



US00D827998S

(12) **United States Design Patent** (10) **Patent No.:** **US D827,998 S**
Buck (45) **Date of Patent:** **** *Sep. 11, 2018**

(54) **INSOLE**

- (71) Applicant: **PROTALUS LLC**, West Linn, OR (US)
- (72) Inventor: **Christopher Buck**, West Linn, OR (US)
- (73) Assignee: **PROTALUS, LLC**, West Linn, OR (US)
- (*) Notice: This patent is subject to a terminal disclaimer.
- (**) Term: **15 Years**

- (21) Appl. No.: **29/573,730**
- (22) Filed: **Aug. 9, 2016**
- (51) **LOC (11) Cl.** **02-04**
- (52) **U.S. Cl.**
USPC **D2/961**
- (58) **Field of Classification Search**
USPC D2/896, 913, 946, 920, 960, 961, 976, D2/979; D3/200; 12/115.6, 116.2, 116.6, 12/116.8, 117.4, 128 R; 36/77 R
CPC A43B 7/14; A43B 7/145; A43B 7/141; A43B 7/144; A43B 7/142; A43B 17/02; A43D 3/1466; A43D 3/1416; A43D 3/1475; A43D 3/1441; A43D 3/1433; A43D 3/00; A47G 25/005; A47L 23/18
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 545,006 A 8/1895 Baird
 - 1,335,981 A 4/1920 Morton
- (Continued)

FOREIGN PATENT DOCUMENTS

- AU 655267 B3 2/1993
 - DE 543868 C 2/1932
- (Continued)

OTHER PUBLICATIONS

It All Starts With Your Feet—Protalus, May 9, 2017, [online], [site visited Sep. 20, 2017]. Retrieved from <url:https://www.youtube.com/watch?v=vsczZCVtCJQ>.*

(Continued)

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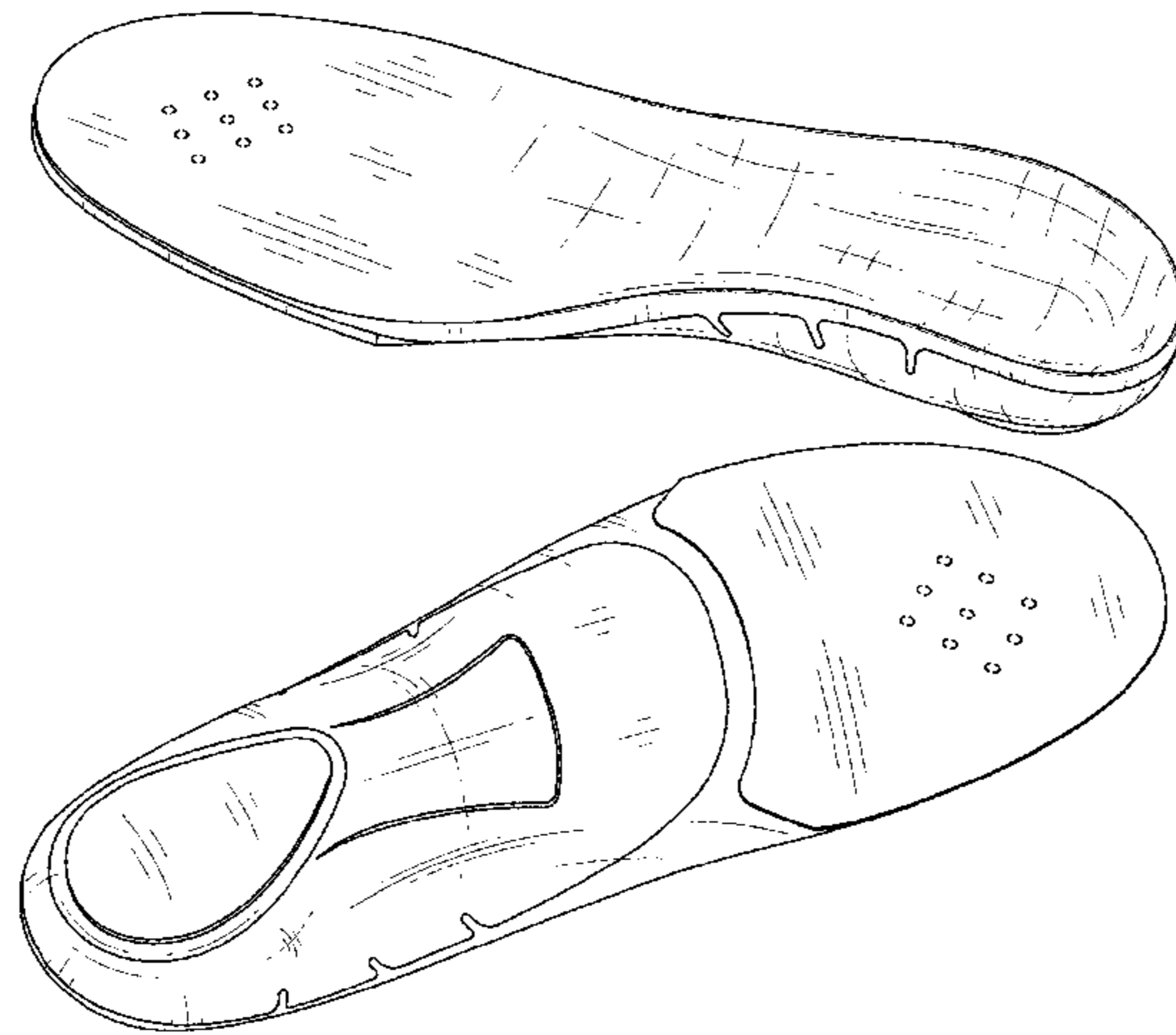
(57) **CLAIM**

The ornamental design for an insole, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of an insole in accordance with an embodiment of my new design;
FIG. 2 is another perspective view thereof;
FIG. 3 is a bottom plan view thereof;
FIG. 4 is a top plan view thereof;
FIG. 5 is a first side elevation view thereof;
FIG. 6 is an opposing second side elevation view thereof;
FIG. 7 is a rear elevation view thereof;
FIG. 8 is a front elevation view thereof;
FIG. 9 is a perspective view of an insole in accordance with another embodiment of my new design;
FIG. 10 is another perspective view thereof;
FIG. 11 is a bottom plan view thereof;
FIG. 12 is a top plan view thereof;
FIG. 13 is a first side elevation view thereof;
FIG. 14 is an opposing second side elevation view thereof;
FIG. 15 is a rear elevation view thereof; and,
FIG. 16 is a front elevation view thereof.
The broken lines in the figures illustrate portions of the insole that form no part of the first embodiment.

1 Claim, 8 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,686,034 A * 10/1928 Roser A43B 7/1465
36/161

1,693,122 A 11/1928 Schwartz

1,803,554 A 5/1931 Knilans

2,086,999 A 7/1937 Hack

2,156,086 A 4/1939 Hack

2,943,405 A 7/1960 Olson

3,058,240 A 10/1962 Osgood

3,414,988 A 12/1968 Mattos

3,464,125 A 9/1969 Conway

3,806,145 A 4/1974 Czeiszperger

3,834,044 A 9/1974 McAusland

4,232,457 A 11/1980 Mosher

4,348,821 A 9/1982 Daswick

4,523,394 A 6/1985 Lindh

4,597,199 A 7/1986 Hong

4,610,101 A 9/1986 Brown

4,620,376 A 11/1986 Talarico

4,766,679 A 8/1988 Bender

4,910,887 A 3/1990 Turner

4,924,605 A 5/1990 Spademan

4,947,560 A 5/1990 Fuerst

5,174,052 A 12/1992 Schoenhaus

5,184,409 A 2/1993 Brown

5,243,772 A 9/1993 Francis

5,317,820 A 6/1994 Bell

D352,158 S * 11/1994 Brown D2/961

5,379,530 A 1/1995 Bell

5,404,659 A 4/1995 Burke

5,449,005 A 9/1995 Echols

5,465,509 A 11/1995 Fuerst

D366,140 S 1/1996 Finn

D366,956 S 2/1996 Gay

5,661,864 A 9/1997 Valiant

6,018,892 A 2/2000 Acheson

6,092,314 A 7/2000 Rothbart

D432,769 S 10/2000 Yung et al.

6,233,847 B1 5/2001 Brown

6,401,366 B2 6/2002 Foxen

6,497,058 B2 12/2002 Silverman

D474,881 S 5/2003 Su

6,594,922 B1 7/2003 Mansfield

6,618,960 B2 9/2003 Brown

6,692,454 B1 2/2004 Townsend et al.

D487,185 S 3/2004 Grisoni et al.

D490,970 S 6/2004 Bray et al.

D497,472 S 10/2004 Vasyli

D517,291 S 3/2006 Vasyli

D518,945 S 4/2006 Vasyli

D532,586 S 11/2006 Birkenstock

D533,336 S 12/2006 Walker

D552,838 S 10/2007 Quinn

D555,341 S 11/2007 Vasyli

D556,990 S 12/2007 Cabados

D578,284 S 10/2008 Elliot et al.

D578,285 S 10/2008 Vasyli

D584,494 S 1/2009 Vasyli

D617,087 S 6/2010 Avent et al.

D675,004 S 1/2013 Singleton et al.

D681,321 S * 5/2013 Martinez D2/961

D695,506 S 12/2013 Faux et al.

D721,880 S 2/2015 Finn

D721,882 S * 2/2015 Vasyli D2/961

D722,755 S 2/2015 Vasyli

D722,756 S * 2/2015 Vasyli D2/961

D722,757 S * 2/2015 Vasyli D2/961

D723,255 S 3/2015 Nogueira

D723,256 S * 3/2015 Vasyli D2/961

9,060,565 B2 6/2015 Kosta

D739,133 S 9/2015 Jung

D762,053 S 7/2016 Takahashi

D762,367 S * 8/2016 Granger D2/961

D770,744 S 11/2016 Escobar

D771,922 S * 11/2016 Granger D2/961

D778,040 S * 2/2017 Granger D2/961

D796,175 S 9/2017 Mitchell

D797,430 S * 9/2017 Granger D2/961

2002/0050080 A1 5/2002 Vasyli

2002/0139011 A1 10/2002 Kerrigan

2004/0181971 A1 9/2004 Turkbaz et al.

2011/0219642 A1* 9/2011 Sulak A43B 7/141
36/44

FOREIGN PATENT DOCUMENTS

DE 658414 C 4/1938

EP 0820706 A2 1/1998

JP 2002262907 9/2002

WO 199107152 5/1991

WO 199219191 11/1992

OTHER PUBLICATIONS

Amazon Prime Highly Rated Superfeet Premium Insoles Starting at \$27.85, Oct. 23, 2016, [online], [site visited Sep. 20, 2017]. Retrieved from <url:http://hip2save.com/2016/10/23/amazon-highly-rated-superfeet-premium-insoles-starting-at-30-95-regu-larly-54-99/>.*

Japanese Office Action (in Japanese) dated Mar. 13, 2012 With English Letter of Explanation.

Fish, et al. Lower Extremity Orthoses and Application for Rehabilitation Populations, Foot and Ankle Clinics Website, 2001, 1 pg.

Dufek, et al. "Mechanical Gait Analysis of Transfermoral Amputees: Sach Foot Versus the Flex-Foot." JPO 1997, vol. 9, No. 4, p. 152-157.

Fish, et al. "Genu Recurvatum: Identification of Three Distinct Mechanical Profiles." JPO 1998, vol. 10, No. 2, p. 26-34.

Fish, et al. "Walking Impediments and Gait Inefficiencies in the CVA Patient." JPO 1999, vol. 11, No. 2, p. 33-36.

Photographs of an Orthotic Device Taken by Applicant Prior to Sep. 2005, 6 pgs.

Photograph of Illustrated Comparison of Tri Planar Protocol That Applicant Believes Existed Prior to Sep. 2005, 1 pg.

English Translation of German Patent No. DE658414C, Granted Apr. 2, 1938 to Anton Leistensen. Initially Submitted via an Information Disclosure Statement to the USPTO in the German Language on Oct. 30, 2009.

English Translation of German Patent No. DE543868C, Granted Feb. 10, 1932 to Max Neubert. Initially Submitted via an Information Disclosure Statement to the USPTO in the German Language on Oct. 30, 2009.

Extended European Search Report and Written Opinion, dated Sep. 28, 2009, for Corresponding European National Phase Application No. 06803332; 8 pgs.

Office Action From the Patent Office of the People's Republic of China, dated Nov. 13, 2009, for Corresponding China National Phase Patent Application No. 200680033061.1, 15 pgs.

PCT International Search Report and Written Opinion for Parent PCT Application No. PCT/US06/35311, Filed Sep. 11, 2006; 11 pgs.

Office Action dated Oct. 6, 2017 in Design U.S. Appl. No. 29/549,959.

* cited by examiner

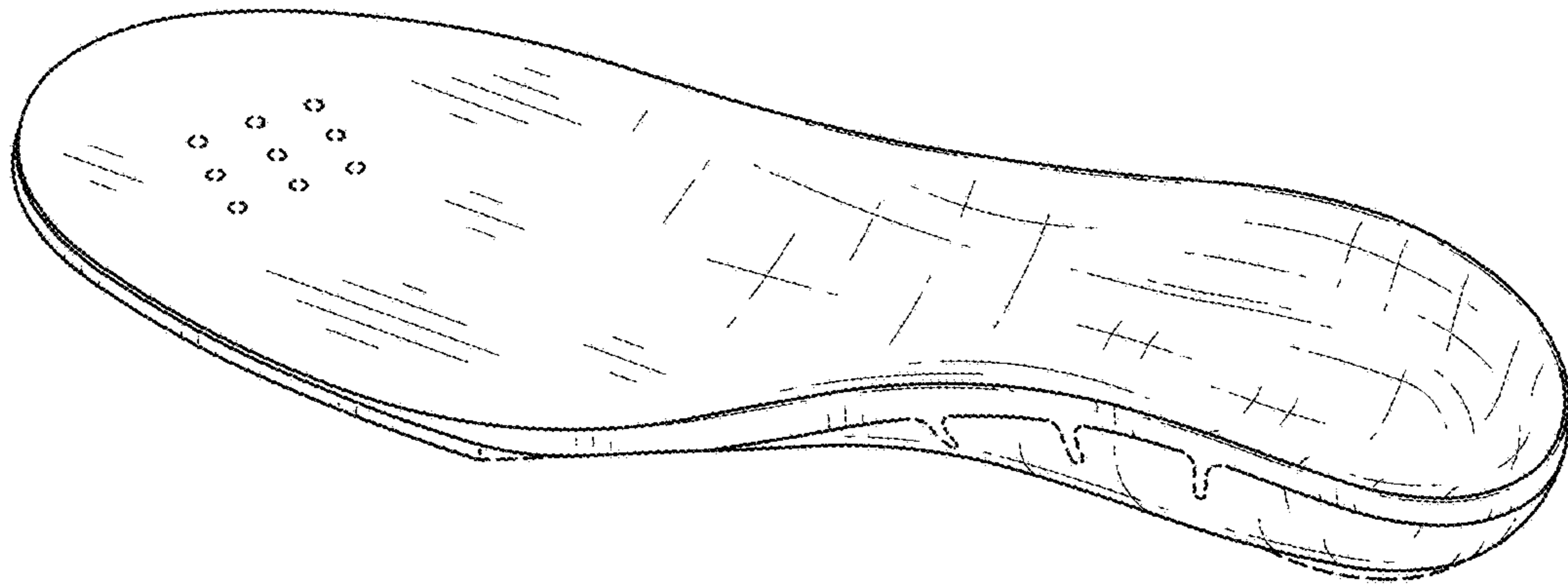


Fig. 1

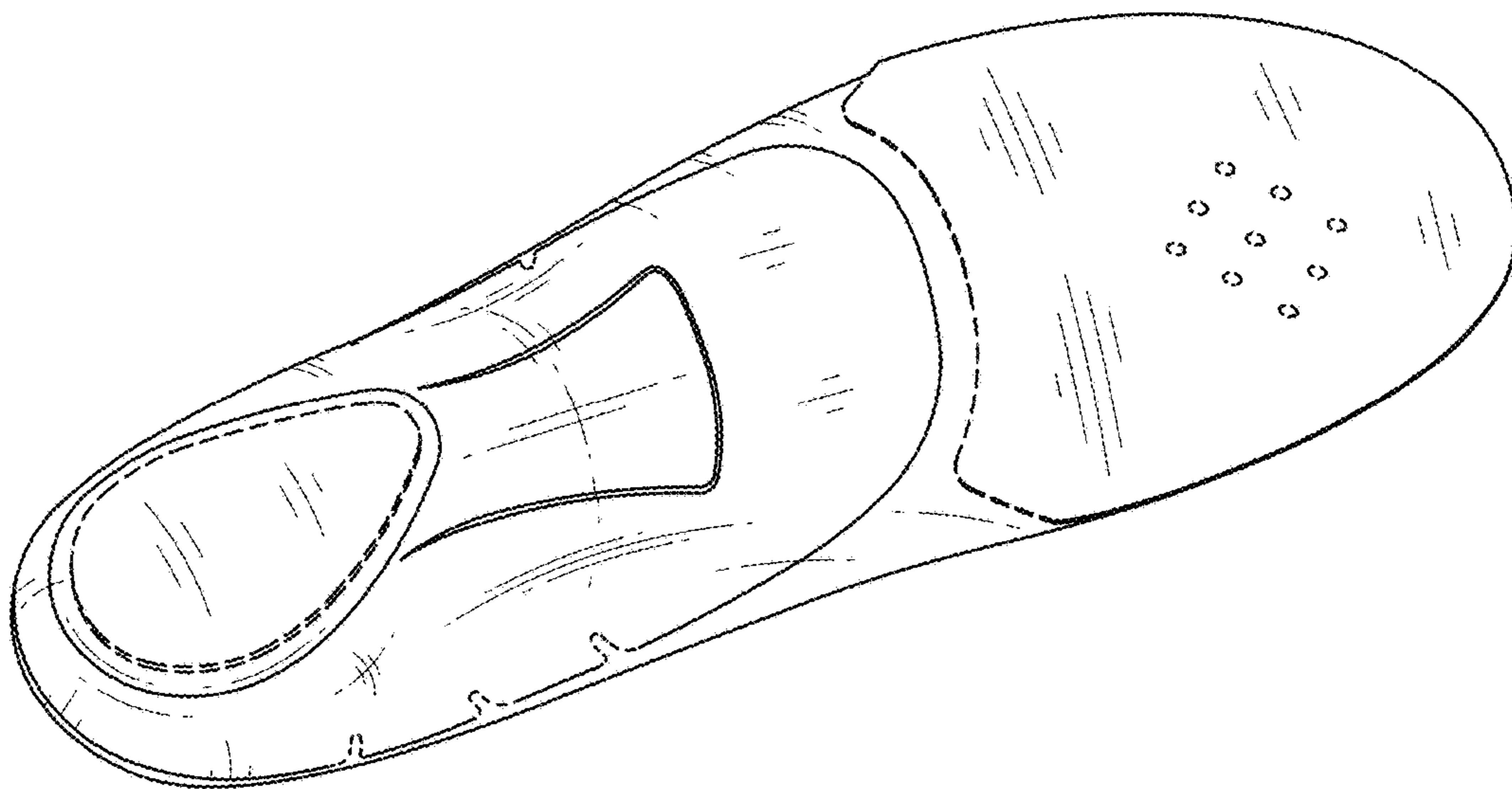


Fig. 2

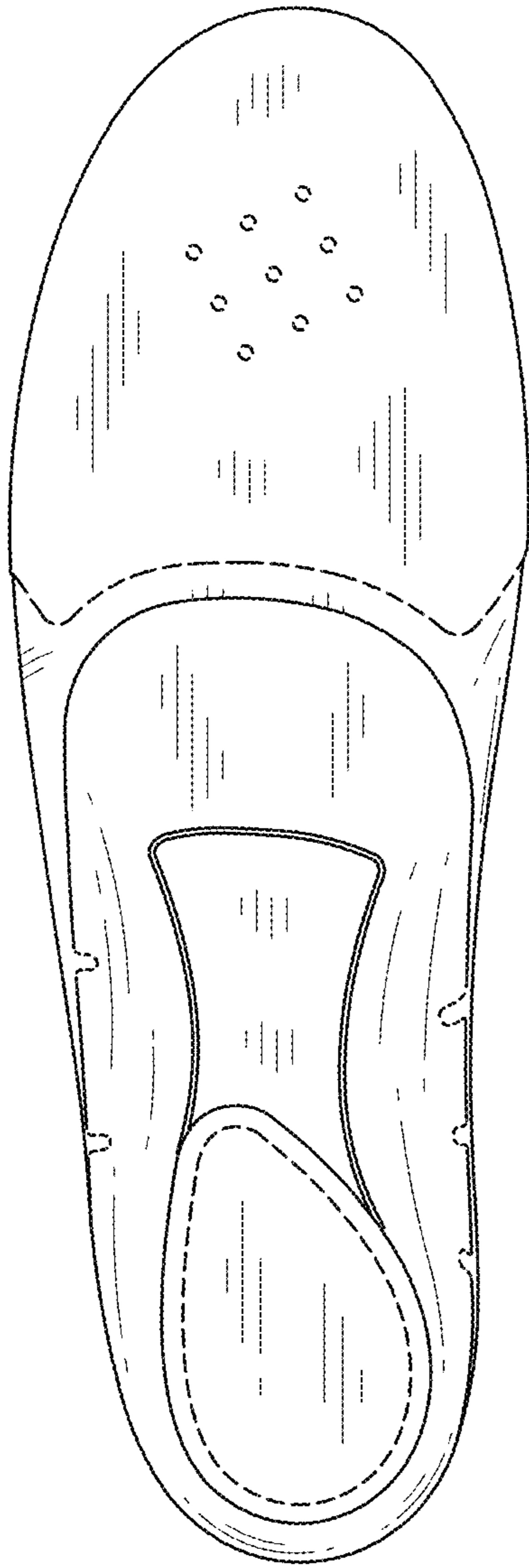


Fig. 3

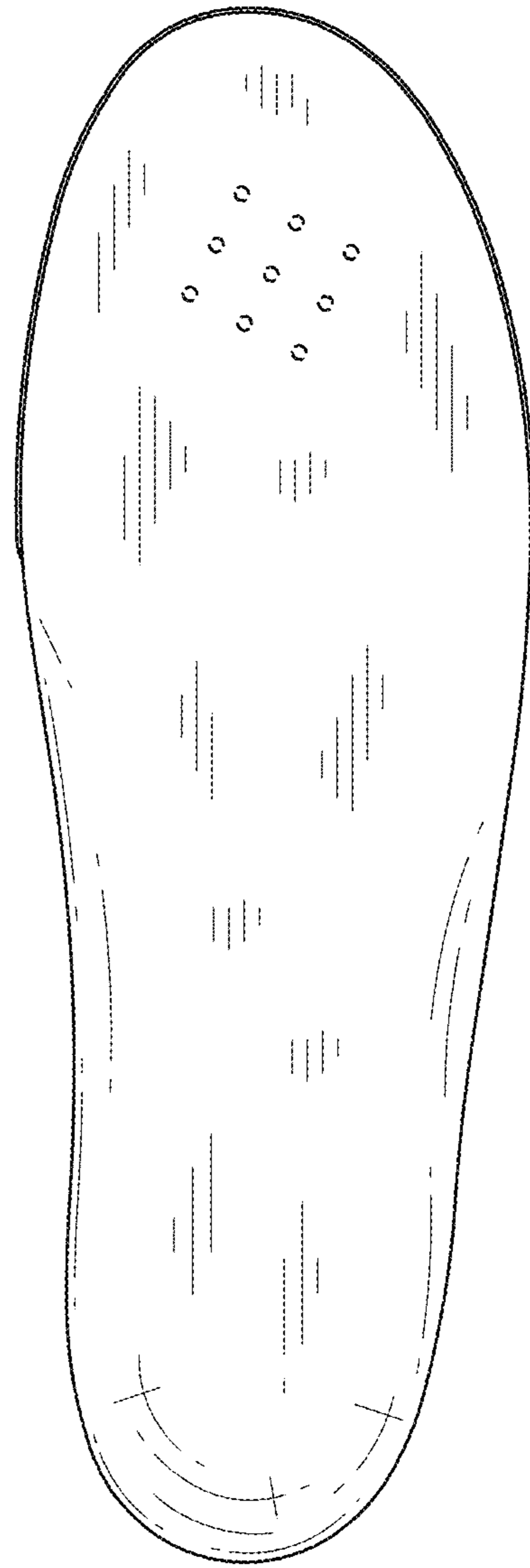


Fig. 4

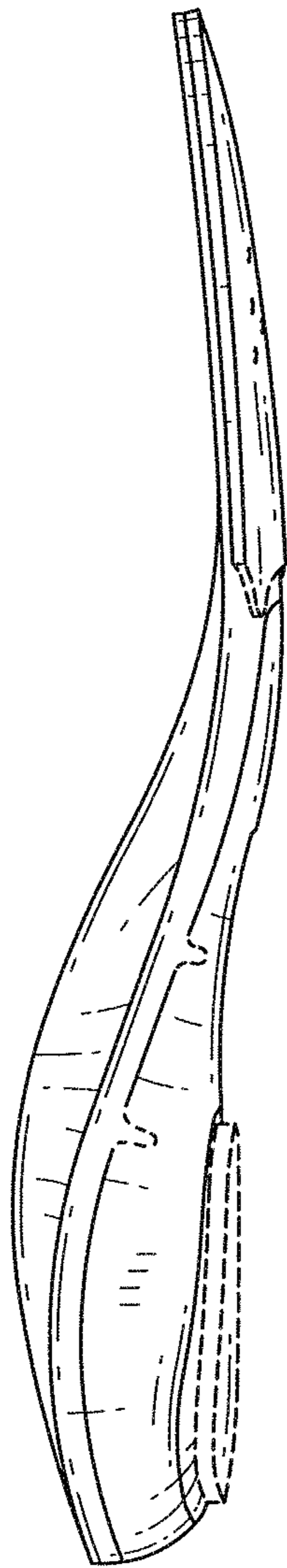


Fig. 5

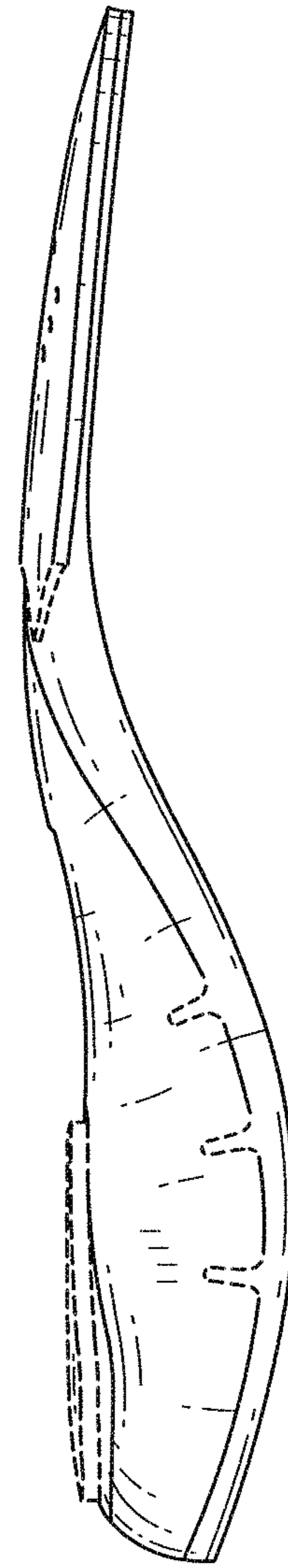


Fig. 6

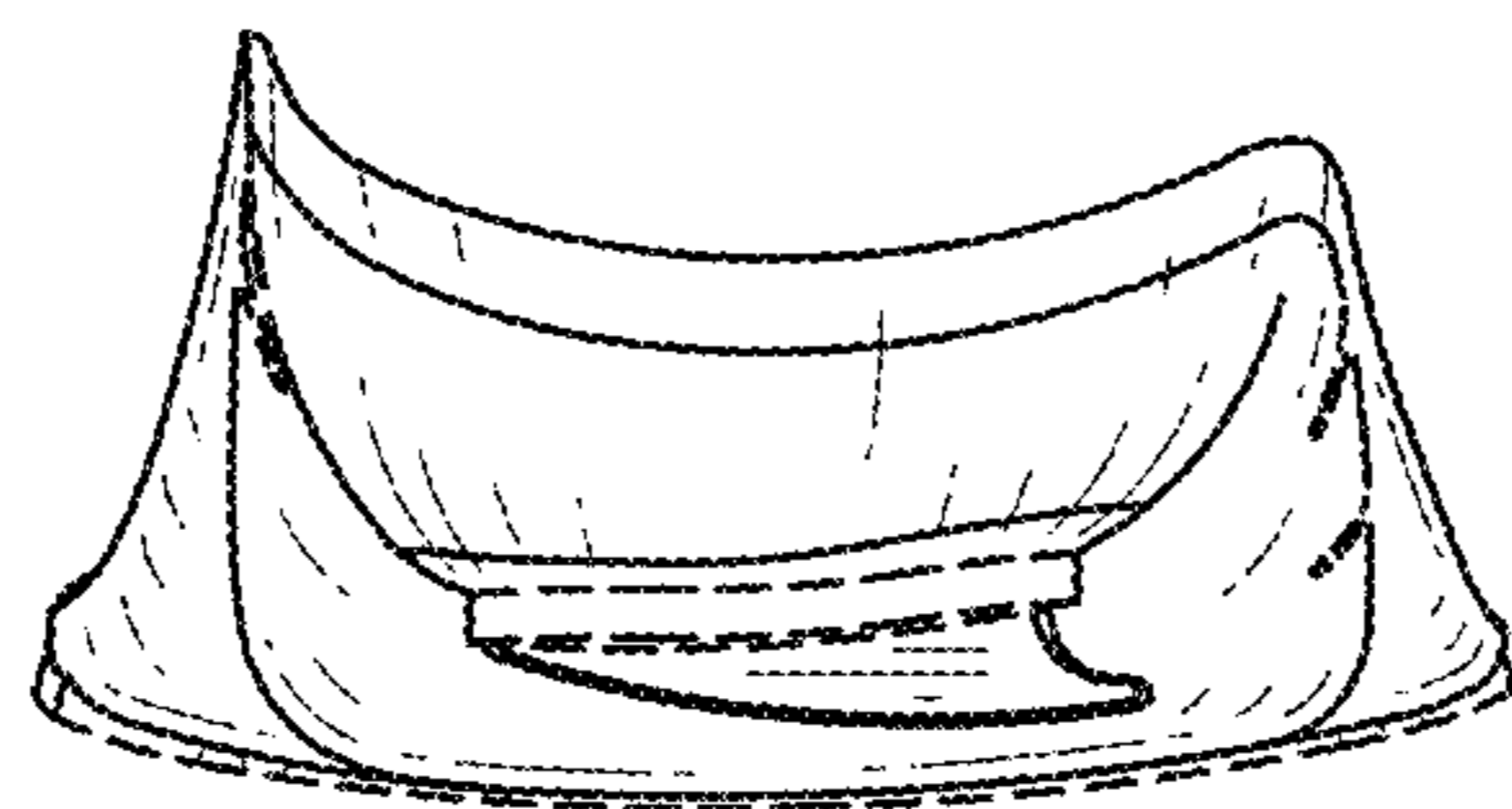


Fig. 7

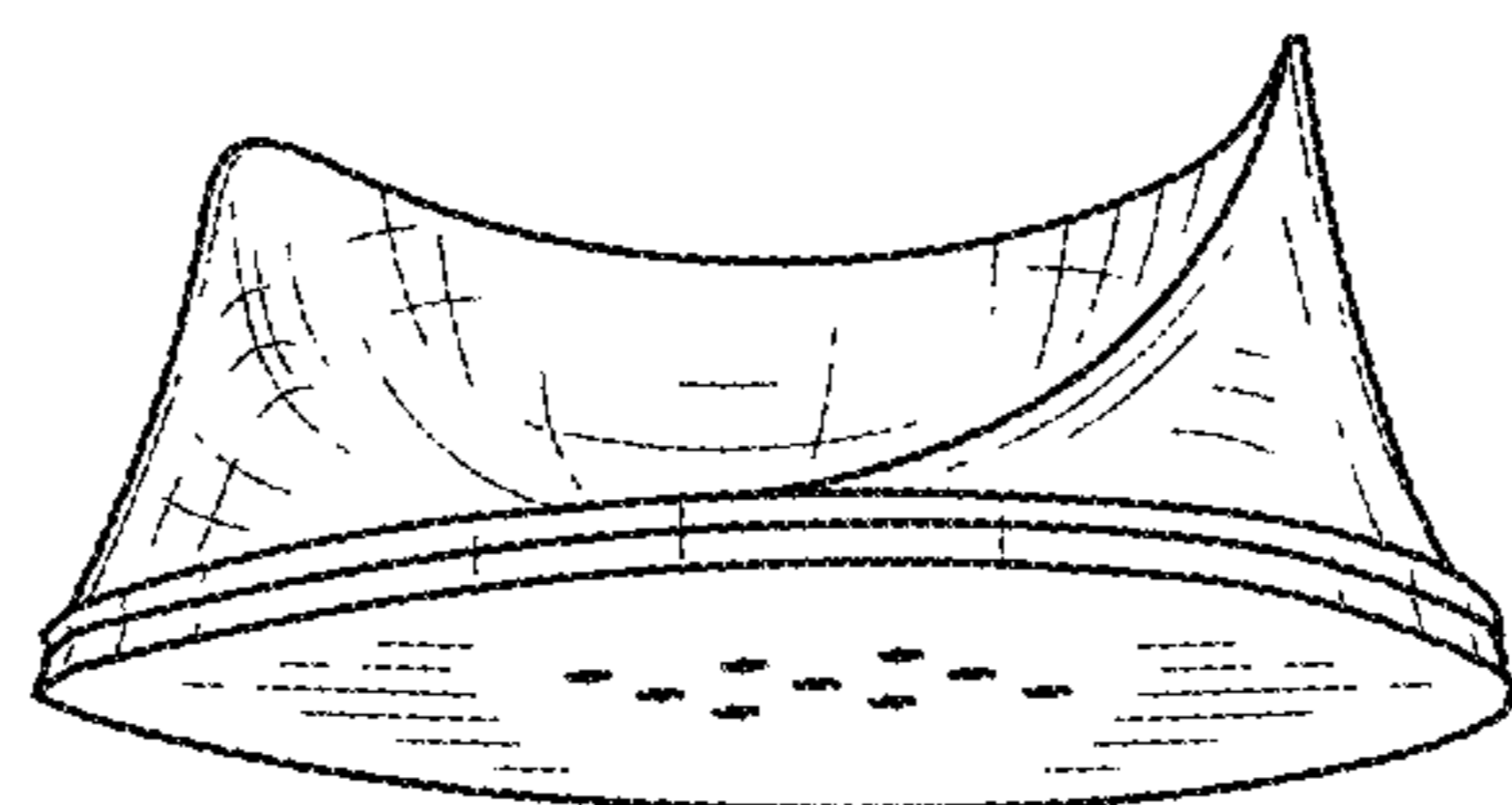


Fig. 8

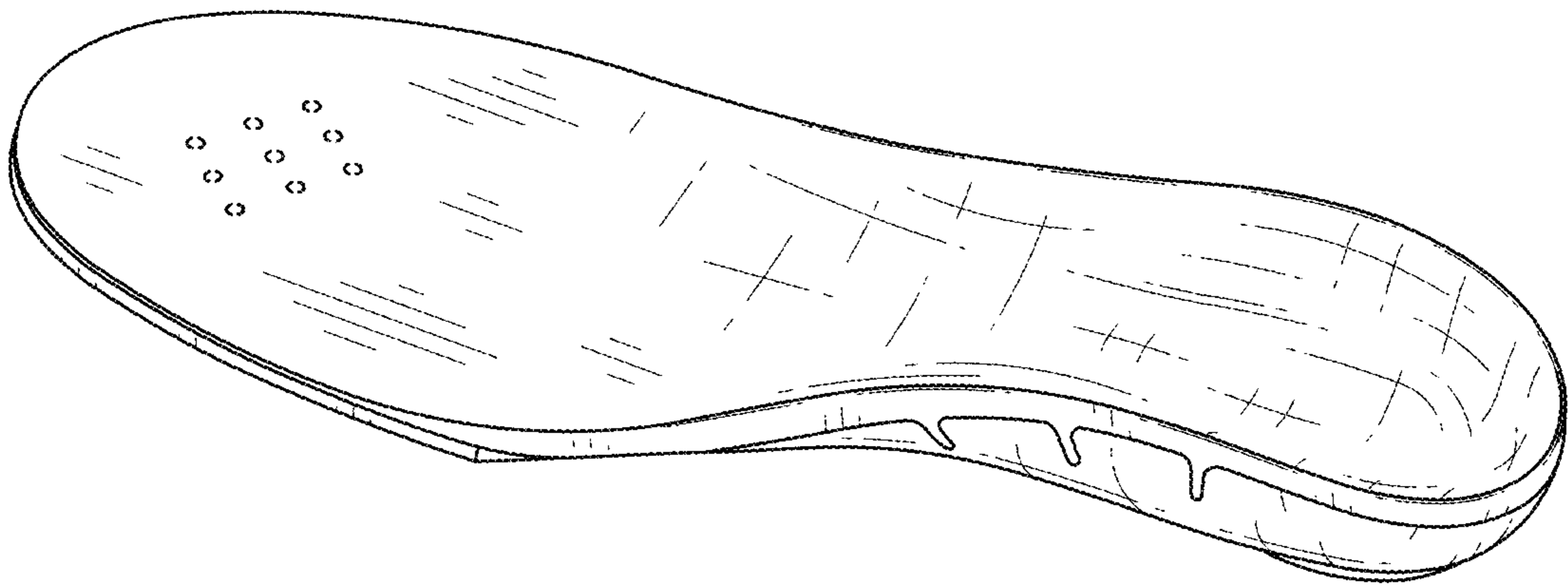


Fig. 9

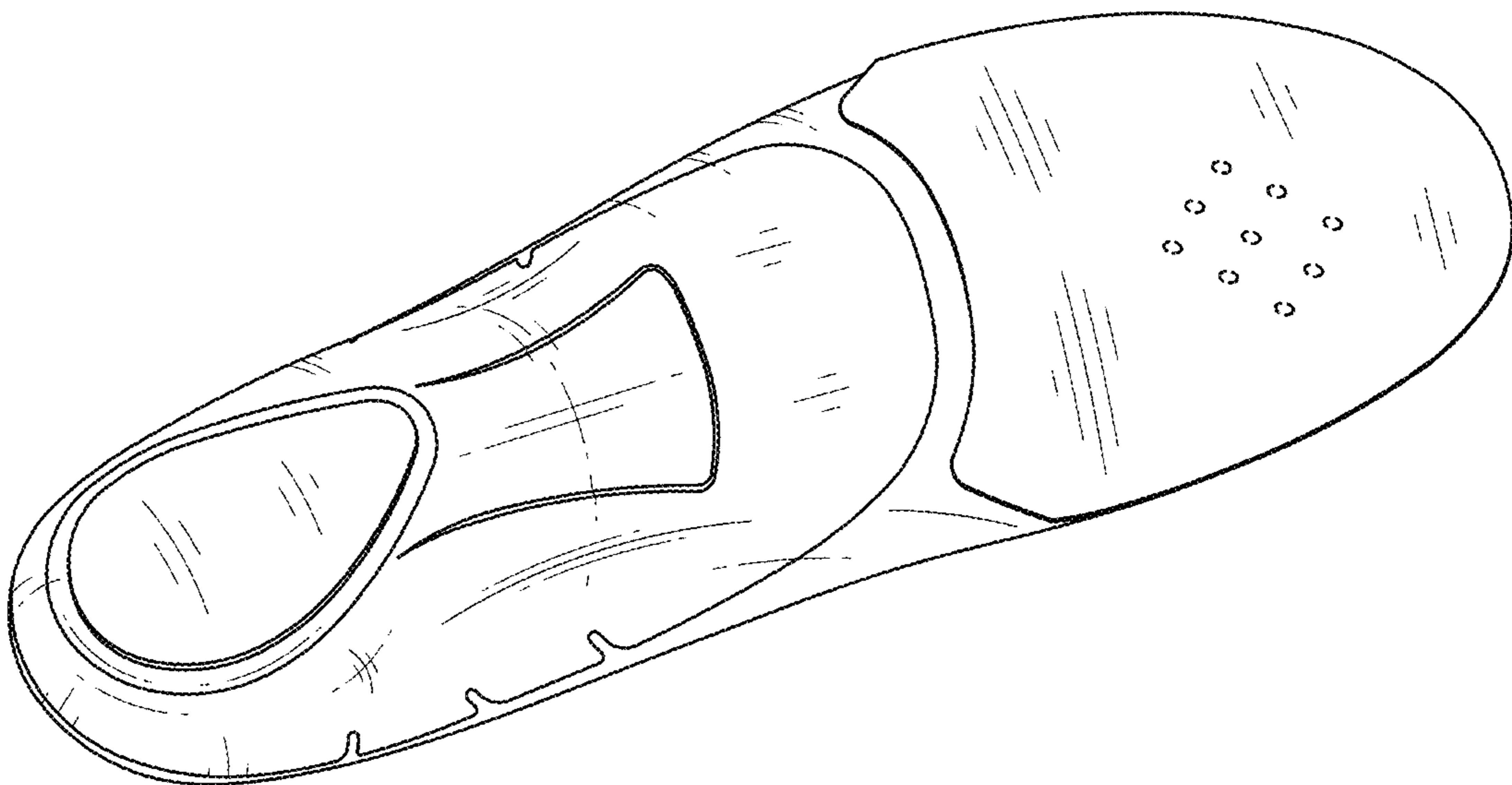


Fig. 10

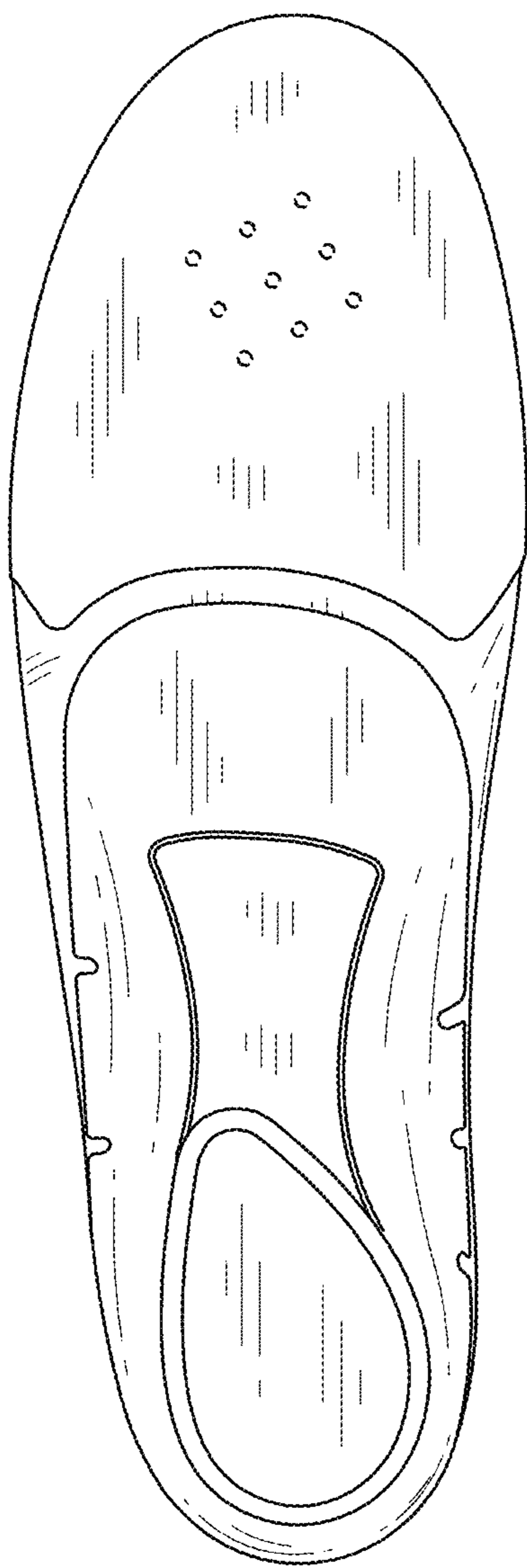


Fig. 11

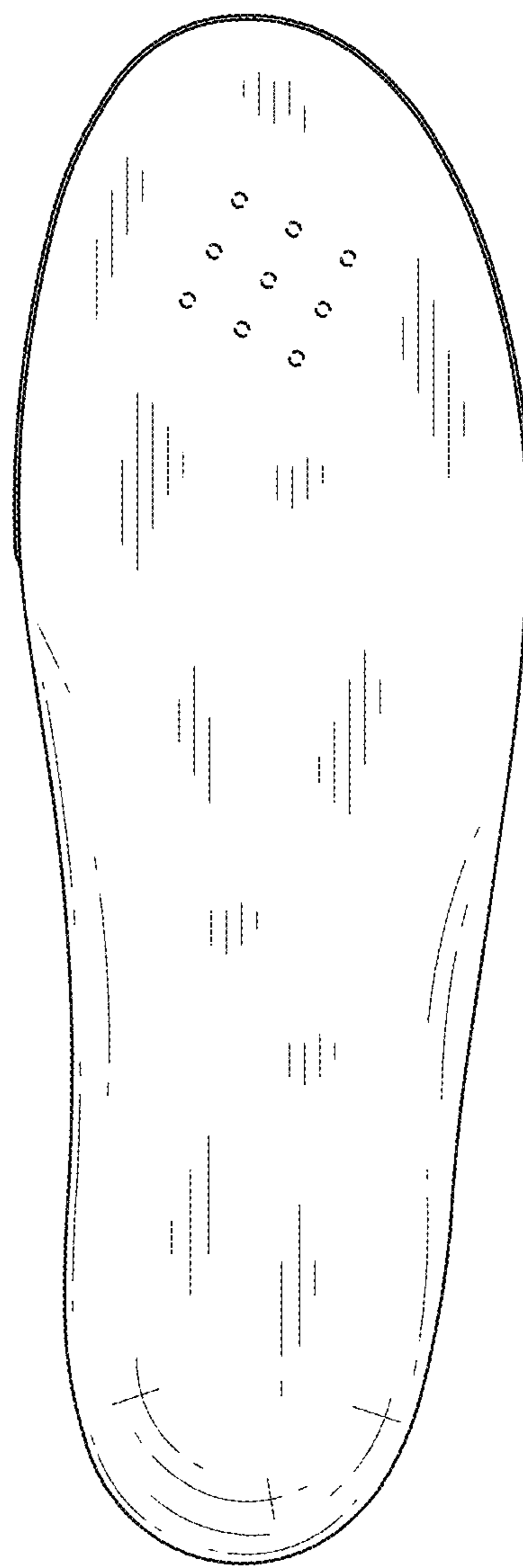


Fig. 12



Fig. 13

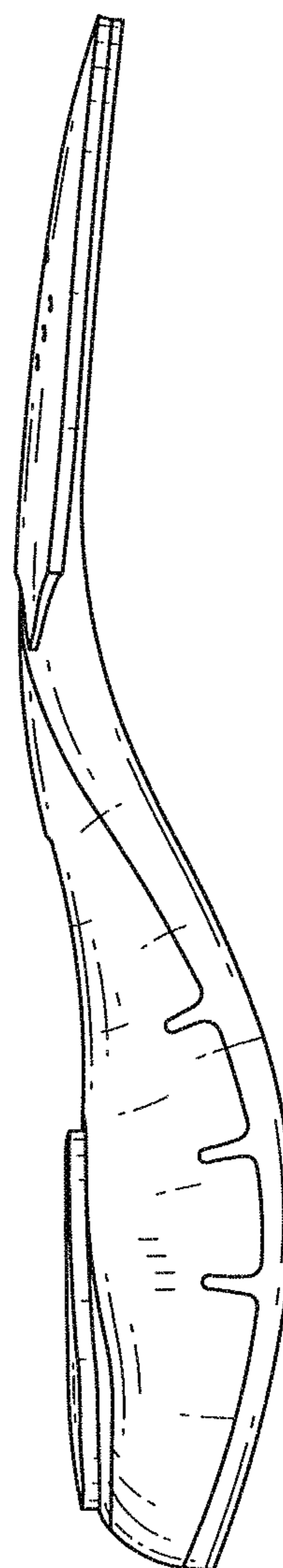


Fig. 14

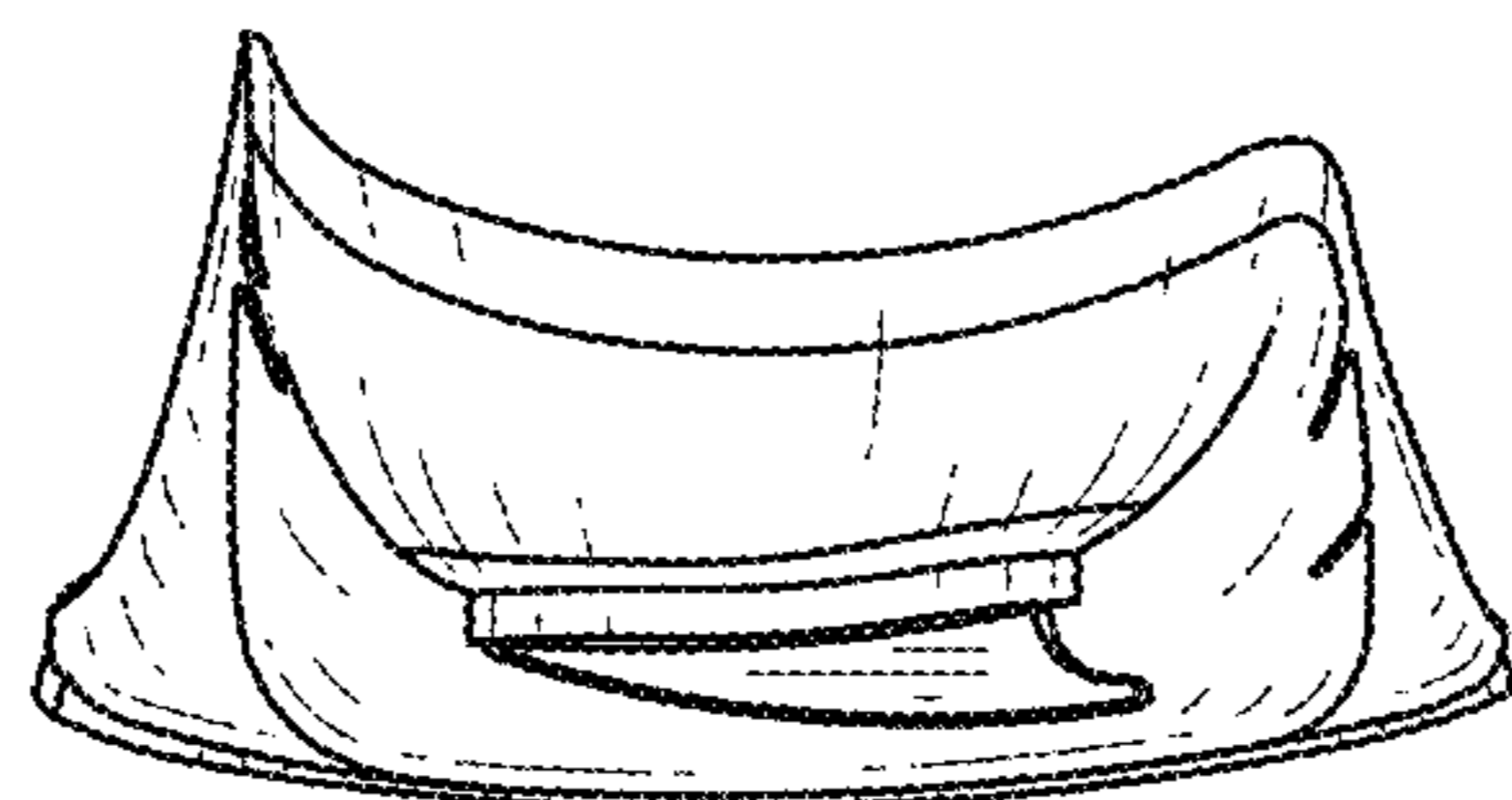


Fig. 15

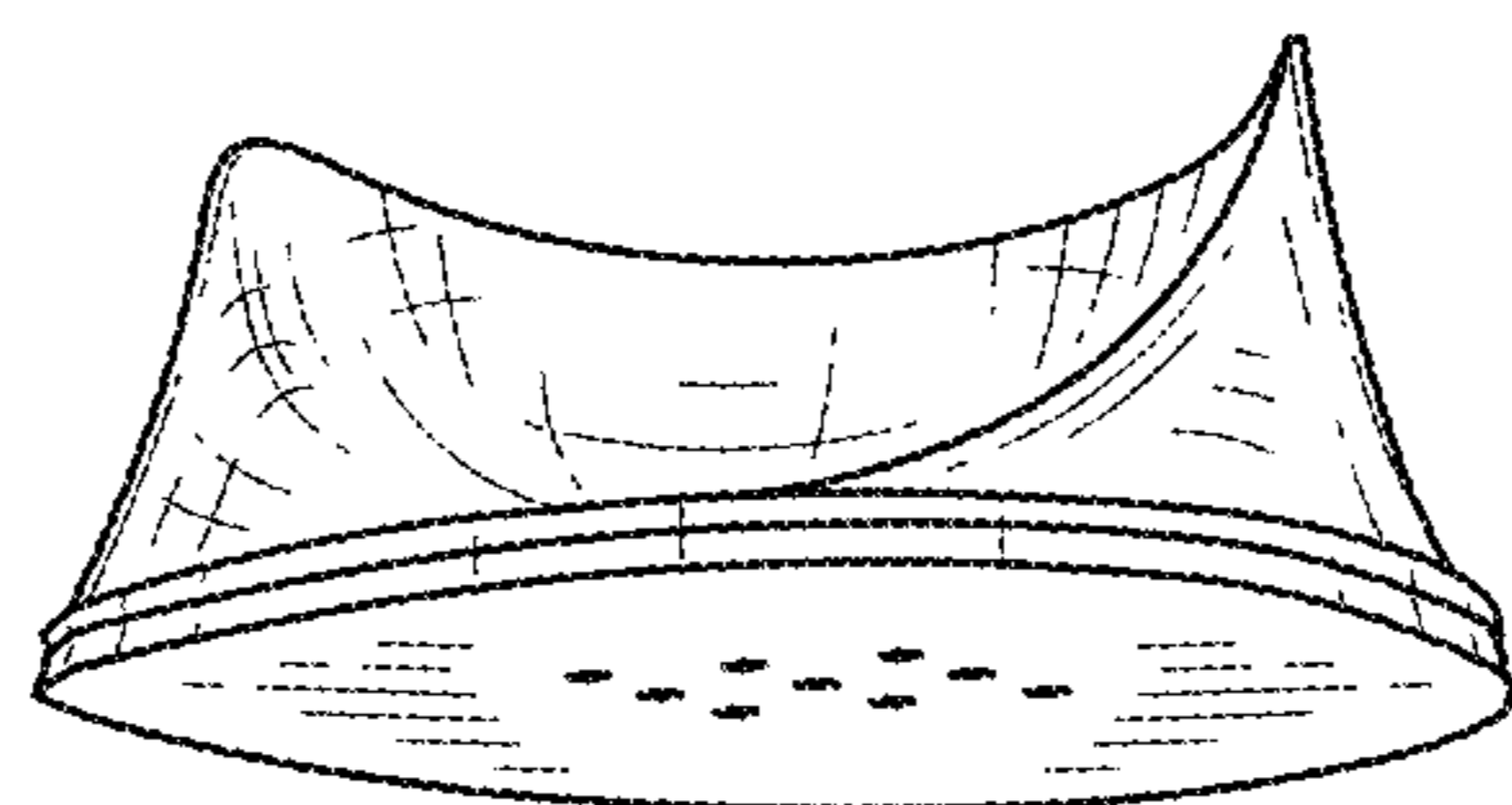


Fig. 16