

EXHIBIT B

**TO DECLARATION AND LOCAL RULE 7-5 CERTIFICATION OF ERIK
S. MAURER IN SUPPORT OF PLAINTIFFS' EMERGENCY MOTION
FOR TEMPORARY RESTRAINING ORDER, SEIZURE ORDER, AND
PRELIMINARY INJUNCTION**



US00D429877S

United States Patent [19]

[11] Patent Number: **Des. 429,877**

Lozano et al.

[45] Date of Patent: **** Aug. 29, 2000**

[54] **PORTION OF A SHOE SOLE**

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[73] Assignee: **Nike, Inc.**, Beaverton, Oreg.

[**] Term: **14 Years**

[21] Appl. No.: **29/120,735**

[22] Filed: **Mar. 27, 2000**

[51] **LOC (7) Cl.** **02-99**

[52] **U.S. Cl.** **D2/972**

[58] **Field of Search** D2/896, 902, 907, D2/927-929, 943, 944, 969, 970-973; D21/412, 413; 36/7.8, 34 R, 35 R, 45, 50.1, 51, 77 M, 77 R, 83, 88, 89, 99, 113, 114, 126-130

D. 352,160	11/1994	Kilgore .	
D. 354,617	1/1995	Kilgore .	
D. 355,755	2/1995	Kilgore .	
413,693	10/1889	Walker .	
622,673	4/1899	Ferrata .	
2,048,683	7/1936	Brockman	36/35 R
2,414,445	1/1947	Cahill	36/34 R X
3,369,309	2/1968	Brooks	36/34 R X
3,822,490	7/1974	Murawski .	
4,918,838	4/1990	Chang .	
4,956,927	9/1990	Misevich et al. .	
5,014,449	5/1991	Richard et al. .	
5,060,401	10/1991	Whatley .	
5,279,051	1/1994	Whatley .	
5,343,639	9/1994	Kilgore et al. .	
5,353,523	10/1994	Kilgore et al. .	
5,853,844	12/1998	Wen .	

[56] **References Cited**

U.S. PATENT DOCUMENTS

D. 95,767	5/1935	Marks	D2/965
D. 111,852	10/1938	Hurzeler	D2/965
D. 121,466	7/1940	Calderazzo	D2/928
D. 122,607	9/1940	Nutt	D2/965
D. 145,816	10/1946	Payne	D2/927
D. 205,882	10/1966	Post	D2/939
D. 307,608	5/1990	Shure	D2/946 X
D. 344,174	2/1994	Kilgore .	
D. 344,398	2/1994	Kilgore .	
D. 344,399	2/1994	Kilgore .	
D. 344,400	2/1994	Kilgore .	
D. 344,401	2/1994	Kilgore .	
D. 344,622	3/1994	Kilgore .	
D. 350,018	8/1994	Kilgore .	
D. 350,019	8/1994	Kilgore .	
D. 350,020	8/1994	Kilgore .	
D. 350,225	9/1994	Kilgore .	
D. 350,226	9/1994	Kilgore .	
D. 350,227	9/1994	Kilgore .	
D. 350,433	9/1994	Kilgore .	
D. 351,057	10/1994	Kilgore .	
D. 351,720	10/1994	Kilgore .	
D. 351,936	11/1994	Kilgore .	
D. 352,159	11/1994	Kilgore .	

OTHER PUBLICATIONS

A History Of Shoe Fashions by Eunice Wilson; p. 145; Shoes #1-4, Jan. 1969.

A History Of Shoe Fashions by Eunice Wilson; p. 197; Shoe #1, Jan. 1969.

A History Of Shoe Fashions by Eunice Wilson; p. 253; Shoe #3, Jan. 1969.

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Attorney, Agent, or Firm—Banner & Witcoff, Ltd.

[57] **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of a portion of a shoe sole showing our new design;

FIG. 2 is a left side elevational view thereof;

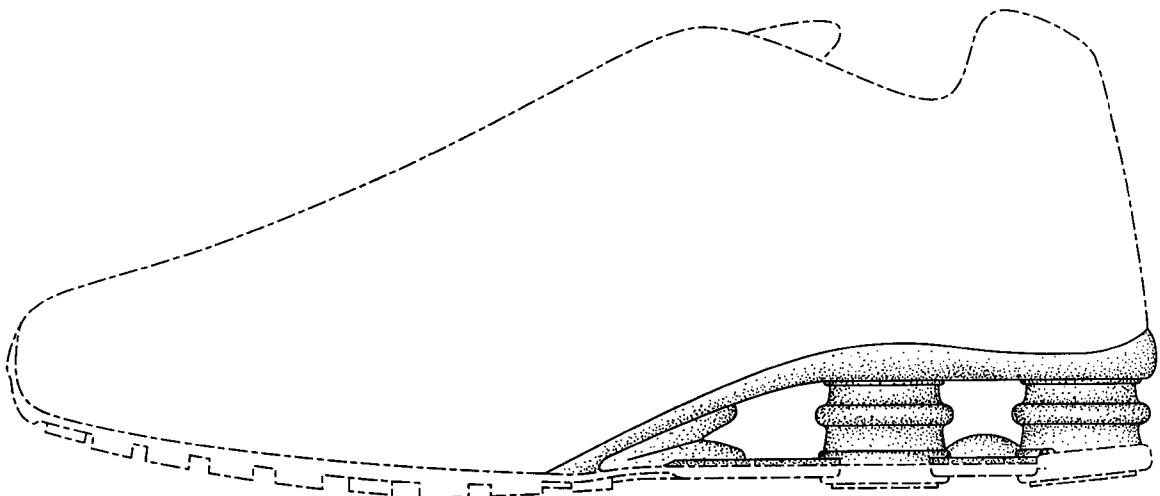
FIG. 3 is a right side elevational view thereof;

FIG. 4 is a rear elevational view thereof; and,

FIG. 5 is a top plan view thereof.

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, 5 Drawing Sheets



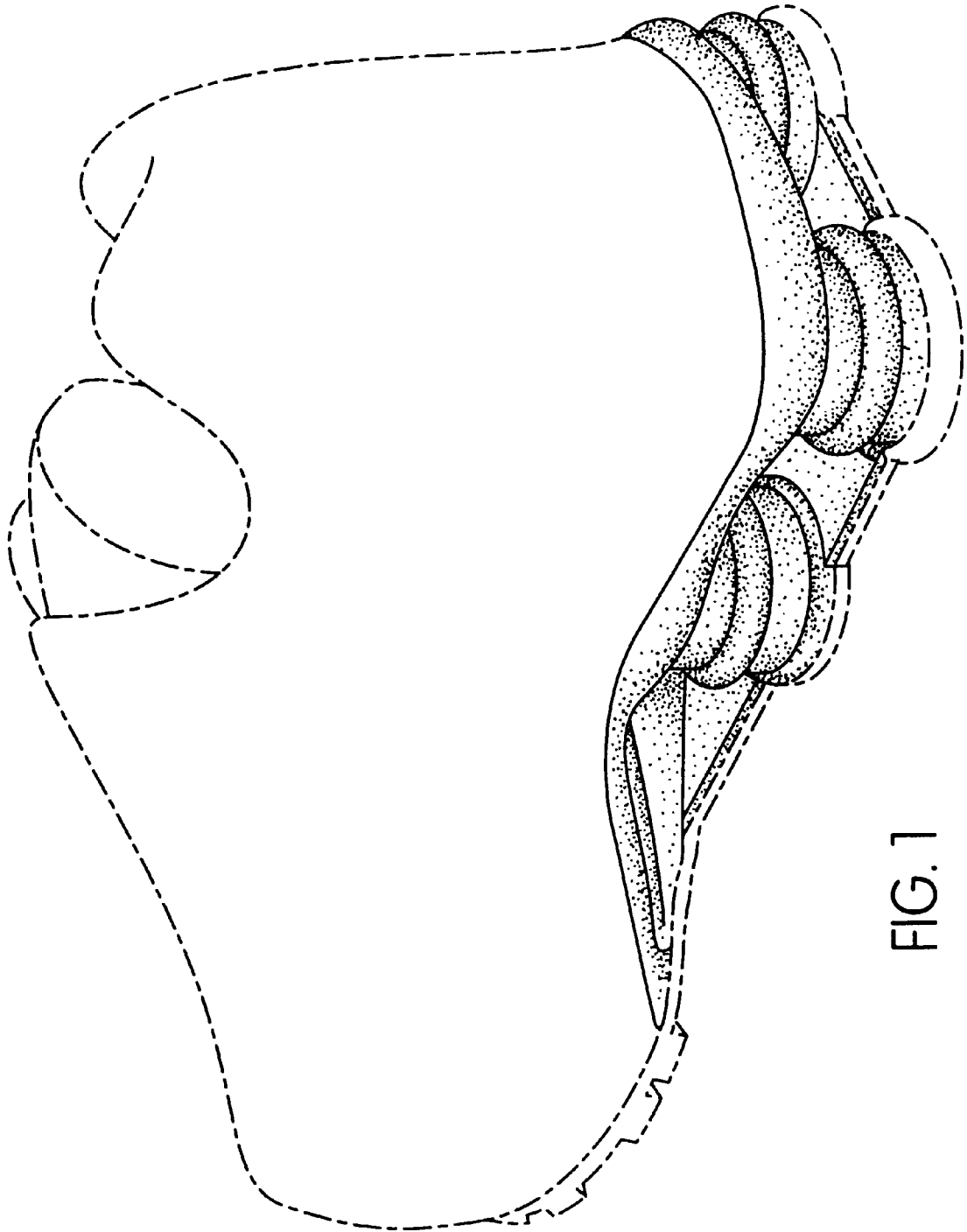


FIG. 1

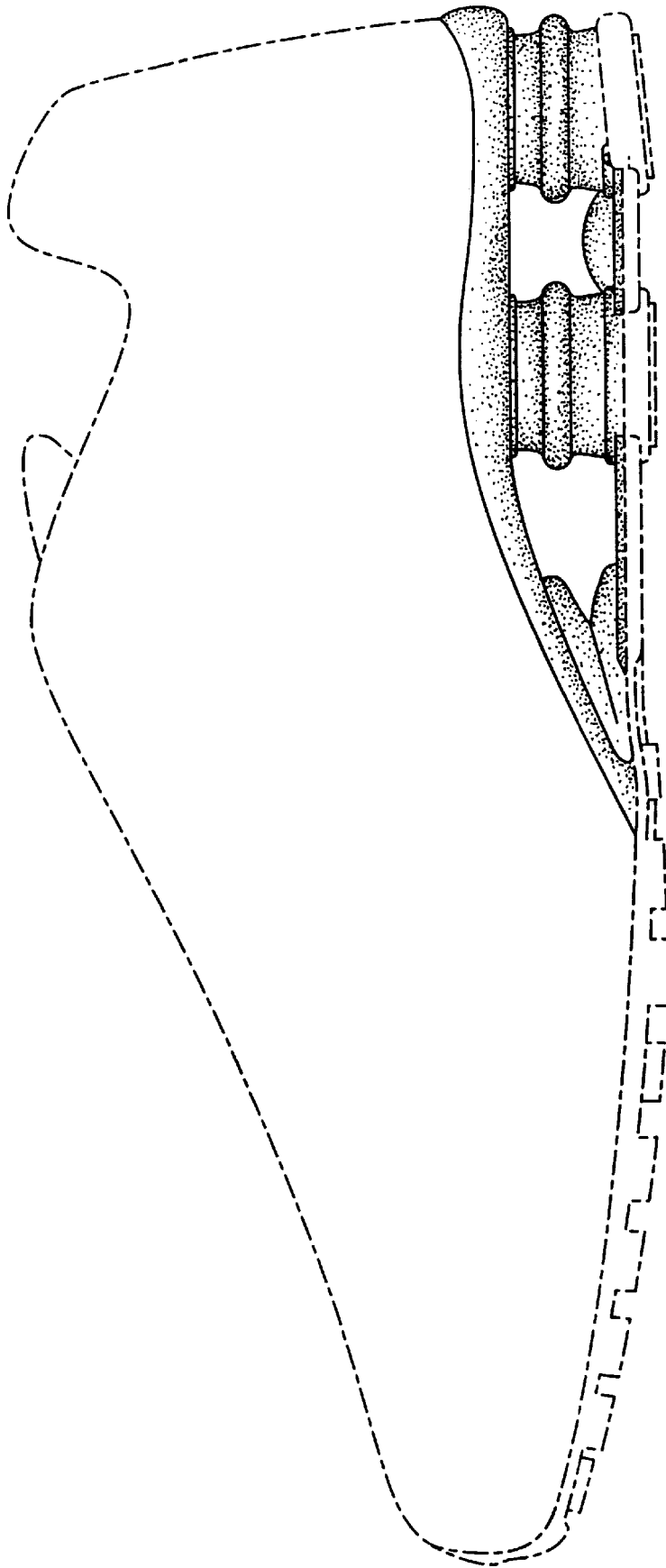


FIG. 2

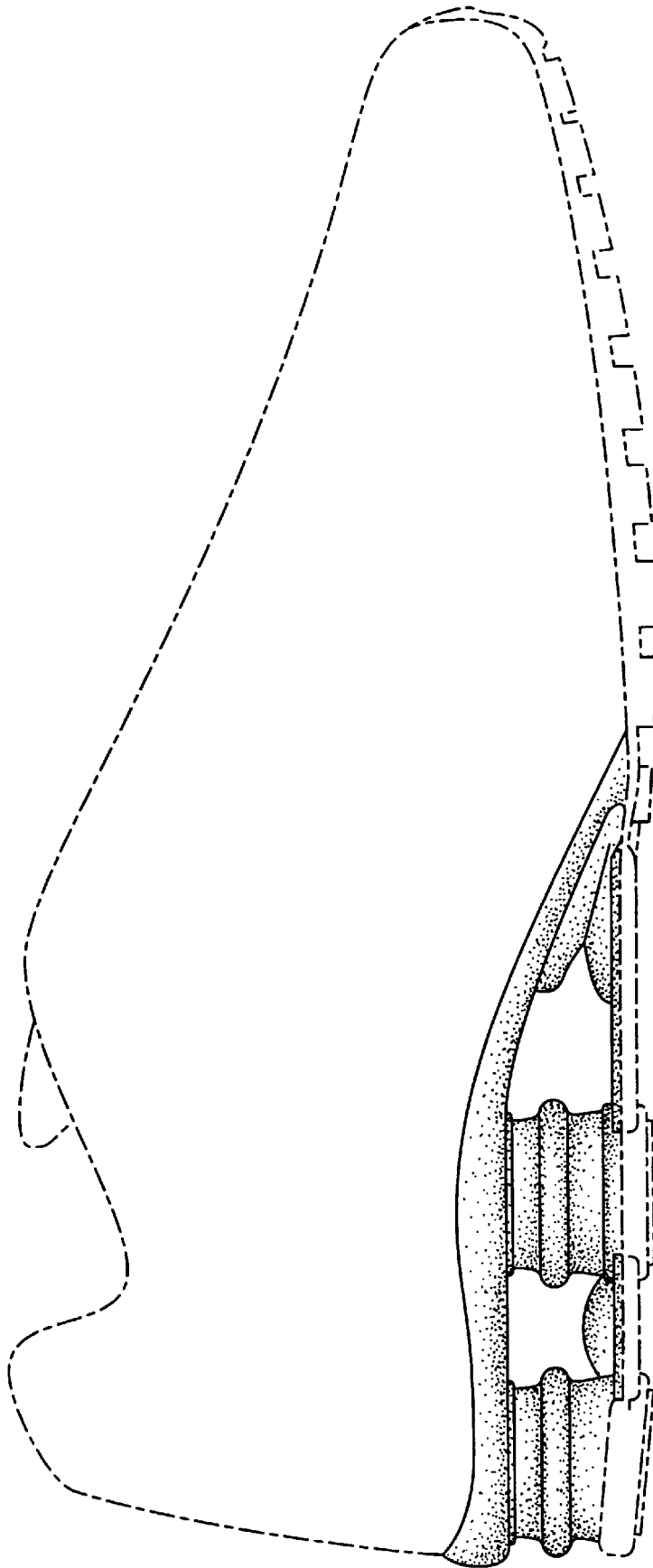


FIG. 3

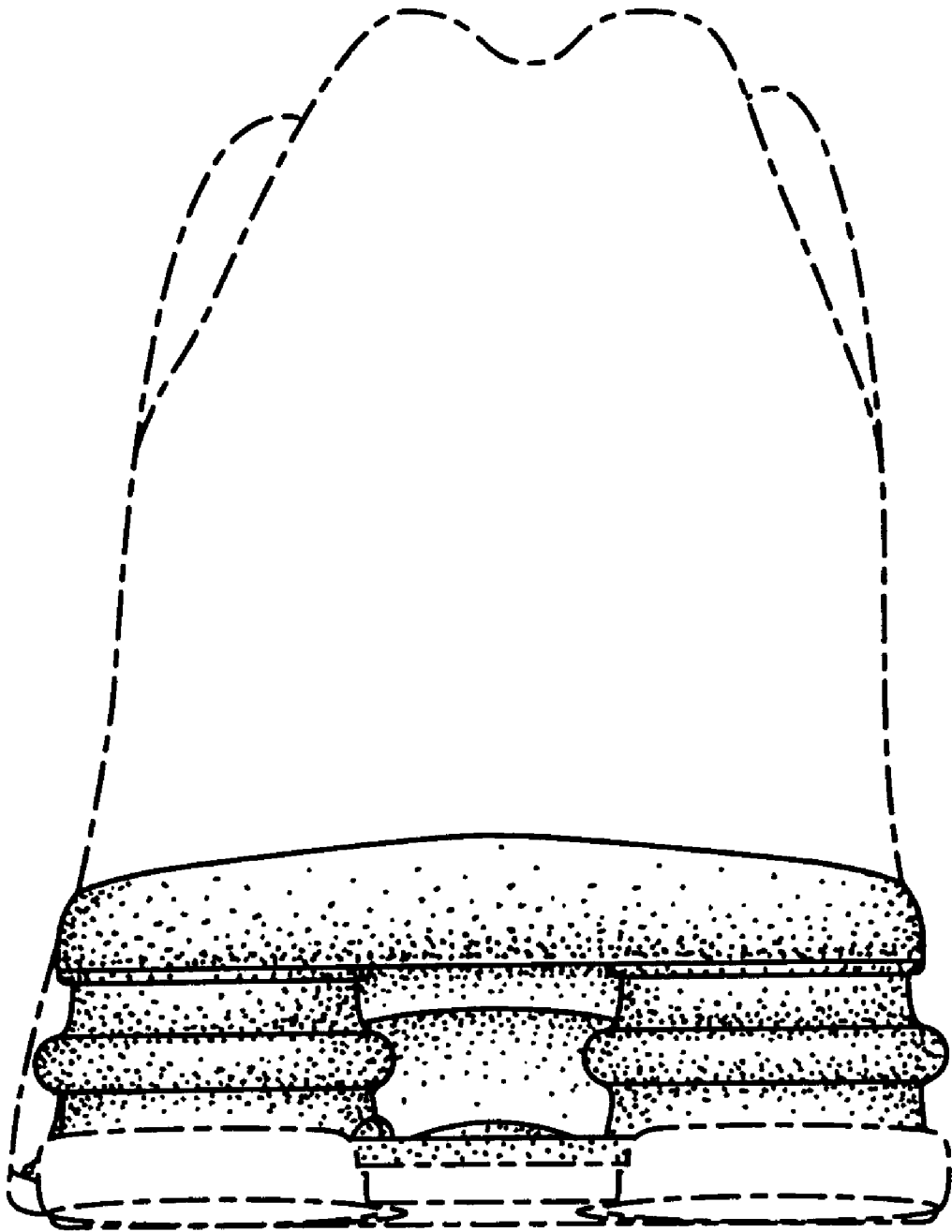


FIG. 4

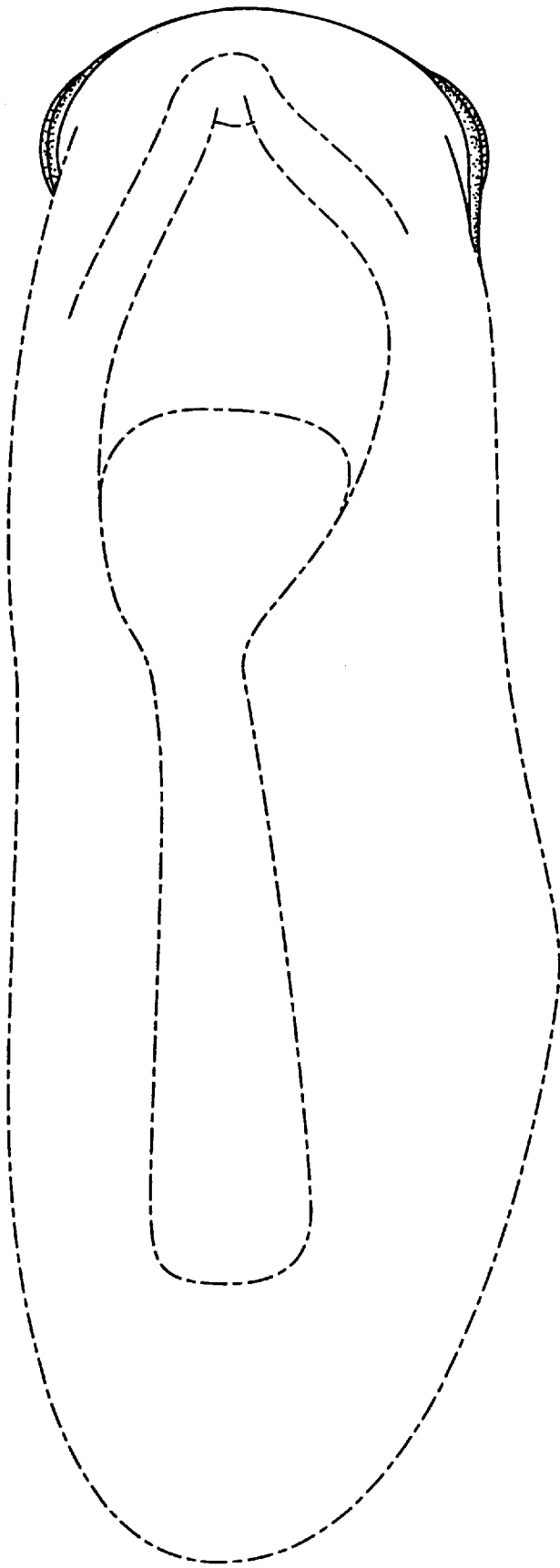


FIG. 5