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6 November 2014

(54) Title: DANCE SHOE

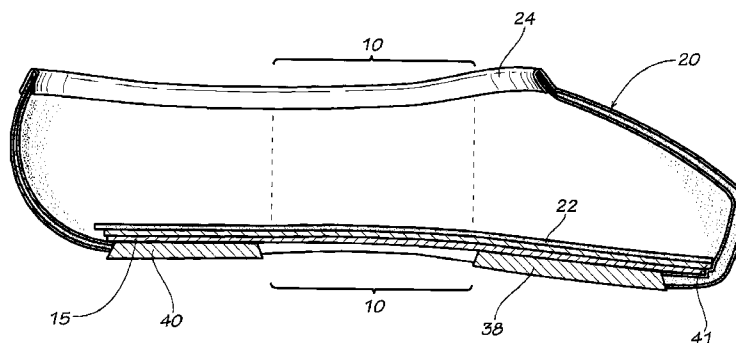


FIG. 6

(57) Abstract: The inventive subject matter is generally directed to dance shoes that include a distal portion for receiving at least a portion of a forefoot of a wearer. The distal portion includes a rigid structure for supporting the foot, such as a toe box for an en pointe dance shoe. A proximal portion extends from the distal portion and it is configured for receiving the midfoot and rearfoot portions of the foot. The shoe is constructed so as to conform to the shape of the foot through a range of foot flexations that vary the distance of the toes to the heel, particularly the flexations that occur when dancing en pointe. According to certain embodiments of the inventive subject matter, this is achieved in whole or part by configuring the proximal portion to be elastically, longitudinally extendible relative to the distal portion and/or configuring the shoe's foot-receiving compartment with a shape that generally mimics the foot in a shape corresponding to plantar flexation, for example, a shape mimicking a foot en pointe.



INTERNATIONAL SEARCH REPORT

International application No.

PCT/IB2012/001410

A. CLASSIFICATION OF SUBJECT MATTER

A43B 5/12 (2006.01)

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WPI, EPODOC and Google Patents. Keywords: Dance, Ballet, Shoe, Slipper, Toe, Heel, Vary, Change, Distance, Split, Sole and similar terms.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
	Documents are listed in the continuation of Box C	

☒ Further documents are listed in the continuation of Box C☒ See patent family annex

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier application or patent but published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
12 December 2012Date of mailing of the international search report
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INTERNATIONAL SEARCH REPORT		International application No.
C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		PCT/IB2012/001410
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y	WO 2011/116423 A1 (HEATHCOTE) 29 September 2011 See whole document especially, Figures 6A-6E; [0115]-[0122]. Figures 6A-6E	1-3, 5, 6, 8-11, 14-20 4, 7, 12, 13
Y	US 5682685 A (TERLIZZI) 04 November 1997 Figures 8 and 9	4
Y A	US 1693174 A (CAPEZIO) 22 October 1927 Figure 1, item 12; Page 3 lines 52-74	7 17-20
X	US 2002/0078591 A1 (MORRONE) 27 June 2002 See whole document. Especially Figures 4 and 5; paragraphs [0022], [0026]	1-3, 16
Y	US 6233846 B1 (SORDI) 22 May 2001 See whole document especially Figure 5; column 2 line 67-column 3 line 7	12, 13

INTERNATIONAL SEARCH REPORT

International application No.

PCT/IB2012/001410

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

See Supplemental Box for Details

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- ☐ No protest accompanied the payment of additional search fees.

Supplemental Box

Continuation of: Box III

This International Application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept.

This Authority has found that there are different inventions based on the following features that separate the claims into distinct groups:

- Claims 1-15 are directed a dance shoe.. The feature of a proximal portion comprising an elastically, longitudinally extendible portion, allowing at least the proximal portion of the compartment to conform to a foot of an intended wearer through a range of plantar foot flexations that vary the distance between the toes and heel of the foot is specific to this group of claims.
- Claims 16-20 are directed to a dance shoe and a method of making a dance shoe. The feature of a compartment that conforms to the foot in both regular weight-bearing positions and in an en pointe position is specific to this group of claims.

PCT Rule 13.2, first sentence, states that unity of invention is only fulfilled when there is a technical relationship among the claimed inventions involving one or more of the same or corresponding special technical features. PCT Rule 13.2, second sentence, defines a special technical feature as a feature which makes a contribution over the prior art.

When there is no special technical feature common to all the claimed inventions there is no unity of invention.

In the above groups of claims, the identified features may have the potential to make a contribution over the prior art but are not common to all the claimed inventions and therefore cannot provide the required technical relationship. Therefore there is no special technical feature common to all the claimed inventions and the requirements for unity of invention are consequently not satisfied *a priori*.

INTERNATIONAL SEARCH REPORT Information on patent family members		International application No. PCT/IB2012/001410	
This Annex lists known patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.			
Patent Document/s Cited in Search Report		Patent Family Member/s	
Publication Number	Publication Date	Publication Number	Publication Date
WO 2011/116423 A1	29 Sep 2011	AU 2011232308 A1	18 Oct 2012
		WO 2011116423 A1	29 Sep 2011
US 5682685 A	04 Nov 1997	BR 9604385 A	16 Jun 1998
		CA 2187830 A1	13 Apr 1997
		CN 1151850 A	18 Jun 1997
		MX 9604774 A	31 May 1998
		US 5682685 A	04 Nov 1997
US 1693174 A	22 Oct 1927	US 1693174 A	27 Nov 1928
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		WO 02051274 A1	04 Jul 2002
US 6233846 B1	22 May 2001	EP 0971605 A1	19 Jan 2000
		EP 0971605 B1	11 Jun 2003
		US 6233846 B1	22 May 2001
		WO 9938404 A1	05 Aug 1999
End of Annex			
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001. Form PCT/ISA/210 (Family Annex)(July 2009)			