



US00D528752S

(12) **United States Design Patent**
Aveni et al.

(10) **Patent No.:** **US D528,752 S**
(45) **Date of Patent:** **** Sep. 26, 2006**

(54) **PORTION OF A SHOE MIDSOLE**
(75) Inventors: **Michael Aveni**, Lake Oswego, OR (US); **William J. Cass**, Portland, OR (US); **Anthony C. Dean**, Sherwood, OR (US); **Fred G. Fagergren**, Hillsboro, OR (US); **Kurt Joseph Stockbridge**, Lake Oswego, OR (US); **Randall Wyszynski**, Lake Oswego, OR (US)

(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/241,201**

(22) Filed: **Oct. 26, 2005**

Related U.S. Application Data

(63) Continuation-in-part of application No. 11/065,296, filed on Feb. 25, 2005.

(51) **LOC (8) Cl.** **02-99**

(52) **U.S. Cl.** **D2/964**

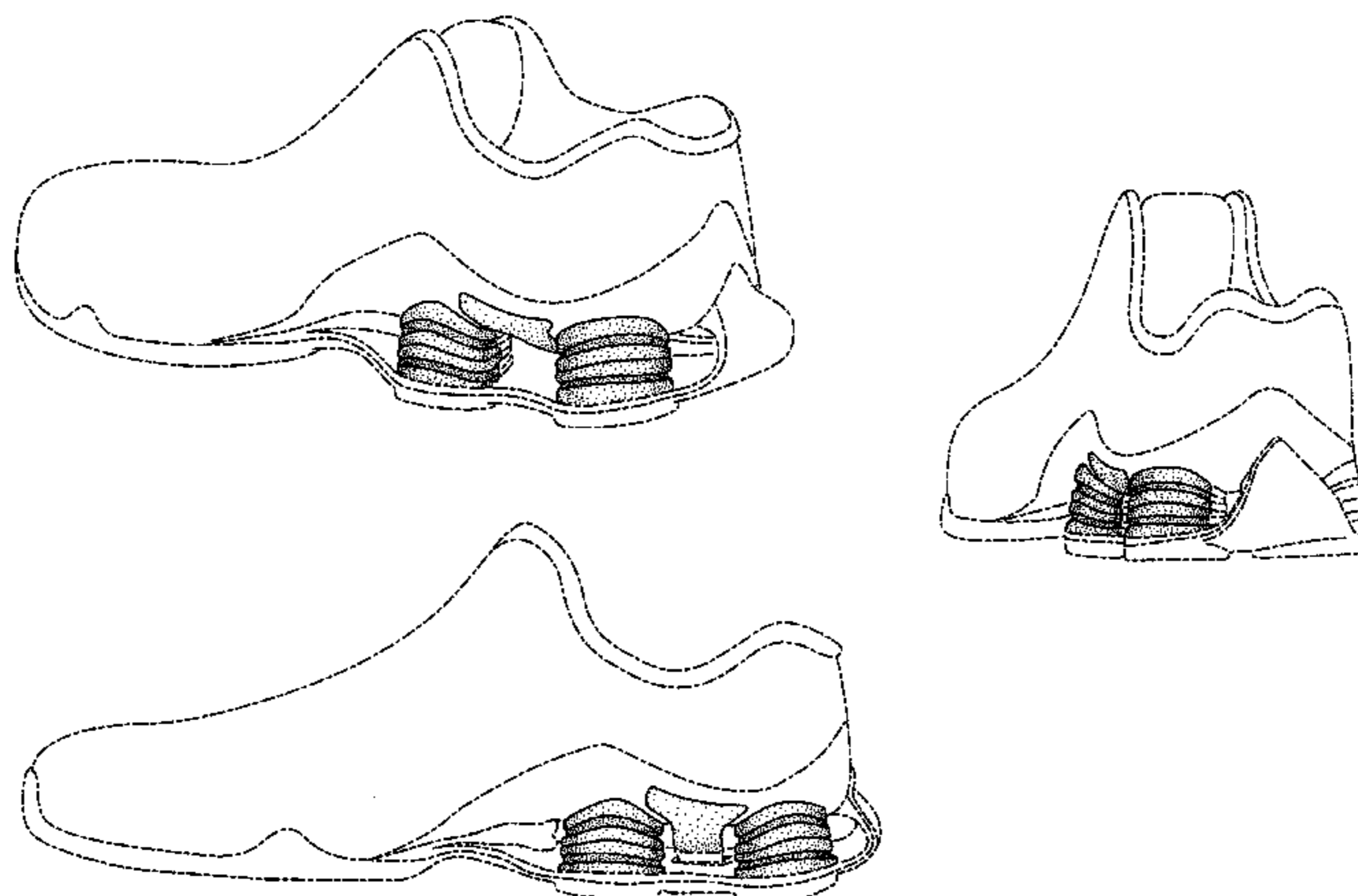
(58) **Field of Classification Search** D2/902, D2/907, 908, 943, 944, 969, 972-974, 964, D2/977; 36/45, 50.1, 77 M, 77 R, 83, 88, 36/113, 114, 126-131, 34 R, 35 R, 38
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D48,040 S 10/1915 Phillips
D54,601 S 3/1920 Cochrane
D60,607 S 3/1922 Delbon
3,928,881 A 12/1975 Bente
4,107,857 A 8/1978 Devlin
D249,748 S 10/1978 Kitamura
D325,288 S 4/1992 Richard et al.
5,247,742 A 9/1993 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
D348,150 S 6/1994 Lucas
D350,018 S 8/1994 Kilgore
D350,019 S 8/1994 Kilgore
D350,020 S 8/1994 Kilgore
D350,225 S 9/1994 Kilgore
D350,227 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
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
D375,190 S 11/1996 Lucas
D383,290 S 9/1997 Lozano
D390,691 S 2/1998 Kayano
D391,058 S 2/1998 Cooper
D391,059 S 2/1998 Lozano
D397,844 S 9/1998 Smith, III
D397,845 S 9/1998 Cass
D398,740 S 9/1998 Hewett
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
D447,330 S 9/2001 McCourt
D450,437 S * 11/2001 Simpson et al. D2/977
D462,830 S 9/2002 Greene
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 D2/972
D485,672 S 1/2004 Holmes
D485,975 S 2/2004 McDowell
D498,914 S 11/2004 Sokolowski
D499,248 S * 12/2004 Sokolowski D2/972
D500,402 S 1/2005 Sokolowski
D508,162 S 8/2005 Harlow
D509,051 S 9/2005 O'Connor
D510,472 S 10/2005 Sokolowski
D513,843 S * 1/2006 Smith D2/964



D514,290 S * 2/2006 Smith, III D2/964
D516,784 S * 3/2006 Wiper et al. D2/964
D519,267 S * 4/2006 Hlavacs D2/964

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.
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 Fall 2004, pp. M34, M35, and M41, published Nov. 2003.

Nike Footwear Catalog Late Spring 2004, pp. M3, M6, and M33, published Sep. 2003.

* 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 first perspective view of a portion of a shoe midsole showing our new design;
FIG. 2 is a second perspective view thereof;
FIG. 3 is a side view thereof; and,
FIG. 4 is a third perspective 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, 4 Drawing Sheets

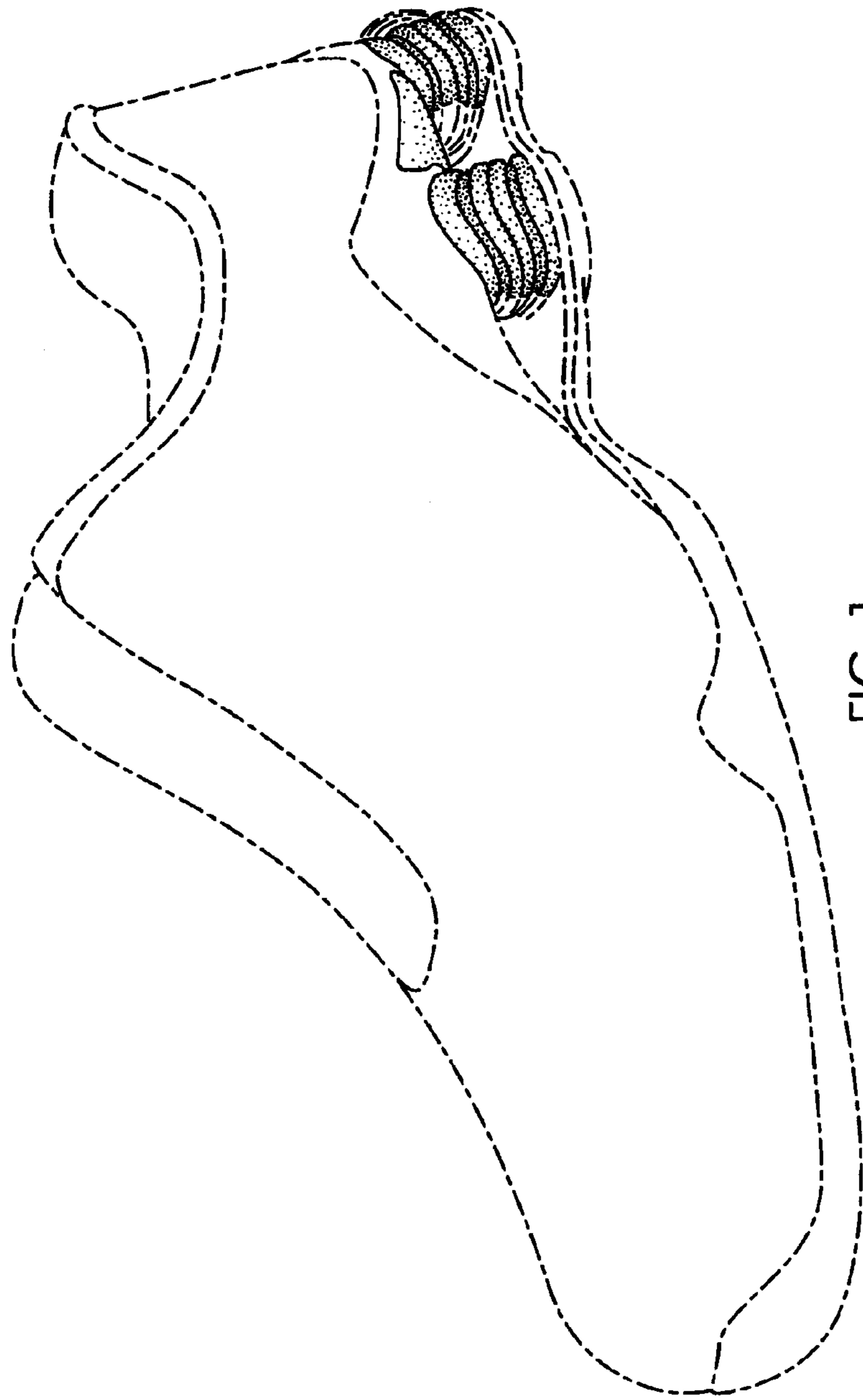


FIG. 1

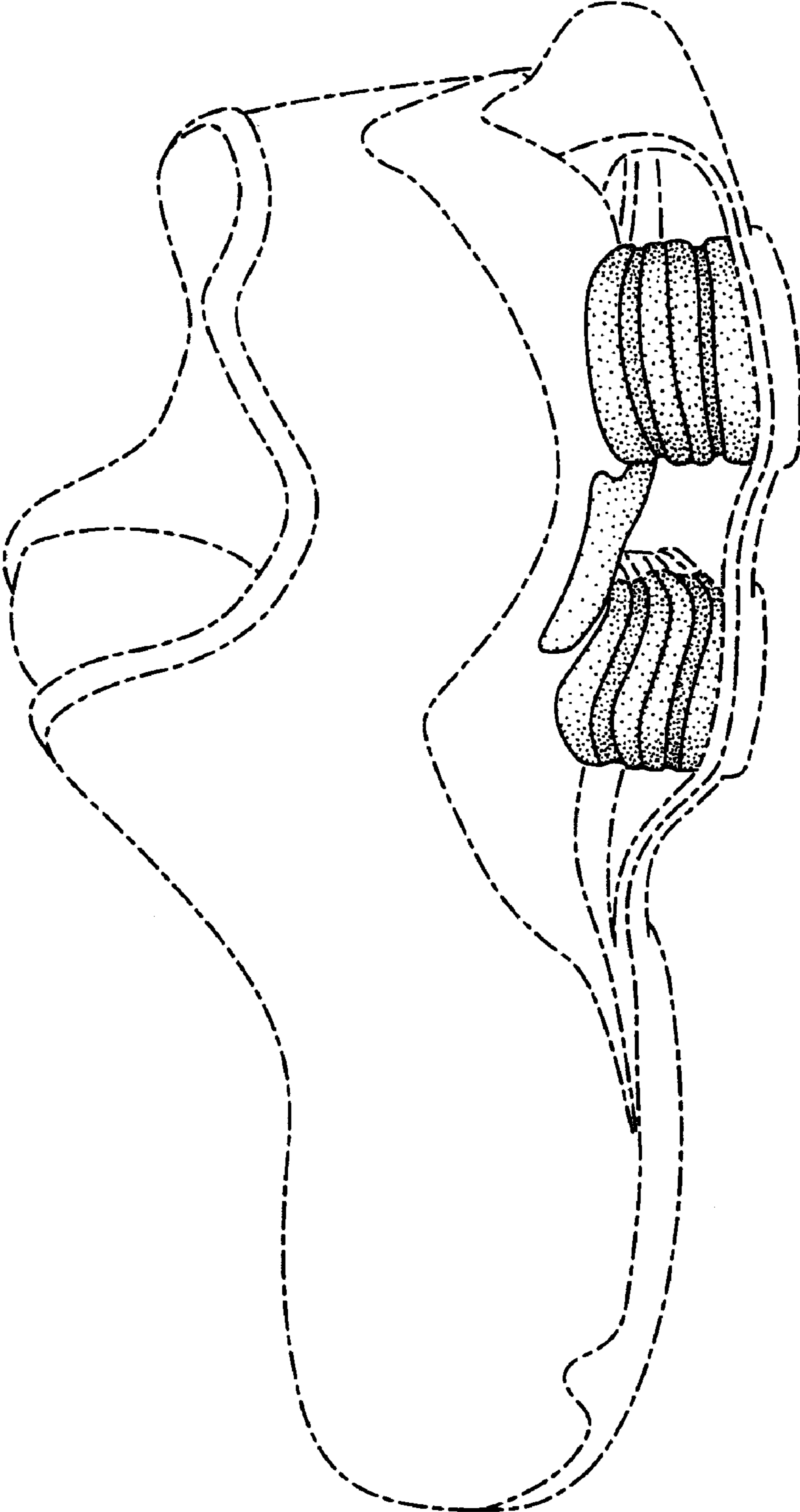


FIG. 2

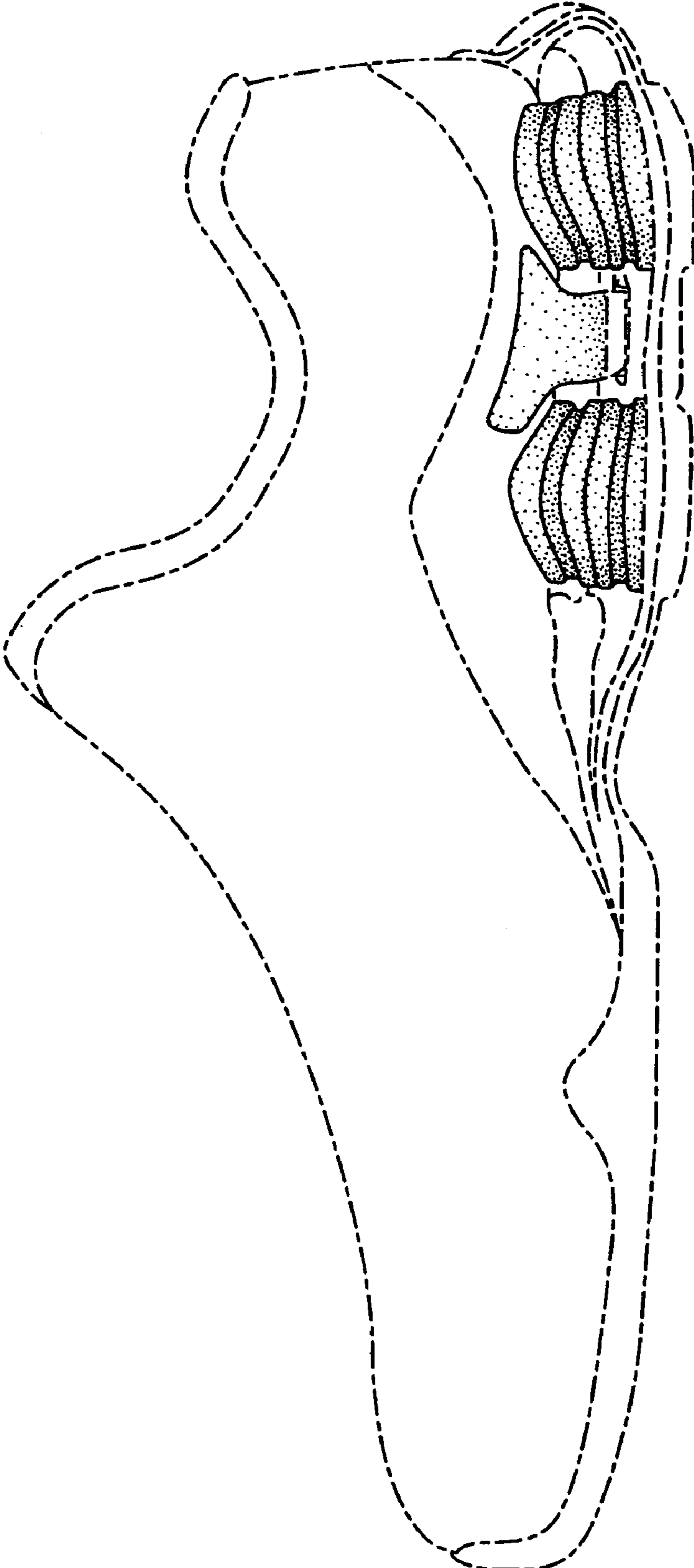


FIG. 3

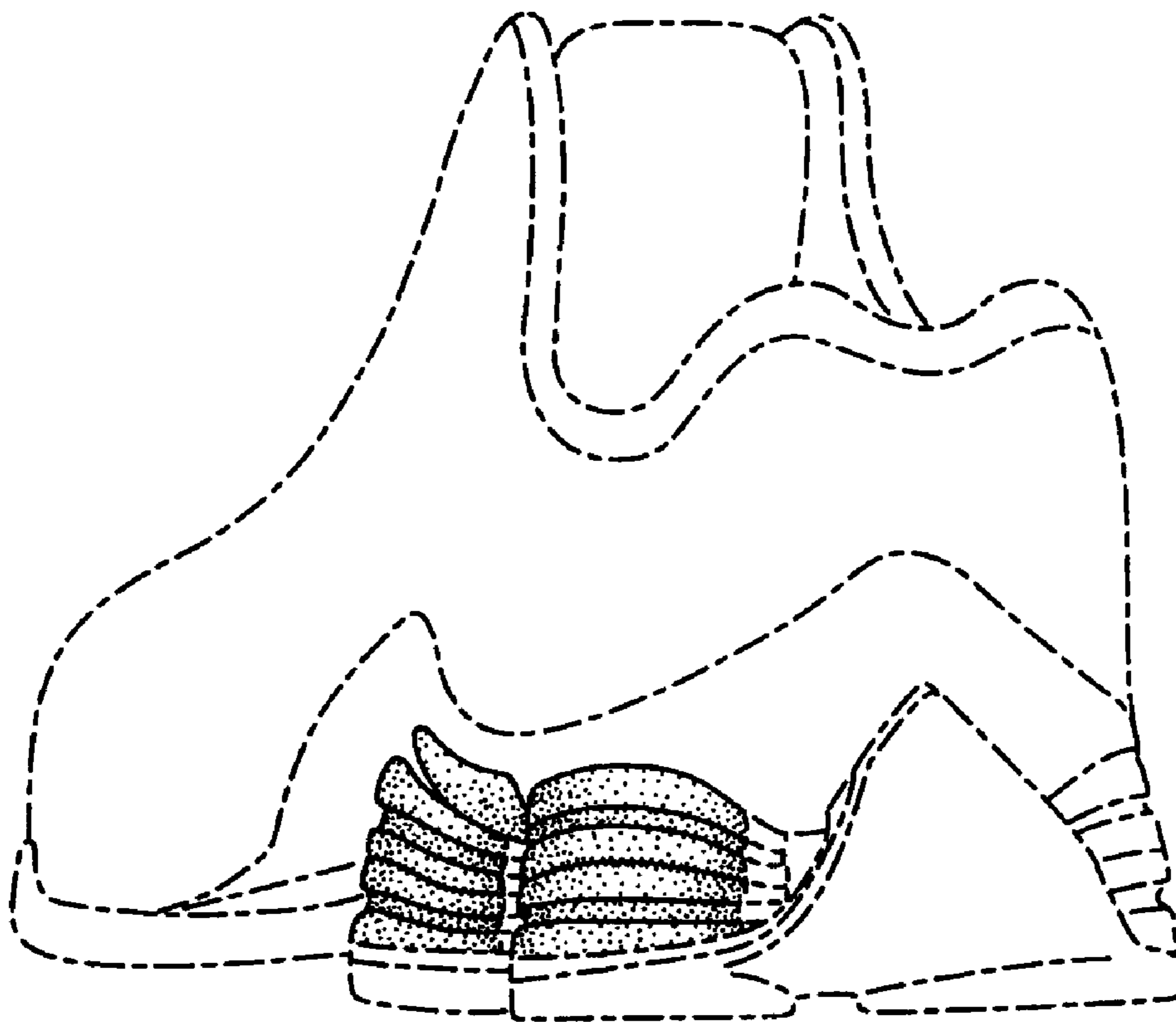


FIG. 4