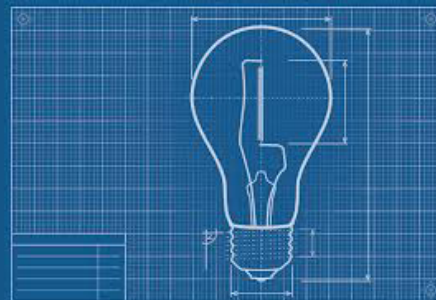


From: FDRA <apolk@fdra.org>
Subject: Footwear IP Digest Jan. 2014
Date: March 7, 2014 8:46:54 AM EST
To: apolk@fdra.org
Reply-To: apolk@fdra.org

Having trouble viewing this email? [Click here](#)

FDRA
FOOTWEAR DISTRIBUTORS AND RETAILERS OF AMERICA

Intellectual Property Digest



Jan. 2014

In This Issue

Legislation

Litigation

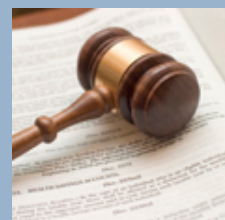
USPTO

General News

The views expressed are solely those of the authors and do not necessarily reflect the views of the FDRA or any of its members.

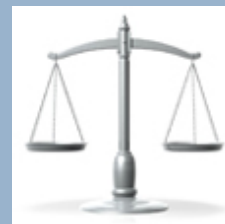
Legislation

There was no new legislation introduced in the past few months.



Litigation

Piggy Pushers, LLC v. Skidders Footwear, Inc., 2013 U.S. App. LEXIS 22686 (Fed. Cir. Nov. 8, 2013). Synopsis: The Court of Appeals for the Federal Circuit dismisses Piggy Pushers' claim that Skidders' "skidproof shoes" for infants infringes Piggy Pushers' patent for rubber "gripper" socks, finding that Piggy Pushers' patent covers only socks and does not extend to Skidders' infant shoe products.



Adidas AG v. adidas2013online.com, 2013 U.S. Dist. LEXIS 177398 (D. Fla. Dec. 17, 2013).

Synopsis: A federal court grants Adidas and Reebok a temporary restraining order against dozens of websites purveying counterfeit Adidas and Reebok footwear, ordering the sites to cease sale of subject merchandise and seizing control over defendants' domain names until the court disposes of Adidas and Reebok's request for a more-permanent injunction.

Mycoskie, LLC v. Authentictomsshoes.com, 2013 U.S. Dist. LEXIS 169592 (D. Fla. Dec. 2, 2013). Synopsis: A federal court awards Mycockie, LLC, the owner of TOMS Shoes, a temporary restraining order against dozens of websites, ordering the defendants to cease trafficking in TOMS products, seizing the defendants' website domain names, and freezing the funds in defendants' PayPal accounts.

Deckers Outdoor Corp. v. ShoeScandal.com, LLC, 2013 U.S. Dist. LEXIS 168545 (D. Cal. Nov. 25, 2013). Synopsis: After previously finding that ShoeScandal.com had infringed Deckers' UGG boot patent, a federal court determines the damages that ShoeScandal.com must pay to Deckers for the infringement.

Lyden v. Nike, Inc., 2013 U.S. Dist. LEXIS 167949 (D. Or. Nov. 25, 2013). Synopsis: Federal judge dismisses a patent claim against Nike because the complaint fails to meet the basic requirements of the federal rules of civil procedure.

Adidas AG v. 2013jeremyscottxadidas.com, 2013 U.S. Dist. LEXIS 144188 (D. Fla. Oct. 2, 2013). Synopsis: A federal court grants Adidas and Reebok a preliminary injunction against dozens of websites, ordering the defendants to cease trafficking in Adidas and Reebok products, seizing the defendants' website domain names, and freezing the funds in defendants' PayPal accounts.

Coach, Inc. v. P'ships & Unincorporated Ass'ns Identified on Schedule "A", 2013 U.S. Dist. LEXIS 141413 (D. Ill. Oct. 1, 2013). Synopsis: A federal court grants Coach a preliminary injunction against dozens of websites, ordering the defendants to cease trafficking in Coach merchandise, seizing defendants' website domain names, and freezing defendants' assets.

In re Steven Madden, Ltd., 2013 TTAB LEXIS 598 (TTAB Nov 29, 2013). Synopsis: The Trademark Trial and Appeal Board denies registration of the mark "Freebird by Steven" for shoes, because of a likelihood of confusion with the existing mark FREE BIRD in use for apparel.

USPTO

Utility patents issued in October, November, and December:

Pat. No.	Title
8,567,098	Article of Footwear with Detachable Upper and Lower Designs
8,567,097	Shoe Sole
8,567,096	Modular Shoe
8,567,095	Footwear with Inner and Outer Bladders Separated by Internal Sipe
8,567,094	Shoe Construction Having a Rocker Shaped Bottom and Integral Stabilizer
8,567,093	Midfoot Structure of a Sole Assembly for a Shoe
8,567,092	Ventilation Sole for Shoes
8,566,991	Method for Manufacturing a Waterproof and Vapor-Permeable Shoe
8,561,323	Footwear with Bladder and Plastic Structure Separated by Flexibility Sipe
8,561,322	Sole with Adjustable Sizing
8,561,237	Weighted Shoe Insole and Method for Making the Same
8,556,295	Snowboard Anchoring System and Method
8,555,888	Pressure Relief Gel Pads
8,555,529	Sole Element for a Shoe
8,555,528	Article of Footwear with Circular Tread Pattern
8,555,527	Graphical Element Laminate for use in Forming a Skate Boot
8,555,526	Resilient Shoe with Pivoting Sole



8,555,525	Footwear
8,555,524	One-Piece Footwear
8,555,420	Combination Sock and Shoe
8,549,774	Flexible Shank for an Article of Footwear
8,549,773	Running Shoe
8,549,772	Footwear Construction Eliminating the Use of a Foxing Band
8,549,688	Method for Producing Shoes, Strips Therefor and Shoe
8,544,197	Article of Footwear Incorporating an Illuminable Panel
8,544,196	Shoe Charm Holder Device
8,544,195	Method and Apparatus for Interconnecting Traction Cleats and Receptacles
8,544,194	Length-Adjustable Snowshoe
8,544,193	Snowshoe with Forward Frame Support
8,544,192	Article of Footwear Comprising a Plurality of Strips
8,544,191	Smooth Shoe Uppers and Methods for Producing Them
8,544,190	Shock Absorbing Device for Shoe Sole in Rear Foot Part
8,544,189	Modular Footwear System
8,590,179	Shoe with Protrusions and Securing Portions
8,590,178	Stability and Comfort System for an Article of Footwear
8,590,177	Fastening System of a Mini Crampon to a Ski/Alpine Touring Ski Boot
8,590,176	Shoe Bottom Having Interspersed Materials
8,590,175	Footwear Products and Structures Used in Making Footwear Products
8,590,121	Elastomeric Fastener
8,584,382	Insole and Shoe Comprising An Electronic Chip
8,584,381	Sports Footwear
8,584,380	Self-Adjusting Studs
8,584,379	Article of Footwear with Multiple Cleat Sizes
8,584,378	Outsole and Sports Shoe
8,584,377	Article of Footwear with Elongated Shock Absorbing Heel System
8,584,376	Insole with Reinforcement Element
8,583,272	Equipment to Generate Orthopedic Supports from Computerized Data Inputs
8,579,771	Walk-Assist Devices and Methods
8,578,634	Adjustable Orthopedic Device
8,578,633	Article of Footwear with Improved Stability and Balance
8,578,632	Decoupled Foot Stabilizer System
8,578,631	Extendable Spikes for Shoes
8,578,630	Cushioning Sole for Shoe
8,578,629	Footwear
8,578,535	Composite Shoe Upper and Method of Making Same
8,577,751	Method of Customized Cleat Arrangement
8,575,233	Slip-Resistant Rubber Composition, Outsole Using the Rubber Composition
8,572,869	Article of Footwear with Heel Cushioning System
8,572,868	Footwear Having Independently Articuable Toe Portions
8,572,867	Fluid-Filled Chamber with a Reinforcing Element
8,572,866	Shoe with Composite Upper and Foam Element and Method of Making Same
8,572,786	Method for Manufacturing Inflatable Bladders for use in Footwear
8,617,033	Exercise Apparatuses and Methods of Using The Same
8,615,905	Massaging Footwear
8,615,904	Footwear Cleat with Cushioning
8,615,903	Support Liners and Arrangements Including the Same
8,615,902	Footwear with Sole Structure Having Support Elements and Indented Plate
8,615,901	Article of Footwear with Shock Absorbing Heel System
8,615,900	Footwear Provided with Spring Means and as Such Spring Means
8,615,835	Article of Footwear with a Perforated Midsole
8,613,150	Footwear Device
8,613,149	Footwear Incorporating a Composite Shell Sole Structure
8,613,148	Shoes
8,607,479	Pair of Golf Shoes
8,607,478	Dance Shoe

8,607,477	Spike Device for an Anti-Slid Shoe
8,607,476	Waterproof Breathable Footwear Having Hybrid Upper Construction
8,607,475	Shock Absorbing Footwear Construction
8,607,474	Article Of Footwear with Multiple Hardnesses and Method of Manufacture
8,601,725	Cleats and Footwear for Providing Customized Traction
8,601,724	Golf Shoes
8,601,723	Collapsible Snowshoe
8,601,722	Shoe and Last
8,601,721	Article of Footwear with an Intermediate Sized Outsole
8,601,720	Linked Articles
8,597,209	Foot Correcting and Balancing Shoe Assembly
8,596,650	Hockey Skate
8,595,959	Sandal with Decorated Toe Protrusions
8,595,958	Snowshoe Apparatus
8,595,957	Unitary Upper and Midsole
8,595,956	Footwear with Elastic Footbed Cover and Soft Foam Footbed
8,595,878	Method of Lasting an Article of Footwear
8,595,863	Protective Covering for Construction Stilts

Patent applications published in the month of October, November, and December:

Pub. App. No.	Title
20130283646	Adjustable Forefoot Posting for Orthotic
20130283645	System for Straightening Footwear
20130283644	Shoe Pivot Reduction Device
20130283643	Ski Boot
20130283642	Boot with an Element in Shell Form
20130283641	Sole Structure and Article of Footwear Including Same
20130283640	Article of Footwear with Bladder and Method of Manufacturing the Same
20130283639	Device for Rapidly Securing and Obscuring Footwear Laces
20130283638	Insole with Inferiorly Extending Projections
20130283637	Protective Footwear
20130278436	Smartphone-Controlled Active Configuration of Footwear
20130278435	Smartphone-Controlled Active Configuration of Footwear
20130276334	Article of Footwear with Maze
20130276333	Foamed Parts Having a Fabric Component
20130276332	Adjustable Shoe
20130276331	Toe Spacer Sock and Corrective Footwear
20130276330	Footwear Tensioning System
20130276329	Sole Assembly with Gas and Viscous Fluid-Filled Bladder Assembly
20130269219	Tightening Mechanisms and Applications Including the Same
20130269218	Anti-Slip Patch for Shoe Heel
20130269217	Shoe, in Particular a Sports Shoe, and Method for Producing a Shoe
20130269216	Bicycling Shoe and Bicycling Shoe Components
20130269215	Skate Boot with Flexible Midfoot Section
20130269214	Interchangeable Shoe Attachment
20130269213	Wearable Pedicure Protection Device
20130269212	Seamless Upper for Footwear and Method for Making the Same
20130269211	Footwear
20130269210	Shoe Closure Device
20130269209	Shoe Upper
20130263479	Magnetic Attachment for Dance Shoe, and Method and Kit Therefor
20130263478	Footwear Having Cleats
20130263477	Footwear Element
20130263476	Bowling Shoe Kit with Interchangeable Slide Pads
20130263475	Ski Boot Construction
20130263474	Method for Liquid Proofing an Item by Plasma Graft Polymerisation
20130263473	Footwear Binding System

20130263472	Friction Supported Boot Strap Having a Grippable Surface
20130263471	Resilient Pad for Footwear
20130263470	Preform and Device for Cooperation with a Lower Limb Member
20130263469	Outsole
20130263468	Interchangeable Shoe-Cover
20130263360	Socks and Other Footwear with Selective Friction Reducing Features
20130263349	Human Locomotion Assisting Shoe and Clothing
20130255111	Toe Cap and Toe Cap Embedded Shoe
20130255110	Auxiliary Shoe Heel and Method of Fabricating the Same
20130255109	Footwear
20130255108	Cleaning Device for a Footwear and Method Thereof
20130255107	Shoe with Protrusions and Securing Portions
20130255106	Assembled Footwear
20130255105	Strap Systems for Articles of Footwear and Other Foot-Receiving Devices
20130255104	Shoes
20130255103	Apparel and Other Products Incorporating a Thermoplastic Polymer Material
20130255102	Supplemental Removable Stick On Cleat for Footwear
20130312569	Bicycle Pedal Assembly
20130312294	Strap-on Shoe Anti-Slip Device
20130312293	Article of Footwear with Protective Member for a Control Device
20130312292	Sole for a Shoe and Related Methods
20130312291	Athletic or Other Performance Sensing Systems
20130312290	Cycling Pedal Device
20130312289	Sport Footwear Such as a Ski Boot or Suchlike
20130312288	Sports Shoe And A Ground Plate Device
20130312287	Material for Mitigating Impact with Durations in Nanoseconds Range
20130312286	Shoe with Interchangeable and Detachable Upper
20130312285	Convertible, Removable and Replaceable Heel Transformation Device
20130312284	Article of Footwear Having Welded Upper
20130312283	Half Shoe and Method for Producing Half Shoe
20130312282	Footwear Crampon
20130312281	Footwear Crampon
20130312280	Dynamic Arch Stabilization and Rehabilitative Shoe Insole Device
20130312279	Foot Orthotic
20130312278	Assembly Comprising an Article of Footwear and a Crampon
20130306501	Shoe Kit Having Removable and Interchangeable Heel Assemblies
20130305571	Self-Adjusting Studs
20130305570	Footwear and Lower Leg Covering
20130305569	Inflatable Snowshoe and Rucksack for its Storage
20130305568	Shoe Having a Welt Unit
20130305567	Spike for Footwear Having Rigid Portion and Resilient Portion
20130305566	Infant Footwear
20130305565	Traction Device for Footwear
20130305564	Internal Shank for Footwear Having Independent Toe Platforms
20130305563	Article of Footwear with Straps
20130305562	Footwear Having Independent Toe Platforms
20130305561	System for Preventing Boots From Slouching
20130298428	Device for Adapting a Shoe to Attach a Cycling Cleat
20130298427	Polymer Composition Articles for Low Temperature that are Wear Resistant
20130298426	Tongueless Footwear with a Canopy
20130298425	Article of Footwear with Outsole Web and Midsole Protrusions
20130298424	Removable Footwear Traction Plate
20130298423	High-Heel Shoe Insert
20130298317	Protective Padding Using Superelastic 3D Spacer Fabric
20130291410	Adhesive Footwear and Devices
20130291409	Soles for Sports Shoes
20130291408	Replacement Decorative Shoe Cover
20130291407	Athletic Shoe with Athletic Positioning Pattern

20130291406	Baseball Shoe with Cleat Pattern for Pitching
20130291405	Athletic Shoe with Athletic Positioning Cleat Pattern
20130291404	Recovery Shoe
20130291403	Article of Footwear with Integral Upper and Sole
20130291402	Article of Footwear with Integral Upper and Sole
20130291401	Traction Adjustment Band with Retaining Strap
20130291400	Method for Manufacturing an Upper for a Shoe
20130291399	Insole and Foot Orthotics Made of Shape Memory Material (Smm)
20130291398	Footwear Insole for High Heel Shoes
20130291397	Device for Muting Sound Associated with Wearing Sandals
20130291293	Integrated Stretch Padded Laminate and Footwear
20130340296	Article of Footwear with Flexible Reinforcing Plate
20130340295	Sole Structure for Article of Footwear
20130340293	Shock-Absorbing Walk-Aiding Shoe
20130340292	Cycling Shoe
20130340291	Article of Footwear with Flexible Reinforcing Plate
20130340290	Shoe, in Particular Sports Shoe, and Method for Producing a Shoe
20130340289	Shoe Having an Improved Upper
20130340288	Footwear Insole
20130340287	Wearable Exercise Apparatuses
20130340286	Shoe with Exchangeable Upper
20130340285	Customizable Replacement Strap Converter System for Flip Flop Sandals
20130340284	Article of Footwear with Multi-Layered Support Assembly
20130340283	Footwear Incorporating Looped Tensile Strand Elements
20130340282	Insole Topper Pad for Wearing Shoes Sockless
20130340281	Flexible Midfoot Orthotic Shoe Insert
20130340280	Foam for Footwear Midsole and the Like
20130340279	Contoured Fluid-Filled Chamber with a Tensile Member
20130333252	System and Method for Protecting the Heel Area of Footwear
20130333251	Spike Sole Reinforced by Fiber Reinforcement
20130333250	Article of Footwear Incorporating Illuminable Strands
20130333249	Athletic Shoe Having Cleats
20130333248	Article of Footwear with Base Plate Having Structure and Studs
20130333247	Golf Shoe Outsole
20130333246	Reconfigurable Shoe
20130333245	Lightweight and Flexible Article of Footwear
20130333244	Girth Adjustable Shoe
20130333243	Sandal with Toe Separators
20130333242	Adhesive Backed Heel Pad with Loop Attachment and Ankle Strap
20130333241	Footwear Component for an Article of Footwear
20130333097	Sports Performance Enhancement Systems
20130326917	Impact-Attenuation Systems for Articles of Footwear
20130326916	Impact-Attenuation Systems for Articles of Footwear
20130326915	Impact-Attenuation Systems for Articles of Footwear
20130326914	Shoe with Comfort Features
20130326913	Reconfigurable Shoe
20130326912	Footwear
20130326911	Article of Footwear Having a Sole Structure with Heel-Arch Stability
20130326910	Shoe, in Particular a Sports Shoe
20130326909	Attachment and Locking System for Replaceable Traction Cleats
20130326908	Golf Shoe Outsole
20130326907	Removable Ankle Strap System for use with High Heeled Shoes
20130326906	Cushioned Orthotic
20130326905	Energy Wave Sockliner
20130318837	Article of Footwear Having an Upper Incorporating a Knitted Component
20130318836	Shock Absorbing Structure for the Heel of High-Heeled Footwear
20130318835	Sheet for Shoe Sole and Shoe Sole Including the Same
20130318834	Item of Footwear

20130318833	Method and Mould for Producing Footwear and Footwear thus Obtained
20130318832	Self-Recovering Impact Absorbing Footwear
20130318831	Sole Structure with Integrated Cleat Member and Methods of Making
20130318830	Footwear with Color Change Portion and Method of Changing Color
20130318829	Running Sandal
20130318828	Two-Part Sole for Footwear
20130318827	Interchangeable Strap Closure System for Footwear
20130318826	Foot Sliding Prevention Product
20130318825	Air Cushioning Outsole Window
20130318824	Sole Assembly Including a Central Support Structure for Footwear
20130318823	Areca Palm Made Footwear
20130318822	Costume Style Shoe Body & Manufacturing Method Thereof
20130318821	Traction Cleat for Footwear
20130318820	Footwear
20130318819	Fabric-Covered Fluid-Filled Therapeutic Foot Orthotic
20130318818	Dynamic Arch Stabilization and Rehabilitative Shoe Midsole/Insole Device
20130318817	Footwear with Integrated Energy Wave Sockliner

Design patents issued in the month of October, November, and December:

Pat. No.	Title
D693,996	Snap-On Top for Footwear, No Assignee
D693,995	Footwear, No Assignee
D693,558	Portion of an Upper of a Footwear Article, Assignee Salomon S.A.S.
D693,557	Portion of an Upper of a Footwear Article, Assignee Salomon S.A.S.
D693,556	Shoe Upper, Assignee NIKE, Inc.
D693,555	Heel, No Assignee
D693,554	High-Heel Shoe Insoles, No Assignee
D693,553	Outsole for a Shoe, Assignee Columbia Insurance Company
D693,552	Shoe Sole, Assignee Reebok International Limited
D693,551	Shoe, Assignee Reebok International Limited
D693,550	Shoe, Assignee Reebok International Limited
D693,549	Outsole for A Shoe, Assignee Columbia Insurance Company
D693,548	Sole for a Shoe, Assignee Sark, Ltd.
D693,547	Shoe, Assignee Tod's S.p.A.
D693,546	Water Shoe, Assignee Surf 9, LLC
D693,545	Balancing Training Footwear, No Assignee
D693,112	Shoe Upper, Assignee NIKE, Inc.
D693,111	Shoe Upper, Assignee NIKE, Inc.
D693,110	Shoe Upper, Assignee NIKE, Inc.
D693,109	Shoe Upper, Assignee NIKE, Inc.
D693,108	Shoe Upper, Assignee NIKE, Inc.
D693,107	Shoe Upper, Assignee NIKE, Inc.
D693,106	Shoe Upper, Assignee NIKE, Inc.
D693,105	Shoe Upper, Assignee NIKE, Inc.
D693,104	Shoe Upper, Assignee NIKE, Inc.
D693,103	Shoe Upper, Assignee NIKE, Inc.
D693,102	Shoe Upper, Assignee NIKE, Inc.
D693,101	Shoe Bottom, Assignee Under Armour, Inc.
D693,100	Sandal, Assignee Wellrox, LLC
D692,649	Shoe Upper, Assignee NIKE, Inc.
D692,648	Shoe Upper, Assignee NIKE, Inc.
D692,647	Shoe Upper, Assignee NIKE, Inc.
D692,646	Traction Cleat, No Assignee
D692,645	Sole, Assignee ECCO Sko A/S
D692,644	Sport Cleat, No Assignee
D696,506	Heel Insert, Assignee Profoot, Inc.
D696,505	Shoe Outsole, Assignee NIKE, Inc.

D696,504	Outsole for a Shoe, Assignee Columbia Insurance Company
D696,503	Shoe Midsole with Translucent Regions, Assignee NIKE, Inc.
D696,502	Shoe Midsole with Contrasting Translucent Regions, Assignee NIKE, Inc.
D696,501	Shoe Midsole, Assignee NIKE, Inc.
D696,500	Footwear, Assignee Lacoste Alligator S.A.
D696,499	Shoe Guard, Assignee Impacto Protective Products, Inc.
D696,005	Slip-Resistant Footwear Tread, Assignee Saf-Gard Safety Shoe, Co.
D696,004	Shoe Sole, Assignee Tod's S.p.A.
D696,003	Shoe Sole, Assignee Unplugged, Inc.
D696,002	Shoe, No Assignee
D696,001	Casual Sneaker, Assignee Aetrex Worldwide, Inc.
D695,510	Boot Ankle Panel, Assignee Chinook Asia LLC
D695,509	Boot Lower Side Panel, Assignee Chinook Asia LLC
D695,508	Boot Heel Panel, Assignee Chinook Asia LLC
D695,507	Traction Cleat, Assignee JCCM, Inc.
D695,506	Support for a Pronated Foot, Assignee Footmind, Inc.
D695,505	Sole, Assignee ECCO Sko A/S
D695,504	Shoe Tread, Assignee Icon IP, Inc.
D695,503	Shoe Outsole, Assignee NIKE, Inc.
D695,502	Shoe Outsole, Assignee NIKE, Inc.
D695,501	Shoe Sole with Animal Paws, No Assignee
D695,500	Shoe, Assignee ECCO Sko A/S
D695,499	Shoe, Assignee ECCO Sko A/S
D695,498	Shoe, Assignee ECCO Sko A/S
D695,497	Golf Training Shoe, No Assignee
D695,001	Insole, Assignee Profoot, Inc.
D695,000	Insole, Assignee Profoot, Inc.
D694,999	Insole, Assignee Profoot, Inc.
D694,998	Shoe Sole, Assignee Dolce & Gabbana, S.r.L.
D694,997	Footwear, Assignee Crocs, Inc.
D694,996	Flip Flop Shoe, No Assignee
D694,995	Strap For Sandal, No Assignee
D694,994	Footwear, Assignee Crocs, Inc.
D694,516	Shoe Upper, Assignee NIKE, Inc.
D694,515	Shoe Upper, Assignee NIKE, Inc.
D694,514	Shoe Upper, Assignee NIKE, Inc.
D694,513	Shoe Upper, Assignee NIKE, Inc.
D694,512	Shoe Upper, Assignee NIKE, Inc.
D694,511	Shoe Upper, Assignee NIKE, Inc.
D694,510	Shoe Upper with Contoured Panel, Assignee NIKE, Inc.
D694,509	Shoe Upper, Assignee NIKE, Inc.
D694,508	Shoe Upper, Assignee NIKE, Inc.
D694,507	Shoe Upper, Assignee NIKE, Inc.
D694,506	Shoe Upper, Assignee NIKE, Inc.
D694,505	Toe Cap for Shoe, Assignee The Children's Place Services Company, LLC

Trademarks published in the month of October, November, and December:

[SR HOLDINGS LLC](#)
[BEIJING NEILIANSHENG SHOES CO., LTD.](#)
[YRU](#)
[ADORABABY](#)
[LATHROP & SONS](#)
[KEUKA](#)
[SRTOUCH](#)
[FURY LONDON](#)
[VIBRALABS INCORPORATED](#)
[STABLEFLEX](#)

[D-FLEX BY DEARFOAMS](#)
[SPRINGBLADE](#)
[E.S. ORIGINALS](#)
[SOLVEI](#)
[THE PAINTED SOLE](#)
[JBU](#)
[FF](#)
[ELI](#)
[SOCKGAME](#)
[SKCH](#)
[CLEANFEET](#)
[KODIAK GROUP HOLDINGS CO.](#)
[GAZITH](#)
[MICRON 20 AUSTRALIAN MERINO WOOL](#)
[CAMBOU](#)
[WORK WONDERS](#)
[ELATA](#)
[VIONIC](#)
[THORA](#)
[SD SHU-DIVA](#)
[THE FUTURE OF FOOTWEAR](#)
[ORTHOFEET](#)
[KELMELEONS](#)
[RUBBERHE](#)
[REFLEXAN](#)
[VIPER](#)
[SHOE SCAPES](#)
[DIABETIC SHOE SOLUTIONS](#)
[GABBY MARIE](#)
[TERRAFLY](#)
[WB WELLYBANDS](#)
[SHOE CULT BY NASTY GAL](#)
[FEEL THE ENERGY! FROM YOUR FEET UP](#)
[TUNE FOOTWEAR](#)
[IFLEX](#)
[GENETIC](#)
[ANGELES SHOES](#)
[UNLEASHED BY ROCKET DOG](#)
[PUSH ON](#)
[4-WAY RELEASE](#)
[SARAH FLINT](#)
[VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC.](#)

M
[BABY TROOPER](#)
[ADOLLT](#)
[X-TALON](#)
[ROCLITE](#)
[ROAD-X](#)
[MUDCLAW](#)
[BARE-XF](#)
[BARE-X](#)
[BARE-GRIP](#)
[VESTITURE](#)
[RCF](#)
[THE WORLD ACCORDING TO 9](#)
[KÜNZLI SWISSSCHUH AG](#)
[SIMPLY MADAS SANDALS WHEREVER YOU GO IN THE WORLD, MADAS IS YOUR STYLE.](#)
[FIELD & STREAM](#)

[TRASK](#)
[SLIK](#)
[RED WING SHOES 1905 IRISH SETTER HUNT](#)
[RED WING SHOES 1905 IRISH SETTER BRAND](#)
[RED WING SHOES 1905 IRISH SETTER WORK](#)
[REBACCA](#)
[ING COMOLI EASY GRIP SYSTEM](#)
[JONES & VINING](#)
[JIFFY FOOTIN'](#)
[ACKERMAN LAVORATE A MANO](#)
[STEPHANIE NICOLE](#)
[2 WALKON PTY LIMITED](#)
[ENYCE EE](#)
[RED HEAD](#)
[BOKOS](#)
[BEAUTIFUL BOTTOMS](#)
[KOALAROOS](#)
[CROSS FLEX](#)
[WE FIT YOU](#)
[ROLLIE](#)
[VON DUTCH](#)
[IGOR](#)
[ENYCE](#)
[BFF BEST FRIENDS FOR YOUR FEET](#)
[TKEES](#)
[HARDWAIR](#)
[ATWOOD](#)
[SWISSIES SOFT TECHNOLOGY](#)
[WASHABLES](#)
[T.U.K. VIVA CREEPERS](#)
[ALEGRIA BY PG LITE](#)
[LOOK BY MIA](#)
[GIOVA](#)
[YS](#)
[SCHUH](#)
[CLOUD FOOTWEAR](#)
[REVLITE](#)
[ISLIDE](#)
[EASOS GEAL 3](#)
[S](#)
[SKISKOOTYS](#)
[COMFORT LITES](#)
[THE HYLAN SHOE COMPANY](#)
[TRI HOUND](#)
[DON'T KISS & TELL](#)
[ALIGN FOOTWEAR](#)
[CHAO MENG](#)
[SF](#)
[TRAILROC](#)
[BROWN SHOE COMPANY](#)
[TEYSHA](#)
[BOOT LA LA](#)
[WHAT MADE IN AMERICA FEELS LIKE](#)
[GORE-TEX](#)
[POPSTAR BY MIA](#)
[BLUSH BY MIA](#)
[BOOT BAND](#)
[SKECHERS GO PLAY](#)

[EXO-L](#)
[P](#)
[PAYLESS](#)
[HEAD OVER HEELS BY DUNE](#)
[I-RUNNER](#)
[MINILUXE](#)
[CNX](#)
[SKECHERS GO GOLF](#)
[SHIMANO DYNALAST](#)
[RICKYCITY](#)
[JL](#)
[P](#)
[ORIGINALS](#)
[PRICE SHOES](#)
[SLIK](#)
[TERROC](#)
[TOPO ATHLETIC](#)
[PAKERSON](#)
[SKECHERS GO DRI](#)
[S.H.E. SERENITY HEALING EMPOWERMENT](#)
[SMAARTI DESIGNS FOR ANY DAY ANY WHERE](#)
[EVONPLUS](#)
[INSTYLE](#)
[CHELSEA MORELAND](#)
[NEIL M](#)
[TORI SOUDAN](#)
[WELLNESS. ELEVATED.](#)
[THIERRYRABOTIN](#)

General News

State of Fakes // How Has Counterfeit Footwear Changed Over the Years?
Solecollector dot com
January 17, 2014



Over the past ten years, counterfeit footwear has dramatically changed in more ways than one. Shoes that were once incredibly easy to spot have now become nearly identical to their authentic counterparts, causing tons of confusion when it comes to purchasing shoes from anywhere that's not a major retailer.

Just how good have fake sneakers become? Pretty darn good actually.

The most obvious way fakes have changed over the years is just how close these illegal factories have gotten to identically recreating all of the most popular shoes. It wasn't too long ago that fakes were distinguishable because of the colorways or low quality utilized, but they've now become better than ever by using materials that nearly match authentic pairs. We're also seeing much less distinctly fake colors or fabrics, with many only recreating authentic colorways that have actually been released.

Nowadays, the only way to really spot a pair of fakes is by closely examining them side-by-side and looking for subtle differences such as missed stitches, irregular leather cuts or logo placement, along with even more subtle details such as the quality of accessories and packaging included with the kicks. With that said, these near-perfect fakes have made it almost impossible to guarantee you can confidently purchase an authentic pair of kicks if you missed them during your first shot on release day.

Over the past few years, with the influx of near-perfect counterfeit or 'Grey Market' shoes, we've also

seen countless retailers accidentally selling these products. Knowingly or unknowingly, it's still one of the biggest issues caused by these new generation fakes. Pre-orders for shoes are offered a lot more often by retailers, both in-store and online, with some offering these early release shoes to their customers. And as previously mentioned, these well-made fakes have made it nearly impossible to tell them apart from authentic product, whether you are a retailer or a customer who's already purchased a pair.

Lastly, nearly every single Air Jordan release for the past few years has been unveiled to the world with images of grey market pairs from one of the many questionable early release sites on the web. The biggest issue with this is we lose the excitement of seeing all of these great shoes in the way brands intended. Shoes meant to be quickstrike releases are seen months in advance with below average quality images. Stories that are meant to be told with the unveiling of a shoe are left untold for months, leading to countless misinformed first impressions and incorrect nicknames on that particular shoe.

Overall, if you're aware of these fakes and the ways they've changed over the years, you shouldn't have any issues trying to avoid being fooled. On the other hand, with the community of sneakerheads growing faster than ever, these super fakes are still fooling plenty of people. Without the knowledge of just how good they've become, retailers unknowingly selling them and the fact that plenty of upcoming footwear is unveiled with fakes, there's a good chance all the new heads could fall for these fakes.

What's your stance on these new age fakes? Have they changed the game forever, or just how you approach your footwear purchases? What precautions do you now take to avoid these fakes? Hit the comment section below to let us know, and share all your thoughts on the state of fakes in today's fast-growing world of sneakers.

Top French Court Upholds Copyright Ruling
Footwear News
December 19, 2013
By Joelle Diderich

PARIS - In a ruling that has wide-ranging copyright implications for luxury goods brands worldwide, France's highest court on Thursday upheld a verdict in a landmark case pitting French fine-jewelry house Van Cleef & Arpels against one of its former designers.

The Court of Cassation in Paris said the Court of Appeals was justified in ruling in September 2012 that designs made by an employee of a jewelry firm should be considered a simple contribution to collective works owned by the company, rather than the intellectual property of the individual designer.

Thursday's final decision came after the plaintiff, Thierry Berthelot, appealed the verdict handed down by the Court of Appeals, in the latest twist in an eight-year legal battle.

Nicolas Bos, chief executive officer of Van Cleef & Arpels, hailed what he termed a "historic" ruling.

"For decades, our industry's creations have been the fruit of a collective effort and of the sum of individual contributions that go beyond the input of one single individual," he told WWD. "That is the reality, the way our industry, our world, has always functioned, but [until now] it was not recognized in legal terms."

Luxury executives had lauded last year's verdict, which has now been endorsed, as providing much-needed clarity for all players in the luxury goods industry in France by stating that the fashion house is the first holder of the copyright of collective works, since it directs and originates the process.

The legal decision applies solely to full-time employees of fashion houses. French law contrasts with the system in place in many other jurisdictions, where employees automatically relinquish their rights to their employer under the terms of their employment contract, a mechanism known as "work made for hire."

"France has had a much stronger framework historically for the protection of individual copyright, which applies to many other fields, but the way our houses and our teams work had never been recognized or described by a legal authority in the way that it was today," noted Bos.

Berthelot's lawyers had argued in court that his creative process had been performed independently of any instructions or supervision from his employer. Berthelot, who kept more than 500 sketches made during his time at Van Cleef, said he was the designer of the brand's Frivole collection, among others.

Vincent Fauchoux, the lawyer who represented Van Cleef in the case, said the Court of Cassation had cemented a ruling unprecedented in its depth and clarity. "This case is going to come as a relief and reinforces the rights of major houses," he said. "It is the recognition in law of an economic reality."

In its pronouncement last year, the Court of Appeals detailed the various elements that determine whether a work should be considered collective. This ranges from the house's heritage to the amount of instructions given to employees and the role of internal committees and organizations in assigning tasks.

Fauchoux said the Van Cleef verdict put France on a more even footing with other countries. "It confirms that France remains a center for creation that can be a world leader and that offers a safe and extremely solid framework," he said.

Emmanuel Gouesse, a partner at law firm Pech de Laclause, Bathmanabane & Associés, which represented Berthelot, could not be reached for comment.

The legal case will drag on, as the Court of Cassation did not uphold the earlier decision by the Court of Appeals to sentence Berthelot to damages of 10,000 euros, or \$13,600 at current exchange, for withholding his drawings for the duration of the court case, on the grounds that this amounted to "malicious behavior."

That particular matter will now be sent back to a separate Court of Appeals in Lyon.

Salvatore Ferragamo Awarded \$4.3M in Online Counterfeit Case

Footwear News

December 18, 2013

By Vicki M. Young

Salvatore Ferragamo was awarded \$4.3 million by a Manhattan federal court in connection with the luxury brand's fight against counterfeiting.

The lawsuit was filed in January against 15 defendants who were holding a total of 95 domain names that infringed upon the Ferragamo trademark and sold counterfeit goods. Earlier this year, the Manhattan federal court overseeing the lawsuit had ordered the transfer of the domain names, such as FerragamoBagSale.com, FerragamoSingapore2012.com and FerragamoOnlineStore.com, to Ferragamo and had shut down the Web sites.

Ferruccio Ferragamo, chairman of the Salvatore Ferragamo Group, said, "Our company is committed to protecting our brand and contributing to the fight against counterfeiting, which for many years has beleaguered the world's most prestigious fashion and luxury brands. The Internet has now become a leading channel for traffickers of counterfeit goods, and is now the central focus of the recent lawsuits filed by our group, historically one of the most affected by this crime."

The complaint - alleging trademark counterfeiting, trademark infringement and dilution and cybersquatting - indicated that the defendants were selling counterfeit products that included "handbags, wallets, belts, shoes, eyeglasses, sunglasses, shoes, scarves, watches and ready-to-wear clothing."

A preliminary injunction was obtained in February, with a default judgment entered against all the defendants in June. The matter was then sent to U.S. Magistrate Judge Sarah Netburn in Manhattan for

a hearing on the damages component of the lawsuit. Her report in November indicated recommendations that the preliminary injunction be converted to a permanent injunction and that the award of damages be in the amount of \$4.3 million. The decision was served on all defendants on Dec. 3.

Salvatore Ferragamo SpA is the parent firm of Salvatore Ferragamo Group.

Ferragamo faces the same collection problem other brands have in their fight against counterfeiters. So far, an aggregate of \$158.7 million has been awarded in 2013 to brand owners, including the latest win by Ferragamo.

Earlier this year, Tiffany won \$2.2 million against a ring of Internet counterfeiters, Coach was awarded \$8 million against a Customs brokerage firm and Gucci America Inc. won a hefty \$144.2 million against several organizations engaged in online counterfeiting.

The real question is how much in damages can these brand owners reasonably expect to collect. Many defendants don't bother to show up in court, and others change the name of their operations and then become hard to locate.

© 2011 Squire Sanders & Dempsey, LLP. If you have questions regarding any article, would like further information, or have suggestions about future articles, please contact David Spooner at 202-626-6612 or dspooner@ssd.com.

[Forward email](#)



Try it FREE today.

This email was sent to apolk@fdra.org by apolk@fdra.org | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

FDRA | 1319 F Street, NW | Suite 700 | Washington | DC | 20004

 **THIS IS A TEST EMAIL ONLY.**

This email was sent by the author for the sole purpose of testing a draft message. If you believe you have received the message in error, please contact the author by replying to this message. Constant Contact takes reports of abuse very seriously. If you wish to report abuse, please forward this message to abuse@constantcontact.com.