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Vestuti et al.

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(54) **PORTION OF A SHOE**

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(73) Assignee: **Reebok International Limited**, London
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(**) **Term:** **14 Years**

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(51) **LOC (9) Cl.** **02-99**

(52) **U.S. Cl.** **D2/951; D2/977; D2/946**

(58) **Field of Classification Search** D2/896,
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D2/952, 960, 969, 972-974, 977; 36/45-49,
36/50.1, 77 M, 77 R, 83, 88, 113, 114, 126-131,
36/25 R-25 A

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | |
|--------------|---------|-------------|--------|
| 485,459 A | 11/1892 | Crocker | |
| 1,594,056 A | 7/1926 | Floyd | |
| 1,607,375 A | 11/1926 | Whipple | |
| D105,320 S | 2/1938 | Eldon | |
| D133,176 S | 7/1942 | Gregg | |
| D136,381 S | 9/1943 | Ghez et al. | |
| D149,139 S * | 3/1948 | Parker | D2/902 |
| D157,034 S * | 1/1950 | Eldon | D2/902 |
| D173,030 S * | 9/1954 | Hoza | D2/902 |
| 2,710,461 A | 6/1955 | Hack | |

| | | | |
|---------------|---------|--------------|---------|
| 2,722,756 A * | 11/1955 | Ecclesine | 36/32 R |
| 3,444,632 A | 5/1969 | Hack et al. | |
| D233,805 S * | 12/1974 | Kubo | D2/902 |
| 4,071,963 A | 2/1978 | Fukuoka | |
| 4,130,947 A | 12/1978 | Denu | |
| 4,170,078 A | 10/1979 | Moss | |
| D274,574 S | 7/1984 | Stubblefield | |
| 4,561,195 A | 12/1985 | Onoda et al. | |
| 4,642,917 A | 2/1987 | Ungar | |
| D296,149 S | 6/1988 | Diaz | |
| 4,798,010 A | 1/1989 | Sugiyama | |

(Continued)

FOREIGN PATENT DOCUMENTS

EP 1064861 A1 1/2001

(Continued)

OTHER PUBLICATIONS

adidas Q2 2007 Footwear Catalog, p. 5, showing the T 7 ATS shoe, and p. 122, showing the J S3 W shoe.

(Continued)

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(57) **CLAIM**

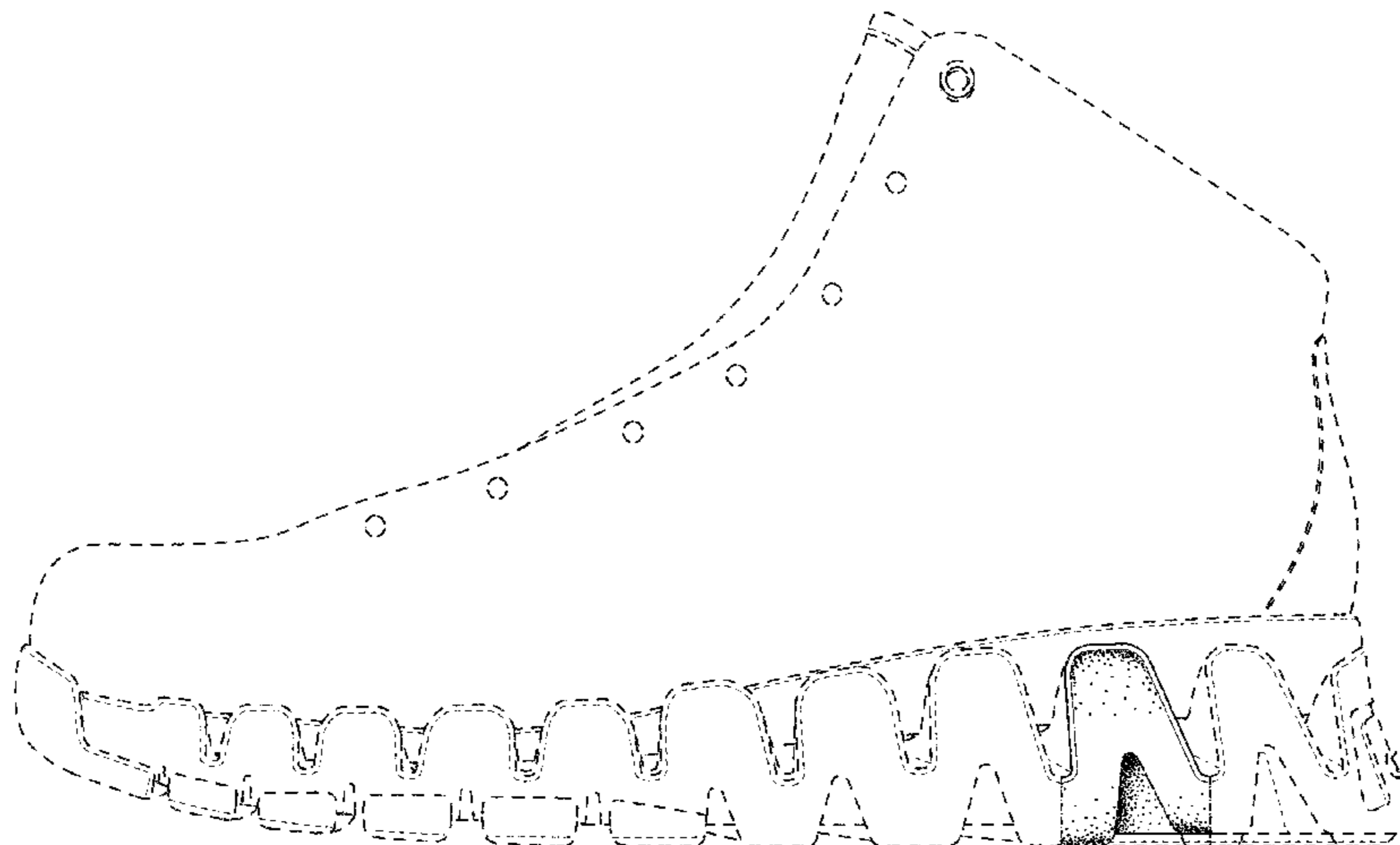
The ornamental design for a portion of a shoe, as shown and described.

DESCRIPTION

FIG. 1 is a top plan view of a shoe showing our new design; FIG. 2 is a bottom view thereof; and, FIG. 3 is a side view thereof.

The broken lines in the Figures show environment for illustrative purposes only and form no part of the claimed design. The area within the solid and dash-dot lines forms the claimed design.

1 Claim, 3 Drawing Sheets



US D668,029 S

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|----|-----------|-------------------|-----------|----|----------|--------------------|
| 4,805,319 | A | 2/1989 | Tonkel | D523,614 | S | 6/2006 | Mitchell |
| 4,864,737 | A | 9/1989 | Marrello | D523,627 | S | 6/2006 | Avar |
| D316,324 | S | 4/1991 | Rogers | D523,628 | S | 6/2006 | Young |
| 5,044,096 | A | 9/1991 | Polegato | 7,055,198 | B2 | 6/2006 | Cadamuro et al. |
| D324,131 | S | 2/1992 | Lucas | D524,034 | S | 7/2006 | Hlavacs |
| D325,288 | S | 4/1992 | Richard et al. | D524,035 | S | 7/2006 | Greene et al. |
| D326,014 | S | * 5/1992 | Issler | D524,535 | S | 7/2006 | Cass |
| | | | D2/952 | 7,089,152 | B2 | 8/2006 | Oda et al. |
| D327,362 | S | 6/1992 | Hartfield | D528,776 | S | 9/2006 | Hui |
| D334,282 | S | 3/1993 | Greene | D528,778 | S | 9/2006 | Avar et al. |
| D336,771 | S | 6/1993 | Harfield et al. | D529,267 | S | 10/2006 | Portzline |
| D347,516 | S | * 6/1994 | Foster | D530,905 | S | 10/2006 | Jonsson |
| | | | D2/960 | 7,162,815 | B2 | 1/2007 | Miyauchi et al. |
| 5,319,866 | A | 6/1994 | Foley et al. | D537,611 | S | 3/2007 | Matis et al. |
| D356,206 | S | 3/1995 | Martin | D546,532 | S | 7/2007 | Matis et al. |
| D357,346 | S | 4/1995 | Ho | D552,832 | S | 10/2007 | Hardy |
| D360,065 | S | 7/1995 | Werman | D553,837 | S | 10/2007 | Hubbard |
| D364,497 | S | 11/1995 | Schelling | D553,846 | S | 10/2007 | Kayano et al. |
| 5,469,639 | A | 11/1995 | Sessa | D555,348 | S | 11/2007 | Bettencourt et al. |
| D367,952 | S | 3/1996 | Shea | D555,891 | S | 11/2007 | Bettencourt et al. |
| D378,011 | S | 2/1997 | Lucas | D561,985 | S | 2/2008 | Andersen et al. |
| 2,379,259 | A | 5/1997 | Kayano | 7,334,349 | B2 | 2/2008 | Sokolowski et al. |
| D385,987 | S | 11/1997 | Braman | 7,337,559 | B2 | 3/2008 | Russell |
| D390,346 | S | 2/1998 | Loveder | D569,594 | S | 5/2008 | Horne et al. |
| 5,713,140 | A | 2/1998 | Baggenstoss | D569,595 | S | 5/2008 | Le |
| D394,945 | S | * 6/1998 | Doxey | D570,078 | S | 6/2008 | Davis |
| | | | D2/951 | D574,141 | S | 8/2008 | Kaufman |
| D395,739 | S | 7/1998 | Mervar | D574,581 | S | 8/2008 | Cooper |
| D396,947 | S | 8/1998 | Serna | D574,583 | S | 8/2008 | St-Louis et al. |
| D397,847 | S | * 9/1998 | Hudson | D574,602 | S | 8/2008 | Grenet |
| | | | D2/947 | D574,604 | S | 8/2008 | McMillan |
| 5,799,415 | A | 9/1998 | Kenji et al. | D576,394 | S | 9/2008 | Heller |
| 5,822,886 | A | 10/1998 | Luthi et al. | 7,441,346 | B2 | 10/2008 | Hardy et al. |
| D402,455 | S | * 12/1998 | Greenberg | D584,490 | S | 1/2009 | Ong |
| | | | D2/969 | D586,991 | S | 2/2009 | Fuerst |
| D412,236 | S | 7/1999 | von Conta | D586,993 | S | 2/2009 | Banik et al. |
| D414,316 | S | 9/1999 | Lozano | D592,383 | S | 5/2009 | Wawrousek |
| D415,610 | S | 10/1999 | Cahill | D592,847 | S | 5/2009 | Rosenbaum |
| 5,987,782 | A | 11/1999 | Bramani | D594,195 | S | 6/2009 | Nakano |
| 6,009,637 | A | 1/2000 | Pavone | 7,549,236 | B2 | 6/2009 | Dillon et al. |
| D420,497 | S | 2/2000 | Panella | D595,937 | S | 7/2009 | Morris |
| D421,834 | S | * 3/2000 | Cooper | D596,386 | S | 7/2009 | Brambilla |
| | | | D2/969 | 7,556,846 | B2 | 7/2009 | Dojan et al. |
| D424,287 | S | 5/2000 | Edwards | D599,986 | S | 9/2009 | Reiss |
| 6,079,125 | A | 6/2000 | Quellais et al. | D600,895 | S | * 9/2009 | Morgan |
| 6,108,943 | A | 8/2000 | Hudson et al. | | | | D2/951 |
| 6,138,385 | A | 10/2000 | Jungkind et al. | D601,334 | S | 10/2009 | Werman |
| 6,205,681 | B1 | 3/2001 | Kita | D605,838 | S | 12/2009 | Foust |
| 6,219,939 | B1 | 4/2001 | Kita et al. | D607,193 | S | 1/2010 | Recchi |
| 6,219,940 | B1 | 4/2001 | Kita | D607,633 | S | 1/2010 | Mongelli |
| D442,357 | S | 5/2001 | Burt | 7,644,518 | B2 | 1/2010 | Chandler et al. |
| 6,226,896 | B1 | 5/2001 | Friton | D609,440 | S | 2/2010 | Morris |
| 6,289,608 | B1 | 9/2001 | Kita et al. | D609,441 | S | 2/2010 | Wawrousek |
| D449,433 | S | * 10/2001 | Matis et al. | D615,741 | S | 5/2010 | Matis et al. |
| | | | D2/969 | D616,188 | S | 5/2010 | Chan |
| 6,295,741 | B1 | 10/2001 | Kita | D617,085 | S | 6/2010 | Recchi et al. |
| 6,311,414 | B1 | 11/2001 | Kita | D617,983 | S | 6/2010 | Raysse |
| 6,314,664 | B1 | 11/2001 | Kita et al. | 7,762,008 | B1 | 7/2010 | Clark et al. |
| 6,338,206 | B1 | 1/2002 | Kita | D622,043 | S | 8/2010 | Hauglin |
| 6,389,713 | B1 | 5/2002 | Kita | 7,784,196 | B1 | 8/2010 | Christensen et al. |
| 6,393,732 | B1 | 5/2002 | Kita | D624,293 | S | 9/2010 | Recchi et al. |
| 6,401,365 | B2 | 6/2002 | Kita et al. | D634,922 | S | 3/2011 | Pauk et al. |
| D465,079 | S | 11/2002 | Merceron | D636,567 | S | 4/2011 | Raysse |
| 6,516,539 | B2 | 2/2003 | Nishiwaki et al. | 7,946,058 | B2 | 5/2011 | Johnson et al. |
| 6,557,270 | B2 | 5/2003 | Nakano et al. | D642,776 | S | 8/2011 | Raysse |
| D475,509 | S | 6/2003 | Avar | D643,194 | S | 8/2011 | Raysse |
| 6,606,804 | B2 | 8/2003 | Kaneko et al. | D644,419 | S | 9/2011 | Raysse |
| 6,625,905 | B2 | 9/2003 | Kita | D644,420 | S | 9/2011 | Christopherson |
| 6,647,645 | B2 | 11/2003 | Kita | D644,824 | S | 9/2011 | Leleu |
| 6,675,500 | B1 | 1/2004 | Cadamuro | D646,871 | S | 10/2011 | Christopherson |
| 6,694,642 | B2 | 2/2004 | Turner | D649,753 | S | 12/2011 | Callahan et al. |
| 6,711,834 | B1 | 3/2004 | Kita | D649,754 | S | 12/2011 | Callahan et al. |
| D489,525 | S | 5/2004 | Snow et al. | D652,201 | S | 1/2012 | Vestuti et al. |
| D489,881 | S | 5/2004 | Recchi | 8,112,905 | B2 | 2/2012 | Bemis et al. |
| D490,599 | S | 6/2004 | Snow et al. | D655,482 | S | 3/2012 | Morales |
| 6,754,981 | B1 | 6/2004 | Edwards | D655,483 | S | 3/2012 | Portzline |
| D495,128 | S | 8/2004 | Avar | D655,489 | S | 3/2012 | Mahoney |
| D497,046 | S | 10/2004 | Scott | D655,897 | S | 3/2012 | Mahoney |
| 6,810,605 | B2 | 11/2004 | Nakano et al. | D655,902 | S | 3/2012 | Debiase |
| D499,247 | S | 12/2004 | Wahoske et al. | D656,715 | S | 4/2012 | Katz et al. |
| 6,964,119 | B2 | 11/2005 | Weaver, III | | | | |
| D515,305 | S | 2/2006 | Andrews-Kramer | | | | |
| D515,306 | S | 2/2006 | Andrews-Kramer | | | | |
| D516,293 | S | 3/2006 | Smith, III | | | | |
| D523,232 | S | 6/2006 | Shaffer | | | | |

US D668,029 S

Page 3

| | | |
|-----------------|---------|------------------|
| D656,720 S | 4/2012 | Wawrousek |
| 8,146,266 B2 | 4/2012 | Vattes et al. |
| D659,958 S | 5/2012 | Birkinhead |
| D659,959 S | 5/2012 | Vestuti et al. |
| D659,964 S | 5/2012 | Callahan et al. |
| D659,965 S | 5/2012 | Callahan et al. |
| 8,181,365 B2 | 5/2012 | Cass et al. |
| D661,476 S | 6/2012 | Loverin |
| D662,699 S | 7/2012 | Callahan et al. |
| 2001/0008053 A1 | 7/2001 | Belli |
| 2003/0101621 A1 | 6/2003 | Nishiwaki et al. |
| 2004/0154189 A1 | 8/2004 | Wang |
| 2006/0137227 A1 | 6/2006 | Kita et al. |
| 2006/0277792 A1 | 12/2006 | Schoenborn |
| 2006/0283045 A1 | 12/2006 | Kita et al. |
| 2007/0209230 A1 | 9/2007 | Dillon et al. |
| 2007/0266593 A1 | 11/2007 | Schindler et al. |
| 2008/0052965 A1 | 3/2008 | Sato |
| 2008/0066347 A1 | 3/2008 | Suzuki |
| 2008/0120871 A1 | 5/2008 | Sato et al. |
| 2008/0229617 A1 | 9/2008 | Johnson et al. |
| 2008/0276491 A1 | 11/2008 | Gaensler et al. |
| 2008/0289224 A1 | 11/2008 | Sink |
| 2010/0175280 A1 | 7/2010 | Rinehart et al. |
| 2010/0192420 A1 | 8/2010 | Favraud |
| 2010/0269376 A1 | 10/2010 | Flannery et al. |
| 2010/0325917 A1 | 12/2010 | Cass et al. |
| 2011/0016746 A1 | 1/2011 | Callahan et al. |
| 2011/0016749 A1 | 1/2011 | Callahan et al. |
| 2011/0232130 A1 | 9/2011 | Boudreau et al. |
| 2011/0289799 A1 | 12/2011 | Keating et al. |
| 2012/0000095 A1 | 1/2012 | Torrance |
| 2012/0055047 A1 | 3/2012 | Youngs |

FOREIGN PATENT DOCUMENTS

| | | |
|----|----------------|---------|
| EP | 2277402 | 1/2011 |
| JP | 11000203 (A) | 1/1999 |
| JP | 11235202 (A) | 8/1999 |
| JP | 2001275711 (A) | 10/2001 |
| JP | 2002336003 (A) | 11/2002 |

| | | |
|----|----------------|---------|
| JP | 2003339405 (A) | 12/2003 |
| JP | 2004173884 (A) | 6/2004 |
| JP | 2004267516 (A) | 9/2004 |
| JP | 2005253578 (A) | 9/2005 |

OTHER PUBLICATIONS

K-Swiss, Inc. Online Store—Tubes Run 100A, http://www.kswiss.com/item/201.200/02316-162/Men/Footwear_Running/Tubes_Run_100_A/Wht_Blk_Sunornng.html (visited on Oct. 2, 2009), 1 page.

Extended European Search Report for Application No. EP 11194626.5, Applicant: Reebok International Limited, mailed May 8, 2012, 6 pages.

Reebok Blast shoe, <http://img187.imageshack.us/img187/1264/reebokblasteg.jpg>, release date 1995, 1 page.

U.S. Appl. No. 29/345,964, Christopher S. Pope, “Shoe and Portion of a Shoe”, filed Oct. 23, 2009.

U.S. Appl. No. 12/980,961, Brian Christensen, “Sole and Article of Footwear”, filed Dec. 29, 2010.

U.S. Appl. No. 29/411,762, Hardigan et al., “Portion of a Shoe Sole”, filed Jan. 25, 2012.

U.S. Appl. No. 29/412,184, Callahan et al., “Portion of a Shoe Sole”, filed Jan. 31, 2012.

U.S. Appl. No. 29/416,617, Davis et al., “Portion of a Shoe”, filed Mar. 23, 2012.

U.S. Appl. No. 13/428,897, Davis et al., “Articles of Footwear”, filed Mar. 23, 2012.

U.S. Appl. No. 29/392,013, Sallee, “Portion of a Shoe”, filed May 16, 2011.

U.S. Appl. No. 29/419,638, Birkinhead, “Portion of a Shoe”, filed Apr. 30, 2012.

U.S. Appl. No. 29/419,900, Callahan et al., “Portion of a Shoe”, filed May 2, 2012.

U.S. Appl. No. 29/419,905, Callahan et al., “Portion of a Shoe”, filed May 2, 2012.

* cited by examiner

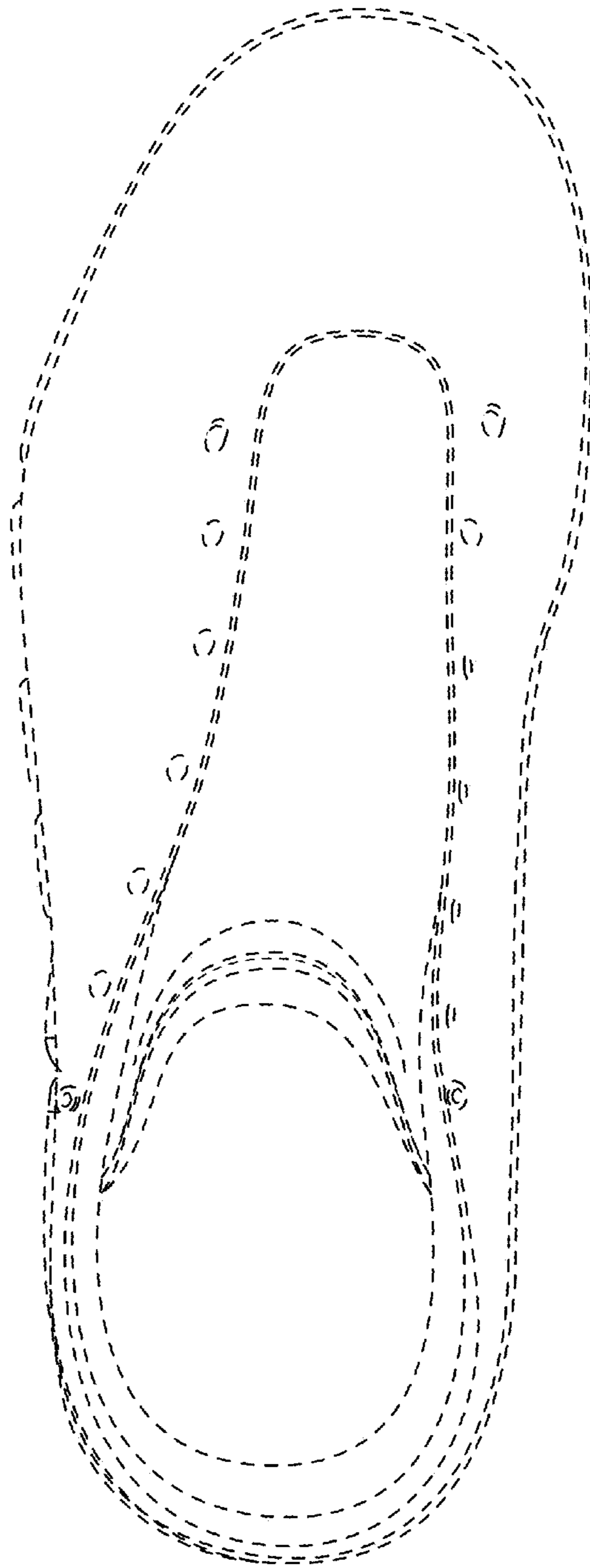


FIG. 1

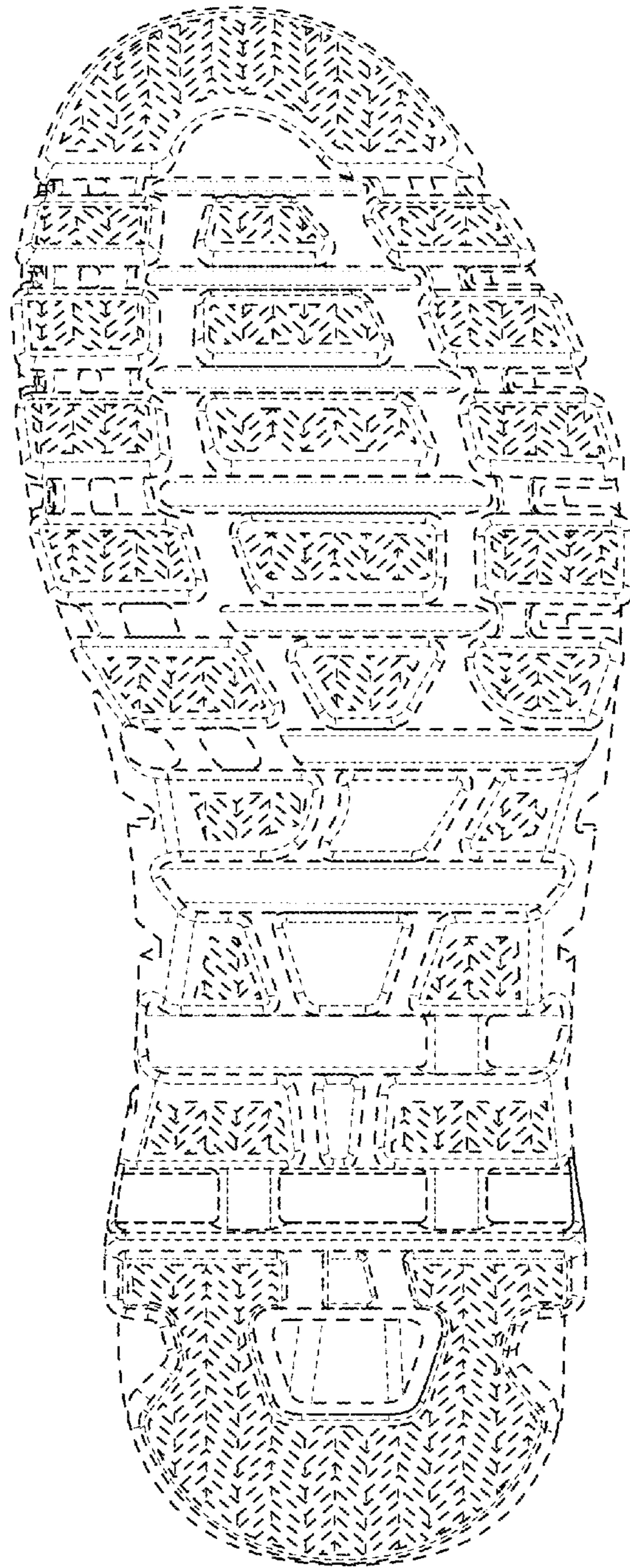


FIG. 2

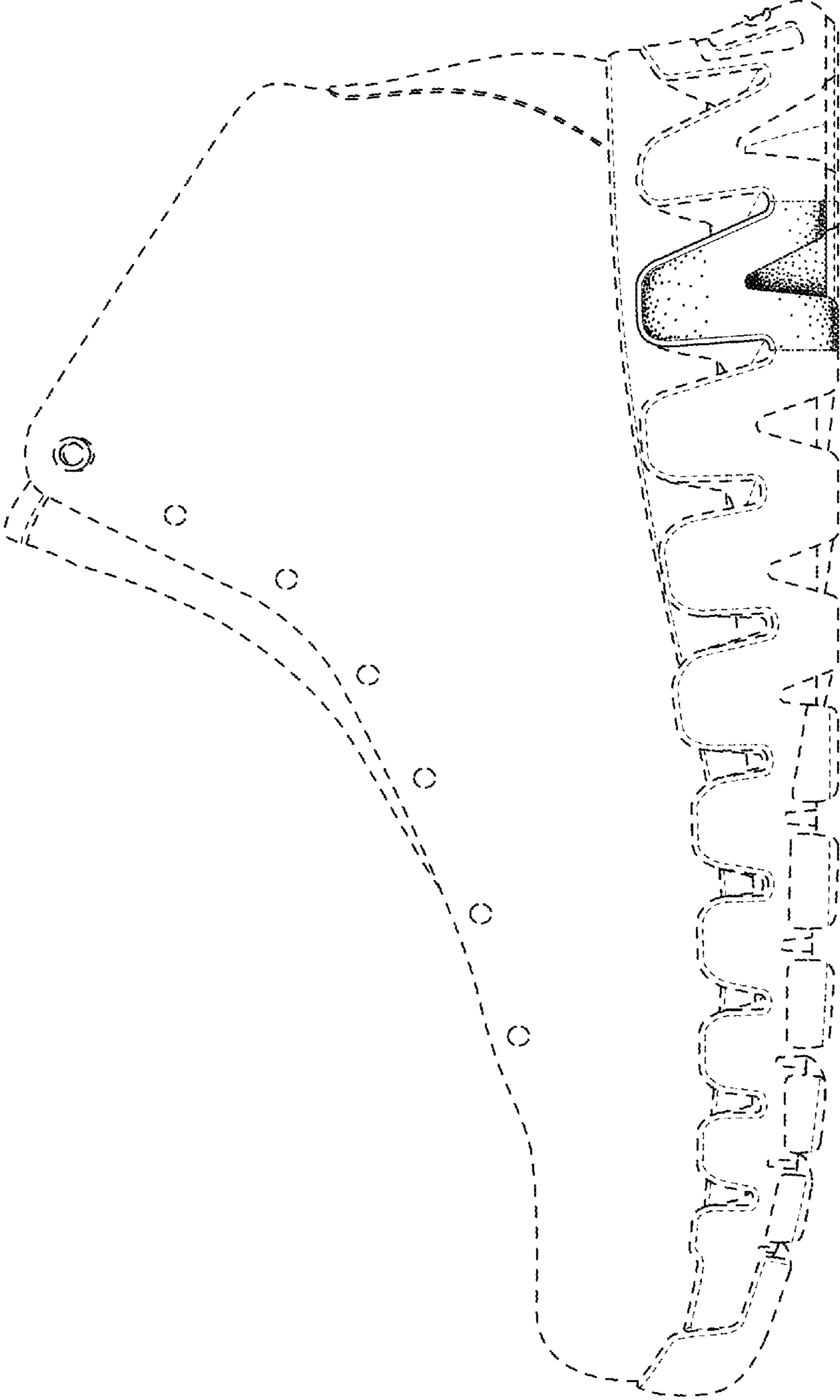


FIG. 3