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Granger et al.

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(54) **SHOE INSOLE**

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CPC A43B 7/14; A43B 7/1405; A43B 7/141;
A43B 7/1415; A43B 7/142; A43B
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A43B 13/386; A43B 13/39; A43B 13/40;
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See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

333,595 A 1/1886 Butterfield
360,127 A 3/1887 Wallis

892,360 A 6/1908 Burns
1,236,427 A * 8/1917 Halley A43B 7/142
36/44
1,281,987 A * 10/1918 McSweeney A43B 7/142
36/176
1,559,324 A 10/1925 Jensen
1,693,122 A 11/1928 Schwartz
1,718,906 A 6/1929 Hurley
(Continued)

FOREIGN PATENT DOCUMENTS

DE 2603716 12/1976
EP 0774219 12/1997
(Continued)

OTHER PUBLICATIONS

[Online] [retrieved on Jan. 22, 2013] [retrieved from Foot Science
Limited website] (pdf) http://www.footscience.com/products_foot.html.

(Continued)

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(57)

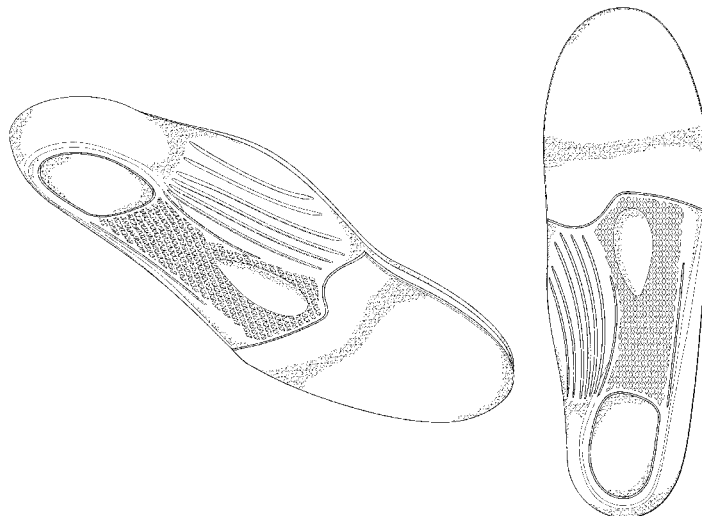
CLAIM

The ornamental design for a shoe insole, as shown and
described.

DESCRIPTION

FIG. 1 is a perspective view of a shoe insole showing our
new design;
FIG. 2 is a bottom view thereof;
FIG. 3 is a top view thereof;
FIG. 4 is a medial side view thereof;
FIG. 5 is a lateral side view thereof;
FIG. 6 is a front view thereof; and,
FIG. 7 is a back view thereof.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,811,641	A	6/1931	Marcelle	4,864,740	A	9/1989	Oakley
1,861,969	A	6/1932	Leighton, Jr.	4,876,758	A	10/1989	Rolloff et al.
1,920,112	A	7/1933	Shaft	4,887,368	A	12/1989	Latzke
1,945,780	A	2/1934	Johnson	4,888,841	A	12/1989	Cumberland
2,031,510	A	2/1936	Stewart et al.	4,888,887	A	12/1989	Solow
2,045,844	A	6/1936	Everston	4,928,404	A	5/1990	Scheuermann
2,055,574	A	9/1936	Hartl	D311,269	S	10/1990	Graham et al.
2,090,881	A	8/1937	Wilson	4,974,342	A	12/1990	Nakamura
2,207,437	A	7/1940	Marks et al.	5,010,661	A	4/1991	Chu
2,224,590	A	12/1940	Boivin	5,014,706	A	5/1991	Philipp
2,224,642	A	12/1940	Burns	5,025,573	A	6/1991	Giese et al.
2,284,947	A	6/1942	Clifford	5,025,575	A	6/1991	Lakic
2,302,706	A	11/1942	Margolin	5,027,461	A	7/1991	Cumberland
2,347,207	A	4/1944	Margolin	5,035,068	A	7/1991	Biasi
2,408,564	A	10/1946	Lea	D319,919	S	9/1991	Niarhos
D149,889	S	6/1948	Laybolt	D324,761	S	3/1992	Soo-Kwan
2,502,774	A	4/1950	Alianiello	5,092,060	A	3/1992	Frachey et al.
2,553,616	A	5/1951	Walls	5,138,775	A	8/1992	Chu
2,790,254	A	4/1957	Burns	5,155,927	A	10/1992	Bates et al.
2,827,050	A	3/1958	Fisher	5,175,946	A	1/1993	Tsai
2,857,689	A	10/1958	Van Ostrom et al.	5,184,409	A	2/1993	Brown
2,985,971	A	5/1961	Murawski	5,197,207	A	3/1993	Shorten
3,084,695	A	4/1963	O'Donnell	5,201,125	A	4/1993	Shorten
3,154,867	A	11/1964	Strope	D336,718	S	6/1993	Schroer, Jr.
3,475,836	A	11/1969	Brahm	5,224,277	A	7/1993	Sang Do
3,922,801	A	12/1975	Zente	5,233,767	A	8/1993	Kramer
D243,642	S	3/1977	Voorhees	D342,374	S	12/1993	Wang
4,020,570	A	5/1977	Shames	5,282,324	A	2/1994	Cheng
4,033,054	A	7/1977	Fukuoka	D346,480	S	5/1994	Davidson
D246,486	S	11/1977	Nickel	D348,146	S	6/1994	Nakano
4,071,963	A	2/1978	Fukuoka	D349,393	S	8/1994	Mishan
4,108,928	A	8/1978	Swan, Jr.	D350,432	S	9/1994	Saez
4,123,855	A	11/1978	Thedford	D350,848	S	9/1994	Tzenos
4,139,337	A	2/1979	David et al.	5,363,570	A	11/1994	Allen et al.
4,150,455	A	4/1979	Fukuoka	5,367,791	A	11/1994	Gross et al.
4,179,826	A	12/1979	Davidson	D353,710	S	12/1994	Brazzell
4,215,492	A	8/1980	Sandmeier	5,369,896	A	12/1994	Frachey et al.
4,219,945	A	9/1980	Rudy	5,375,346	A	12/1994	Cole et al.
4,223,457	A	9/1980	Borgeas	5,400,526	A	3/1995	Sessa
4,229,546	A	10/1980	Swan, Jr.	5,400,528	A	3/1995	Skinner et al.
4,237,626	A	12/1980	Brown	5,408,761	A	4/1995	Gazzano
4,263,728	A	4/1981	Frecentese	5,430,960	A	7/1995	Richardson
4,309,831	A	1/1982	Pritt	5,438,768	A	8/1995	Bauerfeind
4,316,332	A	2/1982	Giese et al.	5,443,529	A	8/1995	Phillips
4,325,380	A	4/1982	Malkin	5,467,536	A	11/1995	Ramer et al.
4,346,205	A	8/1982	Hiles	5,493,791	A	2/1996	Kramer
4,346,525	A	8/1982	Larsen et al.	D367,953	S	3/1996	King
4,364,188	A	12/1982	Turner et al.	5,509,938	A	4/1996	Phillips
4,408,402	A	10/1983	Looney	5,524,364	A	6/1996	Cole et al.
4,413,429	A	11/1983	Power	5,545,463	A	8/1996	Schmidt et al.
4,453,322	A	6/1984	Marsh	D374,549	S	10/1996	McDonald
1,541,186	A	9/1985	Mulvihill	5,615,496	A	4/1997	Sharpstein
4,541,184	A	9/1985	Leighton	5,619,809	A	4/1997	Sessa
4,546,555	A	10/1985	Spademan	5,640,779	A	6/1997	Rolloff et al.
4,557,060	A	12/1985	Kawashima	D380,290	S	7/1997	Nakagawa
4,581,187	A	4/1986	Sullivan et al.	D383,894	S	9/1997	Snyder et al.
4,584,782	A	4/1986	Thatcher	5,669,162	A	9/1997	Dyer
4,616,430	A	10/1986	McQuiggin	D384,797	S	10/1997	Nakagawa
4,619,056	A	10/1986	Lin et al.	5,675,914	A	10/1997	Cintron
4,627,178	A	12/1986	Sullivan et al.	5,678,328	A	10/1997	Schmidt et al.
4,627,179	A	12/1986	McElroy	5,685,094	A	11/1997	Lin
4,633,597	A	1/1987	Shiang	D388,947	S	1/1998	Sessa
4,633,598	A	1/1987	Moronaga et al.	D389,296	S	1/1998	Sessa
4,633,877	A	1/1987	Pendergast	D389,996	S	2/1998	Sessa
D288,383	S	2/1987	Autry	5,714,098	A	2/1998	Potter
4,674,204	A	6/1987	Sullivan et al.	5,722,186	A	3/1998	Brown
4,694,589	A	9/1987	Sullivan et al.	5,732,481	A	3/1998	Farhad
4,694,831	A	9/1987	Seltzer	5,768,801	A	6/1998	Huff
4,729,179	A	3/1988	Quist, Jr.	5,771,606	A	6/1998	Litchfield et al.
D295,690	S	5/1988	Finn	5,775,005	A	7/1998	McClelland
D299,583	S	1/1989	Tong et al.	D396,948	S	8/1998	Moore et al.
4,800,657	A	1/1989	Brown	5,802,737	A	9/1998	Beppu
4,813,160	A	3/1989	Kuznetz	D399,042	S	10/1998	Strawser et al.
4,860,463	A	8/1989	Pin	5,845,418	A	12/1998	Chi
4,864,736	A	9/1989	Bierk	5,846,063	A	12/1998	Lakic
				5,852,885	A	12/1998	Ferniani
				D403,847	S	1/1999	Blythe
				5,879,725	A	3/1999	Potter
				D411,759	S	7/1999	Byrd

(56)

References Cited

U.S. PATENT DOCUMENTS

D418,666	S	1/2000	Brown	D596,833	S	7/2009	Dominquez et al.	
D420,210	S	2/2000	Allen	7,555,849	B2	7/2009	Canvin	
D420,788	S	2/2000	Kitagawa	D601,786	S *	10/2009	Avent	D2/961
6,029,372	A	2/2000	Pan	D602,238	S	10/2009	Avent et al.	
D423,765	S	5/2000	Autry	7,610,696	B2	11/2009	Davis	
D425,690	S	5/2000	Bray et al.	7,665,169	B2	2/2010	Cheskin et al.	
D426,118	S	6/2000	Thomas	D611,237	S	3/2010	Torrance et al.	
6,070,342	A	6/2000	Brown	7,712,229	B2	5/2010	Yang	
6,079,123	A	6/2000	Clark	7,721,467	B2	5/2010	Cheskin et al.	
6,082,023	A	7/2000	Dalton	D617,086	S	6/2010	Avent et al.	
D428,689	S	8/2000	Guiotto et al.	D617,087	S	6/2010	Avent et al.	
D429,063	S	8/2000	Rose	D627,958	S *	11/2010	Cheskin	A43B 7/141 D2/961
6,105,283	A	8/2000	Park	D628,779	S	12/2010	Martinez et al.	
D432,769	S	10/2000	Yung et al.	D634,920	S	3/2011	Martinez et al.	
6,151,801	A	11/2000	Frederiksen et al.	D634,924	S	3/2011	Cheskin et al.	
6,176,025	B1	1/2001	Patterson et al.	7,900,380	B2	3/2011	Rich	
D441,947	S	5/2001	Escobar et al.	7,908,768	B2	3/2011	Cheskin et al.	
6,233,847	B1	5/2001	Brown	D656,716	S	4/2012	Eades	
6,266,897	B1	7/2001	Seydel et al.	8,186,081	B2	5/2012	Wilson, III et al.	
D448,542	S	10/2001	Bryant	D663,511	S	7/2012	Martinez et al.	
D448,850	S	10/2001	Fabricant	D664,754	S *	8/2012	Klein	D2/961
6,301,805	B1	10/2001	Howlett et al.	D665,566	S *	8/2012	Klein	D2/961
D456,128	S	4/2002	Evans et al.	8,241,450	B2	8/2012	Hensley et al.	
D460,854	S	7/2002	Hung	8,250,784	B2	8/2012	Cheskin et al.	
6,425,195	B1	7/2002	Donzis	8,296,969	B2	10/2012	Granger et al.	
6,453,578	B1	9/2002	Yung et al.	8,424,222	B2	4/2013	Sulak et al.	
D465,079	S	11/2002	Merceron	D681,321	S	5/2013	Martinez et al.	
6,481,120	B1	11/2002	Xia et al.	D689,276	S *	9/2013	Klein	D2/961
6,497,057	B1	12/2002	Lee et al.	8,745,894	B2	6/2014	Cheskin et al.	
6,502,330	B1	1/2003	David et al.	D717,528	S *	11/2014	Avent	D2/961
6,510,626	B1	1/2003	Greenawalt	D723,786	S	3/2015	Martinez et al.	
6,519,874	B1	2/2003	Dean	D761,543	S *	7/2016	Granger	D2/961
D471,001	S	3/2003	Beck	D762,366	S *	8/2016	Granger	D2/961
6,536,137	B1	3/2003	Celia	D762,367	S *	8/2016	Granger	D2/961
6,553,690	B2	4/2003	Di Girolamo	D762,368	S *	8/2016	Granger	D2/961
D474,331	S	5/2003	Dean	D766,560	S *	9/2016	Granger	D2/961
D474,588	S	5/2003	Dean	D770,744	S *	11/2016	Escobar	D2/961
D474,881	S	5/2003	Su	D771,364	S *	11/2016	Nester	D2/961
D475,844	S	6/2003	Reynolds et al.	D771,365	S *	11/2016	Nester	D2/961
6,581,303	B1	6/2003	Tuan	D771,921	S *	11/2016	Granger	D2/961
6,598,319	B2	7/2003	Hardt	D771,922	S *	11/2016	Granger	D2/961
6,618,960	B2	9/2003	Brown	D773,792	S *	12/2016	Nester	D2/961
6,631,568	B2	10/2003	Howlett et al.	D778,040	S *	2/2017	Granger	D2/961
D485,425	S	1/2004	Polifroni	D778,567	S *	2/2017	Granger	D2/961
D485,426	S	1/2004	Di Girolamo	2001/0000369	A1	4/2001	Snyder et al.	
6,671,979	B2	1/2004	Cardarelli	2001/0045028	A1	11/2001	Crane et al.	
6,684,532	B2	2/2004	Greene et al.	2002/0050080	A1	5/2002	Vasyli	
D489,520	S	5/2004	Matis et al.	2002/0092203	A1	7/2002	Hardt	
D495,123	S	8/2004	Wakatake	2002/0116840	A1	8/2002	Kraft	
D497,473	S	10/2004	Martinez	2003/0009915	A1	1/2003	Bacon	
D497,708	S	11/2004	Granger et al.	2003/0024134	A1	2/2003	Howlett et al.	
D500,914	S	1/2005	Ammon	2003/0070321	A1	4/2003	Davis et al.	
6,880,266	B2	4/2005	Schoenborn et al.	2003/0093920	A1	5/2003	Greene et al.	
6,915,598	B2	7/2005	Grisoni et al.	2003/0121180	A1	7/2003	Poe	
6,959,505	B2	11/2005	Poe	2003/0136025	A1	7/2003	Galbraith et al.	
6,967,044	B1	11/2005	O'Brien	2003/0150134	A1	8/2003	Hardt	
D515,292	S	2/2006	Granger et al.	2004/0020075	A1	2/2004	Garneau	
7,082,702	B2	8/2006	Cretinon	2004/0025374	A1	2/2004	Basso	
7,107,705	B2	9/2006	Dalton et al.	2004/0118017	A1	6/2004	Dalton et al.	
D529,691	S	10/2006	Earle	2004/0181971	A1	9/2004	Turkbash et al.	
D543,685	S	6/2007	Andersen et al.	2004/0194344	A1	10/2004	Tadin	
D551,437	S *	9/2007	Hung	2005/0138847	A1	6/2005	Blackburn et al.	
7,284,342	B2	10/2007	Avent et al.	2005/0166425	A1	8/2005	Seiter	
D555,341	S *	11/2007	Vasyli	2005/0262736	A1	12/2005	Peoples	
7,316,081	B1	1/2008	Cheng	2006/0010717	A1	1/2006	Finkelstein	
D563,649	S	3/2008	Andersen et al.	2006/0016099	A1	1/2006	Marco et al.	
D572,888	S *	7/2008	Cai	2006/0026779	A1	2/2006	Berg et al.	
D576,391	S	9/2008	Contreras	2006/0026865	A1	2/2006	Grisoni et al.	
D576,394	S	9/2008	Heller	2006/0096124	A1	5/2006	Moseley	
7,437,836	B2	10/2008	Kim	2006/0123664	A1	6/2006	Boyd et al.	
D584,885	S	1/2009	Contreras	2006/0130367	A1	6/2006	Liu	
7,484,319	B2	2/2009	Cheskin et al.	2006/0137216	A1	6/2006	Ahlbaumer	
D592,386	S	5/2009	Baker et al.	2006/0168846	A1	8/2006	Juan	
D593,742	S	6/2009	Issler	2006/0230643	A1	10/2006	Affleck	
D594,640	S	6/2009	McMillan	2006/0254088	A1	11/2006	McCormick	
				2006/0283043	A1	12/2006	Lamstein	
				2007/0022630	A1	2/2007	Lundy, Jr. et al.	
				2007/0033834	A1	2/2007	Cheskin et al.	

(56)

References Cited**U.S. PATENT DOCUMENTS**

2007/0039209 A1 2/2007 White
 2007/0245592 A1 10/2007 Yamaguchi et al.
 2007/0261268 A1 11/2007 Nguyen
 2008/0028637 A1 2/2008 Benfatti
 2008/0110060 A1 5/2008 Ritter
 2008/0110064 A1 5/2008 Liu
 2008/0271340 A1 11/2008 Grisoni et al.
 2008/0295358 A1 12/2008 Lin et al.
 2009/0025254 A1 1/2009 Smith
 2009/0049712 A1 2/2009 Steszyn et al.
 2009/0100722 A1 4/2009 Hoffer et al.
 2009/0151194 A1 6/2009 Cheskin et al.
 2009/0165334 A1 7/2009 Kantro et al.
 2009/0249650 A1 10/2009 Sarantakos
 2010/0015869 A1 1/2010 Hartmann et al.
 2010/0083534 A1 4/2010 Howlett
 2010/0095552 A1 4/2010 Cheskin et al.
 2010/0126044 A1 5/2010 Davis
 2010/0170116 A1 7/2010 Shim
 2010/0205831 A1 8/2010 Checkin et al.
 2010/0212187 A1 8/2010 Jones
 2010/0218398 A1 9/2010 Reinhardt et al.
 2010/0218399 A1 9/2010 Jeong
 2010/0251577 A1 10/2010 Yamada
 2011/0072685 A1 3/2011 Gutowsky, Jr. et al.
 2011/0131835 A1 6/2011 Cheskin
 2011/0162234 A1 7/2011 Dean
 2011/0209360 A1 9/2011 Baker et al.
 2011/0219642 A1 9/2011 Sulak et al.
 2011/0232129 A1 9/2011 Roberts et al.
 2011/0252665 A1 10/2011 Tsai
 2011/0252671 A1 10/2011 Maron et al.
 2011/0302805 A1 12/2011 Vito
 2012/0090197 A1 4/2012 Wyner et al.
 2012/0192452 A1 8/2012 Lewis et al.
 2012/0272546 A1 11/2012 Tsai
 2013/0104419 A1 5/2013 Horesh et al.
 2013/0160331 A1 6/2013 Burke

FOREIGN PATENT DOCUMENTS

KR 20-19930024801 5/1992
 KR 20-0427687 4/2006
 KR 10-0641278 10/2006
 KR 10-0736813 7/2007
 KR 10-0780086 11/2007
 WO WO 2004060095 7/2004
 WO WO 2006035469 4/2006
 WO WO 2006090398 8/2006
 WO WO 2007021328 2/2007
 WO WO 2007056101 5/2007

WO WO 2008015195 12/2008
 WO WO 2009068298 6/2009
 WO WO 2009126111 10/2009
 WO WO 2009136685 11/2009
 WO WO 2011108011 9/2011

OTHER PUBLICATIONS

[Online] [retrieved on Jan. 22, 2013] [retrieved from geldoctor website] (pdf) <http://www.geldoctor.com/flosole.html>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Gerbing's website] (pdf) <http://www.gerbing.com/Products/insoles.php>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Heat Factory website] (pdf) <http://www.heatfactory.com/english/product.pht?cat=3&id>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Dr. Rosenberg's Foot Products website] (pdf) <http://www.instantarches.com/cool-soles.shtml>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Mean and Green website] (web page) (pdf) http://www.meanandgreen.com/army/-Thermal-Foil_insoles/2660/2303.html.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Superfeet website] (pdf) <http://www.superfeet.com/products/REDHot.aspx>.
 [Online] [retrieved on Jan. 22, 2013] [retrieved from Thermo Soles website] (pdf) <http://www.thermosoles.com/>.
 [Online] [retrieved on Jan. 22, 2014] [retrieved from Warmers.com website] (pdf) <http://www.warmers.com/grabber-got-warmers-medium-5-hour-10pr-bundle>.
 PCT, International Search Report & Written Opinion of the International Searching Authority for PCT/US2013/026932. Jun. 18, 2013.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2006/014681. Jul. 27, 2006.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2013/057141. Nov. 12, 2013.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2014/0055133. Jan. 15, 2015.
 PCT, International Search Report and Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2006/042885. Mar. 13, 2007.
 Supplementary Extended European Search Report of the European Patent Office for European Search Report No. EP 13754536.4. Jun. 1, 2015.
 PCT, International Search Report & Written Opinion of the International Searching Authority for Counterpart International Patent Application No. PCT/US2015/011960. Apr. 30, 2015.

* cited by examiner

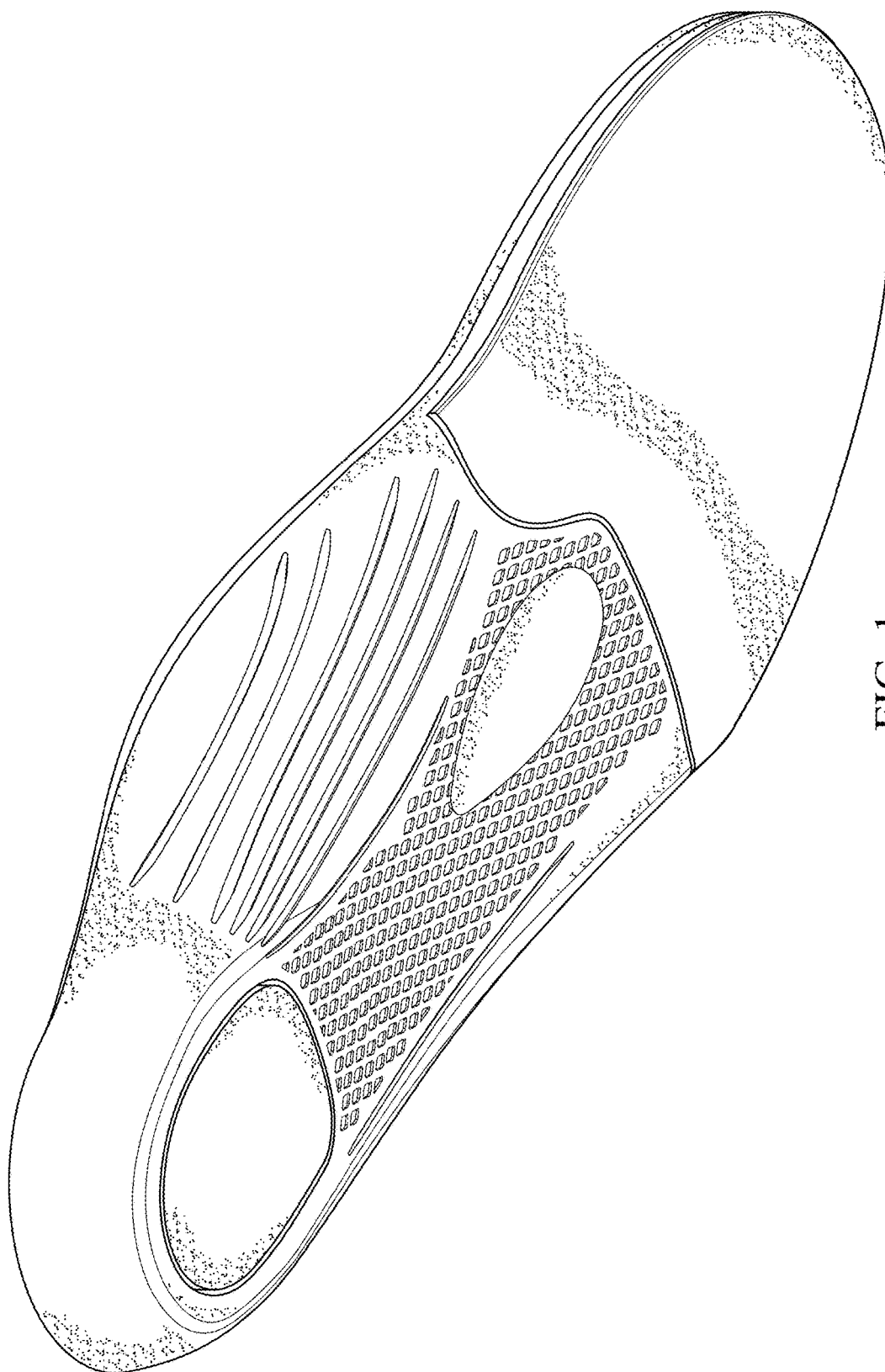


FIG. 1

FIG. 2

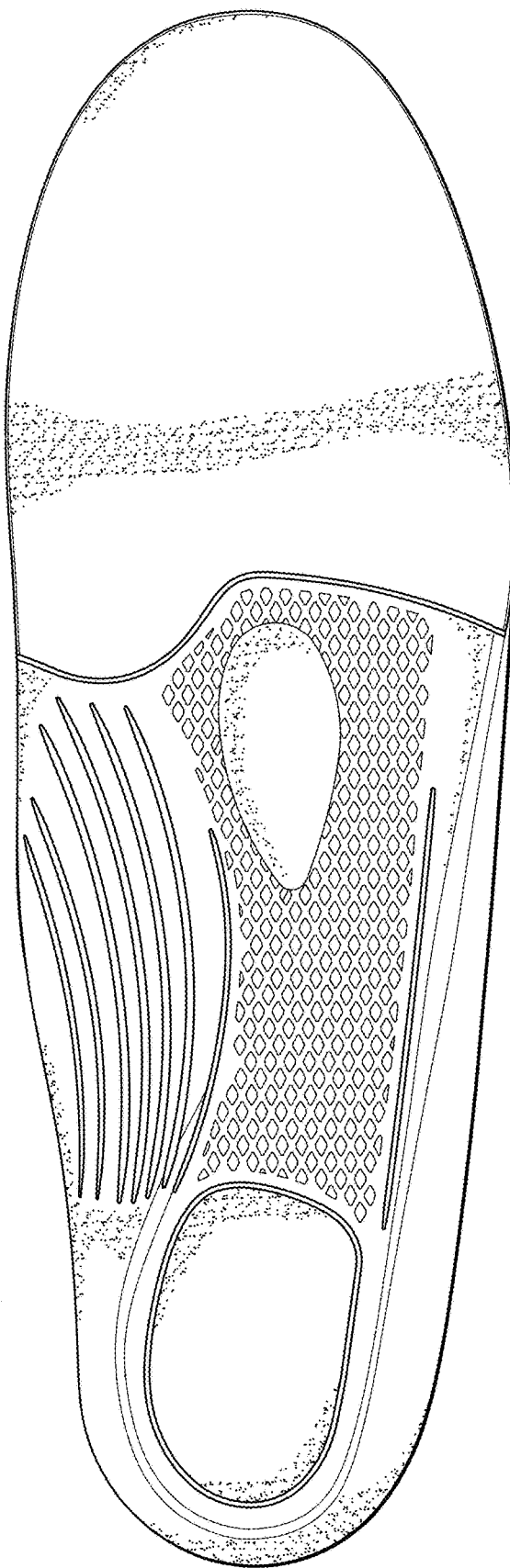
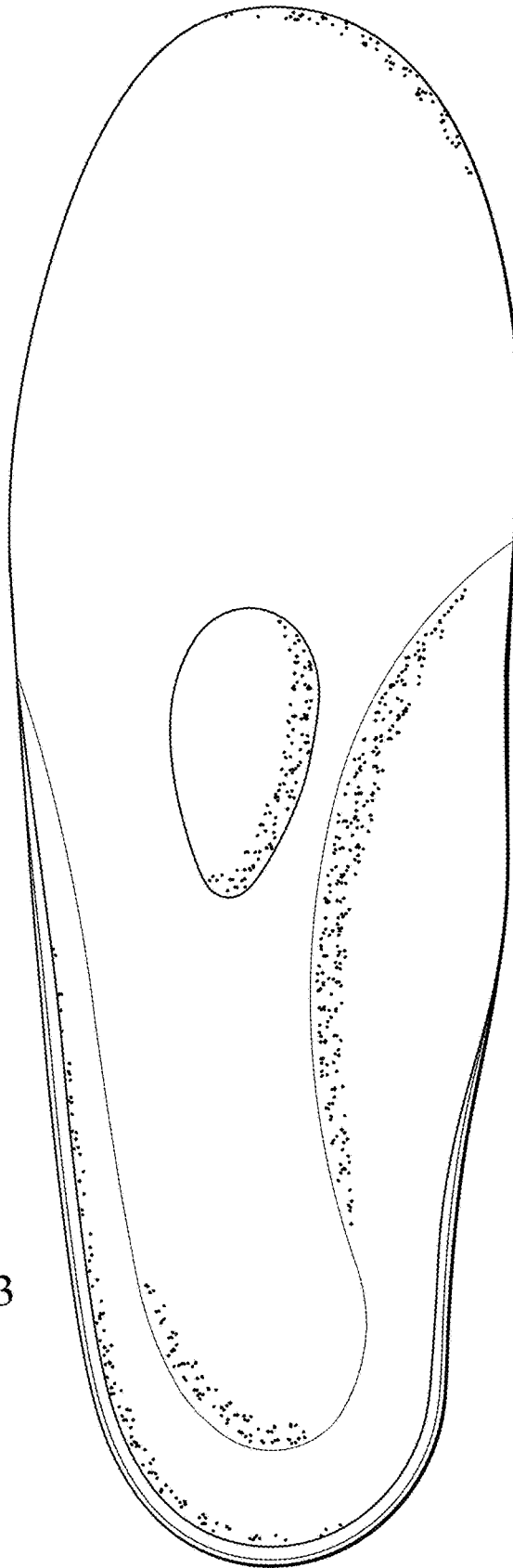


FIG. 3



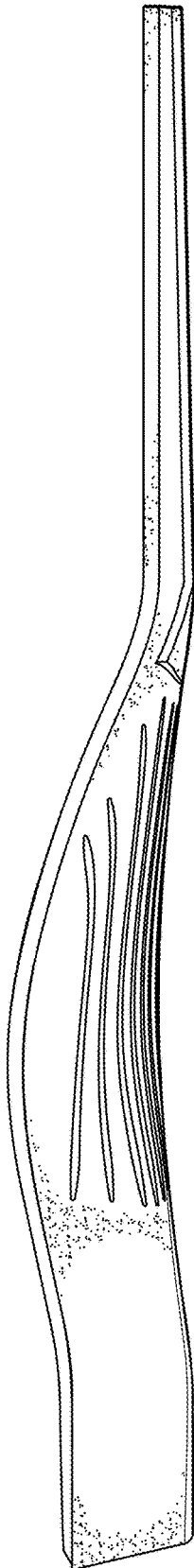


FIG. 4

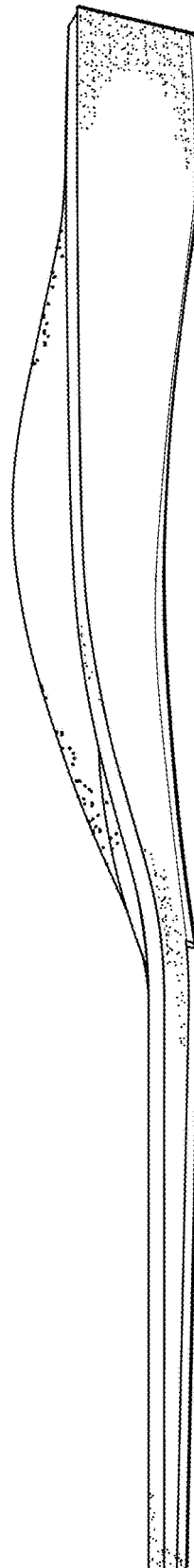


FIG. 5

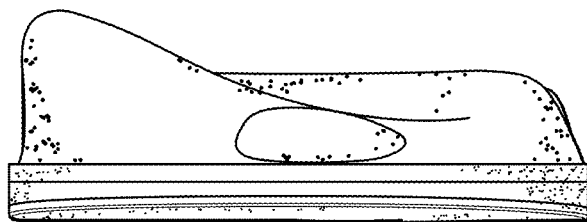


FIG. 6

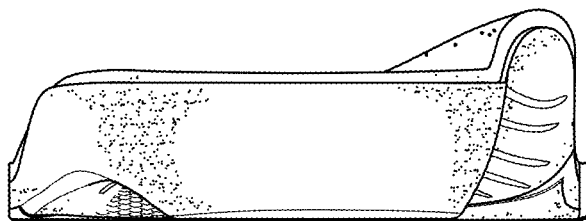


FIG. 7