



US00D658868S

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

(10) **Patent No.:** **US D658,868 S**  
(45) **Date of Patent:** **\*\* May 8, 2012**

- (54) **THREE-TOED SHOE**
- (75) Inventor: **John M. Chenciner**, Sanibel, FL (US)
- (73) Assignee: **Surf 9, LLC**, Fort Myers, FL (US)
- (\*\*) Term: **14 Years**
- (21) Appl. No.: **29/406,245**
- (22) Filed: **Nov. 10, 2011**
- (51) **LOC (9) Cl.** ..... **02-99**
- (52) **U.S. Cl.** ..... **D2/972; D2/969**
- (58) **Field of Classification Search** ..... D2/896-898,  
D2/902, 903, 906-908, 943, 944, 946, 947,  
D2/951, 953, 957, 960, 969, 972-974, 977;  
36/1, 9 R, 45-49, 50.1, 77 M, 77 R, 83, 88,  
36/93, 94, 113, 114, 126-131, 25 R-25 A  
See application file for complete search history.

D321,084 S	10/1991	Miller et al.	
5,063,692 A	11/1991	Suginaka	
D321,971 S *	12/1991	Bajork .....	D2/903
5,205,071 A	4/1993	Hergenroeder	
5,317,819 A	6/1994	Ellis, III	
D349,601 S	8/1994	Buck, IV	
5,384,973 A	1/1995	Lyden	
5,544,429 A	8/1996	Ellis, III	
5,647,145 A	7/1997	Russell et al.	
5,774,898 A	7/1998	Malpee	
5,815,949 A	10/1998	Sessa et al.	
5,913,592 A *	6/1999	Moore .....	36/94

(Continued)

**FOREIGN PATENT DOCUMENTS**

CN 200987364 12/2007

(Continued)

**OTHER PUBLICATIONS**

U.S. Appl. No. 13/247,674, filed Sep. 9, 2011.

(Continued)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,090,731 A	3/1914	Lindberg	
1,772,179 A	8/1930	Finkelstein	
2,129,226 A	9/1936	Montano	
2,121,907 A	6/1938	Easton	
2,952,082 A	9/1960	Murray	
3,013,564 A *	12/1961	Levey .....	36/94
D196,948 S	11/1963	Roman	
3,128,763 A	4/1964	Langenfeld et al.	
3,129,520 A	4/1964	Funck	
3,967,390 A *	7/1976	Anfruns .....	36/94
4,094,081 A	6/1978	Reiner et al.	
4,096,649 A	6/1978	Saurwein et al.	
D259,296 S	5/1981	Meyer	
4,294,022 A	10/1981	Stockli et al.	
D278,608 S	4/1985	Thompson	
4,651,354 A	3/1987	Petrey	
4,689,898 A	9/1987	Fahey	
D295,114 S	4/1988	Horne	
4,827,631 A	5/1989	Thornton et al.	
4,907,350 A	3/1990	Chilewich et al.	
4,989,349 A	2/1991	Ellis, III	

*Primary Examiner* — Dominic Simone

(74) *Attorney, Agent, or Firm* — Craig R. Miles; CR Miles, P.C.

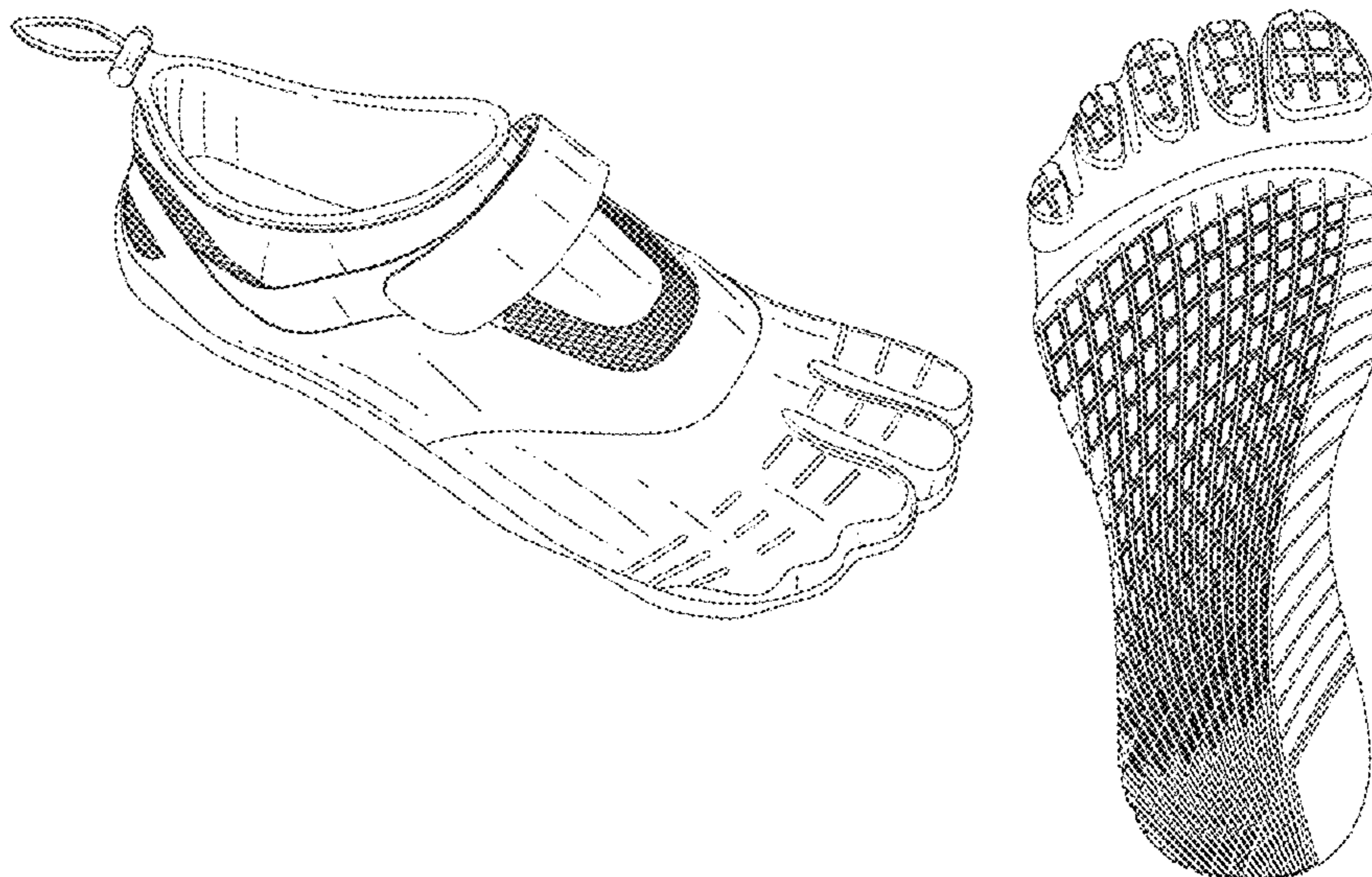
(57) **CLAIM**

The ornamental design for a three-toed shoe, as shown and described.

**DESCRIPTION**

FIG. 1 is a top and right side perspective of a three-toed shoe design showing my new design;  
FIG. 2 is a front elevation view thereof;  
FIG. 3 is a rear elevation view thereof;  
FIG. 4 is a left side elevation view thereof;  
FIG. 5 is a right side elevation view thereof;  
FIG. 6 is a top plan view thereof; and,  
FIG. 7 is a bottom plan view thereof.

**1 Claim, 6 Drawing Sheets**



U.S. PATENT DOCUMENTS

6,016,575 A 1/2000 Prychak  
 6,076,283 A 6/2000 Boie  
 6,115,941 A 9/2000 Ellis, III  
 6,470,599 B1 10/2002 Chu  
 6,708,348 B1 3/2004 Romay  
 D489,515 S 5/2004 Ganim, II et al.  
 D492,476 S 7/2004 Stanley  
 7,051,457 B1 5/2006 Huggins et al.  
 7,082,703 B2 8/2006 Greene et al.  
 D579,181 S \* 10/2008 Swanson et al. .... D2/903  
 D582,134 S \* 12/2008 Von Conta et al. .... D2/903  
 D586,088 S 2/2009 Rubalsky et al.  
 D586,982 S \* 2/2009 Fliri ..... D2/897  
 D622,038 S 8/2010 Bracken  
 D625,906 S \* 10/2010 Zhang ..... D2/902  
 7,805,860 B2 \* 10/2010 Fliri ..... 36/94  
 D626,311 S \* 11/2010 Zhang ..... D2/902  
 D630,005 S \* 1/2011 Fliri ..... D2/897  
 D639,535 S \* 6/2011 Eggert et al. .... D2/898  
 D640,043 S 6/2011 Buck  
 D647,290 S 10/2011 Bramani  
 D650,977 S \* 12/2011 Eggert et al. .... D2/946  
 2003/0172555 A1 9/2003 Chu  
 2005/0091729 A1 5/2005 Alley  
 2005/0166427 A1 8/2005 Greene et al.  
 2005/0229430 A1 10/2005 Takaba  
 2007/0144039 A1 6/2007 Fliri  
 2008/0115386 A1 5/2008 Geuss  
 2008/0156044 A1 7/2008 Patterson  
 2010/0170027 A1 7/2010 Steel  
 2010/0251569 A1 10/2010 Stern  
 2010/0299962 A1 12/2010 Fliri  
 2011/0005105 A1 1/2011 Hong  
 2011/0047825 A1 3/2011 Young

FOREIGN PATENT DOCUMENTS

DE 1674858 4/1954  
 EP 0152033 8/1985  
 EP 000037767-0006 5/2003  
 EP 000382999-0005 8/2005  
 EP 000382999-0017 8/2005  
 EP 000664388-0001 2/2007  
 EP 000731963-0005 5/2007  
 EP 000943048-0001 5/2008  
 EP 000943113-0001 5/2008  
 EP 001008486-0001 9/2008  
 EP 001008486-0002 9/2008  
 EP 001101927-0015 3/2009

EP 001101927-0021 3/2009  
 EP 001101927-0023 3/2009  
 EP 001101927-0024 3/2009  
 EP 001101927-0025 3/2009  
 EP 001101927-0026 3/2009  
 EP 001101927-0027 3/2009  
 EP 001158943-0006 8/2009  
 EP 001158943-0009 8/2009  
 EP 001158943-0010 8/2009  
 EP 001158943-0015 8/2009  
 EP 001158943-0018 8/2009  
 EP 001158943-0027 8/2009  
 EP 001158943-0028 8/2009  
 EP 001158943-0029 8/2009  
 EP 001158943-0030 8/2009  
 EP 001725482-0001 6/2010  
 EP 001725482-0005 6/2010  
 EP 001725482-0006 6/2010  
 GB 2249939 10/1998  
 JP 2007144075 16/2007  
 JP 11032805 2/1999  
 JP 2009019317 1/2009  
 JP 2010090519 4/2010  
 JP 2010121227 6/2010  
 JP 2010285732 12/2010  
 WO WO/2005/037004 4/2005  
 WO WO/2007/038487 4/2007  
 WO WO/2009/116818 3/2009

OTHER PUBLICATIONS

U.S. Appl. No. 13/206,063.  
 U.S. Appl. No. 12/856,709, filed Aug. 16, 2010.  
 U.S. Appl. No. 60/720,750, filed Sep. 25, 2005.  
 U.S. Appl. No. 60/830,922, filed Jul. 15, 2006.  
 U.S. Appl. No. 29/392,345, filed May 19, 2011.  
 U.S. Appl. No. 29/392,337, filed May 19, 2011.  
 U.S. Appl. No. 29/380,701, filed Dec. 9, 2010.  
 Birthday Shoes. Adidas Toe Shoes? Meet the AdiPure Trainer Bare-foot Shoe, on-line catalog, <http://birthdayshoes.com>, originally downloaded Nov. 8, 2011, 4 total pages.  
 Fila. On-line catalog, <http://www.fila.com>, originally downloaded Nov. 8, 2011, 5 total pages.  
 TRAVELCOUNTRY.COM. Vibram Fivefingers, on-line catalog, <http://www.travelcountry.com>, originally downloaded Nov. 8, 2011, 2 total pages.  
 Zengear. Webcite, <http://www.zengear.com>, originally downloaded Nov. 9, 2011, 7 total pages.

\* cited by examiner

FIG. 1

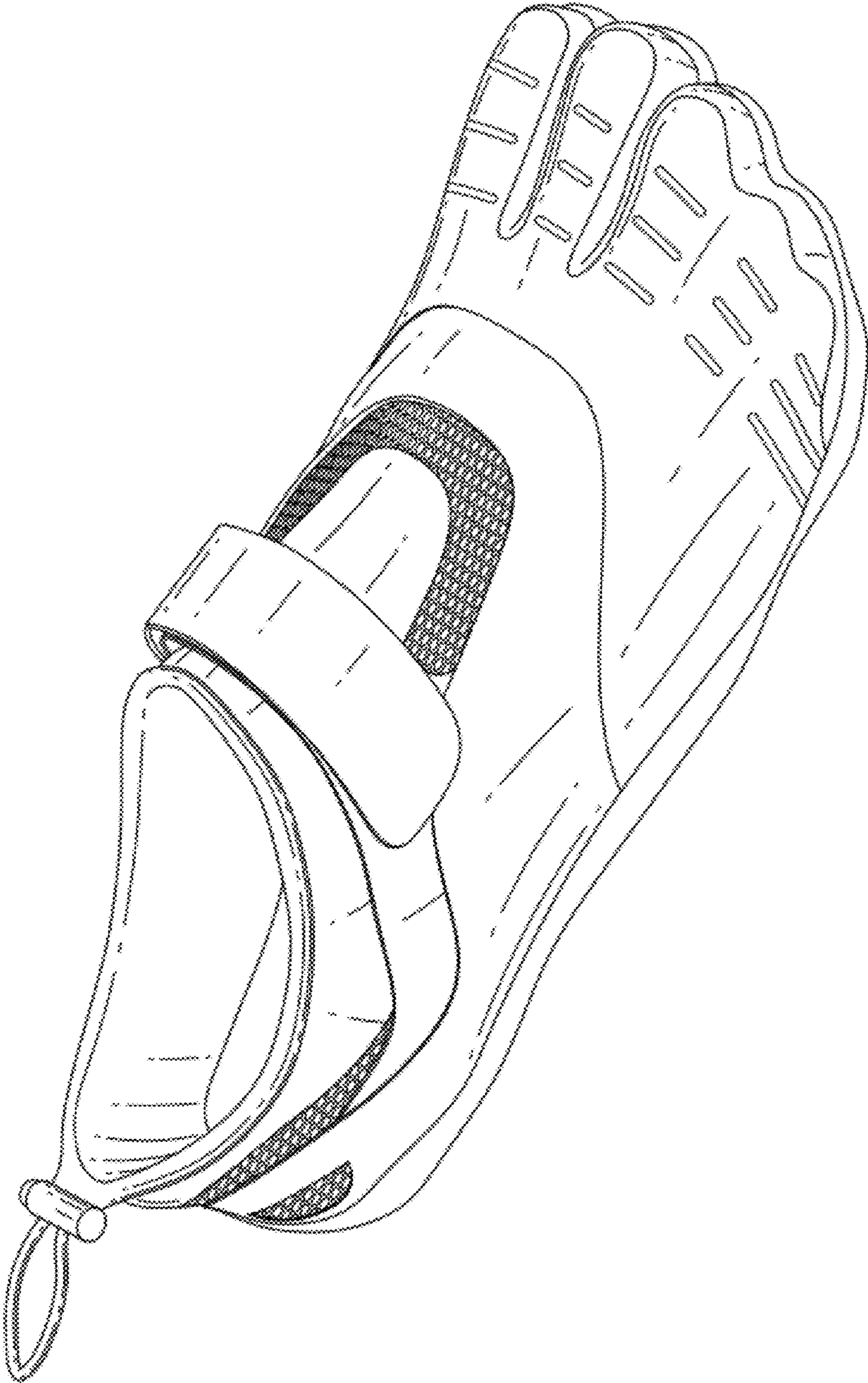


FIG. 2

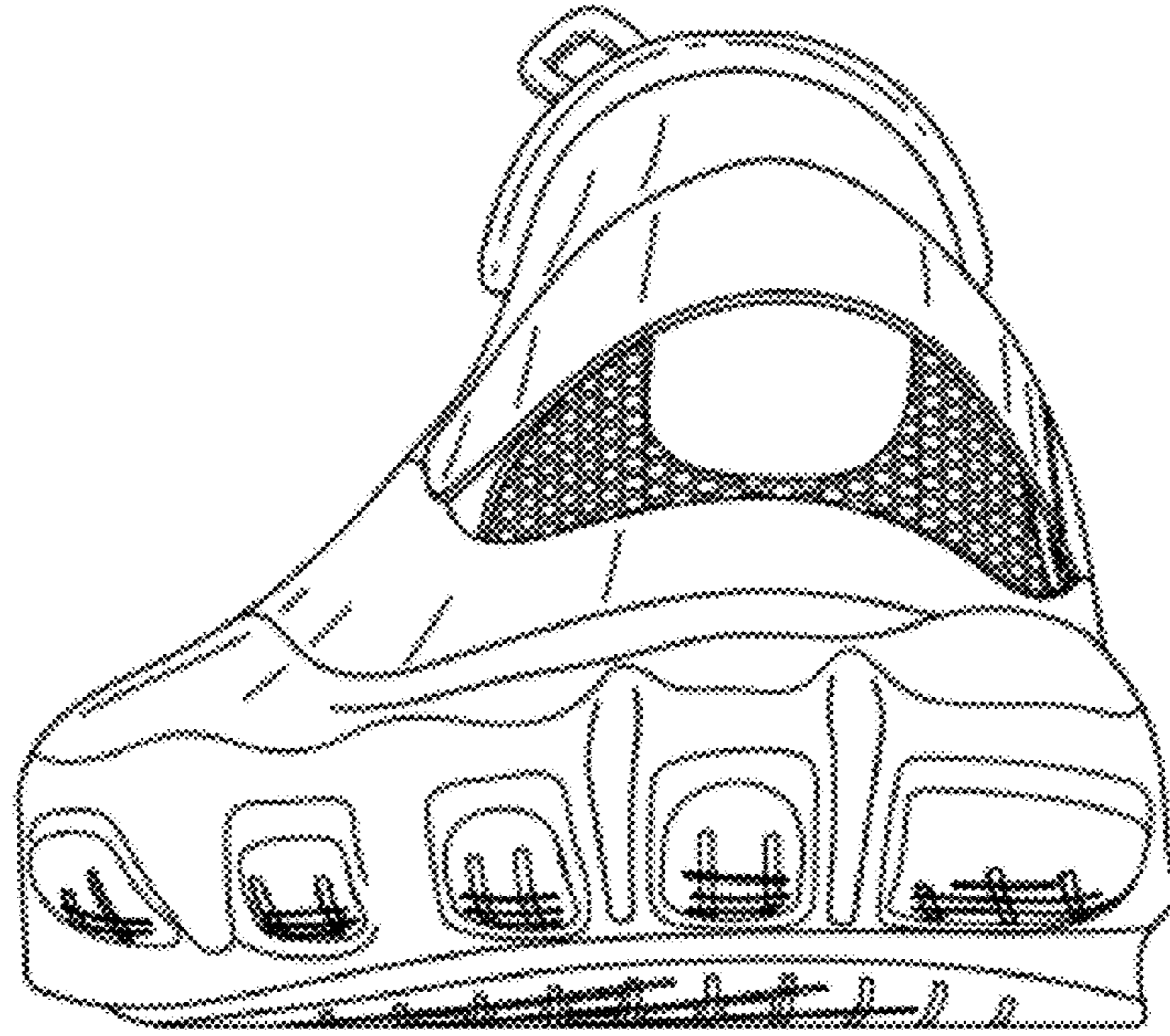


FIG. 3

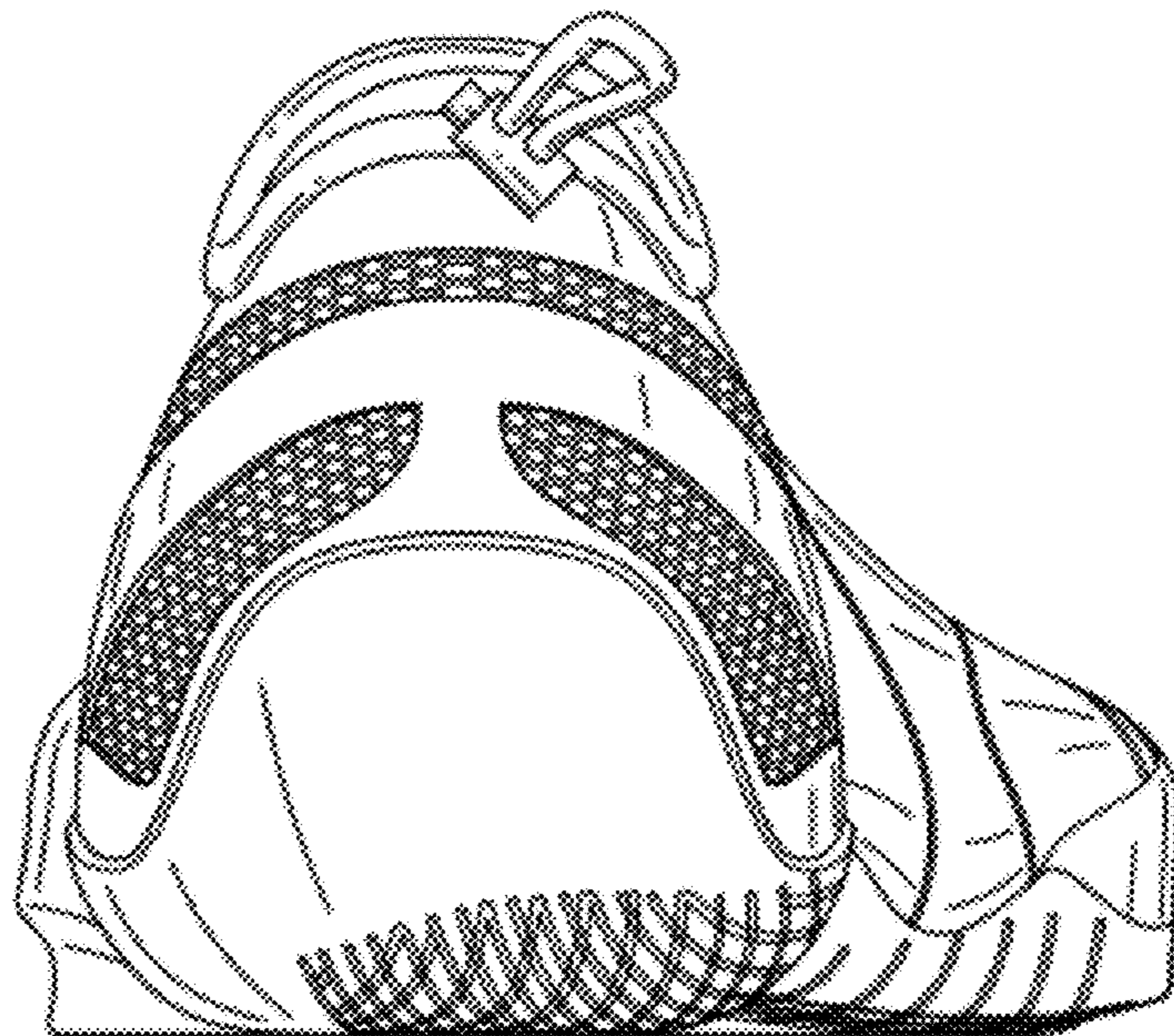


FIG. 4

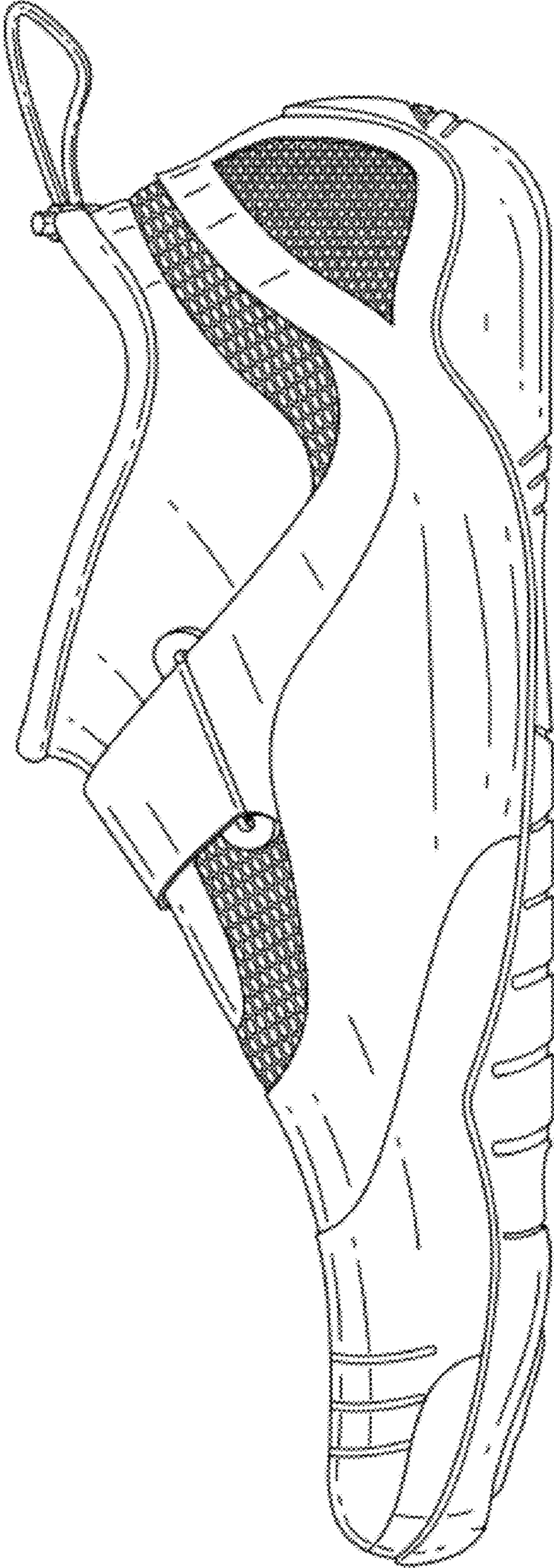


FIG. 5

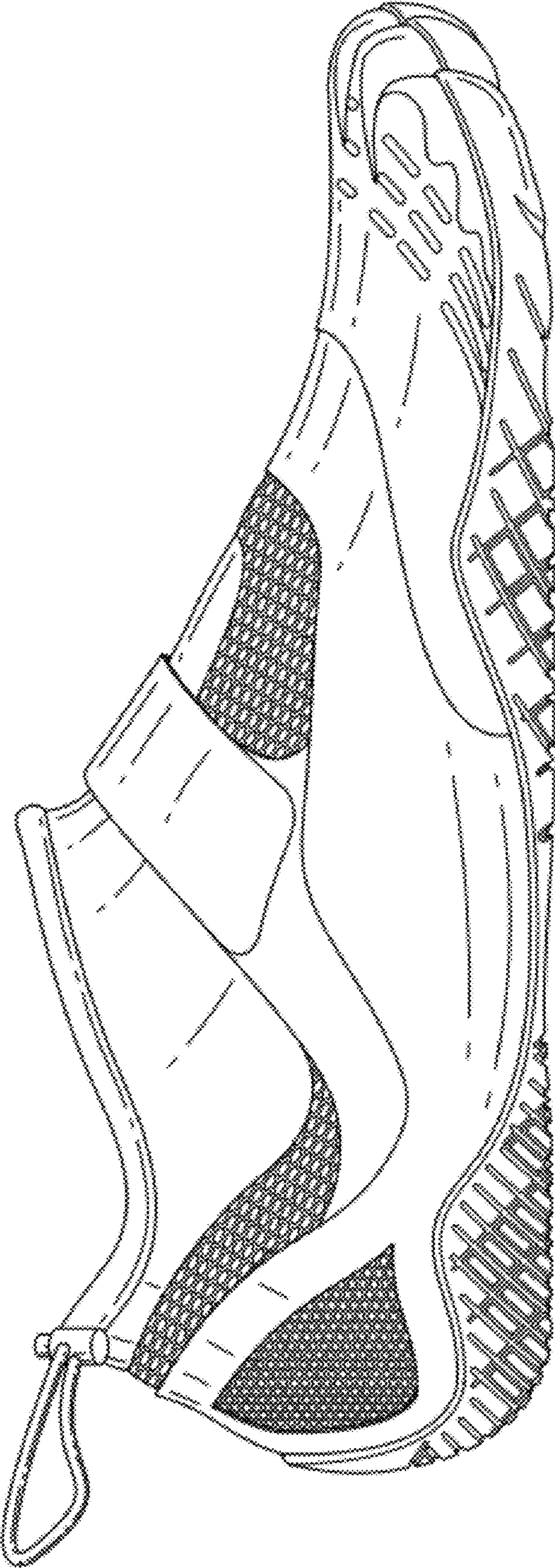


FIG. 6

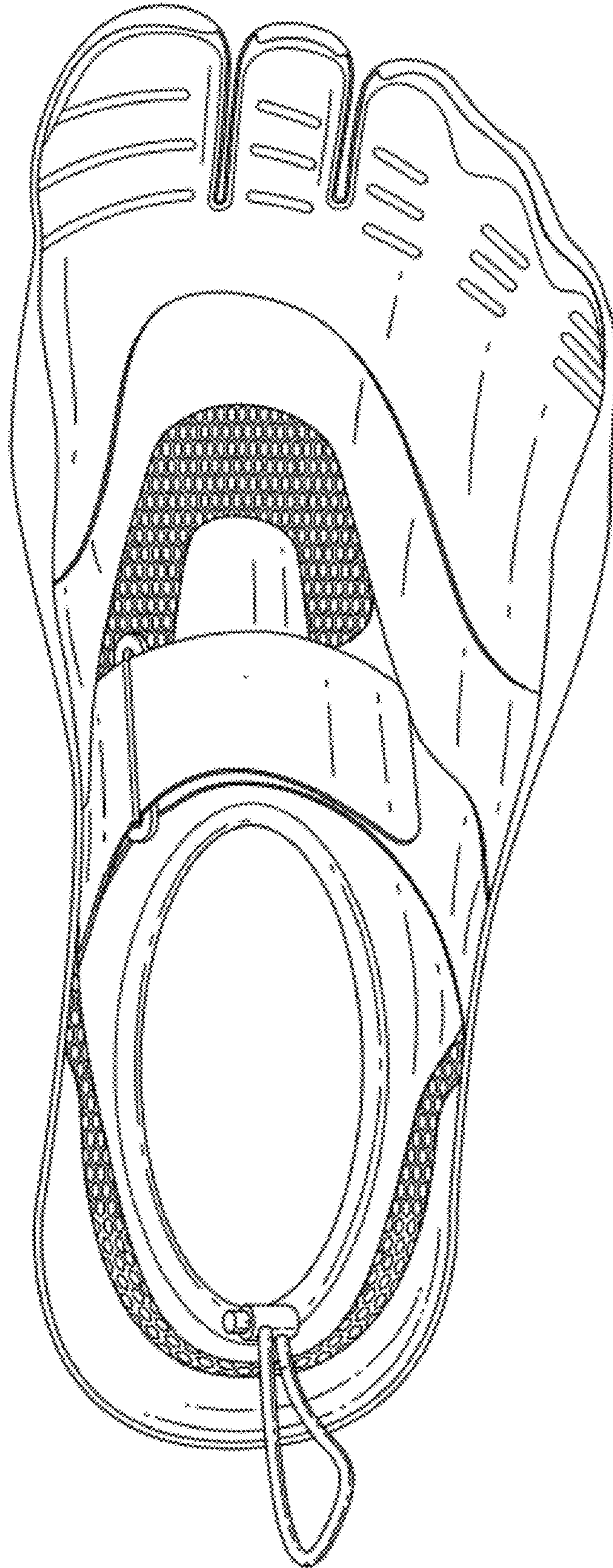


FIG. 7

