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(12) **United States Design Patent** (10) **Patent No.:** **US D818,692 S**
Gavrieli et al. (45) **Date of Patent:** **** May 29, 2018**

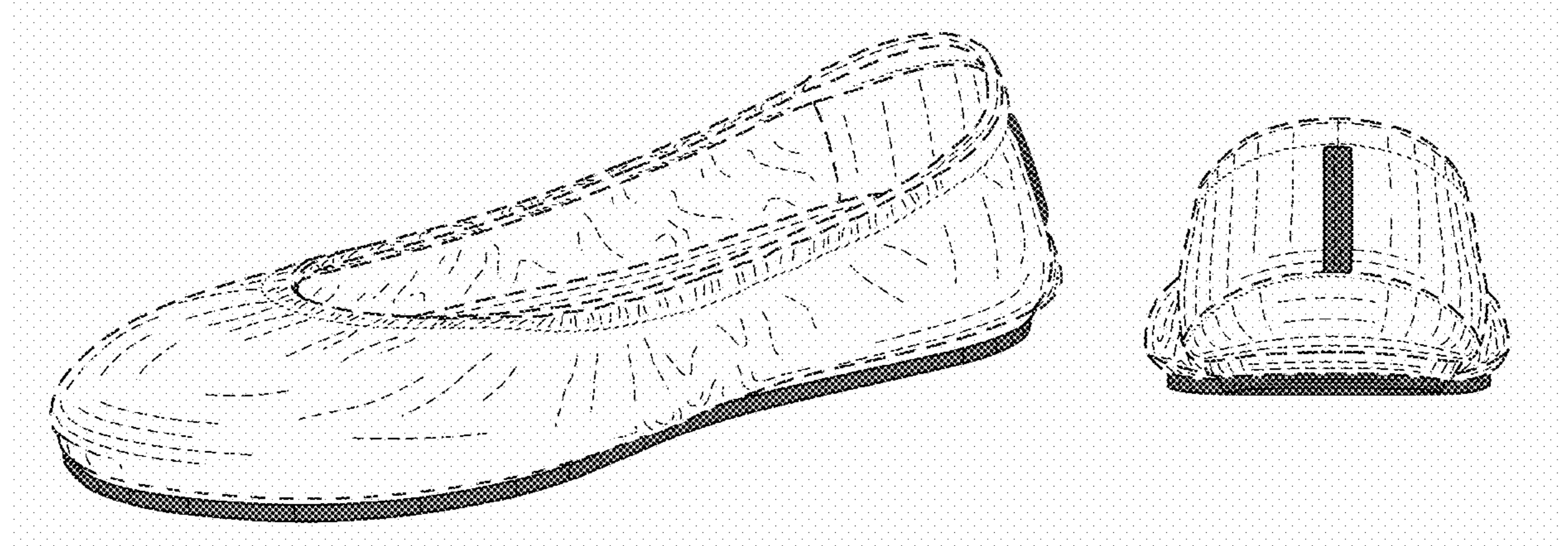
- (54) **PURPLE SOLE AND HEEL STRIPE FOR SINGLE-SOLE SHOE**
- (71) Applicant: **Gavrieli Brands, LLC**, Beverly Hills, CA (US)
- (72) Inventors: **Kfir Gavrieli**, Los Angeles, CA (US); **Dikla Gavrieli**, Los Angeles, CA (US)
- (73) Assignee: **Gavrieli Brands LLC**, Beverly Hills, CA (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/570,787**
- (22) Filed: **Jul. 12, 2016**

Related U.S. Application Data

- (63) Continuation of application No. 29/493,450, filed on Jun. 10, 2014, now Pat. No. Des. 762,050.
- (51) **LOC (11) Cl.** **02-99**
- (52) **U.S. Cl.**
USPC **D2/971**
- (58) **Field of Classification Search**
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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.

| | | | |
|--------------|---------|----------------------|--------|
| 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 | |
| D133,819 S * | 9/1942 | Harris | D2/939 |
| D135,791 S | 6/1943 | Beebe | |
| 2,323,563 A | 7/1943 | Nugent | |
| 2,342,882 A | 2/1944 | Meltzer | |
| D141,871 S | 7/1945 | Braun | |
| 2,383,585 A | 8/1945 | Bindner | |
| D149,685 S * | 5/1948 | Sandler | D2/935 |
| D150,729 S * | 8/1948 | Sandler | D2/923 |
| D166,090 S * | 3/1952 | Maling | D2/897 |
| 2,772,488 A | 12/1956 | Meltzer | |
| 2,904,814 A | 9/1959 | Scholl | |
| 3,148,378 A | 9/1964 | Tibbitts | |
| D200,897 S * | 4/1965 | Mitchell | D2/919 |
| D220,464 S | 4/1971 | Hayoshi | |
| D247,396 S * | 3/1978 | Schlerth | D2/939 |
| 4,412,393 A | 11/1983 | Terlizzi, Jr. et al. | |
| D275,525 S | 9/1984 | Nakao | |
| 4,674,206 A | 6/1987 | Lyden | |
| D295,692 S * | 5/1988 | Zuidema | D2/950 |
| D300,085 S | 3/1989 | Ito et al. | |
| RE33,018 E | 8/1989 | Ostrander | |
| 4,899,412 A | 2/1990 | Ganon | |
| D316,773 S | 5/1991 | Valle | |
| 5,012,541 A | 5/1991 | Ganon | |
| D339,669 S * | 9/1993 | Miller | D2/919 |
| 5,282,326 A | 2/1994 | Schroer, Jr. et al. | |
| 5,421,050 A | 6/1995 | Laganas | |
| 5,699,629 A | 12/1997 | Munschy | |
| 5,746,014 A | 5/1998 | Tanemoto | |
| D420,785 S | 2/2000 | Perez | |
| 6,055,745 A | 5/2000 | Endoh | |
| 6,076,284 A | 6/2000 | Terlizzi | |
| 6,189,239 B1 | 2/2001 | Gasparovic et al. | |
| 6,338,207 B1 | 1/2002 | Chang | |
| D457,292 S * | 5/2002 | Sessa | D2/949 |
| D461,947 S | 8/2002 | Merceron | |
| D476,798 S | 7/2003 | Reynolds et al. | |
| 6,588,124 B2 | 7/2003 | Morrone | |
| D498,041 S | 11/2004 | McClaskie | |
| D500,191 S * | 12/2004 | Belley | D2/969 |
| D501,706 S | 2/2005 | McClaskie | |
| 6,857,203 B2 | 2/2005 | Minden | |
| 6,895,693 B2 | 5/2005 | Baruck | |
| 6,978,557 B2 | 12/2005 | Lee | |
| 7,032,327 B1 | 4/2006 | Tartaglia et al. | |
| 7,036,244 B1 | 5/2006 | Finch | |
| D527,513 S | 9/2006 | Della Valle | |
| D529,513 S * | 10/2006 | Aketa | D15/5 |
| D531,790 S | 11/2006 | Wurzburg | |

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



US D818,692 S

Page 2

| | | | | | | |
|--------------|---------|-------------------|----------------------|-----------------|---------|------------------|
| D534,341 S * | 1/2007 | Choi | D2/896 | 8,973,287 B2 | 3/2015 | Shibata |
| D542,513 S | 5/2007 | Amado et al. | | D762,050 S * | 7/2016 | Gavrieli |
| D556,990 S | 12/2007 | Cabados | | 2002/0078591 A1 | 6/2002 | Morrone |
| 7,337,558 B2 | 3/2008 | Terlizzi et al. | | 2002/0129519 A1 | 9/2002 | Cahan |
| D567,485 S | 4/2008 | James | | 2003/0070319 A1 | 4/2003 | Minden |
| D570,488 S | 6/2008 | Kirksey et al. | | 2003/0121176 A1 | 7/2003 | Baruck |
| D571,084 S | 6/2008 | Comeau | | 2004/0025377 A1 | 2/2004 | Brannon |
| D571,548 S | 6/2008 | Seamans | | 2005/0022421 A1 | 2/2005 | Bruckner |
| D571,989 S | 7/2008 | Siegal | | 2005/0115115 A1 | 6/2005 | Lacey |
| D580,640 S | 11/2008 | Wurzburg | | 2005/0217148 A1 | 10/2005 | Connolly et al. |
| D582,638 S | 12/2008 | Ringholz | | 2005/0262734 A1 | 12/2005 | Cheng |
| 7,496,982 B2 | 3/2009 | Clark et al. | | 2006/0086005 A1 | 4/2006 | Yerian |
| 7,506,459 B2 | 3/2009 | Grisoni et al. | | 2006/0156576 A1 | 7/2006 | Sloan |
| D591,031 S | 4/2009 | Cofinco | | 2007/0074424 A1 | 4/2007 | Lin |
| D593,295 S * | 6/2009 | Belley | D2/969 | 2007/0204482 A1 | 9/2007 | Gibson-Collinson |
| D593,297 S * | 6/2009 | Belley | D2/969 | 2007/0204483 A1 | 9/2007 | Kirsch et al. |
| D593,307 S * | 6/2009 | Belley | D2/969 | 2008/0052964 A1 | 3/2008 | Taylor |
| D599,093 S * | 9/2009 | Issler | D2/925 | 2008/0086912 A1 | 4/2008 | Wilkenfeld |
| D604,030 S | 11/2009 | Wilson | | 2008/0110059 A1 | 5/2008 | Kuramoto et al. |
| D607,194 S | 1/2010 | Zagula | | 2009/0019732 A1 | 1/2009 | Sussmann |
| D610,332 S | 2/2010 | Raichle | | 2009/0193685 A1 | 8/2009 | Wilson |
| D610,785 S | 3/2010 | Smith | | 2009/0205222 A1 | 8/2009 | McLinden |
| D612,140 S | 3/2010 | Moon | | 2009/0272009 A1 | 11/2009 | Weisner et al. |
| D612,141 S | 3/2010 | Moon | | 2010/0011625 A1 | 1/2010 | Percival |
| 7,694,435 B1 | 4/2010 | Kiser et al. | | 2010/0018080 A1 | 1/2010 | Smith |
| D615,737 S | 5/2010 | Feller | | 2010/0050469 A1 | 3/2010 | Chen |
| 7,735,244 B1 | 6/2010 | Ameche | | 2010/0095557 A1 | 4/2010 | Jarvis |
| 7,743,530 B2 | 6/2010 | Truelsen | | 2010/0115793 A1 | 5/2010 | Kraisosky |
| D618,891 S | 7/2010 | McClaskie | | 2010/0122475 A1 | 5/2010 | Purrington |
| 7,757,408 B2 | 7/2010 | McClaskie | | 2010/0146822 A1 | 6/2010 | MacGregor |
| D630,829 S | 1/2011 | Weisner | | 2010/0212186 A1 | 8/2010 | Cheng |
| D632,881 S | 2/2011 | Rosenberg | | 2010/0275462 A1 | 11/2010 | Pucci |
| 7,926,203 B2 | 4/2011 | Wilkenfeld | | 2010/0281713 A1 | 11/2010 | Pantazes |
| 7,966,747 B2 | 6/2011 | Wilkenfeld et al. | | 2015/0089843 A1 | 4/2015 | Gavrieli |
| D640,861 S | 7/2011 | Wilkenfeld | | | | |
| 8,020,320 B2 | 9/2011 | Gillespie | | | | |
| 8,127,468 B2 | 3/2012 | Morgan | | | | |
| D657,543 S | 4/2012 | Bove | | | | |
| D659,960 S | 5/2012 | Bizzo | | | | |
| 8,230,619 B2 | 7/2012 | Salvatelli | | | | |
| D664,755 S | 8/2012 | Gavrieli et al. | | | | |
| D665,157 S | 8/2012 | Wu | | | | |
| 8,240,067 B2 | 8/2012 | Sussmann | | | | |
| 8,245,420 B2 | 8/2012 | Wilson | | | | |
| D668,027 S | 10/2012 | Millieret | | | | |
| D668,438 S | 10/2012 | Millieret | | | | |
| D668,847 S * | 10/2012 | Gavrieli | D2/925 | | | |
| D668,848 S * | 10/2012 | Gavrieli | D2/925 | | | |
| D668,849 S | 10/2012 | Pozzi | | | | |
| D668,850 S | 10/2012 | Pozzi | | | | |
| D672,542 S | 12/2012 | Gray et al. | | | | |
| D676,634 S * | 2/2013 | Gavrieli | D2/925 | | | |
| D681,927 S * | 5/2013 | Gavrieli | D2/925 | | | |
| D681,928 S * | 5/2013 | Gavrieli | D2/925 | | | |
| D681,929 S * | 5/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D683,936 S * | 6/2013 | Gavrieli | D2/925 | | | |
| 8,468,723 B2 | 6/2013 | Malka-Harari | | | | |
| 8,510,975 B2 | 8/2013 | Krikelis | | | | |
| D688,853 S * | 9/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D688,854 S * | 9/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D688,855 S * | 9/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D689,270 S * | 9/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D689,271 S * | 9/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D689,272 S * | 9/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D690,914 S * | 10/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D690,915 S * | 10/2013 | Gavrieli | A43B 3/248 D2/925 | | | |
| D696,500 S | 12/2013 | Hunt | | | | |
| D699,424 S | 2/2014 | Hamm | | | | |
| 8,661,714 B2 | 3/2014 | Sussman | | | | |

FOREIGN PATENT DOCUMENTS

| | | | |
|----|----------------|----|---------|
| DE | 20 2006 000230 | U1 | 5/2007 |
| GB | 2443937 | A | 5/2008 |
| GB | 2 446 205 | A | 8/2008 |
| TW | D119165 | | 10/2007 |

OTHER PUBLICATIONS

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

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.
 “Say Hello to the Flat Shoes You Need for Fall . . . All 88 of Them!”, Picture of Adam Tucker Shoe/Slipper, <https://www.facebook.com/search/top/?q=adam%20shoes%20siipper>, last accessed Oct. 28, 2016, dated Oct. 1, 2013, 1 page.
 Picture of Adam Tucker Rainbow Shoes, <https://www.facebook.com/search/top/?q=adam%20shoes%20rainbow>, last accessed Oct. 28, 2016, dated Aug. 14, 2013, 1 page.

* cited by examiner

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

(57)

CLAIM

The ornamental design for a purple sole and heel stripe for single-sole shoe, as shown and described.

DESCRIPTION

The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

FIG. 1 is a perspective view of a purple sole and heel stripe for single-sole shoe shaded to show the color purple, showing our new design;

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;

FIG. 7 is a back view thereof;

FIG. 8 is a perspective view of another embodiment of our new design of a purple sole and heel stripe for single-sole shoe of FIG. 1, illustrated in conjunction with a disclaimed shoe upper, where the purple portions are indicated using the USPTO convention of dashed vertical lines for violet or purple;

FIG. 9 is a first side view thereof;

FIG. 10 is a second side view thereof;

FIG. 11 is a top view thereof;
FIG. 12 is a bottom view thereof;
FIG. 13 is a front view thereof; and,
FIG. 14 is a back view thereof.

The broken lines illustrating the shoe upper are for environmental purposes only and form no part of the claimed design.

1 Claim, 12 Drawing Sheets
(6 of 12 Drawing Sheet(s) Filed in Color)

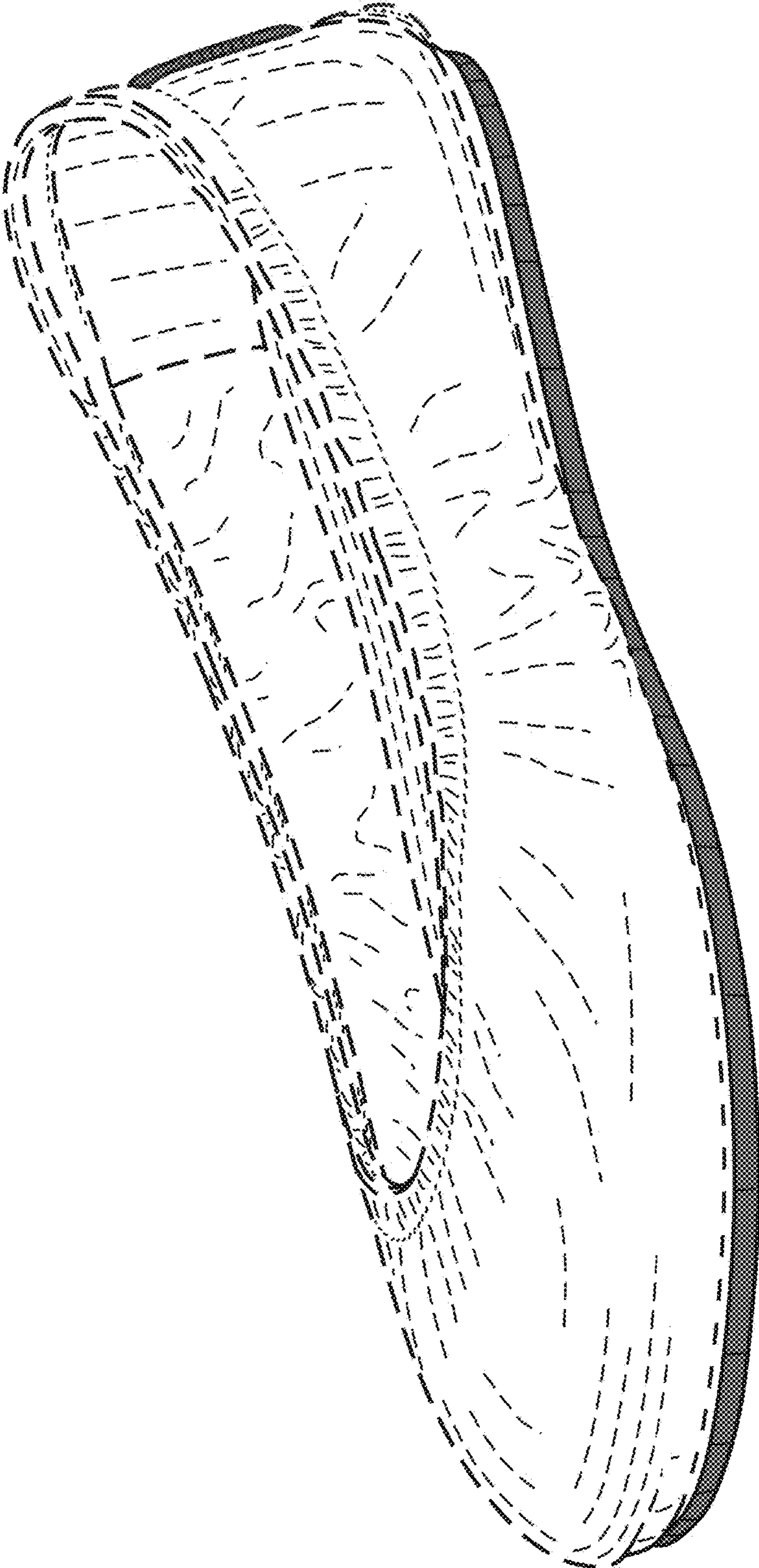


FIG. 1

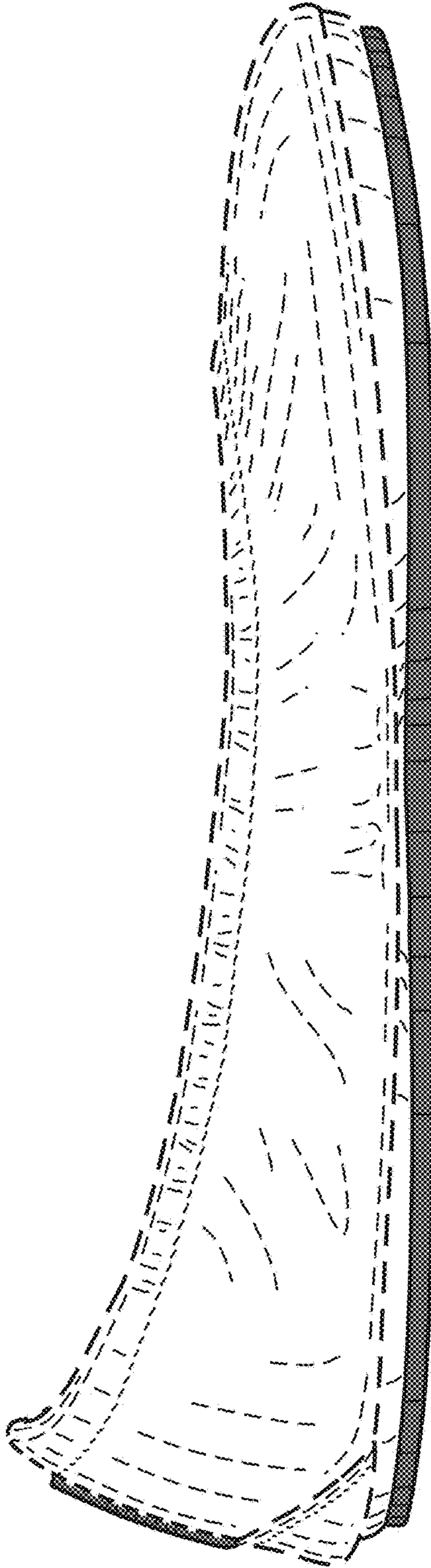


FIG. 2

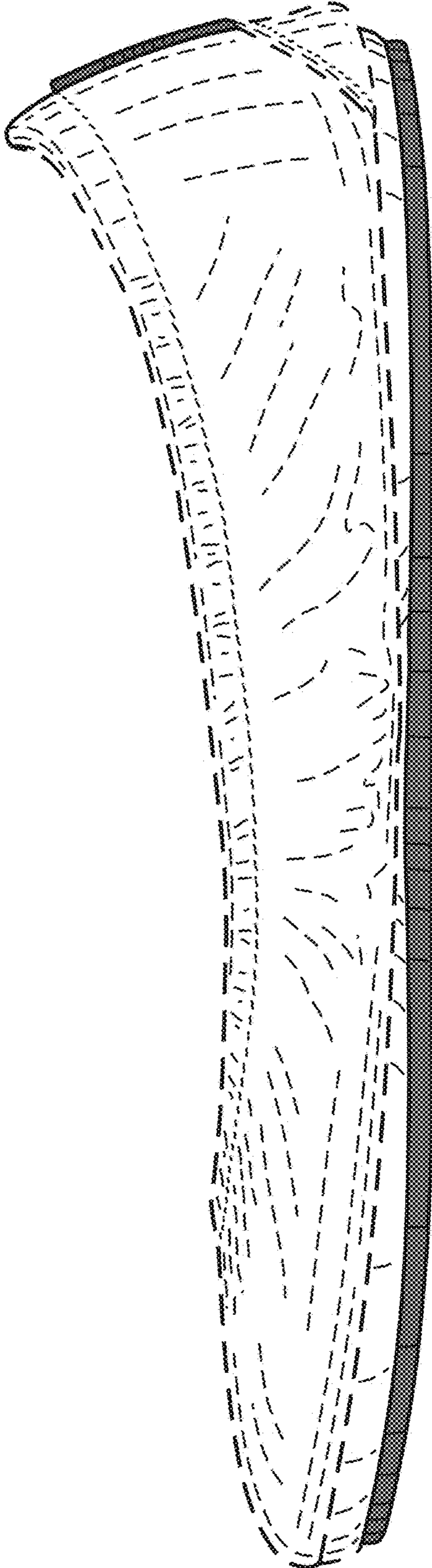


FIG. 3

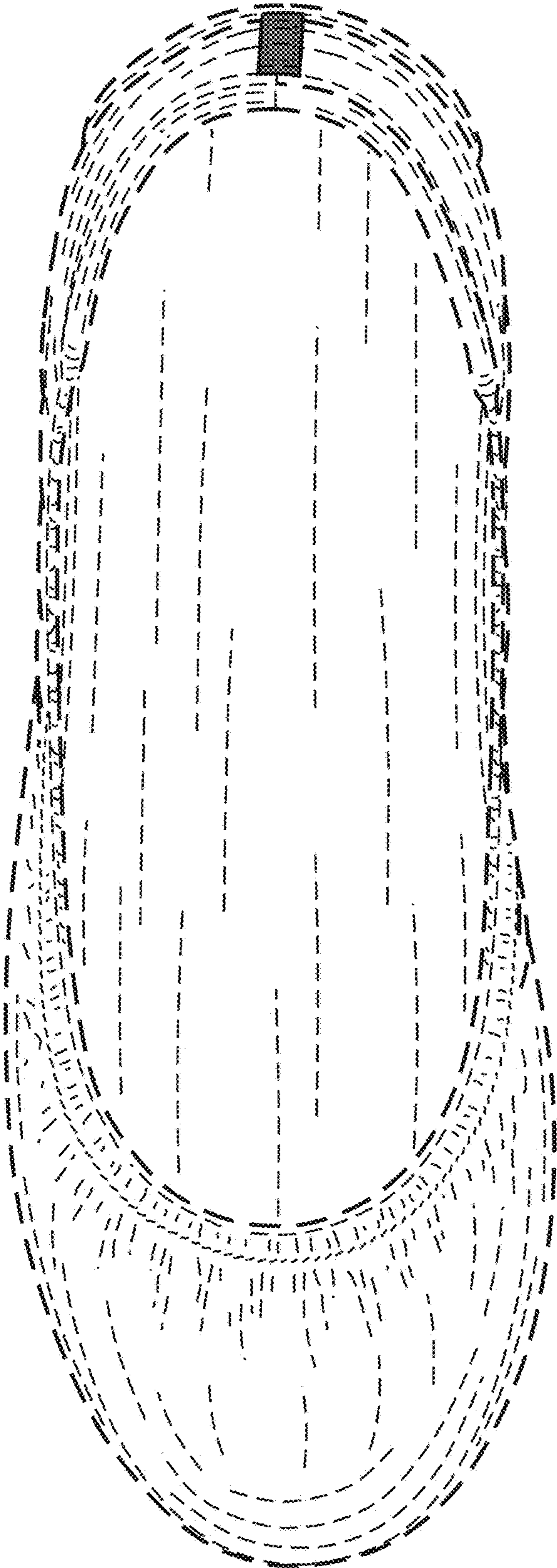


FIG. 4

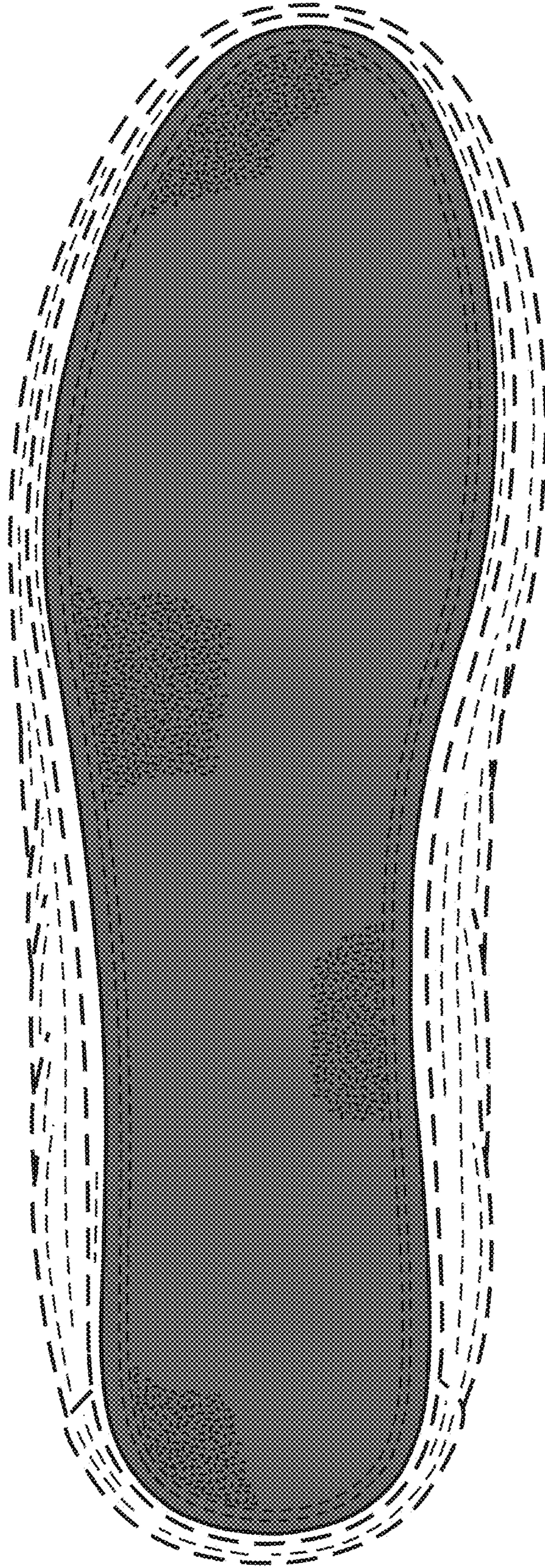


FIG. 5

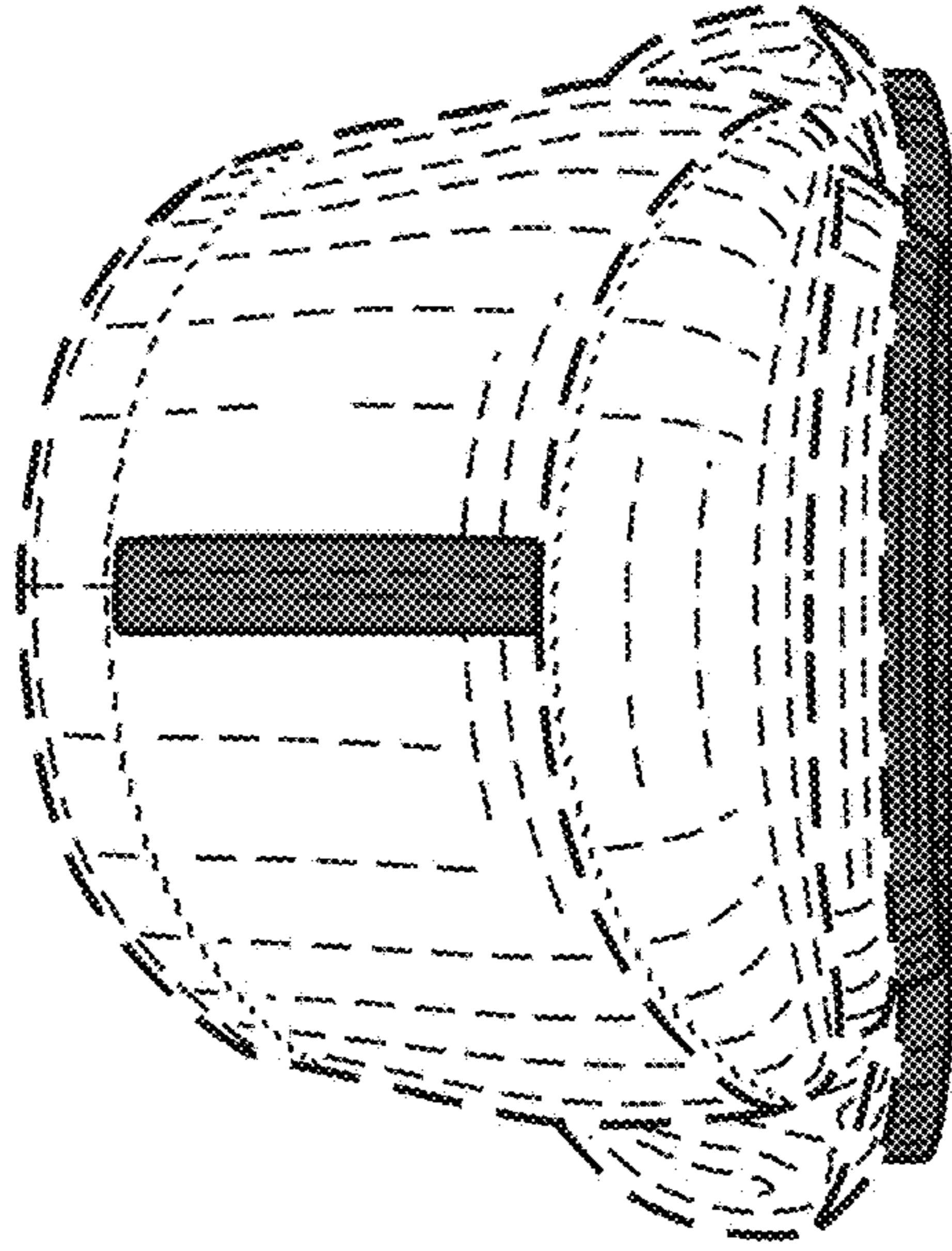


FIG. 7

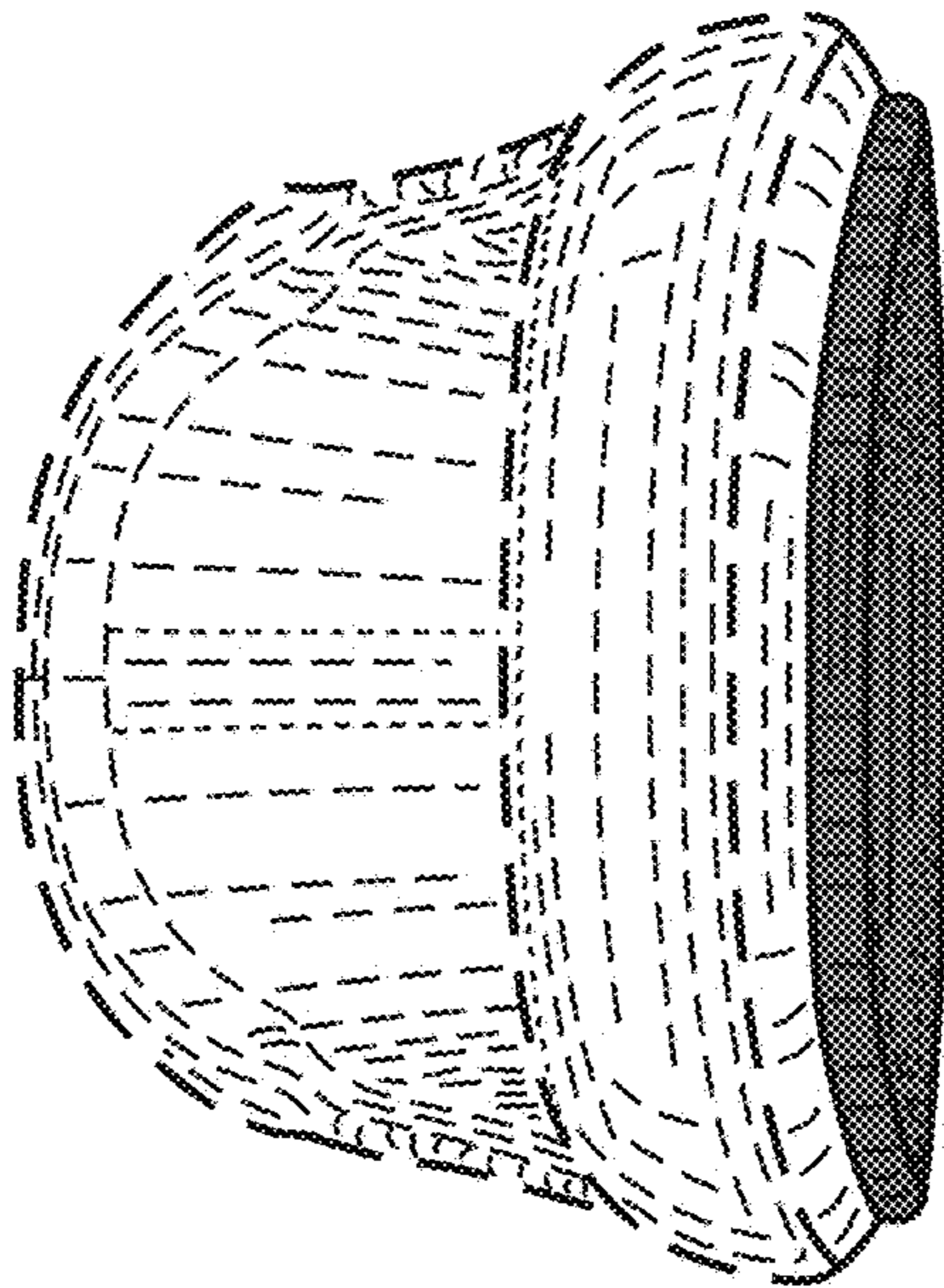


FIG. 6

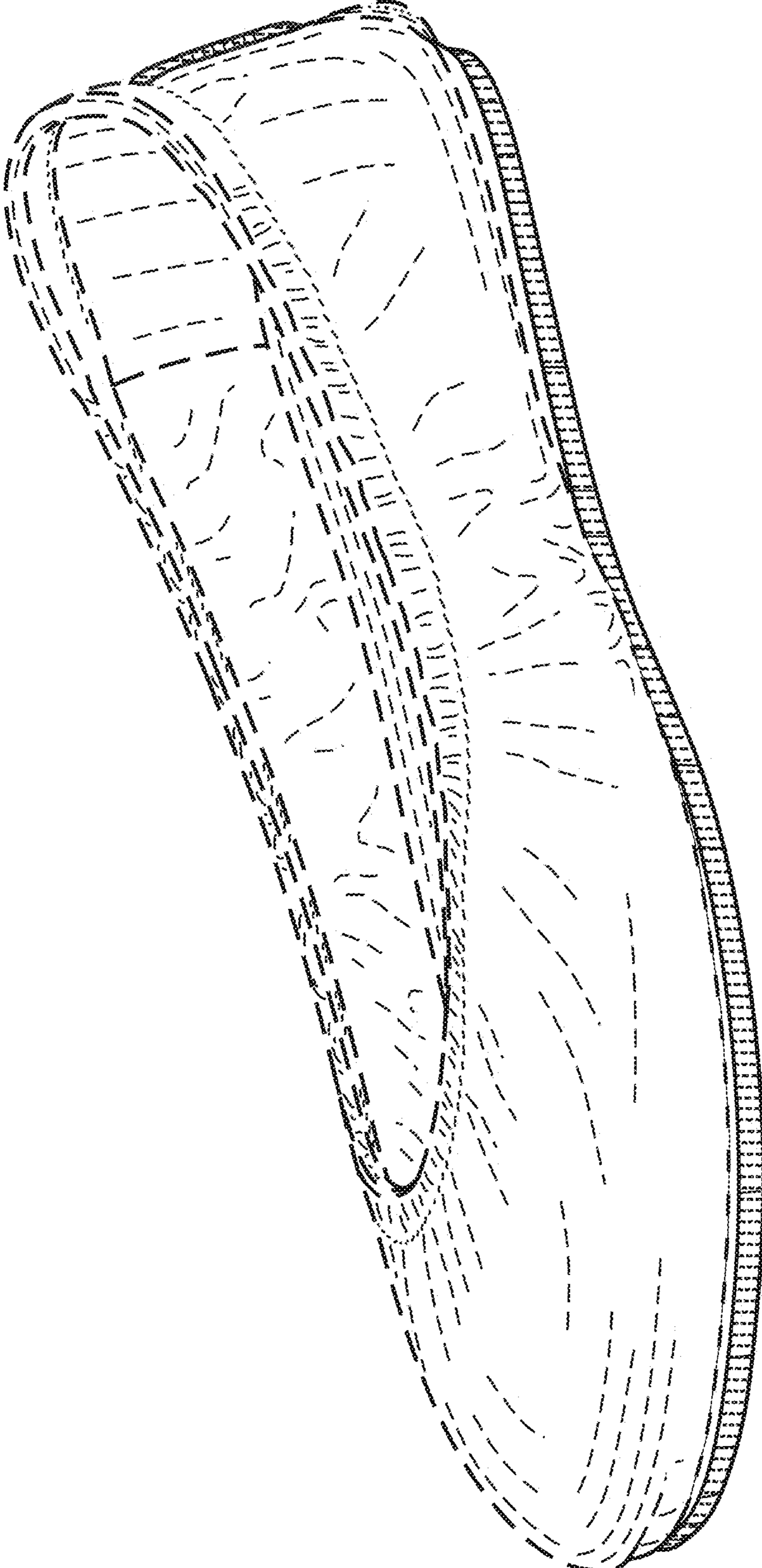


FIG. 8

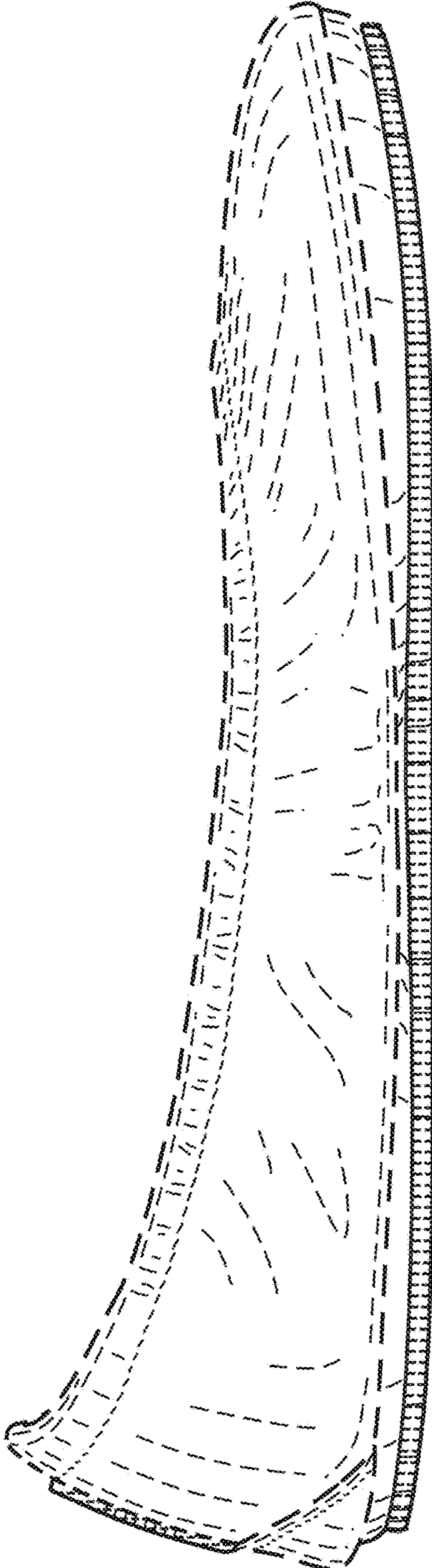


FIG. 9

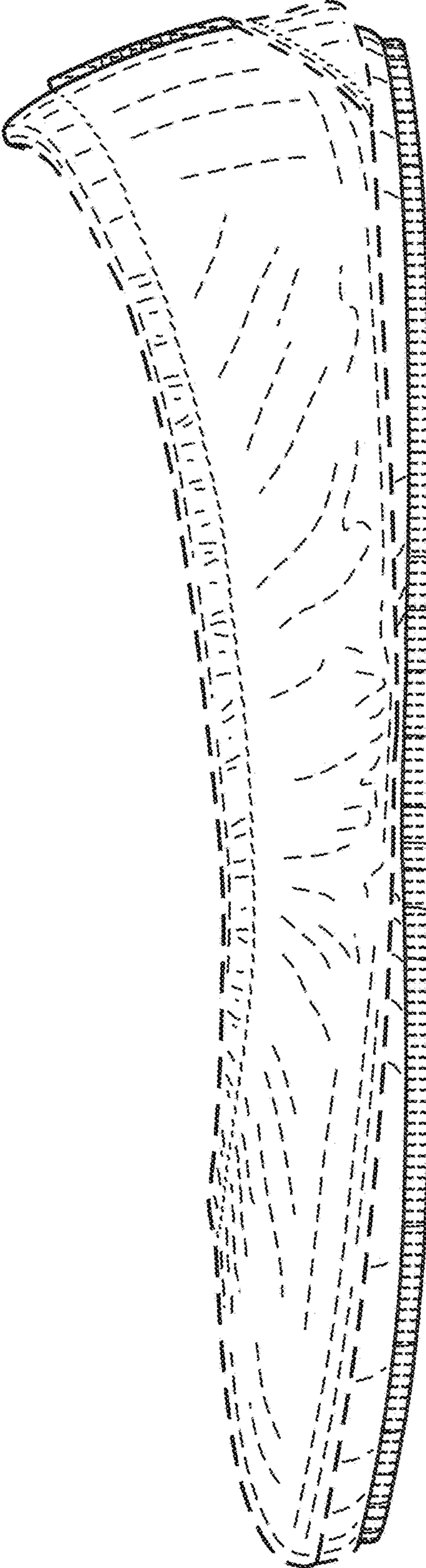


FIG. 10

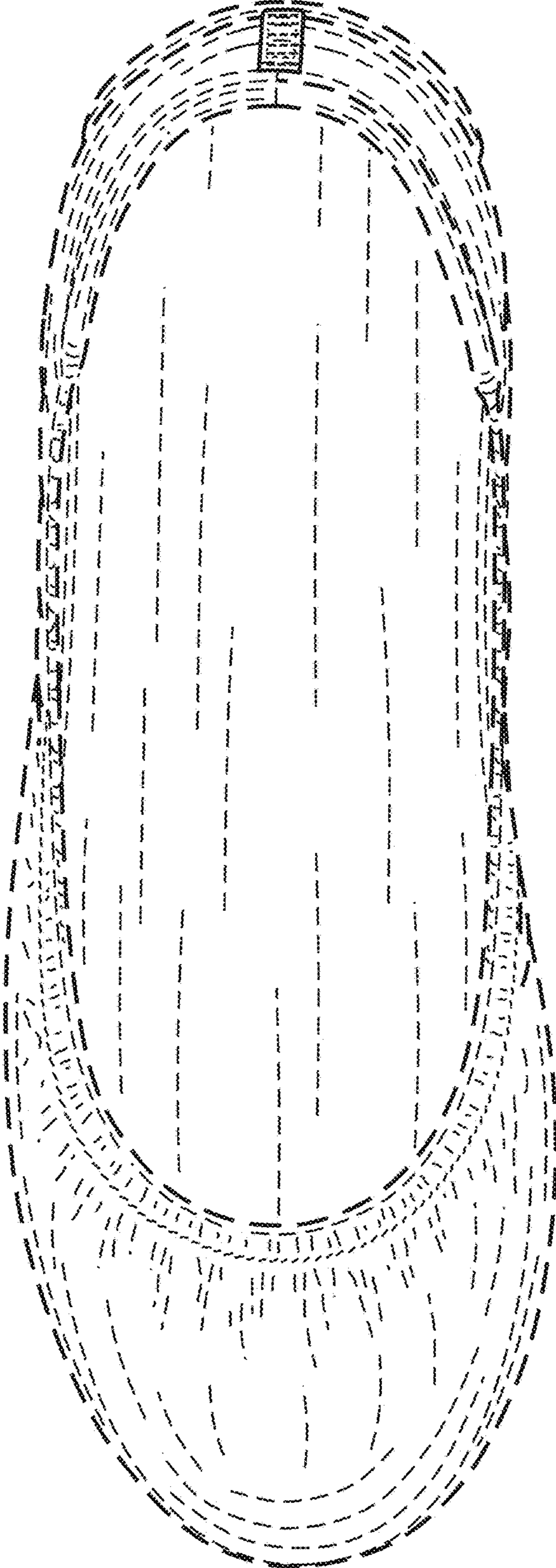


FIG. 11

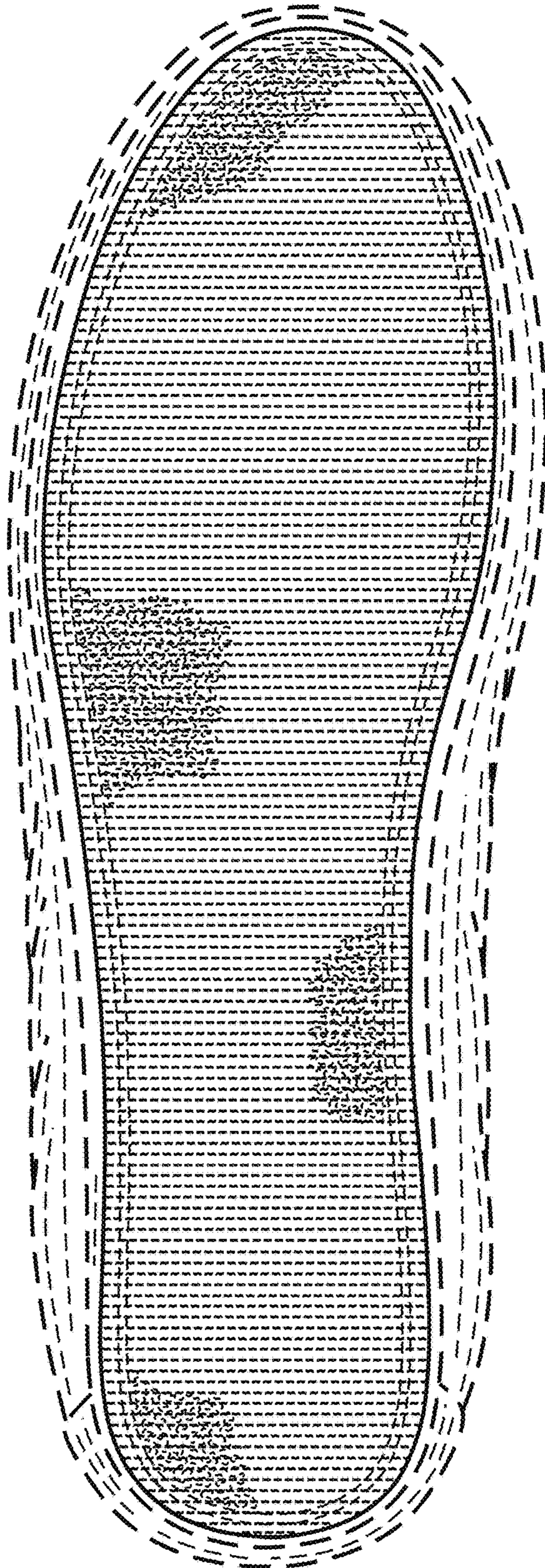


FIG. 12

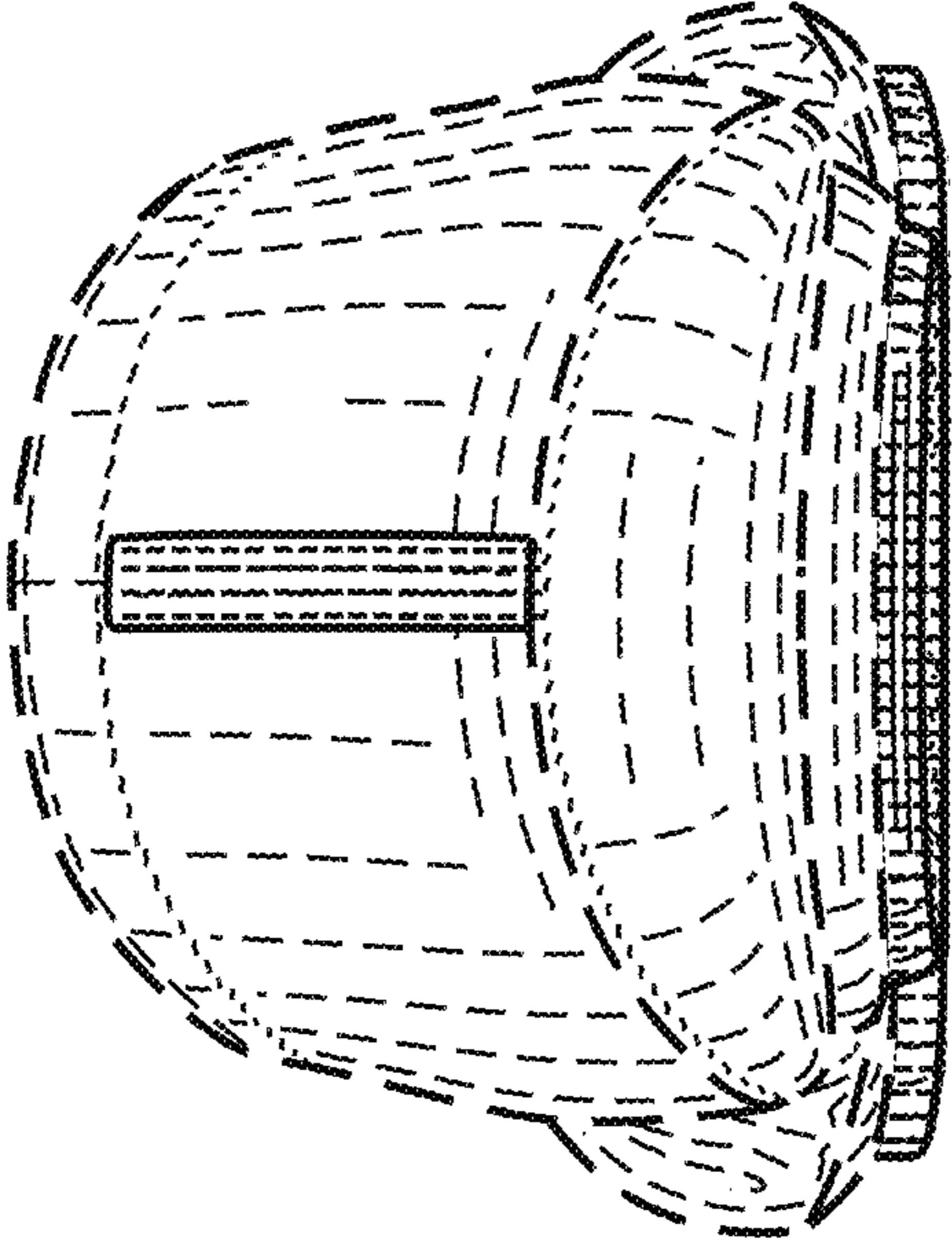


FIG. 13

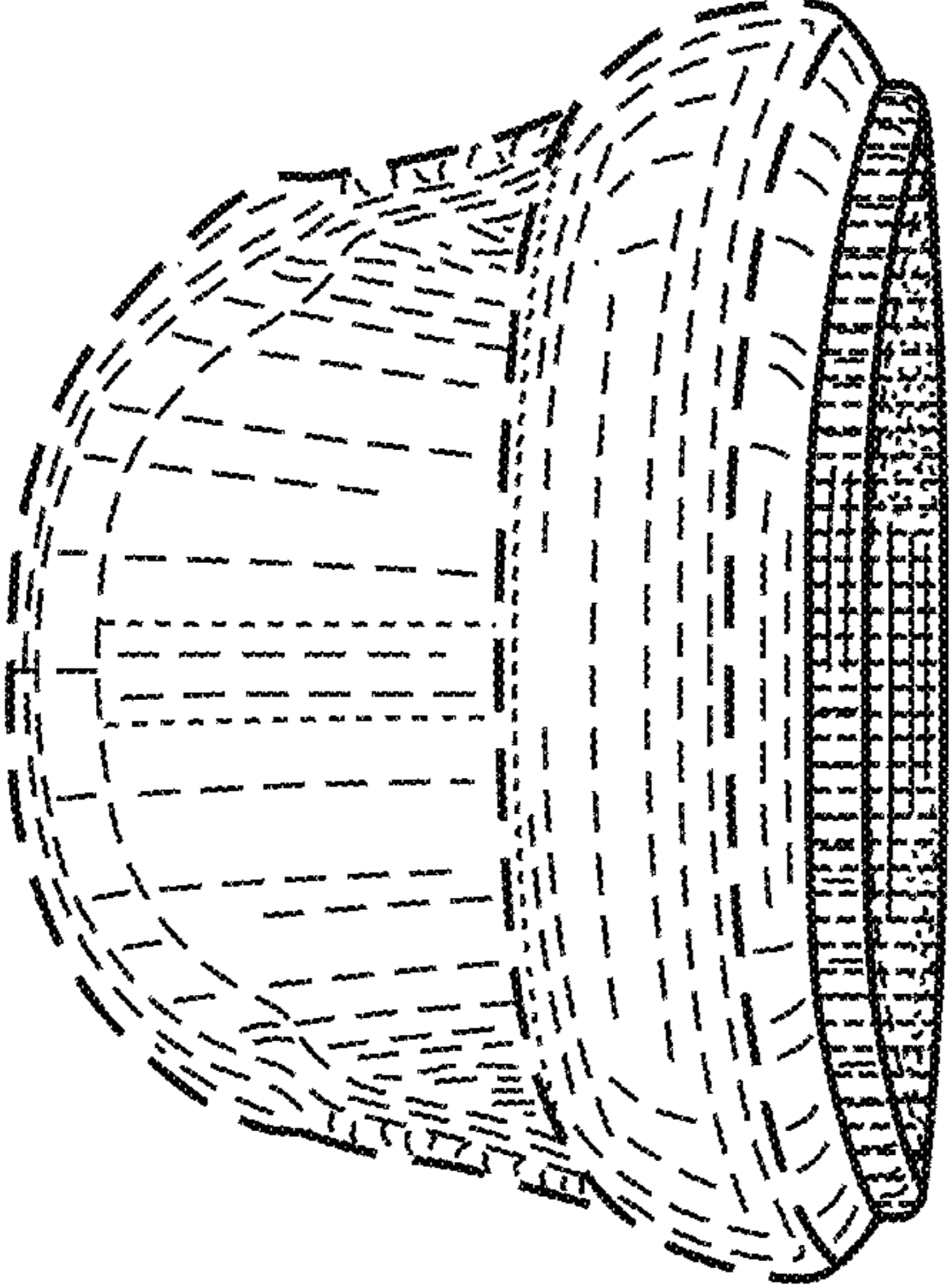


FIG. 14