



US00D761543S

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

(10) **Patent No.:** **US D761,543 S**  
(45) **Date of Patent:** **\*\* Jul. 19, 2016**

(54) **SHOE INSOLE**

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

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

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

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

(21) Appl. No.: **29/531,331**

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

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

(52) **U.S. Cl.**  
USPC ..... **D2/961**

(58) **Field of Classification Search**  
USPC ..... D2/953, 957, 958, 959, 960, 968, 896,  
D2/946, 947, 951, 955, 956, 961, 976;  
36/83, 88, 91, 92, 93, 94, 95, 96, 97,  
36/98, 136, 25 R, 30 R, 32 R, 36 R, 43, 44,  
36/71  
CPC ..... A43B 7/14; A43B 7/1405; A43B 7/141;  
A43B 7/1415; A43B 7/142; A43B 7/1425;  
A43B 7/143; A43B 7/1435; 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 13/383; A43B 13/386; A43B  
13/39; A43B 13/40; A43B 13/42; A43B  
17/14

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

333,595 A 1/1886 Butterfield  
360,127 A 3/1887 Wallis  
892,360 A 6/1908 Burns

(Continued)

FOREIGN PATENT DOCUMENTS

DE 2603716 12/1976  
EP 0774219 12/1997

(Continued)

OTHER PUBLICATIONS

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

(Continued)

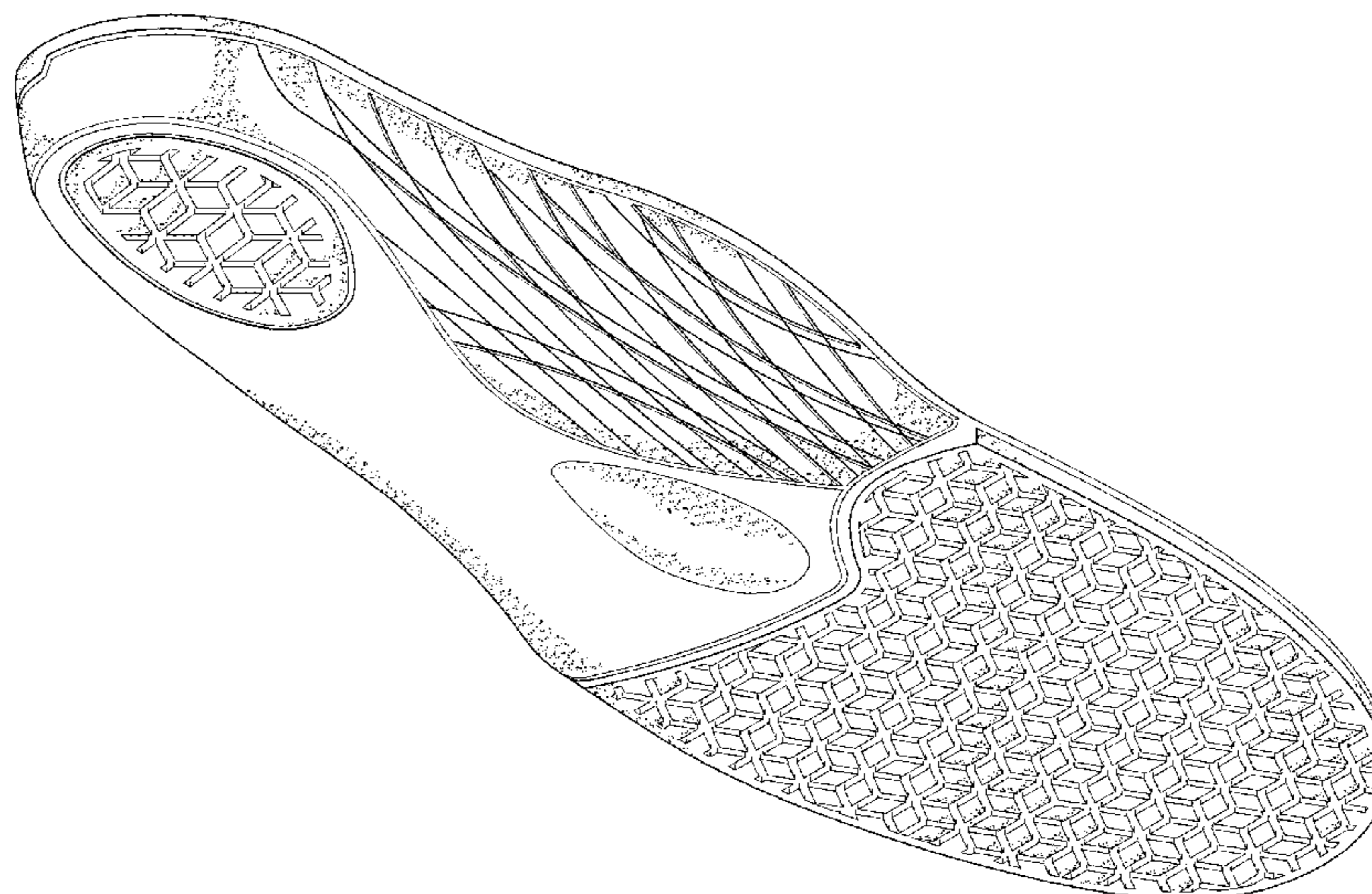
*Primary Examiner* — Elizabeth J Oswecki  
(74) *Attorney, Agent, or Firm* — Hemingway & Hansen, LLP

(57) **CLAIM**  
The ornamental design for a shoe insole, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a shoe insole showing our new design;  
FIG. 2 is a bottom view of a shoe insole shown in FIG. 1;  
FIG. 3 is a top view of a shoe insole shown in FIG. 1;  
FIG. 4 is a medial side view of a shoe insole shown in FIG. 1;  
FIG. 5 is a lateral side view of a shoe insole shown in FIG. 1;  
FIG. 6 is a front side view of a shoe insole shown in FIG. 1;  
and,  
FIG. 7 is a back side view of a shoe insole shown in FIG. 1.

**1 Claim, 5 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

			4,697,361 A *	10/1987	Ganter .....	A43B 13/186 36/28
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.	
1,811,641 A	6/1931	Marcelle	4,800,657 A	1/1989	Brown	
1,861,969 A	6/1932	Leighton, Jr.	4,813,160 A	3/1989	Kuznetz	
1,920,112 A	7/1933	Shaft	4,860,463 A	8/1989	Pin	
1,945,780 A	2/1934	Johnson	4,864,736 A	9/1989	Bierk	
2,031,510 A	2/1936	Stewart et al.	4,864,740 A	9/1989	Oakley	
2,045,844 A	6/1936	Everston	4,876,758 A	10/1989	Rolloff et al.	
2,055,574 A	9/1936	Hartl	4,887,368 A	12/1989	Latzke	
2,090,881 A	8/1937	Wilson	4,888,841 A	12/1989	Cumberland	
2,207,437 A	7/1940	Marks et al.	4,888,887 A	12/1989	Solow	
2,224,590 A	12/1940	Boivin	D307,072 S *	4/1990	Graham .....	D2/961
2,224,642 A	12/1940	Burns	4,928,404 A	5/1990	Scheuermann	
2,284,947 A	6/1942	Clifford	D311,269 S	10/1990	Graham et al.	
2,302,706 A	11/1942	Margolin	4,974,342 A	12/1990	Nakamura	
2,347,207 A	4/1944	Margolin	5,010,661 A	4/1991	Chu	
2,408,564 A	10/1946	Lea	5,014,706 A	5/1991	Philipp	
D149,889 S	6/1948	Laybolt	5,025,573 A	6/1991	Giese et al.	
2,502,774 A	4/1950	Alianiello	5,025,575 A	6/1991	Lakic	
2,553,616 A	5/1951	Walls	5,027,461 A	7/1991	Cumberland	
2,648,855 A *	8/1953	Midgley .....	5,035,068 A	7/1991	Biasi	
		A43B 13/00 12/146 B	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	D342,374 S	12/1993	Wang	
4,071,963 A	2/1978	Fukuoka	5,282,324 A	2/1994	Cheng	
4,079,526 A *	3/1978	Fukuoka .....	D346,480 S	5/1994	Davidson	
		A43B 1/0054 36/11.5	D348,146 S	6/1994	Nakano	
4,108,928 A	8/1978	Swan, Jr.	D349,393 S	8/1994	Mishan	
4,123,855 A	11/1978	Thedford	D350,432 S	9/1994	Saez	
4,139,337 A	2/1979	David et al.	D350,848 S	9/1994	Tzenos	
4,150,455 A	4/1979	Fukuoka	5,363,570 A	11/1994	Allen et al.	
4,179,826 A	12/1979	Davidson	5,367,791 A	11/1994	Gross et al.	
4,215,492 A	8/1980	Sandmeier	D353,710 S	12/1994	Brazzell	
4,219,945 A	9/1980	Rudy	5,369,896 A	12/1994	Frachey et al.	
4,223,457 A	9/1980	Borgeas	5,375,346 A	12/1994	Cole et al.	
4,229,546 A	10/1980	Swan, Jr.	5,400,526 A	3/1995	Sessa	
4,237,626 A	12/1980	Brown	5,400,528 A	3/1995	Skinner et al.	
4,263,728 A	4/1981	Frecentese	5,408,761 A	4/1995	Gazzano	
4,309,831 A	1/1982	Pritt	5,430,960 A	7/1995	Richardson	
4,316,332 A	2/1982	Giese et al.	5,438,768 A	8/1995	Bauerfeind	
4,325,380 A	4/1982	Malkin	5,443,529 A	8/1995	Phillips	
4,346,205 A	8/1982	Hiles	5,467,536 A	11/1995	Ramer et al.	
4,346,525 A	8/1982	Larsen et al.	5,493,791 A	2/1996	Kramer	
4,364,188 A	12/1982	Turner et al.	D367,953 S	3/1996	King	
4,408,402 A	10/1983	Looney	5,509,938 A	4/1996	Phillips	
4,413,429 A	11/1983	Power	5,524,364 A	6/1996	Cole et al.	
4,453,322 A	6/1984	Marsh	5,545,463 A	8/1996	Schmidt et al.	
1,541,186 A	9/1985	Mulvihill	D374,549 S	10/1996	McDonald	
4,541,184 A	9/1985	Leighton	5,615,496 A	4/1997	Sharpstein	
4,546,555 A	10/1985	Spademan	5,619,809 A	4/1997	Sessa	
4,557,060 A	12/1985	Kawashima	5,640,779 A	6/1997	Rolloff et al.	
4,581,187 A	4/1986	Sullivan et al.	D380,290 S	7/1997	Nakagawa	
4,584,782 A	4/1986	Thatcher	D383,894 S	9/1997	Snyder et al.	
4,616,430 A	10/1986	McQuiggin	5,669,162 A	9/1997	Dyer	
4,619,056 A	10/1986	Lin et al.	D384,797 S	10/1997	Nakagawa	
4,627,178 A	12/1986	Sullivan et al.	5,675,914 A	10/1997	Cintron	
4,627,179 A	12/1986	McElroy	5,678,328 A	10/1997	Schmidt et al.	
4,633,597 A	1/1987	Shiang	5,685,094 A	11/1997	Lin	
4,633,598 A	1/1987	Moronaga et al.	D388,947 S	1/1998	Sessa	
4,633,877 A	1/1987	Pendergast	D389,296 S	1/1998	Sessa	
D288,383 S	2/1987	Autry	D389,996 S	2/1998	Sessa	
4,674,204 A	6/1987	Sullivan et al.	5,714,098 A	2/1998	Potter	
4,694,589 A	9/1987	Sullivan et al.	5,722,186 A	3/1998	Brown	
4,694,831 A	9/1987	Seltzer	5,732,481 A	3/1998	Farhad	
			5,768,801 A	6/1998	Huff	
			5,771,606 A	6/1998	Litchfield et al.	

(56)

References Cited

U.S. PATENT DOCUMENTS

5,775,005 A	7/1998	McClelland	7,284,342 B2	10/2007	Avent et al.	
D396,948 S	8/1998	Moore et al.	D555,341 S *	11/2007	Vasyli .....	D2/961
5,802,737 A	9/1998	Beppu	7,316,081 B1	1/2008	Cheng	
D399,042 S	10/1998	Strawser et al.	D563,649 S	3/2008	Andersen et al.	
5,845,418 A	12/1998	Chi	D576,391 S	9/2008	Contreras	
5,846,063 A	12/1998	Lakic	D576,394 S	9/2008	Heller	
5,852,885 A	12/1998	Ferniani	D578,285 S *	10/2008	Vasyli .....	D2/946
D403,847 S	1/1999	Blythe	7,437,836 B2	10/2008	Kim	
5,879,725 A	3/1999	Potter	D584,885 S	1/2009	Contreras	
D411,759 S	7/1999	Byrd	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	D592,390 S *	5/2009	Feldman .....	D2/946
D420,788 S	2/2000	Kitagawa	D593,742 S	6/2009	Issler	
6,029,372 A	2/2000	Pan	D594,640 S	6/2009	McMillan	
D423,765 S	5/2000	Autry	D596,833 S	7/2009	Dominquez et al.	
D425,690 S	5/2000	Bray et al.	7,555,849 B2	7/2009	Canvin	
D426,118 S	6/2000	Thomas	D601,786 S *	10/2009	Avent .....	D2/961
6,070,342 A	6/2000	Brown	D602,238 S	10/2009	Avent et al.	
6,079,123 A	6/2000	Clark	D604,033 S *	11/2009	Feldman .....	D2/961
6,082,023 A	7/2000	Dalton	7,610,696 B2	11/2009	Davis	
D428,689 S	8/2000	Guiotto et al.	7,665,169 B2	2/2010	Cheskin et al.	
D429,063 S	8/2000	Rose	D611,237 S	3/2010	Torrance et al.	
6,105,283 A	8/2000	Park	7,712,229 B2	5/2010	Yang	
D432,769 S	10/2000	Yung et al.	7,721,467 B2	5/2010	Cheskin et al.	
6,151,801 A	11/2000	Frederiksen et al.	D617,086 S	6/2010	Avent et al.	
6,176,025 B1	1/2001	Patterson et al.	D617,087 S	6/2010	Avent et al.	
D441,947 S	5/2001	Escobar et al.	D627,958 S *	11/2010	Cheskin .....	D2/961
6,233,847 B1	5/2001	Brown	D628,779 S	12/2010	Martinez et al.	
6,266,897 B1	7/2001	Seydel et al.	D634,920 S	3/2011	Martinez et al.	
D448,542 S	10/2001	Bryant	D634,924 S	3/2011	Cheskin et al.	
D448,850 S	10/2001	Fabricant	7,900,380 B2	3/2011	Rich	
6,301,805 B1	10/2001	Howlett et al.	7,908,768 B2	3/2011	Cheskin et al.	
D456,128 S	4/2002	Evans et al.	D640,046 S *	6/2011	Claassen .....	D2/953
D456,983 S *	5/2002	Stubbs .....	D646,474 S *	10/2011	Avent .....	D2/961
D460,854 S	7/2002	Hung	D656,716 S	4/2012	Eades	
6,425,195 B1	7/2002	Donzis	8,186,081 B2	5/2012	Wilson, III et al.	
D461,300 S *	8/2002	Hall .....	D663,511 S	7/2012	Martinez et al.	
6,453,578 B1	9/2002	Yung et al.	D664,754 S *	8/2012	Klein .....	D2/961
D465,079 S	11/2002	Merceron	D665,566 S *	8/2012	Klein .....	D2/961
6,481,120 B1	11/2002	Xia et al.	8,241,450 B2	8/2012	Hensley et al.	
6,497,057 B1	12/2002	Lee et al.	8,250,784 B2	8/2012	Cheskin et al.	
6,502,330 B1	1/2003	David et al.	8,296,969 B2	10/2012	Granger et al.	
6,510,626 B1	1/2003	Greenawalt	8,424,222 B2	4/2013	Sulak et al.	
6,519,874 B1	2/2003	Dean	D681,321 S	5/2013	Martinez et al.	
D471,001 S	3/2003	Beck	D689,276 S *	9/2013	Klein .....	D2/961
6,536,137 B1	3/2003	Celia	8,745,894 B2	6/2014	Cheskin et al.	
6,553,690 B2	4/2003	Di Girolamo	D717,528 S *	11/2014	Avent .....	D2/961
D474,331 S	5/2003	Dean	D722,754 S *	2/2015	Vasyli .....	D2/961
D474,588 S	5/2003	Dean	D722,755 S *	2/2015	Vasyli .....	D2/961
D474,881 S	5/2003	Su	D722,756 S *	2/2015	Vasyli .....	D2/961
D475,844 S	6/2003	Reynolds et al.	D723,786 S	3/2015	Martinez et al.	
6,581,303 B1	6/2003	Tuan	D729,509 S *	5/2015	Lee .....	D2/961
6,598,319 B2	7/2003	Hardt	D736,510 S *	8/2015	Basile .....	D2/961
6,618,960 B2	9/2003	Brown	D743,681 S *	11/2015	Wakeland .....	D2/961
6,631,568 B2	10/2003	Howlett et al.	D746,033 S *	12/2015	Cherneski .....	D2/961
D485,425 S	1/2004	Polifroni	D747,861 S *	1/2016	Cipriani .....	D2/961
D485,426 S	1/2004	Di Girolamo	D748,387 S *	2/2016	Wert .....	D2/961
6,671,979 B2	1/2004	Cardarelli	D750,879 S *	3/2016	Klein .....	D2/961
6,684,532 B2	2/2004	Greene et al.	2001/0000369 A1	4/2001	Snyder et al.	
D487,185 S *	3/2004	Grisoni .....	2001/0045028 A1	11/2001	Crane et al.	
D489,520 S	5/2004	Matis et al.	2002/0050080 A1	5/2002	Vasyli	
D495,123 S	8/2004	Wakatake	2002/0092203 A1	7/2002	Hardt	
D497,473 S	10/2004	Martinez	2002/0116840 A1	8/2002	Kraft	
D497,708 S	11/2004	Granger et al.	2003/0009915 A1	1/2003	Bacon	
D500,914 S	1/2005	Ammon	2003/0024134 A1	2/2003	Howlett et al.	
6,880,266 B2	4/2005	Schoenborn et al.	2003/0070321 A1	4/2003	Davis et al.	
6,915,598 B2	7/2005	Grisoni et al.	2003/0093920 A1	5/2003	Greene et al.	
6,959,505 B2	11/2005	Poe	2003/0121180 A1	7/2003	Poe	
6,967,044 B1	11/2005	O'Brien	2003/0136025 A1	7/2003	Galbraith et al.	
D515,292 S	2/2006	Granger et al.	2003/0150134 A1	8/2003	Hardt	
7,082,702 B2	8/2006	Cretinon	2004/0020075 A1	2/2004	Garneau	
7,107,705 B2	9/2006	Dalton et al.	2004/0025374 A1	2/2004	Basso	
D529,691 S	10/2006	Earle	2004/0118017 A1 *	6/2004	Dalton .....	A43B 7/142 36/44
D543,685 S	6/2007	Andersen et al.	2004/0181971 A1	9/2004	Turkbas et al.	
D551,437 S *	9/2007	Hung .....	2004/0194344 A1	10/2004	Tadin	
			2005/0138847 A1	6/2005	Blackburn et al.	
			2005/0166425 A1	8/2005	Seiter	
			2005/0262736 A1	12/2005	Peoples	

(56)

References Cited

U.S. PATENT DOCUMENTS

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	Cheskin .....	A43B 1/0009 36/44
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 2008151595	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](http://www.meanandgreen.com/army/-Thermal-Foil_insoles/2660/2303.html).

[Online] [retrieved on Jan. 22, 2013] [retrieved from Superfeet website] (pef) <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 Opinon of the International Searching Authority for Counterpart International Pataent Application No. PCT/US2013/057141. Nov. 12, 2013.

PCT, International Search Report & Written Opinon of the International Searching Authority for Counterpart International Patent Application No. PCT/US2014/0055133. Jan. 15, 2015.

PCT, International Search Report and Written Opinon 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 Opinon of the International Searching Authority for Counterpart International Patent Application No. PCT/US2015/011960. Apr. 30, 2015.

\* cited by examiner

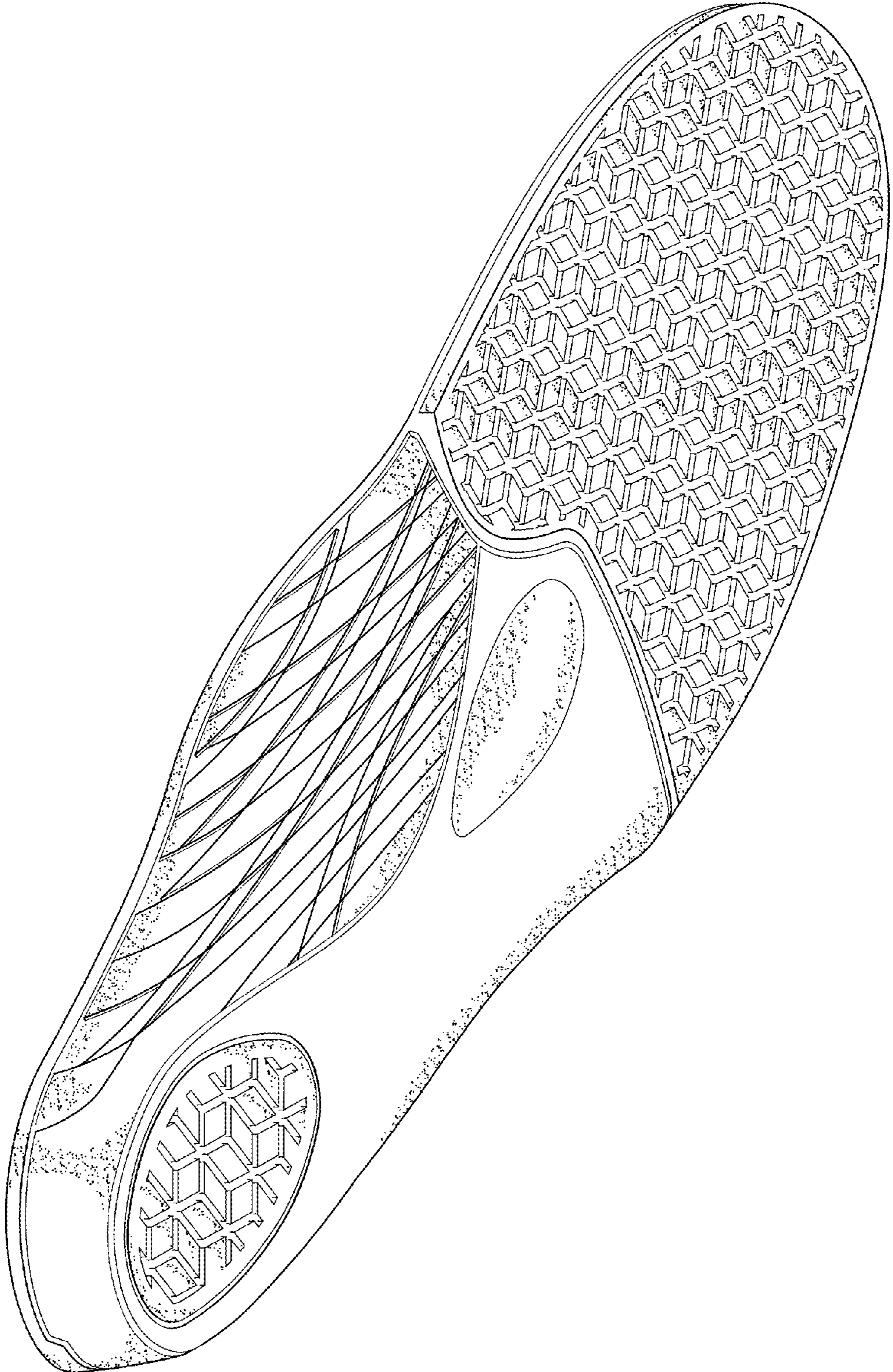


FIG. 1

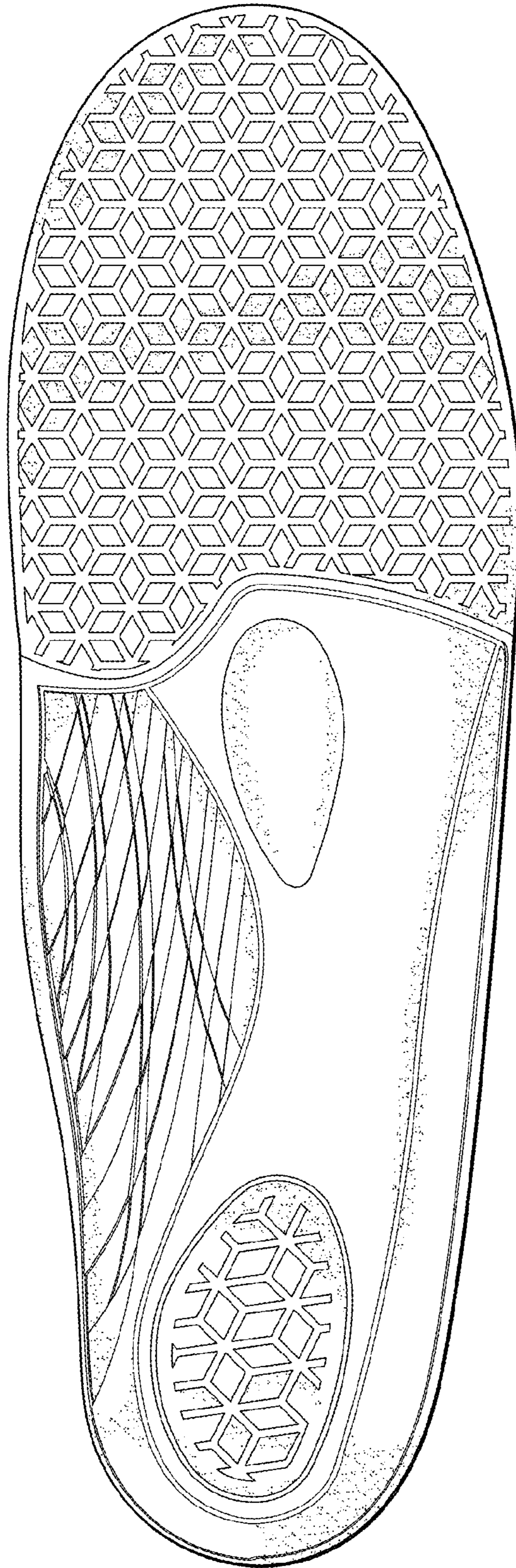


FIG. 2

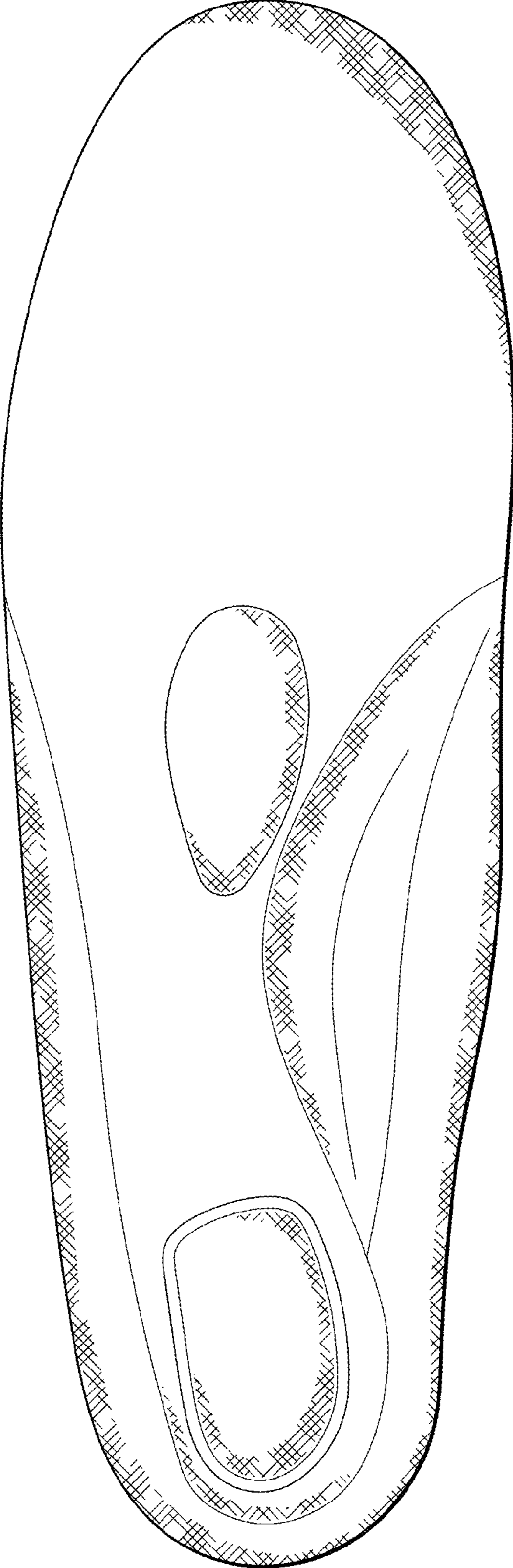


FIG. 3

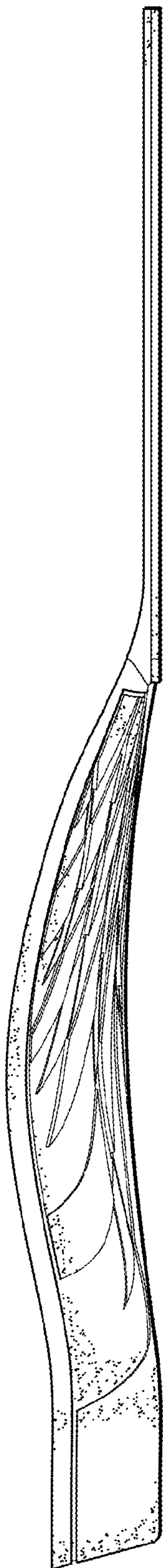


FIG. 4

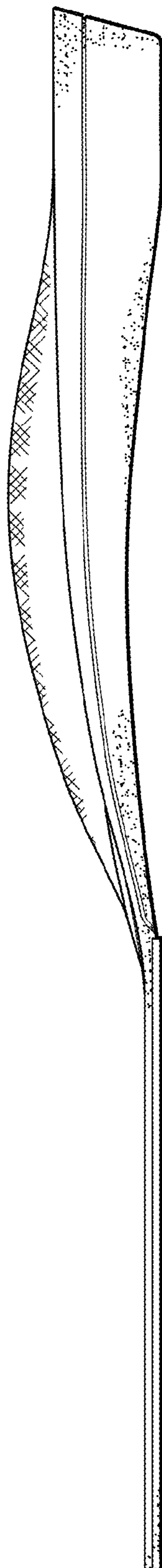


FIG. 5



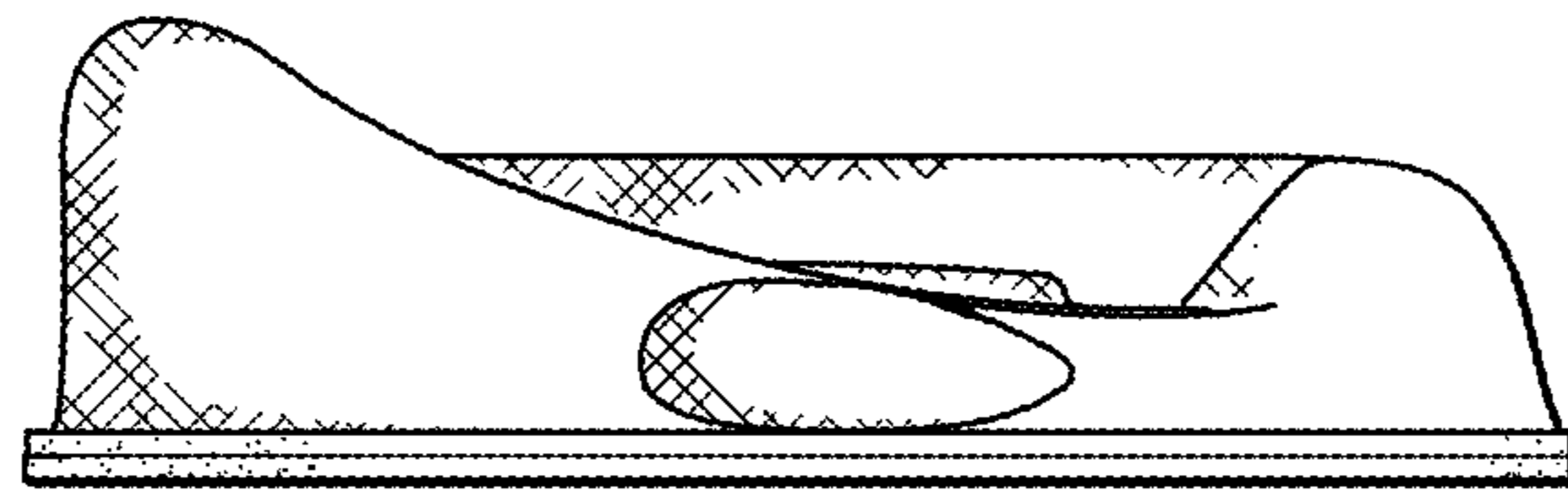


FIG. 6

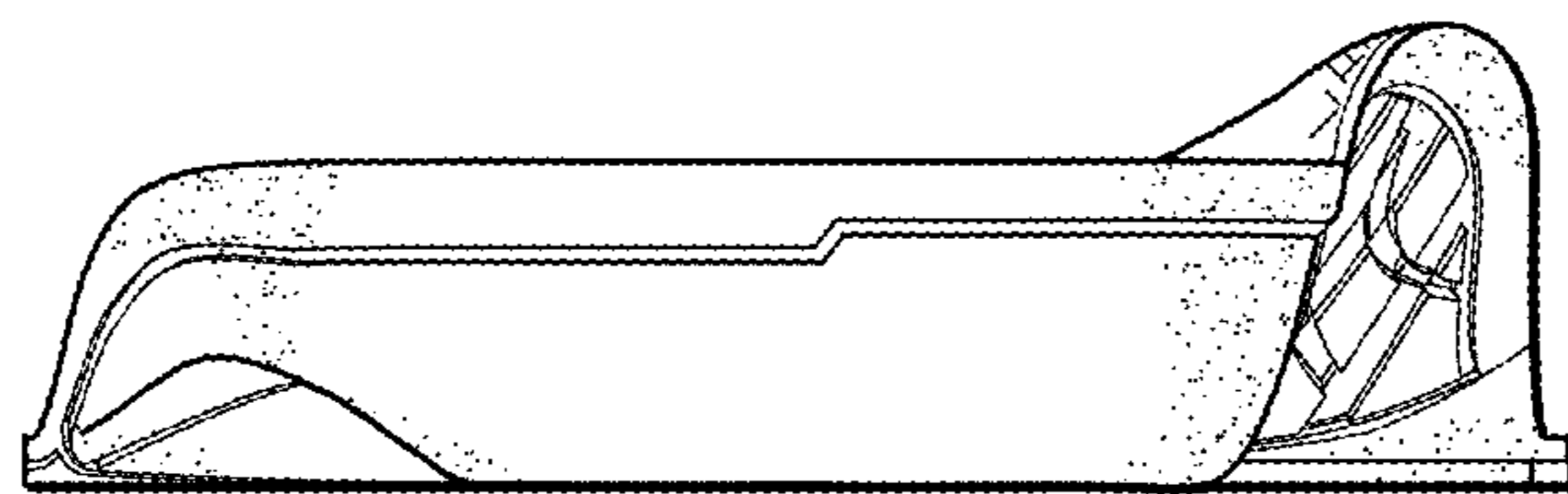


FIG. 7