



US00D891253S

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

(10) **Patent No.:** **US D891,253 S**
(45) **Date of Patent:** **** Jul. 28, 2020**

(54) **CONTAINER**

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(71) Applicants: **William Thomas Smith**, Fair Oaks, CA (US); **Cheryl Ann Smith**, Fair Oaks, CA (US)

(57) **CLAIM**

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

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

DESCRIPTION

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

FIG. 1 is a perspective view of a container, in which the plug is in a closed position;

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

FIG. 2 is a top plan view of the container shown in FIG. 1; FIG. 3 is a bottom plan view of the container shown FIG. 1; FIG. 4 is a rear view of the container shown in FIG. 1; FIG. 5 is a right side view of the container shown in FIG. 1; FIG. 6 is a front view of the container shown in FIG. 1; FIG. 7 is a left side view of the container shown in FIG. 1; FIG. 8 is a perspective view of the container shown in FIG. 1, in which the plug is in an open position;

(21) Appl. No.: **29/665,609**

FIG. 9 is a top plan view of the container shown in FIG. 8; FIG. 10 is a bottom plan view of the container shown in FIG. 8;

(22) Filed: **Oct. 5, 2018**

FIG. 11 is a rear view of the container shown in FIG. 8; FIG. 12 is a right side view of the container shown in FIG. 8;

(51) **LOC (12) Cl.** **09-01**

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

USPC **D9/504**; D6/677; D9/428

(58) **Field of Classification Search**

USPC D9/414, 418, 422, 423, 424, 428, 503, D9/504, 549, 721; D6/677

(Continued)

FIG. 13 is a front view of the container shown in FIG. 8; FIG. 14 is a left side view of the container shown in FIG. 8; FIG. 15 is a perspective of a container according to a second embodiment, in which the plug is in a closed position;

(56) **References Cited**

U.S. PATENT DOCUMENTS

D128,936 S * 8/1941 Foley D3/203.2
2,807,901 A 10/1957 Gilowitz

(Continued)

FIG. 16 is a top plan view of the container shown in FIG. 15; FIG. 17 is a bottom plan view of the container shown FIG. 15;

FOREIGN PATENT DOCUMENTS

EP 1779885 A1 5/2007

OTHER PUBLICATIONS

Author Unknown; Bud Pod Seals Airtight for Freshness; Published Sep. 4, 2018; Retrieved Nov. 5, 2019 from www.budbardisplays.com/product/pods/bud-pod.

FIG. 18 is a rear view of the container shown in FIG. 15; FIG. 19 is a right side view of the container shown in FIG. 15;

FIG. 20 is a front view of the container shown in FIG. 15; FIG. 21 is a left side view of the container shown in FIG. 15; FIG. 22 is a perspective view of the container shown in FIG. 15, in which the plug is in an open position;

FIG. 23 is a top plan view of the container shown in FIG. 22; FIG. 24 is a bottom plan view of the container shown in FIG. 22;

FIG. 25 is a rear view of the container shown in FIG. 22;

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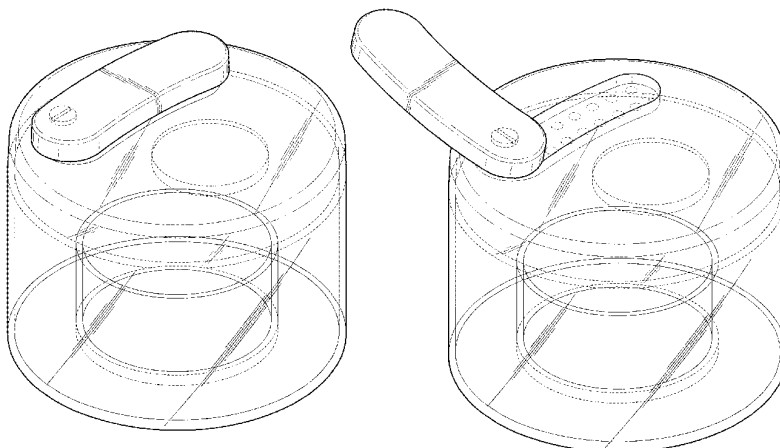


FIG. 26 is a right side view of the container shown in FIG. 22;
 FIG. 27 is a front view of the container shown in FIG. 22;
 and,
 FIG. 28 is a left side view of the container shown in FIG. 22.
 The broken lines depict portions of the article that form no part of the claimed design.

1 Claim, 24 Drawing Sheets

(58) **Field of Classification Search**

CPC B65D 25/54; B65D 25/106; B65D 25/22;
 B65D 51/24; B65D 51/245; A47F 3/145;
 A47F 7/286
 See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,247,995	A	4/1966	Jensen	
3,656,840	A	4/1972	Smith et al.	
D255,546	S *	6/1980	Zaidmann	D6/661
4,230,231	A	10/1980	Burnett et al.	
4,284,200	A	8/1981	Bush et al.	
D272,595	S	2/1984	Chase et al.	
D292,887	S *	11/1987	Schouten	D9/424
4,979,332	A	12/1990	Nagaya et al.	
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	D3/302
6,571,972	B1	6/2003	Bouc et al.	
D480,307	S *	10/2003	Canamasas Puigbo	D28/76
6,761,287	B2	7/2004	Caruso	
D493,722	S *	8/2004	Cooper	D9/504
D513,979	S	1/2006	Snedden et al.	
D517,405	S	3/2006	Snedden et al.	
7,185,827	B2	3/2007	Quintard et al.	
D547,177	S	7/2007	Sherman et al.	
D588,450	S	3/2009	Snedden et al.	
D590,706	S	4/2009	Doliwa et al.	
D591,148	S	4/2009	Parikh et al.	
D600,111	S	9/2009	Gerulski et al.	
D630,949	S	1/2011	Lim	
D646,969	S	10/2011	Snedden et al.	
8,079,478	B2	12/2011	Short et al.	
D671,831	S *	12/2012	Moreau	D9/428
D685,227	S	7/2013	Boonprasop	
8,544,208	B2	10/2013	Huang	
D696,948	S *	1/2014	Kim	D9/454
D703,055	S *	4/2014	Park	D9/454
D749,381	S	2/2016	Magri	
D765,389	S *	9/2016	Martin	D3/203.5
D778,718	S	2/2017	Smith et al.	
9,630,747	B2	4/2017	Smith et al.	
D794,944	S *	8/2017	Martin	D3/203.5
D812,939	S	3/2018	Modlin	
D814,831	S *	4/2018	Modlin	D6/677
D830,779	S	10/2018	Li et al.	
D849,526	S	5/2019	Sanders et al.	
D855,449	S *	8/2019	Smith	D9/414
10,384,834	B2	8/2019	Smith et al.	
D859,894	S *	9/2019	Smith	D6/682.1
D863,053	S *	10/2019	Smith	D9/414

D876,945	S *	3/2020	Smith	D9/414
2003/0234208	A1	12/2003	Huang	
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	B65D 85/70
2017/0190482	A1	7/2017	Smith et al.	
2017/0275075	A1 *	9/2017	Bamonte	A47J 47/10
2018/0362215	A1 *	12/2018	Whetsel	B65D 25/54
2019/0009967	A1 *	1/2019	Lung	B65B 5/04
2019/0152648	A1 *	5/2019	Parve	B65D 21/08

OTHER PUBLICATIONS

Magazine AD for Bud Bar Displays™. 3rd Annual Marijuana Business Conference & Expo, Las Vegas, NV, Nov. 1, 2014. 3 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.

Magazine AD for Bud Bar Displays™. Marijuana Venture Magazine, vol. 1, Issue 7, Sep. 1, 2014. 3 pages.

Magazine AD for Bud Bar Displays™. The News Tribune, Aug. 15, 2014. 2 pages.

Pictures of Bud Bar Displays™ booth at The KushCon Convention, which features the Epods. Denver, Colorado, Dec. 1, 2010. 3 pages.

Website photo. cannabisaroma cannapod. www.budbardisplays.com. Published Jan. 23, 2016.

Website photo. BadBar. www.budbardisplays.com. Published Jan. 23, 2016.

Website photo. Aroma epod. 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. Canna pod. www.budbardisplays.com. Published Jul. 9, 2017.

Website photo. Eco Pod Cabinet. www.budbardisplays.com. Published Jul. 9, 2017.

Website photo. e-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.

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>.

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>.

<https://www.facebook.com/BudBarDisplays/photos/a.752023264838994/752029241505973/?type=3&theater>. Aug. 2, 2014.

* cited by examiner

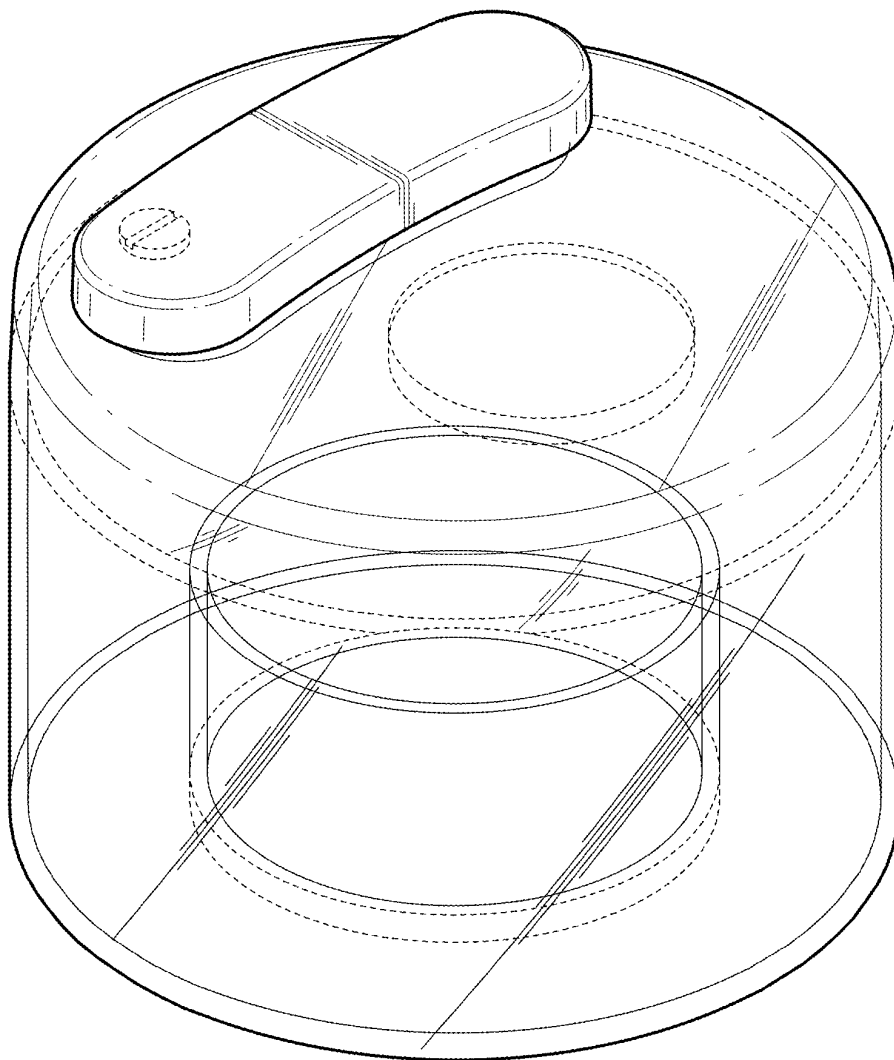


FIG. 1

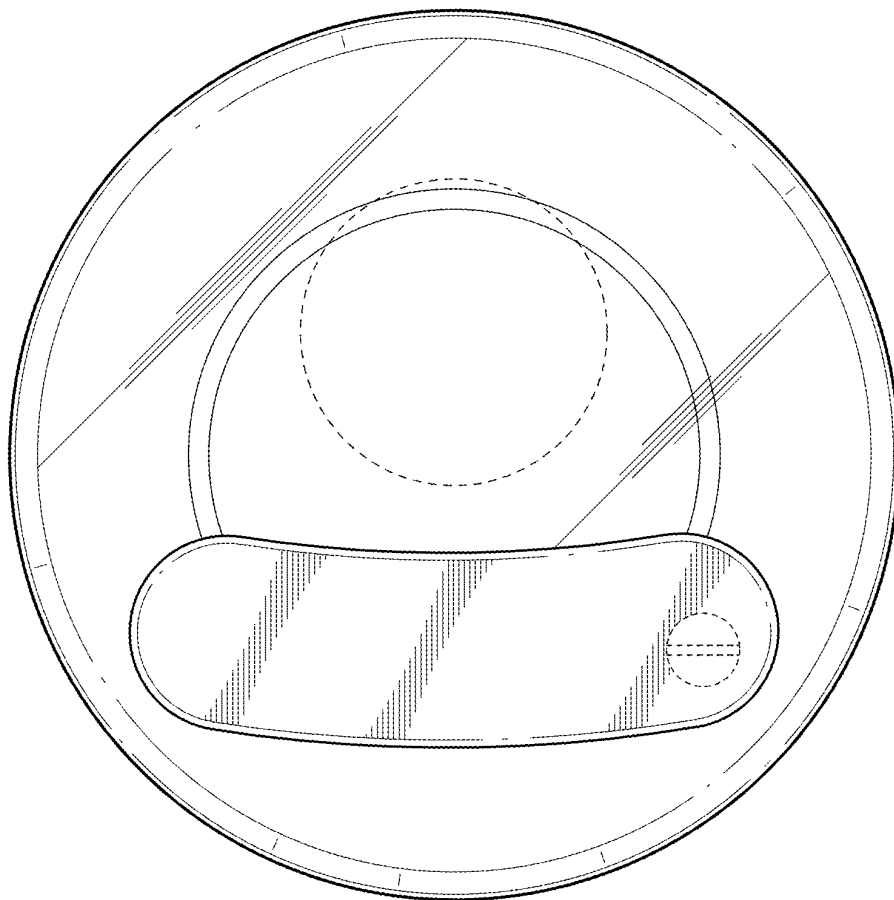


FIG. 2

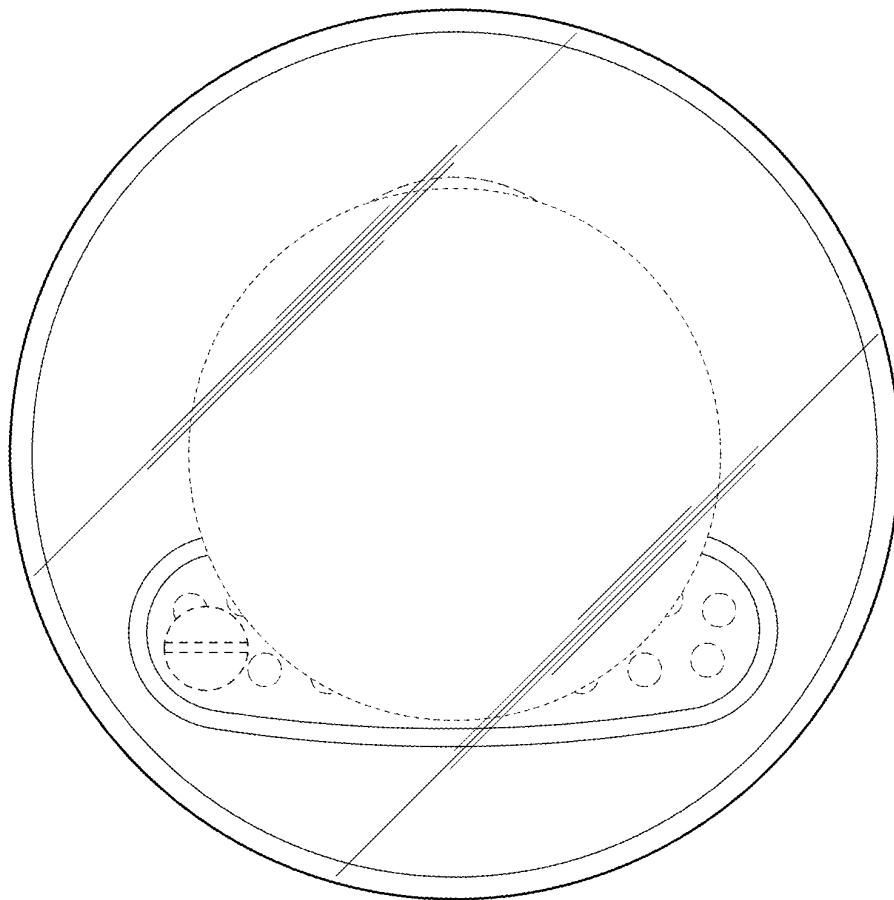


FIG. 3

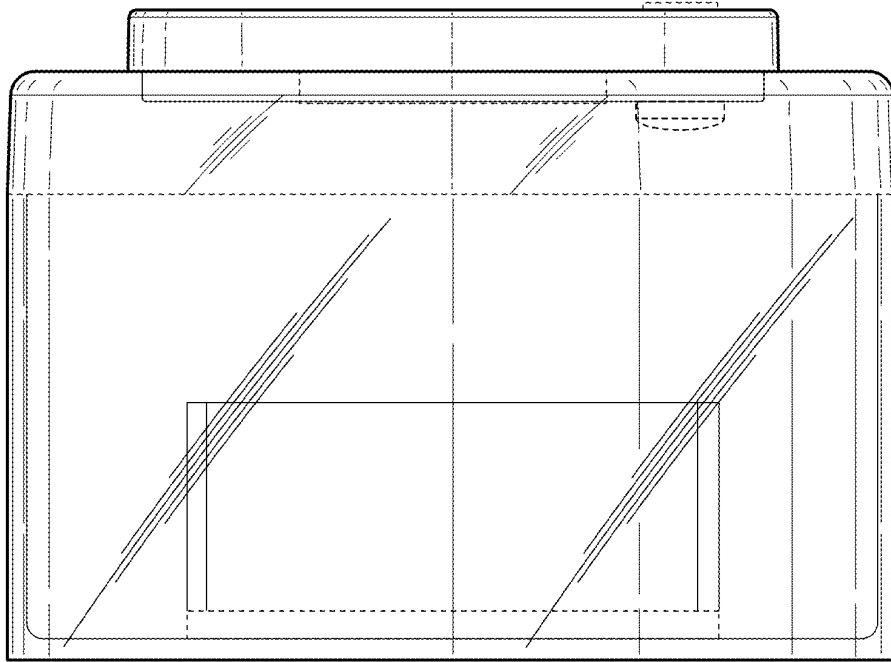


FIG. 4

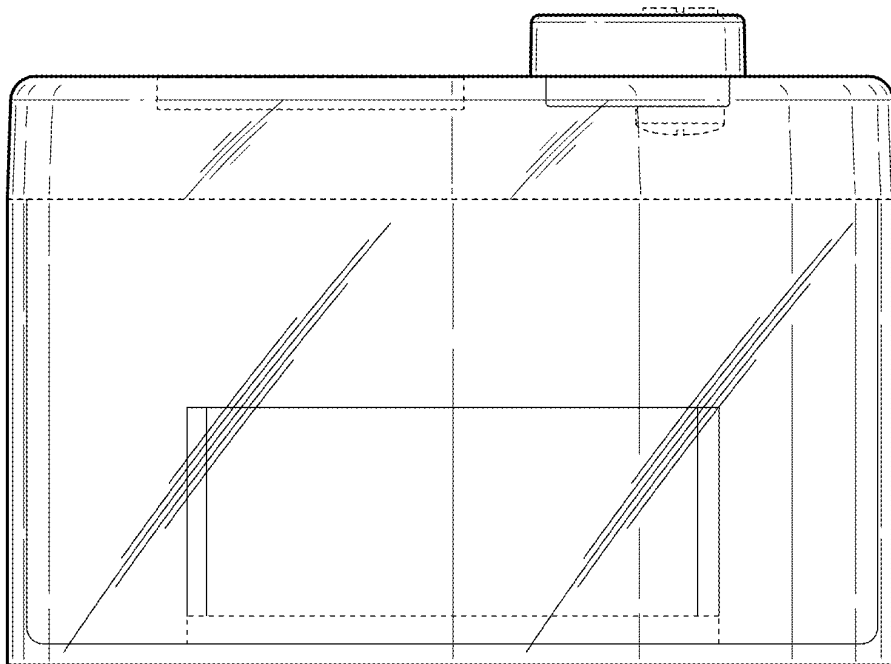


FIG. 5

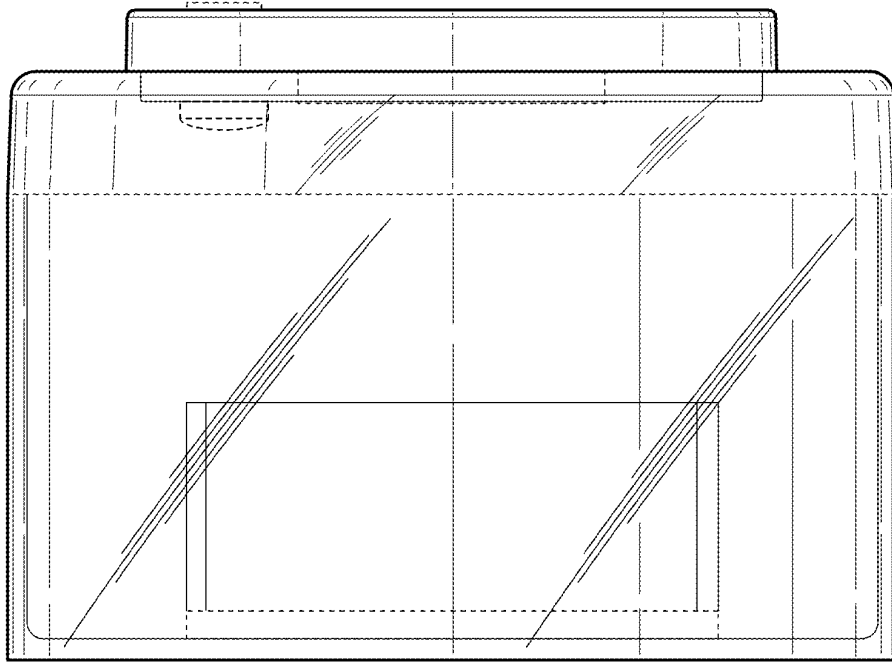


FIG. 6

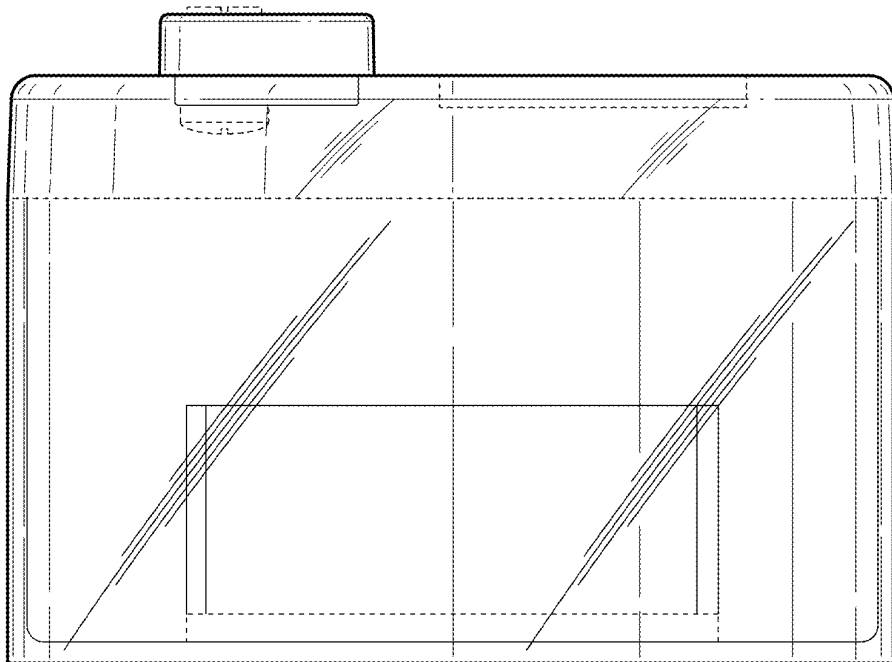


FIG. 7

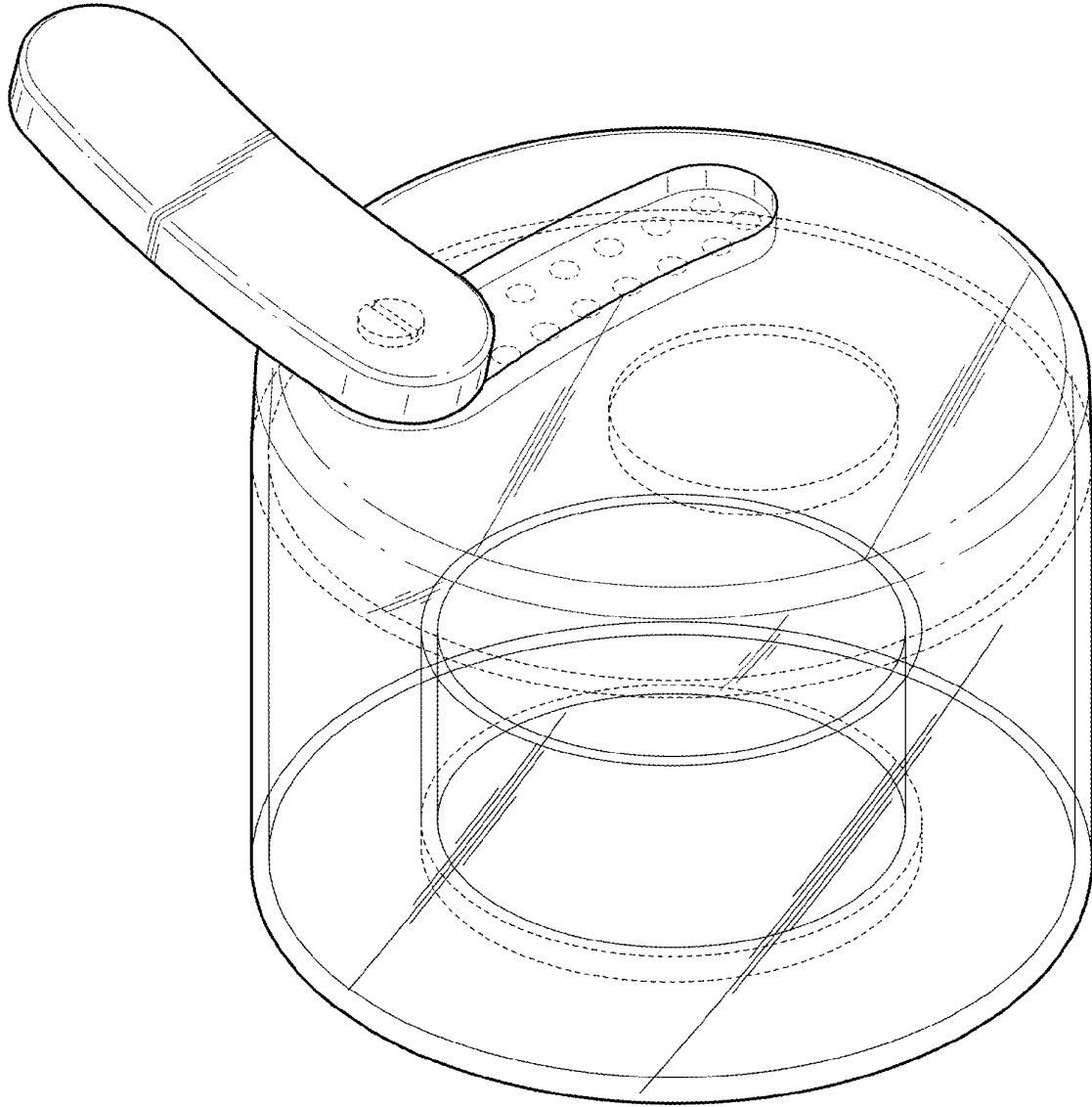


FIG. 8

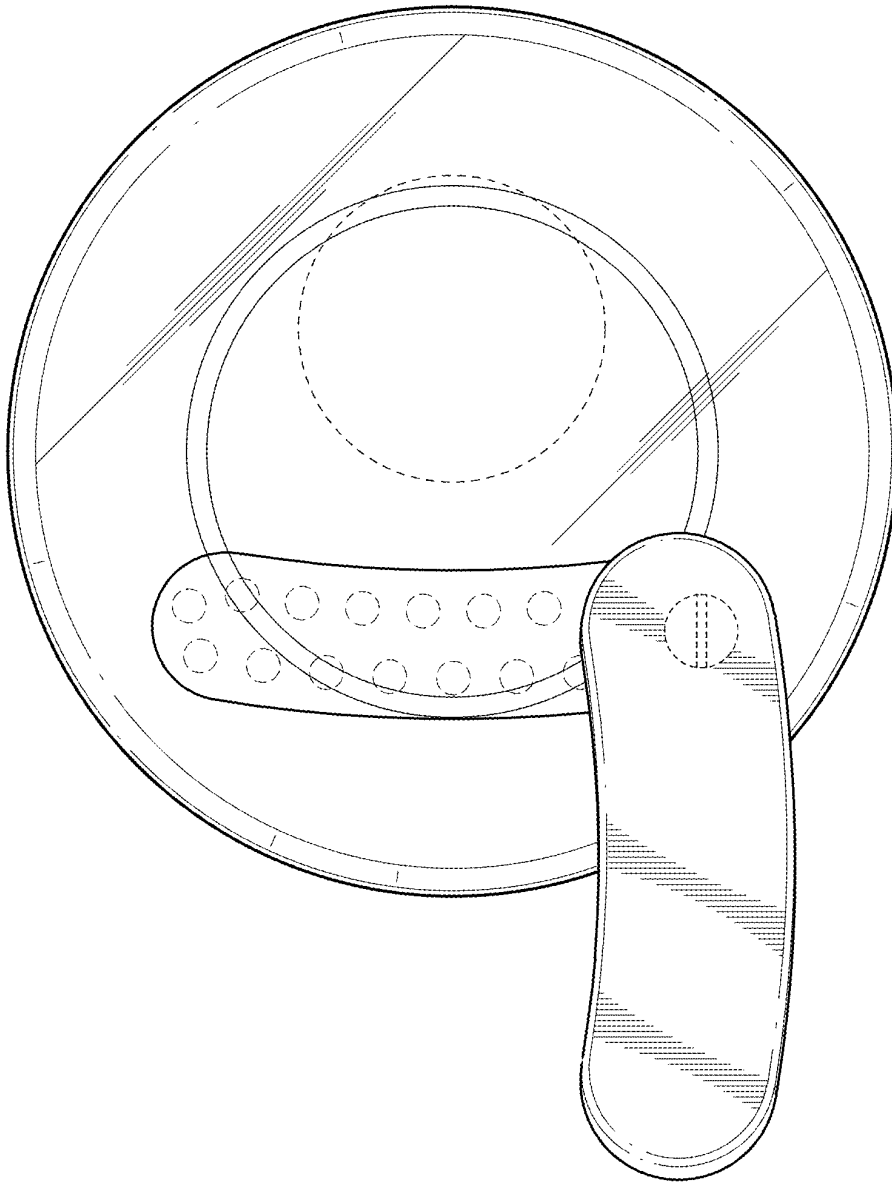


FIG. 9

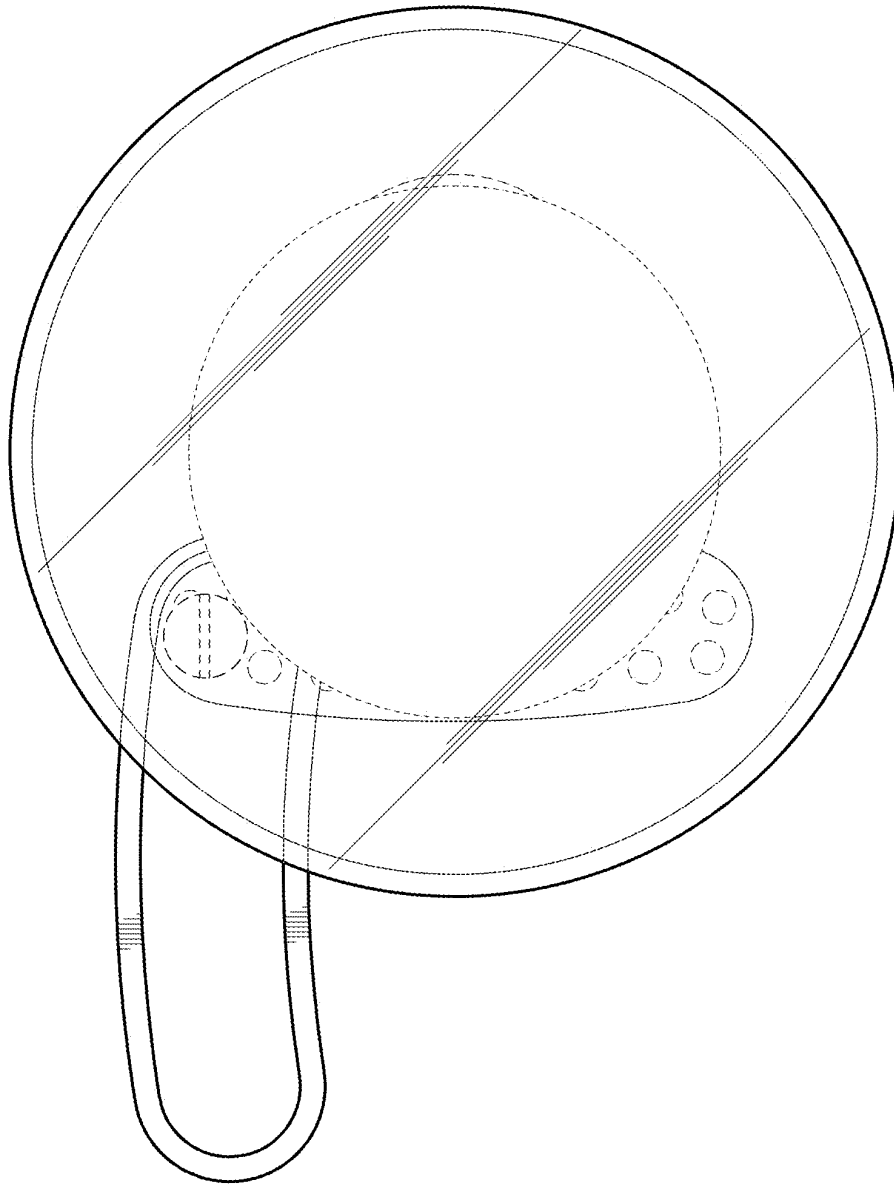


FIG. 10

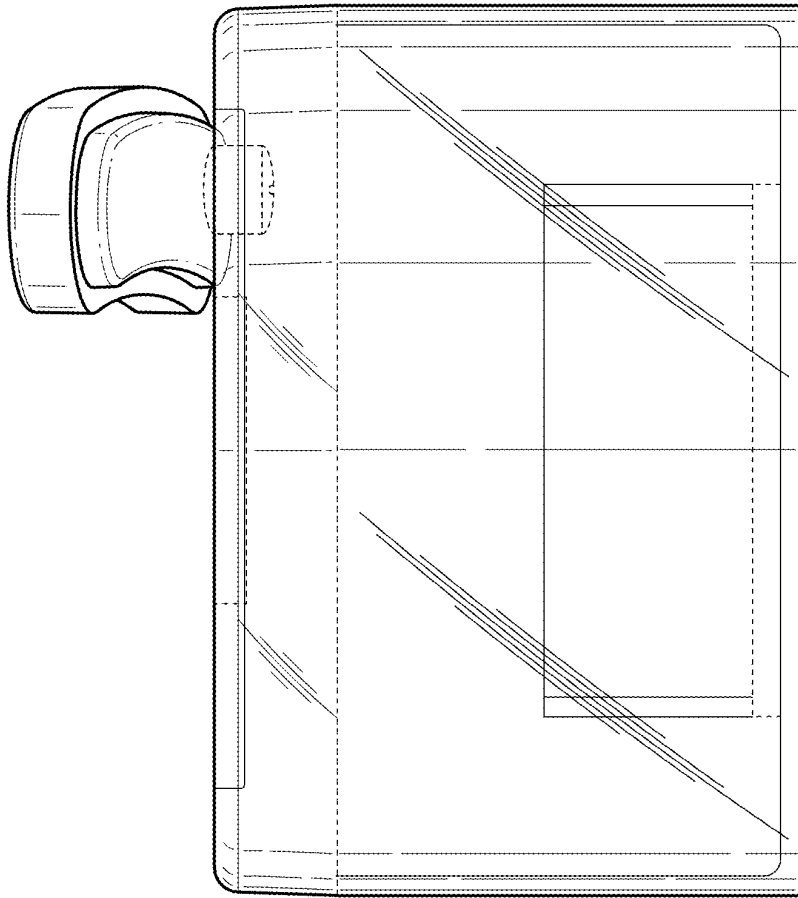


FIG. 11

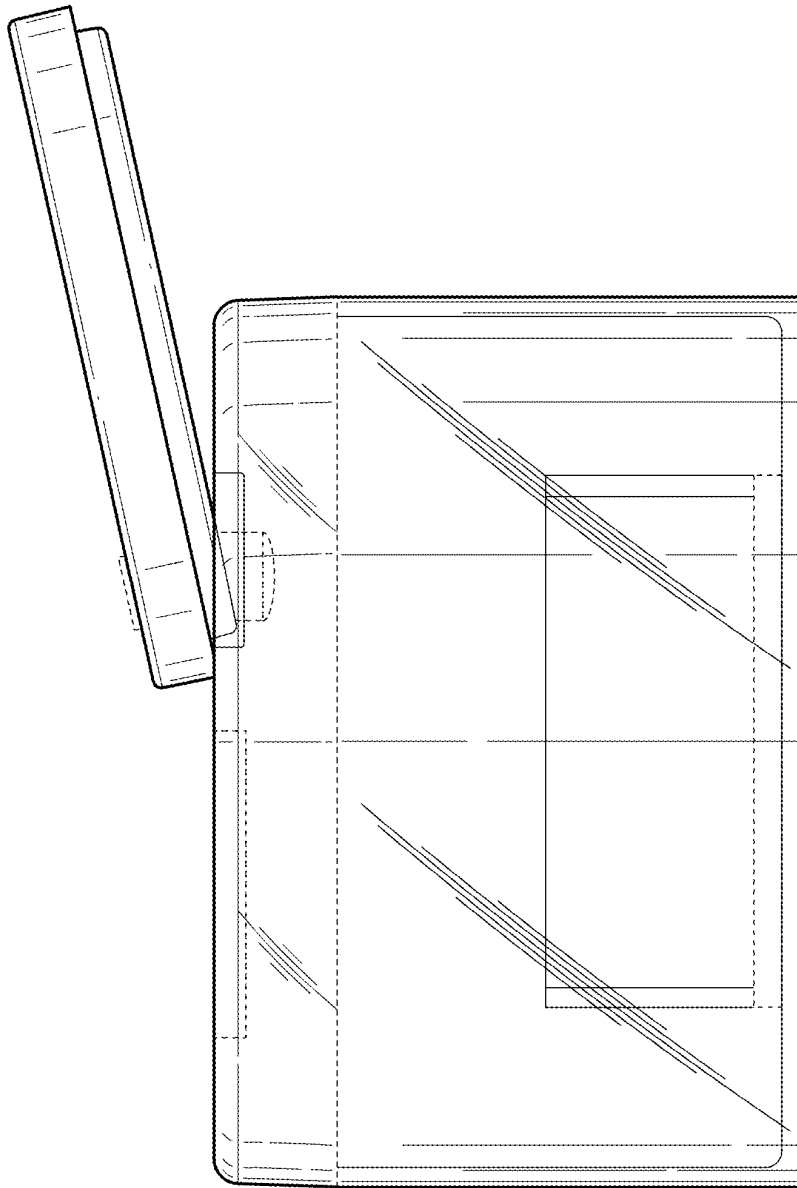


FIG. 12

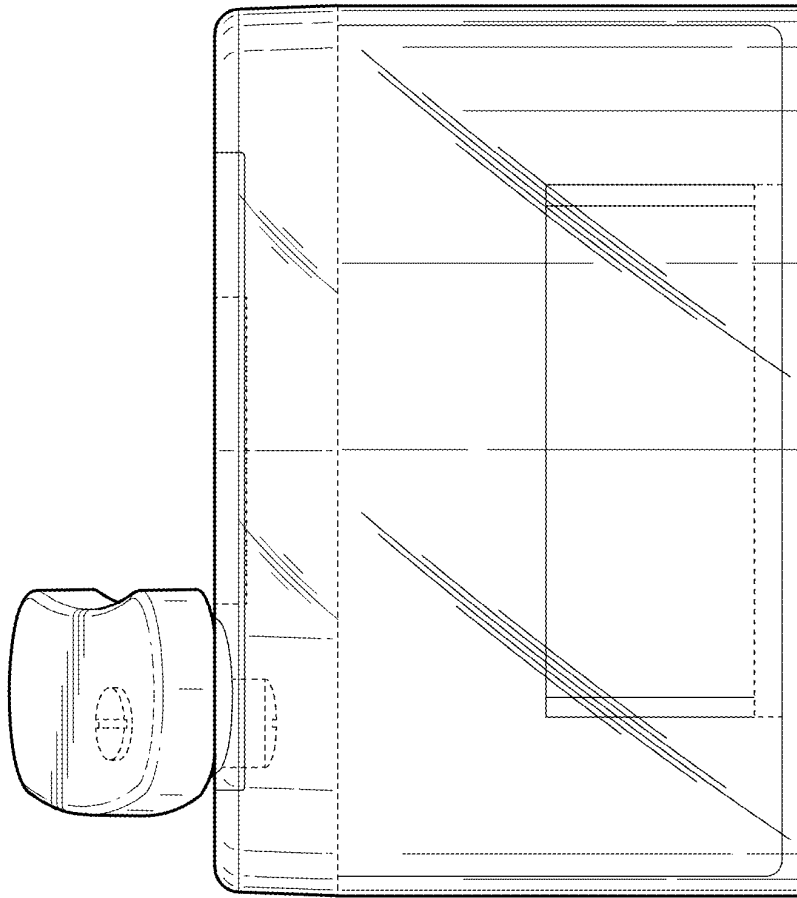


FIG. 13

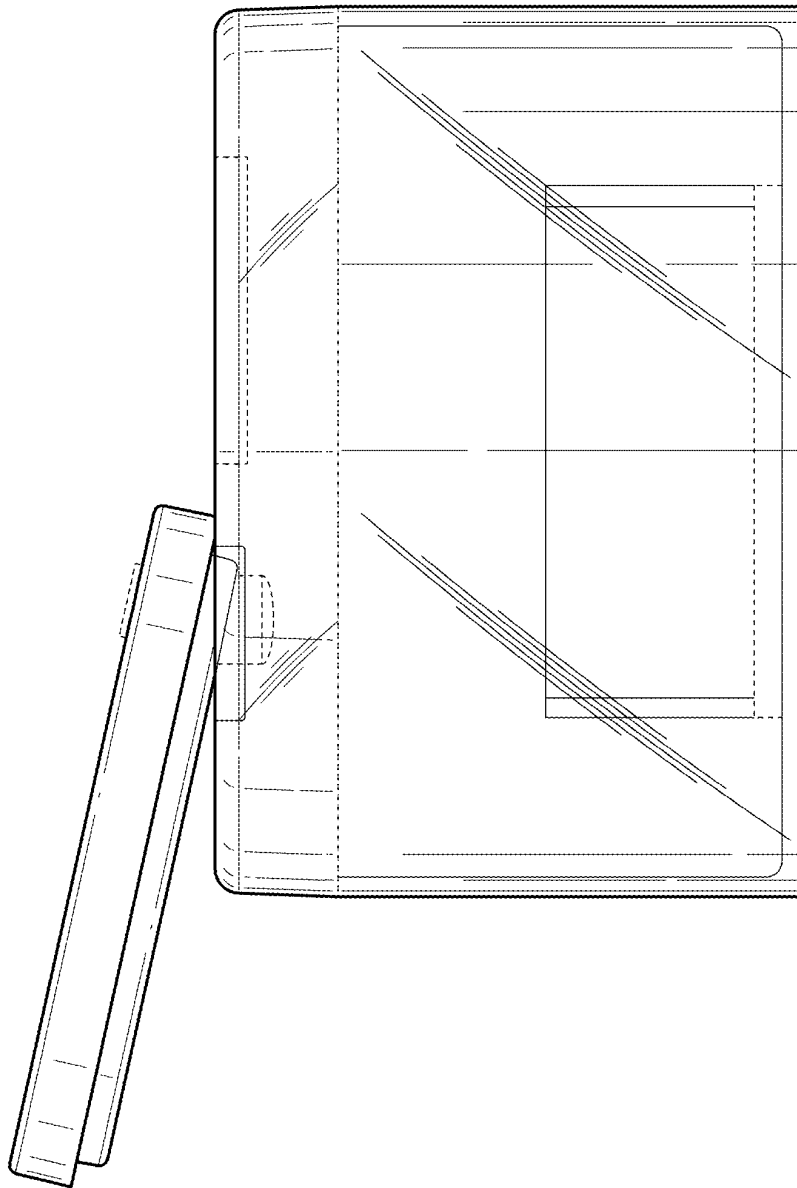


FIG. 14

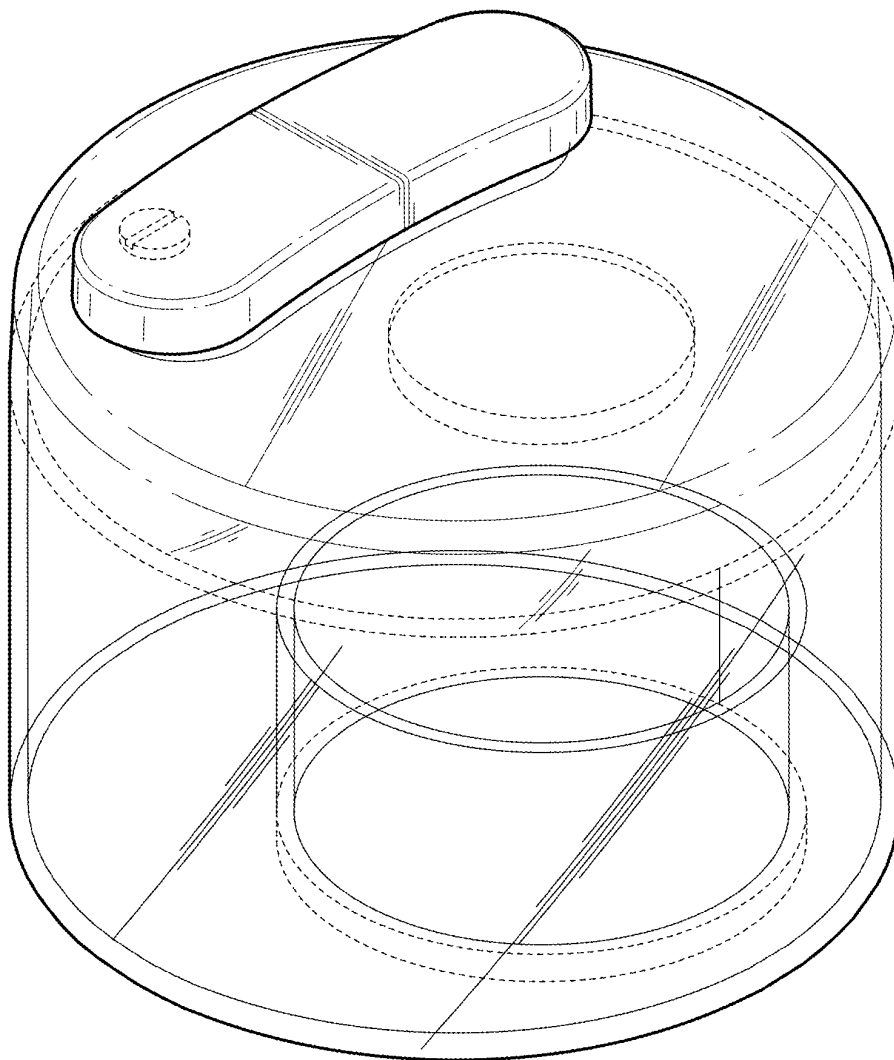


FIG. 15

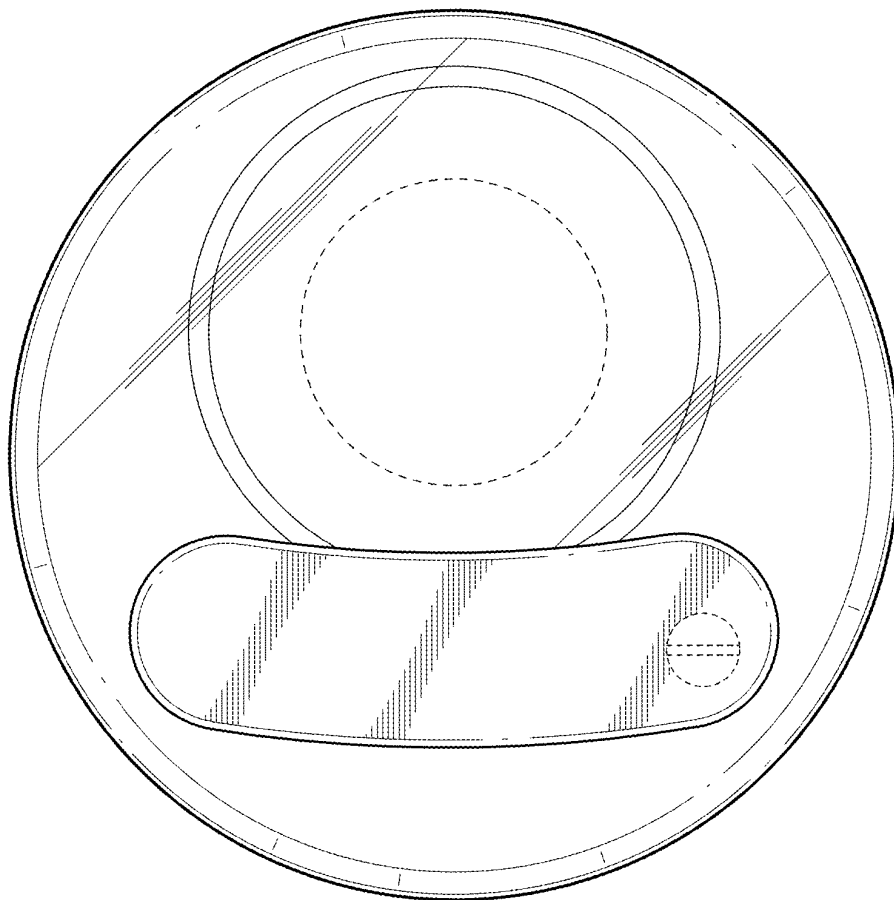


FIG. 16

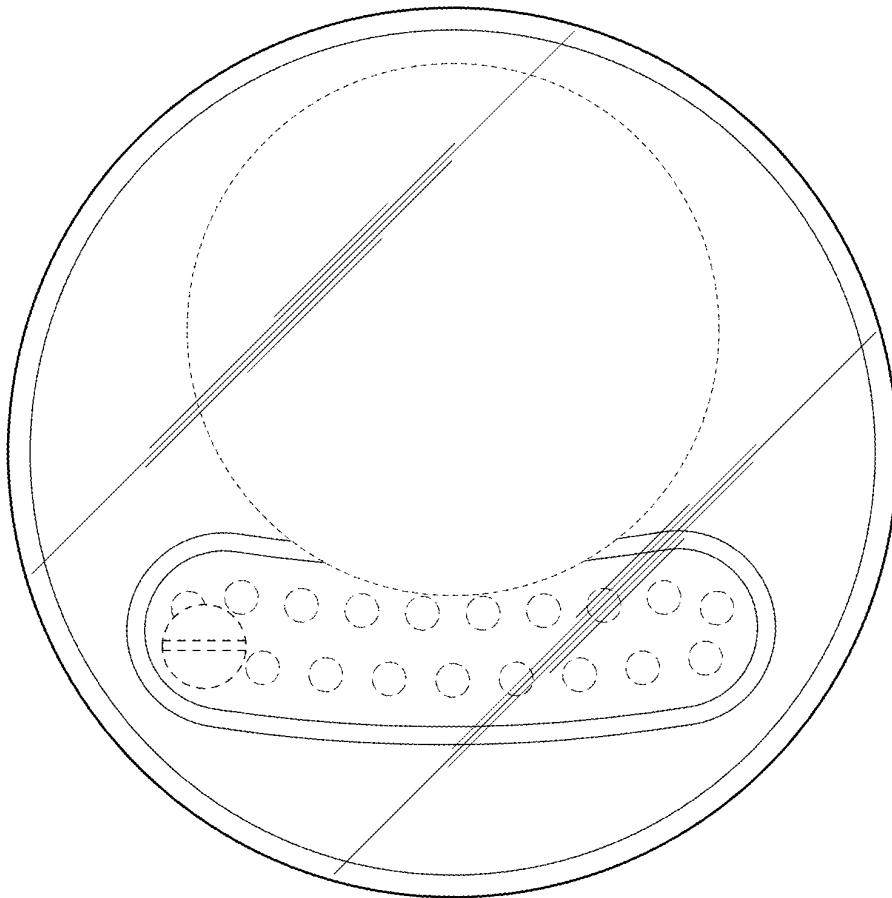


FIG. 17

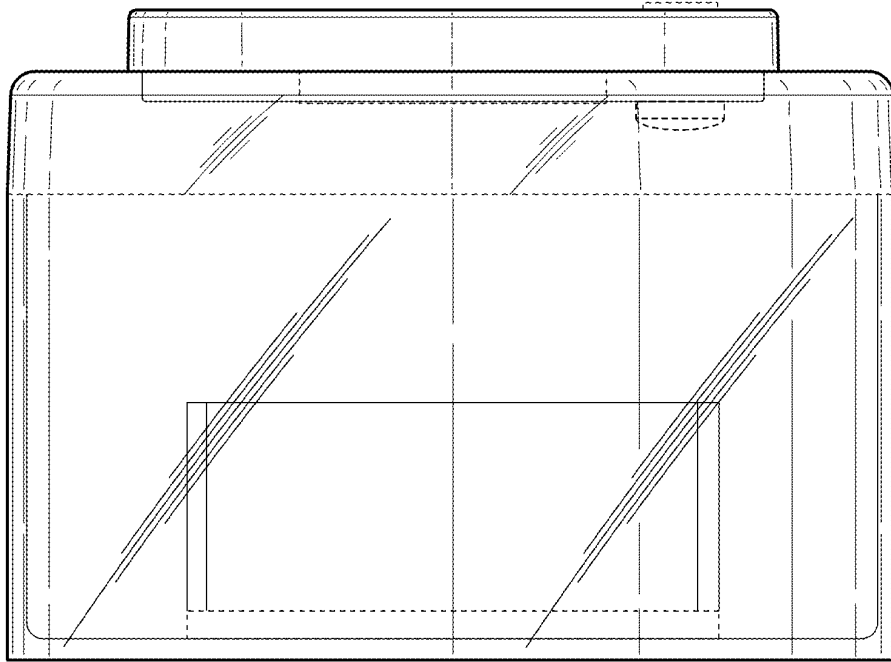


FIG. 18

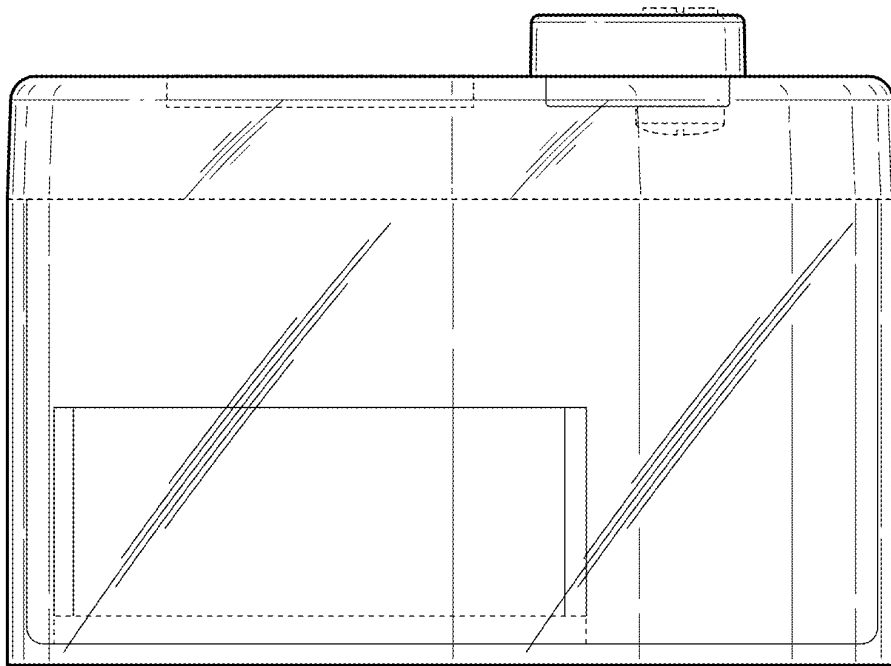


FIG. 19

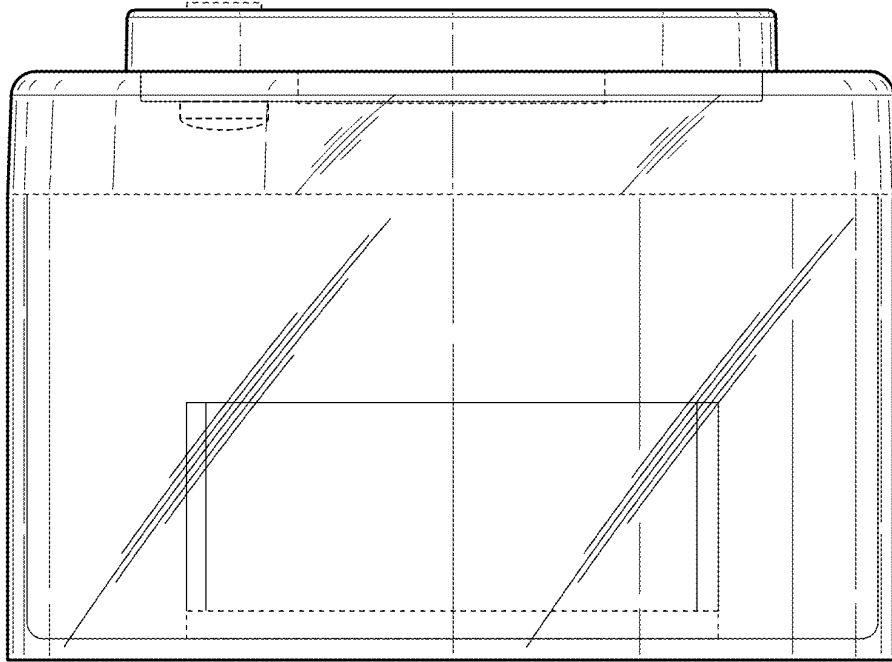


FIG. 20

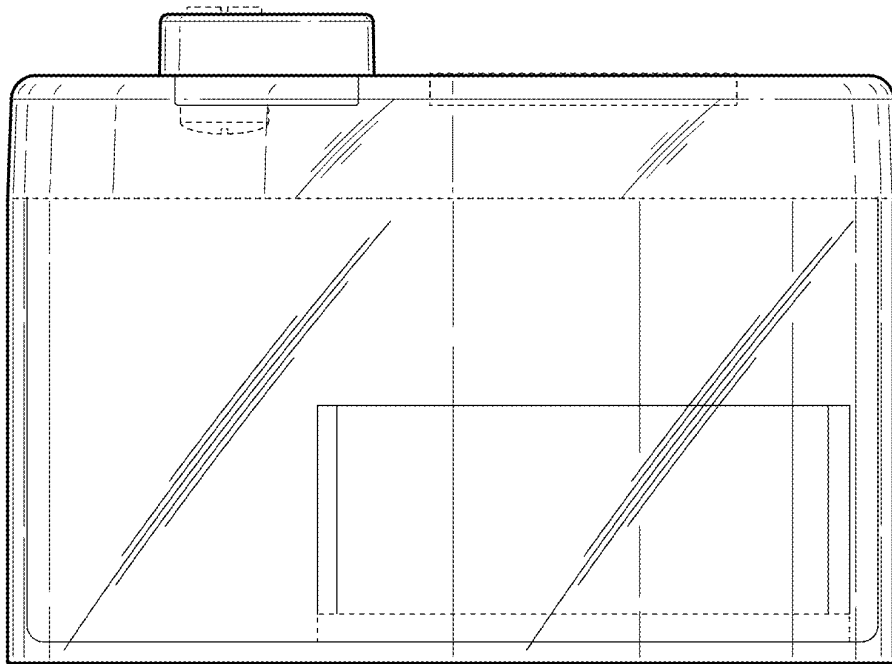


FIG. 21

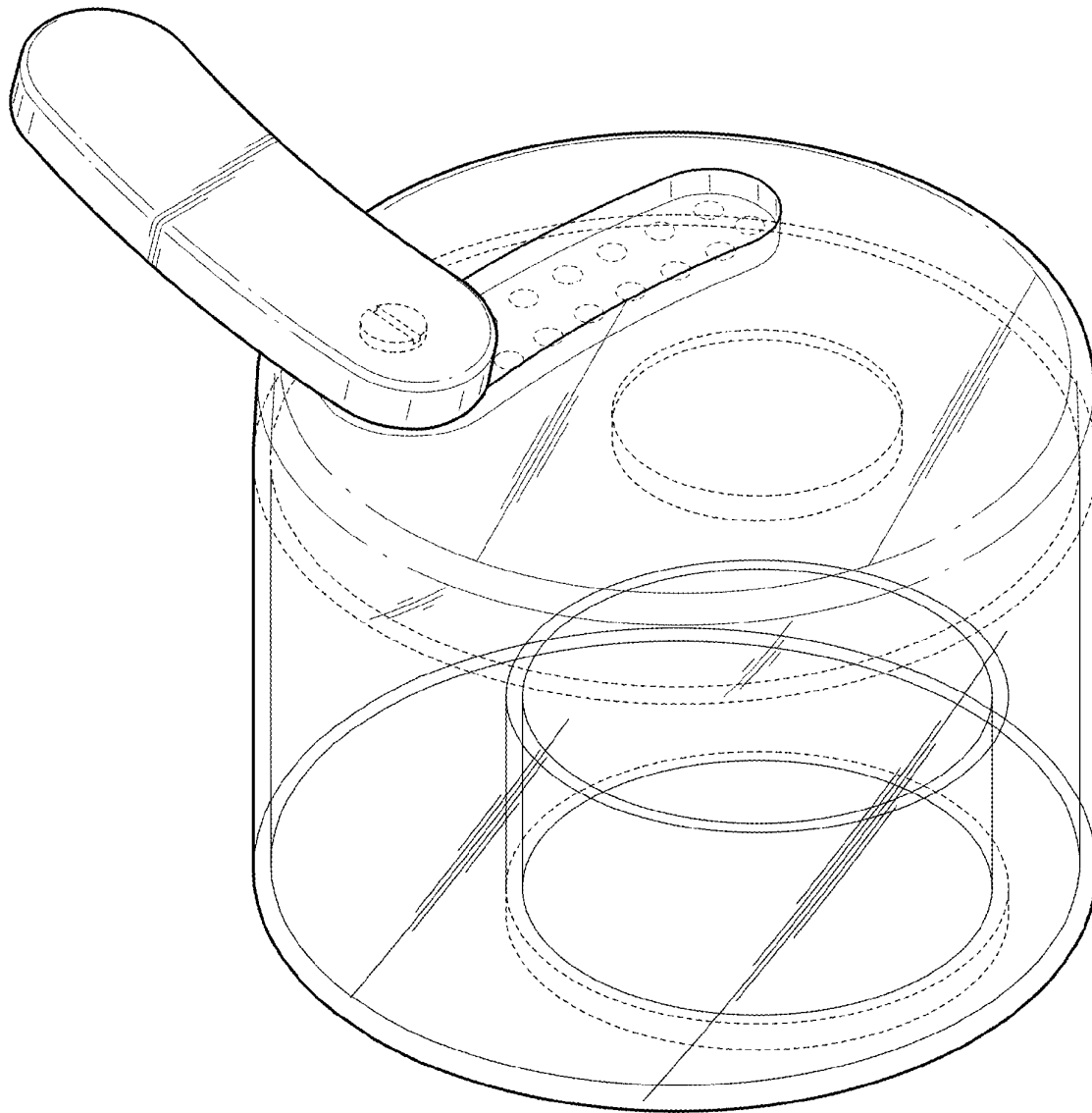


FIG. 22

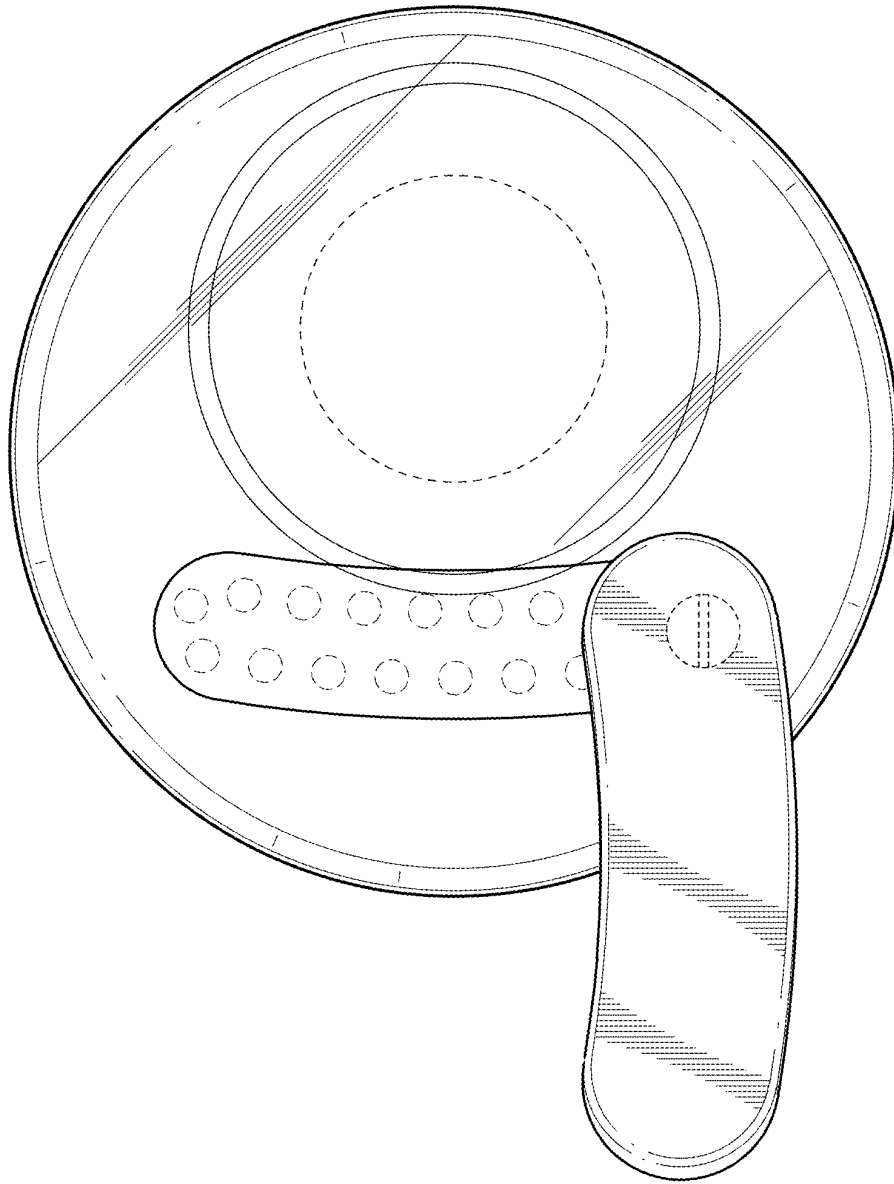


FIG. 23

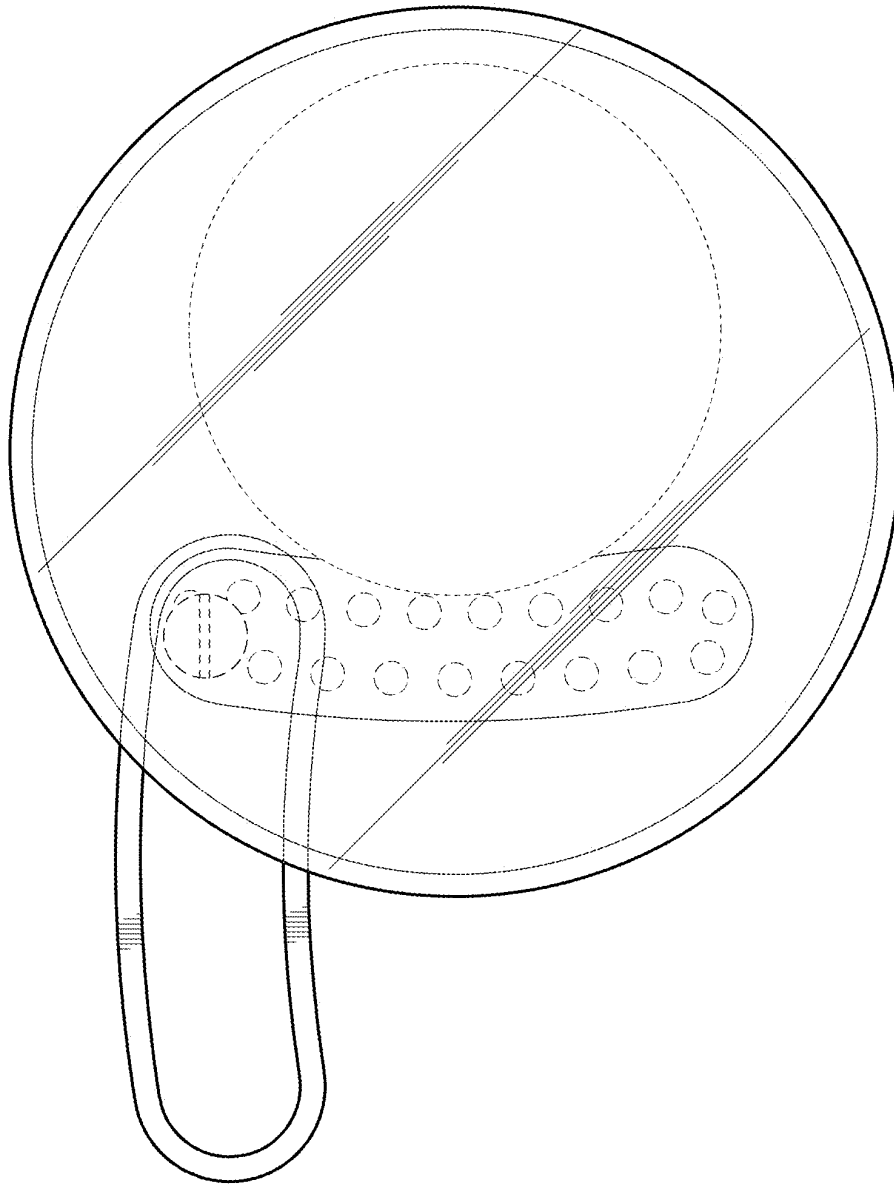


FIG. 24

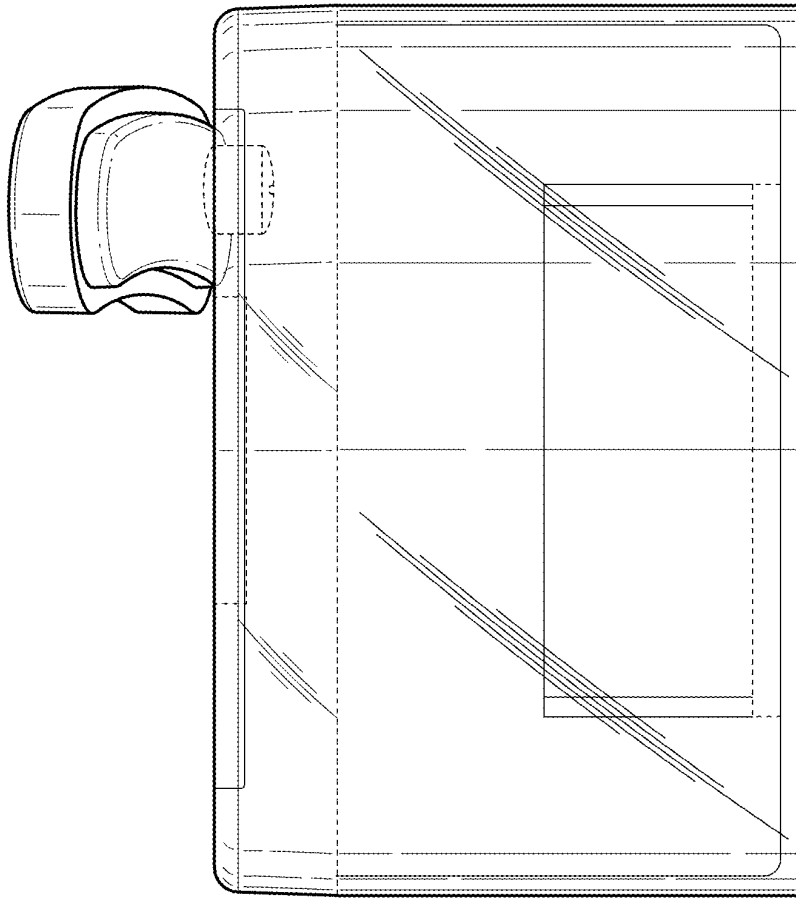


FIG. 25

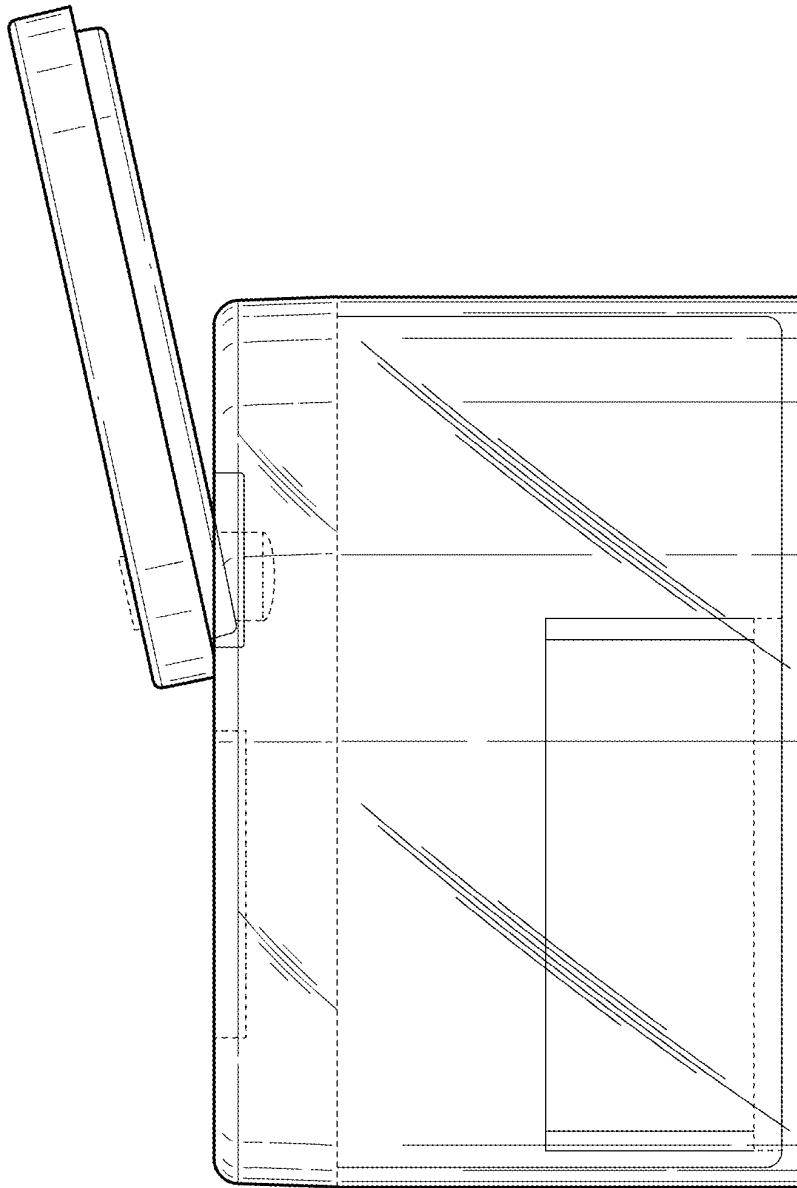


FIG. 26

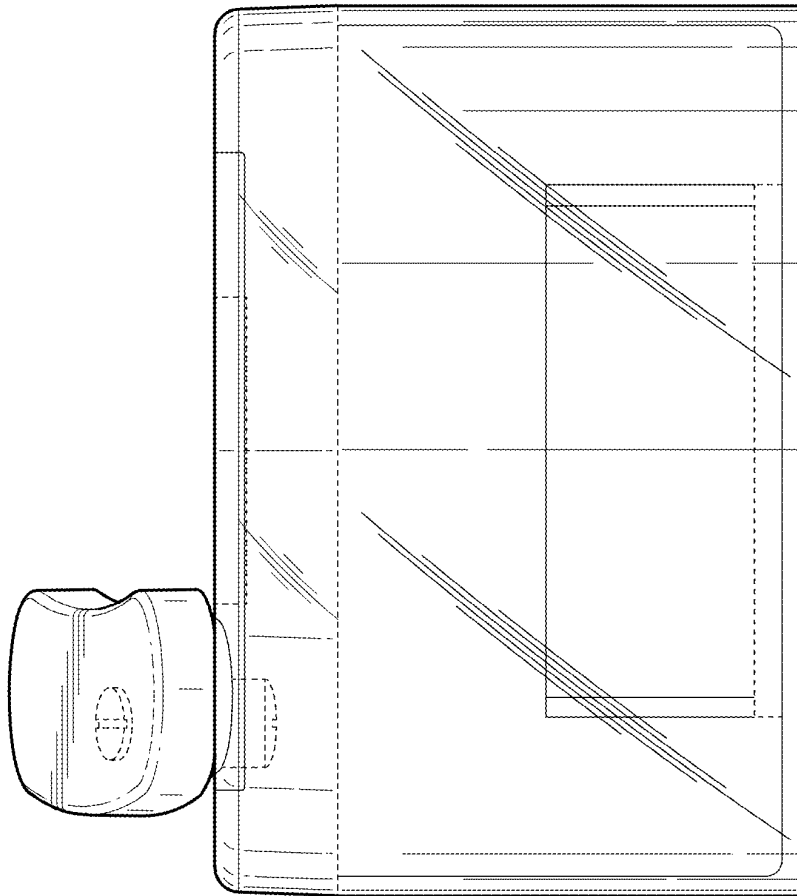


FIG. 27

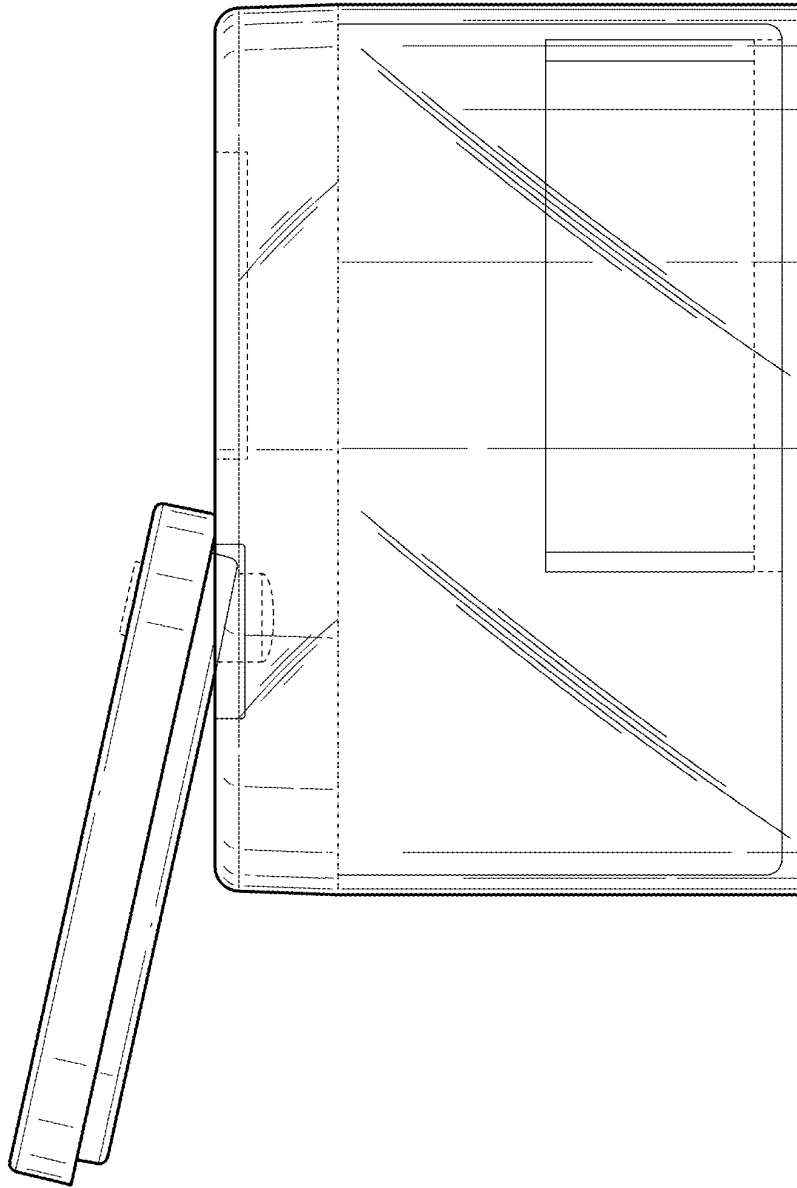


FIG. 28