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(12) **United States Design Patent** (10) **Patent No.:** **US D943,876 S**
Gavrieli et al. (45) **Date of Patent:** **** *Feb. 22, 2022**

(54) **SINGLE-SOLE SHOE WITH YELLOW OUTSOLE PATCH AND CONTRASTING UPPER**

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

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

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(63) Continuation of application No. 29/677,809, filed on Jan. 23, 2019, now Pat. No. Des. 890,483, which is a (Continued)

(51) **LOC (13) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/939**

(58) **Field of Classification Search**
USPC D2/896, 900, 902, 904, 906-908, D2/916-924, 925-945, 969, 970-979, (Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

249,086 A 11/1881 Pienovi
773,850 A 11/1904 Cooper et al.
(Continued)

FOREIGN PATENT DOCUMENTS

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

(Continued)

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>.

(Continued)

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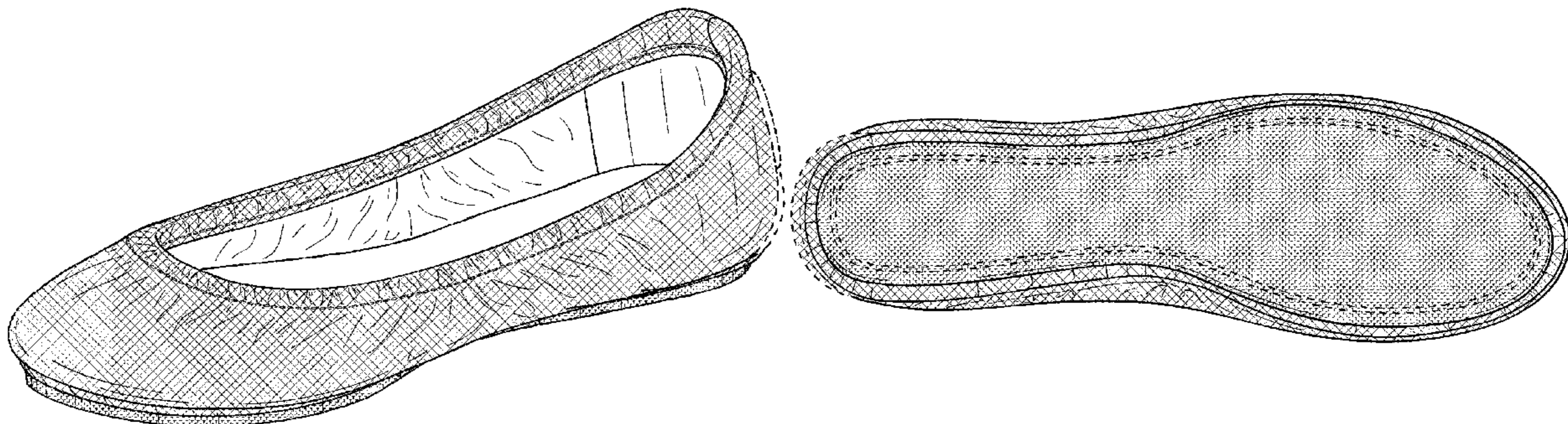
(57) **CLAIM**

The ornamental design for a single-sole shoe with yellow outsole patch and contrasting upper, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of an embodiment of our new design of a single-sole shoe with yellow outsole patch and contrasting upper, where the yellow portions are indicated using the USPTO convention of vertical and horizontal cross-hatched lines for yellow or gold, and where the portions of the upper and midsole that contrast with the outsole patch are indicated using a crosshatch pattern; FIG. 2 is a first side view of the design of FIG. 1; FIG. 3 is a second side view of the design of FIG. 1; FIG. 4 is a top view of the design of FIG. 1; FIG. 5 is a bottom view of the design of FIG. 1; FIG. 6 is a front view of the design of FIG. 1; and, FIG. 7 is a back view of the design of FIG. 1. The broken lines illustrating the half moon patch, the groove, and the heel stripe in the above described Figures are for illustrative purposes only and form no part of the claimed design.

1 Claim, 6 Drawing Sheets



Related U.S. Application Data

continuation of application No. 29/578,904, filed on Sep. 26, 2016, now Pat. No. Des. 843,094, which is a continuation of application No. 29/507,413, filed on Oct. 27, 2014, now abandoned.

(58) **Field of Classification Search**

USPC D2/946–962; 36/1.5, 3 A, 83, 45, 99, 36/112–116, 1, 3 B, 22 R, 24.5, 25 R, 28, 36/32 R, 34 R, 59 C, 67 A, 101–107, 36/117.3, 117.4, 124–136
 CPC A43B 23/00; A43B 23/02; A43B 23/04; A43B 23/07; A43B 23/024; A43B 23/0245; A43B 23/025; A43B 23/026; A43B 23/265; A43B 23/14; A43B 23/16; A43B 23/24; A43B 23/26; A43B 5/00; A43B 5/001; A43B 5/002; A43B 5/003; A43B 5/008; A43B 5/06; A43B 5/08; A43B 5/10; A43B 5/12; A43B 5/14; A43B 5/145; A43B 1/00; A43B 1/02; A43B 1/04; A43B 1/0045; A43B 3/12; A43B 7/00; A43B 9/00; A43B 9/08; A43B 9/14; A43B 9/16; A43B 11/00; A43B 21/00; A43B 21/02; A43B 21/04; A43B 21/06; 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; A43C 1/00; A43C 1/003; A43C 1/06; A43C 3/00; A43C 5/00; A43C 7/00; A43C 11/00

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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
 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
 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
 D150,729 S 8/1948 Sandler
 D166,090 S 3/1952 Maling
 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
 D220,464 S 4/1971 Hayoshi
 D247,396 S 3/1978 Schlerth
 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 et al.
 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
 D319,140 S * 8/1991 Hernandez D2/909
 D339,669 S 9/1993 Miller
 D339,905 S * 10/1993 Bensley D2/913
 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
 D461,947 S 8/2002 Merceron
 6,588,124 B2 6/2003 Morrone
 D476,798 S 7/2003 Reynolds et al.
 D498,041 S 11/2004 McClaskie
 D500,191 S 12/2004 Belley et al.
 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
 D531,790 S 11/2006 Wurzburg
 D534,341 S 1/2007 Choi
 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 et al.
 D593,297 S 6/2009 Belley et al.
 D593,307 S 6/2009 Belley et al.
 D599,093 S 9/2009 Issler
 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
 D624,732 S * 10/2010 Hobby D2/909
 D629,184 S * 12/2010 Bizzell D2/896
 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
 D664,334 S * 7/2012 Garcia Mira D2/939
 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

(56)

References Cited

U.S. PATENT DOCUMENTS

D668,438 S	10/2012	Millieret	D775,798 S	1/2017	Gavrieli
D668,847 S	10/2012	Gavrieli et al.	D779,798 S	2/2017	Gavrieli
D668,848 S	10/2012	Gavrieli et al.	D779,799 S	2/2017	Gavrieli
D668,849 S	10/2012	Pozzi	D779,800 S	2/2017	Gavrieli
D668,850 S	10/2012	Pozzi	D779,801 S	2/2017	Gavrieli
D672,542 S	12/2012	Gray et al.	D781,032 S	3/2017	Gavrieli
D672,550 S	12/2012	Gavrieli	D781,033 S	3/2017	Gavrieli
D672,552 S	12/2012	Gavrieli	D781,034 S	3/2017	Gavrieli
D676,634 S	2/2013	Gavrieli et al.	D781,035 S	3/2017	Gavrieli
D680,007 S	4/2013	Gavrieli	D782,167 S	3/2017	Gavrieli
D681,927 S *	5/2013	Gavrieli A43B 13/14 D2/939	D790,336 S	6/2017	Gavrieli
D681,928 S	5/2013	Gavrieli	D799,169 S *	10/2017	Abramowitz D2/902
D681,929 S	5/2013	Gavrieli	D804,156 S *	12/2017	Hawthornthwaite D2/939
D683,936 S	6/2013	Gavrieli	D805,276 S *	12/2017	Hawthornthwaite D2/939
D686,812 S	7/2013	Gavrieli et al.	D805,277 S	12/2017	Gavrieli
8,468,723 B2	6/2013	Malka-Harari	D812,864 S *	3/2018	Abramowitz D2/902
D686,812 S	7/2013	Gavrieli et al.	D812,867 S	3/2018	Gavrieli
8,510,975 B2	8/2013	Krikelis	D812,868 S	3/2018	Gavrieli
D688,853 S	9/2013	Gavrieli	D814,153 S	4/2018	Gavrieli
D688,854 S	9/2013	Gavrieli	D814,769 S *	4/2018	McClaskie D2/971
D688,855 S	9/2013	Gavrieli	9,930,925 B2	4/2018	Gavrieli et al.
D689,270 S	9/2013	Gavrieli	D818,684 S	5/2018	Gavrieli
D689,271 S	9/2013	Gavrieli	D818,692 S	5/2018	Gavrieli
D689,272 S	9/2013	Gavrieli	D819,313 S	6/2018	Gavrieli
D690,914 S	10/2013	Gavrieli	D819,321 S	6/2018	Gavrieli
D690,915 S *	10/2013	Gavrieli A43B 9/02 D2/939	D819,940 S	6/2018	Gavrieli
D696,500 S	12/2013	Hunt	D824,148 S	7/2018	Gavrieli
D699,424 S	2/2014	Hamm	D824,149 S	7/2018	Gavrieli
8,661,714 B2	3/2014	Sussman	D824,150 S	7/2018	Gavrieli
D703,531 S	4/2014	Gavrieli et al.	D824,655 S	8/2018	Gavrieli
8,745,893 B2	6/2014	Gavrieli et al.	D824,656 S	8/2018	Gavrieli
8,973,287 B2	3/2015	Shibata	D825,155 S	8/2018	Gavrieli
D747,595 S	1/2016	Gavrieli	D825,156 S	8/2018	Gavrieli
D749,829 S	2/2016	Gavrieli	D825,160 S	8/2018	Gavrieli
D749,830 S	2/2016	Gavrieli	D826,524 S	8/2018	Gavrieli
D750,360 S	3/2016	Gavrieli	D831,312 S	10/2018	Gavrieli
D750,361 S	3/2016	Gavrieli	D833,729 S *	11/2018	Hawthornthwaite D2/971
D750,872 S	3/2016	Gavrieli	D837,495 S	1/2019	Gavrieli
D750,873 S	3/2016	Gavrieli	D842,593 S	3/2019	Gavrieli
D750,874 S	3/2016	Gavrieli	D843,092 S	3/2019	Gavrieli
D751,278 S *	3/2016	Gavrieli D2/939	D843,093 S	3/2019	Gavrieli
D751,279 S	3/2016	Gavrieli	D843,094 S	3/2019	Gavrieli
D751,872 S	3/2016	Gavrieli	D844,305 S	4/2019	Gavrieli
D755,485 S	5/2016	Gavrieli	D844,312 S	4/2019	Gavrieli
D755,486 S	5/2016	Gavrieli	D844,950 S	4/2019	Gavrieli
D755,487 S	5/2016	Gavrieli	D844,951 S	4/2019	Gavrieli
D755,488 S	5/2016	Gavrieli	D846,240 S	4/2019	Gavrieli
D756,081 S	5/2016	Gavrieli	D846,246 S	4/2019	Gavrieli
D756,082 S	5/2016	Gavrieli	D846,258 S	4/2019	Gavrieli
D756,083 S	5/2016	Gavrieli	D846,259 S	4/2019	Gavrieli
D756,084 S	5/2016	Gavrieli	D846,844 S	4/2019	Gavrieli
D756,087 S	5/2016	Gavrieli	D846,845 S	4/2019	Gavrieli
D757,407 S	5/2016	Gavrieli	D846,846 S	4/2019	Gavrieli
D758,052 S	6/2016	Gavrieli	D846,847 S	4/2019	Gavrieli
D758,053 S	6/2016	Gavrieli	D846,848 S	4/2019	Gavrieli
D761,529 S	7/2016	Gavrieli	D846,849 S	4/2019	Gavrieli
D761,530 S	7/2016	Gavrieli	D846,860 S	4/2019	Gavrieli
D761,531 S	7/2016	Gavrieli	10,258,121 B2 *	4/2019	Gavrieli A45C 3/12
D761,532 S	7/2016	Gavrieli	D847,474 S	5/2019	Gavrieli
D761,533 S	7/2016	Gavrieli	D847,476 S	5/2019	Gavrieli
D761,534 S	7/2016	Gavrieli	D851,872 S *	6/2019	Gavrieli D2/939
D761,535 S	7/2016	Gavrieli	D853,091 S *	7/2019	Gavrieli D2/939
D761,536 S	7/2016	Gavrieli	D853,092 S *	7/2019	Gavrieli D2/939
D761,537 S	7/2016	Gavrieli	D853,697 S *	7/2019	Gavrieli D2/939
D761,538 S	7/2016	Gavrieli	D853,698 S *	7/2019	Gavrieli D2/939
D761,539 S	7/2016	Gavrieli	D859,792 S *	9/2019	Subatella Sanchez D2/902
D762,050 S	7/2016	Gavrieli	D885,018 S *	5/2020	Gavrieli D2/939
9,398,786 B2	7/2016	Gavrieli et al.	D885,717 S *	6/2020	Radabaugh D2/939
D763,556 S	8/2016	Gavrieli	D886,421 S *	6/2020	Gavrieli D2/939
D763,557 S	8/2016	Gavrieli	D889,081 S *	7/2020	Gavrieli D2/939
D764,154 S	8/2016	Gavrieli	D889,785 S *	7/2020	Gavrieli D2/939
D768,366 S *	10/2016	Hawthornthwaite D2/939	D890,483 S *	7/2020	Gavrieli D2/939
D771,919 S	11/2016	Gavrieli	D891,045 S *	7/2020	Swierszczyk D2/923
D771,920 S	11/2016	Gavrieli	D891,047 S *	7/2020	Gavrieli D2/939
			D891,073 S *	7/2020	Barerra D2/971
			D895,237 S *	9/2020	Swierszczyk D2/939
			D895,255 S *	9/2020	Swierszczyk D2/971
			D901,148 S *	11/2020	Gavrieli D2/950
			D901,858 S *	11/2020	Gavrieli D2/950

(56)

References Cited

U.S. PATENT DOCUMENTS

D901,860	S	*	11/2020	Gavrieli	.....	D2/950
D901,861	S	*	11/2020	Gavrieli	.....	D2/950
D901,862	S	*	11/2020	Gavrieli	.....	D2/950
D901,863	S	*	11/2020	Gavrieli	.....	D2/950
D901,871	S	*	11/2020	Gavrieli	.....	D2/971
D903,988	S	*	12/2020	Gavrieli	.....	D2/939
D903,989	S	*	12/2020	Gavrieli	.....	D2/939
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		
2013/0036630	A1*		2/2013	Gavrieli	.....	A43B 3/12 36/102
2013/0039605	A1*		2/2013	Gavrieli	.....	A45C 3/12 383/37
2015/0089843	A1		4/2015	Gavrieli		

FOREIGN PATENT DOCUMENTS

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

OTHER PUBLICATIONS

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

“The Love List, Tiefs by Gavrieli—Foldable Ballet Flats,” <http://thelovelist-carly.blogspot.com.au/2010/09/tiefs-by-gavrieli-foldable-ballet.html>, 2 pgs., Sep. 12, 2010.

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

“Try It Mummy!, Tiefs by Gavrieli,” <http://tryitmummy.blogspot.com.au/2010/12/tiefs-by-gavrieli.html>, 3 pgs., Dec. 9, 2010.

“Wearability—Real People Style, What came first, the City Flat or the Tiefs,” <http://wearability.posterous.com/what-came-first-the-city-flat-or-the-tiefs>, 2 pgs., Aug. 29, 2010.

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

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

“58th Annual Emmy Awards,” http://spoonsforksandfashion.blogspot.com/2006_08_01_archive.html, depicting Nine West flats, 2 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, 3 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, 9 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, 2 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.

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, 1 pg., 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,” <https://8485shops.wordpress.com/2011/06/16/flats-for-7-bucks/shoe1/>, depicting h&m flats, 2 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/>, 2 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.

(56)

References Cited

OTHER PUBLICATIONS

“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. Goncalves > 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>, 2 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/>, 11 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://www.kellywickham.com/mochamomma/2010/10/4/in-need-of-flat-soled-shoes.html>, 4 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%20slipper>, 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.

Third Party Submission Under 37 CFR 1.290 regarding U.S. Appl. No. 15/905,239, filed Feb. 9, 2019, 94 pages.

Order Granting TRO (D.I. 11), *Gavrieli Brands LLC vs. Soto Massini*, Civil Action No. 1:18-cv-00462, Mar. 28, 2018, 2 pages.

Defendants’ Opposition To Motion For Temporary Restraining Order, Civil Action No. 1:18-cv-00462-GMS, Apr. 1, 2018, 12 pages.

Declaration of Thomas Pichler In Opposition To Tro Request, C.A. No. 1:18-cv-00462-GMS, Apr. 1, 2018, 8 pages.

Exhibit A to Pichler Declaration ISO TRO Opposition (D.I. 13-1), C.A. No. 1:18-cv-00462-GMS, Apr. 1, 2018, 29 pages.

Order TRO (D.I. 18), C.A. No. 1:18, Apr. 4, 2018, 3 pages.

Defendant Soto Massini (USA) Corporation’s Answer and Counterclaims To Verified Complaint for Patent Infringement, Trade Dress Infringement, and Unfair Competition, C.A. No. 1:18-cv-00462-GMS, May 1, 2018, 26 pages.

Defendant Soto Massini (USA) Corporation’s Answer To Amended Complaint and Amended Counterclaims, C.A. No. 1:18-cv-00462-GMS, Jun. 5, 2018, 28 pages.

Defendant Soto Massini (USA) Corporation’s Answer To Amended Complaint and First Amended Counterclaims, C.A. No. 1:18-cv-00462-GMS, Jul. 12, 2018, 31 pages.

Exhibit A to SACC (45-1), Case 1:18-cv-00462-GMS, 3 pages.

Exhibit B to SACC (45-2), Case 1:18-cv-00462-GMS, 5 pages.

Exhibit C to SACC (45-3), Case 1:18-cv-00462-GMS, 5 pages.

Exhibit D to SACC (45-4), Case 1:18-cv-00462-GMS, 4 pages.

Defendant Soto—USA’s Invalidity Contentions, C.A. No. 1:18-cv-00462-MN, 16 pages.

Redacted Verdict Form (D.I. 144), Case 1:18-cv-00462-GMS, 13 pages.

Judgement (D.I. 149), C.A. No. 18-462-MN, May 13, 2019, 3 pages.

Gavrieli Brands, LLC, v. Soto Massini (USA) Corp., et al., (full) Trial Transcript, C.A. No. 18-462(MN), vol. 1, 733 pages.

Expert Report of Caroline de Baere (Fed. R. Civ. P. 26(a)(2)(B)), Case No. 18-cv-00462-MN, Mar. 1, 2019, 33 pages.

Exhibit 23, Infringement Analysis in Light of the Alleged Prior Art, 41 pages.

Expert Report of Lance Rake, (Fed. R. Civ. P. 26(a)(2)(B)), Mar. 1, 2019, 27 pages.

U.S. Pat. No. 1,525,848, Feb. 10, 1925, B. S. Bonaventure, 3 pages.

U.S. Design Pat. No. D. 247,396, Mar. 7, 1978, William A. Schlerth, 2 pages.

U.S. Design Pat. No. D. 611,693 S, Mar. 16, 2010, Barbara Schwartz, 7 pages.

Camper Book Excerpt—Nina Right, (pp. 334-335), The Walking Society, Lars Muller Publishers, 3 pages.

Camper History—The Shoes, Every Season We Strive To Reinvent Some Of Our Classic Concepts While Continuing To Challenge The Status Quo With New And Original Designs. We Often Find That There Is A Camper Style For Every Walk Of Life, 8 pages.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Copperhead Snake Print Tieks, <https://web.archive.org/web/20101230062534/http://www.tieks.com:80/>, Dec. 30, 2010, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Merlot Lizard Print Tieks, <https://web.archive.org/web/20101230062534/http://www.tieks.com:80/>, Dec. 30, 2010, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Slate Grey Tieks, <https://web.archive.org/web/20101230062534/http://www.tieks.com:80/>, Dec. 30, 2010, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Camel, <https://web.archive.org/web/20101230062534/http://www.tieks.com:80/>, Dec. 30, 2010, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Lilac, <https://web.archive.org/web/20101230062534/http://www.tieks.com:80/>, Dec. 30, 2010, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Leopard Print, <https://web.archive.org/web/20101230062534/http://www.tieks.com:80/>, Dec. 30, 2010, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, The Tieks eGift card . . . Always the perfect fit, <https://web.archive.org/web/20101230062534/http://www.tieks.com:80/>, Dec. 30, 2010, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Copperhead Snake Print, <https://web.archive.org/web/20110222174850/http://www.tieks.com:80/>, Feb. 22, 2011, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Patent Tiek Blue, <https://web.archive.org/web/20110222174850/http://www.tieks.com:80/>, Feb. 22, 2011, 1 page.

Tieks by Gavrieli—Comfortable, designer flats you can fit in your purse and wear all day, every day!, Tangerine, <https://web.archive.org/web/20110222174850/http://www.tieks.com:80/>, Feb. 22, 2011, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse California Navy, <https://web.archive.org/web/20100516173039/http://www.tieks.com:80/california-navy.html>, May 16, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Cardinal Red, <https://web.archive.org/web/20100516173045/http://www.tieks.com:60/cardinal-red.html>, May 16, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Metallic Gold, <https://web.archive.org/web/20100516173106/http://www.tieks.com/metallic-gold.html>, May 16, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Patent Tiek Blue, <https://web.archive.org/web/20100516173130/http://www.tieks.com:80/tiek-blue.html>, May 16, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Splash Page, The Ballet Flat . . . Reinvented, <https://web.archive.org/web/20100513055818/https://tieks.com/>, May 13, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Splash Page, Ballet Flats . . . with a Bonus, <https://web.archive.org/web/20100513055818/https://tieks.com/>, May 13, 2010, 1 page.

(56)

References Cited

OTHER PUBLICATIONS

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Splash Page, Going Places? Take Tieks. <https://web.archive.org/web/20100513055818/https://tieks.com/>, May 13, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Splash Page, Step Into Tieks, <https://web.archive.org/web/20100513055818/https://tieks.com/>, May 13, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse True Blue, <https://web.archive.org/web/20100516173135/http://www.tieks.com:80/true-blue.html>, May 16, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse White Croc Print, <https://web.archive.org/web/20100516173145/http://www.tieks.com:80/white-croc-print.html>, May 16, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Wild Copper, Be a little wild . . . even when you're not., <https://web.archive.org/web/20100819165503/https://tieks.com/>, Aug. 19, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Paradise Blue, The perfect pair for day and night, <https://web.archive.org/web/20100819165503/https://tieks.com/>, Aug. 19, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Obsidian Black, When workdays spill over into party nights., <https://web.archive.org/web/20100819165503/https://tieks.com/>, Aug. 19, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Fuchsia, Sweet and sultry, <https://web.archive.org/web/20100819165503/https://tieks.com/>, Aug. 19, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Tan Croc print Tieks, A timeless texture., <https://web.archive.org/web/20100819165503/https://tieks.com/>, Aug. 19, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Be a little wild . . . even when you're not., <https://web.archive.org/web/20100902020755/https://tieks.com/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Obsidian Black, When workdays spill over into party nights, <https://web.archive.org/web/20100902020755/https://tieks.com/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Tan Croc Print, A timeless texture, <https://web.archive.org/web/20100902020755/https://tieks.com/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Paradise Blue, The perfect pair for day and night, <https://web.archive.org/web/20100902020755/https://tieks.com/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Fuchsia, Sweet and sultry, <https://web.archive.org/web/20100902020755/https://tieks.com/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Tiek Blue Tieks, Let yourself shine, <https://web.archive.org/web/20100902020755/https://tieks.com/>, Sep. 2, 2010, 1 page.

* cited by examiner

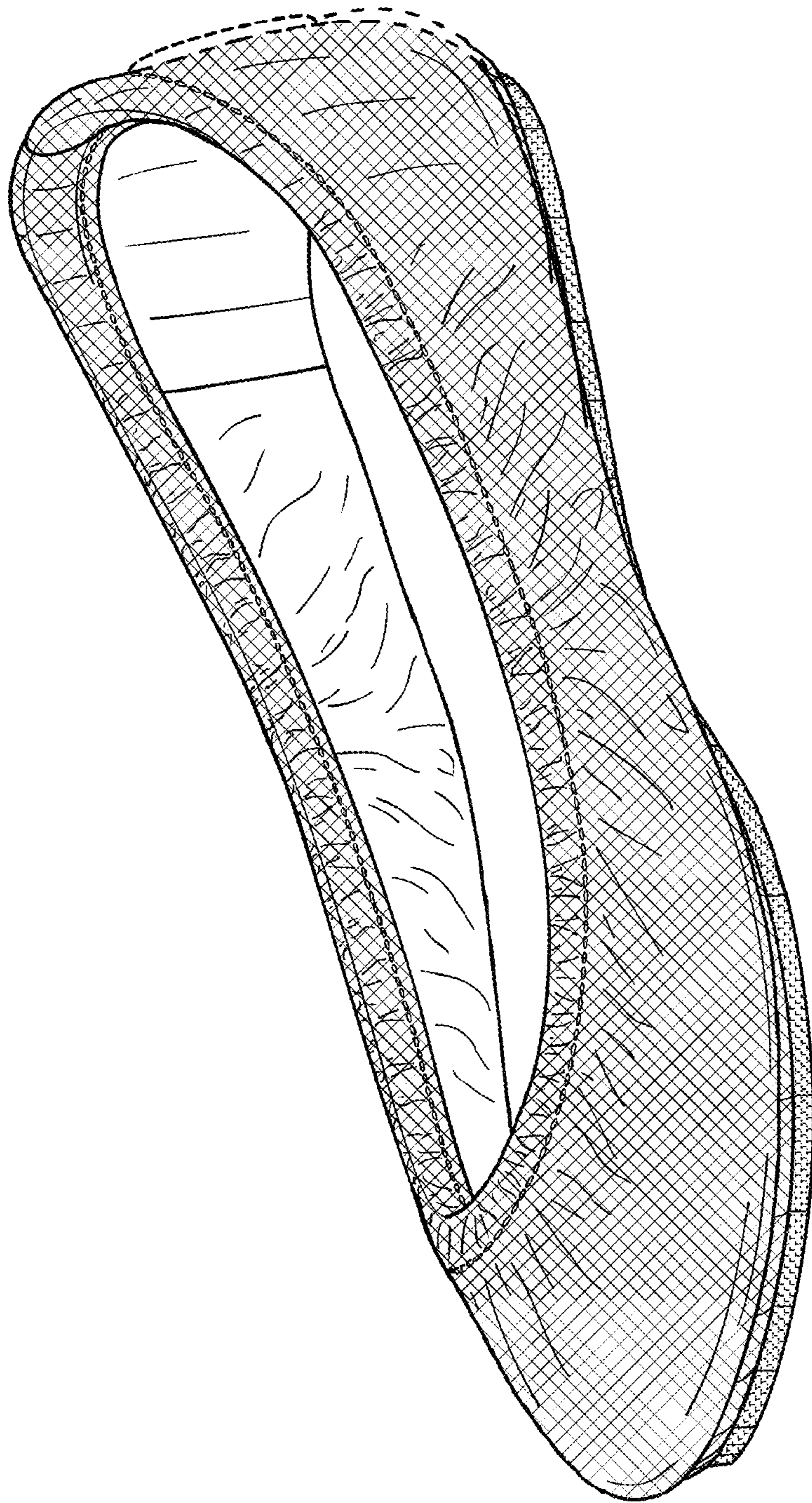


FIG. 1

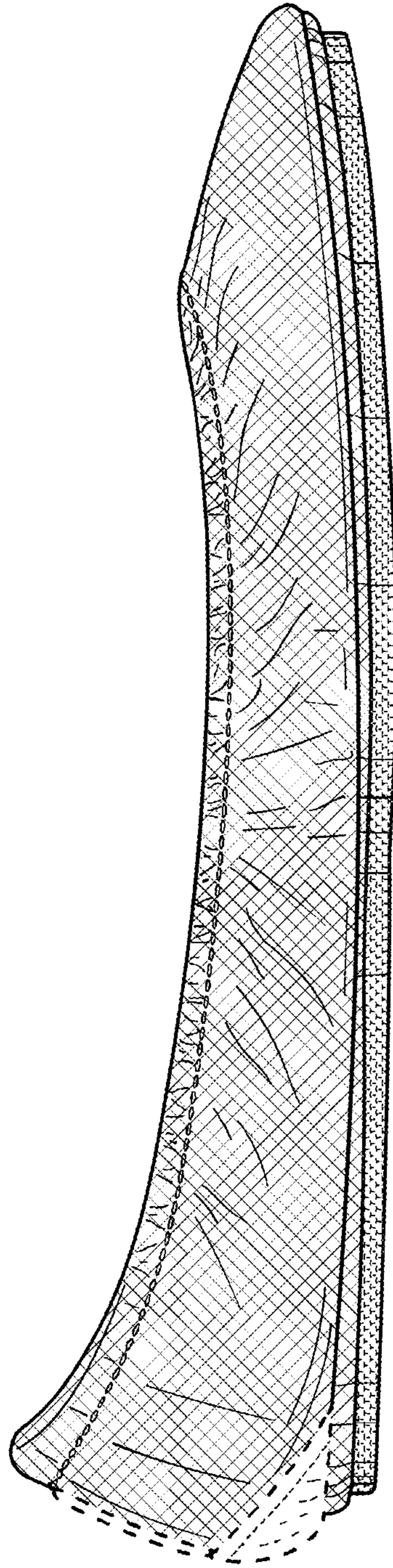


FIG. 2

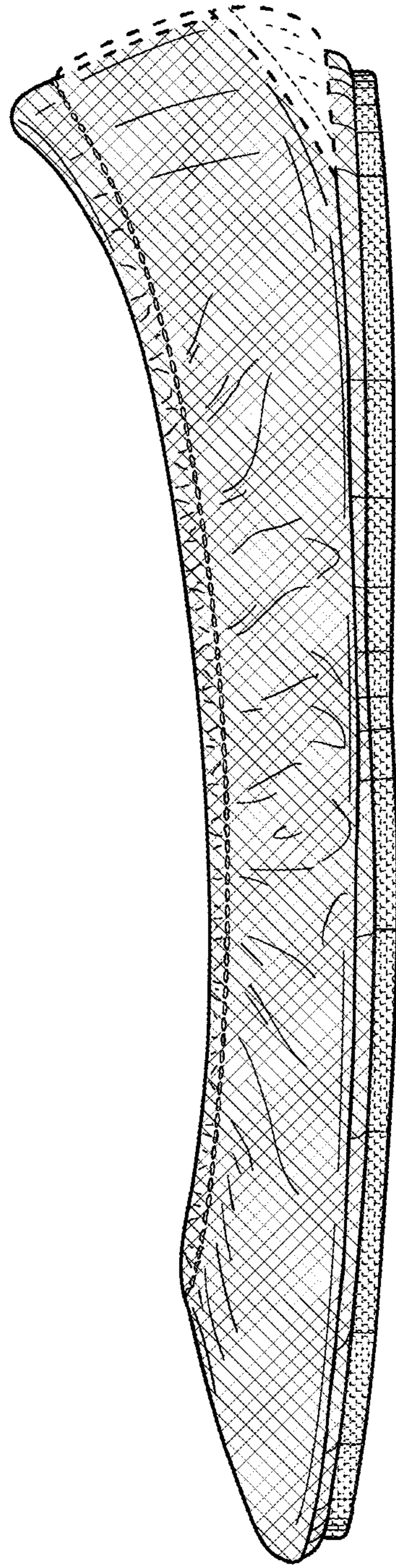


FIG. 3

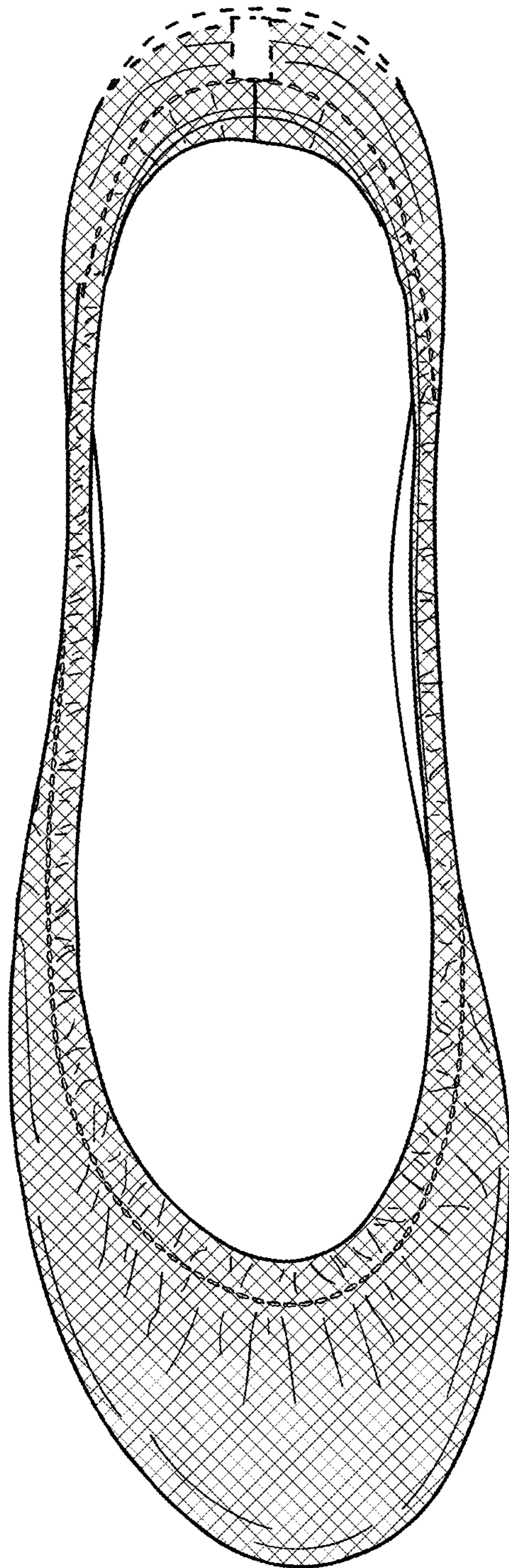


FIG. 4

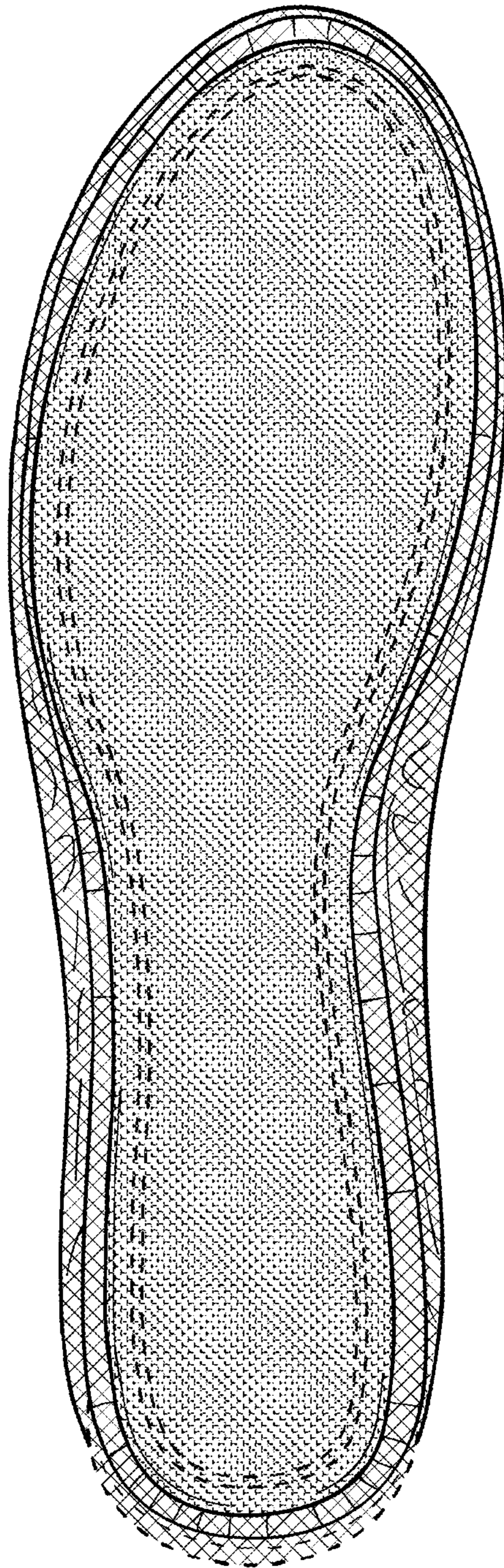


FIG. 5

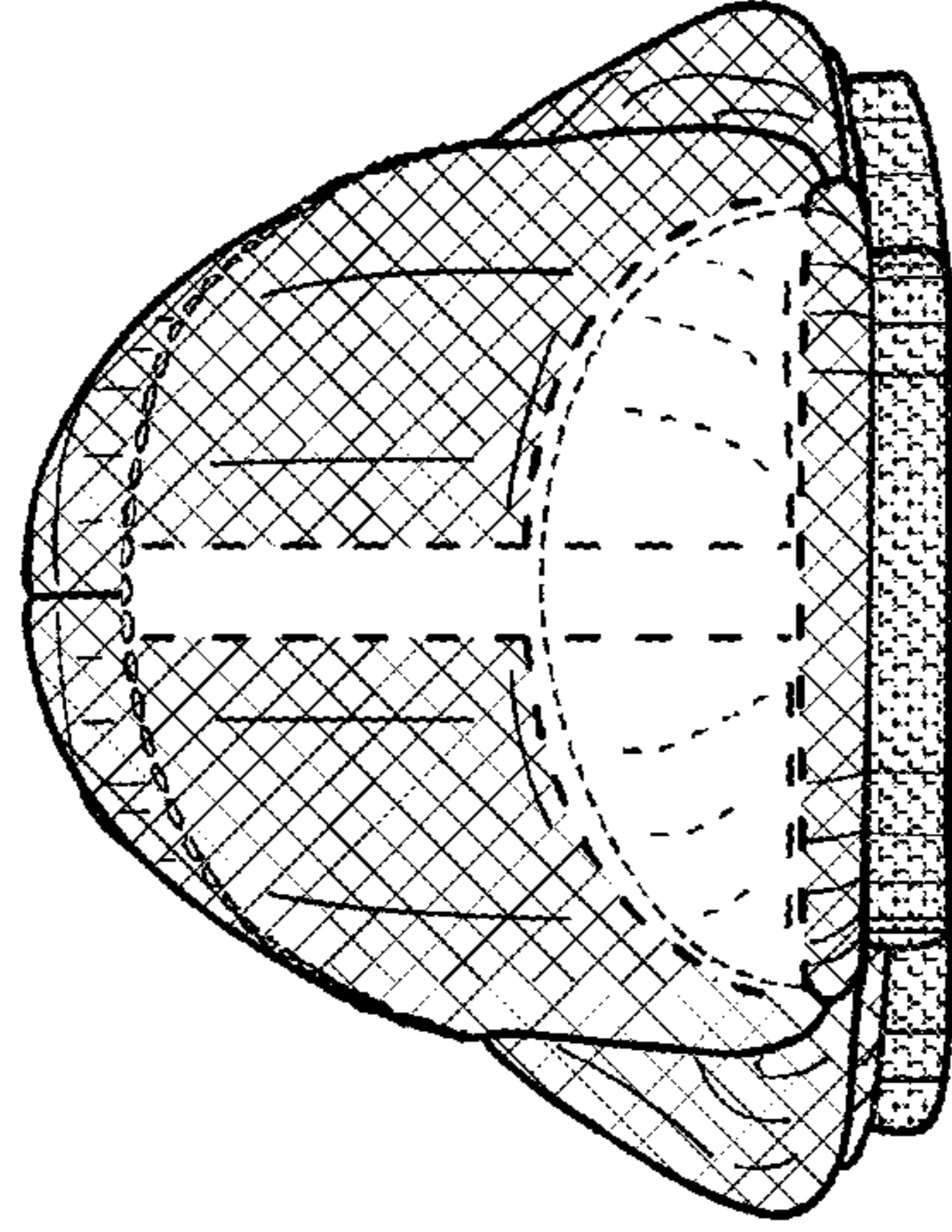


FIG. 7

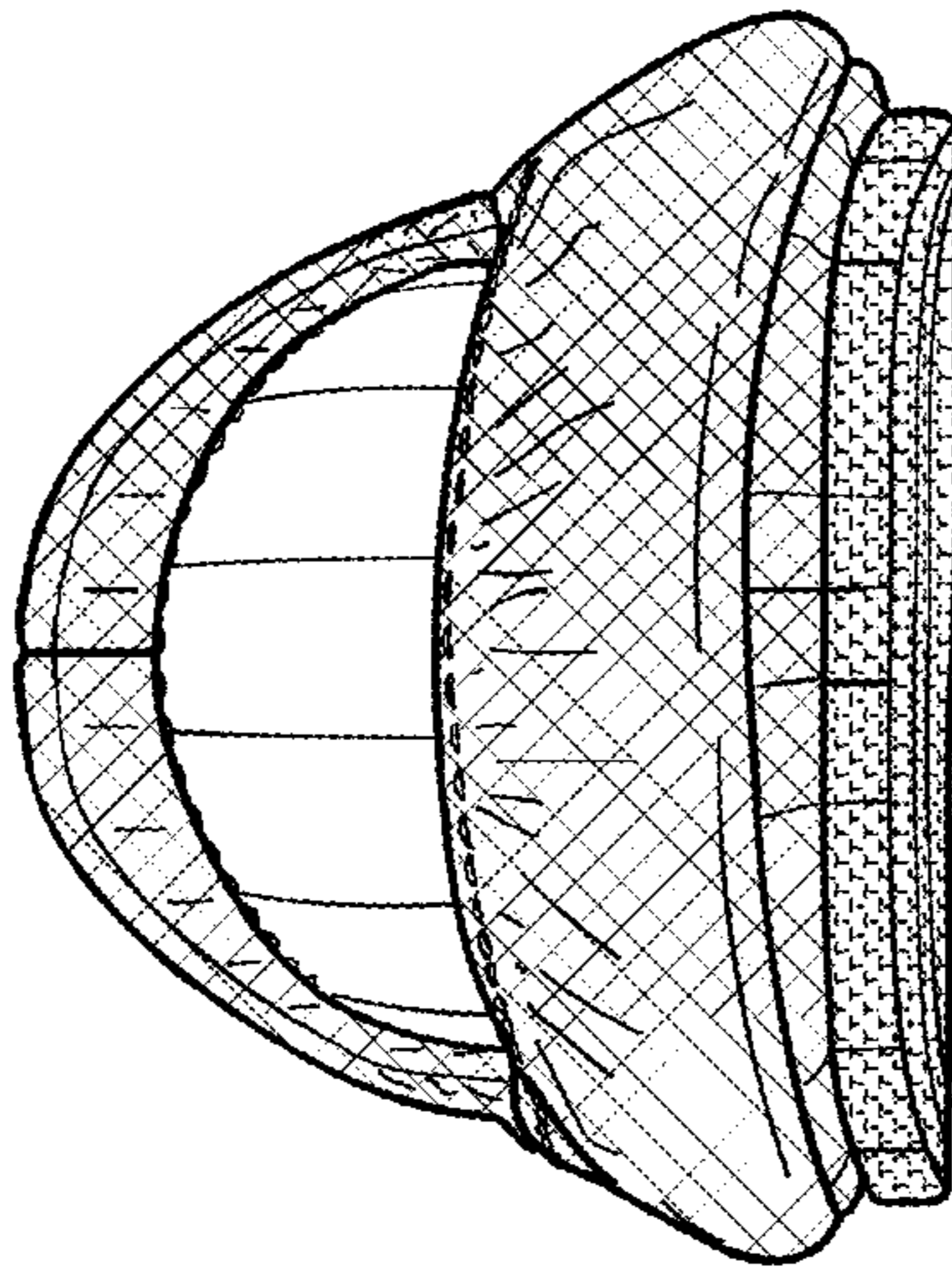


FIG. 6