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

(10) **Patent No.:** **US D523,628 S**
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- (54) **PORTION OF A SHOE MIDSOLE**
- (75) Inventor: **William Young**, Beaverton, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/240,437**
- (22) Filed: **Oct. 14, 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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,048,683 A	7/1936	Brokman
D216,662 S	3/1970	Barbaresi
4,438,573 A	3/1984	McBarron

(Continued)

OTHER PUBLICATIONS

- Nike Footwear Catalog Spring 1991, p. 7, published Jun. 1990.
- Nike Footwear Catalog Fall 1991, pp. 6, 30, published Dec. 1990.
- Nike Footwear Catalog Fall 1994, p. 4, published Nov. 1993.
- Nike Footwear Catalog Spring 1995, p. 94, published Jun. 1994.
- Nike Footwear Catalog Holiday 1995, p. 82, published Mar. 1995.
- Nike Footwear Catalog Spring 1996, p. 7, published Jun. 1995.
- Nike Footwear Catalog Fall 1997, pp. 51, 178, 214, 222, published Dec. 1996.
- Nike Footwear Catalog Holiday 1997, p. 41, published Mar. 1997.

- Nike Footwear Catalog Spring 1998, pp. 8, 40, 164, published Jun. 1997.
- Nike Footwear Catalog Late Spring 1998, p. 215, published Sep. 1997.
- Nike Footwear Catalog Holiday 1998, pp. M26, M34, M42, published Feb. 1998.
- Nike Footwear Catalog Spring 2000 #1, pp. M24, M25, M63, published Jul. 1999.
- Nike Footwear Catalog Spring 2001, p. M3, published Jun. 2000.
- Nike Footwear Catalog Fall 2001, pp. M27, M40, M44, published Nov. 2000.
- Nike Footwear Catalog Holiday 2001, pp. M10, M34, W67, published Feb. 2001.
- Nike Footwear Catalog Fall 2004, pp. M4, M26, published Nov. 2003.
- Nike Footwear Catalog Holiday 2004, pp. M17, M32, published Mar. 2004.
- Nike Footwear Catalog Late Spring 2005, p. 180, 181, published Aug. 2004.
- Nike Footwear Catalog Fall 2005, pp. 13, 33, 43, 56, 115, 130, 141, 147, published Nov. 2004.
- Nike Footwear Catalog Holiday 2005, pp. 12, 26, 64, published Mar. 2005.

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

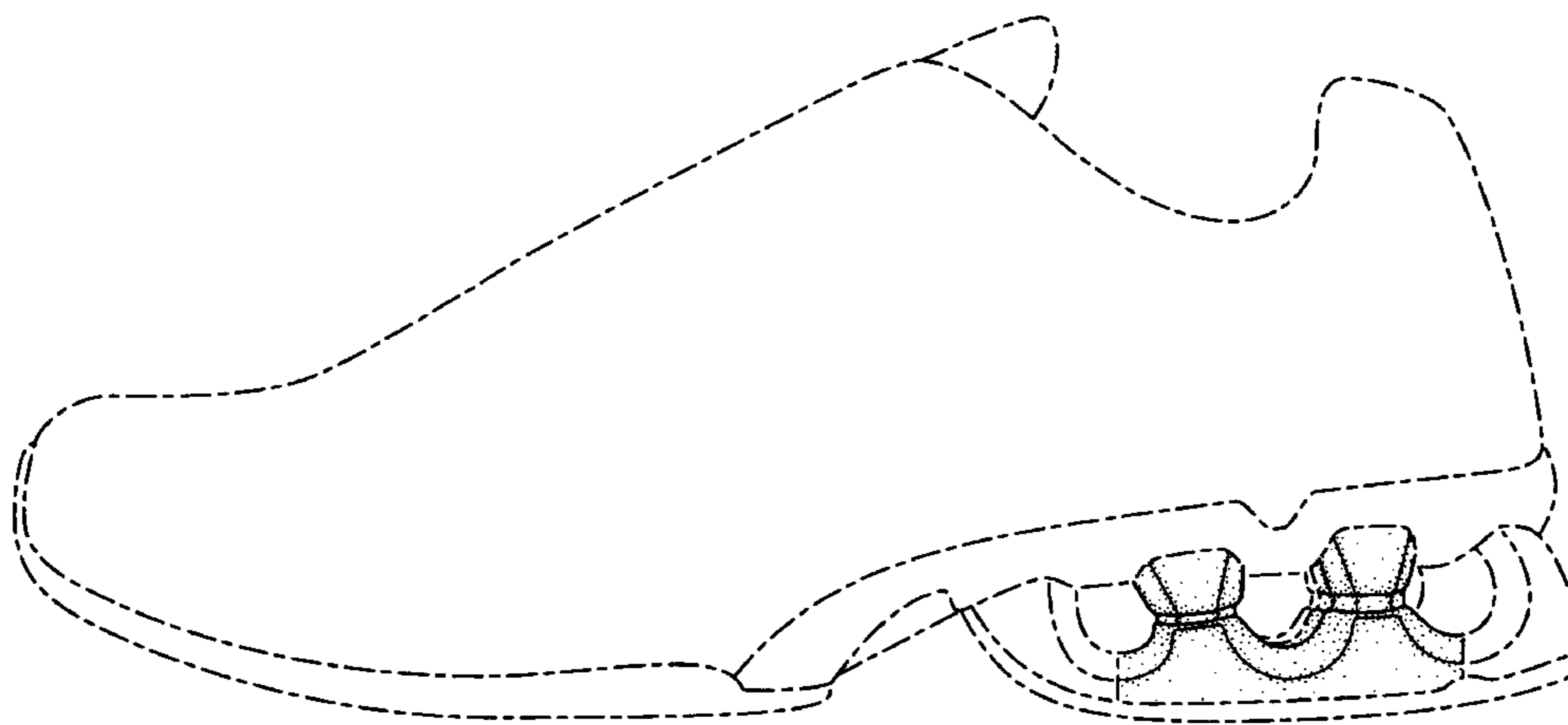
(57) **CLAIM**

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; and, FIG. 3 is a side view thereof. The broken lines immediately adjacent to the shaded area represents 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, 3 Drawing Sheets



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U.S. PATENT DOCUMENTS						
4,817,304 A	4/1989	Parker et al.	D469,948 S	2/2003	Lin	
4,972,611 A	11/1990	Swartz et al.	D470,650 S	2/2003	Lin	
5,005,300 A	4/1991	Diaz et al.	D474,332 S	5/2003	Turner et al.	
D344,622 S	3/1994	Kilgore	D474,582 S	5/2003	Cooper	
D350,226 S	9/1994	Kilgore	D476,474 S	7/2003	McDowell	
D351,720 S	10/1994	Kilgore	D482,851 S	12/2003	McClaskie	
D355,755 S	2/1995	Kilgore	D485,053 S	1/2004	McDowell	
D366,951 S	2/1996	Ho	D485,975 S	2/2004	McDowell	
D373,674 S	9/1996	Dolinsky	6,694,642 B1 *	2/2004	Turner	36/28
D376,471 S	12/1996	Kalin et al.	6,722,058 B1 *	4/2004	Lucas et al.	36/28
D378,012 S	2/1997	Le	D489,525 S	5/2004	Snow et al.	
D383,593 S	9/1997	Lozano	D490,220 S	5/2004	Edauw	
D386,589 S	11/1997	Cass	D490,599 S	6/2004	Snow et al.	
D386,590 S	11/1997	Cass	D498,914 S	11/2004	Sokolowski	
D390,344 S	2/1998	Elliott	D499,247 S	12/2004	Wahoske et al.	
D393,339 S	4/1998	Fogg	D499,541 S	12/2004	Dolan	
D397,543 S	9/1998	Silvers	D500,402 S	1/2005	Sokolowski	
D429,877 S	8/2000	Lozano et al.	D500,585 S	1/2005	Wahoske et al.	
D433,216 S	11/2000	Avar et al.	D508,162 S	8/2005	Harlow	
D450,437 S	11/2001	Simpson et al.	6,931,765 B1 *	8/2005	Lucas et al.	36/28
D462,830 S	9/2002	Greene	6,944,972 B1 *	9/2005	Schmid	36/27
D467,725 S	12/2002	McDowell				

* cited by examiner

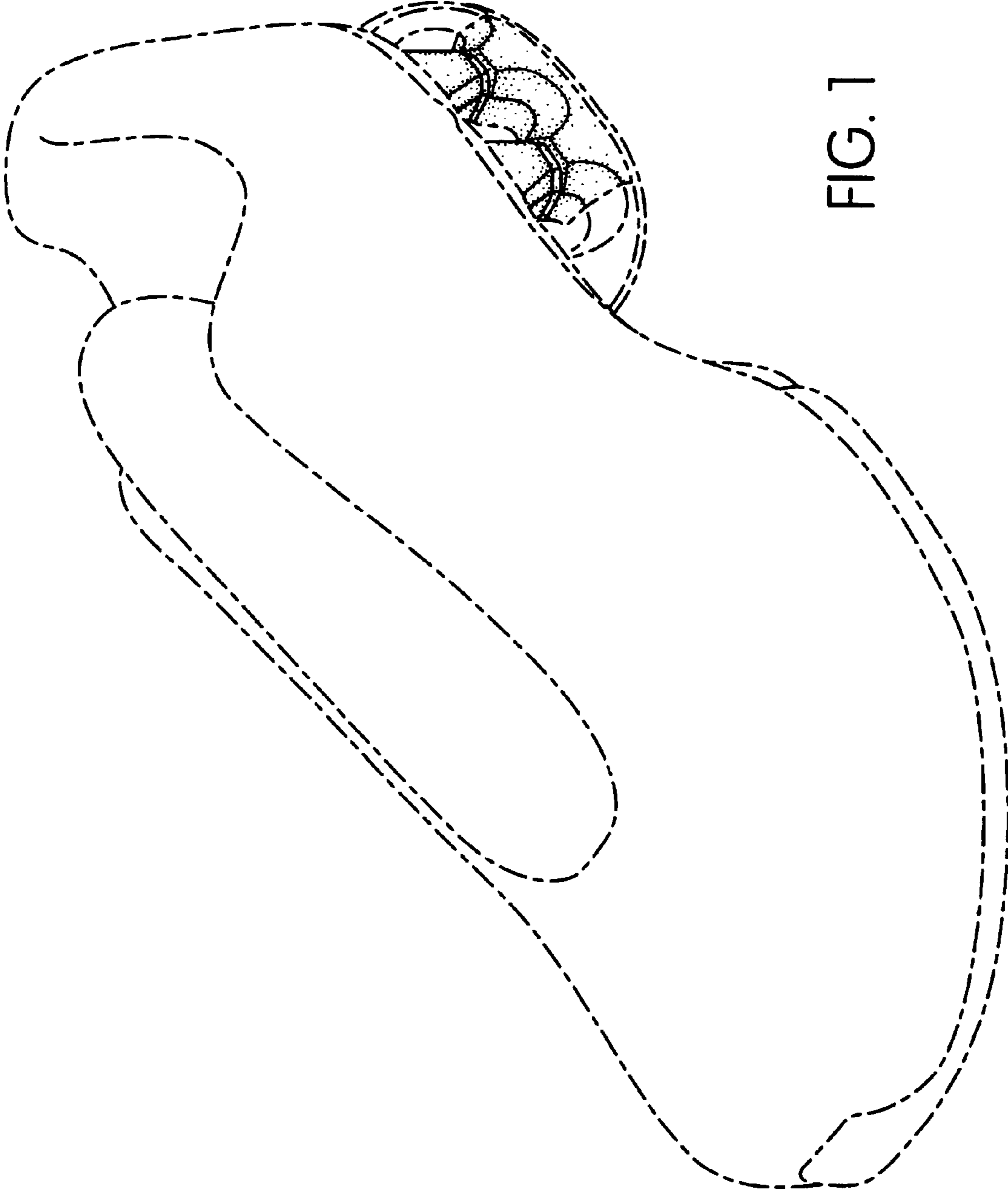


FIG. 1

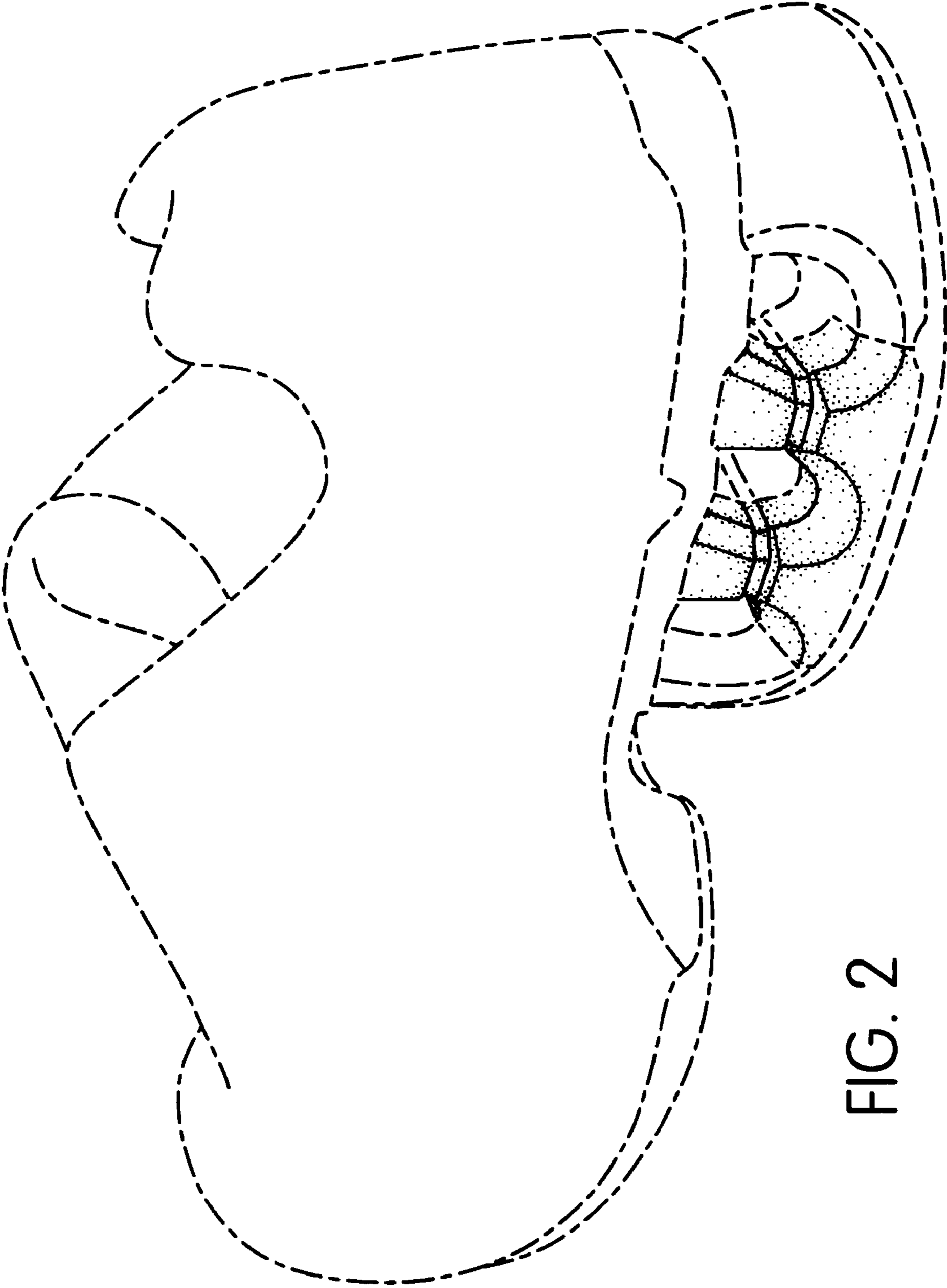


FIG. 2

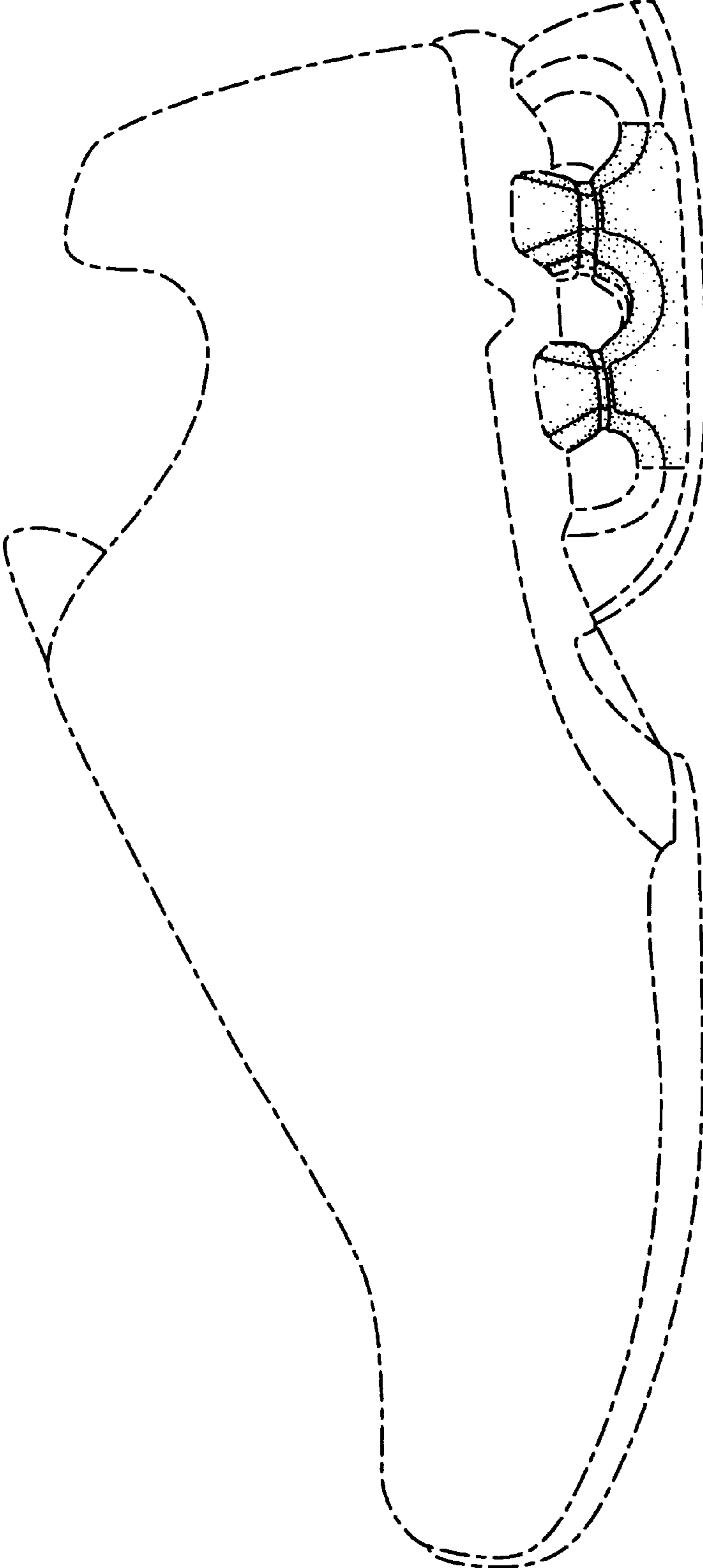


FIG. 3