



US00D414597S

**United States Patent** [19]  
**Marvin et al.**

[11] **Patent Number: Des. 414,597**  
[45] **Date of Patent: \*\* Oct. 5, 1999**

[54] **PORTION OF A SHOE SOLE**  
[75] Inventors: **William L. Marvin**, Boston; **Neal Kimball**, Framingham, both of Mass.  
[73] Assignee: **Reebok International, Ltd.**, Stoughton, Mass.  
[\*\*] Term: **14 Years**  
[21] Appl. No.: **29/092,794**  
[22] Filed: **Aug. 26, 1998**

D. 408,618 4/1999 Wilborn et al. .... D2/947  
2,090,881 8/1937 Wilson .  
3,402,485 9/1968 McMorrow .  
4,358,902 11/1982 Cole et al. .  
4,577,417 3/1986 Cole .  
4,779,359 10/1988 Famolare, Jr. .  
5,005,575 4/1991 Geri .  
5,533,282 7/1996 Kataoka et al. .  
5,545,463 8/1996 Schmidt et al. .  
5,625,964 5/1997 Lyden et al. .  
5,625,965 5/1997 Blissett et al. .  
5,771,606 6/1998 Litchfield et al. .

**Related U.S. Application Data**

[62] Division of application No. 29/086,525, Apr. 15, 1998, which is a division of application No. 29/064,843, Jan. 10, 1997, Pat. No. Des. 394,937.  
[51] **LOC (6) Cl.** ..... **02-99**  
[52] **U.S. Cl.** ..... **D2/972**  
[58] **Field of Search** ..... D2/896, 902, 907, D2/910, 947, 969, 972, 973, 946; 36/83, 113, 126-131, 45, 50.1

**FOREIGN PATENT DOCUMENTS**

2 085 278 4/1982 United Kingdom .  
2 201 082 8/1988 United Kingdom .

**OTHER PUBLICATIONS**

The LJ, Pandemonium, Destroyer, Retaliator MR and Devastator MR shoes, The Converse 1995 Performance Catalog. R.A.W. Energy Series Speed Accupod shoe, Converse Catalog (date unknown).  
The R.A.W. Steel, Fast Twitch, Hedgehog, R.A.W. Flash, R.A.W. Impact Mid, Muscle Mid and R.A.W. Steel DX shoes, Converse Spring 1996 Catalog.

(List continued on next page.)

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

D. 303,317 9/1989 Nakano .  
D. 315,634 3/1991 Yung-Mao .  
D. 319,720 9/1991 Selbiger ..... D2/972  
D. 347,105 5/1994 Johnson .  
D. 357,347 4/1995 Leick .  
D. 380,889 7/1997 Earle .  
D. 387,698 12/1997 Hatfield et al. .  
D. 389,993 2/1998 Ryan .  
D. 390,349 2/1998 Murai et al. .  
D. 392,438 3/1998 Backus .  
D. 392,447 3/1998 Backus .  
D. 392,448 3/1998 Backus .  
D. 393,538 4/1998 Marshall .  
D. 394,343 5/1998 Marshall et al. .  
D. 394,741 6/1998 Gaudio .  
D. 394,937 6/1998 Smith et al. .  
D. 395,743 7/1998 Ryan .  
D. 398,747 9/1998 Rohrbach et al. .  
D. 401,747 12/1998 Cessor .  
D. 403,145 12/1998 Truelsen .

*Primary Examiner*—Dominic Simone  
*Attorney, Agent, or Firm*—Sterne, Kessler, Goldstein & Fox P.L.L.C.

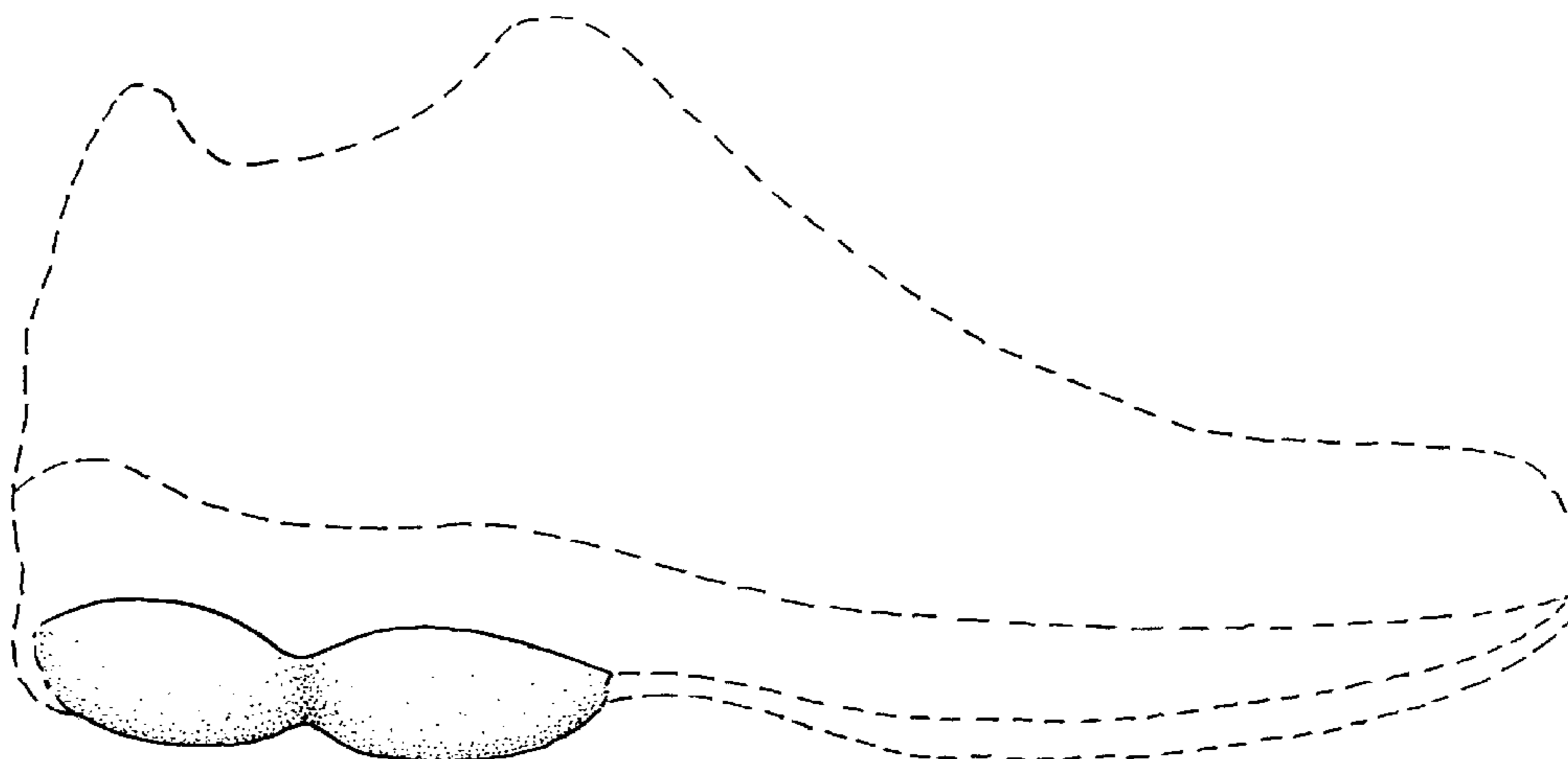
[57] **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a left side elevational view of an a portion of a shoe sole showing our new design; FIG. 2 is a rear elevational view thereof; and, FIG. 3 is a bottom plan view thereof. The broken line showing of a shoe upper shoe midsole and portion of a shoe sole in the Figures is environmental only and forms no part of the claimed design.

**1 Claim, 1 Drawing Sheet**



## OTHER PUBLICATIONS

The Baseline and R.A.W. Flash II shoes, The Converse Fall 1996 Catalog.

Nike Air Zoom Shoe Sole, *Runner's World* (date unknown).

Brooks Tsunami shoe, *Runner's World*, Mar. 1998.

Puma Trinomic Cushioning shoe, *Runner's World*, Mar. 1996, p. 78.

Air Challenge Future, Air Challenge Pro, Air Supreme Focus, Air Ace, Air Eurocourt, Air Meadow and Supreme Court Tour shoes, Nike Spring Footwear 1994 Catalog, pp. 30 and 32.

Air Max Pulse, Air Sculpt II, Air Flight One, Air Point, Air Slam MCS, Air Approach SC, Air Launch, Karma Plus, Hobart, Air Support D, Air Support M, Outburst, Women's Air Classic Pro, Women's Air Classic Plus and Air Santiam, Nike Footwear, Fall 1995 Catalog, pp. 26, 65, 76, 78, 82, 100, 102 and 133.

Air Diamond Turf II shoe, Nike Spring Footwear 1995 Catalog.

Men's Air D.T. Max, Boy's Air D.T. Max, Kid D.T. Max (Pre-School), MCS Keystone, MCS Diamond Fury  $\frac{3}{4}$ , MCS Keystone  $\frac{3}{4}$ , Women's MCS, MCS Keystone, Air Slam MCS and Air Max Trainer MID shoes, Nike Men's, Women's and Kids Holiday Footwear 1995 Catalog.

Air Jordan's XI, Air Max Uptempo, Air Street Express and Air Street Express (GS) shoes, Nike Men's, Women's and Kids Footwear Spring 1996 Catalog, pp. 24 and 41.

Air Max Uptempo GS and Sky Max Uptempo (Pre-School) shoes, Nike Late Spring Footwear 1996 Catalog, p. 163.

Air Zoom Alpha, Air Structure Triax, The Bomb Force, Air Zoom Turf, Air Max2 Apparent, Air Approach SC, Air Launch, Air Conditioner V Mid and Air Conditioner V Low shoes, Nike Footwear Fall 1996 Catalog, pp. 7, 31, 102 and 154.

The Bomb Force, Sweet Lew, Air Zoom Alpha, Air Skylon Triax, Footsweep, Speedsweep Supreme, Air Astrea Lite, Air Brevia Low and Air Conditioner V Mid shoes, Nike Footwear Retail Holiday 1996 Catalog, pp. 9, 32, 50, 116 and 118.

Air Deschutz Pro, Alsek, Aqua Sock Classic and Tesian shoes, Nike Catalog (date unknown).

Multi Court, Air Tenation Mid, Air Tenation Low, Air Zest Low and Air Hera Mid shoes, Nike Footwear, Late Spring 1997 Catalog.

Air Equilibrium, Air Foamposite 1, Air Super CB, Air Hawk Flight, Air Winged Flight, Air Total Max Uptempo, Air Hawk Flight, Air Ogant (GG), Kid Max Uptere (GP), Air Hawk Flight (BG) and Nike Hawk Flight Jr. (BP) shoes, Nike USA Footwear, Fall 1997 Catalog, pp. 6, 25, 26, 176, 198 and 211.

Air Sunder shoe, (printed Aug. 18, 1998) <<http://nikepark.simplenet.com/nike/sunder.jpg>>.

Air Garnett shoe, (printed Aug. 18, 1998) <<http://nikepark.simplenet.com/nike/garnett.jpg>>.

Air Zoom T-Range and Air Jordan XIII shoes, (printed Aug. 18, 1998) <<http://nikepark.simplenet.com/nike/boon3.jpg>>, pp. 1 and 2.

Spaghetti Lo, Hi Octane and Adrenaline shoes, Fila Footwear, Spring 1996 Catalog, pp. 4 and 7.

Loop 1 Low and Power Surge shoes, Fila Fall 1996 Footwear Catalog, p. 70.

Stack Mid, Grant Hill III Low, Stack Low and Bubbles Mid shoes, Fila Footwear, Summer 1997 Catalog.

Rapture, WRECRE8 and Harpy shoes, Fila Footwear, Fall 1997 Catalog.

Confidence Mid, Muscle Mid, Philippoussis, Fanatical Mid, Fanatical Low, Power Player and Empower shoes, Fila Footwear, Spring 1998 Catalog, pp. 2, 16, 44 and 52.

Air Foamproh shoe, (printed Aug. 18, 1998), <<http://nikepark.simplenet.com/nike/foamproh.jpg>>.

Air Deliver shoe, (printed Aug. 18, 1998) <<http://nikepark.simplenet.com/nike/deliver.jpg>>.

Comfort Ultra and Comfort 1 shoes, Reebok Spring 1991 Footwear Catalog, p. 28.

Nylite, Tretorn 1987/1988 Catalog, p. 5.

NPC Canvas, Reebok Footwear Fall 1995 Catalog, p. 89.

Status Shoe, Reebok Let U.B.U. Spring 1989 Tennis Catalog.

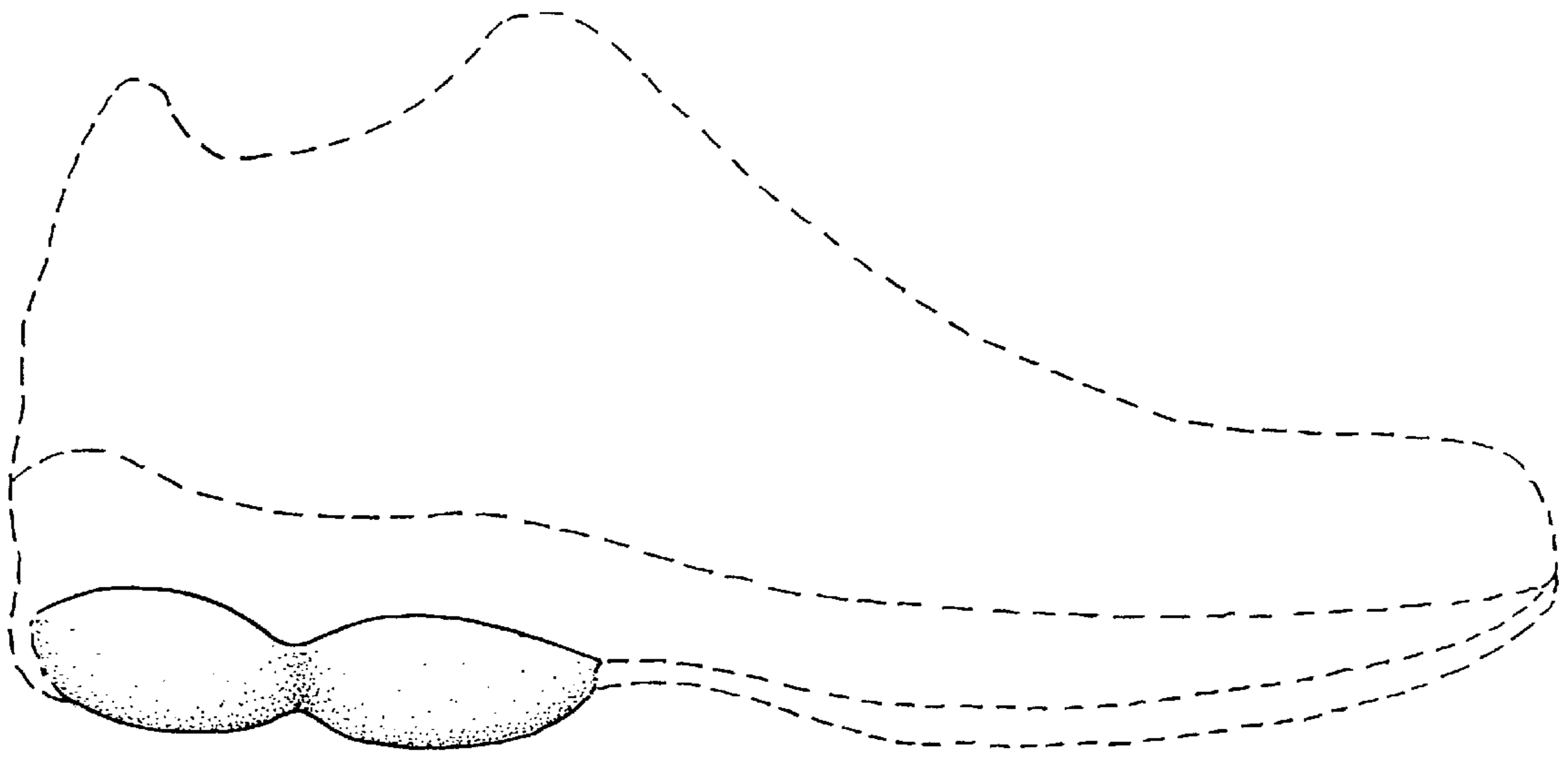


FIG. 1

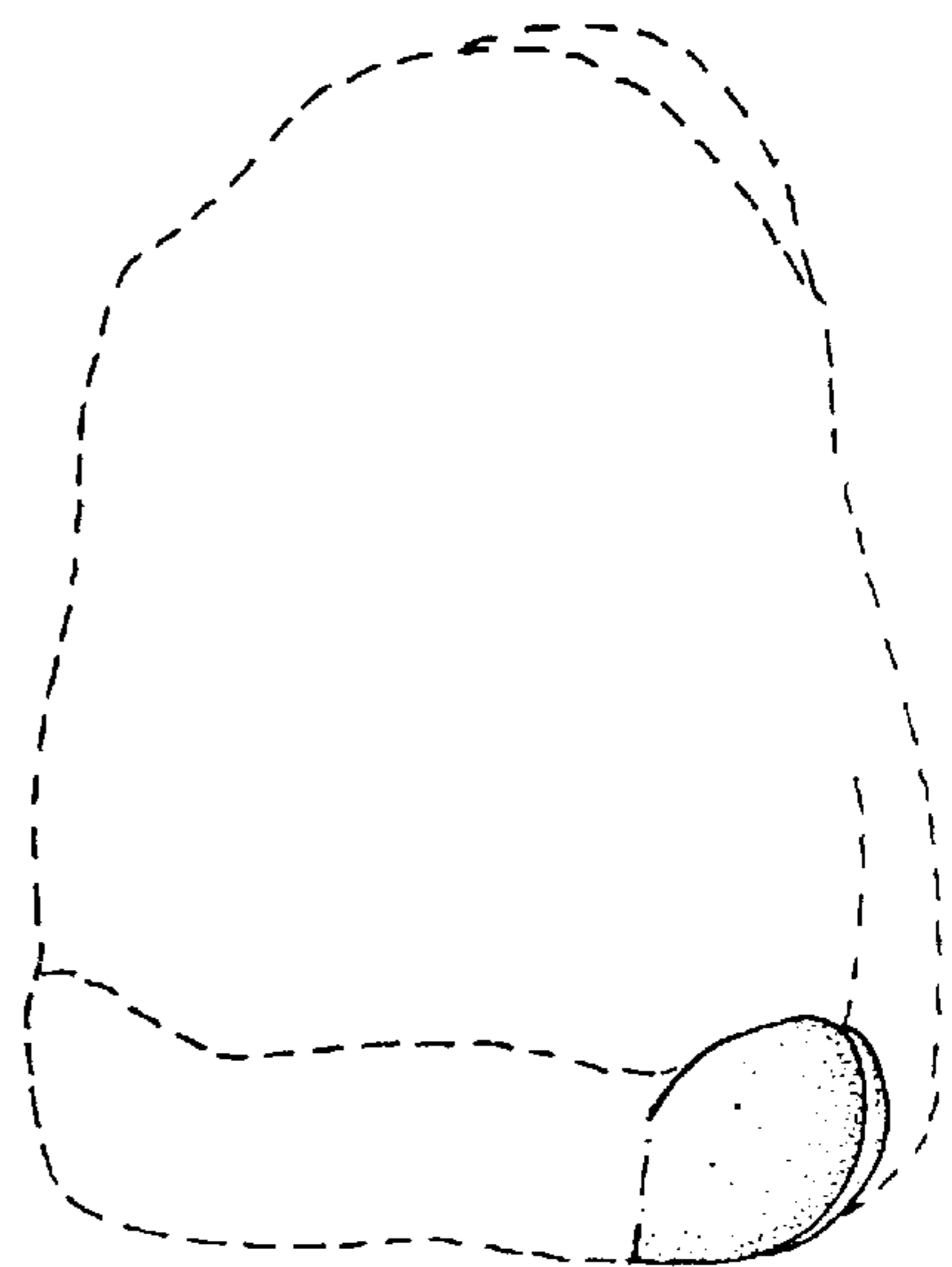


FIG. 2

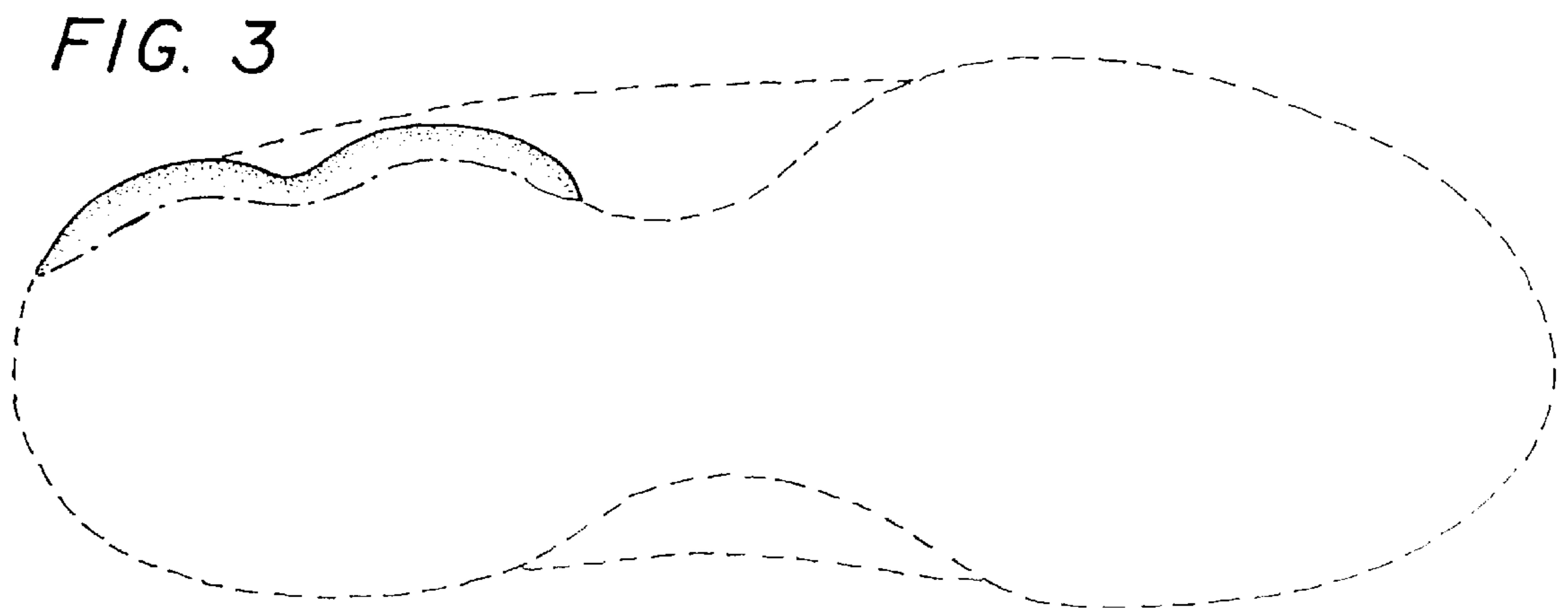


FIG. 3