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(54) **ARTICLE OF FOOTWEAR FOR USE IN  
RELATION TO A PEDICURE**

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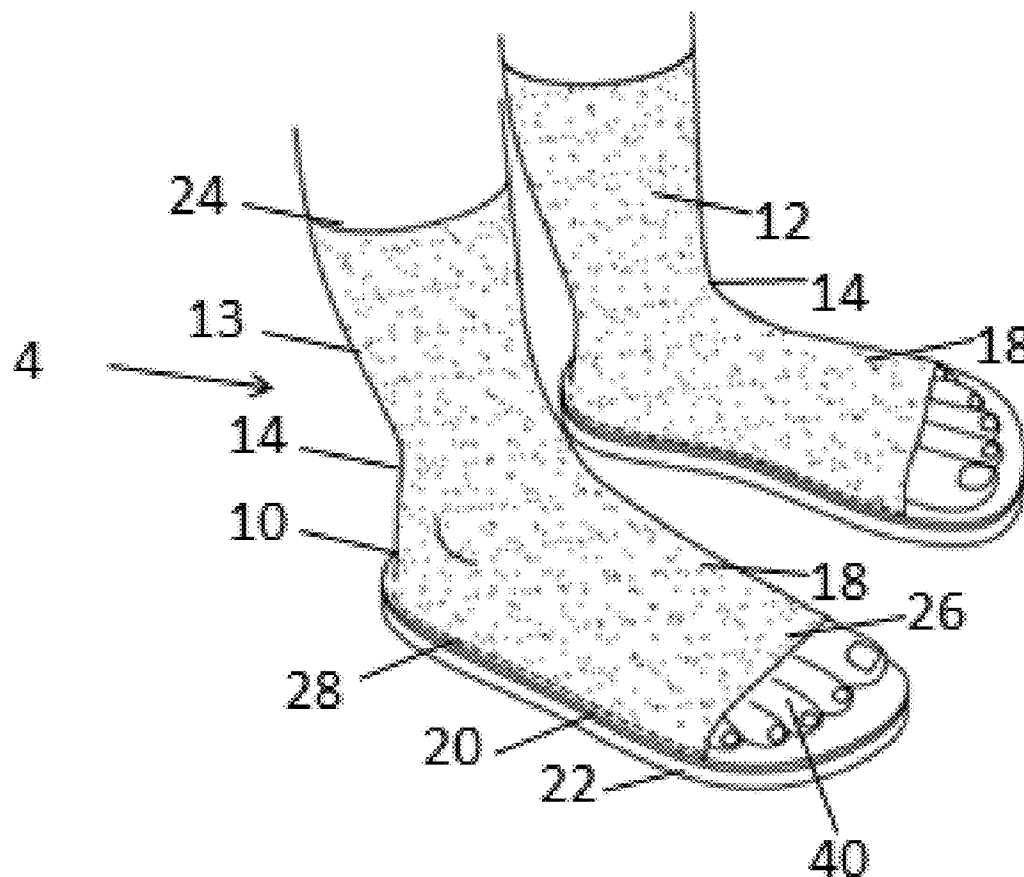
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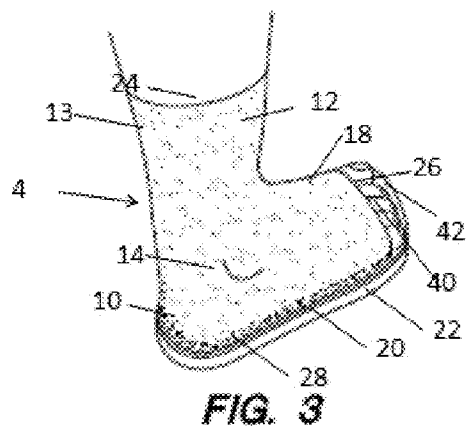
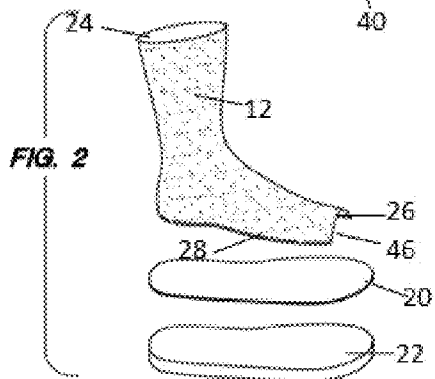
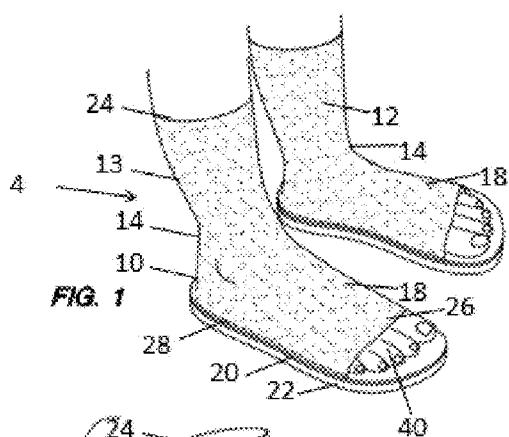
(57) **ABSTRACT**

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The present invention is directed to an article of footwear in relation to a pedicure. The article of footwear includes: a body which is defined as a leg portion, ankle portion, and foot portion—covering the foot heel, sole, and top portion of the foot with an open forward-end leaving the toes exposed; a thin sole member; and a thick sole member.





## ARTICLE OF FOOTWEAR FOR USE IN RELATION TO A PEDICURE

### BACKGROUND OF THE INVENTION

**[0001]** Many women frequent pedicure salons year-round. It is conventional for the person receiving the pedicure to wear to the salon open-toed sandals, which can also be placed on the feet during the pedicure prior to the nail polish application, and worn following the pedicure to leave the salon. Following the pedicure, prior to the nail polish application, the pedicure artist will then place a toe separating device between the toes (for example, a paper towel wrapped around each toe, or a foam toe separator) for purposes of keeping each toe separated from each other so as not to smudge the nail polish once applied. The nail polish is then applied to each toe, and upon the completion of the polish application, there is a period of time—often in excess of an hour—where the nail polish must set and dry. During this time the toes must be kept from coming into contact with any materials so as not to smudge the nail polish application.

**[0002]** Due to their nature of leaving the toes exposed, open-toed sandals allow the procurer of the pedicure to place his/her feet under a nail dryer to dry their toes. In addition, open-toed sandals allow the procurer to leave the salon even if their toes are not completely dry.

**[0003]** The problem arises during the cooler, colder months such as from the fall through the early spring. While it is possible for a woman to wear open-toed sandals for use during and following a pedicure during this time period, doing so leaves the foot inset, upper foot, heel, ankle, and potentially calf, exposed to the cold air which makes this option impractical. As such, a woman must remain at the pedicure salon for an extended period of time until the nail polish sets and dries in order to avoid damaging the polish application. She can then replace her sandals with shoes and socks in order to brave the cold. Or choose to brave the cold with her flip flops.

**[0004]** Efforts have been expended in the past to respond to the need for modified footwear for use in relation to a pedicure. For example, U.S. Pat. No. 5,906,007 issued on May 25, 1999 for “Article of footwear for use in relation to a pedicure.” An additional example may be for U.S. Pat. No. 7,296,367 for “Pedicure Boot.”

**[0005]** In U.S. Pat. No. 5,906,007, an article of footwear is provided that has a leg portion, an ankle portion, and a foot portion, and open ended sheathes. This article fails to provide satisfactory resolution to the problem as the wearer must still carry and wear article footwear with an additional shoe or sandal.

**[0006]** In U.S. Pat. No. 7,296,367, a pedicure boot having a forward end of the upper member detachably secured to the front end of the sole member to enable the toes of the user to be exposed and then covered as needed without having the forward end of the member detached from the pedicure boot. This article also fails to provide satisfactory resolution to the problem as the article is heavy and bulky and does not allow for easy storage in a woman’s purse should she be wearing other shoes while arriving to the salon, as many women often do when obtaining a pedicure after a work day, for example. It also doesn’t cover the upper ankle or calf.

**[0007]** While perhaps providing incremental responses to the need for footwear in relation to pedicures, the prior art has failed to provide a satisfactory resolution to the problem.

Accordingly, an answer to the problem of providing appropriate footwear for use in relation to the application of a pedicure remains wanting.

### BRIEF SUMMARY OF THE INVENTION

**[0008]** It is a general object of the present invention to provide footwear which overcomes the problems of known articles.

**[0009]** It is a specific object of the present invention to provide a single article of footwear which covers a significant portion of the foot (excluding the toes) including the upper foot, heel, inset, ankle, upper ankle, and optionally the calf, while providing a sole for support and walking.

**[0010]** A further object of the present invention that provides an article of footwear that fully exposes the toes.

**[0011]** An additional object of the present invention is to provide such an article which is lightweight and easily transportable.

**[0012]** Yet an additional object of the present invention is to provide warmth to the upper foot, heel, inset, ankle, upper ankle, and optionally the calf, while exposing the toes allowing for the nail polish application to dry.

**[0013]** To accomplish these and other objects an article of footwear is provided that includes: a body which is defined as a leg portion, ankle portion, and foot portion—covering the foot heel, sole, and top portion of the foot leaving the toes exposed; a thin sole member; and a thick sole member.

**[0014]** In a particular aspect of the present invention, there is provided a pedicure shoe comprising:

**[0015]** a) A body, which is preferably made of knitted or woven natural or synthetic material, such as polyester. Most preferably the body is made of a blend or any combination of materials used to make socks including, but not limited to: cotton, polyester, nylon, lycra or spandex components. The leg portion may be long such as knee-length or may be short, such as just above the upper ankle. The foot portion of the body will contain a forward opening, so as to expose the toes.

**[0016]** b) A thin sole member that may be affixed to the body to provide form and structure and allow the body to be adhered to the thick sole member using a sewing or gluing mechanism.

**[0017]** c) A thick sole member that may be made of EVA plastic, or other material, that is reasonable as outdoor footwear. The thick sole member may be of the same or different color as the thin sole member. The thin sole member may be of the same, similar or other material as the thick sole member.

**[0018]** The article of footwear of the present invention allows the user to wear one article that exposes the toes while protecting and warming the remainder of the foot, ankle, and calf. The article could then be worn before, during, and after a pedicure.

### BRIEF DESCRIPTION OF THE DRAWINGS

**[0019]** The invention will be better understood and objects other than those set forth above will become apparent when consideration is given to the following detailed description thereof. Such description makes reference to the annexed drawings wherein:

**[0020]** FIG. 1 is an in-use perspective view of a pedicure shoe according to the present invention.

[0021] FIG. 2 is a side view of the components of the pedicure shoe including the body, thin sole member, and thick sole member.

[0022] FIG. 3 is an in-use rear perspective view of a pedicure shoe according to the present invention.

#### DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS OF THE PRESENT INVENTION

[0023] The present invention is generally directed to a pedicure shoe which is lightweight, provides full exposure of the toes to enable the application of a pedicure and particularly nail polish and to provide protection for the user against the cold to the rest of the foot, upper ankle, and optionally, calf when leaving a pedicure salon.

[0024] Referring to the drawings and particularly FIGS. 1, 2, and 3 thereof, a new pedicure shoe embodying the principles of and concepts of the present invention and generally designated by the reference numeral 4 will be described.

[0025] As best illustrated in FIGS. 1, 2 and 3, the pedicure shoe 4 generally includes a body 12 (including a leg portion 13, and ankle portion 14, heel portion 10 and foot portion 18), a thin sole member 20 and a thick sole member 22. The body 12 preferably comprises a resiliently stretchable cloth material which may be any conventional material used for socks such as cotton, nylon, polyester, lycra, spandex, or mixtures of these or other conventional sock materials.

[0026] The body 12 forms a sock having a foot receiving conduit 24, an open forward end 26, and an open underside 46. The perimeter 28 of the open underside end 46 is engaged to the thin sole member 20 which extends past the body's open forward end 26. The open forward end 26 remains disengaged to the thin sole member 20 to form a foot receiving platform 42 which provides support underneath a plurality of toes 40 while leaving the plurality of toes exposed through a single opening.

[0027] The thin sole member 20 is made of thin EVA foam material and has an approximate thickness of 0.0125 inch i.e. 1/8 inch. Of course, any other conventional lightweight materials used in inner sole applications may be used in place of the EVA foam material.

[0028] The thick sole member 22 is made from EVA foam used as the sole in many flip flop applications. This material is also referred to as vinyl sponge foam material or EVA plastic and is acceptable for use as the outer sole material in footwear devices for outdoor use. Of course, any other rubbery material

may be used in place of the EVA foam material. The preferred thickness of the thick sole member is approximately 0.5 inch i.e. 1/2 inch.

[0029] The sole members 22 and 20, respectively may be of other thicknesses so as long as the thickness of the former is greater than the latter.

[0030] It is still a further embodiment of the invention that the invention is used in conjunction with toe spacers between the toes that are particularly helpful in insuring the toes do not come into contact with each other while the nail polish is wet and susceptible to smudging. The toe spacers can take a variety of forms including those shown in US PAT 20110284018 A1, incorporated herein as reference.

1) An article of footwear for use in relation to a pedicure, the article comprising:

a body, said body including a leg portion, an ankle portion, and a foot portion; with the body having an open forward end

whereby the foot portion of the body is operatively engaged to the thin sole member to form a foot receiving space. The open forward end of the body is disengaged to the thin sole member to form a single aperture through which the toes are placed

whereby the aperture fully exposes the toes when the foot is placed into the footwear garment

a thin sole

whereby the thin sole is operatively engaged to the foot portion of the body

whereby the thin sole is operatively engaged to the thick sole

a thick sole

whereby the thick sole is operatively engaged to the thin sole, and optionally to the perimeter of the foot portion of the body, to provide stability

2. The article of footwear of claim 1, wherein the body is composed of a natural or synthetic stretchable textile.

3. The article of footwear of claim 1, wherein the body is composed of a first material and the thin and thick sole are composed of other materials, said second and third materials could be the same or different, but are different from the first material

4. The article of footwear of claim 1, wherein the body substantially covers the foot excluding the toes, in addition to covering the ankle, upper ankle and optionally the shin and calf

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