



US00D837497S

(12) **United States Design Patent** (10) **Patent No.:** **US D837,497 S**
Ellis (45) **Date of Patent:** **** *Jan. 8, 2019**

(54) **FOOTWEAR SOLE**

(71) Applicant: **Frampton E. Ellis**, Jasper, FL (US)

(72) Inventor: **Frampton E. Ellis**, Jasper, FL (US)

(73) Assignee: **ANATOMIC RESEARCH, INC.**,
Jasper, FL (US)

(*) Notice: This patent is subject to a terminal disclaimer.

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

(21) Appl. No.: **29/610,715**

(22) Filed: **Jul. 14, 2017**

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

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

(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

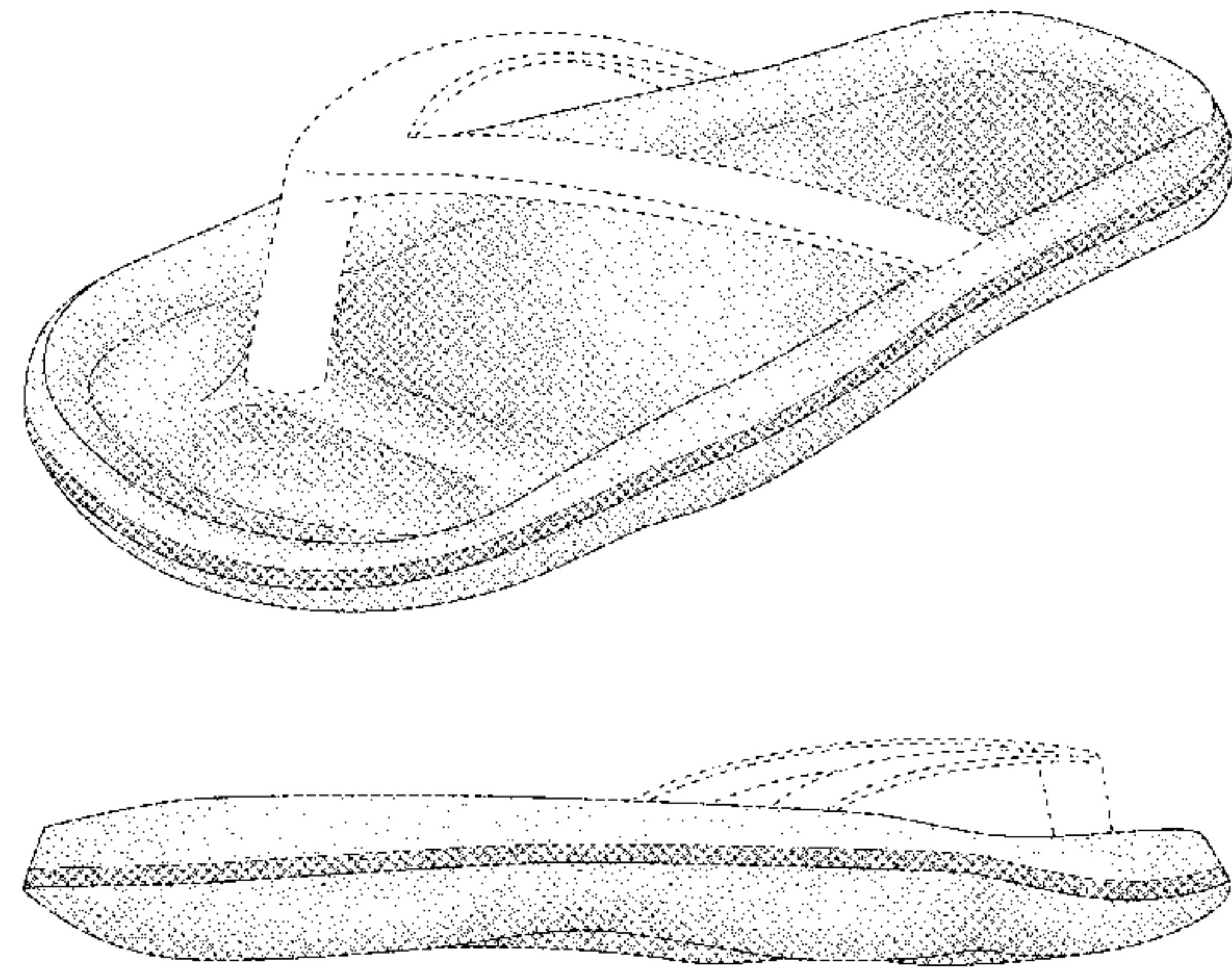
See application file for complete search history.

D332,517 S 1/1993 Middleton
D389,995 S * 2/1998 Cockrell D2/947
D395,739 S * 7/1998 Mervar D2/947
D405,942 S * 2/1999 Kelchak D2/947
D408,617 S * 4/1999 Balbinot D2/904
5,909,948 A 6/1999 Ellis, III
D420,785 S 2/2000 Perez
D424,284 S * 5/2000 von Conta A43B 7/141
D2/947
6,115,941 A 9/2000 Ellis, III
6,115,945 A 9/2000 Ellis, III
D433,556 S * 11/2000 Merceron D2/947
6,295,744 B1 10/2001 Ellis, III
D449,918 S 11/2001 Boncutter
D458,740 S * 6/2002 McClaskie D2/947
6,487,795 B1 12/2002 Ellis, III
6,584,706 B1 7/2003 Ellis, III
6,609,312 B1 8/2003 Ellis, III
6,629,376 B1 10/2003 Ellis, III
6,675,498 B1 1/2004 Ellis, III
D485,972 S 2/2004 Magro
6,789,331 B1 9/2004 Ellis, III
D498,902 S 11/2004 Adams
6,810,606 B1 11/2004 Ellis, III
D502,593 S * 3/2005 McClaskie D2/947
7,174,658 B2 2/2007 Ellis, III
7,243,443 B2 7/2007 Swigart
7,334,350 B2 2/2008 Ellis, III
7,334,356 B2 2/2008 Ellis, III
D563,648 S 3/2008 Belley et al.
7,562,468 B2 7/2009 Ellis, III
D608,993 S 2/2010 McClaskie
D612,589 S 3/2010 Kovacs
7,793,430 B2 9/2010 Ellis
8,291,614 B2 10/2012 Ellis
D677,450 S * 3/2013 Amphyon A43B 7/141
D2/947
D680,308 S * 4/2013 Hardman D2/947
D682,516 S * 5/2013 Avar D2/947
D693,548 S 11/2013 Yudelowitz
D694,499 S * 12/2013 Williams, Jr. D2/947
D699,424 S 2/2014 Hamm
D709,681 S * 7/2014 Williams, Jr. D2/947
D710,578 S * 8/2014 Chang D2/947
D723,784 S * 3/2015 Miner D2/947
D731,766 S 6/2015 Ellis
D765,361 S * 9/2016 Johnsongriffin A43B 13/12
D2/947
D765,365 S * 9/2016 Chang A43B 5/002
D2/947
D770,739 S * 11/2016 Nethongkome D2/947
D770,743 S * 11/2016 Vasyli A43B 13/12
D2/961

(56) **References Cited**

U.S. PATENT DOCUMENTS

D128,249 S * 7/1941 Abbott A43B 5/002
36/30 R
D134,932 S * 2/1943 Clausing D2/947
D265,017 S * 6/1982 Vermonet D2/947
D329,536 S 9/1992 Lucas
D330,800 S 11/1992 Lucas
D332,516 S 1/1993 Middleton



| | | | |
|-------------------|---------|--------------------|-------------|
| D783,246 S * | 4/2017 | Chang | A43B 13/186 |
| | | | D2/947 |
| D783,956 S * | 4/2017 | Mitchell | D2/916 |
| D783,959 S * | 4/2017 | Chang | D2/947 |
| D785,302 S * | 5/2017 | Karnazes | D2/951 |
| D787,167 S | 5/2017 | Ellis | |
| D788,415 S * | 6/2017 | Caron | D2/947 |
| D789,051 S * | 6/2017 | Kuerbis | D2/947 |
| D793,681 S * | 8/2017 | Lombardi | A43B 7/141 |
| | | | D2/947 |
| D794,289 S * | 8/2017 | Kanata | D2/947 |
| D798,552 S * | 10/2017 | Petrie | D2/947 |
| D799,177 S * | 10/2017 | Spring | D2/947 |
| D799,181 S * | 10/2017 | Klein | A43C 11/165 |
| | | | D2/947 |
| D799,182 S * | 10/2017 | Matthews | A43B 3/128 |
| | | | D2/947 |
| D799,800 S * | 10/2017 | Engel | D2/947 |
| D801,647 S * | 11/2017 | Mitchell | D2/916 |
| D801,662 S * | 11/2017 | Manolian | D2/961 |
| D804,794 S * | 12/2017 | Charlesworth | D2/961 |
| 9,861,165 B2 * | 1/2018 | Schneider | A43C 11/165 |
| D812,872 S * | 3/2018 | Palmer | D2/947 |
| D814,754 S * | 4/2018 | Hendrix | D2/956 |
| 2004/0216330 A1 | 11/2004 | Swigart | |
| 2005/0217141 A1 | 10/2005 | Cobian | |
| 2012/0174434 A1 | 7/2012 | Ellis | |
| 2012/0210603 A1 | 8/2012 | Ellis | |
| 2012/0226353 A1 | 9/2012 | Ellis | |
| 2012/0324763 A1 | 12/2012 | Ellis | |
| 2013/0146407 A1 | 6/2013 | Ellis | |
| 2013/0152282 A1 | 6/2013 | Ellis | |
| 2013/0153346 A1 | 6/2013 | Ellis | |
| 2013/0157003 A1 | 6/2013 | Ellis | |
| 2013/0160322 A1 | 6/2013 | Ellis | |
| 2014/0310992 A1 | 10/2014 | Shalom et al. | |
| 2014/0345167 A1 | 11/2014 | Al-Ani | |
| 2017/0095033 A1 * | 4/2017 | Farina | A43B 13/186 |
| 2017/0265591 A1 * | 9/2017 | Schneider | A43C 11/165 |
| 2017/0332725 A1 * | 11/2017 | Hendrix | A43B 3/128 |

OTHER PUBLICATIONS

U.S. Appl. No. D29/452,002.
U.S. Appl. No. D29/520,675.

* cited by examiner

Primary Examiner — T Chase Nelson
(74) *Attorney, Agent, or Firm* — Mendelsohn Dunleavy,
P.C.

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of one embodiment of the footwear sole also showing the surface pattern;
FIG. 2 is an anterior (front) view of the footwear sole of FIG. 1 also showing the surface pattern;
FIG. 3 is a posterior (rear) view of the footwear sole of FIG. 1 also showing the surface pattern;
FIG. 4 is a lateral view of the footwear sole of FIG. 1 also showing the surface pattern;
FIG. 5 is a medial view of the footwear sole of FIG. 1 also showing the surface pattern;
FIG. 6 is a top view of the footwear sole of FIG. 1 also showing the surface pattern;
FIG. 7 is a bottom view of the footwear sole of FIG. 1;

FIG. 8 is a cross-sectional view of the footwear sole of FIG. 1 taken in the direction of the arrows along the line 8-8 shown in FIG. 6 and also showing the surface pattern;
FIG. 9 is a cross-sectional view of the footwear sole of FIG. 1 taken in the direction of the arrows along the line 9-9 shown in FIG. 6 and also showing the surface pattern;
FIG. 10 is a cross-sectional view of the footwear sole of FIG. 1 taken in the direction of the arrows along the line 10-10 shown in FIG. 6;
FIG. 11 is a perspective view of a second embodiment of the design of the footwear sole also showing the surface pattern. The claim of the footwear sole shown in FIG. 11 is the same in scope and structure as the footwear sole shown in FIGS. 1-10 except that the claimed design of FIG. 11 differs from the claimed design of FIGS. 1-10 in that the unclaimed edges shown in broken line in FIG. 11 are claimed in FIGS. 1-10;
FIG. 12 is a perspective view of a third embodiment of the footwear sole also showing the surface pattern;
FIG. 13 is an anterior (front) view of the footwear sole of FIG. 12 also showing the surface pattern;
FIG. 14 is a posterior (rear) view of the footwear sole of FIG. 12 also showing the surface pattern;
FIG. 15 is a lateral view of the footwear sole of FIG. 12 also showing the surface pattern;
FIG. 16 is a medial view of the footwear sole of FIG. 12 also showing the surface pattern;
FIG. 17 is a top view of the footwear sole of FIG. 12 also showing the surface pattern;
FIG. 18 is a bottom view of the footwear sole of FIG. 12;
FIG. 19 is a cross-sectional view of the footwear sole of FIG. 12 taken in the direction of the arrows along the line 19-19 shown in FIG. 17 and also showing the surface pattern;
FIG. 20 is a cross-sectional view of the footwear sole of FIG. 12 taken in the direction of the arrows along the line 20-20 shown in FIG. 17 and also showing the surface pattern;
FIG. 21 is a cross-sectional view of the footwear sole of FIG. 12 taken in the direction of the arrows along the line 21-21 shown in FIG. 17;
FIG. 22 is a perspective view of a fourth embodiment of the design of the footwear sole also showing the surface pattern. The claim of the footwear sole shown in FIG. 22 is the same in scope and structure as the footwear sole shown in FIGS. 12-21 except that the claimed design of FIG. 22 differs from the claimed design of FIGS. 12-21 in that the unclaimed edges shown in broken line in FIG. 22 are claimed in FIGS. 12-21;
FIG. 23 is perspective view of the footwear sole of the first embodiment shown with alternate environmental structure and also showing the surface pattern. The footwear sole of FIG. 23 is fitted with a different upper than the footwear sole of FIG. 1. As a result, certain views of the footwear sole of FIGS. 23-32 are different from the corresponding views of the footwear sole of FIGS. 1-11 because certain features of the footwear sole that can be seen in FIGS. 1-11 are obscured from view by the presence of the upper of FIG. 23 when viewed in FIGS. 23-32 (e.g. among others in the top view of FIG. 28);
FIG. 24 is an anterior (front) view of the footwear sole of FIG. 23 also showing the surface pattern;
FIG. 25 is a posterior (rear) view of the footwear sole of FIG. 23 also showing the surface pattern;
FIG. 26 is a lateral view of the footwear sole of FIG. 23 also showing the surface pattern;

FIG. 27 is a medial view of the footwear sole of FIG. 23 also showing the surface pattern;

FIG. 28 is a top view of the footwear sole of FIG. 23 also showing the surface pattern;

FIG. 29 is a bottom view of the footwear sole of FIG. 23;

FIG. 30 is a cross-sectional view of the footwear sole of FIG. 23 taken in the direction of the arrows along the line 30-30 shown in FIG. 28 and also showing the surface pattern;

FIG. 31 is a cross-sectional view of the footwear sole of FIG. 23 taken in the direction of the arrows along the line 31-31 shown in FIG. 28 and also showing the surface pattern;

FIG. 32 is a cross-sectional view of the footwear sole of FIG. 23 taken in the direction of the arrows along the line 32-32 shown in FIG. 28;

FIG. 33 is perspective view of the footwear sole of the third embodiment shown with alternate environmental structure and also showing the surface pattern. The footwear sole of FIG. 33 is fitted with a different upper than the footwear sole of FIG. 12. As a result, certain views of the footwear sole of FIGS. 33-42 are different from the corresponding views of the footwear sole of FIGS. 12-22 because certain features of the footwear sole that can be seen in FIGS. 12-22 are obscured from view by the presence of the upper of FIG. 33 when viewed in FIGS. 33-42 (e.g. among others in the top view of FIG. 38);

FIG. 34 is an anterior (front) view of the footwear sole of FIG. 33 also showing the surface pattern;

FIG. 35 is a posterior (rear) view of the footwear sole of FIG. 33 also showing the surface pattern;

FIG. 36 is a lateral view of the footwear sole of FIG. 33 also showing the surface pattern;

FIG. 37 is a medial view of the footwear sole of FIG. 33 also showing the surface pattern;

FIG. 38 is a top view of the footwear sole of FIG. 33 also showing the surface pattern;

FIG. 39 is a bottom view of the footwear sole of FIG. 33;

FIG. 40 is a cross-sectional view of the footwear sole of FIG. 33 taken in the direction of the arrows along the line 40-40 shown in FIG. 38 and also showing the surface pattern;

FIG. 41 is a cross-sectional view of the footwear sole of FIG. 33 taken in the direction of the arrows along the line 41-41 shown in FIG. 38 and also showing the surface pattern; and,

FIG. 42 is a cross-sectional view of the footwear sole of FIG. 33 taken in the direction of the arrows along the line 42-42 shown in FIG. 38.

In FIGS. 1-42, the consistent-length broken lines depict unclaimed environmental structure as well as unclaimed portions of the footwear sole in FIGS. 11 and 22. The alternating-length broken lines seen in FIGS. 8-10, 19-21, 30-32, and 40-42 depict the boundaries of the claimed design. The broken lines and structures they depict form no part of the claimed design. The embodiments of the footwear sole shown in FIGS. 1-42 are for a left foot. Embodiments of the footwear sole for a right foot are mirror images of the embodiments shown in FIGS. 1-42 about a sagittal plane of a human body.

1 Claim, 30 Drawing Sheets

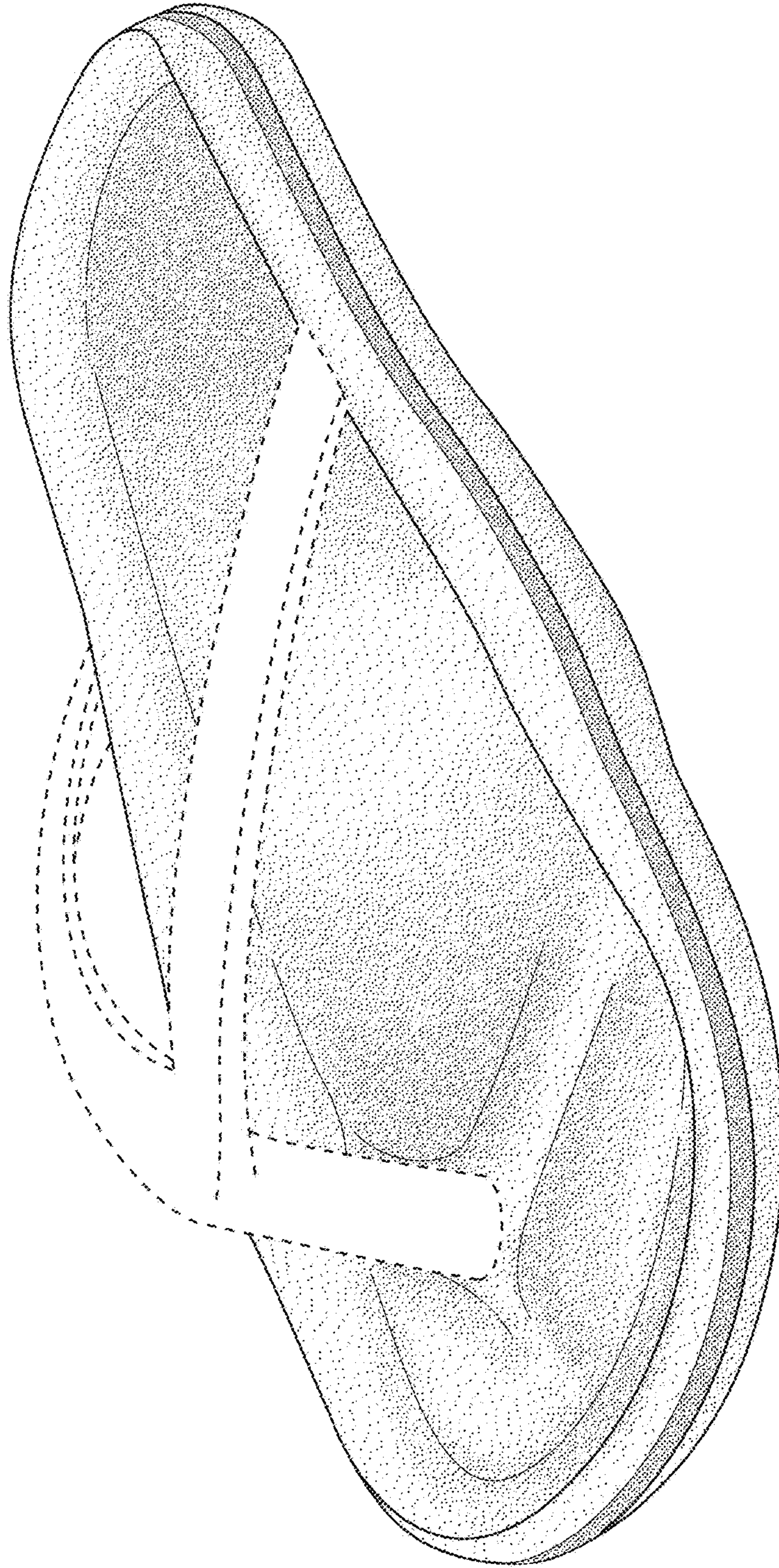


FIG. 1

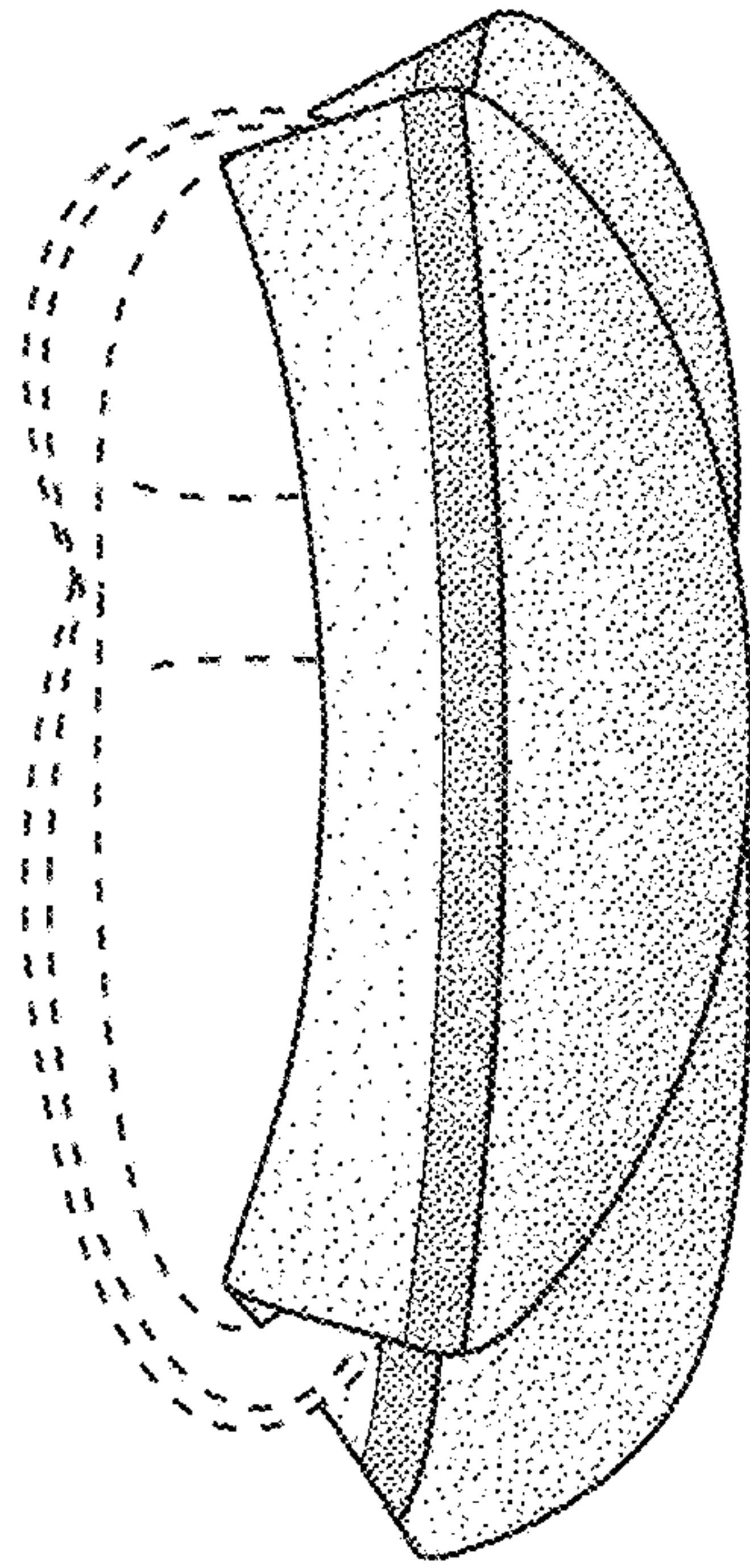


FIG. 3

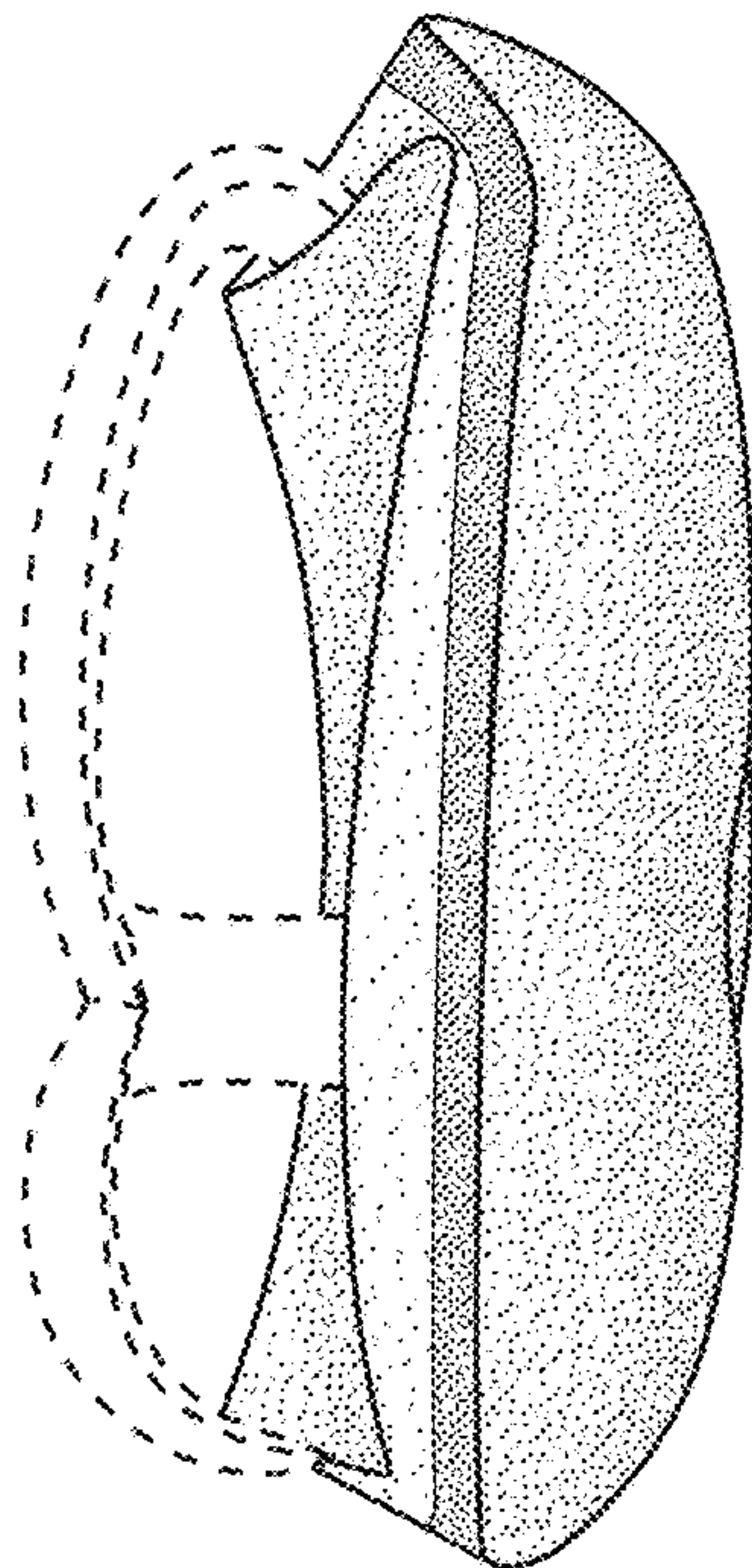


FIG. 2

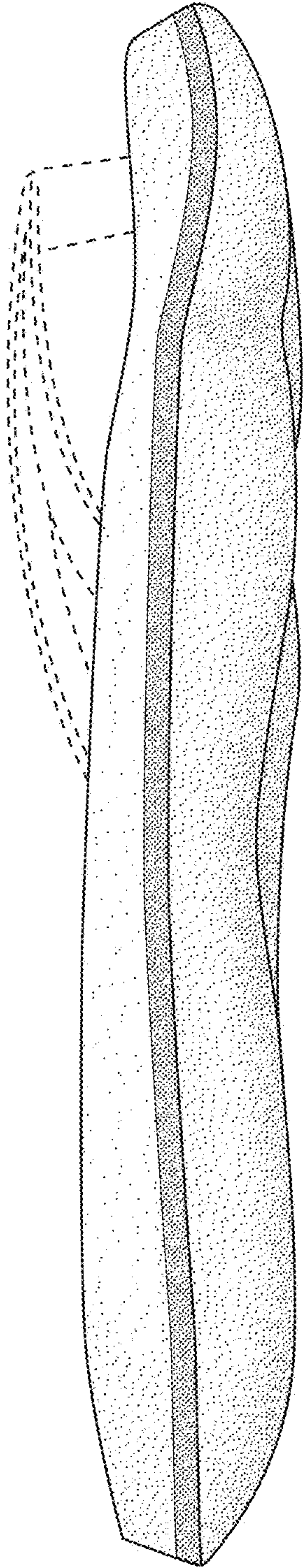


FIG. 4

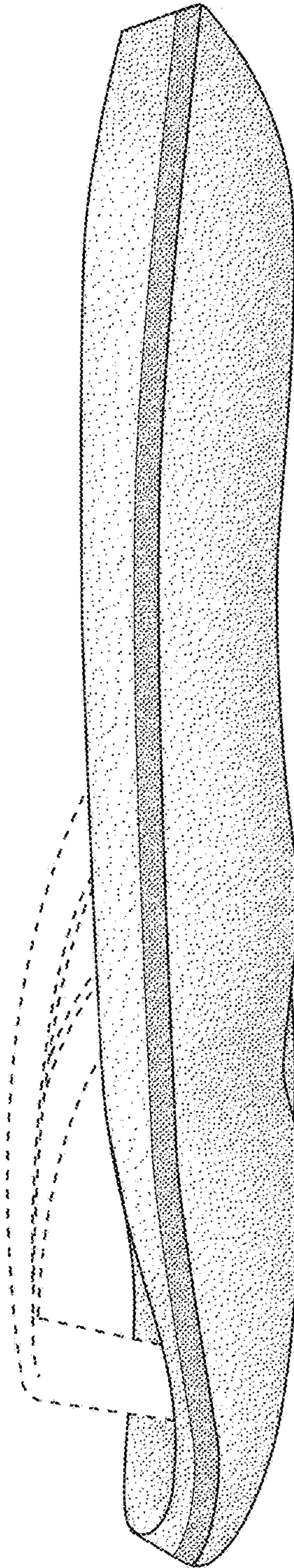


FIG. 5

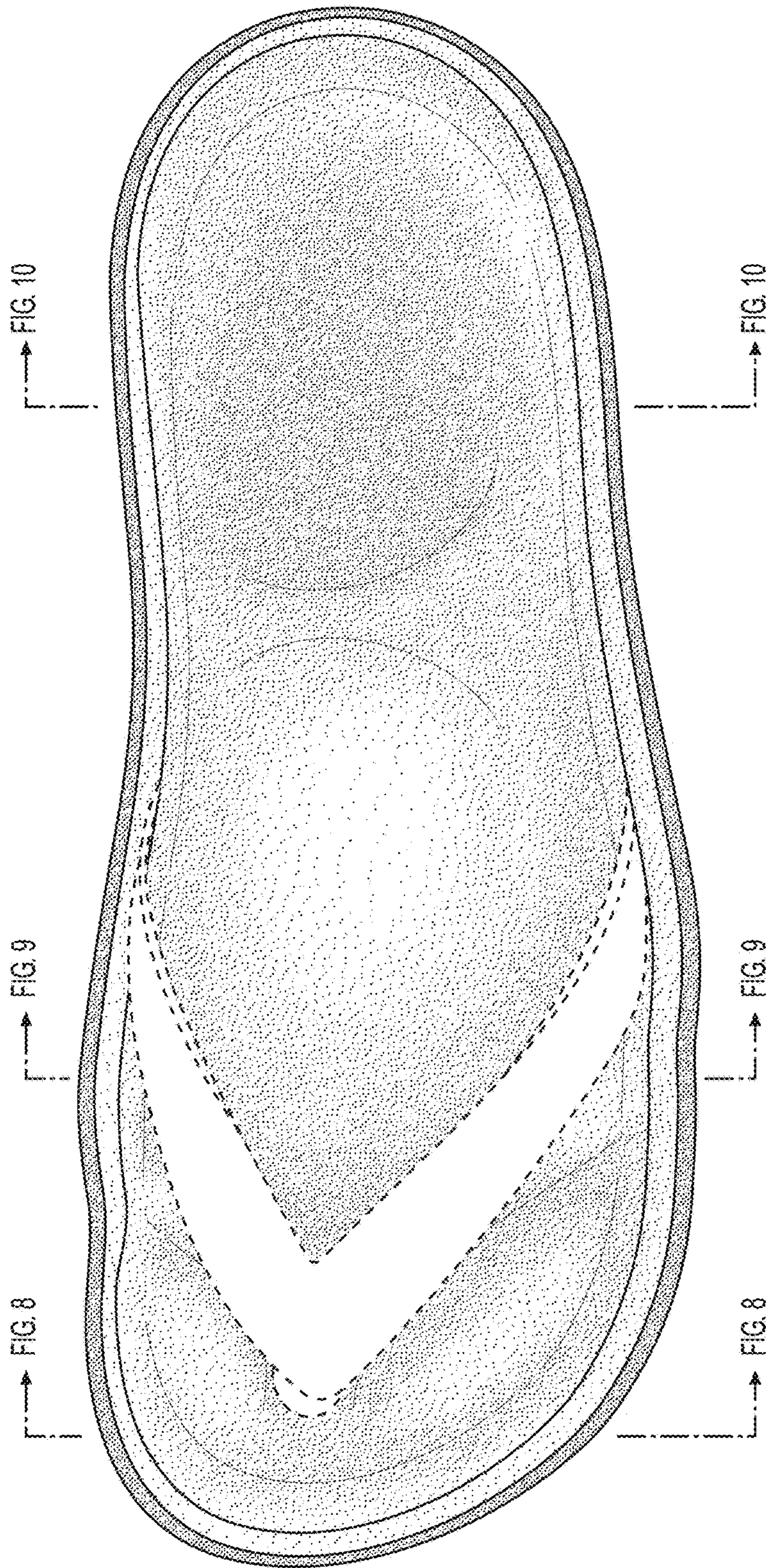


FIG. 6

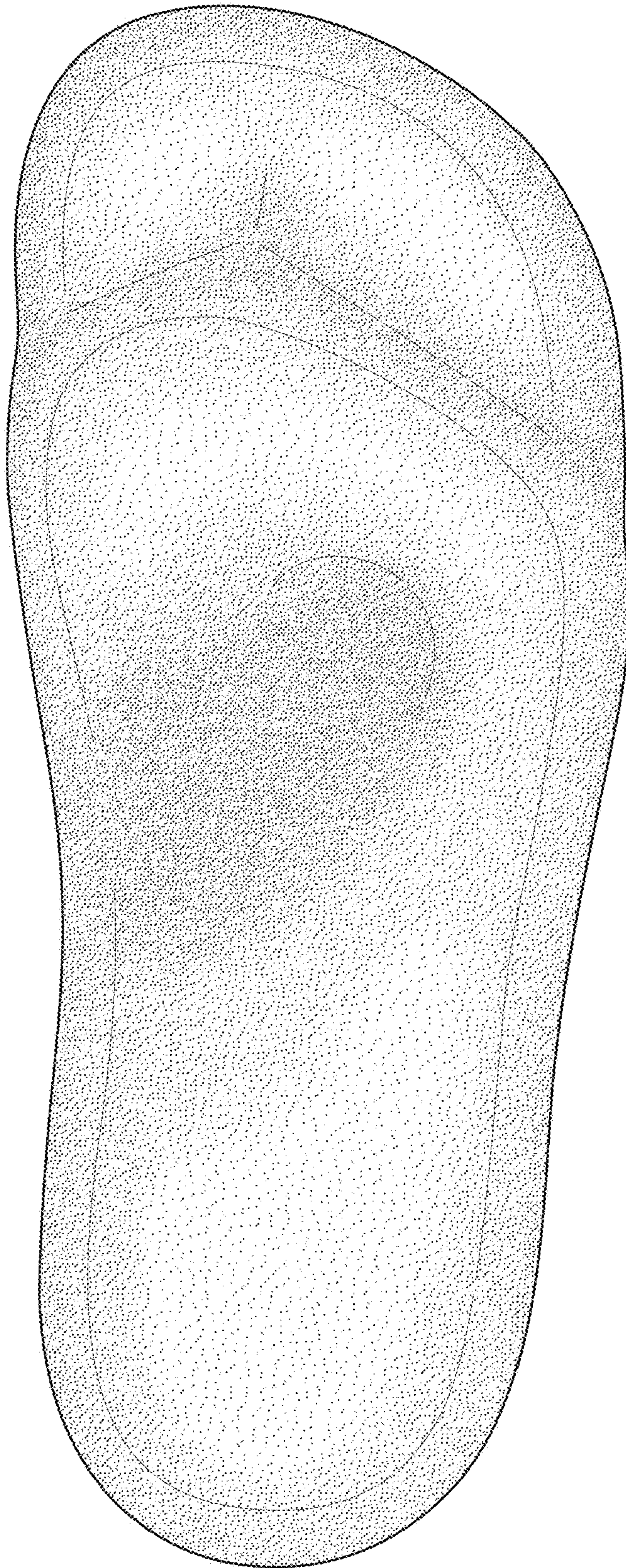


FIG. 7

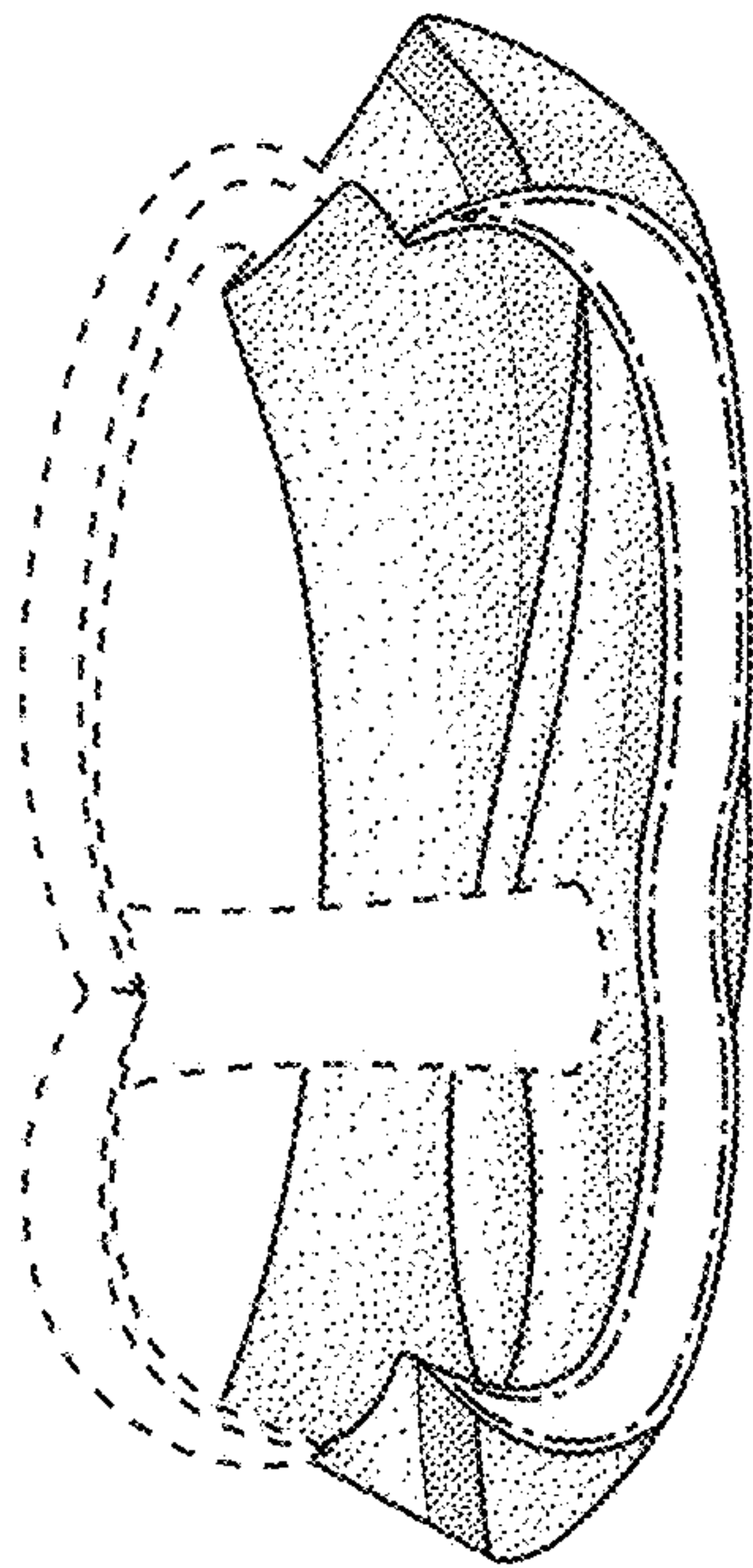


FIG. 8

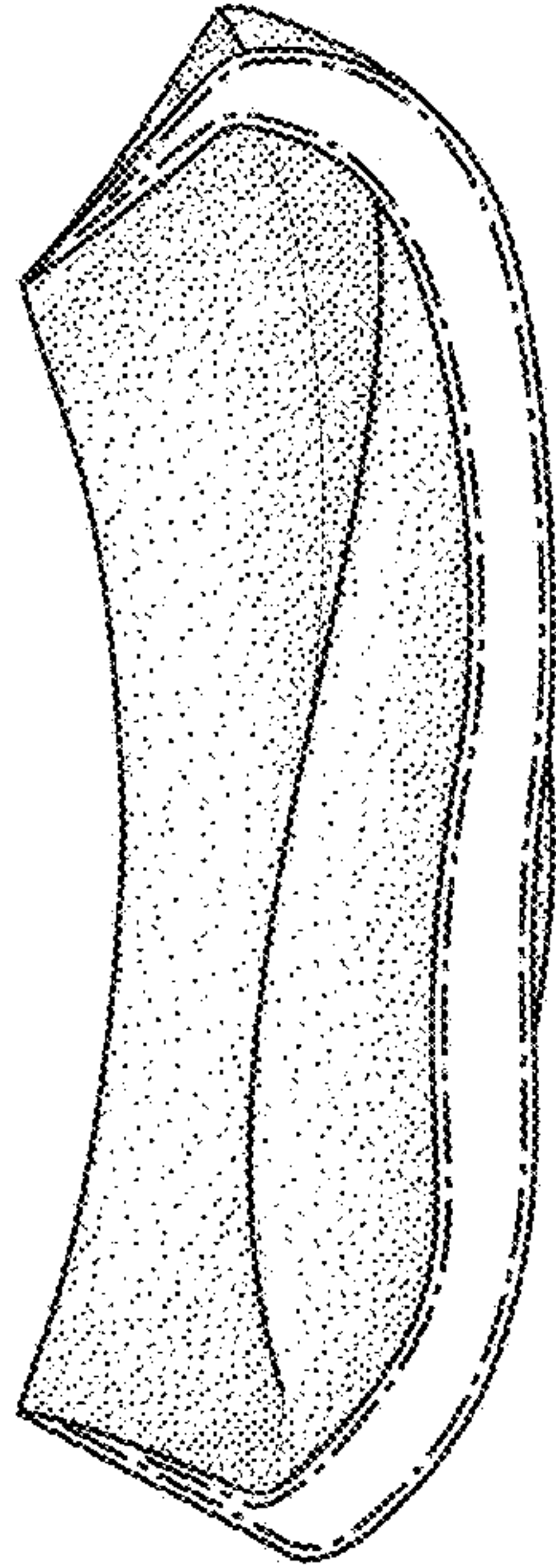


FIG. 9

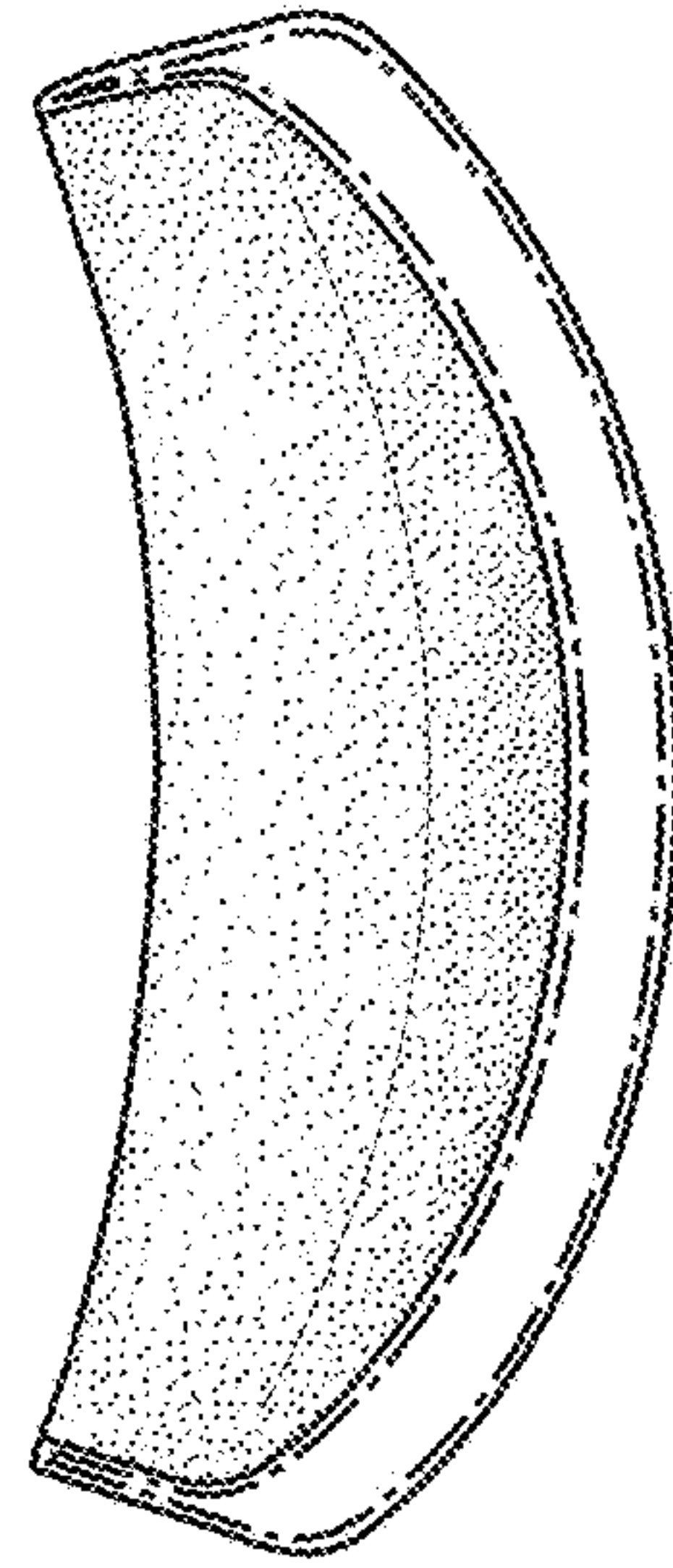


FIG. 10

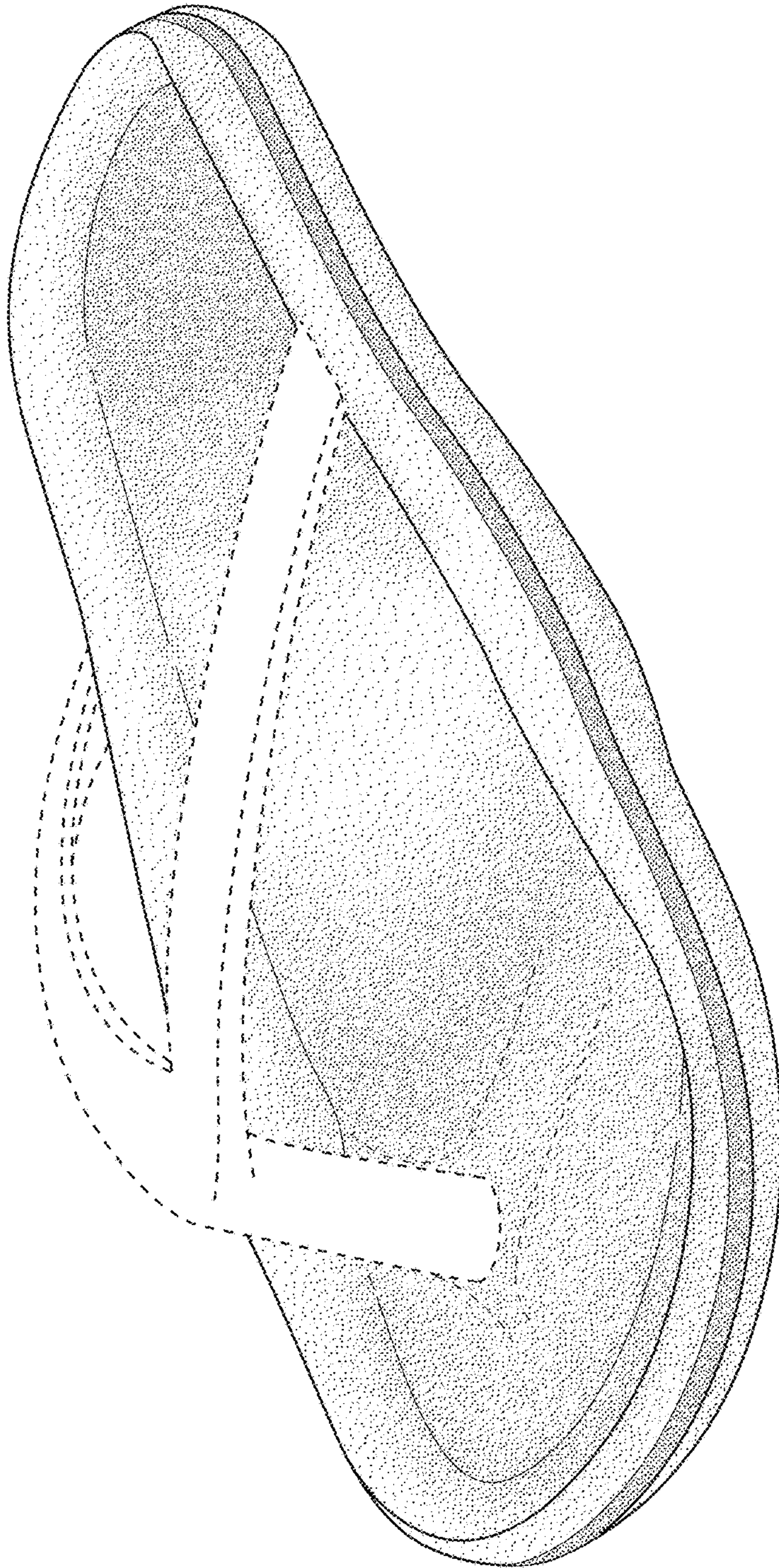


FIG. 11

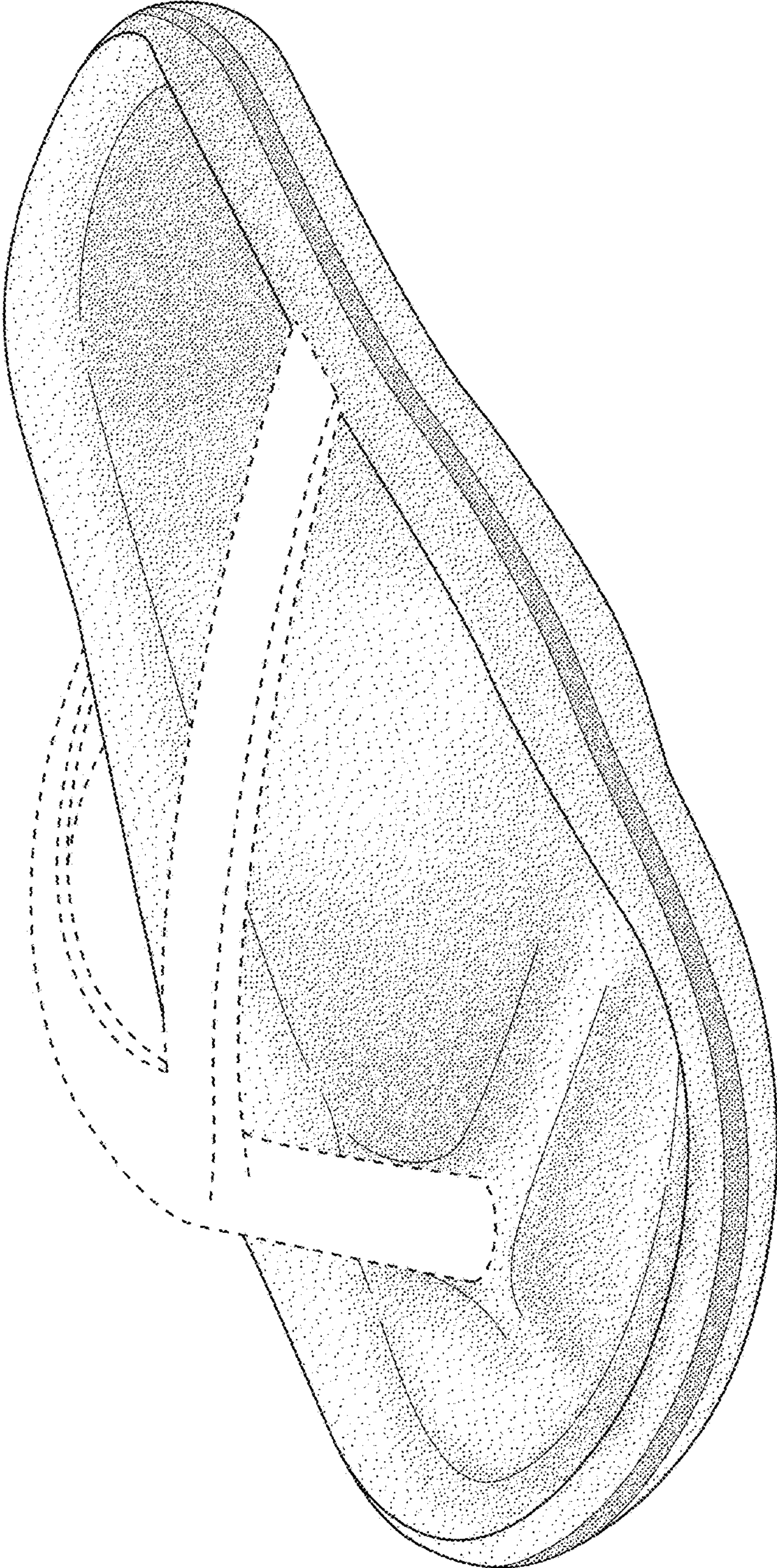


FIG. 12

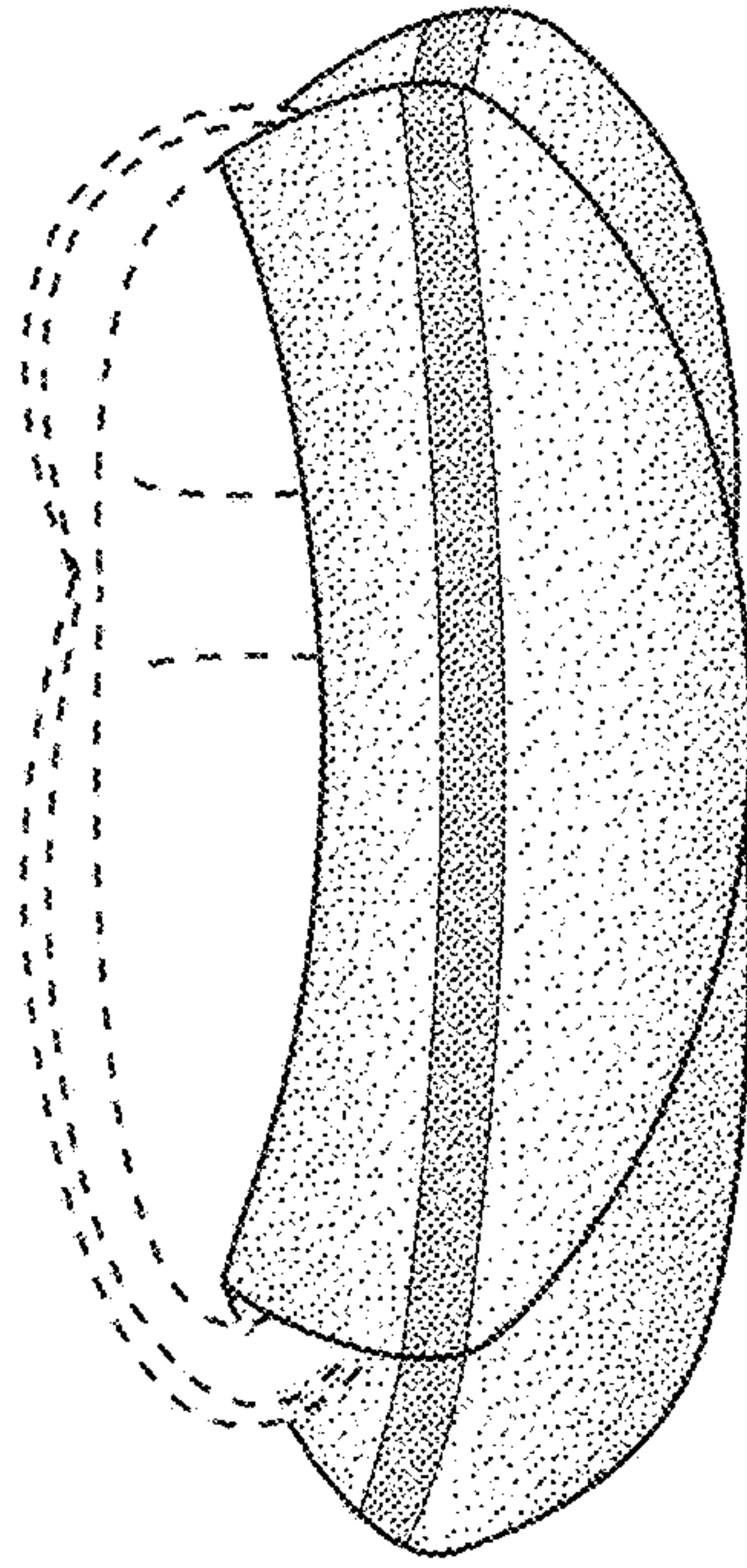


FIG. 13

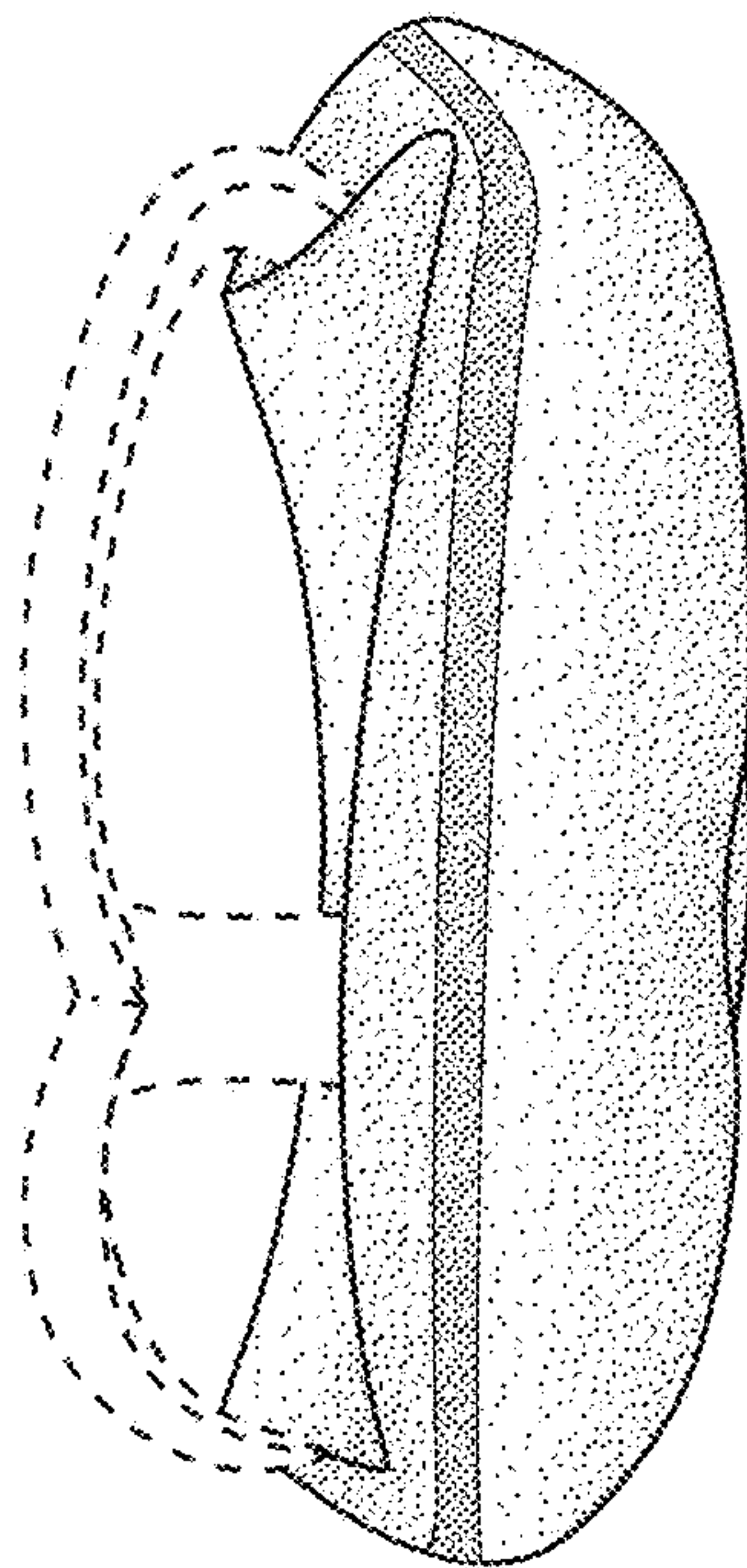


FIG. 14

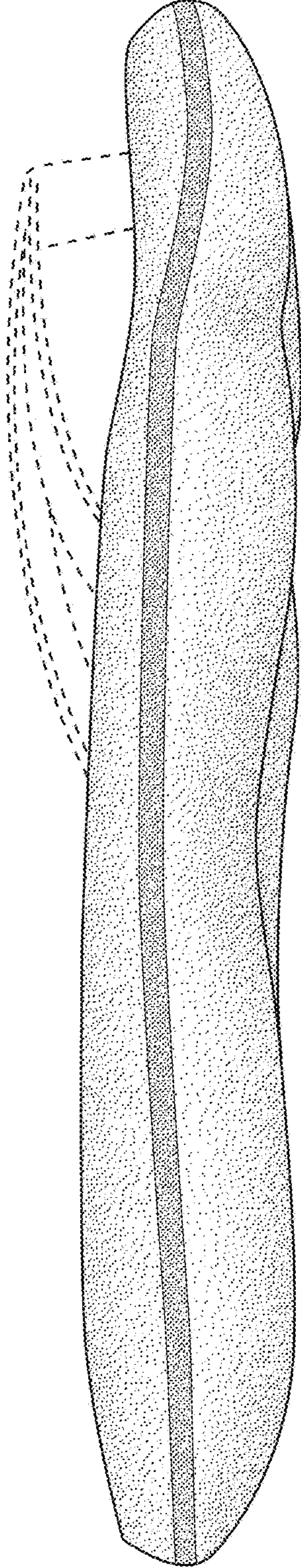


FIG. 15

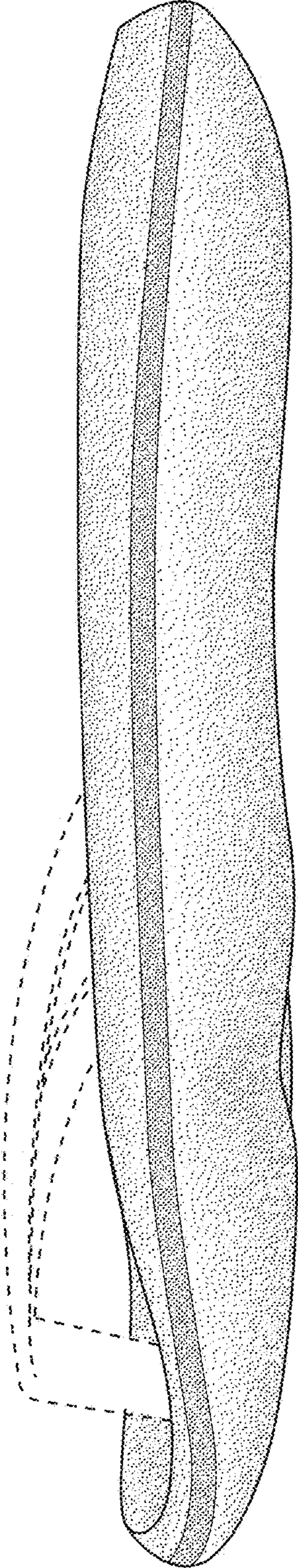


FIG. 16

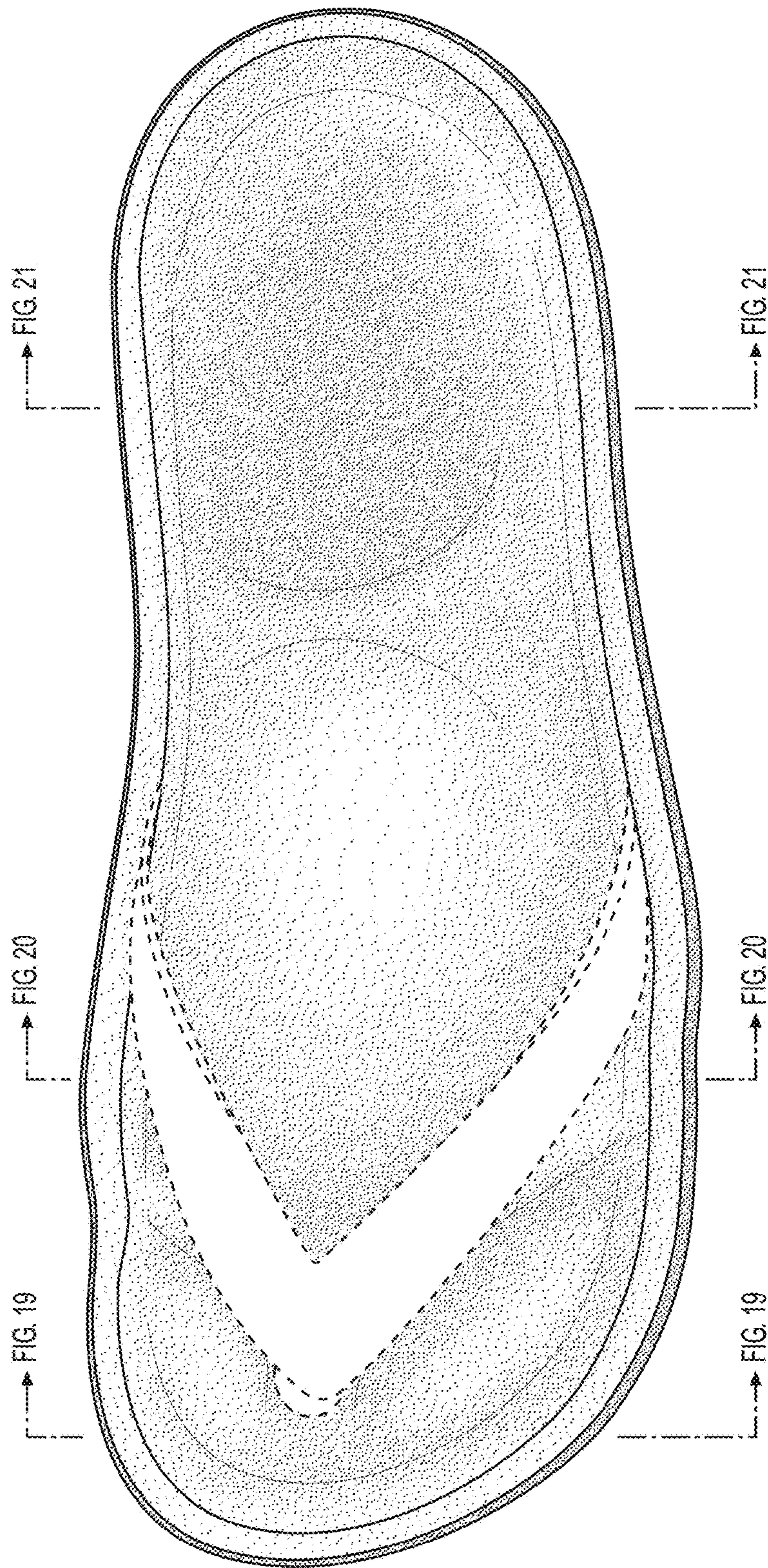


FIG. 17

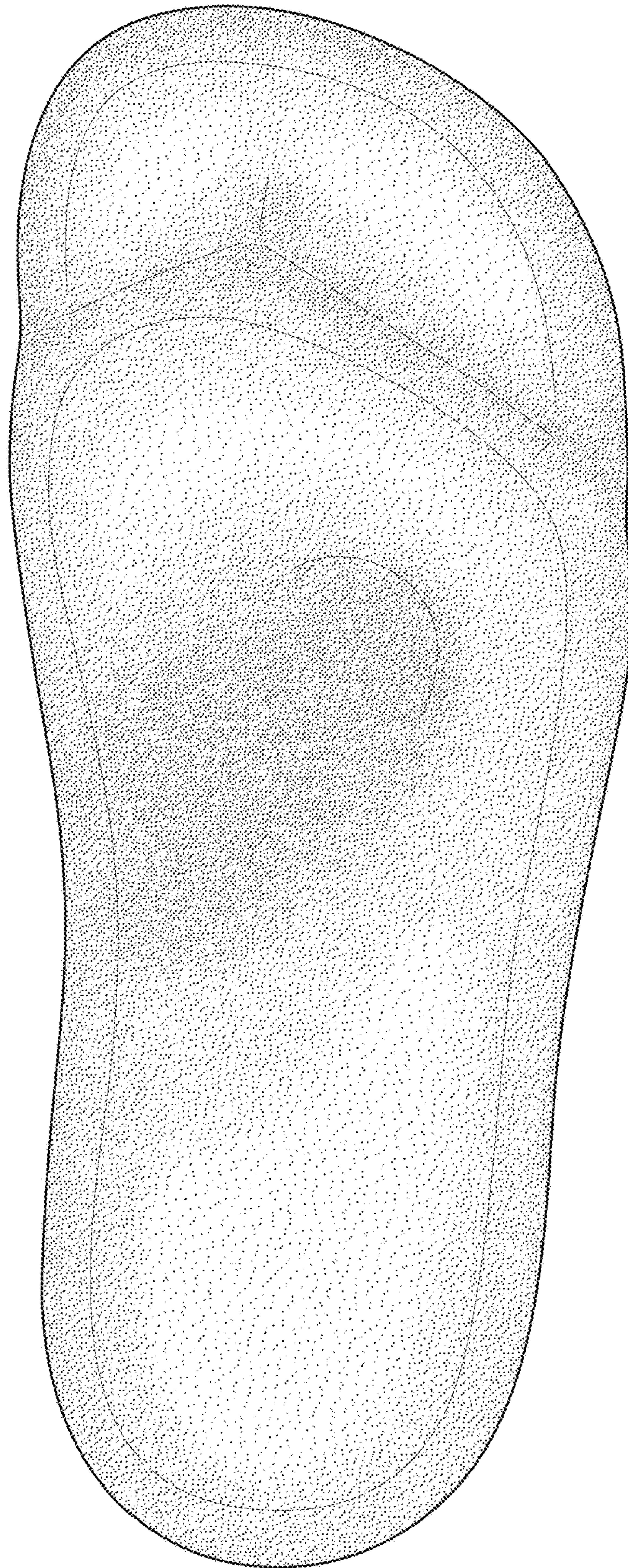


FIG. 18

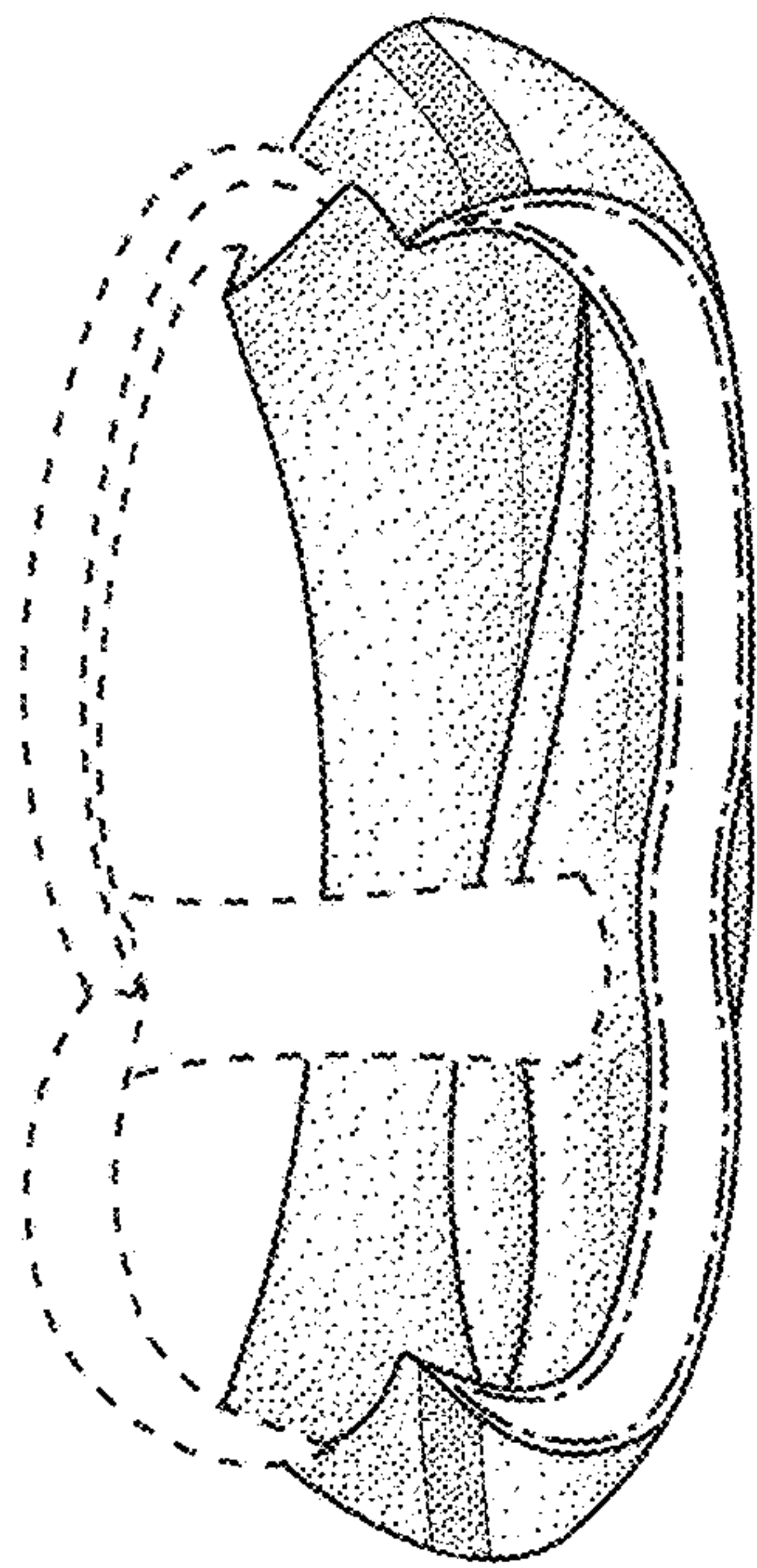


FIG. 19

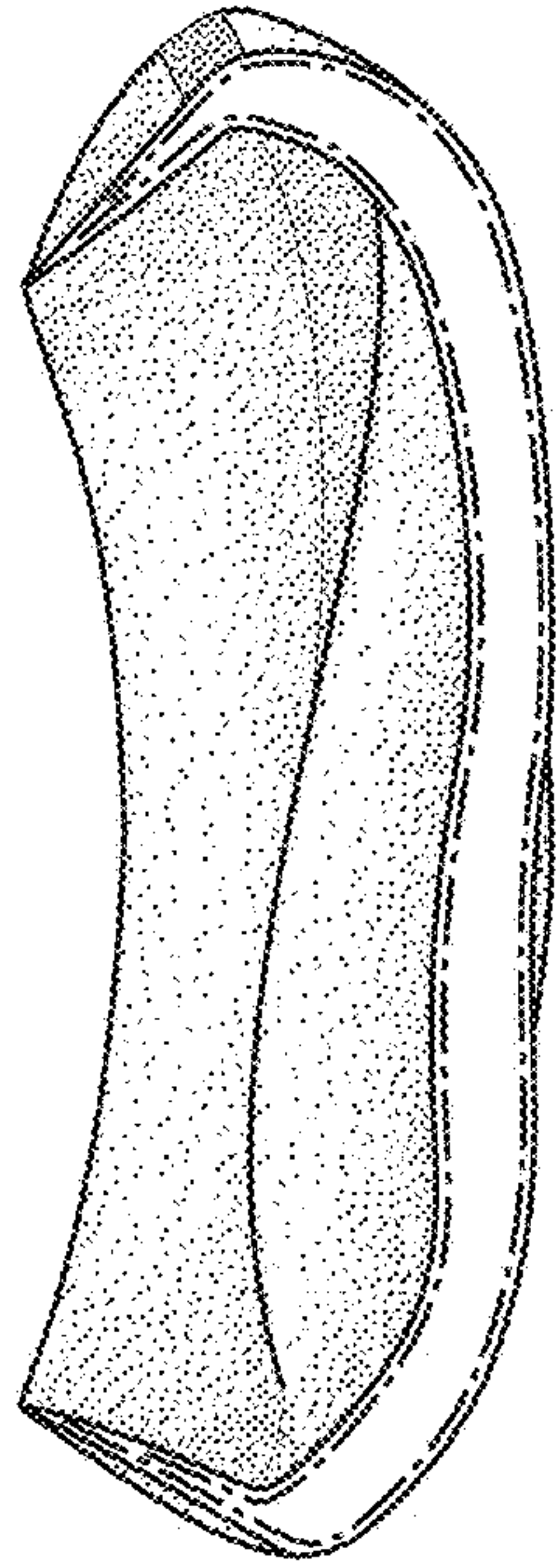


FIG. 20

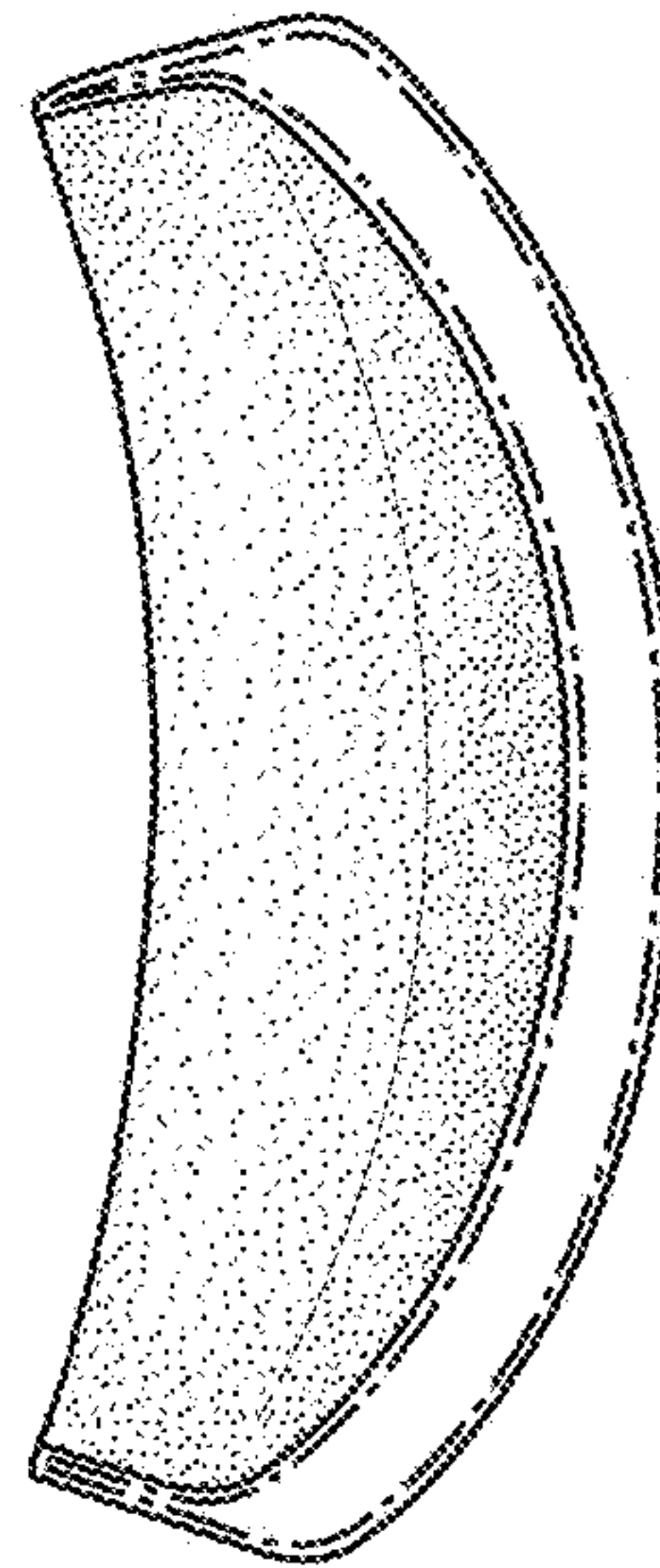


FIG. 21

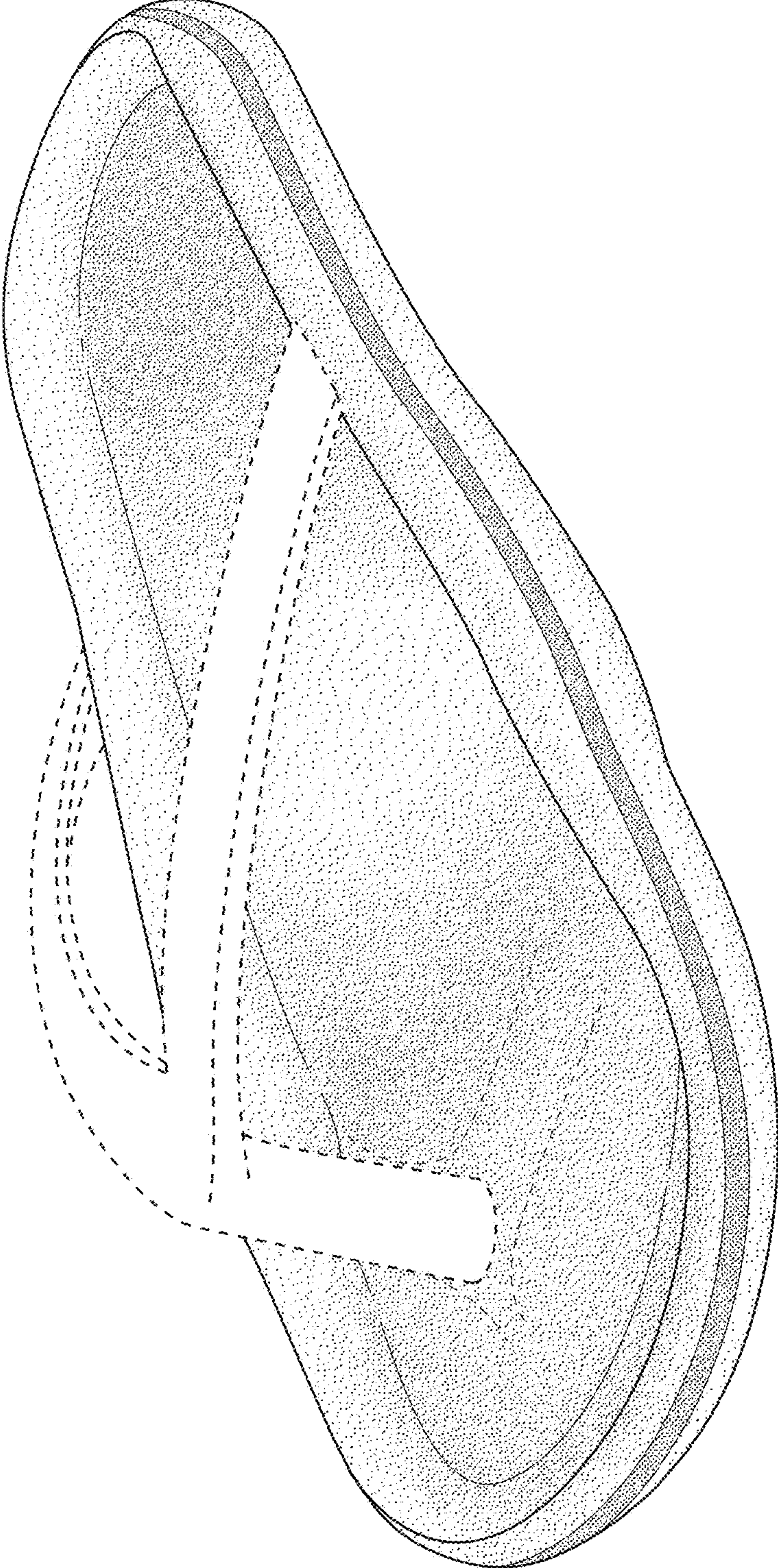


FIG. 22



FIG. 23

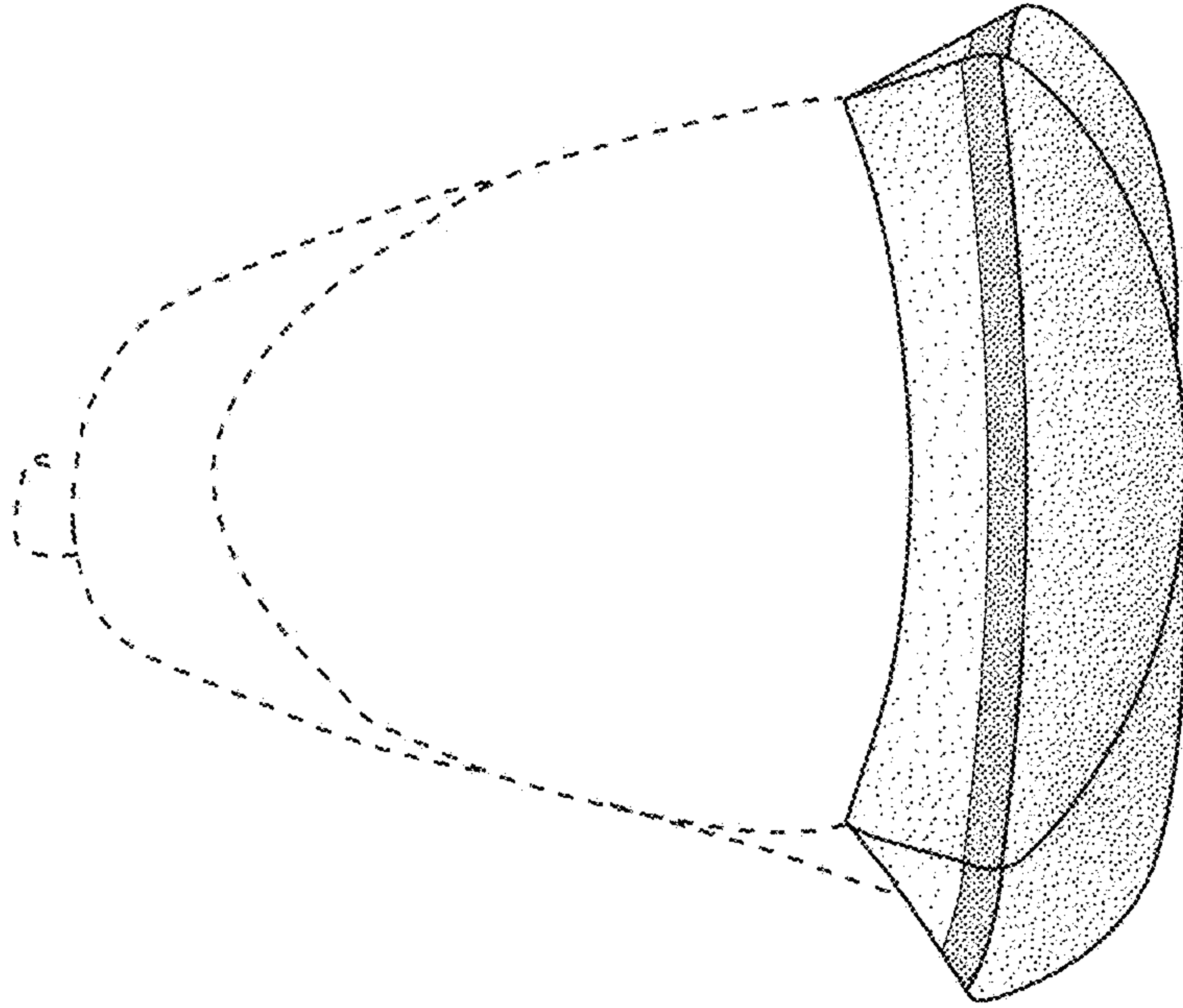


FIG. 25

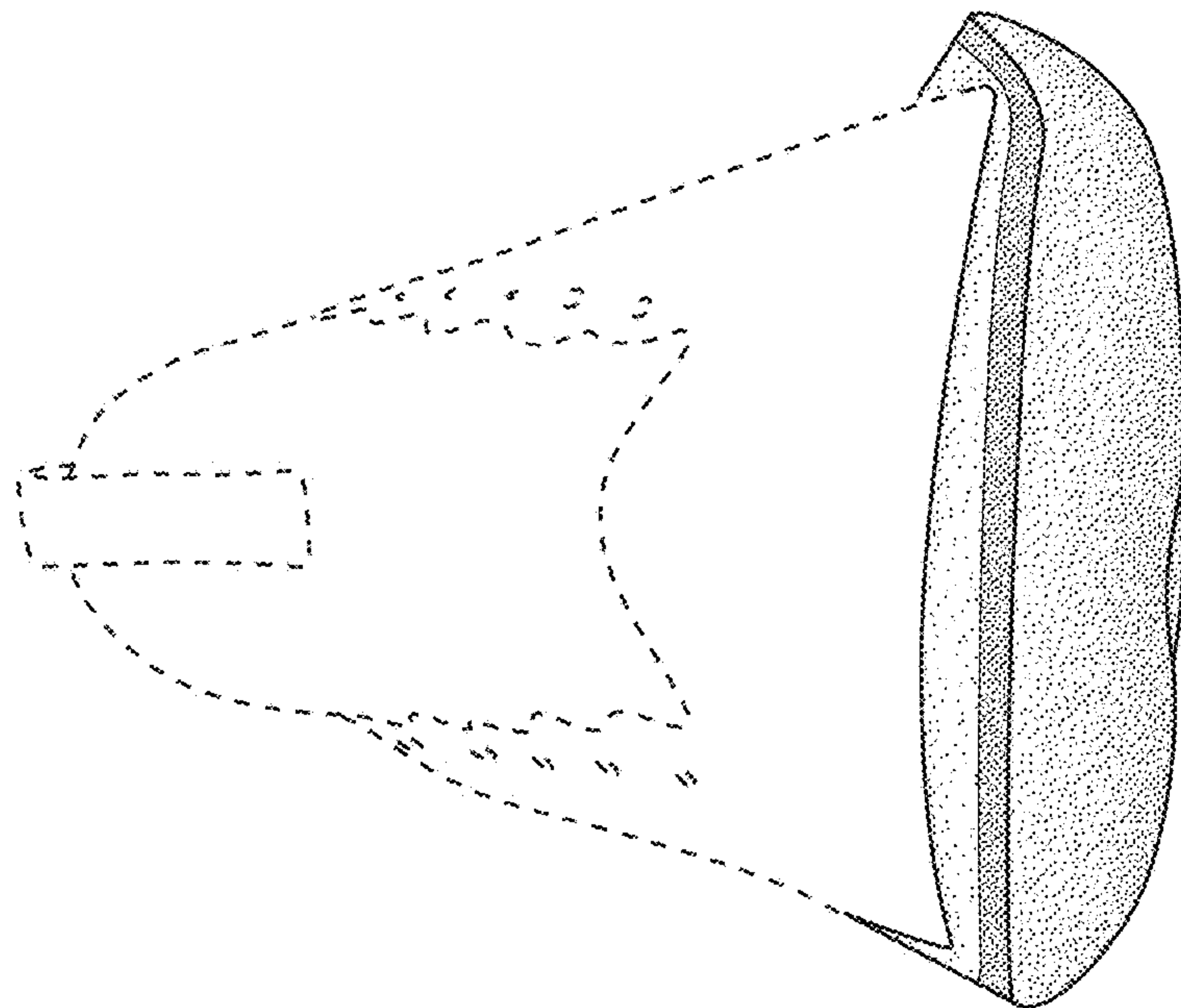


FIG. 24

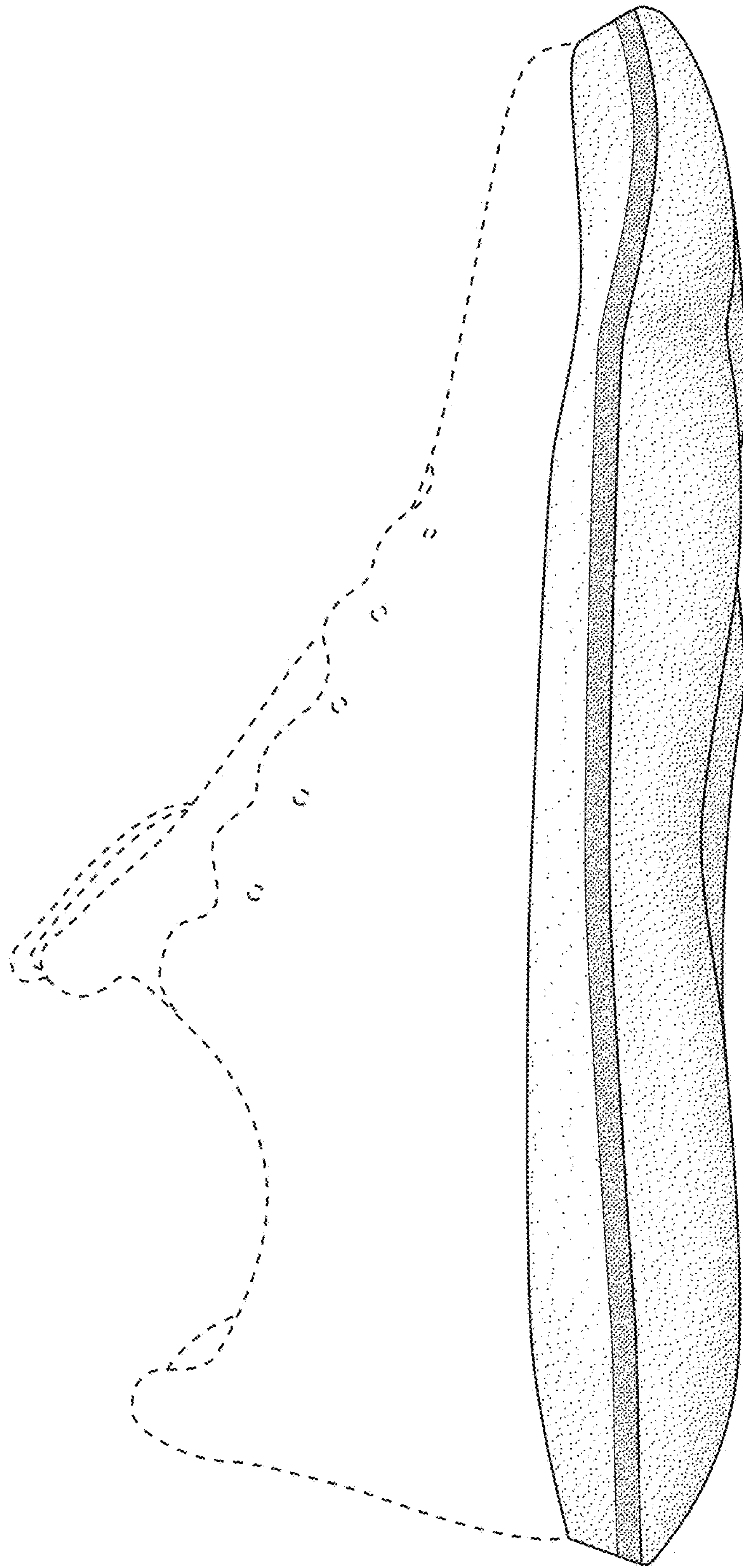


FIG. 26

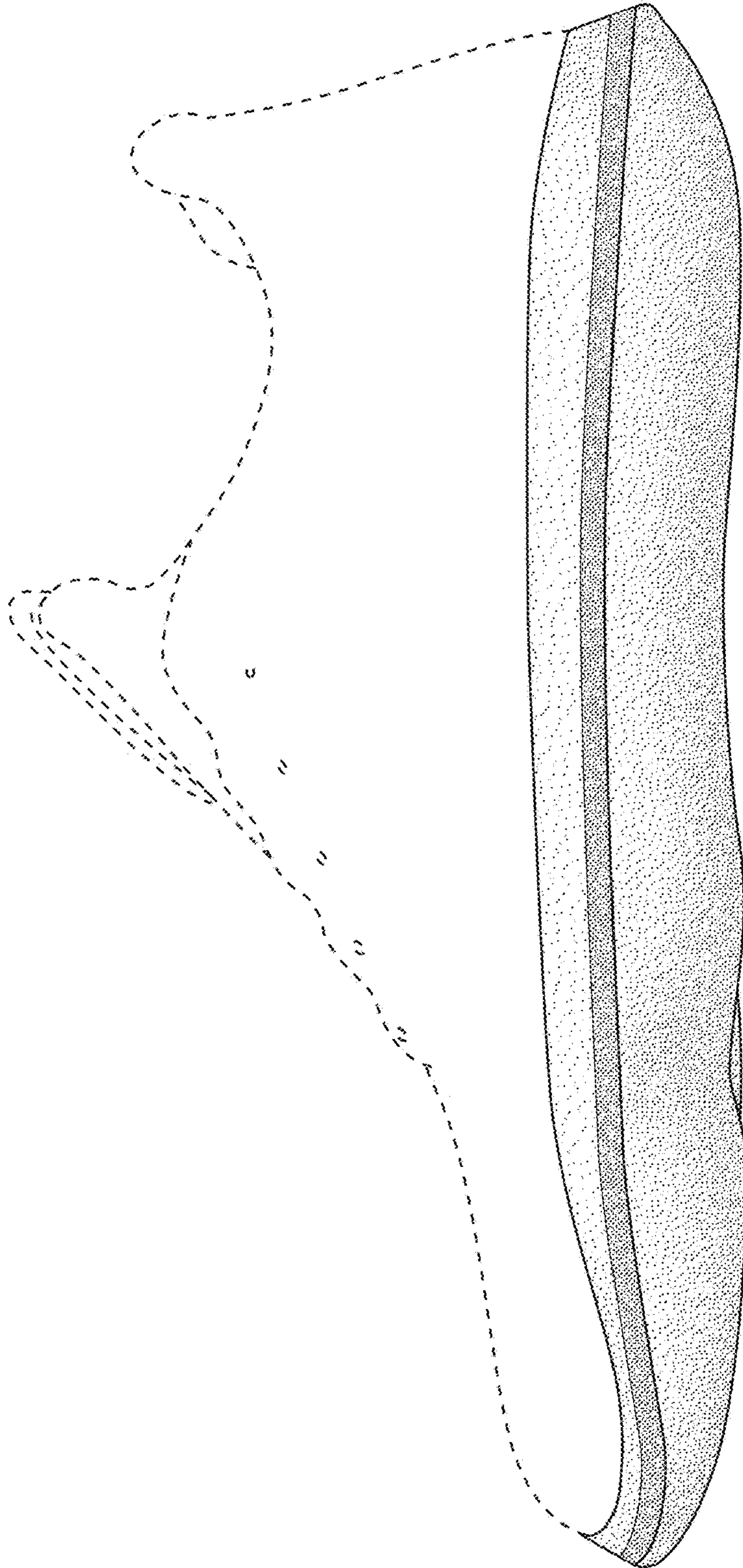


FIG. 27

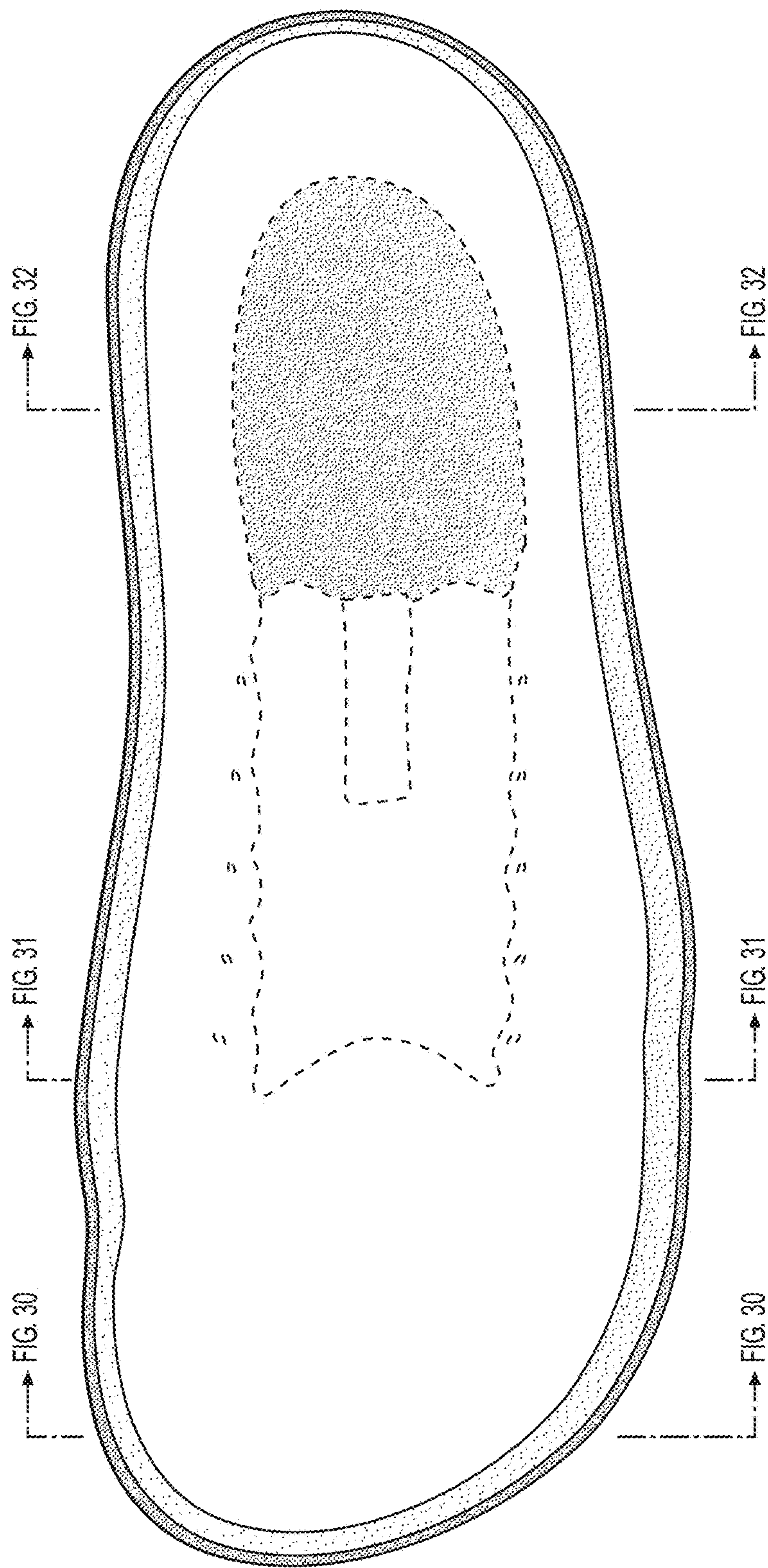


FIG. 28

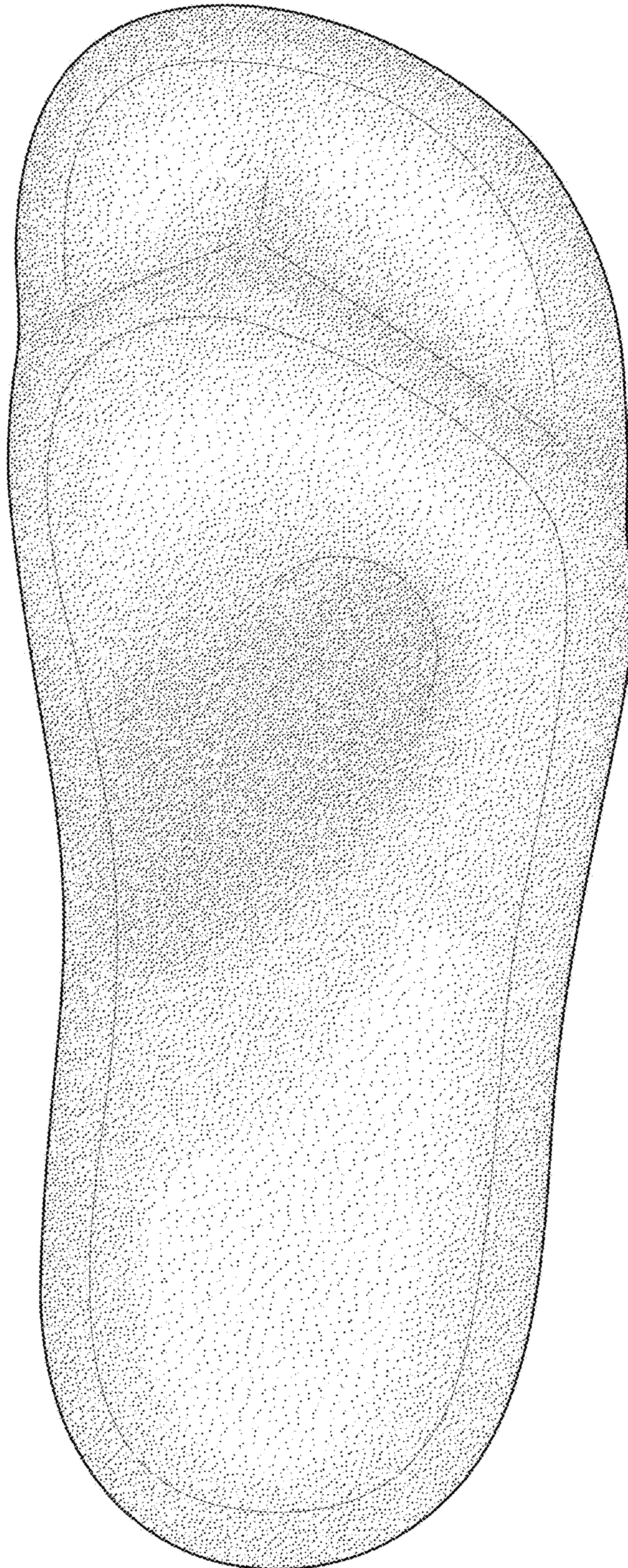


FIG. 29

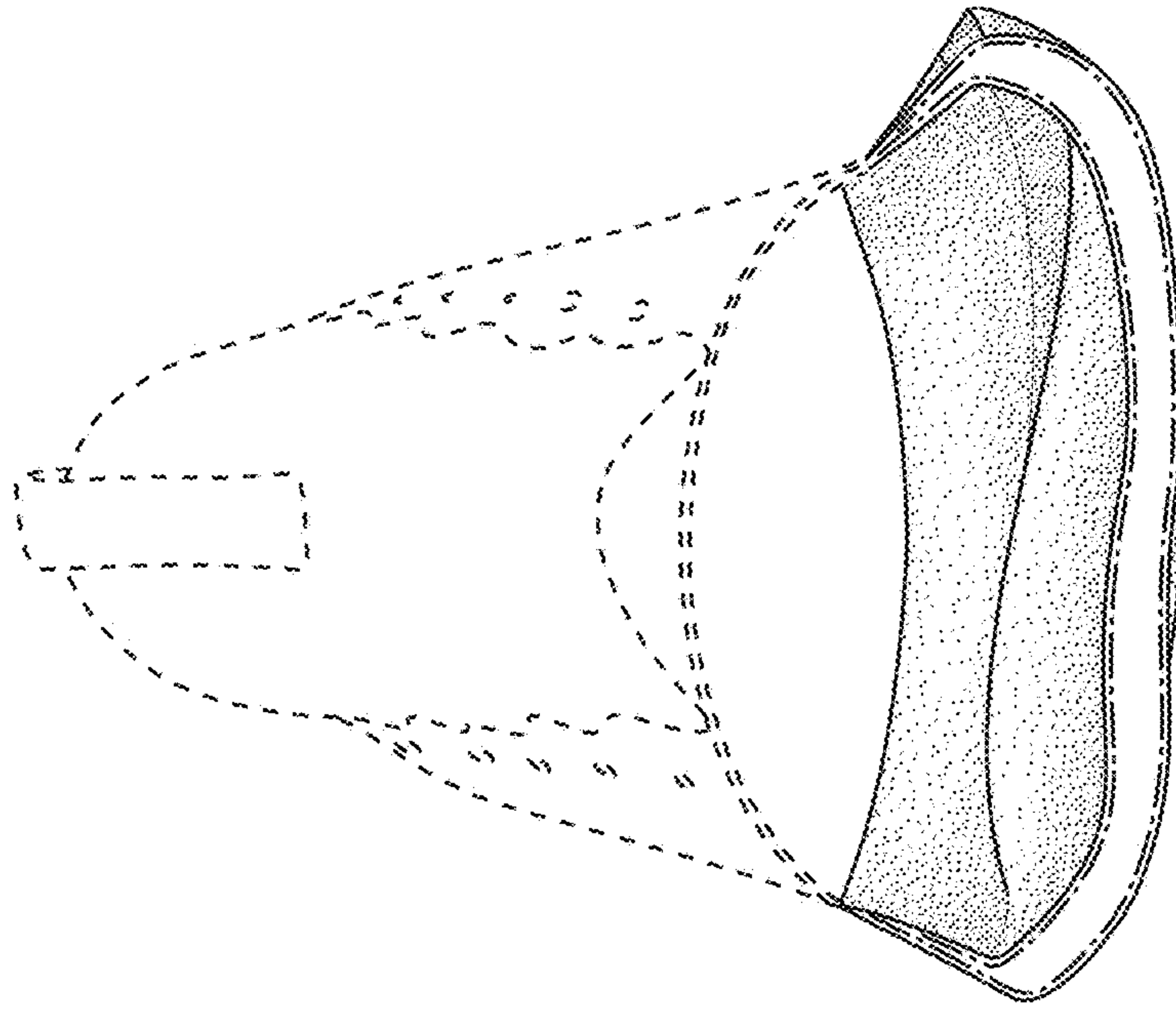


FIG. 31

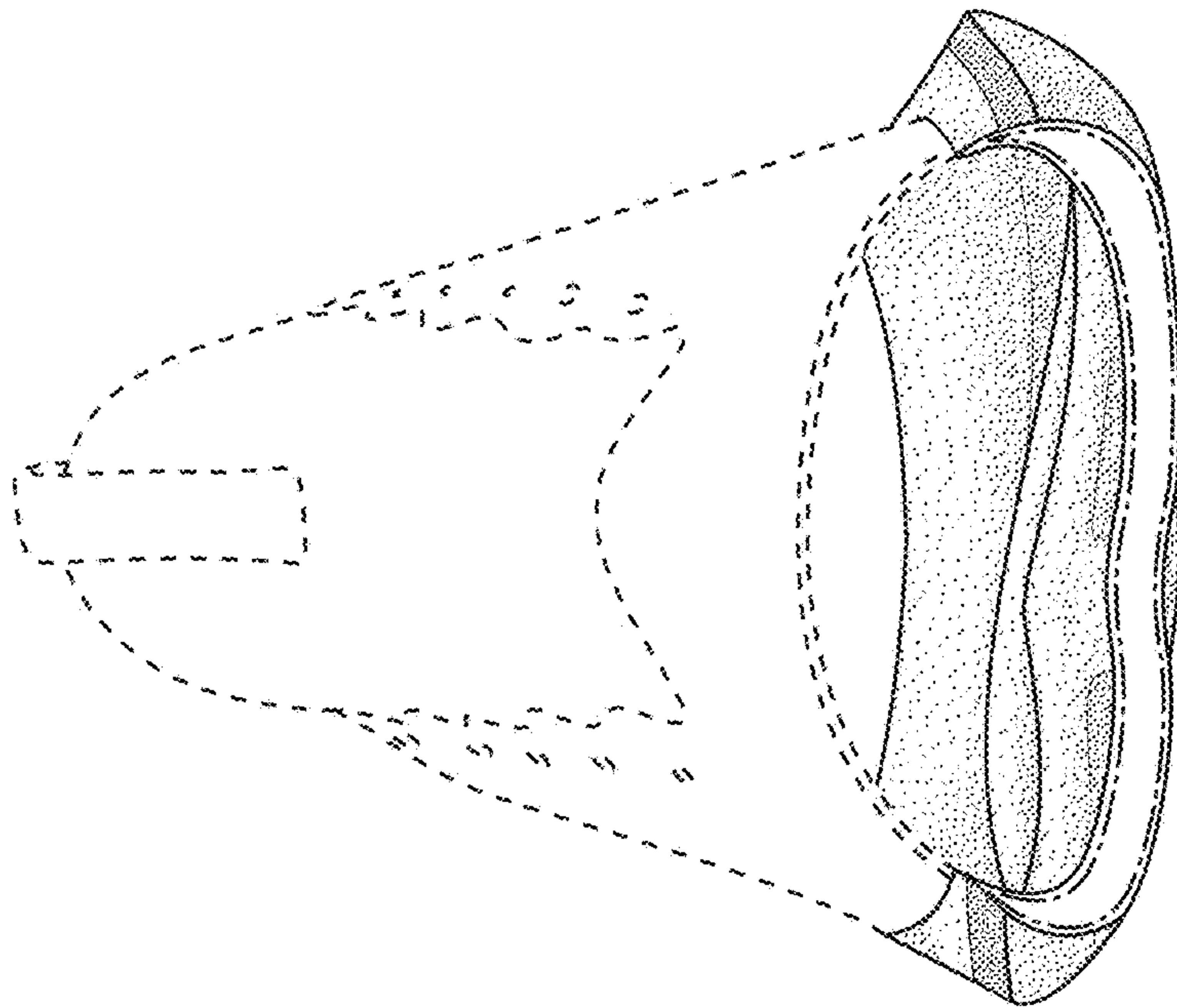


FIG. 30

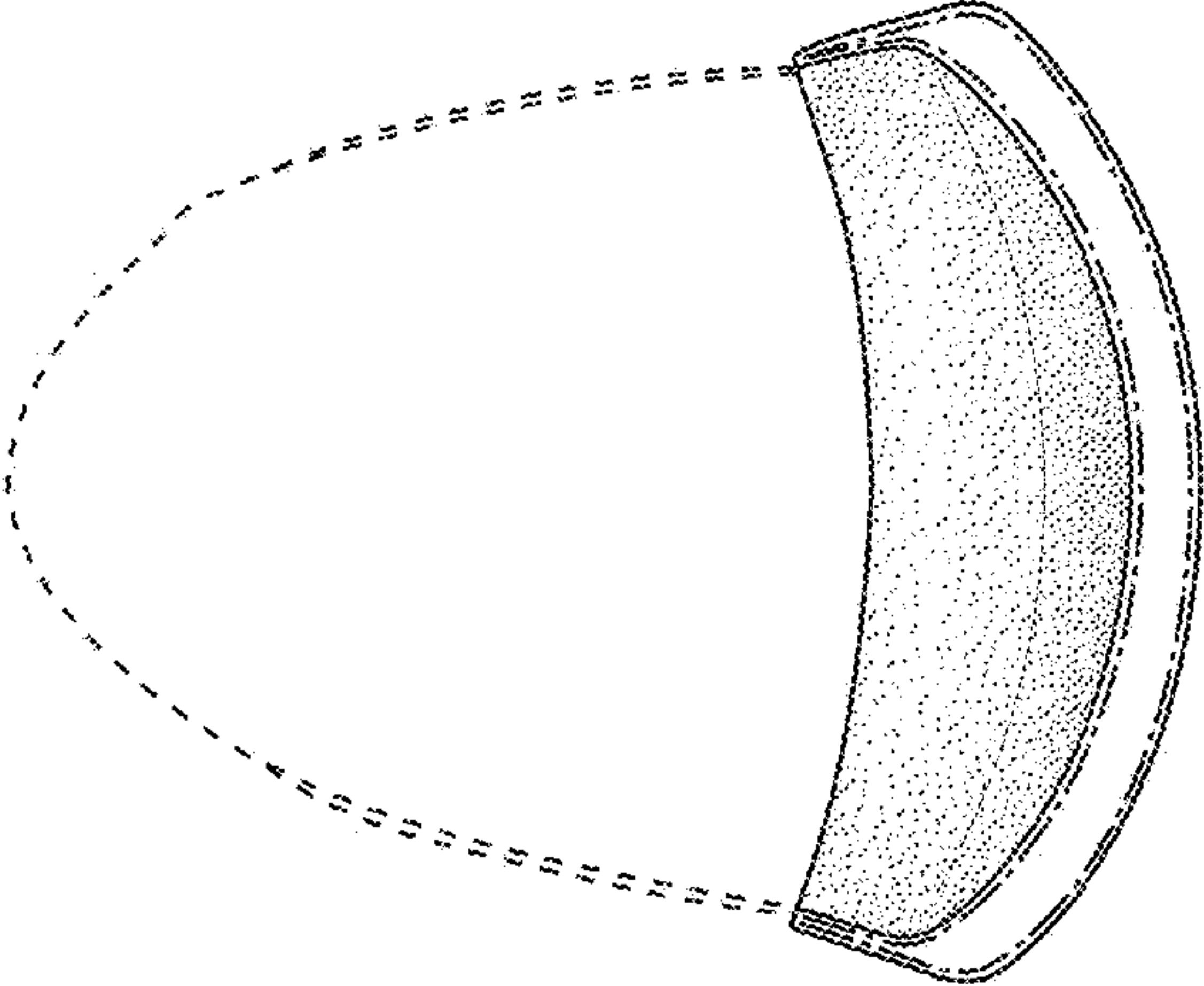


FIG. 32



FIG. 33

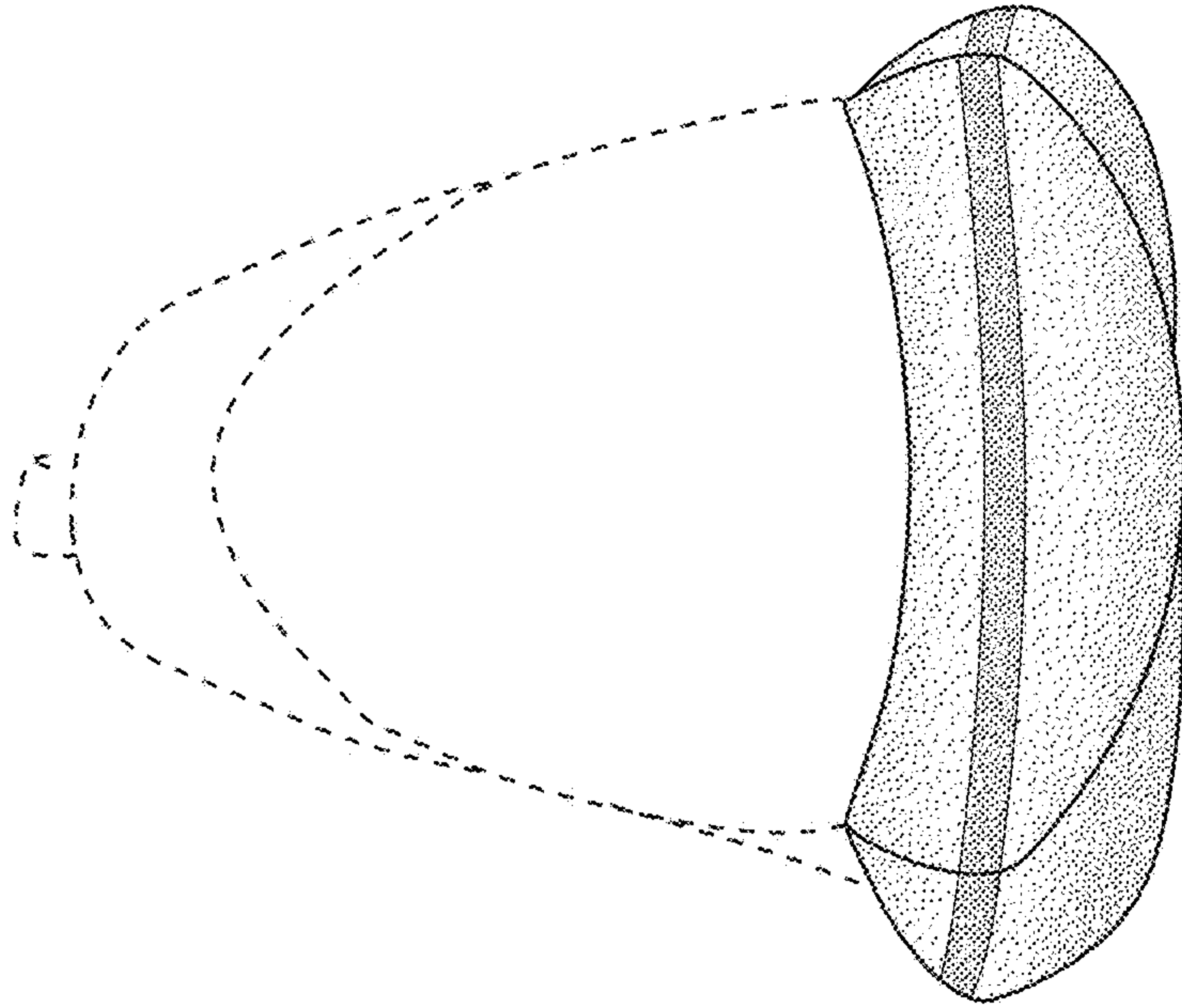


FIG. 35

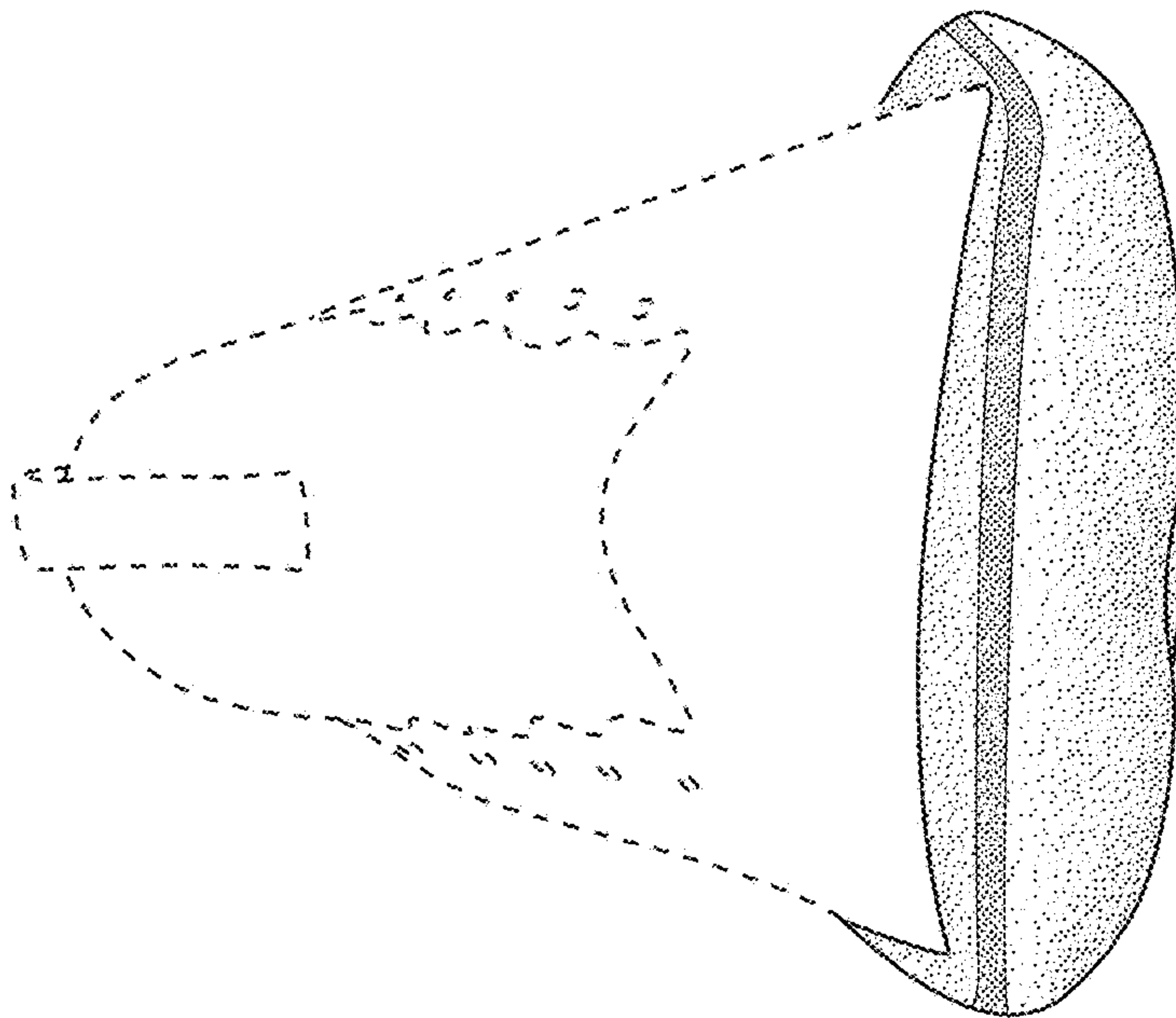


FIG. 34

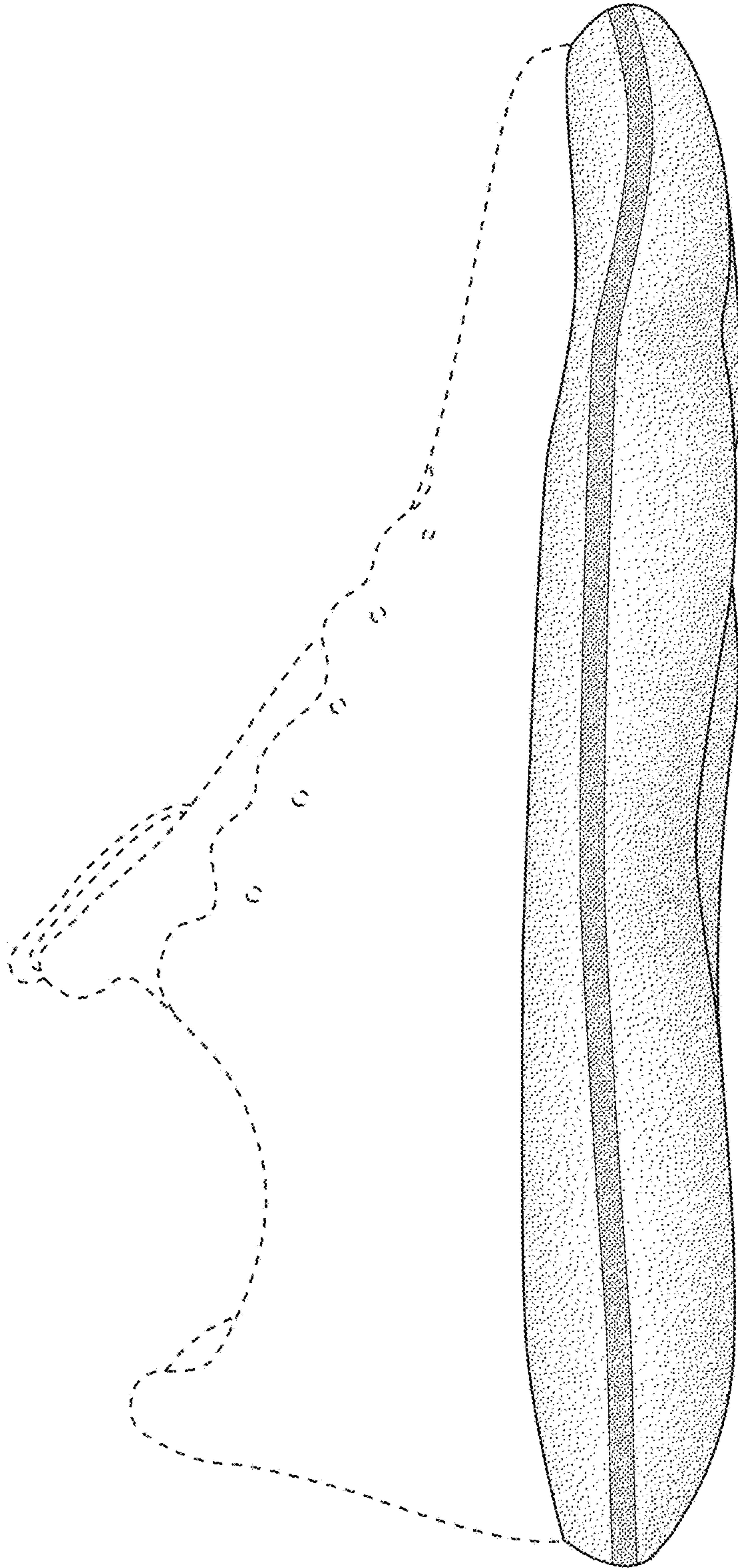


FIG. 36

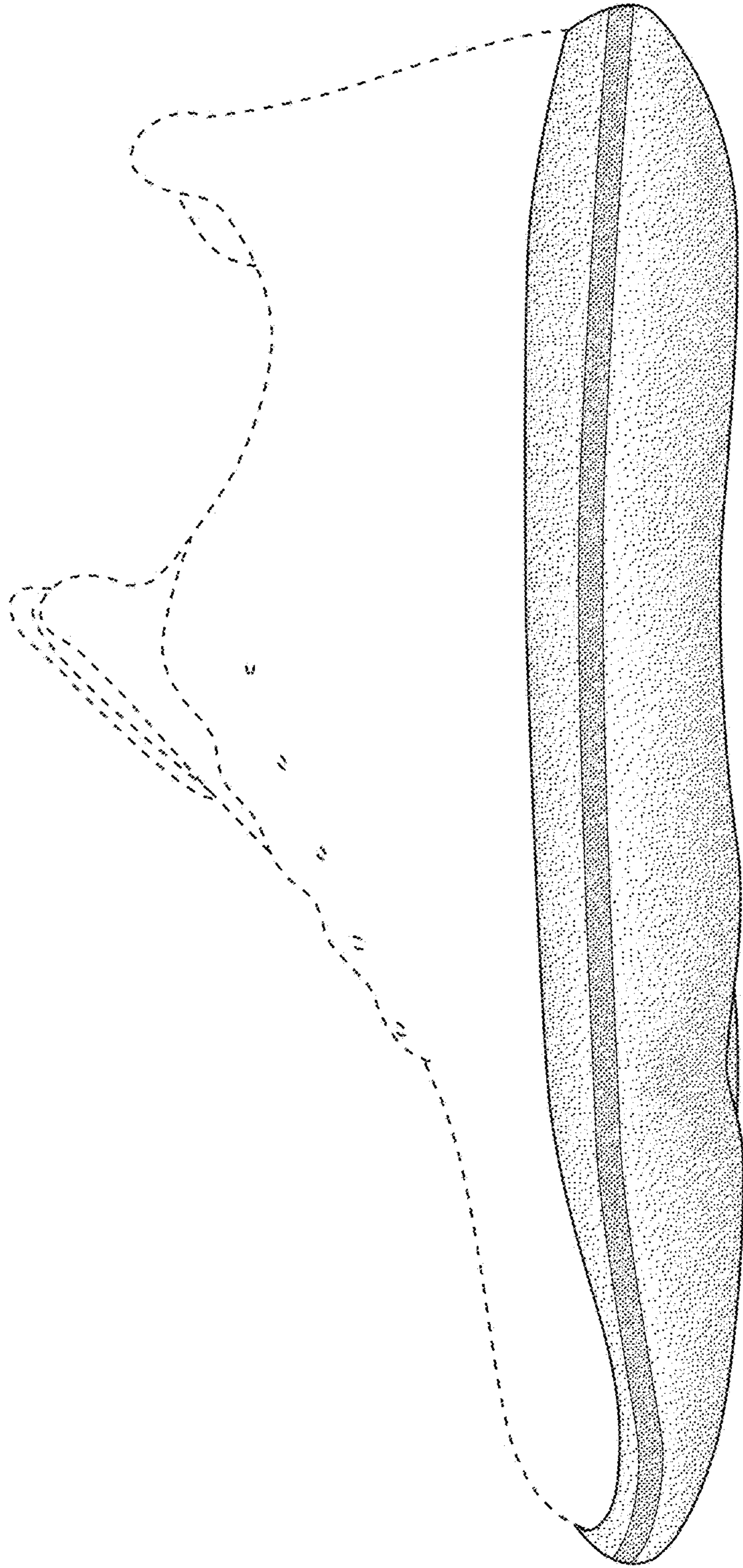


FIG. 37

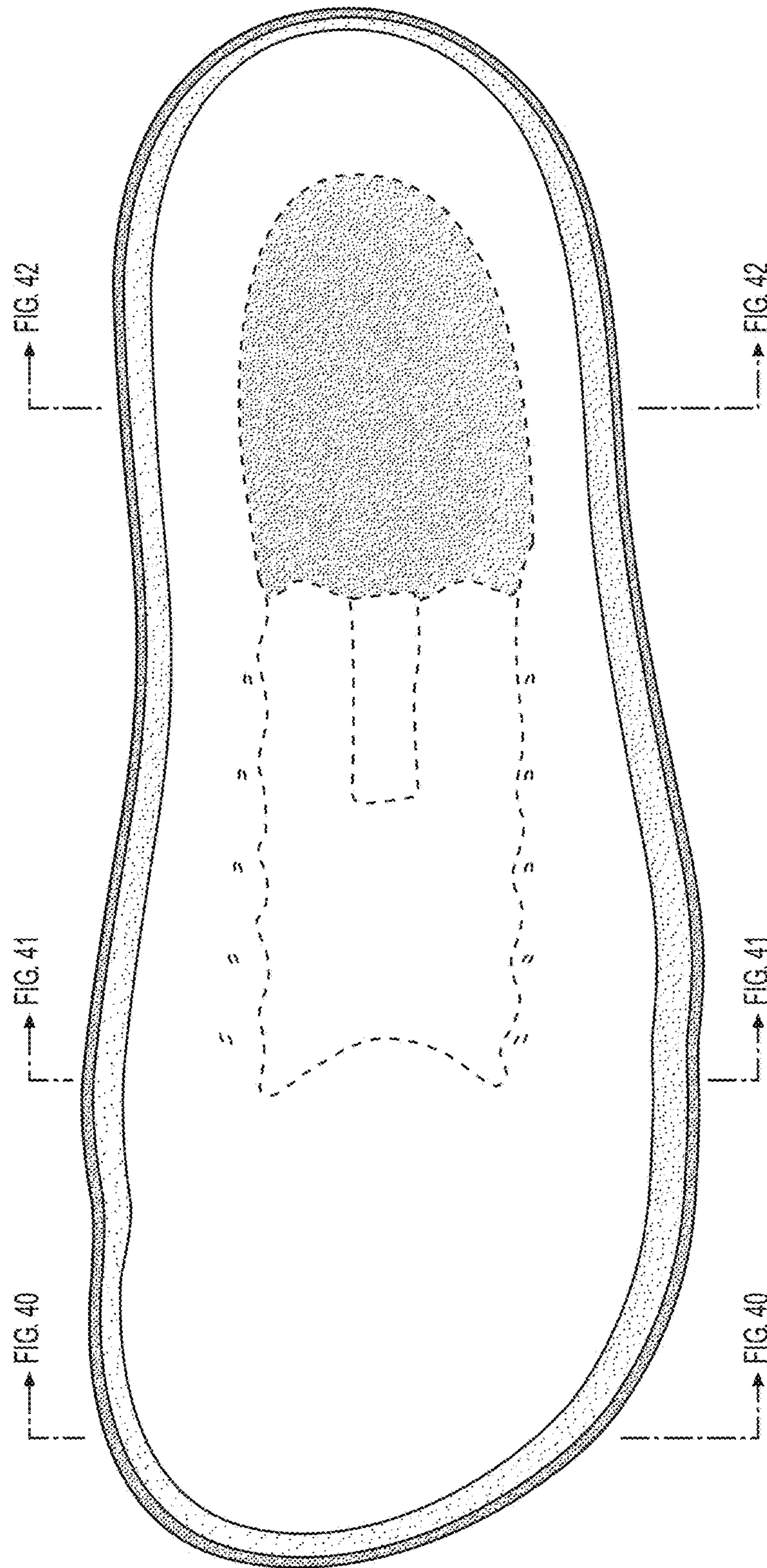


FIG. 38

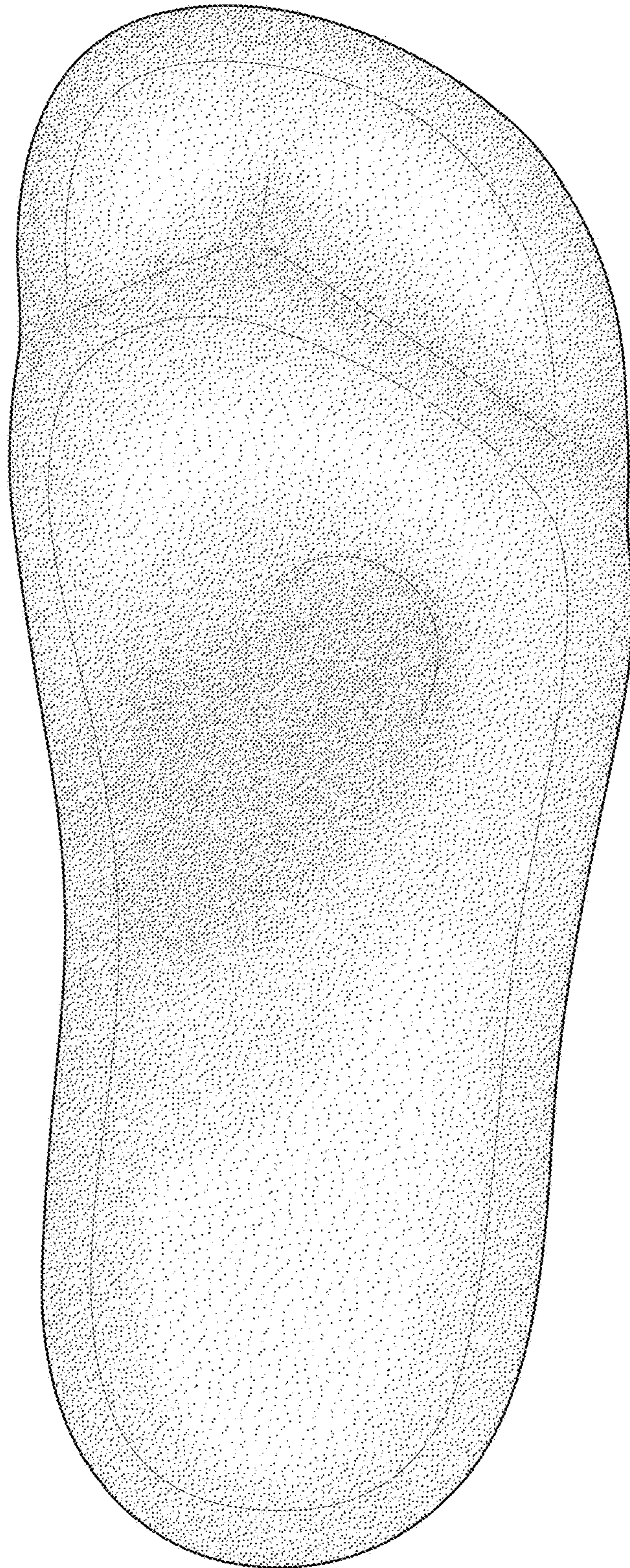


FIG. 39

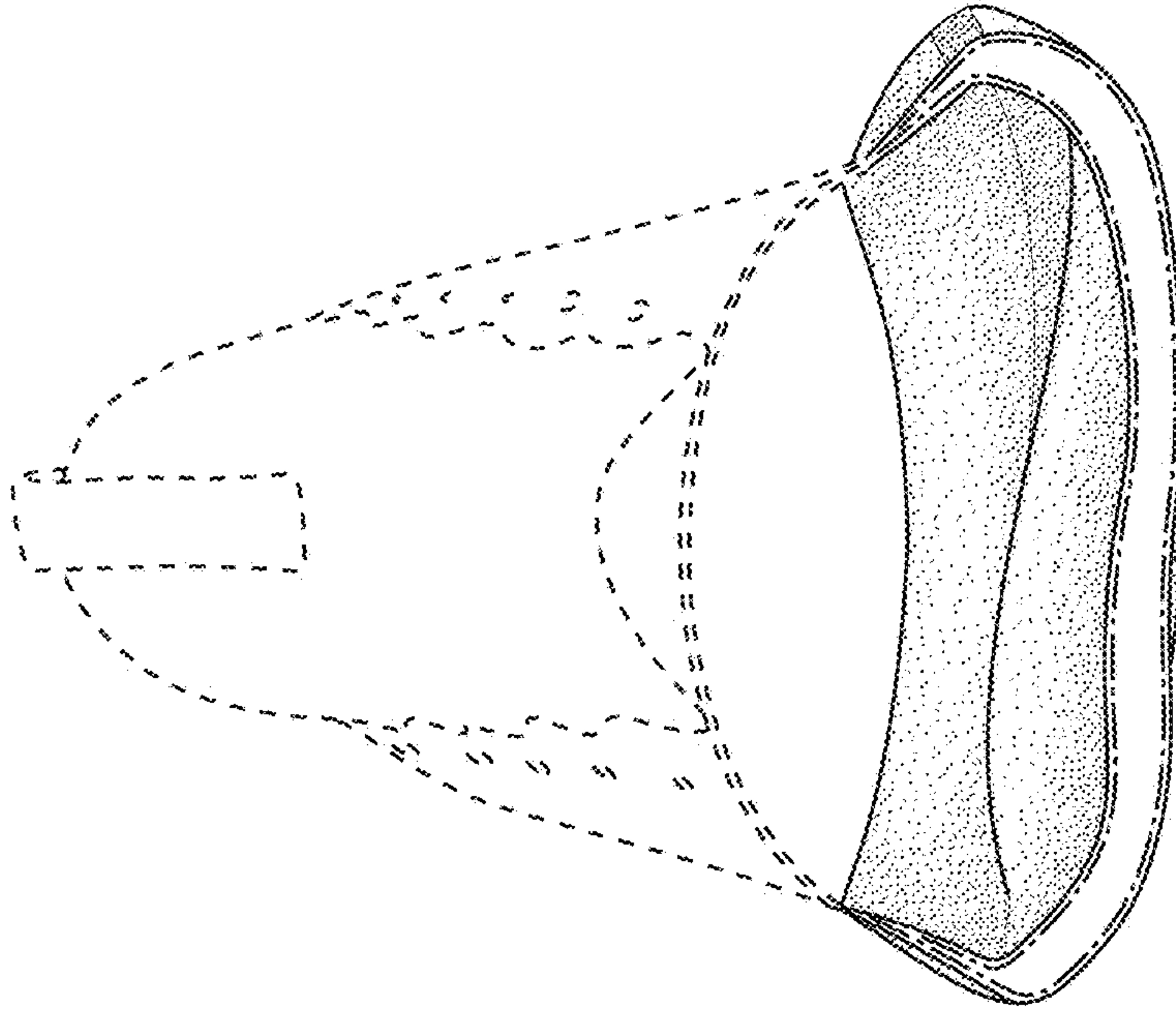


FIG. 41

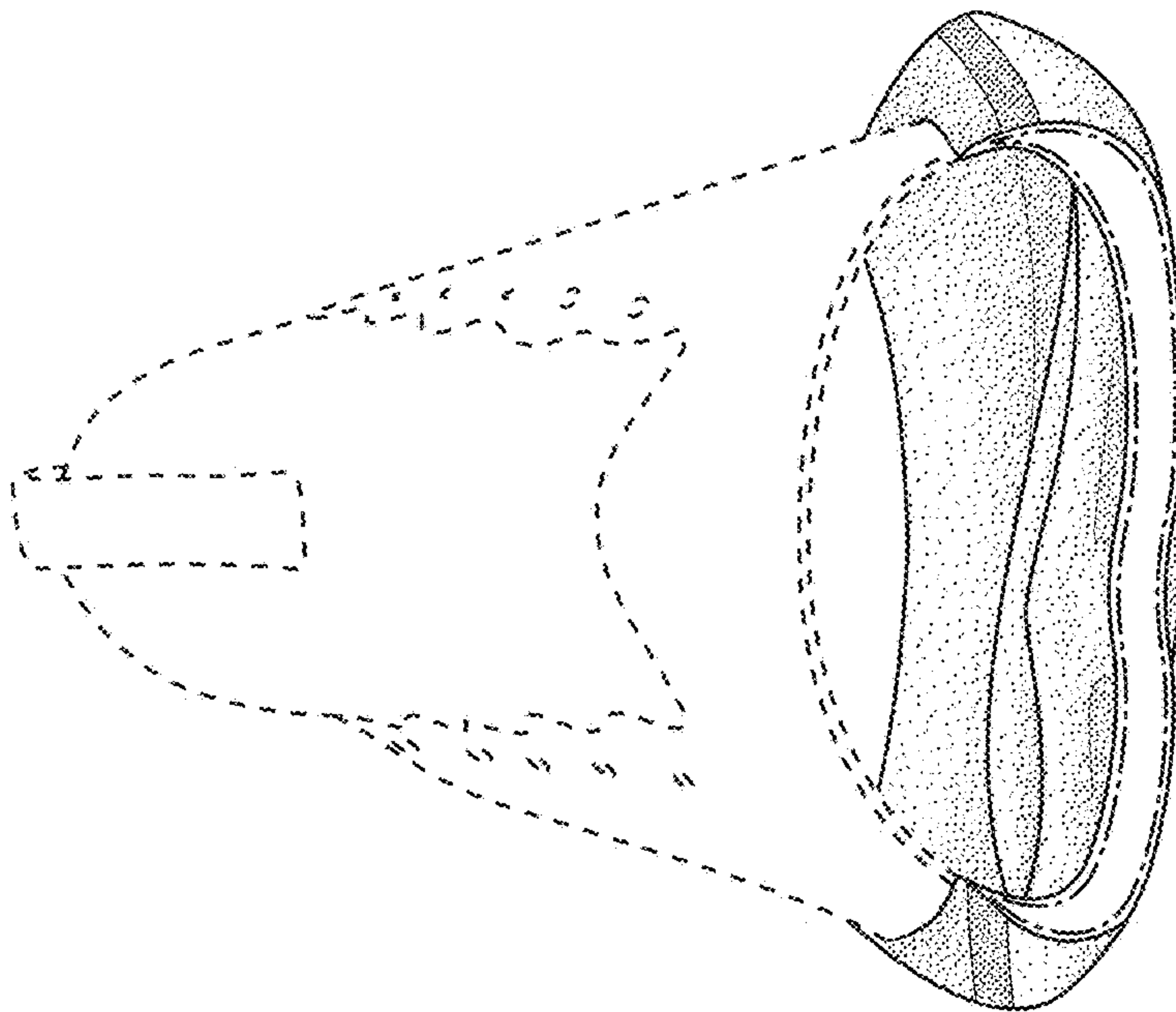


FIG. 40

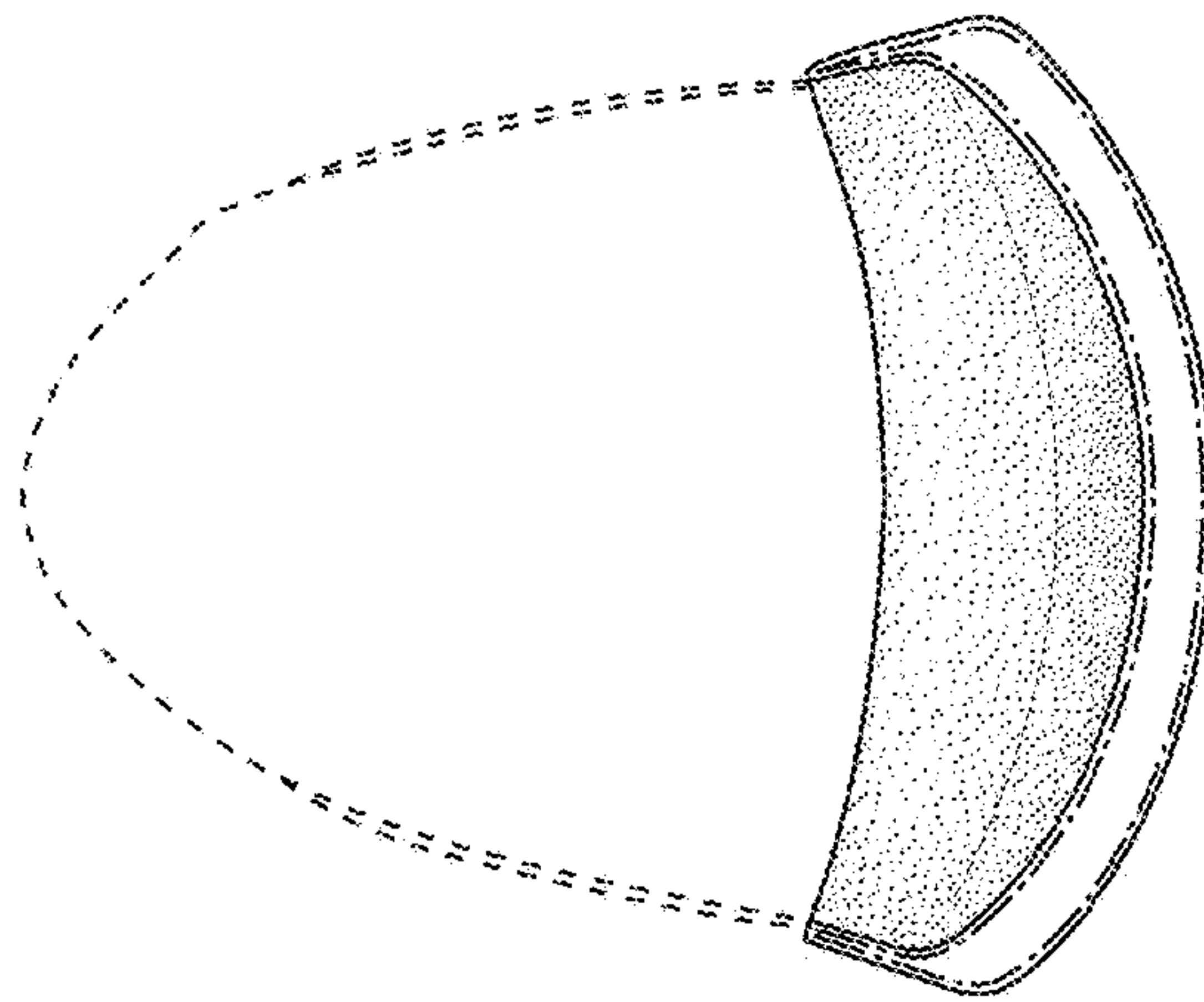


FIG. 42