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# (54) DUAL-SOLE SHOE WITH COLOR OUTSOLE PATCH AND CONTRASTING UPPER

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- (\*) Nation: This potent is subject to a terminal di
- (\*) Notice: This patent is subject to a terminal disclaimer.
- (\*\*) Term: 15 Years
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- (22) Filed: Oct. 9, 2024

#### Related U.S. Application Data

- (63) Continuation of application No. 29/930,179, filed on Feb. 28, 2024, now Pat. No. Des. 1,050,691, which is (Continued)
- (51) LOC (15) Cl. ...... 02-04
- (52) U.S. Cl. USPC ...... D2/939
- (58) Field of Classification Search

#### (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
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.

(Continued)

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#### (57) CLAIM

The ornamental design for a dual-sole shoe with color 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 dual-sole shoe with color outsole patch and contrasting upper, where the purple portions are indicated using the USPTO convention of dashed vertical lines for purple or violet (e.g., Pantone 228-Pantone 275, any one of Pantone 511-Pantone 531, any one of Pantone 663-Pantone 669, any one of Pantone 681-Pantone 690, Pantone 807, Pantone 813 or Pantone 814, any one of Pantone 2395-Pantone 2695, Pantone 2715, Pantone 2725, any one of Pantone 2735-Pantone 2746, any one of Pantone 5115-Pantone 5315, or any one of RAL 4001-RAL 4012);

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;

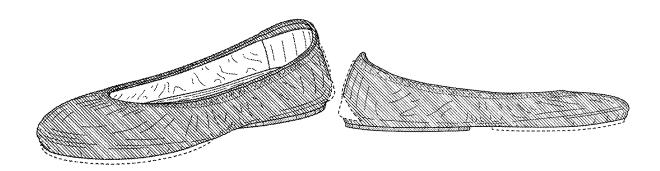
FIG. 5 is a bottom view of the design of FIG. 1;

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 front outsole, the half-moon patch, the stripe, and the groove in the above described Figures are understood to be unclaimed subject matter and form no part of the claimed design.

#### 1 Claim, 6 Drawing Sheets



#### Related U.S. Application Data

a continuation of application No. 29/879,174, filed on Jul. 3, 2023, now Pat. No. Des. 1,020,191, which is a continuation of application No. 29/828,755, filed on Feb. 28, 2022, now Pat. No. Des. 997,503, which is a continuation of application No. 29/743,751, filed on Jul. 23, 2020, now Pat. No. Des. 945,751, which is a continuation of application 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.

#### (52) U.S. Cl.

#### (58) Field of Classification Search

CPC ........... A43B 3/248; A43B 3/10; A43B 3/108; A43B 3/12; A43B 3/24; A43B 5/12; A43B 9/02; A43B 13/122; A43B 13/14; A43B 13/141; A43B 13/16; A43B 13/186; A43B 23/0245

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 Grosiean 1,650,466 A 11/1927 Righter 2,224,590 A 12/1940 Boivin 2,268,777 1/1942 Scholl D133,819 S 9/1942 Harris D135,791 S 6/1943 Beebe 2,323,563 A 7/1943 Frederick 2,342,882 A 2/1944 Meltzer D141,871 S 2,383,585 A 7/1945 Braun 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 Havoshi 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

2/1994 Schroer, Jr. et al. 5,282,326 A 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 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 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 Della Valle 9/2006 D529,513 S 10/2006 Aketa D531,790 S 11/2006 Wurzburg D534,341 S 1/2007 Choi Amado et al. D542.513 S 5/2007 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 Bellev 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 9/2011 8,020,320 B2 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. D672,550 S 12/2012 Gavrieli D672,552 S 12/2012 Gavrieli D676.634 S 2/2013 Gavrieli et al. D680,007 S 4/2013 Gavrieli

# US D1,088,437 S Page 3

(56)		Referen	ces Cite	ed		D782,167			Gavrieli
	U.S. 1	PATENT	DOCUI	MENTS		D790,336 D799,169	S	10/2017	Gavrieli Abramowitz
	D (01 00# 0	5/0010				D805,277 D812,867		12/2017	Gavrieli
	D681,927 S D681,928 S		Gavrieli Gavrieli			D812,868			Gavrieli
	D681,928 S		Gavrieli			D814,153			Gavrieli
	D683,936 S		Gavrieli			9,930,925			Gavrieli et al.
	8,468,723 B2		Malka-H			D818,684			Gavrieli
	D686,812 S		Gavrieli			D818,692 D819,313			Gavrieli Gavrieli
	8,510,975 B2 D688,853 S		Krikelis Gavrieli			D819,313			Gavrieli
	D688,854 S		Gavrieli			D819,940			Gavrieli
	D688,855 S		Gavrieli			D824,148			Gavrieli
	D689,270 S		Gavrieli			D824,149			Gavrieli Gavrieli
	D689,271 S		Gavrieli			D824,150 D824,655			Gavrieli
	D689,272 S D690,914 S	10/2013	Gavrieli Gavrieli			D824,656			Gavrieli
	D690,915 S	10/2013				D825,155			Gavrieli
	D696,500 S	12/2013				D825,156			Gavrieli
	D699,424 S	2/2014				D825,160 D826,524			Gavrieli Gavrieli
	8,661,714 B2		Sussmar			D820,324 D831,312		10/2018	
	D703,531 S 8,745,893 B2		Gavrieli Gavrieli			D837,495			Gavrieli
	8,973,287 B2		Shibata	ct ai.		D842,593	S		Gavrieli
	D730,025 S		Minden			D843,092			Gavrieli
	D730,635 S	6/2015				D843,093			Gavrieli
	9,167,862 B2 *				A43B 3/248	D843,094 D844,305			Gavrieli Gavrieli
	D747,595 S D749,829 S		Gavrieli Gavrieli			D844,312			Gavrieli
	D749,829 S D749,830 S		Gavrieli			D844,950		4/2019	Gavrieli
	D750,360 S		Gavrieli			D844,951			Gavrieli
	D750,361 S		Gavrieli			D846,240 D846,246			Gavrieli Gavrieli
	D750,872 S		Gavrieli			D846,258			Gavrieli
	D750,873 S D750,874 S		Gavrieli Gavrieli			D846,259			Gavrieli
	D751,278 S		Gavrieli			D846,844	S		Gavrieli
	D751,279 S		Gavrieli			D846,845			Gavrieli
	D751,872 S		Gavrieli			D846,846			Gavrieli Gavrieli
	D755,485 S		Gavrieli			D846,847 D846,848			Gavrieli
	D755,486 S D755,487 S		Gavrieli Gavrieli			D846,849			Gavrieli
	D755,488 S		Gavrieli			D846,860			Gavrieli
	D756,081 S		Gavrieli			10,258,121			Gavrieli
	D756,082 S		Gavrieli			D847,474 D847,476			Gavrieli Gavrieli
	D756,083 S D756,084 S		Gavrieli Gavrieli			D847,470 D851,872			Gavrieli
	D756,084 S D756,087 S		Gavrieli			D853,091			Gavrieli
	D757,407 S		Gavrieli			D853,092			Gavrieli
	D758,052 S		Gavrieli			D853,697			Gavrieli
	D758,053 S		Gavrieli			D853,698 D856,641		8/2019	Gavrieli
	D761,529 S D761.530 S		Gavrieli Gavrieli			D859,792			Subatella
	D761,530 S D761,531 S		Gavrieli			D868,433			Glickfield
	D761,532 S		Gavrieli			D869,828			El Rufaie
	D761,533 S		Gavrieli			D884,323			Gavrieli
	D761,534 S		Gavrieli			D885,018 D885,717			Gavrieli Radabaugh
	D761,535 S D761,536 S		Gavrieli Gavrieli			D886,421			Gavrieli
	D761,530 S		Gavrieli			D886,435			Gavrieli
	D761,538 S		Gavrieli			D888,380			Gavrieli
	D761,539 S		Gavrieli			D889,081 D889,785			Gavrieli Gavrieli
	D762,050 S		Gavrieli			D899,783			Gavrieli
	9,398,786 B2 D763,556 S		Gavrieli Gavrieli			D891,047			Gavrieli
	D763,557 S		Gavrieli			D901,148			Gavrieli
	D764,154 S	8/2016	Gavrieli			D901,858		11/2020	
	D771,919 S		Gavrieli			D901,859 D901,860		11/2020 11/2020	Gavrieli
	D771,920 S		Gavrieli			D901,860 D901,861		11/2020	
	D775,798 S D779,798 S		Gavrieli Gavrieli			D901,861			Gavrieli
	D779,799 S		Gavrieli			D901,863		11/2020	
	D779,800 S	2/2017	Gavrieli			D901,871	$\mathbf{S}$	11/2020	Gavrieli
	D779,801 S		Gavrieli			D902,544		11/2020	
	9,565,908 B2 *				. A45C 3/12	D903,279			Gavrieli
	D781,032 S		Gavrieli			D903,988		12/2020	
	D781,033 S D781,034 S		Gavrieli Gavrieli			D903,989 D905,385		12/2020 12/2020	
	D781,034 S		Gavrieli			D905,940		12/2020	
		2.2017				, . 10	-		***

## (56) References Cited

#### U.S. PATENT DOCUMENTS

D024 550 C	7/2021	Vamina
D924,550 S	7/2021	Kerrigan
11,071,342 B2	7/2021	Rola
D942,132 S	2/2022	Huang
D943,252 S	2/2022	Gavrieli
D943,876 S	2/2022	Gavrieli
D943,897 S	2/2022	Gavrieli
D945,128 S	3/2022	Gavrieli
D945,751 S	3/2022	Gavrieli
D949,526 S	4/2022	Martin
D967,620 S	10/2022	Gavrieli
D968,057 S	11/2022	Gavrieli
D968,778 S	11/2022	Gavrieli
D972,278 S	12/2022	Gavrieli
D1,009,421 S *	1/2024	Martin D2/896
D1,013,339 S *	2/2024	Gavrieli D2/939
D1,014,027 S *	2/2024	Gavrieli D2/939
D1,017,027 B		
D1,014,921 B	2/2024	Gavrieli D2/939
D1,015,696 S *	2/2024	Huang D2/925
D1,020,191 S *	4/2024	Gavrieli A43B 13/141
		D2/939
D1,033,820 S *	7/2024	Gavrieli A43B 13/16
21,000,020		D2/971
D1 041 826 S *	0/2024	
D1,041,826 S *	9/2024	
		D2/939
D1,043,063 S *	9/2024	Gavrieli A43B 13/122
		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
2006/0056506 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
2009/0203222 AT 2009/0272009 AT	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
2013/0039605 A1	2/2013	Gavrieli
2015/0089843 A1	4/2015	Gavrieli
2016/0029755 A1*	2/2016	Gavrieli A45C 3/00
2017/0119087 A1*	5/2017	Gavrieli A43B 3/10
2017/0295897 A1*	10/2017	Gavrieli A45C 13/1046
2018/0220733 A1*	8/2018	Gavrieli A43B 13/186
2019/0223567 A1*	7/2019	Gavrieli A45C 3/00
2021/0137210 A1*	5/2021	Gavrieli A43B 3/108

#### OTHER PUBLICATIONS

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, 2 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, 3 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, 2 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, 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.

A "Miss Cathie Reviews: The Yosi Samra Foldable Ballet Flat...," http://www.misscathie.com/2010/01/miss-cathie-reviews-the-vosi-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.

#### (56) References Cited

#### OTHER PUBLICATIONS

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-theyworth-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. Goncalez > Tieks by Gavriell," 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=AQD0vghWQPN\_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&sectionLoadingID=m\_timeline\_loading\_div\_1293868799\_1262332800\_8\_14&timeend=1293868799&timestart=1262332800&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/?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.Design U.S. Pat. No. 247,396, Mar. 7, 1978, William A. Schlerth,

2 pages. Design U.S. Pat. No. D611,693 S, Mar. 16, 2010, Barbara Schwartz,

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.

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:8, 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.

#### (56) References Cited

#### OTHER PUBLICATIONS

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 Metal-

Tieks by Gavrieli—Fashionable Flats That Fit in Your Purse Metallic Gold, https://web.archive.org/web/20100516173106/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.

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,

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

