



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

(10) **Patent No.:** **US D799,151 S**  
(45) **Date of Patent:** **\*\* Oct. 10, 2017**

(54) **SHAPED TORTILLA**  
(71) Applicant: **General Mills, Inc.**, Minneapolis, MN (US)  
(72) Inventors: **Robert G Clements**, Plymouth, MN (US); **Shivakumar Elayedath**, Eden Prairie, MN (US); **Amy R. Fleury**, Arden Hills, MN (US); **Zachary Harder**, Crystal, MN (US)  
(73) Assignee: **General Mills, Inc.**, Minneapolis, MN (US)

909,715 A 1/1909 Troegeler  
D55,868 S \* 7/1920 Meltz ..... D1/118  
D56,385 S \* 10/1920 Shapiro ..... D1/118  
D62,515 S 6/1923 Wood  
D63,075 S \* 10/1923 Franco ..... D1/118  
D63,315 S \* 11/1923 Perky ..... D1/118  
1,529,670 A 3/1925 Pritchard et al.  
D67,821 S 7/1925 Yohai et al.  
1,552,671 A 9/1925 Bellocchio  
1,816,283 A 7/1931 Holibaugh  
1,842,576 A 1/1932 Bemis  
D89,341 S 2/1933 Hamsen

(Continued)

FOREIGN PATENT DOCUMENTS

WO WO-2004/037016 5/2004

OTHER PUBLICATIONS

“American Hits”, Oct. 30, 2007, <http://www.salomon-online.com/p3filesen/produkte/americanhits.shtml>.

(Continued)

*Primary Examiner* — Garth Rademaker  
*Assistant Examiner* — Katie Stofko  
(74) *Attorney, Agent, or Firm* — Rachel A. Kahler; Diederiks & Whitelaw, PLC; John L. Crimmins, Esq.

(57) **CLAIM**

The ornamental design for a shaped tortilla, as shown and described.

**DESCRIPTION**

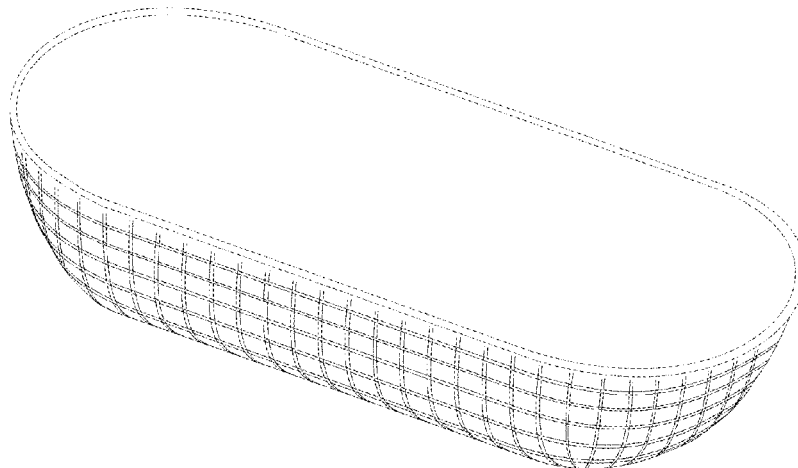
FIG. 1 is a top perspective view of a shaped tortilla; FIG. 2 is an end view of the shaped tortilla of FIG. 1; FIG. 3 is a side view of the shaped tortilla of FIG. 1; and, FIG. 4 is a bottom view of the shaped tortilla of FIG. 1. Where included, broken lines shown in FIGS. 1-4 illustrate portions of the shaped tortilla that form no part of the claimed design.

**1 Claim, 2 Drawing Sheets**

(\*\*) Term: **14 Years**  
(21) Appl. No.: **29/476,453**  
(22) Filed: **Dec. 13, 2013**  
(51) **LOC (10) Cl.** ..... **01-01**  
(52) **U.S. Cl.**  
USPC ..... **D1/122**  
(58) **Field of Classification Search**  
USPC ..... D1/100-130, 199; D7/504, 509, 510, D7/523, 524, 555, 566, 568, 584-587, D7/672, 300.1, 629, 653, 654, 667, 400, D7/540, 545, 560, 601-602; D21/386; D19/91; 426/92, 94, 95, 99, 101, 426/138-139, 143, 279, 282, 283, 391, 426/514; D11/146, 151, 154; D14/480.5, D14/484.1  
CPC ..... A21D 13/0025; A21D 13/0029; A21D 13/0074; A21D 13/0022; A21D 13/0006; A23L 1/1641; A23L 1/005  
See application file for complete search history.

(56) **References Cited**  
U.S. PATENT DOCUMENTS

D17,628 S 8/1887 Carr  
D19,696 S 3/1890 Beckstein  
D31,600 S 10/1899 Terry



(56)

References Cited

U.S. PATENT DOCUMENTS

1,909,930	A	5/1933	De Ridder		D358,018	S	5/1995	Lindemann	
D93,019	S	8/1934	Hose		D369,451	S	5/1996	Gornet et al.	
2,120,710	A	6/1938	Nieding		5,567,455	A	10/1996	Alsbrook, Sr.	
2,274,344	A	2/1942	Palmer		5,567,459	A	10/1996	Gonzalez-Hernandez et al.	
D133,369	S *	8/1942	Chaplin	D9/429	D376,893	S	12/1996	Gornet	
D133,867	S *	9/1942	Chaplin	D9/429	D377,257	S	1/1997	Calvin	
D141,423	S	5/1945	Lewis		5,626,897	A	5/1997	Goldstein	
D156,985	S *	1/1950	Moffett	D1/122	5,652,010	A	7/1997	Gimmler et al.	
2,598,927	A	6/1952	May		D382,385	S *	8/1997	Khan et al.	D1/122
2,601,822	A	7/1952	Hopkins		D383,589	S	9/1997	Morales	
2,630,389	A	3/1953	Lipshutz		D386,885	S *	12/1997	Bell	D1/116
2,664,812	A	1/1954	Molina		D387,109	S	12/1997	Winans	
2,739,464	A	3/1956	Smith		5,709,898	A	1/1998	Biggs et al.	
2,866,575	A *	12/1958	Lattuca	220/754	D392,786	S	3/1998	Kieser	
2,892,719	A	6/1959	Lynn		D392,881	S *	3/1998	Bulcher et al.	D9/425
D205,126	S	6/1966	Haessler		D393,136	S	4/1998	Gornet	
3,290,154	A	12/1966	Turner		5,756,976	A	5/1998	Akasaka	
3,341,167	A	9/1967	Weiss		D395,937	S	7/1998	Zada	
3,481,458	A	12/1969	Mayeaux		D402,085	S	12/1998	Gornet	
3,541,587	A	11/1970	Washburn		5,897,900	A	4/1999	Groulx et al.	
D222,682	S	11/1971	Douglas		D412,770	S	8/1999	Martinez et al.	
3,653,337	A	4/1972	Hanson		5,984,697	A	11/1999	Moran et al.	
3,794,455	A	2/1974	Heiderpriem		5,993,871	A	11/1999	Beehler	
3,908,022	A	9/1975	Selleck		5,996,476	A	12/1999	Schultz	
3,930,049	A	12/1975	Mattson		5,997,921	A	12/1999	Tirillo	
4,018,905	A	4/1977	Adamek et al.		D421,272	S	2/2000	Patel	
4,055,670	A	10/1977	Belmont		D425,685	S	5/2000	Kitslaar	
4,065,092	A	12/1977	Spinks, Sr. et al.		D429,961	S *	8/2000	Harris	D7/540
4,065,581	A	12/1977	Heiderpriem		6,156,357	A	12/2000	Franklin	
D247,868	S	5/1978	Britt		D437,672	S *	2/2001	Knox	D1/122
D251,396	S	3/1979	Hutchinson		6,245,374	B1	6/2001	Thomas et al.	
D251,816	S	5/1979	Majeski		D444,547	S *	7/2001	Kuo	D23/280.1
4,214,517	A	7/1980	Caldwell		D444,816	S	7/2001	Stravitz	
4,250,091	A	2/1981	Papa et al.		D450,420	S	11/2001	Brost et al.	
4,251,554	A	2/1981	Baisden		D467,121	S	12/2002	Zietz et al.	
4,270,660	A	6/1981	Putt		D467,669	S	12/2002	Givens et al.	
4,313,964	A	2/1982	Dembecki		D473,426	S *	4/2003	Jalet	D7/545
D263,786	S	4/1982	Kohan		6,607,169	B1	8/2003	Gershfeld	
4,381,837	A	5/1983	Cortopassi		6,615,495	B1	9/2003	Evens et al.	
4,444,795	A	4/1984	Weinstein		6,619,501	B2 *	9/2003	Hayes et al.	220/608
D277,234	S	1/1985	Bank		D485,307	S	1/2004	Sheldon et al.	
D278,199	S	4/1985	Richards		D488,718	S *	4/2004	Passerini	D9/425
D279,160	S	6/1985	Hunt		D493,943	S	8/2004	Mendenhall	
4,530,275	A	7/1985	Stickle et al.		D515,274	S	2/2006	Griebel et al.	
D282,338	S	1/1986	Putt		D516,275	S	3/2006	Anaya	
4,573,579	A	3/1986	Murdick et al.		7,008,655	B1	3/2006	Aslanis	
4,626,438	A	12/1986	Glantz		D520,814	S	5/2006	Wegmann	
4,666,799	A	5/1987	Runquist et al.		D523,289	S	6/2006	David	
4,735,811	A	4/1988	Skarra et al.		D523,698	S	6/2006	David	
4,746,010	A	5/1988	Fournier		D523,701	S	6/2006	Dodge et al.	
D296,284	S	6/1988	Colby		D524,112	S	7/2006	Cogley	
4,781,932	A	11/1988	Skarra et al.		D527,052	S	8/2006	Wolff et al.	
4,812,376	A	3/1989	Rudolph		D539,094	S *	3/2007	Wasserman	D7/584
D300,707	S	4/1989	Walmesley		D544,408	S	6/2007	Weekes	
4,896,820	A	1/1990	Harrington		D545,630	S *	7/2007	Serra	D7/545
4,915,964	A	4/1990	Smietana		D547,235	S	7/2007	Stanton et al.	
4,919,946	A	4/1990	Pak et al.		D579,626	S	11/2008	Schulman	
4,929,458	A	5/1990	Smietana		D590,126	S	4/2009	Kovich et al.	
D314,887	S	2/1991	Tomaras		D602,396	S	10/2009	Conway et al.	
5,002,783	A	3/1991	Ruiz		7,648,374	B2	1/2010	Koskondy	
5,009,902	A	4/1991	Mercenari		D609,712	S	2/2010	Bedol	
D316,622	S	5/1991	Popiel		D610,156	S	2/2010	Mudrick	
D318,984	S	8/1991	Wickham et al.		D622,927	S	9/2010	Griebel	
D324,603	S	3/1992	Cope et al.		D622,928	S	9/2010	Griebel	
D334,111	S	3/1993	Yockey et al.		D623,376	S	9/2010	Griebel	
5,203,493	A	4/1993	Moody		D623,826	S	9/2010	Griebel	
D335,758	S	5/1993	Stickle		D629,586	S	12/2010	Griebel	
5,223,286	A	6/1993	Selbak		D655,886	S	3/2012	Kovich et al.	
5,236,727	A	8/1993	Huston		2001/0043973	A1	11/2001	Keck et al.	
D339,899	S	10/1993	Kittleson		2002/0168453	A1	11/2002	McCutchan	
5,298,273	A	3/1994	Ito		2004/0058048	A1	3/2004	Chedid et al.	
5,298,279	A	3/1994	Hayashi		2004/0071854	A1	4/2004	Chedid et al.	
D350,671	S	9/1994	Asner		2005/0281921	A1	12/2005	Langston et al.	
5,364,016	A	11/1994	Capy et al.		2006/0147587	A1	7/2006	Kovich et al.	
D354,159	S	1/1995	Martin		2008/0193613	A1	8/2008	Kovich et al.	
					2008/0220132	A1	9/2008	Taminich	
					2008/0220144	A1	9/2008	Richards	

(56)

**References Cited**

## U.S. PATENT DOCUMENTS

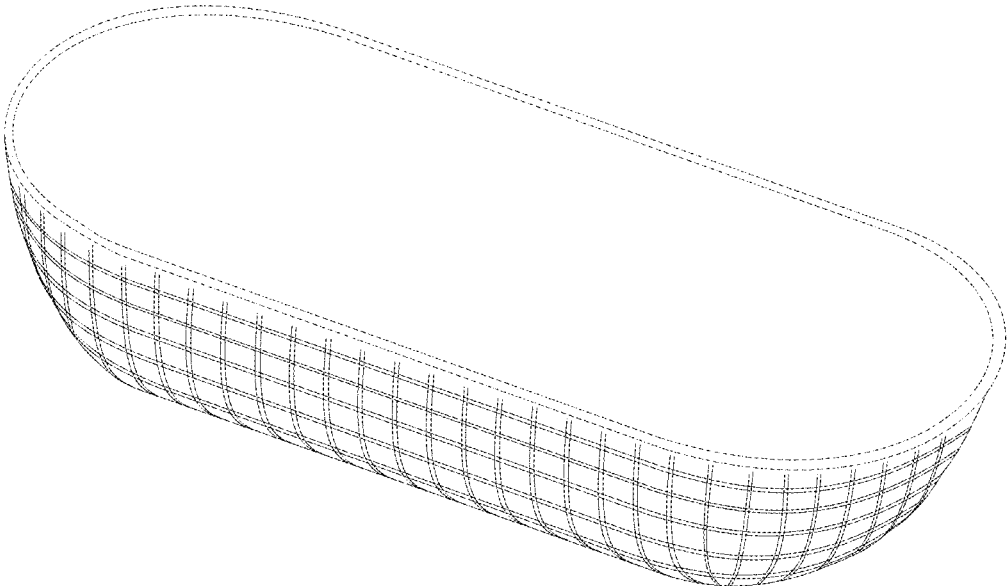
2009/0285950 A1 11/2009 Baker  
 2010/0272863 A1 10/2010 Griebel et al.  
 2011/0204049 A1\* 8/2011 Weder et al. .... 220/4.24

## OTHER PUBLICATIONS

“Chili in Tortilla Bowls” published Oct. 21, 2006, <http://www.favoritebrandrecipes.com/Recipes/335/1531521335.htm>.  
 How to make Really Good Soft Taco Shells, Jul. 21, 2007, <http://forums.macresource.com/read.php?1,330158,330263>.  
 “Mushrooms in Garlic Sauce, Served in a Soft Tortilla Shell” Apr. 27, 2006, <http://www.foodnetwork.com/recipes/mushrooms-in-garlic-sauce-served-in-a-soft-tortilla-she>.  
 “Ortega” Published Dec. 23, 2007, [http://web.archive.org/web/20071228042139/http://www.ortega.com/products/dinner\\_kits.a](http://web.archive.org/web/20071228042139/http://www.ortega.com/products/dinner_kits.a).  
 “Rachel Ray Show”, Jul. 3, 2007, <http://www.rachaelrayshow.com/food/recipes/healthy-tortilla-ice-cream-bowls/>.  
 “Recipe Book—Mexican Beef Soup in Tortilla Bowls”, Jul. 30, 2007, <http://www.txbeef.org/recipe.php3?944689164>.  
 “The Cook’s Thesaurus” Jan. 30, 2008, <http://web.archive.org/web/20080130010346/http://foodsubs.com/Flatbread.html>.  
 “The Glass of Frederick Carder”. New York: Corning Museum of Glass, 1971. Print p. 158, item No. 1956.

The Revolutionary New Fast Food Concept From Down Under, Xcitetech Technology Solutions, Inc., 2002, <http://excitetech.com/TheWalkAboutConeDocV7.o.pdf>, brochure.  
 Old El Paso Dinner Kit, 2002.  
 Pizzacona, Oct. 17, 2007, <http://www.crispycones.com/crispy/menu.htm>.  
 R. S. Chavan et al., 2010, “Microwave Baking in Food Industry: A Review”. International Journal of Dairy Science, 5:113-127.  
 Bethlehem Steel Catalog, Copyright 1931: p. 9, extrusion, bottom row.  
 Clark, Chefs and Food Scientists Develop ‘grab and go’ foods, Food Sci. & Tech Abs. 2007, Dialog Accession No. 01077407.  
 CrispyCones, Oct. 17, 2007, <http://www.crispycones.com/crispy/faq.htm>.  
 EEE Cooks: Tortilla Shell (Recipe), Mar. 12, 2009: <http://www.eeecooks.com/recipes/2004/02/17/shell>.  
 GoogleGroups, May 1999, rec.food.cooking, [http://groups.google.com/group/rec.food.cooking/browse\\_thread/thread/25cf043af2ac445777cb26bbc141f38fe?hl=en&ie=UTF-8&oe=UTF-8&q=orte](http://groups.google.com/group/rec.food.cooking/browse_thread/thread/25cf043af2ac445777cb26bbc141f38fe?hl=en&ie=UTF-8&oe=UTF-8&q=orte).  
 Hessong, Athena, “Desserts Made with Tortilla Shells”, Oct. 5, 2012, [http://www.ehow.com/info\\_10001655\\_desserts-made-tortilla-shells.html](http://www.ehow.com/info_10001655_desserts-made-tortilla-shells.html).  
 Hollingsworth, Pierce, “One-handed Cuisine and Other Business Trends to Watch”, Food Technology; v. 56:4 p. 18 (Apr. 2002) abstract.  
<http://www.slashfood.com/tag/taco/>, Jul. 2007.  
 Mintel gnpd, “Crispy Tacho Shells”, <http://www.gnprd.com>.

\* cited by examiner



**FIG. 1**

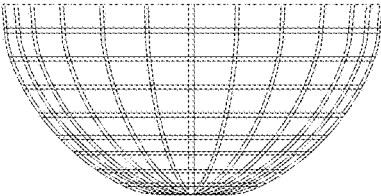


FIG. 2

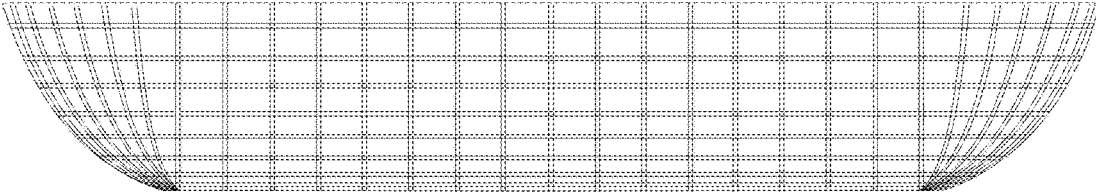


FIG. 3

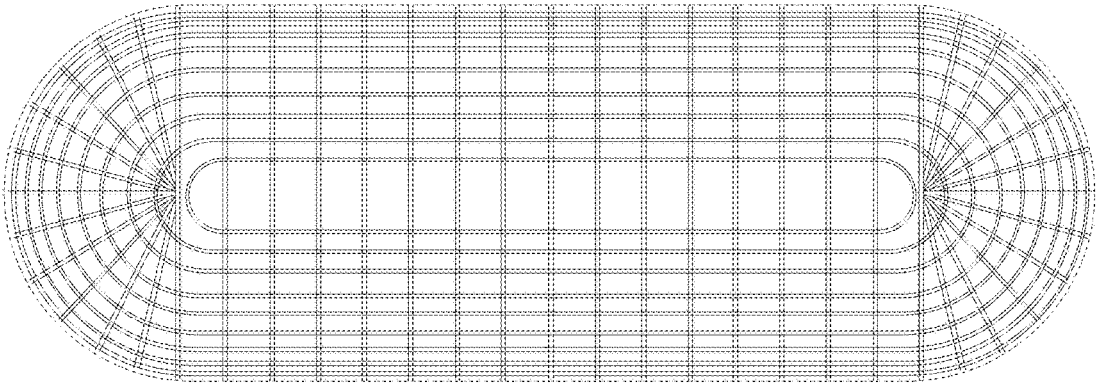


FIG. 4