



US00D849387S

(12) **United States Design Patent** (10) **Patent No.:** **US D849,387 S**
Osorio (45) **Date of Patent:** **** May 28, 2019**

(54) **SHOE**
(71) Applicant: **Aquazzura Italia S.R.L.**, Florence (IT)
(72) Inventor: **Edgardo Osorio**, Monaco (MC)
(73) Assignee: **Aquazzura Italia S.R.L.**, Florence (IT)
(**) Term: **15 Years**
(21) Appl. No.: **29/562,650**
(22) Filed: **Apr. 27, 2016**

D102,346 S 12/1936 Stein
D106,276 S 9/1937 Berman
D113,973 S 3/1939 Levin
D126,201 S 4/1941 Elkin
D131,840 S 3/1942 Keyes
D136,408 S * 9/1943 Gleason D2/918
D158,330 S 4/1950 Sandler
D158,470 S 5/1950 Koomruian
D166,106 S * 3/1952 Simon D2/930
D172,976 S 9/1954 Langdon et al.
(Continued)

Related U.S. Application Data

(63) Continuation of application No. 29/552,716, filed on Jan. 25, 2016, now Pat. No. Des. 776,409.

Foreign Application Priority Data

Jul. 31, 2015 (EM) 002746990-0001

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

(52) **U.S. Cl.**
USPC **D2/971; D2/918; D2/936; D2/930**

(58) **Field of Classification Search**
USPC D2/902, 907, 908, 916, 918, 921, 925,
D2/927-936, 939, 940, 944, 948, 950,
D2/958, 959, 966, 971
CPC A43B 3/12; A43B 3/122; A43B 3/102;
A43B 5/06; A43B 5/10

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D94,034 S 12/1934 Koomruian
D94,348 S 1/1935 Heilbrunn
D94,638 S 2/1935 Stritter
D95,204 S 4/1935 Haftin
D95,629 S 5/1935 Bressler
D95,887 S 6/1935 Wood
D98,673 S 2/1936 Hyde

OTHER PUBLICATIONS

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, First Amended Complaint, Case.1:15-cv-04905, Filed Sep. 20, 2016.

(Continued)

Primary Examiner — Kevin K Rudzinski
Assistant Examiner — Clare Ann Gannon
(74) *Attorney, Agent, or Firm* — Fross Zelnick Lehrman & Zissu, P.C.; Lawrence E. Apolzon, Esq.

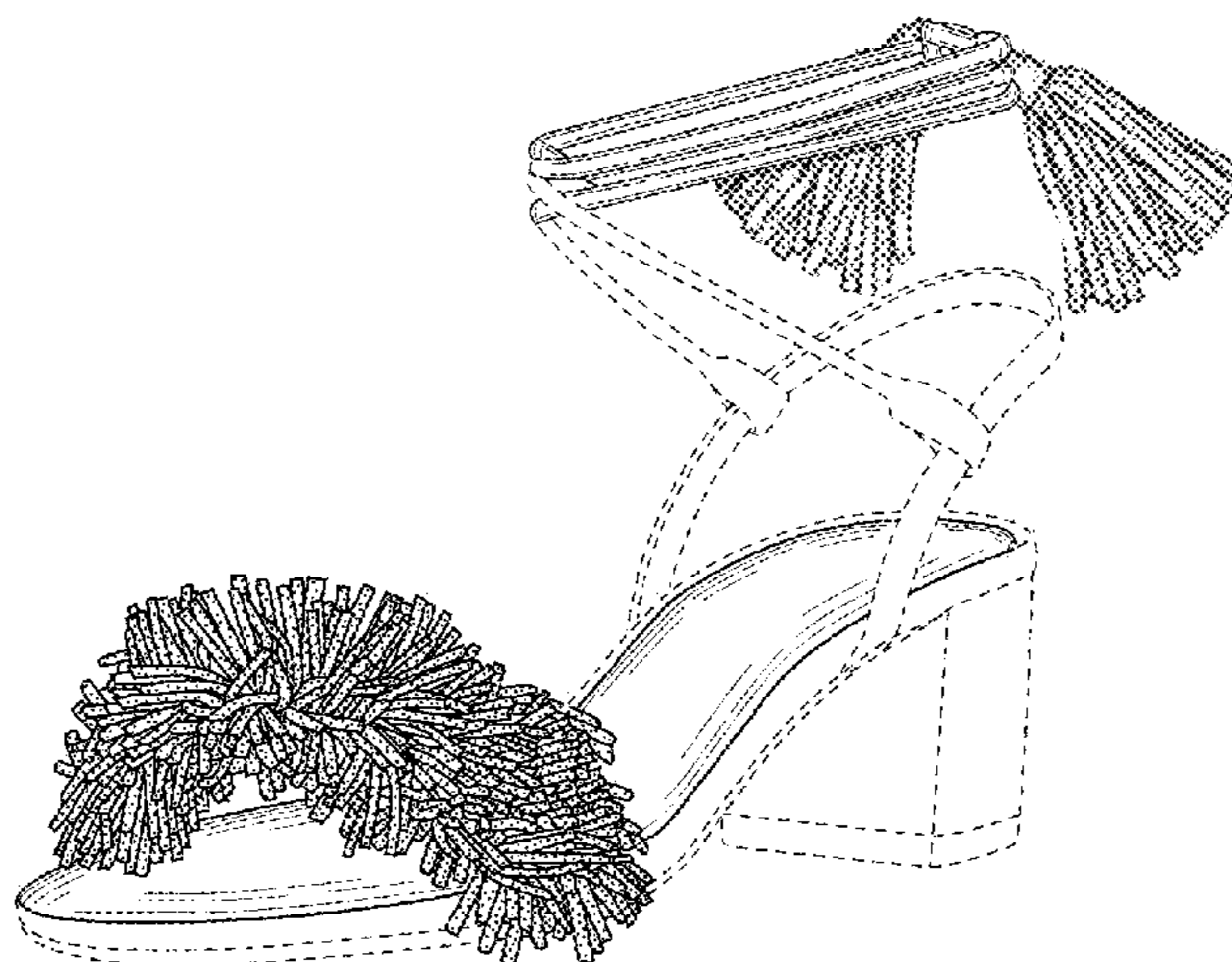
(57) **CLAIM**

The ornamental design for a shoe, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a shoe showing my new design;
FIG. 2 is a left side view thereof;
FIG. 3 is a right side view thereof;
FIG. 4 is a rear view thereof;
FIG. 5 is a front view thereof;
FIG. 6 is top view thereof; and,
FIG. 7 is a left side perspective view thereof.
The broken lines showing heels, portions of the upper and portions of the straps in the drawings show parts of the shoe that form no part of the claimed design.

1 Claim, 7 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D296,951	S	*	8/1988	Brickwood	.....	D2/916
D354,019	S	*	1/1995	Young	.....	428/10
D513,845	S		1/2006	Choi		
D523,617	S	*	6/2006	Choi	.....	D2/971
D530,064	S		10/2006	Choi		
D530,890	S		10/2006	Choi		
D534,713	S	*	1/2007	Weitzman	.....	D2/929
D535,466	S	*	1/2007	Choi	.....	D2/971
D540,023	S	*	4/2007	Kelsey	.....	D2/971
D594,220	S		6/2009	McDaniel		
D699,024	S	*	2/2014	Guers-Neyraud	.....	D2/930
D706,023	S		6/2014	Holloway et al.		
D709,686	S		7/2014	LaRusso		
D710,076	S		8/2014	LaRusso		
D725,361	S		3/2015	Osorio		
D776,409	S	*	1/2017	Osorio	.....	D2/928
D793,691	S	*	8/2017	Osorio	.....	D2/930
D794,285	S	*	8/2017	Osorio	.....	D2/918
2016/0324251	A1	*	11/2016	Chavez	.....	A43B 3/242

OTHER PUBLICATIONS

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Motion, Case 1:16-cv-04905, Filed Oct. 7, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Memorandum of Law, Case 1:16-cv-04905, Filed Oct. 7, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Declaration, Case 1:16-cv-04905, Filed Oct. 7, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Memorandum of Law, Case 1:16-cv-04905, Filed Oct. 28, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Reply Memorandum of Law, Case 1:16-cv-04905, Filed Nov. 14, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Order, Case 1:16-cv-04905, Filed Nov. 22, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Answer, Case 1:16-cv-04905, Filed Dec. 6, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Answer, Case 1:16-cv-04782, Filed Sep. 12, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, First Amended Complaint, Case 1:16-cv-04782, Filed Jan. 18, 2017.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Answer, Case 1:16-cv-04782, Filed Feb. 15, 2017.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Answer, Case 1:16-cv-04782, Filed Mar. 8, 2017.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Complaint, Case 1:16-cv-04905, Filed Jun. 23, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Corporate Disclosure Statement, Case 1:16-cv-04905, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Declaration of Alan Federbush in Support of Defendant's Motion to Dismiss the Complaint, Case 1:16-cv-04905, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Memorandum of Law in Support of Defendant Steven Madden, Ltd.'s, Case 1:16-cv-04905, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Notice of Appearance of Alan Federbush, Case 1:16-cv-04905, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Notice of Appearance of Ariel S. Peikes, Case 1:16-cv-04905, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Notice of Appearance of Douglas A. Miro, Case 1:16-cv-04905, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Steve Madden Limited, United States District Court Southern District of New York, Notice of Motion, Case 1:16-cv-04905, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Complaint, Case 1:16-cv-04782, Filed Jun. 21, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Defendant It collection Llc's Answer and Affirmative Defenses and Counterclaim, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Rule 7.1 Corporate Disclosure Statement of Defendant It Collection Llc, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Defendant Ivanka Trump's Answer and Affirmative Defenses, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Rule 7.1 Corporate Disclosure Statement of Defendant M.B. Fisher Llc, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Defendant M.B. Fisher Llc's Answer and Affirmative Defenses, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Rule 7.1 Corporate Disclosure Statement of Defendant Marc Fisher Holdings Llc, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Defendant Marc Fisher Holdings Llc's Answer and Affirmative Defenses and Counterclaim, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Aquazzura Italia SRL, v. Ivanka Trump, IT Collection LLC, Marc Fisher Holdings LLC, and M.B. Fisher LLC, United States District Court Southern District of New York, Notice of Appearance, Case 1:16-cv-04782, Filed Aug. 19, 2016.

Photographs of Aquazzura Wild Thing design publicly disclosed on Aug. 7, 2014.

* cited by examiner

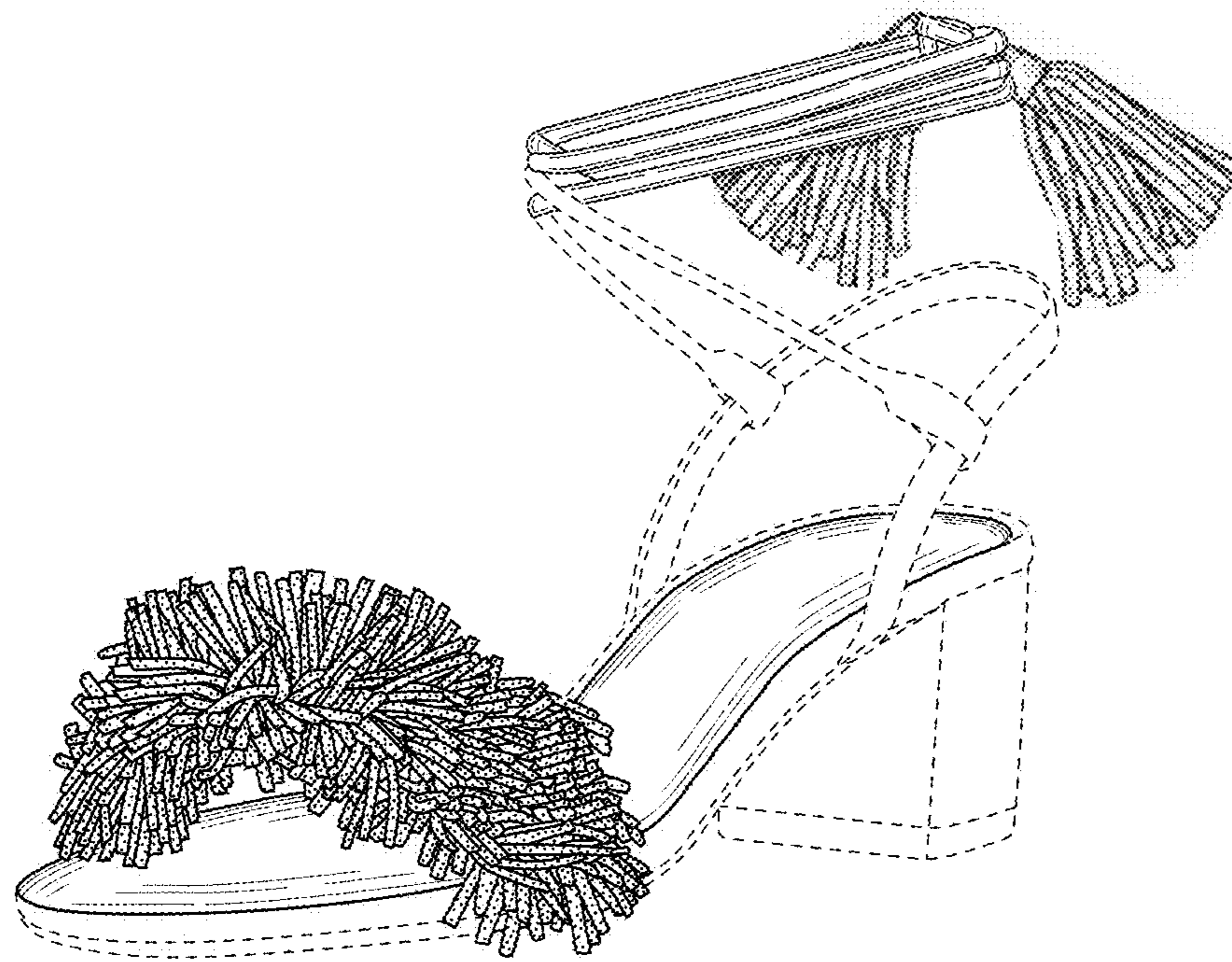


FIG. 1

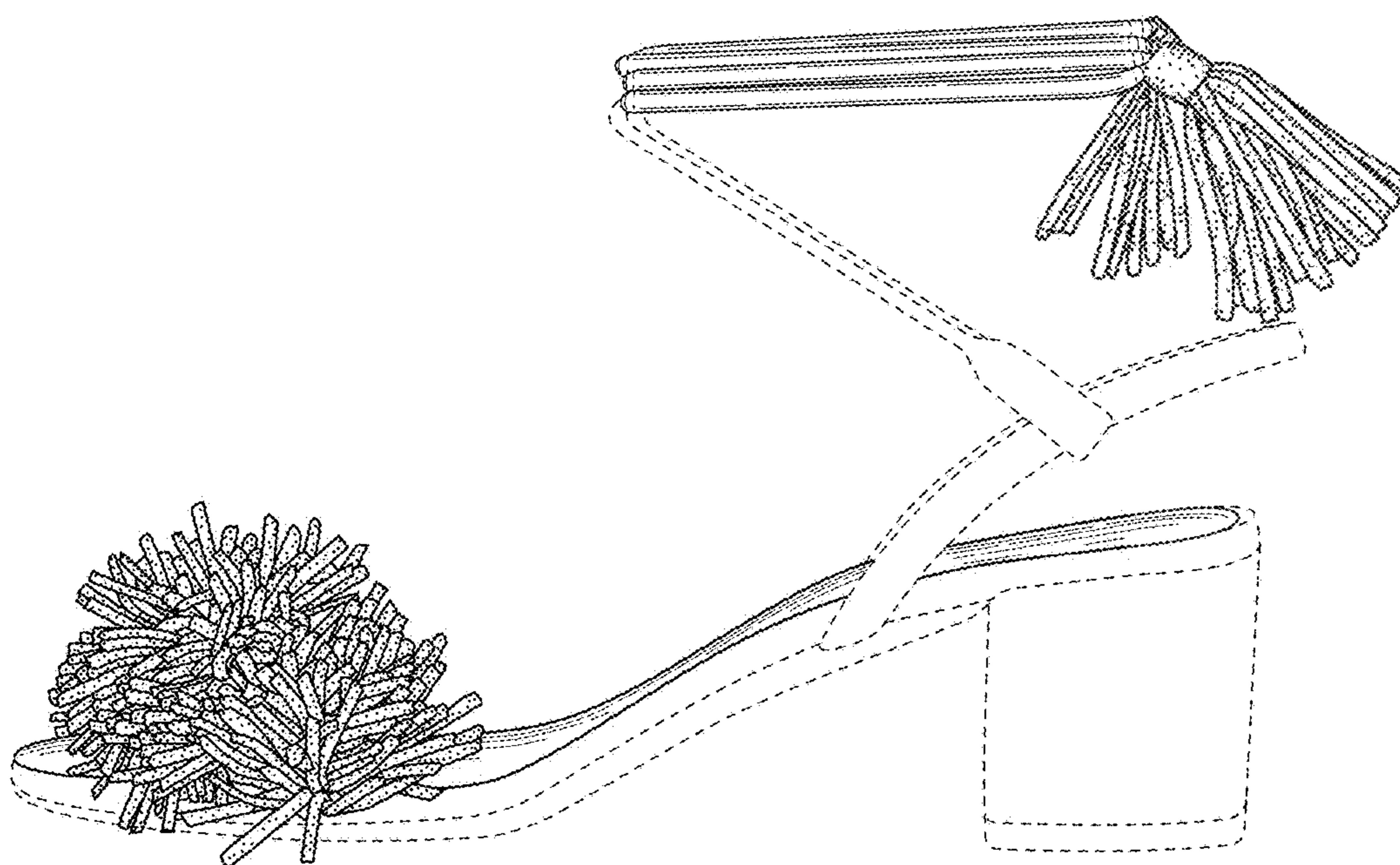


FIG. 2

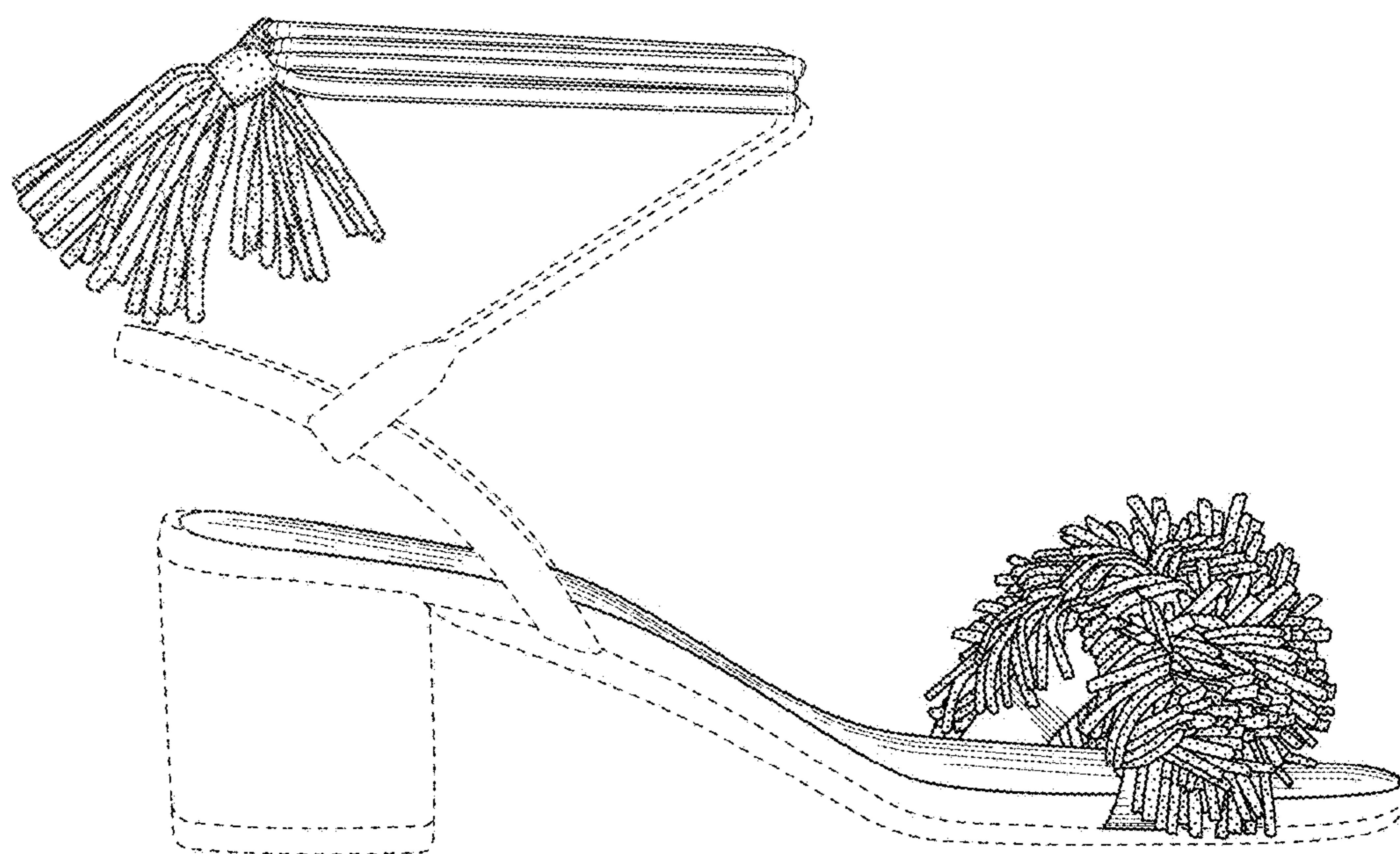


FIG. 3

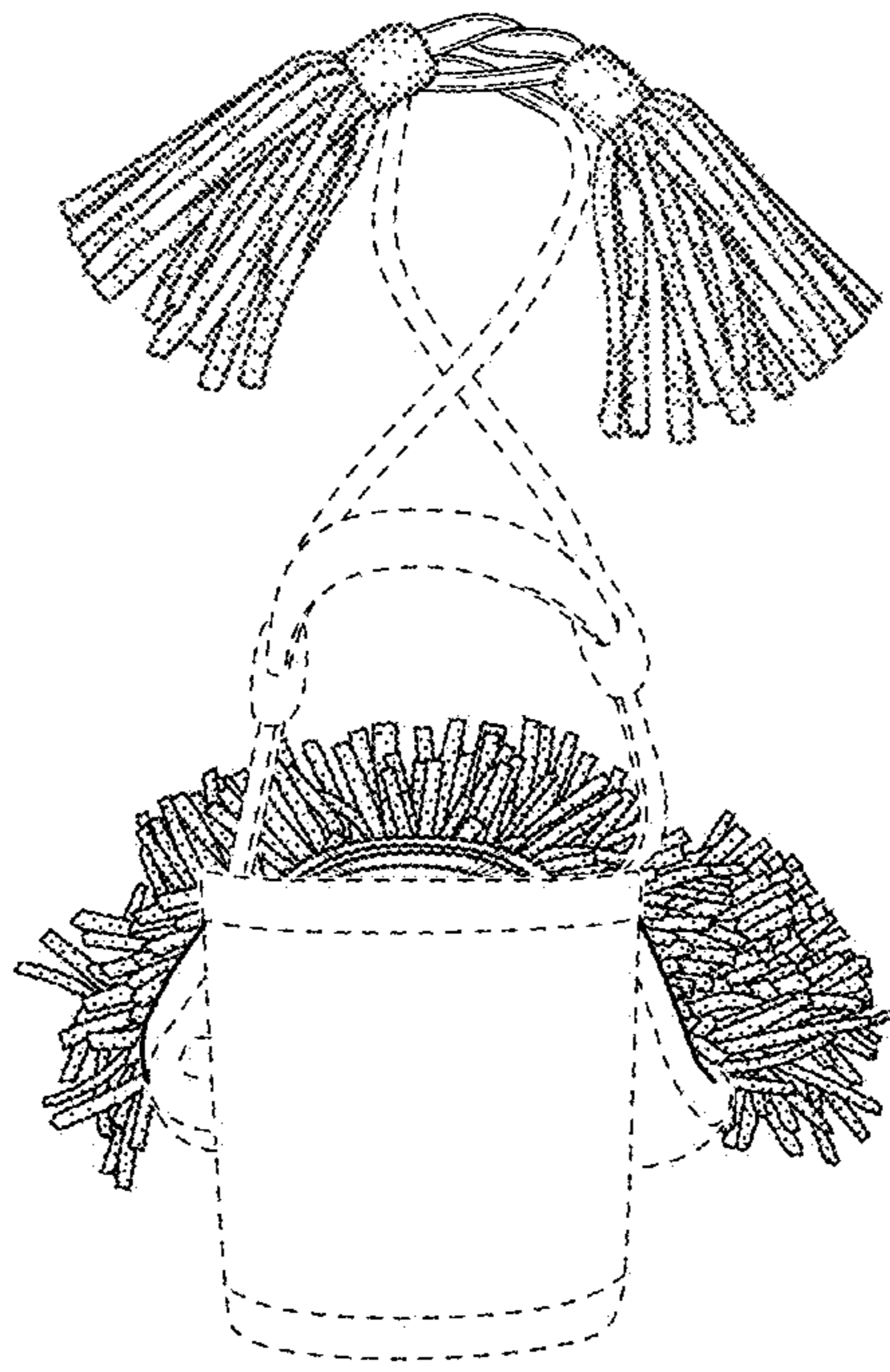


FIG. 4

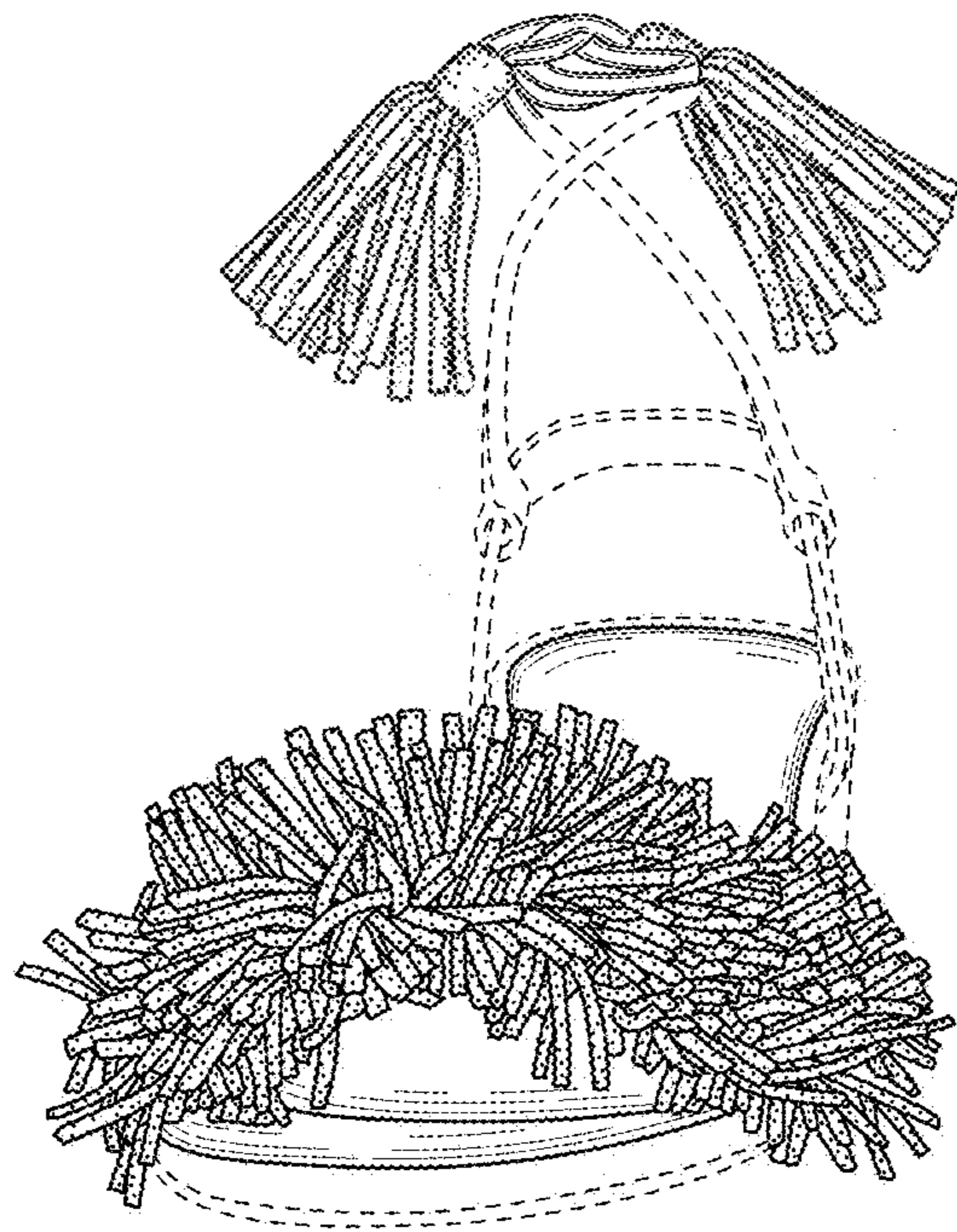


FIG. 5

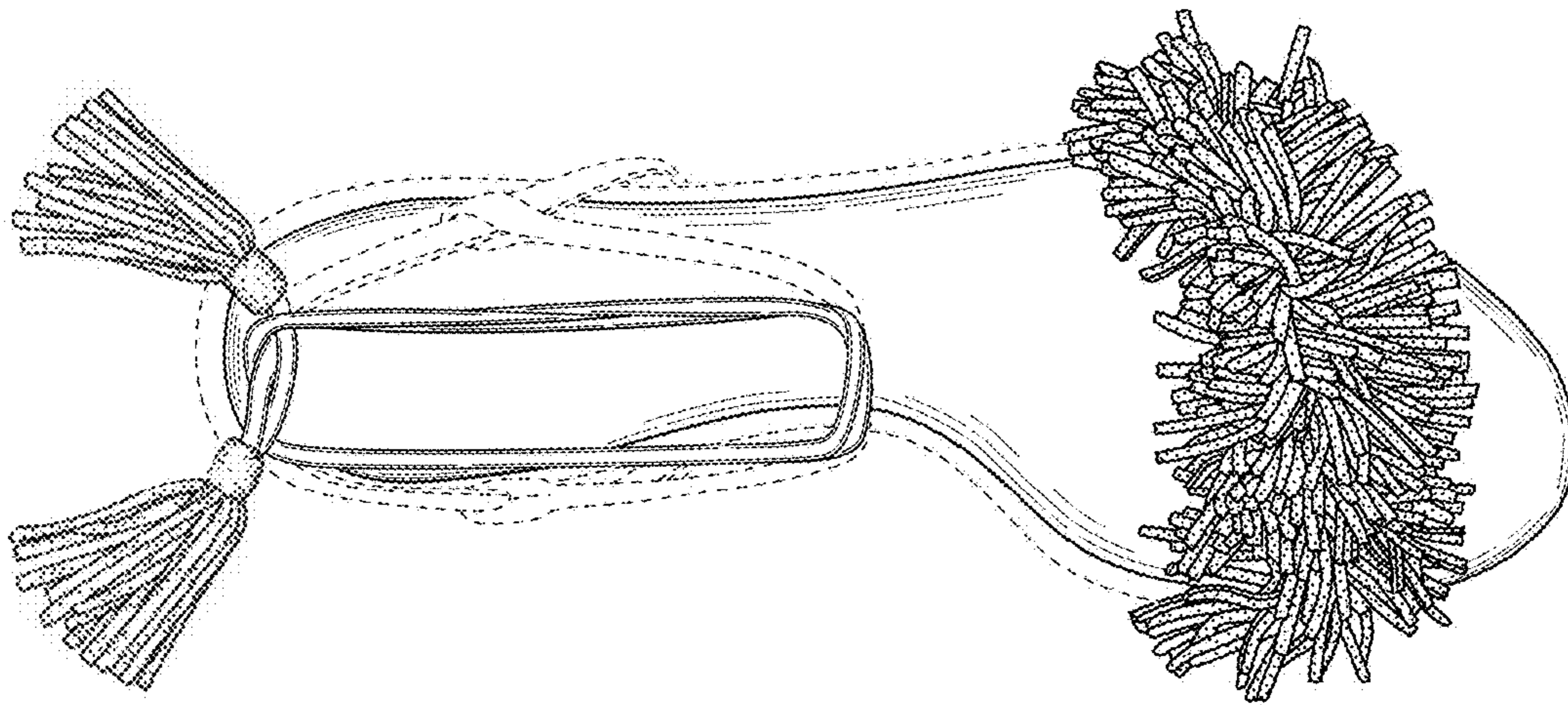


FIG. 6

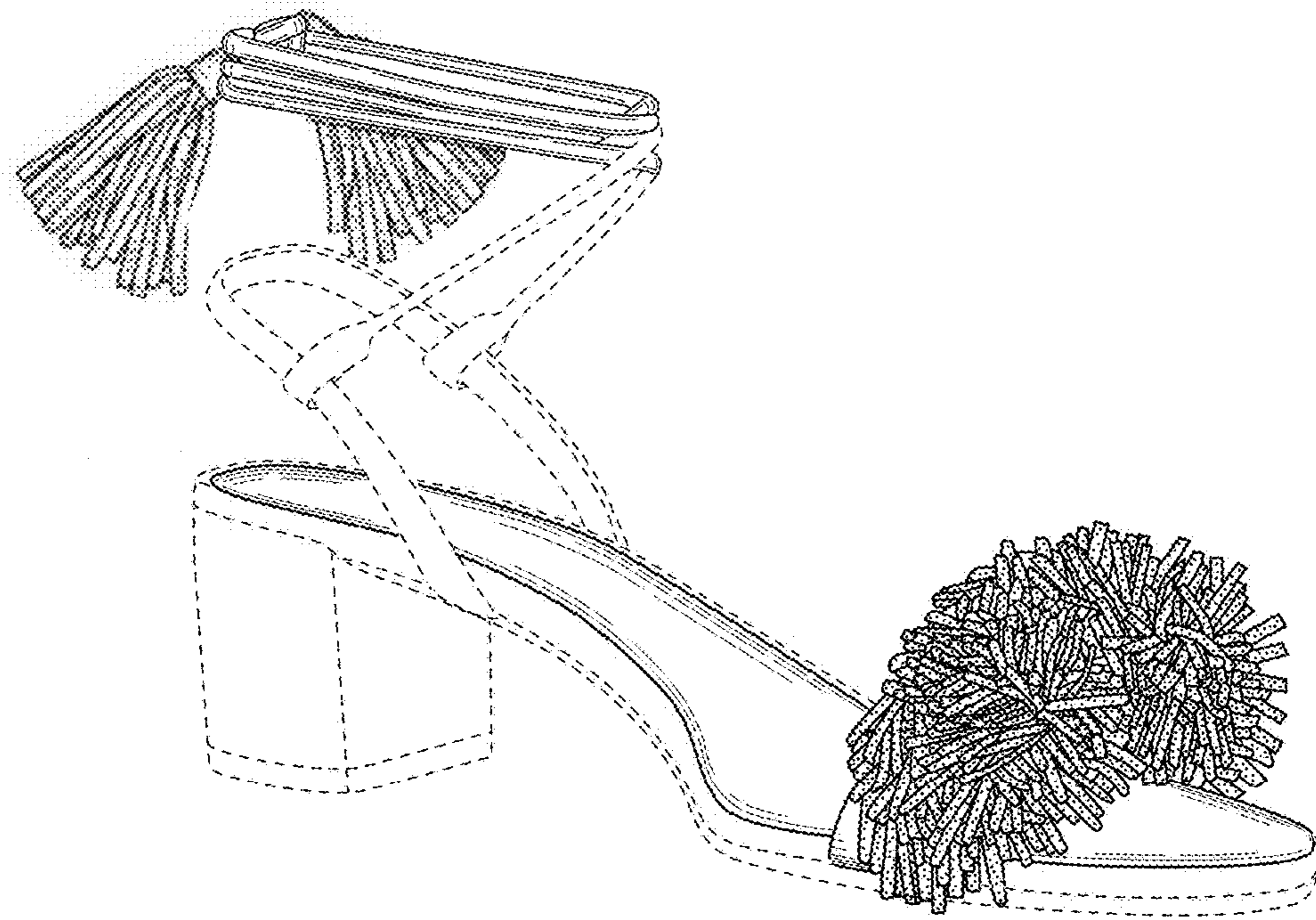


FIG. 7