



US00D538018S

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

(10) **Patent No.:** **US D538,018 S**
(45) **Date of Patent:** **** Mar. 13, 2007**

- (54) **PORTION OF A SHOE MIDSOLE**
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- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/246,834**
- (22) Filed: **May 15, 2006**
- (51) **LOC (8) Cl.** **02-99**
- (52) **U.S. Cl.** **D2/964**
- (58) **Field of Classification Search** D2/946,
D2/964, 977; 36/27-29, 32 R
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

413,693	A	10/1889	Walker	
819,449	A *	5/1906	Otterstedt	36/28
898,951	A *	9/1908	Zooboavch	36/28
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	

(Continued)

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, M40, published Jun. 2003.
- Nike Footwear Catalog Late Spring 2004, pp. M3, M6, M33, published Sep. 2003.
- Nike Footwear Catalog Fall 2004, pp. M35, M41, published Nov. 2003.
- Nike Footwear Catalog Holiday 2004, pp. M5, M7, M11, M12, M40, M41, M77, W43, W55, published Mar. 2004.
- Nike Footwear Catalog Holiday 2005, pp. M7, M8, M11, M23, M24, M25, M105, W112, W114, W126, W130, W143, published Mar. 2005.
- Nike Footwear Catalog Spring 2006, pp. M41, M45, W141, published Jun. 2005.

* cited by examiner

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(57) **CLAIM**

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

DESCRIPTION

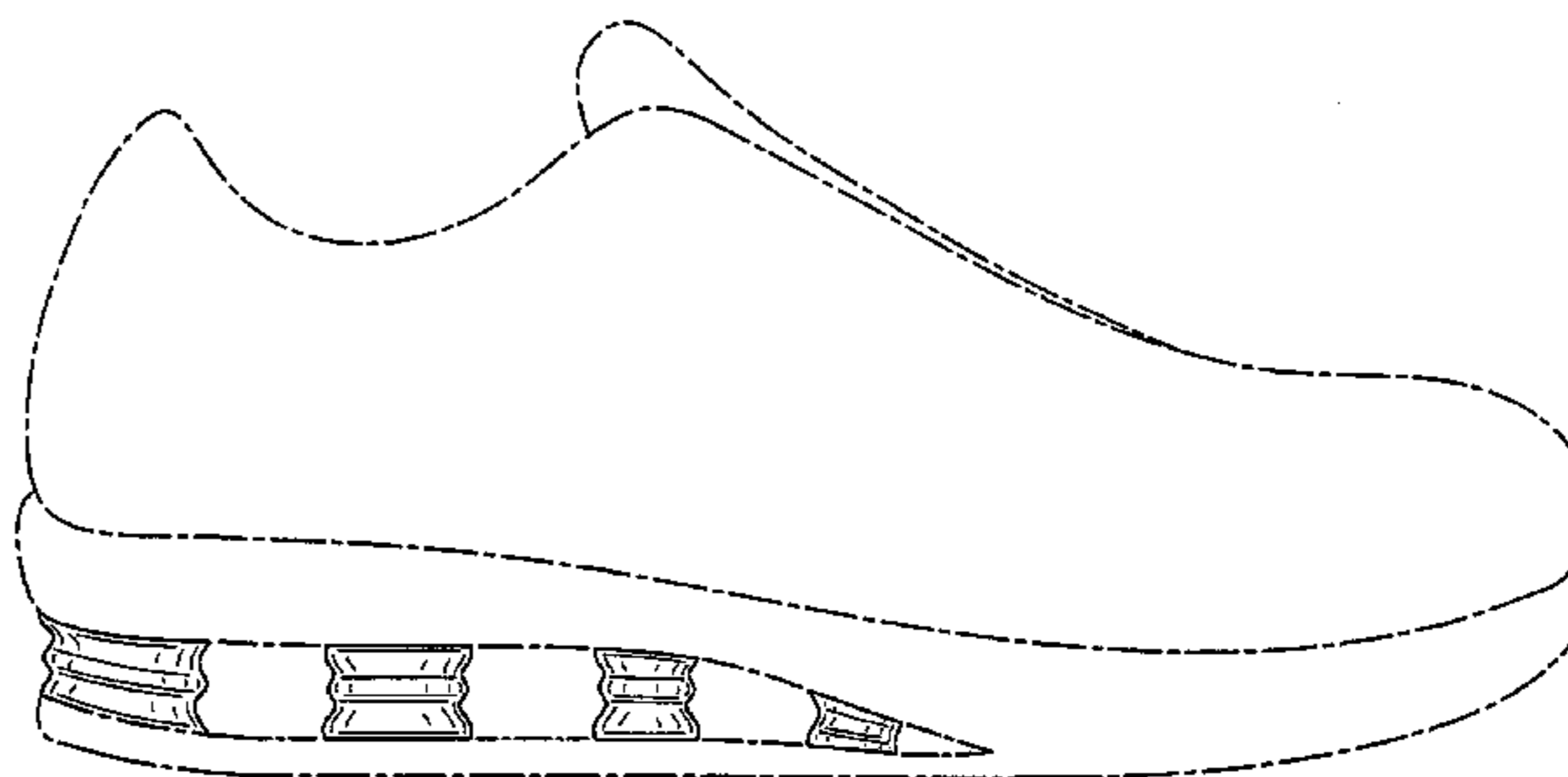
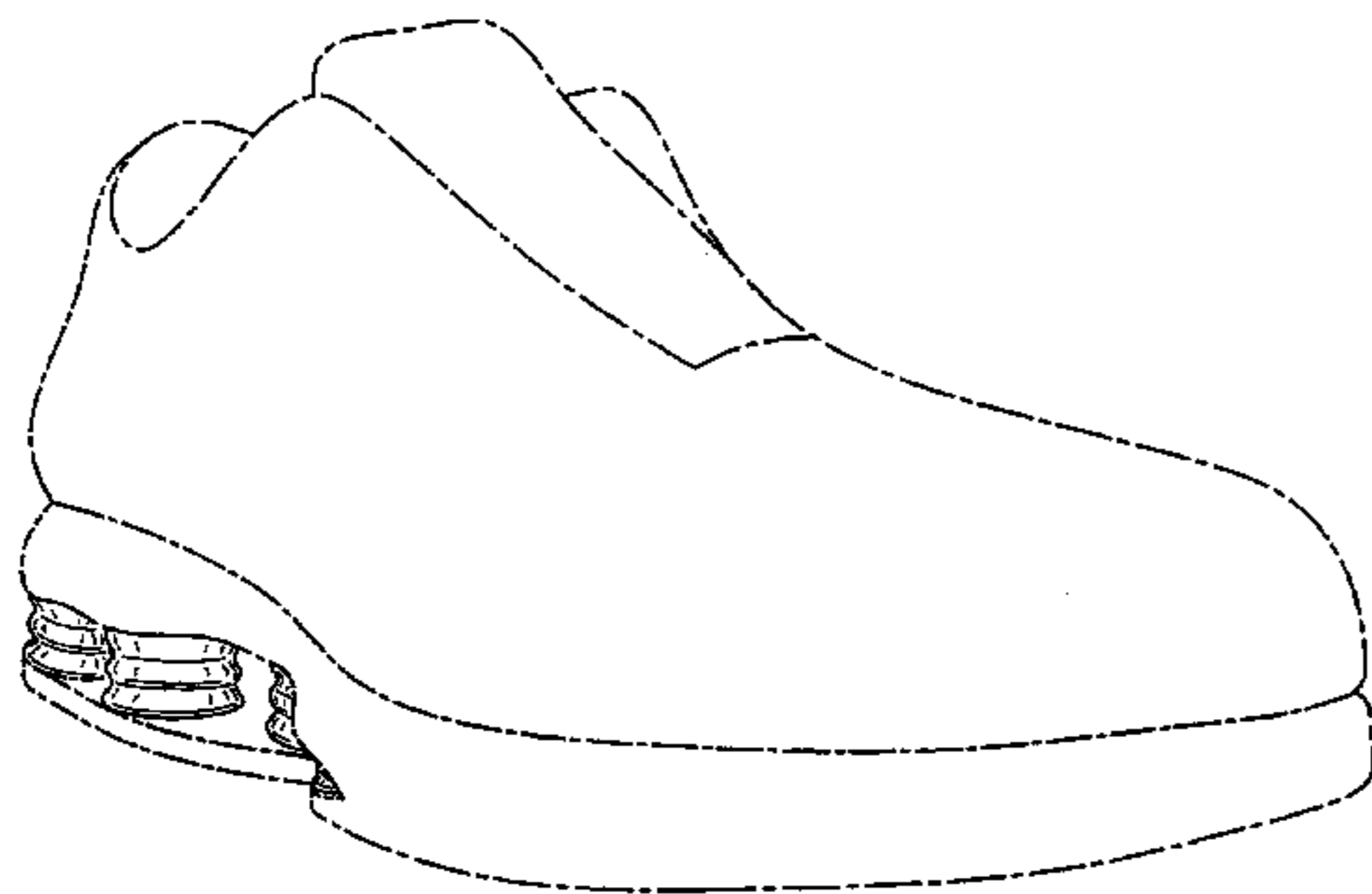
FIG. 1 is a perspective view of a portion of a shoe midsole showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a second perspective view thereof.

The uneven broken line immediately adjacent to the shaded area of the rearmost column-shaped feature 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, 3 Drawing Sheets



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U.S. PATENT DOCUMENTS

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	..... D2/964
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	..... D2/964
D350,019 S	* 8/1994	Kilgore	..... D2/964
D350,020 S	8/1994	Kilgore	
D350,225 S	* 9/1994	Kilgore	..... D2/964
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.	..... 36/29
D351,057 S	* 10/1994	Kilgore	..... D2/964
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	
D447,330 S	9/2001	McCourt	
D450,437 S	* 11/2001	Simpson et al.	..... D2/967
D462,830 S	9/2002	Greene	
6,457,261 B1	* 10/2002	Crary	..... 36/27
6,487,796 B1	* 12/2002	Avar et al.	..... 36/28
D474,581 S	5/2003	Cooper	
D474,582 S	* 5/2003	Cooper	..... D2/964
D476,474 S	* 7/2003	McDowell	..... D2/964
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	..... D2/972
D499,248 S	* 12/2004	Sokolowski	..... D2/972
D500,402 S	* 1/2005	Sokolowski	..... D2/964
6,851,204 B2	* 2/2005	Aveni et al.	..... 36/28
6,880,267 B2	* 4/2005	Smaldone et al.	..... 36/28
D508,162 S	8/2005	Harlow	
D509,051 S	* 9/2005	O'Connor	..... D2/964
D510,472 S	10/2005	Sokolowski	
6,964,120 B2	* 11/2005	Cartier et al.	..... 36/29
D513,843 S	1/2006	Smith	
D514,289 S	* 2/2006	Holmes	..... D2/964
D514,290 S	2/2006	Smith, III	
D516,784 S	* 3/2006	Wiper et al.	..... D2/964
D517,787 S	3/2006	Teague	
D519,267 S	4/2006	Hlavacs	
D524,035 S	* 7/2006	Greene et al.	..... D2/977
7,082,698 B2	* 8/2006	Smaldone et al.	..... 36/28

FIG. 1

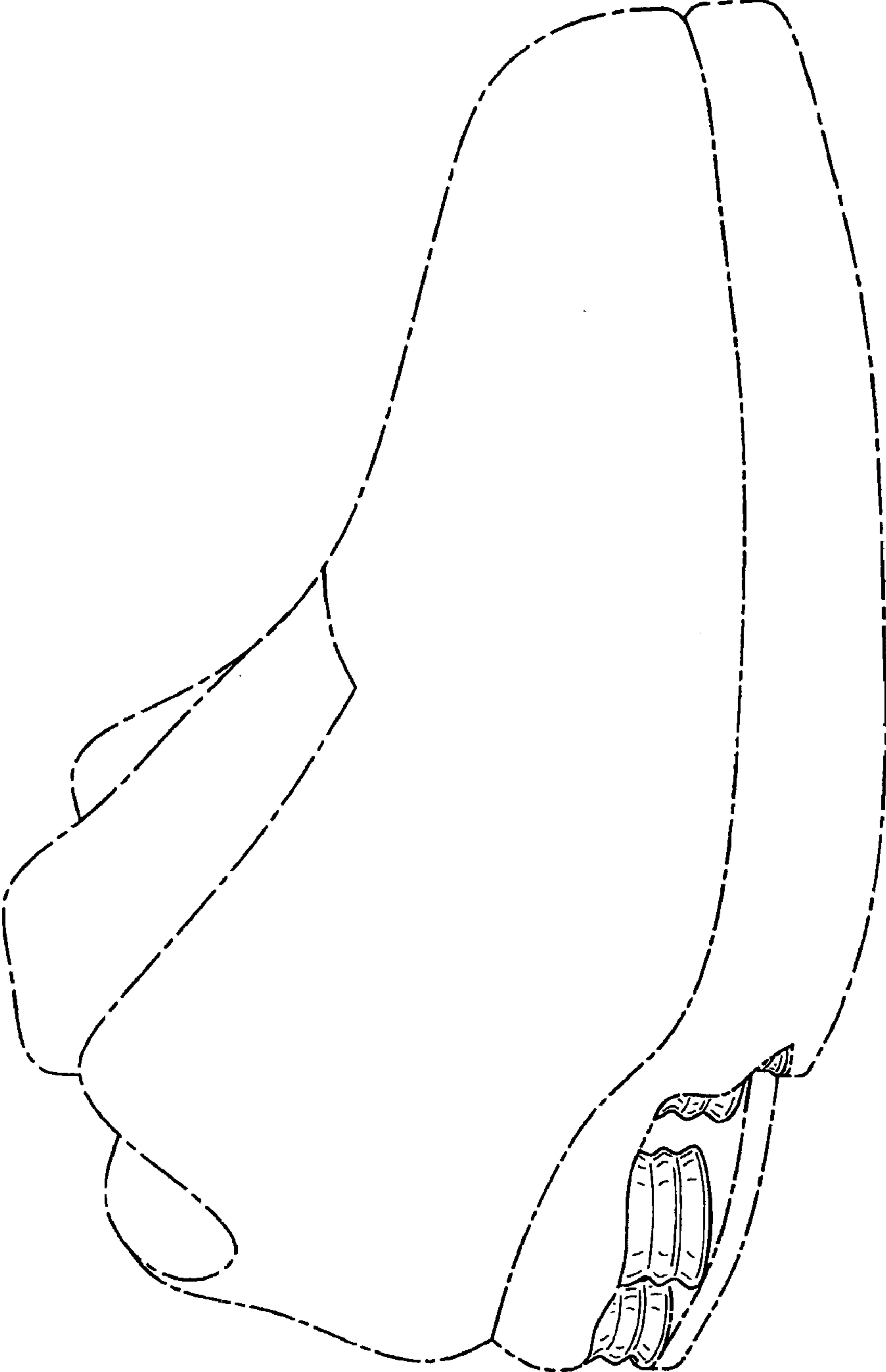


FIG. 2

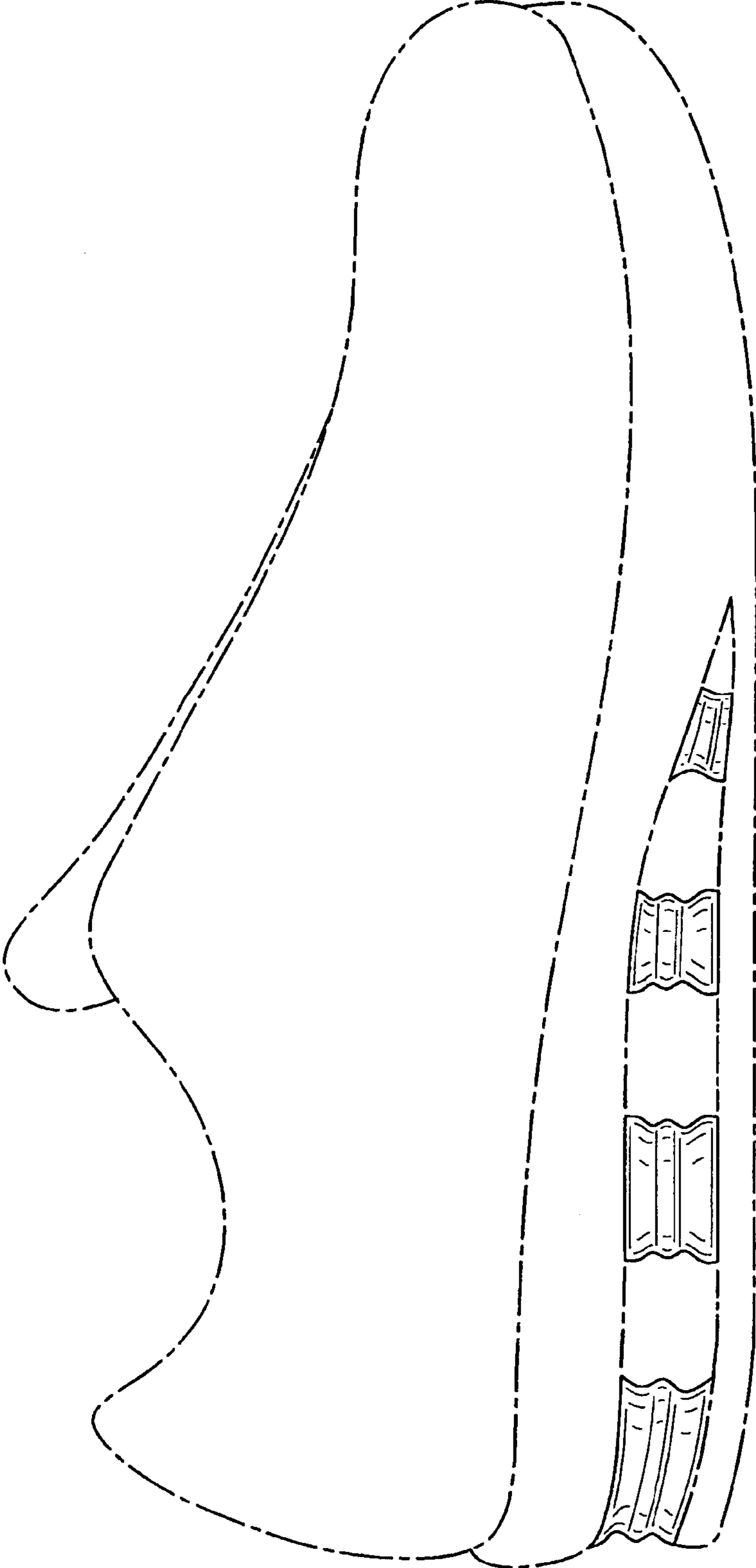


FIG. 3

