



US00D871040S

(12) **United States Design Patent** (10) **Patent No.:** **US D871,040 S**
Buck (45) **Date of Patent:** **** Dec. 31, 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.: **29/653,414**
(22) Filed: **Jun. 14, 2018**
Related U.S. Application Data
(63) Continuation of application No. 29/586,543, filed on Dec. 5, 2016, now Pat. No. Des. 820,573.
(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, 969
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
1,144,291 A * 6/1915 Boyer A43B 7/144
33/5

1,281,987 A * 10/1918 McSweeney A43B 7/142
36/176
1,335,981 A 4/1920 Morton
1,693,122 A * 11/1928 Schwartz A43B 13/187
36/176

(Continued)

FOREIGN PATENT DOCUMENTS

AU 655267 B3 2/1993
DE 543868 C 2/1932

(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

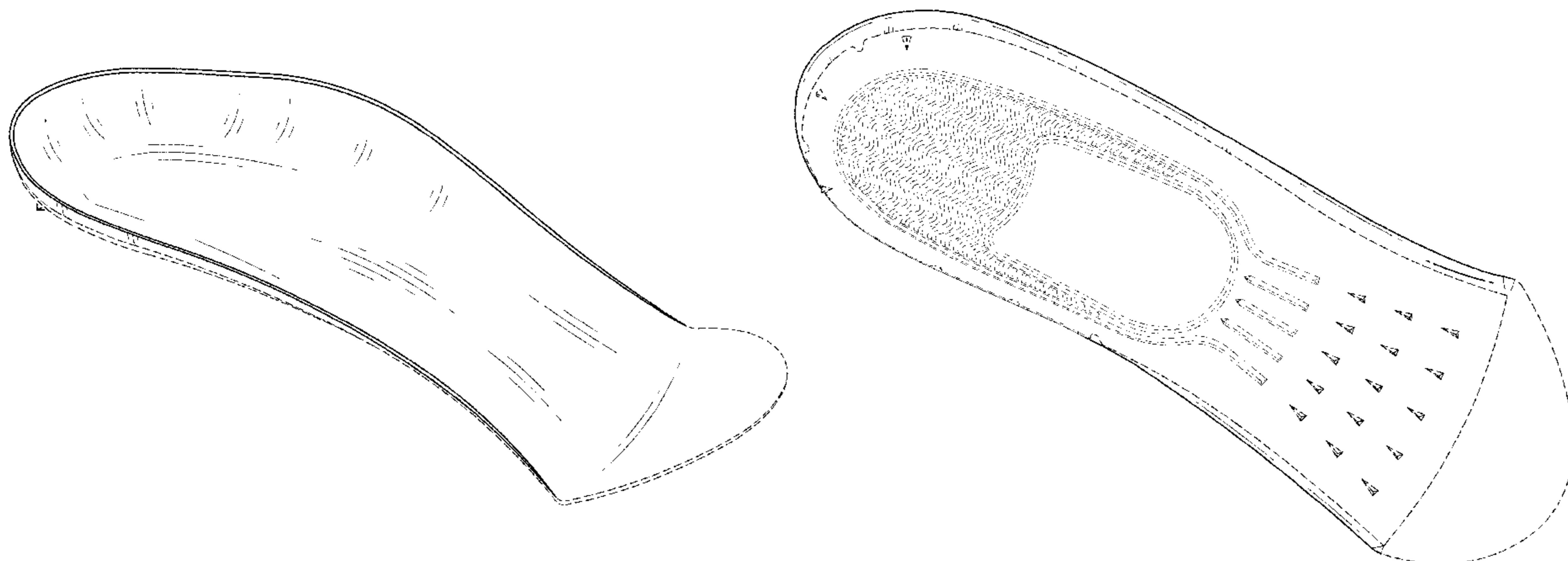
(57) **CLAIM**

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 side elevation view thereof;
FIG. 6 is an opposite 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, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,777,855 A * 10/1930 Oblak A43B 17/00
36/43
1,780,574 A * 11/1930 Williams A43B 17/107
12/146 C
1,803,554 A 5/1931 Knilans
2,086,999 A 7/1937 Hack
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
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
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.
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.
D664,754 S * 8/2012 Klein D2/961
D665,566 S * 8/2012 Klein D2/961
D689,276 S * 9/2013 Klein D2/961
D723,256 S * 3/2015 Vasyli D2/961

D723,786 S * 3/2015 Martinez D2/961
9,060,565 B2 6/2015 Kosta
D739,133 S 9/2015 Jung
D746,033 S * 12/2015 Cherneski D2/961
D752,327 S * 3/2016 Yoon D2/961
D761,543 S * 7/2016 Granger D2/961
D762,366 S * 8/2016 Granger D2/961
D766,560 S * 9/2016 Granger D2/961
D768,370 S * 10/2016 Kanji D2/961
2002/0050080 A1 5/2002 Vasyli
2002/0139011 A1 10/2002 Kerrigan

FOREIGN PATENT DOCUMENTS

DE 658414 C 4/1938
EP 0820706 A3 1/1998
JP 2002262907 9/2002
WO 199107152 5/1991
WO 199219191 11/1992

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, 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

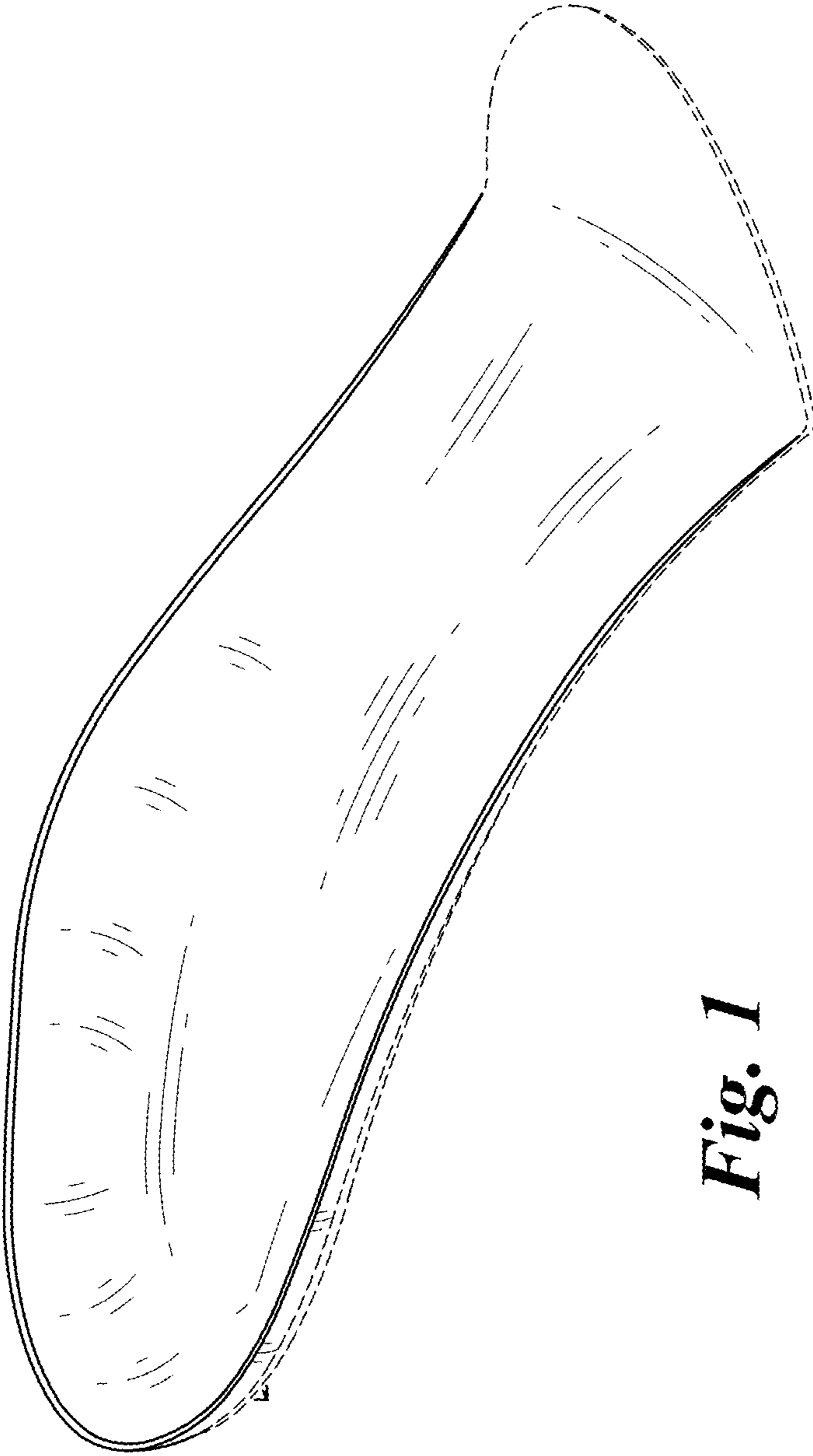


Fig. 1

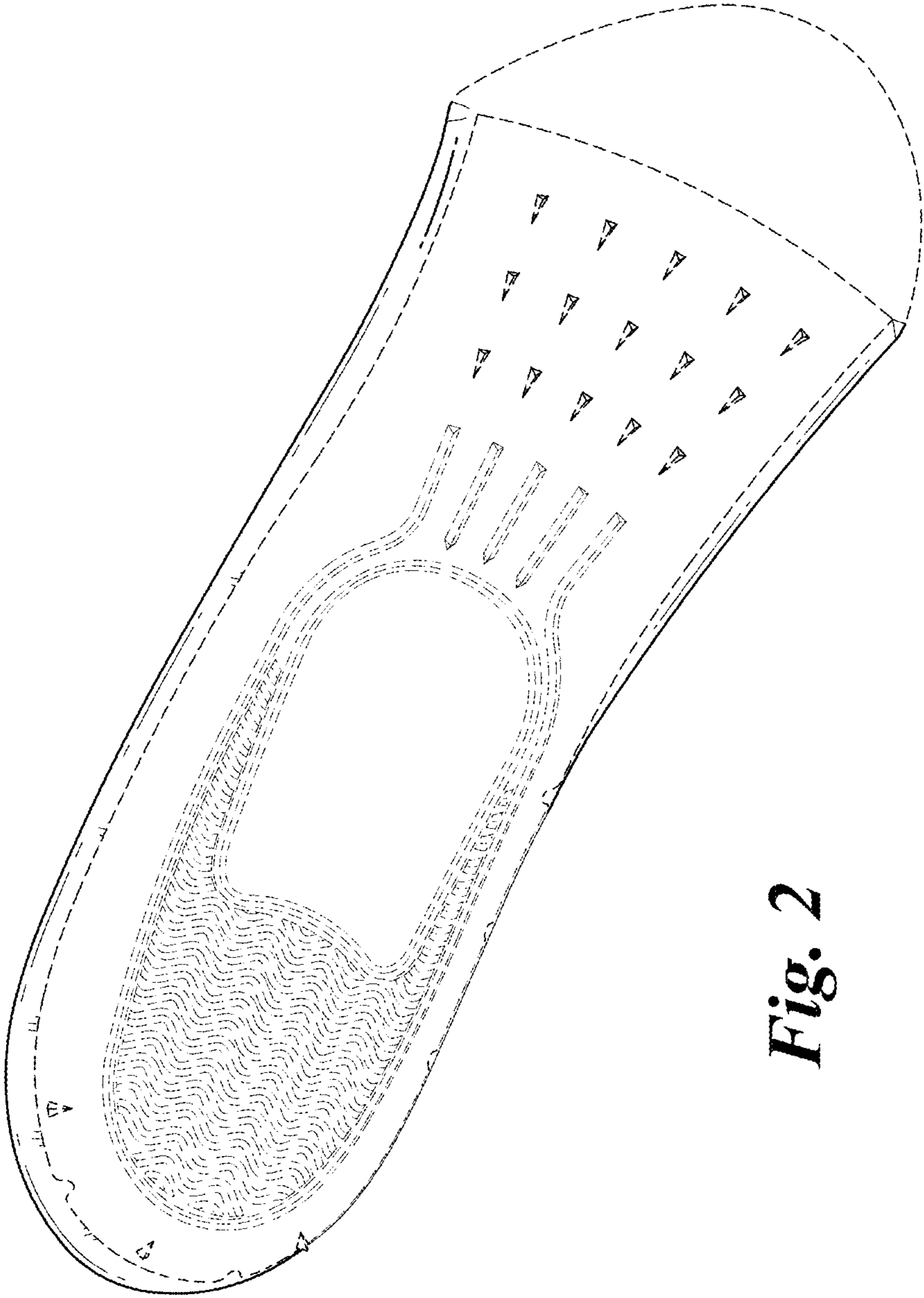


Fig. 2

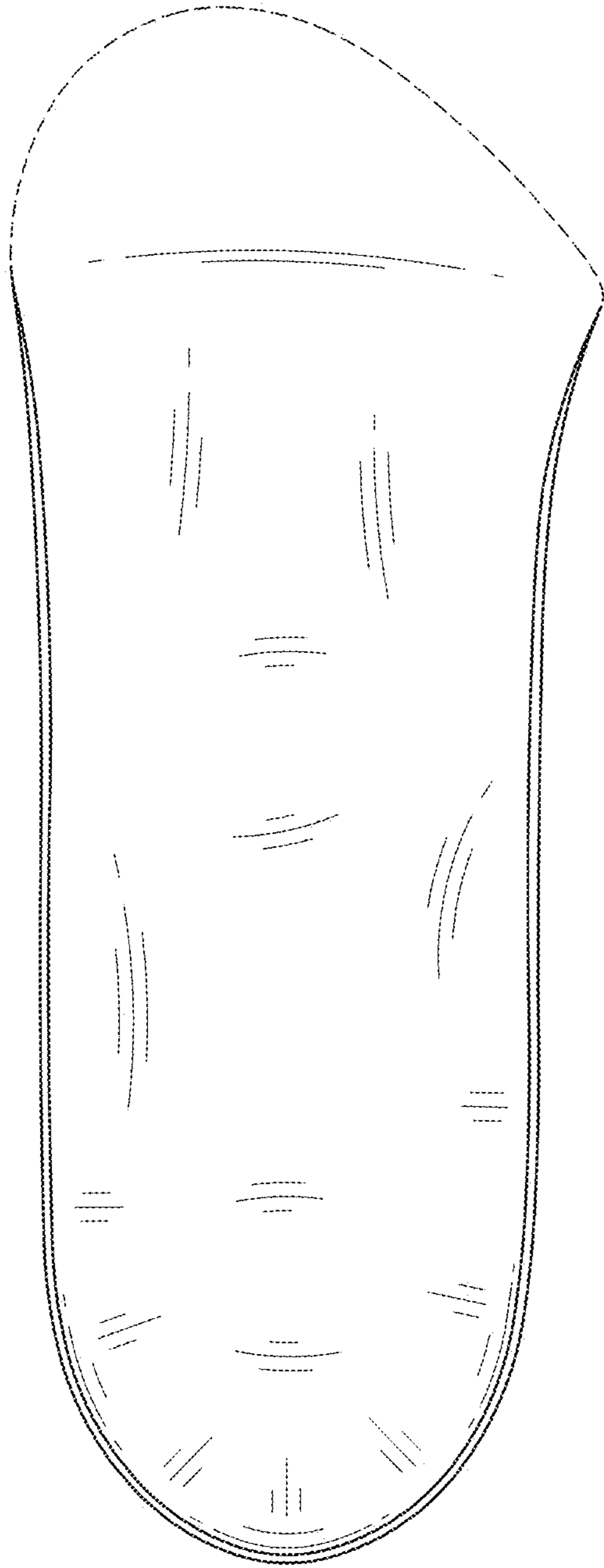


Fig. 3

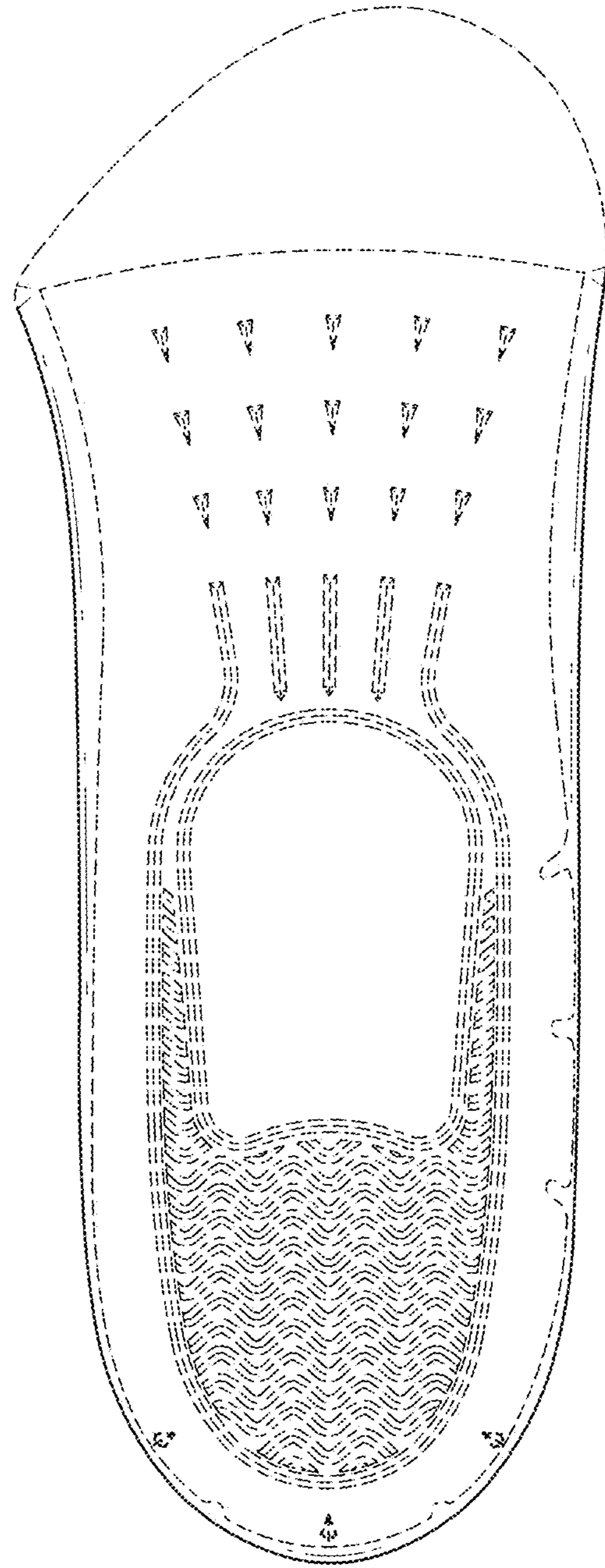


Fig. 4

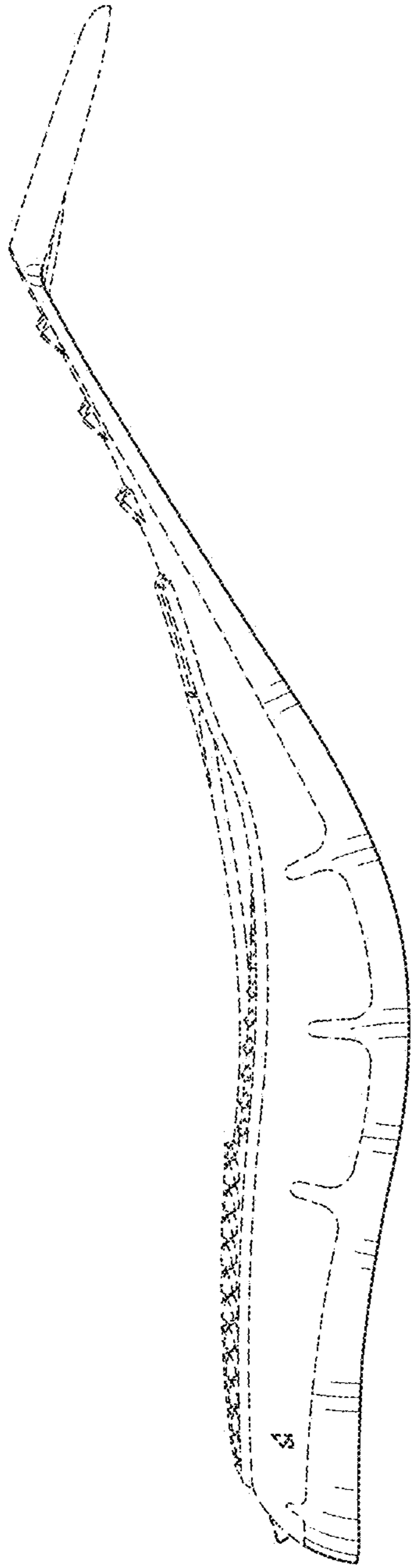


Fig. 5

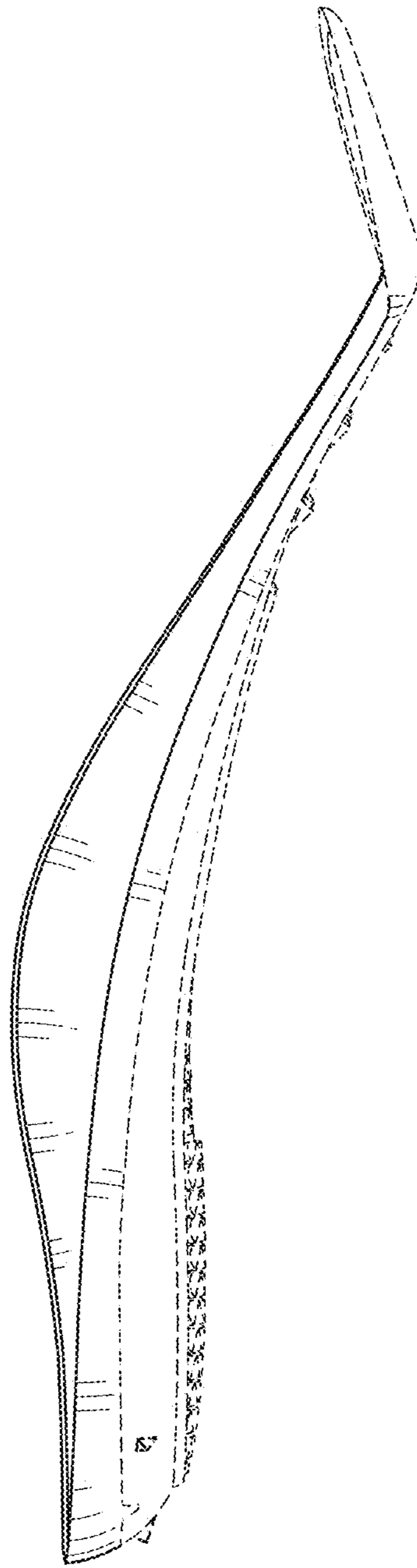


Fig. 6

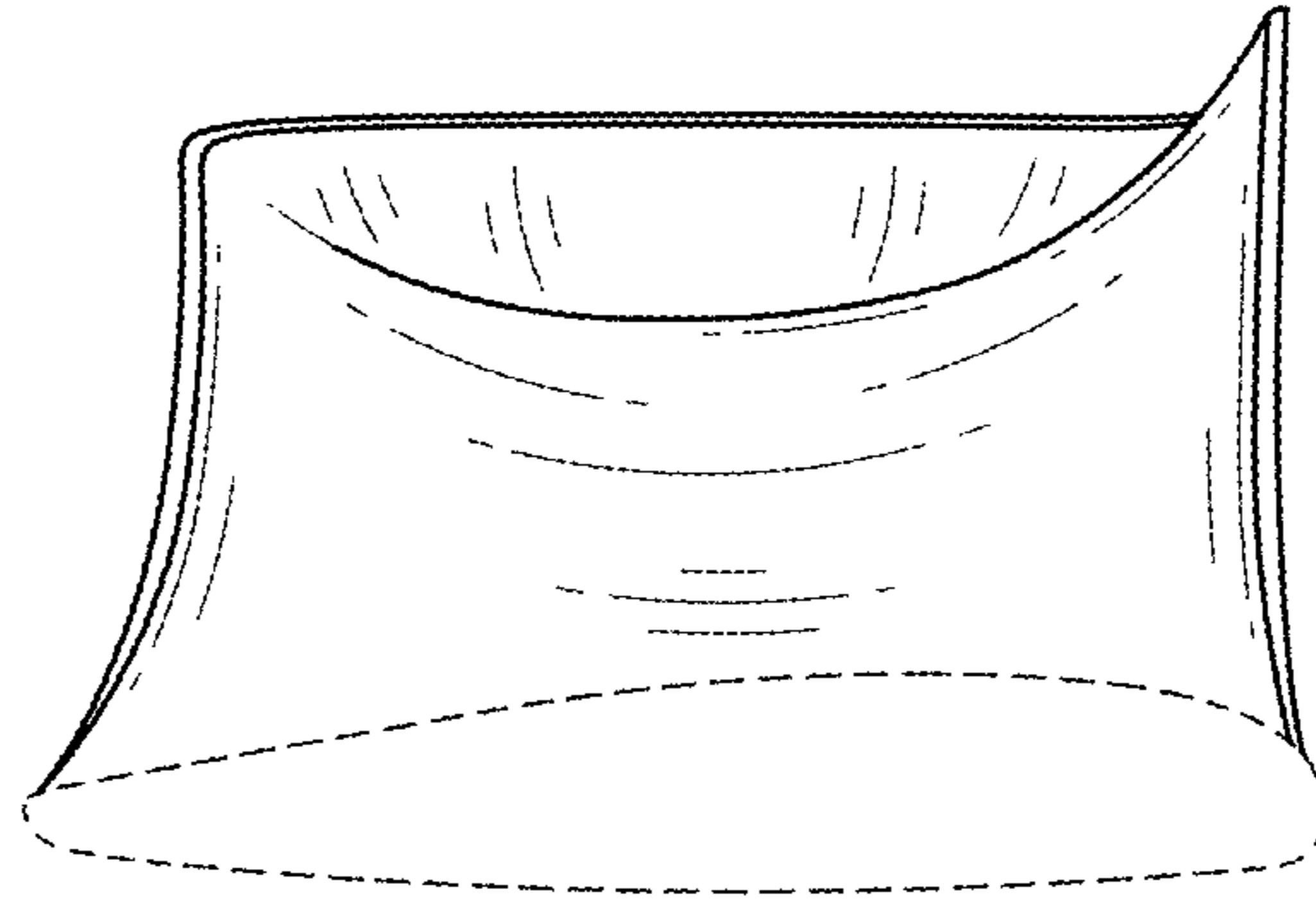


Fig. 7

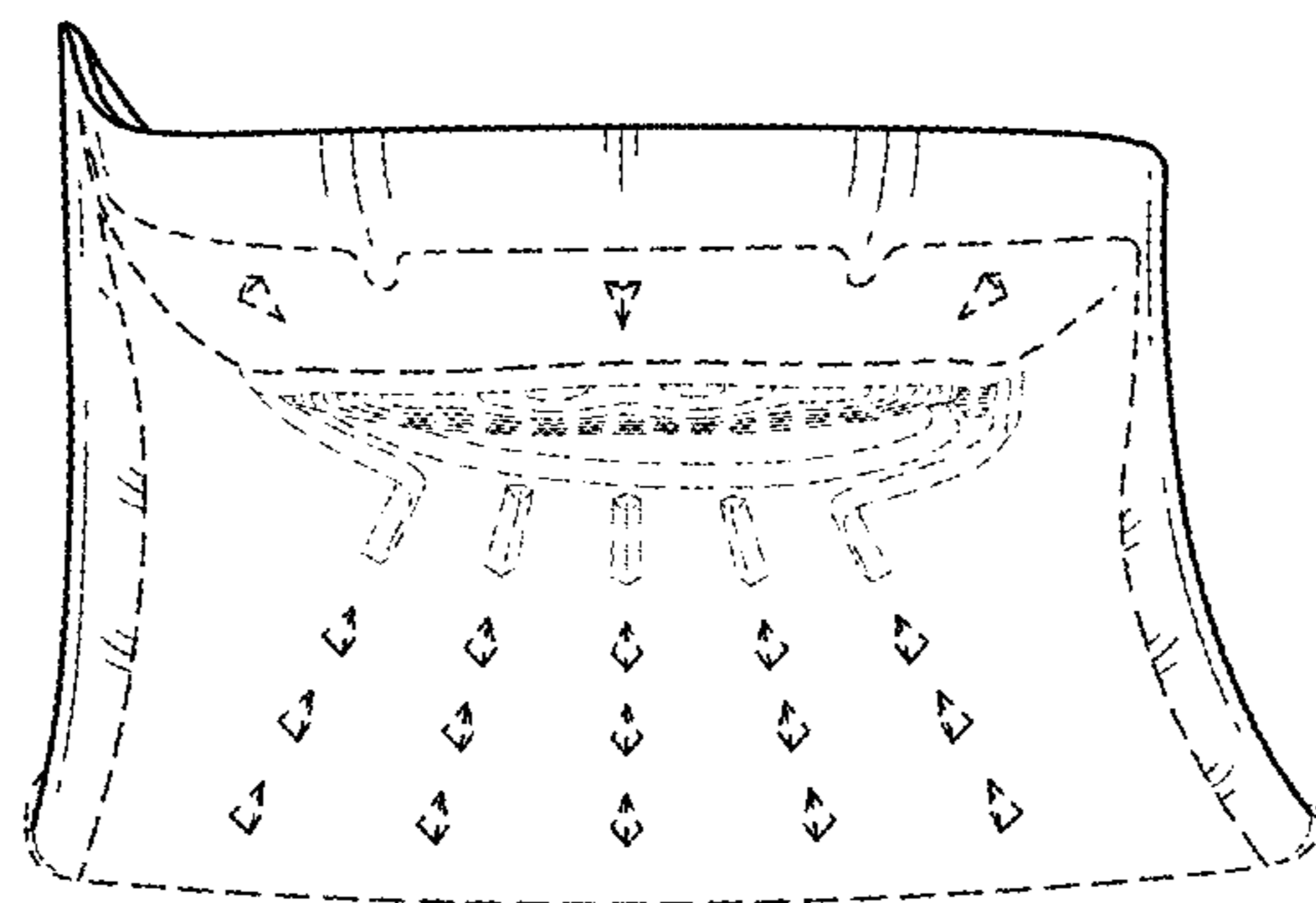


Fig. 8