



US00D779800S

(12) **United States Design Patent** (10) **Patent No.:** **US D779,800 S**
Gavrieli et al. (45) **Date of Patent:** **** *Feb. 28, 2017**

(54) **SINGLE-SOLE SHOE WITH OUTPATCH SOLE**

1,525,848 A * 2/1925 Bonaventure A43B 5/12
36/113

(71) Applicant: **Gavrieli Brands LLC**, Beverly Hills, CA (US)

1,587,377 A 6/1926 Grosjean
1,650,466 A 11/1927 Righter
2,224,590 A 12/1940 Boivin
2,268,777 A 1/1942 Scholl

(Continued)

(72) Inventors: **Kfir Gavrieli**, Beverly Hills, CA (US);
Dikla Gavrieli, Beverly Hills, CA (US)

FOREIGN PATENT DOCUMENTS

(73) Assignee: **Gavrieli Brands LLC**, Beverly Hills, CA (US)

DE 20 2006 000230 U1 5/2007
GB 2443937 A 5/2008

(Continued)

(*) Notice: This patent is subject to a terminal disclaimer.

OTHER PUBLICATIONS

(**) Term: **14 Years**

Examination Report for AU 341324, 3 pgs., dated Oct. 24, 2012.

(Continued)

(21) Appl. No.: **29/507,409**

Primary Examiner — Dominic Simone

(22) Filed: **Oct. 27, 2014**

(74) *Attorney, Agent, or Firm* — Morgan, Lewis & Bockius LLP

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

(52) **U.S. Cl.**

USPC **D2/939**

(58) **Field of Classification Search**

USPC D2/896, 900, 919-921, 925, 939, 947,
D2/950, 969, 971; 36/1, 83, 8.1-8.3, 9 R,
36/45-58, 104, 108, 76 R

CPC A43B 21/00; A43B 21/02; A43B 21/06;
A43B 9/14; A43B 1/0045; A43B 13/10;
A43B 13/12; A43B 23/06; A43B 23/07;
A43B 1/0036; A43B 5/12

See application file for complete search history.

(57) **CLAIM**

The ornamental design for a single-sole shoe with outpatch sole, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a single-sole shoe with outpatch sole;

FIG. 2 is a first side view thereof;

FIG. 3 is a second side view thereof;

FIG. 4 is a top view thereof;

FIG. 5 is a bottom view thereof;

FIG. 6 is a front view thereof; and,

FIG. 7 is a back view thereof.

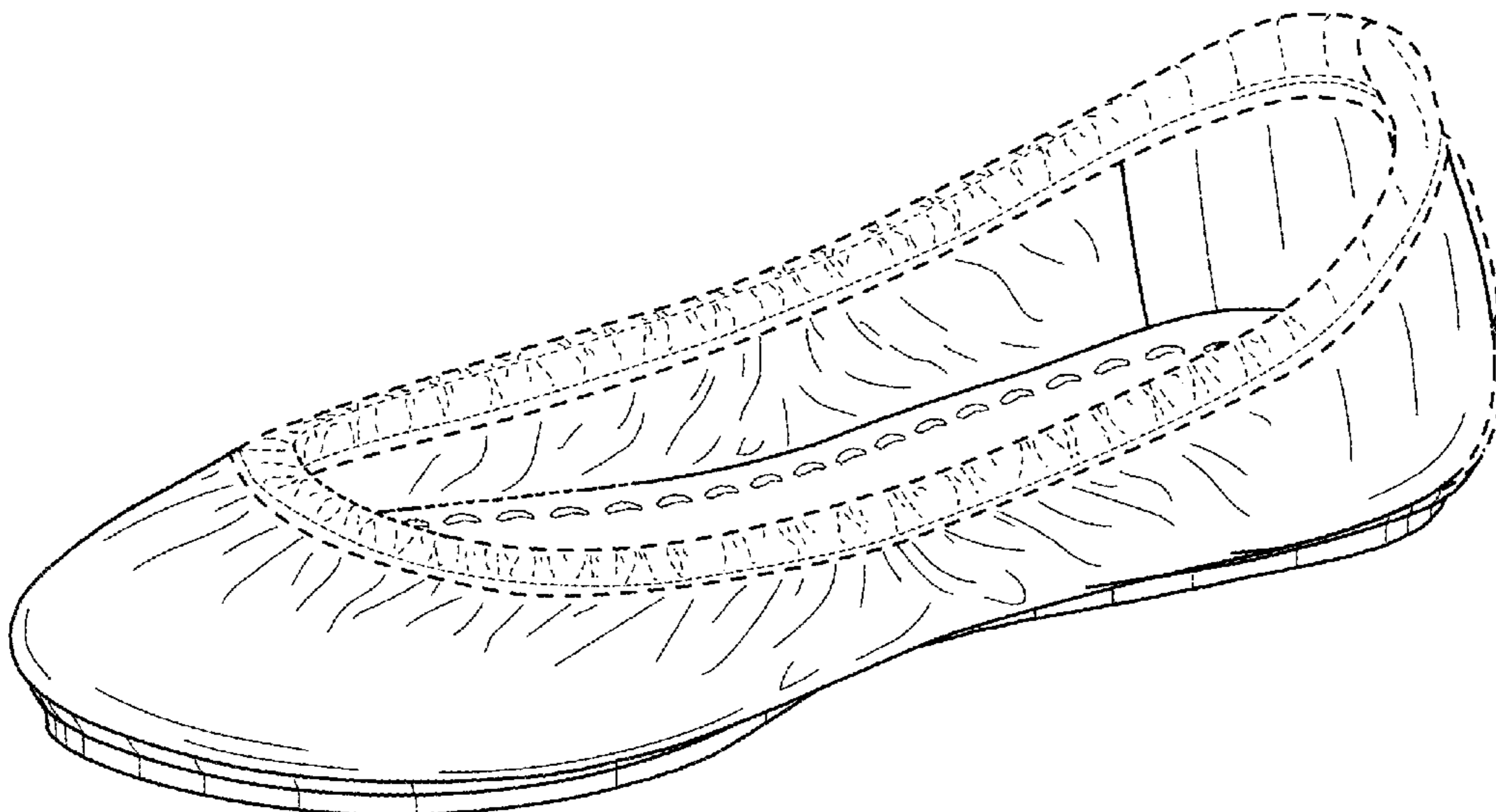
The broken lines illustrating the upper rim elastic, the half moon patch, and the heel stripe in the above described Figures are for illustrative purposes only and form no part of the claimed design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

249,086 A 11/1881 Pienovi
773,850 A 11/1904 Cooper et al.
830,941 A 9/1906 Walden
1,208,209 A 12/1916 Prince
1,214,666 A 2/1917 Ford
1,519,009 A 12/1924 Reina

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D133,819 S *	9/1942	Harris	D2/939	7,735,244 B1	6/2010	Ameche	
D135,791 S	6/1943	Beebe		7,743,530 B2	6/2010	Truelsen	
2,323,563 A	7/1943	Nugent		D618,891 S	7/2010	McClaskie	
2,342,882 A	2/1944	Meltzer		7,757,408 B2	7/2010	McClaskie	
D141,871 S	7/1945	Braun		D630,829 S	1/2011	Weisner	
2,383,585 A	8/1945	Bindner		D632,881 S	2/2011	Rosenberg	
D149,685 S *	5/1948	Sandler	D2/935	7,926,203 B2	4/2011	Wilkenfeld	
D150,729 S *	8/1948	Sandler	D2/923	7,966,747 B2	6/2011	Wilkenfeld et al.	
D166,090 S *	3/1952	Maling	D2/897	D640,861 S	7/2011	Wilkenfeld	
2,772,488 A	12/1956	Meltzer		8,020,320 B2	9/2011	Gillespie	
2,904,814 A	9/1959	Scholl		8,127,468 B2	3/2012	Morgan	
3,148,378 A	9/1964	Tibbitts		D657,543 S	4/2012	Bove	
D200,897 S *	4/1965	Mitchell	D2/919	D659,960 S	5/2012	Bizzo	
D220,464 S	4/1971	Hayashi		8,230,619 B2	7/2012	Salvatelli	
D247,396 S *	3/1978	Schlerth	D2/939	D664,755 S	8/2012	Gavrieli et al.	
4,412,393 A	11/1983	Terlizzi, Jr. et al.		D665,157 S	8/2012	Wu	
D275,525 S	9/1984	Nakao		8,240,067 B2	8/2012	Sussmann	
4,674,206 A	6/1987	Lyden		8,245,420 B2	8/2012	Wilson	
D295,692 S *	5/1988	Zuidema	D2/950	D668,027 S	10/2012	Millieret	
D300,085 S	3/1989	Ito et al.		D668,438 S	10/2012	Millieret	
RE33,018 E	8/1989	Ostrander		D668,847 S *	10/2012	Gavrieli	D2/925
4,899,412 A	2/1990	Ganon		D668,848 S *	10/2012	Gavrieli	D2/925
D316,773 S	5/1991	Valle		D668,849 S	10/2012	Pozzi	
5,012,541 A	5/1991	Ganon		D668,850 S	10/2012	Pozzi	
D339,669 S *	9/1993	Miller	D2/919	D672,542 S	12/2012	Gray et al.	
5,282,326 A	2/1994	Schroer, Jr. et al.		D676,634 S *	2/2013	Gavrieli	D2/925
5,421,050 A	6/1995	Laganas		D681,927 S *	5/2013	Gavrieli	D2/925
5,699,629 A	12/1997	Munschy		D681,928 S *	5/2013	Gavrieli	D2/925
5,746,014 A	5/1998	Tanemoto		D681,929 S *	5/2013	Gavrieli	D2/925
D420,785 S	2/2000	Perez		D683,936 S *	6/2013	Gavrieli	D2/925
6,055,745 A	5/2000	Endoh		8,468,723 B2	6/2013	Malka-Harari	
6,076,284 A	6/2000	Terlizzi		8,510,975 B2	8/2013	Krikelis	
6,189,239 B1	2/2001	Gasparovic et al.		D688,853 S *	9/2013	Gavrieli	D2/925
6,338,207 B1	1/2002	Chang		D688,854 S *	9/2013	Gavrieli	D2/925
D457,292 S *	5/2002	Sessa	D2/949	D688,855 S *	9/2013	Gavrieli	D2/925
D461,947 S	8/2002	Merceron		D689,270 S *	9/2013	Gavrieli	D2/925
D476,798 S	7/2003	Reynolds et al.		D689,271 S *	9/2013	Gavrieli	D2/925
6,588,124 B2	7/2003	Morrone		D689,272 S *	9/2013	Gavrieli	D2/925
D498,041 S	11/2004	McClaskie		D690,914 S *	10/2013	Gavrieli	D2/925
D500,191 S *	12/2004	Belley	D2/969	D690,915 S *	10/2013	Gavrieli	D2/925
D501,706 S	2/2005	McClaskie		D696,500 S	12/2013	Hunt	
6,857,203 B2	2/2005	Minden		D699,424 S	2/2014	Hamm	
6,895,693 B2	5/2005	Baruck		8,661,714 B2	3/2014	Sussmann	
6,978,557 B2	12/2005	Lee		8,973,287 B2	3/2015	Shibata	
7,032,327 B1	4/2006	Tartaglia et al.		2002/0078591 A1	6/2002	Morrone	
7,036,244 B1	5/2006	Finch		2002/0129519 A1	9/2002	Cahan	
D527,513 S	9/2006	Della Valle		2003/0070319 A1	4/2003	Minden	
D529,513 S *	10/2006	Aketa	D15/5	2003/0121176 A1	7/2003	Baruck	
D531,790 S	11/2006	Wurzburg		2004/0025377 A1	2/2004	Brannon	
D534,341 S *	1/2007	Choi	D2/896	2005/0022421 A1	2/2005	Bruckner	
D542,513 S	5/2007	Amado et al.		2005/0115115 A1	6/2005	Lacey	
D556,990 S	12/2007	Cabados		2005/0217148 A1	10/2005	Connolly et al.	
7,337,558 B2	3/2008	Terlizzi et al.		2005/0262734 A1	12/2005	Cheng	
D567,485 S	4/2008	James		2006/0086005 A1	4/2006	Yerian	
D570,488 S	6/2008	Kirksey et al.		2006/0156576 A1	7/2006	Sloan	
D571,084 S	6/2008	Comeau		2007/0074424 A1	4/2007	Lin	
D571,548 S	6/2008	Seamans		2007/0204482 A1	9/2007	Gibson-Collinson	
D571,989 S	7/2008	Siegal		2007/0204483 A1	9/2007	Kirsch et al.	
D580,640 S	11/2008	Wurzburg		2008/0052964 A1	3/2008	Taylor	
D582,638 S	12/2008	Ringholz		2008/0086912 A1	4/2008	Wilkenfeld	
7,496,982 B2	3/2009	Clark et al.		2008/0110059 A1	5/2008	Kuramoto et al.	
7,506,459 B2	3/2009	Grisoni et al.		2009/0019732 A1	1/2009	Sussmann	
D591,031 S	4/2009	Cofinco		2009/0193685 A1	8/2009	Wilson	
D593,295 S *	6/2009	Belley	D2/969	2009/0205222 A1	8/2009	Mclinden	
D593,297 S *	6/2009	Belley	D2/969	2009/0272009 A1	11/2009	Weisner et al.	
D593,307 S *	6/2009	Belley	D2/969	2010/0011625 A1	1/2010	Percival	
D599,093 S *	9/2009	Issler	D2/925	2010/0018080 A1	1/2010	Smith	
D604,030 S	11/2009	Wilson		2010/0050469 A1	3/2010	Chen	
D607,194 S	1/2010	Zagula		2010/0095557 A1	4/2010	Jarvis	
D610,332 S	2/2010	Raichle		2010/0115793 A1	5/2010	Kraisosky	
D610,785 S	3/2010	Smith		2010/0122475 A1	5/2010	Purrrington	
D612,140 S	3/2010	Moon		2010/0146822 A1	6/2010	MacGregor	
D612,141 S	3/2010	Moon		2010/0212186 A1	8/2010	Cheng	
7,694,435 B1	4/2010	Kiser et al.		2010/0275462 A1	11/2010	Pucci	
D615,737 S	5/2010	Feller					

(56)

References Cited

U.S. PATENT DOCUMENTS

2010/0281713 A1 11/2010 Pantazes
2015/0089843 A1 4/2015 Gavrieli

FOREIGN PATENT DOCUMENTS

GB 2 446 205 A 8/2008
TW D119165 10/2007

OTHER PUBLICATIONS

Letter from TMI and Associates with Office Action, 2 pgs, dated Sep. 19, 2012 <http://www.payless.com/store/?&TLC=Womens&SLC=WomensNewArrivals>

&BLC=WomensNewArrivalsNewArrivals&With+Regular
&ItemCode=60131&LotNumber=062642&Type=Adult
&Popularity=637&Descriptvein.

Taiwanese Office Action for TW 101300726, 10 pgs., dated Sep. 6, 2012.

“The Love List, Tieks by Gavrieli—Foldable Ballet Flats,” <http://thelovelist-carly.blogspot.com.au/2010/09/tieks-by-gavrieli-foldable-ballet.html>, 3 pgs., Sep. 12, 2010.

“Tieks by Gavrieli,” <http://tieks.com>, 1 pg., retrieved Mar. 13, 2013 from URL.

“Try It Mummy!, Tieks by Gavrieli,” <http://tryitmummy.blogspot.com.au/2010/12/tieks-by-gavrieli.html>, 4 pgs., Dec. 9, 2010.

“Wearability—Real People Style, What came first, the City Flat or the Tieks,” <http://wearability.posterous.com/what-came-first-the-city-flat-or-the-tieks>, 4 pgs., Aug. 29, 2010.

“The Ballet Flat . . . Reinvented; Ballet Flats . . . with a Bonus; Step Into Tieks; Going Places? Take Tieks,” <http://web.archive.org/web/2010052004346/http://www.tieks.com/>; 4 pgs., May 24, 2010.

“Tieks—Comfortable designer flats you can fit in your purse and wear all day, every day,” <http://web.archive.org/web/20110731151555/http://tieks.com/>; 6 pgs., Jul. 31, 2011.

“58th Annual Emmy Awards,” http://spoonsforksandfashion.blogspot.com/2006_08_01_archive.html, depicting Nine West flats, 11 pgs., Aug. 1, 2006.

Pictures of Nine West flats sold in 2006, 3 pgs.

“I Love a Good Ballet Flat!,” <http://dressupfiles.com/i-love-a-good-ballet-flat>, depicting Sue London flats, 4 pgs., Sep. 3, 2010.

Pictures of Sue London flats sold in 2010, 2 pgs.

“Miss Cathie Reviews: The Yosi Samra Foldable Ballet Flat . . .,” <http://www.misscathie.com/2010/01/miss-cathie-reviews-the-yosi-samra-foldable-ballet-flat/>, depicting Yosi Samra flats, 7 pgs., Jan. 2010.

Pictures of Yosi Samra flats sold in 2010, 2 pgs.

“Goodbye two thousand ten,” http://emmajoyrussell.blogspot.com/2010_12_01_archive.html, depicting Gap flats, 39 pgs., Dec. 1, 2010.

Pictures of Gap flats available for sale in 2010, 9 pgs.

“Our newest design of folding flats-Pink,” <https://fitinclouds.wordpress.com/2010/05/16/our-newest-design-of-folding-flats-pink/>, depicting Fit in Clouds flats, 1 pg., May 16, 2010.

“Fit in Clouds Satin Folding Shoes,” <http://www.goodhousekeeping.com/product-reviews/clothing/best-ballet-flats/fit-in-clouds-satin-foldable-ballet-flats>, depicting Fit in Clouds flats, 1 pg., Aug. 2013.

Pictures of Fit in Clouds flats available for sale in 2011, 4 pgs.

“Shoes for Standing,” <https://truthinshoes.wordpress.com/2008/07/>, depicting Sam & Libby flats, 2 pgs., Jul. 31, 2008.

“Target Designer Collaboration: Announcing Sam & Libby Shoes for Target,” <http://www.therecessionista.com/2012/11/target-designer-collaboration-announcing-sam-libby-shoes-for-target.html>, depicting Sam & Libby flats, 1 pg., Nov. 26, 2012.

Pictures of Sam & Libby flats available for purchase in 2011, 5 pgs.

“Save your soles with Citisoles ballet flats,” <http://glamazondiaries.com/2009/07/save-your-soles-with-citisoles-ballet-flats>, depicting Citisoles flats, 3 pgs., Jul. 2009.

Pictures of Citisoles flats available for purchase in 2009, 3 pgs.

“#16 Corso Como Delicious Pumps Review and Giveaway!,” <http://www.mommatoldmeblog.com/2011/01/16-corso-como-delicious-pumps-review.html>, depicting Corso Como flats, 8 pgs., Jan. 16, 2011.

Pictures of Corso Como flats available for sale in 2011, 3 pgs.

“jil-sander-navy-lead-ballet-flats-product . . .,” www.ebay.com, depicting Jil Sander flats, 4 pgs., Nov. 2013.

Pictures of Jil Sander flats available for sale in 2011, 3 pgs.

“Spare Soles: Shoes That Roll-up & Fold-up,” <http://herpackinglist.com/2011/01/spare-soles-shoes/>, depicting Spare Soles flats, 2 pgs., Jan. 2011.

Pictures of Spare Soles flats available for sale in 2011, 5 pgs.

The Original Rollable, Foldable ballet flats with matching wristlet—Spare Soles, <http://herpackinglist.com/2011/01/spare-soles-shoes/>, depicting Roll-Upz Spare Soles flats, 2 pgs., Jan. 2011.

Pictures of Roll-Upz by Spare Soles flats available for sale in 2011, 6 pgs.

“The Cutest Blog, Preppy 50 and Loving Lilly, Ballet Flat Delight,” <http://preppy50andlovinglilly.blogspot.com/2011/02/ballet-flat-delight.html>, depicting Henri Bendel flats, 13 pgs., Feb. 19, 2011.

Pictures of Henri Bendel flats available for sale in 2011, 4 pgs.

“Mumsnet by parents for parents,” http://www.mumsnet.com/Talk/style_and_beauty/a1612000-Anyone-tried-Redfoot-Flatmates-foldable-ballet-pumps, depicting Redfoot Flatmates flats, 1 pg, Nov. 14, 2012.

Pictures of Redfoot Flatmates flats available for sale in 2011, 6 pgs.

“Amazon.com: Customer Reviews: Bloch London Women’s Lux Ballet Flat,” <http://www.amazon.com/Bloch-London-Womens-Ballet-Flat/product-reviews/B004LWP7YW>, depicting Bloch London flats, 4 pgs., Dec. 11, 2011.

Pictures of Bloch London flats offered for sale in 2011, 11 pgs.

“h&m foldable leopard print flat,” <http://845shops.wordpress.com/2011/06/16/flats-for-7-bucks/shoe1/>, depicting h&m flats, 3 pgs., Jun. 16, 2011.

Pictures of h&m foldable flats offered for sale in 2011, 4 pgs.

“Seekyt—Juicy Couture Ballet Flats—Are They Worth the Money?,” <http://seekyt.com/juicy-couture-ballet-flats-are-they-worth-the-money/>, 14 pgs., Jun. 3, 2011.

Pictures of Juicy Couture flats offered for sale in 2011, 3 pgs.

“Purse Flats,” <http://purseflats.wordpress.com>, depicting Purse Flats by Erica Wilson, 3 pgs., Jul. 12, 2012.

Pictures of Purse Flats by Erica Wilson offered for sale in 2011, 6 pgs.

“Splash Page,” <http://web.archive.org/web/20100524004346/http://www.tieks.com/>, 4 pgs., May 24, 2010.

“Tieks—Comfortable, designer flats you can fit in your purse and wear all day, every day,” <http://web.archive.org/web/20110731151555/http://tieks.com/>, 6 pgs., Jul. 31, 2011.

“Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day . . .,” <http://web.archive.org/web/20110202210649/http://www.tieks.com/>, 8 pgs., Feb. 2, 2011.

“Carolina M. M. Gonzalez > Tieks by Gavrieli,” <http://m2.facebook.com/Tieks?v=timeline&filter=2>

&timecutoff=1406427986&page=17§ionLoadingID=m_timeline_loading_div_1293868799_1262332800_8_17
&timeend=1293868799×tart=1262332800

&tm=AQDOvqhWQPN_Nbwm&refid=17, 1 pg, Jan. 26, 2010.

“The Shoes Oprah Would Wear to Work (if She Had to Walk),” <http://www.inc.com/30under30/christina-desmarais/kfir-gavrieli-and-elram-gavrieli-founders-of-tieks.html>, 8 pgs., Jul. 2, 2012.

“Tieks by Gavrieli,” <http://m2.facebook.com/Tieks?v=timeline&filter=2&timecutoff=1406427986&page=14>

§ionLoadingID=m_timeline_loading_div_1293868799_1262332800_8_14&timeend=1293868799
×tart=1262332800&tm=AQDOvqhWQPN_Nbwm

&refid=17, 4 pgs., Jan. 26, 2010.

“Mighty Life List, Sensible Shoes,” <http://mightygirl.com/2010/08/24/sensible-shoes/>, 10 pgs., Aug. 24, 2010.

“Find! Tieks: Fab & sexy flats for fall,” <http://thefabmom.com/2013/08/29/find-tieks-fab-sexy-flats-for-fall/>, 3 pgs. Aug. 29, 2013.

“Step into Tieks,” <http://sliceofpink.typepad.com/blog/2010/09/tieks-1.html>, 5 pgs., Sep. 22, 2010.

“In Need of Flat-Soled Shoes,” <http://sliceofpink.typepad.com/blog/2010/09/tieks-1.html>, 7 pgs., Oct. 3, 2010.

* cited by examiner

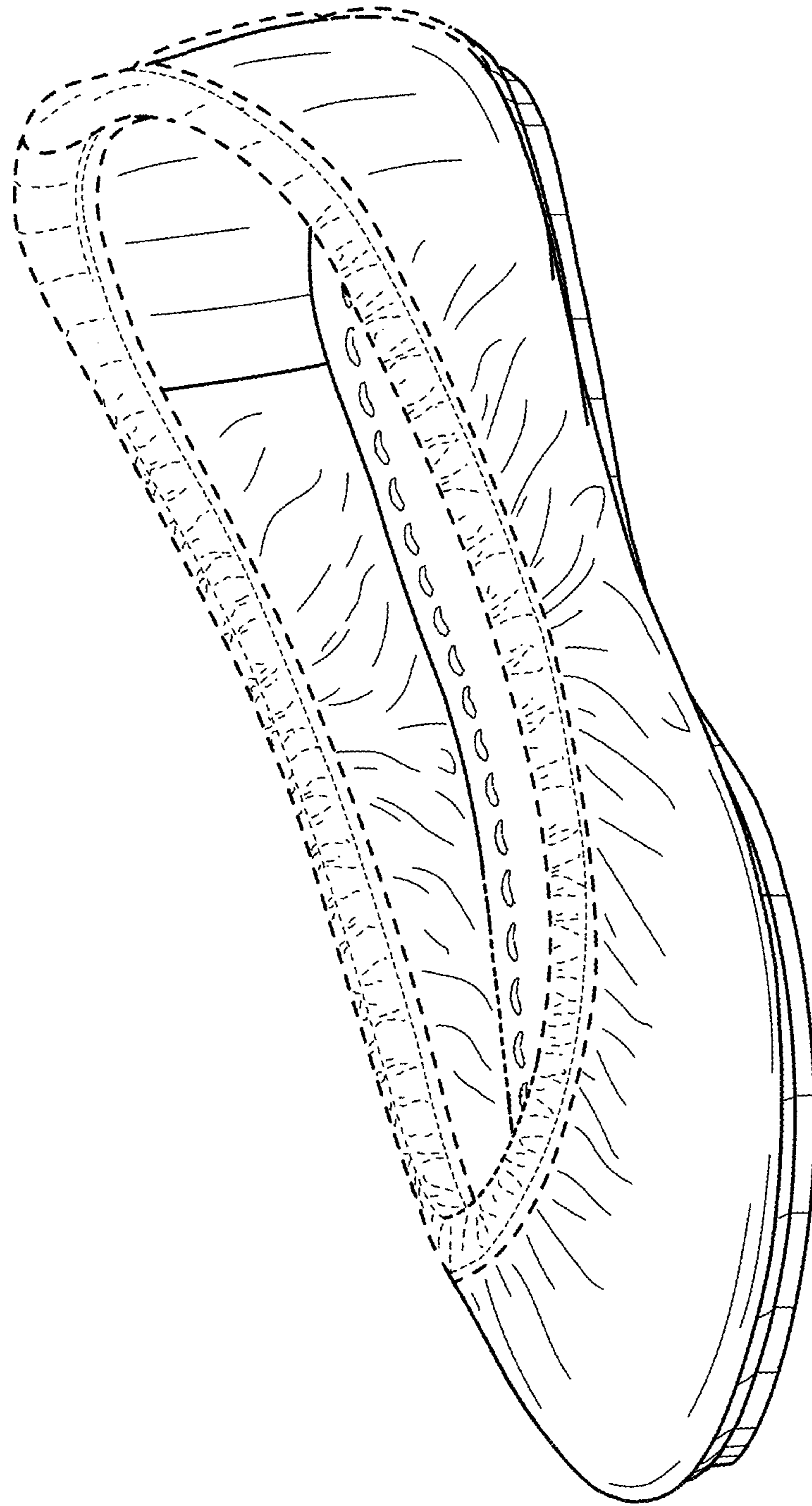


FIG. 1

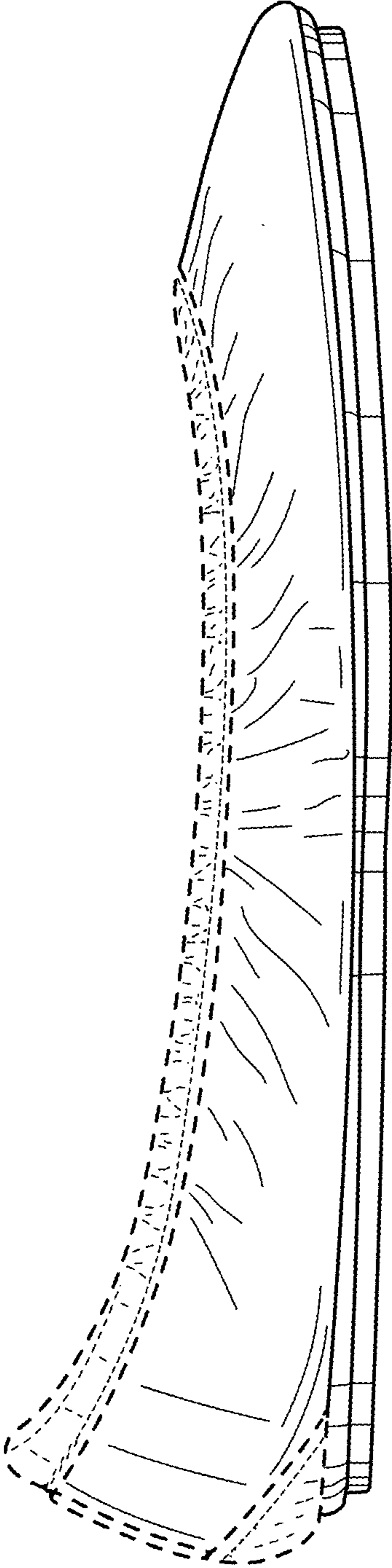


FIG. 2

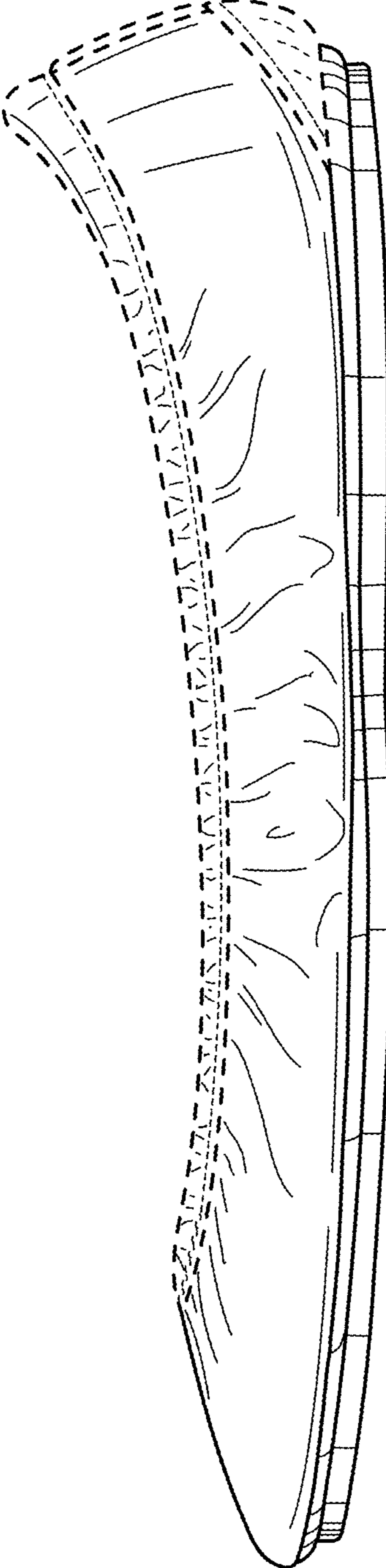


FIG. 3

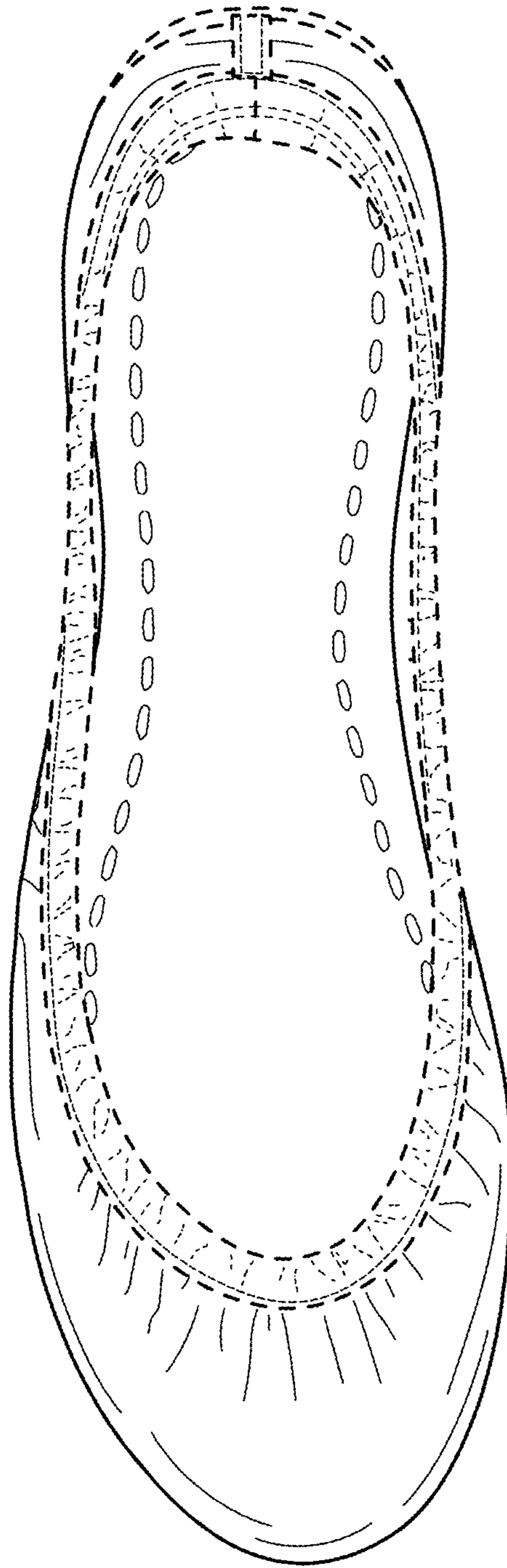


FIG. 4

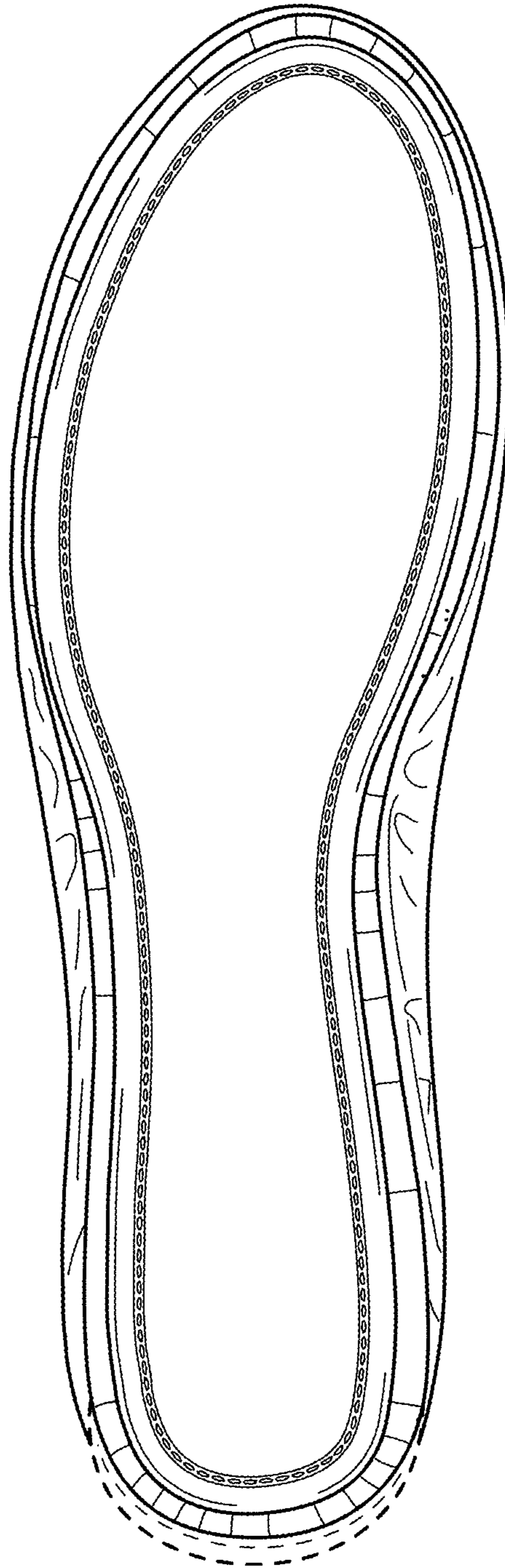


FIG. 5

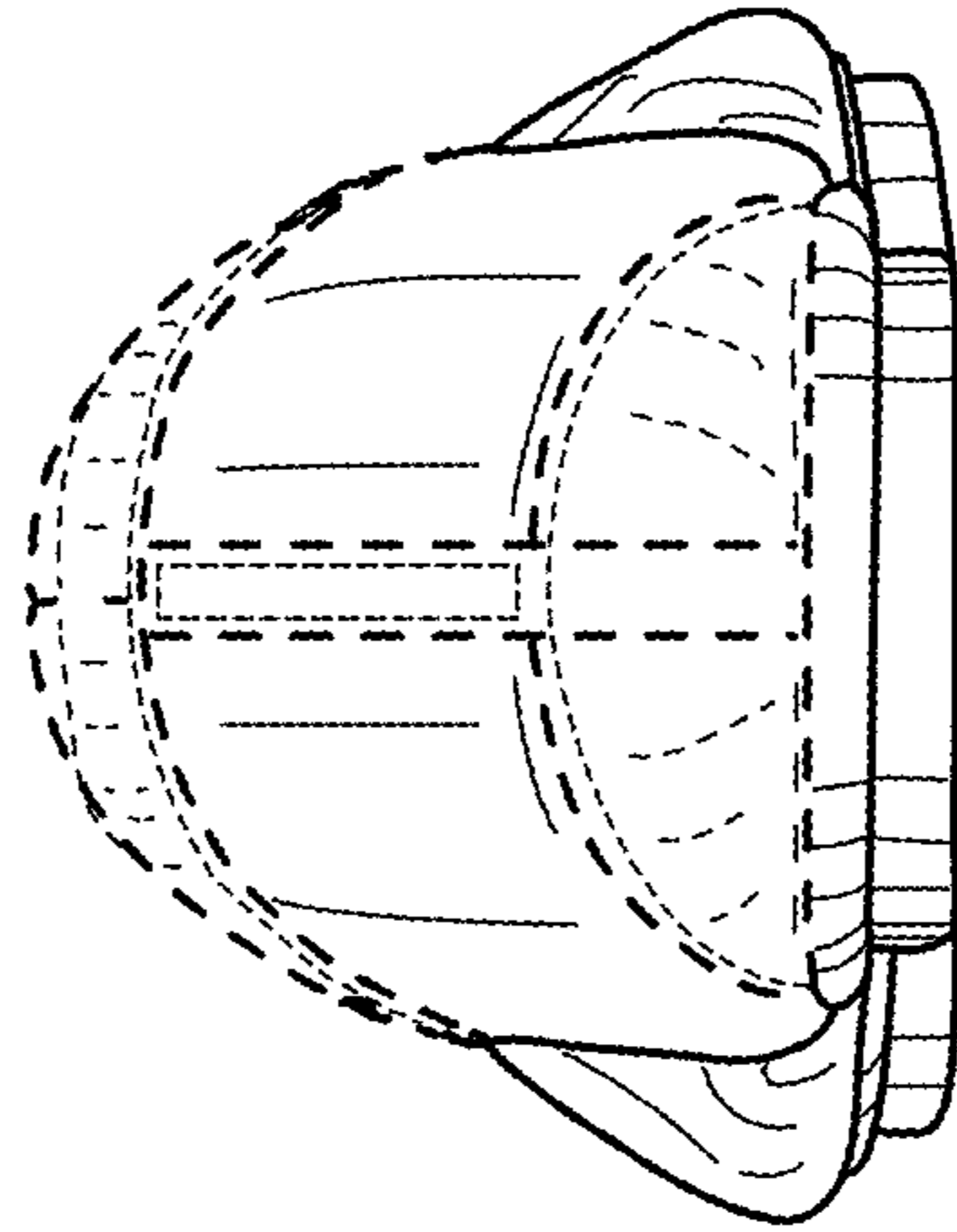


FIG. 7

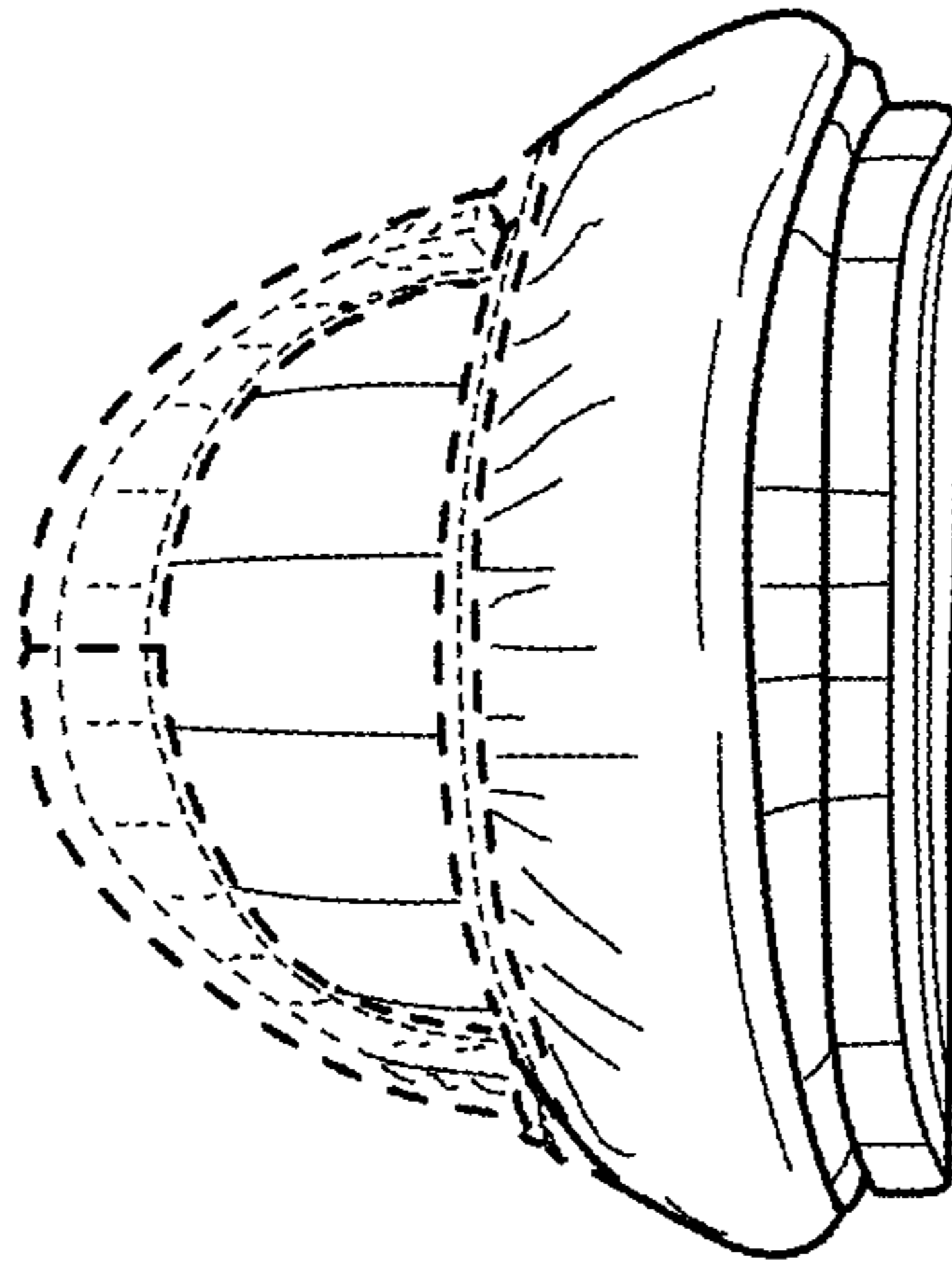


FIG. 6