



(12) **United States Design Patent** (10) **Patent No.:** **US D765,360 S**  
**Petrie** (45) **Date of Patent:** **\*\* Sep. 6, 2016**

(54) **SHOE MIDSOLE**  
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 (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)  
 (\*\*) Term: **14 Years**  
 (21) Appl. No.: **29/520,561**  
 (22) Filed: **Mar. 16, 2015**  
 (51) **LOC (10) Cl.** ..... **02-04**  
 (52) **U.S. Cl.**  
 USPC ..... **D2/947**; D2/959  
 (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  
 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  
 See application file for complete search history.

(56) **References Cited**  
 U.S. PATENT DOCUMENTS  
 D80,929 S \* 4/1930 Tucker ..... D2/949  
 D115,636 S \* 7/1939 Sperry ..... 36/59 C  
 D281,286 S \* 11/1985 Mangini ..... D2/952  
 D327,164 S 6/1992 Hatfield  
 D329,528 S 9/1992 Hatfield  
 D334,280 S 3/1993 Teague  
 D334,650 S 4/1993 Teague  
 D355,756 S \* 2/1995 Vestuti ..... D2/969

D369,236 S \* 4/1996 Maltby ..... D2/951  
 D377,411 S \* 1/1997 Murray ..... D2/953  
 5,628,128 A \* 5/1997 Miller ..... A43B 7/1495  
 36/114  
 D384,799 S \* 10/1997 Teague ..... D2/902  
 D397,841 S \* 9/1998 Munns ..... D2/902  
 D401,039 S 11/1998 Lupo  
 D404,899 S \* 2/1999 von Conta ..... D2/954  
 D441,176 S \* 5/2001 Dean ..... D2/951  
 D463,901 S \* 10/2002 Adams ..... D2/951  
 D490,232 S 5/2004 Kuerbis  
 D516,293 S 3/2006 Smith, III  
 D524,034 S \* 7/2006 Hlavacs ..... D2/977  
 D528,778 S 9/2006 Avar et al.  
 D529,696 S \* 10/2006 Cockrell ..... D2/951  
 D553,834 S \* 10/2007 Nakano ..... D2/956  
 D555,339 S \* 11/2007 Chang ..... D2/957  
 D572,462 S 7/2008 Hatfield et al.

(Continued)

**OTHER PUBLICATIONS**

NIKE Footwear Catalog, 1998 Late Fall Footwear, p. 8, published  
 Mar. 1998, NIKE, Inc., USA.

(Continued)

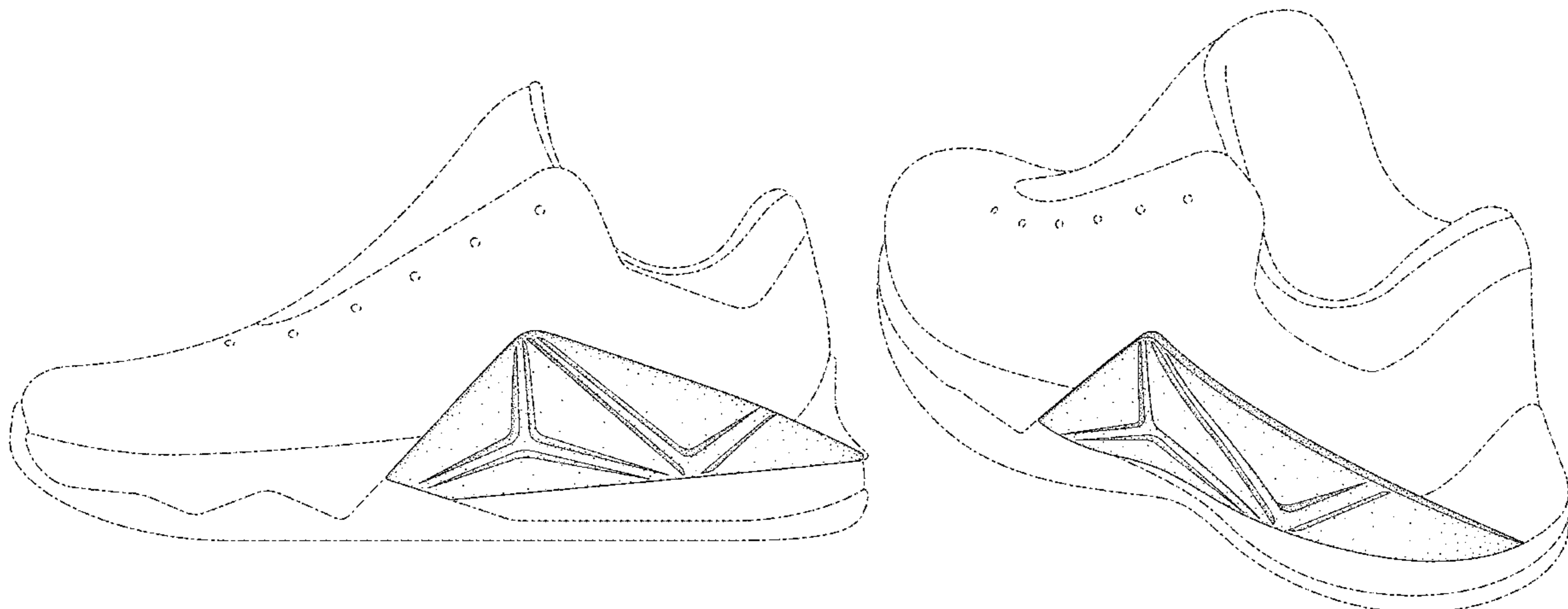
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(57) **CLAIM**  
 The ornamental design for a shoe midsole, as shown and  
 described.

**DESCRIPTION**

FIG. 1 is a front perspective view of a shoe midsole showing  
 my new design;  
 FIG. 2 is a side view thereof; and,  
 FIG. 3 is a rear perspective 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, 3 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D577,883 S \* 10/2008 Link ..... D2/951  
 D601,334 S \* 10/2009 Werman ..... D2/951  
 D615,741 S \* 5/2010 Matis ..... D2/951  
 D636,573 S \* 4/2011 Miner ..... D2/951  
 D648,514 S 11/2011 Avar  
 D655,483 S \* 3/2012 Portzline ..... D2/902  
 D662,697 S \* 7/2012 Portzline ..... D2/946  
 D668,437 S \* 10/2012 Mahoney ..... D2/908  
 D671,733 S 12/2012 Petrie  
 D674,996 S 1/2013 Sallee  
 D675,421 S 2/2013 Petrie  
 D680,724 S \* 4/2013 Fogg ..... D2/951  
 D682,516 S \* 5/2013 Avar ..... D2/947  
 D683,118 S \* 5/2013 Pauk ..... D2/951  
 D689,273 S 9/2013 Hardman  
 D689,675 S 9/2013 Hardman  
 D691,785 S \* 10/2013 Chang ..... D2/947  
 D702,032 S \* 4/2014 Nakano ..... D2/951  
 D703,937 S 5/2014 Petrie  
 D707,948 S 7/2014 Petrie  
 D708,828 S 7/2014 Avar et al.  
 D708,829 S 7/2014 Taylor

D710,587 S 8/2014 Petrie  
 D713,624 S \* 9/2014 Petrie ..... D2/947  
 D718,037 S 11/2014 Dolce  
 D732,268 S \* 6/2015 Grenet ..... D2/902  
 9,119,438 B2 \* 9/2015 Auger ..... A43B 1/0009  
 D740,008 S \* 10/2015 Wollo ..... D2/961  
 D744,210 S \* 12/2015 Hardman ..... D2/947  
 2010/0083535 A1 \* 4/2010 Meschter ..... A43B 7/1495  
 36/88

OTHER PUBLICATIONS

NIKE Footwear Catalog, 2000 Fall Men's and Women's Footwear (blue cover), p. 36, published Nov. 1999, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2006 Fall Jordan Footwear/Apparel, p. 21, published Nov. 2005, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 27, published Nov. 1, 2013, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2015 Summer Men's Performance Footwear, p. 59, published Aug. 1, 2014, NIKE, Inc., USA.  
 One Color Photo, LeBron X, NIKE Inc., 2012.  
 One Color Photo, LeBron XI, NIKE Inc., 2014.  
 One Color Photo, LeBron XI Elite, NIKE Inc., 2014.

\* cited by examiner

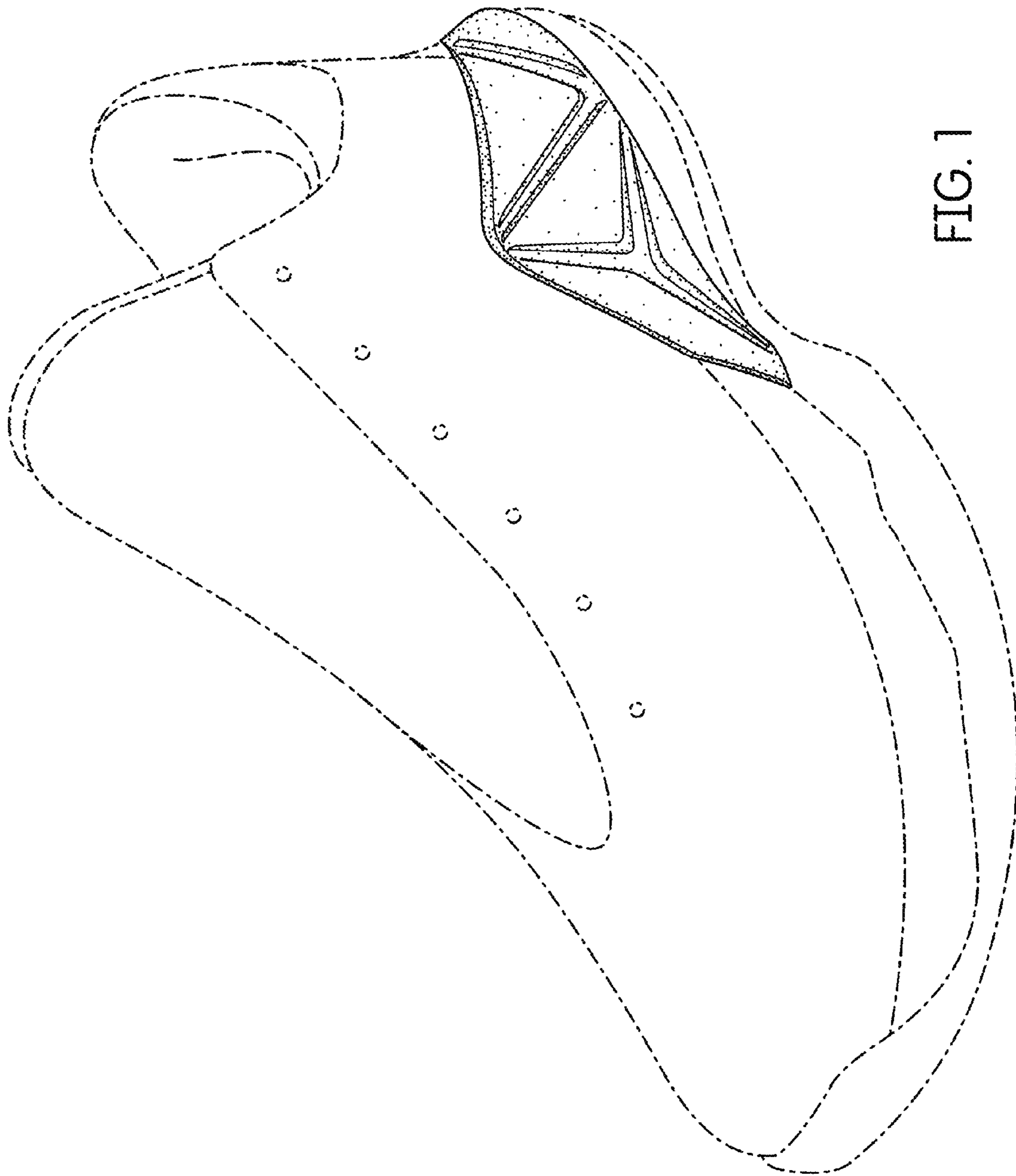


FIG. 1

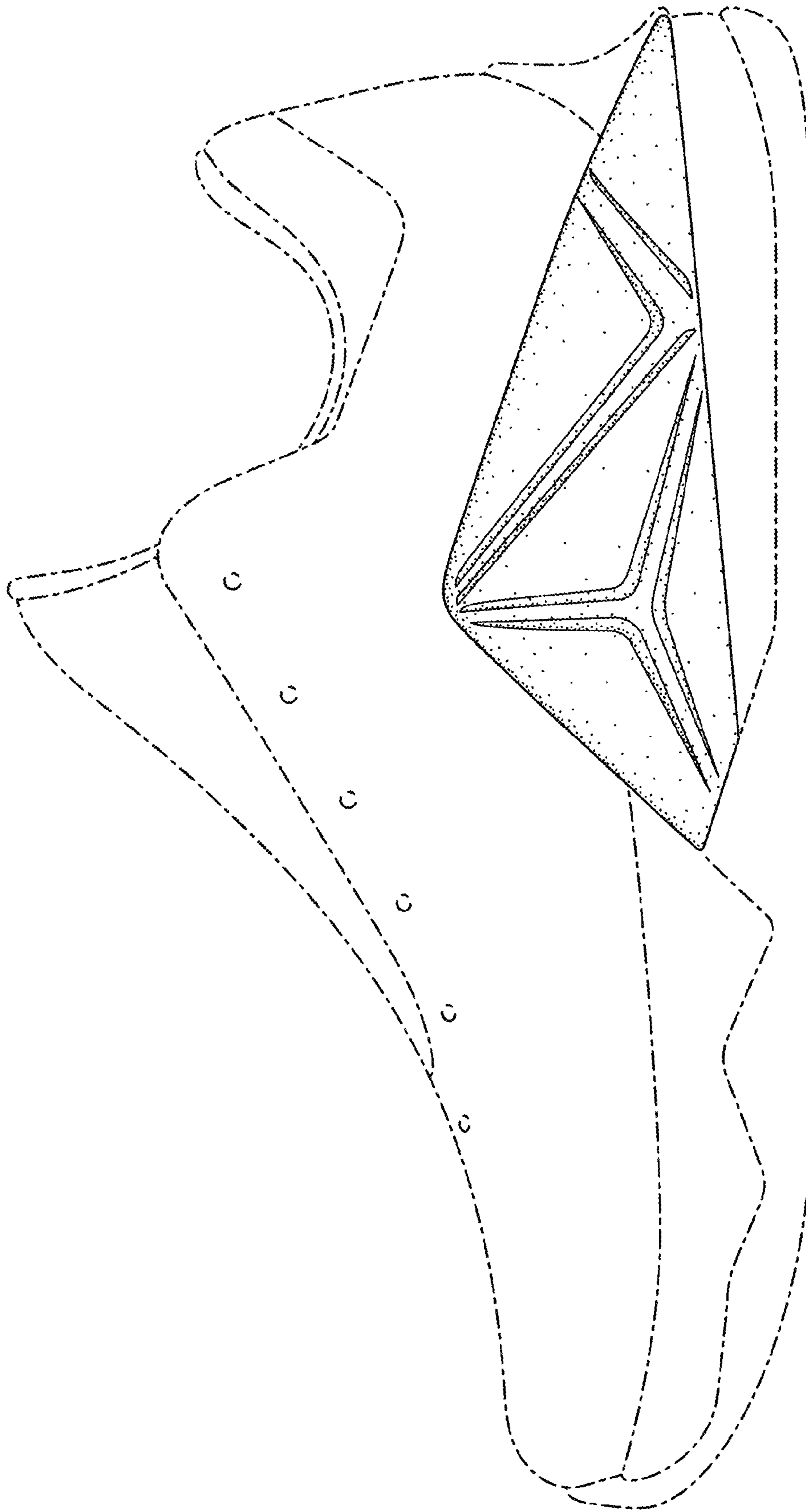


FIG. 2



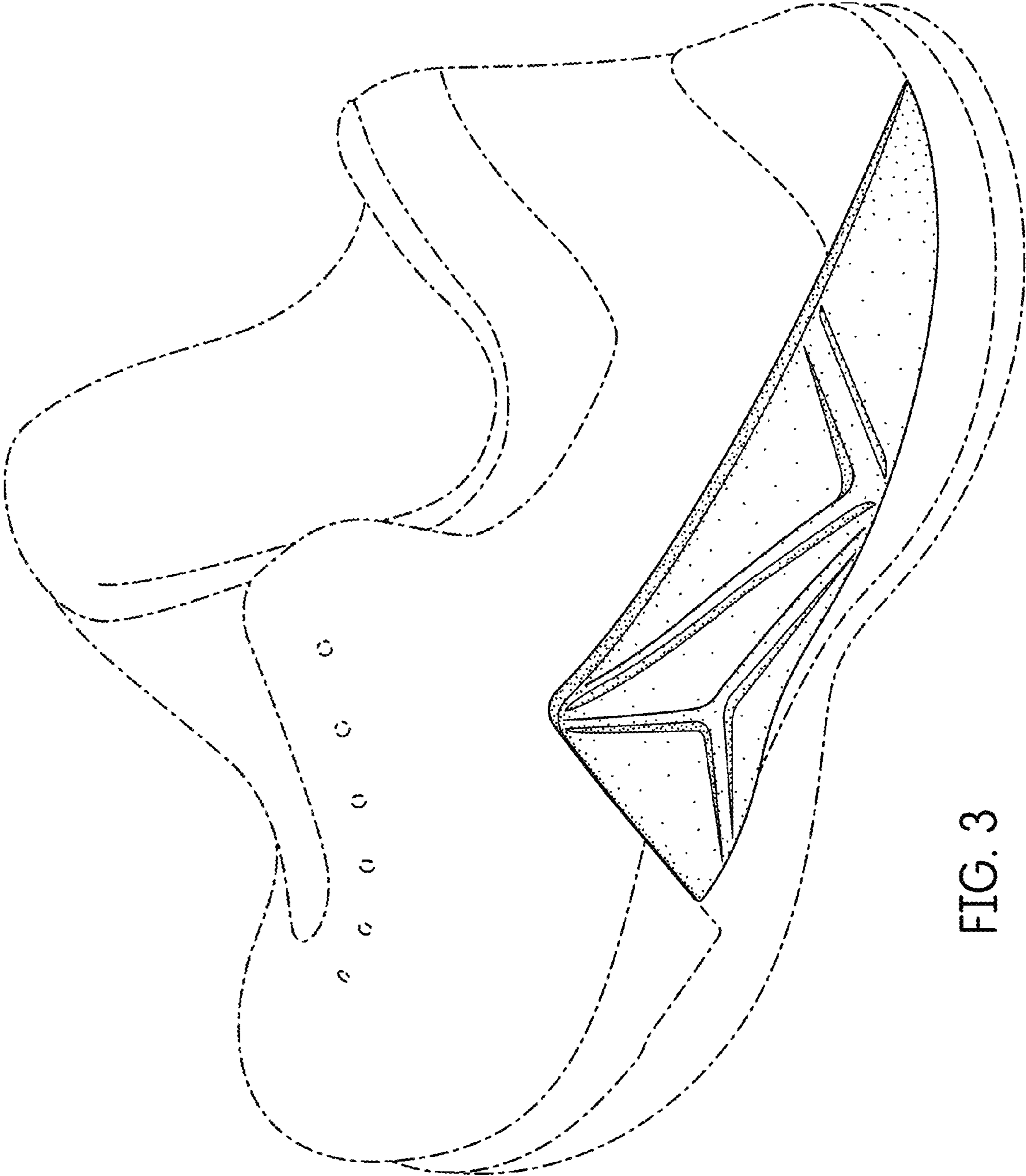


FIG. 3