



US00D798558S

(12) **United States Design Patent** (10) **Patent No.:** **US D798,558 S**
Pauk (45) **Date of Patent:** **** Oct. 3, 2017**

(54) **SHOE MIDSOLE**
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
(72) Inventor: **Matthew R. Pauk**, Portland, OR (US)
(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**

D325,289 S 4/1992 Aveni
D325,462 S 4/1992 Rogers
D326,952 S 6/1992 Smith, III
D330,798 S 11/1992 Hatfield et al.
D368,796 S 4/1996 Fabio
D398,743 S * 9/1998 Rask D2/947
D418,282 S 1/2000 von Conta et al.
(Continued)

(21) Appl. No.: **29/593,718**
(22) Filed: **Feb. 11, 2017**
(51) **LOC (10) Cl.** **02-04**
(52) **U.S. Cl.**
USPC **D2/947**; D2/953; D2/960
(58) **Field of Classification Search**
USPC D2/902, 906, 908, 916, 918, 925,
D2/946-962, 977; 36/3 B, 22 R, 24.5,
36/25 R, 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.

OTHER PUBLICATIONS

Nike Footwear Catalog, 1984 Shoe Show, p. 32, published Nov. 1983, NIKE, Inc., USA.
(Continued)

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

(57) **CLAIM**

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

DESCRIPTION

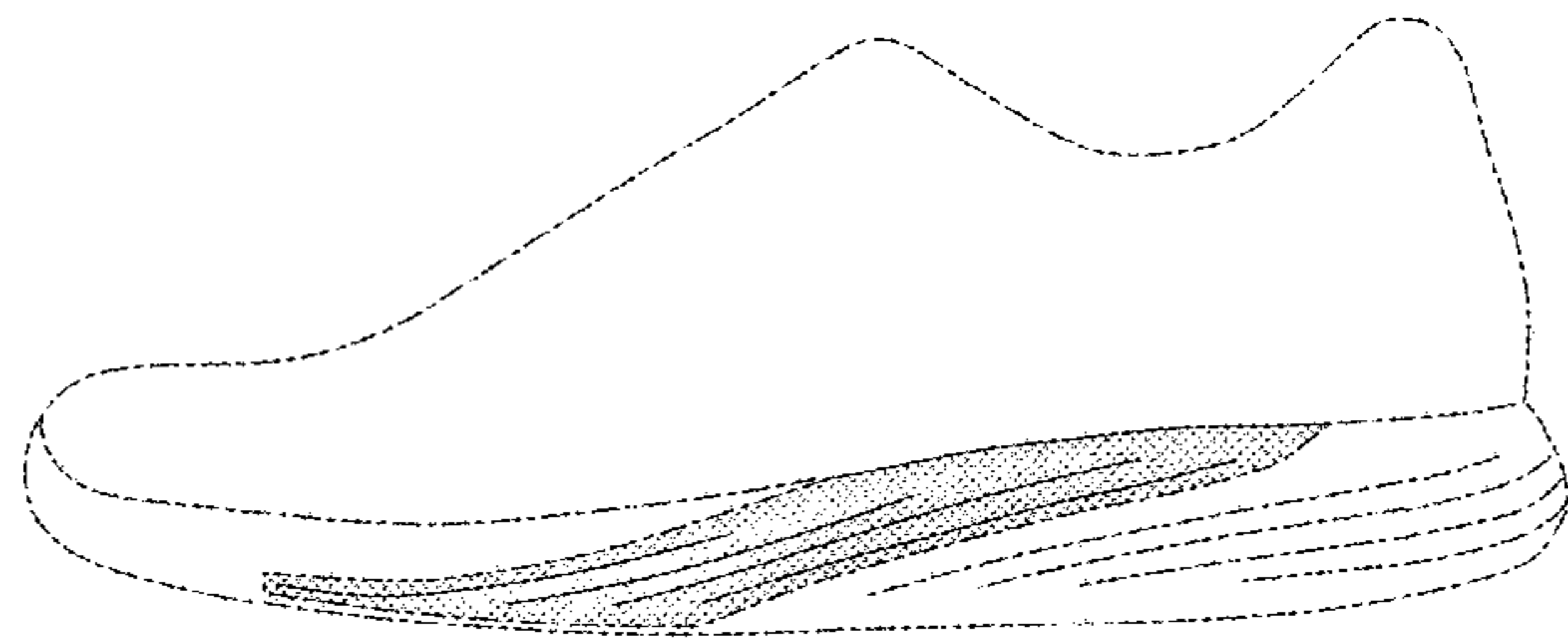
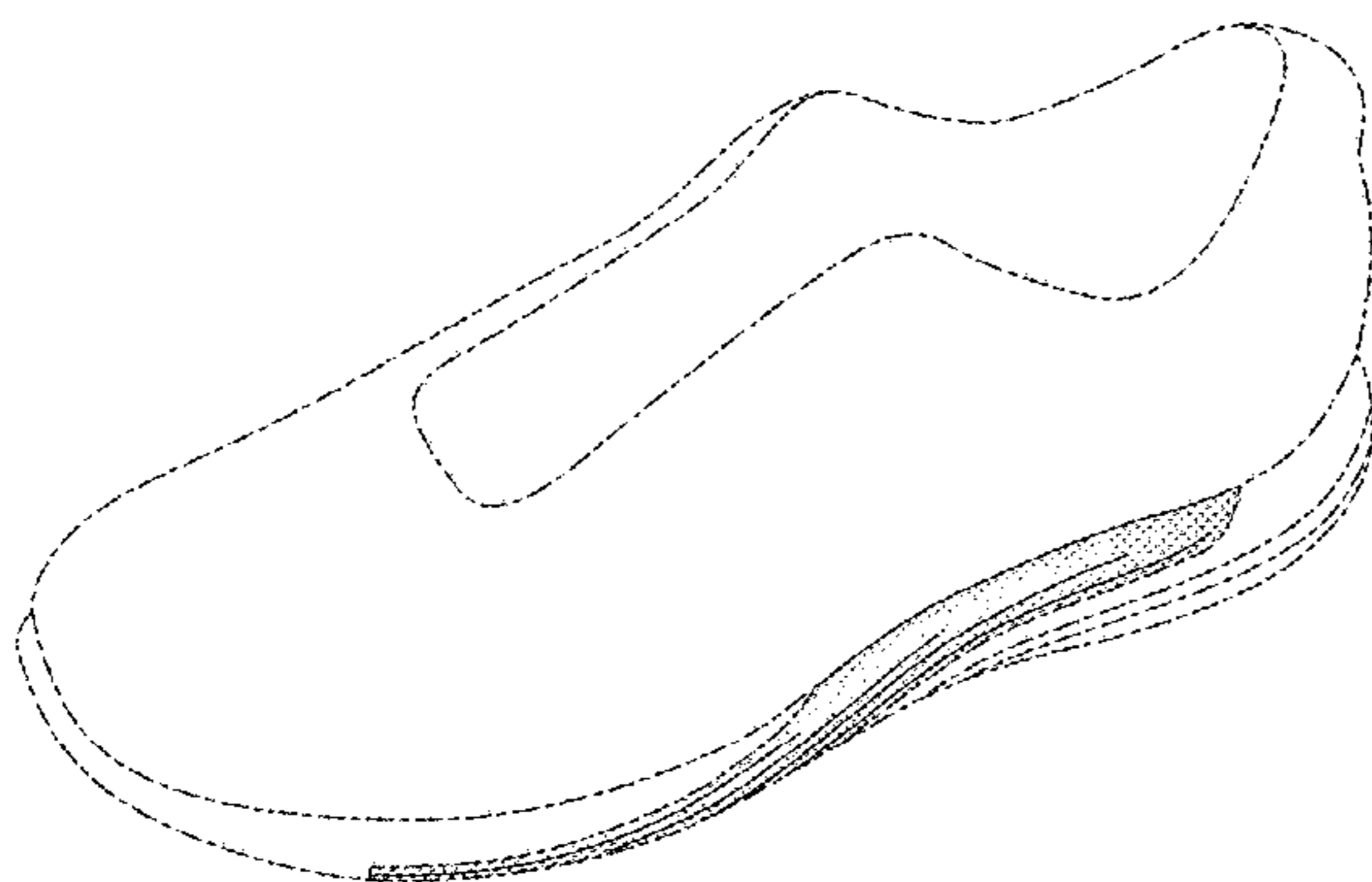
FIG. 1 is a front perspective view of a shoe midsole showing our new design;
FIG. 2 is a side view thereof;
FIG. 3 is a rear perspective view thereof;
FIG. 4 is a front view thereof;
FIG. 5 is a rear view thereof;
FIG. 6 is a top view thereof;
FIG. 7 is a bottom view thereof;
FIG. 8 is a second side view thereof;
FIG. 9 is a front perspective view thereof; and,
FIG. 10 is a top view thereof showing the midsole in isolation for clarity purposes.
The broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The broken lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,370,301 A * 2/1945 Ghez A43B 13/08
36/11.5
D296,152 S 6/1988 Selbiger
D310,442 S 9/1990 Hatfield
D312,918 S 12/1990 Aveni
D321,584 S 11/1991 Mitsui
D321,585 S 11/1991 Rogers
D324,131 S 2/1992 Lucas
D324,762 S 3/1992 Hatfield

1 Claim, 10 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D424,285 S 5/2000 Nason
 D439,729 S 4/2001 Mastroianni et al.
 D443,977 S 6/2001 Fini
 D458,011 S * 6/2002 Yang D2/953
 D458,012 S * 6/2002 Yang D2/953
 D466,277 S 12/2002 Smith, III
 D466,278 S 12/2002 Smith, III
 D498,901 S * 11/2004 Hawker D2/896
 D511,617 S 11/2005 Matis
 D547,939 S 8/2007 Link
 D553,831 S * 10/2007 McClaskie D2/951
 D564,184 S * 3/2008 Issler D2/896
 D565,285 S * 4/2008 Duffy D2/951
 D572,884 S * 7/2008 Belley D2/947
 D579,640 S * 11/2008 Duffy D2/947
 D586,990 S 2/2009 Banik et al.
 D593,741 S 6/2009 Vico et al.
 D599,102 S * 9/2009 Purdom D2/977
 D623,389 S * 9/2010 Akhidime D2/969
 D624,291 S 9/2010 Henderson
 D636,567 S 4/2011 Raysse
 D643,604 S 8/2011 Yi
 D666,795 S 9/2012 Shaffer
 D671,306 S * 11/2012 Tzenos D2/947
 D672,123 S 12/2012 Williams, Jr.
 D675,815 S 2/2013 Dazai et al.
 D680,308 S 4/2013 Hardman
 D685,166 S * 7/2013 Hatfield D2/947
 D690,088 S 9/2013 Hardman
 D694,497 S * 12/2013 Taylor D2/947
 D694,498 S 12/2013 Carboy
 D694,499 S 12/2013 Williams, Jr.
 D710,579 S 8/2014 Williams, Jr.
 D711,081 S 8/2014 Miner
 D713,626 S 9/2014 Raasch
 D714,035 S 9/2014 O'Connor
 D717,029 S 11/2014 Young
 D732,282 S * 6/2015 Ringholz D2/951
 D737,039 S 8/2015 Pauk
 D743,153 S 11/2015 Taylor
 D746,560 S 1/2016 Verfl
 D747,083 S 1/2016 Verfl
 D747,600 S 1/2016 Greenhalgh
 D752,322 S * 3/2016 Tomat D2/908
 D756,620 S 5/2016 Boys
 D765,366 S * 9/2016 Fogg D2/947
 D768,969 S 10/2016 Boys
 D770,153 S * 11/2016 Marvin D2/951
 D770,739 S 11/2016 Nethongkome
 D770,740 S * 11/2016 Teteriatnikov D2/947
 D775,800 S * 1/2017 Sars D2/955
 D776,907 S * 1/2017 Amago D2/951
 D779,175 S * 2/2017 Greenhalgh D2/947
 D781,541 S * 3/2017 McGhee D2/947
 D782,790 S * 4/2017 Lee D2/947
 D784,667 S * 4/2017 Wright D2/947
 D789,054 S * 6/2017 Shyllon D2/947
 D789,663 S * 6/2017 Seamarks D2/947
 D789,664 S * 6/2017 Seo D2/951
 D790,169 S * 6/2017 da Costa Pereira Machado D2/947
 D791,453 S * 7/2017 McMillan D2/947
 9,693,604 B2 * 7/2017 Cin A43B 17/003
 2007/0137067 A1 * 6/2007 Fallon A43B 3/24
 36/100
 2007/0137068 A1 * 6/2007 Fallon A43B 3/24
 36/101
 2015/0342300 A1 * 12/2015 Cin A43B 17/003
 36/103

OTHER PUBLICATIONS

Nike Footwear Catalog, 1988 Fall Footwear, p. 52 (Women's Tennis), published Dec. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1989 Fall Footwear, p. 62, published Dec. 1988, NIKE, Inc., USA.
 Nike Footwear Catalog, 1989 Fall Footwear, p. 70, published Dec. 1988, NIKE, Inc., USA.
 Nike Footwear Catalog, 1989 Fall Footwear, p. 82, published Dec. 1988, NIKE, Inc., USA.
 Nike Footwear Catalog, 1991 Fall Footwear, p. 12, published Dec. 1990, NIKE, Inc., USA.
 Nike Footwear Catalog, 1991 Fall Footwear, p. 16, published Dec. 1990, NIKE, Inc., USA.
 Nike Footwear Catalog, 1991 Fall Footwear, p. 22, published Dec. 1990, NIKE, Inc., USA.
 Nike Footwear Catalog, 1993 Fall Footwear, p. 18, published Dec. 1992, NIKE, Inc., USA.
 Nike Footwear Catalog, 1993 Fall Footwear, p. 26, published Dec. 1992, NIKE, Inc., USA.
 Nike Footwear Catalog, 1993 Spring Footwear, p. 30, published Jun. 1992, NIKE, Inc., USA.
 Nike Footwear Catalog, 1994 Fall Footwear, p. 60, published Nov. 1993, NIKE, Inc., USA.
 Nike Footwear Catalog, 1995 Fall Footwear, p. 42, published Nov. 1994, NIKE, Inc., USA.
 Nike Footwear Catalog, 1995 Fall Footwear, p. 45, published Nov. 1994, NIKE, Inc., USA.
 Nike Footwear Catalog, 1995 Fall Footwear, p. 113, published Nov. 1994, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Fall Footwear, p. 64, published Dec. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Fall Footwear, p. 132, published Dec. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Fall Footwear, p. 153, published Dec. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Fall Footwear, p. 159, published Dec. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Fall Footwear, p. 212, published Dec. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Fall Footwear, p. 6, published Dec. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Fall Footwear, p. 9, published Dec. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Fall Footwear, p. 19, published Dec. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Fall Footwear, p. 190, published Dec. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Spring Footwear, p. 18, published Jun. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Spring Footwear, p. 112, published Jun. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Spring Footwear, p. 47, published Jun. 1997, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Spring Footwear, p. 144, published Jun. 1997, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Fall Men's and Women's Footwear, p. M9, published Nov. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Fall Men's and Women's Footwear, p. M35, published Nov. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Fall Men's and Women's Footwear, p. W138, published Nov. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 2000 Fall Men's and Women's Footwear (blue cover), p. 86—Kid's Raining, published Nov. 1999, NIKE, Inc., USA.
 Nike Footwear Catalog, 2000 Spring Men's and Women's Footwear 1, p. 50 (Boy's), published Jul. 1999, NIKE, Inc., USA.
 Nike Footwear Catalog, 2000 Spring Men's and Women's Footwear 2, p. 25 (Men's Technical running), published Jul. 1999, NIKE, Inc., USA.
 Nike Footwear Catalog, 2001 Fall Men's and Women's Footwear, p. 22 (Track & Field), published Nov. 2000, NIKE, Inc., USA.
 Nike Footwear Catalog, 2003 Fall Men's and Women's Footwear, p. 66, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

(56)

References Cited

OTHER PUBLICATIONS

Nike Footwear Catalog, 2008 Spring Footwear, p. 233, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Fall Core Performance Footwear, p. 10, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 45, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Men's Performance Footwear, p. 27, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Men's and Women's Footwear Good, p. 27, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring Women's Footwear Performance, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA, p. 50.

Nike Footwear Catalog, 2016 Fall Boutique Footwear NA, p. 52, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Flyknit and Engineered Mesh Join Forces on the Nike Lunarglide 7 [online], [retrieved Feb. 6, 2017] retrieved from internet <URL: <<http://sneakernews.com/2015/06/09/flyknit-and-engineered-mesh-join-forces-on-the-nike-lunarglide-7/>>; 7 color sheets, Dated Jun. 9, 2015.

First Look at the Nike Lunarglide 8 [online], [retrieved Feb. 6, 2017] retrieved from internet <URL: <<http://sneakernews.com/2016/04/27/first-look-nike-lunarglide-8/>>; 3 color sheets, Dated Apr. 27, 2016.

* cited by examiner

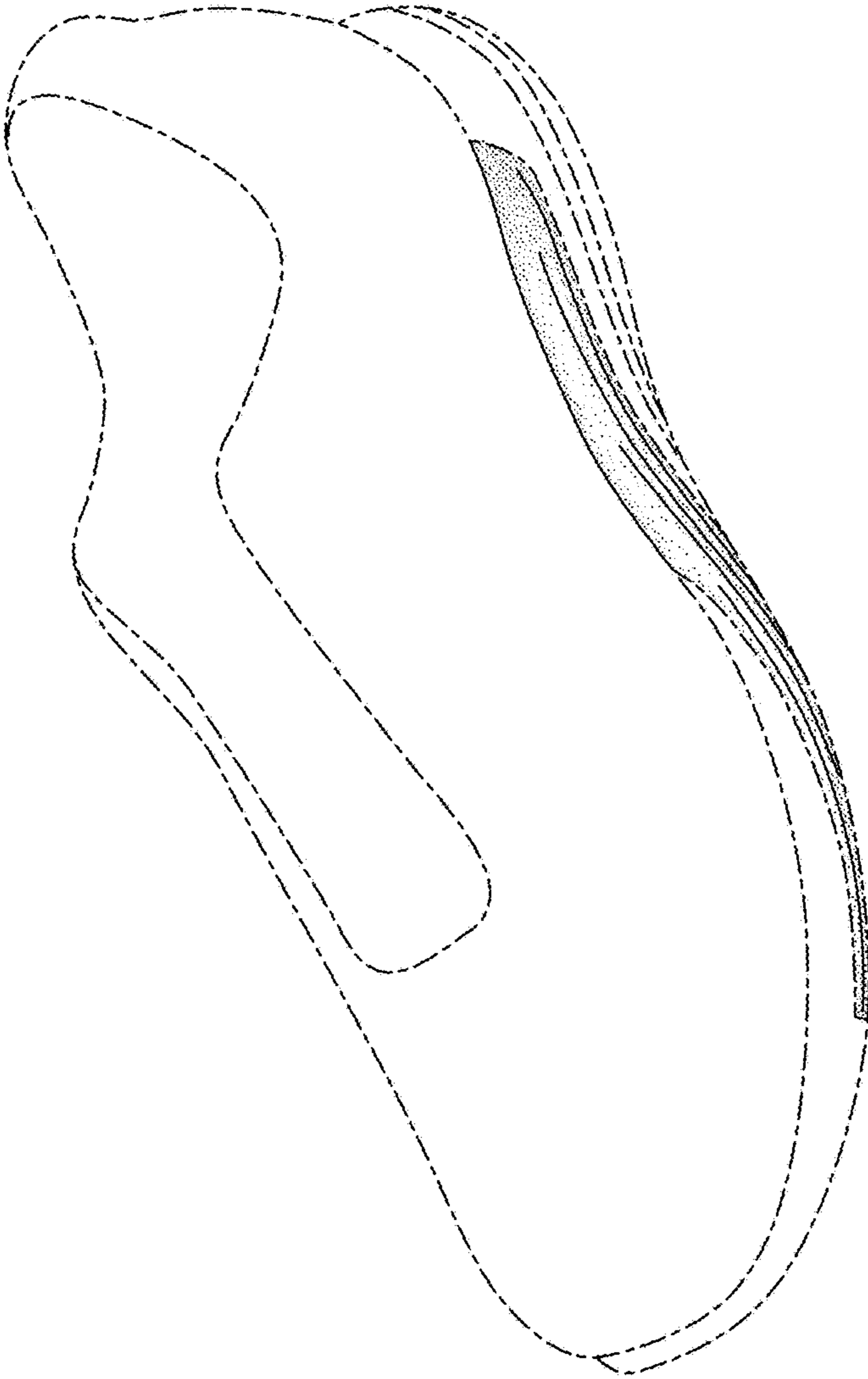


FIG. 1

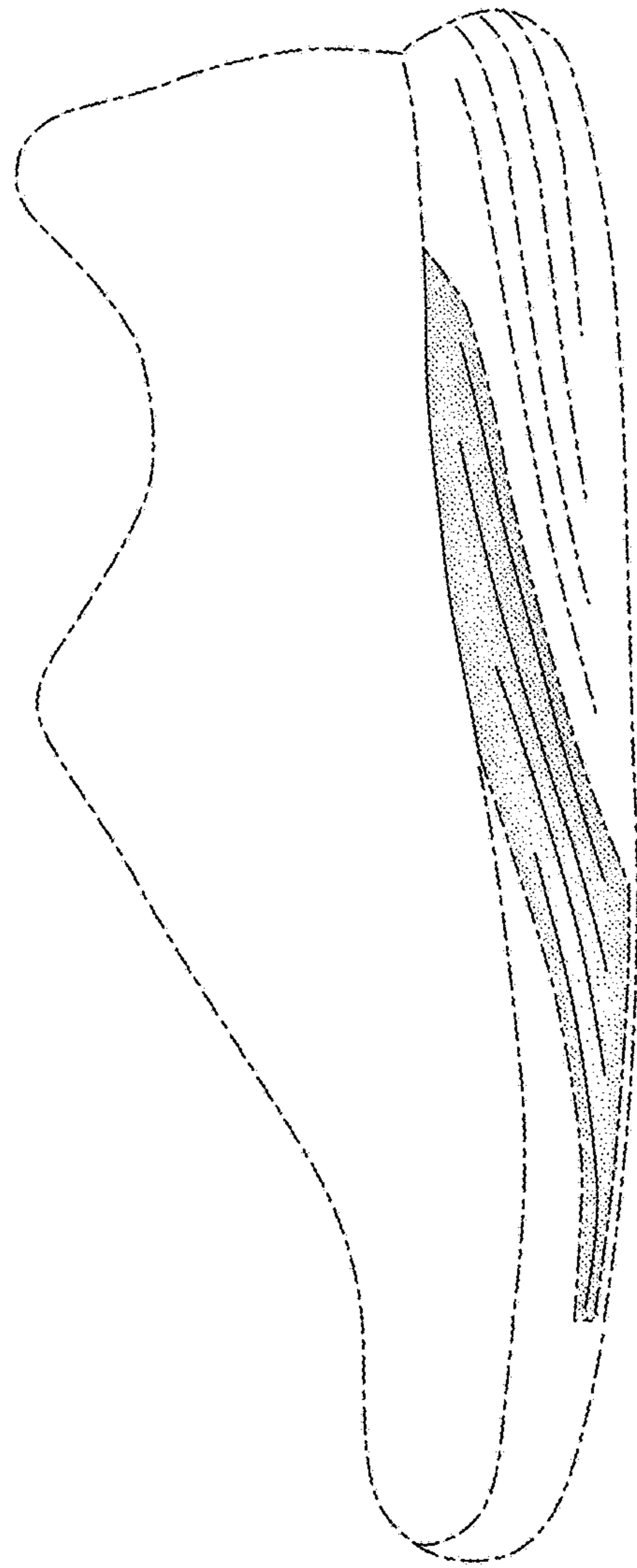


FIG. 2

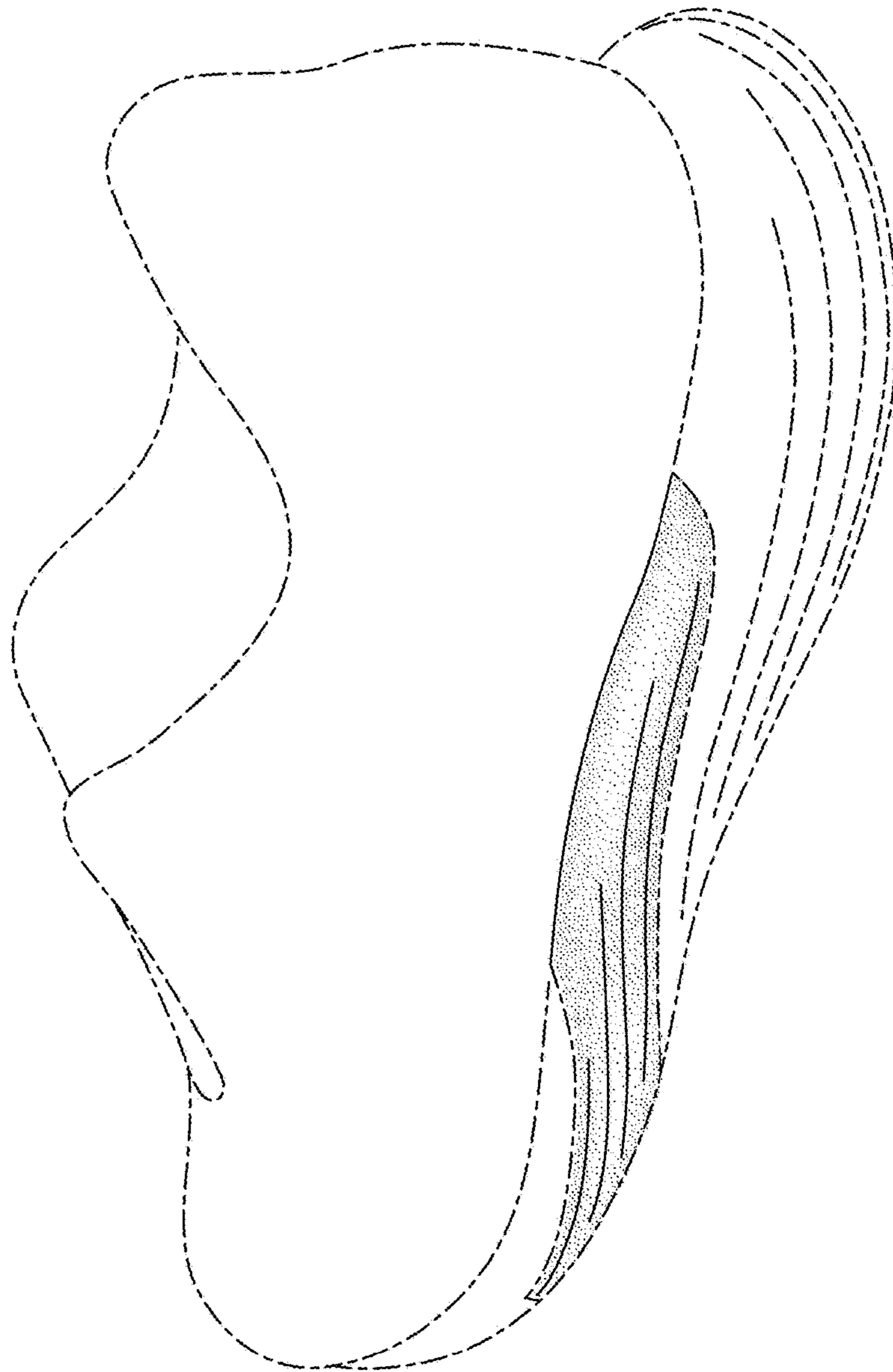


FIG. 3

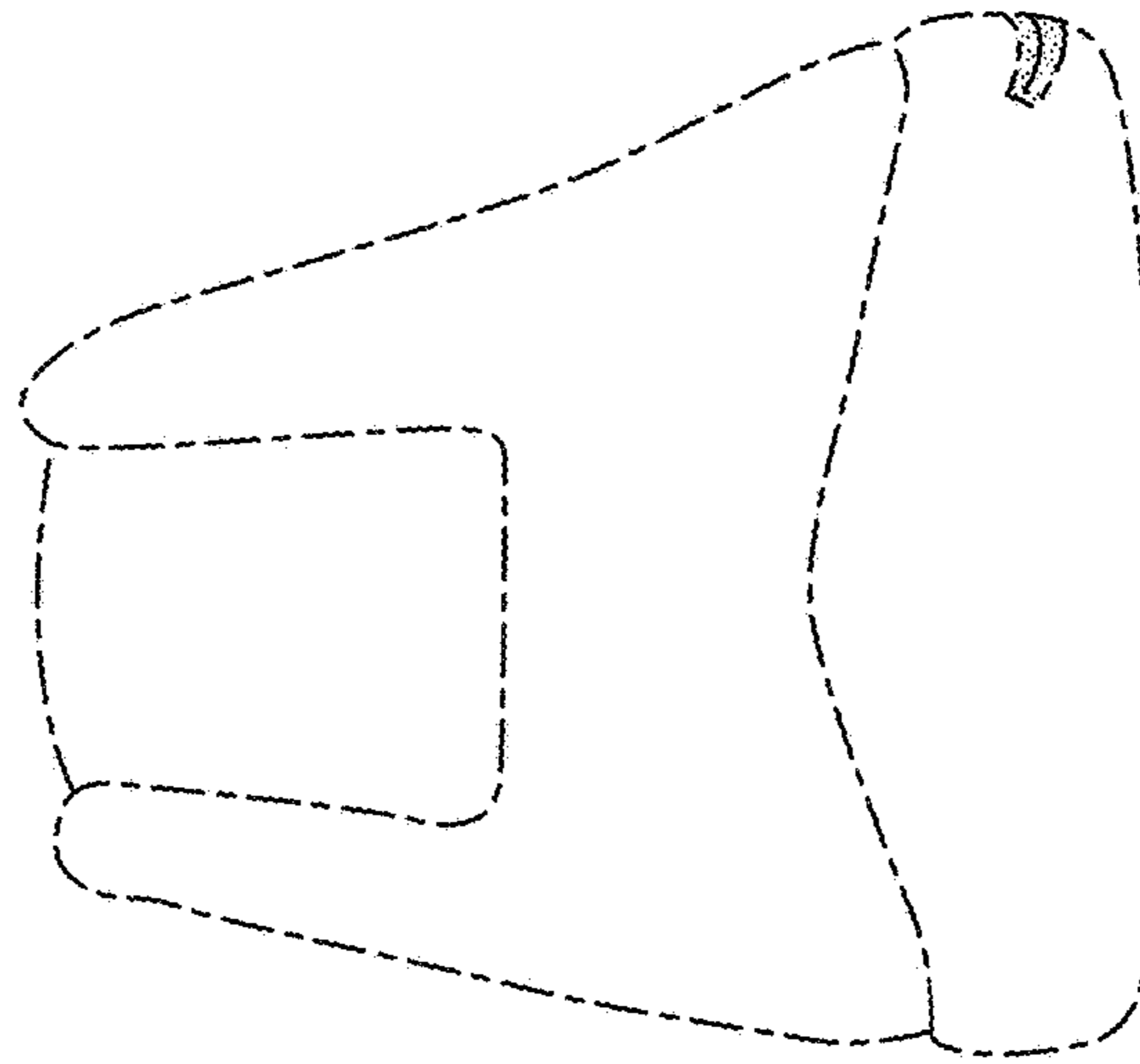


FIG. 4

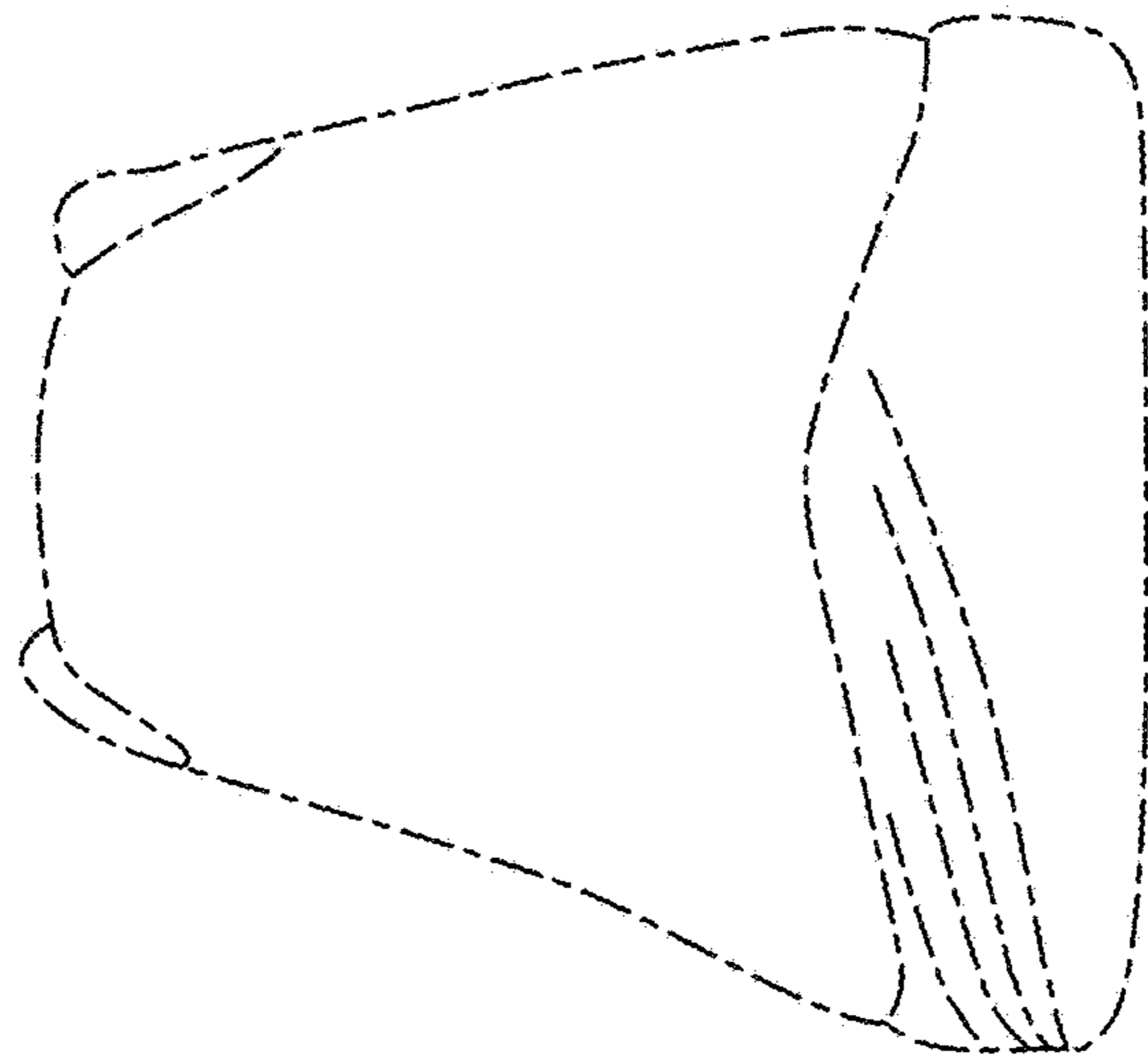


FIG. 5

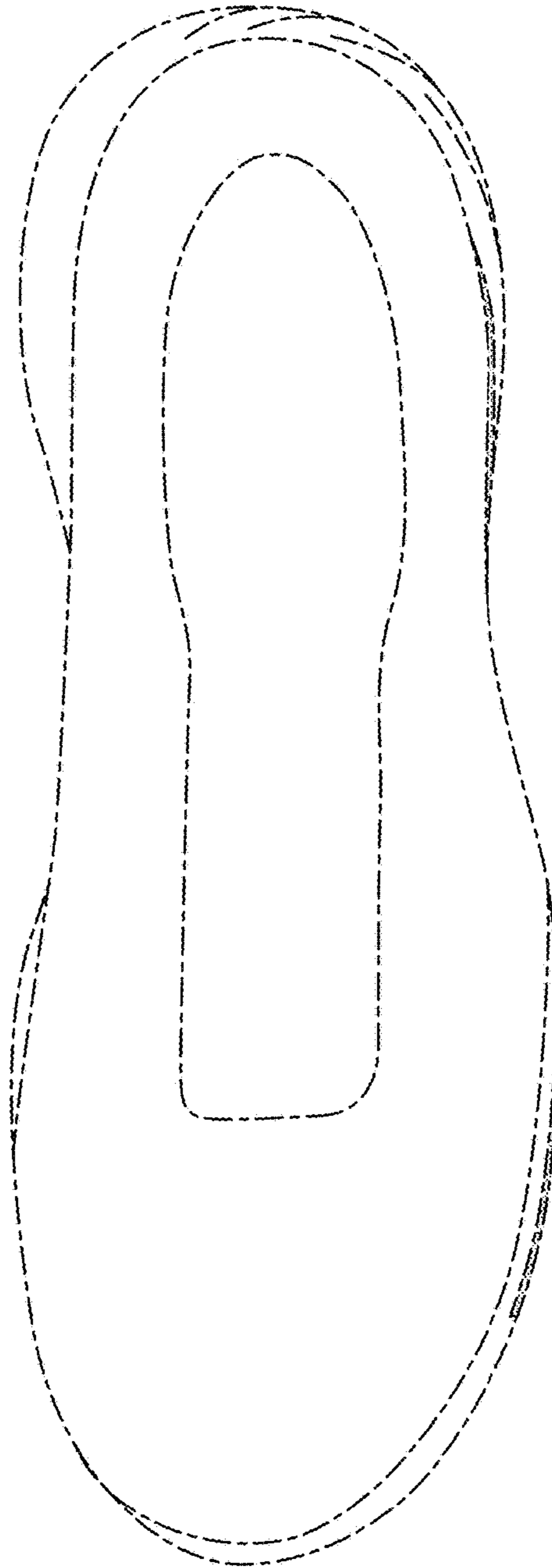


FIG. 6

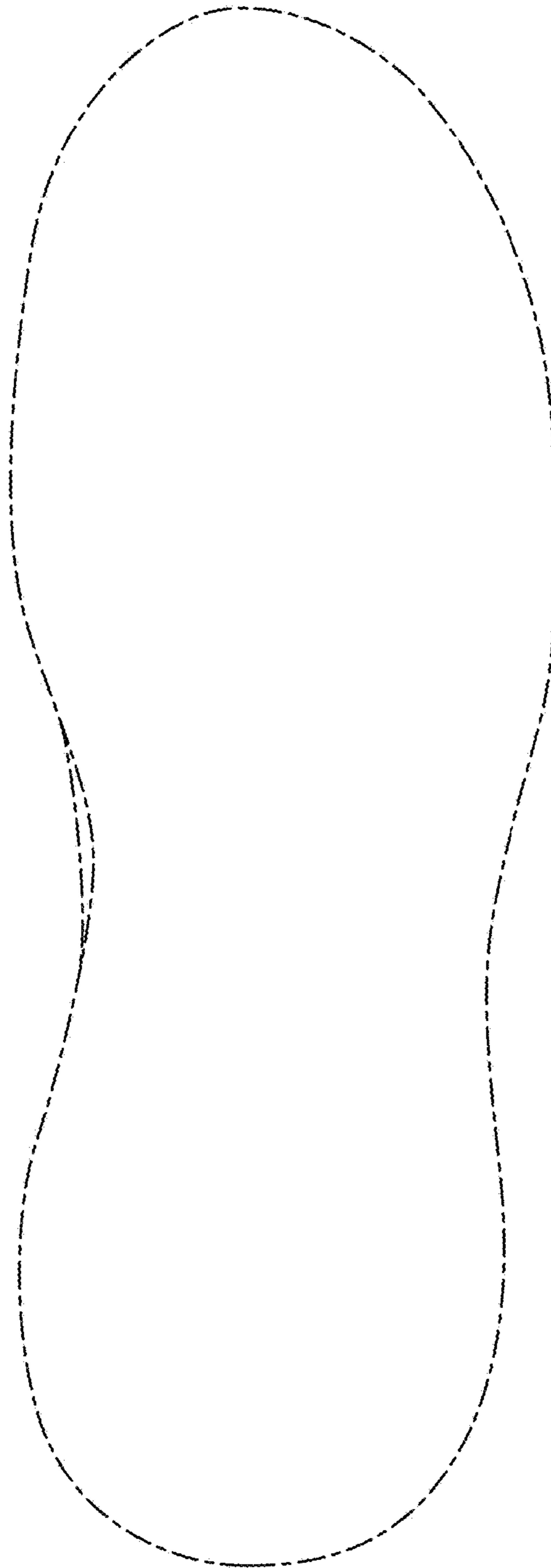


FIG. 7

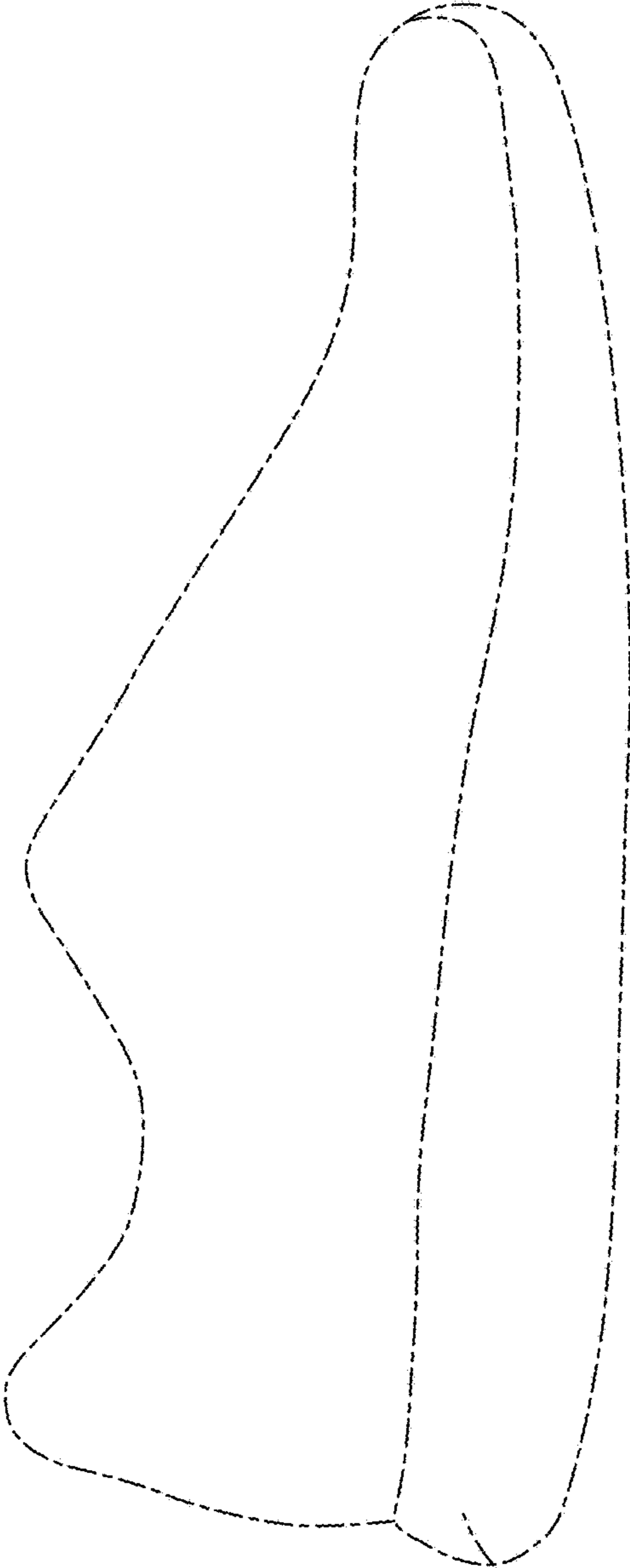


FIG. 8

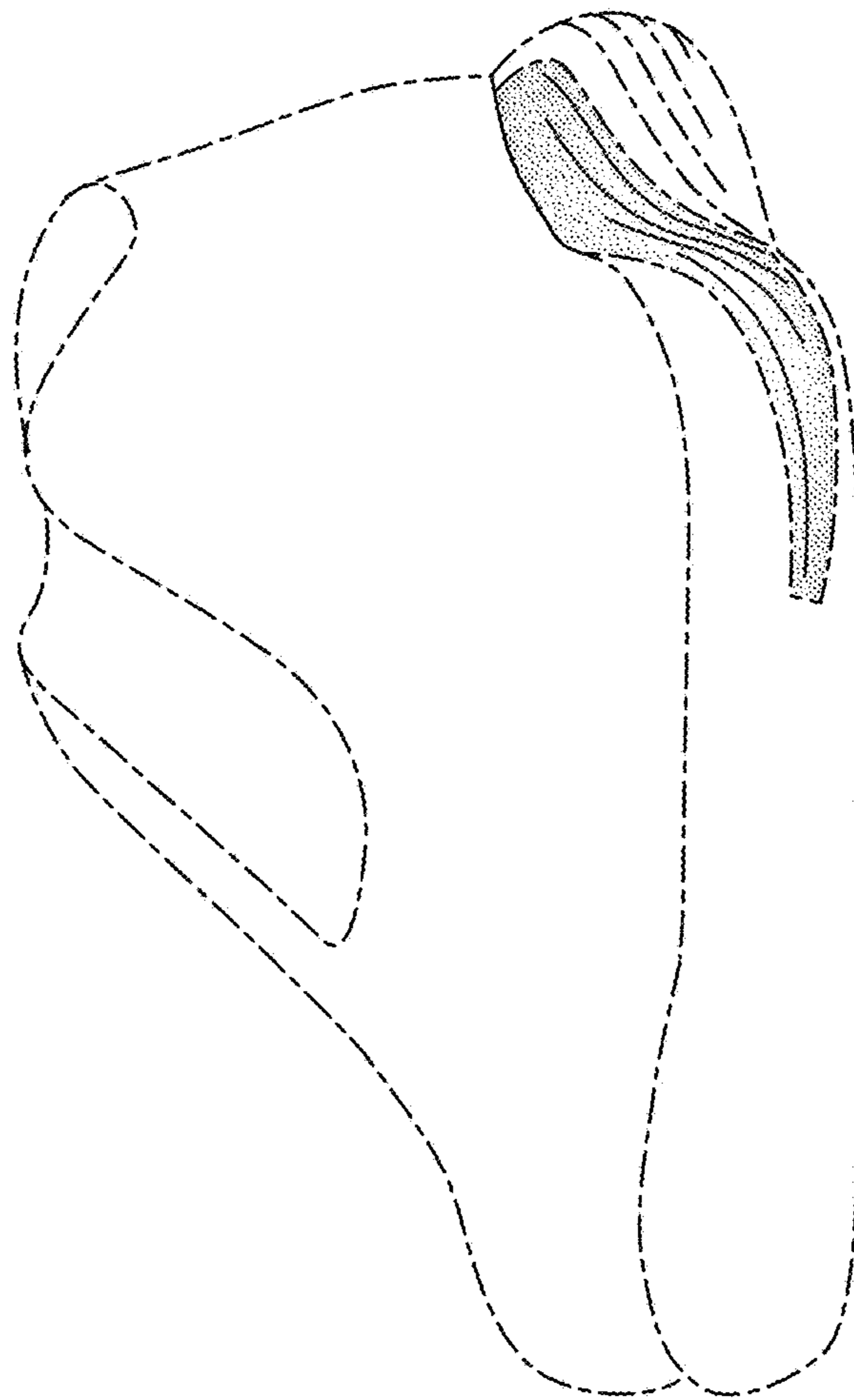


FIG. 9

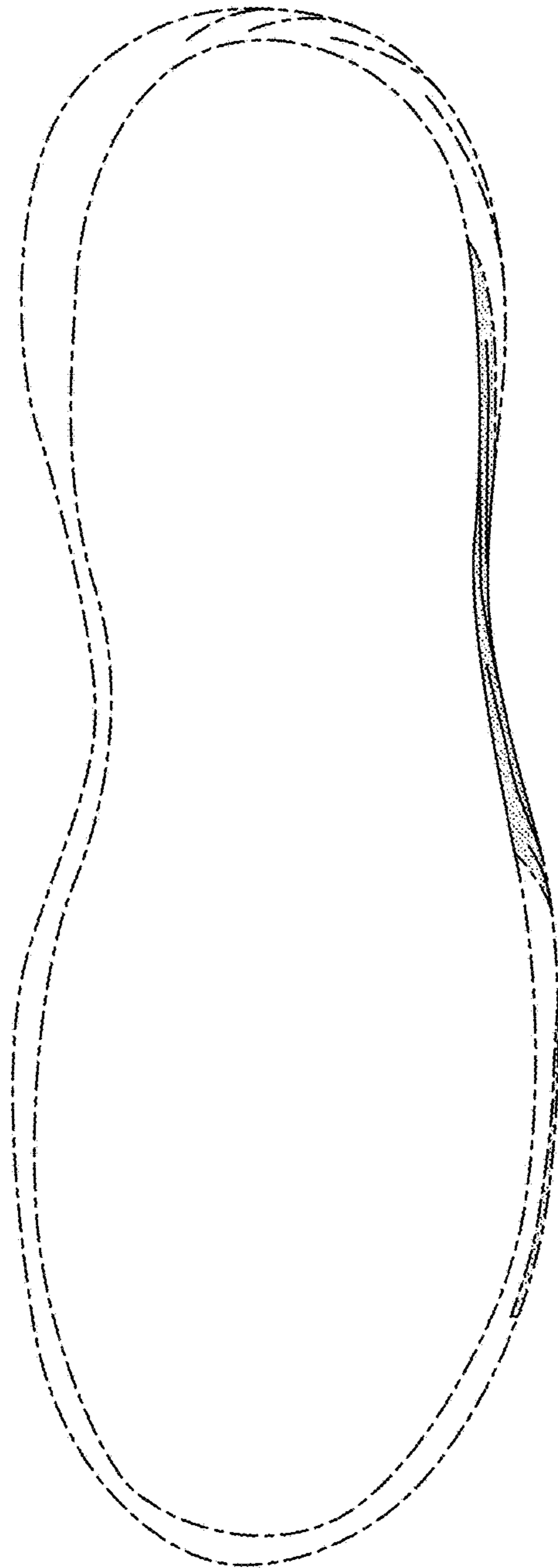


FIG. 10