



US00D682518S

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

(10) **Patent No.:** **US D682,518 S**
(45) **Date of Patent:** **** May 21, 2013**

(54) **SHOE SOLE**

D123,602 S 11/1940 Reeves
D125,656 S 3/1941 Cutler
D125,657 S 3/1941 Cutler

(75) Inventors: **Ricardo Vestuti**, Providence, RI (US);
Kevin Leary, Dedham, MA (US); **Mike**
Andrews, East Falmouth, MA (US);
William McInnis, Westwood, MA (US)

(Continued)

(73) Assignee: **Reebok International Limited**, London
(GB)

FOREIGN PATENT DOCUMENTS

CH 699482 3/2010
EP 1120056 8/2001
WO WO 2004/016321 A2 2/2004
WO WO 2004/016321 A3 2/2004

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

OTHER PUBLICATIONS

(21) Appl. No.: **29/402,548**

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

(22) Filed: **Sep. 23, 2011**

(Continued)

Related U.S. Application Data

Primary Examiner — T. Chase Nelson

(60) Continuation of application No. 29/364,048, filed on Jun. 17, 2010, now Pat. No. Des. 648,517, which is a division of application No. 29/339,457, filed on Jun. 30, 2009, now Pat. No. Des. 619,343, which is a continuation of application No. 29/325,242, filed on Sep. 26, 2008, now Pat. No. Des. 597,287.

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

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

(57) **CLAIM**

(52) **U.S. Cl.**

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

USPC **D2/954**; D2/951; D2/955

(58) **Field of Classification Search** D2/902,
D2/947, 951–954, 956–960; 36/103, 3 B,
36/22 R, 25 R, 32 R, 59 C, 67 A; D5/32,
D5/37

DESCRIPTION

See application file for complete search history.

FIG. 1 is a bottom perspective view of a shoe sole showing our new design;
FIG. 2 is a front view thereof;
FIG. 3 is a rear view thereof;
FIG. 4 is a side view thereof;
FIG. 5 is another side view thereof;
FIG. 6 is a top plan view thereof; and,
FIG. 7 is a bottom view thereof.

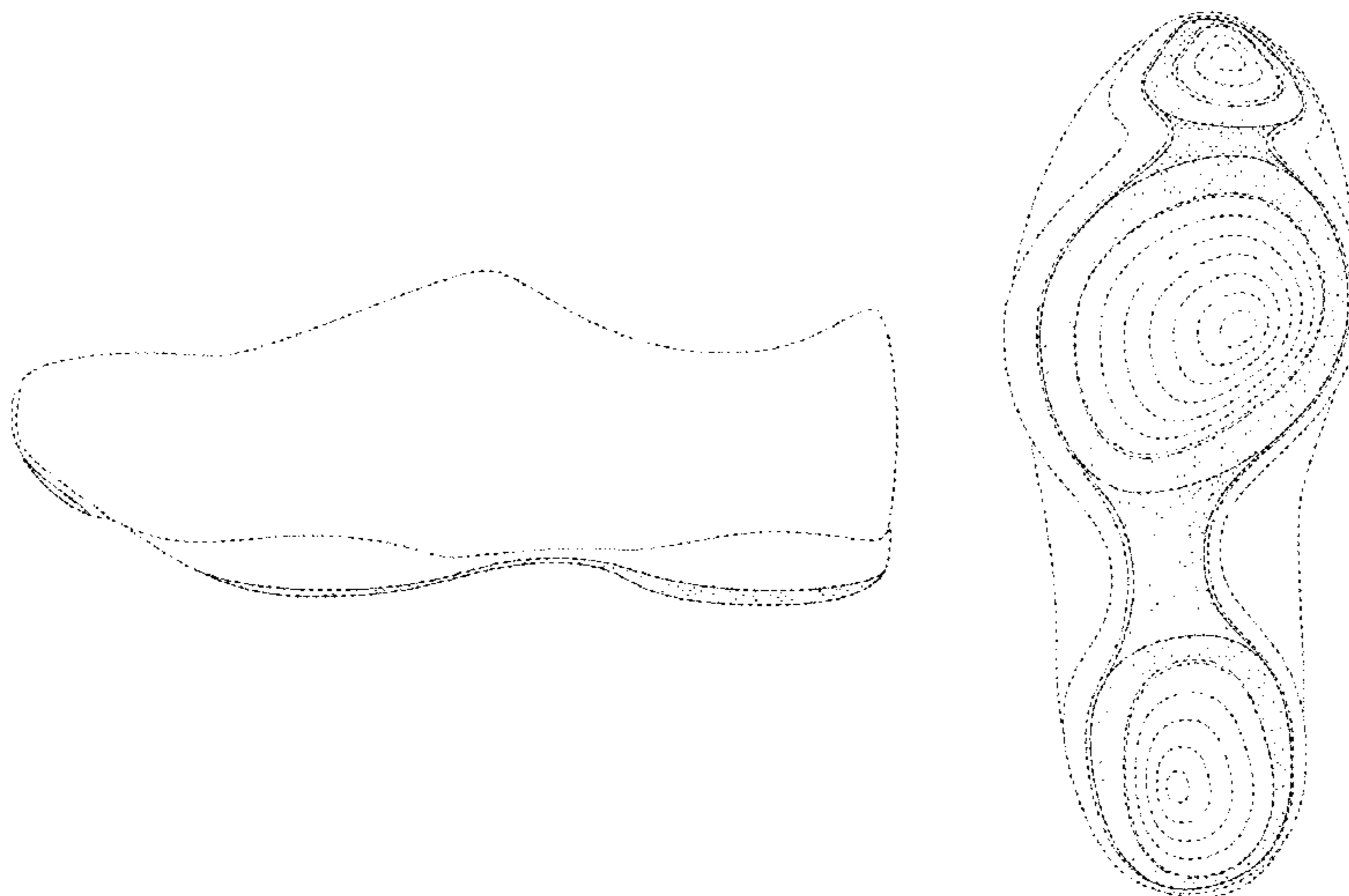
The shaded areas between the solid lines and between the solid and dash-dot-dash lines form the claimed design. The unshaded areas defined by the broken lines within the dash-dot-dash lines depict portions of the shoe sole that form no part of the claimed design. The other broken lines within the drawings depict environmental structure that also forms no part of the claimed design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

33,051 A 8/1861 Port
D39,747 S 1/1909 McKenna
1,272,556 A 7/1918 Steward
1,979,972 A 11/1934 Guild

1 Claim, 6 Drawing Sheets



US D682,518 S

U.S. PATENT DOCUMENTS

2,365,027 A	12/1944	Urbany	7,546,699 B2	6/2009	Ellis, III	
D234,930 S	4/1975	Arambasic et al.	D595,489 S	7/2009	McCiaskie	
D248,429 S	7/1978	Inohara	7,562,468 B2	7/2009	Ellis, III	
D259,595 S	6/1981	Famolare, Jr.	D597,287 S	8/2009	Vestuti et al.	
D265,690 S	8/1982	Famolare, Jr.	D601,783 S	10/2009	Pizzuti	
D266,798 S	11/1982	Famolare, Jr.	D604,033 S	11/2009	Feldman	
D267,288 S	12/1982	Davis	D607,185 S	1/2010	Soon	
D267,366 S	12/1982	Davis	7,647,710 B2	1/2010	Ellis, III	
4,400,893 A	8/1983	Musci	D614,840 S	5/2010	Hogan	
4,494,320 A	1/1985	Davis	D614,841 S	5/2010	Hogan	
D281,641 S	12/1985	Shiki	7,707,742 B2	5/2010	Ellis, III	
D282,123 S	1/1986	Davis	D619,343 S	7/2010	Vestuti et al.	
4,571,852 A	2/1986	Lamarche et al.	D621,595 S	8/2010	McCiaskie	
4,577,417 A	3/1986	Cole	D622,486 S	8/2010	Goldston et al.	
4,653,206 A	3/1987	Tanel	7,793,429 B2	9/2010	Ellis, III	
4,660,304 A	4/1987	Tanel	7,793,430 B2	9/2010	Ellis	
4,669,204 A	6/1987	Tanel	D625,093 S	10/2010	Lidtkke	
4,723,365 A	2/1988	Tanel	D627,545 S	11/2010	Raysse	
4,748,752 A	6/1988	Tanel	D633,695 S	3/2011	Opie	
D296,950 S	8/1988	Brickwood	D635,755 S	4/2011	McMillan	
D299,584 S	1/1989	Franklin et al.	D636,157 S	4/2011	Nascimento	
D304,520 S	11/1989	Clark	D636,570 S	4/2011	Merritt et al.	
4,897,936 A	2/1990	Fuerst	7,921,580 B2	4/2011	Russell	
D309,370 S	7/1990	Nagai et al.	D637,381 S	5/2011	Zappiello	
5,058,292 A	10/1991	Tanel	7,941,938 B2	5/2011	Yu et al.	
D323,059 S	1/1992	Hatfield	D643,197 S	8/2011	Teteriatnikov	
D326,181 S	5/1992	Katz et al.	D643,602 S	8/2011	Teteriatnikov	
5,201,126 A	4/1993	Tanel	D643,607 S	8/2011	Teteriatnikov	
5,203,097 A	4/1993	Blair	D644,008 S	8/2011	Teteriatnikov	
D343,051 S	1/1994	Bramani	D644,009 S	8/2011	Akhidime	
5,313,718 A	5/1994	McMahon et al.	D648,517 S *	11/2011	Vestuti et al.	D2/955
5,435,078 A	7/1995	Pyle	D659,363 S *	5/2012	Leary et al.	D2/955
5,678,329 A	10/1997	Griffin et al.	D659,961 S *	5/2012	Vestuti et al.	D2/947
D388,947 S	1/1998	Sessa	D664,753 S *	8/2012	Santos	D2/955
D394,939 S	6/1998	Avar	8,256,146 B2 *	9/2012	Loverin	36/102
D395,156 S	6/1998	Adam	D668,854 S *	10/2012	Dean et al.	D2/947
D395,157 S	6/1998	von Conta	D671,304 S *	11/2012	Lacorazza et al.	D2/954
5,771,606 A	6/1998	Litchfield et al.	8,307,569 B2 *	11/2012	McInnis et al.	36/28
D396,549 S	8/1998	von Conta et al.	D671,724 S *	12/2012	Avar et al.	D2/955
D398,440 S	9/1998	Rowland	8,333,024 B2 *	12/2012	Fallow et al.	36/102
D400,344 S	11/1998	Avar	2003/0069807 A1	4/2003	Lyden	
D401,043 S	11/1998	Truelsen	2004/0003513 A1	1/2004	Crane et al.	
D405,596 S	2/1999	Aird et al.	2004/0033864 A1	2/2004	Elbaz et al.	
D426,947 S	6/2000	Pollastrelli	2004/0033874 A1	2/2004	Elbaz et al.	
D427,755 S	7/2000	Tresser	2005/0044745 A1	3/2005	Pfander	
D446,917 S	8/2001	Brown	2005/0268490 A1	12/2005	Foxen	
D459,064 S	6/2002	McCiaskie	2005/0283999 A1	12/2005	Whatley	
6,505,420 B1	1/2003	Litchfield et al.	2007/0028485 A1	2/2007	Crane et al.	
6,516,540 B2	2/2003	Seydel et al.	2007/0033832 A1	2/2007	Marvin et al.	
D478,412 S	8/2003	Adams	2007/0043630 A1	2/2007	Lyden	
D482,852 S	12/2003	Belley et al.	2008/0242518 A1	10/2008	Elbaz et al.	
D492,096 S	6/2004	Sanchez et al.	2009/0241379 A1	10/2009	Krikorian	
6,745,499 B2	6/2004	Christensen et al.	2009/0293309 A1	12/2009	Keating et al.	
D493,949 S	8/2004	Magro	2010/0107448 A1	5/2010	Fallow et al.	
D495,860 S	9/2004	Kubo et al.	2010/0139119 A1	6/2010	Sokolowski	
D497,244 S	10/2004	Sedlbauer	2010/0139127 A1	6/2010	Huang	
D498,041 S	11/2004	McCiaskie	2010/0146818 A1	6/2010	Sokolowski	
D501,293 S	2/2005	Bizzo	2010/0251565 A1	10/2010	Litchfield et al.	
D504,555 S	5/2005	Urie	2010/0251567 A1	10/2010	McInnis et al.	
6,979,287 B2	12/2005	Elbaz et al.	2010/0293815 A1	11/2010	Ferrigan et al.	
7,080,467 B2	7/2006	Marvin et al.	2011/0016749 A1	1/2011	Callahan et al.	
7,101,330 B2	9/2006	Elbaz et al.	2011/0023215 A1	2/2011	Obradovic	
D532,189 S	11/2006	Truelsen	2011/0072684 A1	3/2011	Stubblefield	
D553,335 S	10/2007	Amado et al.	2011/0113646 A1	5/2011	Merritt et al.	
7,278,445 B2	10/2007	Marvin et al.	2011/0113649 A1	5/2011	Merritt et al.	
D554,836 S	11/2007	Shaffer	2011/0126422 A1	6/2011	Vattes et al.	
D569,084 S	5/2008	Hatfield et al.	2011/0154688 A1	6/2011	Yu et al.	
D574,582 S	8/2008	Della Valle	2011/0185593 A1	8/2011	Ramos	
D576,394 S	9/2008	Heller	2012/0047770 A1 *	3/2012	Dean et al.	36/103
D577,179 S	9/2008	Della Valle	2012/0096744 A1 *	4/2012	Goodsmith et al.	36/103
7,437,835 B2	10/2008	Marvin et al.				
D582,638 S	12/2008	Ringholz				
D583,136 S	12/2008	Amado et al.				
D586,984 S	2/2009	Schwartz				
D590,586 S	4/2009	Harlow				
D591,031 S	4/2009	Cofinco				
D594,196 S	6/2009	Recchi				
D594,200 S	6/2009	Nakano				

OTHER PUBLICATIONS

Reebok First Quarter 2007 Footwear Catalog, pp. 16 and 53, showing the Voyage Mid III and Voyage Low III shoes.

Reebok Spring 2005 Footwear Catalog, p. 30, showing the Sportcentric DMX Max shoe, pp. 31, showing the Destination DMX shoe, and pp. 32 and 52, showing the Trail DMX Max and Sporterra DMX Walk shoes.

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 Third Quarter 2005 Footwear Catalog, p. 50, showing the Sportcentric DMX Max shoe.

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 Swiss patent application entitled "Shoe Sole" Flexyboots GmbH, dated Aug. 20, 2008, www.flexiboos.ch.patent.pdf, with English translation, 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, 2020), 3 pages.

U.S. Appl. No. 29/344,359, Lacorazza et al., "Portion of a Shoe Sole", filed Sep. 28, 2009.

U.S. Appl. No. 29/345,523, Leary et al., "Portion of a Shoe Sole", filed Oct. 16, 2009.

U.S. Appl. No. 29/364,048, Vestuti et al., "Portion of a Shoe Sole", filed Jun. 17, 2010.

U.S. Appl. No. 29/375,660, Vestuti et al., "Portion of a Shoe", filed Sep. 24, 2010.

U.S. Appl. No. 29/379,320, Vestuti et al., "Portion of a Shoe", filed Nov. 17, 2010.

* cited by examiner

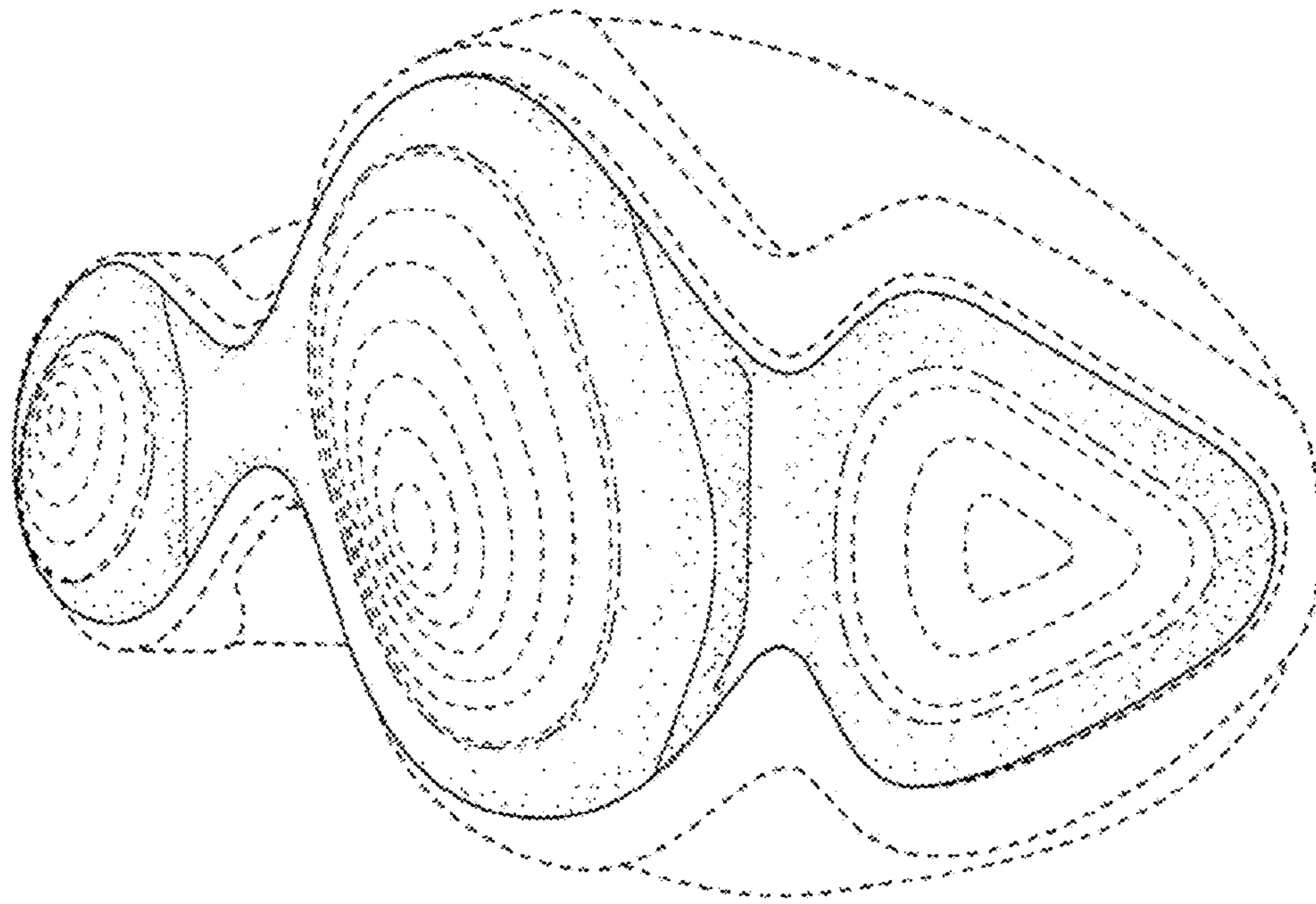


FIG. 1

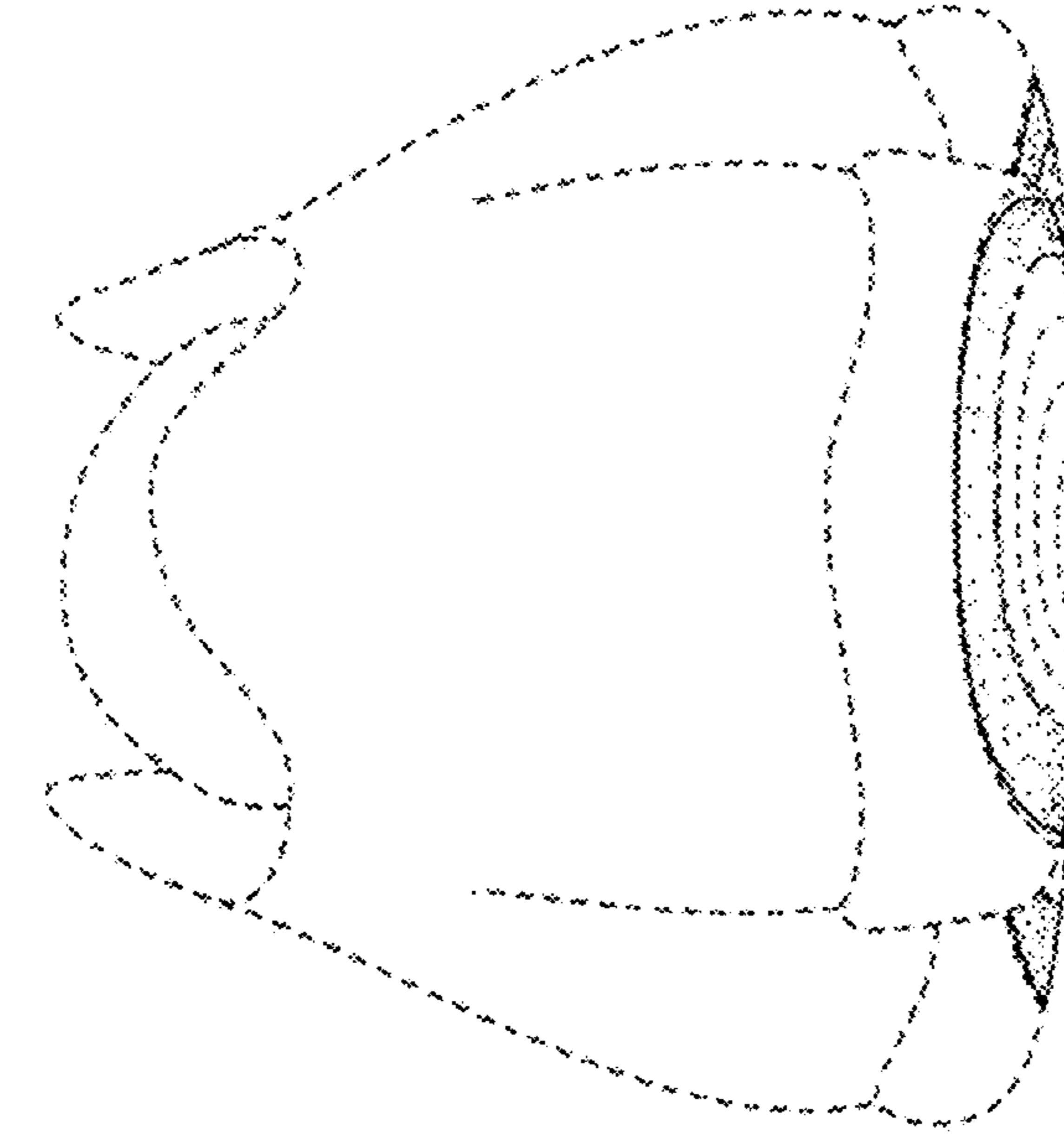


FIG. 2

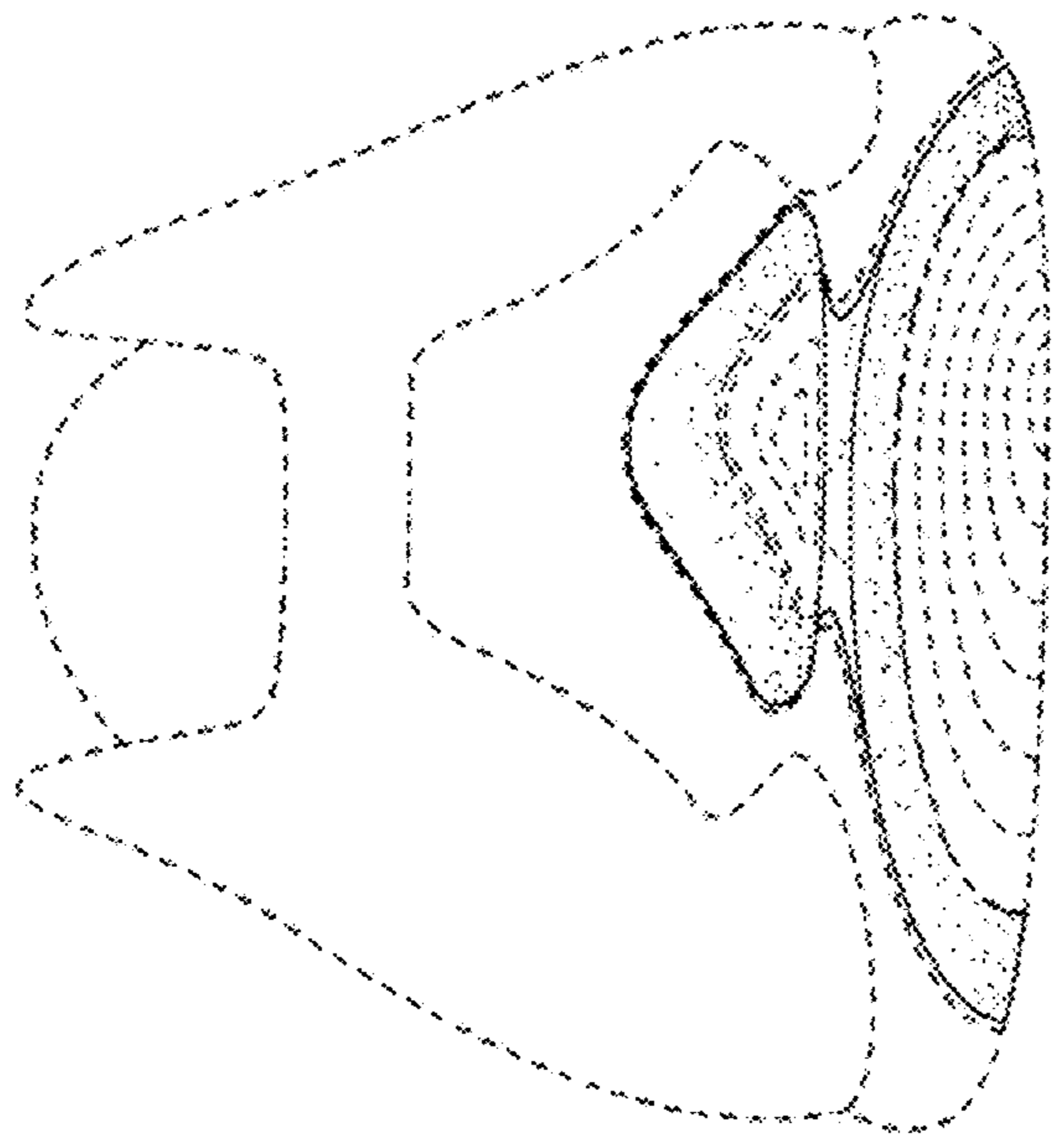


FIG. 3

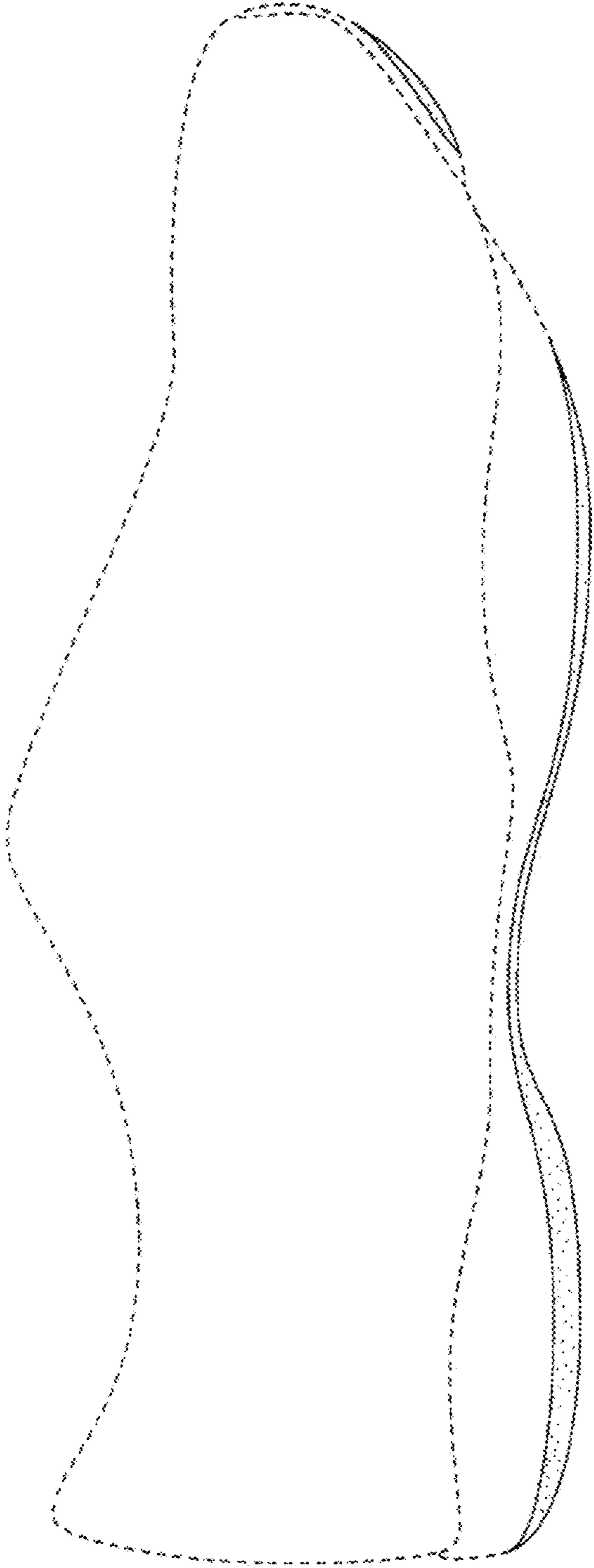


FIG. 4

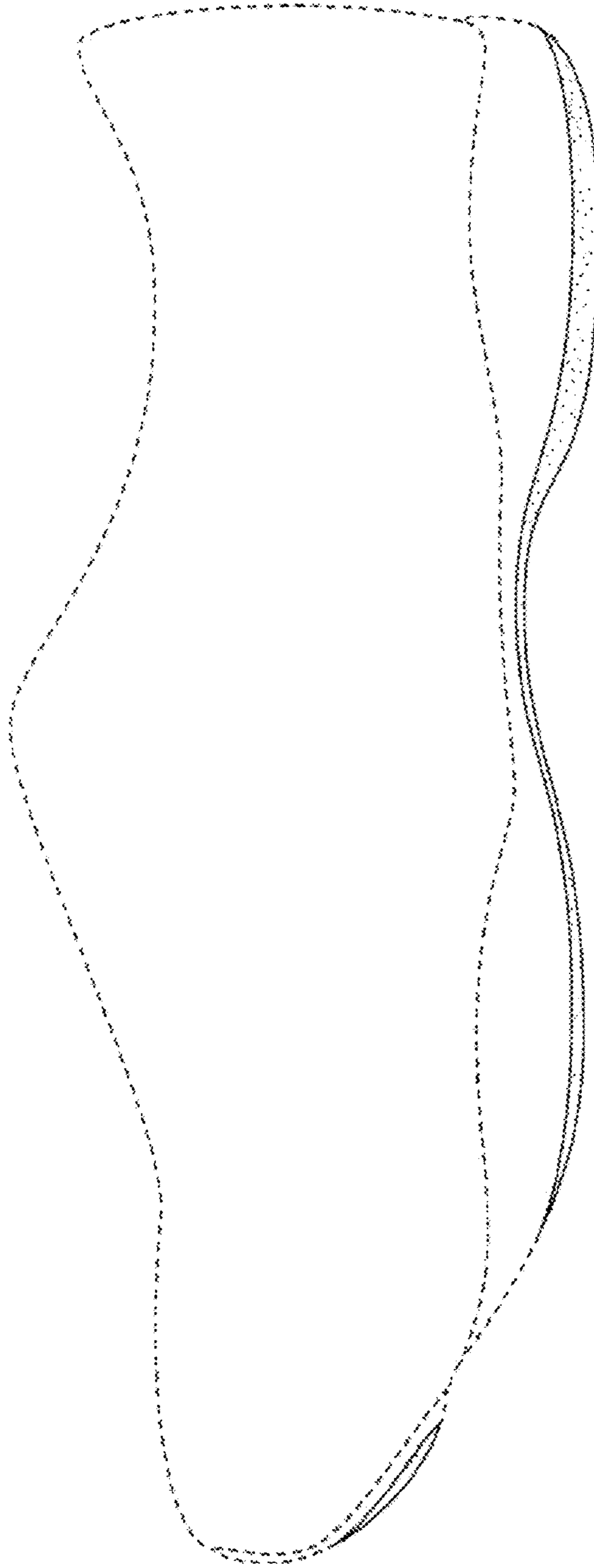


FIG. 5

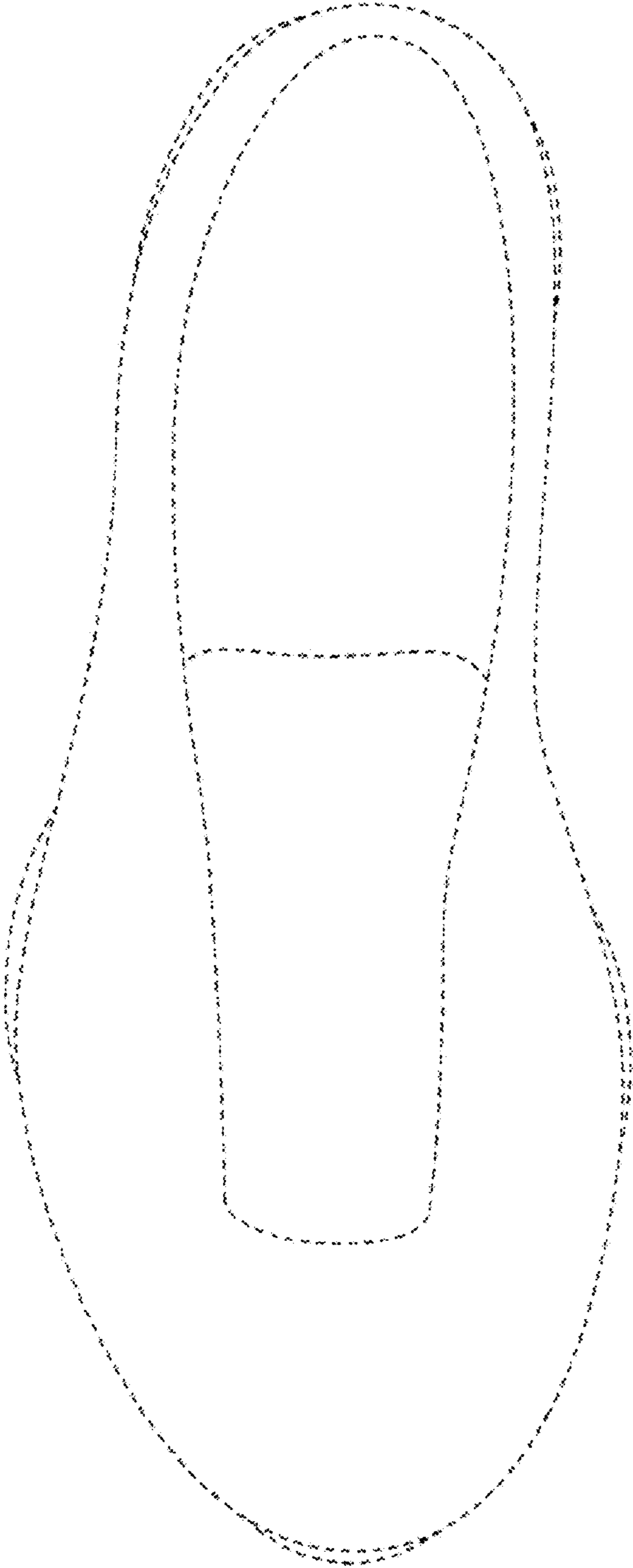


FIG. 6

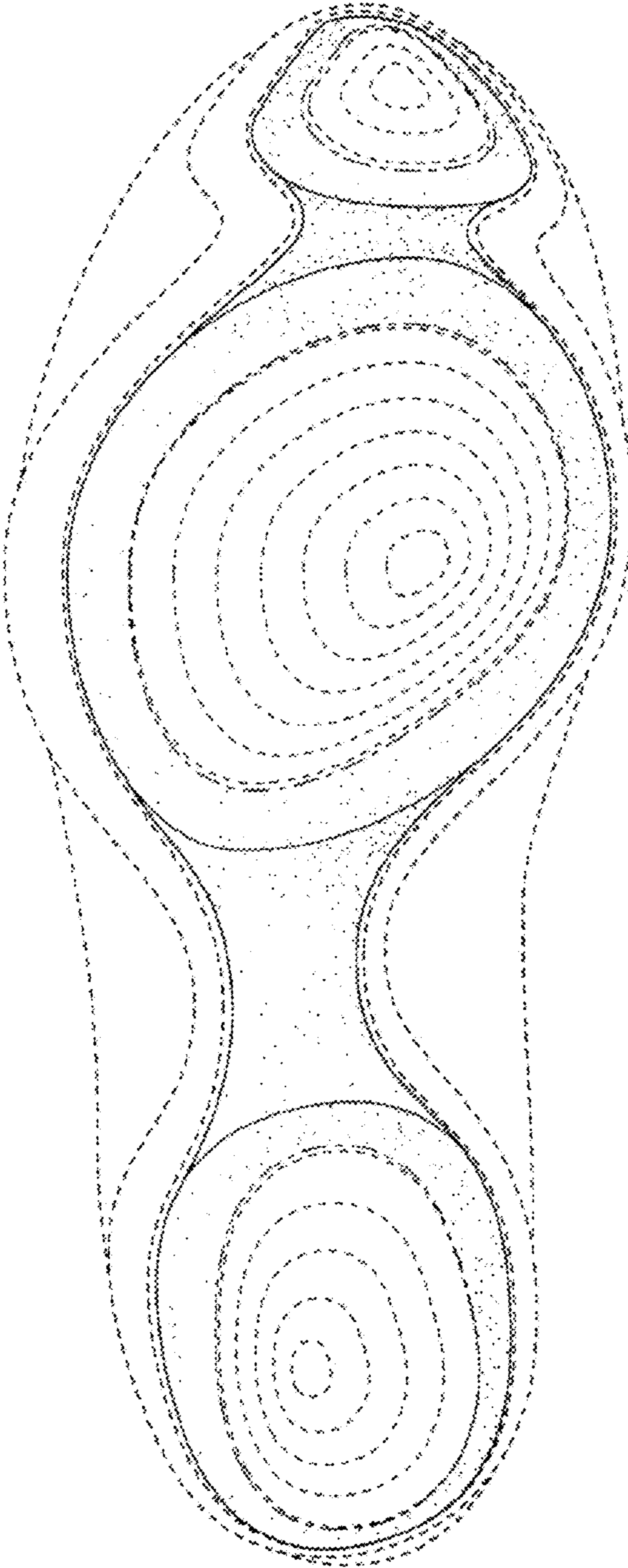


FIG. 7