



US00D822349S

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

(10) **Patent No.:** **US D822,349 S**

(45) **Date of Patent:** **\*\* Jul. 10, 2018**

(54) **SHOE MIDSOLE**

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

(72) Inventor: **Dylan Petrenka**, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/608,756**

(22) Filed: **Jun. 26, 2017**

(51) **LOC (11) 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**

- 2,208,330 A \* 7/1940 Oakley ..... A43B 9/06  
36/104
- D262,159 S \* 12/1981 Bartneck ..... D2/951
- D310,442 S \* 9/1990 Hatfield ..... D2/969
- 5,060,401 A \* 10/1991 Whatley ..... A43B 13/18  
36/114
- D325,464 S \* 4/1992 Smith ..... D2/977

- D325,667 S \* 4/1992 Smith, III ..... D2/953
- D326,952 S \* 6/1992 Smith, III ..... D2/977
- D329,938 S \* 10/1992 Lucas ..... D2/977
- D333,551 S \* 3/1993 Bailey ..... D2/977
- D333,720 S \* 3/1993 Hatfield ..... D2/977

(Continued)

**OTHER PUBLICATIONS**

Nike Free Hypervenom Mid with Speckled Midsole, SneakerFiles.com, by Brian Betschart—Jan. 13, 2015, [online], [site visited Feb. 27, 2018]. <URL: <https://www.sneakerfiles.com/nike-free-hypervenom-mid-speckled-midsole/>> (Year: 2015).\*

(Continued)

*Primary Examiner* — T. Chase Nelson

*Assistant Examiner* — Jonathan J. Han

(74) *Attorney, Agent, or Firm* — Shook, Hardy and Bacon L.L.P.

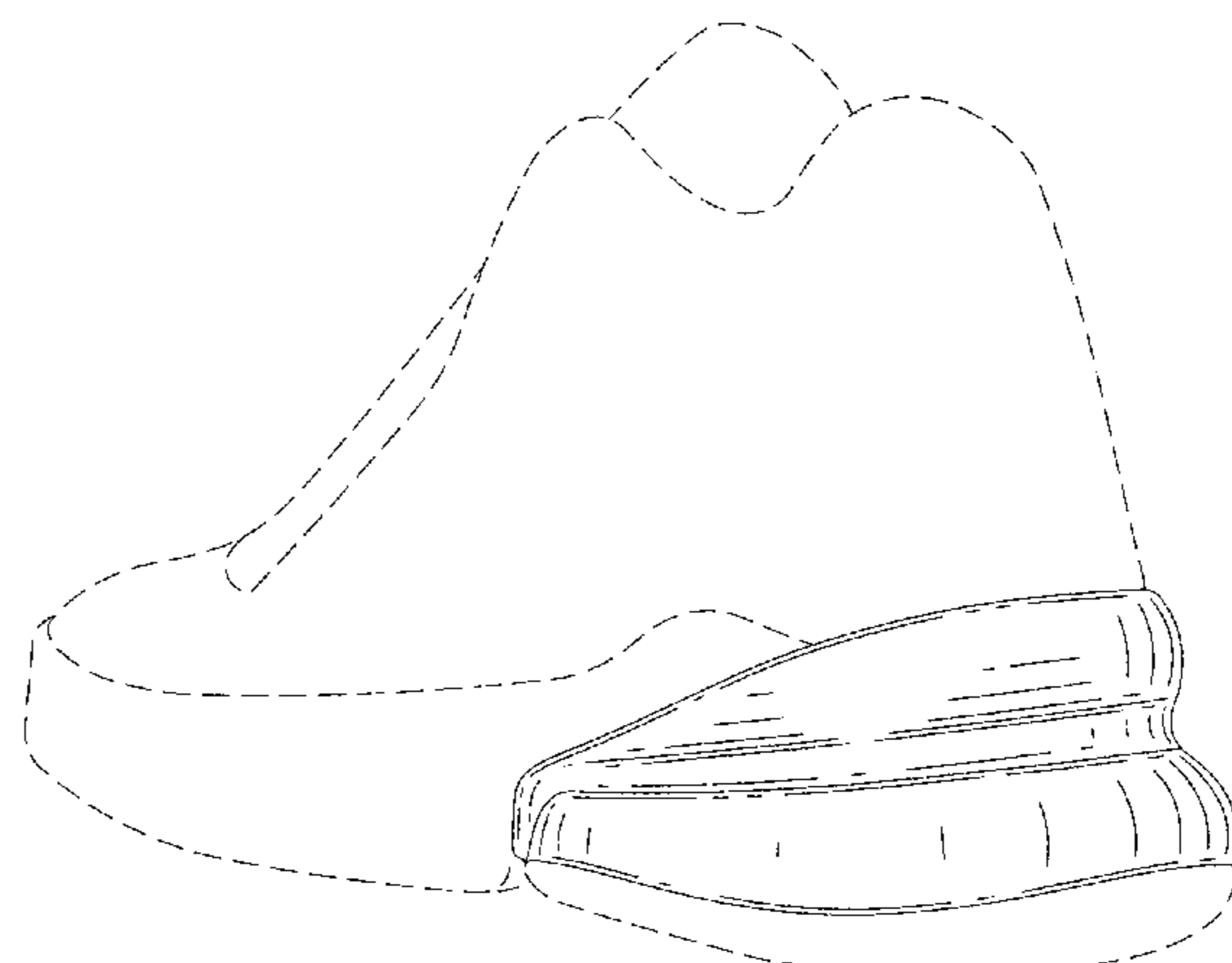
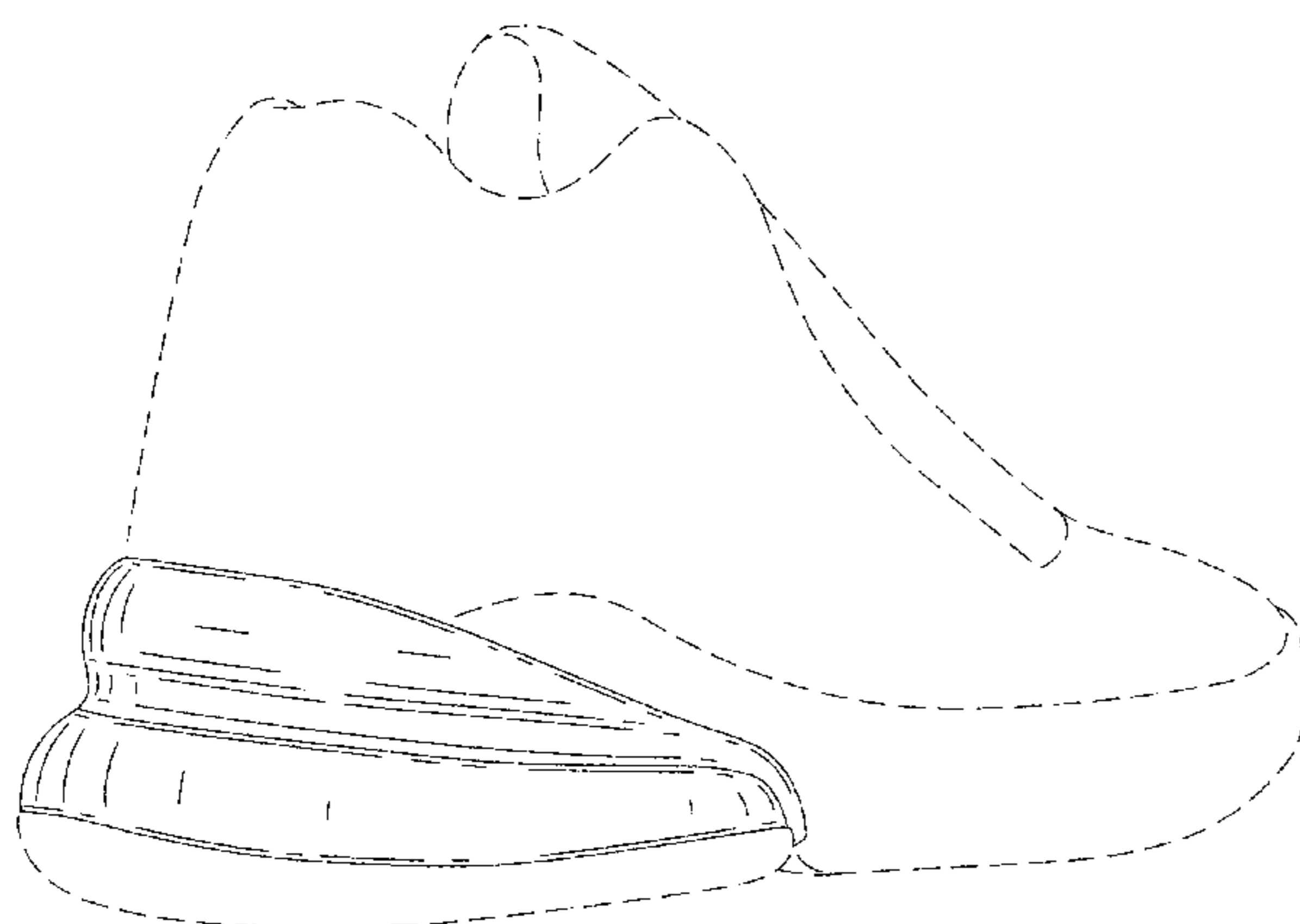
(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a first side rear perspective view of a shoe midsole showing my design according to a first embodiment; FIG. 2 is a side view thereof; FIG. 3 is a second side rear perspective view thereof; FIG. 4 is a first side rear perspective view of a shoe midsole showing my new design according to a second embodiment in which the claimed design is shown as having a transparent or translucent surface; FIG. 5 is a side view thereof; and, FIG. 6 is a second side rear perspective view thereof. The even-length broken lines show the remainder of the article, are directed to environment, represent unclaimed subject matter, and form no part of the claimed design.

**1 Claim, 6 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D343,044 S \* 1/1994 Kilgore ..... D2/977  
 D343,045 S \* 1/1994 Bailey ..... D2/977  
 D344,848 S \* 3/1994 Smith ..... D2/977  
 D404,896 S \* 2/1999 Cooper ..... D2/947  
 D418,282 S \* 1/2000 von Conta ..... D2/947  
 D511,617 S \* 11/2005 Matis ..... D2/947  
 D559,509 S \* 1/2008 Hayes ..... D2/954  
 D566,942 S \* 4/2008 Juan ..... D2/964  
 D576,394 S \* 9/2008 Heller ..... D2/951  
 D577,478 S \* 9/2008 Peveto ..... D2/896  
 7,549,236 B2 \* 6/2009 Dillon ..... A43B 13/184  
 36/25 R  
 D599,102 S \* 9/2009 Purdom ..... D2/977  
 7,797,856 B2 \* 9/2010 Andrews ..... A43B 13/12  
 36/25 R  
 D636,567 S \* 4/2011 Raysse ..... D2/946  
 D661,878 S \* 6/2012 Grenet ..... D2/946  
 8,241,450 B2 \* 8/2012 Hensley ..... A43B 13/20  
 156/145  
 D680,713 S \* 4/2013 Della Valle ..... D2/908  
 8,584,377 B2 \* 11/2013 Blevens ..... A43B 1/0072  
 36/114  
 D778,553 S \* 2/2017 DeAlmeida ..... D2/947

D789,047 S \* 6/2017 Bruder ..... D2/902  
 D789,052 S \* 6/2017 Hardman ..... D2/947  
 D799,179 S \* 10/2017 Comeaux ..... D2/947  
 2002/0129516 A1 \* 9/2002 Lucas ..... A43B 3/0063  
 36/35 R

OTHER PUBLICATIONS

Nike Air Zoom Pegasus 33 Review, SoleReview.com, Oct. 10, 2016, [online], [site visited Feb. 27, 2018]. <URL: <https://www.solereview.com/nike-air-zoom-pegasus-33-review/>> (Year: 2016).\*

Introducing the Nike Zoom Vaporfly Elite Featuring Nike ZoomX Midsole, News.Nike.com, Mar. 7, 2017, [online], [site visited Feb. 27, 2018]. <URL: <https://news.nike.com/news/nike-zoom-vaporfly-elite>> (Year: 2017).\*

Sneaker Talk: Let's Talk—Air Jordan 5 Retro “Sport Royal”, SneakerBarDetroit.com, Sep. 29, 2013, [online], [site visited Feb. 27, 2018]. <URL: <https://sneakerbardetroit.com/air-jordan-5-retro-sport-royal/>> (Year: 2013).\*

Design U.S. Appl. No. 29/604,152, filed May 15, 2017, first inventor Marie Odinet, titled “Shoe Midsole”.

Design U.S. Appl. No. 29/604,154, filed May 15, 2017, first inventor Marie Odinet, titled “Shoe Midsole”.

\* cited by examiner

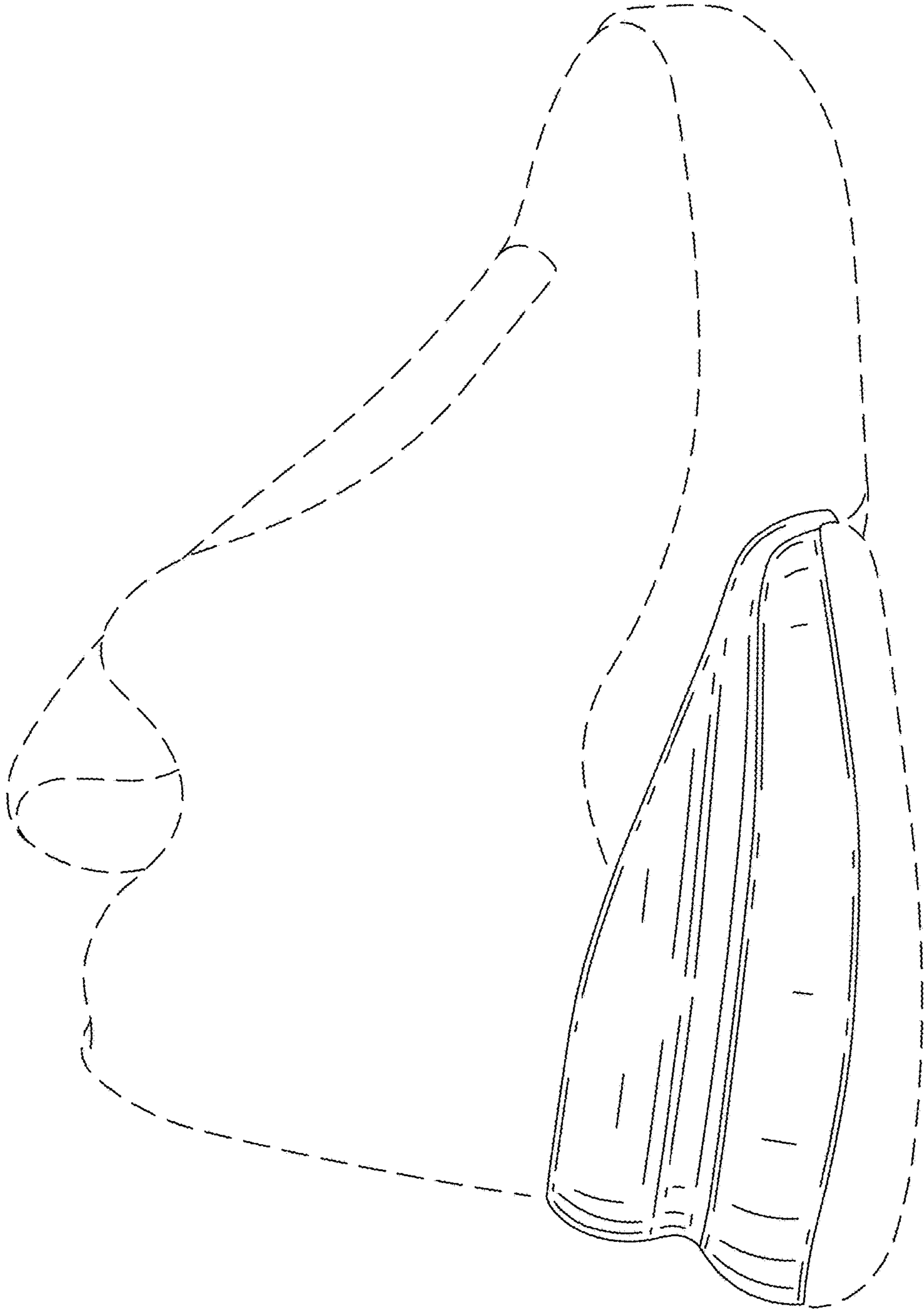


FIG. 1.

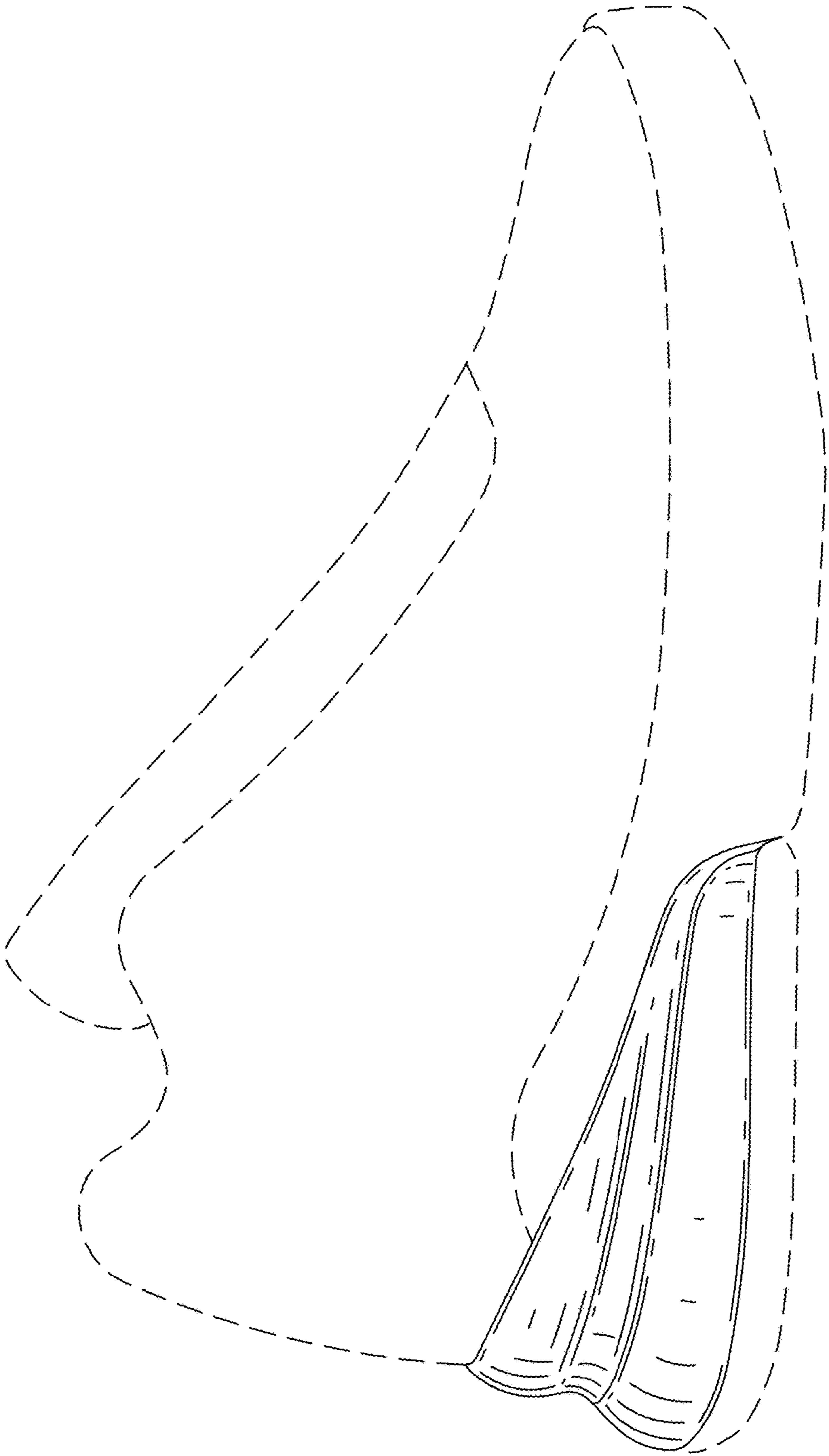


FIG. 2.

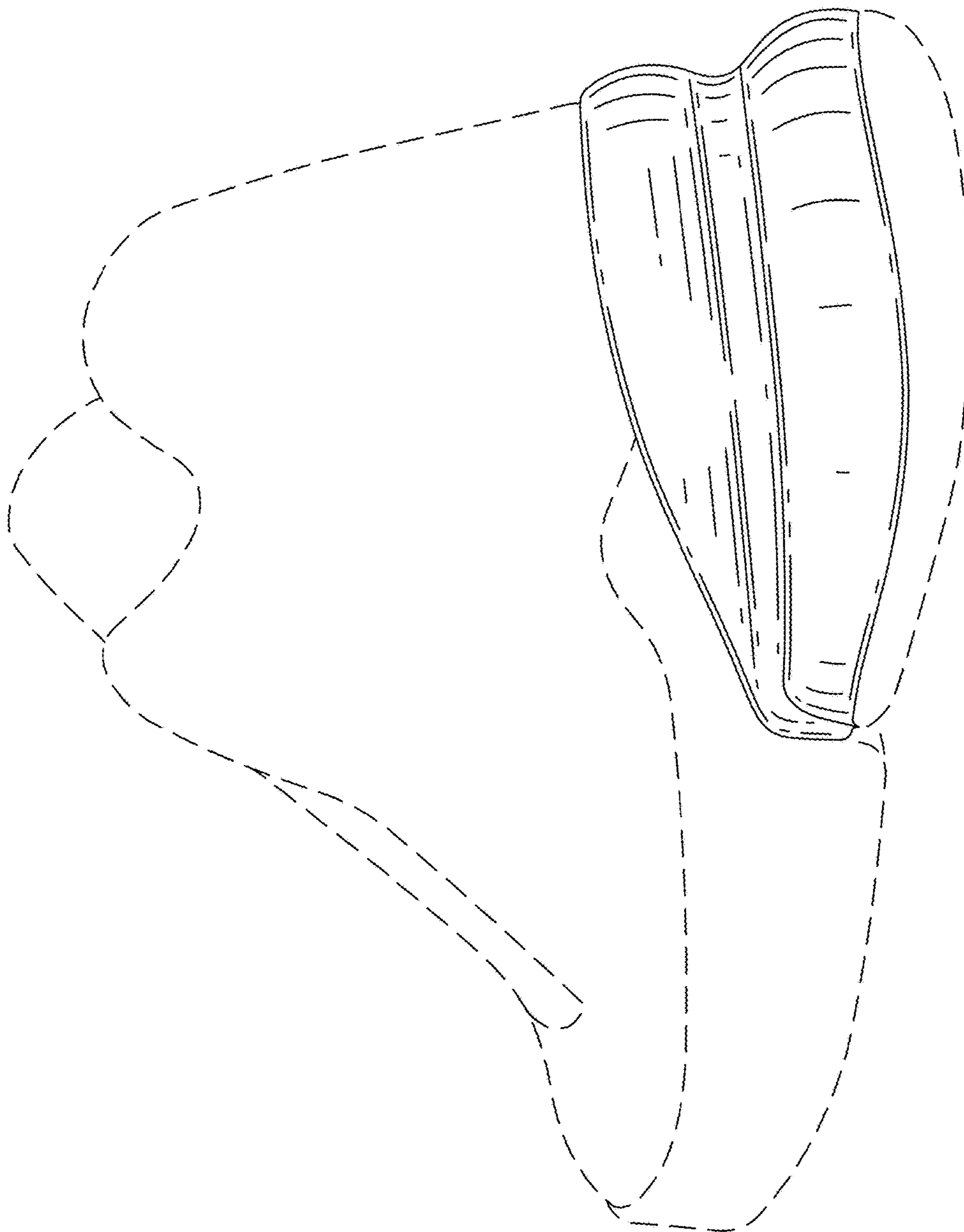


FIG. 3.



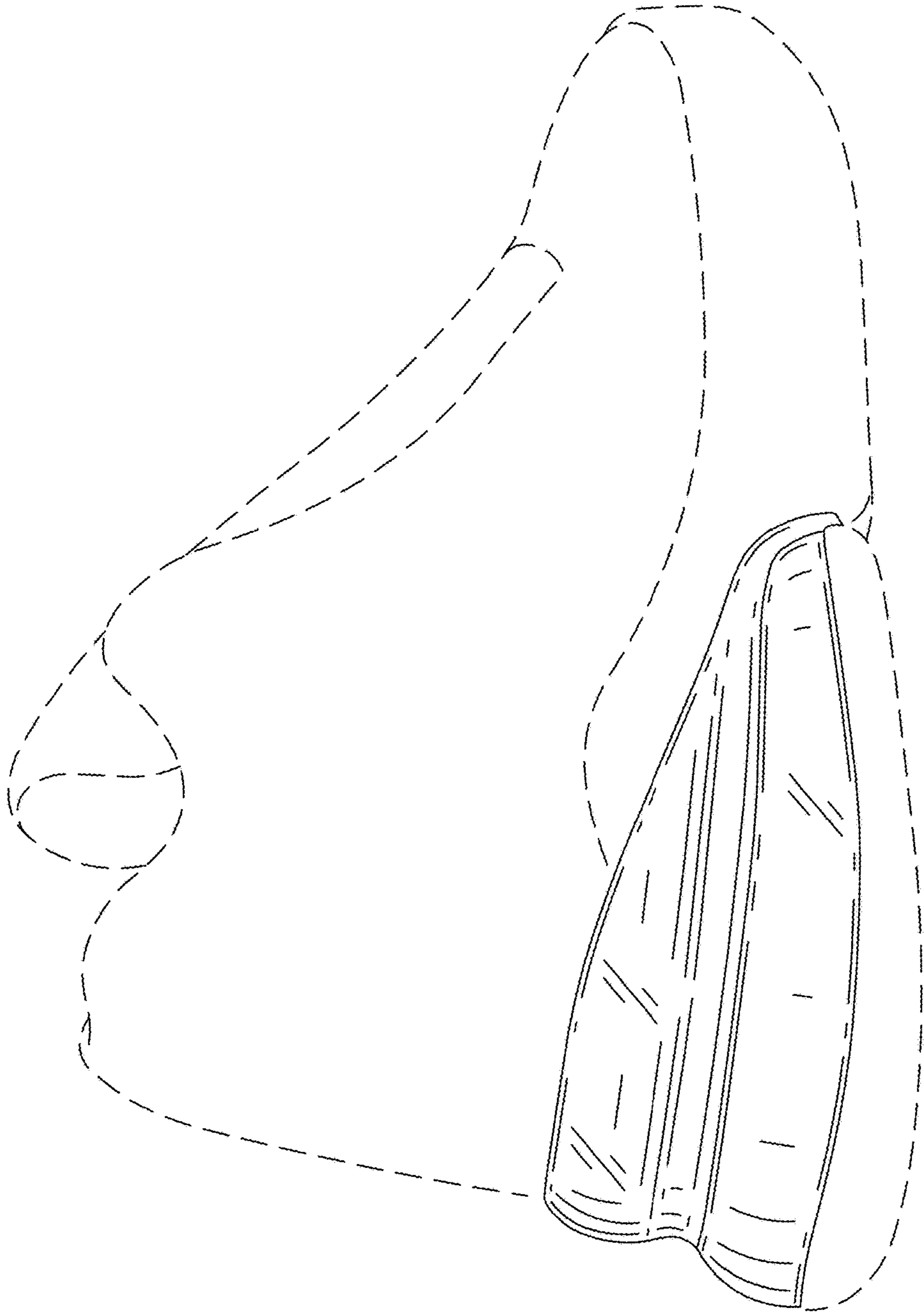
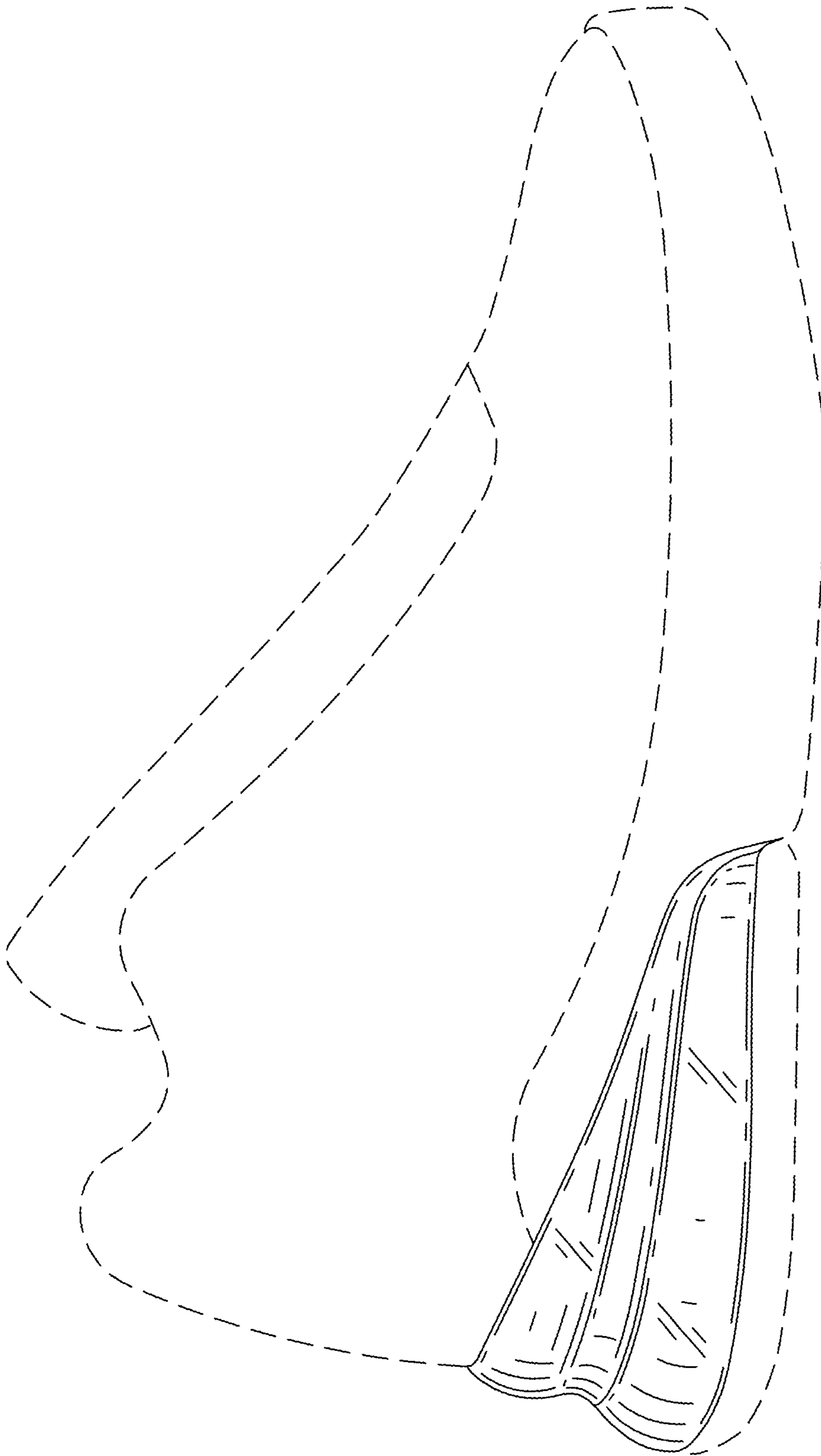
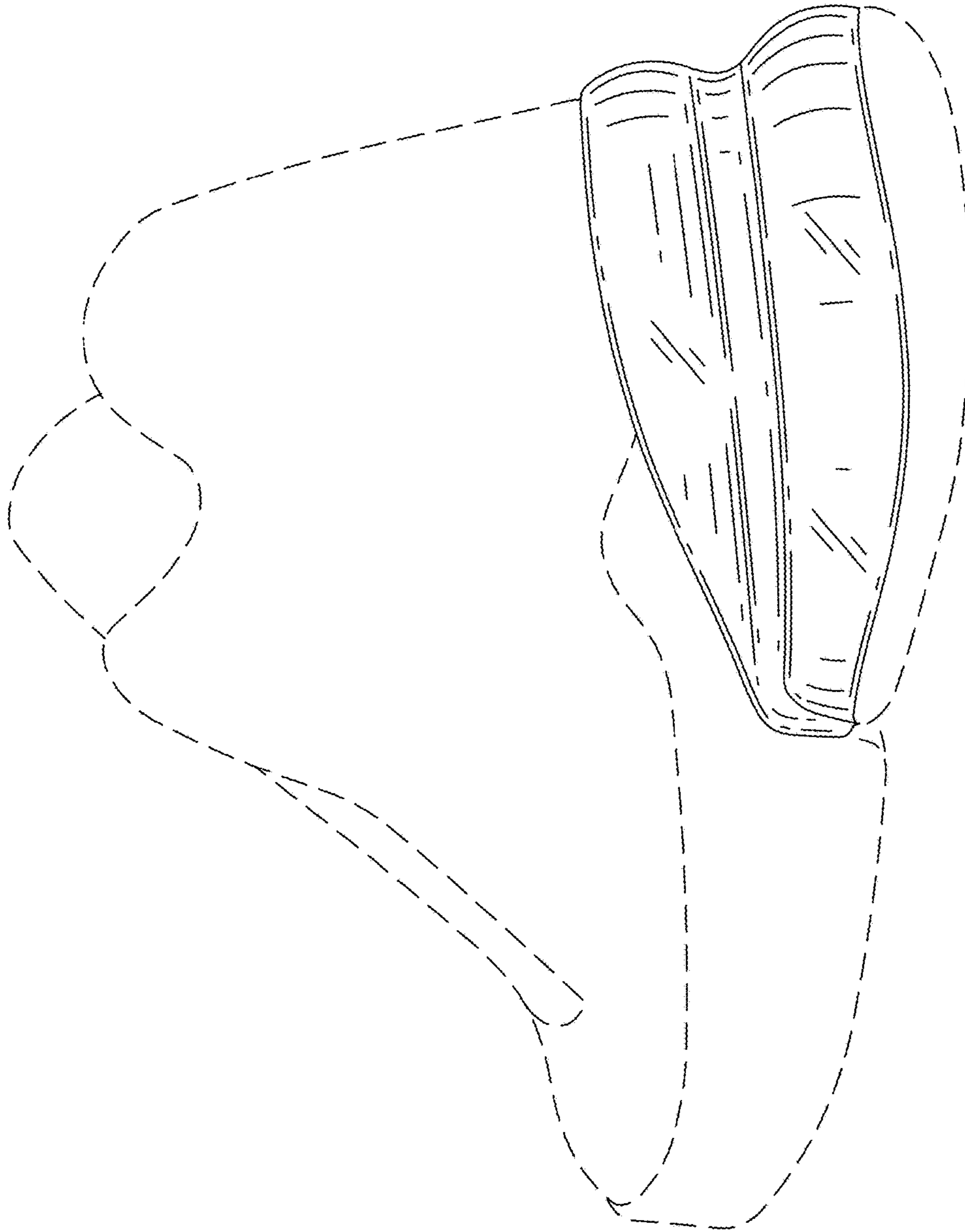


FIG. 4.



**FIG. 5.**



**FIG. 6.**



UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : D822,349 S  
APPLICATION NO. : 29/608756  
DATED : July 10, 2018  
INVENTOR(S) : Dylan Petrenka et al.

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It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page

In the section entitled Item (72) Inventors:

Dylan Petrenka Beaverton, Oregon

Please add the inventors below to the list:

--Jessica Small Beaverton, Oregon

Can Eldem Beaverton, Oregon--

Signed and Sealed this  
Thirteenth Day of July, 2021



Drew Hirshfeld  
*Performing the Functions and Duties of the  
Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office*