



US00D365305S

United States Patent [19]

[11] Patent Number: Des. 365,305

Weder et al.

[45] Date of Patent: *** Dec. 19, 1995

[54] FLOWER POT COVER

[75] Inventors: **Donald E. Weder; Joseph G. Straeter**, both of Highland, Ill.

[73] Assignee: **Highland Supply Corporation**, Highland, Ill.

[*] Notice: The portion of the term of this patent subsequent to Jul. 9, 2005, has been disclaimed.

[**] Term: **14 Years**

[21] Appl. No.: **808,315**

[22] Filed: **Dec. 16, 1991**

Related U.S. Application Data

[63] Continuation-in-part of Ser. No. 710,272, Jun. 4, 1991, which is a continuation-in-part of Ser. No. 617,454, Nov. 21, 1990, abandoned, and a continuation-in-part of Ser. No. 411,249, Sep. 22, 1989, Pat. No. Des. 358,113, and a continuation-in-part of Ser. No. 411,247, Sep. 22, 1989, and a continuation-in-part of Ser. No. 411,245, Sep. 22, 1989.

[52] U.S. Cl. **D11/164; D11/143**

[58] Field of Search D11/143, 152, D11/153, 154, 155, 156, 164; 47/66, 72; 206/423; 215/100.5; 229/1.5 B, 4, 5, 922; 248/27.8, 35.1, 542.6

References Cited

U.S. PATENT DOCUMENTS

D. 47,800 9/1915 Pick .
D. 132,559 5/1942 Sawyer D11/153
209,788 11/1878 Affel .

(List continued on next page.)

FOREIGN PATENT DOCUMENTS

560532 4/1975 Switzerland .

OTHER PUBLICATIONS

Exhibit A—Speed Cover® Brochure—The Simple Solution . . . , ©1989.

(List continued on next page.)

Primary Examiner—Martie Thompson
Attorney, Agent, or Firm—Dunlap & Coddling

[57] CLAIM

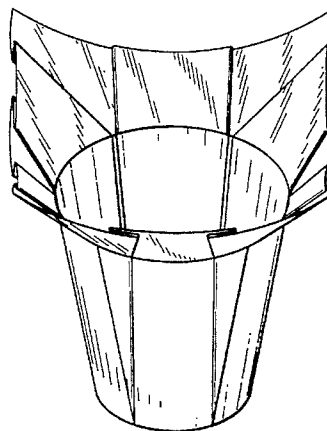
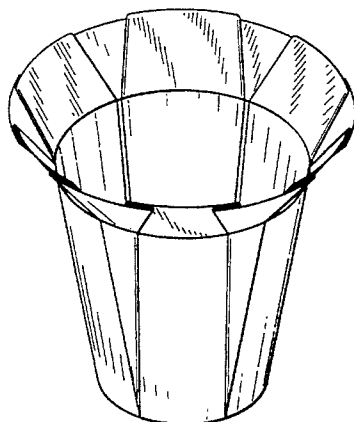
The ornamental design for a flower pot cover, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of our new flower pot cover design;
FIG. 2 is a reduced top plan view thereof;
FIG. 3 is a reduced bottom plan view thereof;
FIG. 4 is a reduced side elevational view thereof;
FIG. 5 is a reduced side elevational view of the design of FIG. 1, the only difference being the angle of the skirt; and,
FIG. 6 is a reduced side elevational view of the design of FIG. 1, the only difference being the angle of the skirt.
FIG. 7 is a reduced side elevational view, of a second embodiment of our new design;
FIG. 8 is a reduced side elevational view of a third embodiment of our new design;
FIG. 9 is a reduced bottom plan view of a fourth embodiment of our new design;
FIG. 10 is a reduced bottom plan view of a fifth embodiment of our new design;
FIG. 11 is a perspective view of a sixth embodiment of our new design;
FIG. 12 is a reduced side elevational view of FIG. 11;
FIG. 13 is a reduced top plan view of FIG. 11;
FIG. 14 is a reduced bottom plan view of FIG. 11;
FIG. 15 is a reduced side elevational view of FIG. 11, the only difference being the angle of the skirt;
FIG. 16 is a reduced side elevational view of FIG. 11;
FIG. 17 is a reduced side elevational view of a seventh embodiment of our new design;
FIG. 18 is a reduced side elevational view of an eighth embodiment of our new design;
FIG. 19 is a reduced top plan view of a ninth embodiment of our new design; and,
FIG. 20 is a reduced top plan view of a tenth embodiment of our new design.

The flower pot cover has no substantial thickness. The characteristic feature of the design resides in the specific pleating arrangement comprised of the parallel disposition of the interior folds in combination with the exterior V-shaped folds all as best shown in FIG. 1.

1 Claim, 4 Drawing Sheets



U.S. PATENT DOCUMENTS

| | | | | | | | |
|------------|---------|-------------------|-----------|-----------|---------|-------------------------|-----------|
| D. 254,659 | 4/1980 | Karotseris | D11/143 | 1,632,347 | 6/1927 | Pipkin . | |
| D. 287,950 | 1/1987 | Weder et al. | D11/143 | 1,868,853 | 7/1932 | Sievers . | |
| D. 289,024 | 3/1987 | Vaughn | D11/164 | 1,924,926 | 8/1933 | Gray . | |
| D. 289,982 | 5/1987 | Weder et al. | D11/164 | 1,951,642 | 3/1934 | Augustin et al. | 47/34 |
| D. 292,182 | 10/1987 | Weder et al. | D11/164 | 2,016,434 | 10/1935 | Huntley | 229/21 |
| D. 292,183 | 10/1987 | Weder et al. | D11/164 | 2,054,934 | 9/1936 | Graffenberger | 229/1.5 B |
| D. 292,184 | 10/1987 | Weder et al. | D11/164 | 2,102,510 | 12/1937 | Cecil | 229/1.5 B |
| D. 292,185 | 10/1987 | Weder et al. | D11/164 | 2,302,259 | 11/1942 | Rothfuss | 41/10 |
| D. 292,186 | 10/1987 | Weder et al. | D11/164 | 2,355,559 | 8/1944 | Renner | 229/8 |
| D. 292,187 | 10/1987 | Weder et al. | D11/164 | 2,482,981 | 9/1949 | Kamrass | 41/13 |
| D. 292,188 | 10/1987 | Weder et al. | D11/164 | 2,570,954 | 10/1951 | Kasman | 65/53 |
| D. 292,189 | 10/1987 | Weder et al. | D11/164 | 2,967,652 | 1/1961 | Canfield et al. | 229/5.5 |
| D. 292,190 | 10/1987 | Weder et al. | D11/164 | 3,022,605 | 2/1962 | Reynolds | 47/58 |
| D. 292,191 | 10/1987 | Weder et al. | D11/164 | 3,232,469 | 2/1966 | Piazzè | 215/38 |
| D. 292,561 | 11/1987 | Weder et al. | D11/164 | 3,271,922 | 9/1966 | Wallerstein et al. | 53/3 |
| D. 292,562 | 11/1987 | Weder et al. | D11/164 | 3,488,022 | 1/1970 | Vittori | 248/152 |
| D. 292,563 | 11/1987 | Weder et al. | D11/164 | 3,542,616 | 11/1970 | Cain et al. | 156/224 |
| D. 293,222 | 12/1987 | Weder et al. | D11/164 | 3,820,684 | 6/1974 | Harrison | 206/520 |
| D. 293,223 | 12/1987 | Weder et al. | D11/164 | 3,962,503 | 6/1976 | Crawford | 428/40 |
| D. 293,224 | 12/1987 | Weder et al. | D11/164 | 4,043,077 | 8/1977 | Stonehocker | 47/66 |
| D. 293,304 | 12/1987 | Weder et al. | D11/164 | 4,118,890 | 10/1978 | Shore | 47/28 |
| D. 293,305 | 12/1987 | Weder et al. | D11/164 | 4,170,618 | 10/1979 | Adams | 264/101 |
| D. 293,306 | 12/1987 | Weder et al. | D11/164 | 4,216,620 | 8/1980 | Weder et al. | 47/72 |
| D. 293,307 | 12/1987 | Weder et al. | D11/164 | 4,300,312 | 11/1981 | Weder et al. | 47/72 |
| D. 293,308 | 12/1987 | Weder et al. | D11/164 | 4,408,644 | 10/1983 | Svantesson | 150/55 |
| D. 293,309 | 12/1987 | Weder et al. | D11/164 | 4,413,725 | 11/1983 | Bruno et al. | 206/45.33 |
| D. 293,774 | 1/1988 | Weder et al. | D11/164 | 4,508,223 | 4/1985 | Catrambone | 206/423 |
| D. 293,775 | 1/1988 | Weder et al. | D11/164 | 4,712,725 | 12/1987 | Moore | 229/8 |
| D. 296,535 | 7/1988 | Weder et al. | D11/149 | 4,733,521 | 3/1988 | Weder et al. | 53/580 |
| D. 297,422 | 8/1988 | Weder et al. | D11/164 | 4,773,182 | 9/1988 | Weder et al. | 47/72 |
| D. 298,017 | 10/1988 | Weder et al. | D11/164 | 4,795,601 | 1/1989 | Cheng | 264/138 |
| D. 301,565 | 6/1989 | Weder | D11/152 | 4,813,862 | 3/1989 | Bowers et al. | 425/87 |
| D. 302,139 | 7/1989 | Weder | D11/153 | 4,835,834 | 6/1989 | Weder | 29/525 |
| D. 302,253 | 7/1989 | Weder | D11/153 | | | | |
| D. 302,254 | 7/1989 | Weder | D11/153 | | | | |
| D. 302,404 | 7/1989 | Weder | D11/153 | | | | |
| D. 302,405 | 7/1989 | Weder | D11/155 | | | | |
| D. 302,406 | 7/1989 | Weder | D11/155 | | | | |
| D. 302,407 | 7/1989 | Weder | D11/155 | | | | |
| D. 303,759 | 10/1989 | Mileos | D9/306 | | | | |
| D. 303,775 | 10/1989 | Weder | D11/155 | | | | |
| D. 313,376 | 1/1991 | Weder | D11/164 | | | | |
| D. 313,573 | 1/1991 | Weder et al. | D11/164 | | | | |
| D. 313,574 | 1/1991 | Weder et al. | D11/164 | | | | |
| D. 313,575 | 1/1991 | Weder et al. | D11/164 | | | | |
| D. 313,576 | 1/1991 | Weder | D11/164 | | | | |
| D. 314,732 | 2/1991 | Weder | D11/164 | | | | |
| D. 315,534 | 3/1991 | Weder et al. | D11/164 | | | | |
| D. 315,878 | 4/1991 | Weder et al. | D11/164 | | | | |
| D. 315,879 | 4/1991 | Weder et al. | D11/164 | | | | |
| D. 315,880 | 4/1991 | Weder et al. | D11/164 | | | | |
| D. 315,881 | 4/1991 | Weder et al. | D11/164 | | | | |
| D. 315,882 | 4/1991 | Weder | D11/164 | | | | |
| D. 315,883 | 4/1991 | Weder | D11/164 | | | | |
| D. 316,060 | 4/1991 | Weder | D11/164 | | | | |
| D. 316,061 | 4/1991 | Weder | D11/164 | | | | |
| D. 316,062 | 4/1991 | Weder et al. | D11/164 | | | | |
| D. 316,837 | 5/1991 | Weder et al. | D11/164 | | | | |
| D. 316,838 | 5/1991 | Weder et al. | D11/164 | | | | |
| D. 316,985 | 5/1991 | Weder | D11/164 | | | | |
| D. 317,424 | 6/1991 | Weder | D11/164 | | | | |
| D. 317,582 | 6/1991 | Weder | D11/164 | | | | |
| D. 317,583 | 6/1991 | Weder et al. | D11/164 | | | | |
| D. 318,029 | 7/1991 | Weder | D11/164 | | | | |
| D. 318,030 | 7/1991 | Weder et al. | D11/164 | | | | |
| D. 318,635 | 7/1991 | Weder et al. | D11/164 | | | | |
| D. 319,034 | 8/1991 | Weder et al. | D11/164 | | | | |
| D. 319,417 | 8/1991 | Weder et al. | D11/164 | | | | |
| D. 319,991 | 9/1991 | Weder | D11/164 | | | | |
| 1,065,486 | 6/1913 | Washburn | D29/1.5 B | | | | |
| 1,069,675 | 8/1913 | Claussen . | | | | | |
| 1,446,563 | 2/1923 | Hughes . | | | | | |
| 1,520,647 | 12/1924 | Hennegan . | | | | | |

OTHER PUBLICATIONS

Exhibit A. Curtis Wagner Co., Inc., Houston, Tex., shows thick, stiff shiny red plastic pot cover with large scalloped border. (Photograph) Date unknown.

Exhibit B. Jacobson Pot Cover Company of Scranton, Pennsylvania advertising literature. Date of first use unknown.

Exhibit C. Photograph of pot cover, manufacturer unknown, but very similar to #C21 on Exhibit B (Jacobson literature).

Exhibit D. Photocopy of photo of pot cover ("Platform Pot Dresser") made by John Raisen Corp., San Francisco, Calif. Date of first use unknown.

Exhibit E. Photograph of 2-part pot cover system made by Floral Decor, subsidiary of John Henry Co., Lansing Mich.

Exhibit F. Photo of pot cover made by a Holland company (K.P.I.). Date of first public use believed to be late 1984.

Exhibit G. "The Glass of Frederick Carder", copyright 1971 by P. V. Gardner, showing various styles of glass basket-like vases or containers.

Exhibit H. "Speed Cover®" brochure, published in 1983 by Applicants, showing various pot covers for sale.

Exhibit I. "Speed Cover®" brochure, published in 1983 by Applicants, showing various pot covers for sale.

Exhibit J. Item published in 1936 by Gellman Bros., Minneapolis, Minn. Shows an assortment of paper hats.

Exhibit K. Photo of various other flower pot wrappings, sold in rolls or sheets and used in the floral industry for years. Date unknown.

Exhibit L. Photo of pot cover made of woven straw-like material. Date unknown.

Exhibit M. Photo of basket-type pot cover used in the floral industry. Date unknown.

Exhibit N. "Speed Cover®" brochure, published in 1984 by Applicants, showing various pot covers for sale.

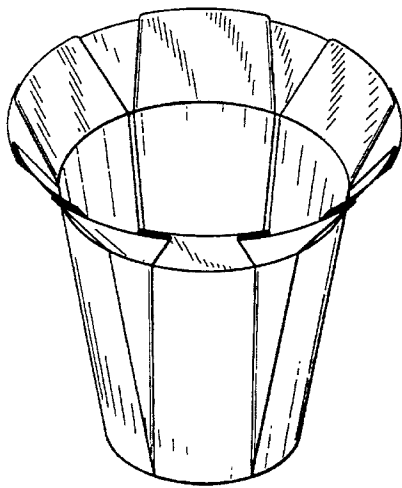


FIG. 1

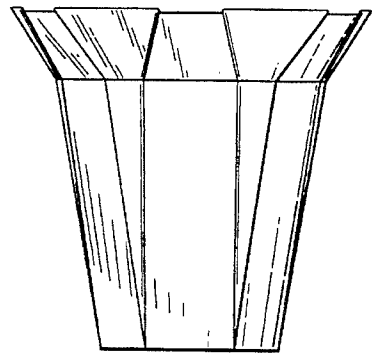


FIG. 2

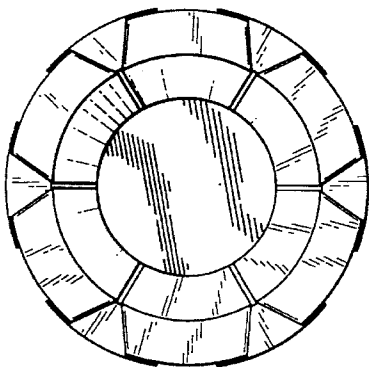


FIG. 3

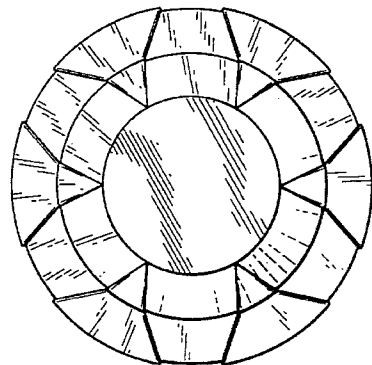


FIG. 4

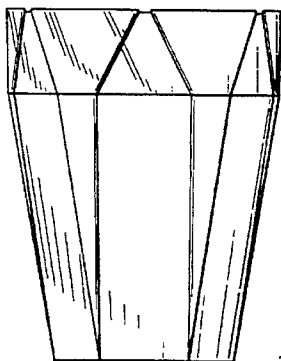


FIG. 5

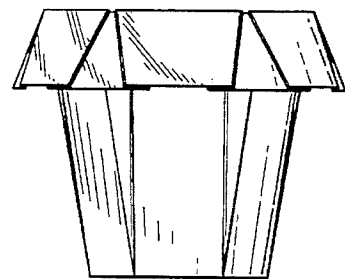


FIG. 6

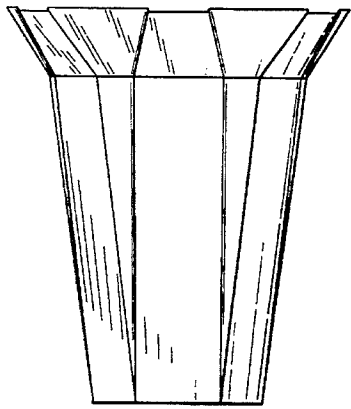


FIG. 7

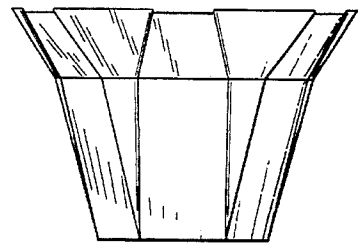


FIG. 8

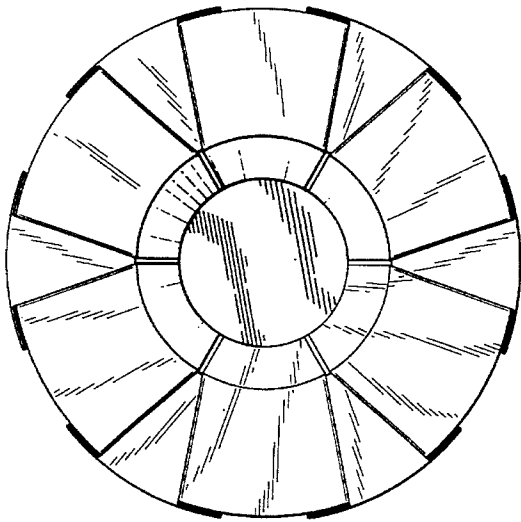


FIG. 9

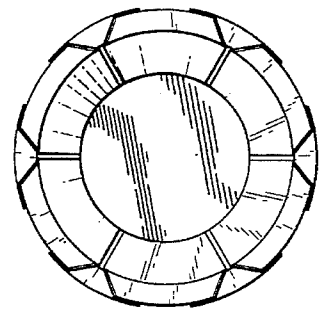


FIG. 10

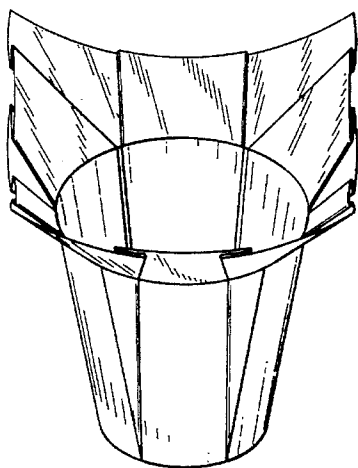


FIG. 11

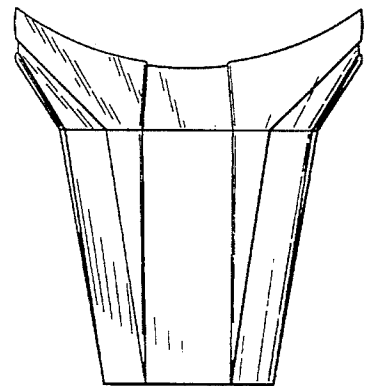


FIG. 12

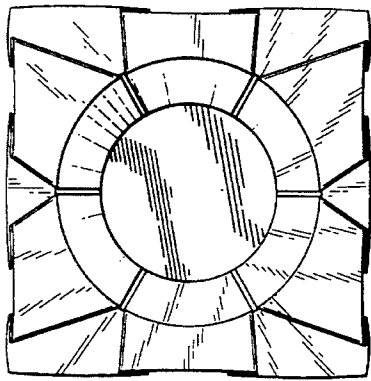


FIG. 13

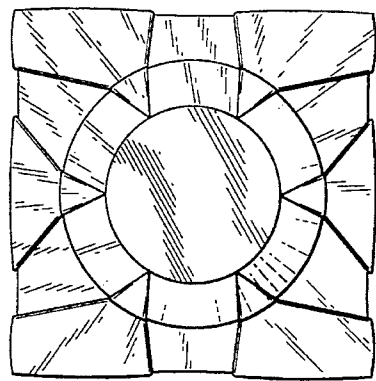


FIG. 14

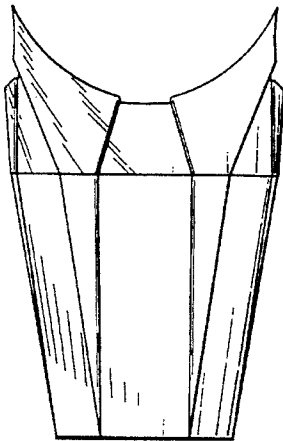


FIG. 15

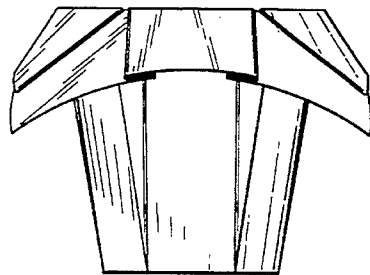


FIG. 16

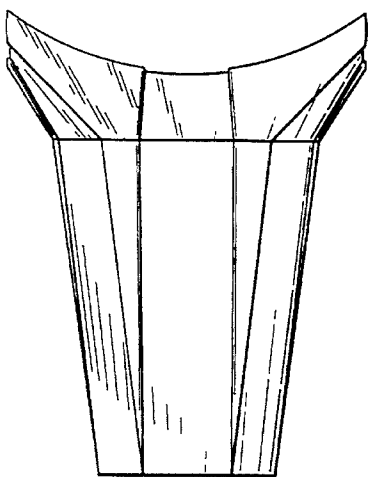


FIG. 17

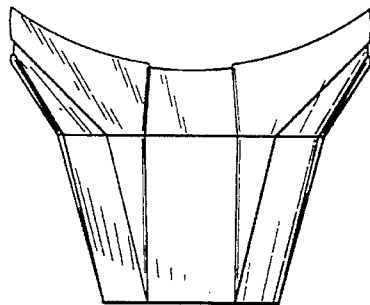


FIG. 18

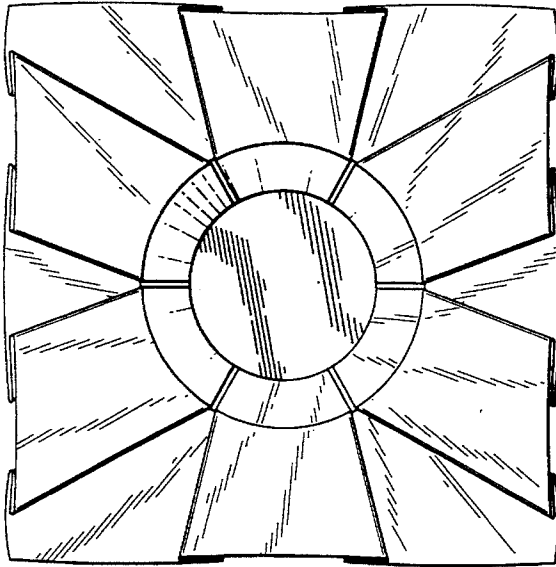


FIG. 19

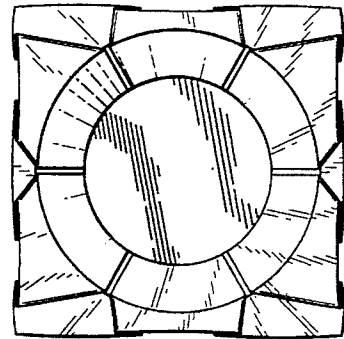


FIG. 20

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : Des. 365,305
DATED : December 19, 1995
INVENTOR(S) : Weder et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the title page: Item [56]

please insert --103316 3/1938 ^{FOREIGN PATENT DOCUMENTS,} Australia--.

Cover page, Description, please delete "FIG. 4" and substitute therefor --FIG. 2--.

Cover page, Description, please delete "FIG. 2" and substitute therefor --FIG. 3--.

Cover page, Description, please delete "FIG. 3" and substitute therefor --FIG. 4--.

Cover page, Description, FIG. 7, after "view" please delete ",,".

Cover page, Description, FIG. 16, before ";" please insert --the only difference being the angle of the skirt--.

Signed and Sealed this

Twenty-eighth Day of May, 1996

Attest:



BRUCE LEHMAN

Attesting Officer

Commissioner of Patents and Trademarks