



US00D522739S

(12) **United States Design Patent** (10) **Patent No.:** **US D522,739 S**
Dojan et al. (45) **Date of Patent:** **** Jun. 13, 2006**

(54) **PORTION OF A SHOE MIDSOLE**
(75) Inventors: **Frederick J. Dojan**, Vancouver, WA (US); **Thomas Foxen**, Portland, OR (US); **John F. Swigart**, Portland, OR (US); **Eric Steven Schindler**, Portland, OR (US)
(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
(**) Term: **14 Years**
(21) Appl. No.: **29/239,821**
(22) Filed: **Oct. 6, 2005**
(51) **LOC (8) Cl.** **02-99**
(52) **U.S. Cl.** **D2/977**
(58) **Field of Classification Search** D2/902, D2/906-908, 943, 944, 946, 972-974, 977; 36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114, 36/126-131, 27-29, 32 R
See application file for complete search history.

Nike Footwear Catalog Fall 1994, pp. 8 and 28, published Nov. 1993.
Nike Footwear Catalog Late Spring 1997, pp. 34 and 157, published Sep. 1996.
Nike Footwear Catalog Spring 1997, pp. 6, 41, and 179, published Jun. 1996.
Nike Footwear Catalog Holiday 1996, pp. 6, 26, and 39, published Mar. 1996.
Nike Footwear Catalog Spring 1996, p. 24, published Jun. 1995.
Nike Footwear Catalog Fall 1995, p. 24, published Nov. 1994.
Nike Footwear Catalog Fall 1997, pp. 6 and 8, published Dec. 1996.
Nike Footwear Catalog Late Spring, p. M5, published Sep. 2002.
Nike Footwear Catalog Spring 1998, pp. 37, 42, and 150, published Jun. 1997.
Nike Footwear Catalog Late Fall 1998, p. 10, published Mar. 1998.
Nike Footwear Catalog Late Spring 1999, p. M11, published Sep. 1998.

(56) **References Cited**
U.S. PATENT DOCUMENTS
D291,944 S 9/1987 Tong
D292,242 S 10/1987 Kelley
D324,940 S 3/1992 Claveria
D330,111 S 10/1992 Hatfield
D331,143 S * 11/1992 McDonald D2/977
D335,015 S 4/1993 Lozano
D339,222 S 9/1993 Hatfield et al.
D341,700 S * 11/1993 Avar D2/977

(Continued)

Primary Examiner—Dominic Simone
(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

(57) **CLAIM**

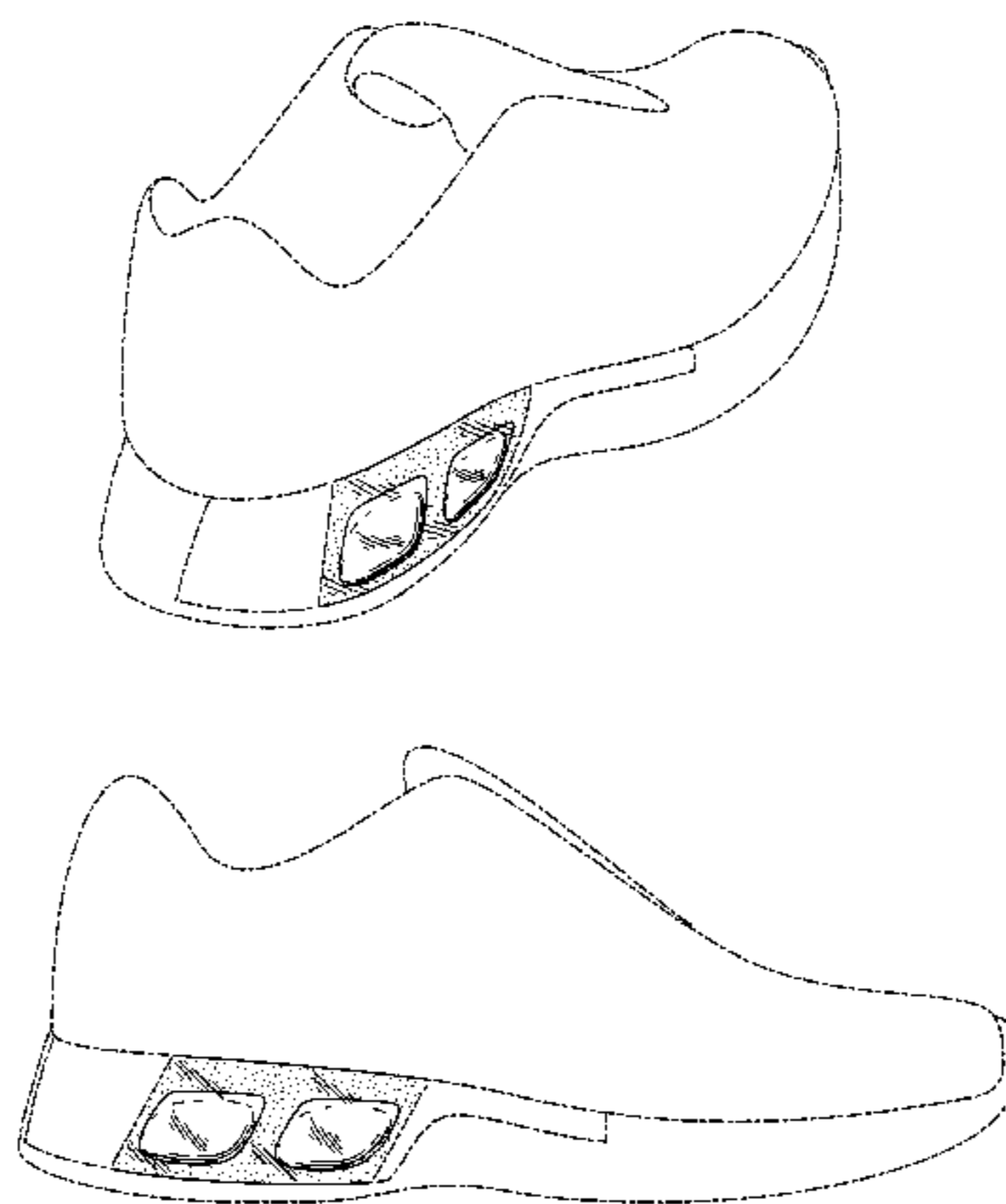
The ornamental design for a portion of a shoe midsole, as shown and described.

DESCRIPTION

FIG. 1 is a first perspective view of a portion of a shoe midsole showing our new design; FIG. 2 is a second perspective view thereof; and, FIG. 3 is a side 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.

(Continued)
OTHER PUBLICATIONS
Nike Footwear Catalog Fall 1991, p. 46, published Dec. 1990.
Nike Footwear Catalog Holiday 1993, p. 12, published Mar. 1993.
Nike Footwear Catalog Spring 1993, p. 24, published Jun. 1992.

1 Claim, 3 Drawing Sheets



US D522,739 S

Page 2

U.S. PATENT DOCUMENTS

D341,709 S * 11/1993 Hatfield et al. D2/977
D347,106 S 5/1994 Sell, Jr. et al.
D375,619 S 11/1996 Backus et al.
D376,902 S 12/1996 Avar
D393,340 S * 4/1998 Doxey D2/972
D395,337 S 6/1998 Greene
D397,845 S 9/1998 Cass
D398,742 S 9/1998 Avar
D410,964 S 6/1999 Wilborn et al.
D472,043 S * 3/2003 Kuerbis D2/977
D473,047 S 4/2003 Wilson
6,655,048 B1 * 12/2003 Moretti 36/29
D485,672 S 1/2004 Holmes
D485,673 S 1/2004 Smith
D495,129 S 8/2004 Allen
D499,541 S 12/2004 Dolan

D499,878 S 12/2004 Rask
D511,618 S * 11/2005 McDowell et al. D2/977

OTHER PUBLICATIONS

Nike Footwear Catalog Holiday 1999, pp. M13 and M41,
published Mar. 1999.
Nike Footwear Catalog Fall 1999, p. W31, published Nov.
1998.
Nike Footwear Catalog Spring #1 2000, p. W8, published
Jul. 1999.
Nike Footwear Catalog Holiday 2000, pp. M31 and M65,
published Mar. 2000.
Nike Footwear Catalog Holiday 2003, p. W14, published
Mar. 2003.

* cited by examiner

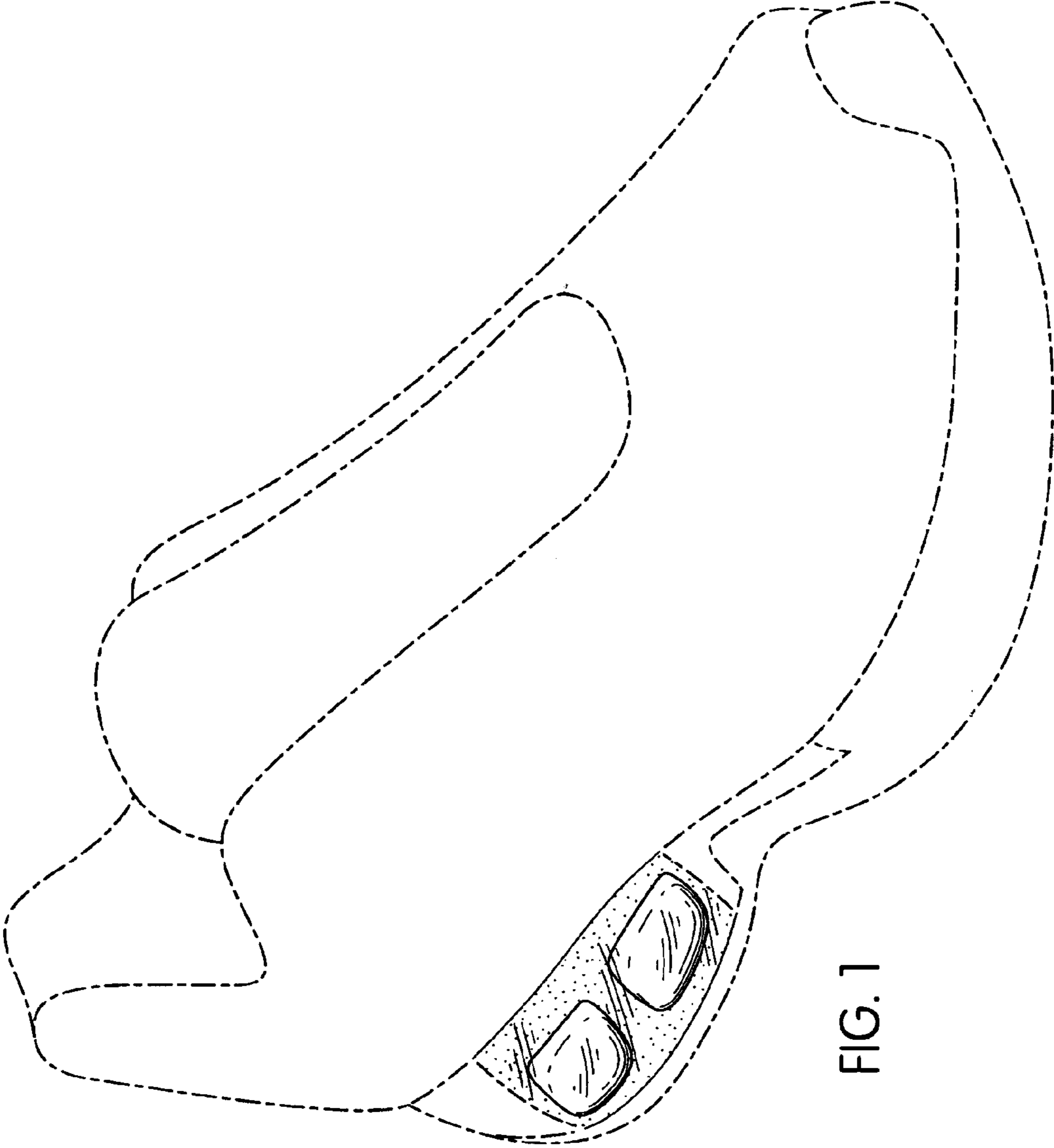


FIG. 1

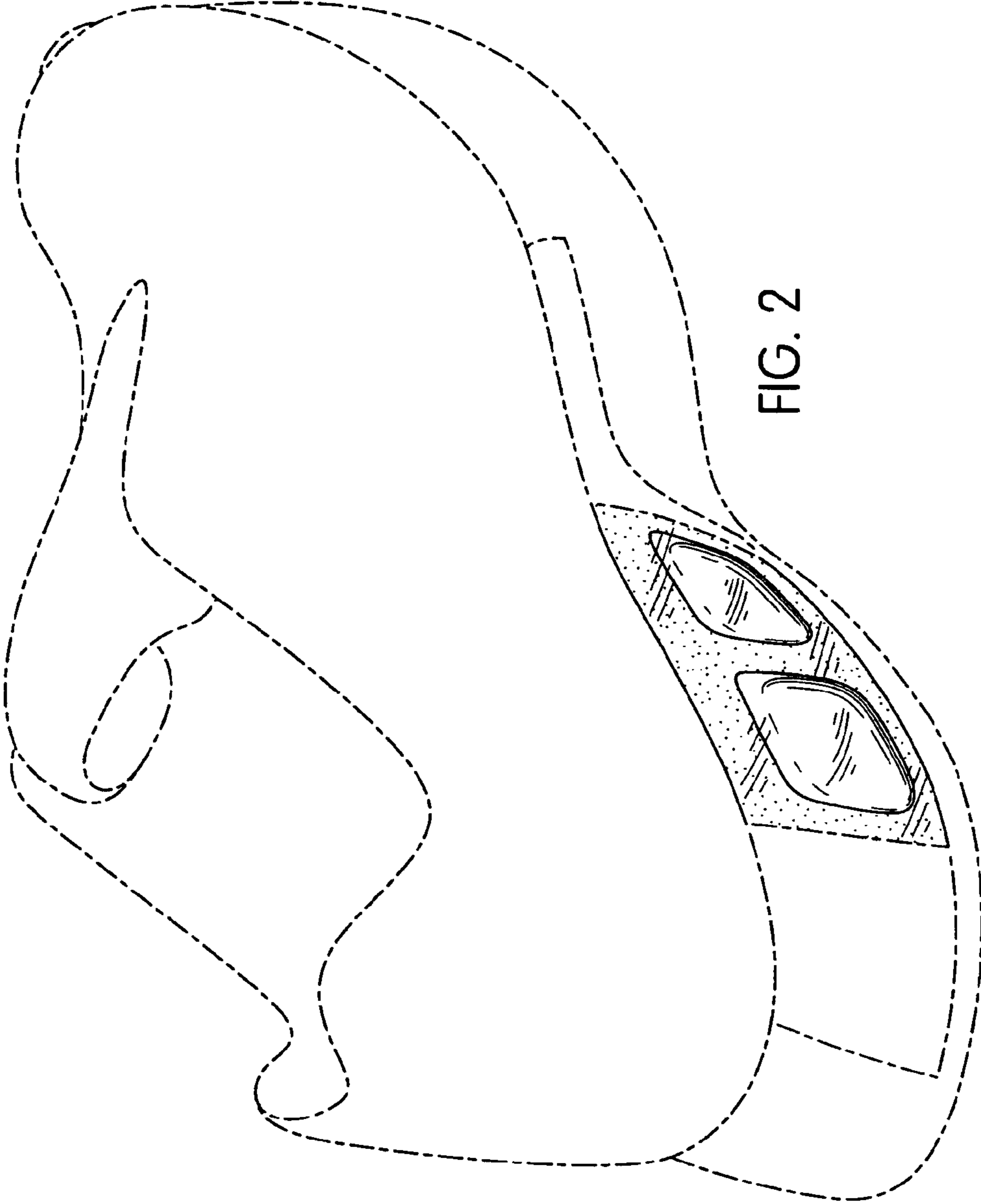


FIG. 2

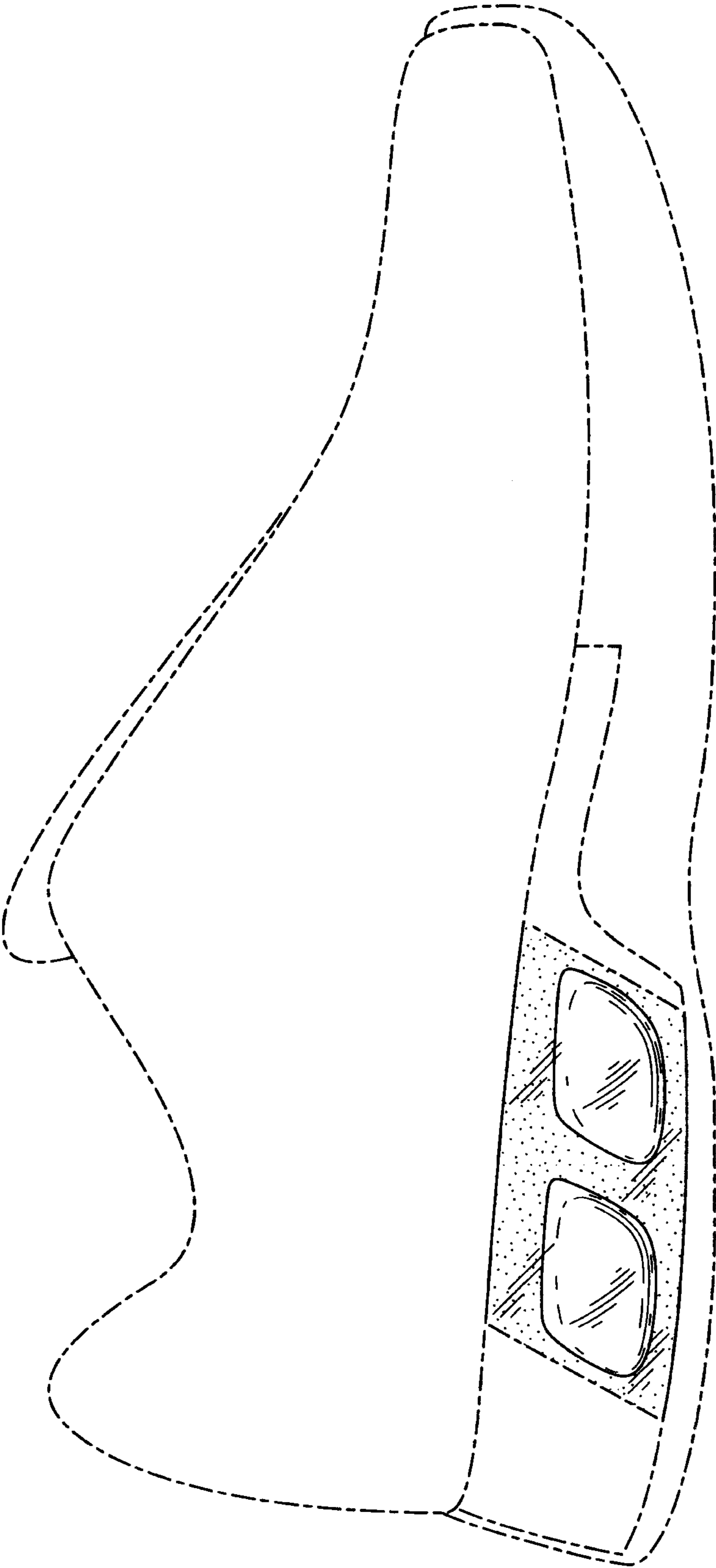


FIG. 3