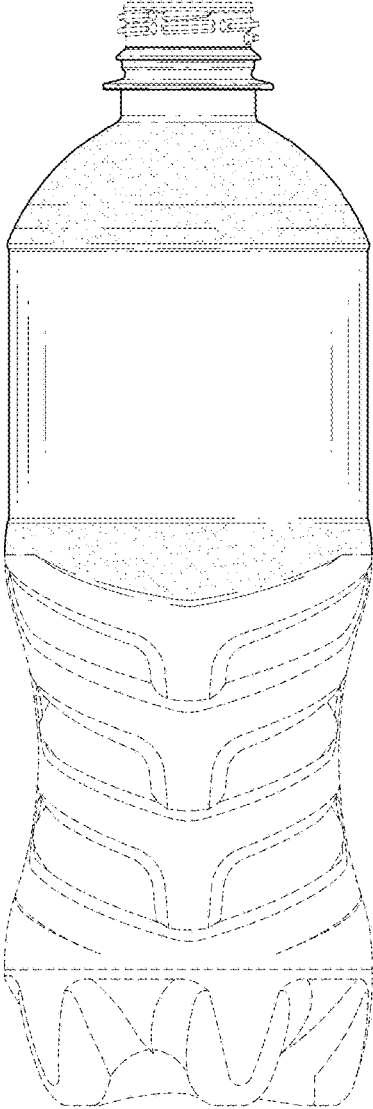


FIG. 4

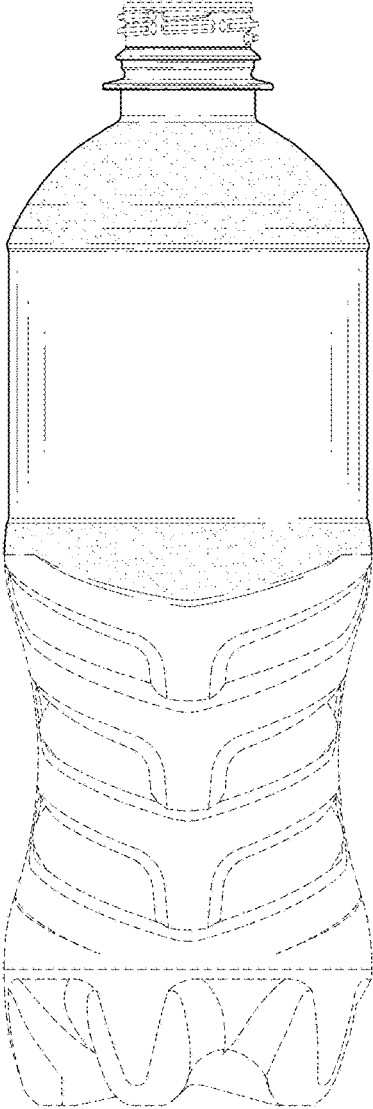


FIG. 5

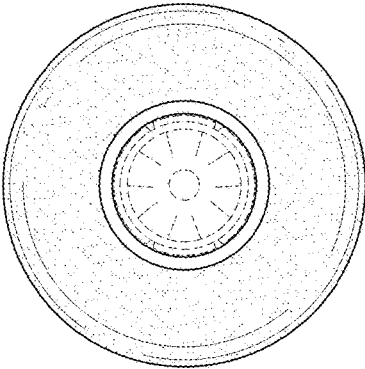


FIG. 6

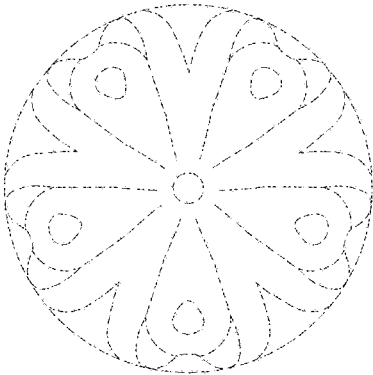


FIG. 7