

Patent Number:

[11]

[45]

#### US00D415609S

Des. 415,609

# United States Patent [19]

## Hlavacs

# ELEMENT OF AN OUTSOLE OF A SHOE Inventor: **John Hlavacs**, 7400 SW. Barnes Rd. #462, Portland, Oreg. 97225 14 Years Term: Appl. No.: 29/095,085 Oct. 15, 1998 [22] Filed: LOC (6) Cl. ...... 02-04 **U.S. Cl.** ...... **D2/959**; D2/951; D2/957; D2/960[58] D2/908, 914, 916, 919, 946–962, 964; 36/44, 59 C, 85, 101, 103, 104, 106, 113–115, 124, 126, 127–130, 3 B, 11.5, 12–15, 25 R

#### [56] References Cited

### U.S. PATENT DOCUMENTS

D. 25,594	6/1896	Plant
D. 78,191	4/1929	Bush
D. 88,865	1/1933	Fowler.
D. 117,831	11/1939	Johnson .
D. 119,266	3/1940	Johnson .
D. 316,627	5/1991	Schneider
D. 322,153	12/1991	Schneider et al
D. 335,572	5/1993	Peterson .
D. 346,480	5/1994	Davidson .
D. 348,148	6/1994	Limauro .
D. 370,993	6/1996	Mangee
D. 389,995	2/1998	Cockrell.
D. 394,342	5/1998	Schneider.
D. 402,451	12/1998	Wunsch

#### OTHER PUBLICATIONS

"Nike Catalog," (p. T-F 6, W3), Beaverton, Oregon.

"Nike Shoe Show," 1984 (pp. 3, 7, 11, 25, 27, 29), Beaverton, Oregon.

"Nike Footwear Catalog," 1985, published Dec. 1, 1984 (pp. 33, 35, 59), Beaverton, Oregon.

"Nike Footwear Catalog," Fall 1986, published Jan. 1, 1986, (pp. 12, 14, 16, 34, 36, 38, 42, 44, 56, 114), Beaverton, Oregon.

"Nike Footwear Catalog," Fall 1987, published Jan. 1, 1987 (pp. 12, 14, 42, 58, 66, 68, 92, 104, 124, 130), Beaverton,

**Date of Patent:** \*\* Oct. 26, 1999

Oregon. "Nike Footwear Catalog," Spring 1988 (p. 1), Beaverton, Oregon.

"Nike Footwear Catalog," Fall 1988, published Dec. 1, 1987 (p. 12), Beaverton, Oregon.

"Nike Footwear Catalog," Fall 1989, published Dec. 1, 1988 (pp. 10, 86), Beaverton, Oregon.

(List continued on next page.)

Primary Examiner—Celia Murphy Attorney, Agent, or Firm—Trask, Britt & Rossa

[57] CLAIM

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

#### **DESCRIPTION**

FIG. 1 is a bottom perspective view of an element of an outsole of a shoe showing my new design;

FIG. 2 is a first side view thereof;

FIG. 3 is a second side view thereof;

FIG. 4 is a front elevational view thereof;

FIG. 5 is a rear view thereof;

FIG. 6 is a bottom plan view thereof;

FIG. 7 is a cross-sectional view taken along the line 7—7 of FIG. 6;

FIG. 8 is a cross sectional view taken along the line 8—8 of FIG. 6;

FIG. 9 is a cross-sectional view taken along the line 9—9 of FIG. 6; and

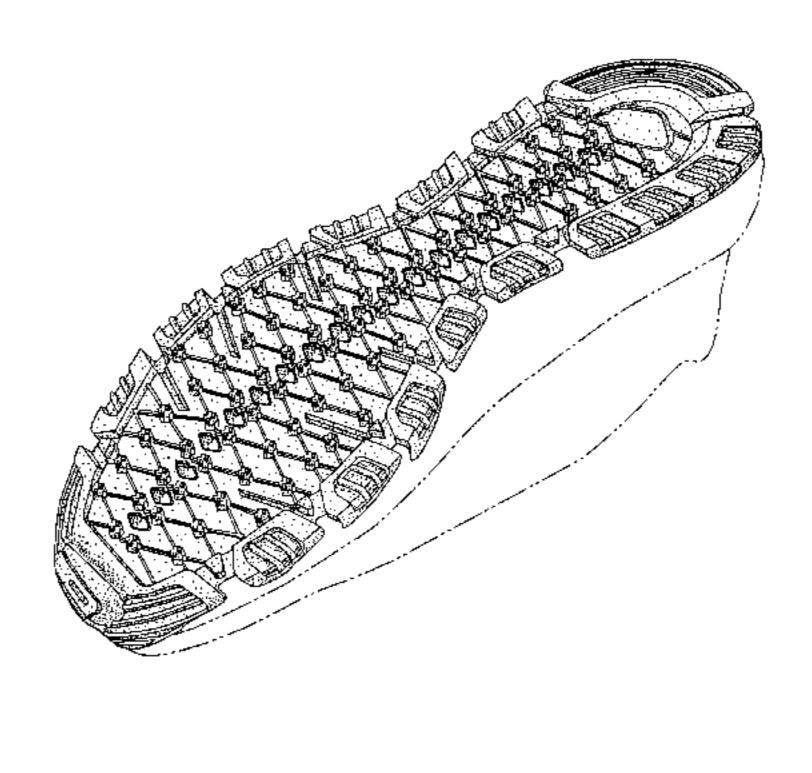
FIG. 10 is a cross-sectional view taken along the line 10—10

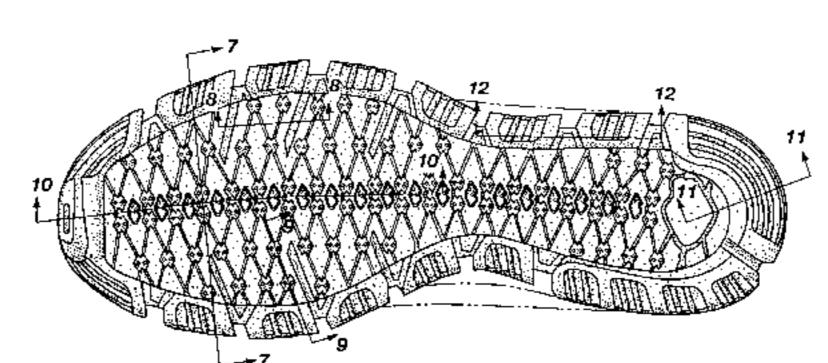
of FIG. 6; FIG. 11 is a cross sectional view taken along the line 11—11

of FIG. 6; and, FIG. 12 is a cross sectional view taken along the line 12—12 of FIG. 6.

The phantom line showing of a shoe midsole, shoe upper and portions of a shoe outsole shown in FIG. 1–12 is for illustrative purposes only and forms no part of the claimed design.

#### 1 Claim, 3 Drawing Sheets





#### OTHER PUBLICATIONS

- "Nike Footwear Catalog," Spring 1990, published Jun. 1, 1989 (pp. 14, 34, 44, 130), Beaverton, Oregon.
- "Nike Footwear Catalog," Fall 1990, published Dec. 1, 1989 (p. 34), Beaverton, Oregon.
- "Nike Footwear Catalog," Spring 1991, published Jun. 1, 1990 (p. 38), Beaverton, Oregon.
- "Nike Footwear Catalog," Fall 1992, published Dec. 1, 1991 (p. 20), Beaverton, Oregon.
- "Nike Footwear Catalog," Spring 1993, published Jun. 1, 1992 (pp. 30, 52), Beaverton, Oregon.
- "Nike Footwear Catalog," Fall 1993, published Dec. 1, 1992 (pp. 12, 18, 20, 22, 24, 120), Beaverton, Oregon.
- "Nike Footwear Catalog," Holiday 1993, published Mar. 1, 1993 (p. 8), Beaverton, Oregon.
- "Nike Footwear Catalog," Spring 1994, published Jun. 1, 1993 (p. 80), Beaverton, Oregon.
- "Nike Footwear Catalog," Fall 1994, published Nov. 1, 1993 (pp. 12, 28, 84), Beaverton, Oregon.
- "Nike Footwear Catalog," Holiday 1994, published Mar. 1, 1994 (p. 40), Beaverton, Oregon.
- "Nike Footwear Catalog," Spring 1995, published Jun. 1, 1994 (p. 37), Beaverton, Oregon.
- "Nike Footwear Catalog," Fall 1995, published Nov. 1, 1994 (pp. 15, 20, 33, 87, 103, 104, 115, 116, 139, 140, 157), Beaverton, Oregon.

- "Nike Footwear Catalog," Holiday 1995, published Mar. 1, 1995 (pp. 25, 28, 63, 119), Beaverton, Oregon.
- "Nike Footwear Catalog," Spring 1996, published Jun. 1, 1995 (pp. 17, 32, 37, 87), Beaverton, Oregon.
- "Nike Footwear Catalog," Late Spring 1996, published Aug. 1, 1995 (pp. 58, 180, 195) Beaverton, Oregon.
- "Nike Footwear Catalog," Fall 1996, published Dec. 1, 1995 (pp. 27, 50–51, 53), Beaverton, Oregon.
- "Nike Footwear Catalog," Holiday 1996, published Mar. 1, 1996 (p. 135), Beaverton, Oregon.
- "Nike Footwear Catalog," Spring 1997, published Jun. 1, 1996 (pp. 51, 144), Beaverton, Oregon.
- "Nike Footwear Catalog," Late Spring 1997, published Sep. 1, 1996 (pp. 47, 138, 179, 212), Beaverton, Oregon.
- "Nike Footwear Catalog" Fall 1997, published Dec. 1, 1996 (pp. 36, 126), Beaverton, Oregon.
- "Nike Footwear Catalog" Holiday 1997, published Mar. 1, 1997 (pp. 128, 140, 203), Beaverton, Oregon.
- "Nike Footwear Catalog," Spring 1998, published Jun. 1, 1997 (pp. 2, 7, 20, 163), Beaverton, Oregon.
- "Nike Footwear Catalog" Fall 1998, published Dec. 1, 1997 (pp. W6, W96, M98), Beaverton, Oregon.
- "Nike Footwear Catalog" Spring 1999, published Jun. 1, 1998 (pp. M59, M63, W39, W65, W145), Beaverton, Oregon.

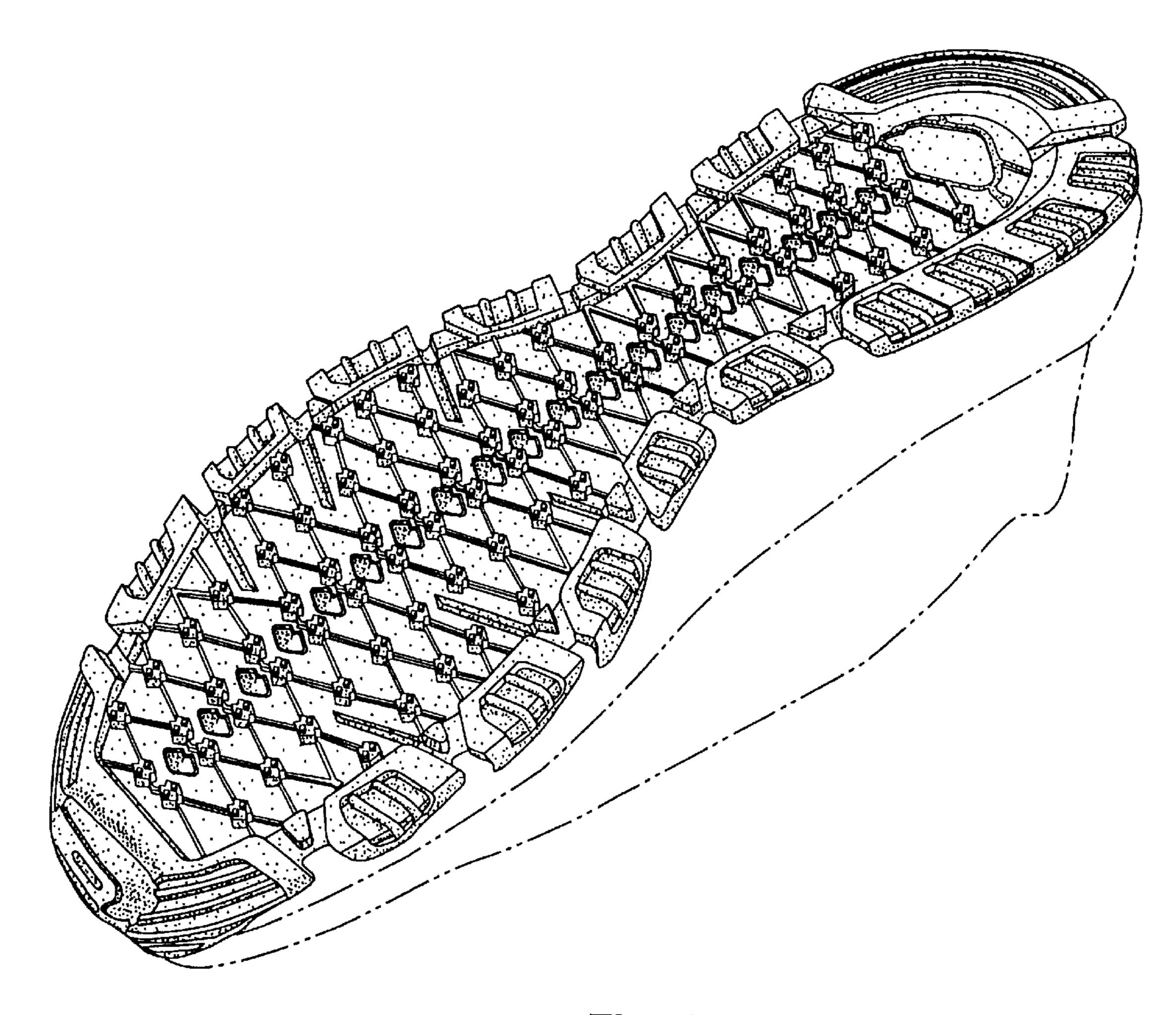


Fig. 1

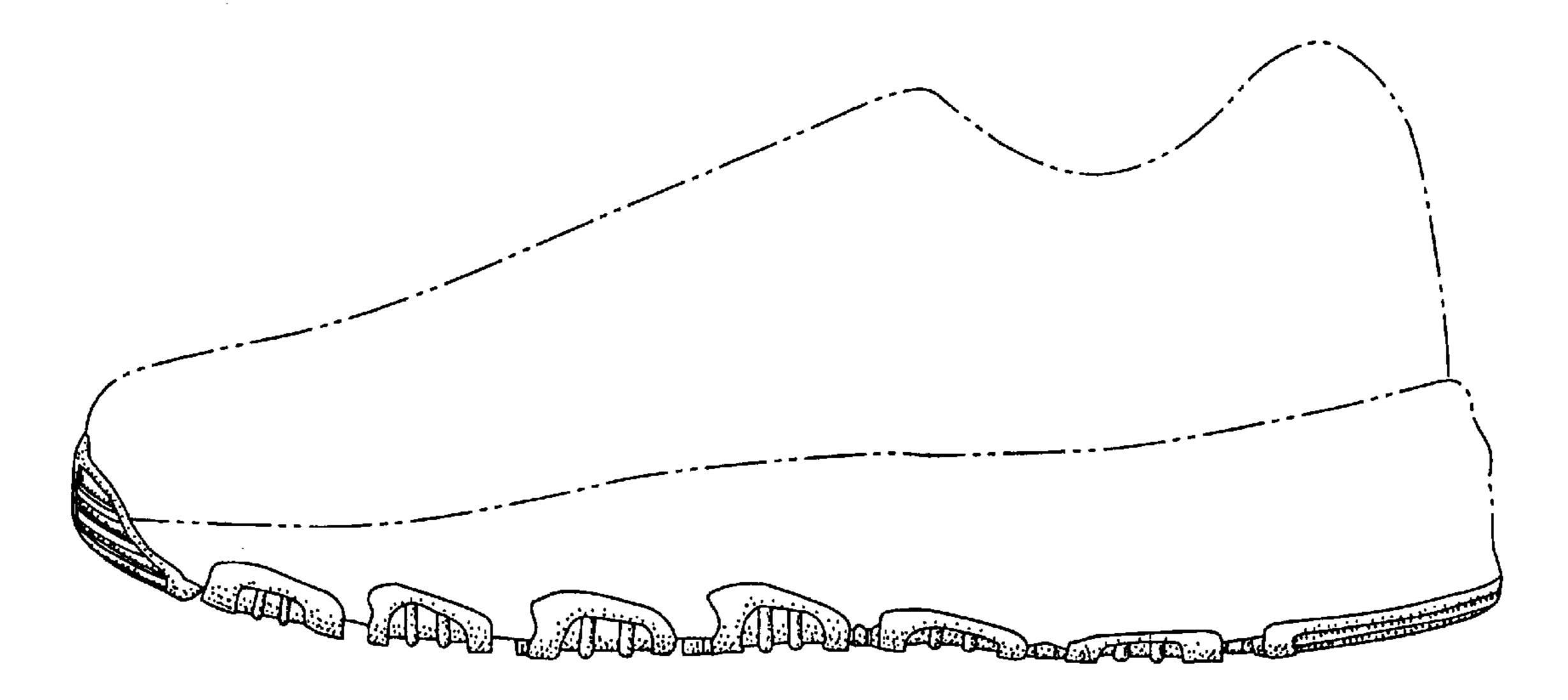
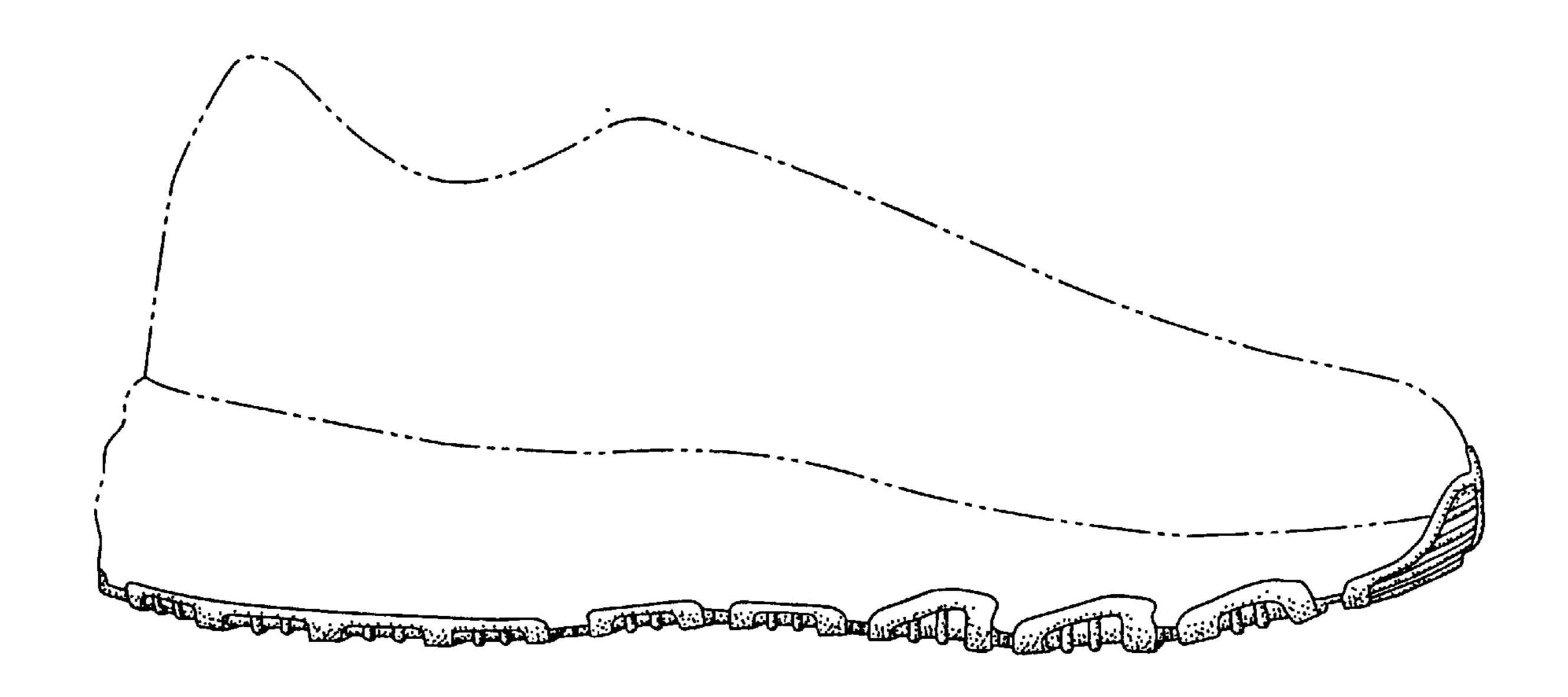


Fig. 2



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Fig. 3

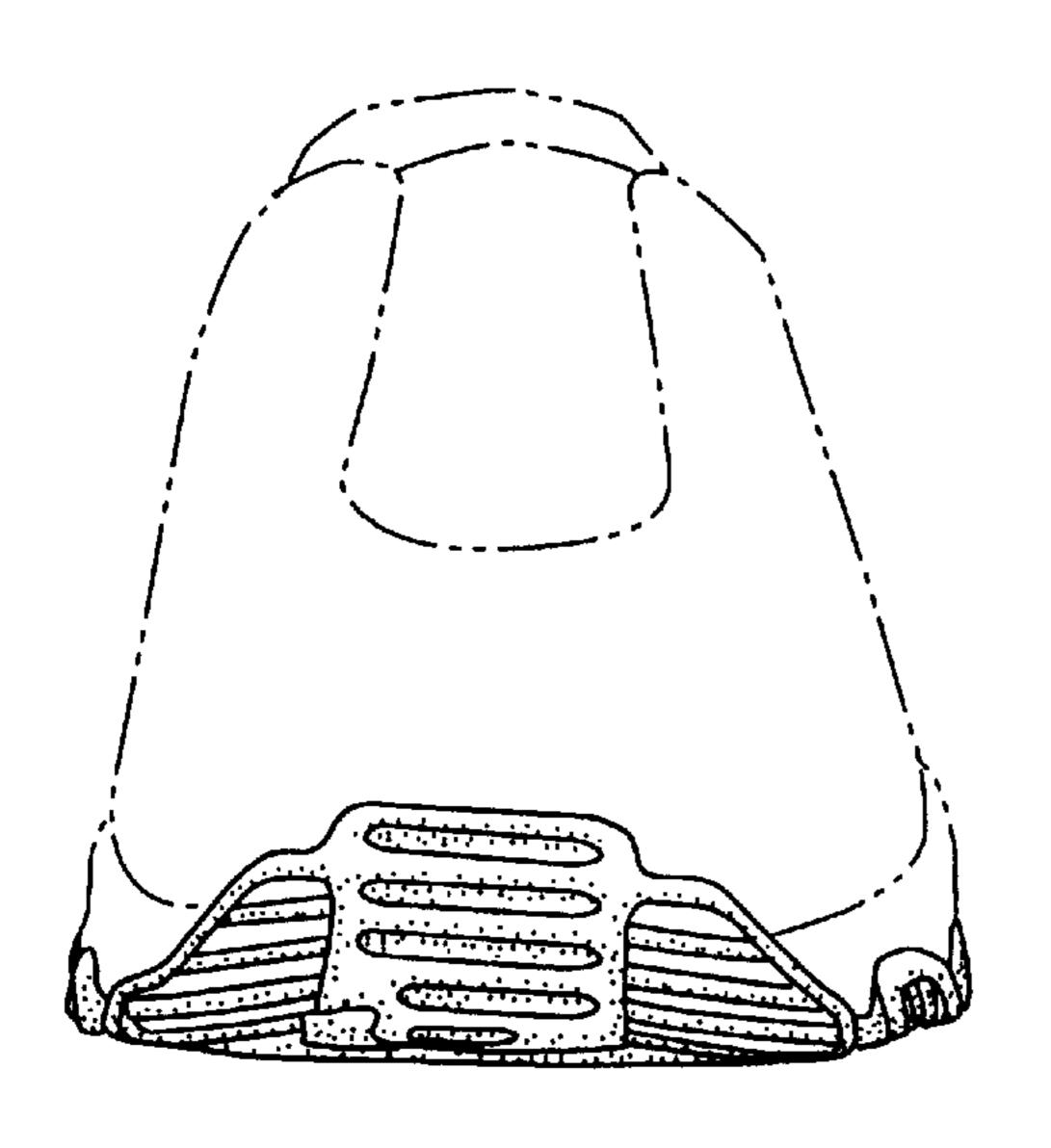


Fig. 4

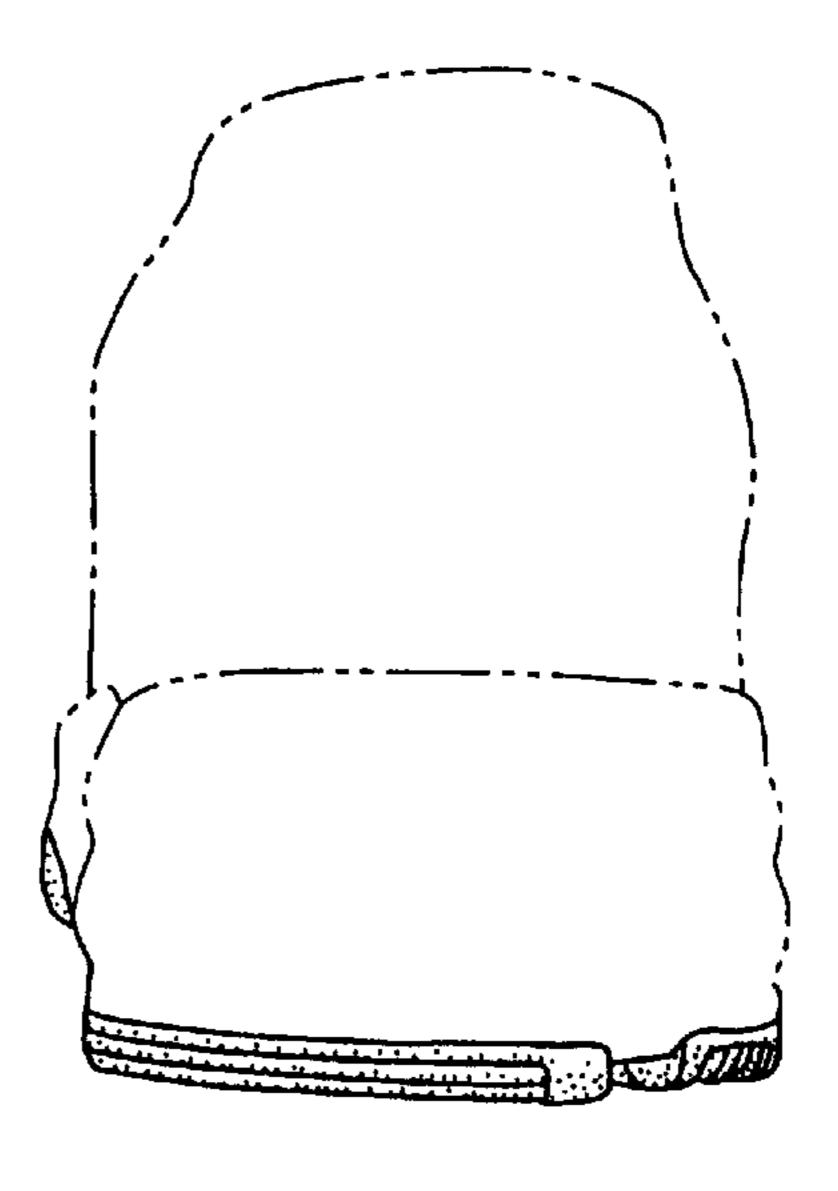
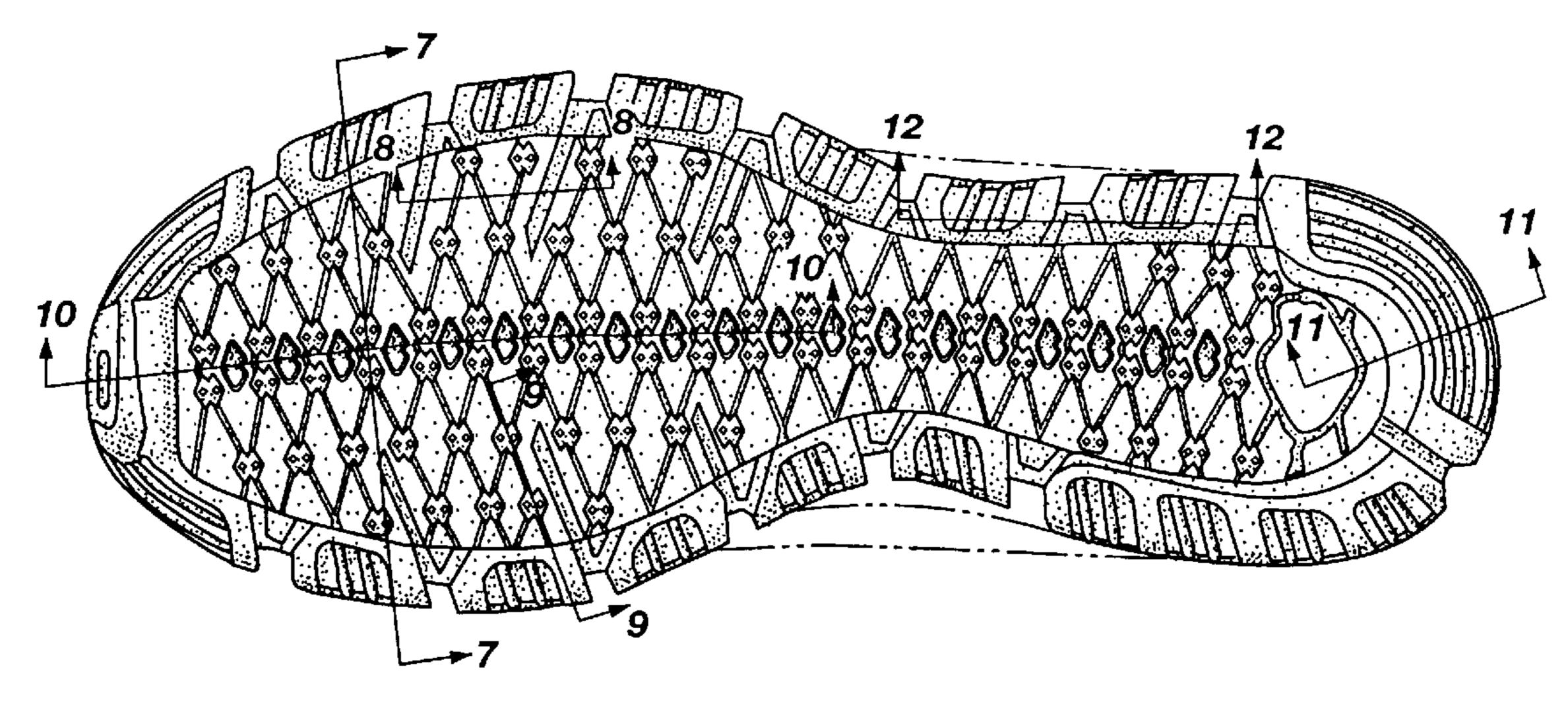


Fig. 5



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Fig. 6

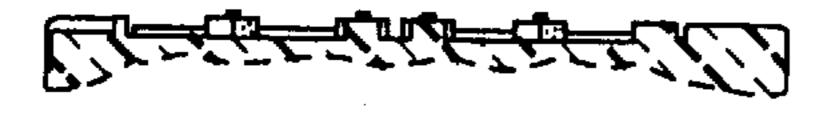


Fig. 7



Fig. 8

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Fig. 9



Fig. 10

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and the tens

Fig. 11

Fig. 12