



US00D677041S

(12) **United States Design Patent**
Boie et al.

(10) **Patent No.:** **US D677,041 S**
(45) **Date of Patent:** **** Mar. 5, 2013**

(54) **HEEL OF A SHOE SOLE**

(75) Inventors: **Jason Christopher Boie**, Walpole, MA (US); **Tim Bowman**, Newport Beach, CA (US); **Mark Faulconer**, Newport Beach, CA (US); **Simon Luthi**, Lake Oswego, OR (US); **Joseph F. McMillan**, Portland, OR (US); **Peter Rueegger**, Portland, OR (US); **Becky Snow**, Foxboro, MA (US)

D265,690 S 8/1982 Famolare, Jr.
D266,798 S 11/1982 Famolare, Jr.
D267,288 S 12/1982 Davis
D267,366 S 12/1982 Davis
4,400,893 A 8/1983 Musci
4,446,634 A 5/1984 Johnson et al.
4,494,320 A 1/1985 Davis
D281,370 S 11/1985 Peel
D281,641 S 12/1985 Shiki
D282,123 S 1/1986 Davis
4,571,852 A 2/1986 Lamarche et al.

(Continued)

(73) Assignee: **The Rockport Company, LLC**, Canton, MA (US)

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

(21) Appl. No.: **29/375,284**

(22) Filed: **Sep. 20, 2010**

(51) **LOC (9) Cl.** **02-04**

(52) **U.S. Cl.** **D2/960; D2/951**

(58) **Field of Classification Search** D2/902,
D2/906, 908, 916, 918, 925, 946-962, 977;
36/3 B, 22 R, 24.5, 25 R, 28, 32 R, 34 R,
36/59 C, 67 A, 103

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

33,051 A 8/1861 Port
D39,747 S 1/1909 McKenna
1,120,082 A 12/1914 Rhodes
1,272,556 A 7/1918 Steward
1,552,022 A 9/1925 Wilson
1,979,972 A 11/1934 Guild
2,081,226 A 5/1937 Cocozella
D123,602 S 11/1940 Reeves
D125,656 S 3/1941 Cutler
D125,657 S 3/1941 Cutler
2,365,027 A 12/1944 Urbany
D234,930 S 4/1975 Arambasic et al.
D248,429 S 7/1978 Inohara
D259,595 S 6/1981 Famolare, Jr.

FOREIGN PATENT DOCUMENTS

CH 699482 3/2010
EP 1120056 8/2001

(Continued)

OTHER PUBLICATIONS

Reebok Fall 2002 Footwear Catalog, p. 14, showing the U-Shuffle DMX shoe.

(Continued)

Primary Examiner — T. Chase Nelson

(74) *Attorney, Agent, or Firm* — Sterne, Kessler, Goldstein & Fox P.L.L.C.

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a bottom plan view of a heel of a shoe sole showing our new design;

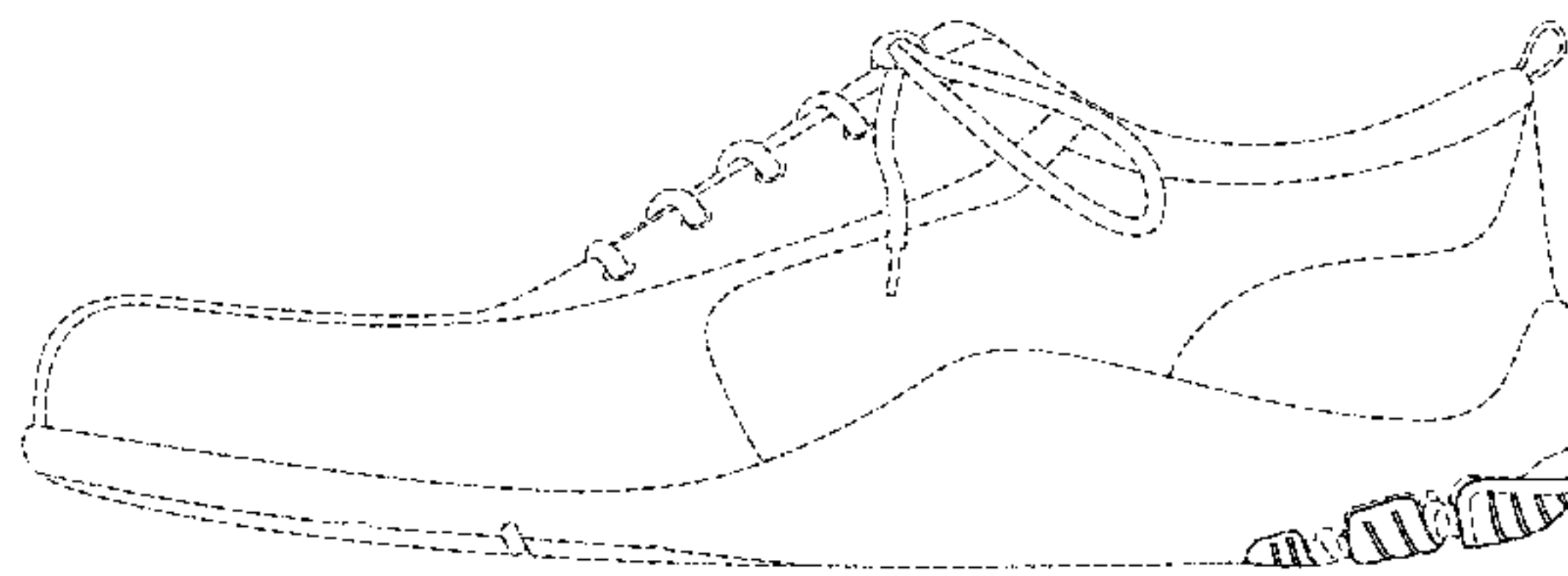
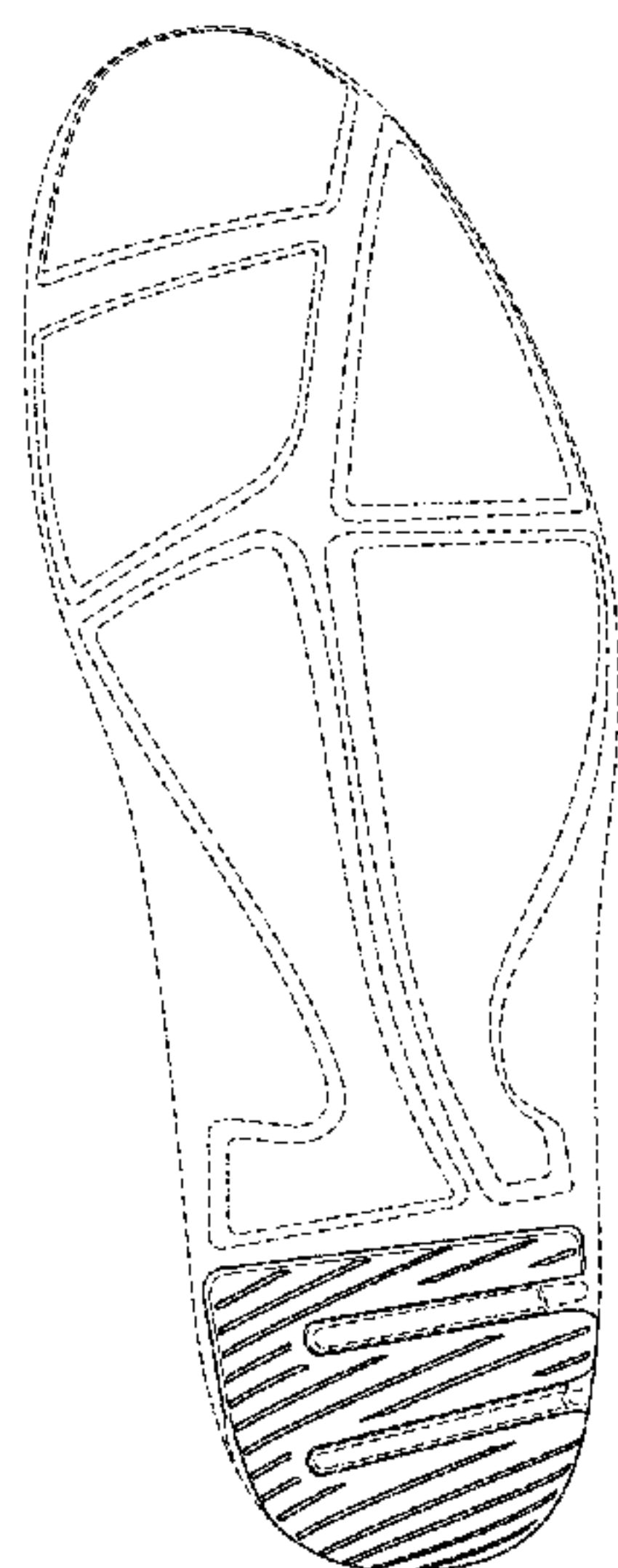
FIG. 2 is a right side view thereof;

FIG. 3 is a left side view thereof; and,

FIG. 4 is a rear view thereof.

The broken lines in the Figures show portions of the shoe upper and sole which form no part of the claimed design.

1 Claim, 4 Drawing Sheets



US D677,041 S

Page 2

U.S. PATENT DOCUMENTS					
4,577,417	A	3/1986	Cole		
D284,420	S *	7/1986	Tong	D2/955	
4,653,206	A	3/1987	Tanel		
4,660,304	A	4/1987	Tanel		
4,669,204	A	6/1987	Tanel		
D293,620	S	1/1988	Liggett et al.		
4,723,365	A	2/1988	Tanel		
D294,656	S	3/1988	Liggett et al.		
D294,769	S	3/1988	Liggett et al.		
4,748,752	A	6/1988	Tanel		
D296,950	S	8/1988	Brickwood		
D297,384	S	8/1988	Miller		
D297,980	S *	10/1988	Sugiyama	D2/961	
4,785,557	A	11/1988	Kelley et al.		
D299,584	S	1/1989	Franklin et al.		
D303,451	S	9/1989	Weiner		
D304,520	S	11/1989	Clark		
D305,955	S *	2/1990	Hase	D2/956	
4,897,936	A	2/1990	Fuerst		
D309,370	S	7/1990	Nagai et al.		
5,058,292	A	10/1991	Tanel		
D323,059	S	1/1992	Hatfield		
D326,181	S	5/1992	Katz et al.		
RE34,102	E	10/1992	Cole et al.		
5,201,126	A	4/1993	Tanel		
5,203,097	A	4/1993	Blair		
5,216,824	A	6/1993	Blissett et al.		
D343,051	S	1/1994	Bramani		
5,313,718	A	5/1994	McMahon et al.		
5,375,346	A	12/1994	Cole et al.		
D356,884	S *	4/1995	Ho	D2/902	
5,416,986	A	5/1995	Cole et al.		
5,435,078	A	7/1995	Pyle		
5,524,364	A	6/1996	Cole et al.		
5,545,463	A	8/1996	Schmidt et al.		
D377,859	S *	2/1997	Bramani	D2/953	
5,664,341	A	9/1997	Schmidt et al.		
5,678,328	A	10/1997	Schmidt et al.		
5,678,329	A	10/1997	Griffin et al.		
5,679,439	A	10/1997	Schmidt et al.		
5,701,687	A	12/1997	Schmidt et al.		
D388,947	S	1/1998	Sessa		
D392,790	S	3/1998	Ng		
D394,741	S *	6/1998	Gaudio	D2/960	
D394,939	S	6/1998	Avar		
D395,156	S	6/1998	Adam		
D395,157	S	6/1998	von Conta		
5,771,606	A	6/1998	Litchfield et al.		
D395,743	S *	7/1998	Ryan	D2/960	
D396,549	S	8/1998	von Conta et al.		
5,794,359	A	8/1998	Jenkins et al.		
D398,440	S	9/1998	Rowland		
5,806,209	A	9/1998	Crowley et al.		
D400,344	S	11/1998	Avar		
D401,043	S	11/1998	Truelsen		
5,842,291	A	12/1998	Schmidt et al.		
D405,596	S	2/1999	Aird et al.		
5,918,385	A	7/1999	Sessa		
5,956,869	A	9/1999	Kim		
D416,602	S	11/1999	Finn		
6,018,889	A	2/2000	Friton		
6,026,593	A	2/2000	Harmon-Weiss et al.		
6,038,790	A	3/2000	Pyle et al.		
6,041,522	A	3/2000	Anteby		
D426,947	S	6/2000	Pollastrelli		
D427,755	S	7/2000	Tresser		
6,092,309	A	7/2000	Edwards		
6,266,897	B1	7/2001	Seydel et al.		
D446,917	S	8/2001	Brown		
6,354,020	B1	3/2002	Kimball et al.		
D459,064	S	6/2002	McCiaskie		
D464,188	S	10/2002	Lozano		
6,505,420	B1	1/2003	Litchfield et al.		
6,516,540	B2	2/2003	Seydel et al.		
D473,696	S *	4/2003	Mangee	D2/952	
D475,514	S	6/2003	Burg et al.		
D478,412	S	8/2003	Adams		
D482,851	S	12/2003	McClaskie		
D482,852	S	12/2003	Belley et al.		
D487,838	S	3/2004	McClaskie		
D492,096	S	6/2004	Sanchez et al.		
6,745,499	B2	6/2004	Christensen et al.		
6,754,981	B1	6/2004	Edwards		
D493,949	S	8/2004	Magro		
D495,860	S	9/2004	Kubo et al.		
D496,526	S	9/2004	Grisoni et al.		
D497,244	S	10/2004	Sedlbauer		
D498,041	S	11/2004	McCiaskie		
6,836,978	B1	1/2005	Lauer et al.		
6,845,573	B2	1/2005	Litchfield et al.		
D501,293	S	2/2005	Bizzo		
D501,706	S	2/2005	McClaskie		
D504,555	S	5/2005	Urie		
D506,053	S *	6/2005	Cook	D2/916	
6,979,287	B2	12/2005	Elbaz et al.		
D513,842	S *	1/2006	Paytuvi	D2/957	
7,080,467	B2	7/2006	Marvin et al.		
7,101,330	B2	9/2006	Elbaz et al.		
D532,189	S	11/2006	Truelsen		
7,152,343	B2	12/2006	Whatley		
7,200,955	B2	4/2007	Foxen		
D541,511	S	5/2007	Wu		
D551,433	S	9/2007	Loverin		
D553,335	S	10/2007	Amado et al.		
7,278,445	B2	10/2007	Marvin et al.		
D554,836	S	11/2007	Shaffer		
D554,838	S	11/2007	McClaskie		
D556,980	S *	12/2007	Bramani	D2/902	
D567,484	S	4/2008	James		
D568,593	S	5/2008	Chen		
D569,084	S	5/2008	Hatfield et al.		
D569,086	S	5/2008	Le		
D570,583	S *	6/2008	Belley et al.	D2/956	
D574,582	S	8/2008	Della Valle		
D576,394	S *	9/2008	Heller	D2/951	
D577,179	S	9/2008	Della Valle		
7,437,835	B2	10/2008	Marvin et al.		
D582,638	S	12/2008	Ringholz		
D583,136	S	12/2008	Amado et al.		
7,475,498	B2	1/2009	Litchfield et al.		
D585,634	S	2/2009	McClaskie		
D586,545	S	2/2009	Feldman		
D586,984	S	2/2009	Schwartz		
D590,586	S	4/2009	Harlow		
D591,031	S	4/2009	Cofinco		
D594,195	S	6/2009	Nakano		
D594,196	S	6/2009	Recchi		
D594,200	S	6/2009	Nakano		
7,546,699	B2	6/2009	Ellis, III		
D595,489	S	7/2009	McClaskie		
D595,938	S *	7/2009	Fuchs	D2/907	
7,562,468	B2	7/2009	Ellis, III		
D597,287	S	8/2009	Vestuti et al.		
D598,185	S *	8/2009	McClaskie	D2/952	
D601,783	S	10/2009	Pizzuti		
D602,683	S *	10/2009	Roundhouse	D2/957	
D604,030	S *	11/2009	Wilson	D2/947	
D604,033	S	11/2009	Feldman		
D607,185	S	1/2010	Soon		
7,647,710	B2	1/2010	Ellis, III		
D610,332	S *	2/2010	Raichle	D2/953	
D613,043	S *	4/2010	Walton	D2/902	
D613,480	S *	4/2010	Lamont	D2/902	
D614,838	S *	5/2010	Bramani	D2/947	
D614,840	S	5/2010	Hogan		
D614,841	S	5/2010	Hogan		
7,707,742	B2	5/2010	Ellis, III		
D619,343	S	7/2010	Vestuti et al.		
D621,595	S	8/2010	McCiaskie		
D622,486	S	8/2010	Goldston et al.		
7,793,429	B2	9/2010	Ellis, III		
7,793,430	B2	9/2010	Ellis		
D625,093	S	10/2010	Lidtko		
D626,320	S *	11/2010	Anderson	D2/957	
D627,545	S	11/2010	Raysse		
D633,695	S	3/2011	Opie		
D635,755	S	4/2011	McMillan		

D636,157 S 4/2011 Nascimento
D636,159 S 4/2011 Petrie
D636,570 S 4/2011 Merritt et al.
7,921,580 B2 4/2011 Russell
D636,981 S * 5/2011 Petrie D2/953
D637,381 S 5/2011 Zappiello
7,941,938 B2 5/2011 Yu et al.
D640,046 S * 6/2011 Claassen D2/961
D640,047 S * 6/2011 Claassen D2/961
7,962,986 B2 6/2011 Dananberg
D642,363 S 8/2011 Rajjmohan et al.
D643,197 S 8/2011 Teteriatnikov
D643,602 S 8/2011 Teteriatnikov
D643,607 S 8/2011 Teteriatnikov
D644,007 S 8/2011 Akhidime
D644,008 S 8/2011 Teteriatnikov
D644,009 S 8/2011 Akhidime
D646,049 S * 10/2011 Dowling D2/953
D646,470 S 10/2011 Jacobs
D648,517 S 11/2011 Vestuti et al.
D653,023 S 1/2012 McClaskie
D655,489 S 3/2012 Mahoney
D655,897 S 3/2012 Mahoney
8,156,663 B2 4/2012 Shelton et al.
D659,363 S 5/2012 Leary et al.
D659,961 S 5/2012 Vestuti et al.
D663,511 S 7/2012 Martinez et al.
2003/0069807 A1 4/2003 Lyden
2003/0101619 A1 6/2003 Litchfield et al.
2004/0003513 A1 1/2004 Crane et al.
2004/0033864 A1 2/2004 Elbaz et al.
2004/0033874 A1 2/2004 Elbaz et al.
2005/0044745 A1 3/2005 Pfander
2005/0268490 A1 12/2005 Foxen
2005/0283999 A1 12/2005 Whatley
2006/0026868 A1 2/2006 Grisoni et al.
2006/0048412 A1 3/2006 Kerrigan
2007/0028485 A1 2/2007 Crane et al.
2007/0033832 A1 2/2007 Marvin et al.
2007/0043630 A1 2/2007 Lyden
2008/0242518 A1 10/2008 Elbaz et al.
2009/0094855 A1 4/2009 Finkelstein
2009/0119948 A1 5/2009 Ortlely et al.
2009/0165333 A1 7/2009 Litchfield et al.
2009/0241379 A1 10/2009 Krikorian
2009/0293309 A1 12/2009 Keating et al.
2010/0107448 A1 5/2010 Fallow et al.
2010/0126044 A1 * 5/2010 Davis 36/108
2010/0139119 A1 6/2010 Sokolowski
2010/0139127 A1 6/2010 Huang
2010/0146818 A1 6/2010 Sokolowski
2010/0251565 A1 10/2010 Litchfield et al.
2010/0251567 A1 10/2010 McInnis et al.
2010/0293815 A1 11/2010 Ferrigan et al.
2011/0016749 A1 1/2011 Callahan et al.
2011/0023215 A1 2/2011 Obradovic
2011/0047833 A1 * 3/2011 Tai 36/30 R
2011/0072684 A1 3/2011 Stubblefield
2011/0113646 A1 5/2011 Merritt et al.
2011/0113649 A1 5/2011 Merritt et al.
2011/0126422 A1 6/2011 Vattes et al.

2011/0154688 A1 6/2011 Yu et al.
2011/0185593 A1 8/2011 Ramos
2011/0219643 A1 9/2011 Tai
2011/0277351 A1 11/2011 Scoledes
2012/0005921 A1 1/2012 Diepenbrock
2012/0047770 A1 3/2012 Dean et al.
2012/0066938 A1 3/2012 French et al.
2012/0096744 A1 4/2012 Goodsmith et al.

FOREIGN PATENT DOCUMENTS

WO WO 2004/016321 A2 2/2004
WO WO 2004/016321 A3 2/2004

OTHER PUBLICATIONS

Reebok Third Quarter 2003 Footwear Catalog, p. 17, showing the Stimulus DMX shoe, and pp. 16 and 41, showing the Court Macabee II DMX shoe.
Reebok Spring 2005 Footwear Catalog, p. 30, showing the Sportcentric DMX Max shoe, p. 31, showing the Destination DMX shoe, and pp. 32 and 52, showing the Trail DMX Max and Sporterra DMX Walk shoes.
Reebok Third Quarter 2005 Footwear Catalog, p. 50, showing the Sportcentric DMX Max shoe.
Reebok First Quarter 2007 Footwear Catalog, pp. 16 and 53, showing the Voltage Mid III and Voyage Low III shoes.
Extended European Search Report for Application No. EP 09179450.3, Applicant: Reebok International Ltd., mailed Aug. 2, 2010, 6 pages.
Crompton, "Wobble back to good health," The Times, Body + Soul pp. 7-8, Sep. 26, 2009, 2 pages.
Apos, Less Pain, More Function article, 12 pages, copyright 2008.
Draft Flexyboots BmbH Patent Application dated Aug. 20, 2008, retrieved on Jun. 26, 2009 from <http://www.flexyboots.ch/Patent.pdf>, 42 pages.
"Flexyboots" www.flexyboot.com (visited Oct. 9, 2009) with English translation, 3 pages.
Tanel 360 Store—Victory Performance Low Cut Molded Cleat—Mens, <http://shop.tanel360.com/victory-performance-low-cut-molded-cleat---mens-p21.aspx> (printed on Nov. 16, 2010), 3 pages.
U.S. Appl. No. 13/339,583, Christensen et al., "Sole and Article of Footwear Having a Pod Assembly", filed Dec. 29, 2011.
U.S. Appl. No. 13/339,592, Christensen et al., "Sole and Article of Footwear Having a Pod Assembly", filed Dec. 29, 2011.
U.S. Appl. No. 29/344,359, Lacorazza et al. "Portion of a Shoe Sole", filed Sep. 28, 2009, pending.
U.S. Appl. No. 29/375,285, Luthi et al., "Shoe Sole", filed Sep. 20, 2010, pending.
U.S. Appl. No. 29/379,320, Vestuti et al., "Portion of a Shoe", filed Nov. 17, 2010, pending.
U.S. Appl. No. 29/383,134, Litchfield et al., "Portion of a Shoe", filed Jan. 12, 2011, pending.
U.S. Appl. No. 29/402,548, Vestuti et al., "Portion of a Shoe Sole", filed Sep. 23, 2011, pending.
U.S. Appl. No. 29/416,615, Christensen et al., "Portion of a Shoe", filed Mar. 23, 2012, pending.

* cited by examiner

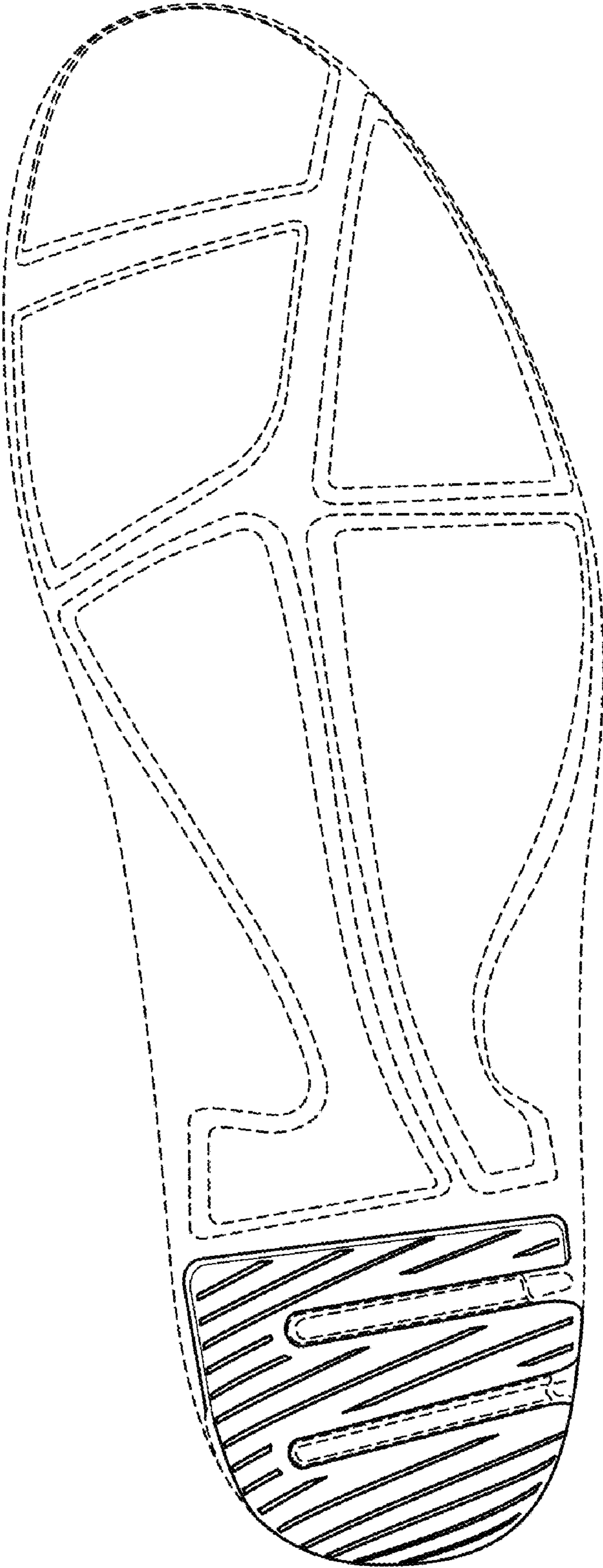


FIG. 1

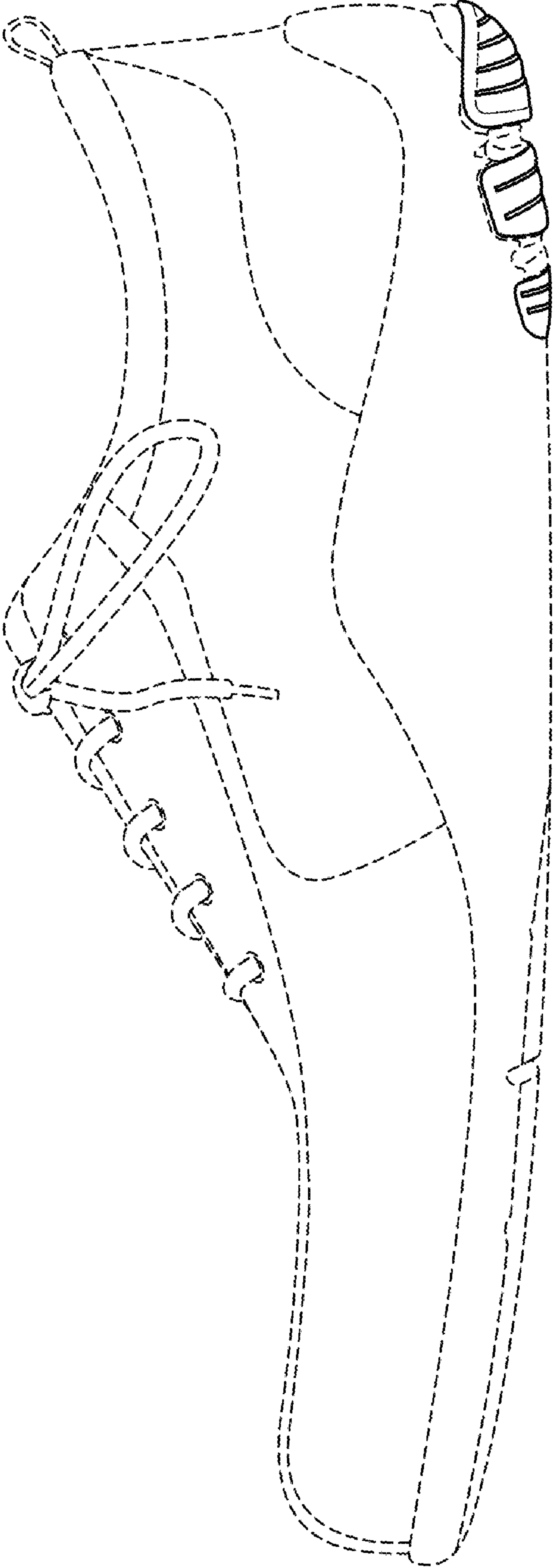


FIG. 2

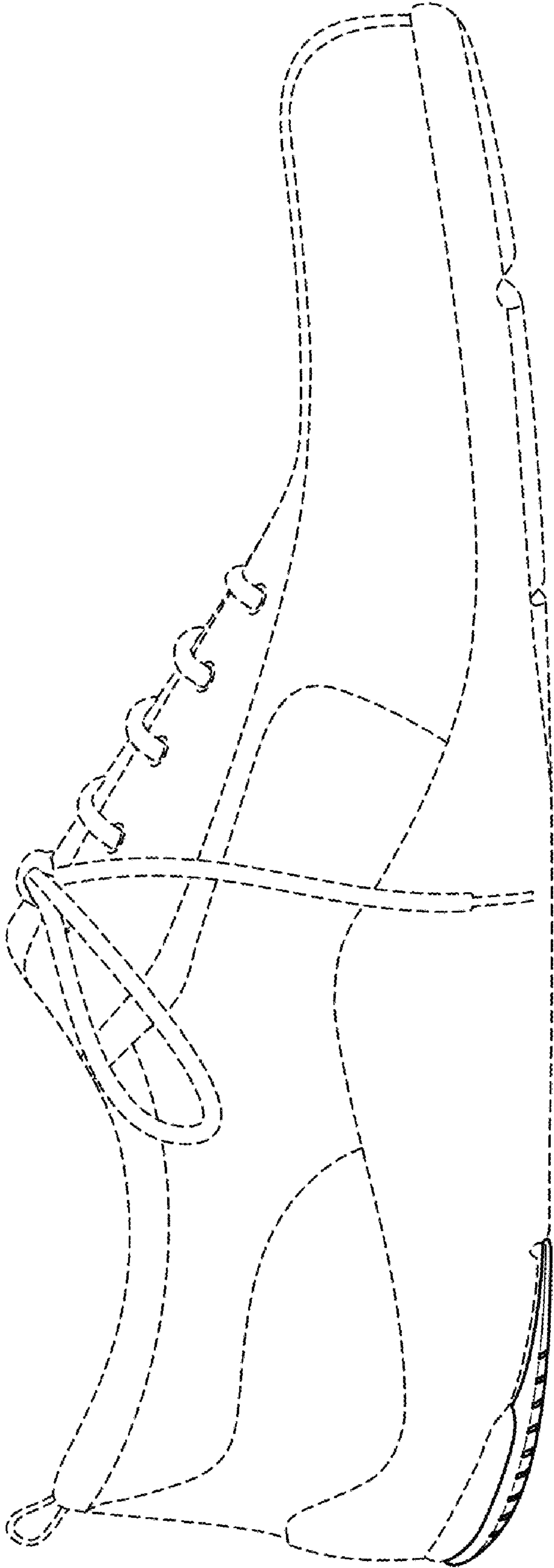


FIG. 3

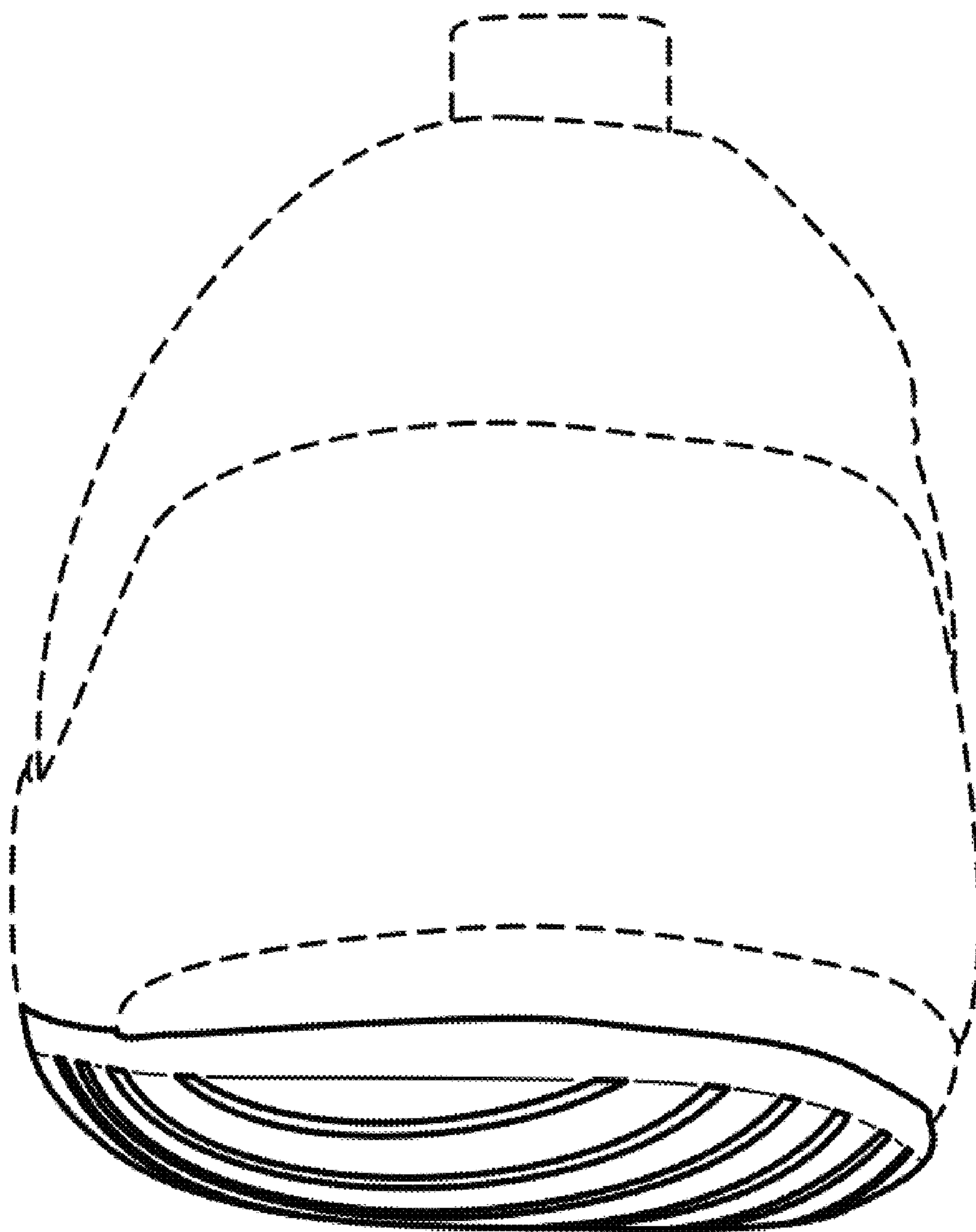


FIG. 4