

Exhibit C



US008556070B2

(12) **United States Patent**
Bried et al.

(10) **Patent No.:** **US 8,556,070 B2**
(45) **Date of Patent:** ***Oct. 15, 2013**

(54) **CONTAINER DEVICE FOR TOBACCO ARTICLES**

(71) Applicant: **U.S. Smokeless Tobacco Company**,
Richmond, VA (US)

(72) Inventors: **David Karl Bried**, Brentwood, TN (US);
James Arthur Strickland, Richmond,
VA (US); **Mark T. Nielsen**,
Nicholasville, KY (US); **Frank Scott**
Atchley, Midlothian, VA (US); **Lamar**
Eugene Walters, II, Brentwood, TN
(US); **Gregory A. Pace**, Nunnely, TN
(US)

(73) Assignee: **U.S. Smokeless Tobacco Company**,
Richmond, VA (US)

(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.

This patent is subject to a terminal dis-
claimer.

(21) Appl. No.: **13/871,604**

(22) Filed: **Apr. 26, 2013**

(65) **Prior Publication Data**
US 2013/0233742 A1 Sep. 12, 2013

Related U.S. Application Data

(60) Continuation of application No. 12/859,019, filed on
Aug. 18, 2010, now Pat. No. 8,458,996, which is a
division of application No. 12/046,051, filed on Mar.
11, 2008, now Pat. No. 7,798,319.

(51) **Int. Cl.**
B65D 85/10 (2006.01)

(52) **U.S. Cl.**
USPC **206/242**; 131/352; 206/265; 215/307;
215/352; 220/366.1; 220/378

(58) **Field of Classification Search**

USPC 206/242, 265, 270, 459.5; 131/352;
215/307, 321, 341, 348, 352, 45;
220/203.16, 310.1, 360, 366.1, 378,
220/796

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

411,773 A 10/1889 Atkinson
464,933 A 12/1891 Bradley
D26,315 S 11/1896 Miller
D28,413 S 3/1898 Taite

(Continued)

FOREIGN PATENT DOCUMENTS

CA 2547369 11/2007
CH 694145 8/2004

(Continued)

OTHER PUBLICATIONS

Sample images of Meguiar's Car Wax container (metal container and
lid), manufactured by J. L. Clark (Rockford, IL), believed to be
publicly available prior to Mar. 11, 2008.

(Continued)

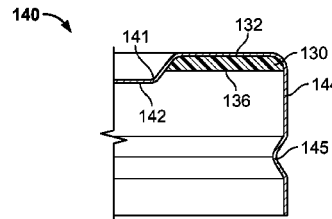
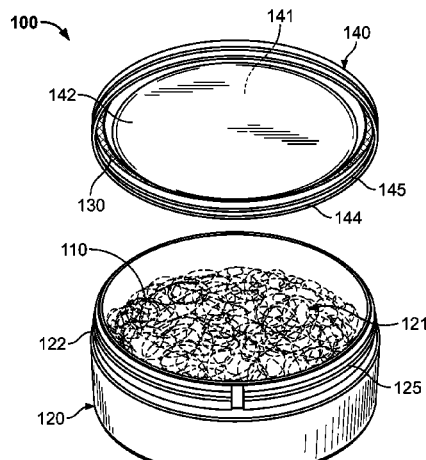
Primary Examiner — Luan K Bui

(74) *Attorney, Agent, or Firm* — Fish & Richardson P.C.

(57) **ABSTRACT**

Some embodiments of a tobacco product package device can
be used to enhance freshness and other characteristics of
tobacco products or other products contained therein. Certain
features can improve product freshness both during shelf life
and during consumer use.

28 Claims, 11 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

663,415 A 12/1900 Charles
 1,072,820 A 9/1913 Carnes
 1,083,104 A 12/1913 Johnson
 1,212,147 A 1/1917 Peterson
 1,331,470 A 2/1920 Luckett
 1,344,650 A 6/1920 Jonathan
 1,381,831 A 6/1921 Heeren
 2,023,341 A 12/1935 Downes et al.
 2,047,951 A 7/1936 Felix
 2,206,534 A 7/1940 Higbee
 2,332,245 A 10/1943 Moll
 2,403,131 A 7/1946 Smith
 2,412,528 A 12/1946 Morrell
 2,415,609 A 2/1947 Harry
 2,523,251 A 9/1950 Pantalone et al.
 2,551,615 A 5/1951 Maher
 3,010,596 A 11/1961 Williams et al.
 D193,219 S 7/1962 Burdick et al.
 3,042,247 A 7/1962 Louis
 3,088,830 A 5/1963 Graham
 3,170,588 A 2/1965 Lyon, Jr.
 3,206,016 A 9/1965 Fowle et al.
 3,292,810 A 12/1966 Alfred
 3,362,556 A 1/1968 Waldrum
 3,437,224 A 4/1969 Williams
 3,445,023 A * 5/1969 Giessler et al. 215/348
 3,558,036 A 1/1971 DeVoe
 3,574,147 A 4/1971 Giessler et al.
 3,610,306 A 10/1971 Summers
 3,721,365 A * 3/1973 Saunders 220/260
 3,796,681 A 3/1974 Ratliff et al.
 3,811,592 A 5/1974 Dye
 3,874,556 A 4/1975 Finkelston, Jr.
 3,910,444 A 10/1975 Foster
 4,008,930 A 2/1977 Swainson
 4,037,746 A 7/1977 Ver Hage
 4,098,421 A * 7/1978 Foster 215/321
 4,190,170 A * 2/1980 Boyd 215/307
 4,202,462 A 5/1980 Imber
 4,442,971 A 4/1984 Helms
 4,562,685 A 1/1986 Tomita et al.
 4,612,943 A 9/1986 Meinkowsky
 4,615,439 A 10/1986 Weissenfels
 4,646,933 A * 3/1987 Jurczenia et al. 220/799
 4,703,765 A 11/1987 Paules et al.
 4,705,165 A 11/1987 Thieke
 4,711,687 A 12/1987 Paules
 4,715,496 A 12/1987 Hackmann
 4,727,999 A 3/1988 Gach
 4,846,361 A 7/1989 Haffner
 4,850,504 A 7/1989 Gindrod et al.
 5,259,526 A 11/1993 Stolzman
 5,443,853 A 8/1995 Hayes
 5,460,287 A 10/1995 Cargile et al.
 5,538,154 A 7/1996 Von Holdt
 5,566,568 A * 10/1996 Rojek 72/379.4
 5,660,290 A 8/1997 Hayes
 5,676,272 A 10/1997 Baerenwald
 5,686,127 A 11/1997 Stockley, III et al.
 5,752,599 A * 5/1998 Veltman 206/236

5,791,473 A * 8/1998 Decker et al. 206/407
 5,794,814 A 8/1998 Baerenwald
 6,102,227 A 8/2000 Cochrane
 6,170,490 B1 1/2001 Barrow
 6,298,857 B1 10/2001 Schmidt
 D460,692 S 7/2002 Cumberbatch
 D464,886 S 10/2002 Bried et al.
 6,477,823 B1 11/2002 Kitterman et al.
 D476,572 S 7/2003 Merritt
 D494,474 S 8/2004 Houk et al.
 D499,025 S 11/2004 Houk et al.
 D510,524 S * 10/2005 Houk et al. D9/503
 D512,636 S 12/2005 Pace
 D513,386 S 1/2006 Pace et al.
 D514,936 S 2/2006 Pace et al.
 D515,426 S 2/2006 Pace et al.
 D515,429 S 2/2006 Pace
 D515,439 S 2/2006 Pace
 D515,928 S 2/2006 Pace
 D518,728 S 4/2006 Frantz
 D523,752 S 6/2006 Bried et al.
 D531,036 S 10/2006 Bried et al.
 D541,176 S 4/2007 Bried
 7,798,319 B1 9/2010 Bried et al.
 2003/0111359 A1 6/2003 Seliga et al.
 2003/0188442 A1 10/2003 Imer
 2006/0054626 A1 3/2006 Delcroix et al.
 2006/0060480 A1 3/2006 Budd
 2006/0101564 A1 5/2006 Powdermaker
 2006/0118589 A1 6/2006 Arnarp et al.
 2008/0156805 A1 7/2008 Perry et al.
 2008/0202956 A1 8/2008 Welk et al.
 2009/0014343 A1 1/2009 Clark et al.
 2009/0014450 A1 1/2009 Bjorkholm
 2010/0043359 A1 2/2010 Skiffington et al.
 2010/0065077 A1 3/2010 Lofgreen-Ohrn et al.
 2010/0307113 A1 12/2010 Bried et al.

FOREIGN PATENT DOCUMENTS

DE 202004007079 8/2004
 EP 0219297 4/1987
 FR 1565966 5/1969
 FR 2361278 3/1978
 GB 340646 1/1931
 GB 443073 2/1936
 GB 1004671 9/1965
 GB 2136775 9/1984
 WO WO 2005/108233 11/2005

OTHER PUBLICATIONS

Sample images of rectangular metal container and lid, manufactured by Keenpack Industries, Ltd., believed to be publicly available prior to Mar. 11, 2008.
 Sample image of partial lid insert for canning jar (brand: Ball Regular Dome Lids), manufactured by Alltrista Corp. (Muncie, IN), believed to be publicly available prior to Mar. 11, 2008.
 Sample image of partial lid insert for canning jar (brand: Kerr Regular Mouth Lids for Preserving), distributed by Hearthmark LLC (Muncie, IN), believed to be publicly available prior to Mar. 11, 2008.

* cited by examiner

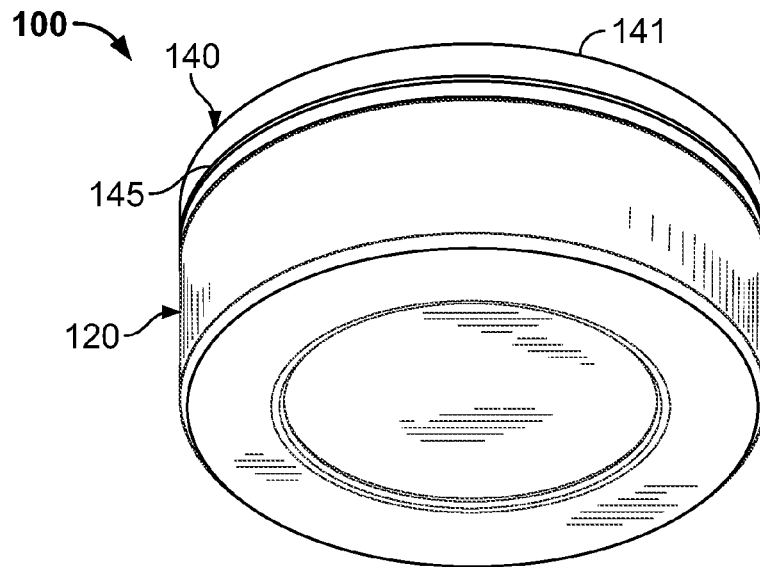


FIG. 1A

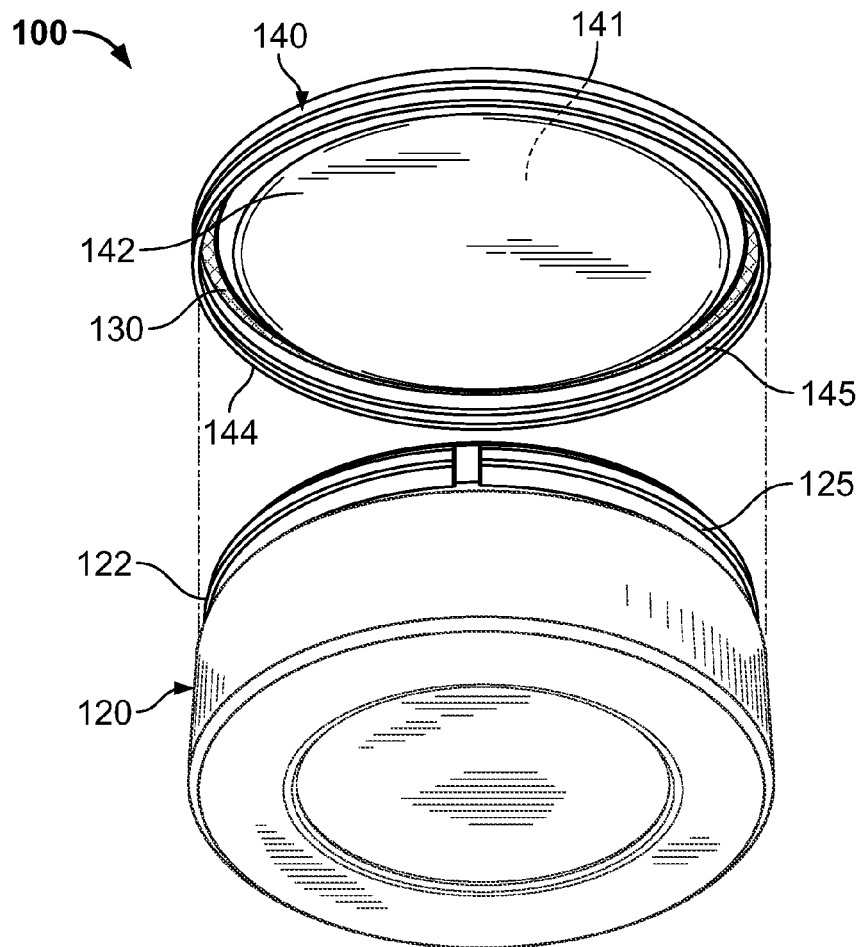


FIG. 1B

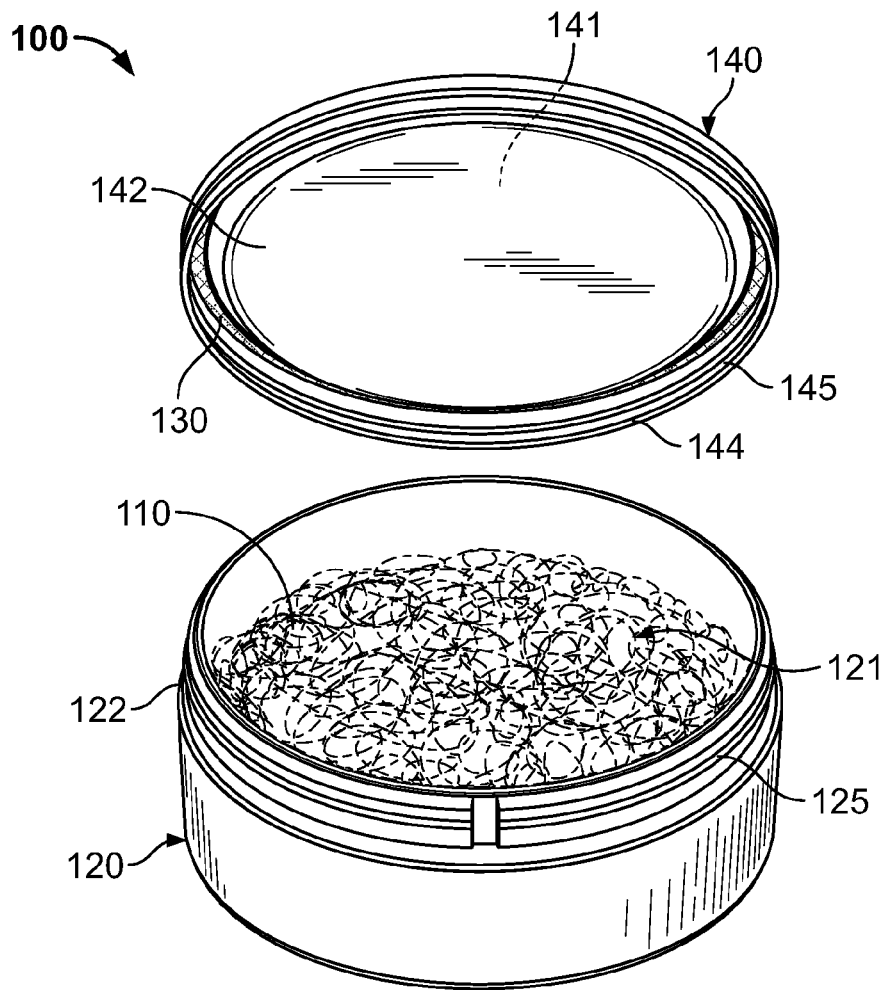


FIG. 1C

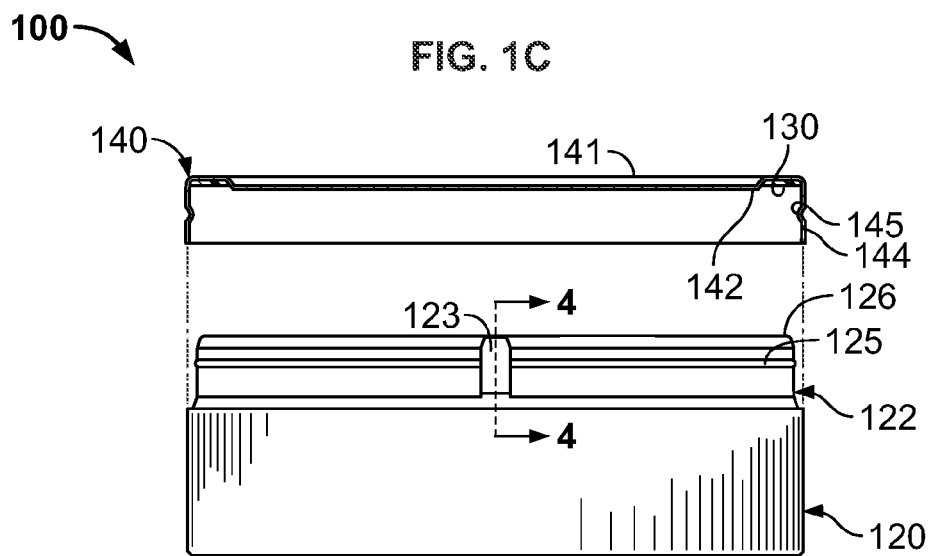


FIG. 2

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.