

EXHIBIT N



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(12) **United States Design Patent** (10) **Patent No.:** **US D547,541 S**
Schindler et al. (45) **Date of Patent:** **** Jul. 31, 2007**

(54) **PORTION OF A SHOE MIDSOLE**
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(**) Term: **14 Years**

D366,756 S * 2/1996 Forland et al. D2/977
D375,619 S 11/1996 Backus et al.
D376,902 S * 12/1996 Avar D2/977
5,625,964 A 5/1997 Lyden et al.
D385,103 S 10/1997 Teague
D386,589 S 11/1997 Cass
D386,590 S 11/1997 Cass
D393,339 S 4/1998 Fogg
D395,337 S 6/1998 Greene
D395,338 S * 6/1998 Teague D2/947

(Continued)

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OTHER PUBLICATIONS

NIKE Footwear Catalog, Holiday 1995, pp. 14 and 25, published Mar. 1995.

(Continued)

(51) **LOC (8) Cl.** **02-99**
(52) **U.S. Cl.** **D2/977**
(58) **Field of Classification Search** D2/902,
D2/906-908, 943, 944, 964, 977, 972-974;
36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114,
36/126-131
See application file for complete search history.

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(57) **CLAIM**

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

(56) **References Cited**

U.S. PATENT DOCUMENTS

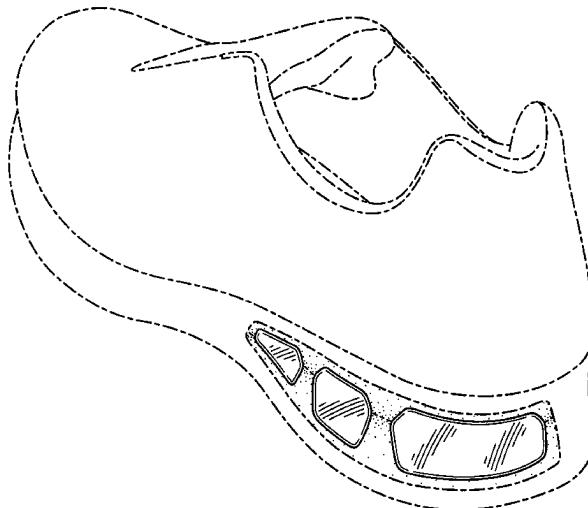
D291,146 S * 8/1987 Selbiger D2/955
D321,585 S 11/1991 Rogers
D321,776 S * 11/1991 Hatfield D2/977
D322,506 S * 12/1991 Rogers D2/977
D322,711 S * 12/1991 Hatfield D2/977
D323,418 S * 1/1992 Hatfield D2/977
D328,385 S * 8/1992 Hatfield D2/977
D328,968 S * 9/1992 Tinker D2/953
D329,739 S * 9/1992 Hatfield D2/977
D329,938 S * 10/1992 Lucas D2/977
D330,111 S * 10/1992 Hatfield et al. D2/977
D330,970 S * 11/1992 Hatfield et al. D2/977
D331,143 S * 11/1992 McDonald D2/977
D334,280 S * 3/1993 Teague D2/977
D334,650 S * 4/1993 Teague D2/977
D339,222 S * 9/1993 Hatfield et al. D2/977
D341,700 S * 11/1993 Avar D2/977
D350,016 S 8/1994 Passke et al.

DESCRIPTION

FIG. 1 is a front perspective view of a portion of a shoe midsole showing our new design;
FIG. 2 is a rear perspective view thereof;
FIG. 3 is a side view thereof; and,
FIG. 4 is a rear view thereof.

The uneven broken line segments extending from the polygonal elements within the shaded area form no part of the claimed design. The uneven broken line immediately adjacent to the shaded area represents an unclaimed boundary 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, 4 Drawing Sheets



US D547,541 S

Page 2

U.S. PATENT DOCUMENTS

D408,618 S 4/1999 Wilborn et al.
D410,964 S 6/1999 Wilborn et al.
D467,725 S 12/2002 McDowell
D485,673 S 1/2004 Smith
D496,152 S 9/2004 Doxey
D499,541 S * 12/2004 Dolan D2/977
D511,618 S 11/2005 McDowell et al.
D515,297 S * 2/2006 Acheson D2/964
D516,785 S * 3/2006 Lacorazza D2/964
D522,231 S 6/2006 Dojan et al.
D522,739 S * 6/2006 Dojan et al. D2/977
D522,740 S * 6/2006 Dojan et al. D2/977
D523,233 S * 6/2006 Dojan et al. D2/977
D524,033 S * 7/2006 Morris D2/977
D532,599 S 11/2006 Dojan et al.
D532,600 S 11/2006 Dojan et al.
D534,345 S * 1/2007 Dojan et al. D2/977
D534,346 S * 1/2007 Dojan et al. D2/977

OTHER PUBLICATIONS

NIKE Footwear Catalog, Late Spring 1996, p. 23, published Aug. 1995.

NIKE Footwear Catalog, Spring 1998, p. 162, published Jun. 1997.
NIKE Footwear Catalog, Holdiday 1999, p. W112, published Mar. 1999.
NIKE Footwear Catalog, Holiday 2000, p. W106, published Mar. 2000.
NIKE Footwear Catalog, Holiday 2001, p. 10, published Feb. 2001.
NIKE Footwear Catalog, Late Spring 2002, p. 74, published Sep. 2001.
NIKE Footwear Catalog, Holiday 2003, pp. 7 and 23, published Mar. 2003.
NIKE Footwear Catalog, Late Spring 2003, p. 10, published Sep. 2002.
NIKE Footwear Catalog, Holiday 2004, p. 52, published Mar. 2004.
NIKE Footwear Catalog, Spring 2004, p. M9, published Jun. 2003.
NIKE Footwear Catalog, Fall 2005, p. 9, published Nov. 2004.
NIKE Footwear Catalog, Holiday 1998, p. 6, published Feb. 1998.
NIKE Footwear Catalog, Late Spring 2006, p. 38, published Sep. 2005.
NIKE Footwear Catalog, Fall 2007, pp. 54, 70, 143, 167, 224, 240 and 244, published Nov. 2006.
NIKE Footwear Catalog, Summer 2007, p. 155, published Sep. 2006.

* cited by examiner

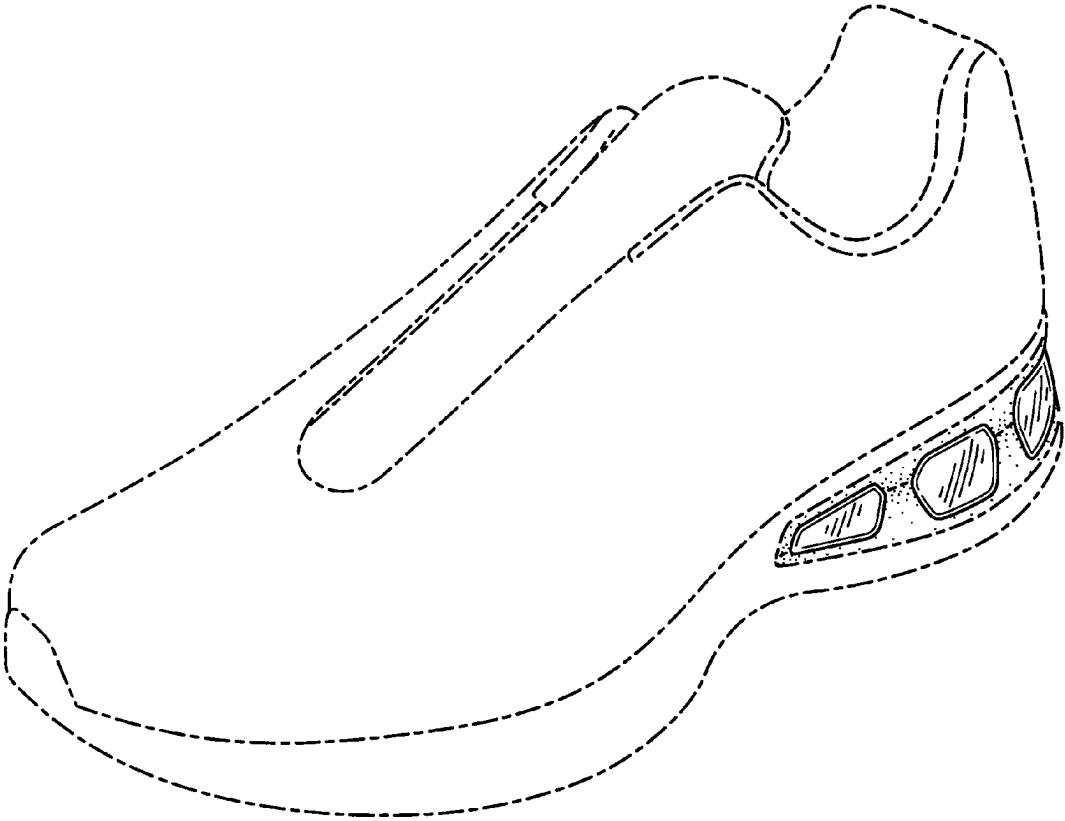


FIG. 1

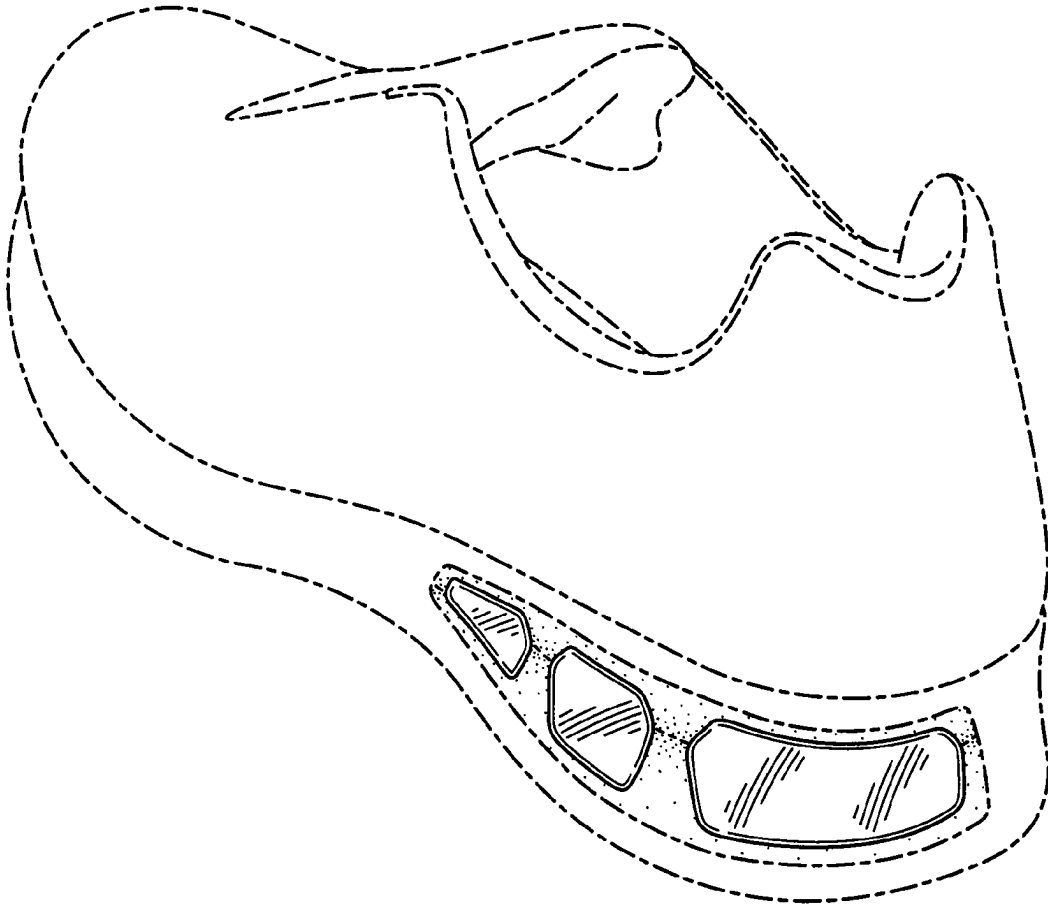


FIG. 2

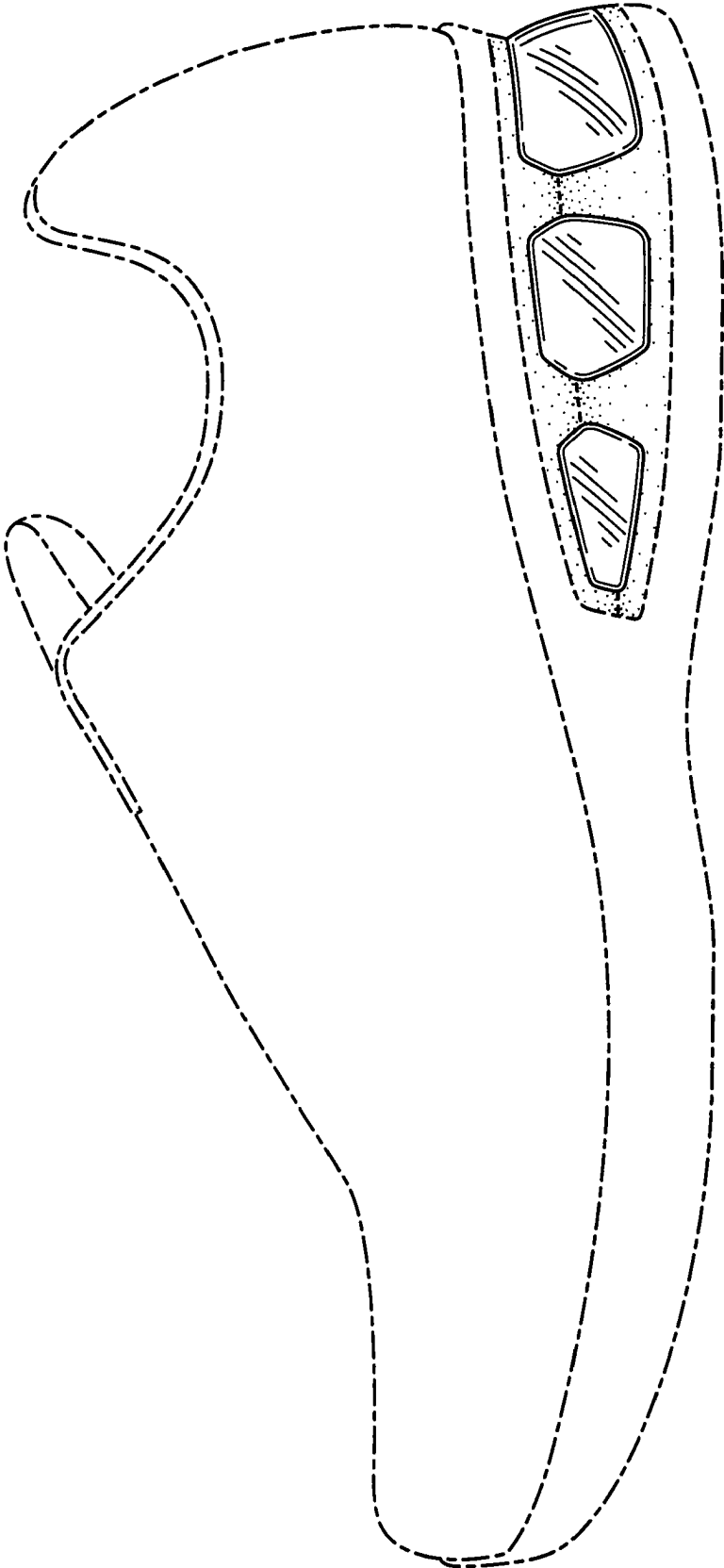


FIG. 3

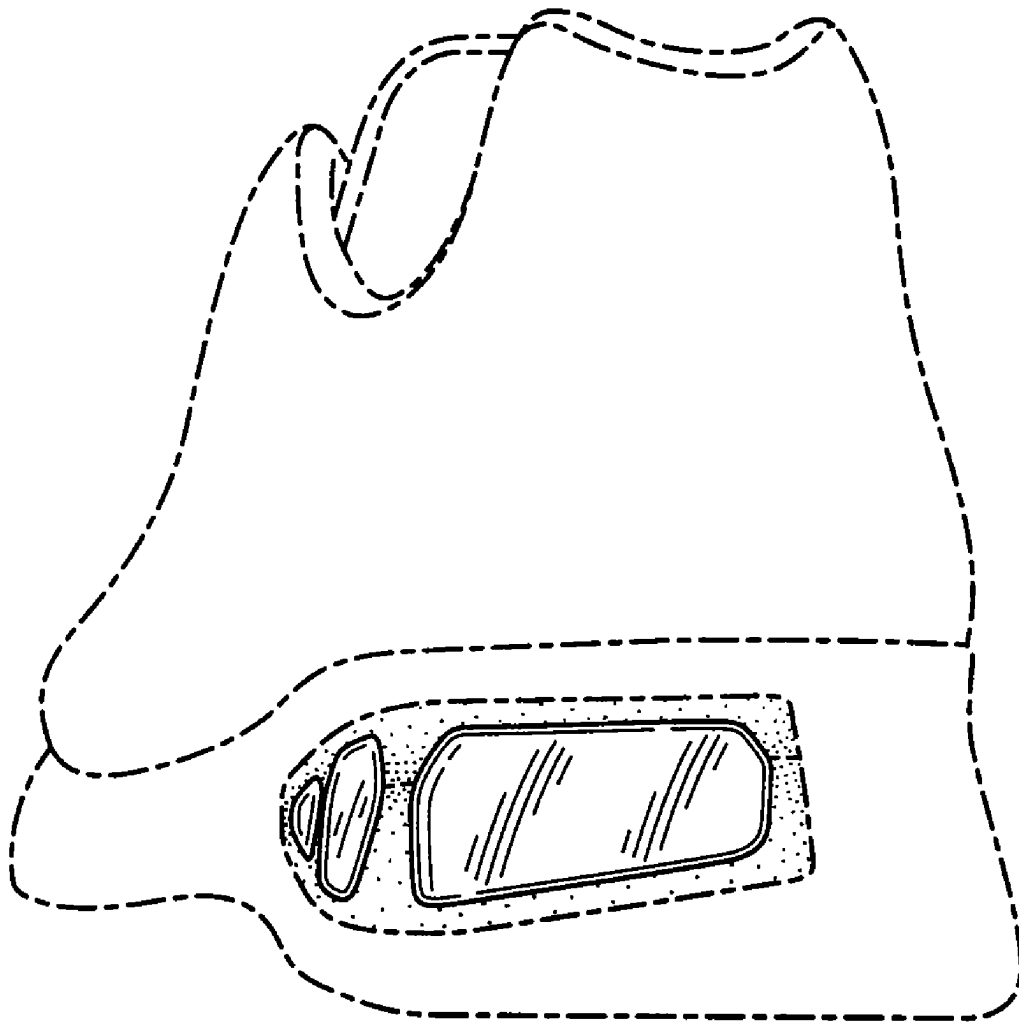


FIG. 4