



US00D762365S

(12) **United States Design Patent**
Vestuti et al.

(10) **Patent No.:** **US D762,365 S**

(45) **Date of Patent:** **** *Aug. 2, 2016**

- (54) **SHOE**
- (71) Applicant: **Reebok International Limited**, London (GB)
- (72) Inventors: **Ricardo Vestuti**, Providence, RI (US); **John S. Greenhalgh**, Foxboro, MA (US)
- (73) Assignee: **Reebok International Limited**, London (GB)
- (*) Notice: This patent is subject to a terminal disclaimer.
- (**) Term: **14 Years**
- (21) Appl. No.: **29/470,407**
- (22) Filed: **Oct. 21, 2013**

1,272,556 A 7/1918 Steward
 1,552,022 A 9/1925 Willson
 D125,657 S 11/1934 Guild
 2,081,226 A 5/1937 Coezella
 D123,602 S 11/1940 Reeves
 D125,656 S 3/1941 Cutler

(Continued)

FOREIGN PATENT DOCUMENTS

CH 699482 3/2010
 EP 1120056 8/2001

(Continued)

OTHER PUBLICATIONS

Reebok Fall 2002 Footwear Catalog, p. 14, showing the U-Shuffle DMX shoe.

(Continued)

Primary Examiner — T. Chase Nelson

(74) *Attorney, Agent, or Firm* — Sterne, Kessler, Goldstein & Fox P.L.L.C.

Related U.S. Application Data

- (62) Division of application No. 29/445,791, filed on Feb. 15, 2013, now Pat. No. Des. 697,293, which is a division of application No. 29/375,660, filed on Sep. 24, 2010, now Pat. No. Des. 677,866.

(51) **LOC (10) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/947**; D2/951; D2/954

(58) **Field of Classification Search**
USPC D2/902, 906, 908, 916, 918, 925,
D2/946–962, 977; 36/3 B, 22 R, 24.5, 25 R,
36/28, 32 R, 34 R, 59 C, 67 A, 103
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

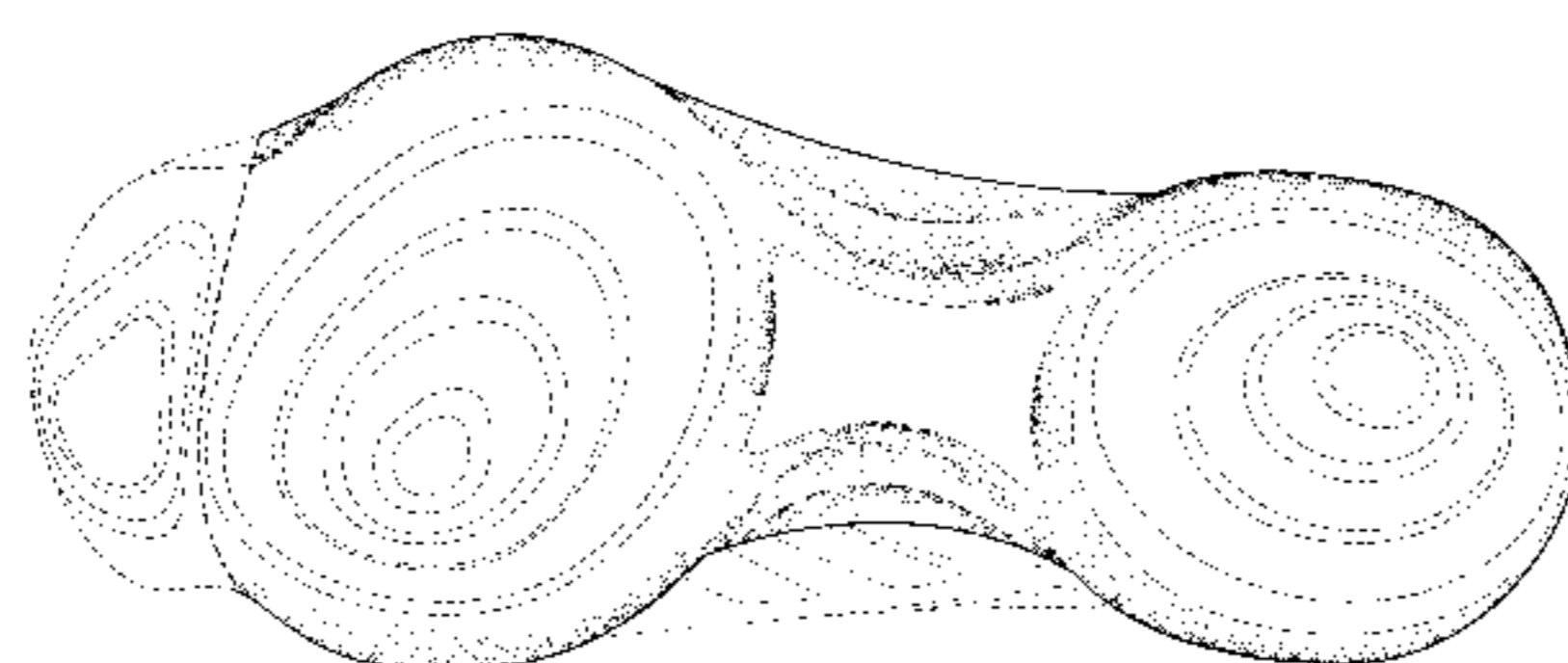
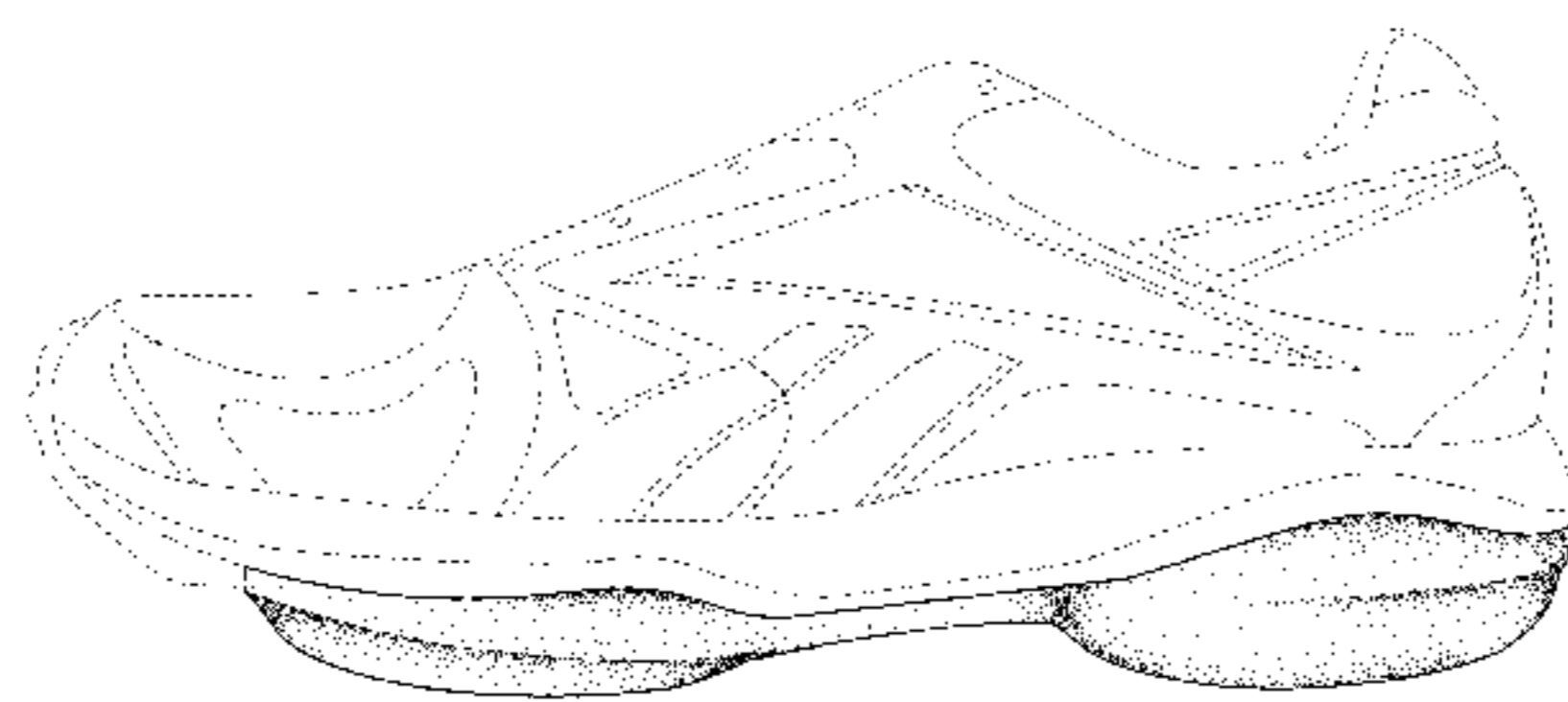
33,051 A 8/1861 Port
 D39,747 S 1/1909 McKenna
 1,120,082 A 12/1914 Rhodes

(57) **CLAIM**
The ornamental design for a shoe, as shown and described.

DESCRIPTION

FIG. 1 is a side view of a shoe showing our new design;
 FIG. 2 is another side view thereof;
 FIG. 3 is a front view thereof;
 FIG. 4 is a rear view thereof; and,
 FIG. 5 is a bottom plan view thereof.
 The broken lines in the Figures show environment for illustrative purposes only and form no part of the claimed design. The dot-dashed lines in the Figures show a border around portions of the subject matter being claimed. The unshaded portions of the Figures form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

2,365,027	A	12/1944	Urbany	D504,555	S	5/2005	Urie
D234,930	S	4/1975	Arambasic et al.	6,979,287	B2	12/2005	Elbaz et al.
D248,429	S	7/1978	Inohara	D513,842	S	1/2006	Paytuvi
D259,595	S	6/1981	Famolare, Jr.	7,080,467	B2	7/2006	Marvin et al.
D265,690	S	8/1982	Famolare, Jr.	D527,878	S *	9/2006	Edwards D2/955
D266,798	S	11/1982	Famolare, Jr.	7,101,330	B2	9/2006	Elbaz et al.
D267,288	S	12/1982	Davis	D532,189	S	11/2006	Truelsen
D267,366	S	12/1982	Davis	D541,511	S	5/2007	Wu
4,400,893	A	8/1983	Musci	D551,433	S	9/2007	Loverin
4,446,634	A	5/1984	Johnson et al.	D553,335	S	10/2007	Amado et al.
4,494,320	A	1/1985	Davis	7,278,445	B2	10/2007	Marvin et al.
D281,370	S	11/1985	Peel	D554,836	S	11/2007	Shaffer
D281,641	S	12/1985	Shiki	D554,838	S	11/2007	McCiaskie
D282,123	S	1/1986	Davis	D567,484	S	4/2008	James
4,571,852	A	2/1986	Lamarche et al.	D568,593	S	5/2008	Chen
4,577,417	A	3/1986	Cole	D569,084	S	5/2008	Hatfield et al.
4,653,206	A	3/1987	Tanel	D569,086	S	5/2008	Le
4,660,304	A	4/1987	Tanel	D574,582	S	8/2008	Della Valle
4,669,204	A	6/1987	Tanel	D576,394	S	9/2008	Heller
4,723,365	A	2/1988	Tanel	D577,179	S	9/2008	Della Valle
4,748,752	A	6/1988	Tanel	7,437,835	B2	10/2008	Marvin et al.
D296,950	S	8/1988	Brickwood	D582,638	S	12/2008	Ringholz
4,785,557	A	11/1988	Kelley et al.	D583,136	S	12/2008	Amado et al.
D299,584	S	1/1989	Franklin et al.	D585,634	S	2/2009	McCiaskie
D303,451	S	9/1989	Weiner	D586,545	S	2/2009	Feldman
D304,520	S	11/1989	Clark	D586,984	S	2/2009	Schwartz
4,897,936	A	2/1990	Fuerst	D590,586	S	4/2009	Harlow
D309,370	S	7/1990	Nagai et al.	D591,031	S	4/2009	Cofinco
5,058,292	A	10/1991	Tanel	D594,195	S	6/2009	Nakano
D323,059	S	1/1992	Hatfield	D594,196	S	6/2009	Recchi
D326,181	S	5/1992	Katz et al.	D594,200	S	6/2009	Nakano
5,201,126	A	4/1993	Tanel	7,546,699	B2	6/2009	Ellis, III
5,203,097	A	4/1993	Blair	D595,489	S	7/2009	McCiaskie
D343,051	S	1/1994	Bramani	7,562,468	B2	7/2009	Ellis, III
5,313,718	A	5/1994	McMahon et al.	D597,287	S	8/2009	Vestuti et al.
5,435,078	A	7/1995	Pyle	D598,185	S	8/2009	McCiaskie
5,678,329	A	10/1997	Griffin et al.	D601,783	S	10/2009	Pizzuti
D388,947	S	1/1998	Sessa	D602,683	S	10/2009	Roundhouse
D392,790	S	3/1998	Ng	D604,033	S	11/2009	Feldman
D394,741	S	6/1998	Gaudio	D607,185	S	1/2010	Soon
D394,939	S	6/1998	Avar	7,647,710	B2	1/2010	Ellis, III
D395,156	S	6/1998	Adam	D614,838	S	5/2010	Bramani
D395,157	S	6/1998	von Conta	D614,840	S	5/2010	Hogan
5,771,606	A	6/1998	Litchfield et al.	D614,841	S	5/2010	Hogan
D395,743	S	7/1998	Ryan	7,707,742	B2	5/2010	Ellis, III
D396,549	S	8/1998	von Conta et al.	D619,343	S	7/2010	Vestuti et al.
D398,440	S	9/1998	Rowland	D621,595	S	8/2010	McCiaskie
D400,344	S	11/1998	Avar	D622,486	S	8/2010	Goldston et al.
D401,043	S	11/1998	Truelsen	7,793,429	B2	9/2010	Ellis, III
D405,596	S	2/1999	Aird et al.	7,793,430	B2	9/2010	Ellis
D416,602	S	11/1999	Finn	D625,093	S	10/2010	Lidtke
6,026,593	A	2/2000	Harmon-Weiss et al.	D627,545	S	11/2010	Raysse
D426,947	S	6/2000	Pollastrelli	D633,695	S	3/2011	Opie
D427,755	S	7/2000	Tresser	D635,755	S	4/2011	McMillan
6,266,897	B1	7/2001	Seydel et al.	D636,157	S	4/2011	Nascimento
D446,917	S	8/2001	Brown	D636,159	S	4/2011	Petrie
D459,064	S	6/2002	McCiaskie	D636,570	S	4/2011	Merritt et al.
D464,188	S	10/2002	Lozano	7,921,580	B2	4/2011	Russell
6,505,420	B1	1/2003	Litchfield et al.	D636,981	S	5/2011	Petrie
6,516,540	B2	2/2003	Seydel et al.	D637,381	S	5/2011	Zappiello
D475,514	S	6/2003	Burg et al.	7,941,938	B2	5/2011	Yu et al.
D478,412	S	8/2003	Adams	D640,047	S	6/2011	Claassen
D482,851	S	12/2003	McClaskie	7,962,986	B2	6/2011	Dananberg
D482,852	S	12/2003	Belley et al.	D642,363	S	8/2011	Rajmohan et al.
D487,838	S	3/2004	McCiaskie	D643,197	S	8/2011	Teteriatnikov
D492,096	S	6/2004	Sanchez et al.	D643,602	S	8/2011	Teteriatnikov
6,745,499	B2	6/2004	Christensen et al.	D643,607	S	8/2011	Teteriatnikov
D493,949	S	8/2004	Magro	D644,007	S	8/2011	Akhidime
D495,860	S	9/2004	Kubo et al.	D644,008	S	8/2011	Teteriatnikov
D496,526	S	9/2004	Grisoni et al.	D644,009	S	8/2011	Akhidime
D497,244	S	10/2004	Sedlbauer	D646,049	S	10/2011	Dowling
D498,041	S	11/2004	McCiaskie	D646,470	S	10/2011	Jacobs
6,836,978	B1	1/2005	Lauer et al.	D648,517	S	11/2011	Vestuti et al.
D501,293	S	2/2005	Bizzo	D653,023	S	1/2012	McCiaskie
D501,706	S	2/2005	McClaskie	D655,489	S	3/2012	Mahoney
				D655,897	S	3/2012	Mahoney
				8,156,663	B2	4/2012	Shelton et al.
				D659,363	S	5/2012	Leary et al.
				D659,961	S	5/2012	Vestuti et al.

(56)

References Cited

U.S. PATENT DOCUMENTS

D659,963 S * 5/2012 Merritt et al. D2/951
 D663,511 S 7/2012 Martinez et al.
 D664,753 S 8/2012 Santos
 8,256,146 B2 9/2012 Loverin
 D668,854 S 10/2012 Dean et al.
 D671,304 S 11/2012 Lacorazza et al.
 8,307,569 B2 11/2012 McInnis et al.
 D671,724 S 12/2012 Avar et al.
 8,333,024 B2 12/2012 Fallow et al.
 D677,040 S 3/2013 Vestuti et al.
 D677,866 S 3/2013 Vestuti et al.
 D679,489 S 4/2013 van Haasteren
 8,424,221 B2 4/2013 Litchfield et al.
 D682,518 S 5/2013 Vestuti et al.
 D682,519 S * 5/2013 Litchfield et al. D2/955
 D682,520 S 5/2013 Litchfield et al.
 D689,677 S * 9/2013 Bathum et al. D2/955
 8,578,630 B2 * 11/2013 Diepenbrock 36/59 R
 D697,293 S 1/2014 Vestuti et al.
 D697,704 S 1/2014 Vestuti et al.
 D703,928 S * 5/2014 Avar et al. D2/953
 D704,423 S * 5/2014 Williams, Jr. D2/953
 D707,931 S * 7/2014 VanHook D2/955
 D715,036 S * 10/2014 Dolce D2/955
 D717,032 S * 11/2014 Van Zyll De Jong et al. . D2/955
 D719,331 S * 12/2014 Christensen et al. D2/955
 2003/0069807 A1 4/2003 Lyden
 2004/0003513 A1 1/2004 Crane et al.
 2004/0033864 A1 2/2004 Elbaz et al.
 2004/0033874 A1 2/2004 Elbaz et al.
 2005/0044745 A1 3/2005 Pfander
 2005/0268490 A1 12/2005 Foxen
 2005/0283999 A1 12/2005 Whatley
 2006/0026868 A1 2/2006 Grisoni et al.
 2006/0048412 A1 3/2006 Kerrigan
 2007/0028485 A1 2/2007 Crane et al.
 2007/0033832 A1 2/2007 Marvin et al.
 2007/0043630 A1 2/2007 Lyden
 2008/0242518 A1 10/2008 Elbaz et al.
 2009/0094855 A1 4/2009 Finkelstein
 2009/0119948 A1 5/2009 Ortle et al.
 2009/0241379 A1 10/2009 Krikorian
 2009/0293309 A1 12/2009 Keating et al.
 2010/0107448 A1 5/2010 Fallow et al.
 2010/0139119 A1 6/2010 Sokolowski
 2010/0139127 A1 6/2010 Huang
 2010/0146818 A1 6/2010 Sokolowski
 2010/0251565 A1 10/2010 Litchfield et al.
 2010/0251567 A1 10/2010 McInnis et al.
 2010/0293815 A1 11/2010 Ferrigan et al.
 2011/0016749 A1 1/2011 Callahan et al.
 2011/0023215 A1 2/2011 Obradovic

2011/0072684 A1 3/2011 Stubblefield
 2011/0113646 A1 5/2011 Merritt et al.
 2011/0113649 A1 5/2011 Merritt et al.
 2011/0126422 A1 6/2011 Vattes et al.
 2011/0154688 A1 6/2011 Yu et al.
 2011/0185593 A1 8/2011 Ramos
 2011/0219643 A1 9/2011 Tai
 2011/0277351 A1 11/2011 Scoledes
 2012/0005921 A1 1/2012 Diepenbrock
 2012/0047770 A1 3/2012 Dean et al.
 2012/0066938 A1 3/2012 French et al.
 2012/0096744 A1 4/2012 Goosmith et al.
 2013/0031804 A1 2/2013 Abshire
 2013/0118038 A1 5/2013 Fallow et al.
 2014/0259789 A1 * 9/2014 Dojan et al. 36/103

FOREIGN PATENT DOCUMENTS

WO WO 2004/016321 A2 2/2004
 WO WO 2004/016321 A3 2/2004

OTHER PUBLICATIONS

Reebok First Quarter 2007 Footwear Catalog, pp. 16 and 53, showing the Voyage Mid III and Voyage Low III shoes.
 Reebok Spring 2005 Footwear Catalog, p. 30, showing the Sportcentric DMX Max shoe, p. 31, showing the Destination DMX shoe, and pp. 32 and 52, showing the Trail DMX Max and Sporterra DMX Walk shoes.
 Reebok Third Quarter 2003 Footwear Catalog, p. 17, showing the Stimulus DMX shoe, and pp. 16 and 41, showing the Court Macabee II DMX shoe.
 Reebok Third Quarter 2005 Footwear Catalog, p. 50, showing the Sportcentric DMX Max shoe.
 Extended European Search Report for Application No. EP 09179450. 3, Applicant: Reebok International Ltd., mailed Aug. 2, 2010, 6 pages.
 Crompton, "Wobble back to good health," The Times, Body + Soul pp. 7-8, Sep. 26, 1009, 2 pages.
 Apos, Less Pain, More Function article, 12 pages, copyright 2008.
 Draft Swiss patent application entitled "Shoe Sole" Flexyboots GmbH, dated Aug. 20, 2008, www.flexiboosts.ch.patent.pdf, with English translation, 42 pages.
 "Flexyboots" www.flexyboot.com (visited Oct. 9, 2009) with English translation, 3 pages.
 Tanel 360 Store—Victory Performance Low Cut Molded Cleat—Mens, http://shop.tanel360.com/victory-performance-low-cut-molded-cleat---mens-p21.aspx (printed on Nov. 16, 2010), 3 pages.
 U.S. Appl. No. 29/479,405, Vestuti et al., "Shoe Sole", filed Jan. 15, 2014.

* cited by examiner

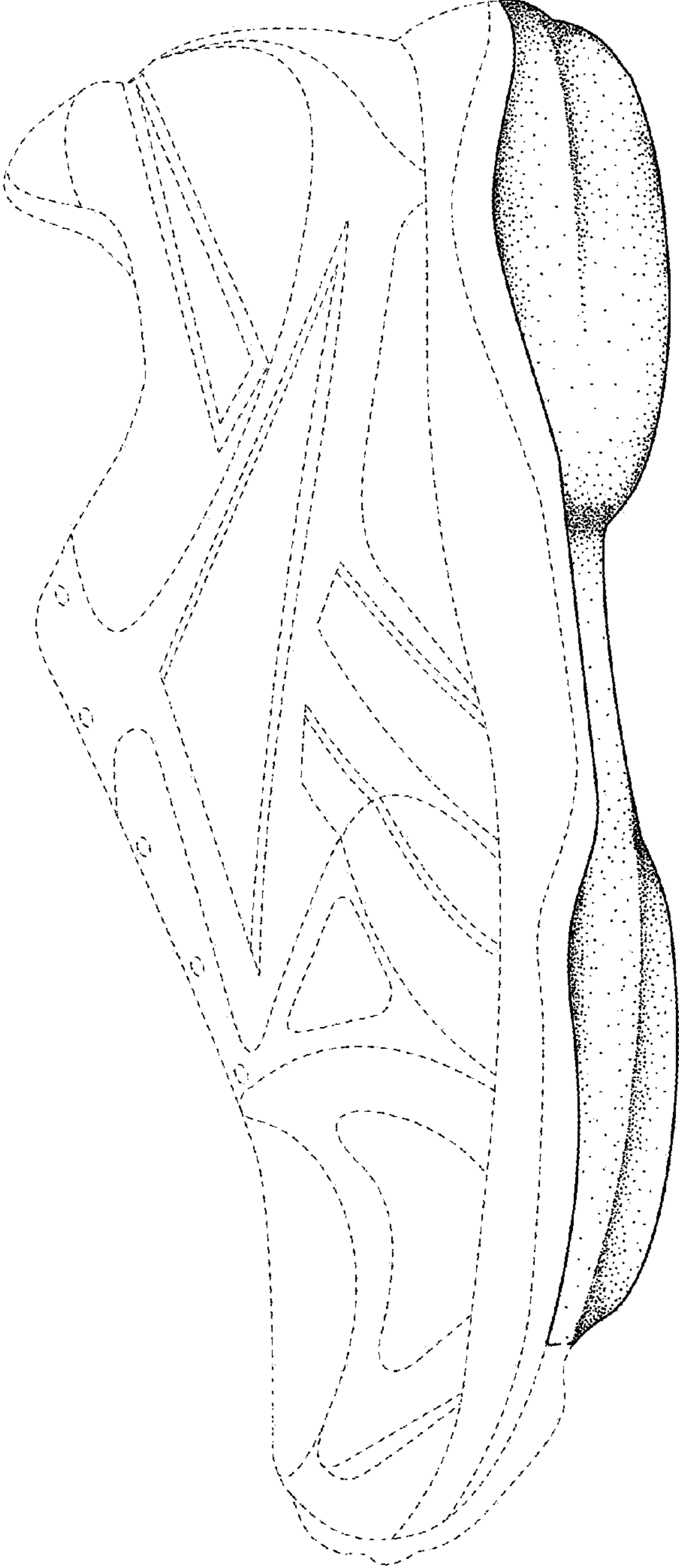


FIG. 1

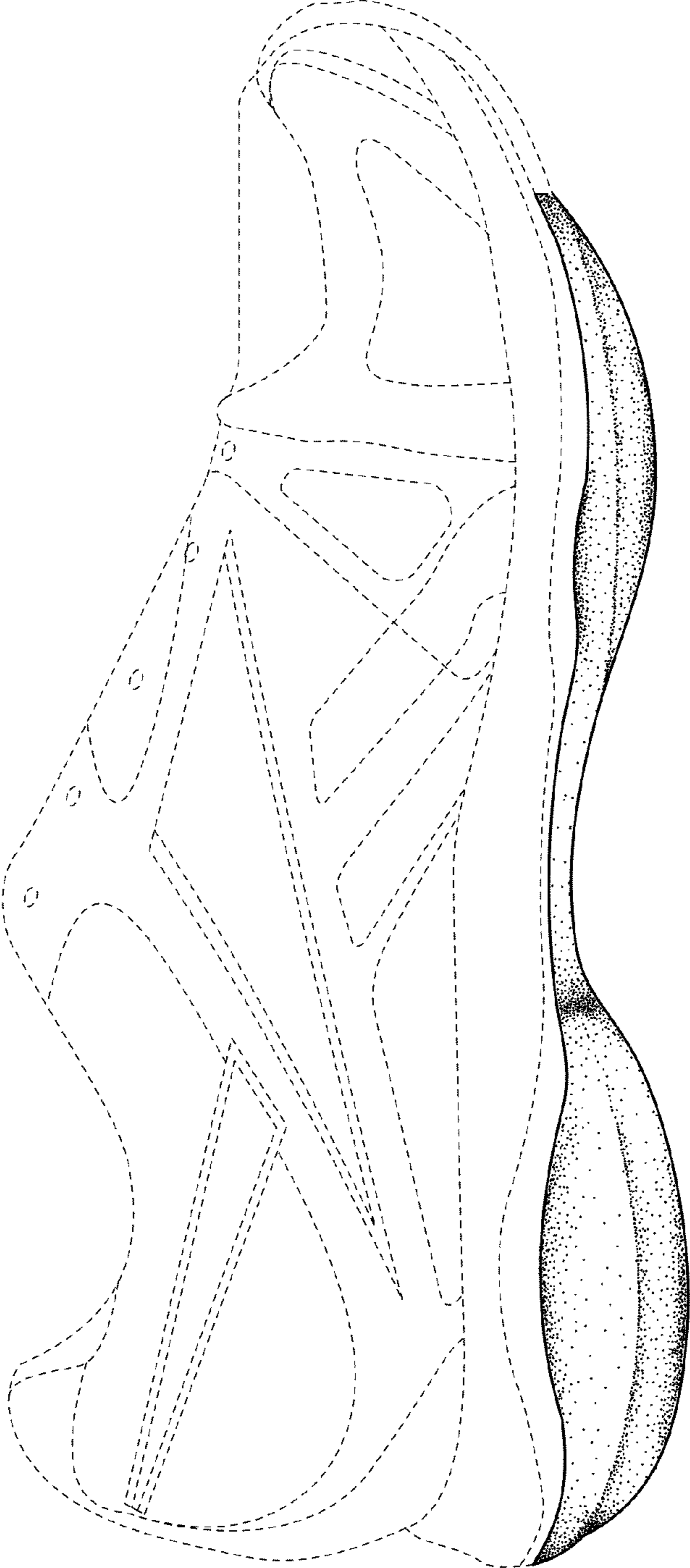


FIG. 2

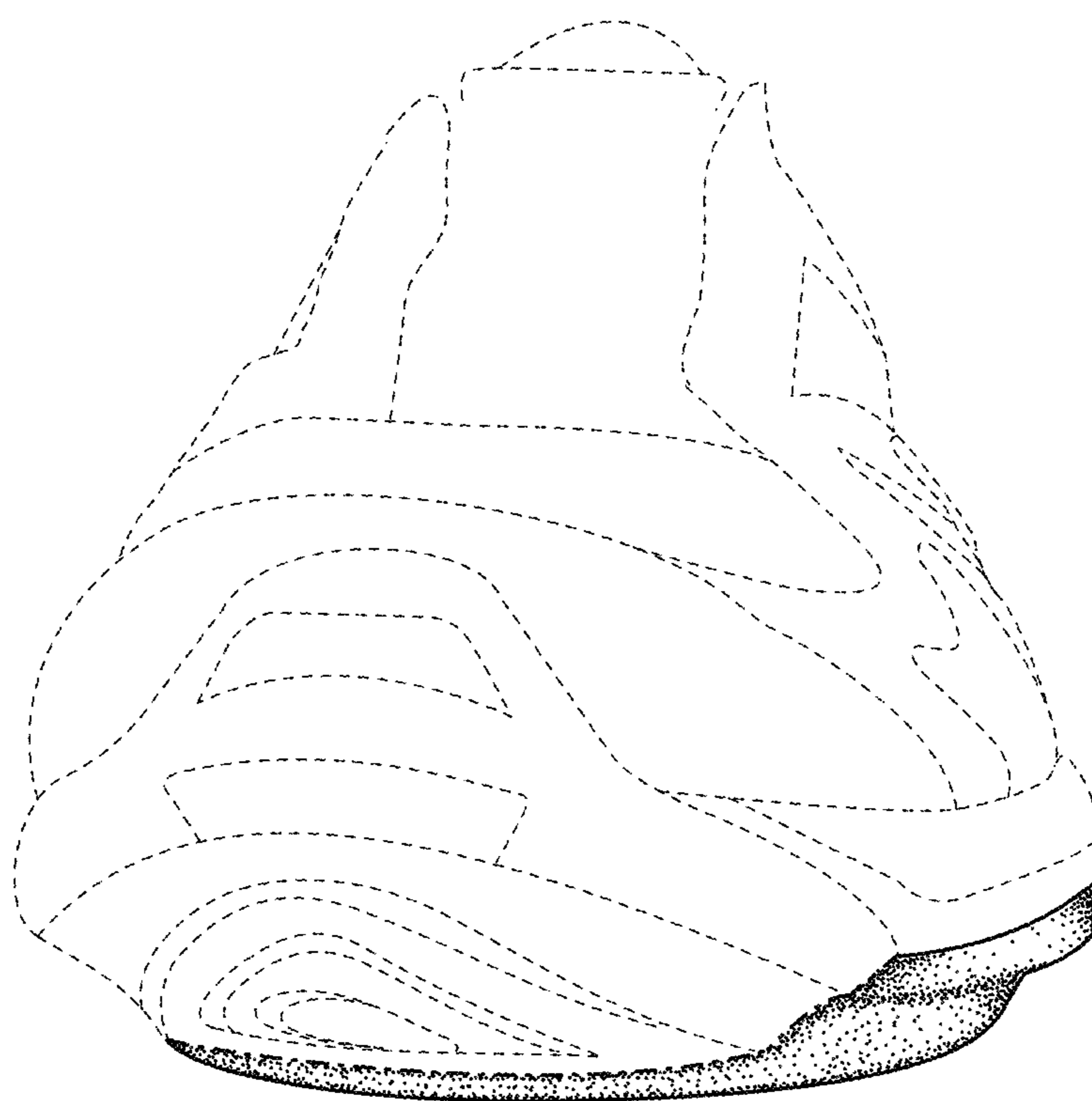


FIG. 3

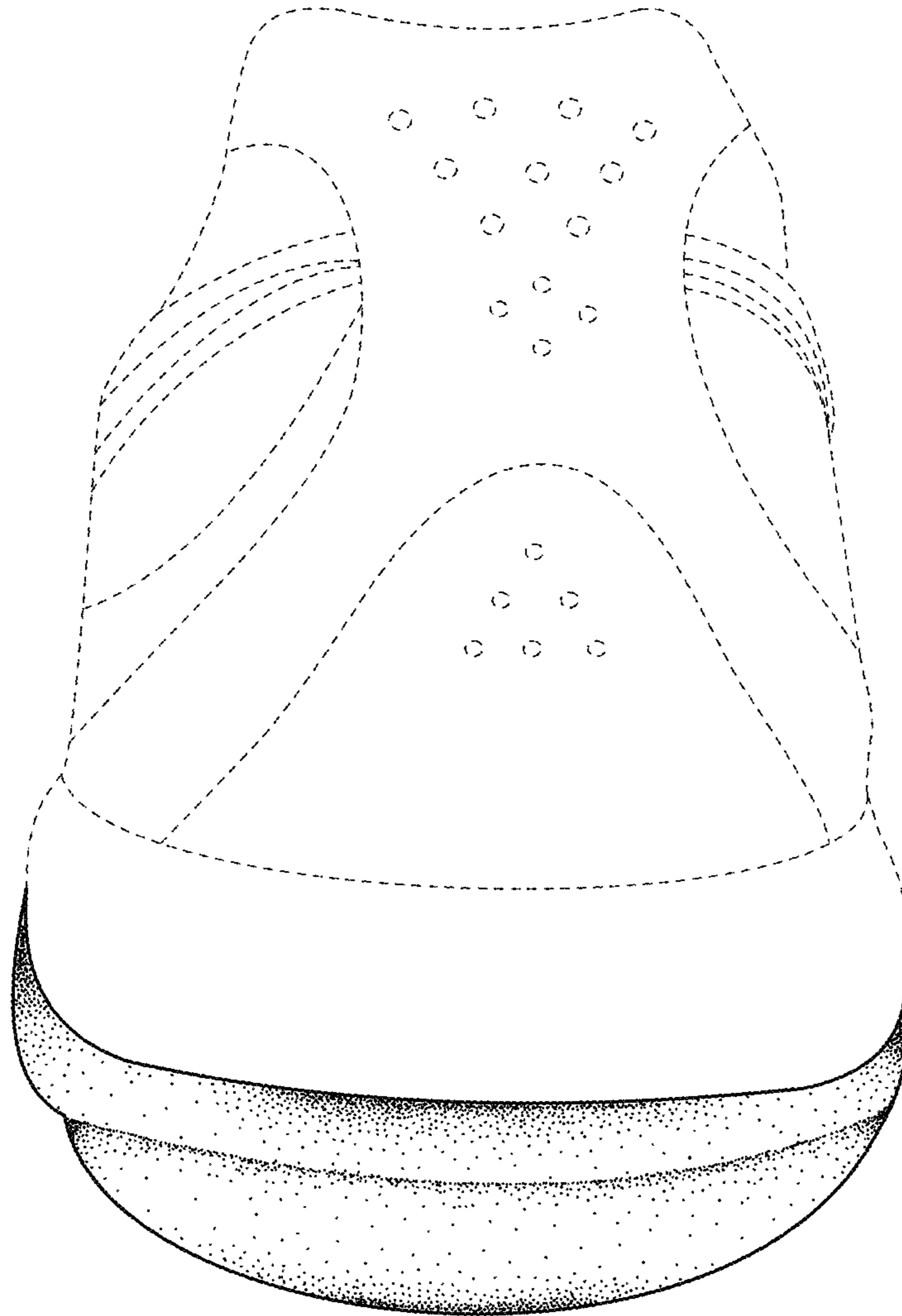


FIG. 4

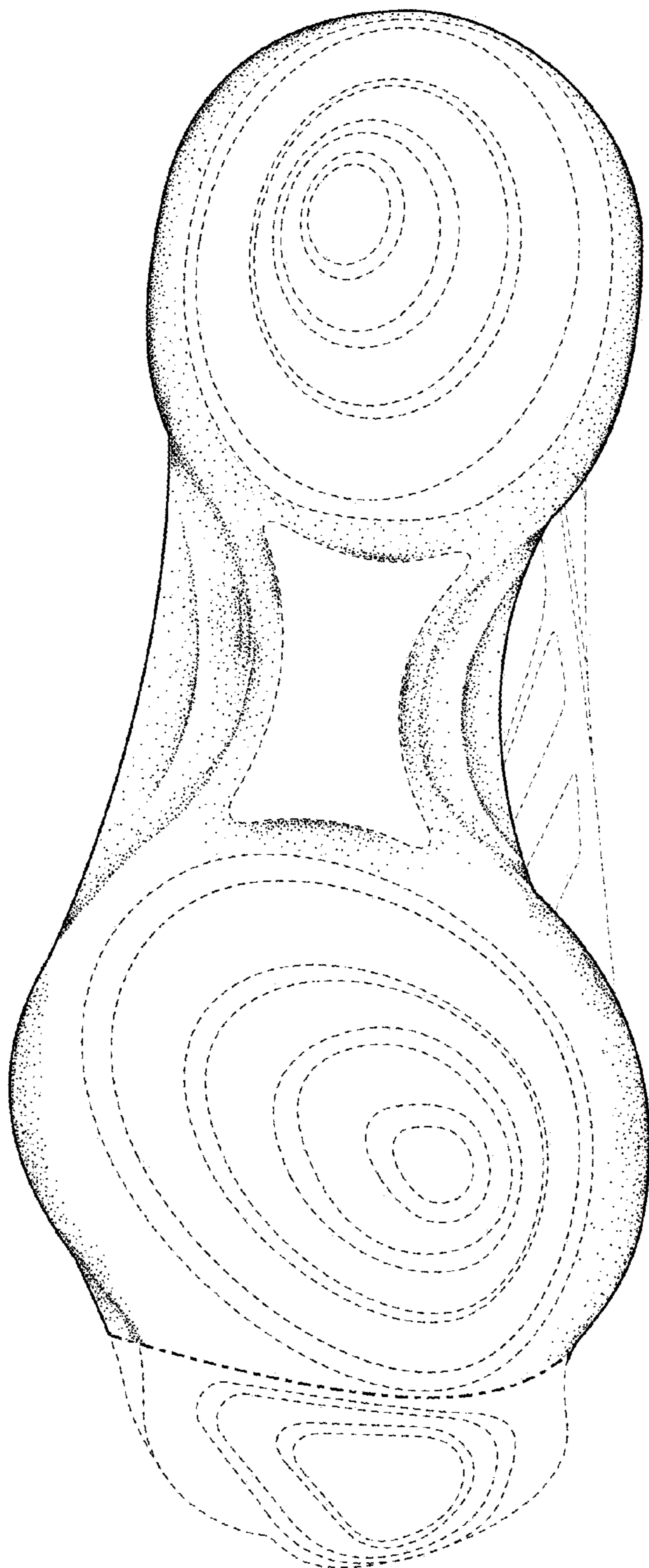


FIG. 5