



US00D808138S

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

(10) **Patent No.:** **US D808,138 S**

(45) **Date of Patent:** **\*\* Jan. 23, 2018**

(54) **FOOTWEAR OUTSOLE**

(71) Applicant: **Ariat International, Inc.**, Union City, CA (US)

(72) Inventor: **Jose Rafael Monroy**, Union City, CA (US)

(73) Assignee: **Ariat International, Inc.**, Union City, CA (US)

(\*\*) Term: **15 Years**

(21) Appl. No.: **29/567,153**

(22) Filed: **Jun. 6, 2016**

(51) **LOC (11) Cl.** ..... **02-04**

(52) **U.S. Cl.**  
USPC ..... **D2/957; D2/951; D2/960**

(58) **Field of Classification Search**  
USPC ..... D2/902, 906, 908, 916, 918, 925,  
D2/946-962, 977; 36/3 B, 22 R, 24.5,  
36/25 R, 28, 32 R, 34 R, 59 C, 67 A, 103  
(Continued)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D282,599 S 2/1986 Frey  
D308,285 S 6/1990 Serna  
(Continued)

**FOREIGN PATENT DOCUMENTS**

EM 000570775-0001 9/2006

**OTHER PUBLICATIONS**

Photographs of English Riding Supply's Devon Pro Boot, 2 pages, 2013.

(Continued)

*Primary Examiner* — T. Chase Nelson

(74) *Attorney, Agent, or Firm* — Dascenzo Intellectual Property Law, P.C.; David S. D'Ascenzo

(57) **CLAIM**

The ornamental design for a footwear outsole, as shown and described.

**DESCRIPTION**

FIG. 1 is a front top perspective view of a footwear outsole showing the outsole design.

FIG. 2 is a front bottom perspective view of the footwear outsole of FIG. 1.

FIG. 3 is a bottom plan view of the footwear outsole of FIG. 1.

FIG. 4 is a top plan view of the footwear outsole of FIG. 1.

FIG. 5 is a right side view of the footwear outsole of FIG. 1.

FIG. 6 is a left side view of the footwear outsole of FIG. 1.

FIG. 7 is a front elevation view of the footwear outsole of FIG. 1.

FIG. 8 is a rear elevation view of the footwear outsole of FIG. 1.

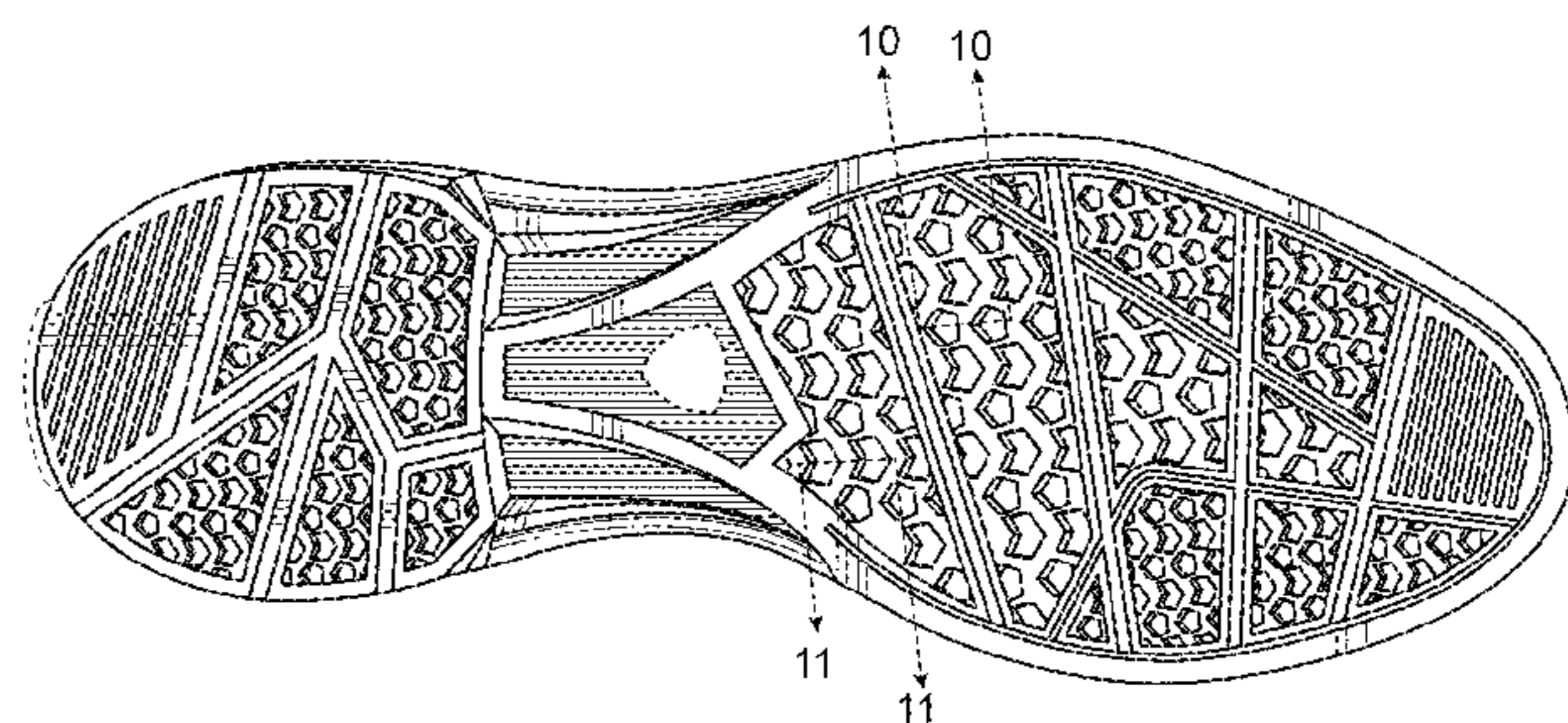
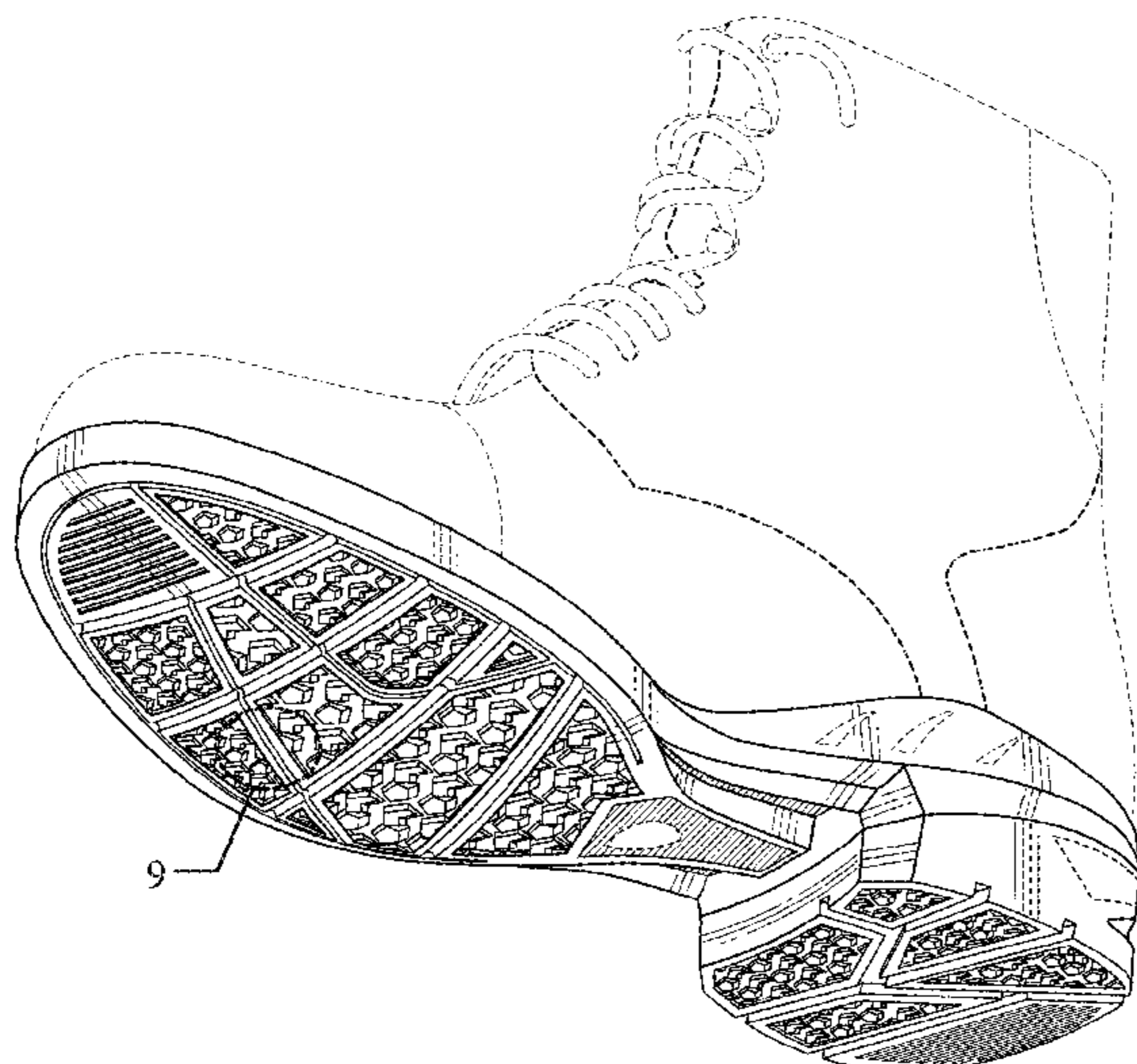
FIG. 9 is an enlarged detail view of the portion of the footwear outsole labeled 9 in FIG. 2.

FIG. 10 is a partially schematic cross-sectional detail taken along the line 10-10 in FIG. 3 to illustrate dimensions of a portion of the footwear outsole of FIG. 3; and,

FIG. 11 is a partially schematic cross-sectional detail taken along the line 11-11 in FIG. 3 to illustrate dimensions of a portion of the footwear outsole of FIG. 3.

The dashed lines shown in the drawings illustrate portions of the footwear and footwear outsole that are not presently claimed and thus form no part of the presently claimed design. The shading lines shown in the drawings represent the approximate three-dimensional contour of the claimed design and are not intended to indicate surface decoration.

**1 Claim, 10 Drawing Sheets**



(58) **Field of Classification Search**

CPC ..... A43B 13/00; A43B 13/02; A43B 13/023;  
 A43B 13/026; A43B 13/04; A43B 13/08;  
 A43B 13/10; A43B 13/12; A43B 13/14;  
 A43B 13/141; A43B 13/143; A43B  
 13/16; A43B 13/18; A43B 13/181; A43B  
 13/187; A43B 13/189; A43B 13/20; A43B  
 13/22; A43B 13/223; A43B 13/24; A43B  
 13/28; A43B 13/30; A43B 13/32; A43B  
 13/34; A43B 13/36

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D332,863 S \* 2/1993 Lucas ..... D2/957  
 D336,150 S \* 6/1993 Peterson ..... D2/958  
 D356,208 S 3/1995 Parker  
 D365,436 S 12/1995 Parker  
 D384,492 S 10/1997 Parker  
 D399,039 S 10/1998 Toschi  
 D400,345 S \* 11/1998 Teague ..... D2/953  
 D424,292 S 5/2000 Besanceney, III et al.  
 D440,752 S 4/2001 Clegg  
 6,289,611 B1 \* 9/2001 Patterson ..... A43B 5/001  
 36/127  
 D476,470 S \* 7/2003 Matis ..... D2/957  
 D479,903 S 9/2003 Mazzarolo  
 D501,708 S 2/2005 Andrews-Kramer  
 D502,308 S 3/2005 Teague  
 D504,205 S 4/2005 Andrews-Kramer  
 D506,306 S 6/2005 Teague  
 D515,305 S 2/2006 Andrews-Kramer  
 D515,306 S 2/2006 Andrews-Kramer  
 D517,791 S 3/2006 Sedlbauer  
 D530,488 S 10/2006 Kelsey  
 D547,038 S \* 7/2007 Nakano ..... D2/957  
 D551,833 S 10/2007 Feller  
 D560,884 S \* 2/2008 McClaskie ..... D2/953  
 D565,283 S \* 4/2008 Smith ..... D2/902  
 D569,088 S 5/2008 Poetsch  
 D570,080 S 6/2008 Feller et al.  
 D588,791 S \* 3/2009 Nelson ..... D2/951  
 D616,640 S \* 6/2010 Werman ..... D2/951  
 D620,691 S 8/2010 Akhidime  
 D622,487 S 8/2010 McCarron et al.  
 D624,741 S 10/2010 Akhidime  
 D625,493 S 10/2010 Akhidime  
 D627,144 S 11/2010 Bettencourt  
 D636,158 S 4/2011 McCarron et al.  
 D638,616 S \* 5/2011 Gibson ..... D2/951  
 D641,144 S 7/2011 McCarron et al.  
 D668,437 S 10/2012 Mahoney  
 8,322,050 B2 \* 12/2012 Lubart ..... A43B 13/223  
 36/59 C  
 D674,171 S 1/2013 Bramani et al.  
 D675,814 S 2/2013 Marshall  
 D676,224 S 2/2013 Marshall  
 D683,529 S 6/2013 Marshall  
 D685,171 S 7/2013 Marshall

D695,504 S 12/2013 Harper et al.  
 D701,374 S 3/2014 Feller et al.  
 D701,383 S 3/2014 Zito  
 D702,427 S \* 4/2014 Hlavacs ..... D2/951  
 D710,078 S \* 8/2014 Joseph ..... D2/951  
 D722,761 S 2/2015 Monroy  
 D726,402 S 4/2015 Bosomworth  
 D727,006 S \* 4/2015 Sashen ..... D2/951  
 D735,453 S 8/2015 Monroy  
 D740,529 S \* 10/2015 Bikowski ..... D2/951  
 D749,310 S \* 2/2016 Greenhalgh ..... D2/951  
 D756,092 S \* 5/2016 McCourt ..... D2/951  
 D756,619 S 5/2016 Monroy  
 D762,368 S \* 8/2016 Granger ..... D2/961  
 D763,560 S \* 8/2016 Scofield ..... D2/951  
 D763,561 S 8/2016 Norwood  
 D763,563 S 8/2016 Monroy  
 D766,560 S \* 9/2016 Granger ..... D2/961  
 D768,968 S 10/2016 Howe et al.  
 D771,922 S \* 11/2016 Granger ..... D2/961  
 D772,543 S 11/2016 Laska  
 9,538,811 B2 1/2017 Cross  
 D789,056 S \* 6/2017 Tzenos ..... D2/951  
 D794,926 S \* 8/2017 Monroy ..... D2/947  
 2007/0079530 A1 4/2007 Fusco  
 2007/0199213 A1 \* 8/2007 Campbell ..... A43B 3/0057  
 36/102  
 2013/0118036 A1 \* 5/2013 Gibson ..... A43B 13/223  
 36/103  
 2014/0325876 A1 \* 11/2014 Dodge ..... A43B 13/141  
 36/103

OTHER PUBLICATIONS

U.S. Trademark Reg. No. 2,416,738, Jan. 2, 2001.  
 Heritage III Zip Paddock H2O, Ariat.com [online], [site visited Mar. 30, 2017]. <URL: [http://www.ariat.com/HRTG\\_III\\_ZIP\\_H2O\\_M\\_FOO.html?dwvar\\_HRTG\\_III\\_ZIP\\_H2O\\_M\\_FOO\\_color=BLACK](http://www.ariat.com/HRTG_III_ZIP_H2O_M_FOO.html?dwvar_HRTG_III_ZIP_H2O_M_FOO_color=BLACK)>.  
 Heritage IV Paddock, Ariat.com, [online], [site visited Mar. 30, 2017]. <URL: [http://www.ariat.com/HRTG\\_IV\\_PADDOCK\\_M\\_FOO.html?dwvar\\_HRTG\\_IV\\_PADDOCK\\_M\\_FOO\\_color=BLACK](http://www.ariat.com/HRTG_IV_PADDOCK_M_FOO.html?dwvar_HRTG_IV_PADDOCK_M_FOO_color=BLACK)>.  
 Ariat Womens Heritage Breeze Lace Paddock, Amazon.com, Date first available at Amazon.com: Jan. 28, 2016, [online], [site visited Mar. 30, 2017]. <URL: [https://www.amazon.com/Ariat-Womens-Heritage-Breeze-Paddock/dp/B015P5RQMY/ref=sr\\_1\\_30?s=apparel&ie=UTF8&qid=1490910432&sr=1-30&nodeID=7141123011&psd=1&keywords=ariat+paddock+boots](https://www.amazon.com/Ariat-Womens-Heritage-Breeze-Paddock/dp/B015P5RQMY/ref=sr_1_30?s=apparel&ie=UTF8&qid=1490910432&sr=1-30&nodeID=7141123011&psd=1&keywords=ariat+paddock+boots)>.  
 Ariat Women's Heritage IV Paddock Work Boot, Amazon.com, Date first available at Amazon.com: Jan. 4, 2017, [online], [site visited Mar. 30, 2017]. <URL: [https://www.amazon.com/Ariat-Womens-Heritage-IV-Paddock/dp/B01L91PGSE/ref=sr\\_1\\_20?s=apparel&ie=UTF8&qid=1490910432&sr=1-20&nodeID=7141123011&psd=1&keywords=ariat+paddock+boots](https://www.amazon.com/Ariat-Womens-Heritage-IV-Paddock/dp/B01L91PGSE/ref=sr_1_20?s=apparel&ie=UTF8&qid=1490910432&sr=1-20&nodeID=7141123011&psd=1&keywords=ariat+paddock+boots)>.  
 Ariat Heritage IV Zip Paddock SKU:8851431, YouTube.com, Shop Zappos, Published on Mar 3, 2017, [online], [site visited Mar. 30, 2017]. <URL: <https://www.youtube.com/watch?v=4YVfWY79qpc>>.

\* cited by examiner



FIG. 1

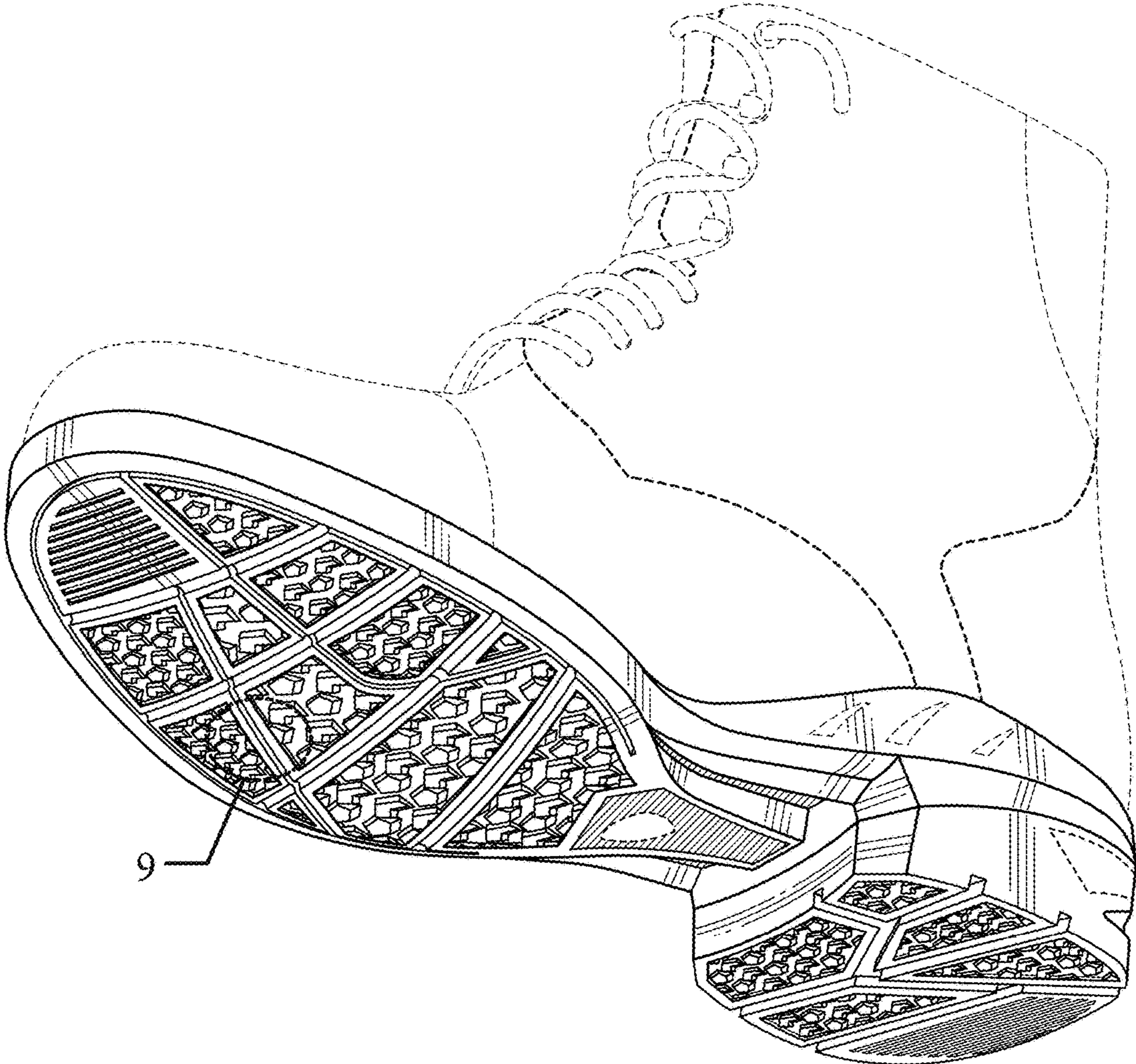


FIG. 2

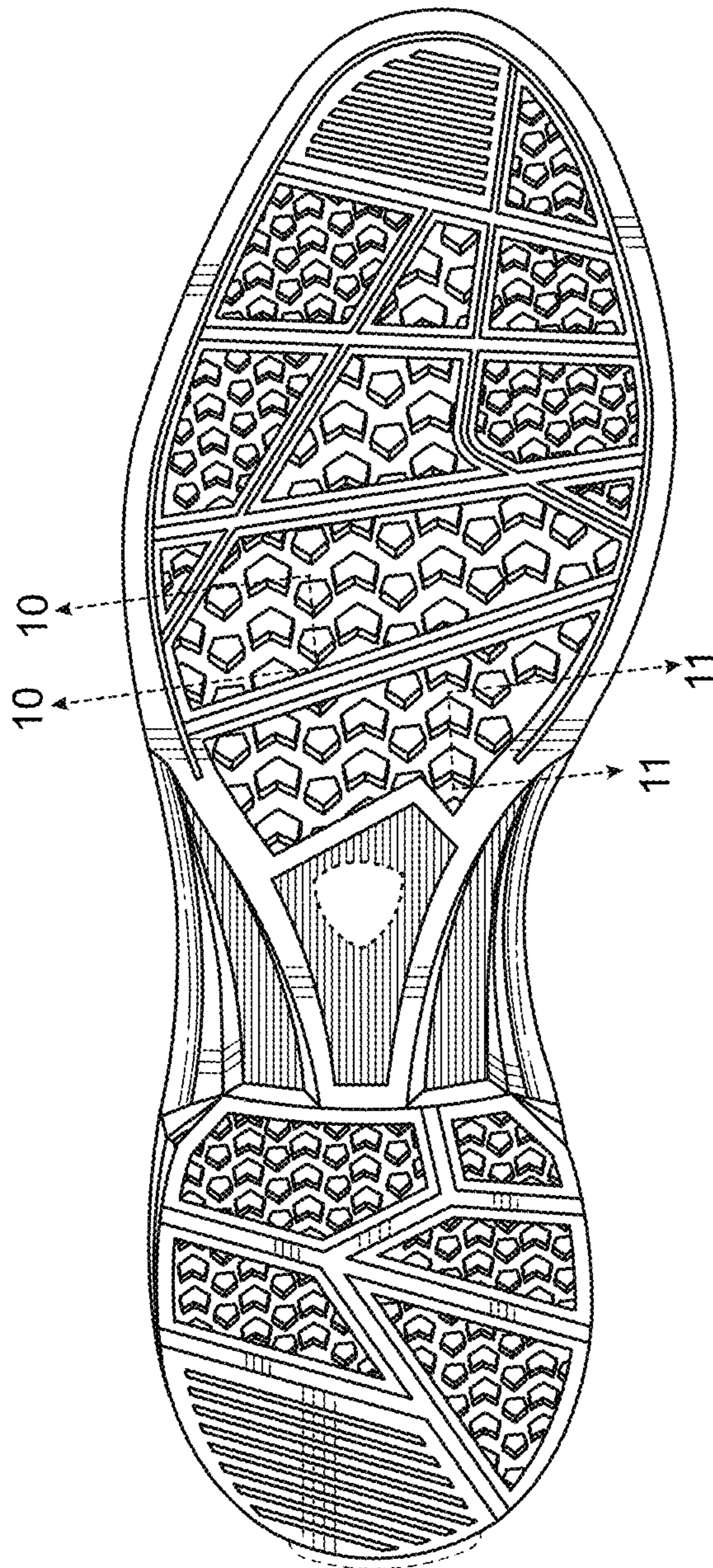


FIG. 3

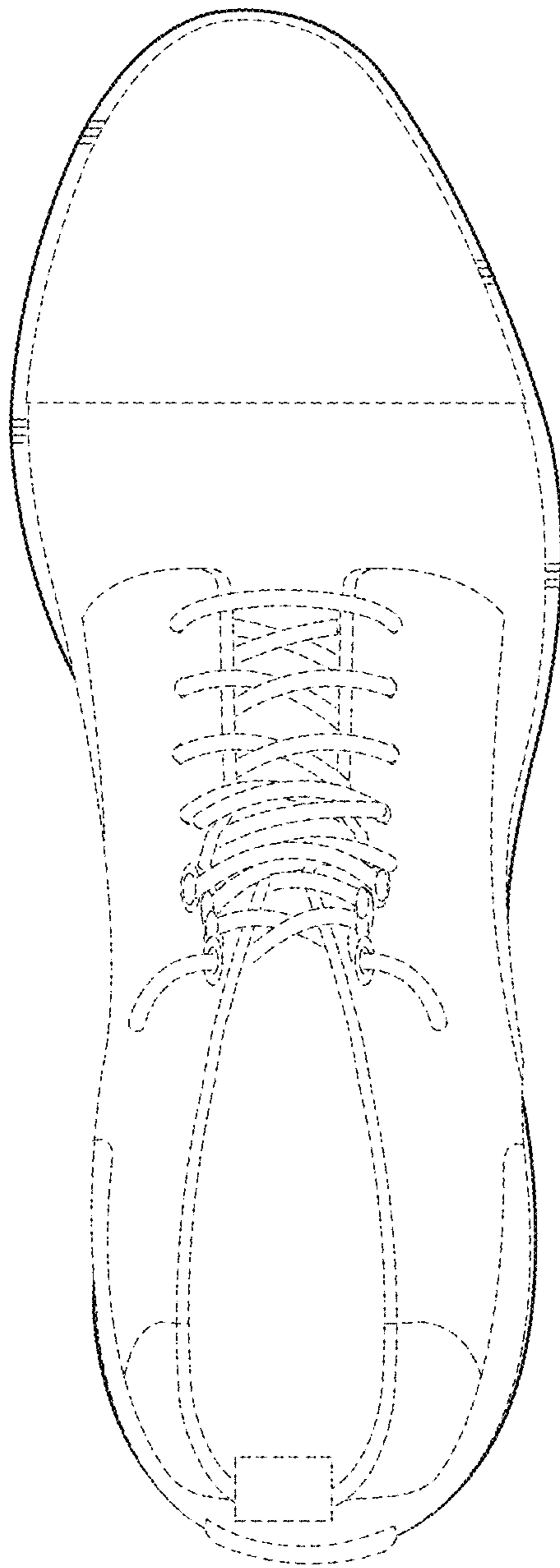


FIG. 4

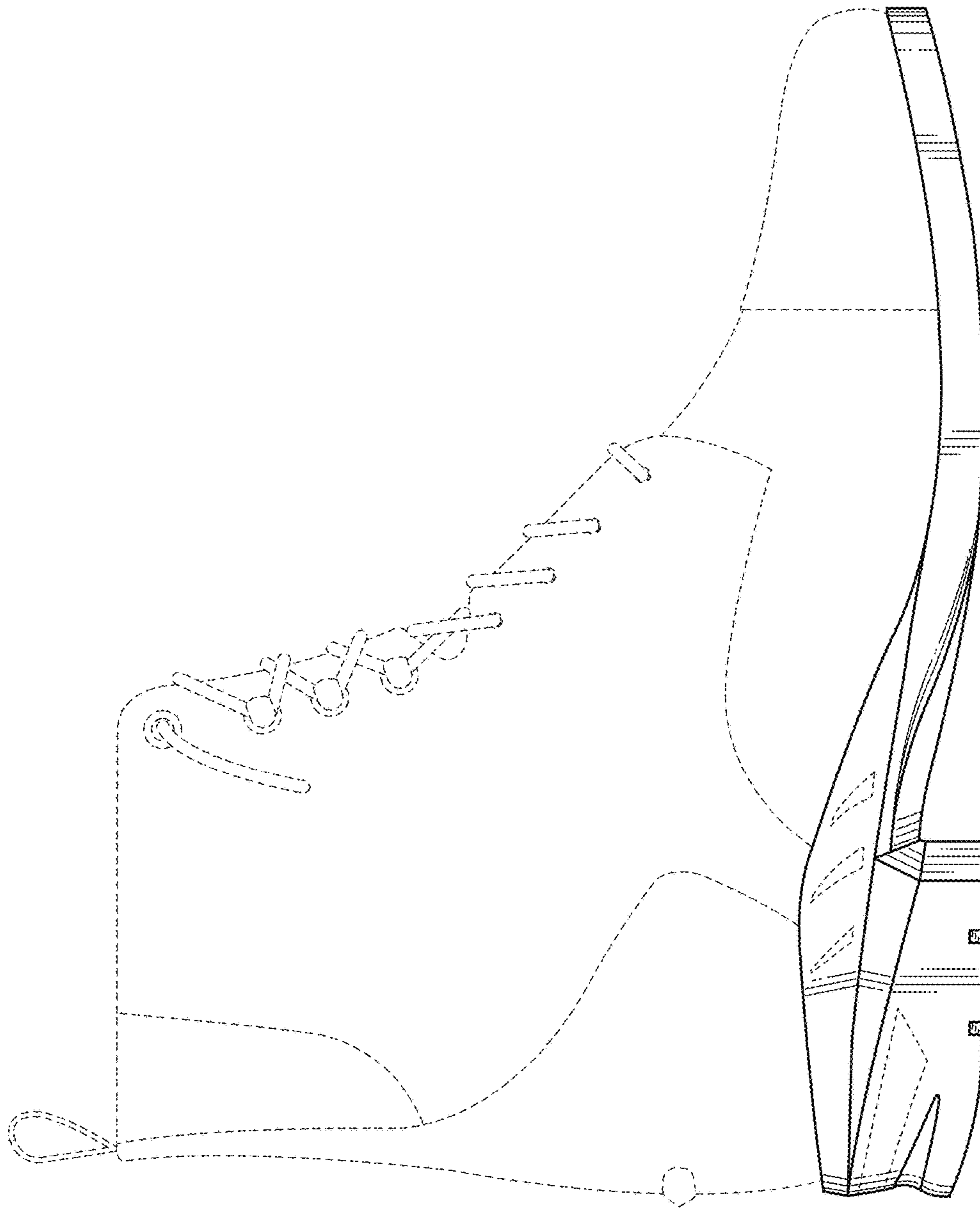


FIG. 5

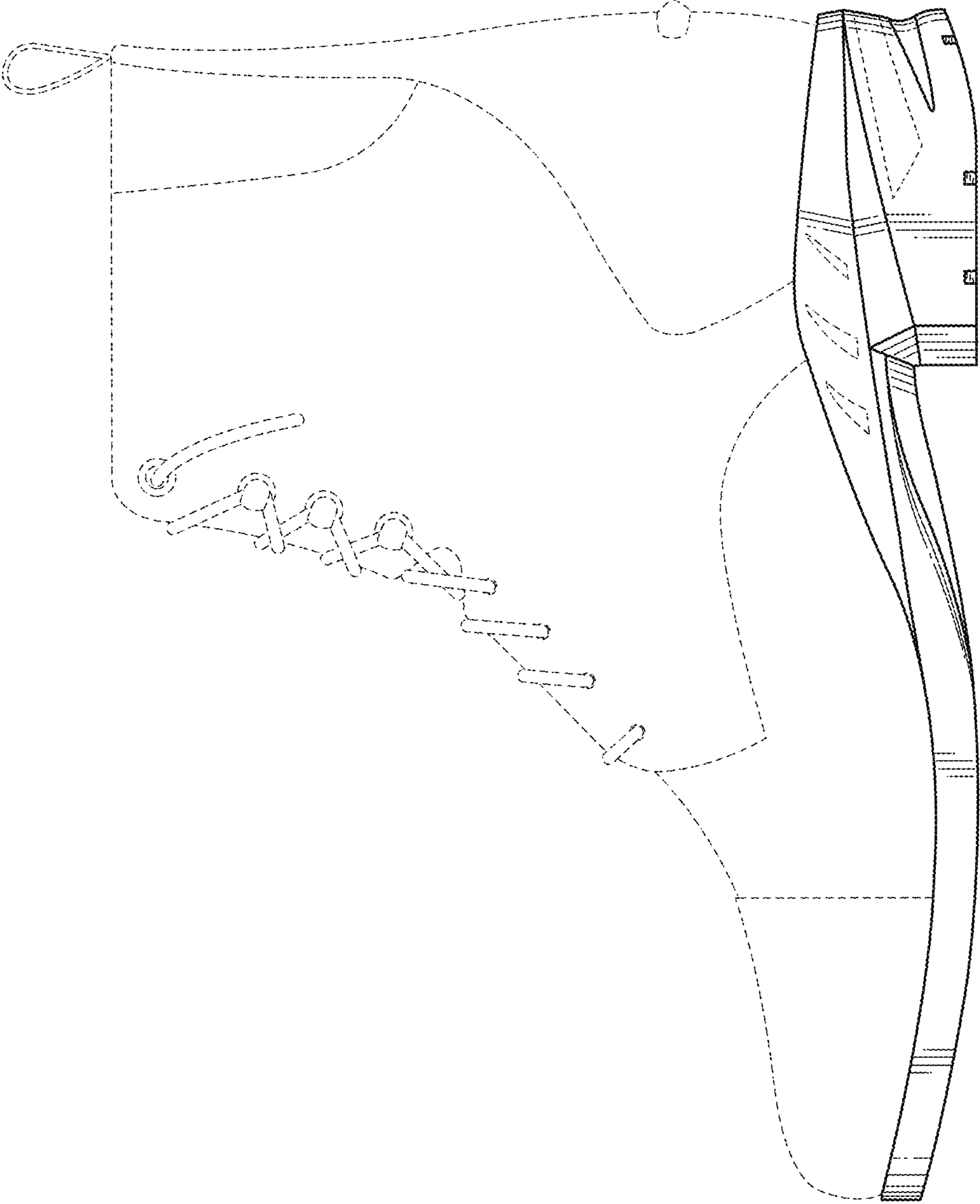


FIG. 6



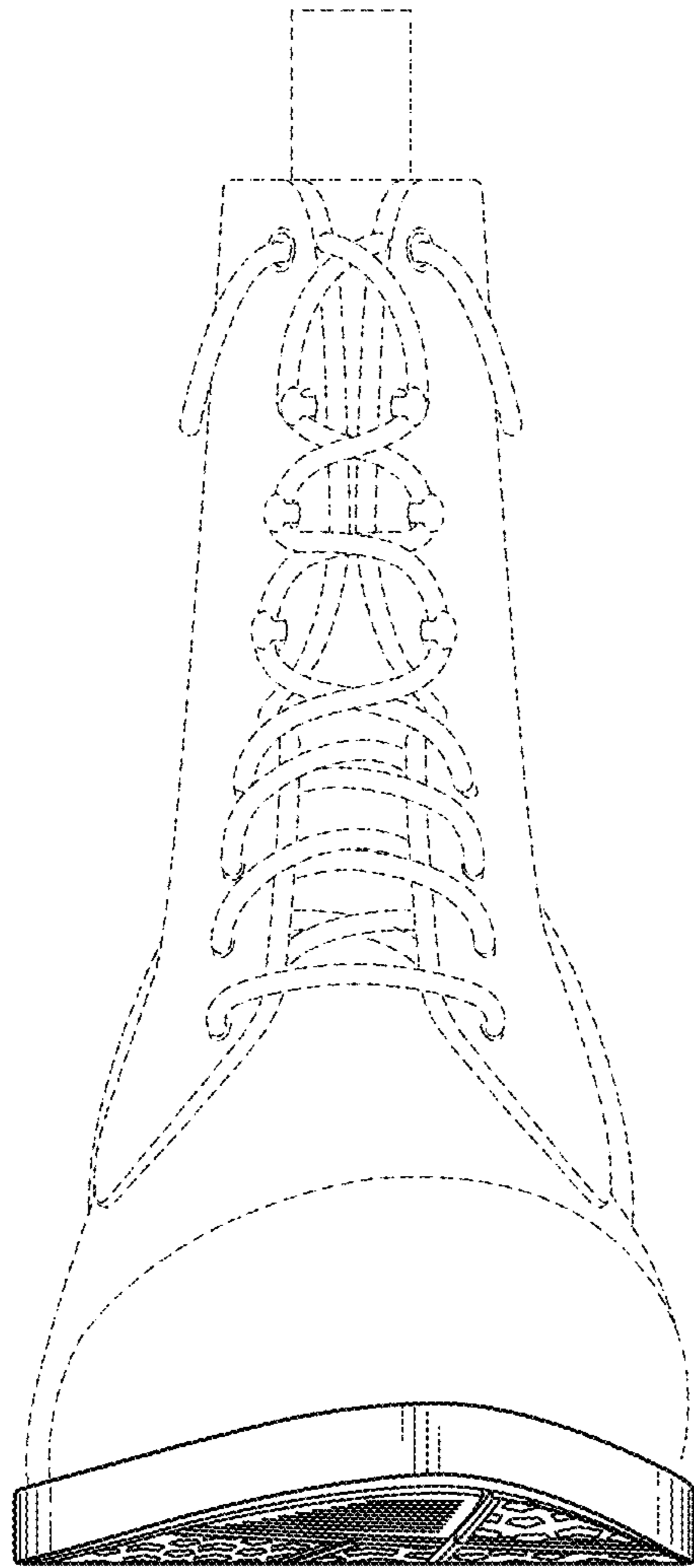


FIG. 7

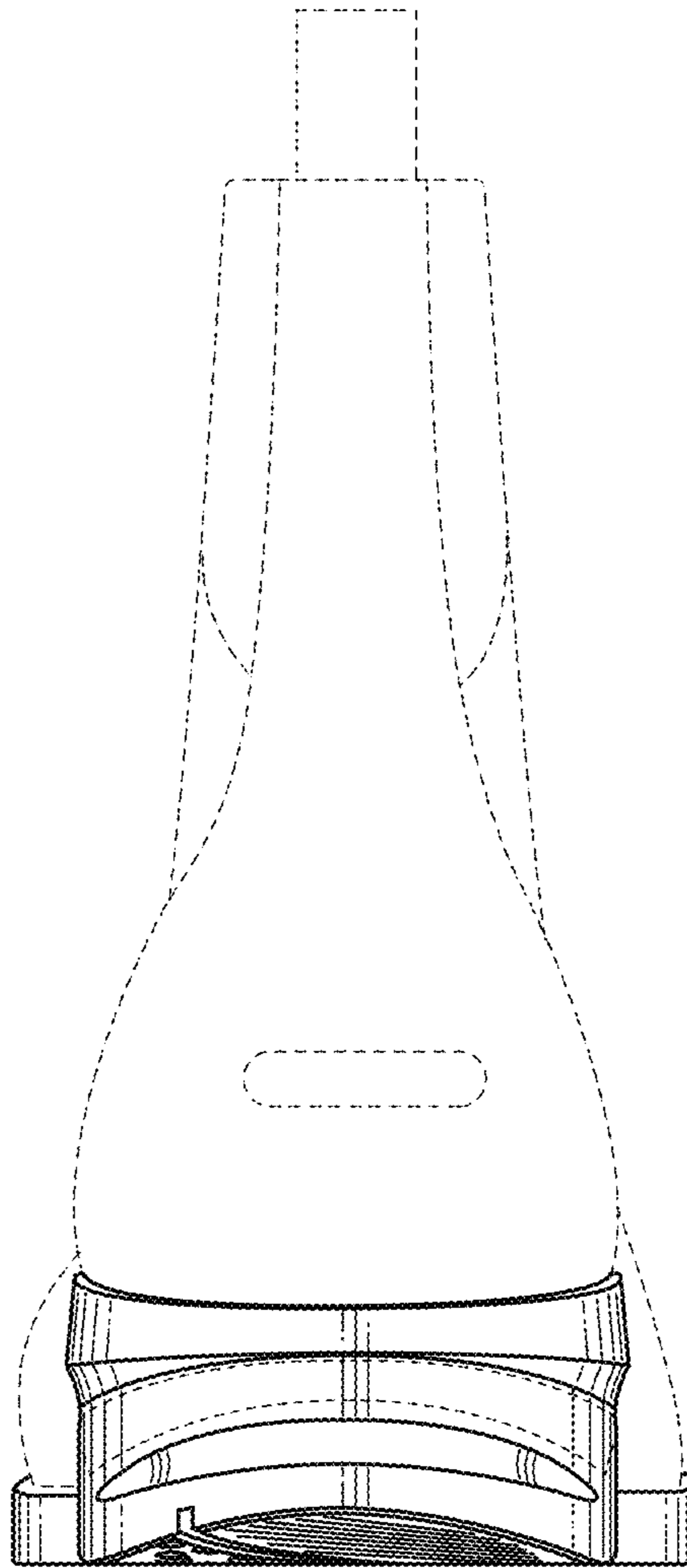


FIG. 8

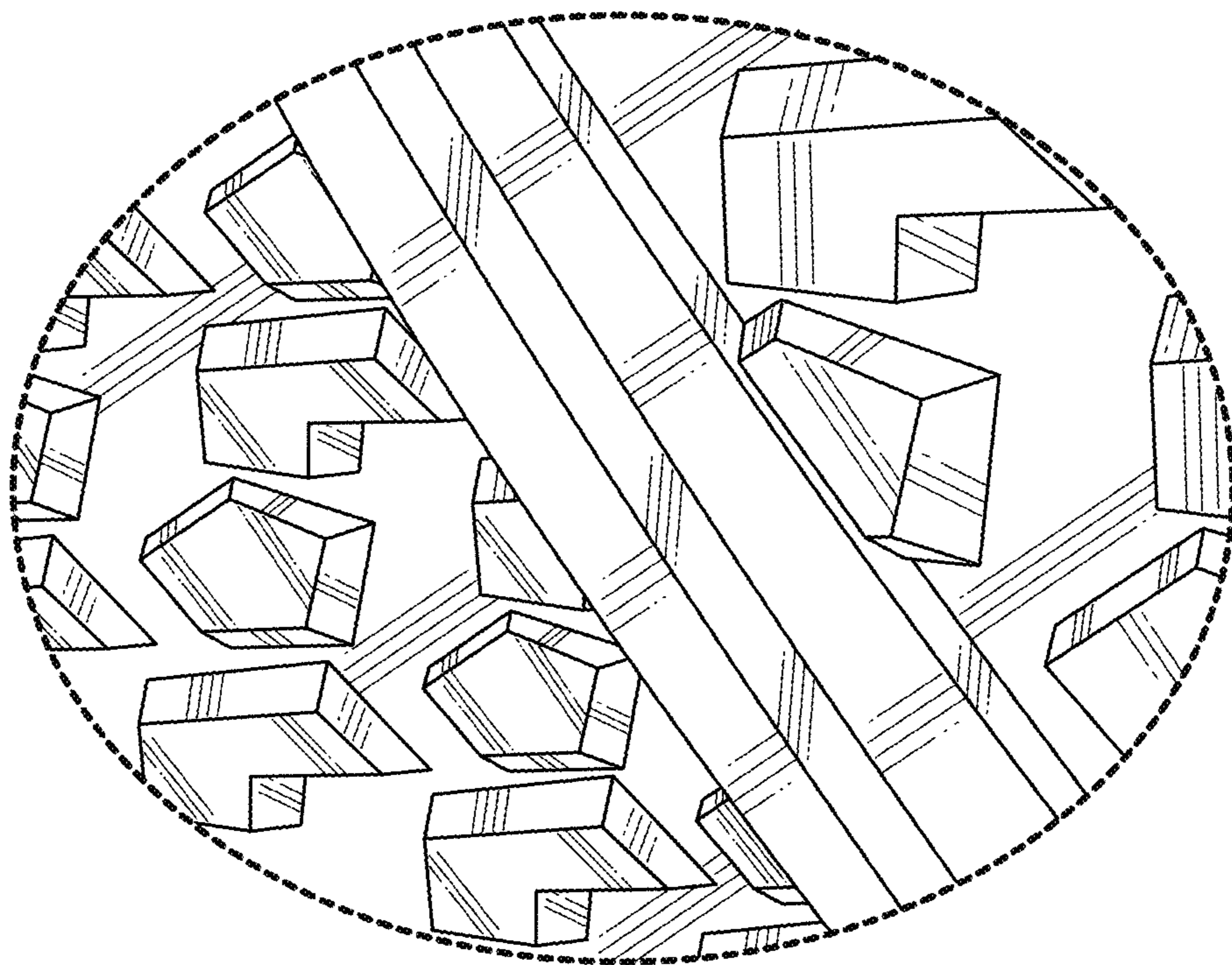


FIG. 9

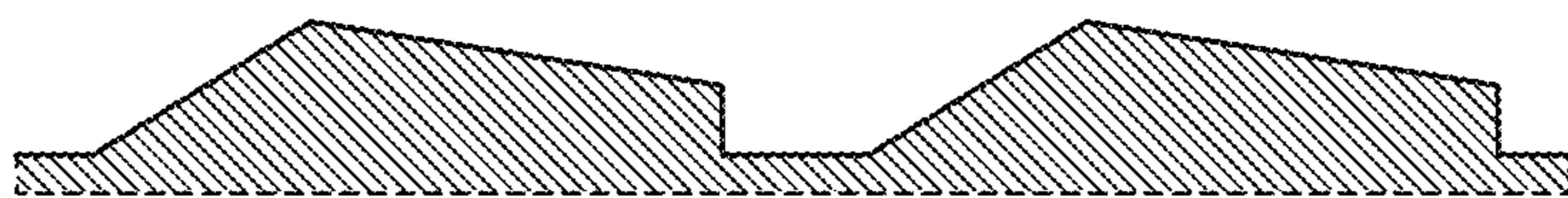


FIG. 10

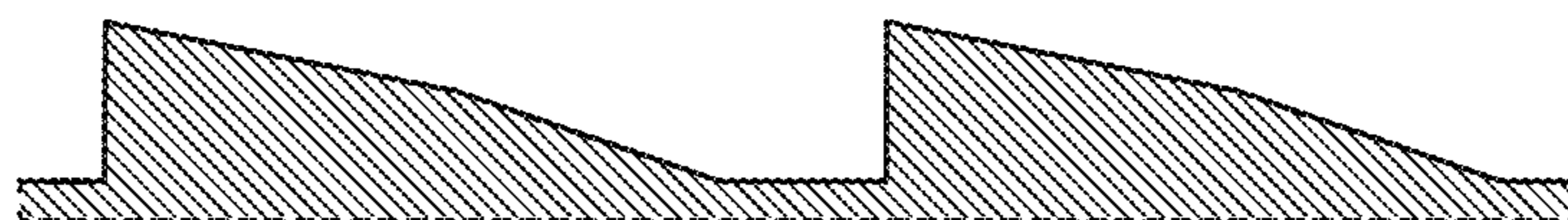


FIG. 11