



(12) **United States Design Patent**
Marvin et al.

(10) **Patent No.:** **US D859,800 S**
(45) **Date of Patent:** **** Sep. 17, 2019**

(54) **SOLE**

(71) Applicant: **Reebok International Limited**, London (GB)

(72) Inventors: **William Marvin**, Canton, MA (US);
Matthew Montross, Middleboro, MA (US)

(73) Assignee: **Reebok International Limited**, London (GB)

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

(21) Appl. No.: **29/645,899**

(22) Filed: **Apr. 30, 2018**

Related U.S. Application Data

(60) Continuation of application No. 29/603,895, filed on May 12, 2017, now Pat. No. Des. 818,683, which is (Continued)

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

(52) **U.S. Cl.**
USPC **D2/957; D2/951**

(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

500,385 A 6/1893 Hall
1,344,972 A 6/1920 Armour
(Continued)

FOREIGN PATENT DOCUMENTS

CH 216930 A 9/1941
DE 201097 C1 11/1907
(Continued)

OTHER PUBLICATIONS

Reebok Men Blue and Red Super Lite 2.0 Running Shoes: Unboxing, YouTube.com, Build Wild, Published on Oct. 23, 2016, [online], [site visited Jan. 11, 2019]. <URL: <https://www.youtube.com/watch?v=Do5orpZB39s>> (Year: 2016).*

(Continued)

Primary Examiner — T Chase Nelson

Assistant Examiner — Jonathan J. Han

(74) *Attorney, Agent, or Firm* — Sterne, Kessler, Goldstein & Fox P.L.L.C.

(57) **CLAIM**

The ornamental design for a sole, as shown and described.

DESCRIPTION

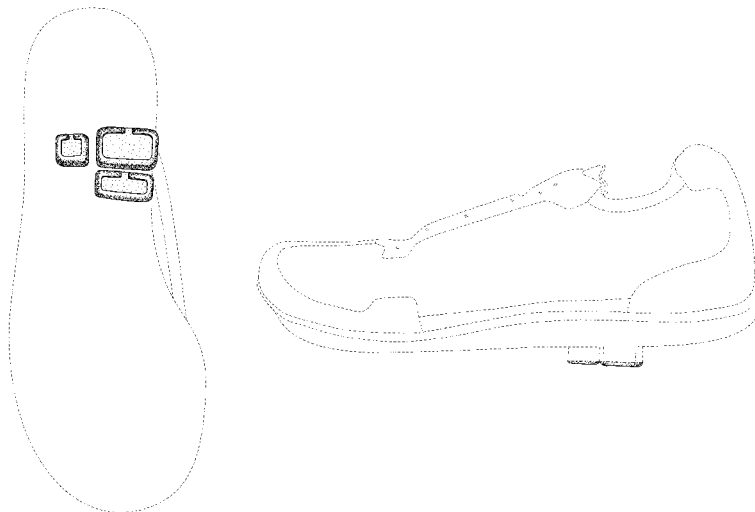
FIG. 1 is a bottom plan view of a sole showing the claimed design;

FIG. 2 is a side view thereof; and,

FIG. 3 is another side view thereof.

The dashed broken lines in the figures show portions of the sole and environment that form no part of the claimed design. The dot-dashed broken lines in the figures show boundaries that form no part of the claimed design.

1 Claim, 3 Drawing Sheets



Related U.S. Application Data

a continuation of application No. 29/549,289, filed on Dec. 21, 2015, now Pat. No. Des. 786,544, which is a division of application No. 29/470,409, filed on Oct. 21, 2013, now Pat. No. Des. 746,032, which is a division of application No. 29/443,382, filed on Jan. 16, 2013, now Pat. No. Des. 693,552, which is a division of application No. 29/378,310, filed on Nov. 2, 2010, now Pat. No. Des. 675,002.

(56)

References Cited

U.S. PATENT DOCUMENTS

D64,914 S 6/1924 McDonald
 1,524,782 A 2/1925 Clarke
 D68,214 S 9/1925 McDonald
 D73,143 S 7/1927 Oakley
 D81,915 S 9/1930 Burchfield
 2,090,881 A 4/1936 Wilson
 2,068,238 A 1/1937 Malm
 2,155,166 A 4/1939 Kraft
 2,188,168 A 1/1940 Winkel
 2,224,590 A 12/1940 Boivin
 D147,383 S 8/1947 Shaffer
 2,860,425 A 11/1958 Jackson
 3,148,378 A 9/1964 Tibbits
 D201,865 S 8/1965 Bingham
 D213,416 S 3/1969 Ditmar
 3,634,954 A 1/1972 Larsen et al.
 3,648,109 A 3/1972 Tims et al.
 3,724,107 A 4/1973 Makinen et al.
 3,762,075 A 10/1973 Munsch
 D236,563 S 9/1975 Wunch et al.
 D241,988 S 10/1976 Famolare, Jr.
 4,043,326 A 8/1977 Little et al.
 D245,736 S 9/1977 Famolare, Jr.
 D248,192 S 6/1978 Stevenson
 4,112,599 A 9/1978 Krippelz
 4,118,878 A 10/1978 Semon
 4,265,032 A 5/1981 Levine
 4,309,831 A 1/1982 Pritt
 4,309,832 A 1/1982 Hunt
 4,319,412 A 3/1982 Muller et al.
 4,345,387 A 8/1982 Daswick
 4,358,902 A 11/1982 Cole et al.
 4,443,511 A 4/1984 Worden et al.
 4,498,251 A 2/1985 Shin
 4,516,336 A 5/1985 Nissenbaum
 D281,642 S 12/1985 Fuzita
 4,577,417 A 3/1986 Cole
 4,631,755 A 12/1986 Zingg et al.
 D288,027 S 2/1987 Tonkel
 D288,028 S * 2/1987 Chassaing D2/955
 4,642,917 A 2/1987 Ungar
 4,763,426 A 8/1988 Polus et al.
 4,843,741 A 7/1989 Yung-Mao
 RE33,018 E 8/1989 Ostrander
 4,905,382 A 3/1990 Yung-Mao
 4,908,962 A 3/1990 Yung-Mao
 4,908,964 A 3/1990 Deem
 4,944,099 A 7/1990 Davis
 D315,634 S 3/1991 Yung-Mao
 4,999,931 A 3/1991 Vermeulen
 5,127,170 A 7/1992 Messina
 5,195,257 A 3/1993 Holcomb et al.
 5,265,349 A 11/1993 Munsch
 5,319,866 A 6/1994 Foley et al.
 5,375,346 A 12/1994 Cole et al.
 5,395,674 A 3/1995 Schmidt et al.
 5,400,526 A 3/1995 Sessa
 5,406,719 A 4/1995 Potter
 5,416,986 A 5/1995 Cole et al.
 5,548,910 A 8/1996 Klingseis
 5,551,173 A 9/1996 Chambers
 5,584,077 A 12/1996 Thrift

D378,472 S 3/1997 Bramani
 D380,889 S 7/1997 Earle
 5,655,314 A 8/1997 Petracci
 5,664,341 A 9/1997 Schmidt et al.
 D385,392 S 10/1997 Cass
 5,679,439 A 10/1997 Schmidt et al.
 5,701,687 A 12/1997 Schmidt et al.
 D393,142 S * 4/1998 Brown D2/900
 5,753,061 A 5/1998 Rudy
 D394,944 S 6/1998 Doxey
 5,771,606 A 6/1998 Litchfield et al.
 D397,546 S * 9/1998 Merceron D2/951
 D398,746 S 9/1998 Rask
 D399,040 S 10/1998 Merceron
 5,832,539 A 11/1998 Williams
 5,901,467 A 5/1999 Peterson et al.
 5,916,664 A 6/1999 Rudy
 5,956,868 A 9/1999 Stevens et al.
 D416,669 S 11/1999 Parr et al.
 5,987,783 A 11/1999 Allen et al.
 D421,832 S 3/2000 Loveder
 6,052,921 A 4/2000 Oreck
 6,061,929 A 5/2000 Ritter
 D429,062 S 8/2000 Santa
 6,115,945 A 9/2000 Ellis, III
 6,128,835 A 10/2000 Ritter et al.
 D440,031 S 4/2001 White
 6,266,897 B1 7/2001 Seydel et al.
 D449,729 S 10/2001 Von Conta
 6,298,583 B1 10/2001 Allen
 D452,061 S 12/2001 Smith
 6,357,145 B1 * 3/2002 James A43B 1/0027
 36/103
 6,367,166 B1 4/2002 Barthelemy et al.
 6,453,577 B1 9/2002 Litchfield et al.
 D466,682 S 12/2002 Ortuno Santa
 6,516,540 B2 2/2003 Seydel et al.
 D470,999 S 3/2003 Schroeder et al.
 D474,582 S 5/2003 Cooper
 D474,586 S 5/2003 Recchi
 D474,588 S 5/2003 Dean
 D475,509 S 6/2003 Avar
 D475,514 S 6/2003 Burg et al.
 6,584,704 B2 7/2003 March
 D478,714 S 8/2003 Recchi
 6,634,121 B2 10/2003 Sordi
 6,684,532 B2 2/2004 Greene et al.
 D492,095 S 6/2004 Sanchez et al.
 D496,779 S 10/2004 Belley et al.
 6,810,605 B2 11/2004 Nakano et al.
 6,845,573 B2 1/2005 Litchfield et al.
 D502,308 S 3/2005 Teague
 6,860,037 B1 3/2005 Norek
 6,990,755 B2 1/2006 Hatfield et al.
 D517,787 S 3/2006 Teague
 D521,715 S 5/2006 Lotti
 D522,741 S 6/2006 Aveni et al.
 D524,017 S 7/2006 Burg
 D524,034 S 7/2006 Hlavacs
 D529,267 S 10/2006 Portzline
 D530,493 S 10/2006 Holmes
 7,140,129 B2 11/2006 Newson et al.
 D533,333 S 12/2006 Cessor
 7,168,190 B1 1/2007 Gillespie
 7,181,867 B2 2/2007 Litchfield et al.
 D537,619 S 3/2007 Lupo
 D538,519 S 3/2007 McCiaskie
 D543,340 S 5/2007 Favreau et al.
 D543,677 S 6/2007 Andrews et al.
 D544,680 S 6/2007 Mueller
 D547,033 S 7/2007 Canavan
 D547,036 S 7/2007 Schoenborn et al.
 D552,837 S 10/2007 Scott
 7,290,357 B2 11/2007 McDonald et al.
 D560,336 S 1/2008 Nakashima
 D561,438 S 2/2008 Belley
 D561,440 S 2/2008 Andersen et al.
 D566,936 S 4/2008 Schoenborn et al.
 7,392,605 B2 7/2008 Hatfield et al.

(56)

References Cited

U.S. PATENT DOCUMENTS

D574,583 S *	8/2008	St-Louis	D2/951	D680,726 S	4/2013	Propet	
D574,604 S	8/2008	McMillan		D682,522 S	5/2013	Raysse	
D578,282 S *	10/2008	Duffy	D2/951	D683,937 S	6/2013	Raysse	
D580,636 S	11/2008	Brandt et al.		D683,941 S	6/2013	Raysse	
D581,641 S	12/2008	Bethke, Jr.		D684,755 S	6/2013	Miette	
D583,539 S	12/2008	Henderson		D685,566 S	7/2013	Pope	
D583,540 S	12/2008	Henderson		D685,984 S	7/2013	Raysse	
D584,491 S	1/2009	Matis		8,505,220 B2 *	8/2013	James	A43B 13/141 36/102
D584,492 S	1/2009	Lee		D692,219 S	10/2013	Anceresi et al.	
7,475,498 B2	1/2009	Litchfield et al.		8,567,093 B2	10/2013	Sato	
D586,991 S	2/2009	Fuerst		D693,550 S	11/2013	Montross et al.	
D586,992 S	2/2009	Duffy		D693,551 S	11/2013	Montross et al.	
7,493,708 B2	2/2009	Crowley, Jr.		D693,552 S *	11/2013	Marvin	D2/951
D589,692 S *	4/2009	McClaskie	D2/951	D698,137 S	1/2014	Carr	
7,549,236 B2	6/2009	Dillon et al.		D699,420 S	2/2014	Teteriatnikov	
7,607,241 B2	10/2009	McDonald et al.		D703,931 S *	5/2014	Bikowski	D2/951
7,637,035 B1	12/2009	Gillespie		8,752,307 B2	6/2014	Cooper et al.	
7,650,707 B2	1/2010	Campbell et al.		D711,636 S	8/2014	Christensen et al.	
D609,894 S	2/2010	Andersen et al.		D711,637 S	8/2014	Miner	
D609,896 S	2/2010	Christie		D712,644 S	9/2014	Joseph	
D616,637 S	6/2010	Taestensen		D712,645 S *	9/2014	Bove	D2/951
7,762,008 B1	7/2010	Clark et al.		D714,036 S	9/2014	Etcheverry et al.	
D622,044 S	8/2010	Lemaster		D723,780 S	3/2015	Miner	
7,784,196 B1	8/2010	Christensen et al.		D723,782 S	3/2015	Miner	
7,788,827 B2	9/2010	Fogg et al.		D723,783 S	3/2015	Miner	
7,793,432 B2	9/2010	Chan et al.		D723,785 S	3/2015	Miner	
7,797,856 B2	9/2010	Andrews et al.		D725,359 S	3/2015	Miner	
D626,320 S	11/2010	Anderson		D725,881 S	4/2015	Weeks	
D630,420 S	1/2011	Truelsen		D730,638 S	6/2015	Christensen et al.	
D632,879 S	2/2011	Merkazy et al.		D734,601 S	7/2015	Montross et al.	
7,930,839 B2	4/2011	Litchfield et al.		D735,454 S *	8/2015	Yun	D2/951
7,941,938 B2 *	5/2011	Yu	A43B 7/1415 36/25 R	D736,508 S *	8/2015	Taestensen	D2/951
7,941,941 B2	5/2011	Hazenberget al.		D737,030 S *	8/2015	Bizzo	D2/951
7,946,058 B2	5/2011	Johnson et al.		D737,032 S	8/2015	Bizzo	
D642,362 S	8/2011	Miner		D738,079 S *	9/2015	Bates	D2/951
D643,195 S	8/2011	Yilisa		9,144,264 B2	9/2015	Marvin et al.	
8,020,320 B2	9/2011	Gillespie		9,155,352 B2	10/2015	Seo	
D650,975 S	12/2011	Menghi		D745,256 S	12/2015	Montross et al.	
D650,978 S	12/2011	Lee		D748,386 S	2/2016	Henderson et al.	
D651,788 S	1/2012	Raysse		D755,490 S	5/2016	Nakano	
D652,613 S	1/2012	Raysse		D755,491 S	5/2016	Nakano	
D652,614 S	1/2012	Raysse		D756,096 S	5/2016	Bizzo	
8,104,197 B2	1/2012	Flannery et al.		D759,359 S	6/2016	Dombrow	
D653,437 S	2/2012	Mongelli		D759,360 S	6/2016	Zappiello	
D654,259 S	2/2012	Hatfield		D762,052 S	7/2016	Raysse	
D655,901 S	3/2012	Raysse		D767,265 S	9/2016	Brown	
D656,304 S	3/2012	Debiase		D768,367 S	10/2016	Henderson et al.	
D656,720 S	4/2012	Wawrousek		D770,740 S	11/2016	Teteriatnikov	
D657,542 S	4/2012	Duan		D770,742 S *	11/2016	Reiser	D2/947
D659,967 S	5/2012	Miner		D776,411 S	1/2017	Christensen et al.	
8,186,078 B2	5/2012	Avar et al.		D778,552 S	2/2017	Chang	
D661,880 S	6/2012	Raysse		9,565,898 B2	2/2017	Mahoney	
D661,882 S	6/2012	Raysse		D783,966 S *	4/2017	Raasch	D2/951
D662,295 S	6/2012	Raysse		D784,674 S *	4/2017	Raasch	D2/951
8,191,284 B2	6/2012	Cho		9,615,625 B1 *	4/2017	Huard	A43B 13/026
D662,700 S	7/2012	Raysse		9,615,626 B2	4/2017	Rushbrook	
D663,927 S	7/2012	Teng-Lee		D788,421 S *	6/2017	Gibson	D2/951
D663,929 S	7/2012	Teng-Lee		D790,169 S	6/2017	da Costa Pereira Machado	
D667,206 S	9/2012	Teng-Lee		D792,068 S	7/2017	Lee	
D667,617 S	9/2012	Spring		9,717,304 B2	8/2017	Bernhard et al.	
D667,618 S	9/2012	Raysse		D796,167 S	9/2017	Bates et al.	
D668,028 S	10/2012	Pope		D801,658 S *	11/2017	Huard	D2/960
D671,725 S	12/2012	Bell et al.		D804,159 S	12/2017	Allemann et al.	
D672,543 S	12/2012	Williams, Jr.		D809,759 S *	2/2018	Kanata	D2/957
D672,949 S	12/2012	Bramani et al.		D812,879 S *	3/2018	Lapouille	D2/957
D674,172 S	1/2013	Bramani et al.		D815,815 S *	4/2018	Moore	D2/947
D674,173 S	1/2013	Bramani et al.		9,931,804 B2 *	4/2018	Le	A43B 3/0078
D675,002 S	1/2013	Marvin et al.		D818,683 S *	5/2018	Marvin	D2/947
D676,636 S	2/2013	Truelsen		9,974,359 B2 *	5/2018	Scotfield	A43B 13/181
D677,043 S	3/2013	Loverin		D822,963 S *	7/2018	Moore	D2/947
D677,455 S	3/2013	Pizzuti		D824,151 S *	7/2018	Newman	D2/957
D677,869 S	3/2013	Labarbera et al.		10,021,937 B2 *	7/2018	Sills	A43B 1/0072
D679,488 S	4/2013	Raysse		D825,163 S *	8/2018	Montross	D2/957
D680,312 S	4/2013	Raysse		2003/0093920 A1	5/2003	Greene et al.	
				2004/0123495 A1	7/2004	Greene et al.	
				2005/0262739 A1	12/2005	McDonald et al.	
				2006/0061012 A1	3/2006	Hatfield et al.	

(56)

References Cited

U.S. PATENT DOCUMENTS

2006/0130368 A1* 6/2006 Morgan A43B 13/145
36/59 R

2006/0185191 A1 8/2006 Crowley
2006/0201028 A1 9/2006 Chan et al.
2007/0033830 A1 2/2007 Chang
2008/0022553 A1 1/2008 McDonald et al.
2008/0060228 A1 3/2008 Morgal et al.
2008/0229617 A1 9/2008 Johnson et al.
2008/0244926 A1 10/2008 Yu et al.
2009/0013558 A1 1/2009 Hazenberg et al.
2009/0013559 A1 1/2009 Chan et al.
2009/0165333 A1 7/2009 Litchfield et al.
2009/0217549 A1 9/2009 Aveni et al.
2010/0126043 A1 5/2010 Loverin et al.
2010/0180474 A1 7/2010 Clark et al.
2010/0251565 A1 10/2010 Litchfield et al.
2011/0016749 A1 1/2011 Callahan et al.
2011/0061265 A1 3/2011 Lyden
2011/0078922 A1 4/2011 Cavaliere et al.
2011/0113646 A1 5/2011 Merritt et al.
2011/0154688 A1 6/2011 Yu et al.
2011/0185590 A1 8/2011 Nishiwaki et al.
2011/0214313 A1 9/2011 James et al.
2011/0289799 A1 12/2011 Keating et al.
2012/0073160 A1 3/2012 Marvin et al.
2012/0222332 A1 9/2012 Greene et al.
2013/0152428 A1 6/2013 Bishop et al.
2013/0167401 A1 7/2013 Christensen et al.
2013/0167402 A1 7/2013 Christensen et al.
2013/0199054 A1 8/2013 Litchfield et al.
2013/0212909 A1 8/2013 Bates et al.
2014/0013617 A1 1/2014 Montross et al.
2014/0013626 A1 1/2014 James et al.
2014/0041261 A1 2/2014 Walker et al.
2014/0150297 A1 6/2014 Holmes et al.
2014/0283410 A1 9/2014 Marvin et al.
2014/0283413 A1 9/2014 Christensen et al.
2014/0305003 A1 10/2014 Yu et al.
2017/0020228 A1* 1/2017 Scofield A43B 13/181

FOREIGN PATENT DOCUMENTS

DE 1636455 U 3/1952
DE 862102 C1 1/1953
DE 940756 C1 3/1956
DE 1914002 U 4/1965
DE 6924927 U 6/1969
DE 1485821 A 1/1970

DE 3630738 A 3/1988
DE 8907333 U 12/1989
DE 9303653 U 6/1993
DE 202014003016 5/2014
FR 1281619 A 12/1961
FR 2578725 A3 10/1986
GB 28488 A 1/1910
GB 2 201 082 A 8/1988
JP S59-072901 U 5/1984
JP H02-023129 Y 6/1990
JP H03-012249 Y 3/1991
JP H04-297201 A 10/1992
JP 3011970 U 3/1995
JP H07-236503 A 9/1995
JP H08-131201 A 5/1996
JP 3045628 U 11/1997
JP H10-179204 A 7/1998
JP 2000-106902 A 4/2000
JP 2000-201704 A 7/2000
JP 2001-057901 A 3/2001
JP 2001-061509 A 3/2001
JP 2003-516781 A 5/2003
NL 273820 A 9/1964
NL 9400255 A 10/1995
WO 98/09546 A1 3/1998

OTHER PUBLICATIONS

Gear Review: Reebok RealFlex Optimal, RunSociety.com, By Kenny Han on Mar. 28, 2012, [online], [site visited Jan. 11, 2019]. <URL: <https://www.runsociety.com/reviews/gear-review-reebok-realflex-optimal/>> (Year: 2012).*

“KICKSstyle” in The International Street Magazine, pp. 54-55, Aug. 20, 2001 (with translation of p. 55).

Reebok RealFlex Scream 4.0, RunRepeat.com, [online], [site visited Dec. 19, 2017]. <URL: <https://runrepeat.com/reebok-realflex-scream/>> (Year: 2017).

Reebok Women’s Realflex Train 4.0 Cross-Trainer Shoe, Amazon.com, Date first available at Amazon.com: Mar. 17, 2015, [online], [site visited Dec. 19, 2017]. <URL: <https://www.amazon.com/Reebok-Womens-Realflex-Train-Cross-Trainer/dp/B010V5EFF4>> (Year: 2015).

Reebok RealFlex Advance TR 2.0 SKU:#8230036, YouTube.com, Shop Zappos, Published on Dec. 24, 2013, [online], [site visited Dec. 19, 2017]. <URL: https://www.youtube.com/watch?v=cUwR6ah_96E> (Year: 2013).

Reebok RealFlex Scream 4.0 SKU:#8263858, YouTube.com, Shop Zappos, Published on Aug. 4, 2014, [online], [site visited Dec. 19, 2017]. <URL: https://www.youtube.com/watch?v=j-fpPgn_0cY> (Year: 2014).

* cited by examiner

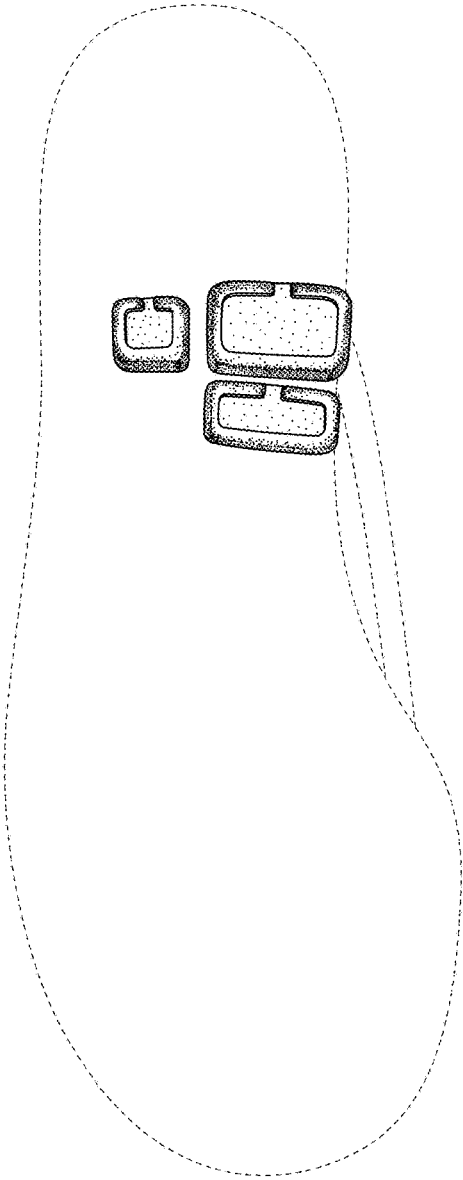


FIG. 1

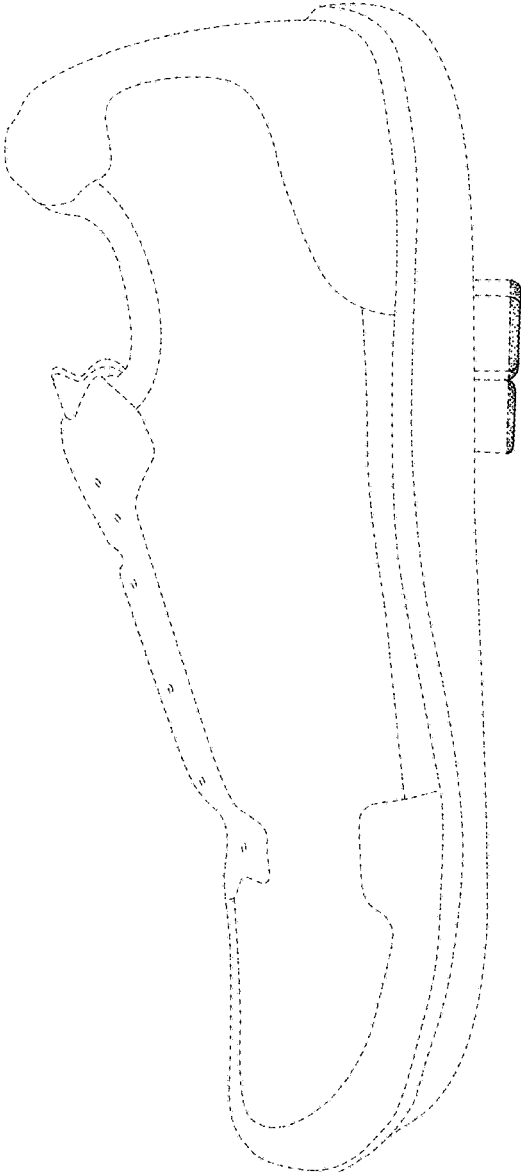


FIG. 2

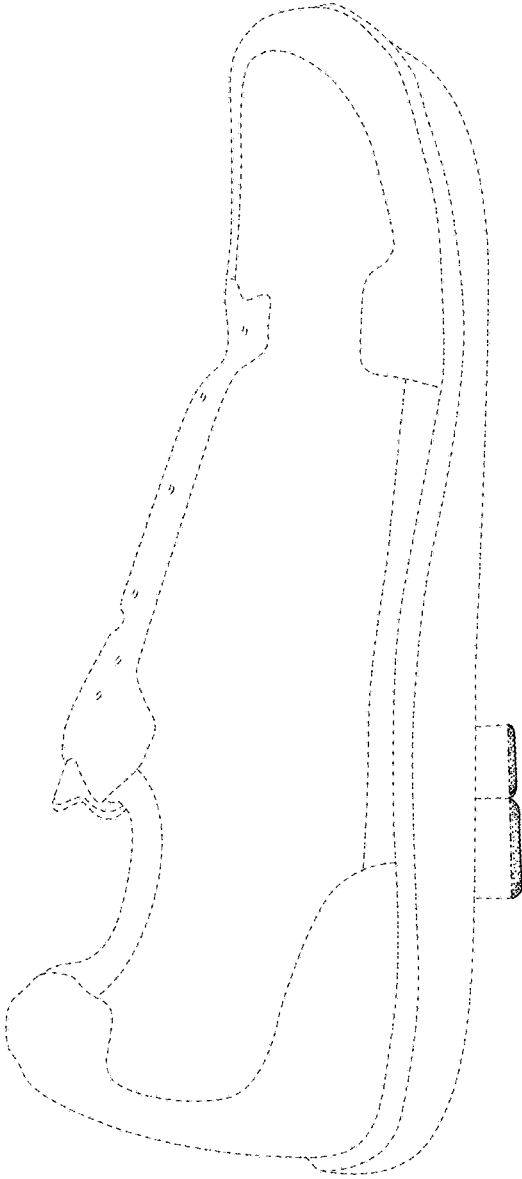


FIG. 3