



US00D789055S

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

(10) **Patent No.:** **US D789,055 S**

(45) **Date of Patent:** **** Jun. 13, 2017**

(54) **SHOE MIDSOLE**

(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)

(72) Inventor: **Laura C. Parrett**, Portland, OR (US)

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

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

(21) Appl. No.: **29/564,722**

(22) Filed: **May 15, 2016**

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

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

USPC **D2/947**

(58) **Field of Classification Search**

USPC D2/902, 906, 908, 916, 918, 925,
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 13/141; 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

| | | | | |
|--------------|---------|------------|-------|---------|
| D274,956 S * | 8/1984 | Saruwatari | ..... | D2/953 |
| D284,420 S * | 7/1986 | Tong | ..... | D2/955 |
| D285,023 S * | 8/1986 | Tong | ..... | 36/32 R |
| D285,985 S * | 10/1986 | Tong | ..... | 36/32 R |
| D287,784 S * | 1/1987 | Tong | ..... | 36/32 R |
| D291,944 S * | 9/1987 | Tong | ..... | D2/955 |

| | | | | |
|--------------|---------|------------|-------|--------|
| D296,149 S * | 6/1988 | Diaz | ..... | D2/955 |
| D297,383 S * | 8/1988 | Mourad | ..... | D2/955 |
| D299,788 S * | 2/1989 | Kelley | ..... | D2/956 |
| D308,285 S * | 6/1990 | Serna | ..... | D2/958 |
| D311,447 S * | 10/1990 | Hatfield | ..... | D2/953 |
| D325,462 S * | 4/1992 | Rogers | ..... | D2/977 |
| D325,667 S * | 4/1992 | Smith, III | ..... | D2/953 |
| D333,907 S * | 3/1993 | Greene | ..... | D2/977 |
| D366,952 S * | 2/1996 | Pyle | ..... | D2/908 |
| D418,282 S * | 1/2000 | von Conta | ..... | D2/947 |
| D421,830 S * | 3/2000 | Rohrbach | ..... | D2/947 |
| D489,525 S * | 5/2004 | Snow | ..... | D2/972 |
| D490,599 S * | 6/2004 | Snow | ..... | D2/972 |

(Continued)

OTHER PUBLICATIONS

New Balance MT 580—Mug Shot Pack, SoleCollector.com, Oct. 25, 2013, [online], [site visited Mar. 24, 2017]. <URL: <https://solecollector.com/news/2013/10/new-balance-mt-580-mug-shot-pack>>.*

(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 rear perspective view of a shoe midsole showing my new design;

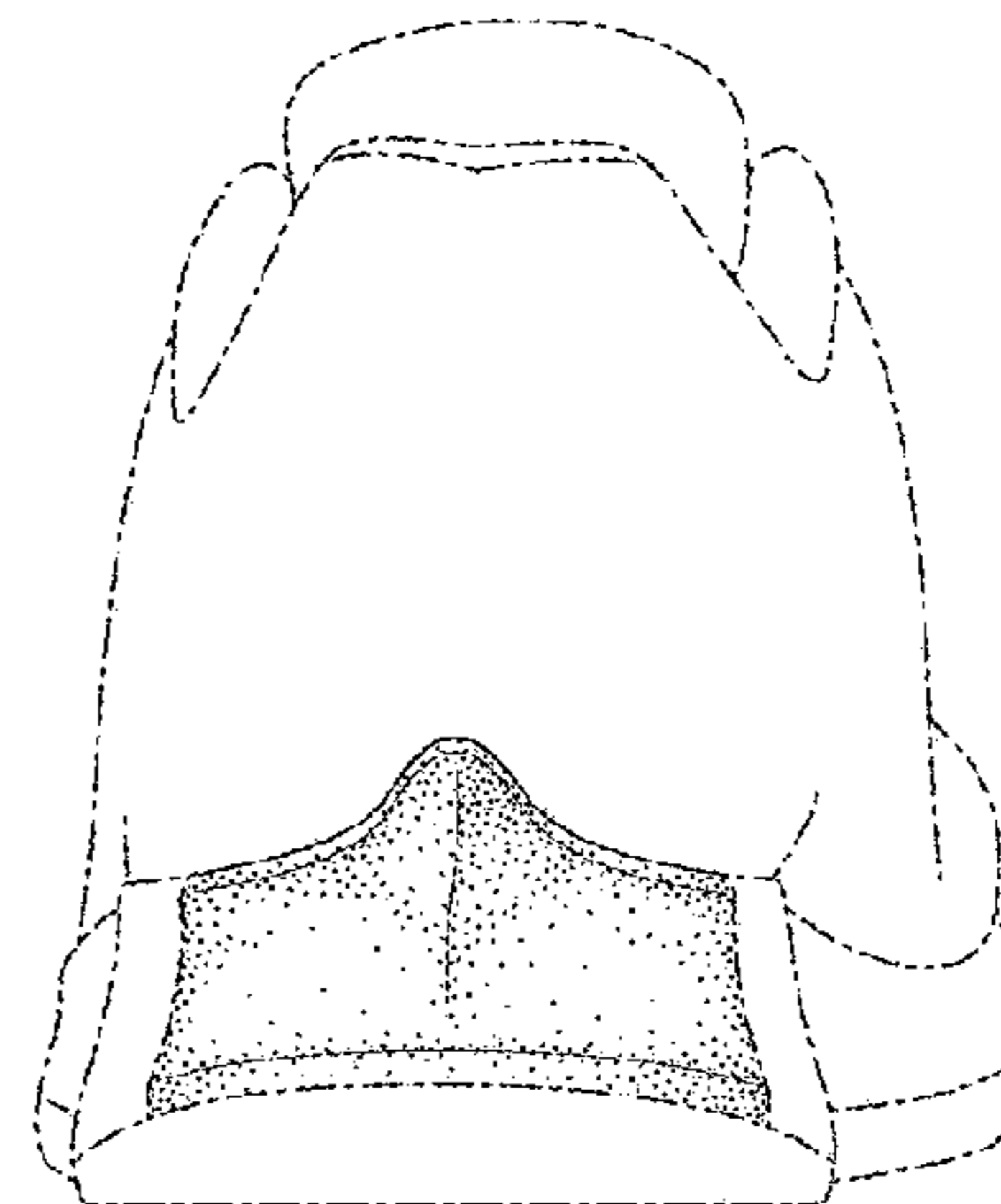
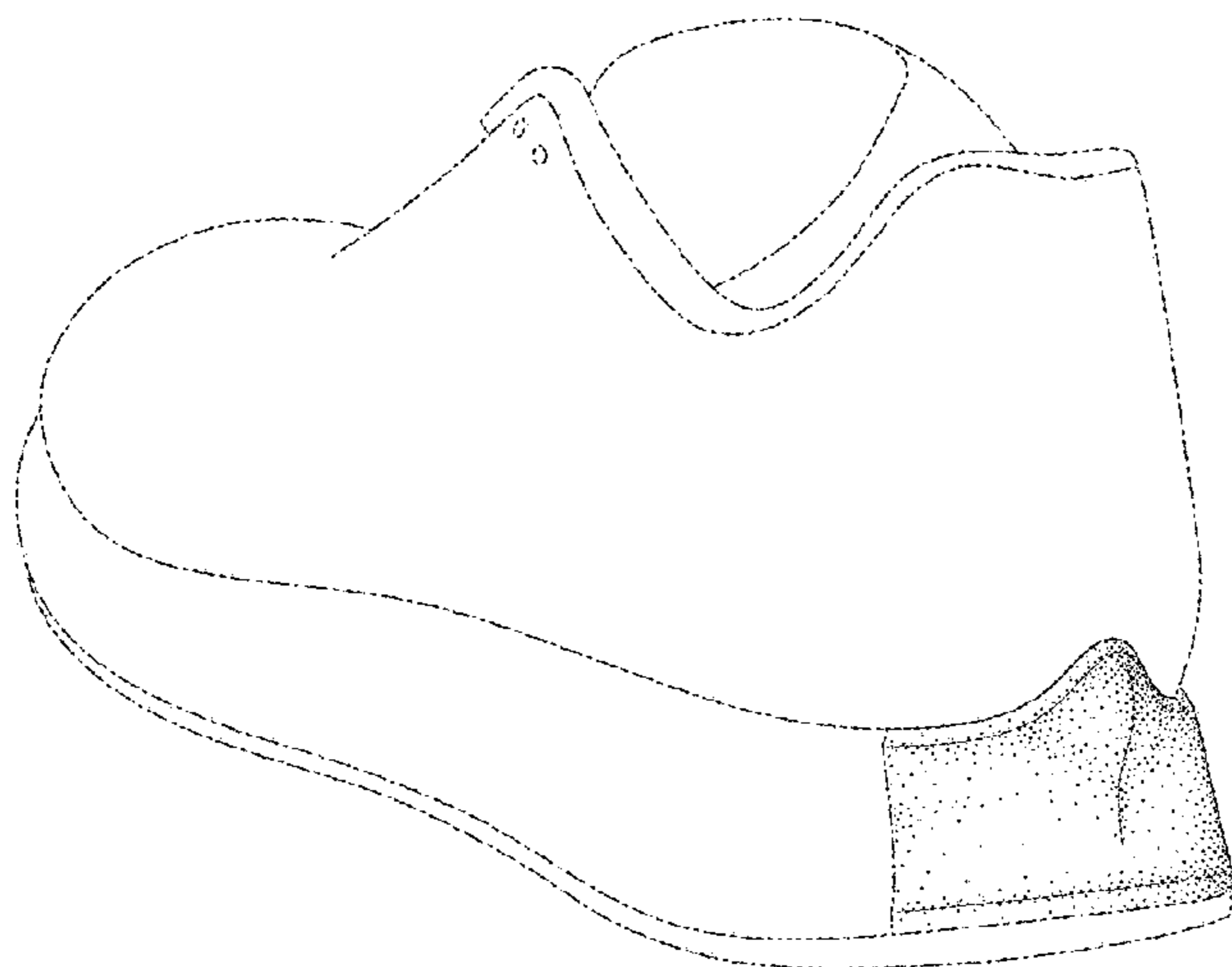
FIG. 2 is a rear view thereof;

FIG. 3 is a second rear perspective view thereof; and,

FIG. 4 is a side view thereof.

The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

| | | | | | | |
|--------------|----|---|---------|--------------|-------|----------------------|
| D511,617 | S | * | 11/2005 | Matis | ..... | D2/947 |
| D572,455 | S | * | 7/2008 | Lubrano | ..... | D2/969 |
| D623,835 | S | * | 9/2010 | Tzenos | ..... | D2/947 |
| D634,918 | S | * | 3/2011 | Katz | ..... | D2/902 |
| D653,842 | S | * | 2/2012 | Weiss | ..... | D2/946 |
| D666,392 | S | | 9/2012 | Shaffer | | |
| D666,795 | S | | 9/2012 | Shaffer | | |
| D680,727 | S | * | 4/2013 | Smith | ..... | D2/947 |
| D690,916 | S | * | 10/2013 | Chang | ..... | D2/947 |
| D714,039 | S | | 9/2014 | Miner | | |
| D731,768 | S | * | 6/2015 | Avar | ..... | D2/947 |
| D740,528 | S | * | 10/2015 | Hardman | ..... | D2/947 |
| D744,210 | S | * | 12/2015 | Hardman | ..... | D2/947 |
| D747,865 | S | | 1/2016 | Gerig et al. | | |
| D778,553 | S | * | 2/2017 | Dealmeida | ..... | D2/947 |
| D778,568 | S | * | 2/2017 | Kinley | ..... | D2/964 |
| 2007/0137065 | A1 | * | 6/2007 | Vera | ..... | A43B 1/0081 36/29 |

OTHER PUBLICATIONS

Nike Air Max 90 Ultra 2.0 W, LoadedNZ.com, [online], [site visited Mar. 24, 2017]. <URL: http://www.loadednz.com/products/nike/air-max-90-ultra-2-0-w/881106_101>.*

Insoles, Midsoles, Outsoles? Footwear Construction Terminology Explained, Heel Counter, Blacks.co.uk, Leonie Saleem, [online], [site visited Mar. 24, 2017]. <URL: <http://www.blacks.co.uk/blog/2016/10/insoles-midsoles-outsoles-footwear-construction-terminology-explained>>.*

Saucony Virrata 2 Shoe Review, TrailRunnerNation.com, Jun. 4, 2014, [online], [site visited Mar. 24, 2017]. <URL: <http://trailrunner-nation.com/2014/06/saucony-virrata-2-shoe-review/>>.*

Ferrari evoSPEED Sock Men's Shoes By Puma, SportLaunches.com, [online], [site visited Mar. 24, 2017]. <URL: <http://sportlaunches.com/ferrari-evospeed-sock-mens-shoes-puma/puma-ferrari-evospeed-sock-mens-shoes/>>.*

Topo Athletic RX, Wlshoes.com, Reviewed on Sep. 11, 2013, [online], [site visited Mar. 24, 2017]. <URL: <http://wlshoes.com/review/topo-athletic-rx/>>.*

Nike Air Zoom Elite 9, Nike.com, [online], [site visited Mar. 24, 2017]. <URL: http://store.nike.com/us/en_us/pd/air-zoom-elite-9-mens-running-shoe/pid-11240716/pgid-11618932>.*

Nike Zoom Elite 9 Review: As Good as it Gets?, RoadTrailRun.com, Review by Peter Stuart, Monday, Jan. 9, 2017, [online], [site visited Mar. 24, 2017]. <URL: <http://www.roadtrailrun.com/2017/01/nike-zoom-elite-9-as-good-as-it-gets.html>>.*

A Classic Nike Flyknit Racer Returns Friday [online], [retrieved Dec. 16, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/nike-flyknit-racer-game-royal-pink-flash-release-48/>>; 5 color sheets, Dated Apr. 7, 2016.

Nike Air Zoom Elite 8: Low, Sleek, Fast and Light [online], [retrieved Dec. 16, 2016], Retrieved from Internet <URL: <http://news.nike.com/news/nike-air-zoom-elite-8-low-sleek-fast-and-light>>; 14 color sheets, Dated Jun. 30, 2015.

Nike Flyknit Lunar 2 First Look [online], [retrieved Dec. 16, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/nike-flyknit-lunar-2-first-look/>>; 7 color sheets, Dated Jan. 9, 2014.

Nike Free Flyknit NSW Two More Colorways [online], [retrieved Dec. 16, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/nike-free-flyknit-nsw-two-more-colorways/>>; 7 color sheets, Dated Mar. 3, 2015.

* cited by examiner

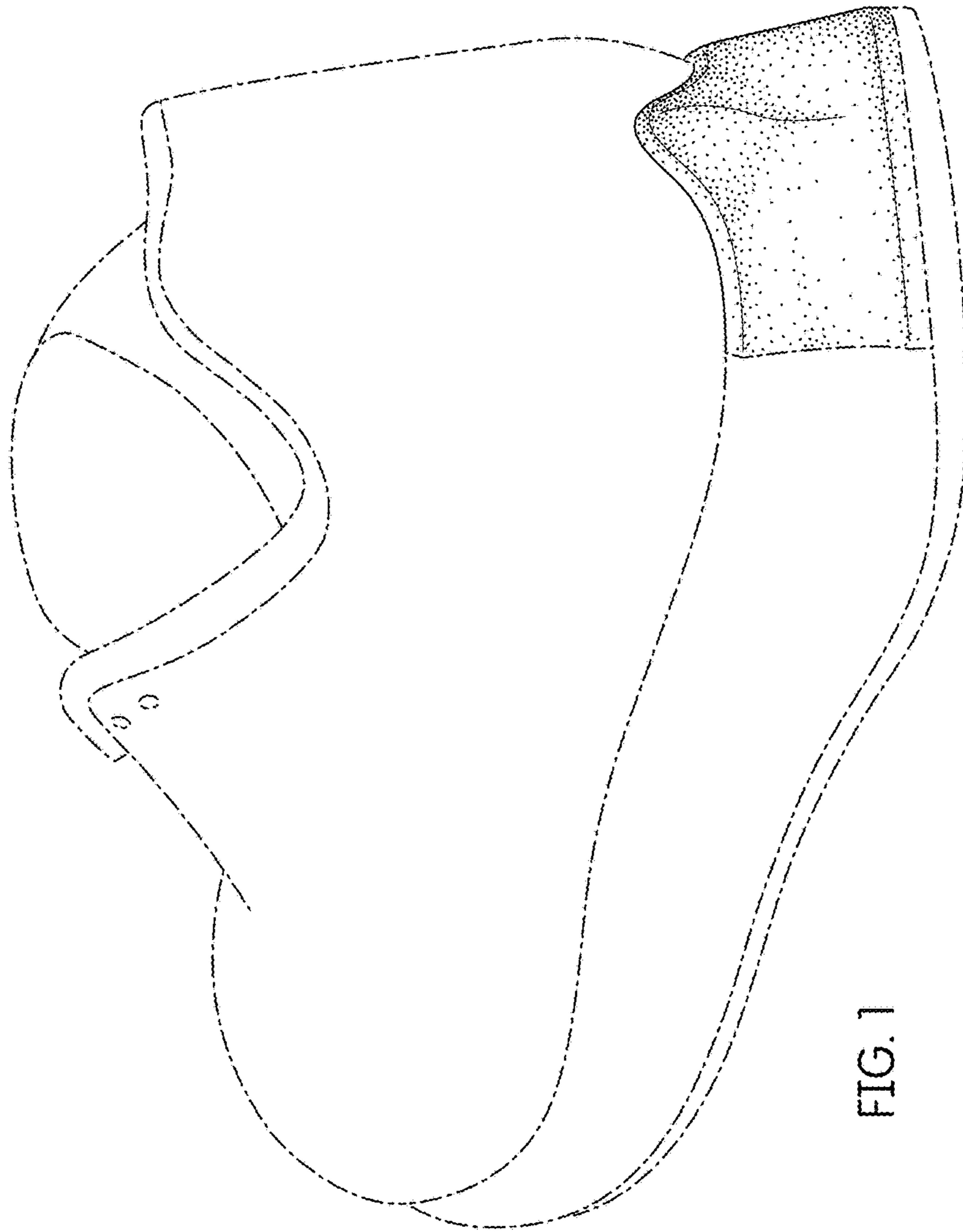


FIG. 1

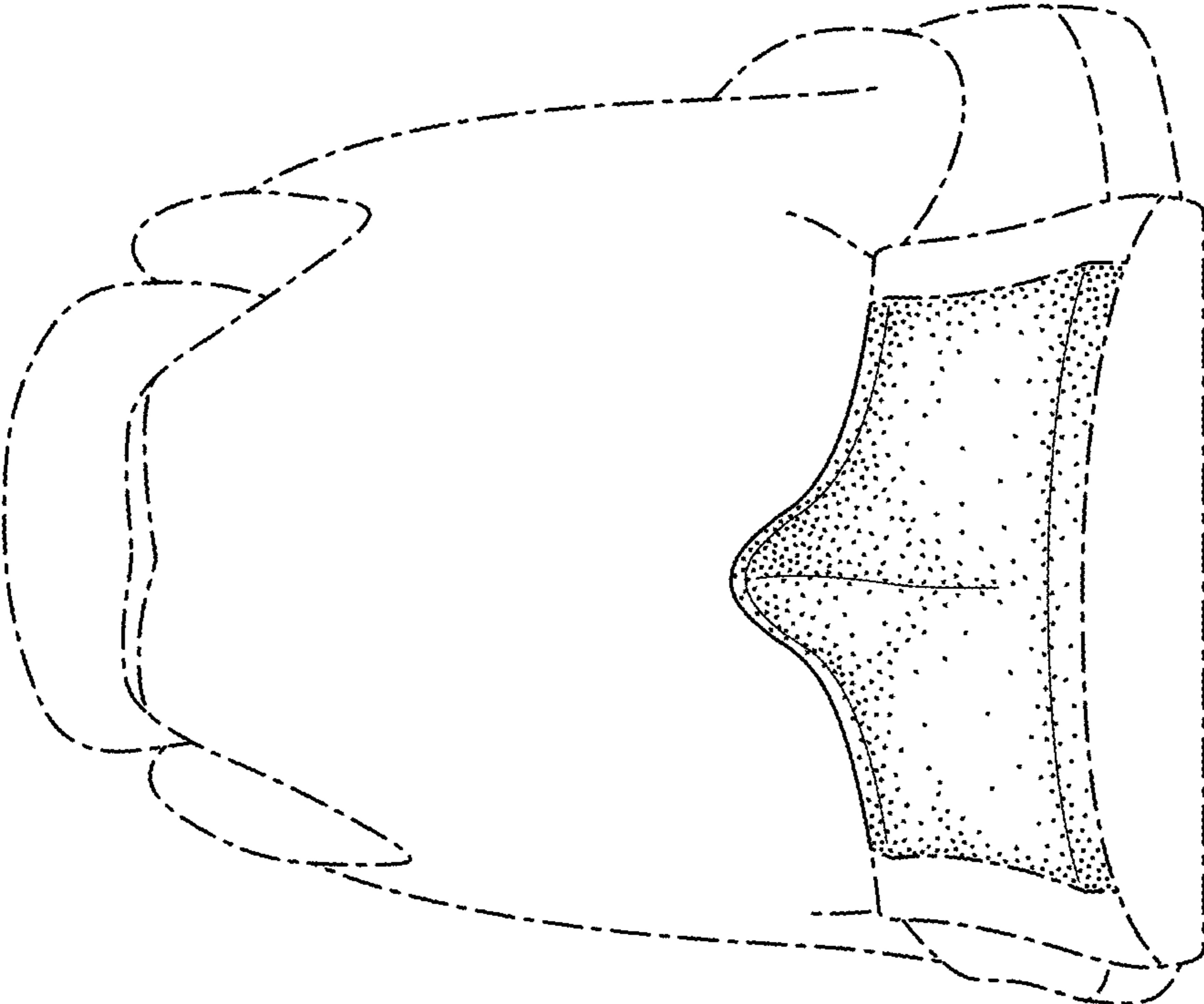


FIG. 2

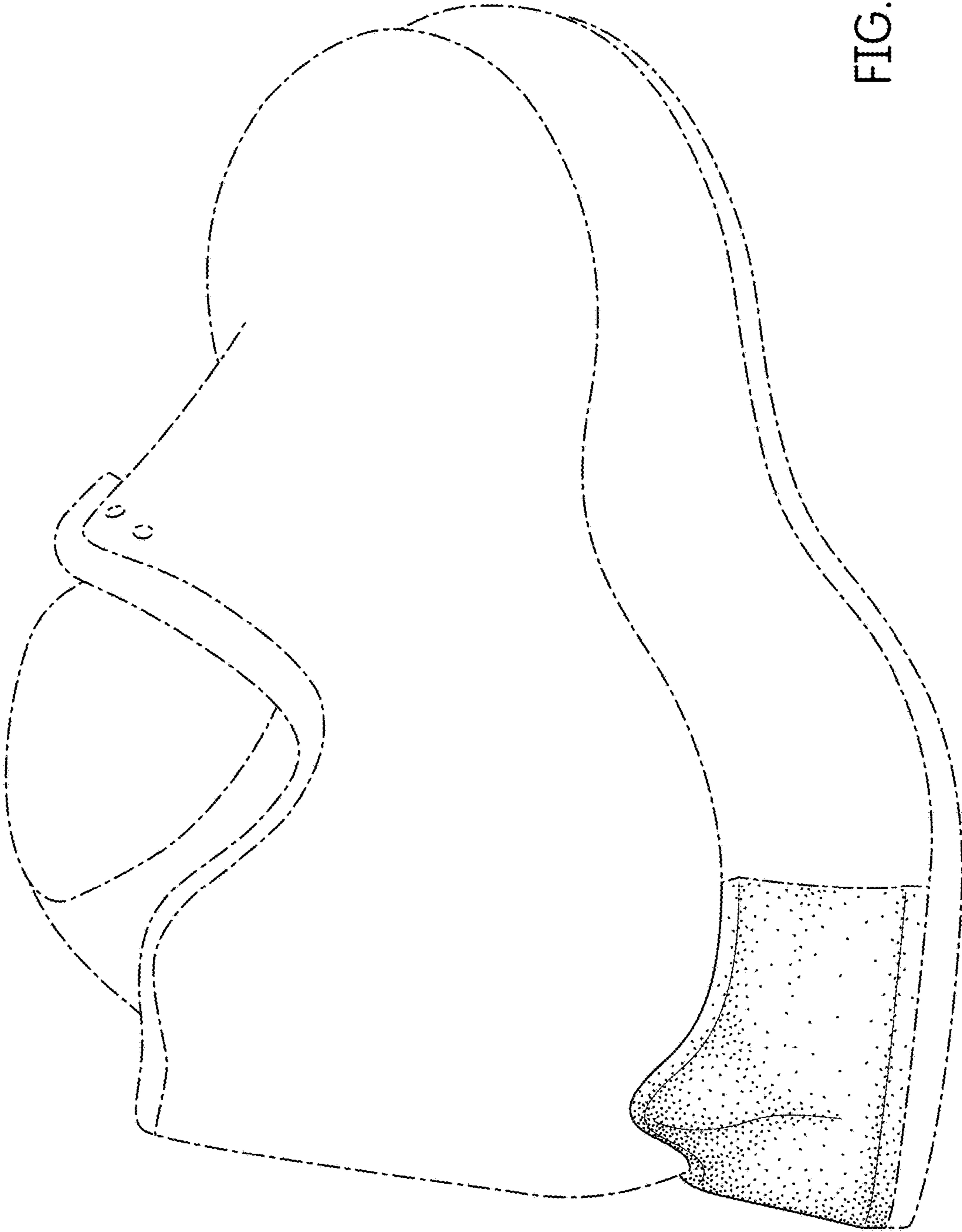


FIG. 3

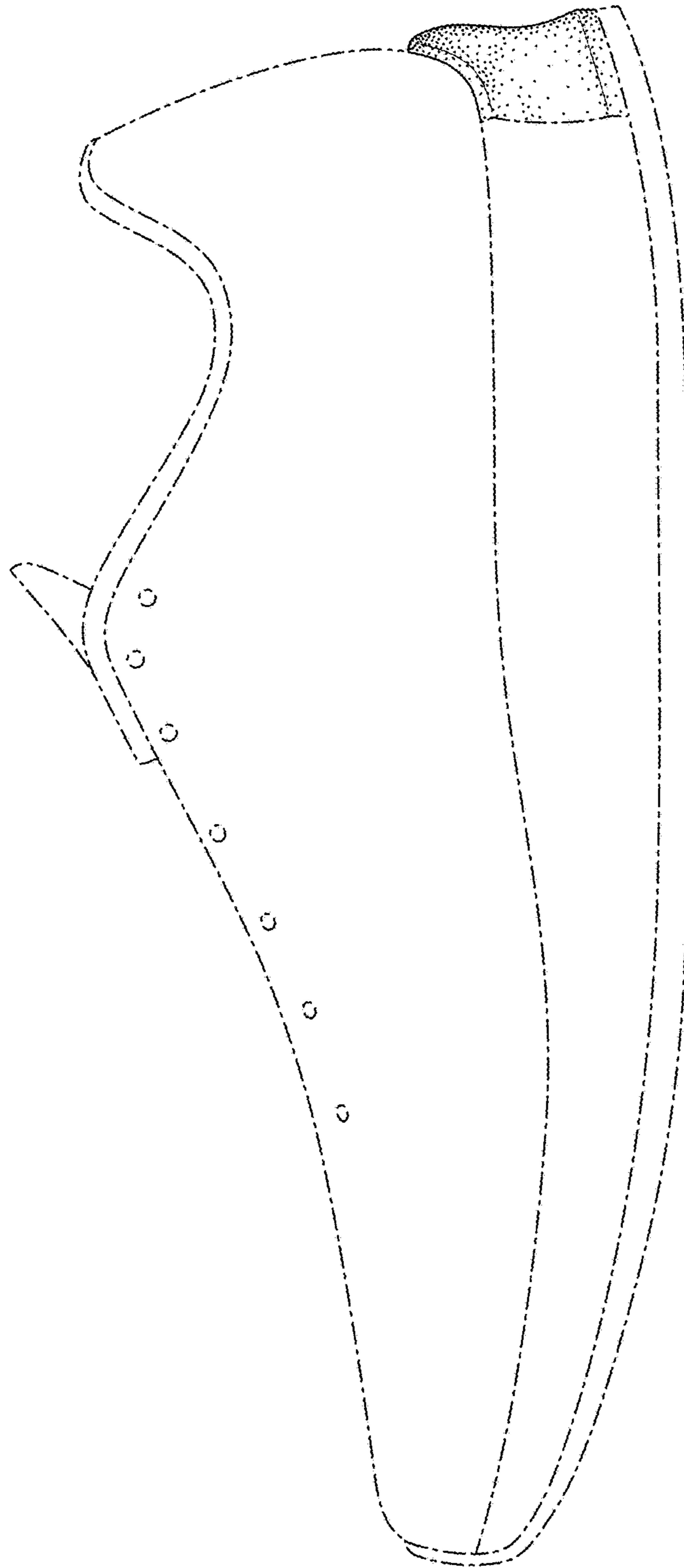


FIG. 4