

Humorous Can Opener Handle

Robert A. Demars By Don Thornton

Over a 40-year career, Southern California inventor Robert A. DeMars was awarded more than 100 patents, a great many of them related to portable bars and barbeque grills and accessories. He also was granted patents for kids, including bubble dispensing devices, high pressure water guns, a story book pillow and a combo sleeping/carry bag. To round out things, there were also patents for a disposable tooth brush, leisure chair and combined dust pan and broom.

Of all those inventions, one stands out – for the publicity it generated along with a corresponding amount of legal trouble. It was a “combined opener and handle for a beverage can.” The Canoga Park inventor applied for a design patent for it on March 13, 1978 and it was granted March 11, 1980.

United States Patent [19]
DeMars et al.

[11] **Des. 254,419** U.S. Patent
[45] **Mar. 11, 1980**

Mar. 11, 1980

Des. 254,419

[54] **COMBINED OPENER AND HANDLE FOR A BEVERAGE CAN**

[76] Inventors: **Robert A. DeMars**, 7328 Alabama Ave., Canoga Park, Calif. 91303;
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[**] Term: **14 Years**

[21] Appl. No.: **885,689**

[22] Filed: **Mar. 13, 1978**

[51] Int. Cl. **D07-99**

[52] U.S. Cl. **D8/34; D7/70;**
294/33

[58] **Field of Search** D8/18, 33, 34; D7/41,
D7/70; 220/85 H, 277; 294/29, 33; 16/110.5,
114 A, 125; 81/3.47, 3.48; 30/442, 443, 448

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[57] **CLAIM**

The ornamental design for an combined opener and handle for a beverage can, as shown and described.

DESCRIPTION

FIG. 1 is a front elevational view of a combined opener and handle for a beverage can showing our new design; FIG. 2 is a side elevational view thereof; FIG. 3 is a rear elevational view thereof; FIG. 4 is a top plan view thereof; and FIG. 5 is a bottom plan view thereof.

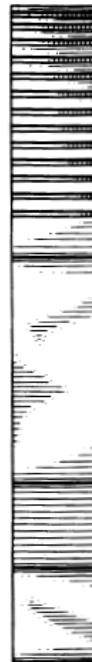


Fig. 1.

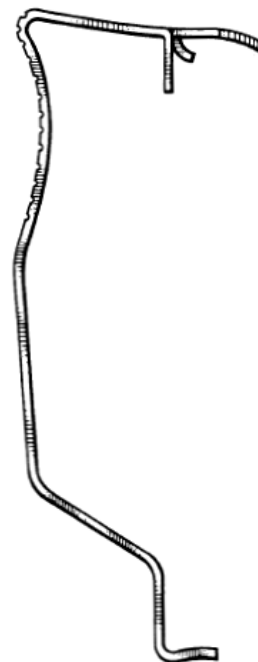


Fig. 2.



Fig. 3.



Fig. 4.

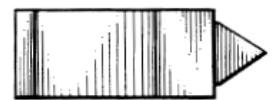


Fig. 5.

DeMars gave his holder the clever name “Stein-way” and applied for a trademark on September 29 1978. That’s when his legal problems began.

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It should be noted that the church key opener combination in the patent was apparently an afterthought. All the Stein-Ways produced were just clip on handles for 12-ounce beverage cans.

Merriam-Webster:
STEIN noun: a large mug (as of earthenware) used especially for beer.



In a feature on DeMars on January 26, 1979, the *New York Times* described the inventor as a former creative consultant for television game shows who came up with the idea for a can handle while watching a TV root beer commercial. The commercial pictured “a can supported by a thumb and pinkie in imitation of a handle (and) the 31-year-old Californian thought of creating a handle for cold beverage cans,” the *Times* said.

DeMars fashioned his first handle from old shower door molding and had 5,000 made, which he introduced to the public at the monthly Rose Bowl flea market in Pasadena. He told the *Times* that within five hours he sold over 2,300 handles “to a beverage thirsty crowd” and in the next 20 weeks more than 250,000 had been purchased at \$1 each.

But the STEIN-WAY name came back to bite him. The famous New York manufacturer of pianos, Steinway Sons, was not amused. Steinway filed suit in U.S. District Court in Los Angeles against DeMars contending trademark infringement and unfair competition. DeMars disclosed in a deposition that in one year nearly 1 million of the handles were sold at about \$1 each, without any paid-for advertising.

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In a nutshell, Steinway Sons said the STEIN-WAY handle was an insult to their then 125-year history of making “world famous pianos.” After a fair amount of legal bickering and an injunction, the court ruled Jan. 28, 1981 in favor of Steinway Sons.



DeMars abandoned the Stein-Way name but offered a new handle – with the combination church key. He branded the new device the HANDLE-IT, even trademarking the name.

The Handle-It, made for 16-ounce tallboys, just didn't catch on. It rarely appears in online auctions today whereas there are frequent listings for the Stein-Way.

Despite his Stein-Way setback, DeMars maintained his sense of humor. In a feature in the *Boston Globe* on January 23, 1983 on unusual patents, DeMars mirthfully recalled his spat with Steinway.

“The piano people challenged the name in court – it cost me \$12,000 in legal fees,” DeMars said. “The judge said, ‘I don't drink beer and I don't play piano, but Steinway means piano to me.’ I had already established my name nationwide, but I had to change it. I told the Steinway people that I was planning to change it to Baldwin.”

