

DESIGN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 015127.02485

In re Application of	Group Art Unit:	2914
Mark C. Miner	Examiner:	Thornton C. Nelson
App. No.: 29/492,575	Confirmation No.:	7330
Filed: May 31, 2014		
For: SHOE SOLE		

DECLARATION OF MARK C. MINER

United States Patent and Trademark Office
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

I, MARK C. MINER hereby declare that:

- 1) I created the design claimed in the present design patent application.
- 2) I am also an inventor on at least 38 U.S. design patents related to footwear designs. (Attachment A)
- 3) At all relevant times relating to the conception and reduction to practice of the current design invention, I was employed by NIKE, Inc., (NIKE) and my job title was Senior Footwear Designer.
- 4) NIKE is the assignee of the above-identified U.S. design patent application.
- 5) The claimed design was conceived and/or reduced to practice in the U.S. on or before June 22, 2011. This is evidenced at least in part by the following (3) documents from my electronic development files showing images of shoe sole designs:
 - a. A document identified with the title "Free 3.0 V4" and Model Offering ID "(SU12-MNRunn-043)_F" which is dated May 12, 2011 (Attachment B).
 - b. A document also identified with the title "Free 3.0 V4" and Model Offering ID "(SU12-MNRunn-043)_G" which is dated May 13, 2011 (Attachment C).

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- c. A document identified with the title "*Free 4.0 V2 (SU12-MNRUNN-070)_G*" (Attachment D) includes electronic file properties evidencing that it was last modified on June 22, 2011. The electronic date stamp corresponding to Attachment D has been extracted and is shown below:

 Free 4.0 V2 (SU12-MNRUNN-070)_G.pdf

6/22/2011 3:51 PM Adobe Acrobat D...

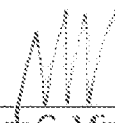
- 6) I represent that I am over 18 years of age and of competent mind.
- 7) All statements made of my own knowledge are true and all statements made on information and belief is believed to be true; and further, these statements were made with the knowledge that willful, false statement so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful, false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Respectfully submitted,

Date:

NOV. 9, 2014

By:



Mark C. Miner

ATTACHMENTS

1. Attachment A -- USPTO patent search results listing
2. Attachment B -- Development Document entitled "*Free 3.0 V4*" -- Model Offering ID "*SU12-MNRunn-043_F*" and dated May 12, 2011.
3. Attachment C -- Development Document entitled "*Free 3.0 V4*" -- Model Offering ID "*SU12-MNRunn-043_G*" and dated May 13, 2011.
4. Attachment D -- Development Document from file entitled *Free 4.0 V4 (SU12-MNRUNN-070)_G* and dated June 22, 2011.

Attachment A

USPTO PATENT FULL-TEXT AND IMAGE DATABASE

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((IN/mark AND IN/miner) AND APT/4) AND AN/nike): 38 patents.

Hits 1 through 38 out of 38

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PAT. NO.	Title
1 D712,133	T Shoe upper
2 D711,637	T Shoe outsole
3 D711,081	T Shoe midsole
4 D710,082	T Shoe upper
5 D707,030	T Shoe upper
6 D702,424	T Shoe midsole
7 D700,429	T Shoe upper
8 D700,424	T Shoe upper
9 D699,429	T Shoe upper
10 D697,294	T Shoe outsole
11 D696,854	T Shoe upper
12 D696,850	T Shoe upper
13 D696,505	T Shoe outsole
14 D696,503	T Shoe midsole with translucent regions
15 D696,502	T Shoe midsole with contrasting translucent regions
16 D696,501	T Shoe midsole
17 D695,502	T Shoe outsole
18 D694,509	T Shoe upper
19 D694,501	T Shoe outsole
20 D693,110	T Shoe upper
21 D688,856	T Shoe outsole
22 D683,131	T Shoe upper

- 24 [D673,358](#)  [Shoe upper](#)
 - 25 [D660,579](#)  [Shoe upper](#)
 - 26 [D659,967](#)  [Shoe outsole](#)
 - 27 [D659,374](#)  [Shoe upper](#)
 - 28 [D659,373](#)  [Shoe upper](#)
 - 29 [D658,870](#)  [Shoe upper](#)
 - 30 [D658,869](#)  [Shoe upper](#)
 - 31 [D648,111](#)  [Shoe upper](#)
 - 32 [D646,874](#)  [Shoe outsole](#)
 - 33 [D642,369](#)  [Shoe upper](#)
 - 34 [D642,362](#)  [Shoe outsole](#)
 - 35 [D641,968](#)  [Shoe upper](#)
 - 36 [D636,591](#)  [Shoe upper](#)
 - 37 [D636,590](#)  [Shoe upper](#)
 - 38 [D636,573](#)  [Shoe outsole](#)
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