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# United States Patent [19] Smith, III

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[54] ELEMENT OF A MIDSOLE

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[73] Assignee: Nike, Inc., Beaverton, Oreg.

[\*\*] Term: 14 Years

[21] Appl. No.: 71,341

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[52] U.S. Cl. .... D2/947; D2/972; D2/977

[58] Field of Search ..... D2/896, 902, 907,  
D2/908, 972-974, 947, 961, 977; 36/25 R,  
28, 29, 32 R, 35 B, 45, 50.1, 53, 57

### [56] References Cited

#### U.S. PATENT DOCUMENTS

D. 324,940	3/1992	Claveria .	
D. 347,106	5/1994	Sell, Jr. et al. .	
D. 350,016	8/1994	Passke et al. ....	D2/946
D. 355,755	2/1995	Kilgore .	
D. 373,674	9/1996	Dolinsky .	
D. 375,619	11/1996	Backus et al. ....	D2/977
D. 376,471	12/1996	Kalin et al. .	
5,195,256	3/1993	Kim .	

#### OTHER PUBLICATIONS

Nike Footwear Catalog, Spring 1993, Introduction page, published Jun., 1992.

Nike Footwear Catalog, Fall 1994, Introduction page, published Nov., 1993.

Nike Footwear Catalog, Spring 1996, Introduction page, Jun., 1995.

Nike Footwear Catalog, Spring 1997, cover and p. 6, published Jun., 1996.

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### [57] CLAIM

The ornamental design for an element of a midsole, as shown and described.

### DESCRIPTION

FIG. 1 is a rear elevational view of an element of a midsole in accordance with my invention;

FIG. 2 is a cross-sectional view of the element of the midsole, taken along line 2—2 of FIG. 1;

FIG. 3 is a right side elevational view of the element of the midsole shown in FIG. 1; and,

FIG. 4 is a cross-sectional view of the element of the midsole, taken along line 4—4 of FIG. 3.

The broken lines showing the shoe upper and the remainder of the shoe sole are for illustrative purposes only and form no part of the claimed design.

1 Claim, 2 Drawing Sheets

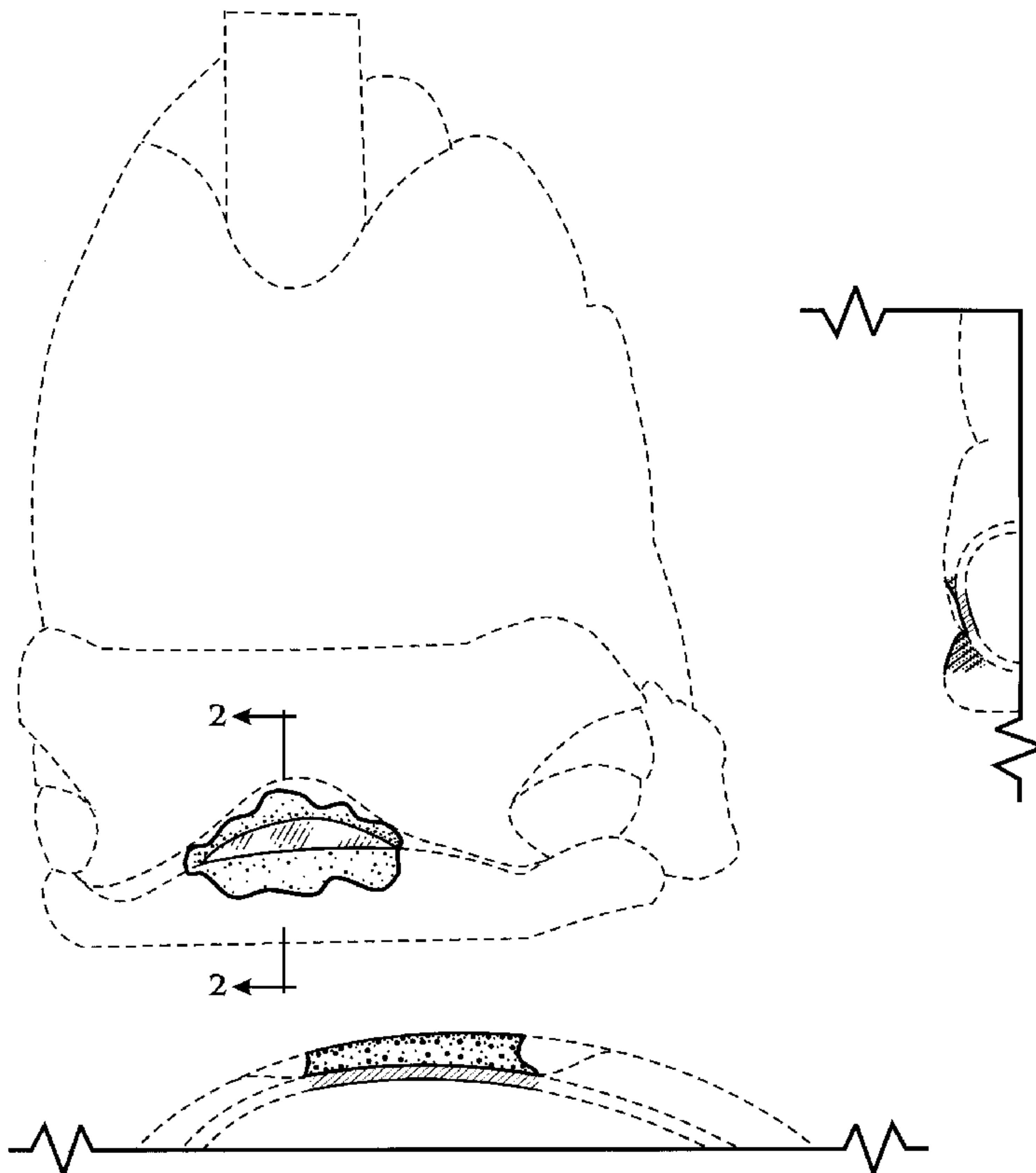


Fig. 1

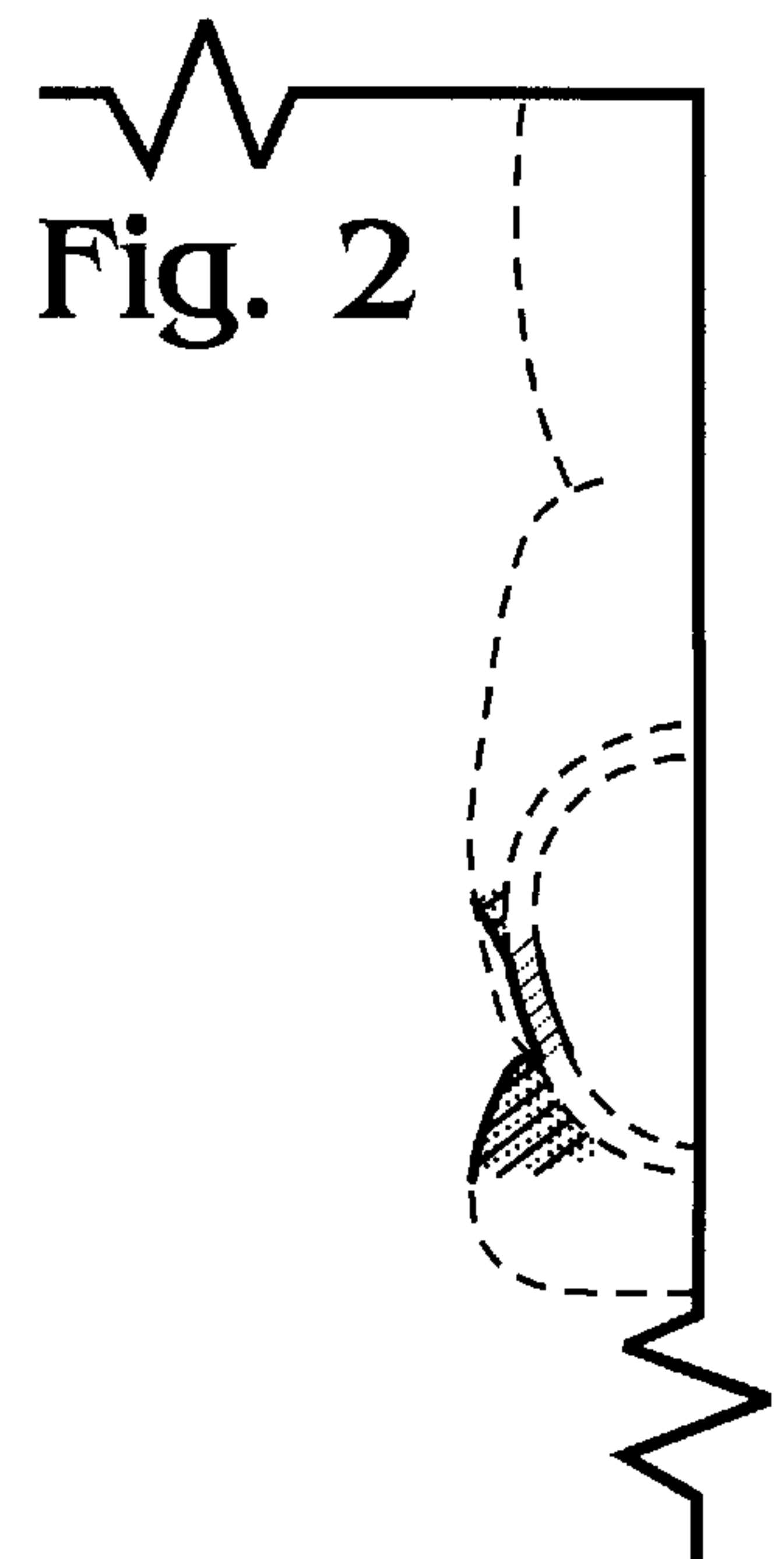
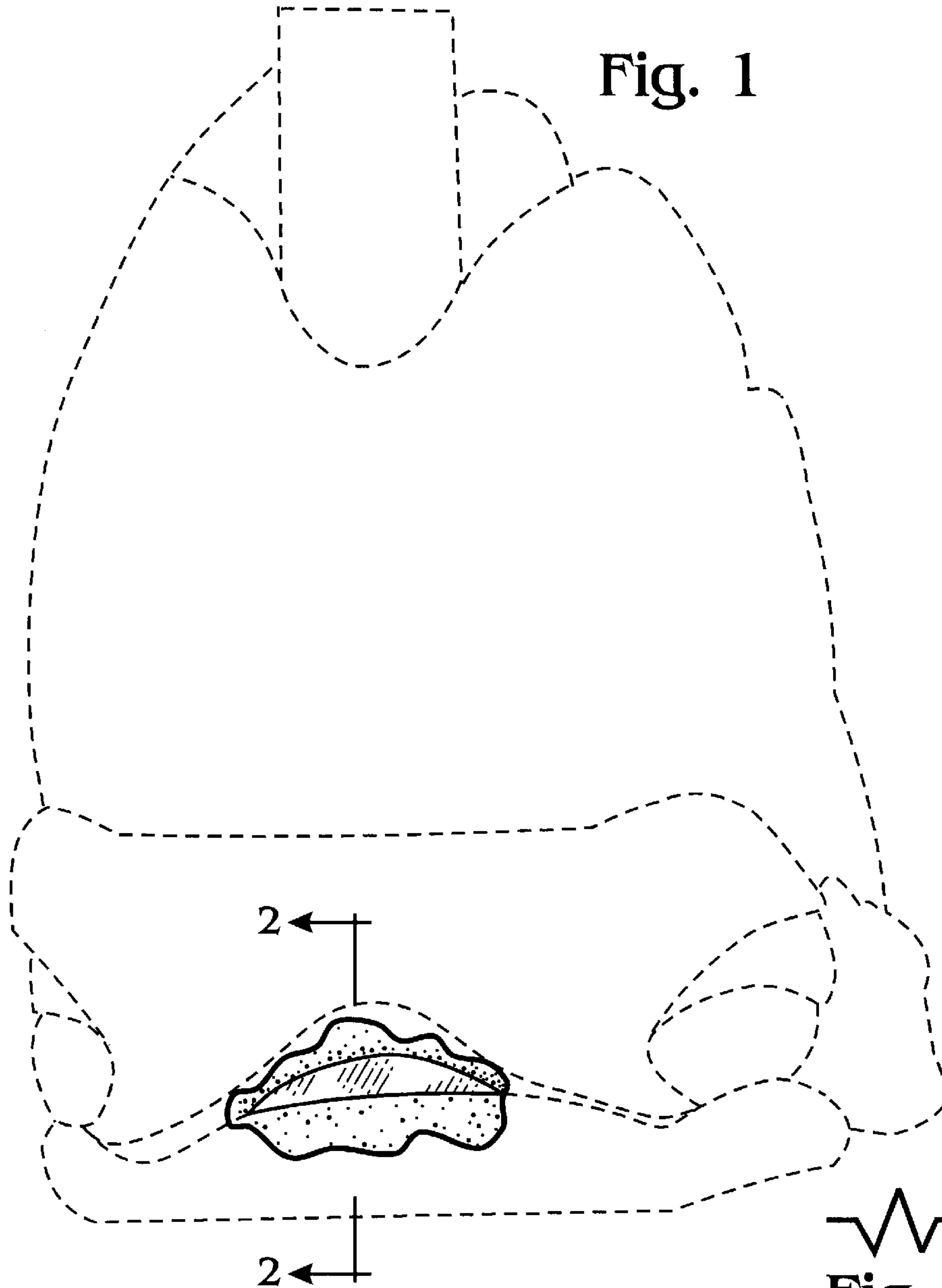


Fig. 2

Fig. 3

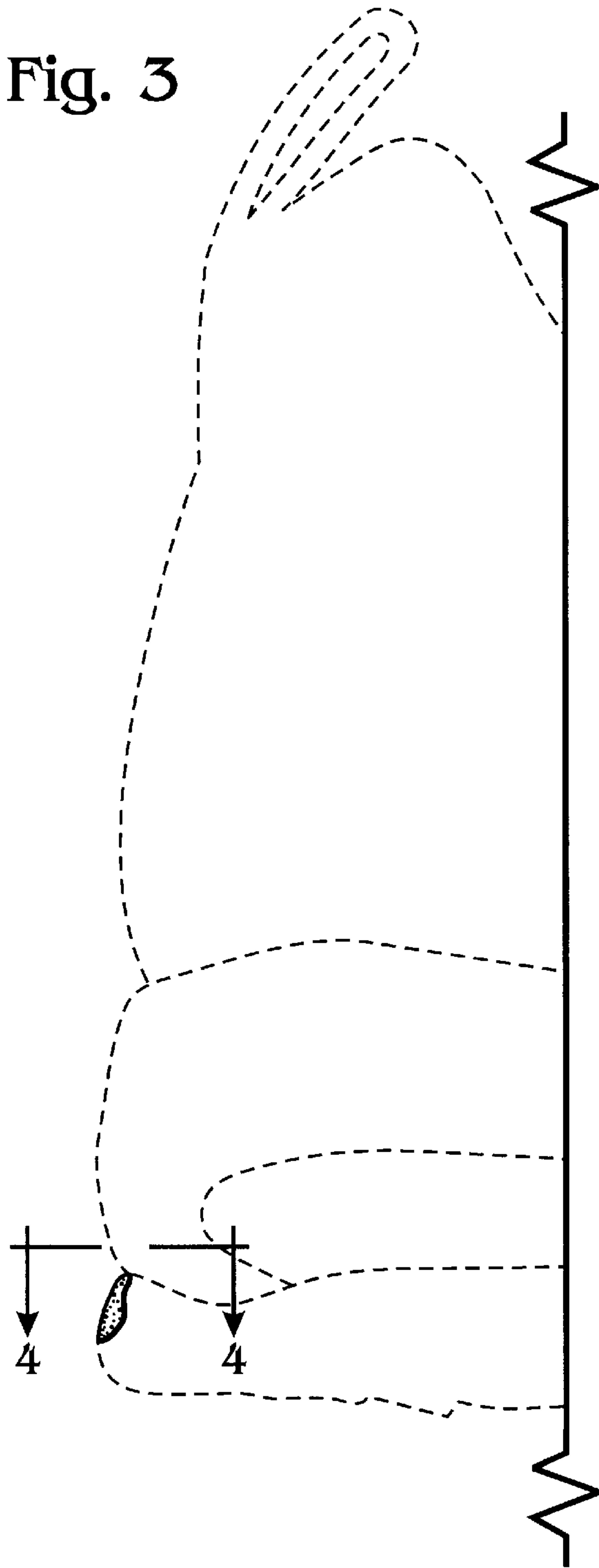


Fig. 4

