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

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(54) **SHOE SOLE**
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(**) Term: **14 Years**
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(51) **LOC (9) Cl.** **02-04**
(52) **U.S. Cl.** **D2/952; D2/954; D2/955**
(58) **Field of Classification Search** D2/902,
D2/947, 951, 952, 953, 954, 955, 956, 957,
D2/959, 960, 962; 36/117.3, 126, 127, 134,
36/7.7, 7.6, 59 C, 59 A, 67 A, 25 R
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D54,515 S *	2/1920	Wolcott	.....	D2/955
1,559,450 A *	10/1925	Oakley	.....	36/59 C
3,271,885 A *	9/1966	McAuliffe	.....	36/114
3,808,713 A *	5/1974	Dassler	.....	36/32 R
D248,192 S *	6/1978	Stevenson	.....	D2/908
D248,429 S *	7/1978	Inohara	.....	D2/908
D257,806 S	1/1981	Maune	.....	D19/34.1
D296,379 S *	6/1988	Lee	.....	D2/908
4,914,838 A *	4/1990	Ihlenburg	.....	36/114
D322,154 S *	12/1991	Trueman	.....	D2/955
D405,942 S *	2/1999	Kelchak	.....	D2/947
D406,938 S *	3/1999	Lin	.....	D2/954
5,960,568 A *	10/1999	Bell et al.	.....	36/134
D423,053 S	4/2000	Lefkowitz	.....	D19/65
6,050,006 A *	4/2000	Swindle	.....	36/134
D432,764 S *	10/2000	Clegg et al.	.....	D2/955
D455,895 S *	4/2002	Yang	.....	D2/955
D458,739 S *	6/2002	Merceron	.....	D2/954
D459,061 S *	6/2002	Lotti	.....	D2/952
D459,067 S *	6/2002	Lotti	.....	D2/962
D468,517 S *	1/2003	Recchi et al.	.....	D2/954
D478,714 S *	8/2003	Recchi	.....	D2/954
D483,933 S *	12/2003	Adams et al.	.....	D2/955
6,686,934 B1	2/2004	Evans et al.	.....	345/764
D517,087 S	3/2006	Sands	.....	D14/488

2007/0107268 A1* 5/2007 Seeman et al. 36/130

OTHER PUBLICATIONS

“Silliest Shoes Ever: Game Boy Color Shoes”—Aug. 2006; gaygamer.net.*
The Raw Feed: Oct. 22, 2007 Heelys Gamer shoe, top of page: therawfeed.com.*
Complaint, Fele Holding Corporation v. Heelys, Inc., U.S. District Court, Southern District of Florida, Miami Division, (Civ. Action 08-20303), filed Feb. 6, 2008 (51 pages).
Defendant Heelys, Inc.’s Motion to Dismiss, Fele Holding Corporation v. Heelys, Inc., U.S. District Court, Southern District of Florida, Miami Division, (Civ. Action 08-20303), filed Mar. 6, 2008 (10 pages).
Defendant Heelys, Inc.’s Motion to Transfer Venue, Fele Holding Corporation v. Heelys, Inc., U.S. District Court, Southern District of Florida, Miami Division, (Civ. Action 08-20303), filed Mar. 14, 2008 (21 pages).
Plaintiff Fele Holding Corporation’s Memorandum in Response to Defendant Heelys, Inc.’s Motion to Transfer Venue, Fele Holding Corporation v. Heelys, Inc., U.S. District Court, Southern District of Florida, Miami Division, (Civ. Action 08-20303), filed Mar. 28, 2008 (8 pages).
Defendant Heelys, Inc.’s Reply in Support of its Motion to Dismiss, *Fele Holding Corporation v. Heelys, Inc.*, U.S. District Court, Southern District of Florida, Miami Division, (Civ. Action 08-20303), filed Mar. 31, 2008 (7 pages).

* cited by examiner

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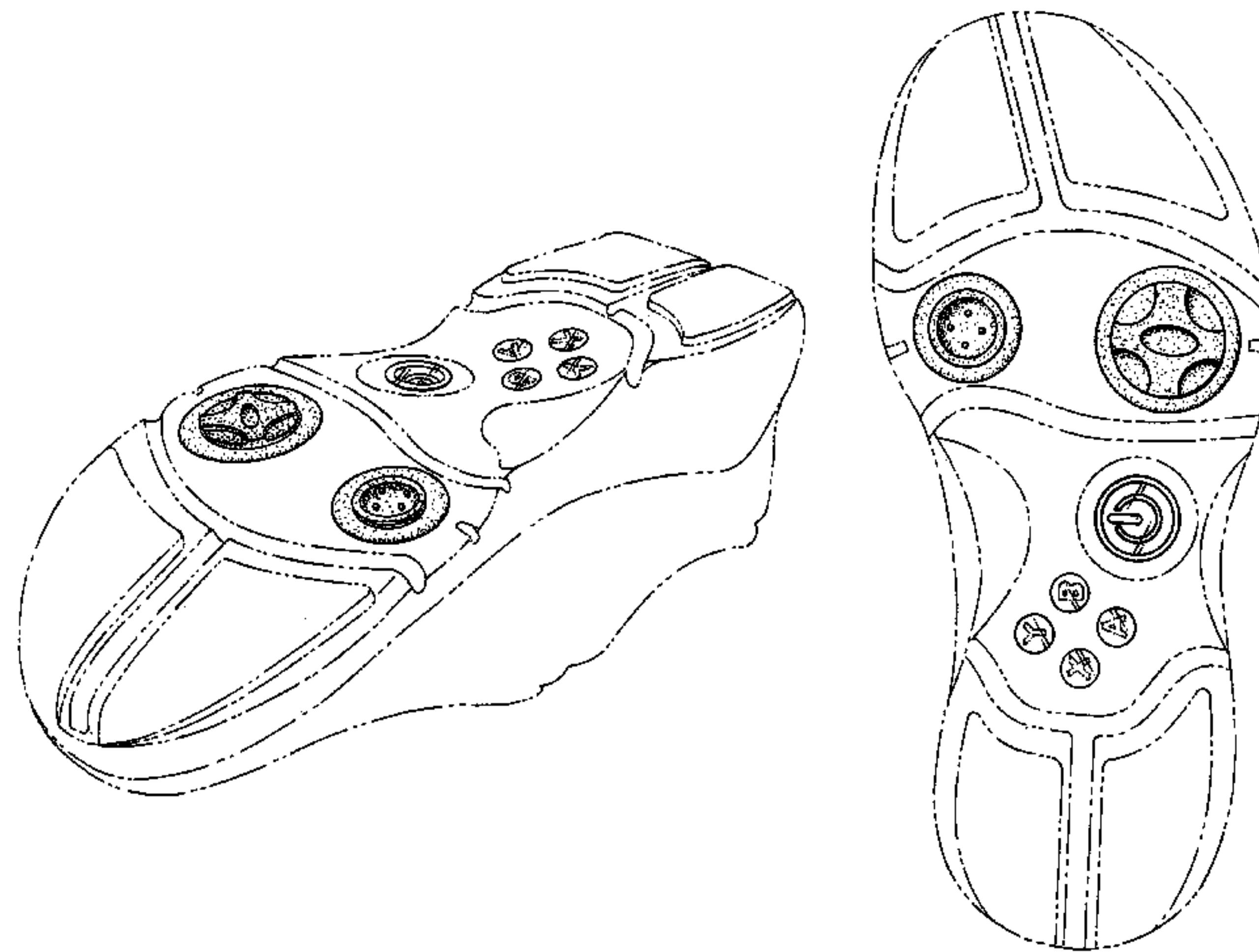
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a bottom front perspective view of shoe sole according to my new design;
FIG. 2 is a bottom rear perspective view of the design shown in FIG. 1; and,
FIG. 3 is a bottom plan view of the design shown in FIG. 1.
The broken lines showing the shoe upper, the remainder of the shoe sole and the indicia represent the portions of the design that form no part of the claim.

1 Claim, 3 Drawing Sheets



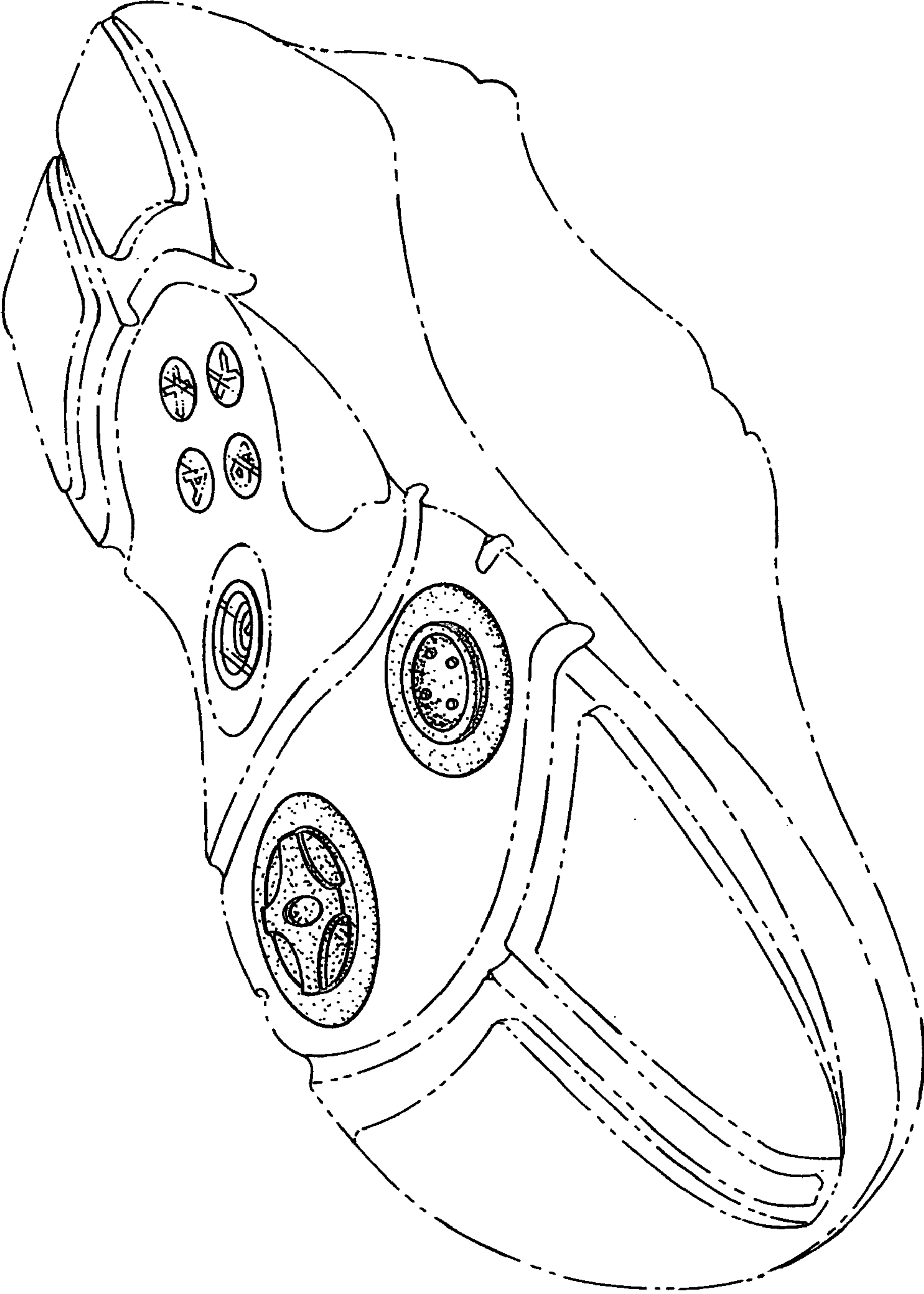


FIG. 1

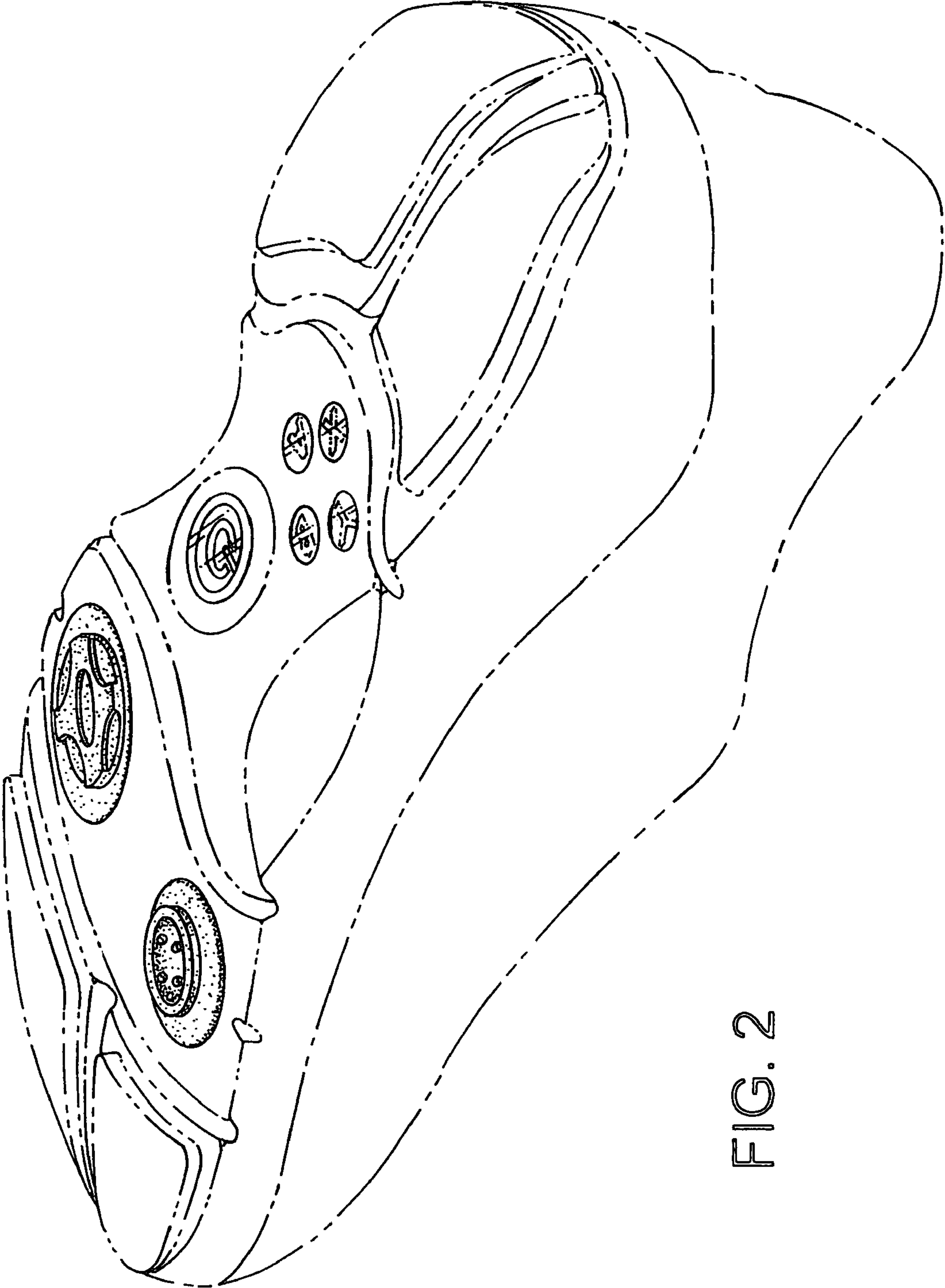


FIG. 2

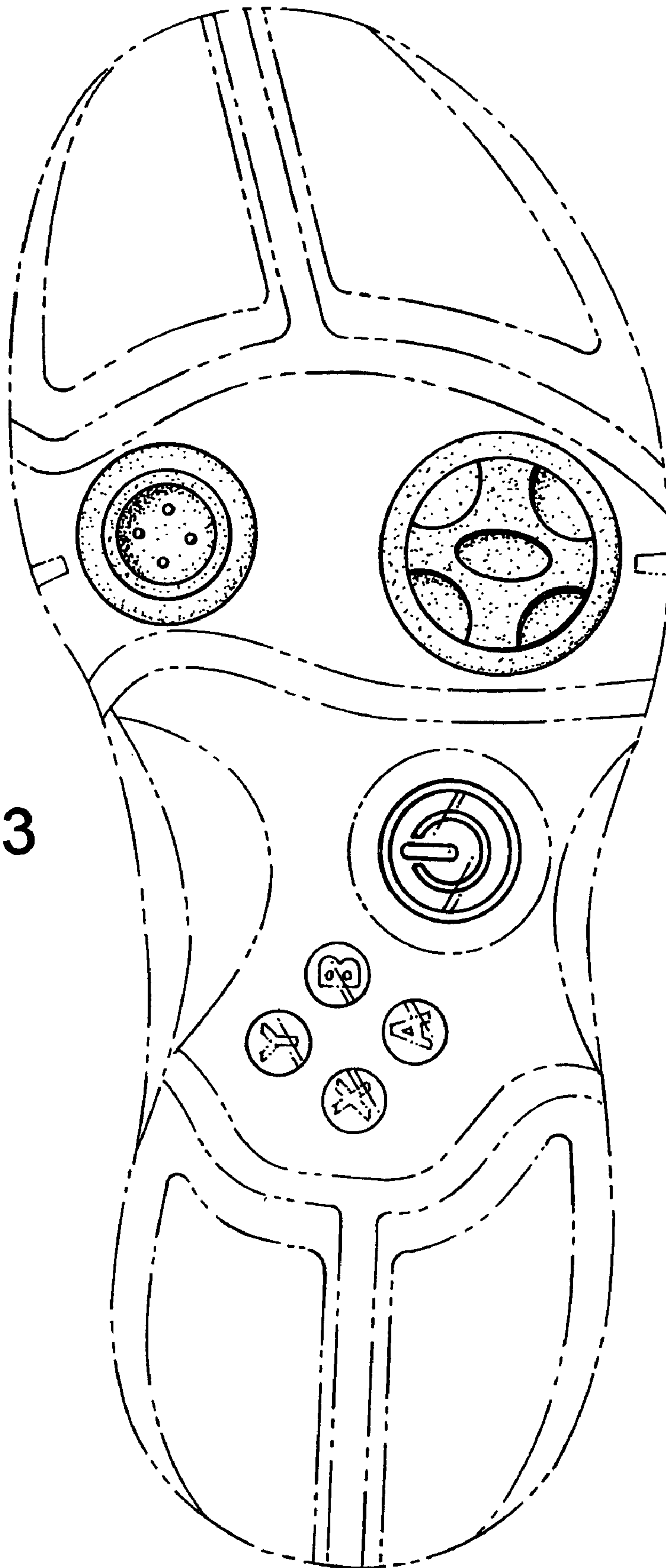


FIG. 3