

US00D527879S

(12) **United States Design Patent** (10) **Patent No.:** **US D527,879 S**  
**Cessor** (45) **Date of Patent:** **\*\* Sep. 12, 2006**

(54) **PORTION OF A SHOE MIDSOLE**  
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(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)  
(\*\*) Term: **14 Years**  
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(51) **LOC (8) Cl.** ..... **02-99**  
(52) **U.S. Cl.** ..... **D2/964**  
(58) **Field of Classification Search** ..... D2/902, D2/907, 908, 946, 964, 972, 977; 36/27, 36/37, 38  
See application file for complete search history.

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, M40, published Jun. 2003.  
Nike Footwear Catalog Late Spring 2004, p. M3, M6, M33, published Sep. 2003.  
Nike Footwear Catalog Fall 2004, pp. M34, M35, M41, published Nov. 2003.  
Nike Footwear Catalog Holiday 2004, pp. M5, M7, M11, M12, M31, M40, M41, M77, W6, W19, W28, W43, W55, published Mar. 2004.  
Nike Footwear Catalog Holiday 2005, pp. M7, M8, M11, M23, M24, M25, M46, M105, W112, W114, W126, W130, W136, W143, W149, published Mar. 2005.  
Nike Footwear Catalog Spring 2006, pp. M16, M38, M41, M45, W132, W141, W163, published Jun. 2005.

(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

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog Fall 1997, p. 44, published Dec. 1996.  
Nike Footwear Catalog Late Spring 2001, p. M5, published Sep. 2000.

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(57) **CLAIM**

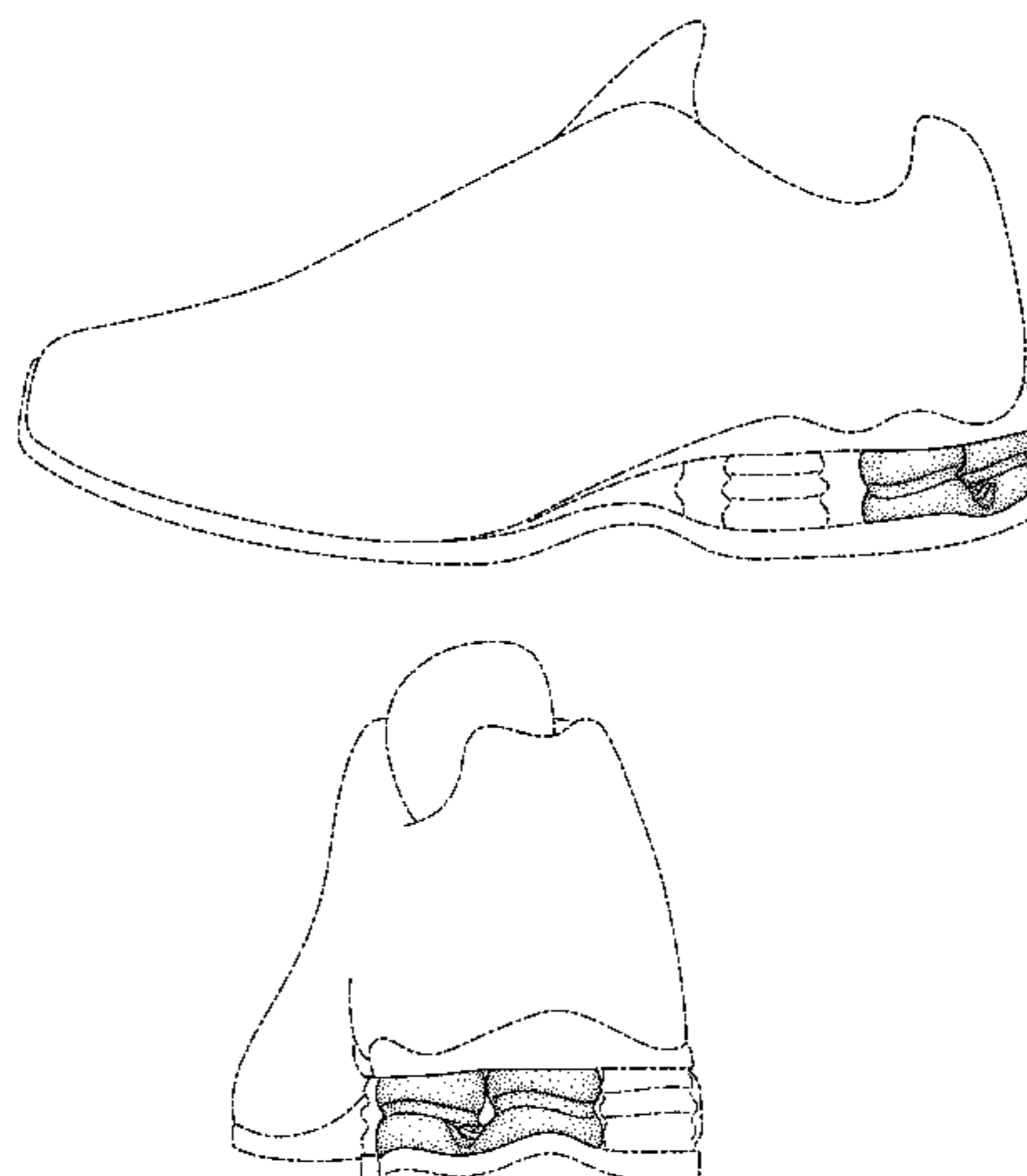
The ornamental design for a portion of a shoe midsole, as shown and described.

**DESCRIPTION**

FIG. 1 is a 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 of one side thereof; and,  
FIG. 4 is a rear view thereof.

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

**1 Claim, 4 Drawing Sheets**



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## U.S. PATENT DOCUMENTS

D344,622 S	3/1994	Kilgore	
5,297,349 A	3/1994	Kilgore	
D348,354 S	7/1994	Lucas	
D350,018 S	* 8/1994	Kilgore	..... D2/964
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	..... D2/964
D350,433 S	9/1994	Kilgore	
5,343,639 A	9/1994	Kilgore et al.	
D351,057 S	10/1994	Kilgore	
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	
D354,617 S	1/1995	Kilgore	
D355,755 S	2/1995	Kilgore	
6,006,449 A	12/1999	Orlowski et al.	
D429,877 S	8/2000	Lozano et al.	
D431,898 S	10/2000	Clegg et al.	
D432,293 S	10/2000	Clegg et al.	
D432,764 S	10/2000	Clegg et al.	
D433,216 S	11/2000	Avar et al.	
D446,387 S	8/2001	McCourt	
D446,923 S	* 8/2001	McCourt	..... D2/972
D447,330 S	9/2001	McCourt	
6,282,814 B1	* 9/2001	Krafsur et al.	..... 36/38
D450,437 S	11/2001	Simpson et al.	
D462,830 S	* 9/2002	Greene	..... D2/946
6,457,261 B1	* 10/2002	Crary	..... 36/27
D474,581 S	5/2003	Cooper	
D474,582 S	5/2003	Cooper	
D476,474 S	7/2003	McDowell	
D483,936 S	12/2003	Fullum	
D483,937 S	12/2003	Fullum	
D485,053 S	1/2004	McDowell	
D485,975 S	2/2004	McDowell	
D498,914 S	11/2004	Sokolowski	
D499,248 S	12/2004	Sokolowski	
D500,402 S	* 1/2005	Sokolowski	..... D2/964
D508,162 S	8/2005	Harlow	
D509,051 S	9/2005	O'Connor	
D510,472 S	10/2005	Sokolowski	

\* cited by examiner

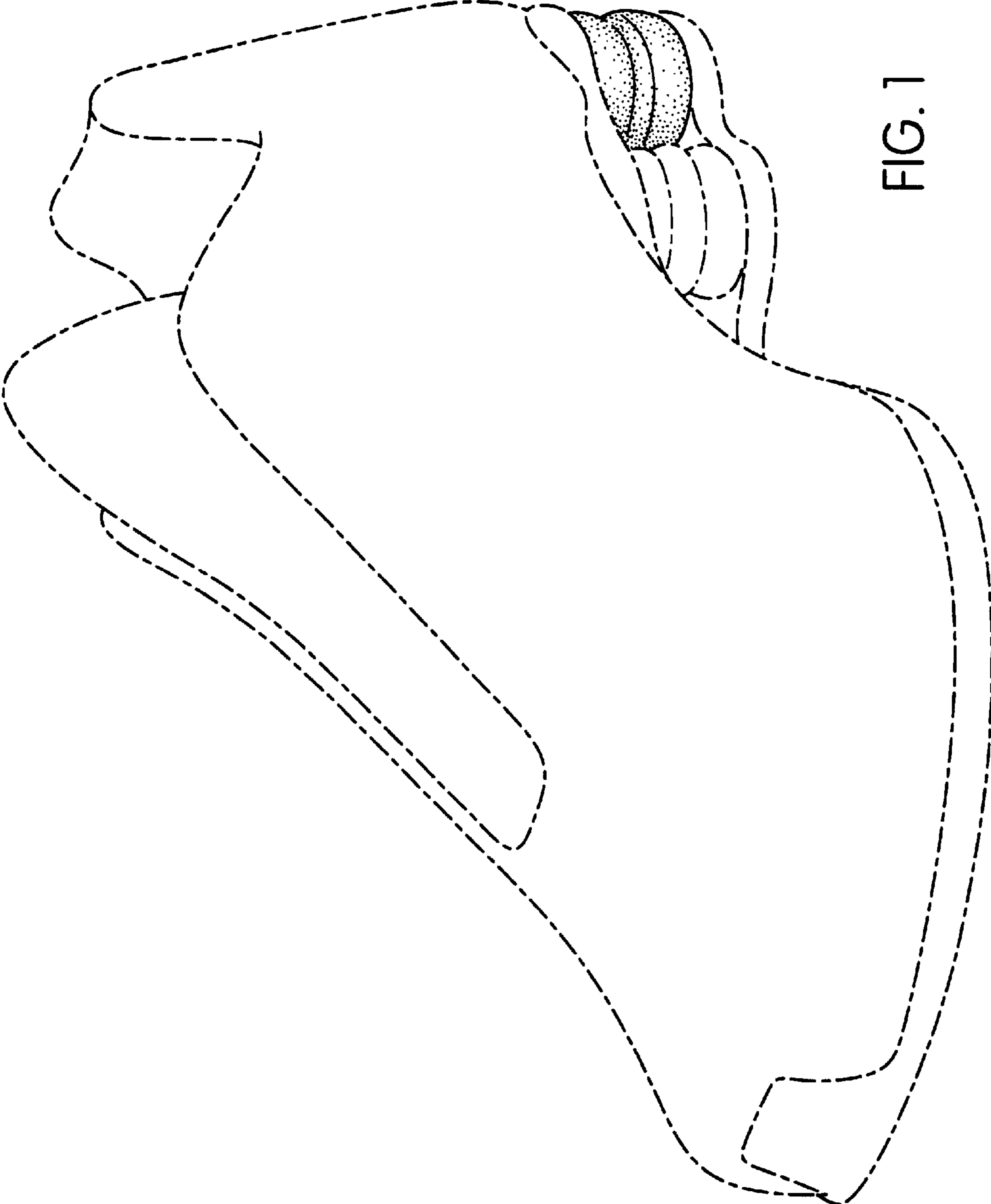


FIG. 1

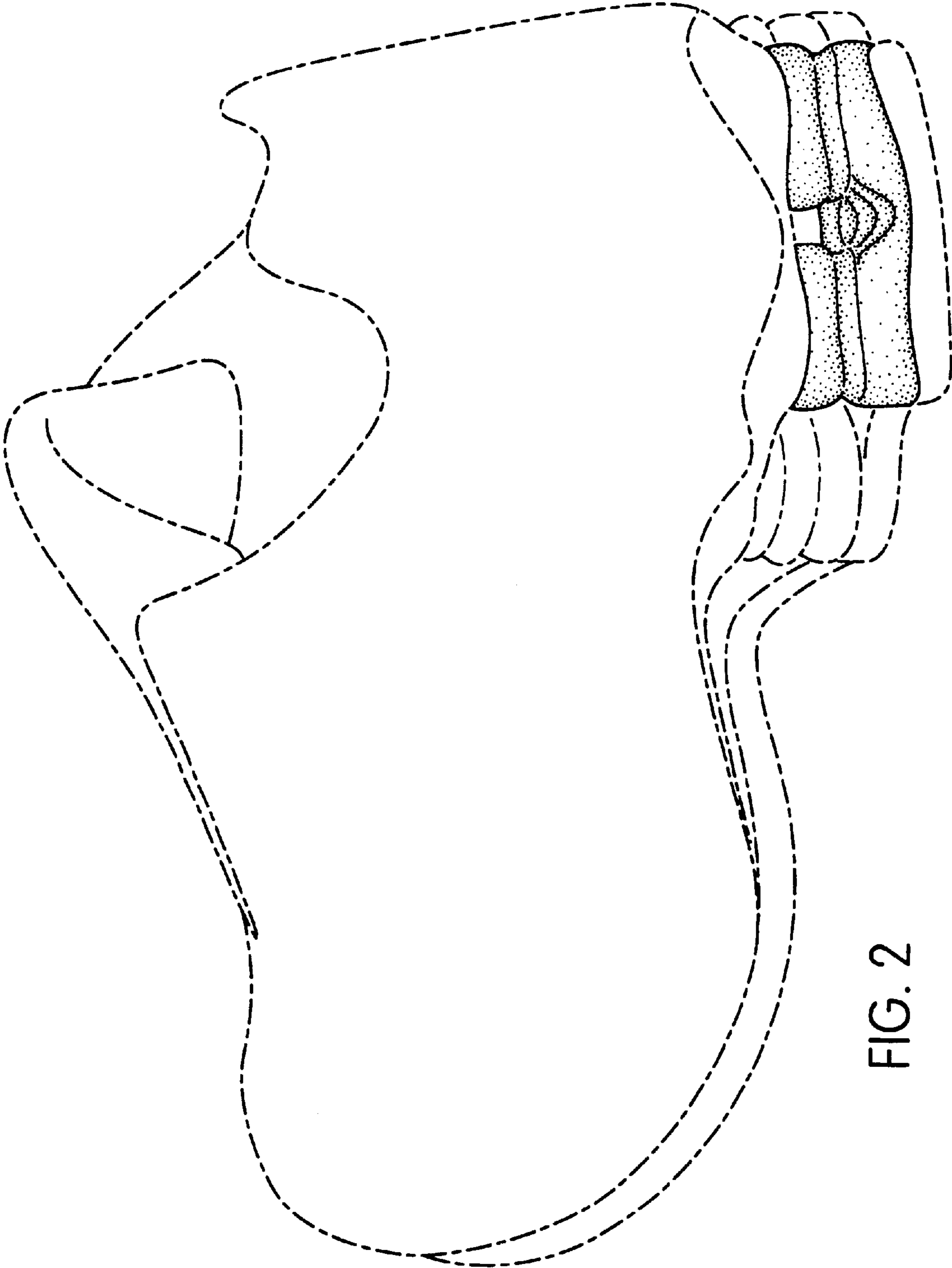


FIG. 2

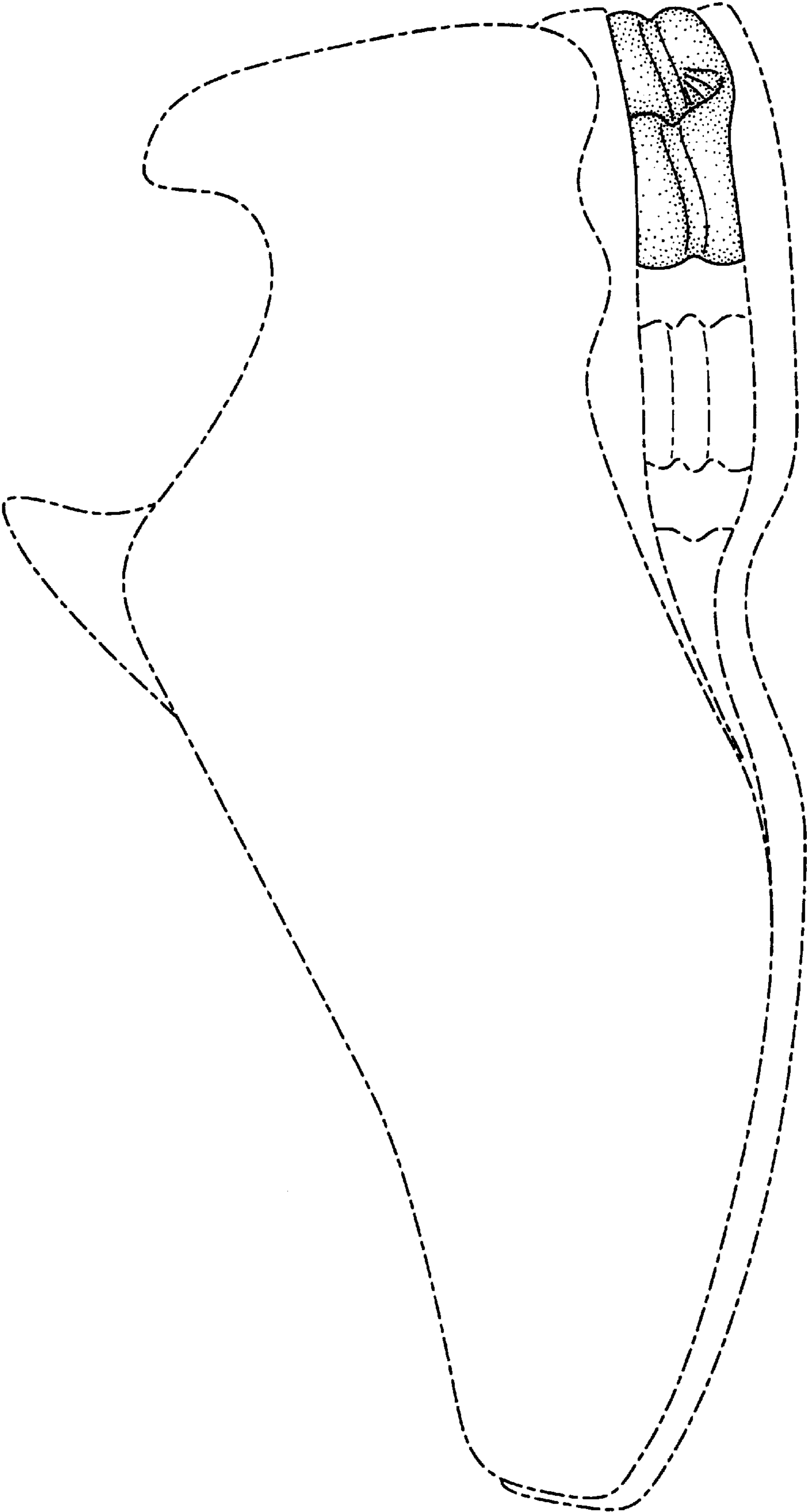


FIG. 3

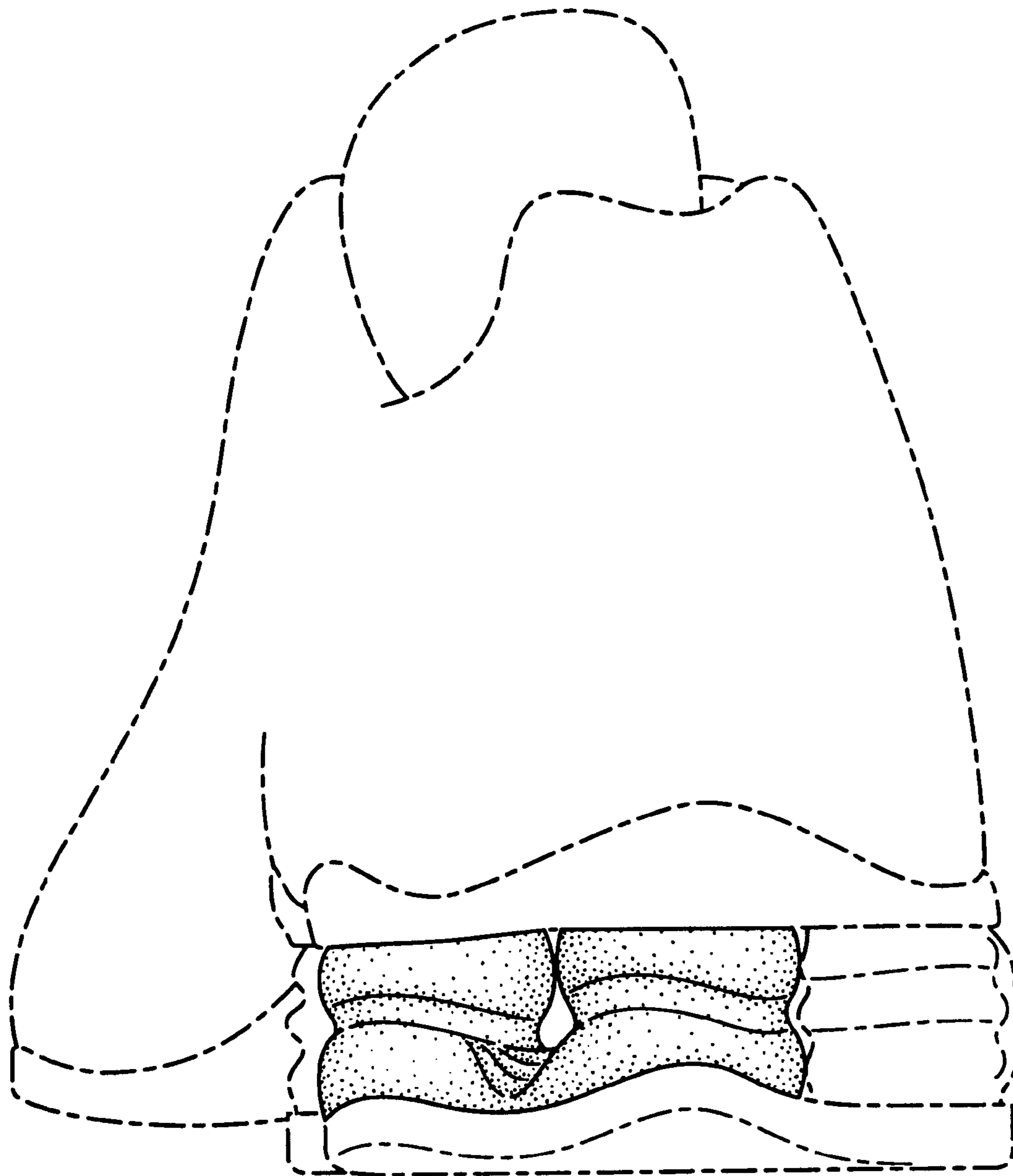


FIG. 4