



US00D522231S

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

(10) **Patent No.:** **US D522,231 S**

(45) **Date of Patent:** **\*\* Jun. 6, 2006**

(54) **PORTION OF A SHOE MIDSOLE**

(75) Inventors: **Frederick J. Dojan**, Vancouver, WA (US); **Thomas Foxen**, Portland, OR (US); **John F. Swigart**, Portland, OR (US); **Eric Steven Schindler**, Portland, OR (US)

(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)

(\*\*) Term: **14 Years**

(21) Appl. No.: **29/240,440**

(22) Filed: **Oct. 14, 2005**

**Related U.S. Application Data**

(63) Continuation of application No. 10/767,211, filed on Jan. 28, 2004.

(51) **LOC (8) Cl.** ..... **02-99**

(52) **U.S. Cl.** ..... **D2/977**

(58) **Field of Classification Search** ..... D2/902,  
D2/906-908, 943, 944, 946, 972-974, 977;  
36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114,  
36/126-131, 27-29, 32 R  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D55,529 S	*	6/1920	Piper	.....	D2/908
D291,944 S		9/1987	Tong		
D292,242 S		10/1987	Kelley		
D324,940 S		3/1992	Claveria		
D330,111 S		10/1992	Hatfield et al.		
D339,222 S		9/1993	Hatfield et al.		
D341,700 S		11/1993	Avar		
D342,601 S		12/1993	Kilgore et al.		
D386,589 S		11/1997	Cass		
D391,058 S	*	2/1998	Cooper	.....	D2/972
D397,845 S		9/1998	Cass		

D398,742 S		9/1998	Avar		
D463,905 S	*	10/2002	Marvin et al.	.....	D2/977
D473,047 S		4/2003	Wilson		
D485,672 S		1/2004	Holmes		
D485,673 S		1/2004	Smith		
D495,129 S		8/2004	Allen		
D499,541 S	*	12/2004	Dolan	.....	D2/977

**OTHER PUBLICATIONS**

Nike Footwear Catalog Spring 1991, p. 12, published Jun. 1990.

Nike Footwear Catalog Fall 1992, p. 32, published Dec. 1991.

Nike Footwear Catalog Fall 1994, p. 28, published Nov. 1993.

Nike Footwear Catalog Spring 1997, p. 6, published Jun. 1996.

Nike Footwear Catalog Late Fall 1998, p. 8, published Mar. 1998.

Nike Footwear Catalog Late Spring 2001, pp. M8 and M30, published Sep. 2000.

\* cited by examiner

*Primary Examiner*—Dominic Simone

(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

(57) **CLAIM**

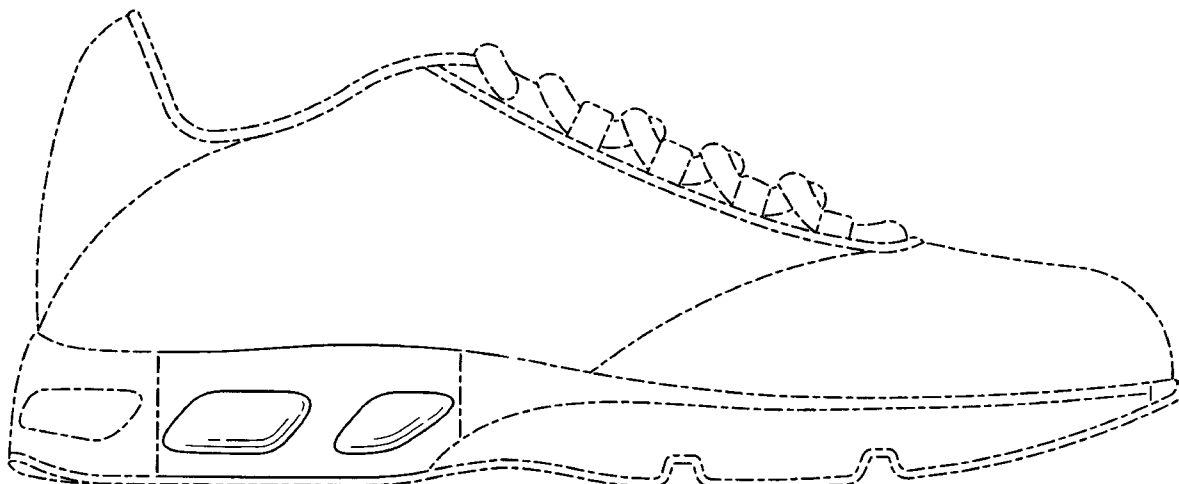
The ornamental design for a portion of a shoe midsole, as shown and described.

**DESCRIPTION**

FIG. 1 is a side view of a portion of a shoe midsole showing our design.

The uneven broken lines immediately adjacent to the pair of generally quadrilaterally-shaped features represent unclaimed boundaries of the design. The uneven broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 1 Drawing Sheet**



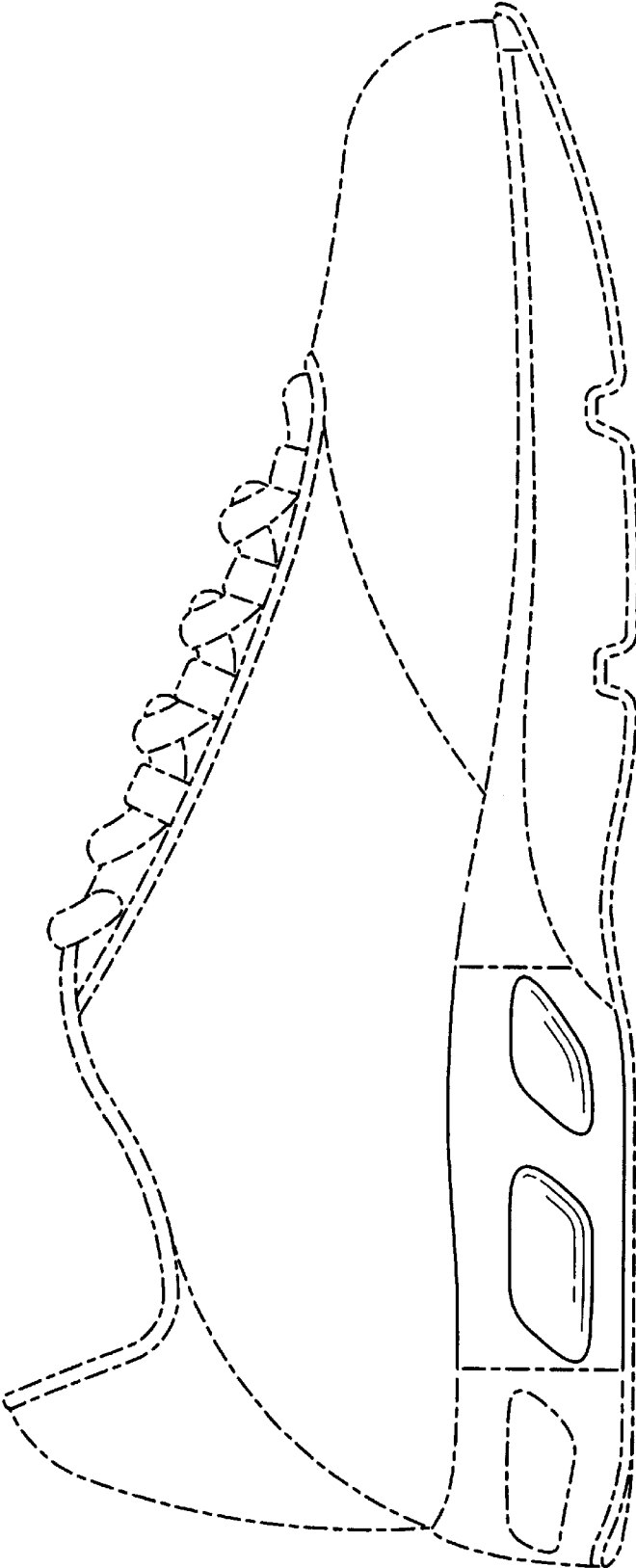


FIG. 1