



US00D848127S

(12) **United States Design Patent** (10) **Patent No.:** **US D848,127 S**
Nethongkome (45) **Date of Patent:** **** May 14, 2019**

(54) **SHOE MIDSOLE**

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

(72) Inventor: **Benjamin Nethongkome**, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/616,484**

(22) Filed: **Sep. 6, 2017**

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

(52) **U.S. Cl.**

USPC **D2/947; D2/953**

(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; D12/544

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

D333,551 S * 3/1993 Bailey D2/977
D345,243 S * 3/1994 Hatfield D2/977
6,389,713 B1 * 5/2002 Kita A43B 13/026
36/28
D524,034 S * 7/2006 Hlavacs D2/977

D574,604 S * 8/2008 McMillan D2/977
D644,420 S * 9/2011 Christopherson D2/946
D674,996 S * 1/2013 Sallee D2/946
D682,516 S * 5/2013 Avar D2/947
D685,167 S * 7/2013 Hatfield D2/947
D689,675 S * 9/2013 Hardman D2/947
D696,502 S * 12/2013 Miner D2/947
D696,503 S * 12/2013 Miner D2/947
D743,153 S * 11/2015 Taylor D2/947
D765,365 S * 9/2016 Chang D2/947
D773,159 S * 12/2016 Seamarks D2/947
D783,245 S * 4/2017 Hatfield
D790,819 S * 7/2017 Seamarks D2/947

(Continued)

OTHER PUBLICATIONS

Kyrie 4, Nike.com, [online], [site visited Nov. 8, 2018]. <URL:
<https://www.nike.com/t/kyrie-4-basketball-shoe-1PjAjR/943806-012>> (Year: 2018).*

(Continued)

Primary Examiner — T Chase Nelson

Assistant Examiner — Jonathan J. Han

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(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;

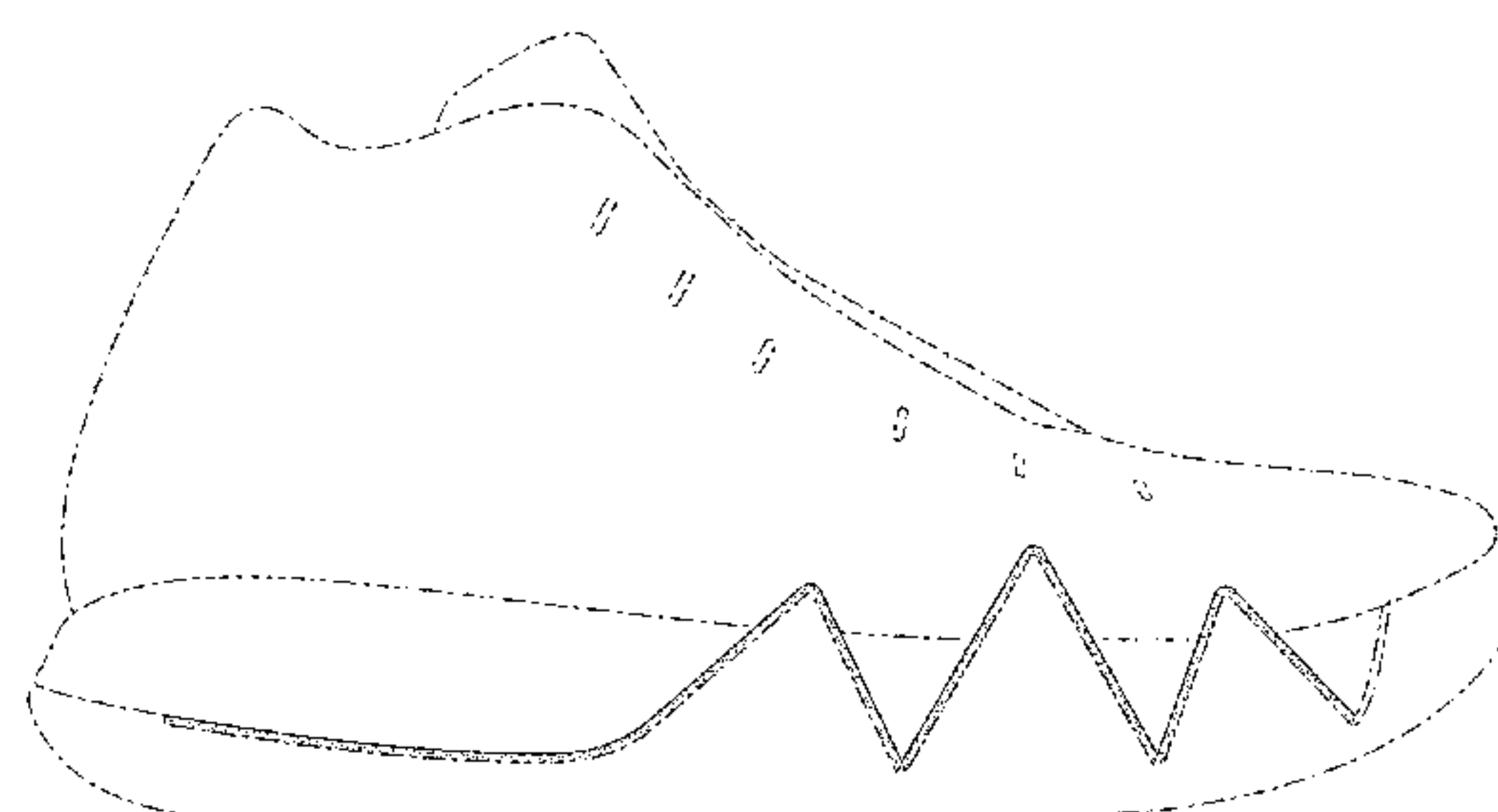
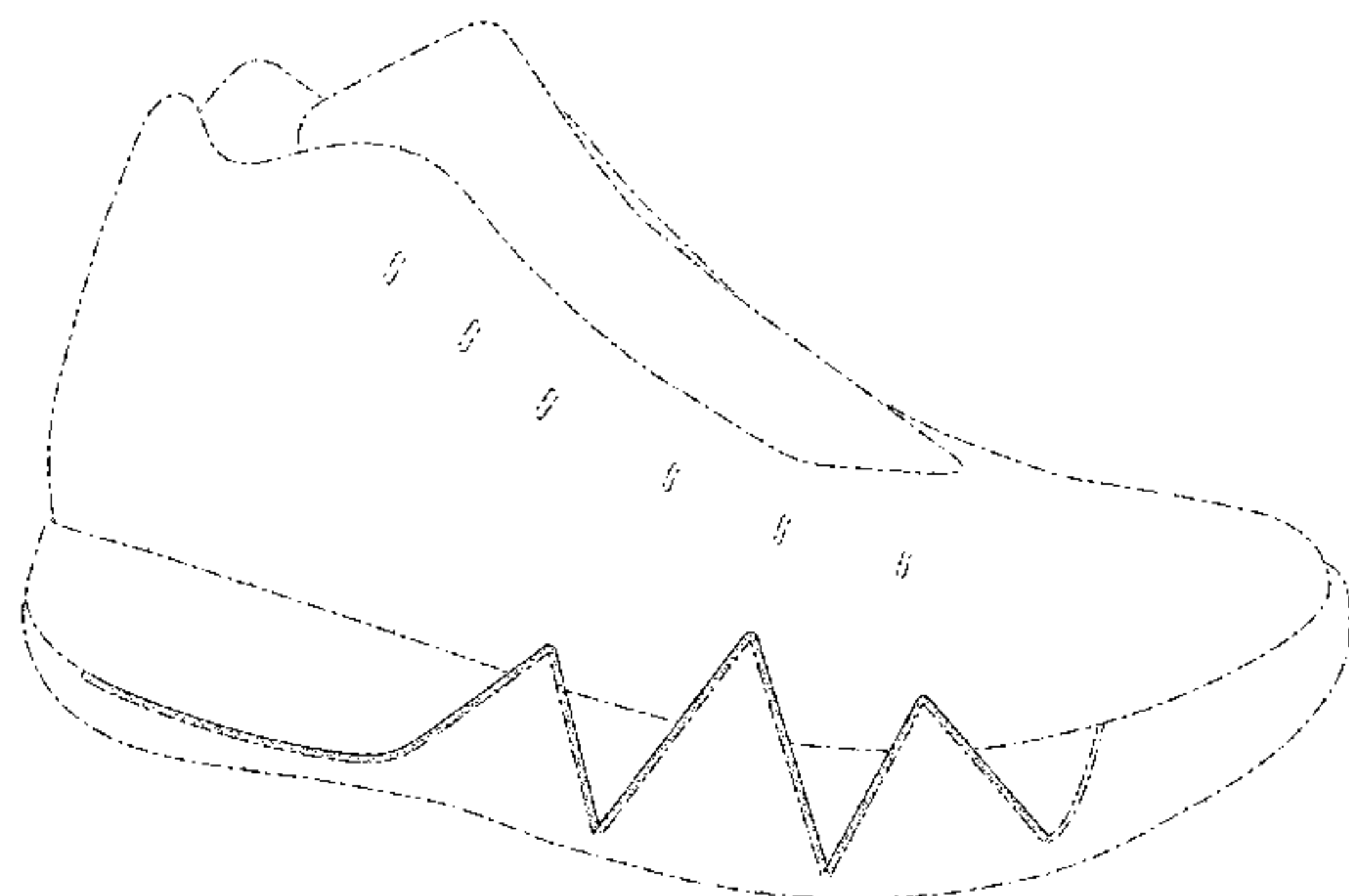
FIG. 2 is a side view thereof;

FIG. 3 is a rear perspective view thereof; and,

FIG. 4 is a top view thereof.

The broken line immediately adjacent to the bottom of the shaded area defines the bounds of the claimed design and forms no part thereof. The broken lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D792,086	S	*	7/2017	Carboy	.....	D2/972
D796,802	S	*	9/2017	Kinley	.....	D2/947
D796,803	S	*	9/2017	Nethongkome	.....	D2/947
D796,804	S	*	9/2017	Young	.....	D2/947
D796,816	S	*	9/2017	Klein	.....	D2/972
D799,189	S	*	10/2017	Odinot	.....	D2/972
D802,266	S	*	11/2017	Hardman	.....	D2/947
D804,157	S	*	12/2017	Pierone	.....	D2/947
D807,632	S	*	1/2018	Sullivan	.....	D2/972
D809,757	S	*	2/2018	Ford	.....	D2/947
D812,362	S	*	3/2018	Gibson	.....	D2/972
D813,506	S	*	3/2018	O'Connor	.....	D2/947
D815,419	S	*	4/2018	Cin	.....	D2/972
D821,712	S	*	7/2018	Avar	.....	D2/947
D828,985	S	*	9/2018	Gibson	.....	D2/947

OTHER PUBLICATIONS

Nike Air Huarache Gripp, Nike.com, [online], [site visited Nov. 8, 2018]. <URL: <https://www.nike.com/t/air-huarache-gripp-mens-shoe-XDszPr/AO1730-200>> (Year: 2018).*

Air Jordan 10 Retro, Nike.com, [online], [site visited Nov. 8, 2018]. <URL: <https://www.nike.com/t/air-jordan-10-retro-mens-shoe-gL7xKt>> (Year: 2018).*

Kyrie 3 Built for Kyrie Irvings Prolific Game [online], [retrieved Aug. 8, 2017], Retrieved from Nikenews.com [Internet] <URL: <http://news.nike.com/news/kyrie-3>>; 11 color sheets, Dated Dec. 21, 2016.

Cap Off Kyries Amazing Championship and Gold Medal Summer With New Nike Kyrie 2 [online], [retrieved Aug. 8, 2017], Retrieved from Sneakernews.com [Internet] <URL: <https://sneakernews.com/2016/08/22/nike-kyrie-2-summer-pack-release-date/3/>>; 9 color sheets, Dated Aug. 22, 2016.

Kyrie 1 Flytrap Basketball Shoe Captures Deceptive Quickness [online], [retrieved Aug. 8, 2017], Retrieved from Nikenews.com [Internet] <URL: <http://news.nike.com/news/nike-captures-what-it-means-to-be-deceptively-quick-in-the-kyrie-1-fly-trap>>; 8 color sheets, Dated Feb. 16, 2015.

Lebron 12 HRT of a Lion [online], [retrieved Aug. 8, 2017], Retrieved from Nikenews.com [Internet] <URL: <http://news.nike.com/news/lebron-12-october-releases>>; 9 color sheets, Dated Nov. 12, 2014.

Nike Zoom Flight 96 Olympic Release Date [online], [retrieved Aug. 8, 2017], Retrieved from Sneakerfiles.com [Internet] <URL: <https://www.sneakerfiles.com/nike-zoom-flight-96-olympic-2016/>>; 15 color sheets, Dated Jun. 28, 2016.

* cited by examiner

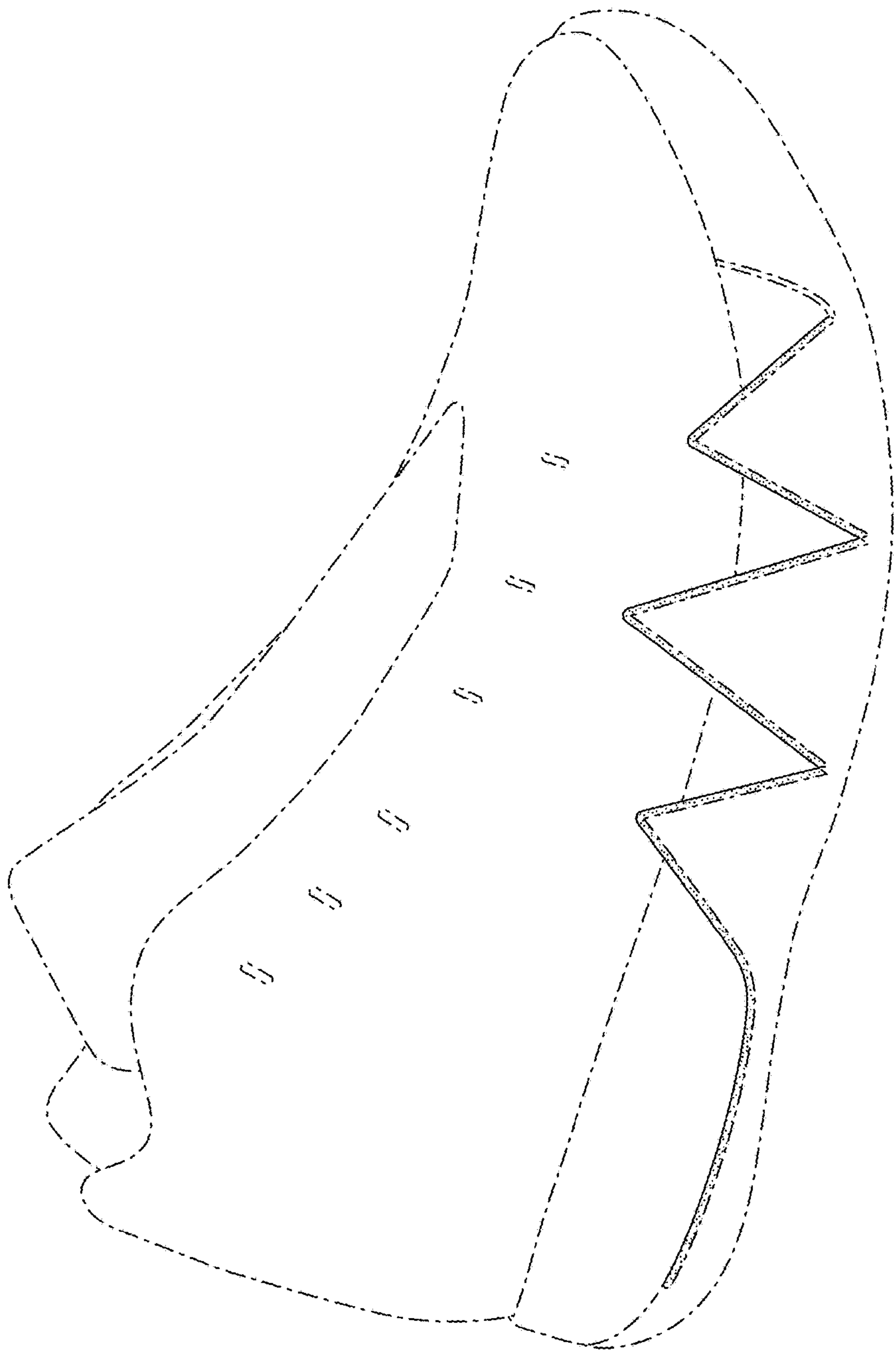


FIG. 1

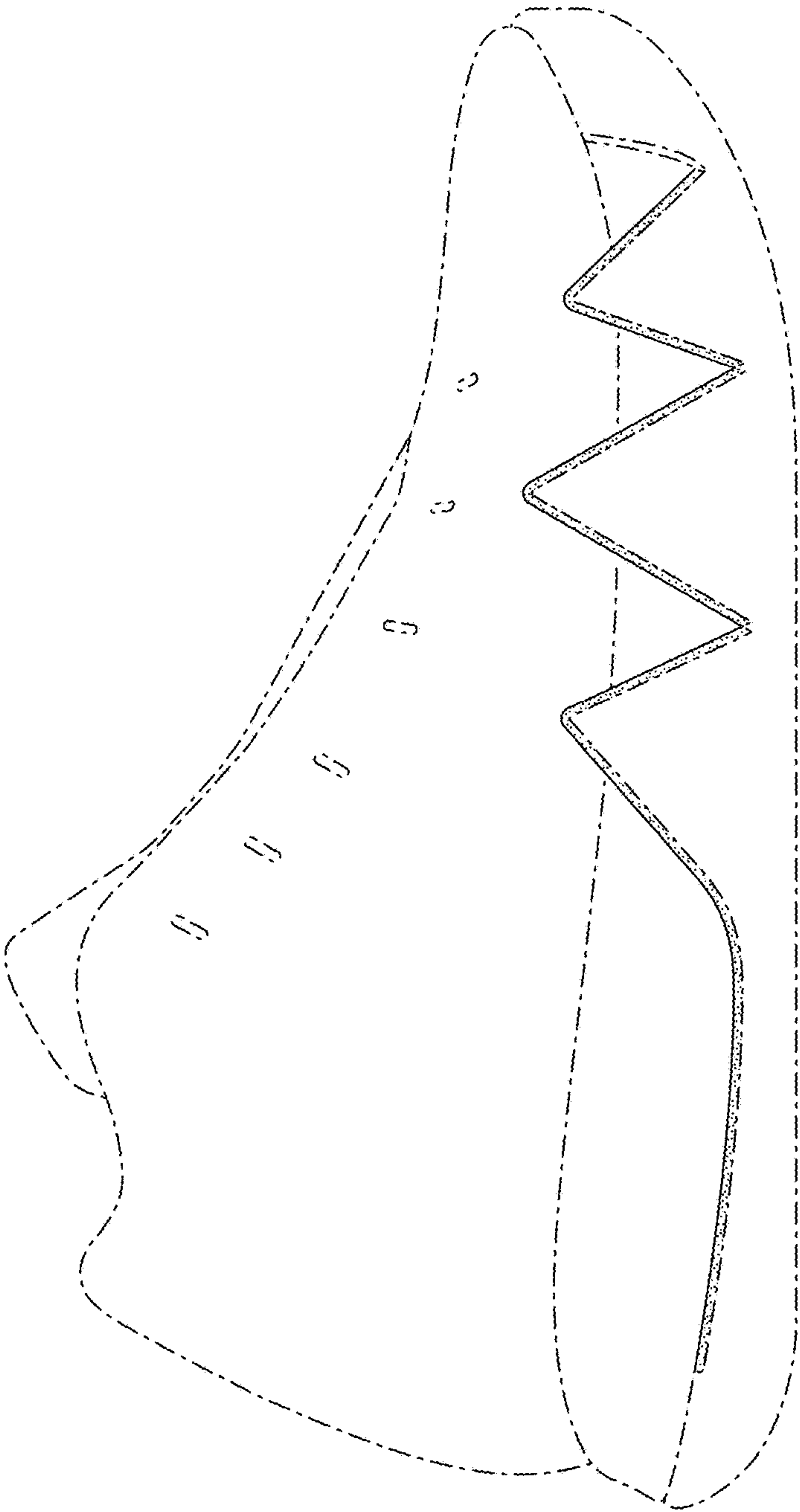


FIG. 2

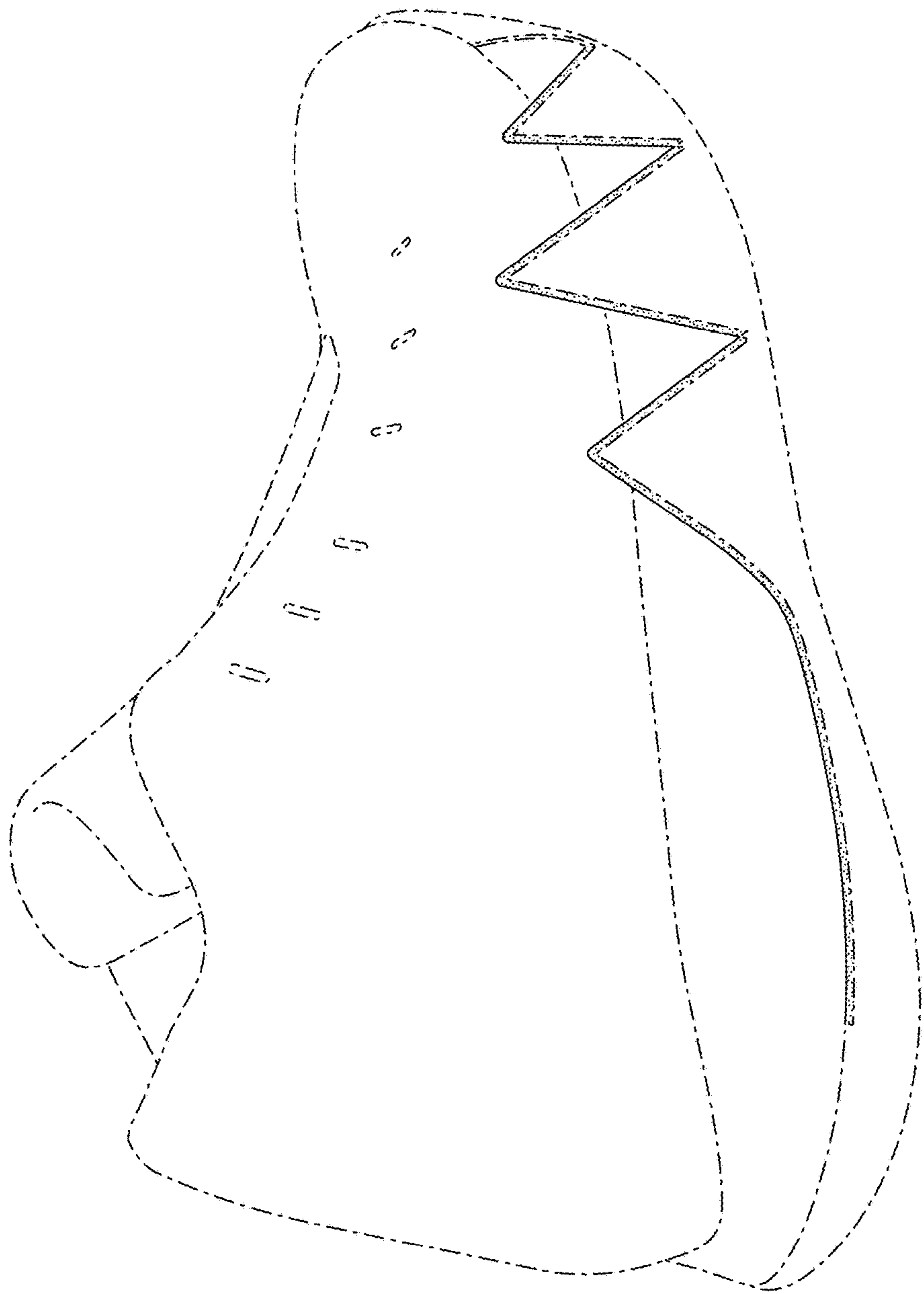


FIG. 3

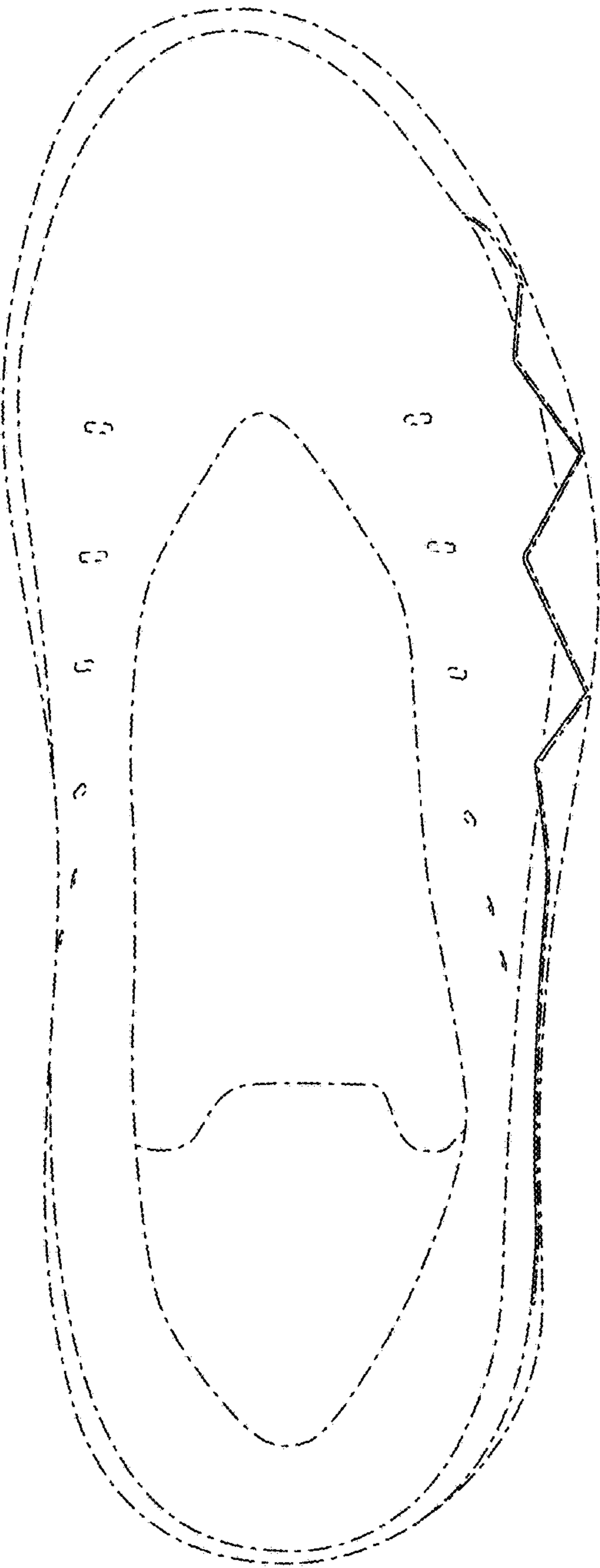


FIG. 4