



US00D858970S

(12) **United States Design Patent** (10) **Patent No.:** **US D858,970 S**
Buck (45) **Date of Patent:** **** Sep. 10, 2019**

(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)

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

(21) Appl. No.: **29/661,568**

(22) Filed: **Aug. 29, 2018**

Related U.S. Application Data

(63) Continuation of application No. 29/586,535, filed on Dec. 5, 2016, now Pat. No. Des. 828,989.

(51) **LOC (12) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/961**

(58) **Field of Classification Search**
USPC D2/896, 946, 947, 951, 953, 959, 960,
D2/961, 968

(Continued)

(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
CN 201499704 U 6/2010

(Continued)

OTHER PUBLICATIONS

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

(Continued)

Primary Examiner — Elizabeth J Oswecki

(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

The present application claims priority to U.S. Design patent application Ser. No. 29/661,568, titled “Insole” and filed Aug. 29, 2018, which is hereby incorporated by reference in its entirety.

FIG. 1 is a perspective view of a first embodiment of an insole showing my new design;

FIG. 2 is another perspective view thereof;

FIG. 3 is a top plan view thereof;

FIG. 4 is a bottom 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 front elevation view thereof;

FIG. 8 is a rear elevation view thereof;

FIG. 9 is a perspective view of a second embodiment of an insole showing my new design;

FIG. 10 is another perspective view thereof;

FIG. 11 is a top plan view thereof;

FIG. 12 is a bottom plan view thereof;

FIG. 13 is a first side elevation view thereof;

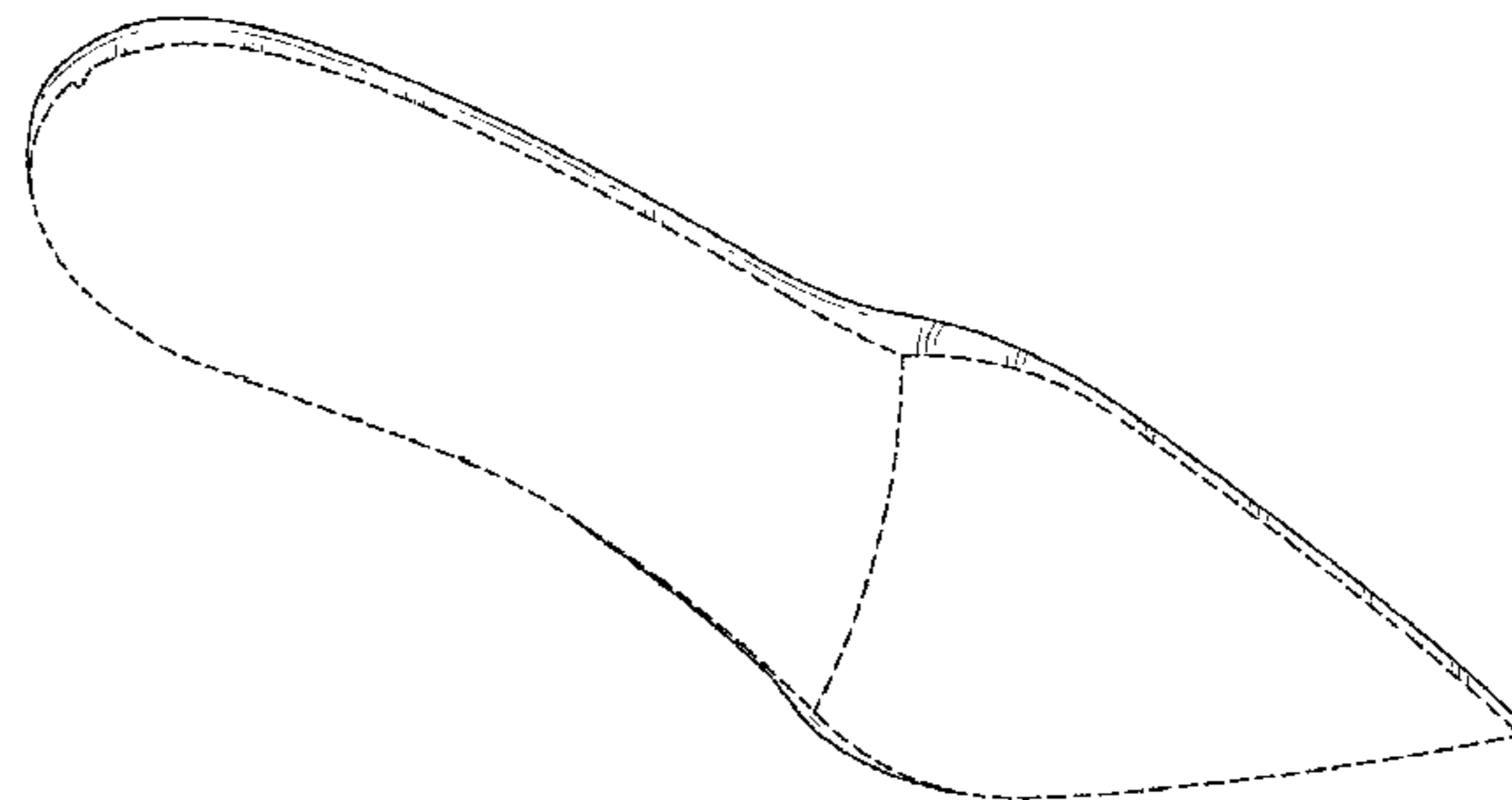
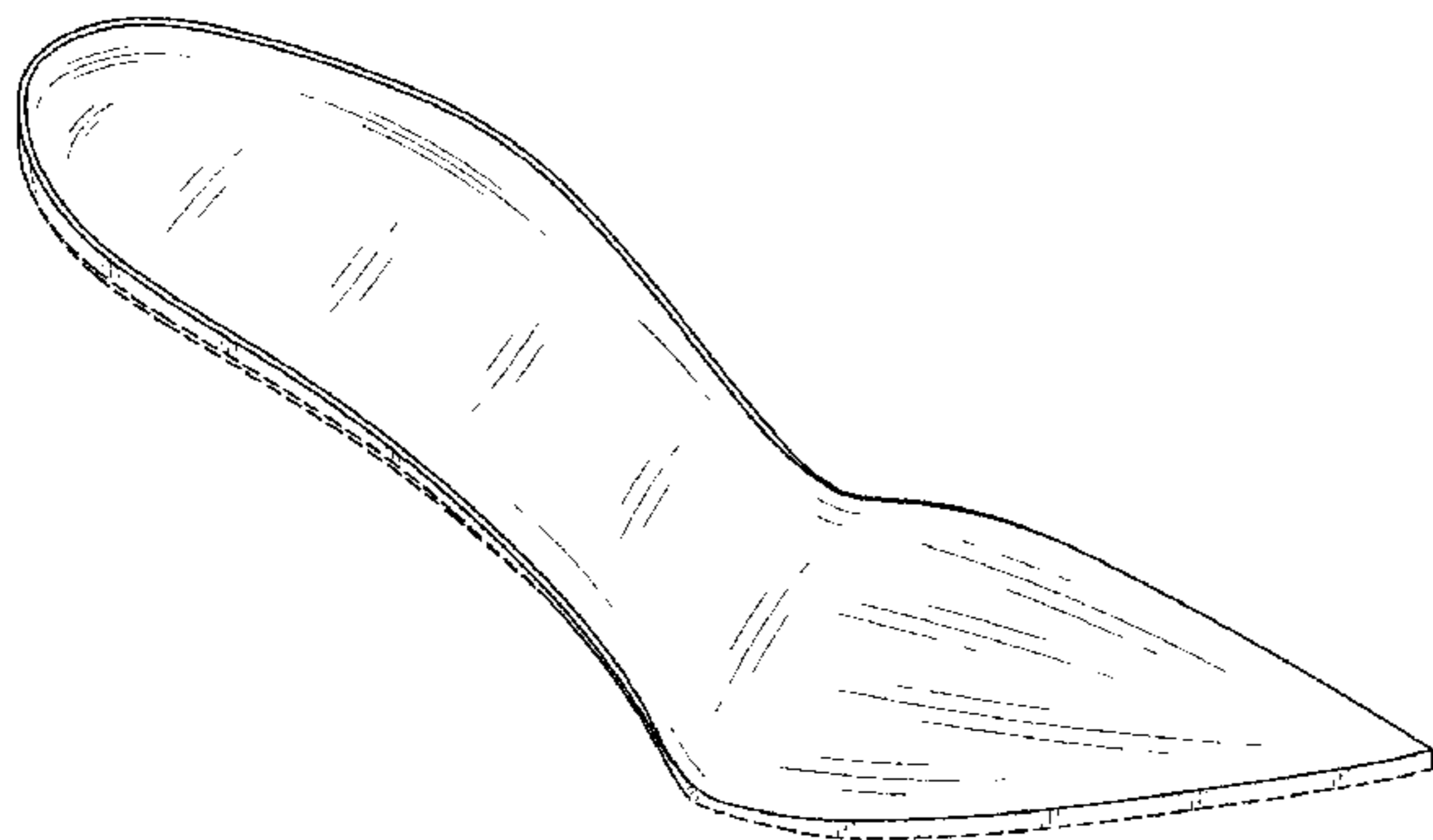
FIG. 14 is an opposing second side elevation view thereof;

FIG. 15 is a front elevation view thereof; and,

FIG. 16 is a rear elevation view thereof.

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

1 Claim, 8 Drawing Sheets



(58) **Field of Classification Search**

CPC A43B 1/00; A43B 1/10; A43B 1/14; A43B 7/00; A43B 7/14; A43B 7/1405; A43B 7/141; A43B 7/1415; A43B 7/142; A43B 7/1425; A43B 7/143; A43B 7/1435; A43B 7/144; A43B 7/1445; A43B 7/145; A43B 7/1465; A43B 7/32; A43B 17/00; A43B 17/003; A43B 17/006; A43B 17/08; A43B 17/14; A43B 17/18; A43B 19/00

See application file for complete search history.

9,060,565	B2	6/2015	Kosta	
D739,133	S	9/2015	Jung	
D743,681	S *	11/2015	Wakeland	D2/961
D762,053	S *	7/2016	Takahashi	D2/961
D772,545	S	11/2016	Jia	
D796,175	S *	9/2017	Mitchell	D2/961
D811,709	S *	3/2018	Buck	D2/961
D820,572	S *	6/2018	Buck	D2/961
D827,270	S *	9/2018	Yang	D2/961
D828,989	S *	9/2018	Buck	D2/961
2002/0050080	A1	5/2002	Vasyli	
2002/0139011	A1	10/2002	Kerrigan	
2003/0041481	A1 *	3/2003	Evans	A43B 7/14 36/145

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,803,554	A	5/1931	Knilians	
1,932,658	A	10/1933	Goodfriend	
2,086,999	A	7/1937	Hack	
2,156,086	A	4/1939	Hack	
2,204,505	A	6/1940	Lumbard	
2,943,405	A	7/1960	Olson	
D188,932	S	10/1960	Cleghorne	
3,058,240	A	10/1962	Osgood	
3,143,812	A	8/1964	Bittner	
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	
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	
D366,139	S	1/1996	Finn	
5,661,864	A	9/1997	Valiant	
6,018,892	A	2/2000	Acheson	
6,092,314	A	7/2000	Rothbart	
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	
D497,472	S	10/2004	Vasyli	
D517,291	S	3/2006	Vasyli	
D518,945	S	4/2006	Vasyli	
D555,341	S	11/2007	Vasyli	
D578,285	S	10/2008	Vasyli	
D584,494	S	1/2009	Vasyli	
D617,087	S	6/2010	Avent et al.	
D722,756	S *	2/2015	Vasyli	D2/961
D722,757	S *	2/2015	Vasyli	D2/961

FOREIGN PATENT DOCUMENTS

CN	104287305	A	1/2015
DE	543868	C	2/1932
DE	658414	C	4/1938
EP	0820706	A3	1/1998
GB	6013392		6/2017
GB	6013395		6/2017
JP	2002262907		9/2002
WO	199107152		5/1991
WO	199219191		11/1992
WO	9423603	A1	10/1994
WO	9613994	A1	5/1996
WO	2005048759	A2	6/2005
WO	2008058051	A2	5/2008
WO	2014145949	A1	9/2014
WO	2016015091	A1	2/2016

OTHER PUBLICATIONS

Fish, et al. Lower Extremity Orthoses and Application for Rehabilitation Populations, Toot 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 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, Nov. 13, 2009, or 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.

* cited by examiner

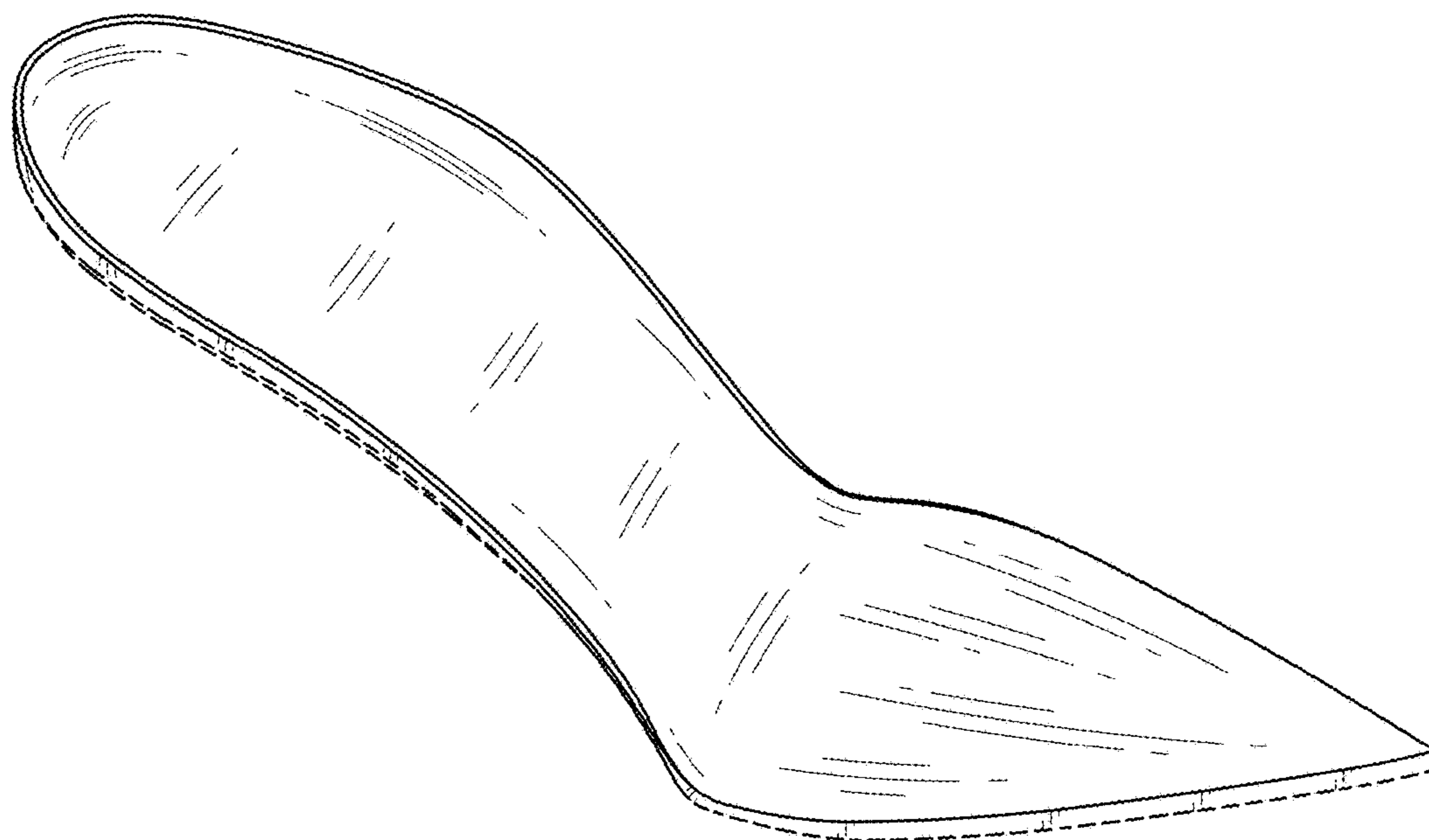


Fig. 1

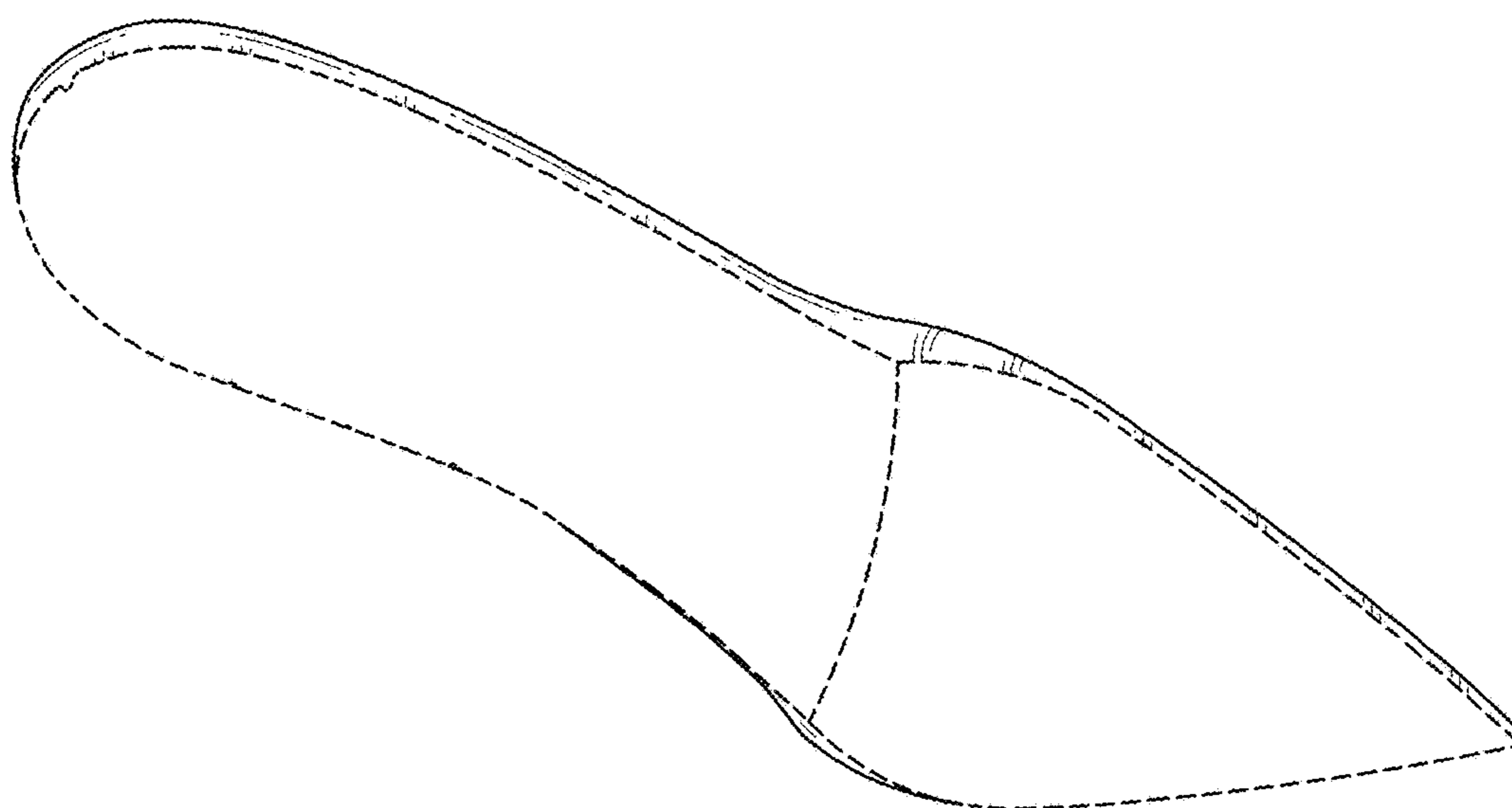


Fig. 2

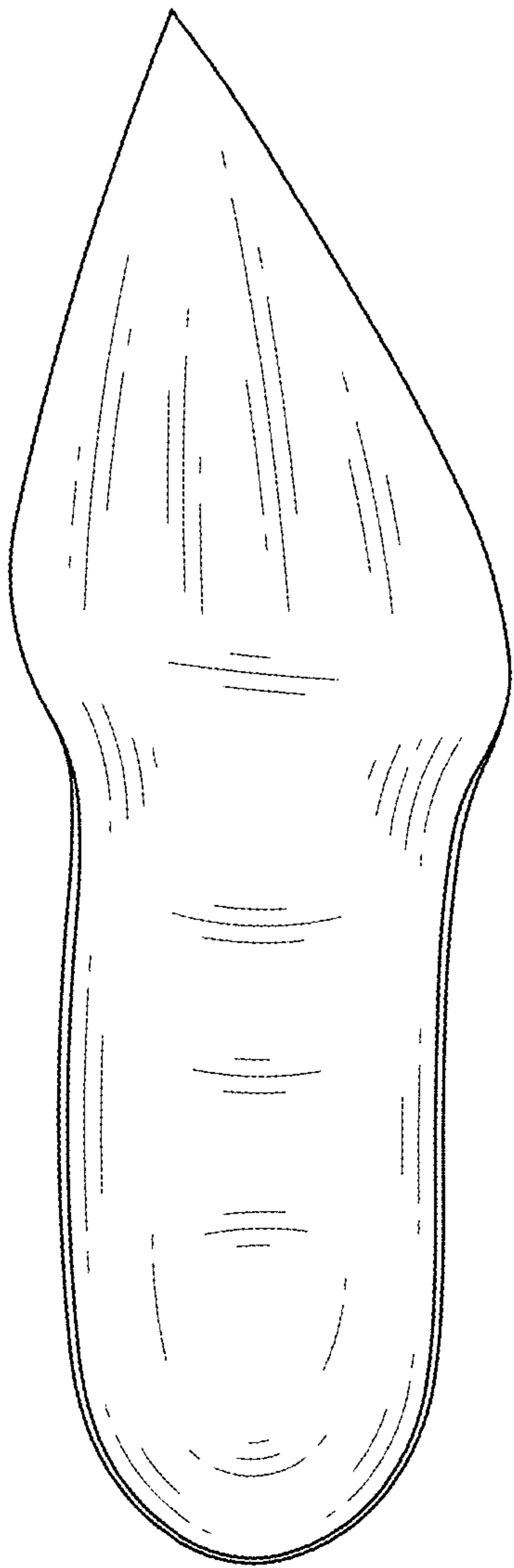


Fig. 3

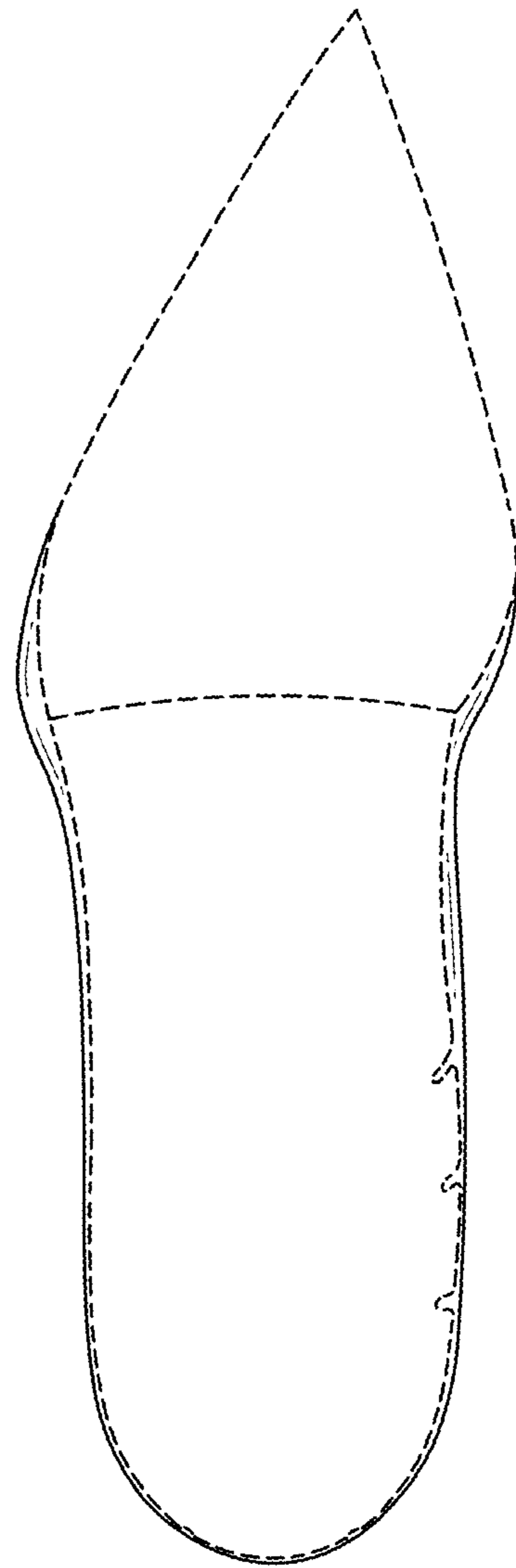


Fig. 4

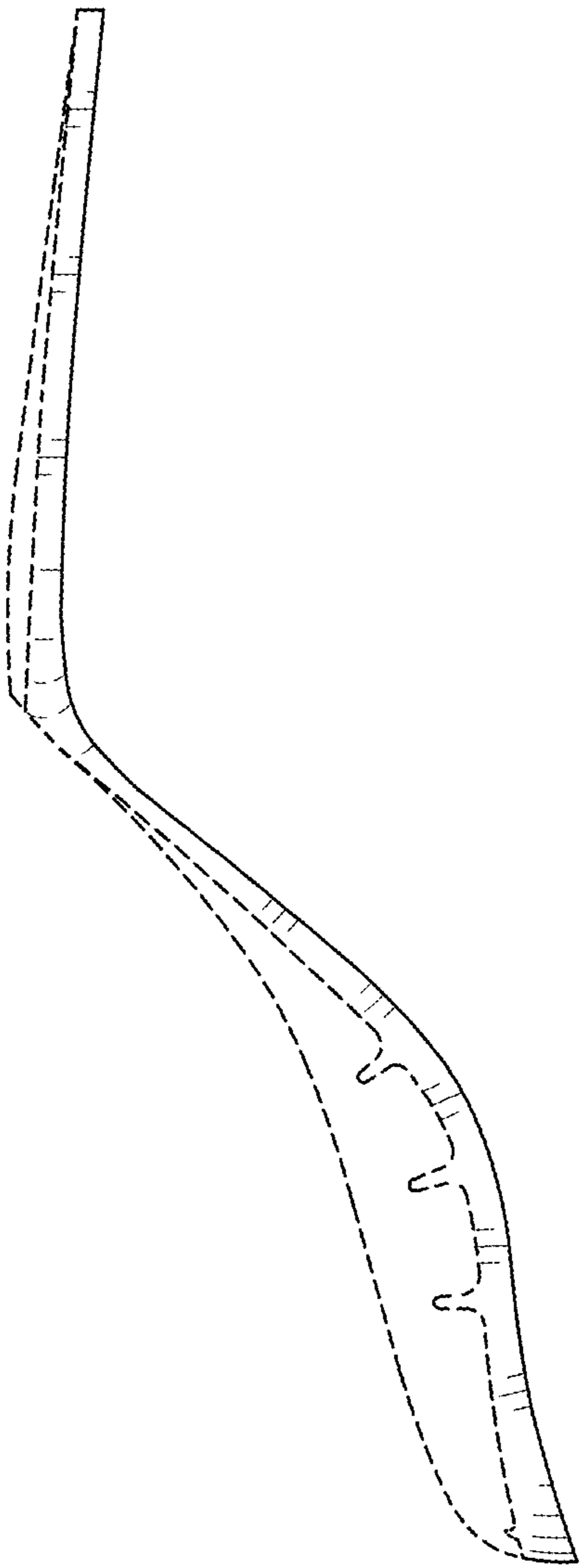


Fig. 5

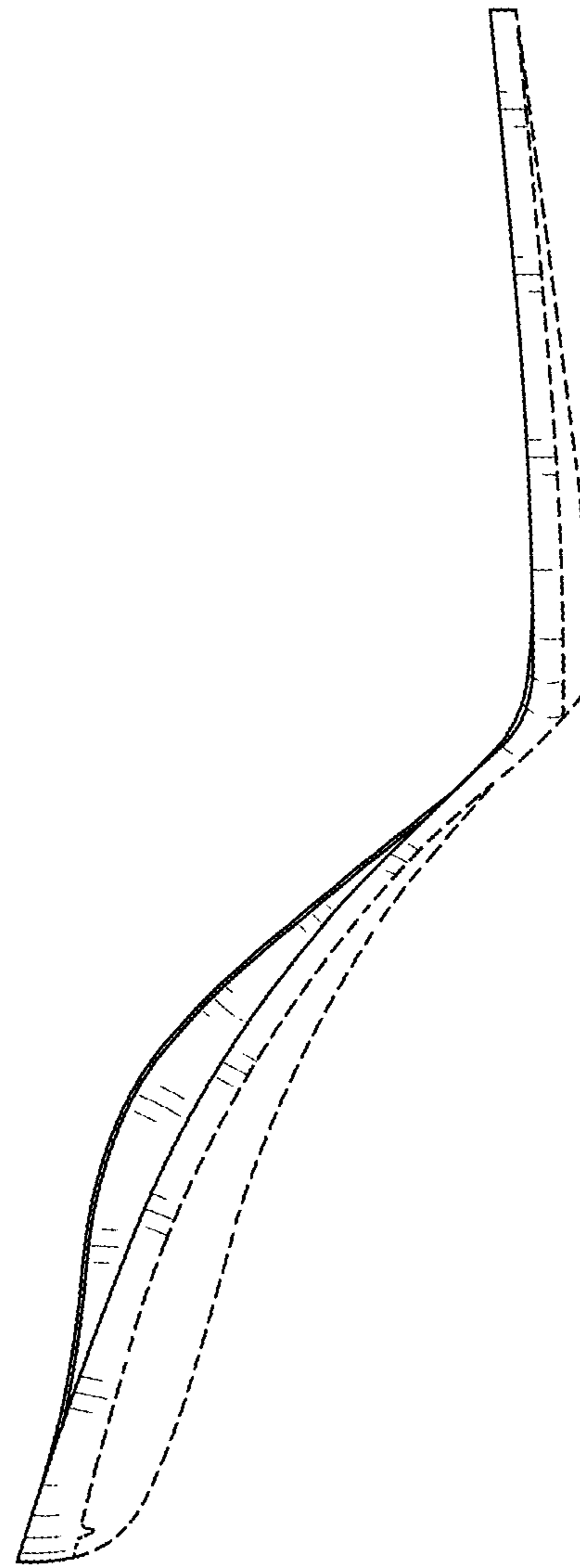


Fig. 6

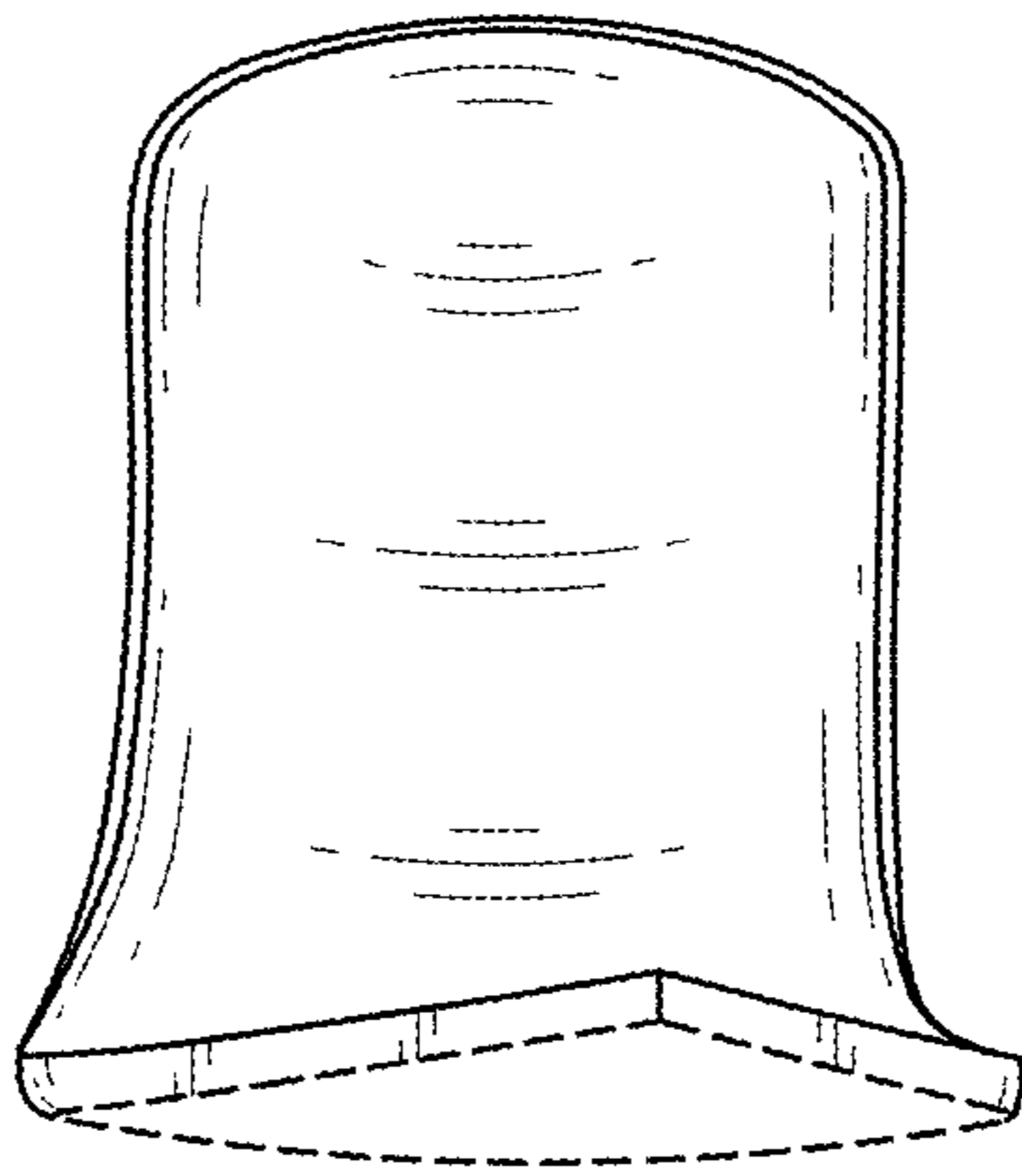


Fig. 7

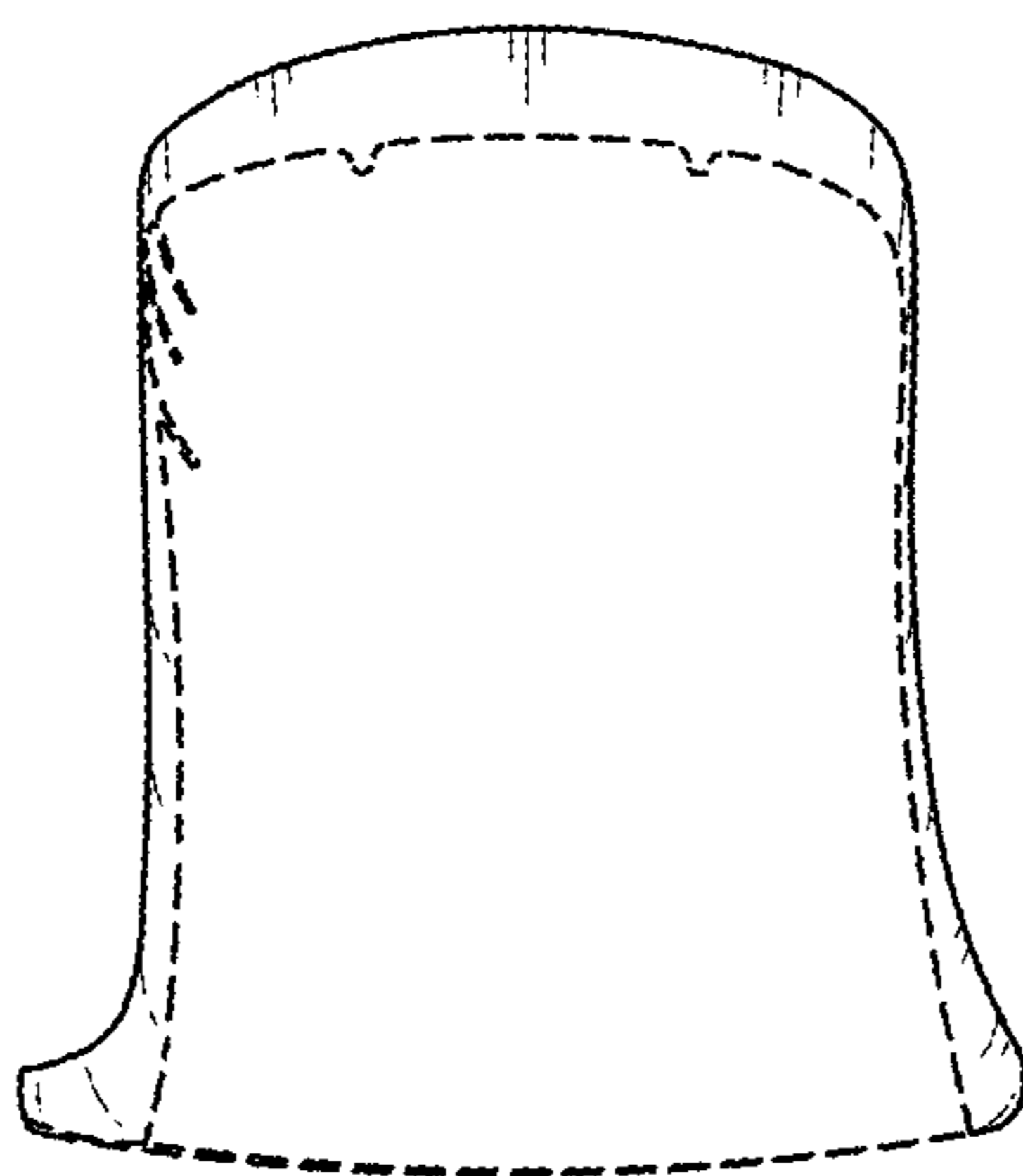


Fig. 8

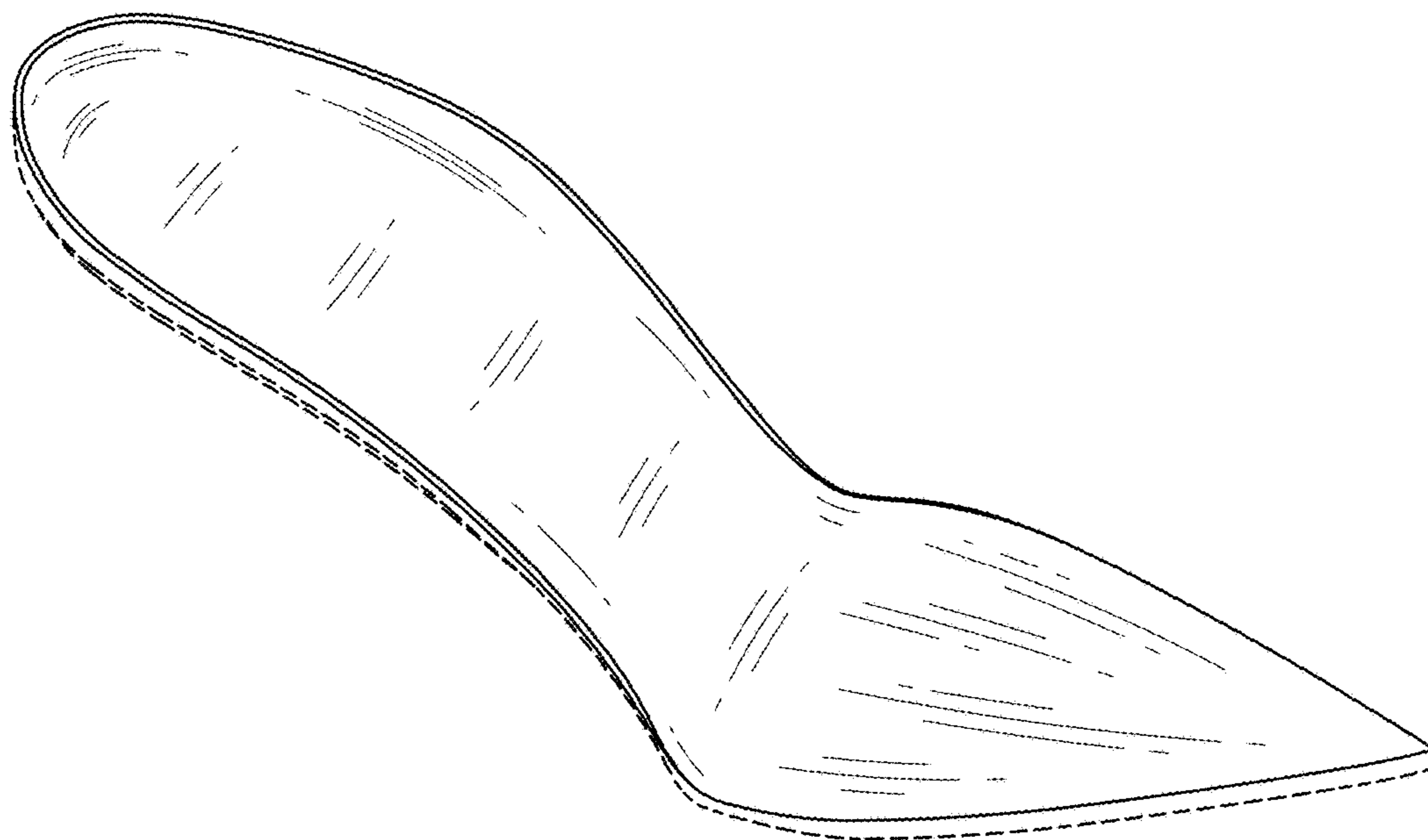


Fig. 9

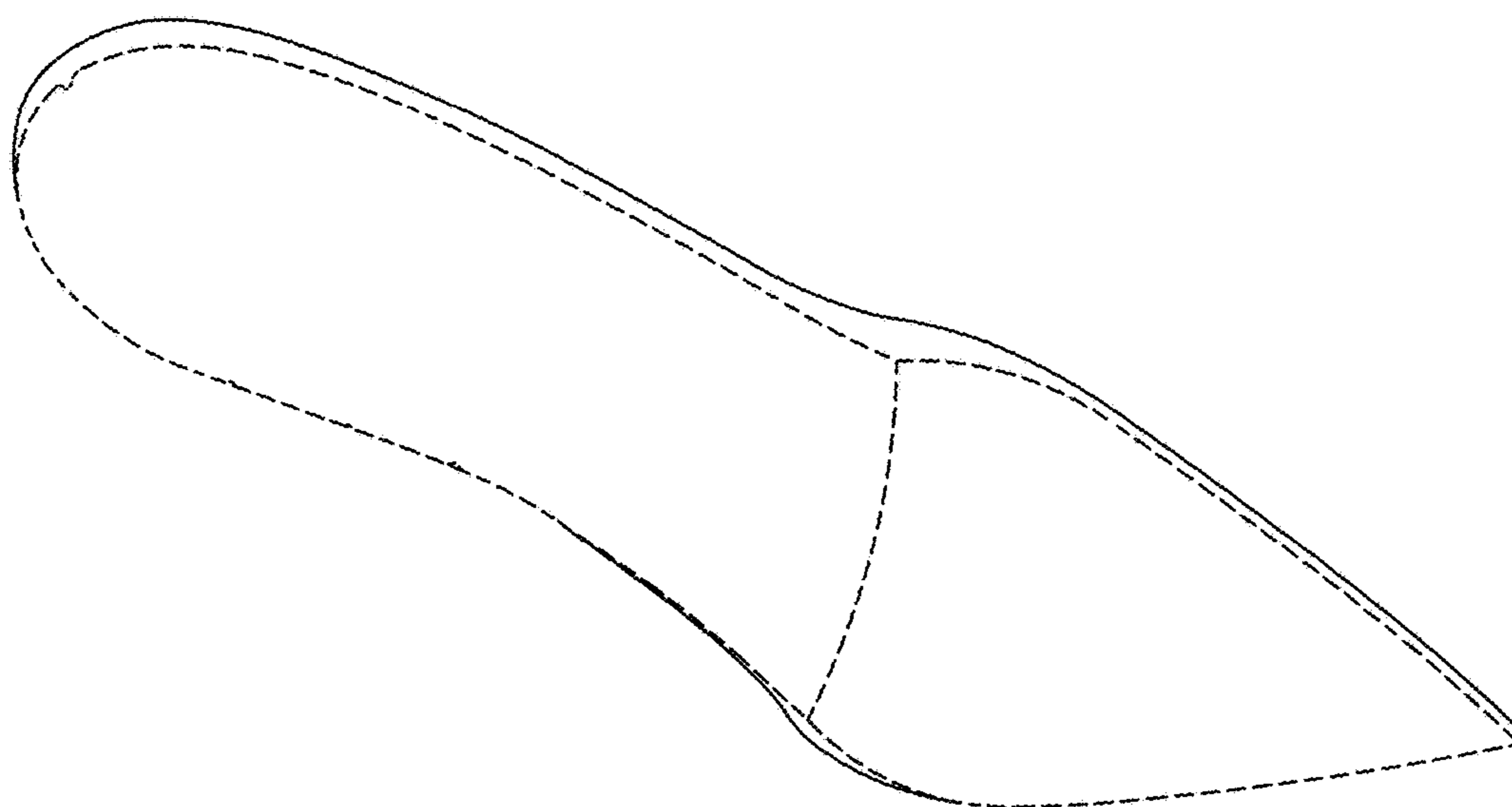


Fig. 10

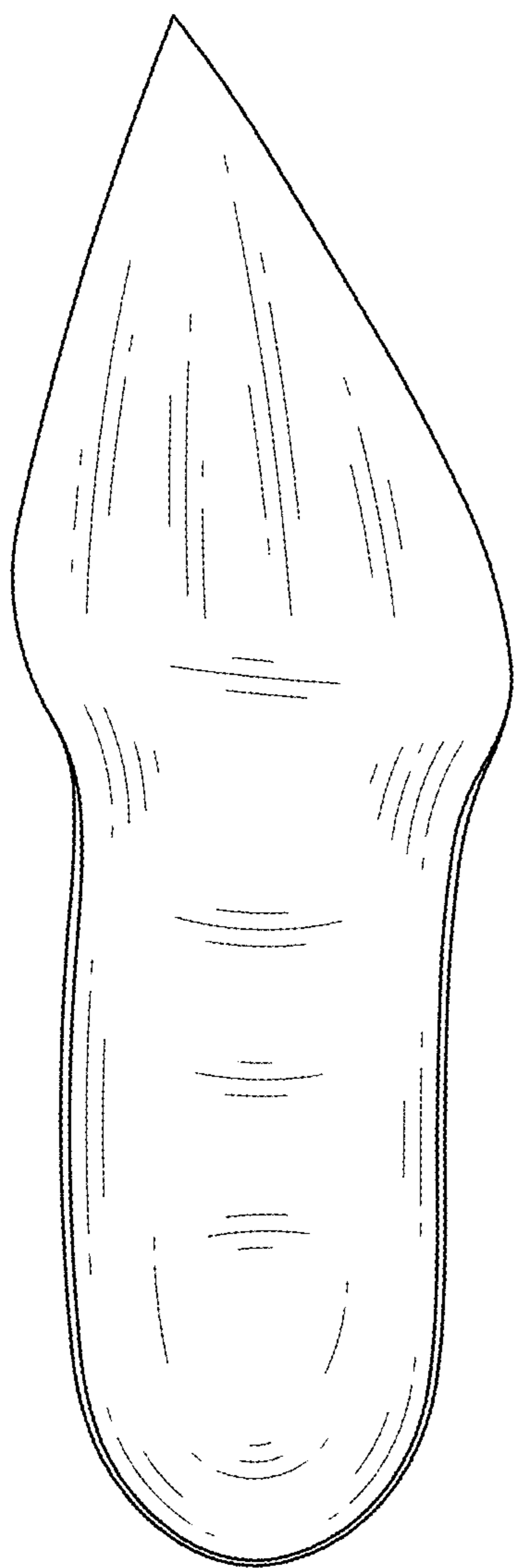


Fig. 11

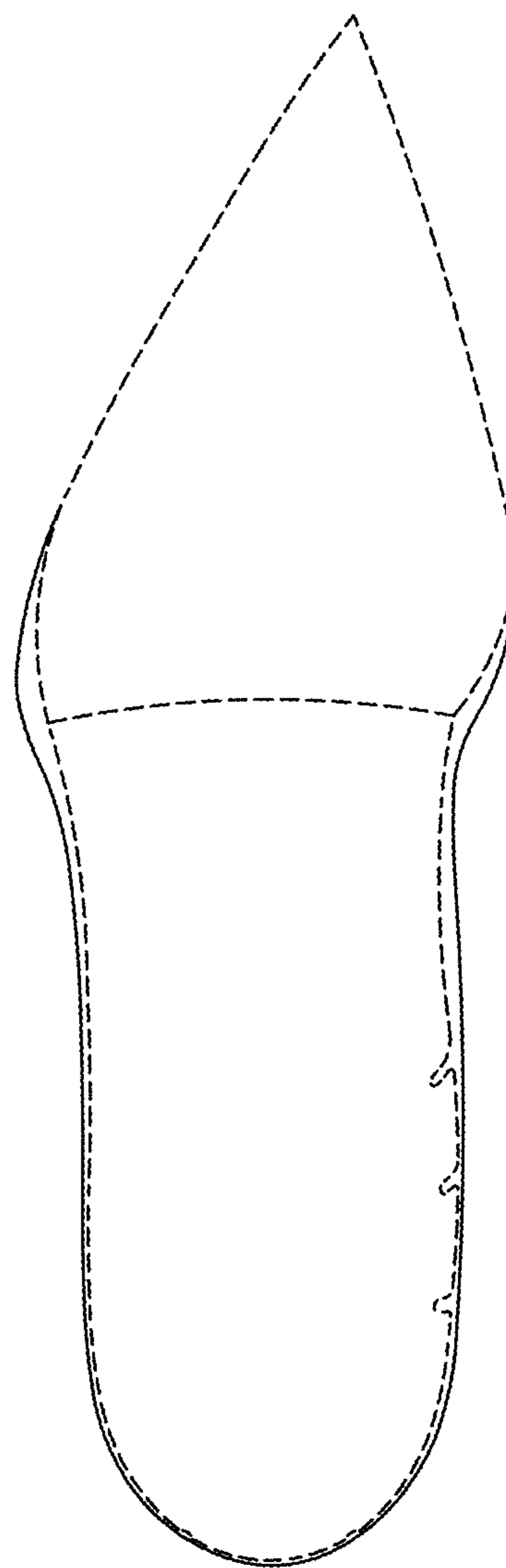


Fig. 12

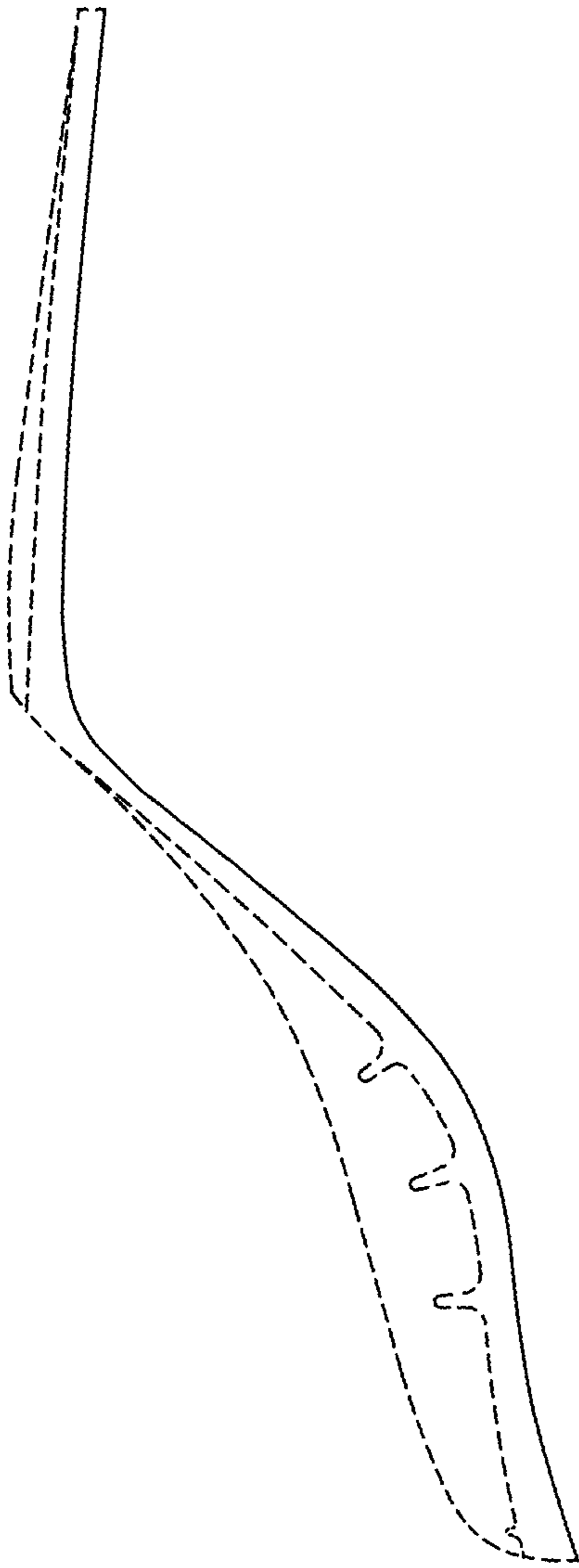


Fig. 13

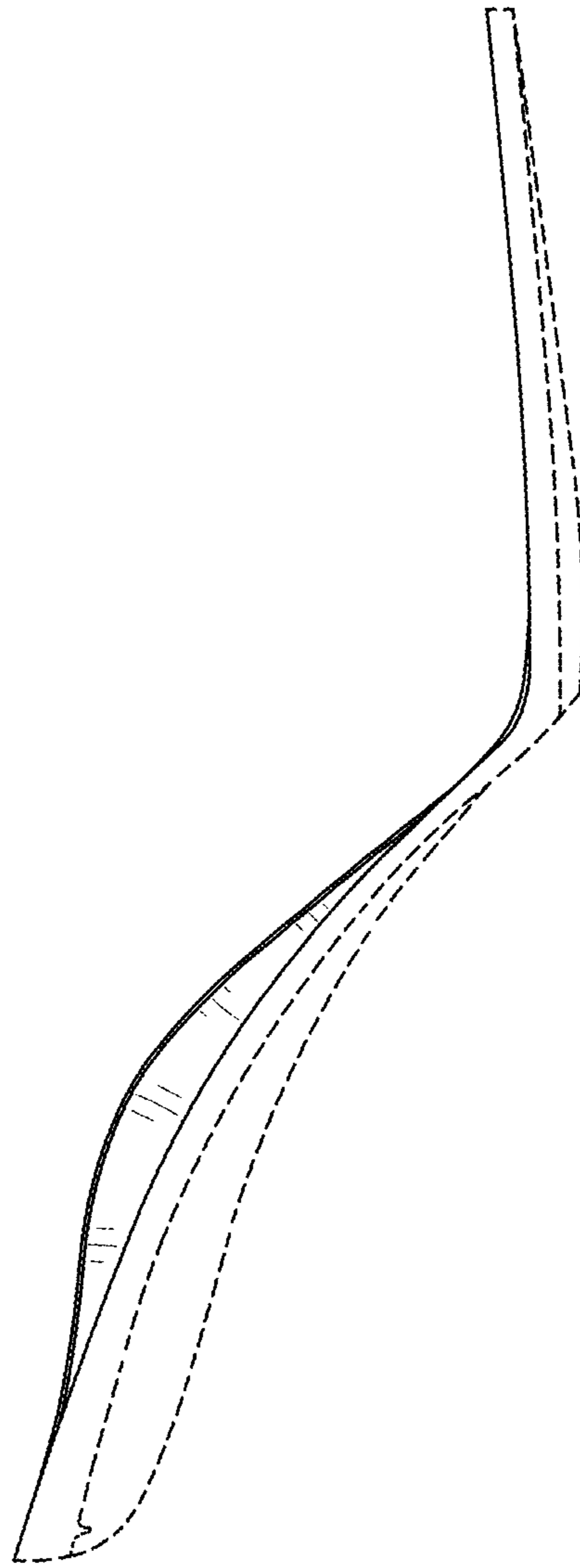


Fig. 14

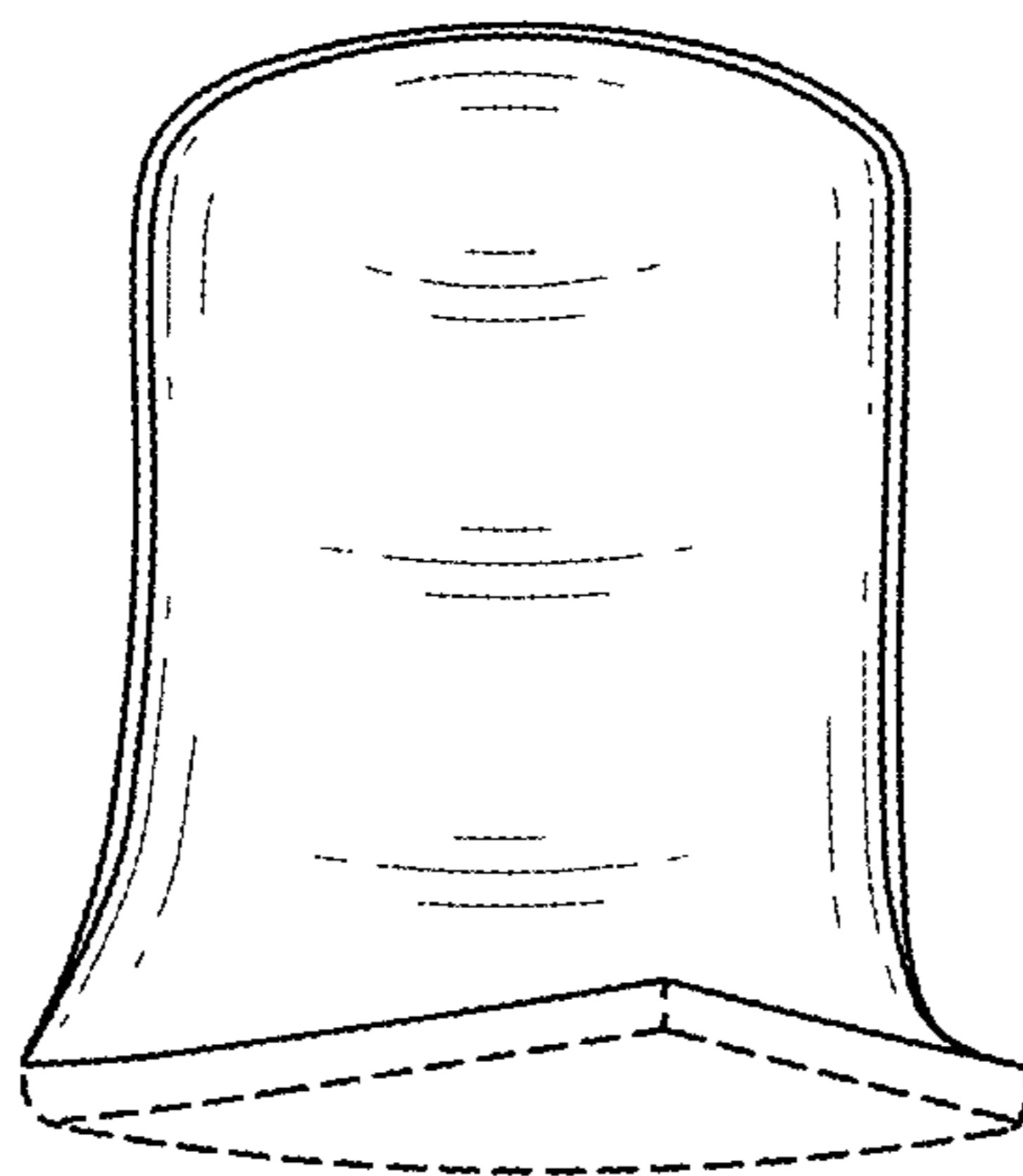


Fig. 15

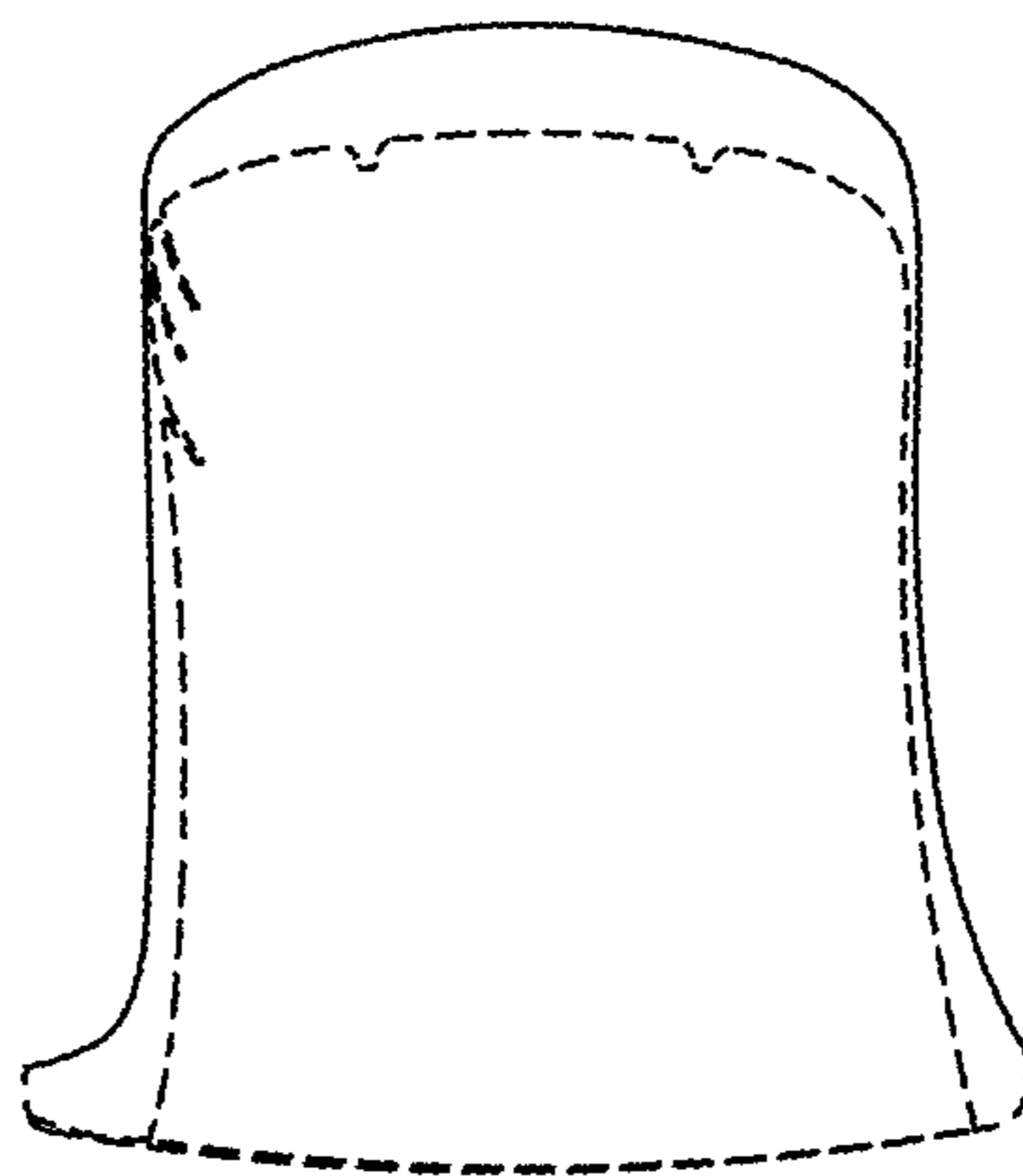


Fig. 16