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

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(54) **SHOE MIDSOLE**

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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)

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

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

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

(58) **Field of Classification Search**
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D2/946-962, 977; 36/1, 1.5, 3 B, 22 R,
36/24.5, 25 R, 28, 32 R, 34 R, 59 C,
36/67 A, 101-107, 114-116, 117.3, 117.4,
36/124-136

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 13/16; 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;
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See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D296,954 S *	8/1988	Tong	.....	D2/955
D298,683 S *	11/1988	Kelley	.....	D2/954
D299,185 S *	1/1989	Selbiger	.....	D2/959
D332,004 S *	12/1992	Blissett	.....	D2/957
D395,742 S *	7/1998	Wurfbain	.....	D2/957
D424,284 S *	5/2000	von Conta	.....	D2/947
D485,422 S *	1/2004	Levine	.....	D2/902
6,857,202 B2 *	2/2005	Pfander	.....	A43B 1/0009 36/28

D511,617 S *	11/2005	Matis	.....	D2/947
D547,939 S *	8/2007	Link	.....	D2/977
D554,840 S *	11/2007	McClaskie	.....	D2/953
D555,891 S *	11/2007	Bettencourt	.....	D2/977
D641,145 S *	7/2011	Della Valle	.....	D2/953
D644,418 S *	9/2011	Yi	.....	D2/946

(Continued)

OTHER PUBLICATIONS

Nike's Senior Designer Explains What Went into the New Air Jordan XXXI, ArchitecturalDigest.com, Text by Nick Mafi, Photography by Nike, Posted Aug. 2, 2016, [online], [site visited Jan. 19, 2017]. <URL: <http://www.architecturaldigest.com/story/nikes-senior-designer-explains-what-went-into-new-air-Jordan>>.*

(Continued)

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(57) **CLAIM**

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

DESCRIPTION

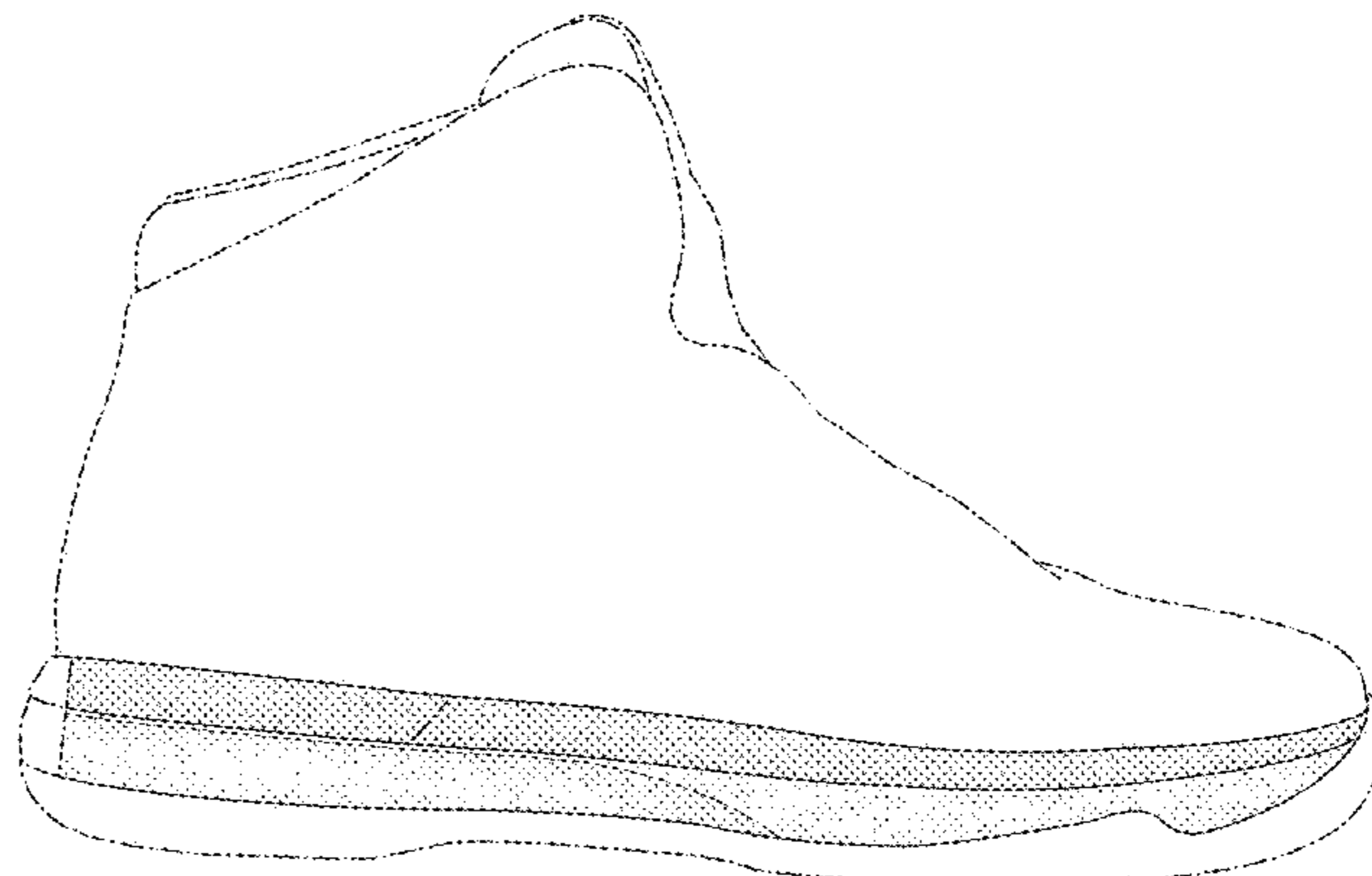
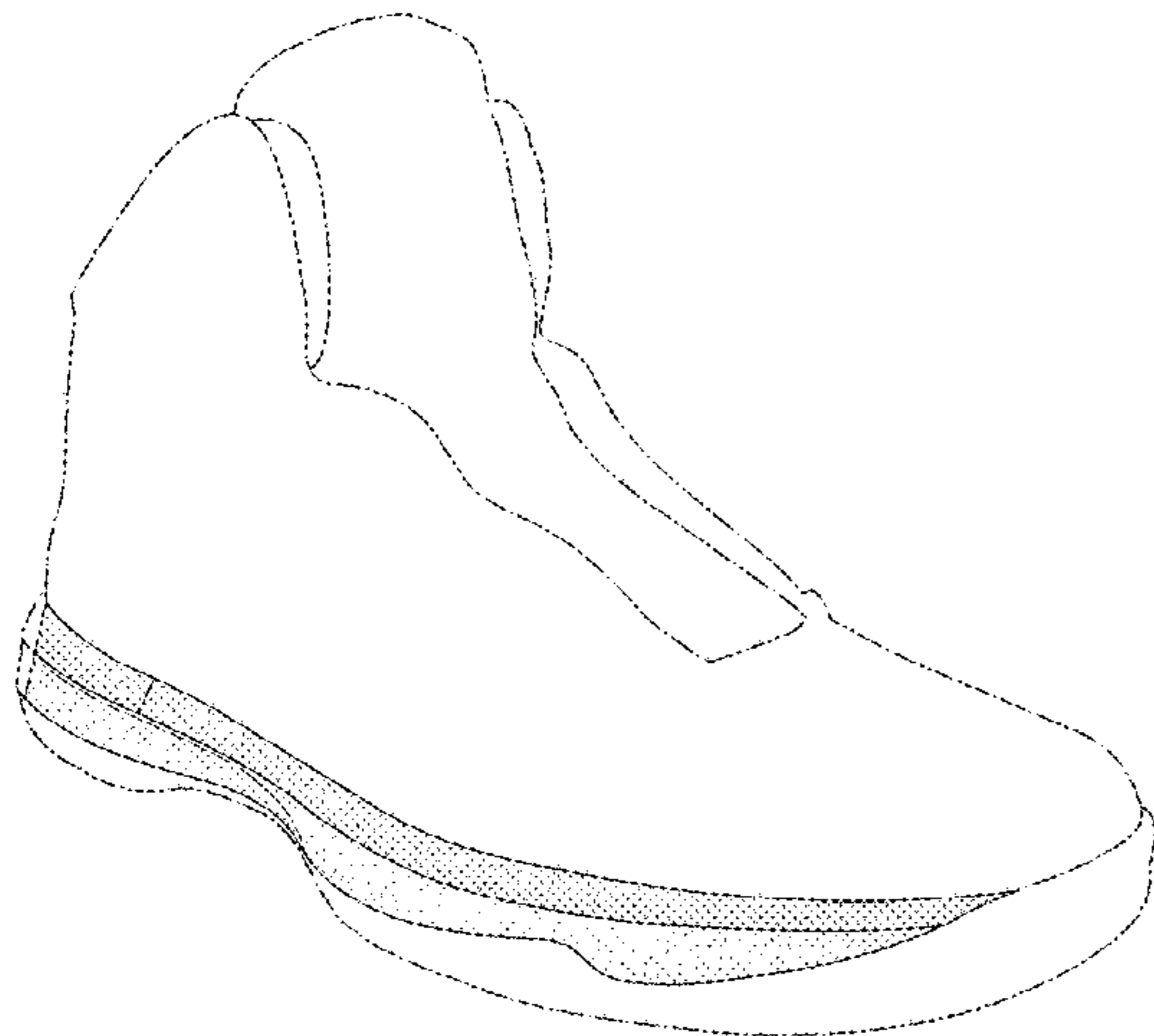
FIG. 1 is a front perspective view of a shoe midsole showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken line showing of a diagonal seam on the upper region is for environmental purposes only and forms no part of the claimed design. The broken line showing of the remainder of the shoe is for environmental purposes only and forms no part of the claimed design. The contrast in shading represents a contrast of appearance and no specific color, material, or texture is claimed.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D648,513	S *	11/2011	McVicker	.....	D2/923
D653,842	S *	2/2012	Weiss	.....	D2/946
D661,879	S *	6/2012	Raysse	.....	D2/947
D661,880	S *	6/2012	Raysse	.....	D2/947
D662,293	S *	6/2012	Christopherson	.....	D2/947
D677,866	S *	3/2013	Vestuti	.....	D2/947
D680,309	S *	4/2013	Raysse	.....	D2/947
D682,516	S *	5/2013	Avar	.....	D2/947
D683,937	S *	6/2013	Raysse	.....	D2/947
D689,675	S *	9/2013	Hardman	.....	D2/947
D694,495	S *	12/2013	Hansen	.....	D2/916
D695,497	S *	12/2013	Sanner	.....	D2/902
D719,331	S *	12/2014	Christensen	.....	D2/951
D723,772	S *	3/2015	Miner	.....	D2/947
D723,773	S *	3/2015	Raysse	.....	D2/947
D747,600	S *	1/2016	Greenhalgh	.....	D2/977
D748,383	S *	2/2016	Raysse	.....	D2/947
D770,740	S *	11/2016	Teteriatnikov	.....	D2/947
2005/0044745	A1 *	3/2005	Pfander	.....	A43B 1/0009 36/3 B
2012/0000095	A1 *	1/2012	Torrance	.....	A43B 13/125 36/132
2013/0139410	A1 *	6/2013	Dirsa	.....	A43B 13/28 36/103
2015/0157089	A1 *	6/2015	Schumacher	.....	A43B 3/0057 36/25 R

OTHER PUBLICATIONS

Air Jordan 31: The Unlikely Inspiration Behind MJ's Latest Sneaker, GQ.com, by Alex Wong, Jul. 21, 2016, [online], [site

visited Jan. 19, 2017]. <URL: <http://www.gq.com/story/air-jordan-31-release-photos-inspiration>>.*

Is the Air Jordan 31 Low Releasing in 2017? SneakerNews.com, Jan. 5, 2017 by Sneaker News, [online], [site visited Jan. 19, 2017]. <URL: <http://sneakernews.com/2017/01/05/air-jordan-31-low/>>.*

Jordan Pays Homage to MJ's Second Home with the Air Jordan XXXI "Chicago", News.Nike.com, Nov. 4, 2016, [online], [site visited Jan. 19, 2017]. <URL: <http://news.nike.com/news/air-jordan-31>>.*

Detailed Images of the Air Jordan 31 Banned, KicksonFire.com, by Renza Ofiaza—Jul. 29, 2016, [online], [site visited Jan. 19, 2017]. <URL: <http://www.kicksonfire.com/air-jordan-31-banned-new-images/>>.*

Mizuno Sports Sneakers Men's Shoes Wave Real Spider 2 ap + DMX Midsole Intercol Basketball Shoes 13KL-39022 XYL046, AliExpress.com, [online], [site visited Jan. 19, 2017]. <URL: <https://www.aliexpress.com/item/MIZUNO-Sports-Sneakers-Men-s-Shoes-WAVE-REAL-SPIDER-2-ap-DMX-Midsole-Intercool-Basketball-Shoes/32623561032.html?spm=2114.40010508.4.86.rTHIqW>>.*

Adidas Performance Men's Isolation 2 Basketball Shoe, Amazon.com, Date first available at Amazon.com: Jun. 23, 2014, [online], [site visited Jan. 19, 2017]. <URL: <https://www.amazon.com/dp/B00RM8KV5M/?tag=sportsgearlab-20>>.*

Sketchers Men's Go Torch Basketball Shoe, Amazon.com, Date first available at Amazon.com: Mar. 29, 2016, [online], [site visited Jan. 19, 2017]. <URL: https://www.amazon.com/dp/B01EXSOU4G/ref=asc_df_B01EXSOU4G4771542?smid=ATVPDKIKX0DER

&linkCode=df0&creative=395093&creativeASIN=B01EXSOU4G&tag=wwwshopstylec-20&ascsubtag=2348930067>.*

Nike Footwear Catalog, 2012 Fall Jordan Footwear, p. 89, published Nov. 2011, NIKE, Inc., USA.

* cited by examiner

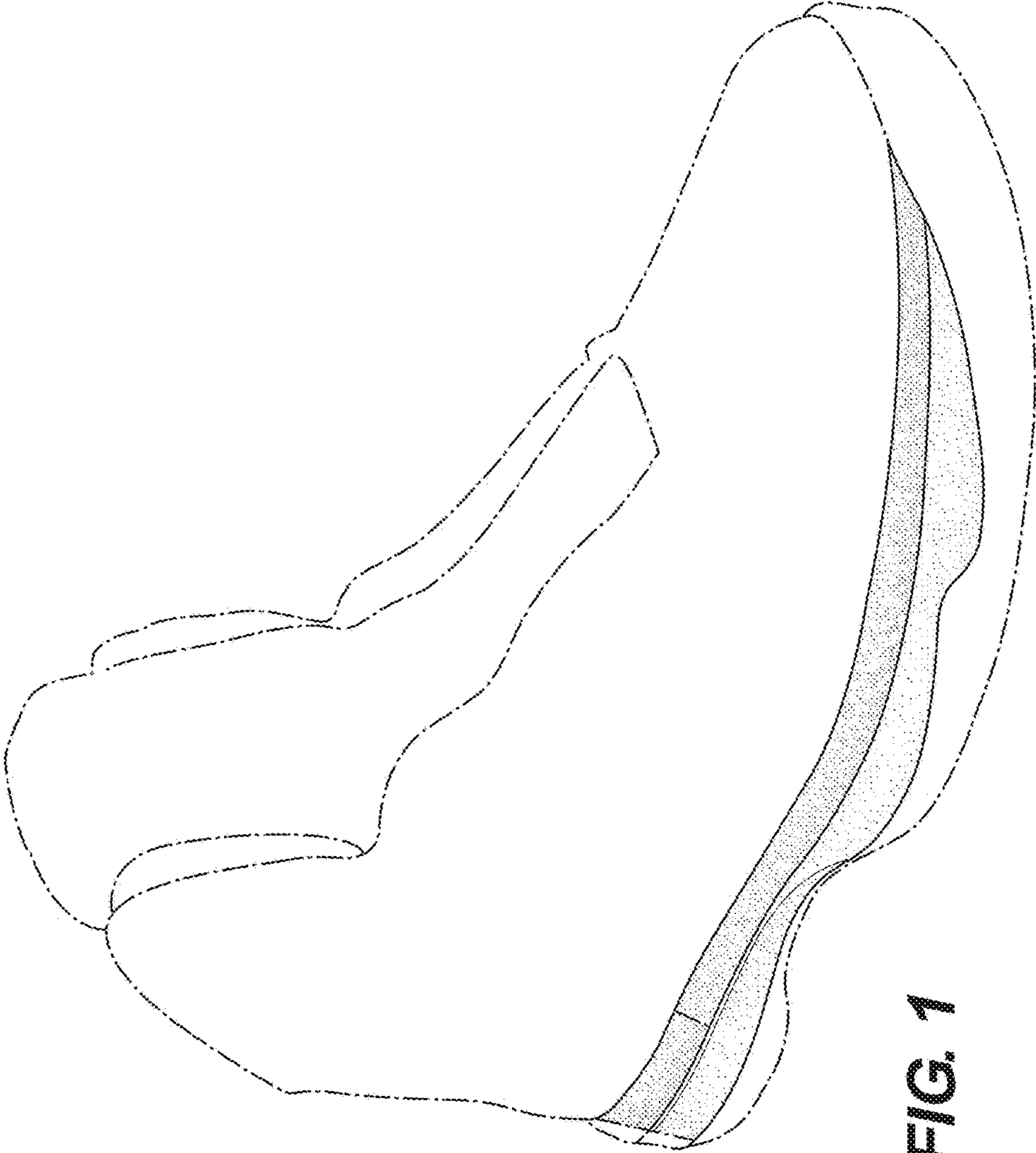


FIG. 1

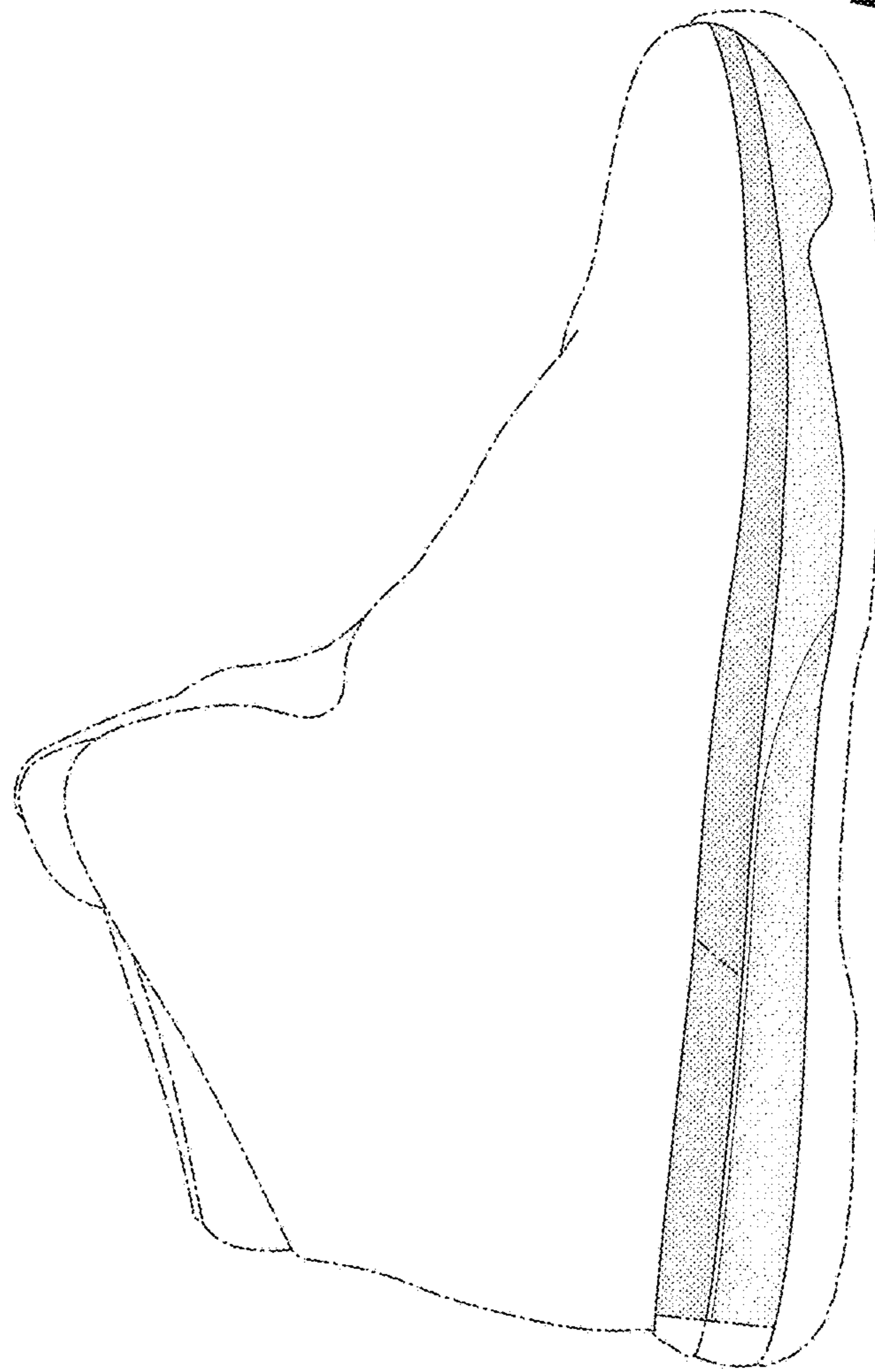


FIG. 2

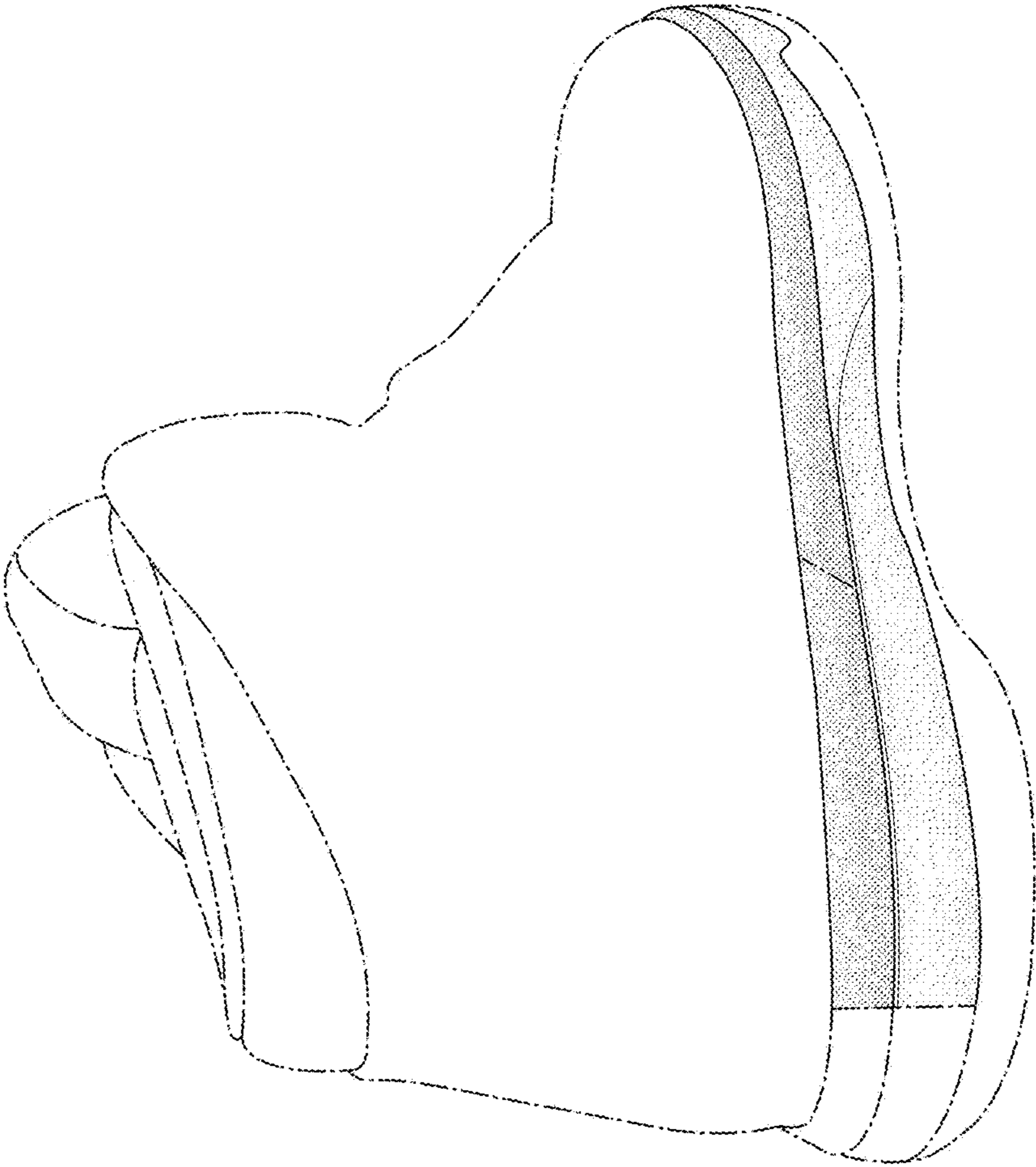


FIG. 3