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

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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**
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
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13/34; A43B 13/36

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,208,330 A * 7/1940 Oakley A43B 9/06
36/104
D255,957 S * 7/1980 Pasquier D2/953
D261,446 S * 10/1981 Schmohl D2/907
D262,159 S * 12/1981 Bartneck D2/951
D278,383 S * 4/1985 Michaeli D2/955

D279,044 S * 6/1985 Norton D2/953
D291,944 S * 9/1987 Tong D2/955
D309,669 S * 8/1990 Arai D2/955
5,060,401 A * 10/1991 Whatley A43B 13/18
36/114
D324,131 S * 2/1992 Lucas D2/977
D325,667 S * 4/1992 Smith, III D2/953
D326,952 S * 6/1992 Smith, III D2/977
D343,045 S * 1/1994 Bailey D2/977
D350,023 S * 8/1994 Hatfield D2/977
D404,896 S * 2/1999 Cooper D2/947
D418,282 S * 1/2000 von Conta D2/947
D437,675 S * 2/2001 Dahlsten D2/902
D511,617 S * 11/2005 Matis D2/947

(Continued)

OTHER PUBLICATIONS

Jordan Trainer 2 Flyknit, Nike.com, [online], [site visited Jul. 12, 2017]. <URL: https://store.nike.com/us/en_us/pd/jordan-trainer-2-flyknit-mens-training-shoe/pid-11644557/pgid-11832913>.*

(Continued)

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(57) **CLAIM**

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

DESCRIPTION

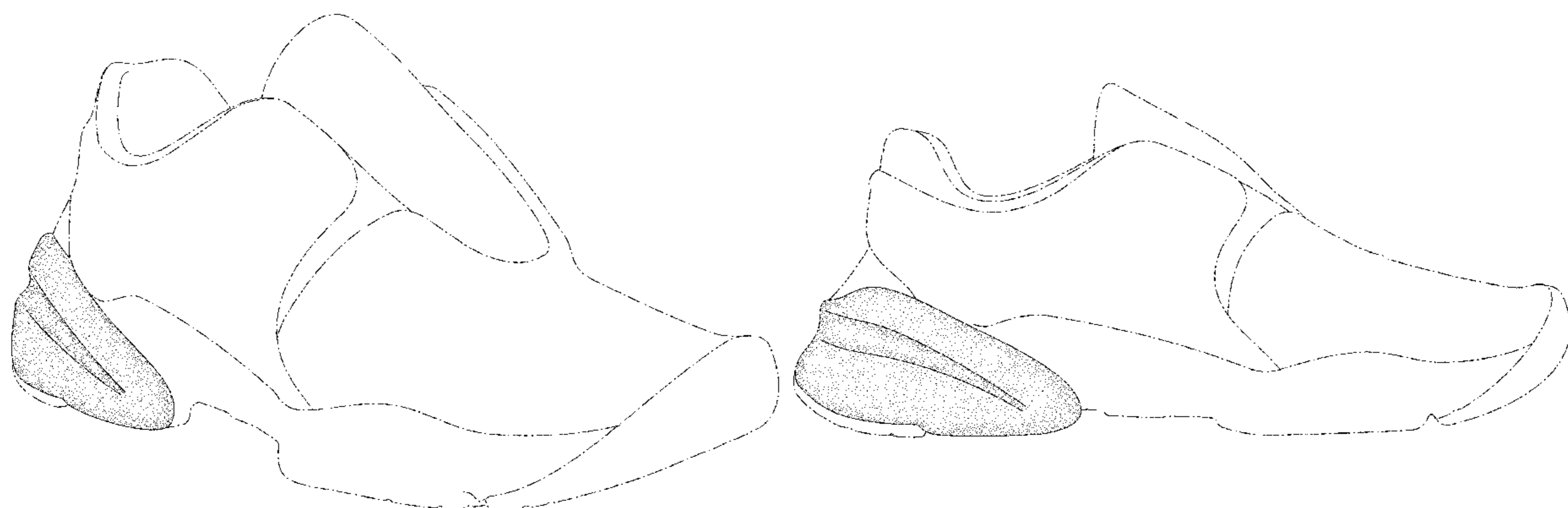
FIG. 1 is a front perspective view of a shoe midsole showing my new design;

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 lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D624,291	S	*	9/2010	Henderson	.....	D2/946
D644,418	S	*	9/2011	Yi	.....	D2/946
D682,516	S	*	5/2013	Avar	.....	D2/947
D689,675	S	*	9/2013	Hardman	.....	D2/947
D770,740	S	*	11/2016	Teteriatnikov	.....	D2/947
D776,420	S	*	1/2017	Petrie	.....	D2/977
D778,553	S	*	2/2017	DeAlmeida	.....	D2/947
D778,568	S	*	2/2017	Kinley	.....	D2/964
D783,246	S	*	4/2017	Chang	.....	D2/947
D783,958	S	*	4/2017	Petrenka	.....	D2/947
D783,960	S	*	4/2017	Hatfield	.....	D2/947
D786,545	S	*	5/2017	Link	.....	D2/947
D789,052	S	*	6/2017	Hardman	.....	D2/947

OTHER PUBLICATIONS

Nike Sock Dart Graphic N7, Nike.com, [online], [site visited Jul. 12, 2017]. <URL: https://store.nike.com/us/en_us/pd/sock-dart-graphic-n7-mens-shoe/pid-11468077/pgid-11616474>.*

Nike Hyperdunk Low Lux, Nike.com, [online], [site visited Jul. 12, 2017]. <URL: https://store.nike.com/us/en_us/pd/hyperdunk-low-lux-mens-shoe/pid-11255972/pgid-12134366>.*

Nike Arrowz, Nike.com, [online], [site visited Jul. 12, 2017]. <URL: https://store.nike.com/us/en_us/pd/arrowz-mens-shoe/pid-11390787/pgid-12084382>.*

Nike Hyperdunk Low CRFT, Nike.com, [online], [site visited Jul. 12, 2017]. <URL: https://store.nike.com/us/en_us/pd/hyperdunk-low-crft-mens-shoe/pid-11398647/pgid-12084387>.*

The Battle for the Best Slip-On Summer Sneaker Continues With the Nike Juvenate, [online], [retrieved Mar. 16, 2017], retrieved from Internet <URL: <http://sneakernews.com/2015/05/20/the-battle-for-the-best-slip-on-summer-sneaker-continues-with-the-nike-juvenate/>>; 7 color pages, Dated May 20, 2015.

King James Shoots For His Third NBA Championship With The Nike LeBron 13 Elite, [online], [retrieved Mar. 16, 2017], retrieved from Internet <URL: <http://sneakernews.com/2016/03/15/lebron-13-elite-release-details/>>; 13 color pages, Dated Mar. 15, 2016.

Nike Zoom Hyperrev, [online], [retrieved Mar. 17, 2017], publish date unknown but at least as early as Aug. 14, 2016.

* cited by examiner

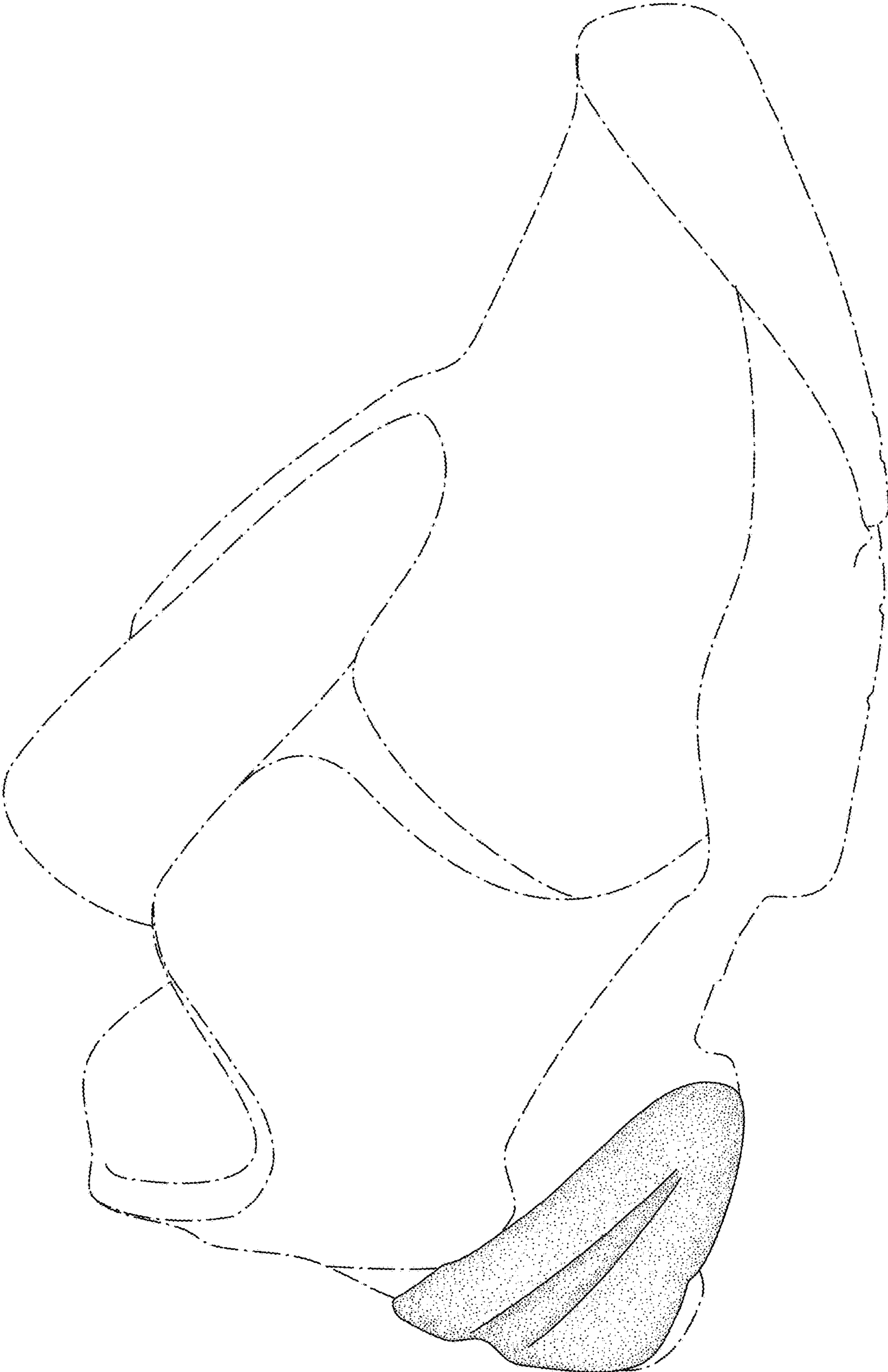


FIG. 1

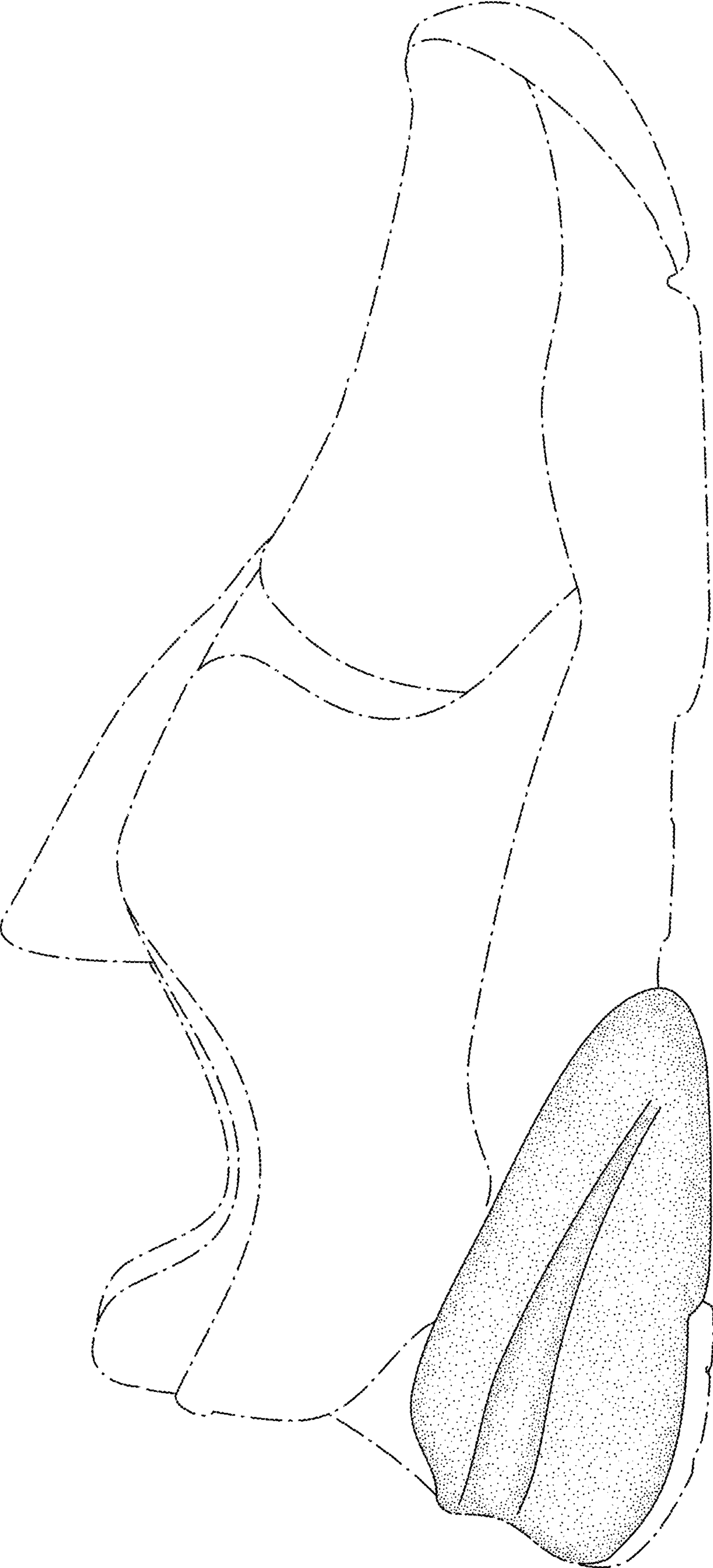


FIG. 2

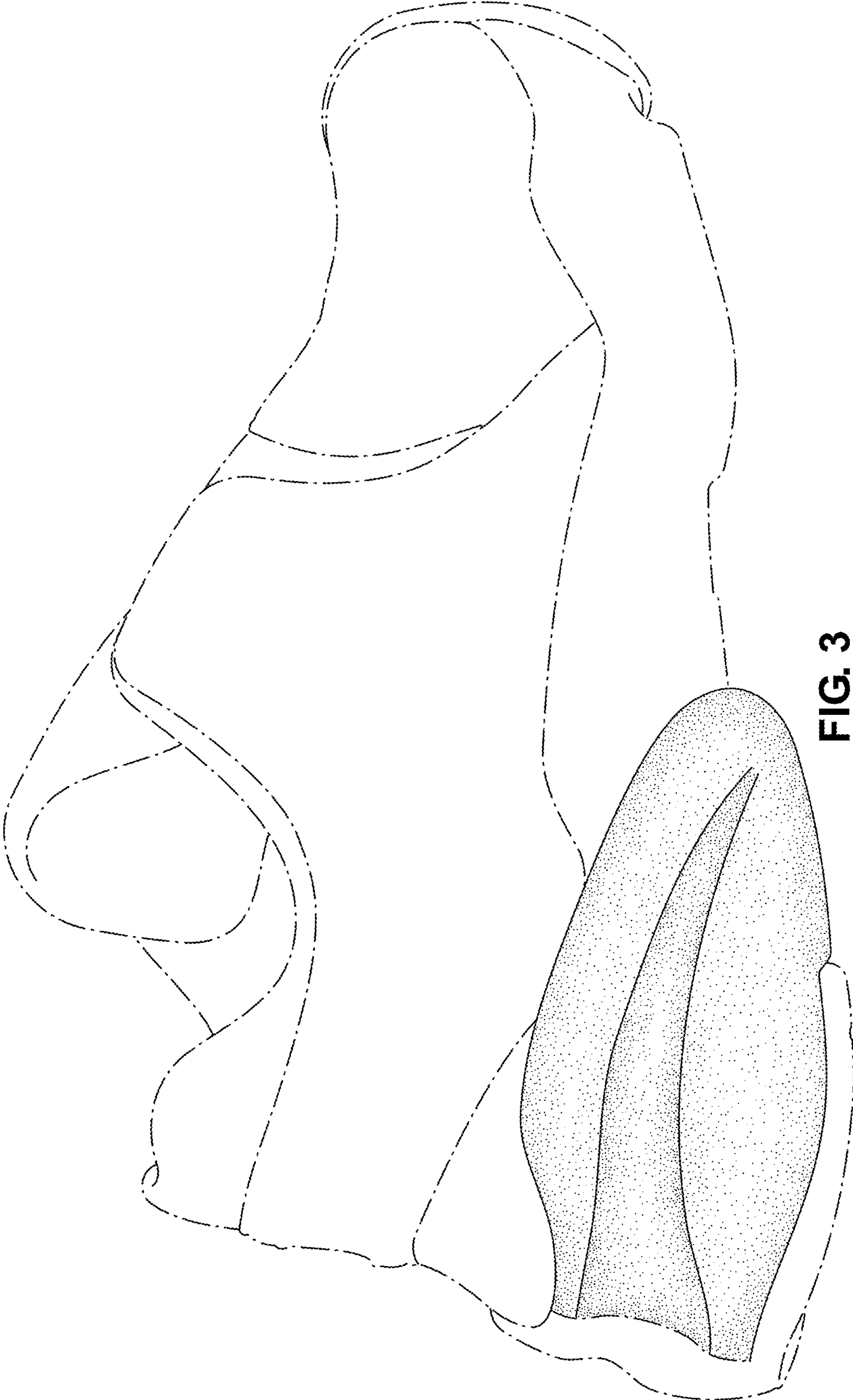


FIG. 3