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

(10) **Patent No.:** **US D824,656 S**

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- (54) **YELLOW SOLE AND HEEL STRIPE FOR A SINGLE-SOLE SHOE** 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
- (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
- (72) Inventors: **Kfir Gavrieli**, Los Angeles, CA (US);  
**Dikla Gavrieli**, Los Angeles, CA (US) 2,268,777 A 1/1942 Scholl  
D133,819 S \* 9/1942 Harris ..... D2/939  
D135,791 S 6/1943 Beebe
- (73) Assignee: **Gavrieli Brands LLC**, Beverly Hills, CA (US) 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
- (\*) Notice: This patent is subject to a terminal disclaimer. D149,685 S \* 5/1948 Sandler ..... D2/935  
D150,729 S \* 8/1948 Sandler ..... D2/923  
D166,090 S \* 3/1952 Maling ..... D2/897
- (\*\*) Term: **15 Years** 2,772,488 A 12/1956 Meltzer  
2,904,814 A 9/1959 Scholl  
3,148,378 A 9/1964 Tibbitts
- (21) Appl. No.: **29/570,760** D200,897 S \* 4/1965 Mitchell ..... D2/919  
D220,464 S 4/1971 Hayoshi
- (22) Filed: **Jul. 12, 2016** D247,396 S \* 3/1978 Schlerth ..... D2/939  
4,412,393 A 11/1983 Terlizzi, Jr. et al.  
D275,525 S 9/1984 Nakao

**Related U.S. Application Data**

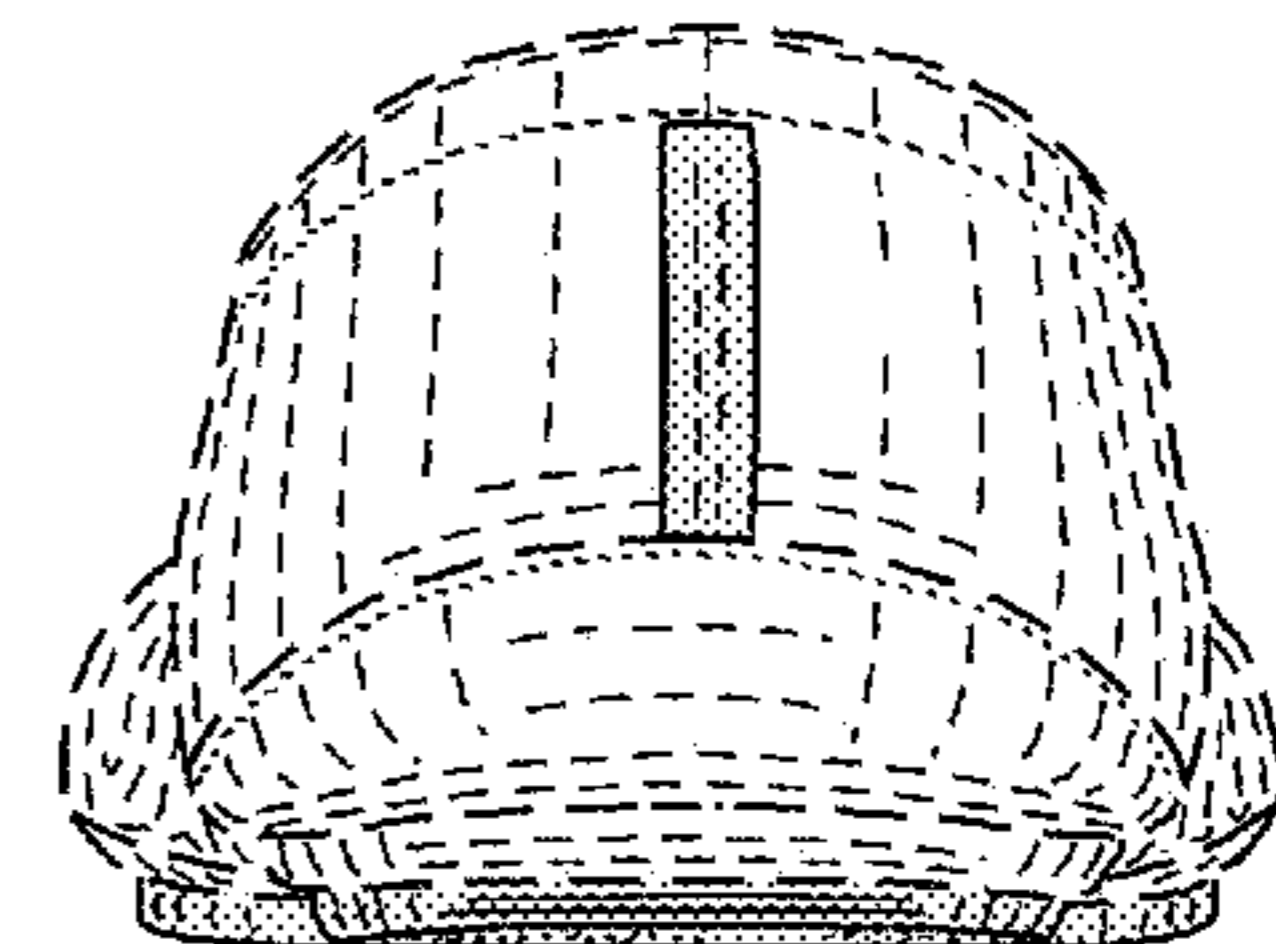
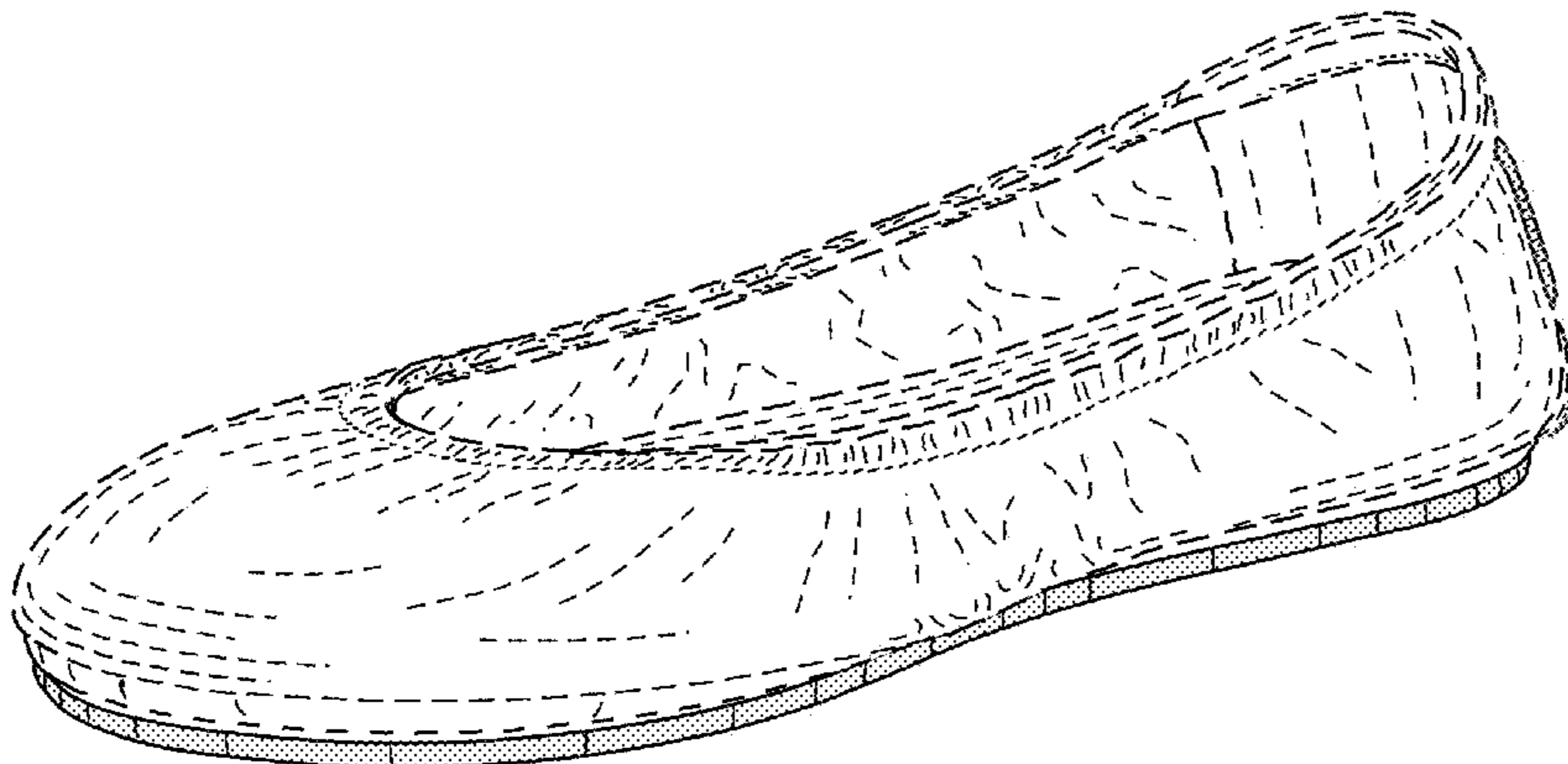
- (63) Continuation of application No. 29/493,455, filed on Jun. 10, 2014, now Pat. No. Des. 761,539.
- (51) **LOC (11) Cl.** ..... **02-99**
- (52) **U.S. Cl.**  
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- (58) **Field of Classification Search**  
USPC ..... D2/896, 900, 919-921, 925, 939, 947,  
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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.

- 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.

(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



# US D824,656 S

Page 2

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  
D534,341 S \* 1/2007 Choi ..... D2/896  
D542,513 S 5/2007 Amado et al.  
D556,990 S 12/2007 Cabados  
7,337,558 B2 3/2008 Terlizzi et al.  
D567,485 S 4/2008 James  
D570,488 S 6/2008 Kirksey et al.  
D571,084 S 6/2008 Comeau  
D571,548 S 6/2008 Seamans  
D571,989 S 7/2008 Siegal  
D580,640 S 11/2008 Wurzburg  
D582,638 S 12/2008 Ringholz  
7,496,982 B2 3/2009 Clark et al.  
7,506,459 B2 3/2009 Grisoni et al.  
D591,031 S 4/2009 Cofinco  
D593,295 S \* 6/2009 Belley ..... D2/969  
D593,297 S \* 6/2009 Belley ..... D2/969  
D593,307 S \* 6/2009 Belley ..... D2/969  
D599,093 S \* 9/2009 Issler ..... D2/925  
D604,030 S 11/2009 Wilson  
D607,194 S 1/2010 Zagula  
D610,332 S 2/2010 Raichle  
D610,785 S 3/2010 Smith  
D612,140 S 3/2010 Moon  
D612,141 S 3/2010 Moon  
7,694,435 B1 4/2010 Kiser et al.  
D615,737 S 5/2010 Feller  
7,735,244 B1 6/2010 Ameche  
7,743,530 B2 6/2010 Truelsen  
D618,891 S 7/2010 McClaskie  
7,757,408 B2 7/2010 McClaskie  
D630,829 S 1/2011 Weisner  
D632,881 S 2/2011 Rosenberg  
7,926,203 B2 4/2011 Wilkenfeld  
7,966,747 B2 6/2011 Wilkenfeld et al.  
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  
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  
D688,854 S \* 9/2013 Gavrieli ..... A43B 3/248  
D688,855 S \* 9/2013 Gavrieli ..... A43B 3/248  
D689,270 S \* 9/2013 Gavrieli ..... A43B 3/248  
D689,271 S \* 9/2013 Gavrieli ..... A43B 3/248  
D689,272 S \* 9/2013 Gavrieli ..... A43B 3/248  
D690,914 S \* 10/2013 Gavrieli ..... A43B 3/248

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  
8,973,287 B2 3/2015 Shibata  
D761,539 S \* 7/2016 Gavrieli ..... D2/950  
2002/0078591 A1 6/2002 Morrone  
2002/0129519 A1 9/2002 Cahan  
2003/0070319 A1 4/2003 Minden  
2003/0121176 A1 7/2003 Baruck  
2004/0025377 A1 2/2004 Brannon  
2005/0022421 A1 2/2005 Bruckner  
2005/0115115 A1 6/2005 Lacey  
2005/0217148 A1 10/2005 Connolly et al.  
2005/0262734 A1 12/2005 Cheng  
2006/0086005 A1 4/2006 Yerian  
2006/0156576 A1 7/2006 Sloan  
2007/0074424 A1 4/2007 Lin  
2007/0204482 A1 9/2007 Gibson-Collinson  
2007/0204483 A1 9/2007 Kirsch et al.  
2008/0052964 A1 3/2008 Taylor  
2008/0086912 A1 4/2008 Wilkenfeld  
2008/0110059 A1 5/2008 Kuramoto et al.  
2009/0019732 A1 1/2009 Sussmann  
2009/0193685 A1 8/2009 Wilson  
2009/0205222 A1 8/2009 Mclinden  
2009/0272009 A1 11/2009 Weisner et al.  
2010/0011625 A1 1/2010 Percival  
2010/0018080 A1 1/2010 Smith  
2010/0050469 A1 3/2010 Chen  
2010/0095557 A1 4/2010 Jarvis  
2010/0115793 A1 5/2010 Kraisosky  
2010/0122475 A1 5/2010 Purrington  
2010/0146822 A1 6/2010 MacGregor  
2010/0212186 A1 8/2010 Cheng  
2010/0275462 A1 11/2010 Pucci  
2010/0281713 A1 11/2010 Pantazes  
2015/0089843 A1 4/2015 Gavrieli

## 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](http://spoonsforksandfashion.blogspot.com/2006_08_01_archive.html), depicting Nine West flats, 11 pgs., Aug. 1, 2016.

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-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](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,” <http://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](http://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](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&sectionLoadingID=m\\_timeline\\_loading\\_div\\_1293868799\\_1262332800\\_8\\_17&timeend=1293868799&timestart=1262332800&tm=AQDOvqhWQPN\\_Nbwm&refid=17](http://m2.facebook.com/Tieks?v=timeline&filter=2&timecutoff=1406427986&page=17&sectionLoadingID=m_timeline_loading_div_1293868799_1262332800_8_17&timeend=1293868799&timestart=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&sectionLoadingID=m\\_timeline\\_loading\\_div\\_1293868799\\_1262332800\\_8\\_14&timeend=1293868799&timestart=1262332800&tm=AQDOvqhWQPN\\_Nbwm&refid=17](http://m2.facebook.com/Tieks?v=timeline&filter=2&timecutoff=1406427986&page=14&sectionLoadingID=m_timeline_loading_div_1293868799_1262332800_8_14&timeend=1293868799&timestart=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, <http://www.facebook.com/search/top/?q=adam%20shoes%20slipper>, last accessed Oct. 28, 2016, dated Oct. 1, 2013, 1 page.

Picture of Adam Tucker Rainbow Shoes, <http://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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(57) **CLAIM**

The ornamental design for a yellow sole and heel stripe for a 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 yellow sole and heel stripe for a single-sole shoe shaded to show the color Yellow, 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 yellow sole and heel stripe for single-sole

shoe of FIG. 1, illustrated in conjunction with a disclaimed shoe upper, where the yellow portions are indicated using the USPTO convention of vertical and horizontal cross-hatched lines for yellow or gold;

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 showing elements in the above described Figures are for illustrative purposes only and form no part of the claimed design.

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

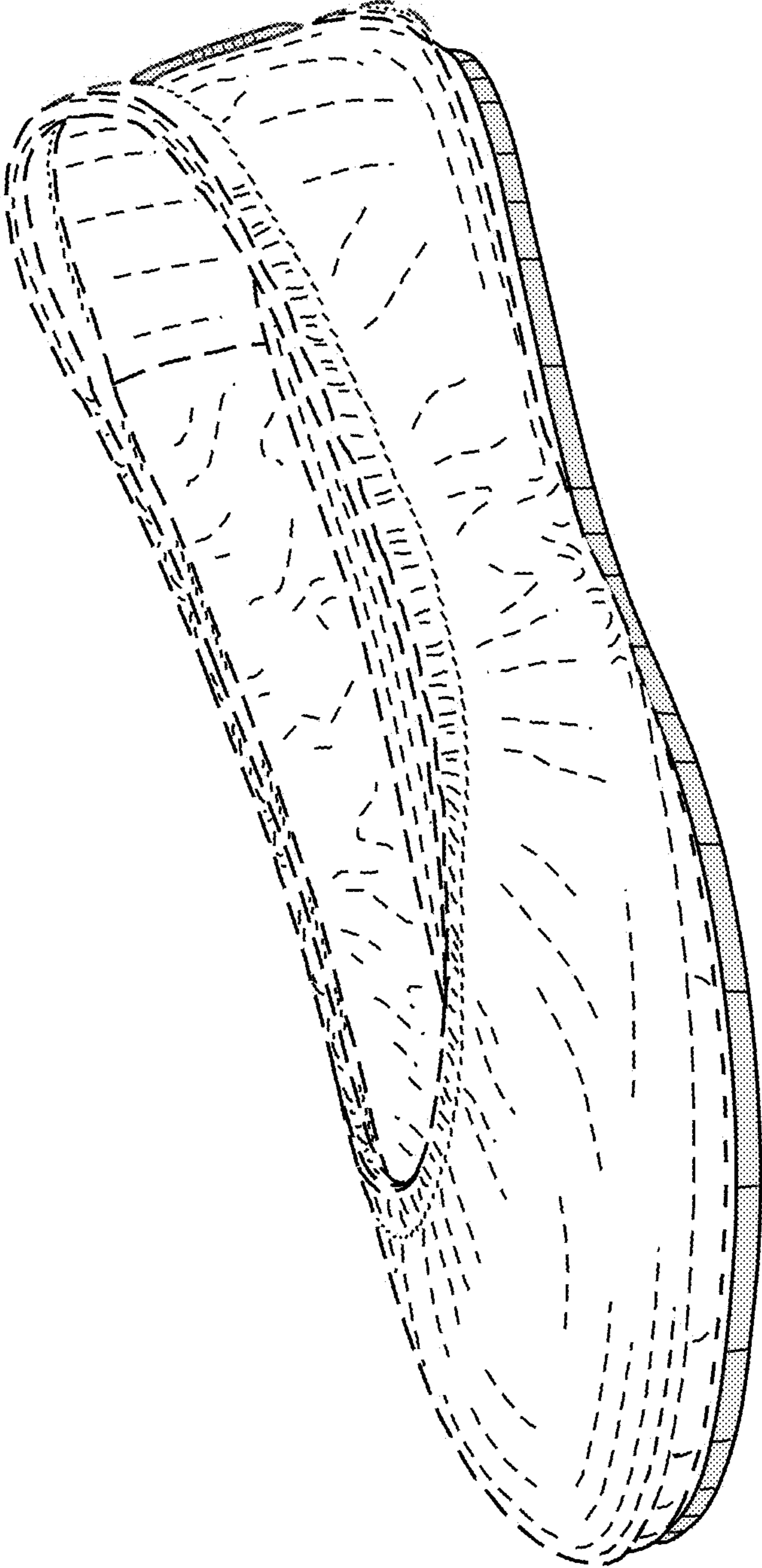


FIG. 1

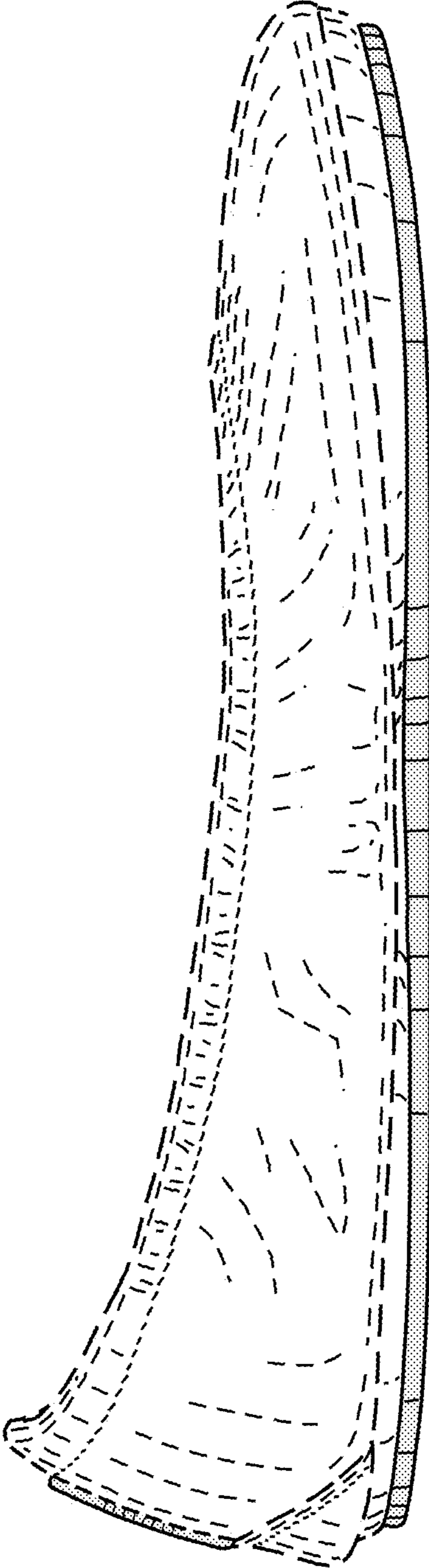


FIG. 2

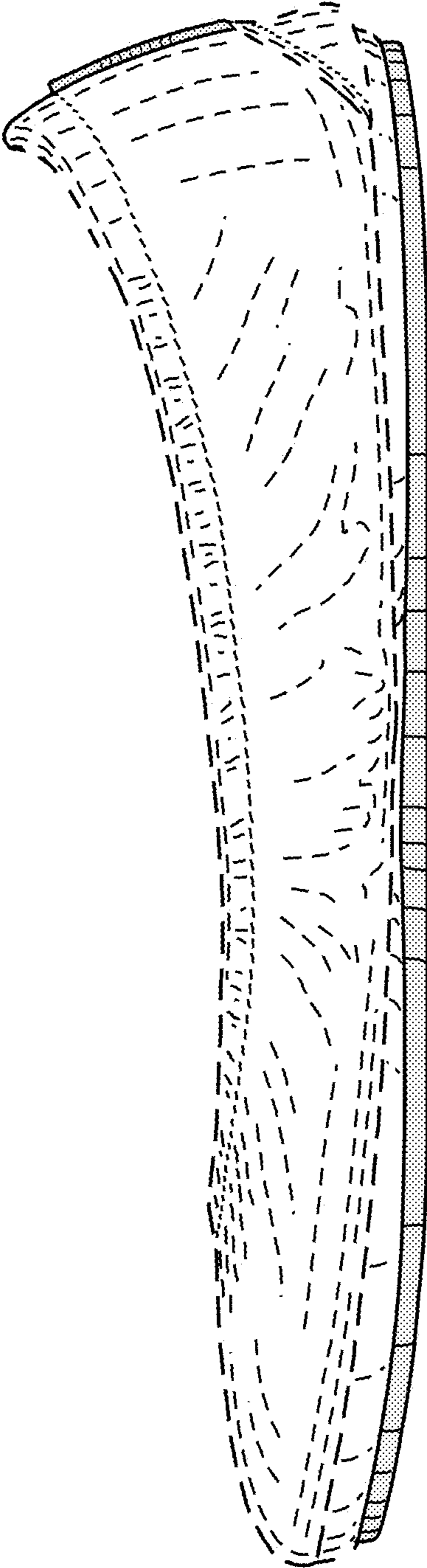


FIG. 3

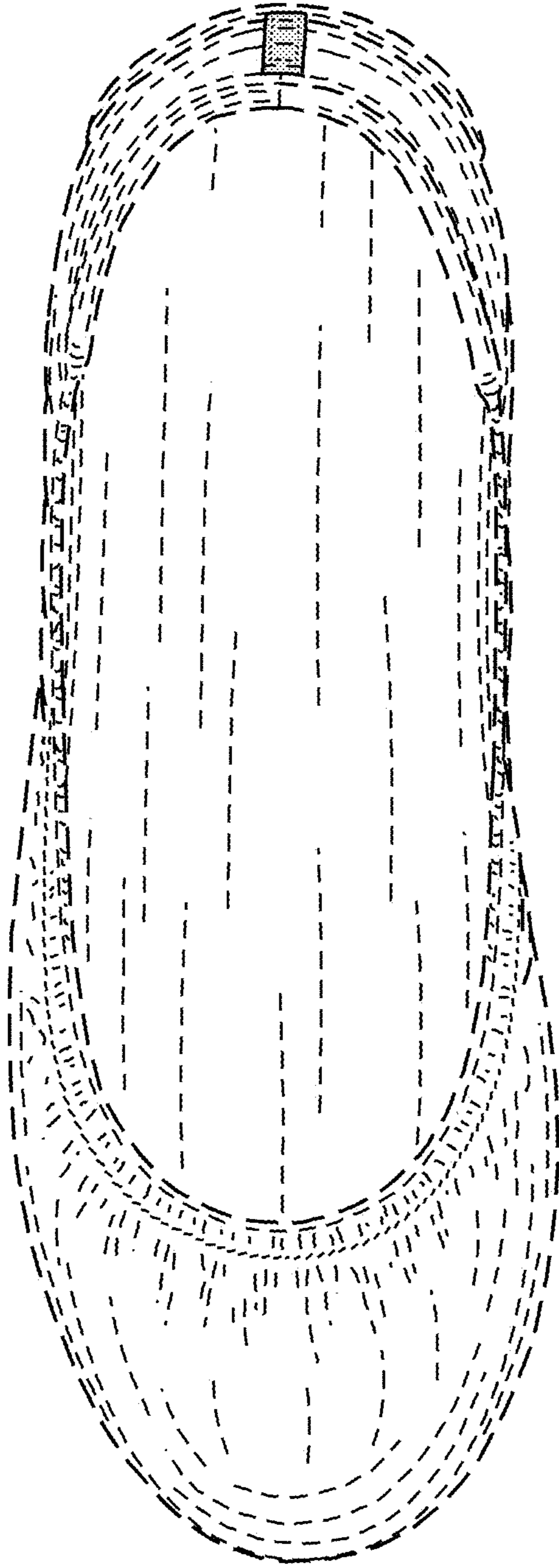


FIG. 4



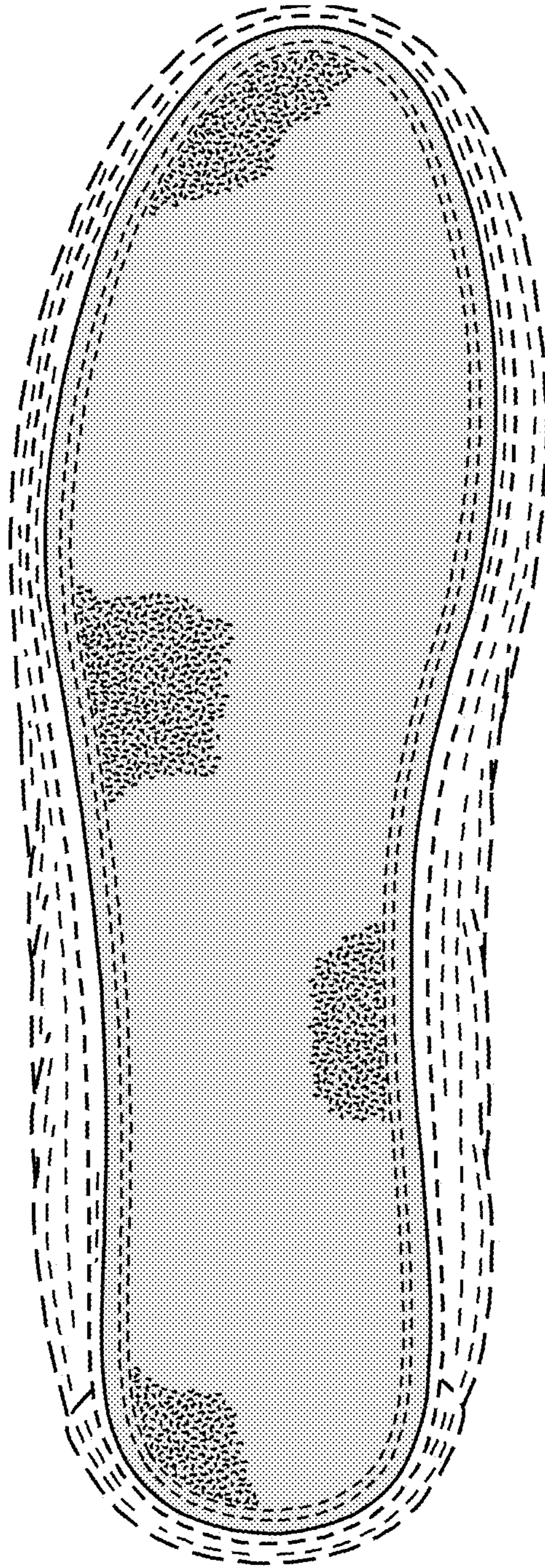


FIG. 5

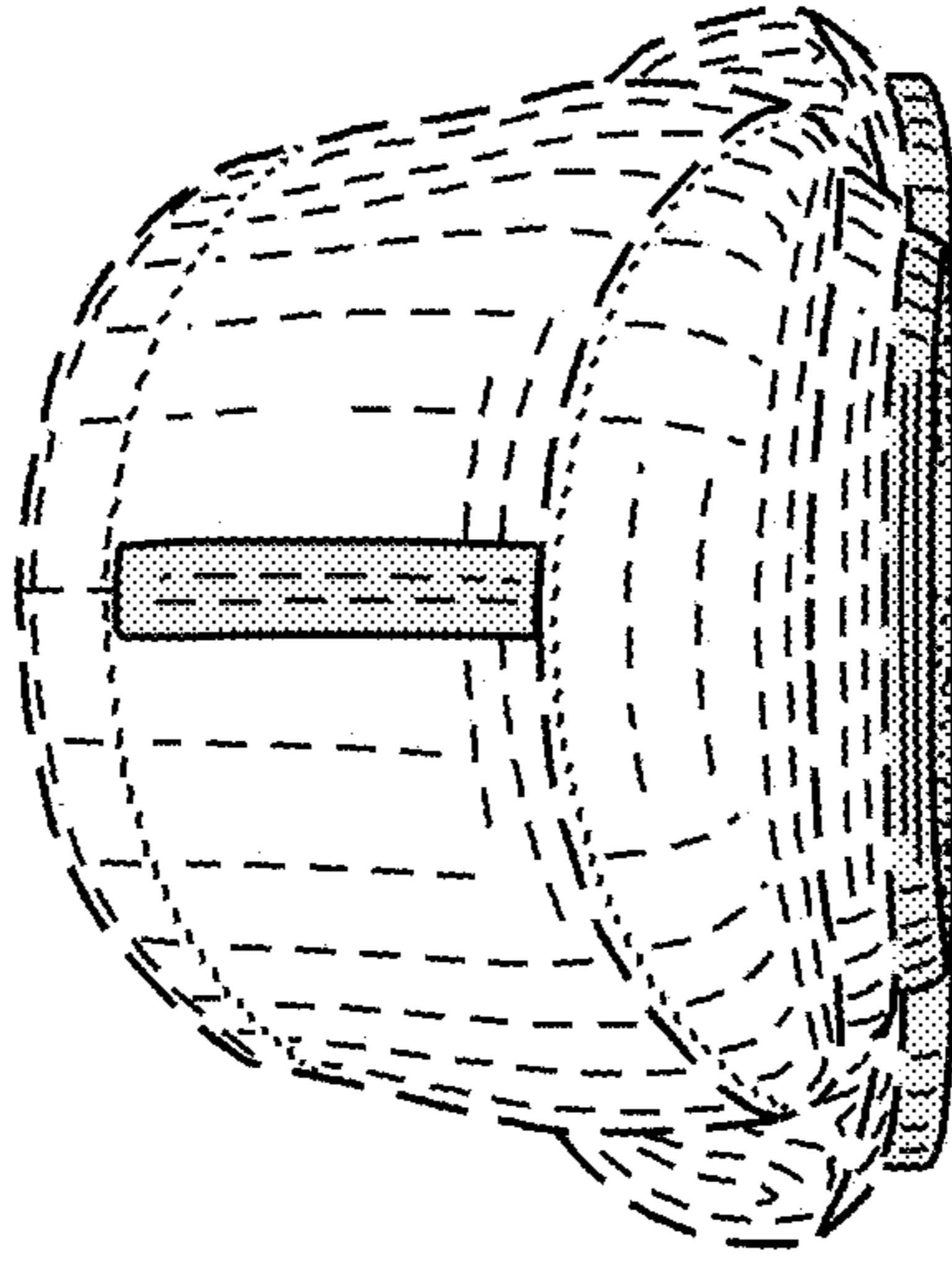


FIG. 7

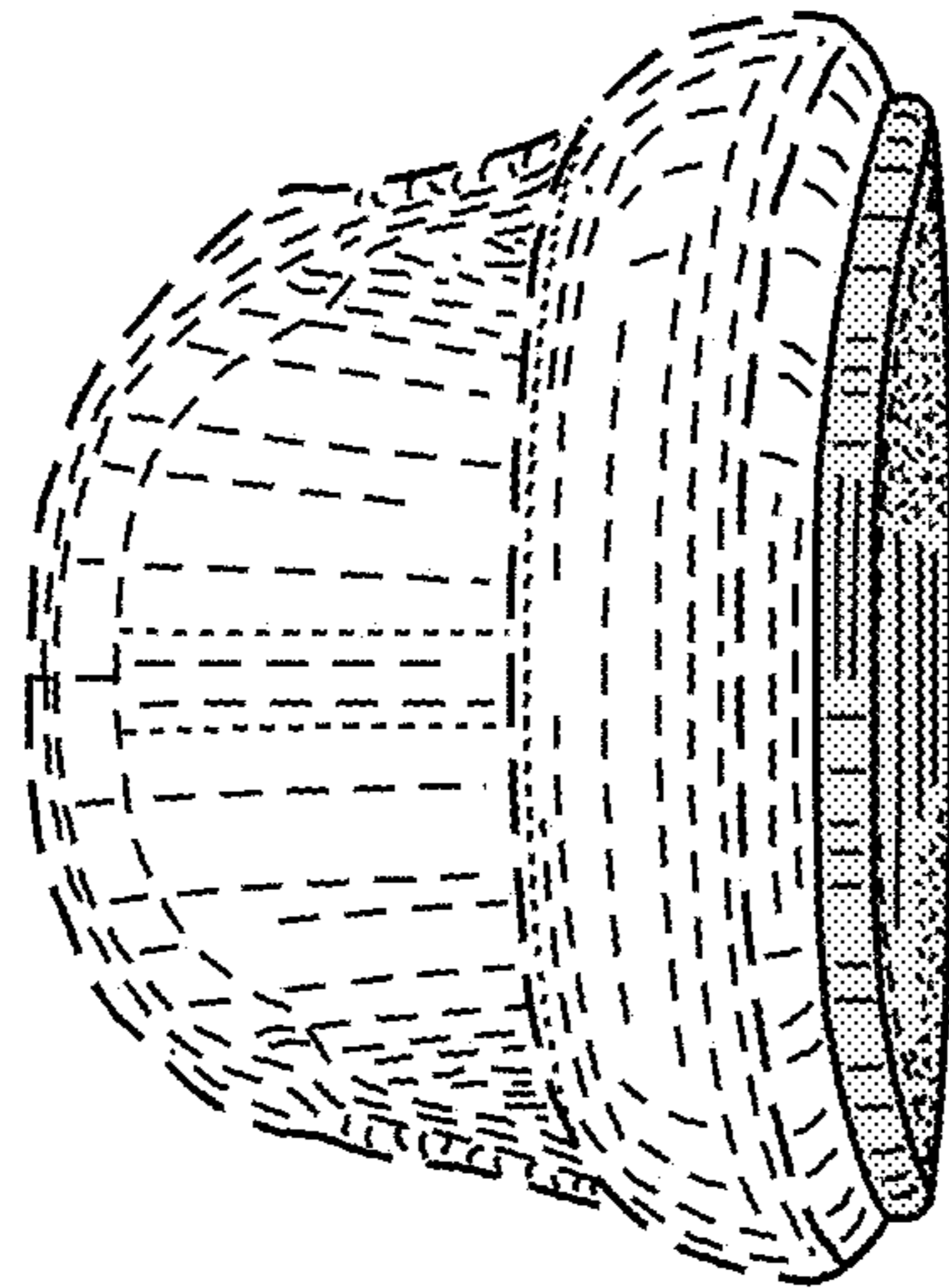


FIG. 6

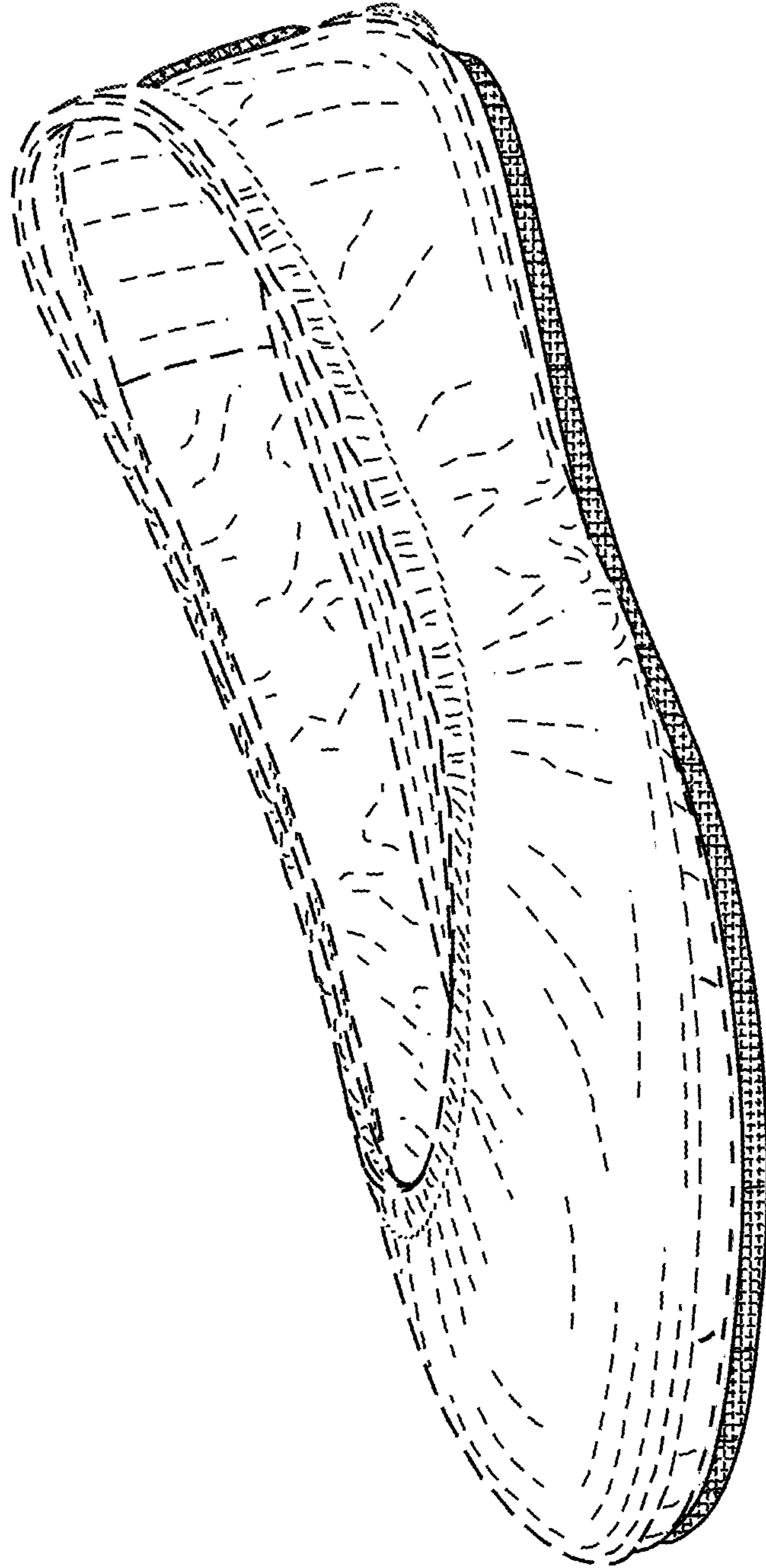


FIG. 8

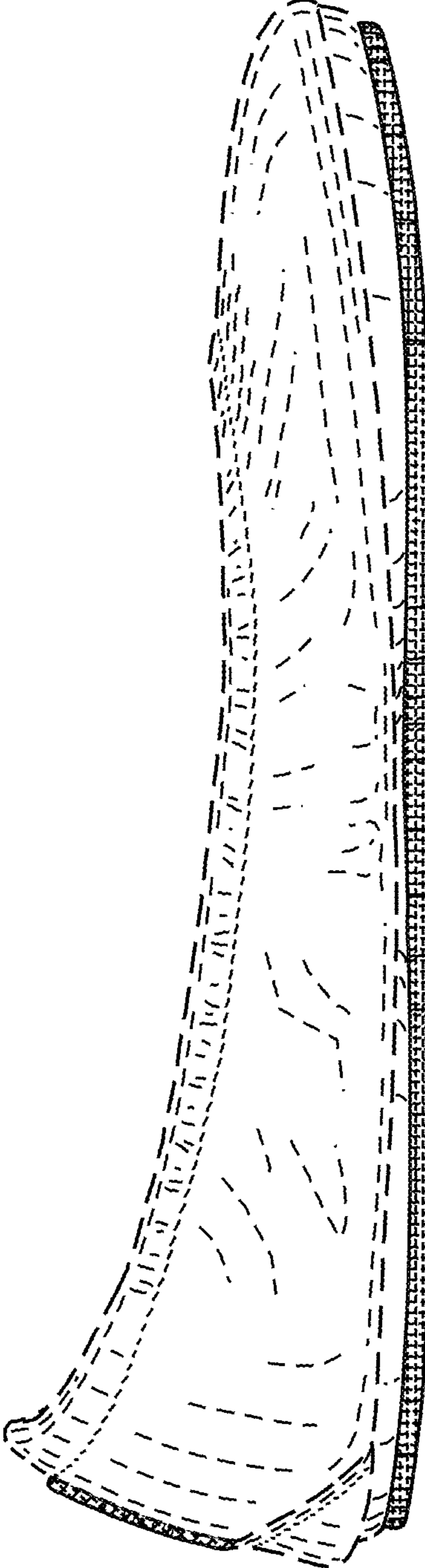


FIG. 9

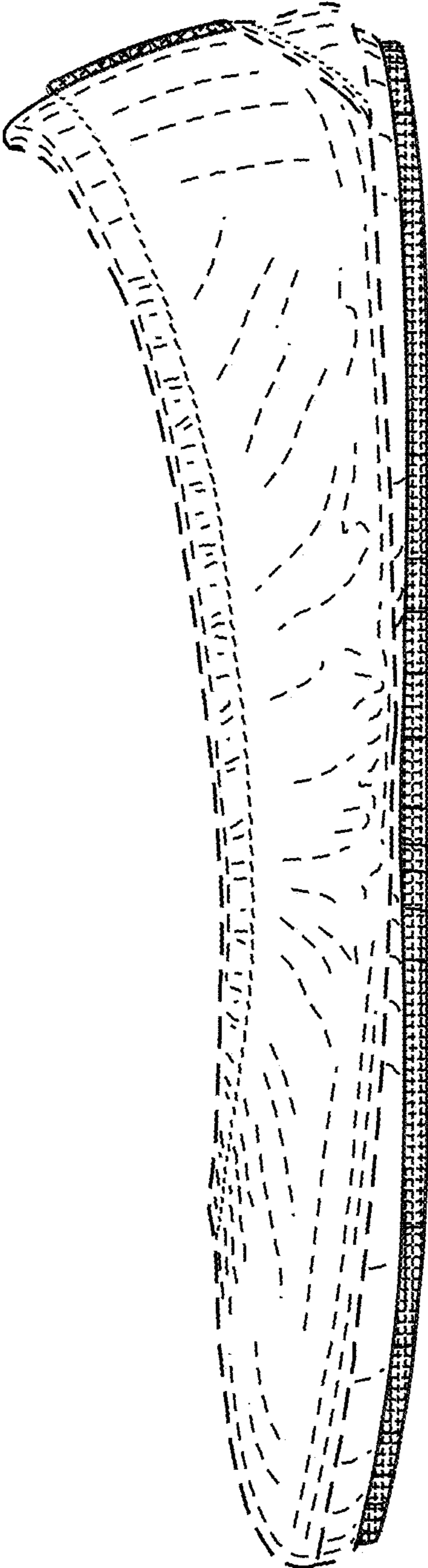


FIG. 10

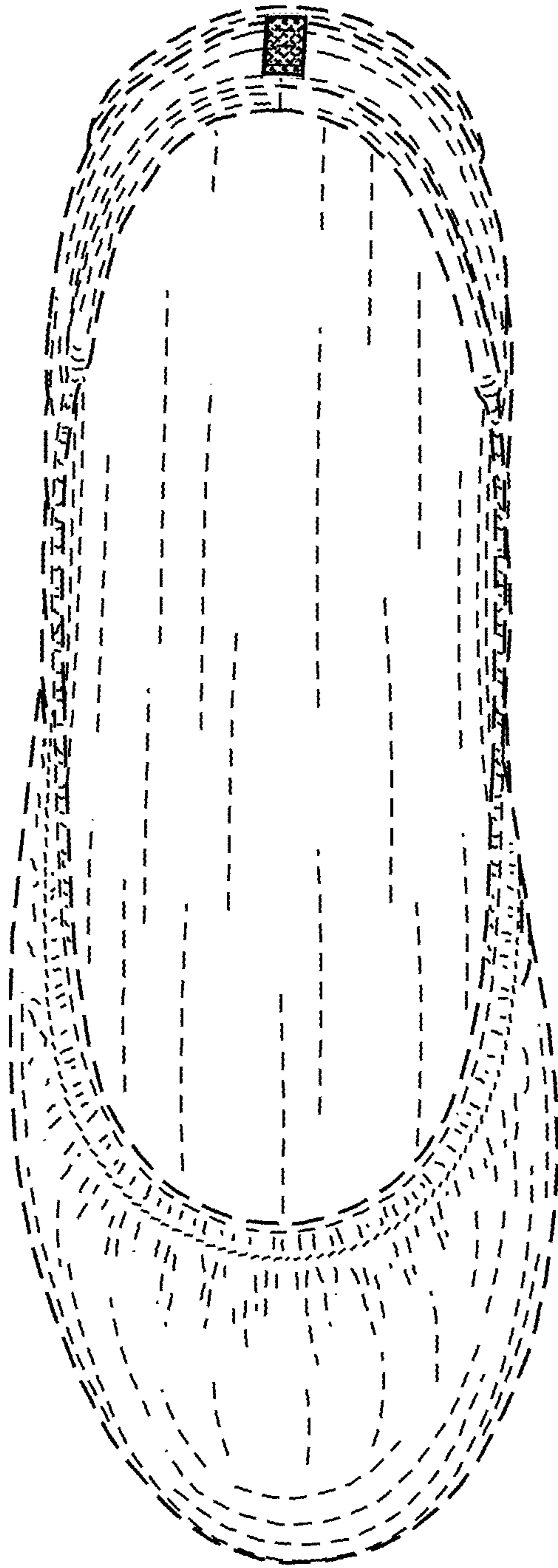


FIG. 11

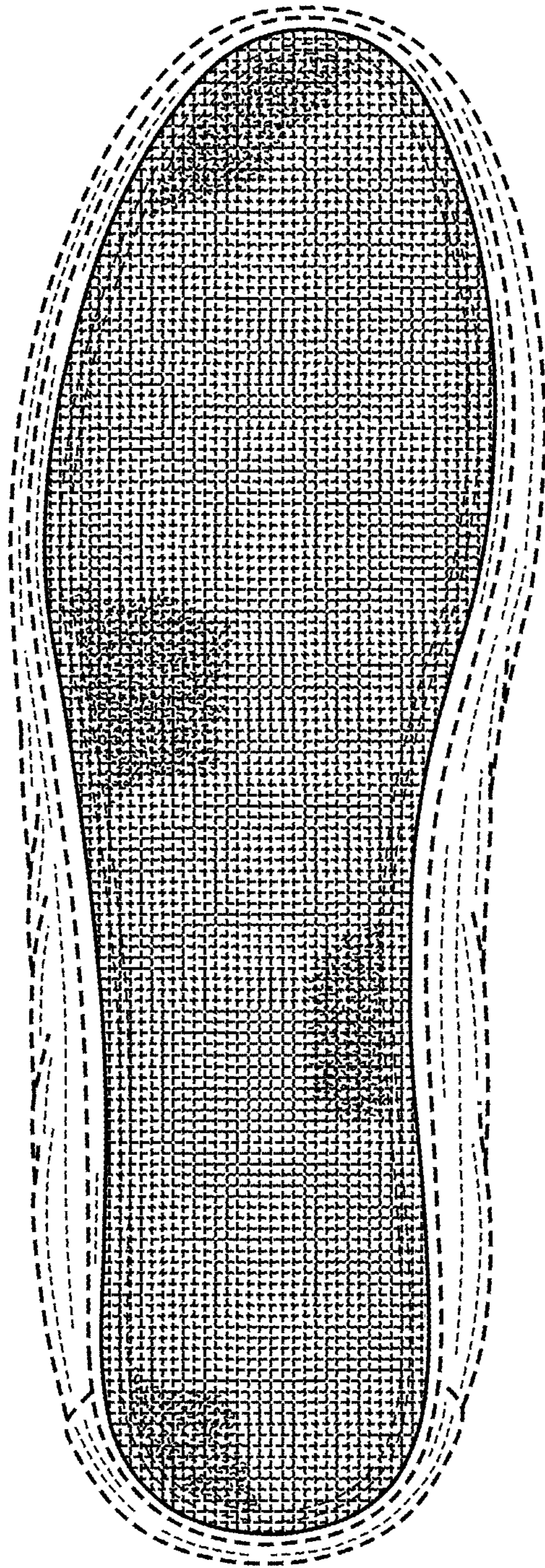


FIG. 12

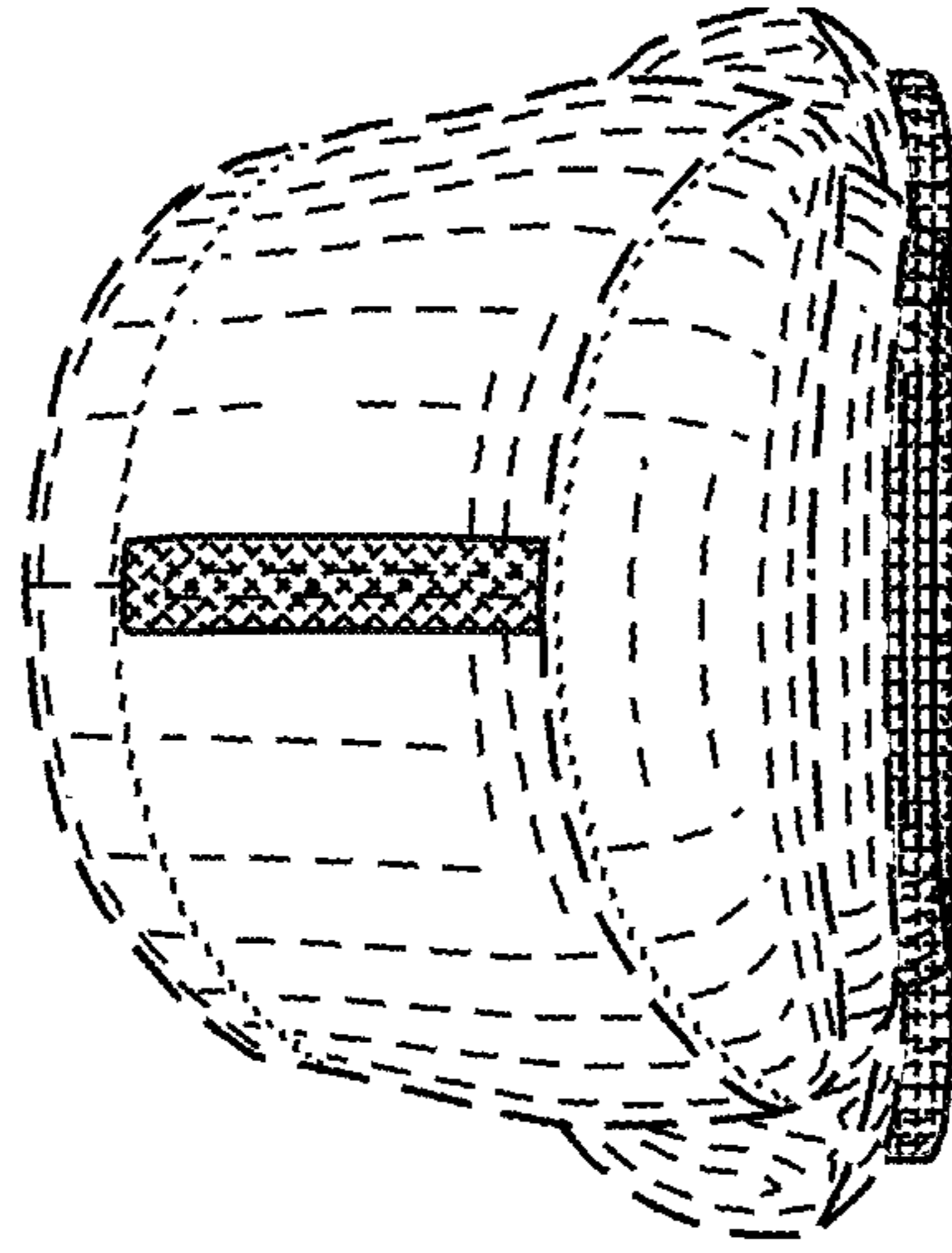


FIG. 14

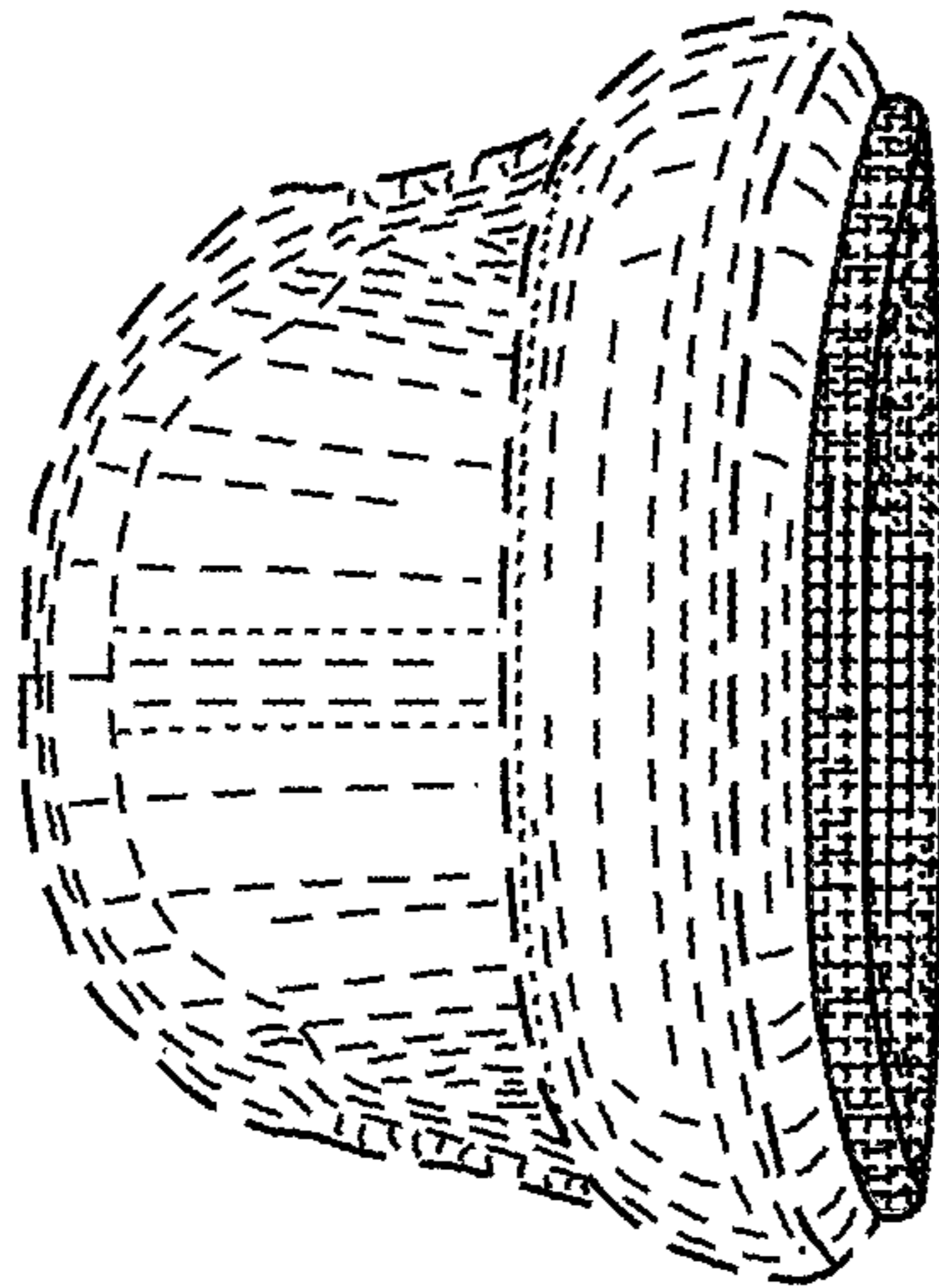


FIG. 13