

**American Bar Association
Section of Intellectual Property Law**

31st Annual Intellectual Property Law Conference

**Comparison of Design Protection Systems
Australia, South Korea, Brazil, and the United States**

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**April 6-8, 2016
North Bethesda, MD**

Comparison of Design Protection Systems

Australia, South Korea, Brazil, and the United States

	Australia	South Korea	Brazil	United States of America
Type of system	<p>Registration - consideration of formalities, including requirement that design must relate to a “product”</p> <p>Optional follow-on examination - consideration of “newness” and “distinctiveness”</p> <p>Registration is unenforceable until examined and certified.</p>	<p>Non-Substantive Examination - (for goods with short commercial lifespans and subject to quickly changing trends)¹ - consideration of formalities, clarity and consistency between figures, and whether the design is industrially applicable or can be easily created by means of a shape, pattern, color, or any combination of these that is widely known in the Republic of Korea</p> <p>Substantive Examination - (all other design applications) - consideration of formalities, clarity/consistency between figures, and novelty and not obvious over prior art</p>	<p>Registration - consideration of formalities, clarity, consistency, prohibited subject matter</p> <p>Optional follow-on examination - consideration of novelty and originality requirements</p> <p>Although it is not mandatory, substantive examination before enforcing design rights is usually recommended, since its absence consists of a strong matter of defense in case of potential infringement situations</p>	<p>Examination - consideration of formalities, clarity and consistency between figures, and novelty and not obvious over prior art</p>

¹ Specifically, goods falling within the following Locarno Classes: Class 2 (clothing, fashion items); Class 5 (fibers, sheets and fabrics, e.g., spun articles, lace, needlework, ribbon, string for ornamental purposes, fabric, sheets, etc.); Class 19 (stationery, office supplies, fine art materials).

Comparison of Design Protection Systems

	Australia	South Korea	Brazil	United States of America
Related IP system	Separate from utility patents and trademarks systems	More like utility patents	A mix of both patents and trademark systems	More like utility patents
Protectable subject matter	<p>A “product,” meaning any “thing” that is manufactured or handmade. A component part of a complex product if made separately is a product. A kit which, when assembled, is a particular product, is taken to be that product.</p>	<p>The shape, pattern, color or a combination of these in an article that produces an aesthetic impression in the sense of sight.</p>	<p>An industrial design is considered to be any ornamental plastic form of an object or any ornamental arrangement of lines and colors that may be applied to a product, that provides a new and original visual result in its external configuration, and that may serve as a type for industrial manufacture.</p> <p>Not registrable:</p> <p>Subject matter contrary to morals and good customs or which offends the honor or image of people or is contrary to the liberty of conscience, belief, religious cults or ideas and feelings worthy of respect and veneration.</p> <p>The necessary common or ordinary shape of an object or, further, that which is</p>	<p>Any “article of manufacture,” including 3D articles, surface ornamentation (wallpaper, embossing on paper towels, fabric), graphical user interfaces (static or dynamic), fonts/typefaces</p> <p>Designs that are “solely functional” are not protectable.</p> <p>Subject matter which could be deemed offensive to any race, religion, sex, ethnic group, or nationality is not protectable.</p>

Comparison of Design Protection Systems

	Australia	South Korea	Brazil	United States of America
			determined essentially by technical or functional considerations.	
Permitted disclosure	Photographs and line drawings are permitted	Photographs, 3-D image files (DWG, DWF, 3DS format only), and line drawings are permitted	Photographs and line drawings are permitted, provided that, in both cases, they should permit a clear visualization of the product or object intended to be protected, so that it can be reproduced with basis on such images	Photographs <u>or</u> line drawings, but not mixed; line drawings are preferred due to printing quality issues with final patent
Shading	Yes, provided the representations remain clear	Yes (only when not confusing with a pattern of the design)	Yes	Yes
Broken lines	Yes, but only to indicate disclaimed material	Yes, to show unclaimed features ("alternate long and short dash line" can be used to show the boundary of a claimed design when it is not clear)	No	Yes, to show unclaimed features, indeterminate length, and unclaimed boundary of claimed design

Comparison of Design Protection Systems

	Australia	South Korea	Brazil	United States of America
Maximum or minimum number of views	No maximum or minimum; applicant must provide enough views to show the whole product. It is not permissible to show part of the product only	No maximum or minimum; a single drawing can be submitted as long as the content of the design and the entire shape to be registered are clearly represented in the single drawing; in practice, however, the KIPO still typically requests submissions of perspective and six views	No maximum or minimum. For three-dimensional objects, the Brazilian Office requires the presentation of all orthogonal views (frontal, rear, top, bottom and side views) as well as at least one perspective view of the claimed product. With reference to two-dimensional patterns, such as fabrics, packages, panels, computer fonts and icons and the like, only a frontal view showing said pattern is required	No maximum or minimum; applicant must provide enough views for the design to be "sufficiently" disclosed; may require multiple perspective views
Claiming portion of an article	Yes, but disclaimed portion to be shown in dotted lines	Yes, but disclaimed portion should be shown in dotted lines. The portion of an article does not have to be independently manufacturable A claimed portion should not be physically separated from another claimed portion(s), unless the portions have	Only if said portion can be independently manufactured	Yes

Comparison of Design Protection Systems

	Australia	South Korea	Brazil	United States of America
		functional or configurational integrity. Generally, parts will be considered to have configurational integrity when they are identical/symmetrical or when placed together form a specific shape.		
Multiple designs in a single application	<p>Yes. Must be identified by the applicant and extra fees paid for each</p> <p>Also, each of the designs within one application will be allocated its own design number. So, effectively, separate designs.</p>	<p>Yes, maximum of 100, identical class</p> <p>Registration may be granted or denied as to a portion of multiple designs. In addition, requests to keep a design secret or to lay open an application do not have to apply to the entire group of multiple design.</p>	<p>A maximum of 20, and the designs must share the same preponderant distinctive characteristics</p>	<p>Yes, if patentably indistinct; entire application is allowed or rejected</p>
Specification and claim(s) required	No. Only a "Statement of Newness and Distinctiveness," which is optional and can be used to emphasize certain parts of a product or characterize the product, such as referring to a color.	Specification (description) of the design is mandatory and is considered as a base of scope of the design rights, along with the submitted views.	Optional.	<p>One claim is required. Only one claim is permitted.</p> <p>Short figure descriptions are also required. If broken lines are used, then a description of the broken lines is required.</p>

Comparison of Design Protection Systems

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Digital images	GUI's likely to be rejected when requesting certification. However Advisory Council on Intellectual Property (ACIP) has stated that GUIs should be certified.	Yes (both static and animated GUIs are protected) A temporary or permanent screen image design registration may be granted as long as the portion of the article where the design is displayed is specified. However, the name of the article should be a display panel or a device that contains the image design, and it should not be the digital image itself.	Yes. Only static GUI's	Yes (both static and animated/dynamic GUIs) Figures must show the GUI embodied on a computer screen or other display panel, although the display device need not be claimed. Dynamic GUIs require an additional descriptive statement about the transition between the figures.
Grace period for pre-filing disclosure	No	Designs disclosed by the applicant during 6 months preceding the filing date are not considered disclosed, when examining novelty and creativity	Public disclosures made by the inventor (or by third parties who accessed the information from the inventor) during the 180 days preceding the filing date or claimed priority are not considered as state of the art	An inventor has one year from the time he or she discloses an invention within which to file a patent application. If an inventor publicly discloses the invention prior to filing, then any third party disclosure made in the interim shall not be considered prior art to defeat patentability of the claimed invention.

Comparison of Design Protection Systems

	Australia	South Korea	Brazil	United States of America
Filing continuations	No Design application cannot be based on a pending “utility” patent application	No	No	Yes, provided you have support in the originally-filed application A design application can be filed based on a pending utility patent application.
Average length of time to grant	Registration within about a month. Examination for purposes of certification and enforceability can take place at any time during the life of the registered design.	6 to 8 months (Substantive examination) About 4 months (Non-Substantive Examination)	20 to 24 months	13.7 months to first action from U.S. Patent and Trademark Office; 20 months to issue (as of December 2015)
Process to expedite time to grant	Possible to request the examiner to expedite, provided cogent reasons are given. This is a semi-formal process.	An applicant can shorten the examination period to 2 to 4 months upon filing a request for expedited examination which will be allowed in certain cases, including where it is believed that the applicant conducts or prepares to do a business using the applied-for design	Not available	Applicant must pay additional fee and provide an applicant-funded prior art search for expedited examination

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Term of protection/annuities due	10 years. One annuity due by the fifth anniversary of the filing date	20 years from filing date The registration fee covers protection for the first 3 years and should be paid within three months of receipt of the notice of grant. After the third year, annuities are due yearly.	10 years, with the possibility of extension for three more successive periods of five years	15 years from issue, no annuities
Test for Infringement	The alleged infringement must be identical or substantially similar in overall impression to the registered design. The act sets out a list of factors that should be taken into account for "substantial similarity in overall impression." Most relevant is that regard must be had to the state of development of the prior art base for the design. This makes a search mandatory for any sort of infringement opinion. It is not enough simply to stand in the shoes of the "informed user" and make a judgment without reference to the state of development of the prior art base.	Use of an identical or similar design without authorization from the registered design owner is an infringement of the registered design rights. Furthermore, acts of manufacturing, selling, leasing, importing, exporting, or offering for sale or lease articles used exclusively for manufacturing articles to which a registered design or similar design has been applied, are considered infringements of the design right.	There are no standard tests for infringement in Brazil. However, Brazilian IP law states that a Brazilian design registration confers the right to prevent third parties from manufacturing, using, offering for sale, selling or importing for such purposes a product that is the subject of a design registration (or substantive imitation thereof) without owner's authorization. It also provides the right to prevent third parties from contributing to the practice by other parties of the cited actions. The following acts are not	Design patent owners have the right to exclude others from making, using, offering to sell, selling, or importing any article embodying the patented design or applying the patented design or a colorable imitation of the patented design to any article of manufacture for the purpose of sale or selling or exposing for sale any such article. For design patent infringement, whether a patented design and the design of an accused product are substantially the same, if in light of the prior art, the resemblance is such as to

Comparison of Design Protection Systems

			<p>included: acts practiced by unauthorized third parties privately and without commercial ends, provided they do not result in prejudice to the economic interests of the design owner; acts practiced by unauthorized third parties for experimental purposes, related to studies or to scientific or technological research; a product manufactured that has been placed on the internal market directly by an authorized third party.</p>	<p>deceive an observer, inducing him to purchase one supposing it to be the other. The ordinary observer is someone who gives the patented design and accused design such attention as a purchaser usually gives.</p>
Member of Hague	No. ACIP has recommended an investigation into whether this should occur. So, not soon.	Yes	No	Yes, joined May 2015



Comparison of Design Protection Systems

**Australia, South Korea,
Brazil, and the United States**

Example Design Patents & Registrations

Australia

Feb 2016

[Results List](#)[Legal and Copyright](#)[About ADDS](#)[Help](#)**(11) Registration AU 364789 S****(21) Design Number 201514066**

Data Current as of 12 February 2016

Main Details**Status:** Registered**Renewed to Date:** 2020.05.15(22) **Lodged:** 2015.08.07(45) **Registered:** 2015.10.16(43) **Published:**(40) **Certified:**(62) **Divisional Of:** [363372](#)**Conversion Details:**(51) **Classification:** 02-04Z(74) **Agent/Attorney:** Davies Collison Cave**Address For Service:** (54) **Article/Product Name:** Shoe(71) **Current Owner:** Payless Shoesource Worldwide, Inc.[Representations](#) | [Main](#) | [Monopoly](#) | [Designer](#) | [Convention](#) | [Related Art](#) |[Divisional](#) | [Ownership](#) | [Licensee](#) | [Mortgage](#) | [Notices](#) | [Status](#)[Prev Page](#)[Next Page](#)

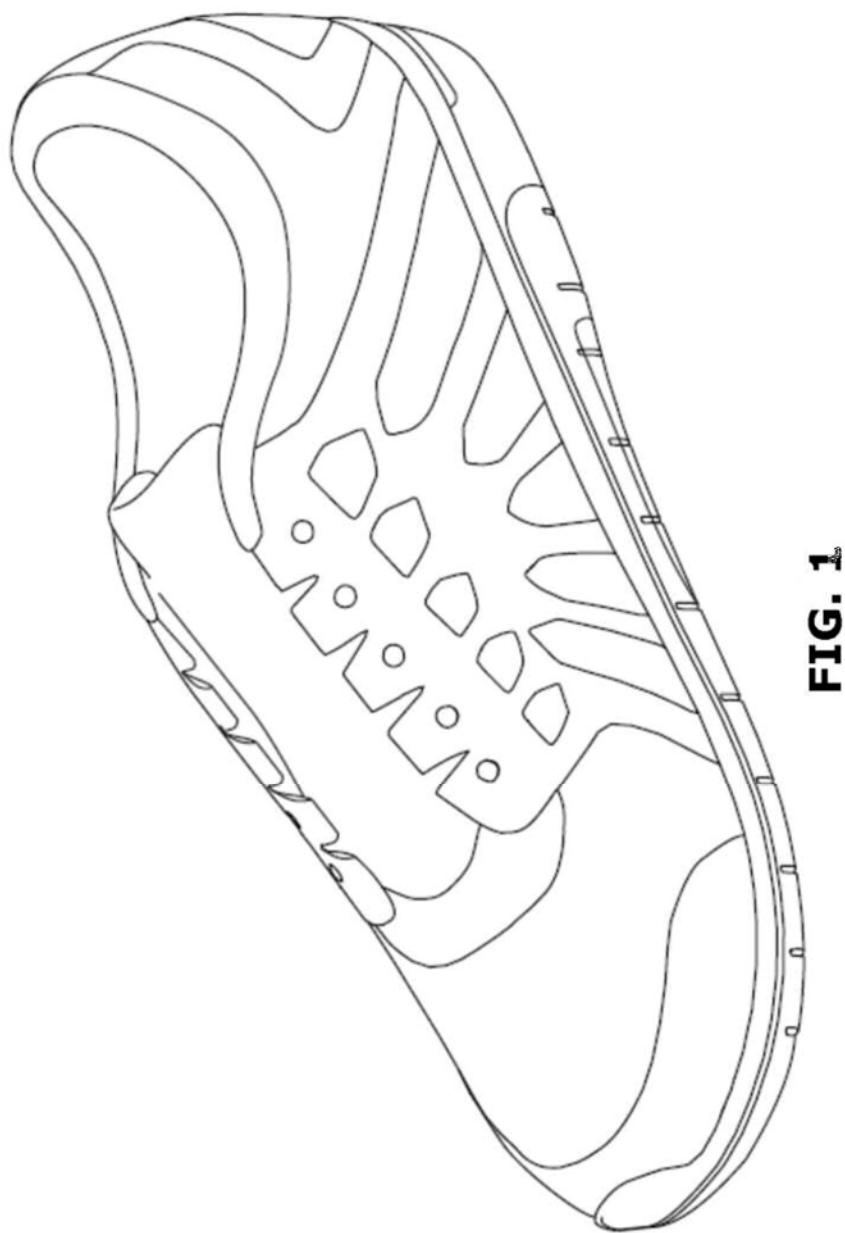


FIG. 1

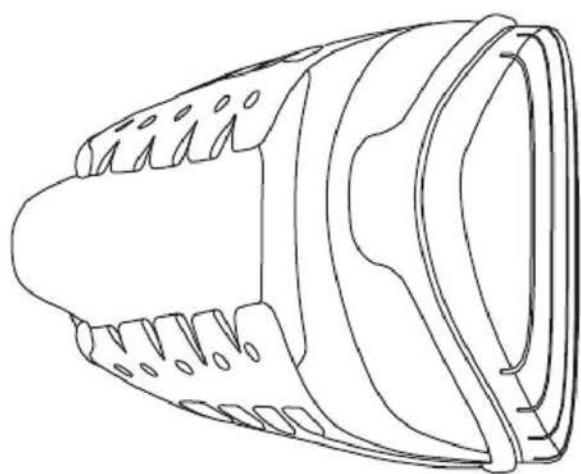


FIG. 2

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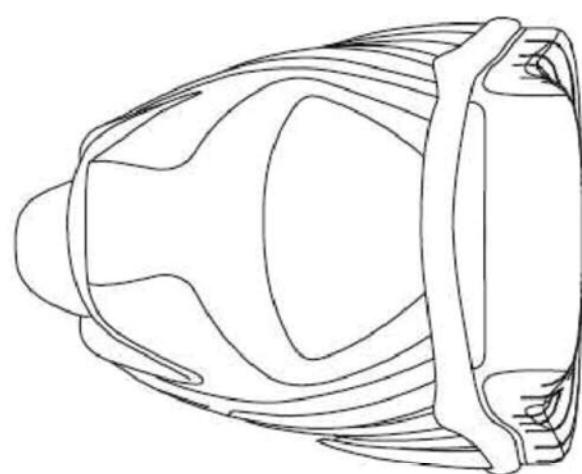


FIG. 3

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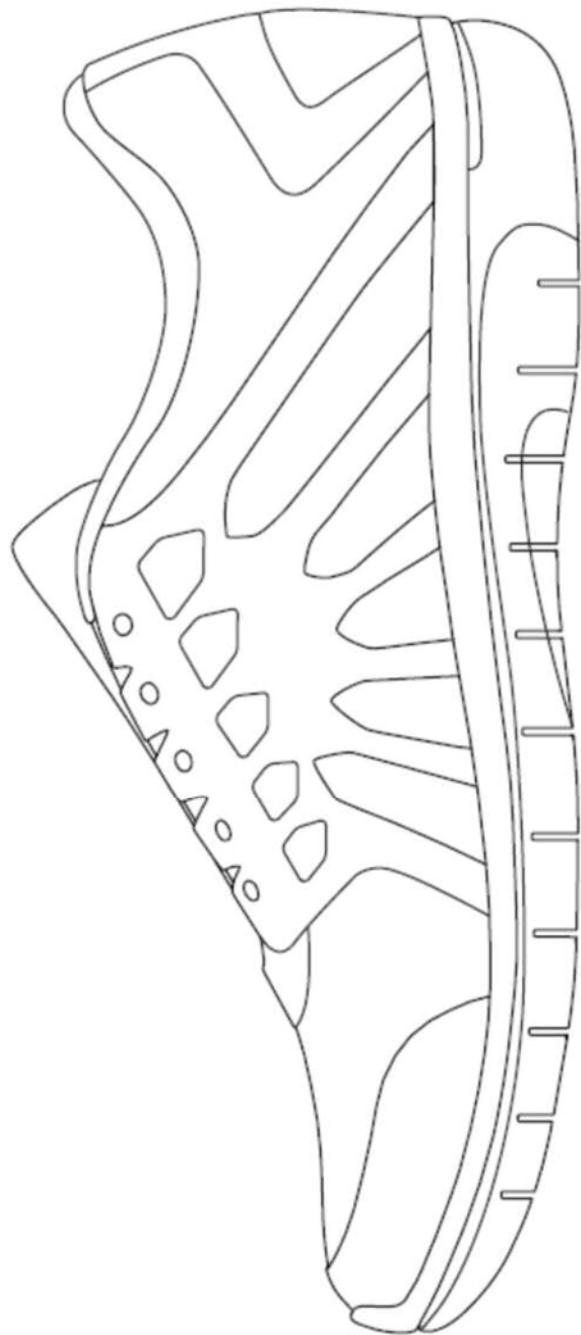


FIG. 4

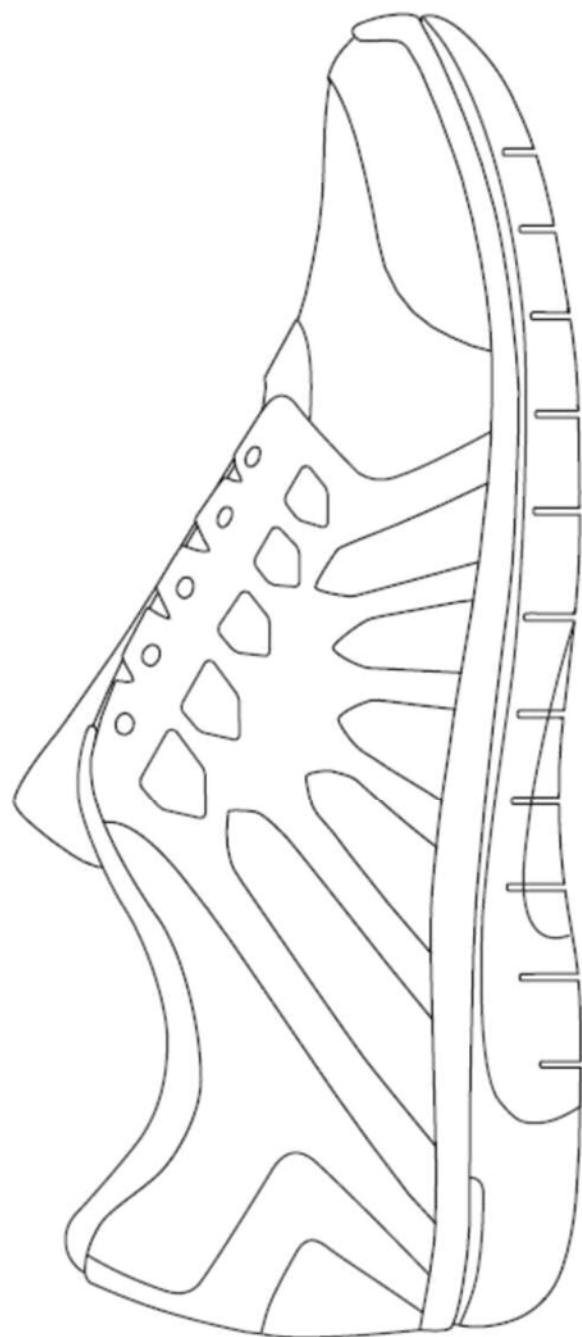


FIG. 5

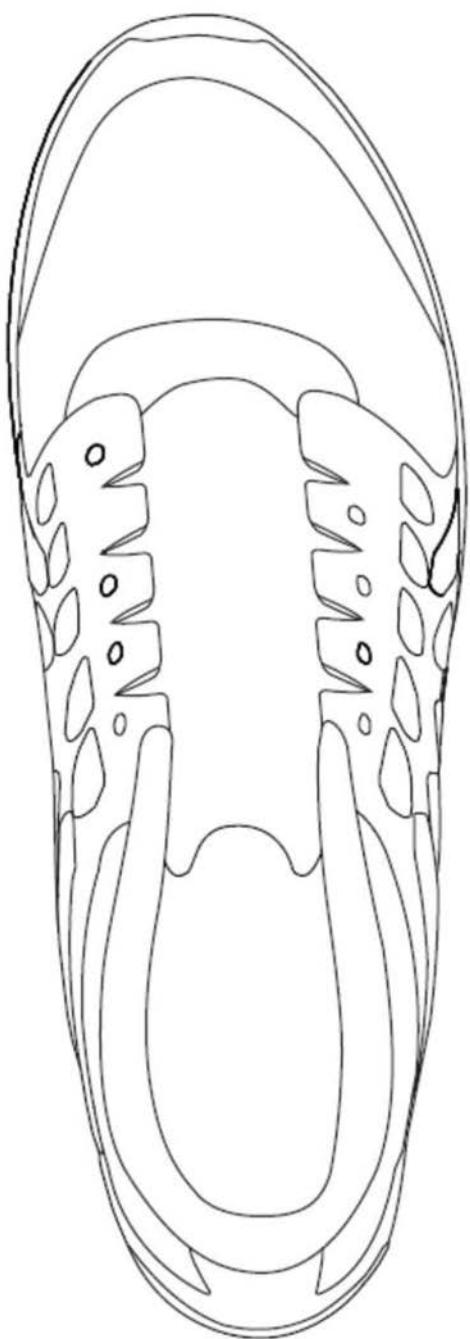


FIG. 6

REPRESENTATIONS

FIG. 1 is a top perspective view;

FIG. 2 is a front view;

FIG. 3 is a rear view;

FIG. 4 is right side view of a shoe;

FIG. 5 is left side view of the shoe as seen in Fig. 1; and

FIG. 6 is top plan view of the shoe as seen in Fig. 1.

[New Simple Search](#)[Legal and Copyright](#)[About ADDS](#)[Help](#)**(11) Registration AU 320634 S****(21) Design Number 200813369**

Data Current as of 12 February 2016

Main Details**Status:** Currently Not In Force**Renewed to Date:** 2013.03.07(22) **Lodged:** 2008.07.18(45) **Registered:** 2008.08.06(43) **Published:**(40) **Certified:** 2008.10.31(62) **Divisional Of:** [320623](#)**Conversion Details:**(51) **Classification:** 02-04B(74) **Agent/Attorney:** FB Rice**Address For Service:** **(54) Article/Product Name:** Shoe sole**(71) Current Owner:** New Balance Athletic Shoe, Inc.[Representations](#) | Main | [Monopoly](#) | [Designer](#) | Convention | Related Art |[Prev Page](#)[Next Page](#)Divisional | [Ownership](#) | Licensee | Mortgage | Notices | [Status](#)

[New Simple Search](#)[Legal and Copyright](#)[About ADDS](#)[Help](#)**(11) Registration AU 320634 S****(21) Design Number 200813369**

Data Current as of 12 February 2016

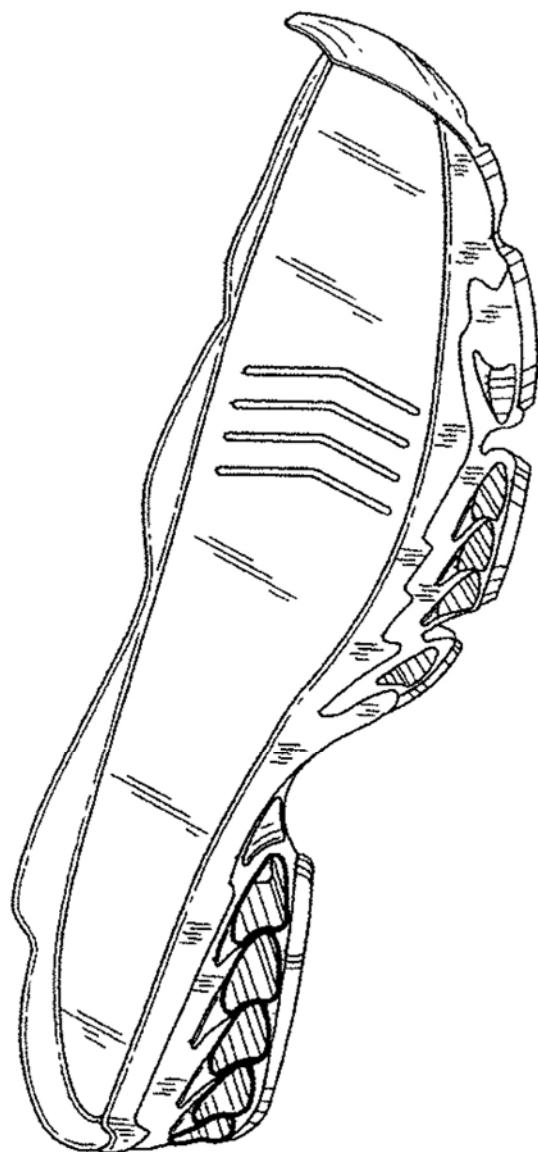
(57) Monopoly**Statement of Newness and Distinctiveness**

Newness and distinctiveness reside in the features of the design as shown in the representations and in particular the C-shaped struts, the wavy top border of the sole, and the colour contrast between the outer rim and the inside of the struts indicated by the solid black portions in the representations.

[Representations](#) | [Main](#) | Monopoly | [Designer](#) | Convention | Related Art |
Divisional | [Ownership](#) | Licensee | Mortgage | Notices | [Status](#)

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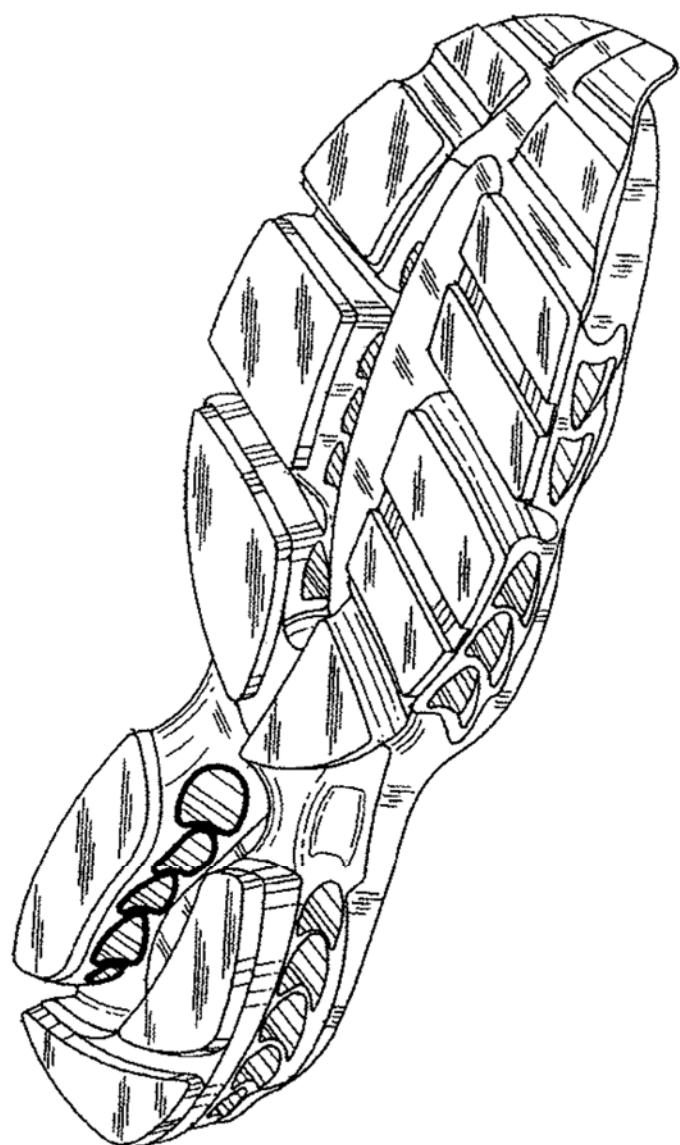
Perspective Top View

FIG. 1



AU320634S

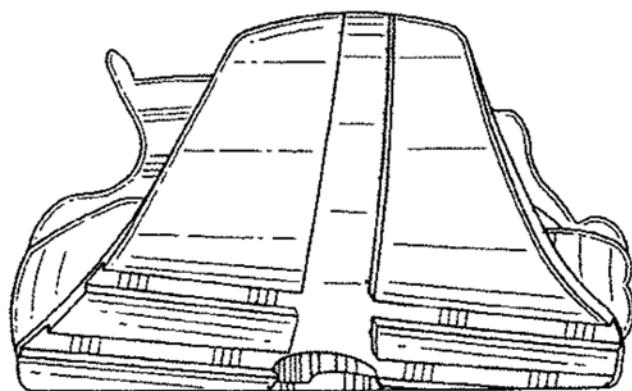
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Perspective Bottom View

FIG. 2

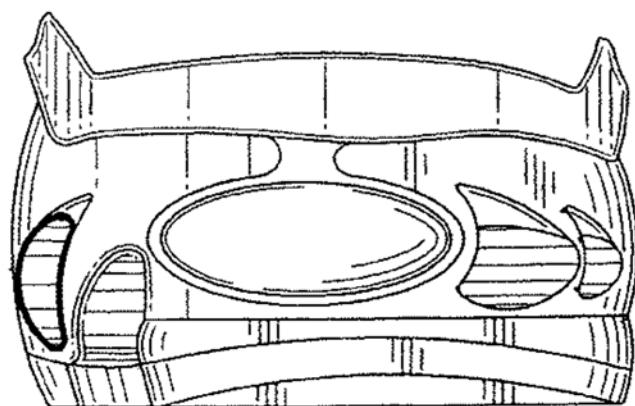
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Front Elevational View

FIG. 3

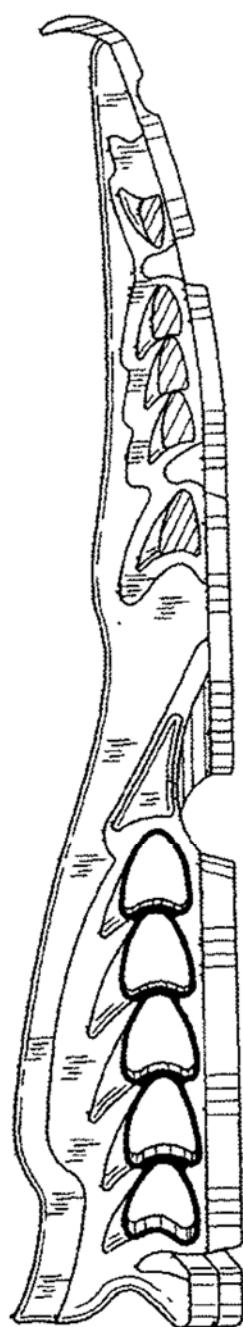
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Rear Elevational View

FIG. 4

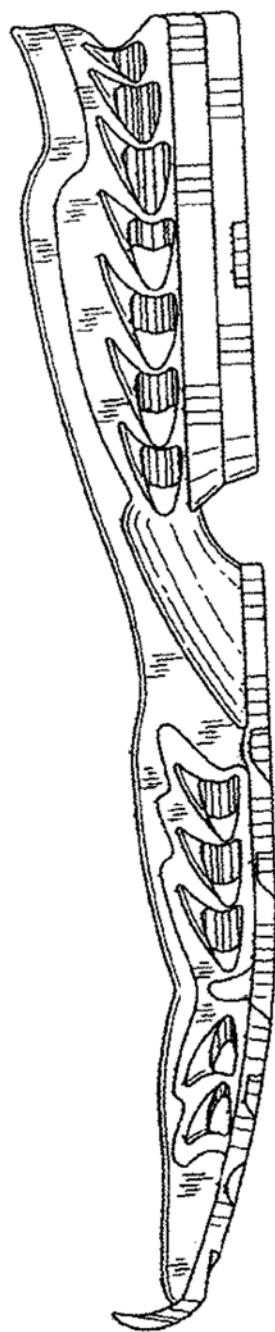
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Left Side Elevational View

FIG. 5

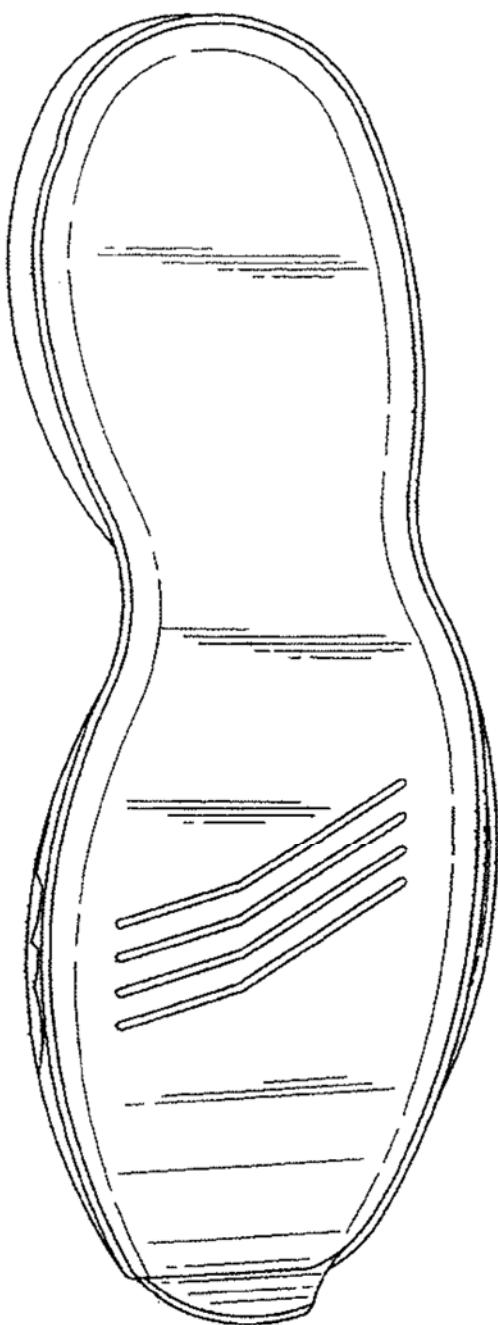
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Right Side Elevational View

FIG. 6

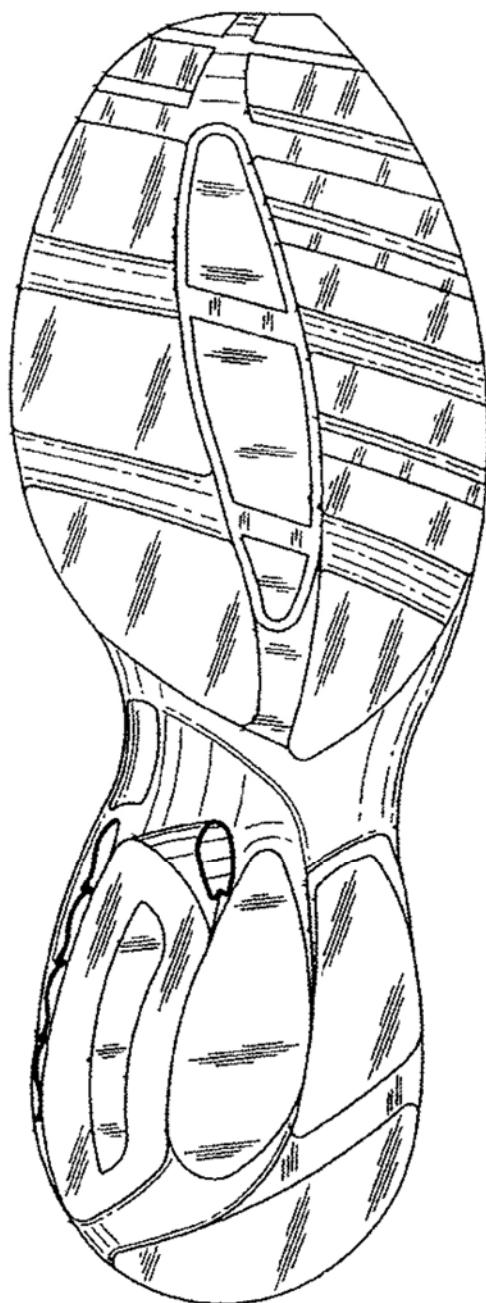
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Top Elevational View

FIG. 7

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Bottom Elevation View

FIG. 8

South Korea

Feb 2016



(19) 대한민국특허청(KR)
 (12) 등록디자인공보(S)

(45) 공고일자 2013년05월30일
 (11) 등록번호 30-0694875
 (24) 등록일자 2013년05월21일

(52) 분류 B5-11AC무심사등록

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(21) 출원번호 30-2013-0011866

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부분디자인(M01)

(30) 우선권주장

JP-D-2012-021890 2012년09월11일 일본

(73) 디자인권자

가부시키가이샤 에스에스케이

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(72) 창작자

야스이 코지

일본 오사카후 오사카시 쥬오쿠 우에혼마치 니시 1쵸메 2반 19고 가부시키가이샤 에스에스케이나이
조 카츠시

일본 오사카후 오사카시 쥬오쿠 우에혼마치 니시 1쵸메 2반 19고 가부시키가이샤 에스에스케이나이
코바야시 쿠니오

일본 오사카후 오사카시 쥬오쿠 우에혼마치 니시 1쵸메 2반 19고 가부시키가이샤 에스에스케이나이
오즈 유지

일본 오사카후 오사카시 쥬오쿠 우에혼마치 니시 1쵸메 2반 19고 가부시키가이샤 에스에스케이나이

(74) 대리인

나영환, 임서영

담당심사관 : 이희중

(54) 명칭 운동화(Athletic shoe)

입체디자인도면

디자인의 대상이 되는 물품

운동화(Athletic shoe)

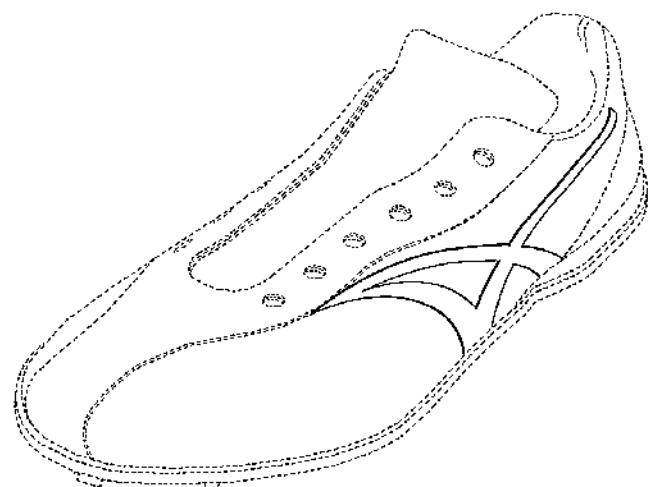
디자인의 설명

1. 재질은 피혁, 섬유, 합성수지 및 고무임.
2. 실선으로 표시된 측면의 모양부분이 부분디자인으로 디자인등록받고자 하는 부분이고, 본 물품은 좌우 한 쌍(한켤레)으로 하여 그 왼쪽만을 표시한 것임.

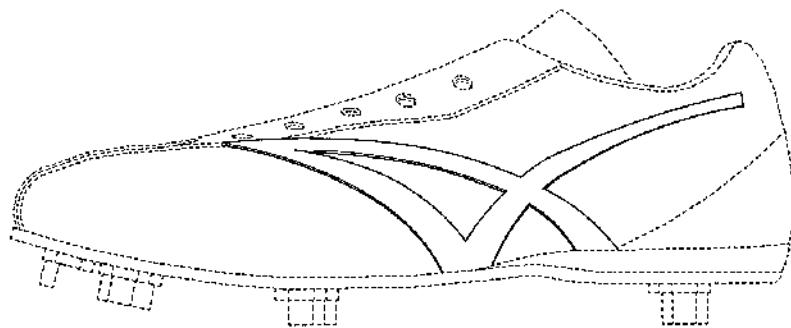
디자인 창작 내용의 요점

"운동화(Athletic shoe)"의 형상과 모양의 결합을 디자인의 창작내용의 요점으로 함.

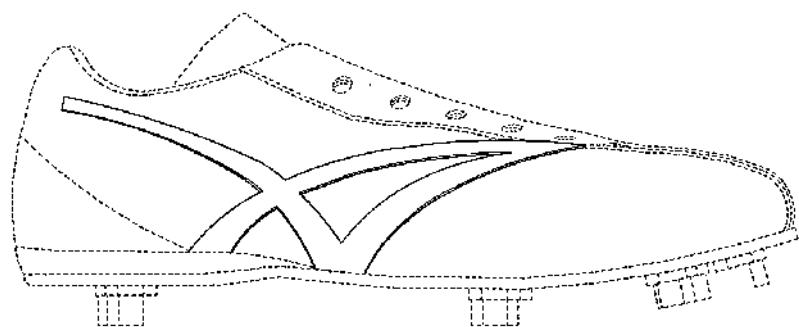
사시도



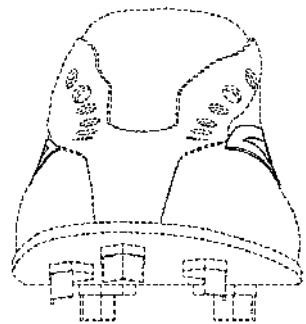
정면도



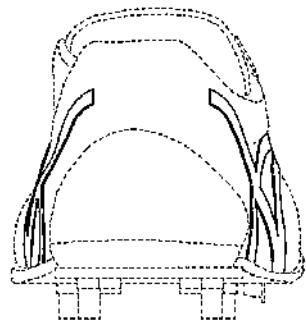
배면도



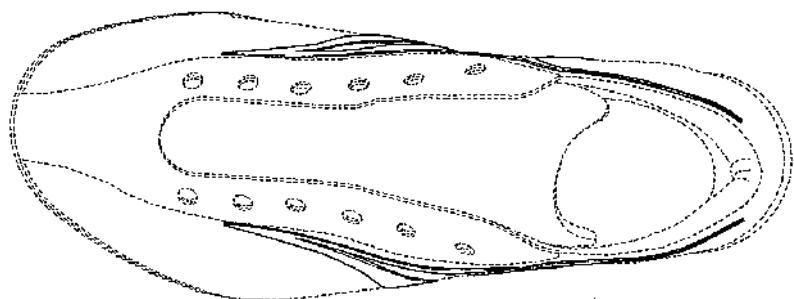
좌측면도



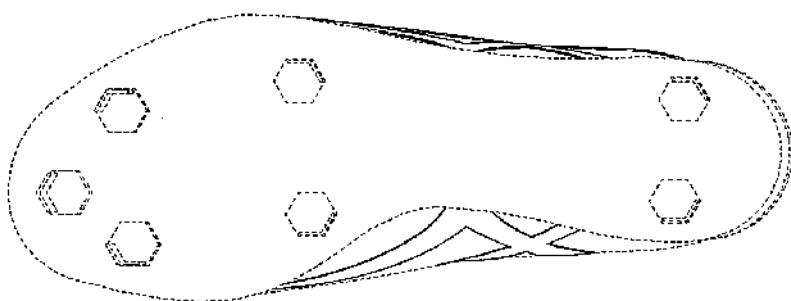
우측면도



평면도



저면도





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 (12) 등록디자인공보(S)

(45) 공고일자 2009년06월09일
 (11) 등록번호 30-0530501
 (24) 등록일자 2009년06월02일

(52) 분류 B5-11AD
 (51) 국제분류 02-04
 (21) 출원번호 30-2008-0055206
 (22) 출원일자 2008년12월22일

(73) 등록권자

임옥순

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(72) 창작자

임옥순

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(74) 대리인

정태훈, 오용수, 배성호

담당심사관 : 김구현

[참고]이 디자인등록은 디자인법 제23조(조약에 의한 우선권주장)의 적용을 받고자 하는 타 디자인과의 유사여부에 관한 심사가 일부 이루어지지 않은 것입니다.

(54) 운동화

업체디자인도면

디자인의 대상이 되는 물품

운동화

디자인의 설명

1. 재질은 섬유, 가죽, 고무 및 합성수지재임
2. 발의 발등 부분을 보호하는 부분인 설포가 고무줄 타입의 띠로 갑피에 고정되며 벨크로 테입에 의해 갑피의 개구 폭을 조절할 수 있으며, 바닥창의 중간 부분이 없는 제품임.

디자인 창작 내용의 요점

"운동화"의 형상과 모양의 결합을 디자인 창작내용의 요점으로 함.

사시도

도면대용 사시사진



정면도

도면대용 정면사진



배면도

도면대용 배면사진



좌측면도

도면대용 좌측면사진



우측면도

도면대용 우측면사진



평면도

도면대용 평면사진



저면도

도면대용 저면사진





(19) 대한민국특허청(KR)
 (12) 등록디자인공보(S)

(45) 공고일자 2008년06월20일
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 (51) 국제분류 02-04
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 (22) 출원일자 2007년04월03일

부분디자인(M01)

(30) 우선권주장
 29/269,173 2006년11월22일 미국

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(72) 창작자
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미국, 매사추세츠 01835, 브라드퍼드, 4 캐리에이지 힐 알디.

(74) 대리인
강명구

담당심사관 : 주성균

(54) 신발

업체디자인도면

디자인의 대상이 되는 물품

신발

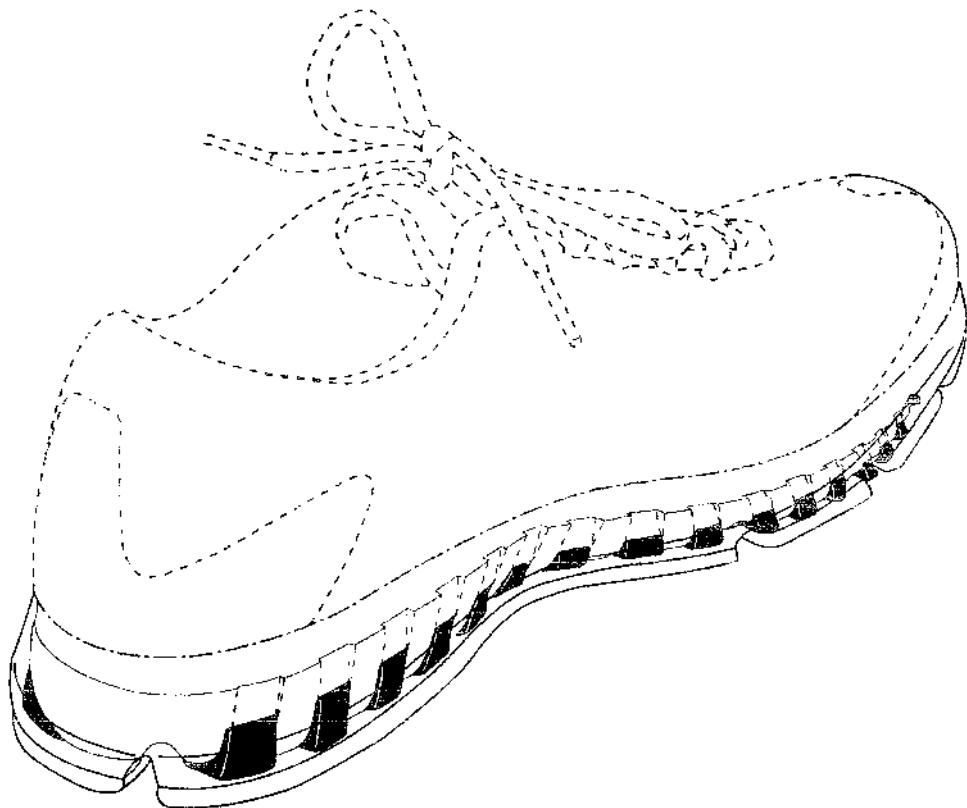
디자인의 설명

1. 재질은 합성수지재 및 고무재
2. 운동화 또는 구두용 신발 창부분의 모양으로서, 창의 좌우 측면부는 밖으로 튀어나온 부분과 안으로 오복한 부분이 연속적으로 연결되어 있고, 앞부분은 신발 부분 위로 올라와 라운드 된 사다리 모형이며, 뒤 부분은 신발창의 바닥부분이 위 부분보다 면적이 넓고, 바닥면은 앞부분은 좌우로 3등분되고 뒤 부분은 상하로 양분하여 미끄럼을 방지할 수 있도록 고안 됨
3. 실선으로 된 부분이 본 신발의 보호받고자 하는 부분임

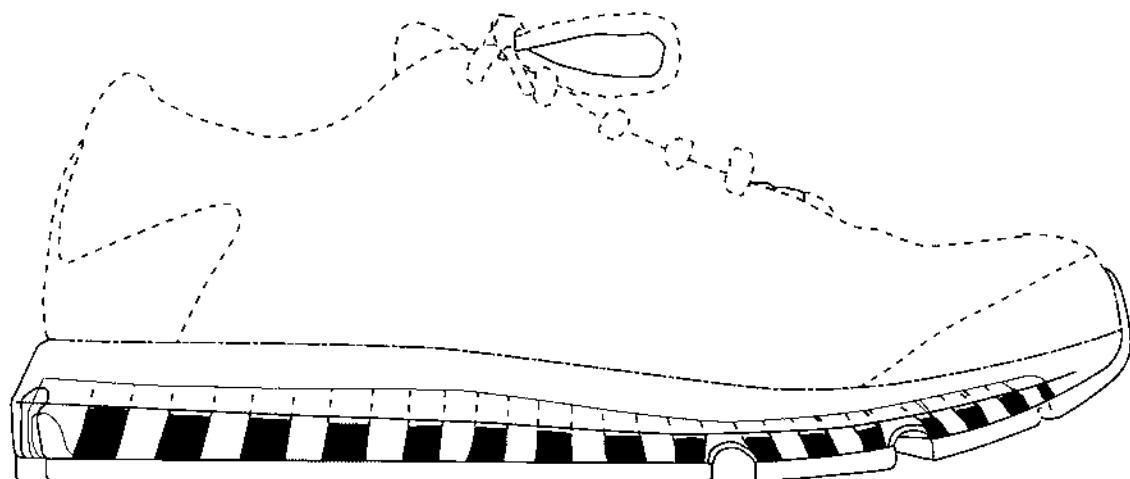
디자인 창작 내용의 요점

"신발"의 형상과 모양의 결합을 디자인창작내용의 요점으로 함

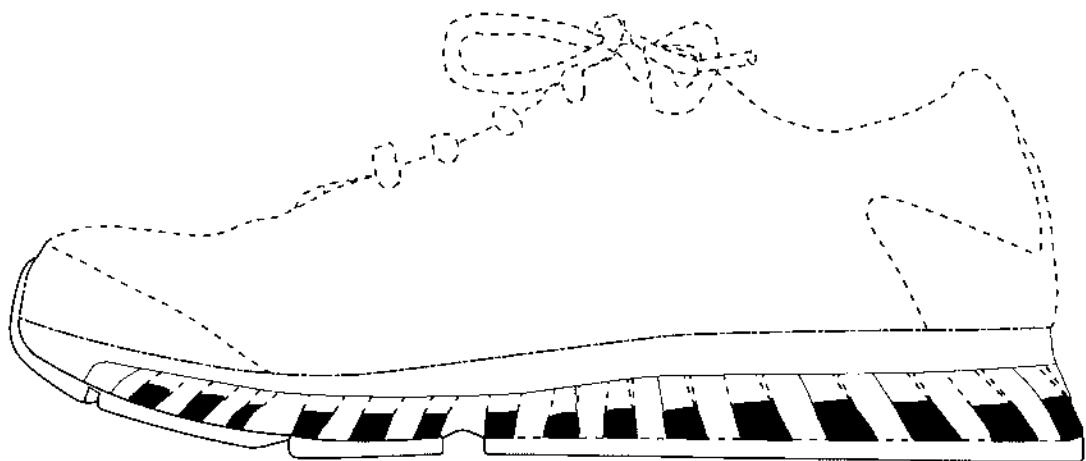
사시도



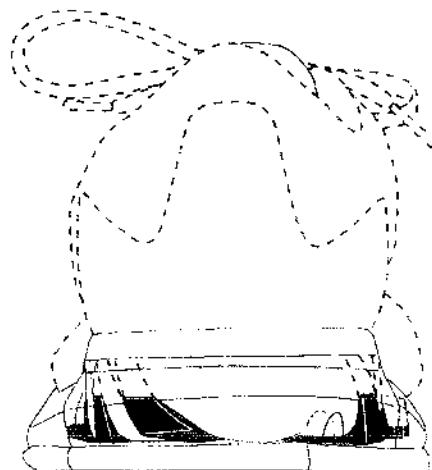
정면도



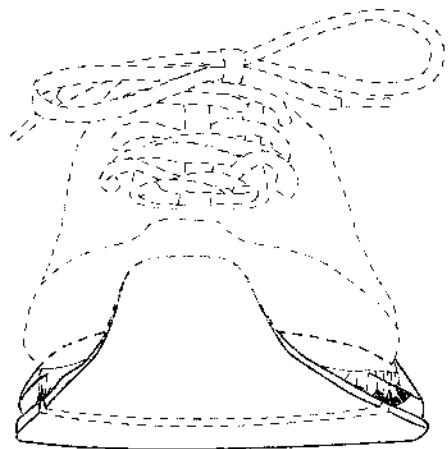
배면도



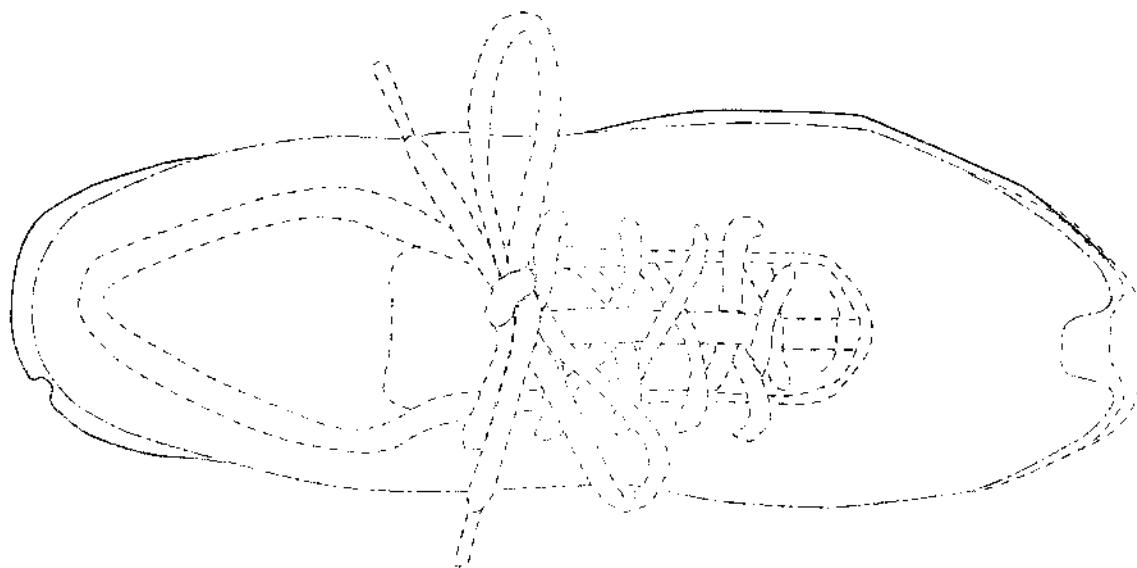
좌측면도



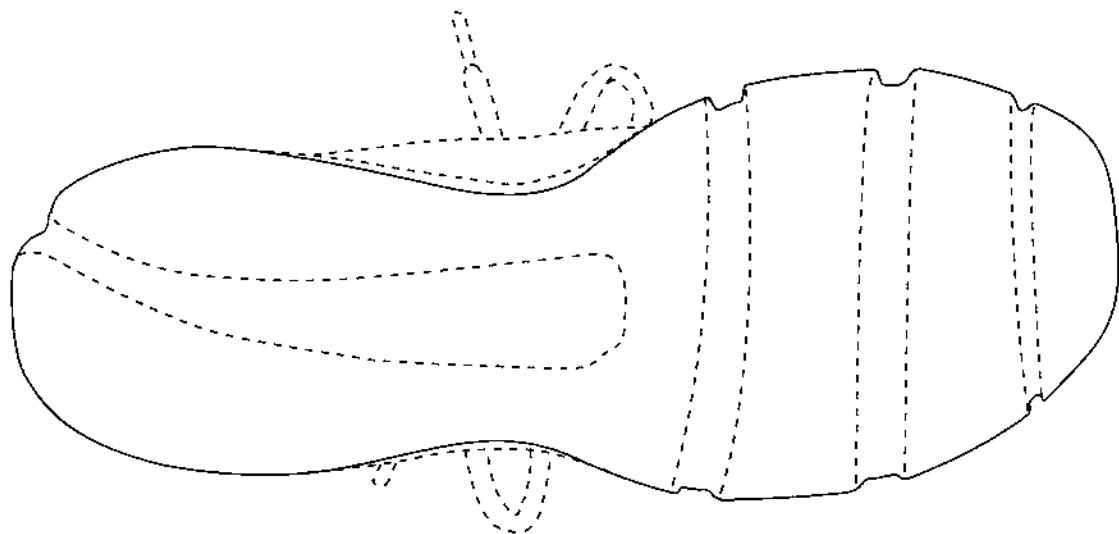
우측면도



평면도



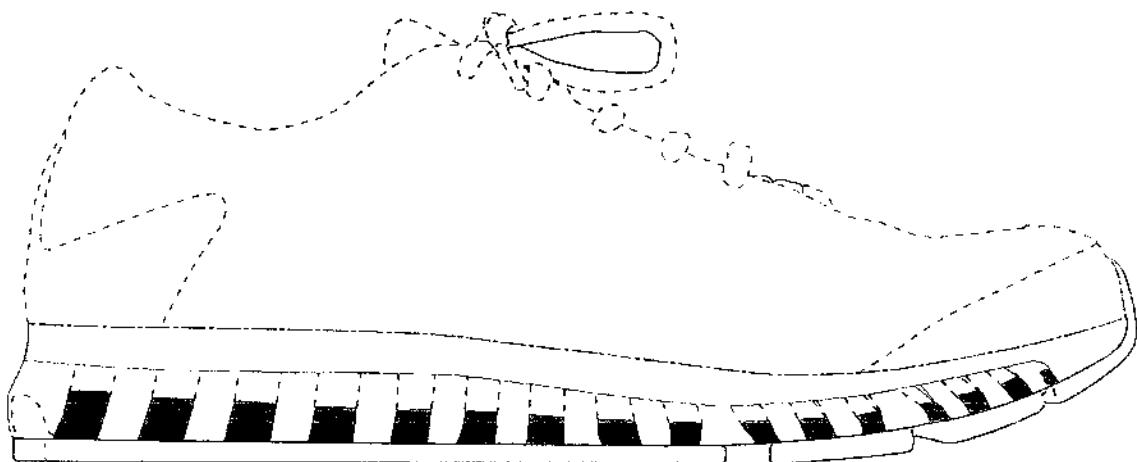
저면도



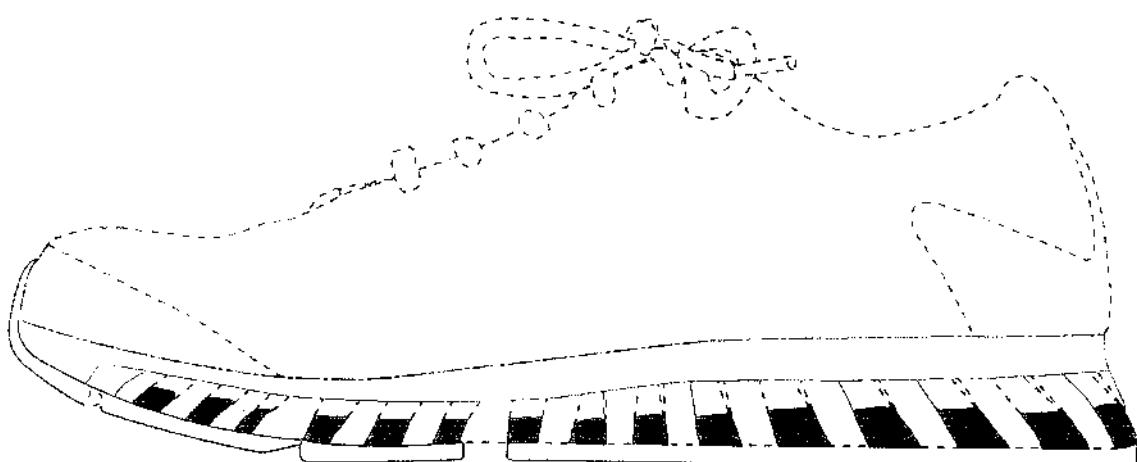
참고도1



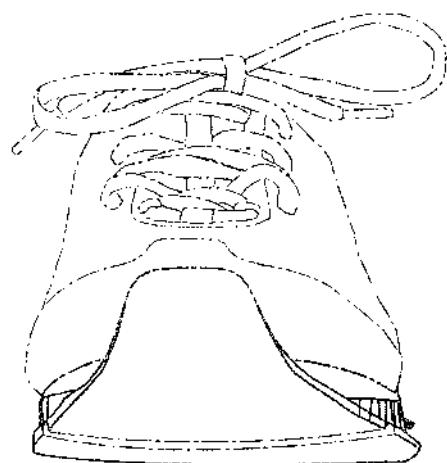
참고도2



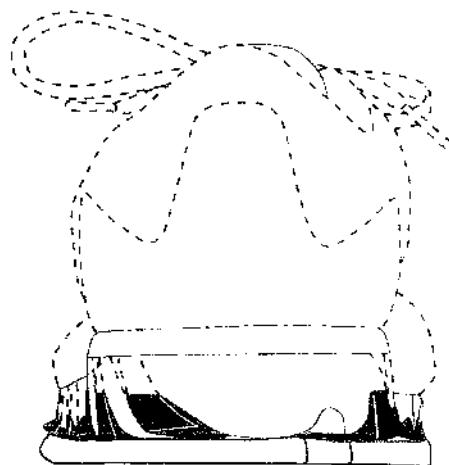
참고도3



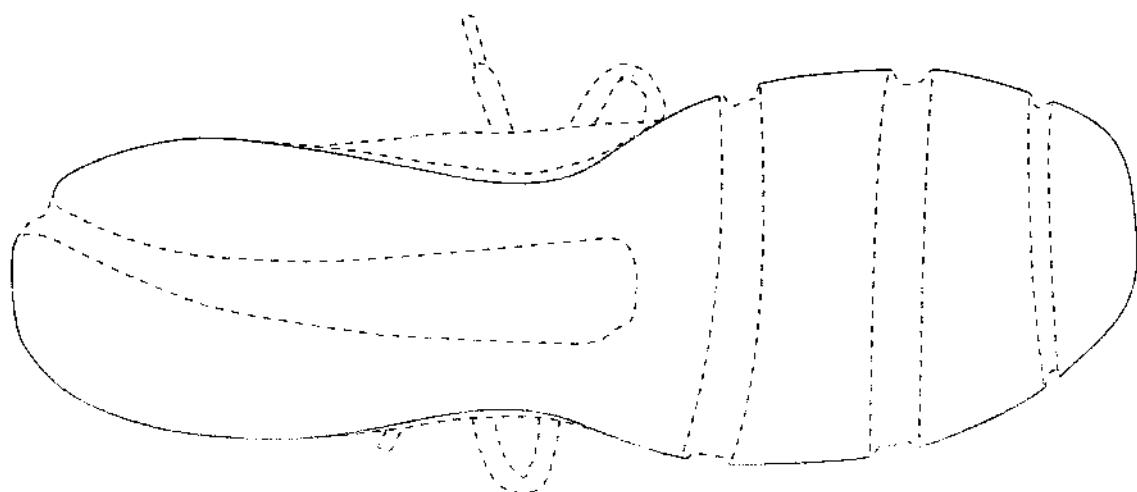
참고도4



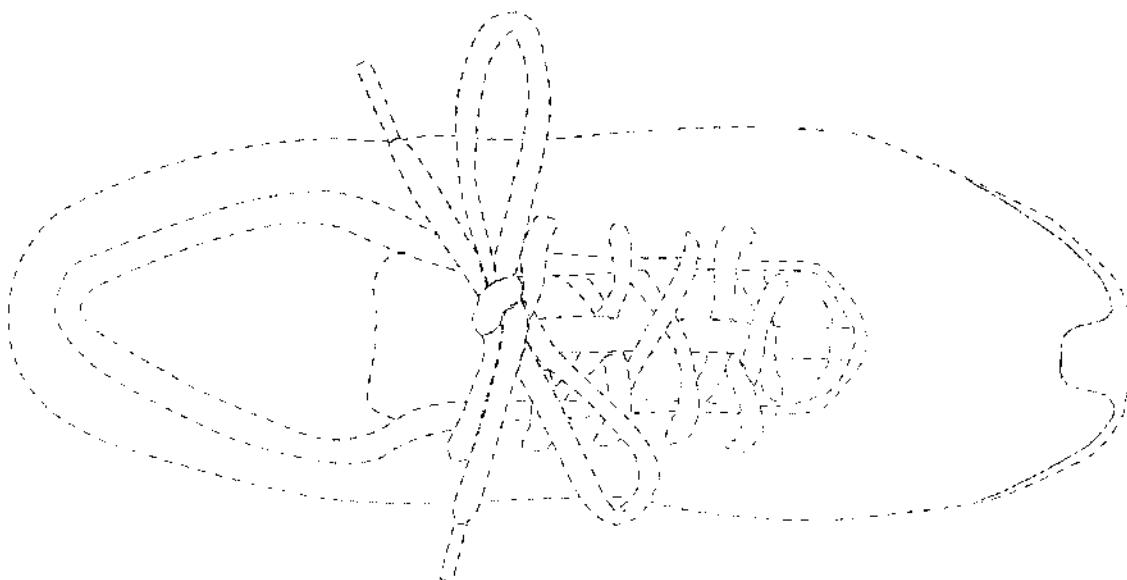
참고도5



참고도6



참고도7



Brazil

Feb 2016



(11)(21) **BR 30 2012 002259-2 F**



* B R 3 0 2 0 1 2 0 0 2 2 5 9 F *

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(22) Data de Depósito: 08/05/2012
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(RPI 2263)

(52)(BR) Cia. Nac.:
02-04

(54) Título: **CONFIGURAÇÃO APLICADA EM TÊNIS**

(15) Data da Concessão do Registro: **20/05/2014**

(17) Prazo de Validade: 10(dez) anos contados a partir
de 08/05/2012, mediante o recolhimento da taxa quinquenal de manutenção (Artigos 119 e 120 da LPI) e
observadas as demais condições legais.

(73) Titular(es): AGNALDO FERNANDES FERREIRA (BR)

(72) Autor(es): AGNALDO FERNANDES FERREIRA

(74) Procurador: MARCELO PEREIRA DOS SANTOS



1/6



FIG. 1



FIG. 2

3/6



FIG. 3

4/6



FIG. 4

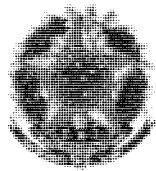


FIG. 5

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FIG. 6



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(11)(21) **BR 30 2012 001601-0 F**



* B R 3 0 2 0 1 2 0 0 1 6 0 1 F *

(22) Data de Depósito: 02/04/2012
(45) Data da Publicação do Registro: 14/08/2012
(RPI 2171)

(52)(BR) Cla. Nac.:
02-04

(54) Título: **CONFIGURAÇÃO APLICADA EM CABEDAL PARA CALÇADO**

(15) Data da Concessão do Registro: 14/08/2012

(17) Prazo de Validade: 10(dez) anos contados a partir
de 02/04/2012, observadas as condições legais

(73) Titular(es): GEASI PIRES (BR)

(72) Autor(es): GEASI PIRES

(74) Procurador: BEERRE ASSESSORIA EMPRESARIAL LTDA



" CONFIGURAÇÃO APLICADA EM CABEDAL PARA CALÇADO "

Trata o presente registro de Desenho Industrial de uma nova e original configuração aplicada em CABEDAL PARA CALÇADO, apresentando este um design inovador, trazendo um produto de alta qualidade e performance.

APLICAÇÃO: indústria de calçados.

Para que se tenha uma clara visualização, acompanham os desenhos ilustrativos anexos, aos quais se faz referências a fim de melhor elucidar a descrição detalhada que se segue.

Figuras 1, 2, 3, 4, 5 e 6: representam as vistas lateral externa, lateral interna, superior, frontal, posterior e perspectiva.

De acordo com as figuras 1, 2, 3, 4, 5 e 6; verifica-se que o objeto possui, ao longo de seu corpo:

Corpo principal contendo detalhes em tira lateral-mediana curvilínea (detalhe A), tira lateral-frontal curvilínea com repartições internas em linha simples (detalhe B), detalhe na lateral externa em figura decorativa estilizada de uma “coroa” (detalhe C), tira frontal curvilínea contornando o bico (detalhe D), tira posterior curvilínea contornando o calcâncar (detalhe E), aberturas frontais circulares (detalhe F), cadarço com textura superficial em linhas paralelas passante por aberturas circu-

lares (detalhe G), lingueta curta curvilínea superior (detalhe H), abertura elipsoidal estilizada para colocação de pé do usuário (detalhe I) e peça sobressalente curvilínea com recortes ondulados lateralizados no calcanhar contendo 5 espaço para colocação de logotipo e/ou logomarca (detalhe J).

REIVINDICAÇÃO
" CONFIGURAÇÃO APLI-
CADA EM CABEDAL PARA CALÇADO ", caracteri-
zado por ser substancialmente de acordo com os desenhos
5 anexos.

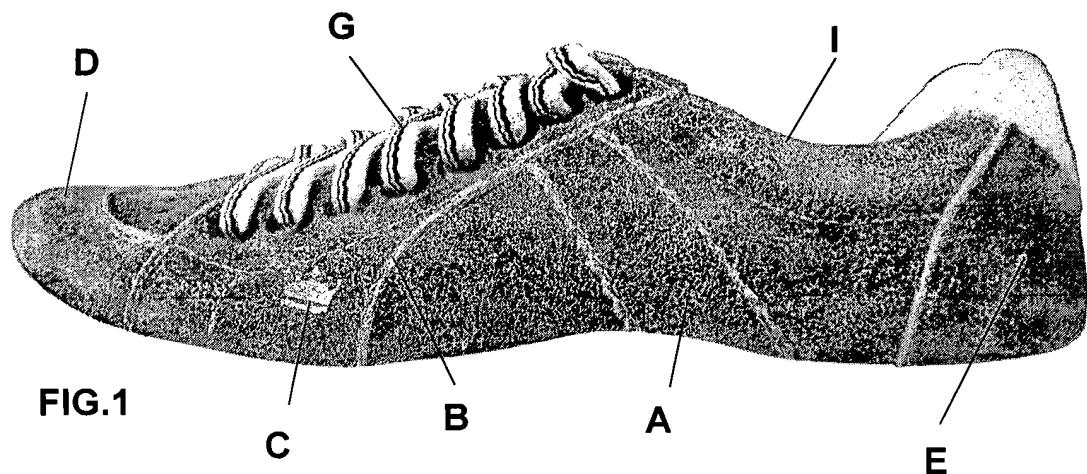


FIG.1

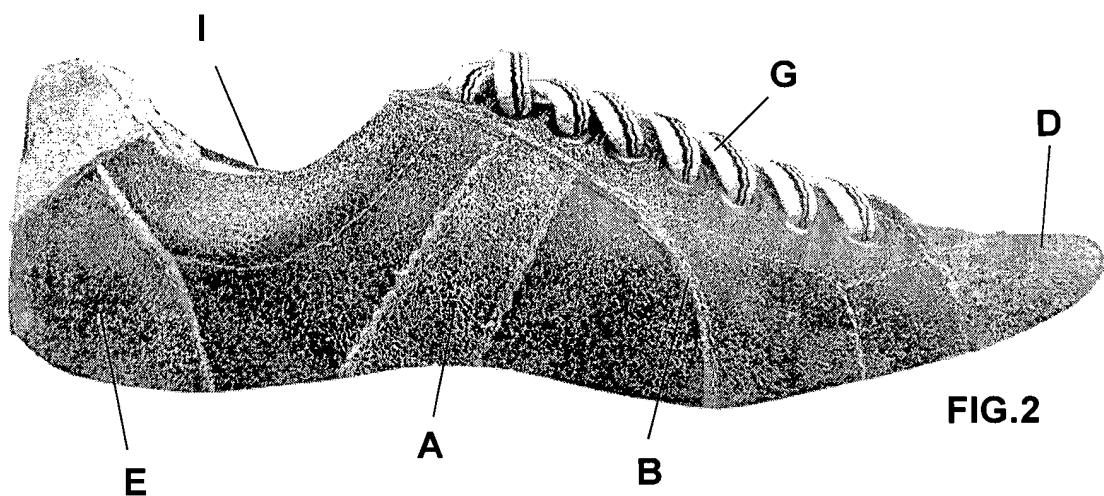


FIG.2

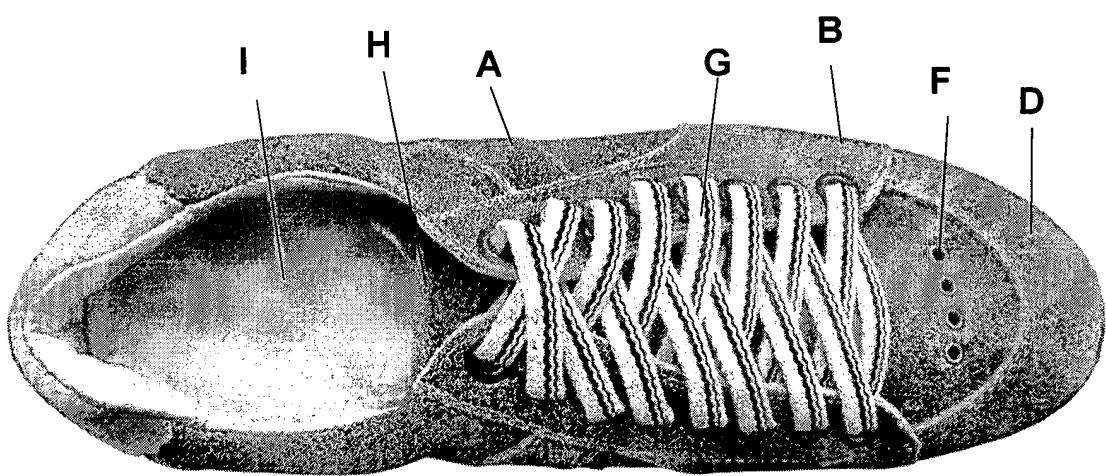


FIG.3

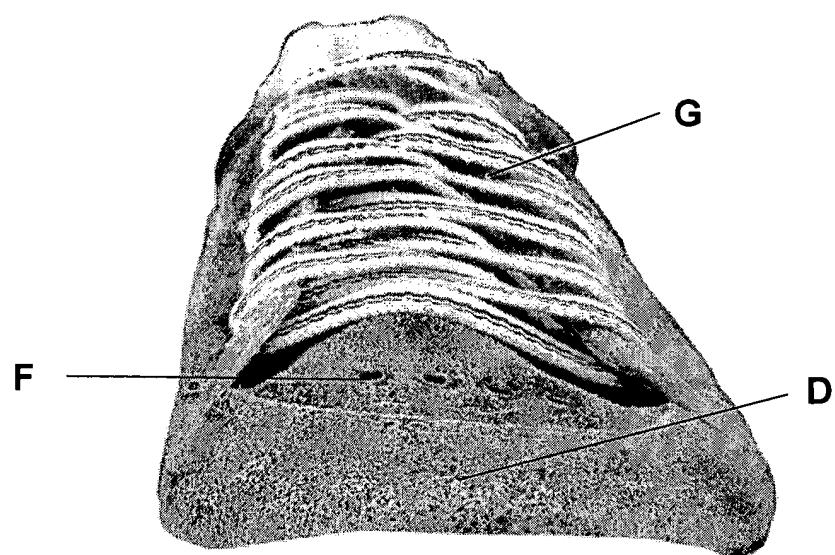


FIG.4

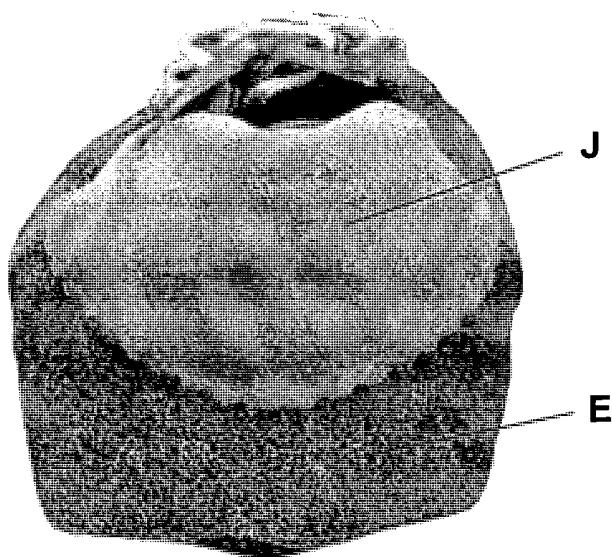


FIG.5

3/3

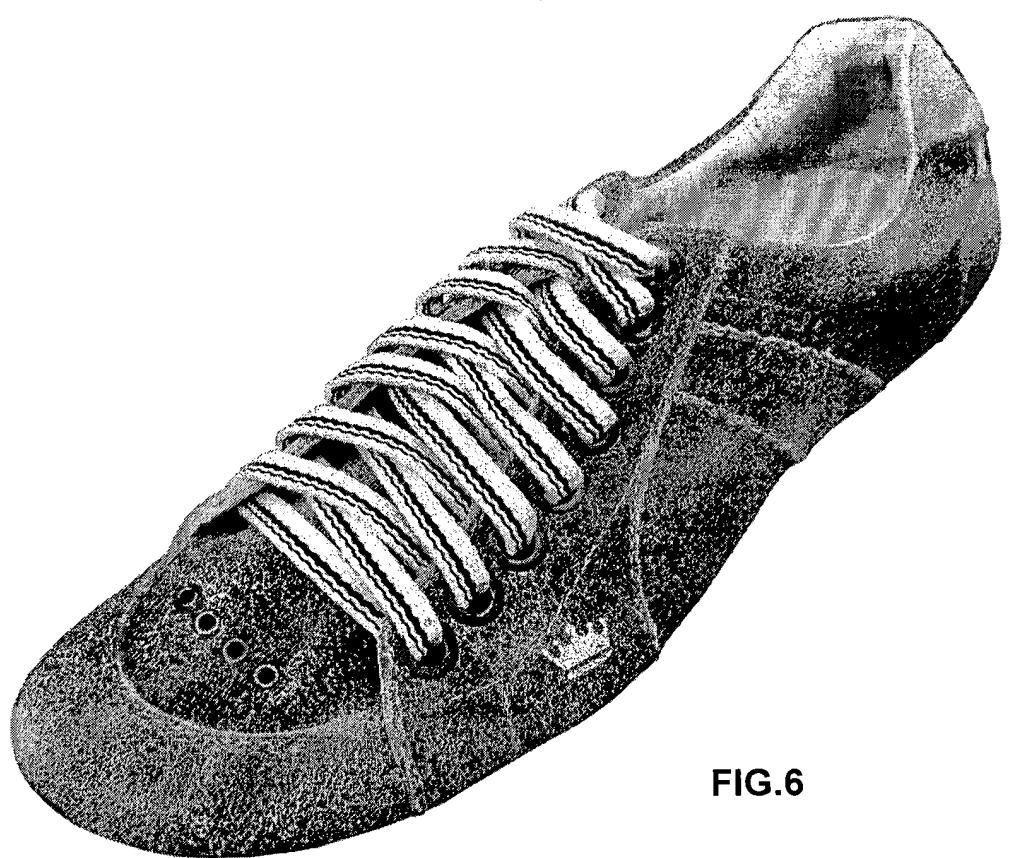


FIG.6



(11)(21) **BR 30 2012 000969-3 F**



* B R 3 0 2 0 1 2 0 0 0 9 6 9 F *

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(22) Data de Depósito: 05/03/2012
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(RPI 2263)

(52)(BR) Cia. Nac.:
02-04

(54) Título: **CONFIGURACAO APLICADA EM TENIS**

(15) Data da Concessão do Registro: 20/05/2014

(17) Prazo de Validade: 10(dez) anos contados a partir
de 05/03/2012, mediante o recolhimento da taxa quinquenal de manutenção (Artigos 119 e 120 da LPI) e
observadas as demais condições legais.

(73) Titular(es): Fabio Jose De Oliveira (BR)

(72) Autor(es): Fabio Jose De Oliveira

(74) Procurador: Marcelo Pereira Dos Santos



1/6



FIG. 1

2/6



FIG. 2

3/6



FIG. 3

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FIG. 4

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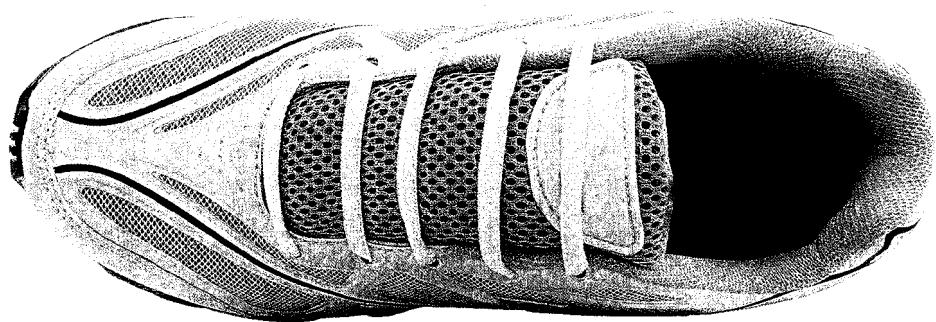


FIG. 5

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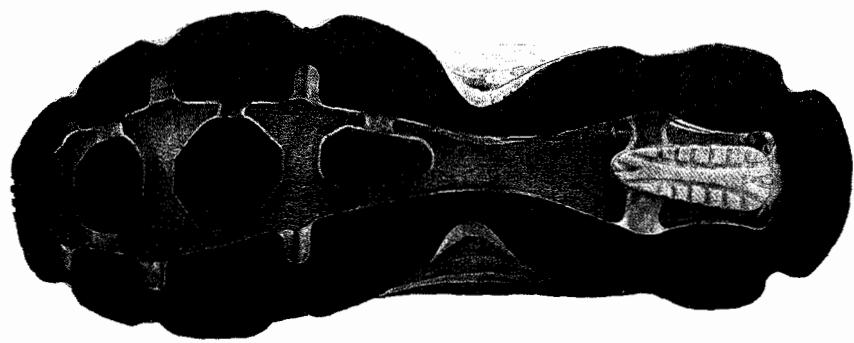


FIG. 6



(11)(21) BR 30 2012 000681-3 F



* B R 3 0 2 0 1 2 0 0 0 6 8 1 F *

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(22) Data de Depósito: 16/02/2012
(45) Data da Publicação do Registro: 03/07/2012
(RPI 2165)

(52)(BR) Clas. Nac.:
02-04

(54) Título: CONFIGURAÇÃO APLICADA EM TÊNIS.

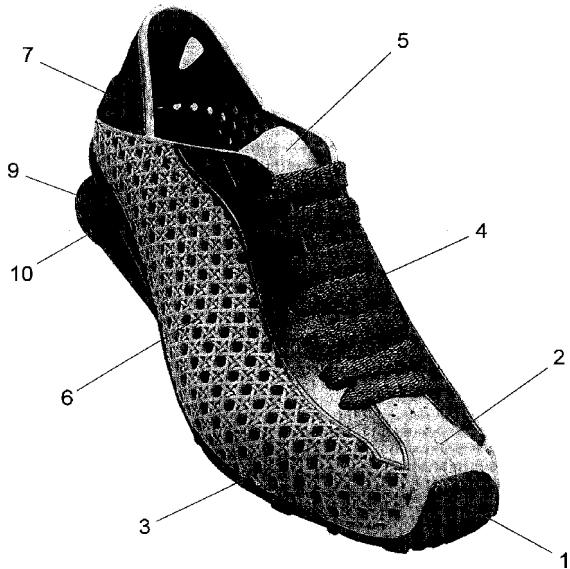
(15) Data da Concessão do Registro: 03/07/2012

(17) Prazo de Validade: 10(dez) anos contados a partir
de 16/02/2012, observadas as condições legais

(73) Titular(es): GRENDENE S.A. (BR)

(72) Autor(es): Daniela Pompermaier Tomasi

(74) Procurador: CUSTÓDIO DE ALMEIDA & CIA



“CONFIGURAÇÃO APLICADA EM TÊNIS”

O presente registro de desenho industrial refere-se a uma nova e original configuração ornamental aplicada em tênis que é ilustrada nas fotografias em anexo, abaixo listadas:

- 5 Figura 1 - perspectiva do tênis;
- Figura 2 - vista lateral do tênis pelo lado interno do pé;
- Figura 3 - vista lateral do tênis pelo lado externo do pé;
- Figura 4 - vista superior do tênis;
- Figura 5 - vista inferior do tênis;
- 10 Figura 6 - vista frontal do tênis;
- Figura 7 - vista traseira do tênis.

A modelagem aplicada em tênis compreende um cabedal cujo material é formado por filamentos cruzados ortogonal e inclinadamente, definindo uma espécie de trama com pequenos orifícios poligonais. A 15 modelagem de tênis apresenta uma biqueira frisada (1) que se projeta do solado, uma estreita pala (2) que acompanha a largura da biqueira e que é ladeada por talões (3) que avançam paralelamente e possuem orifícios para o atacador (4), uma lingueta (5), paredes laterais (6) que decrescem em direção ao traseiro e uma peça traseira (7) que é inclinada e dotada de recortes 20 alongados (8).

O solado compreende um salto (9) recuado e uma soleta (10) inteiriça. A região anterior da soleta (10) apresenta agarradeiras com a forma de pequenos corações (11) e um grande coração (12) próximo do enfranque. A região do calcanhar da soleta apresenta a forma de coração (13). A região do 25 enfranque da soleta apresenta frisos longitudinais (14).

REIVINDICAÇÃO

**1 - “CONFIGURAÇÃO APLICADA EM TÊNIS” por ser
substancialmente conforme figuras em anexo.**

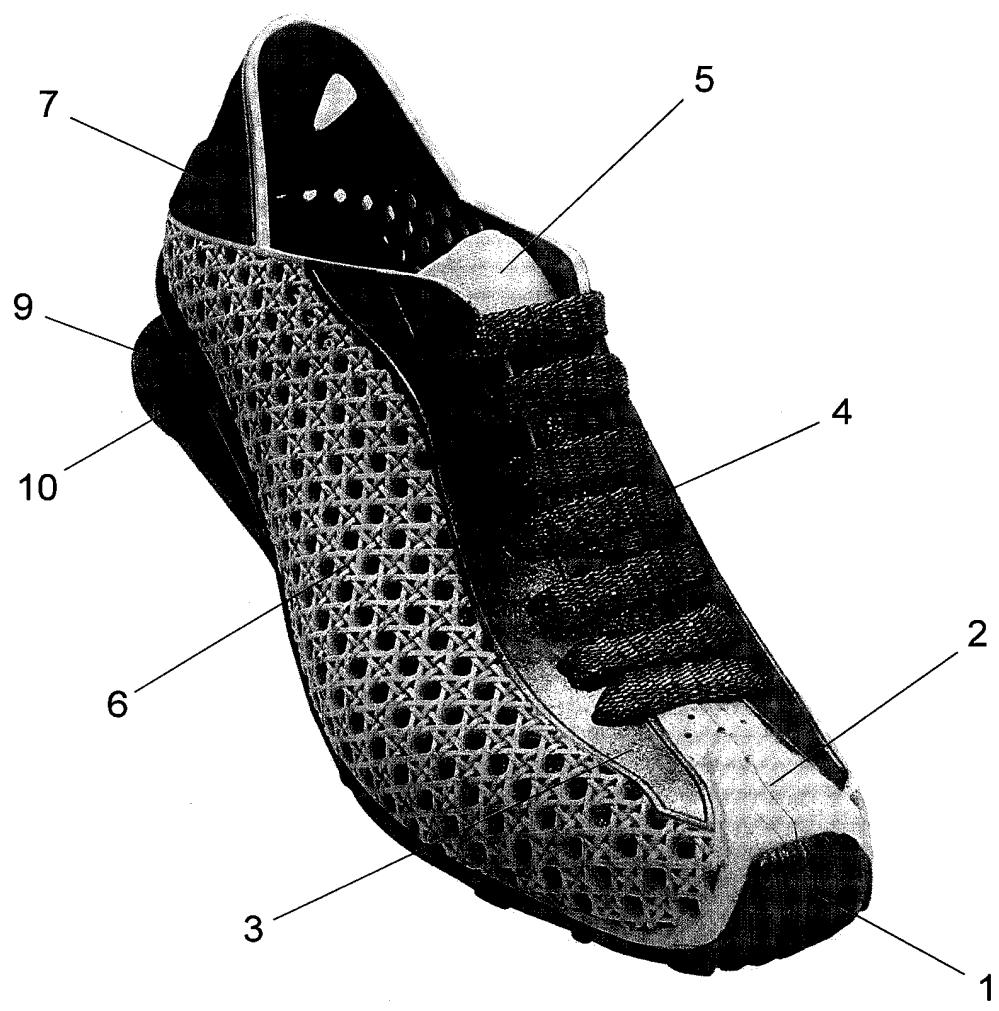


FIG. 1

FIG. 2

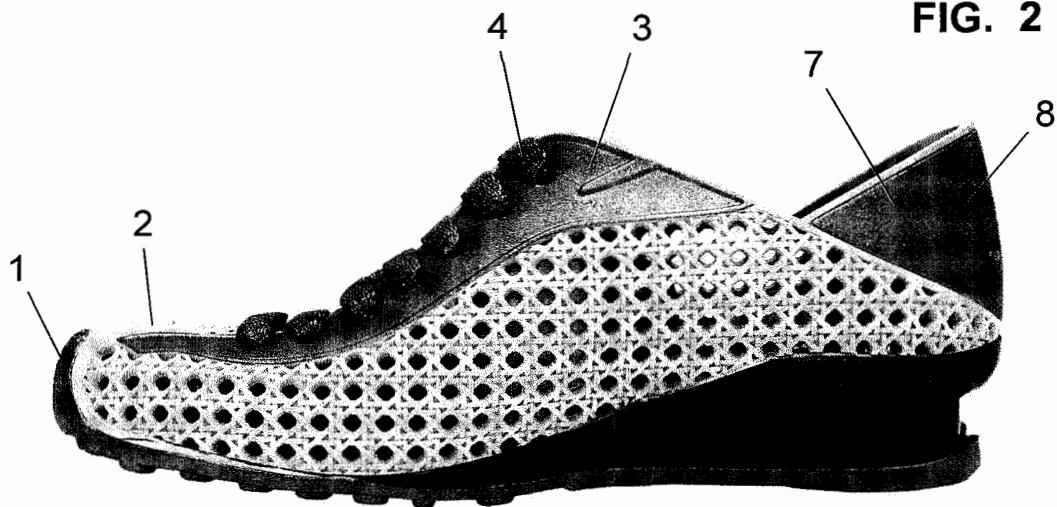


FIG. 3

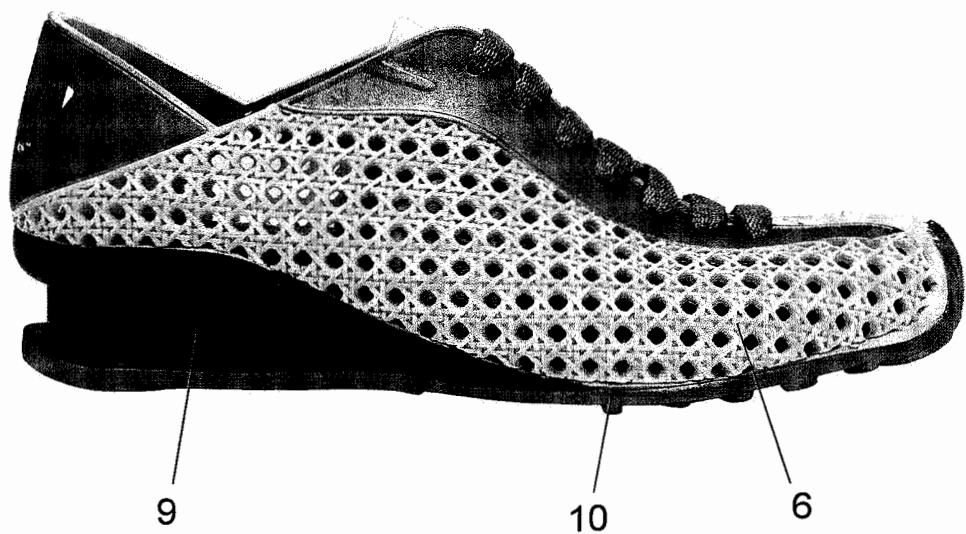


FIG. 4

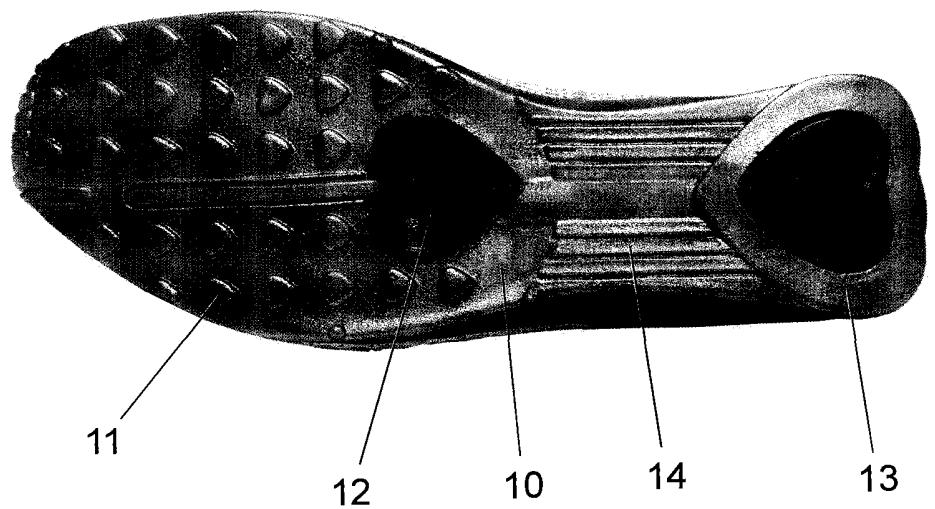
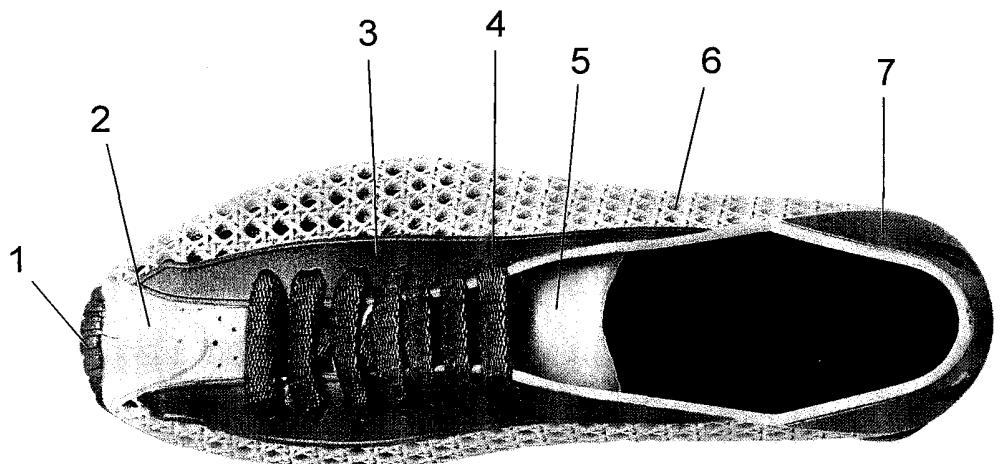


FIG. 5

FIG. 6

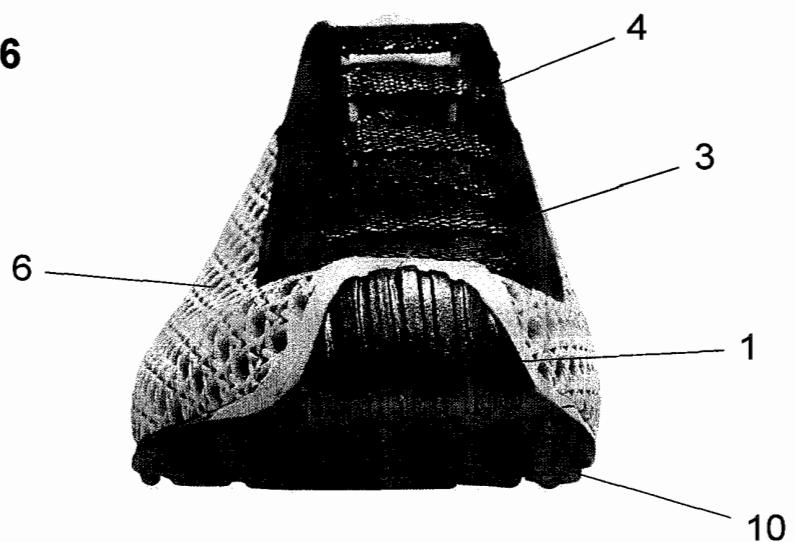
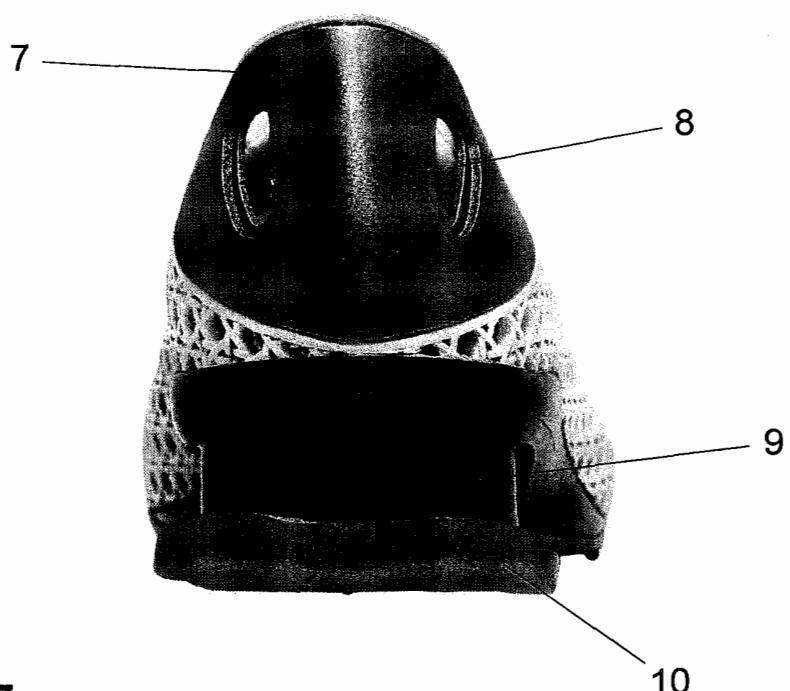


FIG. 7





(11)(21) **BR 30 2012 000053-0 F**



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(RPI 2214)

(52)(BR) Clas. Nac.:
02-04

(54) Título: **CONFIGURAÇÃO ORNAMENTAL APLICADA EM SOLADO**

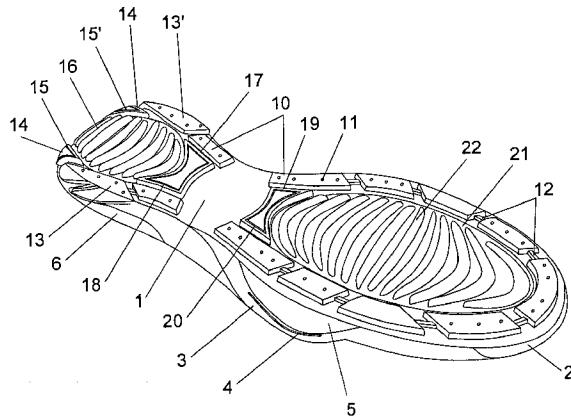
(15) Data da Concessão do Registro: 11/06/2013

(17) Prazo de Validade: 10(dez) anos contados a partir
de 09/01/2012, mediante o recolhimento da taxa quinquenal de manutenção (Artigos 119 e 120 da LPI) e
observadas as demais condições legais.

(73) Titular(es): Calçados Pegada Ltda. (BR)

(72) Autor(es): Jonas Lourenço Engelmann

(74) Procurador: Capella & Veloso Associados Ltda.



“CONFIGURAÇÃO ORNAMENTAL APLICADA EM SOLADO”

O presente registro de desenho industrial refere-se a uma nova configuração ornamental aplicada em solado, cuja forma plástica inédita resulta em aspecto externo exclusivo, inovador e original.

- 5 A nova configuração ornamental aplicada em solado, objeto do presente desenho industrial, passa a ser descrita detalhadamente com base nas figuras abaixo listadas, que ilustram suas características visuais principais:
- Figura 1 – vista isométrica inferior do solado;
- Figura 1.1 – vista inferior do solado;
- 10 Figura 1.2 – vista superior do solado;
- Figura 1.3 – vista lateral esquerda do solado;
- Figura 1.4 – vista lateral direita do solado;
- Figura 1.5 – vista frontal do solado;
- Figura 1.6 – vista posterior do solado.

15 As figuras 1 a 1.6 ilustram a nova configuração ornamental aplicada em solado cuja forma se caracteriza por possuir base (1) que possuem a forma externa inferior similar de um pé. A borda superior do solado possui o ressalto curvado (2) que circunda a região frontal, a lateral direita possui a saliência curvada (3) que possui ranhura curvada (4) e ressalto curvado (5). A 20 região posterior é dotada de saliência curvada (7) provida de relevo que se divide lateralmente nos ressaltos levemente curvados (6) e (6'), possui também na região traseira o ressalto arredondado (8) apresentando a ranhura (9) que acompanha paralelamente o formato da saliência (7). Na região inferior do solado, existem os ressaltos (10) que possuem formas irregulares que estão dispostos 25 próximos do contorno externo e interligados pelas nervuras de perfil retangular (11). Alguns dos ressaltos (10) possuem rebaixos semiesféricos (12). A região inferior traseira do solado possui os relevos irregulares (13) e (13') posicionados nas laterais, o ressalto em forma de “C” (14) que possuem as ranhuras irregulares (15) e (15'), no centro existe uma região levemente elevada contendo os relevos 30 curvados e arredondados (16) que estão dispostos lado a lado no sentido longitudinal até o relevo (17) que possui a ranhura (18). O ressalto (19) e ranhura (20) possuem respectivamente as formas do relevo (17) e ranhura (18). Na região

central dos ressaltos (10) existe a região elíptica (21) dotada de ressaltos (22) que possuem forma similar aos ressaltos (16).

As arestas do solado, descritas acima, se caracterizam por apresentarem cantos vivos e arredondados, e suas superfícies são lisas e isentas
5 de quaisquer rebarbas.

O presente registro de desenho industrial ilustra, portanto, uma inédita configuração ornamental aplicada em solado, cujas combinações dos seus elementos visuais essenciais proporcionam em características originais distintas frente aos demais solados conhecidos.

REIVINDICAÇÃO

**1 - “CONFIGURAÇÃO ORNAMENTAL APLICADA EM
SOLADO” por ser substancialmente conforme ilustrado nas figuras anexas.**

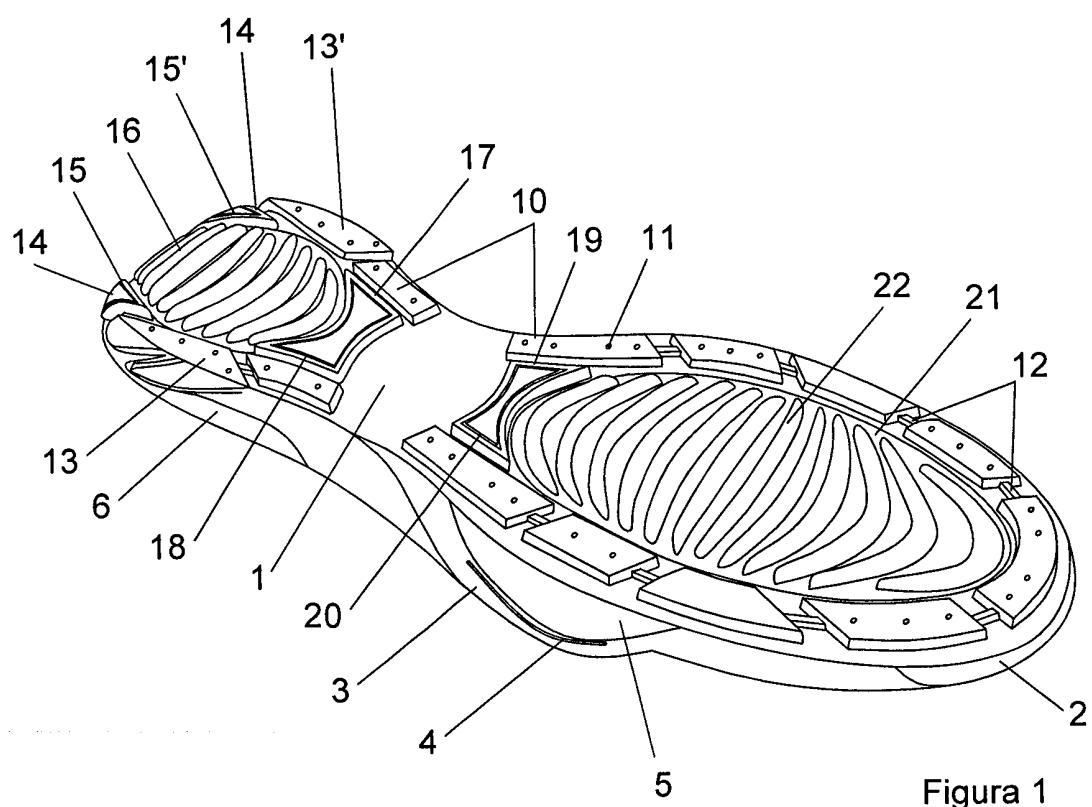
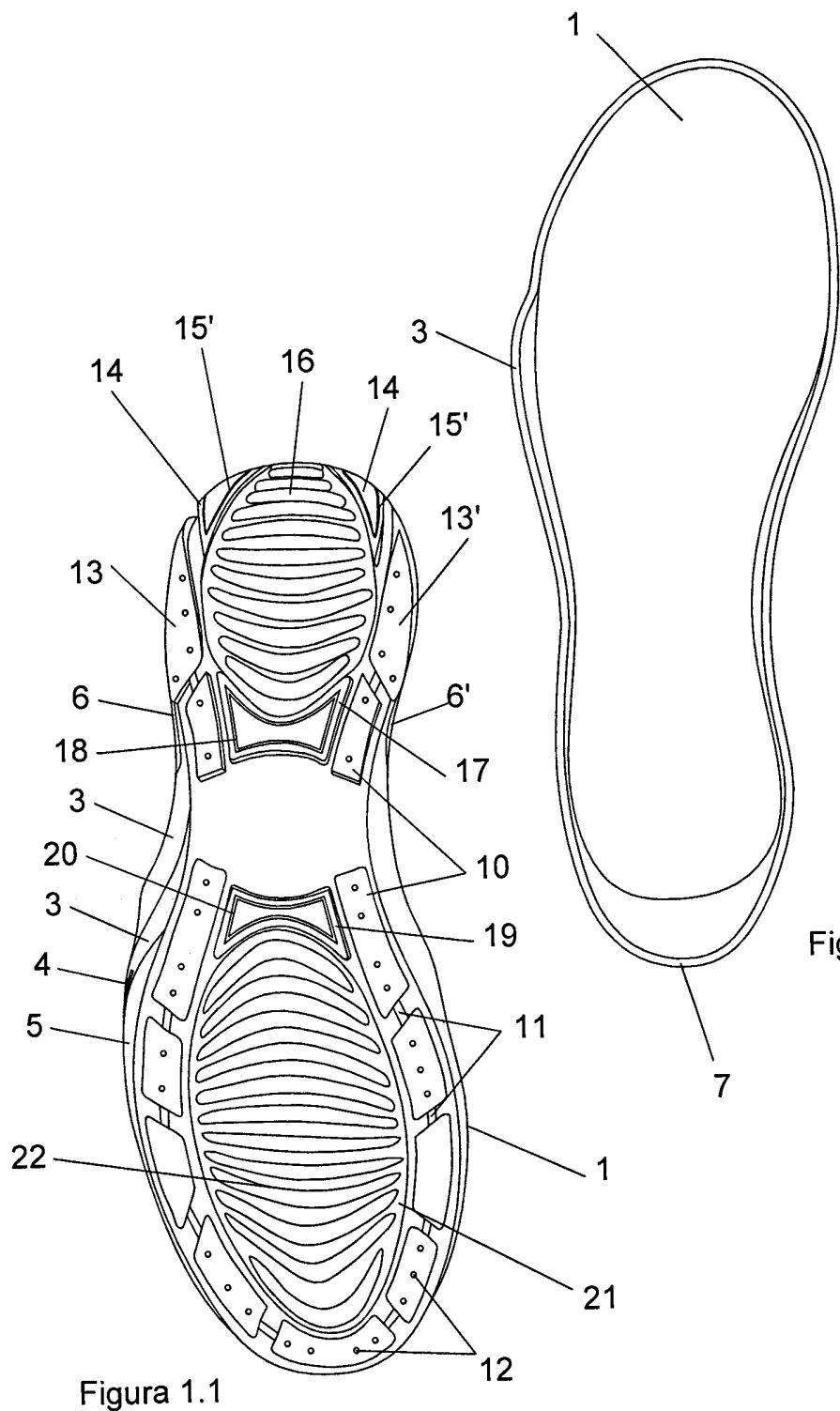
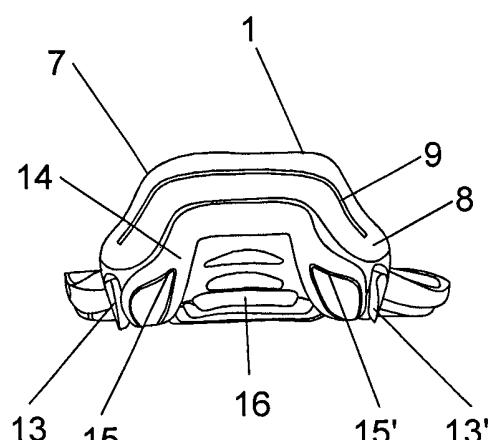
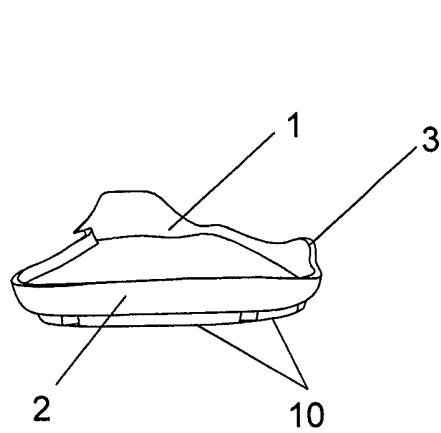
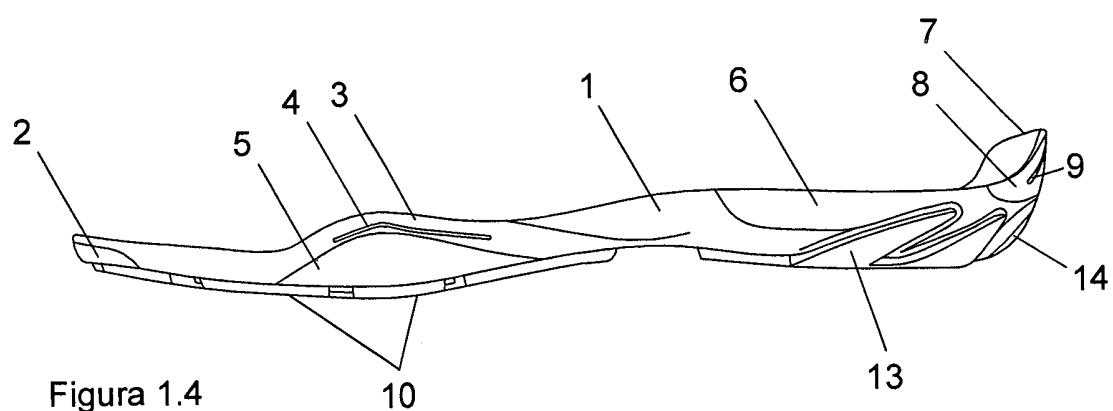
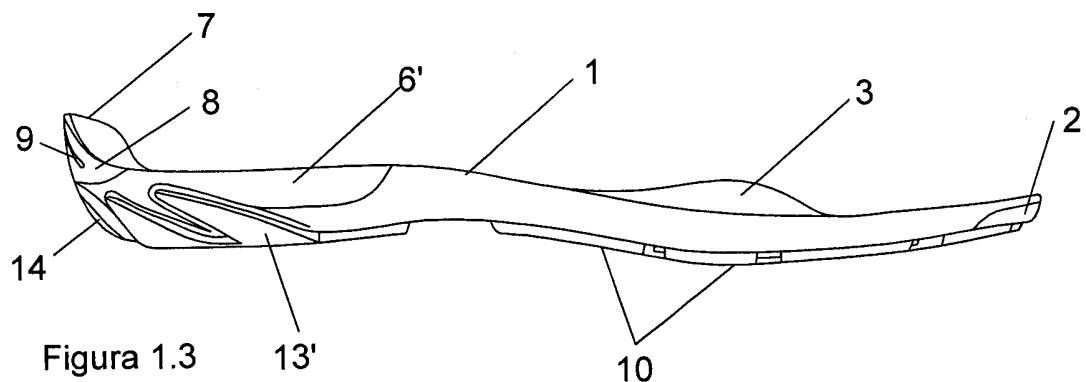


Figura 1





United States



US00D619797S

(12) **United States Design Patent**
Liles(10) **Patent No.:** **US D619,797 S**
(45) **Date of Patent:** **** Jul. 20, 2010**(54) **SHOE**(75) Inventor: **Timothy K. Liles**, Boston, MA (US)(73) Assignee: **Converse, Inc.**, North Andover, MA
(US)D345,451 S 3/1994 Teague
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D348,764 S 7/1994 Teague
D364,499 S 11/1995 Avar
D365,201 S 12/1995 Avar(**) Term: **14 Years**(21) Appl. No.: **29/358,443**(22) Filed: **Mar. 26, 2010****Related U.S. Application Data**

(63) Continuation of application No. 11/536,353, filed on Sep. 28, 2006.

(51) **LOC (9) Cl.** **02-99**(52) **U.S. Cl.** **D2/972**(58) **Field of Classification Search** D2/896,
D2/902, 906–908, 943, 944, 969, 972–974,
D2/975; 36/45–49, 50.1, 77 M, 77 R, 83,
36/88, 113, 114, 126–131

See application file for complete search history.

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Primary Examiner—Dominic Simone*(74) Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

(57)

CLAIM

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

DESCRIPTIONFIG. 1 is a lateral side view of a shoe showing my new design;
FIG. 2 is a medial side view thereof;

FIG. 3 is a rear view thereof;

FIG. 4 is a front view thereof;

FIG. 5 is a lateral side view of the shoe of FIGS. 1–4 with the disclaimed stitching removed for clarity;

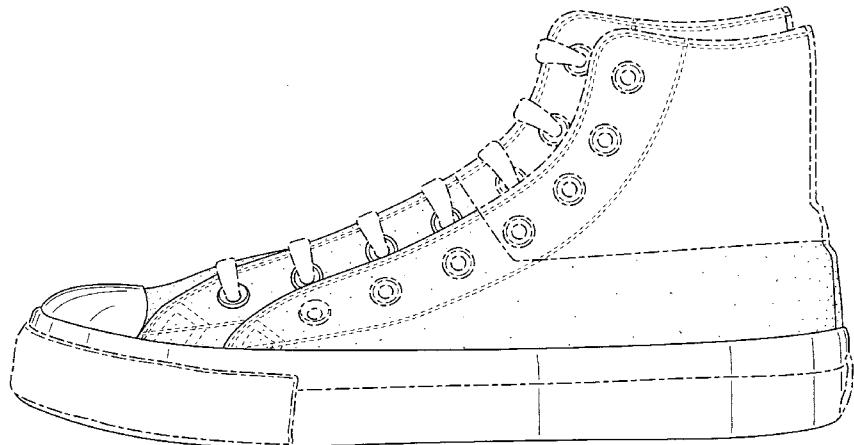
FIG. 6 is a medial side view thereof;

FIG. 7 is a rear view thereof; and,

FIG. 8 is a front view thereof.

The even broken lines within the shaded area of FIGS. 1–4 represent disclaimed stitching and form no part of the claimed design. The uneven broken lines immediately adjacent to the shaded area of FIGS. 1–8 represent unclaimed boundaries of the design.

The uneven broken line showing of remainder of the shoe in FIGS. 1–8 is for environmental purposes only and forms no part of the claimed design.

1 Claim, 6 Drawing Sheets

US D619,797 S

Page 2

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D2/902					

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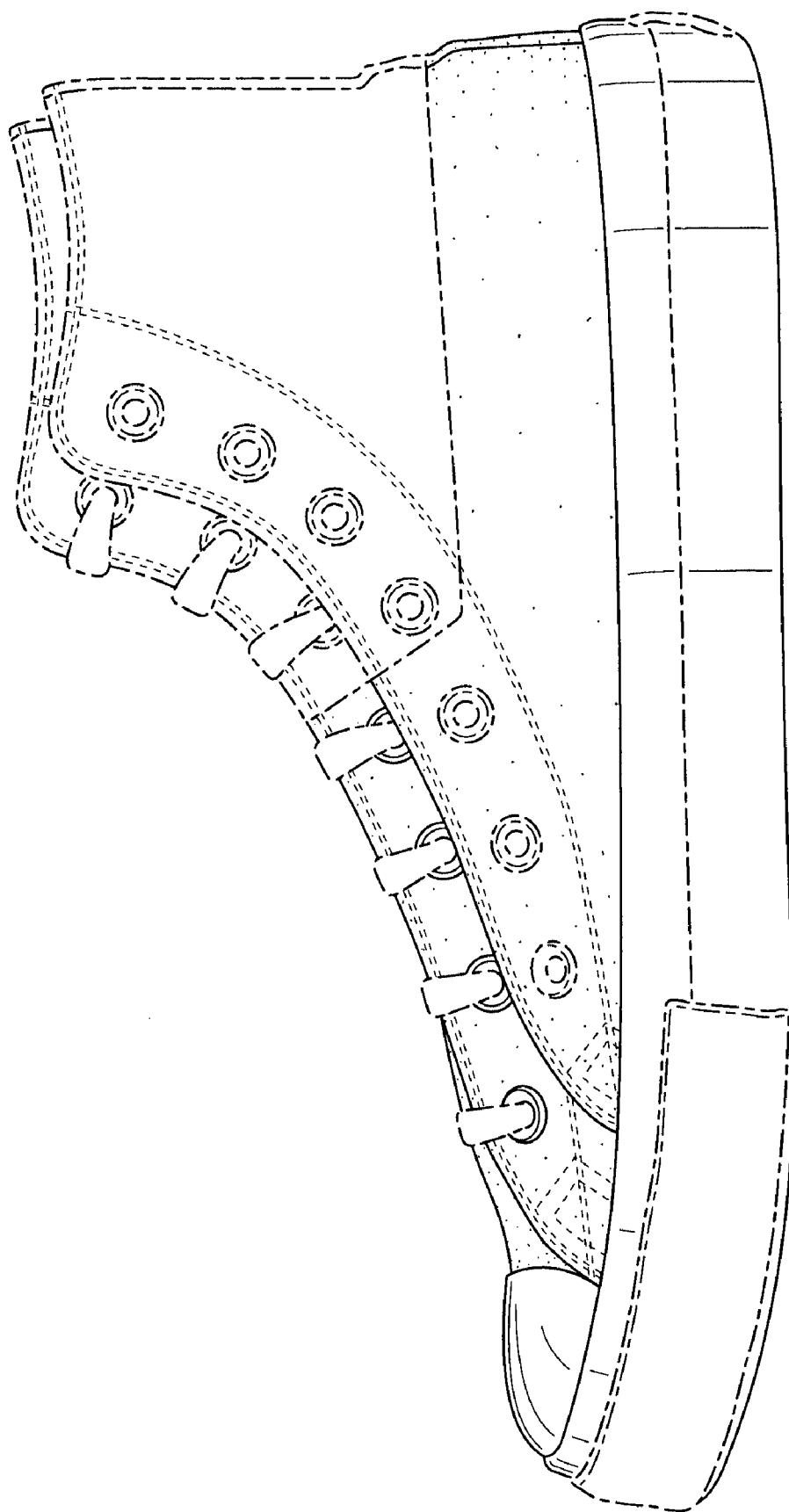


FIG. 1

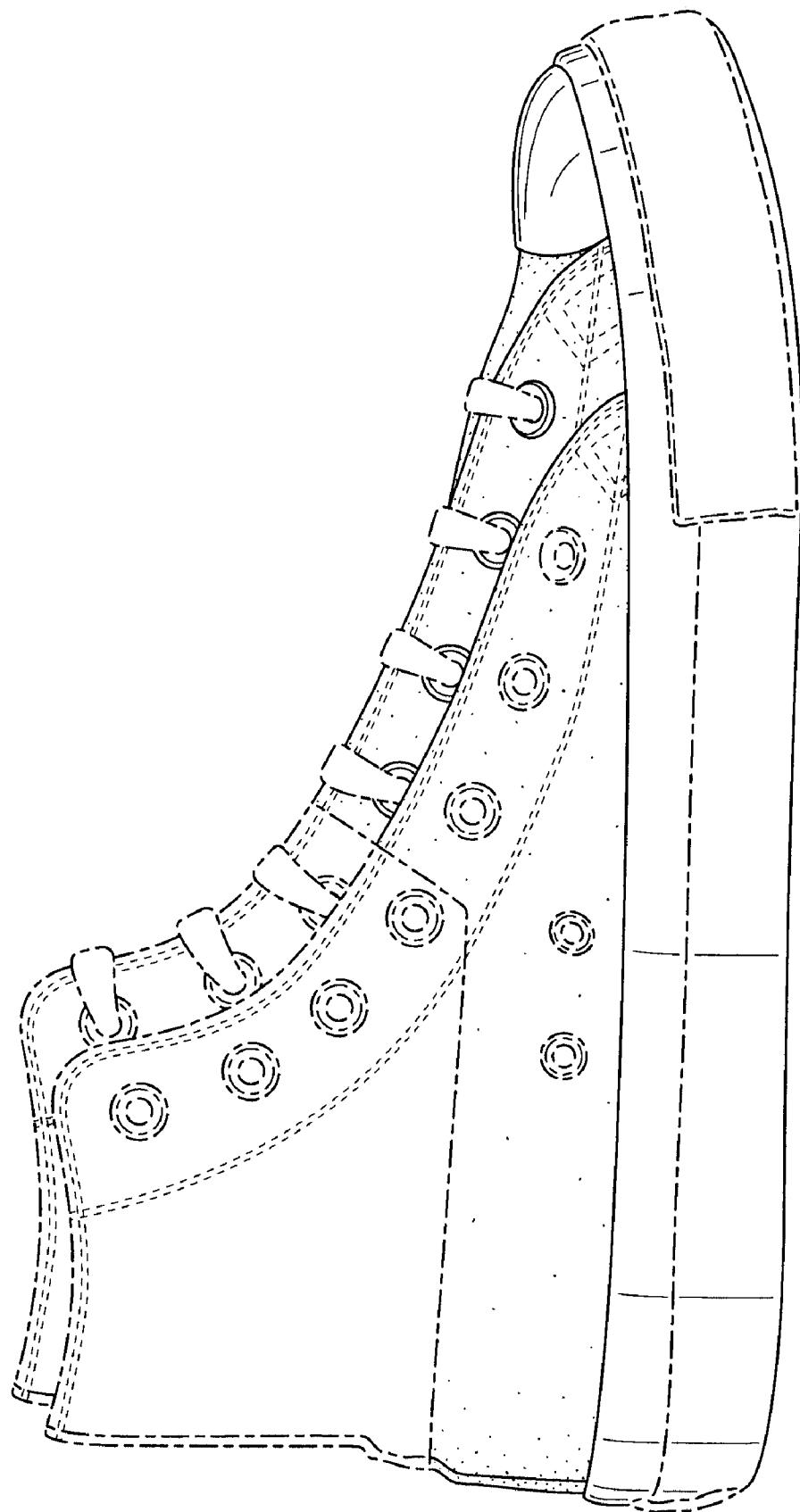


FIG. 2

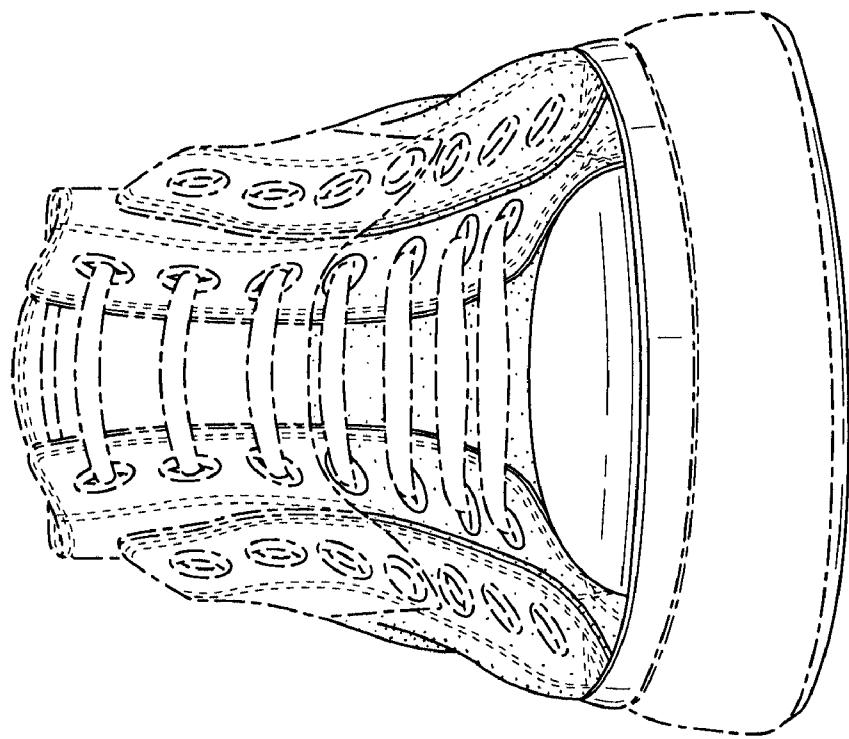


FIG. 4

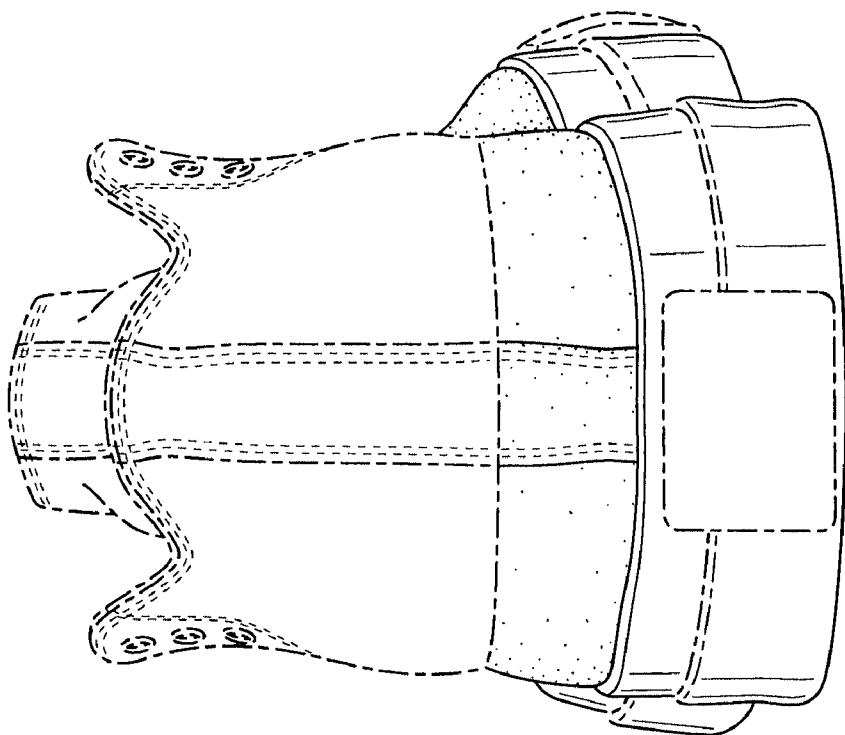


FIG. 3

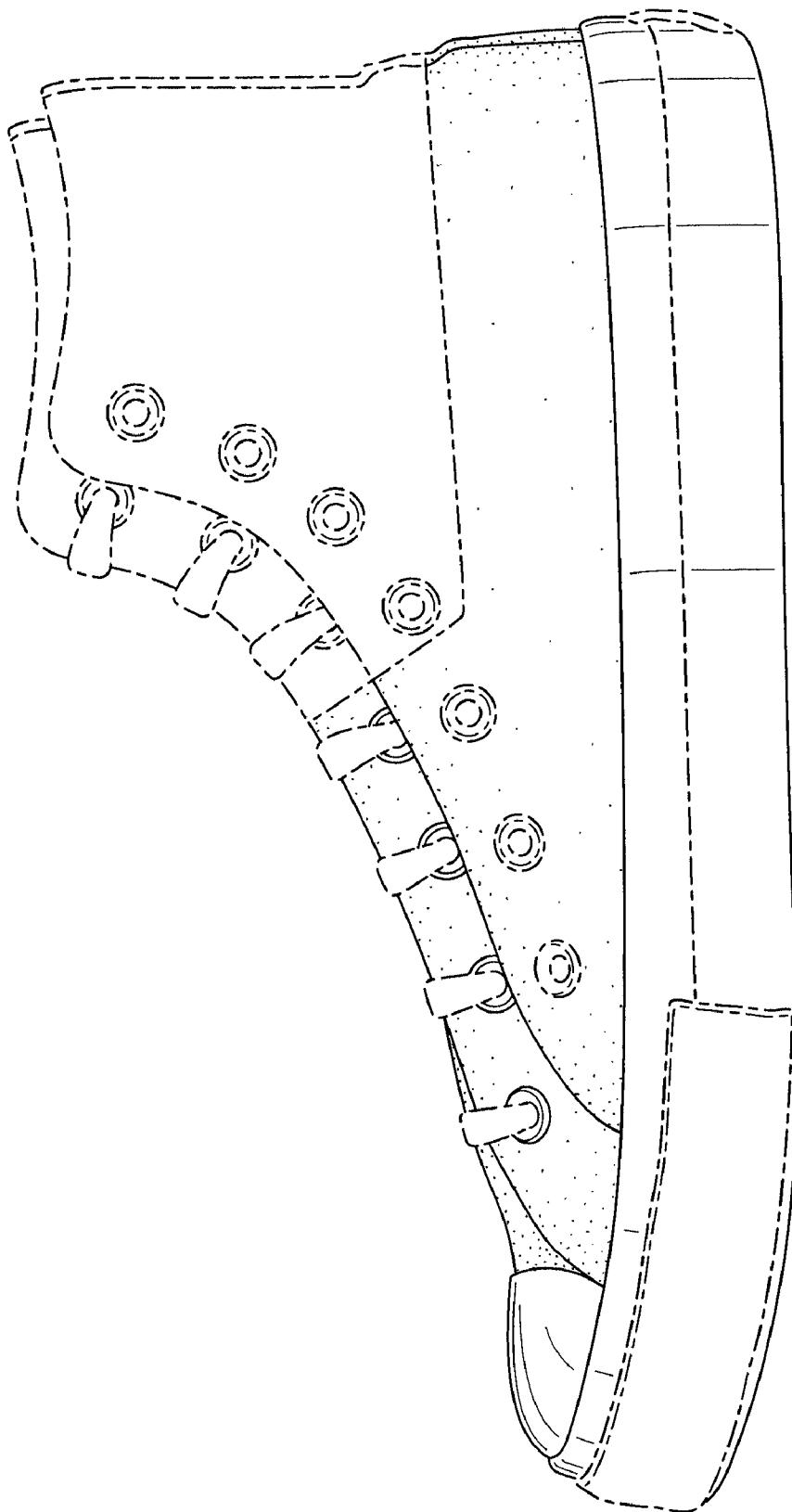


FIG. 5

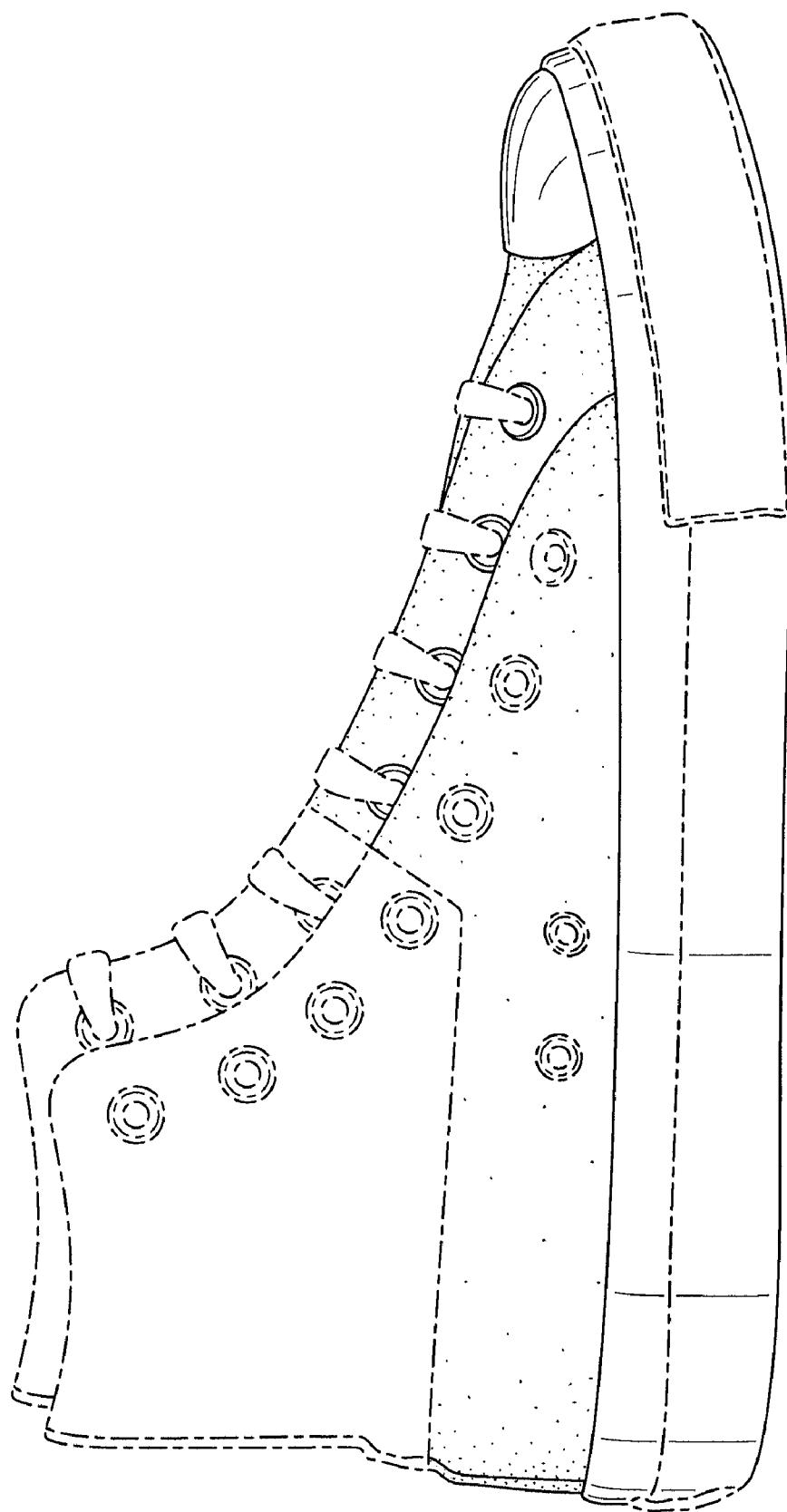


FIG. 6

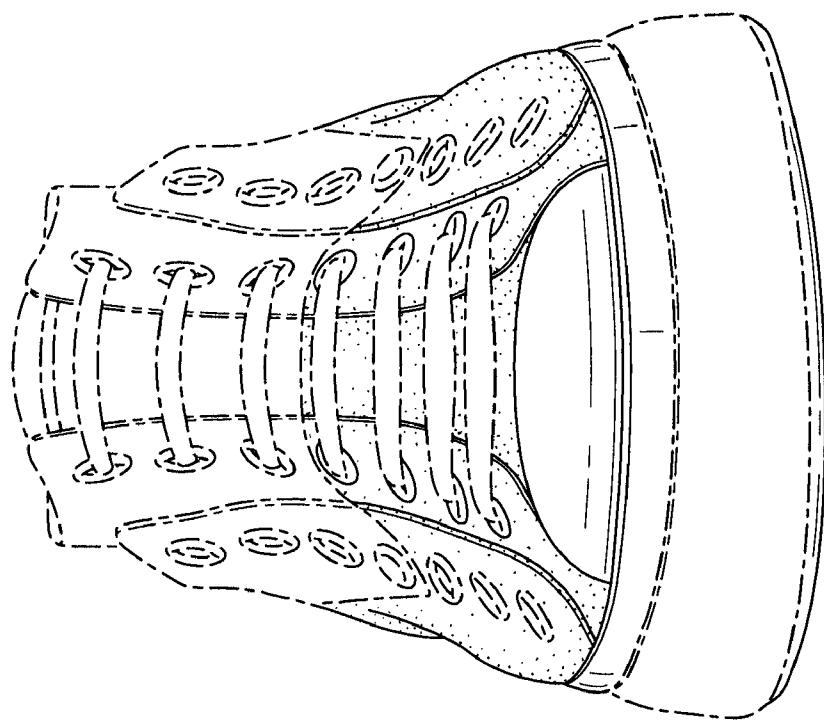


FIG. 8

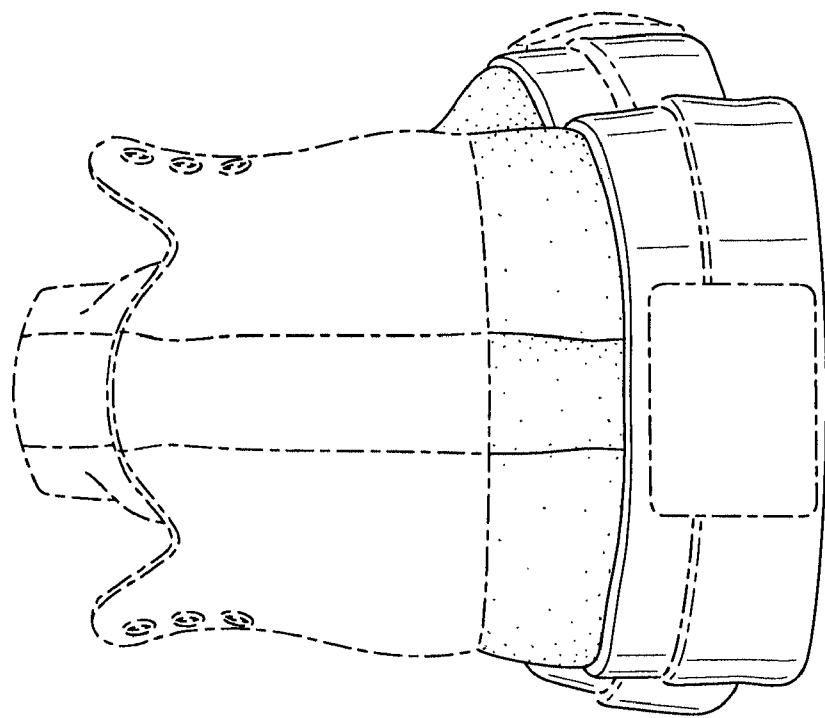


FIG. 7



US00D684758S

(12) **United States Design Patent** (10) **Patent No.:** **US D684,758 S**
Dolce (45) **Date of Patent:** **** Jun. 25, 2013**

(54) **SHOE UPPER**(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)(72) Inventor: **Marc Dolce**, Beaverton, OR (US)(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)(***) Term: **14 Years**(21) Appl. No.: **29/438,529**(22) Filed: **Nov. 30, 2012**(51) LOC (9) Cl. **02-99**(52) U.S. Cl. **USPC D2/972**(58) **Field of Classification Search**USPC D2/902, 906–908, 944, 969, 972–974;
36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114,
36/126–131

See application file for complete search history.

(56) **References Cited**

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Primary Examiner — Dominic Simone(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.(57) **CLAIM**

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

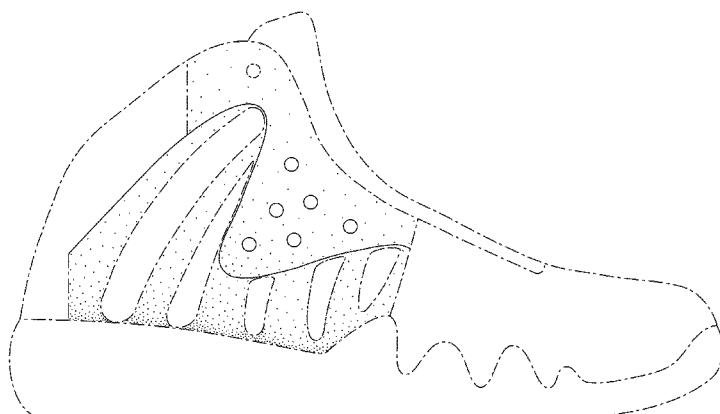
DESCRIPTION

FIG. 1 is a front perspective view of a shoe upper showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The six broken line bounded regions within the shaded area are for environmental purposes only and form no part of the claimed design. The broken lines showing the remainder of the shoe are for environmental purposes only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets

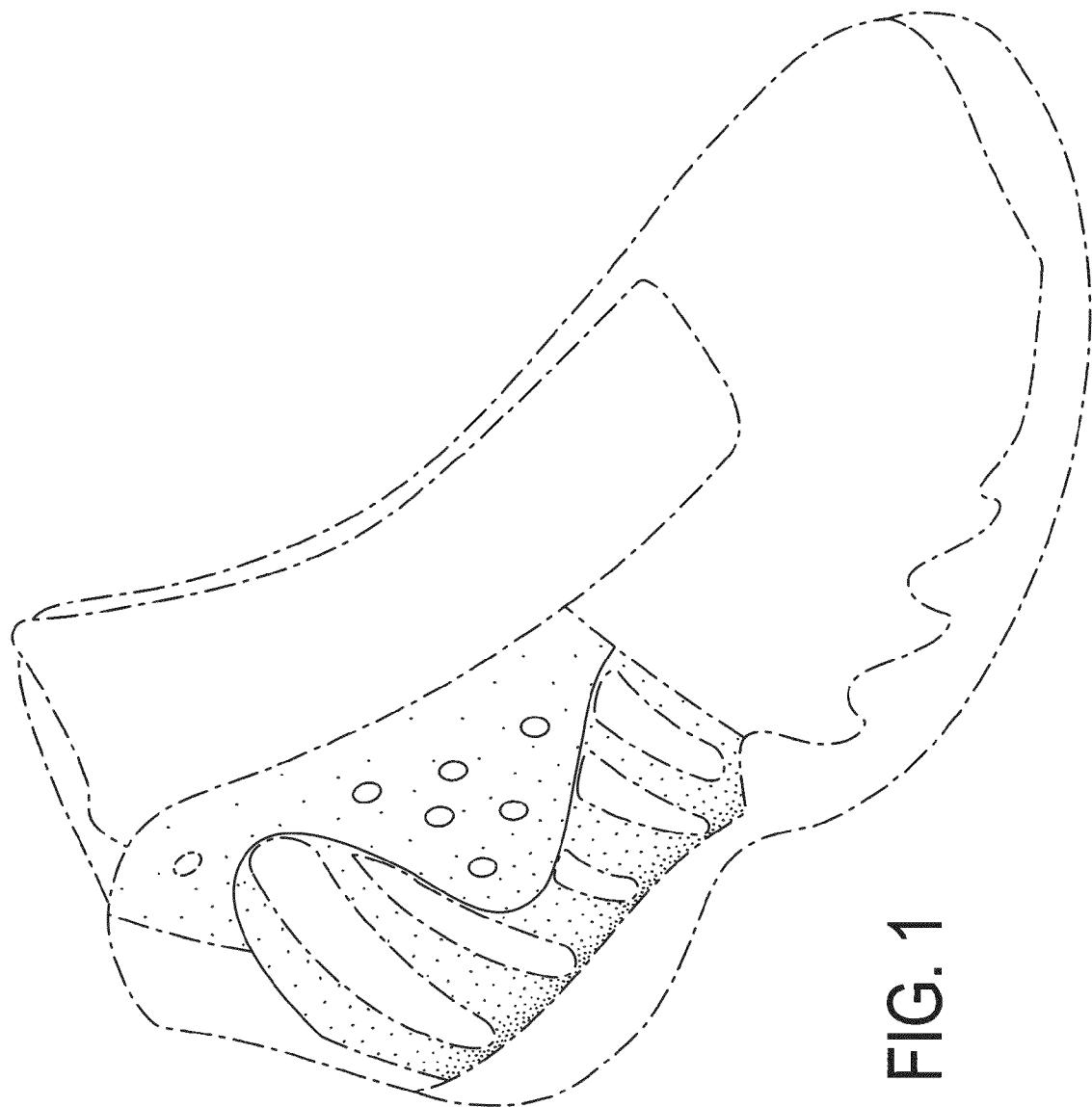


FIG. 1

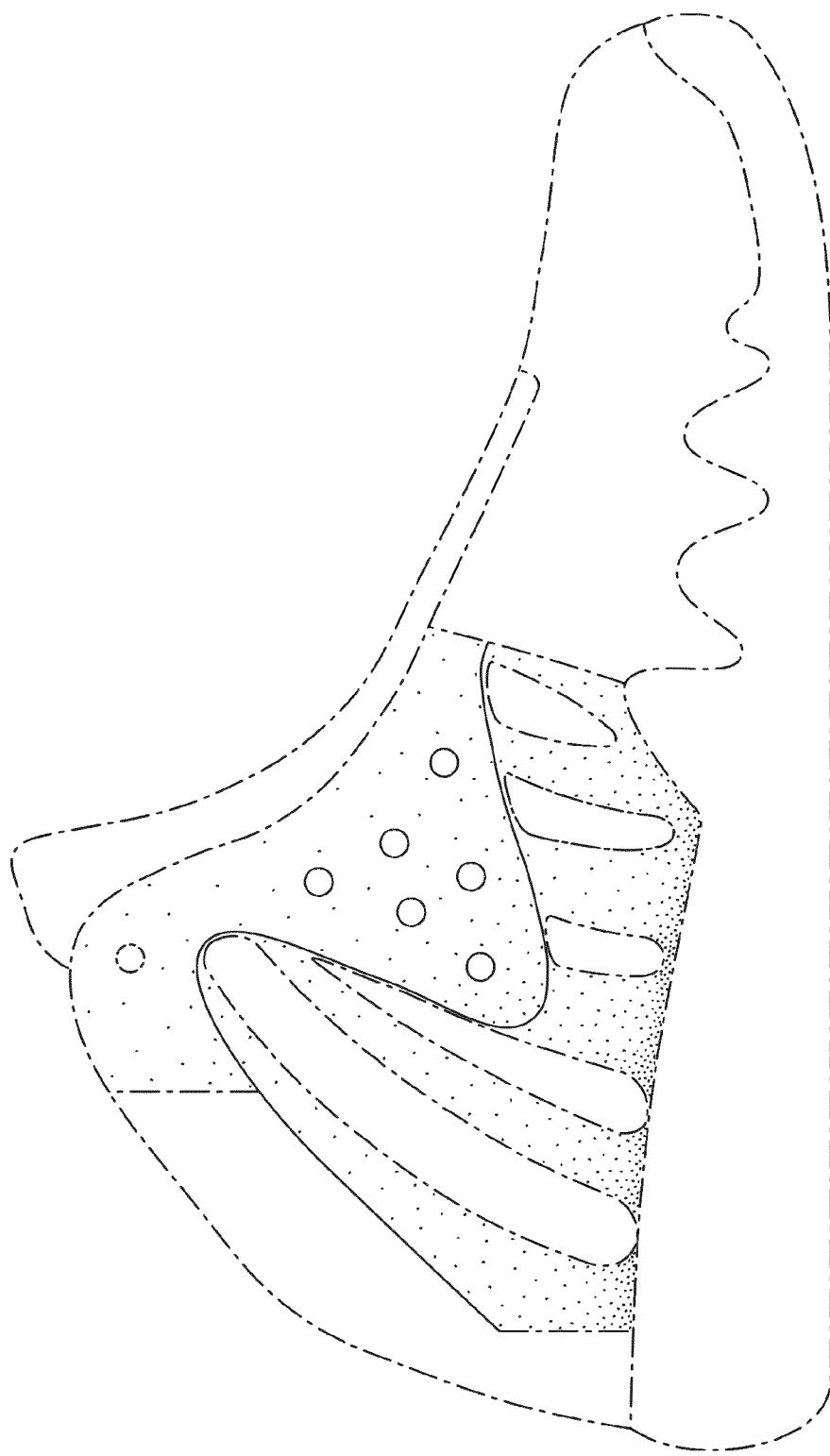
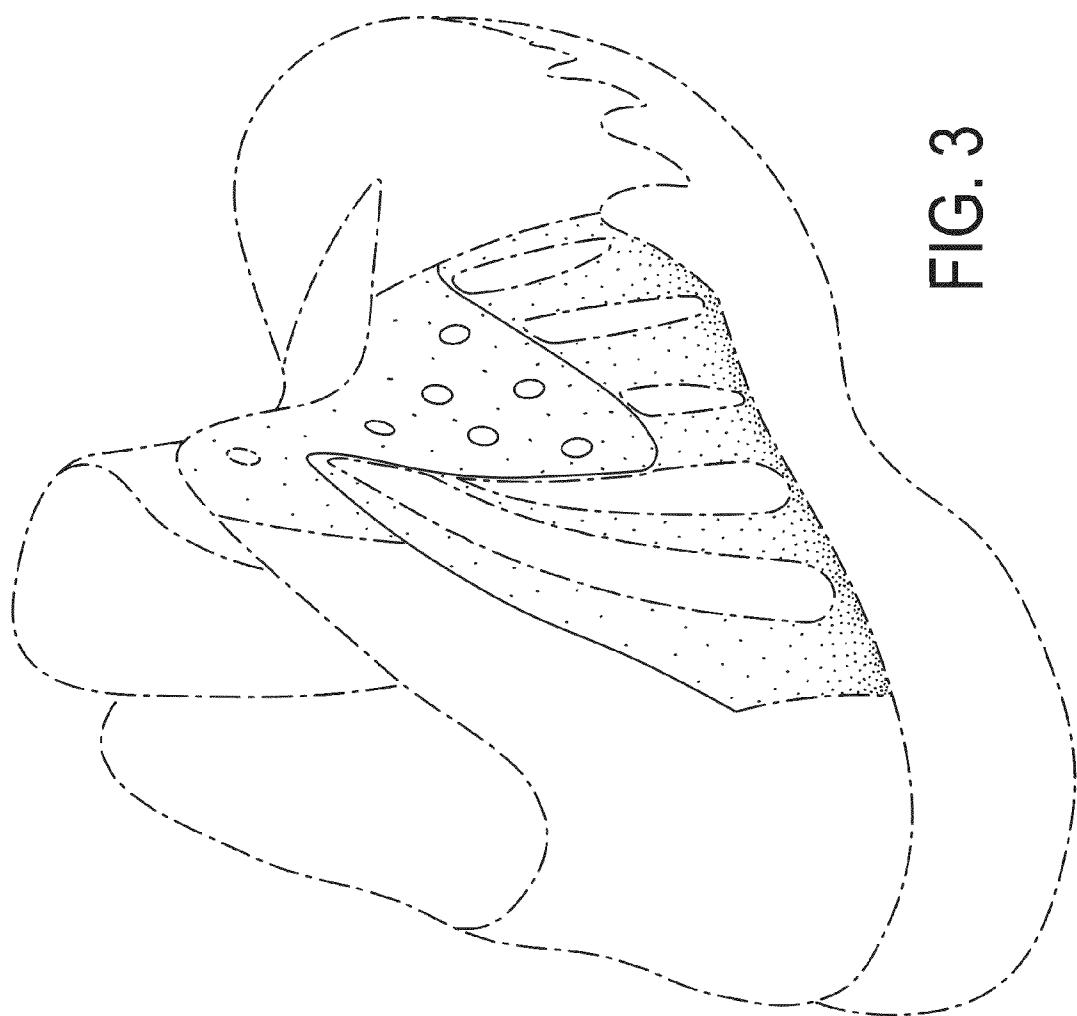


FIG. 2

FIG. 3





US00D708430S

(12) **United States Design Patent** (10) **Patent No.:** **US D708,430 S**
Weeks (45) **Date of Patent:** **** Jul. 8, 2014**

(54) **SHOE PERIPHERY AND BOTTOM**(71) Applicant: **Skechers U.S.A., Inc. II**, Manhattan Beach, CA (US)(72) Inventor: **John Maxwell Weeks**, Los Angeles, CA (US)(73) Assignee: **Skechers U.S.A., Inc. II**, Manhattan Beach, CA (US)(***) Term: **14 Years**(21) Appl. No.: **29/481,412**(22) Filed: **Feb. 5, 2014**(51) LOC (10) Cl. **02-04**

(52) U.S. Cl.

USPC **D2/956**; D2/954; D2/951(58) **Field of Classification Search**

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 13/20; 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 13/181; A43B 13/187;
 A43B 13/189

USPC D2/902, 906, 908, 916, 918, 925,
 D2/946–962, 977; 36/3 B, 22 R, 24.5, 25 R,
 36/28, 32 R, 34 R, 59 C, 67 A, 103

See application file for complete search history.

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(Continued)

Primary Examiner — T. Chase Nelson(74) *Attorney, Agent, or Firm* — Marshall A. Lemer; Marvin H. Kleinberg; Kleinberg & Lerner, LLP(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of a shoe periphery and bottom in accordance with my new design.

FIG. 2 is a bottom plan view thereof;

FIG. 3 is a left elevation view thereof;

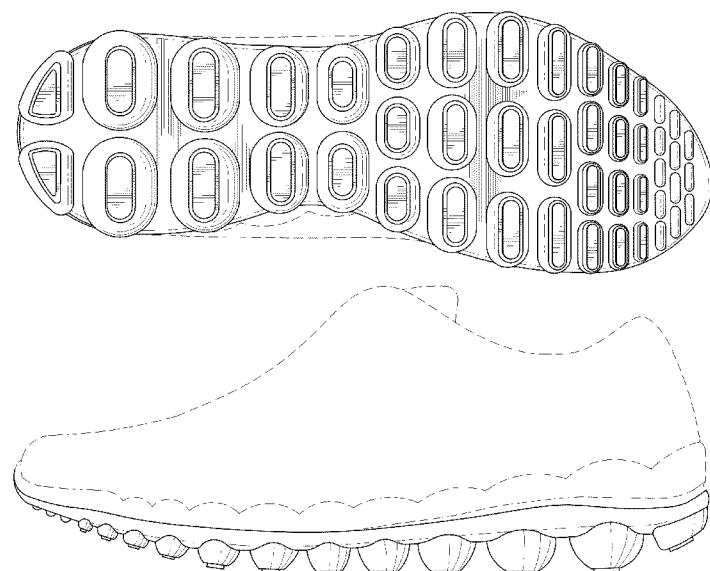
FIG. 4 is a right elevation view thereof;

FIG. 5 is a rear elevation view thereof;

FIG. 6 is a front elevation view thereof; and,

FIG. 7 is a top plan view thereof.

Broken lines showing the remainder of the shoe in the figures are for illustrative purposes only and form no part of the claimed invention.

1 Claim, 6 Drawing Sheets

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FIG. 1

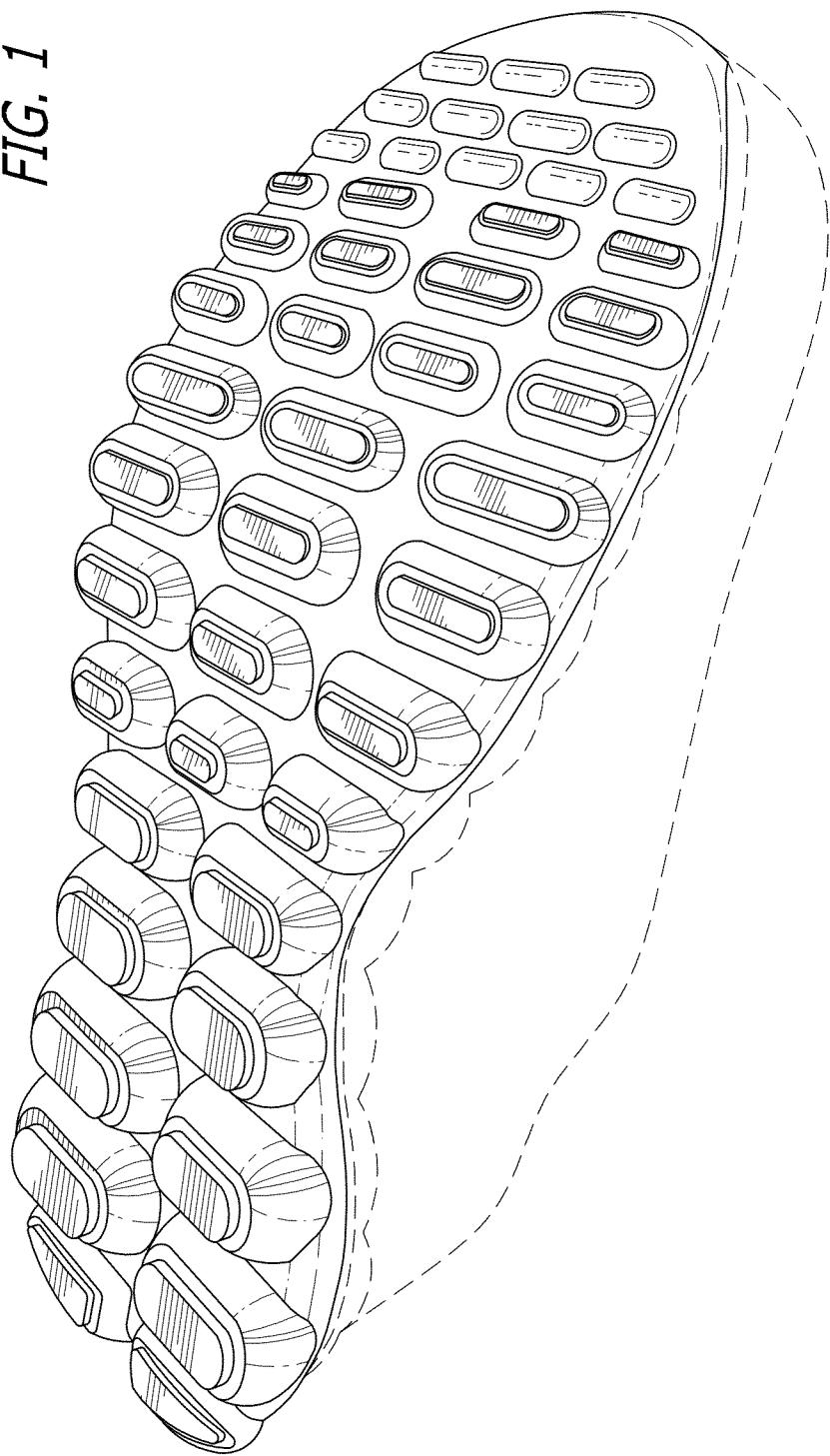


FIG. 2

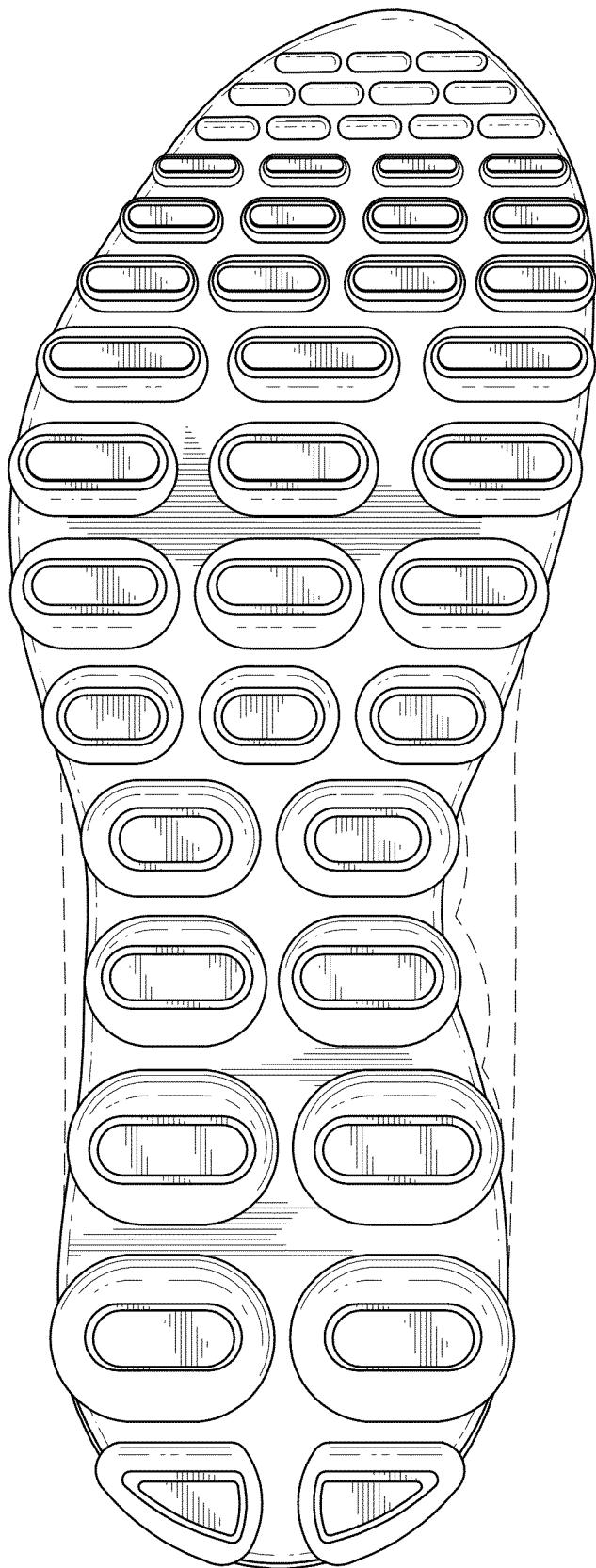


FIG. 3

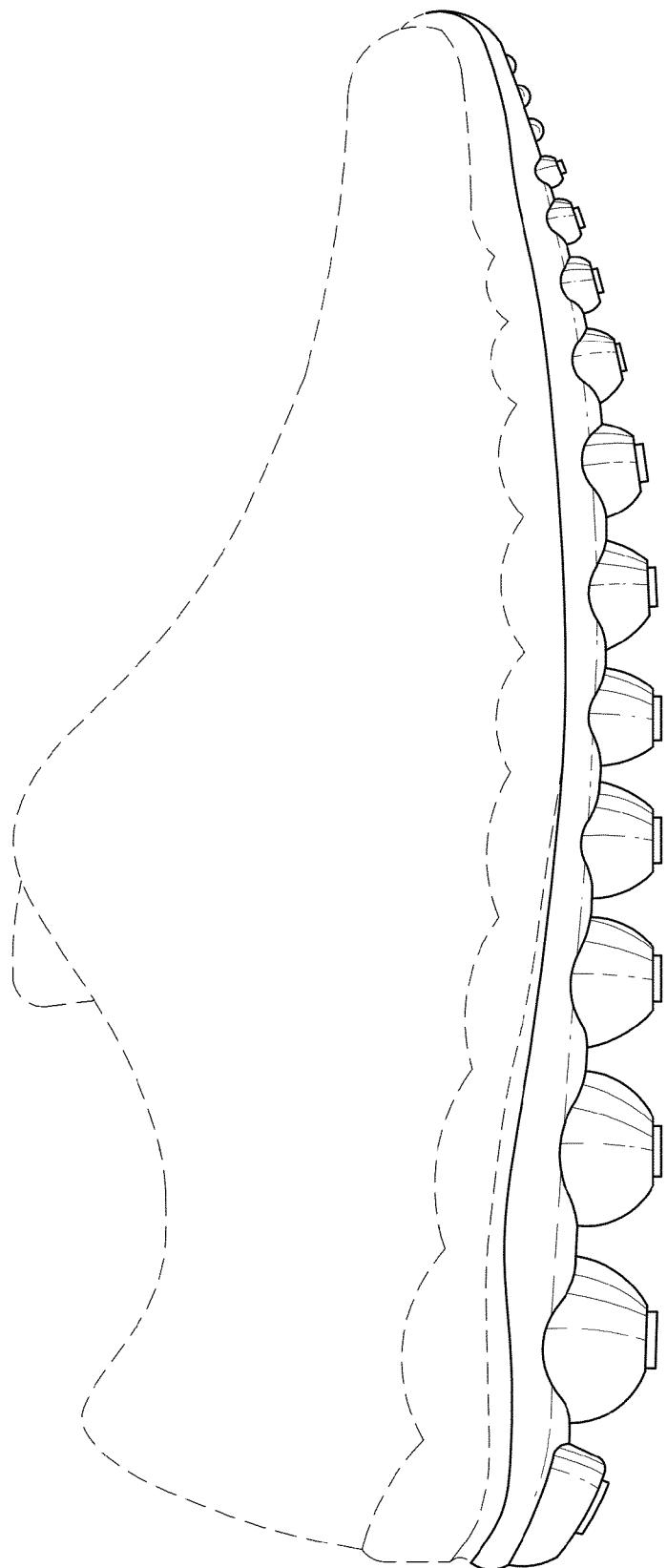


FIG. 4

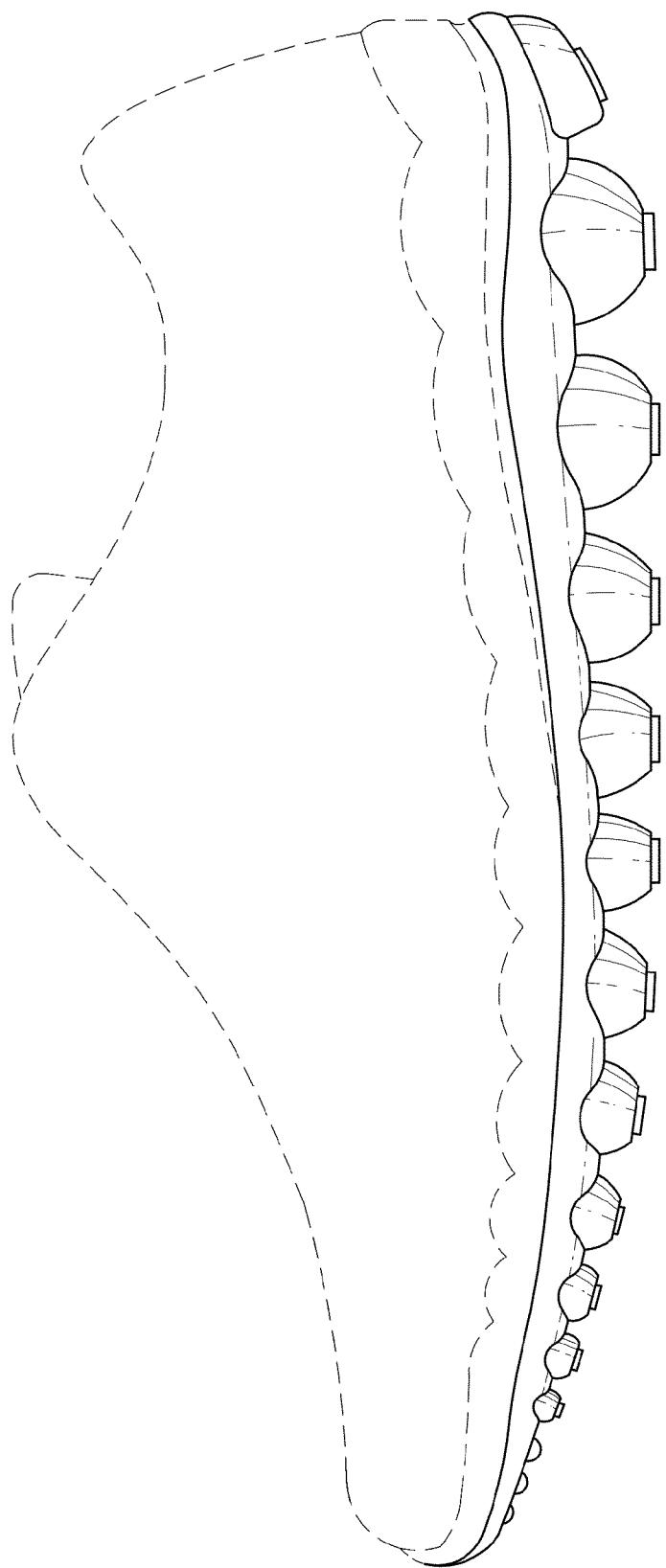


FIG. 5

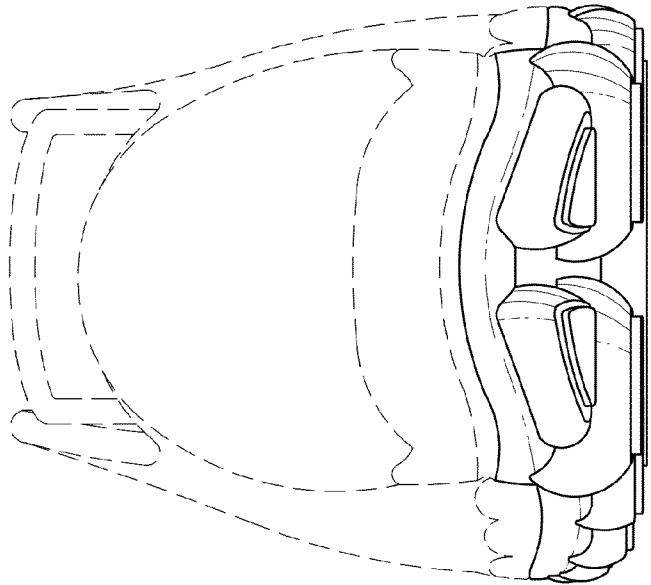


FIG. 6

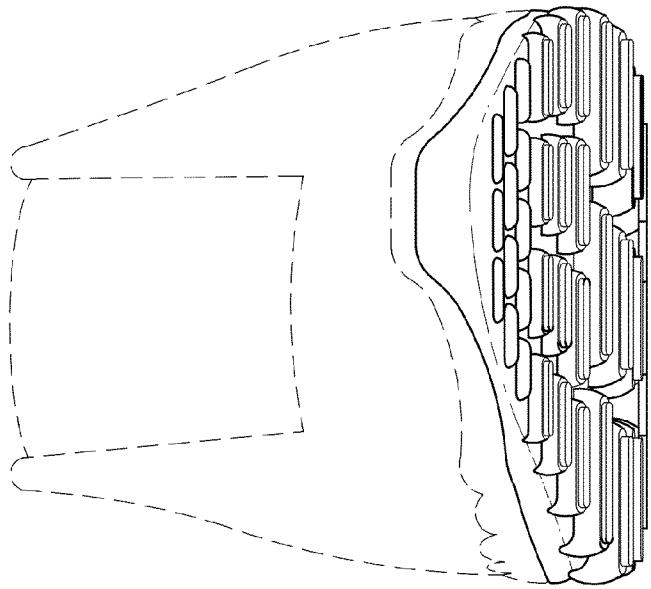
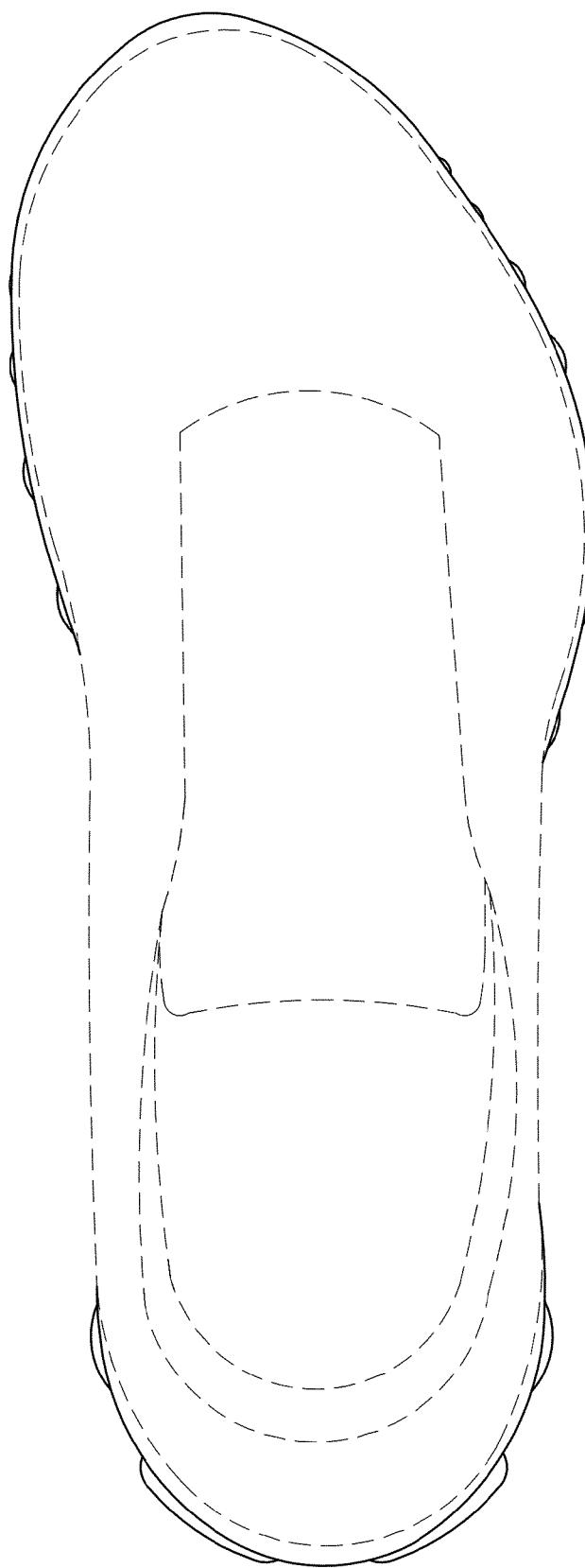


FIG. 7





US00D637799S

(12) **United States Design Patent** (10) **Patent No.:** US D637,799 S
Della Valle et al. (45) **Date of Patent:** ** May 17, 2011

(54) **SHOP**

(75) Inventors: **Diego Della Valle**, Sant'Elpidio a Mare (IT); **Eleonora Berghella**, Sant'Elpidio a Mare (IT)

(73) Assignee: **Tod's S.p.A.**, Sant'Elpidio a Mare (Fermo) (IT)

(**) Term: **14 Years**

(21) Appl. No.: **29/352,904**

(22) Filed: **Dec. 29, 2009**

(30) **Foreign Application Priority Data**

Jul. 1, 2009 (EM) 001566951

(51) LOC (9) Cl. **02-04**

(52) U.S. Cl. **D2/908; D2/925; D2/927**

(58) **Field of Classification Search** D2/896, D2/902, 908, 925–942, 946, 969, 971; 36/1, 36/83, 8.3, 45–58, 104, 108, 76 R, 136

See application file for complete search history.

(56)

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Primary Examiner — Dominic Simone

(74) *Attorney, Agent, or Firm* — Knobbe Martens Olson & Bear LLP

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front elevational view of a shoe showing our new design.

FIG. 2 is a rear elevational view thereof.

FIG. 3 is a right side elevational view thereof.

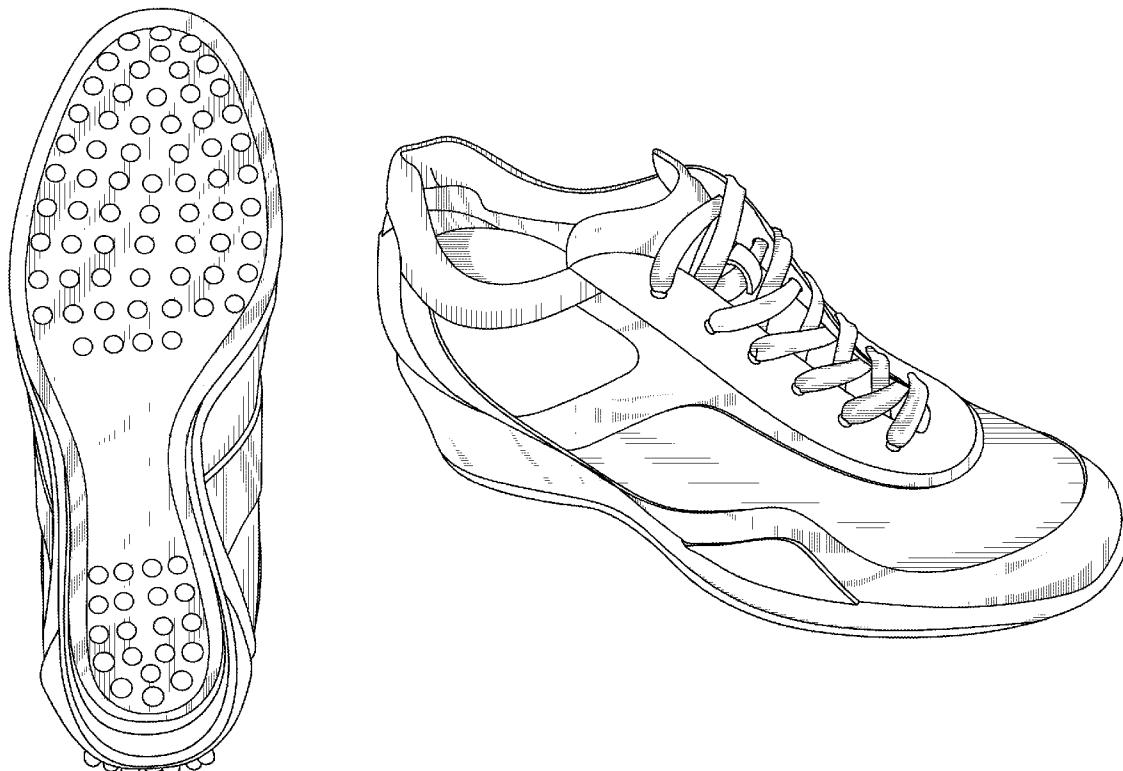
FIG. 4 is a left side elevational view thereof.

FIG. 5 is a top plan view thereof.

FIG. 6 is a bottom plan view thereof; and,

FIG. 7 is a perspective view thereof.

1 Claim, 7 Drawing Sheets



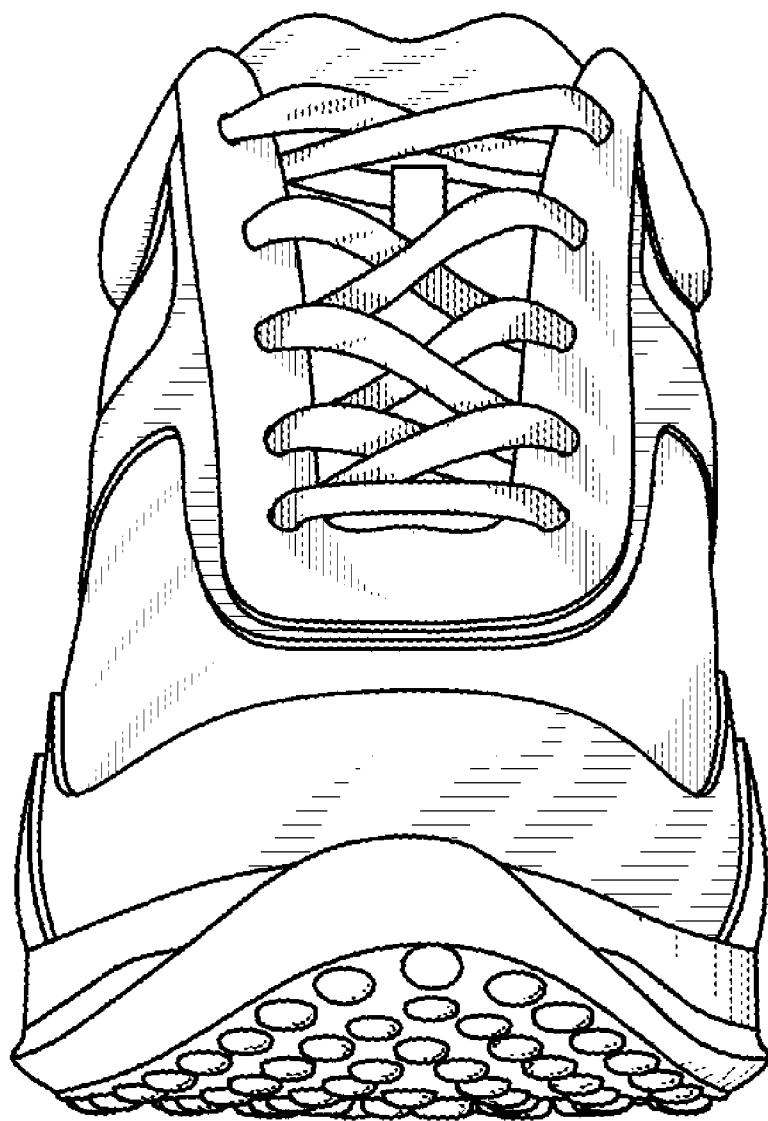


Fig. 1

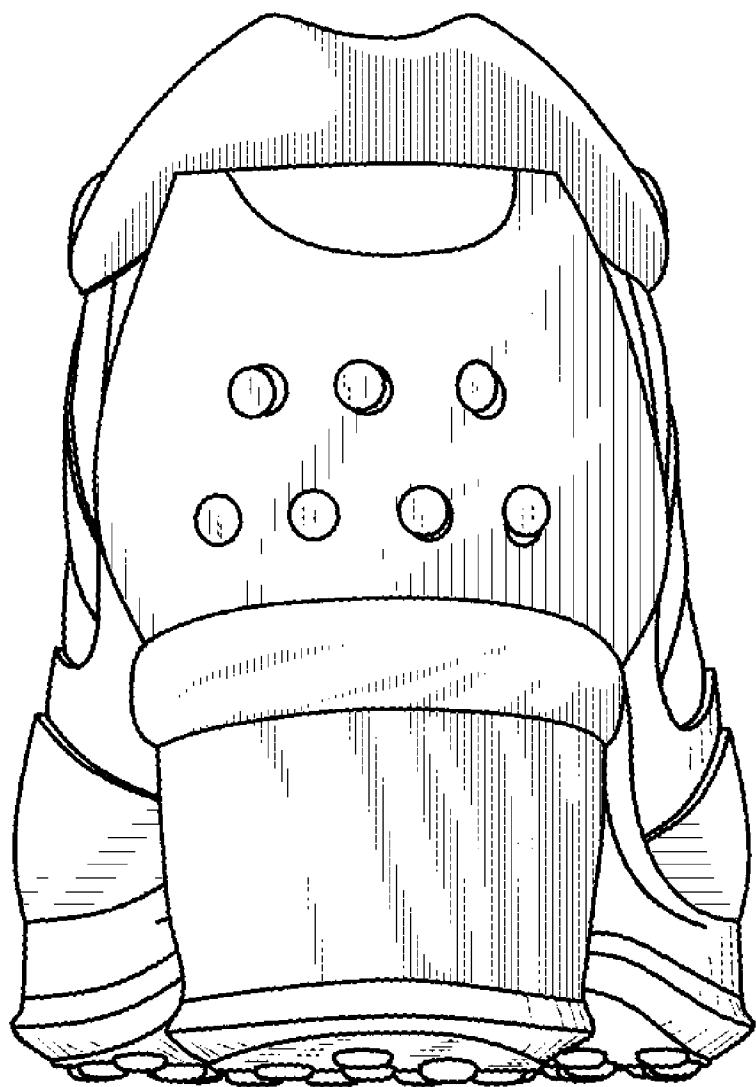


Fig.2



Fig.3



Fig.4

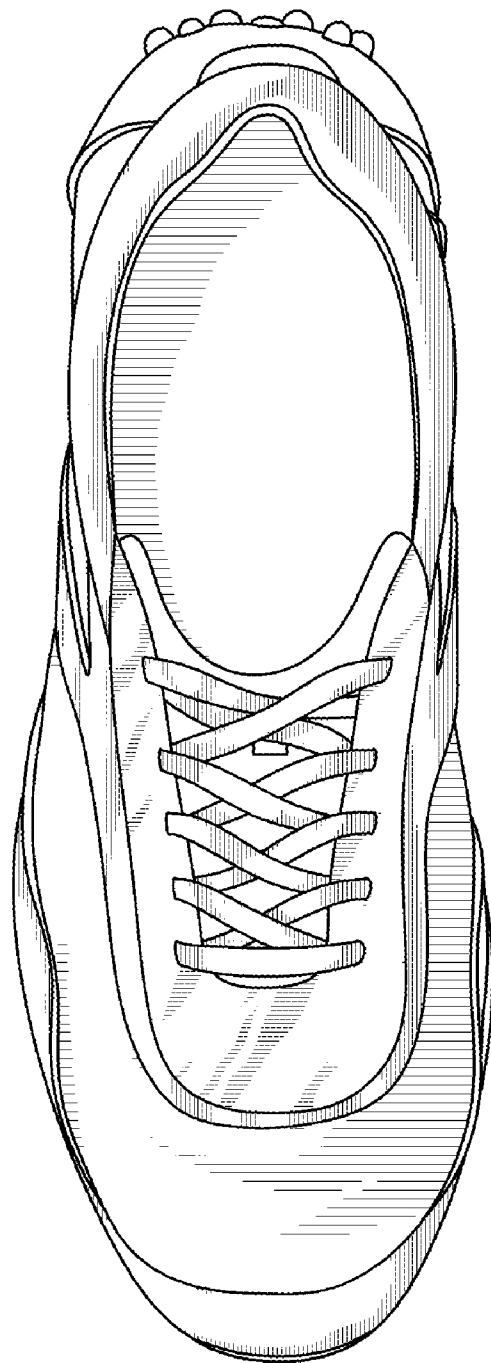


Fig.5

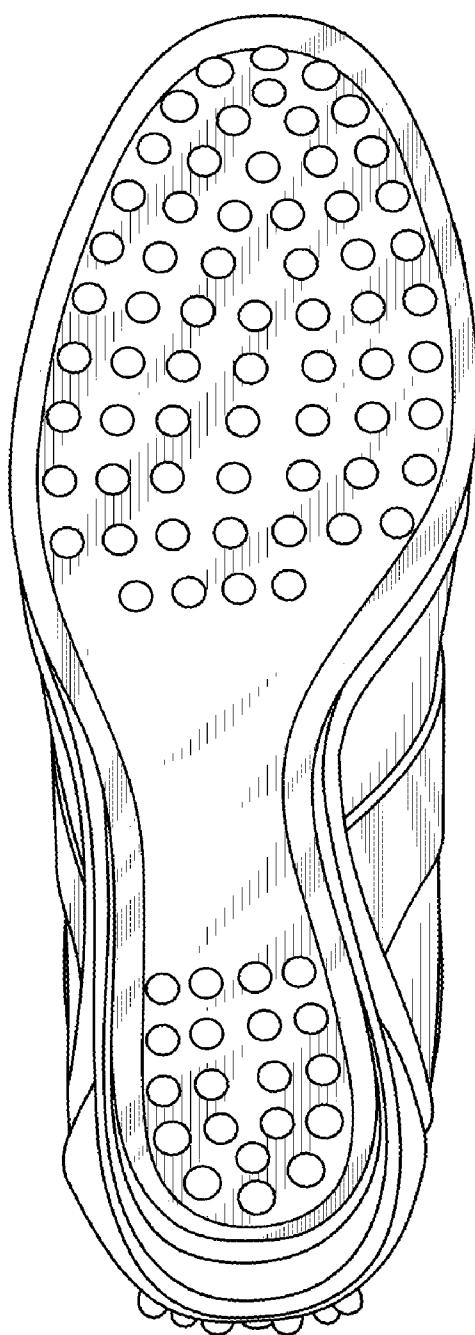


Fig.6

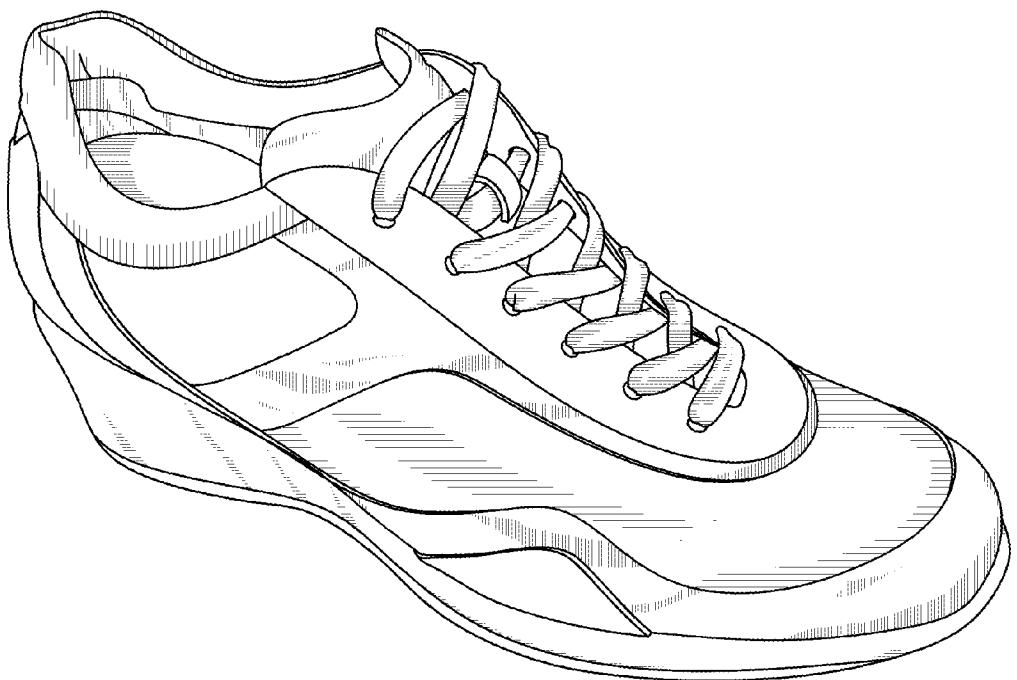


Fig.7



US00D40000S

United States Patent [19]

Hatfield et al.

[11] Patent Number: Des. 400,000

[45] Date of Patent: **Oct. 27, 1998

[54] PORTION OF A SHOE UPPER

[75] Inventors: **Tinker L. Hatfield**, Portland; **Mark J. Smith**, Beaverton, both of Oreg.[73] Assignee: **Nike, Inc.**, Beaverton, Oreg.

[**] Term: 14 Years

[21] Appl. No.: 86,924

[22] Filed: Apr. 23, 1998

[51] LOC (6) Cl. 02-99

[52] U.S. Cl. D2/972

[58] Field of Search D2/896, 902, 906,
D2/907, 972, 973, 978; 36/83, 113, 114,
45, 48, 50.1, 126-129

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[57] CLAIM

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

DESCRIPTION

FIG. 1 is a perspective view of a portion of a shoe upper showing our new design;

FIG. 2 is a side elevational view of one side of the portion of a shoe upper shown in FIG. 1;

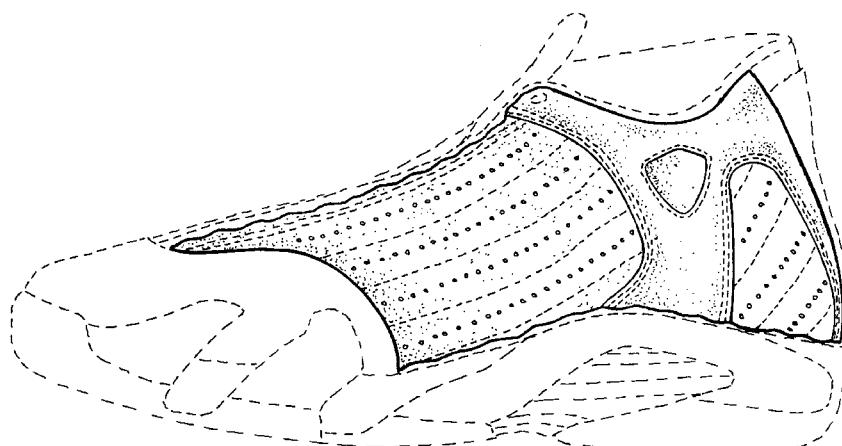
FIG. 3 is a front elevational view of the portion of a shoe upper shown in FIG. 1;

FIG. 4 is a rear elevational view of the portion of a shoe upper shown in FIG. 1; and,

FIG. 5 is a top plan view of the portion of a shoe upper shown in FIG. 1.

The broken line showing of the remainder of the shoe is for illustration purposes only and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



Des. 400,000

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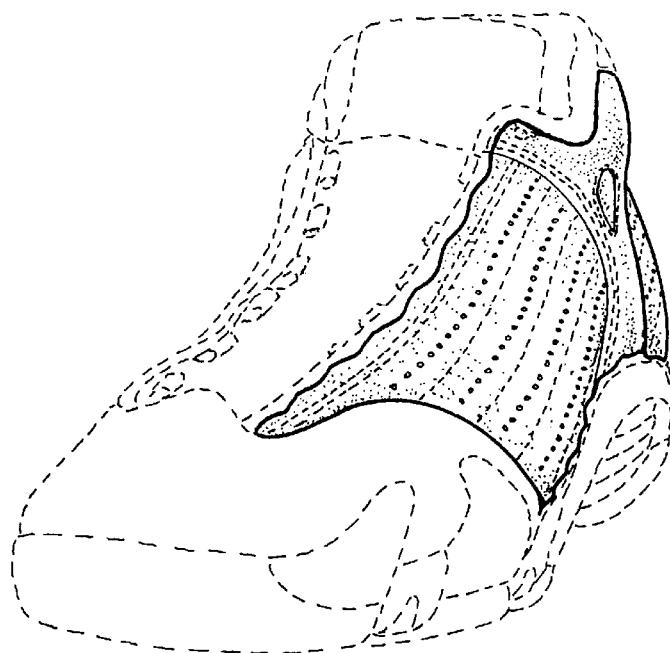


FIG. 1

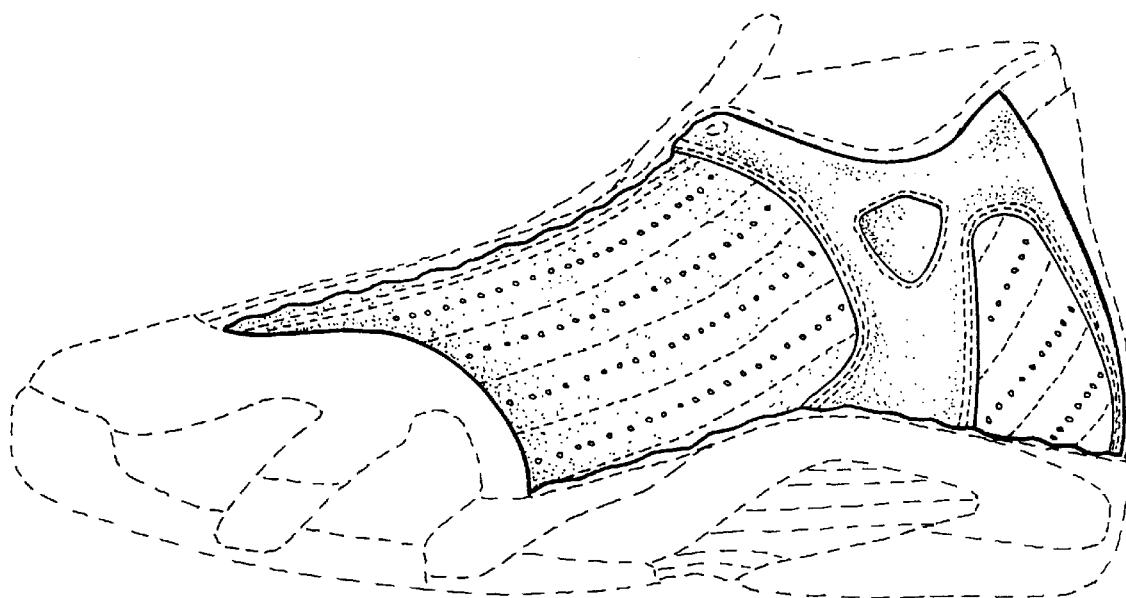


FIG. 2

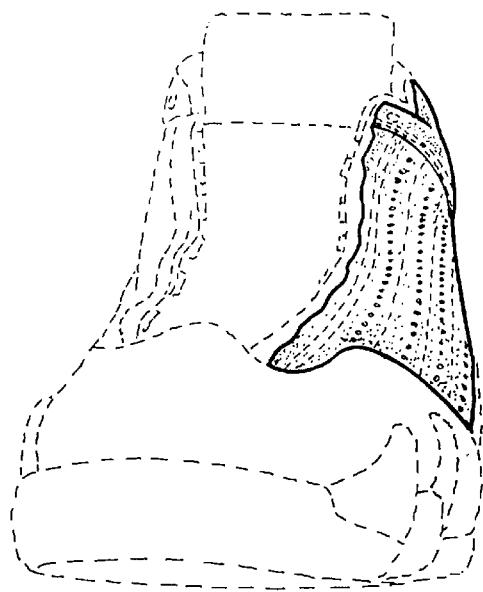


FIG. 3

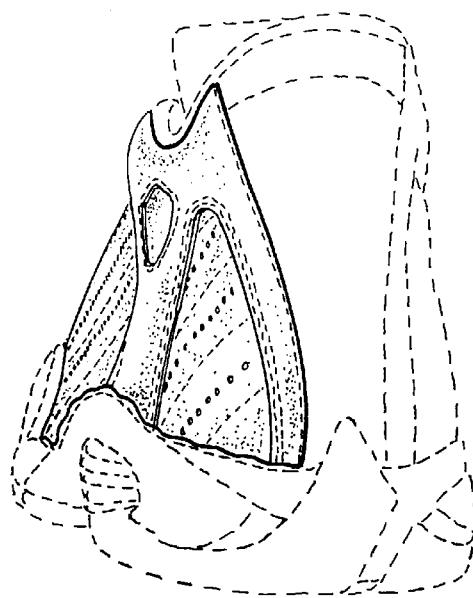


FIG. 4

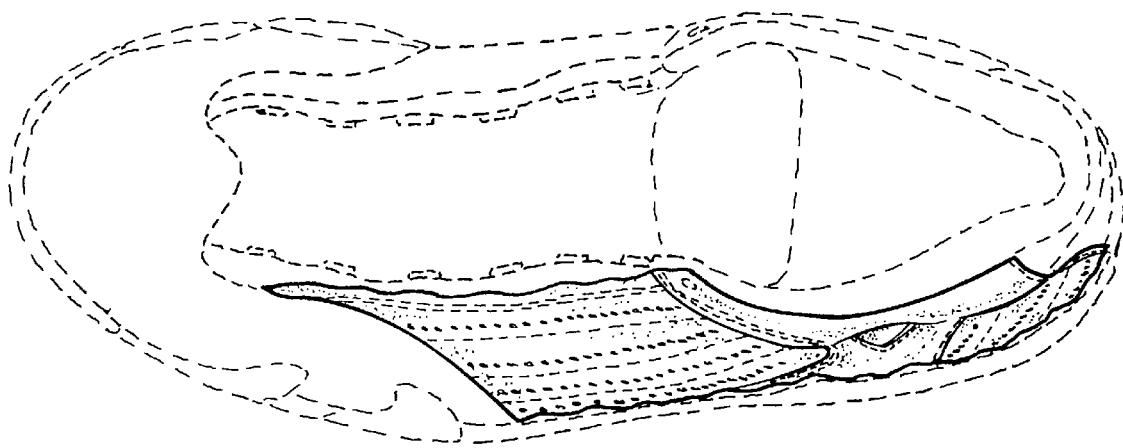


FIG. 5