



US0D1037855S

(12) **United States Design Patent** (10) **Patent No.:** **US D1,037,855 S**
Jenkins et al. (45) **Date of Patent:** **** Aug. 6, 2024**

(54) **BOTTLE**
(71) Applicant: **Diageo North America, Inc.**, New York, NY (US)

D107,575 S 9/1937 Kihn
D106,972 S 11/1937 Hamilton
D111,411 S 9/1938 D'Addario
D118,299 S 12/1939 Cobb
(Continued)

(72) Inventors: **Christopher Jenkins**, London (GB);
William Dohm, Gurnee, IL (US)

FOREIGN PATENT DOCUMENTS

(73) Assignee: **DIAGEO NORTH AMERICA, INC.**, New York, NY (US)

CA 10938 11/1935
CA 10988 1/1936
(Continued)

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

OTHER PUBLICATIONS

(21) Appl. No.: **29/796,707**

Crown Royal on Instagram. Date posted: May 10, 2023. Site visited: Aug. 2, 2023. Available online: <https://www.instagram.com/p/CsEtE2TJaH0/> (Year: 2023).*

(22) Filed: **Jun. 25, 2021**

(51) **LOC (14) Cl.** **09-01**

(Continued)

(52) **U.S. Cl.**
USPC **D9/553**

(58) **Field of Classification Search**

USPC D9/773, 774, 516, 523, 524, 528-531,
D9/539-545, 549-551, 552-556,
D9/558-560, 546, 569-575, 682, 687,
D9/694, 715, 719, 503; D28/76-79,
D28/82-83, 91.1; D11/142, 143;
D7/316, 300, 300.1, 317, 598
CPC ... B65D 1/00; B65D 1/02; B65D 1/12; B65D
1/18; B65D 1/20; B65D 1/0223; B65D
1/44; B65D 1/165; B65D 23/00; B65D
21/0237; B65D 2501/0009; B65D
2501/0081
See application file for complete search history.

Primary Examiner — Catherine S Posthauer
Assistant Examiner — Joan E. Diehl
(74) *Attorney, Agent, or Firm* — Morgan, Lewis & Bockius LLP

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front perspective view of the bottle showing our new design;

FIG. 2 is a front elevational view thereof;

FIG. 3 is a rear elevational view thereof;

FIG. 4 is a left-side elevational view thereof;

FIG. 5 is a right-side elevational view thereof;

FIG. 6 is a top plan view thereof; and,

FIG. 7 is a bottom plan view thereof.

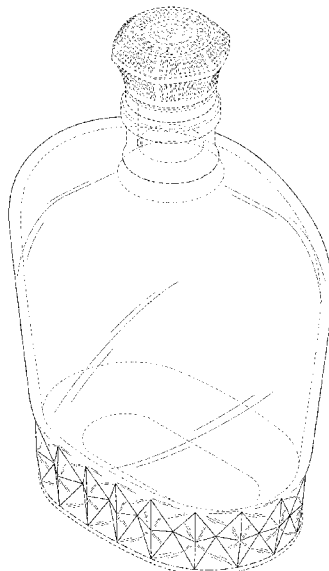
The broken lines shown in the drawings are for the purpose of illustrating parts of the article that form no part of the claimed design. The dash-dot-dash broken lines illustrate boundaries that form no part of the claimed design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D58,121 S * 6/1921 Wheaton D9/545
D92,521 S * 6/1934 Cassidy D9/556
D102,422 S 12/1936 Fuerst
D104,546 S * 5/1937 Topping D9/558
D105,877 S 8/1937 Kihn

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D129,160 S 8/1941 Du Pree
 D169,239 S 4/1953 Dillon
 D169,344 S 4/1953 Philippe
 D172,691 S 7/1954 Slavin
 D181,718 S 12/1957 Pree
 D198,648 S 7/1964 Roberts
 D211,079 S 5/1968 Du Pree
 D211,155 S 5/1968 Knowles
 D214,306 S 6/1969 Northgrave
 D245,314 S 8/1977 Mitchell
 D257,956 S 1/1981 Ito
 D286,139 S 10/1986 O'Reilly
 D289,142 S 4/1987 Bijaoui
 D292,174 S 10/1987 Thrush
 D333,269 S 2/1993 Albright et al.
 D333,425 S 2/1993 Boussiquet
 D356,952 S 4/1995 Daucourt
 D357,633 S 4/1995 Granai
 D369,554 S 5/1996 Heinz
 D375,900 S 11/1996 DeVore
 D381,274 S * 7/1997 Luh D9/566
 D382,486 S 8/1997 Heinz
 D384,890 S 10/1997 Goldman
 D399,611 S 10/1998 Ericson et al.
 D431,779 S 10/2000 Nosella
 D458,849 S 6/2002 Burleson et al.
 D511,461 S 11/2005 Seys
 D528,429 S 9/2006 Bartel
 D530,211 S 10/2006 Lloyd
 D531,911 S 11/2006 Lloyd
 D537,723 S 3/2007 Wong et al.
 D544,365 S 6/2007 Werner
 D545,213 S 6/2007 Werner
 D545,683 S 7/2007 Wong et al.
 D549,577 S 8/2007 Schactner et al.
 D550,564 S 9/2007 Spencer
 D558,056 S 12/2007 Zibara et al.
 D567,095 S 4/2008 Miller
 D582,781 S 12/2008 Miller
 D597,849 S 8/2009 Aoyagi et al.
 D621,267 S 8/2010 Arnell
 D621,270 S 8/2010 Arnell
 D631,754 S 2/2011 De Monclin
 D632,969 S 2/2011 Monteparo et al.
 D633,806 S 3/2011 Lecoule
 D636,269 S 4/2011 Arnell et al.
 D636,679 S 4/2011 Dumas
 D637,085 S 5/2011 Mehdizadeh
 D642,914 S 8/2011 Dumas
 D644,115 S 8/2011 Bonadio
 D653,118 S * 1/2012 Asano D9/554
 D653,958 S 2/2012 Lauret
 D660,167 S 5/2012 Weaver et al.
 D660,713 S 5/2012 Weaver et al.
 D679,605 S 4/2013 Bonadio
 D679,606 S 4/2013 Bonadio
 D688,132 S 8/2013 Reynolds
 D696,955 S 1/2014 Kelly
 D706,635 S 6/2014 Lonsway et al.
 D706,637 S 6/2014 James
 D710,705 S 8/2014 Searles et al.
 D710,710 S 8/2014 Martin et al.
 D712,253 S 9/2014 Hughes et al.
 D714,653 S 10/2014 Tussy
 D719,454 S 12/2014 Perez-Cabrera
 D720,233 S 12/2014 Thompson
 D726,022 S 4/2015 Humm et al.
 D733,563 S 7/2015 Oberlender
 D734,161 S 7/2015 Bolleaux
 D734,674 S 7/2015 Tussy
 D740,660 S 10/2015 Hughes et al.
 D741,719 S 10/2015 Reynolds
 D752,447 S 3/2016 Reynolds
 D758,873 S 6/2016 Appendini et al.
 D779,951 S 2/2017 Servaire

D783,408 S 4/2017 Sanguinet et al.
 D792,780 S 7/2017 Jost
 D797,566 S * 9/2017 Horne D9/566
 D798,724 S 10/2017 Zelenkov
 D799,976 S 10/2017 Maier
 D802,428 S 11/2017 Staab et al.
 D804,956 S 12/2017 Allen
 D805,394 S 12/2017 Riboli et al.
 D807,757 S 1/2018 Feletto
 D813,041 S 3/2018 Staab et al.
 D815,539 S 4/2018 Cheloni
 D826,724 S 8/2018 Staab et al.
 D830,186 S 10/2018 Thompson
 D830,841 S * 10/2018 Toothman D9/558
 D848,271 S 5/2019 Galvin et al.
 D852,635 S 7/2019 Dammers
 D859,160 S * 9/2019 Veysiere D9/555

FOREIGN PATENT DOCUMENTS

CA 11626 9/1937
 CA 23425 8/1960
 CA 24594 2/1962
 CA 27504 9/1965
 CA 109217 6/2006
 CA 109218 6/2006
 CA 109219 6/2006
 CA 112758 11/2006
 CA 115272 7/2007
 CA 140962 2/2012
 CA 142388 5/2012
 CA 142984 3/2013
 CA 145700 5/2013
 CA 145701 5/2013
 CA 148893 10/2013
 CA 148894 10/2013
 CA 148896 10/2013
 CA 148897 10/2013
 CA 161666 11/2015
 CA 164136 4/2016
 CA 164572 5/2016
 CA 153153 7/2016
 CA 169853 4/2017
 CA 174013 4/2018
 CA 172853 12/2018
 CA 179627 1/2019
 CA 176355 2/2019
 CA 172789 4/2019
 CA 172790 4/2019
 CA 182604 4/2019
 CA 177722 10/2019
 CA 182811 10/2019
 CA 182812 10/2019
 CA 182813 10/2019
 CA 183049 10/2019
 CA 186822 10/2019
 CA 187968 10/2019
 CA 190087 10/2019
 CA 181733 1/2020
 CA 181734 1/2020
 CN 303985156 * 12/2016
 CN 307264226 * 4/2022
 CN 307687978 * 11/2022
 JP 1089131 S 10/2000
 JP 1116095 S 7/2001
 JP 1214468 8/2004
 JP 1320318 1/2008
 JP 1398624 S 10/2010
 JP 1404141 12/2010
 JP 1419902 S 8/2011
 JP 1441018 5/2012
 JP 1470657 S 6/2013
 JP 1476500 S 8/2013
 JP 1483757 11/2013
 JP 1519568 S 3/2015
 JP 1543774 2/2016
 JP 1546713 3/2016
 JP 1551795 S 6/2016
 JP 1559085 9/2016

(56)

References Cited

FOREIGN PATENT DOCUMENTS

JP	1569522	S	2/2017
JP	1580292		7/2017
JP	1524145		12/2017
JP	1597825	S	2/2018
JP	1620019		12/2018
JP	1645812		11/2019
JP	1647411		12/2019
KR	3019940028922		7/1996
KR	3019970006568		6/1998
KR	3019970013927		9/1998
KR	3019970024554		5/1999
KR	3020010001085		10/2001
KR	3020020034682		10/2003
KR	3020030037494		7/2004
KR	3020040021499		1/2005
KR	3020050028070		2/2006
KR	3020160047152		11/2006
KR	3020070026480		11/2007
KR	3020070027539		11/2007
KR	3020120024475		1/2013
KR	3020190038427		3/2020
MX	39315		7/2013
MX	41202		3/2014
MX	MX/f/2019/001032		4/2019
MX	55417		5/2019
WO	D007511-001		11/1986
WO	D009198-001		10/1987
WO	D012818-001		4/1989
WO	D023692-001		10/1992
WO	D024302-005		1/1993
WO	D025339-001		4/1993
WO	D026191-001		5/1993
WO	D026615-001		9/1993
WO	D027552-001		12/1993
WO	D029560-001		7/1994
WO	D043579-009		6/1998
WO	D049717-001		1/2000
WO	D052159-001		8/2000
WO	D052734-001		10/2000
WO	D055609-010		5/2001
WO	D058822-027		1/2002
WO	D070899-001		12/2008
WO	D070899-008		12/2008
WO	D070465-001		1/2009
WO	D071408-001		3/2009
WO	D072608-003		11/2009
WO	D073176-001		2/2010
WO	D072528-003		3/2010
WO	D074545-002		10/2010
WO	D079660-001		12/2012
WO	D080293-001		3/2013
WO	D080294-001		3/2013
WO	D077068-003		5/2013
WO	D085545-001		2/2015
WO	D089560-001		3/2016
WO	D090218-001		4/2016
WO	D091418-003		7/2016
WO	D091721-001		1/2017
WO	D095159-005		3/2017
WO	D201140-001		5/2019
WO	D201140-008		5/2019
WO	D205199-001		1/2020

OTHER PUBLICATIONS

Crown Royal Barley Edition—Caskers. Date first available: 2023. Site visited: Jul. 18, 2023. Available online: <https://www.caskers.com/crown-royal-barley-edition-blended-canadian-whisky/> (Year: 2023).*

Maypink Crystal Diamond Faceted Jar. Date first available: Apr. 30, 2020. Site visited: Aug. 3, 2023. Available online: <https://www.amazon.com/Maypink-Crystal-Diamond-Suitable-Decorative/dp/B087WVSVMP?th=1> (Year: 2020).*

<https://www.amazon.co.jp/%E3%82%AD%E3%83%AA%E3%83%B3-%E3%82%AF%E3%83%A9%E3%82%A6%E3%83%B3-%E3%83%AD%E3%83%BC%E3%83%A4%E3%83%AB-40%E5%BA%A6-750ml/dp/B001P4UEJM>.

“Bottle, Flat Panel Breaks Vert Stripes,” Australian Trademark No. 725721, as early as Jan. 15, 1997.

“Tequila Don Julio,” Australian Trademark No. 745889, as early as Oct. 8, 1997.

“Chivas Brothers Lochan Ora Liqueur Golden Loch Chivasbrothers Ltd. Produce of Scotland,” Australian Trademark No. 1532181, as early as Dec. 19, 2012.

“Ornate Bottle,” Australian Trademark No. 1016695, as early as Aug. 19, 2004.

“Crown Royal,” Australian Trademark No. 1016692, as early as Aug. 19, 2004.

“Bottle, 4 Views,” Australian Trademark No. 1468350, as early as Jan. 5, 2012.

“S. Metaxa,” Australian Trademark No. 1756305, as early as Dec. 8, 2015.

“S. Metaxa Metaxa Angels’ Treasure,” Australian Trademark No. 1756304, as early as Dec. 8, 2015.

“Metaxa Private Reserve,” Australian Trademark No. 1890862, as early as Sep. 20, 2017.

“Cointreau C Spirit of Citrus,” Mexican Trademark Registration No. 732444, as early as Jan. 30, 2002.

“Alcoholic beverages (except beer, table wine, cider, champagne and mead),” Mexican Trademark Registration No. 106181, as early as Jan. 1, 1962.

“Alcoholic beverages (except beer),” Mexican Trademark Registration No. 683199, as early as Jan. 24, 2001.

“Alcoholic beverages (except beers),” Mexican Trademark Registration No. 980844, as early as Apr. 20, 2007.

“Casa Malosa & Device,” Mexican Trademark Registration No. 1351999, as early as Mar. 1, 2013.

“Jagermeister & Device,” International Registration Trademark No. 1175465, as early as May 25, 2016.

“Bulleit Frontier & Device,” Mexican Trademark Registration No. 1487039, as early as Oct. 9, 2014.

“Santo Puro & Device,” Mexican Trademark Registration No. 1698999, as early as Nov. 23, 2016.

“The Alchemist’s Gin Copperhead Mr. Copperhead & Device,” International Registration Trademark No. 1301690, as early as May 19, 2017.

“DLZ & Device,” Mexican Trademark Registration No. 1867690, as early as Apr. 4, 2018.

“Jagermeister & Device,” Mexican Trademark Registration No. 660852, as early as Jun. 27, 2000.

“Alcoholic beverages (except beers),” Mexican Trademark Registration No. 548640, as early as May 23, 1997.

“The Sexton & Device,” Mexican Trademark Registration No. 1797859, as early as Sep. 14, 2017.

“Señorio & Device,” Mexican Trademark Registration No. 1785421, as early as Aug. 10, 2017.

“Alcoholic beverages (except beer),” Mexican Trademark Registration No. 1634278, as early as Apr. 29, 2016.

“QJ Quinta La Joya & Device,” Mexican Trademark Registration No. 1621093, as early as Mar. 10, 2016.

“Naya & Device,” Mexican Trademark Registration No. 1527068, as early as Mar. 31, 2015.

“Alcoholic beverages (except beer),” Mexican Trademark Registration No. 1589166, as early as Nov. 13, 2015.

“Tequila Ortigoza & Device,” Mexican Trademark Registration No. 1458690, as early as May 29, 2014.

“Alcoholic beverages (except beers),” Mexican Trademark Registration No. 946580, as early as Jul. 31, 2006.

“Flor De Caña & Device,” Mexican Trademark Registration No. 694650, as early as Apr. 20, 2001.

“Fina Estampa & Device,” Mexican Trademark Registration No. 624869, as early as Sep. 27, 1999.

“A ESTD 1815,” International Registration Trademark No. 1404682, as early as Dec. 21, 2017.

“Domaine Des Broix,” International Registration Trademark No. 977952, as early as Mar. 9, 2008.

(56)

References Cited

OTHER PUBLICATIONS

“Design Only” South Korean Trademark Registration No. 4500399440000, as early as May 29, 2012.

“Hennessy,” South Korean Trademark Registration No. 4004409700000, as early as Feb. 8, 1999.

“Swing,” South Korean Trademark Registration No. 4000175010000, as early as Jun. 7, 1969.

“Seagram S,” South Korean Trademark Registration No. 4001189800000, as early as Oct. 24, 1985.

“Junga,” South Korean Trademark Registration No. 4012129210000, as early as Nov. 2, 2016.

* cited by examiner

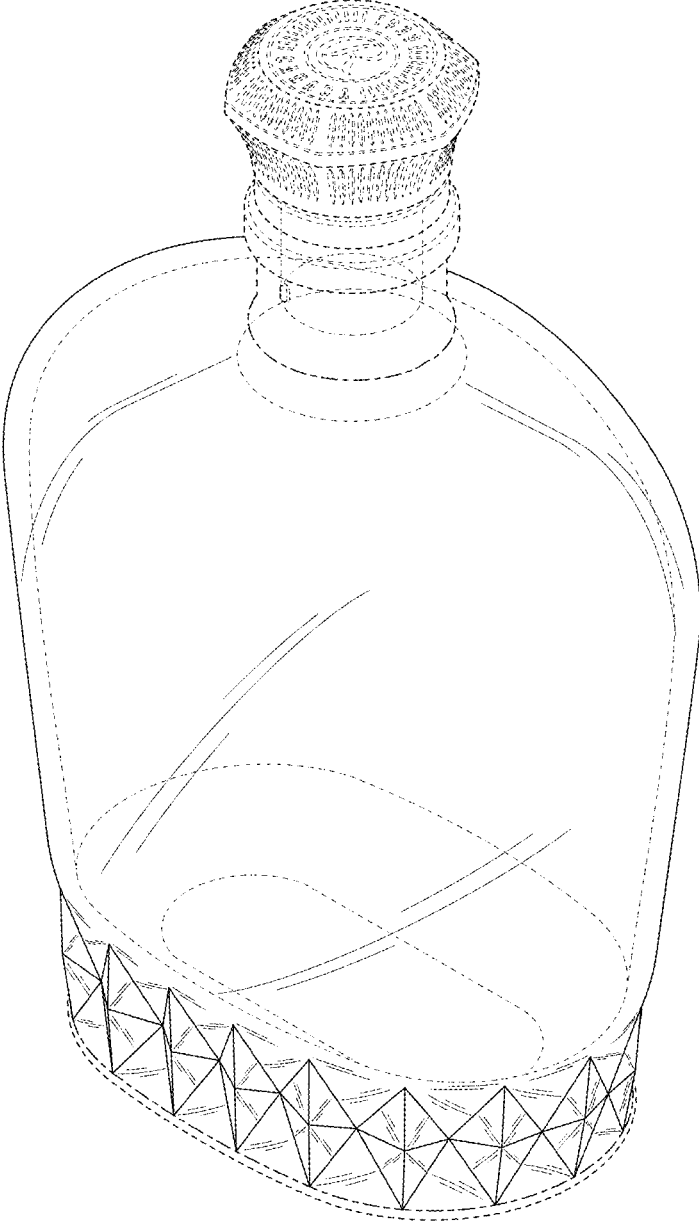


FIG. 1

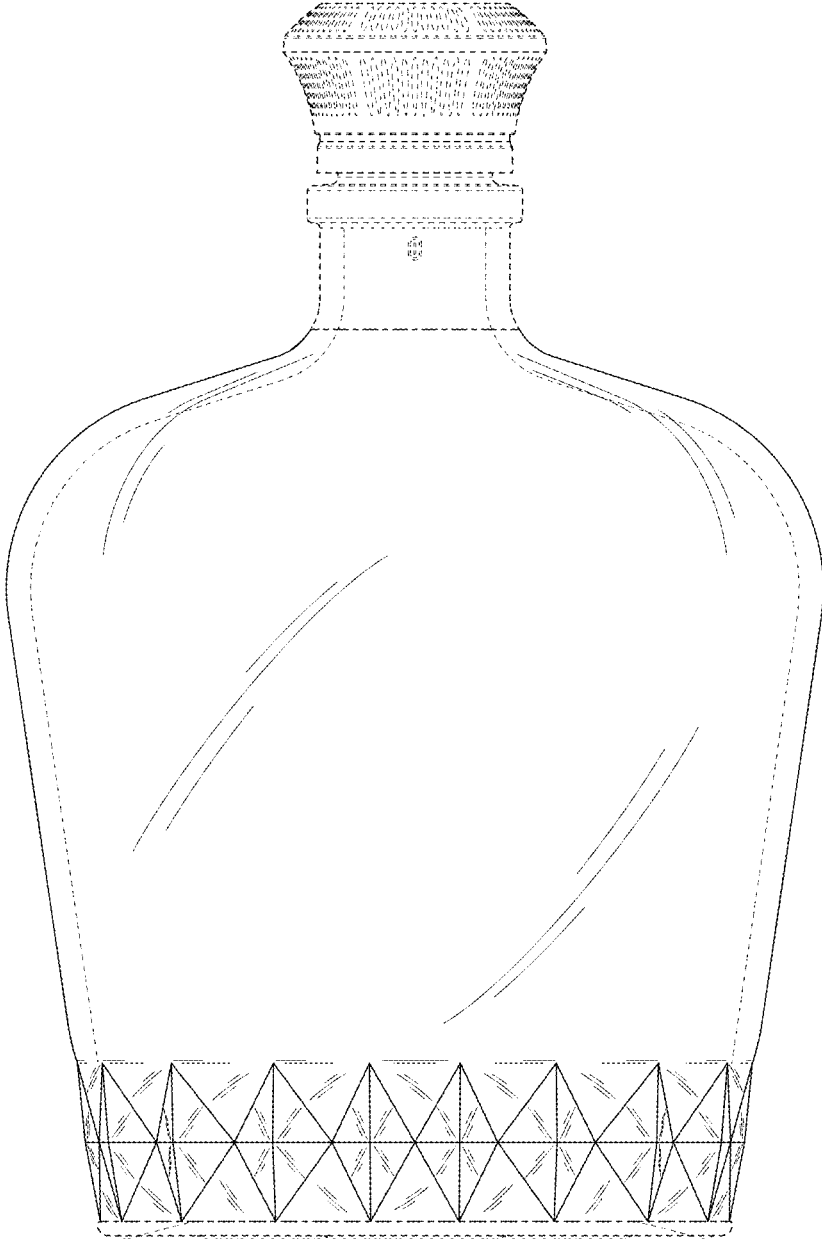


FIG. 2

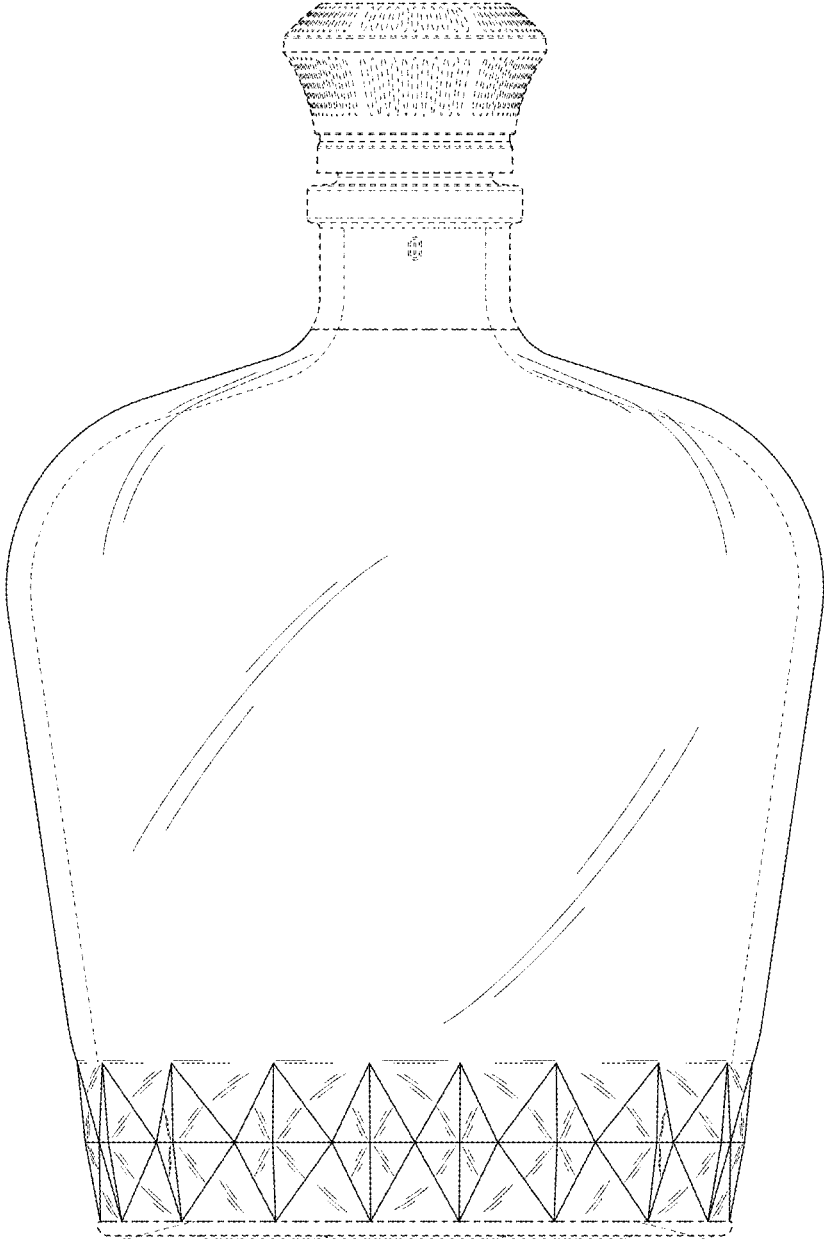


FIG. 3

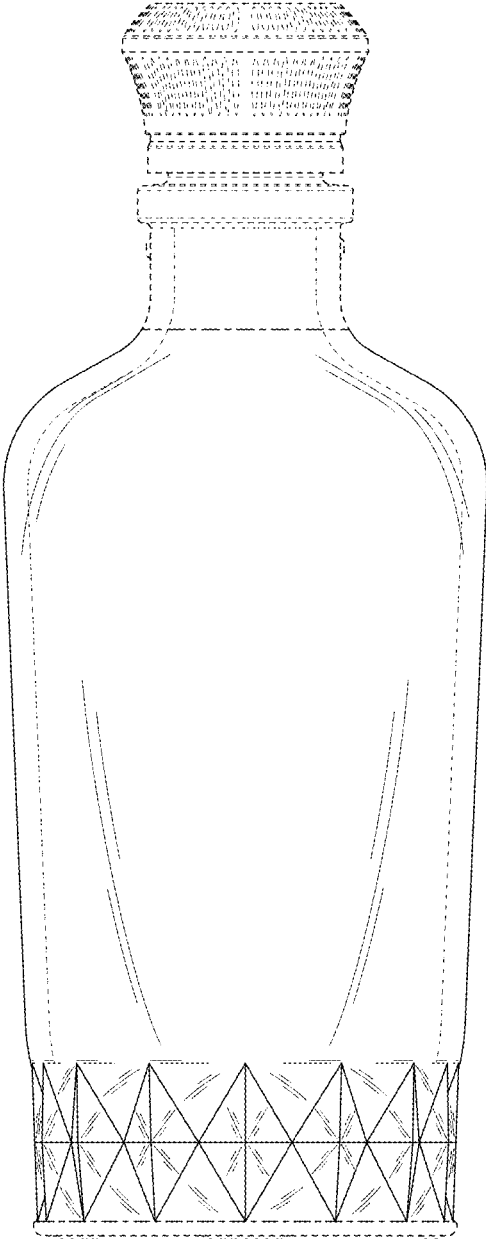


FIG. 4

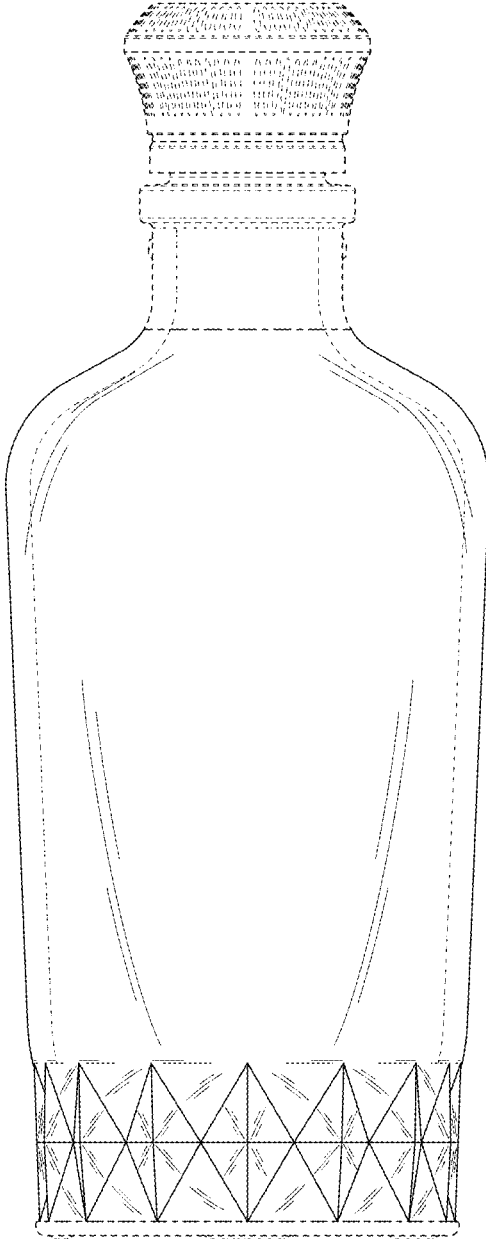


FIG. 5

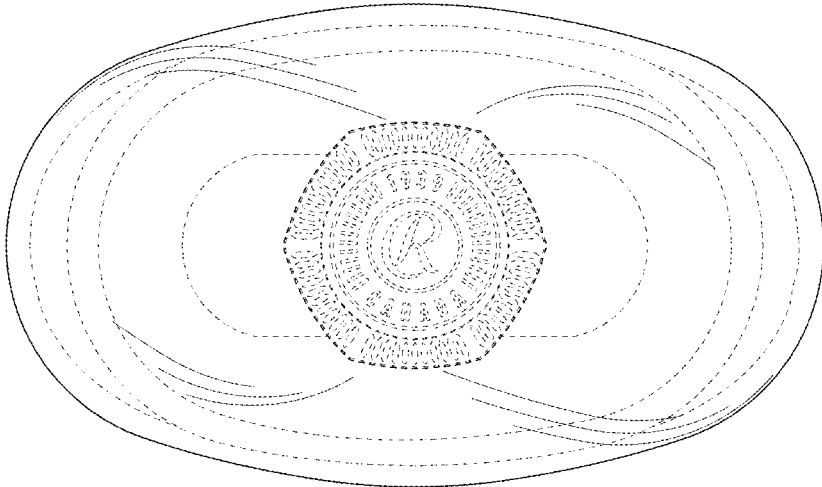


FIG. 6

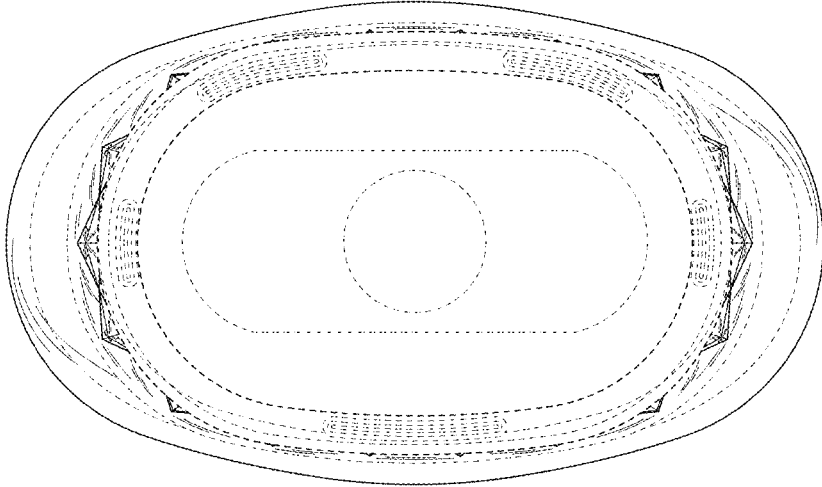


FIG. 7