



US00D528753S

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

(10) **Patent No.:** **US D528,753 S**
(45) **Date of Patent:** **** Sep. 26, 2006**

- (54) **PORTION OF A SHOE MIDSOLE**
- (75) Inventor: **David Joseph Dirsa**, Beaverton, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/251,833**
- (22) Filed: **Jan. 17, 2006**
- (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.

5,628,128 A 5/1997 Miller et al.
 D383,593 S 9/1997 Lozano
 D384,795 S 10/1997 Hudson

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog Fall 1989, pp. 8, 102, published Dec. 1988.

(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

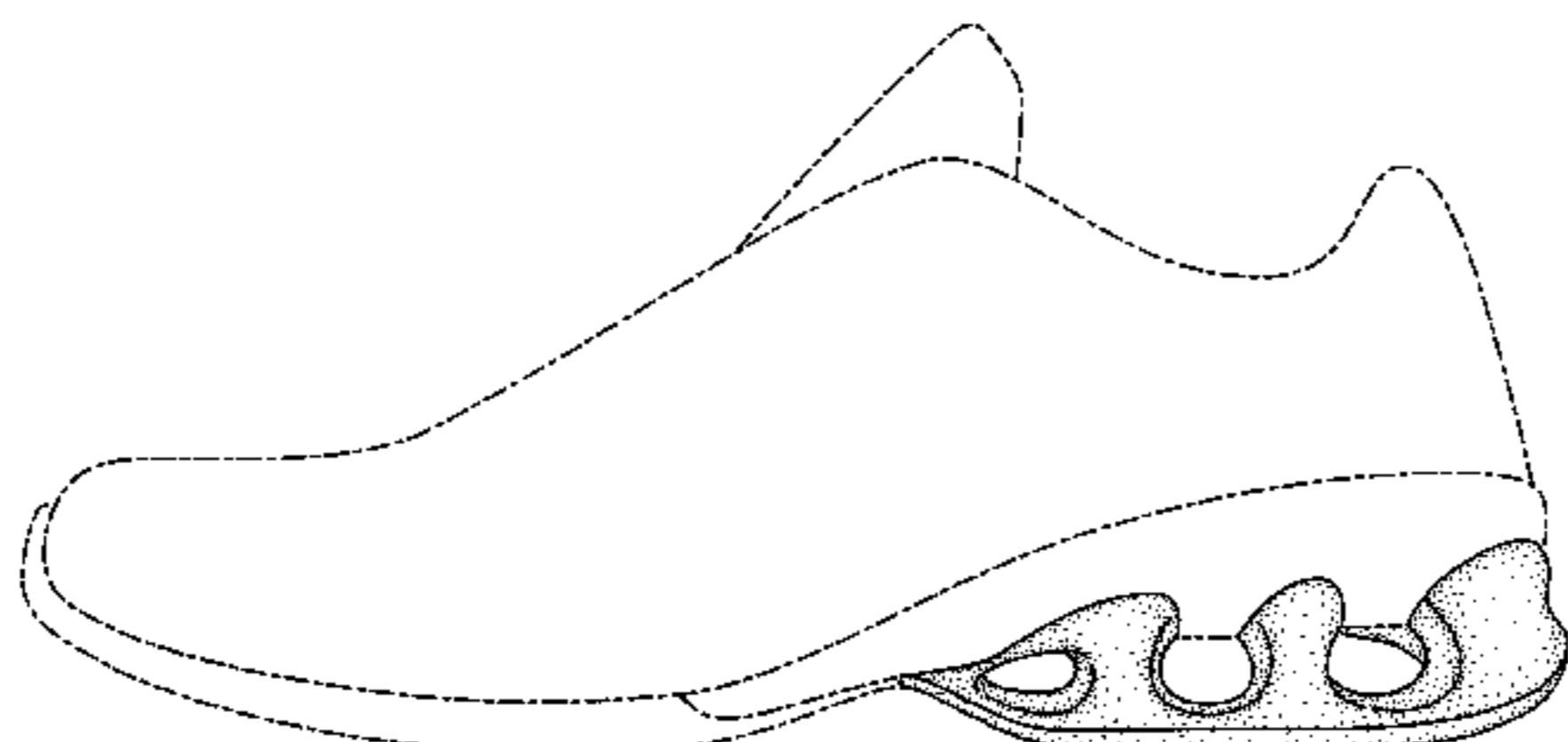
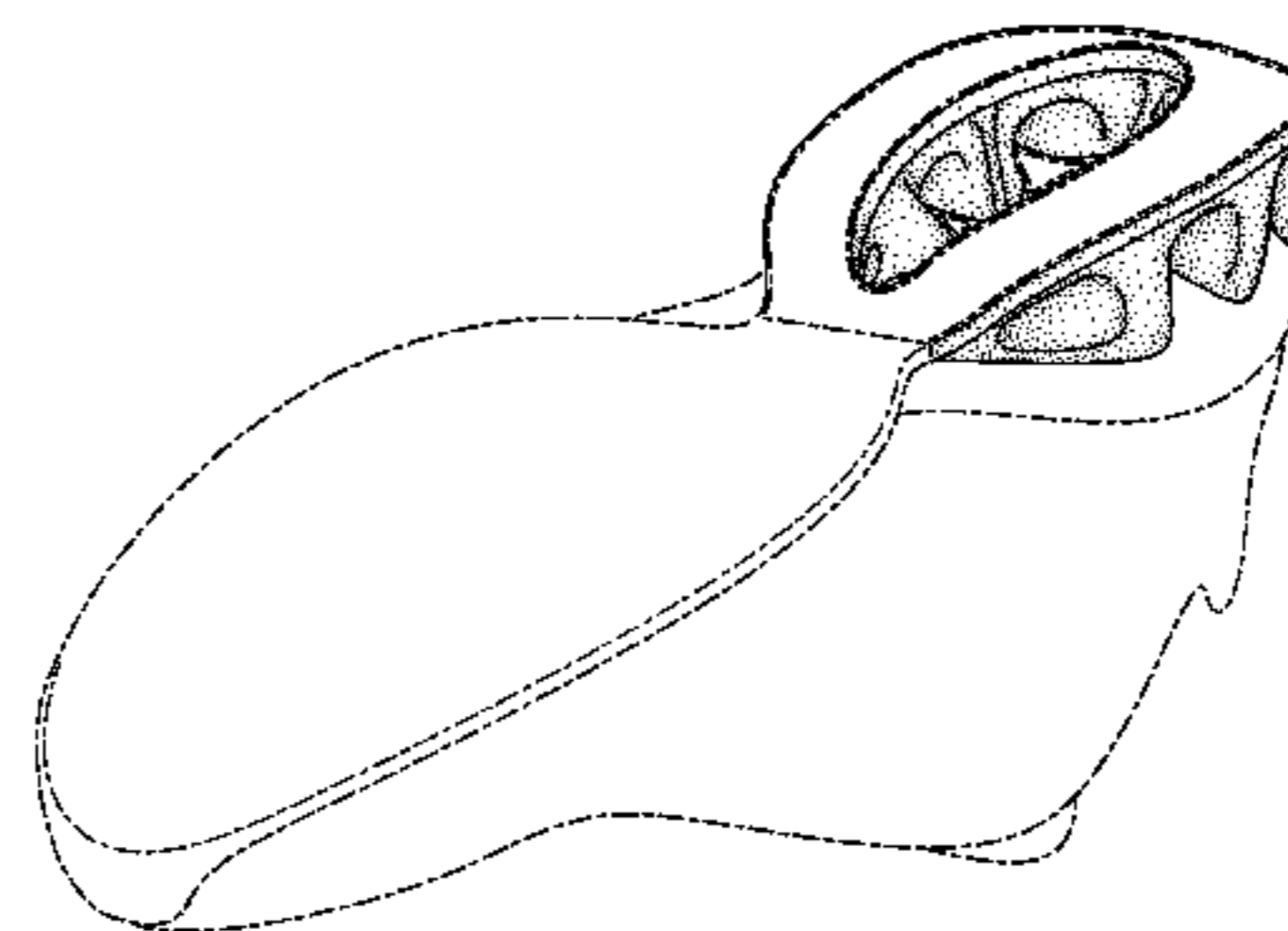
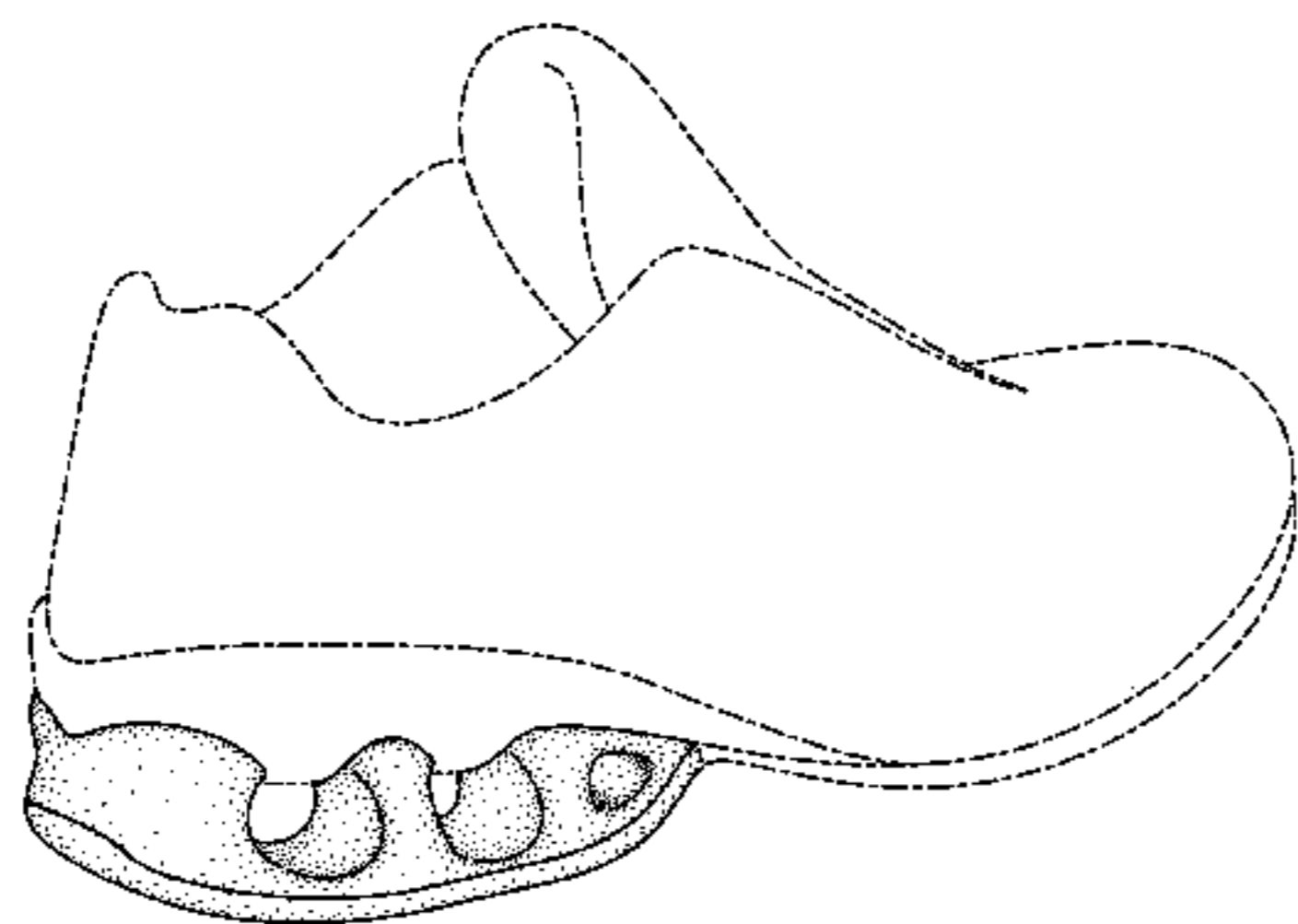
FIG. 1 is a front perspective view of a portion of a shoe midsole showing my new design;
 FIG. 2 is a rear perspective view thereof;
 FIG. 3 is a right side elevational view thereof;
 FIG. 4 is a left side elevational view thereof;
 FIG. 5 is a bottom plan view thereof;
 FIG. 6 is a rear view thereof;
 FIG. 7 is a front bottom perspective view of the right side thereof;
 FIG. 8 is a rear bottom perspective view of the right side thereof; and,
 FIG. 9 is a front bottom perspective view of the left side thereof.

The uneven broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The unshaded areas within the uneven broken lines are for illustrative purposes only and form no part of the claimed 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, 9 Drawing Sheets

(56) **References Cited**
U.S. PATENT DOCUMENTS

D216,662 S	3/1970	Babaresi
D267,366 S	12/1982	Davis
4,438,573 A	3/1984	McBarron
4,494,320 A	1/1985	Davis
4,536,974 A	8/1985	Cohen
D295,459 S	5/1988	Zuidema et al.
4,817,304 A	4/1989	Parker et al.
4,972,611 A	11/1990	Swartz et al.
5,005,300 A	4/1991	Diaz et al.
D328,968 S	9/1992	Tinker
D344,622 S	3/1994	Kilgore
D350,226 S	9/1994	Kilgore
D355,755 S	2/1995	Kilgore
D359,613 S	6/1995	Ueda
5,461,800 A	10/1995	Luthi et al.
D366,951 S	2/1996	Ho
D373,674 S	9/1996	Dolinsky
D376,471 S	12/1996	Kallin et al.
D378,012 S	2/1997	Le
5,625,963 A	5/1997	Miller et al.



U.S. PATENT DOCUMENTS

D386,589	S	11/1997	Cass	
D390,344	S	2/1998	Elliott	
D392,445	S	3/1998	Tresser	
D393,339	S	4/1998	Fogg	
5,778,560	A *	7/1998	Danieli	36/35 R
5,797,199	A *	8/1998	Miller et al.	36/35 R
D397,543	S	9/1998	Silvers	
5,822,886	A	10/1998	Luthi et al.	
D429,875	S	8/2000	Liou	
D433,789	S	11/2000	Hardy	
D467,725	S	12/2002	McDowell	
D469,948	S	2/2003	Lin	
D470,650	S	2/2003	Lin	
D474,581	S	5/2003	Cooper	
D490,220	S	5/2004	Edauw	
D490,221	S	5/2004	Edauw	
D499,247	S *	12/2004	Wahoske et al.	D2/972
D499,541	S	12/2004	Dolan	
D500,585	S *	1/2005	Wahoske et al.	D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog Spring 1991, pp. 7, 42, published Jun. 1990.
 Nike Footwear Catalog Fall 1991, pp. 6, 8, 30, 50, 146, 152, published Dec. 1990.
 Nike Footwear Catalog Spring 1993, pp. 40, 94, published Jun. 1992.
 Nike Footwear Catalog Fall 1993, pp. 80, 128, published Dec. 1992.
 Nike Footwear Catalog Fall 1994, pp. 4, 98, published Nov. 1993.
 Nike Footwear Catalog Spring 1995, pp. 40, 94, 109, published Jun. 1994.
 Nike Footwear Catalog Fall 1995, p. 25, published Nov. 1994.
 Nike Footwear Catalog Holiday 1995, pp. 68, 82, 98, published Mar. 1995.
 Nike Footwear Catalog Spring 1996, p. 7, published Jun. 1995.
 Nike Footwear Catalog Late Spring 1996, pp. 67, 68, published Aug. 1995.
 Nike Footwear Catalog Fall 1996, p. 208, published Dec. 1995.
 Nike Footwear Catalog Spring 1997, p. 54, published Jun. 1996.
 Nike Footwear Catalog Late Spring 1997, p. 211, published Sep. 1996.

Nike Footwear Catalog Fall 1997, pp. 30, 51, 178, 214, 222, published Dec. 1996.
 Nike Footwear Catalog Holiday 1997, pp. 8, 41, published Mar. 1997.
 Nike Footwear Catalog Spring 1998, pp. 8, 40, 90, 92, 164, published Jun. 1997.
 Nike Footwear Catalog Late Spring 1998, pp. 150, 179, 215, published Sep. 1997.
 Nike Footwear Catalog Late Fall 1998, p. 64, published Mar. 1998.
 Nike Footwear Catalog Holiday 1998, pp. M26, M34, M42, published Feb. 1998.
 Nike Footwear Catalog Fall 1999, p. W114, published Nov. 1998.
 Nike Footwear Catalog Spring 2000#1, pp. M24, M25, M26, M51 M63, published Jul. 1999.
 Nike Footwear Catalog Holiday 2000, p. W71, published Mar. 2000.
 Nike Footwear Catalog Spring 2001, p. M3, M81, W46, published Jun. 2000.
 Nike Footwear Catalog Late Spring 2001, p. M30, published Sep. 2000.
 Nike Footwear Catalog Fall 2001, pp. M27, M40, published Nov. 2000.
 Nike Footwear Catalog Holiday 2001, pp. M10, W67, published Feb. 2001.
 Nike Footwear Catalog Spring 2002, p. W38, published Jun. 2001.
 Nike Footwear Catalog Late Spring 2003, p. M101, published Jun. 2002.
 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 Spring 2005, p. M37, published Jun. 2004.
 Nike Footwear Catalog Late Spring 2005, pp. 181, 180, 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.
 Nike Footwear Catalog Spring 2006, pp. 52, 133, published Jun. 2005.

* cited by examiner

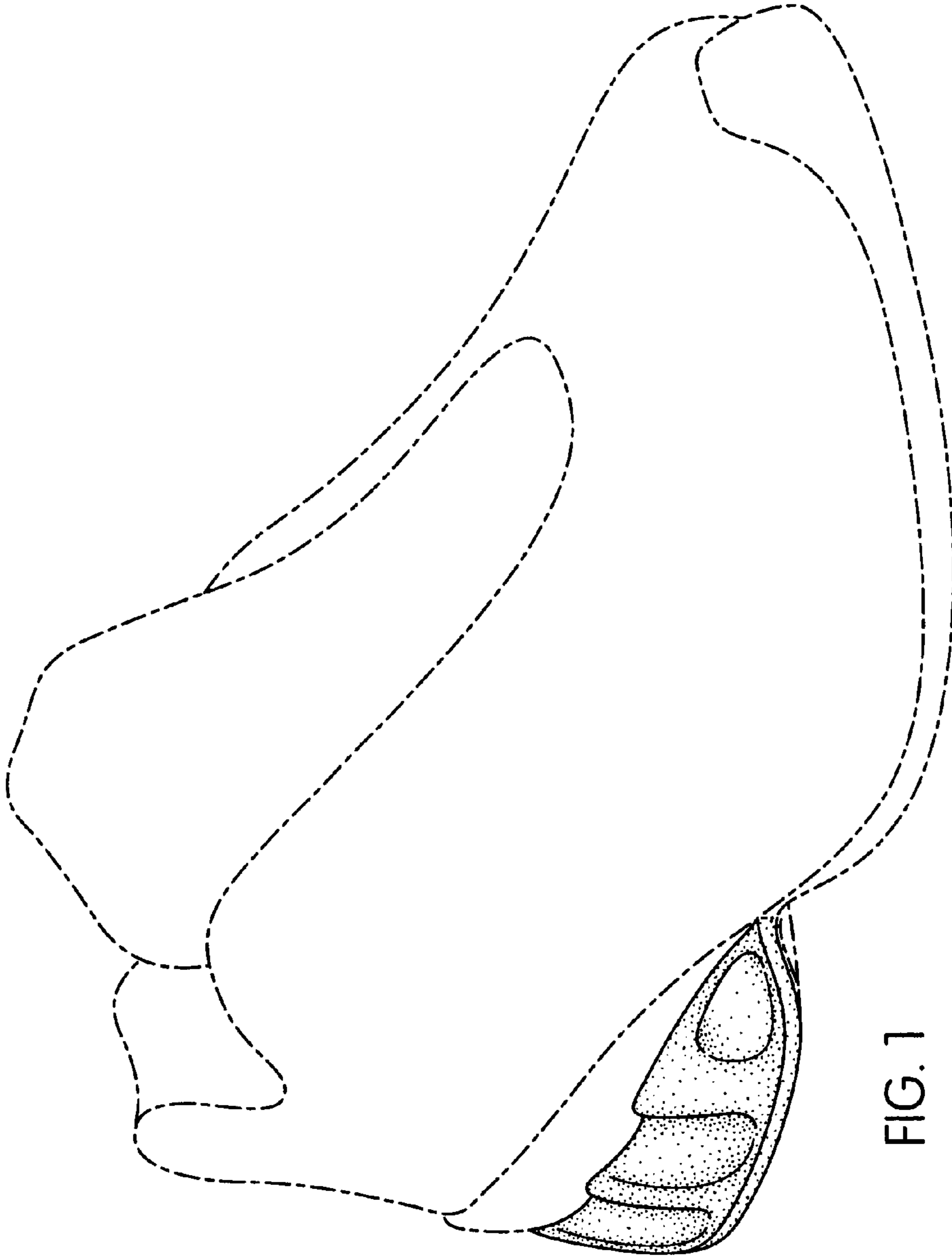


FIG. 1

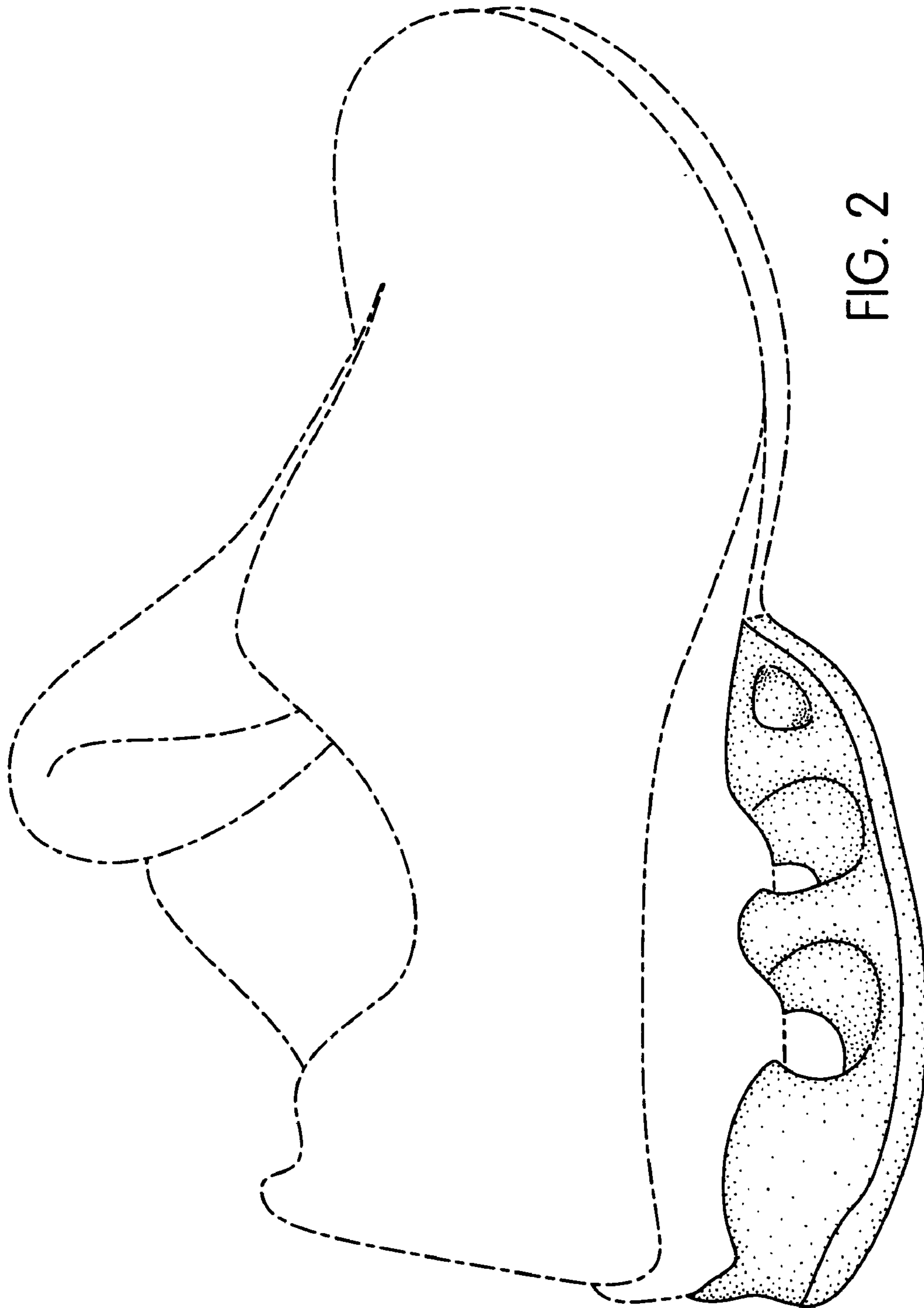


FIG. 2

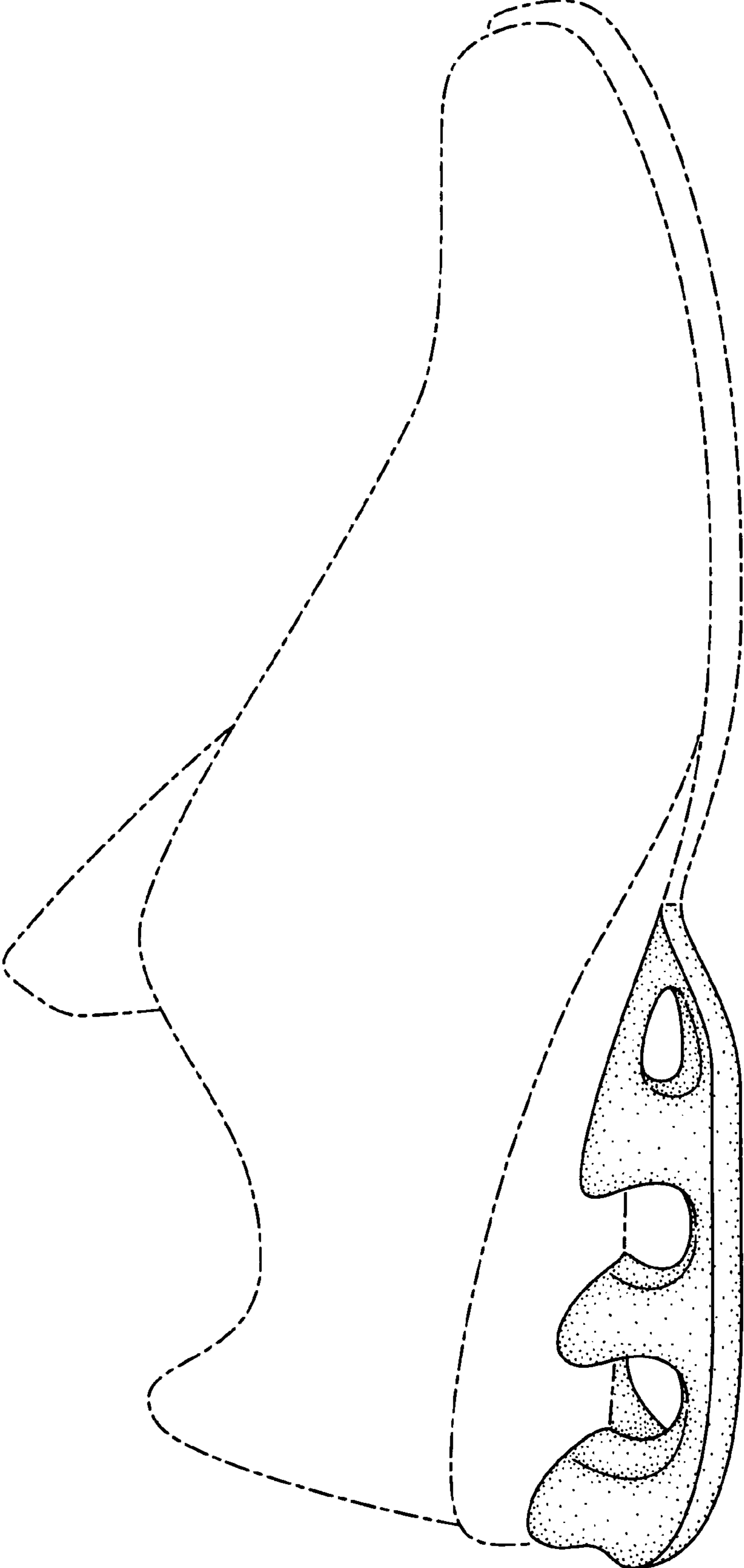


FIG. 3

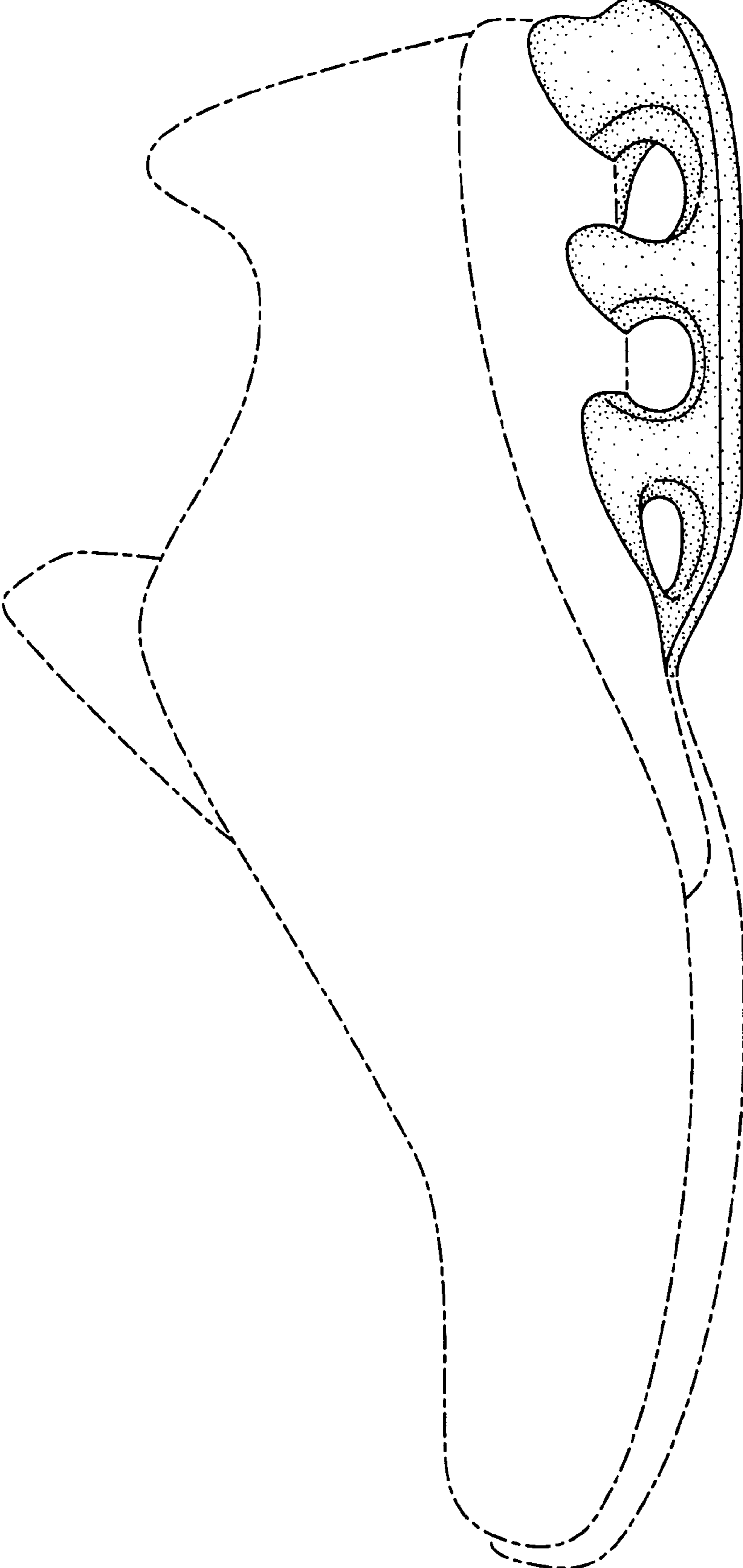


FIG. 4

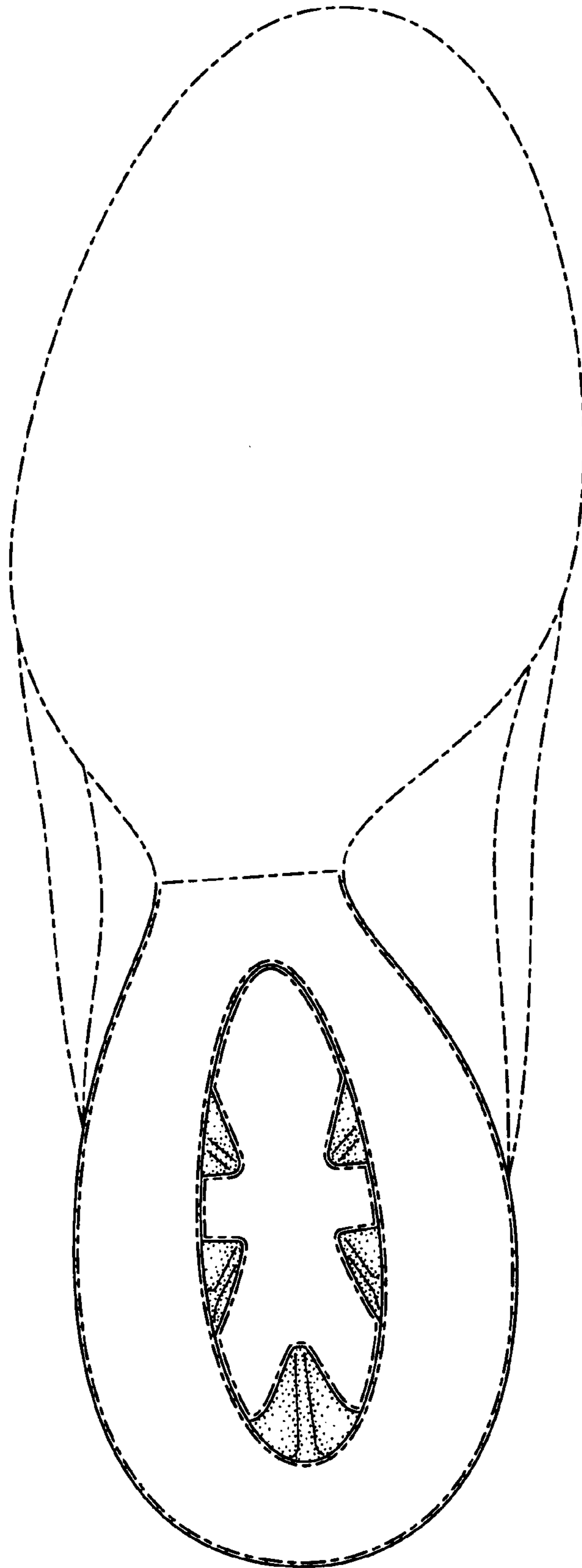


FIG. 5

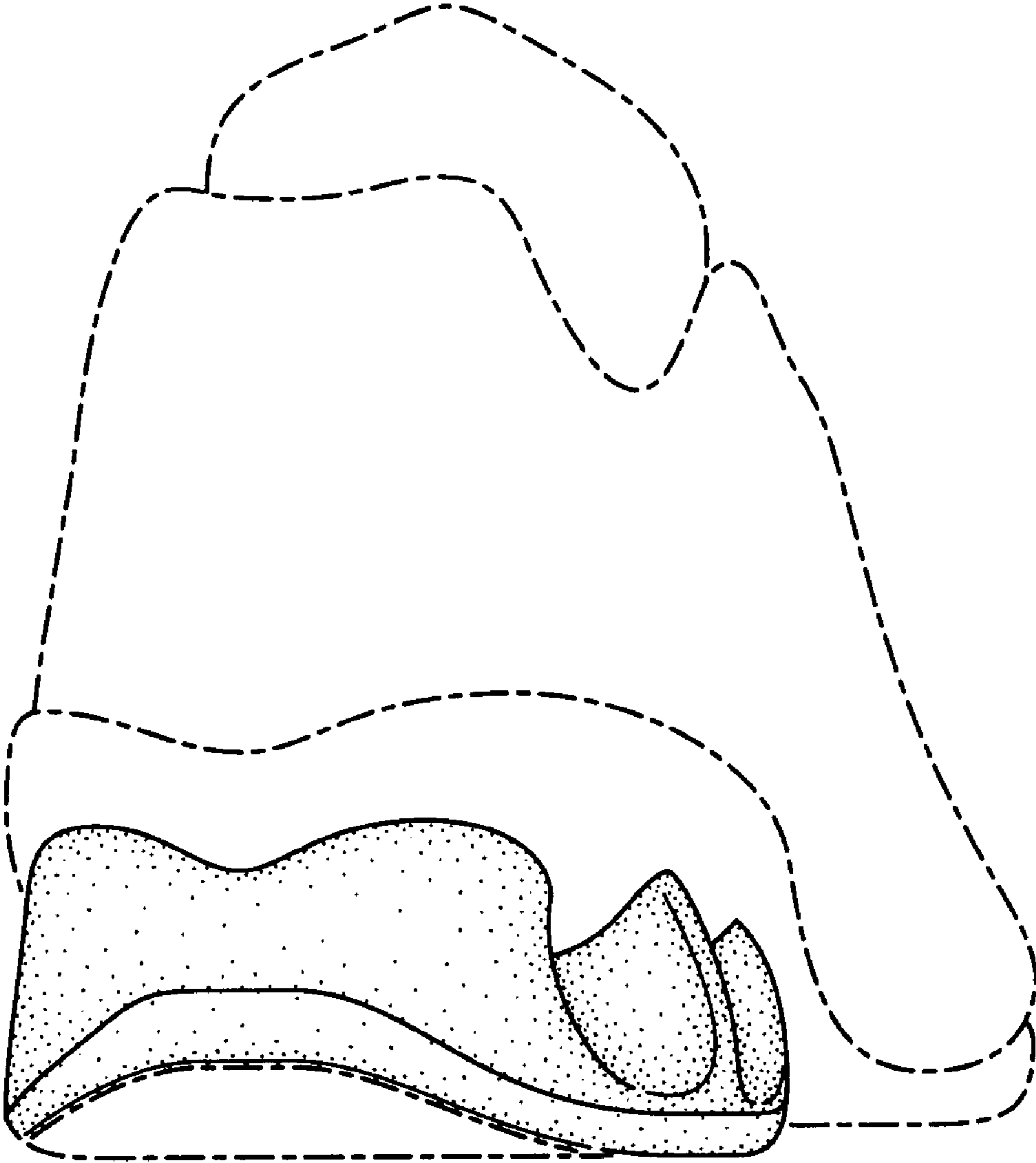


FIG. 6

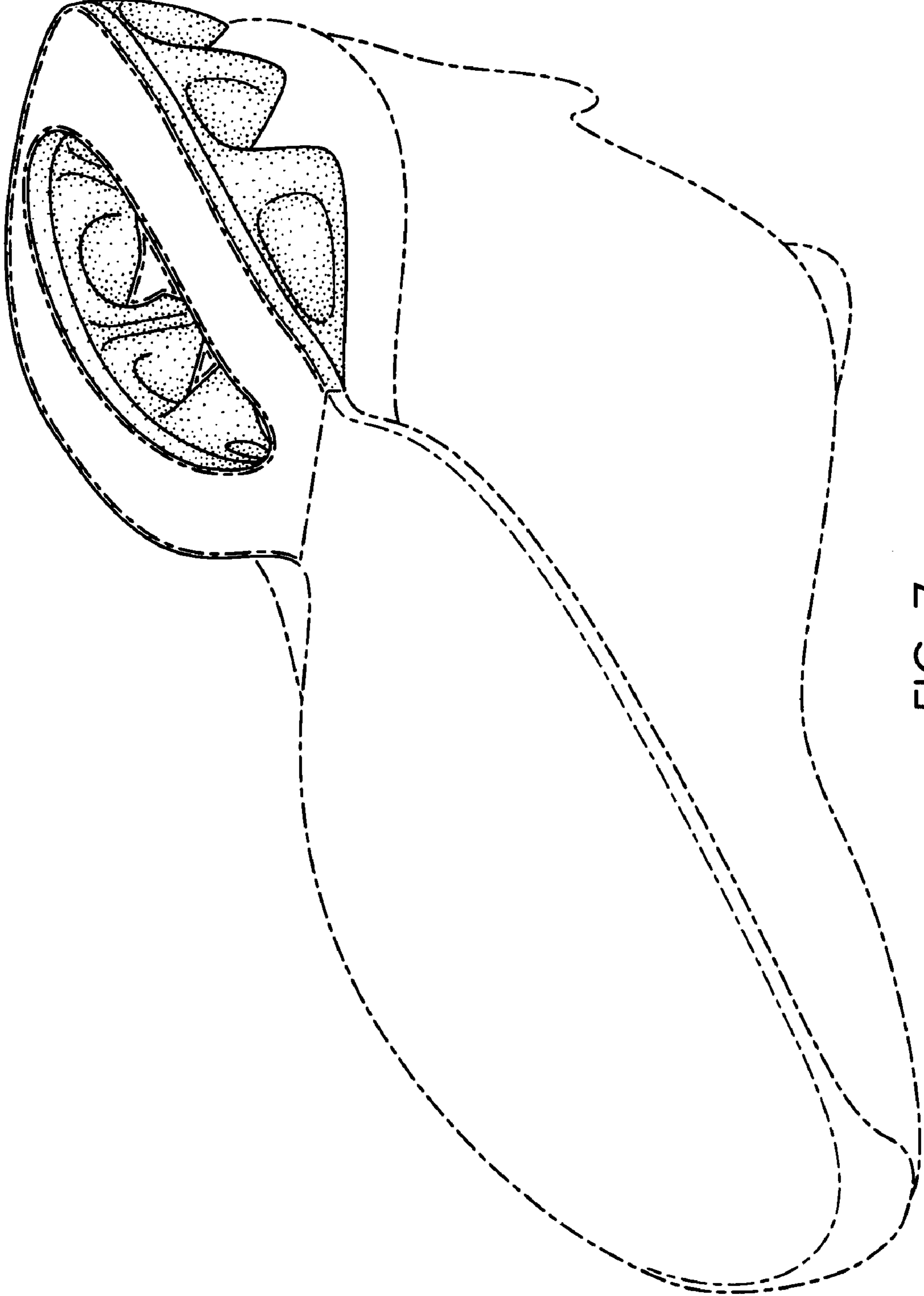


FIG. 7

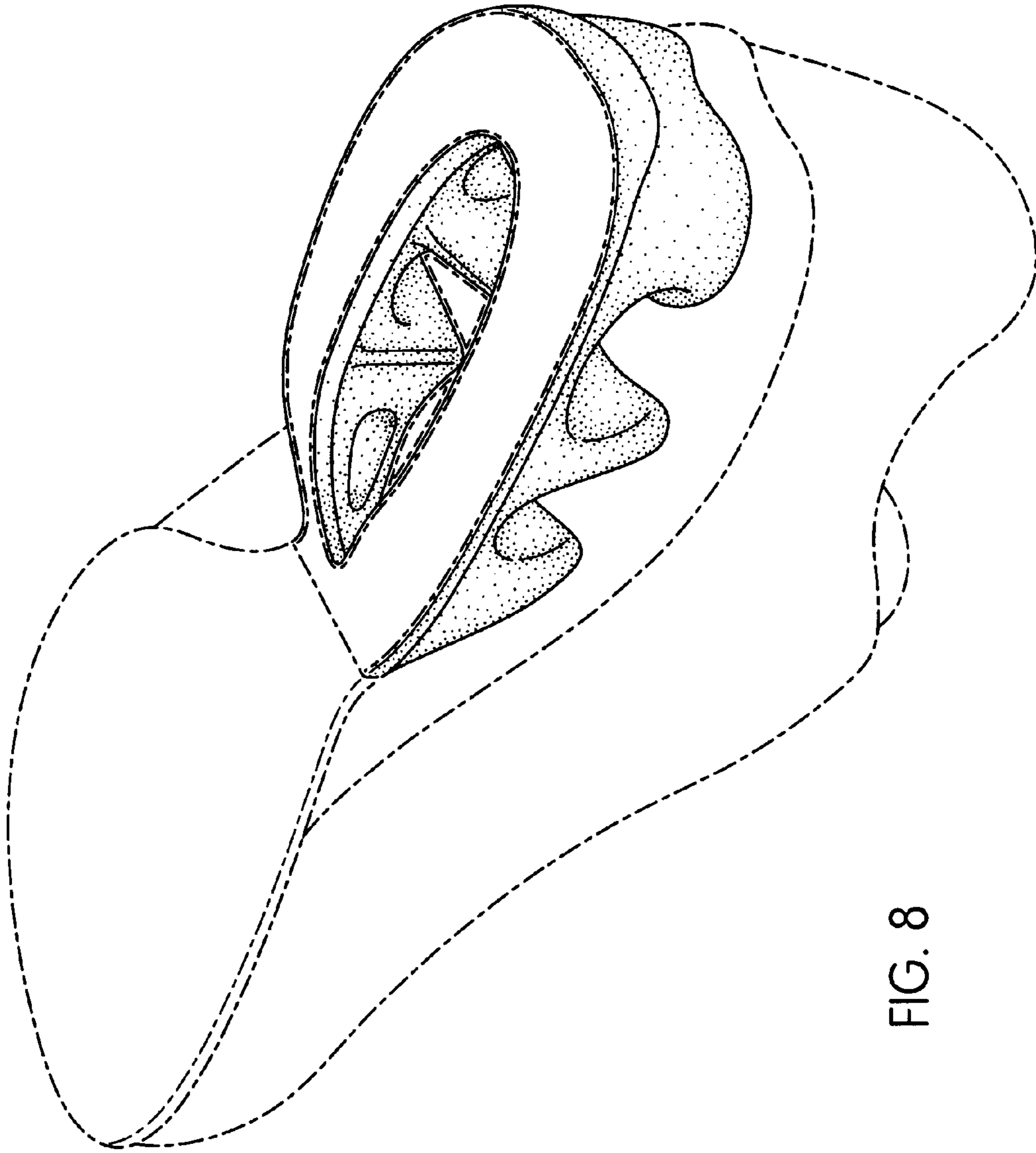


FIG. 8

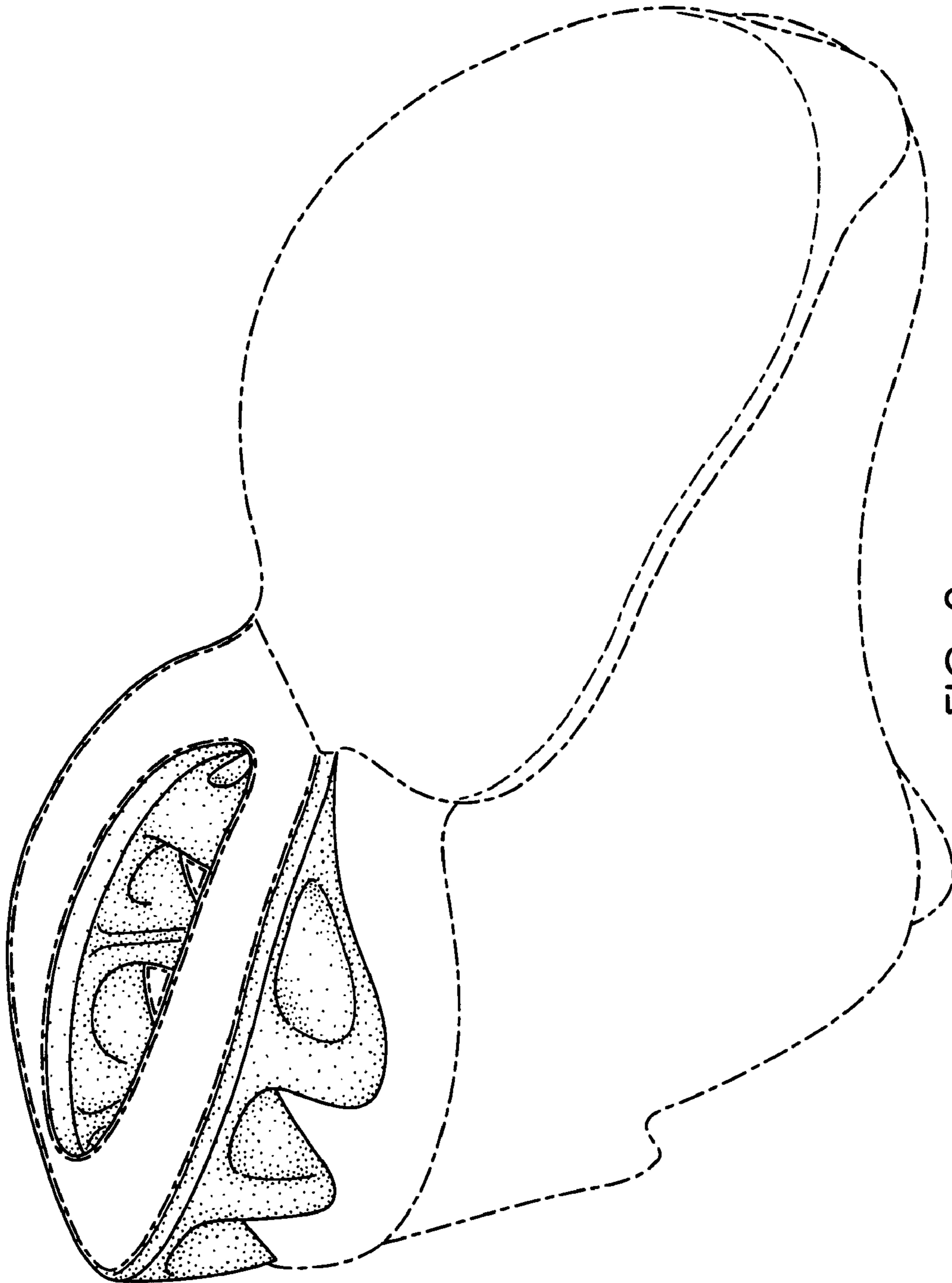


FIG. 9