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- (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)
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- (51) **LOC (12) Cl.** **02-04**
- (52) **U.S. Cl.**
USPC **D2/961**
- (58) **Field of Classification Search**
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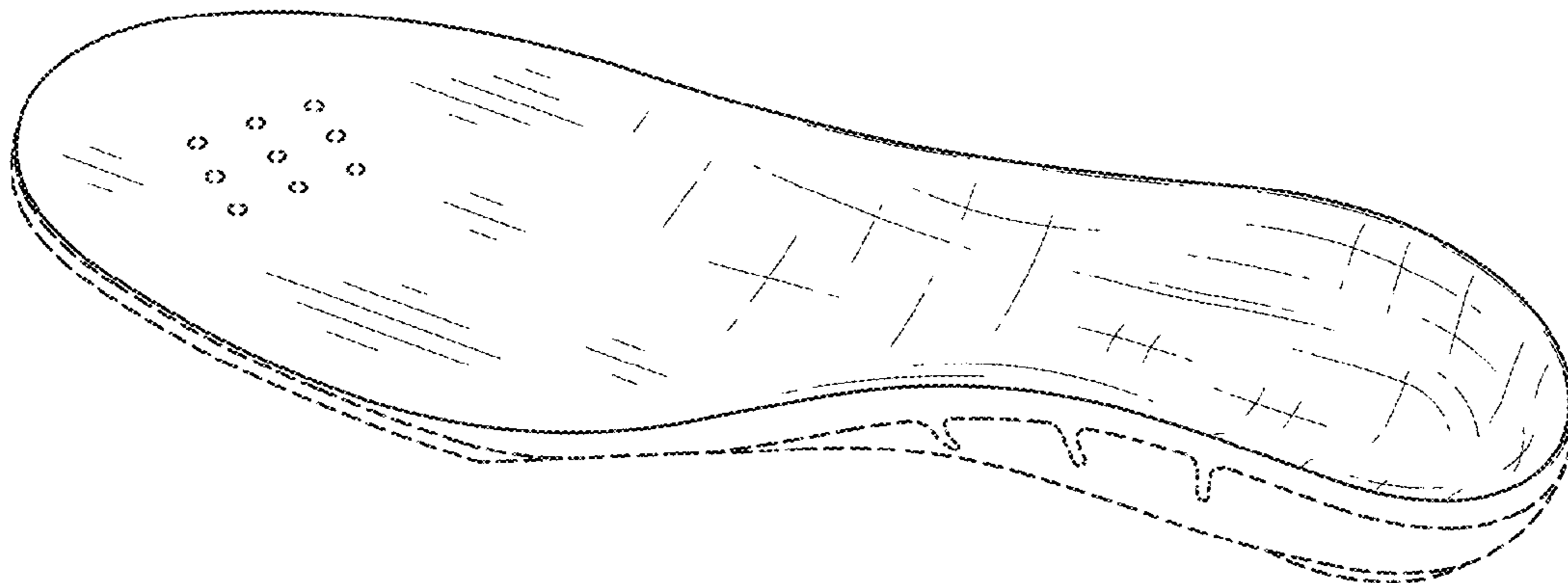
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 545,006 A 8/1895 Baird
- 1,335,981 A 4/1920 Morton
- 1,686,034 A 10/1928 Roser
- 1,693,122 A 11/1928 Schwartz
- 1,803,554 A 5/1931 Knilans

- 2,086,999 A 7/1937 Morton
- 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
- 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
- 6,233,847 B1 5/2001 Brown
- 6,301,805 B1 * 10/2001 Howlett A43B 7/142 36/145
- 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
- 6,725,578 B2 4/2004 Kerrigan
- D489,521 S * 5/2004 Bacon D2/961
- D490,970 S 6/2004 Bray
- 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	Elliott et al.	
D578,285	S	10/2008	Vasyli	
D584,494	S	1/2009	Vasyli	
D615,742	S *	5/2010	Vasyli	D2/961
D617,087	S	6/2010	Avent et al.	
D675,004	S	1/2013	Singleton et al.	
8,424,222	B2	4/2013	Sulak	
D681,321	S	5/2013	Martinez	
D695,506	S	12/2013	Faux et al.	
D721,880	S	2/2015	Finn	
D721,882	S	2/2015	Vasyli	
D722,755	S	2/2015	Vasyli	
D722,756	S	2/2015	Vasyli	
D722,757	S	2/2015	Vasyli	
D723,255	S	3/2015	Nogueira	
D723,256	S	3/2015	Vasyli	
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	
D765,375	S *	9/2016	Joseph	D2/961
D770,744	S	11/2016	Escobar	
D771,922	S	11/2016	Granger	
D778,040	S	2/2017	Granger	
D796,175	S	9/2017	Mitchell	
D797,430	S	9/2017	Granger	
D809,760	S *	2/2018	McClaskey	D2/961
D811,709	S *	3/2018	Buck	D2/961
D820,572	S *	6/2018	Buck	D2/961
D827,998	S *	9/2018	Buck	D2/961
2002/0050080	A1	5/2002	Vasyli	
2004/0181971	A1	9/2004	Turkbas et al.	
2007/0277400	A1 *	12/2007	Nguyen	A43B 7/142 36/145
2011/0219642	A1 *	9/2011	Sulak	A43B 7/141 36/44
2014/0366399	A1 *	12/2014	Wakeland	A43B 13/386 36/44
2016/0021978	A1 *	1/2016	Bae	A43B 17/006 36/44
2017/0095037	A1 *	4/2017	Stratten	A43B 17/006
2017/0258176	A1 *	9/2017	Waatti	B33Y 80/00
2018/0132565	A1 *	5/2018	Granger	A43B 13/226
2018/0140040	A1 *	5/2018	Granger	A43B 7/141

FOREIGN PATENT DOCUMENTS

AU	655267	B3	2/1993
DE	54868	C	2/1932
DE	658414	C	4/1938
EP	0820706	A2	1/1998
JP	2002262907		9/2002
WO	199107152		5/1991
WO	199219191		11/1992

OTHER PUBLICATIONS

Protalus Insoles Overview, May 23, 2016, [online], [site visited Jun. 11, 2018]. Retrieved from [url:https://www.youtube.com/watch?v=577gBqbQZfw](https://www.youtube.com/watch?v=577gBqbQZfw) (Year: 2016).*

Superfeet insoles Berry, as archived by the wayback machine on Feb. 5, 2015, [online], [site visited Jun. 11, 2018]. Retrieved from [url: https://web.archive.org/web/20150305082212/https://www.feetrelief.com/feetrelief/Superfeet_berry.htm](https://web.archive.org/web/20150305082212/https://www.feetrelief.com/feetrelief/Superfeet_berry.htm) (Year: 2015).*

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 Transfemoral 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 Leisten Sen. 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 October 30, 2009.

Extended European Search Report and Written Opinion, September 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, 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.

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](https://www.youtube.com/watch?v=vsczZCVtCJQ)>.

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-regularly-54-99/](http://hip2save.com/2016/10/23/amazon-highly-rated-superfeet-premium-insoles-starting-at-30-95-regularly-54-99/)>.

* cited by examiner

Primary Examiner — Jeffrey D Asch

Assistant Examiner — Tracey J Bell

(74) Attorney, Agent, or Firm — Mark T. Vogelbacker; Eckert Seamans Cherin & Mellott, LLC

(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 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; and,

FIG. 8 is a front elevation view thereof.

The broken lines in the figures illustrate environmental structure only and form no part of the claimed design.

1 Claim, 4 Drawing Sheets

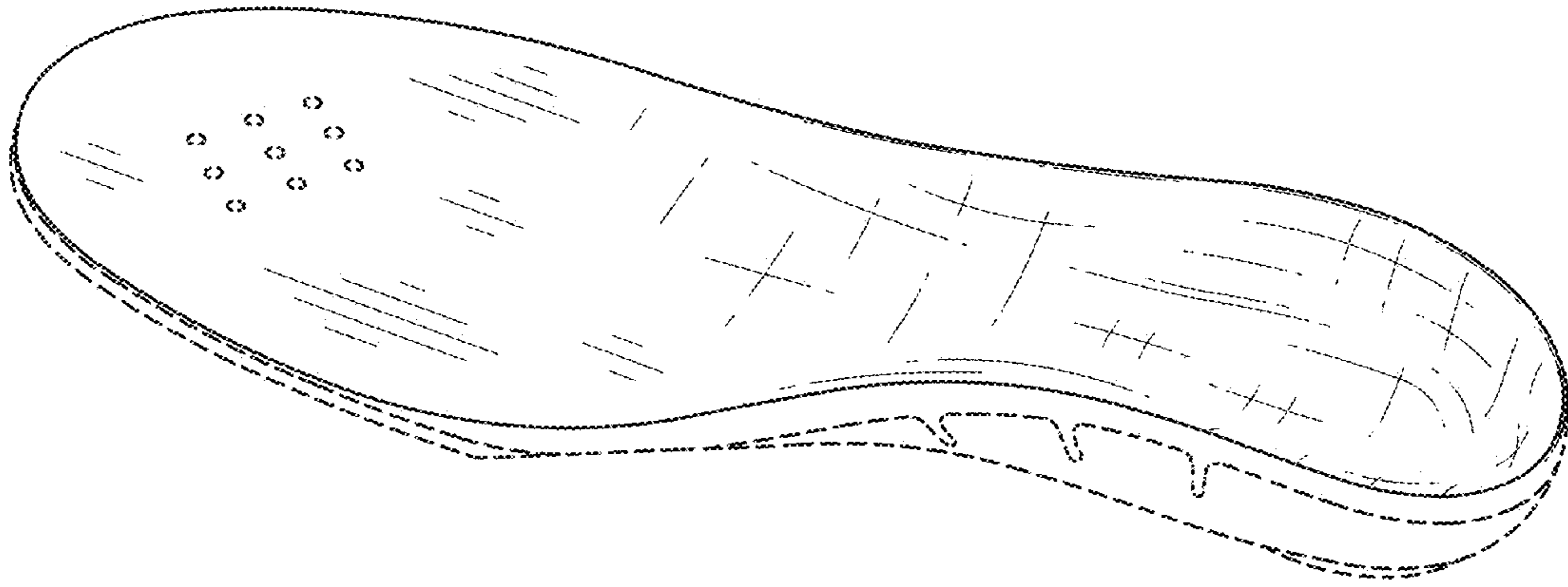


Fig. 1

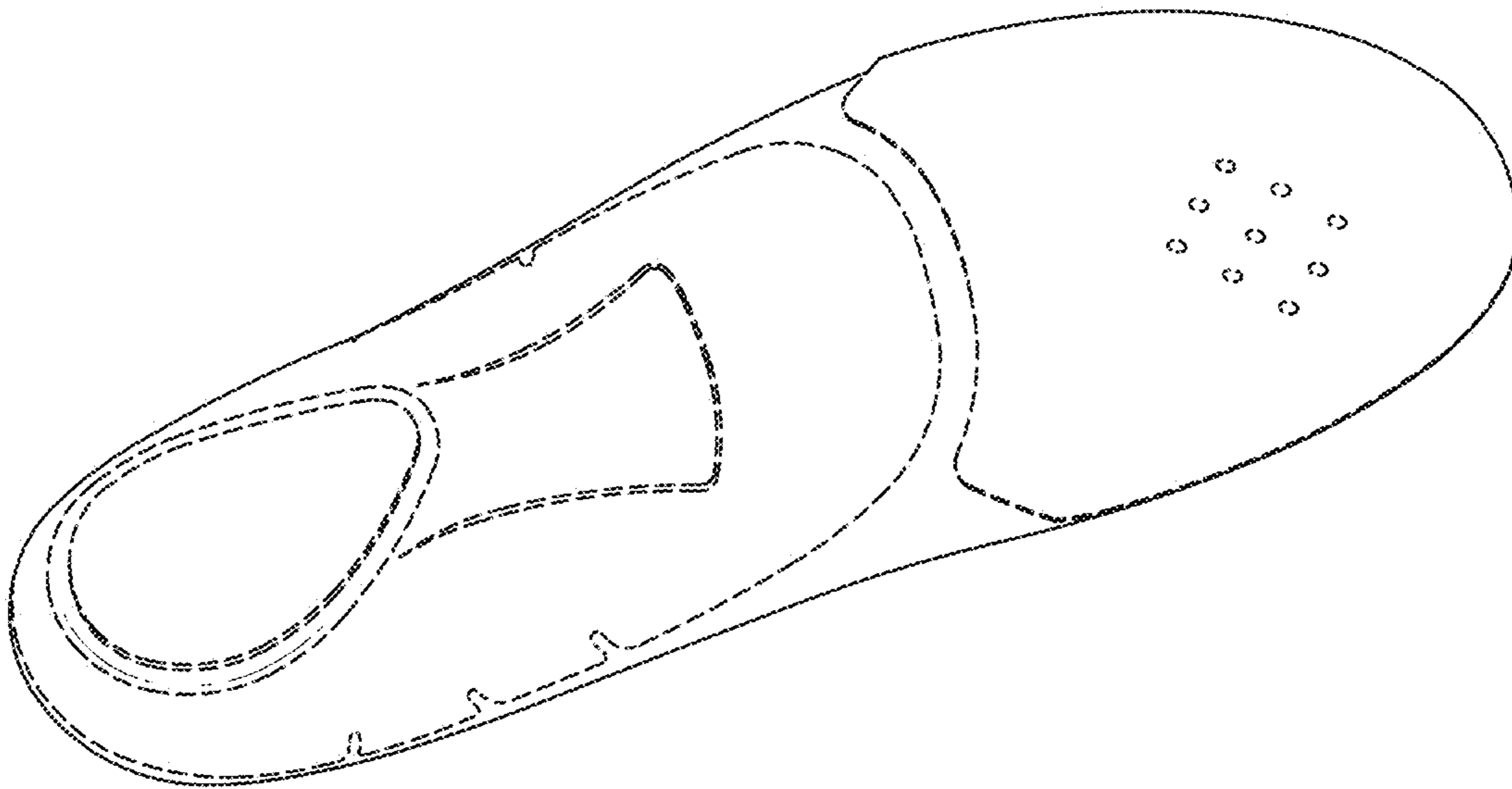


Fig. 2

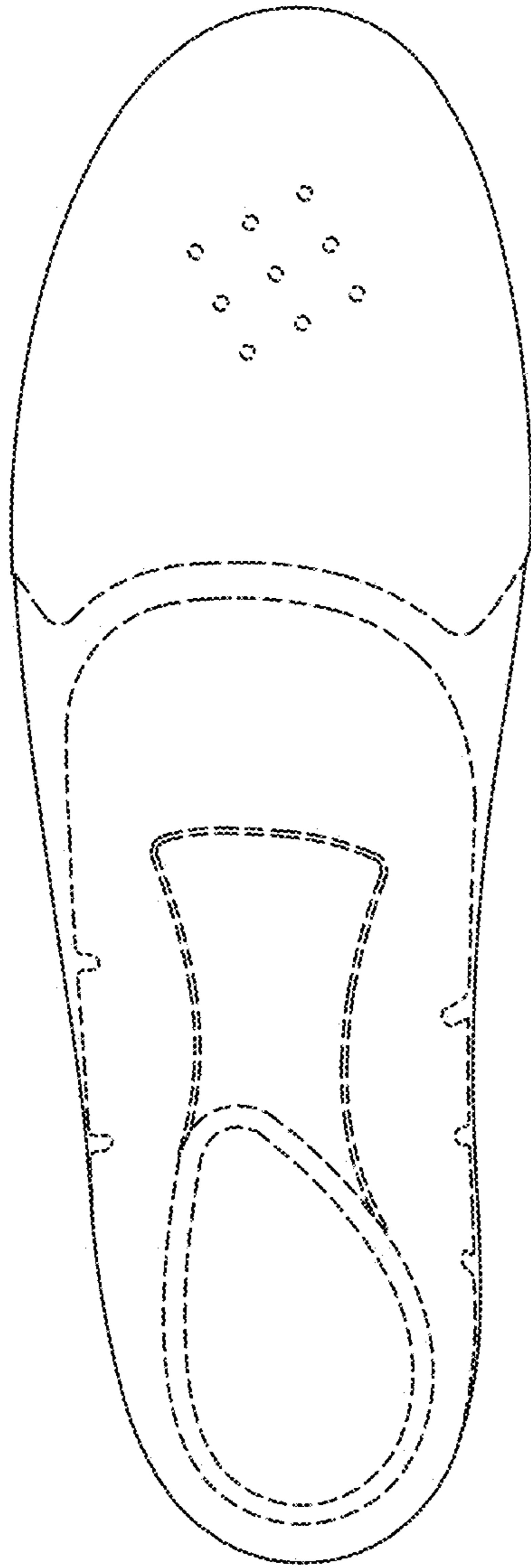


Fig. 3

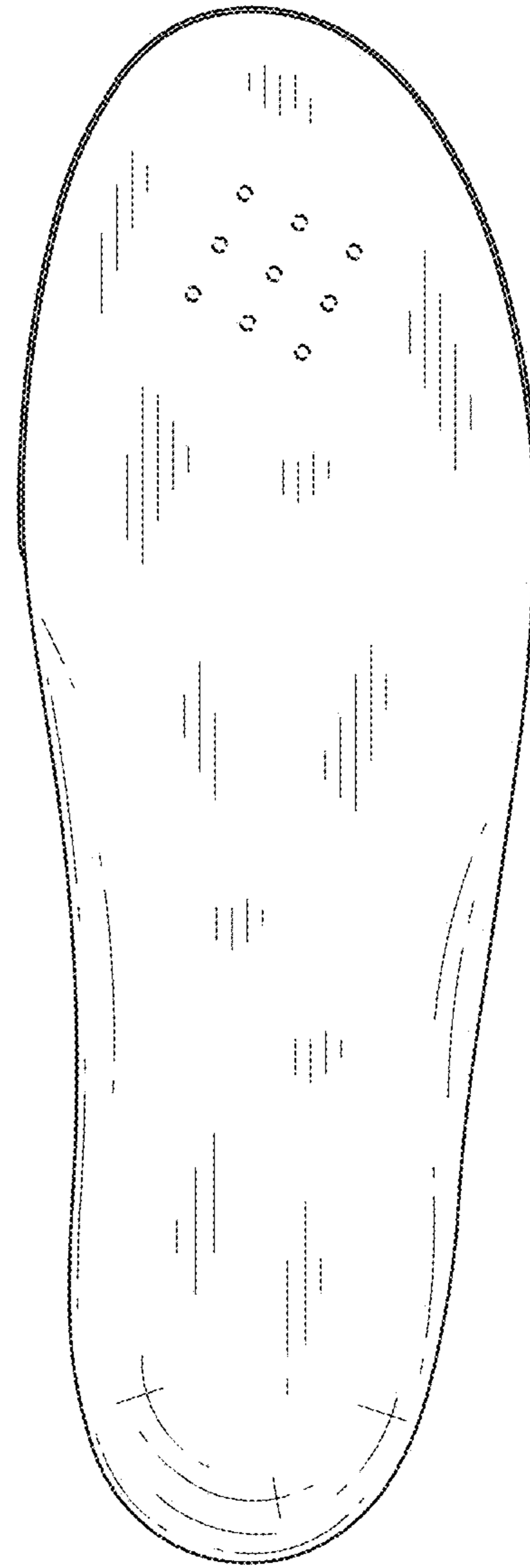


Fig. 4



Fig. 5



Fig. 6

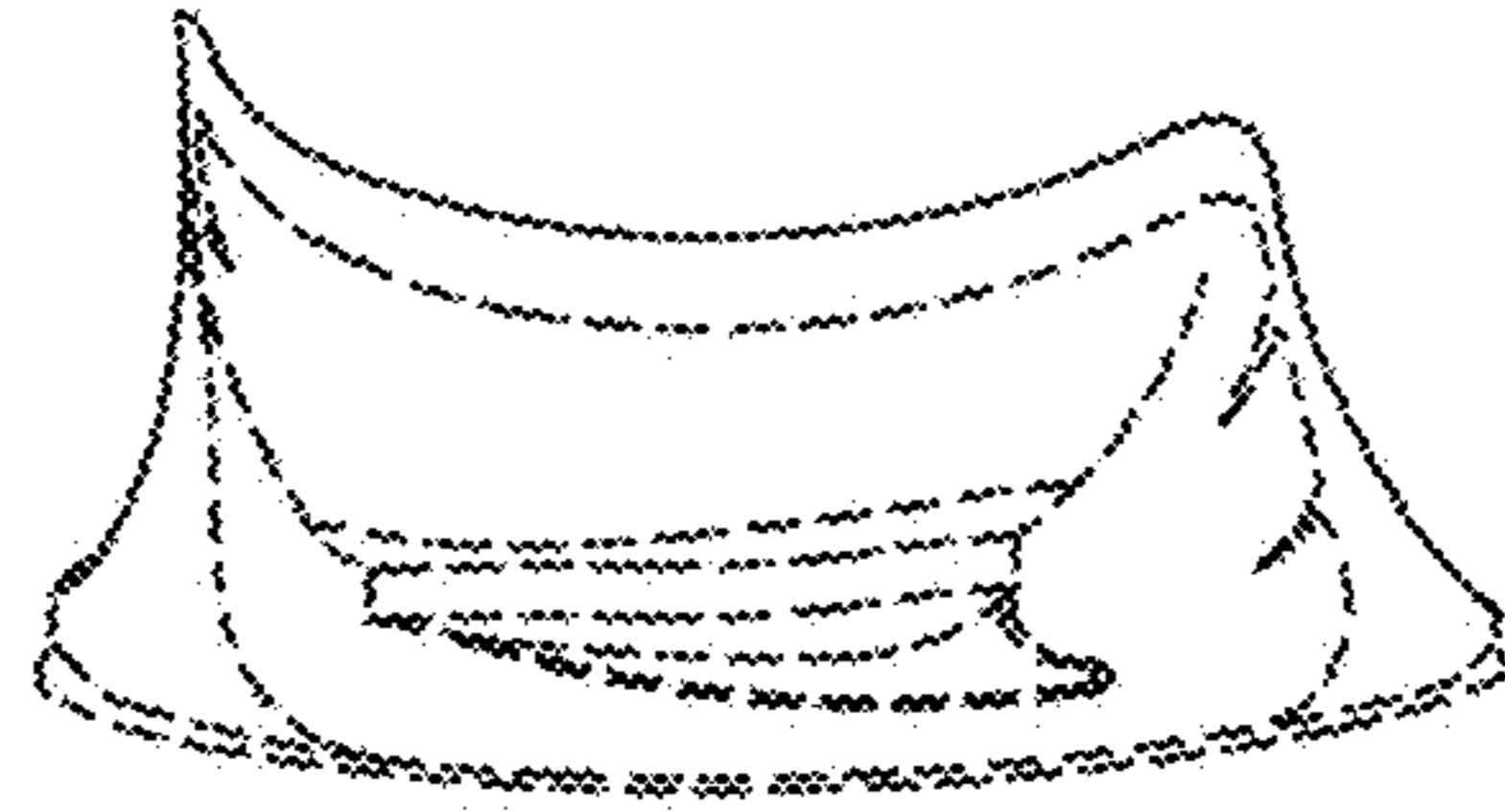


Fig. 7

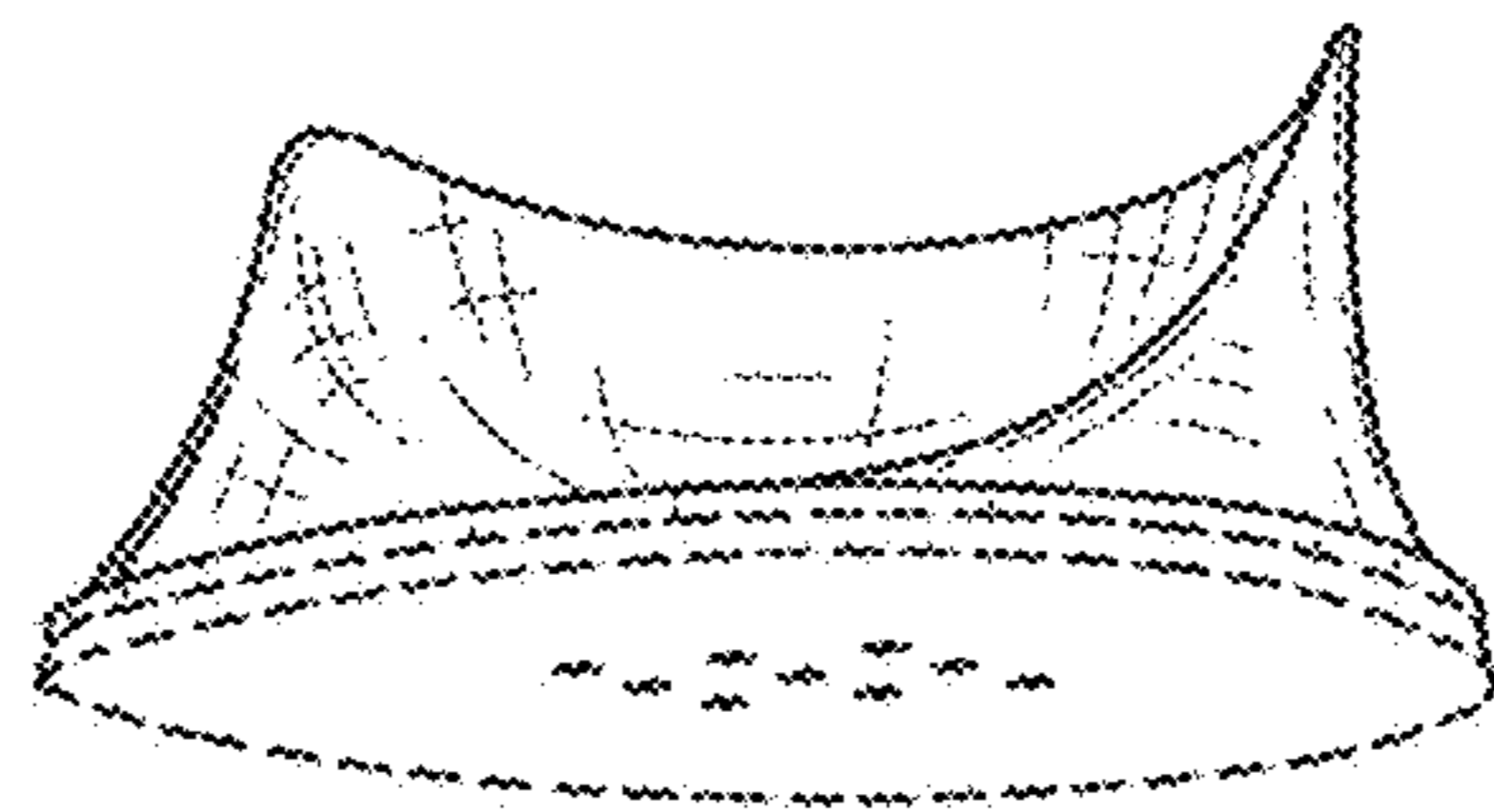


Fig. 8