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(12)

United States Design Patent
Mayhew

(10)

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(45)

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(54) FOOTWEAR

D517,789 S 3/2006 Seamans
(Continued)

(71) Applicant: Crocs, Inc., Broomfield, CO (US)

FOREIGN PATENT DOCUMENTS

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CO 0020210011003-0001 * 10/2021
CO 0020210012035-0001 * 11/2021
(Continued)

(73) Assignee: Crocs, Inc., Broomfield, CO (US)

(**) Term: 15 Years

OTHER PUBLICATIONS

(21) Appl. No.: 29/771,365

Crocs Unisex-Child Bayaband Sandals, First available: Dec. 29, 2018 [online], [visited: Aug. 3, 2022] Available from the internet URL: https://www.amazon.com/dp/B07L972VX8?ref=cm_sw_r_cp_ud_dp_QWPF8MXA9PV6RN5Y1ANW&th=1 (Year: 2018).*
(Continued)

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(51) LOC (14) Cl. 02-04

(52) U.S. Cl. USPC D2/923

(58) Field of Classification Search

USPC D2/896, 898, 900, 902, 903, 913, 914, D2/916, 917, 919, 923, 925, 932, 943, D2/946, 969, 971, 974
CPC A43B 1/10; A43B 1/0063; A43B 1/0081; A43B 1/009; A43B 1/12; A43B 1/14; A43B 3/10; A43B 3/102; A43B 3/12; A43B 3/122; A43B 3/14; A43B 3/16; A43B 3/20; A43B 3/24; A43B 3/00; A43B 3/0042; A43B 3/04; A43B 3/242; A43B 5/08; A43B 7/06; A43B 7/08; A43B 7/088; A43B 9/18; A43B 23/00; A43B 23/02; A43B 23/30

See application file for complete search history.

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(57) CLAIM

The ornamental design for a footwear as shown and described.

DESCRIPTION

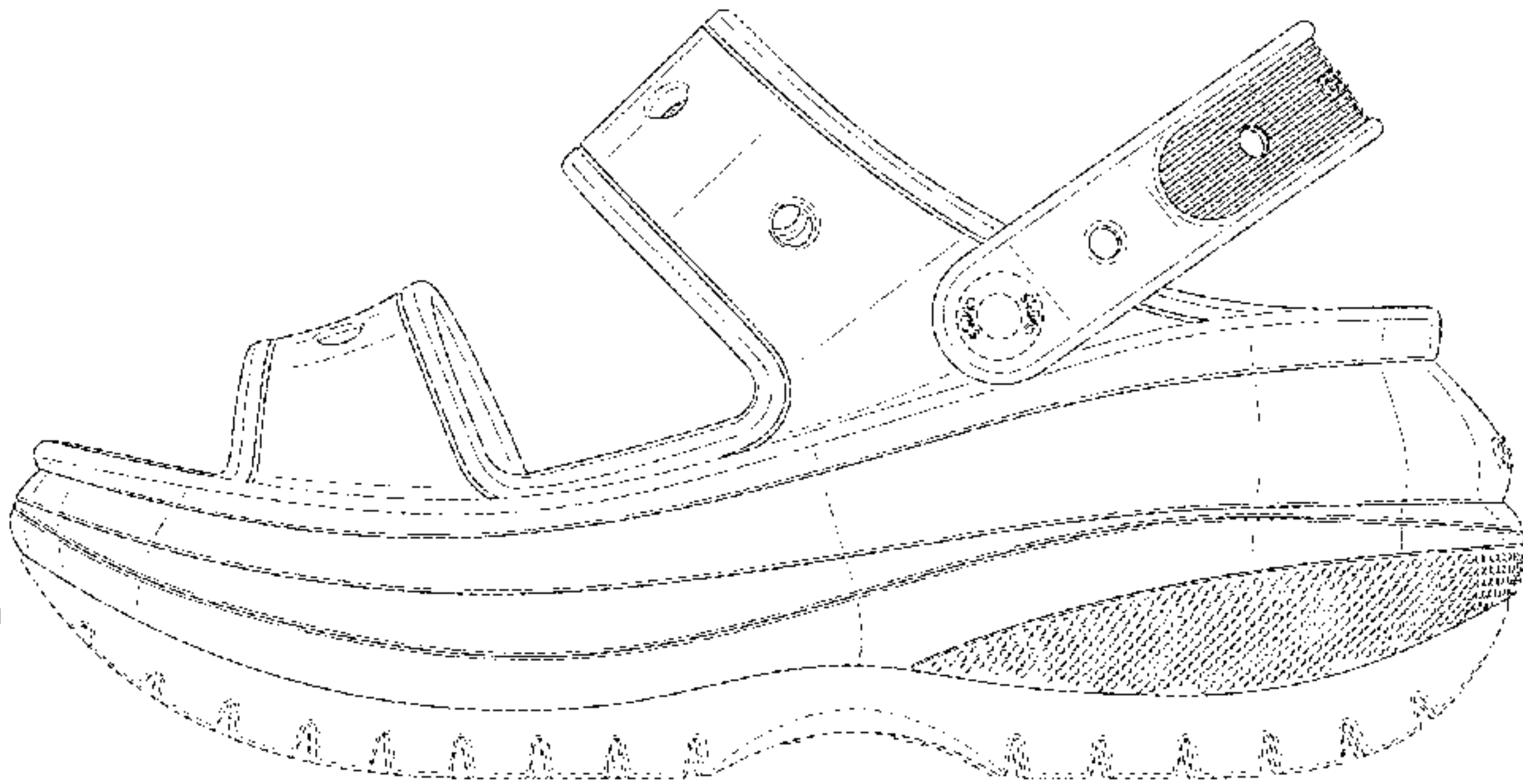
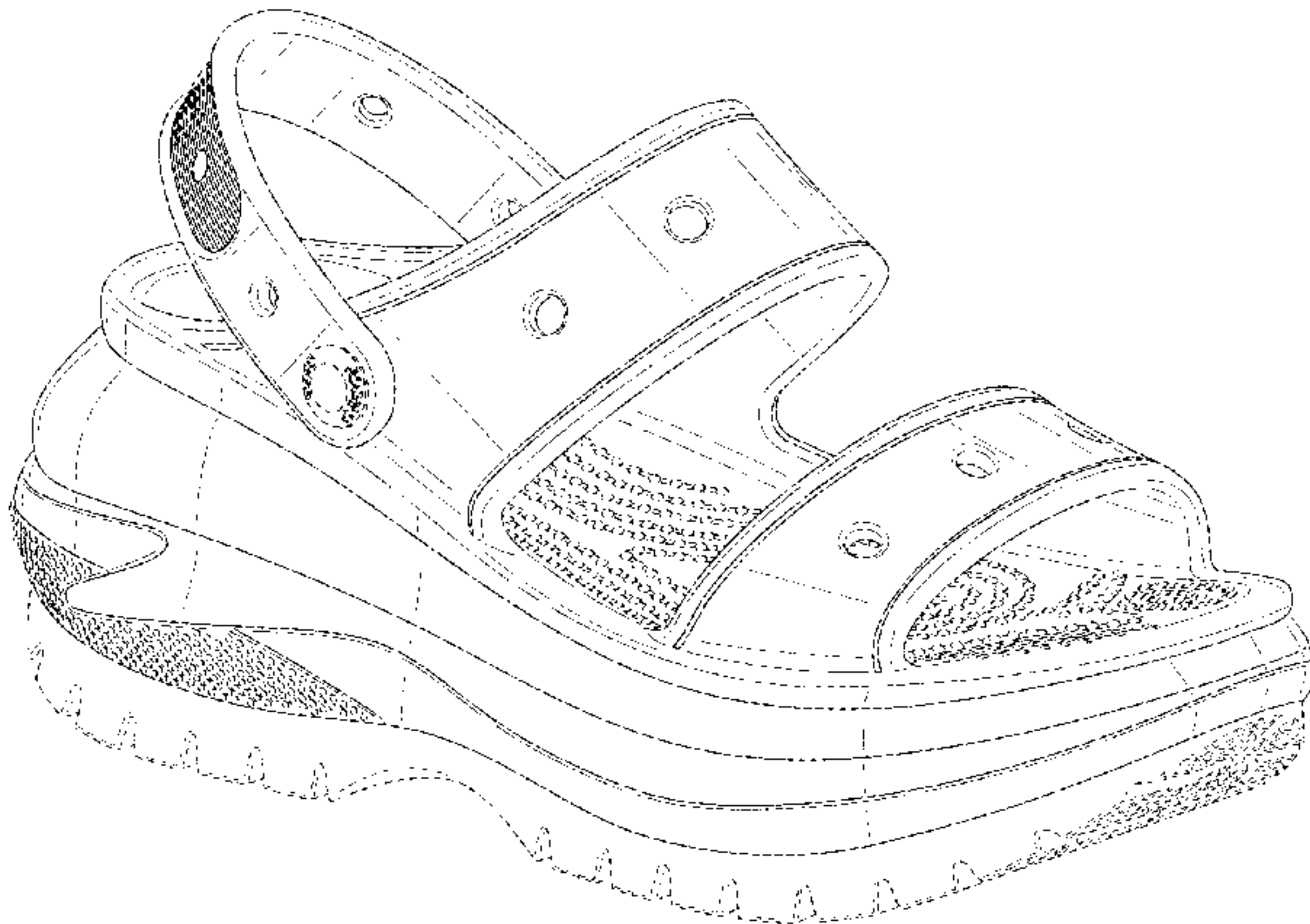
FIG. 1 is a front perspective view of footwear;
FIG. 2 is a front view thereof;
FIG. 3 is a back view thereof;
FIG. 4 is an outer side view thereof;
FIG. 5 is an inner side view thereof;
FIG. 6 is a top view thereof; and,
FIG. 7 is a bottom view thereof.
The elements shown in FIGS. 1-7 in broken lines represent portions that form no part of the claimed design.

1 Claim, 7 Drawing Sheets

(56) References Cited

U.S. PATENT DOCUMENTS

D139,908 S	*	1/1945	Frederick	D2/971
D153,768 S	*	5/1949	Diamant	D2/916
D422,780 S	*	4/2000	Aguerre	D2/918
D452,989 S	*	1/2002	Chen	D2/918
D476,797 S	*	7/2003	Schenone	D2/916
D493,949 S	*	8/2004	Magro	D2/907
D517,788 S	*	3/2006	Seamans	D2/969



(56)

References Cited

U.S. PATENT DOCUMENTS

D544,681 S * 6/2007 Clark D2/971
D563,082 S * 3/2008 Seamans D2/916
D564,196 S * 3/2008 Matis D2/916
D567,483 S 4/2008 Liow
D571,094 S * 6/2008 Wolf D2/971
D575,480 S 8/2008 Zimmerman
D578,743 S 10/2008 Liow
D579,182 S 10/2008 Klavano
D579,651 S * 11/2008 Hearn D2/972
D584,032 S * 1/2009 Jarosik D2/896
D604,484 S * 11/2009 Lauro D2/946
D626,728 S 11/2010 Tzenos
D637,382 S * 5/2011 Bathum D2/969
D650,157 S 12/2011 Liow
D667,612 S 9/2012 Del Biondi
D675,408 S * 2/2013 Lubart D2/946
D691,351 S 10/2013 Pugazhenth
D726,397 S 4/2015 Del Biondi
D728,204 S * 5/2015 Fongher D2/900
D731,760 S * 6/2015 Fongher D2/900
D732,806 S 6/2015 Maritan
D732,808 S 6/2015 Del Biondi
D739,126 S * 9/2015 Fongher D2/932
D739,648 S * 9/2015 Engerman D2/932
D746,557 S 1/2016 Engerman
D747,080 S * 1/2016 Santos D2/927
D768,365 S * 10/2016 Thompson D2/923
D779,794 S 2/2017 Engerman
D787,789 S * 5/2017 Del Biondi D2/923
D801,011 S 10/2017 Del Biondi et al.
D802,904 S * 11/2017 Del Biondi D2/972
D804,155 S 12/2017 Tzenos
D825,899 S 8/2018 Engerman
D830,675 S 10/2018 Del Biondi
D833,720 S * 11/2018 Laska D2/916
D838,088 S * 1/2019 Ellis D2/916
D844,945 S * 4/2019 Ellis D2/916
D844,946 S * 4/2019 Ellis D2/951
D844,947 S * 4/2019 Ellis D2/916
D863,739 S * 10/2019 Ellis D2/916
D869,825 S * 12/2019 Ellis D2/916
D873,544 S 1/2020 Fongher
D905,413 S * 12/2020 Del Biondi D2/972
D909,027 S 2/2021 Fongher
D910,288 S 2/2021 Funck
10,959,485 B2 3/2021 Bathum
D919,254 S 5/2021 Del Biondi
D932,751 S 10/2021 Funck
D936,338 S * 11/2021 Fongher D2/916
D948,845 S 4/2022 Fongher
D956,395 S 7/2022 Chen
D959,106 S 8/2022 Lv
D959,803 S 8/2022 Lv
D982,292 S 4/2023 Sun
D986,545 S 5/2023 Li
D987,243 S 5/2023 Fongher
D987,950 S 6/2023 Damian
D990,841 S 7/2023 Kaufman
D991,649 S 7/2023 Mayhew
D992,874 S 7/2023 Huang
D1,009,416 S 1/2024 Mayhew
D1,012,445 S 1/2024 Sun
D1,014,912 S * 2/2024 Fongher D2/916
D1,025,552 S * 5/2024 Sarantakos D2/896
D1,025,562 S * 5/2024 Fongher D2/923
D1,029,463 S * 6/2024 Mayhew D2/923
D1,029,465 S * 6/2024 Fongher D2/916
2004/0231189 A1 11/2004 Seamans
2008/0276492 A1 11/2008 Burnett
2010/0088926 A1 * 4/2010 Hirschfeld A43B 3/0078
36/100

FOREIGN PATENT DOCUMENTS

IN 349374-001-0001 * 11/2021
TR 202109090-0001 * 12/2021

OTHER PUBLICATIONS

Axcone Cloud Slides, First available: Jan. 28, 2021 [online], [visited: Dec. 18, 2023] Available from the internet URL: https://www.amazon.com/dp/B08V961DPL?ref=cm_sw_r_cp_ud_dp_1R5MD5SKG7ZQAVDBKN3C&peakEvent=5&dealEvent=1 (Year: 2021).*

Crocs Unisex-Adult Classic All Terrain Sandals, First available: Nov. 30, 2021 [online], [visited: Dec. 18, 2023] Available from the internet URL: https://www.amazon.com/dp/B09GRR6FRV?ref=cm_sw_r_cp_ud_dp_WW66CEK7AJ9RSBY2VJZE (Year: 2021).*

Sorel Explorer Blitz™ Stride Sandal, First available: Aug. 17, 2021 [online], [visited: Dec. 18, 2023] Available from the internet URL: <https://www.youtube.com/watch?v=G5BR-gnB5ZI> (Year: 2021).*

Notice of Opposition filed by Stanton S.A.S. dated Mar. 1, 2022, to the registration of the Industrial Design titled: “Calzado” received in related Colombian Patent Application No. NC2021/0010999 (27 pages).

Notice of Opposition filed by Evacol S.A.S. dated Mar. 1, 2022, to the registration of the Industrial Design titled: “Calzado” received in related Colombian Patent Application No. NC2021/0010999 (53 pages).

Notice of Opposition filed by Stanton S.A.S. dated Jan. 6, 2022, to the registration of the Industrial Design titled: “Calzado” received in related Colombian Patent Application No. NC2021/0010996 (23 pages) (pp. 1-11 English translation, pp. 12-23 original).

Notice of Opposition filed by Evacol S.A.S. dated Feb. 17, 2022, to the registration of the Industrial Design titled: “Calzado” received in related Colombian Patent Application No. NC2021/0010996 (61 pages) (pp. 1-30 English translation, pp. 31-61 original).

“Amirra,” Ted Baker. 1 page. (<https://www.tedbaker.com/uk/p/Womens/Outlet/Accessories/Shoes/AMIRRA-Padded-Flat-Mule-Slider-Natural/257018-NATURAL> (available prior to May 5, 2023)).

“Aww Yeah,” Ugg. 2 pages. (https://www.ugg.com/women-sale-sandals/aww-yeah/1136762S.html?dwvar_1136762S_color=SSKY (available prior to May 5, 2023)).

“Chunky mules,” H&M. 1 page. (https://www2.hm.com/en_gb/productpage.1050934003.html (available prior to May 5, 2023)).

“FoamO Slide,” Ugg. 1 page. (https://www.ugg.com/on/demandware.store/Sites-UGG-US-Site/en_US/Coveo-Show?q=foamo+slide&lang=en_US (available prior to May 5, 2023)).

“Givenchy Women’s Marshmallow Wedge Slide Sandal,” Givenchy. 1 page. (<https://www.givenchy.com/gb/en/marshmallow-wedge-sandals-in-rubber/BE305BE0Y9-001.html> (available prior to May 5, 2023)).

“Platform Wedge Design Slippers Women New Open Round Toe EVA Slouch Light Shoes Casual Female Outfit Stripe Marshmallow Slippers,” AliExpress. 1 page. (https://www.aliexpress.com/w/wholesale-platform-wedge-design-slippers-women.html?catId=0&initiative_id=SB_20230911062316&SearchText=platform+wedge+design+slippers+women&spm=a2g0o.productlist.1000002.0 (available prior to May 5, 2023)).

“Women’s Adidas by Stella McCartney Sandals female,” Adidas. 1 page. (https://www.adidas.co.uk/adidas_by_stella_mccartney?af_channel=Search&af_reengagement_window=30d&c=adidas-Product_Ranges-B-Exact-ROI&cm_mmc=AdieSEM_Google-_adidas-Product_Ranges-B-Exact-ROI-_Adidas%20By%20Stella%20Mccartney-_adidas%20by%20stella%20mccartney&cm_mmca1=UK&cm_mmca1=UK&cm_mmca2=e&cm_mmca2=&ds_kid=43700031240495208&ds_kid=&gclid=EAlalQobChMkLrdk9uigQMvHIBQBh08iA9oEAAYAiAAEgLTZ_D_BwE&gclid=aw.ds&http:%2F%2Fwww.adidas.co.uk%2F%3Fcm_mmc=AdieSEM_Google_-Footwear-General-B-Exact_-Shoes-Sandals-X-General_-&is_retargeting=true&pid=googleadwords_temp (available prior to May 5, 2023)).

“Women’s Collection,” Naked Wolfe. 1 page. (<https://uk.nakedwolfe.com/collections/view-all-womens> (available prior to May 5, 2023)).

(56)

References Cited

OTHER PUBLICATIONS

“Women’s shoes,” Prada, reviewed on Sep. 11, 2023. 1 page. (prada.com/gb/en/womens/shoes/c/10070EU/page/2 (available prior to May 5, 2023)).

“Womens/sandals/wedge-heeled-sandals,” Sorel, reviewed on Sep. 11, 2023. 1 page. (<https://www.sorel.com/c/women/sandals/wedge-heeled-sandals/> (available prior to May 5, 2023)).

Website: Ugg.com, reviewed on Sep. 11, 2023. 3 pages. (available prior to May 5, 2023).

yahoo.com InStyle article titled “This Already “Ugly” Shoe Just Added Another Controversial Detail, and I Can’t Stop Wearing Them” dated Feb. 14, 2023. 3 pages. Mar. 18, 2024. Available at URL <https://www.yahoo.com/lifestyle/already-ugly-shoe-just-added-020000331.html> (2023) (Year: 2023).

harbourcity.com “Unveiling New Taste of Crocs w/the Iconic Futuristic Mega Crush & Echo Clog Release” dated Nov. 4, 2022. 3 pages. Viewed Mar. 18, 2024. Available at URL <https://www.harbourcity.com.hk/en/article/unveiling-new-taste-of-crocs-with-the-iconic-futuristic-mega-crush-and-echo-clog-release/> (2022) (Year: 2022).

Non-Final Office Action dated Mar. 29, 2024, issued in related U.S. Appl. No. 29/771,367, 13 pages.

* cited by examiner

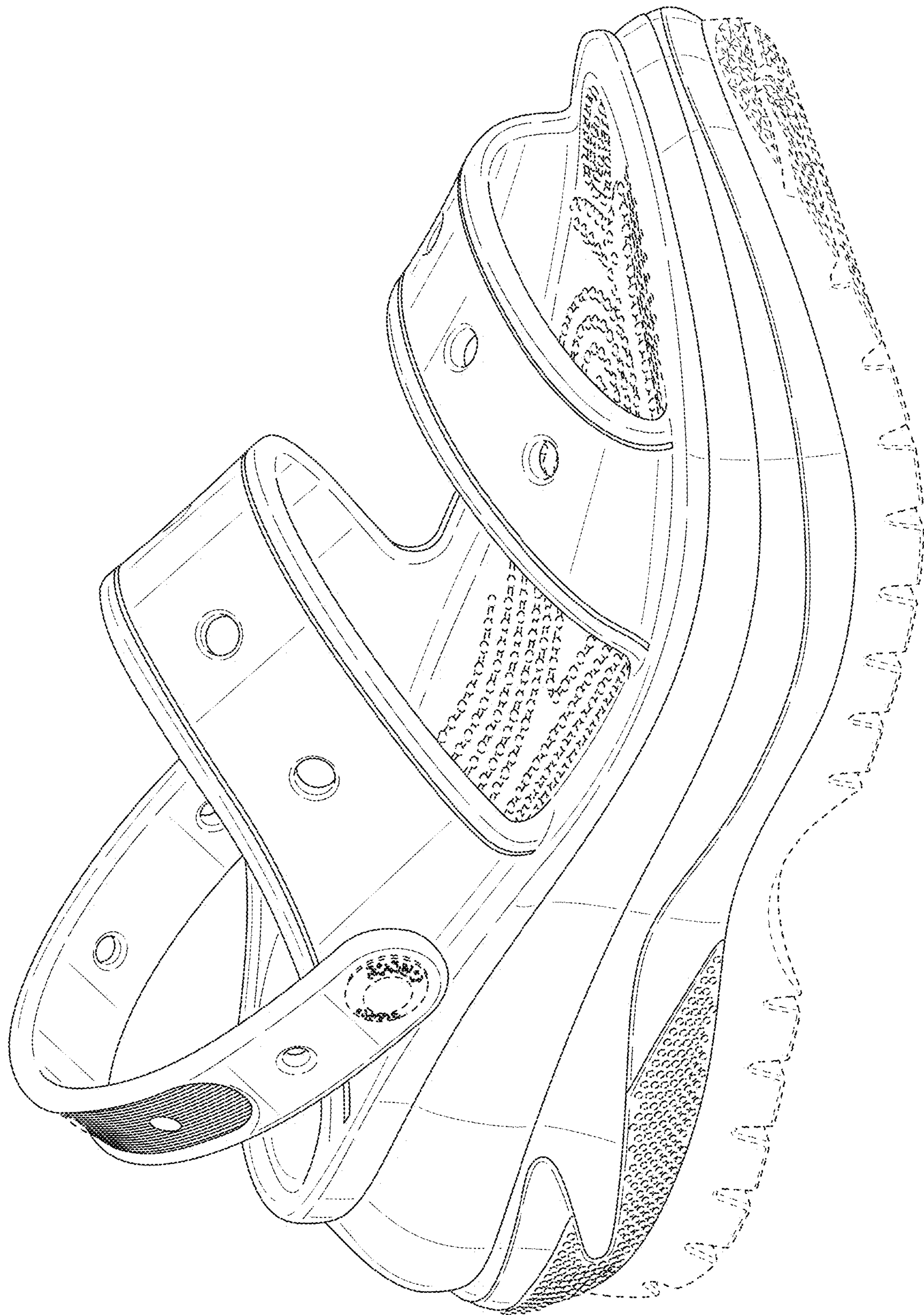


FIG. 1

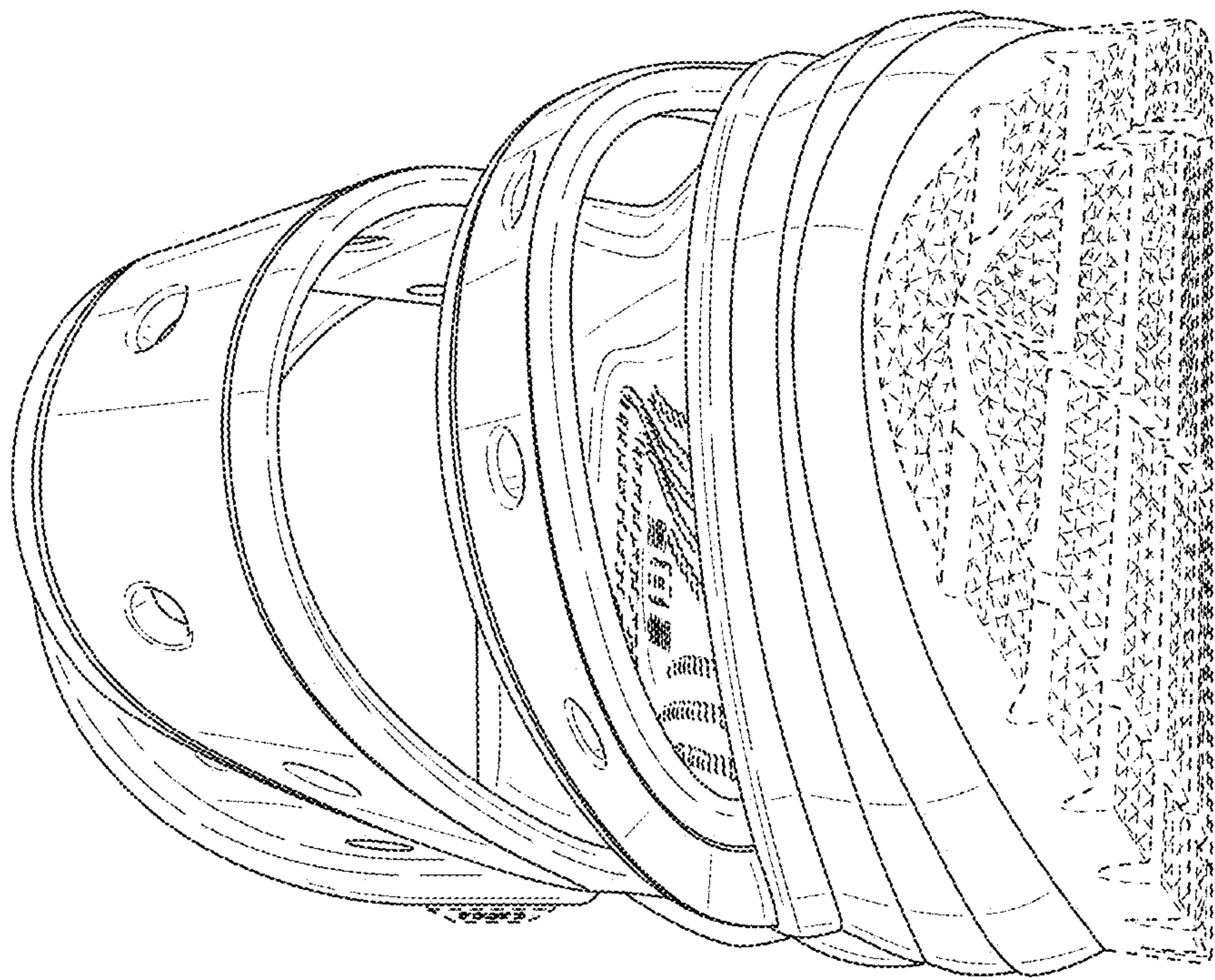


FIG. 2

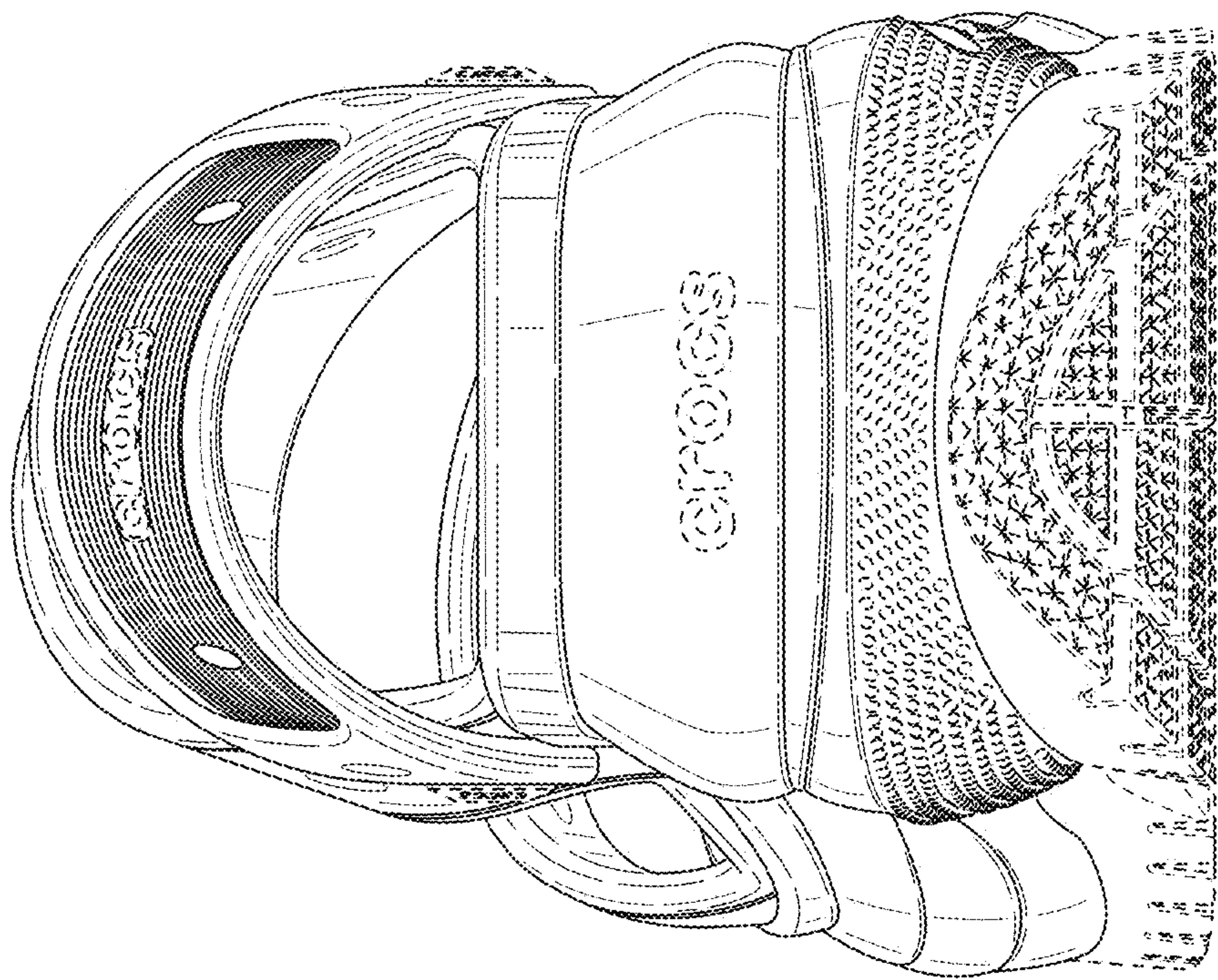


FIG. 3

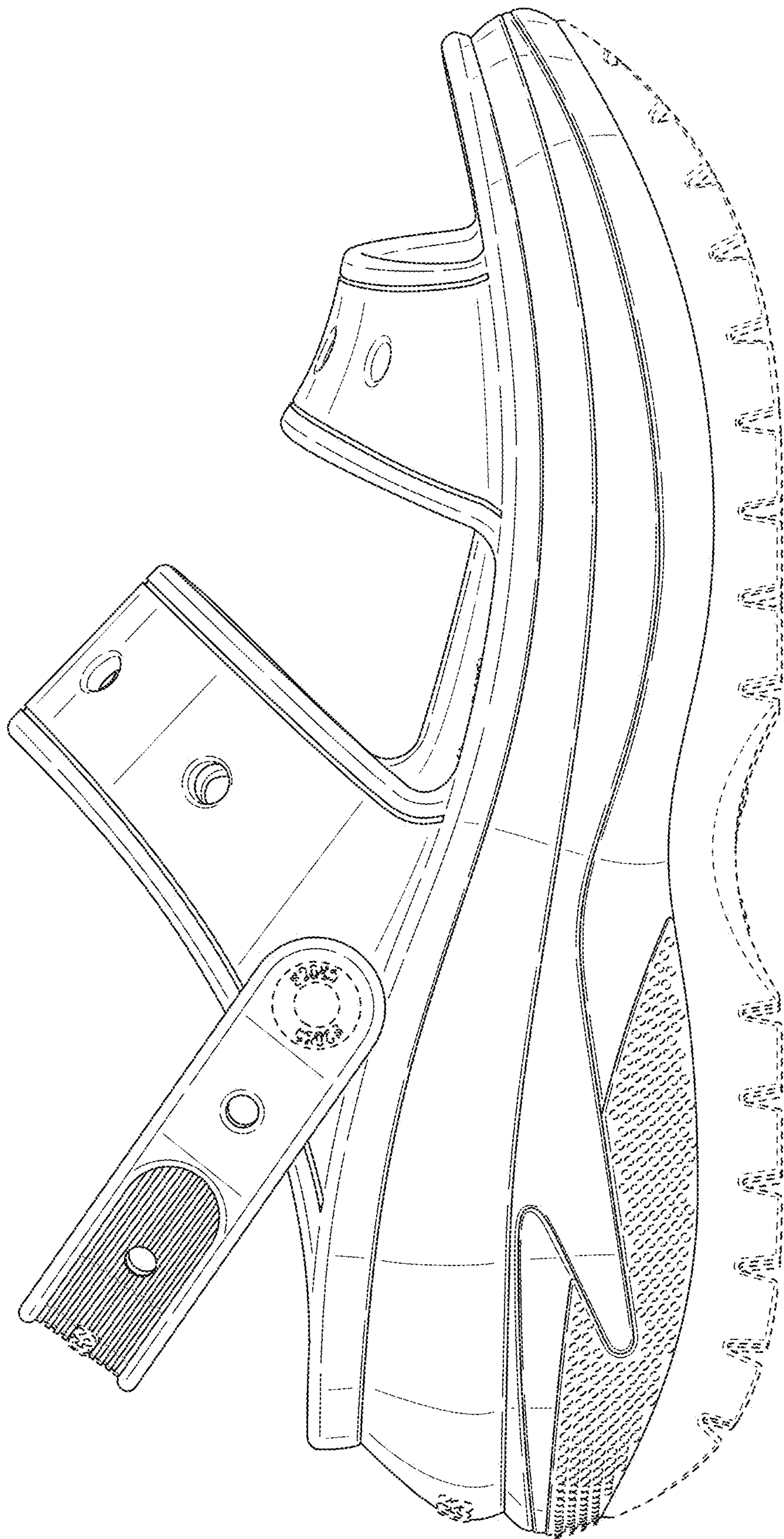


FIG. 4

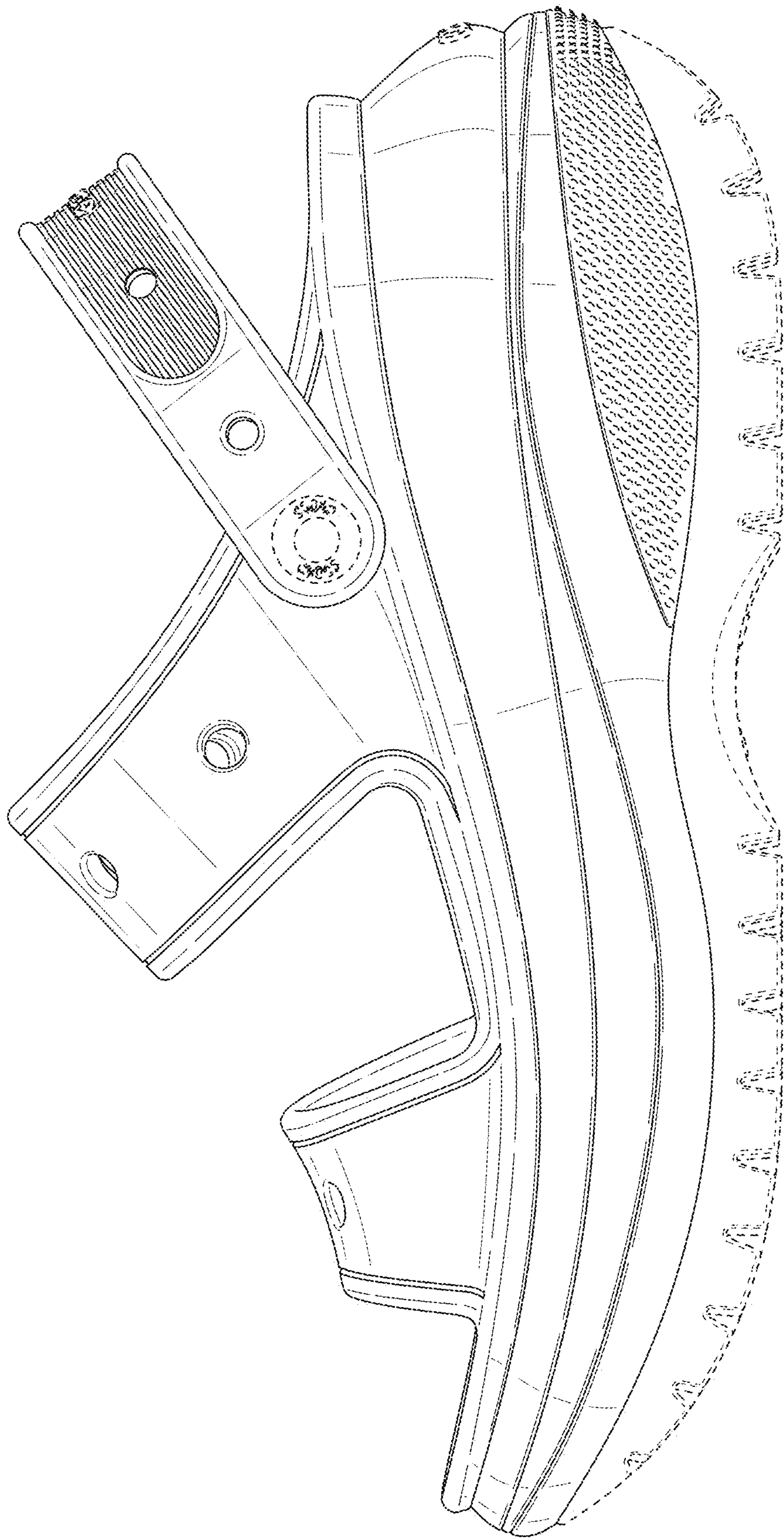


FIG. 5

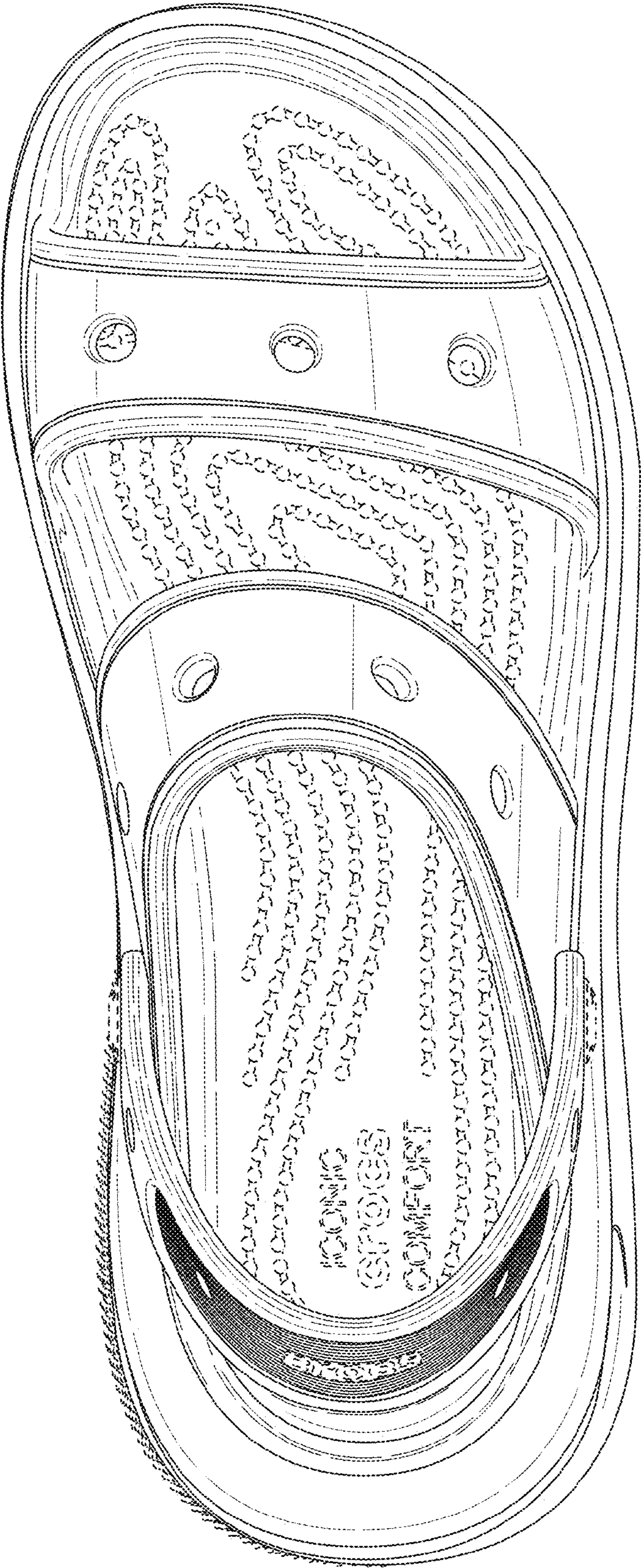


FIG. 6

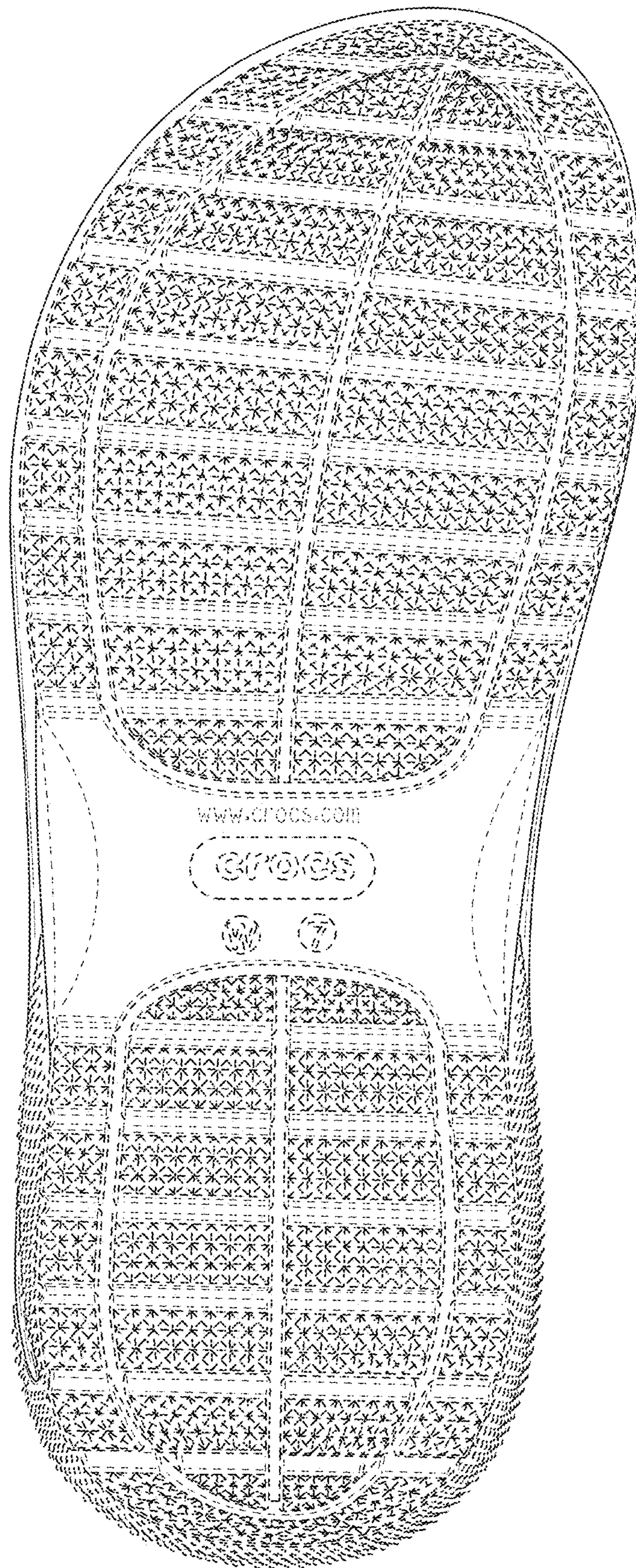


FIG. 7