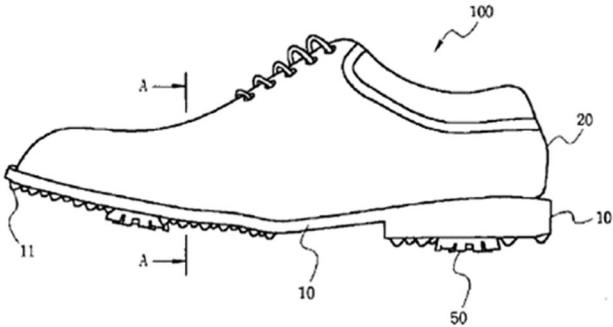


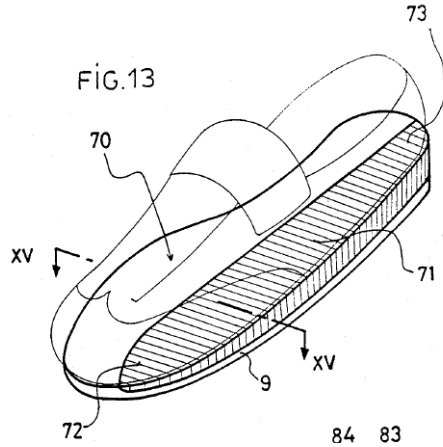
EXHIBIT R – U.S. Patent No. 11,013,291 OBVIOUSNESS CHART

Reference	Date of Filing / Publication	Title
U.S. Patent No. 4,754,561	Jul. 5, 1988	GOLF SHOE
U.S. Patent No. 7,464,428	Dec. 16, 2008	SOLE ELEMENTS OF VARYING DENSITY AND METHODS OF MANUFACTURE
U.S. Patent No. 4,615,126	Oct. 7, 1986	FOOTWEAR FOR PHYSICAL EXERCISE
U.S. Patent No. 4,364,189	Dec. 21, 1982	RUNNING SHOE WITH DIFFERENTIAL CUSHIONING
U.S. Patent No. 4,704,809	Nov. 10, 1987	GOLF SHOE
U.S. Patent No. 5,448,839	Sep. 12, 1995	STAND EASY SHOE
U.S. Patent No. 6,880,266	Apr. 19, 2005	FOOTWEAR SOLE
U.S. Patent No. 7,712,231	May 11, 2010	SHOE
U.S. Patent No. 4,620,376	Nov. 4, 1986	FOREFOOT VALGUS COMPENSATED FOOTWEAR
U.S. Patent No. 2,847,769	Aug. 19, 1958	SHOES FOR GOLFERS
U.S. Patent No. 4,535,554	Aug. 20, 1985	MOLDED FOOTWEAR
U.S. Patent Publication No. 2002/0139011	Oct. 3, 2002	JOINT PROTECTIVE SHOE CONSTRUCTION
U.S. Patent Publication No. 2009/0307925	Dec. 17, 2009	SHOE SOLE ELEMENT
U.S. Patent Publication No. 2007/0107258	May 17, 2007	SHOE
U.S. Patent Publication No. 2006/0090377	May 4, 2006	SOLE FOR FOOTWEAR
G.B. Patent No. 599,832	Mar. 22, 1948	Orthopedic Insole
International Publication No. 2006/129951	Dec. 7, 2006	A CORRECTION INSOLE
U.S. Patent Publication No. 2004/0040181	Mar. 4, 2004	GOLF SHOE

The above referenced patents and publications, in combination with each other and/or in combination with the other charted references, render obvious claims 1-5 of US Patent No. 11,013,291. These invalidity contentions are based on Under Armour's present understanding of the asserted claims and Athalonz's apparent construction of the claims in its September 14, 2023 Disclosure of Asserted Claims and Infringement Contentions, which is deficient at least insofar as it fails to cite any documents or identify accused structures, acts, or materials in the Accused Products with particularity. Under Armour does not agree with Athalonz's application of the claims, or that the claims satisfy the requirements of 35 U.S.C. § 112. Under Armour's contentions herein are not, and should in no way be seen as, admissions or adoptions as to any particular claim scope or construction, or as any admission that any particular element is met by any accused product in any particular way. Under Armour objects to any attempt to imply claim construction from this chart. Under Armour's prior art invalidity

contentions are made in a variety of alternatives and do not represent Under Armour’s agreement or view as to the meaning, definiteness, written description support for, or enablement of any claim contained therein.

U.S. Patent No. 11,013,291	Prior Art References
1 [pre]. A shoe comprises:	The primary references all disclose a shoe.
[1a] an upper section;	The primary references all disclose an upper section.
[1b] a midsole coupled to the upper section;	A shoe having a midsole coupled to the upper section was well known when the '291 patent was filed. To the extent Plaintiff argues that any reference fails to disclose this element, it would have been obvious to a person of ordinary skill based on the primary reference in view of any one of the references below. At least the following references disclose this element and would have been obvious to combine with the primary references in for the reasons discussed below: FIG. 1  “That is, the golf shoe 100 of the present invention comprises the upper leather portion 20 for accommodating a golfer's foot, and the outsole 10 attached to the lower Surface of the upper leather portion 20 and adapted to contact the ground. Further, the golf shoe 100 further comprises an insole (not shown) arranged on the bottom of the inside of the upper leather portion 20.” ’181 publication, [0028].

U.S. Patent No. 11,013,291	Prior Art References
	“Generally, the outsole 10 includes an intermediate sole and an outer sole. Here, the outsole 10 denotes the intermediate sole and the outer sole.” ’181 publication, [0029].  FIG. 13 70 73 71 72 84 83 XV 9 XV “According to another embodiment, illustrated in FIG. 13, the sole 70 is provided with a shock absorbing element 71 which extends substantially from the front part 72 occupied by the 3rd, 4th and 5th phalanges of the foot up to the heel zone 73; this element 71 has a variable thickness so that the front part 72 is thinner than the part at the heel 73. In this example, the thick ness of the sole 70, seen in elevation in its longitudinal direction, also increases as it goes towards the heel Zone 73.” ’561 patent, 5:15-24.

U.S. Patent No. 11,013,291	Prior Art References
	Fig. 1 “A golf shoe 2 illustrated in FIG. 1 comprises an upper 4 and a bottom part 6. The bottom part 6 has an insole 8, a midsole 10 and an outsole 12. The insole 8 is laminated with the midsole 10. The midsole 10 is laminated with the outsole 12. The outsole 12 has a number of projections 14 protruding downward on the lower surface. The material and structure for the upper 4 are equal to those of known upper. The material and structure for the insole 8 are equal to those of known insole. The material and structure for the outsole 12 are equal to those of known outsole.” ’258 publication, [0032]. “The shoe includes a solepiece extending substantially along the entire length of the shoe and an upper piece secured to the solepiece for providing an enclosure for receiving a human foot therein. Disposed between the upper member and sole piece is a corrective member for substantially conforming the shoe to fit the individual wearer's foot. The corrective member provides support for the foot during physical activity. To counteract pronation or supination of the foot during running or jogging, the thickness of the corrective member is adjusted to provide the necessary support on the medial or lateral side of the foot, as the case may be. The disposition of the corrective device between the upper member and the midsole provides more space for the wearer's foot on the inside of the shoe, thereby enhancing comfort and fit, and providing foot support from heel to toe.” ’126 patent, 3:37-53.

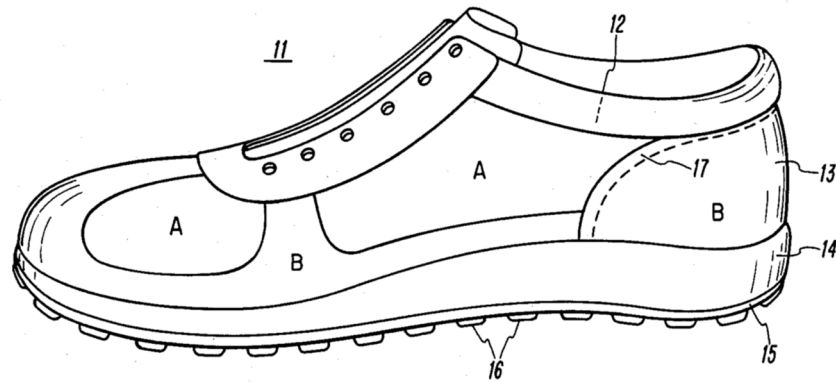


FIG. 1

“Referring now to FIG. 1, a shoe 11 typically used for running and jogging is comprised of a lightweight upper member 13, which includes an enclosure 12 for enveloping the wearer's foot, a midsole member 14 and a tread member 15.” ‘126 patent, 5:21-25.

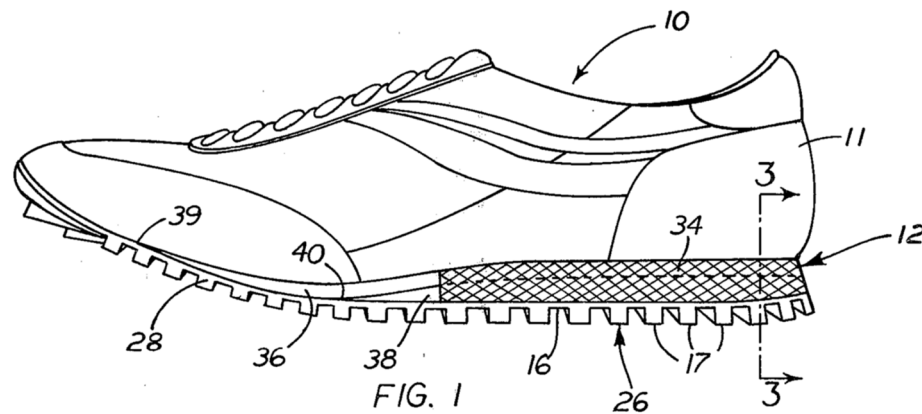
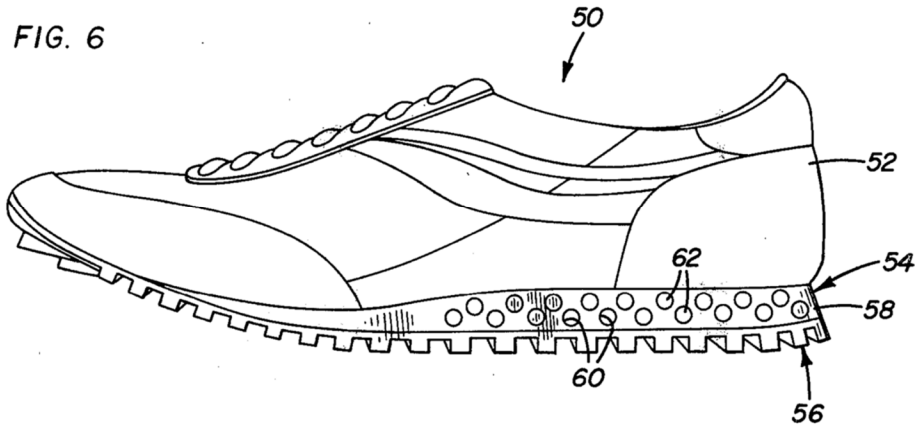
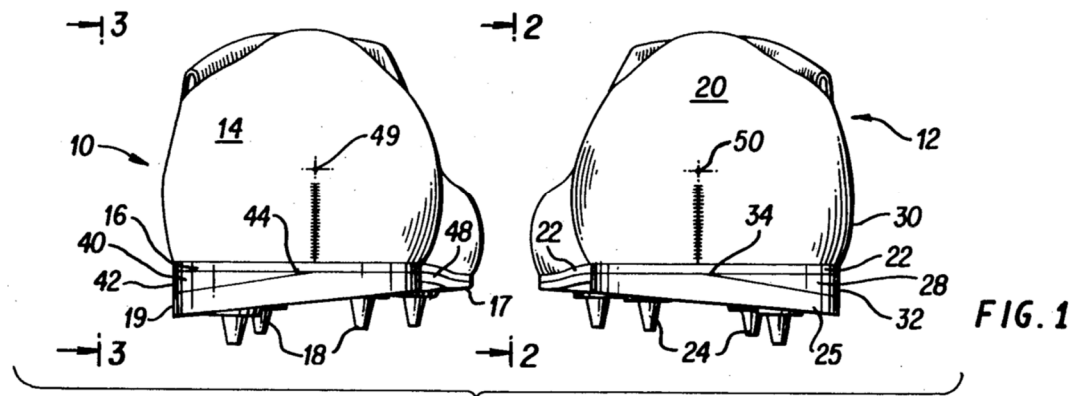


FIG. 1

U.S. Patent No. 11,013,291	Prior Art References
	“In FIG. 1 there is shown at 10 a sports shoe constructed according to one embodiment of the invention. Shoe 10 includes a soft foot covering 11 secured to the upper surface of a midsole 12 which joins on its bottom side with an outsole 16.” ‘189 patent, 2:20-24. <i>FIG. 6</i>  “In FIG. 6, a shoe, which is similar in many respects to shoe 10, is shown generally at 50. Like shoe 10, shoe 50 includes a soft foot covering 52 secured to the upper surface of a midsole 54 which joins, on its bottom side, with an outside 56.” ‘189 patent, 6:44-49.



“As shown in the drawings, both shoes 10 and 12 are of relatively “standard” construction except for the improvement of this invention and comprise, with specific regard to left shoe 10, and upper portion 14, a subsole 16, an outer sole 17 and a plurality of spikes 18.” ‘809 patent, 4:19-23.

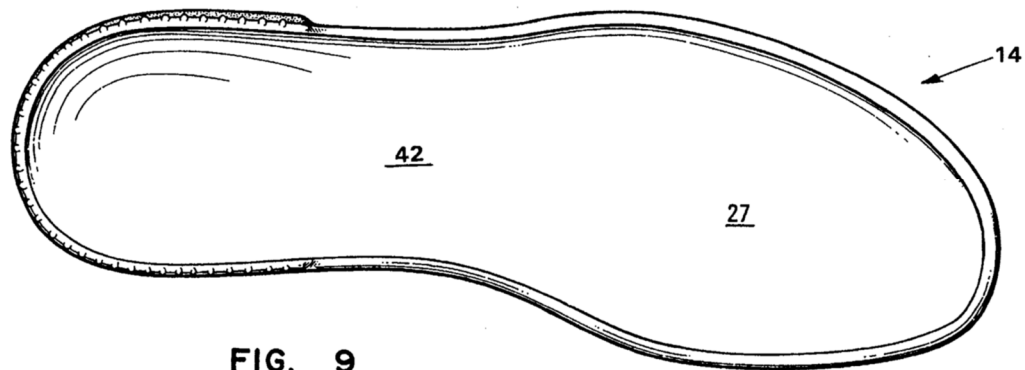


FIG. 9

“The top of the shoe sole, as shown in FIG. 9, is of conventional type, to receive and be attached to the shoe upper and provide a foot support insole surface 42 of which area 21 and 27 form a part.” ‘839 patent, 4:50-53.

“For purposes of disclosure, the present invention is described in connection with a conventional footwear sole having an outsole 12 for engaging the ground and a midsole 14 for providing the desired cushion and support. The present invention is, however, well-suited for use in essentially any type of sole. The footwear sole 10 may include an insole (not shown), sock liner (not shown) or other intermediate sole member disposed above the midsole 14. The footwear sole 10 is intended to be secured to an upper (not shown) using essentially any attachment construction, including cement, welt and direct attach constructions.” ‘266 patent, 4:51-62.

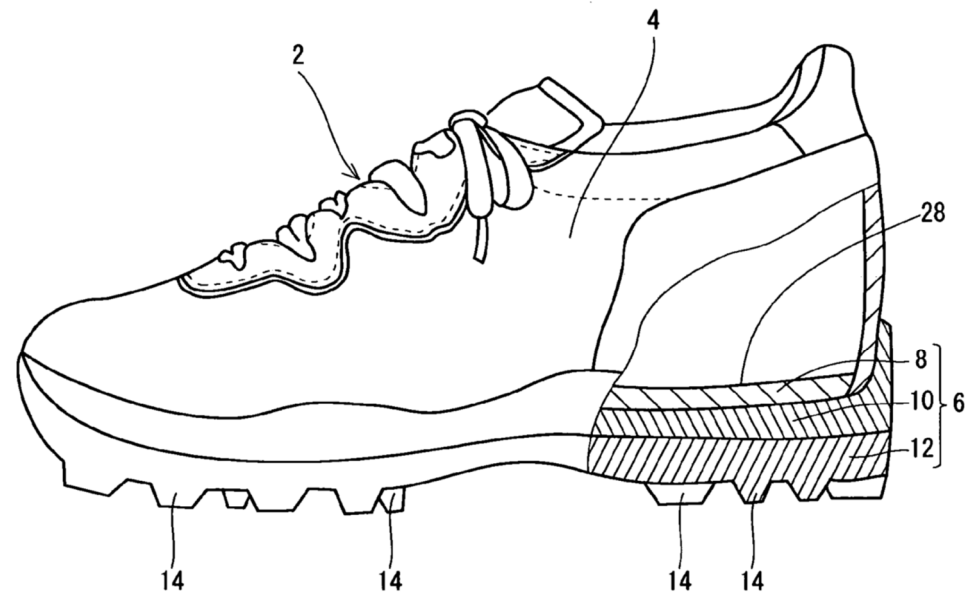
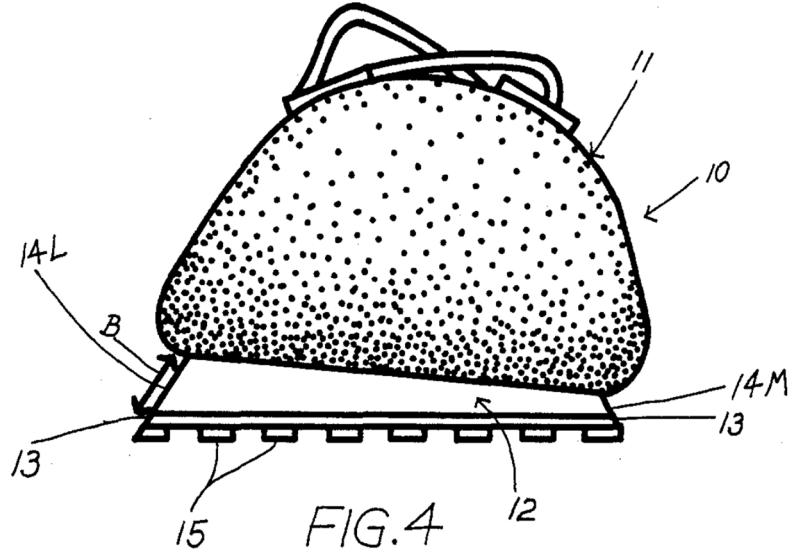


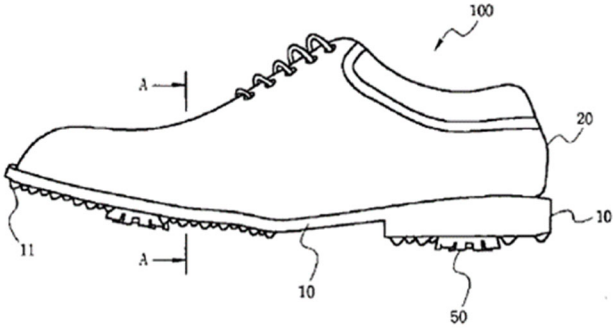
Fig. 1

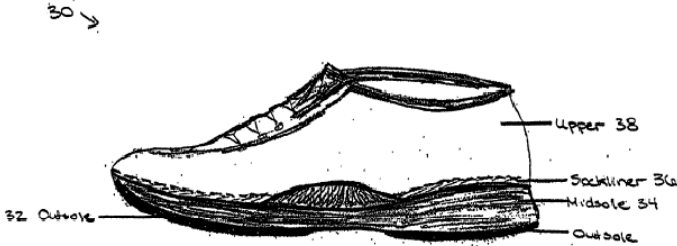
“A golf shoe 2 illustrated in FIG. 1 comprises an upper 4 and a bottom part 6. The bottom part 6 has an insole 8, a midsole 10 and an outsole 12. The insole 8 is laminated with the midsole 10. The midsole 10 is laminated with the outsole 12.”258 publication, [0032]. See also ‘231 patent, 3:13-16.

U.S. Patent No. 11,013,291	Prior Art References
	 “As shown in the figures, an article of footwear 10, has a conventional upper 11 and a sole 12. The sole 12, exemplified in these particular drawings as a running shoe, includes an outer sole 13 and a midsole portion 14.” ‘376 patent at 8:35-38.

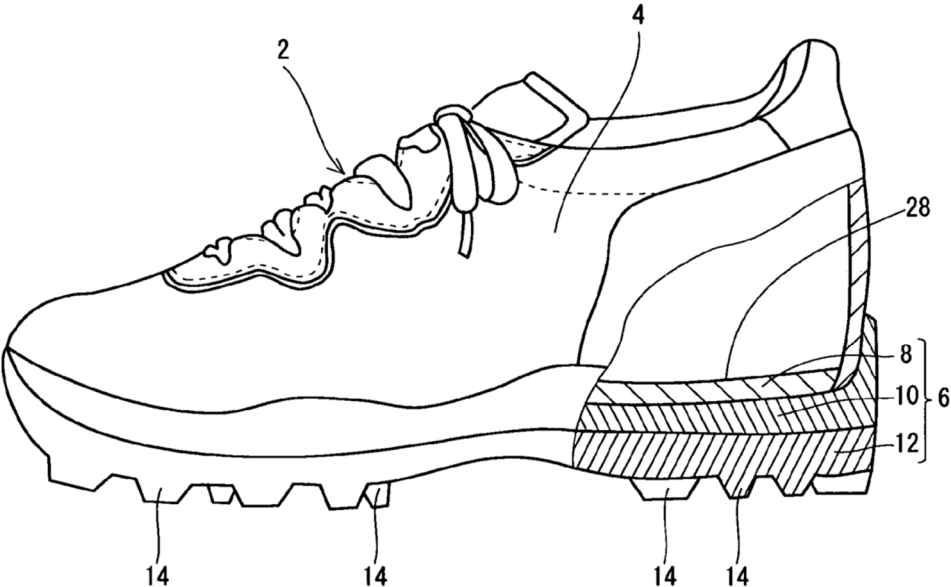
U.S. Patent No. 11,013,291	Prior Art References
	Fig. 15 “FIG. 15 shows an schematical perspective view of several sole components of a shoe according to a further embodiment of the invention, without showing an upper 50 of the shoe. The representation shows the softer outsole 10 being surrounded by the outer sole 60. The outer sole 60 forms a ridge 61 being higher than the upper Surface of the outsole 10. This enables direct attachment of the outer sole to an upper and/or the insole 30.” ’925 publication, [0088]. “Reference numeral 10 is provided to show the mid sole, and/or outsole unit. The sole 10 can be the outsole, or be part of the outsole. The sole 10 can also comprise the midsole, the layer in between the outsole and the insole, which is typically used for shock absorption.” ’925 publication, [0061] “There is disclosed a midsole element or shoe sole element to be mounted to an insole of a shoe. The insole has an upper Surface on one side facing the upper material of the shoe and a lower surface on the other side. The midsole element has an upper Surface facing the lower Surface of the insole and a lower Surface. The midsole element comprises a core and a resilient compression element being softer than said core, wherein the core is in connection with the insole and is covered by said compression element.” ’925 publication, [0018] “Such a midsole element or sole element is attachable to any existing shoe. Preferably the midsole element will be glued to the insole of an existing shoe. Alternatively it may also be an integral part of a

U.S. Patent No. 11,013,291	Prior Art References
	shoe sole. The use of a compression element and a hardcore have the advantage that the user has to balance the position constantly which provides constant exercise.” ’925 publication, [0019] “According to the invention, an article of footwear is formed of three main components; namely, a flexible integrally molded body member which has a sole portion, a flexible molded foot support member mounted on the body member where it overlies the sole portion, and a flexible harness member connected to the body member for retaining the body member on the foot of the wearer. The foot support member has an upper surface which is configured to correspond to and provide anatomical support for a wearer’s foot. Preferably, but not essentially, the invention also includes one or more of the structural features described below.” ’554 patent, 1:32-44. FIG. 3 FIG. 4 ’554 patent, Figs. 3, 4. “The foot support member 4 is a separately molded flexible body which is placed in the body member, in overlying relation with the sole portion 8, as shown in FIGS. 1 and 7. The forward end of the foot support member is located in the toe cup, and the pocket 14 of the body member receives the rear portion of the foot support member 4. The foot support member 4 provides anatomical support for the foot and it also acts as a shock absorber to alleviate the impacts which normally occur during running. The comfort and shock absorbing features of the sandal may be enhanced by providing the member 4 with a foam cushion inlay 23 as shown in FIG. 4. This inlay may have a porous covering of textile or other material. For added comfort, extra thickness of foam cushioning material may be provided in the heel and arch

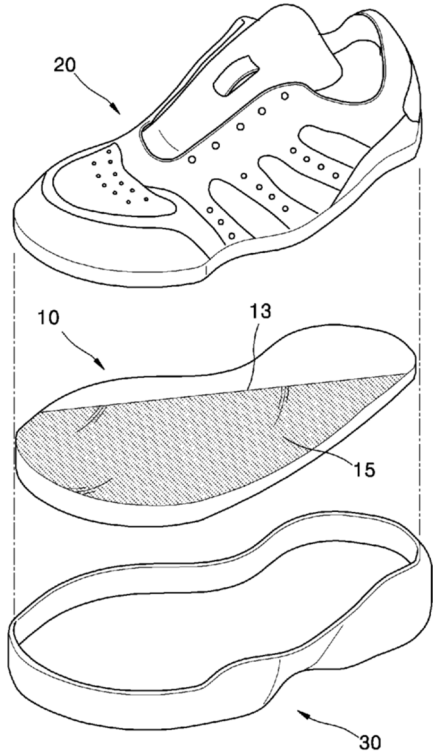
U.S. Patent No. 11,013,291	Prior Art References
	areas. The upper edges of the sidewalls 12 are at about the same height as the upper surface of the foot support member. FIG. 3 shows that the upper surface of the foot support member is configured to correspond to and provide anatomical support for the wearer's foot. Preferably, this configuration includes at least one toe recess 24, a recess 26 for accommodating a ball of the wearer's foot, a raised arch support portion 28, and a recess 30 for accommodating the heel of a wearer's foot. '554 patent, 2:45-68. FIG. 1  “That is, the golf shoe 100 of the present invention comprises the upper leather portion 20 for accommodating a golfer's foot, and the outsole 10 attached to the lower surface of the upper leather portion 20 and adapted to contact the ground. Further, the golf shoe 100 further comprises an insole (not shown) arranged on the bottom of the inside of the upper leather portion 20.” '181 publication, [0028]. “Generally, the outsole 10 includes an intermediate sole and an outer sole. Here, the outsole 10 denotes the intermediate sole and the outer sole.” '181 publication, [0029]. “In the following description, various embodiments of the methods in accordance with the invention relate to a sole element. It should, however, be noted that a sole element in accordance with the invention is typically used as part of a sole ensemble. That is, the sole element in accordance with the invention is typically formed as a midsole, where an outsole and an insole for improving comfort are additionally provided. Furthermore, it is not necessary that the sole element extends in a longitudinal direction (i.e. from the heel to the forefoot part) over the complete sole. It is also possible that a sole

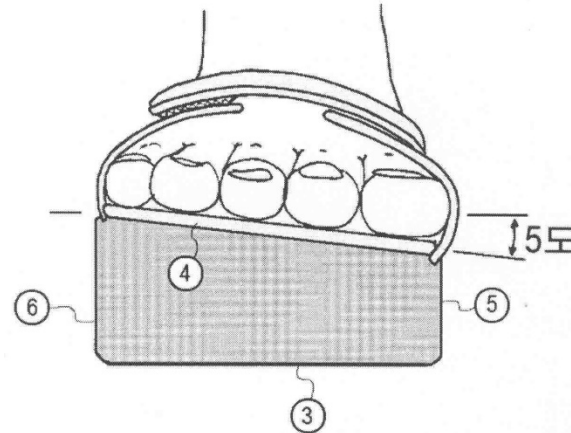
U.S. Patent No. 11,013,291	Prior Art References
	element in accordance with the invention is only used in the heel and/or in parts of the forefoot.” ‘428 patent, 5:56-67. “A joint protective shoe construction for preventing knee and hip osteoarthritis is provided. The Shoe construction includes a midsole or insole having a body with medial and lateral sides. The height of the lateral side of the body is greater than the height of the medial Side, thereby forming a lateral wedge. A cantilevered arch Support is also provided for transferring forces from the weight of the body to the lateral Side of the Shoe and foot. The arch Support is adapted to Support the medial Side of an arch of a wearer's foot at a height above the ground. The lateral wedge and/or the arch Support Significantly reduce the knee and hip torques during walking, running, Standing, or other weight bearing activities including athletic endeavors.” ‘011 Publication, Abstract. “The present invention relates to a joint protective shoe construction for preventing as well as treating knee and hip osteoarthritis. More particularly, the invention provides a footwear construction that reduces the external torques about the knee (varus and flexor) and the hip (adductor and flexor). In general, a midsole or insole is provided having a body with a lateral wedge, which can be limited to the heel and forefoot portions. In addition, an arch Support is provided for supporting the medial side of a wearer's foot. The arch Support is cantilevered to transfer forces from the weight of the body to the lateral side of the shoe and foot, instead of to the medial side of the shoe and foot.” ‘011 Publication, [0025]. Figure 7 

U.S. Patent No. 11,013,291	Prior Art References
	“FIG. 2 illustrates an article of footwear 30, such as an athletic shoe, Sports shoe, or running Shoe. Generally, the shoe 30 includes an outer Sole 32 which makes direct contact with the ground Surface, a midsole 34 arranged on an upper portion of the outer Sole, and an upper 38 extending upwardly from the periphery of the midsole. The shoe can also include an insole insert (not shown) disposed on the midsole 34, and/or a sock liner 36 disposed on the midsole 34 or insole and surrounded by the shoe upper. The sock liner 36, or the insole insert, and the upper 38 together form a Space to accommodate a human foot.” ‘011 Publication, [0028]. A shoe including a midsole coupled to the upper section would have been obvious at the time of the alleged invention of the ‘291 patent in light of the knowledge, experience, training, and skill of a person of ordinary skill in the art at that time. It would have been obvious to a person of ordinary skill in the art to combine the teachings in each of the primary references in Exhibits A-C, V with the above teachings because the references both provide teachings in the field of footwear design, both seek to solve similar problems and the results of the combinations would have been predictable to one of ordinary skill in the art. The use of the above teachings in the charted references would be nothing more than the use of known shoe component to improve a similar shoe in the same way. One of skill in the art would have been motivated to do so for the reasons identified by the above references, including to provide additional cushioning, comfort and/or stability in the shoe.
[1c] an insole positioned proximal to the midsole and within the upper section; and	A shoe having an insole positioned proximal to the midsole and within the upper section was well known when the ’291 patent was filed. To the extent Plaintiff argues that any reference fails to disclose this element, it would have been obvious to a person of ordinary skill based on the primary reference in view of any one of the references below. At least the following references disclose this element and would have been obvious to combine with the primary references in for the reasons discussed below: “That is, the golf shoe 100 of the present invention comprises the upper leather portion 20 for accommodating a golfer's foot, and the outsole 10 attached to the lower surface of the upper leather portion 20 and adapted to contact the ground. Further, the golf shoe 100 further comprises an insole (not shown) arranged on the bottom of the inside of the upper leather portion 20.” ’181 publication, [0028]. “For purposes of disclosure, the present invention is described in connection with a conventional footwear sole having an outsole 12 for engaging the ground and a midsole 14 for providing the desired cushion and support. The present invention is, however, well-suited for use in essentially any type of

U.S. Patent No. 11,013,291	Prior Art References
	sole. The footwear sole 10 may include an insole (not shown), sock liner (not shown) or other intermediate sole member disposed above the midsole 14. The footwear sole 10 is intended to be secured to an upper (not shown) using essentially any attachment construction, including cement, welt and direct attach constructions.” ‘266 patent, 4:51-62.  Fig. 1 “A golf shoe 2 illustrated in FIG. 1 comprises an upper 4 and a bottom part 6. The bottom part 6 has an insole 8, a midsole 10 and an outsole 12. The insole 8 is laminated with the midsole 10. The midsole 10 is laminated with the outsole 12.” 258 publication, [0032]. See also ‘231 patent, 3:13-16.

U.S. Patent No. 11,013,291	Prior Art References
	[Fig. 22] [Fig. 23] [Fig. 24] '442 publication, p. 13. <i>Fig. 11</i> <i>Fig. 12</i>

U.S. Patent No. 11,013,291	Prior Art References
	'832 patent. [Fig. 2]  The diagram illustrates a shoe assembly. At the top is a side view of a shoe 20 with laces and a sole. Below the shoe is a correction insole 10, which is a curved, wedge-shaped insert. The insole 10 features a tilt face 15 on its outer edge and a height 13 indicated by a vertical line. Below the insole 10 is a sole 30, which is a curved, wedge-shaped insert. The sole 30 is shown in a side view, with a height 30 indicated by a vertical line. The entire assembly is shown within a dashed rectangular frame. “As shown in Figs. 1 and 2 a correction insole 10 according to the present invention, is utilized with being built in a shoe including the uppers 20 of a shoe and the sole 30 of a shoe. In the general correction insole 10, a structure has a tilt face 15 of which a height is getting higher toward a little toe on a basis of the big toe.” WO’951 publication, [13].



KR'191, Fig. 2.

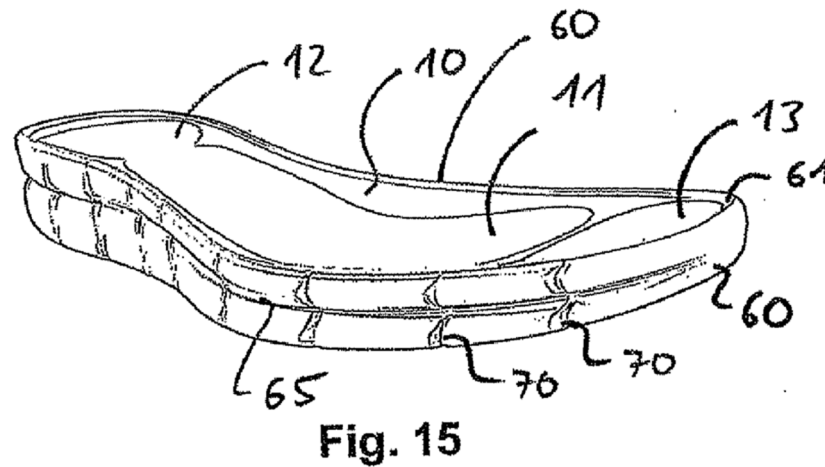
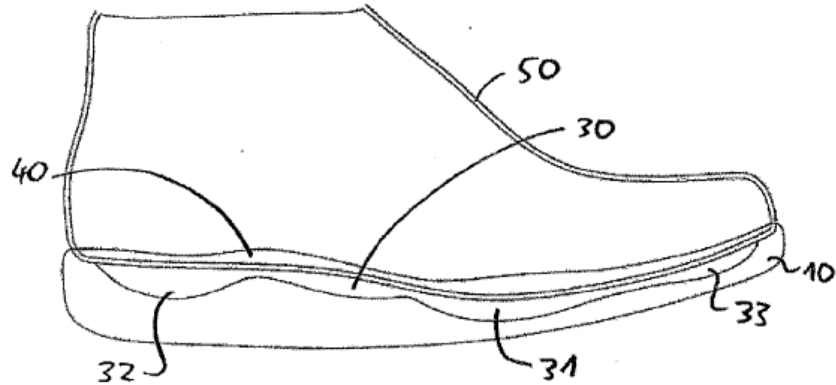
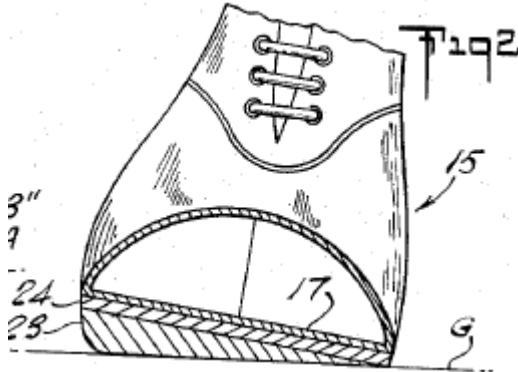


Fig. 15

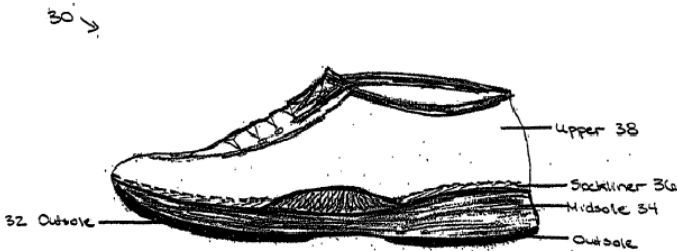
“FIG. 15 shows an schematical perspective view of several sole components of a shoe according to a further embodiment of the invention, without showing an upper 50 of the shoe. The representation shows the softer outsole 10 being surrounded by the outer sole 60. The outer sole 60 forms a ridge 61

U.S. Patent No. 11,013,291	Prior Art References
	being higher than the upper Surface of the outsole 10. This enables direct attachment of the outer sole to an upper and/or the insole 30.” ’925 publication, [0088].  Fig. 10 “Reference numeral 30 relates to the lower part of the insole. Preferably insole 30 and sole unit 10 are connected together, e.g. glued together, or made in one piece. It is possible that the insole comprises an extra insole 40, e.g. for controlling moisture of the Sole or to give a structure to the sole. The upper surface of the extra insole 40, or if said insole is missing, the upper Surface of insole 30, is shaped in an anatomical way, according to the foot 20 of a user. Therefore, someone skilled in the art can use any of the known configurations to design the surface 43 of the extra insole 40.” ’925 publication, [0062]. “A shoe according to the invention comprises a sole and an in-sole. The sole comprises an upper Surface being in contact with the lower surface of the insole. Said upper surface of the Sole comprises at least two depressions being complementary with embossments provided on the lower Surface of the insole, allowing a pivoting movement of the front and/or back portion of the in-sole against the lower outsole Surface of the shoe in, at least, an essentially transverse direction to the longitudinal axis of the shoe, when the footwearing the shoe is pivoted against the ground. ’925 publication, [0013] “According to the invention, an article of footwear is formed of three main components; namely, a flexible integrally molded body member which has a sole portion, a flexible molded foot support

U.S. Patent No. 11,013,291	Prior Art References
	member mounted on the body member where it overlies the sole portion, and a flexible harness member connected to the body member for retaining the body member on the foot of the wearer. The foot support member has an upper surface which is configured to correspond to and provide anatomical support for a wearer's foot. Preferably, but not essentially, the invention also includes one or more of the structural features described below." '554 patent, 1:32-44. FIG. 3 FIG. 4 '554 patent, Figs. 3, 4. "The foot support member 4 is a separately molded flexible body which is placed in the body member, in overlying relation with the sole portion 8, as shown in FIGS. 1 and 7. The forward end of the foot support member is located in the toe cup, and the pocket 14 of the body member receives the rear portion of the foot support member 4. The foot support member 4 provides anatomical support for the foot and it also acts as a shock absorber to alleviate the impacts which normally occur during running. The comfort and shock absorbing features of the sandal may be enhanced by providing the member 4 with a foam cushion inlay 23 as shown in FIG. 4. This inlay may have a porous covering of textile or other material. For added comfort, extra thickness of foam cushioning material may be provided in the heel and arch areas. The upper edges of the sidewalls 12 are at about the same height as the upper surface of the foot support member. FIG. 3 shows that the upper surface of the foot support member is configured to correspond to and provide anatomical support for the wearer's foot. Preferably, this configuration includes at least one toe recess 24, a recess 26 for accommodating a ball of the wearer's foot, a raised

U.S. Patent No. 11,013,291	Prior Art References
	arch support portion 28, and a recess 30 for accommodating the heel of a wearer's foot. '554 patent, 2:45-68. "Thus, for example, it is possible to provide the sole 1 according to a stratified structure; in an advantageous but not unique embodiment, the Sole is constituted by a bottom on which an insole is rigidly Superimposed, the upper Surface of the resulting Sole being shaped according to what is described and illustrated in the accompanying drawings." '377 Publication, [0053]; <i>see also</i> claim 22.  "In the drawings, the numeral 15 designates the right shoe and 16 its left mate. The underparts of these shoes are such that when the shoes rest on level ground, side by side, the planes of the insoles slant downward toward heel region and are in downward convergent relation symmetrical with ground plane, in the manner as are the upper planes 18 and 19 of the blocks 20 and 21. The insole of shoe 15 is indicated by the numeral 17. The construction of both shoes is of course identical, except that one is right and the other left. In shoe 16, the insole slants downward from left to right of the player, while insole 17 of the shoe 15, slants downward from right to left of the player; the slopes being equal but opposite." '769 patent, 2:17-30. "In the following description, various embodiments of the methods in accordance with the invention relate to a sole element. It should, however, be noted that a sole element in accordance with the invention is typically used as part of a sole ensemble. That is, the sole element in accordance with

U.S. Patent No. 11,013,291	Prior Art References
	the invention is typically formed as a midsole, where an outsole and an insole for improving comfort are additionally provided. Furthermore, it is not necessary that the sole element extends in a longitudinal direction (i.e. from the heel to the forefoot part) over the complete sole. It is also possible that a sole element in accordance with the invention is only used in the heel and/or in parts of the forefoot.” ‘428 patent, 5:56-67. “A joint protective shoe construction for preventing knee and hip osteoarthritis is provided. The Shoe construction includes a midsole or insole having a body with medial and lateral sides. The height of the lateral side of the body is greater than the height of the medial Side, thereby forming a lateral wedge. A cantilevered arch Support is also provided for transferring forces from the weight of the body to the lateral Side of the Shoe and foot. The arch Support is adapted to Support the medial Side of an arch of a wearer's foot at a height above the ground. The lateral wedge and/or the arch Support Significantly reduce the knee and hip torques during walking, running, Standing, or other weight bearing activities including athletic endeavors.” ‘011 Publication, Abstract. “The present invention relates to a joint protective shoe construction for preventing as well as treating knee and hip osteoarthritis. More particularly, the invention provides a footwear construction that reduces the external torques about the knee (varus and flexor) and the hip (adductor and flexor). In general, a midsole or insole is provided having a body with a lateral wedge, which can be limited to the heel and forefoot portions. In addition, an arch Support is provided for supporting the medial side of a wearer's foot. The arch Support is cantilevered to transfer forces from the weight of the body to the lateral side of the shoe and foot, instead of to the medial side of the shoe and foot.” ‘011 Publication, [0025].

U.S. Patent No. 11,013,291	Prior Art References
	Figure 2  “FIG. 2 illustrates an article of footwear 30, such as an athletic shoe, Sports shoe, or running Shoe. Generally, the shoe 30 includes an outer Sole 32 which makes direct contact with the ground Surface, a midsole 34 arranged on an upper portion of the outer Sole, and an upper 38 extending upwardly from the periphery of the midsole. The shoe can also include an insole insert (not shown) disposed on the midsole 34, and/or a sock liner 36 disposed on the midsole 34 or insole and surrounded by the shoe upper. The sock liner 36, or the insole insert, and the upper 38 together form a Space to accommodate a human foot.” ‘011 Publication, [0028]. A shoe including an insole positioned proximal to the midsole and within the upper section would have been obvious at the time of the alleged invention of the ‘291 patent in light of the knowledge, experience, training, and skill of a person of ordinary skill in the art at that time. It would have been obvious to a person of ordinary skill in the art to combine the teachings in each of the primary references in Exhibits A-C, V with the above teachings because the references both provide teachings in the field of footwear design, both seek to solve similar problems and the results of the combinations would have been predictable to one of ordinary skill in the art. The use of the above teachings in the charted references would be nothing more than the use of known shoe component to improve a similar shoe in the same way. One of skill in the art would have been motivated to do so for the reasons identified by the above references, including to provide additional cushioning, comfort and/or stability in the shoe.
[1d] a bottom outsole coupled to the midsole, wherein a	The primary references all disclose a bottom outsole coupled to the midsole, wherein a combination of the midsole, the insole, and the bottom outsole form an athletic positioning shape, wherein the athletic

U.S. Patent No. 11,013,291	Prior Art References
combination of the midsole, the insole, and the bottom outsole form an athletic positioning shape, wherein the athletic positioning shape has: a first height at an inside edge and at an outside edge of the shoe along a heel section of the shoe, a second height on the outside edge of the shoe at a toe section of the shoe, a third height on the inside edge of the shoe at the toe section of the shoe, and the first height being greater than the second height and the second height being greater than the third height, wherein a first slope is formed by the first height and the second height, wherein a second sloped is formed by the first height and the third height, and wherein a third slope is formed by the second height and the third height.	positioning shape has: a first height at an inside edge and at an outside edge of the shoe along a heel section of the shoe, a second height on the outside edge of the shoe at a toe section of the shoe, a third height on the inside edge of the shoe at the toe section of the shoe, and the first height being greater than the second height and the second height being greater than the third height, wherein a first slope is formed by the first height and the second height, wherein a second sloped is formed by the first height and the third height, and wherein a third slope is formed by the second height and the third height.
2. The shoe of claim 1 further comprises: the athletic positioning shape including the heel section, a mid-foot section, and a toe section, wherein the mid-foot section is between the heel	The primary references all disclose the athletic positioning shape including the heel section, a mid-foot section, and a toe section, wherein the mid-foot section is between the heel section and the toe section, and wherein the heel section has the first height throughout.

U.S. Patent No. 11,013,291	Prior Art References
section and the toe section, and wherein the heel section has the first height throughout.	
3. The shoe of claim 2 further comprises: a fourth height at the outside edge of the shoe at a transition from the mid-foot section to the toe section, wherein the fourth height is greater than the second height and wherein the fourth height is less than the first height.	The primary references all disclose a fourth height at the outside edge of the shoe at a transition from the mid-foot section to the toe section, wherein the fourth height is greater than the second height and wherein the fourth height is less than the first height.
4. The shoe of claim 3 further comprises: a fifth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fifth height is greater than the third height and wherein the fifth height is less than the first height and less than the fourth height.	The primary references all disclose a fifth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fifth height is greater than the third height and wherein the fifth height is less than the first height and less than the fourth height.
5. The shoe of claim 2 further comprises: a fourth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fourth height is	The primary references all disclose a fourth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fourth height is greater than the third height and wherein the fourth height is less than the first height.

U.S. Patent No. 11,013,291	Prior Art References
greater than the third height and wherein the fourth height is less than the first height.	