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(12) **United States Design Patent** (10) **Patent No.:** **US D1,088,433 S**
Gavrieli (45) **Date of Patent:** **** Aug. 19, 2025**

(54) **OPEN TOE SHOE WITH HEEL AND OUTSOLE PATCH**

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(51) **LOC (15) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/925**

(58) **Field of Classification Search**

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CPC A43B 3/12; A43B 23/0245; A43B 13/14;
A43B 3/24; A43B 13/122; A43B 13/141;
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See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D149,073 S 3/1948 Levin
D170,015 S 7/1953 Ferragamo
D259,822 S 7/1981 Melzi
D292,240 S 10/1987 Famolare

D378,160 S 2/1997 Wells
D378,548 S 3/1997 Harman, II
D428,549 S 7/2000 Ruffin
D452,605 S 1/2002 Jacobs
D452,772 S 1/2002 Jacobs
(Continued)

FOREIGN PATENT DOCUMENTS

AU 202111319 5/2021
AU 202112720 5/2021
(Continued)

OTHER PUBLICATIONS

Fashion Daily News (HB1601689400), Nov. 5, 2004, Published by: Boutiques International, Dessous Mode International, 4 pages.

(Continued)

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(57) **CLAIM**

The ornamental design for an open toe shoe with heel and outsole patch as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of an embodiment of my new design of an open toe shoe with heel and outsole patch; FIG. 2 is a front view of the design of FIG. 1; FIG. 3 is a back view of the design of FIG. 1; FIG. 4 is a first side view of the design of FIG. 1; FIG. 5 is a second side view of the design of FIG. 1; FIG. 6 is a top view of the design of FIG. 1; and, FIG. 7 is a bottom view of the design of FIG. 1. The broken lines illustrate features of the open toe shoe with heel and outsole patch that form no part of the claimed design.

1 Claim, 7 Drawing Sheets



(56)

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

D455,249 S 4/2002 Jacobs
D461,626 S 8/2002 Hisamatsu
D498,039 S 11/2004 Choi
D500,916 S * 1/2005 Choi D2/971
D501,074 S 1/2005 Kelsey
D501,075 S 1/2005 Choi
D501,983 S 2/2005 Choi
D512,209 S 12/2005 Choi
D515,789 S 2/2006 Choi
D519,268 S 4/2006 Choi
D522,726 S 6/2006 Choi
D523,613 S 6/2006 Weitzman
D526,769 S 8/2006 Choi
D527,881 S 9/2006 Choi
D528,272 S 9/2006 Kelsey
D529,268 S 10/2006 Choi
D530,495 S 10/2006 Choi
D531,791 S 11/2006 Choi
D536,864 S 2/2007 Choi
D538,026 S 3/2007 Choi
D554,351 S 11/2007 Guers-Neyraud
D554,353 S 11/2007 Guers-Neyraud
D556,981 S 12/2007 Choi
D558,961 S 1/2008 Wilkinson
D561,459 S 2/2008 Weitzman
D568,033 S 5/2008 Choi
D581,648 S 12/2008 Guers-Neyraud
D582,141 S 12/2008 Lawler
D582,144 S 12/2008 Guers-Neyraud
D582,637 S 12/2008 Guers-Neyraud
D582,657 S 12/2008 Guers-Neyraud
D582,989 S 12/2008 Guers-Neyraud
D584,890 S 1/2009 Guers-Neyraud
D594,637 S 6/2009 Van Hulle
D601,787 S 10/2009 Guers-Neyraud
D605,393 S 12/2009 Choi
D629,595 S 12/2010 Weitzman
D645,236 S 9/2011 McClaskie
D666,802 S 9/2012 Issler
D675,813 S 2/2013 Hayashi
D676,638 S 2/2013 McGrath
D689,269 S 9/2013 LaRusso
D711,634 S 8/2014 LaRusso
D728,211 S 5/2015 Kirkwood
D734,003 S 7/2015 Sassi
D734,004 S 7/2015 Slimane
D734,599 S 7/2015 Louboutin
D735,451 S 8/2015 Guers-Neyraud
D735,981 S 8/2015 Louboutin
D735,984 S 8/2015 Guers-Neyraud
D737,560 S 9/2015 Sassi
D738,074 S 9/2015 Hardy
D739,127 S 9/2015 Frisoni
D754,955 S 5/2016 Guichot
D756,615 S 5/2016 Larusso
D765,371 S 9/2016 Tstensen
D770,738 S 11/2016 Choi
D772,544 S 11/2016 Slimane
D779,796 S 2/2017 Sassi
D794,286 S 8/2017 Osorio
D794,925 S 8/2017 Casadei
D798,034 S 9/2017 Slimane
D802,265 S 11/2017 Kirkwood
D805,278 S 12/2017 Dunbar
D818,680 S 5/2018 Mitchell
D827,993 S 9/2018 Sassi
D852,473 S * 7/2019 Sassi D2/932
D866,131 S 11/2019 Andrews
D878,738 S 3/2020 Wright
D880,821 S 4/2020 Vaccarello
D889,083 S 7/2020 Gvasalia
D893,139 S 8/2020 Felloni
D893,141 S 8/2020 Felloni
D893,839 S 8/2020 Mokos
D894,547 S 9/2020 Sassi

D895,941 S 9/2020 Patt et al.
D895,942 S 9/2020 Patt
D895,944 S 9/2020 Patt
D896,481 S 9/2020 Patt
D896,482 S 9/2020 Patt
D896,483 S 9/2020 Patt et al.
D942,131 S 2/2022 Huang
D943,872 S 2/2022 Sassi
D943,874 S 2/2022 Venturini Fendi
D948,179 S 4/2022 Vaccarello
D950,207 S 5/2022 Gavrieli
D950,275 S 5/2022 Gavrieli
D957,796 S 7/2022 Chung
D981,089 S * 3/2023 Gavrieli D2/925
D981,090 S 3/2023 Gavrieli
D982,293 S 4/2023 Gavrieli
D986,547 S 5/2023 Gavrieli
D987,244 S 5/2023 Gavrieli
D988,651 S 6/2023 Gavrieli
D988,652 S 6/2023 Gavrieli
D989,454 S 6/2023 Gavrieli
D989,455 S 6/2023 Gavrieli
D989,456 S * 6/2023 Gavrieli D2/925
D1,010,291 S * 1/2024 Gavrieli D2/925
D1,013,337 S * 2/2024 Gavrieli D2/925
D1,013,338 S * 2/2024 Gavrieli D2/925
D1,014,023 S * 2/2024 Gavrieli D2/925
D1,014,024 S * 2/2024 Gavrieli D2/925
D1,014,026 S * 2/2024 Gavrieli D2/925
D1,014,920 S * 2/2024 Gavrieli D2/925
D1,029,468 S * 6/2024 Gavrieli D2/925
D1,033,814 S * 7/2024 Rossi D2/925
2018/0368522 A1 12/2018 Roth
2020/0359732 A1 11/2020 Luna

FOREIGN PATENT DOCUMENTS

AU 202113034 9/2021
AU 202113974 9/2021
AU 202115180 9/2021
AU 202115319 9/2021
CN 304295296 9/2017
CN 304377663 S 12/2017
CN 304550824 3/2018
CN 304994952 S 1/2019
CN 306096029 S 10/2020
CN 306100252 S 10/2020
CN 306233916 S 12/2020
JP 1708617 3/2022
JP 1708676 3/2022
KR 3007395390000 4/2014
KR 3007762740000 12/2014
KR 3008711800000 9/2016
KR DM/101981-001 10/2018
KR 30-1031853 S 11/2019
KR 30-1038059 S 12/2019
KR 3010720830000 8/2020
TH 56041 4/2003

OTHER PUBLICATIONS

Publication material No. HA1401540100, published Sep. 7, 2002, 3 pages.
Harper's Bazaar, publication material No. HA3000204800, 2018, Hearst Magazines, 4 pages.
Publication material No. HJ2702691700, B510, Gianvito Rossi | Suede pumps, 2015, <http://www.net-a-porter.com/jp/en/product/569493>, 3 pages.
Nordstrom's Website Stuart Weitzman Linsi 75 Pump, Reviewed Dec. 26, 2021, Viewed Oct. 4, 2022, Available at URL <https://www.nordstrom.com/s/stuart-weitzman-linsi-75-pump-women/64906107> (2021) (Year: 2021).
Nordstrom Prada Pointed Toe Pump Reviewed Nov. 25, 2018, Viewed Oct. 4, 2022, Available at URL <https://www.nordstrom.com/s/prada-pointed-toe-pump-women/5151259?> (2018) (Year: 2018).
Salvatore Ferragamo Ilary Pumps Available on website Oct. 4, 2022. Viewed Oct. 4, 2022 Available at URL <https://www.ferragamo.com/shop/us/en/women/shoes/pumps/ilary-70-753921> (2022) (Year: 2022).

(56)

References Cited**OTHER PUBLICATIONS**

Amazon Castamere High Heel Slip On Pumps First Available Nov. 18, 2019. Viewed Oct. 4, 2022 Available at URL <https://www.amazon.com/Castamere-Heels-Womens-Pointed-Toe-Stiletto/dp/B08GJMBLP7?th=1> (2019) (Year: 2019).

YouTube Review Cole Haan Grand Ambition Heels Review date Jul. 14, 2020. Viewed Oct. 11, 2022. Available at URL <https://www.youtube.com/watch?v=nvn86GfMmWs> (2020) (Year: 2020), sampled every 3.4 seconds.

Zappos Listing Cole Haan Grand Ambition Pump (75 mm) Reviewed on website May 29, 2020. Viewed Oct. 11, 2022. Available at URL <https://www.zappos.com/p/cole-haan-grand-ambition-pump-75-mm-morel-suede/product/9349127/color/719776> (2020) (Year: 2020).

YouTube Unboxing Video for “Legend” pump shoe titled ‘Stuart Weitzman Legend Pumps Review and Unboxing’ Posted on Feb. 18, 2020. Available at URL <http://www.youtube.com/watch?v=VWfCkbkAiZI> (2020) (Year: 2020), sampled every 3.3 seconds.

Meghan Markle Fashion Blog “Dress Like A Duchess” with mention and photo of Stuart Weitzman “Legend” pump. Post dated Oct. 16, 2018. Viewed Oct. 11, 2022. Available at URL <https://dresslikeaduchess.com/2018/10/the-duchess-of-sussex-in-ivory-for-first-day-of-royal-tour/> (2018) (Year: 2018).

Sam Edelman, Bloomingdales.com, [online], [site visited Aug. 16, 2022]. <URL: <https://www.bloomingdales.com/shop/product/sam-edelman-womens-hazel-pointed-toe-high-heel-pumps?ID=3145082&CategoryID=17397>> (Year: 2022).

Nine West Women’s Tatiana Dress Pump, Amazon.com, Date First Available: Oct. 30, 2013, [online], [site visited Aug. 16, 2022]. <URL: https://www.amazon.com/Nine-West-Womens-Tatiana-Natural/dp/B00E0EU1O2/ref=sr_1_12?keywords=high+heels&qid=1660660673&sr=8-12> (Year: 2013).

D’Angelo, Francesca “Standing Tall, The Stiletto heel as Material Memory: A Contemporary Cross-Cultural Look at Perceptions of the Stiletto Heel”, A Dissertation submitted to the Faculty of Graduate Studies, Graduate Program in Humanities, York University, Toronto, Ontario, 2016, pp. 330.

Gallagher, Jacob How Ugly Shoes Won (and Why They Keep Getting Uglier), Enchantingly Weird Shoes, Aug. 21, 2021, pp. 10.

Sears 1940 Fall Winter Catalog, accessed from christmas.musetechnical.com/ShowCatalogPage/1940-Sears-Fall-Winter-Catalog/0223, Feb. 14, 2022, p. 223.

“Cole Haan Shoe” <https://www.colehaan.com/grand-ambition-pump-black-leather/W15828.html>, 6 pages, Accessed: Sep. 9, 2019.

“Taryn Rose Shoe” https://www.saksoff5th.com/product/taryn-rose-tess-stretch-mesh-pumps-0400011168473.html?site_refer=CSE_GGLPLA:WomensShoes:Taryn+Rose&CSE_CID=G_Off+5th_PLA_Women%27s+Shoes:Heels-%26+Pumos&gclid=CjwKCAiw74b7BRA_EiwAF8yHFCPoBIFVX-ihozGaJ3aiKCTNFuxO-_fXFW_eaxNDmxZ9Zif5rwCUhoCK0QQAvD_BwE&gclid=aw_ds, 4 pages, Accessed: Sep. 9, 2019.

“Ted Baker Shoe” <https://www.nordstrom.com/s/ted-baker-london-melns-pointed-toe-pump-women/5322463>, 5 pages, Accessed: Sep. 9, 2019.

Stiletto Heels Styles 2019 | Latest High Heels Styles | The Trendy Fashionista, Jul. 14, 2019, <https://www.youtube.com/watch?v=KBVa5ihSMMk>, Accessed Feb. 26, 2021, sampled approximately every 4 seconds.

My High Heel Collection! Try-On!, May 22, 2019 <https://www.youtube.com/watch?v=V04qAFAR8IO&t=101s>, accessed Mar. 3, 2021, sampled approximately every 4 seconds.

My High Heels collection, every time more&more, Jul. 28, 2013, <https://www.youtube.com/watch?v=cLvOex-cGYA>, accessed Mar. 3, 2021, sampled approximately every 4 seconds.

High Heel Shoe Collection—Try On | Sherlina NYM, Dec. 17, 2017, https://www.youtube.com/watch?v=ImetyG_xyi8, accessed Mar. 3, 2021, sampled approximately every 4 seconds.

Stylish High Heel Shoe Collection || Footwear, Apr. 14, 2019, <https://www.youtube.com/watch?v=7lOL6XQ-UGQ>, accessed Mar. 3, 2021, sampled approximately every 4 seconds.

Designer Shoes Collection! (Louboutin, Jimmy Choo, Gianvito Rossi, Giuseppe Zanotti, Balmain), Mar. 3, 2018, <https://www.youtube.com/watch?v=C4H23zmejoc>, accessed Mar. 4, 2021, sampled approximately every 4 seconds.

Top 5 most comfortable Designer Heels for wide feet | Louboutin heels, Hermes wedges etc, Nov. 27, 2018, <https://www.youtube.com/watch?v=niLW7Yxqfw>, accessed Mar. 4, 2021, sampled approximately every 4 seconds.

* cited by examiner



Figure 1

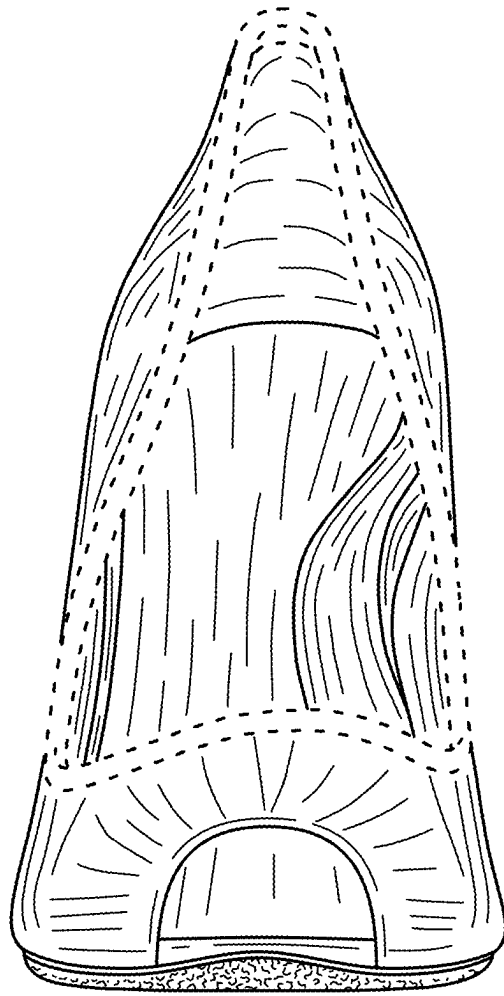


Figure 2

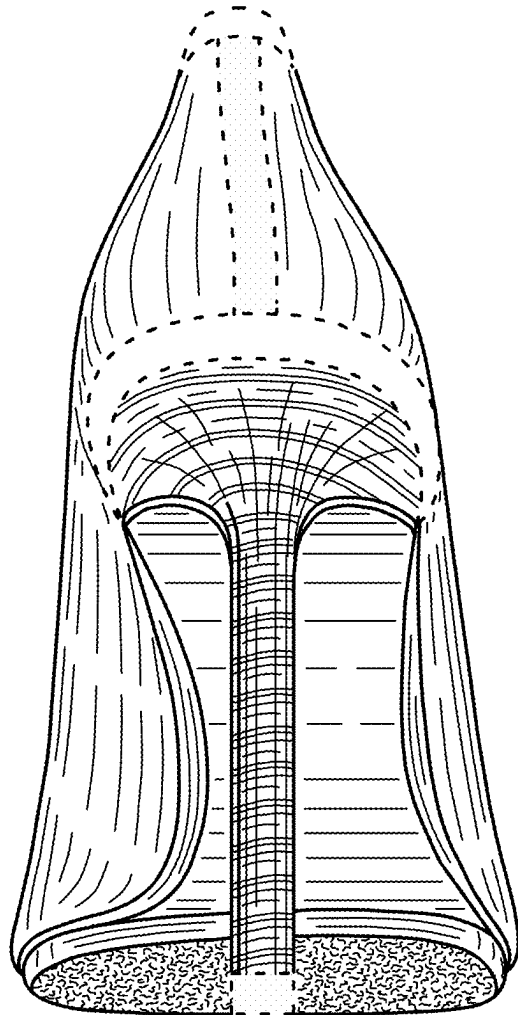


Figure 3

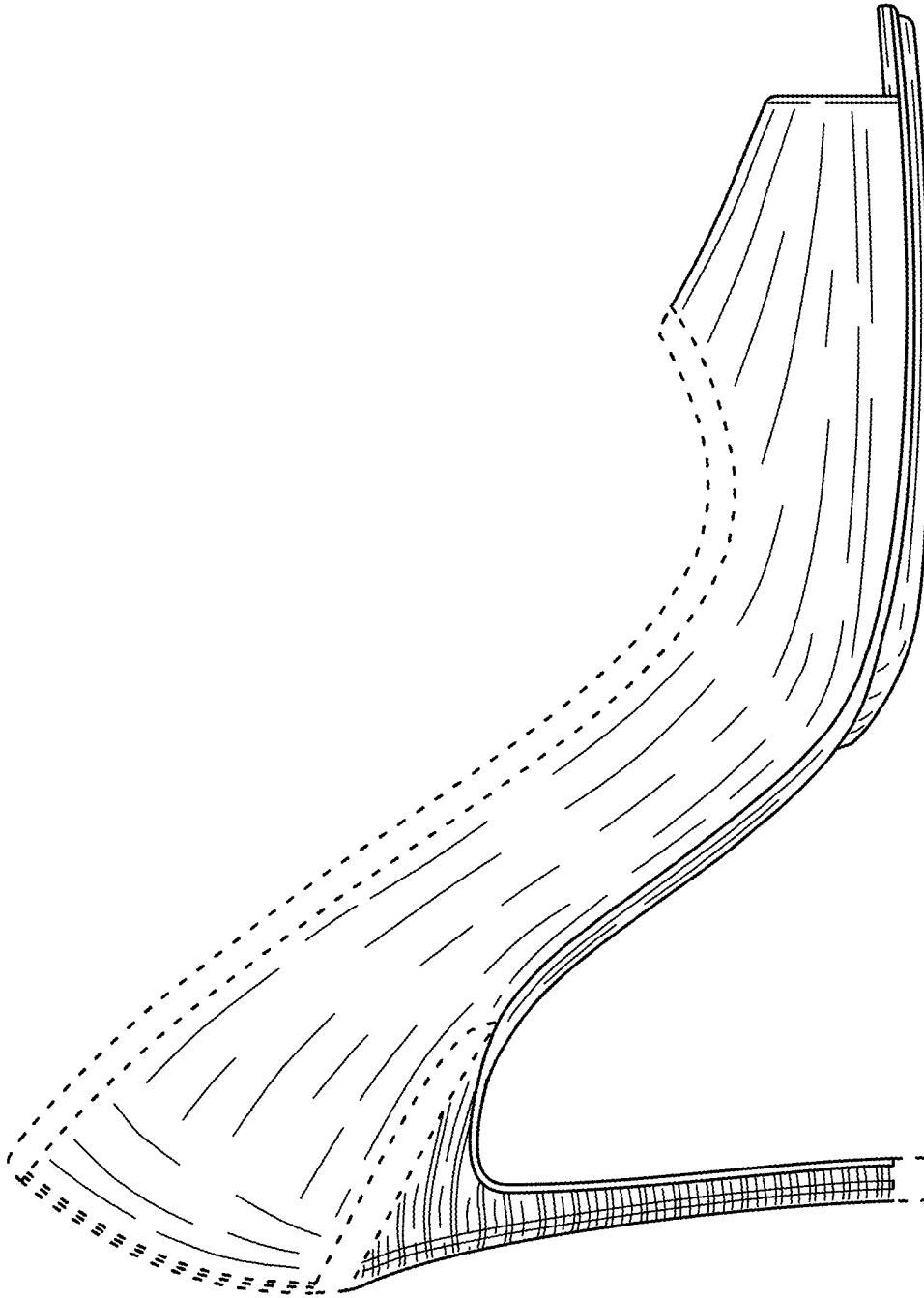


Figure 4

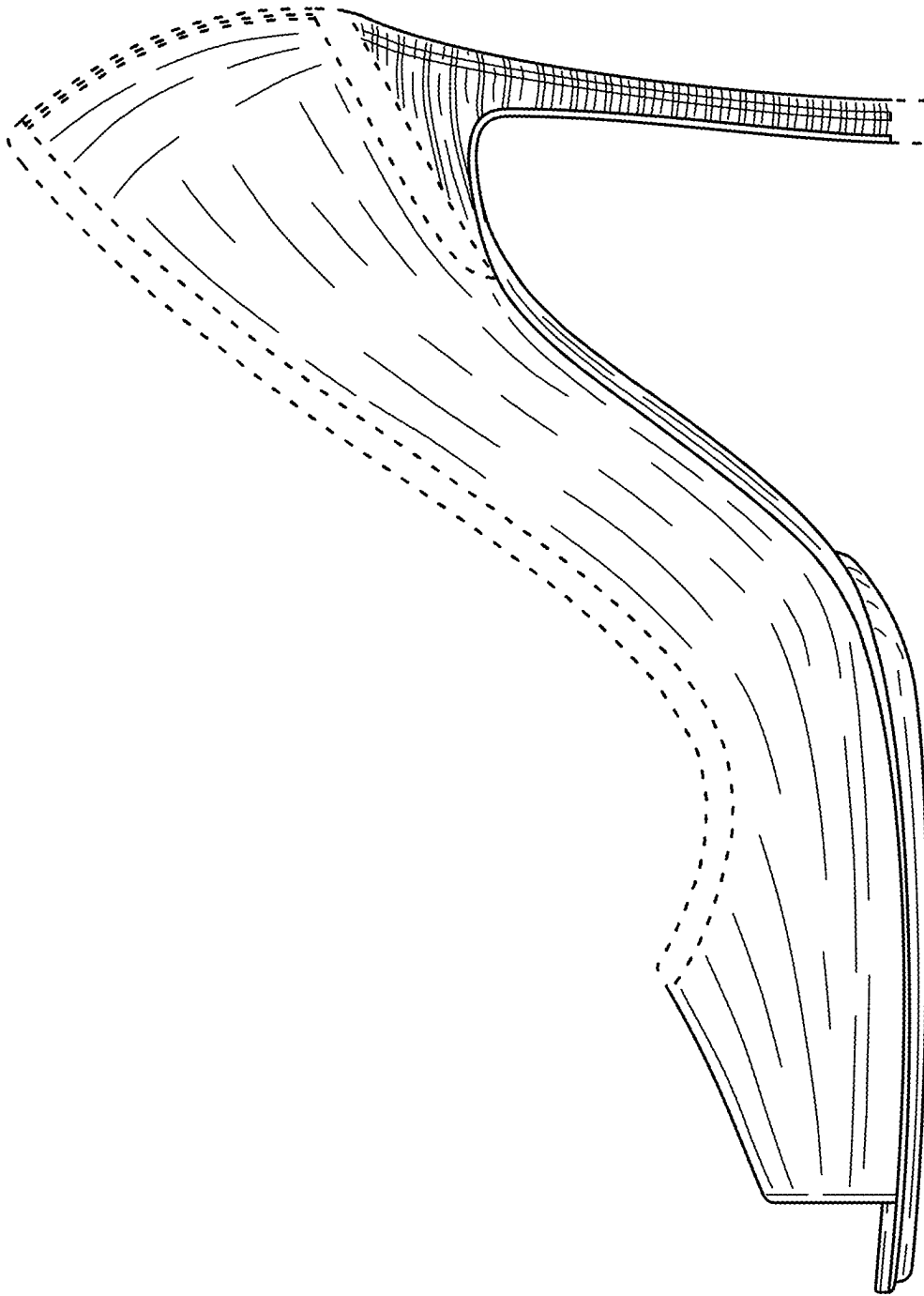


Figure 5

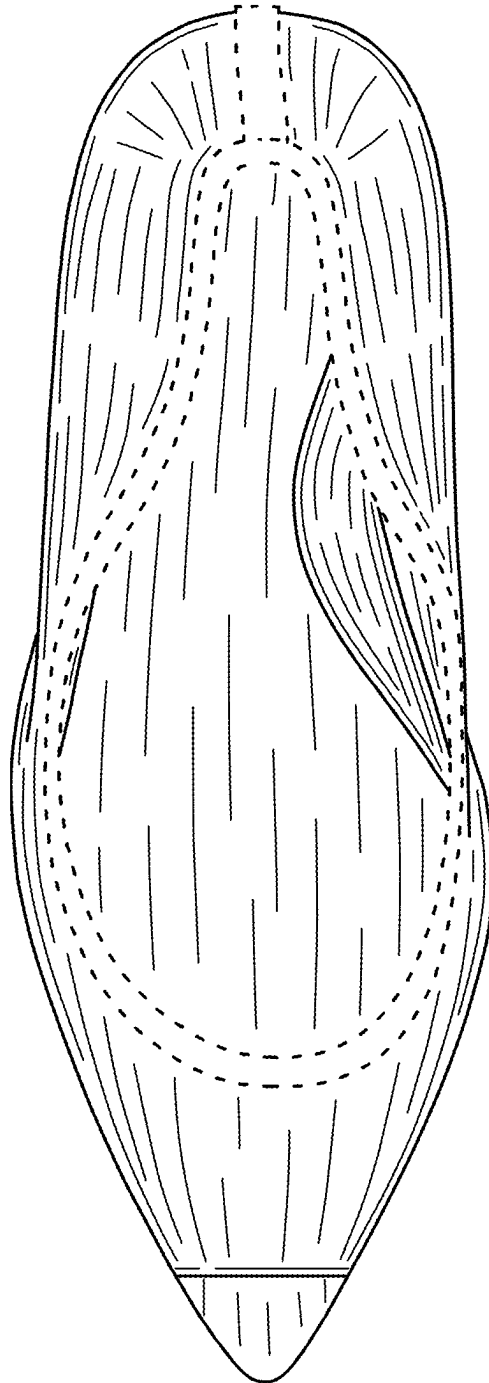


Figure 6

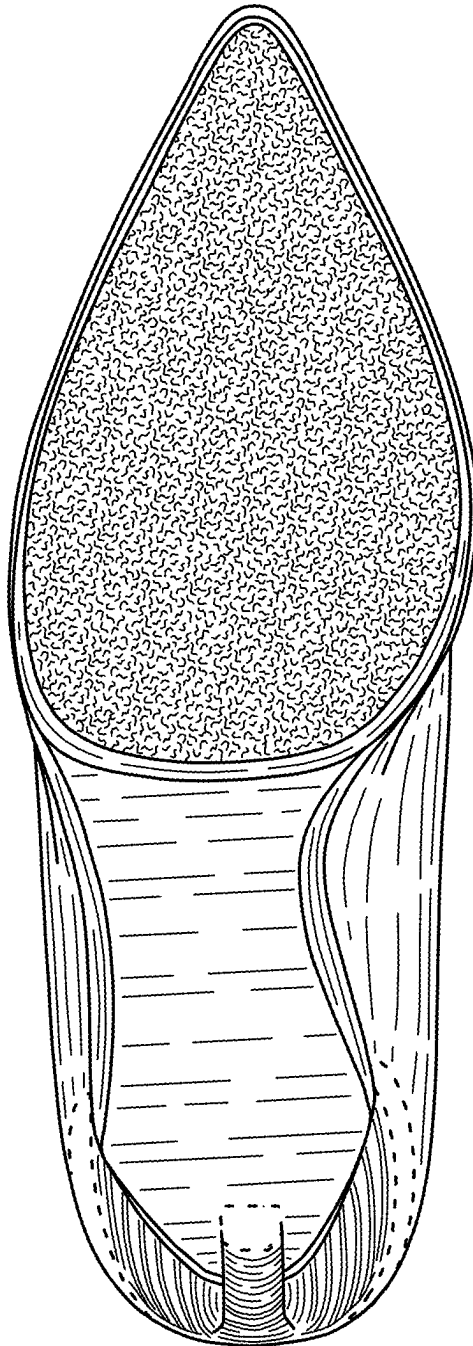


Figure 7