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(12) **United States Design Patent** (10) **Patent No.:** **US D782,790 S**
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(54) **SHOE MIDSOLE**
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
(72) Inventor: **TaeYong Lee**, Sherwood, OR (US)
(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**

D301,659 S 6/1989 Le
D316,773 S 5/1991 Valle
D324,131 S 2/1992 Lucas
D326,762 S 6/1992 Kiyosawa
D374,341 S * 10/1996 Passke D2/977
D390,351 S 2/1998 Nevens et al.
D395,341 S 6/1998 Greenberg
D398,743 S * 9/1998 Rask D2/947
D401,741 S 12/1998 Clarke
(Continued)

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(52) **U.S. Cl.**
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A43B 13/026; A43B 13/04; A43B 13/08;
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A43B 13/16; A43B 13/18; A43B 13/28;
A43B 13/30; A43B 13/32; A43B 13/34;
A43B 13/36; A43B 13/141; A43B
13/143; A43B 13/181; A43B 13/189;
A43B 13/223; A43B 13/224
See application file for complete search history.

OTHER PUBLICATIONS

Nike Mayfly Premium, Nike.com, [online], [site visited Jan. 18, 2017]. <URL: http://store.nike.com/us/en_us/pd/mayfly-premium-mens-shoe/pid-11246628/pgid-11464902>.*
(Continued)

Primary Examiner — T. Chase Nelson
Assistant Examiner — Jonathan J Han
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57) **CLAIM**

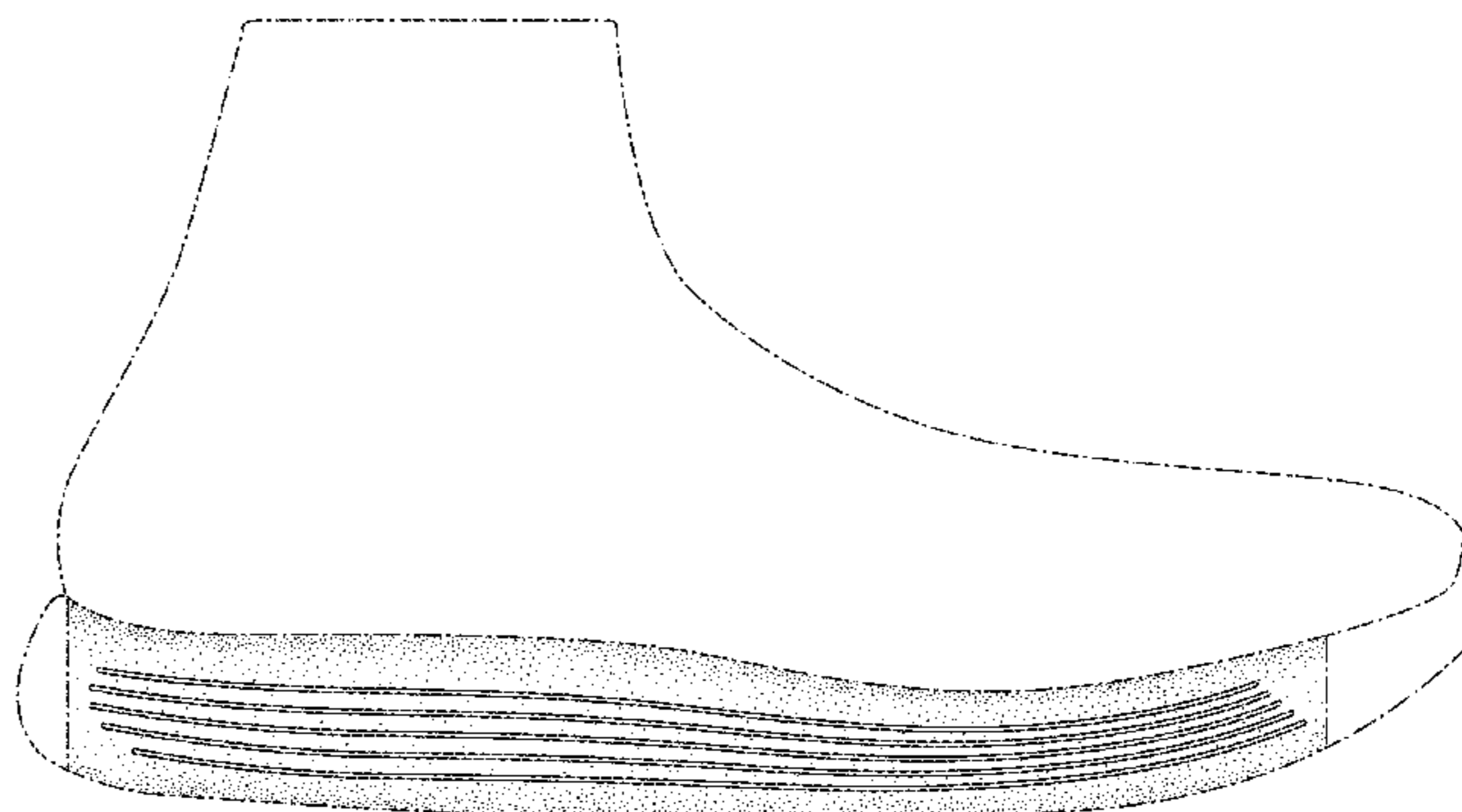
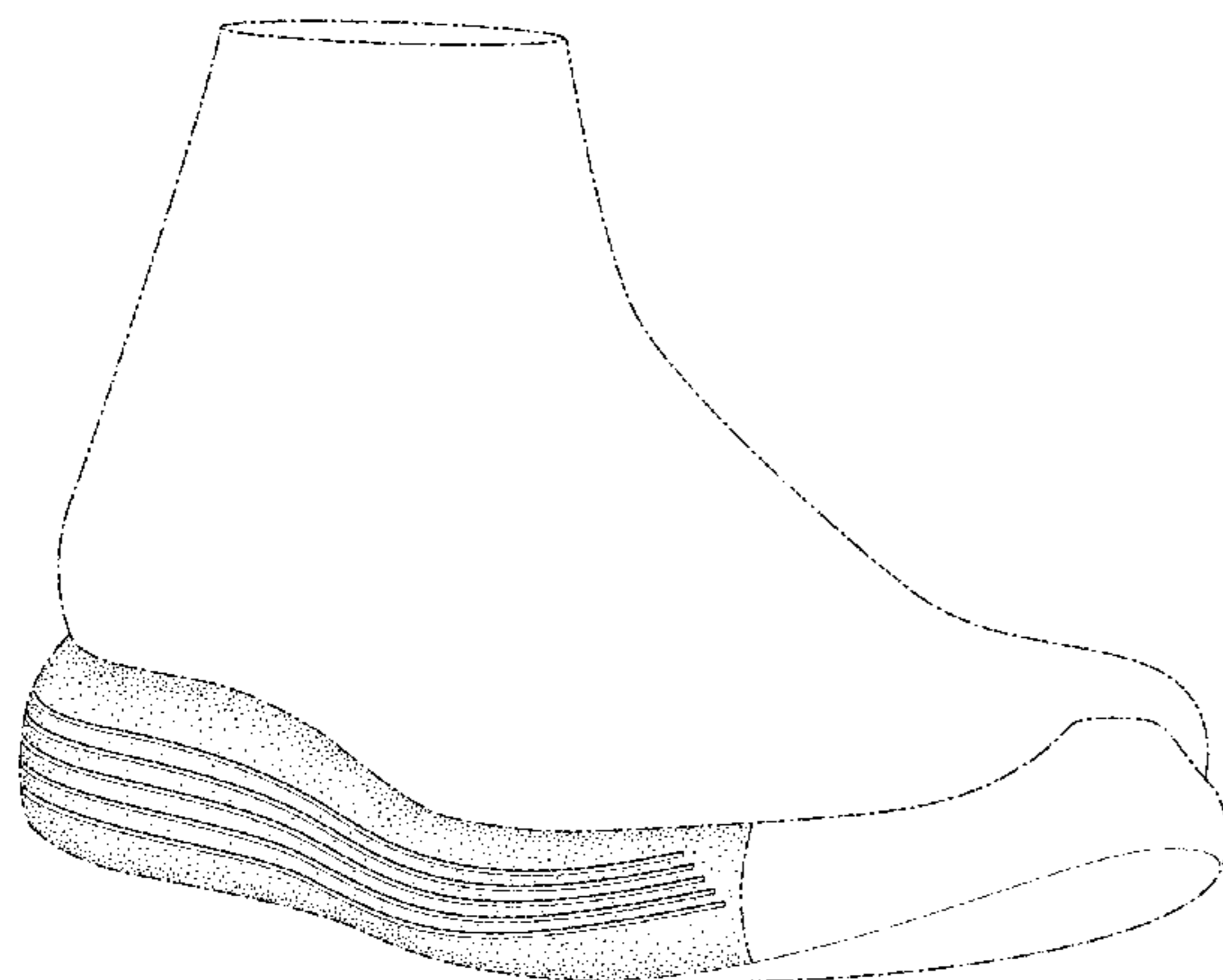
The ornamental design for a shoe midsole, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a shoe midsole showing my new design;
FIG. 2 is a side view thereof;
FIG. 3 is a rear perspective view thereof; and,
FIG. 4 is an enlarged view of FIG. 2 showing the claimed area in isolation from the environment.
The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The unshaded regions within or adjacent to the shaded area form no part of the claimed design. The broken lines showing the remainder of the shoe are for environmental purposes only and form no part of the claimed design.

1 Claim, 4 Drawing Sheets

(56) **References Cited**
U.S. PATENT DOCUMENTS
D157,034 S 1/1950 Eldon
D238,983 S 3/1976 Senter
D247,267 S * 2/1978 Dolinsky D2/908
D266,798 S 11/1982 Famolare, Jr.
D297,885 S * 10/1988 Tong D2/954



(56)

References Cited

U.S. PATENT DOCUMENTS

D430,723 S * 9/2000 Kim D2/902
 D452,362 S 12/2001 Mastroianni et al.
 D458,742 S 6/2002 Crary et al.
 D460,252 S 7/2002 Smith
 D466,277 S 12/2002 Smith, III
 D466,278 S 12/2002 Smith, III
 D474,329 S 5/2003 McClaskie
 D515,286 S 2/2006 Dabah
 D529,708 S 10/2006 Caine
 D530,074 S 10/2006 Caine
 D544,198 S 6/2007 Caine
 D545,557 S 7/2007 Caine
 D592,837 S 5/2009 Vico et al.
 D593,741 S 6/2009 Vico et al.
 D611,232 S 3/2010 Della Valle et al.
 D613,482 S 4/2010 Della Valle et al.
 D624,291 S 9/2010 Henderson
 D626,312 S 11/2010 Della Valle et al.
 D635,748 S * 4/2011 Katz D2/902
 D636,566 S * 4/2011 Frantz D2/946
 D636,572 S 4/2011 Della Valle et al.
 D643,189 S * 8/2011 Teteriatnikov D2/946
 D656,715 S * 4/2012 Katz D2/902
 D662,698 S * 7/2012 Pulli D2/947
 D666,795 S * 9/2012 Shaffer D2/947
 D672,123 S 12/2012 Williams, Jr.
 D672,539 S 12/2012 Della Valle et al.
 D680,308 S * 4/2013 Hardman D2/947
 D685,166 S * 7/2013 Hatfield D2/947
 D690,088 S 9/2013 Hardman
 D694,498 S * 12/2013 Carboy D2/947
 D694,499 S * 12/2013 Williams, Jr. D2/947
 D696,852 S 1/2014 Madore
 D701,680 S 4/2014 Della Valle et al.
 D710,579 S * 8/2014 Williams, Jr. D2/947
 D713,626 S 9/2014 Raasch
 D714,035 S * 9/2014 O'Connor D2/947
 D714,037 S 9/2014 Della Valle et al.
 D731,767 S * 6/2015 Lan D2/947
 D742,107 S 11/2015 Kasprzak
 D743,153 S * 11/2015 Taylor D2/947
 D746,560 S 1/2016 Verfl
 D747,083 S 1/2016 Verfl
 D747,600 S * 1/2016 Greenhalgh D2/977
 D756,620 S 5/2016 Boys
 D768,969 S 10/2016 Boys
 D770,740 S * 11/2016 Teteriatnikov D2/947
 2011/0225852 A1 * 9/2011 Mahoney A43B 13/12
 36/30 R
 2012/0005920 A1 * 1/2012 Alvear A43B 13/125
 36/28
 2013/0031805 A1 * 2/2013 Crowley, II A43B 7/144
 36/103
 2014/0150298 A1 * 6/2014 Crowley A43B 7/1445
 36/103
 2016/0021977 A1 * 1/2016 Madore A43B 5/001
 36/30 R

OTHER PUBLICATIONS

Nike Lunar Magista II Flyknit, Nike.com, [online], [site visited Jan. 18, 2017]. <URL: http://store.nike.com/us/en_us/pd/lunar-magista-ii-flyknit-mens-shoe/pid-11242089/pgid-11208034>.*
 Converse Chuck II High Top, Nike.com, [online], [site visited Jan. 18, 2017]. <URL: http://store.nike.com/us/en_us/pd/converse-chuck-ii-high-top-unisex-shoe/pid-10977942/pgid-11667596>.*

Nike Lunarepic Low Flyknit, Nike.com, [online], [site visited Jan. 18, 2017]. <URL: http://store.nike.com/us/en_us/pd/lunarepic-low-flyknit-mens-running-shoe/pid-11141959/pgid-11862849>.*
 Women's Nike LunarEpic Low Flyknit Running Shoes \$160.00, FinishLine.com, [online], [site visited Jan. 18, 2017]. <URL: <http://www.finishline.com/store/product/womens-nike-lunarepic-low-flyknit-running-shoes/prod1110535>>.*
 Nike LunarEpic Low Flyknit Review, RunningShoeGuru.com, by Sean Feity, Sep. 6, 2016, [online], [site visited Jan. 18, 2017]. <URL: <http://www.runningshoesguru.com/2016/09/nike-lunarepic-low-flyknit-review/#>>.*
 Nike LunarEpic Flyknit Low, Youtube.com, KcKicks16, Published on Jul. 12, 2016, [online], [site visited Jan. 18, 2017]. <URL: <https://www.youtube.com/watch?v=ZKcNGf-JB6M>>.*
 Second Skin Fit and Ultra-Soft Lunarlon Combine in Nike Flyknit Lunar1+ [online], [retrieved Jan. 4, 2017] retrieved from Internet <URL: <<http://news.nike.com/news/second-skin-fit-and-ultra-soft-lunarlon-combine-in-nike-flyknit-lunar1/>>; 6 color sheets, Dated Jan. 28, 2013.
 NIKE Sportswear Takes NIKE Flyknit to New Heights [online], [retrieved Jan. 4, 2017] retrieved from Internet <URL: <<http://news.nike.com/news/nikes-htm-flyknit-collection-reaches-new-heights/>>; 7 color sheets, Dated Jan. 29, 2013.
 Impossibly Light, Incredibly Strong: NIKE Flyknit Lunar2 [online], [retrieved Jan. 4, 2017] retrieved from Internet <URL: <<http://news.nike.com/news/impossibly-light-incredibly-strong-nike-flyknit-lunar2/>>; 6 color sheets, Dated Jan. 19, 2014.
 New NIKE Free Hyperfeel TR: Flyknit Engineered for High-Intensity Training [online], [retrieved Jan. 14, 2017] retrieved from Internet <URL: <<http://news.nike.com/news/new-nike-hyperfeel-trainer-flyknit-engineered-for-high-intensity-training/>>; 2 color sheets, Dated Mar. 14, 2014.
 NIKE Flyknit Lunar 3—Made Light to Go Long [online], [retrieved Jan. 14, 2017] retrieved from internet <URL: <<http://news.nike.com/news/impossibly-light-and-incredibly-strong-marries-soft-and-responsive-the-nike-flyknit-lunar-3/>>; 6 color sheets, Dated Feb. 10, 2015.
 NIKE Footwear Catalog, 1986 Fall Performance, p. 58, published Jan. 1986, NIKE, Inc., USA.
 NIKE Footwear Catalog, 1988 Fall Footwear, p. 52, published Dec. 1987, NIKE, Inc., USA.
 NIKE Footwear Catalog, 1993 Spring Footwear, p. 8, published Jun. 1992, NIKE, Inc., USA.
 NIKE Footwear Catalog, 1996 Spring Footwear, p. 123, published Jun. 1995, NIKE, Inc., USA.
 NIKE Footwear Catalog, 1996 Spring Footwear, p. 139, published Jun. 1995, NIKE, Inc., USA.
 NIKE Footwear Catalog, 1997 Fall Footwear, p. 115, published Dec. 1996, NIKE, Inc., USA.
 NIKE Footwear Catalog, 1998 Fall Men's Specialty and Women's & Kids' Footwear, p. M9, published Dec. 1997, NIKE, Inc., USA.
 NIKE Footwear Catalog, 1999 Fall Men's and Women's Footwear, p. W124, published Nov. 1998, NIKE, Inc., USA.
 NIKE Footwear Catalog, 2011 Fall Core Reax Footwear, p. 49, published date unknown, but prior to the filing date of be present application, NIKE, Inc., USA.
 NIKE Footwear Catalog, 2011 Fall Men's Performance Footwear, p. 3, published Nov. 2010, NIKE, Inc., USA.
 NIKE Footwear Catalog, 2012 Spring Men's Performance Footwear, p. 3, published May 2011, NIKE, Inc., USA.
 NIKE Footwear Catalog, 2013 Spring Mens Sportswear Footwear Best, p. 46, published May 2012, NIKE, Inc., USA.
 NIKE Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 179, published Nov. 1, 2013, NIKE, Inc., USA.

* cited by examiner

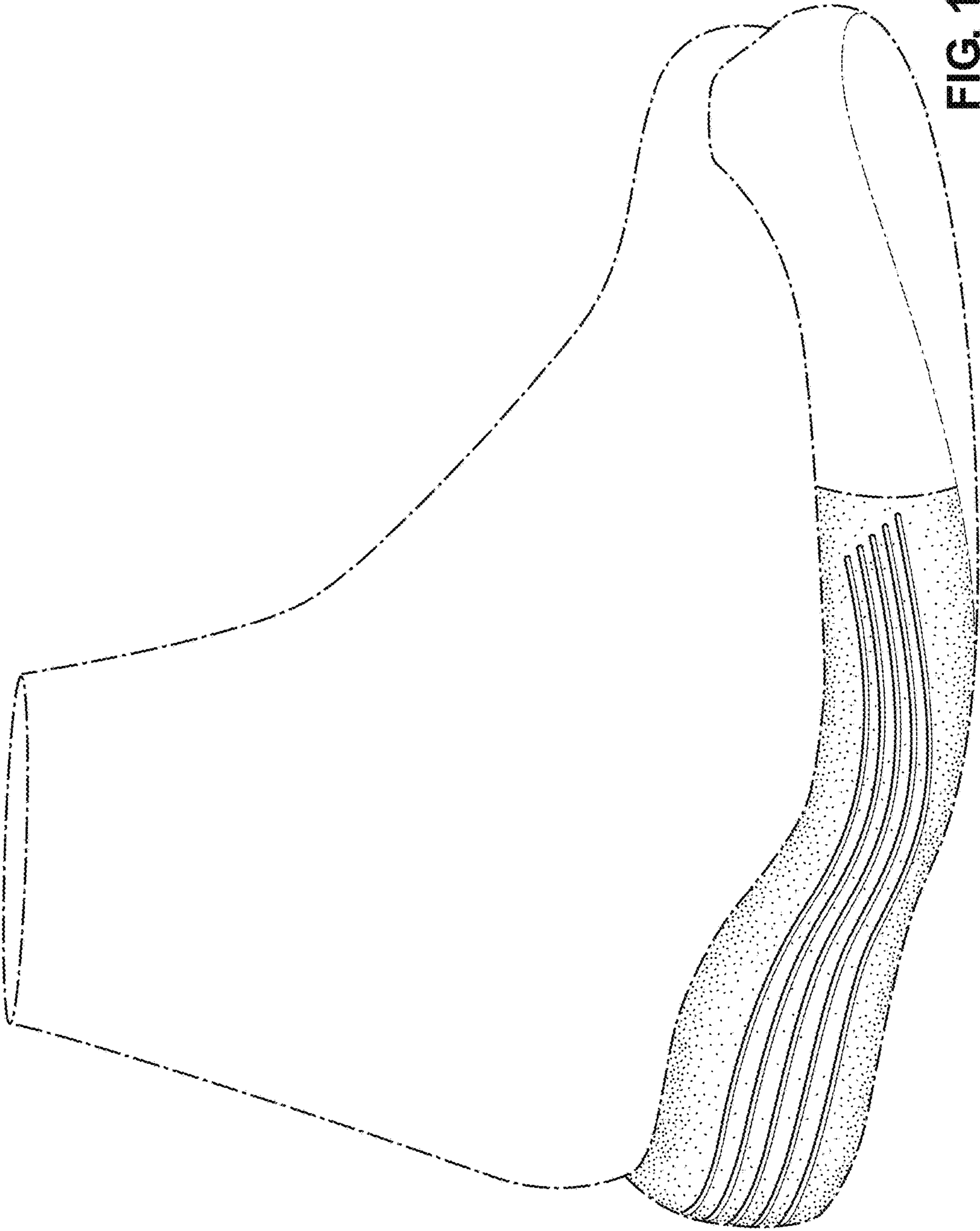


FIG. 1

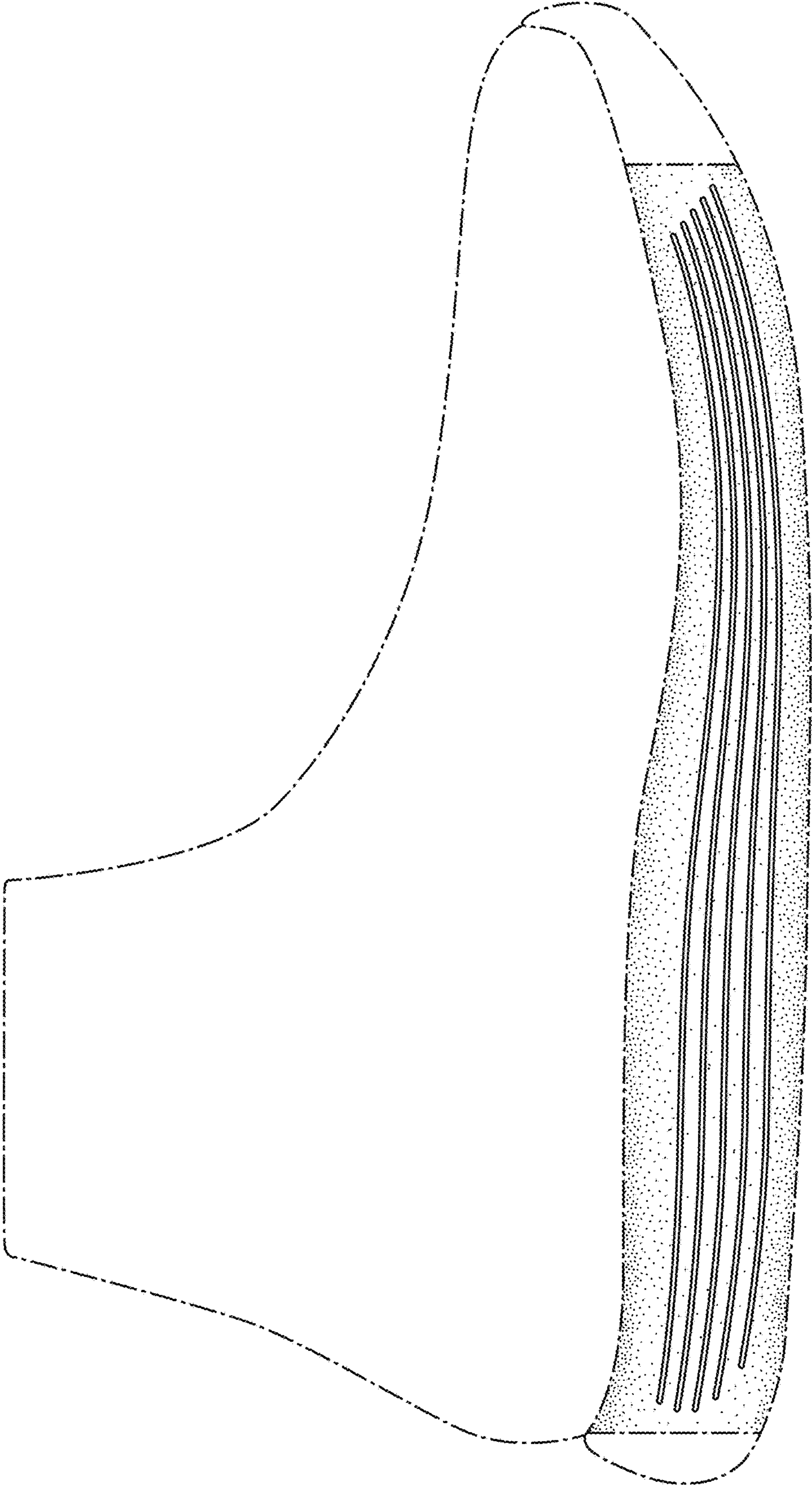


FIG. 2

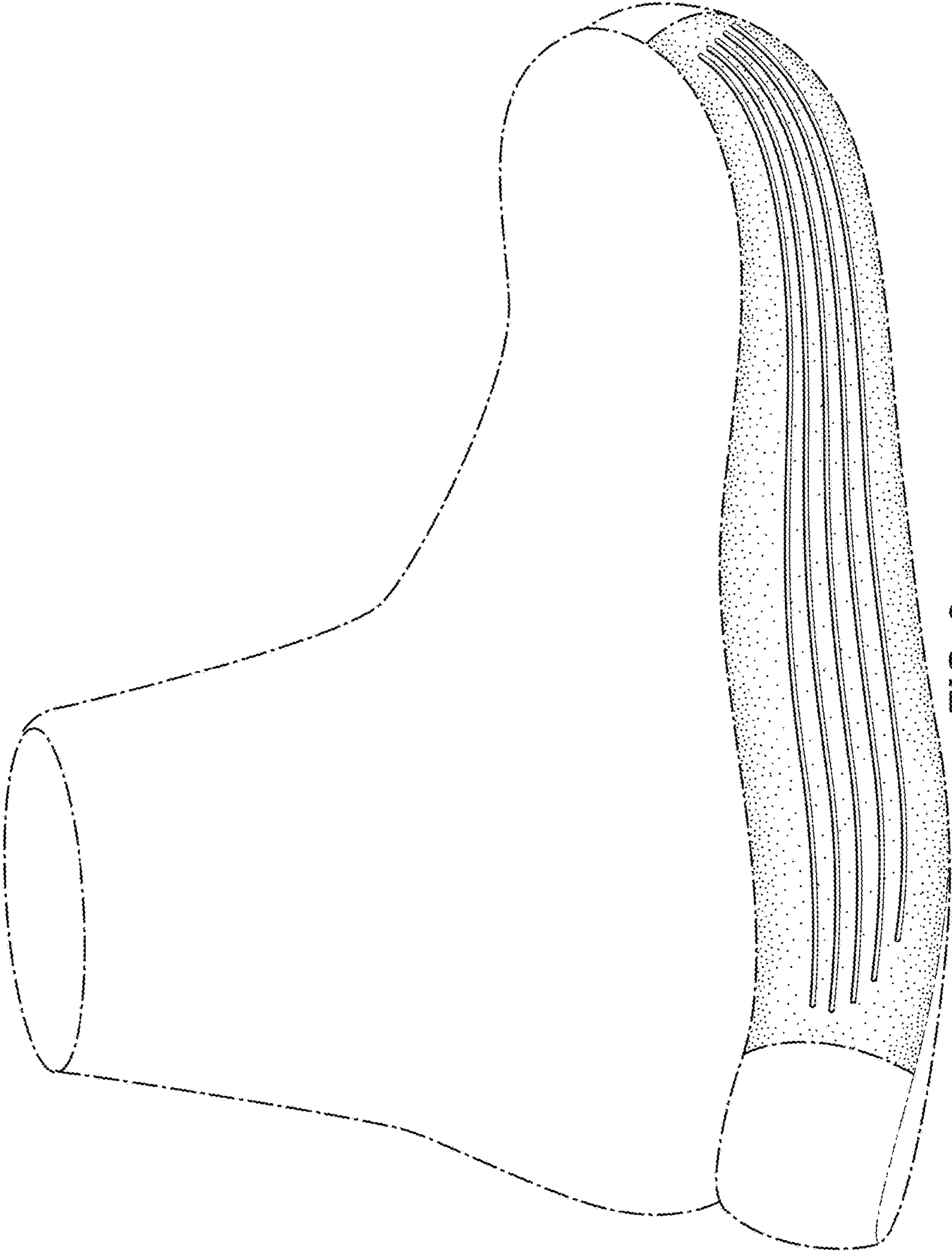


FIG. 3

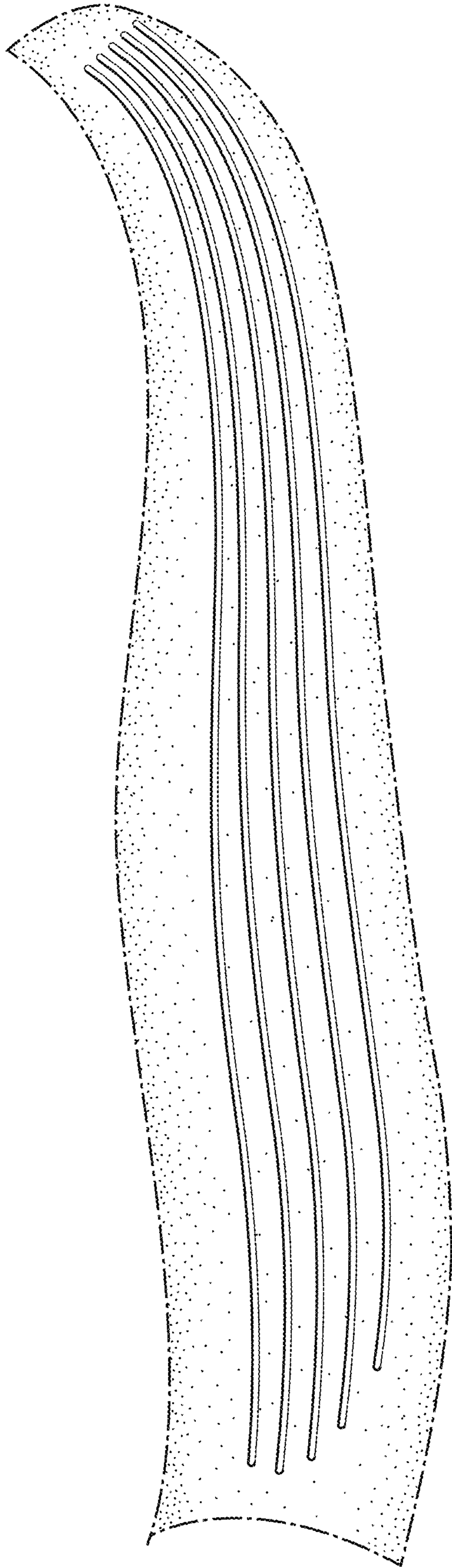


FIG. 4