

US00D972278S

(12) **United States Design Patent** (10) **Patent No.:** **US D972,278 S**
Gavrieli et al. (45) **Date of Patent:** **** Dec. 13, 2022**

(54) **BALLET SHOE**

FOREIGN PATENT DOCUMENTS

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

(Continued)

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OTHER PUBLICATIONS

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

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

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(21) Appl. No.: **29/758,488**

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(22) Filed: **Nov. 16, 2020**

Related U.S. Application Data

(57) **CLAIM**

(63) Continuation of application No. 17/001,360, filed on
Aug. 24, 2020, which is a continuation of application
(Continued)

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

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

DESCRIPTION

(52) **U.S. Cl.**

USPC **D2/971**; D2/939

(58) **Field of Classification Search**

USPC D2/902, 946–962, 896, 900, 904,
D2/906–908, 916–924, 925–945, 969,
D2/970–979

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;

(Continued)

FIG. 1 is a perspective view of an embodiment of our new
design of a ballet shoe, in which the outsole patch is hatched
using the USPTO convention of vertical and horizontal
cross-hatched lined for yellow or gold (e.g., Pantone 100-
Pantone 147, Pantone 155, Pantone 379 or Pantone 380, any
one of Pantone 386-Pantone 388, any one of Pantone
393-Pantone 399, any one of Pantone 454-Pantone 461, any
one of Pantone 585-Pantone 620, Pantone 803, Pantone 809
or Pantone 810, any one of Pantone 3935-Pantone 3985, or
any one of RAL 1000-RAL 1037);

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 in the figure views depict portions of the
ballet shoe that form no part of the claimed design.

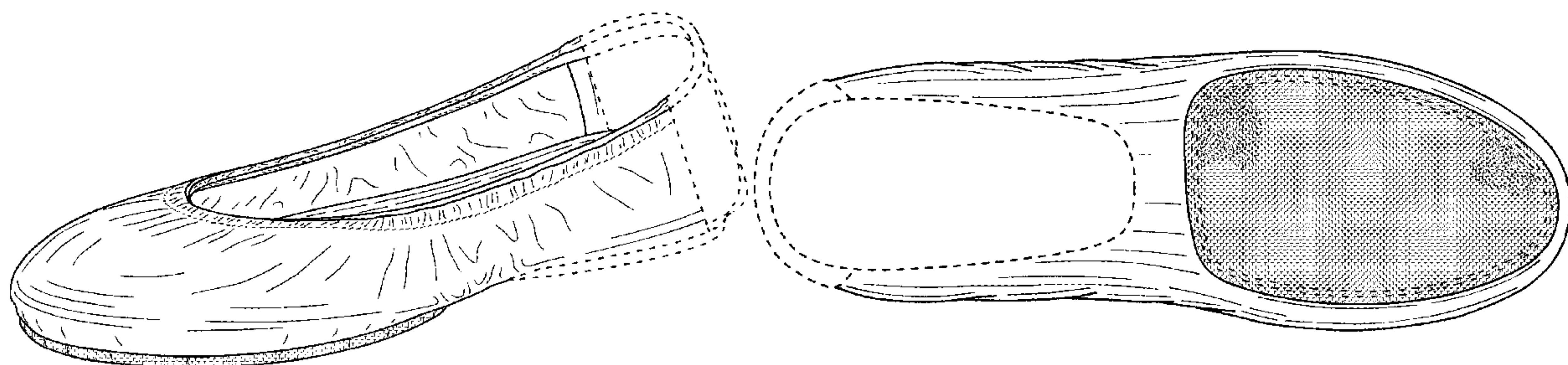
(56) **References Cited**

U.S. PATENT DOCUMENTS

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

(Continued)

1 Claim, 6 Drawing Sheets



Related U.S. Application Data

No. 15/905,239, filed on Feb. 26, 2018, now abandoned, which is a continuation of application No. 15/204,763, filed on Jul. 7, 2016, now Pat. No. 9,930,925, which is a continuation of application No. 14/266,599, filed on Apr. 30, 2014, now Pat. No. 9,398,786, which is a continuation of application No. 13/207,397, filed on Aug. 10, 2011, now Pat. No. 8,745,893.

(58) Field of Classification Search

CPC 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; A43B 1/00; A43B 1/02;
A43B 1/04; A43B 3/00; A43B 3/02;
A43B 3/06; A43B 3/10; A43B 3/12;
A43B 3/14; A43B 5/00; A43B 5/001;
A43B 5/002; A43B 5/008; A43B 5/06;
A43B 5/10; A43B 5/12; A43B 23/00;
A43B 23/02; A43B 23/04; A43B 23/14;
A43B 23/16; A43B 23/17; A43B 23/24;
A43B 23/25; A43B 23/26

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
D339,669 S 9/1993 Miller
5,282,326 A 2/1994 Schroer, Jr. et al.
5,421,050 A 6/1995 Laganas
5,699,629 A 12/1997 Munsch
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
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 et al.
D668,848 S 10/2012 Gavrieli et al.
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 et al.
D681,927 S 5/2013 Gavrieli
D681,928 S 5/2013 Gavrieli
D681,929 S 5/2013 Gavrieli
D683,936 S 6/2013 Gavrieli
8,468,723 B2 6/2013 Malka-Harari
D686,812 S 7/2013 Gavrieli et al.
8,510,975 B2 8/2013 Krikelis
D688,853 S 9/2013 Gavrieli
D688,854 S 9/2013 Gavrieli
D688,855 S 9/2013 Gavrieli
D689,270 S 9/2013 Gavrieli
D689,271 S 9/2013 Gavrieli
D689,272 S 9/2013 Gavrieli
D690,914 S 10/2013 Gavrieli

(56)

References Cited**U.S. PATENT DOCUMENTS**

D690,915	S	10/2013	Gavrieli	
D696,500	S	12/2013	Hunt	
D699,424	S	2/2014	Hamm	
8,661,714	B2	3/2014	Sussmann	
8,745,893	B2	6/2014	Gavrieli et al.	
8,973,287	B2	3/2015	Shibata	
9,167,862	B2 *	10/2015	Gavrieli	A43B 3/248
D761,538	S *	7/2016	Gavrieli	D2/939
9,398,786	B2	7/2016	Gavrieli	
9,565,908	B2 *	2/2017	Gavrieli	A45C 3/00
D781,032	S *	3/2017	Gavrieli	A43B 23/0245
				D2/939
D781,033	S *	3/2017	Gavrieli	A43B 3/24
				D2/939
D781,035	S *	3/2017	Gavrieli	A43B 23/0245
				D2/939
D782,167	S	3/2017	Gavrieli	
9,930,925	B2 *	4/2018	Gavrieli	A43B 5/12
D819,940	S *	6/2018	Gavrieli	D2/939
D824,150	S *	7/2018	Gavrieli	D2/939
D831,312	S	10/2018	Gavrieli	
D837,495	S *	1/2019	Gavrieli	D2/939
D844,950	S *	4/2019	Gavrieli	A43B 3/108
				D2/939
D844,951	S *	4/2019	Gavrieli	A43B 13/14
				D2/939
D846,246	S *	4/2019	Gavrieli	A43B 13/14
				D2/950
D846,259	S *	4/2019	Gavrieli	A43B 3/10
				D2/971
D846,845	S *	4/2019	Gavrieli	A43B 13/141
				D2/939
D846,847	S *	4/2019	Gavrieli	D2/939
D846,848	S *	4/2019	Gavrieli	D2/939
D846,849	S *	4/2019	Gavrieli	A43B 3/108
				D2/939
10,258,121	B2 *	4/2019	Gavrieli	A45C 3/12
D851,872	S *	6/2019	Gavrieli	D2/939
D853,091	S *	7/2019	Gavrieli	D2/971
D853,697	S *	7/2019	Gavrieli	D2/939
D853,698	S *	7/2019	Gavrieli	D2/939
D884,323	S *	5/2020	Gavrieli	D2/947
D885,018	S *	5/2020	Gavrieli	D2/939
D886,435	S *	6/2020	Gavrieli	A43B 3/108
				D2/971
D888,380	S *	6/2020	Gavrieli	A43B 5/12
				D2/939
D891,047	S *	7/2020	Gavrieli	D2/939
D901,859	S *	11/2020	Gavrieli	A43B 13/122
				D2/950
D901,860	S *	11/2020	Gavrieli	D2/950
D901,862	S *	11/2020	Gavrieli	D2/971
D903,279	S *	12/2020	Gavrieli	A43B 5/12
				D2/971
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	Purrrington	
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 3/108
				36/102
2013/0039605	A1 *	2/2013	Gavrieli	A45C 3/12
				53/473
2015/0089843	A1	4/2015	Gavrieli	
2016/0029755	A1 *	2/2016	Gavrieli	A45C 3/12
				206/278
2017/0295897	A1 *	10/2017	Gavrieli	A45C 13/1046
2019/0223567	A1 *	7/2019	Gavrieli	A45C 13/1046

FOREIGN PATENT DOCUMENTS

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

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>.

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

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

"Ticks by Gavrieli," <http://ticks.com>, 1 pg., retrieved Mar. 13, 2013 from URL.

"Try It Mummy!, Ticks by Gavrieli," <http://tryitmummy.blogspot.com.au/2010/12/ticks-by-gavrieli.html>, 3 pgs., Dec. 9, 2010.

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

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

"Ticks—Comfortable designer flats you can fit in your purse and wear all day, every day," <http://web.archive.org/web/20110731151555/http://ticks.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://emmajgyrussell.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.

(56)

References Cited

OTHER PUBLICATIONS

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., January 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/julcy-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.
 “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=1262332300&tm=AQDOvghWQPN_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=148§ionLoadingID=m_timeline_loading_div_1293868799_1262332800_8_14&timeend=1293868799×tart=1282332800&tm=AQDOvghWQPN_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/?g=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/op/?g=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. Pat. No. D. 247,396, Mar. 7, 1978, William A. Schlerth, 2 pages.
 U.S. 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 Müller 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.

(56)

References Cited

OTHER PUBLICATIONS

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/20101230082534/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:80/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:80/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/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, May 13, 2010, 1 page.

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Splash Page, Going Places? Take Tieks. <https://web.archive.org/web/20100513055818/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, 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/20100518173145/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/20100819185503/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, Aug. 19, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Fuchsia, Sweet and sultry, <https://web.archive.org/web/20100819185503/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Tan Croc Print, A timeless texture, <https://web.archive.org/web/20100902020755/http://www.tieks.com:80/>, 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/http://www.tieks.com:80/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Fuchsia, Sweet and sultry, <https://web.archive.org/web/20100902020755/http://www.tieks.com:80/>, Sep. 2, 2010, 1 page.

Tieks by Gavrieli—Foldable Fashionable Ballet Flats, Tiek Blue Tieks, Let yourself shine, <https://web.archive.org/web/20100902020755/http://www.tieks.com:80/>, Sep. 2, 2010, 1 page.

* cited by examiner

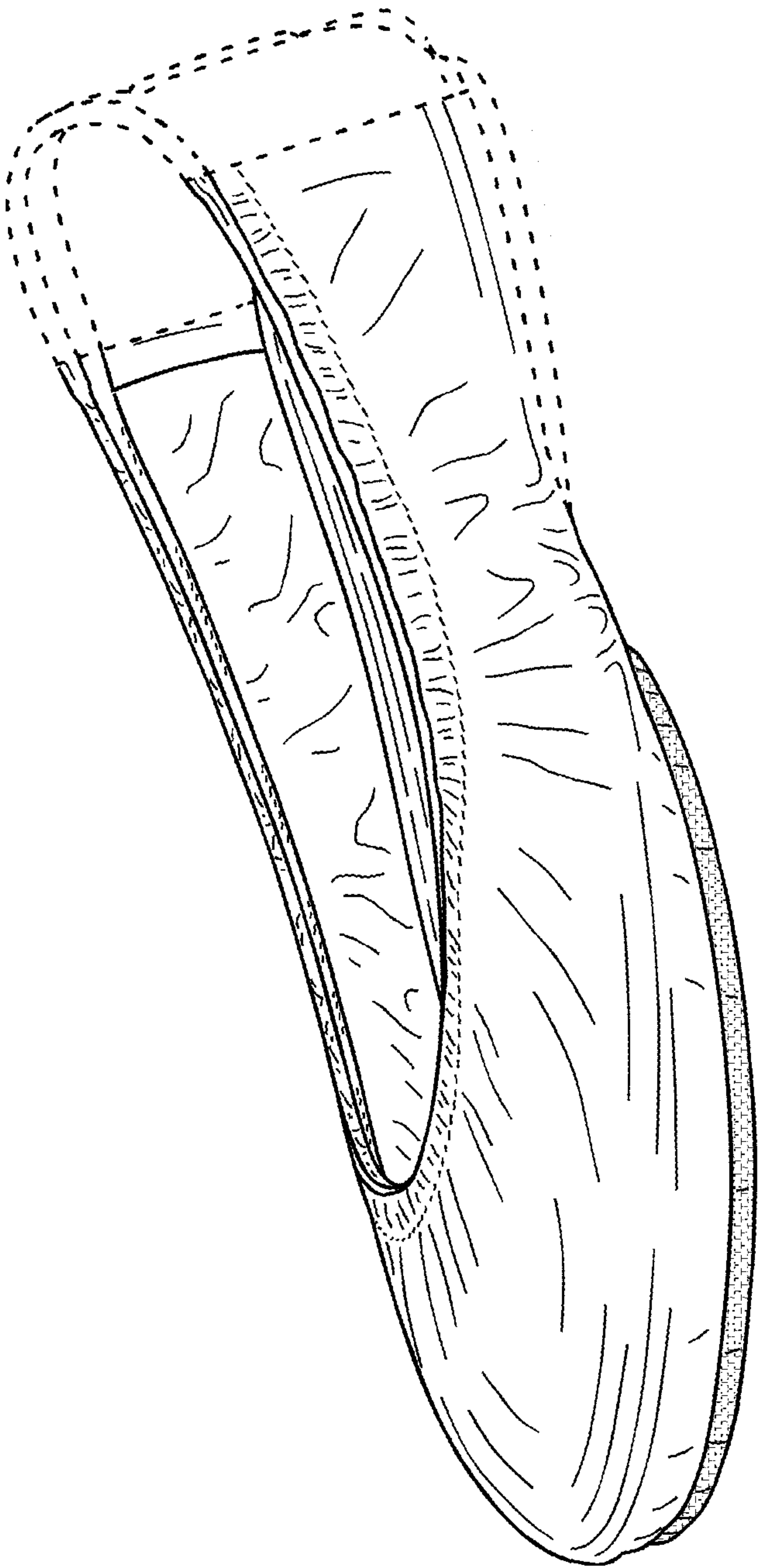


Figure 1

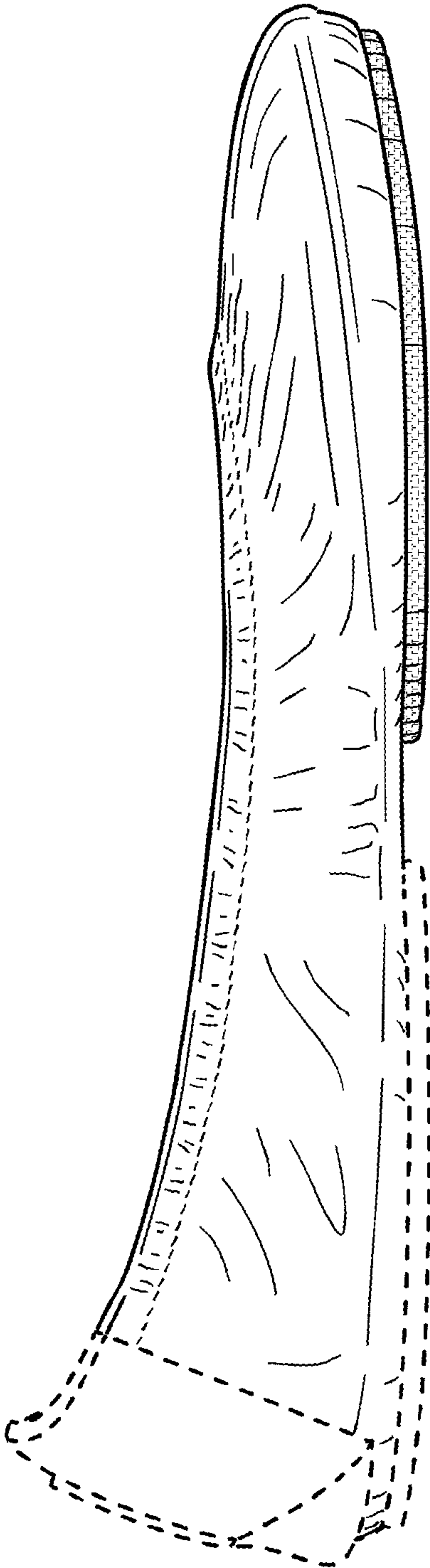


Figure 2

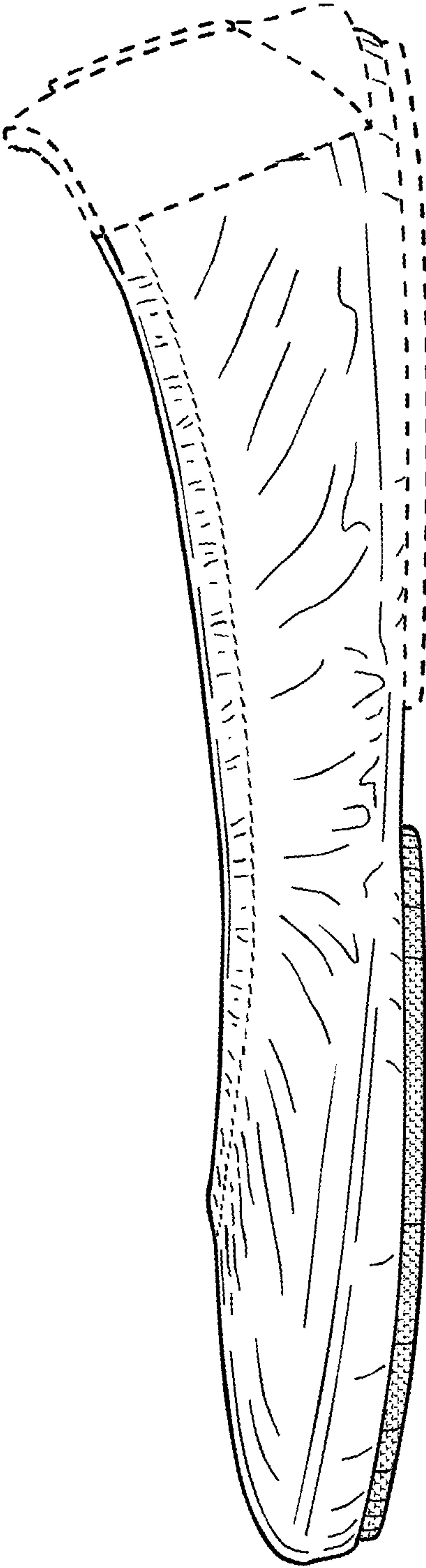


Figure 3

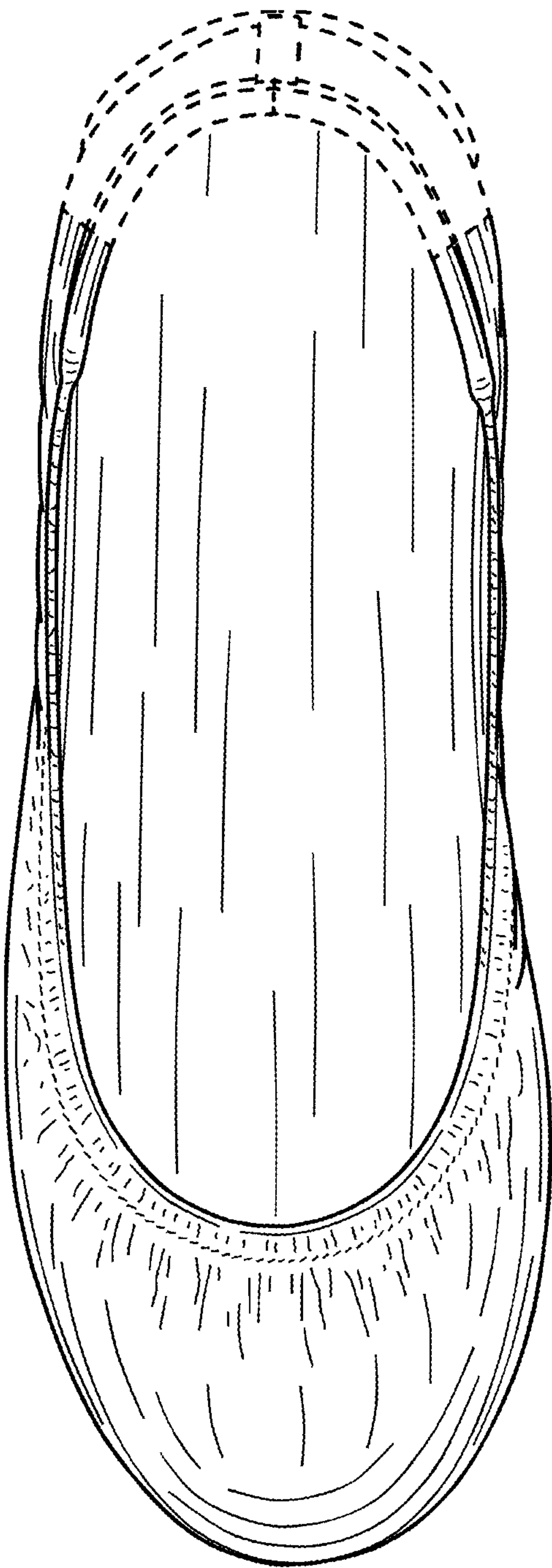


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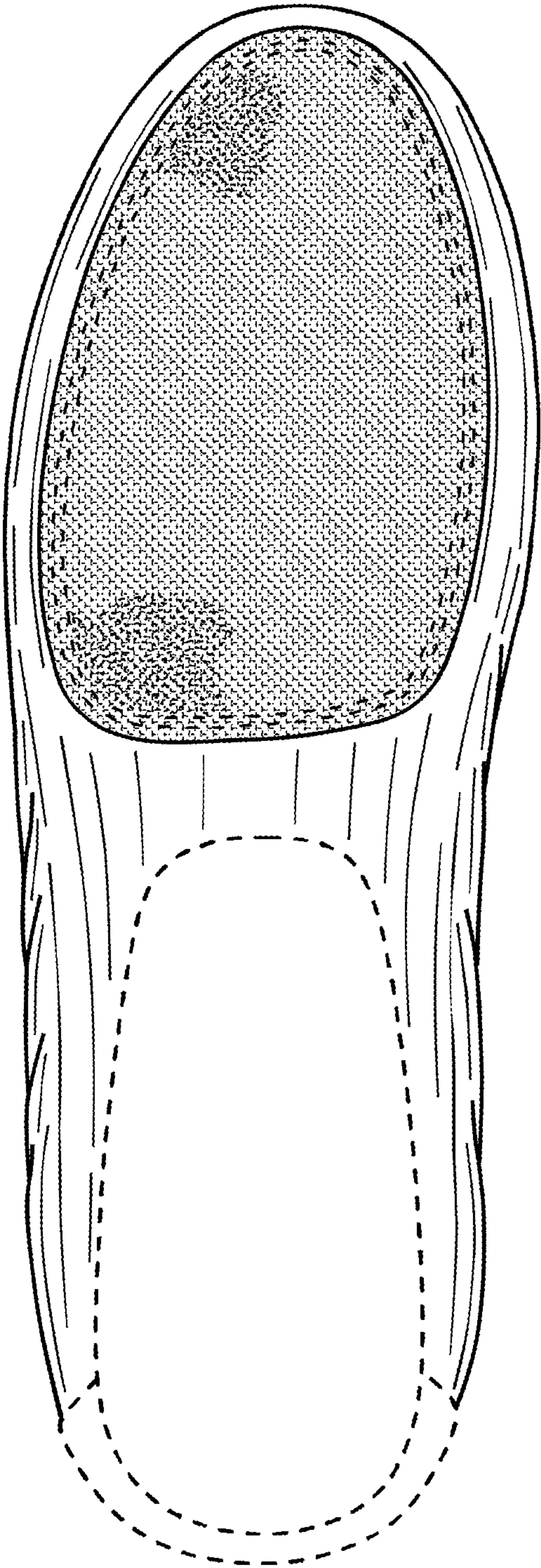


Figure 5

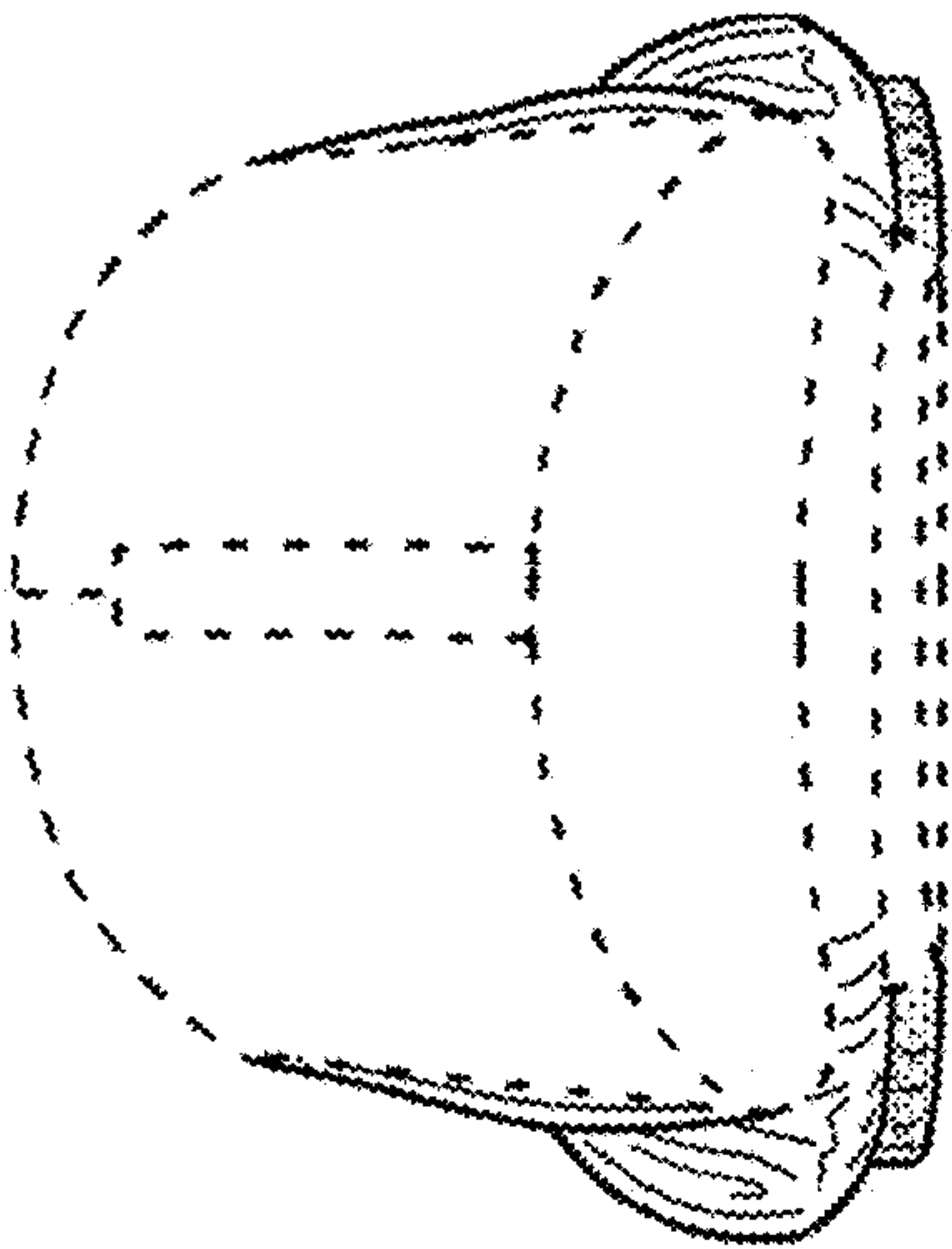


Figure 7

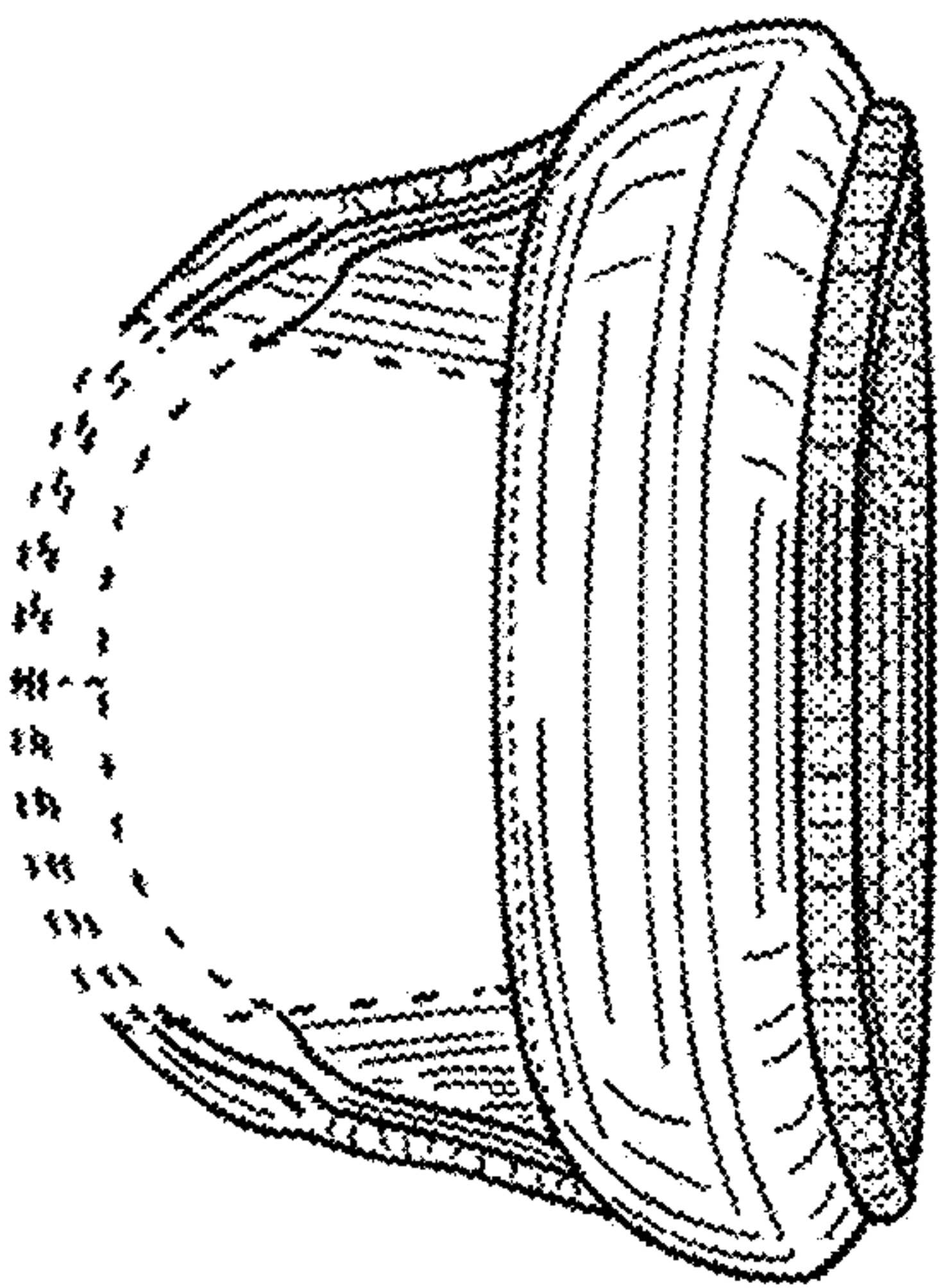


Figure 6