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

(10) **Patent No.:** **US D553,337 S**

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- (54) **PORTION OF A SHOE MIDSOLE**
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- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/280,405**
- (22) Filed: **May 25, 2007**

- D321,584 S 11/1991 Mitsui
- D325,288 S 4/1992 Richard et al.
- D326,762 S 6/1992 Kiyosawa
- D327,362 S 6/1992 Hatfield
- D330,111 S 10/1992 Hatfield et al.
- D332,861 S 2/1993 Worthington
- D334,652 S 4/1993 Hatfield
- D334,833 S 4/1993 Blissett
- 5,235,761 A 8/1993 Chang
- D339,461 S 9/1993 Kayano
- 5,247,742 A 9/1993 Kilgore et al.

(Continued)

- (51) **LOC (8) Cl.** **02-99**
- (52) **U.S. Cl.** **D2/964**
- (58) **Field of Classification Search** D2/902,
D2/906-908, 943, 944, 946, 964-966, 967,
D2/969, 972-974, 925-942, 977; 36/45,
36/50.1, 77 M, 77 R, 83, 88, 113, 114, 126-131,
36/34 R, 37, 38, 35 B
See application file for complete search history.

OTHER PUBLICATIONS

Nike Footwear Catalog, Late Spring 2001, pp. M5 and M22, published Sep. 2000.

(Continued)

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(56) **References Cited**

U.S. PATENT DOCUMENTS

- 413,693 A 10/1889 Walker
- 1,088,328 A 2/1914 Cucinotta
- 1,410,338 A 3/1922 Martin
- D65,273 S * 7/1924 Hill D2/966
- 2,048,683 A * 7/1936 Brockman 36/35 R
- D110,071 S * 6/1938 Saccal D2/941
- D110,248 S * 6/1938 Brockman D2/930
- D110,600 S * 7/1938 Maling D2/933
- D111,118 S * 8/1938 Levin D2/930
- D112,052 S * 11/1938 Calderazzo D2/936
- D115,227 S * 6/1939 Ziniti D2/939
- D122,607 S * 9/1940 Nutt D2/965
- 2,299,009 A 10/1942 Denk
- 2,669,038 A 2/1954 Werth
- 3,777,374 A 12/1973 Hendricks
- 4,457,084 A 7/1984 Horibata et al.
- D301,934 S 7/1989 Simonin
- 4,918,838 A 4/1990 Chang
- D307,608 S 5/1990 Shure

(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 my new design;
FIG. 2 is a second perspective view thereof;
FIG. 3 is a side view thereof; and,
FIG. 4 is a rear view thereof.

The uneven broken lines immediately adjacent to the shaded area represent unclaimed boundaries 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



U.S. PATENT DOCUMENTS

D340,349 S 10/1993 Kilgore et al.
 D340,350 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 D2/965
 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
 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.
 D351,057 S 10/1994 Kilgore
 D351,720 S * 10/1994 Kilgore D2/967
 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 D2/967
 D354,617 S 1/1995 Kilgore
 D355,755 S 2/1995 Kilgore
 5,425,184 A 6/1995 Lyden et al.
 D369,234 S 4/1996 Fabio
 D385,691 S 11/1997 Egelja
 D398,743 S 9/1998 Rask
 D412,236 S 7/1999 von Conta
 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.
 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
 D458,742 S 6/2002 Crary et al.
 D462,830 S 9/2002 Greene
 6,457,261 B1 10/2002 Crary
 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
 D485,975 S * 2/2004 McDowell D2/972
 D495,127 S 8/2004 Marvin et al.
 D498,914 S * 11/2004 Sokolowski D2/972
 D499,248 S * 12/2004 Sokolowski D2/972
 D500,402 S * 1/2005 Sokolowski D2/964
 D508,162 S * 8/2005 Harlow D2/977

D509,051 S 9/2005 O'Connor
 D510,472 S * 10/2005 Sokolowski D2/964
 D513,843 S * 1/2006 Smith D2/964
 D514,289 S 2/2006 Holmes
 D514,290 S 2/2006 Smith, III
 D517,787 S 3/2006 Teague
 D519,267 S * 4/2006 Hlavacs D2/964
 D523,216 S 6/2006 Racine
 D524,521 S 7/2006 Racine
 D527,879 S * 9/2006 Cessor D2/964
 D528,752 S * 9/2006 Aveni et al. D2/964
 D528,756 S * 9/2006 Cessor D2/964
 D528,757 S 9/2006 Lupo
 D528,776 S 9/2006 Hui
 D529,700 S * 10/2006 Portzline D2/964
 D538,018 S * 3/2007 Hlavacs D2/964
 D544,680 S * 6/2007 Mueller D2/964
 D545,535 S * 7/2007 Roulo D2/964

OTHER PUBLICATIONS

Nike Footwear Catalog, Holiday 2001, p. W34, published Feb. 2001.
 Nike Footwear Catalog, Spring 2002, p. M29, published Jun. 2001.
 Nike Footwear Catalog, Late Spring 2002, p. M35, published Sep. 2001.
 Nike Footwear Catalog, Holiday 2002, pp. M12 and M40, published Mar. 2002.
 Nike Footwear Catalog, Spring 2003, p. M6, published Jun. 2002.
 Nike Footwear Catalog, Fall 2003, pp. M9 and M29, published Nov. 2002.
 Nike Footwear Catalog, Holiday 2003, p. M82, published Mar. 2003.
 Nike Footwear Catalog, Spring 2004, pp. M31, M40 and W98, published Jun. 2003.
 Nike Footwear Catalog, Late Spring 2004, pp. M3, M6 and M33, published Sep. 2003.
 Nike Footwear Catalog, Fall 2004, pp. W3 and W23, published Nov. 2003.
 Nike Footwear Catalog, Holiday 2004, p. W5, W19 and W104, published Mar. 2004.
 Nike Footwear Catalog, Late Spring 2005, p. 212, published Aug. 2004.
 Nike Footwear Catalog, Fall 2005, p. 112, published Nov. 2004.
 Nike Footwear Catalog, Holiday 2005, p. 113, published Mar. 2005.
 Nike Footwear Catalog, Late Spring 2006, p. 121, published Sep. 2005.
 Nike Footwear Catalog, Holiday 2006, pp. 28 and 179, published Mar. 2006.
 Nike Footwear Catalog, Spring 2007, pp. 8, 14, 26, 27, 39, 54, 103, 128, 131, 137, 150, and 151, published Jun. 2006.
 Nike Footwear Catalog, Summer 2007, pp. 17, 47, and 139, published Sep. 2006.
 Nike Footwear Catalog, Fall 2007, pp. 13, 14, 147, 152, 161, and 174, published Nov. 2006.
 Nike Footwear Catalog, Holiday 2007, pp. 13, 113, 141, 154 and 158, published Feb. 2007.

* cited by examiner

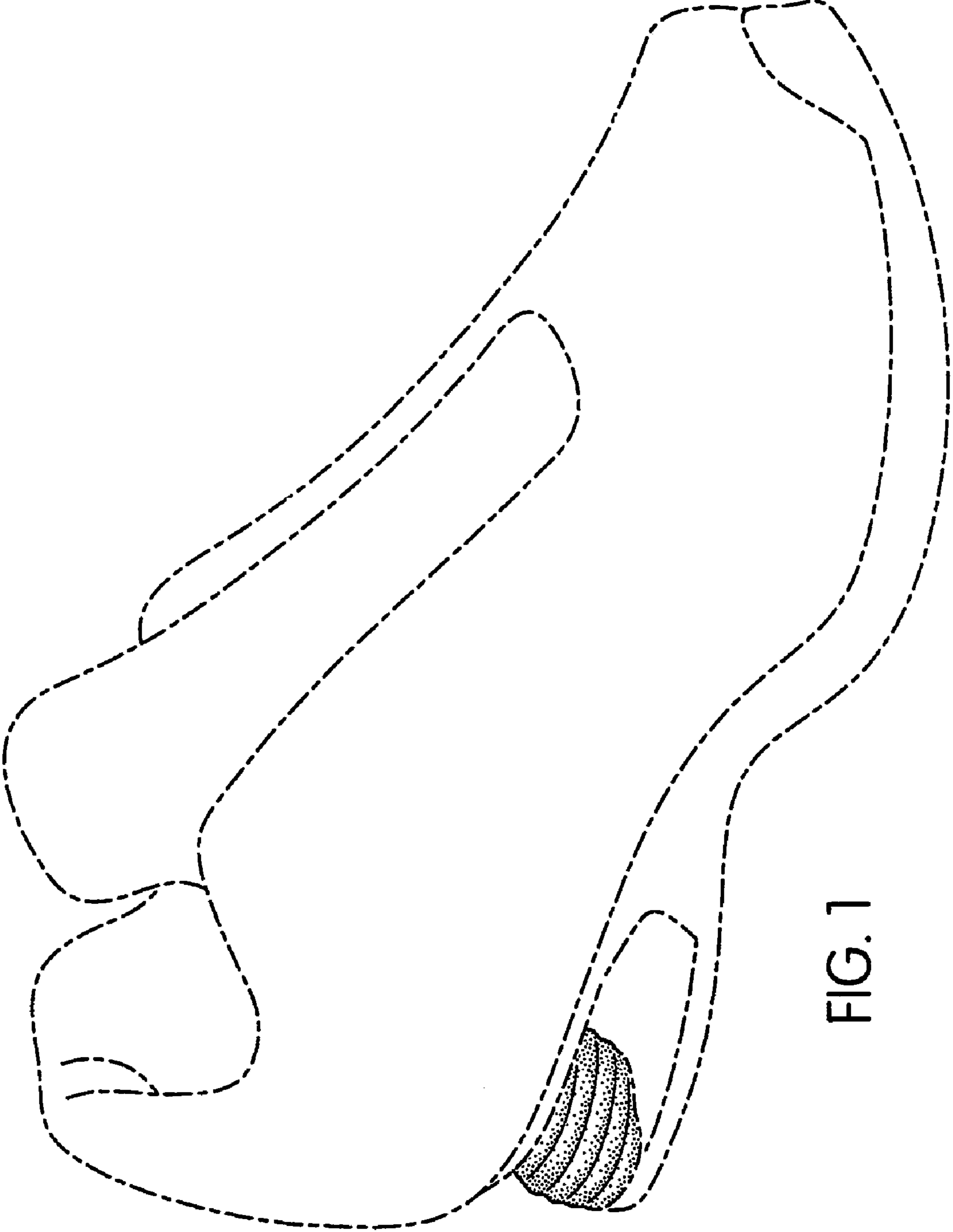


FIG. 1

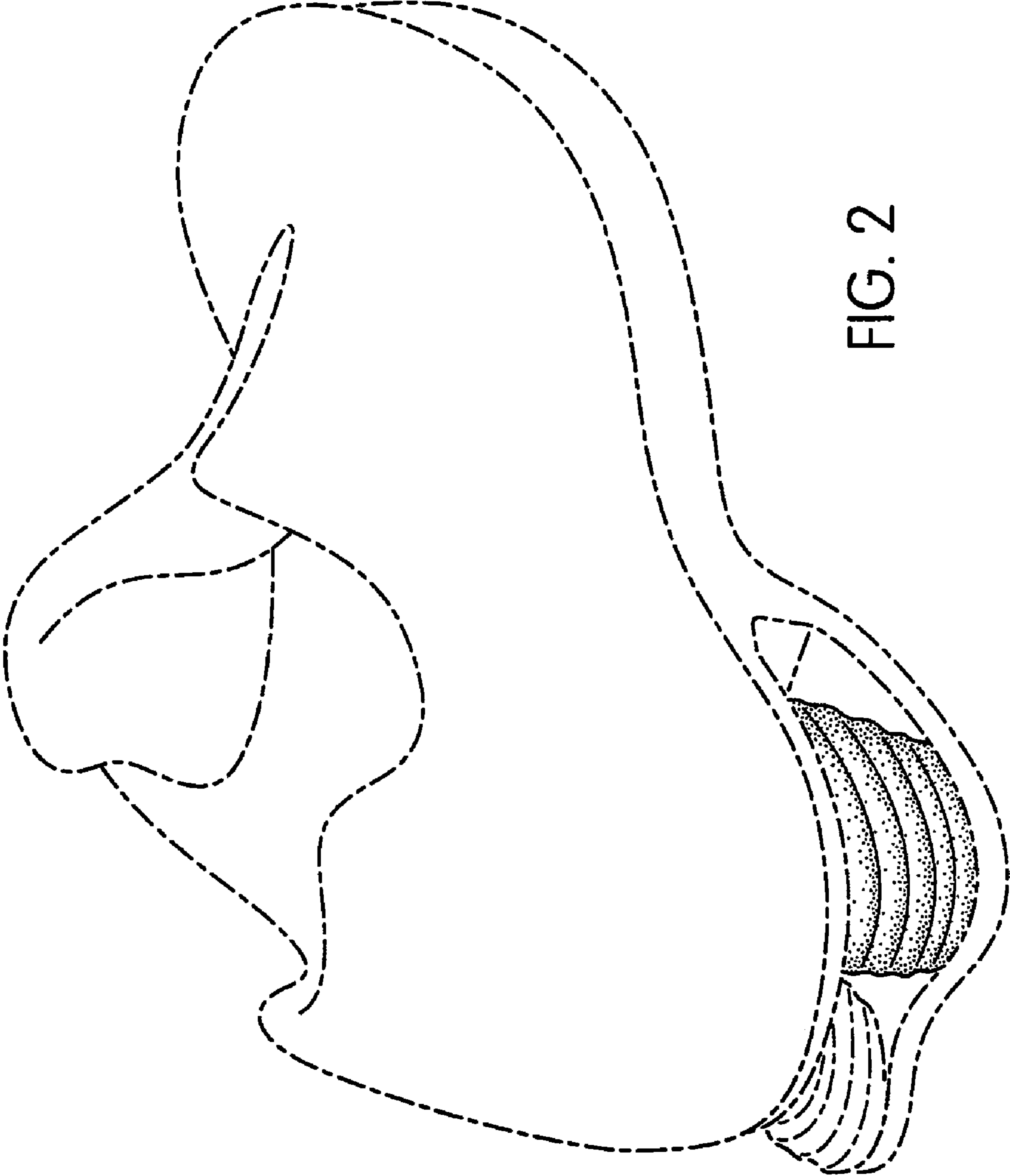


FIG. 2

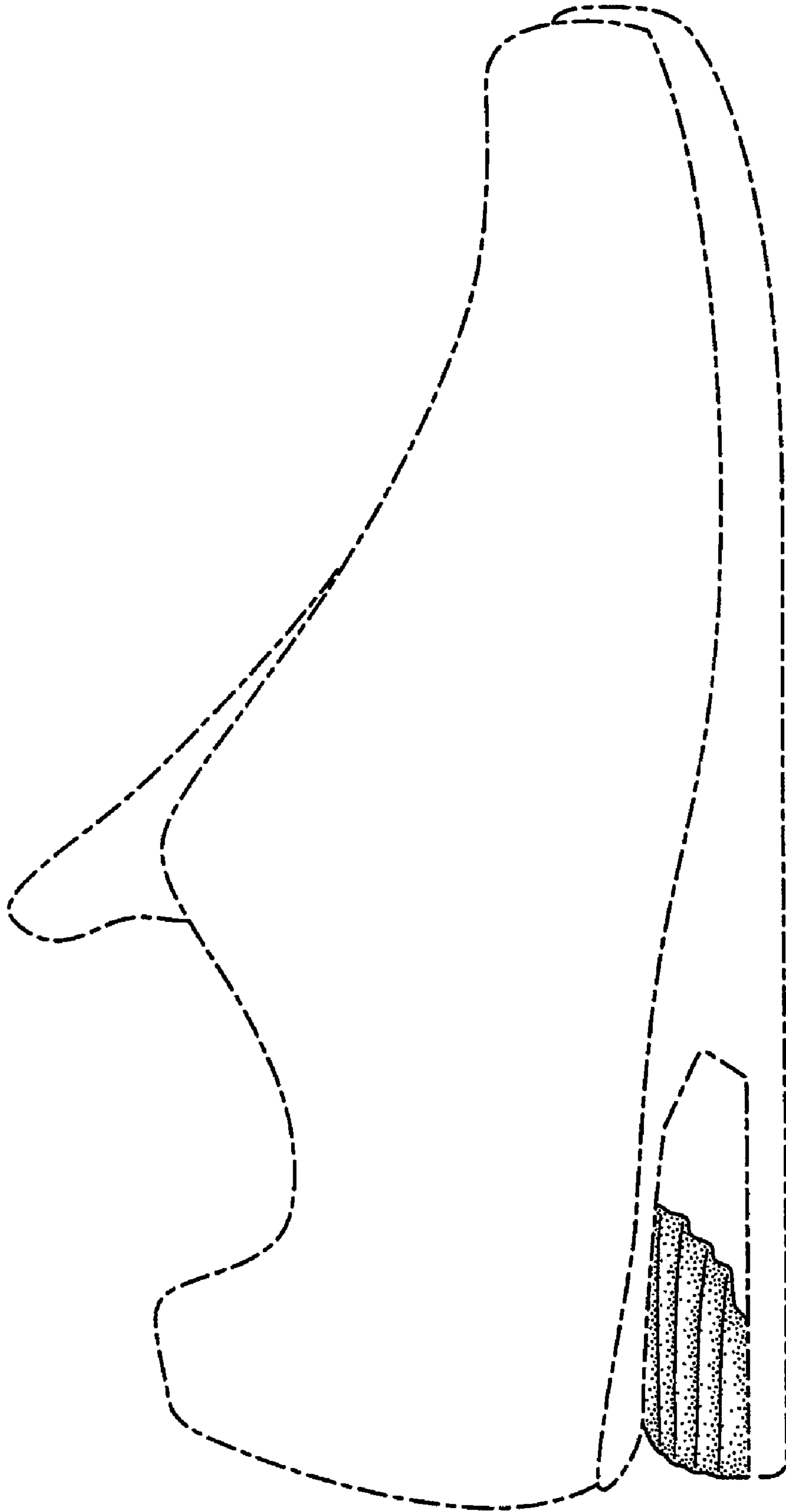


FIG. 3

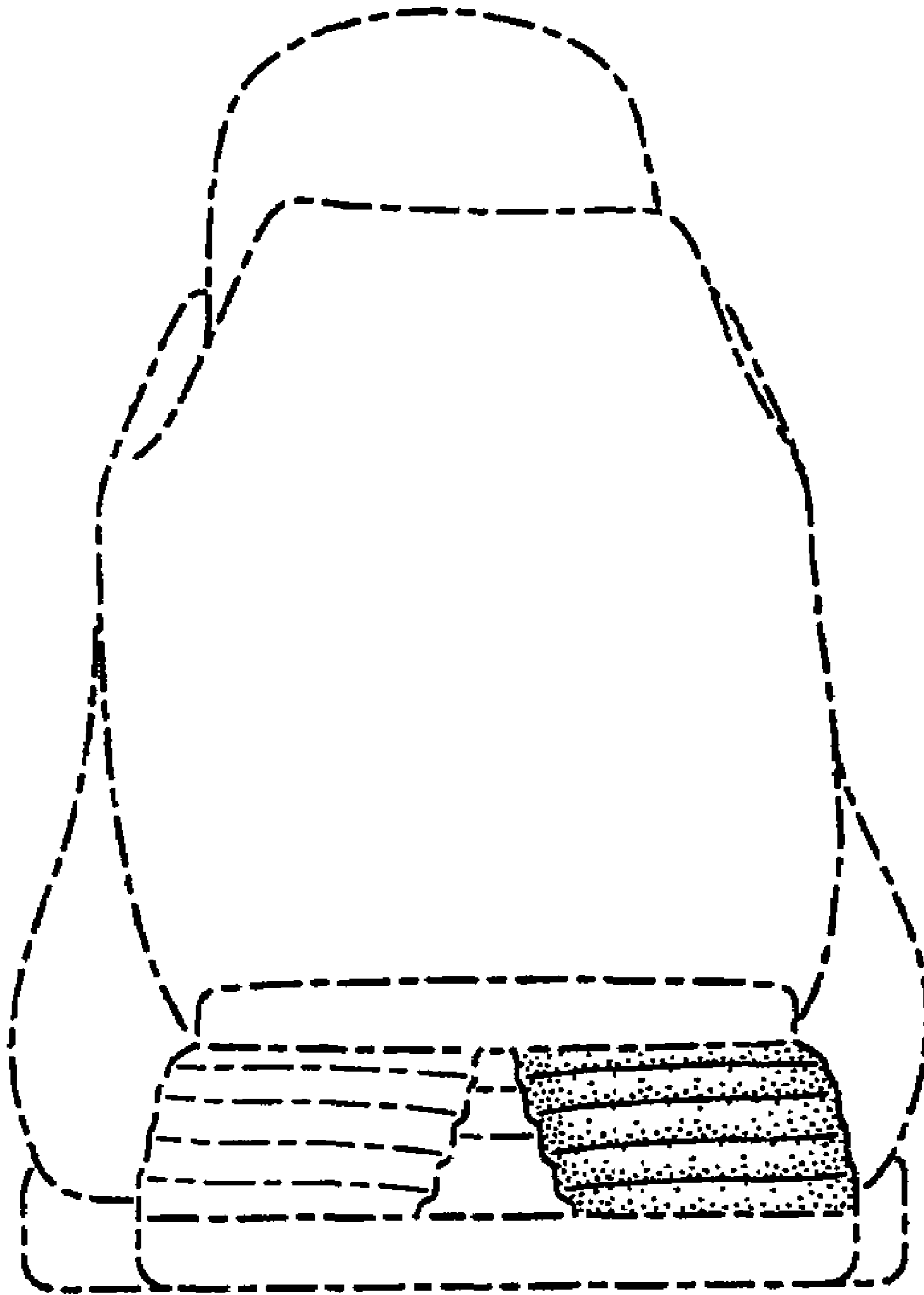


FIG. 4