

US00D859803S

(12) **United States Design Patent** (10) **Patent No.:** **US D859,803 S**
Buck (45) **Date of Patent:** **** Sep. 17, 2019**

- (54) **INSOLE**
- (71) Applicant: **Protalus LLC**, West Linn, OH (US)
- (72) Inventor: **Christopher Buck**, West Linn, OR (US)
- (73) Assignee: **PROTALUS LLC**, West Linn, OR (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/661,570**
- (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
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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

545,006 A	8/1895	Baird
1,335,981 A	4/1920	Morton
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

(Continued)

FOREIGN PATENT DOCUMENTS

AU	655267 B3	2/1993
CN	201499704	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

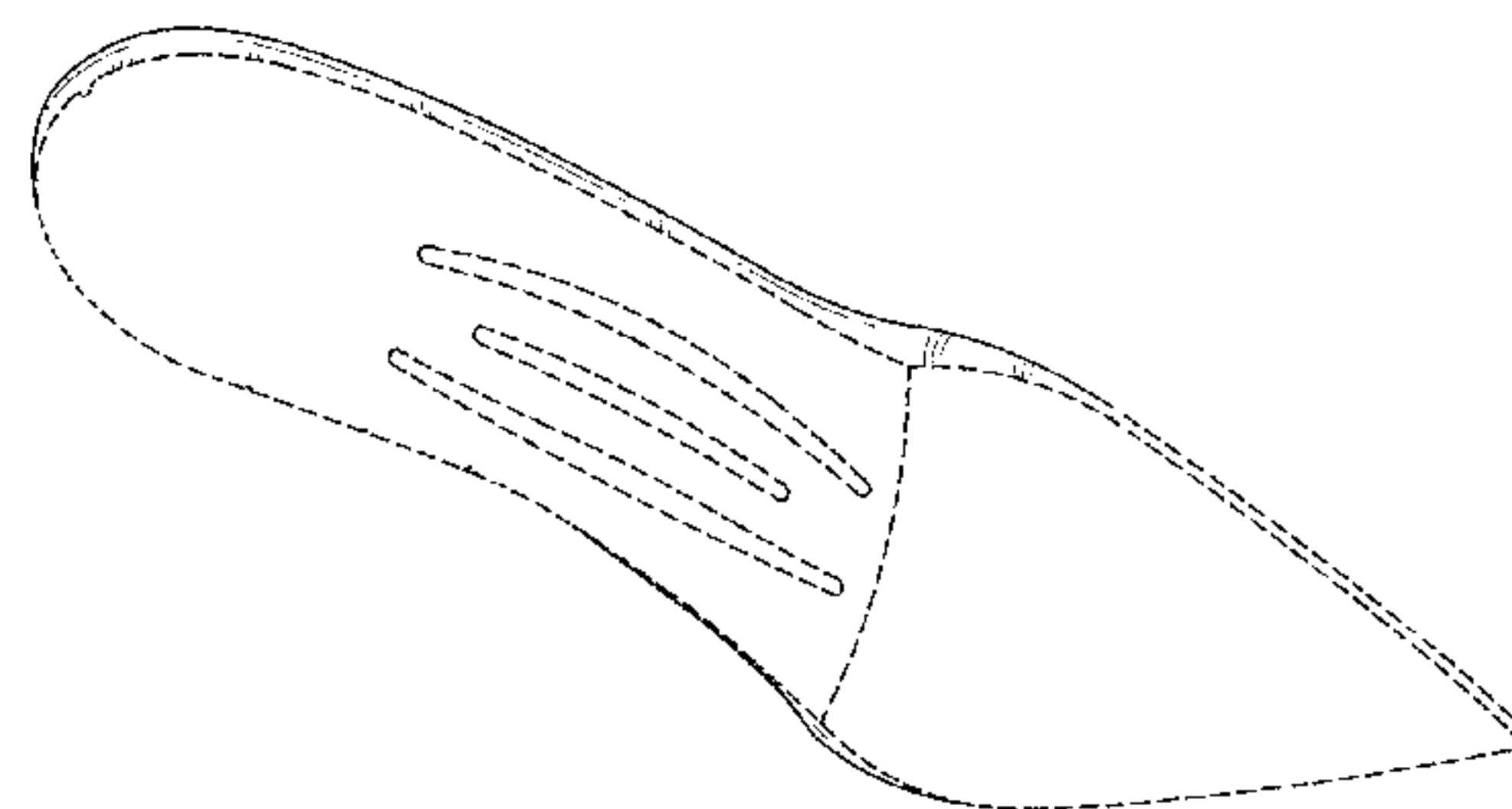
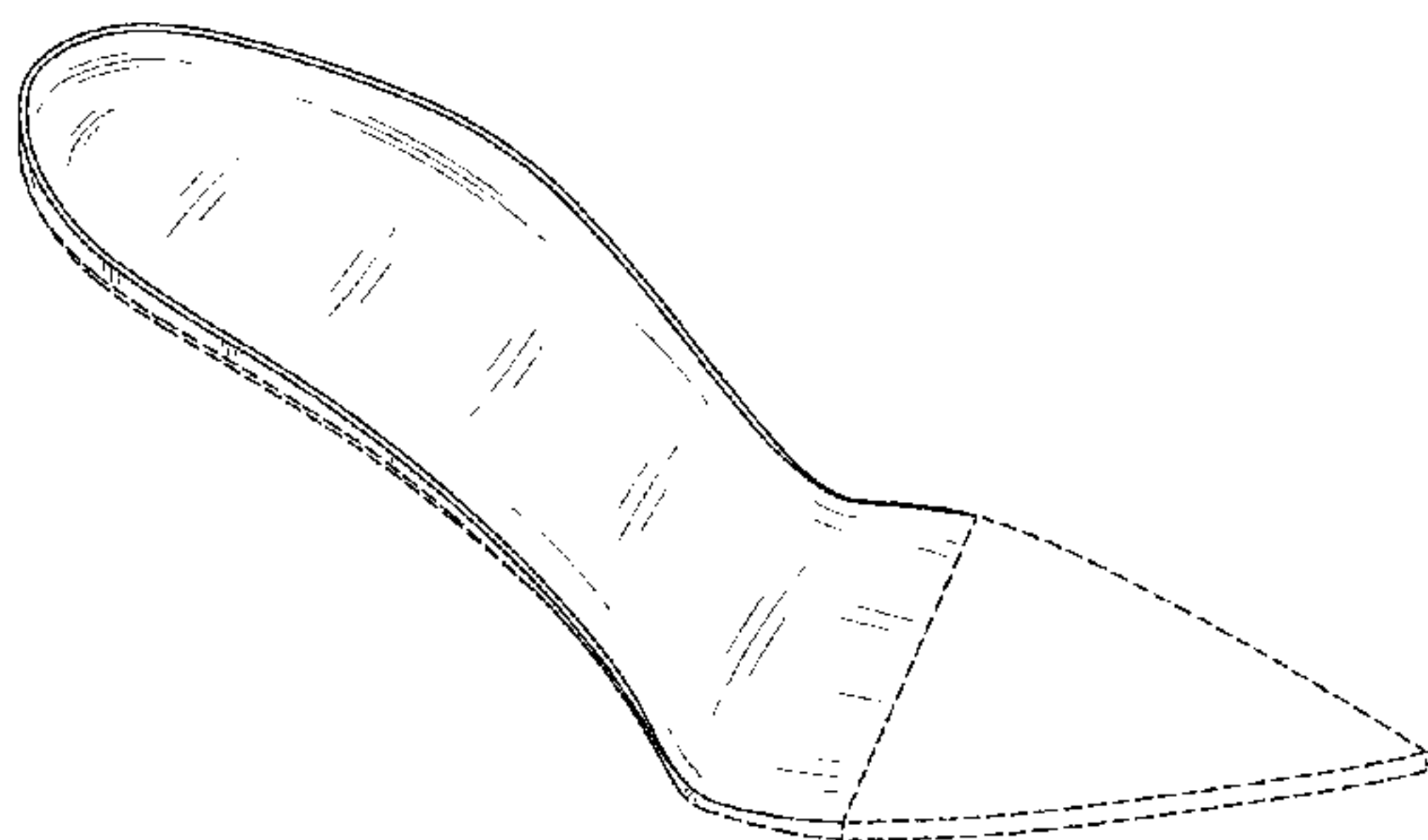
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view 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; and,
FIG. 8 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, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

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
 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

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, 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 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, 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.

* cited by examiner

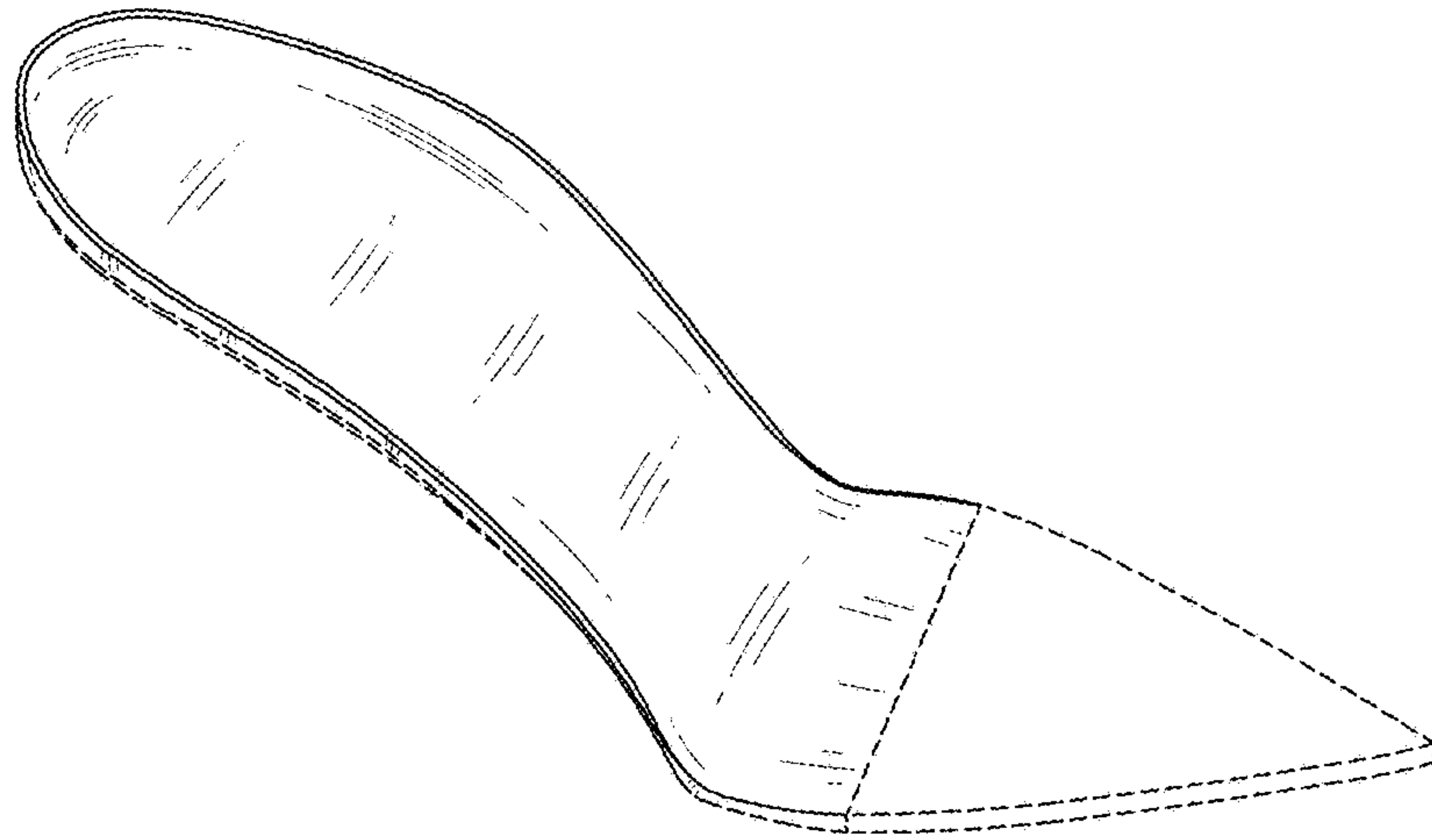


Fig. 1

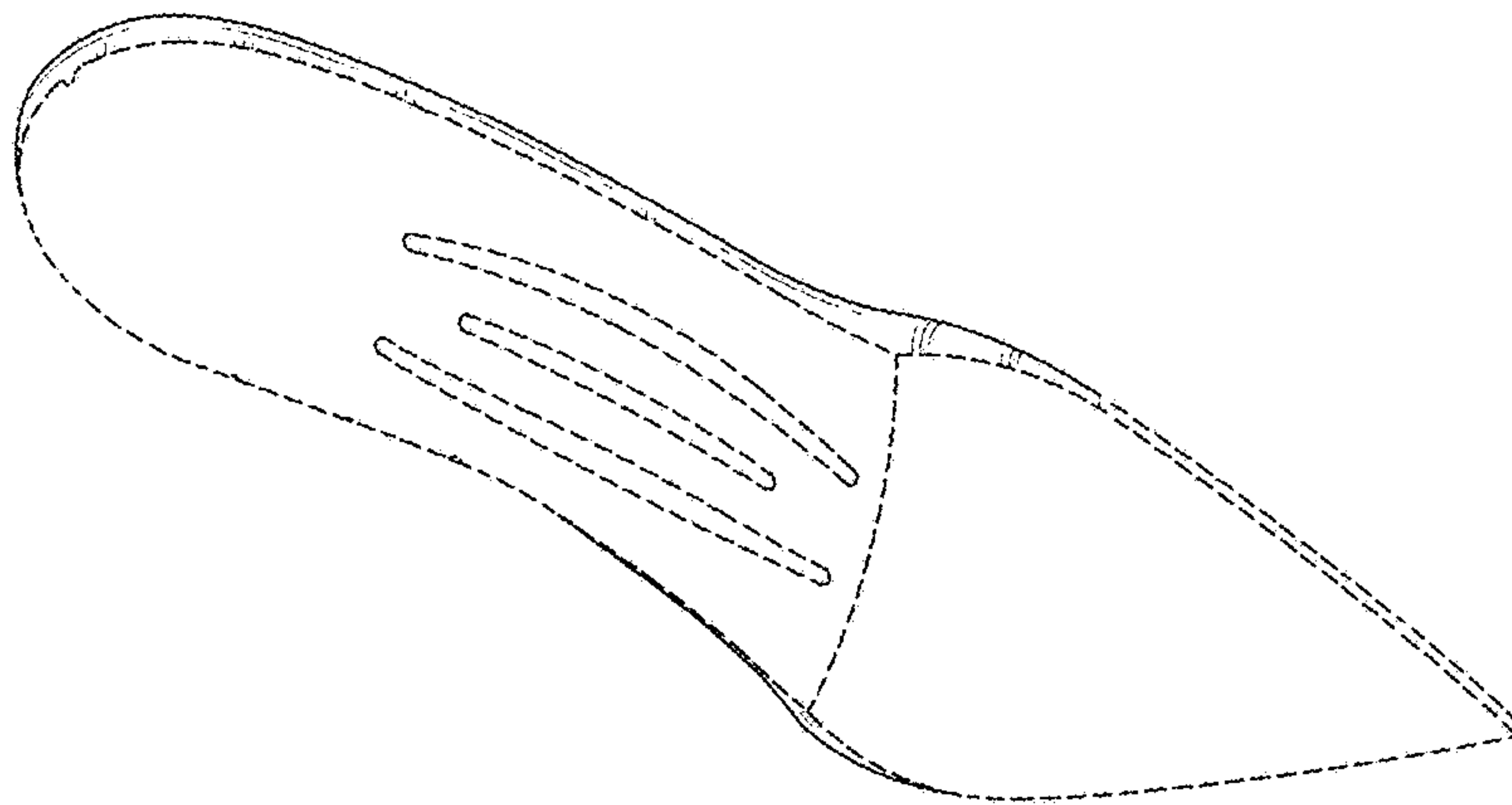


Fig. 2

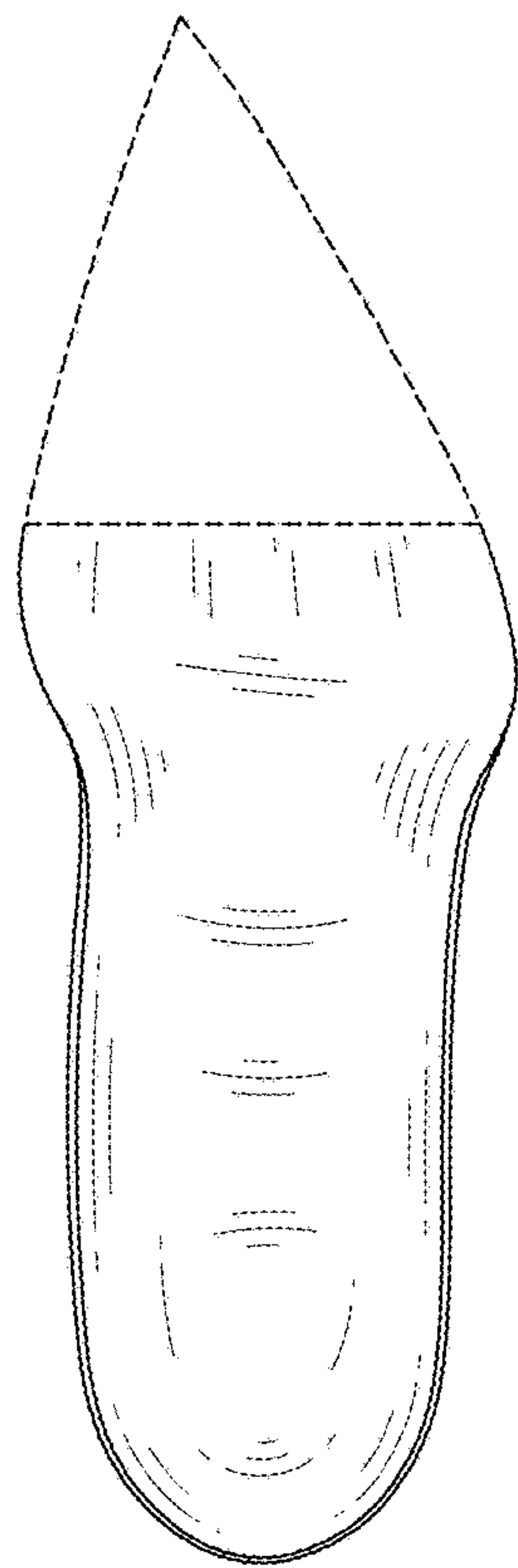


Fig. 3

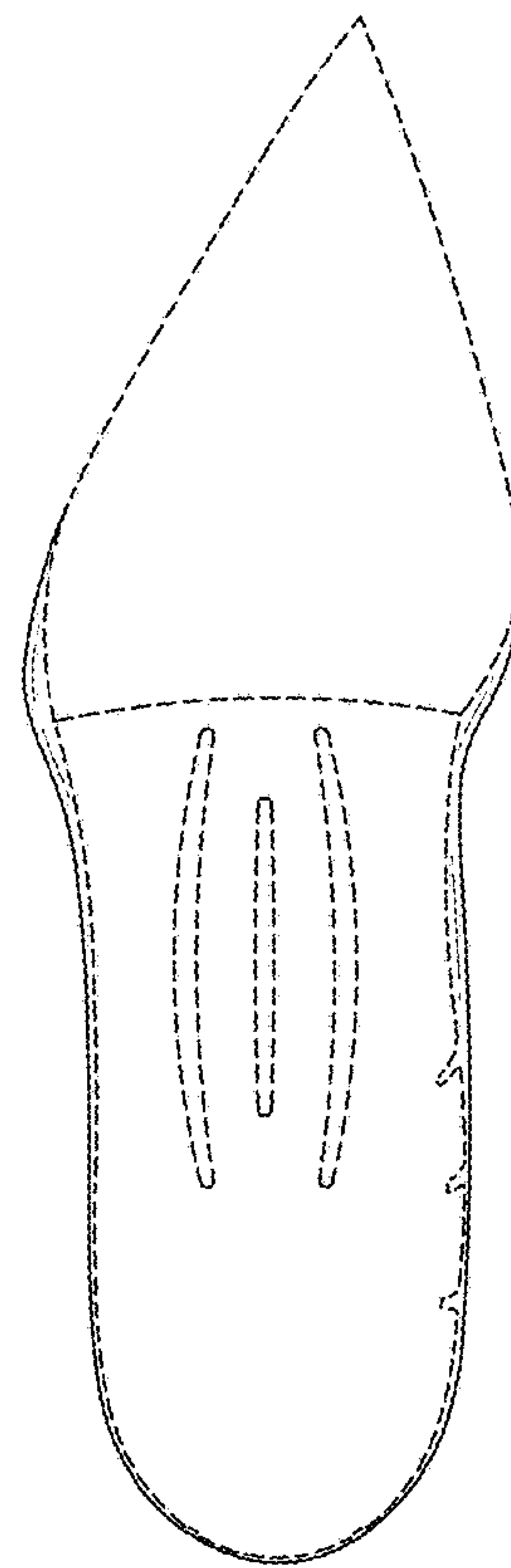


Fig. 4

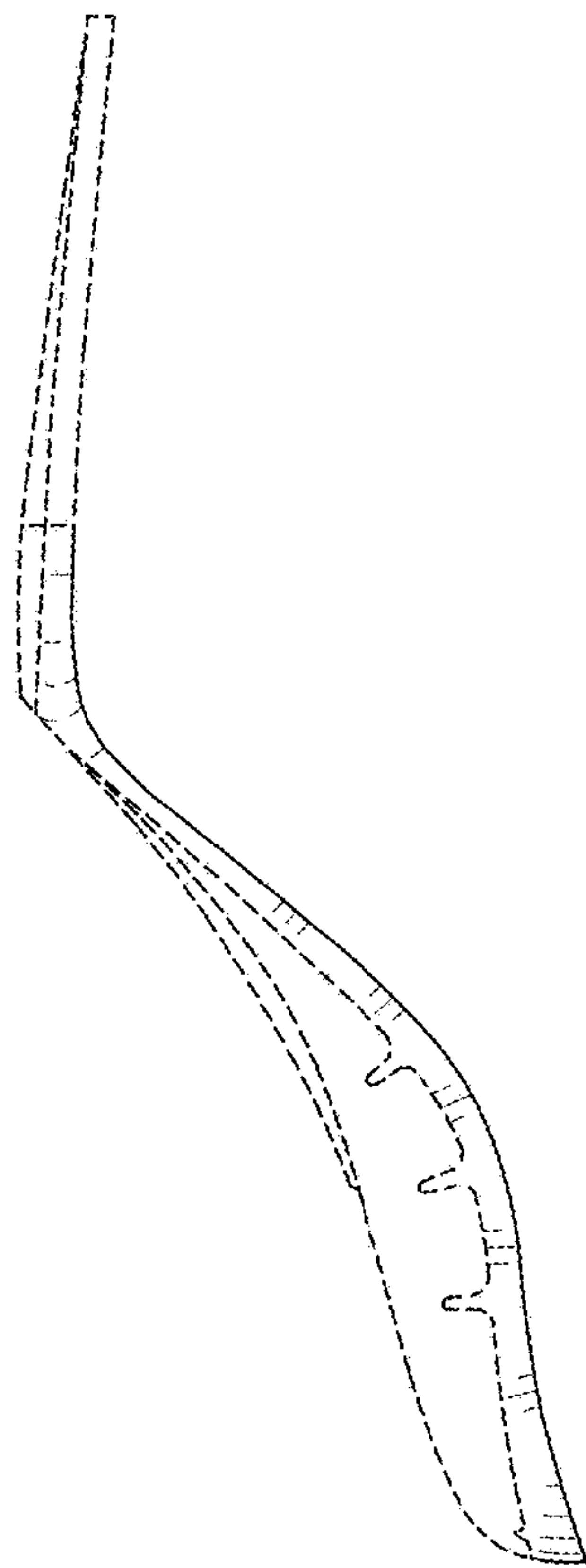


Fig. 5

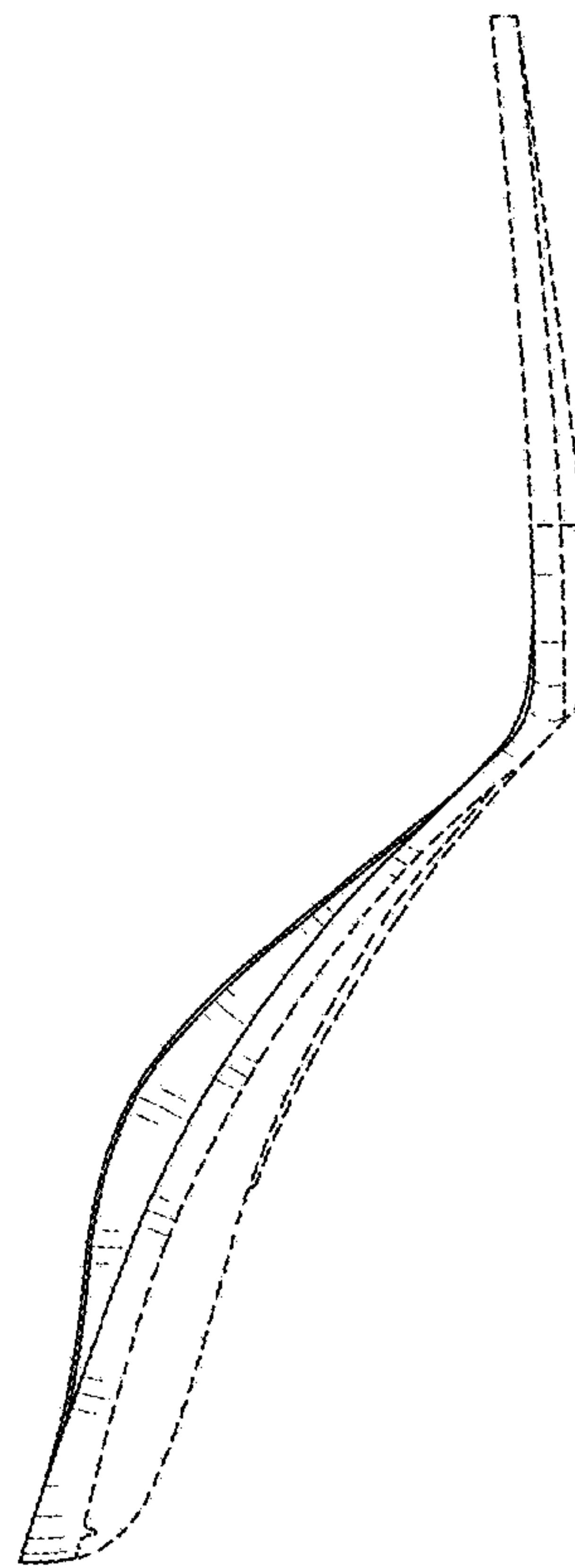


Fig. 6

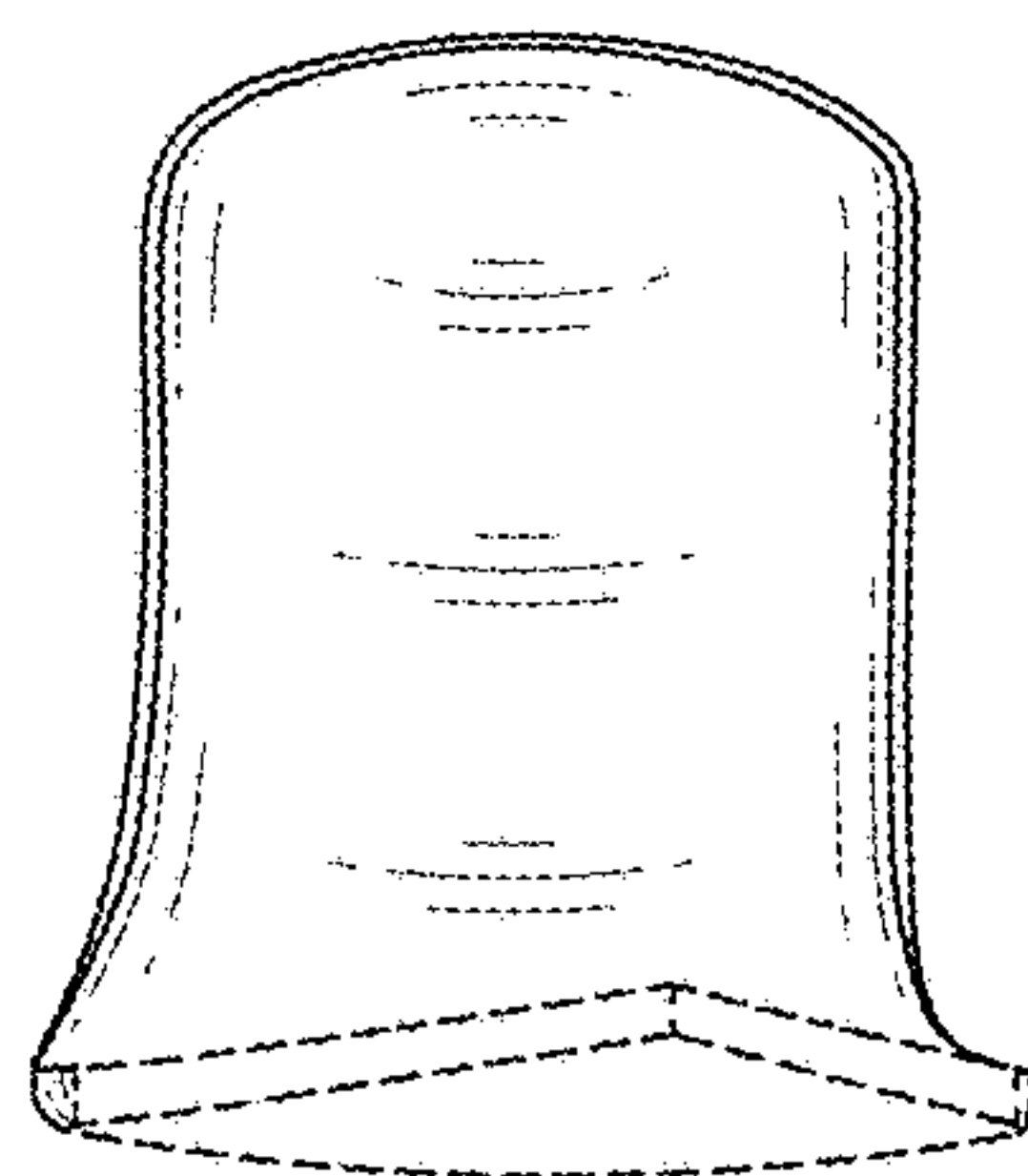


Fig. 7

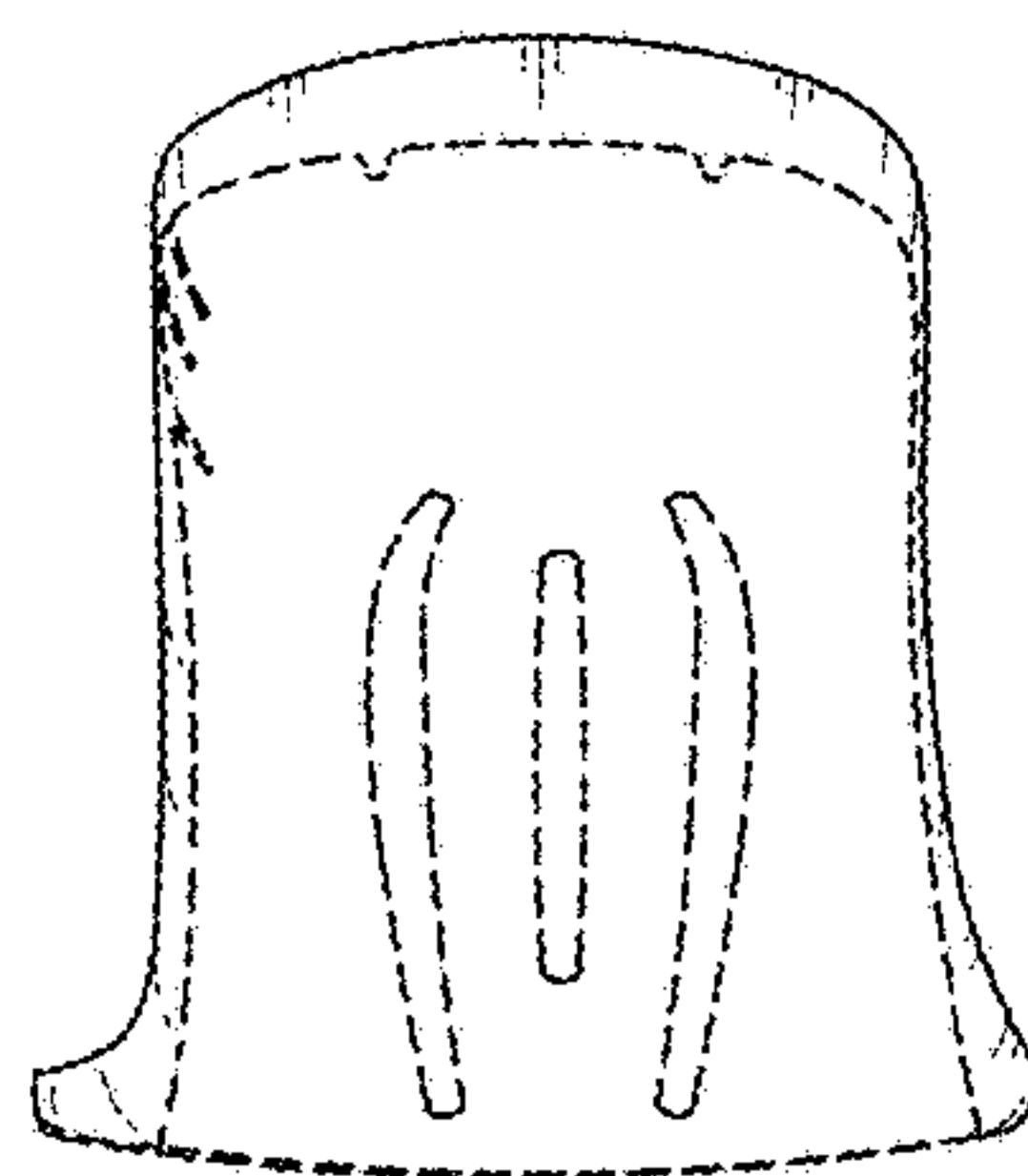


Fig. 8