

Castillo Grau & Asociados
ABOGADOS

SUPERINDUSTRIA Y COMERCIO
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Trabite : 002 PATENTES D 1 REGISTRO/ 444 REPUESTA
Dependencia: 2020 DIVISIO: DE NUEVAS CREACIONES

Señores
DIVISION DE NUEVAS CREACIONES
Superintendencia de Industria y Comercio
Ciudad.-

02-01-08-
Re.: Expediente No. 2000 - 8.858
Solicitud de Patente

Adjunto me permito acompañar lo siguiente:

- 1.- El arte final por triplicado
- 2.- Juego de dibujos debidamente señalizado
- 3.- Debidamente traducida, la copia oficial de la solicitud de patente básica estadounidense No. 09/248.240

Renuncio al término faltante de traslado y le solicito ordenar la publicación del extracto.

De Ud. atentamente,

GERMAN CASTILLO GRAU

T.P. 2978

FORMATO DE DIGITALIZACION RELACION DE ANEXOS



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Expediente No		No de Folio
008858		36
Item	No de unidades	
1	CD	
2	DVD	
3	REVISTA	
4	LIBRO	
5	PERIODICO	
6	DISQUETES	
7	SOBRE DE MANILA	
8	SOBRE BLANCO TAMAÑO CARTA	
9	SOBRE BLANCO TAMAÑO OFICIO X	✓
10	OTROS:	

Observaciones: Arte Final

Castillo Grau & Associates

LAW OFFICES
P.O. BOX 251473
BOGOTA, COLOMBIA

Expediente No. 2000 - 8.858

Solicitud de patente

Contiene el arte final por triplicado

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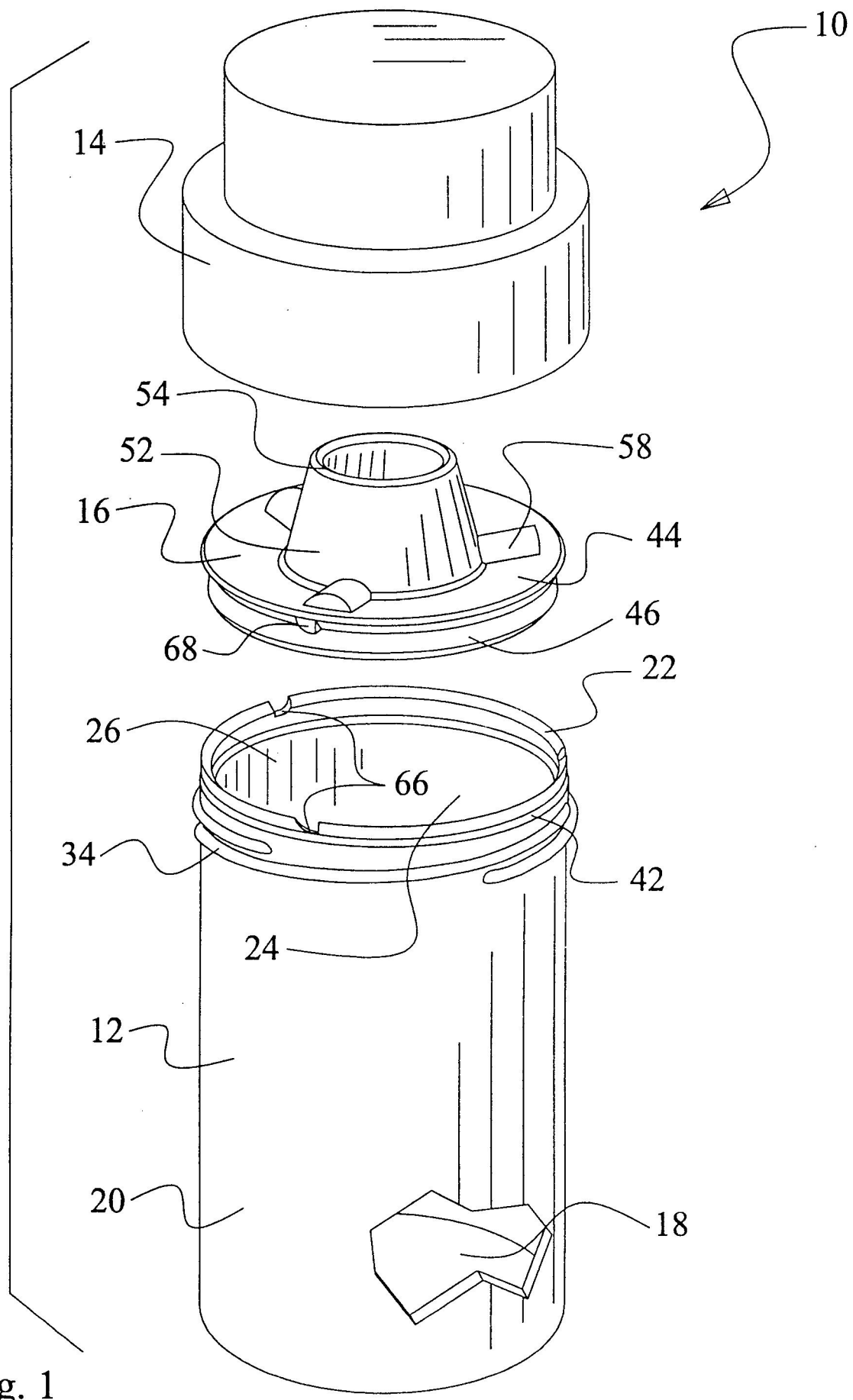
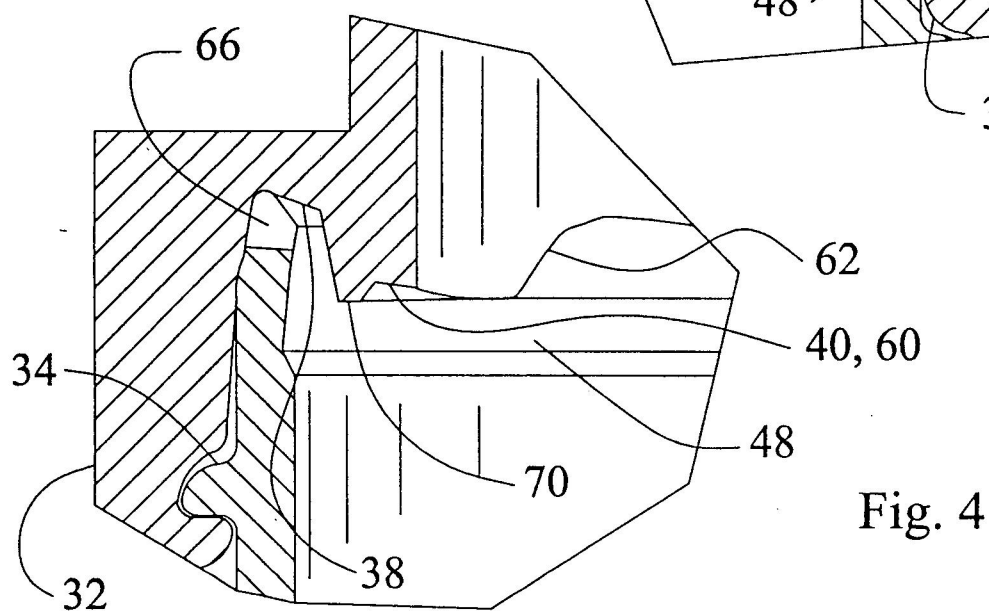
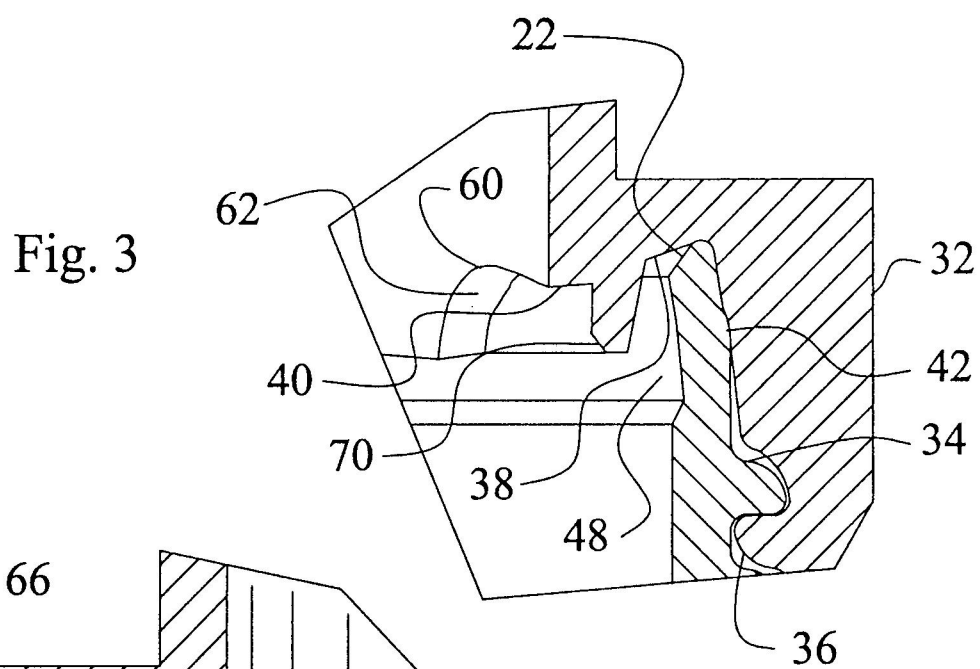
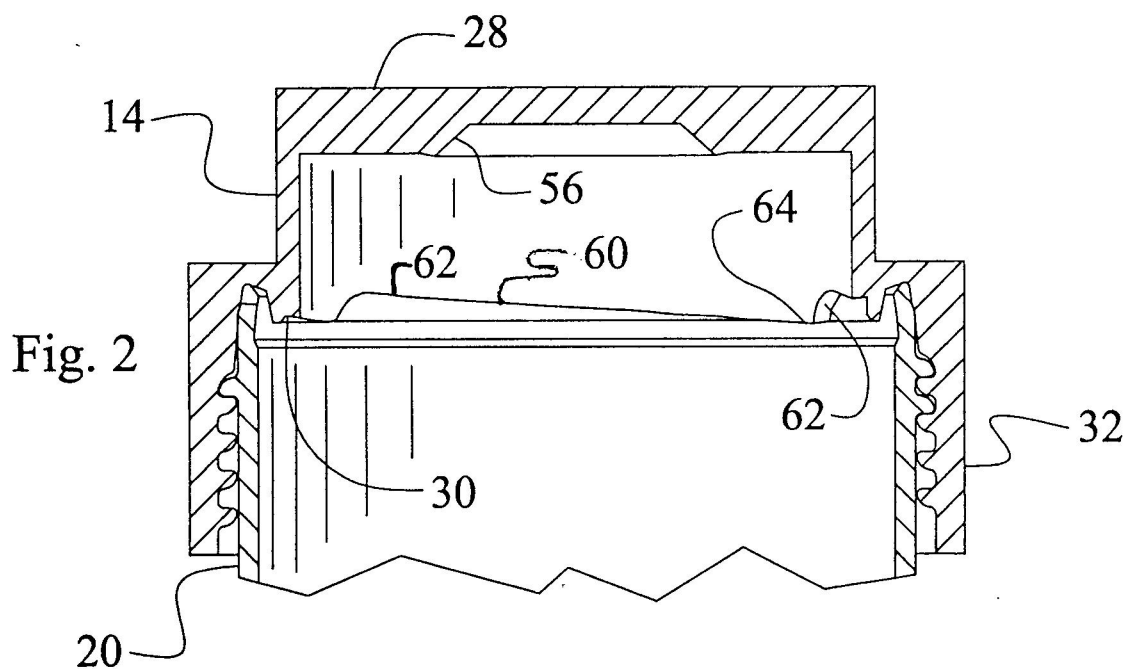
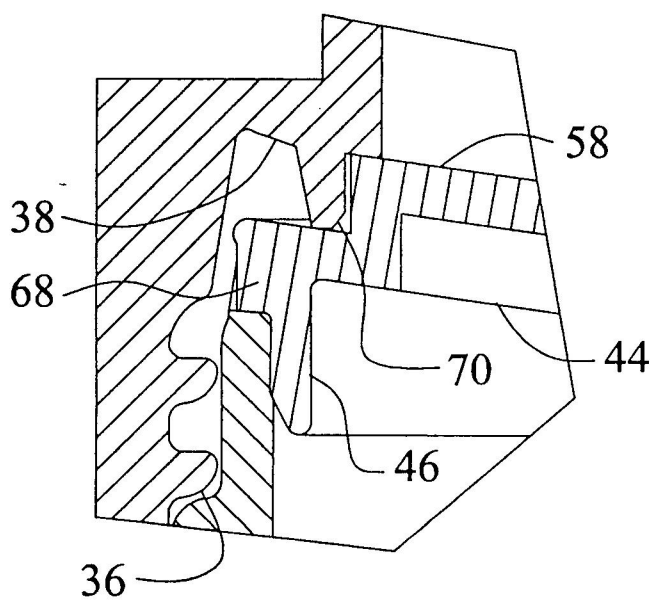
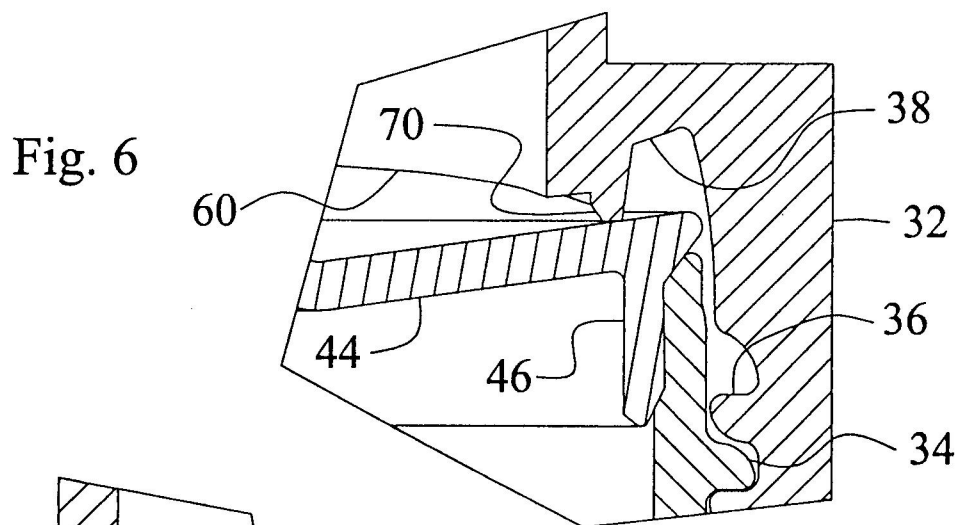
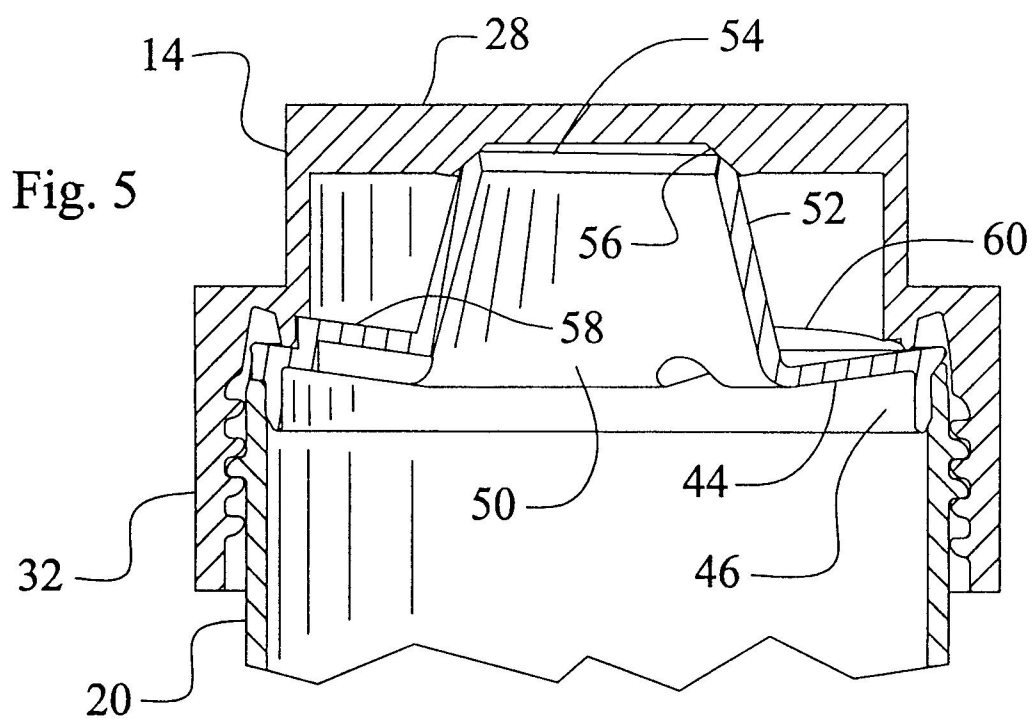


Fig. 1

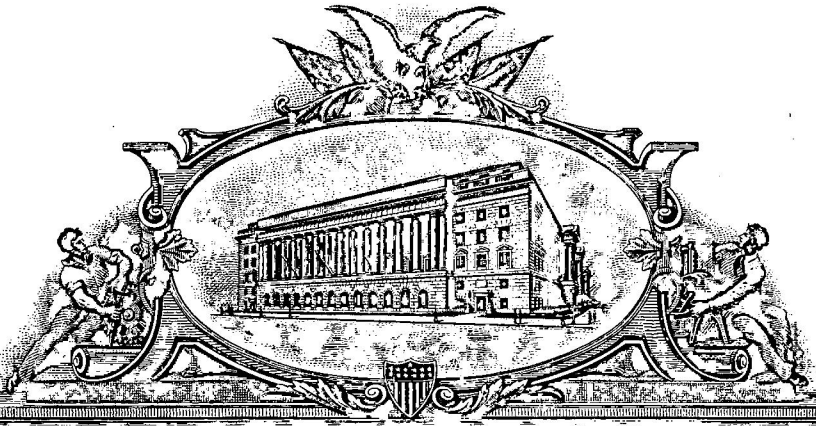
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PA 204217



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

February 07, 2000

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A FILING DATE UNDER 35 USC 111.

APPLICATION NUMBER: 09/248,240

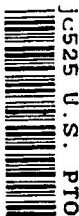
FILING DATE: February 10, 1999



By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS

P. SWAIN
Certifying Officer

02/10/99



JCS25 U.S. PTO

pat. appl. 11

41 45
AUTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 130437-M200
First Inventor or Application Identifier CAUTEREELS
Title BEVERAGE CONTAINER WITH CAP AND SPOUT
Express Mail Label No. EL199263881US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 14]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
4. Oath or Declaration [Total Pages 3]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY
FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT
IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement of Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ * Small Entity Statement filed in prior application,
Statement(s) Status still proper and desired
(PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☐ Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied
under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by
reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

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Name (Print/Type)	Taylor J. Ross	Registration No. (Attorney/Agent)	33,342
Signature		Date	2/10/99

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Patent
130437-M200

BEVERAGE CONTAINER WITH CAP AND SPOUT

EL199263881US

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is related to Serial No. (Atty. Dkt. No. 130438-D200) and Serial No. (Atty. Dkt. No. 130440-D200), which are incorporated by reference herein and made a part hereof, including but not limited to those portions which specifically appear hereinafter.

5 STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH

Not Applicable.

BACKGROUND OF THE INVENTION

The present invention relates in general to beverage containers for personal use. In particular, the present invention relates to a beverage container which may be used for storing and dispensing a single serving of carbonated and non-carbonated beverages.

10 In the home, beverages are often transferred from original packaging to a container for personal use. Such containers are currently available in a variety of forms. In the general sense, these containers consist of a base defining a cavity for retaining the beverage and a cap for sealing the base. For storing non-carbonated beverages, the seal between the base and cap is often of primary concern, as leakage poses the obvious problems of beverage loss, beverage contamination, and mess. The seal is also important for the storage of carbonated beverages for the same reasons. Further, the seal must additionally be to some degree gas-tight to retain the carbonation for the desired period of time.

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While the seal is thus also important for carbonated beverage containers, a greater concern is typically the danger posed by the build-up of pressure within the container, especially during removal of the cap. Specifically, the internal pressure acts upon the underside of the cap tending to force it away from the base. As the user removes the cap, this pressure may cause the cap to be expelled from the container in a very energetic manner. This may even be so energetic as to cause danger to the user.

SUMMARY OF THE INVENTION

An object of the present invention is to provide a container which will store a beverage with freshness for a predetermined desired amount of time.

Another object of the present invention is to provide such a container which has a sufficient seal for use with both carbonated and non-carbonated beverages.

A further object of the present invention is to provide such a container which automatically vents internal pressure during opening.

Yet another object of the present invention is to provide such a container which has a simple design using only a few parts which may each be easily mass-produced.

These and other objects are achieved by a beverage container having a base and a cap threaded thereto, and which may be used with a spout mounted to the container mouth. The cap includes a shoulder section having a rim contact section to seal to the container upper rim when the spout is not employed. The shoulder section also includes a spout contact section having a cam surface. The spout includes a follower ridge which is engaged by the cam surface to retain the spout in position as the cap is rotated for removal. This permits the spout to vent any accumulated pressure

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from a stored carbonated beverage, and thus prevents the spout from being disengaged from the base due to the accumulated pressure.

BRIEF DESCRIPTION OF THE DRAWINGS

The objects and features of the invention noted above are explained in more detail with reference to the drawings, in which like reference numerals denote like elements, and in which:

Fig. 1 is an exploded perspective view of a container according to the present invention showing the base, spout and cap;

Fig. 2 is a detail cross-sectional view of the assembled base and cap of the container of Fig. 1;

Fig. 3 is a cross-sectional view showing a detail of Fig. 2;

Fig. 4 is a cross-sectional view showing a second detail of Fig. 2;

Fig. 5 is a detail cross-sectional view of the assembled base, spout and cap of the container of Fig. 1;

Fig. 6 is a cross-sectional view showing a detail of Fig. 5; and

Fig. 7 is a cross-sectional view showing a second detail of Fig. 5.

DETAILED DESCRIPTION OF THE INVENTION

With reference to Fig. 1, a container according to the present invention is generally designated by reference numeral 10. The container 10 includes at least a base 12 and a cap 14, and may further include a spout 16. In particular, when used to store non-carbonated beverages, the base 12 and cap 14 may be used alone (but may also be used with the spout 16). However, when used to store carbonated beverages, the base 12 and cap 14 will be used with the spout 16.

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The base 12 includes a bottom wall 18 having a periphery, and a side wall 20 extending upward from this periphery, and ending at an upper rim 22. While the periphery of the bottom wall 18 may have various shapes, the upper rim 22 will be circular. The bottom wall 18 and side wall 20 together define a container interior 24 which may receive the beverage to be stored. The upper rim 22 further defines a mouth 26 providing access to, and egress from, this interior. The bottom wall 18 and side wall 20 may be formed of various materials such as glass, metal or plastic, and may be of the same or diverse materials. It is preferred, however, that they be formed as a monolithic plastic unit formed by injection molding. This is due not only to reduced cost, but also to permit sufficient deformation of the upper rim 22 (described more fully below) which may be difficult to achieve using more rigid materials such as glass or metal.

As noted, a beverage may be stored within the interior 24 of base 12. To prevent unintended egress of the beverage, the cap 14 is provided and serves to close the interior 24. As best illustrated in Fig. 2, the cap 14 includes a central portion 28 having generally domed shape with a lower edge, a shoulder section 30 at this lower edge, and a skirt 32 extending downward from the shoulder section 30. The skirt 32 generally has an inner diameter slightly greater than the outer diameter of the base 12, and threads 34 are formed on the base 12 to mate with inner threads 36 on the interior of skirt 32. The threads 34 and inner threads 36 permit the cap 14 to be secured to the base 12 by threaded engagement. When fully seated, the shoulder section 30 will abut against the upper rim 22, either directly as show in Figs. 2-4, or via the spout as shown in Figs. 5-7.

As best illustrated in Figs. 3 and 4, the shoulder section 30 is comprised of two distinct sections. These are a rim contact section 38 and spout contact section 40 (described more fully

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below). The rim contact section 38 is intended to abut directly against the upper rim 22 when the cap 14 is fully seated upon base 12. As may be envisioned, this will serve to block the flow of the beverage from the interior 24. In practice, however, it can be difficult to achieve proper contact, and thus a proper seal, about the entirety of upper rim 22.

5 To ensure a proper seal, it is preferred that the base 12 include a sealing bead 42 (Fig. 1) extending about the exterior of side wall 20 at a position in proximity to, but spaced from, the upper rim 22. Further, it is preferred that the interior of skirt 32 taper inward adjacent the shoulder section 30, and in particular between shoulder section 30 and the position of the sealing bead 42 when the cap 14 is fully seated. As may be seen, the inward taper will serve to compress upon the sealing bead 42 as the cap 14 moves toward the seated position, providing the desired seal should the upper rim 22 not fully abut rim contact section 38.

10 The above description should make clear the operation of the container 10 when used with only the base 12 and cap 14. As noted, this use is suitable for non-carbonated beverages. For carbonated beverages, it is preferred (but not required) that the spout 16 also be used. This arrangement will now be discussed.

15 As shown in Fig. 1, the spout 16 generally includes a main panel 44 which extends across the mouth 26 and has an outer periphery which may rest upon the upper rim 22. Spaced inward from this outer periphery and extending downward is a spout skirt 46 sized to engage the upper rim 22, preferably at the inner face of the side wall 20. In the preferred embodiment shown, the inner face of the side wall 20 includes a circumferential recess 48 which mates with the spout skirt 46. The recess 48 reduces the thickness of the side wall 20 permitting it to more easily expand to receive the

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spout skirt 46 in a close fit to prevent egress of the beverage. This mating relationship may include an outward taper toward the free edge of the spout skirt 46 as shown.

Extending through the main panel 44 is an aperture 50 through which the beverage will be dispensed. In the preferred embodiment shown, a neck extension 52 having the shape of frustum of a conical tube extends from this aperture 50 to a neck rim 54. This neck extension 52 will preferably have a size approximating the opening of standard carbonated beverage bottles for easy and familiar use in drinking from the neck extension 52. When the cap 14 is fully seated upon the base 12, the central portion 28 will seal the aperture 50. When the preferred neck extension 52 is employed, the central portion 28 will abut against the neck rim 54. It is noted that the cap 14 is rotated about its longitudinal axis during this seating to the base 12, and for this reason it is preferred (but not required) that the neck extension 52 be coaxial with the longitudinal axis of the cap 14. To ensure a proper seal, the inner face of the central portion 28 may include an abutment surface 56 shaped to mate with the neck rim 54 when the cap 14 is seated.

The above elements are all that are strictly required to employ the spout 16. However, this arrangement provides only the benefit of the reduced diameter neck extension 52 for drinking, and no benefits relating to use with carbonated beverages. For these additional benefits, additional structure is required.

Specifically, the spout 16 preferably also includes at least one follower ridge 58 rising above the main panel 44 at a position underlying the spout contact section 40 of shoulder section 30. In the preferred embodiment three such follower ridges 58 are employed at equal angular spacings, and each extends radially outward from the neck extension 52. During the final portion of rotation to

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mount the cap 14, and conversely the initial portion of rotation to remove the cap 14, the (or each) follower ridge 58 will contact a cam surface 60 formed on the spout contact section 40 of shoulder section 30 (the cam surface 60 being best illustrated in Fig. 2). This contact will ensure that the spout 16 does not move from its position mounted upon the base 12.

5 The reason for this is the internal pressure developed by carbonated beverages. During the time when the cap 14 is removed, this pressure is easily released to atmosphere through the aperture 50. However, during the period when the cap 14 is seated, the interior 24 is sealed by the spout skirt 46 and the abutment of the central portion 28 against the neck rim 54. This sealed condition will permit this pressure to accumulate. As the cap 14 is later removed, it moves upward and away from the base 12, and away from engagement with neck rim 54. This accumulated pressure, however, will tend to force the spout 16 upward against the cap 14. The pressure can often be sufficient that the spout 16 will actually travel upward with the cap 14 until the spout skirt 46 is disengaged from the base 12. If this occurs near the point where the threads 34 and inner threads 36 disengage, the pressure can cause the cap 14 with spout 16 to be propelled energetically upward and away from the base 12. This represents a danger to the user.

10 To prevent this, the container 10 will vent the interior 24 well prior to disengagement of the threads 34 and inner threads 36. This is achieved through the use of the follower ridge 58 and cam surface 60. Specifically, the cam surface 60 has the general form of a downward directed shoulder having a first end 62 (Fig. 2) which angles downward toward a second end 64. This angle is substantially equal to that of the threads 34 and inner threads 36. The length of the cam surface 60 will of course be no greater than the circumference at the spout contact section 40, and in the

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preferred embodiment shown encompasses 120° (there being three cam surfaces 60, one for each of the three follower ridges 58).

5 The operation of these elements is as follows. When the cap 14 is fully seated, the cam surface 60 is contacting the follower ridge 58, preventing upward movement, and the cap 14 is oriented with the first end 62 of cam surface 60 close to the follower ridge 58. As the user begins rotation of the cap 14 for removal, the cap rotates with respect to the base 12, and also moves away from the base 12. During this initial rotation, the cam surface 60 slides over the follower ridge 58, with the point of contact maintaining a constant distance from the base 12 and thus retaining the follower ridge 58 in position against upward movement with the cap. As such, the cap is moving upward with respect to the base 12 and spout 16, but the spout 16 is not moving upward. This movement of the cap will then cause the abutment surface 56 to move away from the neck rim 54 in the upward direction. This of course breaks the seal between these elements, and the internal pressure is vented through the neck rim 54 into the interior of the cap 14, and via the threaded engagement of the cap 14, to the atmosphere. As such, it is seen that the movement of the cap 14 restrains upward movement of the spout 16, and permits venting of the container.

10 The above description of operation relies upon the follower ridge 58 being in the proper position (i.e., adjacent the first end 62 of cam surface 60) when the cap 14 is seated. To ensure this, the angular orientation, i.e., clocking, of the spout 16 with respect to the threads 34 is critical. As best illustrated in Fig. 1, this clocking is achieved by forming a unique mating relationship between the base 12 and spout 16. In particular, the upper rim 22 includes a positioning recess 66 for each follower ridge 58 employed, and the spout 16 includes a like number of positioning projections 68

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extending radially outward from the spout skirt 46. This requires that the spout 16 be placed in the proper position upon the base 12 for operation of the cam surface 60. It is noted also that the sealing bead 42 is located below the positioning recess 66, so that the positioning recess 66 does not break the seal formed by the sealing bead 42.

5 While the above description is sufficient, in the seated condition of cap 14 the cam surface 60 will abut against the follower ridge 58. This small contact area may lead to failure of the material at the follower ridge 58 before the desired product life. To reduce this problem, and thus extend product life, the spout contact section 40 may additionally include a contact ridge 70 located radially outward of cam surface 60, and having a lower edge within a plane perpendicular to the longitudinal axis. This lower edge is located at a position to engage with the main panel 44 when the cap 14 is fully seated, as shown in Fig. 6. As may be envisioned, however, as the cap 14 rotates for removal, the contact ridge 70 will move away from the main panel 44 due to the upward movement of the cap. As such, the contact ridge 70 is effective only when the cap 14 is seated.

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15 From the above description it may be seen that the container 10 will provide a beverage container having a relatively small opening in the spout for ease of drinking, but which permits removal of the spout for easy filling of the container. Further, the container may be employed to safely hold a carbonated beverage by virtue of its venting action upon opening. Beyond this, container 10 may be used without the spout 16 in a conventional manner to hold non-carbonated beverages. In both uses the container 10 provides the proper seals to prevent unintended egress of the beverage due to the unique structure of the shoulder section 30.

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From the foregoing it will be seen that this invention is one well adapted to attain all ends and objects hereinabove set forth together with the other advantages which are obvious and which are inherent to the structure.

It will be understood that certain features and subcombinations are of utility and may be employed without reference to other features and subcombinations. This is contemplated by and is within the scope of the claims.

Since many possible embodiments may be made of the invention without departing from the scope thereof, it is to be understood that all matter herein set forth or shown in the accompanying drawings is to be interpreted as illustrative, and not in a limiting sense.

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WHAT IS CLAIMED IS:

1. A beverage container with cap and spout, having a base with a bottom wall, side wall extending upward therefrom to an upper rim, and threads formed on the exterior thereof, a cap having a central portion, a shoulder section and skirt having inner threads thereon for mating with said threads on said base, characterized by

a spout selectively mountable to said base in a specific angular orientation with respect to said threads, said spout including a main panel having an aperture, a spout skirt extending downward from said main panel for engagement with said side wall adjacent said upper rim, and a follower ridge extending upward from said main panel,

said shoulder section including a cam surface in the form of a downward facing shoulder having a first end and a second end, said cam surface sloping downward from said first end to said second end at an angle substantially equal to that of said threads, such that said cam surface will slide upon said follower ridge during at least a portion of the rotation of said cap as it is applied and removed, and said cam surface will therefore retain said spout in position as said cap moves upward relative to said base.

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1 2. A beverage container with cap and spout as in claim 1, wherein said shoulder section
2 further includes a rim contact section which will seal against said upper rim when said spout is
3 not positioned upon said base.

1 3. A beverage container with cap and spout as in claim 1, wherein said specific angular
2 orientation is achieved by a positioning recess extending into said upper rim, and a mating
3 positioning projection extending from said spout skirt.

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Patent
130437-M200

- 1 7. A beverage container with cap and spout as in claim 6, wherein said neck extension is
- 2 coaxial with a longitudinal axis of said cap, and an inner surface of said central portion includes
- 3 an abutment surface against which said neck rim seals when said cap is seated.

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ABSTRACT OF THE DISCLOSURE

A beverage container having a base and a cap threaded thereto, and which may be used with a spout mounted to the container mouth. The cap includes a shoulder section having a rim contact section to seal to the container upper rim when the spout is not employed. The shoulder section also includes a spout contact section having a cam surface. The spout includes a follower ridge which is engaged by the cam surface to retain the spout in position as the cap is rotated for removal. This permits the spout to vent any accumulated pressure from a stored carbonated beverage, and thus prevents the spout from being disengaged from the base due to the accumulated pressure.

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Combined Declaration and Power of Attorney

Attorney Docket No.: 130437-M200

(Original, Design, National Stage of PCT, Supplemental, Divisional, Continuation or CIP Application)

This declaration is for the following type of application:

- ☒ Original
☐ Design
☐ National Stage of PCT
☐ Supplemental
☐ Divisional (additional §120 priority sheet attached)
☐ Continuation (additional §120 priority sheet attached)
☐ Continuation-in-Part (additional §120 priority sheet attached)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BEVERAGE CONTAINER WITH CAP AND SPOUT

the specification of which:

- ☒ is attached hereto
☐ was filed on _____ as application Serial No. _____ and was amended on _____ (if applicable)
was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to the inventor to be material to patentability as defined in Title 37, Code of Federal Regulations. Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code Section 119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Country	Application Number	Date of Filing (month, day, year)	Priority Claimed Under 37 USC 119
			___ Yes ___ No
			___ Yes ___ No
			___ Yes ___ No

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I hereby claim the benefit under Title 35, United States Code Section 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)
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(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)
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As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John A. Doninger -Reg. No. 28,293
Taylor J. Ross - Reg. No. 33,342

Send Correspondence To:

Direct Telephone Calls To:

Dart Industries Inc.
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Orlando, FL 32877-9001

Taylor J. Ross
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore I pray that Letters Patent be granted to me (if only one name listed below) or us (if plural names listed below) for the subject matter which is claimed in the specification (including claims) identified above, and I hereby subscribe my name to the specification, the accompanying declaration, power of attorney, and this petition.

Full name of sole or first inventor: Victor J. J. Cautereels

Inventor's signature: _____

Date: 1 FEB. 99

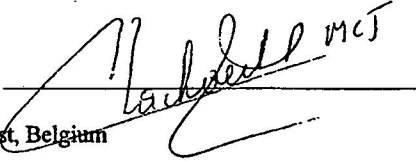
Residence: Ranst, Belgium

Post Office: Schawijkstraat 31, B-2520 Ranst, Belgium

Citizenship: Belgium

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Full name of second inventor: **Dimitri M.C.J. Backaert**

Inventor's signature: 

Date: 1 FEB '99

Residence: **Aalst, Belgium**

Post Office: **Valerius De Saedeleerstraat No. 35, B-9300 Aalst, Belgium**

Citizenship: **Belgium**

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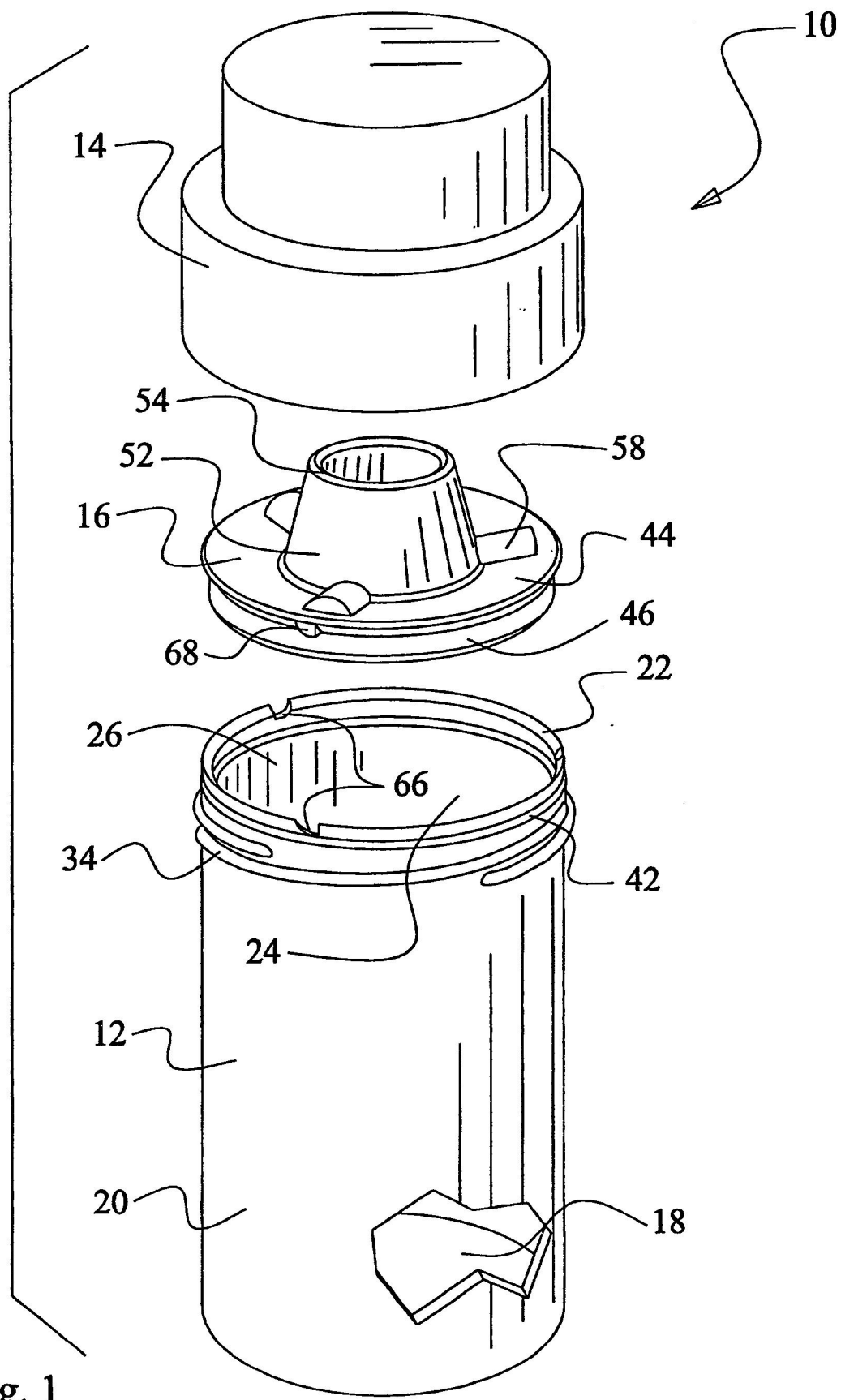
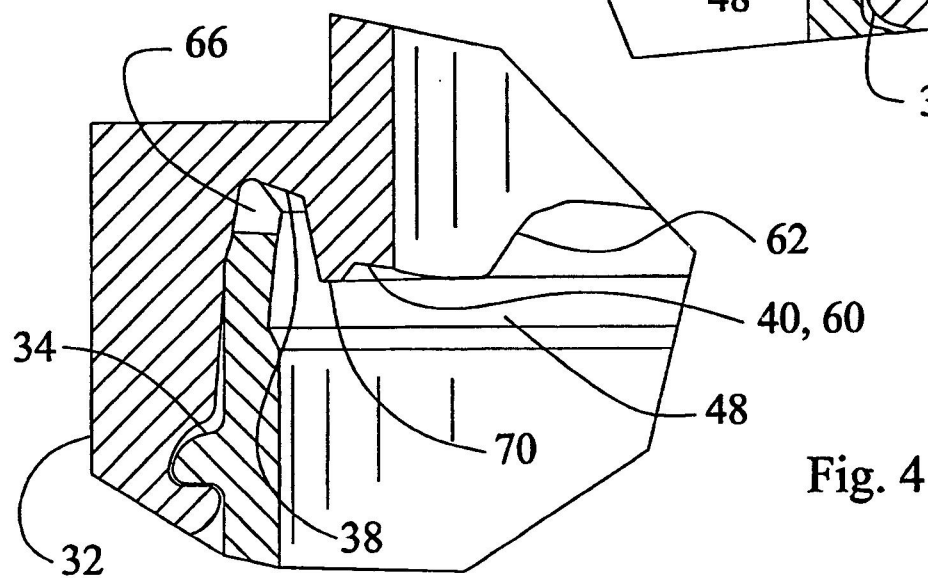
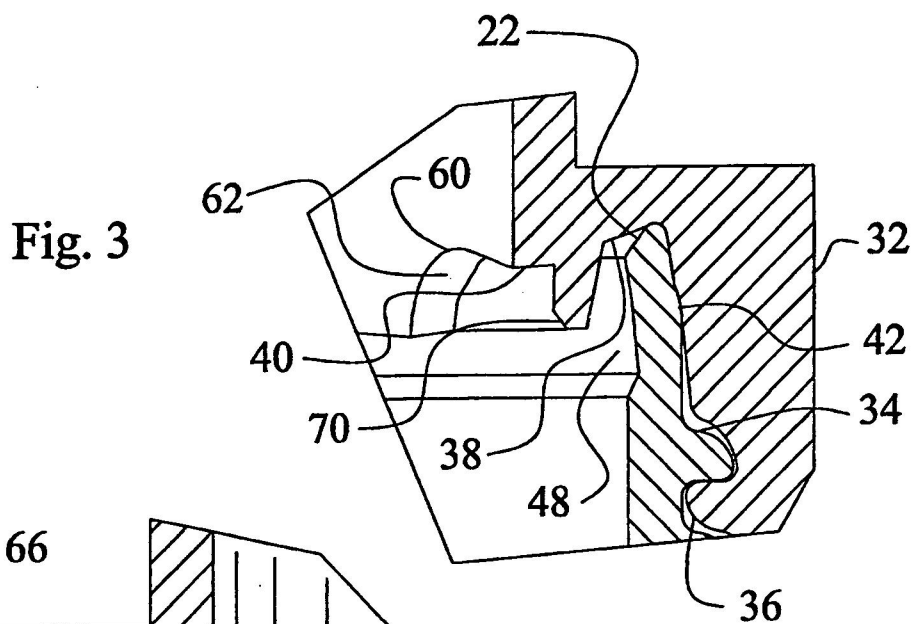
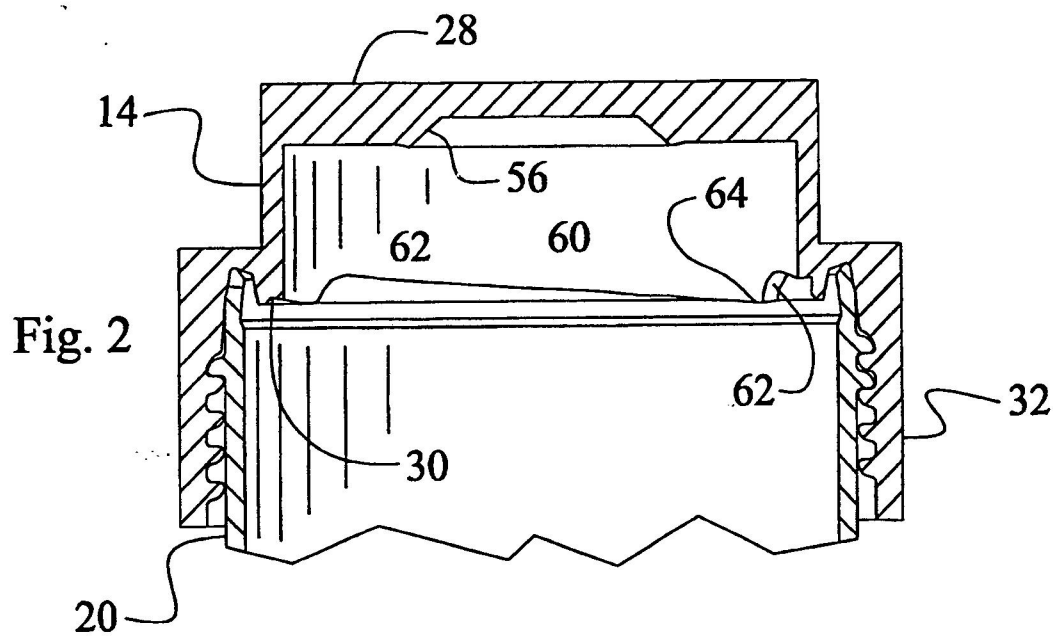


Fig. 1

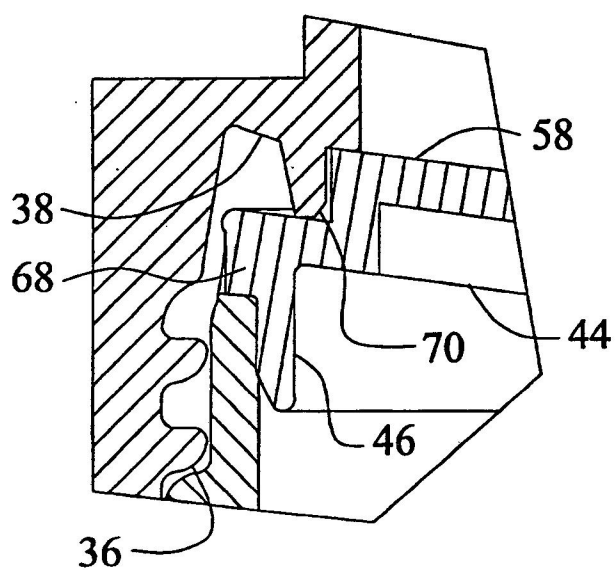
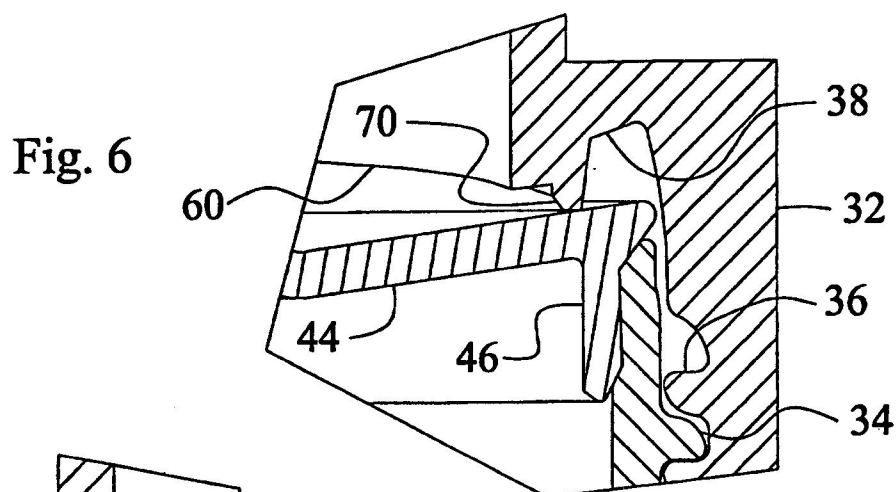
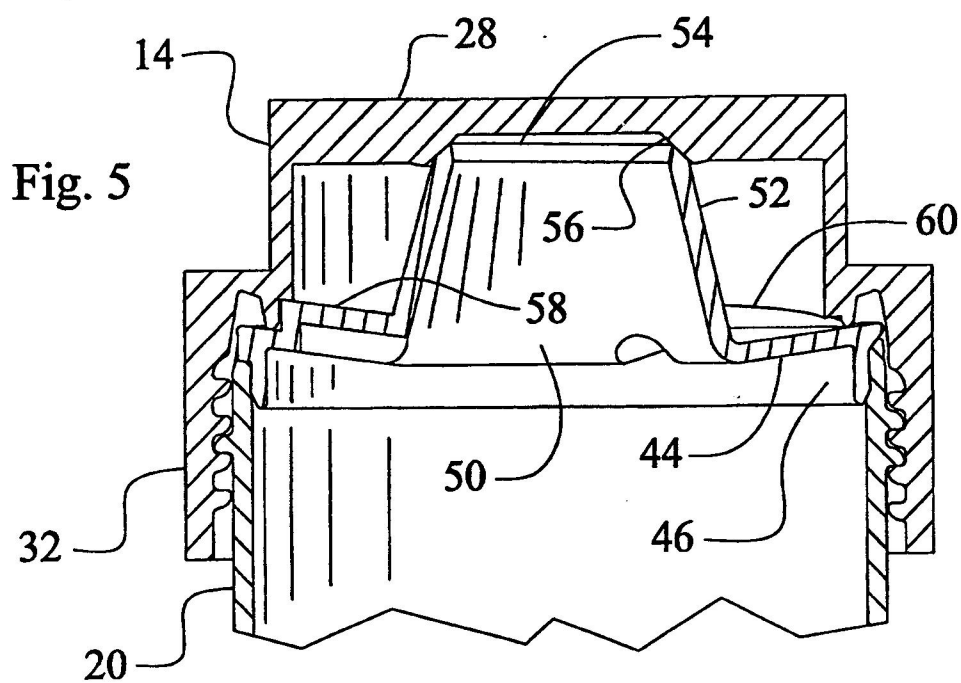
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ESTADOS UNIDOS DE AMÉRICA

A TODOS A QUIENES LLEGUE EL PRESENTE:

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Oficina de Marcas y Patentes

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NÚMERO DE SOLICITUD 09/248,240

FECHA DE RADICACIÓN: 10 de febrero de 1999

Por Autoridad del

COMISIONADO DE MARCAS Y PATENTES

(FIRMA) P. SWAIN

Oficial de Certificaciones

(SELLO DORADO DE OBLEA)

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REMISION DE SOLICITUD DE PATENTE DE UTILIDAD

Expediente No. 130437-M200

Nombre del primer Inventor nombrado; CAUTEREELS

Rotulo Correo Expreso: **EL19926388US**

SOLICITUD DE PATENTES

Comisionado Asistente e Patentes

Washington D.C. 20231

Elementos de la Solicitud

(Solo se marca lo pertinente)

1. ☒ Formulario remisión comisión
2. ☒ Especificación que incluye 14 páginas
3. Dibujos (37 CFR S 1.152 [Total hojas; 3])
4. Juramento o Declaración [Paginas: 3]
☒ nuevo
5. N/A

Partes que la acompañan

6. ☐ Documentos de Cesión
7. ☒ Poder – 37.C.F.R §3.73(b)
8. N/A
9. N/A
10. N/A
11. N/A
12. ☒ Acuze de recibo (MPEP 503)
13. N/A
14. N/A
15. N/A
16. Dirección para correspondencia: ☒ ver abajo

Nombre: Taylor J. Ross

Dirección: Dart Industries, Inc.

Ciudad: Orlando

País: EE.UU.

Nombre: Taylor J. Ross (FIRMA)

P.O. Box 779001

Estado: FL

Rel: (407) 826-8817

Registro No. 33,342

Zip: 32877-9001

Fax: (407) 826-4422

Fecha: 2/10/99

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NK
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VASIJA PARA BEBIDAS

REIVINDICACIONES:

1. Una vasija para bebidas con tapa y pico, que tiene una base con una pared inferior, una pared lateral que se extiende hacia arriba de la pared inferior hasta un reborde superior, y rosca formada en el exterior de la misma, una tapa que tiene una porción central, una sección de resalto y borde con rosca interna allí para que concuerde con la rosca de dicha base; caracterizado por:

un pico montado de manera selectiva en dicha base en orientación angular específica con respecto a dicha rosca; dicha rosca; dicho pico incluyendo una cara principal que tiene una abertura, un borde del pico que se extiende hacia debajo de dicha cara principal para que encaje con dicha pared lateral adyacente a dicho reborde superior, y un canal seguidor que se extiende hacia arriba de dicha cara principal;

dicha sección de resalto incluye una superficie de leva en la forma de un resalto de cara hacia abajo con un primer extremo y un segundo extremo; dicha superficie de leva inclinada hacia debajo de dicho primer extremo a dicho segundo extremo a un ángulo sustancialmente igual al de las roscas de modo que dicha superficie de leva se resbale en dicho canal seguidor durante al menos una porción de la rotación de dicha tapa a medida que sea aplicada y removida, y por lo tanto, dicha superficie de leva retendrá dicho pico en posición a medida que la tapa se mueve hacia arriba con respecto a con dicha base.

2. Una vasija para bebidas con tapa y pico según la reivindicación 1, en donde dicha sección de resalto incluye además una sección de contacto del

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reborde que se cerrará contra dicho reborde superior cuando dicho pico no esté colocado sobre dicha base.

3. Una vasija para bebidas con tapa y pico según la reivindicación 1, en donde dicha orientación angular específica es lograda colocando el canal que se extiende en dicho reborde superior, y una proyección de colocación que concuerde que se extiende de dicho reborde del pico.

4. Una vasija para bebidas con tapa y pico según la reivindicación 1, en donde dicho pico incluye además una extensión de cuello que se extiende hacia arriba de dicha abertura, y que termina en un reborde del cuello; dicha porción central de dicha tapa sellándose contra dicho reborde del cuello cuando dicha tapa está colocada completamente sobre dicha base.

5. Una vasija para bebidas con tapa y pico según la reivindicación 4, en donde dicha sección de resalto incluye además una sección de contacto de reborde que se sellará contra dicho reborde cuando dicho pico no esté colocado sobre dicha base.

6. Una vasija para bebidas con tapa y pico según la reivindicación 5, en donde dicho borde del pico es recibido dentro de dicho reborde, y dicha orientación angular específica es lograda colocando el canal que se extiende en dicho reborde superior, y una proyección de colocación que concuerde que se extiende de dicho reborde del pico.

7. Una vasija para bebidas con tapa y pico según la reivindicación 56, en donde dicha extensión de cuello es coaxial con un eje longitudinal de dicha tapa, y una superficie interior de dicha porción central incluye una superficie de empalme contra la cual se cierra dicho reborde de cuello cuando dicha tapa está colocada.

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[Signature]

DECLARACION COMBINADA Y PODER

Esta declaración es para el siguiente tipo de solicitud

ORIGINAL

Como el inventor abajo nombrado declaro lo siguiente:

Mi residencia, dirección postal y ciudadanía son según se establece a continuación al frente de mi nombre. Creo que soy el inventor original, primero y absoluto del objeto materia el cual se reivindica y para el cual se solicita una patente sobre la invención titulada

VASIJA PARA BEBIDAS CON TAPA Y PICO

Especificación adjunta. [X]

Declaro que he revisado y entiendo el contenido de la especificación arriba identificada, incluidas las reivindicaciones, modificadas por cualquier enmienda.

Acepto el deber de revelar a la Oficina de Marcas y Patentes de los Estados Unidos toda la información que el inventor conozca que sea material para ser patentada tal como se define en el Título 37 del C.F.R Sección 1.56.

Reivindico beneficios de prioridad extranjera bajo el Título 35, Código EE.UU., Artículo 119 de cualquier solicitud extranjera para certificado de patente o inventor, o bajo cualquier solicitud PCT International que haya designado al menos un país diferente de los EE.UU. abajo mencionados, cualquier solicitud para certificado de patente o inventor o solicitud PCT International cuya fecha de radicación sea la de la solicitud cuya prioridad reivindico.

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N/A

Reivindico beneficio de prioridad bajo el Título 35, Código EE.UU., de cualquier solicitud estadounidense, en tanto que el objeto materia de cada una de las reivindicaciones de esta solicitud no se encuentre revelada en la solicitud estadounidense tal como lo dispone el primer párrafo del Título 35 del Código EE.UU., Sección 112, acepto el deber de revelar a la Oficina de Marcas y Patentes de los Estados Unidos toda la información que yo conozca y que sea material para ser patentada tal como se define en el Título 37 del C.F.R Sección 1.56 disponible entre la fecha de radicación de la solicitud anterior y la fecha de radicación nacional o PCT International de esta solicitud.

Solicitud Serie No. **29/248,240**

PODER: Por la presente nombro a los siguientes apoderados y/o agentes a fin de que prosigan con los trámites de esta solicitud y gestionen todos los actos relevantes ante la Oficina de Marcas y Patentes:

John A. Doninger

Reg. No. 28,293

Taylor J. Ross

Reg. No. 33,342

Solicito dirigir toda la correspondencia a:

Dirigir llamadas telefónicas a:

Dart Industries Inc.

P.O. Box 779001

Orlando, FL 32877-9001

Taylor J. Ross

(407) 826-8817

Declaro que todas las afirmaciones que hago aquí están basadas en mi conocimiento son correctas y además que las hago a sabiendas que las declaraciones falsas y similares son punibles con multa o prisión o ambas, conforme a la Sección 1001 del Título 18 del Código de los EE.UU., y que tales declaraciones falsas pueden poner en peligro la validez de la solicitud o de cualquier patente que se expida con base en ella.

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En consecuencia solicito se me expida la Carta de Patente a mi o a nosotros (según fuere el caso) para el objeto materia que se reivindica en la especificación (incluidas las reivindicaciones) arriba mencionada y suscribo mi nombre a la especificación, a la declaración que le acompaña al poder y a esta solicitud.

Nombre completo del primer Inventor: VICTOR J.J. CAUTEREELS

Residencia: Schawijkstraat 31, B-2520 Ranst, Bélgica

Dirección postal Schawijkstraat 31, B-2520 Ranst, Bélgica

Ciudadanía Belga

Fecha: 1 febrero de 1999.

Nombre completo del segundo Inventor: Dimitri M.C.J. Backaert

Residencia: Aalst, Bélgica

Dirección postal Valerius De Saedeleerstraat No. 35, B-93000 Aals Bélgica

Ciudadanía Belga

Fecha: 1 febrero de 1999.

2do. EXAMEN DE FORMA PATENTE DE INVENCION

Folio 74

Radicación no 00-8858

Concepto Técnico no 1162

Clasificación Internacional de Patentes B65D 85/72

Practicado el examen de acuerdo a lo establecido en el Art. 38 de la Decisión 486 se determinó que esta solicitud de **Patente de Invención**:

- SI [☒] NO [☐] Contiene un resumen de la invención (Art.26-e).
- SI [☒] NO [☐] Contiene el título o nombre de la invención (Art.27-d).
- SI [☒] NO [☐] Contiene la descripción de la invención (Art.26-b).
- SI [☒] NO [☐] NO ES APLICABLE [☐] Contiene los dibujos necesarios para comprender la invención (Art.26-d)
- SI [☒] NO [☐] Contiene una o más reivindicaciones. (Art.26-c).
- SI [☐] NO [☐] NO ES APLICABLE [☒] Han sido desarrollados los productos y/o procedimientos a partir de recursos genéticos o de sus productos derivados de los que cualquiera de los Países Miembros es país de origen. (Art. 26- h).
- SI [☐] NO [☐] NO ES APLICABLE [☒] Los productos y/o procedimientos han sido obtenidos o desarrollados a partir de los conocimientos tradicionales de las comunidades indígenas, afroamericanas, o locales de los países miembros, de acuerdo a lo establecido en la Decisión 391 y sus modificaciones y reglamentaciones vigentes.(Art.26-i).
- SI [☐] NO [☒] La invención se refiere a un producto relativo a un material biológico. (Art.26-J).
- SI [☒] NO [☐] La prioridad coincide con la materia reivindicada.
- SI [☒] NO [☐] **CUMPLE LOS REQUISITOS TÉCNICOS**

OBSERVACIONES Y OTROS: SI [☐] NO [☒] ver hoja(s) anexa(s)

Nuevas figuras, folios 41 a 43 y arte 12 cm x 12 cm, folio 40

EXAMINADOR TÉCNICO
202030

Bogotá D. C., 08-08-2002

2020
Bogotá DC

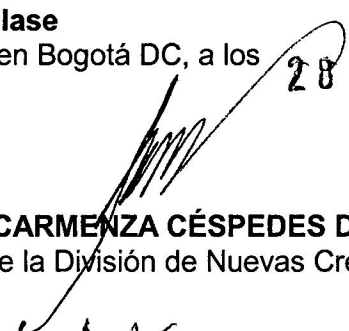
Doctor(a)
GERMAN CASTILLO GRAU
Apoderado(a)

REFERENCIA:	Radicación No.	00-8858
	Trámite	002
	Evento	001
	Actuación	416
	Oficio No.	1620
	Folios	001

Teniendo en cuenta que la solicitud de privilegio de patente que se tramita bajo el expediente indicado en la referencia, reúne los requisitos de forma establecidos en los artículos 26 y 27 de la Decisión 486 de la Comisión de la Comunidad Andina, y en las demás disposiciones vigentes sobre la materia, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial, conforme lo establece el artículo 40 de la misma Decisión.

Cúmplase

Dado en Bogotá DC, a los 28 de 10. 2002


ALIX CARMENZA CÉSPEDES DE VERGEL
Jefe de la División de Nuevas Creaciones

Bogotá, DC, 29/10/04 El extracto de esta solicitud fue publicado en el número de 523
la Gaceta de Propiedad Industrial, de fecha 22-12-02. El término hábil señalado por la
ley expiró el 26-03-03 y SI ☐ NO ☒ se presentaron oposiciones por parte de
terceros.


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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

RADICACIÓN: 0-8858

EDICTO No. 11377

LA SECRETARÍA GENERAL AD-HOC HACE SABER:

Que esta Superintendencia profirió **Resolución No. 20647 de 26-AGO-2004**. Que el contenido de la parte resolutive es como sigue: El Superintendente de Industria y Comercio.

RESUELVE

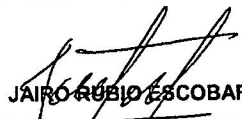
ARTICULO PRIMERO: Declarar abandonada la solicitud de privilegio de patente de invención contenida en el expediente de la referencia.

ARTICULO SEGUNDO: Notificar personalmente el contenido de la presente resolución al doctor Germán Castillo Grau, o a quien haga sus veces, quien actúa como apoderado de Dart Industries Inc., entregándole copia de la misma, advirtiéndole que contra ella procede el recurso de reposición interpuesto ante el Superintendente de Industria y Comercio, al momento de la notificación o dentro de los 5 días hábiles siguientes a ella.

NOTIFÍQUESE Y CUMPLASE

Dada en Bogotá, D.C., a los **26 AGO. 2004**.

EL SUPERINTENDENTE DE INDUSTRIA Y COMERCIO,


JAIRO RUBIO ESCOBAR

Para notificar a los interesados, se fija el presente EDICTO en lugar visible al público en la SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO, por el término de (10) diez días hábiles contados a partir de las 8:30 a.m. de hoy.

Secretaría General Ad-Hoc **08-SEP-2004**  Este edicto se desfija hoy **21-SEP-2004** a las cinco (5:00 p.m.) 
Secretaría General Ad-Hoc
EDICTO No. 11377