



US00D520722S

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

(10) **Patent No.:** **US D520,722 S**

(45) **Date of Patent:** **** May 16, 2006**

- (54) **PORTION OF A SHOE MIDSOLE**
- (75) Inventor: **John Hlavacs**, Portland, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/229,197**
- (22) Filed: **May 5, 2005**
- (51) **LOC (8) Cl.** **02-99**
- (52) **U.S. Cl.** **D2/964**
- (58) **Field of Classification Search** D2/902,
D2/907, 908, 943, 944, 964, 972-974, 977;
36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114,
36/126-131, 34 R, 35 R, 36 A, 37, 78, 38
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D29,749 S	11/1898	Bunker	
1,169,085 A *	1/1916	Davis	36/78
D245,736 S	9/1977	Famolare, Jr.	
D256,067 S	7/1980	Hagg et al.	
D256,179 S *	8/1980	Famolare, Jr.	D2/977
D262,581 S *	1/1982	Chevallereau	D2/908
D296,035 S *	6/1988	Le	D2/977
D383,593 S	9/1997	Lozano	
D397,845 S *	9/1998	Cass	D2/972
D397,846 S	9/1998	Lozano	
D397,848 S	9/1998	Avar	
D398,742 S	9/1998	Avar	
D411,242 S	6/1999	Link	
D412,777 S	8/1999	Norton et al.	
D485,673 S	1/2004	Smith	
D495,128 S	8/2004	Avar	
D495,129 S	8/2004	Allen	

OTHER PUBLICATIONS

- Nike Footwear Catalog Spring 2005, pp. W30 & W33, published Jun. 2004.
- Nike Footwear Catalog Fall 2005, p. 122, published Nov. 2004.
- Nike Footwear Catalog Fall 2004, p. M5, published Nov. 2003.

- Nike Footwear Catalog Holiday 2004, p. M15, published Mar. 2004.
- Nike Footwear Catalog Spring 2004, p. M31, published Jun. 2003.
- Nike Footwear Catalog Late Spring 2003, pp. W16 & W17, published Sep. 2002.
- Nike Footwear Catalog Holiday 2003, p. M17, published Mar. 2003.
- Nike Footwear Catalog Holiday 2001, p. M6, published Feb. 2001.
- Nike Footwear Catalog Holiday 2000, p. W11, published Mar. 2000.
- Picture of "Helium Ventilator" from <<http://www.merrell.com/catalog/gallery.asp?NavID=:TR>>; date of first publication unknown, but at least as early as Mar. 14, 2005.
- Picture of "Puma men's Complete Taranis" from <<http://www.footlocker.com>>; date of first publication unknown, but at least as early as Mar. 25, 2005.

* cited by examiner

Primary Examiner—Dominic Simone

(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 front perspective view of a portion of a shoe midsole showing my new design.

FIG. 2 is a rear perspective view thereof.

FIG. 3 is a side elevational view thereof.

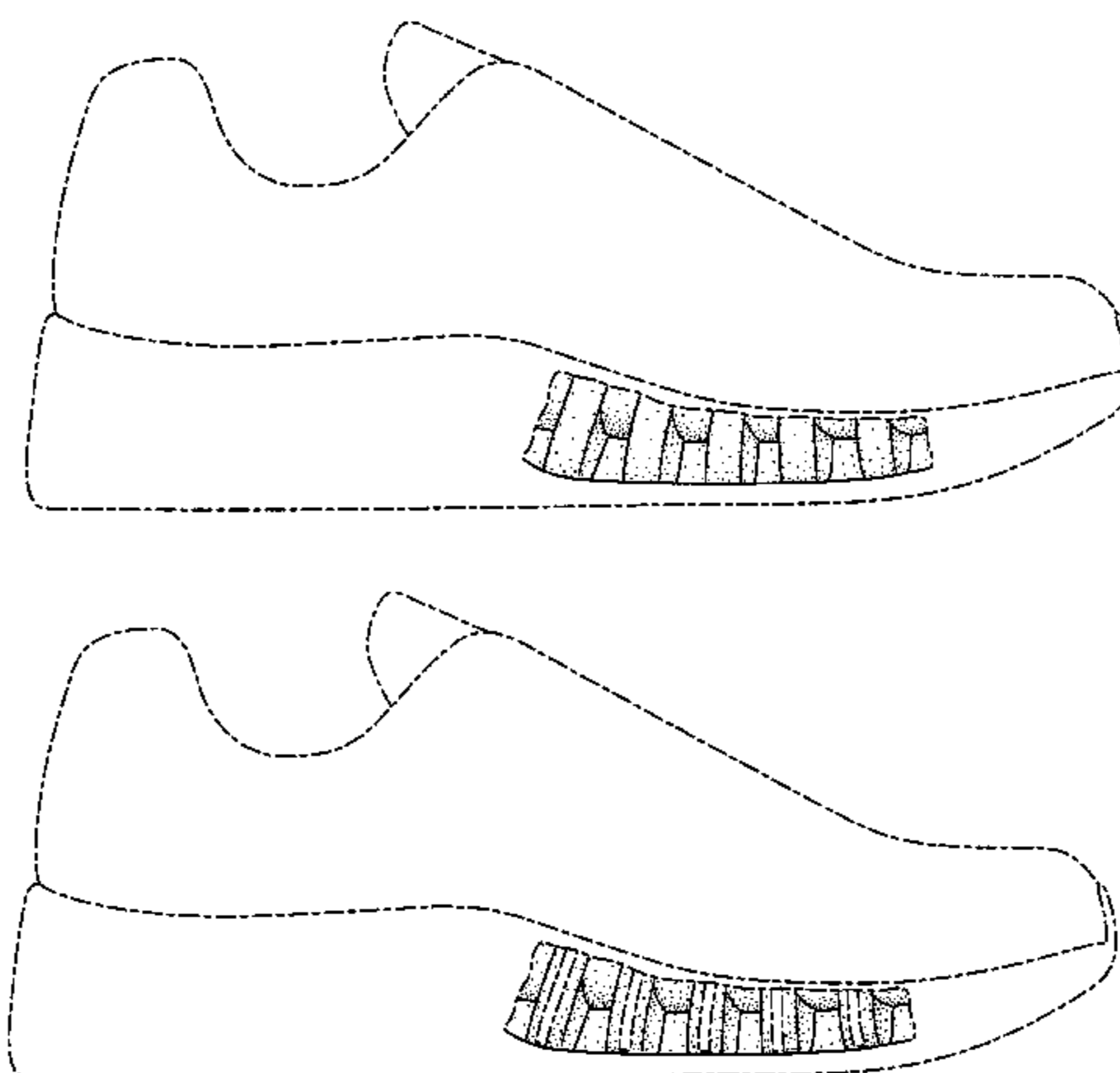
FIG. 4 is another front perspective view showing a second embodiment of my new design.

FIG. 5 is another rear perspective view showing the second embodiment of my new design; and,

FIG. 6 is another side elevational view showing the second embodiment of my new design.

The broken lines immediately adjacent to the shaded areas represent an unclaimed boundary of the design. The broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 6 Drawing Sheets



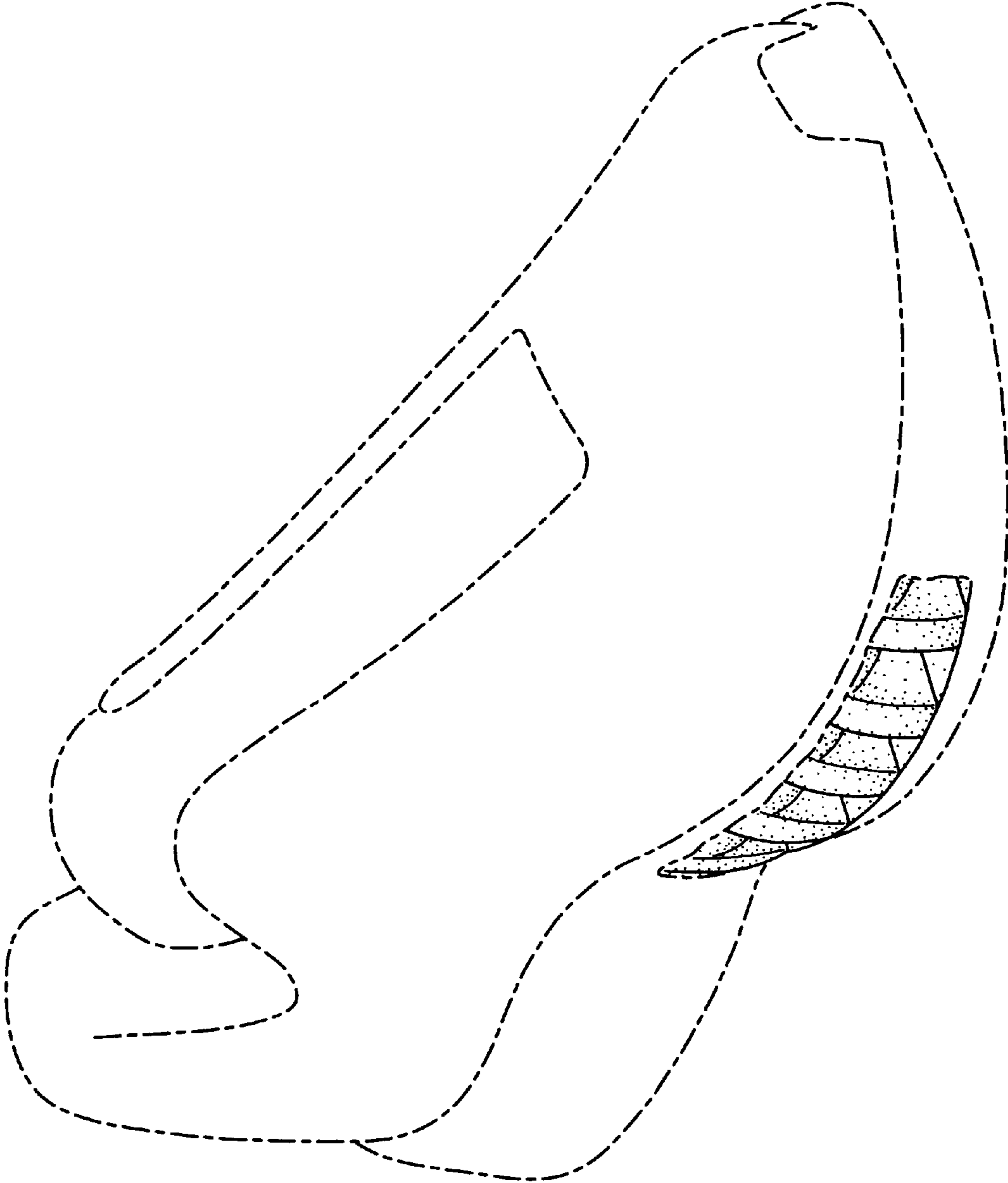


FIG. 1

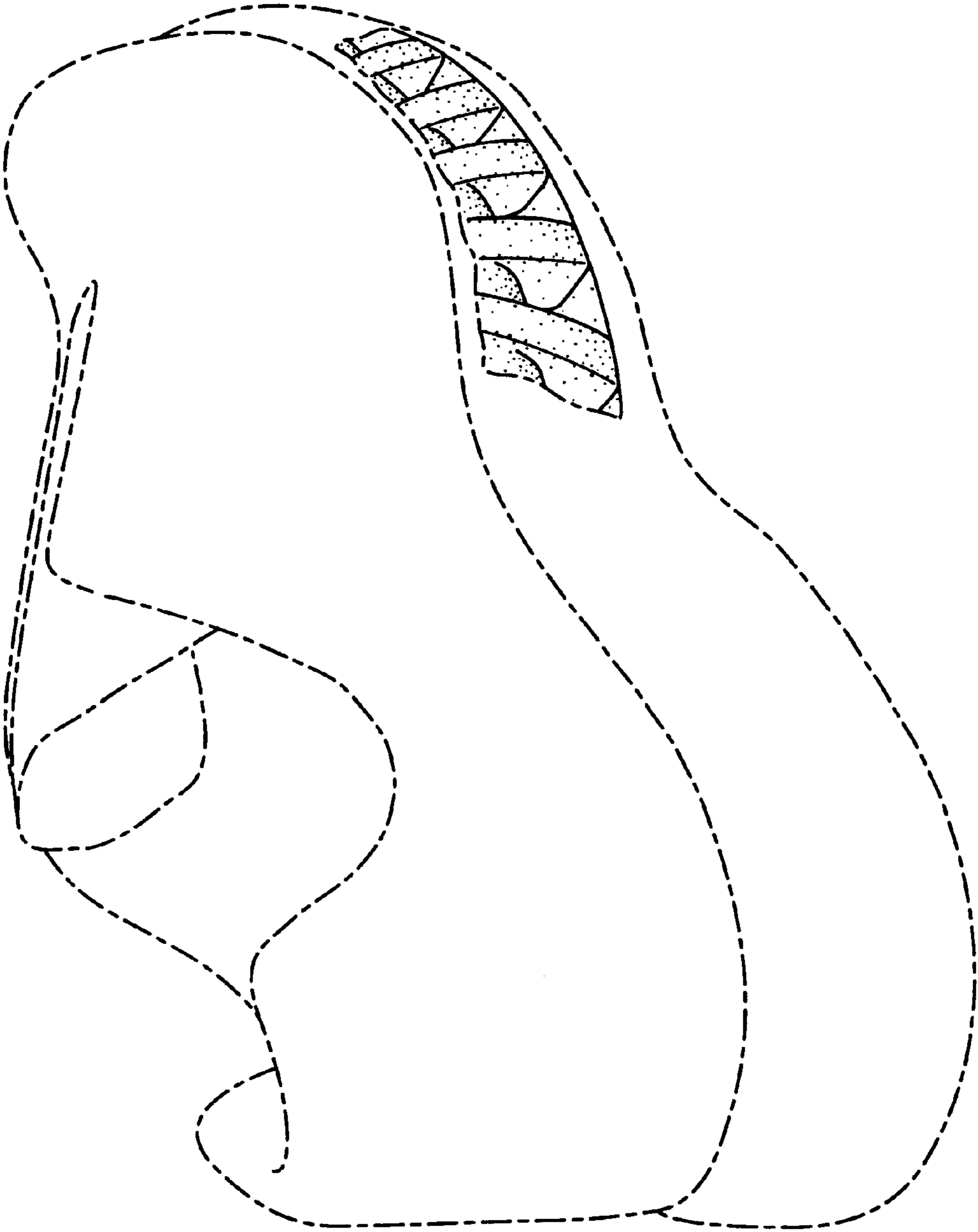


FIG. 2

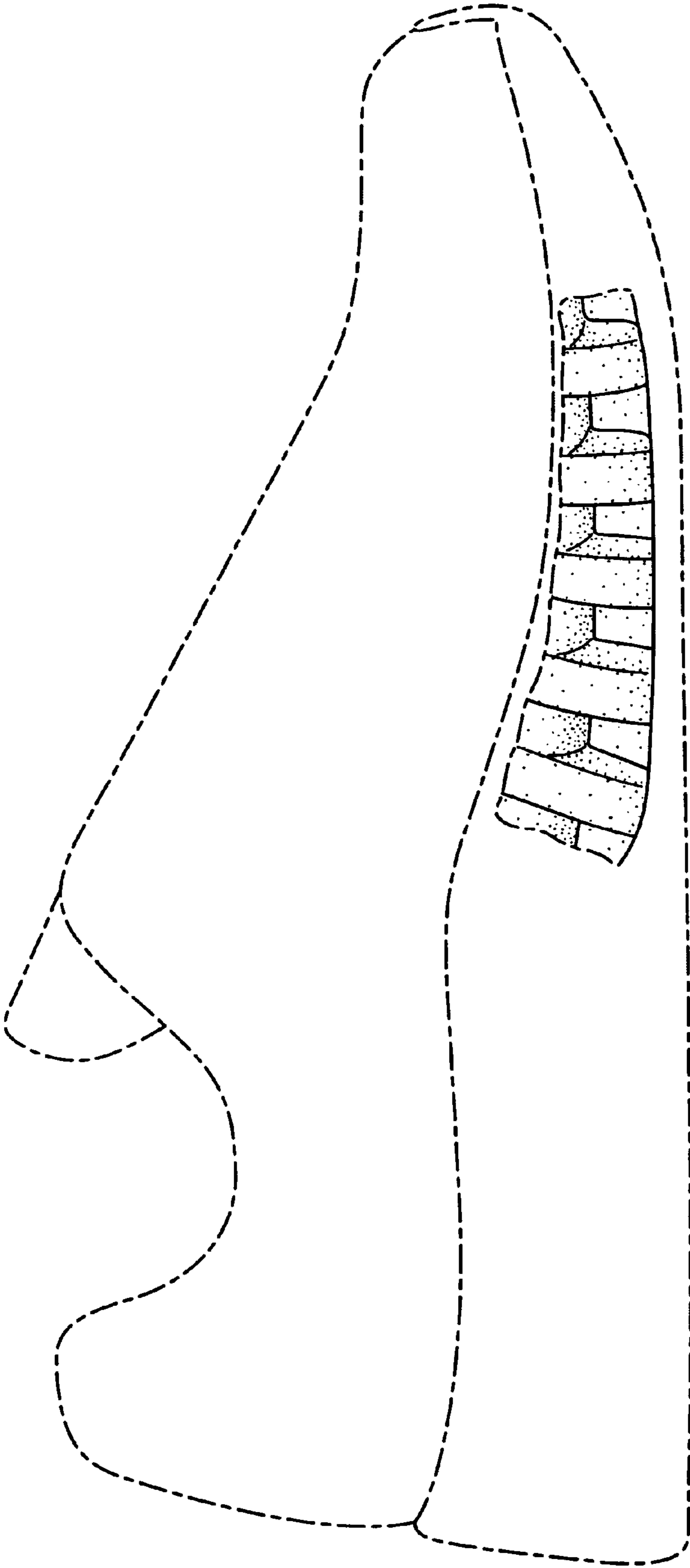


FIG. 3

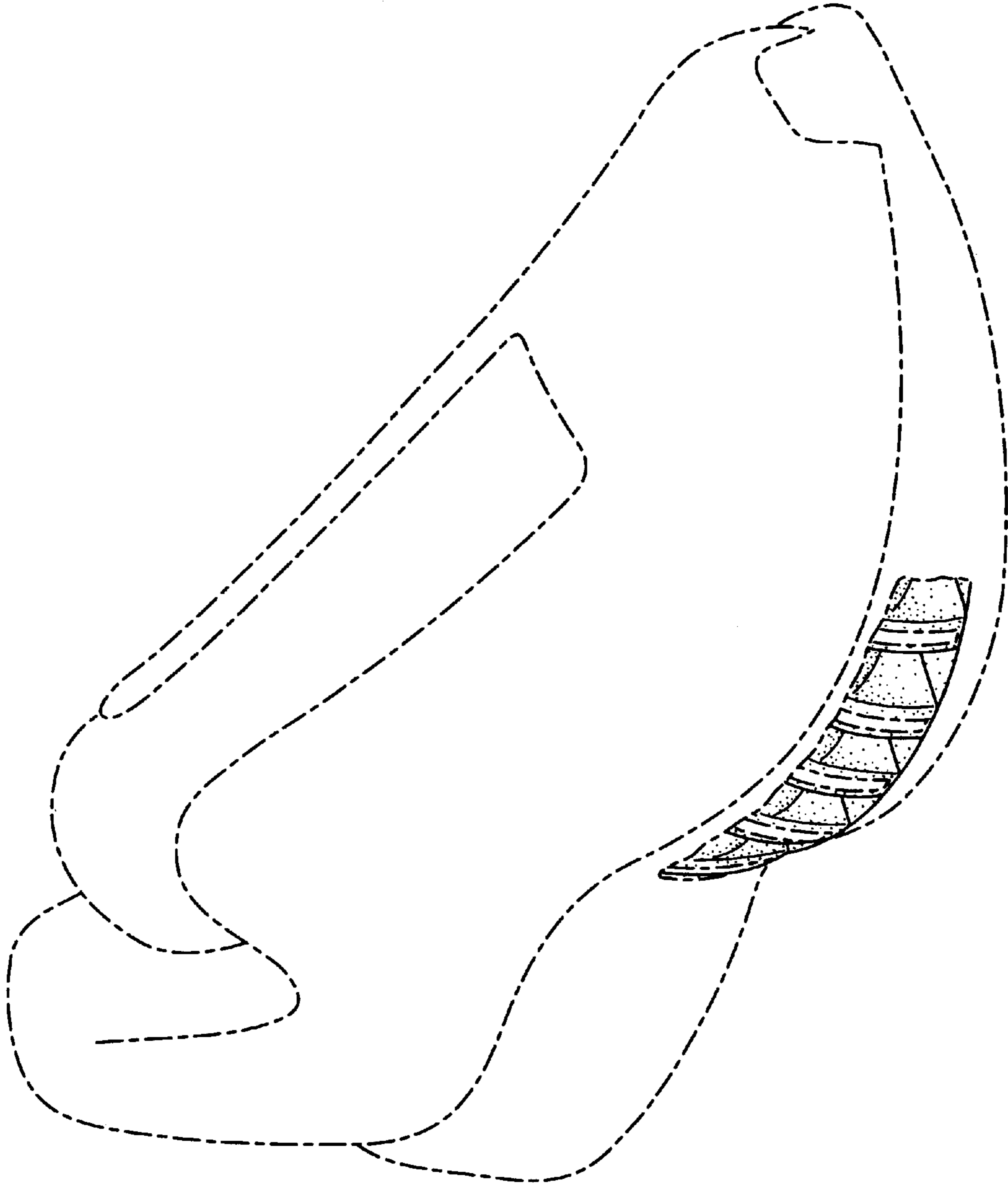


FIG. 4

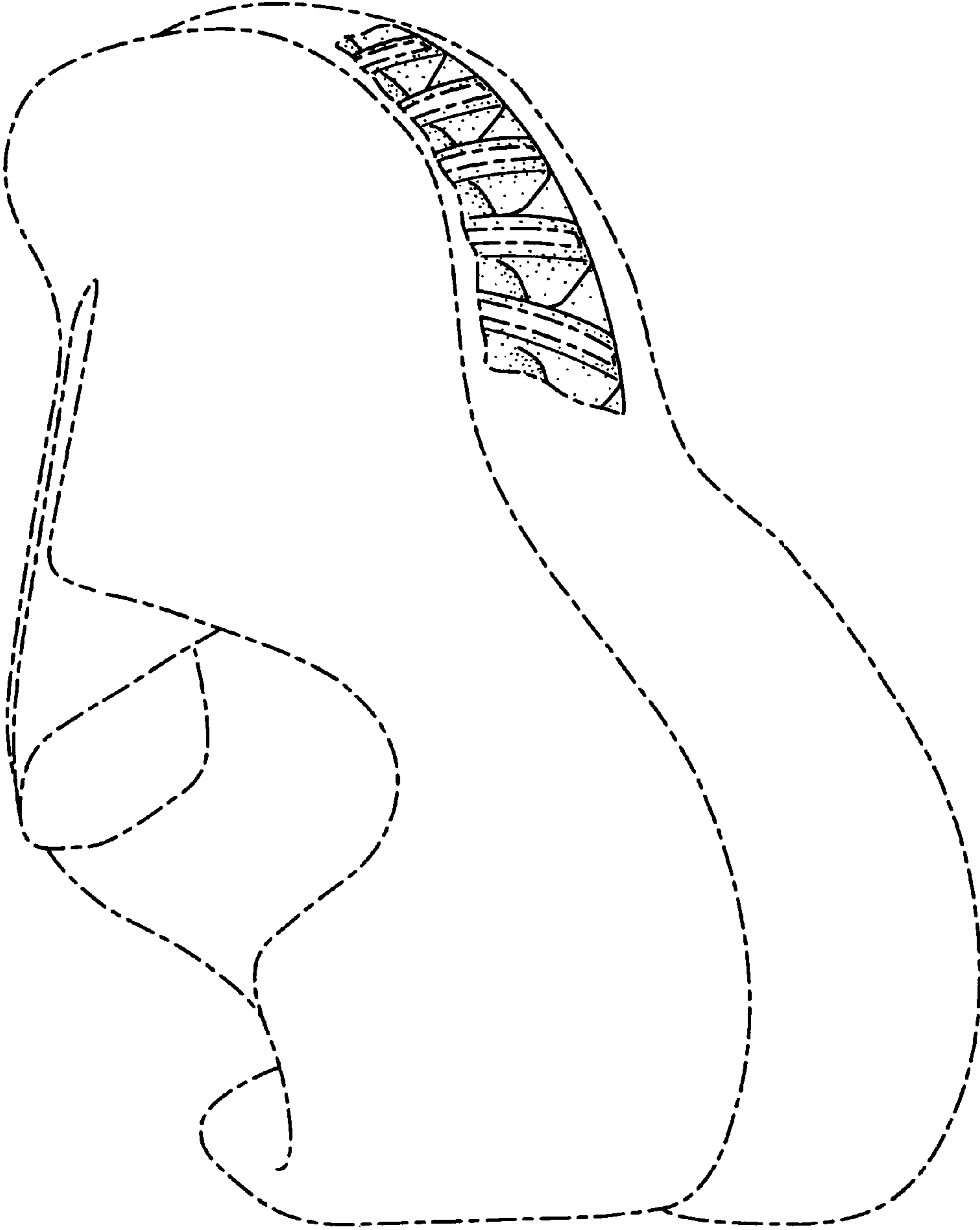


FIG. 5

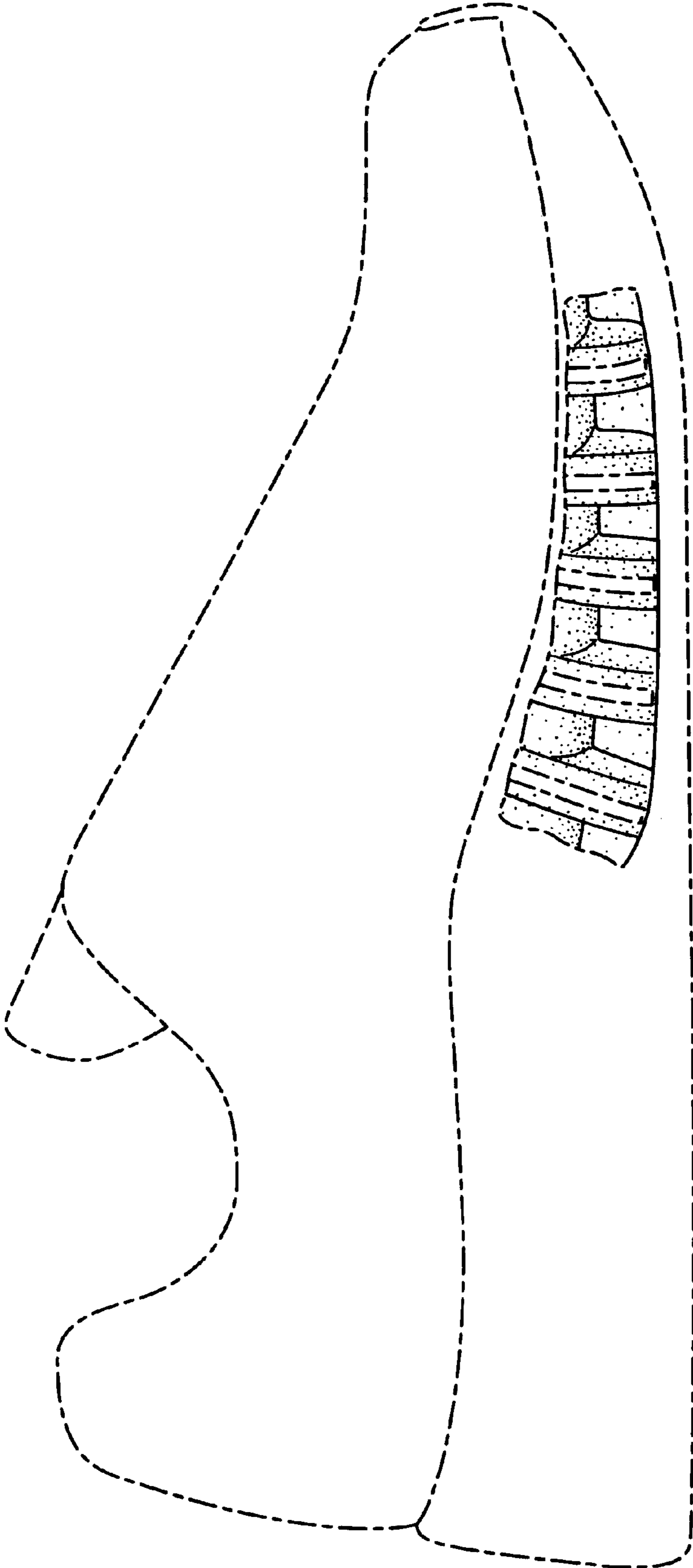


FIG. 6