



US00D758058S

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

(10) **Patent No.:** **US D758,058 S**
(45) **Date of Patent:** **** Jun. 7, 2016**

(54) **HEEL CUP**

(56) **References Cited**

(71) Applicant: **Spenco Medical Corporation**, Waco, TX (US)

U.S. PATENT DOCUMENTS

333,595 A 1/1886 Butterfield
360,127 A 3/1887 Wallis

(72) Inventors: **David B. Granger**, Lorena, TX (US);
Jacob Martinez, Temple, TX (US)

(Continued)

(73) Assignee: **Spenco Medical Corporation**, Waco, TX (US)

FOREIGN PATENT DOCUMENTS

DE 2603716 12/1976
EP 0774219 12/1997

(**) Term: **15 Years**

(Continued)

(21) Appl. No.: **29/531,388**

OTHER PUBLICATIONS

(22) Filed: **Jun. 25, 2015**

[Online] [retrieved on Jan. 22, 2013] [retrieved from Foot Science Limited website] (pdf) http://www.footscience.com/products_foot.html.

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

(Continued)

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

USPC **D2/961**

(58) **Field of Classification Search**

USPC D2/896, 946, 947, 950, 951, 954, 955,
D2/956, 961, 976; 36/83, 88, 91, 92, 93,
36/94, 95, 96, 97, 98, 136, 25 R, 28, 30 R,
36/32 R, 36 R, 43, 44, 71

CPC A43B 7/14; A43B 7/1405; A43B 7/141;
A43B 7/1415; A43B 7/142; A43B 7/143;
A43B 7/144; A43B 7/1445; A43B 7/146;
A43B 7/1465; A43B 7/1475; A43B 7/148;
A43B 7/1485; A43B 7/149; A43B 7/1495;
A43B 7/16; A43B 7/18; A43B 7/19; A43B
7/22; A43B 7/223; A43B 7/226; A43B 7/28;
A43B 7/30; A43B 7/32; A43B 7/34; A43B
7/36; A43B 7/38; A43B 13/38; A43B 13/383;
A43B 13/39; A43B 13/40; A43B 13/42;
A43B 17/14

Primary Examiner — Elizabeth J Oswecki

(74) *Attorney, Agent, or Firm* — Hemingway & Hansen, LLP; D. Scott Hemingway

(57) **CLAIM**

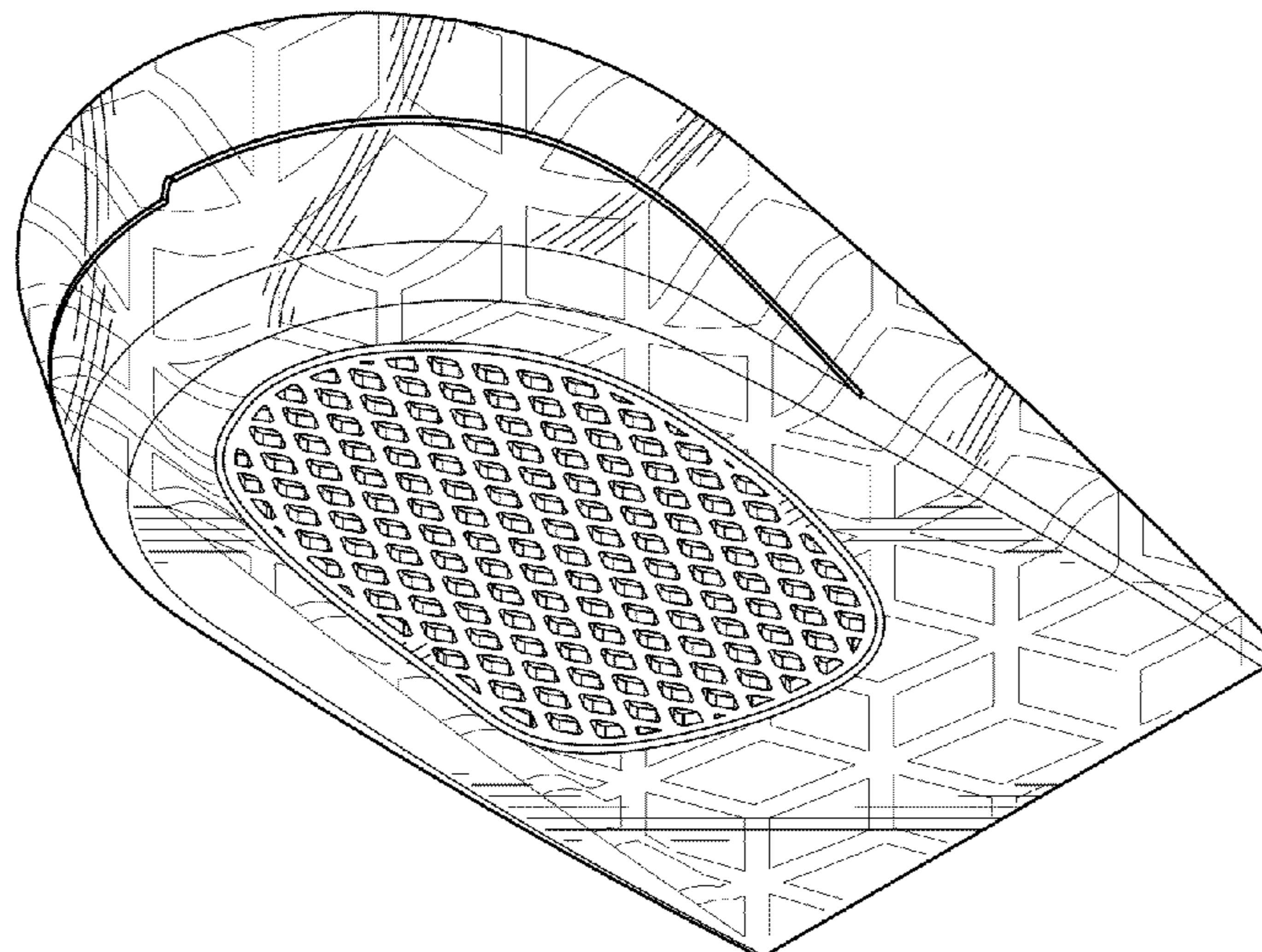
The ornamental design for a heel cup, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a heel cup showing our new design;
FIG. 2 is a bottom plan view of a heel cup shown in FIG. 1;
FIG. 3 is a top plan view of a heel cup shown in FIG. 1;
FIG. 4 is a medial side view of a heel cup shown in FIG. 1;
FIG. 5 is a lateral side view of a heel cup shown in FIG. 1; and,
FIG. 6 is a back elevation view of a heel cup shown in FIG. 1.
All surfaces not shown form no part of the claimed design.

See application file for complete search history.

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D25,242 S *	3/1896	Hills	36/37	4,674,204 A	6/1987	Sullivan et al.	
892,360 A	6/1908	Burns		4,694,589 A	9/1987	Sullivan et al.	
1,403,970 A *	1/1922	Lioy	A43B 21/32 36/3 B	4,694,831 A	9/1987	Seltzer	
1,559,324 A	10/1925	Jensen		4,729,179 A	3/1988	Quist, Jr.	
1,693,122 A	11/1928	Schwartz		D295,690 S	5/1988	Finn	
1,718,906 A	6/1929	Hurley		D299,583 S	1/1989	Tong et al.	
1,730,466 A *	10/1929	Mallott	A43B 7/142 36/140	4,800,657 A	1/1989	Brown	
1,811,641 A	6/1931	Marcelle		4,813,160 A	3/1989	Kuznetz	
1,861,969 A	6/1932	Leighton, Jr.		4,860,463 A	8/1989	Pin	
1,920,112 A	7/1933	Shaft		4,864,736 A	9/1989	Bierk	
1,945,780 A	2/1934	Johnson		4,864,740 A	9/1989	Oakley	
2,031,510 A	2/1936	Stewart et al.		4,876,758 A	10/1989	Rolloff et al.	
2,045,844 A	6/1936	Everston		4,887,368 A	12/1989	Latzke	
2,055,574 A	9/1936	Hartl		4,888,841 A	12/1989	Cumberland	
2,090,881 A	8/1937	Wilson		4,888,887 A	12/1989	Solow	
2,207,437 A	7/1940	Marks et al.		4,928,404 A	5/1990	Scheuermann	
2,224,590 A	12/1940	Boivin		D311,269 S	10/1990	Graham et al.	
2,224,642 A	12/1940	Burns		4,974,342 A	12/1990	Nakamura	
2,284,947 A	6/1942	Clifford		5,010,661 A	4/1991	Chu	
2,302,706 A	11/1942	Margolin		5,014,706 A	5/1991	Philipp	
2,347,207 A	4/1944	Margolin		5,025,573 A	6/1991	Giese et al.	
2,408,564 A	10/1946	Lea		5,025,575 A	6/1991	Lakic	
D149,889 S	6/1948	Laybolt		5,027,461 A	7/1991	Cumberland	
2,502,774 A	4/1950	Alianiello		5,035,068 A	7/1991	Biasi	
2,553,616 A	5/1951	Walls		D319,919 S	9/1991	Niarhos	
2,790,254 A	4/1957	Burns		D324,761 S	3/1992	Soo-Kwan	
2,827,050 A	3/1958	Fisher		5,092,060 A	3/1992	Frachey et al.	
2,857,689 A	10/1958	Van Ostrom et al.		5,138,775 A	8/1992	Chu	
2,985,971 A	5/1961	Murawski		5,155,927 A	10/1992	Bates et al.	
3,084,695 A	4/1963	O'Donnell		5,175,946 A	1/1993	Tsai	
3,154,867 A	11/1964	Strope		5,184,409 A	2/1993	Brown	
3,475,836 A	11/1969	Brahm		5,197,207 A	3/1993	Shorten	
3,922,801 A	12/1975	Zente		5,201,125 A	4/1993	Shorten	
D243,642 S	3/1977	Voorhees		D336,718 S	6/1993	Schroer, Jr.	
4,020,570 A	5/1977	Shames		5,224,277 A	7/1993	Sang Do	
4,033,054 A	7/1977	Fukuoka		5,233,767 A	8/1993	Kramer	
D246,486 S	11/1977	Nickel		D341,021 S *	11/1993	Brown	D2/961
4,071,963 A	2/1978	Fukuoka		D342,374 S	12/1993	Wang	
4,108,928 A	8/1978	Swan, Jr.		5,282,324 A	2/1994	Cheng	
4,123,855 A	11/1978	Thedford		D346,480 S	5/1994	Davidson	
4,139,337 A	2/1979	David et al.		D348,146 S	6/1994	Nakano	
4,150,455 A	4/1979	Fukuoka		D349,393 S	8/1994	Mishan	
4,179,826 A	12/1979	Davidson		D350,432 S	9/1994	Saez	
4,215,492 A	8/1980	Sandmeier		D350,848 S	9/1994	Tzenos	
4,219,945 A	9/1980	Rudy		5,363,570 A	11/1994	Allen et al.	
4,223,457 A	9/1980	Borgeas		5,367,791 A	11/1994	Gross et al.	
4,229,546 A	10/1980	Swan, Jr.		D353,710 S	12/1994	Brazzell	
4,237,626 A	12/1980	Brown		5,369,896 A	12/1994	Frachey et al.	
4,263,728 A	4/1981	Frecentese		5,375,346 A	12/1994	Cole et al.	
4,309,831 A	1/1982	Pritt		5,400,526 A	3/1995	Sessa	
4,316,332 A	2/1982	Giese et al.		5,400,528 A	3/1995	Skinner et al.	
4,325,380 A	4/1982	Malkin		D357,349 S *	4/1995	Vasyli	D2/961
4,346,205 A	8/1982	Hiles		5,408,761 A	4/1995	Gazzano	
4,346,525 A	8/1982	Larsen et al.		5,430,960 A	7/1995	Richardson	
4,364,188 A	12/1982	Turner et al.		5,438,768 A	8/1995	Bauerfeind	
4,408,402 A	10/1983	Looney		5,443,529 A	8/1995	Phillips	
4,413,429 A	11/1983	Power		5,467,536 A	11/1995	Ramer et al.	
4,453,322 A	6/1984	Marsh		5,493,791 A	2/1996	Kramer	
1,541,186 A	9/1985	Mulvihill		D367,953 S	3/1996	King	
4,541,184 A	9/1985	Leighton		5,509,938 A	4/1996	Phillips	
4,546,555 A	10/1985	Spademan		5,524,364 A	6/1996	Cole et al.	
4,557,060 A	12/1985	Kawashima		5,545,463 A	8/1996	Schmidt et al.	
4,581,187 A	4/1986	Sullivan et al.		D374,549 S	10/1996	McDonald	
4,584,782 A	4/1986	Thatcher		5,615,496 A	4/1997	Sharpstein	
4,616,430 A	10/1986	McQuiggin		5,619,809 A	4/1997	Sessa	
4,619,056 A	10/1986	Lin et al.		5,640,779 A	6/1997	Rolloff et al.	
D286,948 S *	12/1986	Graham	D2/961	D380,290 S	7/1997	Nakagawa	
4,627,178 A	12/1986	Sullivan et al.		D383,894 S	9/1997	Snyder et al.	
4,627,179 A	12/1986	McElroy		5,669,162 A	9/1997	Dyer	
4,633,597 A	1/1987	Shiang		D384,797 S	10/1997	Nakagawa	
4,633,598 A	1/1987	Moronaga et al.		5,675,914 A	10/1997	Cintron	
4,633,877 A	1/1987	Pendergast		5,678,328 A	10/1997	Schmidt et al.	
D288,383 S	2/1987	Autry		5,685,094 A	11/1997	Lin	
				D388,947 S	1/1998	Sessa	
				D389,296 S	1/1998	Sessa	
				D389,996 S	2/1998	Sessa	
				5,714,098 A	2/1998	Potter	
				D391,749 S *	3/1998	Fisher	D2/961
				5,722,186 A	3/1998	Brown	

(56)

References Cited

U.S. PATENT DOCUMENTS

5,732,481	A	3/1998	Farhad		6,959,505	B2	11/2005	Poe	
5,768,801	A	6/1998	Huff		6,967,044	B1	11/2005	O'Brien	
5,771,606	A	6/1998	Litchfield et al.		D515,292	S	2/2006	Granger et al.	
5,775,005	A	7/1998	McClelland		7,082,702	B2	8/2006	Cretinon	
D396,948	S	8/1998	Moore et al.		7,107,705	B2	9/2006	Dalton et al.	
D398,145	S	* 9/1998	Ganon	D2/946	D529,691	S	10/2006	Earle	
5,802,737	A	9/1998	Beppu		D543,685	S	6/2007	Andersen et al.	
D399,042	S	10/1998	Strawser et al.		7,284,342	B2	10/2007	Avent et al.	
5,845,418	A	12/1998	Chi		7,316,081	B1	1/2008	Cheng	
5,846,063	A	12/1998	Lakic		D563,649	S	3/2008	Andersen et al.	
5,852,885	A	12/1998	Ferniani		D576,391	S	9/2008	Contreras	
D403,847	S	1/1999	Blythe		D576,394	S	9/2008	Heller	
5,879,725	A	3/1999	Potter		7,437,836	B2	10/2008	Kim	
D411,759	S	7/1999	Byrd		D584,885	S	1/2009	Contreras	
D414,024	S	* 9/1999	Kress	D2/961	7,484,319	B2	2/2009	Cheskin et al.	
D418,666	S	1/2000	Brown		D592,386	S	5/2009	Baker et al.	
D420,210	S	2/2000	Allen		D593,742	S	6/2009	Issler	
D420,788	S	2/2000	Kitagawa		D594,640	S	6/2009	McMillan	
6,029,372	A	2/2000	Pan		D596,833	S	7/2009	Dominquez et al.	
D422,782	S	* 4/2000	Kress	D2/961	7,555,849	B2	7/2009	Canvin	
D423,765	S	5/2000	Autry		D602,238	S	10/2009	Avent et al.	
D425,690	S	5/2000	Bray et al.		7,610,696	B2	11/2009	Davis	
D426,118	S	6/2000	Thomas		7,665,169	B2	2/2010	Cheskin et al.	
6,070,342	A	6/2000	Brown		D611,237	S	3/2010	Torrance et al.	
6,079,123	A	6/2000	Clark		7,712,229	B2	5/2010	Yang	
6,082,023	A	7/2000	Dalton		7,721,467	B2	5/2010	Cheskin et al.	
D428,689	S	8/2000	Guiotto et al.		D617,086	S	6/2010	Avent et al.	
D429,063	S	8/2000	Rose		D617,087	S	6/2010	Avent et al.	
6,105,283	A	8/2000	Park		D619,347	S	* 7/2010	Raimondo	D2/961
D432,769	S	10/2000	Yung et al.		D619,796	S	* 7/2010	Chiang	D2/961
6,151,801	A	11/2000	Frederiksen et al.		D627,958	S	11/2010	Cheskin et al.	
6,176,025	B1	1/2001	Patterson et al.		D628,779	S	12/2010	Martinez et al.	
D441,947	S	5/2001	Escobar et al.		D634,920	S	3/2011	Martinez et al.	
6,233,847	B1	5/2001	Brown		D634,924	S	3/2011	Cheskin et al.	
6,266,897	B1	7/2001	Seydel et al.		7,900,380	B2	3/2011	Rich	
D448,542	S	10/2001	Bryant		7,908,768	B2	3/2011	Cheskin et al.	
D448,850	S	10/2001	Fabricant		D656,716	S	4/2012	Eades	
6,301,805	B1	10/2001	Howlett et al.		8,186,081	B2	5/2012	Wilson, III et al.	
D456,125	S	* 4/2002	Grisoni	D2/961	D663,511	S	7/2012	Martinez et al.	
D456,126	S	* 4/2002	Grisoni	D2/961	8,241,450	B2	8/2012	Hensley et al.	
D456,127	S	* 4/2002	Grisoni	D2/961	8,250,784	B2	8/2012	Cheskin et al.	
D456,128	S	4/2002	Evans et al.		8,296,969	B2	10/2012	Granger et al.	
D460,854	S	7/2002	Hung		D676,637	S	* 2/2013	Hane	D2/954
6,425,195	B1	7/2002	Donzis		8,424,222	B2	4/2013	Sulak et al.	
D461,300	S	* 8/2002	Hall	D2/961	D681,321	S	5/2013	Martinez et al.	
6,453,578	B1	9/2002	Yung et al.		D694,999	S	* 12/2013	Feldman	D2/961
D465,079	S	11/2002	Merceron		D695,000	S	* 12/2013	Feldman	D2/961
6,481,120	B1	11/2002	Xia et al.		D696,506	S	* 12/2013	Feldman	D2/961
6,497,057	B1	12/2002	Lee et al.		D701,028	S	* 3/2014	Remington	D2/961
6,502,330	B1	1/2003	David et al.		8,745,894	B2	6/2014	Cheskin et al.	
6,510,626	B1	1/2003	Greenawalt		D707,936	S	* 7/2014	Nash	D2/961
6,519,874	B1	2/2003	Dean		D718,519	S	* 12/2014	Glazer	D2/961
D471,001	S	3/2003	Beck		D723,786	S	3/2015	Martinez et al.	
6,536,137	B1	3/2003	Celia		D731,770	S	* 6/2015	Barr	D2/961
6,553,690	B2	4/2003	Di Girolamo		D734,933	S	* 7/2015	Barr	D2/961
D474,331	S	5/2003	Dean		D743,156	S	* 11/2015	Lok	D2/961
D474,588	S	5/2003	Dean		D745,177	S	* 12/2015	Bauerfeind	D2/961
D474,881	S	5/2003	Su		D745,178	S	* 12/2015	Bauerfeind	D2/961
D475,184	S	* 6/2003	Polifroni	D2/961	D745,179	S	* 12/2015	Bauerfeind	D2/961
D475,844	S	6/2003	Reynolds et al.		D746,568	S	* 1/2016	Piontkowski	D2/961
6,581,303	B1	6/2003	Tuan		D746,569	S	* 1/2016	Lin	D2/961
6,598,319	B2	7/2003	Hardt		D747,086	S	* 1/2016	Manning	D2/961
6,618,960	B2	9/2003	Brown		2001/0000369	A1	4/2001	Snyder et al.	
6,631,568	B2	10/2003	Howlett et al.		2001/0045028	A1	11/2001	Crane et al.	
D485,425	S	1/2004	Polifroni		2002/0050080	A1	5/2002	Vasyli	
D485,426	S	1/2004	Di Girolamo		2002/0092203	A1	7/2002	Hardt	
6,671,979	B2	1/2004	Cardarelli		2002/0116840	A1	8/2002	Kraft	
6,684,532	B2	2/2004	Greene et al.		2003/0009915	A1	1/2003	Bacon	
D489,520	S	5/2004	Matis et al.		2003/0024134	A1	2/2003	Howlett et al.	
D495,123	S	8/2004	Wakatake		2003/0070321	A1	4/2003	Davis et al.	
D497,473	S	10/2004	Martinez		2003/0093920	A1	5/2003	Greene et al.	
D497,708	S	11/2004	Granger et al.		2003/0121180	A1	7/2003	Poe	
D500,914	S	1/2005	Ammon		2003/0136025	A1	7/2003	Galbraith et al.	
6,880,266	B2	4/2005	Schoenborn et al.		2003/0150134	A1	8/2003	Hardt	
6,915,598	B2	7/2005	Grisoni et al.		2004/0020075	A1	2/2004	Garneau	
					2004/0025374	A1	2/2004	Basso	
					2004/0118017	A1	6/2004	Dalton et al.	
					2004/0181971	A1	9/2004	Turkbas et al.	
					2004/0194344	A1	10/2004	Tadin	

(56)

References Cited

U.S. PATENT DOCUMENTS

2005/0138847 A1 6/2005 Blackburn et al.
 2005/0166425 A1 8/2005 Seiter
 2005/0262736 A1 12/2005 Peoples
 2006/0010717 A1 1/2006 Finkelstein
 2006/0016099 A1 1/2006 Marco et al.
 2006/0026779 A1 2/2006 Berg et al.
 2006/0026865 A1 2/2006 Grisoni et al.
 2006/0096124 A1 5/2006 Moseley
 2006/0123664 A1 6/2006 Boyd et al.
 2006/0130367 A1 6/2006 Liu
 2006/0137216 A1 6/2006 Ahlbaumer
 2006/0168846 A1 8/2006 Juan
 2006/0230643 A1 10/2006 Affleck
 2006/0254088 A1 11/2006 McCormick
 2006/0283043 A1 12/2006 Lamstein
 2007/0022630 A1 2/2007 Lundy, Jr. et al.
 2007/0033834 A1 2/2007 Cheskin et al.
 2007/0039209 A1 2/2007 White
 2007/0245592 A1 10/2007 Yamaguchi et al.
 2007/0261268 A1 11/2007 Nguyen
 2008/0028637 A1 2/2008 Benfatti
 2008/0110060 A1 5/2008 Ritter
 2008/0110064 A1 5/2008 Liu
 2008/0271340 A1 11/2008 Grisoni et al.
 2008/0295358 A1 12/2008 Lin et al.
 2009/0025254 A1 1/2009 Smith
 2009/0049712 A1 2/2009 Steszyn et al.
 2009/0100722 A1 4/2009 Hoffer et al.
 2009/0151194 A1 6/2009 Cheskin et al.
 2009/0165334 A1 7/2009 Kantro et al.
 2009/0249650 A1 10/2009 Sarantakos
 2010/0015869 A1 1/2010 Hartmann et al.
 2010/0083534 A1 4/2010 Howlett
 2010/0095552 A1 4/2010 Cheskin et al.
 2010/0126044 A1 5/2010 Davis
 2010/0170116 A1 7/2010 Shim
 2010/0205831 A1 8/2010 Checkin et al.
 2010/0212187 A1 8/2010 Jones
 2010/0218398 A1 9/2010 Reinhardt et al.
 2010/0218399 A1 9/2010 Jeong
 2010/0251577 A1 10/2010 Yamada
 2011/0072685 A1 3/2011 Gutowsky, Jr. et al.
 2011/0131835 A1 6/2011 Cheskin
 2011/0162234 A1 7/2011 Dean
 2011/0209360 A1 9/2011 Baker et al.
 2011/0219642 A1 9/2011 Sulak et al.
 2011/0232129 A1 9/2011 Roberts et al.
 2011/0252665 A1 10/2011 Tsai
 2011/0252671 A1 10/2011 Maron et al.
 2011/0302805 A1 12/2011 Vito
 2012/0090197 A1 4/2012 Wyner et al.
 2012/0192452 A1 8/2012 Lewis et al.
 2012/0272546 A1 11/2012 Tsai
 2013/0104419 A1 5/2013 Horesh et al.
 2013/0160331 A1 6/2013 Burke

FOREIGN PATENT DOCUMENTS

KR 20-19930024801 5/1992
 KR 20-0427687 4/2006
 KR 10-0641278 10/2006

KR 10-0736813 7/2007
 KR 10-0780086 11/2007
 WO WO 2004060095 7/2004
 WO WO 2006035469 4/2006
 WO WO 2006090398 8/2006
 WO WO 2007021328 2/2007
 WO WO 2007056101 5/2007
 WO WO 2008015195 12/2008
 WO WO 2009068298 6/2009
 WO WO 2009126111 10/2009
 WO WO 2009136685 11/2009
 WO WO 2011108011 9/2011

OTHER PUBLICATIONS

[Online] [retrieved on Jan. 22, 2013] [retrieved from geldoctor website] (pdf) <http://www.geldoctor.com/flosole.html>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Gerbing's website] (pdf) <http://www.gerbing.com/Products/insoles.php>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Heat Factory website] (pdf) <http://www.heatfactory.com/english/product.pht?cat=3&id>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Dr. Rosenberg's Foot Products website] (pdf) <http://www.instantarches.com/cool-soles.shtml>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Mean and Green website] web page (pdf) http://www.meanandgreen.com/army/-Thermal-Foil_insoles/2660/2303.html.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Superfeet website] (pdf) <http://www.superfeet.com/products/REDHot.aspx>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Thermo Soles website] (pdf) <http://www.thermosoles.com/>.
 [Online] [retrieved on Jan. 22, 2014] [retrieved from Warmers.com website] (pdf) <http://www.warmers.com/grabber-got-warmers-medium-5-hour-10pr-bundle>.
 PCT, International Search Report & Written Opinion of the International Searching Authority for PCT/US2013/026932. Jun. 18, 2013.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2006/014681. Jul. 27, 2006.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2013/057141. Nov. 12, 2013.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2014/0055133. Jan. 15, 2015.
 PCT, International Search Report and Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2006/042885. Mar. 13, 2007.
 Supplementary Extended European Search Report of the European Patent Office for European Search Report No. EP 13754536.4. Jun. 1, 2015.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2015/011960. Apr. 30, 2015.

* cited by examiner

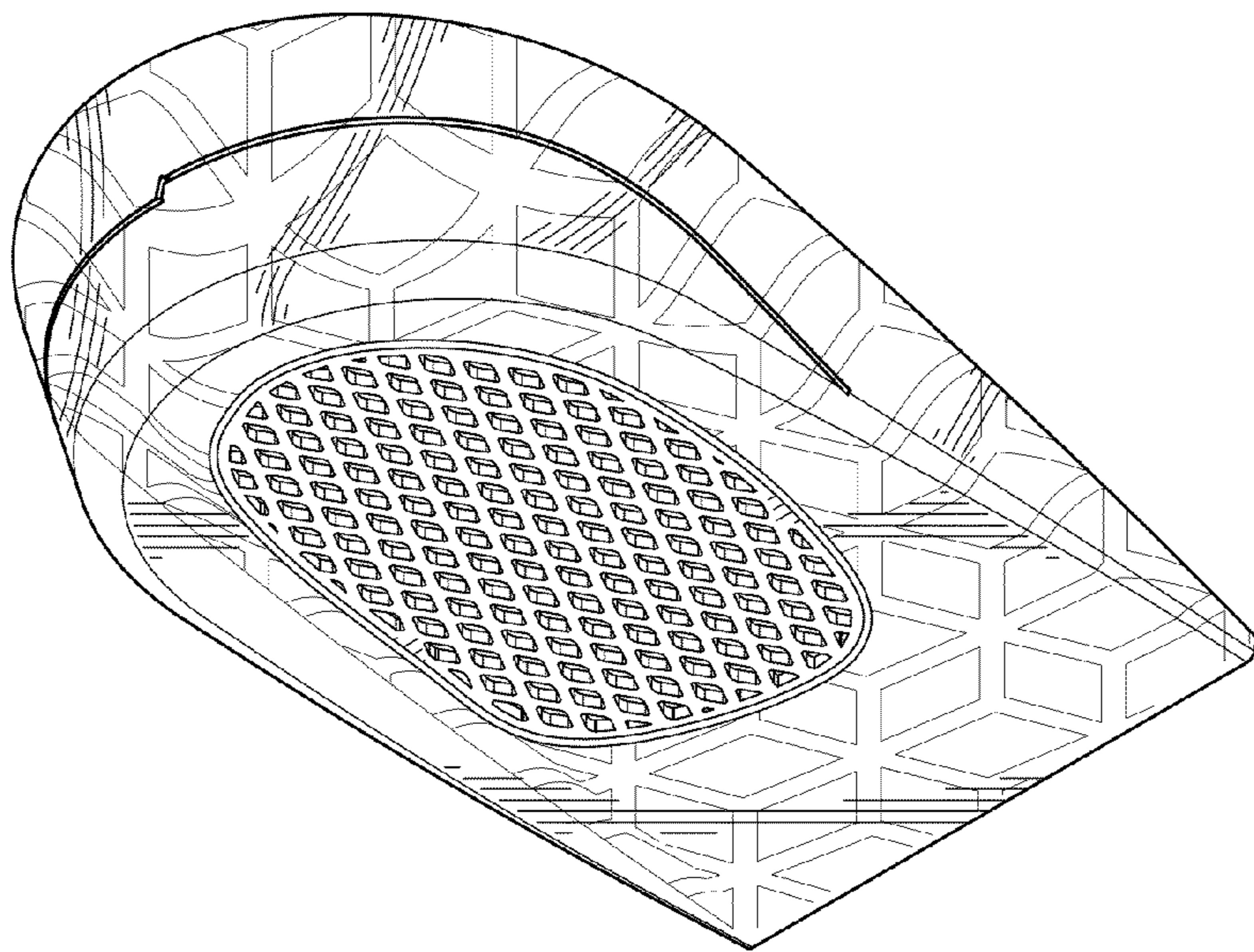


FIG. 1

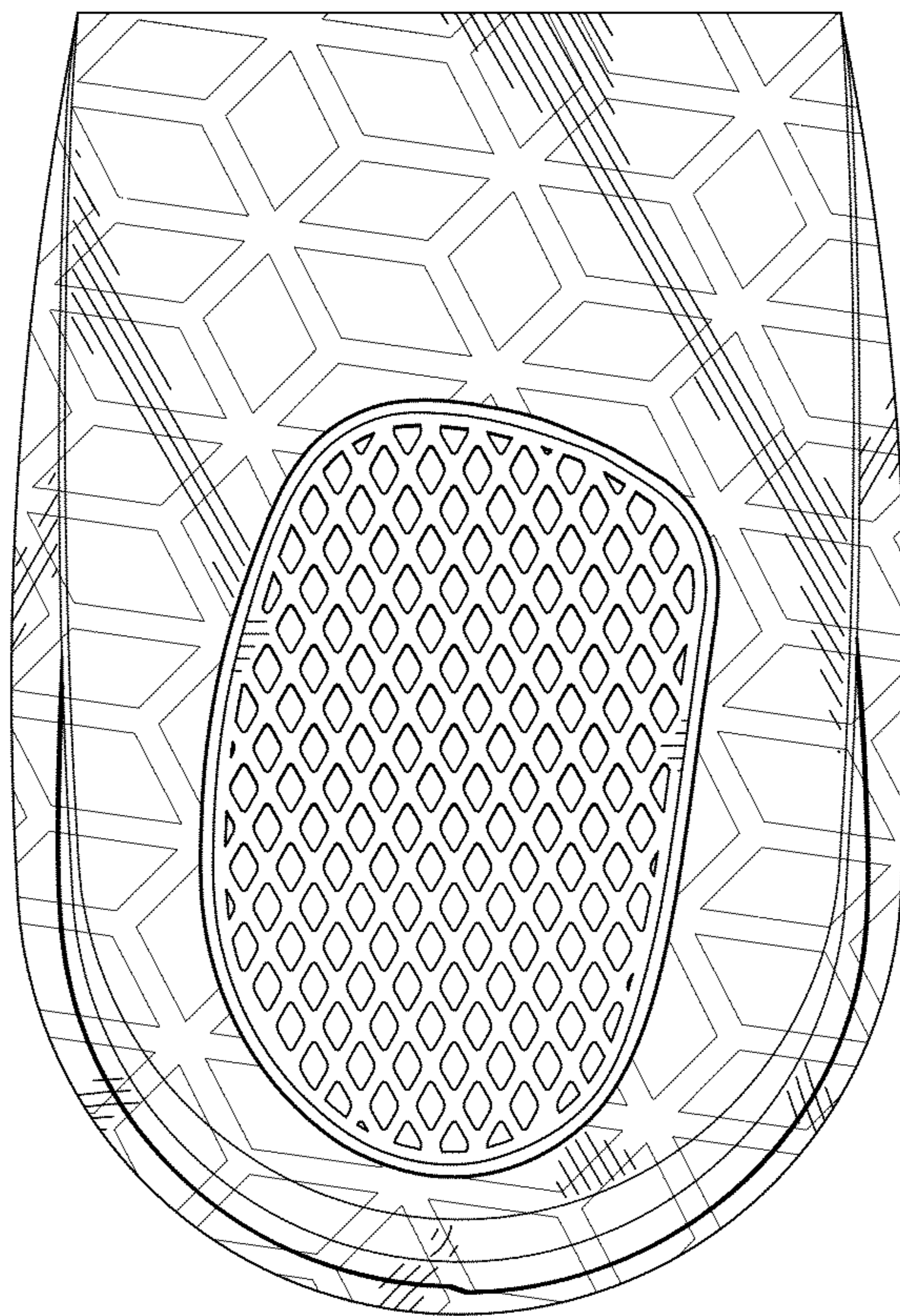


FIG. 2

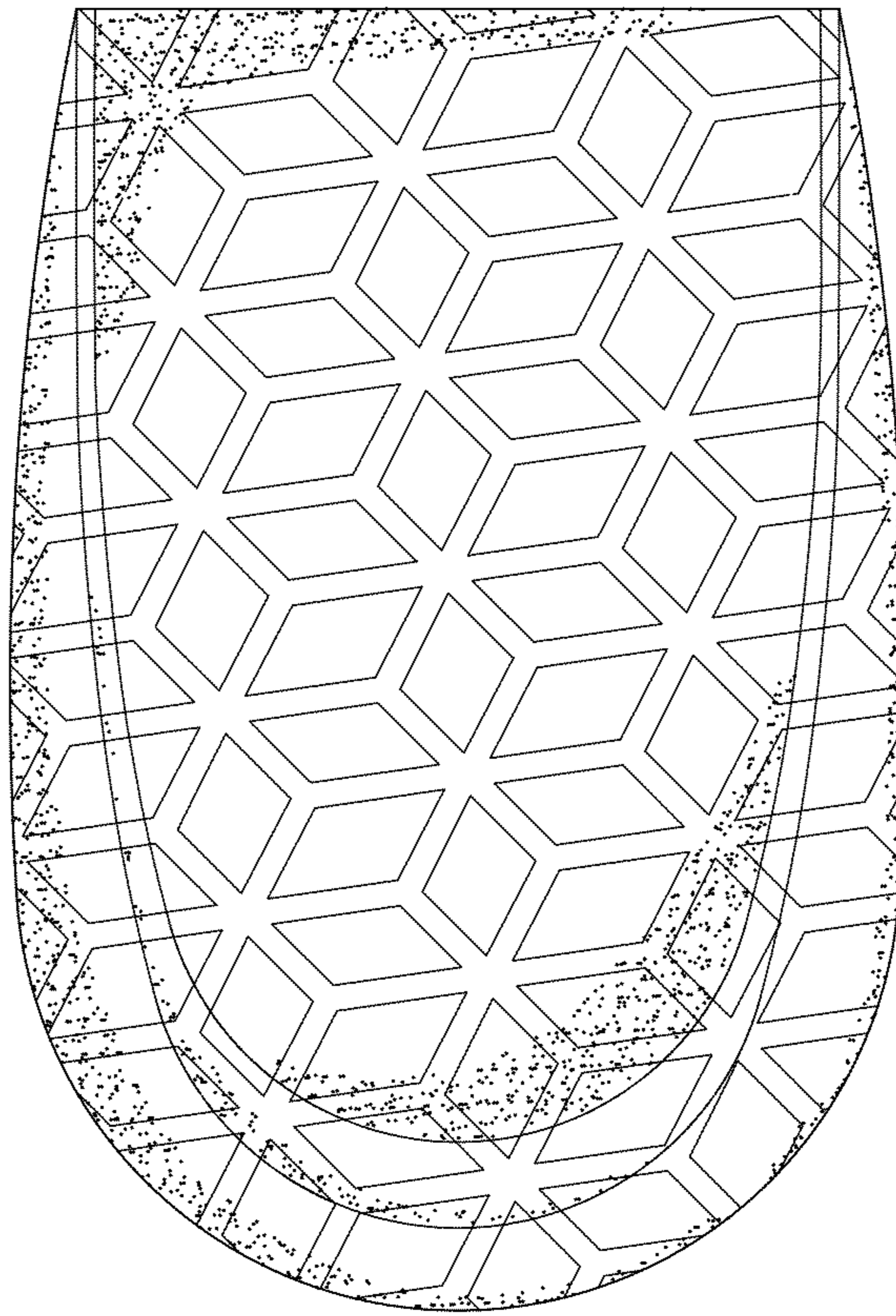


FIG. 3

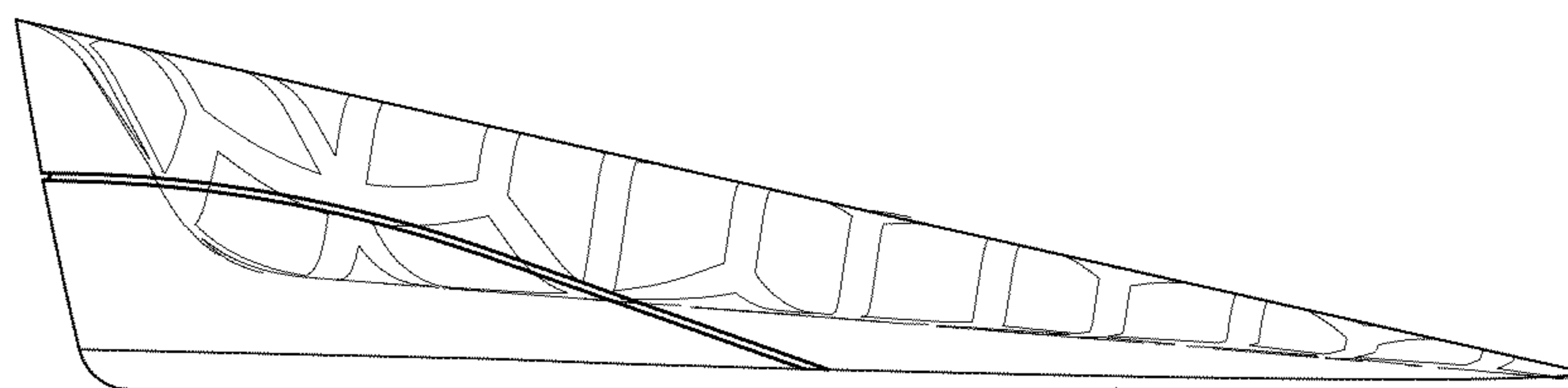


FIG. 4

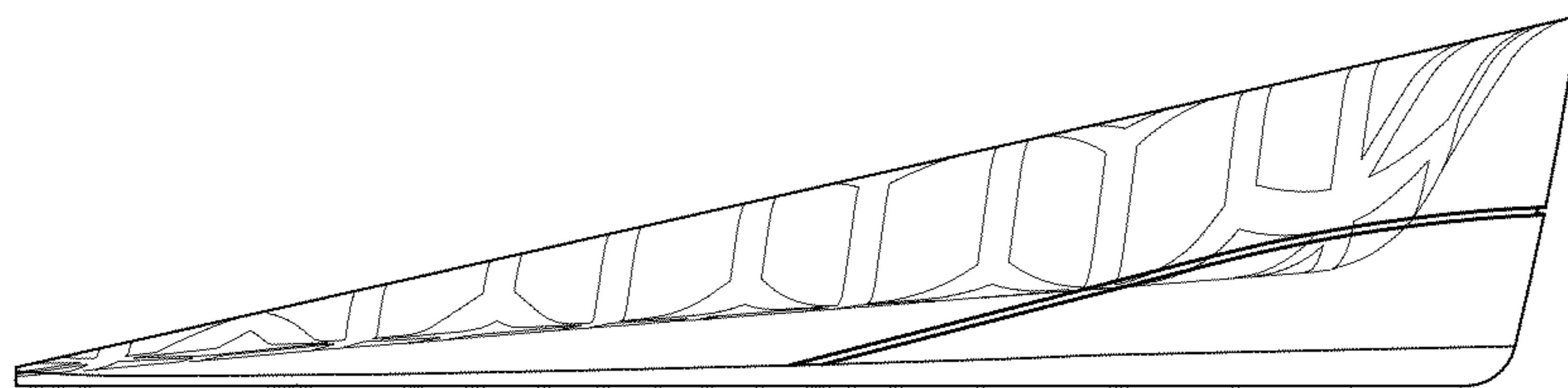


FIG. 5

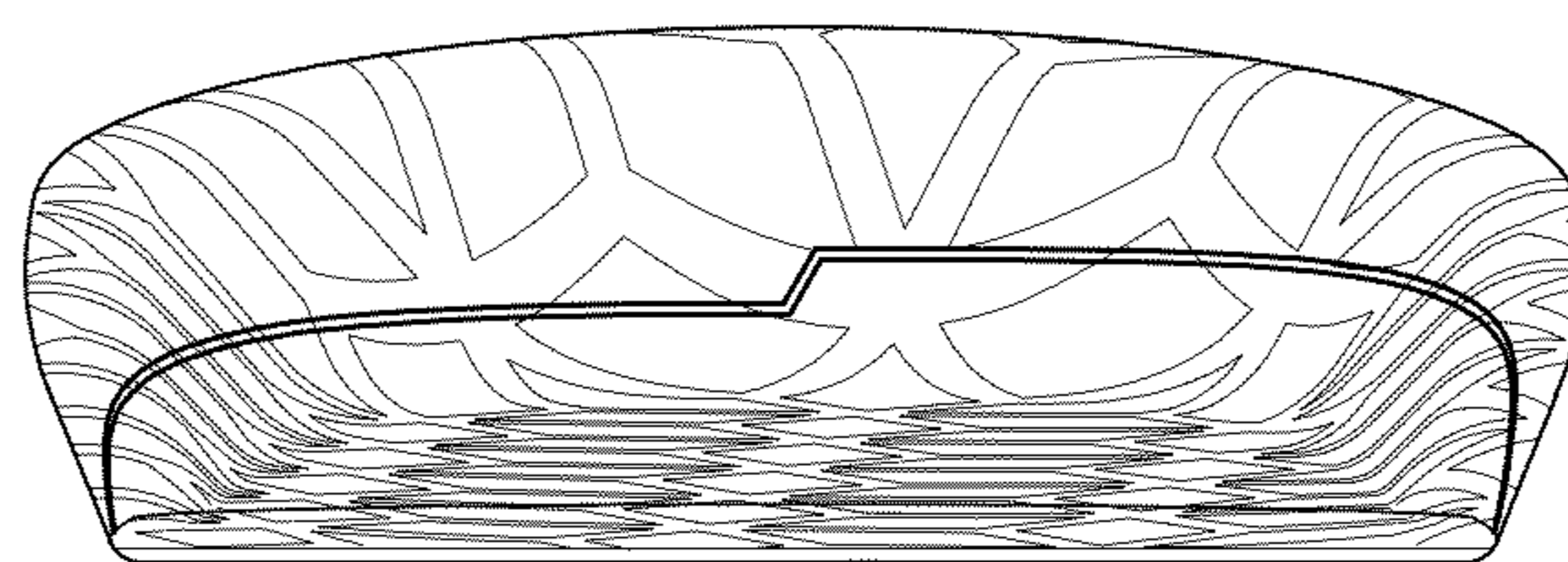


FIG. 6