



US00D904185S

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

(10) **Patent No.:** **US D904,185 S**

(45) **Date of Patent:** **** Dec. 8, 2020**

(54) **CONTAINER**

(71) Applicant: **All Plastic, Inc.**, Gold River, CA (US)

(72) Inventors: **William Thomas Smith**, Fair Oaks, CA (US); **Cheryl Ann Smith**, Fair Oaks, CA (US)

(73) Assignee: **ALL PLASTIC, INC.**, Gold River, CA (US)

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

(21) Appl. No.: **29/663,942**

(22) Filed: **Sep. 20, 2018**

Related U.S. Application Data

(63) Continuation-in-part of application No. 29/659,740, filed on Aug. 10, 2018.

(51) **LOC (12) Cl.** **09-03**

(52) **U.S. Cl.**

USPC **D9/431**; D9/418; D9/422

(58) **Field of Classification Search**

USPC D9/414-423, 424-429, 430-433, 434, D9/456, 457, 711, 713, 721-722; D3/272-274, 290, 304, 305, 315
CPC ... B65D 5/00; B65D 5/02; B65D 5/18; B65D 5/20

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D128,936 S 8/1941 Foley
D181,321 S 10/1957 Stowell
2,807,901 A 10/1957 Gilowitz
3,247,995 A 4/1966 Jensen
3,656,840 A 4/1972 Smith et al.
4,106,660 A 8/1978 Boyle
D255,546 S 6/1980 Zaidmann et al.

4,230,231 A 10/1980 Burnett et al.
4,284,200 A 8/1981 Bush et al.
D272,595 S * 2/1984 Chase D7/629
(Continued)

FOREIGN PATENT DOCUMENTS

EP 1779885 A1 5/2007

OTHER PUBLICATIONS

Bud Pod Seals Airtight for Freshness.[online] Published on Sep. 4, 2018. Retrieved Sep. 30, 2019 from URL: https://www.budbardisplays.com/product/pods/bud-pod.*

(Continued)

Primary Examiner — Vy N Koenig

(74) *Attorney, Agent, or Firm* — Ballard Spahr LLP

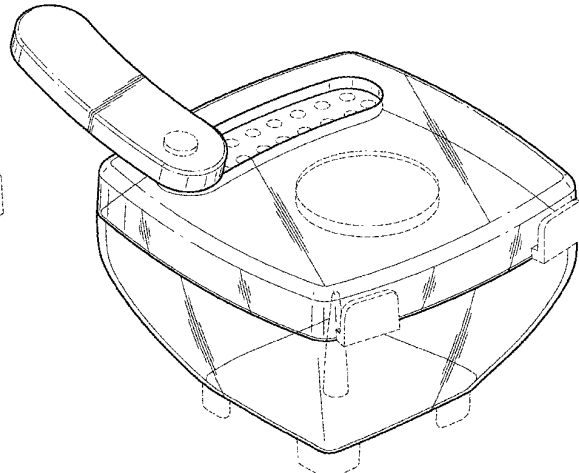
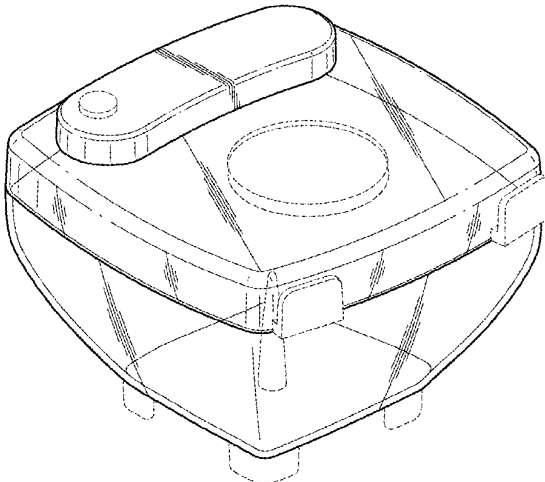
(57) **CLAIM**

We claim the ornamental design for a container, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a container showing our new design with the plug in a closed position; FIG. 2 is a rear elevation view thereof; FIG. 3 is a left side elevation view thereof; FIG. 4 is a front elevation view thereof; FIG. 5 is a right side elevation view thereof; FIG. 6 is a top plan view thereof; FIG. 7 is a bottom plan view thereof; FIG. 8 is perspective view of the container of FIG. 1 with the plug in an open position; FIG. 9 is a rear elevation view thereof; FIG. 10 is a left side elevation view thereof; FIG. 11 is a front elevation view thereof; FIG. 12 is a right side elevation view thereof; FIG. 13 is a top plan view thereof; and, FIG. 14 is a bottom plan view thereof. The broken lines depict portions of the container that form no part of the claimed design.

1 Claim, 12 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D292,887 S 11/1987 Schouten
 D303,428 S 9/1989 Wada
 4,979,332 A 12/1990 Nagaya et al.
 D322,323 S 12/1991 Moir
 D340,187 S 10/1993 Forsyth
 5,321,908 A 6/1994 Ushimaru
 5,363,801 A 11/1994 Watters et al.
 5,927,007 A 7/1999 Oda et al.
 6,013,524 A 1/2000 Friars et al.
 D455,552 S 4/2002 Charness
 6,571,972 B1 6/2003 Bouc et al.
 D476,572 S 7/2003 Merritt
 D480,307 S 10/2003 Canamasas Puigbo
 6,761,287 B2 7/2004 Caruso
 D493,721 S 8/2004 Puigbo
 D493,722 S 8/2004 Cooper
 D513,979 S * 1/2006 Snedden D9/418
 D517,405 S * 3/2006 Snedden D9/418
 D518,728 S 4/2006 Frantz
 D523,752 S 6/2006 Bried
 7,185,827 B2 3/2007 Quintard et al.
 D547,177 S 7/2007 Sherman et al.
 D588,450 S * 3/2009 Snedden D9/424
 D590,706 S * 4/2009 Doliwa D7/629
 D591,148 S * 4/2009 Parikh D7/629
 D600,111 S * 9/2009 Gerulski D9/424
 D621,603 S 8/2010 Traylor
 D630,949 S * 1/2011 Lim D9/690
 D646,969 S * 10/2011 Snedden D9/425
 D647,530 S 10/2011 Busch
 8,079,478 B2 12/2011 Short et al.
 D655,604 S 3/2012 Molina et al.
 D671,831 S 12/2012 Moreau
 D685,227 S 7/2013 Boonprasop
 8,544,208 B2 10/2013 Huang
 D696,948 S 1/2014 Kim
 D702,547 S 4/2014 Akana
 D703,055 S 4/2014 Park
 8,925,725 B1 1/2015 Burnett
 D731,891 S 6/2015 Servaire
 D749,381 S 2/2016 Magri
 D765,389 S 9/2016 Martin
 D769,079 S 10/2016 Kotani
 D775,959 S 1/2017 Owen
 D778,718 S 2/2017 Smith et al.
 9,630,747 B2 4/2017 Smith et al.
 D794,944 S 8/2017 Martin
 D806,543 S 1/2018 Finkbohner et al.
 D812,939 S * 3/2018 Modlin D6/677
 D814,831 S 4/2018 Modlin
 9,981,790 B1 5/2018 Ost
 D821,738 S 7/2018 Small
 D830,779 S * 10/2018 Li D7/542
 D842,494 S 3/2019 Lee
 D849,526 S * 5/2019 Sanders D9/425
 D855,449 S 8/2019 Smith et al.
 10,384,834 B2 * 8/2019 Smith B65D 25/106
 D859,894 S * 9/2019 Smith D6/682.1
 D861,475 S 10/2019 Giwani
 D862,226 S 10/2019 Horn
 D863,053 S 10/2019 Smith et al.
 D866,334 S 11/2019 Wieland
 D876,945 S 3/2020 Smith et al.

2003/0234208 A1 12/2003 Huang
 2005/0092751 A1 5/2005 Alvares et al.
 2007/0051826 A1 3/2007 Schofield
 2009/0057326 A1 3/2009 Opitz
 2009/0261100 A1 10/2009 McMinn
 2010/0300370 A1 12/2010 Hundt
 2013/0313217 A1 11/2013 Yamamoto et al.
 2016/0031605 A1 2/2016 Bean et al.
 2016/0318672 A1 11/2016 Smith et al.
 2017/0190482 A1 7/2017 Smith et al.
 2017/0275075 A1 9/2017 Bamonte et al.
 2018/0362215 A1 12/2018 Whetsel et al.
 2019/0009967 A1 1/2019 Lung
 2019/0152648 A1 5/2019 Parve et al.
 2020/0130901 A1 4/2020 Karl

OTHER PUBLICATIONS

Magazine Ad for Bud Bar Displays™. Canna Con, Denver, Colorado, Jun. 1, 2015. 3 pages.
 Magazine Ad showing Bud Bar Displays™. Dope Magazine, Issue #7, Dec. 1, 2015. 2 pages.
 Magazine Ad for Bud Bar Displays™. MG-Magazine.com, Feb. 1, 2016. 2 pages.
 Magazine Ad for Bud Bar Displays™. Marijuana Business Magazine, vol. 2, Issue 4, Jul. 1, 2015. 2 pages.
 Magazine Ad for Bud Bar Displays™. Marijuana Venture Magazine, Jun. 1, 2017. 3 pages.
 Website photo. Bud-Pod. www.budbardisplays.com. Published Jan. 23, 2016.
 Website photo. Highlight display. www.budbardisplays.com. Published Jan. 23, 2016.
 Website photo. 3 Tier Ligted Display. www.budbardisplays.com. Published Jul. 9, 2017.
 Website photo. Bud bar cabinet. www.budbardisplays.com. Published Jul. 9, 2017.
 Website photo. Budtender1. www.budbardisplays.com. Published Jul. 9, 2017.
 Website photo. Eco Pod Cabinet. www.budbardisplays.com. Published Jul. 9, 2017.
 Website photo. Bud Pod. www.budbardisplays.com. Published Jul. 9, 2017.
 Website photo. Sample pod package. www.budbardisplays.com. Published Jul. 9, 2017.
 Website photo. Security seals for pods. www.budbardisplays.com. Published Jul. 9, 2017.
 Website photo. Tether on Bud Pod3. www.budbardisplays.com. Published Jul. 9, 2017.
 Bud Pod and Bud pod security tether close up. Publication on Facebook Oct. 21, 2016. <https://www.facebook.com/BudBarDisplays/photos/a.1250515684990657/1250523611656531/?type=3&theater>.
 Bud Pod and Bud pod security tether close up. Publication on Facebook Oct. 22, 2016. <https://www.facebook.com/BudBarDisplays/photos/a.1250515684990657/1250523611656531/?type=3&theater>.
 Budtender Demo-Bud Bar Displays. Publication on youtube dated May 7, 2017—<https://www.youtube.com/watch?v=JRd6B1ZXZIk>.
 Facebook post showing sample containers, Oct. 22, 2016. <https://www.facebook.com/BudBarDisplays/photos/a.1250515684990657/1251439121564980/?type=3&theater> (1 page).

* cited by examiner

FIG. 1

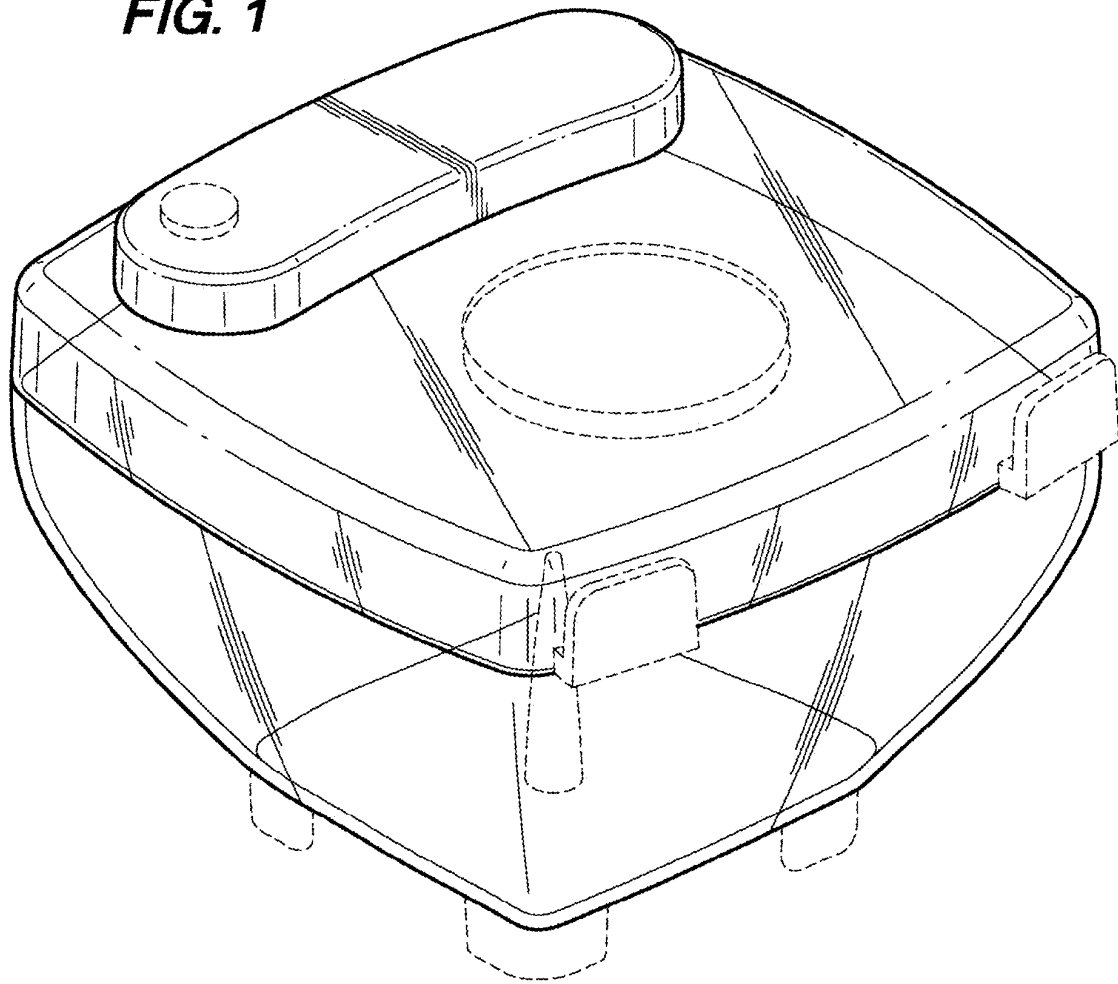


FIG. 2

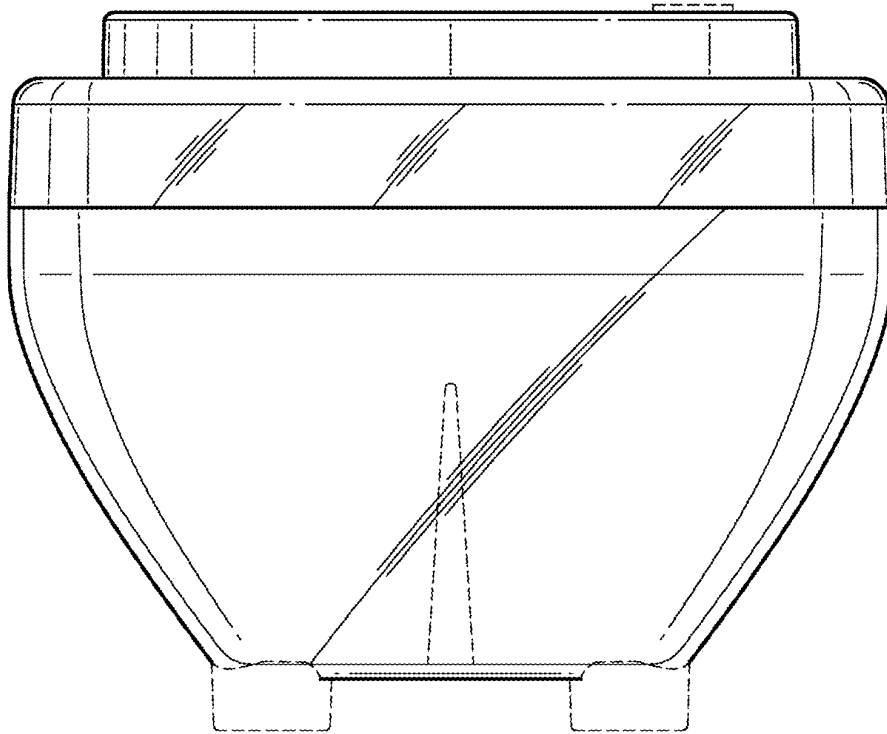


FIG. 3

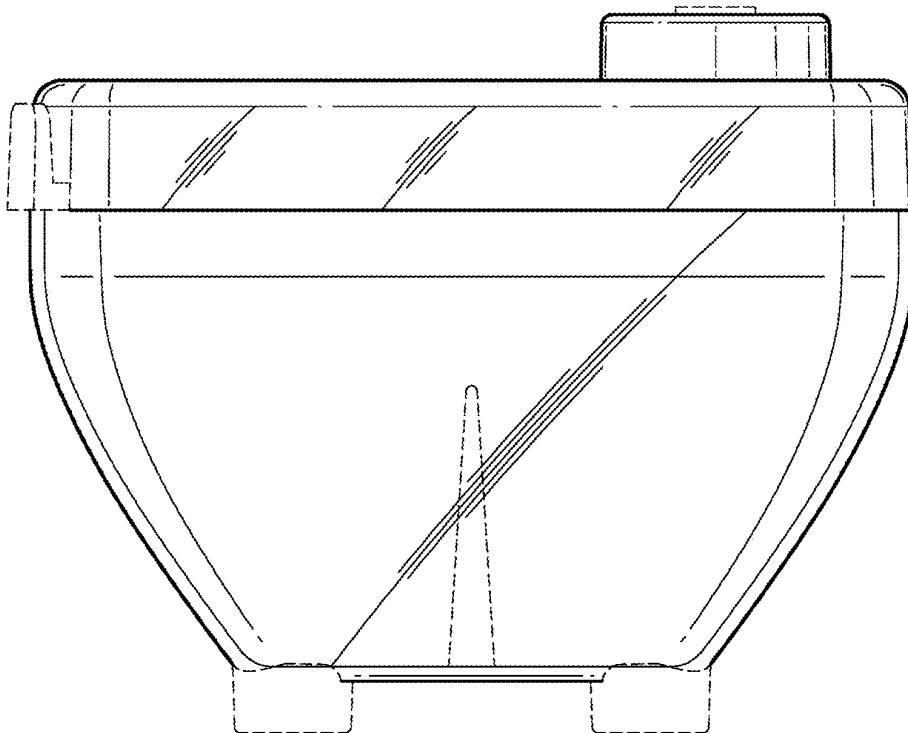


FIG. 4

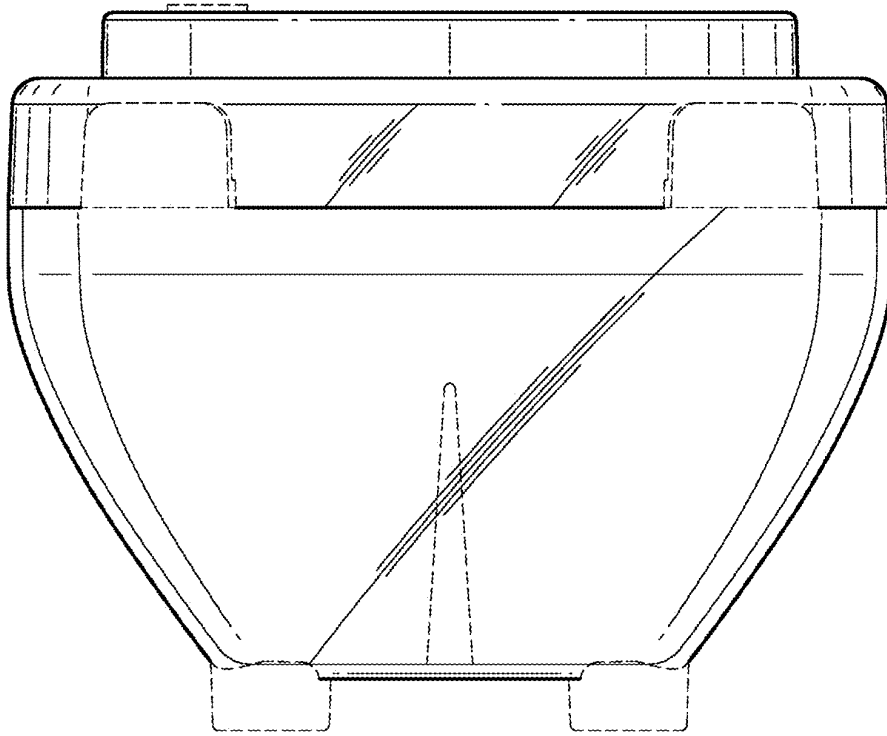


FIG. 5

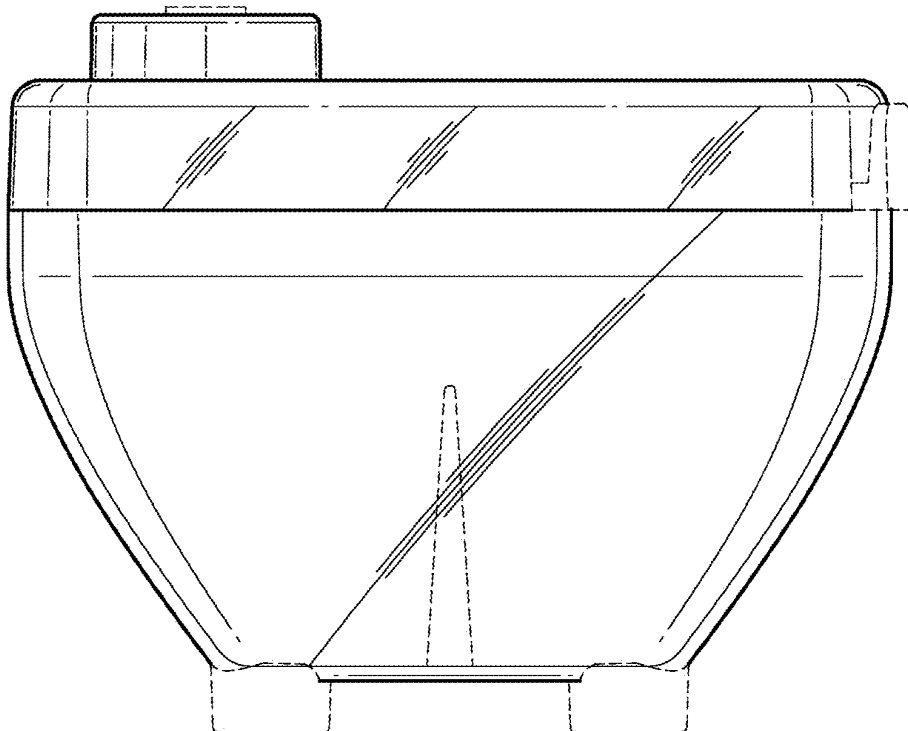


FIG. 6

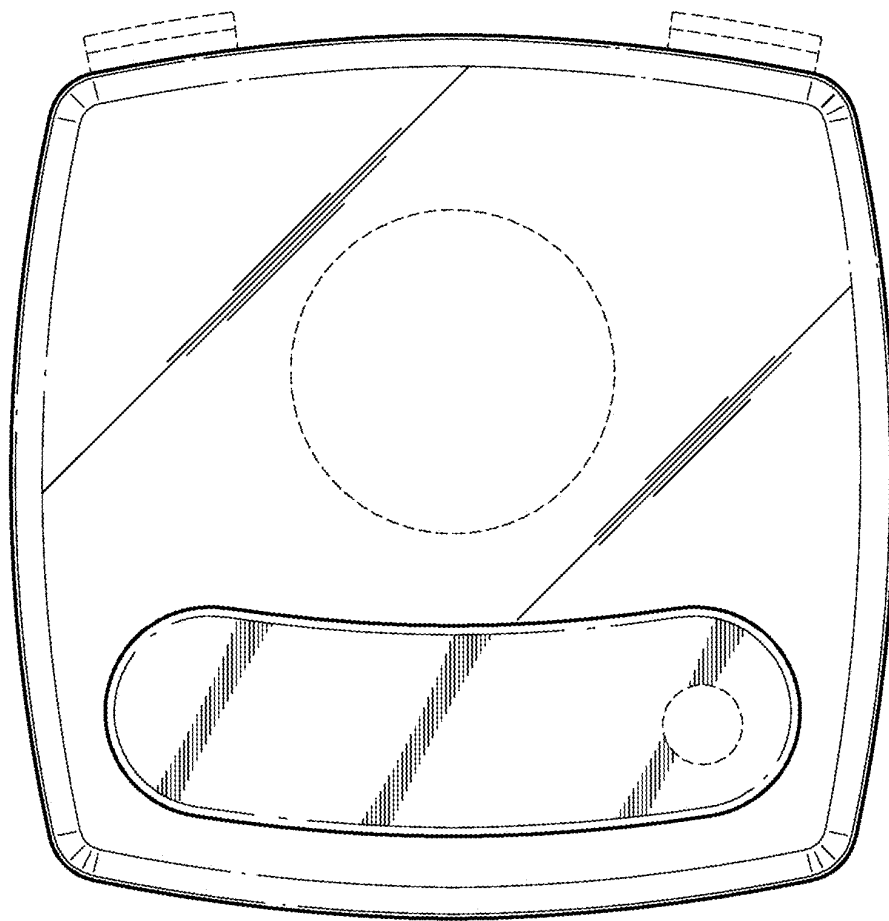


FIG. 7

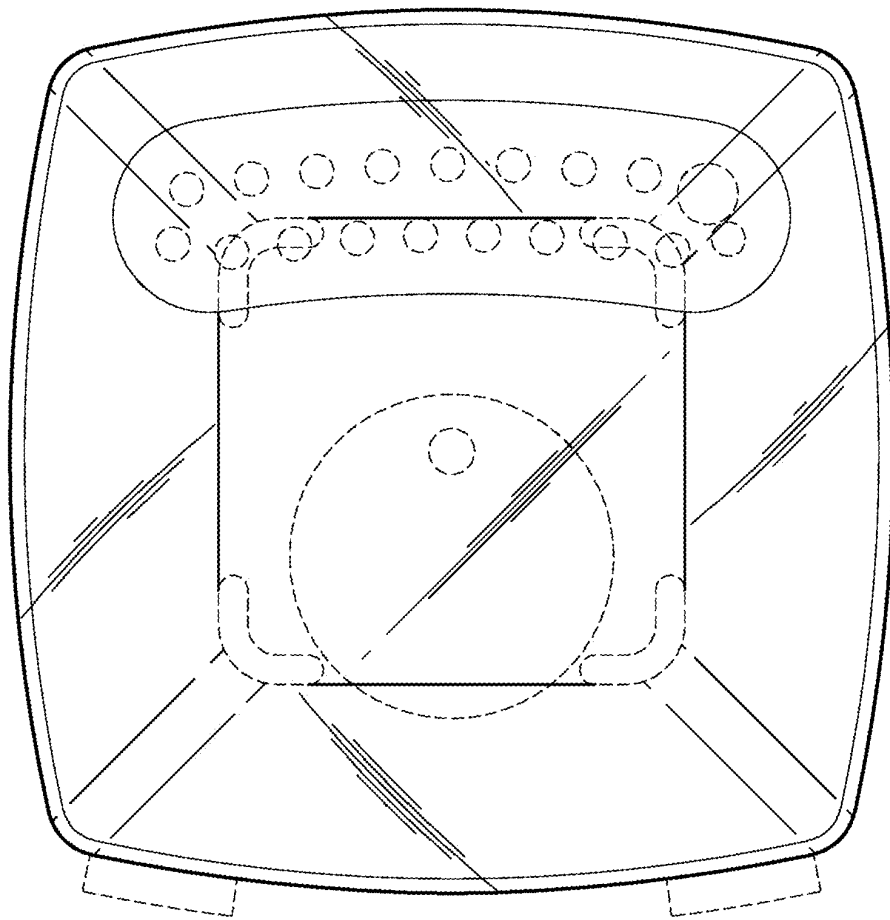
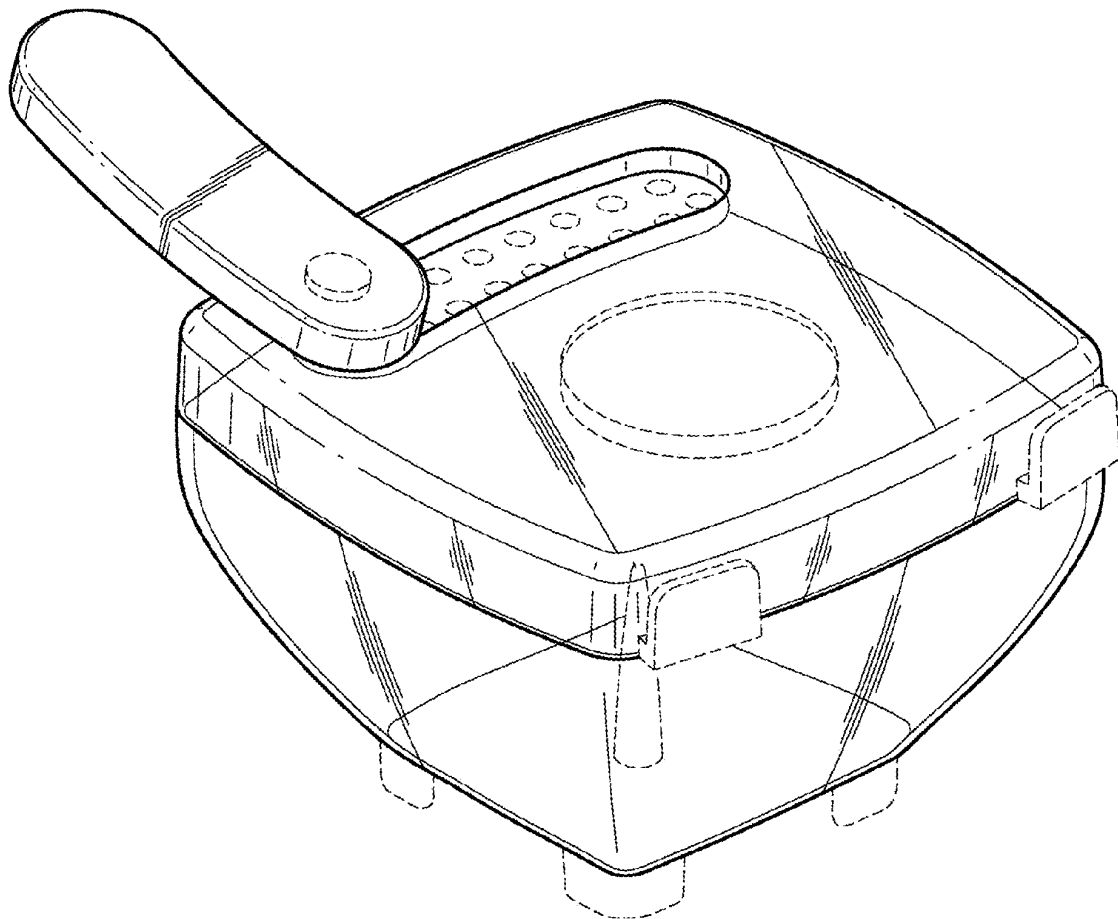


FIG. 8



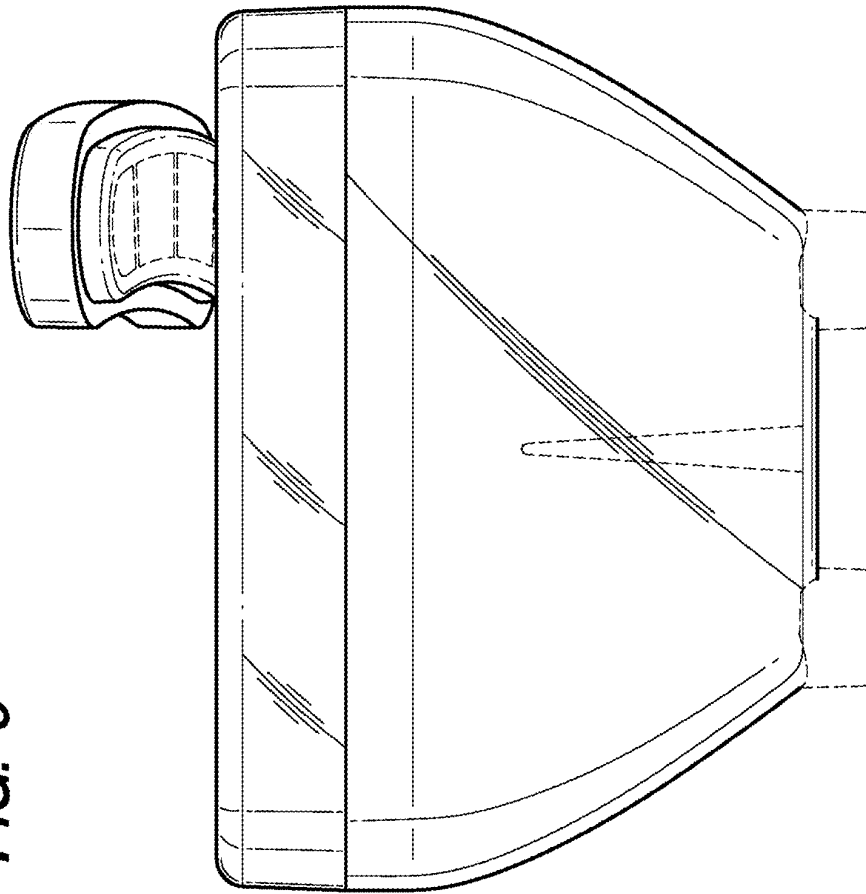


FIG. 9

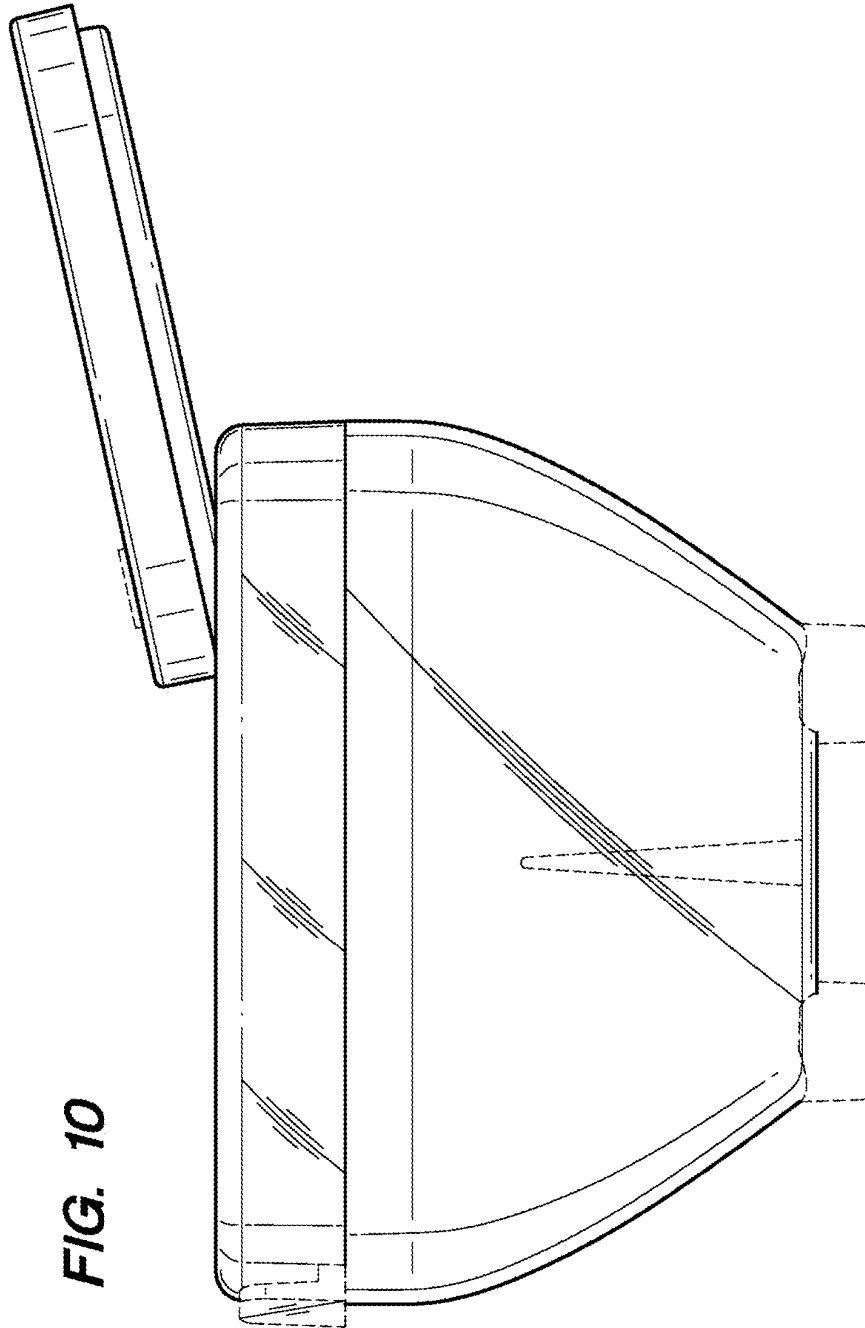


FIG. 10

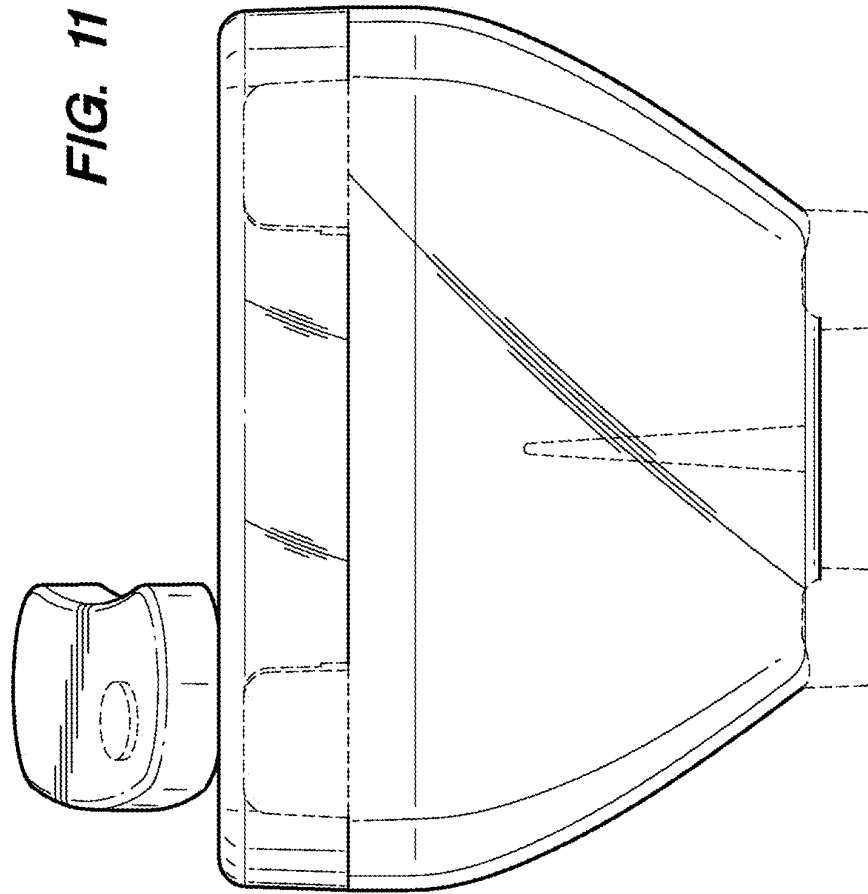


FIG. 12

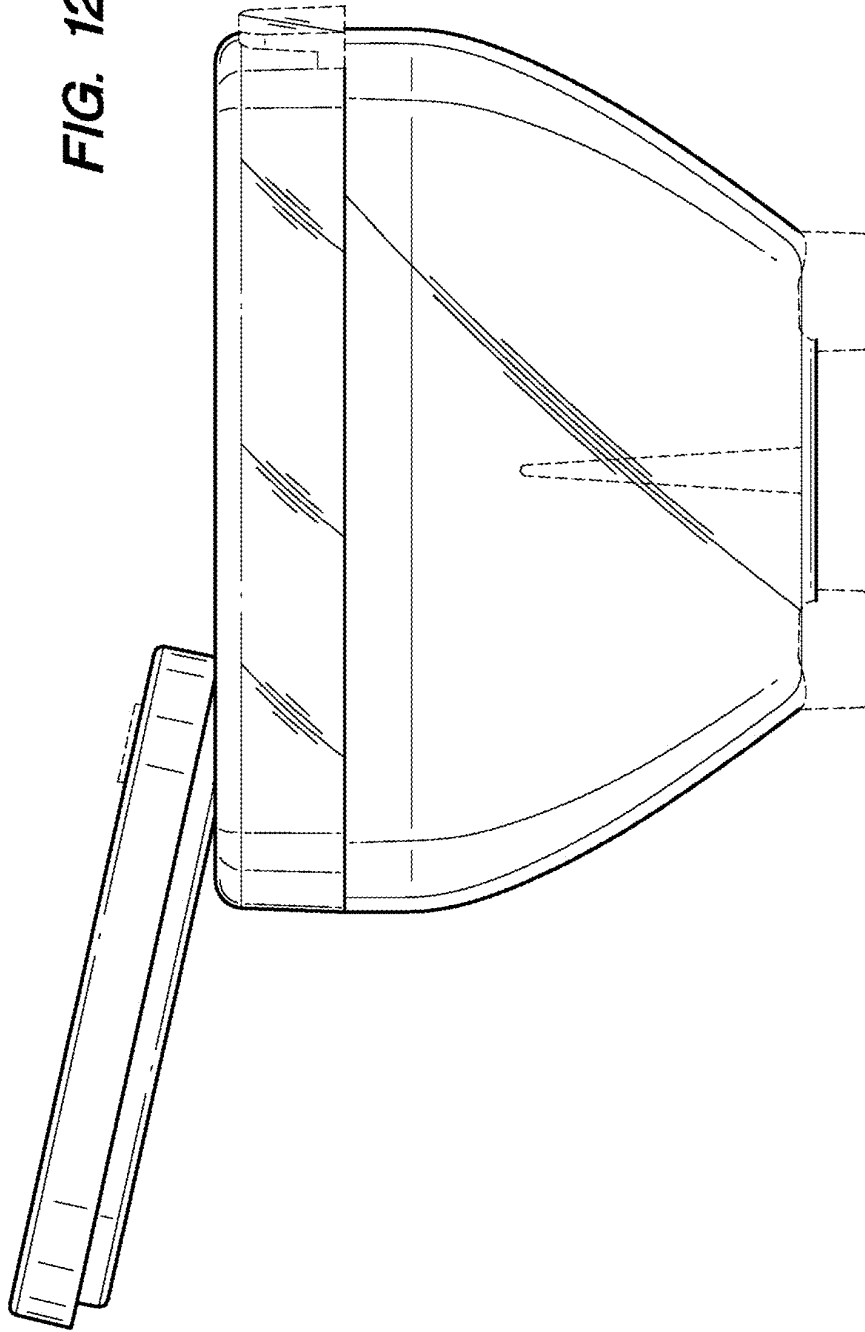


FIG. 13

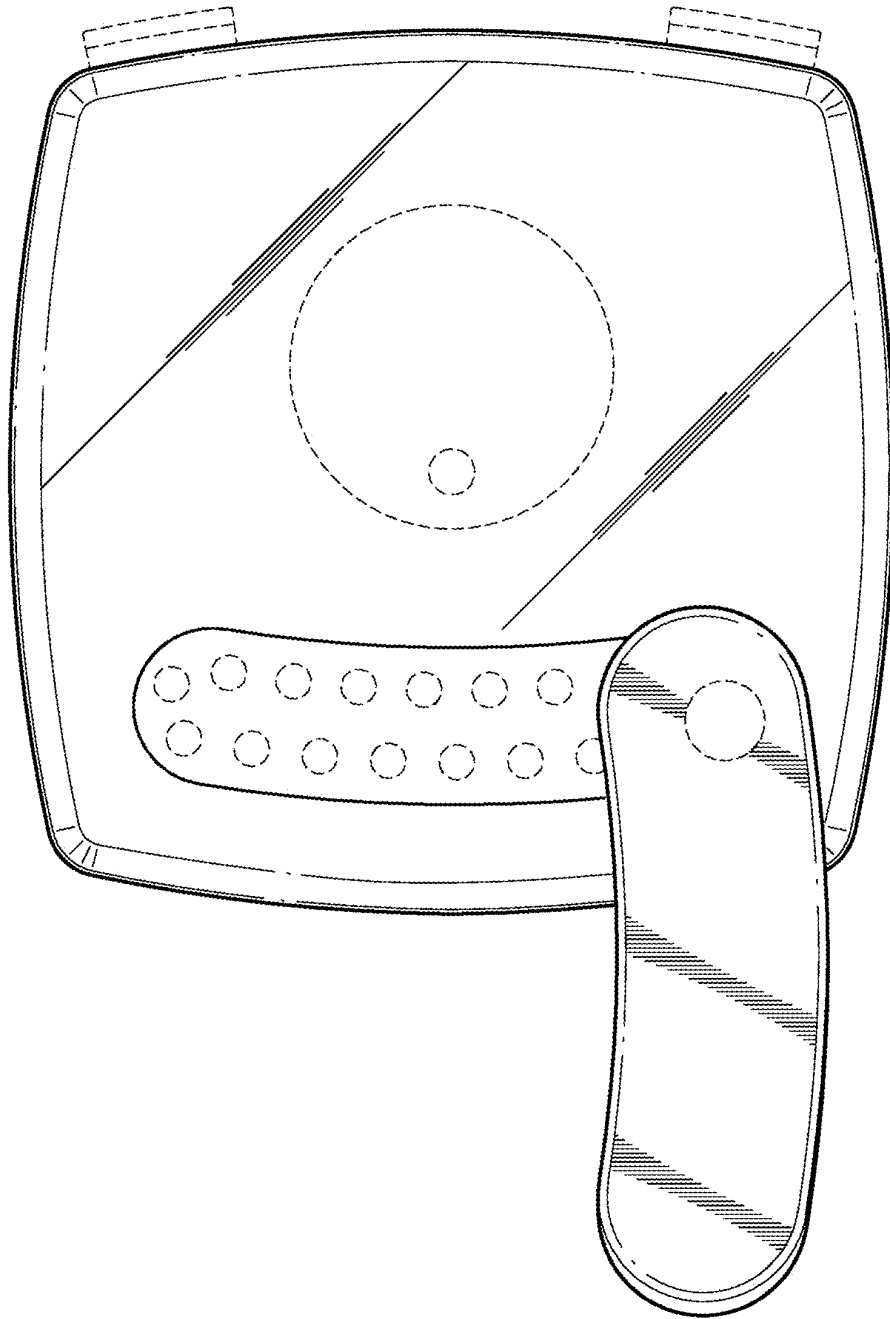


FIG. 14

