



US00D740003S

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

(10) **Patent No.:** **US D740,003 S**  
(45) **Date of Patent:** **\*\* Oct. 6, 2015**

(54) **SHOE**  
(71) Applicant: **adidas AG**, Herzogenaurach (DE)  
(72) Inventor: **Ben Herath**, Herzogenaurach (DE)  
(73) Assignee: **adidas AG**, Herzogenaurach (DE)  
(\*\*) Term: **14 Years**  
(21) Appl. No.: **29/464,038**  
(22) Filed: **Aug. 12, 2013**

U.S. Appl. No. 14/178,720, filed Feb. 12, 2014, Wardlaw, et al.  
U.S. Appl. No. 14/178,853, filed Feb. 12, 2014, Wardlaw, et al.

(Continued)

*Primary Examiner* — T. Chase Nelson

(74) *Attorney, Agent, or Firm* — Kilpatrick Townsend & Stockton LLP

(30) **Foreign Application Priority Data**

Apr. 12, 2013 (EM) ..... 002219956

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

(52) **U.S. Cl.**  
USPC ..... **D2/947; D2/948**

(58) **Field of Classification Search**  
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**

D64,898 S \* 6/1924 Gunlock ..... D2/951  
2,968,106 A 1/1961 Joiner et al.

(Continued)

**FOREIGN PATENT DOCUMENTS**

DE 4236081 4/1994  
DE 19652690 6/1998

(Continued)

**OTHER PUBLICATIONS**

U.S. Appl. No. 29/464,051, filed Aug. 12, 2013, Galway, et al.  
U.S. Appl. No. 29/464,055, filed Aug. 12, 2013, Hoellmueller, et al.  
U.S. Appl. No. 29/463,139, filed Aug. 12, 2013, Herath.

(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a front perspective view of an embodiment of a shoe.  
FIG. 2 is a rear perspective view of the shoe of FIG. 1.  
FIG. 3 is a right side view of the shoe of FIG. 1.  
FIG. 4 is a left side view of the shoe of FIG. 1.  
FIG. 5 is a rear view of the shoe of FIG. 1.  
FIG. 6 is a bottom view of the shoe of FIG. 1; and,  
FIG. 7 is an enlarged view of the encircled area of a lateral side of a midsole of the shoe seen in FIG. 4.

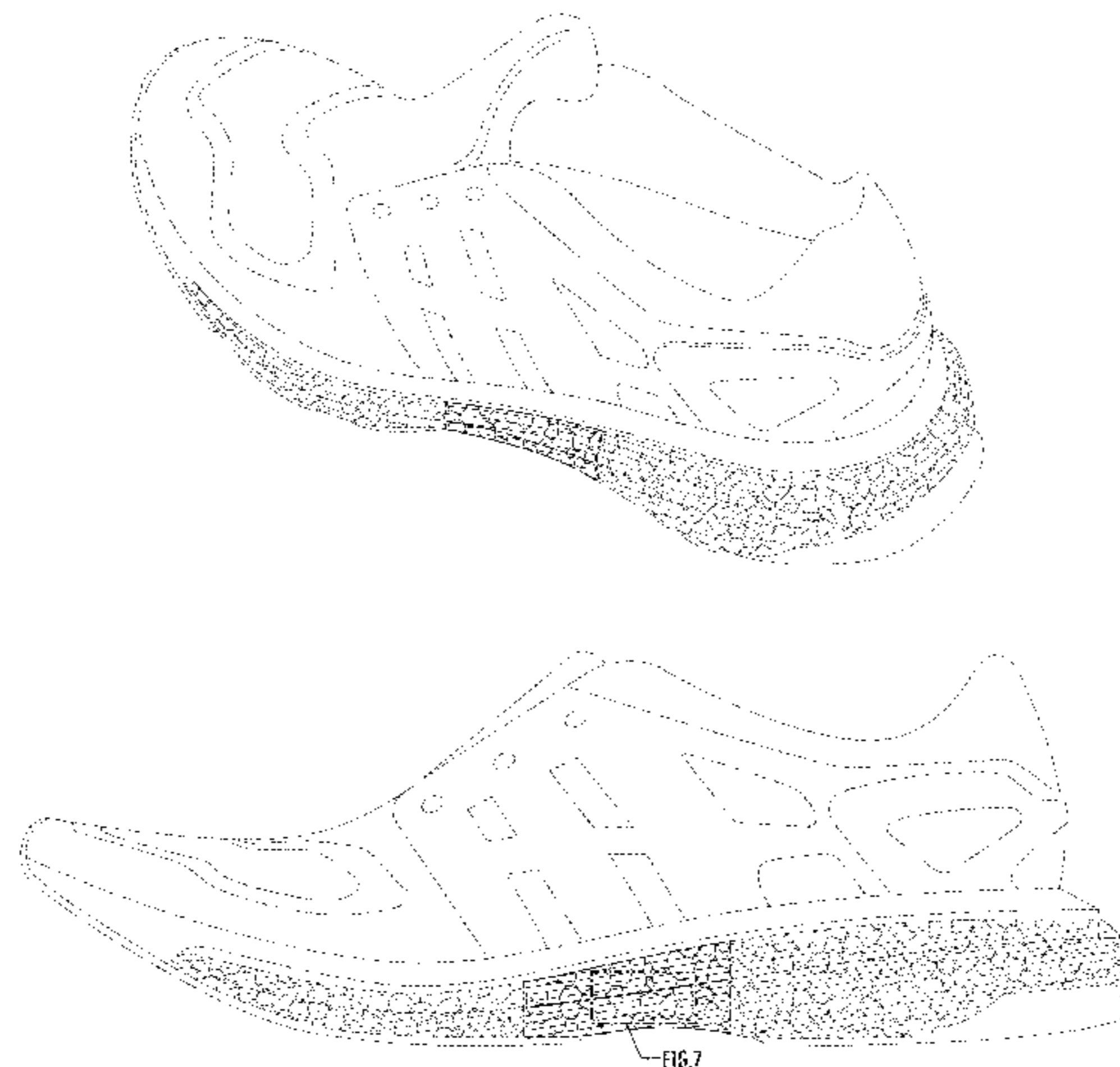
The vertical dash-dot broken lines located on the lateral side of the midsole of the shoe in FIG. 4 represent an unclaimed boundary of the claimed design. The dash-dot rectangle located inside the claimed area of the lateral side of the midsole in FIGS. 4 and 7 is included to indicate an enlarged view of the claimed area of the lateral side of the midsole only and forms no part of the claimed design.

The broken lines that appear over portions of the midsole and outsole regions represent unclaimed portions of a pattern thereon and form no part of the claimed design.

The stippled surface shading in the enlarged view of the claimed area of the lateral side of the midsole in FIG. 7 represents a three-dimensional appearance of the entire claimed area of the lateral side of the midsole in FIG. 4. The stippled surface shading of the entire claimed area of the lateral side of the midsole was omitted from FIG. 4 for clarity of illustration.

The remainder of the shoe shown in broken lines is for environmental purposes only and forms no part of the claimed design.

**1 Claim, 7 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

3,186,013 A 6/1965 Glassman et al.  
 4,132,016 A 1/1979 Vaccari  
 D333,556 S 3/1993 Purdom  
 D340,797 S 11/1993 Pallera et al.  
 5,283,963 A \* 2/1994 Lerner et al. .... 36/28  
 D350,016 S 8/1994 Passke et al.  
 D350,222 S 9/1994 Hase  
 D356,438 S \* 3/1995 Opie et al. .... D2/951  
 D375,619 S 11/1996 Backus et al.  
 5,709,954 A 1/1998 Lyden et al.  
 D389,991 S 2/1998 Elliott  
 D390,349 S \* 2/1998 Murai et al. .... D2/959  
 D393,340 S 4/1998 Doxey  
 D395,337 S 6/1998 Greene  
 D408,618 S 4/1999 Wilborn et al.  
 D408,971 S 5/1999 Birkenstock  
 D413,010 S 8/1999 Birkenstock  
 D414,920 S 10/1999 Cahill  
 D415,610 S 10/1999 Cahill  
 D415,876 S 11/1999 Cahill  
 6,014,821 A \* 1/2000 Yaw ..... 36/8.1  
 D422,400 S 4/2000 Brady et al.  
 D423,199 S 4/2000 Cahill  
 D431,346 S 10/2000 Birkenstock  
 D460,852 S 7/2002 Daudier  
 6,516,540 B2 2/2003 Seydel et al.  
 D490,222 S \* 5/2004 Burg et al. .... D2/951  
 D492,099 S 6/2004 McClaskie  
 6,796,056 B2 9/2004 Swigart  
 D498,901 S 11/2004 Hawker et al.  
 6,948,263 B2 9/2005 Covatch  
 D538,518 S 3/2007 Della Valle  
 D554,848 S 11/2007 Marston  
 D560,883 S 2/2008 McClaskie  
 D561,433 S 2/2008 McClaskie  
 D561,438 S 2/2008 Belley  
 D570,581 S 6/2008 Polegato Moretti  
 D571,085 S 6/2008 McClaskie  
 D572,462 S 7/2008 Hatfield et al.  
 D586,090 S 2/2009 Turner et al.  
 D589,690 S 4/2009 Truelsen  
 D594,187 S 6/2009 Hickman  
 D596,384 S \* 7/2009 Andersen et al. .... D2/951  
 D601,333 S 10/2009 McClaskie  
 D606,733 S 12/2009 McClaskie  
 D607,190 S 1/2010 McClaskie  
 D611,233 S 3/2010 Della Valle  
 7,673,397 B2 3/2010 Jarvis  
 D616,183 S 5/2010 Skaja  
 D617,540 S 6/2010 McClaskie  
 D618,891 S 7/2010 McClaskie  
 D631,646 S 2/2011 Muller  
 D633,286 S 3/2011 Skaja  
 D633,287 S 3/2011 Skaja  
 D634,918 S \* 3/2011 Katz et al. .... D2/902  
 D636,156 S 4/2011 Della Valle  
 D636,569 S 4/2011 McMillan  
 D636,571 S 4/2011 Avar  
 7,941,941 B2 5/2011 Hazenberg et al.  
 D641,142 S \* 7/2011 Lindseth et al. .... D2/916  
 D644,827 S 9/2011 Lee  
 D645,649 S \* 9/2011 McClaskie ..... D2/951  
 D648,105 S 11/2011 Schlageter et al.  
 D650,159 S 12/2011 Avar  
 8,082,684 B2 12/2011 Munns  
 D655,488 S 3/2012 Blakeslee  
 D659,364 S \* 5/2012 Jolicoeur ..... D2/957  
 D680,725 S 4/2013 Avar et al.  
 D680,726 S 4/2013 Propét  
 D683,116 S 5/2013 Petrie  
 8,479,412 B2 7/2013 Peyton et al.  
 8,490,297 B2 7/2013 Guerra

D693,553 S 11/2013 McClaskie  
 D695,501 S 12/2013 Yehudah  
 D698,137 S 1/2014 Carr  
 D709,680 S 7/2014 Herath  
 2003/0208925 A1 11/2003 Pan  
 2004/0032042 A1 2/2004 Chi  
 2004/0211088 A1 10/2004 Volkart  
 2005/0108898 A1 5/2005 Jeppesen et al.  
 2005/0150132 A1 7/2005 Iannacone  
 2005/0241181 A1 \* 11/2005 Cheng ..... 36/3 B  
 2006/0026863 A1 2/2006 Liu  
 2006/0235095 A1 10/2006 Leberfinger et al.  
 2006/0283046 A1 12/2006 Mason  
 2007/0295451 A1 12/2007 Willis  
 2009/0013558 A1 1/2009 Hazenberg  
 2010/0063778 A1 3/2010 Schrock et al.  
 2010/0222442 A1 9/2010 Prissok et al.  
 2010/0242309 A1 \* 9/2010 McCann ..... 36/136  
 2011/0047720 A1 3/2011 Maranan et al.  
 2011/0067272 A1 \* 3/2011 Lin ..... 36/3 B  
 2011/0283560 A1 11/2011 Portzline et al.  
 2012/0005920 A1 \* 1/2012 Alvear et al. .... 36/28  
 2013/0291409 A1 11/2013 Reinhardt et al.  
 2014/0033573 A1 2/2014 Wills  
 2014/0075787 A1 3/2014 Cartagena  
 2014/0223673 A1 8/2014 Wardlaw et al.  
 2014/0223776 A1 8/2014 Wardlaw et al.  
 2014/0223777 A1 8/2014 Whiteman et al.  
 2014/0223783 A1 8/2014 Wardlaw et al.  
 2014/0366403 A1 12/2014 Reinhardt et al.  
 2014/0366404 A1 12/2014 Reinhardt et al.  
 2014/0366405 A1 12/2014 Reinhardt et al.  
 2014/0373392 A1 \* 12/2014 Cullen ..... 36/103

FOREIGN PATENT DOCUMENTS

DE 10010182 9/2001  
 DE 10244433 B4 12/2005  
 DE 10244435 B4 2/2006  
 DE 102005050411 4/2007  
 DE 202008017042 3/2009  
 DE 202010008893 12/2010  
 DE 112009001291 4/2011  
 DE 102010052783 5/2012  
 DE 102011108744 A1 1/2013  
 EM 001286116-0001 7/2011  
 EM 001286116-0002 7/2011  
 EM 001286116-0003 7/2011  
 EM 001286116-0004 7/2011  
 EM 001286116-0005 7/2011  
 EM 001286116-0006 7/2011  
 EP 0873061 10/1998  
 EP 1197159 4/2002  
 EP 1854620 11/2007  
 EP 2250917 11/2010  
 EP 2649896 10/2013  
 WO WO 2005066250 7/2005  
 WO WO 2006015440 2/2006  
 WO WO 2007082838 7/2007  
 WO WO 2008087078 7/2008  
 WO 2010010010 1/2010  
 WO 2010045144 4/2010  
 WO WO 2010136398 12/2010  
 WO 2014046940 3/2014

OTHER PUBLICATIONS

U.S. Appl. No. 14/178,581, filed Feb. 12, 2014, Wardlaw, et al.  
 U.S. Appl. No. 14/179,090, filed Feb. 12, 2014, Whiteman, et al.  
 European Patent Application No. 14152903.2, European Search Report, mailed Sep. 5, 2014 (8 pages).  
 U.S. Appl. No. 14/473,274, filed Aug. 29, 2014, Reinhardt et al.  
 U.S. Appl. No. 14/473,168, filed Aug. 29, 2014, Reinhardt et al.  
 U.S. Appl. No. 14/472,847, filed Aug. 29, 2014, Reinhardt et al.

\* cited by examiner

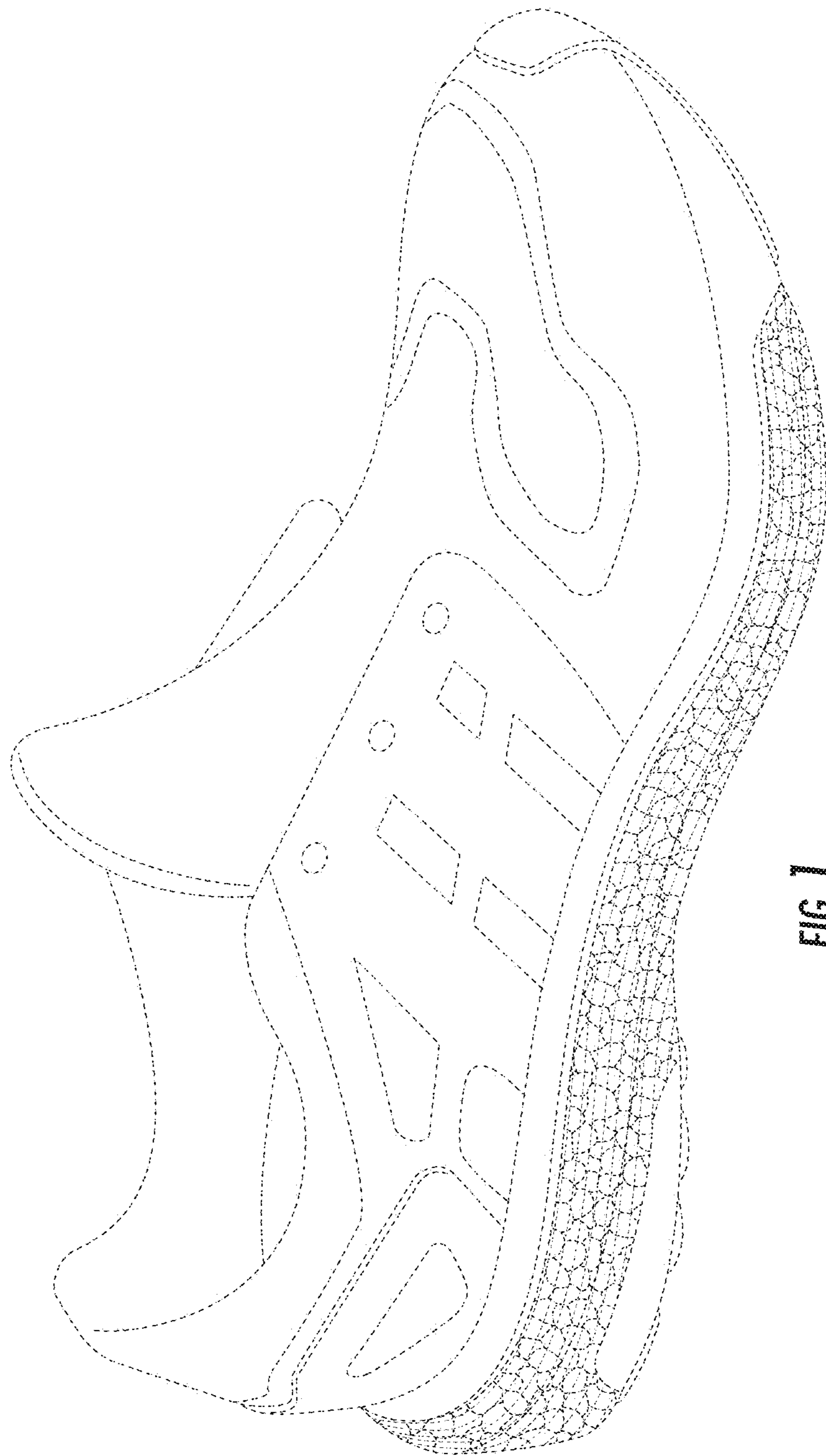


FIG. 1

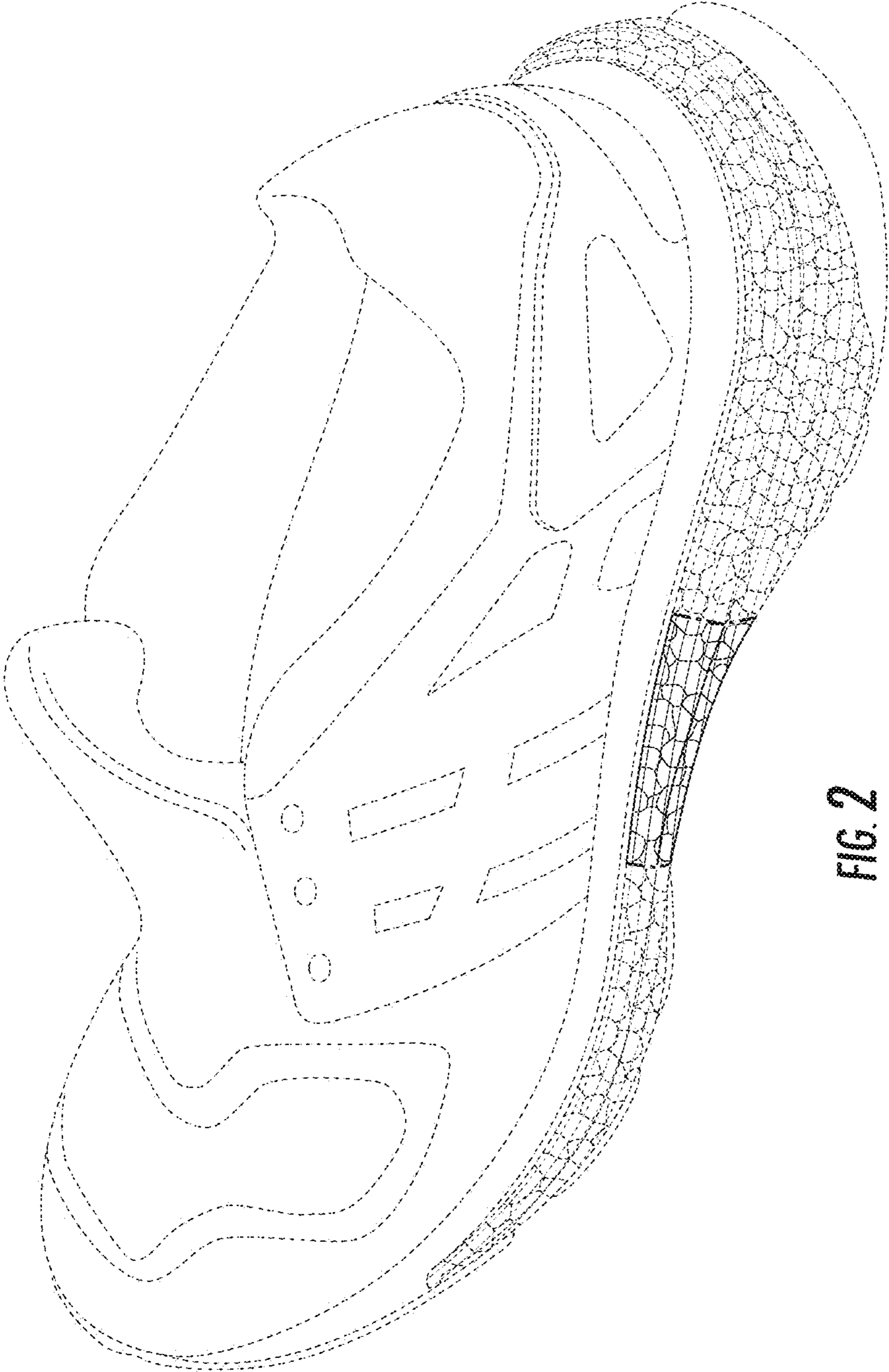


FIG. 2

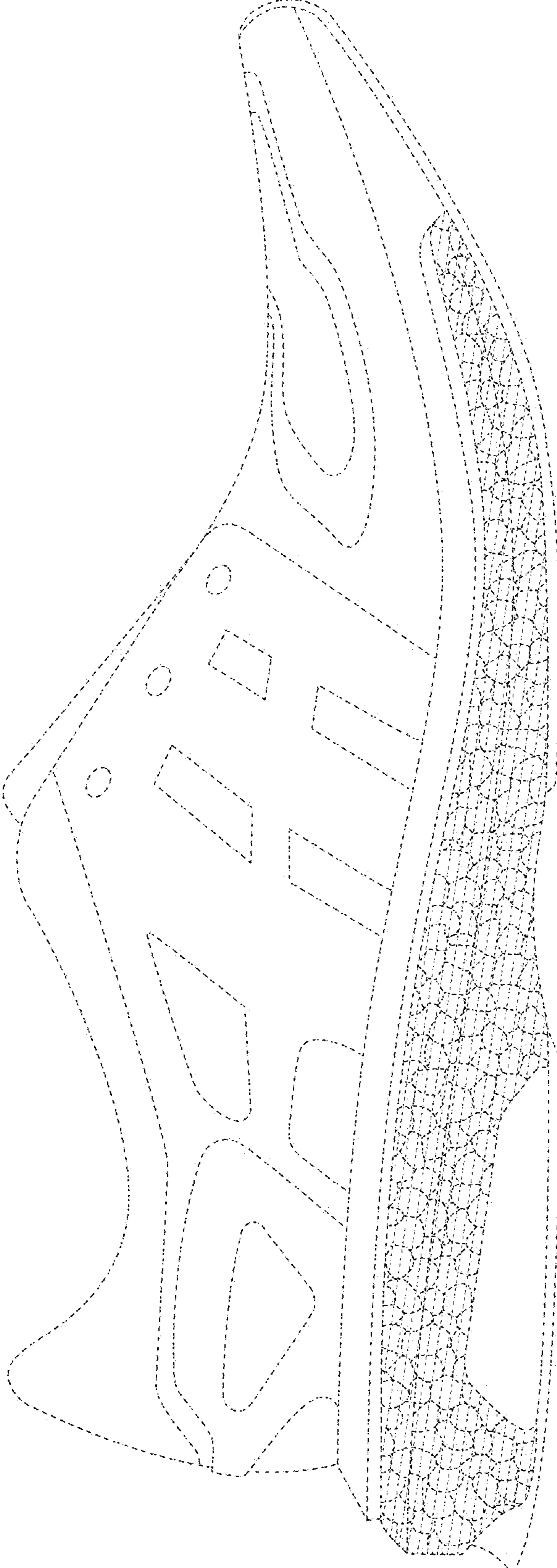


FIG. 3

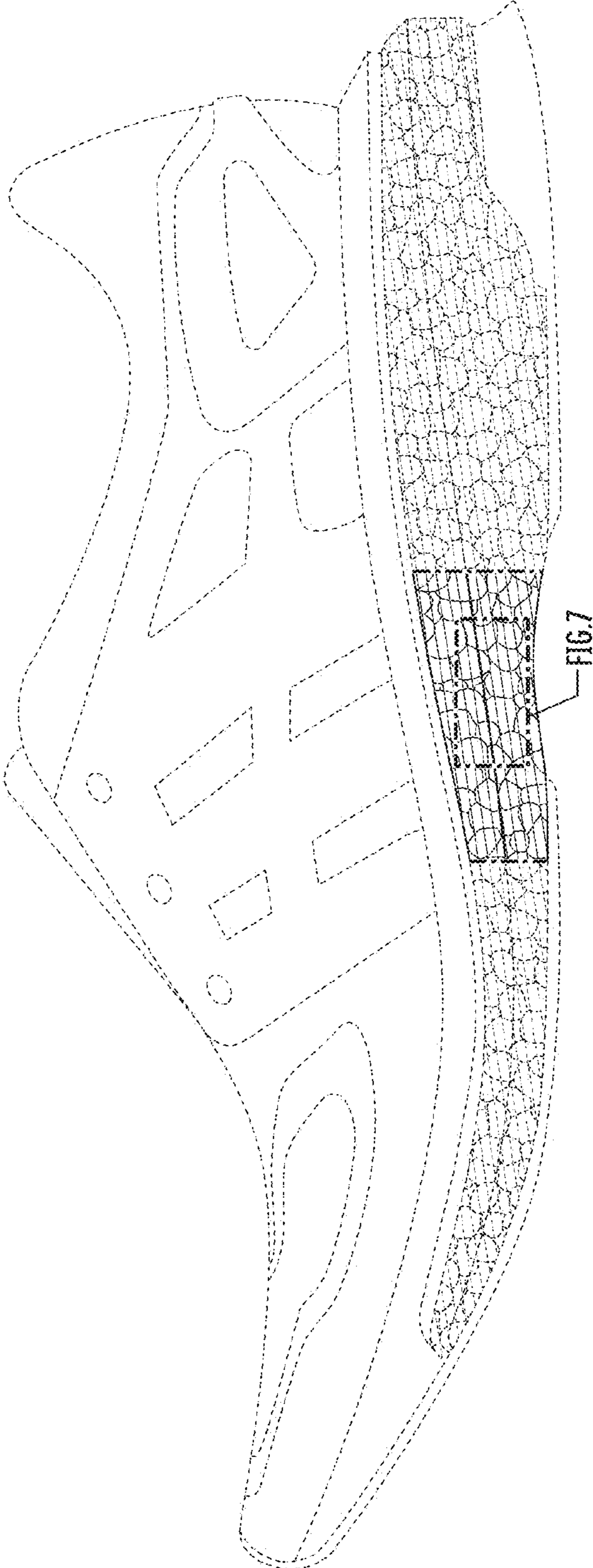


FIG. 4

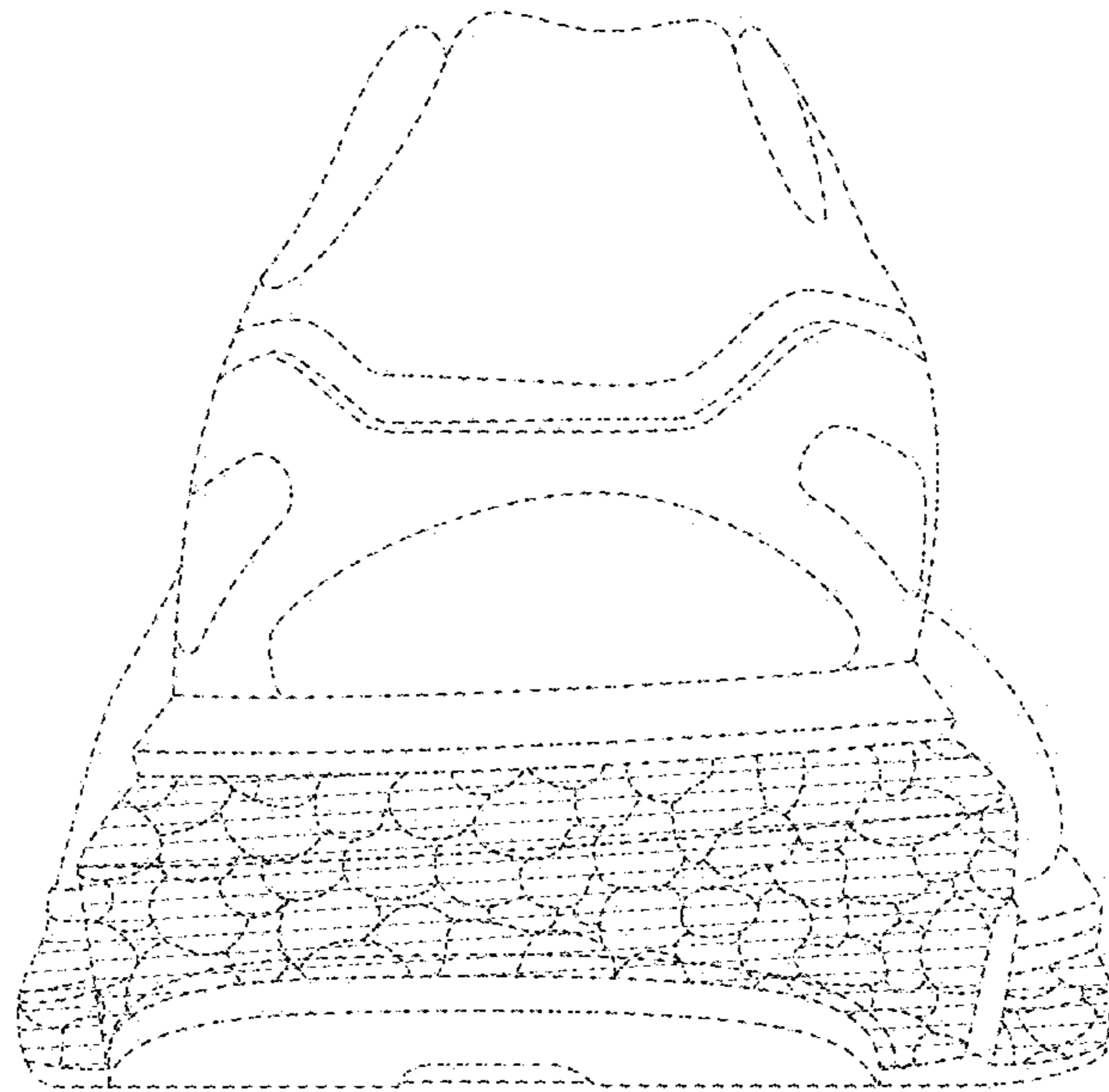


FIG. 5

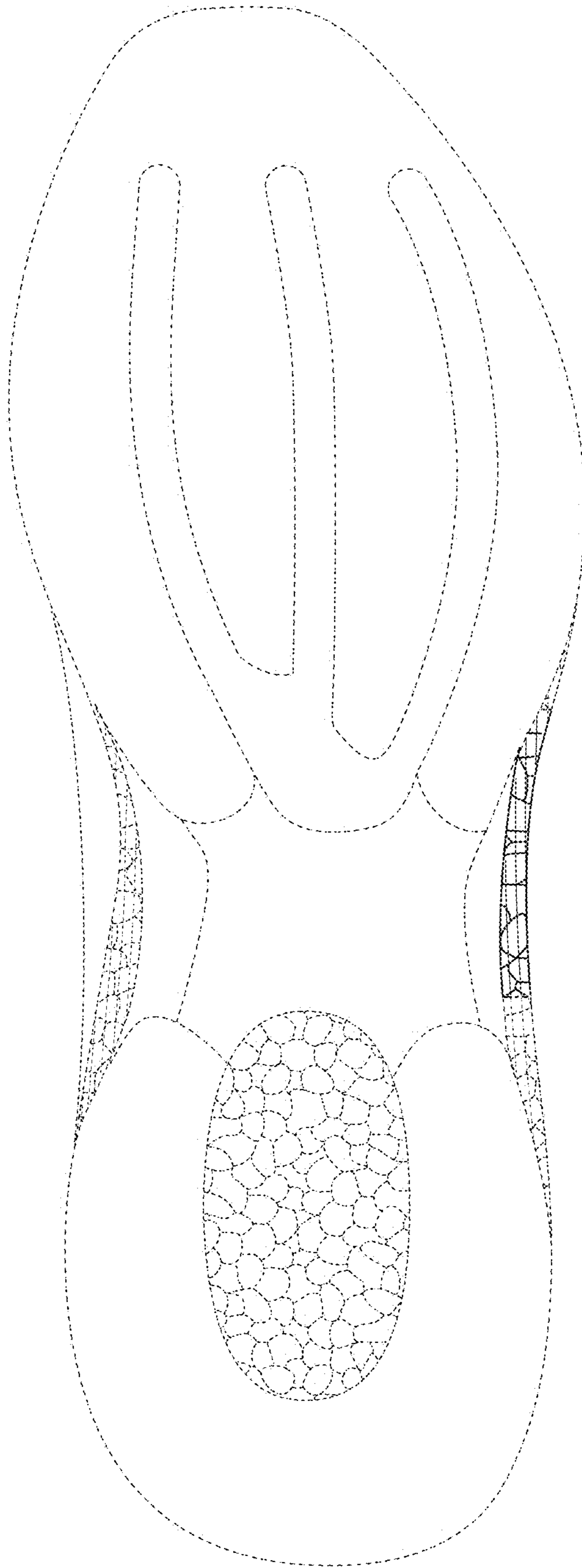
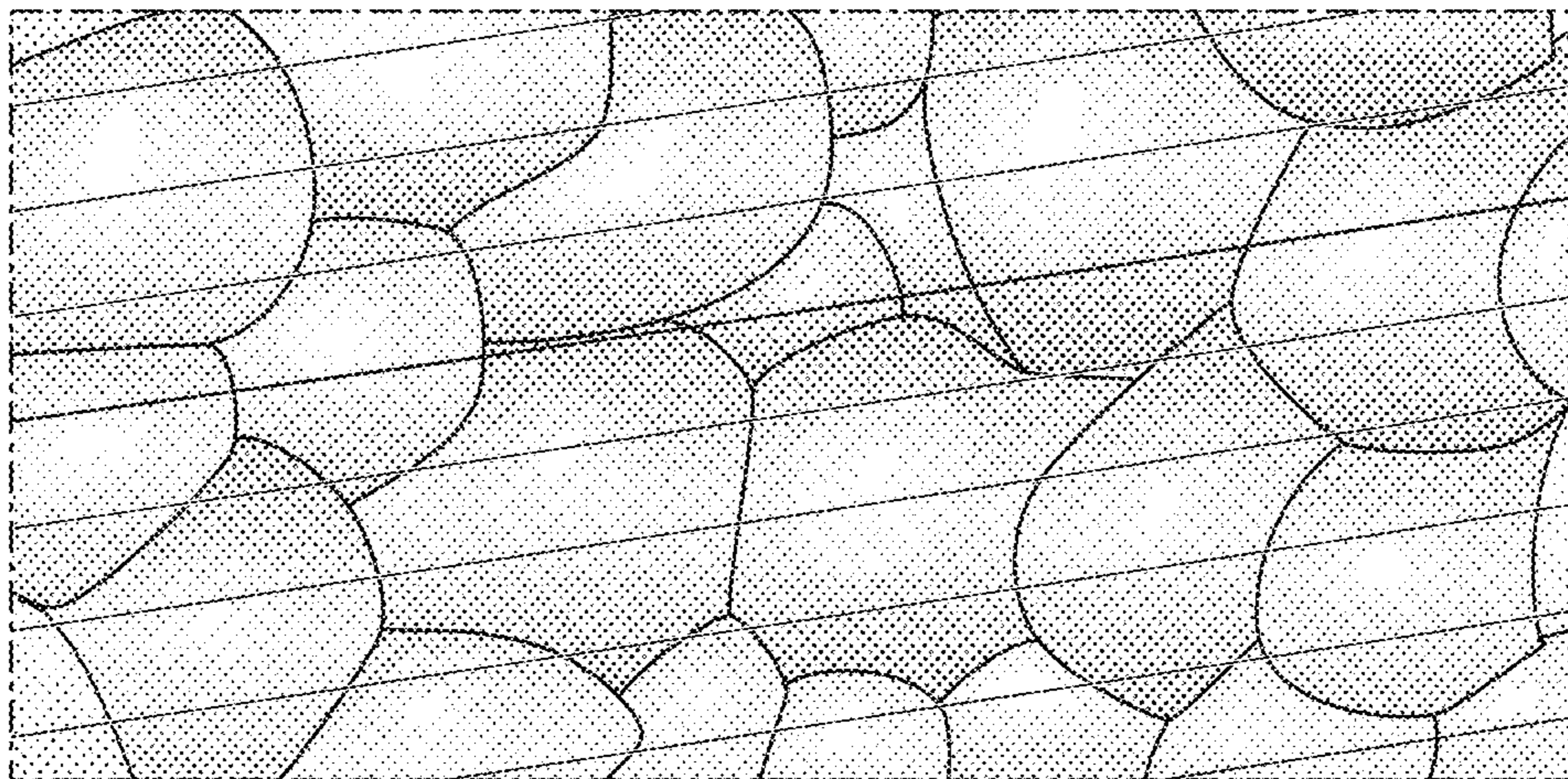


FIG. 6





**FIG. 7**