



US00D445690S

(12) **United States Design Patent** (10) **Patent No.:** **US D445,690 S**  
**Ekkert** (45) **Date of Patent:** **\*\* Jul. 31, 2001**

- (54) **CAPAND CONTAINER ASSEMBLY**
- (75) **Inventor:** **Len Ekkert, Lemont, IL (US)**
- (73) **Assignee:** **Phoenix Closures, Inc., Naperville, IL (US)**
- (\*\*) **Term:** **14 Years**
- (21) **Appl. No.:** **29/121,825**
- (22) **Filed:** **Apr. 13, 2000**

- 2,768,762 10/1956 Guinet .
- 2,829,790 4/1958 Isele-Aregger .
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- 3,568,871 3/1971 Livingstone .
- 3,603,472 9/1971 Lecinski, Jr. .
- 3,811,591 5/1974 Novitch .
- 4,383,620 5/1983 Mumford .
- 4,442,947 4/1984 Banich, Sr. .
- 4,450,960 5/1984 Johnson .
- 4,560,077 12/1985 Dutt .
- 4,566,603 1/1986 Moore .

**Related U.S. Application Data**

- (63) Continuation of application No. 09/475,301, filed on Dec. 29, 1999.
- (51) **LOC (7) Cl.** ..... **09-01**
- (52) **U.S. Cl.** ..... **D9/504; D9/549; D9/574; D9/529**
- (58) **Field of Search** ..... **D9/500, 502-504, D9/506, 516, 520, 537, 538, 546, 549, 551, 556-558, 569-570, 574-575, 337, 338; D7/602, 608; D28/4; 215/382-384**

(List continued on next page.)

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- 0176205 4/1986 (EP) ..... B65D/41/04
- 0423406 A1 4/1991 (EP) ..... B65D/1/02
- 2431432 2/1980 (FR) ..... B65D/21/02

*Primary Examiner*—Philip S. Hyder  
*Assistant Examiner*—Carol Rademaker  
(74) *Attorney, Agent, or Firm*—Welsh & Katz, Ltd.

(56) **References Cited**

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- D. 214,159 \* 5/1969 Hart et al. .... D9/503
- D. 228,879 10/1973 Plummer .
- D. 230,954 \* 3/1974 Gregorittei ..... D9/504
- D. 236,433 8/1975 Strand .
- D. 261,105 \* 10/1981 Schwartz ..... D9/504
- D. 262,266 12/1981 Hadtke et al. .
- D. 274,218 6/1984 Aramaki .
- D. 274,848 \* 7/1984 Chevassus ..... D9/504
- D. 285,657 9/1986 Poore .
- D. 288,293 \* 2/1987 Arvans ..... D9/500
- D. 299,696 \* 2/1989 Dallas ..... D9/558
- D. 316,371 \* 4/1991 Vola ..... D9/504
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- D. 345,695 4/1994 Frazer et al. .
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- D. 401,152 \* 11/1998 DeVore et al. .... D9/500
- D. 425,423 \* 5/2000 Mengeu et al. .... D9/503

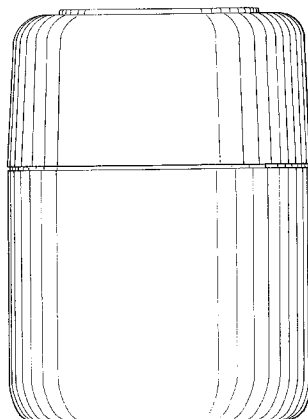
(57) **CLAIM**

The ornamental design for a cap and container assembly, as shown and described.

**DESCRIPTION**

FIG. 1 is a top perspective view of the container shown without the cap for ease of illustration.  
FIG. 2 is a bottom perspective view of the container shown without the cap for ease of illustration.  
FIG. 3 is a top perspective view of the cap shown without the cap for ease of illustration.  
FIG. 4 is a side view with the cap engaged to the container, with the opposite side being substantially identical; and,  
FIG. 5 is an exploded side view with the cap and the container shown separately for clarity of illustration, with the opposite side being substantially identical.  
The cap and container assembly is substantially symmetrical about a central vertical axis.

**1 Claim, 5 Drawing Sheets**



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FIG. 1

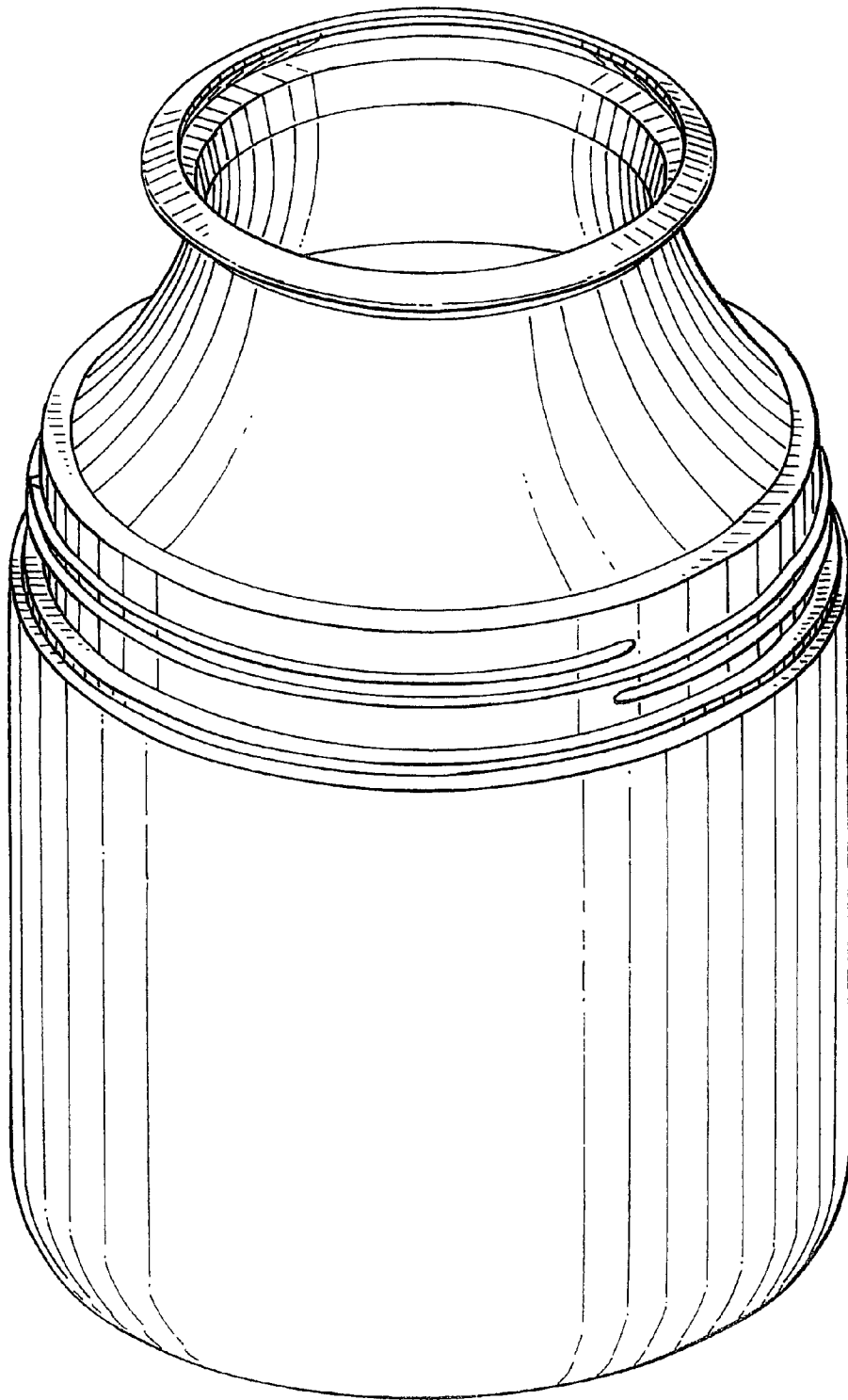


FIG. 2

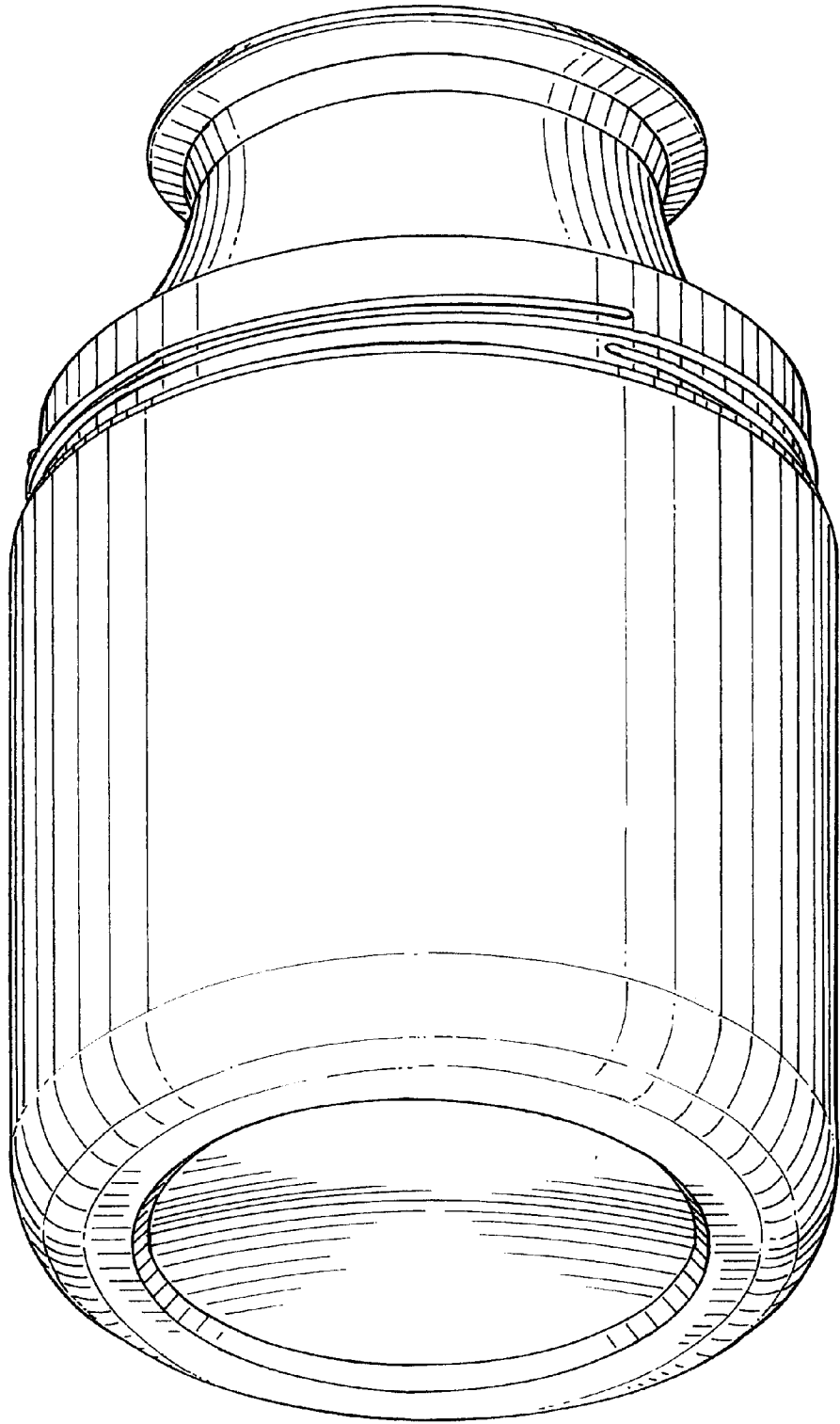


FIG. 3

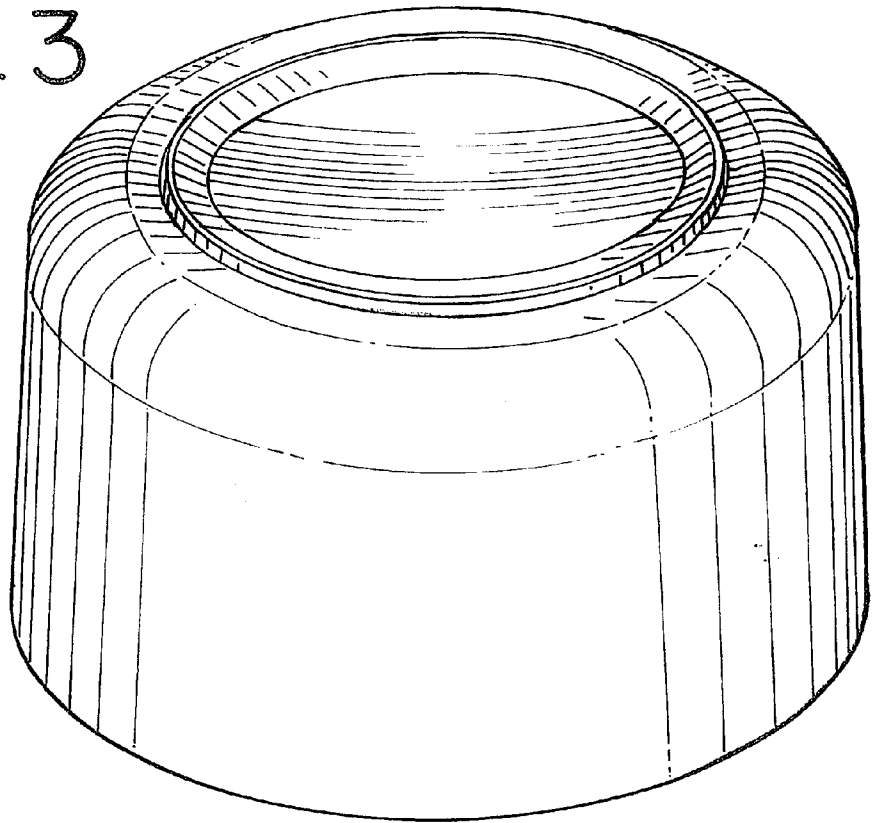


FIG. 4

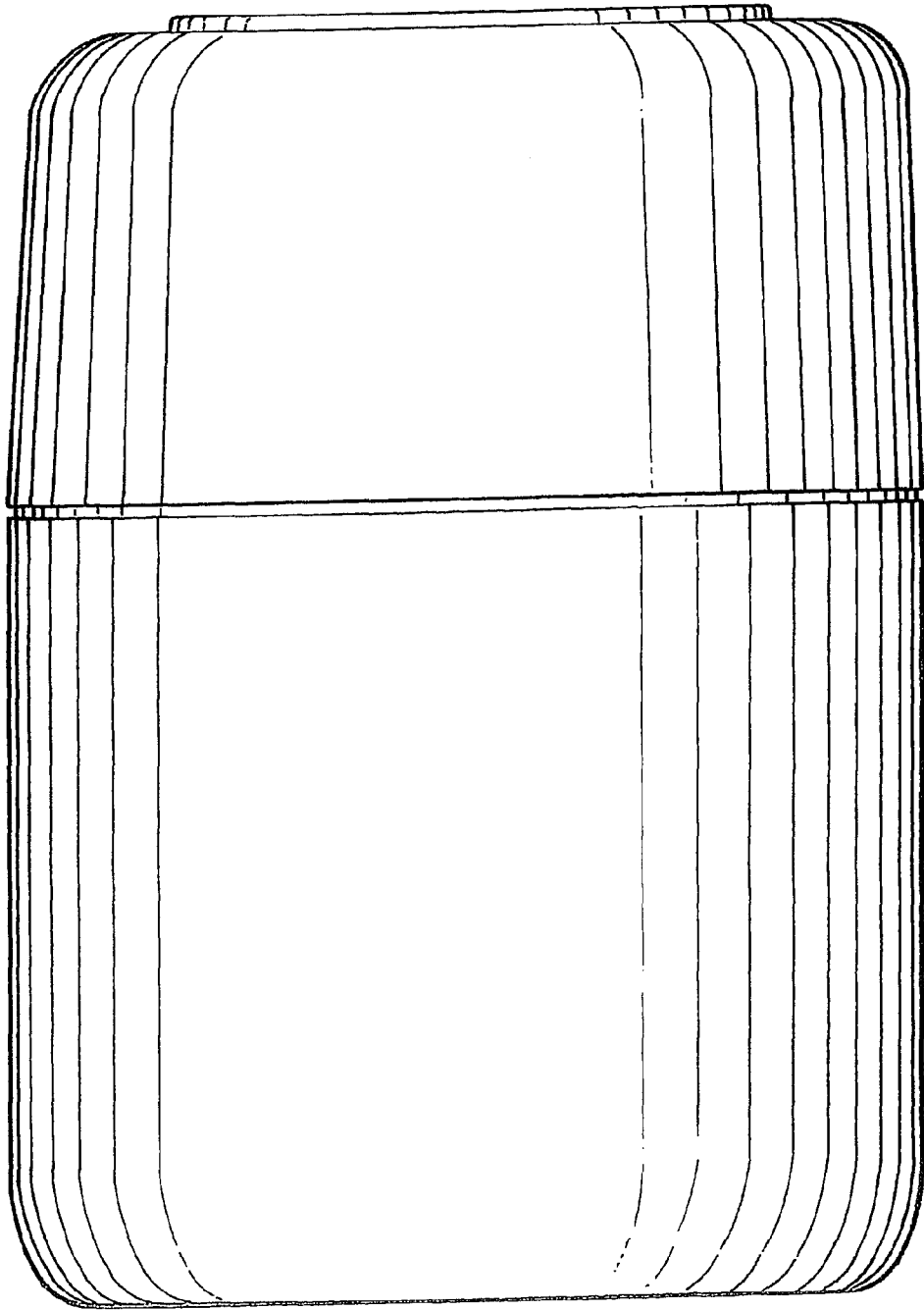
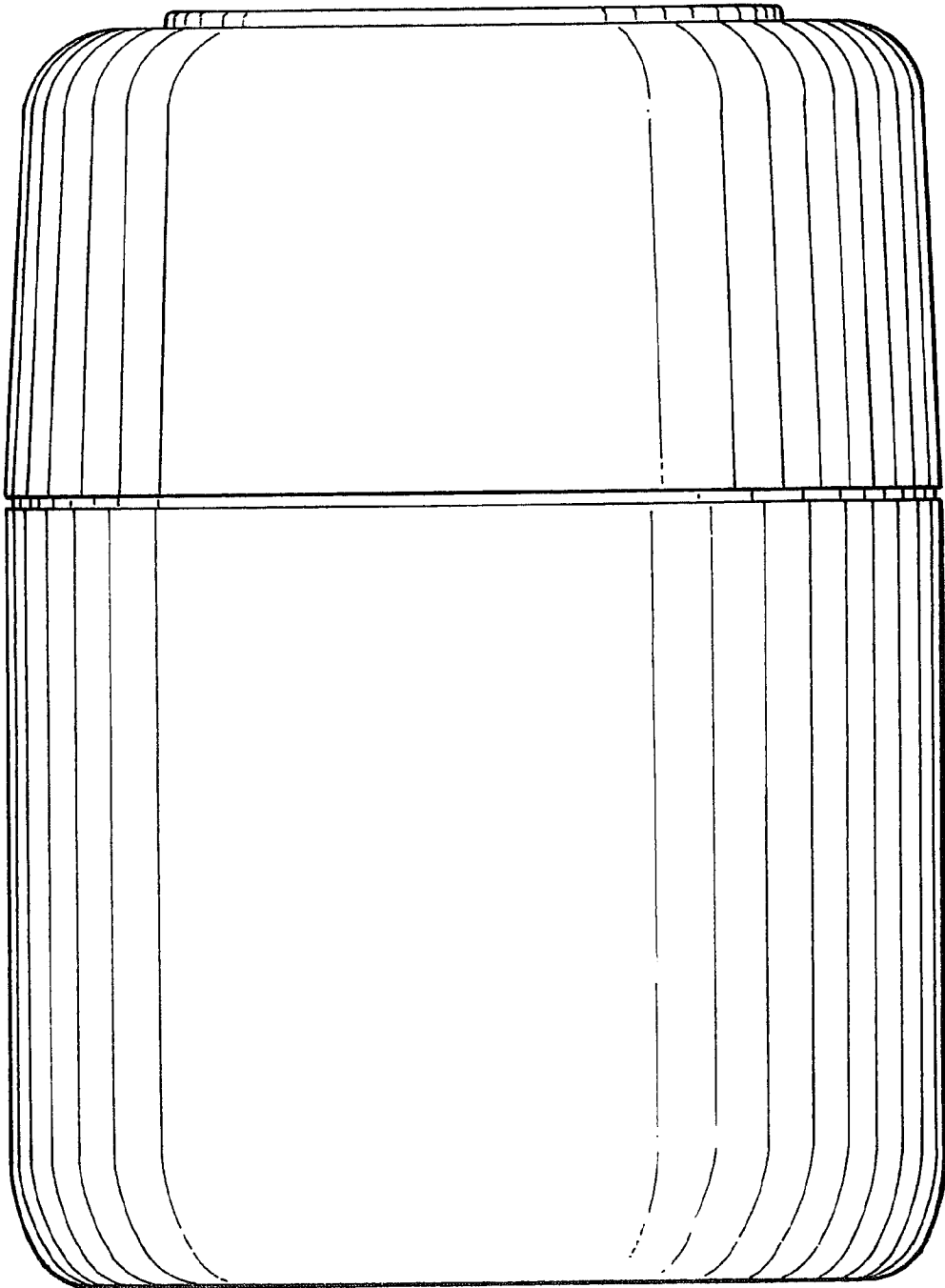


FIG. 5



UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : Des 445,690 S  
DATED : July 31, 2001  
INVENTOR(S) : Len Ekkert

Page 1 of 3

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

The title page should be deleted to be replaced with the attached title page.

The attached Fig. 5 should be substituted for Fig. 5 as issued.

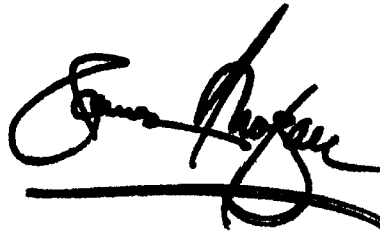
Title page.

DESCRIPTION, Fig. 3, delete "without the cap" and insert therefor -- without the container --.

Signed and Sealed this

Twentieth Day of August, 2002

*Attest:*

A handwritten signature in black ink, appearing to read "James E. Rogan", written over a horizontal line.

*Attesting Officer*

JAMES E. ROGAN  
*Director of the United States Patent and Trademark Office*



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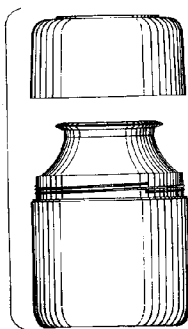


FIG. 5

