

US00D498914S

(12) **United States Design Patent** (10) **Patent No.:** **US D498,914 S**
Sokolowski (45) **Date of Patent:** **** Nov. 30, 2004**

- (54) **PORTION OF A SHOE MIDSOLE**
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 (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
 (**) Term: **14 Years**

- D351,720 S 10/1994 Kilgore
 5,353,523 A 10/1994 Kilgore et al.
 D351,936 S 11/1994 Kilgore
 D352,159 S 11/1994 Kilgore
 D352,160 S 11/1994 Kilgore

(List continued on next page.)

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 (52) **U.S. Cl.** **D2/972; D2/964**
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 D2/944, 964, 969, 972-974; 36/45, 50.1,
 77 M, 77 R, 83, 88, 113, 114, 126-130

OTHER PUBLICATIONS

- Nike Footwear Catalog, Fall 1997, p. 44, published Dec. 1996.
 Nike Footwear Catalog, Late Spring 2001, p. M5, published Sep. 2000.
 Nike Footwear Catalog, Holiday 2001, p. M34, published Feb. 2001.
 Nike Footwear Catalog, Spring 2002, p. M29, published Jun. 2001.
 Nike Footwear Catalog, Spring 2003, p. M6, published Jun. 2002.
 Nike Footwear Catalog, Holiday 2003, p. M82, published Mar. 2003.
 Nike Footwear Catalog, Spring 2004, pp. M31 and M40, published Jun. 2003.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- | | | |
|-------------|---------|-----------------|
| 413,693 A | 10/1889 | Walker |
| 1,088,328 A | 2/1914 | Cucinotta |
| 2,299,009 A | 10/1942 | Denk |
| 3,777,374 A | 12/1973 | Hendricks |
| 4,457,084 A | 7/1984 | Horibata et al. |
| D307,608 S | 5/1990 | Shure |
| D325,288 S | 4/1992 | Richard et al. |
| 5,235,761 A | 8/1993 | Chang |
| 5,247,742 A | 9/1993 | Kilgore et al. |
| D340,349 S | 10/1993 | Kilgore et al. |
| D344,174 S | 2/1994 | Kilgore |
| D344,398 S | 2/1994 | Kilgore |
| D344,399 S | 2/1994 | Kilgore |
| D344,400 S | 2/1994 | Kilgore |
| D344,401 S | 2/1994 | Kilgore |
| D344,622 S | 3/1994 | Kilgore |
| 5,297,349 A | 3/1994 | Kilgore |
| D350,018 S | 8/1994 | Kilgore |
| D350,019 S | 8/1994 | Kilgore |
| D350,020 S | 8/1994 | Kilgore |
| D350,225 S | 9/1994 | Kilgore |
| D350,226 S | 9/1994 | Kilgore |
| D350,227 S | 9/1994 | Kilgore |
| D350,433 S | 9/1994 | Kilgore |
| 5,343,639 A | 9/1994 | Kilgore et al. |
| D351,057 S | 10/1994 | Kilgore |

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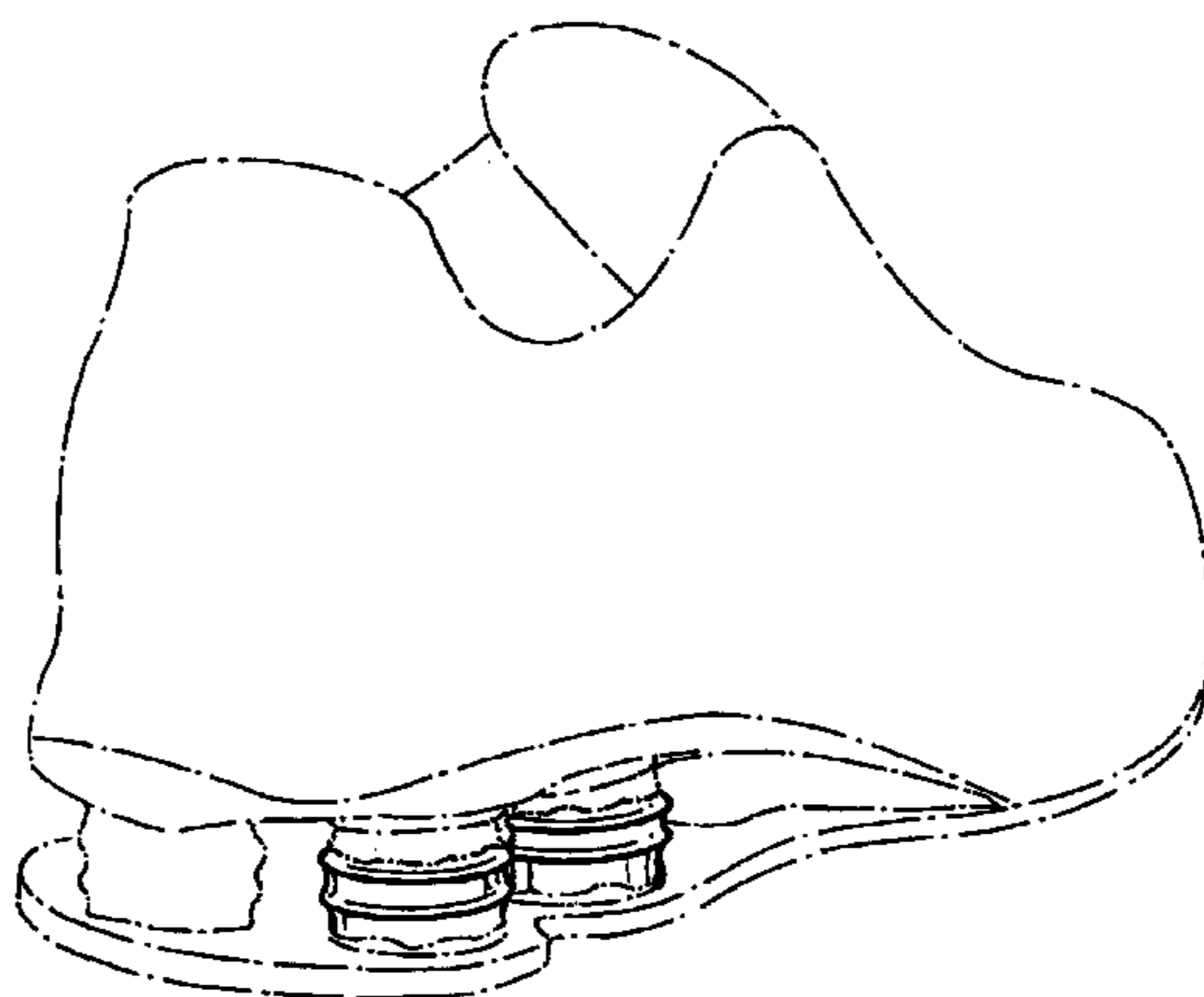
(57) **CLAIM**

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 another perspective view thereof;
 FIG. 3 is a rear elevational view thereof; and,
 FIG. 4 is a side elevational 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.

1 Claim, 3 Drawing Sheets



US D498,914 S

Page 2

U.S. PATENT DOCUMENTS

D354,617 S	1/1995	Kilgore	D450,437 S	11/2001	Simpson et al.	
D355,755 S	2/1995	Kilgore	D462,830 S	9/2002	Greene	
6,006,449 A	12/1999	Orlowski et al.	6,457,261 B1	10/2002	Crary	
D429,877 S	8/2000	Lozano et al.	D474,581 S	5/2003	Cooper	
D431,898 S	10/2000	Clegg et al.	D474,582 S	5/2003	Cooper	
D432,293 S	10/2000	Clegg et al.	D476,474 S	7/2003	McDowell	
D433,216 S	11/2000	Avar et al.	D483,936 S	* 12/2003	Fullum	D2/972
D446,387 S	8/2001	McCourt	D483,937 S	* 12/2003	Fullum	D2/972
D446,923 S	8/2001	McCourt	D485,053 S	1/2004	McDowell	
D447,330 S	9/2001	McCourt	D485,975 S	* 2/2004	McDowell	D2/972

* cited by examiner

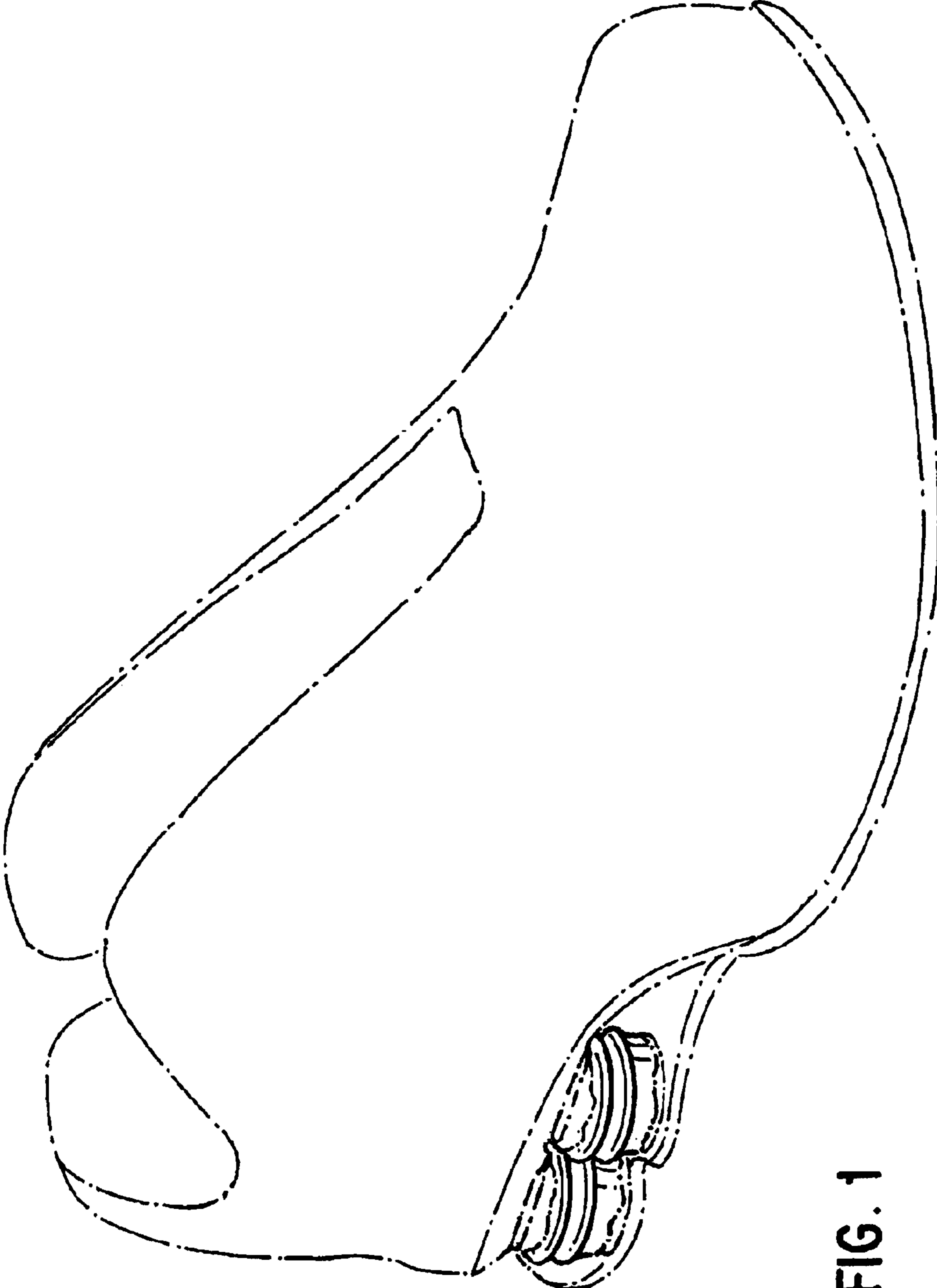


FIG. 1

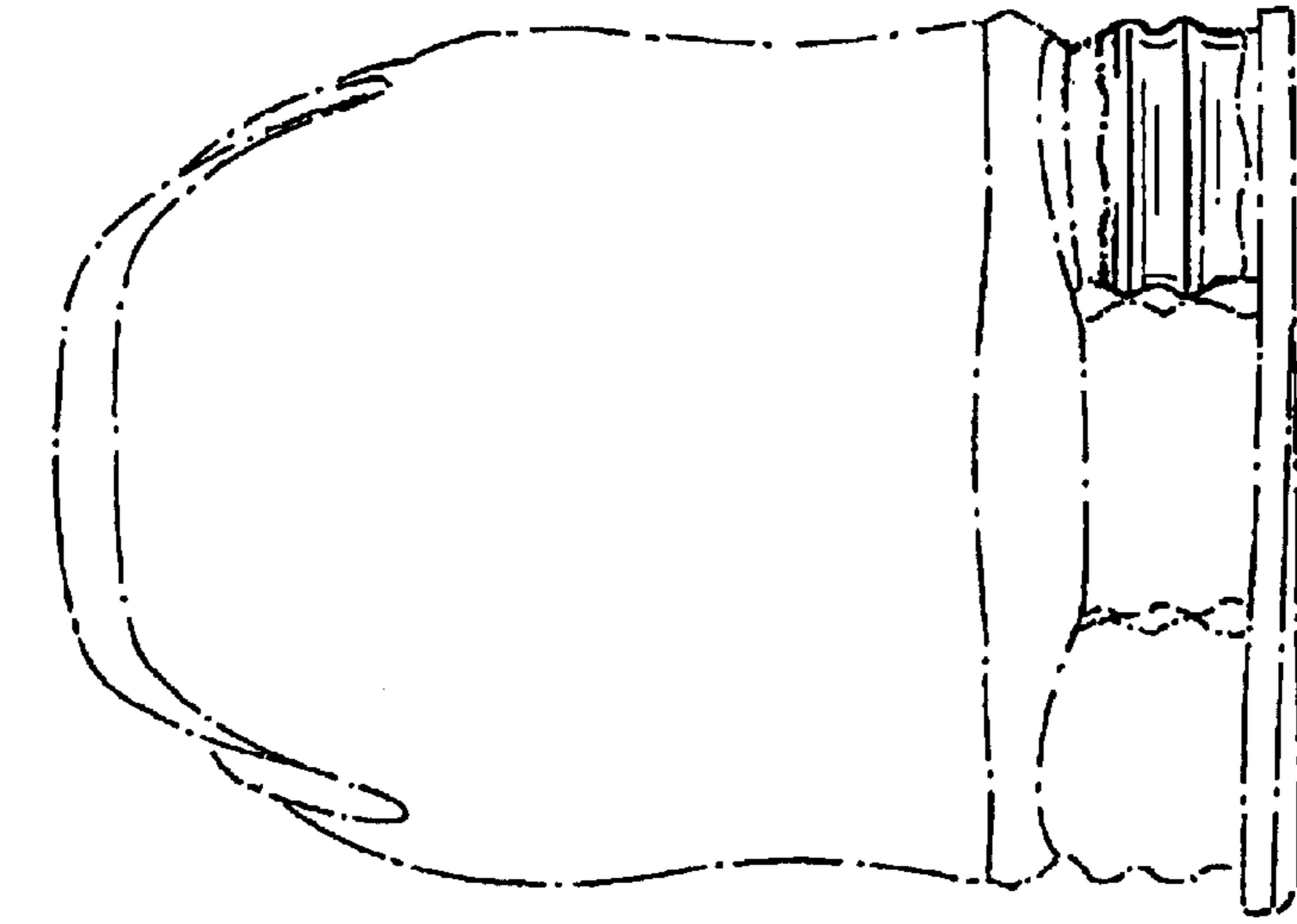


FIG. 3

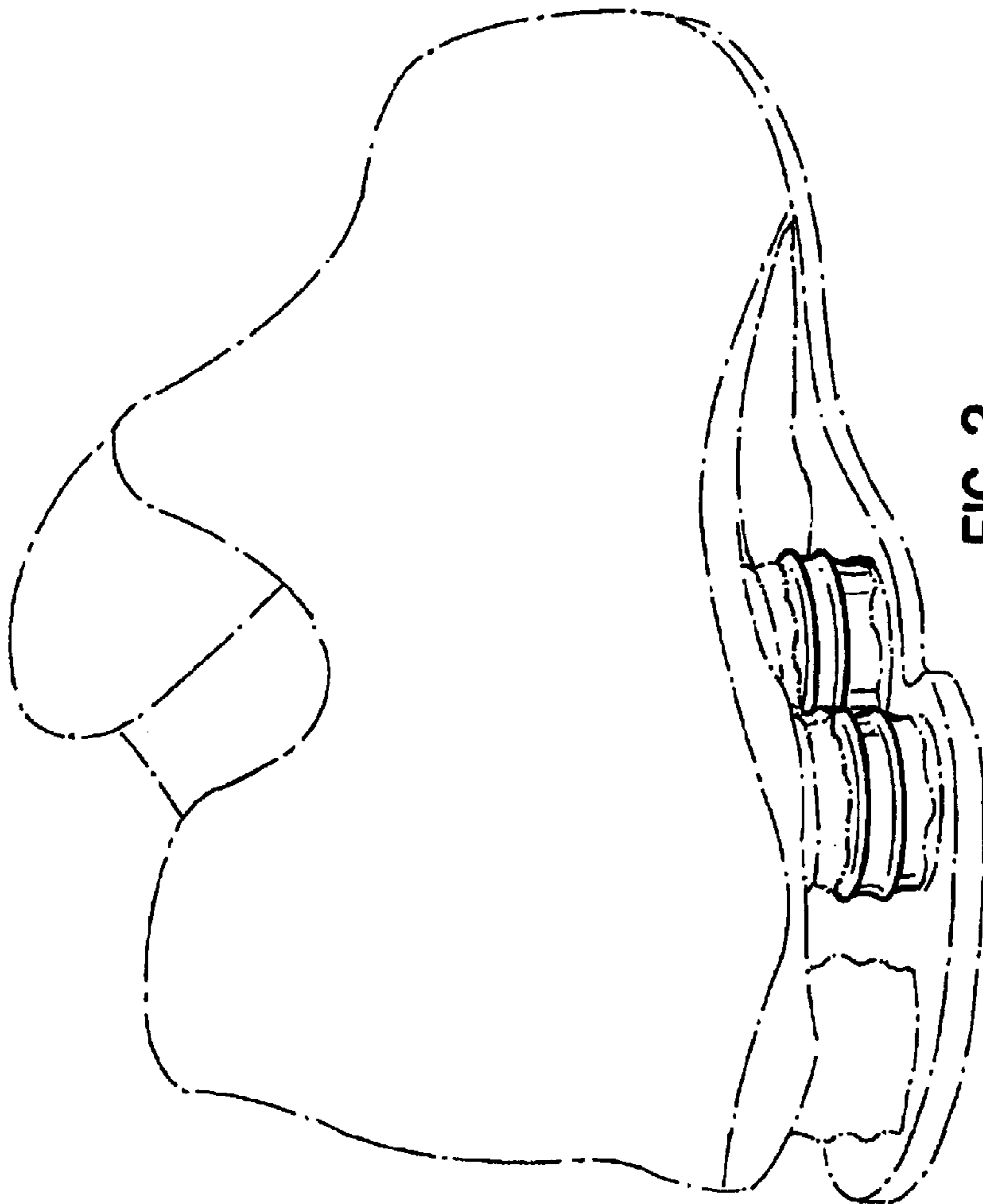


FIG. 2

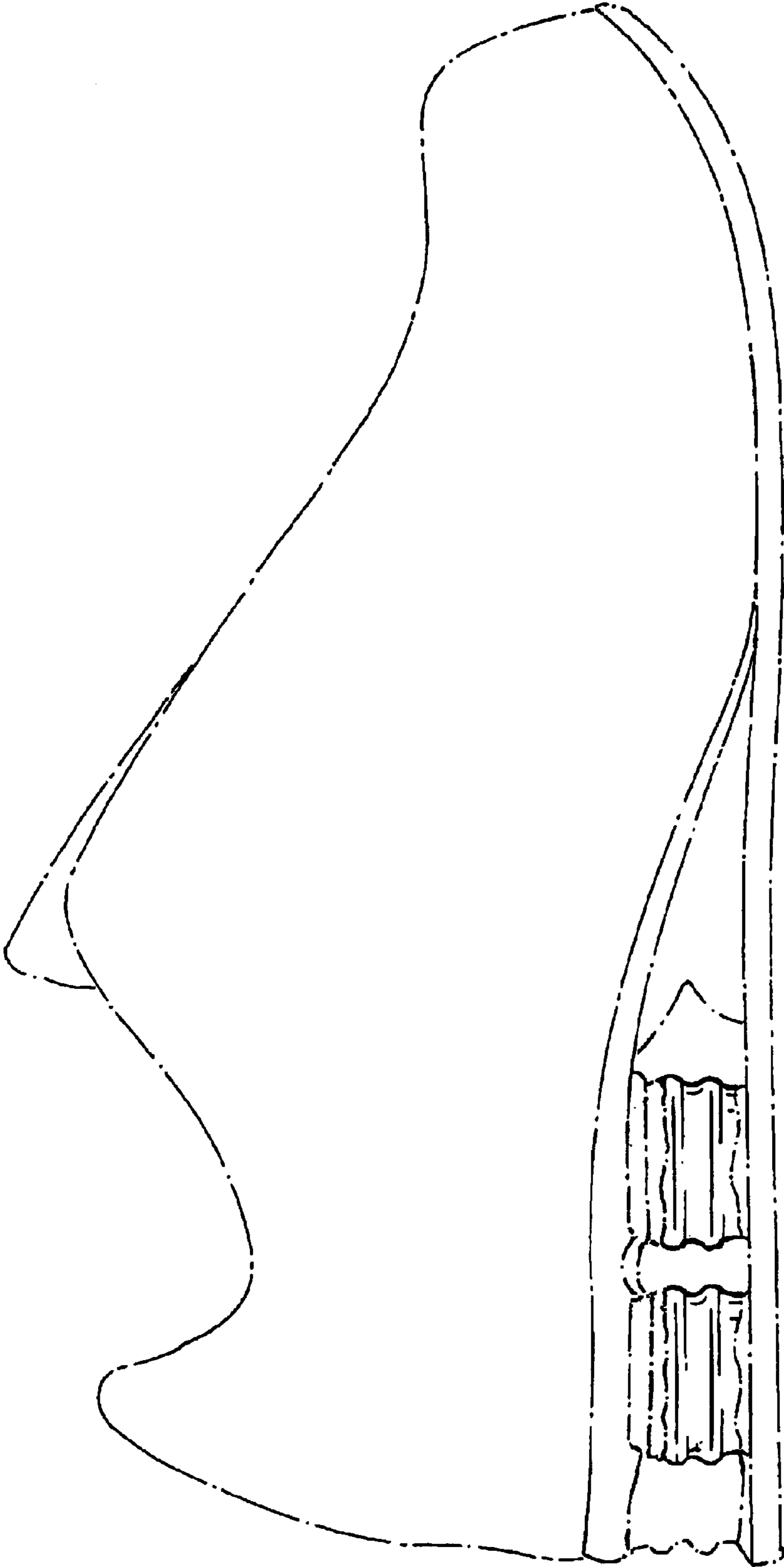


FIG. 4