



US00D485672S

(12) **United States Design Patent**
Holmes

(10) **Patent No.:** **US D485,672 S**

(45) **Date of Patent:** **** Jan. 27, 2004**

(54) **PORTION OF A SHOE MIDSOLE**

(75) Inventor: **Matthew Jason Holmes**, Portland, OR (US)

(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/183,277**

(22) Filed: **Jun. 11, 2003**

(51) **LOC (7) Cl.** **02-99**

(52) **U.S. Cl.** **D2/977; D2/972**

(58) **Field of Search** D2/896, 902, 907,
D2/927, 943, 944, 946, 969, 972-974, 977;
36/12, 45, 50.1, 77 M, 77 R, 83, 88, 113,
114, 126-130

(56) **References Cited**

U.S. PATENT DOCUMENTS

D100,140 S	6/1936	Wemmark	
D107,812 S	* 1/1938	Wertheim	D2/974
2,119,392 A	* 5/1938	Levin	36/12
D124,981 S	* 2/1941	Lipari	D2/927
D128,091 S	* 7/1941	Bingham, Jr.	D2/977
D131,841 S	* 3/1942	Feifer	D2/927
D132,768 S	* 6/1942	Zackin	D2/927
D260,196 S	8/1981	Plagenhoef	
4,638,577 A	1/1987	Riggs	
D311,091 S	* 10/1990	McKinstry	D2/972
D339,222 S	9/1993	Hatfield et al.	
D369,987 S	* 5/1996	Samuel	D11/4
D376,471 S	12/1996	Kalin et al.	
D383,299 S	9/1997	Yun	
D397,543 S	9/1998	Silvers	
D397,845 S	9/1998	Cass	
D397,847 S	9/1998	Hudson	
D401,038 S	11/1998	Gray	
D412,054 S	7/1999	Gray et al.	
D467,725 S	12/2002	McDowell	
D468,078 S	* 1/2003	Issler	D2/947
D472,043 S	* 3/2003	Kuerbis	D2/977

OTHER PUBLICATIONS

Nike Footwear Catalog Late Spring 1999, pp. 13W, 152M, 94W, 60M, published Sep. 1998.

Nike Footwear Catalog Spring 1999, p. 1M, published Jun. 1998.

Nike Footwear Catalog Fall 1999, pp. M14, 107W, published Nov. 1998.

Nike Footwear Catalog Holiday 1999, pp. 3M, 8M, 110W, 44W, published Mar. 1999.

Nike Footwear Catalog Spring 2000, pp. 75M, 85W, published Jul. 1999.

Nike Footwear Catalog Late Spring 2002, p. 8M, published Sep. 2001.

Nike Footwear Catalog Fall 2000, p. 70M, published Nov. 1999.

* cited by examiner

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(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

(57) **CLAIM**

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

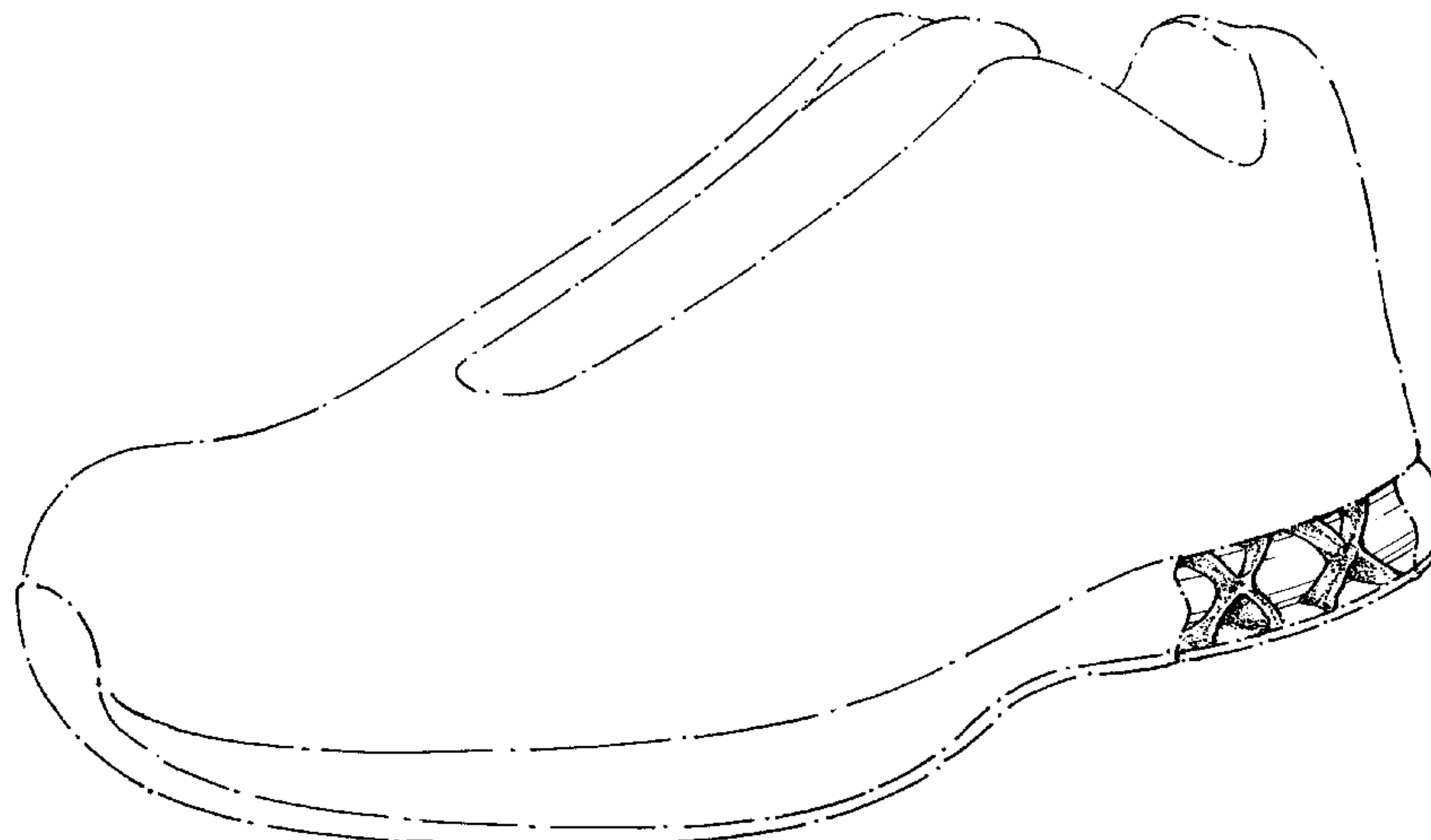
DESCRIPTION

FIG. 1 is a perspective view of a portion of a shoe midsole showing my new design;

FIG. 2 is a side elevational view of one side thereof; and, FIG. 3 is a bottom perspective view thereof.

The uneven broken line immediately adjacent to the shaded area represents an unclaimed boundary of the design. The uneven broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design. The shading technique used on the raised elements depicts a contrast of appearance relative to the surrounding portions of the claimed design and does not designate a particular material, texture or color.

1 Claim, 3 Drawing Sheets



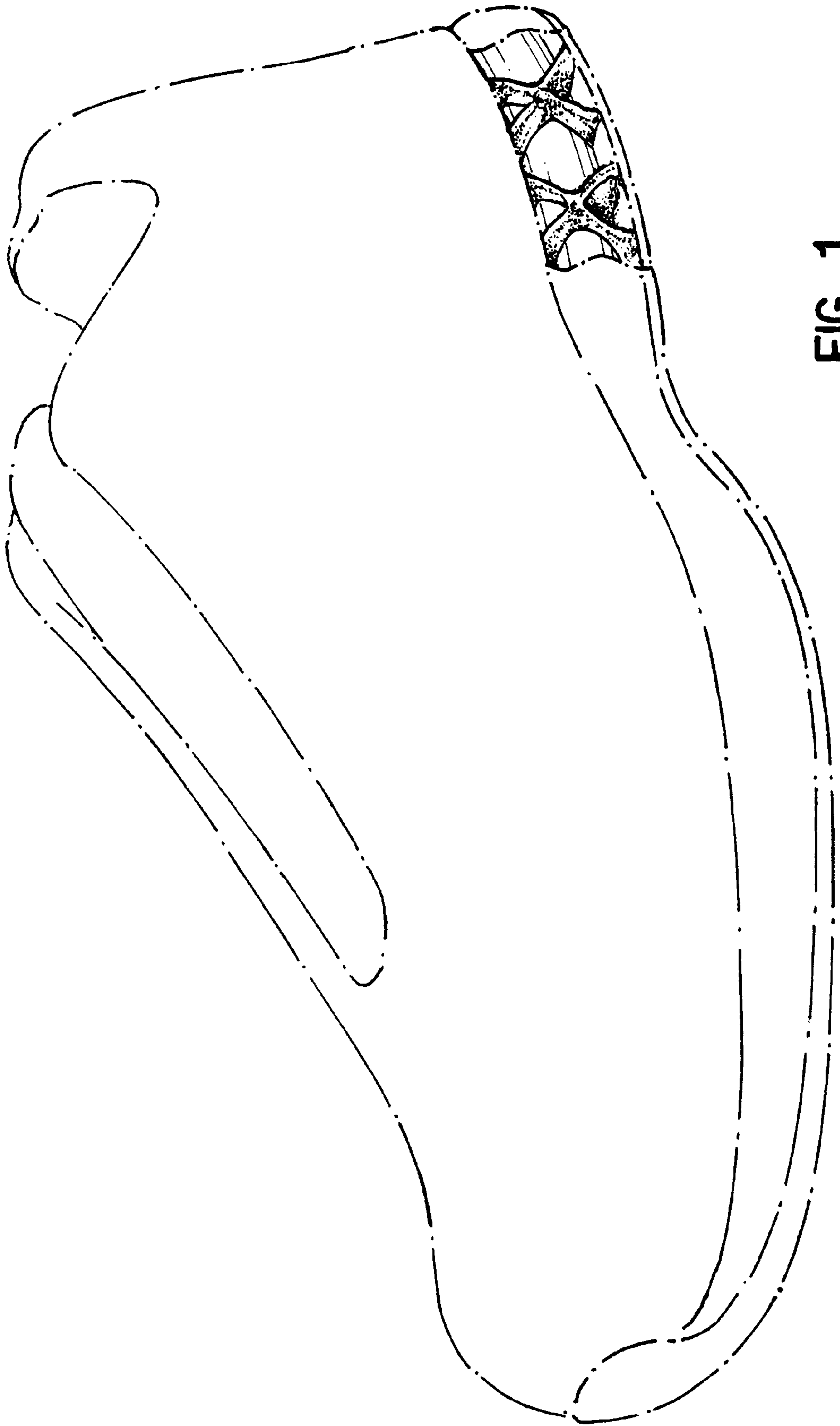


FIG. 1

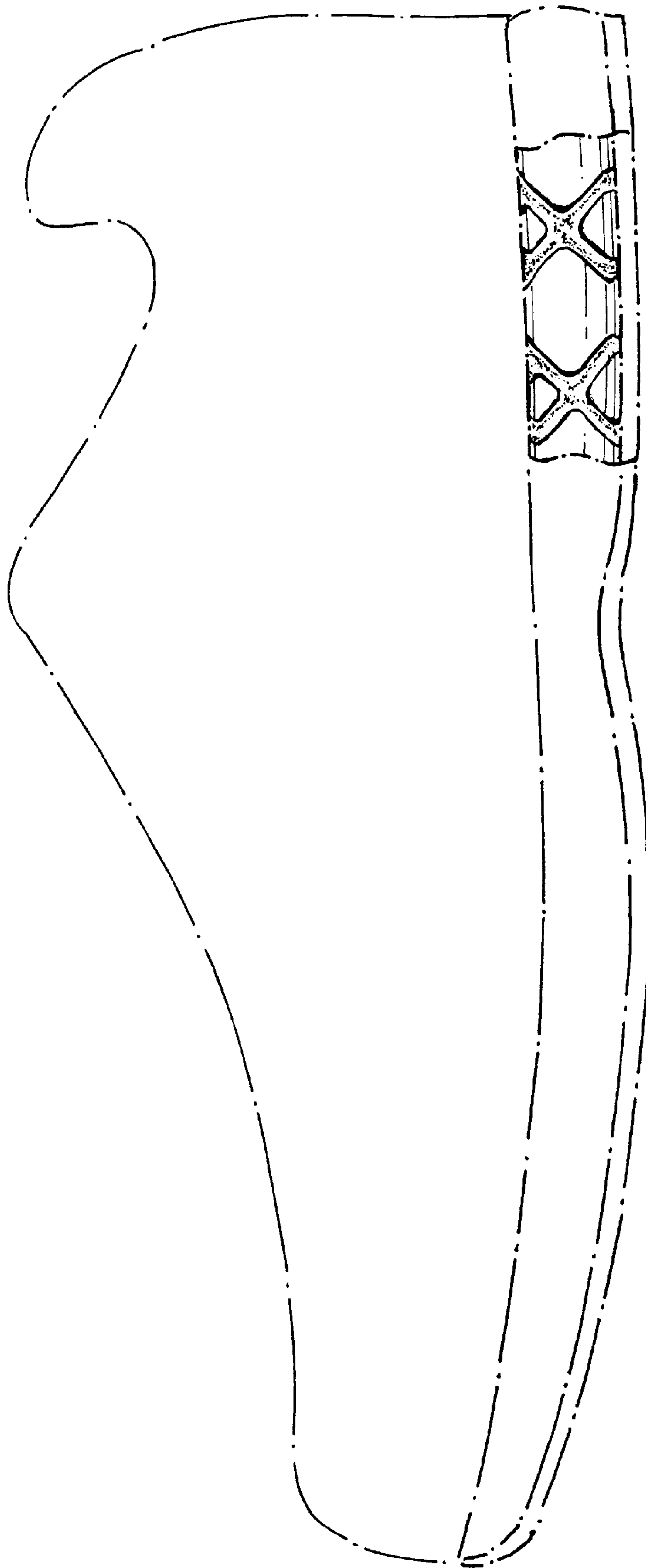


FIG. 2



FIG. 3

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : Des. 485,672 S
DATED : January 27, 2004
INVENTOR(S) : Matthew Jason Holmes

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

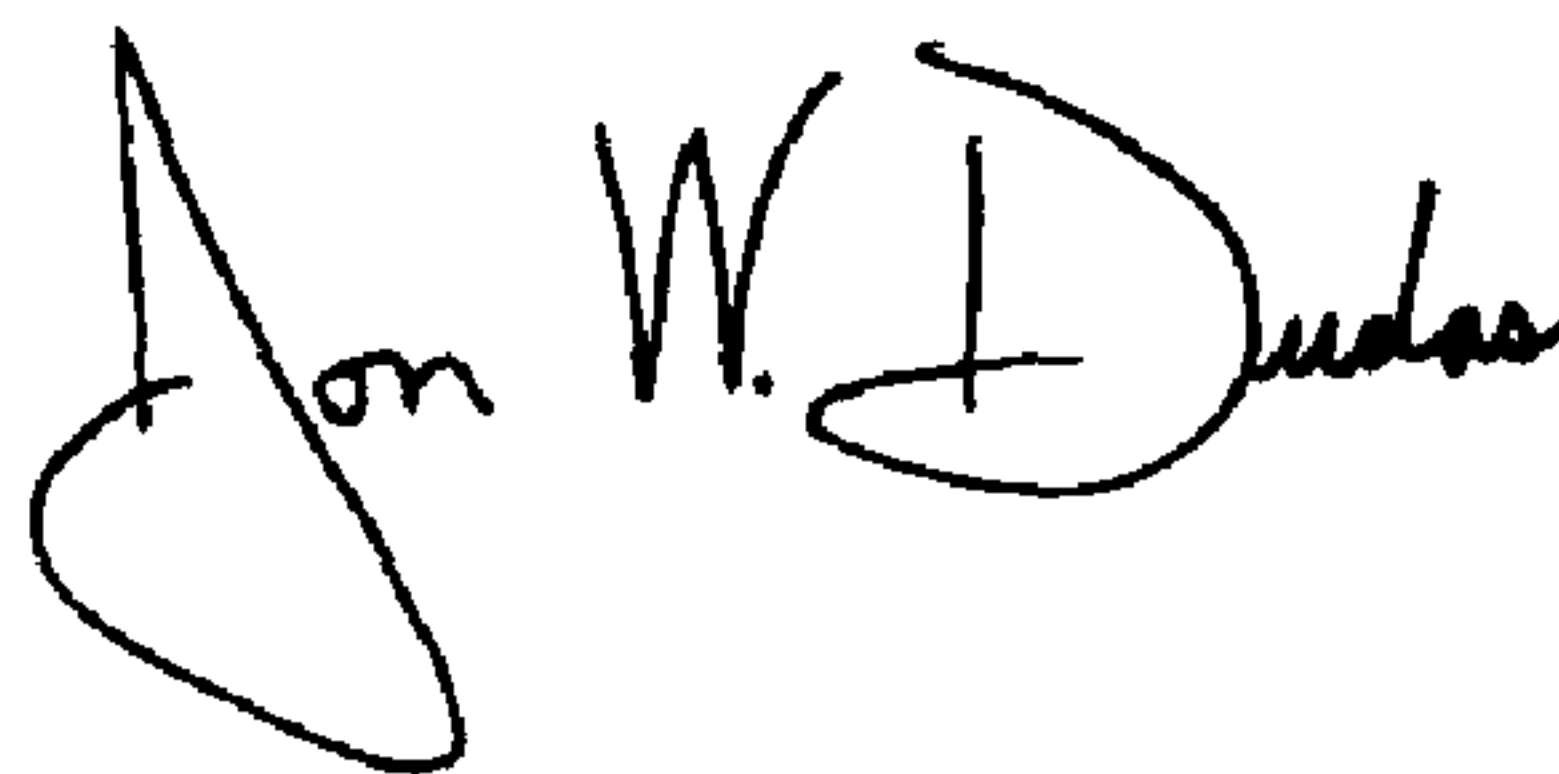
Item [56], **References Cited**, U.S. PATENT DOCUMENTS, "Wemmark" has been replaced with -- Wernmark --.

Item [57], **ABSTRACT**,

Line 9, "eneven" has been replaced with -- uneven --.

Signed and Sealed this

Thirtieth Day of March, 2004

A handwritten signature in black ink that reads "Jon W. Dudas". The signature is written in a cursive style with a large, looped initial "J".

JON W. DUDAS
Acting Director of the United States Patent and Trademark Office