



US00D528756S

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

(10) **Patent No.:** **US D528,756 S**

(45) **Date of Patent:** **** Sep. 26, 2006**

(54) **PORTION OF A SHOE MIDSOLE**
(75) Inventor: **Susan Diane Cessor**, Lake Oswego,
OR (US)

D350,225 S * 9/1994 Kilgore D2/964
D350,226 S 9/1994 Kilgore
D350,227 S 9/1994 Kilgore

(Continued)

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

OTHER PUBLICATIONS

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

Nike Footwear Catalog Fall 1997, p. 44, published Dec. 1996.

(21) Appl. No.: **29/253,138**

Nike Footwear Catalog Late Spring 2001, p. M5, published Sep. 2000.

(22) Filed: **Feb. 2, 2006**

Nike Footwear Catalog Holiday 2001, p. M34, published Feb. 2001.

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

Nike Footwear Catalog Spring 2002, p. M29, published Jun. 2001.

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

Nike Footwear Catalog Spring 2003, p. M6, published Jun. 2002.

(58) **Field of Classification Search** D2/902,
D2/907, 908, 946, 964, 972, 977; 36/27,
36/37, 38

Nike Footwear Catalog Holiday 2003, p. M82, published Mar. 2003.

See application file for complete search history.

(56) **References Cited**

(Continued)

U.S. PATENT DOCUMENTS

Primary Examiner—Dominic Simone

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
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
D350,019 S	8/1994	Kilgore
D350,020 S	8/1994	Kilgore

(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

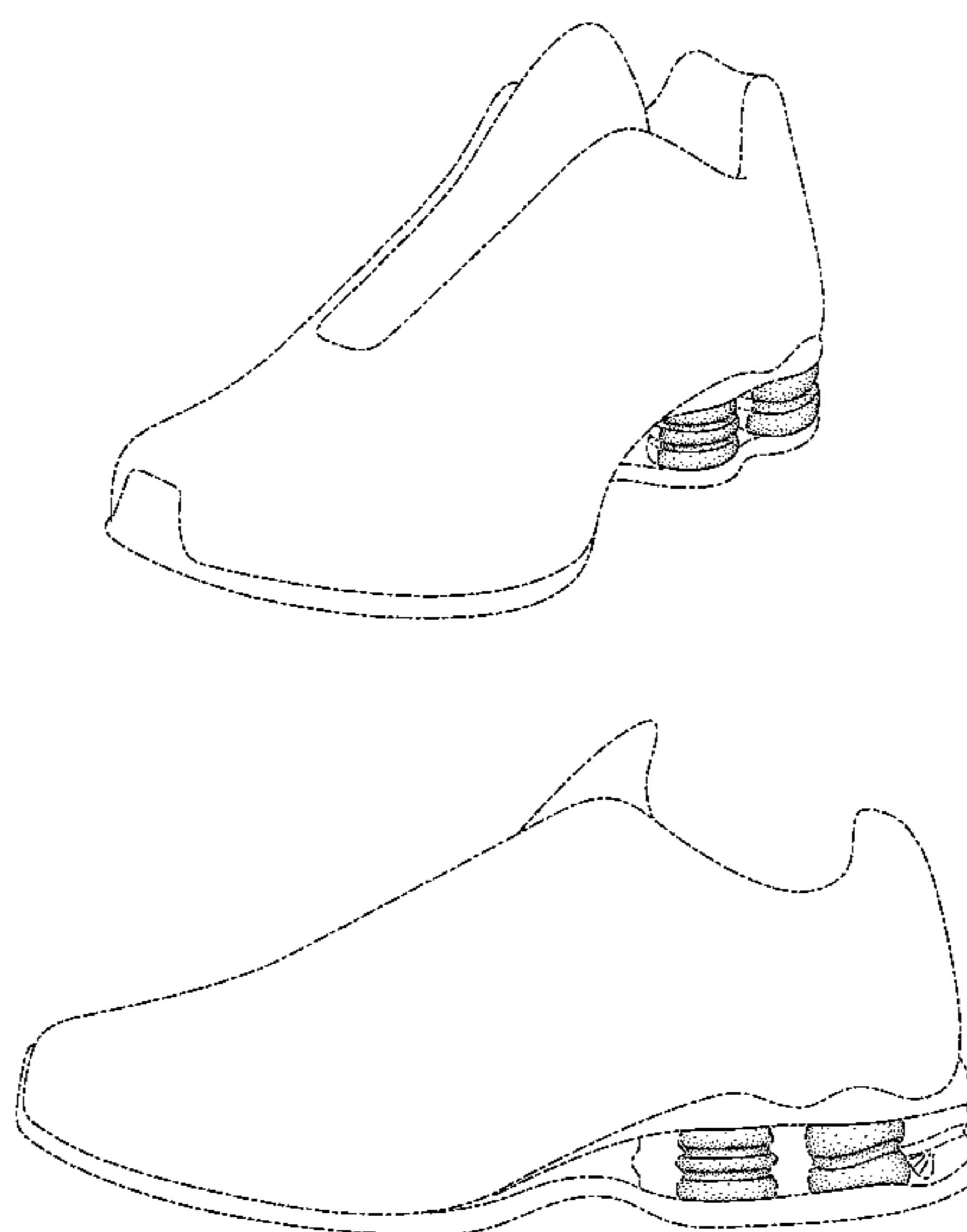
FIG. 1 is a front perspective view of a portion of a shoe midsole showing my new design;

FIG. 2 is a rear perspective view thereof; and,

FIG. 3 is a side elevational view of one side 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, 3 Drawing Sheets



US D528,756 S

Page 2

U.S. PATENT DOCUMENTS

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 Orłowski 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. D2/972
D446,387 S 8/2001 McCourt
D446,923 S 8/2001 McCourt
D447,330 S * 9/2001 McCourt D2/972
D450,437 S * 11/2001 Simpson et al. D2/967
D462,830 S 9/2002 Greene
6,457,261 B1 10/2002 Crary
6,487,796 B1 * 12/2002 Avar et al. 36/37
D474,581 S 5/2003 Cooper
D474,582 S 5/2003 Cooper
D476,474 S * 7/2003 McDowell D2/972
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
D508,162 S 8/2005 Harlow
D509,051 S 9/2005 O'Connor
D510,472 S 10/2005 Sokolowski
D500,402 S 1/2006 Sokolowski

OTHER PUBLICATIONS

Nike Footwear Catalog Spring 2004, pp. M31, M40, published Jun. 2003.
Nike Footwear Catalog Late Spring 2004, pp. 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.

* cited by examiner

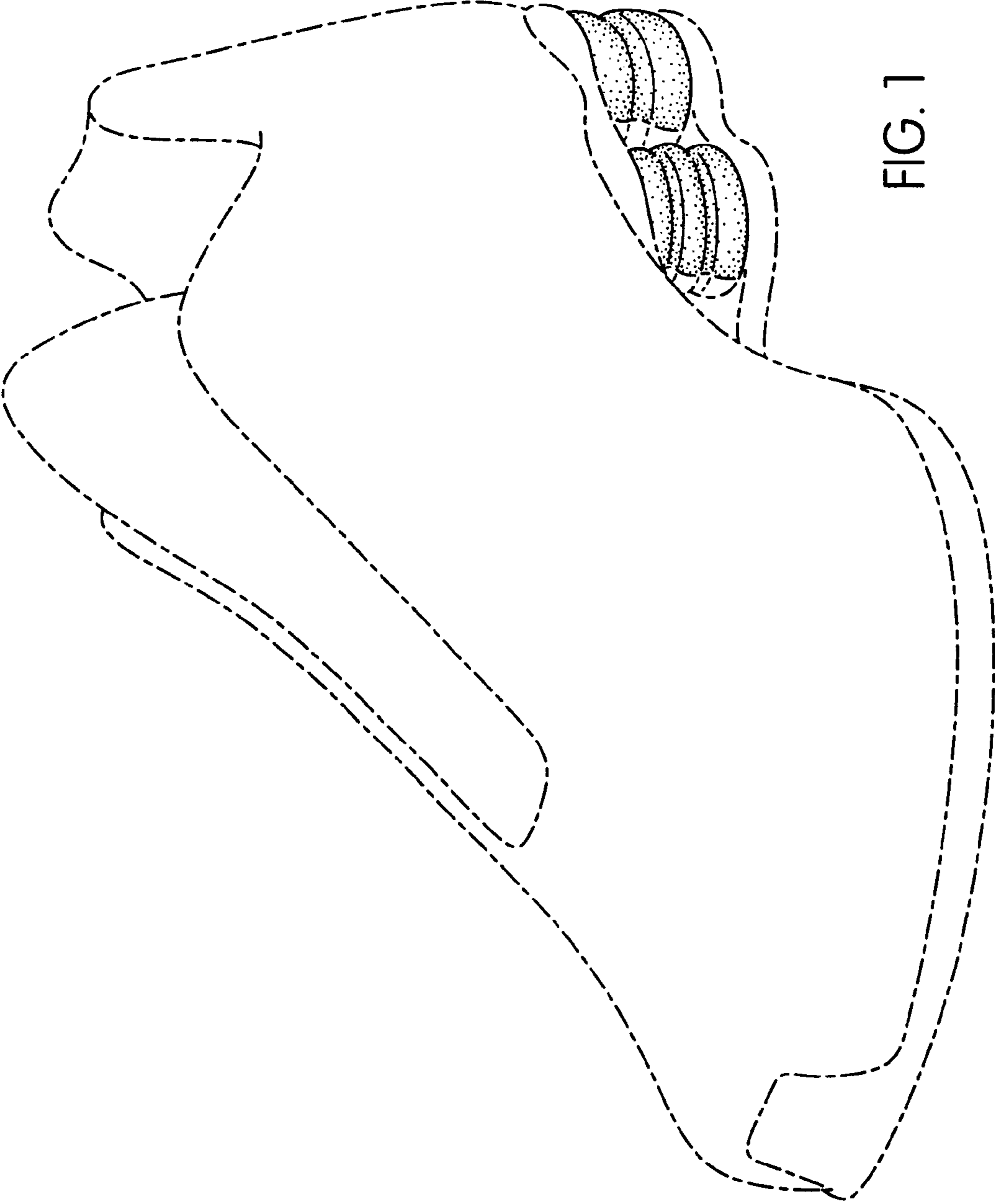


FIG. 1

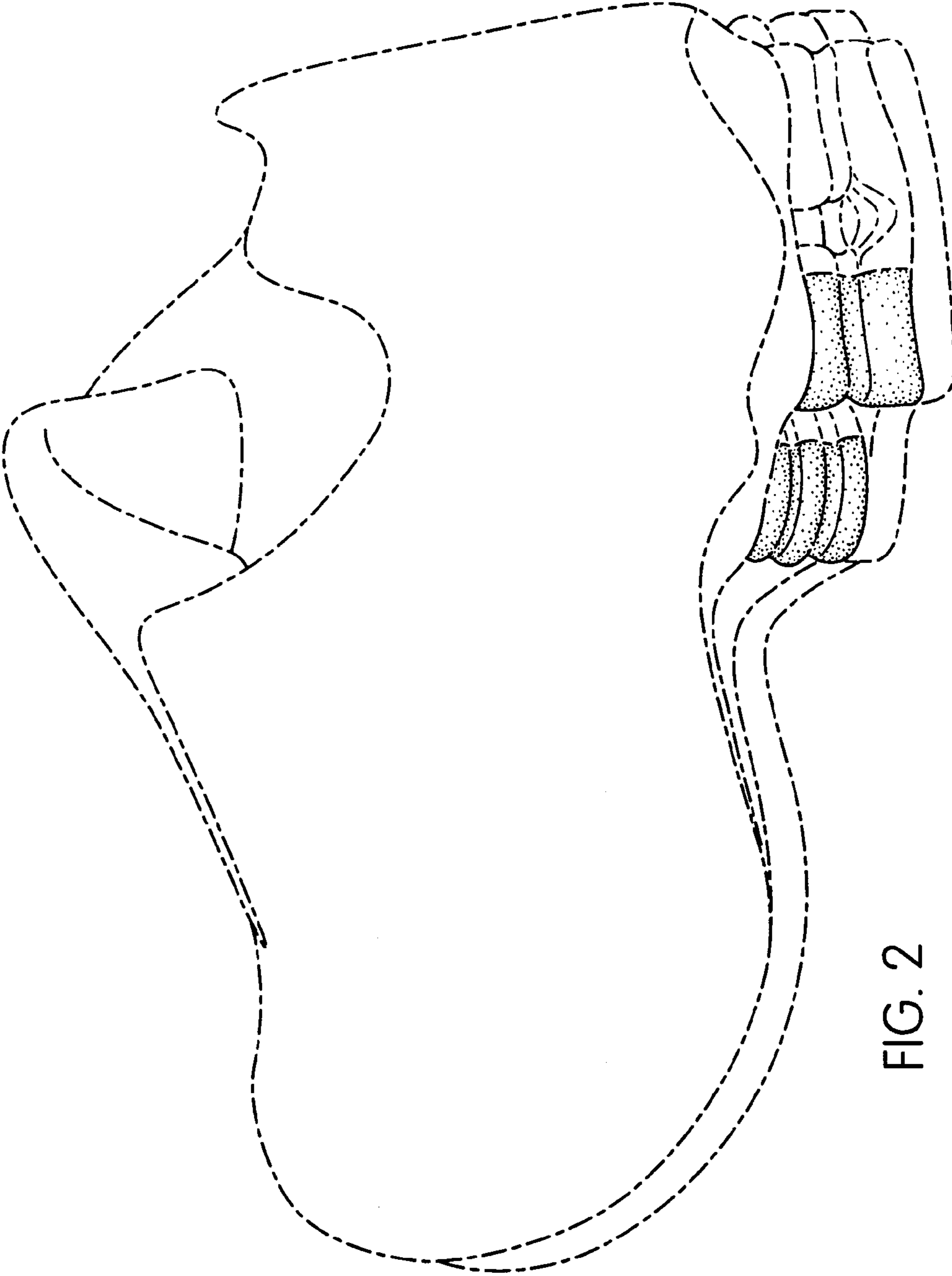


FIG. 2

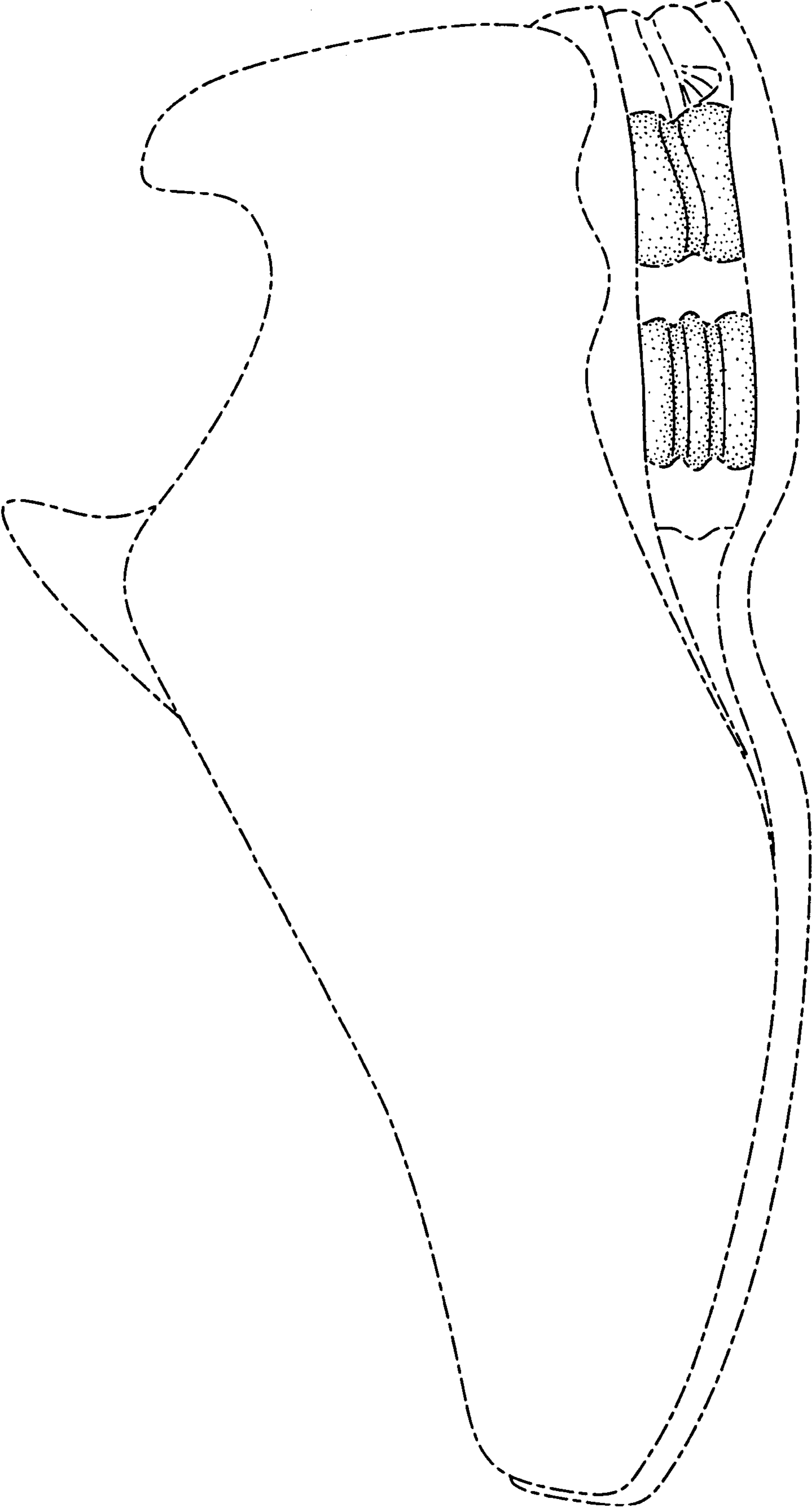


FIG. 3