



US00D809258S

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

(10) **Patent No.:** **US D809,258 S**

(45) **Date of Patent:** **** Feb. 6, 2018**

- (54) **FOOTWEAR SOLE**
- (71) Applicant: **AIRWAIR INTL. LTD.**, Wollaston,
Northamptonshire (GB)
- (72) Inventor: **Malcolm McGhee**, London (GB)
- (73) Assignee: **Airwair International Ltd.**,
Northamptonshire (GB)

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

(21) Appl. No.: **29/565,123**

(22) Filed: **May 18, 2016**

(51) **LOC (11) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/960; D2/951; D2/956**

(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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 2,198,338 A 4/1940 Greider
- 2,563,751 A 8/1951 Rossi
- D164,457 S * 9/1951 Sprigg D2/954
- 3,595,244 A * 7/1971 Kugler A43B 7/146
36/11.5
- D258,546 S 3/1981 Famolare, Jr.

- D263,643 S 4/1982 Vermonet
- D265,144 S 6/1982 Vermonet
- D265,435 S 7/1982 Vermonet
- D273,246 S * 4/1984 Tonkel D2/956
- 4,538,366 A 9/1985 Norton
- D321,975 S 12/1991 Arnulf et al.
- D325,805 S 5/1992 Herber
- 5,197,206 A * 3/1993 Shorten A43B 1/0009
36/28
- D353,480 S * 12/1994 Merceron D2/956
- D358,929 S 6/1995 Peterson
- D360,064 S 7/1995 Verin
- D385,103 S 10/1997 Teague
- D398,743 S 9/1998 Rask

(Continued)

OTHER PUBLICATIONS

Trademark Registration No. 2,102,468 for Footwear, registered Oct. 7, 1997.

(Continued)

Primary Examiner — T. Chase Nelson
(74) *Attorney, Agent, or Firm* — Bryan Cave LLP

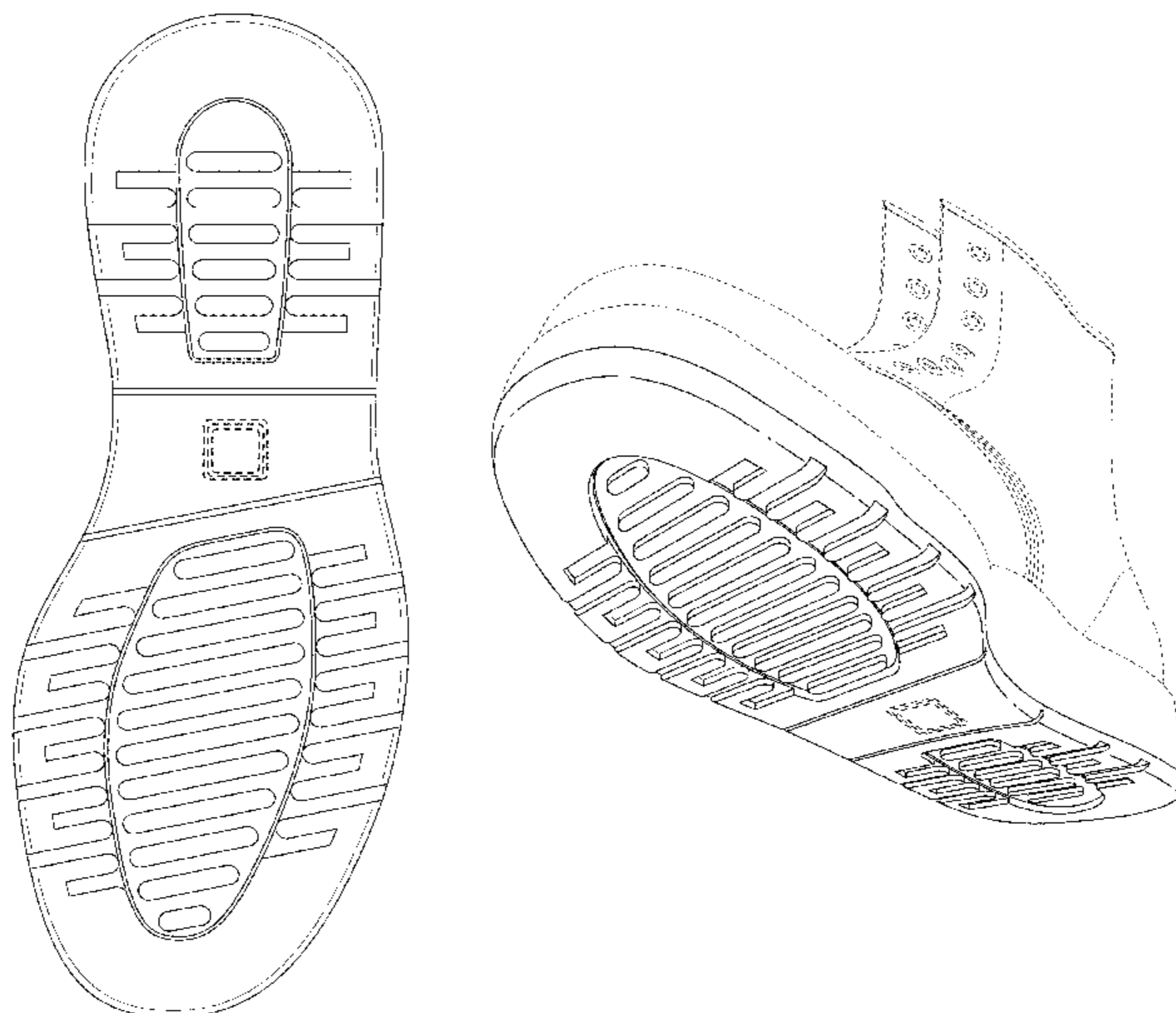
(57) **CLAIM**

The ornamental design for a footwear sole, as shown and described.

DESCRIPTION

FIG. 1 is a bottom view of an a footwear sole;
 FIG. 2 is a bottom perspective view thereof;
 FIG. 3 is another bottom 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 right side view thereof; and,
 FIG. 8 is a left side view thereof.
 The broken line showings in the figures are for the purpose of illustrating an environment only and form no part of the claimed design.

1 Claim, 8 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D401,741 S 12/1998 Clarke
 5,867,923 A 2/1999 Lehneis
 D407,891 S 4/1999 Edwards
 D415,610 S 10/1999 Cahill
 D425,689 S * 5/2000 Jannard D2/953
 D429,411 S * 8/2000 Gillespie D2/947
 D437,675 S 2/2001 Dahlsten
 D449,156 S * 10/2001 McClaskie D2/951
 D449,426 S 10/2001 Pollastrelli
 D461,294 S 8/2002 Cook
 D461,948 S * 8/2002 Merceron D2/960
 D469,598 S 2/2003 Wilson
 D475,843 S 6/2003 Miller
 6,578,290 B1 6/2003 Meynard
 D483,554 S 12/2003 Burg et al.
 D485,422 S 1/2004 Levine
 D492,095 S 6/2004 Sanchez et al.
 D498,901 S 11/2004 Hawker et al.
 D508,307 S 8/2005 Burg et al.
 D523,614 S 6/2006 Mitchell
 D590,139 S 4/2009 Carlucci
 D592,837 S 5/2009 Vico et al.
 D611,232 S 3/2010 Della Valle et al.
 D612,136 S 3/2010 Hubner
 D613,480 S 4/2010 Lamont
 D636,155 S 4/2011 Della Valle et al.
 D636,156 S 4/2011 Della Valle et al.
 D643,197 S 8/2011 Teteriatnikov
 D669,255 S * 10/2012 Birkinhead D2/947
 D672,543 S * 12/2012 Williams, Jr. D2/951
 D680,309 S 4/2013 Raysse
 D683,937 S 6/2013 Raysse
 D696,506 S * 12/2013 Feldman D2/961
 D702,023 S * 4/2014 Jacobs D2/902
 D710,579 S 8/2014 Williams, Jr.
 D713,625 S 9/2014 Raasch
 D713,626 S 9/2014 Raasch
 D714,035 S 9/2014 O'Connor
 D714,038 S * 9/2014 Portzline D2/951
 D724,830 S * 3/2015 Joseph D2/951
 D735,454 S * 8/2015 Yun D2/951
 D759,953 S * 6/2016 Cohn D2/951
 D778,565 S * 2/2017 Sars D2/960
 D781,542 S * 3/2017 McGhee D2/947
 2005/0081406 A1 * 4/2005 Hoffer A43B 3/0026
 36/59 R
 2006/0123665 A1 * 6/2006 Covatch A43B 17/02
 36/102

2008/0250671 A1 10/2008 Walsh
 2013/0167406 A1 7/2013 Wu
 2017/0202305 A1 * 7/2017 Huard A43B 13/186

OTHER PUBLICATIONS

Trademark Registration No. 2,104,349 for Footwear, registered Oct. 7, 1997.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-shoes-dirty-dog-john>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-shoes-grizzly-boyle>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-boots-kaya-baynes>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/originals-shoes-smooth-3989-brogue-shoe-bex-34-f-wt>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-boots-wyoming-hi-suede-pier>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-boots-grizzly-conrad>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/originals-sandals-grizzly-8092>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-shoes-brando-torriano>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-boots-wildhorse-lamper-maleke>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-boots-extra-tough-nylon-rubbery-bonny>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/originals-shoes-polished-smooth-leigh>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/originals-shoes-inuck-louis>>.
 Dr. Martens [online], [retrieved on Jun. 2, 2016]. Retrieved from the Internet: <URL: <http://www.drmartens.com/us/p/mens-shoes-wyoming-coronado>>.

* cited by examiner

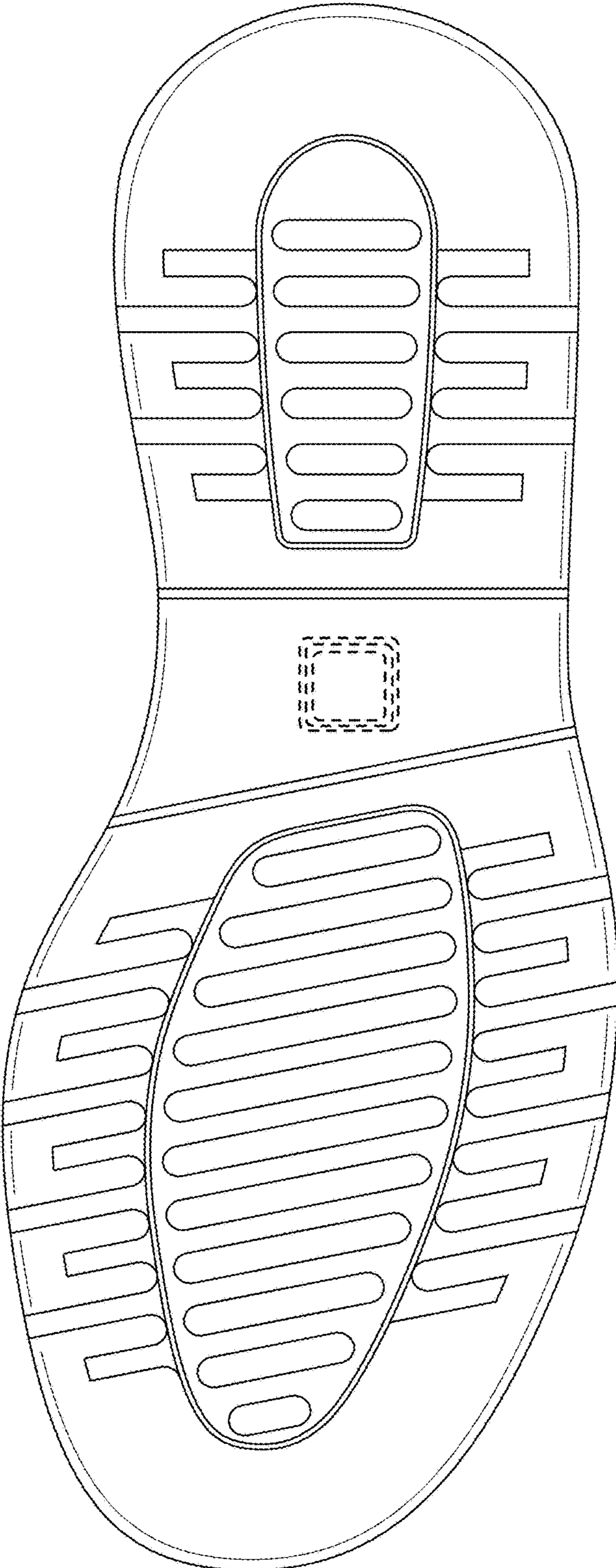


FIG. 1

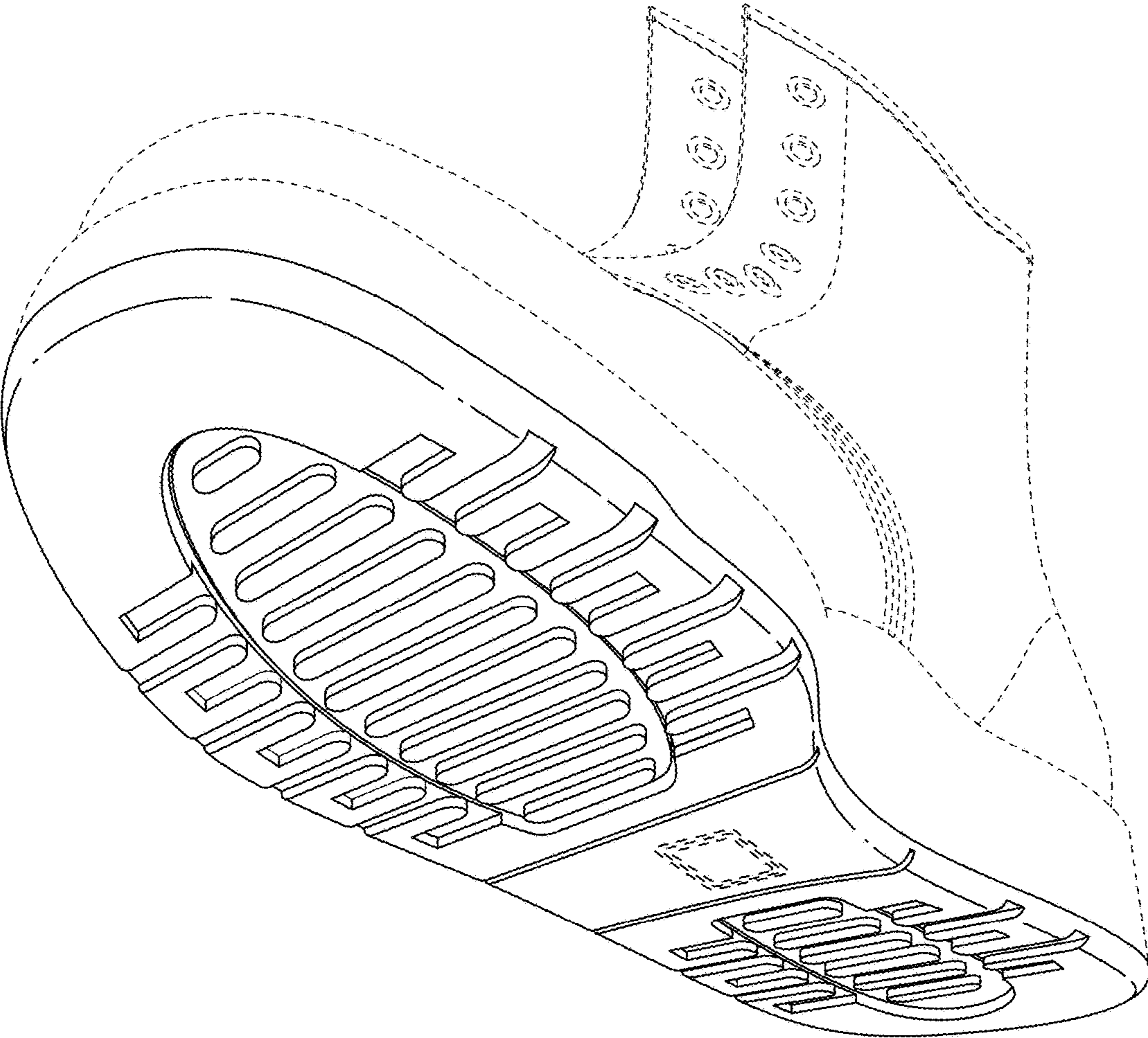


FIG. 2

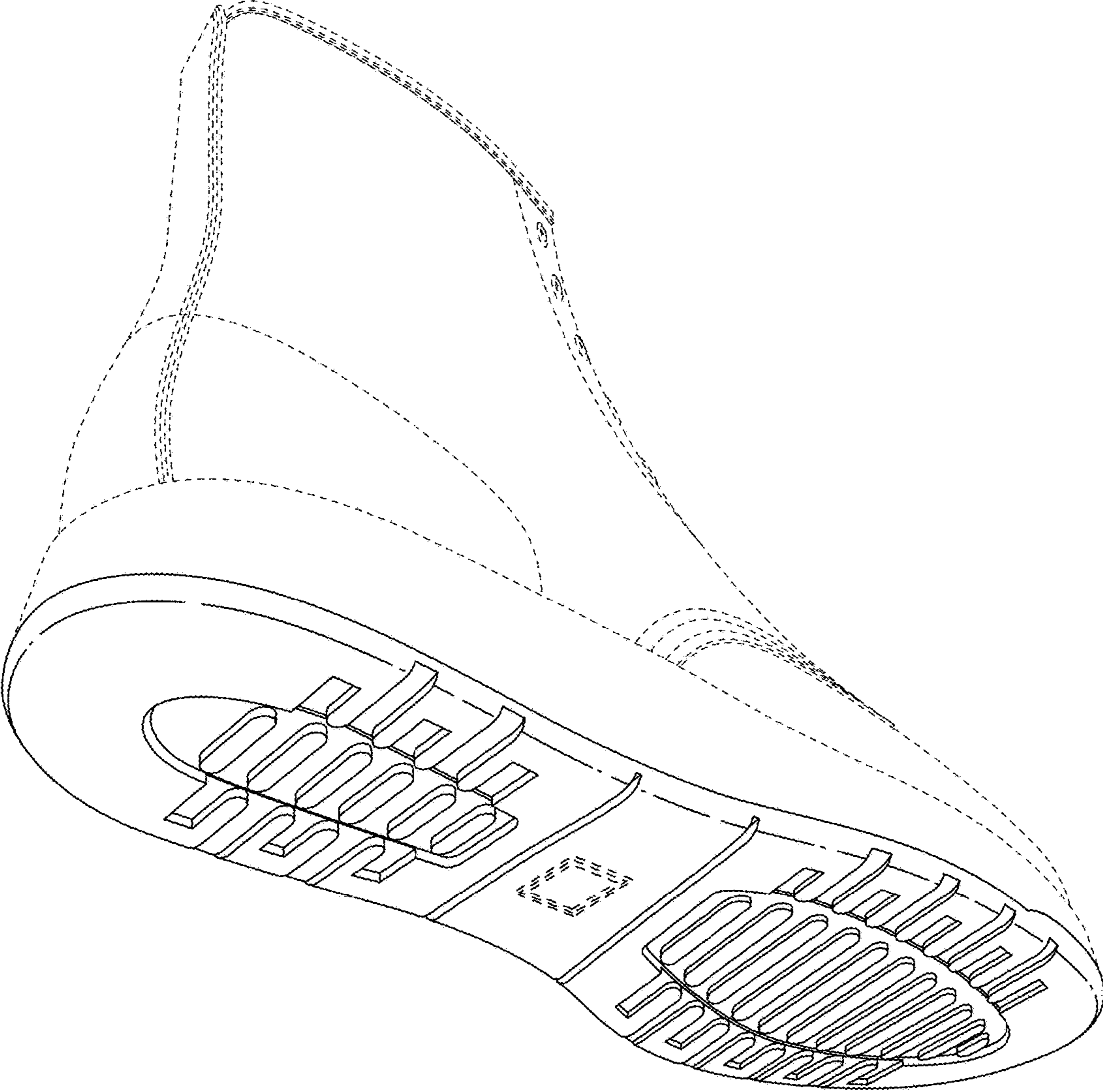


FIG. 3

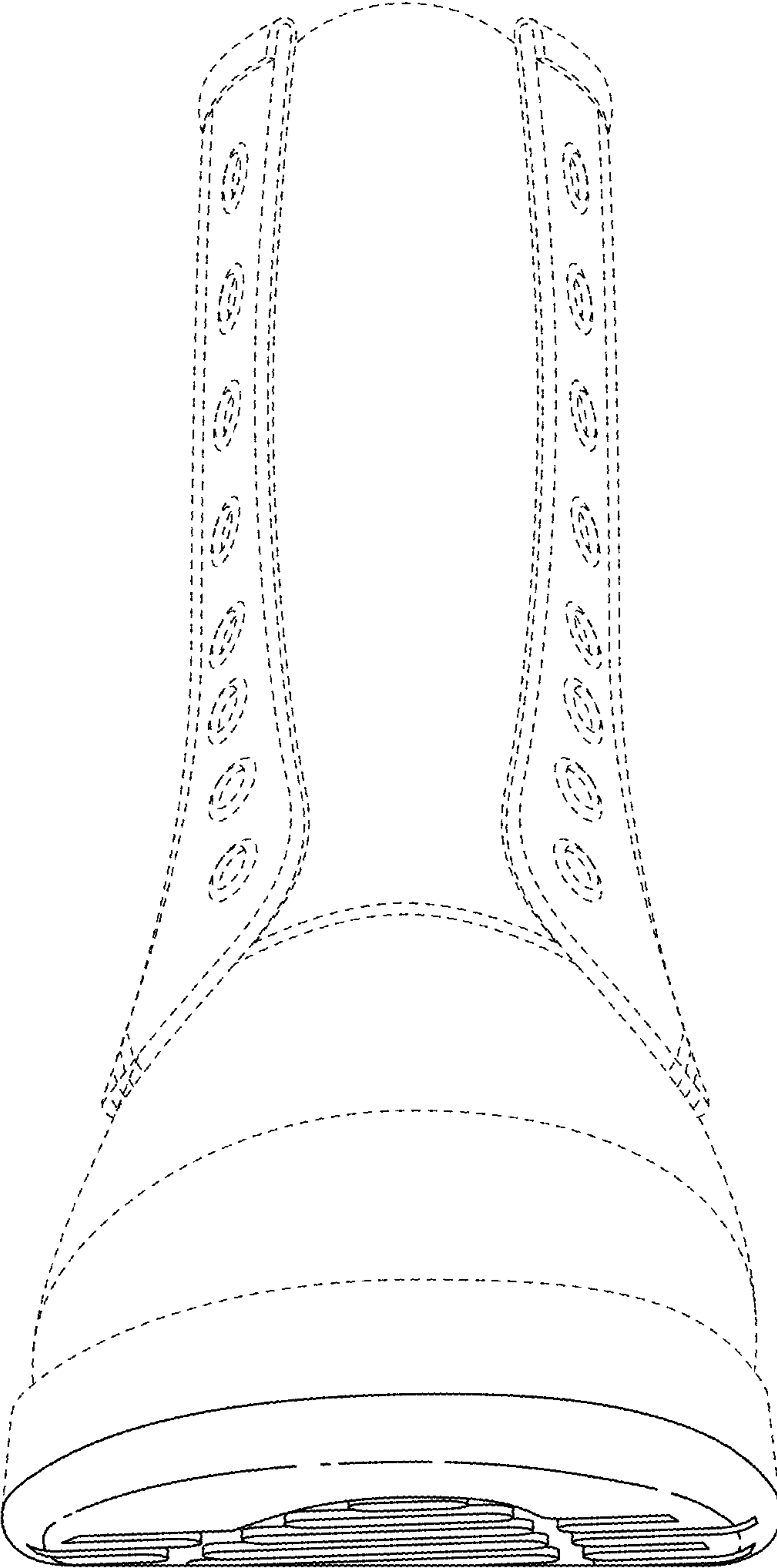


FIG. 4

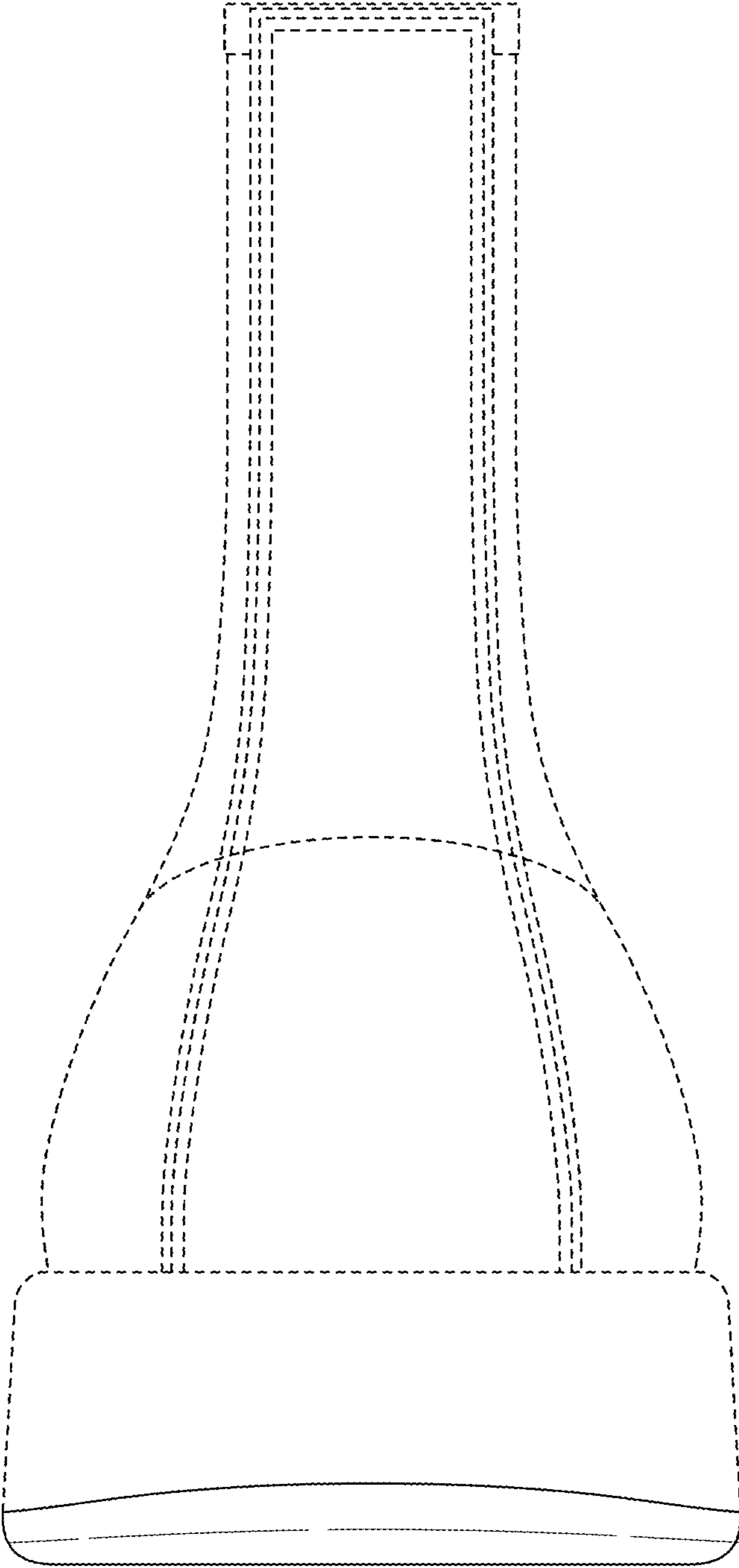


FIG. 5

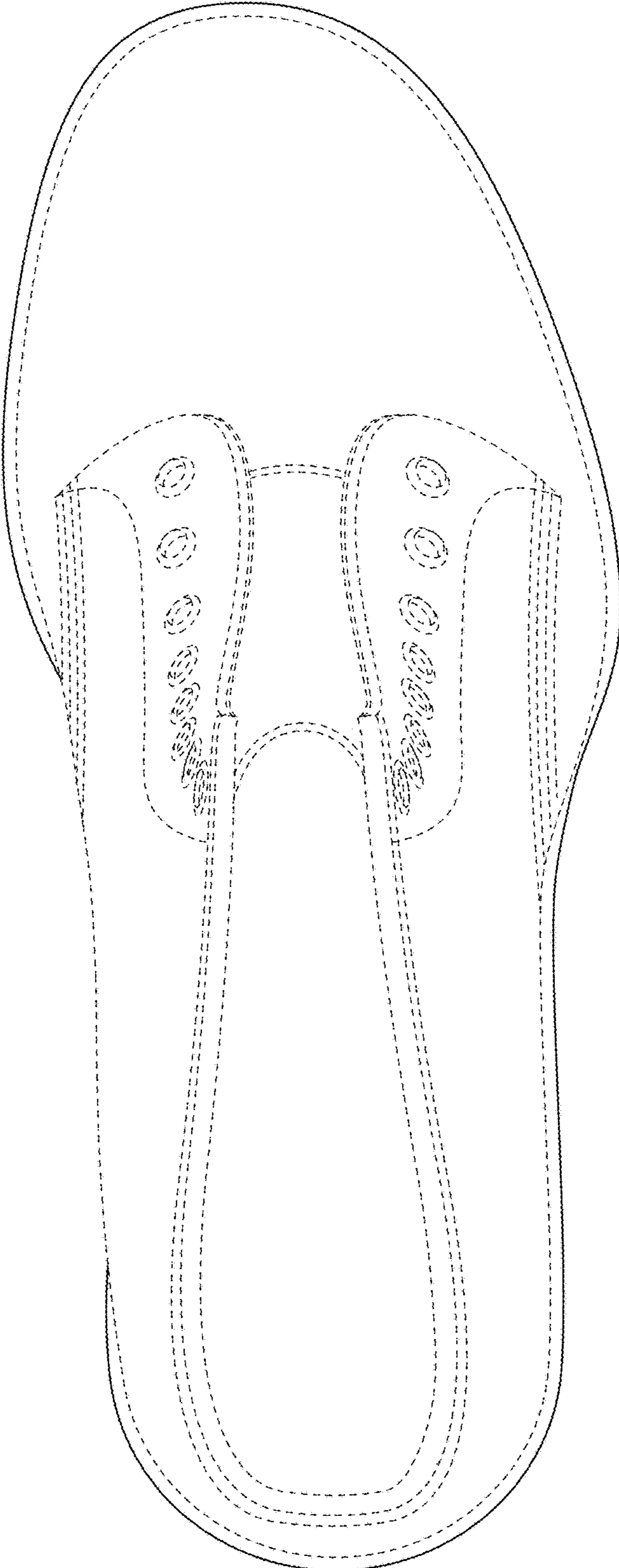


FIG. 6

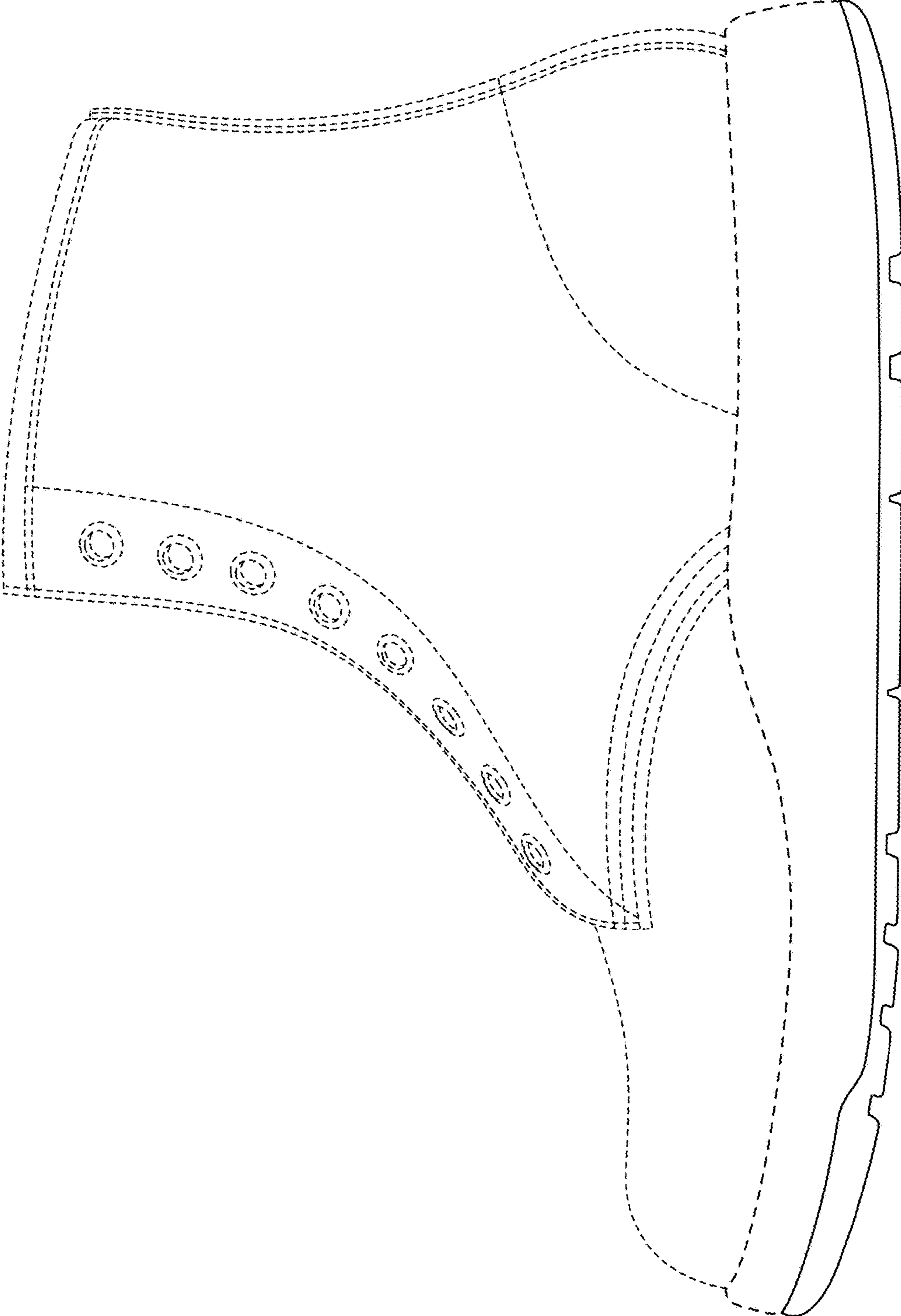


FIG. 7

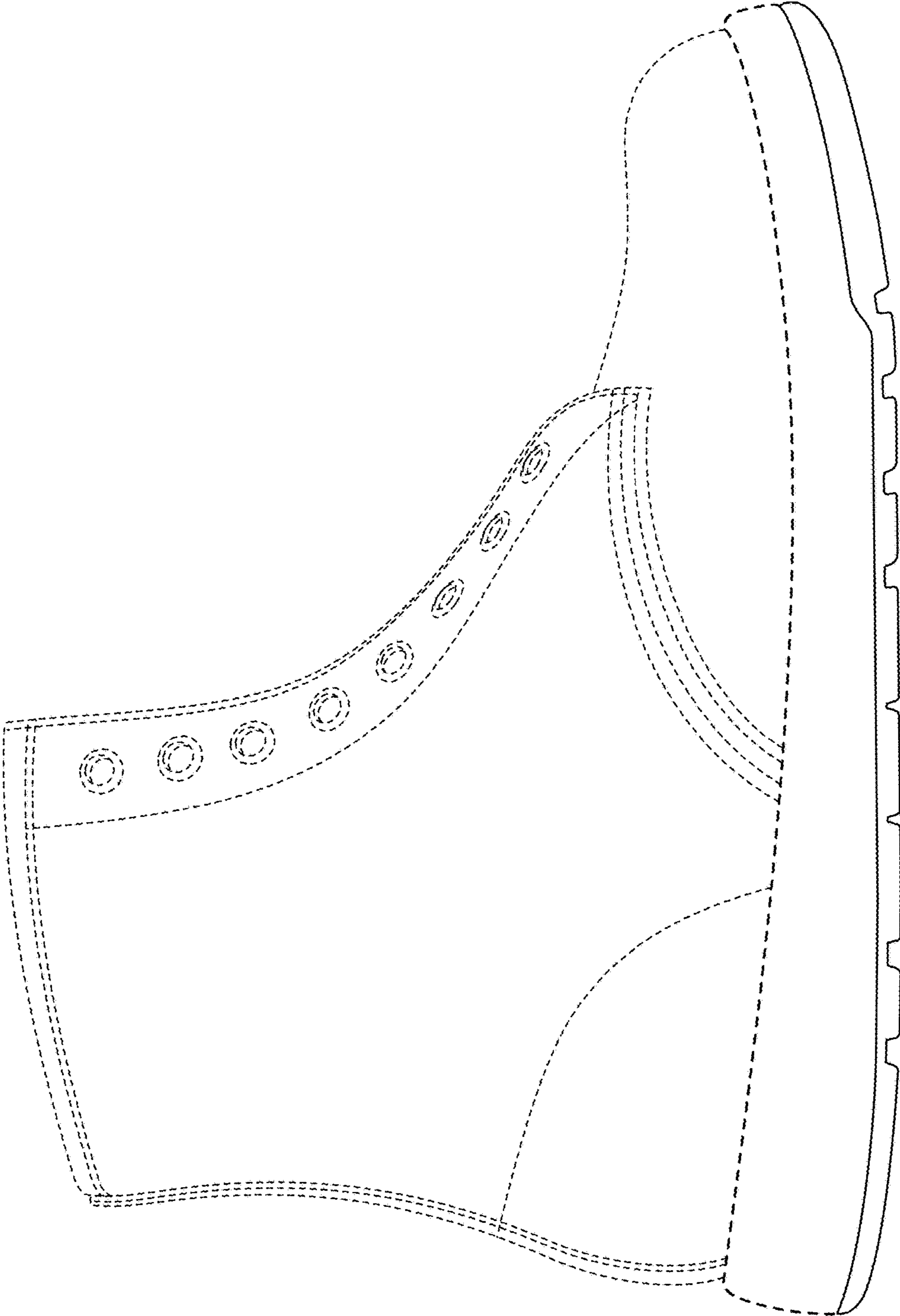


FIG. 8