



US00D725356S

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

(10) **Patent No.:** **US D725,356 S**

(45) **Date of Patent:** **** *Mar. 31, 2015**

(54) **SHOE SOLE**

(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)

(72) Inventor: **Mark C. Miner**, Portland, OR (US)

(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)

(*) Notice: This patent is subject to a terminal disclaimer.

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

(21) Appl. No.: **29/492,565**

(22) Filed: **May 31, 2014**

USPC D2/902, 906, 908, 916, 918, 925,
D2/946-962, 977; 36/3 B, 22 R, 24.5, 25 R,
36/28, 32 R, 34 R, 59 C, 67 A, 103
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

641,877 A	1/1900	Merriam	
D133,176 S	7/1942	Gregg	
2,394,704 A *	2/1946	Loewer	36/33
D155,783 S *	11/1949	Crawley	D2/902
D200,846 S	4/1965	Bovay	
D224,728 S	9/1972	Franitza	

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 1985 Footwear, p. 7, published Dec. 1984, NIKE, Inc., USA.

(Continued)

Primary Examiner — T. Chase Nelson

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57)

CLAIM

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

DESCRIPTION

FIG. 1 is a front perspective view of a shoe sole showing my new design;

FIG. 2 is a lateral side view thereof;

FIG. 3 is a medial side view thereof;

FIG. 4 is a front view thereof;

FIG. 5 is a rear view thereof; and,

FIG. 6 is a top view thereof.

The broken lines showing the remainder of the shoe are for environmental purposes only and form no part of the claimed design.

1 Claim, 5 Drawing Sheets

Related U.S. Application Data

(63) Continuation of application No. 29/481,800, filed on Feb. 10, 2014, now abandoned, which is a continuation of application No. 29/465,636, filed on Aug. 29, 2013, now abandoned, which is a continuation of application No. 29/443,440, filed on Jan. 17, 2013, now abandoned, which is a continuation of application No. 29/429,338, filed on Aug. 9, 2012, now abandoned, which is a continuation of application No. 29/414,576, filed on Feb. 29, 2012, now abandoned.

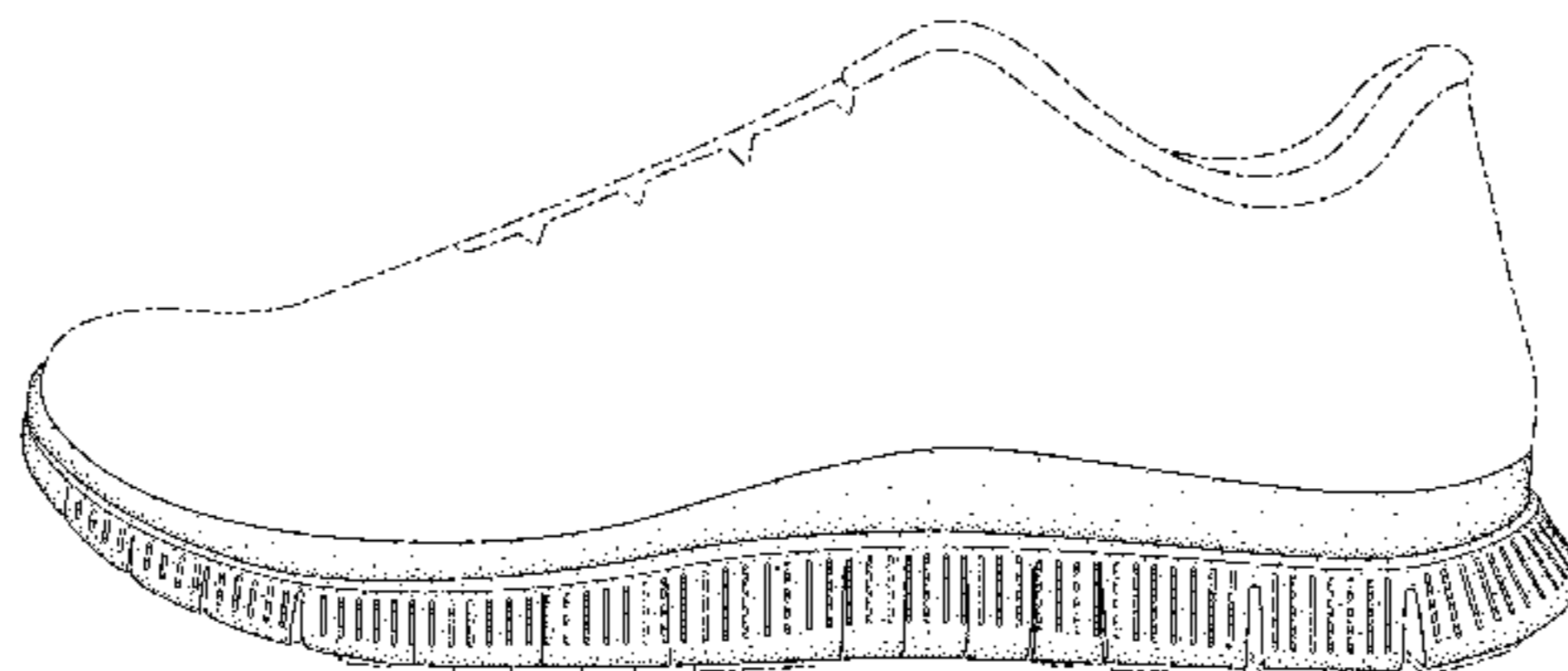
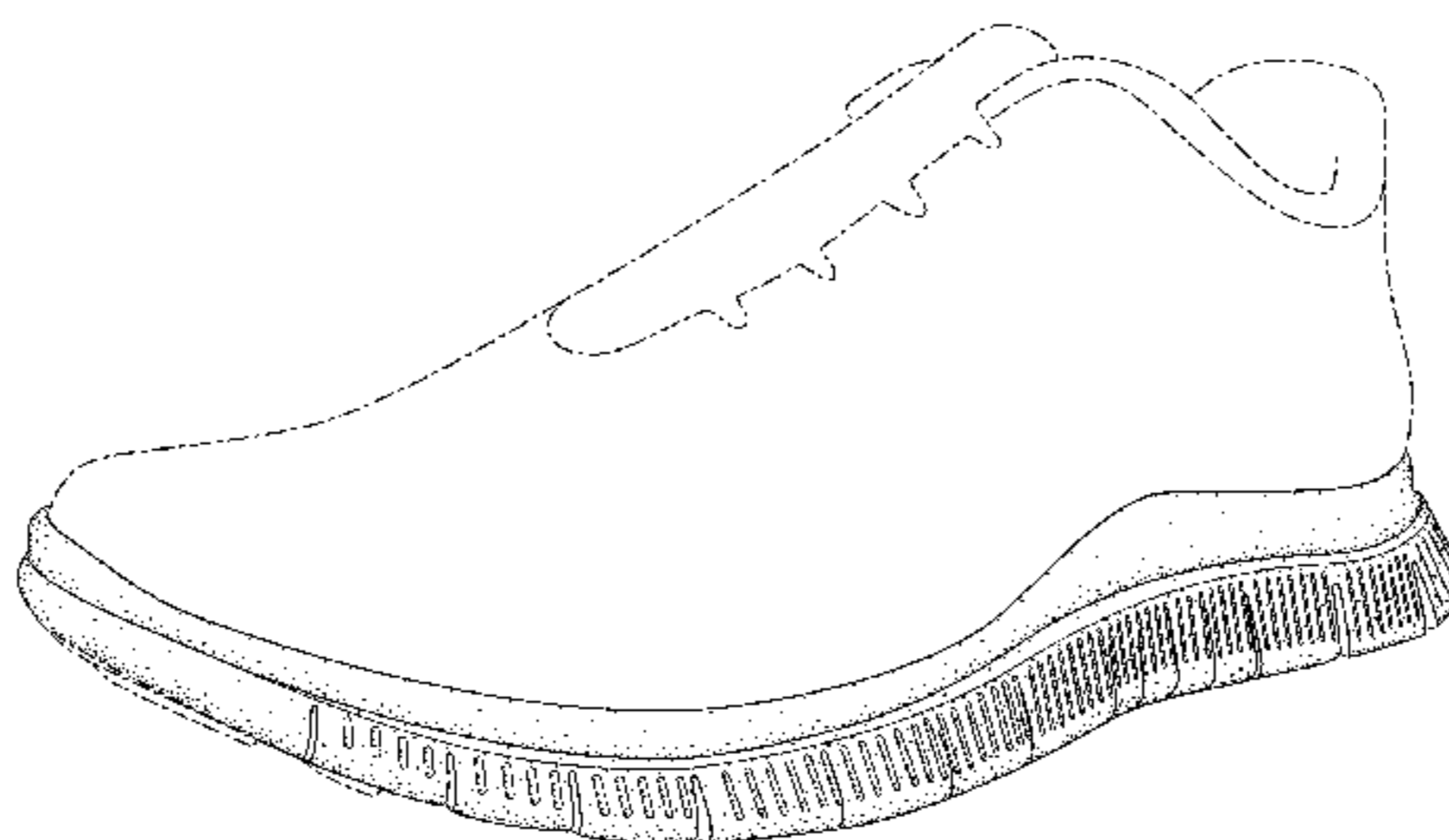
(51) **LOC (10) Cl.** **02-04**

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

USPC **D2/947**; D2/960

(58) **Field of Classification Search**

CPC A43B 13/00; A43B 13/02; A43B 13/023;
A43B 13/026; A43B 13/04; A43B 13/08;
A43B 13/10; A43B 13/12; A43B 13/14;
A43B 13/141; A43B 13/143; A43B 13/16;
A43B 13/18; A43B 13/181; A43B 13/187;
A43B 13/189; A43B 13/20; A43B 13/22;
A43B 13/223; A43B 13/24; A43B 13/28;
A43B 13/30; A43B 13/32; A43B 13/34;
A43B 13/36



(56)

References Cited

U.S. PATENT DOCUMENTS

D244,642 S	6/1977	Famolare, Jr.	D529,693 S *	10/2006	Le	D2/957
D245,732 S	9/1977	Askew	D532,585 S	11/2006	McDonald	
D245,733 S	9/1977	Askew	7,171,767 B2	2/2007	Hatfield et al.	
D247,831 S	5/1978	Famolare, Jr.	D550,939 S	9/2007	Smith et al.	
D256,179 S	8/1980	Famolare, Jr.	7,290,357 B2	11/2007	McDonald et al.	
4,297,796 A	11/1981	Stirtz et al.	7,313,875 B2	1/2008	Morgan	
4,316,335 A	2/1982	Giese et al.	D560,887 S	2/2008	Belley	
4,439,936 A	4/1984	Clarke et al.	D565,283 S	4/2008	Smith et al.	
D279,044 S	6/1985	Norton et al.	D565,285 S	4/2008	Duffy et al.	
D288,027 S	2/1987	Tonkel	D569,587 S	5/2008	James	
D293,271 S	12/1987	Lussier	D569,588 S	5/2008	James	
D294,423 S	3/1988	Zuidema et al.	7,383,647 B2	6/2008	Chan et al.	
D294,537 S	3/1988	Le	7,392,605 B2	7/2008	Hatfield et al.	
D294,653 S	3/1988	Le	D580,139 S	11/2008	McClaskie	
D294,656 S	3/1988	Liggett et al.	D581,641 S	12/2008	Bethke, Jr.	
D294,768 S	3/1988	Famolare, Jr.	D582,133 S	12/2008	Del Biondi	
D295,113 S	4/1988	Zuidema et al.	D588,787 S	3/2009	Dolce et al.	
D296,035 S	6/1988	Le	D594,639 S	6/2009	Alfaro	
D296,490 S	7/1988	Schine	7,555,851 B2	7/2009	Hazenberg et al.	
D296,609 S	7/1988	Schine	D600,895 S	9/2009	Morgan	
4,766,681 A *	8/1988	O'Rourke et al.	7,607,241 B2 *	10/2009	McDonald et al.	36/102
D298,684 S	11/1988	Pitchford	7,637,035 B1	12/2009	Gillespie	
D302,349 S	7/1989	Brown et al.	D607,188 S	1/2010	Teteriatnikov	
D320,884 S	10/1991	Brue	D611,689 S	3/2010	Stubblefield	
D325,294 S	4/1992	Morrow et al.	D611,690 S	3/2010	Stubblefield	
D326,770 S	6/1992	Morrow et al.	D611,692 S	3/2010	Bizzo	
D330,111 S	10/1992	Hatfield et al.	D614,837 S	5/2010	Teteriatnikov	
D334,652 S	4/1993	Hatfield	D614,838 S	5/2010	Bramani	
D339,905 S	10/1993	Bensley	D619,793 S	7/2010	Raysse	
D343,272 S	1/1994	James	7,752,772 B2 *	7/2010	Hatfield et al.	36/29
D348,144 S	6/1994	Nakano	7,762,008 B1	7/2010	Clark et al.	
D349,809 S	8/1994	Close	D621,142 S	8/2010	Teteriatnikov	
5,392,532 A	2/1995	Bray, Jr. et al.	D621,594 S	8/2010	Diaz	
D356,671 S	3/1995	Blanchini	D625,492 S	10/2010	Teteriatnikov	
D379,861 S	6/1997	Wunsch	D625,493 S	10/2010	Akhidime	
D388,594 S	1/1998	Turner et al.	D626,315 S	11/2010	Teteriatnikov	
D393,339 S	4/1998	Fogg	D628,369 S	12/2010	Teteriatnikov	
D395,743 S	7/1998	Ryan	D638,210 S	5/2011	Del Biondi	
D397,546 S	9/1998	Merceron	7,941,938 B2	5/2011	Yu et al.	
D397,846 S	9/1998	Lozano	7,941,941 B2	5/2011	Hazenberg et al.	
D397,849 S	9/1998	Mitsui et al.	7,946,058 B2	5/2011	Johnson et al.	
D397,851 S *	9/1998	Greenberg	D640,453 S	6/2011	Del Biondi	
D399,345 S *	10/1998	Koh	D643,601 S	8/2011	Raysse	
D406,691 S	3/1999	McDowell	D643,602 S	8/2011	Teteriatnikov	
D409,362 S	5/1999	Turner et al.	D643,603 S	8/2011	Teteriatnikov	
5,918,385 A	7/1999	Sessa	D643,604 S	8/2011	Yi	
D414,317 S	9/1999	Lubart	D644,007 S	8/2011	Akhidime	
D414,318 S	9/1999	Merceron	D644,418 S	9/2011	Yi	
D416,378 S	11/1999	McNaught	8,020,320 B2	9/2011	Gillespie	
D432,768 S	10/2000	Neely	8,104,197 B2	1/2012	Flannery et al.	
D439,393 S	3/2001	White	D653,437 S	2/2012	Mongelli	
D439,394 S	3/2001	Akhidime	D657,542 S	4/2012	Duan	
6,202,325 B1	3/2001	Kim	D659,356 S	5/2012	Van Zyll De Jong et al.	
D440,748 S	4/2001	Morgan	D659,967 S	5/2012	Miner	
D444,939 S	7/2001	Hamel	8,181,365 B2 *	5/2012	Cass et al.	36/103
6,357,145 B1	3/2002	James	8,186,078 B2	5/2012	Avar et al.	
D458,011 S	6/2002	Yang	D662,293 S	6/2012	Christopherson	
D458,012 S	6/2002	Yang	D662,701 S	7/2012	Raysse	
D464,477 S	10/2002	Adams	D668,437 S	10/2012	Mahoney	
D470,999 S	3/2003	Schroeder et al.	D671,723 S *	12/2012	Teteriatnikov	D2/947
D473,041 S	4/2003	Finkelberg	D675,002 S	1/2013	Marvin et al.	
D474,586 S	5/2003	Recchi	D675,815 S	2/2013	Dazai et al.	
D478,717 S	8/2003	Adams	D679,901 S *	4/2013	Raysse	D2/960
D485,423 S *	1/2004	Truelsen	D680,726 S *	4/2013	Propet	D2/960
D495,128 S	8/2004	Avar	D685,566 S	7/2013	Pope	
6,820,353 B2	11/2004	Oman et al.	8,479,417 B2	7/2013	Flannery et al.	
D499,239 S	12/2004	Burg et al.	8,505,220 B2	8/2013	James et al.	
D500,914 S	1/2005	Ammon	8,613,122 B2 *	12/2013	Hazenberg et al.	12/146 B
D502,595 S	3/2005	Sonnergren	8,650,776 B2 *	2/2014	Hazenberg et al.	36/102
D509,049 S	9/2005	McClaskie	8,656,613 B2 *	2/2014	Stockbridge et al.	36/102
6,990,755 B2	1/2006	Hatfield et al.	8,732,986 B2 *	5/2014	Miner	36/29
D514,288 S	2/2006	Burg	8,752,307 B2 *	6/2014	Cooper et al.	36/102
D518,284 S	4/2006	Chen	8,776,401 B2 *	7/2014	James et al.	36/102
D519,265 S	4/2006	Gerber	8,832,970 B2 *	9/2014	Avar et al.	36/59 R
D523,627 S	6/2006	Avar	2001/0016993 A1	8/2001	Cagner	
			2005/0076536 A1 *	4/2005	Hatfield et al.	36/3 B
			2005/0262739 A1 *	12/2005	McDonald et al.	36/102
			2006/0059721 A1 *	3/2006	Hatfield et al.	36/102
			2007/0169379 A1 *	7/2007	Hazenberg et al.	36/102

(56)

References Cited

U.S. PATENT DOCUMENTS

2008/0022553	A1*	1/2008	McDonald et al.	36/25 R
2008/0060225	A1	3/2008	Kilgore	
2008/0201992	A1*	8/2008	Avar et al.	36/25 R
2008/0216355	A1	9/2008	Becker et al.	
2008/0229617	A1*	9/2008	Johnson et al.	36/102
2009/0013558	A1*	1/2009	Hazenberget al.	36/88
2009/0013559	A1	1/2009	Chan et al.	
2009/0049714	A1*	2/2009	Abadjian et al.	36/103
2009/0293314	A1	12/2009	Dekovic et al.	
2010/0083535	A1	4/2010	Meschter et al.	
2010/0180474	A1	7/2010	Clark et al.	
2010/0269376	A1*	10/2010	Flannery et al.	36/30 R
2010/0299965	A1	12/2010	Avar et al.	
2011/0214313	A1*	9/2011	James et al.	36/103
2012/0174439	A1	7/2012	O'Connor	
2012/0210607	A1*	8/2012	Avar et al.	36/103
2013/0000159	A1*	1/2013	Hatfield et al.	36/59 C
2013/0104423	A1*	5/2013	Hatfield et al.	36/103
2013/0152428	A1*	6/2013	Bishop et al.	36/103
2013/0212905	A1*	8/2013	Hazenberget al.	36/28
2013/0213146	A1*	8/2013	Amos et al.	73/862.046
2013/0213147	A1*	8/2013	Rice et al.	73/862.046
2014/0000129	A1*	1/2014	Mueller et al.	36/103
2014/0013623	A1*	1/2014	James et al.	36/102
2014/0013624	A1*	1/2014	Stockbridge et al.	36/103
2014/0013626	A1*	1/2014	James et al.	36/103
2014/0015169	A1*	1/2014	Wan et al.	264/328.1
2014/0165304	A1*	6/2014	Hazenberget al.	12/146 B
2014/0223672	A1*	8/2014	Miner	12/146 B
2014/0277631	A1*	9/2014	Rice et al.	700/91
2014/0290094	A1*	10/2014	Miner	36/29

OTHER PUBLICATIONS

Nike Footwear Catalog, 1986 Fall: Performance, p. 104, published Jan. 1986, NIKE, Inc., USA.

Nike Footwear Catalog, 1999 Fall: Men's and Women's Footwear, p. M80, published Nov. 1998, NIKE, Inc., USA.

Nike Footwear Catalog, 1999 Holiday: Men's and Women's Footwear, p. M52, published Mar. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 1999 Late Fall: October & November Flow Footwear, p. 118, published Mar. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 1999 Late Fall: October & November Flow Footwear, p. 11, published Mar. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 2000 Fall: Men's and Women's Footwear (blue cover), p. 82, published Nov. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 2000 Fall: Men's and Women's Footwear (blue cover), p. 28, published Nov. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 2001 Spring: Men's and Women's Footwear (black shoes), p. W21, published Jun. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, 2001 Spring: Men's and Woman's Footwear (black shoes), p. 98, published Jun. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, 2002 Fall: Men's and Women's Footwear, p. M17, published Nov. 2001, NIKE, Inc., USA.

Nike Footwear Catalog, 2002 Spring: Men's and Women's Footwear, p. 37, published Jun. 2001, NIKE, Inc., USA.

Nike Footwear Catalog, 2005 Fall Footwear, p. 127, published Nov. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, 2005 Fall Footwear, p. 130, published Nov. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, 2007 Fall Footwear, p. 11, published Nov. 2006, NIKE, Inc., USA.

Nike Footwear Catalog, 2008 Spring Footwear, p. 44, published May 2007, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Spring: Performance Footwear, p. 123, published May 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Spring: Performance Footwear, p. 101, published May 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Summer: Performance Footwear, p. 62, published Aug. 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Summer: Performance Footwear, p. 9, published Aug. 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Summer: Performance Footwear, p. 81, published Aug. 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Holiday: Women's Footwear: Performance, p. 26, published Feb. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Spring: Women's Training Footwear, p. 25, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Summer: Women's Footwear: Performance, p. 25, published Aug. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall: Young Athletes Footwear, p. 6, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall: Women's Sportswear Footwear, p. 5, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall: Men's Performance Footwear, p. 45, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall: Men's Performance Footwear, p. 46, published Nov. 2010, NIKE, Inc., USA.

* cited by examiner

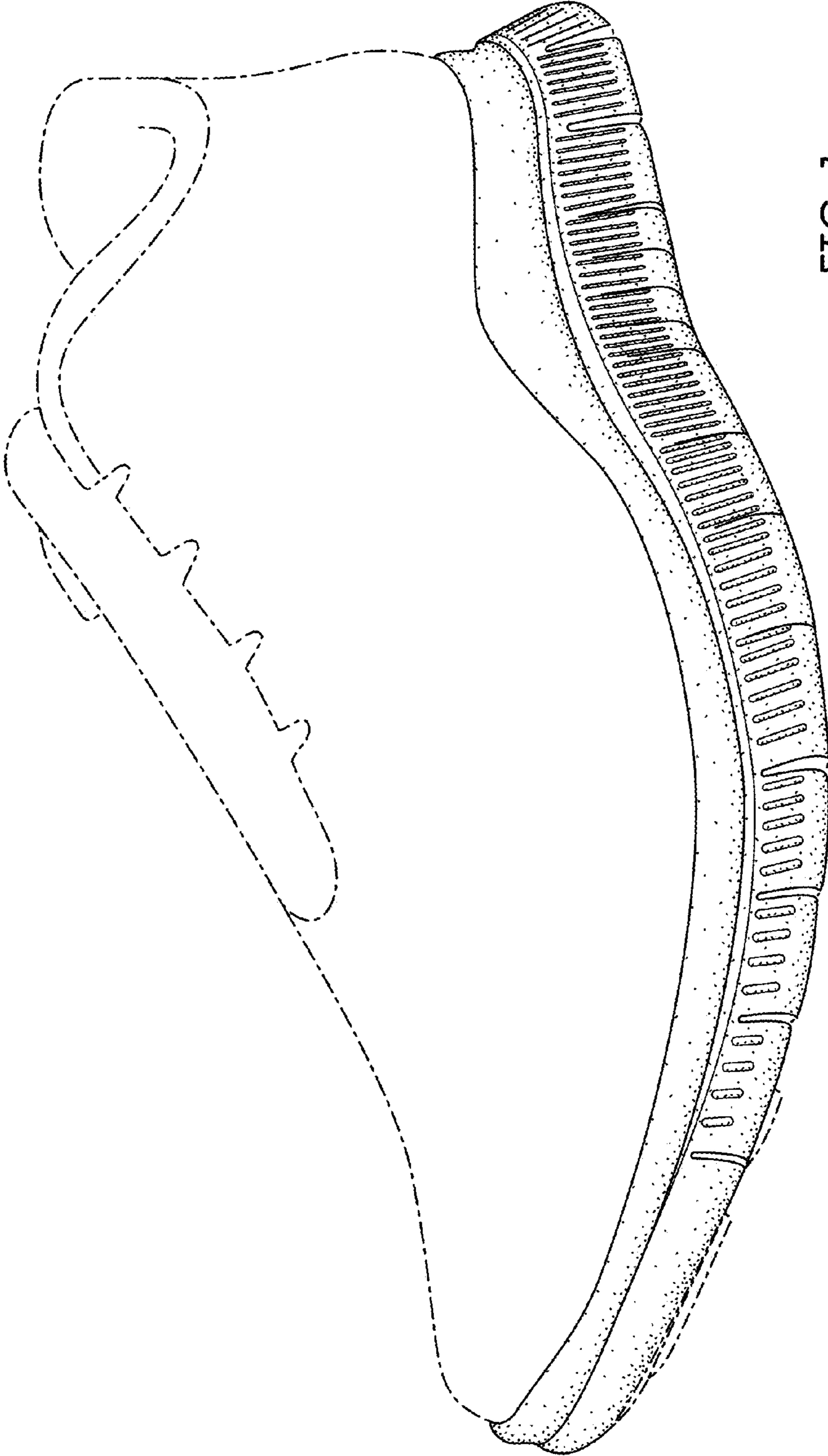


FIG. 1

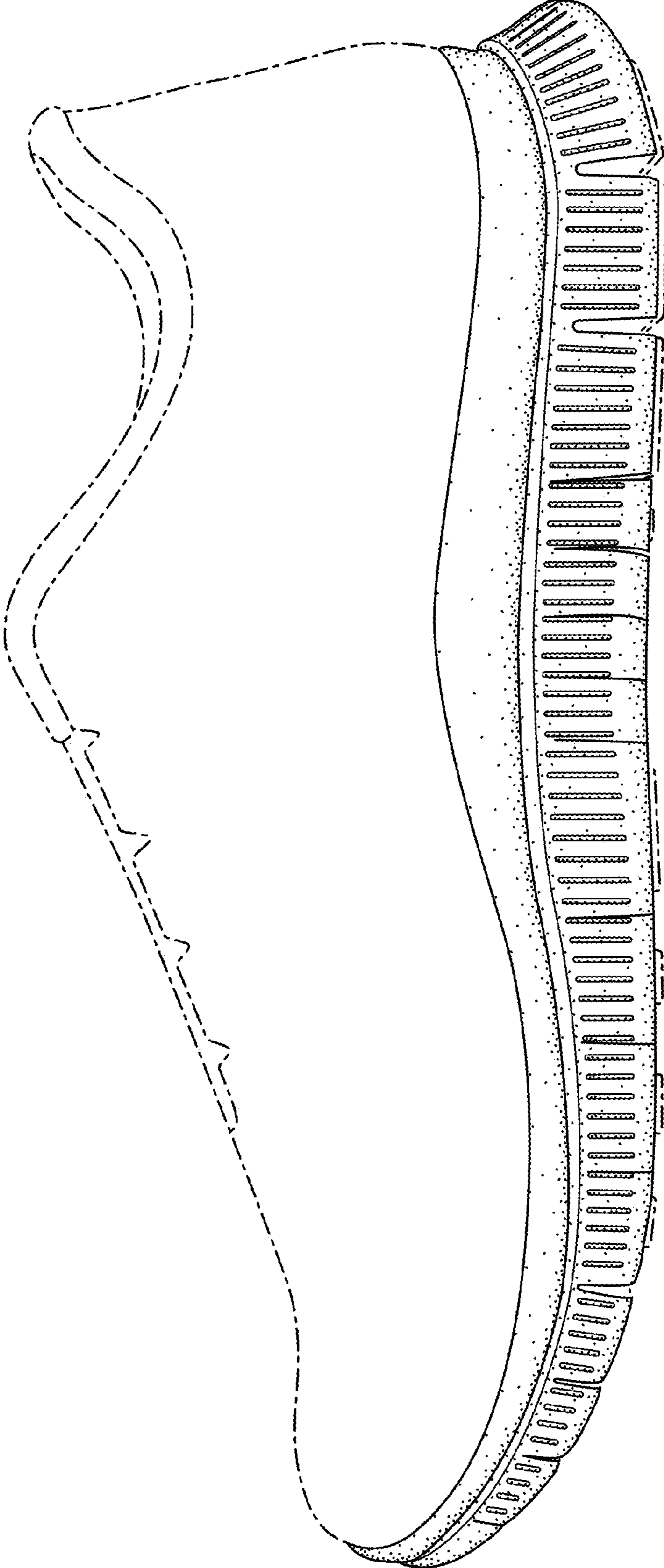


FIG. 2

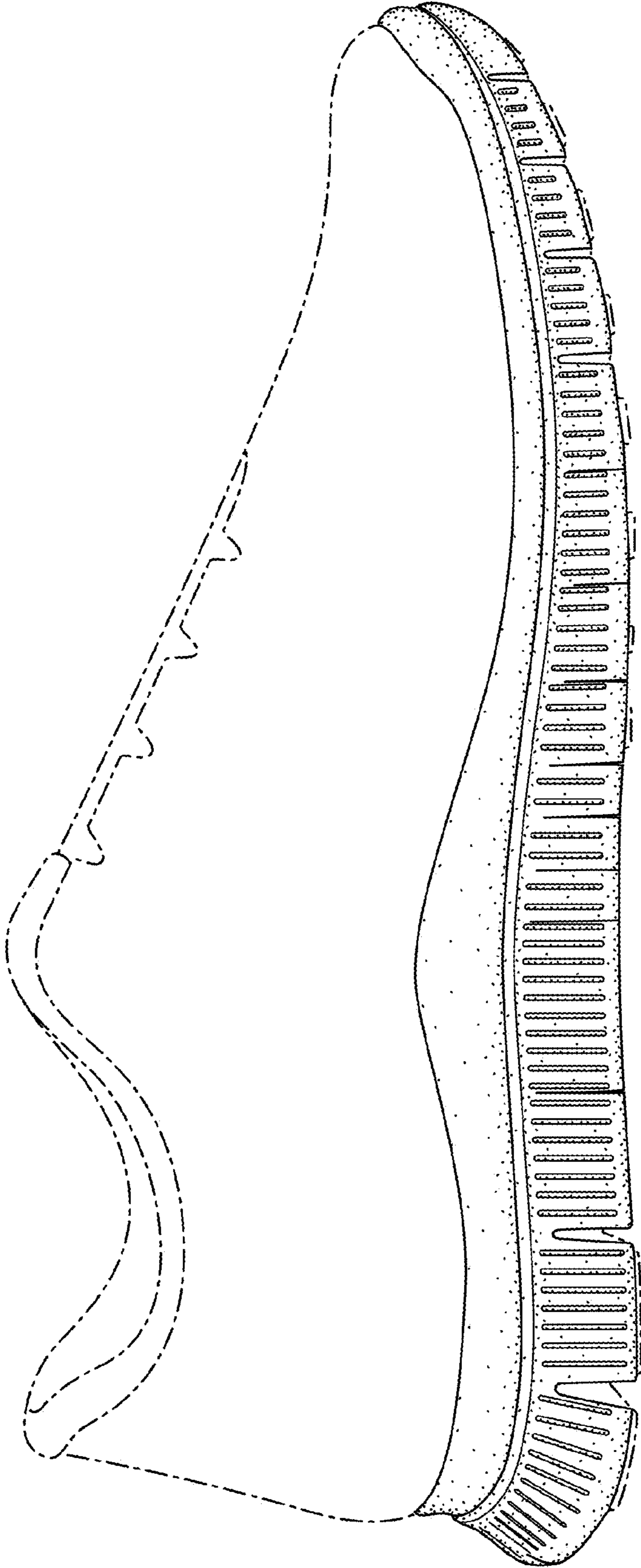


FIG. 3

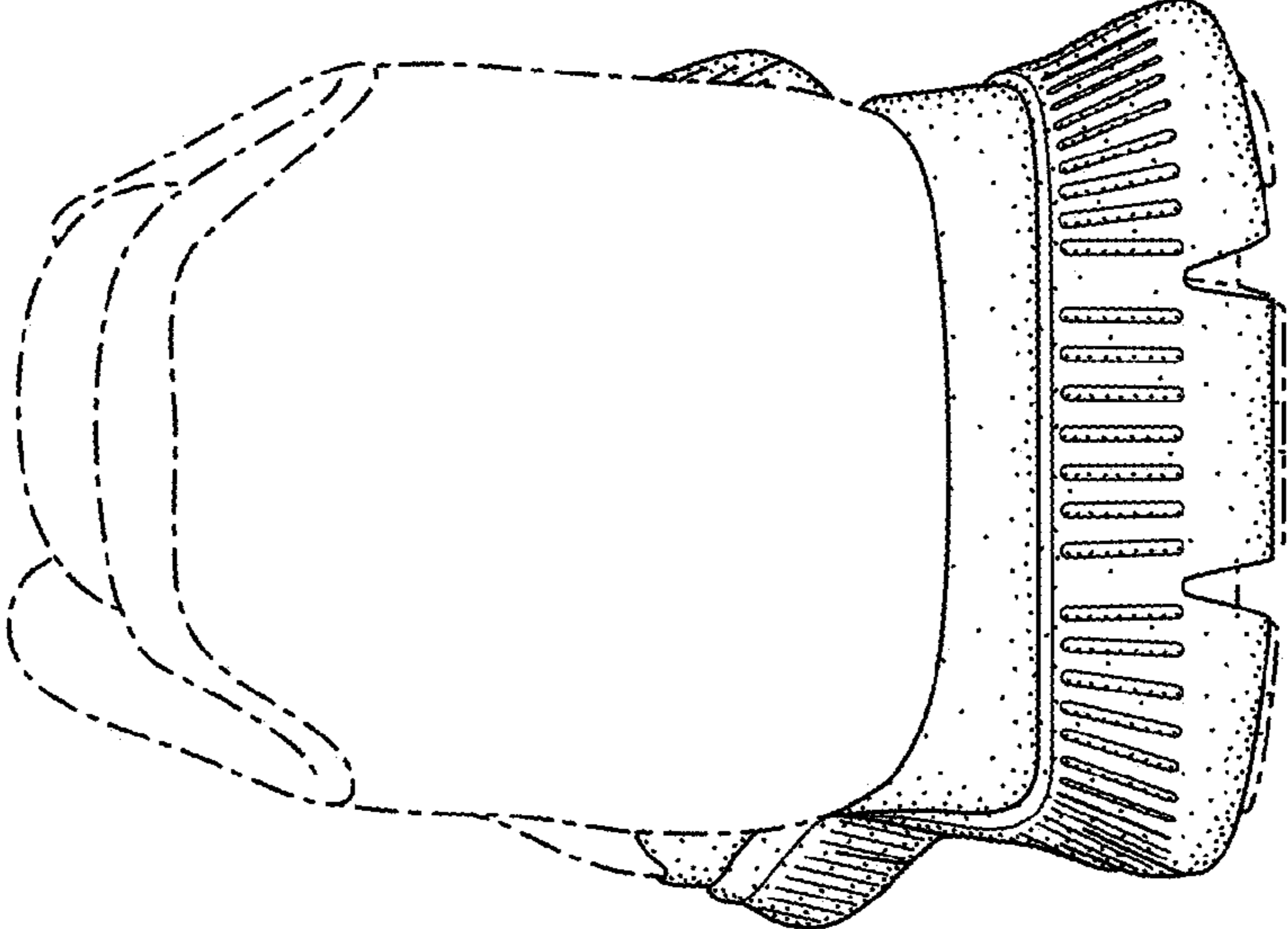


FIG. 5

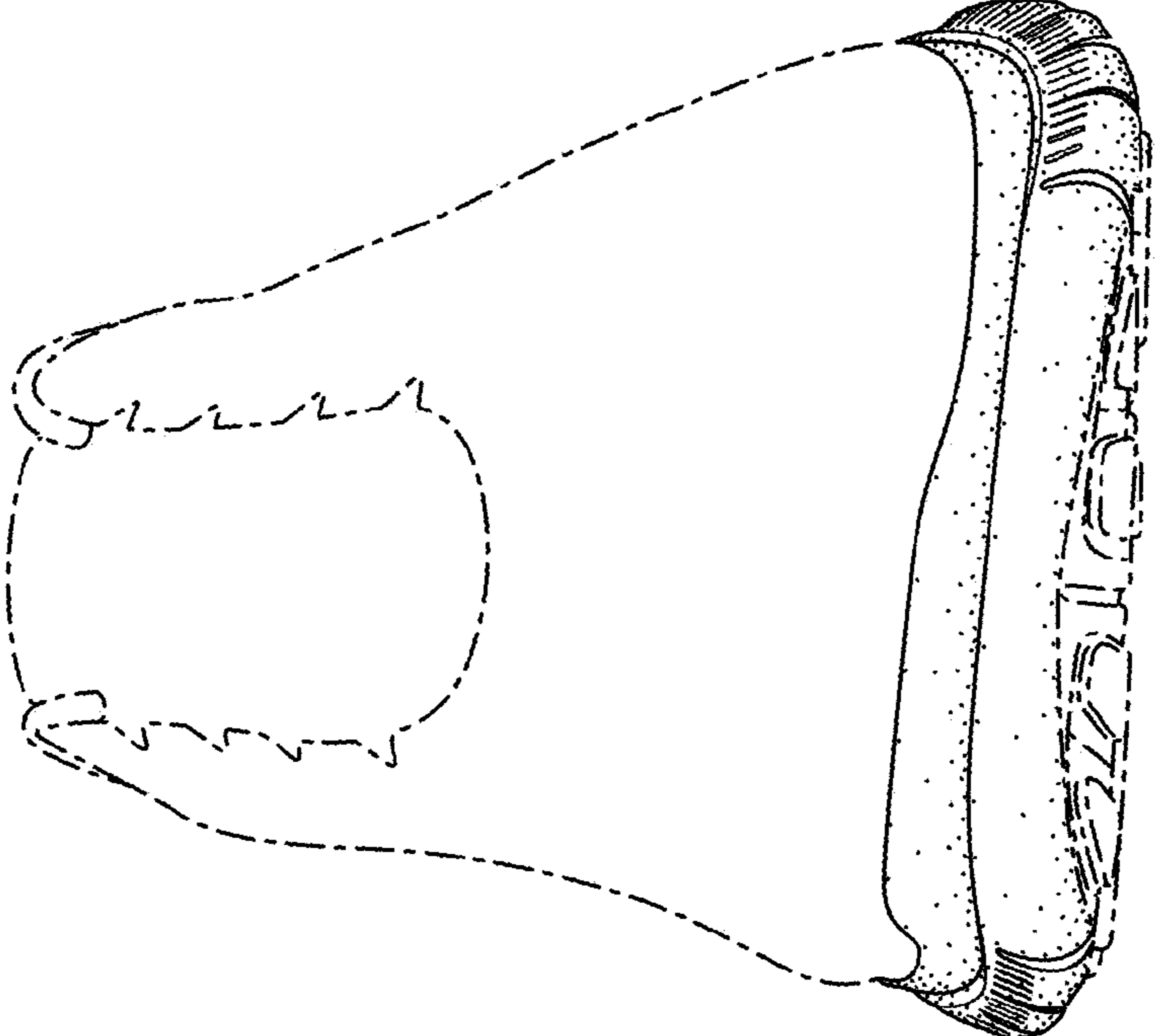


FIG. 4

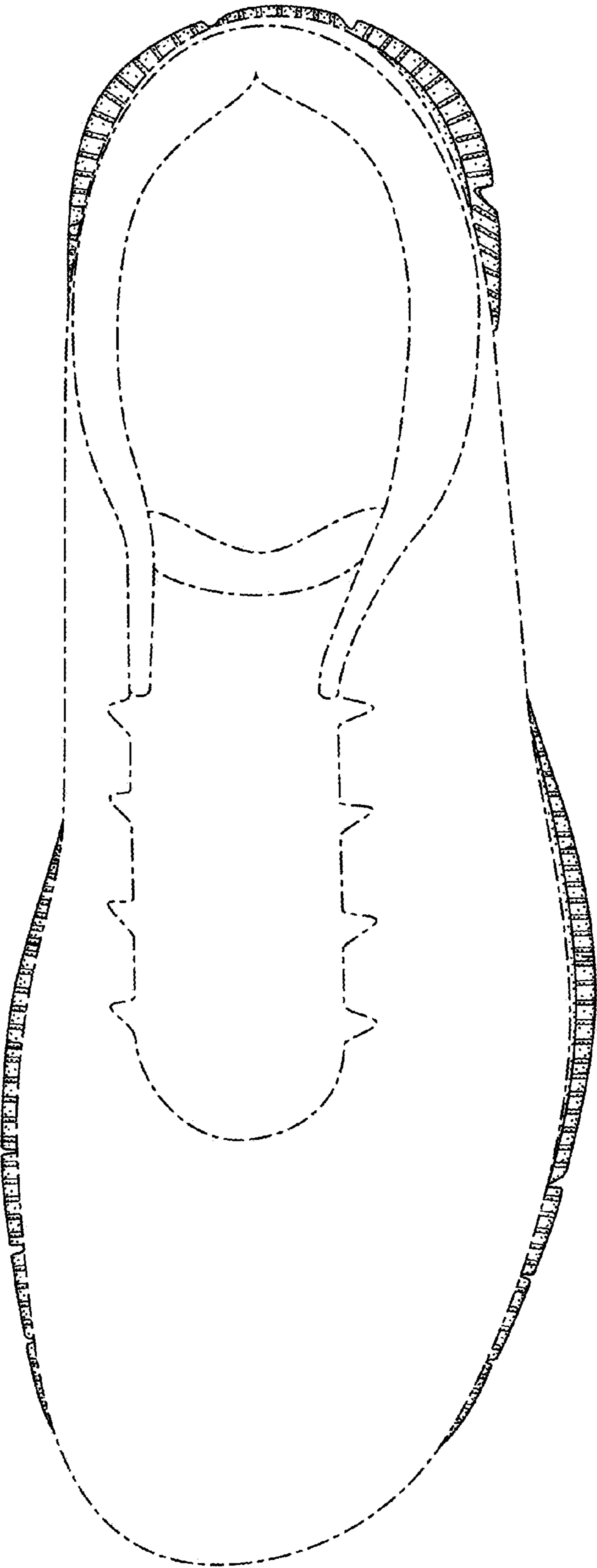


FIG. 6