

US00D506651S

(12) **United States Design Patent**
Magro

(10) **Patent No.:** **US D506,651 S**
(45) **Date of Patent:** **** Jun. 28, 2005**

- (54) **ELEMENT OF A SHOE**
- (75) **Inventor:** **Volney Dal Magro, Farroupilha (BR)**
- (73) **Assignee:** **Grendene, S.A., Farroupilha RS (BR)**
- (**) **Term:** **14 Years**

- D329,127 S 9/1992 Preskar et al.
- D329,734 S 9/1992 Preskar et al.
- D331,146 S 11/1992 Brown et al.
- D336,768 S 6/1993 Preskar et al.
- D343,503 S 1/1994 Preskar
- D345,459 S 3/1994 Preskar

(Continued)

- (21) **Appl. No.:** **29/202,672**
- (22) **Filed:** **Apr. 5, 2004**

OTHER PUBLICATIONS

Innovation, Summer 2000.
Innovation, Fall 2000.

(Continued)

Related U.S. Application Data

- (63) Continuation of application No. 29/197,548, filed on Jan. 16, 2004, which is a continuation of application No. 29/182,359, filed on May 23, 2003, now Pat. No. Des. 487,962, which is a continuation of application No. 29/179,213, filed on Apr. 7, 2003, now abandoned, which is a continuation of application No. 29/169,478, filed on Oct. 21, 2002, now Pat. No. Des. 472,696.

Primary Examiner—Dominic Simone

(74) *Attorney, Agent, or Firm*—Luedeka, Neely & Graham, P.C.

- (51) **LOC (8) Cl.** **02-99**
- (52) **U.S. Cl.** **D7/977; D2/972**
- (58) **Field of Search** D2/902, 907, 908,
D2/943, 944, 959, 967, 977, 972-974;
36/34 R, 35 B, 45, 50.1, 77 M, 77 R, 83,
88, 113, 114, 126-130

(57)

CLAIM

The ornamental design for element of a shoe, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a shoe upper showing my new design;
FIG. 2 is a left-hand side elevational view of my new design;
FIG. 3 is a right-hand side elevational view of my new design;
FIG. 4 is a front elevational view of my new design;
FIG. 5 is a back side elevational view of my new design;
FIG. 6 is a top plan view of my new design; and,
FIG. 7 is a bottom plan view of my new design.

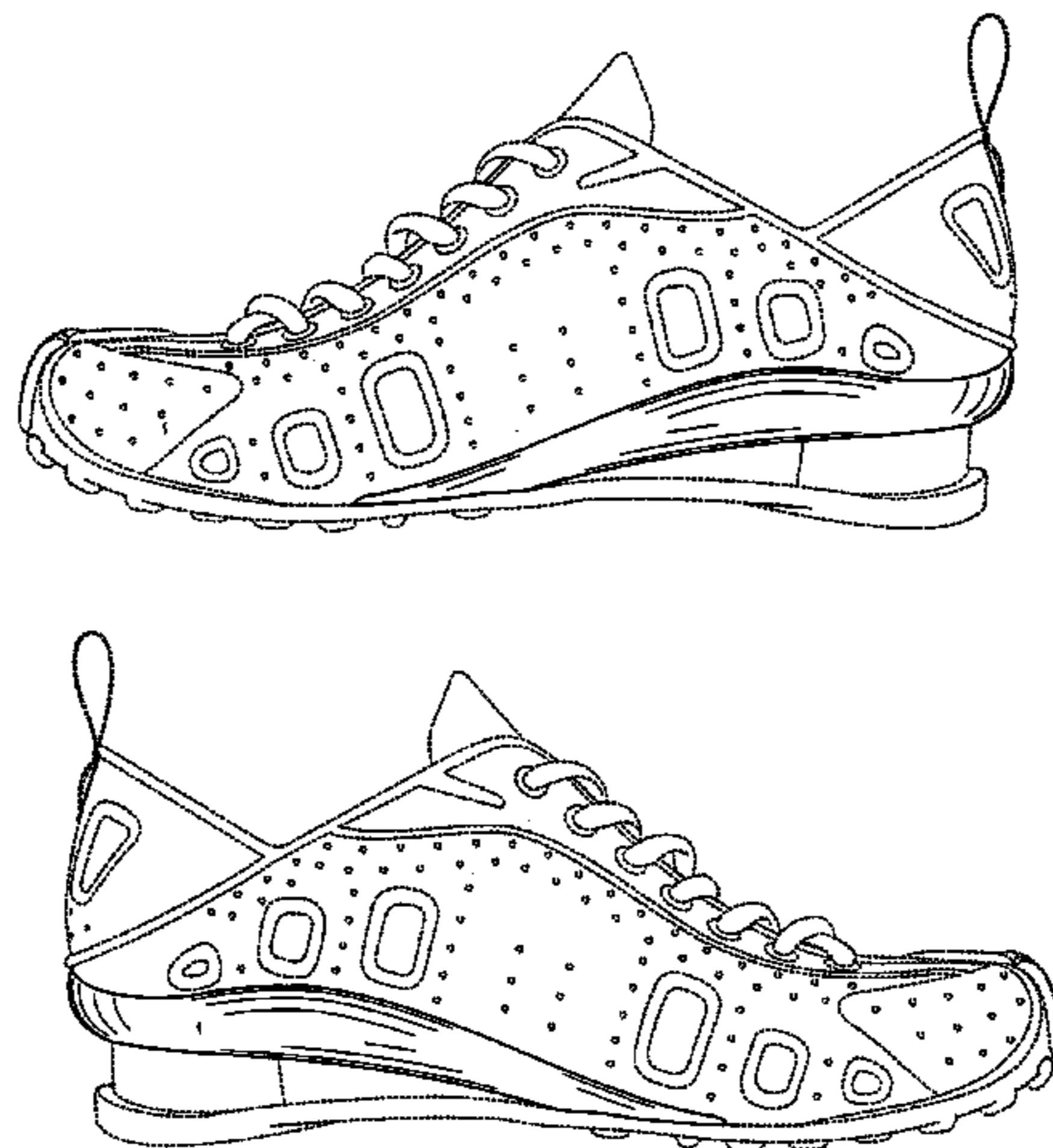
The broken lines depicting other aspects of the shoe are for environmental purposes only and do not form a part of the claimed design. It is therefore Applicant's intent to claim and cover by means of the patent to issue from this application any and all shoes having the claimed ornamental design features on the upper shown in solid lines (as well as features substantially similar thereto) irrespective of whether the uppers of the shoes have or do not have additional features thereon.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D121,480 S * 7/1940 Maling D2/944
- 2,208,330 A 7/1940 Oakley
- 2,760,278 A 8/1956 Agrillo
- D228,267 S * 9/1973 Powers D2/908
- 3,822,490 A 7/1974 Murawski
- 4,245,408 A 1/1981 Larsen
- D262,496 S 1/1982 DeCoster
- D262,581 S 1/1982 Chevallereau
- 4,316,335 A 2/1982 Giese et al.
- 4,674,205 A 6/1987 Anger
- 4,712,319 A 12/1987 Gorla
- 4,854,057 A 8/1989 Misevich
- 4,888,887 A 12/1989 Solow
- 5,067,259 A 11/1991 Freuge

1 Claim, 6 Drawing Sheets



U.S. PATENT DOCUMENTS

D348,559 S 7/1994 Preskar
 5,331,753 A 7/1994 Rodibaugh
 D352,161 S 11/1994 Preskar
 D354,617 S 1/1995 Kilgore
 D361,883 S 9/1995 Adams et al.
 D362,110 S 9/1995 Preskar
 5,467,537 A 11/1995 Aveni
 5,513,449 A 5/1996 Gramola
 D370,992 S 6/1996 Preskar et al.
 5,528,841 A 6/1996 Pozzobon
 D378,014 S 2/1997 Preskar
 D380,077 S 6/1997 Preskar
 5,673,501 A 10/1997 Mathews
 D386,592 S 11/1997 Lucas
 D401,747 S 12/1998 Cessor
 D402,450 S 12/1998 Munns
 D403,846 S 1/1999 Bove et al.
 D405,241 S 2/1999 Gillespie
 D407,192 S 3/1999 Chassaing
 D407,199 S 3/1999 Hardy
 D407,200 S 3/1999 Clarke
 D412,050 S 7/1999 Chassaing
 6,079,126 A 6/2000 Olszewski
 D427,754 S 7/2000 Portaud
 D427,757 S 7/2000 Ruth
 6,122,845 A 9/2000 Menghl
 D433,216 S 11/2000 Avar
 D434,208 S 11/2000 Kimball
 D443,754 S 6/2001 Magro
 D444,619 S 7/2001 Marvin et al.
 D444,623 S 7/2001 Wilson
 D446,914 S * 8/2001 Cockrell D2/959
 D447,323 S 9/2001 Cadet
 D448,920 S 10/2001 Montross
 D450,437 S * 11/2001 Simpson et al. D2/967

D461,950 S 8/2002 Adams
 6,442,869 B2 9/2002 Coomes
 D465,907 S 11/2002 Matis
 D467,057 S * 12/2002 Jacobs D2/902
 D467,720 S 12/2002 Patt
 D468,891 S * 1/2003 Truelsen D2/907
 D468,893 S 1/2003 Lupo
 D470,303 S * 2/2003 Wu D2/977
 D472,696 S * 4/2003 Magro D2/902
 D474,005 S 5/2003 Kuerbis
 D474,583 S 5/2003 Link
 D474,585 S 5/2003 Cooper
 D482,855 S * 12/2003 Magro D2/969
 D482,856 S * 12/2003 Magro D2/969
 D482,857 S * 12/2003 Magro D2/969
 D487,962 S * 4/2004 Magro D2/969
 D487,963 S * 4/2004 Magro D2/969

OTHER PUBLICATIONS

Innovation, Winter 1998.
Innovation, Special 1992.
Innovation, Summer 1991.
I.D. Magazine, Jun. ?.
I.D. Magazine, Apr. 2003.
Running Times, Jun. 2003.
Runner's World, Jun. 2003.
Track & Field News, May 2003.
Outside Buyer's Guide, 2003 Annual.
Shape Magazine, Jun. 2003.
 Printout of Nike ACG Aqua Sock IV.
 Printout of Reebok X Beam Franchise Basketball Shoes
 (Mens & Kids).
 Printout of Dr. Martens Boot.

* cited by examiner

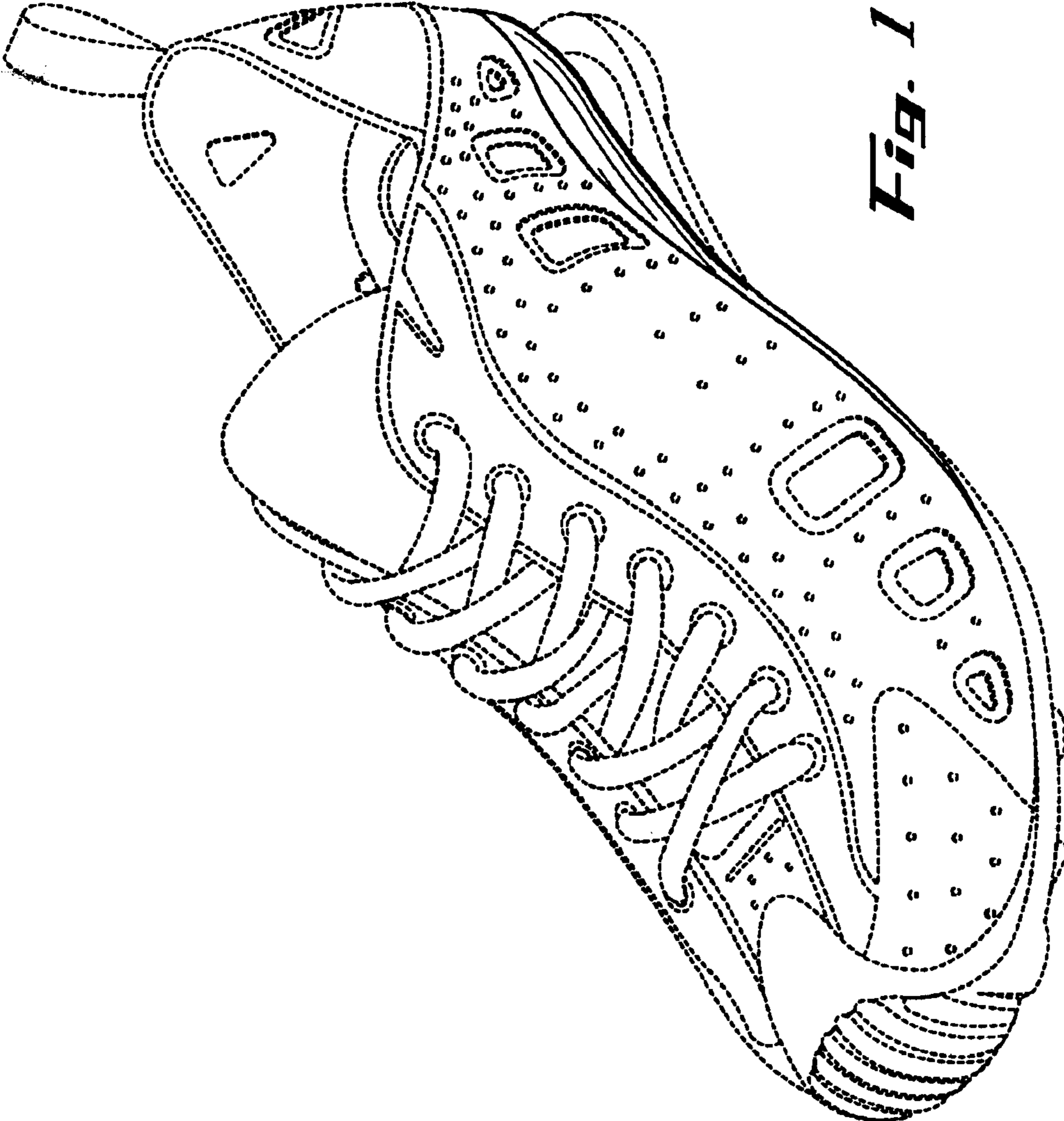


Fig. 1

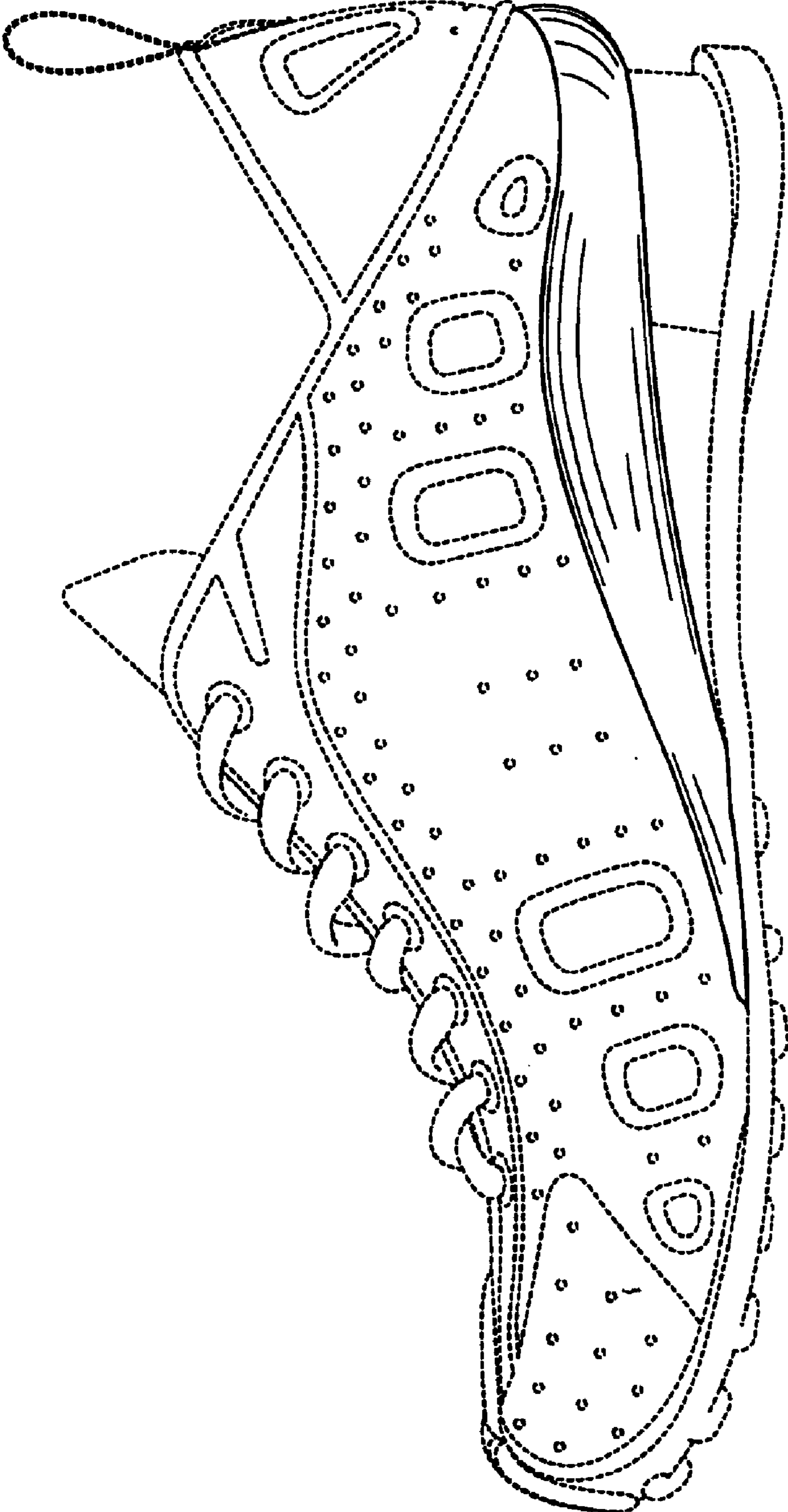


Fig. 2

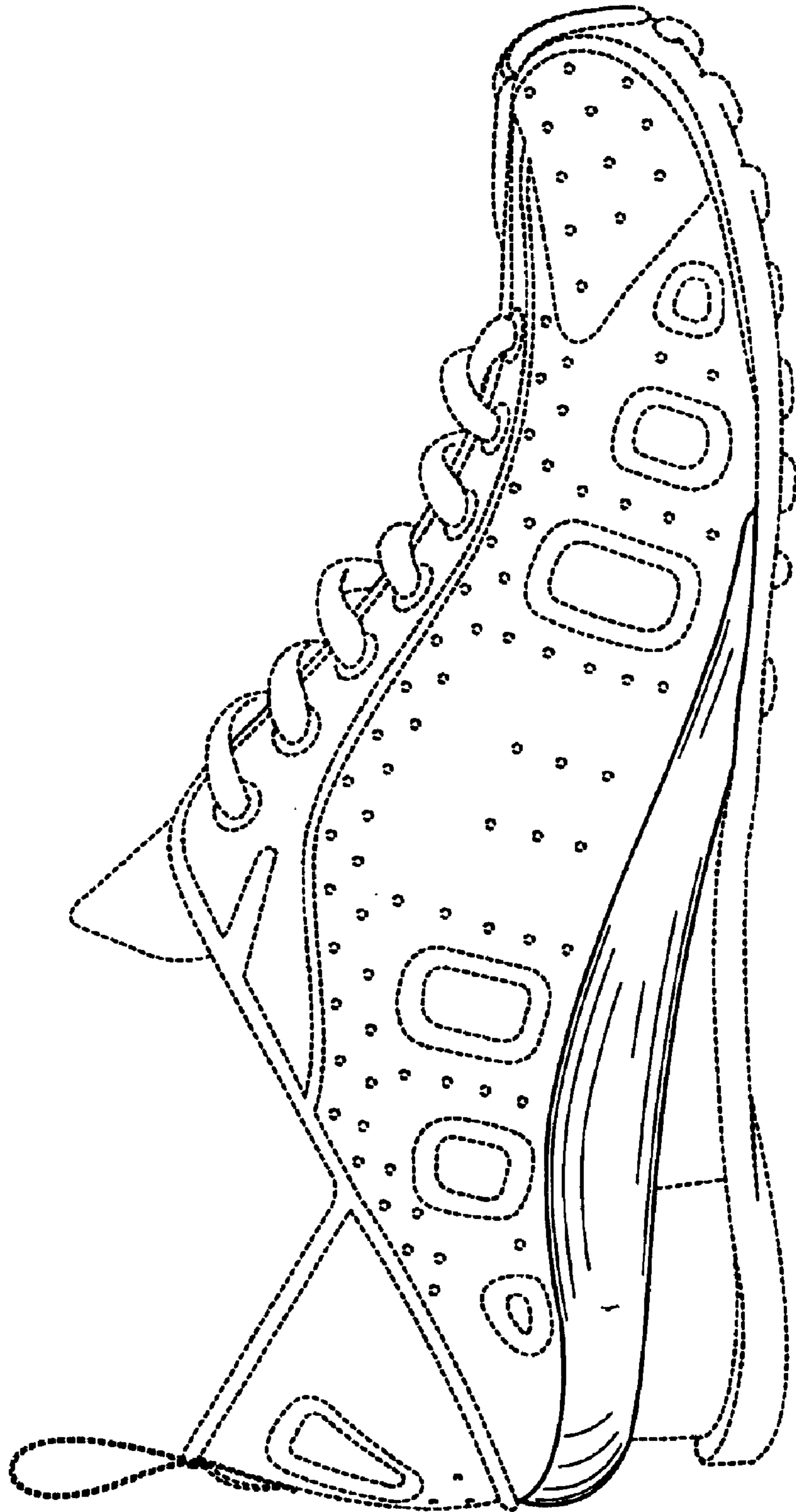


Fig. 7

Fig. 4

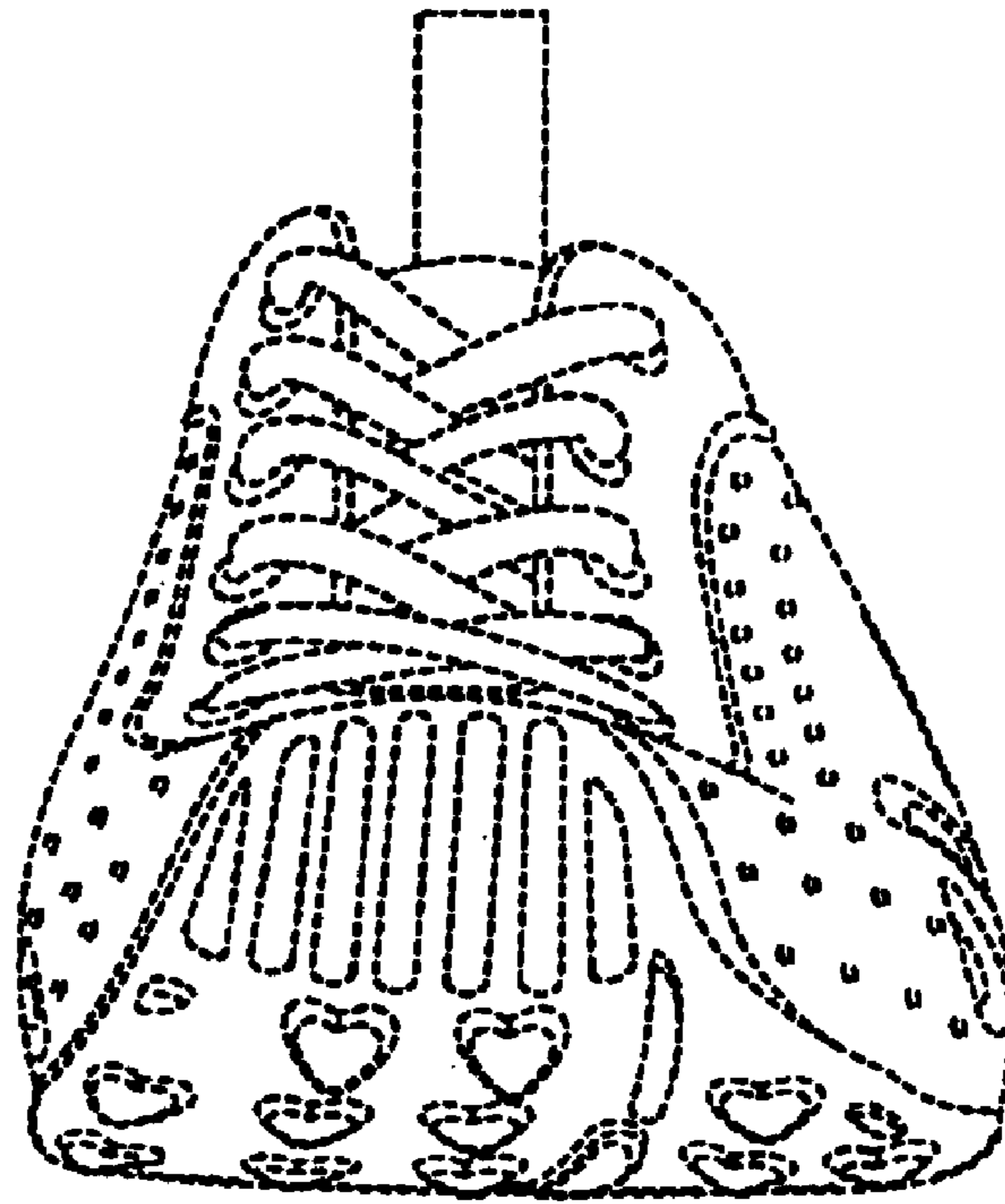


Fig. 5

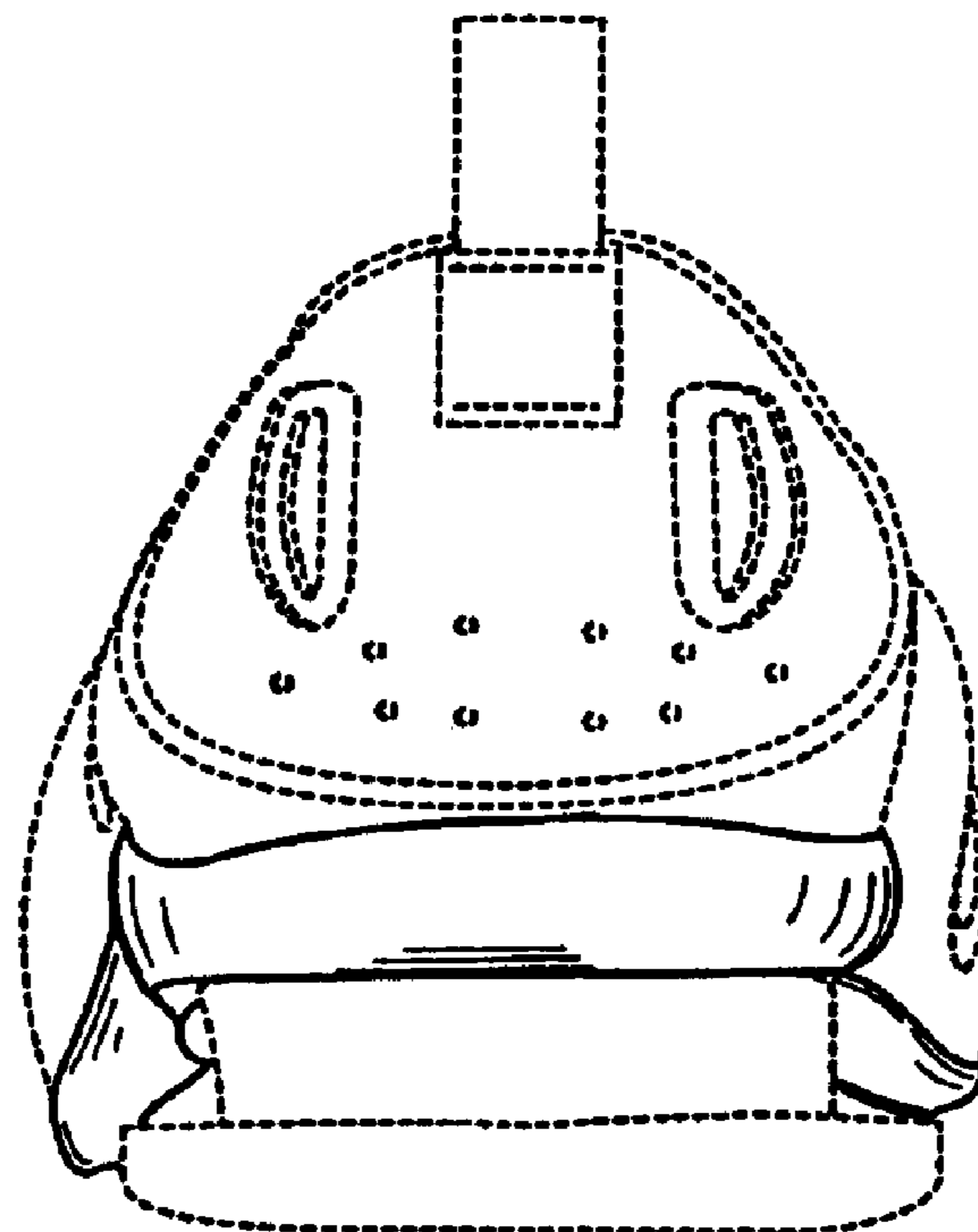


Fig. 6

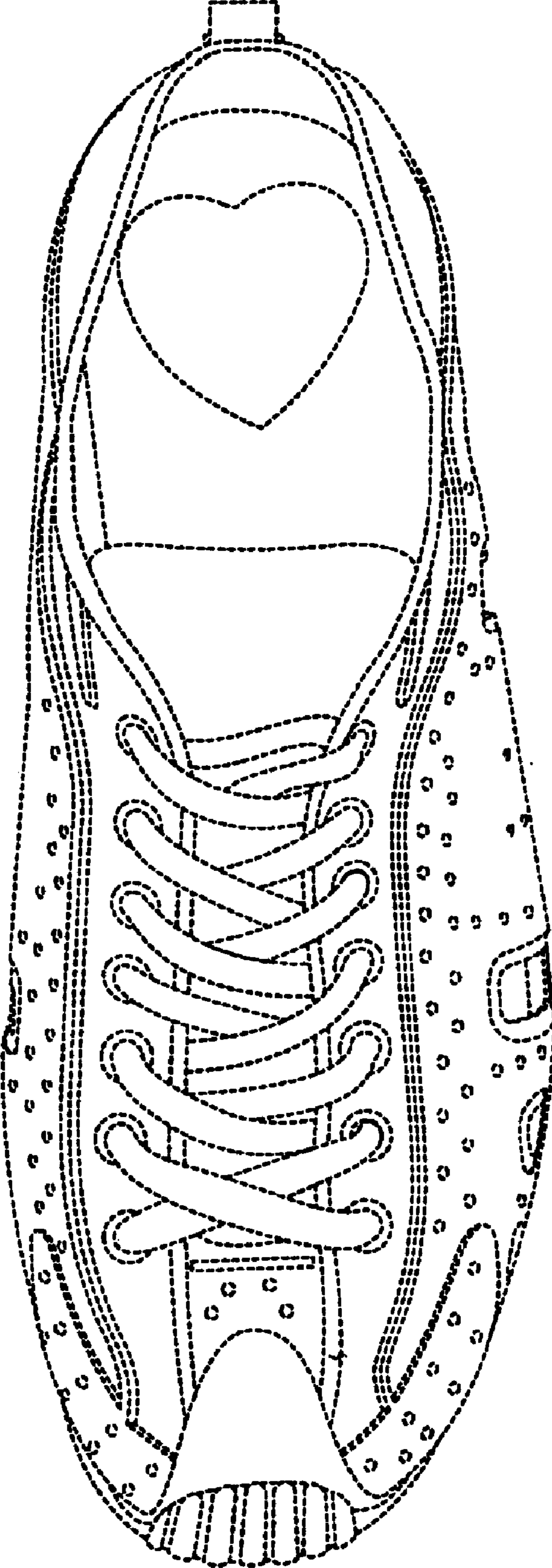


Fig. 1

