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(12) Reissued Patent

Graham et al.

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(54) **BOTTLE**

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- (73) Assignee: MSD Consumer Care, Inc., Memphis, TN (US)
- (21) Appl. No.: **29/415,275**
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Related U.S. Patent Documents

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See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D97,512 D156,219	11/1935 11/1949	

(Continued)

OTHER PUBLICATIONS

U.S. Trademark Application No. 77/775265 Prosecution History: Notice of Abandonment.

(Continued)

Primary Examiner — Phillip S Hyder (74) Attorney, Agent, or Firm — Kenyon & Kenyon LLP CLAIM

(57)

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

DESCRIPTION

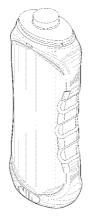
FIG. 1 is a perspective view of a bottle showing our new design; FIG. 2 is a front view thereof; FIG. 3 is a right side view thereof; FIG. 4 is a left side view thereof; FIG. 5 is a back view thereof.; FIG. 6 is a top view thereof; FIG. 7 is a bottom view thereof; FIG. 8 is a perspective view of a second embodiment of the bottle showing our new design; FIG. 9 is a front view thereof; FIG. 10 is a right side view thereof; FIG. 11 is a left side view thereof; FIG. 12 is a back view thereof.; FIG. 13 is a top view thereof; FIG. 14 is a bottom view thereof; FIG. 15 is a perspective view of a third embodiment of the bottle showing our new design; FIG. 16 is a front view thereof; FIG. 17 is a right side view thereof; FIG. 18 is a left side view thereof; FIG. 19 is a back view thereof; FIG. 20 is a top view thereof; and, FIG. 21 is a bottom view thereof.

[The broken line showing of a portion of the bottom is included for the purpose of illustrating environmental structure and forms no part of the claimed design.]

The broken lines depict portions of the bottle in which the design is embodied that are not considered part of the claimed design.

1 Claim, 12 Drawing Sheets

Matter enclosed in heavy brackets [] appears in the original patent but forms no part of this reissue; matter printed in italics indicates the additions made by reissue.



Amended

(56) **References Cited**

U.S. PATENT DOCUMENTS

D221,133 S	7/1971	Wikke
D234,492 S	3/1975	Peterson
D234,911 S	4/1975	Stevens, Jr.
D235,245 S	6/1975	McDonald
D237,463 S	11/1975	Kretz
D242,225 S	11/1976	Sinclair
D242,223 S		
D249,228 S	9/1978	Schacher et al.
D263,804 S	4/1982	Kondo et al.
D274,309 S	6/1984	Aldrich, III
D303,100 S	8/1989	Segati
4,885,809 A	12/1989	Muchmore
D309,714 S	8/1990	Blesecker
D334,538 S	4/1993	Bolen, Jr. et al.
D335,456 S	5/1993	Brown
D343,360 S	1/1994	Poo
D346,744 S	5/1994	Ford et al.
D346,963 S	5/1994	Crawford
D355,369 S	2/1995	Lund et al.
5,417,991 A	5/1995	Green
D367,010 S	2/1996	Moore et al.
D367,011 S	2/1996	Lilly et al.
D372,199 S	7/1996	Lathrop et al.
	8/1996	
		Lathrop et al.
D376,320 S	12/1996	Lathrop et al.
D376,697 S	12/1996	Green et al.
D376,980 S	12/1996	LoPreto
D384,285 S	9/1997	D'Amico et al.
D394,812 S	6/1998	Crawford
D398,479 S	9/1998	Vultaggio et al.
D405,373 S	2/1999	Crawford
D408,740 S	4/1999	Jones et al.
	9/1999	Crawford
D415,688 S	10/1999	Crawford
D416,805 S	11/1999	Mikla
D422,220 S	4/2000	Feen
D425,429 S	5/2000	Weber
D425,795 S	5/2000	Feen
D425,797 S	5/2000	Crawford
D427,914 S	7/2000	Croft et al.
D429,648 S	8/2000	Goettner
D443,825 S	6/2001	Goettner
D447,058 S	8/2001	Weber
D457,069 S	5/2002	Palaia
,	7/2002	Chung
D469,698 S	2/2003	Zaksenberg et al.
D471,462 S	3/2003	May et al.
D472,153 S	3/2003	Feen
D486,741 S	2/2004	Houghton
D486,742 S	2/2004	Houghton
D489,994 S	5/2004	Crawford
D491,067 S	6/2004	Crawford
D491,815 S	6/2004	Crawford
D492,202 S	6/2004	Crawford
	9/2004	
· · ·		Crawford
D495,609 S	9/2004	Wurster
D496,283 S	9/2004	Busa, Jr.
D498,680 S	11/2004	Cleary
D505,079 S	5/2005	Mulder et al.
D511,969 S	11/2005	Busa et al.
D514,448 S	2/2006	Kuzma et al.
D522,372 S	6/2006	Wang et al.
D528,006 S	9/2006	Walther et al.
D528,007 S	9/2006	De Niverville et al.
D529,810 S	10/2006	Davies et al.
D529,812 S	10/2006	Ratzlaff Winling et al
D529,814 S	10/2006	Winkler et al.
D532,312 S	11/2006	Conway et al.
D533,069 S	* 12/2006	Archeny D9/542
D533,073 S	12/2006	Brunner et al.
D535,565 S	1/2007	Pitassi
D545,210 S	6/2007	Armstrong et al.
D545,211 S	6/2007	Armstrong et al.
		Ratzlaff
,	7/2007	
D546,189 S	7/2007	Costello et al.
D548,602 S	8/2007	Escobosa et al.

D552,995	S		10/2007	Toh	
D553,502	S		10/2007	Toh	
D567,096	S		4/2008	Toh	
D585,752	S	*	2/2009	Shami	 D9/530
D590,717	S		4/2009	Weber	

OTHER PUBLICATIONS

U.S. Trademark Application No. 77/775265 Prosecution History: Office Action dated Aug. 4, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Banana Boat Sport Performance Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: Hawaiian Tropic Sheer Touch Lotion Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: Silgan Plastics HDPE Tapered & Wave-Side Oblongs.

U.S. Trademark Application No. 77/775265 Prosecution History: Silgan Plastics Bottle & Jar Catalog.

U.S. Trademark Application No. 77/775265 Prosecution History: Bottle Image.

U.S. Trademark Application No. 77/775265 Prosecution History: Amendment and Mail Process dated Aug. 3, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Amended Drawing dated Aug. 1, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Drawing dated Aug. 1, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Response to Office Action dated Aug. 1, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Office Action dated Feb. 3, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: cpc packaging Applications: The New Face of Coppertone.

U.S. Trademark Application No. 77/775265 Prosecution History: Seaquist Closures 19.5mm Large Gem Oval Snap Top.

U.S. Trademark Application No. 77/775265 Prosecution History: Seaquist Closures Large Gemini Snap Top.

U.S. Trademark Application No. 77/775265 Prosecution History: Safeway Sunscreen Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: U.S. Patent No. 6,321,923.

U.S. Trademark Application No. 77/775265 Prosecution History: Amendment and Mail process dated Jan. 22, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Amended Drawing dated Jan. 21, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Drawing dated Jan. 21, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Response to Office Action dated Jan. 21, 2010.

U.S. Trademark Application No. 77/775265 Prosecution History: Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative.

U.S. Trademark Application No. 77/775265 Prosecution History: Office Action dated Jul. 21, 2009.

U.S. Trademark Application No. 77/775265 Prosecution History: Bonanzle Moisture Therapy Cucumber Body Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: beauty encounter Vaseline Intensive Care Healthy Body Complexion Nourishing Body Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: Smallflower Kneipp Evening Primrose Body Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: Smallflower Weleda Calendula Baby Body Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: Dove Supreme Clean Oil Sleek Satin Body Wash.

U.S. Trademark Application No. 77/775265 Prosecution History: Dove Energy Glow Beauty Body Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: Banana Boat Sport Performance DriBlok Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: drugstore.com AXE Snake Peel Shower Scrub with Desert Minerals + Cactus Oil.

U.S. Trademark Application No. 77/775265 Prosecution History: O.Berk Company Plastic Bottles—Grip-Handle Liquid Container.

(56) **References Cited**

OTHER PUBLICATIONS

U.S. Trademark Application No. 77/775265 Prosecution History: drugstore.com Irish Spring Body Wash.

U.S. Trademark Application No. 77/775265 Prosecution History: Avon Moisture Therapy Intensive Body Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: Dial Body Wash.

U.S. Trademark Application No. 77/775265 Prosecution History: Gillette Hydrator + Body Wash.

U.S. Trademark Application No. 77/775265 Prosecution History: Olay Age Defying Body Wash.

U.S. Trademark Application No. 77/775265 Prosecution History: Suncare Glossary.

U.S. Trademark Application No. 77/775265 Prosecution History: viewpoints Non-Greasy Sunscreen Reviews.

U.S. Trademark Application No. 77/775265 Prosecution History: Paula's Choice Essential Non-Greasy Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: SkinAct Epicuren Discovery Organic Cleen 4 Teen—Non-greasy Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: kaboodle DHC White Sunscreen, Non-Greasy.

U.S. Trademark Application No. 77/775265 Prosecution History: Associated Content Sunscreen for Acne-Prone Skin: Non-Greasy, Oil-Free Products. U.S. Trademark Application No. 77/775265 Prosecution History: Skin911.com Celazome Moisturizing Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: Nordstrom Kiehl's UV Protective Everyday Facial Moisturizing Sunscreen Cream.

U.S. Trademark Application No. 77/775265 Prosecution History: DermatologistRx Celazome Moisturizing Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: California Baby No Fragrance SPF 18 Moisturizing Sunscreen Lotion.

U.S. Trademark Application No. 77/775265 Prosecution History: Dr. Susan Taylor's Protect and Defend Moisturizing Sunscreen.

U.S. Trademark Application No. 77/775265 Prosecution History: XSearch Search Summary dated Jul. 15, 2009.

U.S. Trademark Application No. 77/775265 Prosecution History: XSearch Search Summary dated Jul. 14, 2009.

U.S. Trademark Application No. 77/775265 Prosecution History: Notice of Design Search Code and Pseudo Mark for U.S. Appl. No. 77/775,265.

U.S. Trademark Application No. 77/775265 Prosecution History: Drawing dated Jul. 7, 2009.

U.S. Trademark Application No. 77/775265 Prosecution History: Trademark/Service Mark Application, Principal Register dated Jul. 7, 2009.

* cited by examiner

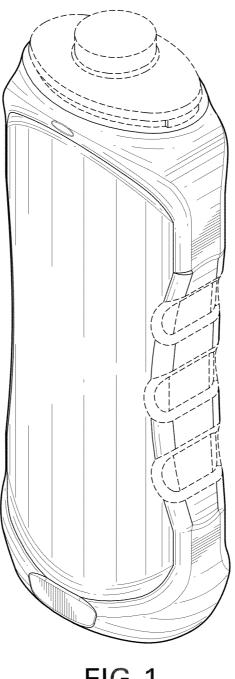


FIG.1 Amended

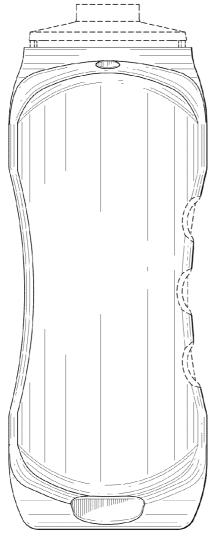


FIG.2 Amended

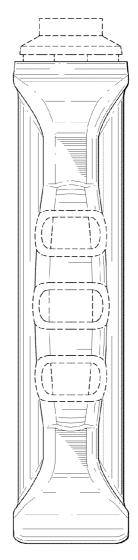
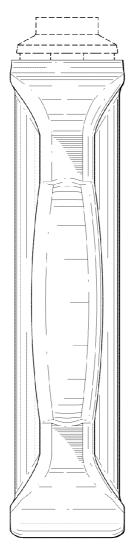
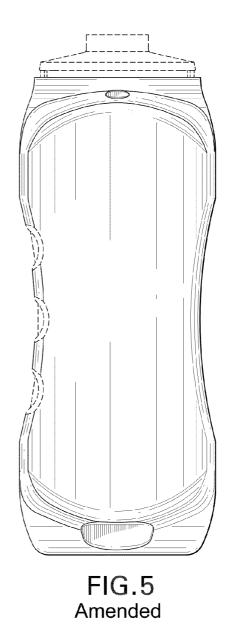


FIG.3 Amended







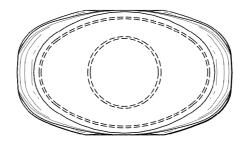
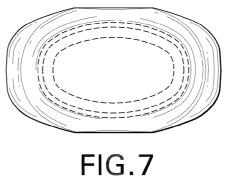
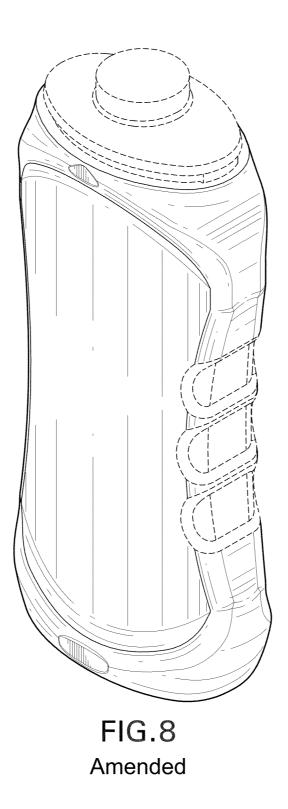
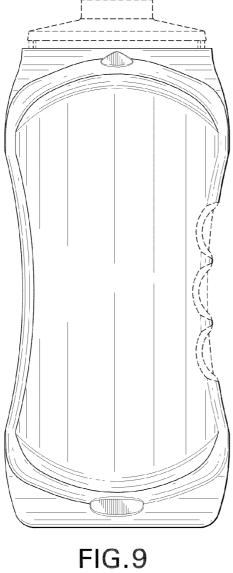


FIG.6



Amended





Amended

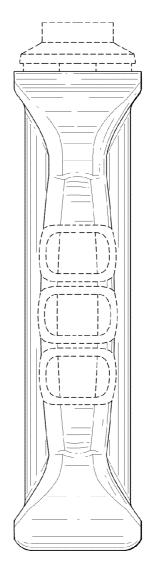
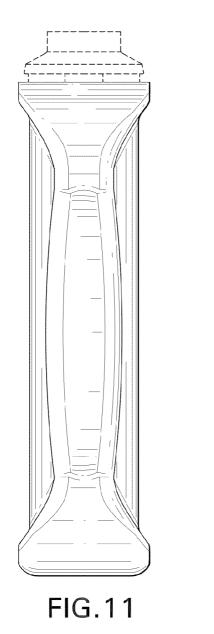


FIG.10 Amended



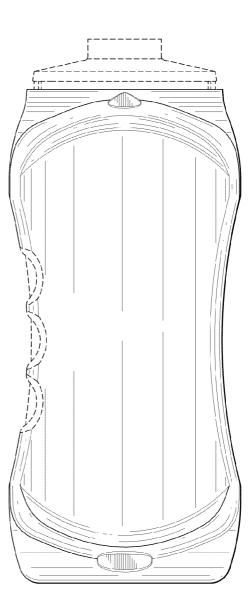


FIG.12 Amended

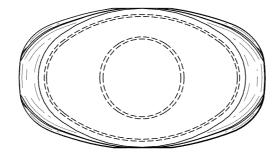
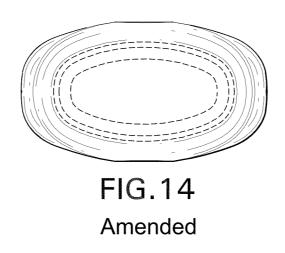
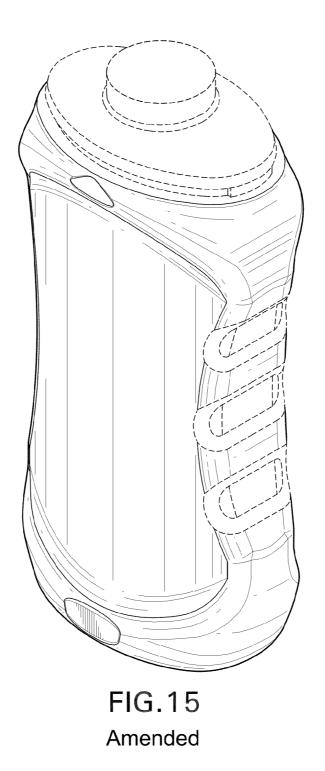
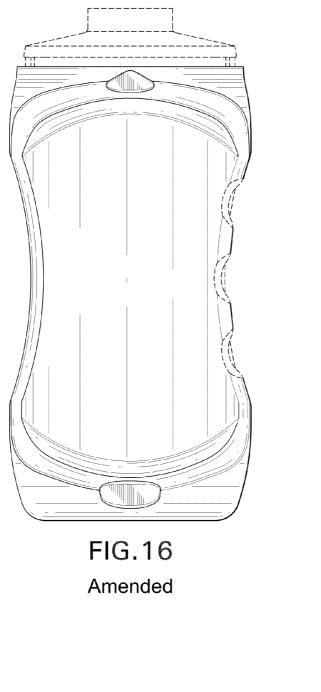


FIG.13







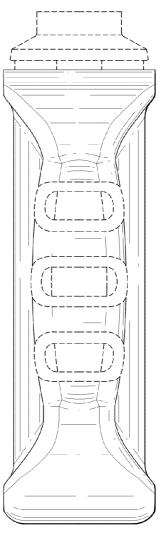


FIG.17 Amended

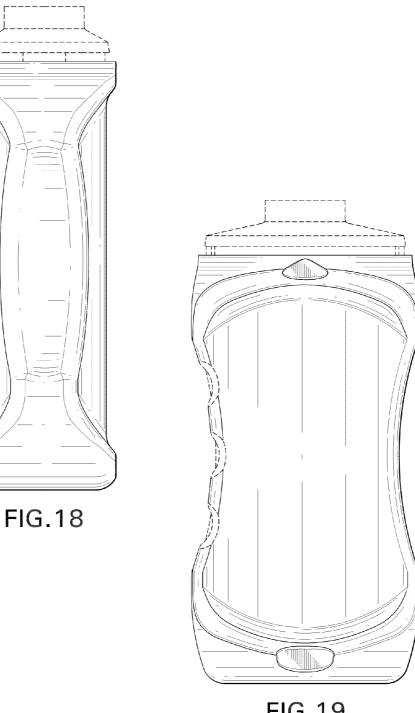


FIG.19 Amended

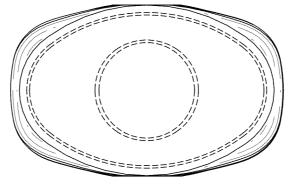


FIG.20

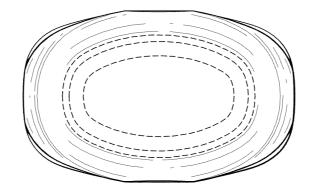


FIG.21 Amended