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(12) **United States Design Patent**
Blakely et al.

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- (54) **SHOE**
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- (**) Term: **15 Years**
- (21) Appl. No.: **29/911,193**
- (22) Filed: **Aug. 30, 2023**

2,900,743 A 8/1959 Levine
 2,928,192 A 3/1960 Green
 3,039,207 A 6/1962 Harry
 (Continued)

FOREIGN PATENT DOCUMENTS

BX 35575-006 12/2007
 CA 11238 11/1936
 (Continued)

OTHER PUBLICATIONS

Instagram account @sneex viewed Nov. 30, 2023. Available at URL <https://www.instagram.com/sneex/> (2023) (Year: 2023).*
 (Continued)

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Related U.S. Application Data

- (62) Division of application No. 29/843,938, filed on Jun. 24, 2022, now Pat. No. Des. 1,000,795.
- (51) **LOC (14) Cl.** **02-04**
- (52) **U.S. Cl.**
 USPC **D2/950**; D2/925; D2/939
- (58) **Field of Classification Search**
 USPC D2/896, 909, 918, 922, 925, 926, 929, D2/930, 935, 936, 939, 947, 949, 950, D2/951, 953, 960, 964, 965, 966, 968
 CPC A43B 5/002; A43B 5/06; A43B 13/00; A43B 13/28; A43B 13/37; A43B 13/02; A43B 13/125; A43B 21/00
 See application file for complete search history.

(57) **CLAIM**

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

DESCRIPTION

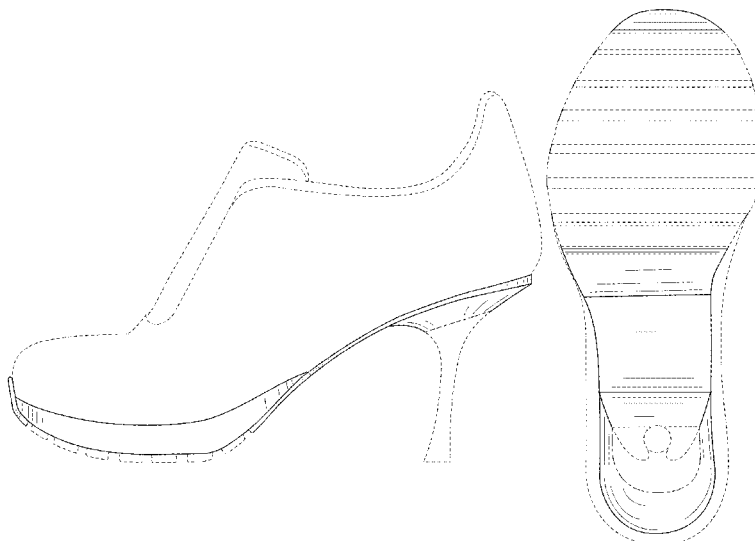
FIG. 1 is a front, right-side perspective view of our new design.
 FIG. 2 is a right-side view thereof.
 FIG. 3 is a left-side view thereof.
 FIG. 4 is a top view thereof.
 FIG. 5 is a bottom view thereof.
 FIG. 6 is a front view thereof; and,
 FIG. 7 is a rear view thereof.
 The broken lines consisting of dot-dash lines in the drawings are boundary lines that show that the claimed design extends to the boundary line but does not include the boundary line. The remaining portions of the shoe rendered in short broken lines form no part of the claim.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,528,782 A 3/1925 Perry
 2,139,885 A 12/1938 De Gironimo
 2,200,579 A 5/1940 Marshall
 2,408,214 A 9/1946 Husted
 2,465,817 A 3/1949 Perugia

1 Claim, 7 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D194,204 S 12/1962 Treicher et al.
 3,170,249 A 2/1965 Taicher
 D105,727 S 8/1973 Stuart
 4,183,156 A 1/1980 Rudy
 4,219,945 A 9/1980 Rudy
 D282,121 S 1/1986 Kamali
 4,936,029 A 6/1990 Rudy
 D312,166 S 11/1990 Smith
 5,042,176 A 8/1991 Rudy
 D333,549 S 3/1993 Schoening, Jr.
 D347,099 S 5/1994 Nelson
 5,373,650 A 12/1994 Dananberg et al.
 D355,524 S 2/1995 Hatfield
 D374,553 S 10/1996 Throneburg
 5,713,141 A 2/1998 Mitchell et al.
 5,782,015 A 7/1998 Dananberg
 5,952,065 A 9/1999 Mitchell et al.
 6,013,340 A 1/2000 Bonk et al.
 6,082,025 A 7/2000 Bonk et al.
 6,127,026 A 10/2000 Bonk et al.
 6,203,868 B1 3/2001 Bonk et al.
 6,321,465 B1 11/2001 Bonk et al.
 6,745,498 B2 6/2004 LaDuca
 D496,776 S 10/2004 Wu
 7,062,866 B2 6/2006 Bussler
 D531,785 S 11/2006 Choi
 7,140,125 B2 11/2006 Singleton et al.
 7,347,011 B2 3/2008 Dua et al.
 D578,286 S 10/2008 Hogan
 D581,144 S 11/2008 Smith
 D593,742 S 6/2009 Issler
 7,594,346 B2 9/2009 Dananberg
 7,665,229 B2 2/2010 Kilgore et al.
 7,735,240 B2 6/2010 Lee
 D625,499 S 10/2010 Della Valle et al.
 7,814,688 B2 10/2010 Dananberg
 D634,106 S 3/2011 Davidson
 D634,921 S 3/2011 Davidson
 7,941,941 B2 5/2011 Hazenberg et al.
 D661,070 S 6/2012 Valle et al.
 D665,979 S 8/2012 Zappiello
 8,246,881 B2 8/2012 Maranan et al.
 D672,540 S 12/2012 Lagerfeld
 D672,541 S 12/2012 Lagerfeld
 8,421,822 B2 4/2013 Odland et al.
 8,516,717 B2 8/2013 Bonilla-Espada
 8,563,020 B2 10/2013 Uhlmann et al.
 D697,703 S 1/2014 Della Valle et al.
 D715,524 S 10/2014 Silverman
 D716,536 S 11/2014 Silverman
 D728,917 S 5/2015 Spring
 D740,006 S 10/2015 Silverman
 D746,562 S 1/2016 Babcock
 D750,875 S 3/2016 Della Valle et al.
 D751,800 S 3/2016 Silverman
 D753,379 S 4/2016 Silverman
 D753,380 S 4/2016 Silverman
 D754,424 S 4/2016 Spring
 D756,089 S 5/2016 Silverman
 9,510,647 B1 12/2016 Singh et al.
 9,538,812 B2 1/2017 Torrance et al.
 9,554,621 B2 1/2017 Truelsen
 9,717,304 B2 8/2017 Bernhard
 10,165,821 B2 1/2019 Truelsen
 10,244,813 B2 4/2019 Mitchell
 10,271,612 B2 4/2019 Zake
 10,390,587 B2 4/2019 Hughes et al.
 10,524,532 B2 1/2020 Alan et al.
 D874,117 S 2/2020 Dunbar
 10,624,416 B2 4/2020 Mitchell
 10,721,992 B2 7/2020 Bernhard et al.
 10,932,528 B2 3/2021 Bruce et al.
 D942,131 S 2/2022 Huang
 D943,261 S 2/2022 Viti
 D943,869 S 2/2022 Venturini Fendi

11,311,075 B2 4/2022 Dong et al.
 D950,914 S 5/2022 Cristobal
 D974,721 S 1/2023 Cristobal
 D974,722 S 1/2023 Cristobal
 D976,540 S 1/2023 Qu
 D982,304 S 4/2023 Blakely et al.
 D990,124 S 6/2023 Brammer
 D990,133 S 6/2023 Brammer
 D995,054 S * 8/2023 Huang D2/930
 D996,001 S * 8/2023 Huang D2/925
 D996,788 S * 8/2023 Huang D2/925
 D997,501 S * 9/2023 Gavrieli D2/925
 D999,493 S * 9/2023 Huang D2/971
 D1,000,759 S * 10/2023 Sullivan D2/964
 D1,000,773 S * 10/2023 Blakely D2/939
 D1,000,774 S * 10/2023 Blakely D2/939
 D1,000,795 S * 10/2023 Blakely D2/939
 D1,000,808 S * 10/2023 Rocha D2/939
 D1,002,162 S * 10/2023 Gvasalia D2/940
 2005/0108897 A1 5/2005 Aveni
 2006/0101670 A1 5/2006 Bucalo
 2011/0203135 A1 8/2011 DelCielo
 2015/0027002 A1 1/2015 Elliott
 2015/0250262 A1 9/2015 Khaitan et al.
 2016/0021971 A1 1/2016 Carver
 2017/0318899 A1 11/2017 Hendrix et al.
 2017/0332733 A1 11/2017 Cluckers et al.
 2018/0020772 A1 1/2018 Mitchell
 2019/0082777 A1 3/2019 Adami et al.
 2019/0365029 A1 12/2019 Cross et al.
 2020/0015547 A1 1/2020 Kay
 2020/0128909 A1 4/2020 Hay
 2020/0178649 A1 6/2020 Singleton
 2022/0287409 A1 9/2022 Knapp

FOREIGN PATENT DOCUMENTS

CN 1394763 2/2003
 CN 103150099 6/2013
 CN 303686775 S 6/2016
 CN 205492761 8/2016
 CN 304052795 2/2017
 CN 304084620 3/2017
 CN 304092115 4/2017
 CN 304098778 4/2017
 CN 304204773 7/2017
 CN 304478657 1/2018
 CN 207784417 8/2018
 CN 109717543 5/2019
 CN 111280605 6/2020
 CN 306000217 S 8/2020
 CN 306247049 12/2020
 DE 102004031094 1/2006
 EP 3672439 5/2022
 GB 276429 8/1927
 GB 2544606 A 5/2017
 HU 88466-0001 7/2000
 JP 2020110631 7/2020
 JP 3228641 U 11/2020
 KR 300594353.0000 3/2011
 KR 3005920060000 3/2011
 KR 300647007.0000 5/2012
 KR 300677638.0000 1/2013
 KR 300760919.0000 9/2014
 KR 300891610.0000 1/2017
 KR 3010251950000 9/2019
 RU 00084309 2/2013
 WO 1998/014083 4/1998
 WO 2013190832 12/2013
 WO 2020/207549 10/2020

OTHER PUBLICATIONS

Board-Listed vs. Strobel Constructions. Understanding The Differences. Aug. 2, 2021. <https://www.stories.koio.com/blog/board-vs-strobel-constructions>.
 Branthwaite, Helen, Nachiappan Chockalingam, and Andrew Greenhalgh. "The effect of shoe toe box shape and volume on

(56)

References Cited

OTHER PUBLICATIONS

- forefoot interdigital and plantar pressures in healthy females.” *Journal of foot and ankle research* 6.1 (2013), 6:28.
- Cong, Y, et al., Regional plantar foot pressure distributions on high-heeled shoes—shank curve effects. *Acta Mech. Sin.* (2011) 27(6):1091-1097. DOI 10.1007/s10409-011-0525-x.
- Corey Buhay, What soles are made of: Your guide to footwear tech lingo <https://www.outsidebusinessjournal.com/issues/education/what-soles-are-made-of-your-guide-to-footwear-tech-lingo/> Sep. 30, 2015.
- Ebbeling, Christine J., Joseph Hamill, and Jill A. Crussemeyer. “Lower extremity mechanics and energy cost of walking in high-heeled shoes.” *Journal of Orthopaedic & Sports Physical Therapy* 19.4 (1994): 190-196.
- Goonetilleke S. Ravindra, *The Science of Footwear*. 2012. Book. High-Heeled Shoes Definition (apparelsearch.com) Oct. 20, 2006. https://www.apparelsearch.com/definitions/footwear/high_heelled_shoes.htm.
- Lecom Health. *The Real Harm in High Heels* <https://lecomhealth.com/the-real-harm-in-high-heels/>.
- Liana Satenstein, *The Fusion Heel-Sneaker Might Be Coming to a Closet Near You*. Oct. 2, 2019.
- Markham Heid, *These Are the Healthiest Shoes To Wear, According to Scientists*. May 30, 2018. <https://time.com/5294580/healthy-shoes-footwear/>.
- Melvin, J.M.A, *The Effects of Heel Height, Shoe Volume and Upper Stiffness on Shoe Comfort and Plantar Pressure*. Thesis. Feb. 2015. 362 pages.
- Michoński, Jakub, et al. “Decreased vertical trunk inclination angle and pelvic inclination as the result of mid-high-heeled footwear on static posture parameters in asymptomatic young adult women.” *International journal of environmental research and public health* 16.22 (2019): 4556.
- Shakoor, et al., *Effects of Common Footwear on joint loading in Osteoarthritis of the knee*. *Arthritis Care & Res.* 62.7. 2010, pp. 917-923. <https://onlinelibrary.wiley.com/doi/full/10.1002/acr.20165>.
- Shaping a sensation: *The On Speedboard*. <https://www.on-running.com/en-us/articles/shaping-a-sensation-the-on-speedboard>.
- Shoe Last [Definitive Guide in 2022], Aug. 28, 2019. *What is a Shoe Last? Shoe Last [Definitive Guide in 2022]* (shoemakingcoursesonline.com).
- Spekknijder M. Caroline, et al., *The higher the heel the higher the forefoot-pressure in ten healthy women*. *The Foot* 15 (2005) 17-21.
- Kletina, S., *Stacked Heel: How to Make Heels*. Dec. 3, 2018 *How To Make Heels and Heel Height Calculation* (shoemakingcoursesonline.com).
- Sterling Last Corporation 1932-1982, Booklet. Aug. 25, 182. 36 pages.
- Witana, C.P et al., *Footbedshapes for enhanced footwear comfort*, *Ergonomics*, 2009, 1-12. DOI: 10.1080/00140130802419503.
- Yu Jia, *Development of A Computational Foot Model for Biomechanical Evaluation of High-Heeled Shoe Designs*. Jan. 2009. Thesis. 215 pages.
- Miaomiao Xu, et al., *Foot Morphology in Chinese School Children Varies by Sex and Age*. *Med Sci Monit*, 2018; 24: 4536-4546.
- Ameersing Luximon, et al., *Shoe-last design innovation for better shoe fitting*. *Computers in Industry* 60 (2009) 621-628.
- Mat LaBarge, *Metatarsalgia. Get Relief from Metatarsalgia*, posted on-line 2016. <https://www.happyfeet.com/blog/metatarsalgia/>.
- European Union Registered Community Design No. 001543158-0001 to Segev Davidson (“Davidson III”) Filing date Oct. 6, 2009.
- European Union Registered Community Design No. 001698549-0002 to Tod’s S.P.A. (“Tod’s I”) Filing date Apr. 22, 2010.
- European Union Registered Community Design No. 001543265-0001 to Segev Davidson (“Davidson IV”) Filing date Oct. 6, 2009.
- European Union Registered Community Design No. EU002052753-0006 to Tod’s S.P.A. (“Tod’s II”) Filing date May 6, 2012.
- European Union Registered Community Design No. EU002180224-0004 to Shoe.com GmbH & Co. KG (“Shoe.com I”) Filing date Jul. 2, 2013.
- European Union Registered Community Design No. 002073791-0002 to Candice Cooper AG (“Candice Cooper”) Filing date Jul. 2, 2013.
- European Union Registered Community Design No. 001863986-0003 to Karl Lagerfeld (“Lagerfeld II”) Filing date May 16, 2011.
- European Union Registered Community Design No. 002671016-0046 to Gabor ShoeAktiengesellschaft (“Gabor Shoes”) Filing date Mar. 27, 2015.
- European Union Registered Community Design No. 001807215-0079 to Kennel & Schmenger Schuhfabrik GmbH (“Kennel”) Filing date Jan. 18, 2011.
- International Registration No. DM/077 689 Filing date Nov. 14, 2011.
- International Registration No. DM/081 401 Filing date Jul. 24, 2013.
- Denim look high heel sneakers are new for 2017 URL: <http://highheelsdaily.com/2017/01/22/denim-look-high-heel-sneakers-are-new-for-2017/> Accessed Date: Jan. 12, 2020.
- Finally, a high heel sneaker that isn’t a fake nike URL: <http://highheelsdaily.com/2013/05/25/finally-a-high-heel-sneaker-that-isnt-a-fake-nike/> Accessed Date: Jan. 12, 2020.
- Nike high heels shoes—real or fake? URL: <https://visualhunt.com/nike-high-heels-shoes-real-or-fake> Published Date: May 5, 2020.
- HC high heel sneakers black and white low top stiletto 4.5 inch heel regular width URL: <https://www.etsy.com/listing/565184484/hc-highheel-sneakers-black-and-white> Accessed Date: Jan. 12, 2020.
- Sneaker high heels from Adidas URL: <http://highheelsdaily.com/2012/05/18/sneaker-high-heels-from-adidas/> Accessed Date: Jan. 12, 2020.
- Anatomy/construction of high heel shoes URL: <https://in.pinterest.com/pin/701435710689762239/> Accessed Date: Jan. 29, 2021.
- European Union Registered Community Design No. 001097943-0001 to Starkop Sp. z.o.o. Filing date Apr. 14, 2009.
- European Union Registered Community Design No. 006334330-0001 to Thi Hong Lam Pham Filing date Jul. 6, 2021.
- European Union Registered Community Design No. 000028444-0001 to Studio Dick Boons BV Filing date Aug. 19, 2003.
- International Registration No. DM/079 060 Filing date Feb. 21, 2013.
- International Registration No. DM/81401-005 Filing date Aug. 9, 2013.
- International Registration No. DM/77689-001 Filing date May 18, 2012.
- International Registration No. DM/75026-002 Filing date Mar. 31, 2011.
- International Registration No. DM/74187-005 Filing date Aug. 31, 2010.
- Ladies ultra high heel round toe shoe lasts URL: https://www.alibaba.com/product-detail/Ladies-ultra-high-heel-round-toe_62265652953.html?spm=a2700.7724857.0.0.6f5f56d0oSSVIP Accessed Date: Aug. 2, 2022.
- Footwear News, “Gait-Tech’s New Insole Innovation Aims to Help Make High Heels More Comfortable,” Jan. 3, 2023. URL: https://footwearnews.com/2023/business/retail/gait-tech-high-heel-comfort-innovation-1203386517/#recipient_hashed=87d6d40ce67d0fbb43f2822be8e1b740962bd2ab6d117d61b45a4e15b77d9d1d&recipient_salt=faldfc83e9c58ede3f3d10abc41ca22273c9d5d146adc2217c9be5aba18eb1fc Accessed Date: Jan. 26, 2023.
- Pair of Plastic Shoe Lasts for Woman High Heel Pumps Shoemaking URL: <https://www.amazon.com/Plastic-Lasts-Woman-Pumps-Shoemaking/dp/B0793MJ51Z> Published Date: Jan. 17, 2018.
- What is a Shoe Last? URL: <https://www.sneakerfactory.net/2020/07/what-is-a-shoe-last/> Published Date: Jul. 4, 2020.
- Cowboy boot shoe last template URL: <https://www.instagram.com/p/CghwKylJ4L/> Accessed Date: Aug. 2, 2022.
- Women’s high heel shoe lasts URL: <https://901shoemakers.com/products/shoe-last-high-heel> Accessed Date: Aug. 2, 2022.
- 102mm Block High Heel Component for Shoemaking <https://www.etsy.com/in-en/listing/646895797/102mm-block-high-heel-component—for> Published Date: Jul. 4, 2022.
- Shoemaking lasts—high heels URL: <https://icanmakeshoes.com/products/shoemaking-lasts-high-heels> Accessed Date: Aug. 2, 2022.

(56)

References Cited

OTHER PUBLICATIONS

HypeBae article "In Defense of the Sneaker Heel" dated Apr. 20, 2022. Viewed Nov. 22, 2022. Available at URL <https://hypebae.com/2022/4/sneaker-heels-trend-nike-balenciaga-off-white> (2022) (Year: 2022).

HighSnobiety.com article "What's Next For Sneakers, Put a Heel on It?" dated 10 months ago, 2022. Viewed Nov. 22, 2022. Available at URL <https://www.highsnobiety.com/p/sneaker-heels/> (2022) (Year: 2022).

YouTube Fortune Magazine video interview w/Sara Blakely Are high heels Spanx's next product? dated Feb. 12, 2014. Viewed Nov. 22, 2022 Available at URL <https://www.youtube.com/watch?v=45zC-Tg73YY> (2014) (Year: 2014).

Excerpt from Wikipedia/Sara Blakely, Viewed Nov. 22, 2022 Available at URL (Year: 2022).

BizJournals Atlanta Business Chronicle "Spanx CEO Steps Down" dated Feb. 13, 2014, Viewed Nov. 22, 2022. Available at URL https://www.bizjournals.com/atlanta/morning_call/2014/02/spanx-ceo-goldman-steps-down-high.html?page=all (2014) (Year: 2014).

Etsy Shop 'Toralea Vintage' listing for Skechers Y2K Sneaker Heels, vintage 2000s. Viewed Nov. 22, 2022 Available at URL <https://www.etsy.com/listing/1261079488/y2k-skechers-sneaker-heels-size-85?> (2022) (Year: 2000).

Poshmark Shop 'markalarky' listing for Vintage Skechers Y2K Sneaker Heels from the 90s, Viewed Nov. 22, 2022. Available at URL [https://poshmark.com/listing/90s-Y2 K-Somethin-Else-from-Skechers-high-heel-sneakers-6279d200efd0e413c33cde73](https://poshmark.com/listing/90s-Y2-K-Somethin-Else-from-Skechers-high-heel-sneakers-6279d200efd0e413c33cde73) (2022) (Year: 2000).

* cited by examiner

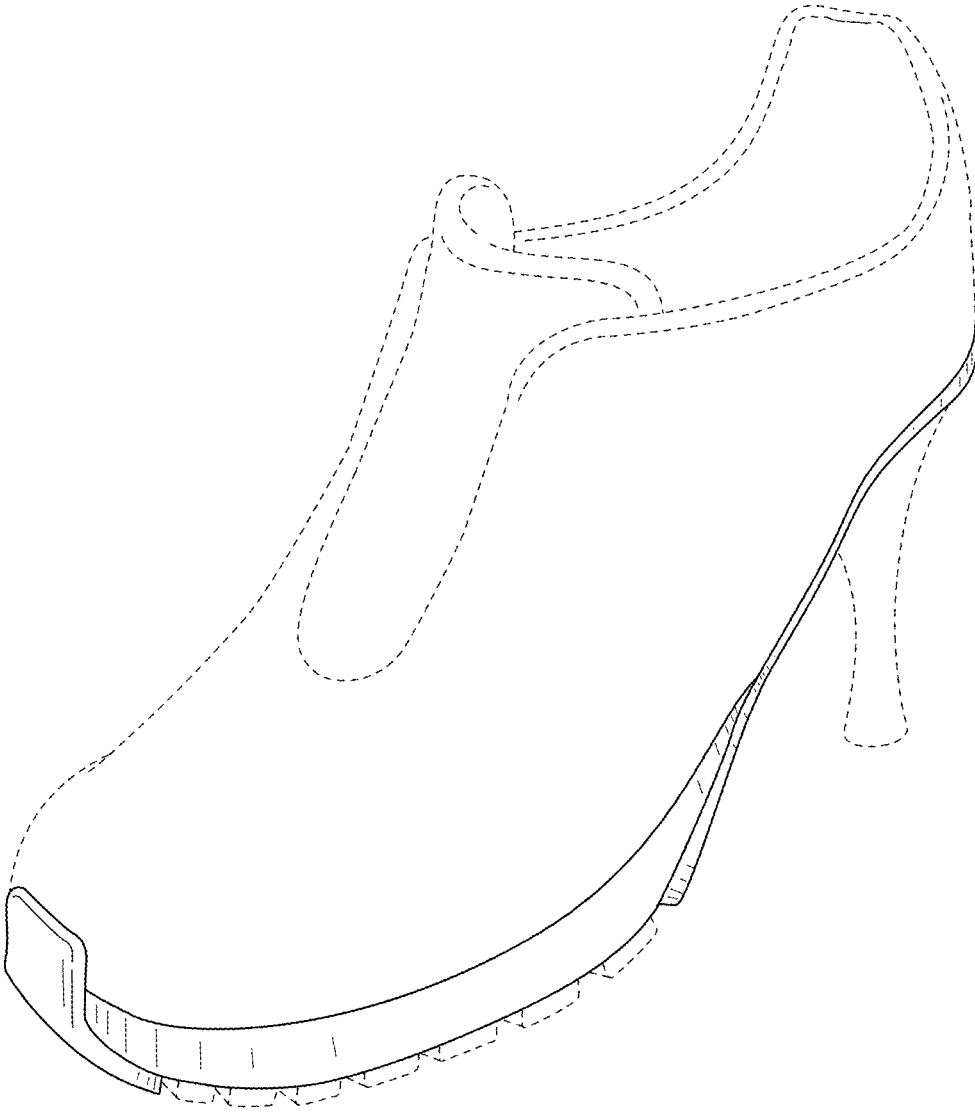


FIG. 1

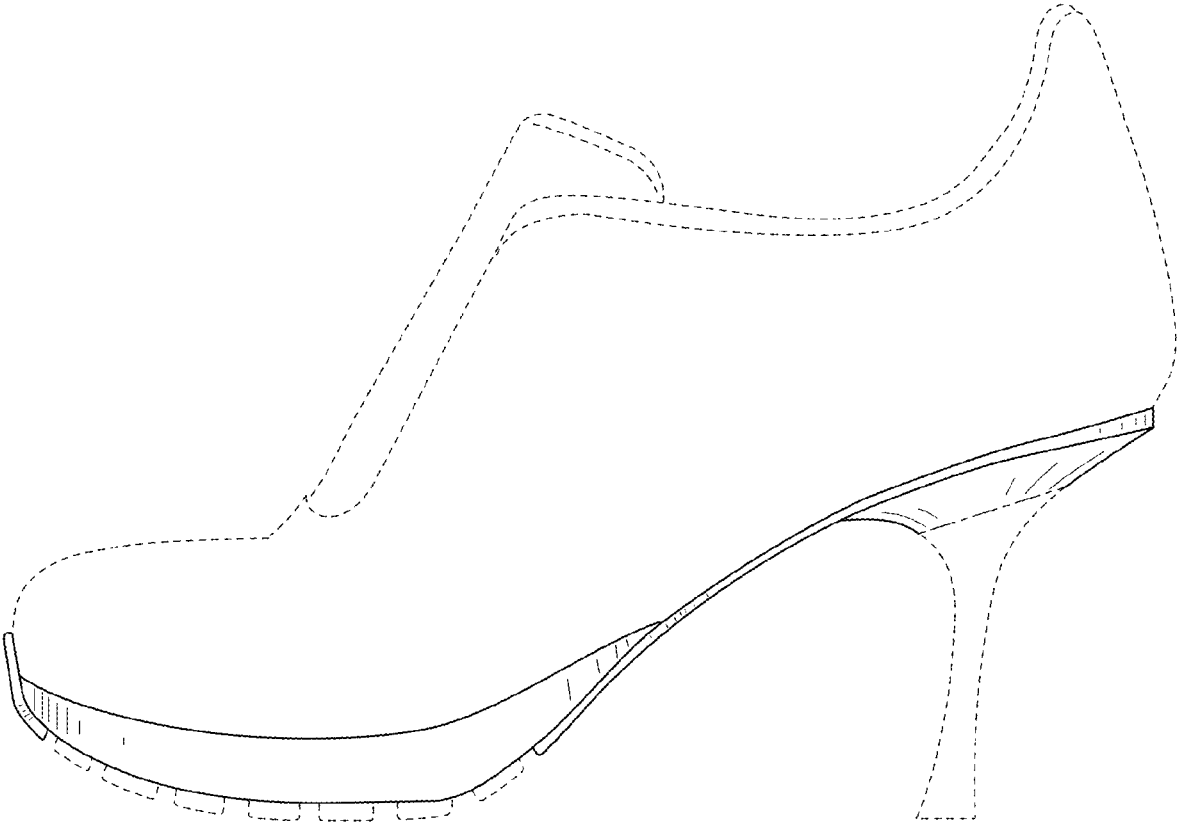


FIG. 2

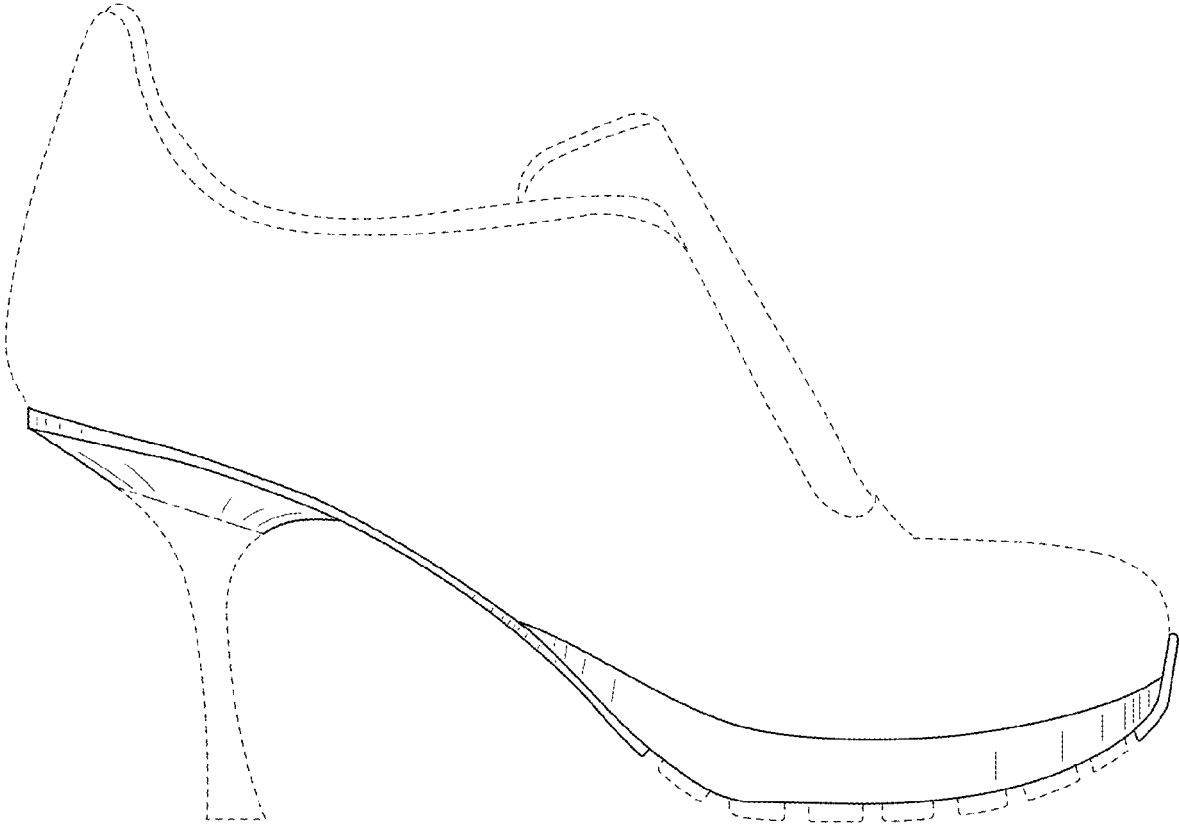


FIG. 3

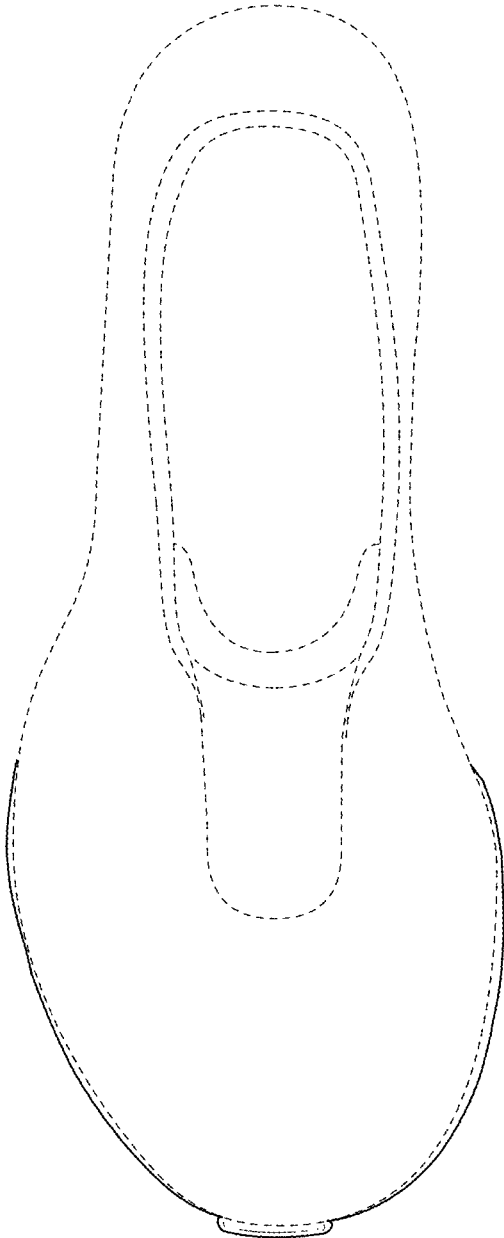


FIG. 4

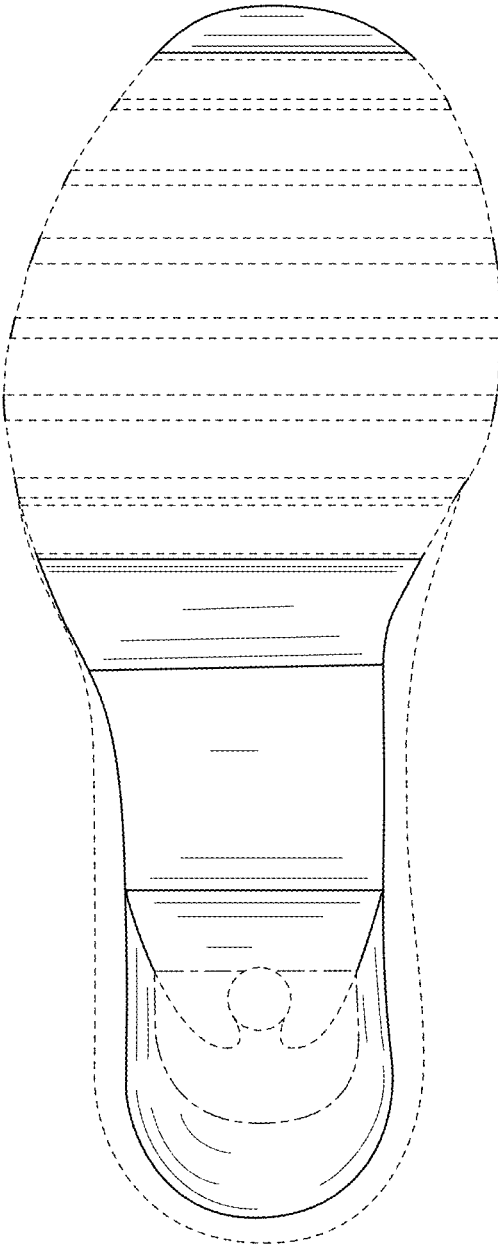


FIG. 5

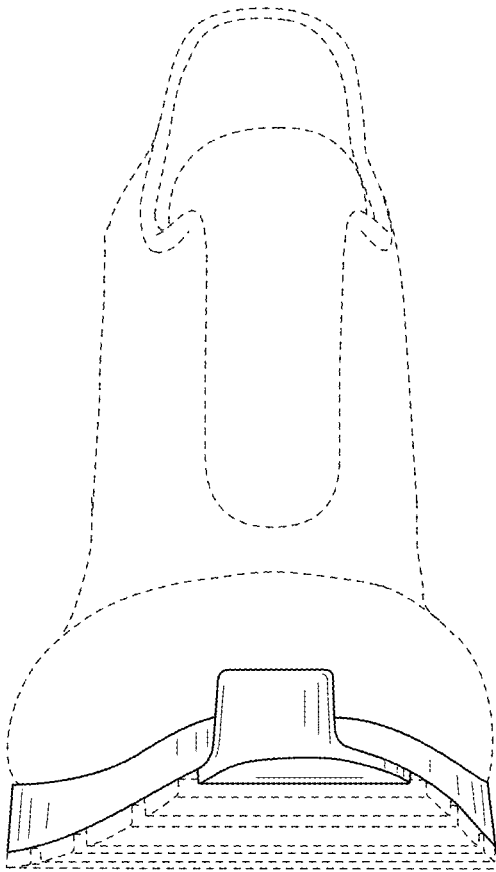


FIG. 6

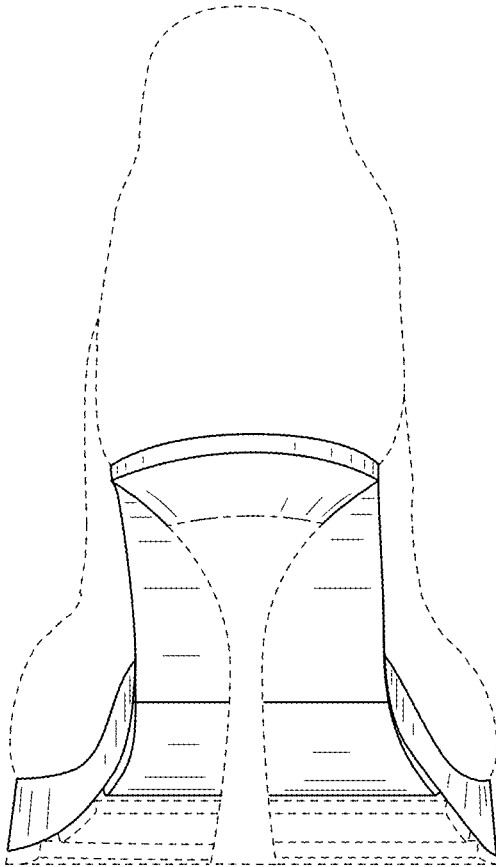


FIG. 7