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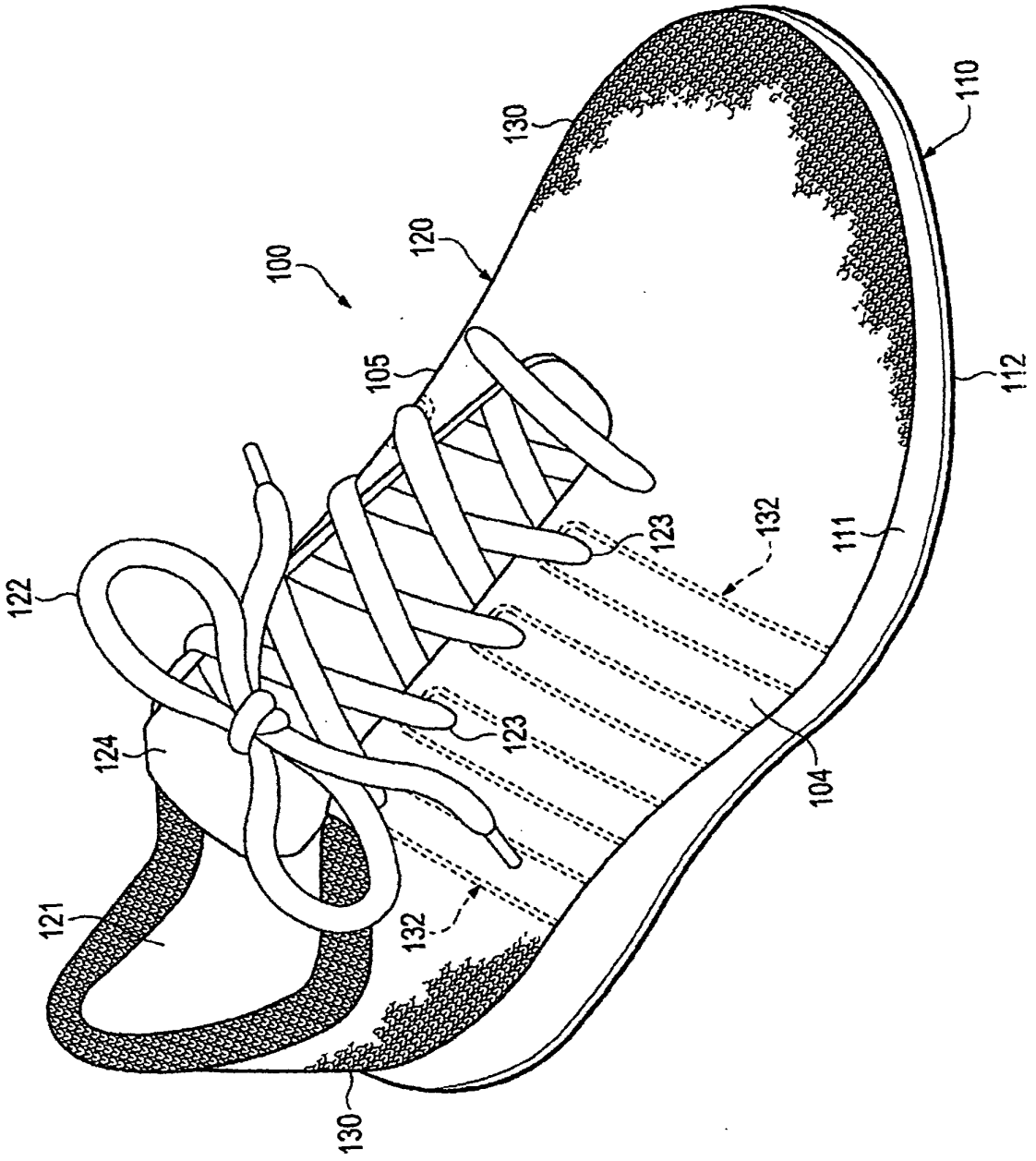


圖 1

Skechers EX1013-p. 1492
Skechers v Nike

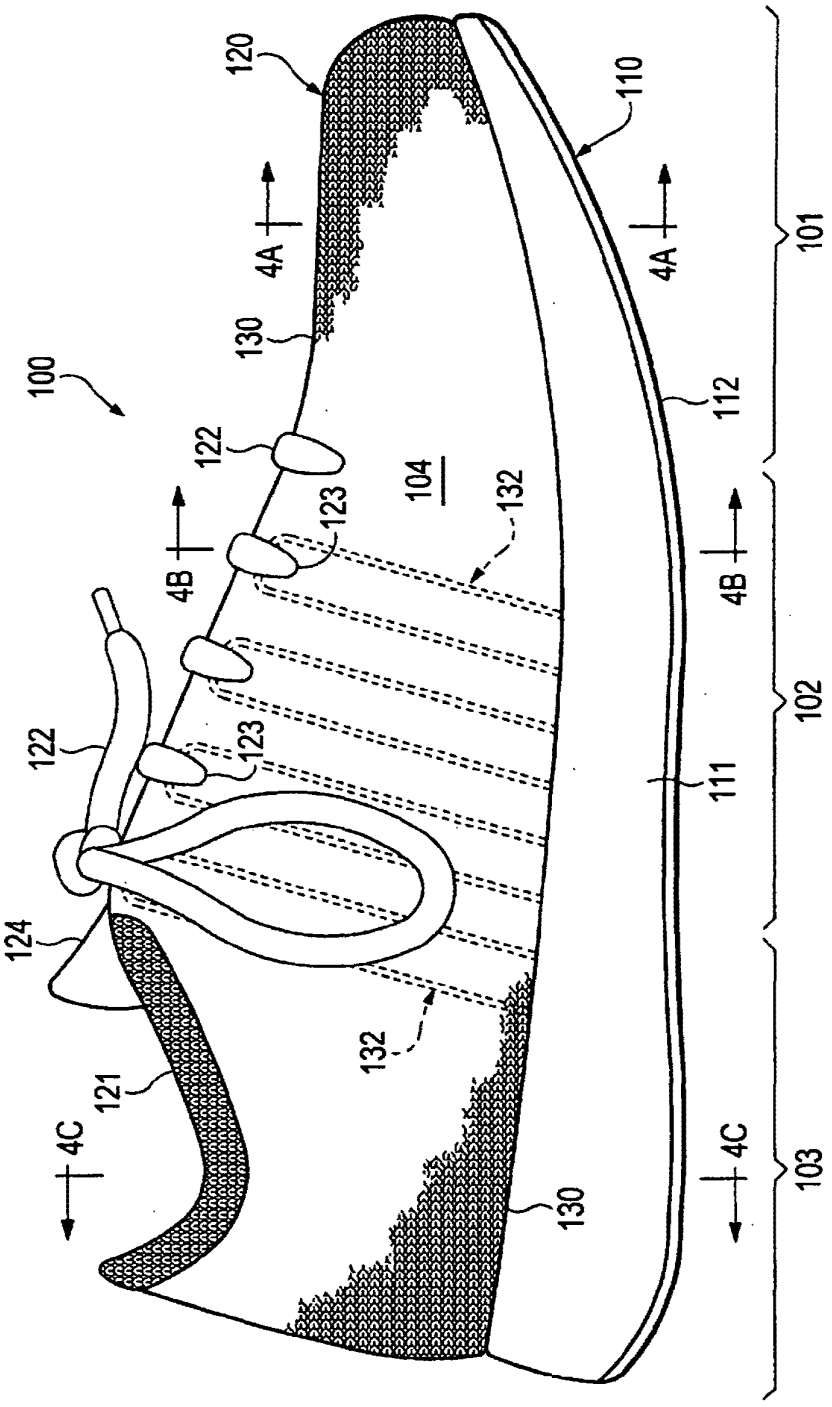


圖 2

Skechers EX1013-p. 1493
Skechers v Nike

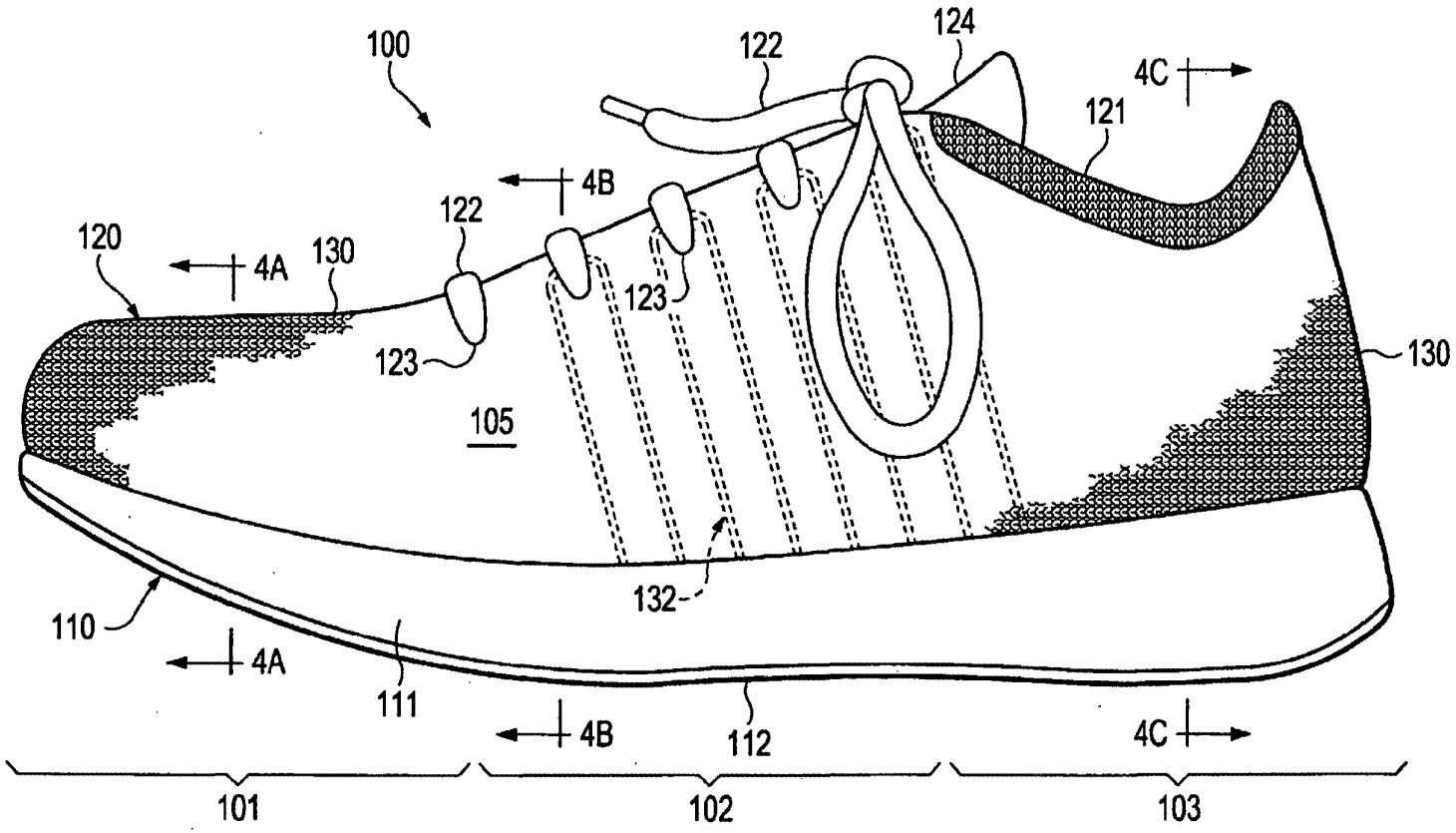

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圖 3

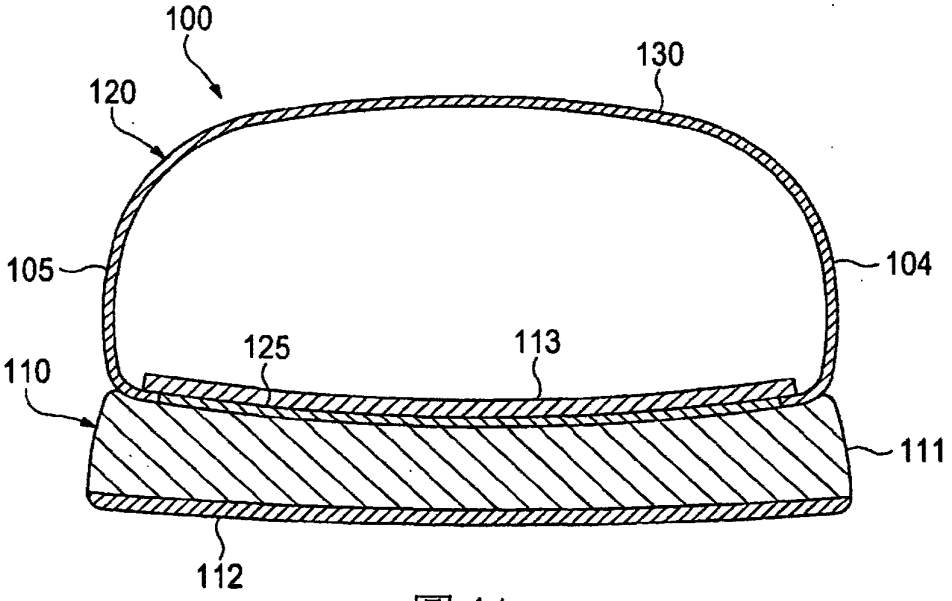

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圖 4A

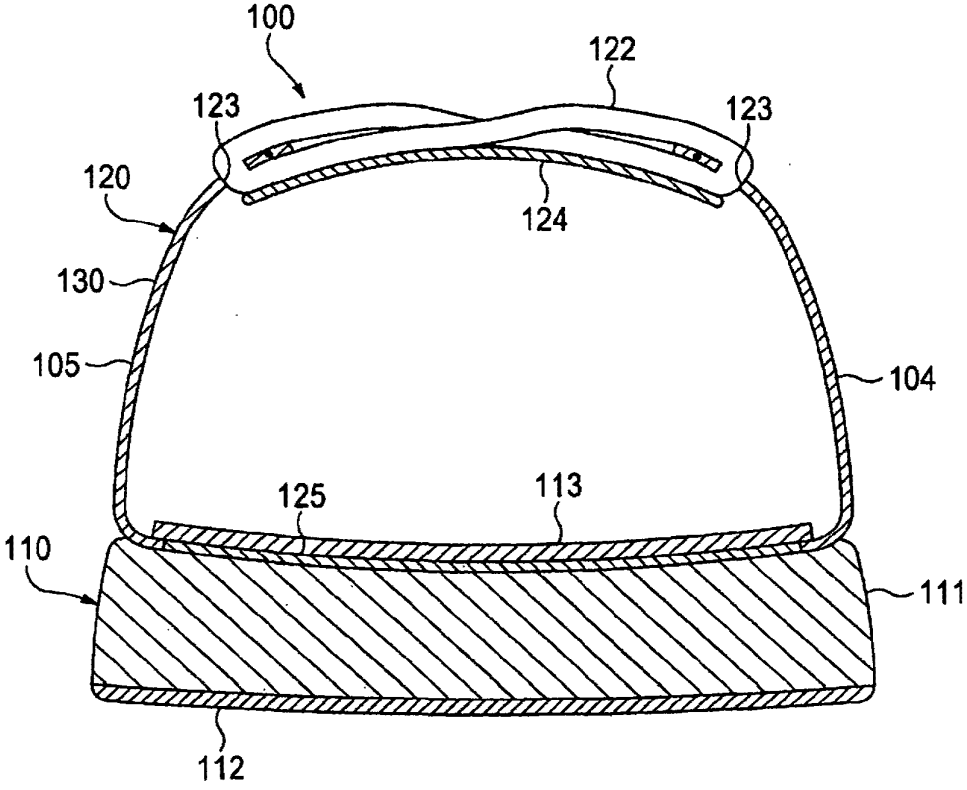

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圖 4B

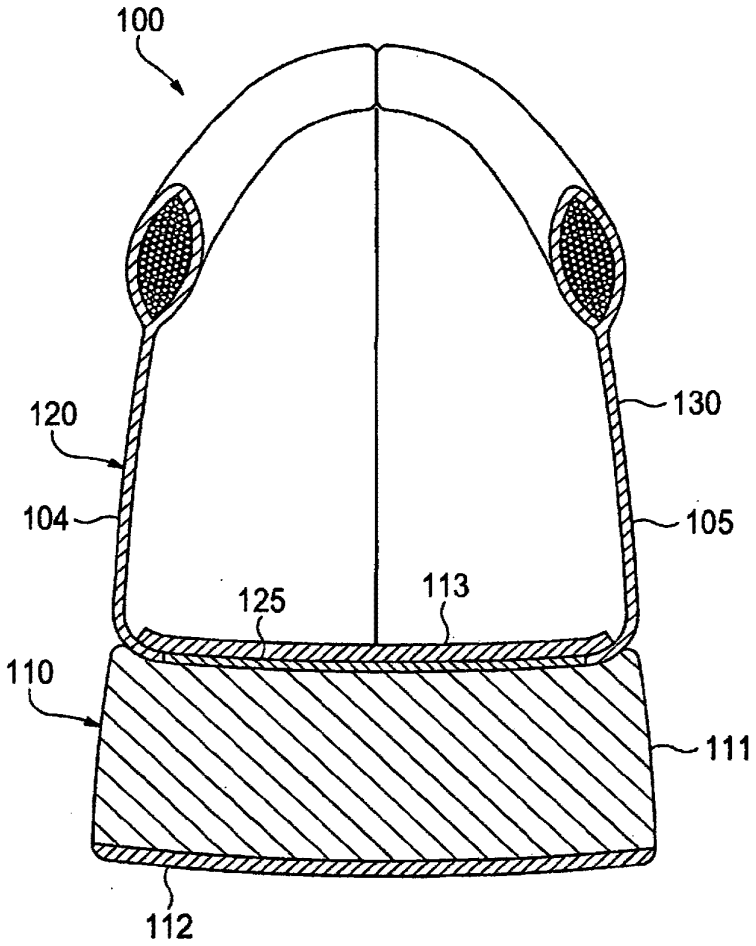


圖 4C

Skechers EX1013-p. 1497
Skechers v Nike

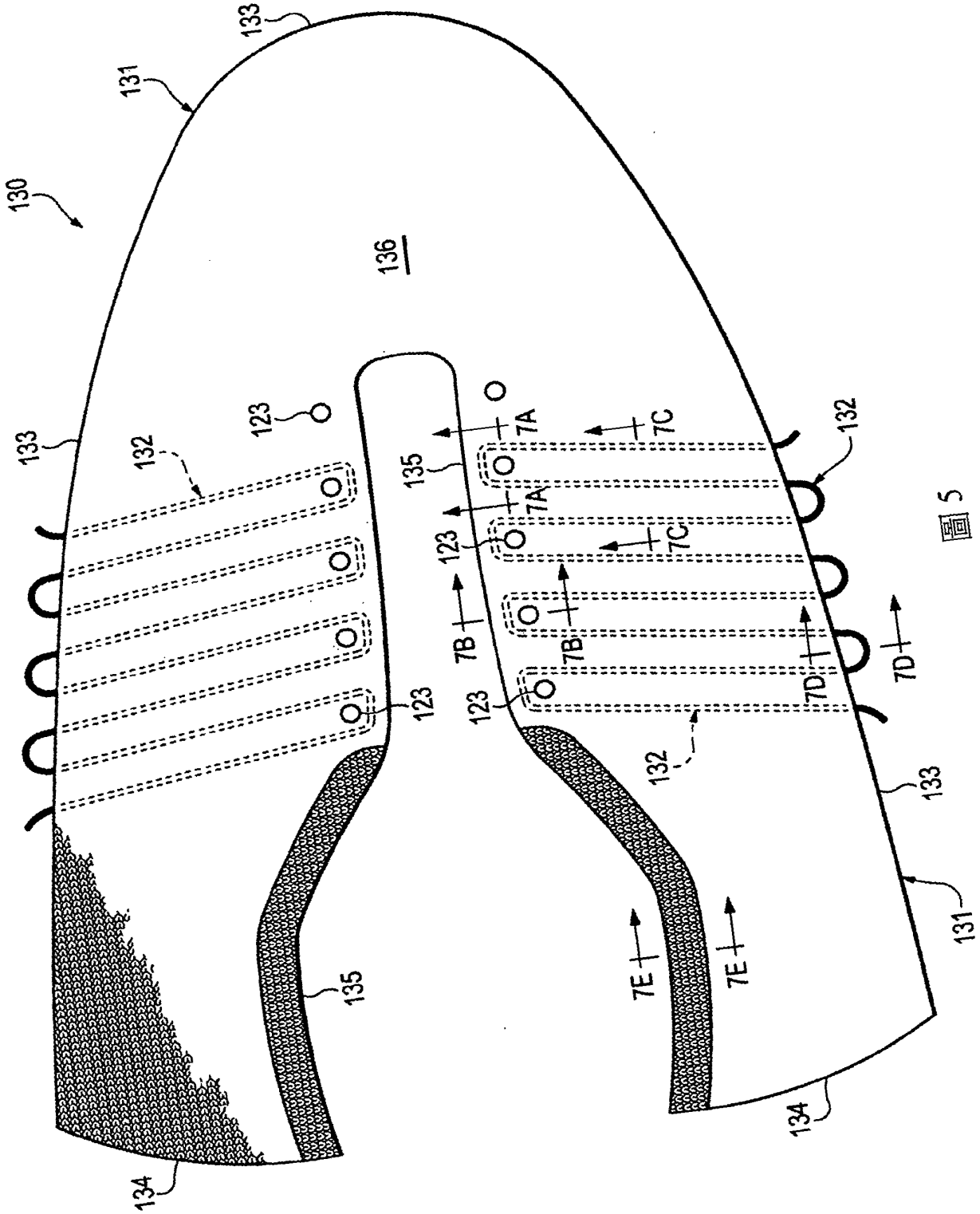


圖 5

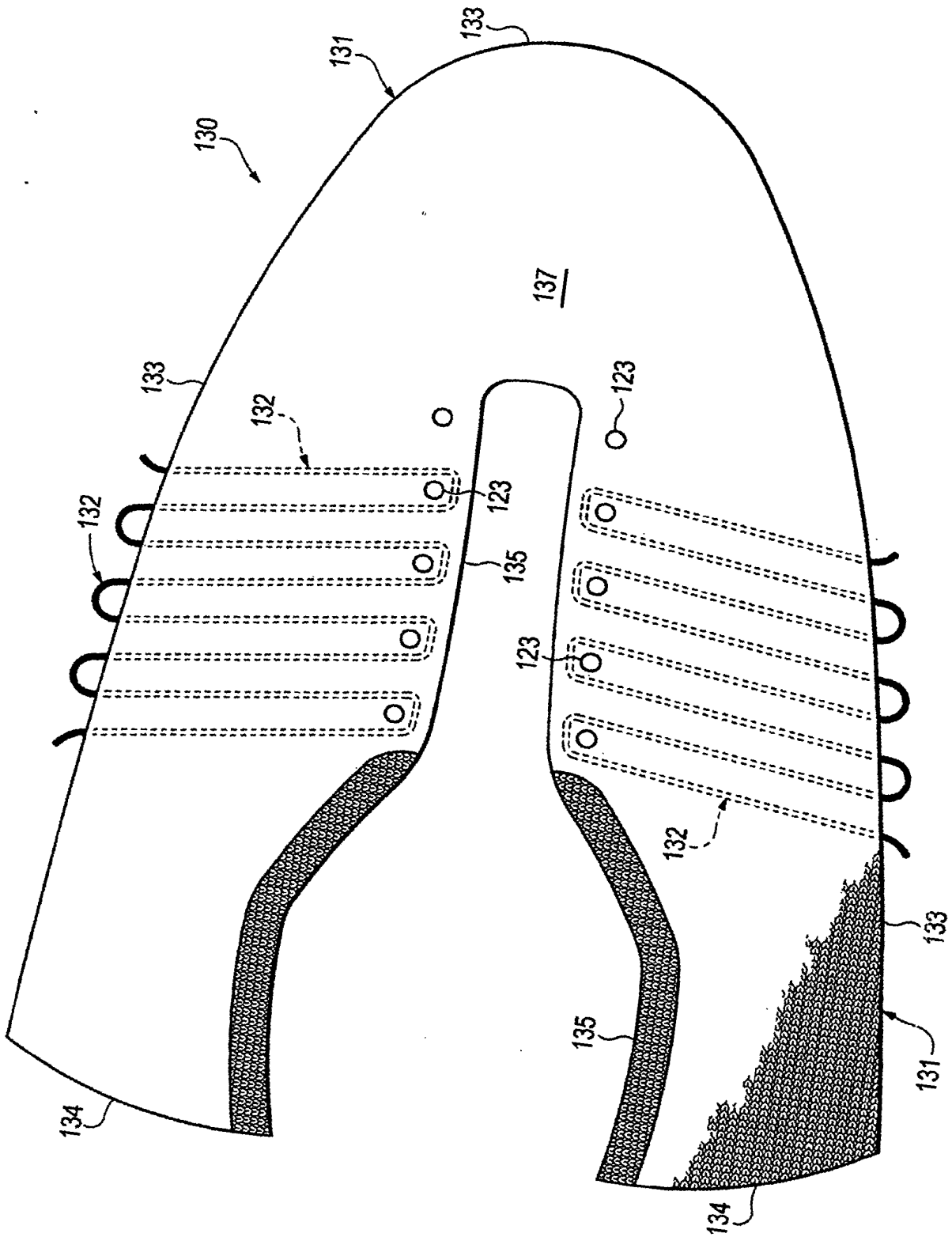


圖 6

Skechers EX1013-p. 1498
Skechers v Nike

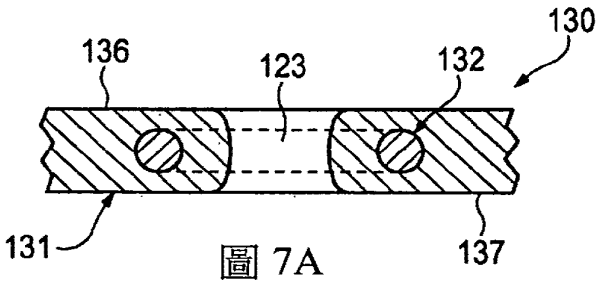


圖 7A

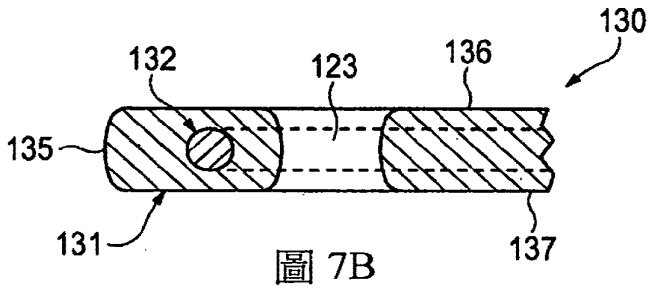


圖 7B

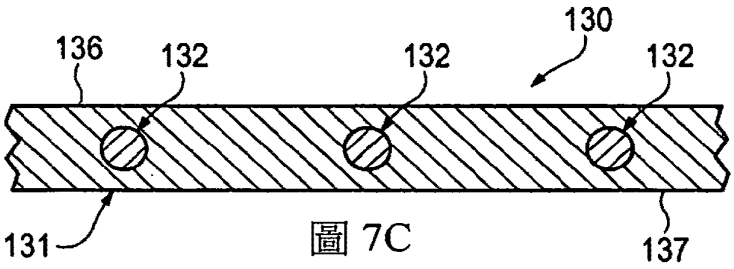


圖 7C

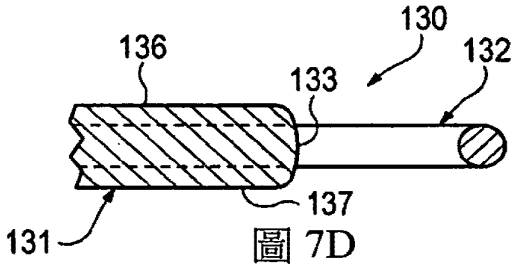


圖 7D

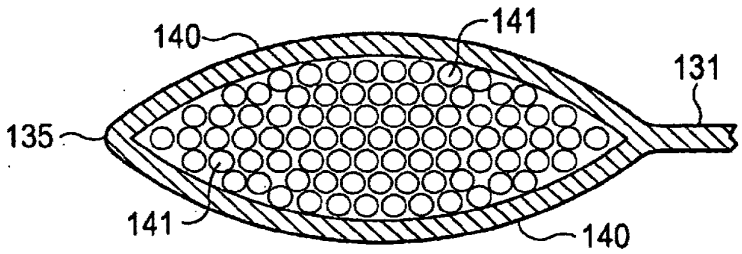


圖 7E

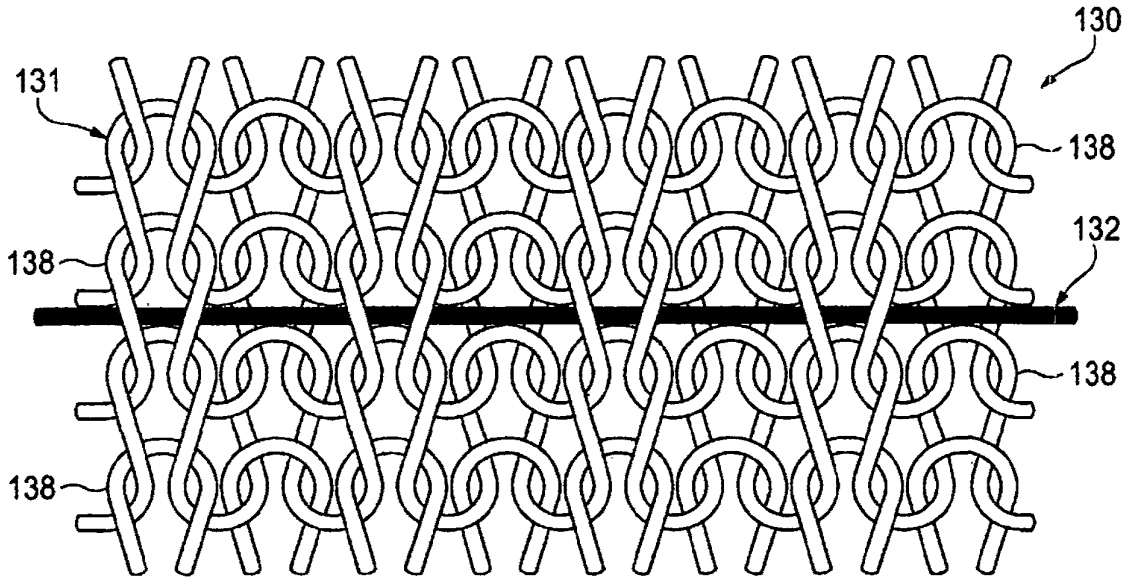

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圖 8A

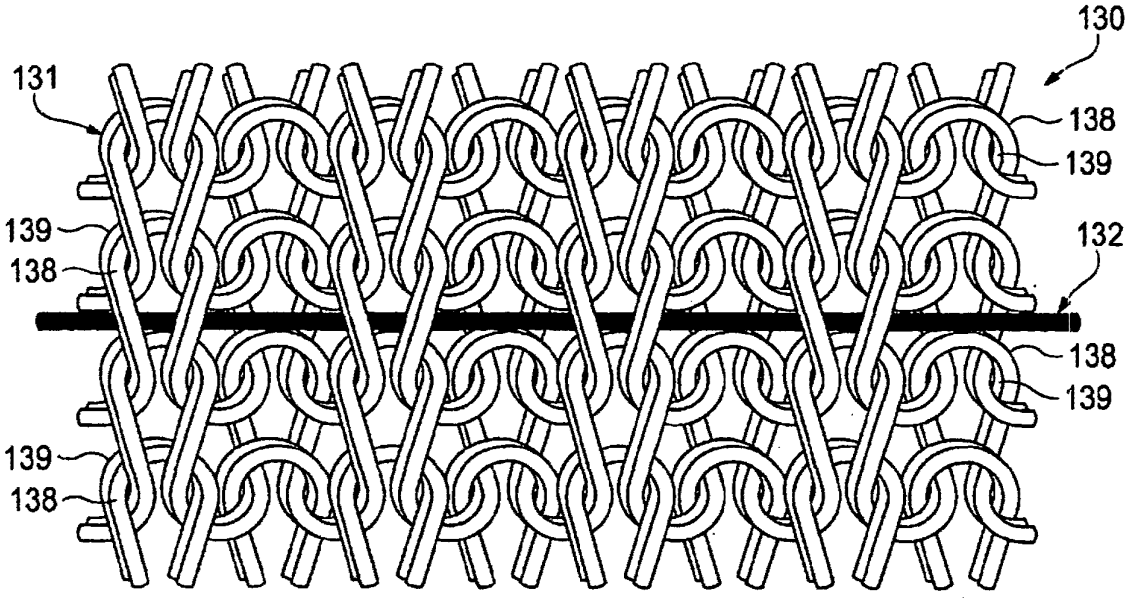

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圖 8B

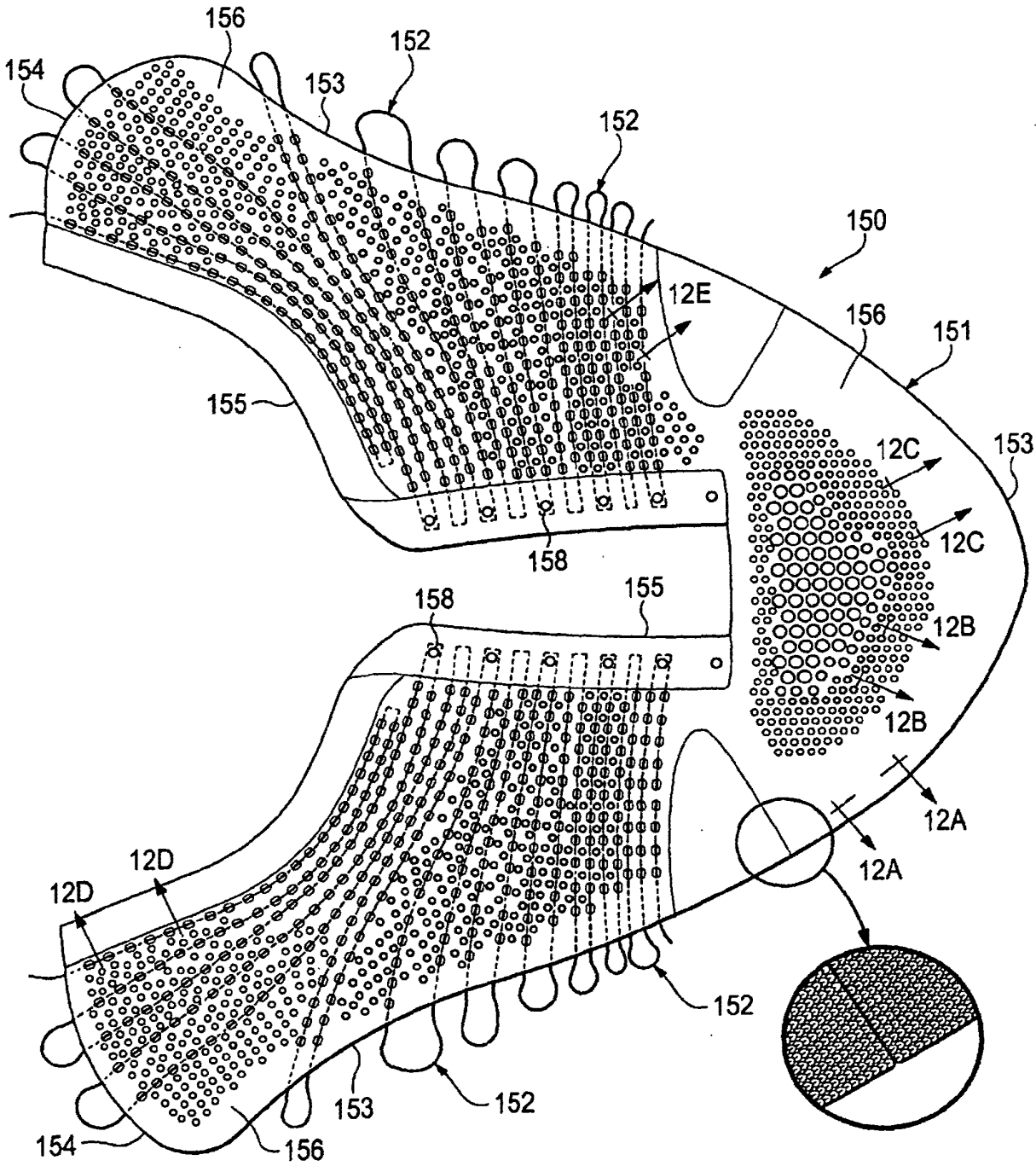

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圖 9

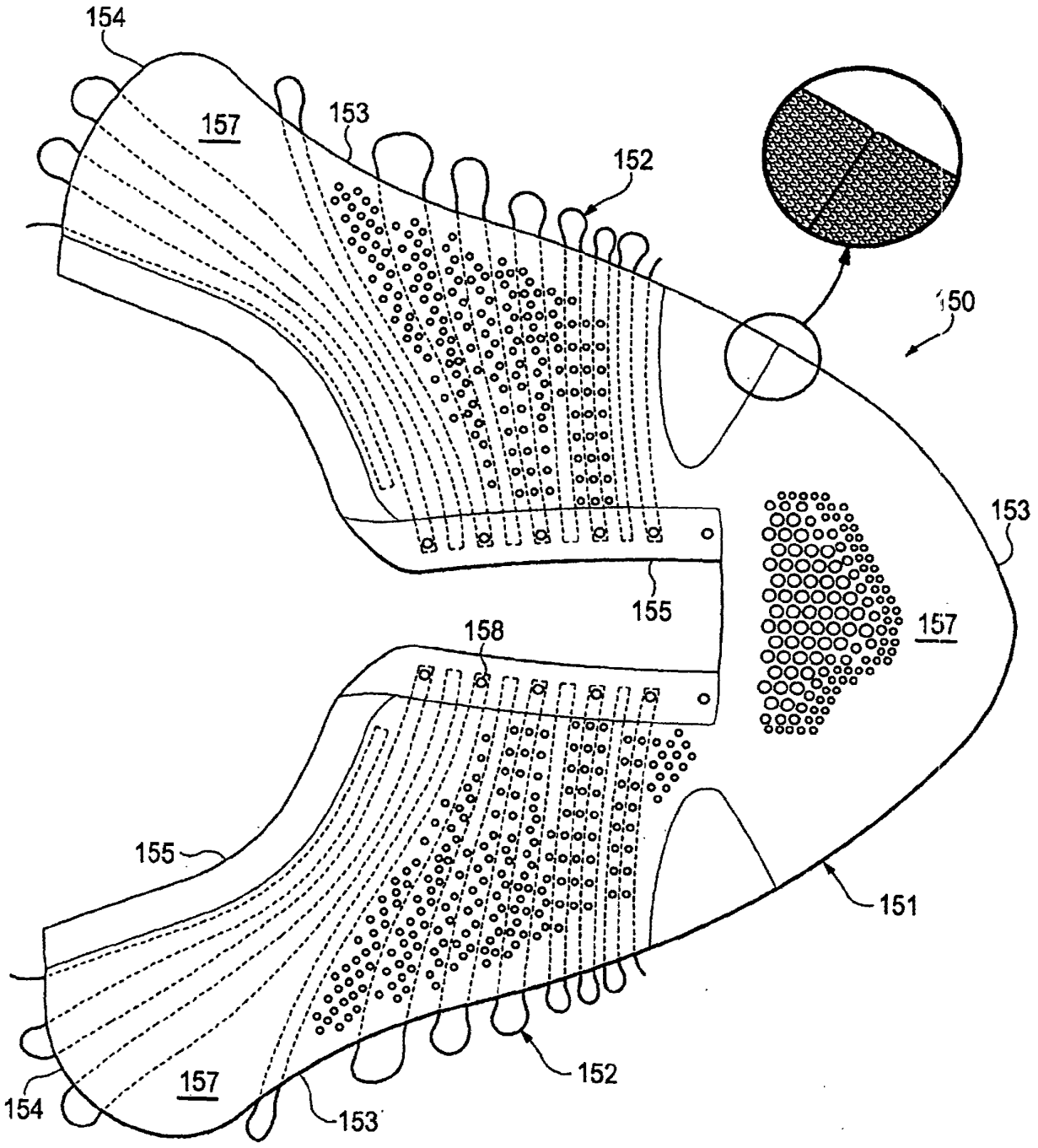


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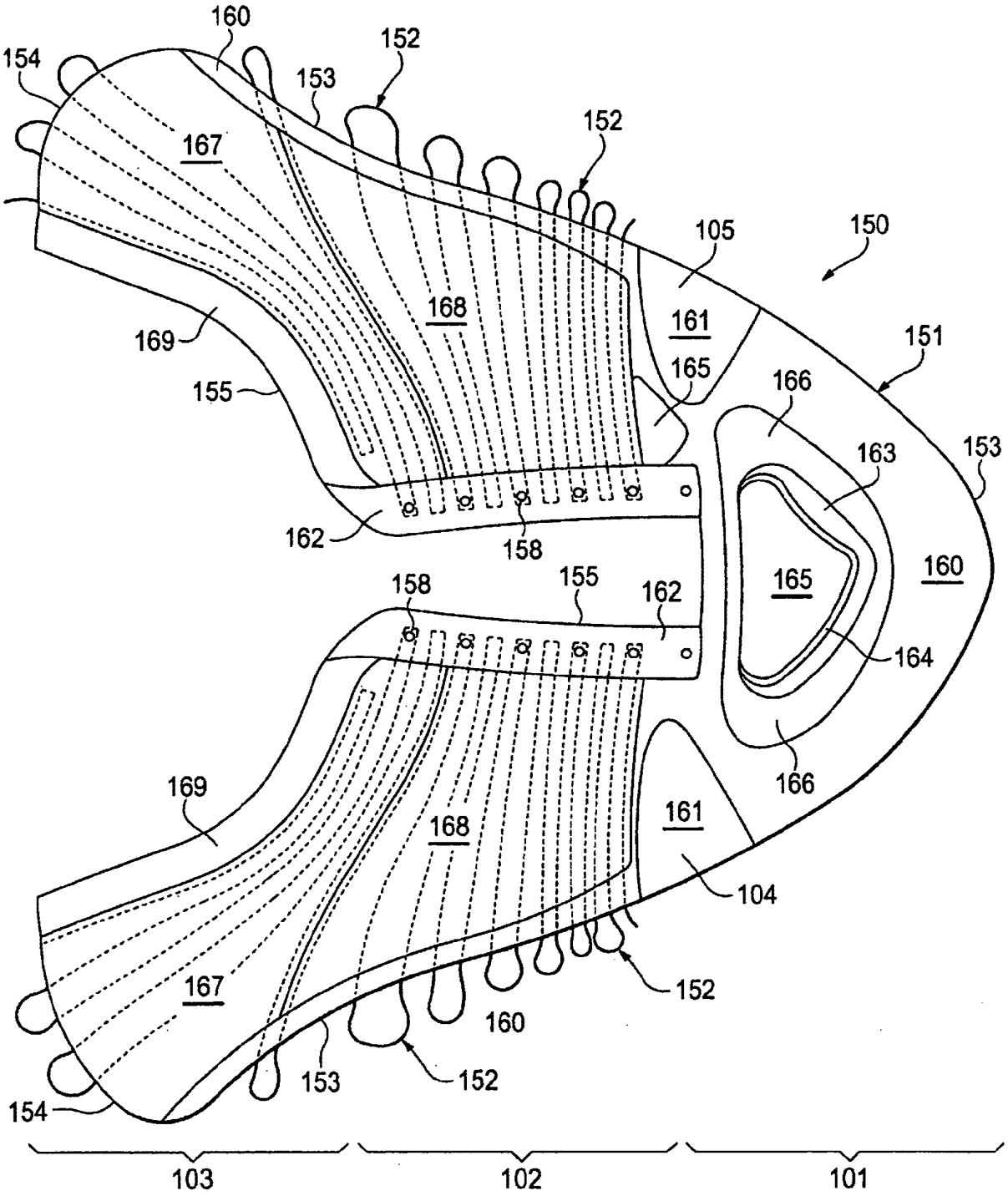

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圖 11

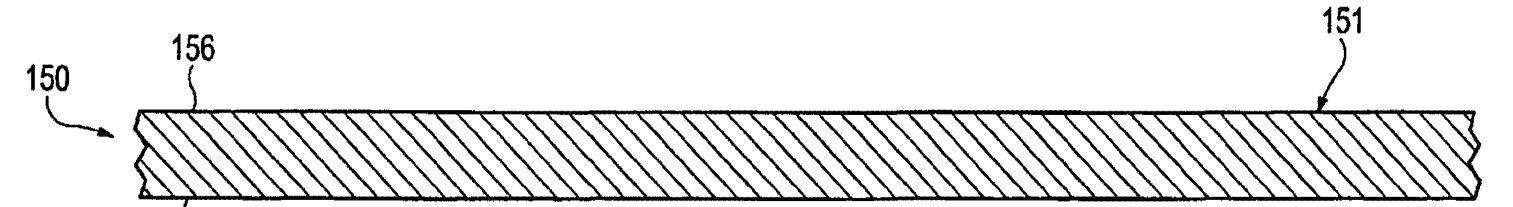


圖 12A

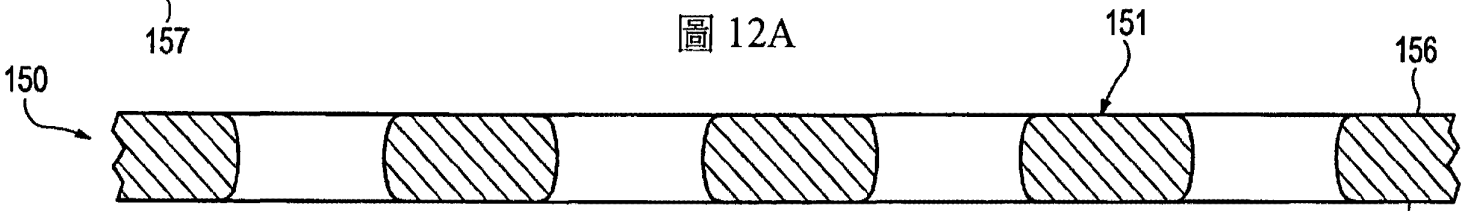


圖 12B

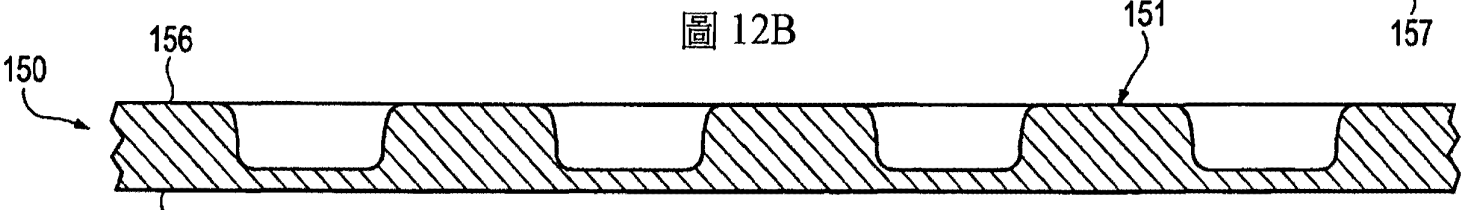


圖 12C

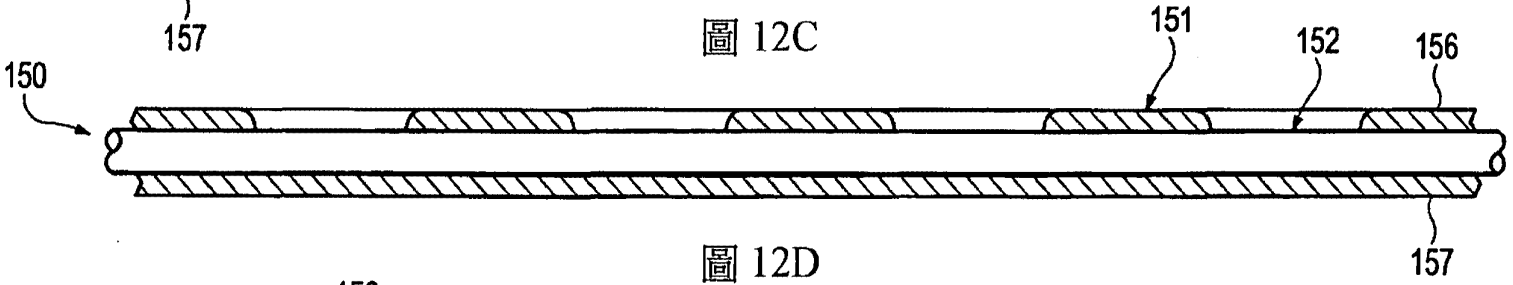


圖 12D

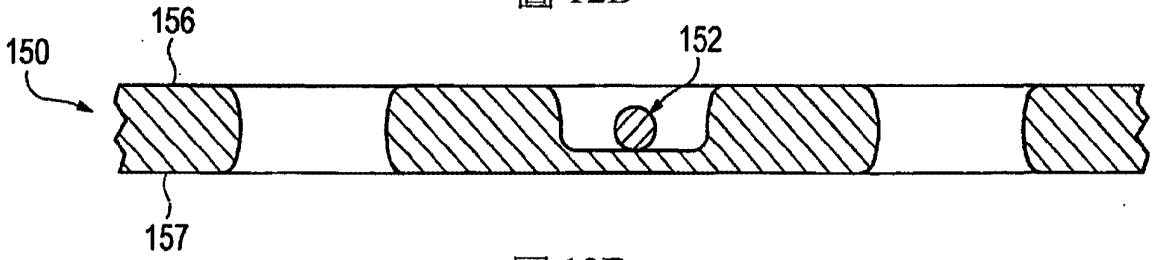


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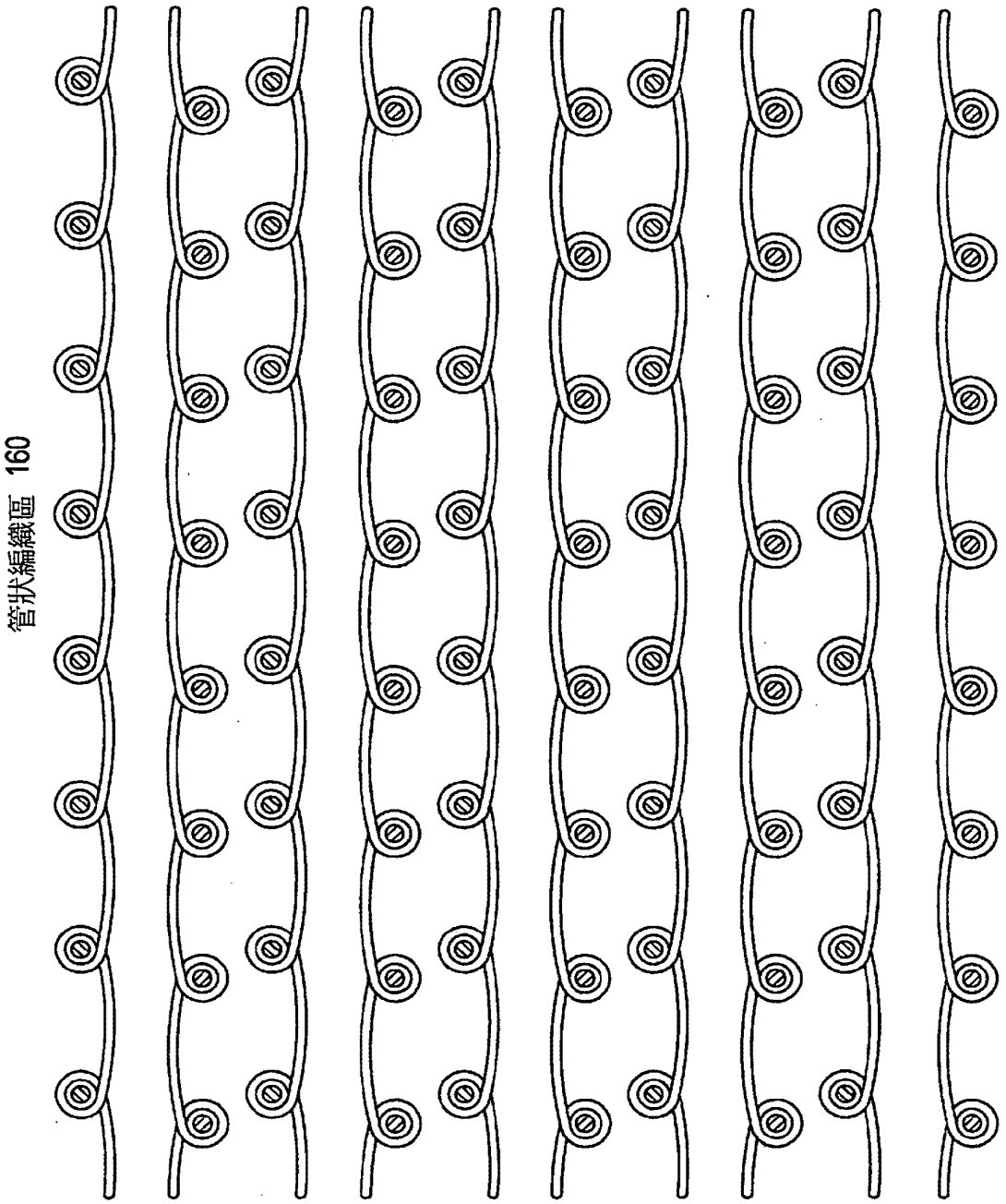


圖 13A

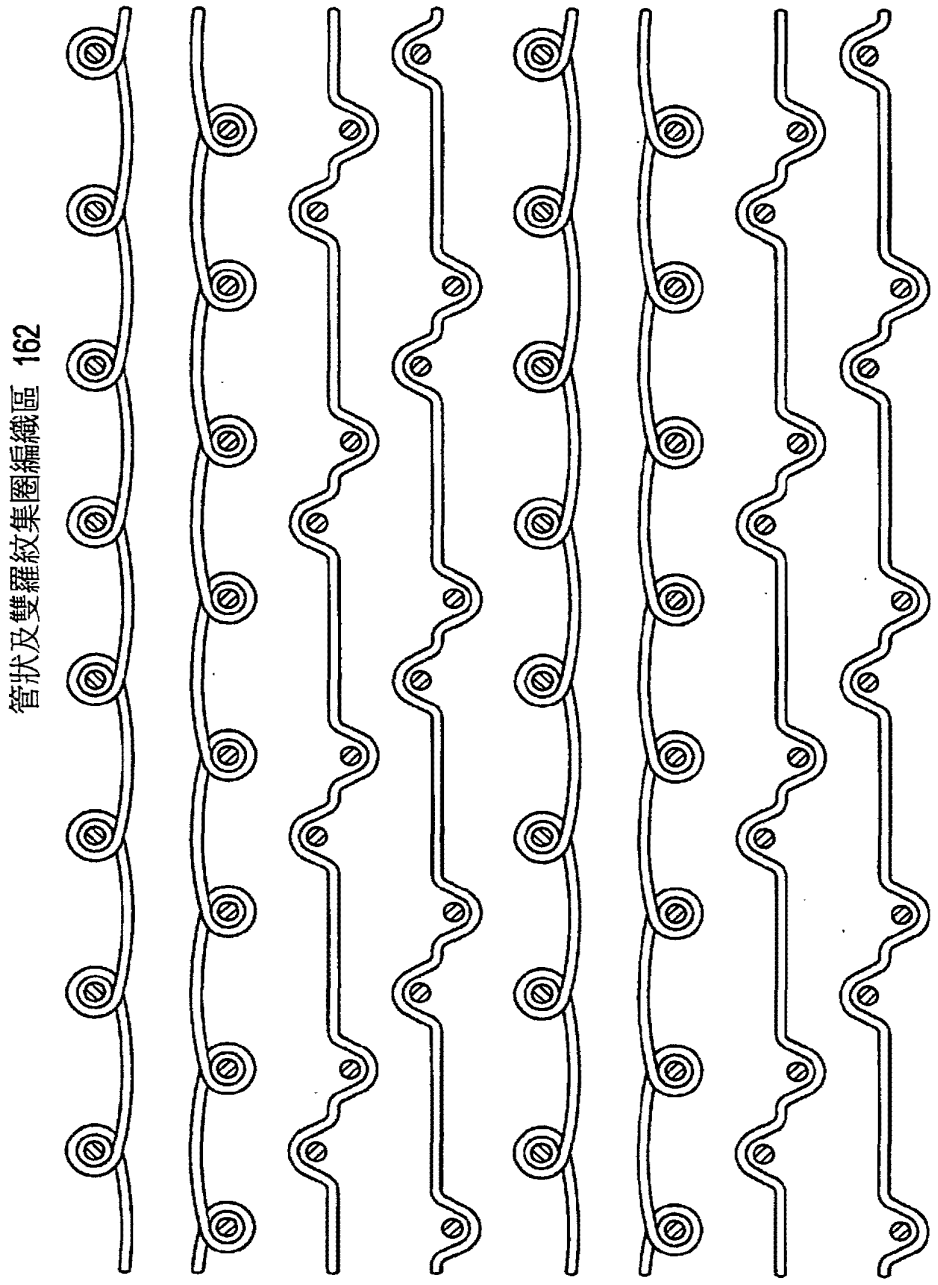


圖 13B

Skechers EX1013-p. 1506
Skechers v Nike

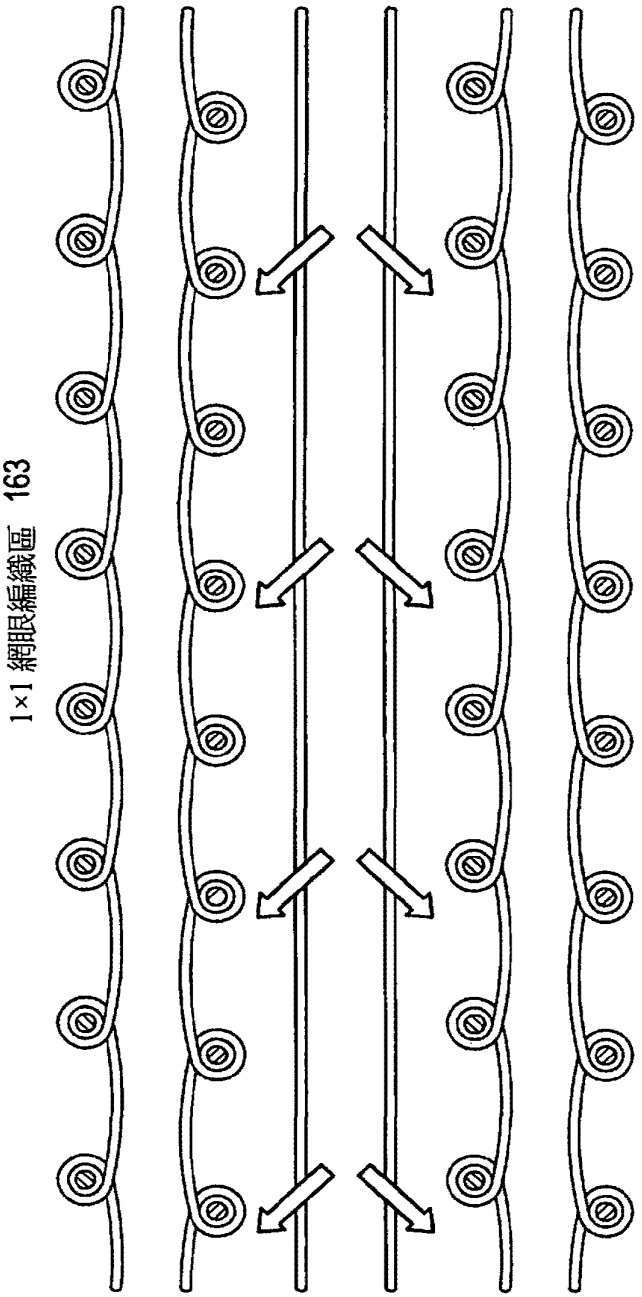


圖 13C

Skechers EX1013-p. 1507
Skechers v Nike

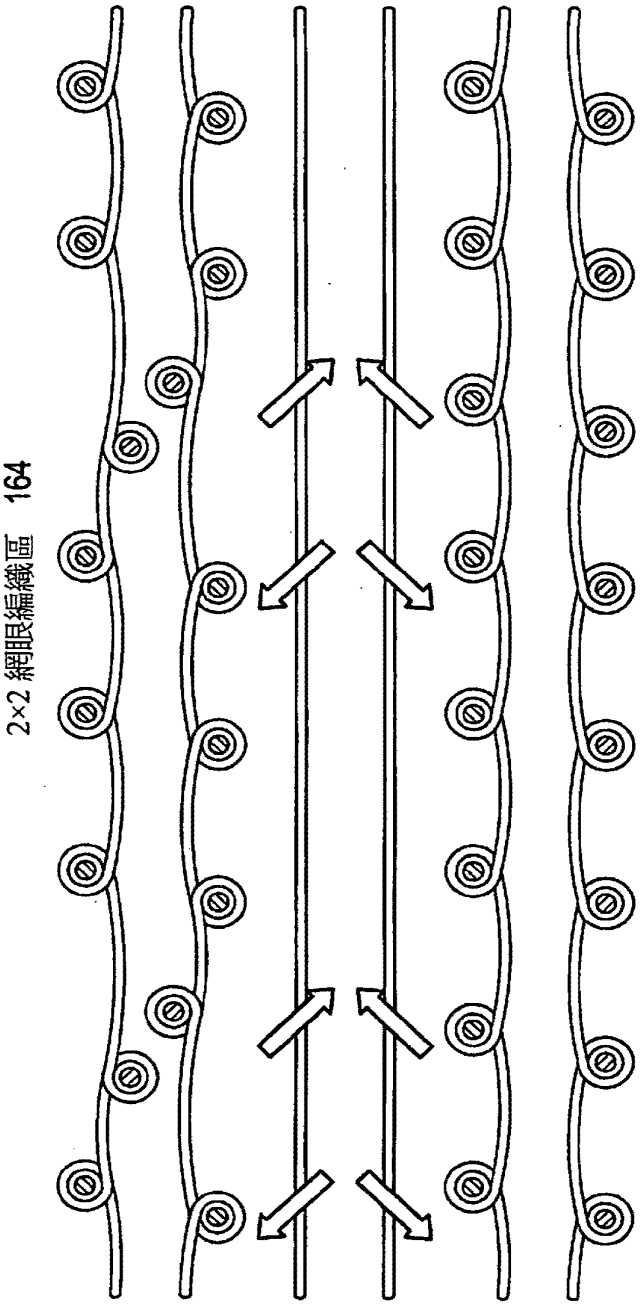


圖 13D

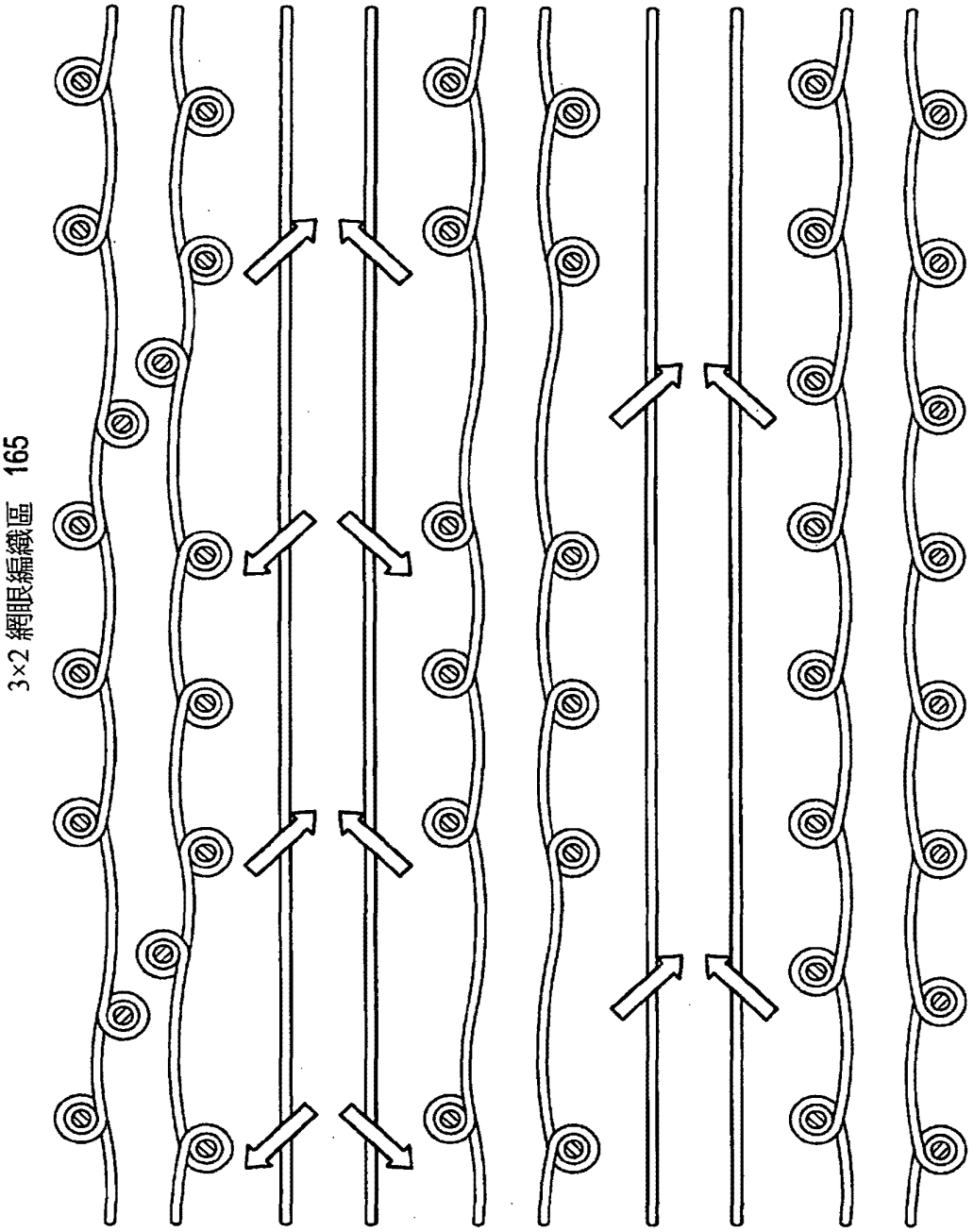


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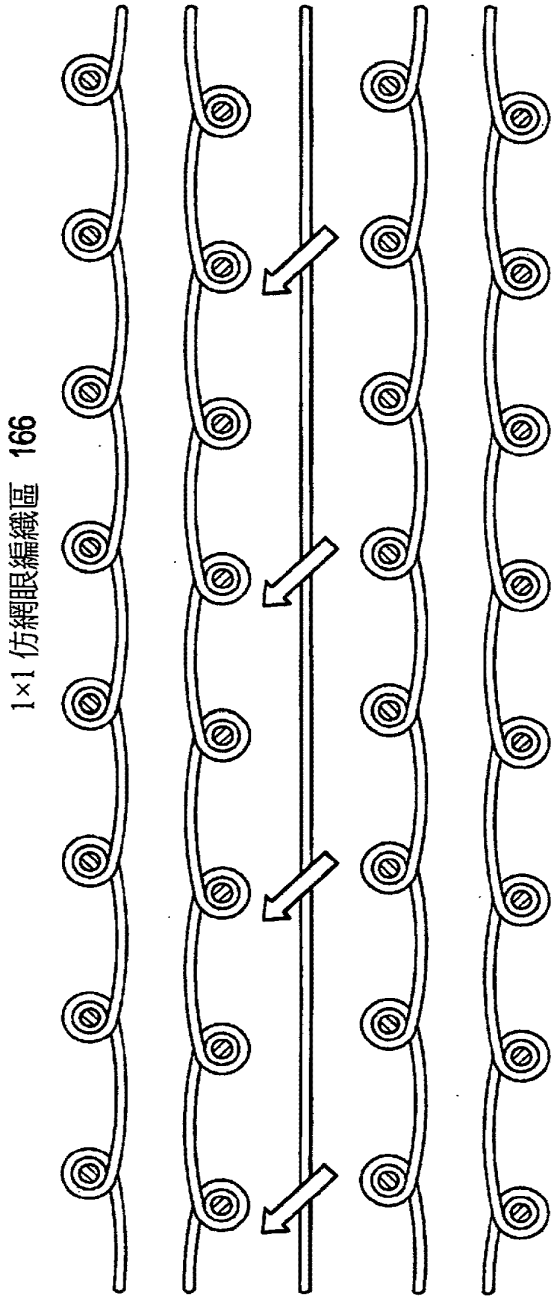


圖 13F

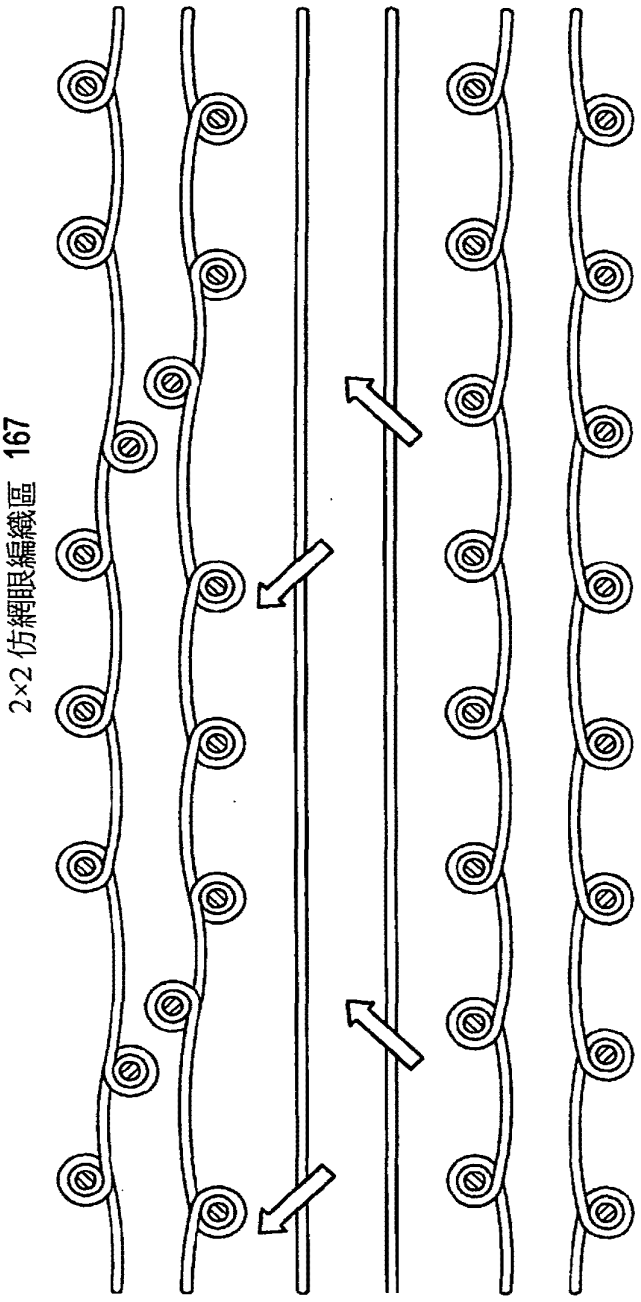


圖 13G

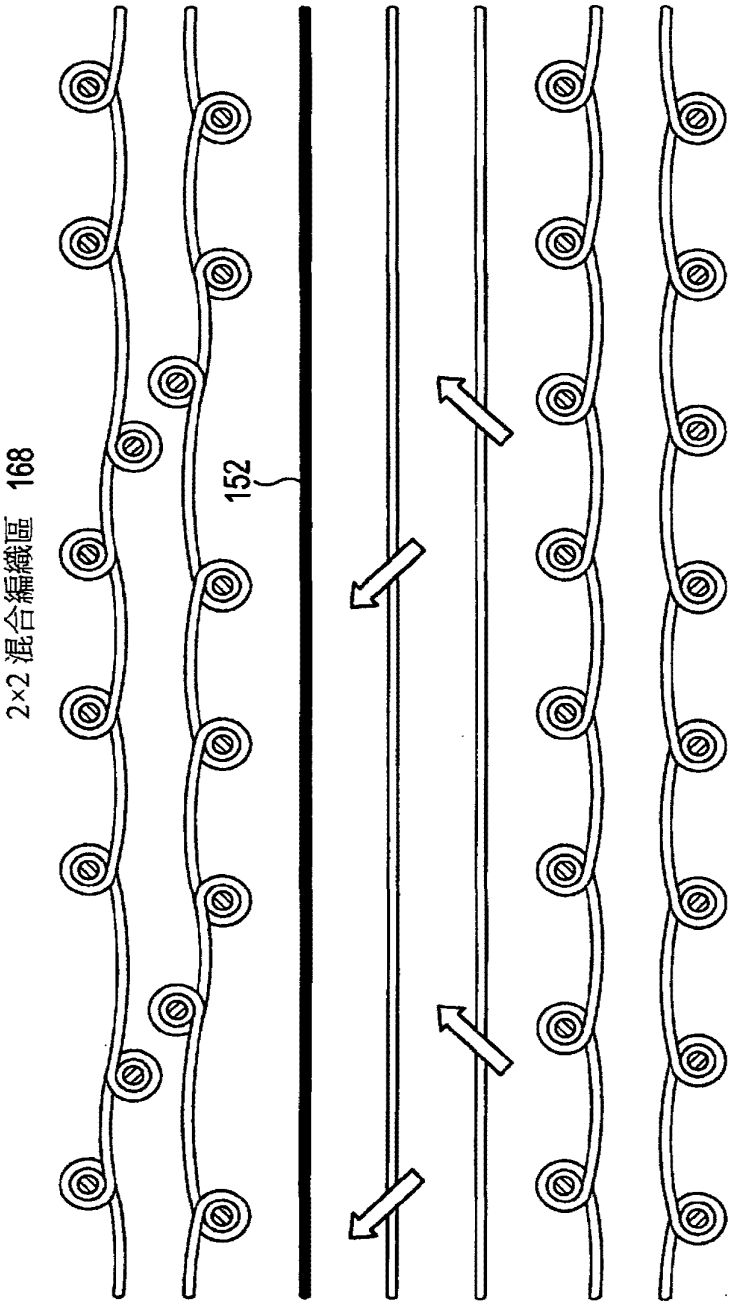


圖 13H

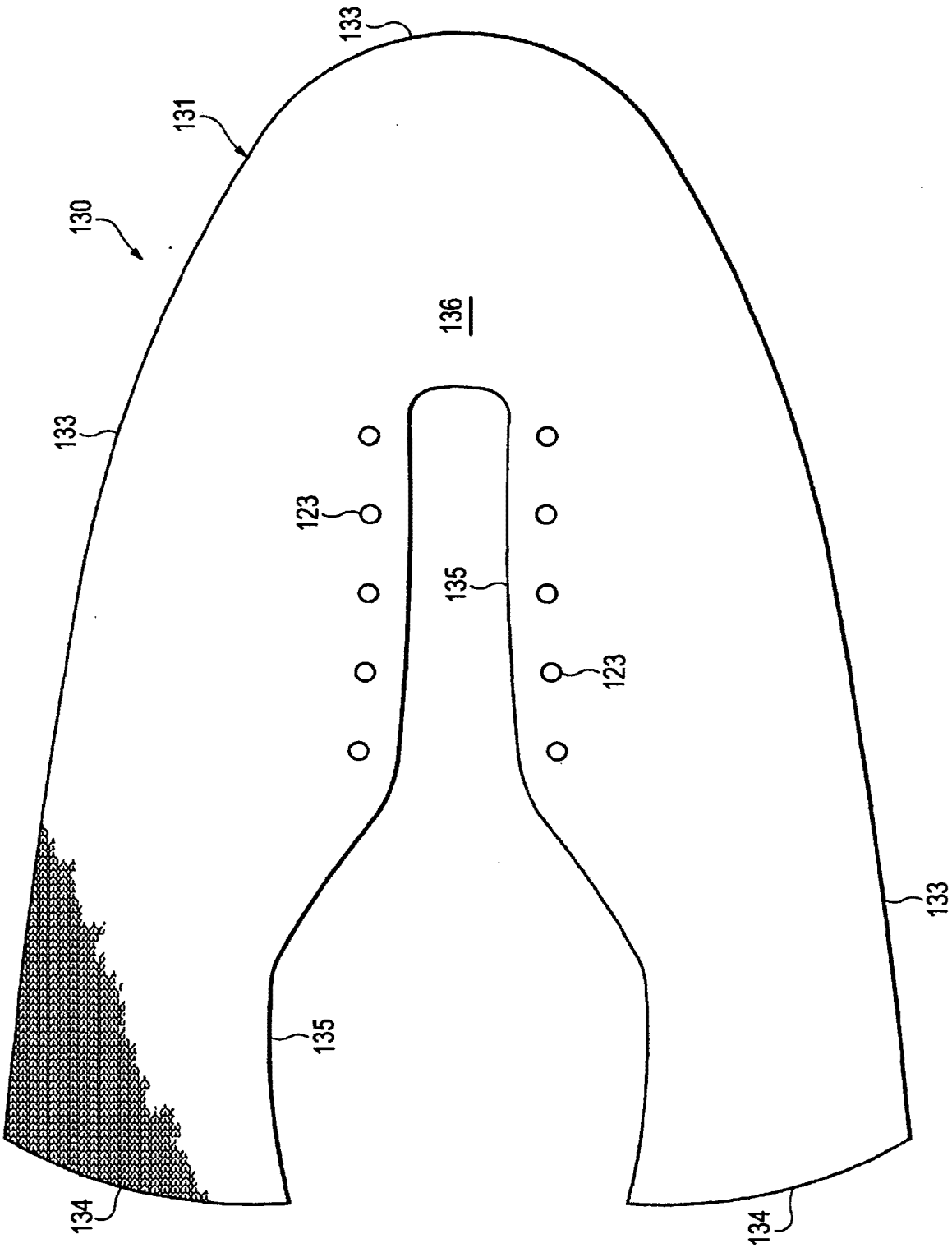


圖 14A

Skechers EX1013-p. 1513
Skechers v Nike

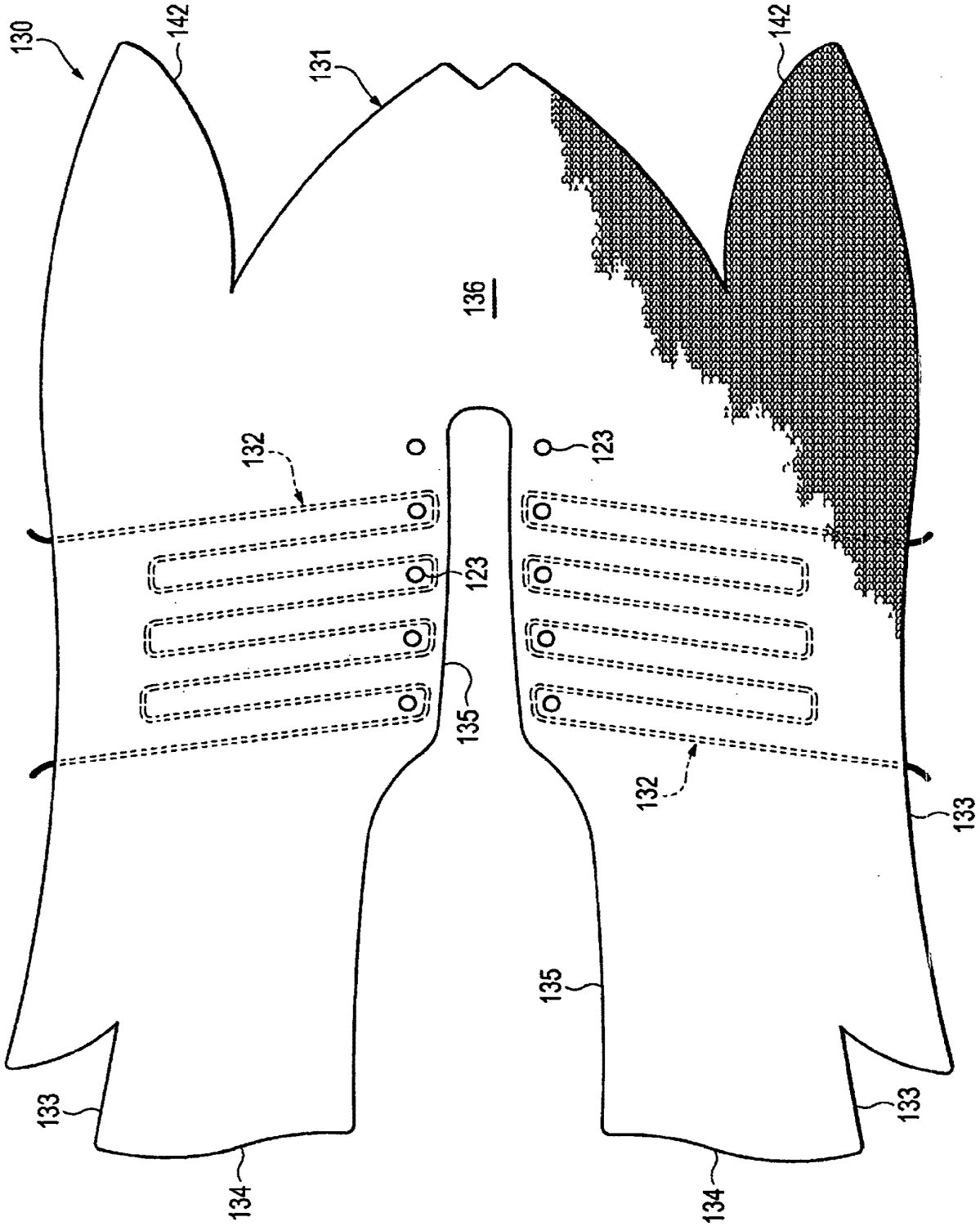


圖 14B

Skechers EX1013-p. 1514
Skechers v Nike

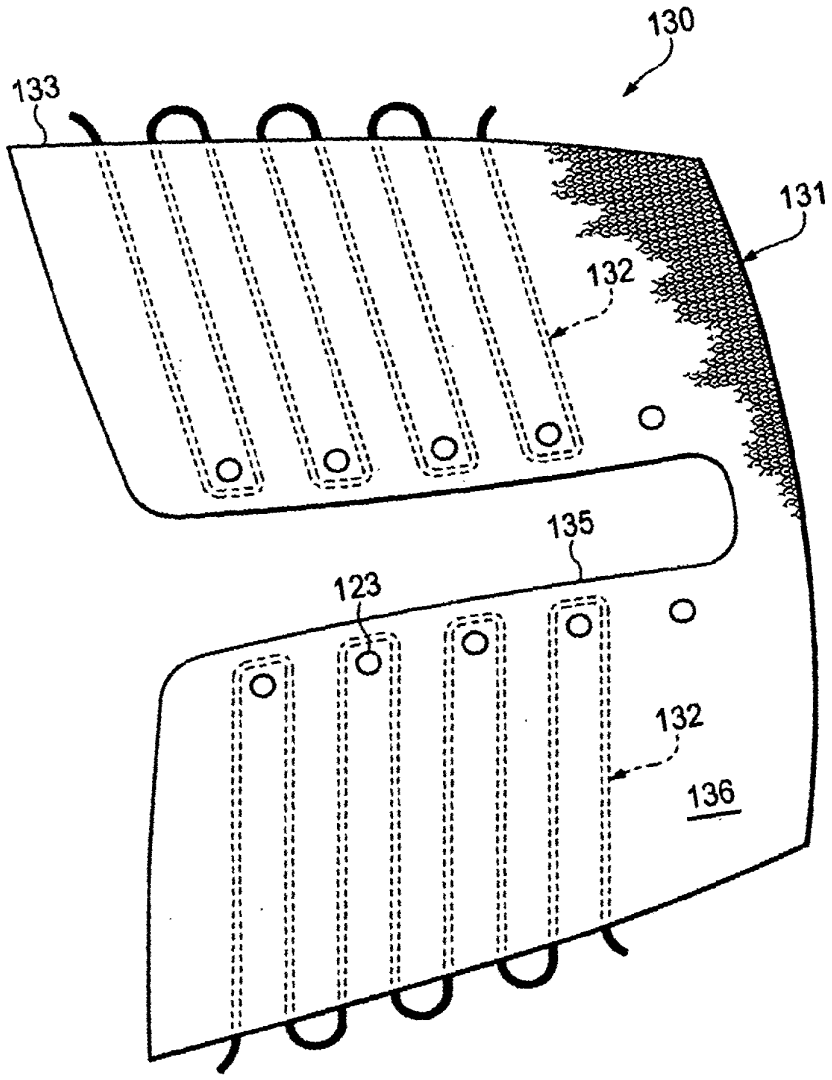


圖 14C

Skechers EX1013-p. 1515
Skechers v Nike

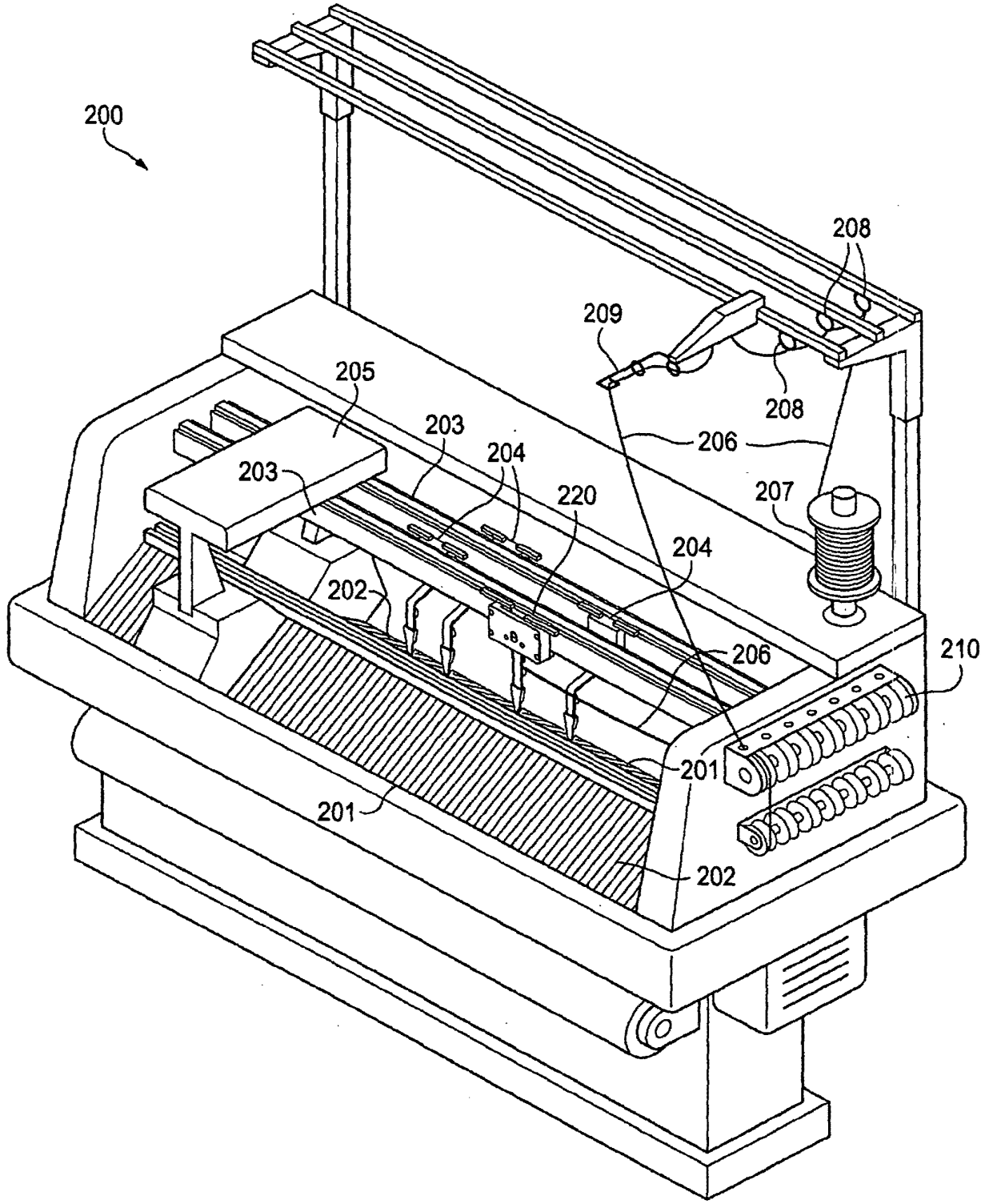

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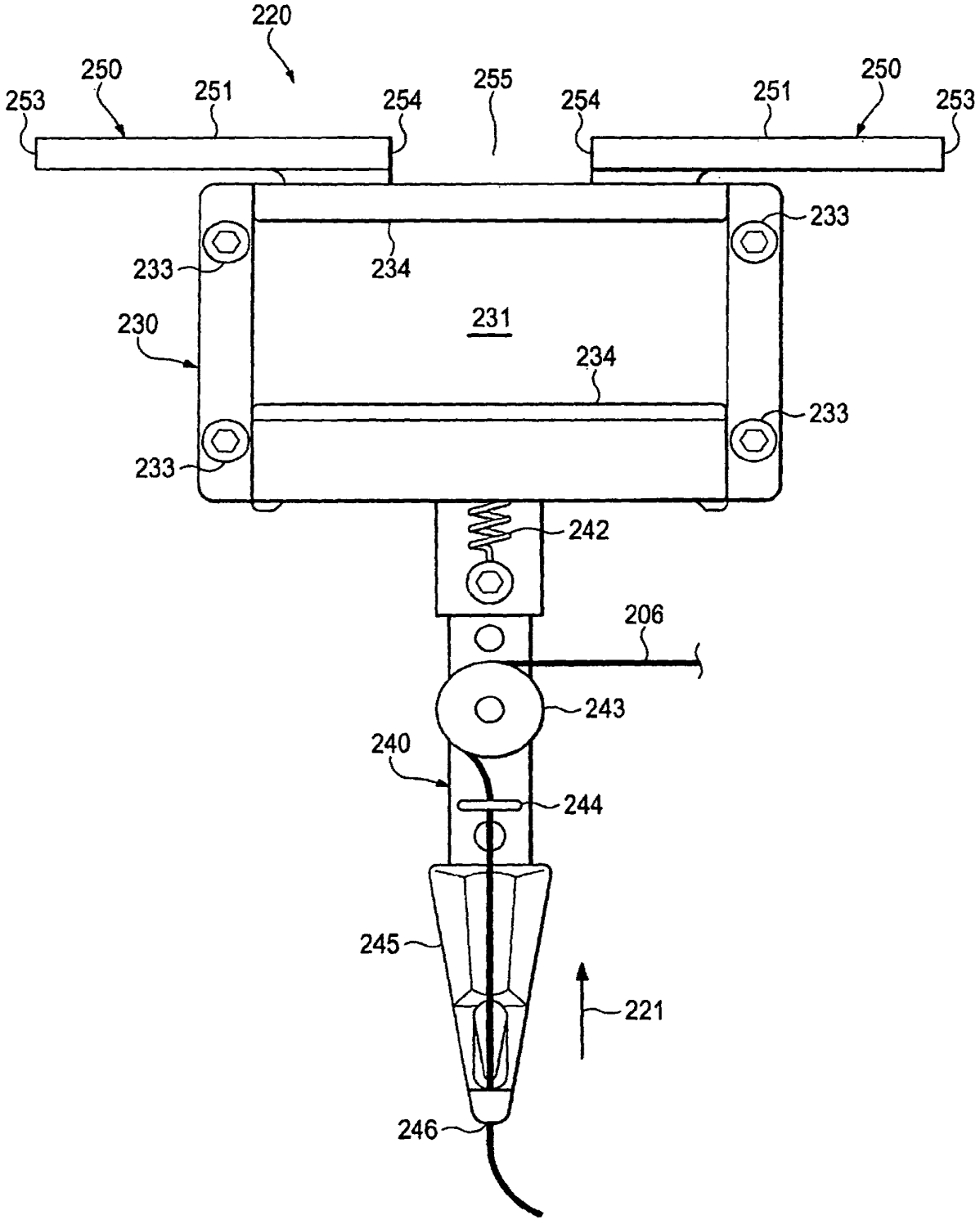

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圖 16

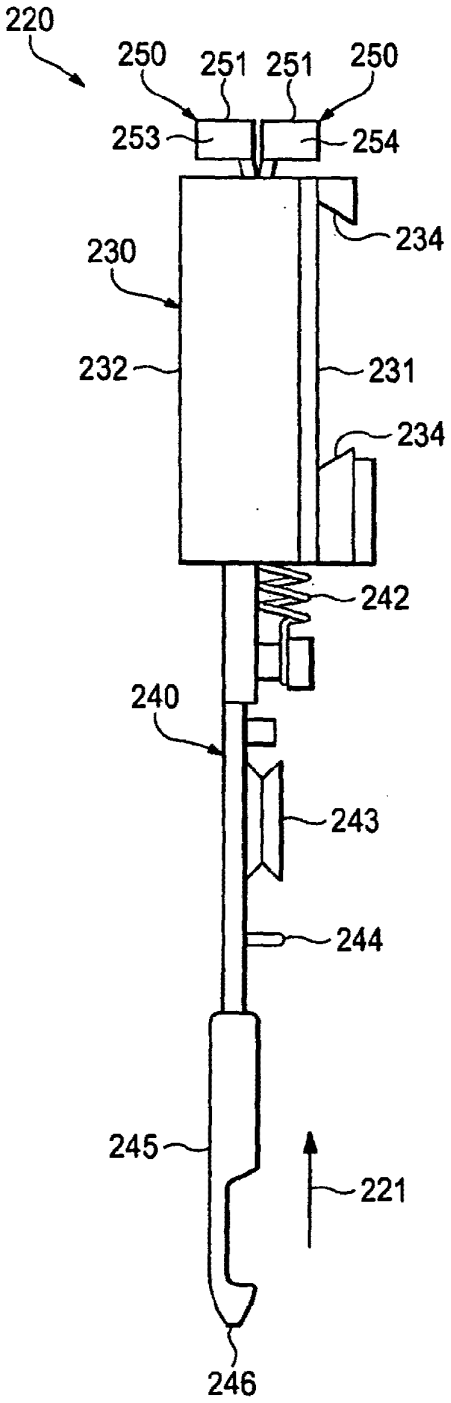

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圖 17

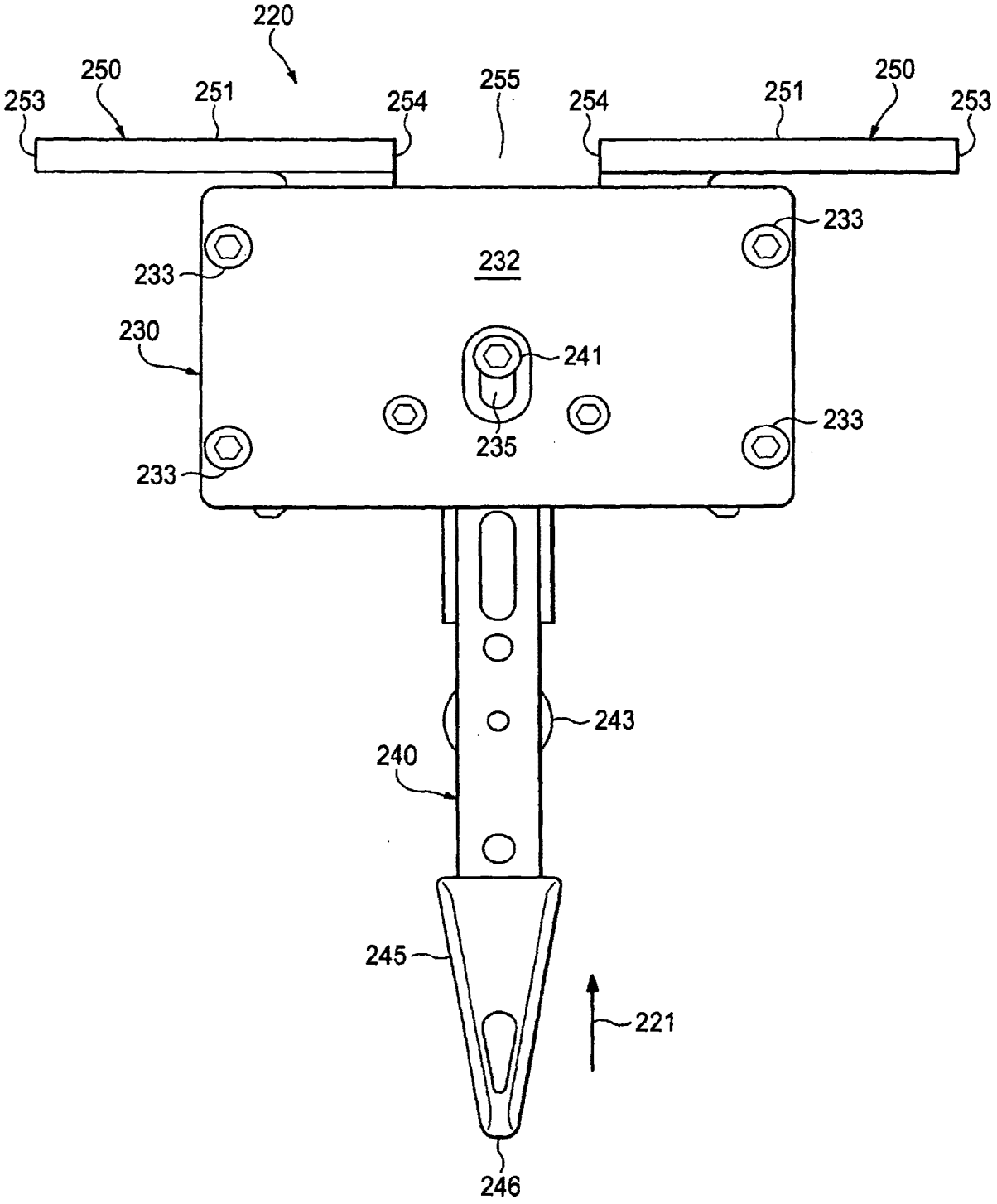

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圖 18

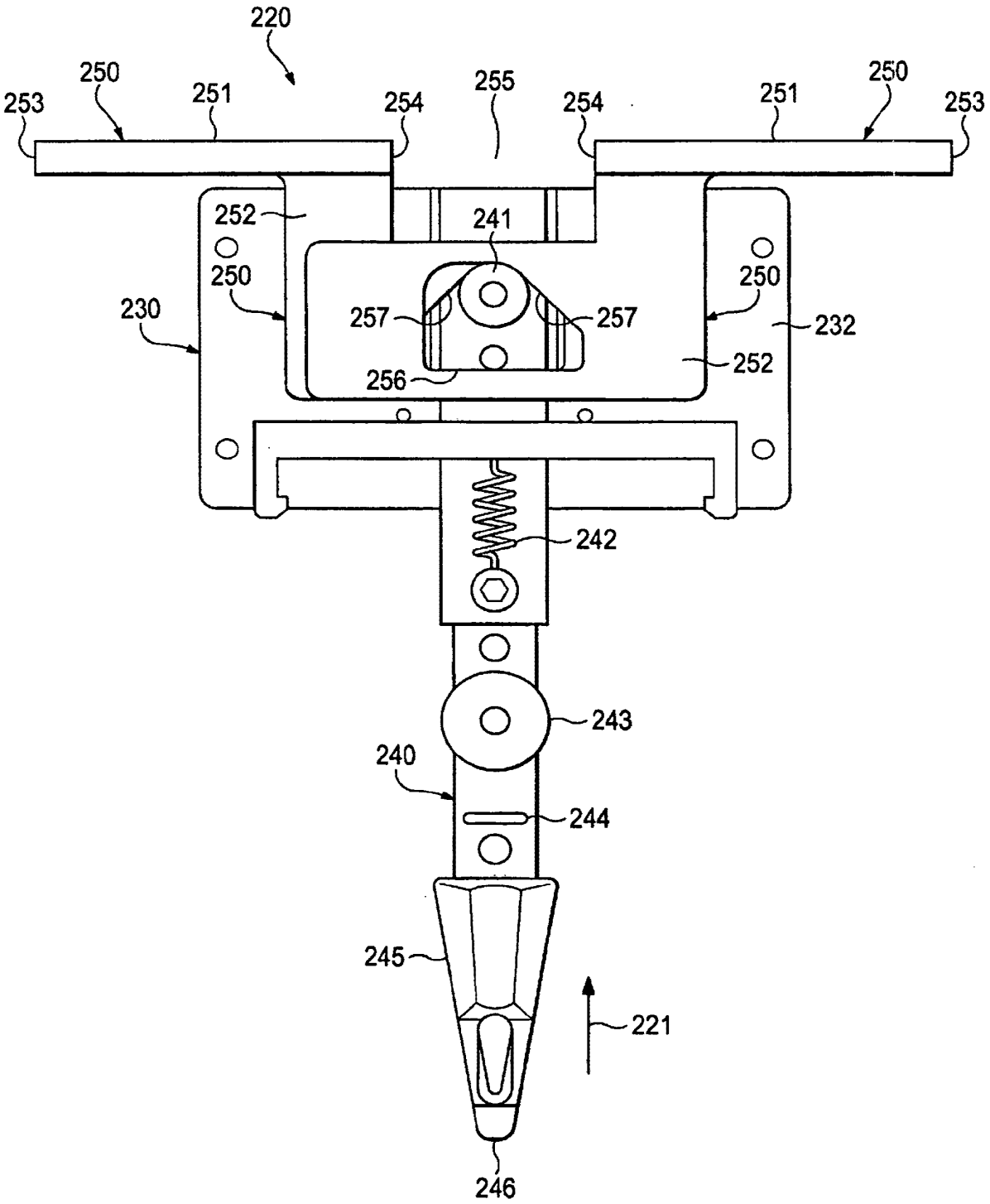

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圖 19

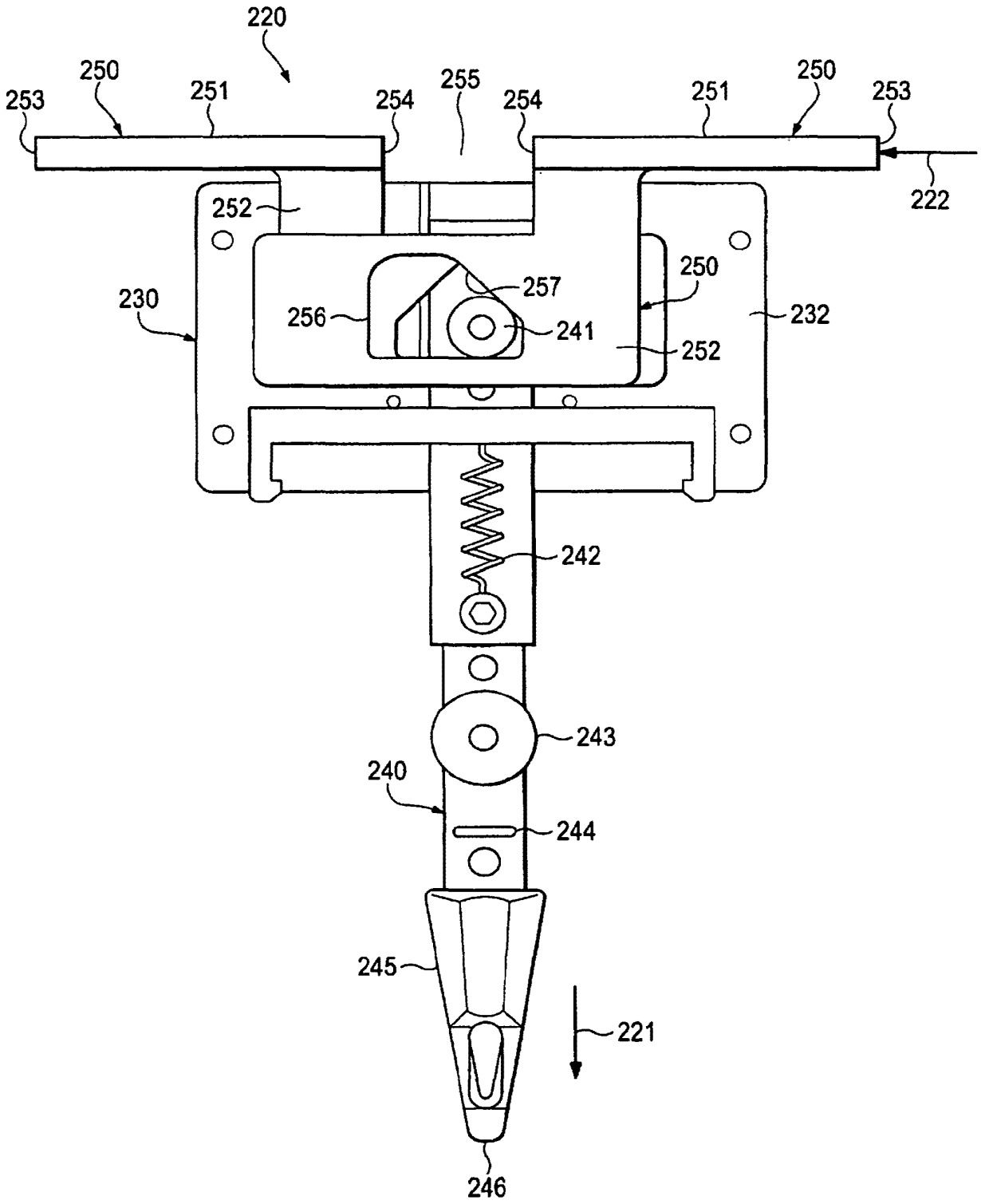

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圖 20A

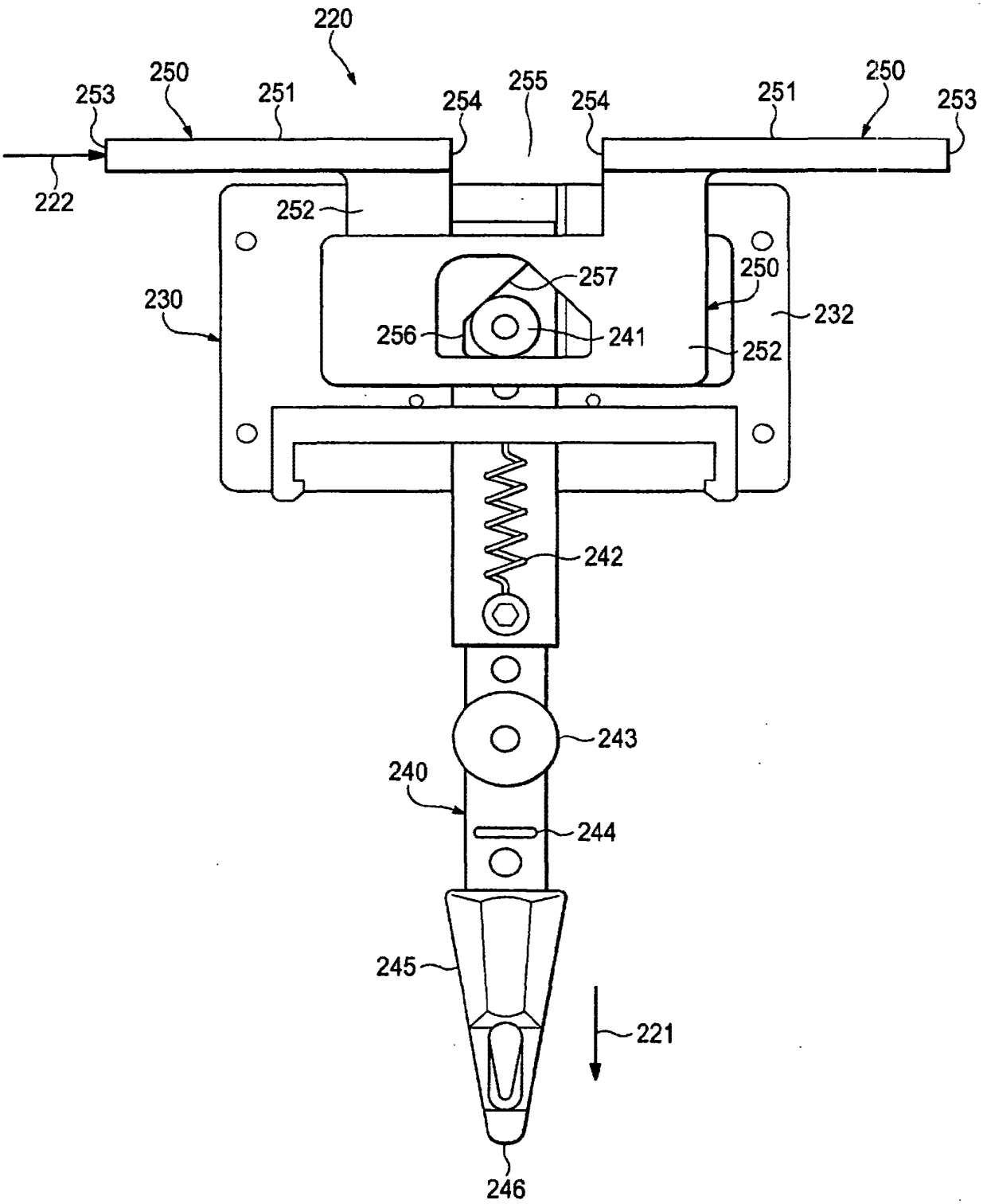

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圖 20B

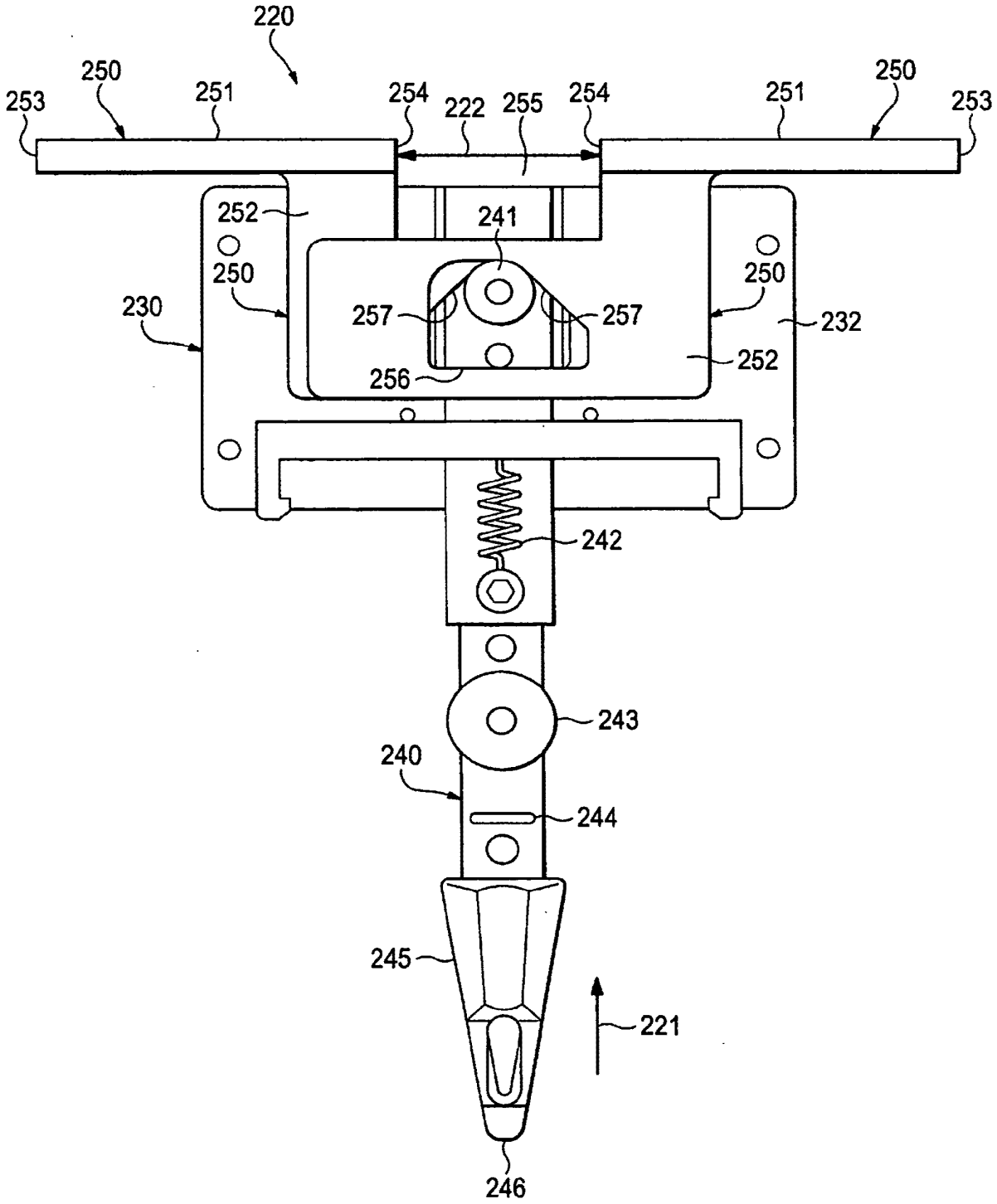

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圖 20C

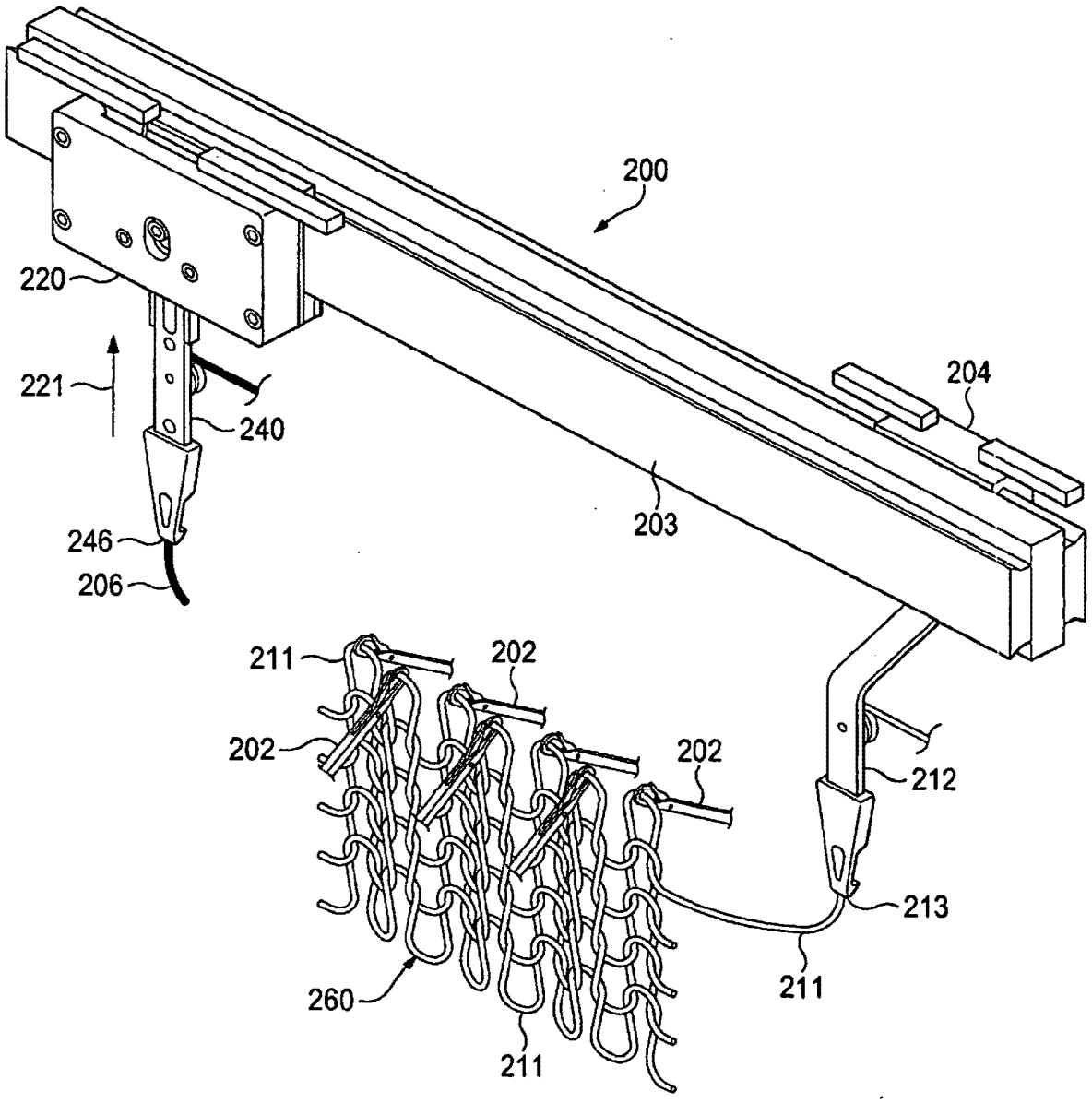

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圖 21A

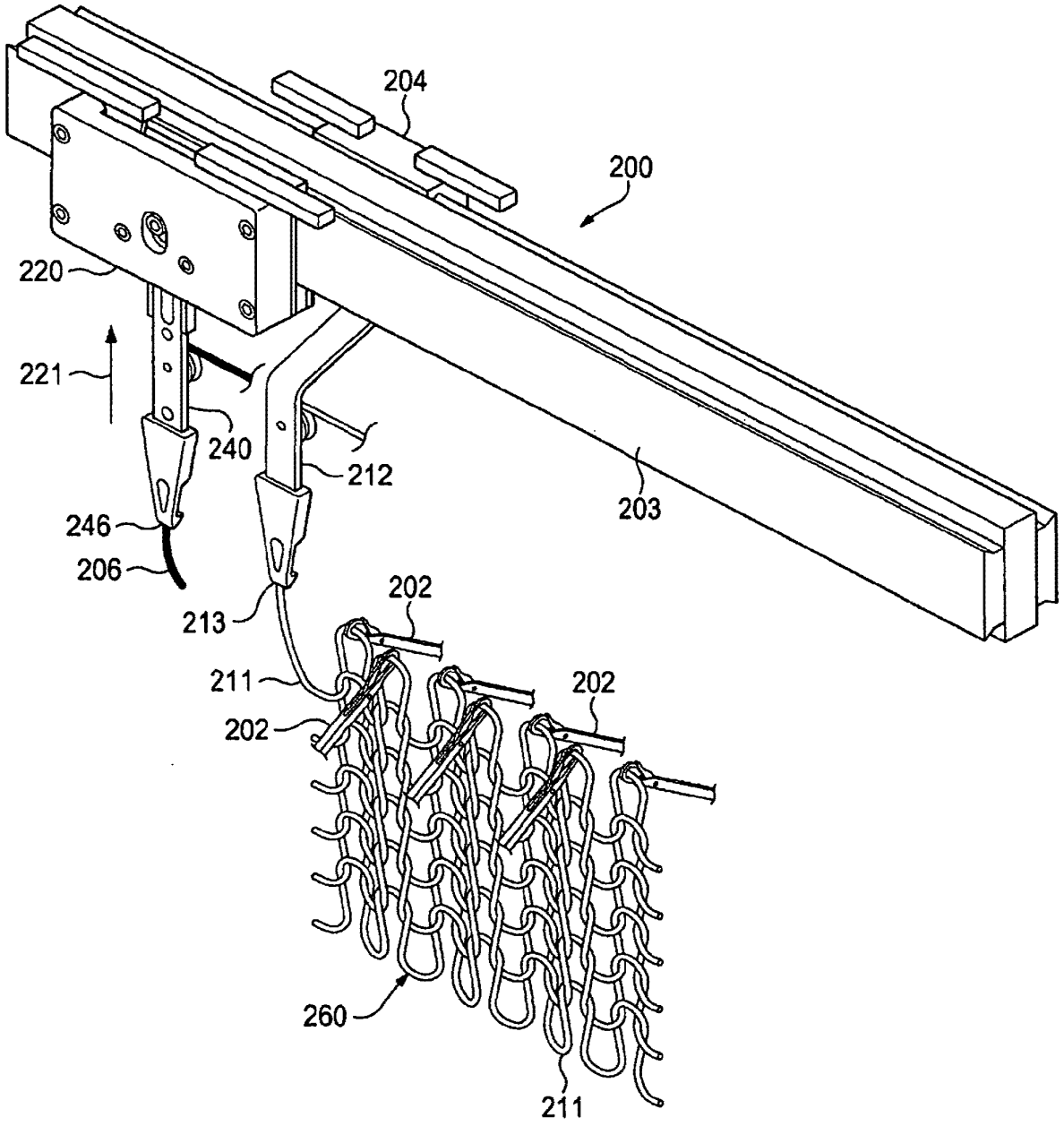


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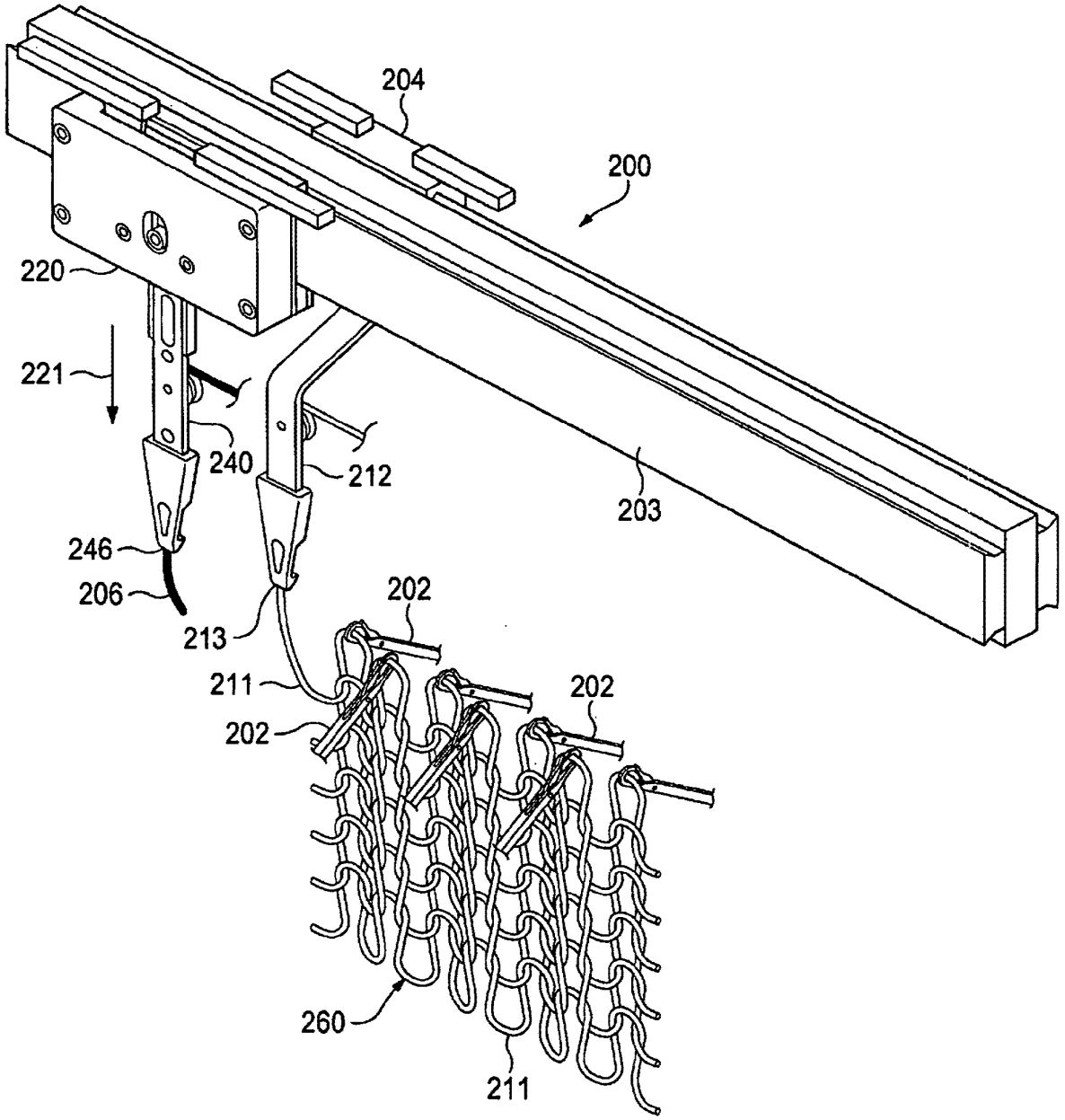


圖 21C

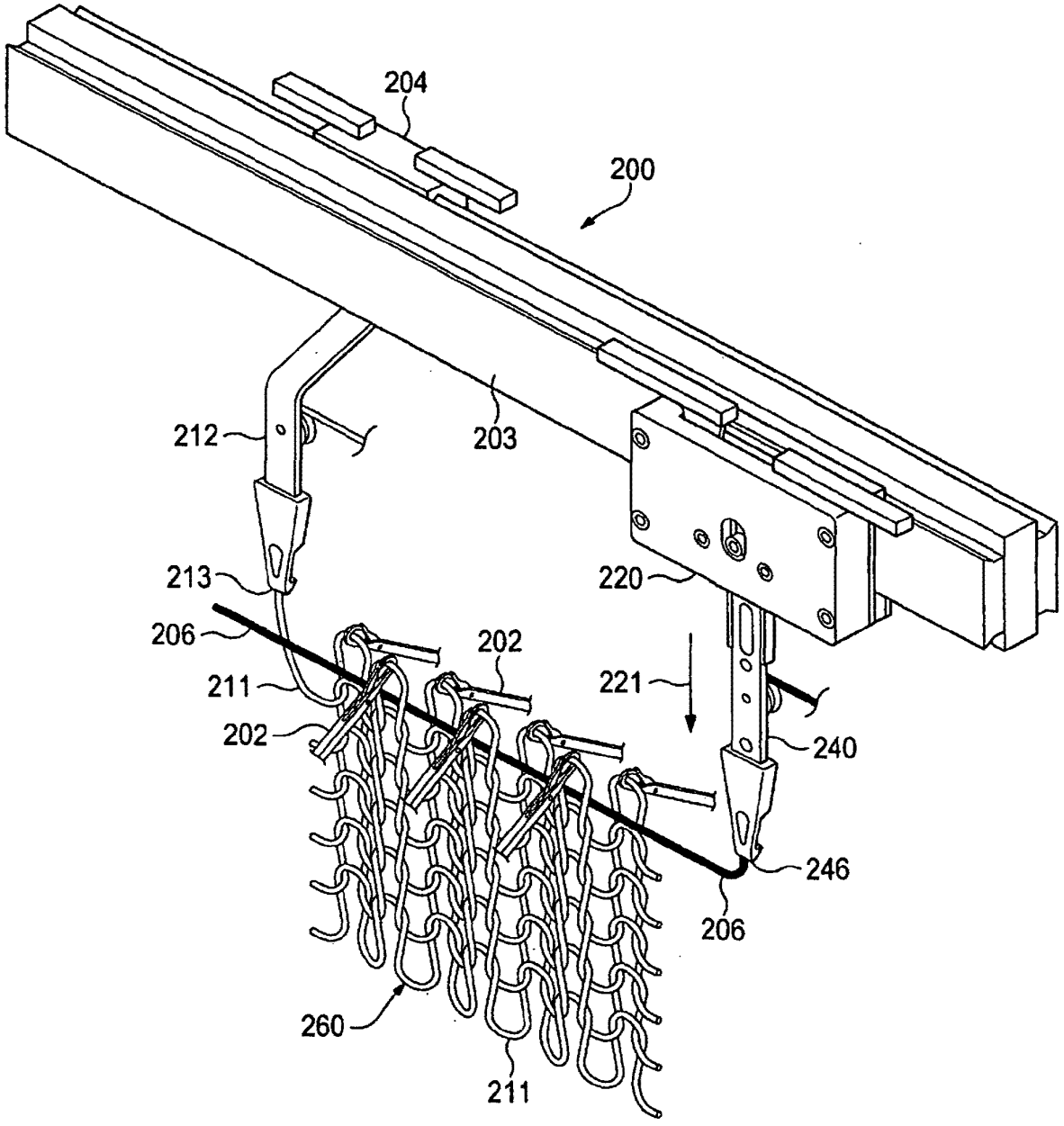


圖 21D

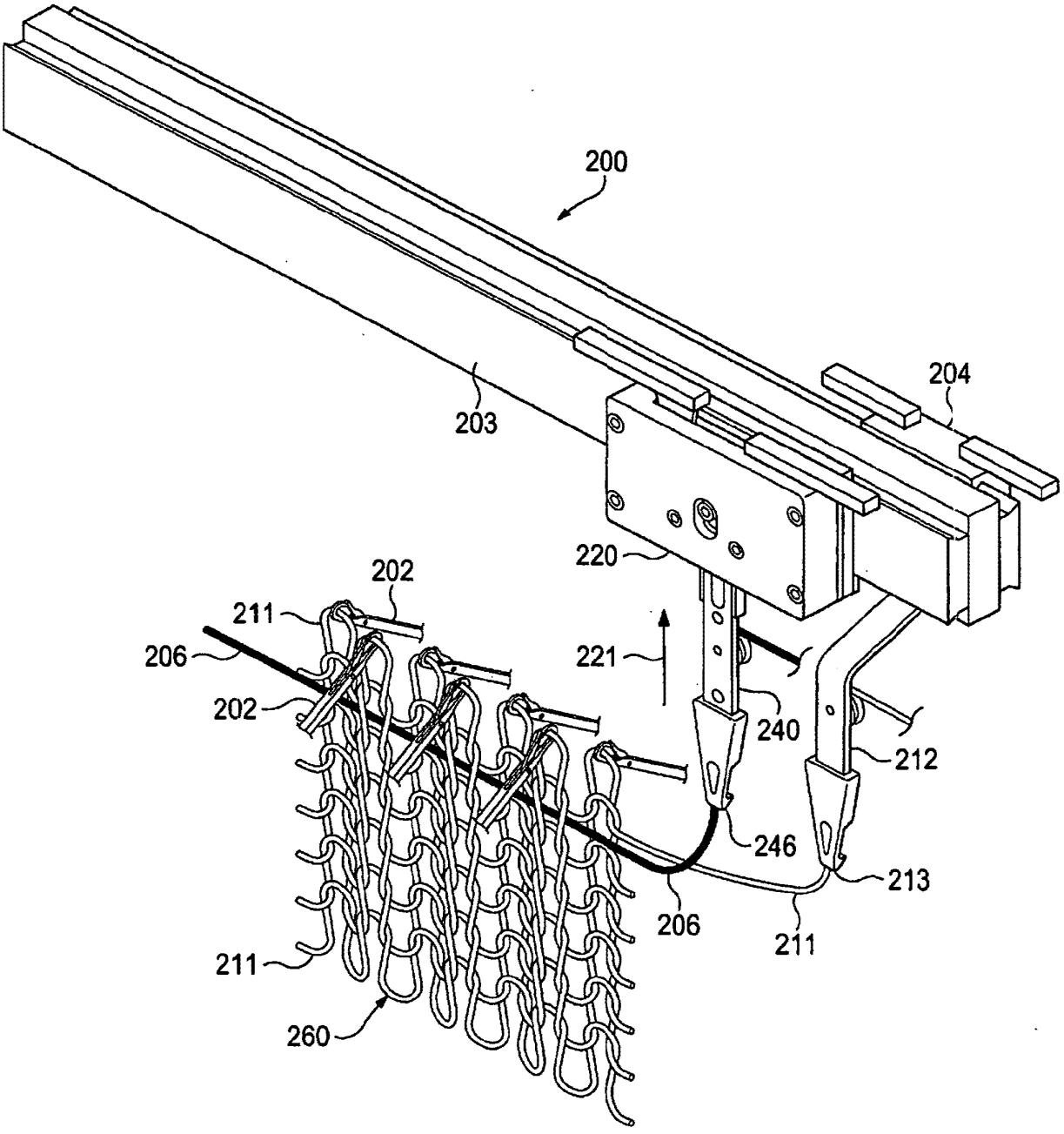

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圖 21E

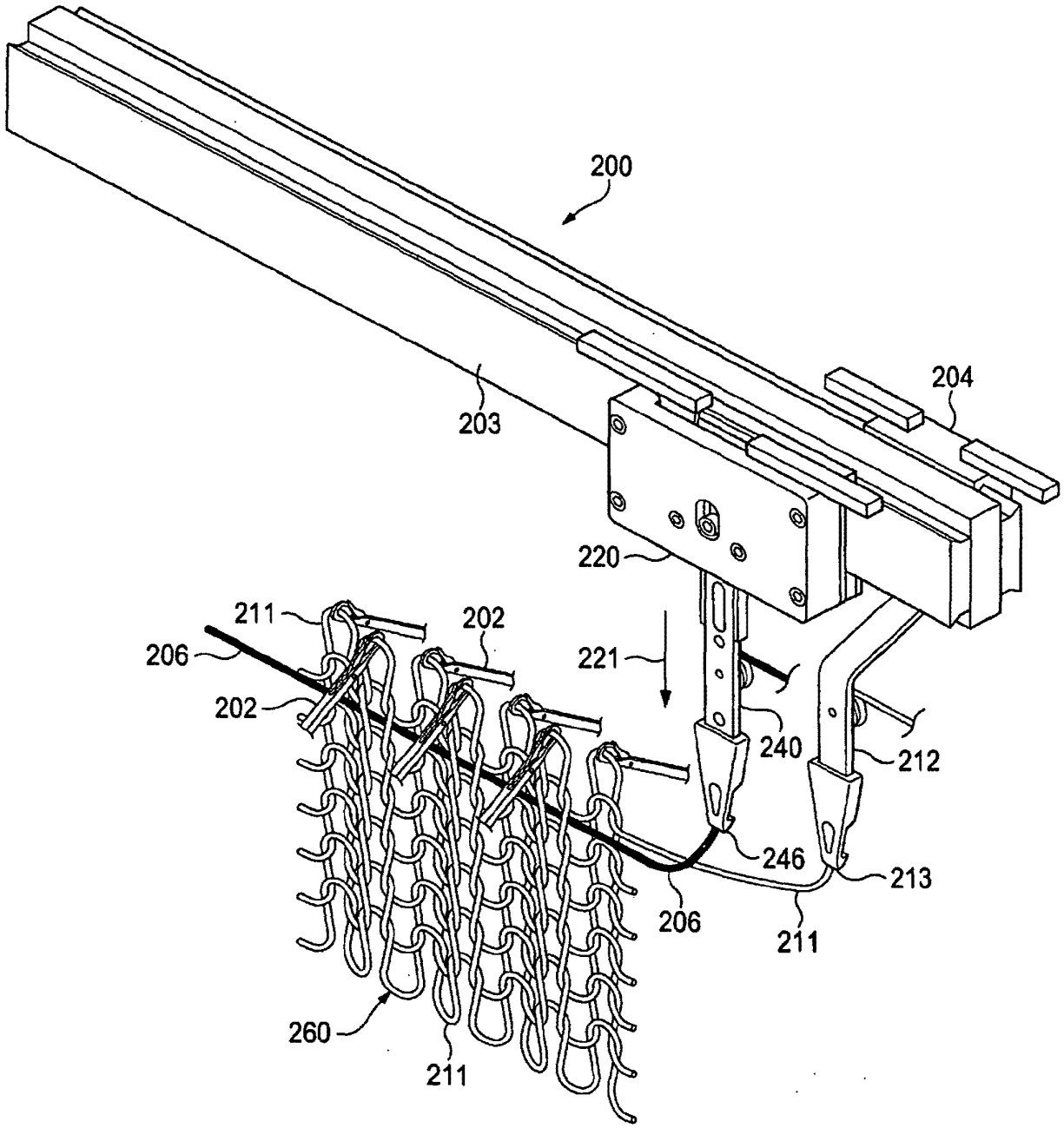

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圖 21F

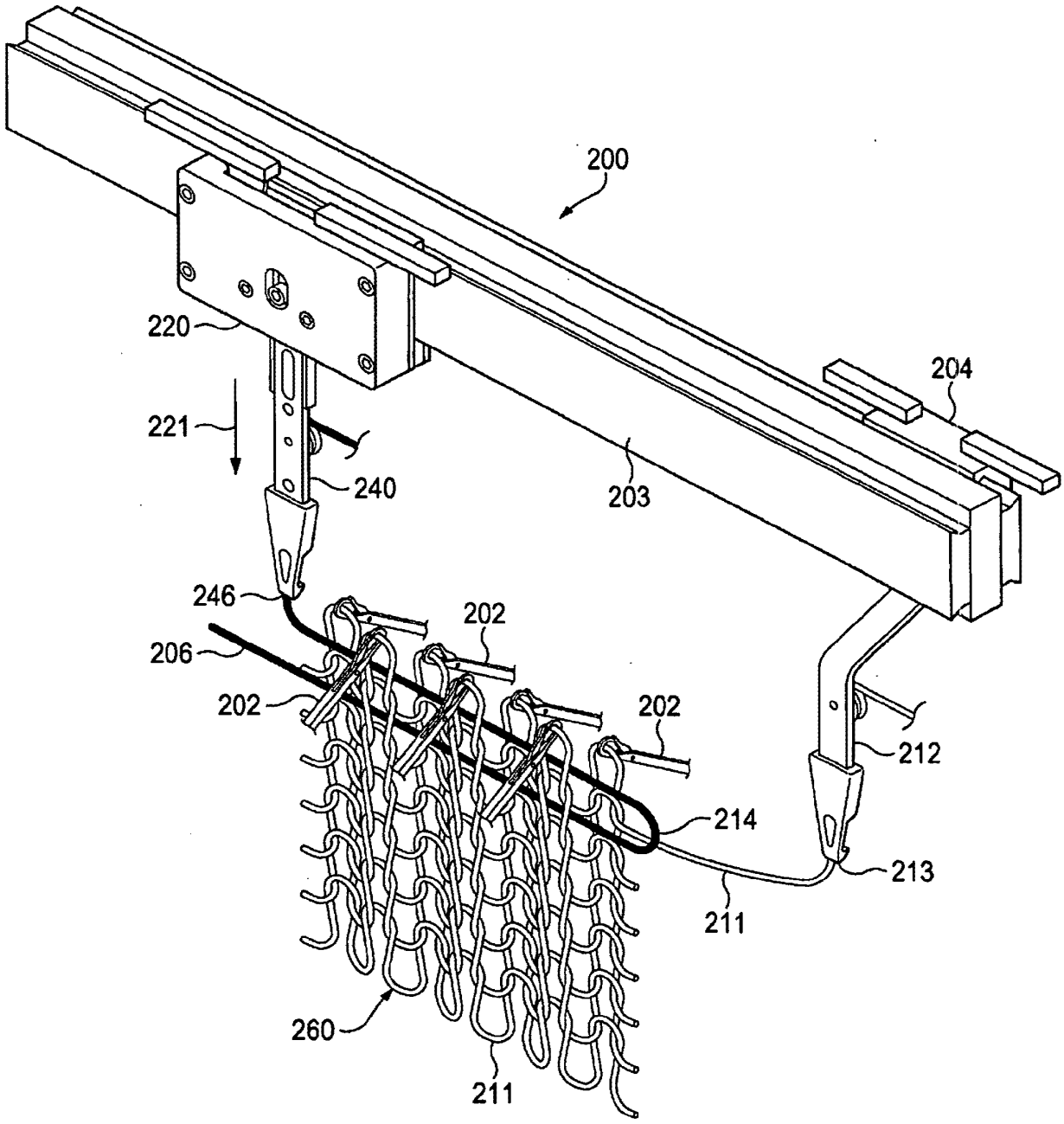

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圖 21G

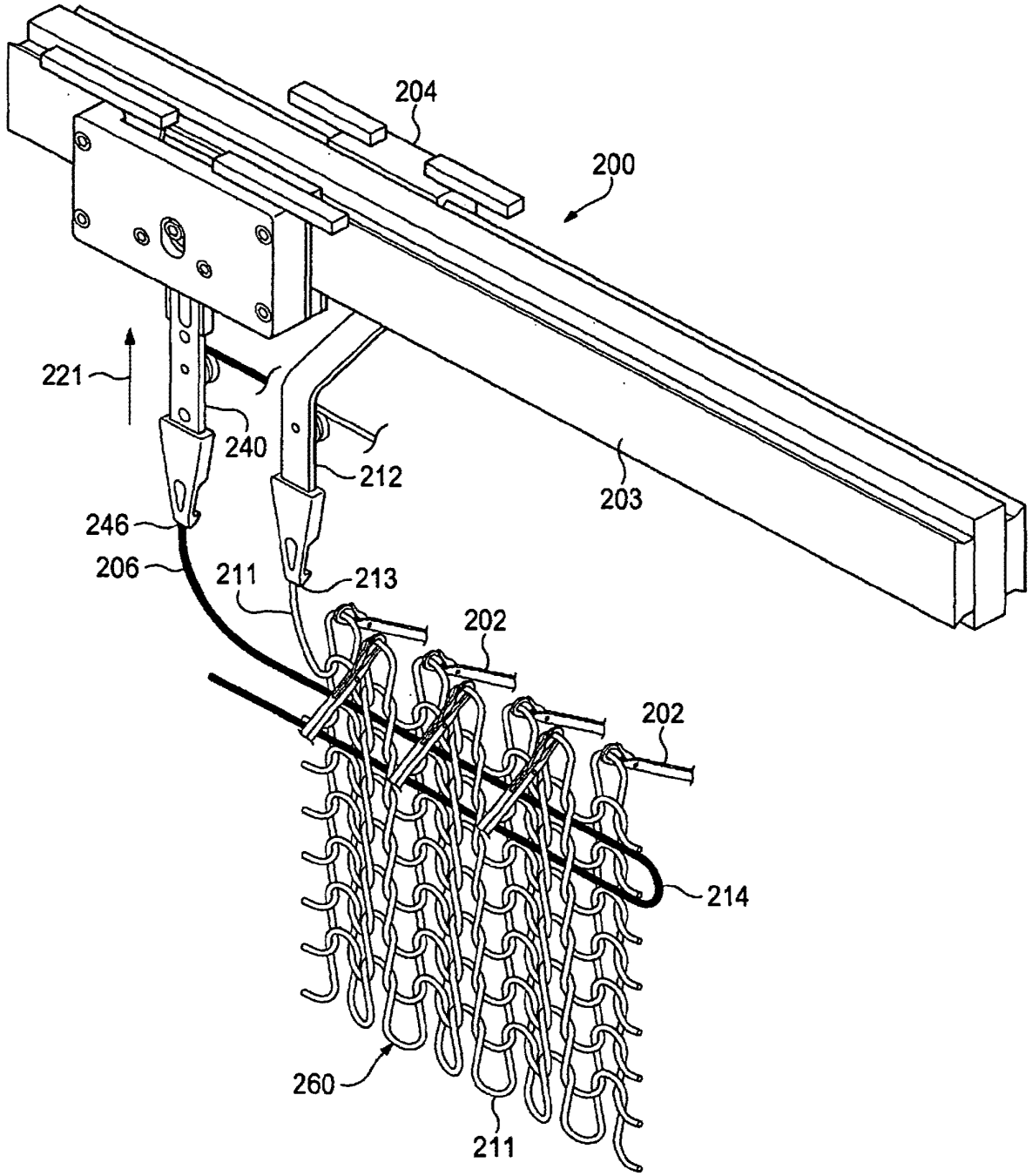


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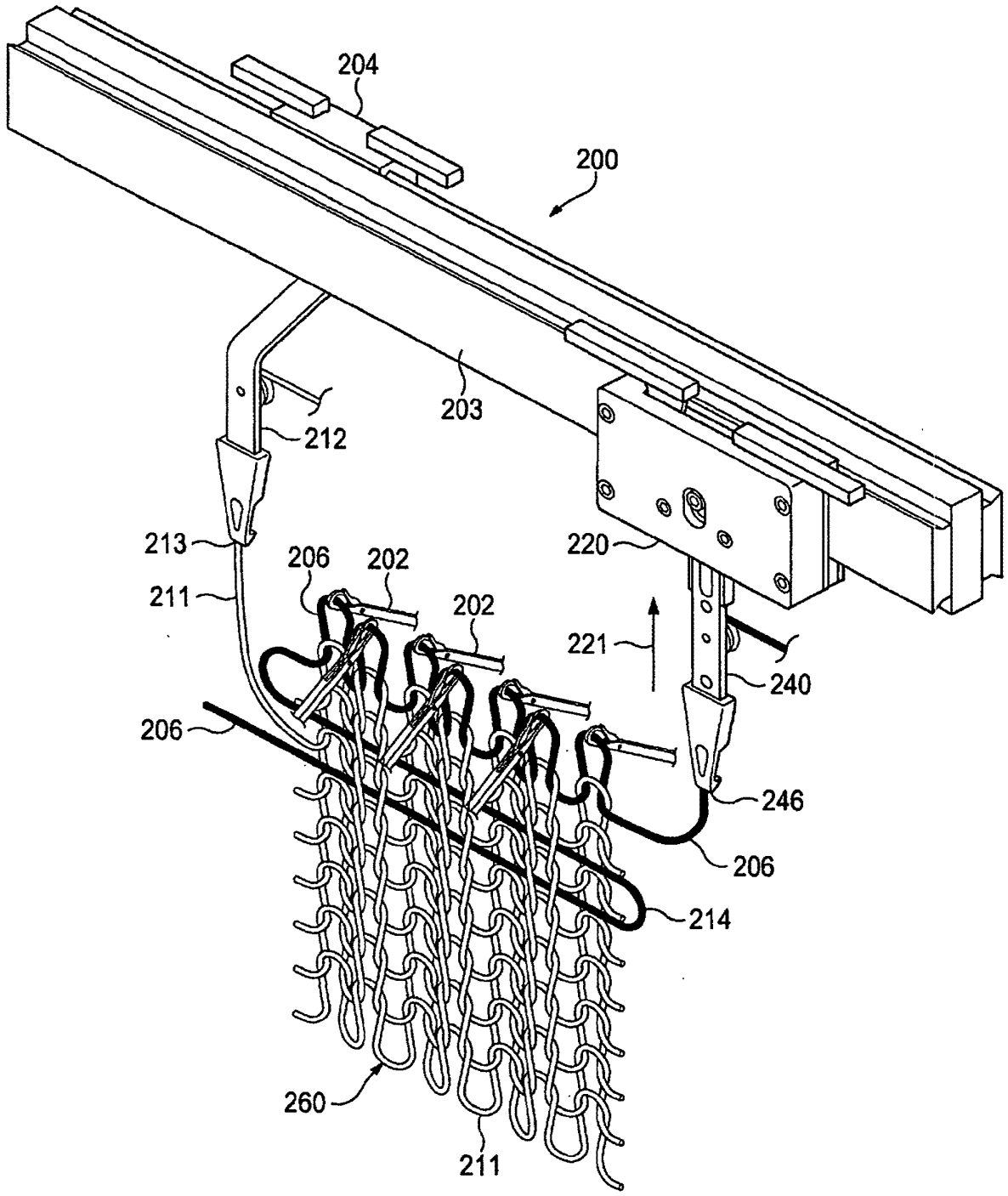

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圖 21I

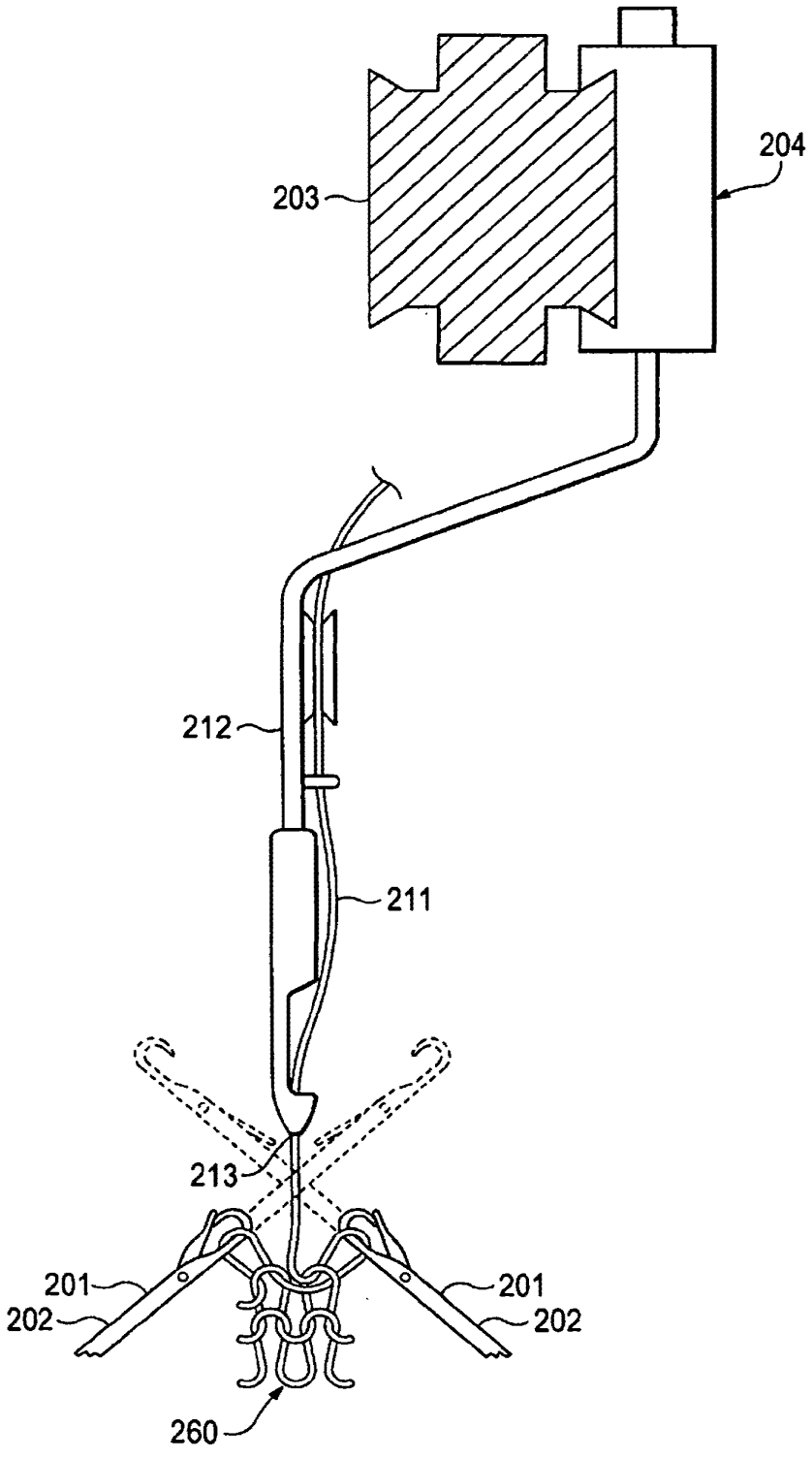


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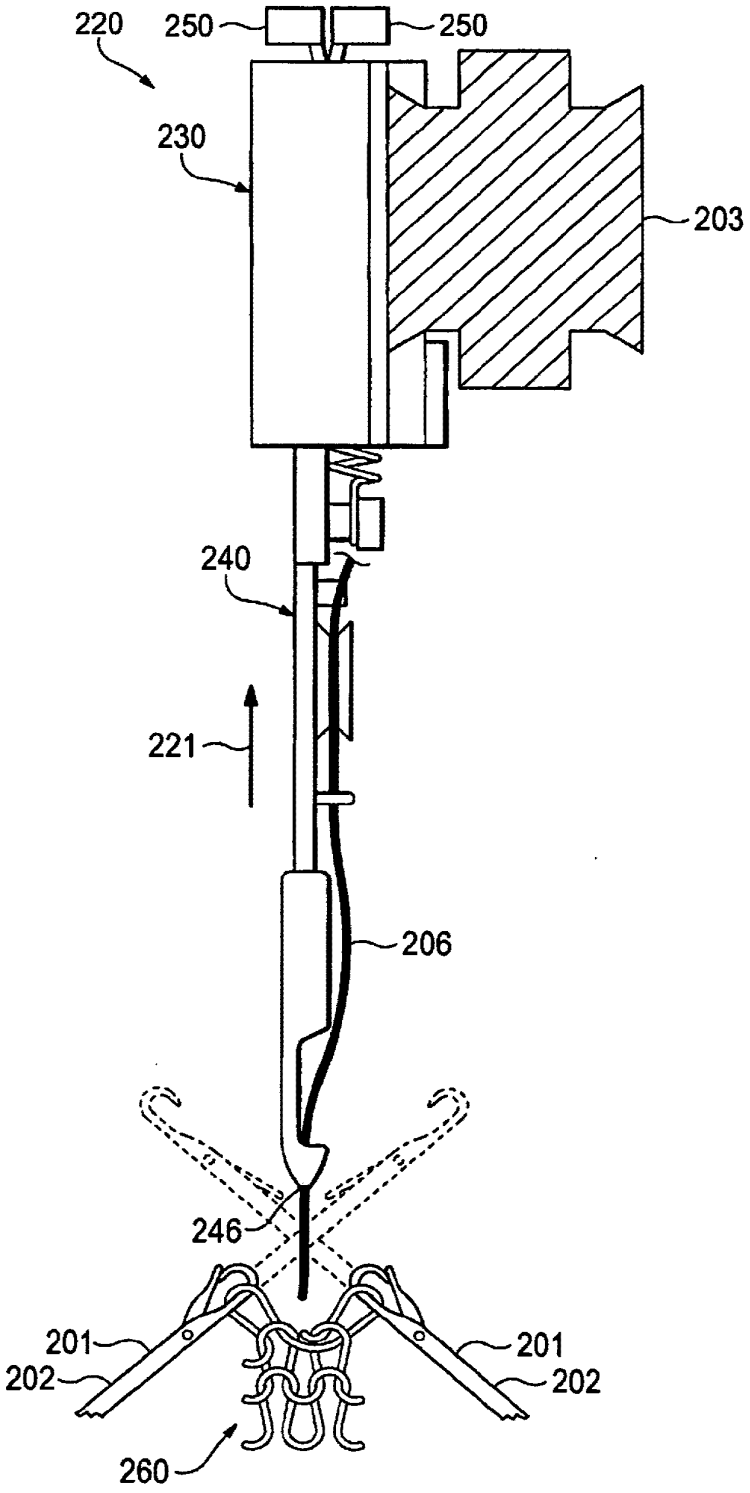


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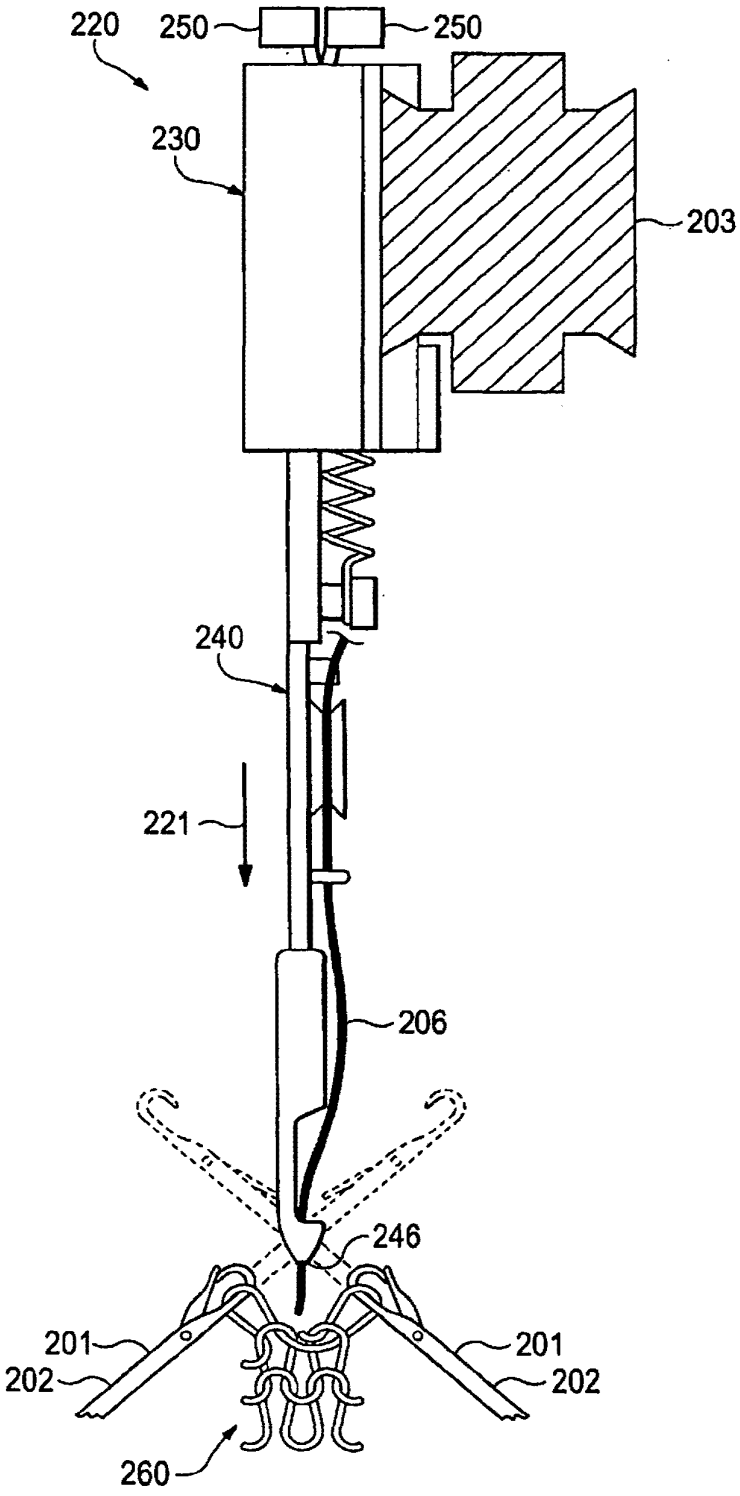


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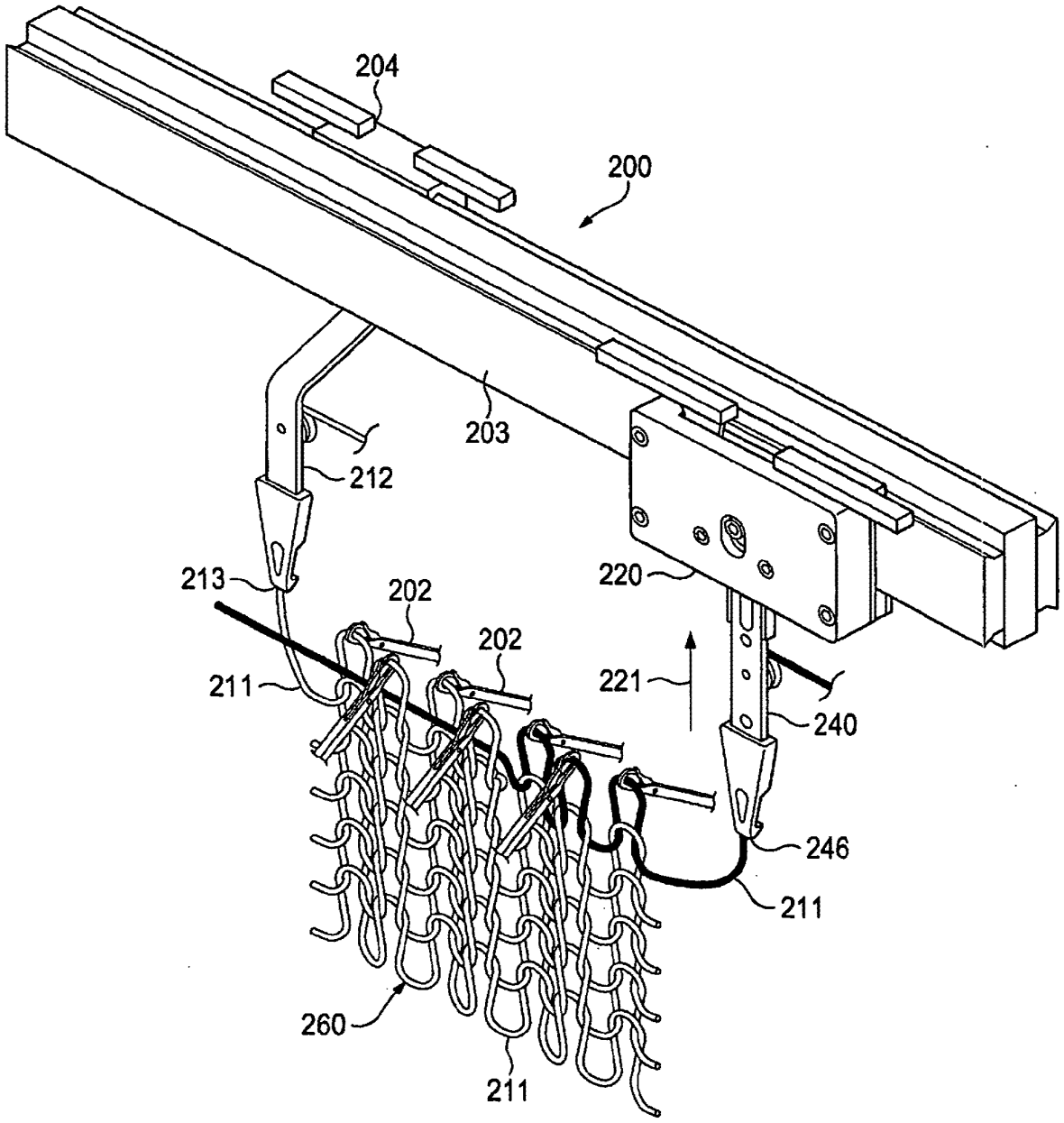


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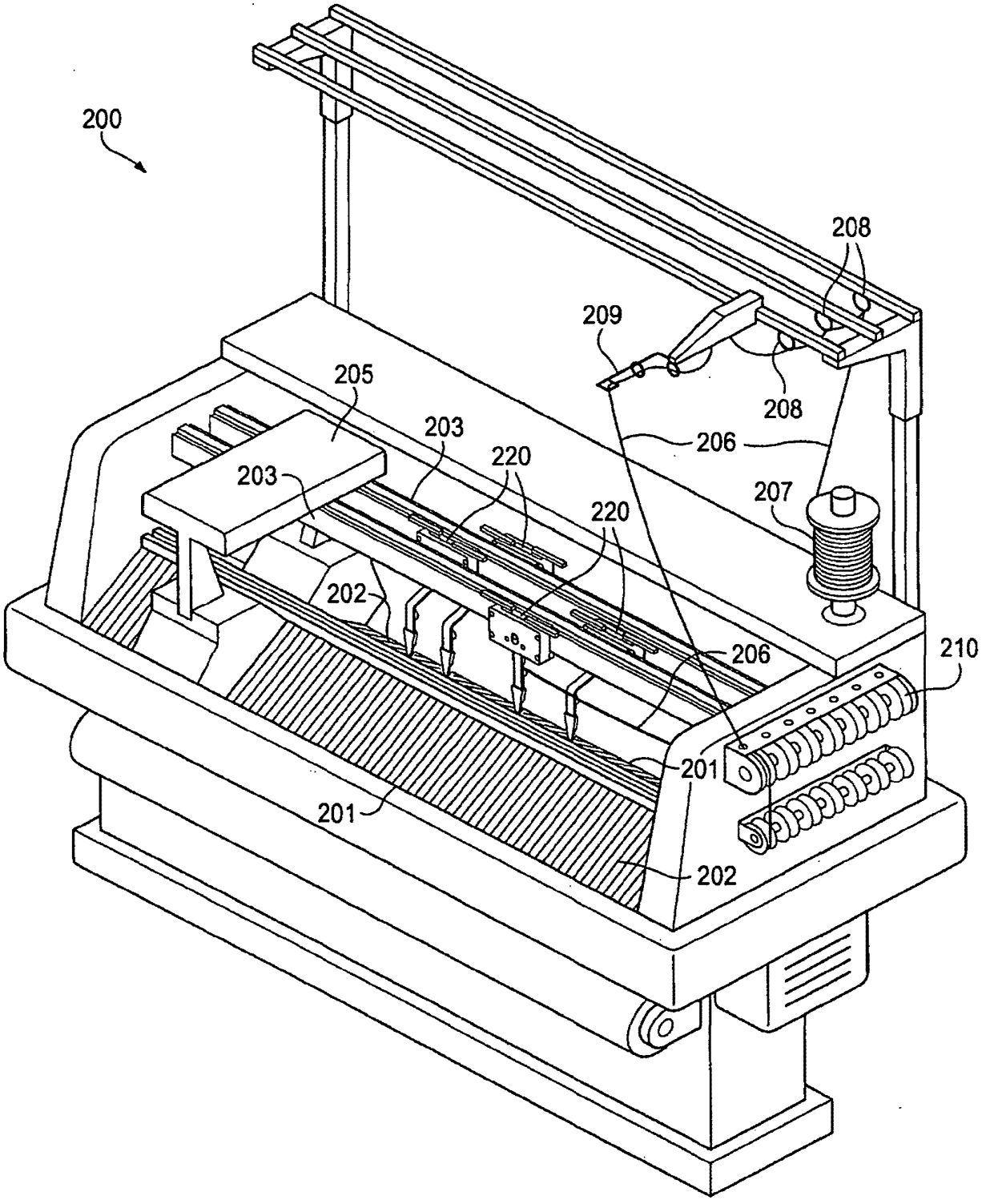

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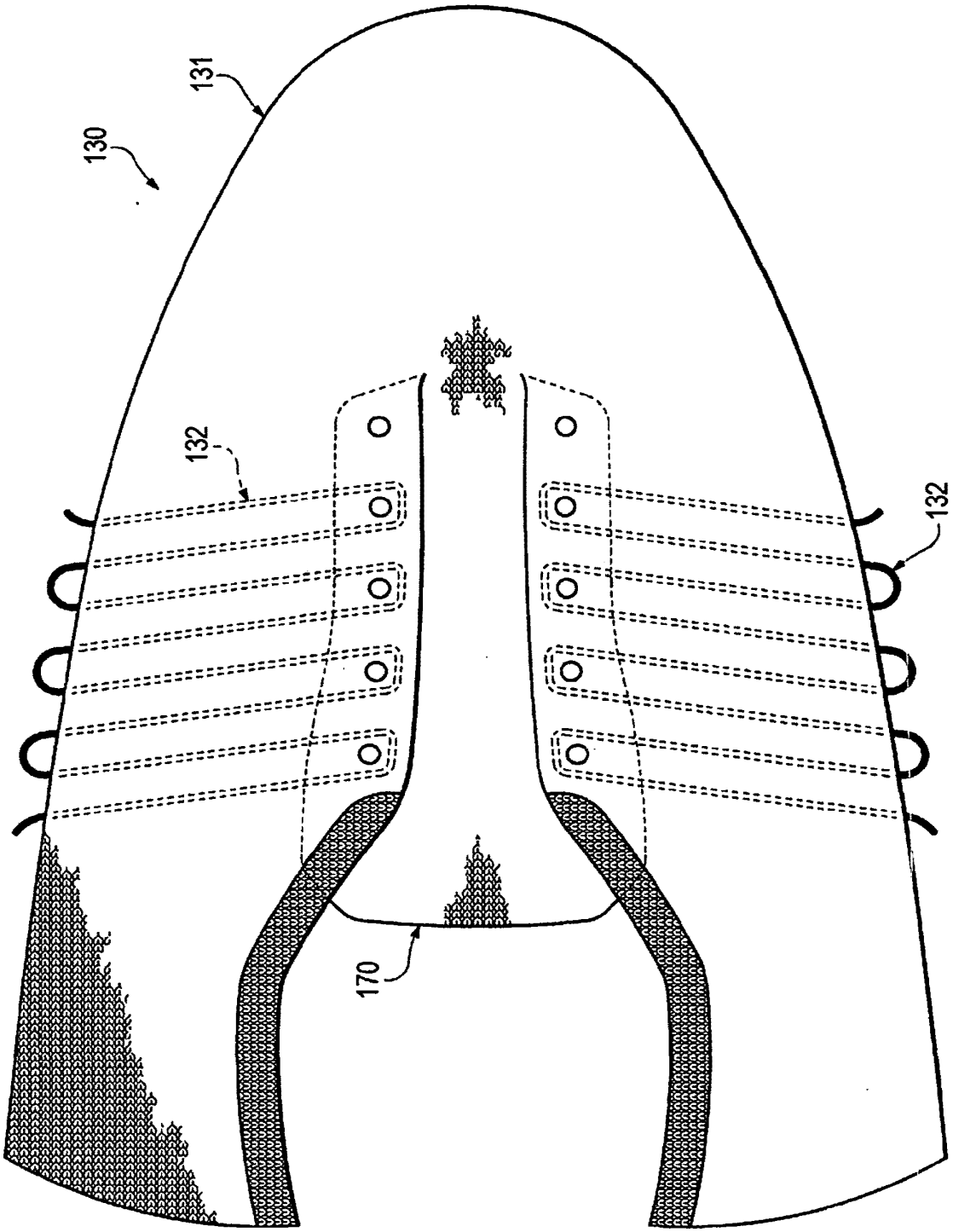


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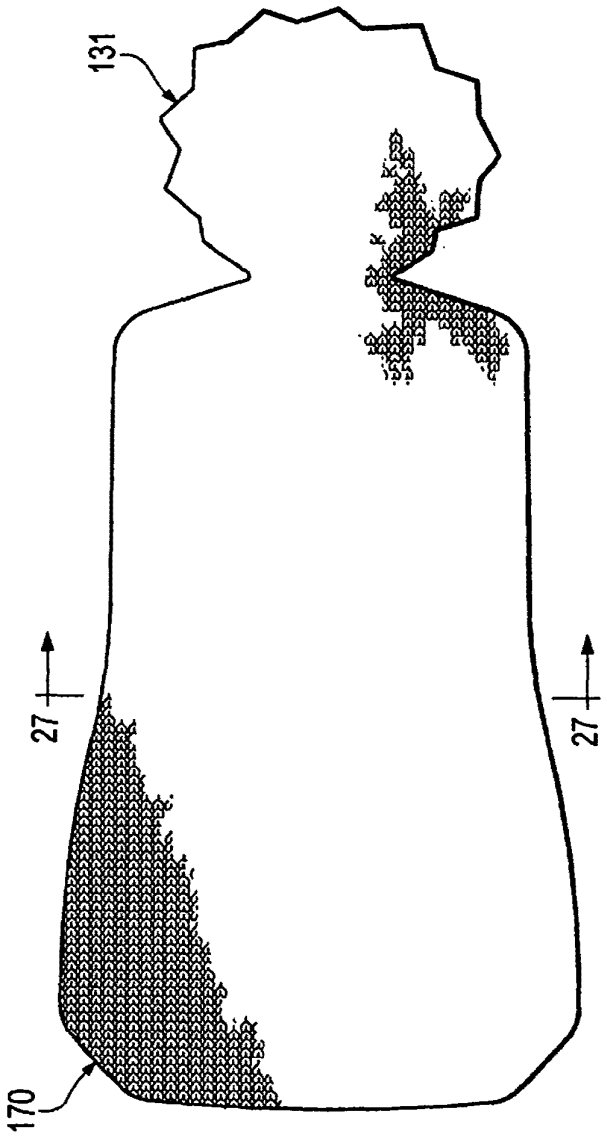


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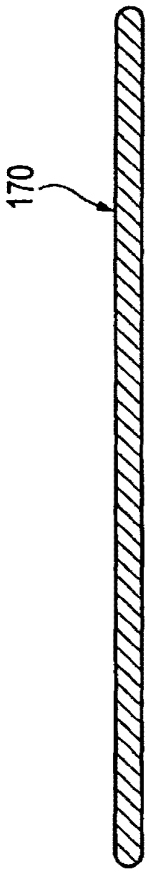


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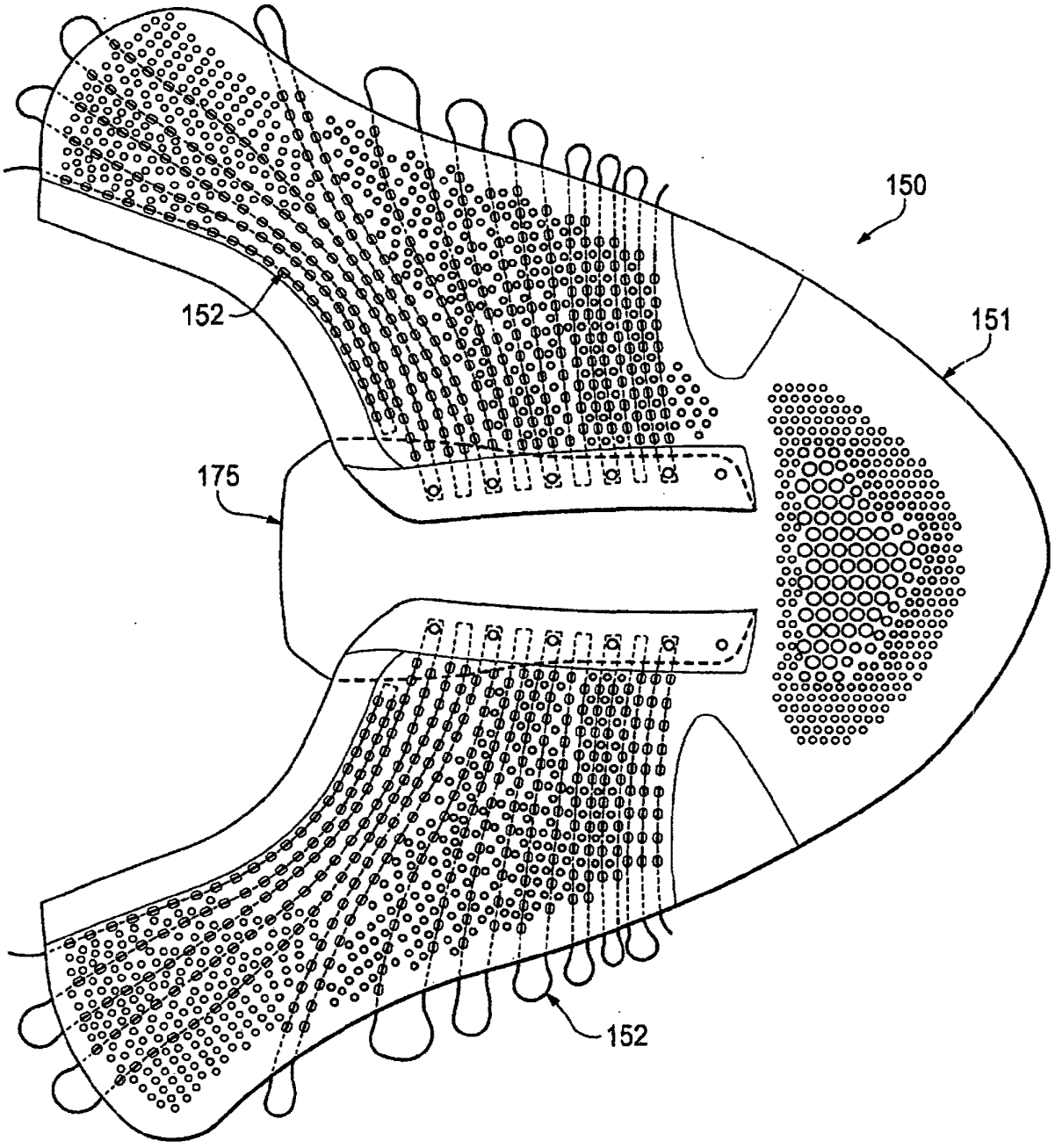


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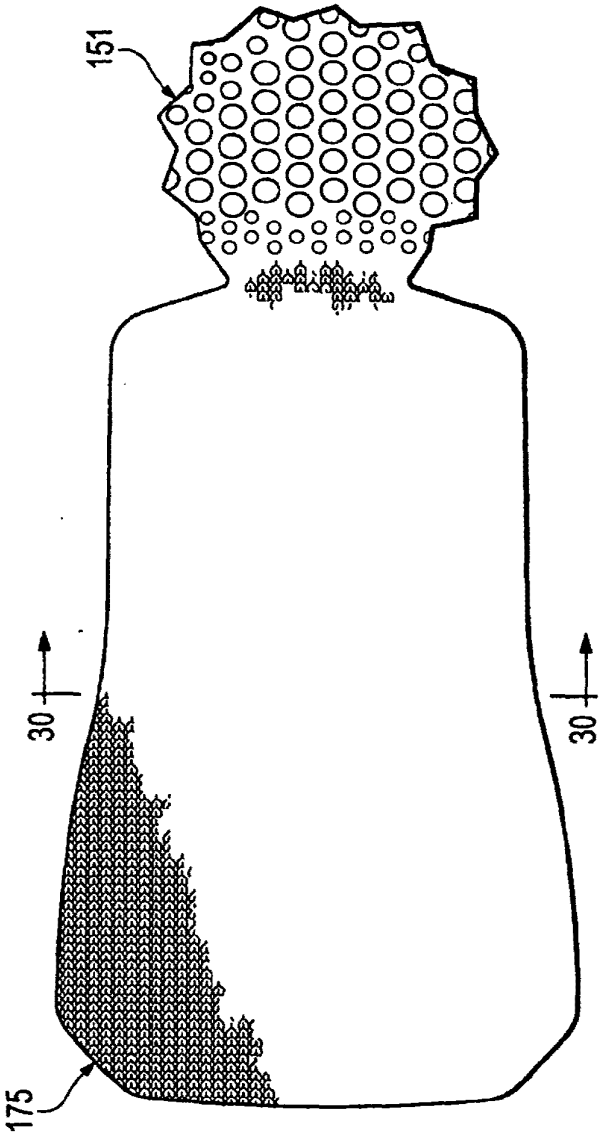


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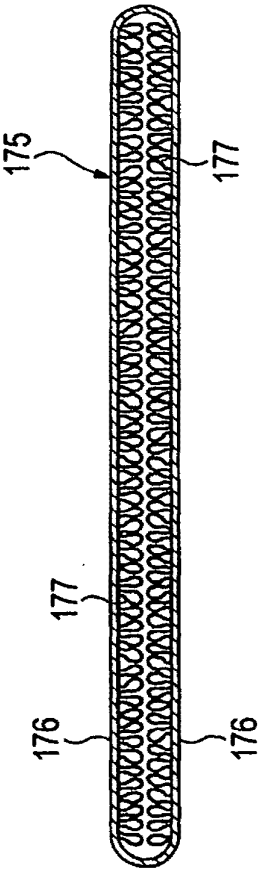


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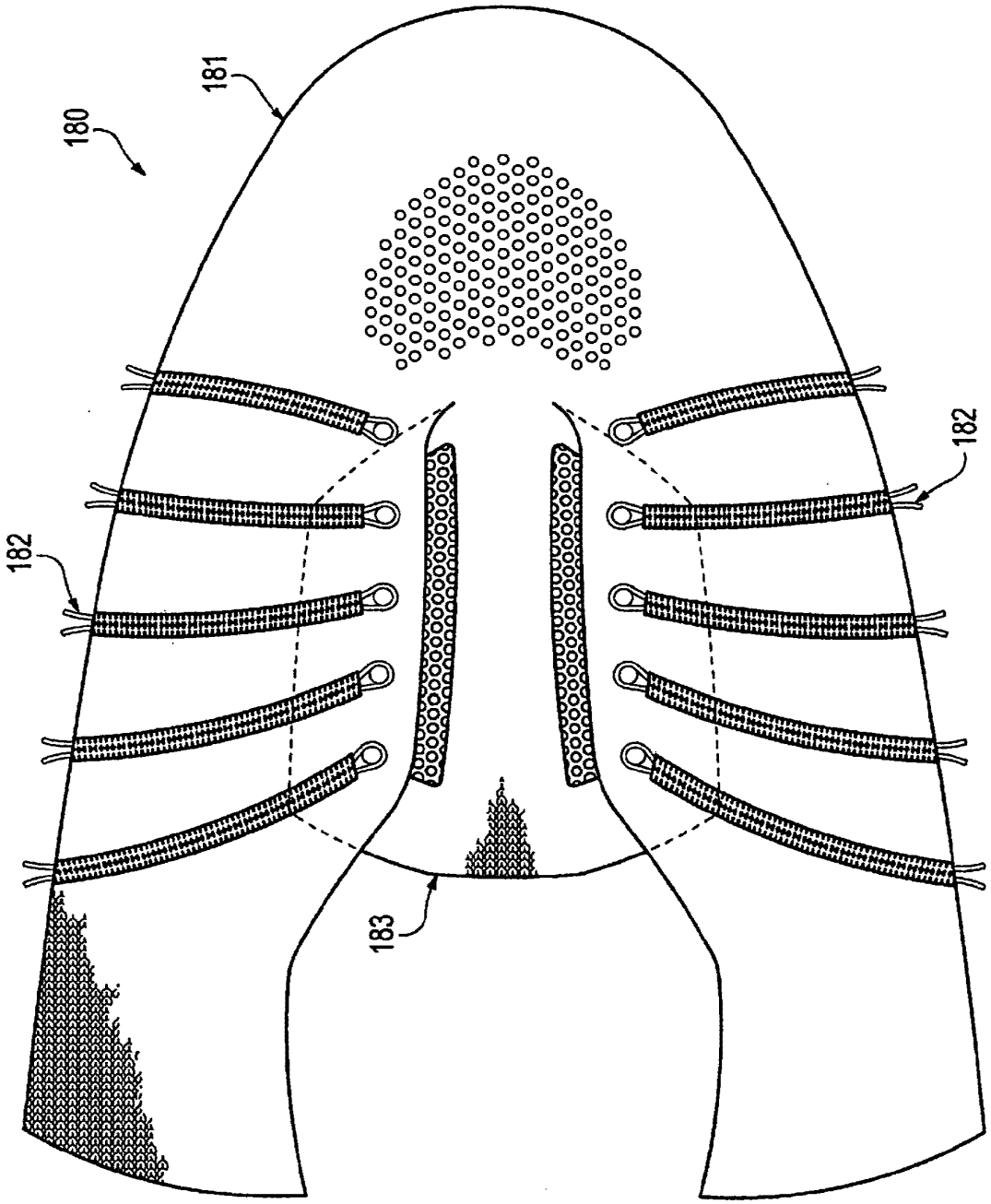


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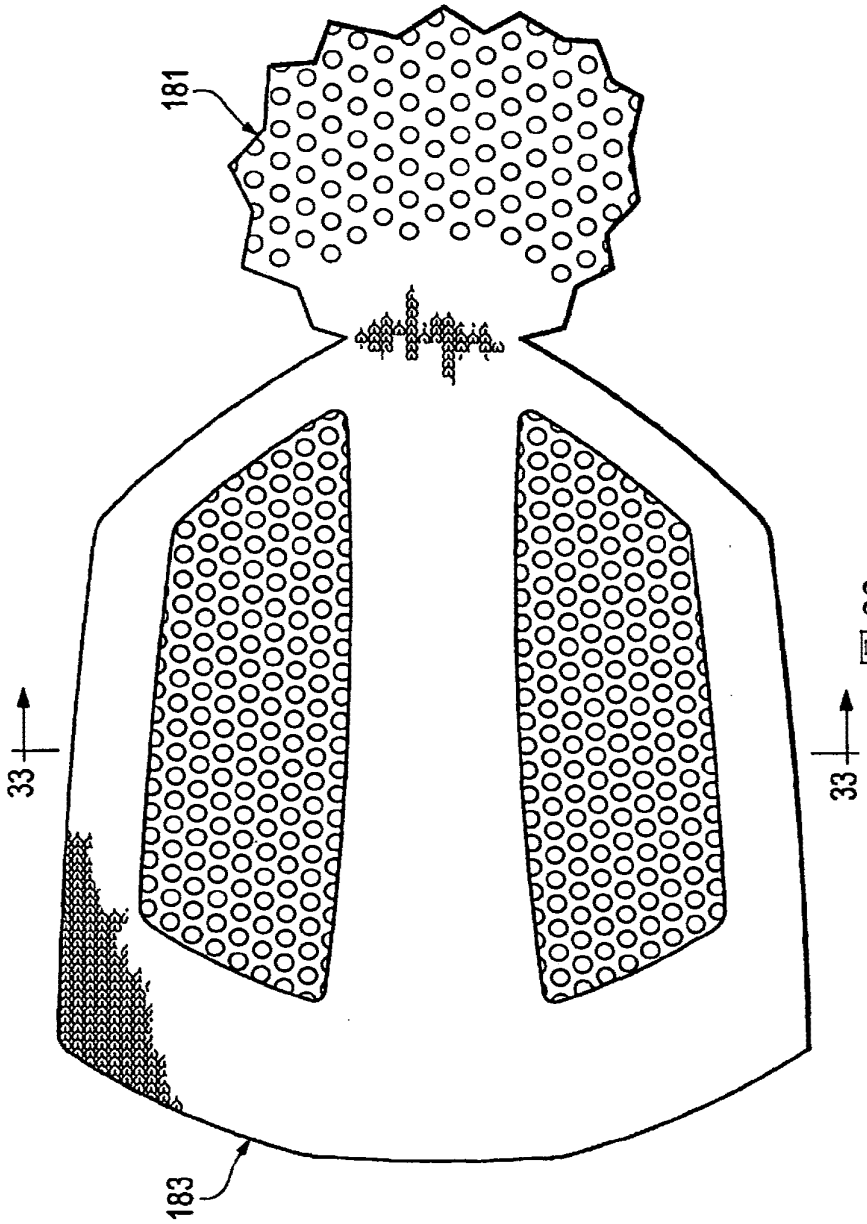


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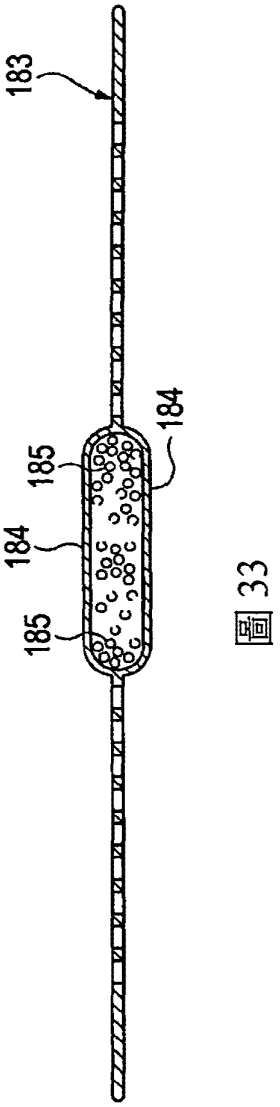


圖 33

Skechers EX1013-p. 1544
Skechers v Nike

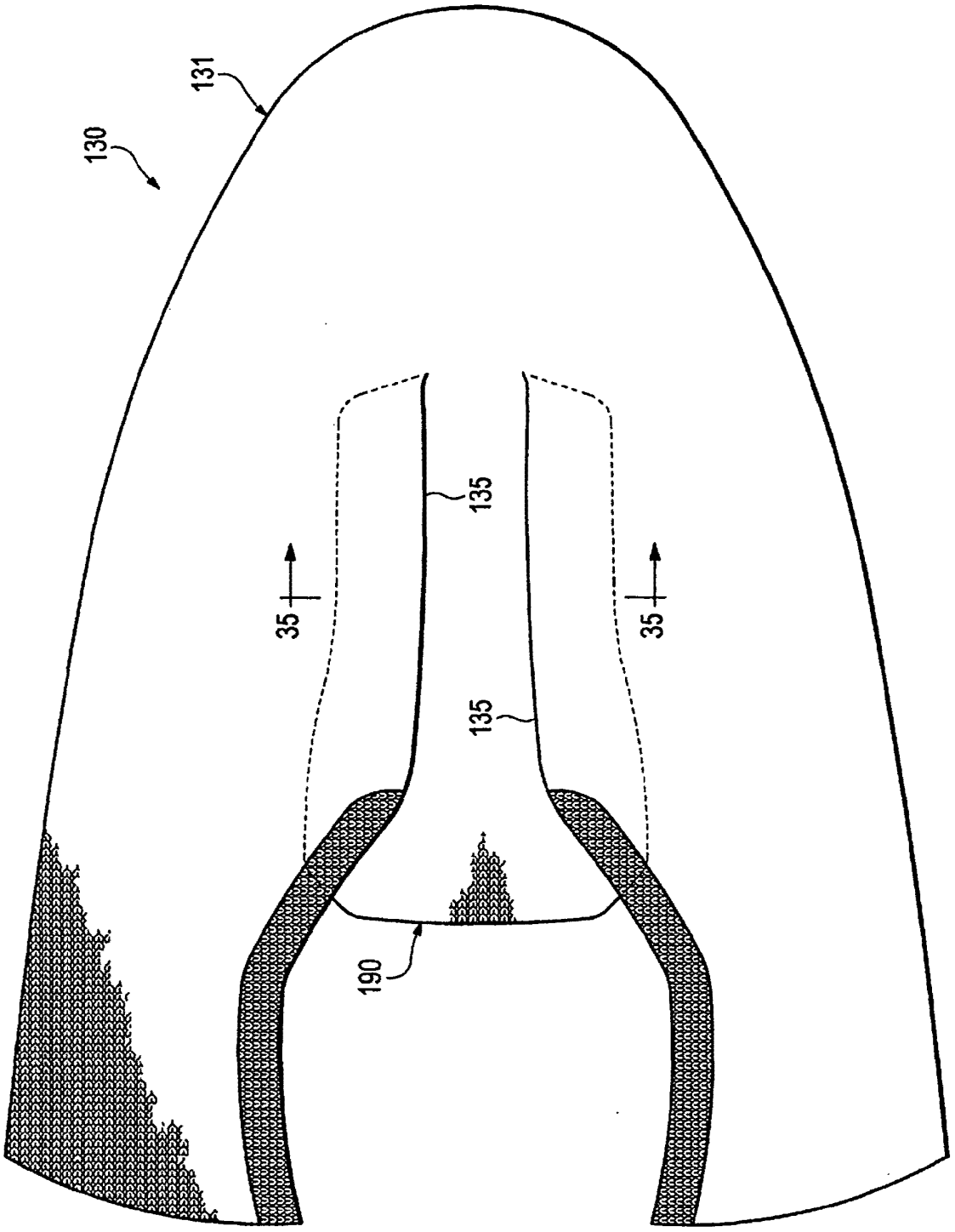


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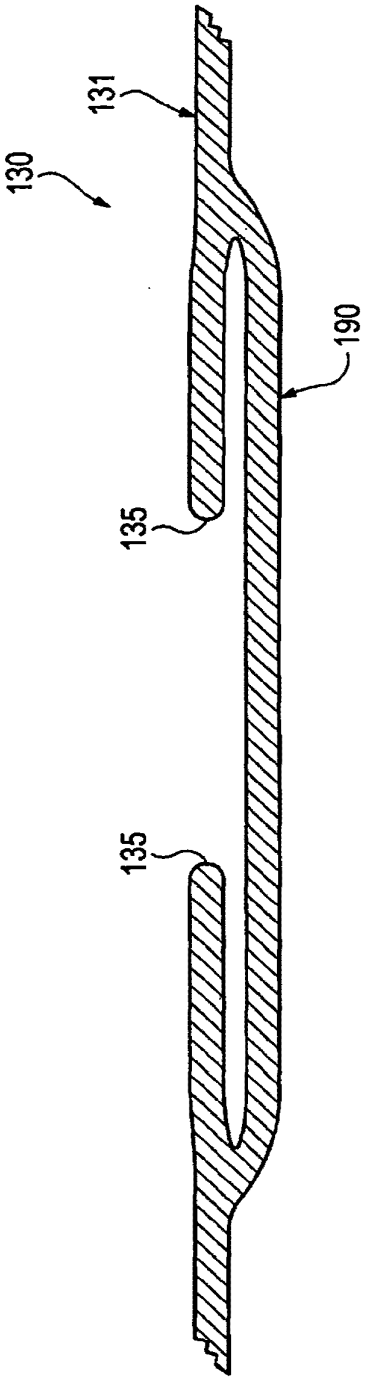


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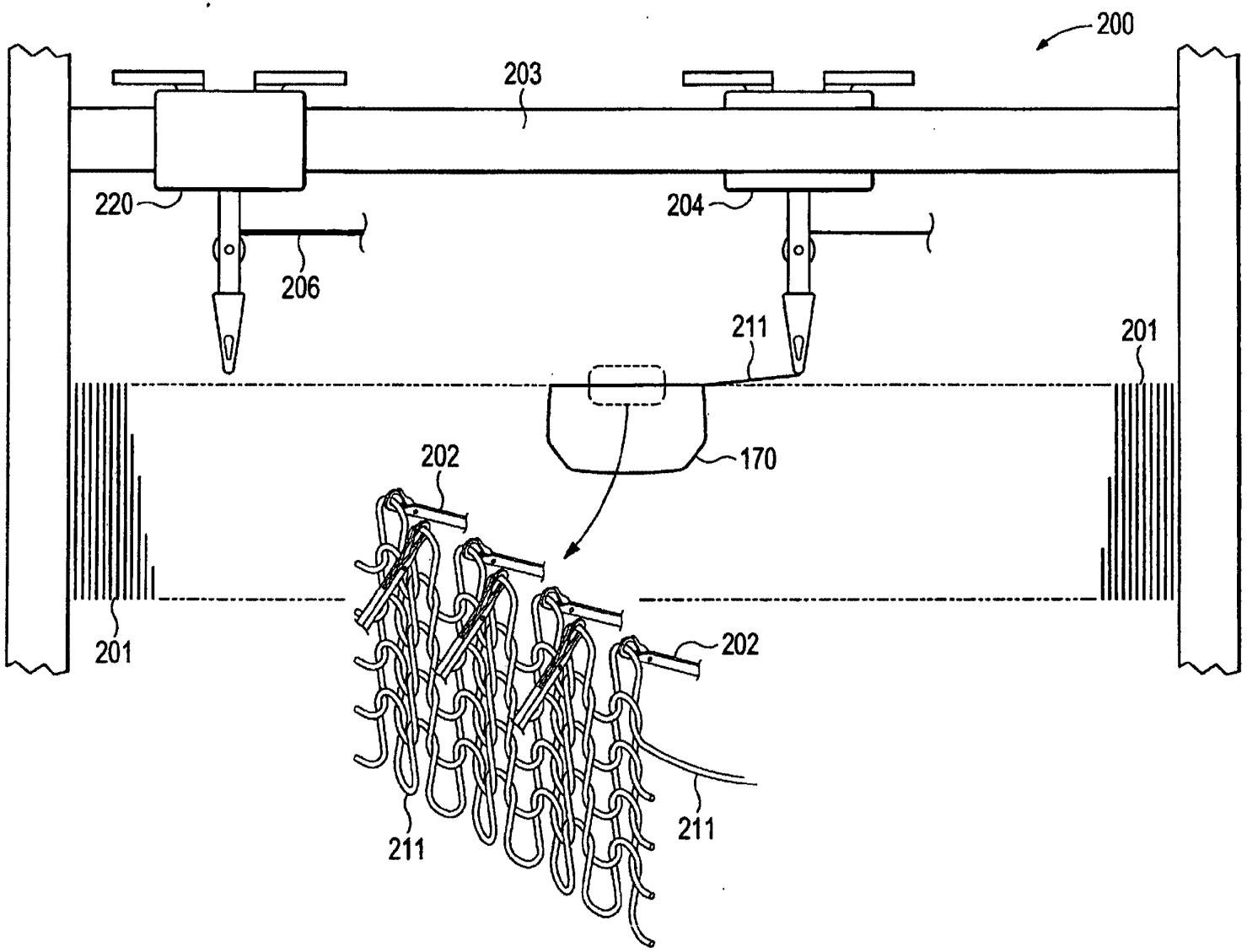


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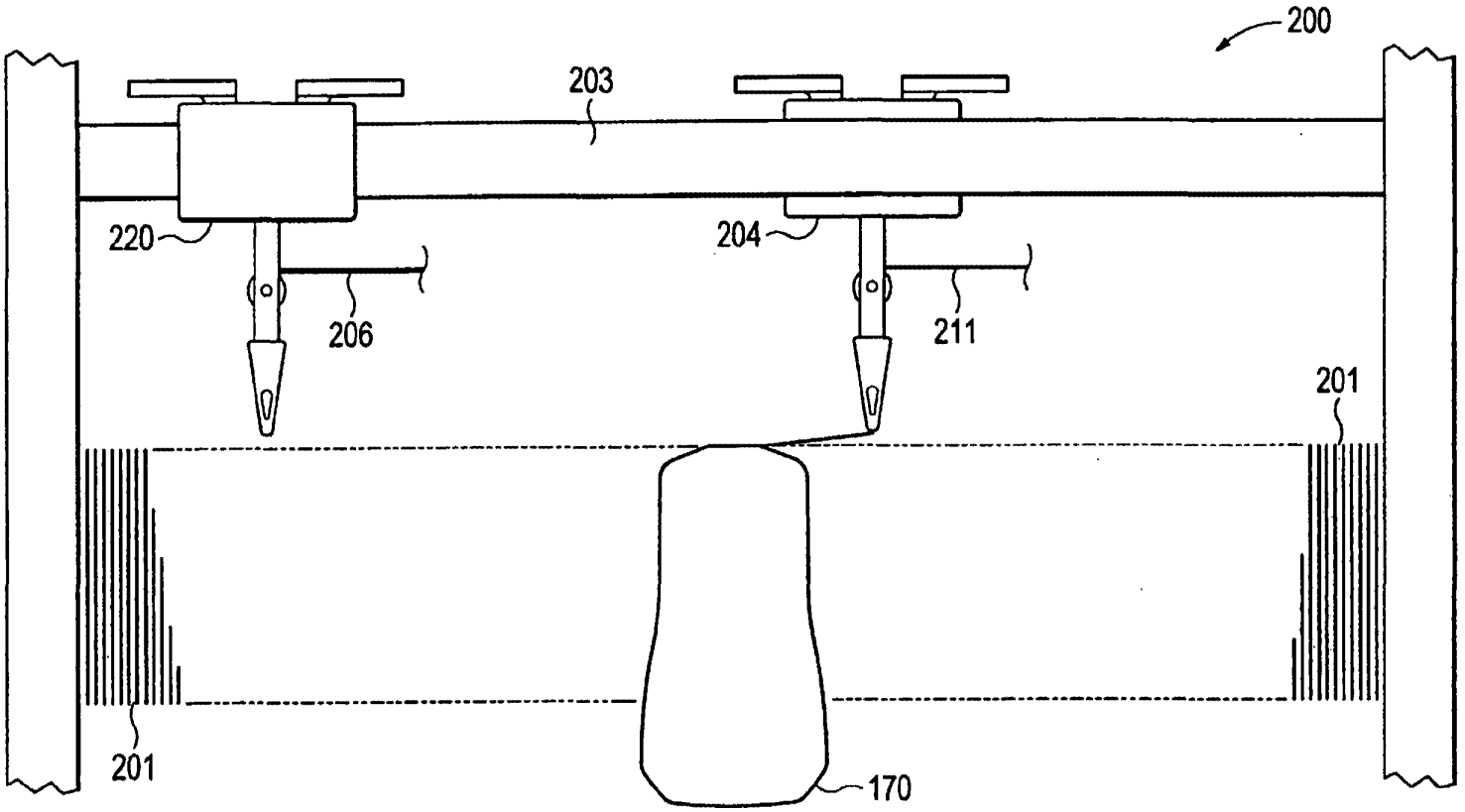


圖 36B

Skechers EX1013-p. 1547
Skechers v Nike

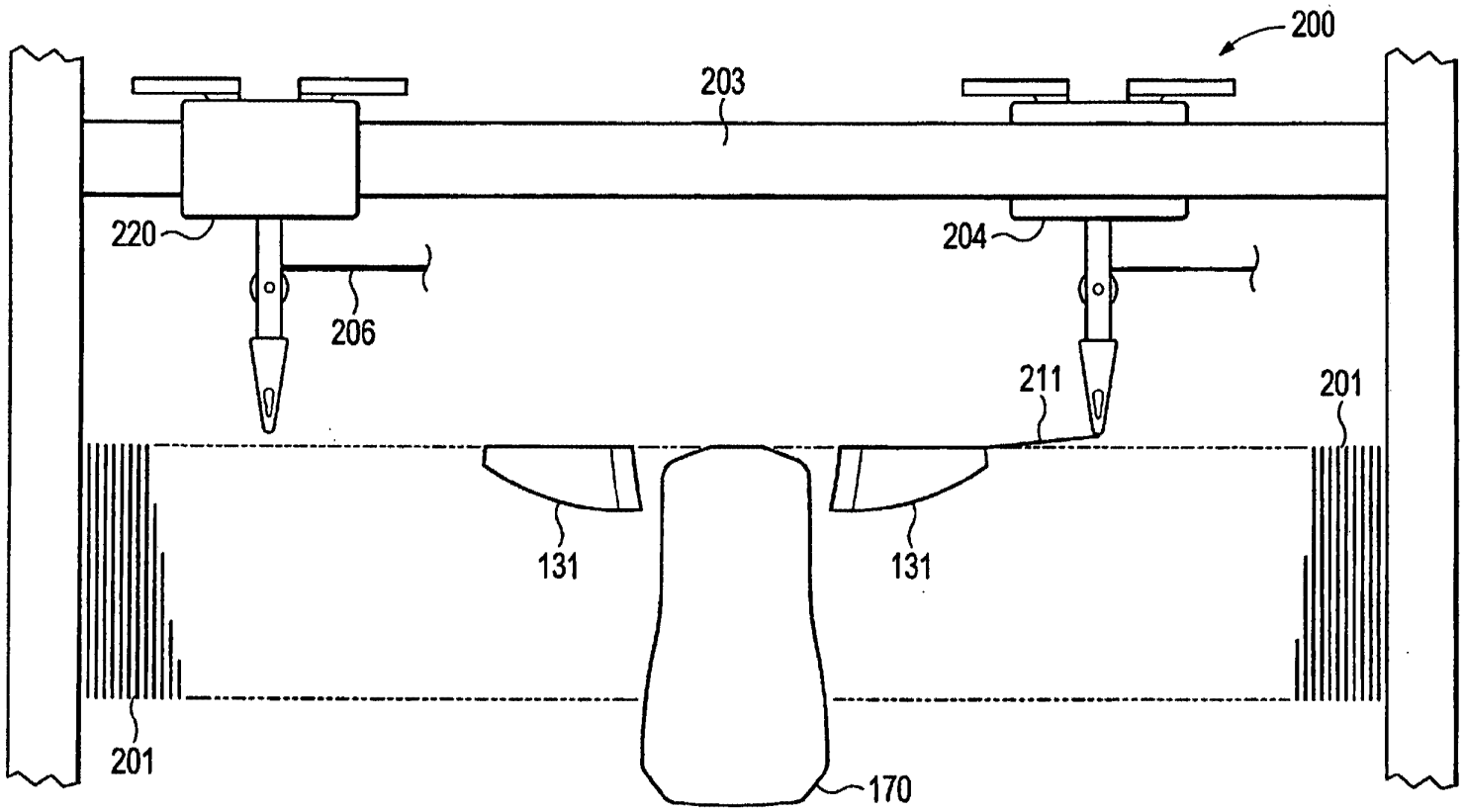


圖 36C

Skechers EX1013-p. 1549
Skechers v Nike

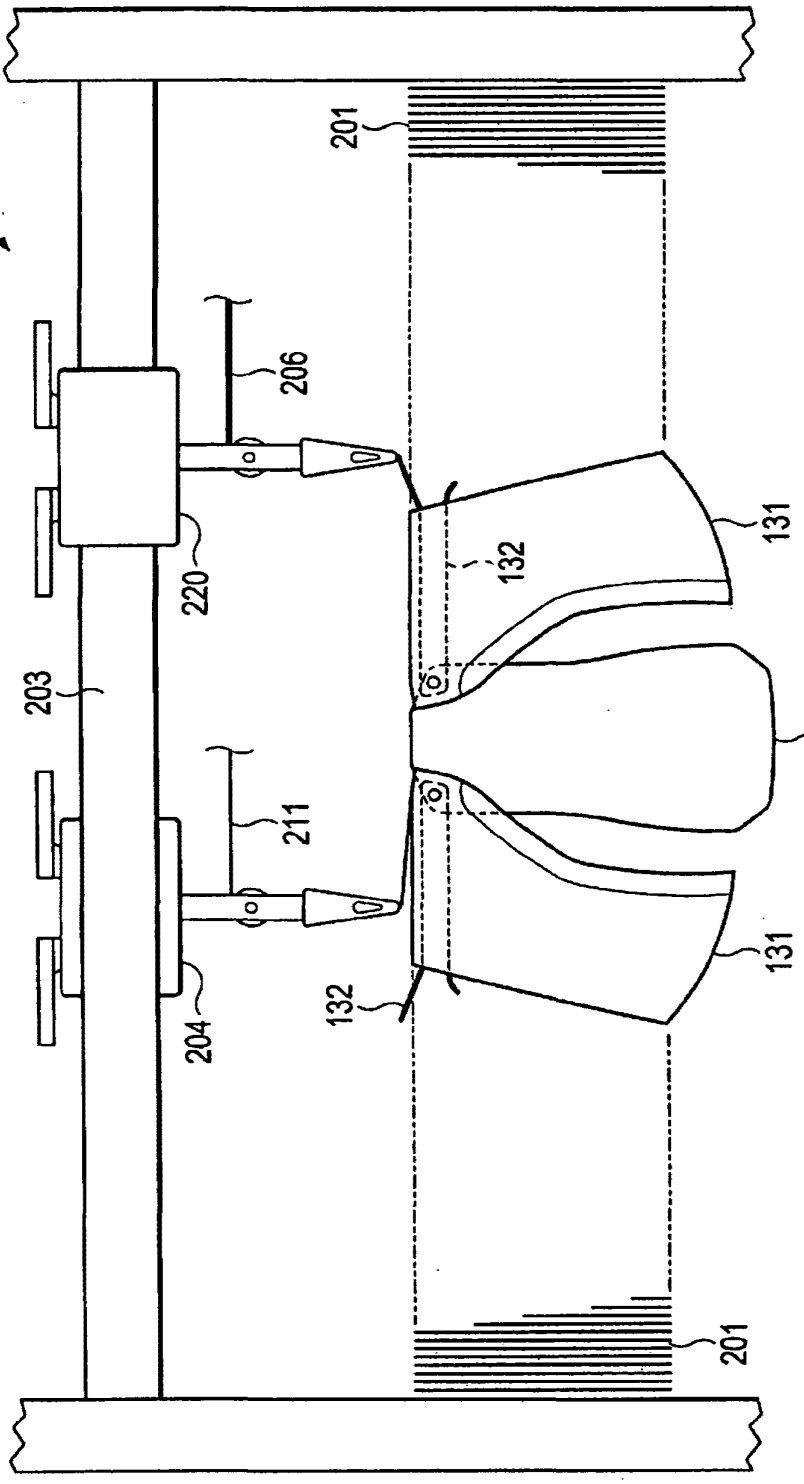


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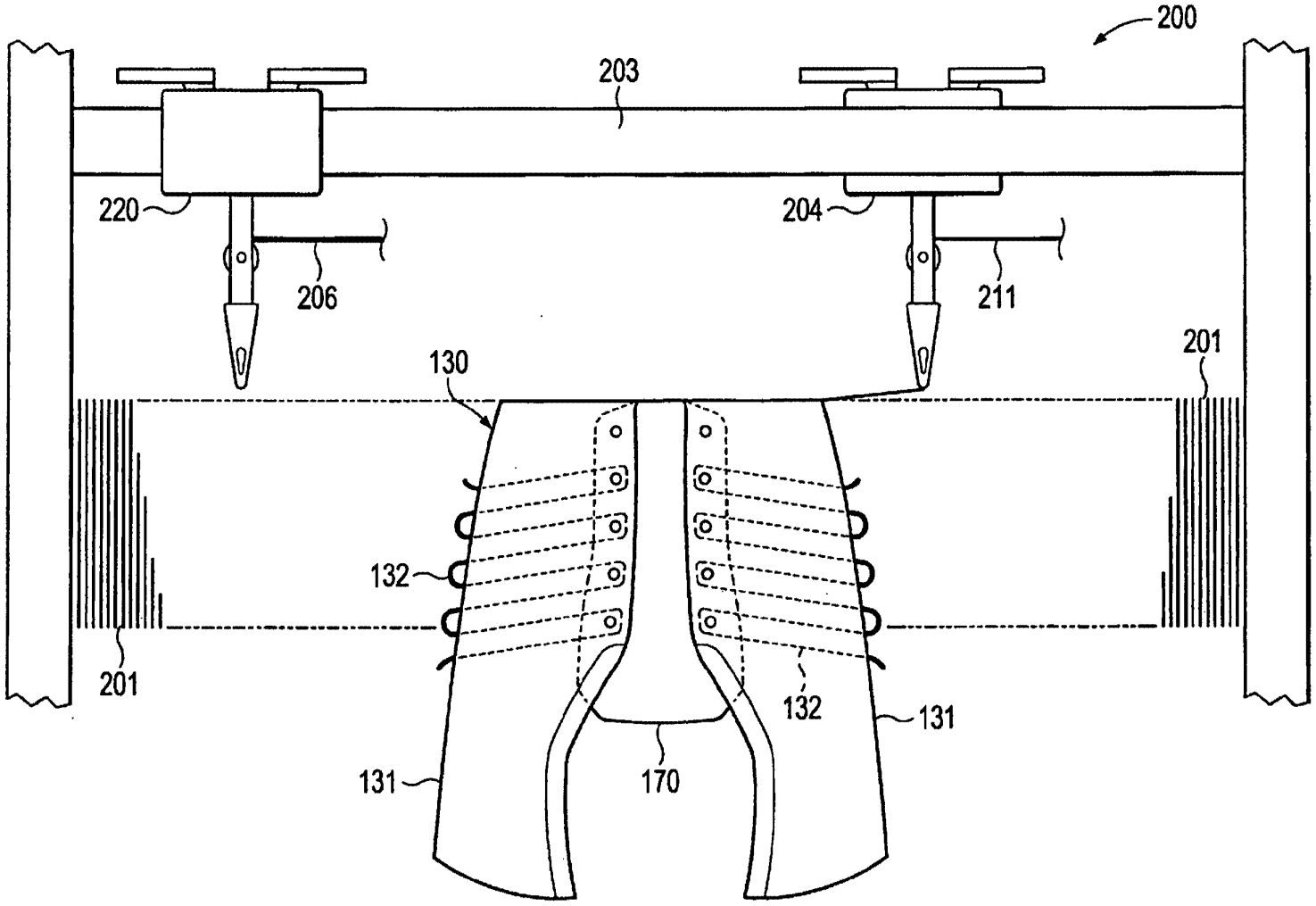


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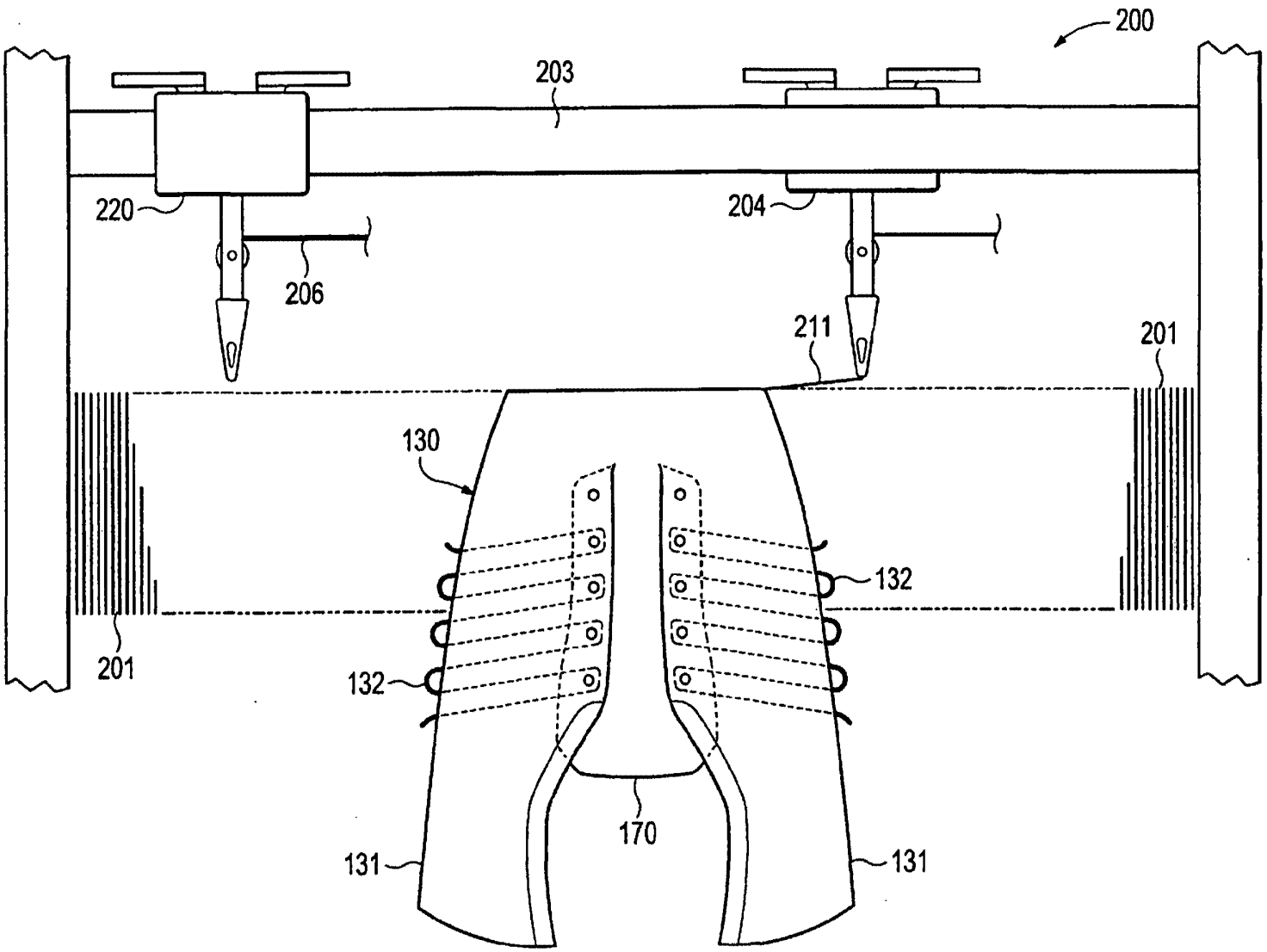


圖 36F

Skechers EX1013-p. 1551
Skechers v Nike

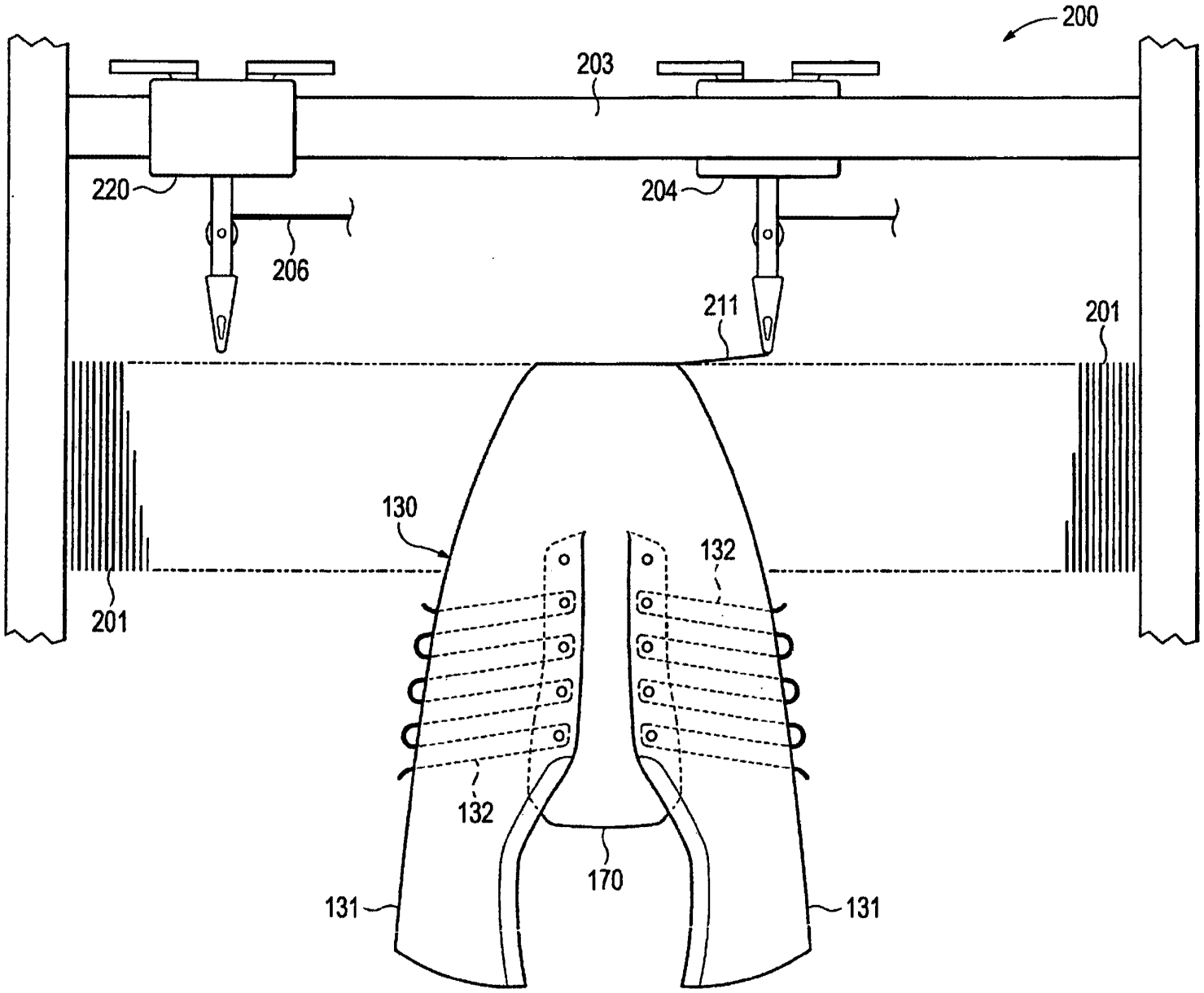


圖 36G

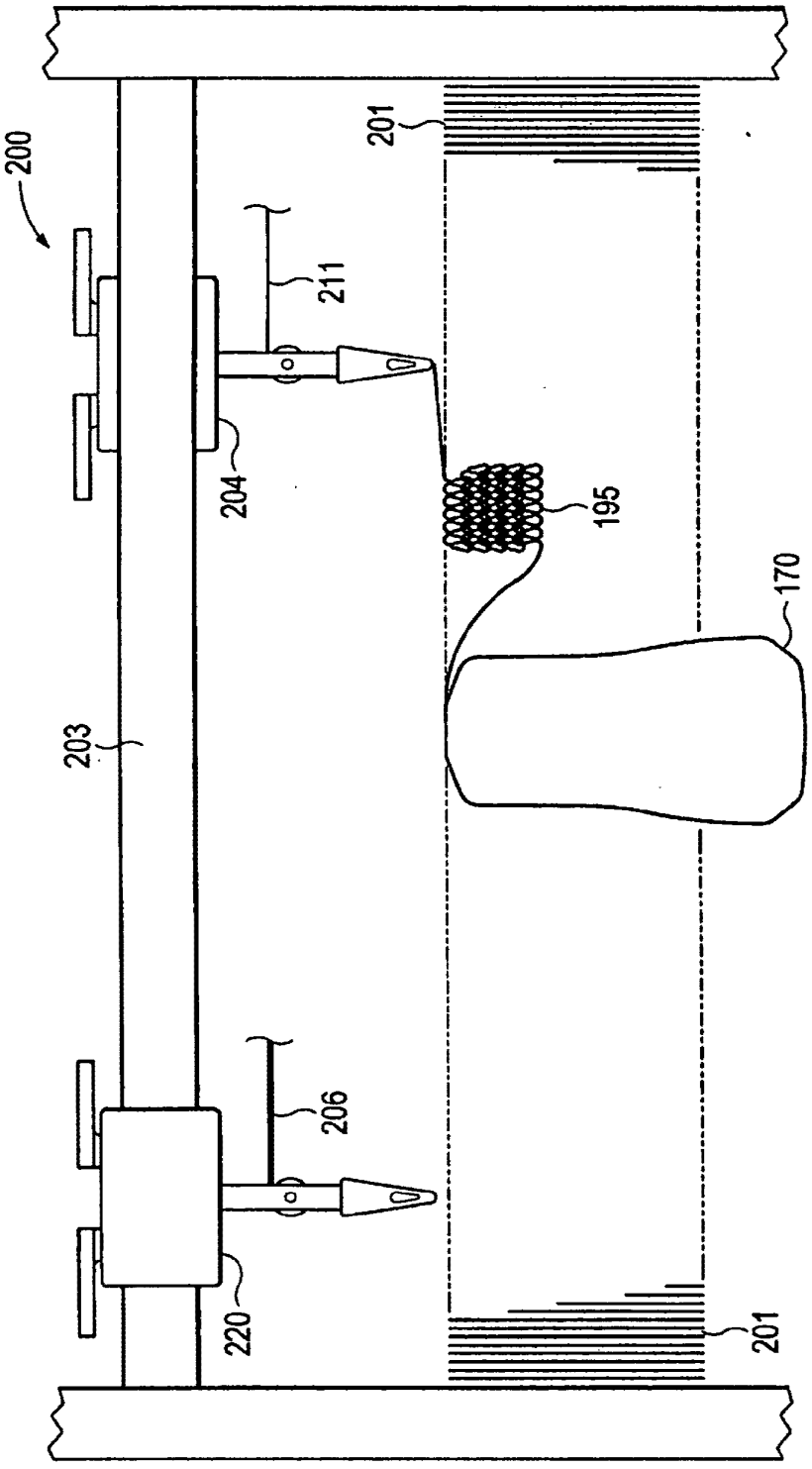


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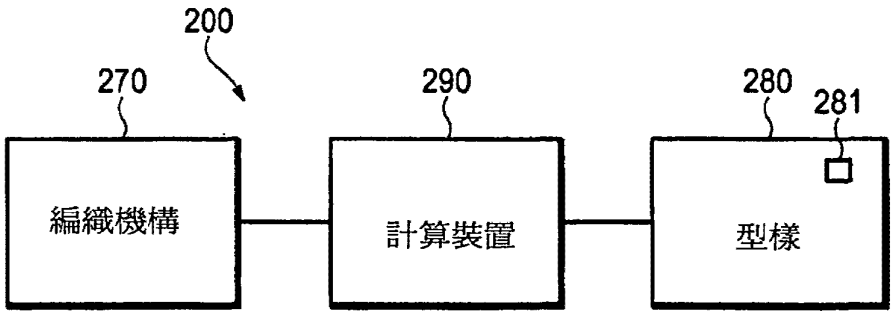


圖 38

Skechers EX1013-p. 1554
Skechers v Nike

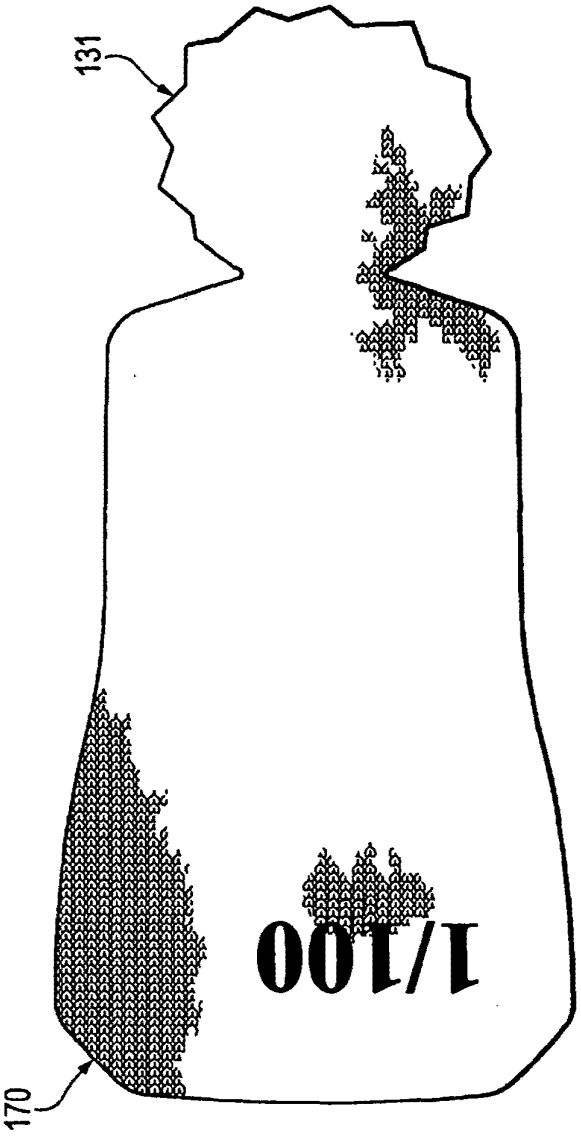


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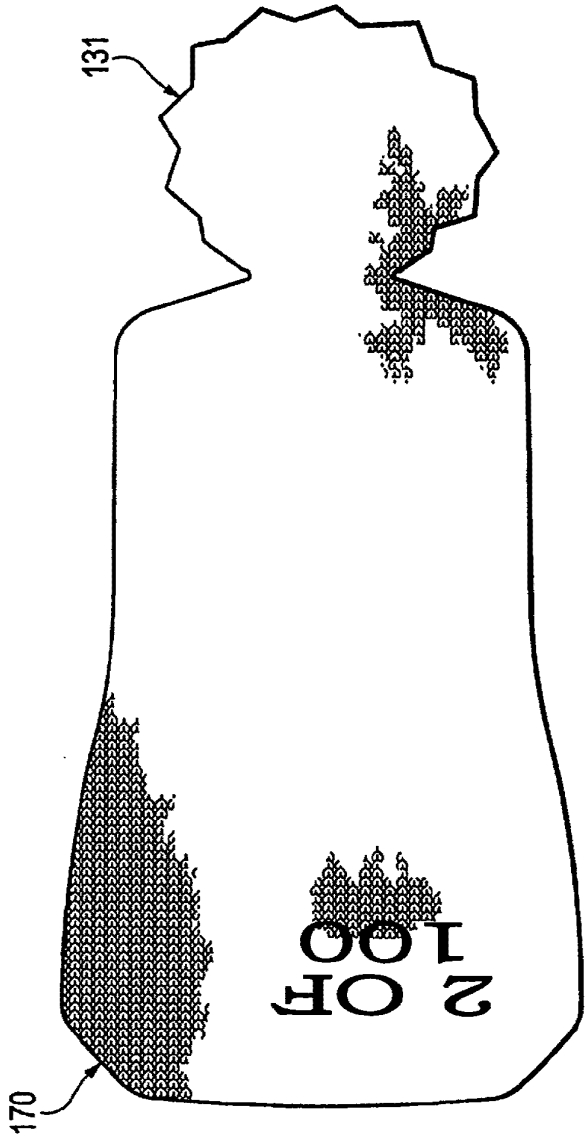


圖 39B

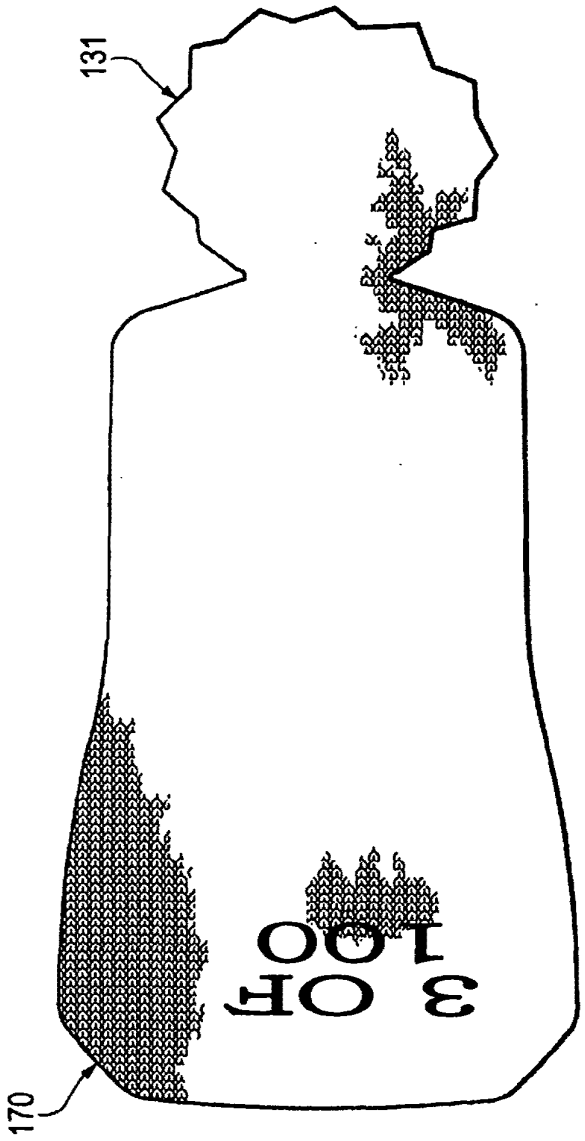


圖 39C

【代表圖】

【本案指定代表圖】：第（ 26 ）圖。

【本代表圖之符號簡單說明】：

131　編織元件

170　編織鞋舌/鞋舌

【本案若有化學式時，請揭示最能顯示發明特徵的化學式】：

（無）

Skechers EX1013-p. 1558
Skechers v Nike

M498500

(19)中華民國智慧財產局

(12)新型說明書公告本 **(11)證書號數：TW M498500 U**

(45)公告日： 中華民國 104 (2015) 年 04 月 11 日

(21)申請案號：103216283 (22)申請日： 中華民國 103 (2014) 年 09 月 12 日

(51)Int. Cl.： *A43B1/04 (2006.01)*

(30)優先權：2013/09/13 美國 14/026,531

(71)申請人：耐克創新有限合夥公司(荷蘭) NIKE INNOVATE C. V. (NL)
美國

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(74)代理人：陳長文

(NOTE)備註： 相同的創作已於同日申請發明專利(Another patent application for invention in respect of the same creation has been filed on the same date)

申請專利範圍項數：38 項 圖式數：17 共 65 頁

(54)名稱

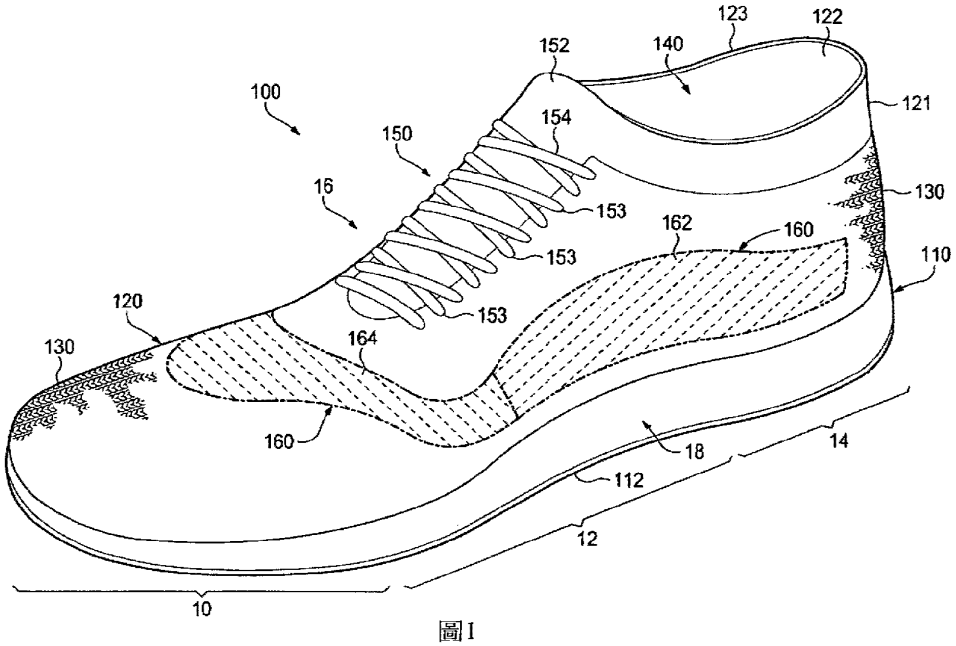
包含具有若干單絲區域之一編織組件之鞋類物件

ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT WITH MONOFILAMENT AREAS

(57)摘要

本新型描述一種鞋類物件，其包含併入具有一或多個單絲區域之一編織組件之一鞋面。單絲區域藉由使用一單絲線編織形成。該等單絲區域由具有該編織組件之其餘部分之單式編織構造形成。一襯墊拉伸元件可延伸穿過該編織組件，包含該等單絲區域之部分。

An article of footwear including an upper incorporating a knitted component having one or more monofilament areas is described. Monofilament areas are formed by knitting with a monofilament strand. The monofilament areas are formed of unitary knit construction with the remaining portions of the knitted component. An inlaid tensile element can extend through the knitted component, including portions of the monofilament areas.



圖I

10・・・前足區

12・・・中足區

14・・・腳跟區

16・・・外側

18・・・內側

100・・・鞋類物件/物件

110・・・鞋底結構

112・・・外底

120・・・鞋面

121・・・外表面

122・・・內表面

123・・・鞋領

130・・・編織組件

140・・・喉部開口/腳踝開口

150・・・腳背區域

152・・・鞋舌部分

153・・・鞋帶孔隙

154・・・鞋帶

160・・・單絲區域

162・・・內單絲部分

164・・・前足單絲部分

新型專利說明書

（本說明書格式、順序，請勿任意更動）

【新型名稱】

包含具有若干單絲區域之一編織組件之鞋類物件

ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT WITH MONOFILAMENT AREAS

【先前技術】

習知鞋類物件大體上包含兩個主要元件，一鞋面及一鞋底結構。鞋面經緊固至鞋底結構且在鞋類之內部形成用於舒適且牢固地收納一腳部之一空間。鞋底結構經緊固至鞋面之一下區域，藉此定位於鞋面與地面之間。舉例而言，在運動鞋類中，鞋底結構可包含一中底及一外底。中底通常包含一聚合物發泡體材料，其減弱地面反作用力以在步行、跑步及其他走動活動期間減輕腳部及腿部上的壓力。另外，中底可包含流體填充室、板、緩和器或其他元件，其等進一步減弱力、增強穩定性或影響腳部之運動。外底經緊固至中底之一下表面且提供由一耐用且耐磨材料(諸如橡膠)形成之鞋底結構之一地面接合部分。鞋底結構亦可包含一鞋墊，其定位於空間內且緊鄰腳部之一下表面以增強鞋類舒適性。

鞋面大體上延伸在腳部之背部及腳趾區域上方、沿著腳部之內側及外側、在腳部下方且圍繞腳部之腳跟區域。在一些鞋類物件(諸如籃球鞋類及靴子)中，鞋面可沿著腳踝向上且圍繞腳踝延伸以為腳踝提供支撐或保護。一般言之，藉由鞋類之一腳跟區域中之一腳踝開口出入鞋面之內部上之空間。一鞋帶系統通常併入至鞋面中以調整鞋面之配合，藉此允許腳部進入鞋面內之空間及從鞋面內之空間伸出。鞋帶系統亦允許穿著者修改鞋面之特定尺寸(特定言之，圍度)以用不

同尺寸適應腳部。另外，鞋面可包含在鞋帶系統下方延伸以增強鞋類之可調整性之一鞋舌，且鞋面可併入一腳跟後幫以限制腳跟之移動。

在製造鞋面中習知地使用各種材料元件(例如，織物、聚合物發泡體、聚合物片、皮革、合成皮革)。舉例而言，在運動鞋類中，鞋面可具有多個層，各層包含各種接合之材料元件。作為實例，材料元件可經選擇以為鞋面之不同區域賦予抗拉伸性、耐磨性、可撓性、透氣性、可壓縮性、舒適性及吸濕排汗性。為了為鞋面之不同區域賦予不同性質，材料元件通常經切割成所要形狀且隨後通常用縫合或黏合劑結合而接合在一起。再者，材料元件通常以一層狀結構接合在一起以為相同區域賦予多種性質。隨著併入至鞋面中之材料元件之數目及類型增加，相關聯於運送、存放、切割及接合材料元件之時間及費用亦可增加。來自切割及縫合程序之廢料亦隨併入至鞋面中之材料元件之數目及類型增加而更大程度地累積。再者，相較於由較少類型及數目之材料元件形成之鞋面，具有更大數目之材料元件之鞋面可更難以再回收。因此，藉由減少在鞋面中利用之材料元件之數目，可在增大鞋面之製造效率及可回收性的同時減少廢料。

【新型內容】

一鞋類物件之各種結構可具有一鞋面及緊固至該鞋面之一鞋底結構。該鞋面之一編織組件包含一或多個單絲區域。該等單絲區域由具有該編織組件之其餘部分之單式編織構造形成。

在一態樣中，本新型提供一鞋類物件，其具有一鞋面及緊固至該鞋面之一鞋底結構，該鞋面包含一編織組件，該編織組件包括：該編織組件之一第一部分，其由一第一紗線形成，該第一紗線係一天然或合成經撚纖維紗線；至少一個單絲區域，其安置於該編織組件上，該至少一個單絲區域由一單絲線形成；其中該至少一個單絲區域由具有該編織組件之該第一部分之單式編織構造形成，使得該編織組件係

Skechers EX1013-p. 1562
Skechers v Nike

一單件元件。

在另一態樣中，本新型提供一鞋類物件，其具有一鞋面及緊固至該鞋面之一鞋底結構，該鞋面包含一編織組件，該編織組件包括：一編織元件，其包含一第一紗線，該編織元件界定該鞋面之一外表面之一部分及該鞋面之一對置內表面，該內表面界定用於收納一腳部之一空間，該第一紗線係一天然或合成經撚纖維紗線；及至少一個單絲區域，其由兩個編織層組成，該兩個編織層重疊且至少部分彼此同延，每一編織層包含一單絲線；其中該至少一個單絲區域由具有該編織元件之單式編織構造形成，使得該編織組件係一單件元件。

在另一態樣中，本新型提供一鞋類物件，其具有一鞋面及緊固至該鞋面之一鞋底結構，該鞋面包含一編織組件，該編織組件包括：該編織組件之一第一部分，其由一第一紗線形成，該第一紗線係一天然或合成經撚纖維紗線；該編織組件之一第二部分，其由一單絲線形成，其中第二部分由具有該第一部分之單式編織構造形成，使得該編織組件係一單件元件；及一襯墊拉伸元件，其延伸穿過該編織組件，包含該第一部分之至少一部分及該第二部分之一部分。

一般技術者在研究下圖及實施方式之後將明白或將變得明白本新型之其他系統、方法、特徵及優點。所有此等額外系統、方法、特徵及優點旨在包含於此實施方式及此新型內容中，落於本新型之範疇內，且由以下申請專利範圍保護。

【圖式簡單說明】

參考隨附圖式及描述可更好理解本新型。圖式中之組件不必按比例，反而，重點在於圖解說明本新型之原理。再者，在圖式中，類似參考數字指定遍及不同視圖之對應部分。

圖1係併入具有單絲區域之一編織組件之一鞋類物件之一例示性實施例之一等角視圖；

Skechers EX1013-p. 1563
Skechers v Nike

圖2係併入具有單絲區域之一編織組件之一鞋類物件之例示性實施例之一內側視圖；

圖3係併入具有單絲區域之一編織組件之一鞋類物件之例示性實施例之一外側視圖；

圖4係併入具有單絲區域之一編織組件之一鞋類物件之例示性實施例之一俯視圖；

圖5係沿著在圖4中展示之線之一鞋類物件之例示性實施例之一橫截面視圖；

圖6係具有單絲區域之編織組件之一例示性實施例之一俯視圖；

圖7係包含例示性編織結構之放大圖之具有單絲區域之編織組件之例示性實施例之一俯視圖；

圖8係併入具有各種單絲區域之一編織組件之一鞋類物件之一例示性實施例之一等角視圖；

圖9係併入具有各種單絲區域之一編織組件之一鞋類物件之例示性實施例之一內側視圖；

圖10係併入具有各種單絲區域之一編織組件之一鞋類物件之例示性實施例之一外側視圖；

圖11係併入具有各種單絲區域之一編織組件之一鞋類物件之例示性實施例之一俯視圖；

圖12A至圖12C係沿著根據在圖11中展示之截面線之不同部分之一鞋類物件之例示性實施例之橫截面視圖；

圖13係具有各種單絲區域之編織組件之一例示性實施例之一俯視圖；

圖14係包含例示性編織結構之放大圖之具有各種單絲區域之編織組件之例示性實施例之一俯視圖；

圖15A至圖15C係沿著根據在圖14中展示之截面線之不同部分之

Skechers EX1013-p. 1564
Skechers v Nike

一編織組件之例示性實施例之橫截面視圖；

圖16A係包含一拉伸元件之一編織組件之一例示性實施例之一部分之一放大圖；

圖16B係包含一拉伸元件之一編織組件之一替代實施例之一部分之一放大圖；及

圖17係用於編織一編織結構之一循環圖之一表示。

【實施方式】

以下論述及隨附圖式揭示相關於編織組件及編織組件之製造之各種概念。儘管編織組件可用於各種產品中，但併入一或多個編織組件之一鞋類物件在下文中揭示為一實例。圖1至圖17圖解說明併入一編織組件之一鞋類物件之例示性實施例，該編織組件包含由具有編織組件之其餘部分之單式編織構造形成之一或多個單絲區域。在本文中描述之編織組件之任一者之個別特徵可組合使用或可在用於鞋類物件之不同結構中分開提供。另外，該等特徵之任一者可為選用的且可包含於一編織組件之任一特定實施例中。

圖1至圖4圖解說明一鞋類物件100 (亦簡稱為物件100)之一例示性實施例。在一些實施例中，鞋類物件100可包含一鞋底結構110及一鞋面120。儘管物件100被圖解說明為具有適合於跑步之一般結構，但相關聯於物件100之概念亦可應用至各種其他運動鞋類類型，包含(例如)足球鞋、棒球鞋、籃球鞋、騎行鞋、橄欖球鞋、網球鞋、訓練鞋、步行鞋及登山靴。該等概念亦可應用至通常被視為非運動之鞋類類型，包含禮鞋、平底便鞋、涼鞋及工作靴。因此，相對於物件100揭示之概念可應用至多種鞋類類型。

出於參考目的，物件100可分成三個一般區：一前足區10、一中足區12及一腳跟區14，如在圖1、圖2及圖3中展示。前足區10大體上包含相對應於腳趾及連接蹠骨與趾骨之關節之物件100之部分。中足

Skechers EX1013-p. 1565
Skechers v Nike

區12大體上包含相對應於腳部之一弓形區域之物件100之部分。腳跟區14大體上相對應於腳之後部(包含跟骨)。物件100亦包含一外側16及一內側18，外側16及內側18延伸穿過前足區10、中足區12及腳跟區14之各者且相對應於物件100之對置側。更特定言之，外側16相對應於腳部之一外側區域(即，背向另一腳部之表面)，且內側18相對應於腳部之一內側區域(即，面向另一腳部之表面)。前足區10、中足區12及腳跟區14及外側16、內側18不旨在劃分物件100之精確區域。實情係，前足區10、中足區12及腳跟區14及外側16、內側18旨在表示物件100之大體區域以幫助以下論述。除物件100以外，前足區10、中足區12及腳跟區14及外側16、內側18亦可應用至鞋底結構110、鞋面120及其等之個別元件。

在一例示性實施例中，鞋底結構110經緊固至鞋面120且當物件100被穿著時在腳部與地面之間延伸。在一些實施例中，鞋底結構110可包含一或多個組件，包含一中底、一外底及/或一鞋墊或內底。在一例示性實施例中，鞋底結構110可包含經緊固至鞋面120之一下表面之一外底112及/或經結構設計以將鞋底結構110緊固至鞋面120之一基部。在一項實施例中，外底112可由經紋理化以賦予牽引力之一耐磨橡膠材料形成。儘管用於鞋底結構110之此結構提供可連同鞋面120使用之一鞋底結構之一實例，但亦可使用用於鞋底結構110之其他習知或非習知結構。因此，在其他實施例中，鞋底結構110或搭配鞋面120一起使用之任何鞋底結構之特徵可變化。

舉例而言，在其他實施例中，鞋底結構110可包含一中底及/或一鞋墊。一中底可經緊固至一鞋面之一下表面且在一些情況中可由當在步行、跑步或其他走動活動期間在腳部與地面之間受到壓縮時減弱地面反作用力(即，提供緩衝)之一可壓縮聚合物發泡體元件(例如，聚氨酯或乙烯醋酸乙烯酯共聚物發泡體)形成。在其他情況中，一中底可

Skechers EX1013-p. 1566
Skechers v Nike

併入進一步減弱作用力、增強穩定性或影響腳部之運動之薄板、緩和器、流體填充室、鞋楦元件或運動控制部件。仍在其他情況中，中底可主要由定位於一鞋面內之一流體填充腔形成且經定位以在腳部之一下表面下方延伸以增強一物件之舒適性。

在一些實施例中，鞋面120界定物件100內之一空間以用於收納且相對於鞋底結構110緊固一腳部。空間經塑型以適應腳部且沿著腳部之一外側、沿著腳部之一內側、在腳部上方、圍繞腳跟且在腳部下方延伸。鞋面120包含一外表面121及一對置內表面122。然而，外表面121面向外且遠離物件100，內表面122面向內且界定物件100內之空間之大部分或一相對大部分以用於收納腳部。再者，內表面122可倚靠腳部或覆蓋腳部之一襪。鞋面120亦可包含定位於至少腳跟區14中且形成一喉部開口140之一鞋領123。藉由喉部開口140提供出入空間。更特定言之，腳部可通過由鞋領123形成之喉部開口140插入至鞋面120中，且腳部可通過由鞋領123形成之喉部開口140從鞋面120伸出。在一些實施例中，一腳背區域150從腳跟區14中之鞋領123及腳踝開口140在對應於中足區12中之腳部之一腳背之一區域上方向前延伸至鄰近前足區10之一區域。

在一些實施例中，鞋面120可包含一鞋舌部分152。鞋舌部分152可穿過腳背區域150安置於鞋面120之外側16與內側18之間。在一例示性實施例中，鞋舌部分152可穿過腳背區域150沿著外側及內側整體附接至具有鞋面120之部分之單式編織構造且由具有鞋面120之部分之單式編織構造形成。因此，如在圖式中展示，鞋面120可實質上連續延伸橫跨外側16與內側18之間的腳背區域。在其他實施例中，鞋舌部分152可穿過腳背區域150沿著外側及內側斷開連接，使得鞋舌部分152可在腳背區域150之對置側上之一外部與一內部之間的一開口內移動。

Skechers EX1013-p. 1567
Skechers v Nike

一鞋帶154延伸穿過鞋面120中之複數個鞋帶孔隙153且允許穿著者修改鞋面120之尺寸以適應腳部之比例。在一些實施例中，鞋帶154可延伸穿過沿著腳背區域150之兩側安置之鞋帶孔隙153。更特定言之，鞋帶154允許穿著者圍繞腳部拉緊鞋面120，且鞋帶154允許穿著者鬆開鞋面120以促進腳部進入空間及從空間伸出(即，通過喉部開口140)。另外，鞋面120在腳背區域150中之鞋舌部分152在鞋帶154下方延伸以增強物件100之舒適性。在圖1中使用物件100圖解說明鞋帶154，但出於簡明之目的可在圖2至圖4中省略鞋帶154。在進一步結構中，鞋面120可包含額外元件，諸如：(a)腳跟區14中之一腳跟後幫，其增強穩定性；(b)前足區10中之一護腳板，其由一耐磨材料形成；及(c)標誌、商標及具有保養說明及材料資訊之標貼。

在一些實施例中，鞋面120可包含具有單絲線之一或多個部分(如將在下文中更詳細描述)。單絲線可由經受壓以形成單絲線之一塑膠或聚合物材料製成。一般言之，單絲線可為輕量的且具有一高拉伸強度，即，能夠在拉伸失敗或斷裂之前維持較大程度之壓力，從而提供對拉伸至鞋面120之一較大量或程度之抵抗。在一例示性實施例中，鞋面120包含單絲線之部分可定位於一或多個單絲區域160中。

在一些實施例中，單絲區域160可定位於鞋面120之各種部分上。在一例示性實施例中，一或多個單絲區域160可定位於物件100中鞋面120將大體上平坦倚靠安置於鞋面120內之一穿著者之一腳部之部分上。在此實施例中，單絲區域160包含安置於鞋面120之內側18上之一內單絲部分162及安置於鞋面120之外側16上之一外單絲部分166。內單絲部分162及外單絲部分166可大體上定位於中足區12中。在一些實施例中，單絲區域160可進一步包含在鞋面120之前足區10中安置於腳背區域150前方之一前足單絲部分164。

在一些實施例中，單絲區域160可在橫跨鞋面120之各單絲區域

Skechers EX1013-p. 1568
Skechers v Nike

160之間實質上連續。舉例而言，在一項實施例中，內單絲部分162可與前足單絲部分164連續，且外單絲部分166亦可與前足單絲部分164連續。憑藉此結構，單絲區域160可形成從外側16橫跨前足區10至內側18而延伸橫跨鞋面120之一實質上連續帶。在其他實施例中，包含內單絲部分162、前足單絲部分164及/或外單絲部分166之各單絲區域160可與安置於鞋面120上之其他單絲區域160不連續。在其中單絲區域160不連續之實施例中，各單絲區域160 (例如，內單絲部分162、前足單絲部分164及/或外單絲部分166)可被鞋面120之其餘部分圍繞或外接。

許多習知鞋類鞋面由透過縫合或結合而接合之多個材料元件(例如，織物、聚合物發泡體、聚合物片、皮革、合成皮革)形成。相比言之，在一些實施例中，鞋面120之大部分由一編織組件130形成，此將在下文中更詳細論述。舉例而言，編織組件130可透過一橫編程序製成且穿過前足區10、中足區12及腳跟區14之各者，沿著外側16及內側18二者、在前足區10上方且圍繞腳跟區14延伸。在一例示性實施例中，編織組件130實質上形成全部鞋面120，包含外表面121及內表面122之大部分或一相對大部分，藉此界定鞋面120內之空間之一部分。在一些實施例中，編織組件130亦可在腳部下方延伸。然而，在其他實施例中，一中底布(strobel sock)或鞋底狀薄片材料經緊固至編織組件130以形成鞋面120之一基部，其在腳部下方延伸以與鞋底結構110附接。另外，一縫線129垂直延伸穿過腳跟區14 (如在圖4中描繪)以接合編織組件130之邊緣。

儘管編織組件130中可存在縫線，但編織組件130之大部分具有一實質上無縫線結構。再者，編織組件130可由單式編織構造形成。如在本文中利用，當一編織組件(例如，編織組件130)透過一編織程序形成為一單件元件時，其被定義為由「單式編織構造」形成。即，

Skechers EX1013-p. 1569
Skechers v Nike

編織程序在不需顯著額外製造步驟或程序之情況下實質上形成編織組件130之各種特徵及結構。一單式編織構造可用於形成具有包含一或多個紗線、線或編織材料緯圈之結構或元件之一編織組件，紗線、線或其他編織材料經接合使得結構或元件共同包含至少一個緯圈(即，共用一共同紗線)及/或包含實質上在結構或元件之各者之間連續之緯圈。使用此配置提供單式編織構造之一單件元件。

儘管可在編織程序隨後將編織組件130之部分接合至彼此(例如，將編織組件130之邊緣接合在一起)，但編織組件130仍由單式編織構造形成，此係因為其形成為一單件編織元件。再者，當在編織程序隨後添加其他元件(例如，一鞋帶、標誌、商標、具有保養說明及材料資訊之標貼)時，編織組件130仍由單式編織構造形成。

編織組件130可併入為鞋面120之分開區域賦予不同性質之各種類型之紗線。即，編織組件130之一個區域可由賦予一第一組性質之一第一類型之紗線形成，且編織組件130之另一區域可由賦予一第二組性質之一第二類型之紗線形成。在此結構中，可藉由針對編織組件130之不同區域選擇特定紗線而使遍及鞋面120之性質變化。一特定類型之紗線將賦予至編織組件130之一區域之性質部分取決於形成紗線內之各種絲及纖維之材料。舉例而言，棉提供柔軟手感、天然美感及可生物降解性。彈性及拉伸聚酯各提供顯著拉伸性及恢複性，其中拉伸聚酯亦提供可回收性。人造絲提供強光澤及吸濕性。毛料除絕緣性質及可生物降解性外亦提供高吸濕性。尼龍係具有相對高強度之一耐用且耐磨材料。聚酯係亦提供相對高耐用性之一疏水材料。除材料外，針對編織組件130選擇之紗線之其他態樣亦可影響鞋面120之性質。舉例而言，形成編織組件130之一紗線可為一單絲紗線或一多絲紗線。紗線亦可包含各由不同材料形成之分開絲。另外，紗線可包含各由兩個或兩個以上不同材料形成之絲，諸如具有含有一護套核心結

Skechers EX1013-p. 1570
Skechers v Nike

構之絲或由不同材料形成之兩半之一雙組份紗線。不同程度之經撚及捲邊以及不同纖度亦可影響鞋面120之性質。因此，形成紗線及紗線之其他態樣之材料二者可經選擇以賦予各種性質至鞋面120之分開區域。

在編織組件130之一些結構中，形成紗線之材料可為不可熔或可熔的。舉例而言，一不可熔紗線可實質上由一熱固性聚酯材料形成且可熔紗線可至少部分由一熱塑性聚酯材料形成。當一可熔紗線被加熱且熔合至不可熔紗線時，此程序可具有硬化或僵化編織組件130之結構之效果。再者，使用可熔紗線接合不可熔紗線之部分可具有在編織組件130內緊固或鎖定不可熔紗線之對置位置之效果，藉此賦予抗拉伸性及硬度。即，不可熔紗線之部分在與可熔紗線熔合時無法相對於彼此滑動，藉此防止編織組件130歸因於編織結構之相對移動而翹曲或永久拉伸。在編織組件130之部分中使用可熔紗線之另一特徵係關於在編織組件130之一部分變得受損或不可熔紗線之一者被切斷之情況下，限制拆散。因此，編織組件130之區域可構形為有編織結構內之可熔及不可熔紗線二者。

在一例示性實施例中，鞋面120可包含一第一類型之紗線，其經編織以形成編織組件130除單絲區域160外之部分。可藉由使用一單絲線編織形成鞋面120上之單絲區域160，以形成具有使用第一類型之紗線編織之部分之單式編織構造之編織組件130。即，單絲區域160由具有編織組件130之其餘部分之單式編織構造形成，從而成為一單件元件。

在一些實施例中，編織組件130可包含一或多個邊界區帶。邊界區帶界定其中紗線用於編織從一種紗線類型至另一紗線類型之編織組件130轉變之編織組件130之部分。舉例而言，編織組件130可在鞋面120上之一或多個邊界區帶處從一第一類型之紗線轉變成形成單絲區

Skechers EX1013-p. 1571
Skechers v Nike

域160之一單絲線。在一例示性實施例中，第一類型之紗線在相關聯於單絲區域160之各者之一或多個邊界區帶處從一天然或合成經撚纖維紗線轉變成單絲線。在此實施例中，內單絲部分162包含朝向鞋面120之腳跟區14安置之一後部內邊界200，其中形成內單絲部分162之一單絲線轉變成用於形成編織組件130之其餘部分之第一類型之紗線。內單絲部分162可進一步包含一頂部內邊界204及一底部內邊界206。在一項實施例中，頂部內邊界204沿著鞋面120之內側18定位且可與鞋領123及喉部開口140隔開一第一距離D1。在一項實施例中，底部內邊界206亦沿著鞋面120之內側18定位且可與鞋底結構110隔開一第二距離D2。

在一些實施例中，前部內邊界202可在鞋面120上界定內單絲部分162之一前部位置。在其中單絲區域160實質上連續之實施例中，前部內邊界202可簡單轉變成前足單絲部分164。然而，在其中各單絲區域160不連續之實施例中，前部內邊界202可界定從單絲線變回至第一紗線類型之轉變。應理解，在此等不連續實施例中，前足單絲部分164將藉由其中紗線再次轉變回至單絲線之另一邊界區帶界定。

繼續沿著鞋面120，前足單絲部分164可包含一後部前足邊界208及一前部前足邊界209。在一項實施例中，後部前足邊界208可定位於腳背區域150前方且隔開一第三距離D3。類似地，前部前足邊界209可定位於物件100之一腳趾端附近且隔開一第四距離D4。在此實施例中，外單絲部分166包含朝向鞋面120之腳跟區14安置之一後部外邊界210，其中形成外單絲部分166之一單絲線轉變成用於形成編織組件130之其餘部分之第一類型之紗線。外單絲部分166可進一步包含一頂部外邊界214及一底部外邊界216。在一項實施例中，頂部外邊界214沿著鞋面120之外側16定位且可與鞋領123及喉部開口140隔開一第五距離D5。在一項實施例中，底部外邊界216亦沿著鞋面120之外側16

定位且可與鞋底結構110隔開一第六距離D6。

在不同實施例中，相關聯於第一距離D1、第二距離D2、第三距離D3、第四距離D4、第五距離D5及/或第六距離D6之距離可變化。舉例而言，在一些情況中，第一距離D1及第五距離D5可從1公分變化至4公分。在一例示性實施例中，第一距離D1及第五距離D5可為約2公分至3公分。在一些情況中，第二距離D2及第六距離D6可從0.1公分變化至1公分。在一例示性實施例中，第二距離D2及第六距離D6可為約0.25公分至0.5公分。在一些情況中，第三距離D3可從1公分變化至4公分。在一項實施例中，第三距離D3可為約2公分至3公分。在一些情況中，第四距離D4可從2公分變化至6公分。在一項實施例中，第四距離D4可為約3公分至5公分。在其他情況中，相關聯於第一距離D1、第二距離D2、第三距離D3、第四距離D4、第五距離D5及/或第六距離D6之距離可更大或更小以提供變化形狀及/或尺寸之單絲區域160。

在一些實施例中，一前部外邊界212可在鞋面120上界定外單絲部分166之一前部位置。類似於前部內邊界202，在其中單絲區域160實質上連續之實施例中，前部外邊界212可簡單轉變成前足單絲部分164。然而，在其中各單絲區域160不連續之實施例中，前部外邊界212可界定從單絲線變回至第一紗線類型之轉變。應理解，在此等不連續實施例中，前足單絲部分164將藉由其中紗線再次轉變回至單絲線之另一邊界區帶界定。

在一些實施例中，內單絲部分162及外單絲部分166在內側18及外側16之各者上可具有類似配置從而近似對稱。在此等實施例中，第一距離D1及第五距離D5可約相等。類似地，第二距離D2及第六距離D6亦可約相等。然而，在其他實施例中，內側18及外側16之各者可具有在各側之間不同之單絲區域160。因此，在此等其他實施例中，

第一距離D1及第五距離D5之各者可不同及/或第二距離D2及第六距離D6可不同，以將內單絲部分162及外單絲部分166進一步定位於更遠離於或更接近於鞋領123及/或鞋底結構110。仍在其他實施例中，僅內側18或外側16之一者可包含單絲區域160。應理解，可根據本文中描述之程序配置具有不同尺寸、形狀及/或位置之單絲區域160之其他結構。

在一些實施例中，鞋面120上之單絲區域160可取決於用於製成形成各自單絲區域160之單絲線之材料之特性或性質為透明、半透明或不透明的。在一項實施例中，具有約0.114毫米之一直徑之一單一單絲線可用於形成單絲區域160，其包含內單絲部分162、前足單絲部分164及外單絲部分166。在其他實施例中，可使用具有一更大或更小直徑之一單絲線。另外，在其他實施例中，可針對鞋面120上之各分開單絲區域160使用不同單絲線，從而為各自單絲區域160提供不同性質或特性。

藉由將具有單絲區域160之編織組件130併入至用於物件100之鞋面120中，單絲區域160可提供強度、抗拉伸性、減小重量及/或協助氣流穿過鞋面120以提供物件100之內部之透氣性。舉例而言，如在圖5中展示，在中足區12中沿著鞋面120之內側18及外側16之各者安置內單絲部分162及外單絲部分166。使用此結構，鞋面120之內側18及外側16可具有增加之強度及此等區域中之抗拉伸性。另外，內單絲部分162及外單絲部分166之結構允許空氣容易地穿過鞋面120至物件100之內部中。舉例而言，當一穿著者之一腳部在物件100之內部沿著鞋面120之一基部500安置時，空氣可循環至鞋面120中及循環出鞋面120以協助提供物件100透氣性。

再者，相較於完全由一天然或合成經撚纖維紗線形成之一鞋面，藉由形成具有一或多個單絲區域160之鞋面120，鞋面120之總重

Skechers EX1013-p. 1574
Skechers v Nike

量可顯著減小。舉例而言，在一項實施例中，用於一成人之尺寸8之一鞋面在使用一天然或合成經撚纖維紗線編織時可重約49克。相比言之，具有單絲區域160之鞋面120針對一類似尺寸可僅重29克。因此，相關聯於在鞋面120中針對單絲區域160使用單絲線之重量減輕可輕至少40%。另外，藉由變化鞋面120上之單絲區域160之數目、形狀及/或尺寸，可達成額外重量減輕以使重量減小超過40%。

現參考圖6及圖7，在一平面或平坦結構中展示編織組件130之一例示性實施例。在此實施例中，編織組件130具有藉由一外周長邊緣600描輪廓之一大體上Y狀之結構。在此實施例中，外周長邊緣600圍繞編織組件130從外側16延伸至內側18。編織組件130之外周長亦包含安置於外側16及內側18之各者上之一對腳跟邊緣602。在一例示性實施例中，編織組件130可進一步包含沿著鞋領123之一內周長邊緣，內周長邊緣將相關聯於上文描述之喉部開口140且界定喉部開口140。當併入至一鞋類物件(包含物件100)中時，外周長邊緣600及腳跟邊緣602之至少一部分可倚靠鞋底結構110之一上表面以作為基部500 (在圖5中展示)。在其他實施例中，編織組件130可接合至附接至鞋底結構110之一中底布或鞋墊。另外，腳跟邊緣602接合至彼此且在物件100之腳跟區14中垂直延伸以形成縫線129。在一鞋類物件之一些實施例中，一材料元件可覆蓋腳跟邊緣602之間的縫線129以加強縫線129且增強物件之美學外觀。

編織組件130可包含由具有鞋面120之其餘部分之單式編織構造形成之腳背區域150，如在上文描述。在一些實施例中，腳背區域150包含安置於編織組件130中之複數個鞋帶孔隙153。鞋帶孔隙153可穿過編織組件130從外表面121延伸至內表面122且經結構設計以收納一鞋帶(包含鞋帶154)。在一例示性實施例中，鞋帶孔隙153可藉由編織直接形成至編織組件130中。然而，在其他實施例中，鞋帶孔隙153可

Skechers EX1013-p. 1575
Skechers v Nike

包含添加至編織組件130之額外加強元件。

在各種實施例中，編織組件130可併入賦予不同性質至鞋面120之分開區域之各種類型之紗線。舉例而言，編織組件130之一個區域可由賦予一第一組性質之一第一類型之紗線形成，且第一編織組件130之另一區域可由賦予一第二組性質之一第二類型之紗線形成。在此結構中，可藉由針對編織組件130之不同區域選擇特定紗線而使遍及鞋面120之性質變化。在一例示性實施例中，編織組件130包含單絲區域160，如在上文描述。在一項實施例中，單絲區域160可包含內單絲部分162、前足單絲部分164及/或外單絲部分166。如在上文描述，編織組件130由單式編織構造形成，使得編織組件130之區域之各者(包含單絲區域160)經編織為一單件元件。

現參考圖7，圖解說明沿著各種邊界區帶之單絲區域160之部分之放大圖以展示編織組件130之單式編織構造。如在上文描述，編織組件130上之邊界區帶界定其中紗線用於編織從一種紗線類型至另一紗線類型之編織組件130轉變之編織組件130之部分。舉例而言，編織組件130可在鞋面120上之一或多個邊界區帶處從一第一類型之紗線700轉變成形成單絲區域160之一單絲線701。在一例示性實施例中，第一類型之紗線700在相關聯於單絲區域160之各者之一或多個邊界區帶處從一天然或合成經撚纖維紗線轉變成單絲線701。

如在圖7中展示，在編織組件130之前足區10中之前部前足邊界209處，編織組件130從由單絲線701形成之前足單絲部分164轉變成由第一類型之紗線700形成之編織組件130之其餘部分。在此實施例中，單絲線701之一緯圈接合(例如，藉由套口(interlooping))至第一類型之紗線700之一相鄰緯圈。即，由編織單絲線701形成之一緯圈實質上與由編織第一類型之紗線700形成之一緯圈連續。使用此結構，單絲區域160可由具有編織組件130之單式編織構造形成。

Skechers EX1013-p. 1576
Skechers v Nike

類似地，編織組件130之相鄰經圈亦可在邊界區帶處從一種類型之紗線轉變成一不同類型之紗線。如在圖7中展示，在頂部內邊界204處，編織組件130從由第一類型之紗線700形成之一部分轉變成由單絲線701形成之內單絲部分162。在此實施例中，第一類型之紗線700之經圈接合至單絲線701之一相鄰經圈。在一項實施例中，可使用一嵌花編織技術編織單絲區域160以沿著邊界區帶在紗線類型之間轉變。舉例而言，可藉由使用嵌花編織構造技術將第一類型之紗線700之經圈接合至單絲線701之相鄰經圈。使用此結構，單絲區域160可由具有編織組件130之單式編織構造形成。

藉由形成具有單式編織構造之單絲區域160之編織組件130，單絲區域160可被編織組件130之其餘部分圍繞或外接，從而使單絲區域160經受拉力。即，第一類型之紗線700可經結構設計以圍繞由單絲線701形成之單絲區域160。由於第一類型之紗線700可具有小於無彈性且抗拉伸之單絲線701之一抗拉伸性，故編織組件130可在圍繞單絲區域160之部分中拉伸，從而在單絲區域160上施加一輕微拉伸力。使用此結構，藉由編織組件130之圍繞部分在單絲區域160上施加之拉伸力可協助防止或減小可對一穿著者之一腳部產生一不適感之單絲區域160中之單絲線701中之扭結或劇烈彎曲。

在不同實施例中，可提供併入具有不同特徵之一編織組件之一鞋類物件。在一些實施例中，一鞋類物件可在一鞋面上構形成具有不同類型之單絲區域之一編織組件。取決於所要類型及位置，可變化單絲區域以為一鞋面提供不同性質。舉例而言，在一些實施例中，具有一天然或合成經撚纖維紗線內層之一單絲區域可經結構設計以為一穿著者之一腳部提供舒適性。圖8至圖17圖解說明具有多種類型之單絲區域860之一鞋類物件800 (亦簡稱為物件800)之另一例示性實施例。在一些實施例中，鞋類物件800可包含附接至上文描述之鞋底結構110

Skechers EX1013-p. 1577
Skechers v Nike

之一鞋面820。在一例示性實施例中，鞋面820可包含多種類型之單絲區域860。

在一些實施例中，鞋面820可包含實質上類似於上文描述之鞋面120之組件之多個組件。舉例而言，鞋面820可包含一外表面821及一對置內表面822，外表面821及內表面822實質上類似於上文描述之外表面121及內表面122。鞋面820亦可包含一鞋領823，鞋領823實質上類似於鞋領123且定位於至少腳跟區14中且形成提供出入至鞋面820之內部之一喉部開口840。另外，鞋面820亦可包含一腳背區域850，腳背區域850實質上類似於上文描述之腳背區域150。

在一些實施例中，腳背區域850可進一步包含穿過腳背區域850安置於鞋面820之外側16與內側18之間的一鞋舌部分852。在一例示性實施例中，鞋舌部分852可實質上類似於上文描述之鞋舌部分152，且可穿過腳背區域850沿著外側及內側整體附接至具有鞋面820之部分之單式編織構造且由具有鞋面820之部分之單式編織構造形成。如同鞋舌部分152，在其他實施例中，鞋舌部分852可類似地穿過腳背區域850沿著外側及內側斷開連接，使得鞋舌部分852可在腳背區域850之對置側上之一外部與一內部之間的一開口內移動。

物件800可進一步搭配上文描述之鞋帶154一起使用，鞋帶154延伸穿過鞋面820中之複數個鞋帶孔隙853且允許穿著者修改鞋面820之尺寸以適應腳部之比例。在一些實施例中，鞋帶154可延伸穿過沿著腳背區域850之兩側安置之鞋帶孔隙853。在一些實施例中，鞋帶孔隙853可為由一襯墊拉伸元件832之一紗圈部分形成之鞋帶收納部件，如將在下文中進一步描述。更特定言之，鞋帶154允許穿著者圍繞腳部拉緊鞋面820，且鞋帶154允許穿著者鬆開鞋面820以促進腳部進入空間及從空間伸出(即，通過喉部開口840)。另外，鞋面820在腳背區域850中之鞋舌部分852在鞋帶854下方延伸以增強物件800之舒適性。在

Skechers EX1013-p. 1578
Skechers v Nike

圖8中使用物件800圖解說明鞋帶154，但出於簡明之目的可在圖9至圖11中省略鞋帶154。在進一步結構中，鞋面820可包含額外元件，諸如：(a)腳跟區14中之一腳跟後幫，其增強穩定性；(b)前足區10中之一護腳板，其由一耐磨材料形成；及(c)標誌、商標及具有保養說明及材料資訊之標貼。

在一些實施例中，鞋面820可包含具有單絲線之一或多個部分，如在上文描述。在一例示性實施例中，鞋面820包含單絲線之部分可定位於一或多個單絲區域860中。在此實施例中，單絲區域860可包含兩種或兩種以上不同類型之單絲區域。舉例而言，在一項實施例中，不同單絲區域可具有不同編織結構。在另一實施例中，可使用單絲線與天然或合成經撚纖維紗線之一組合形成不同單絲區域。

如同上文描述之單絲區域160，單絲區域860可定位於鞋面820之各種部分上。在一例示性實施例中，一或多個單絲區域860可定位於物件800之部分上，在該等部分處鞋面820將大體上平坦倚靠安置於鞋面820內之一穿著者之一腳部。在此實施例中，單絲區域860包含安置於鞋面820之內側18上之一內單絲部分862及安置於鞋面820之外側16上之一外單絲部分866。內單絲部分862及外單絲部分866可大體上定位於中足區12中。在一些實施例中，單絲區域860可進一步包含一前足單絲部分864及一腳跟單絲部分868。前足單絲部分864在鞋面820之前足區10中安置於腳背區域850前方且腳跟單絲部分868安置於腳跟區14中。在一例示性實施例中，腳跟單絲部分868可實質上連續圍繞鞋面820之腳跟區14在外側16與內側18之間延伸。

在一些實施例中，單絲區域860可為在橫跨鞋面820之各單絲區域860之間實質上連續。舉例而言，在一項實施例中，內單絲部分862可與前足單絲部分864連續，且外單絲部分866亦可與前足單絲部分864連續。類似地，外單絲部分866可與腳跟單絲部分868連續且內單

Skechers EX1013-p. 1579
Skechers v Nike

絲部分862亦可與腳跟單絲部分868之至少一部分連續。使用此結構，單絲區域860可在物件100之前部中形成從外側16橫跨前足區10至內側18而延伸橫跨鞋面820之一實質上連續區帶且亦可在物件100之後部中形成從外側橫跨腳跟區14至內側而延伸橫跨鞋面820之一實質上連續區帶。

在其他實施例中，包含內單絲部分862、前足單絲部分864、外單絲部分866及/或腳跟單絲部分868之各單絲區域860可與安置於鞋面820上之其他單絲區域860不連續。在其中單絲區域860不連續之實施例中，各單絲區域860可完全被鞋面820之其餘部分圍繞或外接。

相較於上文描述之編織組件130，在圖8至圖16中展示之編織組件830可包含額外結構或元件。在一例示性實施例中，編織組件830之主要元件係一編織元件831及一襯墊拉伸元件832。編織元件831可由至少一個紗線形成，其被操縱(例如，使用一編織機)以形成界定各種緯圈及經圈之複數個互相嚙合紗圈。即，編織元件831具有一編織織物之結構。襯墊拉伸元件832延伸穿過編織元件831且在編織元件831內之各種紗圈之間經過。儘管襯墊拉伸元件832大體上沿著編織元件831內之緯圈延伸，但襯墊拉伸元件832亦可沿著編織元件831內之經圈延伸。襯墊拉伸元件832可賦予抗拉伸性，且當併入至物件800中時，連同鞋帶154操作以增強物件800之配合。在一例示性實施例中，襯墊拉伸元件832可穿過編織元件831之一或多個部分，包含一或多個單絲區域860之部分。

在一些實施例中，襯墊拉伸元件832可在一垂直方向上從鞋底結構110朝向腳背區域850向上延伸穿過編織元件831。在一例示性實施例中，襯墊拉伸元件832之部分可形成充當鞋帶孔隙853之一紗圈且接著可在垂直方向上從腳背區域850朝向鞋底結構110向下返回延伸。另外，當物件800提供有鞋帶154時，襯墊拉伸元件832可在鞋帶154被拉

Skechers EX1013-p. 1580
Skechers v Nike

緊時拉伸，且襯墊拉伸元件832抵抗鞋面820中之拉伸。再者，襯墊拉伸元件832協助圍繞腳部緊固鞋面820且連同鞋帶154操作以增強物件800之配合。在一些實施例中，襯墊拉伸元件832可在一或多個部分處(包含沿著腳背區域850之內側及外側)離開編織元件831，從而被曝露於鞋面820之外表面821上。

如在上文參考編織組件130所描述，編織組件830可類似地包含由不同材料(包含用於形成上文描述之一紗線之合適材料之任一者)形成之紗線。在一些實施例中，編織組件830可進一步包含如上文描述之不可熔紗線及可熔紗線。當一可熔紗線被加熱且熔合至不可熔紗線時，此程序可具有硬化或僵化編織組件830之結構之效果。再者，藉由將(a)一不可熔紗線之一部分接合至一不可熔紗線之另一部分及/或(b)不可熔紗線與襯墊拉伸元件832接合至彼此具有緊固或鎖定不可熔紗線及襯墊拉伸元件832之對置位置之效果，藉此賦予抗拉伸性及硬度。即，不可熔紗線之部分在與可熔紗線熔合時無法相對於彼此滑動，藉此防止編織元件831歸因於編織結構之相對移動而翹曲或永久拉伸。另外，襯墊拉伸元件832無法相對於編織元件831滑動，藉此防止襯墊拉伸元件832之部分從編織元件831向外拉動。因此，編織組件830之區域可構形成有編織元件831內之可熔及不可熔紗線二者。

在一些實施例中，編織組件830可包含具有多個編織層之編織元件831。相關聯於編織組件830之編織層可部分同延且重疊編織元件831包含至少一個共同紗線或單絲線之部分，其在編織層之間來回穿過，從而將層接合及互鎖至彼此。使用此結構，編織層共同形成由單式編織構造形成之一單一編織織物。

在一例示性實施例中，編織元件831可包含在一或多個部分處彼此互鎖以形成編織組件830之至少兩個編織層。在一項實施例中，一第一編織層可形成編織組件830之一第一側之大部分，且一第二編織

Skechers EX1013-p. 1581
Skechers v Nike

層可形成編織組件830之一第二側之大部分。在一些實施例中，第一編織層可相關聯於外表面821之大部分，且第二編織層可相關聯於內表面822之大部分。在一例示性實施例中，襯墊拉伸元件832可延伸穿過第一編織層、第二編織層之部分及/或穿過編織元件831在第一編織層與第二編織層之間的部分。

在一些實施例中，編織組件830可包含一或多個邊界區帶，如在上文參考編織組件130所描述。邊界區帶界定其中紗線用於編織從一種紗線類型至另一紗線類型之編織組件830轉變之一部分之編織組件830之部分。舉例而言，編織組件830可在鞋面820上之一或多個邊界區帶處從一第一類型之紗線轉變成形成單絲區域860之一單絲線。另外，在其中編織組件830可進一步具有多個編織層之結構之實施例中，邊界區帶可在第一編織層及第二編織層之僅一者處轉變紗線類型，或可在第一編織層及第二編織層之二者處轉變紗線類型。即，邊界區帶可應用於編織元件831之個別編織層之層級處。

在一例示性實施例中，第一類型之紗線在相關聯於單絲區域860之各者之一或多個邊界區帶處從一天然或合成經撚纖維紗線轉變成單絲線。在此實施例中，內單絲部分862包含在朝向腳跟區14之內側18上沿著鞋面820之一部分安置之一後部內邊界900，其中形成內單絲部分862之一個編織層之至少一個單絲線轉變成用於形成編織組件830之其餘部分之編織元件831之至少一個編織層中之第一類型之紗線。內單絲部分862可進一步包含一頂部內邊界904及一底部內邊界906。在一項實施例中，頂部內邊界904沿著鞋面820之內側18定位且可與鞋領823及喉部開口840隔開第一距離D1，且底部內邊界906亦沿著鞋面820之內側18定位且可與鞋底結構110隔開第二距離D2（在上文描述）。

在一些實施例中，前部內邊界902可在鞋面820上界定內單絲部

Skechers EX1013-p. 1582
Skechers v Nike

分862之一前部位置。在其中單絲區域860實質上連續之實施例中，前部內邊界902可簡單轉變成前足單絲部分864。然而，在其中各單絲區域860不連續之實施例中，前部內邊界902可界定從單絲線變回至用於形成編織元件831之兩個編織層之第一紗線類型之轉變。應理解，在此等不連續實施例中，前足單絲部分864將藉由其中紗線再次轉變回至用於形成至少一個編織層之單絲線之另一邊界區帶界定。

繼續沿著鞋面820，前足單絲部分864可包含一後部前足邊界908及一前部前足邊界909。在一項實施例中，後部前足邊界908可定位於腳背區域850前方且隔開第三距離D3且前部前足邊界909可定位於物件800之一腳趾端附近且隔開第四距離D4（在上文描述）。在此實施例中，外單絲部分866包含安置於朝向腳跟區14之鞋面820之外側16上之一後部外邊界910，形成外單絲部分866之一個編織層之至少一個單絲線轉變成用於形成編織組件830之其餘部分之編織元件831之至少一個編織層中之第一類型之紗線。外單絲部分866可進一步包含一頂部外邊界914及一底部外邊界916。在一項實施例中，頂部外邊界914定位成沿著鞋面820之外側16且可與鞋領823及喉部開口840隔開第五距離D5，且底部外邊界916亦可定位成沿著鞋面820之外側16且可與鞋底結構110隔開第六距離D6（在上文描述）。

在一些實施例中，一前部外邊界912可在鞋面820上界定外單絲部分866之一前部位置。類似於前部內邊界902，在其中單絲區域860實質上連續之實施例中，前部外邊界912可簡單轉變成前足單絲部分864。然而，在其中各單絲區域860不連續之實施例中，前部外邊界912可界定從單絲線變回至用於形成編織元件831之兩個編織層之第一紗線類型之轉變。應理解，在此等不連續實施例中，前足單絲部分864將藉由其中紗線再次轉變回至用於形成至少一個編織層之單絲線之另一邊界區帶界定。

Skechers EX1013-p. 1583
Skechers v Nike

在一些實施例中，內單絲部分862及外單絲部分866在內側18及外側16之各者上可具有類似配置從而近似對稱，如參考上文之編織組件130所描述。在此等實施例中，第一距離D1及第五距離D5可約相等。類似地，第二距離D2及第六距離D6亦可約相等。然而，在其他實施例中，內側18及外側16之各者可具有在各側之間不同之單絲區域860。因此，在此等其他實施例中，第一距離D1及第五距離D5之各者可不同及/或第二距離D2及第六距離D6可不同，以將內單絲部分862及外單絲部分866進一步定位於更遠離於或更接近於鞋領823及/或鞋底結構110。仍在其他實施例中，僅內側18或外側16之一者可包含單絲區域860。應理解，可根據本文中描述之程序配置具有不同尺寸、形狀及/或位置之單絲區域860之其他結構。

另外，在一例示性實施例中，編織組件830可進一步包含相關聯於腳跟單絲部分868之邊界區帶。在此實施例中，腳跟單絲部分868可包含一頂部腳跟邊界920及一底部腳跟邊界922。頂部腳跟邊界920可與鞋面820之腳跟區中之鞋領823及喉部開口840隔開，且底部腳跟邊界922可與鞋底結構110隔開。在一些實施例中，頂部腳跟邊界920可與鞋領823隔開實質上類似於頂部內邊界904及/或頂部外邊界914之一距離，且底部腳跟邊界922可與鞋底結構110隔開實質上類似於底部內邊界906及/或底部外邊界916之一距離。在其他實施例中，頂部腳跟邊界920及/或底部腳跟邊界922之間隔可變化。

如在上文描述，在一些實施例中，編織組件830可包含具有不同結構之多種類型之單絲區域860。舉例而言，在一例示性實施例中，單絲區域860可包含由具有單絲線之兩個編織層形成之一第一類型之單絲區域及由具有一單絲線及天然或合成經撚纖維紗線之兩個編織層形成之一第二類型之單絲區域。在一例示性實施例中，可沿著外側16及內側18之各者安置第一類型之單絲區域860 (即，具有單絲線之兩

Skechers EX1013-p. 1584
Skechers v Nike

個編織層)。在此實施例中，內單絲部分862及/或外單絲部分866可為第一類型之單絲區域。即，內單絲部分862及/或外單絲部分866可包含由一第一單絲線形成之一第一編織層及由一第二單絲線形成之一第二編織層。

在一例示性實施例中，經結構設計以在一穿著者之一腳部之腳趾及腳跟安置於鞋面820內時抵靠腳趾及腳跟之編織組件830之部分可構形成有第二類型之單絲區域860，即，具有由一單絲線形成之一個編織層及由天然或合成經撚纖維紗線形成之一個編織層之兩個編織層。在此實施例中，前足單絲部分864及/或腳跟單絲部分868可為第二類型之單絲區域。即，前足單絲部分864及/或腳跟單絲部分868可包含由一單絲線形成之一第一編織層及由天然或合成經撚纖維紗線形成之一第二編織層。

在一例示性實施例中，前足單絲部分864及/或腳跟單絲部分868中由單絲線形成之第二編織層可相關聯於鞋面820之外表面821，且前足單絲部分864及/或腳跟單絲部分868中由天然或合成經撚纖維紗線形成之第二編織層可相關聯於鞋面820之內表面822。舉例而言，在一項實施例中，在前足單絲部分864及/或腳跟單絲部分868中，相關聯於內表面822之第二編織層可由一聚合物紗線製成。使用此結構，具有聚合物紗線之第二編織層可為一穿著者安置於鞋面820內之一腳部提供一光滑且柔軟內表面822。另外，第二編織層可為腳部提供保護以防前足單絲部分864及/或腳跟單絲部分868中由單絲線形成之第一編織層之尖銳邊緣或彎曲部分。

在另一實施例中，在前足單絲部分864及/或腳跟單絲部分868中，相關聯於內表面822之第二編織層可由聚合物紗線及可熔紗線之一組合製成。使用此結構，相關聯於第二編織層之可熔紗線部分可經結構設計以在被加熱時協助將前足單絲部分864及/或腳跟單絲部分

Skechers EX1013-p. 1585
Skechers v Nike

868設置於編織組件830內之位置中(如在上文描述)。

藉由將具有不同類型之單絲區域860之編織組件830併入至用於物件800之鞋面820中，單絲區域860可提供強度、抗拉伸性、減小重量及/或協助氣流穿過鞋面820以為物件800之內部提供透氣性(如在上文描述)。另外，藉由變化單絲區域860之兩個編織層結構，鞋面820可在提供此等特徵的同時亦為一穿著者之一腳部維持舒適性。參考圖12A至圖12C，圖解說明具有併入具有不同類型之單絲區域860之編織組件830之鞋面820之物件800之橫截面視圖。

圖12A展示橫跨鞋面820呈現之前足區10之一橫截面視圖。在此實施例中，前足單絲部分864安置成沿著鞋面820之一頂部。在一例示性實施例中，前足單絲部分864可為上文描述之第二類型之一單絲區域860。在此實施例中，前足單絲部分864包含兩個編織層，包含相關聯於編織組件830之外表面821之由一單絲線形成之一第一編織層及相關聯於內表面822之由一天然或合成經撚纖維紗線形成之一第二編織層。在一些實施例中，前足單絲部分864之第二編織層可由相同於形成編織組件830之編織元件831之其餘部分之紗線製成。

使用此結構，當一穿著者之一腳部在物件800之內部沿著鞋面820之一基部1200安置時，空氣可循環至鞋面820中及循環出鞋面820以協助提供物件800透氣性，且前足單絲部分864可包含沿著內表面822之一更柔軟編織層以為腳部提供一舒適感。

圖12B展示橫跨鞋面820呈現之中足區12之一橫截面視圖。在此實施例中，內單絲部分862及外單絲部分866安置成在中足區12中沿著鞋面820之內側18及外側16之各者。在一例示性實施例中，內單絲部分862及/或外單絲部分866可為上文描述之第一類型之一單絲區域860。在此實施例中，內單絲部分862及/或外單絲部分866包含兩個編織層，包含相關聯於編織組件830之外表面821之由一第一單絲線形成

Skechers EX1013-p. 1586
Skechers v Nike

之一第一編織層及相關聯於內表面822之由一第二單絲線形成之一第二編織層。使用此結構，鞋面820之內側18及外側16可具有增加之強度及此等區域中之抗拉伸性。

圖12C展示橫跨鞋面820呈現之腳跟區14之一橫截面視圖。在此實施例中，腳跟單絲部分868安置成沿著鞋面820之外側16及內側18。在一例示性實施例中，腳跟單絲部分868可為上文描述之第二類型之一單絲區域860。在此實施例中，腳跟單絲部分868可具有實質上類似於前足單絲部分864之一結構，包含相關聯於編織組件830之外表面821之由一單絲線形成之一第一編織層及相關聯於內表面822之由一天然或合成經撚纖維紗線形成之一第二編織層。在一些實施例中，腳跟單絲部分868之第二編織層可由相同於形成編織組件830之編織元件831之其餘部分之紗線製成。

另外，在此實施例中，襯墊拉伸元件832之部分展示為延伸穿過編織組件830之部分(包含編織元件831)，以及穿過單絲區域860 (例如，腳跟單絲部分868)。

現參考圖13及圖14，在一平面或平坦結構中展示編織組件830之一例示性實施例。如在上文描述，編織組件830包含編織元件831及襯墊拉伸元件832。在此實施例中，編織組件830可具有一長橢圓形偏移結構，其藉由一頂部前足周長邊緣1300、一頂部側周長邊緣1302、一對腳跟邊緣(包含一內腳跟邊緣1304及一外腳跟邊緣1314)、一底部側周長邊緣1312及一底部前足周長邊緣1310描輪廓。另外，編織元件831具有形成鞋面820之外表面821之一部分之一第一側及可形成鞋面820之內表面822之一部分之一對置第二側，藉此界定鞋面820內之空間之至少一部分。在許多結構態樣中，襯墊拉伸元件832可在編織元件831之第一側與第二側之間延伸穿過編織元件831之部分(包含單絲區域860之部分)。

Skechers EX1013-p. 1587
Skechers v Nike

如在圖13及圖14中展示，襯墊拉伸元件832重複地從頂部側周長邊緣1302朝向腳背區域850延伸(其中襯墊拉伸元件832之一部分形成充當鞋帶孔隙853之一紗圈)，且返回至頂部側周長邊緣1302。襯墊拉伸元件832可在編織組件830之對置側上遵循一類似路徑。在此實施例中，襯墊拉伸元件832重複地從底部側周長邊緣1312朝向腳背區域850延伸(其中襯墊拉伸元件832之一部分形成充當鞋帶孔隙853之一紗圈)，且返回至底部側周長邊緣1312。在一些實施例中，襯墊拉伸元件832之部分可向後成角度且延伸至內腳跟邊緣1304及/或外腳跟邊緣1314。另外，隨著襯墊拉伸元件832朝向或遠離頂部側周長邊緣1302及/或底部側周長邊緣1312延伸，襯墊拉伸元件832可穿過編織組件830之一或多個單絲區域860 (包含內單絲部分862及/或外單絲部分866之部分)。類似地，隨著襯墊拉伸元件832朝向或遠離內腳跟邊緣1304及/或外腳跟邊緣1314延伸，襯墊拉伸元件832亦可穿過前足單絲部分864及/或腳跟單絲部分868之部分。

相較於編織元件831，襯墊拉伸元件832可展現更大抗拉伸性。即，襯墊拉伸元件832可拉伸小於編織元件831。假定襯墊拉伸元件832之諸多區段延伸穿過編織元件831，則襯墊拉伸元件832可賦予抗拉伸性至鞋面820在腳背區域850與鄰近於鞋底結構110之一下區域之間的部分。再者，使鞋帶154經受拉力可賦予拉力至襯墊拉伸元件832，藉此引導鞋面820在腳背區域850與下區域之間的部分倚靠腳部。另外，假定襯墊拉伸元件832之諸多區段朝向內腳跟邊緣1304及/或外腳跟邊緣1314延伸，則襯墊拉伸元件832可賦予抗拉伸性至鞋面820在腳跟區14中之部分。再者，使鞋帶154經受拉力可引導鞋面820在腳跟區14中之部分倚靠腳部。舉例而言，襯墊拉伸元件832可沿著鞋面820之外側16及內側18協助定位單絲區域860以平坦倚靠一穿著者之一腳部。如此，襯墊拉伸元件832與鞋帶154連同操作以增強物件

800之配合。

編織元件831可併入在上文針對編織組件130描述之各種類型之紗線之任一者。在一些實施例中，襯墊拉伸元件832之結構可顯著變化。除紗線外，襯墊拉伸元件832亦可具有(例如)一絲(例如，一細絲)、串線、繩、帶、纜繩或鏈之結構。相較於形成編織元件831之紗線，襯墊拉伸元件832之厚度可更大。在一些結構態樣中，襯墊拉伸元件832可具有顯著大於編織元件831之紗線之一厚度。儘管襯墊拉伸元件832之橫截面形狀可為圓形，但亦可利用三角形、方形、矩形、橢圓形或不規則形狀。再者，形成襯墊拉伸元件832之材料可包含用於編織元件831內之紗線之材料之任一者，諸如棉、彈性纖維、聚酯、人造絲、毛料及尼龍。如在上文提及，襯墊拉伸元件832可展現大於編織元件831之抗拉伸性。如此，用於襯墊拉伸元件832之合適材料可包含用於高拉伸強度應用之各種工程絲，包含玻璃、芳香族聚醯胺(例如，對芳香族聚醯胺及間位芳香族聚醯胺)、超高分子量聚乙烯及液晶聚合物。作為另一實例，一編織聚酯線亦可用作襯墊拉伸元件832。

Huffa等人之美國專利申請公開案2012/0233882 (該案之全部內容以引用的方式併入本文中)提供其中可形成一編織組件(例如，編織組件130、830)之方式(包含鑲嵌或以其他方式將襯墊拉伸元件定位於一編織元件內之程序)之一論述。

在一例示性實施例中，編織組件830之周長邊緣之一或多者可經接合以形成鞋面820。在此實施例中，編織組件830可在頂部前足周長邊緣1300與底部前足周長邊緣1310之間的一折疊點1306處被折疊以將頂部前足周長邊緣1300及底部前足周長邊緣1310放置成彼此接觸。類似地，頂部側周長邊緣1302可放置成與底部側周長邊緣1312接觸，且成對之腳跟邊緣(內腳跟邊緣1304及外腳跟邊緣1314)可放置成彼此接

Skechers EX1013-p. 1589
Skechers v Nike

觸。在一例示性實施例中，內腳跟邊緣1304及外腳跟邊緣1314可沿著縫線829接合，縫線829安置成在腳跟區14中沿著鞋面820之內側18。另外，縫線829可進一步順著延伸且連接頂部前足周長邊緣1300與底部前足周長邊緣1310與頂部側周長邊緣1302與底部側周長邊緣1312之各者以形成鞋面820。

現參考圖14，圖解說明編織組件之部分(包含編織元件831及不同類型之單絲區域860)之放大圖以展示編織組件830之單式編織構造。如在上文描述，編織組件830之單絲區域860可包含具有不同結構之多種類型之單絲區域860。舉例而言，在一例示性實施例中，單絲區域860可包含由具有單絲線之兩個編織層形成之一第一類型之單絲區域及由具有一單絲線及天然或合成經撚纖維紗線之兩個編織層形成之一第二類型之單絲區域。在此實施例中，內單絲部分862及/或外單絲部分866可為第一類型之單絲區域。即，內單絲部分862及/或外單絲部分866可包含由一第一單絲線1400形成之一第一編織層及由一第二單絲線1401形成之一第二編織層。因此，如在圖15B中可見，此第一類型之單絲區域860包含在鞋面820之外表面821及內表面822二者上由單絲線形成之編織層。

在此實施例中，前足單絲部分864及/或腳跟單絲部分868可為第二類型之單絲區域。即，前足單絲部分864及/或腳跟單絲部分868可包含由單絲線1400形成之一第一編織層及由一天然或合成經撚纖維紗線1403形成之一第二編織層。在一例示性實施例中，如在圖15A中可見，由單絲線1400形成之第一編織層可相關聯於編織組件830之外表面821，且由天然或合成經撚纖維紗線1403形成之第二編織層可相關聯於內表面822。

另外，在其中襯墊拉伸元件832延伸穿過編織組件830包含單絲區域860之部分之實施例中，襯墊拉伸元件832可定位於鞋面820之外

Skechers EX1013-p. 1590
Skechers v Nike

表面821與內表面822之間。如在圖15C中展示，襯墊拉伸元件832在相關聯於外表面821之由單絲線形成之第一編織層與相關聯於內表面822之由天然或合成經撚纖維紗線形成之第二編織層之間延伸穿過腳跟單絲部分868。在一些結構態樣中，透過表面之一者或二者可見襯墊拉伸元件832之部分。在其他實施例中，襯墊拉伸元件832之部分可倚靠外表面821及/或內表面822之一者，或編織元件831可形成缺口或孔隙，襯墊拉伸元件832穿過該等缺口或孔隙。

在編織組件830不包含單絲區域860之其餘部分中，編織元件831可具有一類似雙編織層結構。舉例而言，如在圖14中展示，編織元件831之一部分可包含由一第一天然或合成經撚纖維紗線1402形成之一第一編織層及由一第二天然或合成經撚纖維紗線1403形成之一第二編織層。在一例示性實施例中，由第一天然或合成經撚纖維紗線1402形成之第一編織層可相關聯於編織組件830之外表面821，且由第二天然或合成經撚纖維紗線1403形成之第二編織層可相關聯於內表面822。在一例示性實施例中，相同第二天然或合成經撚纖維紗線1403可用於編織第二類型之單絲區域860及編織組件830亦包含第二天然或合成經撚纖維紗線1403之其餘部分。

藉由形成具有單式編織構造之單絲區域860之編織組件830，單絲區域860可被編織組件830之其餘部分圍繞或外接，從而使單絲區域860經受拉力，如在上文參考編織組件130所描述。使用此結構，藉由編織組件830之圍繞部分在單絲區域860上施加之拉伸力可協助防止或減小可對一穿著者之一腳部產生一不適感之單絲區域860中之單絲線中之扭結或劇烈彎曲。

現參考圖16A，圖解說明編織組件830包含內單絲部分862之一部分。在此實施例中，襯墊拉伸元件832延伸穿過編織元件831及內單絲部分862。在一例示性實施例中，編織組件830在底部內邊界906處之

Skechers EX1013-p. 1591
Skechers v Nike

部分可從形成內單絲部分862之單絲線1400轉變成形成編織元件831之其餘部分之天然或合成經撚纖維紗線1402，如在上文描述。如在圖16A之放大圖中展示，編織組件830之一第一緯圈1600及編織組件830之一第四緯圈1606在底部內邊界906處從形成內單絲部分862之單絲線1400轉變成天然或合成經撚纖維紗線1402。在一項實施例中，編織組件830之一第二緯圈1602及一第三緯圈1604亦包含襯墊拉伸元件832。在此實施例中，第二緯圈1602及第三緯圈1604亦在底部內邊界906處從單絲線1400轉變成天然或合成經撚纖維紗線1402或另一不同類型之紗線，如同第一緯圈1600及第四緯圈1606。

在一例示性實施例中，隨著襯墊拉伸元件832延伸穿過編織元件831，第二緯圈1602及第三緯圈1604可相對應於襯墊拉伸元件832。使用此結構，襯墊拉伸元件832可延伸穿過內單絲部分862中之單絲線1400，且繼續延伸穿過編織元件831之其餘部分中之天然或合成經撚纖維紗線1402。因此，隨著襯墊拉伸元件832延伸穿過編織元件831在內單絲部分862外之其餘部分，天然或合成經撚纖維紗線1402可實質上圍繞襯墊拉伸元件832之部分。使用此結構，在單絲區域860外從編織組件830之外表面821上觀察時可隱藏襯墊拉伸元件832。

在其他實施例中，編織組件830包含一單絲線之一或多個緯圈可順著延伸穿過編織元件831超過單絲區域860之其餘部分。現參考圖16B，圖解說明編織組件830包含內單絲部分862之一部分之一選用之結構。如同圖16A，襯墊拉伸元件832延伸穿過編織元件831及內單絲部分862。然而，在此實施例中，上文描述之由一單絲線(例如，單絲線1400)形成之一或多個緯圈可連同襯墊拉伸元件832進一步延伸穿過內單絲部分862外之編織元件831。

在一例示性實施例中，編織組件830在底部內邊界906處之部分可從形成內單絲部分862之單絲線1400轉變成形成編織元件831之其餘

Skechers EX1013-p. 1592
Skechers v Nike

部分之天然或合成經撚纖維紗線1402，如在上文描述。如在圖16B之放大圖中展示，編織組件830之一第一緯圈1600及編織組件830之一第四緯圈1606在底部內邊界906處從形成內單絲部分862之單絲線1400轉變成天然或合成經撚纖維紗線1402。在一項實施例中，編織組件830之一第二緯圈1602及一第三緯圈1604並不在底部內邊界906處從單絲線1400轉變成天然或合成經撚纖維紗線1402或另一不同類型之紗線。替代性地，第二緯圈1602及第三緯圈1604以一實質上連續之方式繼續由形成內單絲部分862之相同單絲線1400形成。

在此實施例中，隨著襯墊拉伸元件832延伸穿過編織元件831，使用單絲線1400編織之第二緯圈1602及第三緯圈1604可相對應於襯墊拉伸元件832。使用此結構，襯墊拉伸元件832可延伸穿過內單絲部分862中之單絲線1400，以及穿過編織元件831之其餘部分。因此，隨著襯墊拉伸元件832延伸穿過編織元件831在內單絲部分862外之其餘部分，單絲線1400可實質上圍繞襯墊拉伸元件832之部分。在其他實施例中，單絲線之一或多個緯圈可在各單絲區域860 (包含內單絲部分862、前足單絲部分864、外單絲部分866及/或腳跟單絲部分868)外延伸以遵循及相對應於貫穿編織組件830之襯墊拉伸元件832之路徑。藉由使用單絲線1400圍封或圍繞襯墊拉伸元件832，額外強度及支撐可經提供至襯墊拉伸元件832。

在一些實施例中，可使用在編織程序期間在由天然或合成經撚纖維紗線形成之編織層中形成複數個缺口之一編織結構來編織第二類型之單絲區域860 (即，具有由一單絲線形成之一個編織層及由天然或合成經撚纖維紗線形成之一個編織層之兩個編織層)。此一結構可進一步為鞋面820之內部提供透氣性同時仍沿著內表面822為一穿著者之一腳部提供一舒適感。

用於形成第二類型之單絲區域860之一合適編織結構包含一1x1

Skechers EX1013-p. 1593
Skechers v Nike

反向仿網眼編織結構或2x2反向仿網眼結構。與可用於形成完全延伸穿過一編織元件之孔隙之一網眼編織結構(包含一第一編織層及一第二編織層)相比，一反向仿網眼編織結構在第二編織層(即，相關聯於鞋面820之內表面822之層)中形成缺口。圖解說明用於編織一反向2x2仿網眼結構之一循環圖1700之一例示性實施例。在此實施例中，循環圖1700圖解說明藉由一編織機(例如，一橫編機)執行之針跡及移動之序列以形成製成第二類型之單絲區域860之一部分之一反向2x2仿網眼結構。如在圖17中展示，隔開之點表示一編織機之針且圖解說明之步驟表示一紗線或線在一編織機之一前床與一背床之各者之針之間的移動方向。

如在圖17中展示，單絲線1400可用於編織單絲區域860相關聯於鞋面820之外表面821之第一編織層，而天然或合成經撚纖維紗線1403可用於編織單絲區域860相關聯於鞋面820之內表面822之第二編織層。與第一編織層相比，第二編織層包含使用天然或合成經撚纖維紗線1403執行之數個集圈針跡。在此實施例中，第二編織層中之寬度或間隙相關聯於2針以形成反向2x2仿網眼結構。舉例而言，此一反向2x2仿網眼結構可用於形成上文描述之前足單絲部分864及/或腳跟單絲部分868之一或多者。然而，在其他實施例中，可藉由使間隙相關聯於更大數目或更小數目之針而提供一更大或更小編織結構。舉例而言，可藉由將間隙增大至3針而形成一反向3x3仿網眼結構，且可藉由將間隙減小至一單針而形成一反向1x1仿網眼結構。

圖17圖解說明可搭配編織組件830一起使用以形成單絲區域860之一部分之一編織結構之一例示性實施例。在Huffa等人之美國專利申請公開案2012/0233882 (該案在上文被參考且併入本文中)中描述在本實施例中使用之網眼編織結構、仿網眼編織結構及其他合適編織結構以及用於編織此等編織結構之隨附循環圖。

Skechers EX1013-p. 1594
Skechers v Nike

雖然已描述本新型之各種實施例，但該描述意欲為例示性而非限制性的，且一般技術者將明白，在本新型之範疇內之許多更多實施例及實施方式係可能的。因此，本新型除鑒於隨附申請專利範圍及其等之等效物外並不限制。又，可在隨附申請專利範圍之範疇內做出各種修改及改變。

【符號說明】

10 前足區

12 中足區

14 腳跟區

16 外側

18 內側

100 鞋類物件/物件

110 鞋底結構

112 外底

120 鞋面

121 外表面

122 內表面

123 鞋領

129 縫線

130 編織組件

140 喉部開口/腳踝開口

150 腳背區域

152 鞋舌部分

153 鞋帶孔隙

154 鞋帶

160 單絲區域

Skechers EX1013-p. 1595
Skechers v Nike

162 內單絲部分

164 前足單絲部分

166 外單絲部分

200 後部內邊界

202 前部內邊界

204 頂部內邊界

206 底部內邊界

208 後部前足邊界

209 前部前足邊界

210 後部外邊界

212 前部外邊界

214 頂部外邊界

216 底部外邊界

500 基部

600 外周長邊緣

602 腳跟邊緣

700 紗線

701 單絲線

800 鞋類物件/物件

820 鞋面

821 外表面

822 內表面

823 鞋領

829 縫線

830 編織組件

831 編織元件

Skechers EX1013-p. 1596
Skechers v Nike

832 襯墊拉伸元件

840 喉部開口

850 腳背區域

852 鞋舌部分

853 鞋帶孔隙

860 單絲區域

862 內單絲部分

864 前足單絲部分

866 外單絲部分

868 腳跟單絲部分

900 後部內邊界

902 前部內邊界

904 頂部內邊界

906 底部內邊界

908 後部前足邊界

909 前部前足邊界

910 後部外邊界

912 前部外邊界

914 頂部外邊界

916 底部外邊界

920 頂部腳跟邊界

922 底部腳跟邊界

1200 基部

1300 頂部前足周長邊緣

1302 頂部側周長邊緣

1304 內腳跟邊緣

Skechers EX1013-p. 1597
Skechers v Nike

1306 折疊點

1310 底部前足周長邊緣

1312 底部側周長邊緣

1314 外腳跟邊緣

1400 第一單絲線

1401 第二單絲線

1402 天然或合成經撚纖維紗線

1403 天然或合成經撚纖維紗線

1600 第一緯圈

1602 第二緯圈

1604 第三緯圈

1606 第四緯圈

1700 循環圖

D1 第一距離

D2 第二距離

D3 第三距離

D4 第四距離

D5 第五距離

D6 第六距離

Skechers EX1013-p. 1598
Skechers v Nike

M498500

新型摘要

※ 申請案號：103216283

※ 申請日：103.9.12　　※IPC 分類：A43B 1/04

【新型名稱】

包含具有若干單絲區域之一編織組件之鞋類物件

ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT WITH MONOFILAMENT AREAS

【中文】

本新型描述一種鞋類物件，其包含併入具有一或多個單絲區域之一編織組件之一鞋面。單絲區域藉由使用一單絲線編織形成。該等單絲區域由具有該編織組件之其餘部分之單式編織構造形成。一襯墊拉伸元件可延伸穿過該編織組件，包含該等單絲區域之部分。

【英文】

An article of footwear including an upper incorporating a knitted component having one or more monofilament areas is described. Monofilament areas are formed by knitting with a monofilament strand. The monofilament areas are formed of unitary knit construction with the remaining portions of the knitted component. An inlaid tensile element can extend through the knitted component, including portions of the monofilament areas.

Skechers EX1013-p. 1599
Skechers v Nike

申請專利範圍

1. 一種鞋類物件，其具有一鞋面及緊固至該鞋面之一鞋底結構，該鞋面包含一編織組件，該編織組件包括：

該編織組件之一第一部分，其由一第一紗線形成，該第一紗線係一天然或合成經撚纖維紗線；

至少一個單絲區域，其安置於該編織組件上，該至少一個單絲區域由一單絲線形成；

其中該至少一個單絲區域由具有該編織組件之該第一部分之單式編織構造形成，使得該編織組件係一單件元件。

2. 如請求項1之鞋類物件，其中該第一紗線之至少一個緯圈實質上與該單絲線之至少一個緯圈連續。

3. 如請求項1之鞋類物件，其中該編織組件包含複數個單絲區域，各單絲區域由該單絲線形成。

4. 如請求項3之鞋類物件，其中該複數個單絲區域包括安置於該鞋面之一內側上之一內單絲部分及安置於該鞋面之一外側上之一外單絲部分。

5. 如請求項4之鞋類物件，其中該複數個單絲區域進一步包括安置於該鞋面之一前足區中之一前足單絲部分。

6. 如請求項5之鞋類物件，其中該內單絲部分及該外單絲部分之至少一者實質上與該前足單絲部分連續。

7. 如請求項5之鞋類物件，其中該內單絲部分及該外單絲部分之至少一者與該前足單絲部分不連續。

8. 如請求項1之鞋類物件，其中該單絲區域實質上被該編織組件之該第一部分圍繞。

9. 如請求項8之鞋類物件，其中該該編織組件圍繞該單絲區域之該

Skechers EX1013-p. 1600
Skechers v Nike

第一部分經結構設計以使該單絲區域經受拉力。

10. 如請求項1之鞋類物件，其進一步包括延伸穿過該第一部分及該單絲區域之至少一者之一襯墊拉伸元件。

11. 如請求項10之鞋類物件，其中該襯墊拉伸元件延伸穿過該編織組件之該第一部分及該單絲區域二者。

12. 如請求項1之鞋類物件，其中該單絲區域包括由單式編織構造形成之兩個編織層，該兩個編織層重疊且至少部分彼此同延。

13. 如請求項12之鞋類物件，其中該單絲區域之一第一編織層相關聯於該鞋面之一外表面且該單絲區域之一第二編織層相關聯於該鞋面之一內表面。

14. 如請求項13之鞋類物件，其中該第一編織層及該第二編織層皆由一單絲線形成。

15. 如請求項13之鞋類物件，其中該第一編織層由該單絲線形成；且

其中該第二編織層由該第一紗線形成。

16. 一種鞋類物件，其具有一鞋面及緊固至該鞋面之一鞋底結構，該鞋面包含一編織組件，該編織組件包括：

一編織元件，其包含一第一紗線，該編織元件界定該鞋面之一外表面之一部分及該鞋面之一對置內表面，該內表面界定用於收納一腳部之一空間，該第一紗線係一天然或合成經撚纖維紗線；及

至少一個單絲區域，其由兩個編織層組成，該兩個編織層重疊且至少部分彼此同延，每一編織層包含一單絲線；

其中該至少一個單絲區域由具有該編織元件之單式編織構造形成，使得該編織組件係一單件元件。

17. 如請求項16之鞋類物件，其中該編織組件包含複數個單絲區域。

Skechers EX1013-p. 1601
Skechers v Nike

18. 如請求項17之鞋類物件，其中該複數個單絲區域包含至少一個一第一類型之單絲區域及至少一個一第二類型之單絲區域。
19. 如請求項18之鞋類物件，其中該第一類型之單絲區域包含相關聯於該鞋面之該外表面之一第一單絲線及相關聯於該鞋面之該內表面之一第二單絲線。
20. 如請求項18之鞋類物件，其中該第二類型之單絲區域包含相關聯於該鞋面之該外表面之一第一單絲線及相關聯於該鞋面之該內表面之一天然或合成經撚纖維紗線。
21. 如請求項20之鞋類物件，其中該第二類型之單絲區域之該天然或合成經撚纖維紗線係該第一紗線。
22. 如請求項17之鞋類物件，其中該複數個單絲區域包括安置於該鞋面之一內側上之一內單絲部分及安置於該鞋面之一外側上之一外單絲部分。
23. 如請求項22之鞋類物件，其中該複數個單絲區域進一步包括安置於該鞋面之一前足區中之一前足單絲部分及安置於該鞋面之一腳跟區中之一腳跟單絲部分之至少一者。
24. 如請求項23之鞋類物件，其中該複數個單絲區域在該複數個單絲區域之兩者或兩者以上之間連續。
25. 如請求項16之鞋類物件，其中該單絲區域之一第一編織層相關聯於該鞋面之該外表面且該單絲區域之一第二編織層相關聯於該鞋面之該內表面。
26. 如請求項25之鞋類物件，其中該第一編織層包含該單絲線。
27. 如請求項25之鞋類物件，其中該第二編織層包含一單絲線及一天然或合成經撚纖維紗線之一者。
28. 如請求項16之鞋類物件，其進一步包括延伸穿過該編織元件及該單絲區域之至少一者之一襯墊拉伸元件。

Skechers EX1013-p. 1602
Skechers v Nike

29. 如請求項28之鞋類物件，其中該襯墊拉伸元件延伸穿過該編織元件及該編織組件之該單絲區域二者。

30. 一種鞋類物件，其具有一鞋面及緊固至該鞋面之一鞋底結構，該鞋面包含一編織組件，該編織組件包括：

該編織組件之一第一部分，其由一第一紗線形成，該第一紗線係一天然或合成經撚纖維紗線；

該編織組件之一第二部分，其由一單絲線形成，其中第二部分由具有該第一部分之單式編織構造形成，使得該編織組件係一單件元件；及

一襯墊拉伸元件，其延伸穿過該編織組件，包含該第一部分之至少一部分及該第二部分之一部分。

31. 如請求項30之鞋類物件，其中該第一部分包括該鞋面之一內表面之至少一部分且其中該第二部分包括該鞋面之一外表面之至少一部分。

32. 如請求項30之鞋類物件，其中該第一部分包括該編織組件之大部分；且

其中該第一部分圍繞該第二部分。

33. 如請求項30之鞋類物件，其中該編織組件進一步包括一編織元件及至少一個單絲區域；且

其中該編織元件包含該第一部分；且

其中該至少一個單絲區域包含該第二部分。

34. 如請求項33之鞋類物件，其中該編織組件包括複數個單絲區域。

35. 如請求項34之鞋類物件，其中該複數個單絲區域安置於該鞋面之一內側、該鞋面之一外側、該鞋面之一前足部分及該鞋面之一腳跟部分之至少兩者上。

Skechers EX1013-p. 1603
Skechers v Nike

36. 如請求項34之鞋類物件，其中該複數個單絲區域實質上橫跨該鞋面彼此連續。

37. 如請求項34之鞋類物件，其中該複數個單絲區域包括不同類型之單絲區域，包含：

一第一類型之單絲區域，其包括由該單絲線形成之兩個編織層，該兩個編織層部分同延且重疊；及

一第二類型之單絲區域，其包括由該單絲線形成之一第一編織層及由該第一紗線形成之一第二編織層，該第一編織層及該第二編織層部分同延且重疊。

38. 如請求項37之鞋類物件，其中該第一類型之單絲區域及該第二類型之單絲區域之該等編織層之至少一者包含該相同單絲線。

Skechers EX1013-p. 1604
Skechers v Nike

圖式

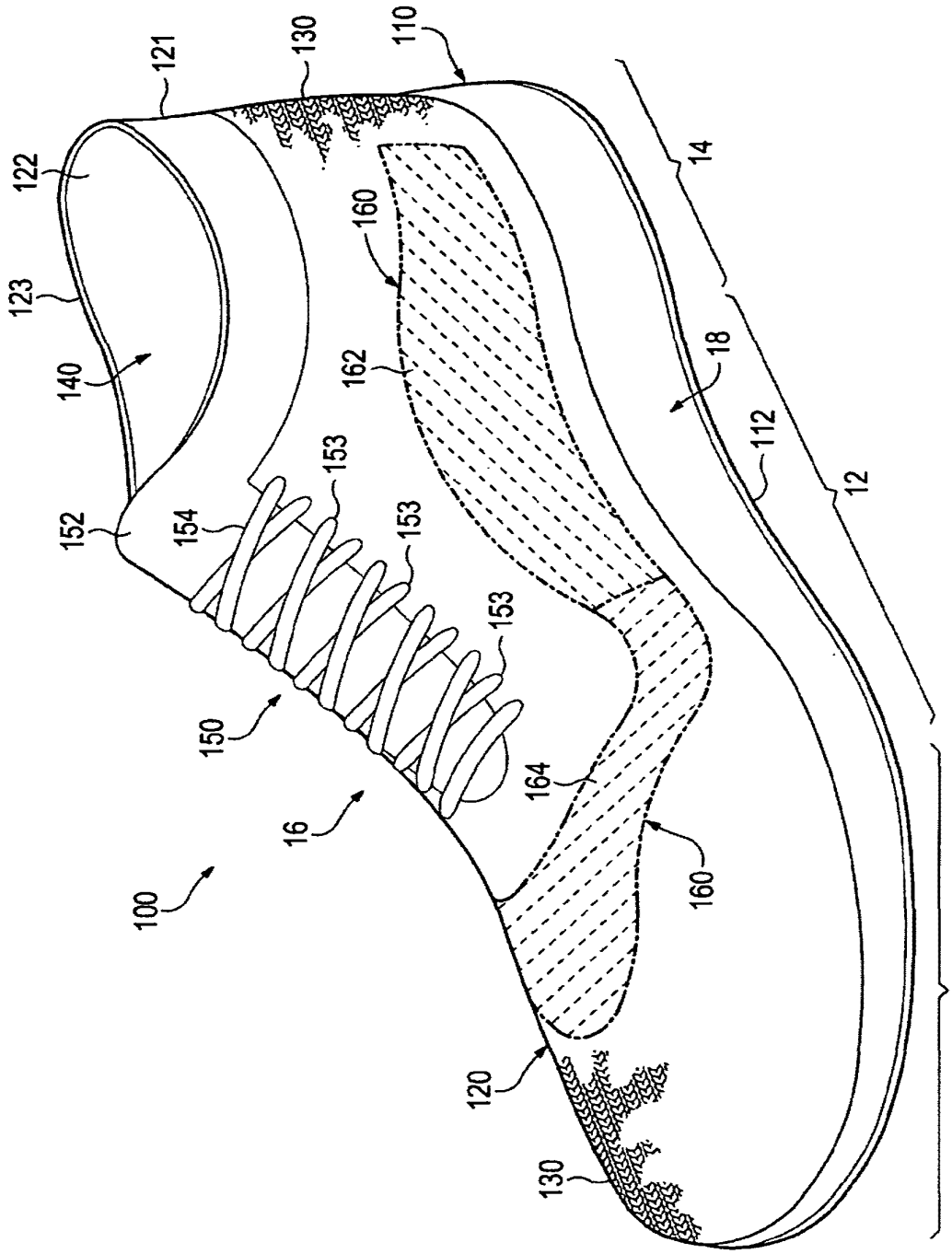


圖1

Skechers EX1013-p. 1605
Skechers v Nike

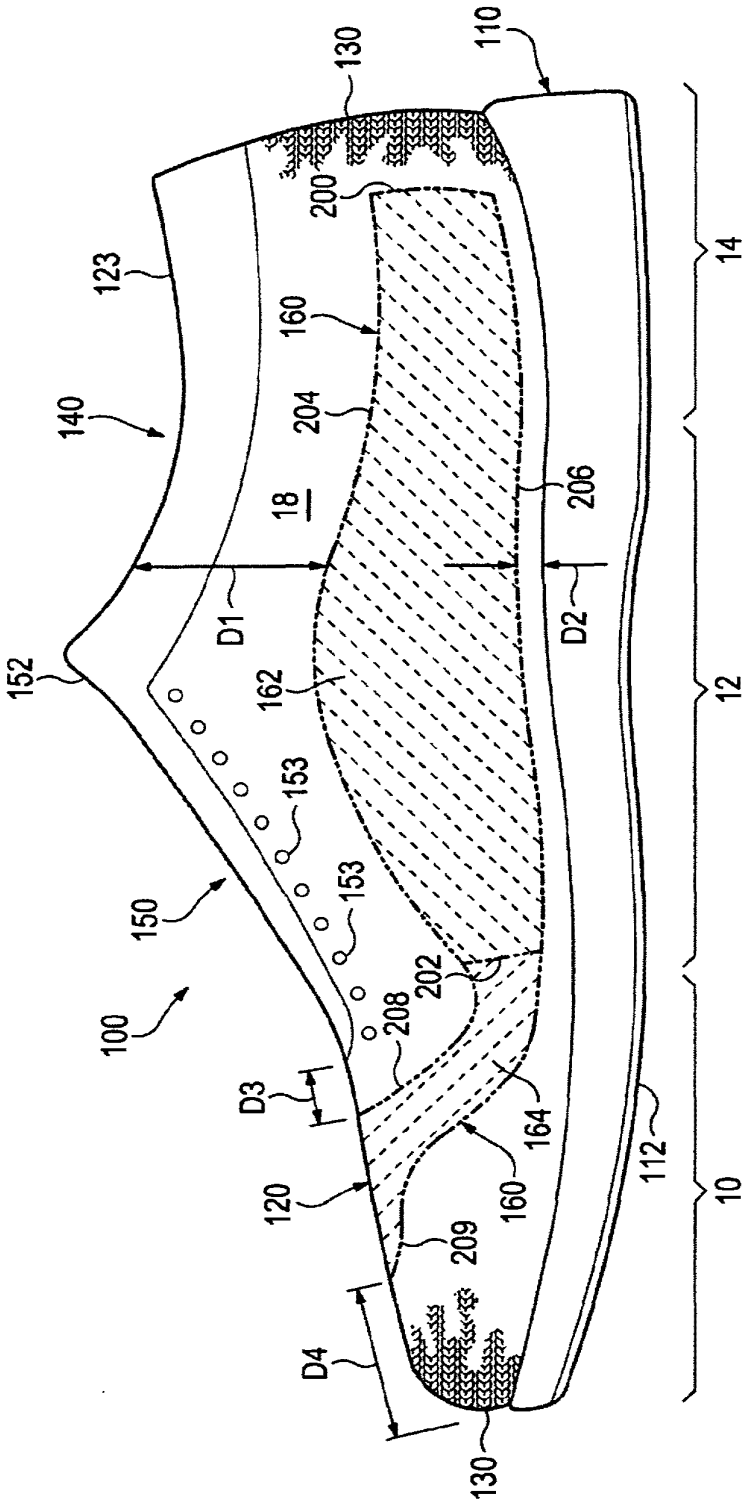


圖2

Skechers EX1013-p. 1606
Skechers v Nike

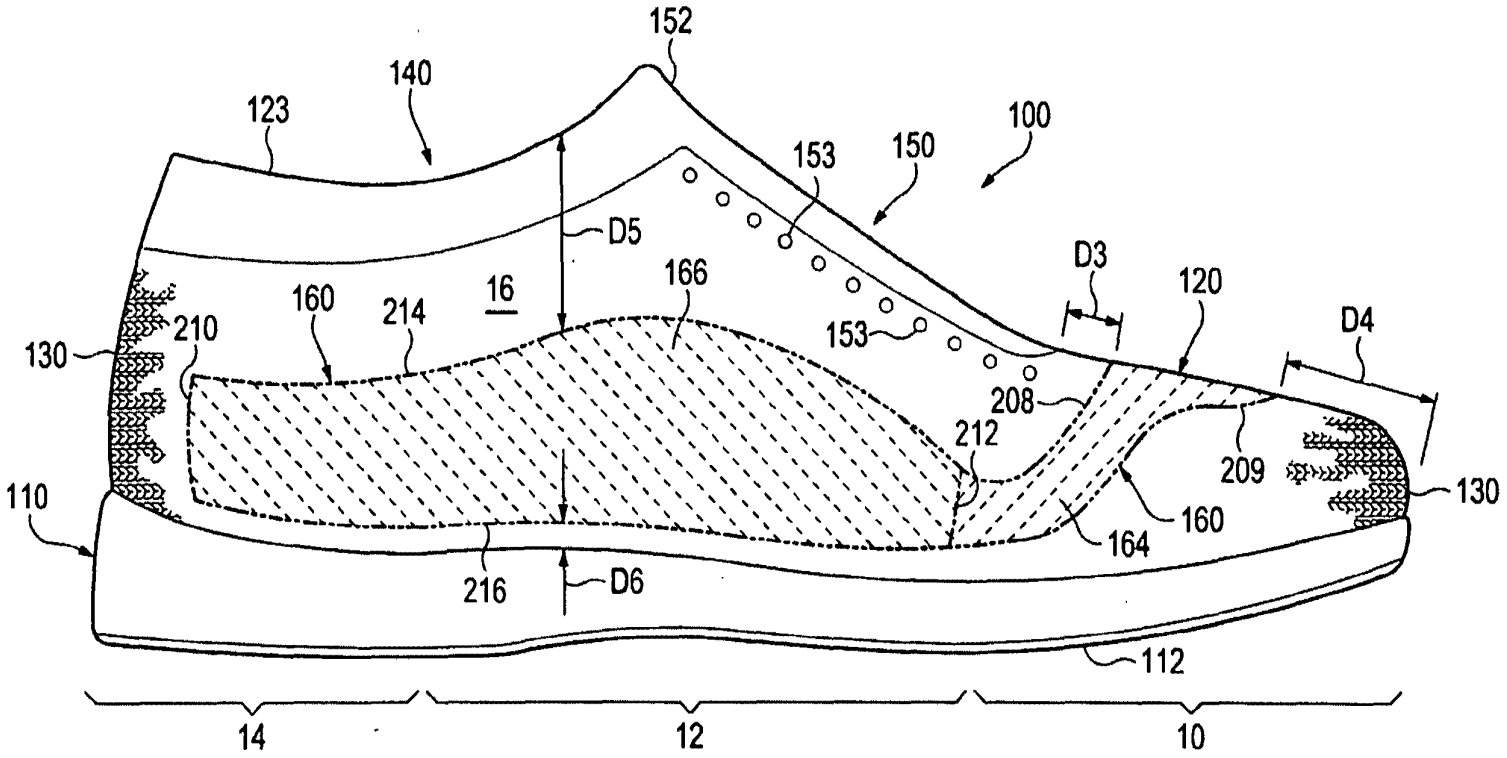

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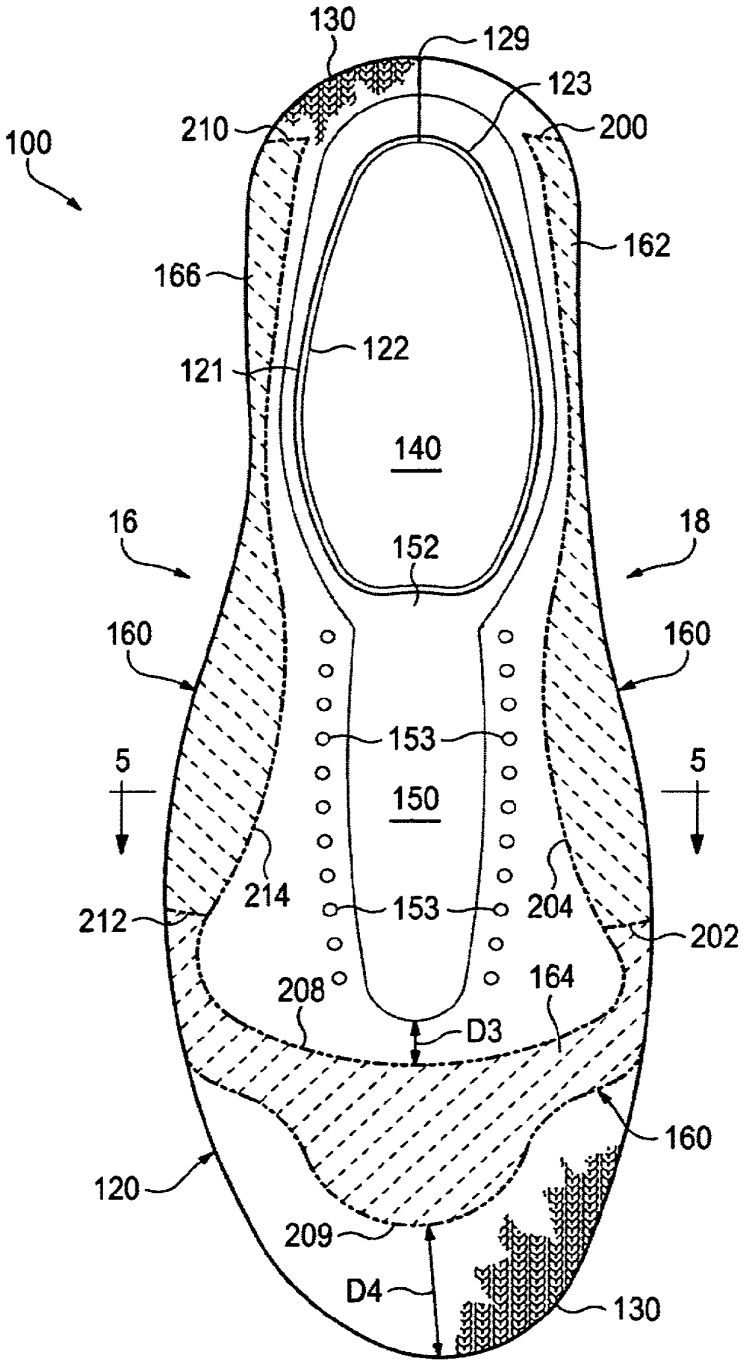

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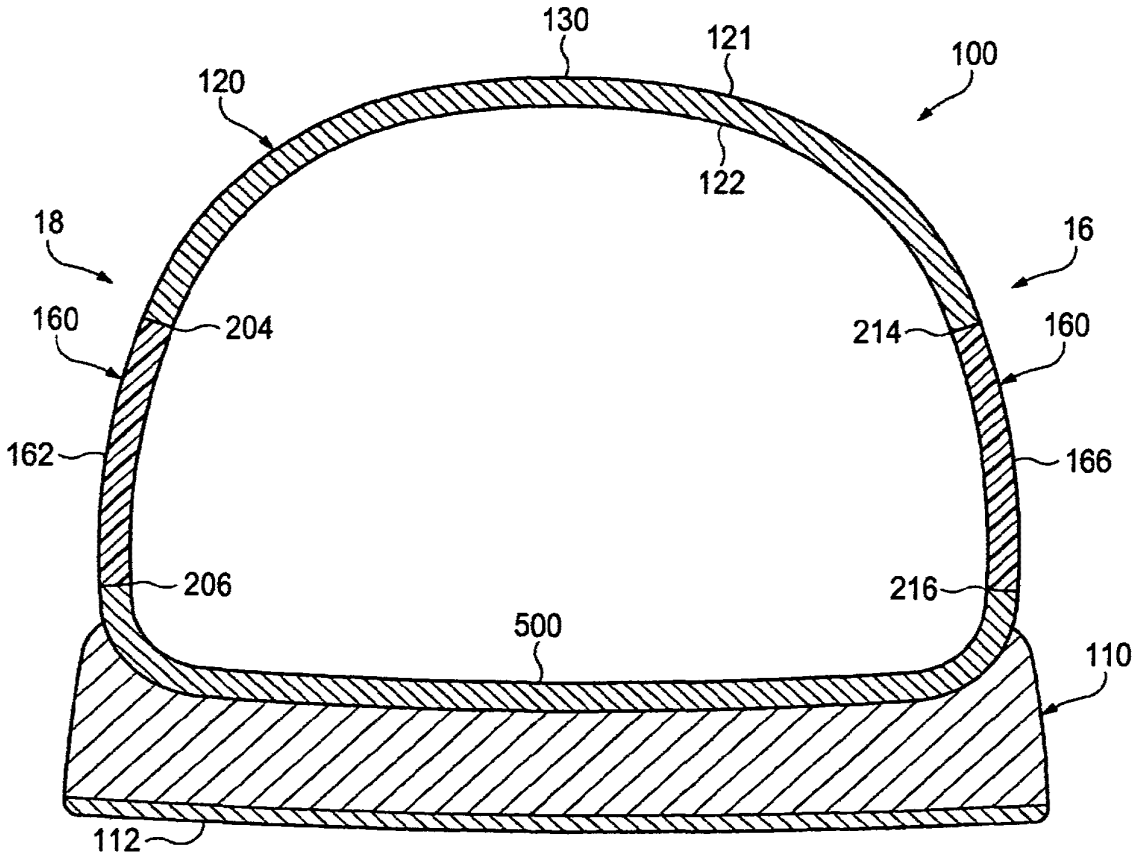

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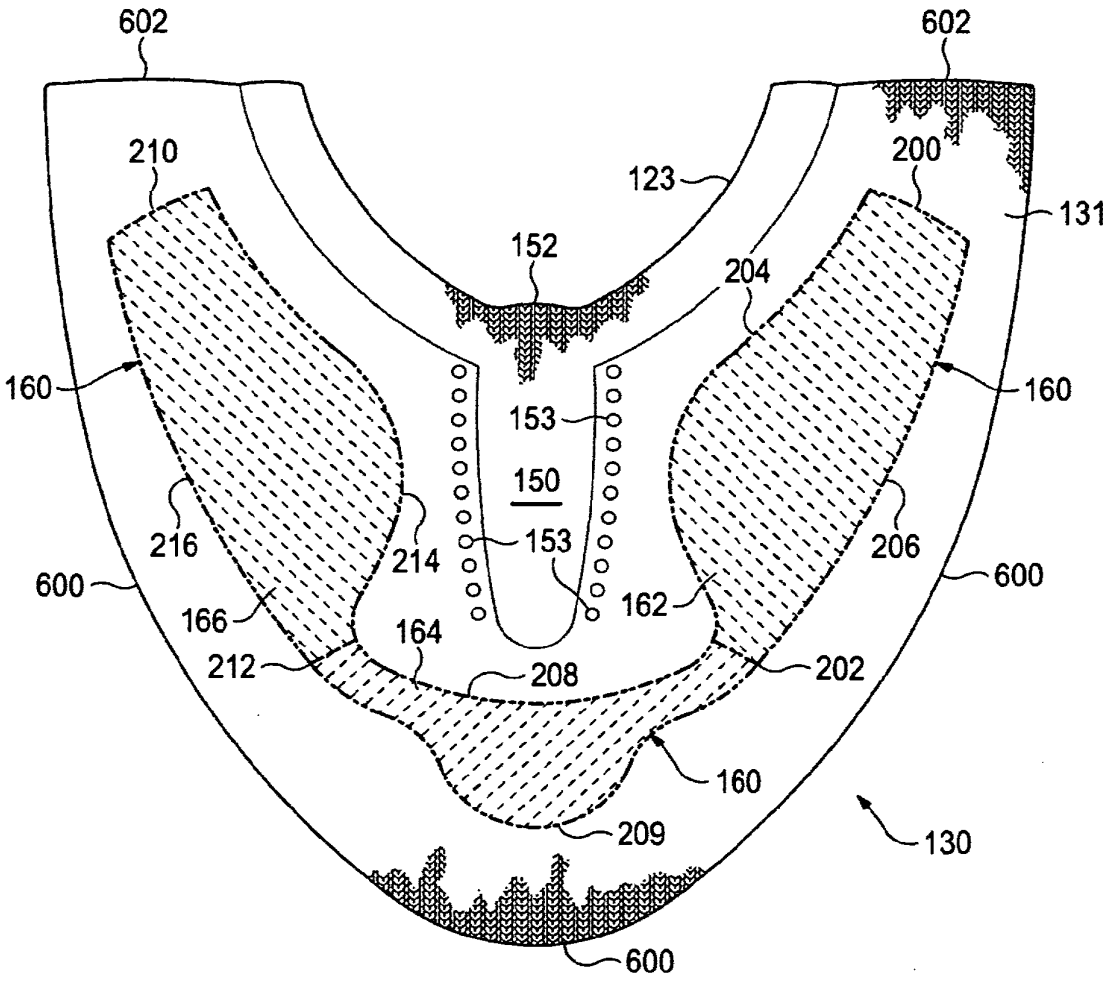

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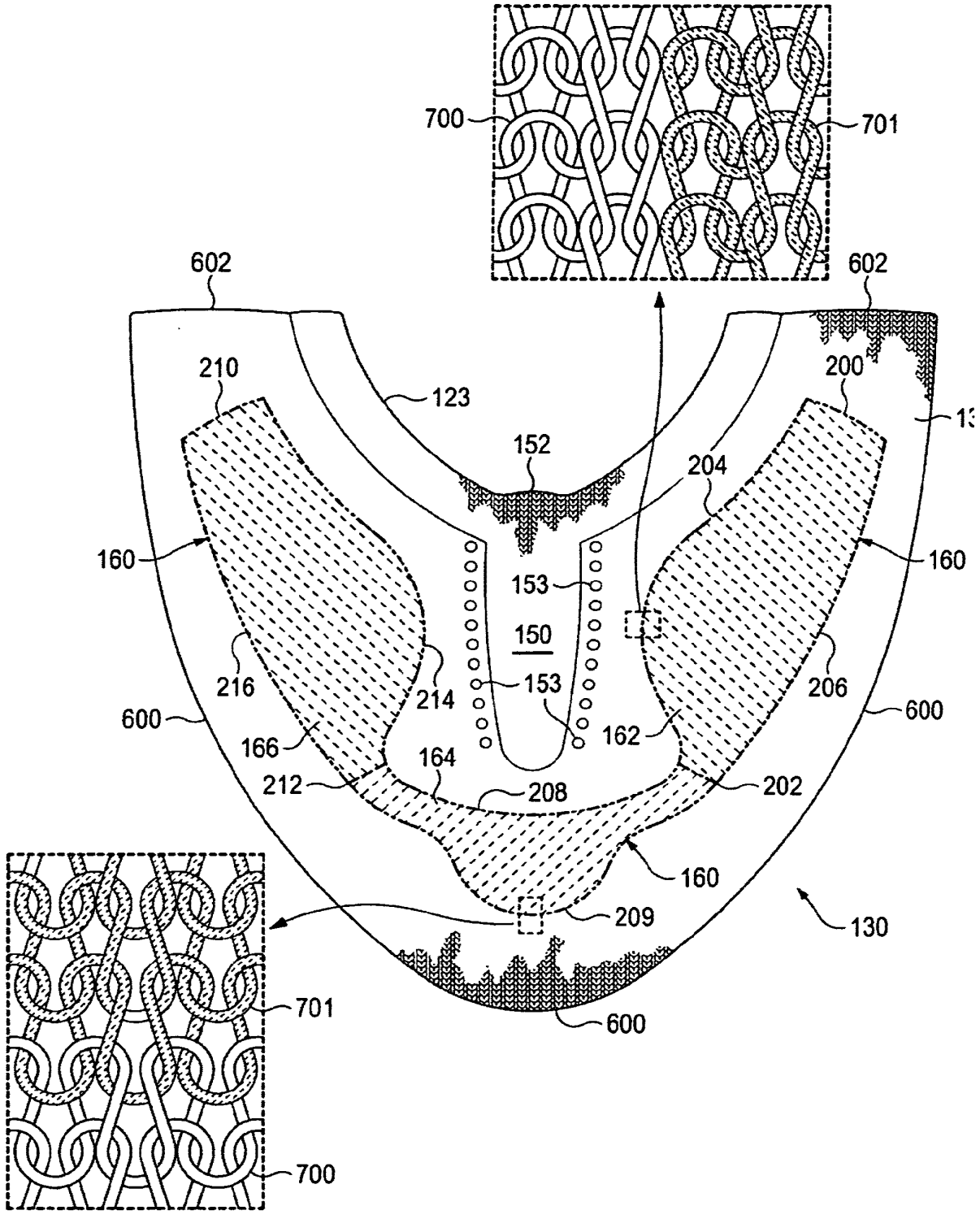

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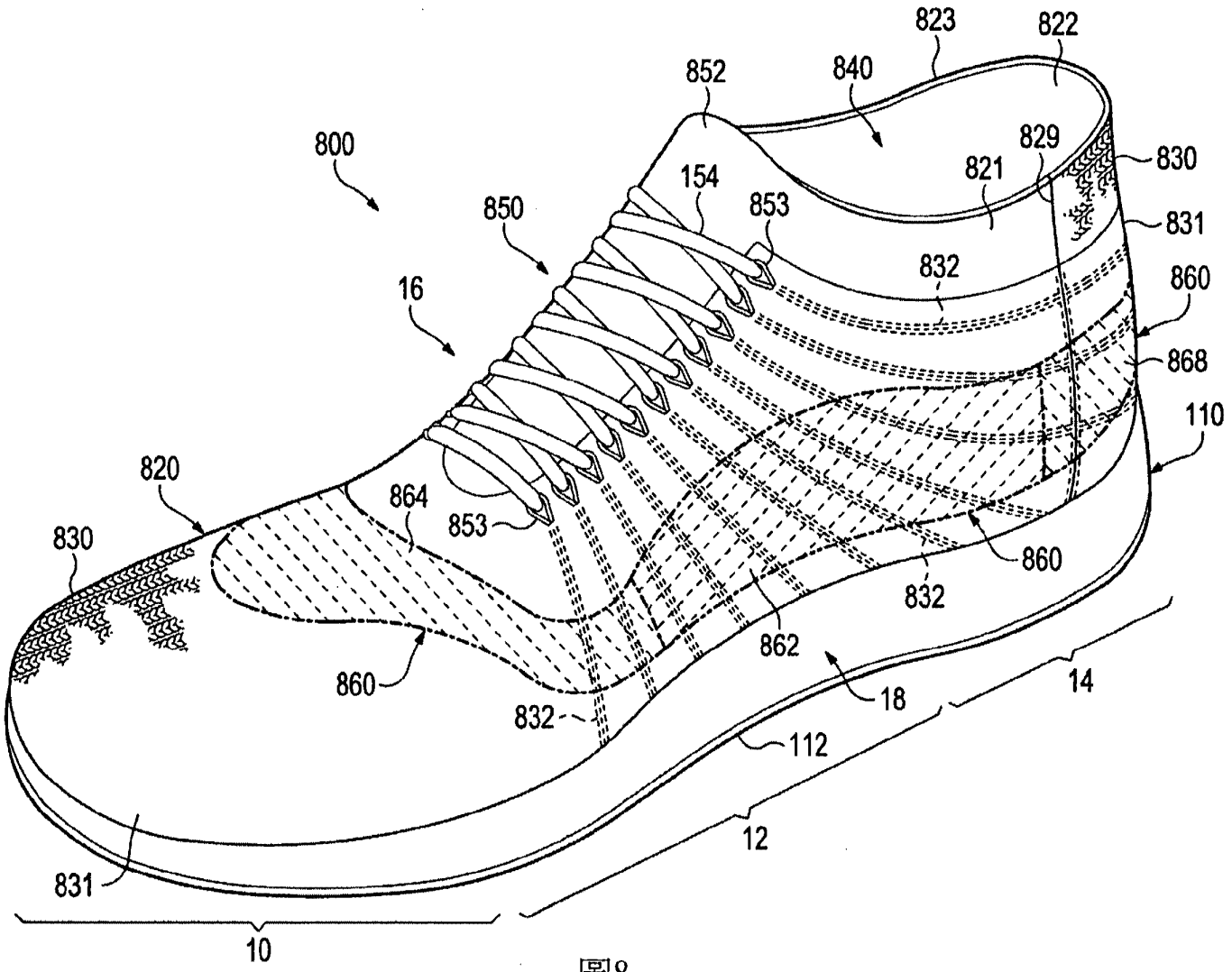

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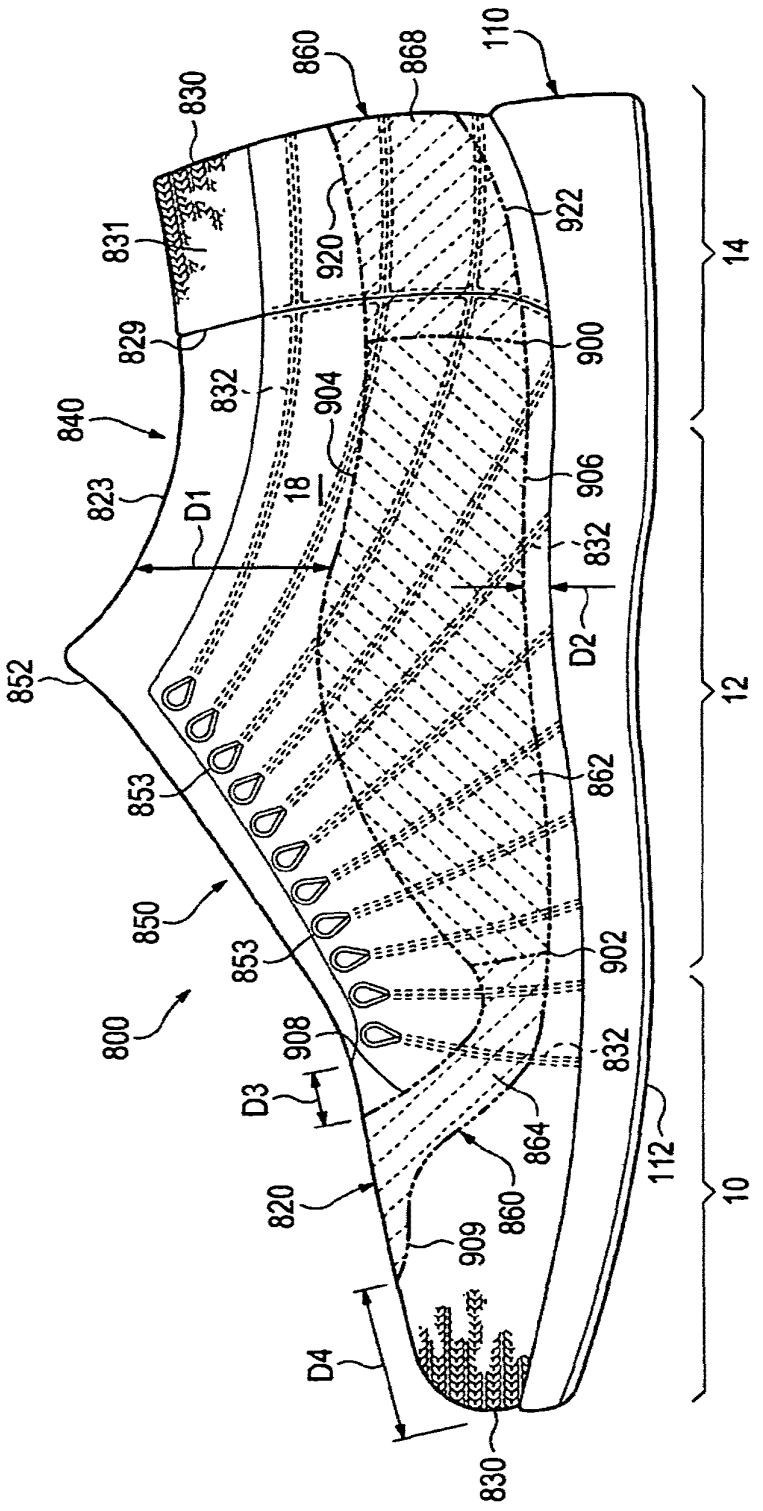

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圖9

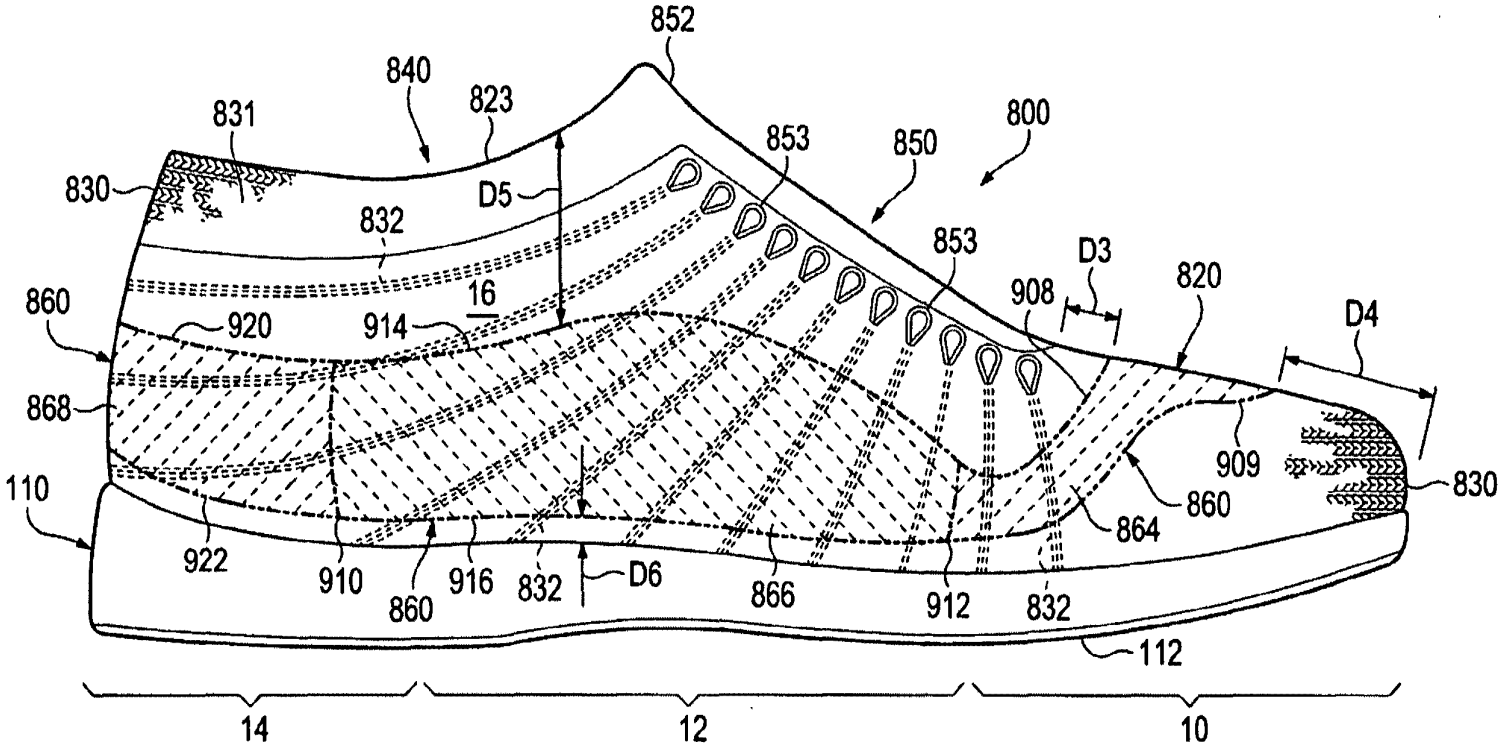

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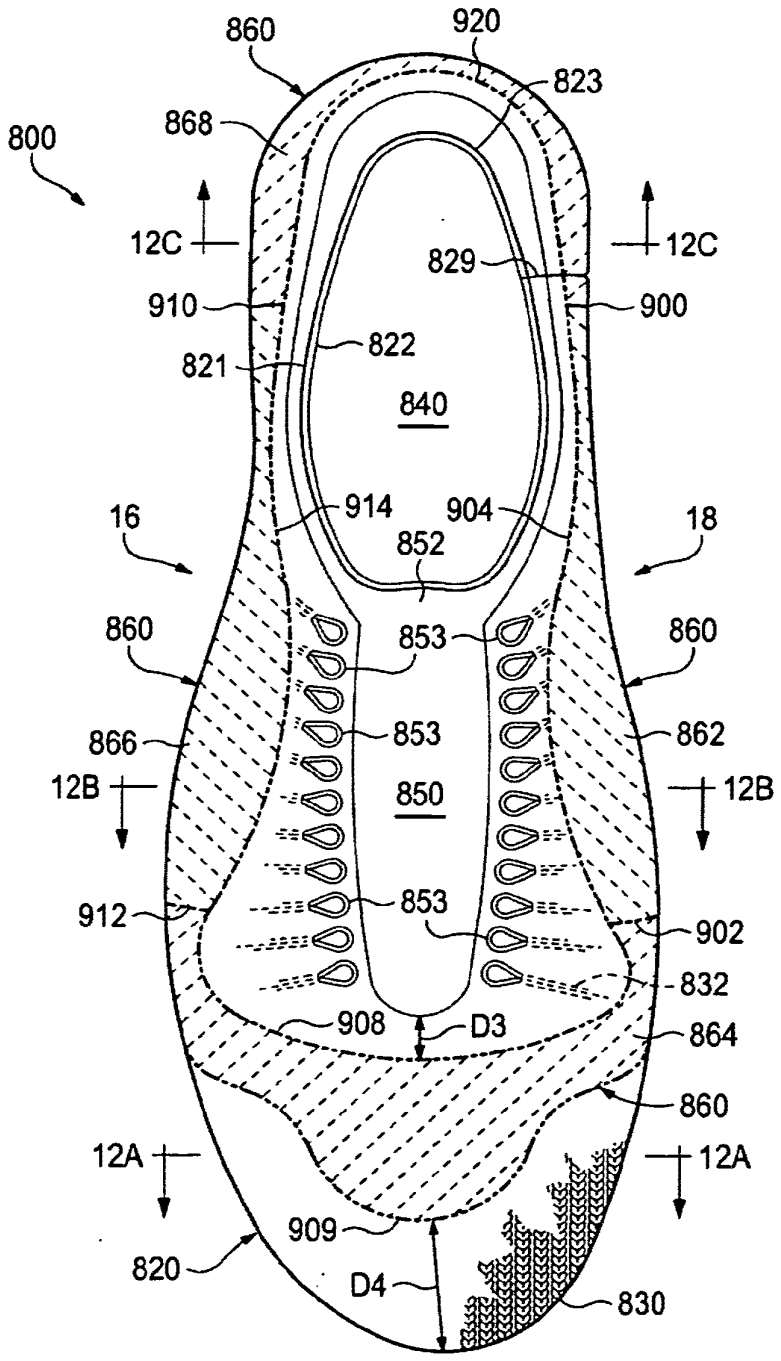

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圖11

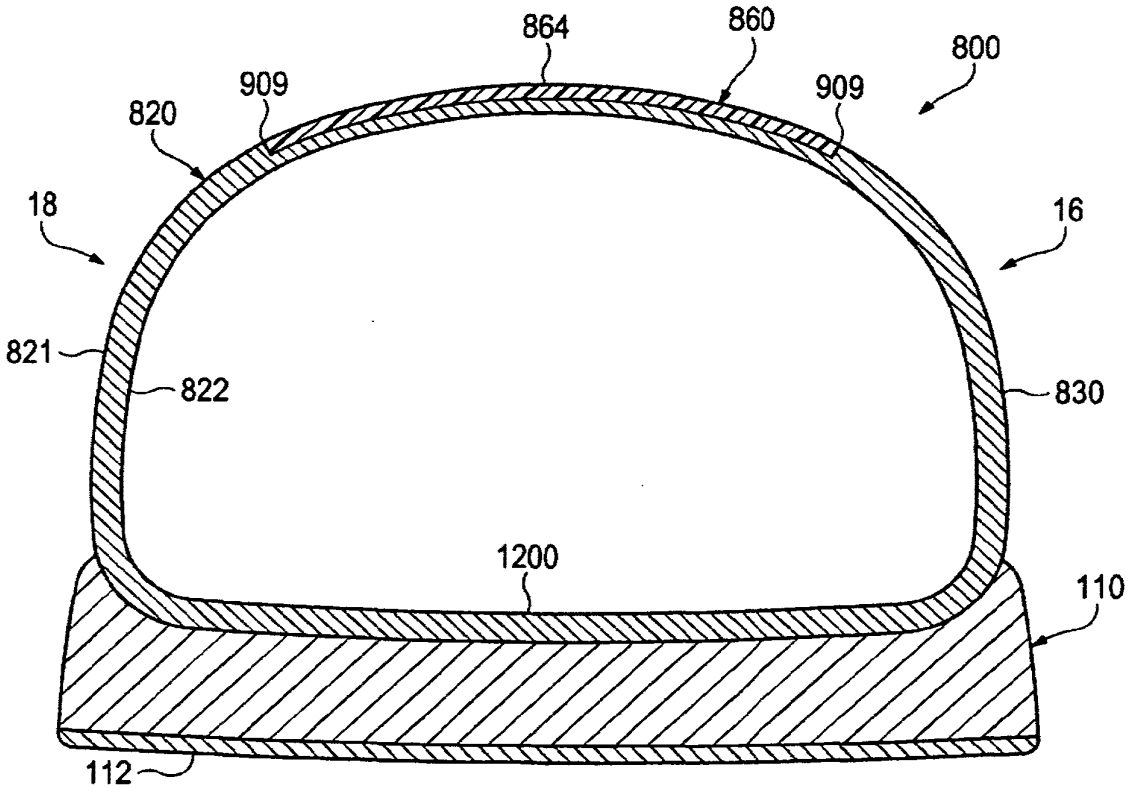


圖12A

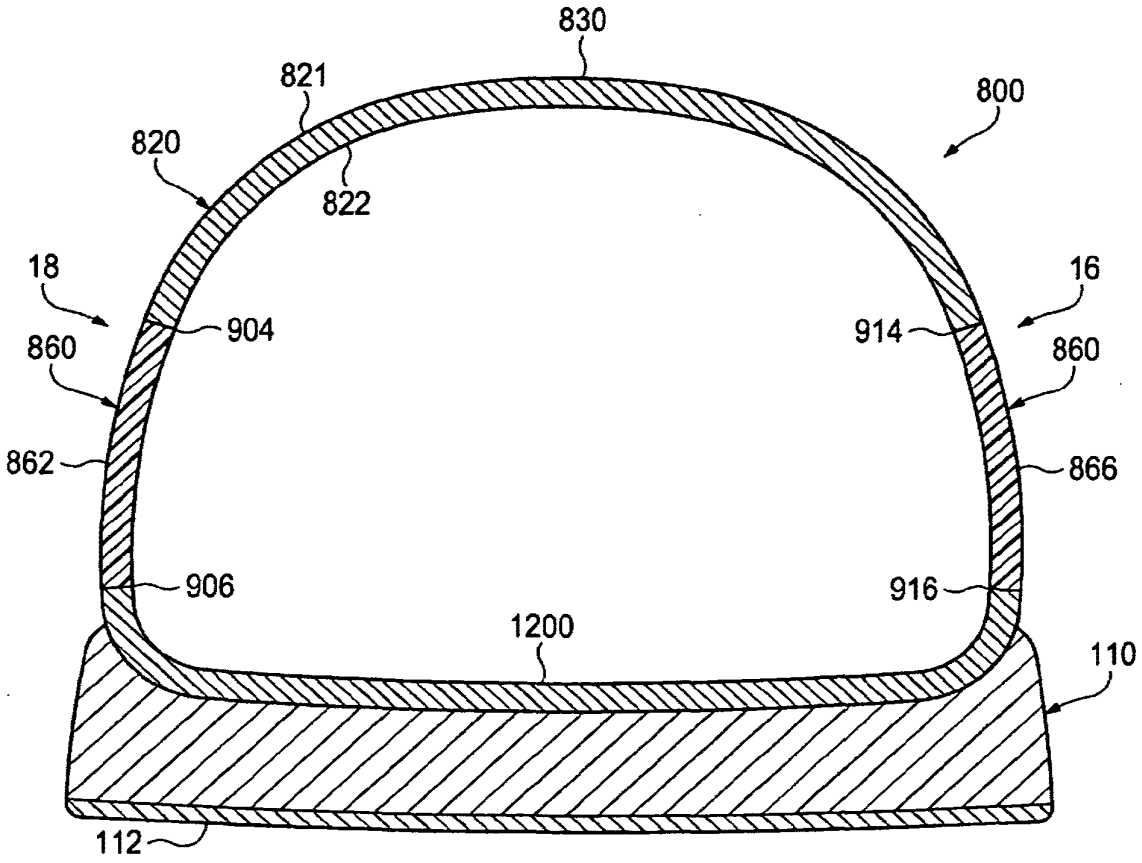

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圖12B

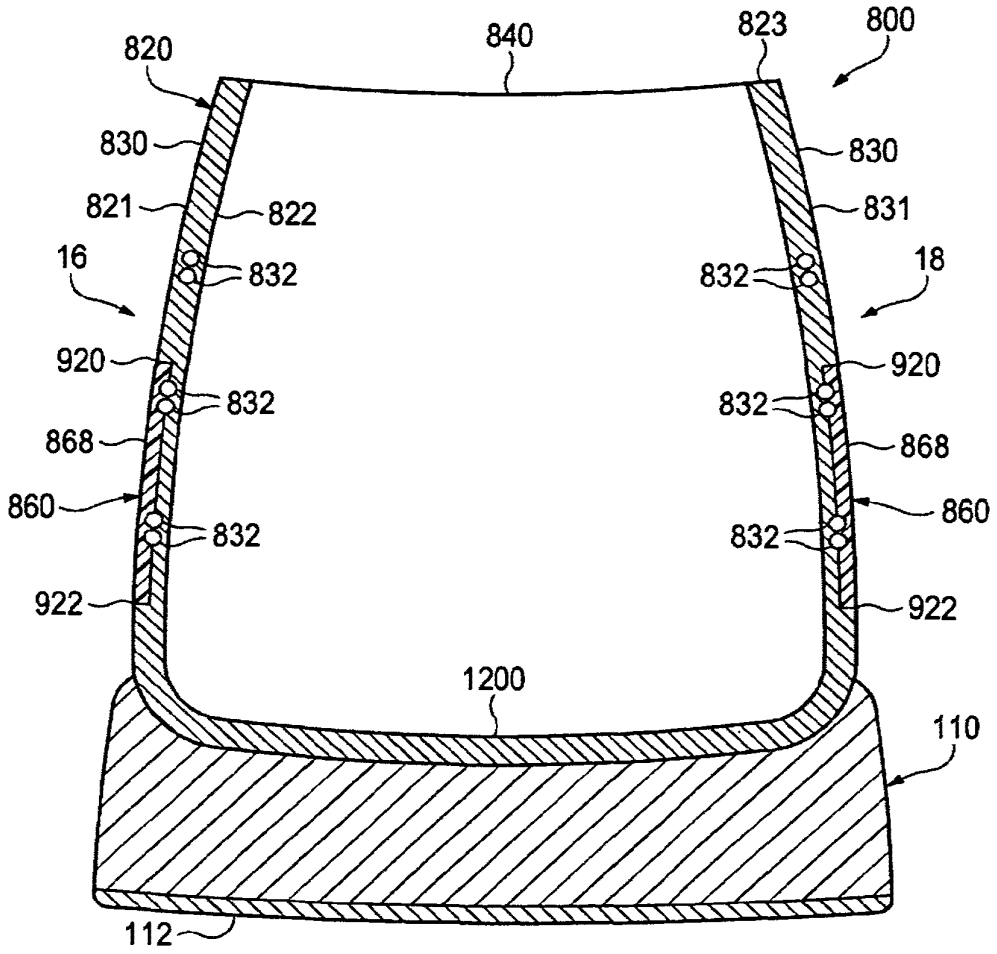

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圖12C

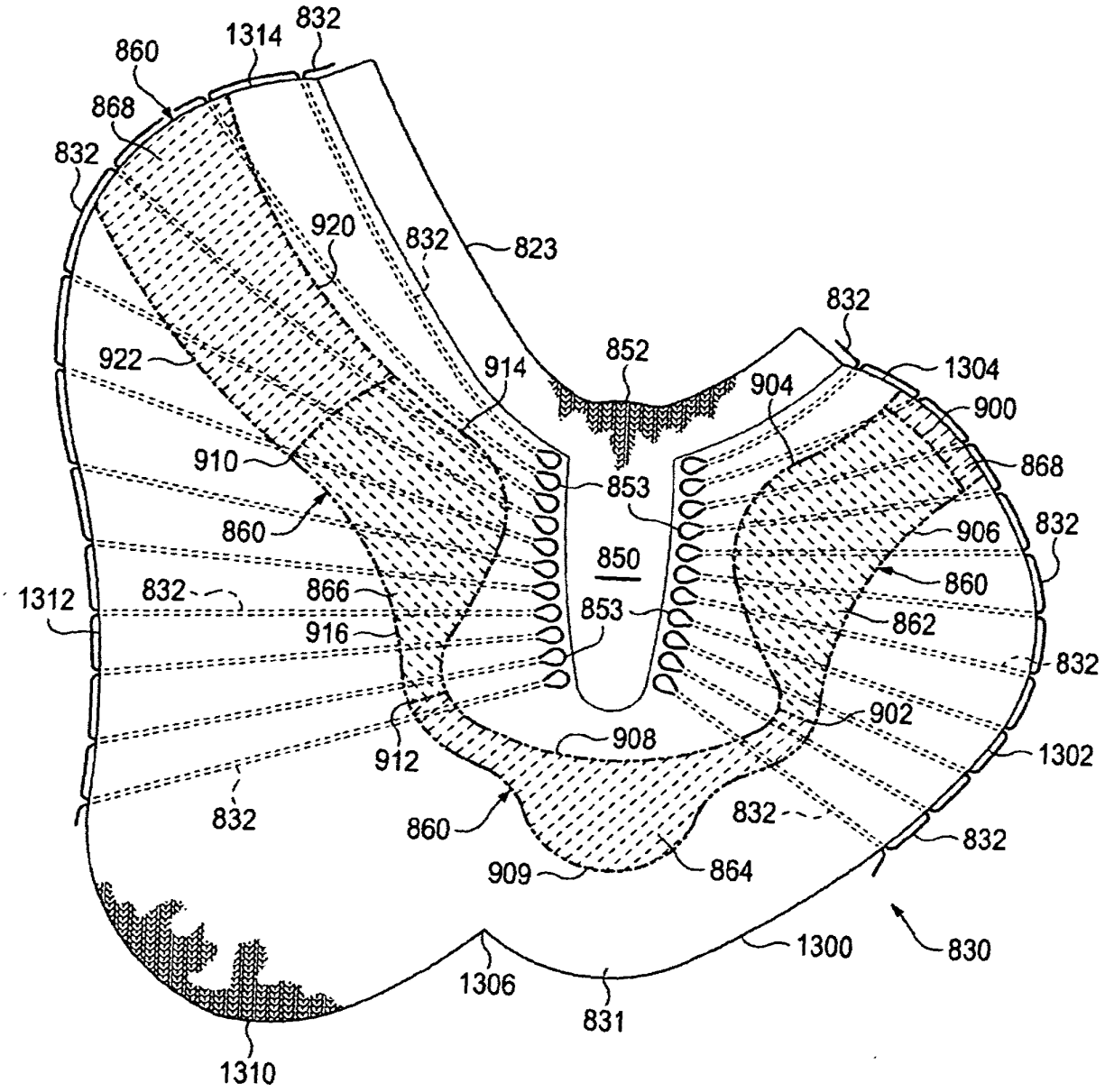

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圖13

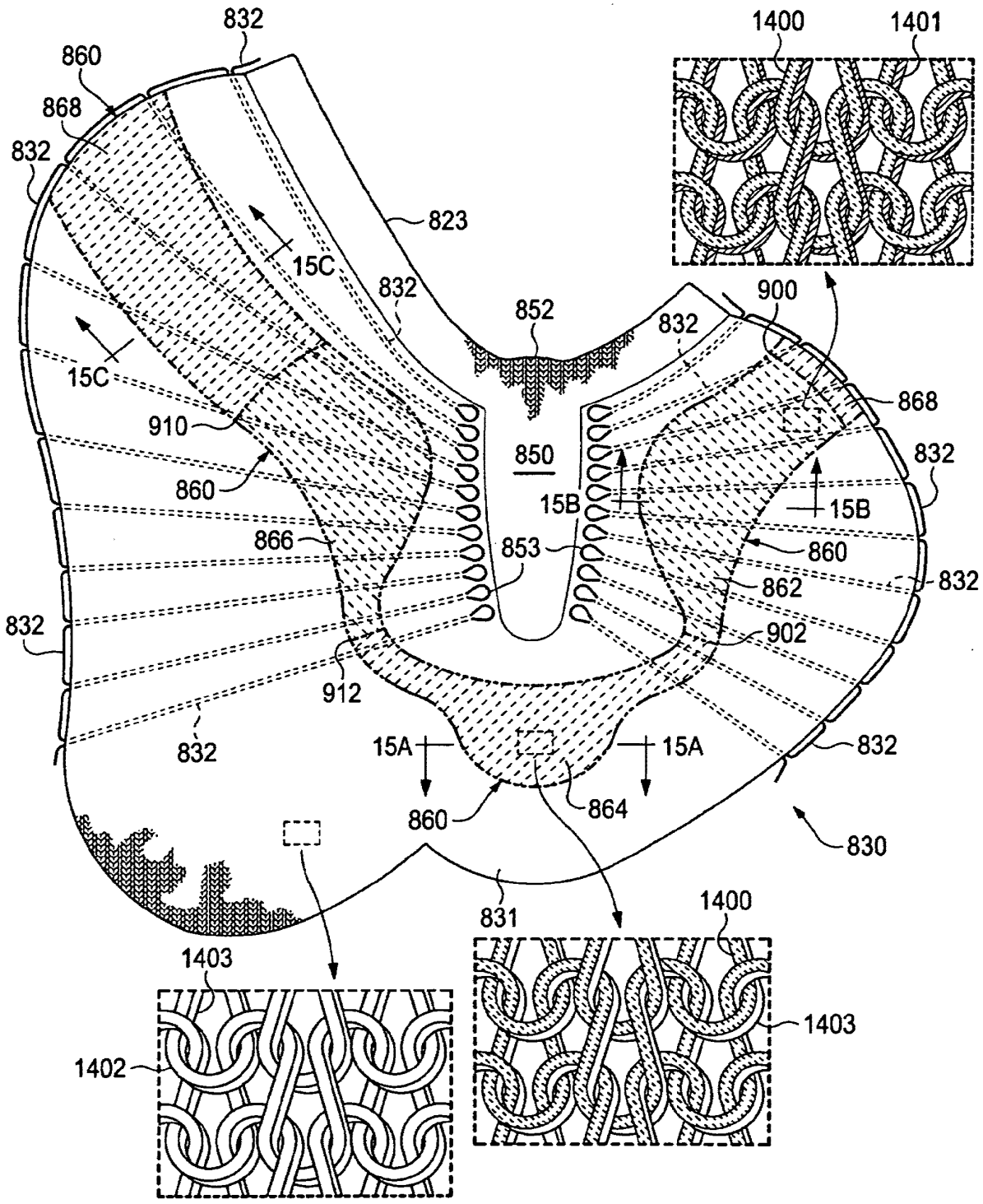

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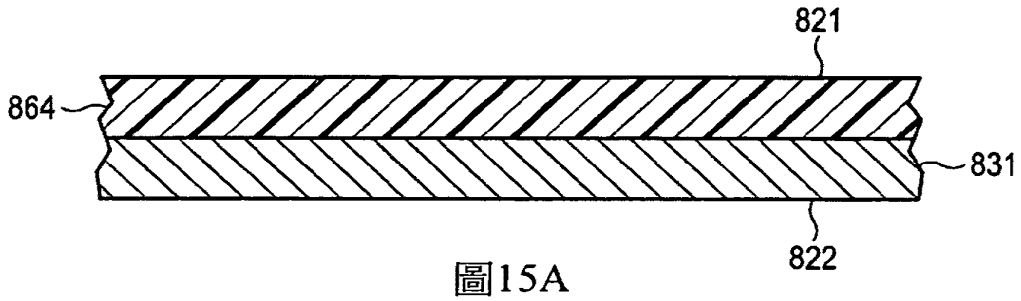


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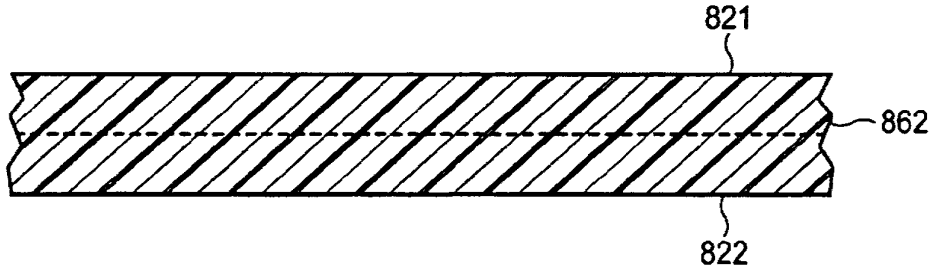


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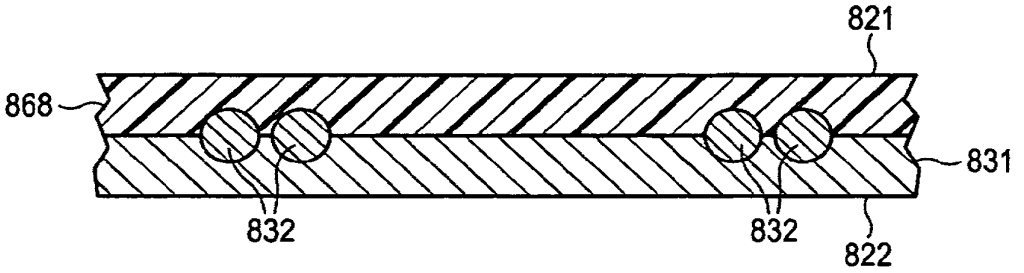


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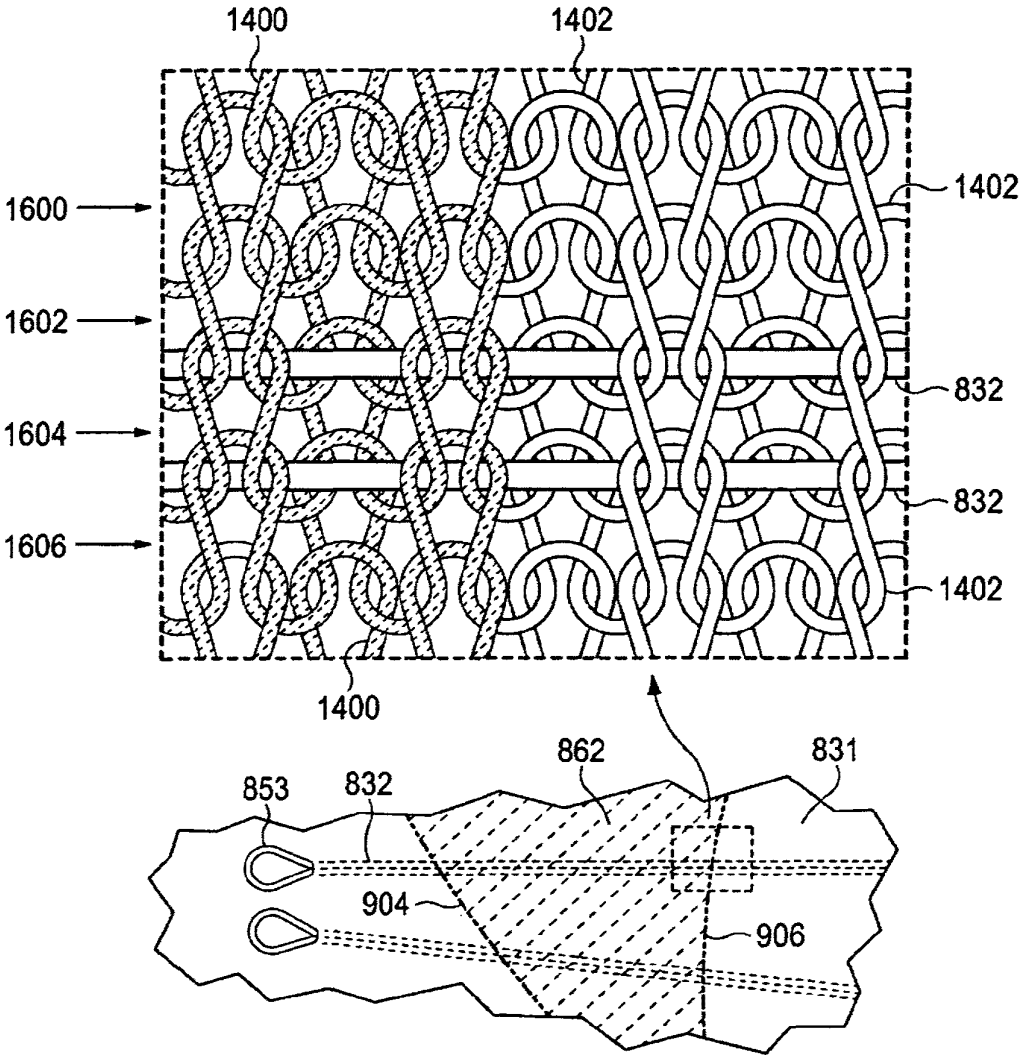

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圖16A

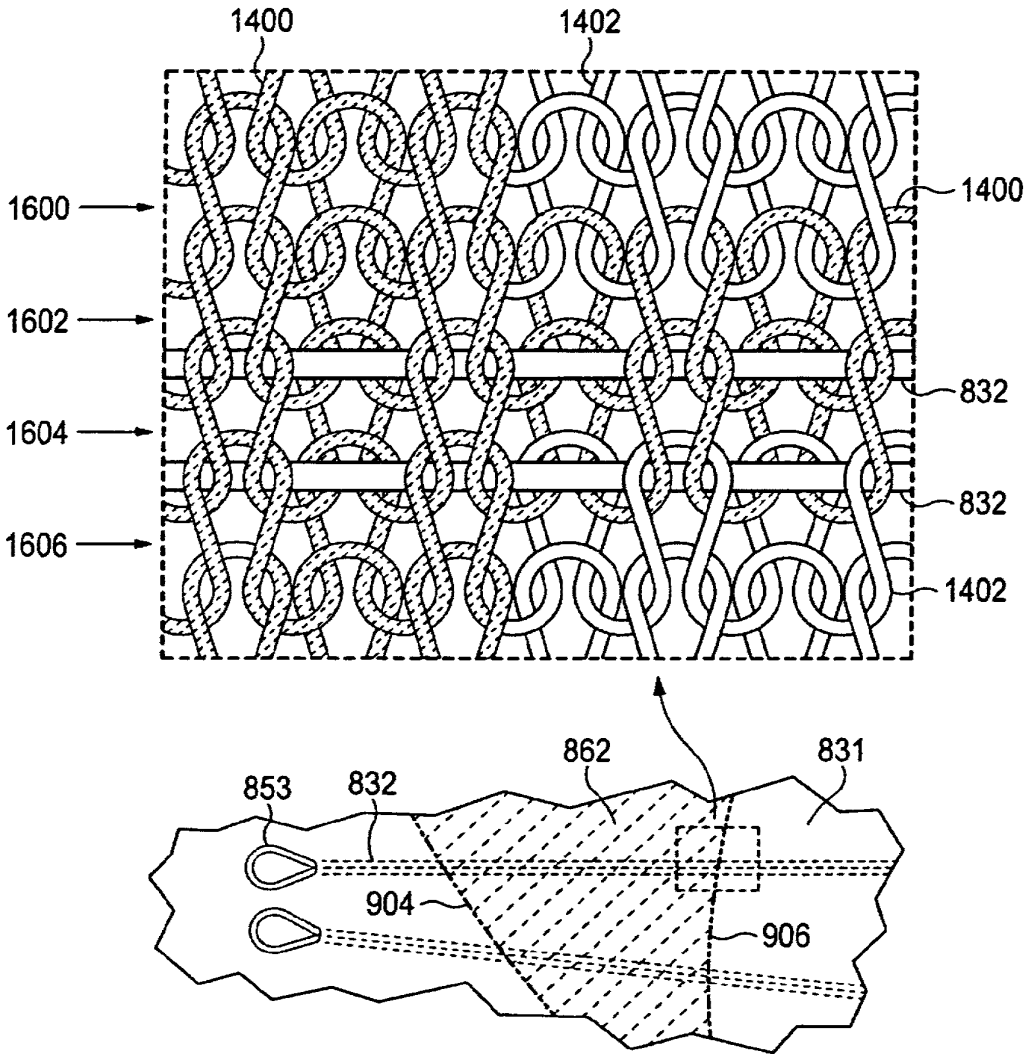

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圖16B

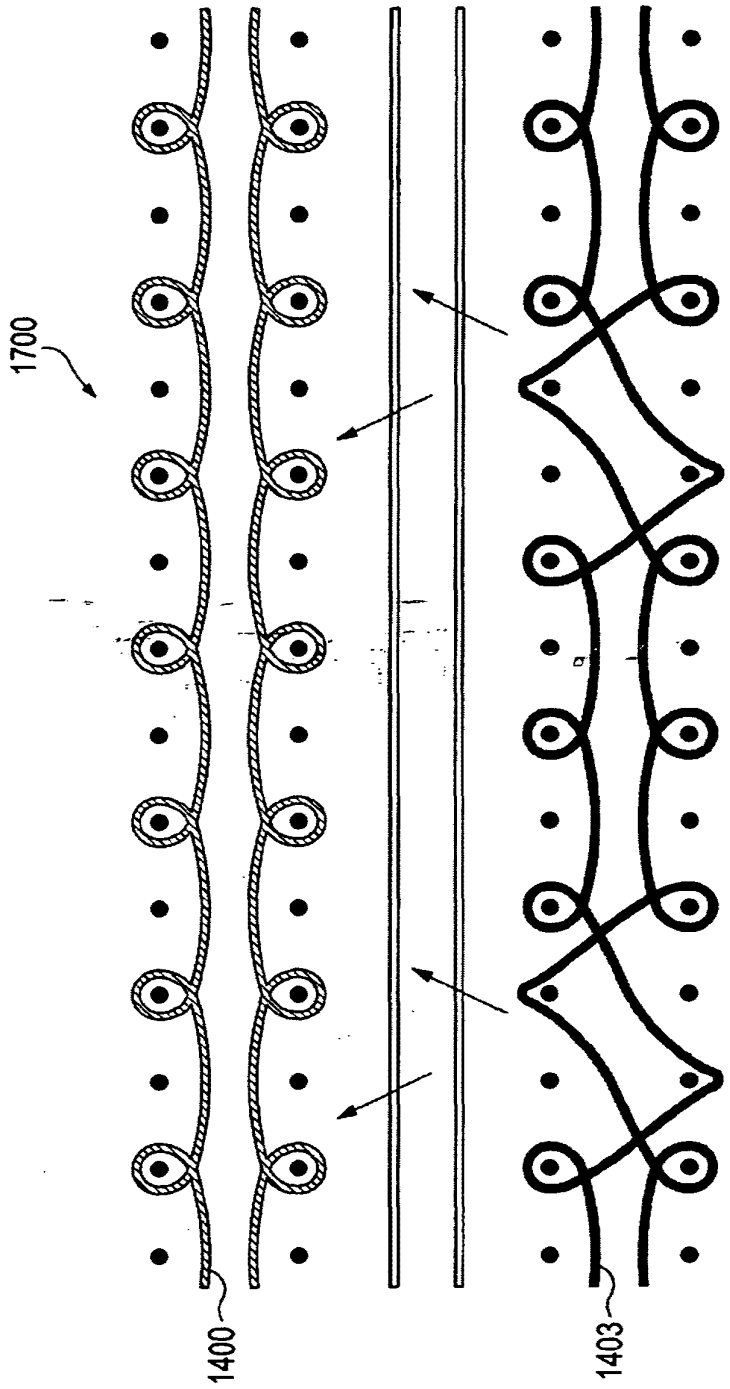


圖17

【代表圖】

【本案指定代表圖】：第（1）圖。

【本代表圖之符號簡單說明】：

10	前足區
12	中足區
14	腳跟區
16	外側
18	內側
100	鞋類物件/物件
110	鞋底結構
112	外底
120	鞋面
121	外表面
122	內表面
123	鞋領
130	編織組件
140	喉部開口/腳踝開口
150	腳背區域
152	鞋舌部分
153	鞋帶孔隙
154	鞋帶
160	單絲區域
162	內單絲部分
164	前足單絲部分

Espacenet

Bibliographic data: WO2013108506 (A1) — 2013-07-25

FOOTWEAR, AND KNITTING METHOD FOR KNIT FABRIC

Inventor(s): KOSUI TATSUYA [JP]; KINO TAKASHI [JP]; HAMADA YOHJI [JP] ± (KOSUI, TATSUYA, ; KINO, TAKASHI, ; HAMADA, YOHJI)

Applicant(s): SHIMA SEIKI MFG [JP] ± (SHIMA SEIKI MFG., LTD)

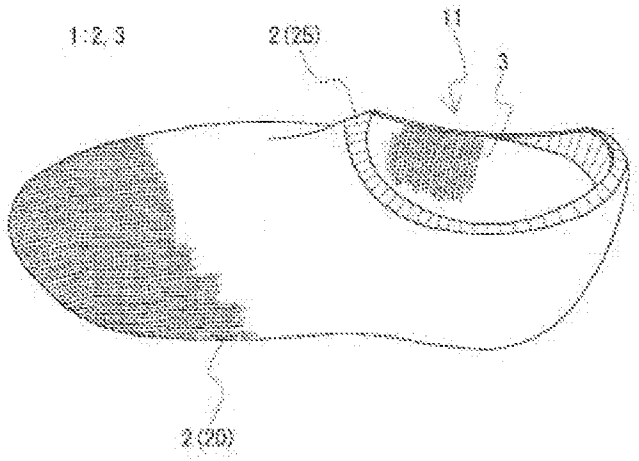
Classification: **- international:** ***A41B11/00; A43B23/02; A43D21/00; D04B1/16; D04B1/22***
- cooperative: **A43B1/04; A43B17/003; A43B23/0205; A43B23/042; D04B1/108; D04B1/22; D04B1/26;** A41B11/005; A43B13/04; D10B2501/043

Application number: WO2012JP81747 20121207

Priority number(s): JP20120010202 20120120

Also published as: EP2805638 (A1) US2015107307 (A1) KR20140105032 (A) JPWO2013108506 (A1) CN104066350 (A)

Abstract of WO2013108506 (A1)



Provided is a footwear with excellent productivity and shape retention. The footwear (1) is seamlessly knitted by a flat knit machine equipped with at least a pair of front and back needle beds, and is provided with a base knit fabric portion (2) having a composite section (20) knitted using a first knitting yarn and a second knitting yarn knitted in along the first knitting yarn. The first knitting yarn constituting the composite section (20) of this footwear (1) is a knitting yarn which is not a thermal fusion yarn, the second knitting yarn is a thermal fusion yarn having thermal adhesiveness and thermal shrinkage properties. The second knitting yarn is

preferably provided with a core section comprising a material that shrinks due to heat, and a sheath section comprising a material having a lower melting point than the core section.

(12) 特許協力条約に基づいて公開された国際出願

(19) 世界知的所有権機関
国際事務局

(43) 国際公開日
2013 年 7 月 25 日(25.07.2013)

WIPO | PCT

(10) 国際公開番号
WO 2013/108506 A1

(51) 国際特許分類:
A43B 23/02 (2006.01) *D04B 1/16* (2006.01)
A41B 11/00 (2006.01) *D04B 1/22* (2006.01)
A43D 21/00 (2006.01)

(21) 国際出願番号: PCT/JP2012/081747

(22) 国際出願日: 2012 年 12 月 7 日(07.12.2012)

(25) 国際出願の言語: 日本語

(26) 国際公開の言語: 日本語

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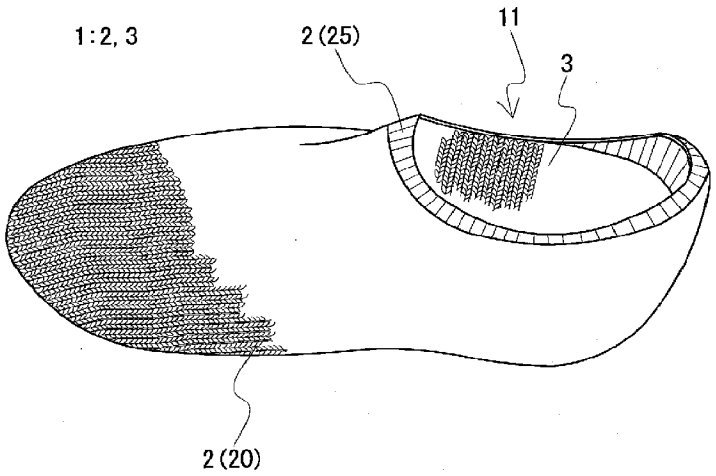
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[続葉有]

(54) **Title**: FOOTWEAR, AND KNITTING METHOD FOR KNIT FABRIC

(54) 発明の名称 : フットウェア、および編地の編成方法



(57) **Abstract**: Provided is a footwear with excellent productivity and shape retention. The footwear (1) is seamlessly knitted by a flat knit machine equipped with at least a pair of front and back needle beds, and is provided with a base knit fabric portion (2) having a composite section (20) knitted using a first knitting yarn and a second knitting yarn knitted in along the first knitting yarn. The first knitting yarn constituting the composite section (20) of this footwear (1) is a knitting yarn which is not a thermal fusion yarn, the second knitting yarn is a thermal fusion yarn having thermal adhesiveness and thermal shrinkage properties. The second knitting yarn is preferably provided with a core section comprising a material that shrinks due to heat, and a sheath section comprising a material having a lower melting point than the core section.

(57) 要約:

[続葉有]

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生産性と形状保持性に優れるフットウェアを提供する。少なくとも前後一対の針床を備える横編機で無縫製に編成され、かつ、第一編糸と、第一編糸に沿って編み込まれる第二編糸とを用いて編成された混成部（２０）を有するベース編地部（２）を備えるフットウェア（１）である。このフットウェア（１）の混成部（２０）を構成する第一編糸は、熱融着糸ではない編糸であり、第二編糸は、熱融着性および熱収縮性を有する熱融着糸である。第二編糸は、熱によって収縮する材料からなる芯部と、この芯部よりも低融点の材料からなる鞘部とを備える構成とすることが好ましい。

明　細　書

発明の名称 ： フットウェア、および編地の編成方法

技術分野

[0001] 本発明は、横編機で無縫製に編成されたソックスやシューズなどのフットウェア、およびそのフットウェアを作製するための編地の編成方法に関する。

背景技術

[0002] 例えば特許文献１には、フットウェアの一種であるシューズが開示されている。このシューズは、アッパー（特許文献１では甲被部と表記）と、アッパーに取り付けられるソールと、を備え、アッパーの一部に合成樹脂の繊維が編込まれた『編込み部分』を有する。このような『編込み部分』をアッパーに形成することで、アッパーを足型（特許文献１では靴型と表記）に被せて熱処理したときに、足型の形状に沿った形状にアッパーを成形することができる。

先行技術文献

特許文献

[0003] 特許文献1：特許第３８６５３０７号公報

発明の概要

発明が解決しようとする課題

[0004] 従来のシューズには、生産性が芳しくないという問題がある。当該シューズは、複数のパーツを立体的に縫製することで形成されているため、各パーツの用意に手間がかかるし、各パーツを縫製する作業も煩雑であるからである。また、特許文献１のシューズには、当該シューズの『編込み部分』が合成樹脂の繊維のみからなるため、形状保持性が芳しくないという問題もある。

[0005] 本発明は上記事情に鑑みてなされたものであり、本発明の目的は、生産性および形状保持性に優れるフットウェアを提供することにある。また、本発

明の別の目的は、本発明のフットウェアを製造するための編地の編成方法を提供することにある。

課題を解決するための手段

[0006] 本発明のフットウェアは、少なくとも前後一対の針床を備える横編機で無縫製に編成され、かつ、第一編糸と、第一編糸に沿って編み込まれる第二編糸とを用いて編成された混成部を有するベース編地部を備える。この本発明のフットウェアの混成部に使用される第一編糸は、熱融着糸ではない編糸であり、第二編糸は、熱融着性および熱収縮性を有する熱融着糸であることを特徴とする。

[0007] 本発明のフットウェアとしては、ソックス、足袋、シューズ、あるいはシューズのアッパーなどを挙げることができる。また、本発明のフットウェアにおける混成部は、フットウェア全体に設けられていても良いし、フットウェアの一部に設けられていても良い。さらに、本発明のフットウェアにおける混成部は一様に形成されている必要はない。例えば、フットウェアの或る部分における混成部と、他の部分における混成部とで、編成組織、使用する編糸の種類、あるいは編糸の番手などが異なっていても良い（もちろん、それらが同じでも構わない）。

[0008] 本発明のフットウェアの一形態として、第二編糸を構成する熱融着糸は、熱により収縮する芯部と、その芯部よりも低融点の鞘部と、を備える芯鞘構造の熱融着糸である形態とすることが挙げられる。

[0009] ここで、芯鞘構造の熱融着糸における芯部および鞘部の融点は、フットウェアの一般的な使用環境の温度よりも高温とする。例えば、芯部と鞘部の融点は、１２０℃以上とすることが好ましい。

[0010] 本発明のフットウェアの一形態として、フットウェアに備わる混成部は、第一編糸と第二編糸を用いたプレーティング編成により編成される形態とすることが挙げられる。

[0011] 別々の給糸口から第一編糸と第二編糸を給糸させるプレーティング編成（例えば、国際公開第２００８／１３９７１０号公報、特許第３８９９２６９

号公報を参照）を行なえば、先行の給糸口から給糸される主糸が混成部の表面側に配置され、後行の給糸口から給糸される添糸が混成部の裏面側に配置される。つまり、混成部がプレーティング編成されたことは、混成部を見れば明らかである。なお、当該混成部は、一つの給糸口から第一編糸と第二編糸を給糸させることで編成しても構わない。この場合、別々の編糸コーンから供給される第一編糸と第二編糸とを一つの給糸口で一纏めにしても良いし、撚り合せ等で予め一纏めにされた第一編糸と第二編糸とを一つの給糸口から給糸しても良い。その他、第一編糸で編成される編目に、第二編糸をタックすることで、第一編糸に沿って第二編糸を編み込んでも良い。

[0012] 本発明のフットウェアの一形態として、フットウェアの着用時に上記ベース編地部の内側または外側に配置される追加編地部を備え、フットウェアの履口部の位置で、ベース編地部と追加編地部とが無縫製で連結されている形態を挙げることができる。なお、追加編地部も、第一編糸と第二編糸とを用いた混成部を有していても良い。

[0013] ベース編地部の混成部がプレーティング編成により編成され、かつ追加編地部を備える本発明のフットウェアの一形態として、混成部の第二編糸が配置される面は、追加編地部に対向して配置される形態を挙げることができる。

[0014] 既述のようにプレーティング編成を行なった混成部では、熱融着糸である第二編糸が、混成部の表面側、もしくは裏面側のいずれかに配置される。その混成部の第二編糸が配置される面を、上記追加編地部をベース編地部の内側または外側に配置したときに追加編地部に対向して配置されるようにすると、ベース編地部と追加編地部との間に熱融着糸である第二編糸が配置される。ここで、追加編地部も混成部を有する場合、ベース編地部の第二編糸が配置される面と、追加編地部の第二編糸が配置される面とが対向するようにすることが好ましい。

[0015] 本発明のフットウェアの一形態として、足型に被せた状態で熱処理されることで、足型に対応した形状に保形される形態を挙げることができる。その

場合、フットウェアの外側編地部の混成部において、熱処理されることにより溶融した第二編糸が第一編糸と一体化している。特に、第二編糸が芯鞘構造の熱融着糸である場合、熱処理によって溶融した第二編糸の鞘部によって、第二編糸の芯部と第一編糸とが引き揃えられた状態で一体化される。

[0016] 上述したフットウェアは、少なくとも前後に対向する一対の針床を備える横編機を用いて無縫製に編地を編成する本発明の編地の編成方法により作製することができる。即ち、本発明の編地の編成方法は、熱融着糸ではない第一編糸と、熱融着性および熱収縮性を有する熱融着糸である第二編糸とを用意し、第一編糸と、この第一編糸に沿って編み込まれる第二編糸とで、フットウェアの少なくとも一部を編成することを特徴とする。

発明の効果

[0017] 本発明のフットウェアは、無縫製で編成されているため、生産性に優れる。また、本発明のフットウェアは、足型に装着された状態で熱処理されることで形状保持性に優れるフットウェアとなる。それは、熱処理によって溶融した第二編糸が第一編糸と一体化するため、混成部において第一編糸が骨格となり、溶融した第二編糸がその骨格を補強したような状態となるからである。さらに、本発明のフットウェアは、優れた見栄えを備える。それは、第一編糸が熱融着糸でないため、本発明のフットウェアを熱処理しても、フットウェアの混成部における第一編糸が溶融せず、混成部の編組織が編成時の状態で保持されるからである。

[0018] 芯鞘構造の第二編糸を用いて編成された本発明のフットウェアは、より優れた形状保持性を発揮する。このフットウェアを足型に装着して熱処理したときに、第二編糸の芯部が収縮してフットウェアが足型に沿った形状になり、さらに第二編糸の鞘部によって芯部と第一編糸とが一体化されるからである。

[0019] 混成部をプレーティング編成により形成した本発明のフットウェアは、優れた見栄えを備える。プレーティング編成によれば、主糸（第一編糸と第二編糸の一方）が混成部の表側に配され、添糸（第一編糸と第二編糸の他方）

が混成部の裏側に隠れ、混成部の表側から見え難い状態にできる、即ち、混成部において第一編糸と第二編糸が斑に見える状態とならないからである。なお、第一編糸と第二編糸のどちらを先行の給糸口から給糸される編糸とするかは特に限定されないが、第一編糸を先行の給糸口から給糸される編糸とすることが好ましい。第一編糸が混成部の外観を決定する編糸であるからである。

[0020] ベース編地部に加え追加編地部を有する本発明のフットウェアは、優れた履き心地を備える。着用者の足に面する追加編地部をベース編地部と異なる質感にすることができるからである。

[0021] プレーティング編成された混成部の第二編糸が配置される面を追加編地部の側に配置することで、ベース編地部と追加編地部との接着性を高めることができる。

図面の簡単な説明

[0022] [図1]実施形態に示すシューズの概略斜視図である。

[図2]図１に示すシューズの熱処理前の状態を示す概略図である。

[図3]図２に示すシューズの編成イメージ図である。

発明を実施するための形態

[0023] 本発明のフットウェアとして、図１～３を参照し、シューズ１を編成する例を説明する。

[0024] 図１に示すシューズ１は、足の甲側を覆うアッパーと、足裏側を覆うソールと、が一体となったシューズである。このシューズ１のソールの外側に、例えば樹脂やゴムなどの補強ソール材（図示せず）を取り付けても良い。ソールに対する補強ソール材の取り付けは、接着剤により行なうと良い。もちろん、ソールに樹脂やゴムなどを含浸させて補強ソール材を形成しても良い。

[0025] 本実施形態のシューズ１は、シューズ１の外側に配置される外側編地部（ベース編地部）２と、シューズ１の内側に配置される内側編地部（追加編地部）３と、を備える。外側編地部２と内側編地部３とは、シューズ１の履口

部１１の位置で連結されている。このシューズ１の最も特徴とするところは、（１）シューズ１全体が横編機を用いて無縫製に編成された編地であること、（２）シューズ１を構成する外側編地部２の少なくとも一部（混成部２０）が、熱融着糸ではない第一編糸と、この第一編糸に沿って編み込まれる熱融着糸である第二編糸とで編成されていること、である。

[0026] 図１に示すシューズ１を作製するには、まず、横編機を用いて図２に示すように、外側編地部２と内側編地部３とが一続きとなった編地（シューズ１）を編成する。その際、内側編地部３は、後述する足型の形状にほぼ沿った形状で、足型の大きさよりも若干大きめに形成すると共に、外側編地部２は内側編地部３よりも若干大きめに形成しておくことが好ましい。なお、編成に使用する横編機は特に限定されず、例えば２枚ベットの横編機でも良いし、４枚ベットの横編機でも良い。

[0027] 図２に示すシューズ１の編成工程を模式的に示す編成イメージ図を図３に示す。図３に示す部位α～νは、図２の部位α～νに対応する。また、図３の部位α～νの横の四角囲みは、当該部位を編成する針床（Ｆ＝前針床、Ｂ＝後針床）を示す。

[0028] 図３に示すように、まず内側編地部３の甲側であって、足指の付け根に相当する部位αから編成を開始し、足指を包む内側編地部３の部位βを編成する。次いで、減らしと増やしを使いながら足の凹凸に対応するように内側編地部３の部位γ，δ，ε，ζ，ηを形成する（部位γはＦ，Ｂを用いた筒状編成、部位δはＦ，Ｂを用いたＣ字状編成）。そして、部位θをリブ組織で編成し、再び増やしと減らしを使いながら足の凹凸に対応するように外側編地部２の部位ι，κ，λ，μを編成し（部位κはＦ，Ｂを用いたＣ字状編成、部位λはＦ，Ｂを用いた筒状編成）、足指の付け根に相当する部位νで編成を終了する。

[0029] ここで、本実施形態では、内側編地部３を編成する編糸と、外側編地部２を編成する編糸とを、異ならせた。内側編地部３は、着用者の足に面して配置されるので、着用者の履き心地を向上させる編糸を用いて編成した。その

ような編糸としては、例えば、吸湿性、防臭性、および抗菌性の少なくとも一つの特性を備える編糸を挙げることができる。なお、熱融着糸は、熱処理によって一旦溶融すると、その肌触りが悪くなるので、熱融着糸を内側編地部３の編糸に採用しない方が良い。

[0030] 一方、外側編地部２は、リブ組織部２５以外は、熱融着糸でない第一編糸（内側編地部３の編糸とは種類が異なる編糸）と、熱融着糸である第二編糸とを引き揃えて編成された混成部２０とした。本実施形態では、先行の給糸口から第一編糸を給糸させ、後行の給糸口から第二編糸を給糸させるプレーティング編成を行ない、熱融着糸ではない第一編糸がシューズ１の外表面に表れるようにした。なお、リブ組織部２５の編成には第一編糸のみを用い、シューズ１の履口部１１から足を挿入し易くした。

[0031] 第一編糸には、熱融着糸でない編糸を利用する。編糸の素材としてはポリエステルやナイロンなどが好ましいが、これらに限定されない。また、当該編糸は、モノフィラメント糸でも良いし、マルチフィラメント糸でも良い。特に、マルチフィラメント糸が好ましく、本実施形態では第一編糸をマルチフィラメント糸とした。

[0032] 熱融着糸である第二編糸には、熱により収縮する材料からなる芯部と、その芯部よりも低融点の材料からなる鞘部とを備える芯鞘構造の熱融着糸を利用した。この熱融着糸の芯部の収縮開始温度（融点よりも低い）、および鞘部の融点は、例えば１２０℃以上であることが好ましい。このような熱融着糸としては、例えば、ＤＩＡＦＬＯＲＡ（東洋紡績株式会社の登録商標）を挙げることができる。

[0033] なお、第二編糸は、芯鞘構造に限定されるわけではない。例えば、熱融着性を有する編糸と、熱収縮性を有する編糸とをそれぞれ用意し、編成時にこれらの編糸を引き揃えて第二編糸としても良いし、編成前にこれらの編糸を撚り合わせて第二編糸としても良い。

[0034] 以上説明した構成を備える図２の編地（シューズ１）を編成したら、その編地の内側編地部３を、リブ組織部２５を通して外側編地部２の内部に折り

込んだ状態で足型に被せ、第二編糸の鞘部の融点以上の温度であって、芯部の収縮開始温度以上、芯部の融点未満の温度で熱処理する。そうすることで、第二編糸の芯部が収縮することに伴って外側編地部２および内側編地部３が足型にぴったりと沿った形状になる。その際、溶融した第二編糸の鞘部が、第一編糸の外周を包み込むと共に、第一編糸の各フィラメントの隙間に入り込んで、第二編糸の芯部と第一編糸とを強固に一体化させる。また、溶融した鞘部は、外側編地部２と内側編地部３とを貼り合わせる役割も果たす。

[0035] 最後に、足型から熱処理後の編地を取り外すことで、図１に示すシューズ１が得られる。得られたシューズ１は、足型に沿った形状であり、かつ形状保持性に優れる。このシューズ１が形状保持性に優れるのは、外側編地部２において第一編糸と第二編糸の芯部とが骨格をなし、その骨格の形状を溶融した第二編糸の鞘部が保持するからである。また、このシューズ１では、履口部１１が熱融着糸でない編糸からなるリブ組織部２５となっているため、履口部１１が伸び易く、履き易いシューズ１となっている。

[0036] なお、本発明は上述した実施形態に限定されるわけではなく、本発明の要旨を逸脱しない範囲で適宜変更して実施することができる。例えば、実施形態１とは異なり、内側編地部３が無いシューズ１であっても良い。また、外側編地部２の混成部２０において、部分的に第一編糸・第二編糸の種類や番手を換えても良い。例えば、踵に相当する部分で第一編糸を太くして、当該部分の強度を向上させたり、土踏まずに相当する部分で第二編糸の収縮性を高くして、当該部分により足の締めつけを強くしても良い。もちろん、シューズ１において、踵に相当する部分や土踏まずに相当する部分など、特定の部分にのみ混成部２０を設けても良い。

符号の説明

[0037] １ シューズ（フットウェア） １１ 履口部 α～ν 部位
２ 外側編地部（ベース編地部） ２０ 混成部 ２５ リブ組織部
３ 内側編地部（追加編地部）

請求の範囲

［請求項1］ フットウェアにおいて、

少なくとも前後一対の針床を備える横編機で無縫製に編成され、かつ、第一編糸と、第一編糸に沿って編み込まれる第二編糸とを用いて編成された混成部を有するベース編地部を備え、

前記第一編糸は、熱融着糸ではない編糸であり、

前記第二編糸は、熱融着性および熱収縮性を有する熱融着糸であることを特徴とするフットウェア。

［請求項2］ 前記熱融着糸は、熱により収縮する芯部と、その芯部よりも低融点の鞘部と、を備えることを特徴とする請求項１に記載のフットウェア。

［請求項3］ 前記混成部は、前記第一編糸と第二編糸を用いたプレーティング編成により編成されていることを特徴とする請求項１または２に記載のフットウェア。

［請求項4］ フットウェアの着用時に前記ベース編地部の内側または外側に配置される追加編地部を備え、

前記フットウェアの履口部の位置で、前記ベース編地部と前記追加編地部とが無縫製で連結されていることを特徴とする請求項１～３のいずれか一項に記載のフットウェア。

［請求項5］ 前記ベース編地部の混成部は、前記第一編糸と第二編糸を用いたプレーティング編成により編成されており、

前記混成部の第二編糸が配置される面は、前記追加編地部に対向して配置されることを特徴とする請求項４に記載のフットウェア。

［請求項6］ 足型に被せた状態で熱処理されることで、前記足型に対応した形状に保形され、

前記混成部において、熱処理されることにより溶融した前記第二編糸が前記第一編糸と一体化していることを特徴とする請求項１～５のいずれか一項に記載のフットウェア。

［請求項7］ 少なくとも前後に対向する一対の針床を備える横編機を用いて無縫製に編地を編成する編地の編成方法において、

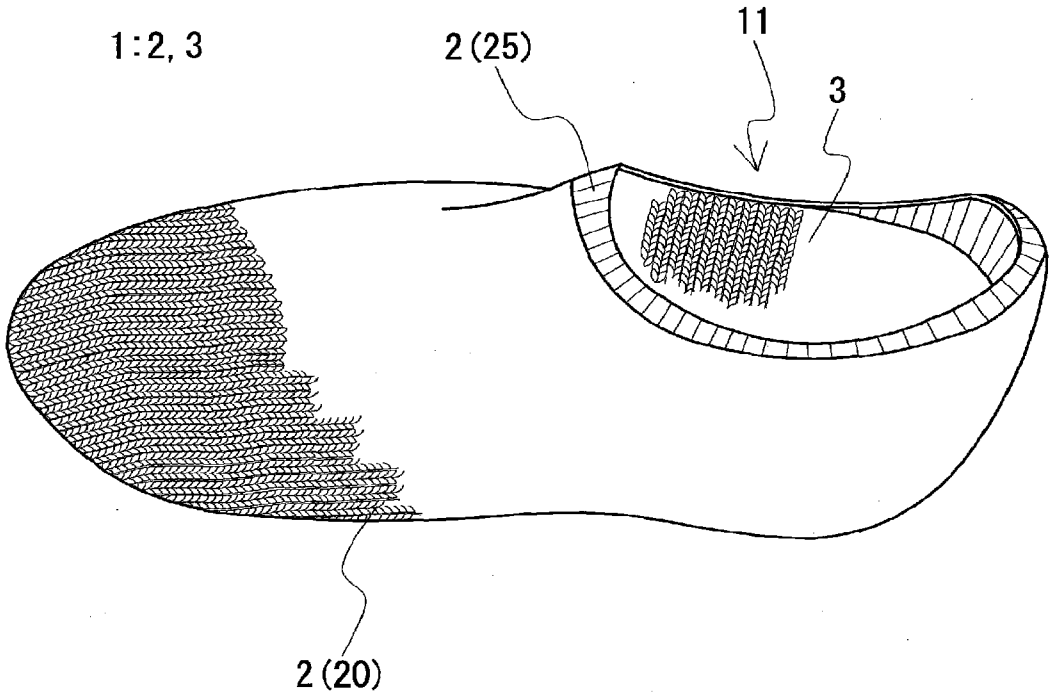
前記編地がフットウェアであり、

熱融着糸ではない第一編糸と、熱融着性および熱収縮性を有する熱融着糸である第二編糸とを用意し、

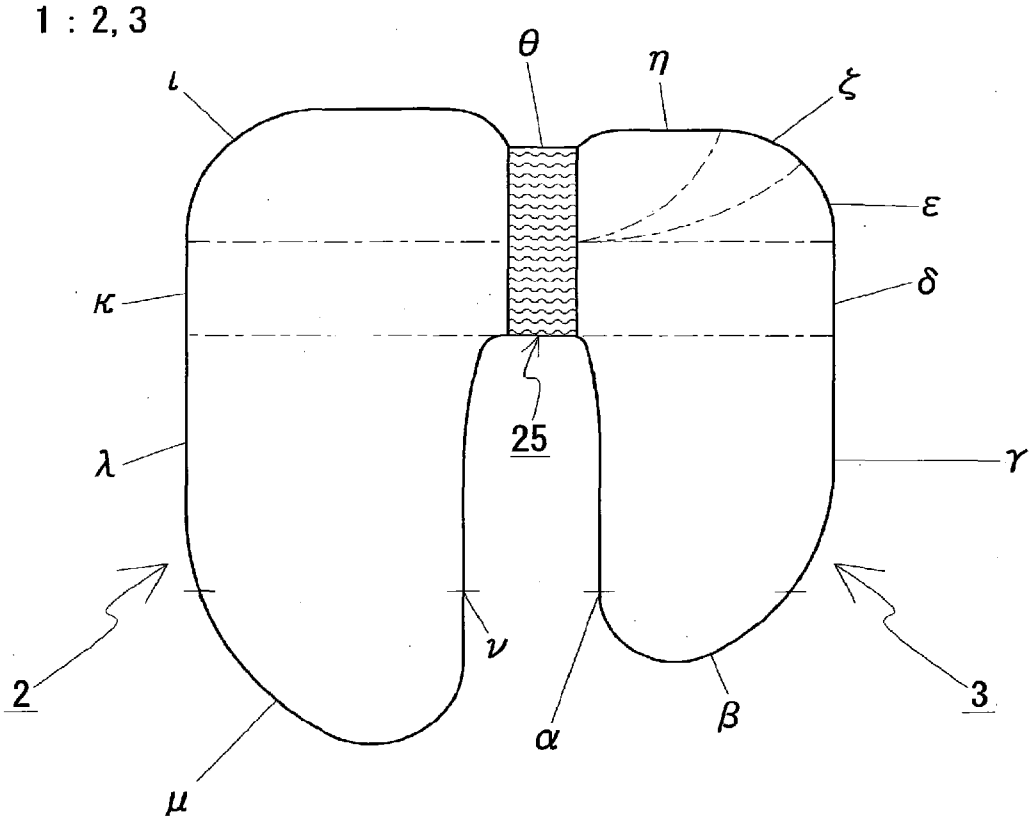
前記第一編糸と、この第一編糸に沿って編み込まれる前記第二編糸とで、前記フットウェアの少なくとも一部を編成することを特徴とする編地の編成方法。

WO 2013/108506 PCT/JP2012/081747

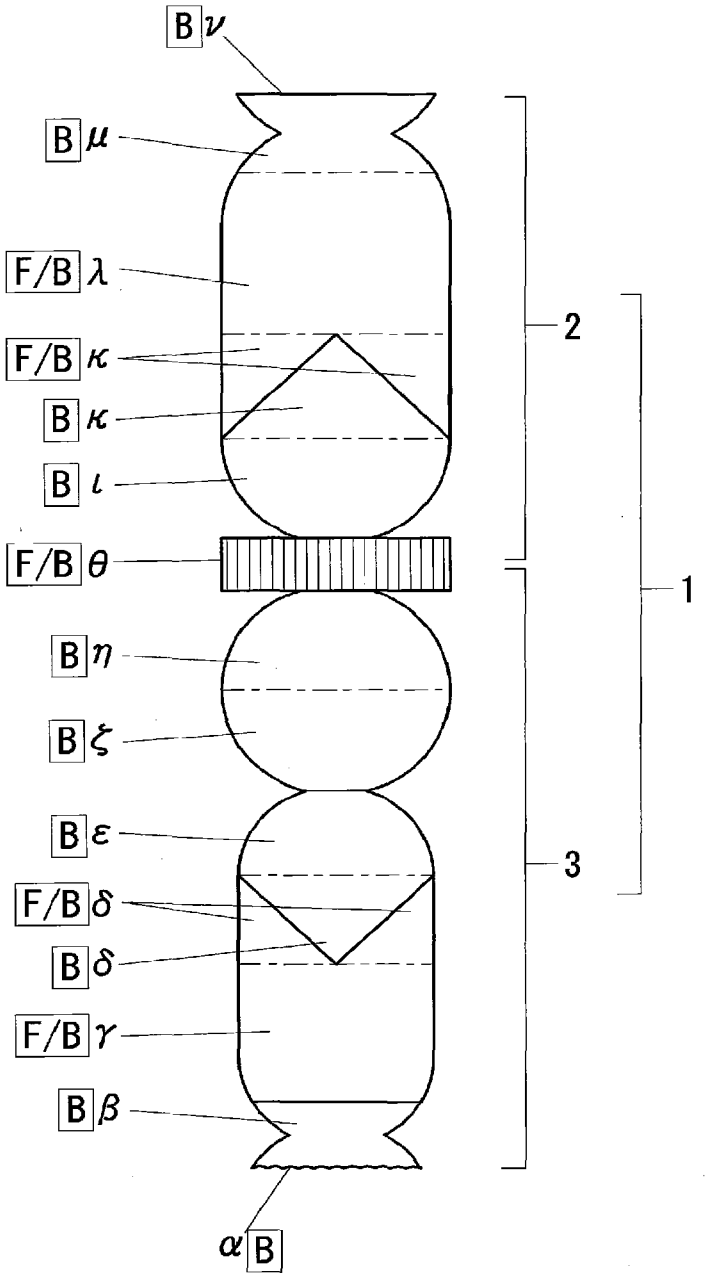
[図1]



[図2]



[図3]



INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2012/081747

A. CLASSIFICATION OF SUBJECT MATTER
A43B23/02(2006.01)i, *A41B11/00*(2006.01)i, *A43D21/00*(2006.01)i, *D04B1/16*(2006.01)i, *D04B1/22*(2006.01)i

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A43B1/00-23/30, A41B11/00, D04B1/16, D04B1/22

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2013
Kokai Jitsuyo Shinan Koho	1971-2013	Toroku Jitsuyo Shinan Koho	1994-2013

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 59-53701 A (Shima Idea Center Co., Ltd.), 28 March 1984 (28.03.1984), page 3, lines 2 to 20 (Family: none)	1-7
A	JP 2009-179907 A (Asahi Sports Yugen Kaisha), 13 August 2009 (13.08.2009), abstract (Family: none)	1-7

☒ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search 19 February, 2013 (19.02.13)	Date of mailing of the international search report 05 March, 2013 (05.03.13)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

Form PCT/ISA/210 (second sheet) (July 2009)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2012/081747

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 59399/1980(Laid-open No. 160905/1981) (Datsushiyuman Kabushiki Kaisha), 30 November 1981 (30.11.1981), all drawings (Family: none)	1-7
A	JP 2011-226019 A (Shima Seiki Mfg., Ltd.), 10 November 2011 (10.11.2011), claims (Family: none)	1-7
A	JP 2006-511306 A (Nike, Inc.), 06 April 2006 (06.04.2006), paragraph [0020] & US 2004/0118018 A1 & EP 1571938 A & WO 2004/060093 A1	1-7
A	JP 2008-303492 A (Teijin Fibers Ltd.), 18 December 2008 (18.12.2008), paragraph [0005] (Family: none)	1-7

Skechers EX1013-p. 1643
Skechers v Nike

国際調査報告

国際出願番号　ＰＣＴ／ＪＰ２０１２／０８１７４７

Ａ．　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　A43B23/02(2006.01)i, A41B11/00(2006.01)i, A43D21/00(2006.01)i, D04B1/16(2006.01)i, D04B1/22(2006.01)i

Ｂ．　調査を行った分野

調査を行った最小限資料（国際特許分類（ＩＰＣ））

Int.Cl.　A43B1/00-23/30, A41B11/00, D04B1/16, D04B1/22

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	１９２２－１９９６年
日本国公開実用新案公報	１９７１－２０１３年
日本国実用新案登録公報	１９９６－２０１３年
日本国登録実用新案公報	１９９４－２０１３年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

Ｃ．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 59-53701 A (株式会社島アイデア・センター) 1984.03.28, 第3頁第2-20行 (ファミリーなし)	1-7
A	JP 2009-179907 A (朝日スポーツ有限会社) 2009.08.13, 【要約】 (ファミリーなし)	1-7

☑　Ｃ欄の続きにも文献が列挙されている。

☐　パテントファミリーに関する別紙を参照。

＊　引用文献のカテゴリー
「Ａ」特に関連のある文献ではなく、一般的技術水準を示すもの
「Ｅ」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
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「Ｏ」口頭による開示、使用、展示等に言及する文献
「Ｐ」国際出願日前で、かつ優先権の主張の基礎となる出願の日の後に公表された文献
「Ｔ」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「Ｘ」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
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「＆」同一パテントファミリー文献

国際調査を完了した日 １９．０２．２０１３	国際調査報告の発送日 ０５．０３．２０１３
国際調査機関の名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員）　３Ｒ　４４８７ 大瀬　円 電話番号　０３－３５８１－１１０１　内線　３３８６

様式ＰＣＴ／ＩＳＡ／２１０（第２ページ）（２００９年７月）

Ｃ（続き）．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	日本国実用新案登録出願 55-59399 号(日本国実用新案登録出願公開 56-160905 号)の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（ダツシユマン株式会社） 1981.11.30, 全図（ファミリーなし）	1-7
A	JP 2011-226019 A（株式会社島精機製作所） 2011.11.10, 【特許請求の範囲】（ファミリーなし）	1-7
A	JP 2006-511306 A（ナイキ　インコーポレーティッド） 2006.04.06, 段落【0020】 & US 2004/0118018 A1 & EP 1571938 A & WO 2004/060093 A1	1-7
A	JP 2008-303492 A（帝人ファイバー株式会社） 2008.12.18, 段落【0005】（ファミリーなし）	1-7

Skechers EX1013-p. 1645
Skechers v Nike

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WO 2013/126313 A2

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(21) International Application Number:
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13/400,511 20 February 2012 (20.02.2012) US

(71) Applicant *(for all designated States except US)*: **NIKE INTERNATIONAL LTD.**; One Bowerman Drive, Beaverton, OR 97005-6453 (US).

(72) Inventors; and

(71) Applicants *(for US only)*: **TATLER, Daren, P.** [GB/US]; C/o Nike, Inc., One Bowerman Drive, Beaverton, OR 97005-6453 (US). **PODHAJNY, Daniel, A.** [UY/US]; C/o Nike, Inc., One Bowerman Drive, Beaverton, OR 97005-6453 (US).

(74) Agents: **GIBSON, Eric, M.** et al.; Plumsea Law Group, LLC, 10411 Motor City Drive, Suite 320, Bethesda, MD 20817 (US).

(81) Designated States *(unless otherwise indicated, for every kind of national protection available)*: AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

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[Continued on next page]

(54) Title: ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT WITH A TONGUE

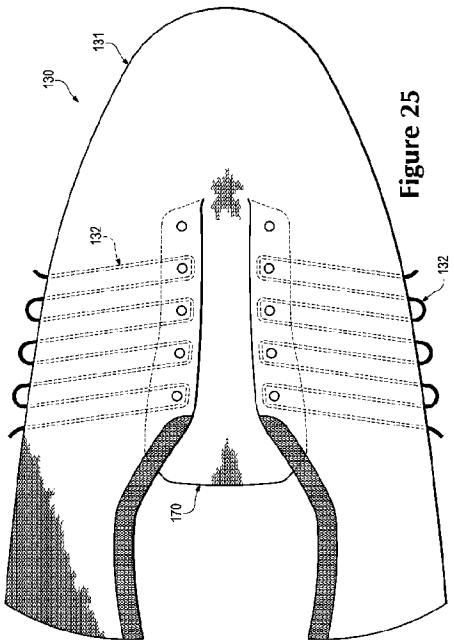


Figure 25

(57) Abstract: Articles of footwear may have an upper that includes a knit element and a tongue. The knit element defines a portion of an exterior surface and an opposite interior surface of the upper, with the interior surface defining a void for receiving a foot. The tongue is formed of unitary knit construction with the knit element and extends through a throat area of the upper. Methods of manufacturing a knitted component for an article of footwear may include knitting a tongue. The tongue is held on needles of a knitting machine. A first portion of a knit element is formed with the knitting machine while the tongue is held on the needles. The tongue is then joined to the first portion of the knit element. Additionally, a second portion of the knit element is formed with the knitting machine.

WO 2013/126313 A2

UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, RU, TJ, TM), European (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

— *without international search report and to be republished upon receipt of that report (Rule 48.2(g))*

ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT WITH A TONGUE

BACKGROUND

[01] Conventional articles of footwear generally include two primary elements, an upper and a sole structure. The upper is secured to the sole structure and forms a void on the interior of the footwear for comfortably and securely receiving a foot. The sole structure is secured to a lower area of the upper, thereby being positioned between the upper and the ground. In athletic footwear, for example, the sole structure may include a midsole and an outsole. The midsole often includes a polymer foam material that attenuates ground reaction forces to lessen stresses upon the foot and leg during walking, running, and other ambulatory activities. Additionally, the midsole may include fluid-filled chambers, plates, moderators, or other elements that further attenuate forces, enhance stability, or influence the motions of the foot. The outsole is secured to a lower surface of the midsole and provides a ground-engaging portion of the sole structure formed from a durable and wear-resistant material, such as rubber. The sole structure may also include a sockliner positioned within the void and proximal a lower surface of the foot to enhance footwear comfort.

[02] The upper generally extends over the instep and toe areas of the foot, along the medial and lateral sides of the foot, under the foot, and around the heel area of the foot. In some articles of footwear, such as basketball footwear and boots, the upper may extend upward and around the ankle to provide support or protection for the ankle. Access to the void on the interior of the upper is generally provided by an ankle opening in a heel region of the footwear. A lacing system is often incorporated into the upper to adjust the fit of the upper, thereby permitting entry and removal of the foot from the void within the upper. The lacing system also

Skechers EX1013-p. 1648
Skechers v Nike

permits the wearer to modify certain dimensions of the upper, particularly girth, to accommodate feet with varying dimensions. In addition, the upper may include a tongue that extends under the lacing system to enhance adjustability of the footwear, and the upper may incorporate a heel counter to limit movement of the heel.

[03] A variety of material elements (e.g., textiles, polymer foam, polymer sheets, leather, synthetic leather) are conventionally utilized in manufacturing the upper. In athletic footwear, for example, the upper may have multiple layers that each include a variety of joined material elements. As examples, the material elements may be selected to impart stretch-resistance, wear-resistance, flexibility, air-permeability, compressibility, comfort, and moisture-wicking to different areas of the upper. In order to impart the different properties to different areas of the upper, material elements are often cut to desired shapes and then joined together, usually with stitching or adhesive bonding. Moreover, the material elements are often joined in a layered configuration to impart multiple properties to the same areas. As the number and type of material elements incorporated into the upper increases, the time and expense associated with transporting, stocking, cutting, and joining the material elements may also increase. Waste material from cutting and stitching processes also accumulates to a greater degree as the number and type of material elements incorporated into the upper increases. Moreover, uppers with a greater number of material elements may be more difficult to recycle than uppers formed from fewer types and numbers of material elements. By decreasing the number of material elements utilized in the upper, therefore, waste may be decreased while increasing the manufacturing efficiency and recyclability of the upper.

Skechers EX1013-p. 1649
Skechers v Nike

SUMMARY

[04] Various configurations of an article of footwear may have an upper and a sole structure secured to the upper. The upper includes a knit element and a tongue. The knit element defines a portion of an exterior surface of the upper and an opposite interior surface of the upper, with the interior surface defining a void for receiving a foot. The tongue is formed of unitary knit construction with the knit element and extends through a throat area of the upper.

[05] Methods of manufacturing a knitted component for an article of footwear may include knitting a tongue with a knitting machine. The tongue is held on needles of the knitting machine. A first portion of a knit element is formed with the knitting machine while the tongue is held on the needles. The tongue is then joined to the first portion of the knit element. Additionally, a second portion of the knit element is formed with the knitting machine.

[06] Methods of knitting may also include providing a knitting pattern with a modifiable field. The modifiable field is updated with data representing a first alphanumeric character. A first component with a knit structure of the first alphanumeric character is formed. The modifiable field is updated with data representing a second alphanumeric character, the second alphanumeric character being different than the first alphanumeric character. Additionally, a second component with a knit structure of the second alphanumeric character is formed.

[07] The advantages and features of novelty characterizing aspects of the invention are pointed out with particularity in the appended claims. To gain an improved understanding of the advantages and features of novelty, however, reference may be made to the following descriptive matter and accompanying figures that describe and illustrate various configurations and concepts related to the invention.

Skechers EX1013-p. 1650
Skechers v Nike

FIGURE DESCRIPTIONS

[08] The foregoing Summary and the following Detailed Description will be better understood when read in conjunction with the accompanying figures.

[09] Figure 1 is a perspective view of an article of footwear.

[10] Figure 2 is a lateral side elevational view of the article of footwear.

[11] Figure 3 is a medial side elevational view of the article of footwear.

[12] Figures 4A-4C are cross-sectional views of the article of footwear, as defined by section lines 4A-4C in Figures 2 and 3.

[13] Figure 5 is a top plan view of a first knitted component that forms a portion of an upper of the article of footwear.

[14] Figure 6 is a bottom plan view of the first knitted component.

[15] Figures 7A-7E are cross-sectional views of the first knitted component, as defined by section lines 7A-7E in Figure 5.

[16] Figures 8A and 8B are plan views showing knit structures of the first knitted component.

[17] Figure 9 is a top plan view of a second knitted component that may form a portion of the upper of the article of footwear.

[18] Figure 10 is a bottom plan view of the second knitted component.

[19] Figure 11 is a schematic top plan view of the second knitted component showing knit zones.

[20] Figures 12A-12E are cross-sectional views of the second knitted component, as defined by section lines 12A-12E in Figure 9.

Skechers EX1013-p. 1651
Skechers v Nike

[21] Figures 13A-13H are loop diagrams of the knit zones.

[22] Figures 14A-14C are top plan views corresponding with Figure 5 and depicting further configurations of the first knitted component.

[23] Figure 15 is a perspective view of a knitting machine.

[24] Figures 16-18 are elevational views of a combination feeder from the knitting machine.

[25] Figure 19 is an elevational view corresponding with Figure 16 and showing internal components of the combination feeder.

[26] Figures 20A-20C are elevational views corresponding with Figure 19 and showing the operation of the combination feeder.

[27] Figures 21A-21I are schematic perspective views of a knitting process utilizing the combination feeder and a conventional feeder.

[28] Figures 22A-22C are schematic cross-sectional views of the knitting process showing positions of the combination feeder and the conventional feeder.

[29] Figure 23 is a schematic perspective view showing another aspect of the knitting process.

[30] Figure 24 is a perspective view of another configuration of the knitting machine.

[31] Figure 25 is a top plan view of the first knitted component with a first knitted tongue.

[32] Figure 26 is a partial top plan view of the first knitted component with the first knitted tongue.

[33] Figure 27 is a cross-sectional view of the first knitted tongue, as defined by section line 27 in Figure 26.

Skechers EX1013-p. 1652
Skechers v Nike

[34] Figure 28 is a top plan view of the second knitted component with a second knitted tongue.

[35] Figure 29 is a partial top plan view of the second knitted component with the second knitted tongue.

[36] Figure 30 is a cross-sectional view of the second knitted tongue, as defined by section line 30 in Figure 29.

[37] Figure 31 is a top plan view of a third knitted component with a third knitted tongue.

[38] Figure 32 is a partial top plan view of the third knitted component with the third knitted tongue.

[39] Figure 33 is a cross-sectional view of the third knitted tongue, as defined by section line 33 in Figure 32.

[40] Figure 34 is a top plan view of a fourth knitted component with a fourth knitted tongue.

[41] Figure 35 is a cross-sectional view of the fourth knitted component and fourth knitted tongue, as defined by section line 35 in Figure 34.

[42] Figures 36A-36G are schematic elevational views of a knitting process for forming the first knitted component with the first knitted tongue.

[43] Figure 37 is a schematic elevational view depicting a further example step of the knitting process.

[44] Figure 38 is a schematic block diagram of the knitting machine.

[45] Figures 39A-39C are partial top plan views corresponding with Figure 26 and depicting sequential variations in the first knitted tongue.

Skechers EX1013-p. 1653
Skechers v Nike

DETAILED DESCRIPTION

[46] The following discussion and accompanying figures disclose a variety of concepts relating to knitted components and the manufacture of knitted components. Although the knitted components may be utilized in a variety of products, an article of footwear that incorporates one of the knitted components is disclosed below as an example. In addition to footwear, the knitted components may be utilized in other types of apparel (e.g., shirts, pants, socks, jackets, undergarments), athletic equipment (e.g., golf bags, baseball and football gloves, soccer ball restriction structures), containers (e.g., backpacks, bags), and upholstery for furniture (e.g., chairs, couches, car seats). The knitted components may also be utilized in bed coverings (e.g., sheets, blankets), table coverings, towels, flags, tents, sails, and parachutes. The knitted components may be utilized as technical textiles for industrial purposes, including structures for automotive and aerospace applications, filter materials, medical textiles (e.g. bandages, swabs, implants), geotextiles for reinforcing embankments, agrotextiles for crop protection, and industrial apparel that protects or insulates against heat and radiation. Accordingly, the knitted components and other concepts disclosed herein may be incorporated into a variety of products for both personal and industrial purposes.

[47] Footwear Configuration

[48] An article of footwear 100 is depicted in Figures 1-4C as including a sole structure 110 and an upper 120. Although footwear 100 is illustrated as having a general configuration suitable for running, concepts associated with footwear 100 may also be applied to a variety of other athletic footwear types, including baseball shoes, basketball shoes, cycling shoes, football shoes, tennis shoes, soccer shoes, training shoes, walking shoes, and hiking boots, for example. The concepts may also be applied to footwear types that are generally considered to be non-athletic, including dress shoes, loafers, sandals, and work boots.

Skechers EX1013-p. 1654
Skechers v Nike

Accordingly, the concepts disclosed with respect to footwear 100 apply to a wide variety of footwear types.

[49] For reference purposes, footwear 100 may be divided into three general regions: a forefoot region 101, a midfoot region 102, and a heel region 103. Forefoot region 101 generally includes portions of footwear 100 corresponding with the toes and the joints connecting the metatarsals with the phalanges. Midfoot region 102 generally includes portions of footwear 100 corresponding with an arch area of the foot. Heel region 103 generally corresponds with rear portions of the foot, including the calcaneus bone. Footwear 100 also includes a lateral side 104 and a medial side 105, which extend through each of regions 101-103 and correspond with opposite sides of footwear 100. More particularly, lateral side 104 corresponds with an outside area of the foot (i.e. the surface that faces away from the other foot), and medial side 105 corresponds with an inside area of the foot (i.e., the surface that faces toward the other foot). Regions 101-103 and sides 104-105 are not intended to demarcate precise areas of footwear 100. Rather, regions 101-103 and sides 104-105 are intended to represent general areas of footwear 100 to aid in the following discussion. In addition to footwear 100, regions 101-103 and sides 104-105 may also be applied to sole structure 110, upper 120, and individual elements thereof.

[50] Sole structure 110 is secured to upper 120 and extends between the foot and the ground when footwear 100 is worn. The primary elements of sole structure 110 are a midsole 111, an outsole 112, and a sockliner 113. Midsole 111 is secured to a lower surface of upper 120 and may be formed from a compressible polymer foam element (e.g., a polyurethane or ethylvinylacetate foam) that attenuates ground reaction forces (i.e., provides cushioning) when compressed between the foot and the ground during walking, running, or other ambulatory activities. In further configurations, midsole 111 may incorporate plates, moderators, fluid-filled chambers, lasting elements, or motion control members that further

attenuate forces, enhance stability, or influence the motions of the foot, or midsole 21 may be primarily formed from a fluid-filled chamber. Outsole 112 is secured to a lower surface of midsole 111 and may be formed from a wear-resistant rubber material that is textured to impart traction. Sockliner 113 is located within upper 120 and is positioned to extend under a lower surface of the foot to enhance the comfort of footwear 100. Although this configuration for sole structure 110 provides an example of a sole structure that may be used in connection with upper 120, a variety of other conventional or nonconventional configurations for sole structure 110 may also be utilized. Accordingly, the features of sole structure 110 or any sole structure utilized with upper 120 may vary considerably.

[51] Upper 120 defines a void within footwear 100 for receiving and securing a foot relative to sole structure 110. The void is shaped to accommodate the foot and extends along a lateral side of the foot, along a medial side of the foot, over the foot, around the heel, and under the foot. Access to the void is provided by an ankle opening 121 located in at least heel region 103. A lace 122 extends through various lace apertures 123 in upper 120 and permits the wearer to modify dimensions of upper 120 to accommodate proportions of the foot. More particularly, lace 122 permits the wearer to tighten upper 120 around the foot, and lace 122 permits the wearer to loosen upper 120 to facilitate entry and removal of the foot from the void (i.e., through ankle opening 121). In addition, upper 120 includes a tongue 124 that extends under lace 122 and lace apertures 123 to enhance the comfort of footwear 100. In further configurations, upper 120 may include additional elements, such as (a) a heel counter in heel region 103 that enhances stability, (b) a toe guard in forefoot region 101 that is formed of a wear-resistant material, and (c) logos, trademarks, and placards with care instructions and material information.

Skechers EX1013-p. 1656
Skechers v Nike

[52] Many conventional footwear uppers are formed from multiple material elements (e.g., textiles, polymer foam, polymer sheets, leather, synthetic leather) that are joined through stitching or bonding, for example. In contrast, a majority of upper 120 is formed from a knitted component 130, which extends through each of regions 101-103, along both lateral side 104 and medial side 105, over forefoot region 101, and around heel region 103. In addition, knitted component 130 forms portions of both an exterior surface and an opposite interior surface of upper 120. As such, knitted component 130 defines at least a portion of the void within upper 120. In some configurations, knitted component 130 may also extend under the foot. Referring to Figures 4A-4C, however, a strobel sock 125 is secured to knitted component 130 and an upper surface of midsole 111, thereby forming a portion of upper 120 that extends under sockliner 113.

[53] Knitted Component Configuration

[54] Knitted component 130 is depicted separate from a remainder of footwear 100 in Figures 5 and 6. Knitted component 130 is formed of unitary knit construction. As utilized herein, a knitted component (e.g., knitted component 130) is defined as being formed of "unitary knit construction" when formed as a one-piece element through a knitting process. That is, the knitting process substantially forms the various features and structures of knitted component 130 without the need for significant additional manufacturing steps or processes. Although portions of knitted component 130 may be joined to each other (e.g., edges of knitted component 130 being joined together) following the knitting process, knitted component 130 remains formed of unitary knit construction because it is formed as a one-piece knit element. Moreover, knitted component 130 remains formed of unitary knit construction when other elements (e.g., lace 122, tongue 124, logos, trademarks, placards with care instructions and material information) are added following the knitting process.

Skechers EX1013-p. 1657
Skechers v Nike

[55] The primary elements of knitted component 130 are a knit element 131 and an inlaid strand 132. Knit element 131 is formed from at least one yarn that is manipulated (e.g., with a knitting machine) to form a plurality of intermeshed loops that define a variety of courses and wales. That is, knit element 131 has the structure of a knit textile. Inlaid strand 132 extends through knit element 131 and passes between the various loops within knit element 131. Although inlaid strand 132 generally extends along courses within knit element 131, inlaid strand 132 may also extend along wales within knit element 131. Advantages of inlaid strand 132 include providing support, stability, and structure. For example, inlaid strand 132 assists with securing upper 120 around the foot, limits deformation in areas of upper 120 (e.g., imparts stretch-resistance) and operates in connection with lace 122 to enhance the fit of footwear 100.

[56] Knit element 131 has a generally U-shaped configuration that is outlined by a perimeter edge 133, a pair of heel edges 134, and an inner edge 135. When incorporated into footwear 100, perimeter edge 133 lays against the upper surface of midsole 111 and is joined to strobel sock 125. Heel edges 134 are joined to each other and extend vertically in heel region 103. In some configurations of footwear 100, a material element may cover a seam between heel edges 134 to reinforce the seam and enhance the aesthetic appeal of footwear 100. Inner edge 135 forms ankle opening 121 and extends forward to an area where lace 122, lace apertures 123, and tongue 124 are located. In addition, knit element 131 has a first surface 136 and an opposite second surface 137. First surface 136 forms a portion of the exterior surface of upper 120, whereas second surface 137 forms a portion of the interior surface of upper 120, thereby defining at least a portion of the void within upper 120.

[57] Inlaid strand 132, as noted above, extends through knit element 131 and passes between the various loops within knit element 131. More particularly, inlaid strand 132 is located within the knit structure of knit element 131, which may

Skechers EX1013-p. 1658
Skechers v Nike

have the configuration of a single textile layer in the area of inlaid strand 132, and between surfaces 136 and 137, as depicted in Figures 7A-7D. When knitted component 130 is incorporated into footwear 100, therefore, inlaid strand 132 is located between the exterior surface and the interior surface of upper 120. In some configurations, portions of inlaid strand 132 may be visible or exposed on one or both of surfaces 136 and 137. For example, inlaid strand 132 may lay against one of surfaces 136 and 137, or knit element 131 may form indentations or apertures through which inlaid strand passes. An advantage of having inlaid strand 132 located between surfaces 136 and 137 is that knit element 131 protects inlaid strand 132 from abrasion and snagging.

[58] Referring to Figures 5 and 6, inlaid strand 132 repeatedly extends from perimeter edge 133 toward inner edge 135 and adjacent to a side of one lace aperture 123, at least partially around the lace aperture 123 to an opposite side, and back to perimeter edge 133. When knitted component 130 is incorporated into footwear 100, knit element 131 extends from a throat area of upper 120 (i.e., where lace 122, lace apertures 123, and tongue 124 are located) to a lower area of upper 120 (i.e., where knit element 131 joins with sole structure 110. In this configuration, inlaid strand 132 also extends from the throat area to the lower area. More particularly, inlaid strand repeatedly passes through knit element 131 from the throat area to the lower area.

[59] Although knit element 131 may be formed in a variety of ways, courses of the knit structure generally extend in the same direction as inlaid strands 132. That is, courses may extend in the direction extending between the throat area and the lower area. As such, a majority of inlaid strand 132 extends along the courses within knit element 131. In areas adjacent to lace apertures 123, however, inlaid strand 132 may also extend along wales within knit element 131. More particularly, sections of inlaid strand 132 that are parallel to inner edge 135 may extend along the wales.

Skechers EX1013-p. 1659
Skechers v Nike

[60] As discussed above, inlaid strand 132 passes back and forth through knit element 131. Referring to Figures 5 and 6, inlaid strand 132 also repeatedly exits knit element 131 at perimeter edge 133 and then re-enters knit element 131 at another location of perimeter edge 133, thereby forming loops along perimeter edge 133. An advantage to this configuration is that each section of inlaid strand 132 that extends between the throat area and the lower area may be independently tensioned, loosened, or otherwise adjusted during the manufacturing process of footwear 100. That is, prior to securing sole structure 110 to upper 120, sections of inlaid strand 132 may be independently adjusted to the proper tension.

[61] In comparison with knit element 131, inlaid strand 132 may exhibit greater stretch-resistance. That is, inlaid strand 132 may stretch less than knit element 131. Given that numerous sections of inlaid strand 132 extend from the throat area of upper 120 to the lower area of upper 120, inlaid strand 132 imparts stretch-resistance to the portion of upper 120 between the throat area and the lower area. Moreover, placing tension upon lace 122 may impart tension to inlaid strand 132, thereby inducing the portion of upper 120 between the throat area and the lower area to lay against the foot. As such, inlaid strand 132 operates in connection with lace 122 to enhance the fit of footwear 100.

[62] Knit element 131 may incorporate various types of yarn that impart different properties to separate areas of upper 120. That is, one area of knit element 131 may be formed from a first type of yarn that imparts a first set of properties, and another area of knit element 131 may be formed from a second type of yarn that imparts a second set of properties. In this configuration, properties may vary throughout upper 120 by selecting specific yarns for different areas of knit element 131. The properties that a particular type of yarn will impart to an area of knit element 131 partially depend upon the materials that form the various filaments and fibers within the yarn. Cotton, for example, provides a soft hand,

Skechers EX1013-p. 1660
Skechers v Nike

natural aesthetics, and biodegradability. Elastane and stretch polyester each provide substantial stretch and recovery, with stretch polyester also providing recyclability. Rayon provides high luster and moisture absorption. Wool also provides high moisture absorption, in addition to insulating properties and biodegradability. Nylon is a durable and abrasion-resistant material with relatively high strength. Polyester is a hydrophobic material that also provides relatively high durability. In addition to materials, other aspects of the yarns selected for knit element 131 may affect the properties of upper 120. For example, a yarn forming knit element 131 may be a monofilament yarn or a multifilament yarn. The yarn may also include separate filaments that are each formed of different materials. In addition, the yarn may include filaments that are each formed of two or more different materials, such as a bicomponent yarn with filaments having a sheath-core configuration or two halves formed of different materials. Different degrees of twist and crimping, as well as different deniers, may also affect the properties of upper 120. Accordingly, both the materials forming the yarn and other aspects of the yarn may be selected to impart a variety of properties to separate areas of upper 120.

[63] As with the yarns forming knit element 131, the configuration of inlaid strand 132 may also vary significantly. In addition to yarn, inlaid strand 132 may have the configurations of a filament (e.g., a monofilament), thread, rope, webbing, cable, or chain, for example. In comparison with the yarns forming knit element 131, the thickness of inlaid strand 132 may be greater. In some configurations, inlaid strand 132 may have a significantly greater thickness than the yarns of knit element 131. Although the cross-sectional shape of inlaid strand 132 may be round, triangular, square, rectangular, elliptical, or irregular shapes may also be utilized. Moreover, the materials forming inlaid strand 132 may include any of the materials for the yarn within knit element 131, such as cotton, elastane, polyester, rayon, wool, and nylon. As noted above, inlaid strand 132 may exhibit greater stretch-resistance than knit element 131. As such, suitable materials for

Skechers EX1013-p. 1661
Skechers v Nike

inlaid strands 132 may include a variety of engineering filaments that are utilized for high tensile strength applications, including glass, aramids (e.g., para-aramid and meta-aramid), ultra-high molecular weight polyethylene, and liquid crystal polymer. As another example, a braided polyester thread may also be utilized as inlaid strand 132.

[64] An example of a suitable configuration for a portion of knitted component 130 is depicted in Figure 8A. In this configuration, knit element 131 includes a yarn 138 that forms a plurality of intermeshed loops defining multiple horizontal courses and vertical wales. Inlaid strand 132 extends along one of the courses and alternates between being located (a) behind loops formed from yarn 138 and (b) in front of loops formed from yarn 138. In effect, inlaid strand 132 weaves through the structure formed by knit element 131. Although yarn 138 forms each of the courses in this configuration, additional yarns may form one or more of the courses or may form a portion of one or more of the courses.

[65] Another example of a suitable configuration for a portion of knitted component 130 is depicted in Figure 8B. In this configuration, knit element 131 includes yarn 138 and another yarn 139. Yarns 138 and 139 are plated and cooperatively form a plurality of intermeshed loops defining multiple horizontal courses and vertical wales. That is, yarns 138 and 139 run parallel to each other. As with the configuration in Figure 8A, inlaid strand 132 extends along one of the courses and alternates between being located (a) behind loops formed from yarns 138 and 139 and (b) in front of loops formed from yarns 138 and 139. An advantage of this configuration is that the properties of each of yarns 138 and 139 may be present in this area of knitted component 130. For example, yarns 138 and 139 may have different colors, with the color of yarn 138 being primarily present on a face of the various stitches in knit element 131 and the color of yarn 139 being primarily present on a reverse of the various stitches in knit element 131. As another example, yarn 139 may be formed from a yarn that is softer and more

Skechers EX1013-p. 1662
Skechers v Nike

comfortable against the foot than yarn 138, with yarn 138 being primarily present on first surface 136 and yarn 139 being primarily present on second surface 137.

[66] Continuing with the configuration of Figure 8B, yarn 138 may be formed from at least one of a thermoset polymer material and natural fibers (e.g., cotton, wool, silk), whereas yarn 139 may be formed from a thermoplastic polymer material. In general, a thermoplastic polymer material melts when heated and returns to a solid state when cooled. More particularly, the thermoplastic polymer material transitions from a solid state to a softened or liquid state when subjected to sufficient heat, and then the thermoplastic polymer material transitions from the softened or liquid state to the solid state when sufficiently cooled. As such, thermoplastic polymer materials are often used to join two objects or elements together. In this case, yarn 139 may be utilized to join (a) one portion of yarn 138 to another portion of yarn 138, (b) yarn 138 and inlaid strand 132 to each other, or (c) another element (e.g., logos, trademarks, and placards with care instructions and material information) to knitted component 130, for example. As such, yarn 139 may be considered a fusible yarn given that it may be used to fuse or otherwise join portions of knitted component 130 to each other. Moreover, yarn 138 may be considered a non-fusible yarn given that it is not formed from materials that are generally capable of fusing or otherwise joining portions of knitted component 130 to each other. That is, yarn 138 may be a non-fusible yarn, whereas yarn 139 may be a fusible yarn. In some configurations of knitted component 130, yarn 138 (i.e., the non-fusible yarn) may be substantially formed from a thermoset polyester material and yarn 139 (i.e., the fusible yarn) may be at least partially formed from a thermoplastic polyester material.

[67] The use of plated yarns may impart advantages to knitted component 130. When yarn 139 is heated and fused to yarn 138 and inlaid strand 132, this process may have the effect of stiffening or rigidifying the structure of knitted

Skechers EX1013-p. 1663
Skechers v Nike

component 130. Moreover, joining (a) one portion of yarn 138 to another portion of yarn 138 or (b) yarn 138 and inlaid strand 132 to each other has the effect of securing or locking the relative positions of yarn 138 and inlaid strand 132, thereby imparting stretch-resistance and stiffness. That is, portions of yarn 138 may not slide relative to each other when fused with yarn 139, thereby preventing warping or permanent stretching of knit element 131 due to relative movement of the knit structure. Another benefit relates to limiting unraveling if a portion of knitted component 130 becomes damaged or one of yarns 138 is severed. Also, inlaid strand 132 may not slide relative to knit element 131, thereby preventing portions of inlaid strand 132 from pulling outward from knit element 131. Accordingly, areas of knitted component 130 may benefit from the use of both fusible and non-fusible yarns within knit element 131.

[68] Another aspect of knitted component 130 relates to a padded area adjacent to ankle opening 121 and extending at least partially around ankle opening 121. Referring to Figure 7E, the padded area is formed by two overlapping and at least partially coextensive knitted layers 140, which may be formed of unitary knit construction, and a plurality of floating yarns 141 extending between knitted layers 140. Although the sides or edges of knitted layers 140 are secured to each other, a central area is generally unsecured. As such, knitted layers 140 effectively form a tube or tubular structure, and floating yarns 141 may be located or inlaid between knitted layers 140 to pass through the tubular structure. That is, floating yarns 141 extend between knitted layers 140, are generally parallel to surfaces of knitted layers 140, and also pass through and fill an interior volume between knitted layers 140. Whereas a majority of knit element 131 is formed from yarns that are mechanically-manipulated to form intermeshed loops, floating yarns 141 are generally free or otherwise inlaid within the interior volume between knitted layers 140. As an additional matter, knitted layers 140 may be at least partially formed from a stretch yarn. An advantage of this configuration is that knitted layers will effectively compress floating yarns 141 and provide an

Skechers EX1013-p. 1664
Skechers v Nike

elastic aspect to the padded area adjacent to ankle opening 121. That is, the stretch yarn within knitted layers 140 may be placed in tension during the knitting process that forms knitted component 130, thereby inducing knitted layers 140 to compress floating yarns 141. Although the degree of stretch in the stretch yarn may vary significantly, the stretch yarn may stretch at least one-hundred percent in many configurations of knitted component 130.

[69] The presence of floating yarns 141 imparts a compressible aspect to the padded area adjacent to ankle opening 121, thereby enhancing the comfort of footwear 100 in the area of ankle opening 121. Many conventional articles of footwear incorporate polymer foam elements or other compressible materials into areas adjacent to an ankle opening. In contrast with the conventional articles of footwear, portions of knitted component 130 formed of unitary knit construction with a remainder of knitted component 130 may form the padded area adjacent to ankle opening 121. In further configurations of footwear 100, similar padded areas may be located in other areas of knitted component 130. For example, similar padded areas may be located as an area corresponding with joints between the metatarsals and proximal phalanges to impart padding to the joints. As an alternative, a terry loop structure may also be utilized to impart some degree of padding to areas of upper 120.

[70] Based upon the above discussion, knitted component 130 imparts a variety of features to upper 120. Moreover, knitted component 130 provides a variety of advantages over some conventional upper configurations. As noted above, conventional footwear uppers are formed from multiple material elements (e.g., textiles, polymer foam, polymer sheets, leather, synthetic leather) that are joined through stitching or bonding, for example. As the number and type of material elements incorporated into an upper increases, the time and expense associated with transporting, stocking, cutting, and joining the material elements may also increase. Waste material from cutting and stitching processes also accumulates

Skechers EX1013-p. 1665
Skechers v Nike

to a greater degree as the number and type of material elements incorporated into the upper increases. Moreover, uppers with a greater number of material elements may be more difficult to recycle than uppers formed from fewer types and numbers of material elements. By decreasing the number of material elements utilized in the upper, therefore, waste may be decreased while increasing the manufacturing efficiency and recyclability of the upper. To this end, knitted component 130 forms a substantial portion of upper 120, while increasing manufacturing efficiency, decreasing waste, and simplifying recyclability.

[71] Further Knitted Component Configurations

[72] A knitted component 150 is depicted in Figures 9 and 10 and may be utilized in place of knitted component 130 in footwear 100. The primary elements of knitted component 150 are a knit element 151 and an inlaid strand 152. Knit element 151 is formed from at least one yarn that is manipulated (e.g., with a knitting machine) to form a plurality of intermeshed loops that define a variety of courses and wales. That is, knit element 151 has the structure of a knit textile. Inlaid strand 152 extends through knit element 151 and passes between the various loops within knit element 151. Although inlaid strand 152 generally extends along courses within knit element 151, inlaid strand 152 may also extend along wales within knit element 151. As with inlaid strand 132, inlaid strand 152 imparts stretch-resistance and, when incorporated into footwear 100, operates in connection with lace 122 to enhance the fit of footwear 100.

[73] Knit element 151 has a generally U-shaped configuration that is outlined by a perimeter edge 153, a pair of heel edges 154, and an inner edge 155. In addition, knit element 151 has a first surface 156 and an opposite second surface 157. First surface 156 may form a portion of the exterior surface of upper 120, whereas second surface 157 may form a portion of the interior surface of upper 120, thereby defining at least a portion of the void within upper 120. In many

Skechers EX1013-p. 1666
Skechers v Nike

configurations, knit element 151 may have the configuration of a single textile layer in the area of inlaid strand 152. That is, knit element 151 may be a single textile layer between surfaces 156 and 157. In addition, knit element 151 defines a plurality of lace apertures 158.

[74] Similar to inlaid strand 132, inlaid strand 152 repeatedly extends from perimeter edge 153 toward inner edge 155, at least partially around one of lace apertures 158, and back to perimeter edge 153. In contrast with inlaid strand 132, however, some portions of inlaid strand 152 angle rearwards and extend to heel edges 154. More particularly, the portions of inlaid strand 152 associated with the most rearward lace apertures 158 extend from one of heel edges 154 toward inner edge 155, at least partially around one of the most rearward lace apertures 158, and back to one of heel edges 154. Additionally, some portions of inlaid strand 152 do not extend around one of lace apertures 158. More particularly, some sections of inlaid strand 152 extend toward inner edge 155, turn in areas adjacent to one of lace apertures 158, and extend back toward perimeter edge 153 or one of heel edges 154.

[75] Although knit element 151 may be formed in a variety of ways, courses of the knit structure generally extend in the same direction as inlaid strands 152. In areas adjacent to lace apertures 158, however, inlaid strand 152 may also extend along wales within knit element 151. More particularly, sections of inlaid strand 152 that are parallel to inner edge 155 may extend along wales.

[76] In comparison with knit element 151, inlaid strand 152 may exhibit greater stretch-resistance. That is, inlaid strand 152 may stretch less than knit element 151. Given that numerous sections of inlaid strand 152 extend through knit element 151, inlaid strand 152 may impart stretch-resistance to portions of upper 120 between the throat area and the lower area. Moreover, placing tension upon lace 122 may impart tension to inlaid strand 152, thereby inducing the portions of upper 120 between the throat area and the lower area to lay against the foot.

Skechers EX1013-p. 1667
Skechers v Nike

Additionally, given that numerous sections of inlaid strand 152 extend toward heel edges 154, inlaid strand 152 may impart stretch-resistance to portions of upper 120 in heel region 103. Moreover, placing tension upon lace 122 may induce the portions of upper 120 in heel region 103 to lay against the foot. As such, inlaid strand 152 operates in connection with lace 122 to enhance the fit of footwear 100.

[77] Knit element 151 may incorporate any of the various types of yarn discussed above for knit element 131. Inlaid strand 152 may also be formed from any of the configurations and materials discussed above for inlaid strand 132. Additionally, the various knit configurations discussed relative to Figures 8A and 8B may also be utilized in knitted component 150. More particularly, knit element 151 may have areas formed from a single yarn, two plated yarns, or a fusible yarn and a non-fusible yarn, with the fusible yarn joining (a) one portion of the non-fusible yarn to another portion of the non-fusible yarn or (b) the non-fusible yarn and inlaid strand 152 to each other.

[78] A majority of knit element 131 is depicted as being formed from a relatively untextured textile and a common or single knit structure (e.g., a tubular knit structure). In contrast, knit element 151 incorporates various knit structures that impart specific properties and advantages to different areas of knitted component 150. Moreover, by combining various yarn types with the knit structures, knitted component 150 may impart a range of properties to different areas of upper 120. Referring to Figure 11, a schematic view of knitted component 150 shows various zones 160-169 having different knit structures, each of which will now be discussed in detail. For purposes of reference, each of regions 101-103 and sides 104 and 105 are shown in Figure 11 to provide a reference for the locations of knit zones 160-169 when knitted component 150 is incorporated into footwear 100.

Skechers EX1013-p. 1668
Skechers v Nike

[79] A tubular knit zone 160 extends along a majority of perimeter edge 153 and through each of regions 101-103 on both of sides 104 and 105. Tubular knit zone 160 also extends inward from each of sides 104 and 105 in an area approximately located at an interface regions 101 and 102 to form a forward portion of inner edge 155. Tubular knit zone 160 forms a relatively untextured knit configuration. Referring to Figure 12A, a cross-section through an area of tubular knit zone 160 is depicted, and surfaces 156 and 157 are substantially parallel to each other. Tubular knit zone 160 imparts various advantages to footwear 100. For example, tubular knit zone 160 has greater durability and wear resistance than some other knit structures, especially when the yarn in tubular knit zone 160 is plated with a fusible yarn. In addition, the relatively untextured aspect of tubular knit zone 160 simplifies the process of joining strobel sock 125 to perimeter edge 153. That is, the portion of tubular knit zone 160 located along perimeter edge 153 facilitates the lasting process of footwear 100. For purposes of reference, Figure 13A depicts a loop diagram of the manner in which tubular knit zone 160 is formed with a knitting process.

[80] Two stretch knit zones 161 extend inward from perimeter edge 153 and are located to correspond with a location of joints between metatarsals and proximal phalanges of the foot. That is, stretch zones extend inward from perimeter edge in the area approximately located at the interface regions 101 and 102. As with tubular knit zone 160, the knit configuration in stretch knit zones 161 may be a tubular knit structure. In contrast with tubular knit zone 160, however, stretch knit zones 161 are formed from a stretch yarn that imparts stretch and recovery properties to knitted component 150. Although the degree of stretch in the stretch yarn may vary significantly, the stretch yarn may stretch at least one-hundred percent in many configurations of knitted component 150.

[81] A tubular and interlock tuck knit zone 162 extends along a portion of inner edge 155 in at least midfoot region 102. Tubular and interlock tuck knit zone 162 also

Skechers EX1013-p. 1669
Skechers v Nike

forms a relatively untextured knit configuration, but has greater thickness than tubular knit zone 160. In cross-section, tubular and interlock tuck knit zone 162 is similar to Figure 12A, in which surfaces 156 and 157 are substantially parallel to each other. Tubular and interlock tuck knit zone 162 imparts various advantages to footwear 100. For example, tubular and interlock tuck knit zone 162 has greater stretch resistance than some other knit structures, which is beneficial when lace 122 places tubular and interlock tuck knit zone 162 and inlaid strands 152 in tension. For purposes of reference, Figure 13B depicts a loop diagram of the manner in which tubular and interlock tuck knit zone 162 is formed with a knitting process.

[82] A 1x1 mesh knit zone 163 is located in forefoot region 101 and spaced inward from perimeter edge 153. 1x1 mesh knit zone has a C-shaped configuration and forms a plurality of apertures that extend through knit element 151 and from first surface 156 to second surface 157, as depicted in Figure 12B. The apertures enhance the permeability of knitted component 150, which allows air to enter upper 120 and moisture to escape from upper 120. For purposes of reference, Figure 13C depicts a loop diagram of the manner in which 1x1 mesh knit zone 163 is formed with a knitting process.

[83] A 2x2 mesh knit zone 164 extends adjacent to 1x1 mesh knit zone 163. In comparison with 1x1 mesh knit zone 163, 2x2 mesh knit zone 164 forms larger apertures, which may further enhance the permeability of knitted component 150. For purposes of reference, Figure 13D depicts a loop diagram of the manner in which 2x2 mesh knit zone 164 is formed with a knitting process.

[84] A 3x2 mesh knit zone 165 is located within 2x2 mesh knit zone 164, and another 3x2 mesh knit zone 165 is located adjacent to one of stretch zones 161. In comparison with 1x1 mesh knit zone 163 and 2x2 mesh knit zone 164, 3x2 mesh knit zone 165 forms even larger apertures, which may further enhance the permeability of knitted component 150. For purposes of reference, Figure 13E

Skechers EX1013-p. 1670
Skechers v Nike

depicts a loop diagram of the manner in which 3x2 mesh knit zone 165 is formed with a knitting process.

[85] A 1x1 mock mesh knit zone 166 is located in forefoot region 101 and extends around 1x1 mesh knit zone 163. In contrast with mesh knit zones 163-165, which form apertures through knit element 151, 1x1 mock mesh knit zone 166 forms indentations in first surface 156, as depicted in Figure 12C. In addition to enhancing the aesthetics of footwear 100, 1x1 mock mesh knit zone 166 may enhance flexibility and decrease the overall mass of knitted component 150. For purposes of reference, Figure 13F depicts a loop diagram of the manner in which 1x1 mock mesh knit zone 166 is formed with a knitting process.

[86] Two 2x2 mock mesh knit zones 167 are located in heel region 103 and adjacent to heel edges 154. In comparison with 1x1 mock mesh knit zone 166, 2x2 mock mesh knit zones 167 forms larger indentations in first surface 156. In areas where inlaid strands 152 extend through indentations in 2x2 mock mesh knit zones 167, as depicted in Figure 12D, inlaid strands 152 may be visible and exposed in a lower area of the indentations. For purposes of reference, Figure 13G depicts a loop diagram of the manner in which 2x2 mock mesh knit zones 167 are formed with a knitting process.

[87] Two 2x2 hybrid knit zones 168 are located in midfoot region 102 and forward of 2x2 mock mesh knit zones 167. 2x2 hybrid knit zones 168 share characteristics of 2x2 mesh knit zone 164 and 2x2 mock mesh knit zones 167. More particularly, 2x2 hybrid knit zones 168 form apertures having the size and configuration of 2x2 mesh knit zone 164, and 2x2 hybrid knit zones 168 form indentations having the size and configuration of 2x2 mock mesh knit zones 167. In areas where inlaid strands 152 extend through indentations in 2x2 hybrid knit zones 168, as depicted in Figure 12E, inlaid strands 152 are visible and exposed. For purposes of reference, Figure 13H depicts a loop diagram of the manner in which 2x2 hybrid knit zones 168 are formed with a knitting process.

Skechers EX1013-p. 1671
Skechers v Nike

[88] Knitted component 150 also includes two padded zones 169 having the general configuration of the padded area adjacent to ankle opening 121 and extending at least partially around ankle opening 121, which was discussed above for knitted component 130. As such, padded zones 169 are formed by two overlapping and at least partially coextensive knitted layers, which may be formed of unitary knit construction, and a plurality of floating yarns extending between the knitted layers.

[89] A comparison between Figures 9 and 10 reveals that a majority of the texturing in knit element 151 is located on first surface 156, rather than second surface 157. That is, the indentations formed by mock mesh knit zones 166 and 167, as well as the indentations in 2x2 hybrid knit zones 168, are formed in first surface 156. This configuration has an advantage of enhancing the comfort of footwear 100. More particularly, this configuration places the relatively untextured configuration of second surface 157 against the foot. A further comparison between Figures 9 and 10 reveals that portions of inlaid strand 152 are exposed on first surface 156, but not on second surface 157. This configuration also has an advantage of enhancing the comfort of footwear 100. More particularly, by spacing inlaid strand 152 from the foot by a portion of knit element 151, inlaid strands 152 will not contact the foot.

[90] Additional configurations of knitted component 130 are depicted in Figures 14A-14C. Although discussed in relation to kitted component 130, concepts associated with each of these configurations may also be utilized with knitted component 150. Referring to Figure 14A, inlaid strands 132 are absent from knitted component 130. Although inlaid strands 132 impart stretch-resistance to areas of knitted component 130, some configurations may not require the stretch-resistance from inlaid strands 132. Moreover, some configurations may benefit from greater stretch in upper 120. Referring to Figure 14B, knit element 131 includes two flaps 142 that are formed of unitary knit construction with a

Skechers EX1013-p. 1672
Skechers v Nike

remainder of knit element 131 and extend along the length of knitted component 130 at perimeter edge 133. When incorporated into footwear 100, flaps 142 may replace strobel sock 125. That is, flaps 142 may cooperatively form a portion of upper 120 that extends under sockliner 113 and is secured to the upper surface of midsole 111. Referring to Figure 14C, knitted component 130 has a configuration that is limited to midfoot region 102. In this configuration, other material elements (e.g., textiles, polymer foam, polymer sheets, leather, synthetic leather) may be joined to knitted component 130 through stitching or bonding, for example, to form upper 120.

[91] Based upon the above discussion, each of knitted components 130 and 150 may have various configurations that impart features and advantages to upper 120. More particularly, knit elements 131 and 151 may incorporate various knit structures and yarn types that impart specific properties to different areas of upper 120, and inlaid strands 132 and 152 may extend through the knit structures to impart stretch-resistance to areas of upper 120 and operate in connection with lace 122 to enhance the fit of footwear 100.

[92] Knitting Machine And Feeder Configurations

[93] Although knitting may be performed by hand, the commercial manufacture of knitted components is generally performed by knitting machines. An example of a knitting machine 200 that is suitable for producing either of knitted components 130 and 150 is depicted in Figure 15. Knitting machine 200 has a configuration of a V-bed flat knitting machine for purposes of example, but either of knitted components 130 and 150 or aspects of knitted components 130 and 150 may be produced on other types of knitting machines.

[94] Knitting machine 200 includes two needle beds 201 that are angled with respect to each other, thereby forming a V-bed. Each of needle beds 201 include a plurality of individual needles 202 that lay on a common plane. That is, needles

Skechers EX1013-p. 1673
Skechers v Nike

202 from one needle bed 201 lay on a first plane, and needles 202 from the other needle bed 201 lay on a second plane. The first plane and the second plane (i.e., the two needle beds 201) are angled relative to each other and meet to form an intersection that extends along a majority of a width of knitting machine 200. As described in greater detail below, needles 202 each have a first position where they are retracted and a second position where they are extended. In the first position, needles 202 are spaced from the intersection where the first plane and the second plane meet. In the second position, however, needles 202 pass through the intersection where the first plane and the second plane meet.

[95] A pair of rails 203 extend above and parallel to the intersection of needle beds 201 and provide attachment points for multiple standard feeders 204 and combination feeders 220. Each rail 203 has two sides, each of which accommodates either one standard feeder 204 or one combination feeder 220. As such, knitting machine 200 may include a total of four feeders 204 and 220. As depicted, the forward-most rail 203 includes one combination feeder 220 and one standard feeder 204 on opposite sides, and the rearward-most rail 203 includes two standard feeders 204 on opposite sides. Although two rails 203 are depicted, further configurations of knitting machine 200 may incorporate additional rails 203 to provide attachment points for more feeders 204 and 220.

[96] Due to the action of a carriage 205, feeders 204 and 220 move along rails 203 and needle beds 201, thereby supplying yarns to needles 202. In Figure 15, a yarn 206 is provided to combination feeder 220 by a spool 207. More particularly, yarn 206 extends from spool 207 to various yarn guides 208, a yarn take-back spring 209, and a yarn tensioner 210 before entering combination feeder 220. Although not depicted, additional spools 207 may be utilized to provide yarns to feeders 204.

[97] Standard feeders 204 are conventionally-utilized for a V-bed flat knitting machine, such as knitting machine 200. That is, existing knitting machines

Skechers EX1013-p. 1674
Skechers v Nike

incorporate standard feeders 204. Each standard feeder 204 has the ability to supply a yarn that needles 202 manipulate to knit, tuck, and float. As a comparison, combination feeder 220 has the ability to supply a yarn (e.g., yarn 206) that needles 202 knit, tuck, and float, and combination feeder 220 has the ability to inlay the yarn. Moreover, combination feeder 220 has the ability to inlay a variety of different strands (e.g., filament, thread, rope, webbing, cable, chain, or yarn). Accordingly, combination feeder 220 exhibits greater versatility than each standard feeder 204.

[98] As noted above, combination feeder 220 may be utilized when inlaying a yarn or other strand, in addition to knitting, tucking, and floating the yarn. Conventional knitting machines, which do not incorporate combination feeder 220, may also inlay a yarn. More particularly, conventional knitting machines that are supplied with an inlay feeder may also inlay a yarn. A conventional inlay feeder for a V-bed flat knitting machine includes two components that operate in conjunction to inlay the yarn. Each of the components of the inlay feeder are secured to separate attachment points on two adjacent rails, thereby occupying two attachment points. Whereas an individual standard feeder 204 only occupies one attachment point, two attachment points are generally occupied when an inlay feeder is utilized to inlay a yarn into a knitted component. Moreover, whereas combination feeder 220 only occupies one attachment point, a conventional inlay feeder occupies two attachment points.

[99] Given that knitting machine 200 includes two rails 203, four attachment points are available in knitting machine 200. If a conventional inlay feeder were utilized with knitting machine 200, only two attachment points would be available for standard feeders 204. When using combination feeder 220 in knitting machine 200, however, three attachment points are available for standard feeders 204. Accordingly, combination feeder 220 may be utilized when inlaying a yarn or

Skechers EX1013-p. 1675
Skechers v Nike

other strand, and combination feeder 220 has an advantage of only occupying one attachment point.

[100] Combination feeder 220 is depicted individually in Figures 16-19 as including a carrier 230, a feeder arm 240, and a pair of actuation members 250. Although a majority of combination feeder 220 may be formed from metal materials (e.g., steel, aluminum, titanium), portions of carrier 230, feeder arm 240, and actuation members 250 may be formed from polymer, ceramic, or composite materials, for example. As discussed above, combination feeder 220 may be utilized when inlaying a yarn or other strand, in addition to knitting, tucking, and floating a yarn. Referring to Figure 16 specifically, a portion of yarn 206 is depicted to illustrate the manner in which a strand interfaces with combination feeder 220.

[101] Carrier 230 has a generally rectangular configuration and includes a first cover member 231 and a second cover member 232 that are joined by four bolts 233. Cover members 231 and 232 define an interior cavity in which portions of feeder arm 240 and actuation members 250 are located. Carrier 230 also includes an attachment element 234 that extends outward from first cover member 231 for securing feeder 220 to one of rails 203. Although the configuration of attachment element 234 may vary, attachment element 234 is depicted as including two spaced protruding areas that form a dovetail shape, as depicted in Figure 17. A reverse dovetail configuration on one of rails 203 may extend into the dovetail shape of attachment element 234 to effectively join combination feeder 220 to knitting machine 200. It should also be noted that second cover member 234 forms a centrally-located and elongate slot 235, as depicted in Figure 18.

[102] Feeder arm 240 has a generally elongate configuration that extends through carrier 230 (i.e., the cavity between cover members 231 and 232) and outward from a lower side of carrier 230. In addition to other elements, feeder arm 240 includes an actuation bolt 241, a spring 242, a pulley 243, a loop 244, and a dispensing area 245. Actuation bolt 241 extends outward from feeder arm 240

Skechers EX1013-p. 1676
Skechers v Nike

and is located within the cavity between cover members 231 and 232. One side of actuation bolt 241 is also located within slot 235 in second cover member 232, as depicted in Figure 18. Spring 242 is secured to carrier 230 and feeder arm 240. More particularly, one end of spring 242 is secured to carrier 230, and an opposite end of spring 242 is secured to feeder arm 240. Pulley 243, loop 244, and dispensing area 245 are present on feeder arm 240 to interface with yarn 206 or another strand. Moreover, pulley 243, loop 244, and dispensing area 245 are configured to ensure that yarn 206 or another strand smoothly passes through combination feeder 220, thereby being reliably-supplied to needles 202. Referring again to Figure 16, yarn 206 extends around pulley 243, through loop 244, and into dispensing area 245. In addition, yarn 206 extends out of a dispensing tip 246, which is an end region of feeder arm 240, to then supply needles 202.

[103] Each of actuation members 250 includes an arm 251 and a plate 252. In many configurations of actuation members 250, each arm 251 is formed as a one-piece element with one of plates 252. Whereas arms 251 are located outside of carrier 230 and at an upper side of carrier 230, plates 252 are located within carrier 250. Each of arms 251 has an elongate configuration that defines an outside end 253 and an opposite inside end 254, and arms 251 are positioned to define a space 255 between both of inside ends 254. That is, arms 251 are spaced from each other. Plates 252 have a generally planar configuration. Referring to Figure 19, each of plates 252 define an aperture 256 with an inclined edge 257. Moreover, actuation bolt 241 of feeder arm 240 extends into each aperture 256.

[104] The configuration of combination feeder 220 discussed above provides a structure that facilitates a translating movement of feeder arm 240. As discussed in greater detail below, the translating movement of feeder arm 240 selectively positions dispensing tip 246 at a location that is above or below the intersection of needle beds 201. That is, dispensing tip 246 has the ability to reciprocate

Skechers EX1013-p. 1677
Skechers v Nike

through the intersection of needle beds 201. An advantage to the translating movement of feeder arm 240 is that combination feeder 220 (a) supplies yarn 206 for knitting, tucking, and floating when dispensing tip 246 is positioned above the intersection of needle beds 201 and (b) supplies yarn 206 or another strand for inlaying when dispensing tip 246 is positioned below the intersection of needle beds 201. Moreover, feeder arm 240 reciprocates between the two positions depending upon the manner in which combination feeder 220 is being utilized.

[105] In reciprocating through the intersection of needle beds 201, feeder arm 240 translates from a retracted position to an extended position. When in the retracted position, dispensing tip 246 is positioned above the intersection of needle beds 201. When in the extended position, dispensing tip 246 is positioned below the intersection of needle beds 201. Dispensing tip 246 is closer to carrier 230 when feeder arm 240 is in the retracted position than when feeder arm 240 is in the extended position. Similarly, dispensing tip 246 is further from carrier 230 when feeder arm 240 is in the extended position than when feeder arm 240 is in the retracted position. In other words, dispensing tip 246 moves away from carrier 230 when in the extended position, and dispensing tip 246 moves closer to carrier 230 when in the retracted position.

[106] For purposes of reference in Figures 16-20C, as well as further figures discussed later, an arrow 221 is positioned adjacent to dispensing area 245. When arrow 221 points upward or toward carrier 230, feeder arm 240 is in the retracted position. When arrow 221 points downward or away from carrier 230, feeder arm 240 is in the extended position. Accordingly, by referencing the position of arrow 221, the position of feeder arm 240 may be readily ascertained.

[107] The natural state of feeder arm 240 is the retracted position. That is, when no significant forces are applied to areas of combination feeder 220, feeder arm remains in the retracted position. Referring to Figures 16-19, for example, no

Skechers EX1013-p. 1678
Skechers v Nike

forces or other influences are shown as interacting with combination feeder 220, and feeder arm 240 is in the retracted position. The translating movement of feeder arm 240 may occur, however, when a sufficient force is applied to one of arms 251. More particularly, the translating movement of feeder arm 240 occurs when a sufficient force is applied to one of outside ends 253 and is directed toward space 255. Referring to Figures 20A and 20B, a force 222 is acting upon one of outside ends 253 and is directed toward space 255, and feeder arm 240 is shown as having translated to the extended position. Upon removal of force 222, however, feeder arm 240 will return to the retracted position. It should also be noted that Figure 20C depicts force 222 as acting upon inside ends 254 and being directed outward, and feeder arm 240 remains in the retracted position.

[108] As discussed above, feeders 204 and 220 move along rails 203 and needle beds 201 due to the action of carriage 205. More particularly, a drive bolt within carriage 205 contacts feeders 204 and 220 to push feeders 204 and 220 along needle beds 201. With respect to combination feeder 220, the drive bolt may either contact one of outside ends 253 or one of inside ends 254 to push combination feeder 220 along needle beds 201. When the drive bolt contacts one of outside ends 253, feeder arm 240 translates to the extended position and dispensing tip 246 passes below the intersection of needle beds 201. When the drive bolt contacts one of inside ends 254 and is located within space 255, feeder arm 240 remains in the retracted position and dispensing tip 246 is above the intersection of needle beds 201. Accordingly, the area where carriage 205 contacts combination feeder 220 determines whether feeder arm 240 is in the retracted position or the extended position.

[109] The mechanical action of combination feeder 220 will now be discussed. Figures 19-20B depict combination feeder 220 with first cover member 231 removed, thereby exposing the elements within the cavity in carrier 230. By comparing Figure 19 with Figures 20A and 20B, the manner in which force 222 induces

Skechers EX1013-p. 1679
Skechers v Nike

feeder arm 240 to translate may be apparent. When force 222 acts upon one of outside ends 253, one of actuation members 250 slides in a direction that is perpendicular to the length of feeder arm 240. That is, one of actuation members 250 slides horizontally in Figures 19-20B. The movement of one of actuation members 250 causes actuation bolt 241 to engage one of inclined edges 257. Given that the movement of actuation members 250 is constrained to the direction that is perpendicular to the length of feeder arm 240, actuation bolt 241 rolls or slides against inclined edge 257 and induces feeder arm 240 to translate to the extended position. Upon removal of force 222, spring 242 pulls feeder arm 240 from the extended position to the retracted position.

[110] Based upon the above discussion, combination feeder 220 reciprocates between the retracted position and the extended position depending upon whether a yarn or other strand is being utilized for knitting, tucking, or floating or being utilized for inlaying. Combination feeder 220 has a configuration wherein the application of force 222 induces feeder arm 240 to translate from the retracted position to the extended position, and removal of force 222 induces feeder arm 240 to translate from the extended position to the retracted position. That is, combination feeder 220 has a configuration wherein the application and removal of force 222 causes feeder arm 240 to reciprocate between opposite sides of needle beds 201. In general, outside ends 253 may be considered actuation areas, which induce movement in feeder arm 240. In further configurations of combination feeder 220, the actuation areas may be in other locations or may respond to other stimuli to induce movement in feeder arm 240. For example, the actuation areas may be electrical inputs coupled to servomechanisms that control movement of feeder arm 240. Accordingly, combination feeder 220 may have a variety of structures that operate in the same general manner as the configuration discussed above.

Skechers EX1013-p. 1680
Skechers v Nike

[111] Knitting Process

[112] The manner in which knitting machine 200 operates to manufacture a knitted component will now be discussed in detail. Moreover, the following discussion will demonstrate the operation of combination feeder 220 during a knitting process. Referring to Figure 21A, a portion of knitting machine 200 that includes various needles 202, rail 203, standard feeder 204, and combination feeder 220 is depicted. Whereas combination feeder 220 is secured to a front side of rail 203, standard feeder 204 is secured to a rear side of rail 203. Yarn 206 passes through combination feeder 220, and an end of yarn 206 extends outward from dispensing tip 246. Although yarn 206 is depicted, any other strand (e.g., filament, thread, rope, webbing, cable, chain, or yarn) may pass through combination feeder 220. Another yarn 211 passes through standard feeder 204 and forms a portion of a knitted component 260, and loops of yarn 211 forming an uppermost course in knitted component 260 are held by hooks located on ends of needles 202.

[113] The knitting process discussed herein relates to the formation of knitted component 260, which may be any knitted component, including knitted components that are similar to knitted components 130 and 150. For purposes of the discussion, only a relatively small section of knitted component 260 is shown in the figures in order to permit the knit structure to be illustrated. Moreover, the scale or proportions of the various elements of knitting machine 200 and knitted component 260 may be enhanced to better illustrate the knitting process.

[114] Standard feeder 204 includes a feeder arm 212 with a dispensing tip 213. Feeder arm 212 is angled to position dispensing tip 213 in a location that is (a) centered between needles 202 and (b) above an intersection of needle beds 201. Figure 22A depicts a schematic cross-sectional view of this configuration. Note that needles 202 lay on different planes, which are angled relative to each other.

Skechers EX1013-p. 1681
Skechers v Nike

That is, needles 202 from needle beds 201 lay on the different planes. Needles 202 each have a first position and a second position. In the first position, which is shown in solid line, needles 202 are retracted. In the second position, which is shown in dashed line, needles 202 are extended. In the first position, needles 202 are spaced from the intersection where the planes upon which needle beds 201 lay meet. In the second position, however, needles 202 are extended and pass through the intersection where the planes upon which needle beds 201 meet. That is, needles 202 cross each other when extended to the second position. It should be noted that dispensing tip 213 is located above the intersection of the planes. In this position, dispensing tip 213 supplies yarn 211 to needles 202 for purposes of knitting, tucking, and floating.

[115] Combination feeder 220 is in the retracted position, as evidenced by the orientation of arrow 221. Feeder arm 240 extends downward from carrier 230 to position dispensing tip 246 in a location that is (a) centered between needles 202 and (b) above the intersection of needle beds 201. Figure 22B depicts a schematic cross-sectional view of this configuration. Note that dispensing tip 246 is positioned in the same relative location as dispensing tip 213 in Figure 22A.

[116] Referring now to Figure 21B, standard feeder 204 moves along rail 203 and a new course is formed in knitted component 260 from yarn 211. More particularly, needles 202 pulled sections of yarn 211 through the loops of the prior course, thereby forming the new course. Accordingly, courses may be added to knitted component 260 by moving standard feeder 204 along needles 202, thereby permitting needles 202 to manipulate yarn 211 and form additional loops from yarn 211.

[117] Continuing with the knitting process, feeder arm 240 now translates from the retracted position to the extended position, as depicted in Figure 21C. In the extended position, feeder arm 240 extends downward from carrier 230 to position dispensing tip 246 in a location that is (a) centered between needles 202 and (b)

Skechers EX1013-p. 1682
Skechers v Nike

below the intersection of needle beds 201. Figure 22C depicts a schematic cross-sectional view of this configuration. Note that dispensing tip 246 is positioned below the location of dispensing tip 246 in Figure 22B due to the translating movement of feeder arm 240.

[118] Referring now to Figure 21D, combination feeder 220 moves along rail 203 and yarn 206 is placed between loops of knitted component 260. That is, yarn 206 is located in front of some loops and behind other loops in an alternating pattern. Moreover, yarn 206 is placed in front of loops being held by needles 202 from one needle bed 201, and yarn 206 is placed behind loops being held by needles 202 from the other needle bed 201. Note that feeder arm 240 remains in the extended position in order to lay yarn 206 in the area below the intersection of needle beds 201. This effectively places yarn 206 within the course recently formed by standard feeder 204 in Figure 21B.

[119] In order to complete inlaying yarn 206 into knitted component 260, standard feeder 204 moves along rail 203 to form a new course from yarn 211, as depicted in Figure 21E. By forming the new course, yarn 206 is effectively knit within or otherwise integrated into the structure of knitted component 260. At this stage, feeder arm 240 may also translate from the extended position to the retracted position.

[120] Figures 21D and 21E show separate movements of feeders 204 and 220 along rail 203. That is, Figure 21D shows a first movement of combination feeder 220 along rail 203, and Figure 21E shows a second and subsequent movement of standard feeder 204 along rail 203. In many knitting processes, feeders 204 and 220 may effectively move simultaneously to inlay yarn 206 and form a new course from yarn 211. Combination feeder 220, however, moves ahead or in front of standard feeder 204 in order to position yarn 206 prior to the formation of the new course from yarn 211.

Skechers EX1013-p. 1683
Skechers v Nike

[121] The general knitting process outlined in the above discussion provides an example of the manner in which inlaid strands 132 and 152 may be located in knit elements 131 and 151. More particularly, knitted components 130 and 150 may be formed by utilizing combination feeder 220 to effectively insert inlaid strands 132 and 152 into knit elements 131. Given the reciprocating action of feeder arm 240, inlaid strands may be located within a previously formed course prior to the formation of a new course.

[122] Continuing with the knitting process, feeder arm 240 now translates from the retracted position to the extended position, as depicted in Figure 21F. Combination feeder 220 then moves along rail 203 and yarn 206 is placed between loops of knitted component 260, as depicted in Figure 21G. This effectively places yarn 206 within the course formed by standard feeder 204 in Figure 21E. In order to complete inlaying yarn 206 into knitted component 260, standard feeder 204 moves along rail 203 to form a new course from yarn 211, as depicted in Figure 21H. By forming the new course, yarn 206 is effectively knit within or otherwise integrated into the structure of knitted component 260. At this stage, feeder arm 240 may also translate from the extended position to the retracted position.

[123] Referring to Figure 21H, yarn 206 forms a loop 214 between the two inlaid sections. In the discussion of knitted component 130 above, it was noted that inlaid strand 132 repeatedly exits knit element 131 at perimeter edge 133 and then re-enters knit element 131 at another location of perimeter edge 133, thereby forming loops along perimeter edge 133, as seen in Figures 5 and 6. Loop 214 is formed in a similar manner. That is, loop 214 is formed where yarn 206 exits the knit structure of knitted component 260 and then re-enters the knit structure.

[124] As discussed above, standard feeder 204 has the ability to supply a yarn (e.g., yarn 211) that needles 202 manipulate to knit, tuck, and float. Combination

Skechers EX1013-p. 1684
Skechers v Nike

feeder 220, however, has the ability to supply a yarn (e.g., yarn 206) that needles 202 knit, tuck, or float, as well as inlaying the yarn. The above discussion of the knitting process describes the manner in which combination feeder 220 inlays a yarn while in the extended position. Combination feeder 220 may also supply the yarn for knitting, tucking, and floating while in the retracted position. Referring to Figure 21I, for example, combination feeder 220 moves along rail 203 while in the retracted position and forms a course of knitted component 260 while in the retracted position. Accordingly, by reciprocating feeder arm 240 between the retracted position and the extended position, combination feeder 220 may supply yarn 206 for purposes of knitting, tucking, floating, and inlaying. An advantage to combination feeder 220 relates, therefore, to its versatility in supplying a yarn that may be utilized for a greater number of functions than standard feeder 204

[125] The ability of combination feeder 220 to supply yarn for knitting, tucking, floating, and inlaying is based upon the reciprocating action of feeder arm 240. Referring to Figures 22A and 22B, dispensing tips 213 and 246 are at identical positions relative to needles 220. As such, both feeders 204 and 220 may supply a yarn for knitting, tucking, and floating. Referring to Figure 22C, dispensing tip 246 is at a different position. As such, combination feeder 220 may supply a yarn or other strand for inlaying. An advantage to combination feeder 220 relates, therefore, to its versatility in supplying a yarn that may be utilized for knitting, tucking, floating, and inlaying.

[126] Further Knitting Process Considerations

[127] Additional aspects relating to the knitting process will now be discussed. Referring to Figure 23, the upper course of knitted component 260 is formed from both of yarns 206 and 211. More particularly, a left side of the course is formed from yarn 211, whereas a right side of the course is formed from yarn 206. Additionally, yarn 206 is inlaid into the left side of the course. In order to form this configuration, standard feeder 204 may initially form the left side of the

Skechers EX1013-p. 1685
Skechers v Nike

course from yarn 211. Combination feeder 220 then lays yarn 206 into the right side of the course while feeder arm 240 is in the extended position. Subsequently, feeder arm 240 moves from the extended position to the retracted position and forms the right side of the course. Accordingly, combination feeder may inlay a yarn into one portion of a course and then supply the yarn for purposes of knitting a remainder of the course.

[128] Figure 24 depicts a configuration of knitting machine 200 that includes four combination feeders 220. As discussed above, combination feeder 220 has the ability to supply a yarn (e.g., yarn 206) for knitting, tucking, floating, and inlaying. Given this versatility, standard feeders 204 may be replaced by multiple combination feeders 220 in knitting machine 200 or in various conventional knitting machines.

[129] Figure 8B depicts a configuration of knitted component 130 where two yarns 138 and 139 are plated to form knit element 131, and inlaid strand 132 extends through knit element 131. The general knitting process discussed above may also be utilized to form this configuration. As depicted in Figure 15, knitting machine 200 includes multiple standard feeders 204, and two of standard feeders 204 may be utilized to form knit element 131, with combination feeder 220 depositing inlaid strand 132. Accordingly, the knitting process discussed above in Figures 21A-21I may be modified by adding another standard feeder 204 to supply an additional yarn. In configurations where yarn 138 is a non-fusible yarn and yarn 139 is a fusible yarn, knitted component 130 may be heated following the knitting process to fuse knitted component 130.

[130] The portion of knitted component 260 depicted in Figures 21A-21I has the configuration of a rib knit textile with regular and uninterrupted courses and wales. That is, the portion of knitted component 260 does not have, for example, any mesh areas similar to mesh knit zones 163-165 or mock mesh areas similar to mock mesh knit zones 166 and 167. In order to form mesh knit zones 163-165

Skechers EX1013-p. 1686
Skechers v Nike

in either of knitted components 150 and 260, a combination of a racked needle bed 201 and a transfer of stitch loops from front to back needle beds 201 and back to front needle beds 201 in different racked positions is utilized. In order to form mock mesh areas similar to mock mesh knit zones 166 and 167, a combination of a racked needle bed and a transfer of stitch loops from front to back needle beds 201 is utilized.

[131] Courses within a knitted component are generally parallel to each other. Given that a majority of inlaid strand 152 follows courses within knit element 151, it may be suggested that the various sections of inlaid strand 152 should be parallel to each other. Referring to Figure 9, for example, some sections of inlaid strand 152 extend between edges 153 and 155 and other sections extend between edges 153 and 154. Various sections of inlaid strand 152 are, therefore, not parallel. The concept of forming darts may be utilized to impart this non-parallel configuration to inlaid strand 152. More particularly, courses of varying length may be formed to effectively insert wedge-shaped structures between sections of inlaid strand 152. The structure formed in knitted component 150, therefore, where various sections of inlaid strand 152 are not parallel, may be accomplished through the process of darting.

[132] Although a majority of inlaid strands 152 follow courses within knit element 151, some sections of inlaid strand 152 follow wales. For example, sections of inlaid strand 152 that are adjacent to and parallel to inner edge 155 follow wales. This may be accomplished by first inserting a section of inlaid strand 152 along a portion of a course and to a point where inlaid strand 152 is intended to follow a wale. Inlaid strand 152 is then kicked back to move inlaid strand 152 out of the way, and the course is finished. As the subsequent course is being formed, inlay strand 152 is again kicked back to move inlaid strand 152 out of the way at the point where inlaid strand 152 is intended to follow the wale, and the course is finished. This process is repeated until inlaid strand 152 extends a desired

Skechers EX1013-p. 1687
Skechers v Nike

distance along the wale. Similar concepts may be utilized for portions of inlaid strand 132 in knitted component 130.

[133] A variety of procedures may be utilized to reduce relative movement between (a) knit element 131 and inlaid strand 132 or (b) knit element 151 and inlaid strand 152. That is, various procedures may be utilized to prevent inlaid strands 132 and 152 from slipping, moving through, pulling out, or otherwise becoming displaced from knit elements 131 and 151. For example, fusing one or more yarns that are formed from thermoplastic polymer materials to inlaid strands 132 and 152 may prevent movement between inlaid strands 132 and 152 and knit elements 131 and 151. Additionally, inlaid strands 132 and 152 may be fixed to knit elements 131 and 151 when periodically fed to knitting needles as a tuck element. That is, inlaid strands 132 and 152 may be formed into tuck stitches at points along their lengths (e.g., once per centimeter) in order to secure inlaid strands 132 and 152 to knit elements 131 and 151 and prevent movement of inlaid strands 132 and 152.

[134] Following the knitting process described above, various operations may be performed to enhance the properties of either of knitted components 130 and 150. For example, a water-repellant coating or other water-resisting treatment may be applied to limit the ability of the knit structures to absorb and retain water. As another example, knitted components 130 and 150 may be steamed to improve loft and induce fusing of the yarns. As discussed above with respect to Figure 8B, yarn 138 may be a non-fusible yarn and yarn 139 may be a fusible yarn. When steamed, yarn 139 may melt or otherwise soften so as to transition from a solid state to a softened or liquid state, and then transition from the softened or liquid state to the solid state when sufficiently cooled. As such, yarn 139 may be utilized to join (a) one portion of yarn 138 to another portion of yarn 138, (b) yarn 138 and inlaid strand 132 to each other, or (c) another element (e.g., logos, trademarks, and placards with care instructions and material

Skechers EX1013-p. 1688
Skechers v Nike

information) to knitted component 130, for example. Accordingly, a steaming process may be utilized to induce fusing of yarns in knitted components 130 and 150.

[135] Although procedures associated with the steaming process may vary greatly, one method involves pinning one of knitted components 130 and 150 to a jig during steaming. An advantage of pinning one of knitted components 130 and 150 to a jig is that the resulting dimensions of specific areas of knitted components 130 and 150 may be controlled. For example, pins on the jig may be located to hold areas corresponding to perimeter edge 133 of knitted component 130. By retaining specific dimensions for perimeter edge 133, perimeter edge 133 will have the correct length for a portion of the lasting process that joins upper 120 to sole structure 110. Accordingly, pinning areas of knitted components 130 and 150 may be utilized to control the resulting dimensions of knitted components 130 and 150 following the steaming process.

[136] The knitting process described above for forming knitted component 260 may be applied to the manufacture of knitted components 130 and 150 for footwear 100. The knitting process may also be applied to the manufacture of a variety of other knitted components. That is, knitting processes utilizing one or more combination feeders or other reciprocating feeders may be utilized to form a variety of knitted components. As such, knitted components formed through the knitting process described above, or a similar process, may also be utilized in other types of apparel (e.g., shirts, pants, socks, jackets, undergarments), athletic equipment (e.g., golf bags, baseball and football gloves, soccer ball restriction structures), containers (e.g., backpacks, bags), and upholstery for furniture (e.g., chairs, couches, car seats). The knitted components may also be utilized in bed coverings (e.g., sheets, blankets), table coverings, towels, flags, tents, sails, and parachutes. The knitted components may be utilized as technical textiles for industrial purposes, including structures for automotive and

Skechers EX1013-p. 1689
Skechers v Nike

aerospace applications, filter materials, medical textiles (e.g. bandages, swabs, implants), geotextiles for reinforcing embankments, agrotextiles for crop protection, and industrial apparel that protects or insulates against heat and radiation. Accordingly, knitted components formed through the knitting process described above, or a similar process, may be incorporated into a variety of products for both personal and industrial purposes.

[137] Knitted Components With Tongues

[138] In footwear 100, tongue 124 is separate from knitted component 130 and joined to knitted component 130, possibly with stitching, an adhesive, or thermal bonding. Moreover, tongue 124 is discussed as being added to knitted component 130 following the knitting process. As depicted in Figures 25 and 26, however, knitted component 130 includes a knitted tongue 170 that is formed of unitary knit construction with knit element 131. That is, knit element 131 and tongue 170 are formed as a one-piece element through a knitting process, which will be discussed in greater detail below. Although tongue 124 or another tongue may be joined to knit element 131 after knitted component 130 is formed, tongue 170 or another knitted tongue may be formed during the knitting process and of unitary knit construction with a portion of knitted component 130.

[139] Tongue 170 is located within a throat area (i.e., where lace 122 and lace apertures 123 are located) of knitted component 130 and extends along the throat area. When incorporated into footwear 100, for example, tongue 170 extends from a forward portion of the throat area to ankle opening 121. As with knit element 131, tongue 170 is depicted as being formed from a relatively untextured textile and a common or single knit structure. Tongue 170 is also depicted in Figure 27 as having a generally planar configuration. Examples of knit structures that may impart this configuration for tongue 170, as well as knit element 131, are any of the various knit structures in knit zones 160-162 discussed above. In further configurations, however, apertures may be formed in

Skechers EX1013-p. 1690
Skechers v Nike

areas of tongue 170 by utilizing the knit structures of mesh knit zones 163-165, indentations may be formed in areas of tongue 170 by utilizing the knit structures of mock mesh knit zones 166 or 167, or a combination of apertures and indentations may be formed in areas of tongue 170 by utilizing the knit structure of hybrid knit zone 168. Additionally, areas of tongue 170 may have a padded aspect when formed to have layers and floating yarns, for example, that are similar to padded zone 169. Accordingly, the untextured and planar aspect of tongue 170 is shown for purposes of example, and various features may be imparted through the use of different knit structures.

[140] Referring to Figures 28 and 29, a knitted tongue 175 is depicted as being formed of unitary knit construction with knit element 151 of knitted component 150. Tongue 175 has the same general shape as tongue 170, but may have a padded aspect with greater thickness. More particularly, tongue 175 is depicted in Figure 30 as including two overlapping and at least partially coextensive knitted layers 176, which may be formed of unitary knit construction, and a plurality of yarn loops 177 located between layers 176. Although the sides or edges of layers 176 are secured or knit to each other, a central area is generally unsecured. As such, layers 176 effectively form a tube or tubular structure, and yarn loops 177 are located between and extend outward from one of layers 176. In effect, yarn loops 177 fill an interior volume between layers 176 and impart a compressible or padded aspect to tongue 175. It should also be noted that each of layers 176 and yarn loops 177 may be formed of unitary knit construction during the knitting process that forms knitted component 150.

[141] Another knitted component 180 is depicted in Figure 31 as including a knit element 181, an inlaid strand 182, and a knitted tongue 183. With the exception of the presence of tongue 183, knitted component 180 has a general structure of a knitted component disclosed in U.S. Patent Application Publication 2010/0154256 to Dua, which is incorporated herein by reference. Tongue 183 is

Skechers EX1013-p. 1691
Skechers v Nike

formed of unitary knit construction with knit element 181 and includes various knit structures. Referring to Figure 32, for example, peripheral areas of tongue 183 exhibit an untextured configuration that may have any of the various knit structures in knit zones 160-162. At least two areas of tongue 183 incorporate apertures and may have any of the various knit structures in mesh knit zones 163-165. Referring to Figure 33, a central area of tongue 183 has a compressible or padded aspect that includes two overlapping and at least partially coextensive knitted layers 184, which may be formed of unitary knit construction, and a plurality of floating yarns 185 extending between layers 184. The central area of tongue 183 may exhibit, therefore, the knit structure of padded zone 169. Although the sides or edges of layers 184 are secured to each other, a central area is generally unsecured. As such, layers 184 effectively form a tube or tubular structure, and floating yarns 185 may be located or inlaid between layers 184 to pass through the tubular structure. That is, floating yarns 185 extend between layers 184, are generally parallel to surfaces of layers 184, and also pass through and fill an interior volume between layers 184. Whereas a majority of tongue 183 is formed from yarns that are mechanically-manipulated to form intermeshed loops, floating yarns 185 are generally free or otherwise inlaid within the interior volume between layers 184. As an additional matter, layers 184 may be at least partially formed from a stretch yarn to impart the advantages discussed above for knitted layers 140 and floating yarns 141.

[142] Tongue 183 provides an example of the manner in which various knit structures may be utilized. As discussed above, the peripheral areas of tongue 183 exhibit an untextured configuration, two areas of tongue 183 incorporate apertures, and the central area of tongue 183 includes knitted layers 184 and floating yarns 185 to provide a compressible or padded aspect. Mock mesh knit structures and hybrid knit structures may also be utilized. Accordingly, various knit structures may be incorporated into tongue 183 or any other knitted tongue (e.g., tongues 170 and 175) to impart different properties or aesthetics.

Skechers EX1013-p. 1692
Skechers v Nike

[143] Tongue 170 is secured to a forward portion of the throat area of knit element 131. That is, tongue 170 is joined through knitting to knit element 131 in a portion of the throat area that is closest to forefoot region 101 in footwear 100. Each of tongues 175 and 183 are respectively secured or knit to a similar position in knitted components 150 and 180. Referring to Figures 34 and 35, however, a knitted tongue 190 is secured along a length of the throat area of a configuration of knitted component 131 that does not include inlaid strand 132 or lace apertures 123. More particularly, edges of tongue 190 are knit to an area of knit element 131 that is spaced outward from inner edge 135. Accordingly, any of the configurations of tongues 170, 175, 183, and 190 may be secured (e.g., through unitary knit construction) to various locations in the throat areas of knitted components 130, 150, and 180.

[144] Advantages of constructing tongue 170 during the knitting process and of unitary knit construction are more efficient manufacture and common properties. More particularly, manufacturing efficiency may be increased by forming more of knitted component 130 during the knitting process and eliminating various steps (e.g., making a separate tongue, securing the tongue) that are often performed manually. Tongue 170 and knit element 131 may also have common properties when formed from the same yarn (or type of yarn) or with similar knit structures. For example, utilizing the same yarn in both of tongue 170 and knit element 131 imparts similar durability, strength, stretch, wear-resistance, biodegradability, thermal, and hydrophobic properties. In addition to physical properties, utilizing the same yarn in both of tongue 170 and knit element 131 may impart common aesthetic or tactile properties, such as color, sheen, and texture. Utilizing the same knit structures in both of tongue 170 and knit element 131 may also impart common physical properties and aesthetic properties. These advantages may also be present when at least a portion of knit element 131 and at least a portion of tongue 170 are formed from a common yarn (or type of yarn) or with common knit structures.

Skechers EX1013-p. 1693
Skechers v Nike

[145] Tongue 175 includes yarn loops 177 between layers 176, and tongue 183 includes floating yarns 185 between layers 184. A benefit of yarn loops 177 and floating yarns 185 is that compressible or padded areas are formed. In addition to yarn loops 177 and floating yarns 185, other types of free yarn sections may be utilized. For purposes of the present application, "free yarn sections" or variants thereof is defined as segments or portions of yarns that are not directly forming intermeshed loops (e.g., that define courses and wales) of a knit structure, such as floating yarns, inlaid yarns, terry loops, ends of yarns, and cut segments of yarn, for example. Moreover, it should be noted that free yarn sections may be one portion of an individual yarn, with other portions of the yarn forming intermeshed loops of the knit structure, For example, the portion of a yarn forming terry loops (e.g., the free yarn sections) may be between portions of the yarn forming intermeshed loops of a knit structure. As an alternative to free yarn sections, foam materials or other types of compressible materials may be utilized within either of tongues 175 and 183.

[146] As a final matter, although tongue 170 is disclosed in combination with knitted component 130, tongue 170 may also be utilized with knitted components 150 and 180, as well as other knitted components. Similarly, tongues 175, 183, and 190 may be utilized with any of knitted components 130, 150, and 180, as well as other knitted components. The combinations disclosed herein are, therefore, for purposes of example and other combinations may also be utilized. Moreover, the specific configurations of tongues 170, 175, 183, and 190 are also meant to provide examples and may also vary significantly. For example, the position of layers 184 and floating yarns 185 may be enlarged, moved to a periphery of tongue 183, or removed from tongue 183. Accordingly, the various combinations and configurations are intended to provide examples, and other combinations and configurations may also be utilized.

Skechers EX1013-p. 1694
Skechers v Nike

[147] Tongue Knitting Process

[148] The manner in which knitting machine 200 operates to manufacture a knitted component with a tongue will now be discussed in detail. Moreover, the following discussion will demonstrate the manner in which knit element 131 and tongue 170 are formed of unitary knit construction, but similar processes may be utilized for other knitted components and tongues. Referring to Figures 36A-36G, a portion of knitting machine 200 is schematically-depicted as including needle beds 201, one rail 203, one standard feeder 204, and one combination feeder 220. It should be understood that although knitted component 130 is formed between needle beds 201, knitted component 130 is shown adjacent to needle beds 201 to (a) be more visible during discussion of the knitting process and (b) show the position of portions of knitted component 130 relative to each other and needle beds 201. Also, although one rail 203, one standard feeder 204, and one combination feeder 220 are depicted, additional rails 203, standard feeders 204, and combination feeders 220 may be utilized. Accordingly, the general structure of knitting machine 200 is simplified for purposes of explaining the knitting process.

[149] Initially, a portion of tongue 170 is formed by knitting machine 200, as depicted in Figure 36A. In forming this portion of tongue 170, standard feeder 204 repeatedly moves along rail 203 and various courses are formed from at least yarn 211. More particularly, needles 202 pull sections of yarn 211 through loops of a prior course, thereby forming another course. This action continues until tongue 170 is substantially formed, as depicted in Figure 36B. It should be noted at this stage that although tongue 170 is depicted as being formed from one yarn 211, additional yarns may be incorporated into tongue 170 from further standard feeders 204. For example, a fusible yarn may be incorporated into at least the upper or final course of tongue 170 to assist with ensuring that tongue 170 is properly joined or knitted with knit element 131. Additionally, at least the final

course of tongue 170 may include cross-tuck stitches with a relatively tight or dense knit to ensure that tongue 170 remains properly positioned on needles 202 during later stages of the knitting process.

[150] Knitting machine 200 now begins the process of forming knit element 131, as depicted in Figure 36C, in accordance with the knitting process discussed previously. As the knitting process continues, combination feeder 220 inlays yarn 206 to form inlaid strand 132, as depicted in Figure 36D, also in accordance with the knitting process discussed previously. Through a comparison of Figures 36C and 36D, tongue 170 remains stationary relative to needle beds 201, but knit element 131 moves downward and may overlap tongue 170 as successive courses are formed in knit element 131. This continues until a course is formed that is intended to join tongue 170 to knit element 131. More particularly, tongue 170 remains stationary relative to needle beds 201 as portions of knitted component 131 are formed. At the point depicted in Figure 36E, however, a course is formed that (a) extends across the final course of tongue 170, which includes the cross-tuck stitches, and (b) joins with the final course of tongue 170. In effect, this course joins tongue 170 to knit element 131. At this stage, therefore, knit element 131 and tongue 170 are effectively formed of unitary knit construction.

[151] Once tongue 170 is joined to knit element 131, knitting machine 200 continues the process of forming courses, thereby forming more of knit element 131, as depicted in Figure 36F. Given that tongue 170 is now joined to knit element 131, tongue 170 moves downward with knit element 131 as successive courses are formed, as seen through a comparison of Figures 36E and 36F. Moving forward, knitting machine 200 continues the process of forming courses in knit element 131 until knitted component 130 is substantially formed, as depicted in Figure 36G.

Skechers EX1013-p. 1696
Skechers v Nike

[152] Now that the general process associated with forming knitted component 130 to include tongue 170 is presented, additional aspects of the knitting process will be discussed. As noted above, a fusible yarn may be incorporated into at least the final course of tongue 170 to assist with ensuring that tongue 170 is properly joined or knitted with knit element 131. In some knitting processes, the yarn forming the final course of tongue 170 is cut. By incorporating the fusible yarn into the final course of tongue 170, the knit structure at the interface of tongue 170 with knit element 131 may be strengthened. That is, melting of the fusible yarn will fuse or otherwise join the sections of yarn at the interface and prevent unraveling of the cut yarn.

[153] Also as noted above, at least the final course of tongue 170 may include cross-tuck stitches with a relatively tight or dense knit to ensure that tongue 170 remains properly positioned on needles 202 during later stages of the knitting process. During a majority of the knitting process that forms knit element 131, tongue 170 remains stationary relative to needle beds 201. Movement, vibration, or other actions of knitting machine 200 may, however, dislodge portions of the final course from needles 202, thereby forming dropped stitches. By forming cross-tuck stitches with a relatively tight or dense knit, fewer dropped stitches are formed. Moreover, if dropped stitches are formed, the fusible yarn within the final course will fuse or otherwise join the dropped stitches within the knit structure.

[154] Once tongue 170 is knit, various needles 202 hold tongue 170 in position while knit element 131 is formed. In effect, the needles 202 that hold tongue 170 are unavailable for further knitting until tongue 170 is joined with knit element 131. As a result, only those needles 202 located beyond the edges (i.e., to the right and to the left) of tongue 170 are available for forming knit element 131. The final course of tongue 170 should, therefore, have equal or less width than the distance between opposite sides of inner edge 135 in the area where tongue 170 is joined with knit element 131. In other words, the design of knitted component

Skechers EX1013-p. 1697
Skechers v Nike

130 should account for (a) the length of the final course of tongue 170 and (b) the number of needles 202 that are reserved for holding tongue 170 while knit element 131 is formed.

[155] In the knitting process discussed above, both tongue 170 and knit element 131 are formed from yarn 211. Whereas tongue 170 remains stationary relative to needle beds 201 through a portion of the knitting process, portions of knit element 131 move downward as successive courses are formed. Given that a segment of yarn 211 may extend from the final course of tongue 170 to the first course of knit element 131 (i.e., the bottom edges of knit element 131), this segment of yarn should have sufficient length to account for the downward movement of the first course of knit element 131. In effect, a comparison of Figures 36C-36E, demonstrates that the first course of knit element 131 moves downward and away from the final course of tongue 170 as knit element 131 is formed. Accordingly, if a segment of yarn 211 extends from the final course of tongue 170 to the first course of knit element 131, this segment of yarn should have sufficient length to account for the growing distance between the final course of tongue 170 and the first course of knit element 131.

[156] Although various methods may be employed to account for the growing distance between the final course of tongue 170 and the first course of knit element 131, Figure 37 depicts an expansion section 195 as being formed following the formation of tongue 170. Expansion section 195 may then be cast off of needles 202. As the distance between the final course of tongue 170 and the first course of knit element 131 increases, expansion section 195 may unravel and lengthen. That is, unraveling of expansion section 195 may be used to effectively lengthen the section of yarn 211 between the final course of tongue 170 and the first course of knit element 131. In some configurations, expansion section 195 may be formed as a jersey fabric to facilitate unraveling.

Skechers EX1013-p. 1698
Skechers v Nike

[157] The various Figures 36A-36G show knitted component 130 as being formed independently. In some knitting processes, however, a waste element is knit prior to forming knitted component 130. The waste element engages various rollers that provide a downward force upon knitted component 130. The downward force ensures that courses move away from needles 202 as later courses are formed.

[158] Based upon the above discussion, knit element 131 and tongue 170 may be formed of unitary knit construction through a single knitting process. As described, tongue 170 is formed first and remains stationary upon needle beds 201 as knit element 131 is formed. After a course is formed that joins knit element 131 and tongue 170, knit element 131 and tongue 170 move downward together as further portions of knit element 131 are formed.

[159] Sequential Alterations

[160] Knitting machine 200 includes, among other elements, a knitting mechanism 270, a pattern 280, and a computing device 290, as schematically-depicted in Figure 38. Knitting mechanism 270 includes many of the mechanical components of knitting machine 200 (e.g., needles 202, feeders 204 and 220, carriage 205) that mechanically-manipulate yarns 206 and 211 to form a knitted component (e.g., knitted component 130). Pattern 280 includes data on the knitted component, including the yarns that are utilized for each stitch, the type of knit structures formed by each stitch, and the specific needles 202 and feeders 204 and 220 that are used for each stitch, for example. The operation of knitting machine 200 is governed by computing device 290, which reads data from pattern 280 and directs the corresponding operation of knitting mechanism 270.

[161] Multiple and substantially identical knitted components may be formed by knitting machine 200. More particularly, computing device 290 may repeatedly read pattern 280 and direct knitting mechanism 270 to form substantially identical

Skechers EX1013-p. 1699
Skechers v Nike

knitted components. In general, therefore, each knitted component that is formed will be substantially identical to other knitted components that are formed based upon a particular pattern 280. Referring to Figures 39A-39C, however, three versions of tongue 170 are shown. Whereas Figure 39A depicts tongue 170 as including a knit structure (e.g., yarns with different colors) with alphanumeric characters that form "1 OF 100," Figures 39B and 39C respectively depict tongue 170 as including knit structures with alphanumeric characters that form "2 OF 100" and "3 OF 100."

[162] One manner of accomplishing the sequential alterations of the type shown in Figures 39A-39C is to create multiple patterns. In effect, each of the configurations of tongue 170 shown in Figures 39A-39C may have a different pattern. As an alternative, an application (e.g., software) run by computing device 290 may alter pattern 280 while each successive tongue 170 is formed to provide sequential alterations. For example, pattern 280 may include a modifiable field 281, which is an area of pattern 280 that can be updated or changed by computing device 290. For purposes of reference, portions of pattern 280 that correspond with "1," "2," and "3" in Figures 39A-39C may be governed by modifiable field 281. Computing device 290 may include a counter, for example, that updates modifiable field 281 with each successive knitted component that is formed. Accordingly, sequential alterations of pattern 280 may be automated through the use of an application run by computing device 290, thereby rectifying the need for different patterns 280 for each sequential variation of tongue 170.

[163] In operation, pattern 280 with modifiable field 281 is provided by an operator, designer, or manufacturer, for example. Computing device 290 may either form a first knitted component with a default setting for modifiable field 281 or may update modifiable field 281 according to other instructions or data. As such, for example, tongue 170 of Figure 39A may be knitted with "1 OF 100." Computing

Skechers EX1013-p. 1700
Skechers v Nike

device 290 now updates modifiable field 281 with data representing another alphanumeric character, possibly a sequential alphanumeric character when computing device 290 includes a counter, and tongue 170 of Figure 39B may be knitted with "2 OF 100." The procedure repeats and computing device 290 updates modifiable field 281 with data representing another alphanumeric character and tongue 170 of Figure 39C may be knitted with "3 OF 100." Accordingly, modifiable field of pattern 280 may be repeatedly updated with data representing different alphanumeric characters, possibly sequential alphanumeric characters.

[164] The invention is disclosed above and in the accompanying figures with reference to a variety of configurations. The purpose served by the disclosure, however, is to provide an example of the various features and concepts related to the invention, not to limit the scope of the invention. One skilled in the relevant art will recognize that numerous variations and modifications may be made to the configurations described above without departing from the scope of the present invention, as defined by the appended claims.

Skechers EX1013-p. 1701
Skechers v Nike

CLAIMS

1. A method of manufacturing a knitted component for an article of footwear, the method comprising:

knitting a tongue with a knitting machine;

holding the tongue on needles of the knitting machine;

knitting a first portion of a knit element with the knitting machine while the tongue is held on the needles;

joining the tongue to the first portion of the knit element; and

knitting a second portion of the knit element with the knitting machine.

2. The method recited in claim 1, further including a step of selecting the knitting machine to be a flat knitting machine.

3. The method recited in claim 1, further including a step of knitting an expansion section following the step of knitting the tongue, and wherein the step of knitting the first portion of the knit element includes unraveling the expansion section.

4. The method recited in claim 1, wherein the step of knitting the tongue includes forming a course of the tongue to include at least one of (a) a fusible yarn and (b) cross-tuck stitches.

5. The method recited in claim 1, wherein the step of joining the tongue includes forming a course with the knitting machine that joins the tongue to the knit element.

Skechers EX1013-p. 1702
Skechers v Nike

6. A method of manufacturing a knitted component for an article of footwear, the method comprising:

knitting a tongue with a knitting machine;

knitting a first portion of a knit element with the knitting machine, the tongue being stationary with respect to a needle bed of the knitting machine during knitting of the first portion of the knit element, and the first portion of the knit element moving with respect to the tongue during knitting of the first portion of the knit element;

forming a course with the knitting machine that joins the tongue to the knit element; and

knitting a second portion of the knit element with the knitting machine, the tongue and the first portion of the knit element moving together during knitting of the second portion of the knit element.

7. The method recited in claim 6, further including a step of selecting the knitting machine to be a flat knitting machine.

8. The method recited in claim 6, further including a step of knitting an expansion section following the step of knitting the tongue, and wherein the step of knitting the first portion of the knit element includes unraveling the expansion section.

9. The method recited in claim 6, wherein the step of knitting the tongue includes forming a final course of the tongue to include at least one of (a) a fusible yarn and (b) cross-tuck stitches.

Skechers EX1013-p. 1703
Skechers v Nike

10. A method of knitting comprising:

providing a knitting pattern with a modifiable field;

updating the modifiable field with data representing a first alphanumeric character;

knitting a first component with a knit structure of the first alphanumeric character;

updating the modifiable field with data representing a second alphanumeric character, the second alphanumeric character being different than the first alphanumeric character; and

knitting a second component with a knit structure of the second alphanumeric character.

11. The method recited in claim 10, wherein the second alphanumeric character is sequential from the first alphanumeric character.

Skechers EX1013-p. 1704
Skechers v Nike

Skechers EX1013-p. 1705
Skechers v Nike

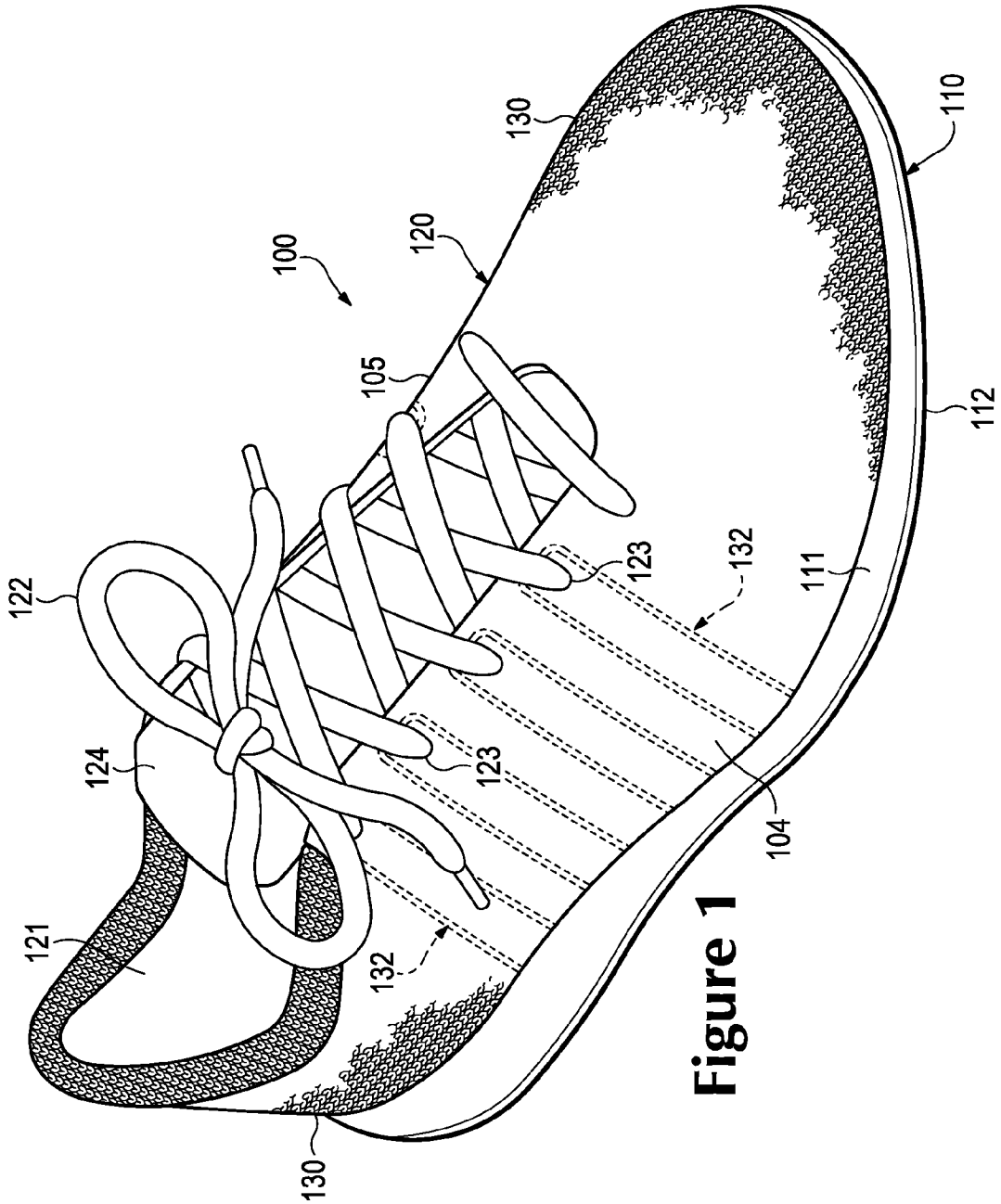


Figure 1

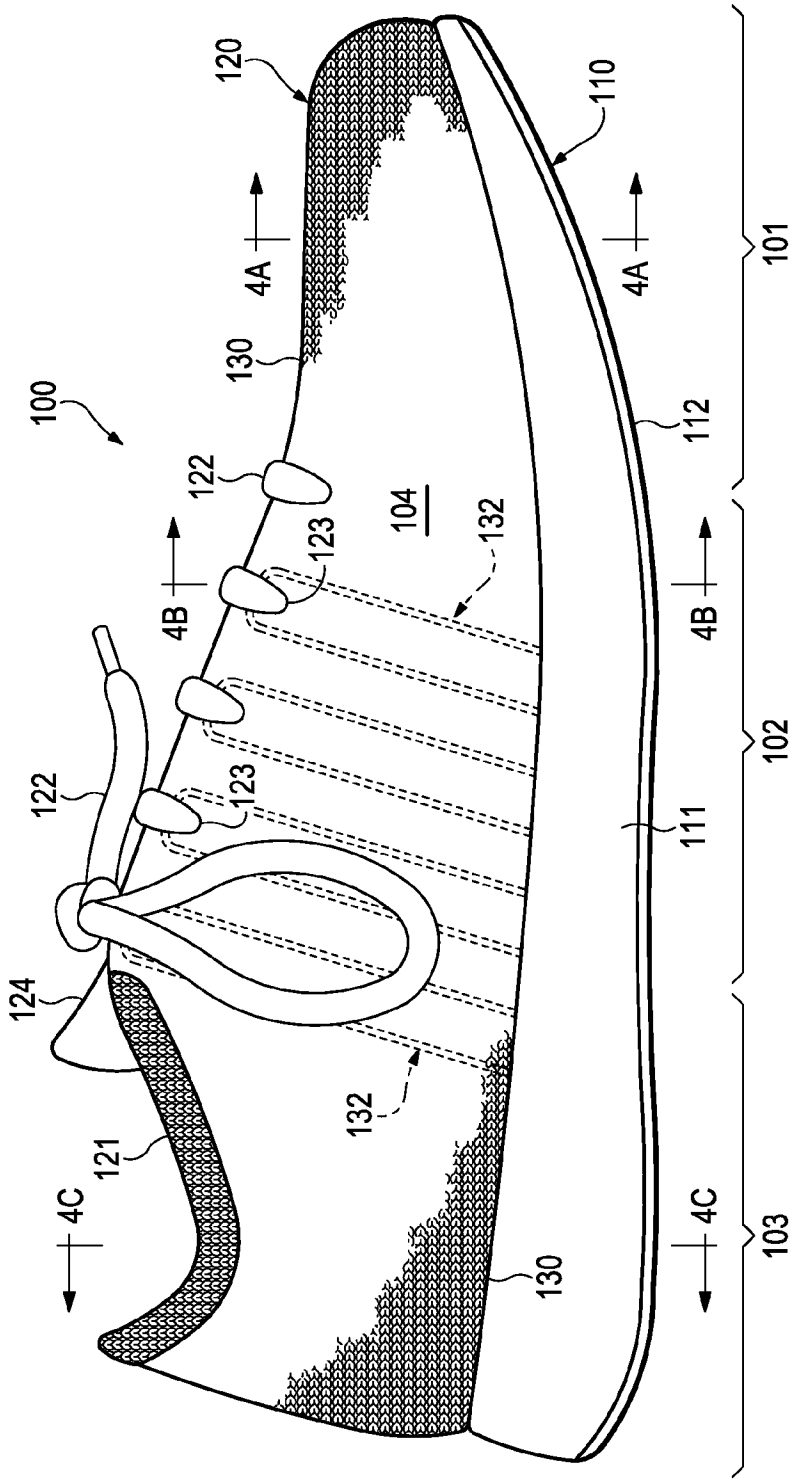


Figure 2

Skechers EX1013-p. 1706
Skechers v Nike

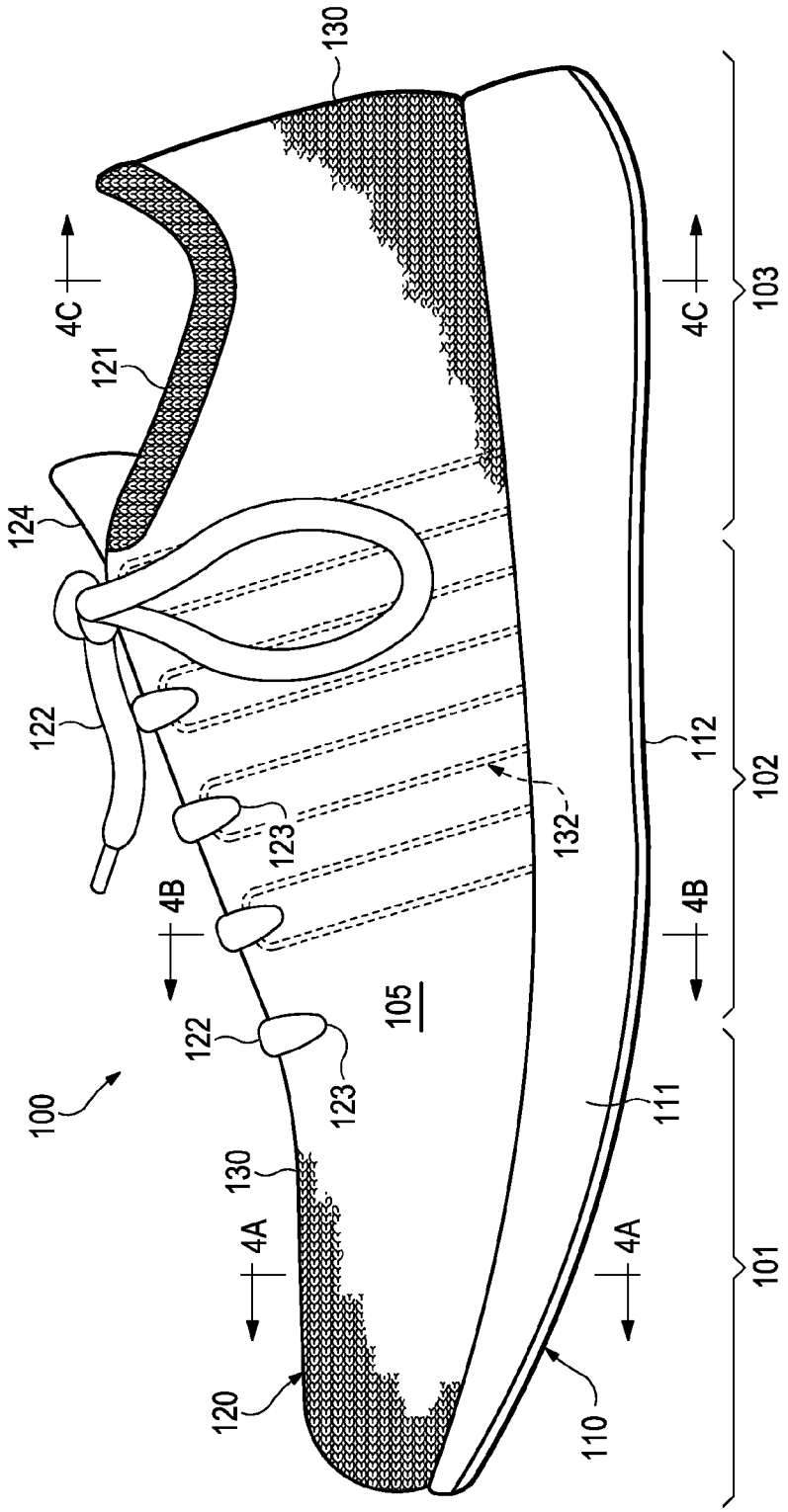

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Figure 3

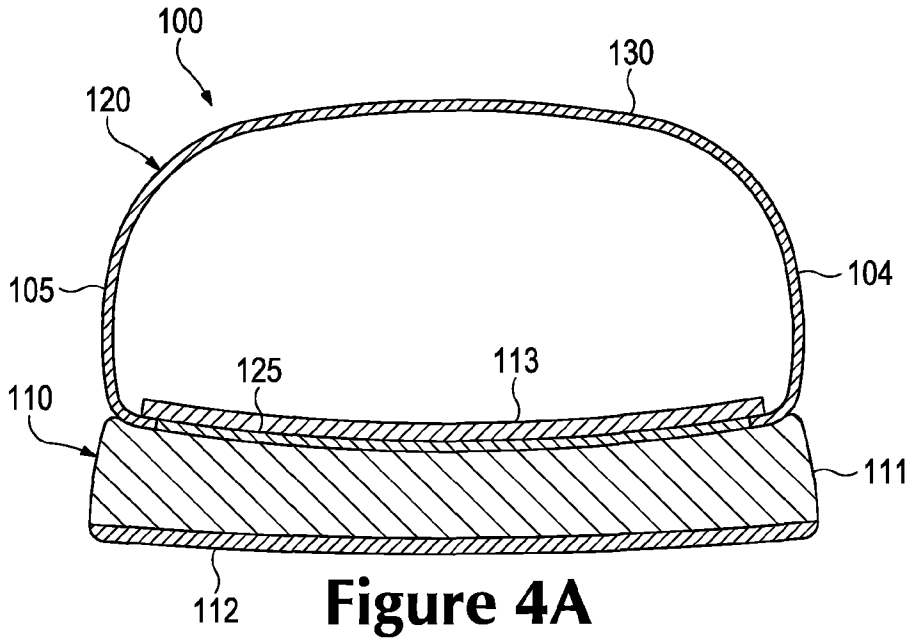


Figure 4A

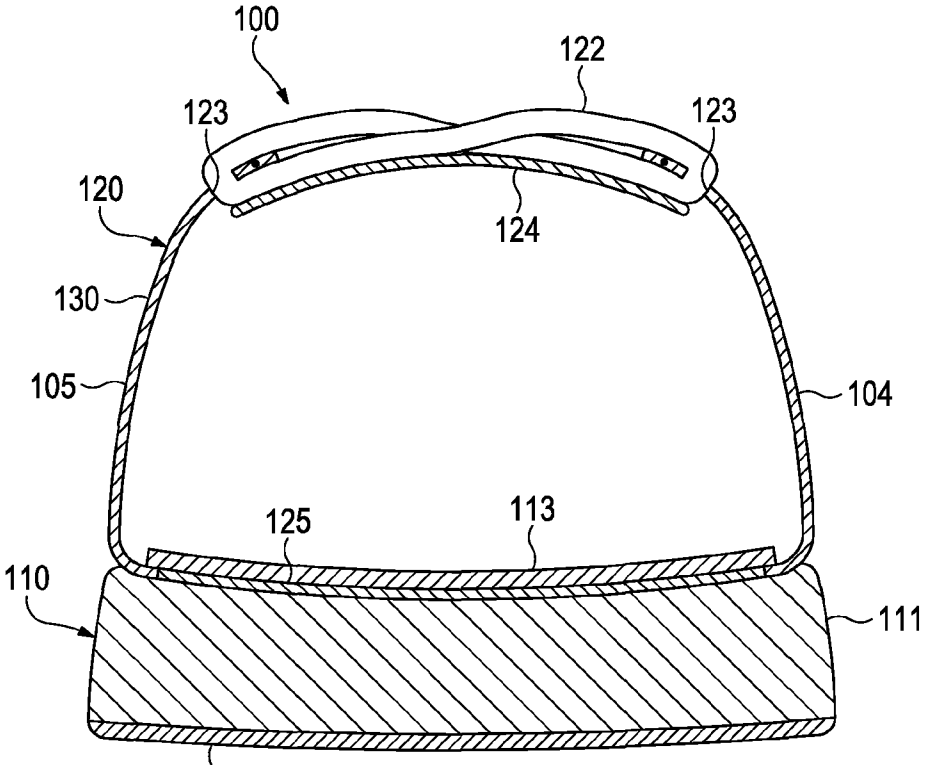


Figure 4B

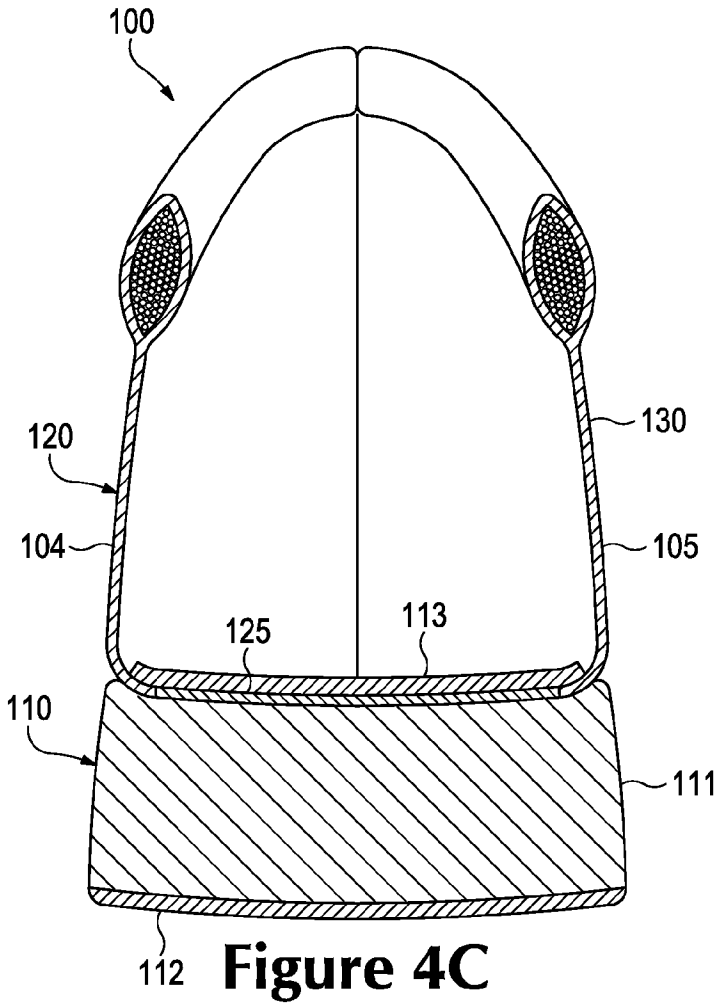


Figure 4C

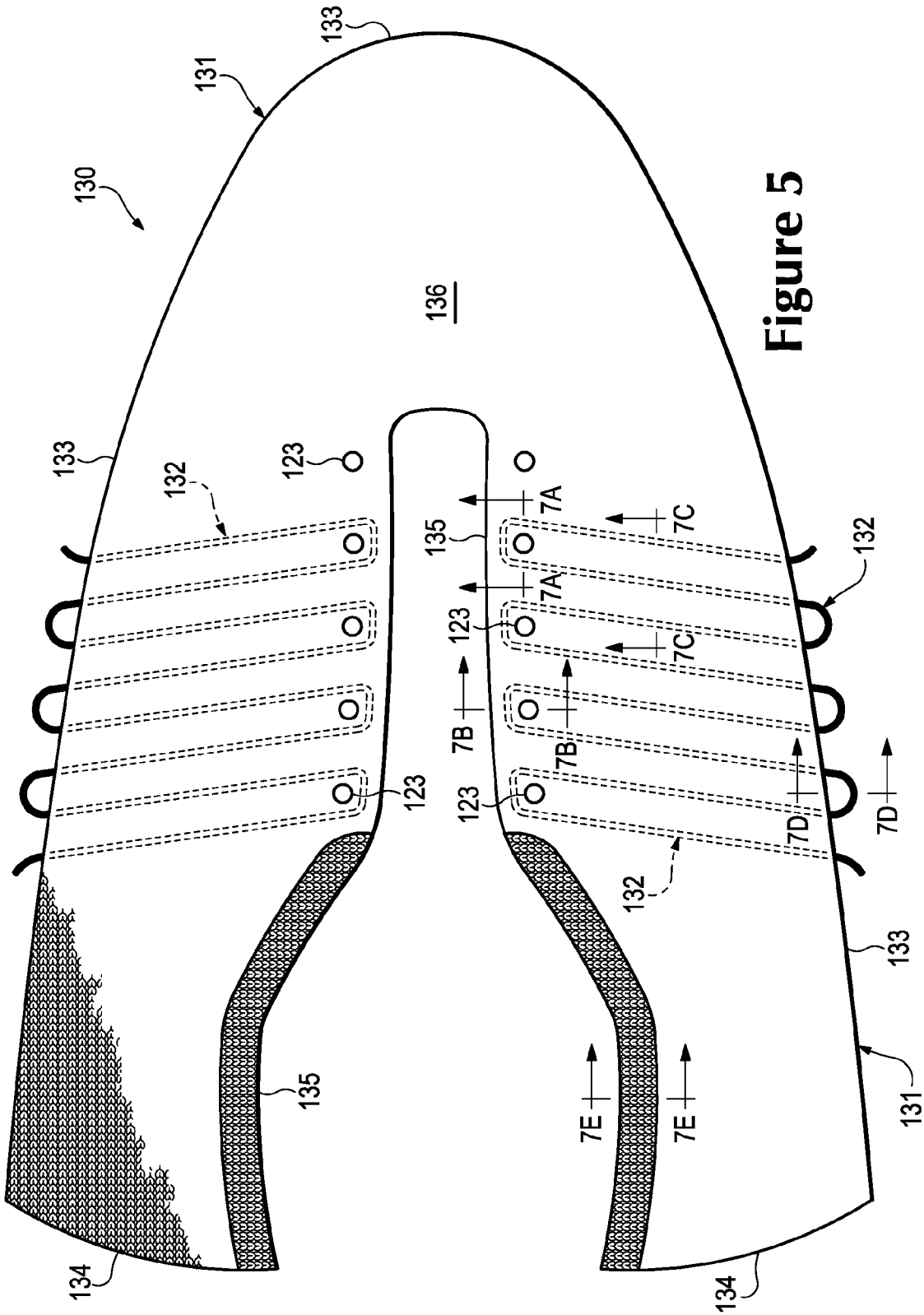


Figure 5

Skechers EX1013-p. 1710
Skechers v Nike

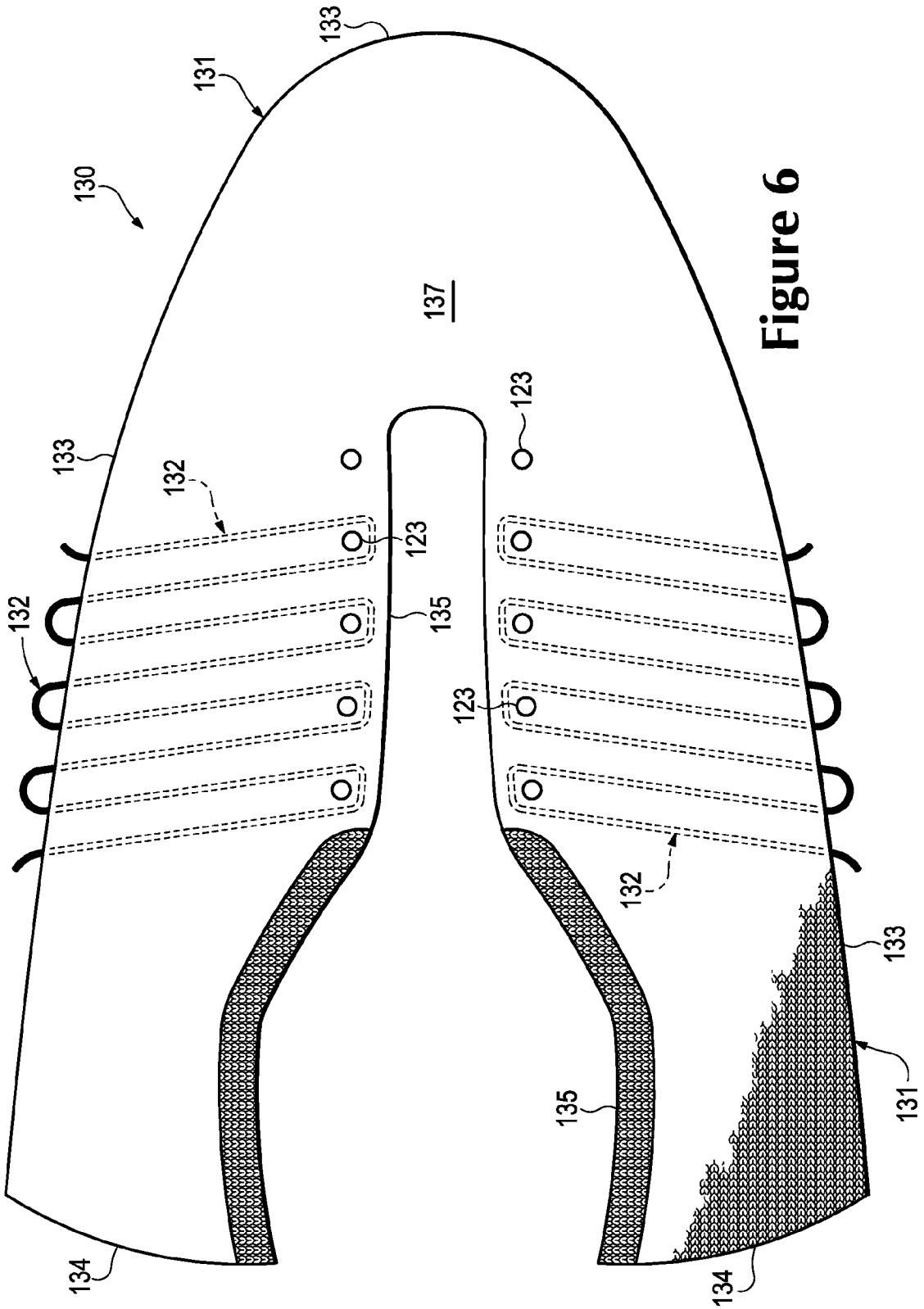

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Figure 6

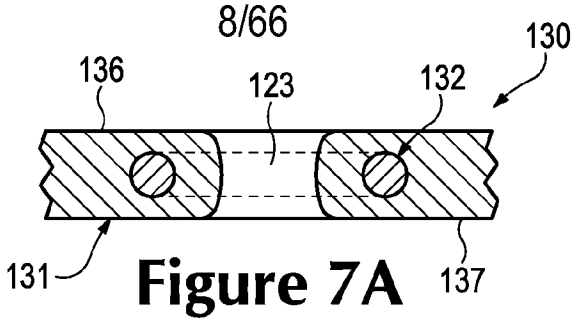


Figure 7A

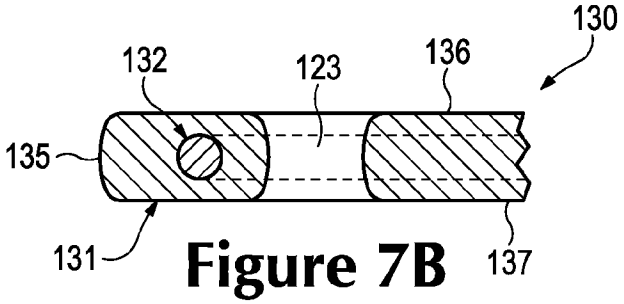


Figure 7B

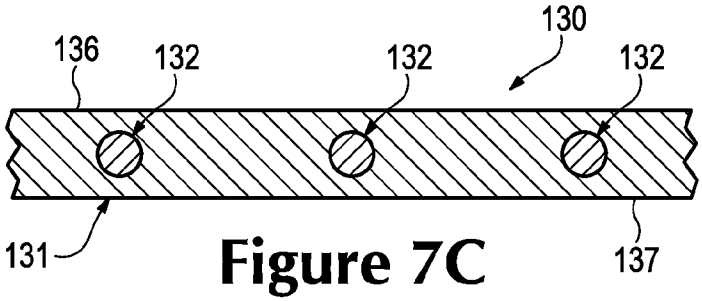


Figure 7C

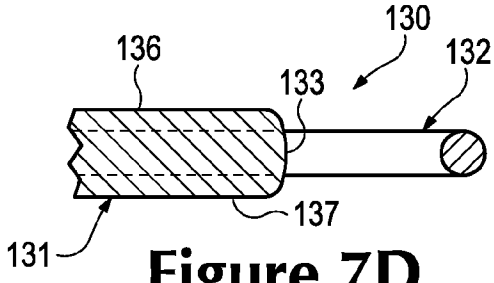


Figure 7D

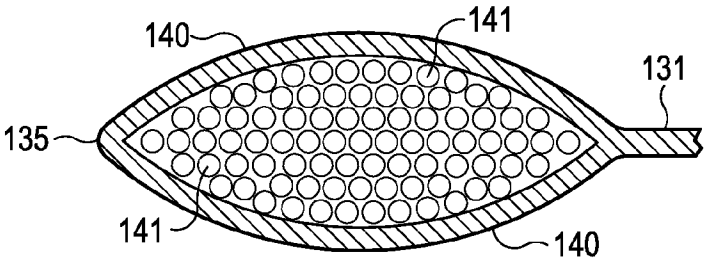


Figure 7E

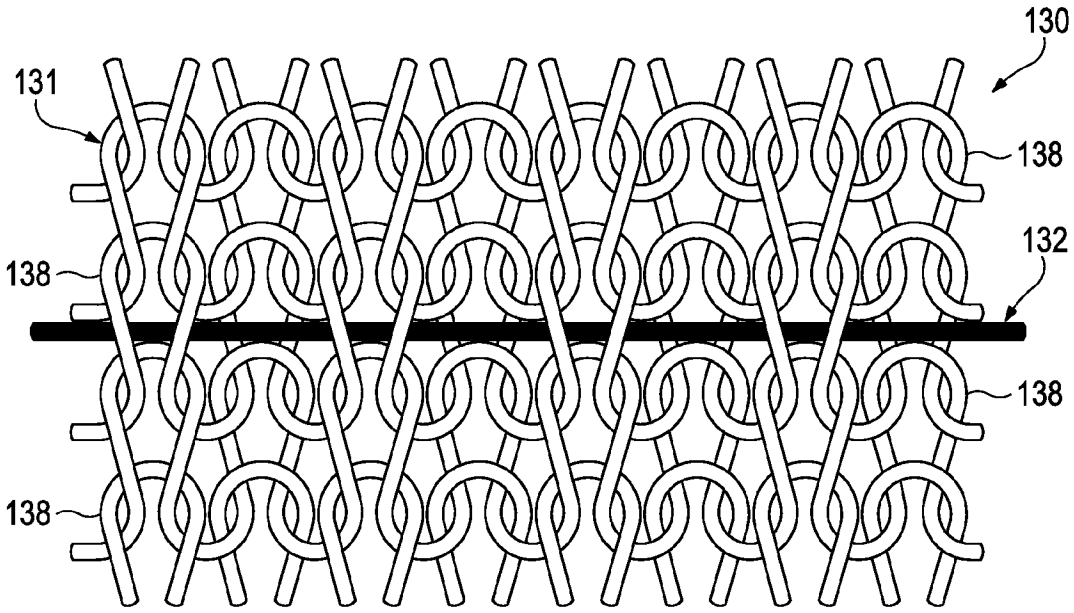


Figure 8A

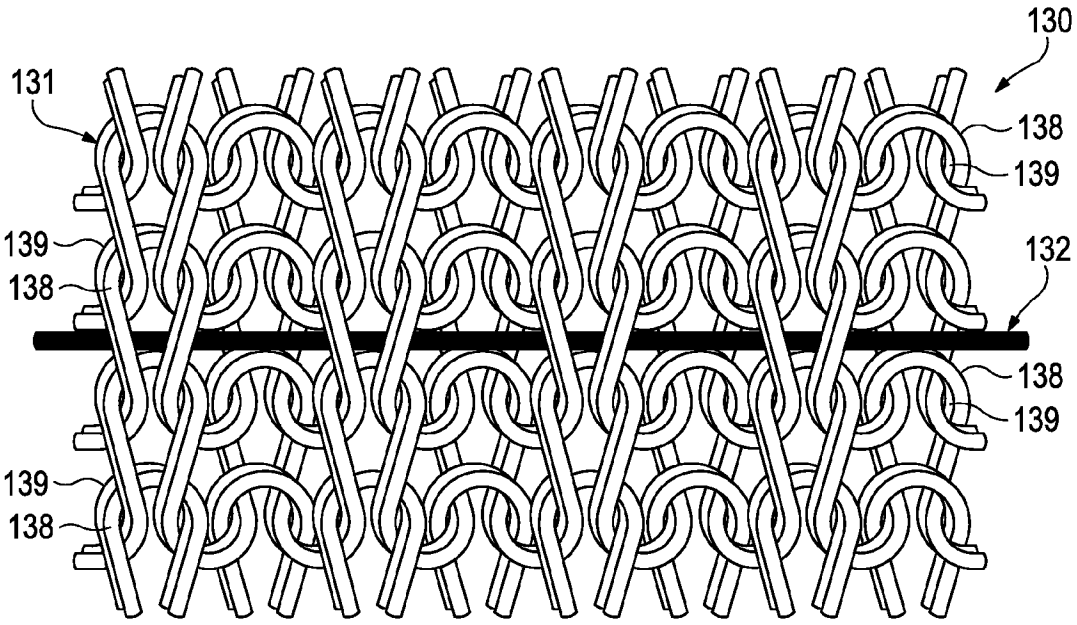


Figure 8B

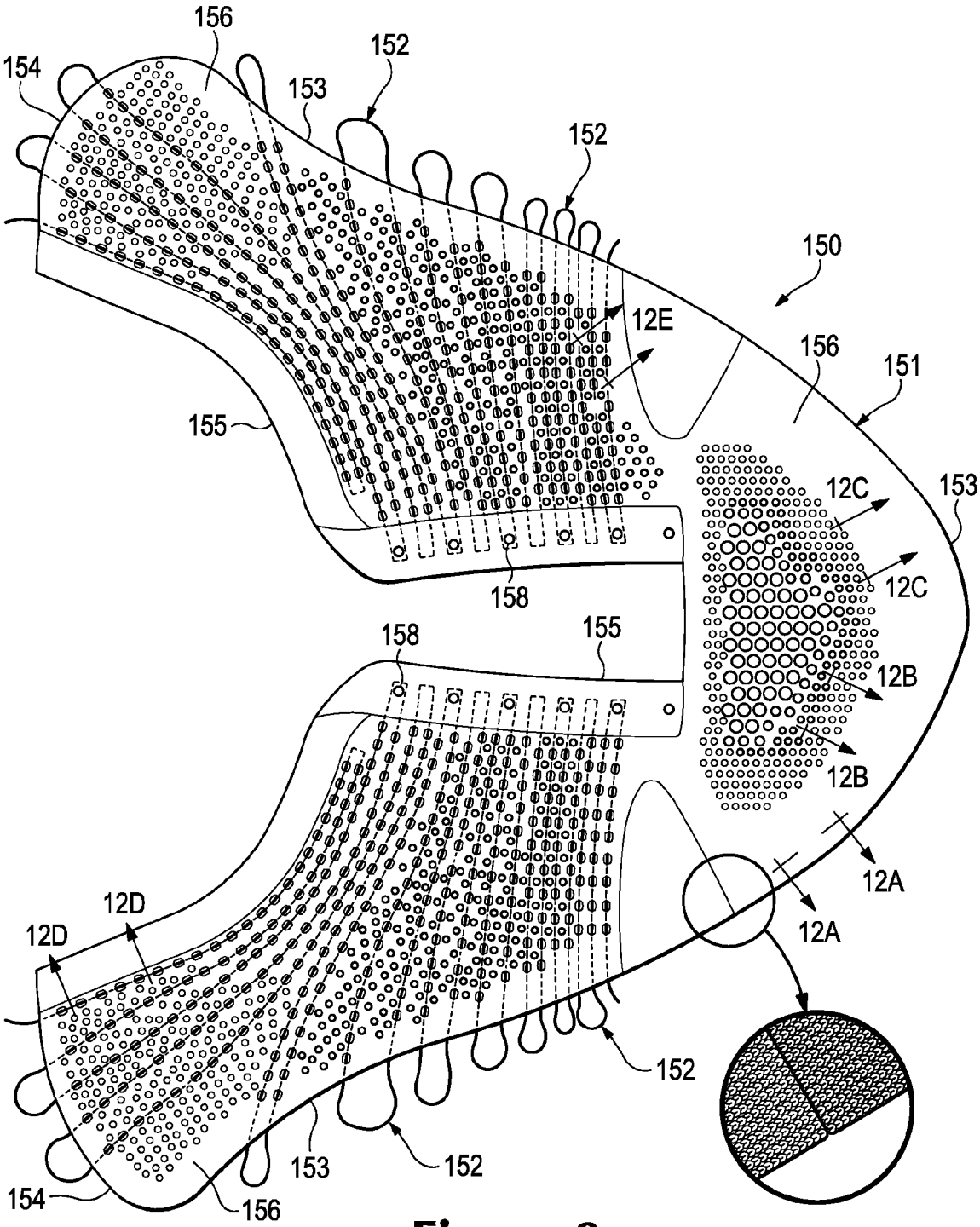

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Figure 9

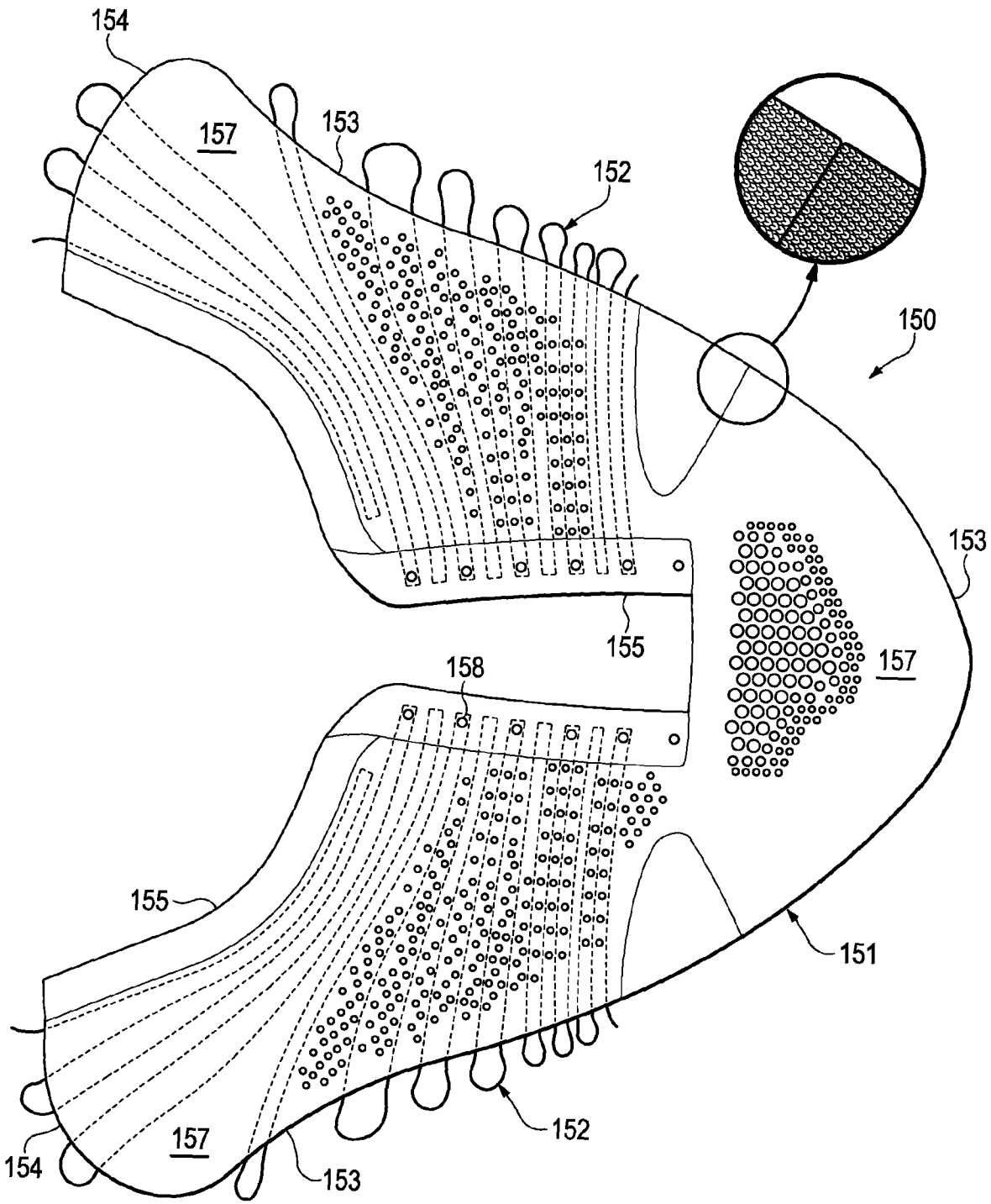


Figure 10

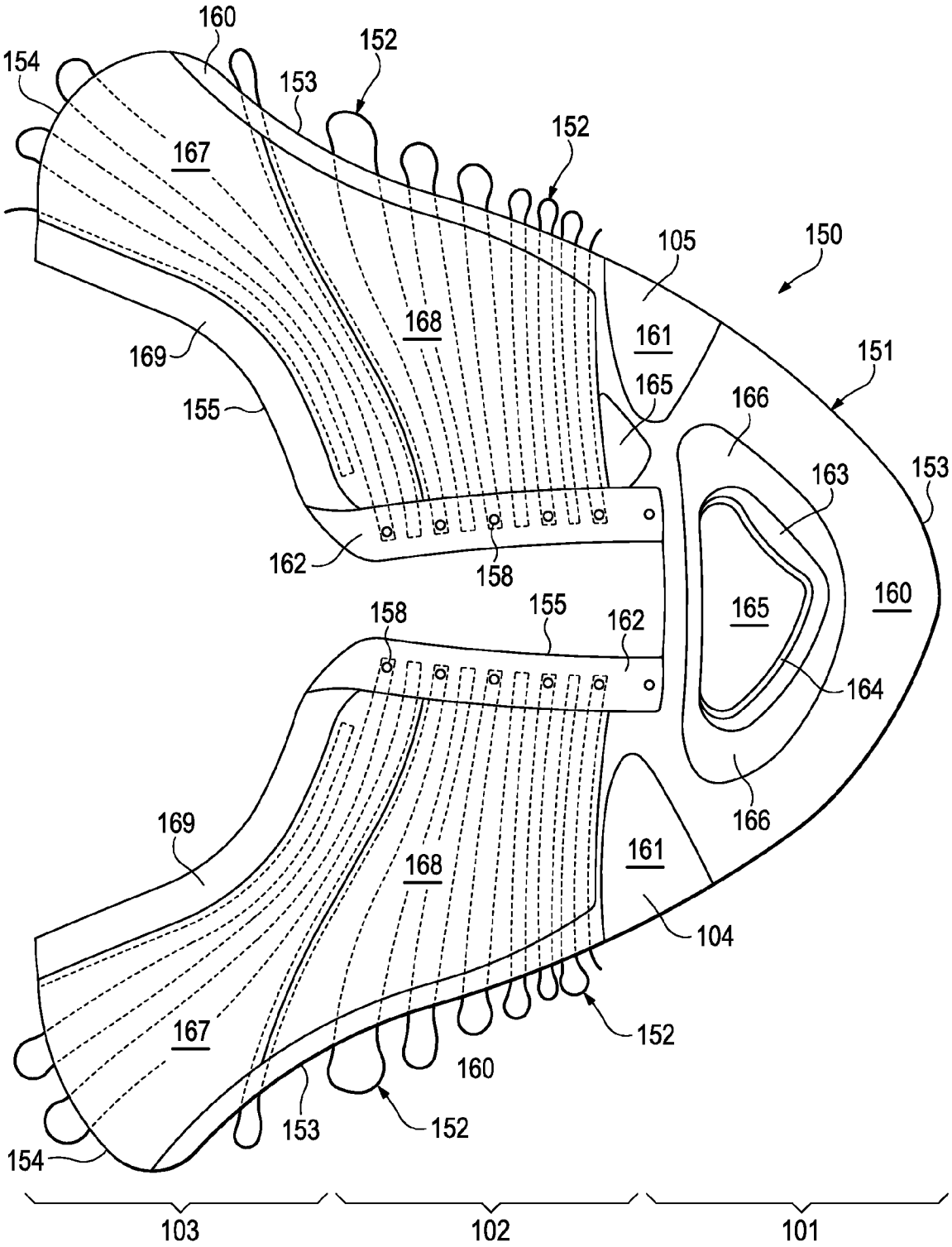

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Figure 11

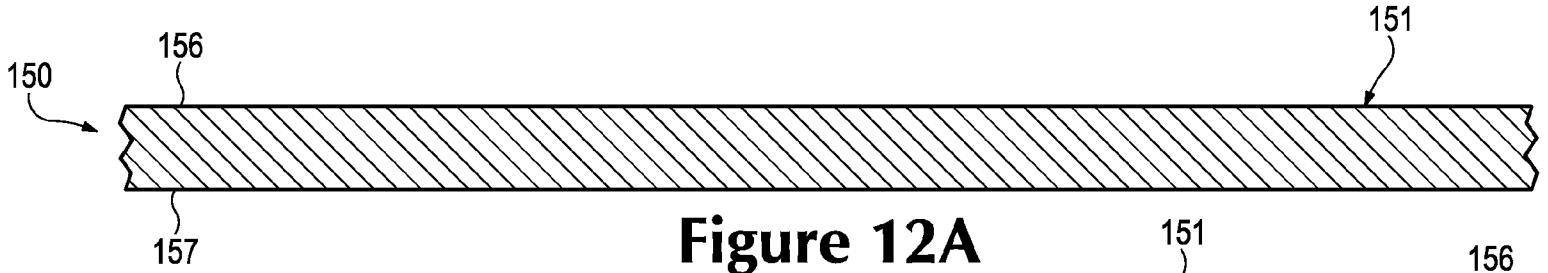


Figure 12A

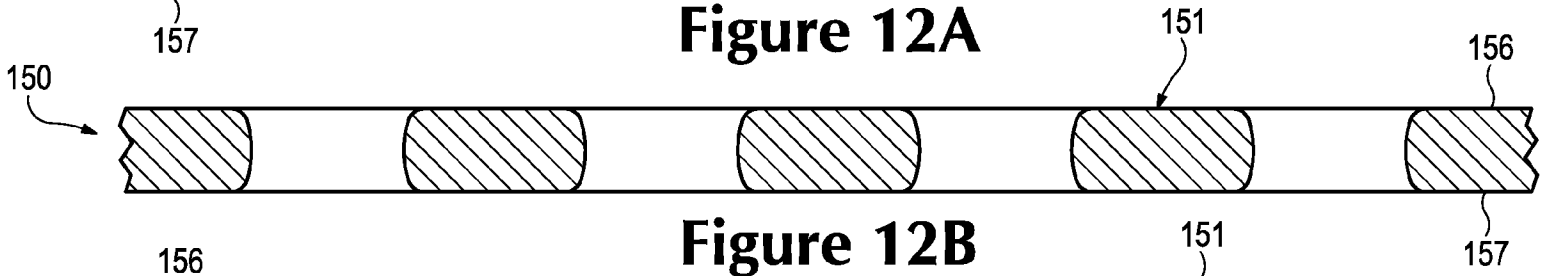


Figure 12B

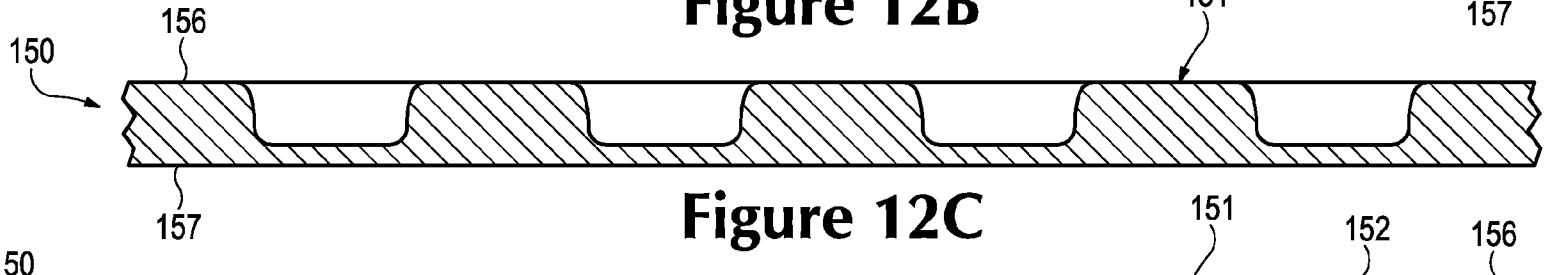


Figure 12C

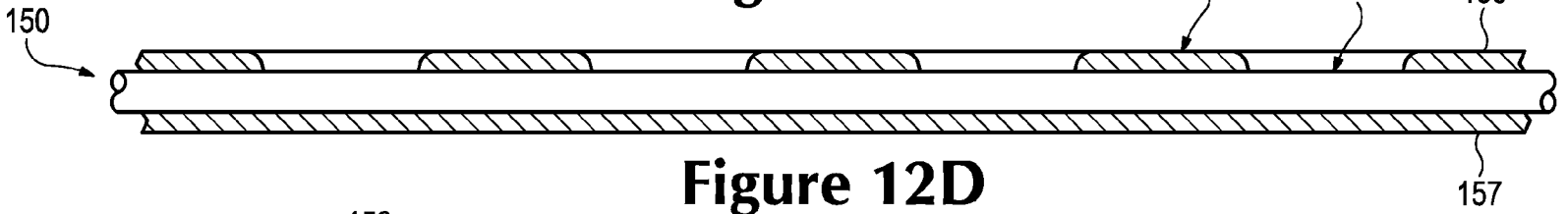


Figure 12D

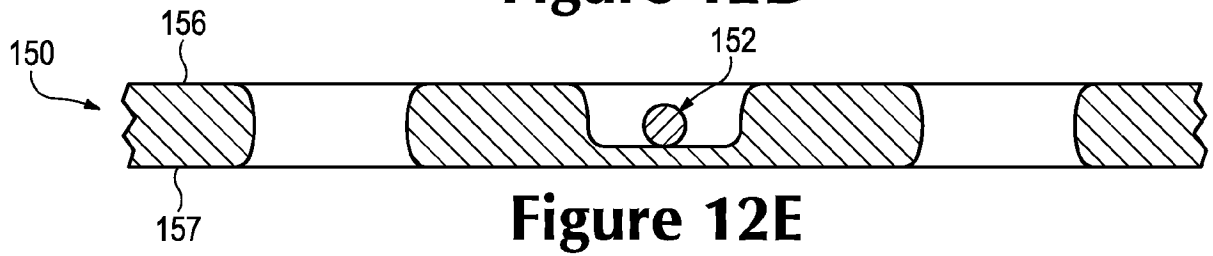


Figure 12E

Skechers EX1013-p. 1717
Skechers v Nike

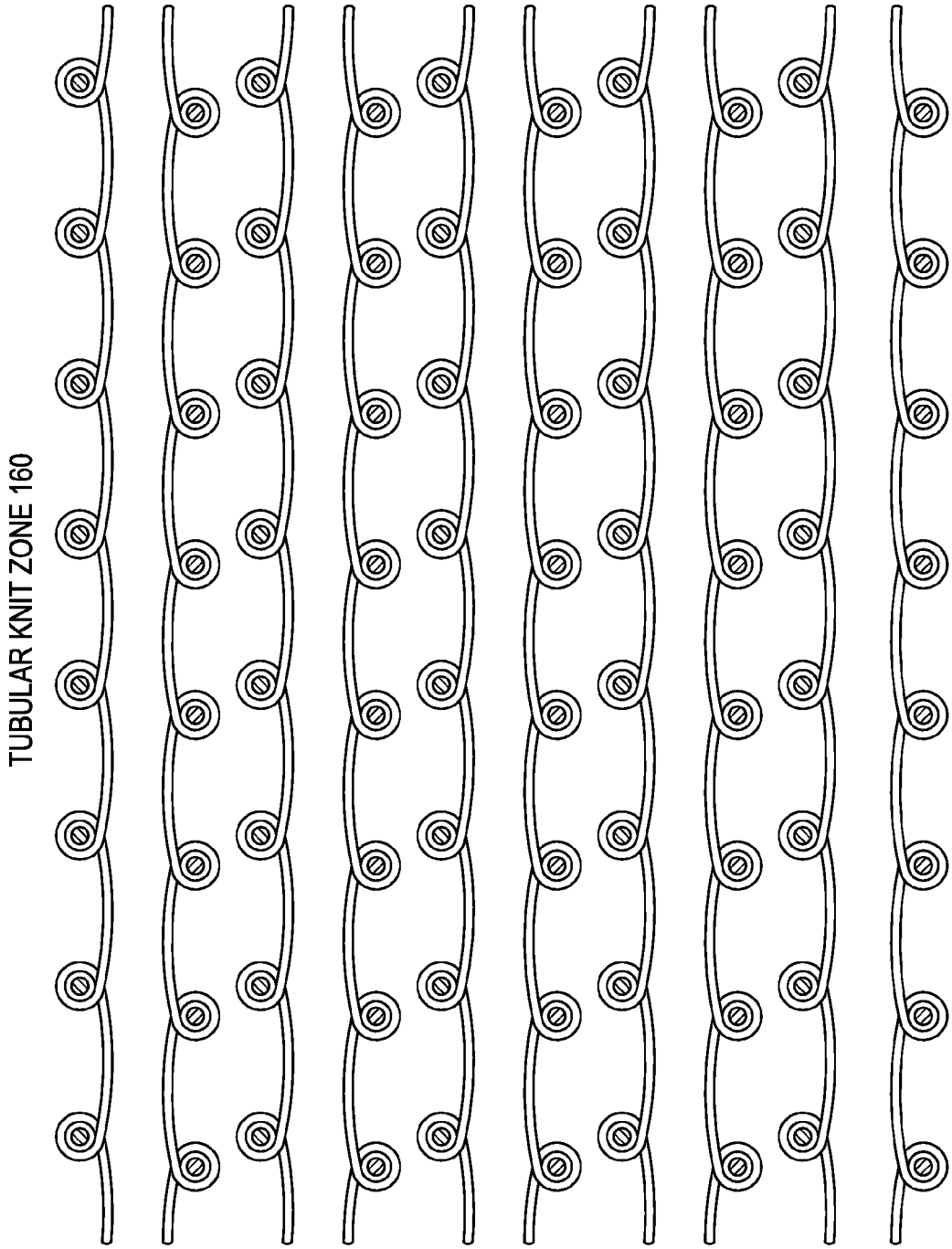


Figure 13A

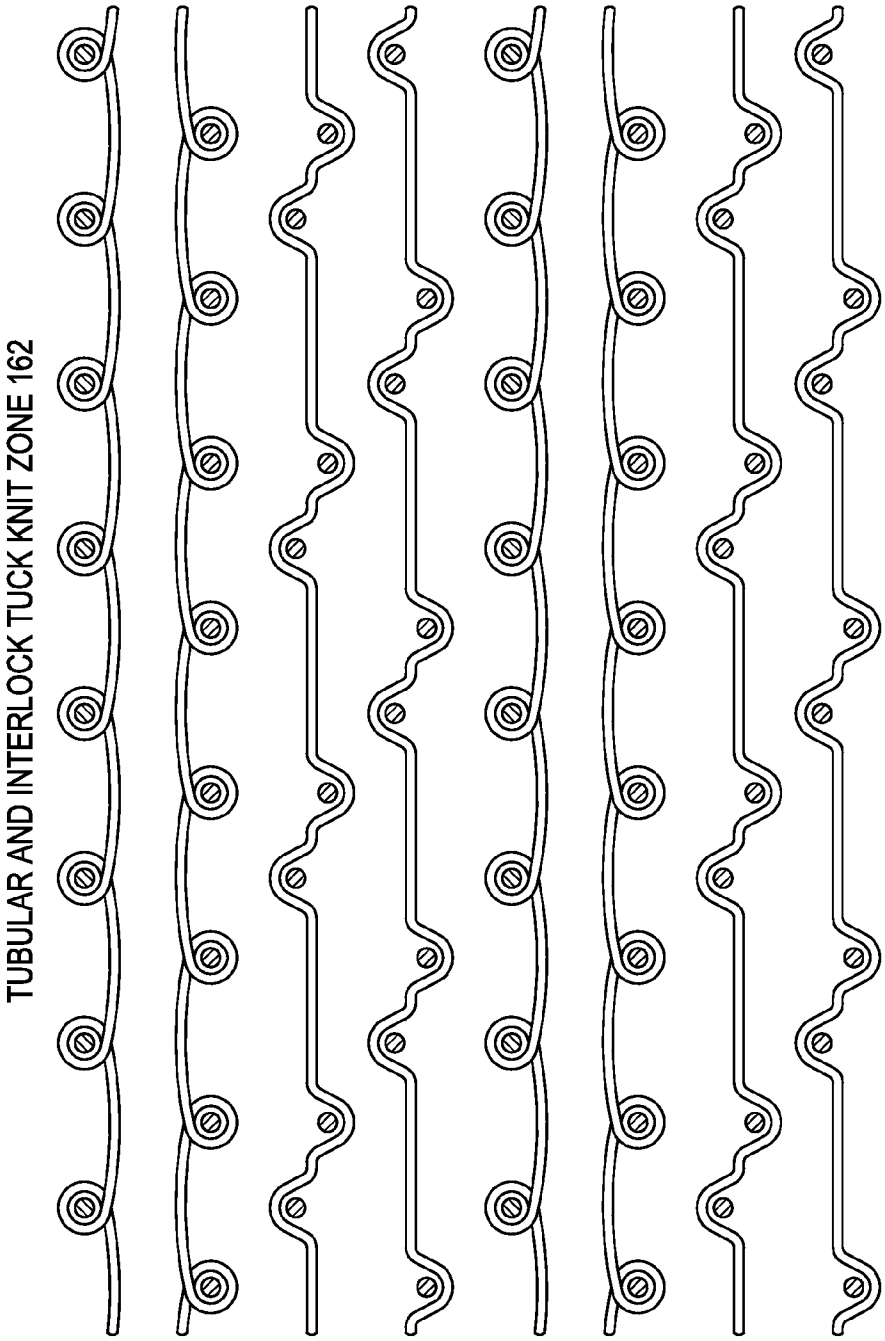


Figure 13B

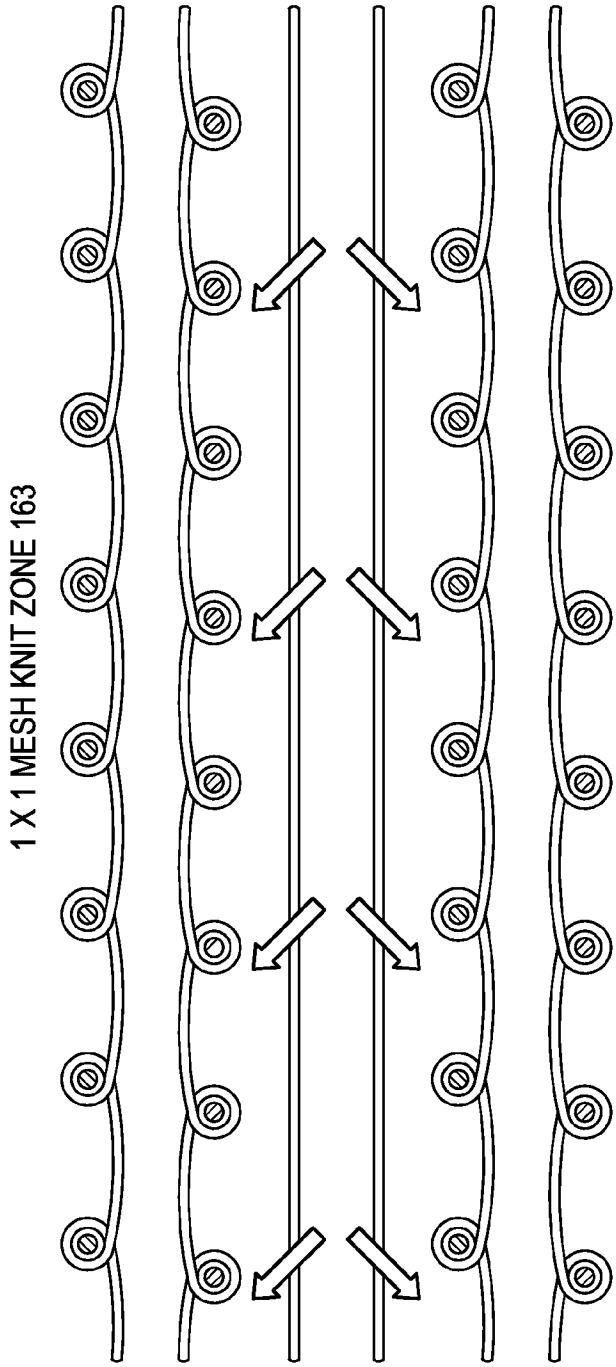


Figure 13C

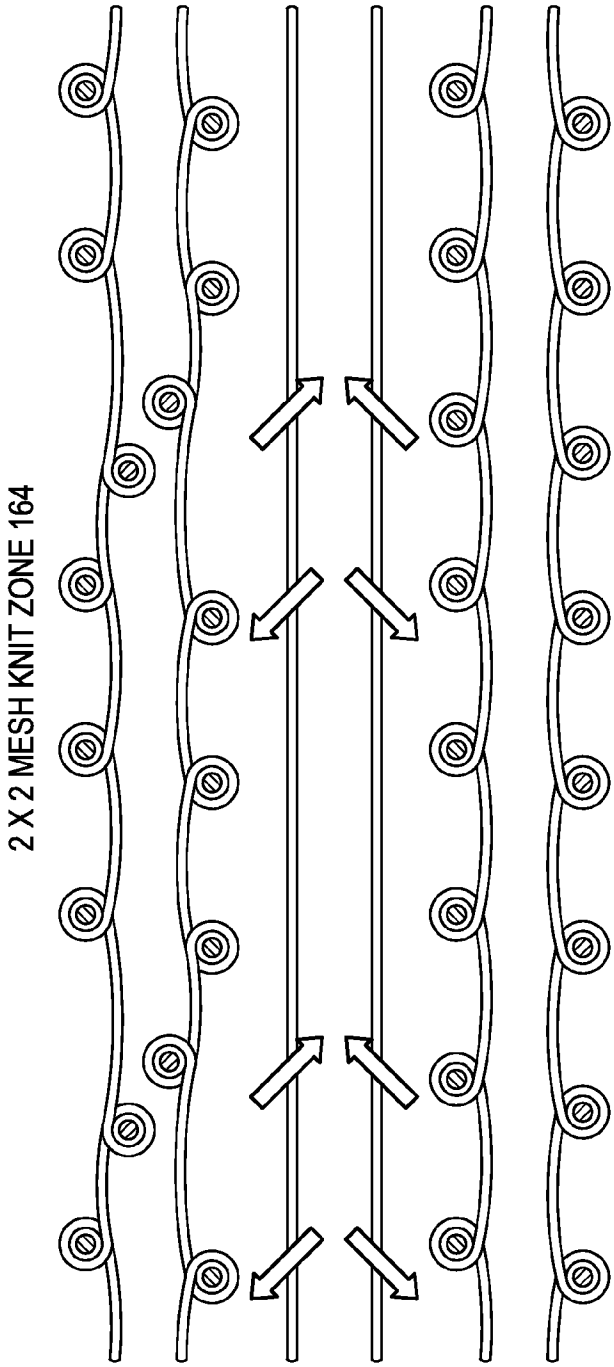


Figure 13D

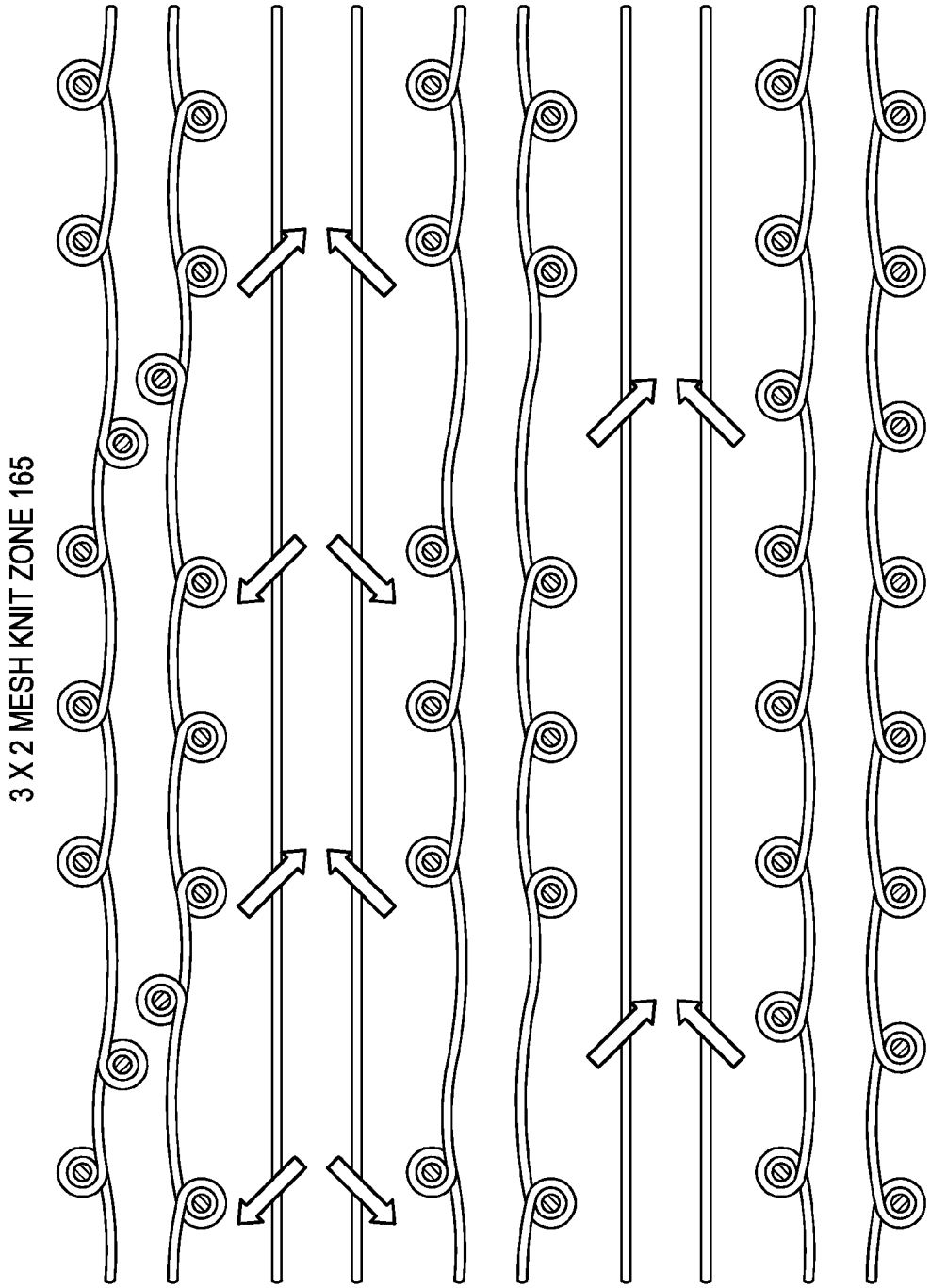


Figure 13E

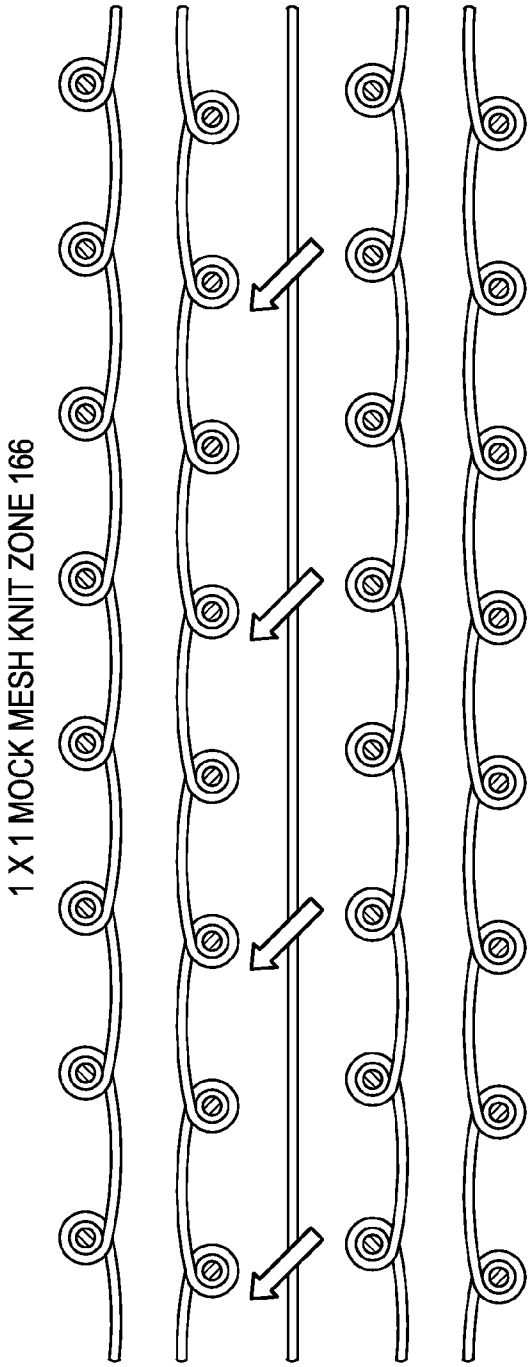


Figure 13F

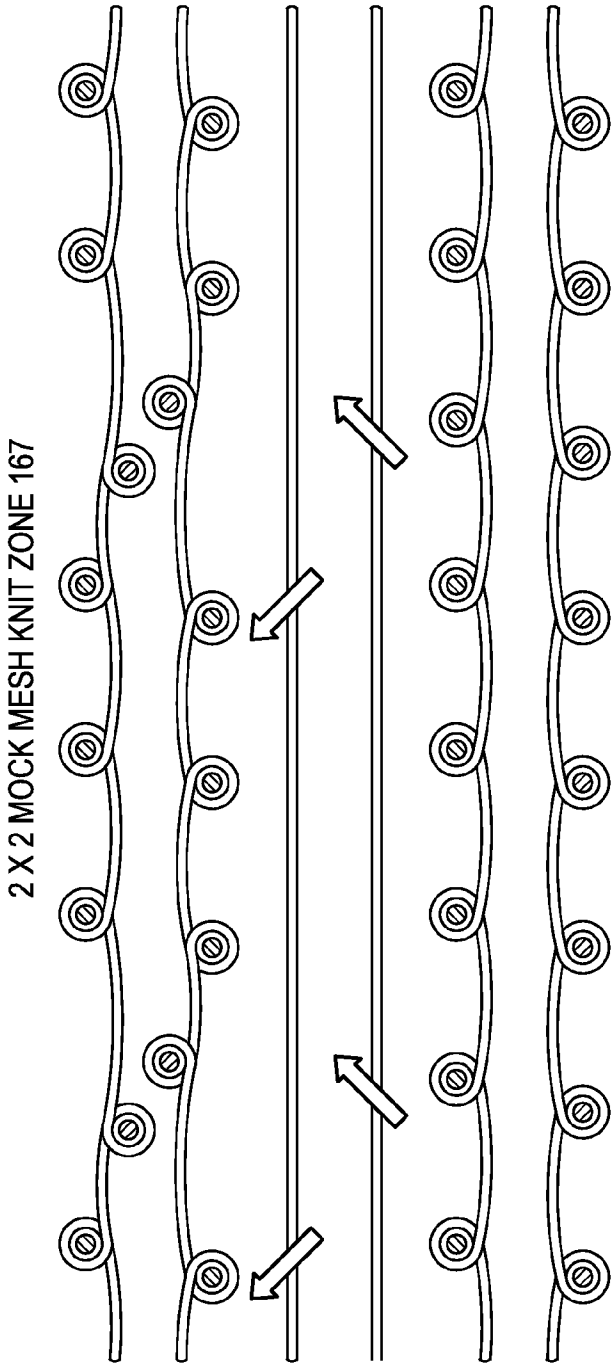


Figure 13G

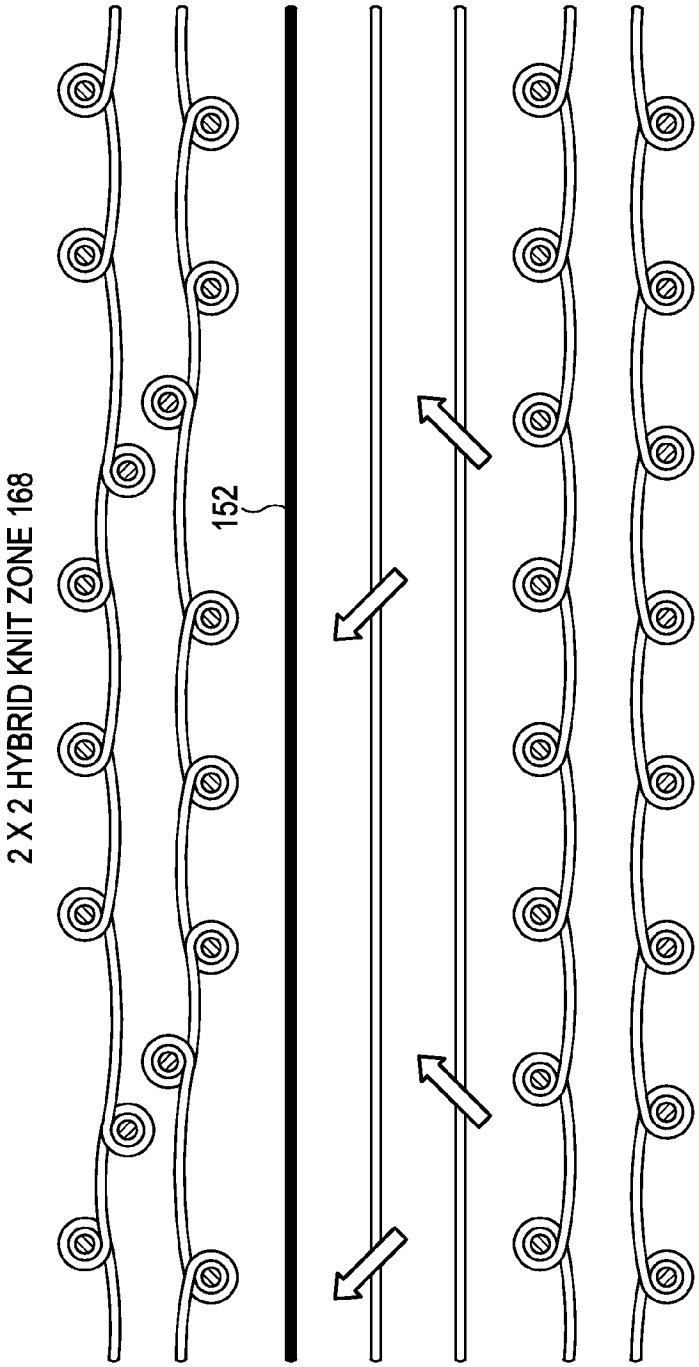


Figure 13H

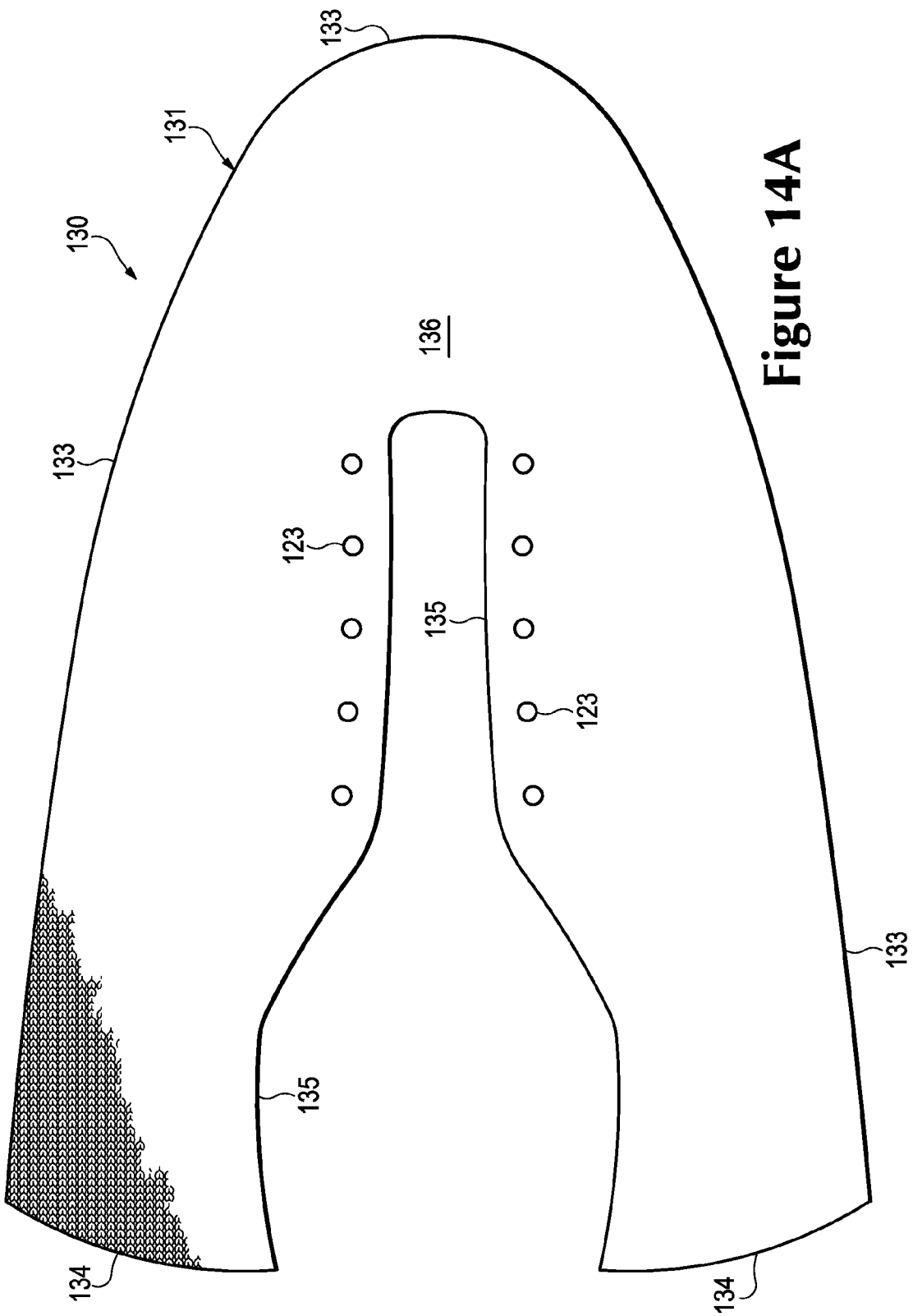


Figure 14A

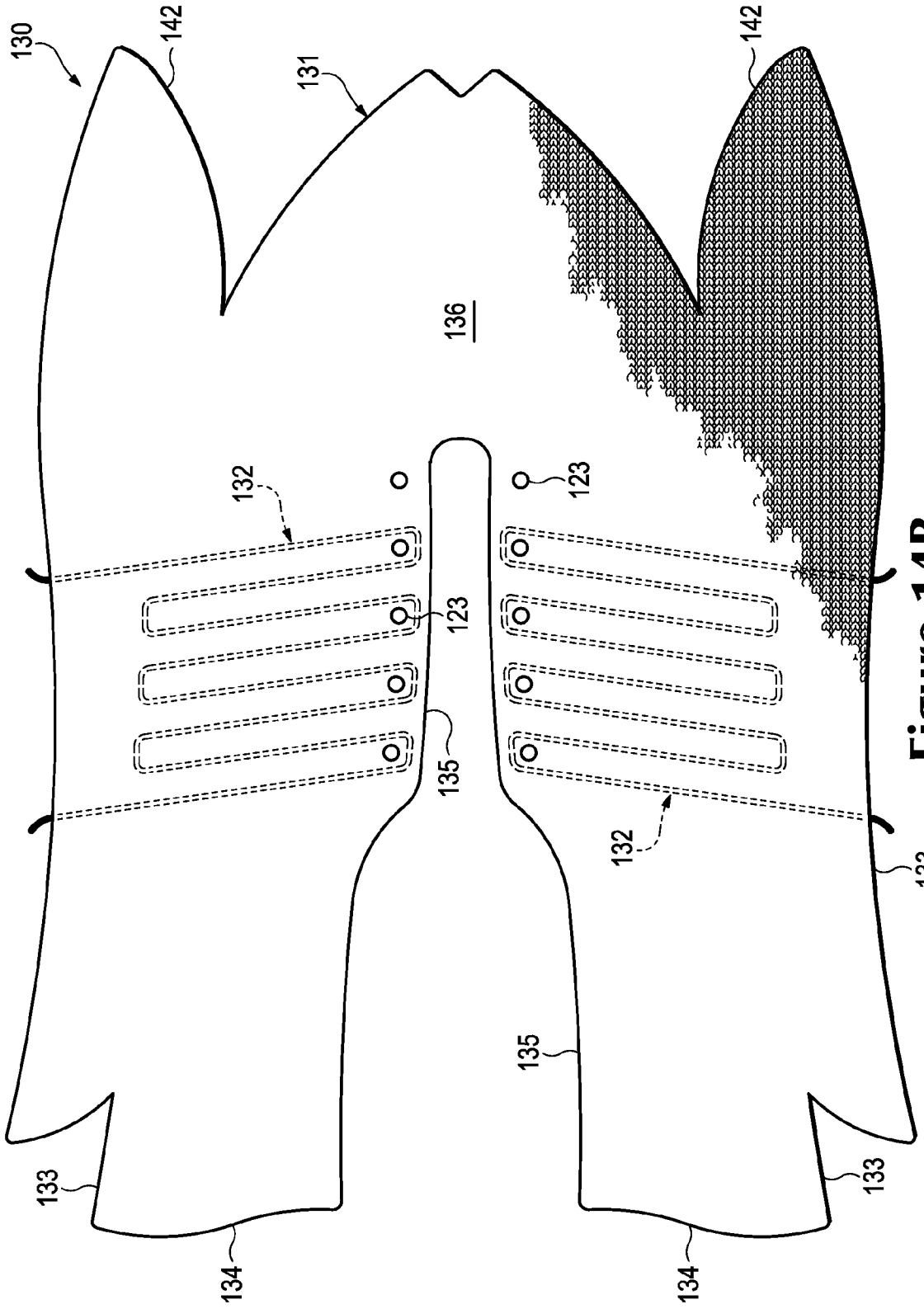


Figure 14B

Skechers EX1013-p. 1727
Skechers v Nike

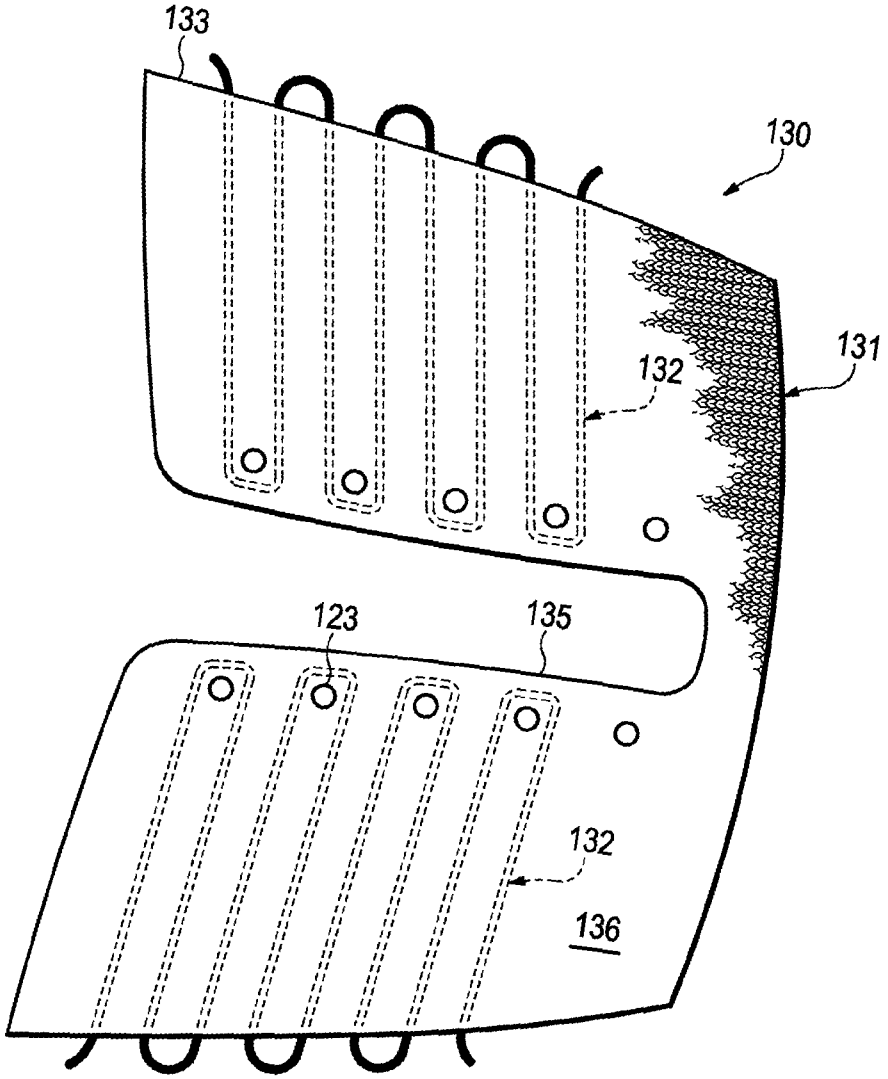


Figure 14C

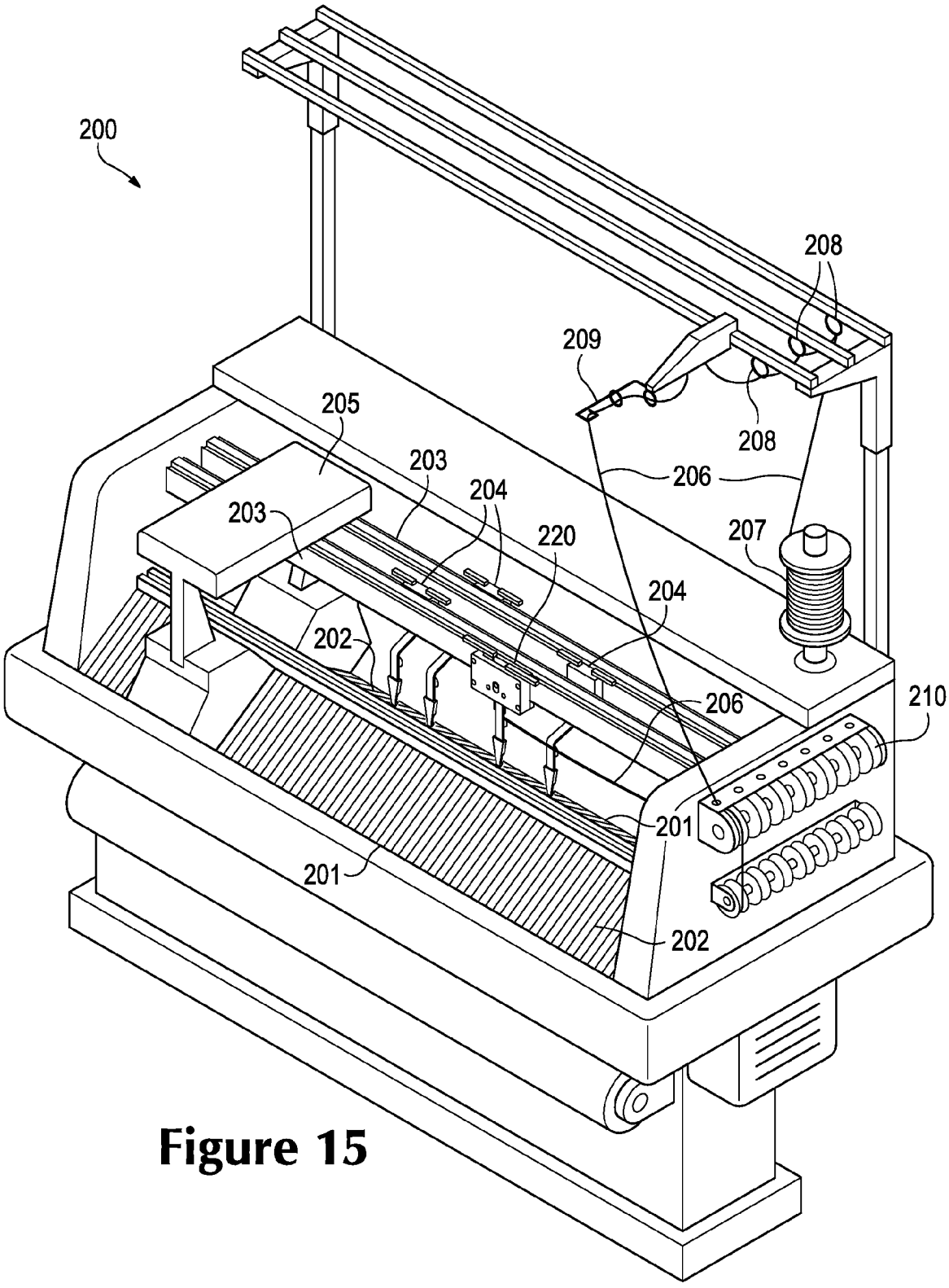

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Figure 15

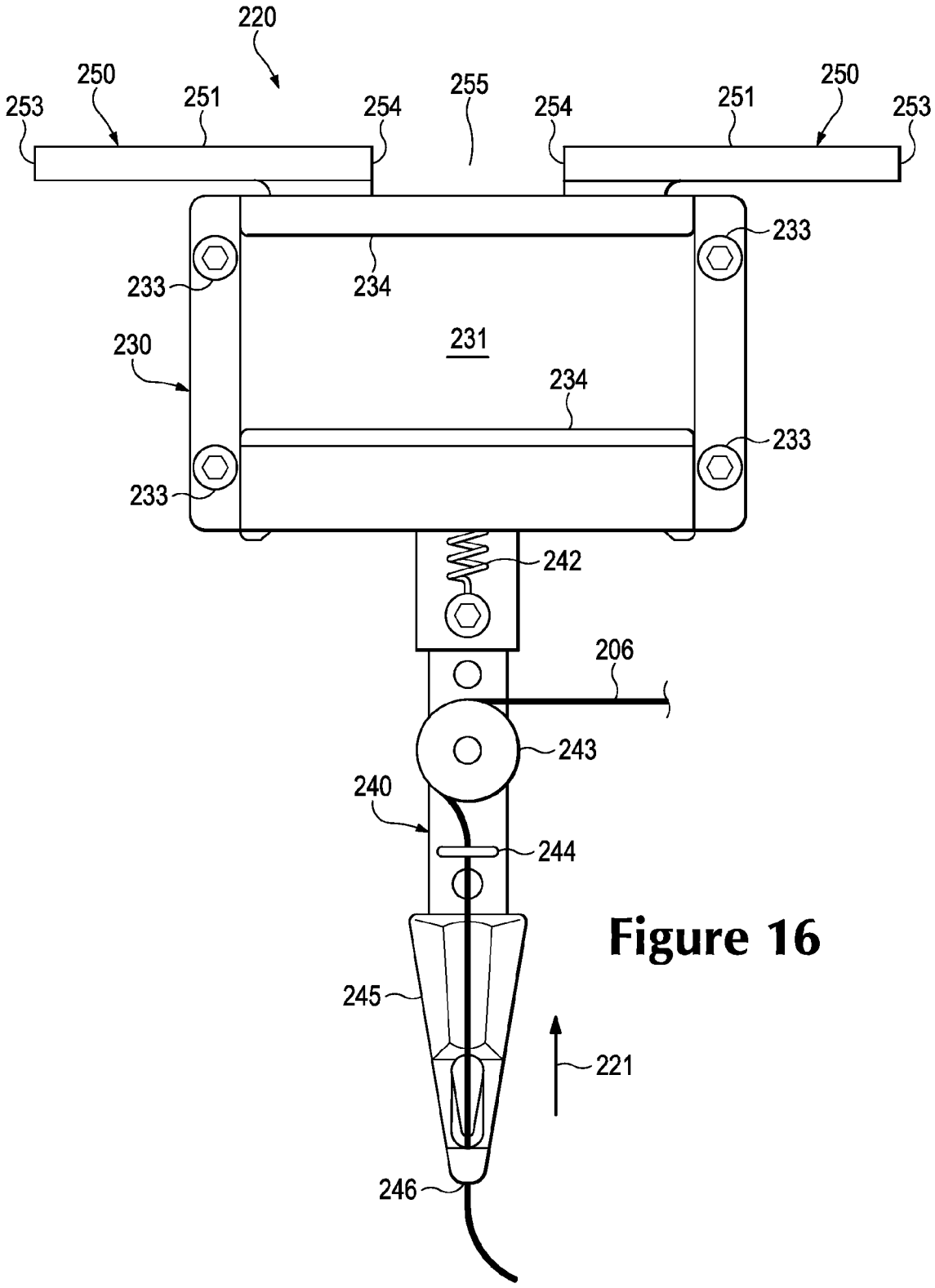

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Figure 16

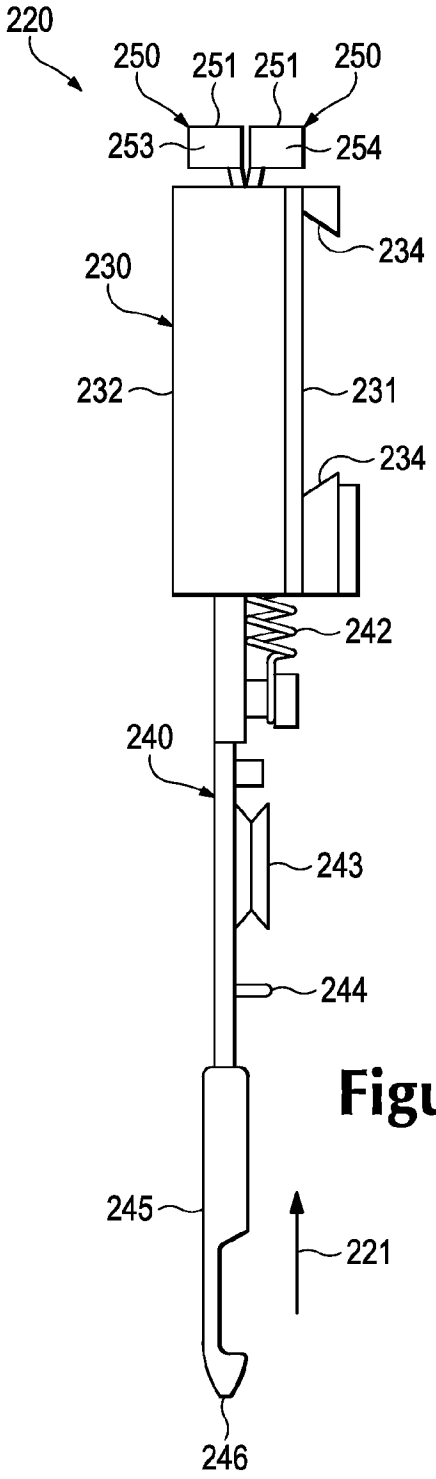

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Figure 17

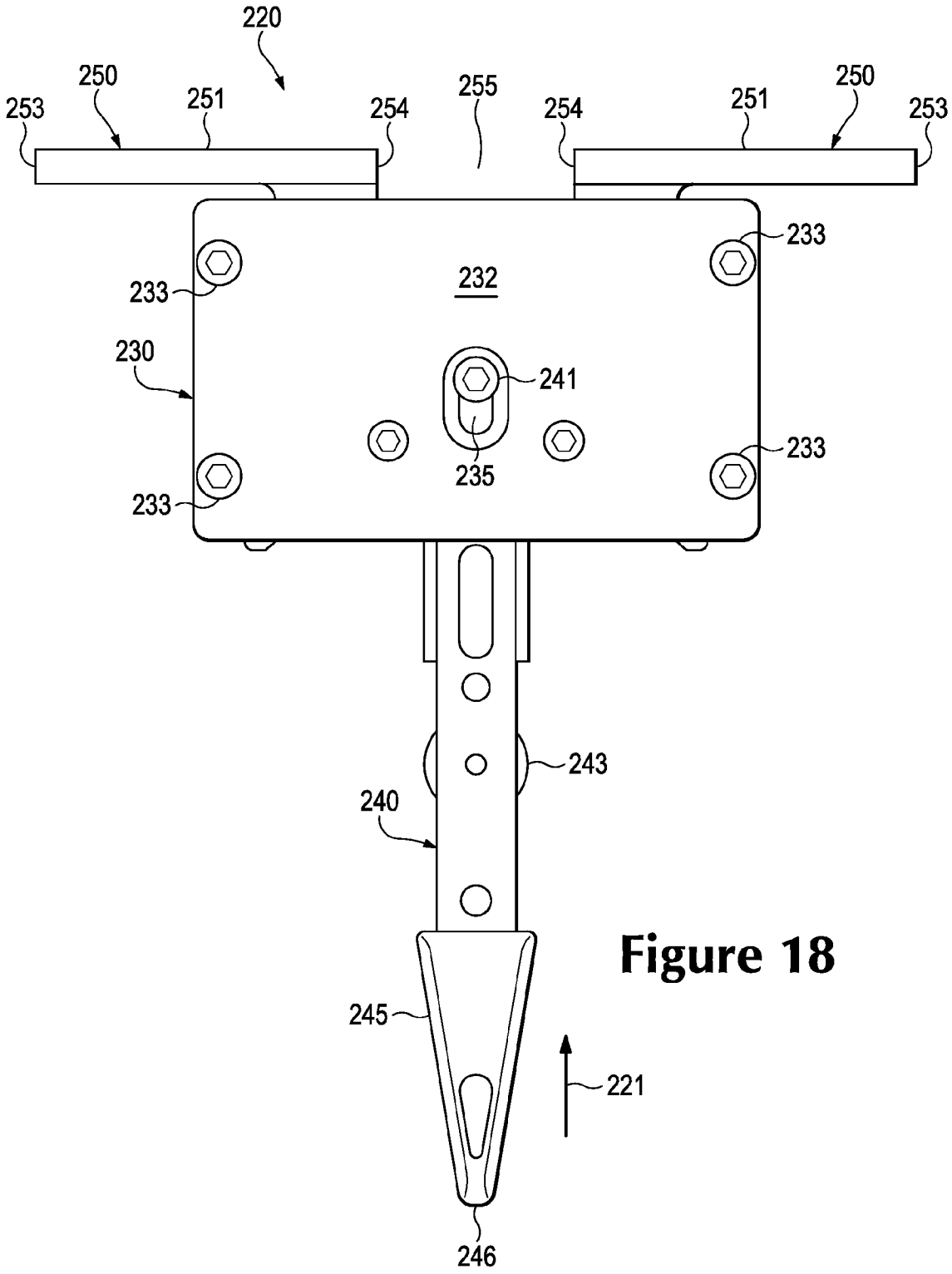

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Figure 18

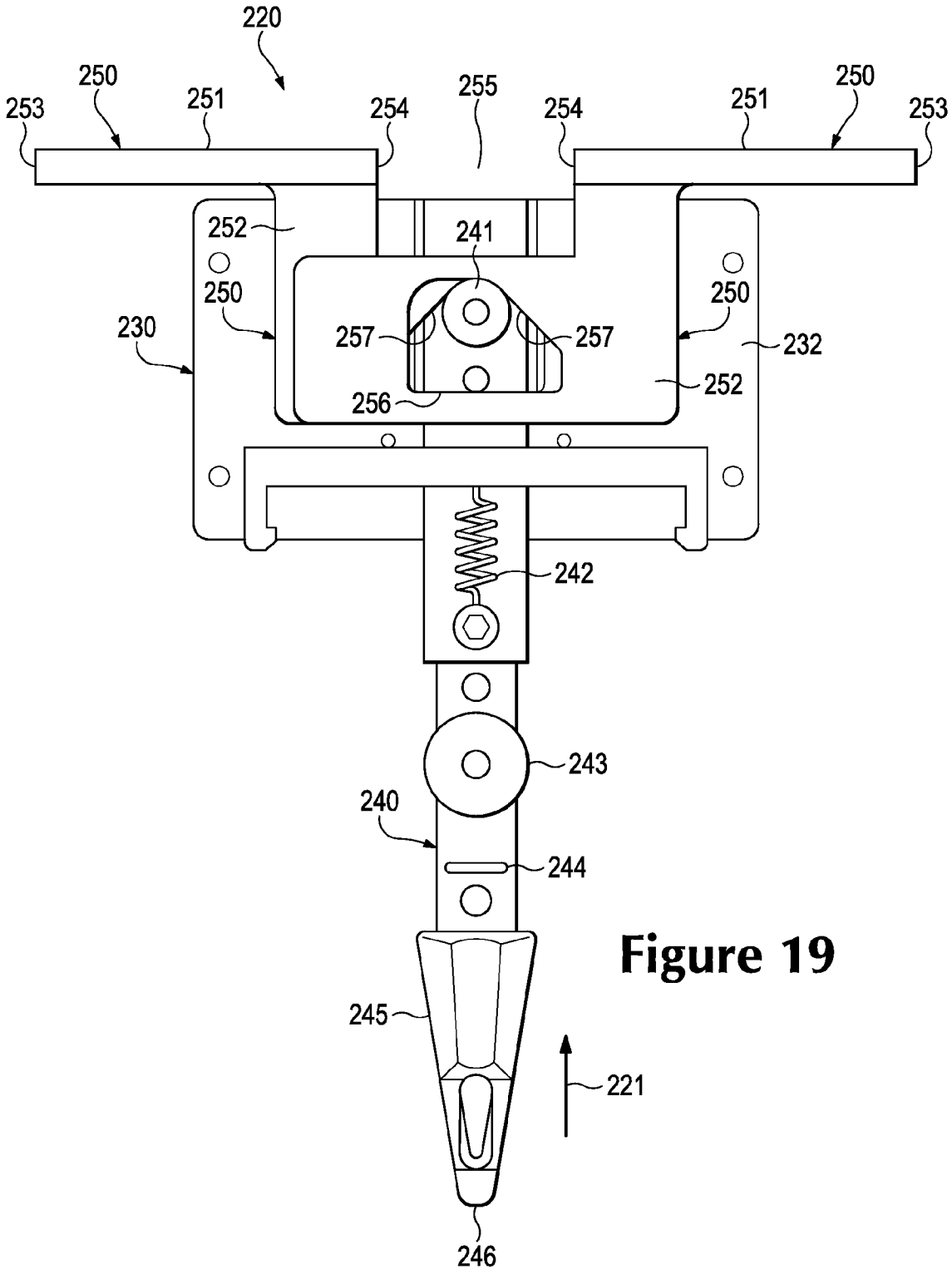

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Figure 19

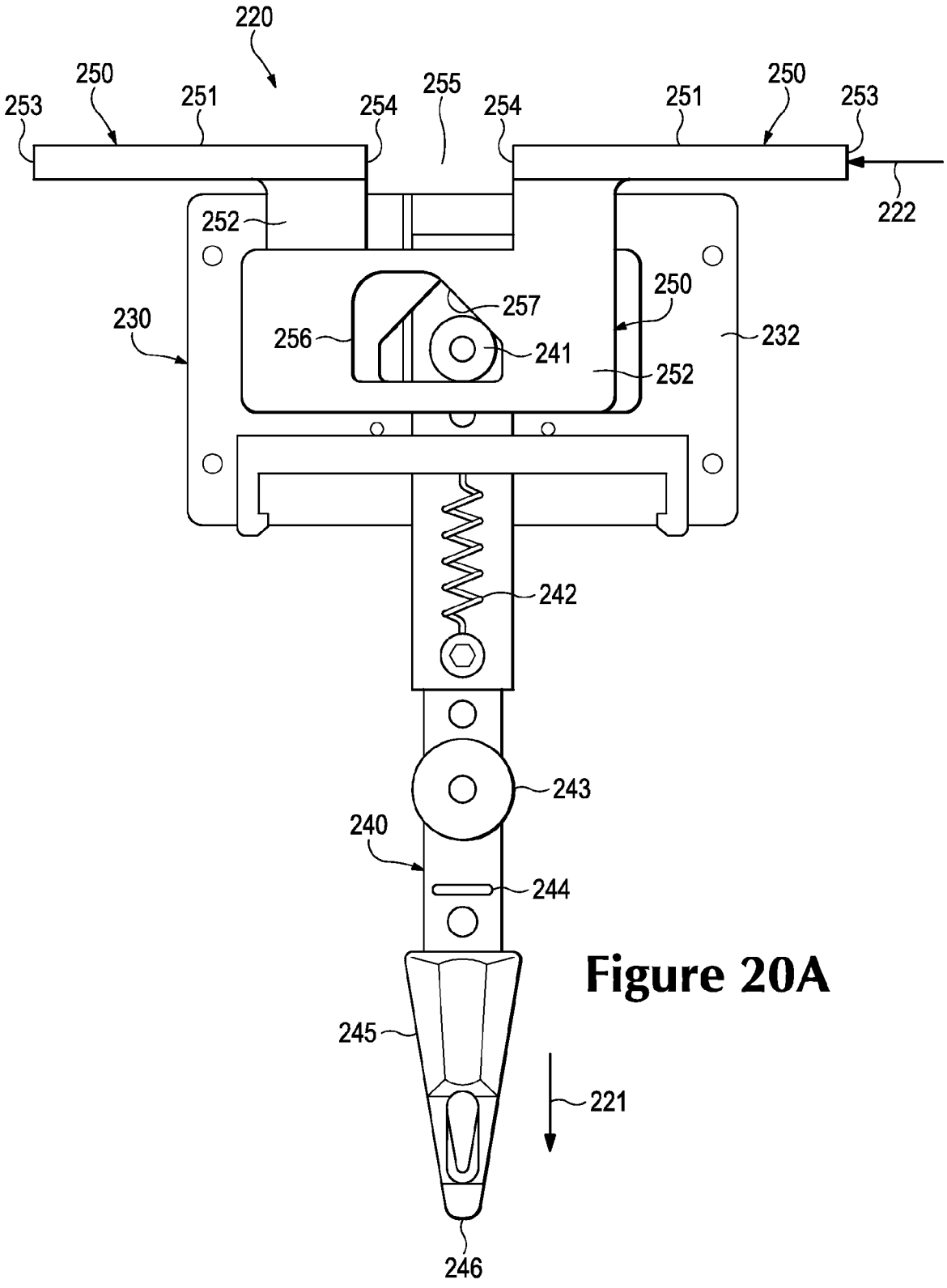

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Figure 20A

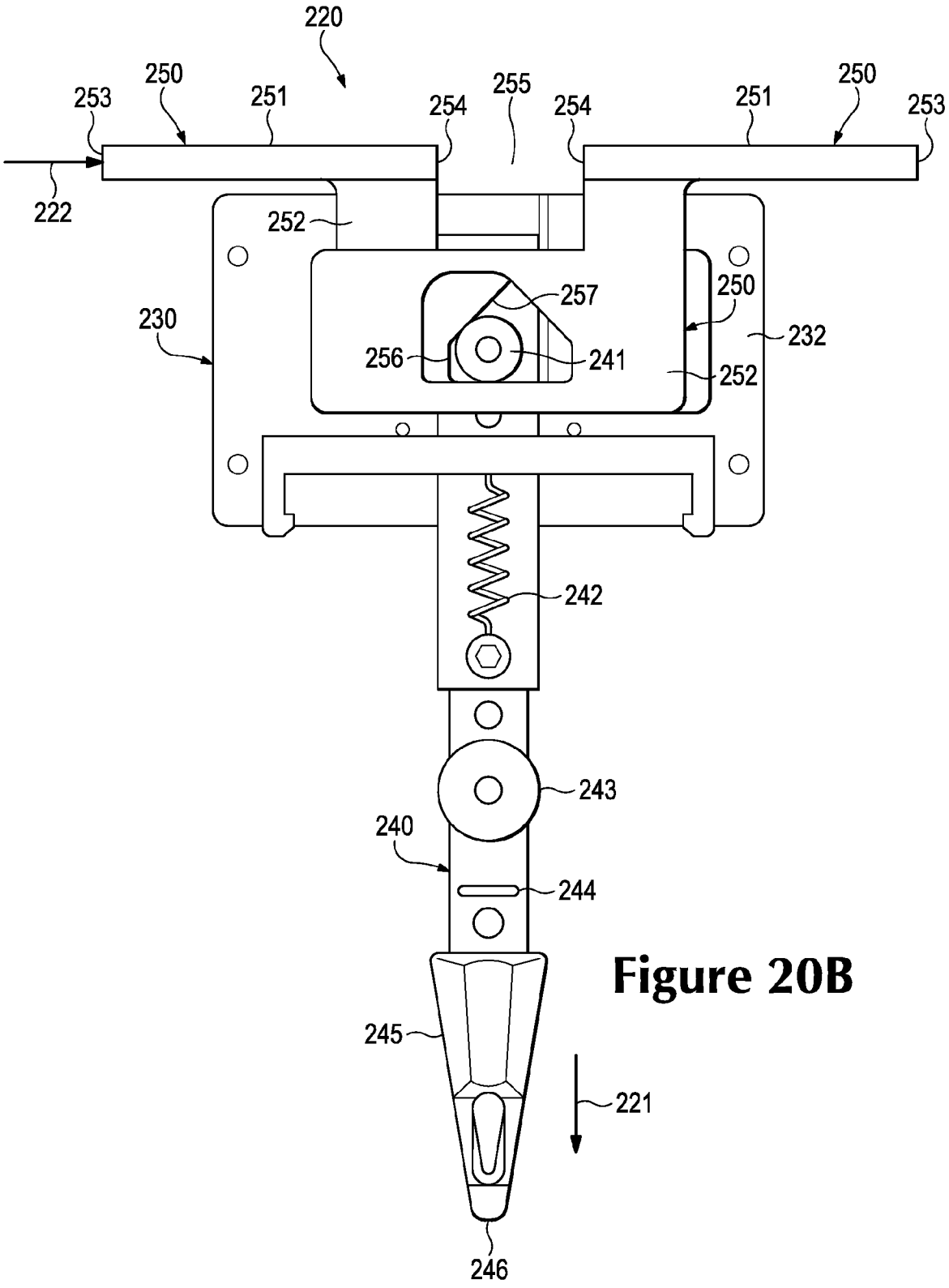

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Figure 20B

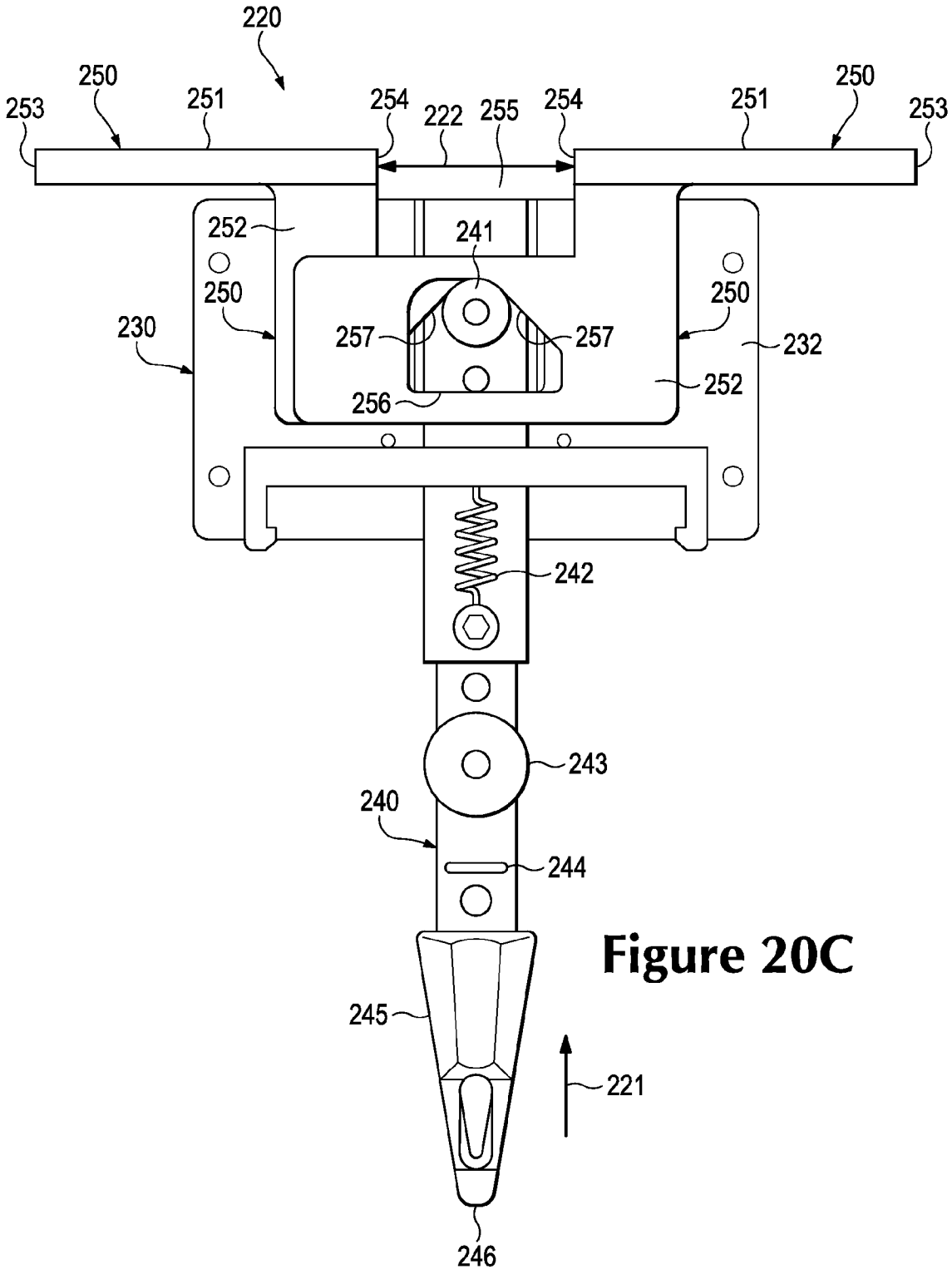

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Figure 20C

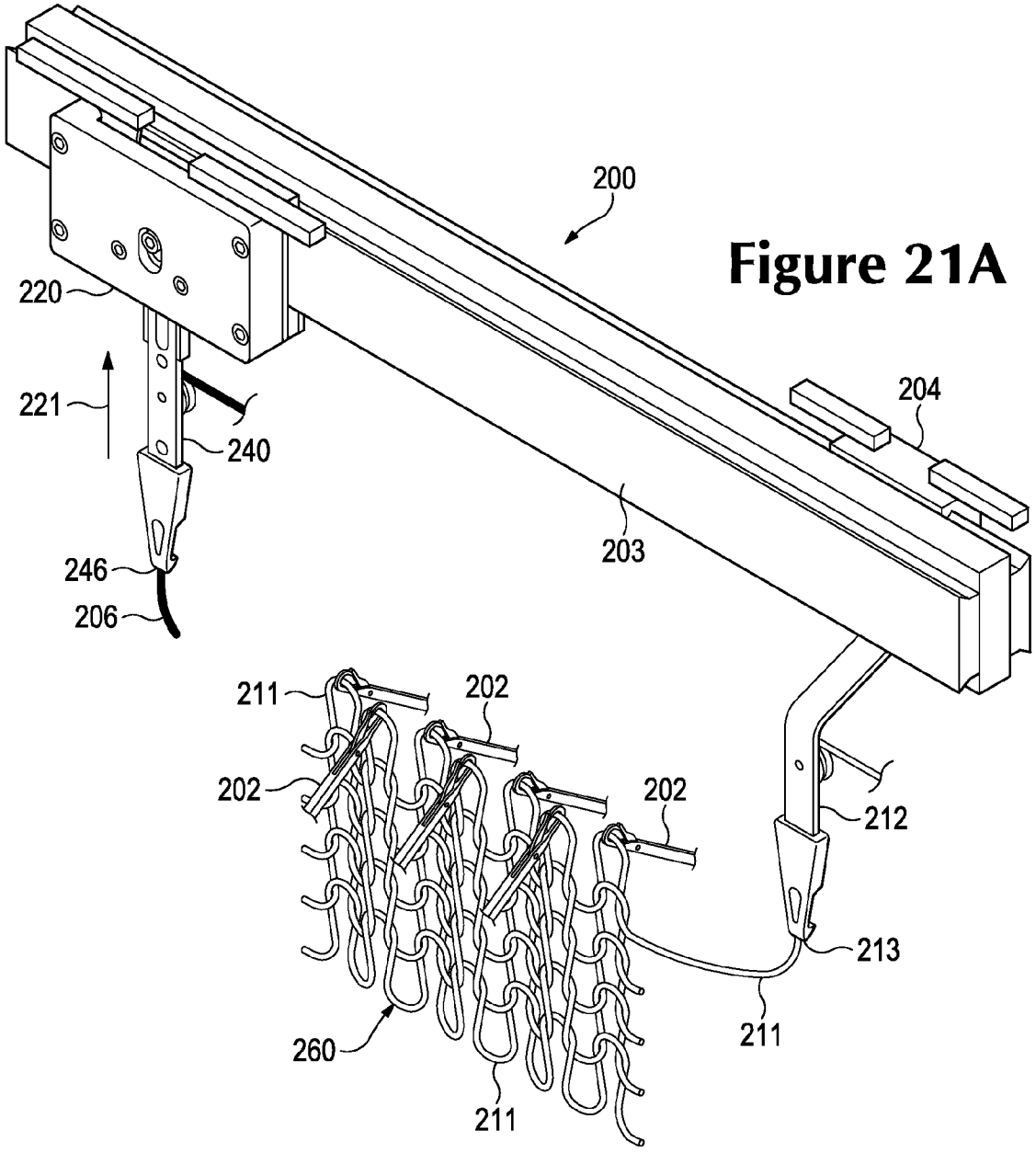

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Figure 21A

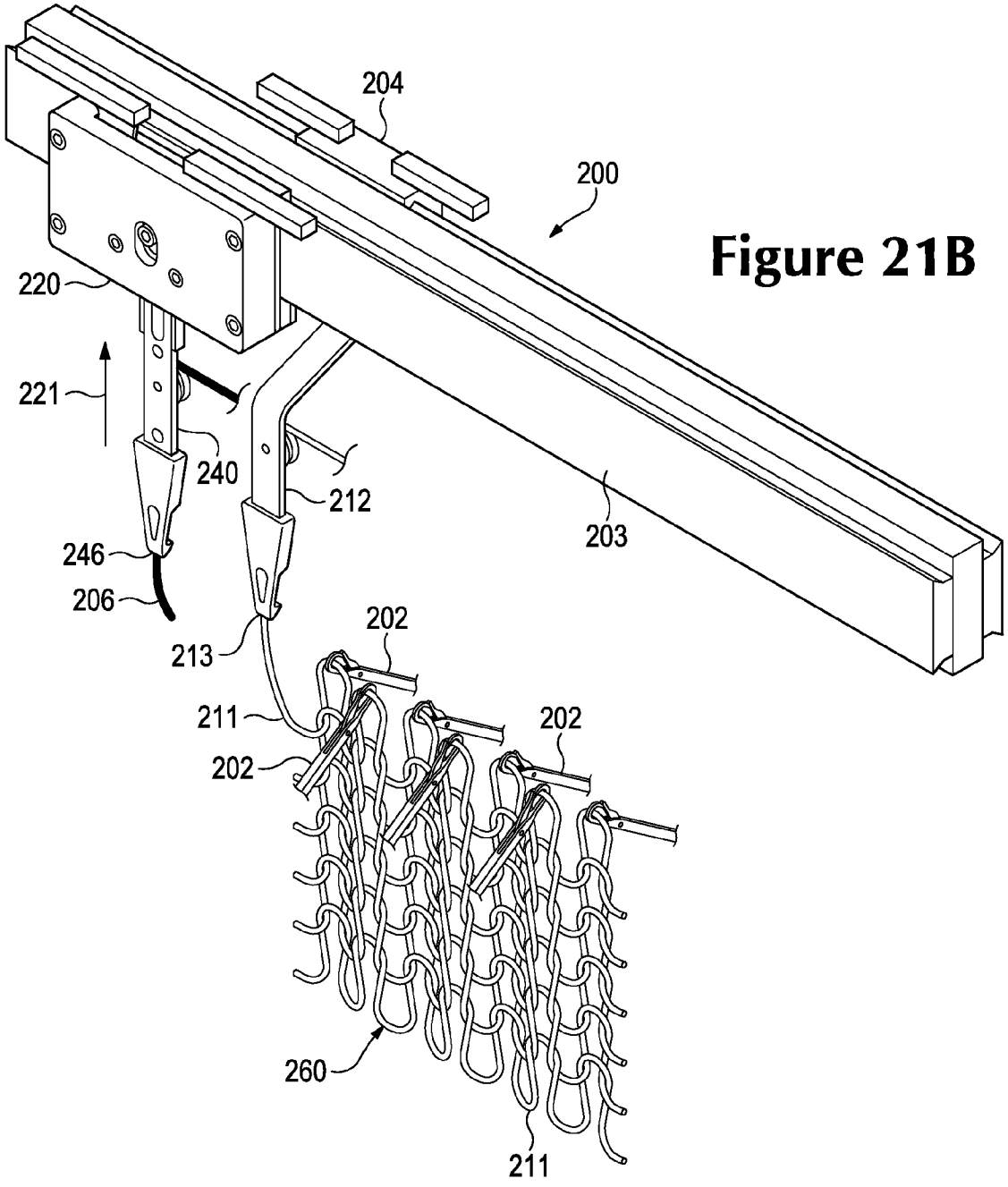


Figure 21B

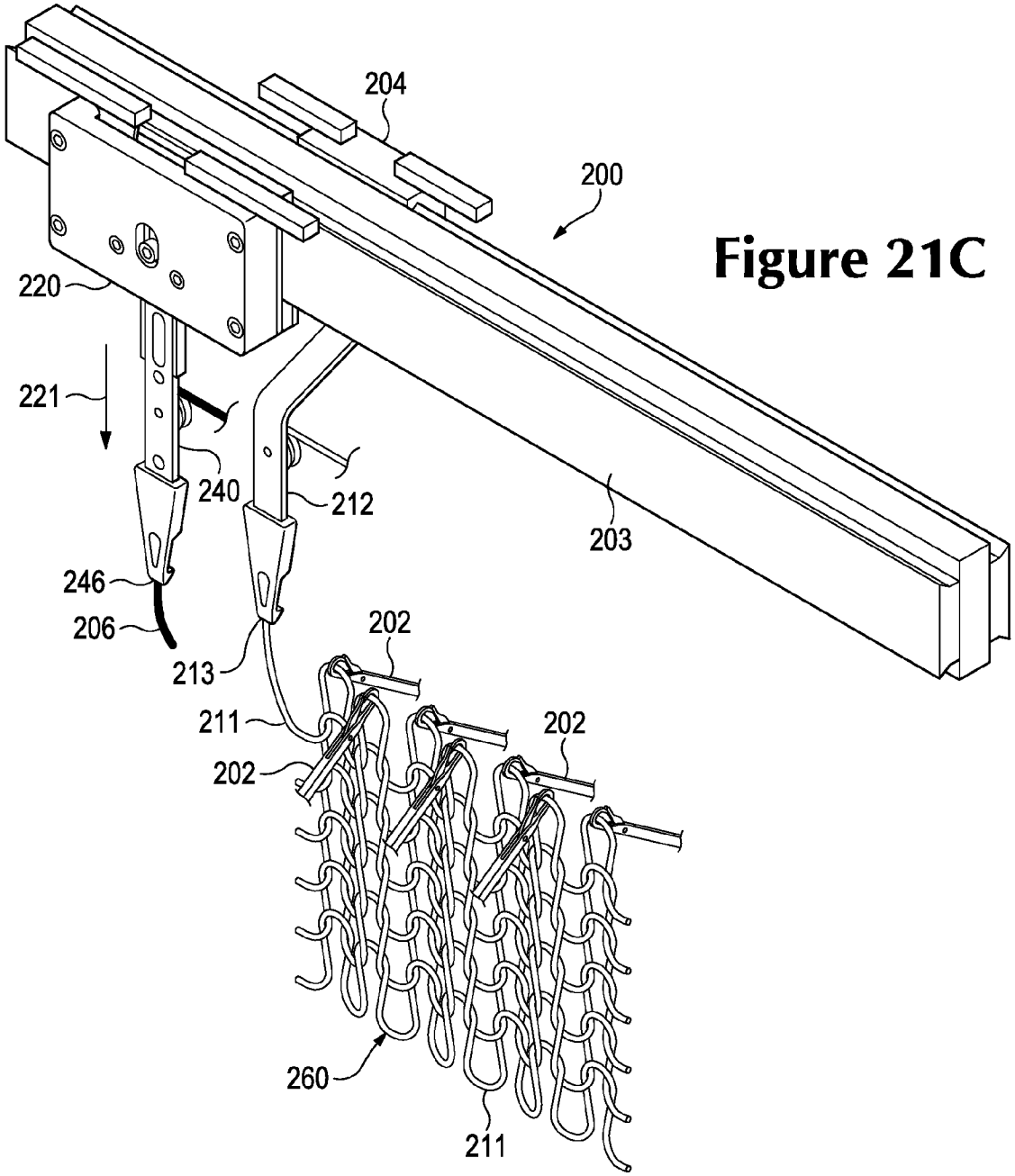


Figure 21C

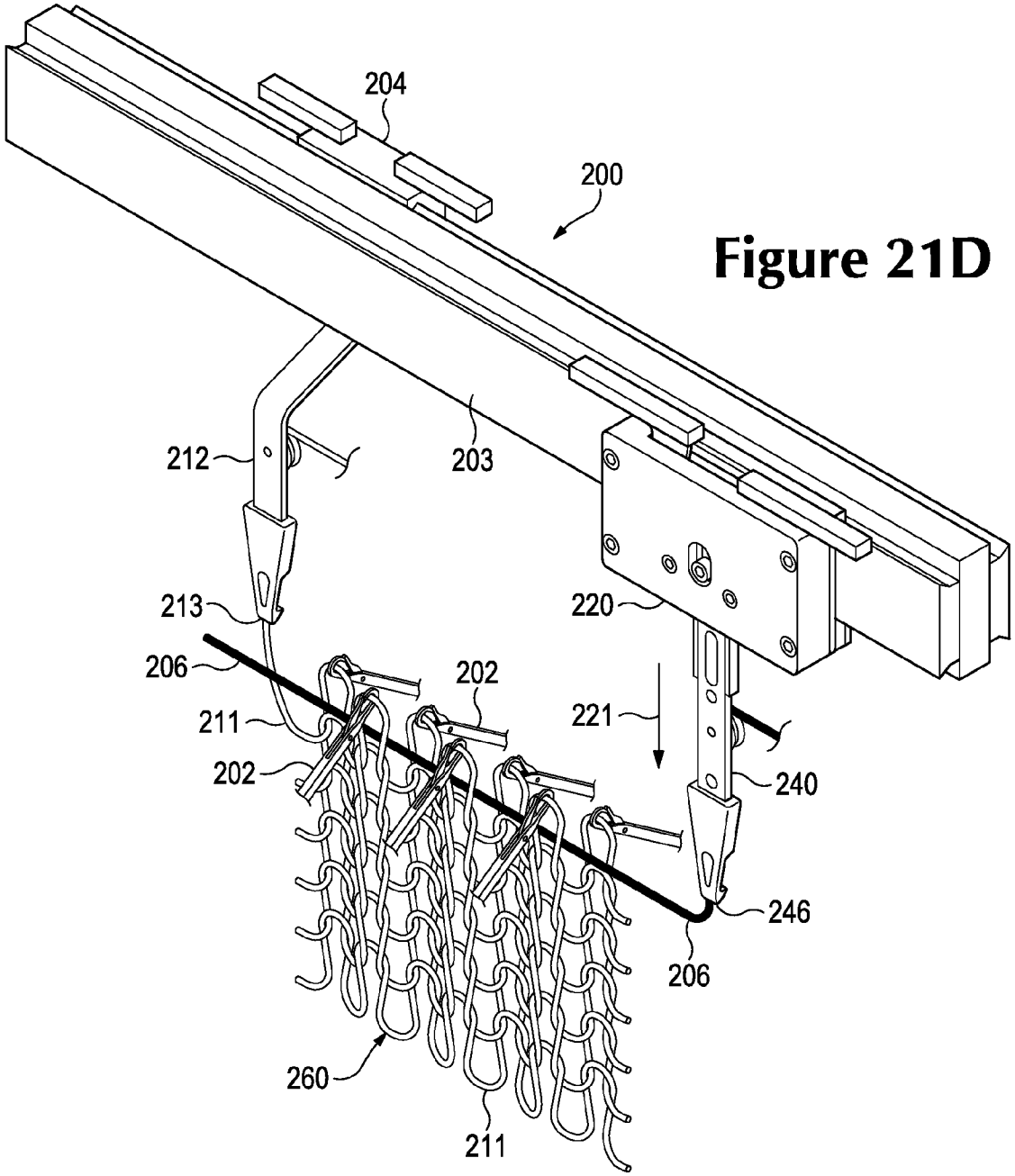


Figure 21D

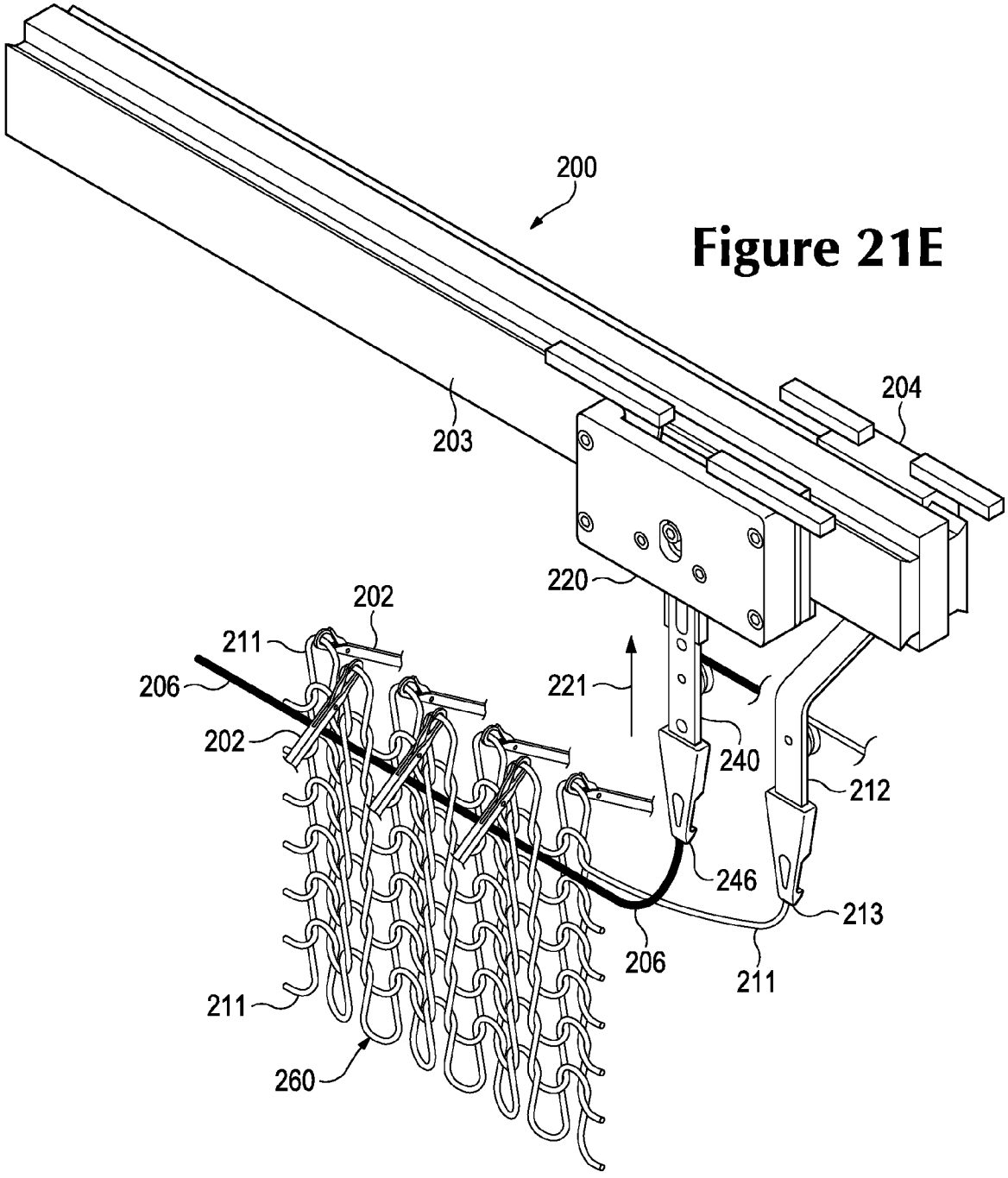

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Figure 21E

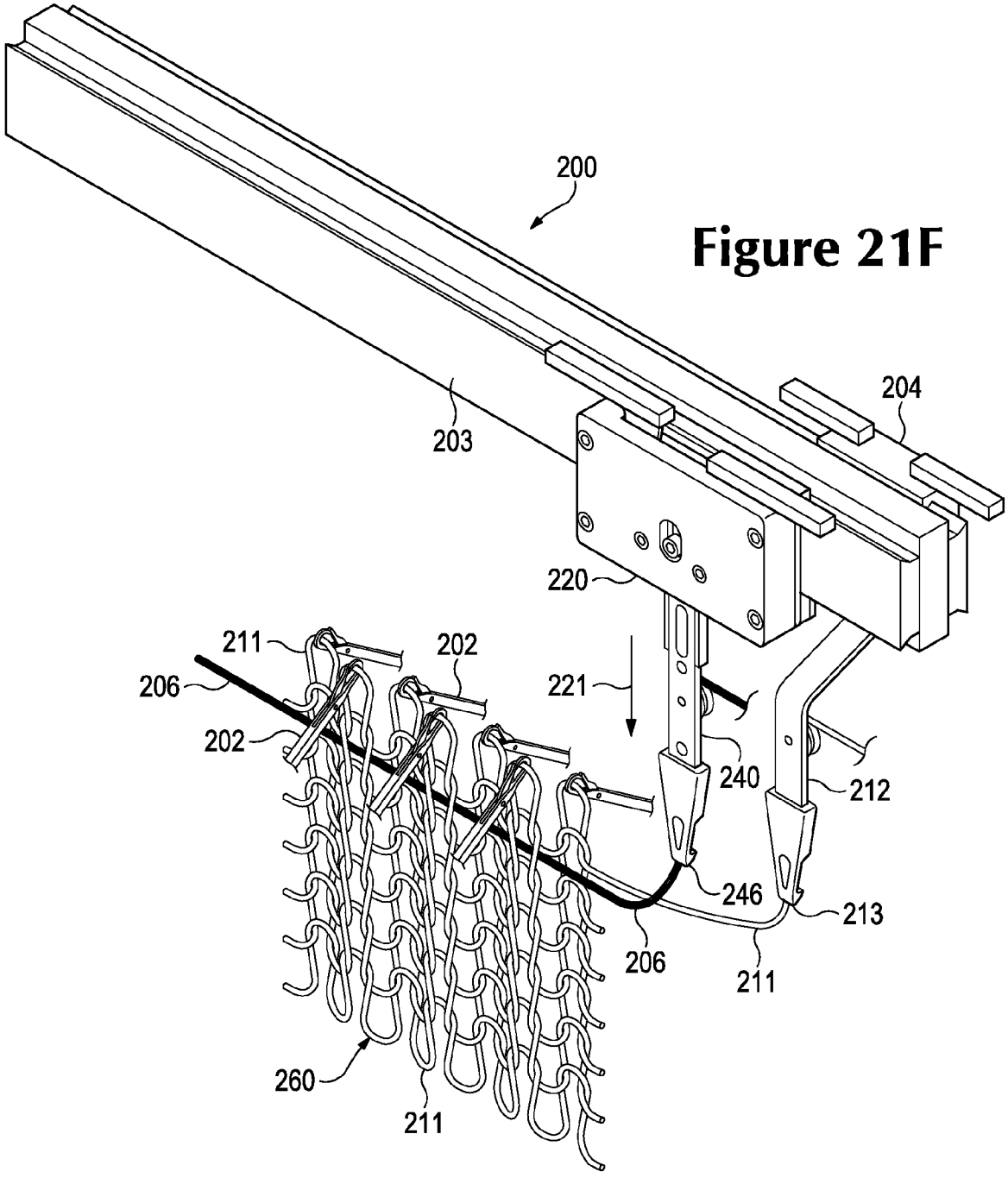

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Figure 21F

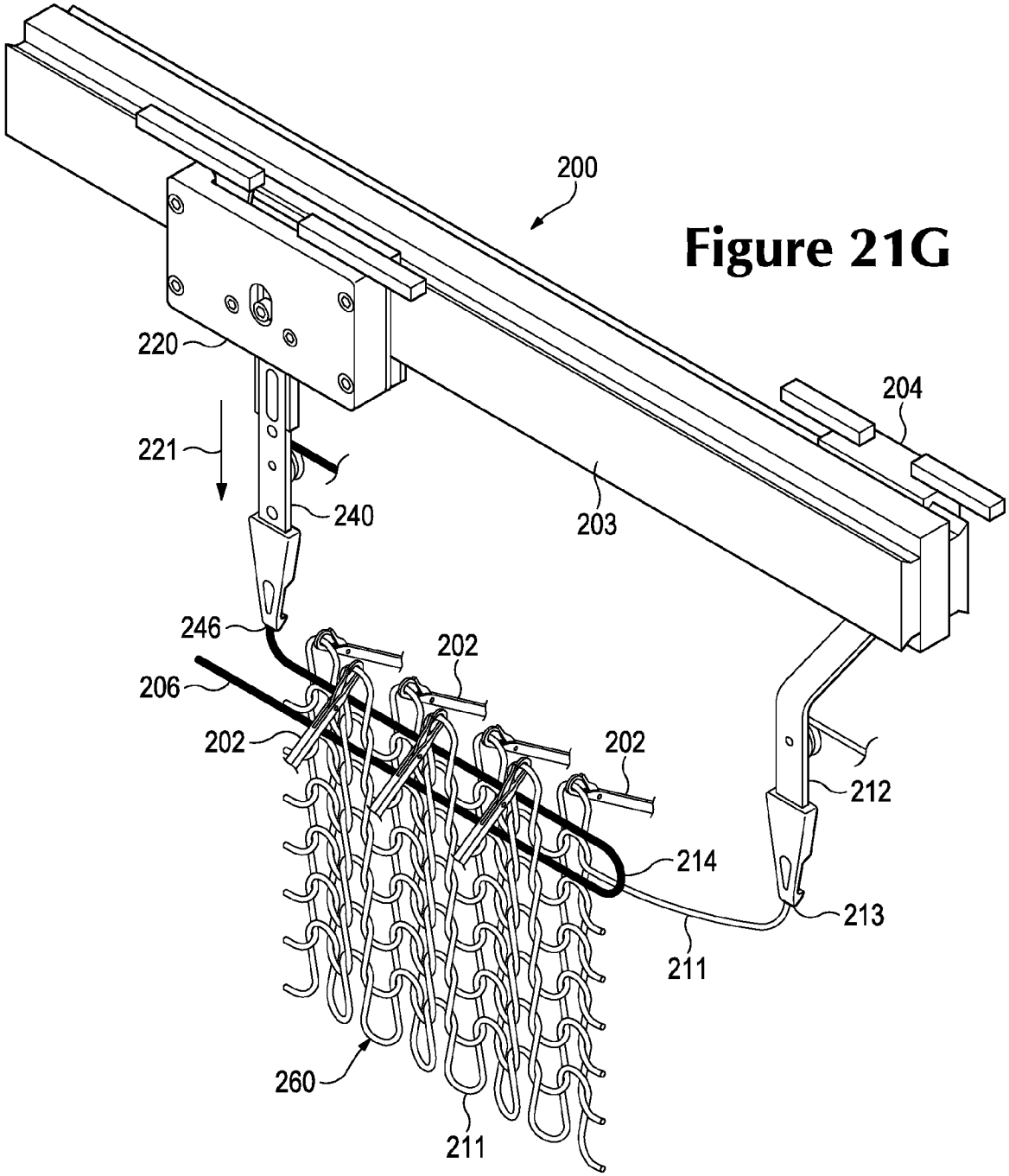

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Figure 21G

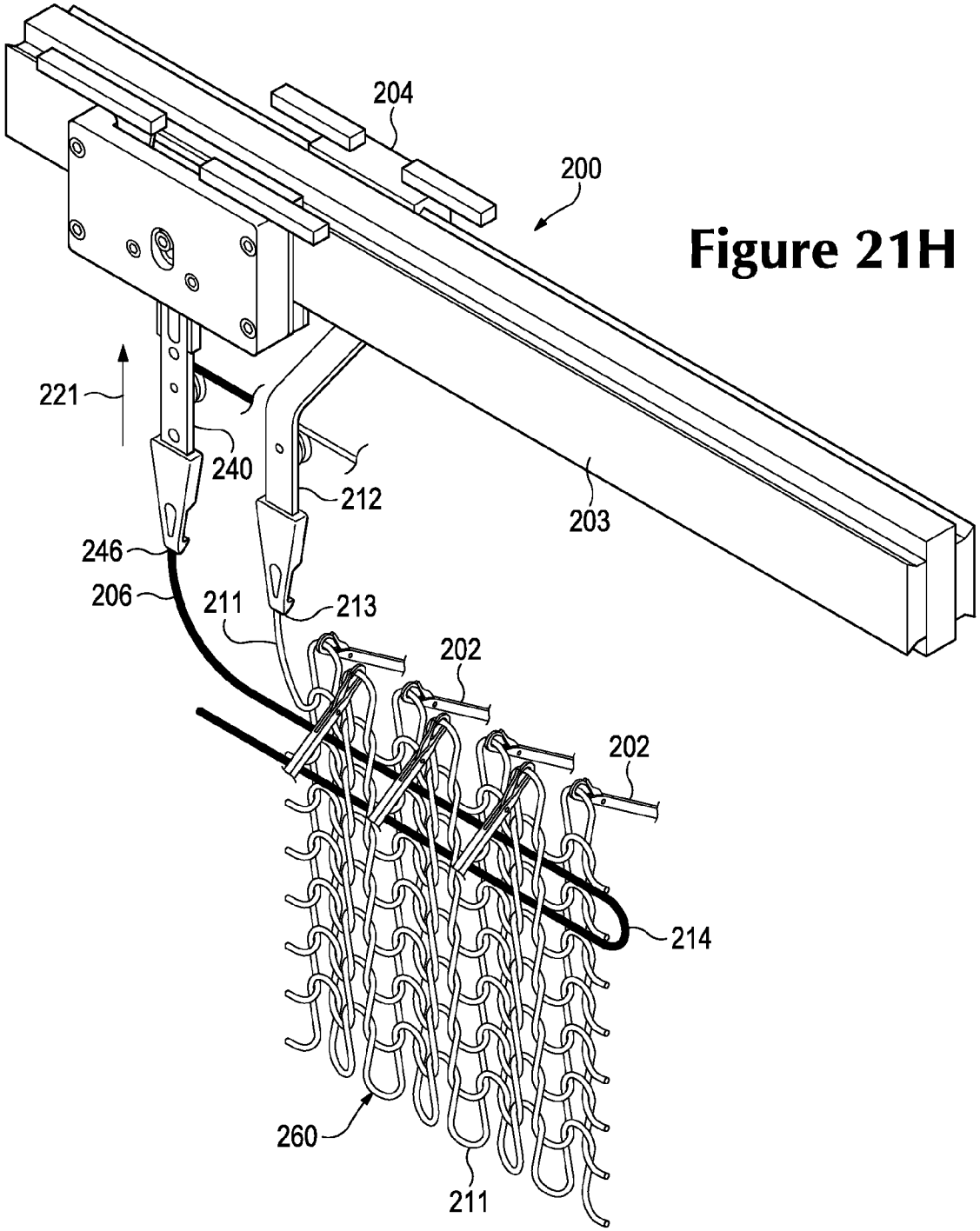


Figure 21H

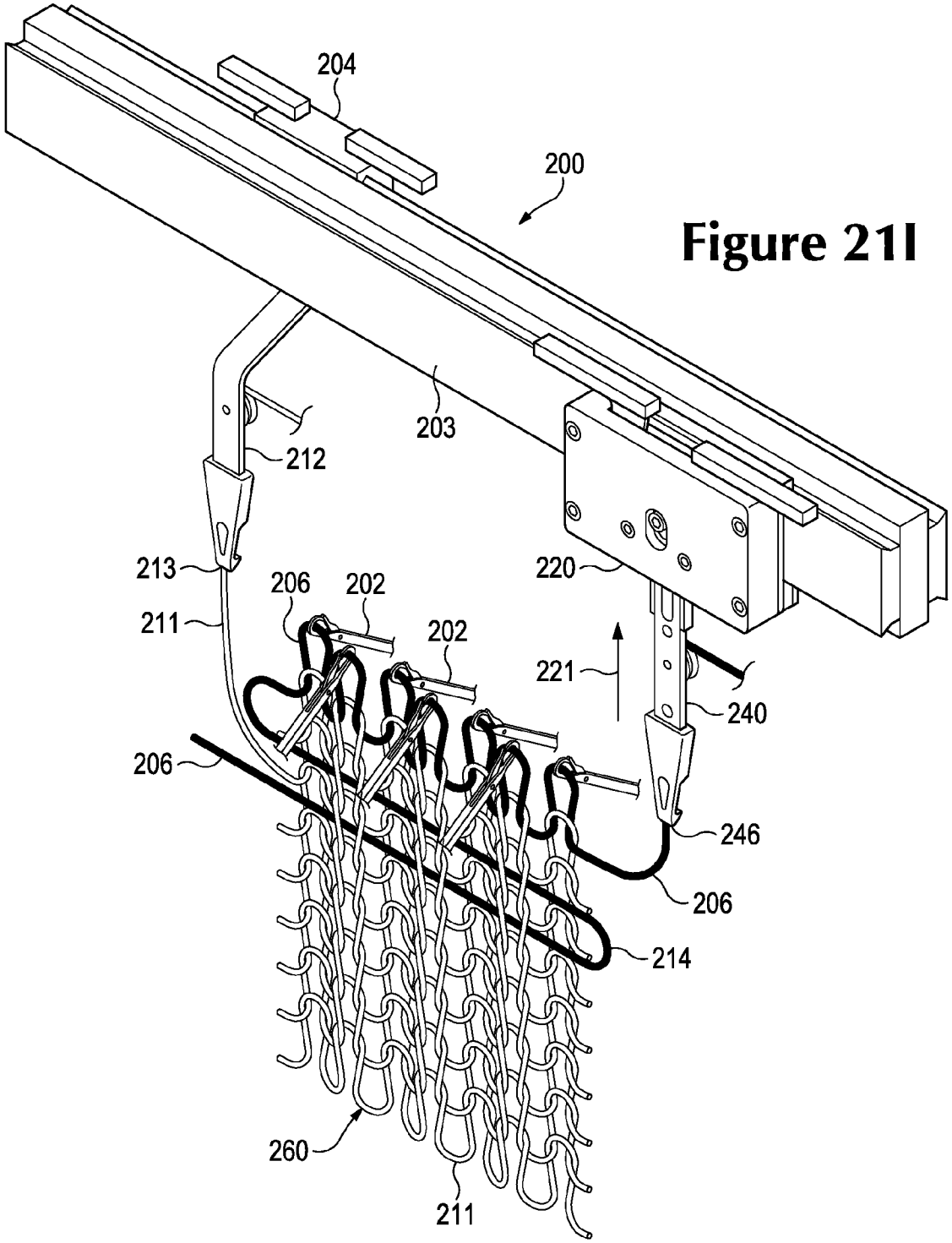

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Figure 21I

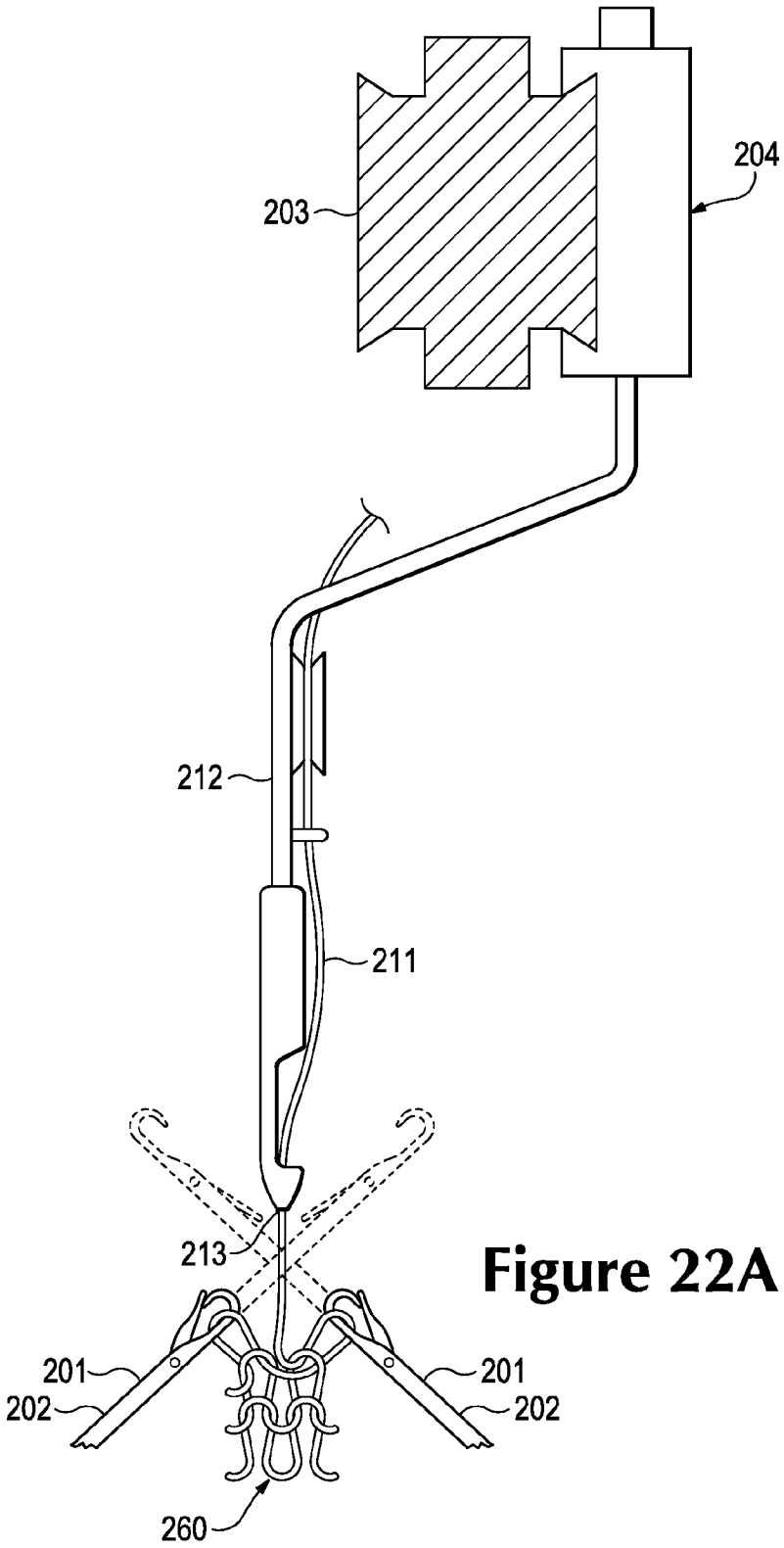


Figure 22A

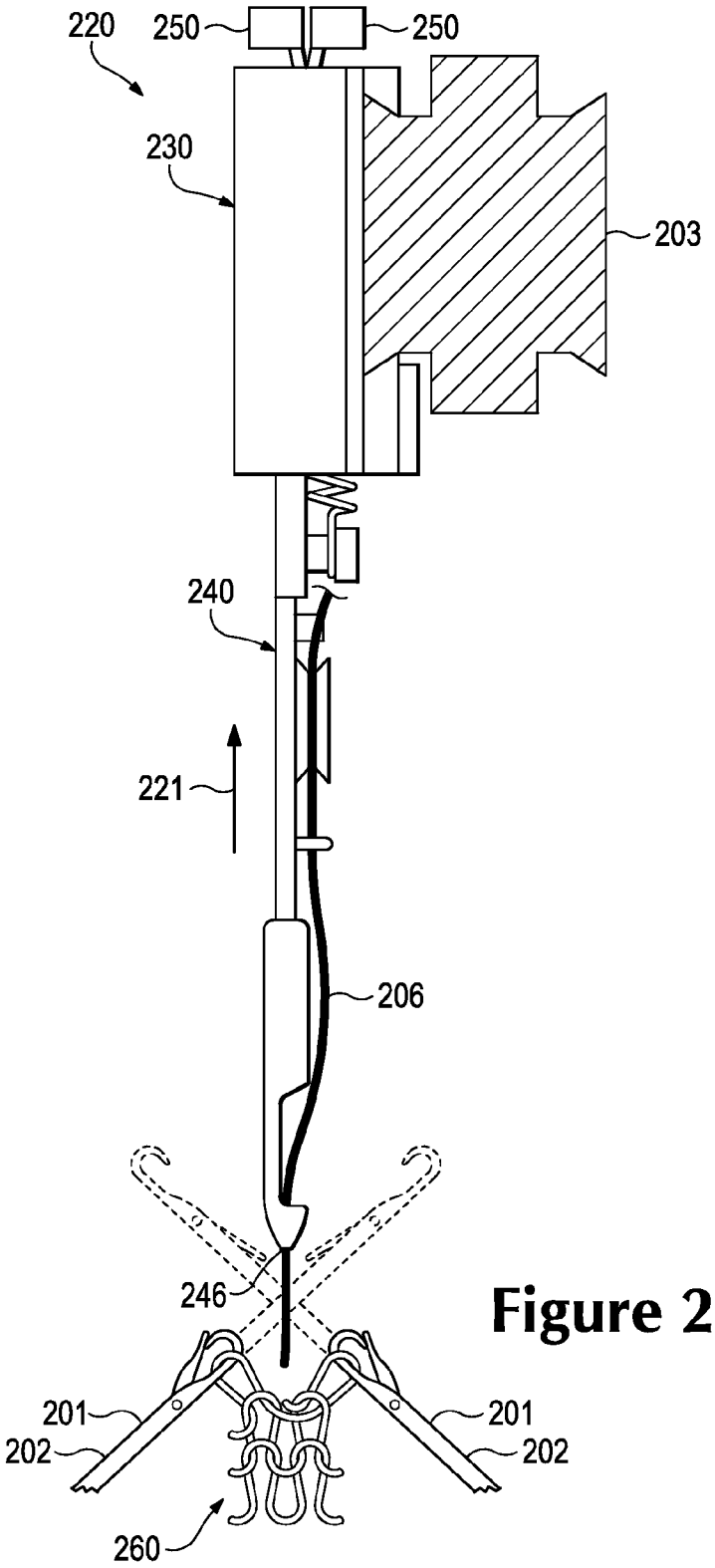


Figure 22B

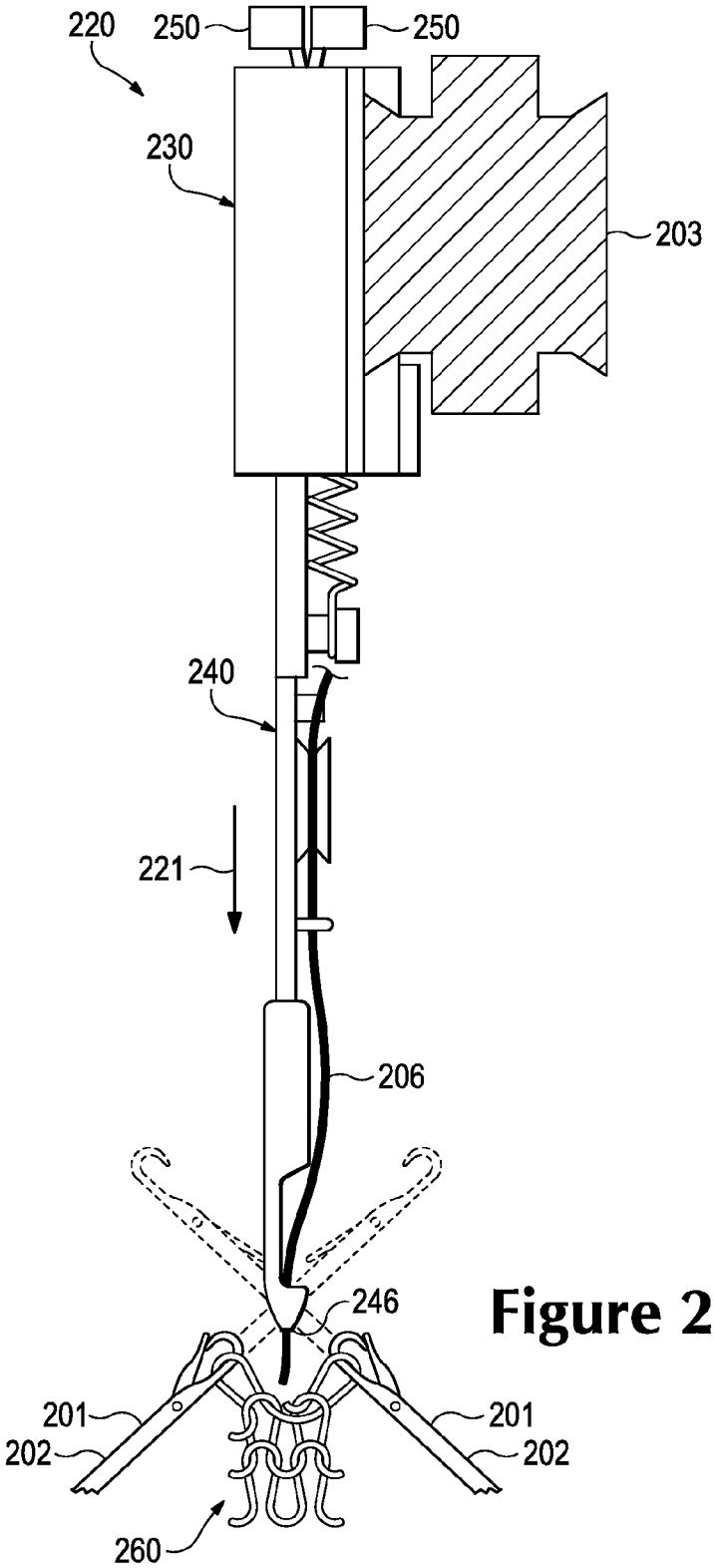


Figure 22C

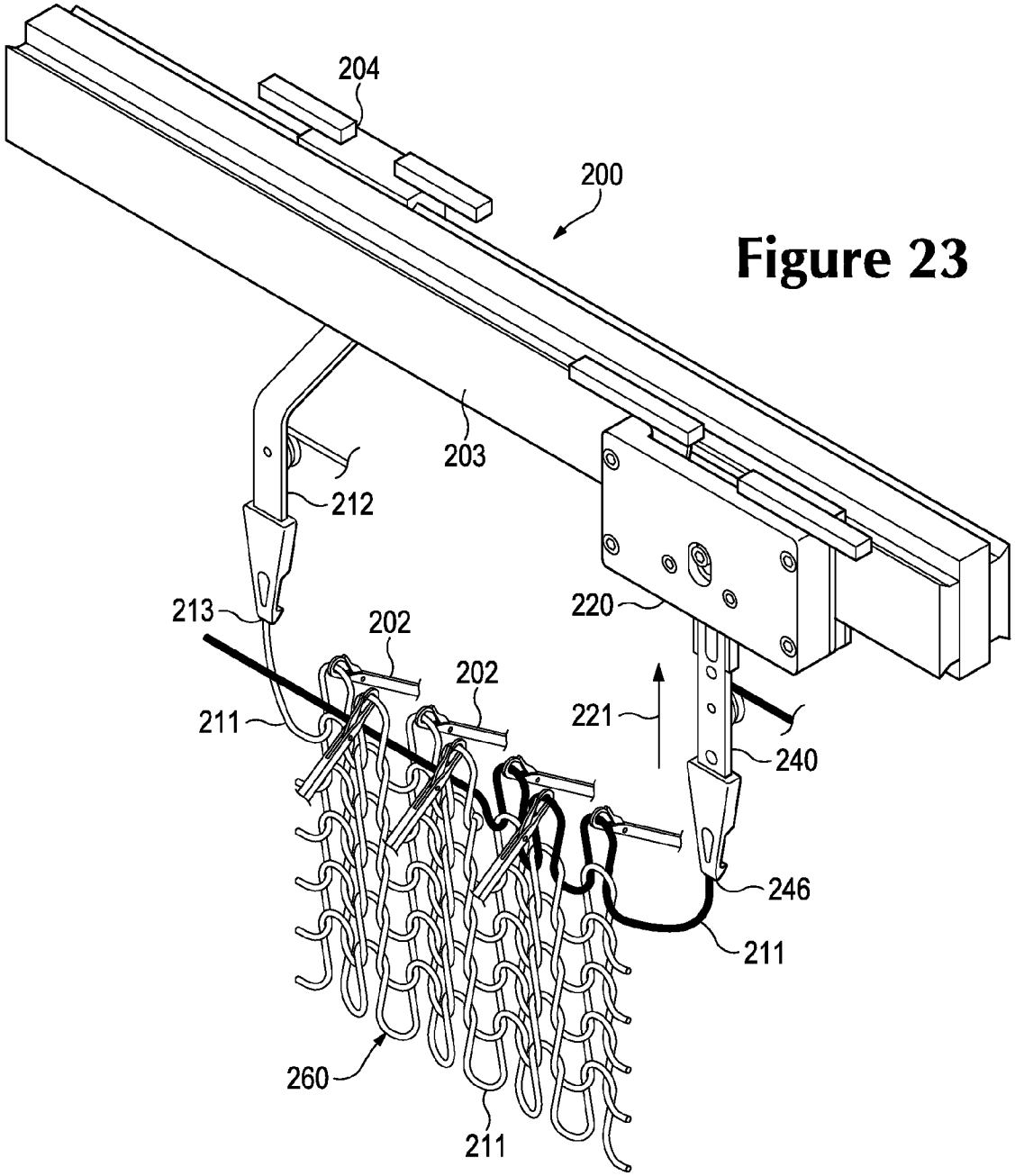


Figure 23

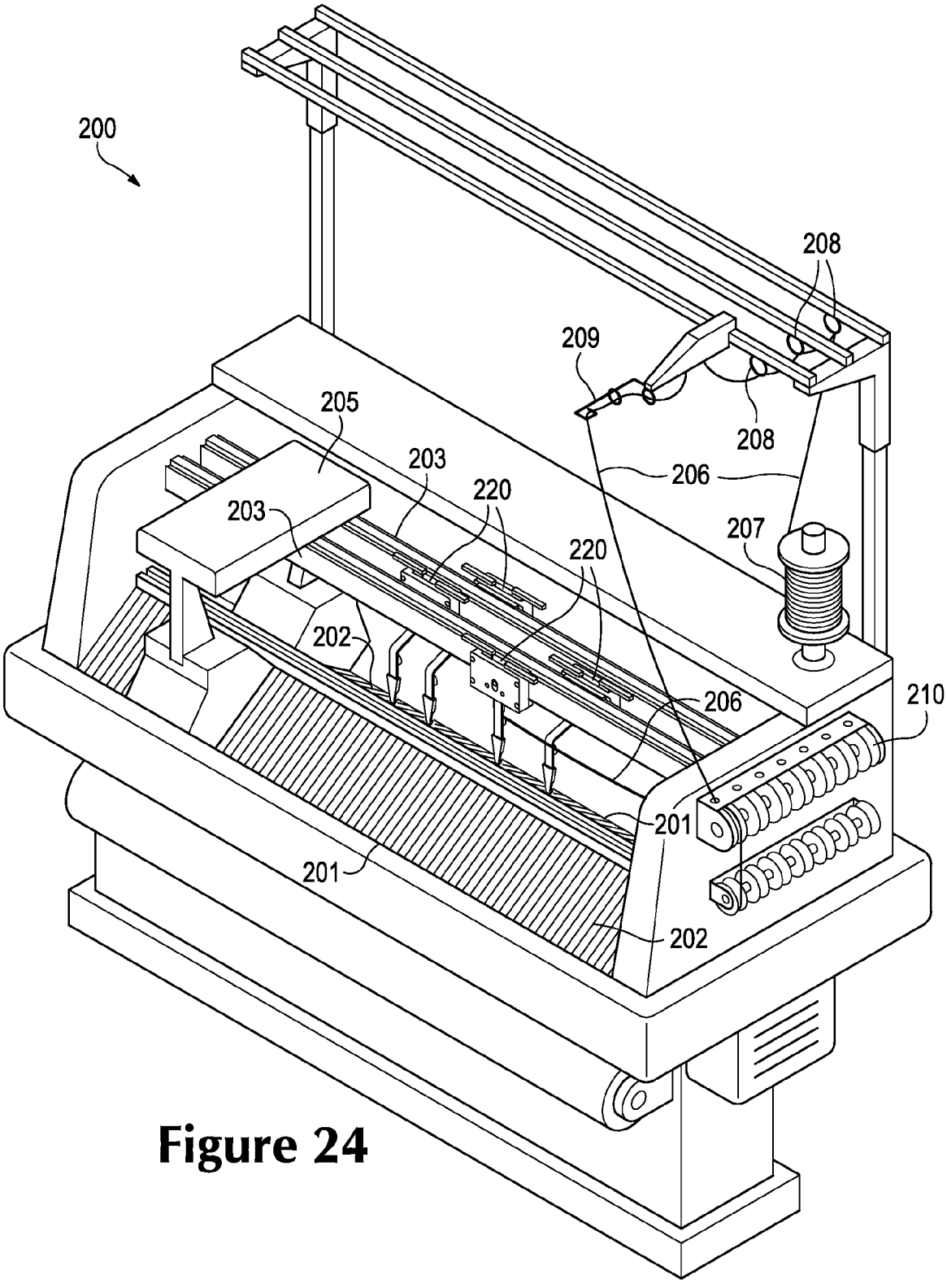

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Figure 24

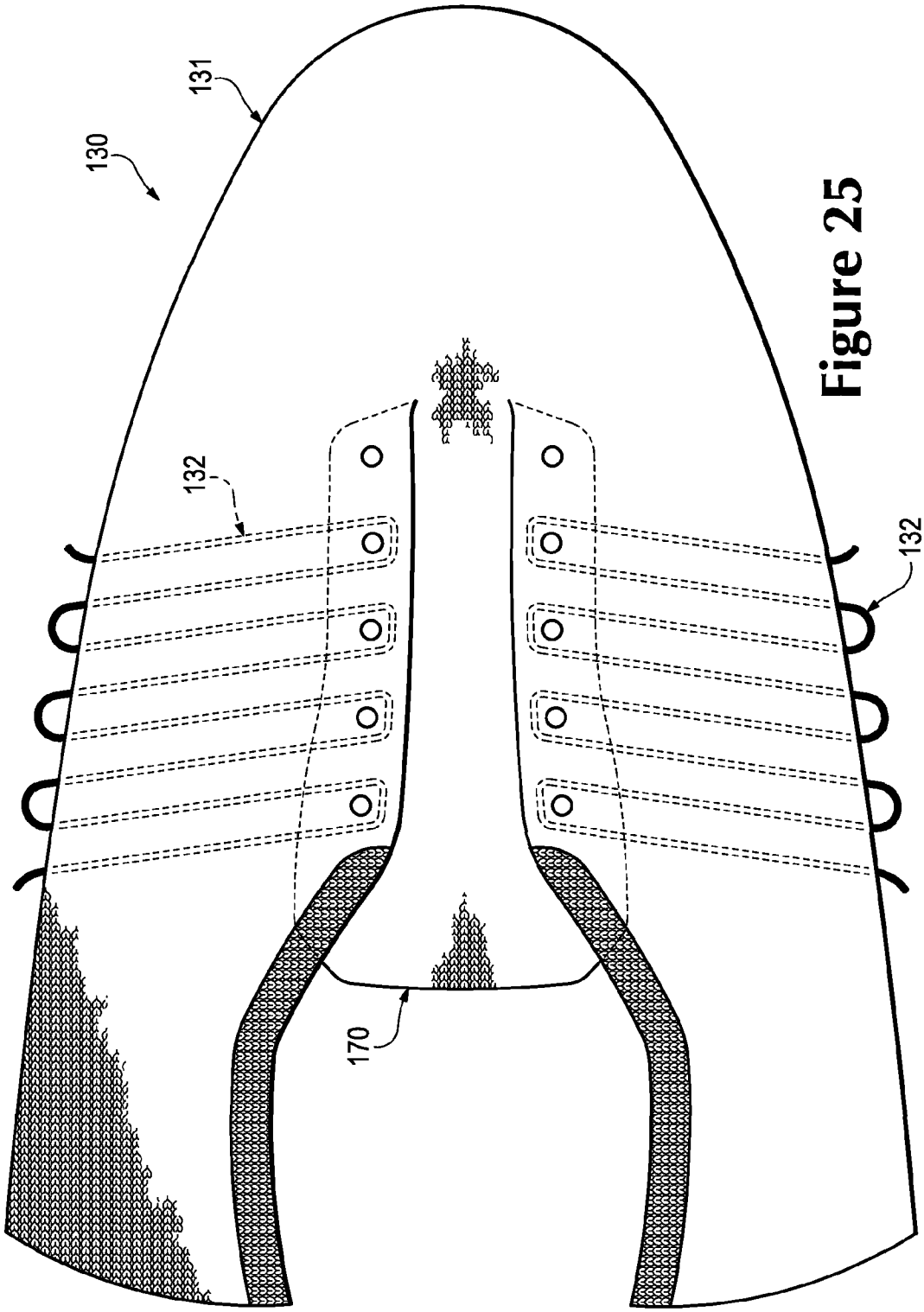


Figure 25

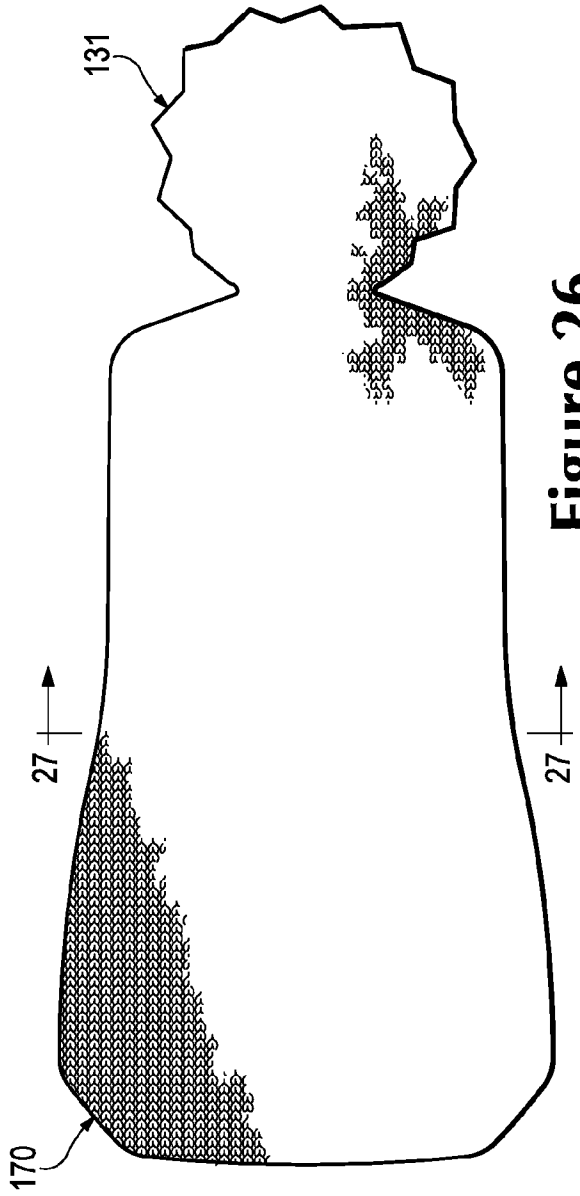


Figure 26

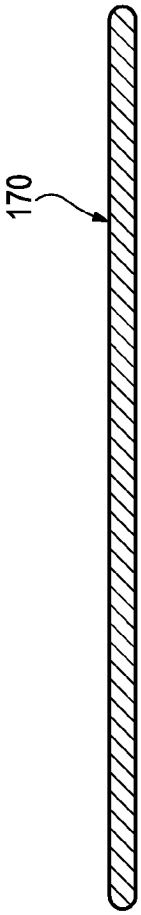


Figure 27

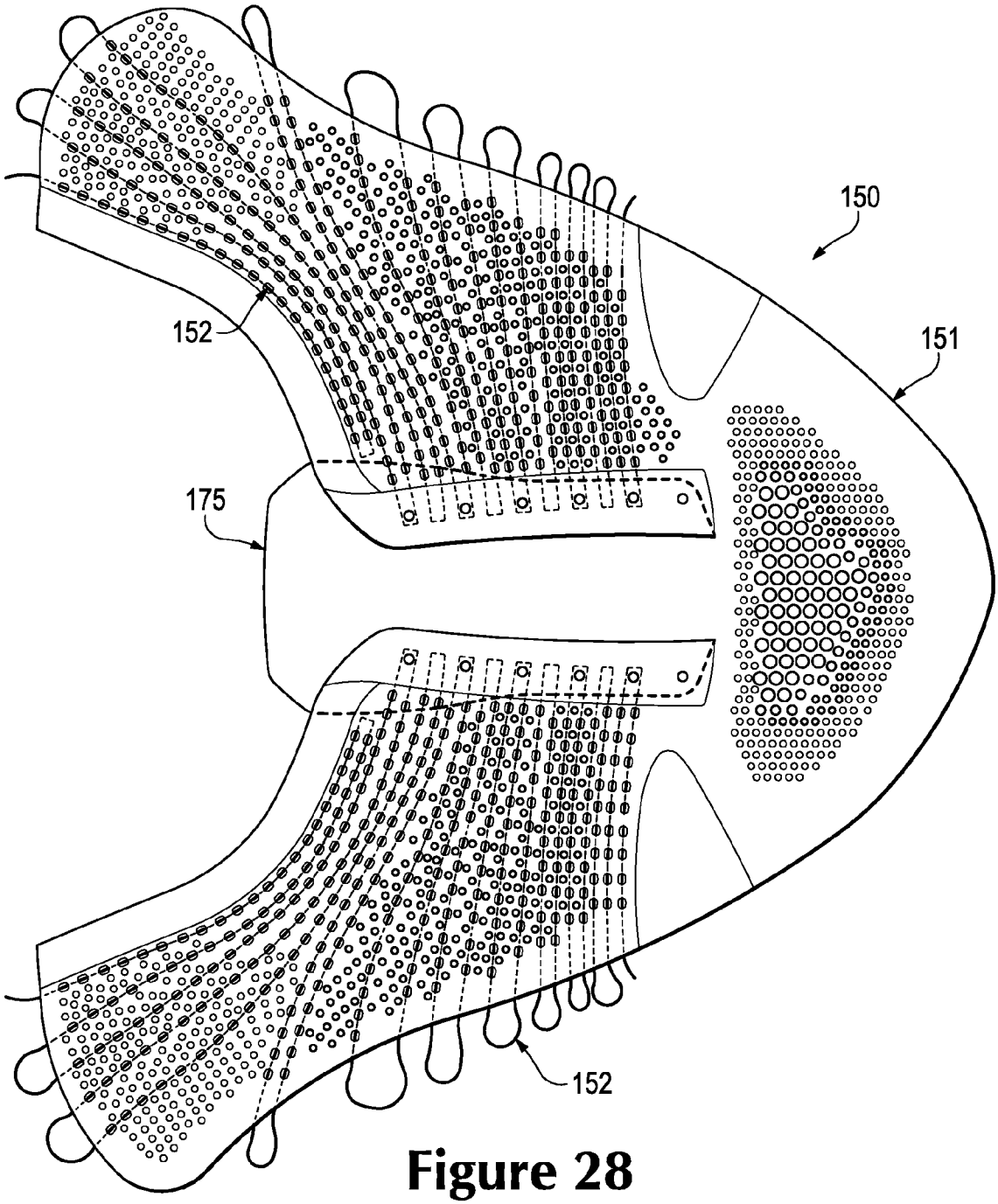


Figure 28

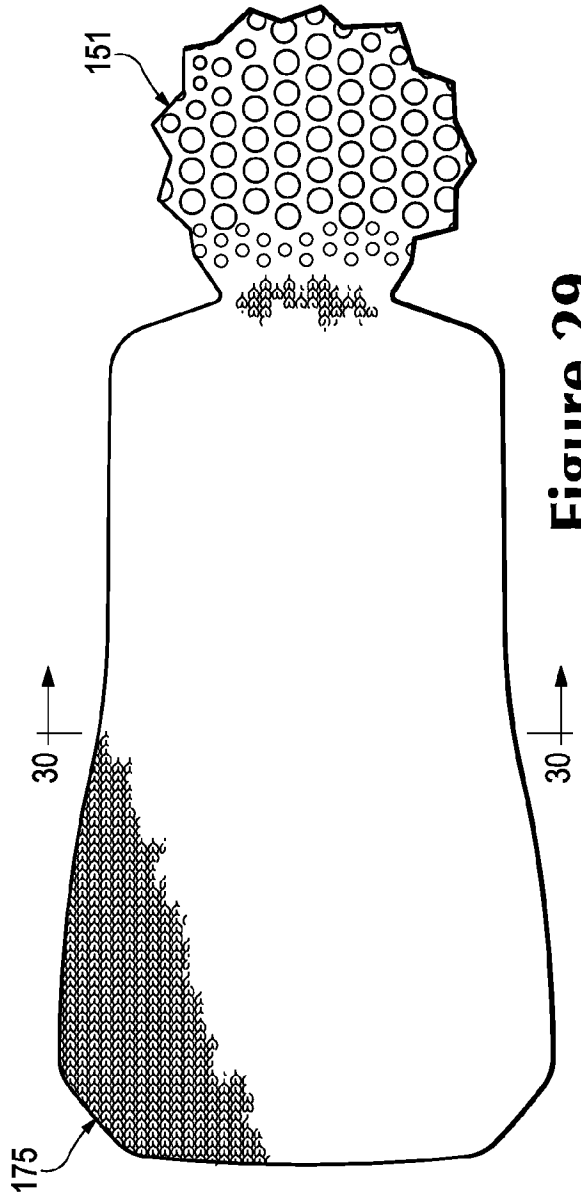


Figure 29

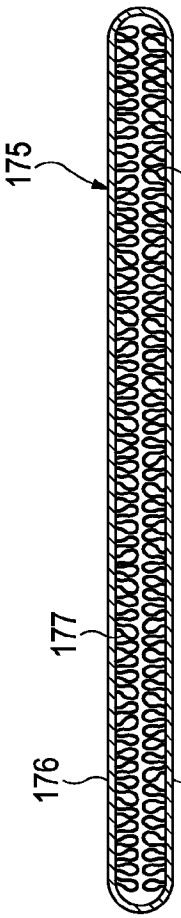


Figure 30

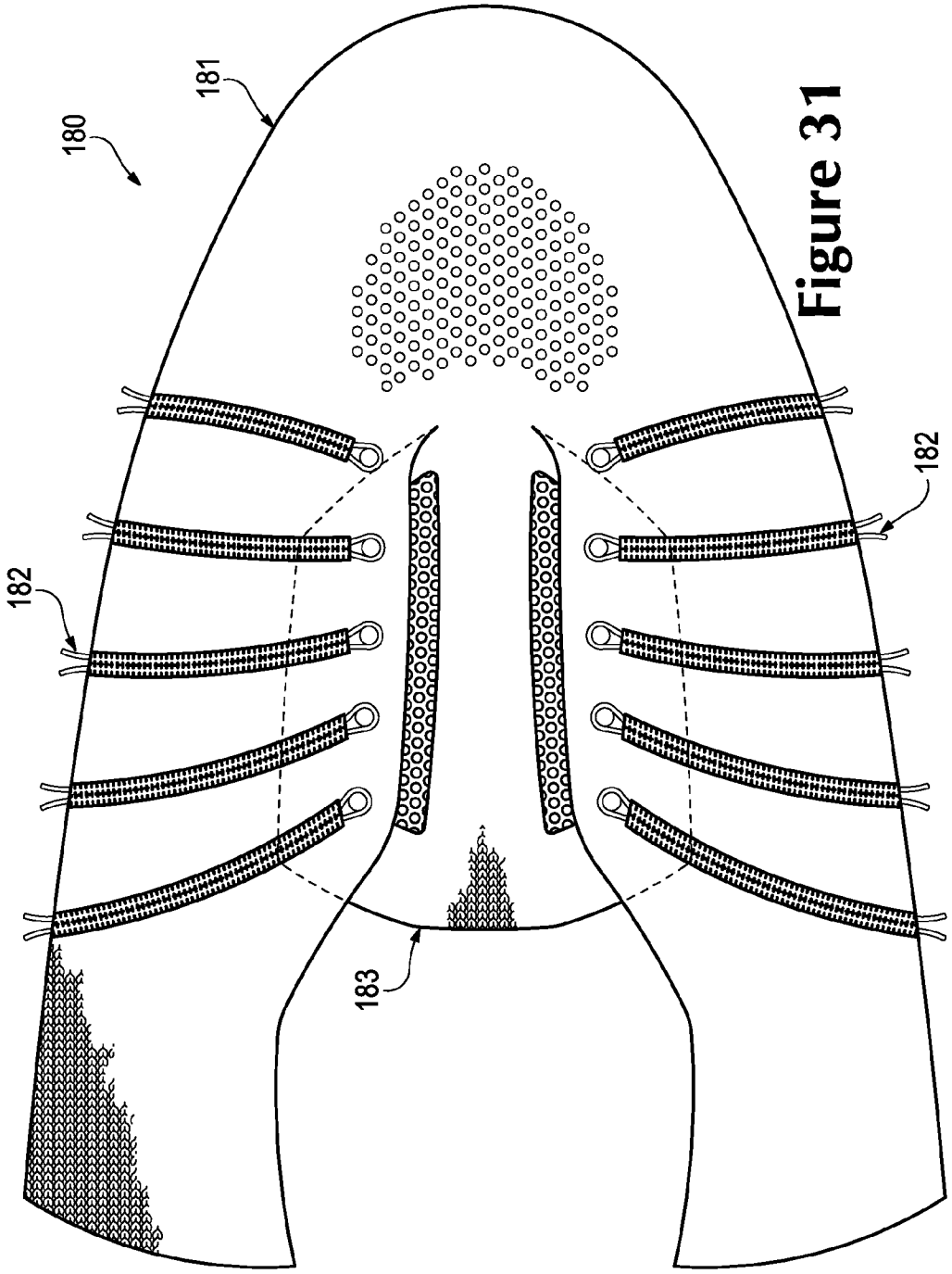


Figure 31

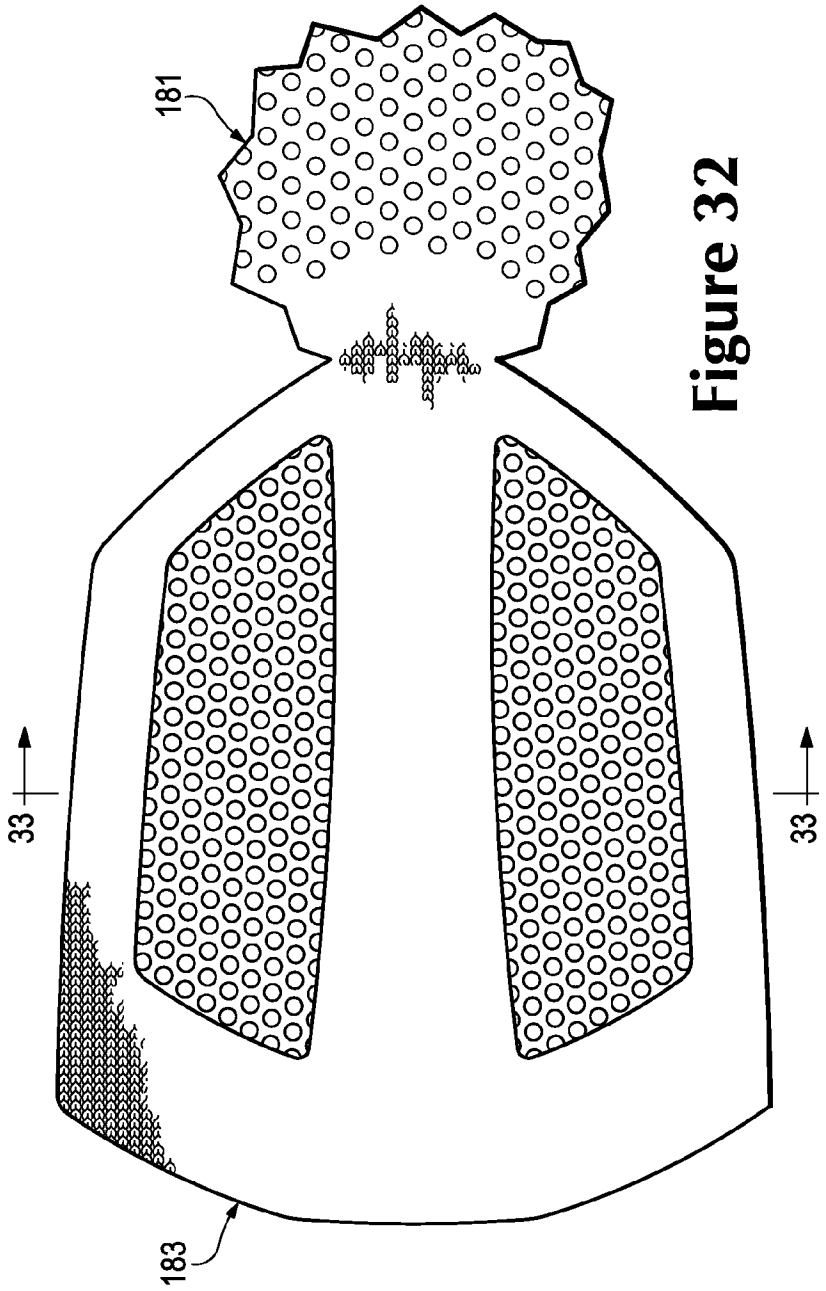


Figure 32

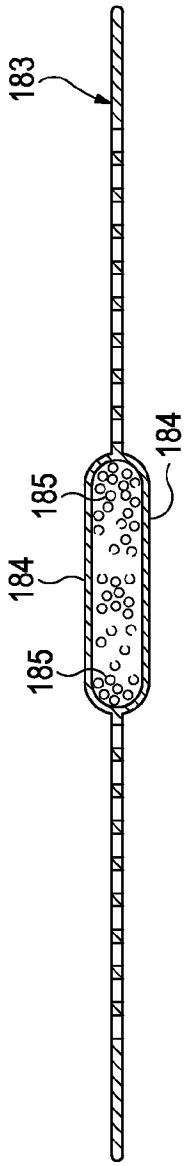


Figure 33

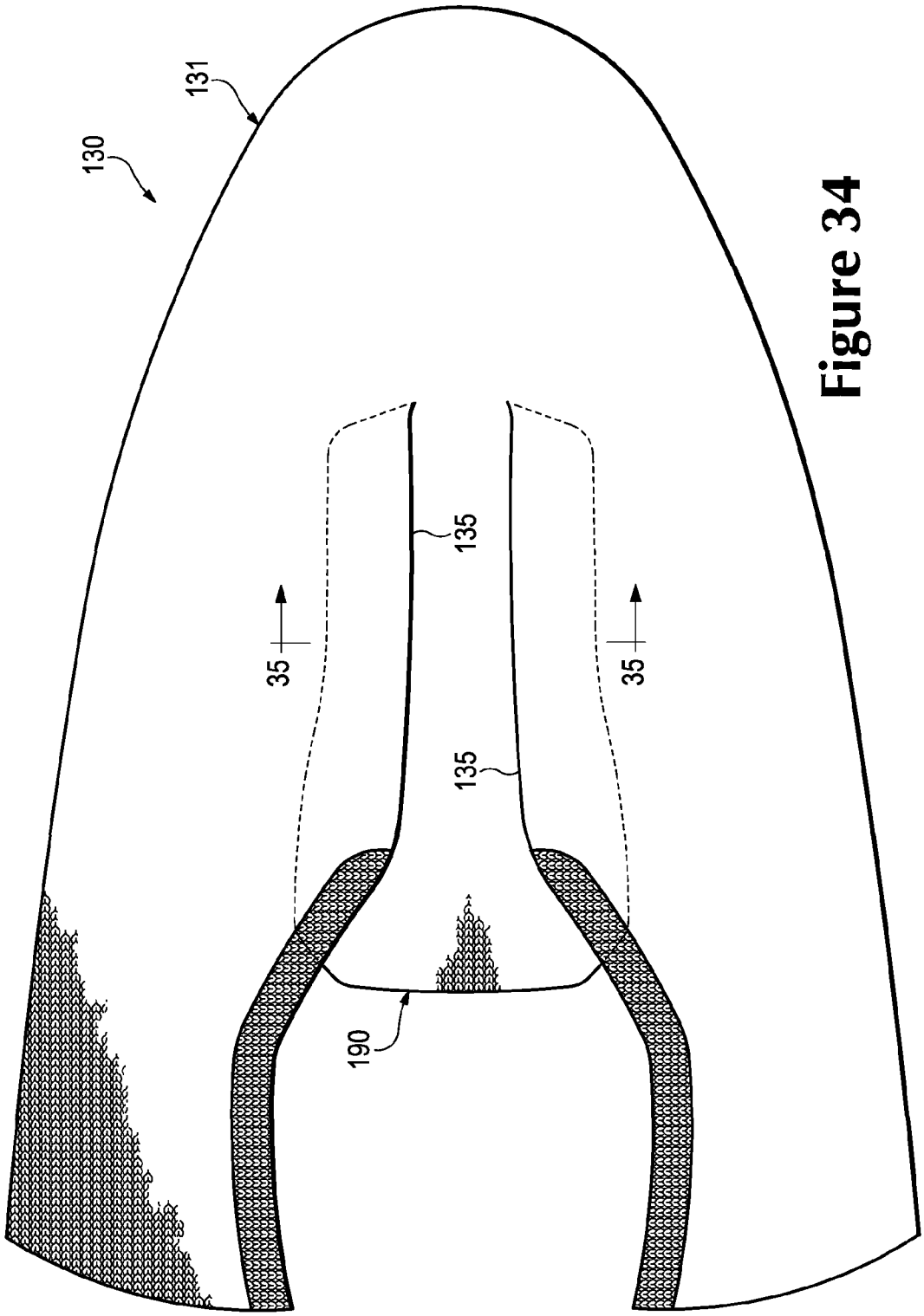


Figure 34

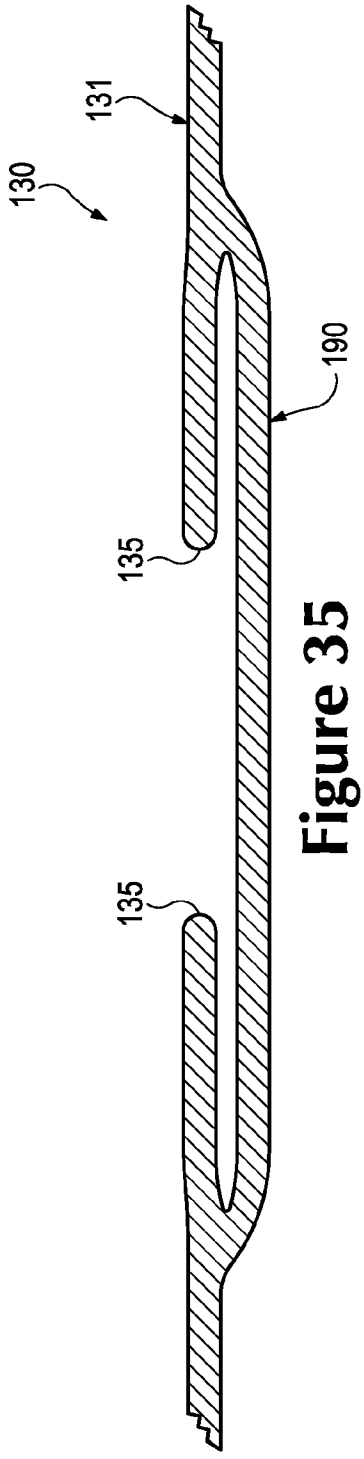


Figure 35

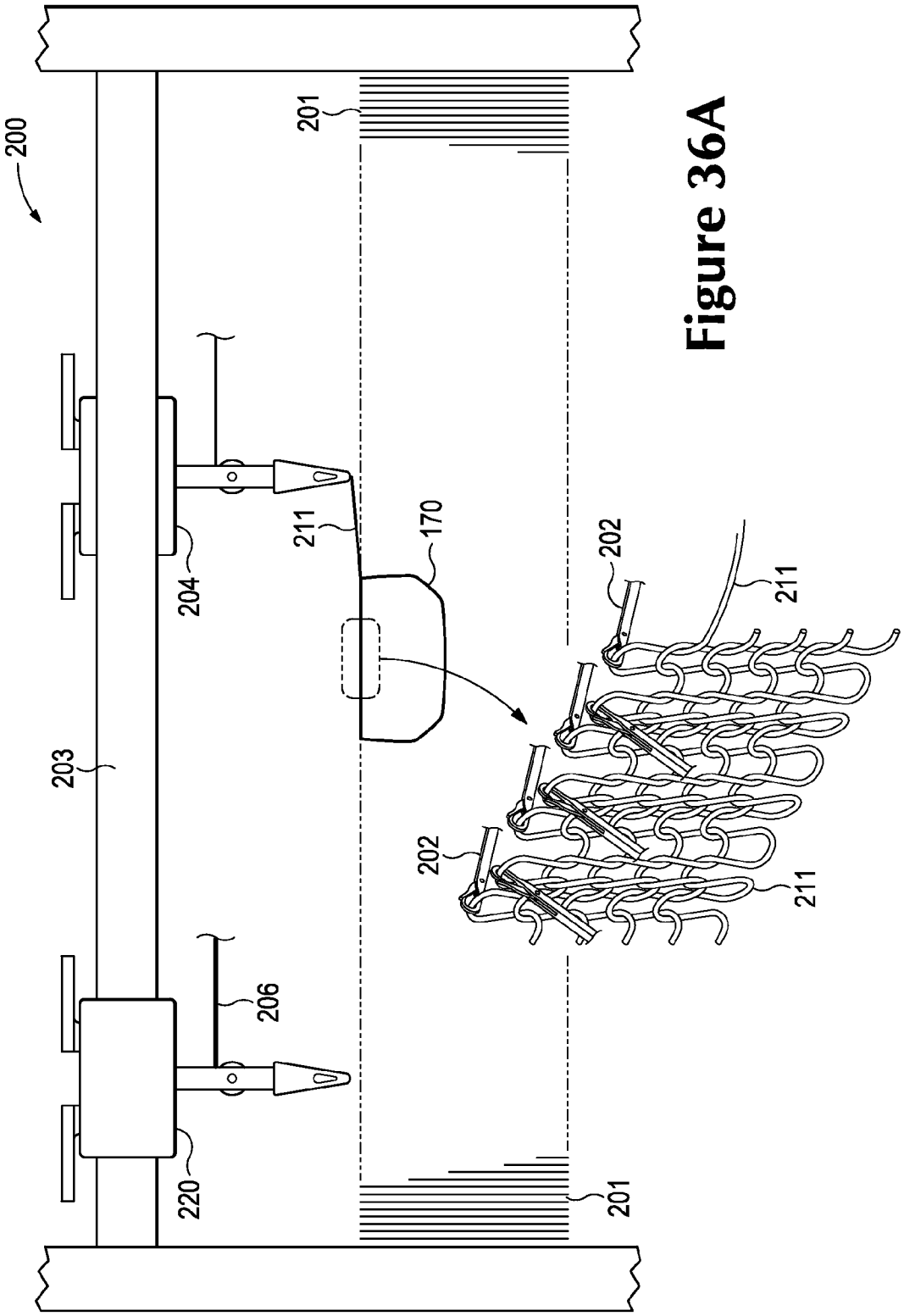


Figure 36A

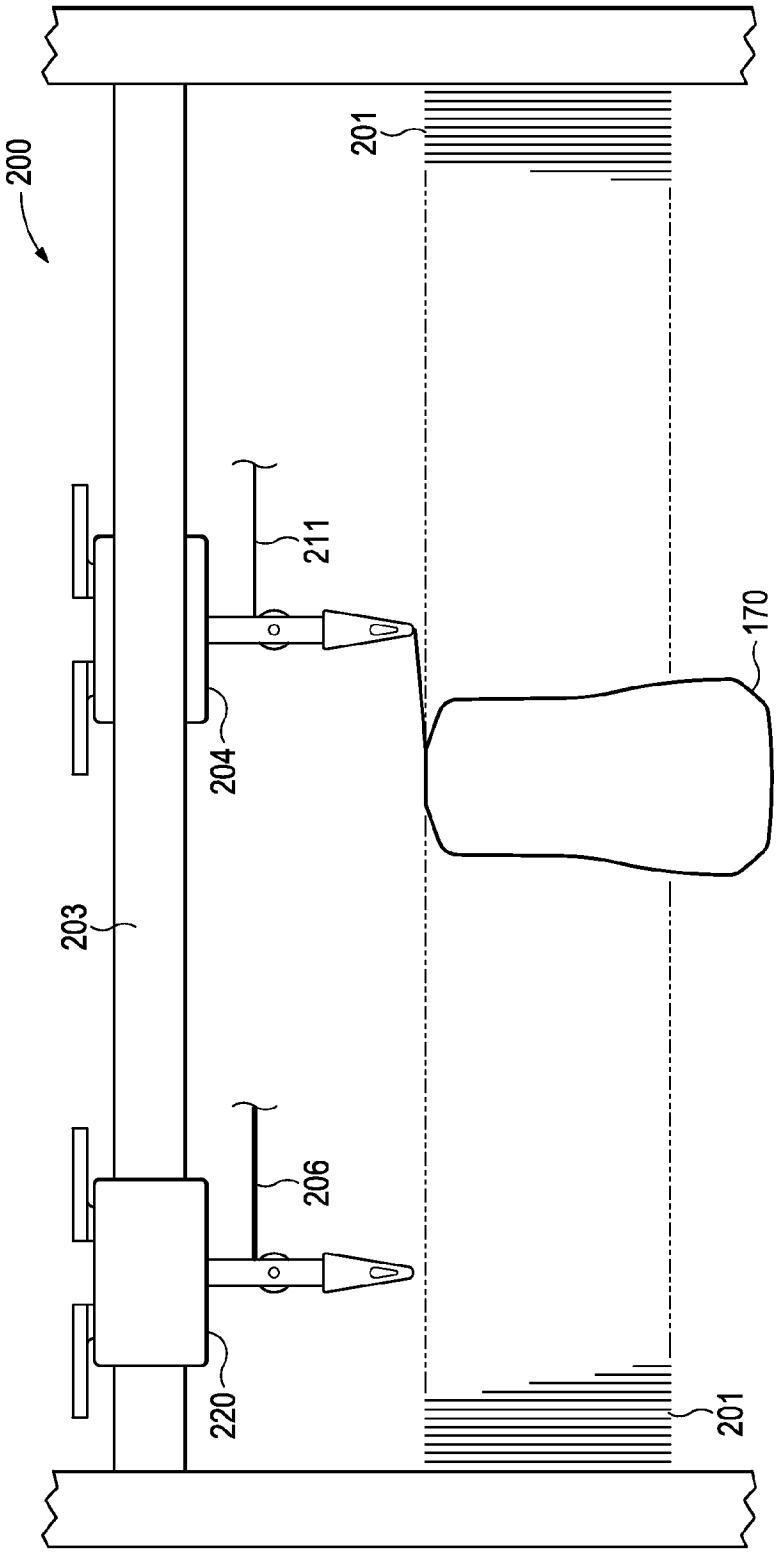


Figure 36B

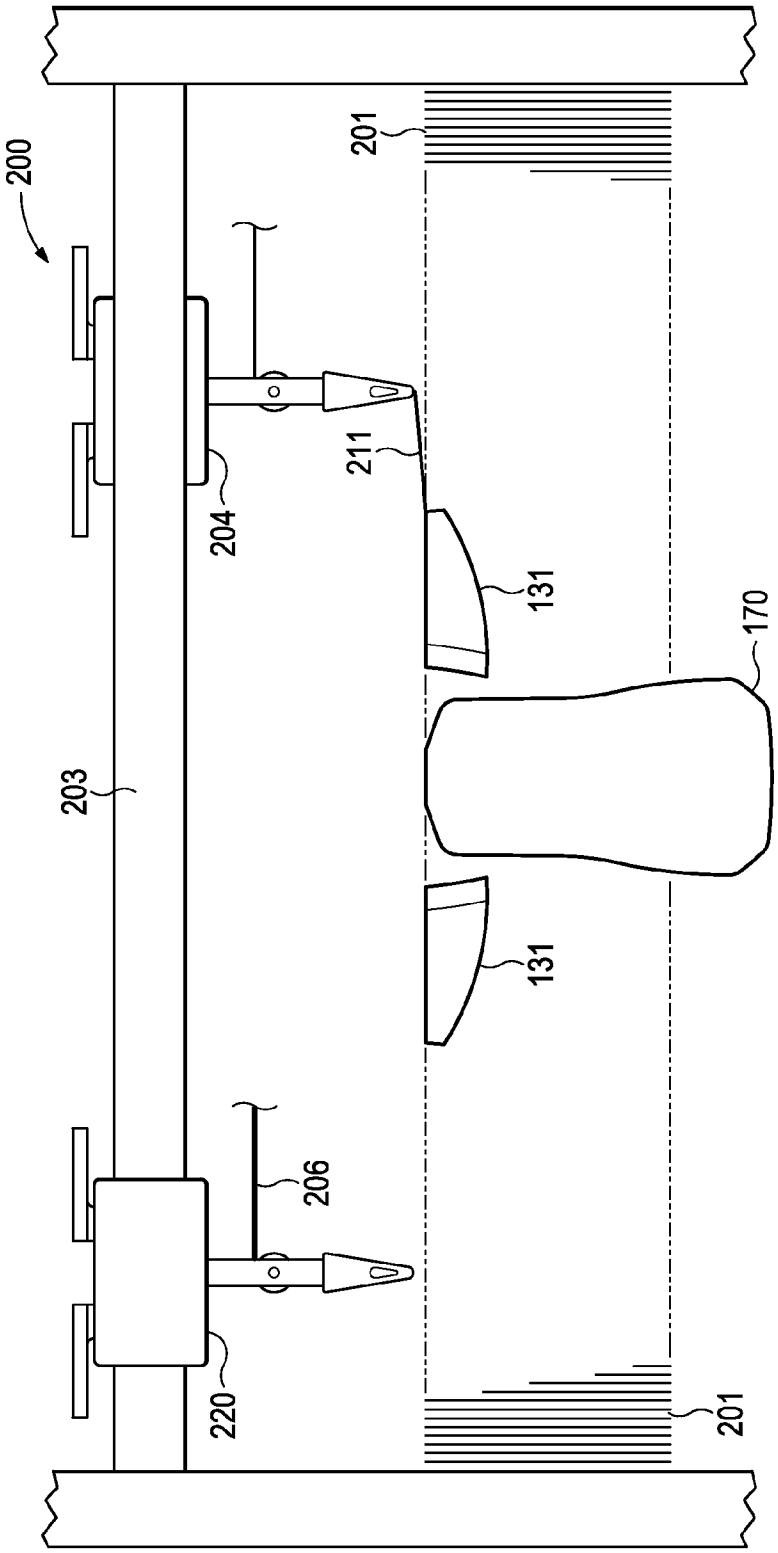


Figure 36C

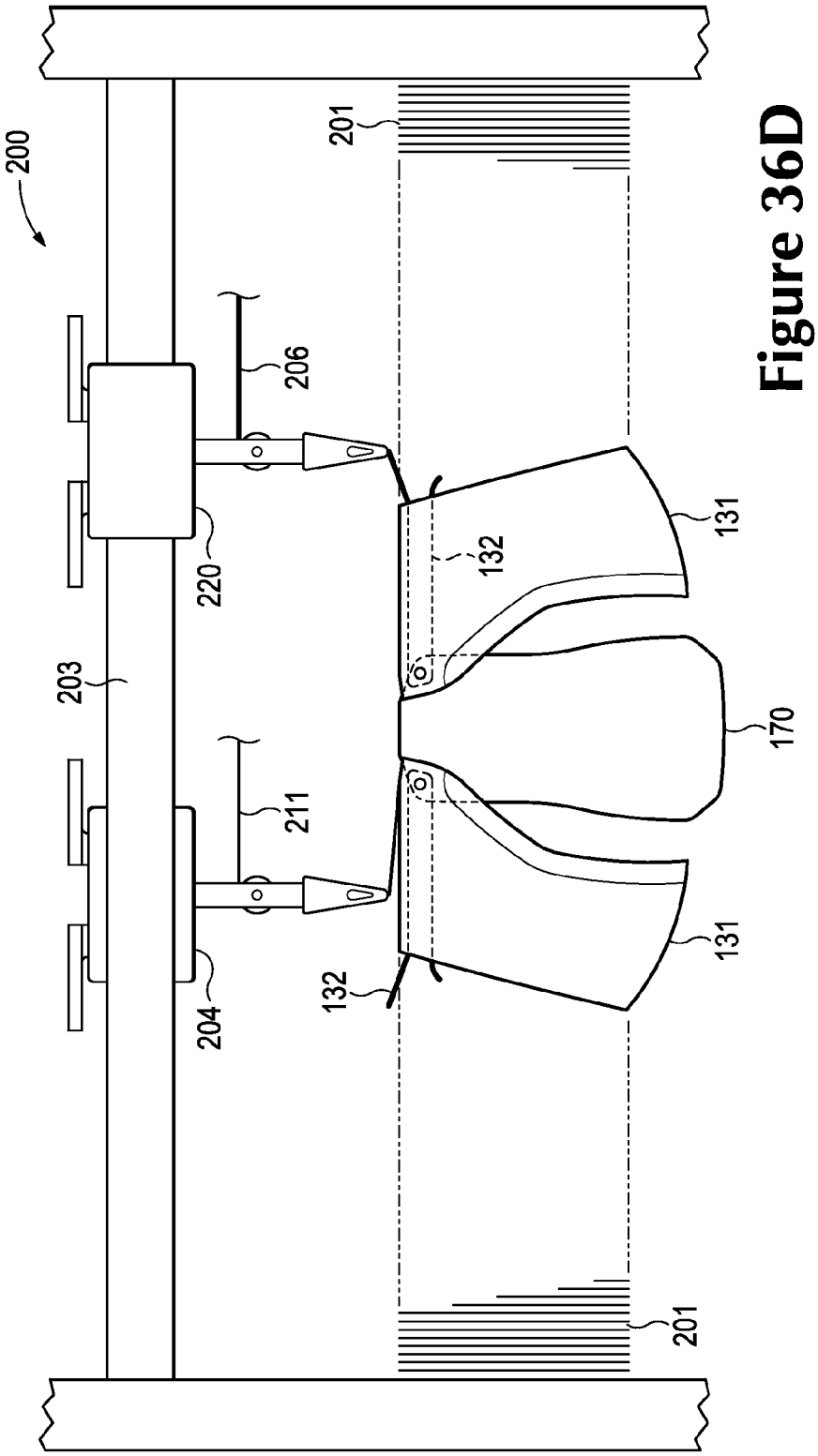


Figure 36D

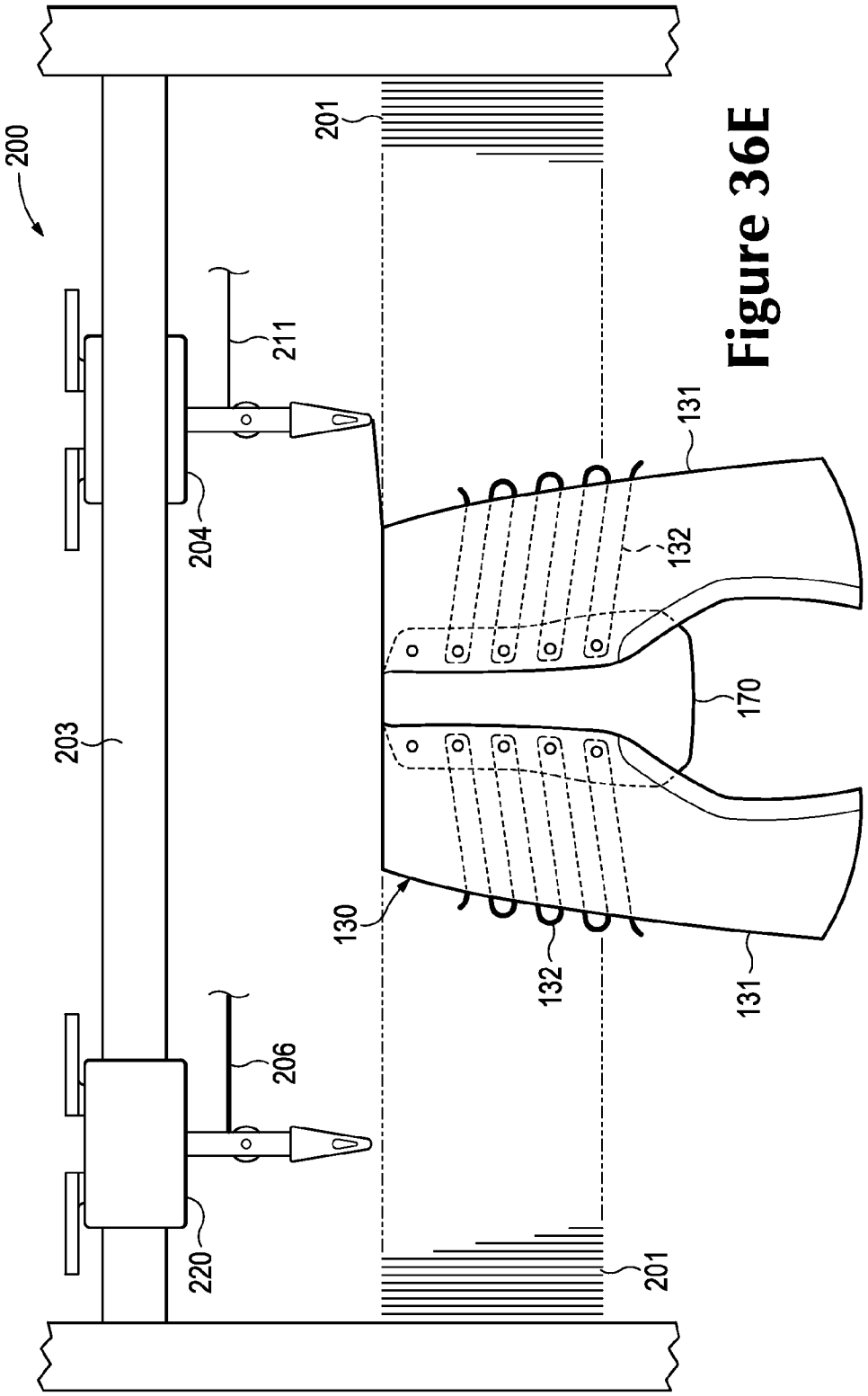


Figure 36E

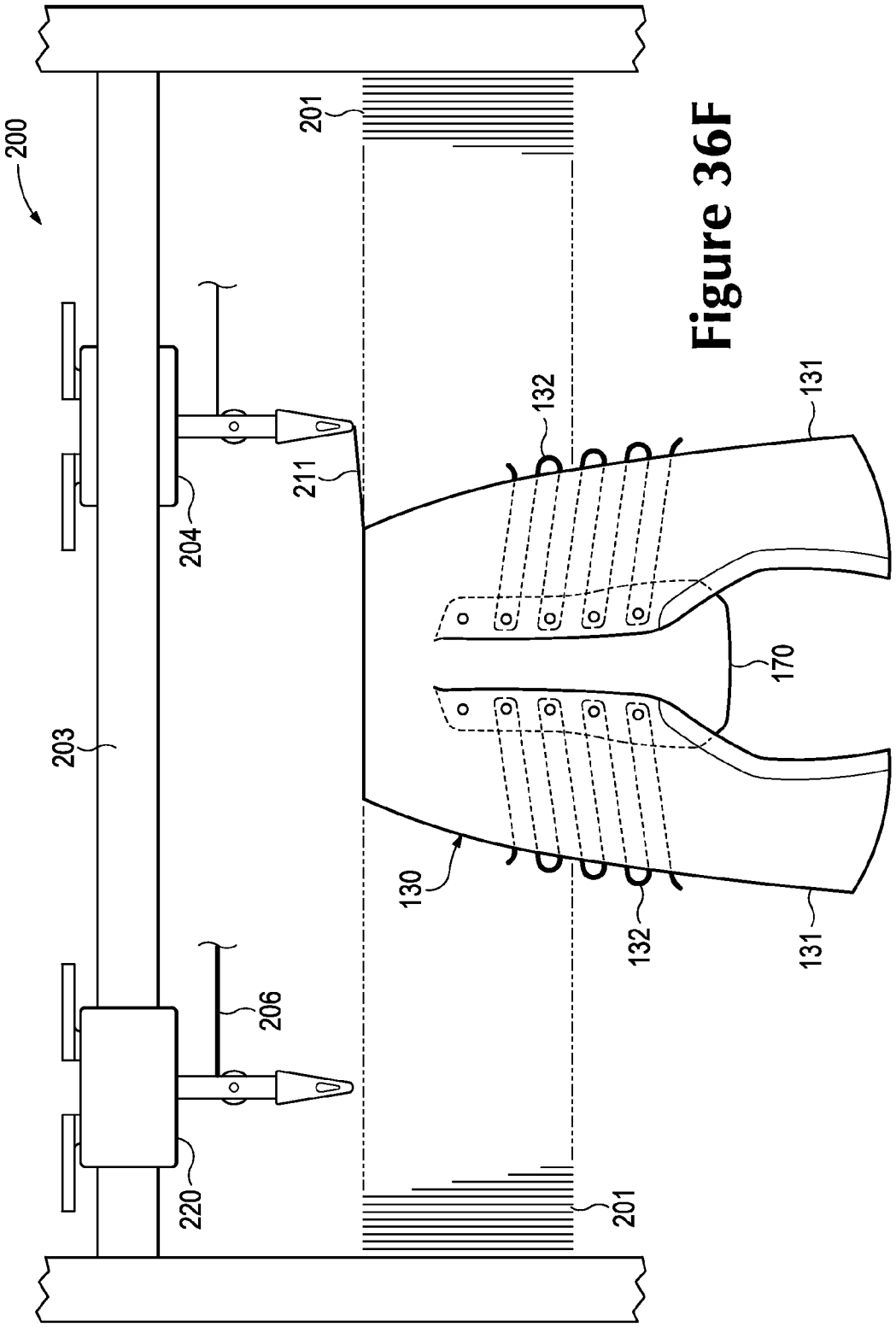


Figure 36F

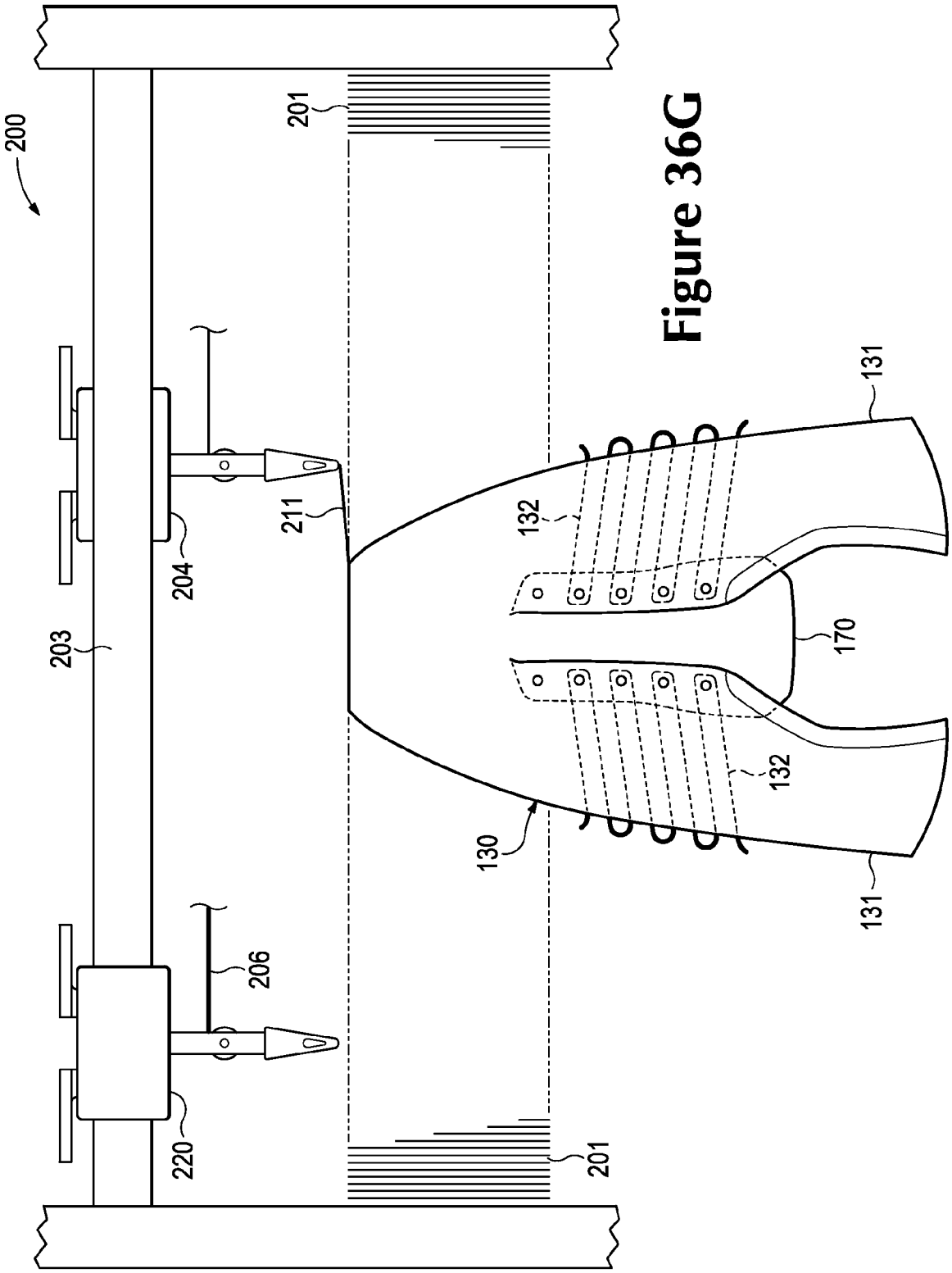


Figure 36G

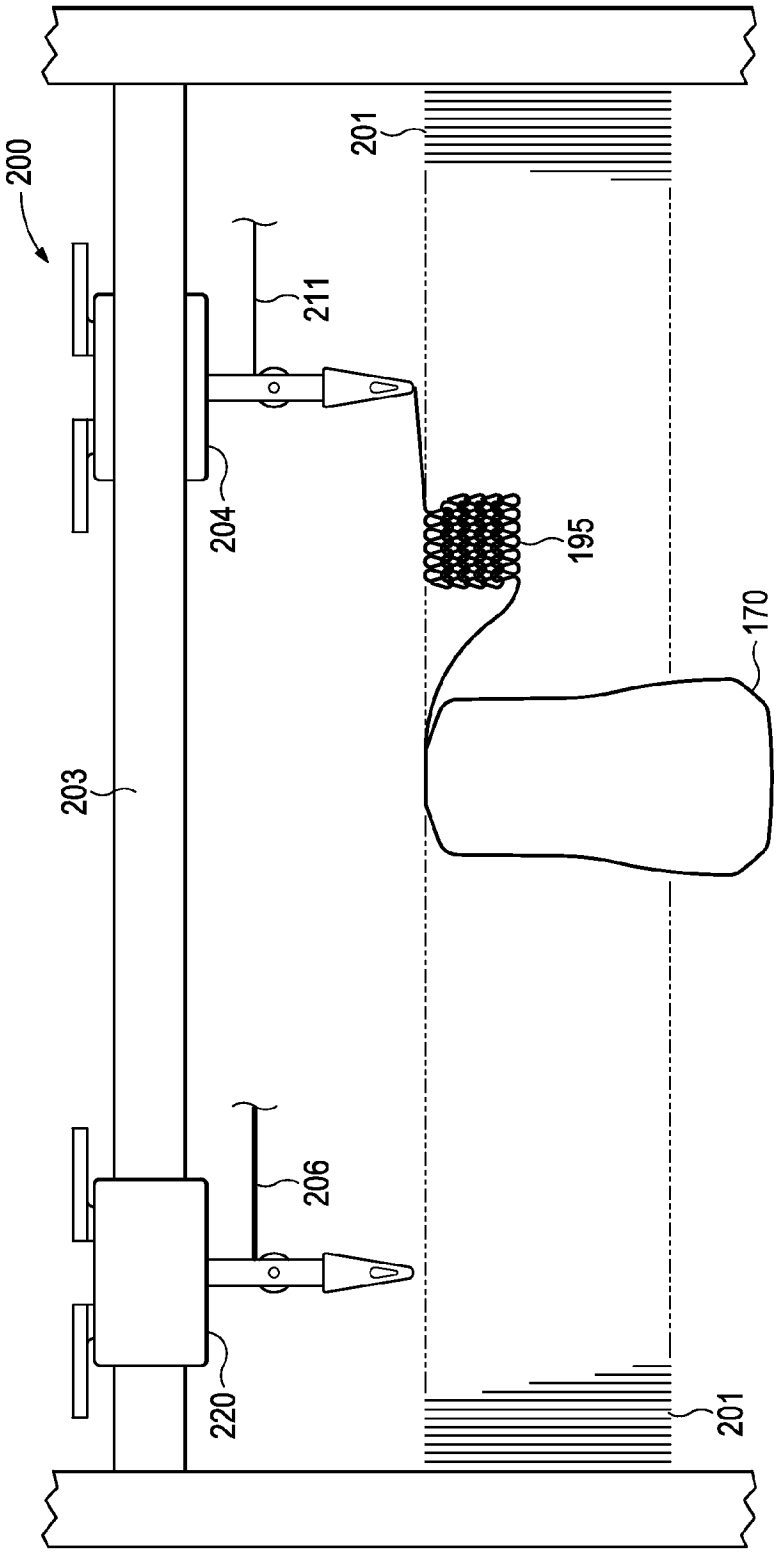


Figure 37

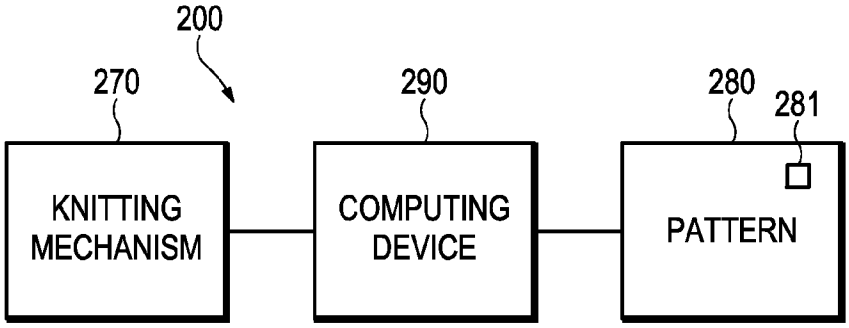

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KNITTING MECHANISM
COMPUTING DEVICE
PATTERN

Figure 38

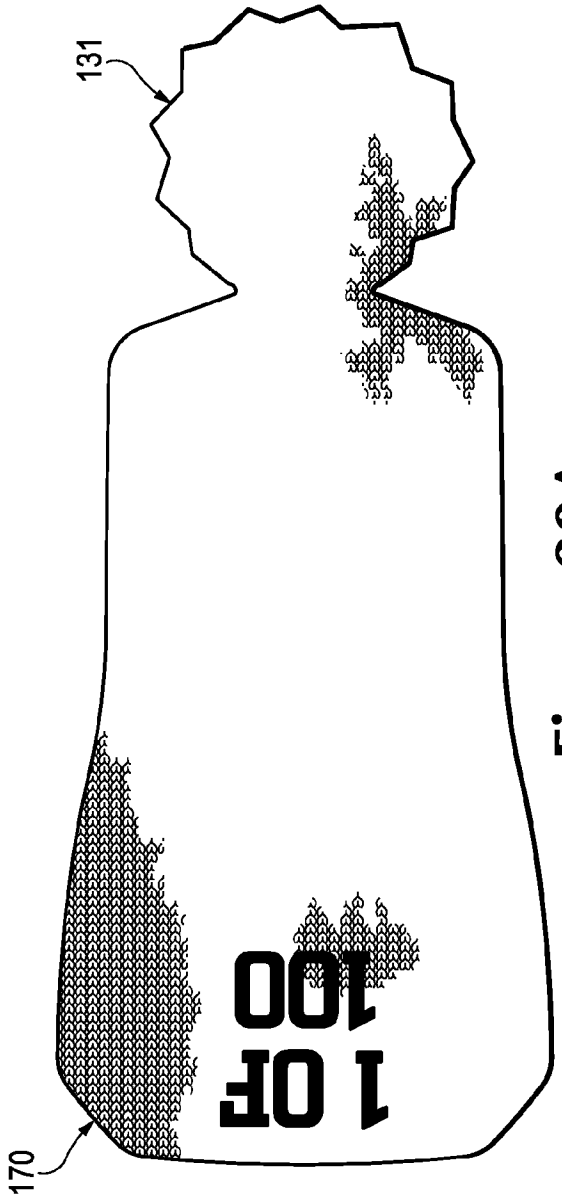


Figure 39A

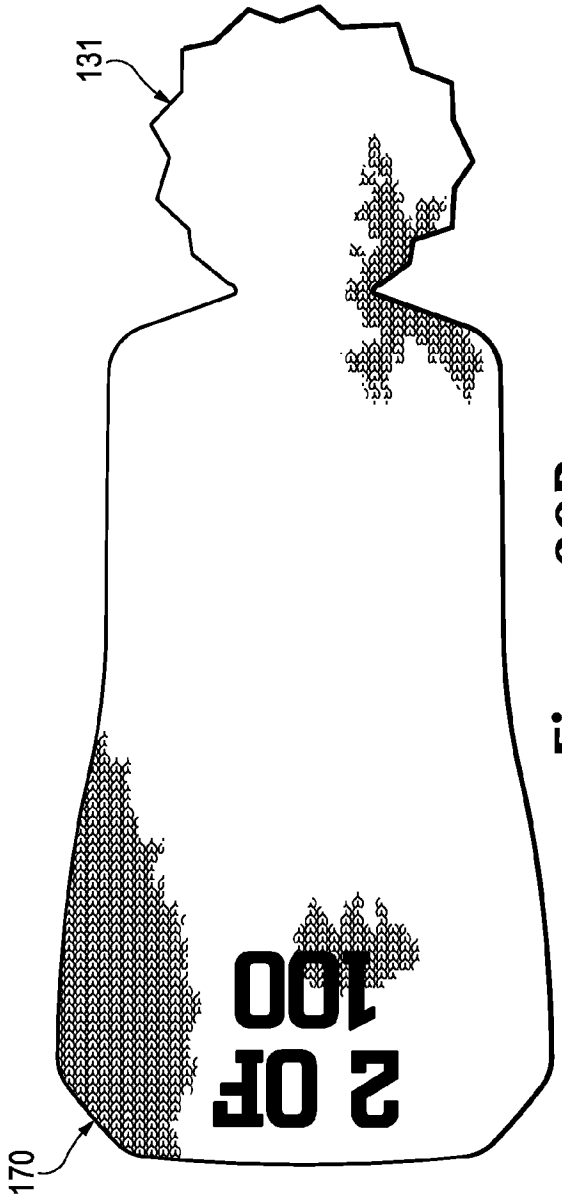


Figure 39B

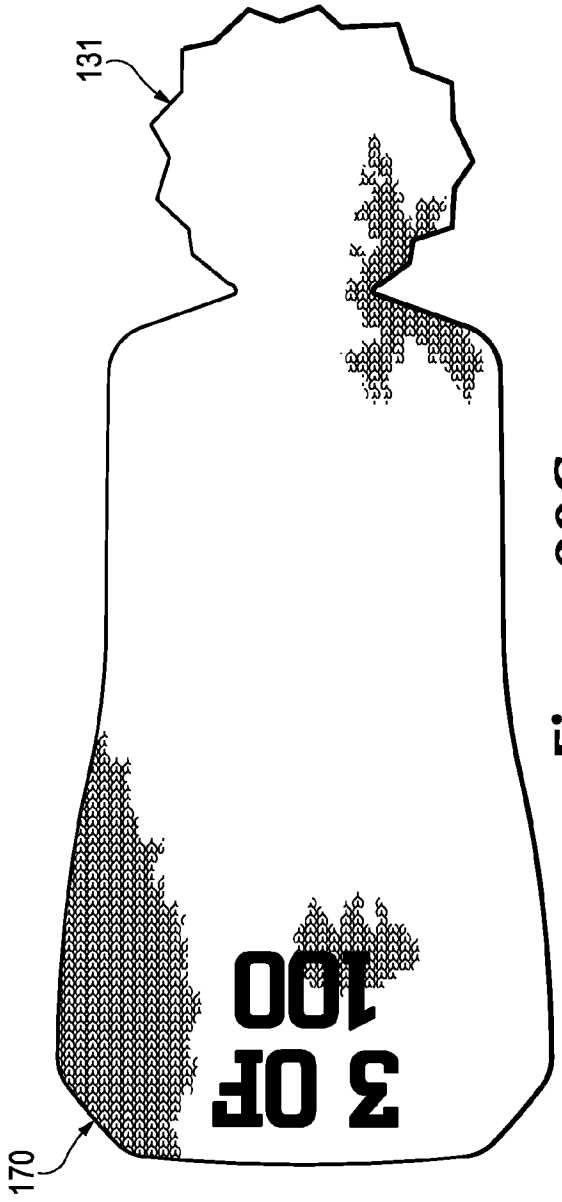


Figure 39C

Espacenet

Bibliographic data: WO2014050289 (A1) — 2014-04-03

FOOTWEAR AND METHOD FOR KNITTING FOOTWEAR

Inventor(s): IKENAKA MASAMITSU [JP] ± (IKENAKA, MASAMITSU)

Applicant(s): SHIMA SEIKI MFG [JP] ± (SHIMA SEIKI MFG., LTD)

Classification: **- international:** ***A41B11/00; D04B1/26;*** *A43B23/02*
- cooperative: **A43B1/04**; **A43B23/0245**; **D04B1/108**; **D04B1/22**; D10B2501/043

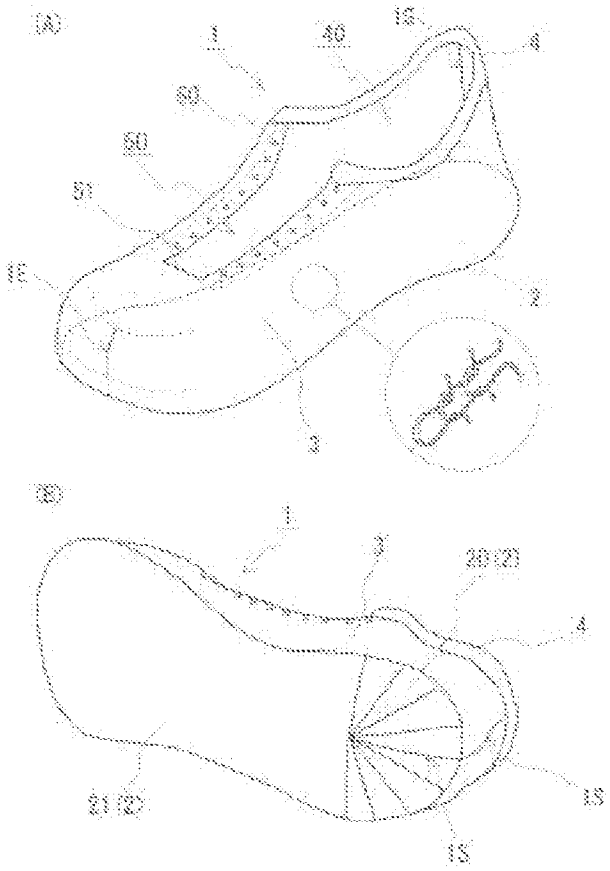
Application number: WO2013JP70284 20130726

Priority number(s): JP20120211377 20120925

Also published as: TW201425679 (A) CN104703493 (A)

Abstract of WO2014050289 (A1)

Provided is footwear provided with a three-dimensional shape that fits the foot of a wearer without depending on the contraction properties of knitted fabric. Footwear (1) is not sewn and is provided with an instep cover part (3) and a sole cover part (2). The sole cover part (2) is divided into a heel part (20) and a sole main body part (21). A knit start part (1S) or a knit end part is formed on the heel side end part of the footwear (1), and that knit start part (1S) or knit end part extends in the direction of height of the footwear (1) and is connected to the heel part (20). The heel part (20) is formed by a plurality of steps of knitting rows being built up in the wale direction and by the number of stitches in the direction of knit width for the knitting rows being made to gradually differ when the knitting rows are built up. By changing the number of stitches, the heel part (20) is formed into a tongue shape that gradually becomes narrower in width toward the heel side of the footwear (1).


(A)
1
40
16
4
60
50
51
10
2
3
(B)
1
2
20 (2)
4
21 (2)
15
15

(12) 特許協力条約に基づいて公開された国際出願

(19) 世界知的所有権機関
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(25) 国際出願の言語: 日本語

(26) 国際公開の言語: 日本語

(30) 優先権データ:
特願 2012-211377 2012 年 9 月 25 日(25.09.2012) JP

(71) 出願人: 株式会社島精機製作所 (SHIMA SEIKI MFG., LTD.) [JP/JP]; 〒6418511 和歌山県和歌山市坂田８５番地 Wakayama (JP).

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(81) 指定国 (表示のない限り、全ての種類の国内保護が可能): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

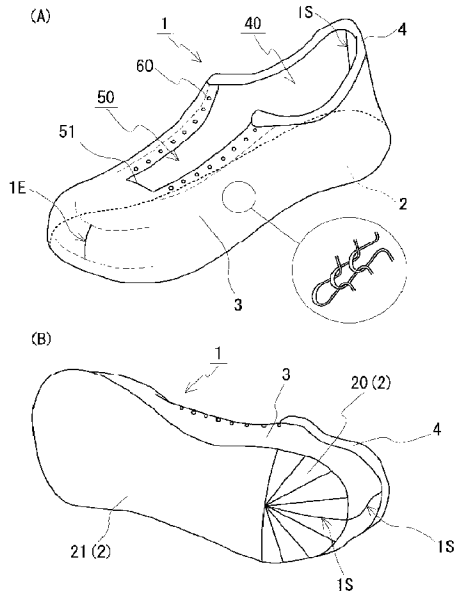
(84) 指定国 (表示のない限り、全ての種類の広域保護が可能): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, RW, SD, SL, SZ, TZ, UG, ZM, ZW), ユーラシア (AM, AZ, BY, KG, KZ, RU, TJ, TM), ヨーロッパ (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, KM, ML, MR, NE, SN, TD, TG).

添付公開書類:

— 国際調査報告（条約第 21 条(3)）

(54) **Title**: FOOTWEAR AND METHOD FOR KNITTING FOOTWEAR

(54) 発明の名称 : フットウェア、およびフットウェアの編成方法



(57) **Abstract**: Provided is footwear provided with a three-dimensional shape that fits the foot of a wearer without depending on the contraction properties of knitted fabric. Footwear (1) is not sewn and is provided with an instep cover part (3) and a sole cover part (2). The sole cover part (2) is divided into a heel part (20) and a sole main body part (21). A knit start part (1S) or a knit end part is formed on the heel side end part of the footwear (1), and that knit start part (1S) or knit end part extends in the direction of height of the footwear (1) and is connected to the heel part (20). The heel part (20) is formed by a plurality of steps of knitting rows being built up in the wale direction and by the number of stitches in the direction of knit width for the knitting rows being made to gradually differ when the knitting rows are built up. By changing the number of stitches, the heel part (20) is formed into a tongue shape that gradually becomes narrower in width toward the heel side of the footwear (1).

(57) 要約: 編地の伸縮性に依らずに着用者の足にフィットする立体的な形状を備えるフットウェアを提供する。インステップカバー部（３）と、ソールカバー部（２）と、を備える無縫製のフットウェア（１）である。ソールカバー部（２）は、ヒール部（２０）とソール本体部（２１）とに分けられている。フットウェア（１）の踵側端部には編出し部（１Ｓ）または編終わり部が形成されており、その編出し部（１Ｓ）または編終わり部は、フットウェア（１）の高さ方向に延び、かつヒール部（２０）に繋がっている。ヒール部（２０）は、編目列をウエール方向に複数段積み重ね、かつ編目列の段数を積み重ねる際に徐々に編目列の編幅方向の編目数を異ならせる編成によって形成されている。その編目数の変化によってヒール部（２０）は、フットウェア（１）の踵側に向かって徐々に幅が狭くなる舌片状に形成されている。

WO 2014/050289 A1

明　細　書

発明の名称 ： フットウェア、およびフットウェアの編成方法

技術分野

[0001] 本発明は、フットウェア、およびフットウェアの編成方法に関する。

背景技術

[0002] 横編機を用いてシュ―ズやソックスなどのフットウェアを編成することが行なわれている。例えば、ソックスにおいては従来から、着用者の足裏を覆うソールカバー部と、着用者の甲側の部分を覆うインステップカバー部と、そのインステップカバー部に連続して着用者の踝近傍から上の部分を覆う胴部と、を無縫製で一体に編成することが行なわれている。そのソックスの編成において、着用者の足の形状、特に踵の形状に沿ったソックスを得るために、ソックスの踵に対応する部分で編幅を広くすることが行なわれている（例えば、特許文献１を参照）。

先行技術文献

特許文献

[0003] 特許文献1：特開２００６−２９１４３９号公報

発明の概要

発明が解決しようとする課題

[0004] しかし、従来の編組織からなるフットウェアは、足の形状に沿った立体的なものとは言い難かった。

[0005] 従来のフットウェアは、踵に対応する部分に膨らみを持たせているとは言え、全体的には平面的なものに過ぎない。そのため、そのようなフットウェアを着用した場合、編地の伸縮性によって足にはフィットするものの、フットウェアにおける踵に対応する部分で局所的に編目が伸ばされたり、引き攣れたりする場合がある。そうなると、フットウェアの着用時の見栄えが損なわれたり、着用者にある種のストレスを与えたりする可能性がある。また、伸縮性に乏しい熱可塑性糸などで編成したフットウェアを着用した場合、フ

ットウェアの踵に対応する部分で編地がだぶつく恐れもある。

[0006] 本発明は上記事情に鑑みてなされたものであり、本発明の目的は、編地の伸縮性に依らずに着用者の足にフィットする立体的な形状を備えるフットウェア、およびその編成方法を提供することにある。

課題を解決するための手段

[0007] 本発明のフットウェアは、着用者の甲側の部分を覆うインステップカバー部と、着用者の足裏を覆うソールカバー部と、を備えるフットウェアである。このフットウェアでは、フットウェアの踵側端部の位置から編出されて踵側端部以外の位置で編終わるか、または踵側端部以外の位置から編出されて踵側端部の位置で編終わることで、インステップカバー部とソールカバー部とが編組織によって無縫製で一体に編成されている。そして、このフットウェアでは、フットウェアに備わるソールカバー部のうち、着用者の踵の後端部から所定範囲の領域に対応する部分をヒール部、それ以外の部分をソール本体部としたとき、次の［１］，［２］の構成を備えることを特徴とする。

［１］踵側端部に形成される編出し部または編終わり部が、フットウェアの高さ方向に延び、かつヒール部に繋がる。

［２］ヒール部は、編目列をウエール方向に複数段積み重ね、かつ編目列の段数を積み重ねる際に徐々に編目列の編幅方向の編目数を異ならせる編成によって形成され、その編目数の変化によってヒール部は、フットウェアの踵側に向かって徐々に幅が狭くなる舌片状に形成されている。

なお、踵の後端部から所定範囲とは、後端部から土踏まずに至るまでの長さの約半分程度の範囲、具体的には後端部から２～６ｃｍ、好ましくは後端部から３～５ｃｍまでの範囲のことである。

[0008] 本発明のフットウェアとして、フットウェアの踵側端部に形成される編出し部または編終わり部は、インステップカバー部の上端から下端を経て、ソールカバー部に延び、ヒール部とソール本体部との境界に至り、そしてヒール部は、ソールカバー部における編出し部または編終わり部を挟んで周状に並ぶ複数の扇状ピースによって形成される形態（以下、第１形態）を挙げる

ことができる。扇状ピースが周状に並ぶことで、ヒール部は舌片状に形成される。

[0009] 本発明のフットウェアとして、フットウェアの踵側端部に形成される編出し部または編終わり部は、インステップカバー部の上端から下端に至る形態（つまり、編出し部または編終わり部がソールカバー部に形成されていない形態）を挙げることができる。その場合、ヒール部全体が、ヒール部を構成する編目列のウエール方向の段数が増すごとに漸次編幅を広くする引き返し編成、もしくは漸次編幅を狭くする引き返し編成によって形成されていることで、ヒール部が舌片状に形成されている形態（以下、第２形態）を挙げることができる。

[0010] 本発明のフットウェアとして、フットウェアの踵側端部に形成される編出し部または編終わり部は、インステップカバー部の上端から下端を経て、ソールカバー部に延び、ヒール部とソール本体部との境界に至り、そしてヒール部は、ソールカバー部における編出し部または編終わり部を挟んで周状に並ぶ複数の扇状ピースと、隣接する扇状ピースの間に配置される介在ピースと、によって形成されている形態（以下、第３形態）を挙げることができる。扇状ピースが周状に並ぶことで、ヒール部が舌片状に形成される。

[0011] 本発明のフットウェアとして、フットウェアが熱可塑性糸を用いて編成されたシューズアッパーである形態を挙げることができる。

[0012] 本発明のフットウェアの編成方法は、着用者の甲側の部分を覆うインステップカバー部と、着用者の足裏を覆うソールカバー部と、を備えるフットウェアの編成方法に係る。この本発明のフットウェアの編成方法では、ソールカバー部のうち、着用者の踵の後端部から所定範囲の領域をヒール部、それ以外の部分をソール本体部としたとき、少なくとも前後一対の針床を備え、各針床に形成される編目の目移しが可能な横編機を用いて、下記［１］または［２］の手順に従ってフットウェアを編成する。そして、ヒール部の編成にあたって、編目列をウエール方向に複数段積み重ねる際に各段の編目列の編幅方向の編目数を異ならせる編成を行なうことを特徴とする。

［１］編出し部を編成し、その編出し部に基づいてインステップカバー部の左側面および右側面の踵側部分と、ソールカバー部のヒール部と、を編成する。次いで、ソールカバー部のソール本体部と、インステップカバー部の爪先側部分と、を編成していき、フットウェアを完成させる。

［２］編出し部を編成し、その編出し部に基づいて前記インステップカバー部の爪先側部分と、ソール本体部と、を編成する。次いで、フットウェアの踵側に向かってソールカバー部のヒール部と、インステップカバー部の踵側部分と、を編成していき、フットウェアの踵側端部で前記フットウェアの左側面と右側面とを閉じ合わせてフットウェアを完成させる。

発明の効果

［0013］ 本発明のフットウェアは、本発明のフットウェアの編成方法により作製され、従来のフットウェアよりも着用者の足の形状、特に踵の形状に沿った立体的な形状を備えるフットウェアである。そのため、本発明のフットウェアを着用した際、編地の伸縮性に依らずに着用者の足にフィットし、フットウェアの踵部分で編目が局所的に伸ばされたり引き攣れたりするなどの不具合が生じ難い。本発明のフットウェアが立体的な形状を備えるのは、フットウェアのソールカバー部にヒール部が形成され、そのヒール部の形状が着用者の足裏の輪郭形状に沿って湾曲した舌片状となっているからである。

［0014］ 本発明のフットウェアにおいて、ヒール部は上述した第１形態、第２形態、または第３形態のいずれであっても良いが、特に第１形態が好ましい。第１形態は、ヒール部とインステップカバー部との境界部分が滑らかで、ヒール部の編成も容易であるからである。

［0015］ 一方、熱可塑性糸を用いて編成されたシューズアッパー（フットウェア）は、形崩れし難く、履き心地に優れる。

図面の簡単な説明

［0016］［図1］（Ａ）は実施形態１に示すフットウェアの概略上面斜視図、（Ｂ）はそのフットウェアの概略下面斜視図である。

［図2］（Ａ）は実施形態１のフットウェアの編成工程を模式的に示す編成工程

イメージ図、（Ｂ）は（Ａ）の編成工程イメージに従って編成されたフットウェアの部分底面拡大図である。

[図3]（Ａ）は実施形態２に示すフットウェアの概略上面斜視図、（Ｂ）はそのフットウェアの概略下面斜視図である。

[図4]（Ａ）は実施形態２のフットウェアの編成工程を模式的に示す編成工程イメージ図、（Ｂ）は（Ａ）の編成工程イメージに従って編成されたフットウェアの底面図、（Ｃ）は（Ａ）の編成工程イメージに従って編成されたフットウェアの変形例の部分底面図である。

[図5]（Ａ）は実施形態３のフットウェアのヒール部の編成工程を模式的に示す編成工程イメージ図、（Ｂ）はヒール部の編成方法の説明図、（Ｃ）は（Ａ）の編成工程イメージに従って編成されたヒール部の底面拡大図である。

[図6]実施形態５のフットウェアの編成工程を模式的に示す編成イメージ図である。

[図7]実施形態７に示すソックスの概略斜視図である。

発明を実施するための形態

[0017] 以下、本発明のフットウェアとその編成方法の実施形態を図に基づいて説明する。フットウェアの製造には、少なくとも前後一対の針床を備え、前後の針床間で編目の目移しが可能な２枚ベッド横編機を用いた。もちろん、使用する横編機は、２枚ベッド横編機に限定されるわけではなく、例えば４枚ベッド横編機であっても良い。

[0018] ＜実施形態１＞

≪シューズアッパー≫

図１に示す本実施形態のシューズアッパー（フットウェア）１は、特殊な編成手順に従ってインステップカバー部３とソールカバー部２とを無縫製で一体に編成することによって得られた編組織からなるものである。このシューズアッパー１が特殊な編成手順によって編成されたことは、後述するように、ソールカバー部２の踵側の所定範囲の領域に、略半円形のヒール部２０が形成されていることから分かる。なお、シューズアッパー１を構成する編

組織は特に限定されず、例えば天竺組織やメッシュ組織、リブ組織、あるいはこれらの混合組織などであっても構わない。

[0019] 本実施形態のシューズアッパー１のうち、後述するインサート部４を除く部分は、踵側端部から編成を開始し、爪先側端部で編成を終了することで作製される。編成の開始部である編出し部１Ｓは、図１（Ｂ）に示すように、シューズアッパー１の踵側端部でシューズアッパー１の高さ方向に延びている。より具体的には、編出し部１Ｓは、インステップカバー部３の上端から下端を経て、ソールカバー部２に延び、ヒール部２０とソール本体部２１との境界に至っている。一方、編成の終了部である編終わり部１Ｅは、図１（Ａ）に示すように、シューズアッパー１におけるインステップカバー部３の爪先側端部でシューズアッパー１の高さ方向に延びている。上述した位置・方向に編出し部１Ｓと編終わり部１Ｅを設定することで、シューズアッパー１の編成が踵側から爪先側に進むことになり、ヒール部２０と後述するインサート部４を除く部分の編目は、シューズアッパー１の長さ方向（前向き）に向いて揃う（図１（Ａ）の丸囲み拡大図を参照）。編目の向きが揃っていることでシューズアッパー１の全体的な見栄えが向上する。

[0020] 図１（Ｂ）に示すシューズアッパー１のヒール部２０は、編目列をウエール方向に複数段積み重ねる際に各段の編目列の編幅方向の編目数を異ならせる編成によって形成されている。このように各段の編目列の編幅方向の編目数を異ならせることで、ヒール部２０はシューズアッパー１の踵側に向かって徐々に幅が狭くなる舌片状（略半円形状）となり、その結果、シューズアッパー１は着用者の踵の丸みに沿った立体的な形状となる。本実施形態では、ヒール部２０は、ヒール部２０における編出し部１Ｓを挟んで周状に並ぶ複数の扇状ピースから構成されている。このヒール部２０の編成手順については後述する。

[0021] その他、本実施形態におけるシューズアッパー１のインステップカバー部３には、履き口４０から爪先に向かって延びるスリット５０が形成されており、履き口４０から足を挿入し易くなっている。また、インステップカバー

部３におけるスリット５０を挟む位置には靴紐を通す鳩目（ｅｙｅｌｅｔ）を取り付けるための鳩目孔（ｅｙｅｌｅｔ　ｈｏｌｅ）６０が形成されている。

[0022] さらに、本実施形態のシューズアッパー１の履き口４０近傍の縁部、即ちインステップカバー部３の上端縁部に、その縁部を補強するインサート部４が設けられている。このインサート部４は必須のものではないが、インサート部４を設けることで、履き口４０近傍におけるインステップカバー部３の縁部の輪郭形状を安定させることができ、その結果、履き口４０から足を挿入し易いシューズアッパー１とすることができる。本実施形態におけるインサート部４は、インステップカバー部３に無縫製で接続される編組織でできており、インサート部４の編目の向きは、後述する編成工程を反映してシューズアッパー１の高さ方向（下向き）に向いている。なお、インサート部４は、インサート部４のないシューズアッパー１に後から取り付けても構わない。例えば、インサート部４のないシューズアッパー１の履き口４０の縁部に樹脂などからなる補強材を取り付けたり、シューズアッパー１とは別に編成した編組織を接合することでインサート部４を形成しても良い。

[0023] ≪編成手順≫

上記シューズアッパー１は、熱可塑性樹脂などを含む編糸を用いて、シューズアッパー１の右側部分を横編機の一方の針床で、左側部分を他方の針床で編成することで作製することができる。図２（Ａ）は、シューズアッパー１の右側部分の編成手順を模式的に示す編成イメージ図、図２（Ｂ）は編成イメージ図に従って編成されたソールカバー部２の部分底面拡大図である。図２（Ａ）におけるシューズアッパー１の左側部分は、紙面奥側に配置されていると考えて良く、紙面右側でシューズアッパー１の右側部分と左側部分は繋がっている。シューズアッパー１の左側部分は、右側部分と同様の編成により編成されるので、その説明は省略する。なお、言うまでもないが、足の形状は左右非対称であるため、足の形状に合わせてシューズアッパー１の右側部分と左側部分の編幅などを変えることが好ましい。

[0024] 図２（Ａ）では、下側から上側に向かって編成が進む。本実施形態におけるシューズアッパー１は、インサート部領域α、踵領域β、本体後部領域γ、本体前部領域δ、および爪先領域εの五つの領域に分けて編成される。ここで、図２（Ａ）の短点線はインステップカバー部３とソールカバー部２との境界を、長点線（図１（Ａ）にも示す）は減し目を行なった部分を、一点鎖線は上記領域α～εの境界を表しており、図２では編成の要所となる位置に小文字アルファベットａ～ｒを付している。

[0025] ［インサート部領域αの編成］

図２に示す編成では、まず右側を折り返し位置とするＣ字状編成を行なって、インサート部４を編成する。つまり、紙面左側の位置では前後に係止されるインサート部４は繋がっておらず、この繋がっていない部分からスリット５０（図１（Ａ）参照）が形成される。この時点で、インサート部４のａ－ｂ－ｃ－ｄの編目が針床に係止された状態になっている。

[0026] ［踵領域βの編成］

次いで、インサート部４の編目が係止されていない編針に編出し部１Ｓを形成する（ｄ－ｅ－ｆ参照）。この編出し部１Ｓは、図１（Ｂ）に示すように、インステップカバー部３の上端から下端を経て、さらにヒールカバー部２の位置まで延びている。図１（Ｂ）を参照して既に述べたように、編出し部１Ｓのヒールカバー部２側の端部は、ヒールカバー部２におけるヒール部２０とソール本体部２１との境界にまで延びている。言い換えると、編出し部１Ｓの端部の位置が、ヒール部２０の大きさを決定している。

[0027] 編出し部１Ｓが形成されれば、この編出し部１Ｓのウエール方向に続いて複数段の編目列を編成する。その際、紙面右側の位置で徐々に編幅方向の編目数を減らす引き返し編成を行なうことで、インステップカバー部３の一部と扇状ピース２０１を編成する。さらに、本実施形態では、引き返し編成によって編目列を１～３段分編成するごとに編目列はインサート部４の側（左側）に目移しし、編目列におけるインサート部４側（左側）の編目とインサート部４におけるインステップカバー部３側（右側）の編目とを接合する。

なお、図中の符号ｆの位置で、図示されるシューズアッパー１の右側部分と、図示されないシューズアッパー１の左側部分と、は接合されている。

[0028] さらに、紙面右側の位置で徐々に編幅方向の編目数を増やす引き返し編成を行なった後、徐々に編幅方向の編目数を減らす引き返し編成を行なうことを２回繰り返し、インステップカバー部３の一部と扇状ピース２０２，２０３を編成する。その際、扇状ピース２０１のｇ－ｆのウエール方向に連続して扇状ピース２０２のｇ－ｈを編成し、扇状ピース２０１と扇状ピース２０２とを接合し、扇状ピース２０２のｉ－ｈのウエール方向に連続して扇状ピース２０３のｉ－ｊを編成し、扇状ピース２０２と扇状ピース２０３とを接合する。また、引き返し編成によって編成した編目列をインサート部４の側（左側）に目移しし、インステップカバー部３のｄ－ｌラインの一部を、インサート部４に接合する。

[0029] 最後に、紙面右側の位置で徐々に編幅方向の編目数を増やす引き返し編成を行なうことで、インステップカバー部３の一部と扇状ピース２０４を編成する。その際、扇状ピース２０３のｋ－ｊのウエール方向に連続して扇状ピース２０４のｋ－ｍを編成し、扇状ピース２０３と扇状ピース２０４とを接合する。

[0030] 扇状ピース２０４の編成が終了した時点で、符号ｆ，ｈ，ｊ，ｍは一つに繋がり、この繋がった部分を中心にして、扇状ピース２０１～２０４が周状に並ぶ。ここで、図２（Ａ）で図示されないシューズアッパー１の左側部分においても同様の編成が行なわれているため、扇状ピース２０４の編成が終了した時点で、図２（Ｂ）に示すように、編出し部１Ｓを挟んで周状に並ぶ扇状ピース２０１～２０４，２０５～２０８からなるヒール部２０が形成される。扇状ピース２０５～２０８は、図２（Ａ）において紙面奥側で編成されたシューズアッパー１の左側部分の編地であり、扇状ピース２０１～２０４と同様の手順に従って編成された編地である。これら扇状ピース２０１～２０８は、白丸で示す部分（つまり、図２（Ａ）の符号ｆ，ｈ，ｊ，ｍが一つに繋がった部分）を中心にして、扇の根元を爪先側（図２（Ｂ）では左側

）に向けて周状に並んでおり、扇状ピース２０１～２０８の外側の略円弧状の部分が、ヒール部２０の湾曲形状を形作っている。

[0031] 踵領域βの編成が終了した時点で、針床にはａ－ｂ－ｃ（ｌ）－ｍの編目が係止された状態になっている。

[0032] ［本体後部領域γの編成］

次いで、ｌ－ｍの編目のウエール方向に続いてインステップカバー部３とソールカバー部２となる編目列をＣ字状編成により編成することと、編成した編目列をインサート部４の側（左側）に目移しして、インサート部４のｃ－ｂの編目に重ね合わせることと、を繰り返す。この編成により、インステップカバー部３のｌ－ｎがインサート部４のｃ－ｂに接合され、インステップカバー部３の編目の向きは、シューズアッパー１の長さ方向（前向き）に向く。

[0033] ここで、本実施形態では、インステップカバー部３の本体後部領域γを構成する編目列の段数を増す際、編目列の編幅を減らした後、編目列の編幅を増やしている。そうすることで、図１に示すように、インサート部４における着用者の踝に対応する部分が、踝を避けるようにソールカバー部側に湾曲する（図２のｌ－ｎも合わせて参照）。また、その湾曲形状は、履き口側の位置（図２のｌ－ｎの位置）でインステップカバー部３の編幅方向の目数を増減することで形成されている。そのため、インステップカバー部３を構成する編目が爪先部分に向かって真っ直ぐに揃う。仮に、インステップカバー部３の編幅内で編目を増減すると、編目の方向が不揃いになってシューズアッパー１の見栄えを損なう恐れがある。

[0034] なお、本体後部領域γにおける編目の増減は、シューズアッパー１の右側部分と左側部分とで異ならせることが好ましい（後述する本体前部領域δ、爪先領域εも同様）。例えば、シューズアッパー１における親指側の部分の高さを、小指側の部分よりも高くするなど、足の立体的な形状を考慮して上記右側部分と左側部分の形を変える。その際、インステップカバー部３の甲側部分およびソールカバー部２の位置で編目の増減を行なうことが好ましい

。シューズアッパー１の側面における編目の向きを揃えることができ、シューズアッパー１の見栄えを良好にすることができるからである。

[0035] ［本体前部領域δ］

次に、ａ－ｂ（ｎ）－ｏの編目のウエール方向に続いてインステップカバー部３の本体前部領域δとなる編目列を複数段、編成する。その際、爪先領域εに向かうに従い、編目列の編幅を長点線の位置で減らすことで、本体前部領域δを足の形状に沿った先細りの形状にすることができる。

[0036] また、本実施形態では、本体前部領域δの編成の際、スリット５０（図１参照）の近傍の位置に鳩目孔６０を形成する。鳩目孔６０は、公知のメッシュ編成やミス編成などにより形成することができる。

[0037] ［爪先領域εの編成］

爪先領域εの編成にあたっては、まずスリット５０（図１参照）の切り込み端５１となる部分をＣ字状編成で編出す。次いで、本体前部領域δのウエール方向終端の編目列と、切り込み端５１となる部分の編目列のウエール方向に連続して筒状編成を行ない、爪先領域εを編成する。その際、長点線（図１の長点線も合わせて参照）で示すインステップカバー部３の甲側の位置とソールカバー部２側の位置で減し目を行なって編幅を小さくしていき、最後に先端のｑ－ｒの位置でシューズアッパー１の左側部分と右側部分とを閉じ合わせる。そうすることで、図１に示すように、シューズアッパー１の先端を、足の形状に沿った先細りの形状にすることができる。シューズアッパー１の左側部分と右側部分を閉じ合わせることで形成される編終わり部１Ｅは、図１（Ａ）に示すようにシューズアッパー１の高さ方向に延びる。

[0038] 図１に示すシューズアッパー１の編成が終了したら、インステップカバー部３のスリット５０の内側に図示しないタン（ｔｏｎｇｕｅ）を取り付けると共に、ソールカバー部２に図示しないアウターソールを接合する。また、鳩目孔６０に図示しない鳩目を取り付ける。そして、シューズアッパー１全体を足型にはめて熱処理し、シューズアッパー１を立体的に成形する。最後に、鳩目に靴紐を通してシューズを完成させる。

[0039] なお、タンは、横編機によってシューズアッパー１に一体に形成することもできる。その場合、切り込み端５１の近傍を編成する際に編出し部を編成しておき、その編出し部に続いてタンを編成すれば良い。また、室内で使用するシューズを作製するのであれば、シューズアッパー１にアウターソールを取り付けなくても構わない。その場合、ソールカバー部を厚めの編組織とすれば良い。

[0040] 以上説明したように、本実施形態のシューズアッパー１は、編地の伸縮性に依らずに着用者の足の形状に沿った立体的な形状を備える。それは、図１（Ｂ）に示すように、ソールカバー部２の踵側の部分に、着用者の足裏の輪郭形状に沿った円弧状のラインを有するヒール部２０が形成されているからである。また、編成が終了した時点で既に足の形状に沿った立体的な本実施形態のシューズアッパー１であれば、シューズアッパー１を熱処理して成形する際、シューズアッパー１の踵部分がだぶついたり、当該踵部分の近傍で編目の並びが乱れたりすることが少なく、シューズアッパー１の見栄えが良い。

[0041] さらに、本実施形態のシューズアッパー１は、インステップカバー部３における編目の向きが爪先側を向いて揃っており（図１（Ａ）丸囲み参照）、見栄えが良い。これは、シューズアッパー１の踵側でシューズアッパー１の高さ方向に延びる編出し部１Ｓを形成し、その編出し部１Ｓからシューズアッパー１の右側部分と左側部分を編成していき、シューズアッパー１の爪先側でシューズアッパー１の右側部分と左側部分を閉じているからである。しかも、このシューズアッパー１では、ヒール部２０の近傍におけるだぶつき、編目の乱れが少なく、シューズアッパー１の踵部分の見栄えも良い。

[0042] また、本実施形態のシューズアッパー１は、インステップカバー部３とソールカバー部２とを無縫製で一体に編成することで得られるため、生産性に優れる。また、上記シューズアッパー１にアウターソールを接続する際、編地でできたシューズアッパー１は既に立体的な形状に保持されているため、シューズアッパー１とアウターソールカバー部との位置合わせが容易である

し、シューズアッパー１が形崩れし難いため、取り付け作業自体も容易である。

［0043］＜実施形態２＞

実施形態２では、実施形態１とは異なる編成方法を図３，４に基づいて説明する。両実施形態の相違点は、ヒール部の構成とその編成方法のみであるので、本実施形態ではその相違点を中心に説明する。

［0044］ 図３（Ａ）に示すように、実施形態２のシューズアッパー１’は、履き口４０側から見た場合、実施形態１のシューズアッパー１と外観上の違いはない。しかし、図３（Ｂ）に示すように、シューズアッパー１’をソールカバー部２’側から見たとき、編出し部１Ｓが、インステップカバー部３の上端から下端にわたって形成されているが、ソールカバー部２’には及んでいない。また、実施形態２では、ソールカバー部２’の踵側に形成されるヒール部２０’全体が、漸次編幅を広くする引き返し編成、もしくは漸次編幅を狭くする引き返し編成によって形成されている。

［0045］ 上記ヒール部２０’を備えるシューズアッパー１’は、図４（Ａ）の編成工程イメージ図に従って編成することができる。図４（Ａ）の見方は図２（Ａ）と同じである。図４（Ａ）の編成の要所にはアルファベットａ～ｐを付している。

［0046］ ［領域α～βの編成］

まず、実施形態１と同様に、インサート部４を編成する。次いで、インサート部４の編目が係止されていない編針に編出し部１Ｓを形成する（ラインｄ－ｅ参照）。編出し部１Ｓの形成幅は、図３に示すシューズアッパー１’の踵側端部の高さと同じである。

［0047］ 次いで、編出し部１Ｓのウエール方向に続いてインステップカバー部３の側面となる編目列を編成すると共に、編成した編目列を紙面左側に目移しして、インステップカバー部３のラインｄ－ｉを、インサート部４のラインのｄ－ｃに接合していく。インステップカバー部３の領域ｄ－ｅ－ｊ－ｉが完成した時点で、針床にはａ－ｂ－ｃ（ｉ）－ｊ－ｆ－ｅの編目が係止された

状態になっている。そこで、インステップカバー部３のラインｆ－ｅのウエール方向に続いてヒール部２０’の編成を開始する。そうすることで、インステップカバー部３のラインｆ－ｅと、ヒール部２０’のラインｇ－ｈと、が接合される。そして、ヒール部２０’の編目列を増やしていきつつ、ヒール部２０’のラインｇ－ｊをインステップカバー部３のラインｆ－ｊに接続する。なお、インステップカバー部３の領域ｄ－ｅ－ｊ－ｉの編成と、ヒール部２０’の領域ｇ－ｈ－ｋ－ｊの編成と、を並行して行なっても良い。

[0048] ここで、図４（Ａ）に示す編成では、編幅を徐々に広くする引き返し編成によりヒール部２０’を編成している。引き返し編成は、ヒール部２０’の右側部分（ｇ－ｈ－ｋ－ｊ）と、左側部分（奥側に隠れている部分）と、に連続して行なわれる。このような編成により、図４（Ｂ）に示すように、徐々に編幅が拡がることでソールカバー部２’の踵側に湾曲形状が形成されたヒール部２０’が形成される。もちろん、ヒール部２０’の右側部分（ｇ－ｈ－ｋ－ｊ）と、左側部分（奥側に隠れている部分）とは、別々に編成しても良く、その場合、上記右側部分と左側部分とはラインｈ－ｋで接続される。

[0049] なお、図４（Ｃ）に示すように、編幅を徐々に狭くすることでヒール部２０’を編成しても良い。その場合、例えば、図４（Ａ）において、インステップカバー部３のうちのｄ－ｅ－ｊ－ｉで囲まれる部分を編成した後、ラインｊ－ｆ－ｅのウエール方向に続いてヒール部２０’の編成を開始すれば良い。

[0050] ［領域γ～εの編成］

踵領域βの編成が終了したら、インステップカバー部３のラインｉ－ｊ、およびヒール部２０’のラインｊ－ｋのウエール方向に連続して、インステップカバー部３とソール本体部２１を編成し、本体後部領域γを完成させる。そして、本体後部領域δと爪先領域εを編成し、ラインｏ－ｐを編終わり部１Ｅで閉じ合わせる。領域γ，δ，εの編成手順は実施形態１と全く同じである。

[0051] ＜実施形態３＞

実施形態３では、実施形態１，２とは異なる編成方法を図５に基づいて説明する。実施形態３の編成方法は、ヒール部２５の編成方法のみが実施形態１と異なる。従って、その相違点についてのみ説明する。

[0052] 実施形態３のシューズアッパー（図示せず）の編出し部１Ｓは、図５（Ｃ）に示すように、ソールカバー部２におけるヒール部２５とソール本体部２１との境界に至っている。この点は、実施形態１の構成と同じである。

[0053] ヒール部２５は、図５（Ｃ）に示すように、編出し部１Ｓを挟んで周状に並ぶ複数の扇状ピース２５１～２５８と、隣接する扇状ピース２５１～２５８の間に配置される介在ピース２９１～２９６と、によって形成されている。このようなヒール部２５を編成するには、編幅方向に編目の密度が高い部分と低い部分とを形成する特殊な編成が必要になる。

[0054] 図５（Ａ）は、ヒール部２５の編成工程イメージ図である。図５（Ａ）のｅ－ｆ－ｇ、ｇ－ｈ－ｉ、ｉ－ｊ－ｋ、ｋ－ｍ－ｍ’で囲まれた部分は、扇状ピース２５１～２５４となる部分であり、編目の密度が高い部分である。一方、ｆ－ｇ－ｈ、ｈ－ｉ－ｊ、ｊ－ｋ－ｍで囲まれた部分は、介在ピース２９１～２９３となる部分であり、編目の密度が低い部分である。

[0055] 上記特殊な編成について、図５（Ｂ）に基づいて説明する。まず、図５（Ａ）のｅ－ｆ－ｇの部分では、図５（Ｂ）に示すように編目の間隔を詰めて編成すると共に、編目列の段数を増すごとに編幅方向の編目数を減らしていく。そうすることで、扇状ピース２５１を形成することができる。これに対して、図５（Ａ）のｆ－ｇ－ｈの部分では、２～５針置きの編針にのみ編目を形成し、しかも編目列の段が変わるごとに編幅方向の編目の位置を変えている。このように編目の密度が低い部分では、段が異なる編目列の編目がほぼ一直線上に揃い、図５（Ｃ）に示すような細長い略三角形状で、かつ扇状ピース２５１とは逆方向に先細りの先端部が向いた介在ピース２９１となる。図５（Ａ）の他の部分についても同様に行なえば良く、その結果、図５（Ｃ）に示すようなヒール部２５が形成される。

[0056] ＜実施形態４＞

実施形態１～３では、インサート部から編成を開始し、踵領域βから爪先領域εに向かってシューズアッパーを編成した。これに対して、爪先領域εから踵領域βに向かってシューズアッパーを編成した後、インサート部を編成しても良い。例えば、図１を参照する実施形態１のシューズアッパー１の場合、図２（Ａ）の編成手順をおおよそ上下逆にしたような編成手順でシューズアッパー１を編成すれば良い。具体的には、以下の通りである。

[0057] まず、針床上に編出し部（図２におけるｑ－ｒ参照）を形成し、その編出し部に続いて爪先領域εを編成する。次いで、爪先領域εのウエール方向終端部のうち、切り込み端５１となる部分を伏せ目処理して、それ以外の部分に続く本体前部領域δを編成する。そして、本体前部領域δのｎ－ｏに続く本体後部領域γの編目列を編成することと、編成した編目列を紙面右側に寄せることを繰り返す。ここで、本体後部領域γの編成において、紙面右側に寄せた編目列に続いて新たな編目列を編成する際、編目列の編幅方向端部に掛け目を形成する。そうすることで、針床上に本体後部領域γのｎ－ｌのラインに相当する掛け目が並んだ状態となり、そのｎ－ｌのラインに続いて編目列を形成することができる。また、本体後部領域γの編成において編幅を適宜増減させることで、ｎ－ｌのラインを湾曲させることができる。この湾曲ラインは、実施形態１と同様に、インステップカバー部３が着用者の踝に干渉しないようにするために形成するものである。

[0058] さらに、本体後部領域γのウエール方向端部の編目（ｌ－ｍの編目）に続く踵領域βを編成する。踵領域βについても、踵領域βの編目列を編成することと、編成した編目列を紙面右側に寄せることと、を繰り返す。その際、扇状ピース２０４，２０３，２０２，２０１を順次形成し、インステップカバー部３とソールカバー部２を完成させる。

[0059] インステップカバー部３とソールカバー部２の編成が終了したら、一方の針床にはｐ－ｎ－ｌ－ｄ－ｅ－ｆの編目が係止された状態になるので、ｄ－ｅ－ｆの編目を紙面裏側にあるシューズアッパー１の左側部分と接合して編

終わり部を形成する。そして、インステップカバー部３のｐ－ｎ－ｌ－ｄの編目のウエール方向に続いてインサート部４を編成し、シューズアッパー１を完成させる。この実施形態１のシューズアッパー１における編目の向きは、ちょうど実施形態１のシューズアッパー１と反対に向いている。

[0060] ＜実施形態５＞

実施形態１～４では、踵側端部に編出し部１Ｓ（実施形態４では編終わり部）が、爪先側端部に編終わり部１Ｅ（実施形態４では編出し部）が形成されている。しかし、ヒール部２０，２０’，２５を形成するために踵側端部に編出し部１Ｓ（編終わり部）が形成されている必要はあるが、編終わり部（編出し部）は爪先側端部に形成されている必要はない。爪先側端部に編終わり部（編出し部）が形成されない編成手順の一例を図６に示す。

[0061] 図６の編成手順では、まずシューズアッパー１の踵側端部となる編出し部１Ｓを編成し、編出し部１Ｓに続いてヒール部２０とインステップカバー部３の踵側部分を編成する。次いで、Ｃ字状編成でソール本体部２１、インステップカバー部３の爪先側部分、およびインサート部４を順次編成する。そして、伏目処理によって、インステップカバー部３の鳩目形成部とインサート部４の上端部に編終わり部１Ｅを形成し、シューズアッパー１を完成させる。もちろん、上述した編成順序と逆の手順でシューズアッパー１を完成させることもできる。

[0062] ＜実施形態６＞

実施形態１～５では、靴紐を有するシューレースタイプのシューズアッパーを説明したが、靴紐のないステップインタイプのシューズアッパーとすることもできる。その場合、インサート部４を筒状に形成し、インステップカバー部３を編成する際、インサート部４から爪先に延びるスリット５０を形成しなければ良い。

[0063] その他、シューズアッパー１の編成の際、インサート部４を編成しなくても良い。その場合、インサート部４のないシューズアッパー１の完成後に、履き口４０の縁部に樹脂などからなる補強材を取り付けたり、シューズアッ

パー１とは別に編成したインサート部４を接合することが好ましい。

[0064] ＜実施形態７＞

実施形態１～６と同様の編成を利用することで、図７に例示するようなソックス１０を編成することもできる。このようなソックス１０を編成する場合、例えば、図２（Ａ）においてインサート部４を筒状編成すれば良い。その際、インサート部４のウエール方向の長さを調整することで、クルーソックス、ハイソックス、ニーソックスなどを作製することができる。なお、ソックス１０の爪先側は、図７に例示するような閉じ合わせ方に限定されるわけではない。例えば、ソックス１０の爪先側に複数の指袋を形成し、各指袋の先端を閉じ合わせることで、五本指ソックスなどを編成することができる。

符号の説明

[0065] １，１’　フットウェア（シューズアッパー）　１Ｓ　編出し部　１Ｅ　編終わり部

２，２’　ソールカバー部

２０，２０’，２５　ヒール部

２０１～２０８　扇状ピース

２５１～２５８　扇状ピース　２９１～２９６　介在ピース

２１　ソール本体部

３　インステップカバー部

４　インサート部　４０　履き口

５０　スリット　５１　切り込み端

６０　鳩目孔

１０　ソックス（フットウェア）

請求の範囲

［請求項1］ 着用者の甲側の部分を覆うインステップカバー部と、着用者の足裏を覆うソールカバー部と、を備えるフットウェアにおいて、

前記フットウェアの踵側端部の位置から編出されて前記踵側端部以外の位置で編終わるか、または前記踵側端部以外の位置から編出されて前記踵側端部の位置で編終わることで、前記インステップカバー部と前記ソールカバー部とが編組織によって無縫製で一体に編成されており、

前記ソールカバー部のうち、着用者の踵の後端部から所定範囲の領域に対応する部分をヒール部、それ以外の部分をソール本体部としたとき、

前記踵側端部に形成される編出し部または編終わり部が、前記フットウェアの高さ方向に延び、かつ前記ヒール部に繋がり、

前記ヒール部は、編目列をウエール方向に複数段積み重ね、かつ編目列の段数を積み重ねる際に徐々に編目列の編幅方向の編目数を異ならせる編成によって形成され、その編目数の変化によって前記ヒール部は、フットウェアの踵側に向かって徐々に幅が狭くなる舌片状に形成されていることを特徴とするフットウェア。

［請求項2］ 前記フットウェアの踵側端部に形成される編出し部または編終わり部は、前記インステップカバー部の上端から下端を経て、前記ソールカバー部に延び、前記ヒール部と前記ソール本体部との境界に至り、

前記ヒール部は、前記ソールカバー部における前記編出し部または編終わり部を挟んで周状に並ぶ複数の扇状ピースによって形成されていることを特徴とする請求項１に記載のフットウェア。

［請求項3］ 前記フットウェアの踵側端部に形成される編出し部または編終わり部は、前記インステップカバー部の上端から下端に至り、

前記ヒール部全体が、前記ヒール部を構成する編目列のウエール方向の段数が増すごとに漸次編幅を広くする引き返し編成、もしくは漸

次編幅を狭くする引き返し編成によって形成されていることを特徴とする請求項１に記載のフットウェア。

［請求項4］ 前記フットウェアの踵側端部に形成される編出し部または編終わり部は、前記インステップカバー部の上端から下端を経て、前記ソールカバー部に延び、前記ヒール部と前記ソール本体部との境界に至り、

前記ヒール部は、前記ソールカバー部における前記編出し部または編終わり部を挟んで周状に並ぶ複数の扇状ピースと、隣接する扇状ピースの間に配置される介在ピースと、によって形成されていることを特徴とする請求項１に記載のフットウェア。

［請求項5］ 前記フットウェアは、熱可塑性糸を用いて編成されたシューズアッパーであることを特徴とする請求項１～４のいずれか一項に記載のフットウェア。

［請求項6］ 着用者の甲側の部分を覆うインステップカバー部と、着用者の足裏を覆うソールカバー部と、を備えるフットウェアの編成方法において、

前記ソールカバー部のうち、着用者の踵の後端部から所定範囲の領域をヒール部、それ以外の部分をソール本体部としたとき、

少なくとも前後一対の針床を備え、各針床に形成される編目の目移しが可能な横編機を用いて、下記［１］または［２］の手順に従って前記フットウェアを編成し、

前記ヒール部の編成にあたって、編目列をウエール方向に複数段積み重ねる際に各段の編目列の編幅方向の編目数を異ならせる編成を行なうことを特徴とするフットウェアの編成方法。

［１］

編出し部を編成し、

その編出し部に基づいて前記インステップカバー部の左側面および右側面の踵側部分と、前記ソールカバー部のヒール部と、を編成し、

次いで、前記ソールカバー部のソール本体部と、前記インステップ

カバー部の爪先側部分と、を編成していき、前記フットウェアを完成させる。

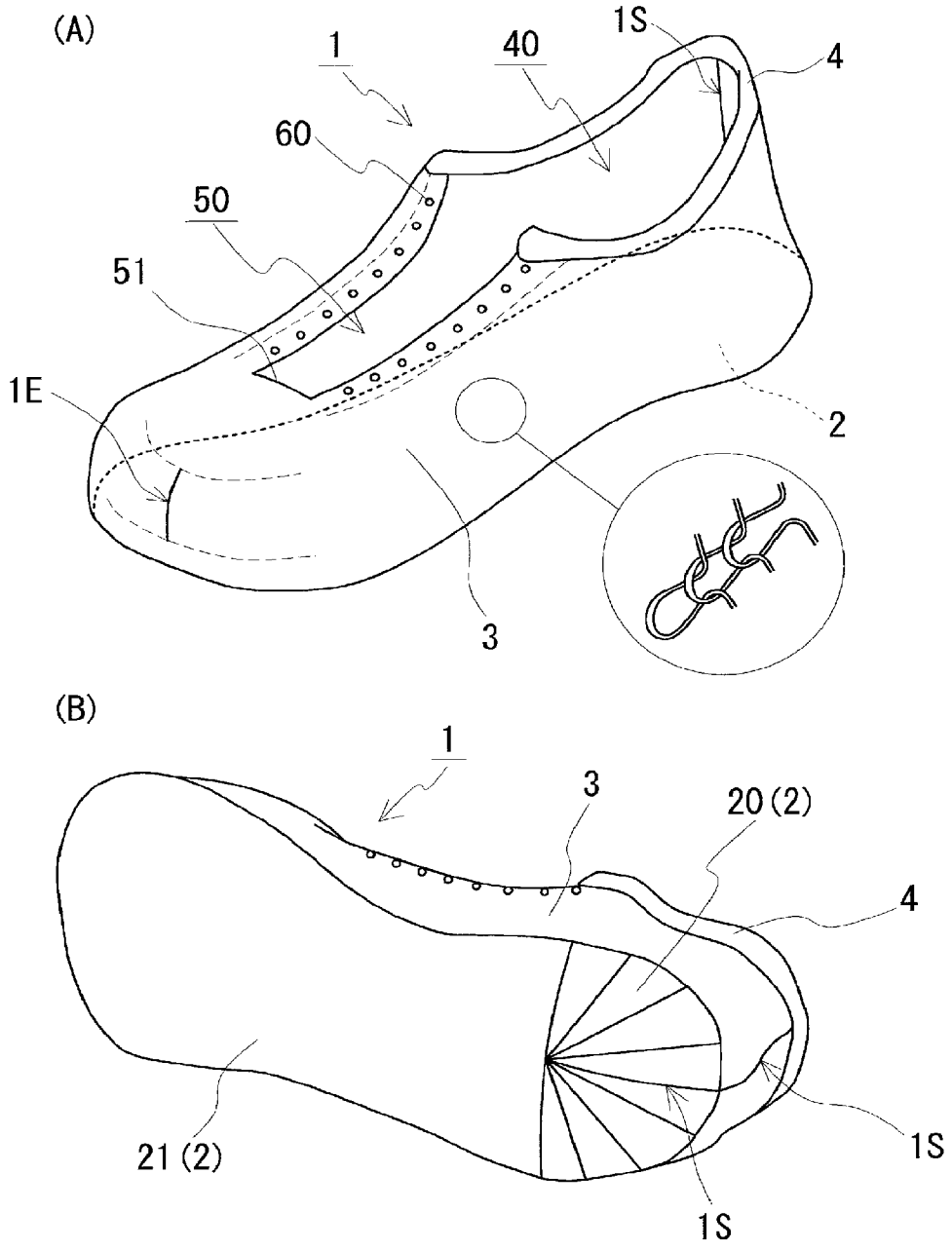
［２］

編出し部を編成し、

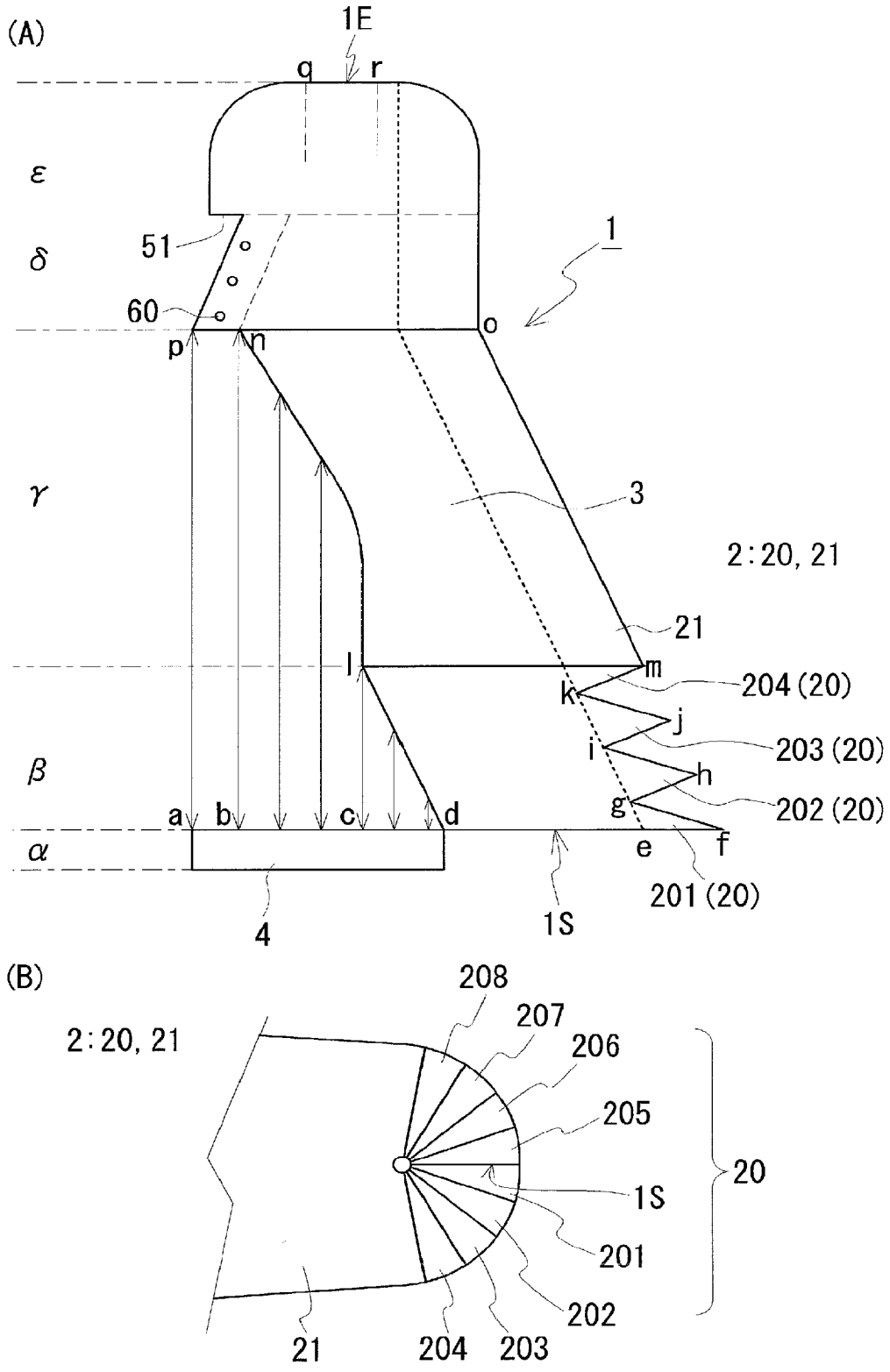
その編出し部に基づいて前記インステップカバー部の爪先側部分と、前記ソール本体部と、を編成し、

次いで、前記フットウェアの踵側に向かって前記ソールカバー部のヒール部と、前記インステップカバー部の踵側部分と、を編成していき、前記フットウェアの踵側端部で前記フットウェアの左側面と右側面とを閉じ合わせて前記フットウェアを完成させる。

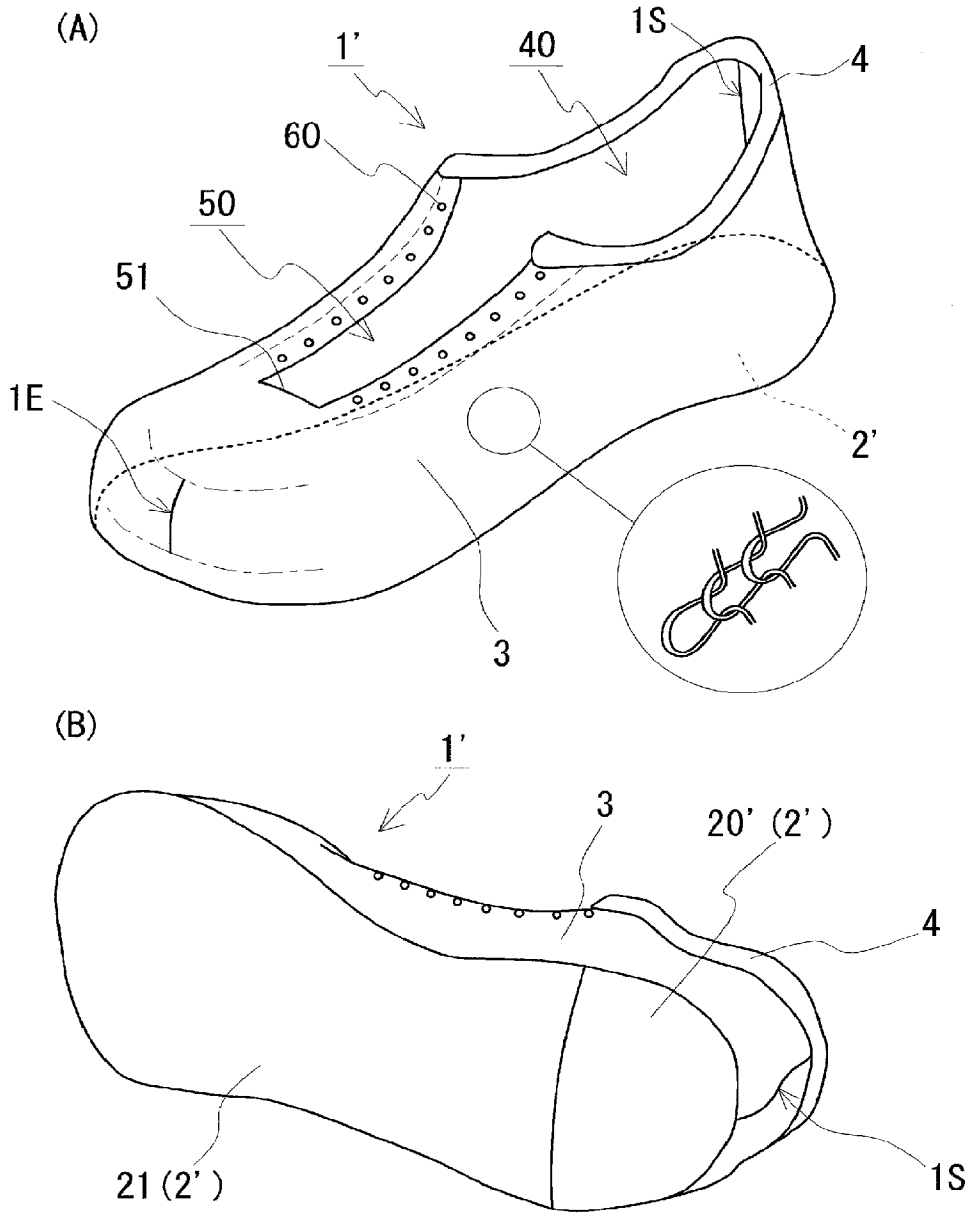
[図1]



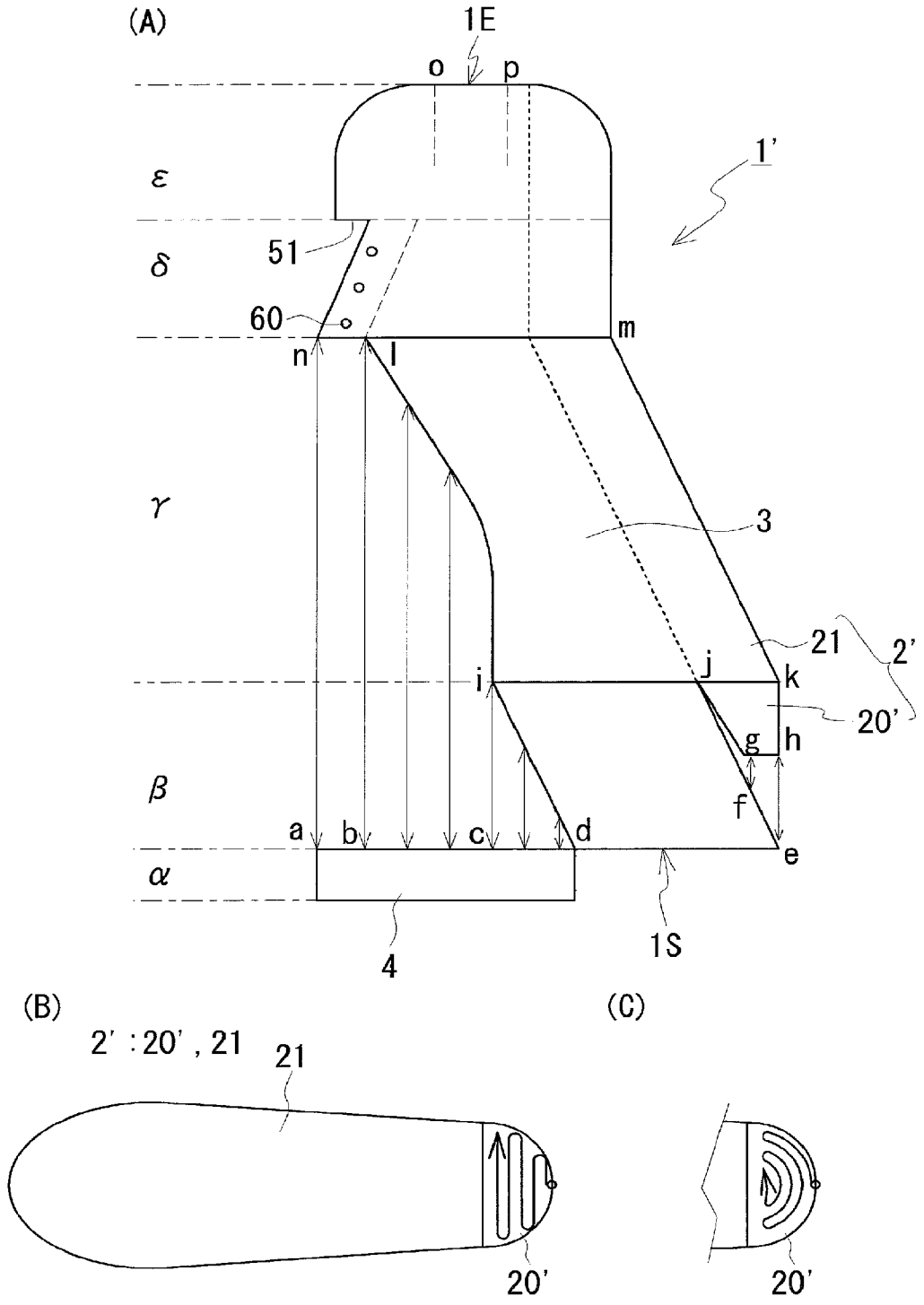
[図2]


(A)
1E
q
r
ε
δ
51
60
1
p
n
o
γ
3
2:20, 21
21
l
m
204 (20)
k
j
i
203 (20)
β
h
g
202 (20)
a
b
c
d
e
f
α
201 (20)
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(B)
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1S
201
202
21
204
203

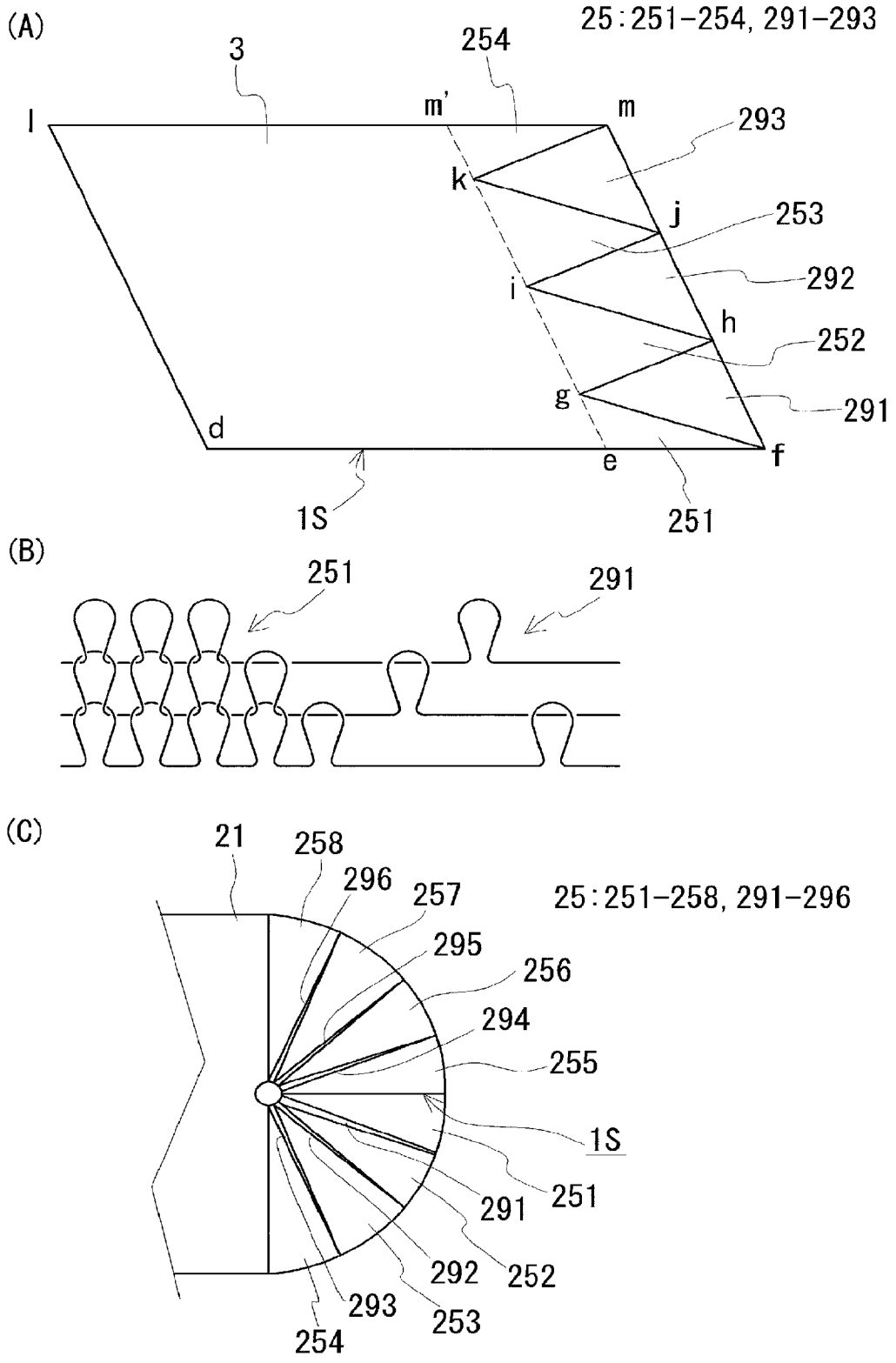
[図3]



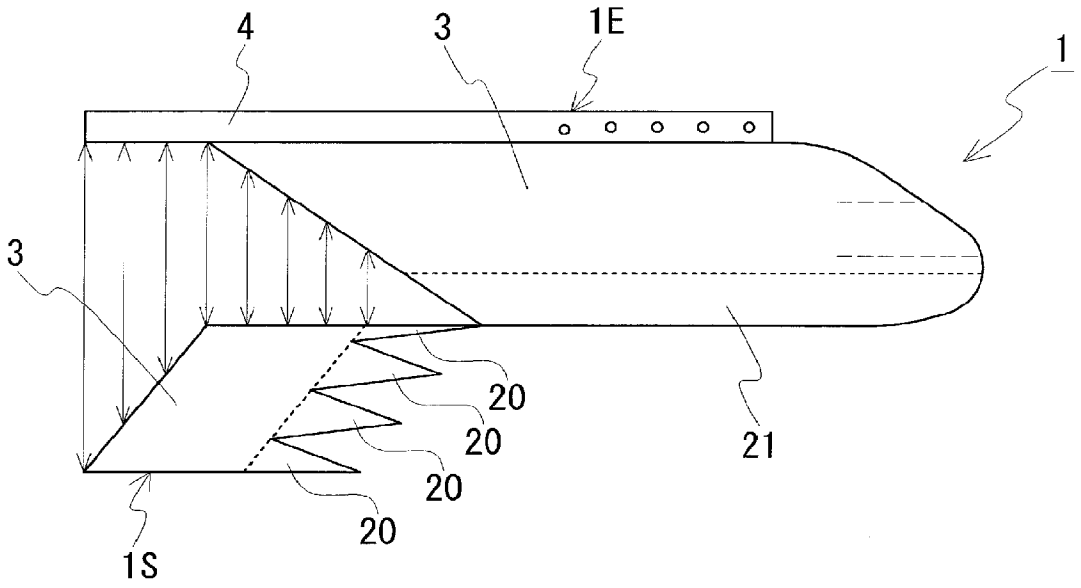
[図4]


(A)
1E
o
p
1'
ε
δ
51
60
n
l
m
γ
3
21
2'
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j
k
20'
g
h
β
f
a
b
c
d
e
α
4
1S
(B)
2' :20', 21
21
20'
(C)
20'

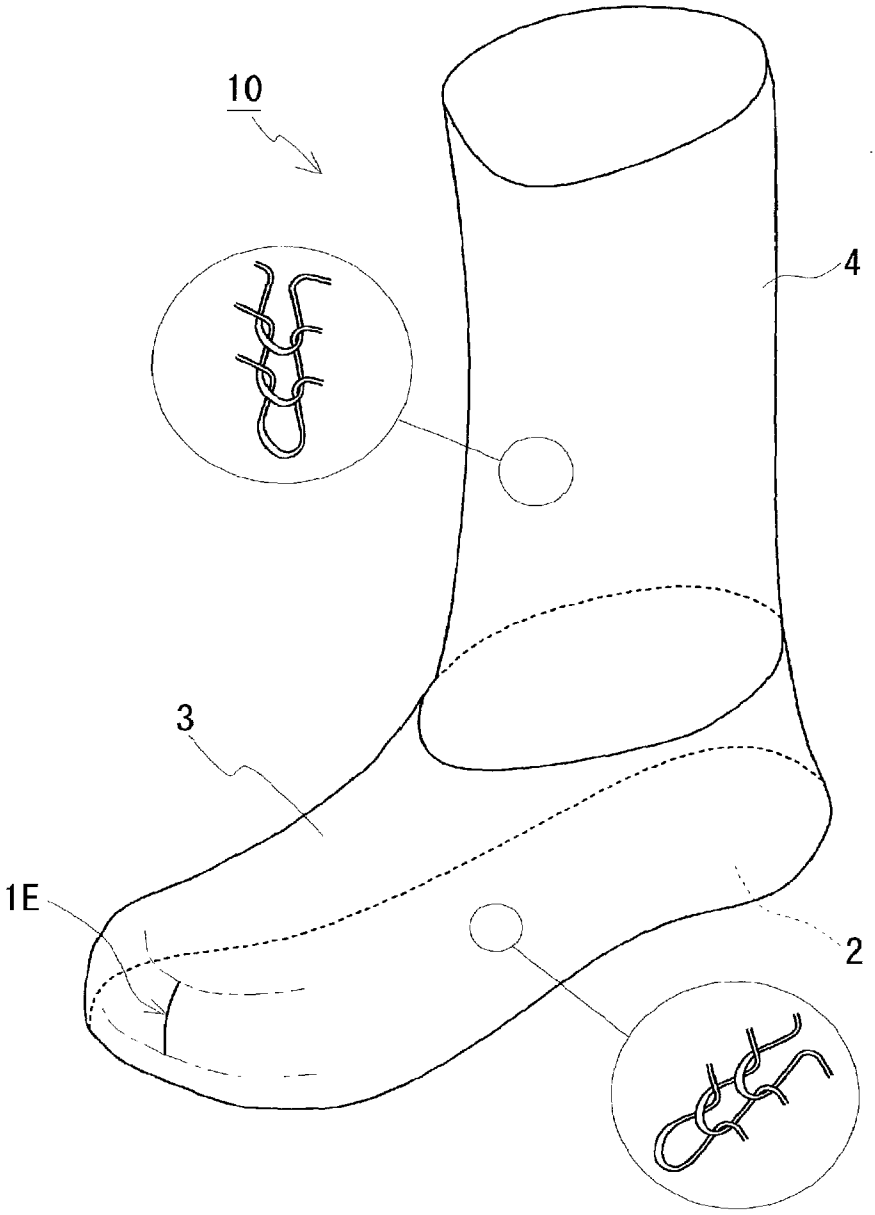
[図5]


(A)
25:251-254, 291-293
3
254
l
m'
m
293
k
j
253
i
292
h
252
g
291
d
e
f
1S
251
(B)
251
291
(C)
21
258
296
257
25:251-258, 291-296
295
256
294
255
1S
251
291
292
252
293
253
254

[図6]



[図7]



INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2013/070284

A. CLASSIFICATION OF SUBJECT MATTER
A41B11/00(2006.01)i, *D04B1/26*(2006.01)i, *A43B23/02*(2006.01)n

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A41B11/00-11/08, D04B1/26

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2013
Kokai Jitsuyo Shinan Koho	1971-2013	Toroku Jitsuyo Shinan Koho	1994-2013

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 3047506 U (YORKS Co., Ltd.), 14 April 1998 (14.04.1998), paragraphs [0002], [0009], [0011], [0014]; fig. 1 to 4 (Family: none)	1-6
A	JP 2003-342803 A (Naigai Co., Ltd.), 03 December 2003 (03.12.2003), paragraph [0009]; fig. 1 to 2 (Family: none)	1-6

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search 04 October, 2013 (04.10.13)	Date of mailing of the international search report 15 October, 2013 (15.10.13)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

国際調査報告

国際出願番号　ＰＣＴ／ＪＰ２０１３／０７０２８４

Ａ．　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　A41B11/00(2006.01)i, D04B1/26(2006.01)i, A43B23/02(2006.01)n

Ｂ．　調査を行った分野

調査を行った最小限資料（国際特許分類（ＩＰＣ））

Int.Cl.　A41B11/00-11/08, D04B1/26

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	１９２２－１９９６年
日本国公開実用新案公報	１９７１－２０１３年
日本国実用新案登録公報	１９９６－２０１３年
日本国登録実用新案公報	１９９４－２０１３年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

Ｃ．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 3047506 U（ヨークス株式会社）1998.04.14, 段落【０００２】、【０００９】、【００１１】、【００１４】、図１－４（ファミリーなし）	1-6
A	JP 2003-342803 A（株式会社ナイガイ）2003.12.03, 段落【０００９】、図１－２（ファミリーなし）	1-6

☐　Ｃ欄の続きにも文献が列挙されている。

☐　パテントファミリーに関する別紙を参照。

＊　引用文献のカテゴリー
「Ａ」特に関連のある文献ではなく、一般的技術水準を示すもの
「Ｅ」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
「Ｌ」優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献（理由を付す）
「Ｏ」口頭による開示、使用、展示等に言及する文献
「Ｐ」国際出願日前で、かつ優先権の主張の基礎となる出願の日の後に公表された文献
「Ｔ」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「Ｘ」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
「Ｙ」特に関連のある文献であって、当該文献と他の１以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの
「＆」同一パテントファミリー文献

国際調査を完了した日 ０４．１０．２０１３	国際調査報告の発送日 １５．１０．２０１３
国際調査機関の名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員）　３Ｂ　４８５７ 山本　雄介 電話番号　０３－３５８１－１１０１　内線　３３２０

様式ＰＣＴ／ＩＳＡ／２１０（第２ページ）（２００９年７月）

Liu, Shen & Associates 10th Floor, Hanhai Plaza (1+1 Plaza) 10, Caihefang Road Haidian District Beijing 100080, China Agent: WANG, Xiaojing	ISSUING DATE: **January 26, 2016**
Application or Patent No.: **201410768401.1** Issuing No.: **2016012101425270**	
Applicant or Patentee: NIKE INNOVATE C.V.	
Title of Invention: ARTICLE OF FOOTWEAR HAVING A FLAT KNIT UPPER CONSTRUCTION OR OTHER UPPER CONSTRUCTION	

THE FIRST OFFICE ACTION

1. ☒ Upon request made by the applicant, the examiner of SIPO has conducted a substantive examination to the above-captioned patent application for invention according to Article 35.1 of the Patent Law of China.

   ☐ According to Article 35.2 of the Patent Law of China, SIPO decides on its own initiative to conduct a substantive examination to the above-captioned patent application.

2. ☒ The applicant requests to take **November 10, 2006** on which an application is filed with the **US** patent office as the priority date.

   ☒ The applicant has submitted the copy of the earlier patent application documents which were first filed and certified by the competent authority.

   ☐ The applicant has not submitted the copy of the earlier patent application documents which were first filed and certified by the competent authority, and the claim to the right of priority is deemed not to have been made according to the provision of Article 30 of the Patent Law of China.

3. ☐ After examination, the amended document(s) filed on ___Year___Month___Day is/are not accepted because said amendment(s) is/are not in conformity with the provision of Rule 51.1 of the Implementing Regulations of the Patent Law of China.

4. ☒ The examination is conducted on the basis of

   ☐ the application text as originally filed;

   ☒ the application text filed on the filing date of divisional application;

   ☐ the following application text(s):

5. ☐ The present Office Action is issued without making any searches.

   ☒ The present Office Action is issued with making a search.

   ☒ The following reference document(s) is/are cited: (the reference numeral(s) thereof will be used in the examination procedure hereafter)

No.	Reference No. or Title	Publishing Date (or the filing date of conflicting application)
1	CN1925763A	20070307
2	US2006/0130359A1	20060622
3	US2005/0284000A1	20051229

6. Concluding comments on the specification:

☐ The inventive contents of the application are within the scope of the non-patentable subject matte as provided in Article 5 of the Patent Law of China.
☐ The specification is not in conformity with the provision of Article 26.3 of the Patent Law of China.
☐ The specification is not in conformity with the provision of Article 33 of the Patent Law of China.
☐ The presentation of the specification is not in conformity with the provision of Rule 17 of the Implementing Regulations of the Patent Law of China.
☐ _____

on the claims:

☐ Claim(s)____do(es) not comply with the provision of Article 2.2 of the Patent Law of China.
☐ Claim(s)____do(es) not comply with the provision of Article 9.1 of the Patent Law of China.
☐ Claim(s)____do(es) not possess novelty as required by Article 22.2 of the Patent Law of China.
☒ Claim(s) 1-20 do(es) not involve inventiveness as required by Article 22.3 of the Patent Law of China.
☐ Claim(s)____do(es) not possess practical applicability as required by Article 22.4 of the Patent Law of China.
☐ Claim(s)____belong(s) to non-patentable subject matter as provided in Article 25 of the Patent law of China.
☐ Claim(s)___do(es) not comply with the provision of Article 26.4 of the Patent Law of China.
☐ Claim(s)____do(es) not comply with the provision of Article 31.1 of the Patent Law of China.
☐ Claim(s)____do(es) not comply with the provision of Article 33 of the Patent Law of China.
☐ Claim(s)_____do(es) not comply with the provision of Rule 19 of the Implementing Regulations of the Patent Law of China.
☐ Claim(s)_____do(es) not comply with the provision of Rule 20 of the Implementing Regulations of the Patent Law of China.
☐ Claim(s)_____do(es) not comply with the provision of Rule 21 of the Implementing Regulations of the Patent Law of China.
☐ Claim(s)_____do(es) not comply with the provision of Rule 22 of the Implementing Regulations of the Patent Law of China.
☐ _____

☐ The application does not comply with the provision of Article 26.5 of the Patent Law of China or Rule 26 of the Implementing Regulations of the Patent Law of China.
☐ The application does not comply with the provision of Article 20.1 of the Patent Law of China.
☐ The divisional application does not comply with the provision of Rule 43.1 of the Implementing Regulations of the Patent Law of China.

The detailed analysis for the above concluding comments is presented on the text of this Office Action.

7. Based on the above concluding comments, the examiner is of the opinion that

☐ The applicant should amend the application document(s) in accordance with the requirement(s) as presented in the Office Action.
☐ The applicant should, in the observation, state the patentability of the application and amend the defects pointed out in the text of the Office Action. Otherwise, the application shall not be granted the patent right.
☒ The examiner deems that the patent application lacks substantive features to make it patentable. Therefore, the application shall be rejected if no convincing reasons are

provided to prove its patentability.

☐ _____

8. The applicant should pay attention to the following matters:

(1) According to the provision of Article 37 of the Patent Law of China, the applicant is required to file his observations within 4 months upon receipt of this Office Action. If the time limit for making response is not met without any justified reasons, the application shall be deemed to have been withdrawn.

(2) Any amendment(s) made by the applicant to the application document(s) shall not go beyond the scope of the disclosure contained in the initial description and claims, so as to meet the provision of Article 33 of the Patent Law of China. And the amendment(s) shall be made in accordance with the requirement(s) in the text of the Office Action, so as to meet the provision of Rule 51.3 of the Implementing Regulations of the Patent Law of China.

(3) The observations and/or the amended document(s) shall be mailed or delivered to the Reception Department of SIPO. Any document(s) which are not mailed or delivered to the Reception Department do not acquire legal effect.

(4) Any applicant or agent shall not directly go to SIPO to have an interview with the examiner without being invited.

9. The text of this Office Action contains 5 page(s), and has the following attachment(s):

☐ ___copy (copies) of the cited references, all together__pages.

☐ _____

Examiner: YU, Lifei

TEXT OF THE FIRST OFFICE ACTION

The application relates to an article of footwear having a flat knit upper construction or other upper construction. After the examination, the examination opinions are provided as follows:

1. Claim 1 does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claim 1 claims to protect an article of footwear. D1 (CN1925763A) is a closest prior art, and discloses an article of footwear having an upper having a textile element, and discloses the following technical features (refer to paragraph 3 page 1 to paragraph 4 page 13 of the description, and Figs.1-14): an upper of an article of footwear (equivalent to an article of footwear, comprising the upper), the upper incorporating a textile element formed through a knitting machine, wherein the mechanical knitting is meridian knitting or weft knitting (equivalent to the upper comprising a knitted element formed from at least one mechanically manipulated yarn), the textile element having an inner layer, intermediate layer and outer layer, and having an inner side portion, an outer side portion and an instep portion and so on (equivalent to the flat knitting element comprises a first layer, the first layer having an intermediate portion), the inner portion, the outer portion and the instep portion extending horizontally. It could be known from the figures that the inner portion and the outer side portion and the instep portion are knitted integrally and respectively extend towards both inner and outer sides (equivalent to the first side portion which is formed by a structure integral with the intermediate portion and extends from the first side of the intermediate portion; and a second side portion which is formed by a structure integral with the intermediate portion and extends from the first side of the intermediate portion).

Comparing Claim 1 and D1, the distinguishing technical feature is that: the intermediate portion has a dome-shaped three dimensional structure configured to extend over the instep. Based on the above distinguishing technical feature, the technical problem to be solved practically by the present invention is that: increasing the three-dimensional effect and ornamental value of the upper.

As for the above distinguishing technical feature, D2 (US2006/0130359A1) discloses an article of footwear having textile upper, and discloses concretely (refer to paragraphs 0010-0056 of the description and Figs.1-4 of D2): an article of footwear having textile upper, as indicated in Fig.3, it has a folding protrusion on the back of the upper (equivalent to the domed three dimensional structure). It could be seen that D2 discloses the above distinguishing technical feature, and the distinguishing technical feature plays the same role in D2 as in the present invention to solve the technical problem, which is increasing the three dimensional effect and the ornamental value of the upper, i.e. D2 provides the inspiration of applying the

distinguishing technical feature into D1 to solve the technical problem. The inspiration makes that when those skilled in the art are facing the technical problem, they have the motivation of combining the technical content of D2 into D1 to obtain the technical solution sought for protection in Claim 1.

Therefore, it is obvious for those skilled in the art to obtain the technical solution sought for protection in Claim 1 on the basis of D1 combining with D2. Claim 1 does not have prominent substantive feature or represent notable progress, which does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

2. Claims 2-3 do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claims 2-3 are the dependent claims of Claim 1. The additional technical features are disclosed in D3. D3 (US2005/0284000A1) discloses a fastening path of the textile upper, and discloses concretely that (refer to paragraphs 0008-0017 of the description and Figs.1-3 of D3): a fasten path of the upper, comprising an upper composed by the textile element, comprising a first layer and a second layer, the first ring forming a second layer configured integrally with the first layer, the first ring extending outwardly from the intermediate portion. It could be seen that D3 discloses the above distinguishing technical feature, and the distinguishing technical feature plays the same role in D3 as in the present invention to solve the technical problem, which is used for providing the shuttle path of the shoe string. That is to say that D3 provides the inspiration of applying the above distinguishing technical feature into D1 to solve the technical problem. The inspiration makes those skilled in the art have the motivation of combining with the technical content of D3 into D1 to obtain the technical solutions sought for protection in Claims 2-3 when they are facing the problem.

Therefore, it is obvious for those skilled in the art to obtain the technical solutions sought for protection in Claims 2-3 on the basis of D1 combining with D2 and D3. Claims 2-3 do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

3. Claim 4 does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claim 4 is the dependent claim of Claim 2. The additional technical feature is the common technical method for those skilled in the art. D3 discloses that: the ring forms the second layer integrally configured with the first layer. On the basis, it is easy for those skilled in the art to think out the dimension of the upper, and the density of the rings and the number of the rings. Therefore, when the cited claim

does not involve any inventive step, Claim 4 does not have prominent substantive feature or represent notable progress, which does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

4. Claims 5-6 do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claims 5-6 are the dependent claims of Claim 1. The additional technical features are disclosed in D2. D2 discloses that: the knitting element defines the cavity for receiving the feet, and defines at least one part of the outer surface of the upper, and defines at least one part for receiving the cavity of the feet. Therefore, when the cited claim does not involve any inventive step, Claims 5-6 do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

5. Claims 7-8 do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claims 7-8 are the dependent claims of Claim 1. The additional technical features are disclosed in D3. D3 discloses that: the knitting element includes a first region and a second region, and the first region includes a first type of knitting structure, and a second region includes a second type of knitting structure, and the first type is different from the second type. The two different yarns are mechanically operated, and one is located in the first region and the other is located in the second region. Therefore, when the cited claim does not involve any inventive step, Claims 7-8 do not do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

6. Claim 9 does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claim 9 is the dependent claim of Claim 1, and the additional technical feature is disclosed in D1. D1 discloses that: the knitted element in the flat knitting process forms a defined shape having a complete edge. Therefore, when the cited claim does not involve any inventive step, Claim 9 does not do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

7. Claim 10 does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claim 10 claims to protect an article of footwear. D1 (CN1925763A) is a closest prior art, and discloses an article of footwear having an upper having a textile element,

and discloses the following technical features (refer to paragraph 3 page 1 to paragraph 4 page 13 of the description, and Figs.1-14): an upper of an article of footwear (equivalent to an article of footwear, comprising the upper), the upper incorporating a textile element formed through a knitting machine, wherein the mechanical knitting is meridian knitting or weft knitting (equivalent to the upper comprising a knitted element formed from at least one mechanically manipulated yarn), the textile element having an inner layer, intermediate layer and outer layer, and having an inner side portion, an outer side portion and an instep portion and so on (equivalent to the flat knitting element comprises a first layer, the first layer having an intermediate portion), the inner portion, the outer portion and the instep portion extending horizontally. It could be known from the figures that the inner portion and the outer side portion and the instep portion are knitted integrally and respectively extend towards both inner and outer sides (equivalent to the first side portion which is formed by a structure integral with the intermediate portion and extends from the first side of the intermediate portion; and a second side portion which is formed by a structure integral with the intermediate portion and extends from the first side of the intermediate portion).

Comparing Claim 10 and D1, the distinguishing technical feature is that: the flat end of the second layer forms an interweaving ring with the first layer of the flat knitting. Based on the above distinguishing technical feature, the technical problem to be solved practically by the present invention is that: providing the passing passage of the binder of the upper.

As for the above distinguishing technical feature, D3 (US2005/0284000A1) discloses a fastening path of the textile upper, and discloses concretely that (refer to paragraphs 0008-0017 of the description and Figs.1-3 of D3): a fasten path of the upper, comprising an upper composed by the textile element, comprising a first layer and a second layer, the first layer forming interweaving ring at the relative end of the second layer with the first layer of flat knitting. It could be seen that D3 discloses the above distinguishing technical feature, and the distinguishing technical feature plays the same role in D3 as in the present invention to solve the technical problem, which is used for providing the shuttle path of the shoe string. That is to say that D3 provides the inspiration of applying the above distinguishing technical feature into D1 to solve the technical problem. The inspiration makes those skilled in the art have the motivation of combining with the technical content of D3 into D1 to obtain the technical solutions sought for protection in Claim 10 when they are facing the problem.

Therefore, it is obvious for those skilled in the art to obtain the technical solution sought for protection in Claim 10 on the basis of D1 combining with D3. Claim 10 does not have prominent substantive feature or represent notable progress, which does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

8. Claim 11 does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claim 11 is the dependent claim of Claim 10. D2 (US2006/0130359A1) discloses an article of footwear having textile upper, and discloses concretely (refer to paragraphs 0010-0056 of the description and Figs.1-4 of D2): an article of footwear having textile upper, as indicated in Fig.3, it has a folding protrusion on the back of the upper (equivalent to the domed three dimensional structure). It could be seen that D2 discloses the above distinguishing technical feature, and the distinguishing technical feature plays the same role in D2 as in the present invention to solve the technical problem, which is increasing the three dimensional effect and the ornamental value of the upper, i.e. D2 provides the inspiration of applying the distinguishing technical feature into D1 to solve the technical problem. The inspiration makes that when those skilled in the art are facing the technical problem, they have the motivation of combining the technical content of D2 into D1 to obtain the technical solution sought for protection in Claim 11.

Therefore, it is obvious for those skilled in the art to obtain the technical solution sought for protection in Claim 11 on the basis of D1 combining with D2, D3. Claim 11 does not have prominent substantive feature or represent notable progress, which does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

9. Claim 12 does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claim 12 claims to protect an article of footwear. D1 (CN1925763A) is a closest prior art, and discloses an article of footwear having an upper having a textile element, and discloses the following technical features (refer to paragraph 3 page 1 to paragraph 4 page 13 of the description, and Figs.1-14): an upper of an article of footwear and its manufacture method (equivalent to a method of manufacturing an article of footwear), the upper incorporating a textile element formed through a knitting machine, wherein the mechanical knitting is meridian knitting or weft knitting (equivalent to the upper in the flat knitting process, the upper including a flat knitting element), the textile element having an inner layer, intermediate layer and outer layer, and having an inner side portion, an outer side portion and an instep portion and so on (equivalent to the flat knitting element comprises a first layer, the first layer having an intermediate portion), the inner portion, the outer portion and the instep portion extending horizontally. It could be known from the figures that the inner portion and the outer side portion and the instep portion are knitted integrally and respectively extend towards both inner and outer sides (equivalent to the first side portion which is formed by a structure integral with the intermediate portion and extends from the first side of the intermediate portion; and a second side portion

which is formed by a structure integral with the intermediate portion and extends from the first side of the intermediate portion).

Comparing Claim 1 and D1, the distinguishing technical feature is that: the intermediate portion has a dome-shaped three dimensional structure configured to extend over the instep. Based on the above distinguishing technical feature, the technical problem to be solved practically by the present invention is that: increasing the three-dimensional effect and ornamental value of the upper.

As for the above distinguishing technical feature, D2 (US2006/0130359A1) discloses an article of footwear having textile upper, and discloses concretely (refer to paragraphs 0010-0056 of the description and Figs.1-4 of D2): an article of footwear having textile upper, as indicated in Fig.3, it has a folding protrusion on the back of the upper (equivalent to the domed three dimensional structure). It could be seen that D2 discloses the above distinguishing technical feature, and the distinguishing technical feature plays the same role in D2 as in the present invention to solve the technical problem, which is increasing the three dimensional effect and the ornamental value of the upper, i.e. D2 provides the inspiration of applying the distinguishing technical feature into D1 to solve the technical problem. The inspiration makes that when those skilled in the art are facing the technical problem, they have the motivation of combining the technical content of D2 into D1 to obtain the technical solution sought for protection in Claim 12.

Therefore, it is obvious for those skilled in the art to obtain the technical solution sought for protection in Claim 12 on the basis of D1 combining with D2. Claim 12 does not have prominent substantive feature or represent notable progress, which does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

10. Claims 13-15 do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claims 13-15 are the dependent claims of Claim 12. The additional technical features are disclosed in D3. D3 discloses that: the knitting element includes a first region and a second region, and the knitting type of the first region is different from the knitting type of the second region; the yarn type of the first region is different from the yarn type of the second region, or the yarn type and the knitting type are different. Therefore, when the cited claim does not involve any inventive step, Claims 13-15 do not do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

11. Claim 16 does not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claim 16 is the dependent claim of Claim 12. The additional technical feature is disclosed in D1-D3. D1-D3 disclose that: assembling the knitting element in the article of footwear. Therefore, when the cited claim does not involve any inventive step, Claim 16 does not do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

12. Claims 17-18 do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claims 17-18 are the dependent claims of Claim 16. The additional technical features are disclosed in D1-D3. D1-D3 disclose that: the assembling includes a side edge connecting the first side portion and the second side portion to form a joint below the foot extending in the longitudinal length of the foot, comprising a rear edge connecting a first side portion and a second side portion to form a joint extending upward along the heel. Therefore, when the cited claim does not involve any inventive step, Claims 17-18 do not do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

13. Claims 19-20 do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Claims 19-20 are the dependent claims of Claim 12. The additional technical features are disclosed in D3. D3 discloses that: the flat knitting process includes an integrally configured first ring in the textile element, further comprising an extending shoe string element passing through a first ring. Therefore, when the cited claim does not involve any inventive step, Claims 19-20 do not do not have prominent substantive feature or represent notable progress, which do not involve any inventive step required under Article 22 paragraph 3 of the Patent Law of China.

Based on the above reasons, neither the independent claims nor dependent claims of the present application involve any inventive step, and the description does not disclose any other substantive contents to be granted. Therefore, even if the applicant rearranges the claims and/or further defines them according to the disclosure of the description, there is no prospect for the present application to be granted the right of patent. If the applicant fails to state sufficient reasons indicating inventiveness within the designated time limit, the present application shall be rejected.

Examiner: Yu Lifei

SEARCH REPORT

Application No.: 201410768401.1	Filing Date: 20071108	First Search
Applicant: NIKE INNOVATE C.V.	The Earliest Priority Date: 20061110	
Numbers of Claims: 20	Numbers of paragraphs in the Description: 72	

IPC Symbol determined by the Examiner: A43B1/04, A43B3/00, A43B23/02, A43C1/04, D04B1/00

Recorded Search Information:

Search Databases: CNABS, VEN, CNTXT

Keywords: 鞋，平针，footwear, shoe, knit, layer

Search Classification Symbol: A43B23/+, A43B1/+

Relevant Patent Documents

Category	Document No. assigned by Nationality and Code [11]	Date assigned by Code [43] or [45]	IPC Symbol	Relevant paragraph(s) and/or figure number(s)	Relevant to Claim number(s)
Y	CN1925763A	20070307	A43B1/04	Paragraph 3 page 1 to paragraph 4 page 13 of the description and Figs.1-14	1-20
Y	US2006/0130359A1	20060622	A43B3/10	Paragraphs 0010-0056 of the description and Figs.1-4	1-9, 11-20
Y	US2005/0284000A1	20051229	A43B23/00	Paragraphs 0008-0017 of the description and Figs.1-3	2-4, 7-8, 10-11, 13-20
A	US4447967	19840515	A43B23/00	The whole text	1-20
A	US4756098	19880712	A43B1/00	The whole text	1-20
A	US2005/0115284A1	20050602	D04B11/00	The whole text	1-20
A	US2005/0193592A1	20050908	A43B23/00	The whole text	1-20
A	JP2006-258A	20060105	A43B23/02	The whole text	1-20

Relevant Non-patent Documents

Category	Title of the Book (including edition No. and volume No.)	Publication Date	Author's Name and Publisher's Name	Relevant page(s)	Relevant to Claim number(s)
Category	Title of the Periodicals or Abstract (including volume No. and Serial No.	Issue Date	Author's Name and Title of the Article	Relevant page(s)	Relevant to Claim number(s)

Descriptions for filling out the Form:

1. The IPC symbol of the field actually searched by the examiner shall specify the classification position of the main group and/or sub-group.
2. The title of periodicals or other regular publications may use the abbreviation which meets the generally accepted international practice.
3. descriptions of the categories of the relevant documents:

   X: the document that when taken alone, prejudices the novelty or inventive step of the claim;

   Y: the document that when combined with other such documents cited in the search report, prejudices the inventive step of the claim;

   A: the document defining the general state of the art;

   R: the patent or patent application document belonging to identical invention-creation that was submitted to the Patent Office by any organizations or individuals on the filing date of the application being examined;

   P: the intermediate document, that is the document published on dates falling between the filing date of the application being examined and the claimed priority date; and

   E: the conflicting application document.

Examiner: YU, Lifei

Examination Dept.: Department of Mechanical Inventions
under Patent Examination Cooperation Beijing Center

January 17, 2016

100101

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王小京

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申请号或专利号：**201410768401.1**　　发文序号：**20160121014252 70**

申请人或专利权人：耐克创新有限合伙公司

发明创造名称：具有平针织的鞋帮结构或其它鞋帮结构的鞋类物品

第一次审查意见通知书

1. ☒应申请人提出的实质审查请求，根据专利法第 35 条第 1 款的规定，国家知识产权局对上述发明专利申请进行实质审查。

☐根据专利法第 35 条第 2 款的规定，国家知识产权局决定自行对上述发明专利申请进行审查。

2. ☒申请人要求以其在：

US 专利局的申请日 2006 年 11 月 10 日为优先权日。

☒申请人已经提交了经原受理机构证明的第一次提出的在先申请文件的副本。

☐申请人尚未提交经原受理机构证明的第一次提出的在先申请文件的副本，根据专利法第 30 条的规定视为未要求优先权要求。

3. ☐经审查，申请人于_____提交的修改文件，不符合专利法实施细则第 51 条第 1 款的规定，不予接受。

4. 审查针对的申请文件：

☐原始申请文件。☒分案申请递交日提交的文件。☐下列申请文件：

5. ☐本通知书是在未进行检索的情况下作出的。

☒本通知书是在进行了检索的情况下作出的。

☒本通知书引用下列对比文件(其编号在今后的审查过程中继续沿用)：

编号	文件号或名称	公开日期（或抵触申请的申请日）
1	CN 1925763A	20070307
2	US 2006/0130359A1	20060622
3	US 2005/0284000A1	20051229

6. 审查的结论性意见：

关于说明书：

☐申请的内容属于专利法第 5 条规定的不授予专利权的范围。

☐说明书不符合专利法第 26 条第 3 款的规定。

☐说明书不符合专利法第 33 条的规定。

☐说明书的撰写不符合专利法实施细则第 17 条的规定。

☐_____

关于权利要求书：

☐权利要求_____不符合专利法第 2 条第 2 款的规定。

☐权利要求_____不符合专利法第 9 条第 1 款的规定。

☐权利要求_____不具备专利法第 22 条第 2 款规定的新颖性。

☒权利要求 1-20 不具备专利法第 22 条第 3 款规定的创造性。

☐权利要求_____不具备专利法第 22 条第 4 款规定的实用性。

☐权利要求_____属于专利法第 25 条规定的不授予专利权的范围。

☐权利要求_____不符合专利法第 26 条第 4 款的规定。

☐权利要求_____不符合专利法第 31 条第 1 款的规定。

☐权利要求_____不符合专利法第 33 条的规定。

☐权利要求_____不符合专利法实施细则第 19 条的规定。

☐权利要求_____不符合专利法实施细则第 20 条的规定。

☐权利要求_____不符合专利法实施细则第 21 条的规定。

☐权利要求_____不符合专利法实施细则第 22 条的规定。

☐_____

☐申请不符合专利法第 26 条第 5 款或者实施细则第 26 条的规定。

☐申请不符合专利法第 20 条第 1 款的规定。

☐分案申请不符合专利法实施细则第 43 条第 1 款的规定。

上述结论性意见的具体分析见本通知书的正文部分。

7. 基于上述结论性意见，审查员认为：

☐申请人应当按照通知书正文部分提出的要求，对申请文件进行修改。

☐申请人应当在意见陈述书中论述其专利申请可以被授予专利权的理由，并对通知书正文部分中指出的不符合规定之处进行修改，否则将不能授予专利权。

☒专利申请中没有可以被授予专利权的实质性内容，如果申请人没有陈述理由或者陈述理由不充分，其申请将被驳回。

☐_____

8. 申请人应注意下列事项：

(1) 根据专利法第 37 条的规定，申请人应在收到本通知之日起的 4 个月内陈述意见，如果申请人无正当理由逾期不答复，其申请将被视为撤回。

(2) 申请人对其申请的修改应当符合专利法第 33 条的规定，不得超出原说明书和权利要求书记载的范围，同时申请人对专利申请文件进行的修改应当符合专利法实施细则第 51 条第 3 款的规定，按照本通知书的要求进行修改。

(3) 申请人的意见陈述书和/或修改文本应邮寄或递交国家知识产权局专利局受理处，凡未邮寄或递交给受理处的文件不具备法律效力。

(4) 未经预约，申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。

9. 本通知书正文部分共有 5 页，并附有下述附件：

☐引用的对比文件的复印件共_____份_____页。

☐_____

审查员：余黎飞　　联系电话：0512-88997435　　审查部门：专利审查协作江苏中心光电技术发明审查部

第一次审查意见通知书

申请号:2014107684011

本申请涉及一种具有平针织的鞋帮结构或其他鞋帮结构的鞋类物品，经审查，现提出如下的审查意见。

1、权利要求 1 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 1 要求保护一种鞋类物品。对比文件 1（CN1925763A）是最接近的现有技术，其公开了一种具有织物鞋面的鞋类产品，并具体公布了如下技术特征（参见对比文件 1 说明书第 1 页第 3 段-第 13 页第 4 段，附图 1-14）：一种鞋类产品的鞋面（相当于一种鞋类物品，包括鞋帮），所述鞋面结合例如以编织机形成的织物部件，其中机械编织为经线编织或纬线编织（相当于该鞋帮包括在平针织过程中由至少一种被机械地操作的纱线形成的平针织元件），所述织物元件具有内层、中间层和外层，且包括内侧部分、外侧部分、脚背部分等（相当于该平针织元件包括第一层，该第一层具有：中间部分），内侧部分、外侧部分与脚背部分横向延伸，有附图可知内部部分与外侧部分与脚背部分整体编织形成且分别想内外两侧延伸（相当于第一侧部，其由与中间部分整体的构造形成且从中间部分的第一侧延伸；和第二侧部，其由与中间部分整体的构造形成且从中间部分的与第一侧相对的第二侧延伸）。

权利要求 1 与对比文件 1 相比，区别技术特征是：中间部分具有构造为在脚面上方延伸的穹顶形的三维结构，基于上述区别技术特征，本发明实际要解决的技术问题是：提高鞋面立体感、观赏性。

针对上述区别技术特征，对比文件 2（US2006/0130359A1）公开了一种具有编织鞋面的鞋类物品，并具体公开了（参见对比文件 2 说明书第[0010]段-第[0056]段，附图 1-4）：一种具有编织鞋面的鞋类物品，如附图 3 所示，其在鞋面背部具有缝褶的凸起部（相当于穹顶形的三维结构），可见对比文件 2 公开了上述区别技术特征，且该区别技术特征在对比文件 2 中的作用与其在本发明中为解决其技术问题所起的作用相同，都是为了提高鞋面立体感、观赏性，即对比文件 2 给出了将区别技术特征应用于对比文件 1 以解决其技术问题的启示，这种启示会使本领域技术人员在面对所述的技术问题时，有动机将对比文件 2 的技术内容结合到对比文件 1 中而得到权利要求 1 所要求保护的技术方案。

因此在对比文件 1 的基础上结合对比文件 2 得到权利要求 1 所要求保护的技术方案对本领域技术人员来说是显而易见的，权利要求 1 不具备突出的实质性特点和显著的进步，不符合专利法第 22 条第 3 款规定的创造性。

2、权利要求 2-3 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 2-3 为权利要求 1 的从属权利要求，其附加的技术特征被对比文件 3 公开，对比文件 3（US2005/0284000A1）公开了一种织物鞋面的紧固通道，并具体公开了（参见对比文件 3 说明书第[0008]段-第[0017]段，附图 1-3）：一种鞋面的紧固通道，包括织物元件构成的鞋面，包括第一层及第二层，第一环圈被形成为与第一层整体构造的第二层，第一环圈从中间部分向外延伸，可见对比文件 3 公开了上述区别技术特征，且该区别技术特征在对比文件 3 中的作用与其在本发明中为解决其技术问题所起的作用相同，都是为了提供鞋带的穿梭通道，即对比文件 3 给出了将区别技术特征应用于对比文件 1 以解决其技术问题的启示，

这种启示会使本领域技术人员在面对所述的技术问题时，有动机将对比文件 3 的技术内容结合到对比文件 1 中而得到权利要求 2-3 所要求保护的技术方案。

因此在对比文件 1 的基础上结合对比文件 2、对比文件 3 得到权利要求 2-3 所要求保护的技术方案对本领域技术人员来说是显而易见的，权利要求 2-3 不具备突出的实质性特点和显著的进步，不符合专利法第 22 条第 3 款规定的创造性。

3、权利要求 4 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 4 为权利要求 2 的从属权利要求，其附加的技术特征为本领域技术人员的常用技术手段，对比文件 3 已公开了：环圈形成为与第一层成整体构造的第二层，在此基础上，本领域技术人员容易想到根据鞋面的大小及环圈的疏密设置环圈的个数。因此，当其引用的权利要求均不具备创造性时，权利要求 4 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

4、权利要求 5-6 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 5-6 为权利要求 1 的从属权利要求，其附加的技术特征已被对比文件 2 公开，对比文件 2 已公开了：针织元件限定了容纳脚部的空穴，限定了鞋面的外表面的至少一部分，且限定了容纳脚部空穴的至少一部分。因此，当其引用的权利要求均不具备创造性时，权利要求 5-6 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

5、权利要求 7-8 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 7-8 为权利要求 1 的从属权利要求，其附加的技术特征已被对比文件 3 公开，对比文件 3 已公开了：针织元件包括第一区域和第二区域，该第一区域包括第一类针织结构，且第二区域包括第二类针织结构，该第一类与该第二类不同，机械操作的两种不同纱线，一种位于第一区域，另一种位于第二区域。因此，当其引用的权利要求均不具备创造性时，权利要求 7-8 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

6、权利要求 9 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 9 为权利要求 1 的从属权利要求，其附加的技术特征已被对比文件 1 公开，对比文件 1 还公开了：平针织过程中针织元件形成具有完成边缘的限定形状。因此，当其引用的权利要求均不具备创造性时，权利要求 9 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

7、权利要求 10 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 10 要求保护一种鞋类物品。对比文件 1（CN1925763A）是最接近的现有技术，其公开了一种具有织物鞋面的鞋类产品，并具体公布了如下技术特征（参见对比文件 1 说明书第 1 页第 3 段-第 13 页第 4 段，附图 1-14）：一种鞋类产品的鞋面（相当于一种鞋类物品，包括鞋帮），所述鞋面结合例如以编织机形成的织物部件，其中机械编织为经线编织或纬线编织（相当于该鞋帮包括在平针织过程中由至少一种被机械地操作的纱线形成的平针织元件），所述织物元件具有内层、中间层和外层，且包括内侧部分、外侧部分、脚背部分等（相当于该平针织元件包括第一层，该第一层具有：中间部分），内侧部分、外侧部分与脚背部分横向

延伸，有附图可知内部部分与外侧部分与脚背部分整体编织形成且分别想内外两侧延伸（相当于第一侧部，其由与中间部分整体的构造形成且从中间部分的第一侧延伸；和第二侧部，其由与中间部分整体的构造形成且从中间部分的与第一侧相对的第二侧延伸）。

权利要求 10 与对比文件 1 相比，区别技术特征是：其在第二层的相对端处与第一层平针织以形成交迭的环圈，基于上述区别技术特征，本发明实际要解决的技术问题是：提供鞋面束缚物的穿行通道。

针对上述区别技术特征，对比文件 3（US2005/0284000A1）公开了一种织物鞋面的紧固通道，并具体公开了（参见对比文件 3 说明书第[0008]段-第[0017]段，附图 1-3）：一种鞋面的紧固通道，包括织物元件构成的鞋面，包括第一层及第二层，第一层在第二层的相对端处与第一层平针织以形成交迭的环圈，可见对比文件 3 公开了上述区别技术特征，且该区别技术特征在对比文件 3 中的作用与其在本发明中为解决其技术问题所起的作用相同，都是为了提供鞋带的穿梭通道，即对比文件 3 给出了将区别技术特征应用于对比文件 1 以解决其技术问题的启示，这种启示会使本领域技术人员在面对所述的技术问题时，有动机将对比文件 3 的技术内容结合到对比文件 1 中而得到权利要求 10 所要求保护的技术方案。

因此在对比文件 1 的基础上结合对比文件 3 得到权利要求 10 所要求保护的技术方案对本领域技术人员来说是显而易见的，权利要求 10 不具备突出的实质性特点和显著的进步，不符合专利法第 22 条第 3 款规定的创造性。

8、权利要求 11 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 11 为权利要求 10 的从属权利要求，其附加的技术特征被对比文件 2 公开，对比文件 2（US2006/0130359A1）公开了一种具有编织鞋面的鞋类物品，并具体公开了（参见对比文件 2 说明书第[0010]段-第[0056]段，附图 1-4）：一种具有编织鞋面的鞋类物品，如附图 3 所示，其在鞋面背部具有缝褶的凸起部（相当于穹顶形的三维结构），可见对比文件 2 公开了上述区别技术特征，且该区别技术特征在对比文件 2 中的作用与其在本发明中为解决其技术问题所起的作用相同，都是为了提高鞋面立体感、观赏性，即对比文件 2 给出了将区别技术特征应用于对比文件 1 以解决其技术问题的启示，这种启示会使本领域技术人员在面对所述的技术问题时，有动机将对比文件 2 的技术内容结合到对比文件 1 中而得到权利要求 11 所要求保护的技术方案。

因此在对比文件 1 的基础上结合对比文件 2、对比文件 3 得到权利要求 11 所要求保护的技术方案对本领域技术人员来说是显而易见的，权利要求 11 不具备突出的实质性特点和显著的进步，不符合专利法第 22 条第 3 款规定的创造性。

9、权利要求 12 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 12 要求保护一种制造鞋类物品的方法。对比文件 1（CN1925763A）是最接近的现有技术，其公开了一种具有织物鞋面的鞋类产品，并具体公布了如下技术特征（参见对比文件 1 说明书第 1 页第 3 段-第 13 页第 4 段，附图 1-14）：一种鞋类产品的鞋面及其制造方法（相当于一种制造鞋类物品的方法），所述鞋面结合例如以编织机形成的织物部件，其中机械编织为经线编织或纬线编织（相当于在平针织过程中形成

鞋帮，鞋帮包括平针织元件），所述织物元件具有内层、中间层和外层，且包括内侧部分、外侧部分、脚背部分等（相当于该平针织元件包括第一层，该第一层具有：中间部分），内侧部分、外侧部分与脚背部分横向延伸，有附图可知内部部分与外侧部分与脚背部分整体编织形成且分别想内外两侧延伸（相当于第一侧部，其由与中间部分整体的构造形成且从中间部分的第一侧延伸；和第二侧部，其由与中间部分整体的构造形成且从中间部分的与第一侧相对的第二侧延伸）。

权利要求 12 与对比文件 1 相比，区别技术特征是：中间部分具有构造为在脚面上方延伸的穹顶形的三维结构，基于上述区别技术特征，本发明实际要解决的技术问题是：提高鞋面立体感、观赏性。

针对上述区别技术特征，对比文件 2（US2006/0130359A1）公开了一种具有编织鞋面的鞋类物品，并具体公开了（参见对比文件 2 说明书第[0010]段-第[0056]段，附图 1-4）：一种具有编织鞋面的鞋类物品，如附图 3 所示，其在鞋面背部具有缝褶的凸起部（相当于穹顶形的三维结构），可见对比文件 2 公开了上述区别技术特征，且该区别技术特征在对比文件 2 中的作用与其在本发明中为解决其技术问题所起的作用相同，都是为了提高鞋面立体感、观赏性，即对比文件 2 给出了将区别技术特征应用于对比文件 1 以解决其技术问题的启示，这种启示会使本领域技术人员在面对所述的技术问题时，有动机将对比文件 2 的技术内容结合到对比文件 1 中而得到权利要求 12 所要求保护的技术方案。

因此在对比文件 1 的基础上结合对比文件 2 得到权利要求 12 所要求保护的技术方案对本领域技术人员来说是显而易见的，权利要求 12 不具备突出的实质性特点和显著的进步，不符合专利法第 22 条第 3 款规定的创造性。

10、权利要求 13-15 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 13-15 为权利要求 12 的从属权利要求，其附加的技术特征已被对比文件 3 公开，对比文件 3 已公开了：平针织过程包括形成第一区域和第二区域，第一区域的针法类型与第二区域的针法类型不同；第一区域的纱线类型与第二区域的纱线类型不同，或纱线类型与针法类型均不同。因此，当其引用的权利要求均不具备创造性时，权利要求 13-15 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

11、权利要求 16 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 16 为权利要求 12 的从属权利要求，其附加的技术特征已被对比文件 1-3 公开，对比文件 1-3 已公开了：将针织元件组装到鞋类物品中。因此，当其引用的权利要求均不具备创造性时，权利要求 16 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

12、权利要求 17-18 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 17-18 为权利要求 16 的从属权利要求，其附加的技术特征已被对比文件 1-3 公开，对比文件 1-3 已公开了：组装包括连接第一侧部和第二侧部的侧边缘以形成在脚部下方且沿脚部纵向长度延伸的接缝，包括连接第一侧部和第二侧部后边缘以形成沿脚跟向上延伸的接缝。因此，当其引用的权利要求均不具备创造性时，权利要求 17-18 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

13、权利要求 19-20 不具备专利法第 22 条第 3 款规定的创造性。

权利要求 19-20 为权利要求 12 的从属权利要求，其附加的技术特征已被对比文件 3 公开，对比文件 3 已公开了：平针织过程包括在织物元件中形成整体构造的第一环圈，进一步包括延伸鞋带元件穿过第一环圈。因此，当其引用的权利要求均不具备创造性时，权利要求 19-20 不具备突出的实质性特点和显著的进步，不具备专利法第 22 条第 3 款规定的创造性。

基于上述理由，本申请的独立权利要求及从属权利要求均不具备创造性，同时说明书中也没有记载其他任何可以授予专利权的实质性内容，因而即使申请人对权利要求进行重新组合或根据说明书记载的内容作进一步的限定，本申请也不具备被授予专利权的前景。如果申请人不能在本通知书规定的答复期限内提出表明本申请具有新颖性和创造性的充分理由，本申请将被驳回。

审查员姓名:余黎飞
审查员代码:795187

检索报告

申请号：2014107684011	申请日：20071108	首次检索
申请人：耐克创新有限合伙公司	最早的优先权日：20061110	
权利要求项数：20	说明书段数：72	
审查员确定的 IPC 分类号：A43B 1/04,A43B 3/00,A43B 23/02,A43C 1/04,D04B 1/00		
检索记录信息：数据库：CNABS，VEN，CNTXT 关键词：鞋，平针，footwear,shoe,knit,layer 分类号：A43B23/+，A43B1/+		

相关专利文献

类型	国别以及代码[11]给出的文献号	代码[43]或[45]给出的日期	IPC 分类号	相关的段落和/或图号	涉及的权利要求
Y	CN1925763A	20070307	A43B1/04	说明书第 1 页第 3 段-第 13 页第 4 段，附图 1-14	1-20
Y	US2006/0130359A1	20060622	A43B3/10	说明书第[0010]段-第[0056]段，附图 1-4	1-9、11-20
Y	US2005/0284000A1	20051229	A43B23/00	说明书第[0008]段-第[0017]段，附图 1-3	2-4、7-8、10-11、13-20
A	US4447967	19840515	A43B23/00	全文	1-20
A	US4756098	19880712	A43B1/00	全文	1-20
A	US2005/0115284A1	20050602	D04B11/00	全文	1-20
A	US2005/0193592A1	20050908	A43B23/00	全文	1-20
A	JP 特开 2006-258A	20060105	A43B23/02	全文	1-20

Skechers EX1013-p. 1823
Skechers v Nike

相关非专利文献					
类型	书名（包括版本号和卷号）	出版日期	作者姓名和出版者名称	相关页数	涉及的权利要求
类型	期刊或文摘名称（包括卷号和期号）	发行日期	作者姓名和文章标题	相关页数	涉及的权利要求

表格填写说明事项：

1．审查员实际检索领域的 IPC 分类号应当填写到大组和 / 或小组所在的分类位置。

2．期刊或其它定期出版物的名称可以使用符合一般公认的国际惯例的缩写名称。

3．相关文件的类型说明：

X：一篇文件影响新颖性或创造性；

Y：与本报告中的另外的 Y 类文件组合而影响创造性；

A：背景技术文件；

R：任何单位或个人在申请日向专利局提交的、属于同样的发明创造的专利或专利申请文件。

P：中间文件，其公开日在申请的申请日与所要求的优先权日之间的文件；

E：抵触申请。

审 查 员：余黎飞　　审查部门：专利审查协作江苏中心光电技术发明审查部

2016 年 01 月 17 日

DOCKETED 6/12/2015
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PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)
(PCT Rule 44bis.1(c))

To:

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PLUMSEA LAW GROUP

GIBSON, Eric, M.
Plumsea Law Group, LLC
10411 Motor City Drive, Suite 320
Bethesda, MD 20817
ETATS-UNIS D'AMERIQUE

Date of mailing *(day/month/year)* 04 June 2015 (04.06.2015)	
Applicant's or agent's file reference 51-3506	**IMPORTANT NOTICE**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2013/070651	19 November 2013 (19.11.2013)	20 November 2012 (20.11.2012)

Applicant
NIKE INNOVATE C.V. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Yukari Nakamura

e-mail: pt07.pct@wipo.int

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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 51-3506	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/US2013/070651	International filing date *(day/month/year)* 19 November 2013 (19.11.2013)	Priority date *(day/month/year)* 20 November 2012 (20.11.2012)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant NIKE INNOVATE C.V.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☒	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 26 May 2015 (26.05.2015)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Yukari Nakamura e-mail: pt07.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2013/070651	19.11.2013	20.11.2012

International Patent Classification (IPC) or both national classification and IPC
INV. A43B1/04 A43B5/06 A43B23/02 A43C1/04

Applicant
NIKE INTERNATIONAL LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Oelschläger, Holger Telephone No. +31 70 340-1968

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

☐ the entire international application

☒ claims Nos. 11-35

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international search *(specify)*:

☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. are so unclear that no meaningful opinion could be formed *(specify)*:

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☒ no international search report has been established for the whole application or for said claims Nos. 11-35

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13*ter*.1(a) or (b).

☒ See Supplemental Box for further details

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	9, 10
	No:	Claims	1-8
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-10
Industrial applicability (IA)	Yes:	Claims	1-10
	No:	Claims	

2. Citations and explanations

see separate sheet

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

In view of the large number of independent claim (6 independent claims, namely claims 1 (article), 11 (article), 20 (component), 23 (method), 27 (method) and 33 (method)) and also the wording of the claims presently on file, which render it difficult, if not impossible, to determine the matter for which protection is sought, the present application fails to comply with the clarity and conciseness requirements of Article 6 PCT (see also Rule 6.1(a) PCT) to such an extent that a meaningful search is impossible.

In the present case and prima facie, the claimed subject-matters are so numerous and different that they simply preclude the detailed analysis necessary to come to a firm conclusion regarding to the essential technical features of the invention and also the unity of the present application.

At least some of the independent claims differ from independent claim 1, in that they are drafted by means of removing features and/or adding features, thus lacking conciseness and clarity about the subject-matter to be searched.

Consequently, the search has been carried out for those parts of the application which do appear to be clear and concise, namely independent claim 1 (article of footwear claim), and dependent claims 2-10.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

D1 GB 782 562 A (THEODORE OSCAR WEGNER) 11 September 1957 (1957-09-11)

D2 US 2 770 055 A (HAYDEN HELEN M) 13 November 1956 (1956-11-13)

D3 DE 475 363 C (CURT GEISSLER) 24 April 1929 (1929-04-24)

D4 GB 12787 A A.D. 1903 (DAUT KARL [DE]) 6 June 1904 (1904-06-06)

D5 US 2 147 197 A (GLIDDEN ALFRED A) 14 February 1939 (1939-02-14)

D6 US 2010/154256 A1 (DUA BHUPESH [US] DUA BHUPESH [US] ET AL) 24 June 2010 (2010-06-24)

2 The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of claim 1 is not new.

2.1 Document D1 discloses, see the references cited in the search report, an article of footwear (boot) having an upper (2-4) and a sole structure (1) secured to the upper, the upper comprising:
a knitted (p. 1, l. 23) component (3) formed of unitary knit construction (fig. 1) and including a collar portion (3) and a throat portion (4),
the collar portion (3) having a cylindrical (tubular) configuration defining an ankle opening,
and the throat portion extending outward from the collar portion and through at least a portion of a length of a throat area of the upper(see fig. 1),
the collar portion and the throat portion forming (a) a first area of an exterior* surface of the upper and (b) a first area of an interior* surface of the upper; and
a cover component (2) secured (by stitching) to the knitted component and extending between the knitted component and the sole structure,
the cover component (2) forming (a) a second area of the exterior* surface of the upper and (b) a second area of the interior* surface of the upper.

*Portions 2 and 3 are different and connected by stitching; hence no overlap.

2.2 Documents D2-D4 disclose, see the references cited in the search report, the same subject-matter.

2.3 The subject-matter of claim 1 is not new (Article 33(2) PCT).

3 Dependent claims 2-10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) PCT) and/or inventive step (Article 33 (3) PCT).

The features of these claims are either explicitly or implicitly disclosed (Article 33(2) PCT) in documents D1-D4,
or they suggest only slight constructional changes in the pad of claim 1 which come within the scope of the customary practice followed by persons skilled in the art, or see documents D5 and D6, see the references cited in the search report, especially as the advantages thus achieved can readily be foreseen.

Consequently, the subject-matter of these claims also lacks an inventive step (Article 33(3) PCT).

JLE

PATENT COOPERATION TREATY

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APR 01 2014

PCT PLUMSEA LAW GROUP

From the INTERNATIONAL SEARCHING AUTHORITY

To:
Gibson, Eric M.
PLUMSEA LAW GROUP, LLC
10411 Motor City Drive, Suite 320
Bethesda, MD 20817
ETATS-UNIS D'AMERIQUE

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APR 02 2014
ISR

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

	Date of mailing *(day/month/year)*: 27 March 2014 (27-03-2014)
Applicant's or agent's file reference: 51-3506	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No.: PCT/US2013/070651 ✓	International filing date *(day/month/year)*: 19 November 2013 (19-11-2013) ✓
Applicant: NIKE INTERNATIONAL LTD. ✓	

1. [X] The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46).

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70

   For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. [ ] The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. [ ] **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   [ ] the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.

   [ ] no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	DE BRUIJN, John Tel: +31 (0)70 340-3077

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PATENT COOPERATION TREATY

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
51-3506		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2013/070651 ✓	19 November 2013 (19-11-2013) ✓	20 November 2012 (20-11-2012) ✓
Applicant		
NIKE INTERNATIONAL LTD. ✓		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 6 sheets.

[X] It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      [X] the international application in the language in which it was filed
      [ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. [ ] This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. [X] **Certain claims were found unsearchable** (See Box No. II)

3. [ ] **Unity of invention is lacking** (see Box No III)

4. With regard to the **title**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 1
      [X] as suggested by the applicant
      [ ] as selected by this Authority, because the applicant failed to suggest a figure
      [ ] as selected by this Authority, because this figure better characterizes the invention
   b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2013/070651

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☒ Claims Nos.: 11-35
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.

☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.

☐ No protest accompanied the payment of additional search fees.

Skechers EX1013-p. 1836
Skechers v Nike

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2013/070651

A. CLASSIFICATION OF SUBJECT MATTER
INV. A43B1/04 A43B5/06 A43B23/02 A43C1/04
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A43B A43C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 782 562 A (THEODORE OSCAR WEGNER) 11 September 1957 (1957-09-11) pages 1-3; figure 1	1-10
X	US 2 770 055 A (HAYDEN HELEN M) 13 November 1956 (1956-11-13) column 1 - column 4, line 23; figures 1-3	1-10
X	DE 475 363 C (CURT GEISSLER) 24 April 1929 (1929-04-24) page 1; figures 1-3	1-10
X	GB 12787 A A.D. 1903 (DAUT KARL [DE]) 6 June 1904 (1904-06-06) pages 1, 2; figure 1	1-10

-/--

[X] Further documents are listed in the continuation of Box C. [X] See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
20 March 2014	27/03/2014

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Oelschläger, Holger

1

Form PCT/ISA/210 (second sheet) (April 2005)

Skechers EX1013-p. 1837
Skechers v Nike

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2013/070651

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2 147 197 A (GLIDDEN ALFRED A) 14 February 1939 (1939-02-14) pages 1, 2; figures 1-8	1-10
A	US 2010/154256 A1 (DUA BHUPESH [US] DUA BHUPESH [US] ET AL) 24 June 2010 (2010-06-24) the whole document	1-10

1

Skechers EX1013-p. 1838
page 2 of 2
Skechers v Nike

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2013/070651

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
GB 782562 A	11-09-1957	NONE	
US 2770055 A	13-11-1956	NONE	
DE 475363 C	24-04-1929	NONE	
GB 190312787 A	06-06-1904	NONE	
US 2147197 A	14-02-1939	NONE	
US 2010154256 A1	24-06-2010	CN 102271548 A	07-12-2011
		CN 103393256 A	20-11-2013
		DE 202009018763 U1	15-02-2013
		DE 202009018765 U1	14-02-2013
		EP 2378910 A1	26-10-2011
		EP 2716176 A2	09-04-2014
		EP 2716177 A2	09-04-2014
		JP 5391493 B2	15-01-2014
		JP 2012512698 A	07-06-2012
		JP 2013252432 A	19-12-2013
		JP 2013252433 A	19-12-2013
		US 2010154256 A1	24-06-2010
		US 2012318026 A1	20-12-2012
		US 2013318837 A1	05-12-2013
		WO 2010080182 A1	15-07-2010

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 11-35

In view of the large number of independent claim (6 independent claims, namely claims 1, 11,20, 23, 27 and 33) and also the wording of the claims presently on file, which render it difficult, if not impossible, to determine the matter for which protection is sought, the present application fails to comply with the clarity and conciseness requirements of Article 6 PCT (see also Rule 6.1(a) PCT) to such an extent that a meaningful search is impossible.

In the present case and prima facie, the claimed subject-matters are so numerous and different that they simply preclude the detailed analysis necessary to come to a firm conclusion regarding to the essential technical features of the invention and also the unity of the present application.

At least some of the independent claims differ from independent claim 1, in that they are drafted by means of removing features and/or adding features, thus lacking conciseness and clarity about the subject-matter to be searched. Consequently, the search has been carried out for those parts of the application which do appear to be clear and concise, namely independent claim 1 (article of footwear claim), and dependent claims 2-10.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guidelines C-IV, 7.2), should the problems which led to the Article 17(2) declaration be overcome.

PATENT COOPERATION TREATY

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From the
INTERNATIONAL SEARCHING AUTHORITY

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see form PCT/ISA/220

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ISR

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2013/070651 ✓	19.11.2013 ✓	20.11.2012 ✓

International Patent Classification (IPC) or both national classification and IPC
INV. A43B1/04 A43B5/06 A43B23/02 A43C1/04

Applicant
NIKE INTERNATIONAL LTD. ✓

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Oelschläger, Holger Telephone No. +31 70 340-1968

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

☐ the entire international application

☒ claims Nos. 11-35

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international search *(specify)*:

☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. are so unclear that no meaningful opinion could be formed *(specify)*:

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☒ no international search report has been established for the whole application or for said claims Nos. 11-35

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13*ter*.1(a) or (b).

☒ See Supplemental Box for further details

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	9, 10
	No:	Claims	1-8
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-10
Industrial applicability (IA)	Yes:	Claims	1-10
	No:	Claims	

2. Citations and explanations

see separate sheet

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

In view of the large number of independent claim (6 independent claims, namely claims 1 (article), 11 (article), 20 (component), 23 (method), 27 (method) and 33 (method)) and also the wording of the claims presently on file, which render it difficult, if not impossible, to determine the matter for which protection is sought, the present application fails to comply with the clarity and conciseness requirements of Article 6 PCT (see also Rule 6.1(a) PCT) to such an extent that a meaningful search is impossible.

In the present case and prima facie, the claimed subject-matters are so numerous and different that they simply preclude the detailed analysis necessary to come to a firm conclusion regarding to the essential technical features of the invention and also the unity of the present application.

At least some of the independent claims differ from independent claim 1, in that they are drafted by means of removing features and/or adding features, thus lacking conciseness and clarity about the subject-matter to be searched.

Consequently, the search has been carried out for those parts of the application which do appear to be clear and concise, namely independent claim 1 (article of footwear claim), and dependent claims 2-10.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

D1 GB 782 562 A (THEODORE OSCAR WEGNER) 11 September 1957 (1957-09-11)

D2 US 2 770 055 A (HAYDEN HELEN M) 13 November 1956 (1956-11-13)

D3 DE 475 363 C (CURT GEISSLER) 24 April 1929 (1929-04-24)

D4 GB 12787 A A.D. 1903 (DAUT KARL [DE]) 6 June 1904 (1904-06-06)

D5 US 2 147 197 A (GLIDDEN ALFRED A) 14 February 1939 (1939-02-14)

D6 US 2010/154256 A1 (DUA BHUPESH [US] DUA BHUPESH [US] ET AL) 24 June 2010 (2010-06-24)

2 The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of claim 1 is not new.

2.1 Document D1 discloses, see the references cited in the search report, an article of footwear (boot) having an upper (2-4) and a sole structure (1) secured to the upper, the upper comprising:
a knitted (p. 1, l. 23) component (3) formed of unitary knit construction (fig. 1) and including a collar portion (3) and a throat portion (4),
the collar portion (3) having a cylindrical (tubular) configuration defining an ankle opening,
and the throat portion extending outward from the collar portion and through at least a portion of a length of a throat area of the upper(see fig. 1),
the collar portion and the throat portion forming (a) a first area of an exterior* surface of the upper and (b) a first area of an interior* surface of the upper; and
a cover component (2) secured (by stitching) to the knitted component and extending between the knitted component and the sole structure,
the cover component (2) forming (a) a second area of the exterior* surface of the upper and (b) a second area of the interior* surface of the upper.

*Portions 2 and 3 are different and connected by stitching; hence no overlap.

2.2 Documents D2-D4 disclose, see the references cited in the search report, the same subject-matter.

2.3 The subject-matter of claim 1 is not new (Article 33(2) PCT).

3 Dependent claims 2-10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) PCT) and/or inventive step (Article 33 (3) PCT).

The features of these claims are either explicitly or implicitly disclosed (Article 33(2) PCT) in documents D1-D4,
or they suggest only slight constructional changes in the pad of claim 1 which come within the scope of the customary practice followed by persons skilled in the art, or see documents D5 and D6, see the references cited in the search report, especially as the advantages thus achieved can readily be foreseen.

Consequently, the subject-matter of these claims also lacks an inventive step (Article 33(3) PCT).

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From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
Gibson, Eric M.
PLUMSEA LAW GROUP, LLC
6710 A Rockledge Drive, Suite 400
Bethesda, MD 20817
ETATS-UNIS D'AMERIQUE

DOCKETED 5/1/2015
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NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 51-4802	Date of mailing *(day/month/year)* 28 April 2015 (28-04-2015)
International application No. PCT/US2015/015340	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
Applicant NIKE INNOVATE C.V.	International filing date *(day/month/year)* 11 February 2015 (11-02-2015)

1. [X] The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   How? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 338.82.70

   For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. [ ] The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. [ ] **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   [ ] the protest together with the decision thereon has been transmitted to the International Bureau together with any applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   [ ] no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

   Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

   Within **19 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer DE BRUIJN, John Tel: +31 (0)70 340-3077

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
51-4802		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2015/015340	11 February 2015 (11-02-2015)	30 May 2014 (30-05-2014)
Applicant		
NIKE INNOVATE C.V.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

[X] It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language,** the international search was carried out on the basis of:
      [X] the international application in the language in which it was filed
      [ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. [ ] This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. [ ] **Certain claims were found unsearchable** (See Box No. II)

3. [ ] **Unity of invention is lacking** (see Box No III)

4. With regard to the **title,**
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established by this Authority to read as follows:

5. With regard to the **abstract,**
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings,**
   a. the figure of the **drawings** to be published with the abstract is Figure No. 49
      [X] as suggested by the applicant
      [ ] as selected by this Authority, because the applicant failed to suggest a figure
      [ ] as selected by this Authority, because this figure better characterizes the invention
   b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2015/015340

A. CLASSIFICATION OF SUBJECT MATTER
INV. A43B1/04 A43B23/02 A43B23/04
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A43B D04B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2012/255201 A1 (LITTLE CAROL [US]) 11 October 2012 (2012-10-11) paragraphs [0028], [0032], [0038], [0043], [0056], [0107] - [0133]; claims 11-20; figures	1-32
A	WO 2014/050289 A1 (SHIMA SEIKI MFG [JP]) 3 April 2014 (2014-04-03) the whole document	1-32
A	WO 2013/108506 A1 (SHIMA SEIKI MFG [JP]) 25 July 2013 (2013-07-25) the whole document	1-32
A	US 2005/193592 A1 (DUA BHUPESH [US] ET AL) 8 September 2005 (2005-09-08) paragraphs [0043] - [0049]; figures	1-32

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
13 April 2015	28/04/2015

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Cianci, Sabino

1

Form PCT/ISA/210 (second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2015/015340

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2012255201 A1	11-10-2012	AU 2012262964 A1	24-10-2013
		CN 103596459 A	19-02-2014
		EP 2693904 A1	12-02-2014
		JP 2014512911 A	29-05-2014
		KR 20140051848 A	02-05-2014
		US 2012255201 A1	11-10-2012
		US 2013269212 A1	17-10-2013
		WO 2012166244 A1	06-12-2012
WO 2014050289 A1	03-04-2014	TW 201425679 A	01-07-2014
		WO 2014050289 A1	03-04-2014
WO 2013108506 A1	25-07-2013	CN 104066350 A	24-09-2014
		EP 2805638 A1	26-11-2014
		KR 20140105032 A	29-08-2014
		WO 2013108506 A1	25-07-2013
US 2005193592 A1	08-09-2005	CN 1925763 A	07-03-2007
		CN 101756428 A	30-06-2010
		TW I279198 B	21-04-2007
		US 2005193592 A1	08-09-2005
		US 2008196181 A1	21-08-2008
		US 2010325916 A1	30-12-2010
		US 2012005922 A1	12-01-2012
		US 2012159813 A1	28-06-2012
		US 2014150294 A1	05-06-2014
		US 2015013080 A1	15-01-2015
		WO 2005092134 A1	06-10-2005

PATENT COOPERATION TREATY

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2015/015340	11.02.2015	30.05.2014

International Patent Classification (IPC) or both national classification and IPC
INV. A43B1/04 A43B23/02 A43B23/04

Applicant
NIKE INNOVATE C.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Telephone No. +31 70 340-0

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed.

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:

   a. ☐ forming part of the international application as filed:

      ☐ in the form of an Annex C/ST.25 text file.

      ☐ on paper or in the form of an image file.

   b. ☐ furnished together with the international application under PCT Rule 13*ter*.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.

   c. ☐ furnished subsequent to the international filing date for the purposes of international search only:

      ☐ in the form of an Annex C/ST.25 text file (Rule 13*ter*.1(a)).

      ☐ on paper or in the form of an image file (Rule 13*ter*.1(b) and Administrative Instructions, Section 713).

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-32
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-32
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-32
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1 US 2012/255201 A1 (LITTLE CAROL [US]) 11 October 2012 (2012-10-11)

D2 WO 2014/050289 A1 (SHIMA SEIKI MFG [JP]) 3 April 2014 (2014-04-03)

D3 WO 2013/108506 A1 (SHIMA SEIKI MFG [JP]) 25 July 2013 (2013-07-25)

D4 US 2005/193592 A1 (DUA BHUPESH [US] ET AL) 8 September 2005 (2005-09-08)

Document D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses a method of making an article of footwear, comprising:

knitting a knitted textile element of unitary warp knit construction (see para. 28,32,38,43) having a first knit layer, a second knit layer that overlays the first knit layer and is continuous with the first knit layer along a common edge of the knitted textile element that extends along a direction of knitting process (see para 56), an interlayer knit stitch line that interconnects the first knit layer and the second knit layer (see para 56, "a step of connecting the one or more knit layers or types with crossing threads"),

removing the knitted component from the knitted textile element.

The subject-matter of claim 1 therefore differs from this known method in that " at least one first knitted indicating portion is located along the common edge of the common knit layer, the common edge and the interlayer knit stitch line defining an outline of a first knitted component portion of a knitted component, the first knitted component portion being configured to form a seamless bootie, and a second knitted component portion being seamlessly associated with the first knitted component portion at the interlayer knit stitch line, the first knitted component portion and the second knitted component portion collectively forming the knitted component, separating the knitted component along the at least one knitted indicating portion to create an opening in the

knitted component, and wrapping the second knitted component portion around at least a portion of the first knitted component portion." and is therefore new (Article 33 (2) PCT).

The problem to be solved by the present invention may be regarded as how to improve the known methods of manufacturing seamless booties for use in articles of footwear.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons: D1 discloses a method forming a seamless knitted material including a foot-receiving portion, said method substantially consisting in knitting a textile element with a surrounding textile structure (the knitted textile element of claim 1), then removing the textile element (the knitted component of claim 1) from the surrounding textile structure, and forming the textile element into an article of footwear; D2 discloses also a method for manufacturing a knitted upper for footwear, wherein the heel part is formed by a plurality of steps of knitting; D3 discloses as well a knitted upper for footwear, wherein a first knitting yarn is not a thermal fusion yarn, while a second knitting yarn is a thermal fusion yarn; D4 discloses a method for manufacturing through tubular knitting a knit textile structure comprising one or more knitted component constituting the upper of a footwear. None of the cited documents teaches at least the knitting a first and a second knitted components, separating the knitted component along the indicating portion and wrapping the second knitted component around at least a portion of the first knitted component; the prior-art does not even suggest any of said steps. As such the skilled-person would not find any obvious hint which would allow him to reach the claimed method without making use of his inventive skills. The subject-matter therefore involves an inventive step.

The same reasoning applies, "mutatis mutandis", to the subject-matter of independent claim 27 (a method of knitting a knitted textile element including a knitted component for use in an article of footwear) and to the subject-matter of claim 28 (an article of footwear comprising a knitted component).

Claims 2-26, 29-32 are dependent on claim 1 and respectively on claim 28 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Re Item VII

Certain defects in the international application

Independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art D1 being placed in the preamble (Rule 6.3(b)(i) PCT) and the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

The features of all claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1 is not mentioned in the description, nor are these documents identified therein.

Re Item VIII

Certain observations on the international application

The application does not meet the requirements of Article 6 PCT, because claims 1 and 27 are not clear.

Independent claim 1 discloses a method of making an article of footwear; said method instead appears to be directed to the manufacturing of a seamless component for use in an upper for an article of footwear; the claimed method seems to miss at least some steps which are essential to the manufacturing of a footwear, like the incorporation of a sole element.

Independent claim 27 discloses a method for knitting a knitted textile element; said method instead appears to be directed to the obtention of a seamless component for an upper of footwear from a knitted textile element of unitary warp knit construction. Said claim 27 does not disclose any step or operation typical of a knitting process.

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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
Gigson, Eric M.
PLUMSEA LAW GROUP, LLC
6710 A Rockledge Drive, Suite 400
Bethesda, MD 20817
ETATS-UNIS D'AMERIQUE

DOCKETED 6/18/2015
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NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 51-4797	Date of mailing *(day/month/year)* 16 June 2015 (16-06-2015)
International application No. PCT/US2015/015343	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
Applicant NIKE INNOVATE C.V.	International filing date *(day/month/year)* 11 February 2015 (11-02-2015)

1. [X] The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   How? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 338.82.70

   For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. [ ] The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. [ ] **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   [ ] the protest together with the decision thereon has been transmitted to the International Bureau together with any applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   [ ] no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

   Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

   Within **19 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer BECKER, Michael Tel: +31 (0)70 340-8436

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PATENT COOPERATION TREATY

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
51-4797		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2015/015343	11 February 2015 (11-02-2015)	30 May 2014 (30-05-2014)

Applicant

NIKE INNOVATE C.V.

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

[X] It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

[X] the international application in the language in which it was filed

[ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. [ ] This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).

c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. [ ] **Certain claims were found unsearchable** (See Box No. II)

3. [ ] **Unity of invention is lacking** (see Box No III)

4. With regard to the **title**,

[ ] the text is approved as submitted by the applicant

[X] the text has been established by this Authority to read as follows:

METHOD OF MAKING A KNITTED SEAMLESS BOOTIE WITH TUCKED-IN PORTION

5. With regard to the **abstract**,

[X] the text is approved as submitted by the applicant

[ ] the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 25

[X] as suggested by the applicant

[ ] as selected by this Authority, because the applicant failed to suggest a figure

[ ] as selected by this Authority, because this figure better characterizes the invention

b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2015/015343

A. CLASSIFICATION OF SUBJECT MATTER
INV. A43B1/04 A43B23/02 A43B23/04 D04B21/20
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A43B D04B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2012/255201 A1 (LITTLE CAROL [US]) 11 October 2012 (2012-10-11) paragraphs [0028], [0029], [0032], [0038], [0043], [0107] - [0115], [0125]; figures	1-34
A	WO 2013/108506 A1 (SHIMA SEIKI MFG [JP]) 25 July 2013 (2013-07-25) abstract	1-34
A,P	-& EP 2 805 638 A1 (SHIMA SEIKI MFG [JP]) 26 November 2014 (2014-11-26) paragraphs [0023] - [0036]; figures	1-34
A	US 2005/193592 A1 (DUA BHUPESH [US] ET AL) 8 September 2005 (2005-09-08) paragraphs [0047] - [0049]; figure 9	1,23,24

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
8 June 2015	16/06/2015

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Jones, Mark

3

Form PCT/ISA/210 (second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2015/015343

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2012255201 A1	11-10-2012	AU 2012262964 A1	24-10-2013
		CN 103596459 A	19-02-2014
		EP 2693904 A1	12-02-2014
		JP 2014512911 A	29-05-2014
		KR 20140051848 A	02-05-2014
		US 2012255201 A1	11-10-2012
		US 2013269212 A1	17-10-2013
		WO 2012166244 A1	06-12-2012
WO 2013108506 A1	25-07-2013	CN 104066350 A	24-09-2014
		EP 2805638 A1	26-11-2014
		JP WO2013108506 A1	11-05-2015
		KR 20140105032 A	29-08-2014
		US 2015107307 A1	23-04-2015
		WO 2013108506 A1	25-07-2013
EP 2805638 A1	26-11-2014	CN 104066350 A	24-09-2014
		EP 2805638 A1	26-11-2014
		JP WO2013108506 A1	11-05-2015
		KR 20140105032 A	29-08-2014
		US 2015107307 A1	23-04-2015
		WO 2013108506 A1	25-07-2013
US 2005193592 A1	08-09-2005	CN 1925763 A	07-03-2007
		CN 101756428 A	30-06-2010
		TW I279198 B	21-04-2007
		US 2005193592 A1	08-09-2005
		US 2008196181 A1	21-08-2008
		US 2010325916 A1	30-12-2010
		US 2012005922 A1	12-01-2012
		US 2012159813 A1	28-06-2012
		US 2014150294 A1	05-06-2014
		US 2015013080 A1	15-01-2015
		WO 2005092134 A1	06-10-2005

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From the
INTERNATIONAL SEARCHING AUTHORITY

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2015/015343	11.02.2015	30.05.2014

International Patent Classification (IPC) or both national classification and IPC
INV. A43B1/04 A43B23/02 A43B23/04 D04B21/20

Applicant
NIKE INNOVATE C.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Telephone No. +31 70 340-0

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed.

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:

   a. ☐ forming part of the international application as filed:

      ☐ in the form of an Annex C/ST.25 text file.

      ☐ on paper or in the form of an image file.

   b. ☐ furnished together with the international application under PCT Rule 13*ter*.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.

   c. ☐ furnished subsequent to the international filing date for the purposes of international search only:

      ☐ in the form of an Annex C/ST.25 text file (Rule 13*ter*.1(a)).

      ☐ on paper or in the form of an image file (Rule 13*ter*.1(b) and Administrative Instructions, Section 713).

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-34
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-34
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-34
	No:	Claims	

2. Citations and explanations

see separate sheet

1 **Re Item V**

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.1 Reference is made to the following documents:

D1 US 2012/255201 A1 (LITTLE CAROL [US]) 11 October 2012 (2012-10-11)

D2 WO 2013/108506 A1 (SHIMA SEIKI MFG [JP]) 25 July 2013 (2013-07-25); -& EP 2 805 638 A1 (SHIMA SEIKI MFG [JP]) 26 November 2014 (2014-11-26)

1.2 D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses:

A method of making an article of footwear, comprising:

knitting a knitted textile element of unitary warp knit construction having

- a first knit layer [e.g. the medial side of the upper of Figure 1C],

- a second knit layer [e.g. the lateral side of the upper of Figure 1C] that overlays the first knit layer and is continuous with the first knit layer along a common edge of a common opening [ankle opening] in the first knit layer and the second knit layer, the common edge of the common opening extending in a direction of knitting process,

- a first knitted component portion being configured to form a seamless bootie; and

removing the knitted component from the knitted textile element (see paragraph [0109]).

1.3 The subject-matter of claim 1 therefore differs from this known method in that

a first interlayer knit stitch line interconnects the first knit layer and the second knit layer, the common edge of the common opening and the first interlayer knit stitch line collectively defining an outline of a first knitted component portion of a knitted component,

the textile element further comprises a second knitted component portion of the knitted component that is seamlessly connected to the first knitted component portion by a first continuous portion of the first knit layer adjacent the common opening and a second continuous portion of the second knit layer adjacent the common opening,

a second interlayer knit stitch line interconnects the first knit layer and the second knit layer at a location spaced apart from the first continuous portion of the first knit layer and the second continuous portion of the second knit layer, the second interlayer knit stitch line defining an outline of the second knitted component portion, and the first knitted component portion and the second knitted component portion collectively forming the knitted component;

and in that the method further comprises folding the second knitted component portion into an internal pocket formed between the first knit layer and the second knit layer of the first knitted component portion.

It is therefore new (Article 33(2) PCT).

1.4 The problem to be solved by the present invention may be regarded as how to provide a better method for making an article of footwear comprising a knitted textile upper.

1.5 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

1.5.1 D2 discloses a method where two component portions are seamlessly knitted as one component, the second portion then being folded into an internal pocket of the first portion - in this case to form a bootie with a seamlessly attached lining. The skilled person would combine the teachings of D1 and D2 to create an improved method of making an article of footwear.

1.5.2 However, although the method disclosed in D1 discloses the inclusion of an outline of a textile element to be removed from a textile structure (see D1, paragraph [0109]), it is silent about how that outline is achieved, and does not suggest an interlayer knit stitch line as the means to do so. Since neither D1, nor D2 nor any other available prior art suggests such an interlayer knit stitch line it would not occur to the skilled person to introduce this into the method disclosed in D1, and therefore claim 1 is considered to involve an inventive step (Article 33(3) PCT).

1.6 Claim 23 relates to a method of knitting a textile element which is essentially the same as the method of making an article of footwear claimed in claim 1. Therefore by the same reasoning as in points 1.2 to 1.5 above claim 23 also is considered to be new and inventive.

1.7 D2 is regarded as being the prior art closest to the subject-matter of claim 24, and discloses:

An article of footwear (1), comprising:

a knitted component, the knitted component comprising:

a first knit layer including a first portion that forms a medial side of a first knitted component portion (2) configured as a seamless bootie and a second portion that is continuous with the first portion and forms a medial side of a second knitted component portion (3);

a second knit layer including a first portion that forms a lateral side of the first knitted component portion (2) configured as the seamless bootie and a second portion that is continuous with the first portion and forms a lateral side of the second knitted component portion (3), the first portion of the second knit layer being continuous with the first portion of the first knit layer across a continuous upper forefoot portion of the seamless bootie;

1.8 The subject-matter of claim 24 therefore differs from this known article of footwear in that:

the knitted component is of unitary warp knit construction;

a first interlayer knit stitch line interconnects the medial side of the first knit layer of the seamless bootie and the lateral side of the second knit layer of the seamless bootie and extends generally along a central line of a heel portion, a bottom portion, and a front toe portion of the seamless bootie;

and a second interlayer knit stitch line interconnects the medial side of the first knit layer of the second knitted component portion and the lateral side of the second knit layer of the second knitted component portion.

It is therefore new (Article 33(2) PCT).

1.9 The problem to be solved by the present invention may be regarded as how to design an article of footwear which allows an improved method of manufacture.

The use of an interlayer knit stitch line between the medial and lateral sides of the knitted component portions, as proposed in claim 24, solves this problem by allowing the seamless component to be made out of, and removed from, a single textile element. None of the available prior art discloses the use of such an interlayer knit stitch line and therefore it would not occur to the skilled person to solve the problem in this way. This solution proposed in claim 24 of the present application is therefore considered as involving an inventive step (Article 33(3) PCT).

1.10 Claims 2-22 and claims 25-34 are dependent on claim 1 and claim 24 respectively, both of whose subject-matter is considered as being new and inventive, as discussed above, and as such said dependent claims also meet the requirements of the PCT with respect to novelty and inventive step.

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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
Gibson, Eric M.
PLUMSEA LAW GROUP, LLC
6710 A Rockledge Drive, Suite 400
Bethesda, MD 20817
ETATS-UNIS D'AMERIQUE

DOCKETED 4/28/2015
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NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 51-4792	Date of mailing *(day/month/year)* 22 April 2015 (22-04-2015) **FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US2015/015346	International filing date *(day/month/year)* 11 February 2015 (11-02-2015)
Applicant NIKE INNOVATE C.V.	

1. [X] The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   How? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 338.82.70

   For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. [ ] The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. [ ] **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   [ ] the protest together with the decision thereon has been transmitted to the International Bureau together with any applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   [ ] no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

   Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

   Within **19 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer DE BRUIJN, John Tel: +31 (0)70 340-3077

Form PCT/ISA/220 (July 2014)

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
51-4792		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2015/015346	11 February 2015 (11-02-2015)	30 May 2014 (30-05-2014)
Applicant		
NIKE INNOVATE C.V.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

[X] It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language,** the international search was carried out on the basis of:
      [X] the international application in the language in which it was filed
      [ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. [ ] This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. [ ] **Certain claims were found unsearchable** (See Box No. II)

3. [ ] **Unity of invention is lacking** (see Box No III)

4. With regard to the **title,**
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established by this Authority to read as follows:

5. With regard to the **abstract,**
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings,**
   a. the figure of the **drawings** to be published with the abstract is Figure No. 2
      [X] as suggested by the applicant
      [ ] as selected by this Authority, because the applicant failed to suggest a figure
      [ ] as selected by this Authority, because this figure better characterizes the invention
   b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2015/015346

A. CLASSIFICATION OF SUBJECT MATTER
INV. A43B23/04 A43B23/02 A43B1/04
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A43B D04B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2012/255201 A1 (LITTLE CAROL [US]) 11 October 2012 (2012-10-11) paragraphs [0028], [0032], [0038], [0043], [0056], [0107] - [0133]; claims 11-20; figures	1-8, 14-26, 33,34
A	WO 2014/050289 A1 (SHIMA SEIKI MFG [JP]) 3 April 2014 (2014-04-03) the whole document	1-34
A	WO 2013/108506 A1 (SHIMA SEIKI MFG [JP]) 25 July 2013 (2013-07-25) the whole document	1-34
A	US 2005/193592 A1 (DUA BHUPESH [US] ET AL) 8 September 2005 (2005-09-08) paragraphs [0043] - [0049]; figures	1-34

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
14 April 2015	22/04/2015

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Cianci, Sabino

2

Form PCT/ISA/210 (second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2015/015346

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2012255201 A1	11-10-2012	AU 2012262964 A1	24-10-2013
		CN 103596459 A	19-02-2014
		EP 2693904 A1	12-02-2014
		JP 2014512911 A	29-05-2014
		KR 20140051848 A	02-05-2014
		US 2012255201 A1	11-10-2012
		US 2013269212 A1	17-10-2013
		WO 2012166244 A1	06-12-2012
WO 2014050289 A1	03-04-2014	TW 201425679 A	01-07-2014
		WO 2014050289 A1	03-04-2014
WO 2013108506 A1	25-07-2013	CN 104066350 A	24-09-2014
		EP 2805638 A1	26-11-2014
		KR 20140105032 A	29-08-2014
		WO 2013108506 A1	25-07-2013
US 2005193592 A1	08-09-2005	CN 1925763 A	07-03-2007
		CN 101756428 A	30-06-2010
		TW I279198 B	21-04-2007
		US 2005193592 A1	08-09-2005
		US 2008196181 A1	21-08-2008
		US 2010325916 A1	30-12-2010
		US 2012005922 A1	12-01-2012
		US 2012159813 A1	28-06-2012
		US 2014150294 A1	05-06-2014
		US 2015013080 A1	15-01-2015
		WO 2005092134 A1	06-10-2005

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

DOCKETED 4/28/2015
PDF YMT/AJ
ISR

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2015/015346	11.02.2015	30.05.2014

International Patent Classification (IPC) or both national classification and IPC
INV. A43B23/04 A43B23/02 A43B1/04

Applicant
NIKE INNOVATE C.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Telephone No. +31 70 340-0

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed.

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:

   a. ☐ forming part of the international application as filed:

      ☐ in the form of an Annex C/ST.25 text file.

      ☐ on paper or in the form of an image file.

   b. ☐ furnished together with the international application under PCT Rule 13*ter*.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.

   c. ☐ furnished subsequent to the international filing date for the purposes of international search only:

      ☐ in the form of an Annex C/ST.25 text file (Rule 13*ter*.1(a)).

      ☐ on paper or in the form of an image file (Rule 13*ter*.1(b) and Administrative Instructions, Section 713).

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	9-13, 27-32
	No:	Claims	1-8, 14-26, 33, 34
Inventive step (IS)	Yes:	Claims	9-13, 27-32
	No:	Claims	1-8, 14-26, 33, 34
Industrial applicability (IA)	Yes:	Claims	1-34
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1 US 2012/255201 A1 (LITTLE CAROL [US]) 11 October 2012 (2012-10-11)

The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of claims 1, 24, 25 is not new.

Document D1 discloses a method of making an article of footwear, comprising:

knitting a knitted textile element of unitary warp construction (the textile structure) having a first layer, a second layer (D1 discloses flat and circular knitting to obtain more layers) that overlays the first knit layer and is continuous with the first knit layer along a common edge of the knitted textile element that extends along a direction of knitting process (obvious in a process where a continuous knitted upper is manufactured, see whole D1), an interlayer knit stitch line that interconnects the first knit layer and the second knit layer (see D1, para. 56), and at least one knitted indicating portion located along the common edge, the common edge and the interlayer knit stitch line collectively defining an outline of a knitted component (see D1, para 108, 109, figures 3 and 4), removing the knitted component from the knitted textile element (see D1, para. 108), separating the knitted component along the at least one knitted indicating portion to create an opening in the knitted component (obvious feature in a process for manufacturing a unitary knitted upper for footwear, the upper and lower layer are separated in correspondence of the opening for the foot/ ankle).

The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claims 24 (a method of knitting a knitted textile element) and 25 (an article of footwear), which therefore are also considered not new.

Dependent claims 2-8, 14-23, 26, 33, 34 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step:

claims 2-6,14-18,22,23,26,33,34: not new, see D1;

claim 7,8,19,20,21: obvious features to any skilled person in the field.

The combination of the features of dependent claims 9-13, 27-32 seem to be neither known from, nor rendered obvious by, the available prior art.

Re Item VII

Certain defects in the international application

Independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art D1 being placed in the preamble (Rule 6.3(b)(i) PCT) and the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

The features of all claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1 is not mentioned in the description, nor are these documents identified therein.

Re Item VIII

Certain observations on the international application

The application does not meet the requirements of Article 6 PCT, because claims 1 and 24 are not clear.

Independent claim 1 discloses a method of making an article of footwear; said method instead appears to be directed to the manufacturing of a seamless component for use in an upper for an article of footwear; the claimed method seems to miss at least some steps which are essential to the manufacturing of a footwear, like the incorporation of a sole element.

Independent claim 24 discloses a method for knitting a knitted textile element; said method instead appears to be directed to the obtention of a seamless component for an upper of footwear from a knitted textile element of unitary warp knit construction. Said claim 27 does not disclose any step or operation typical of a knitting process.

PATENT COOPERATION TREATY

BRINKS GILSON & LIONE
RECEIVED
OCT 05 2016
PCT RECEIVED
INT'L PATENT

From the INTERNATIONAL SEARCHING AUTHORITY

To:
Hufford, Andrew A.
BRINKS GILSON & LIONE
P.O. Box 10087
Chicago Illinois 60610
ETATS-UNIS D'AMERIQUE

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 15571-1034	Date of mailing *(day/month/year)* 4 October 2016 (04-10-2016) **FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US2016/026345	International filing date *(day/month/year)* 7 April 2016 (07-04-2016)
Applicant NIKE INNOVATE C.V.	

1. [X] The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   How? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 338.82.70

   For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. [ ] The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. [ ] **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   [ ] the protest together with the decision thereon has been transmitted to the International Bureau together with any applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   [ ] no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

   Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

   Within **19 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer DANISSEN, Paulina Tel: +49 (0)89 2399-8862

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
15571-1034		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2016/026345	7 April 2016 (07-04-2016)	16 April 2015 (16-04-2015)
Applicant		
NIKE INNOVATE C.V.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 6 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language,** the international search was carried out on the basis of:
      ☒ the international application in the language in which it was filed
      ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box No. II)

3. ☒ **Unity of invention is lacking** (see Box No III)

4. With regard to the **title,**
   ☐ the text is approved as submitted by the applicant
   ☒ the text has been established by this Authority to read as follows:

   ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT HAVING FLOATED YARN PORTIONS AND A METHOD OF MAKING SAME

5. With regard to the **abstract,**
   ☒ the text is approved as submitted by the applicant
   ☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings,**
   a. the figure of the **drawings** to be published with the abstract is Figure No. 27
      ☐ as suggested by the applicant
      ☐ as selected by this Authority, because the applicant failed to suggest a figure
      ☒ as selected by this Authority, because this figure better characterizes the invention
   b. ☐ none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2016/026345

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-13, 20, 21

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.

☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.

☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2016/026345

A. CLASSIFICATION OF SUBJECT MATTER
INV. D04B1/10
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
D04B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2013/126313 A2 (NIKE INTERNATIONAL LTD; TATLER DAREN P [US]; PODHAJNY DANIEL A [US]) 29 August 2013 (2013-08-29)	1-3,5-8, 10-13, 20,21
A	paragraphs [0050], [0061], [0076], [0081], [0133], [0136]; figures 8A, 11-13H, 22B	4,9

Y	US 2014/150292 A1 (PODHAJNY DANIEL A [US] ET AL) 5 June 2014 (2014-06-05)	1-8, 10-13, 20,21
A	paragraphs [0024], [0032] - [0037], [0044], [0045], [0050]; claims 1, 3, 4, 7, 8, 10, 26; figures 3, 5, 9, 11-13, 15	9

	-/--	

[X] Further documents are listed in the continuation of Box C.

[X] See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
29 July 2016	04/10/2016

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Sterle, Dieter

1

Form PCT/ISA/210 (second sheet) (April 2005)

Skechers EX1013-p. 1882
Skechers v Nike

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2016/026345

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 6 227 010 B1 (ROELL FRIEDRICH [DE]) 8 May 2001 (2001-05-08) column 1, line 4 - column 5, line 57; claims 1, 4, 17, 37; figures 1-4 column 6, lines 28-35; claim 12; figure 8 -----	1-8, 10-13, 20,21

1

Skechers EX1013-p. 1883
Skechers v Nike

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2016/026345

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 2013126313 A2	29-08-2013	CN 104246040 A	24-12-2014
		CN 105768363 A	20-07-2016
		EP 2817442 A2	31-12-2014
		EP 3031966 A1	15-06-2016
		HK 1200507 A1	07-08-2015
		JP 2015513414 A	14-05-2015
		KR 20140123598 A	22-10-2014
		KR 20160064254 A	07-06-2016
		TW 201402030 A	16-01-2014
		TW 201514354 A	16-04-2015
		TW 201519813 A	01-06-2015
		US 8448474 B1	28-05-2013
		US 2013212907 A1	22-08-2013
		US 2014144190 A1	29-05-2014
		US 2014150296 A1	05-06-2014
		WO 2013126313 A2	29-08-2013
US 2014150292 A1	05-06-2014	AR 093677 A1	17-06-2015
		CN 103844428 A	11-06-2014
		CN 203692653 U	09-07-2014
		EP 2925175 A1	07-10-2015
		JP 2015536207 A	21-12-2015
		KR 20150046092 A	29-04-2015
		TW M481626 U	11-07-2014
		TW 201438615 A	16-10-2014
		US 2014150292 A1	05-06-2014
		US 2014237856 A1	28-08-2014
		WO 2014085206 A1	05-06-2014
US 6227010 B1	08-05-2001	DE 19636208 A1	12-03-1998
		EP 0932715 A1	04-08-1999
		EP 1092797 A2	18-04-2001
		EP 1092798 A2	18-04-2001
		JP 2001505258 A	17-04-2001
		US 6227010 B1	08-05-2001
		WO 9810127 A1	12-03-1998

Skechers EX1013-p. 1884
Skechers v Nike

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-13, 20, 21

An article of footwear having an upper and a sole structure secured to the upper, the upper incorporating a knitted component, the knitted component comprising, apart from a first course, a second course including a floated portion extending from a first tuck stitch to a second tuck stitch, the floated portion extending over the plurality of loops of the first course; wherein the second course is configured to resist stretch in at least a first portion of the upper.
This invention does not include a first course incorporating a floated portion; a first loop being located at a first end of the floated portion, a second loop being located at a second end of the floated portion.

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2. claims: 14-19

An article of footwear having an upper and a sole structure secured to the upper, the upper incorporating a knitted component, the knitted component comprising a stretch resistant area formed of a plurality of courses, at least a first course incorporating a floated portion; a first loop being located at a first end of the floated portion, a second loop being located at a second end of the floated portion.
This invention does not include a second course including a floated portion extending from a first tuck stitch to a second tuck stitch, the floated portion extending over the plurality of loops of the first course, wherein the second course is configured to resist stretch

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Information on Search Strategy - Pilot phase (see OJ 2015, A86)
The type of information contained in this sheet may change during the pilot for improving the usefulness of this new service.

Application Number
PCT/US2016/026345

TITLE: ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT HAVING FLOATED YARN PORTIONS AND A METHOD OF MAKING SAME

APPLICANT: NIKE INNOVATE C.V.

IPC CLASSIFICATION: D04B1/10

EXAMINER: Sterle, Dieter

CONSULTED DATABASES: EPODOC, WPI

CLASSIFICATION SYMBOLS DEFINING EXTENT OF THE SEARCH:

IPC:

CPC: D04B1/102, D10B2501/043

FI/F-TERMS:

KEYWORDS OR OTHER ELEMENTS FEATURING THE INVENTION:
shoe upper provided with low elongation inlay yarn tucked intermittently to spaced loops of a ground fabric to add dimensional stability to the ground fabric at desired portions

EPO FORM P04A42

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2016/026345	07.04.2016	16.04.2015

International Patent Classification (IPC) or both national classification and IPC
INV. D04B1/10

Applicant
NIKE INNOVATE C.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	see form PCT/ISA/210	Sterle, Dieter Telephone No. +49 89 2399-0

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed.

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:

   a. ☐ forming part of the international application as filed:

      ☐ in the form of an Annex C/ST.25 text file.

      ☐ on paper or in the form of an image file.

   b. ☐ furnished together with the international application under PCT Rule 13*ter*.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.

   c. ☐ furnished subsequent to the international filing date for the purposes of international search only:

      ☐ in the form of an Annex C/ST.25 text file (Rule 13*ter*.1(a)).

      ☐ on paper or in the form of an image file (Rule 13*ter*.1(b) and Administrative Instructions, Section 713).

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

☐ the entire international application

☒ claims Nos. 14-19

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international search *(specify)*:

☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. are so unclear that no meaningful opinion could be formed *(specify)*:

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☒ no international search report has been established for the whole application or for said claims Nos. 14-19

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing in the form of an Annex C/ST.25 text file, and such listing was not available to the International Searching Authority in the form and manner acceptable to it; or the sequence listing furnished did not comply with the standard provided for in Annex C of the Administrative Instructions.
- ☐ furnish a sequence listing on paper or in the form of an image file complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in the form and manner acceptable to it; or the sequence listing furnished did not comply with the standard provided for in Annex C of the Administrative Instructions.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13*ter*.1(a) or (b).

☐ See Supplemental Box for further details

Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has, within the applicable time limit:

   ☐ paid additional fees

   ☐ paid additional fees under protest and, where applicable, the protest fee

   ☐ paid additional fees under protest but the applicable protest fee was not paid

   ☒ not paid additional fees

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

   ☐ complied with

   ☒ not complied with for the following reasons:

   see separate sheet

4. Consequently, this report has been established in respect of the following parts of the international application:

   ☐ all parts.

   ☒ the parts relating to claims Nos. 1-13, 20, 21

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	4, 9, 13
	No:	Claims	1-3, 5-8, 10-12, 20, 21
Inventive step (IS)	Yes:	Claims	9
	No:	Claims	1-8, 10-13, 20, 21
Industrial applicability (IA)	Yes:	Claims	1-13, 20, 21
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Reference is made to the following documents:

D1 WO 2013/126313 A2 (NIKE INTERNATIONAL LTD; TATLER DAREN P [US]; PODHAJNY DANIEL A [US]) 29 August 2013 (2013-08-29)

D2 US 2014/150292 A1 (PODHAJNY DANIEL A [US] ET AL) 5 June 2014 (2014-06-05)

D3 US 6 227 010 B1 (ROELL FRIEDRICH [DE]) 8 May 2001 (2001-05-08)

Re Item IV

Lack of unity of invention

1 claims: 1-13, 20, 21

An article of footwear having an upper and a sole structure secured to the upper, the upper incorporating a knitted component, the knitted component comprising, apart from a first course, a second course including a floated portion extending from a first tuck stitch to a second tuck stitch, the floated portion extending over the plurality of loops of the first course; wherein the second course is configured to resist stretch in at least a first portion of the upper.

This invention does not include a first course incorporating a floated portion; a first loop being located at a first end of the floated portion, a second loop being located at a second end of the floated portion.

2 claims: 14-19

An article of footwear having an upper and a sole structure secured to the upper, the upper incorporating a knitted component, the knitted component comprising a stretch resistant area formed of a plurality of courses, at least a first course incorporating a floated portion; a first loop being located at a first end of the floated portion, a second loop being located at a second end of the floated portion.

This invention does not include a second course including a floated portion extending from a first tuck stitch to a second tuck stitch, the floated portion

extending over the plurality of loops of the first course, wherein the second course is configured to resist stretch

3 The features shared by both inventions defined by the independent claims 1 and 14 are the following:

An article of footwear having an upper and a sole structure secured to the upper, the upper incorporating a knitted component, the knitted component comprising a stretch resistant area formed of a plurality of courses.

Both WO2013/126313 A2 and US2014/0150292 A1 which will henceforth be referred to as D1 and D2 respectively hereinbelow, however already disclose an article of footwear (D1 and D2: 100) having an upper (D1 and D2: 120) and a sole structure (D1 and D2: 110) secured to the upper (120), the upper (120) incorporating a knitted component (131), the knitted component (131) comprising a stretch resistant area (D1: paragraph 0061; D2: paragraphs 0033 and 0034) formed of a plurality of courses (D1: Figure 8A; D2; Figure 6A).

The subject-matter common to both articles of footwear as defined by the independent claims 1 and 14 is consequently not novel, contrary to the requirements of Rules 13.1 and 13.2 PCT.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 D1 already discloses an article of footwear (100) having an upper (120) and a sole structure (110) secured to (see paragraph [=par.] 50, lines [=l.] 1-2) the upper (120), the upper (120) incorporating a knitted component (130, 150), the knitted component (130, 150) comprising:
a first course (see Figure 8A: third course from the bottom) extending from a first area (133, 153) of the knitted component to a second area (135, 155) of the knitted component (130, 150) along a first knitting direction (par.59, l.1-4), the first course including a first loop and a second loop (see Figure 8A), the first loop and the second loop being separated by a plurality of loops, and
a second course (Figure 21D) extending from the first area (133, 153) to the

second area (135, 155), the second course including a first tuck stitch and a second tuck stitch (par.133, l.10-13), the first tuck stitch interacting with the first loop, the second tuck stitch interacting with the second loop, the second course including a floated portion (see inlaid strands 132, 152 in Figures 8A, 8B, 13H or yarn 206 in Figures 21D to 21H) extending from the first tuck stitch to the second tuck stitch, the floated portion extending over the plurality of loops of the first course (implicit if strands 132, 152 are tucked once per centimeter);
wherein the second course is configured to resist stretch (par.61, l.1-6; par. 76, l.1-5) in at least a first portion of the upper (120).

A corresponding method of making an article of footwear as set out by independent claim 20 is likewise disclosed by D1.

The invention defined by independent claims 1 or 20 is consequently not new over the prior art of D1, as shown above, and fails to comply with the requirements of Articles 33(1) and (2) PCT.

2 Taking into account of the suggestion in D1 (paragraph 133, l.10-13) and the unclear scope of the expressions "central region" or "adjacent" as set out under section VIII below, the additional features of the embodiments according to dependent claims 3 or 5 to 8, 10, 11 are also already known from D1 (see Figures 5, 6, 9 to 11) considering the standard dimensions required for shoe upper blanks and the preferred spacing of the tuck stitches by one cm.

Similarly, a material choice for inlaid strands 132, 152 according to dependent claim 2 is also known from D1 (par.63, l.11-17; par.72, l.10-12).

The subject-matter defined by dependent claims 2, 3 and 5 to 8, 10, 11, 21 is consequently also not new and fails to comply with the requirements of Articles 33(1) and (2) PCT.

3 Similar to D1, also D2 already discloses an article of footwear (100) having an upper (120) and a sole structure (110) secured to (par. 24, l.8-12) the upper (120), the upper (120) incorporating a knitted component (130), the knitted component (130) comprising:
a first course (see Figure 6C: second course from the bottom) extending from

a first area (133) of the knitted component to a second area (133) of the knitted component along a first knitting direction (see Figure 5 in the context of paragraph 39, l.1-16), the first course including a first loop and a second loop, the first loop and the second loop being separated by a plurality of loops (implicit for every plain knit course), and
a second course (see Figure 6C: third course from the bottom) extending from the first area (133) to the second area (133), the second course including a first tuck stitch and a second tuck stitch (see Figure 6C: second course from the bottom), the first tuck stitch interacting with the first loop, the second tuck stitch interacting with the second loop, the second course including a floated portion extending from the first tuck stitch to the second tuck stitch,
wherein the second course is configured to resist stretch (par.37, l.10-17; claim 1) in at least a first portion (133) of the upper (120).

The claimed article of footwear differs therefrom merely in that the floated portion of the second course extends over the plurality of loops of the first course.

The subject-matter defined by independent claim 1 or 20 is therefore new over D2.

(a) D3 (Figure 8; claim 1; column [=col.] 6, l.28-35) however makes it clear for the skilled person that whenever the fabrication of mechanically stable knit is envisaged (see col.1, l.28-32), floats having a spacing of at least two active needles, i.e. a float length over at least two stitches, should be added to the base fabric. If the floats were not sunk, i.e. looped, but simply be tucked, the stability of the base fabric would be enhanced even further (col.4, l.45-48). Taking D3 as exemplary for the general knowledge of the skilled person in the technical field, any increase in the length of the floats suggested in D2 for establishing an even greater stretch resistance in peripheral regions 133 is therefore considered obvious for the skilled person.

(b) With respect to D2 (Figures 11 and 15) it would also be considered obvious to tuck the inlaid strands 140 to the base fabric at spaced locations as suggested by D1 (par.133, l.10-13) if so desired for improving the stretch resistance of the peripheral regions 133.

As a consequence, the subject-matter defined by independent claims 1 and 20 fails to comply with the requirements of Articles 33(1) and (3) PCT.

4 The additional features of the embodiments according to the following claims are either disclosed in D1 in conjunction with the invention defined by independent claim 1 or else are known in the prior art according to D2 or D3 as a solution to the respective underlying technical problem:

Claim	Source
2	D1: par.61, l.1-3; par.76, l.1-5; D2: par.50, l.15-23;
3	D1: par.133, l.10-13; D3: col.4, l.30-33;
4	D2: see Figures 3 with 5; or 9 with 11 or 15;
5 to 8, 10, 11, 21	D1: par.133, l.10-13; D3: col.6, l.28-35;
12	D1: Figures 9 to 13H; D2: par.45, l.1-7;
13	D1: Figure 13B; D2: Figure 13;

The subject-matter defined by these claims would therefore also appear not to meet the requirements of either the Article 33(1) with either Article 33(2) or (3) PCT.

5 While it may be obvious from D3 (claim 12) to use a reduced float length at central region 132 of D2, no available prior art instructs the skilled person to switch to plain course knitting within a stabilising course. Due to lack of instruction, including the additional features according to dependent claim 9 in an article of footwear according to D1 or D2 is not considered obvious from the cited prior art for the purpose of assisting with securing a foot within the article of footwear.

The subject-matter defined by dependent claims 3 to 6 would therefore appear to meet the requirements of Articles 33(1) PCT in conjunction with both the Articles 33(2) and (3) PCT.

6 The subject-matter defined by claims 1 to 13 and 20, 21 is susceptible to industrial application and complies with the requirements of Article 33(4) PCT.

Re Item VII

Certain defects in the international application

1 Contrary to the requirements of Rule 6.3(b) PCT, the independent claim 1 is not correctly cast in the two-part form with those features known in combination from the prior art (see section V above) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

2 The features mentioned in the claims and denoted by reference signs in the drawings are not provided with reference signs placed in parentheses contrary to the requirements of Rule 6.2(b) PCT.

3 The description does not meet the requirements of Rule 5.1(a)(ii) PCT since the documents D1 to D3 are not identified in the description and the relevant background art disclosed therein (see the passages quoted in the search report) is not briefly discussed.

Re Item VIII

Certain observations on the international application

1 Dependent claims 6, 8, 10, 11, 21 do not meet the requirements of Article 6 PCT for the following reasons:

The significance of the expressions "central region" or "adjacent" appearing in these claims is neither defined in the respective claims nor in the description of the application.

The scope of protection to be conferred by the mentioned claims is therefore not clear.

2 Dependent claims 6 and 8 refer to structures like "the third tuck stitch" or "the fourth stitch", which have no antecedent in any of claims 1 to 4. The context of these claims with claims 1 to 4 is consequently not clear, again contrary to the requirements of Article 6 PCT.

3 Dependent claim 13 does not meet the requirements of Article 6 PCT for the following reasons:

While the second course extends - according to claim 1 - to the first and second area of the first course, i.e. within the first course, claim 13 seeks protection for a second course extending with a cross tuck between a first layer and a second layer.

Since each fabric layer would be made up of separate and distinct courses, claim 13 conflicts with claim 1 and renders unclear the scope of protection to be conferred by claim 13. In conjunction with claim 1, claim 13 is consequently not clear.

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BRINKS GILSON & LIONE

January 11, 2016

Katharine Gracz
USPTO

Re: U.S. Application No. 13/681,842
Footwear Upper Incorporating a Knitted Component with Collar and Throat Portions
Our Ref.: 15571-54

Dear Mrs. Gracz:

Attached is a copy of a partial, informal translation of the Chinese Office Action dated September 25, 2015 which was originally submitted with the Information Disclosure Statement dated December 3, 2015 for the above-referenced application.

If you have any question or concerns, please do not hesitate to contact me.

Best regards,

Melinda R. DeSantis

MRD/jll

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December 28, 2015

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Attn.: Ms. Melinda D. Zatkoff
Brinks Gilson & Lione - Ann Arbor Office
524 South Main Street - Suite 200
Ann Arbor, MI 48104
U.S.A.

Via Email Only

mzatkoff@brinksgilson.com
rmika@brinksgilson.com
NikePat@brinksgilson.com

Re: National Phase in China of PCT/US2013/070651
In the name of NIKE Innovate C.V.
Title: Footwear Upper Incorporating a Knitted Component with Collar and Throat Portions
CN Application No.: 2013800364497
Your Ref.:15571-376
Our Ref.:081409632-E

Deadline for Responding to this Office Action: February 10, 2016 (Beijing Time)

Dear Ms. Zatkoff:

In connection with the captioned application, as per your instruction dated December 8, 2015, we would like to provide the brief summarization as below. Attached please find the translation of relevant portions of Reference 4.

1. Novelty – Claim 1

The Examiner points out that claim 1 does not possess novelty over Reference 1 (US2011/0078921A1, April 7, 2011), and thus is not in conformity with the provisions of Article 22(2) of Patent Law, since Reference 1 (see paragraphs 75-78 of its Description and Figs. 4-5C and 18-25) discloses all technical features of the technical scheme in claim 1, and the technical scheme of claim 1 and the disclosure of Reference 1 are within the same technical field and can yield the same effect.

2. Novelty – Claim 2

The Examiner points out that claim 2 does not possess novelty on the condition that claim 1 it refer to does not possess novelty and the additional technical feature of claim 2 is disclosed by Reference 1.

3. Novelty – Claims 3-4

The Examiner points out that claims 3-4 do not possess novelty on the condition that claim 2 they refer to does not possess novelty and the additional technical features of claims3-4 are disclosed by Reference 1.

4. Inventiveness – Claim 5

The Examiner points out that the dependent claim 5 does not possess inventiveness. The Examiner holds that the additional technical feature of claim 5 constitutes its distinguishing technical feature over Reference 1; however, the above distinguishing technical feature is disclosed by Reference 2 (US6986269B2, January 17, 2006, see lines 34-36 in column 7 of its Description and Fig. 3). And thus on the basis of Reference 1 in combination of Reference 2, the technical scheme of claim 5 is obvious to a person skilled in the art.

5. Inventiveness – Claim 6

The Examiner points out that claim 6 does not possess inventiveness either. The Examiner holds that the additional technical feature of claim 6 is disclosed by Reference 2 (see Fig. 3). And thus the technical scheme of claim 6 does not possess inventiveness on the condition that the claim 5 it refers to does not possess inventiveness.

6. Novelty – Claim 7

The Examiner points out that claim 7 does not possess novelty on the condition that claim 1 it refer to does not possess novelty and the additional technical feature of claim 7 is disclosed by Reference 1.

7. Inventiveness – Claim 8

The Examiner points out that the dependent claim 8 does not possess inventiveness either. The Examiner holds that the additional technical feature of claim 8 constitutes its distinguishing technical feature over Reference 1; however, the above distinguishing technical feature is disclosed by Reference 3 (TWI228158B, February 21, 2005, see line 21 on page 43 to line 2 on page 44, and lines 14-16 on page 57 of its Description). And thus on the basis of Reference 1 in combination of Reference 3, the technical scheme of claim 8 is obvious to a person skilled in the art.

8. Novelty – Claim 9

The Examiner points out that claim 9 does not possess novelty on the condition that claim 1 it refer to does not possess novelty and the additional technical feature of claim 9 is disclosed by Reference 1 (see Fig. 23).

9. Inventiveness – Claim 10

The Examiner points out that the dependent claim 10 does not possess inventiveness either. The Examiner holds that the additional technical feature of claim 10 constitutes its

distinguishing technical feature over Reference 1; however, the above distinguishing technical feature is disclosed by Reference 4 (CN201536681U, August 4, 2010, see paragraphs 8-9 of its Description and Figs. 1-4). And thus on the basis of Reference 1 in combination of Reference 4, the technical scheme of claim 8 is obvious to a person skilled in the art.

10. Lack of Unity

The Examiner points out that the independent claims 1, 11, 20, 23, 27 and 33 do not possess unity under Article 31(1) of Patent Law. The Examiner holds that as commented above, claim 1 does not possess novelty, i.e. the technical features of claim 1 do not constitute inventive technical features, thus claim 1 and claims 11, 20, 23, 27, 33 do not contain a same or corresponding inventive technical feature which makes them technically interrelated.

The Examiner also points out that independent claims 11, 20, 23, 27 and 33 do not possess unity under Article 31(1) of Patent Law. The Examiner holds that the same or corresponding features between claims 11, 20, 23, 27 and 33 are: the knitted component comprising: "a collar portion that defines an ankle opening"; "a collar portion having a cylindrical configuration"; "a throat portion extending outward from the collar portion"; "two knit layers each form opposite surfaces of a collar portion and a throat portion of a knitted component"; "the knitted component extending through at least a portion of a length of a throat area of the upper"; "the first layer being located to form a portion of an exterior surface of the upper, and the second layer being located to form a portion of an interior surface of the upper"; "peripheral areas of the first knit layer and the second knit layer being joined to each other, and central areas of the first knit layer and the second knit layer being unjoined to each other". However, Reference 1 discloses relevant technical features, and thus it can be seen that the same or corresponding technical features between claims 11, 20, 23, 27 and 33 are disclosed by Reference 1, and then the same or corresponding technical features cannot constitute inventive technical features, i.e. claims 11, 20, 23, 27, 33 do not contain a same or corresponding inventive technical feature which makes them technically interrelated.

Please be advised that in a response to the OA, any amendments made to the claims must not go beyond the scope recorded in the initial description and claims. The Office currently examines go-beyond issue very strictly, more strictly than that in many other countries. The "scope recorded in the initial description and claims", pursuant to the Patent Examination Guidelines, includes (1) literal contents of the initial description and claims, and (2) contents determined directly and undoubtedly from the drawings and the literal contents of the initial description and claims.

According to the Supreme Court's ruling in one recent case, such "scope" should include (i) contents definitely expressed by literal or graphic manner in the initial description, drawings and claims of the application, and (ii) contents directly or definitely derived by a person skilled in the art from the initial description, drawings and claims as a whole, which should correct the strict rules of the Office. However, in practice, examiners are still likely to examine the go-beyond issue strictly. The applicant had better take this in mind if deciding to make any amendments.

A response and possible amendments must be submitted to the Office by **February 10, 2016 (Beijing Time)**. Please give us your further instructions as soon as possible.

The above official deadline can be extended once for one or two months. The cost for a one month extension is RMB940.00 (around US$150.00), including the official fee of RMB300.00 and an attorney fee of RMB640.00. The cost for a two-month extension is RMB1240.00 (around US$200.00), including the official fee of RMB600.00 and an attorney fee of RMB640.00.

We also list the related regulations below for your reference.

Should you have any questions, please do not hesitate to contact us.

We look forward to hearing from you. Your prompt reply is highly appreciated.

Please kindly confirm receipt of this letter by return e-mail.

Sincerely yours,
AFD China Intellectual Property



Xia Zheng (patent@afdip.com)

/Lc/Zxk

Enclosures: (All by E-mail only)
1. Translation of relevant portions of Reference 4.

Patent Law:

Article 22(2): Novelty means that, the invention or utility model does not form part of the prior art; nor has any entity or individual filed previously before the date of filing with the Patent Administration Department Under the State Council an application relating to the identical invention or utility model disclosed in patent application documents published or patent documents announced after the said date of filing.

Article 22(3): Inventiveness means that, as compared with the prior art, the invention has prominent substantive features and represents a notable progress, and that the utility model has substantive features and represents progress.

Article 33: An applicant may amend his or its application for a patent, but the amendment to the application for a patent for invention or utility model may not go beyond the scope of disclosure contained in the initial description and claims, and the amendment to the application for a patent for design may not go beyond the scope of the disclosure as shown in the initial drawings or photographs.

Translation of the relevant parts of Reference 4

[0008] The footwear according to one aspect of the present utility model comprises: a cage-like structure being composed of the interweaved strips, and having an upper portion, sides portion, a heel portion and a lower bottom portion, wherein the upper portion of this cage-like structure has an opening, buckling devices being provided at the opening; and a sole, the bottom of the sole provided with an embedded groove structure cooperated with the lower bottom portion of the cage-like structure, wherein the sole is placed in [the cage-like structure] via the opening of the cage-like structure, and the embedded groove structure of the sole is cooperated together with the lower bottom portion of the cage-like structure. Preferably, the sides portion of the cage-like structure has a reinforcing rib. The buckling devices at the opening of the cage-like structure are shoe-lace holes, and the cage-like structure may be secured to the foot of the wearer by means of the shoe-lace. The cage-like structure is formed in one-time molding, and is integrally composed of elastic material. The sole is integrally composed of abrasion-resistance material.

[0009] According to another aspect of the present utility model, the footwear further comprises a cover having sides, an upper, a heel and an insole, the cover being placed into the cage-like structure of the sole via the opening of the cage-like structure. Preferably, the heel portion of the cage-like structure and the heel of the cover have a mutually cooperated securing device.

Translated by AFD

Europäisches Patentamt
European Patent Office
Office européen des brevets

European Patent Office
80298 MUNICH
GERMANY

Questions about this communication ?
Contact Customer Services at www.epo.org/contact

Prinz & Partner mbB
Winterstrasse 2
22765 Hamburg
ALLEMAGNE

Date
30.06.15

Reference	Application No./Patent No.
N 1400 EP	13814673.3 - 1655
Applicant/Proprietor	
NIKE Innovate C.V.	

Communication pursuant to Rules 161(1) and 162 EPC

1. Correction of deficiencies noted in the written opinion and amendment of the application (R. 161(1) EPC)

The above-mentioned international (Euro-PCT) application has entered the European phase.

The EPO as International Searching Authority and, where a demand under Article 31 PCT was filed, also as International Preliminary Examining Authority has drawn up a written opinion on this application or the EPO as Supplementary International Searching Authority has issued explanations pursuant to Rule 45*bis*.7(e) PCT to the supplementary international search report.

You are invited to correct any deficiencies noted in the written opinion of the International Searching Authority or in the International Preliminary Examination Report, or in the explanations to the supplementary international search report and to amend the description, claims and any drawings within a **non-extendable period of six months** after notification of the present invitation.

Should you not comply with or comment on this invitation within the time limit, **the application will be deemed to be withdrawn** in accordance with Rule 161(1) EPC.

2. Amendment of application

Under Articles 28, 41 PCT and Rules 52, 78 PCT the application may be amended before a designated or elected Office, and in accordance with Rule 137(2) EPC the applicant may amend the description, claims and drawings of his own volition together with any comments, corrections or amendments made in response to the communication under Rule 161(1) EPC.

Whether or not you have already done so, you now have a further opportunity to file amended claims or other application documents within the above-mentioned period.

If filing amendments, you must identify them and indicate the basis for them in the application as filed. Failure to meet either requirement may lead to a communication from the Examining Division requesting that you correct this deficiency (R. 137(4) EPC).

The claims applicable on expiry of the above period, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2).

3. Claims fees under Rule 162 EPC

If the application documents on which the European grant procedure is to be based comprise more than fifteen claims, a claims fee shall be payable for the sixteenth and each subsequent claim within the period provided for in Rule 159(1) EPC.

☐ Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 15 claims).

☐ All necessary fees will be debited automatically according to the automatic debit order.

☑ The claims fees due for the claims 16 to 35 were not paid within the above-mentioned period.

Any outstanding claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 161 EPC (see page 1), may still be validly paid within a **non-extendable period of six months** after notification of this communication (R. 162(2) EPC).

If a payment is made for only some of the claims, you must indicate for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 162(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned period there is a new set of claims containing fewer fee-incurring claims than before, the claims fees in excess of those due under Rule 162(2), second sentence EPC will be refunded (R. 162(3) EPC).

The claims fee is currently

EUR 235 for the 16th and each subsequent claim up to the limit of 50
EUR 580 for the 51st and each subsequent claim

Note to users of the automatic debiting procedure
Unless the EPO receives prior instructions to the contrary, the fees for all claims incurring fees will be debited on the last day of the period for payment. For further details see the Arrangements for the automatic debiting procedure, Annex A.1 to the ADA, Point 6.1(d), supplementary publication 3 - OJ EPO 2015.

Important information concerning fee amounts
Following any amendment to the Rules relating to Fees, the amount(s) mentioned in this communication may be different from the amount(s) **actually due on the date of payment.** The latest version of the Schedule of fees and expenses, published as a Supplement to the Official Journal of the EPO, is also available on the EPO website (**www.epo.org**) and can be found under **www.epo.org/schedule-of-fees**, which allows the viewing, downloading and searching for individual fee amounts, both current and previous.
Please note that procedural fees are usually adjusted every two years, on even years, with effect from 1 April.

Payments by cheque delivered or sent direct to the EPO are no longer accepted as from 1 April 2008 (see OJ EPO 2007, 626).

For the Examining Division



Skechers EX1013-p. 1906
Skechers v Nike

Melinda R. DeSantis
(734) 302-6020
mdesantis@brinksgilson.com

BRINKS GILSON & LIONE

February 12, 2016

Katharine Gracz
USPTO

Re: U.S. Application No. 13/681,842
Footwear Upper Incorporating a Knitted Component with Collar and Throat Portions
Our Ref.: 120460US01/15571-54

Dear Mrs. Gracz:

Attached is a copy of a partial, informal translation of the Korean Office Action dated January 21, 2016 for the above-referenced application.

If you have any question or concerns, please do not hesitate to contact me.

Best regards,

Melinda D. Zatkoff

MDZ/jll

Skechers EX1013-p. 1907
Skechers v Nike

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February 5, 2016

Ms. Melinda D. Zatkoff
Intellectual Property Attorney
Brinks Gilson & Lione
524 South Main Street - Suite 200
Ann Arbor, MI 48104
U. S. A.

VIA E-MAIL

Re: Korean Patent Application No. 10-2014-7036252
corresponding to PCT/US2013/070651
Applicant: NIKE Innovate C.V.
Client Ref.: 120460KR01
Your Ref.: 15571-381
Our Ref.: PA-2N4149/PYJ
RESPONSE DUE DATE: MARCH 21, 2016

Dear Ms. Zatkoff:

Upon review of your comments dated February 3, 2016, please find below our comments and recommendations on the Office Action issued on January 21, 2016.

Please note that the claims currently pending in the subject application correspond to the original claims in the PCT application.

I. Insufficient Disclosure in the Specification

The examiner rejected the specification of the subject application due to the use of the reference numeral "124" for both of the terms "the throat portion" and "the throat area."

We agree to your comment that "the throat portion" and "the throat area" are two different components in the specification, which are referred by the reference numeral "132" and "124," respectively. However, we believe that the examiner's rejection was raised due to a typographical error in the Korean specification where some of the term "the throat portion" refers to the reference numeral "124." Accordingly, we will correct the reference numeral for "the throat portion" to "132," and no costs will be charged for this amendment.

II. Lack of Clarity in the Claims

A. Claims 1, 27 and 33

The examiner indicated that, in Claims 1, 27 and 33, it is unclear whether the expressions "the throat portion" and "the throat area" refer to the same element or refer to different elements.

We believe that these rejections on Claims 1, 27 and 33 are also due to the typographical error of the reference numeral for the term "the throat portion" in the

.../Cont'd on Page Two

specification. Thus, we believe that the amendment correcting the reference numeral for the term "the throat portion" in the specification will also clarify the expressions in Claims 1, 27 and 33 of the subject application. We will also explain in an argument brief that the two expressions refer to two different components based on your comment.

B. Claim 3

For the examiner's rejection indicating that the expression "the first knit layer 'lays against' the second knit layer" is unclear, we believe that this rejection relates to the Korean expression regarding "lays against." Thus, we will amend the related Korean expression for clarification in Claim 3 and paragraphs [0039] and [0051] in the specification, and further explain in an argument brief that, in Claim 3, how the first and the second knit layers are formed is clear per se based on your comment.

C. Claim 18

Upon review, Claim 18 in the "Specification As Filed" attached to your e-mail of October 7, 2014 recites the first knit layer as in "wherein a lace extends repeatedly across the throat area and contacts the first knit layer." In this regard, we recommend amending the expression "the first knit layer" in Claim 18 of the subject application to "the outer knit layer," which is introduced in Claim 11.

D. With respect to the "Note to Amendments"

The examiner's note to the expression "forming a collar of the upper" in Claim 23 of the subject application appears to be caused by the examiner's misunderstanding of the corresponding Korean expression. Thus, we will amend the related Korean expression to more clearly recite the feature.

For the examiner's note to Claim 34, we believe the expression "the step of knitting" clearly refers to the knitting step in Claim 33. Thus, we recommend maintain the recitations in Claim 34 of the subject application as they are.

III. Lack of Novelty and an Inventive Step

Regarding the lack of novelty and inventive step in view of US 2011/0078921 A1 ("Cited Reference 1") and US 2008/0110048 A1 ("Cited Reference 2"), we believe that we could argue the patentability of the independent claims based on your amendments.

In specific, we could argue that, i) it is not easy for one of ordinary skill in the art to adopt the part of a heel formed in the textile element (60) in Cited Reference 2 to the collar element (50) in Cited Reference 1 as the two elements have totally different shapes and

.../Cont'd on Page Three

configurations, ii) the textile element (60) in Cited Reference 2 is merely formed of a single layer and there is no hint in Cited Reference 2 that the textile element (60) could include two layers, and iii) the feature in which each of the first and second knit layers extend through the collar portion and the throat portion in the independent claims of the subjection application is not disclosed nor suggested from Cited References 1 and 2. If there are any further argument points we may have overlooked, please advise us.

Meanwhile, we recommend further amending Claims 3, 4 and 6 to refer to "claim 1," in accordance with the claim cancellation.

IV. Noncompliance with Unity of Invention Requirements

In order to pursue two or more inventions in one application, the inventions must meet the following requirements under Korean patent law:

(i) The inventions must be technically related to one another; and

(ii) The inventions must share an identical or corresponding technical feature that represents an improvement over the prior art, when viewed in their entirety.

In accordance with your proposed amendments, all independent claims, Claims 1, 11, 20, 23, 27 and 33 share the feature of a heel portion extending outward from the collar portion and through at least a portion of a height of a heel region of the footwear, where each of the layers of the knitted component extends through the portion of the height of the heel region. This shared feature is not disclosed from Cited References 1 and 2, thus represent an improvement over the prior art. Therefore, we believe that, based on your proposed amendments, we could also argue that the amended claims comply with the unity of invention requirements.

V. Filing Amendments and Divisional Applications

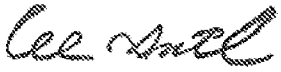
After a response to the outstanding Office Action is submitted, the applicant will be allowed to make amendments during the following time periods only: (i) when responding to another Office Action, if any; and (ii) when requesting continued examination in response to a final rejection, if any.

Divisional applications can be filed when responding to an Office Actions or a final rejection. In addition, divisional applications can be filed from the date of receipt of a Notice of Allowance to the earlier of three (3) months thereafter or the registration of a patent.

Please consider the foregoing and provide us with your instructions as to how you wish us to proceed prior to the **March 21, 2016** response due date. If you should have any questions or comments, please do not hesitate to contact us.

.../Cont'd on Page Four

Very truly yours,



LEE INTERNATIONAL
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THK\DDH

발송번호: 9-5-2016-005295521
발송일자: 2016.01.21.
제출기일: 2016.03.21.

수신 서울특별시 서대문구 충정로 23 (충정로3가, 풍산빌딩) 14층(리인터내셔널 특허법률사무소)
김태홍

03737

YOUR INVENTION PARTNER

3년의 혁신 30년의 성장

특 허 청
의견제출통지서

출 원 인 성 명 나이키 이노베이트 씨.브이. (출원인코드: 520140298367)
주 소 미국 오리건주 97005-6453 비버톤 원 바워맨 드라이브
대 리 인 성 명 김태홍
주 소 서울특별시 서대문구 충정로 23 (충정로3가, 풍산빌딩) 14층(리인터내셔널 특허법률사무소)
발 명 자 성 명 크래이그 케네쓰 티.
주 소 미국 오리건주 97005-6453 비버톤 원 바워맨 드라이브 나이키 인크. 씨/오

출 원 번 호 10-2014-7036252
출 원 일 자 2014.12.24.
발 명 의 명 칭 칼라 및 목 부분을 갖는 편직 구성요소를 통합한 신발류 갑피

1. 이 출원에 대한 심사결과 다음과 같은 거절이유가 있어 특허법 제63조에 따라 이를 통지하오니 의견이 있거나 보정이 필요할 경우에는 상기 제출기일(2016.03.21.)까지 의견(답변, 소명)서[특허법시행규칙 별지 제24호서식] 또는/및 보정서[특허법시행규칙 별지 제9호서식]를 제출하여 주시기 바랍니다.

2. 상기 제출기일(2016.03.21.)을 연장하려는 경우에는 지정기간연장신청을 통해 그 제출기일을 4개월까지 연장할 수 있습니다. 이 경우 연장신청은 1개월 단위로 해야 하며, 필요 시 4개월을 초과하지 않는 범위에서 2개월 이상을 일괄하여 연장신청할 수 있습니다. 불가피한 사유의 발생(하단의 안내참조)으로 4개월을 초과하여 지정기간을 연장받고자 하는 때에는 그 사유를 기재한 소명서를 추가로 첨부해서 연장신청을 해야 합니다.

[심사결과]

☐ 심사 대상 청구항 : 제1-35항

☐ 이 출원의 거절이유가 있는 부분과 관련 법조항

순번	거절이유가 있는 부분	관련 법조항
1	발명의 상세한 설명	특허법 제42조제3항제1호
2	청구항 제1항 내지 제10항, 제18항, 제27항 내지 제35항	특허법 제42조제4항제2호
3	청구항 제1항 내지 제4항, 제7항	특허법 제29조제1항제2호
4	청구항 제1항 내지 제10항	특허법 제29조제2항
5	청구항 전항	특허법 제45조 및 특허법 시행령 제6조제2호

Skechers EX1013-p. 1912
Skechers v Nike

[구체적인 거절이유]

1. 이 출원은 발명의 상세한 설명의 기재가 아래에 지적한 바와 같이 불비하여 특허법 제42조제3항제1호에 따른 요건을 충족하지 못하므로 특허를 받을 수 없습니다.

- 아 래 -

- '목 부분'과 '목 영역'에 동일한 도면부호 '124'가 기재되어 있는 바, '목 부분'과 '목 영역'이 동일한 구성요소를 의미하는 것인지 아니면 서로 다른 구성요소를 의미하는 것인지 불명확합니다.

만약, 동일한 구성요소를 나타내는 것이라면 용어를 일관되게 통일시키고, 서로 다른 구성요소를 의미하는 것이라면 그 차이가 명확하고 상세하게 나타날 수 있도록 기재하면서 서로 다른 도면보호를 기재하기 바랍니다.

따라서 이 발명이 속하는 기술분야에서 통상의 지식을 가진 자가 이 발명을 쉽게 실시할 수 있도록 명확하고 상세하게 기재되어 있지 않습니다.

2. 이 출원은 특허청구범위의 청구항 제1항 내지 제10항, 제18항, 제27항 내지 제35항의 기재가 아래에 지적한 바와 같이 불비하여 특허법 제42조제4항제2호에 따른 요건을 충족하지 못하므로 특허를 받을 수 없습니다.

- 아 래 -

(1) 청구항 1의 "**갑피**는 ~ 칼라 부분과 목 부분을 포함하는 편직 구성요소로서 ~ 상기 목 부분은"이라는 기재와, "**갑피**의 목 영역의"이라는 기재에서, 갑피의 '목 부분'과 '목 영역'이 동일한 구성요소인지 서로 다른 구성요소인지 불명확합니다.

만약, 동일한 구성요소를 의미하는 것이라면 용어를 통일시키고 서로 다른 구성요소를 의미하는 것이라면 그 차이가 명확하게 나타날 수 있도록 도면부호 등을 기재해야 합니다.

참고로, 만약 동일한 구성요소를 의미하는 것이라면, "상기 목 부분은 ~ 외측을 향해 그리고 상기 갑피의 목 영역의 길이의 적어도 일부를 통해 연장되며"라는 기재는 어법에 맞지 않아 그 의미가 불명확합니다.

(2) 청구항 3에는 '제1 편물층이 제2 편물층과 접촉하면서 대향하도록 놓이는 것'이라고 기재되어 있으나, 상기 기재에서 제1,2 편물층이 어떻게 형성되는 것이 '대향'하는 것인지 알 수 없습니다.

(3) 청구항 18에는 '상기 제1 편물층'이 기재되어 있으나, '제1 편물층'은 청구항 18의 선행부분이나 인용되는 청구항 11에는 나타나 있지 않고, 청구항 2 내지 4에만 나타나 있습니다.
따라서 청구항 18이 인용하고 있는 항의 번호를 잘못 기재한 것인지 아니면, '제1 편물층' 앞에

Skechers EX1013-p. 1913
Skechers v Nike

'상기'를 잘못 기재한 것인지 불명확합니다. 만약 후자라면 제1 편물층의 기술적 특징이 전혀 기재되어 있지 않아 발명의 구성이 불명확합니다.

(4) 청구항 27과 33에서 갑피의 '목 부분'과 '목 영역'이 동일한 구성요소인지 아니면 서로 다른 구성요소인지 불명확합니다. 만약, 동일한 구성요소를 의미하는 것이라면 용어를 통일시키고 서로 다른 구성요소를 의미하는 것이라면 그 차이가 명확하게 나타날 수 있도록 도면부호 등을 기재해야 합니다.

따라서 청구항 1, 3, 18, 27, 및 33과 그 종속항인 청구항 2 내지 10, 28 내지 32, 34, 및 35 발명은 보호받고자 하는 사항이 명확하고 간결하게 기재되어 있지 않습니다.

3. 이 출원의 특허청구범위의 청구항 제1항 내지 제4항, 제7항에 기재된 발명은 아래와 같이 그 출원 전에 국내 또는 국외에서 반포된 간행물에 게재된 발명이거나 전기통신회선을 통하여 공중이 이용가능하게 된 발명이므로 특허법 제29조제1항제2호에 해당되어 특허를 받을 수 없습니다.

- 아 래 -

- 비교대상발명 1: 미국 특허출원공개공보 US2011/0078921호(2011. 4. 7. 공개)

(1) 청구항 1을 비교대상발명 1과 대비하면, 비교대상발명 1의 '편직물 부재를 포함하는 갑피를 갖는 신발류'가 「갑피(30)(=갑피); 밑창(20)(=밑창 구조체); 일체로 편성되면서 칼라(61)(=칼라)와, 플렌지(64)(=목 부분)를 형성하면서 외층(51)(=외표면 제1영역)과 내층(52)(= 내표면 제1영역)을 형성하는 칼라부재(50)(=편직 구성요소); 제1층(31)(= 외표면 제2영역) 및 제2층(=내표면 제2영역)을 형성하는 갑피부분(명칭 및 도면부호 미기재)(=커버 구성요소)」을 포함한다는 점에서 청구항 1에 기재된 발명과 그 표현에 차이가 있을 뿐 동일합니다. 따라서 청구항 1에 기재된 발명은 비교대상발명 1과 동일한 발명입니다.

(2) 청구항 2 내지 4가 각각 청구항 1, 2, 및 2를 인용하면서 부가 또는 한정하고 있는 사항은, 비교대상발명 1의 「외층(51)(=제1편물층)과 내층(52)(=제2편물층)으로 형성되면서 내외층사이에 공간을 형성하면서 가장자리가 결합하는 구성」과 동일합니다. 따라서 청구항 2 내지 4에 기재된 발명은 각각 비교대상발명 1과 동일한 발명입니다.

(3) 청구항 7이 청구항 1을 인용하면서 부가 또는 한정하고 있는 사항은, 비교대상발명 1의 단락 [0069]에 나타나 있는 「칼라부재(50)을 다양한 종류의 실이나 편성방법을 사용하여 분할하여 형성하는 구성」과 동일합니다. 따라서 청구항 7에 기재된 발명은 비교대상발명 1과 동일한 발명입

Skechers EX1013-p. 1914
Skechers v Nike

니다.

4. 이 출원의 특허청구범위의 청구항 제1항 내지 제10항에 기재된 발명은 아래와 같이 그 출원 전에 이 발명이 속하는 기술분야에서 통상의 지식을 가진 자(이하 '통상의 기술자'라 한다.)가 용이하게 발명할 수 있는 것이므로 특허법 제29조제2항에 따라 특허를 받을 수 없습니다.

- 아 래 -

- 비교대상발명 1: 미국 특허출원공개공보 US2011/0078921호(2011. 4. 7. 공개)
- 비교대상발명 2: 미국 특허출원공개공보 US2008/0110048호(2008. 5. 15. 공개)

(1) 청구항 1 내지 4, 및 7에 기재된 발명은 상기 거절이유에 기재된 바와 같이 동일한 발명이 비교대상발명 1에 기재되어 있으므로, 각각 통상의 기술자가 비교대상발명 1로부터 용이하게 발명할 수 있는 것입니다.

(2) 청구항 5와 6이 각각 청구항 1, 5를 인용하면서 부가 또는 한정하고 있는 사항은 비교대상발명 2의 「편성물이면서, 발목부분의 개구에서 외측으로 연장되면서 힐 부분과 연결되어 힐의 일부를 형성하는 텍스타일 요소(60)」과 동일하고, 비교대상발명 1과 2가 '편직으로 이루어지는 갑피를 포함하는 신발'에 관한 발명이라는 점에서 청구항 1과 기술분야가 동일한 점을 고려하면, 통상의 기술자가 비교대상발명 1을 구체적으로 구현하는 과정에서 비교대상발명 2의 힐 부분을 형성하는 텍스타일 요소(60)의 기술적 특징을 채용하여, 청구항 5와 6에 기재된 발명을 각각 도출해 내는 것은 단순한 공지기술의 결합에 불과합니다. 따라서 청구항 5와 6에 기재된 발명은 각각 통상의 기술자가 비교대상발명 1과 2의 결합으로부터 용이하게 발명할 수 있는 것입니다.

(3) 청구항 8이 청구항 1을 인용하면서 부가 또는 한정하고 있는 「리브 편직 구조를 갖는 편직 구성요소」는, 비교대상발명 1의 단락 [0069]에는 「칼라(50)을 다양한 종류의 실이나 편성방법을 사용하여 분할하여 형성하는 구성」이 나타나 있을 뿐만 아니라, 편직관련 기술분야에서 리브 편직은 공지된 편직의 한 종류에 해당하는 점을 감안하면, 통상의 기술자가 비교대상발명 1의 칼라 부분에 리브조직을 편성하는 것은 별다른 기술적 어려움이 없습니다. 따라서 청구항 8에 기재된 발명은 통상의 기술자가 비교대상발명 1로부터 용이하게 발명할 수 있는 것입니다.

(4) 청구항 9와 10이 각각 청구항 1을 인용하면서 부가 또는 한정하고 있는 사항은, 비교대상발명 2의 도면 1 에 나타나 있는 바와 같이 「갑피의 텍스타일 요소(60)와 밑창(20) 사이를 통과하면서 연장되는 복수의 인장 스트랜드(35), 및 상기 갑피의 외표면을 형성하는 상기 인장 스트랜드에 연결되면서 목 부분을 가로질러 연장되는 신발끈(33)」과 동일합니다. 따라서 청구항 9와 10에 기

Skechers EX1013-p. 1915
Skechers v Nike

재된 발명은 각각 통상의 기술자가 비교대상발명 1과 2의 결합으로부터 용이하게 발명할 수 있는 것입니다.

5. 이 출원은 아래에 지적한 바와 같이 특허법 제45조 및 특허법 시행령 제6조제2호에 따른 요건을 충족하지 못하므로 특허를 받을 수 없습니다.

- 아 래 -

이 출원은 제1발명(청구항 1-10, 신발류 물품 1), 제2발명(청구항 11-19, 신발류 물품 2), 제3발명(청구항 20-22, 편직 구성요소), 제4발명(청구항 23-26, 신발류 물품의 제조방법 1), 제5발명(청구항 27-32, 신발류 물품의 제조방법 2), 및 제6발명(청구항 33-35, 신발류 물품의 제조방법 3)으로 구성되어 있습니다.

상기 제1 내지 6발명 간의 공통되는 기술적인 특징은 **신발류 물품을 위해 편직물로서 개구부를 형성하면서 칼라와 목 부분이 구비된 편직 구성요소**이나, 상기 거절이유 3과 4에서 살펴본 바와 같이 비교대상발명 1에 공지되어 있어 선행기술에 비해 개선된 상응하는 기술적인 특징으로 볼 수 없으므로, 1군의 발명에 대한 상기 규정에 위배됩니다.

< 보정서 제출시 참고사항 >

(1) 청구항 23의 "~ 상기 갑피의 칼라를 형성하도록 ~"이라는 기재에서 갑피 앞에 기재된 '상기'는 잘못 기재한 것으로 판단되므로 삭제하기 바랍니다.

(2) 청구항 34의 "상기 편직 단계"는 '상기 튜브형 구조체를 편직하는 단계' 또는 '편직하는 단계'로 기재하는 것이 발명의 구성을 더 명확하게 나타날 수 있는 것으로 판단됩니다.

[첨 부]
첨부1 미국 특허출원공개공보 US2011/0078921호(2011.04.07.) 1부.
첨부2 미국 특허출원공개공보 US2008/0110048호(2008.05.15.) 1부. 끝.

Skechers EX1013-p. 1916
Skechers v Nike

2016.01.21.

특허청 특허심사1국

주거생활심사과 심사관 박혜준 박 혜 준

<< 안내 >>

1. 특허법 제47조제2항에 따라 특허출원서에 최초로 첨부된 명세서 또는 도면에 기재된 사항의 범위 안에서 명세서 또는 도면을 보정할 수 있음을 알려드립니다.
(참고 : 최후거절이유통지 후 및 특허거절결정에 대한 재심사 청구시의 보정에 대해서는 특허법 제47조제3항 규정도 적용됨을 알려드립니다.)

2. 출원일이 2013년 7월 1일 이후인 출원에 대해서는, 하나의 의견제출통지에 따른 지정기간 내에 보정서를 2회 이상 제출한 경우에는, 마지막 보정 이외의 모든 보정은 취하간주되오니 주의하시기 바랍니다(2013.3.22. 공포 개정특허법 제47조제4항).

3. 보정료 납부안내
o 명세서 또는 도면을 보정하기 위하여 명세서등 보정서를 전자문서로 제출할 경우 매건 4,000원, 서면으로 제출할 경우 매건 14,000원의 보정료를 납부하여야 합니다.
o 보정료는 접수번호를 부여받아 이를 납부자번호로 "특허료등의 징수규칙" 별지 제1호서식에 기재하여, 접수번호를 부여받은 날의 다음 날까지 납부하여야 합니다. 다만, 납부일이 공휴일(토요휴무일을 포함한다)에 해당하는 경우에는 그날 이후의 첫 번째 근무일까지 납부하여야 합니다.
o 보정료는 국고수납은행(대부분의 시중은행)에 납부하거나, 인터넷지로(www.giro.or.kr)로 납부할 수 있습니다. 다만, 보정서를 우편으로 제출하는 경우에는 보정료에 상응하는 통상환을 동봉하여 제출하시면 특허청에서 납부해드립니다.

4. 지정기간연장 안내 : 연장가능기간(4개월)을 초과하여 지정기간을 연장하고자 소명서를 첨부하여 지정기간연장신청서를 제출한 경우 심사관은 아래의 사유에 해당되는지를 판단하여 지정기간연장의 승인 여부 및 연장할 수 있는 기간을 정하여 통지합니다.
【4개월을 초과하여 지정기간연장을 할 수 있는 사유】
① 기간만료 전 1개월 이내에 최초로 대리인을 선임하거나 선임된 대리인 모두를 해임·변경한 경우
② 기간만료 전 1개월 이내에 출원인변경신고서를 제출한 경우
③ 기간만료 전 2개월 이내에 외국특허청의 심사결과를 받은 경우로서 동 심사결과를 보정서에 반영하고자 하는 경우(이 경우 신청서 제출 시 해당 심사결과 사본 및 그 기초가 된 청구범위 사본도 같이 제출해야 함)
④ 의견제출통지서의 송달이 1개월 이상 지연된 경우(1개월 추가 연장 가능)
⑤ 원출원 또는 분할출원이 심판이나 소송에 계류 중인 경우
⑥ 거절이유와 관련된 시험 및 결과측정에 기간이 더 필요한 경우
⑦ 기타 불가피하게 기간연장이 필요하다고 인정되는 경우
단, 제3자가 심사청구한 때에는 ①~⑤의 경우라도 불승인

5. 보정안 리뷰(사전검토) 서비스 안내
o 보정서 제출기간 만료일 1개월 이전에 보정안을 제출하고 보정안 리뷰를 신청할 경우 면담을 통해 거절이유 해소 여부 등 보정안에 대한 심사관의 사전검토 서비스를 받을 수 있습니다.
※ 보정안은 보정서 또는 의견서의 형태로 보정안 리뷰 신청 전에 제출하여야 합니다.
o 보정안 리뷰 서비스는 특허로 홈페이지(www.patent.go.kr)의 '출원신청 - 보정안리뷰 신청' 메뉴를 통해 신청할 수 있습니다.

※「특허로」고객센터에서 알림서비스를 신청하시면 담당 심사관 지정 알림, 마감기한 알림 등 각종 민원처리 사항을 이메일과 휴대폰(SMS)로 받아 보실 수 있습니다.
※ 이 통지서의 내용에 대해 문의사항이 있으시면 특허청 ☎ 042-481-3357(담당심사관 박혜준)로, 서식 또는 절차에 대하여는 특허고객상담센터 ☎1544-8080로 문의하시기 바랍니다.

※ 우 35208 대전광역시 서구 청사로 189, 4동 (둔산동, 정부대전청사)

Skechers EX1013-p. 1917
Skechers v Nike

OFFICE ACTION OF THE INTELLECTUAL PROPERTY OFFICE

(Translation)

Issuance Date: 27 May 2015

I. Applicant: NIKE INNOVATE C.V.

II. Attorney: C. V. Chen
Address: 7th Floor, No. 201, Tun Hua North Road, Taipei

SUMMARY:

After examination, the Intellectual Property Office (IPO) considers that ROC (Taiwan) Patent Application No. 102142337 has the defects indicated in EXPLANATION (A) below. The applicant is required to file a response in duplicate within three months from the day after receipt of this office action if any substantive counter-evidence or arguments are to be presented. If the applicant fails to act according to this office action by the deadline, the IPO will proceed with the examination based solely upon the materials on hand.

EXPLANATION:

(A) Upon examination, the IPO notes the following:

(1) The subject application, entitled "FOOTWEAR UPPER INCORPORATING A KNITTED COMPONENT WITH COLLAR AND THROAT PORTIONS," was examined based on the documents submitted by the applicant at the time of filing. The subject application has 35 claims. Claims 1, 11, 20, 23, 27 and 33 are independent claims and the rest are dependent claims.

(2) The claims of the subject application contain the following defects which need to be further amended:

1. (omitted in translation) - concerning a translation error in the Chinese text, which we will correct it free of charge.

2. In Claim 2, "...and the second knit layer forming the second area of the exterior surface of the upper..." seems to be an error and should be "...and the second knit layer forming **the first area of the interior surface of the upper**..."

(3) The claims of the subject application fail to comply with the Patent Act, Article 26, Paragraph 2.

1. The terms described in Claim 27, "first layer" and "second layer," cannot be found in the specification, and thus Claim 27 cannot be supported by the specification.

2. The terms described in Claim 29, "first layer" and "second layer," cannot be found in the specification, and thus Claim 29 cannot be supported by the specification.

(4) The claims of the subject application fail to comply with the Patent Act, Article 26, Paragraph 4 and the Enforcement Rules of the Patent Act, Article 22, Paragraph 1.

1. The term of the element described in Claim 10, "tensile strands," is inconsistent with the corresponding elements described in the specification, "looped strands," and should be amended.

2. The term of the element described in Claim 19, "tensile strands," is inconsistent with the corresponding elements described in the specification, "looped strands," and should be amended.

(5) In view of the disclosure of Citation 1, Claims 11, 13-14, 16, 18 and 23 of the subject application fail to comply with the Patent Act, Article 22, Paragraph 2. In view of the disclosure of Citations 1 and 2, Claims 1-4, 9, 12, 20-21, 24, 27-29 and 32 of the subject application fail to comply with the Patent Act, Article 22, Paragraph 2. In view of the disclosure of Citations 1 and 3, Claims 15 and 17 of the subject application fail to comply with the Patent Act, Article 22, Paragraph 2. In view of the disclosure of Citations 1 and 5, Claim 19 of the subject application fails to comply with the Patent Act, Article 22, Paragraph 2. In view of the disclosure of Citations 2 and 3, Claims 33 and 34 of the subject application fail to comply with the Patent Act, Article 22, Paragraph 2. In view of the disclosure of Citations 1-3, Claims 5-7, 22, 25-26, 30-31 and 35 of the subject application fail to comply with the Patent Act, Article 22, Paragraph 2. In view of the disclosure of Citations 1, 2 and 4, Claim 8 of the subject application fails to comply with the Patent Act, Article 22, Paragraph 2. In view of the disclosure of Citations 1, 2 and 5, Claim 10 of the subject application fail to comply with the Patent Act, Article 22, Paragraph 2.

1. Regarding Claim 1, Citation 1 (referring to Figs. 18, 23 and 25 and paragraph [0078]) and Citation 2 (referring to Figs. 1 and 2 and column 2, lines 53-57 and column 2, lines 66-69) an article of footwear having an upper [the upper of Citation 1 (Fig. 18, the element 30)] and a sole structure [the sole structure of Citation 1 (Fig. 18, the element 20)] secured to the upper, the upper comprising: a knitted component [the element 70 of Citation 1 (Fig. 23, the element 70)] formed of unitary knit construction and including a collar portion and a throat portion [collar-throat element of Citation 1 (Fig. 18, the element 60); see paragraph [0078], lines 1-8], the collar portion having a cylindrical configuration defining an ankle opening [see Citation 2, Figs. 1 and 2 and column 2, lines 66-69], and the throat portion extending outward from the collar portion and through at least a portion of a length of a throat area of the upper [see Fig. 18 of Citation 1], the collar portion and the throat portion forming (a) a first area of an exterior surface of the upper [As shown in Fig. 23 of Citation 1, the element

has an exterior surface] and (b) a first area of an interior surface of the upper [As shown in Fig. 23 of Citation 1, the element has an interior surface opposite to the exterior surface]; and a cover component [the layer of Citation 1 (Fig. 25, the element 31)] secured to the knitted component and extending between the knitted component and the sole structure [see Fig. 25 of Citation 1], the cover component forming (a) a second area of the exterior surface of the upper [As shown in Fig. 25 of Citation 1, the layer 31 has an exterior surface toward the outside] and (b) a second area of the interior surface of the upper [As shown in Fig. 25 of Citation 1, the layer (31) has an interior surface which is toward the inside and connects to the layer (32)]. Citation 1 discloses that the upper of the footwear article has a knitted component adjacent to the collar portion and the throat portion and the knitted component has a layer (31, 32) at its underside, which can support knitted portion to form the upper. Citation 2 discloses that the collar portion of the upper, which is adjacent to the ankle portion, is a cylindrical knitted article. Thus, Claim 1 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

2. Regarding Claim 2, Citation 1 discloses in Figs. 19 and 21A that the knitted component includes a first knit layer [the outer layer of Citation 1 (Figs. 19 and 21A, the element 61)] and a second knit layer [the inner layer of Citation 1 (Figs. 19 and 21A, the element 62)], the first knit layer forming the first area of the exterior surface of the upper, and the second knit layer forming the second area of the exterior surface of the upper. Citation 1 discloses that the knitted portion has an outer layer and an inner layer which form the outer and inner surfaces of the area of the upper. Thus, Claim 2 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

3. Regarding Claim 3, Citation 1 discloses in Fig. 21A that the first knit layer contacts and lays against the second knit layer [see Fig. 21A of Citation 1]. Citation 1 discloses that the outer layer contacts and lays against the inner layer. Thus, Claim 3 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

4. Regarding Claim 4, Citation 1 discloses in Fig. 21A that (a) peripheral areas of the first knit layer and the second knit layer are joined to each other [As shown in Fig. 21A of Citation 1, the peripheral areas of the outer layer and the inner layer are joined to each other] and (b) central areas of the first knit layer and the second knit layer are unjoined to each other [As shown in Fig. 21A of Citation 1, the central areas of the outer layer and the inner layer are unjoined to each other]. Citation 1 discloses the structures of the outer layer and the inner layer. Thus, Claim 4 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

5. Regarding Claim 5, Citation 3 discloses in Fig. 3 and column 7, lines 34-36 that the knitted component [the instep section and the ankle section of Citation 3 (Fig. 3; the elements 43 and 41)] further includes a heel portion extending outward from the collar portion and through at least a portion of a height of a heel region of the footwear [see Citation 3, Fig. 3 and column7, lines 34-46]. Citation 3 discloses that the instep section (corresponding to a portion of the knitted portion of the subject invention) includes a heel portion, wherein the heel portion extends outward from the collar portion and through at least a portion of a height of a heel region of the footwear. Thus, Claim 5 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

6. Regarding Claim 6, Citation 3 discloses in Fig. 3 that the heel portion forms further areas of the exterior surface of the upper and the interior surface of the upper [see Fig. 3 of Citation 3]. Citation 3 discloses that the instep section forms the inner and outer surfaces of the upper. Thus, Claim 6 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

7. Regarding Claim 7, Citation 3 discloses in column 8, line 55 to column 9, line 4 that the knitted component includes separate regions having at least one of (a) different knit structures and (b) different yarns [see Citation 3, column 8, line 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics. Thus, Claim 7 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

8. Regarding Claim 8, Citation 4 discloses on page 43, line 21 to page 44, line 2 and page 57, lines 14-16 that a least a portion of the knitted component [As indicated in Citation 4, page 57, lines 14-16, an elastic circular knitted fabric having a three-dimensional structure is suitably used for upper materials for shoes] has a rib knit structure [see Citation 4, page 43, line 21 to page 44, line 2]. Citation 4 discloses that the elastic knitted fabric has a rib knit structure. Thus, Claim 8 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1, 2 and 4.

9. Regarding Claim 9, Citation 1 discloses in Fig. 23 that a lace extends across the throat area and contacts the first area of the exterior surface of the upper [As shown in Fig. 23 of Citation 1, the element (70) has a plurality apertures and the lace will extend through these apertures]. Citation 1 discloses that the element (70) has a plurality apertures and the lace will extend through these apertures. Therefore, the lace should extend across the throat area when the lace extends through the element. Thus, Claim 9 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

10. Regarding Claim 10, Citation 5 discloses in Figs. 1-4 and paragraphs [0008] and [0009] that the upper includes (a) a plurality of tensile strands [the cage-shaped structure of Citation 5 (Fig. 1; the element 1)] extending through a region between the knitted component [the shoe cover of Citation 5 (Fig. 1; the element 2)] and the sole structure and (b) a lace coupled to the tensile strands and extending across the throat area [see Citation 5, paragraph [0008], lines 5-6]. Citation 5 discloses that the combined shoe has several the cage-shaped structures and the cage-shaped structure covers the sole and the upper of the shoe cover and has a plurality of apertures such that the cage-shaped structure could be secured to the foot of user by the lace. Therefore, the structure of Citation 5 is identical to the claimed invention. Thus, Claim 10 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1, 2 and 5.

11. Regarding Claim 11, Citation 1 discloses in Figs. 19-19, 23 and 25 and paragraph [0078] an article of footwear having an upper [the upper of Citation 1 (Fig. 18; the element 30)] and a sole structure [the sole structure of Citation 1 (Fig. 18; the element 20)] secured to the upper, the upper comprising: a knitted component [the element of Citation 1; (Fig. 23; the element 70); see paragraph [0078], lines 1-8] including an outer knit layer [the outer layer of Citation 1 (Figs. 18, 19 and 21A; the element 61)] and an inner knit layer [the inner layer of Citation (Figs. 18, 19 and 21A; the element 62); As described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] laying adjacent to each other, each of the outer knit layer and the inner knit layer extending around and forming a collar of the upper that defines an ankle opening of the upper [see Citation 1, paragraph [0078], lines 1-8], and each of the outer knit layer and the inner knit layer extending through at least a portion of a length of a throat area of the upper, the outer knit layer forming a first area of an exterior surface of the upper [As shown in Fig. 23 of Citation 1, the element has an exterior surface], and the inner knit layer forming a first area of an interior surface of the upper [As shown in Fig. 23 of Citation 1, the element has an interior surface opposite to the exterior surface]; and a cover component [the layer of Citation 1 (Fig. 25; the element 31)] secured to the knitted component and extending between the knitted component [see Fig. 25 of Citation 1] and the sole structure, the cover component forming (a) a second area of the exterior surface of the upper [As shown in Fig. 25 of Citation 1, the layer 31 has an exterior surface toward the outside] and (b) a second area of the interior surface of the upper [As shown in Fig. 25 of Citation 1, the layer (31) has an interior surface which is toward the inside and connects to the layer (32)]. Citation 1 discloses that the upper of the footwear article has a knitted component adjacent to the collar portion and the throat portion. The difference between Claim 11 and Citation 1 is that the collar portion of the element of Citation 1, which is adjacent to the ankle portion, is not a cylindrical knitted article. However, the collar portion having a cylindrical configuration is a common knowledge. Thus, Claim 11 of the subject application can be

accomplished easily by persons having common knowledge with reference to Citation 1.

12. Regarding Claim 12, Citation 2 discloses in Figs. 1 and 2 and column 2, lines 66-69 that the knitted component has a cylindrical configuration in the collar [see Citation 2, Figs. 1 and 2, column 2, lines 66-69]. Citation 2 discloses that the collar portion of the upper, which is adjacent to the ankle portion, is a cylindrical knitted article. Thus, Claim 12 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

13. Regarding Claim 13, Citation 1 discloses in Fig. 21A that the outer knit layer contacts and lays against the inner knit layer [see Fig. 21A of Citation 1]. Citation 1 discloses that the outer layer contacts and lays against the inner layer. Thus, Claim 13 of the subject application can be accomplished easily by persons having common knowledge with reference to Citation 1.

14. Regarding Claim 14, Citation 1 discloses in Fig. 21A that (a) peripheral areas of the outer knit layer and the inner knit layer are joined to each other [As shown in Fig. 21A of Citation 1, the peripheral areas of the outer layer and the inner layer are joined to each other] and (b) central areas of the outer knit layer and the inner knit layer are unjoined to each other [As shown in Fig. 21A of Citation 1, the central areas of the outer layer and the inner layer are unjoined to each other]. Citation 1 discloses the structures of the outer layer and the inner layer. Thus, Claim 14 of the subject application can be accomplished easily by persons having common knowledge with reference to Citation 1.

15. Regarding Claim 15, Citation 3 discloses in Fig. 3 that each of the outer knit layer [As shown in Fig. 3 of Citation 3, each knitted region of the upper has an outer knit layer toward the outside] and the inner knit layer [As shown in Fig. 3 of Citation 3, each knitted region of the upper has an inner knit layer toward the inside] extend through a majority of a height of a heel region of the footwear [see Fig. 3 of Citation 3]. Citation 3 discloses the structures of the outer and inner knit layers within the heel region. Thus, Claim 15 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 3.

16. Regarding Claim 16, Citation 1 discloses in Fig. 21A and paragraph [0076], lines 4-8 that the knitted component includes a seam where either (a) two sections of the outer knit layer are joined to each other or (b) two sections of the inner knit layer are joined to each other [see Citation 1. Fig. 21A and paragraph [0076], lines 4-8]. Citation 1 discloses that the outer and inner layers of the collar-throat portion are jointed to each other in a seamless manner, and thus there is a seam at the junction. Thus, Claim 16 of the subject application can be accomplished easily by persons having common knowledge with reference to Citation 1.

17. Regarding Claim 17, Citation 3 discloses in column 8, line 5 to column 9, line 4 that the outer knit layer includes separate regions having at least one of (a) different knit structures and (b) different yarns [see Citation 3, column 8, line 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics. Thus, Claim 17 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 3.

18. Regarding Claim 18, Citation 1 discloses in Fig. 23 that a lace extends repeatedly across the throat area and contacts the first knit layer [As shown in Fig. 23 of Citation 1, the element (70) has a plurality apertures and the lace will extend through these apertures]. Citation 1 discloses that the element (70) has a plurality apertures and the lace will extend through these apertures. Therefore, the lace should extend across the throat area when the lace extends through the element. Thus, Claim 18 of the subject application can be accomplished easily by persons having common knowledge with reference to Citation 1.

19. Regarding Claim 19, Citation 5 discloses in Figs. 1-4 and paragraphs [0008]-[0009] that the upper includes (a) a plurality of tensile strands [the cage-shaped structure of Citation 1 (Fig. 1; the element 1)] extending through a region between the knitted component [the shoe cover of Citation 5 (Fig. 1; the element 2)] and the sole structure [the detachable sole structure of Citation 5 (Fig. 1; the element 2)] and (b) a lace coupled to the tensile strands and extending repeatedly across the throat area [see Citation 5, paragraph [0008], lines 5-6]. Citation 5 discloses that the combined shoe has several the cage-shaped structures and the cage-shaped structure covers the sole and the upper of the shoe cover and has a plurality of apertures such that the cage-shaped structure could be secured to the foot of user by the lace. Therefore, the structure of Citation 5 is identical to the claimed invention. Thus, Claim 19 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1and 5.

20. Regarding Claim 20, Citation 1 (referring to Figs. 18, 19, 21A, 23 and 25 and paragraph [0078]) and Citation 2 (referring to Figs. 1 and 2 and column 2, lines 53-57 and column 2, lines 66-69) disclose a knitted component [the element of Citation 1 (Fig. 23; the element 70)] for an article of footwear, the knitted component comprising: a collar portion having a cylindrical configuration [the collar-throat element portion of Citation 1 (Fig. 18; the element 60); see paragraph [0078], lines 1-8]; a throat portion extending outward from the collar portion [the collar-throat element portion of Citation 1 (Fig. 18; the element 60); see paragraph [0078], lines 1-8]; a first knit layer [the outer layer of Citation (Figs. 18, 19 and 21A; the element 61); As described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] forming a first surface of the collar portion and the throat portion [As shown in Fig. 23 of Citation

1, the element has a first surface at its outside]; and a second knit layer [the inner layer of Citation (Figs. 18, 19 and 21A; the element 62); As described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] located adjacent to the first knit layer and forming an opposite second surface of the collar portion and the throat portion [As shown in Fig. 23 of Citation 1, the element has a second surface at its inside], peripheral areas of the first knit layer and the second knit layer being joined to each other [As shown in Fig. 21A of Citation 1, the peripheral areas of the outer layer and the inner layer are joined to each other], and central areas of the first knit layer and the second knit layer being unjoined to each other[As shown in Fig. 21A of Citation 1, the central areas of the outer layer and the inner layer are unjoined to each other]. Citation 1 discloses that the upper of the footwear article has a knitted component adjacent to the collar portion and the throat portion and the knitted component has a layer (31, 32) at its underside, which can support knitted portion to form the upper. Citation 2 discloses that the collar portion of the upper, which is adjacent to the ankle portion, is a cylindrical knitted article. Thus, Claim 20 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

21. Regarding Claim 21, citation 1 discloses in paragraph [0078] that the knitted component is formed of unitary knit construction [see paragraph [0078] of Citation 1]. Citation 1 discloses that the throat-collar portion is formed of unitary knit construction. Thus, Claim 21 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

22. Regarding Claim 22, Citation 3 discloses in column 8, line 55 to column 9, line 4 that the knitted component includes separate regions having at least one of (a) different knit structures and (b) different yarns [see Citation 3, column 8, line 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics. Thus, Claim 22 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

23. Regarding Claim 23, Citation 1 discloses in Figs. 18-21A and 23 and paragraph [0078] a method for manufacturing an article of footwear, the method comprising: utilizing a circular knitting process to form a knitted component by (a) knitting two substantially coextensive layers [see Citation 1, paragraph [0078] and Figs. 19-21A and 23] and (b) joining peripheral areas of the layers to each other [see Citation 1, paragraph [0078] and Figs. 19-21A and 23]; and incorporating the knitted component into an upper of the article of footwear, the knitted component forming a collar of the upper [see Figs. 18 and 23 of Citation 1], and the knitted component extending through a majority of a length of a throat area of the upper [see Figs. 18 and 23 of Citation 1]. Citation 1 discloses that the upper has a knitted

component adjacent to the throat portion and the collar portion. Citation 1 fails to disclose that the peripheral areas of the layers are joined to each other by utilizing a circular knitting process to form a knitted component. However, the knitted component of Citation 1 is formed by a circular knitting process of circular knitting machine. Therefore, the knitted components of Claim 23 and Citation 1 are identical to each other and formed by the same knitting machine. Thus, Claim 23 of the subject application can be accomplished easily by persons having common knowledge with reference to Citation 1.

24. Regarding Claim 24, Citation 2 discloses in column, lines 53-57 and lines 66-69 that the step of utilizing the circular knitting process includes forming (a) a first portion of the knitted component to have a cylindrical configuration [see Citation 2, Figs. 1 and 2 and column 2, lines 66-69 and lines 53-57] and (b) a second portion of the knitted component to extend outward from the first portion [see Citation 2, Figs. 1 and 2 and column 2, lines 44-46]. Citation 2 discloses that a first portion of the knitted portion has a cylindrical configuration and a second portion of the knitted component extends outward from the first portion. Thus, Claim 24 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

25. Regarding Claim 25, Citation 3 discloses in Figs. 1-4 and the abstract that the step of utilizing the circular knitting process further includes forming the first portion and the second portion from the two substantially coextensive knit layers [see Citations 3, Figs. 1-4 and the abstract]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics. Therefore, to form the first and second portions by utilizing the circular knitting process is a common knowledge. Thus, Claim 25 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

26. Regarding Claim 26, Citation 3 discloses in Figs. 1-4 and column 7, lines 23-30 that the step of incorporating the knitted component includes locating (a) the first portion to form the collar [see Citation 3, Figs. 1-4 and column 7, lines 23-30] and (b) the second portion to extend into the throat area [see Citation 3, Figs. 1-4 and column 7, lines 23-30]. Citation 3 discloses that each area of the upper could be knitted by the specific yarn and thus each area has the specific structure. Thus, Claim 26 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

27. Regarding Claim 27, Citation 1 (referring to Figs. 18, 19, 21A, 23 and 25 and paragraph [0078]) and Citation 2 (referring to Figs. 1 and 2 and column 2, lines 53-57 and lines 66-69) a method for manufacturing an article of footwear, the method comprising: knitting a first layer [the outer layer of Citation (Figs. 18, 19 and 21A; the element 61); As described in paragraph

[0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] and a second layer [the inner layer of Citation (Figs. 18, 19 and 21A; the element 62); As described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] that each form opposite surfaces of a collar portion and a throat portion [the throat-collar portion of Citation 1 (Fig. 18; the element 60)] see paragraph [0078], lines 1-8] [see Citation 2, Figs. 1 and 2] column 2, lines 66-69] of a knitted component [the element of Citation 1 (Fig. 23; the element 70)], the collar portion having a cylindrical configuration [see Citation 2, Figs. 1 and 2], and the throat portion extending outward from the collar portion [see Citation 1, Figs. 18, 19 and 23]; and incorporating the knitted component into an upper of the article of footwear, the collar portion being located to form a collar of the upper and define an ankle opening [see Citation 1, Figs. 18 and 23], the throat portion being located to extend through at least a portion of a length of a throat area of the upper [see Citation 1, Figs. 18 and 23], the first layer being located to form a portion of an exterior surface of the upper [see Citation 1, Figs. 18 and 23], and the second layer being located to form a portion of an interior surface of the upper [see Citation 1, Figs. 18 and 23]. Citation 1 discloses that the upper has a knitted component adjacent to the throat portion and the collar portion and the first layer of the knitted component forms a portion of the exterior surface of the upper and the second layer of the knitted component forms a portion of the inner surface of the upper. Citation 2 discloses that the collar portion adjacent to the ankle portion is a cylindrical knitted article. Thus, Claim 27 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

28. Regarding Claim 28, Citation 1 discloses in the abstract that the step of knitting includes utilizing a circular knitting process. Citation 1 discloses that the step of knitting includes utilizing a circular knitting process. Thus, Claim 28 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

29. Regarding Claim 29, Citation 1 discloses in Fig. 21A that the step of knitting includes joining peripheral areas of the first layer and the second layer [see Fig. 21A of Citation 1]. Citation 1 discloses the structure of the peripheral of the first and second layers. Thus, Claim 29 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

30. Regarding Claim 30, Citation 3 discloses in Fig. 3 and column 3, lines 34-36 that the step of knitting includes forming a heel portion extending outward from the collar portion, and the step of incorporating includes locating the heel portion in a heel region of the footwear [see Citation 3, Fig. 3 and column 7, lines 34-46]. Citation 3 discloses that the instep section (corresponding to a portion of the knitted portion of the subject invention) includes a heel portion, wherein the heel portion extends outward from the collar portion and through at least a portion of a height of a heel region of

the footwear. Thus, Claim 30 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

31. Regarding Claim 31, Citation 3 discloses in column 8, line 55 to column 9, line 4 that the step of knitting includes forming separate regions having at least one of (a) different knit structures and (b) different yarns [see Citation 3, column 8, lime 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics. Thus, Claim 31 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

32. Regarding Claim 32, Citation 1 discloses in Fig. 25 that the step of incorporating includes joining the knitted component to a cover component [the layer of Citation 1 (Fig. 25; the element 31); see Fig. 25] extending between the knitted component and a sole structure of the article of footwear. Citation 1 discloses that the knitted component joins to a cover component extending between the knitted component and a sole structure of the article of footwear. Thus, Claim 32 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1 and 2.

33. Regarding Claim 33, Citation 2 (referring to Figs. 1-4 and column 2, lines 53-57 and lines 66-69) and Citation 3 (referring to Fig. 3 and column 8, lines 25-27 and column 9, lines 10-12) a method for manufacturing an article of footwear, the method comprising: knitting a tubular structure to have a cylindrical configuration with two knit layers [see Citation 3, column 9, lines 10-12] [see Citation 2, Figs. 1-4 and column 2, lines 53-57 and lines 66-69]; removing a knitted component from the tubular structure [see Citation 3, column 8, lines 25-27] that includes a collar portion and a throat portion extending outward from the collar portion [the instep portion of Citation 3 (Fig. 3; the element 43)]; and incorporating the knitted component into an upper of the article of footwear [the upper of Citation 3 (Fig.3; the element 40)], the collar portion being located to form a collar of the upper and define an ankle opening [see Citation 3, Fig. 3], the throat portion being located to extend through at least a portion of a length of a throat area of the upper [see Citation 3, Fig. 3]. Citation 3 discloses the structures of the regions of the upper and these regions are formed by the circular knitting machine. Citation 3 fails to disclose that the knitted component could be removed from the tubular. However, the circular knitting machine has a cutting element which can cut the knitted article. Thus, removing the knitted component from the tubular is a common knowledge. Further, Citation 2 discloses that the collar portion of the upper, which is adjacent to the ankle portion, is a cylindrical knitted article. Thus, Claim 33 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 2 and 3.

34. Regarding Claim 34, Citation 3 discloses in Figs. 1-4 and the abstract that the step of knitting includes utilizing a circular knitting process. Citation 1 discloses the regions of the upper formed by utilizing a circular knitting process. Thus, Claim 34 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 2 and 3.

35. Regarding Claim 35, Citation 1 discloses in Fig. 25 that the step of incorporating includes joining the knitted component to a cover component [the layer of Citation 1 (Fig. 25; the element 31)] extending between the knitted component and a sole structure of the article of footwear. Citation 1 discloses a cover component extending between the knitted component and a sole structure of the article of footwear. Thus, Claim 35 of the subject application can be accomplished easily by persons having common knowledge with reference to Citations 1-3.

(6) Cited documents:

1. US 2011/0078921A1.
2. US 2770055.
3. US 6986269B2.
4. TW I228158.
5. CN 201536681U.

(B) If any amendments and/or corrections are to be made to the subject application, such amendments and/or corrections should be made according to the provisions of Article 43 and Paragraph 3 of Article 44 of the Patent Act and Articles 36-38 of the Enforcement Rules of the Patent Act; the application form(s) should be completed according to the regulations for amending and/or correcting patent applications.

(C) If the applicant wishes to appear before the IPO for a face-to-face demonstration or explanation, please explicitly indicate "Interview Requested" in the response and effect payment of a government fee of NT$1,000. The time and place of the interview will be arranged if the IPO considers an interview necessary.

(D) Attached is a search report of the subject application.

SEARCH REPORT
ROC (TAIWAN) PATENT APPLICATION NO. 102142337
(Translation)

1. FILING DATE: 20 November 2013		
2. PRIORITY DATE: 20 November 2012		
3. INTERNATIONAL PATENT CLASSIFICATION (IPC): A43B15/00 (2006.01), A43B19/00 (200.01), A43B23/00 (2006.01)		
4. TECHNICAL FIELDS SEARCHED (IPC): A43B15/00 (2006.01), A43B19/00 (2006.01), A43B23/00 (2006.01)		
5. DATABASE SEARCHED (KEY WORDS): Domestic and Foreign Patent Database of TIPO, EPO, SIPO, Google Patent		
Category	Cited documents, indicating relevant passages (if applicable)	Relevant to Claim(s)
X Y	1. US 2011/0078921 A1 2011/04/07 Abstract; Paragraphs [0037]-[0084]; Figs. 1-26	11, 13, 14, 16, 18, 23 1-10, 12, 15, 17, 19-22, 24-32, 35
Y	2. US 2770055 1956/11/13 Column 2, Line 25 to Column 4, Line 18; Figs. 1-4	1-10, 12, 20-22, 24-35
Y	3. US 6986269 B2 2006/01/17 Abstract; Column 3, Line 10 to Column 10, Line 26; Figs. 1-4	5-7, 15, 17, 22, 25, 26, 30, 31, 33-35
Y	4. TW I228158 2005/02/21 Page 43, Line 21 to Page 44, Line 2; Page 57, Lines 14-16	8
Y	5. CN 201536681 U 2010/08/04 Paragraphs [0008]-[0022] and Figs. 1-4	10, 19
A	6. CN 202456755 U 2012/10/03 Full Text	1-35
A	7. GB 782562 1957/09/11 Full Text	1-35
A	8. DE 475363 1929/04/24 Full Text	1-35
A	9. US 2586045 1952/02/19 Full Text	1-35
CATEGORIES OF CITED DOCUMENTS		

X: document of particular relevance, indicating lack of novelty or inventive step when taken alone	A: document indicating technological background and/or state of the art	P: document published on or after the declared priority date but before the filing date of this application
Y: document of particular relevance, indicating lack of inventive step when combined with one or more other documents of the same category	D: document cited in the specification	L: document cited for other reasons
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正本

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主旨：第102142337號專利申請案經審查後認有如說明一所述情事，　台端（貴公司）請於文到次日起3個月內提出申復說明(一式2份)或修正至局。逾期未復者，本局將依現有資料續行審查，請　查照。

說明：

一、本案經審查認為：

(一)本案「併入有含領部及喉部的編織組件之鞋面」，依申請人申請時所提說明書、圖式進行審查，經查本案申請專利範圍，其請求項共有35項，其中第1、11、20、23、27、33項為獨立項，其餘為附屬項，合先敘明。

(二)本案申請專利範圍尚有下列缺失，請予修正：

1、請求項1第9行之「(a)該鞋面之該內外表面之一」，應係「(a)該鞋面之該外表面之一」之誤繕，

JUN 0 1 2015

Skechers EX1013-p. 1932
Skechers v Nike

請予修正。

2、請求項2第3行之「且該第二編織層形成該鞋面之該外表面之該第二區域」，應係「且該第二編織層形成該鞋面之該內表面之該第一區域」之誤繕，請予修正。

(三)本案申請專利範圍有下列情形不符專利法第26條第2項之規定。

1、請求項27之所載元件「第一層」及「第二層」之敘述，當中「第一層」及「第二層」其說明書內文內並無標示出該第一層及該第二層，致申請專利範圍不支持。

2、請求項29之所載元件「第一層」及「第二層」之敘述，當中「第一層」及「第二層」其說明書內文內並無標示出該第一層及該第二層，致申請專利範圍不支持。

(四)本案申請專利範圍有下列情形不符專利法第26條第4項暨施行細則第22條第1項之規定：

1、請求項10之所載元件「拉長線」與符號說明所載「128 成環線」用語彼此不一致，應予修正。

2、請求項19之所載元件「拉長線」與符號說明所載「128 成環線」用語彼此不一致，應予修正。

(五)依據引證1的揭示內容，本案請求項11、13~14、16、18、23不符合專利法第22條第2項之規定；依據引證1~2的揭示內容，本案請求項1~4、9、12、20~21、24、27~29、32不符合專利法第22條第2項之規定；依據引證1、3的揭示內容，本案請求項15、

Skechers EX1013-p. 1933
Skechers v Nike

17不符合專利法第22條第2項之規定；依據引證1、5的揭示內容，本案請求項19不符合專利法第22條第2項之規定；依據引證2~3的揭示內容，本案請求項33~34不符合專利法第22條第2項之規定；依據引證1~3的揭示內容，本案請求項5~7、22、25~26、30~31、35不符合專利法第22條第2項之規定；依據引證1~2、4的揭示內容，本案請求項8不符合專利法第22條第2項之規定；依據引證1~2、5的揭示內容，本案請求項10不符合專利法第22條第2項之規定。

1、本案請求項1，引證1圖式第18、23、25圖與說明書第[0078]段及引證2圖式第1~2圖與說明書第2欄第53~57行、第2欄第66~69行已揭露「一種鞋類物件，其具有一鞋面[引證1鞋面(圖18，30)]及緊固至該鞋面之一鞋底結構[引證1鞋底結構(圖18，20)]，該鞋面包括：一編織組件[引證1元件(圖23，70)]，其由單一編織構造形成且包含一領部及一喉部[引證1喉領部(圖18，60)；說明書第[0078]段第1~8行]，該領部具有界定一腳踝開口之一圓柱形組態[引證2如圖1~2所示；說明書第2欄第66~69行]，且該喉部自該領部向外延伸且延伸穿過該鞋面之一喉區域之一長度之至少一部分[引證1如圖18所示]，該領部及該喉部形成：(a)該鞋面之一外表面之一第一區域[引證1如圖23所示；該元件具有一外表面]；及(b)該鞋面之一內表面之一第一區域[引證1如圖23所示；該元件具有一相對該外表面之一內表面]；及一覆蓋組件[引證1層(圖25，31)]，其緊固至該編織組件且在

Skechers EX1013-p. 1934
Skechers v Nike

該編織組件與該鞋底結構之間延伸[引證1如圖25所示]，該覆蓋組件形成：(a)該鞋面之該外表面之一第二區域[引證1如圖25所示；該層(31)具有一朝向外側之外表面]；及(b)該鞋面之該內表面之一第二區域[引證1如圖25所示；該層(31)具有一朝向內側並相連該層(32)之內表面]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結構，並該編織組件下方具有一層(31、32)來支撐進而形成一鞋面，引證2則揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物，故該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

2、本案請求項2，引證1圖式第19、21A圖已揭露「其中該編織組件包含一第一編織層[引證1外層(圖19、21A，61)]及一第二編織層[引證1內層(圖21A，62)]，該第一編織層形成該鞋面之該外表面之該第一區域，且該第二編織層形成該鞋面之該內表面之該第一區域」之技術內容。其中引證1揭露該編織組件包含一外層及一內層形成為該鞋面之一區域之一內外表面特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

3、本案請求項3，引證1圖式第21A圖已揭露「其中該第一編織層接觸且倚靠該第二編織層[引證1如圖21A所示]」之技術內容。其中引證1揭露該外層及該內

Skechers EX1013-p. 1935
Skechers v Nike

層接觸且倚靠之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

4、本案請求項4，引證1圖式第21A圖已揭露「其中(a)該第一編織層及該第二編織層之周邊區域彼此接合[引證1如圖21A所示；該外層與該內層在周邊區域彼此接合]，且(b)該第一編織層及該第二編織層之中央區域彼此不接合[引證1如圖21A所示；該外層與該內層在中央區域彼此不接合]」之技術內容。其中引證1揭露該外層與該內層之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

5、本案請求項5，引證3圖式第3圖與說明書第7欄第34~36行已揭露「其中該編織組件[引證3腳背部分、腳踝部分(圖3，43、41)]進一步包含一腳後跟部分，該腳後跟部分自該領部向外延伸且延伸穿過該鞋子之一腳後跟區之一高度之至少一部分[引證3如圖3所示；說明書第7欄第34~36行]」之技術內容。其中引證3揭露該腳背部分(對應本案之編織組件之一部分)包含一腳後跟部分，該腳後跟部分自該領部向外延伸且延伸穿過該鞋子之一腳後跟區之一高度之至少一部分之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

6、本案請求項6，引證3圖式第3圖已揭露「其中該腳後跟部分形成該鞋面之該外表面及該鞋面之該內表

Skechers EX1013-p. 1936
Skechers v Nike

面之進一步區域[引證3如圖3所示]」之技術內容。其中引證3揭露該腳背部分形成為該鞋面之一外表面及一內表面之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

7、本案請求項7，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該編織組件包含若干單獨區，該等單獨區具有(a)不同編織結構及(b)不同紗線中之至少一者[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

8、本案請求項8，引證4說明書第43頁第21行~第44頁第2行、第57頁第14~16行已揭露「其中該編織組件[引證4說明書第57頁第14~16行；該立體構造之彈性圓織布料可使用於鞋靴之上面材]之至少一部分具有一羅紋編織結構[引證4說明書第43頁第21行~第44頁第2行]」之技術內容。其中引證4揭露該彈性圓織布料具有羅紋組織，並該彈性圓織布料更可使用在鞋材之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2、4揭示技術內容簡單變化而輕易完成本請求項之發明。

9、本案請求項9，引證1圖式第23圖已揭露「其中一鞋帶延伸跨越該喉區域且接觸該鞋面之該外表面之該第一區域[引證1如圖23所示；該元件(70)具有複數

Skechers EX1013-p. 1937
Skechers v Nike

個孔洞供該鞋帶穿設]」之技術內容。其中引證1揭露該元件(70)具有複數個孔洞供該鞋帶穿設，故可推知該鞋帶穿過該元件必然延伸跨越該喉區域之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

１０、本案請求項10，引證5圖式第1~4圖與說明書第[0008]~[0009]段已揭露「其中該鞋面包含：(a)延伸穿過該編織組件[引證5鞋套(圖1，3)]與該鞋底結構[引證5可拆卸鞋底(圖1，2)]之間之一區之複數個成環線[引證5籠狀結構(圖1，1)]；及(b)耦合至該等拉長線且延伸跨越該喉區域之一鞋帶[引證5說明書第[0008]段第5~6行]」之技術內容。其中引證5揭露該包括籠狀結構的組合鞋具有複數個籠狀結構，該籠狀結構從該鞋底包覆至該鞋套上方，並該籠狀結構具有複數個鞋帶孔供一鞋帶將該籠狀結構固定在穿用者的腳上，該等結構與本案相同，故該發明所屬技術領域中具有通常知識者，自可依引證1~2、5揭示技術內容簡單變化而輕易完成本請求項之發明。

１１、本案請求項11，引證1圖式第18~19、23、25圖與說明書第[0078]段已揭露「一種鞋類物件，其具有一鞋面[引證1鞋面(圖18，30)]及緊固至該鞋面之一鞋底結構[引證1鞋底結構(圖18，20)]，該鞋面包括：一編織組件[引證1元件(圖23，70)；說明書第[0078]段第1~8行]，其包含彼此毗鄰而放置之一外

Skechers EX1013-p. 1938
Skechers v Nike

編織層[引證1外層(圖18、19、21A，61)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]及一內編織層[引證1內層(圖18、19、21A，62)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]，該外編織層及該內編織層中之每一者圍繞該鞋面界定該鞋面之一腳踝開口之一領而延伸且形成該領[引證1說明書第[0078]段第1~8行]，且該外編織層及該內編織層中之每一者延伸穿過該鞋面之一喉區域之一長度之一至少一部分，該外編織層形成該鞋面之一外表面之一第一區域[引證1如圖23所示；該元件具有一外表面]，且該內編織層形成該鞋面之一內表面之一第一區域[引證1如圖23所示；該元件具有一相對該外表面之一內表面]；及一覆蓋組件[引證1層(圖25，31)]，其緊固至該編織組件且在該編織組件與該鞋底結構之間延伸[引證1如圖25所示]，該覆蓋組件形成：(a)該鞋面之該外表面之一第二區域[引證1如圖25所示；該層(31)具有一朝向外側之外表面]；及(b)該鞋面之該內表面之一第二區域[引證1如圖25所示；該層(31)具有一朝向內側並相連該層(32)之內表面]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結構，引證1與本案之差異為引證1之元件在靠近腳踝部位之領部非為一圓柱形組態之針織物，然而在該領部區域針織為一圓柱形組態係為習知技術，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容

Skechers EX1013-p. 1939
Skechers v Nike

簡單變化而輕易完成本請求項之發明。

１２、本案請求項12，引證2圖式第1~2圖與說明書第2欄第66~69行已揭露「其中該編織組件在該領中具有一圓柱形組態[引證2如圖1~2所示；說明書第2欄第66~69行]」之技術內容。其中引證2揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

１３、本案請求項13，引證1圖式第21A圖已揭露「其中該外編織層接觸且倚靠該內編織層[引證1如圖21A所示]」之技術內容。其中引證1揭露該外層及該內層接觸且倚靠之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

１４、本案請求項14，引證1圖式第21A圖已揭露「其中(a)該外編織層及該內編織層之周邊區域彼此接合[引證1如圖21A所示；該外層與該內層在周邊區域彼此接合]，且(b)該外編織層及該內編織層之中央區域彼此不接合[引證1如圖21A所示；該外層與該內層在中央區域彼此不接合]」之技術內容。其中引證1揭露該外層與該內層之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

１５、本案請求項15，引證3圖式第3圖已揭露「其中該外編織層[引證3如圖3所示；該鞋面之各針織區域皆

Skechers EX1013-p. 1940
Skechers v Nike

具有朝向外側之外編織層]及該內編織層[引證3如圖3所示；該鞋面之各針織區域皆具有朝向內側之內編織層]中之每一者延伸穿過該鞋子之一腳後跟區之一高度之大半部分[引證3如圖3所示]」之技術內容。其中引證3揭露該外編織層及該內編織層在該腳後跟區之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1、3揭示技術內容簡單變化而輕易完成本請求項之發明。

16、本案請求項16，引證1圖式第21A圖與說明書第[0076]段第4-8行已揭露「其中該編織組件包含一縫，其中(a)該外編織層之兩個區段彼此接合，或(b)該內編織層之兩個區段彼此接合[引證1如圖21A所示；說明書第[0076]段第4-8行]」之技術內容。其中引證1揭露該喉領部之外層與內層係為無縫接合，即在接合處已有一縫之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

17、本案請求項17，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該外編織層包含若干單獨區，該等單獨區具有(a)不同編織結構及(b)不同紗線中之至少一者[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1、3揭示技術內容簡單變化而輕易完成本請求項之發明。

Skechers EX1013-p. 1941
Skechers v Nike

１８、本案請求項18，引證1圖式第23圖已揭露「其中一鞋帶重複地延伸跨越該喉區域且接觸該第一編織層[引證1如圖23所示；該元件(70)具有複數個孔洞供該鞋帶穿設]」之技術內容。其中引證1揭露該元件(70)具有複數個孔洞供該鞋帶穿設，故可推知該鞋帶穿過該元件必然延伸跨越該喉區域之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

１９、本案請求項19，引證5圖式第1~4圖與說明書第[0008]~[0009]段已揭露「其中該鞋面包含：(a)延伸穿過該編織組件[引證5鞋套(圖1，3)]與該鞋底結構[引證5可拆卸鞋底(圖1，2)]之間之一區域之複數個成環線[引證5籠狀結構(圖1，1)]；及(b)耦合至該等拉長線且重複地延伸跨越該喉區域之一鞋帶[引證5說明書第[0008]段第5~6行]」之技術內容。其中引證5揭露該包括籠狀結構的組合鞋具有複數個籠狀結構，該籠狀結構從該鞋底包覆至該鞋套上方，並該籠狀結構具有複數個鞋帶孔供一鞋帶將該籠狀結構固定在穿用者的腳上，該等結構與本案相同，該發明所屬技術領域中具有通常知識者，自可依引證1、5揭示技術內容簡單變化而輕易完成本請求項之發明。

２０、本案請求項20，引證1圖式第18~19、21A、23、25圖與說明書第[0078]段及引證2圖式第1~2圖與說明書第2欄第53~57行、第2欄第66~69行已揭露「一

Skechers EX1013-p. 1942
Skechers v Nike

種用於一鞋類物件之編織組件[引證1元件(圖23，70)]，該編織組件包括：一領部，其具有一圓柱形組態[引證1喉領部(圖18，60)；說明書第[0078]段第1-8行]［引證2如圖1-2所示；說明書第2欄第66-69行]；一喉部，其自該領部向外延伸[引證1喉領部(圖18，60)；說明書第[0078]段第1-8行]；一第一編織層[引證1外層(圖19、21A，61)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]，其形成該領部及該喉部之一第一表面[引證1如圖23所示；該元件朝外側具有一第一表面]；及一第二編織層[引證1內層(圖21A，62)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]，其毗鄰於該第一編織層而定位且形成該領部及該喉部之一相對第二表面[引證1如圖23所示；該元件朝內側具有一第二表面]，該第一編織層及該第二編織層之周邊區域彼此接合[引證1如圖21A所示；該外層與該內層在周邊區域彼此接合]，且該第一編織層及該第二編織層之中央區域彼此不接合[引證1如圖21A所示；該外層與該內層在中央區域彼此不接合]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結構，並該編織組件下方具有一層(31、32)來支撐進而形成一鞋面，引證2則揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物，該發明所屬技術領域中具有通常知識者，自可依引證1-2揭示技術內容簡單變化而輕易完成本請求項之發明。

Skechers EX1013-p. 1943
Skechers v Nike

２１、本案請求項21，引證1說明書第[0078]段已揭露「其中該編織組件由單一編織構造形成[引證1說明書第[0078]段]」之技術內容。其中引證1揭露該喉領部為單一編織構造形成之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２２、本案請求項22，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該編織組件包含若干單獨區，該等區具有(a)不同編織結構及(b)不同紗線中之至少一者[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

２３、本案請求項23，引證1圖式第18~21A、23圖與說明書第[0078]段已揭露「一種用於製造一鞋類物件之方法，該方法包括：利用一圖編程序來藉由以下操作形成一編織組件：(a)編織兩個實質上共延伸之層[引證1說明書第[0078]段；圖19~21A、23]；及(b)將該等層之周邊區域彼此接合[引證1說明書第[0078]段；圖19~21A、23]；及將該編織組件併入至該鞋類物件之一鞋面中，該編織組件形成該鞋面之一領[引證1如圖18、23所示]，且該編織組件延伸穿過該鞋面之一喉區域之一長度之大半部分[引證1如圖18、23所示]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結

Skechers EX1013-p. 1944
Skechers v Nike

構，引證1雖無揭露該等層之周邊區域彼此接合係透過一圓編程序達成該些編織組件，然而引證1之編織組件係為使用圓編機針織之圓編程序而成，兩者使用相同之針織機完成相同之編織組件，故實質上為相同技術，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

２４、本案請求項24，引證2說明書第2欄第53~57行、第2欄第66~69行已揭露「其中利用該圓編程序之步驟包含：形成(a)該編織組件之一第一部分以具有一圓柱形組態[引證2如圖1~2所示；說明書第2欄第66~69行、第2欄第53~57行]；及(b)該編織組件之一第二部分以自該第一部分向外延伸[引證2如圖1~2所示；說明書第2欄第44~46行]」之技術內容。其中引證2揭露該編織組件之一第一部分以具有一圓柱形組態，而該編織組件之第二部分以自該第一部分向外延伸之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２５、本案請求項25，引證3圖式第1~4圖與摘要已揭露「其中利用該圓編程序之該步驟進一步包含：自該兩個實質上共延伸之編織層形成該第一部分及該第二部分[引證3如圖1~4所示；摘要全文]」之技術內容。其中引證3揭露利用一圓編程序針織鞋面之各個區域，該些各個區域因著不同紗線而具有不同物理性質，故可得知可利用該圓編程序針織編織層形成

Skechers EX1013-p. 1945
Skechers v Nike

該第一部分及該第二部分之特徵係為習知技術，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

２６、本案請求項26，引證3圖式第1~4圖與說明書第7欄第23~30行已揭露「其中併入該編織組件之步驟包含：定位(a)該第一部分以形成該領[引證3如圖1~4所示；說明書第7欄第23~30行]；及(b)定位該第二部分以延伸至該喉區域中[引證3如圖1~4所示；說明書第7欄第23~30行]」之技術內容。其中引證3揭露該鞋面之各個區域從特定的紗線編織，形成具有特定的針織結構之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

２７、本案請求項27，引證1圖式第18~19、21A、23、25圖與說明書第[0078]段及引證2圖式第1~2圖與說明書第2欄第53~57行、第2欄第66~69行已揭露「一種用於製造一鞋類物件之方法，該方法包括：編織各自形成一編織組件[引證1元件(圖23，70)]之一領部及一喉部[引證1喉領部(圖18，60)；說明書第[0078]段第1~8行] [引證2如圖1~2所示；說明書第2欄第66~69行]之相對表面之一第一層[引證1外層(圖19、21A，61)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]及一第二層[引證1內層(圖19、21A，62)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組

Skechers EX1013-p. 1946
Skechers V Nike

合]，該領部具有一圓柱形組態[引證2如圖1~2所示]，且該喉部自該領部向外延伸[引證1如圖18、19、23所示]；及將該編織組件併入至該鞋類物件之一鞋面中，該領部經定位以形成該鞋面之一領且界定一腳踝開口[引證1如圖18、23所示]，該喉部經定位以延伸穿過該鞋面之一喉區域之一長度之至少一部分[引證1如圖18、23所示]，該第一層經定位以形成該鞋面之一外表面之一部分[引證1如圖18、23所示]，且該第二層經定位以形成該鞋面之一內表面之一部分[引證1如圖18、23所示]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結構，並該編織組件之第一層形成該鞋面之外表面的一部分，且該第二層形成該鞋面之內表面的一部分，引證2則揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２８、本案請求項28，引證1摘要「其中該編織步驟包含：利用一圓編程序」之技術內容。其中引證1揭露該編織步驟包含：利用一圓編程序之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２９、本案請求項29，引證1圖示第21A圖已揭露「其中該編織步驟包含：接合該第一層及該第二層之周邊區域[引證1如圖21A所示]」之技術內容。其中引證1揭露該第一層及該第二層之周邊區域之結構特徵，

Skechers EX1013-p. 1947
Skechers v Nike

該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

３０、本案請求項30，引證3圖式第3圖與說明書第7欄第34~36行已揭露「其中該編織步驟包含：形成自該領部向外延伸之一腳後跟部分，且該併入步驟包含在該鞋子之一腳後跟區中定位該腳後跟部分[引證3如圖3所示；說明書第7欄第34~36行]」之技術內容。其中引證3揭露該腳背部分(對應本案之編織組件之一部分）包含一腳後跟部分，該腳後跟部分自該領部向外延伸且延伸穿過該鞋子之一腳後跟區之一高度之至少一部分之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３１、本案請求項31，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該編織步驟包含：形成具有(a)不同編織結構及(b)不同紗線中之至少一者之單獨區[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３２、本案請求項32，引證1圖式第25圖已揭露「其中該併入步驟包含：將該編織組件接合至在該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件[引證1層(圖25，31)]；如圖25所示」之技術內

Skechers EX1013-p. 1948
Skechers v Nike

容。其中引證1揭露該編織組件接合至在該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

３３、本案請求項33，引證2圖式第1~4圖與說明書第2欄第53~57行、第2欄第66~69行及引證3圖式第3圖與說明書第8欄第25~27行、第9欄第10~12行已揭露「一種用於製造一鞋類物件之方法，該方法包括：編織一管狀結構以具有含兩個編織層之一圓柱形組態[引證3說明書第9欄第10~12行][引證2如圖1~4所示；說明書第2欄第53~57行、第2欄第66~69行]；自該管狀結構移除一編織組件[引證3說明書第8欄第25~27行]，該編織組件包含一領部及自該領部相外延伸之一喉部[引證3腳背部分(圖3，43)]；及將該編織組件併入至該鞋類物件之一鞋面中[引證3鞋面(圖3，40)]，該領部經定位以形成該鞋面之一領且界定一腳踝開口[引證3如圖3所示]，該喉部經定位以延伸穿過該鞋面之一喉區域之一長度之至少一部分[引證3如圖3所示]」之技術內容。其中引證3揭露該鞋面之各個區域之結構特徵，並該鞋面之各個區域皆為由一圓編機所針織而成，引證3雖無揭露自該管狀結構移除一編織組件，然而該圓編機具有一切斷器，能將針織出的針織物加以切邊、切斷成形，故其該手段其僅為習知技術，並結合引證2揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織

Skechers EX1013-p. 1949
Skechers v Nike

物，故該發明所屬技術領域中具有通常知識者，自可依引證2~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３４、本案請求項34，引證3圖式第1~4圖與摘要已揭露「其中該編織步驟包含：利用一圖編程序[引證3如圖1~4所示；摘要全文]」之技術內容。其中引證1揭露利用一圖編程序針織鞋面之各個區域之特徵，該發明所屬技術領域中具有通常知識者，自可依引證2~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３５、本案請求項35，引證1圖式第25圖已揭露「其中該併入步驟包含：接合該編織組件與在該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件[引證1層(圖25，31)]」之技術內容。其中引證1揭露該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

(六)引證文件：

１、US 2011/0078921A1。

２、US 2770055。

３、US 6986269B2。

４、TW I228158。

５、CN 201536681U。

二、本案如有修正、訂正，應依專利法第43條、第44條第3項、專利法施行細則第36條至第38條之規定辦理，並請

Skechers EX1013-p. 1950
Skechers v Nike

依專利修正申請書、專利誤譯訂正申請書之規定撰寫。

三、若希望來局當面示範或說明，請於申復說明書內註明「申請面詢」並繳交規費新臺幣1千元正，本局認為有必要時，將另行通知面詢地點及時間。

四、檢送本案檢索報告1份。

正本：耐克創新有限合夥公司（代理人：陳長文　專利代理人）

副本：

經濟部智慧財產局

Skechers EX1013-p. 1951
Skechers v Nike

附件

第102142337號專利申請案檢索報告

1.申 請 日： 102年11月20日

2.優先權日： 2012年11月20日

3.本案國際專利分類號(IPC)： *A43B15/00* (2006.01) ， *A43B19/00* (2006.01)
A43B23/00 (2006.01)

4.檢索國際專利分類號(IPC)範圍：
A43B15/00 (2006.01),A43B19/00 (2006.01),A43B23/00 (2006.01)

5.檢索使用資料庫名稱(關鍵詞)：
TIPO國內外專利資料庫、EPO、大陸專利資訊檢索系統、Google Patent

關聯性代碼	引用文獻資料與相關段落處	相關聯請求項
X	1. US 2011/0078921 A1 2011/04/07 摘要及說明書第[0037]~[0084]段及圖式1~26	11、13~14、16、18、23
Y		1~10、12、15、17、19~22、24~32、33
Y	2. US 2770055 1956/11/13 說明書第2欄第25行~第4欄第18行及圖式1~4	1~10、12、20~22、24~35
Y	3. US 6986269 B2 2006/01/17 摘要及說明書第3欄第10行~第10欄第26行及圖式1~4	5~7、15、17、22、25~26、30~31、33~35
Y	4. TW I228158 2005/02/21 說明書第43頁第21行~第44頁第2行、第57頁第14~16行	8
Y	5. CN 201536681 U 2010/08/04 說明書第[0008]~[0022]段及圖式1~4	10、19

關聯性代碼說明：

X：單獨引用即足以否定發明新穎性或進步性之特別相關的文獻。

Y：結合一或多篇其他文獻後足以否定發明進步性之特別相關的文獻。

A：一般技術水準之參考文獻。

D：說明書已敘及之文獻。

E：申請在前、公開/公告在後之專利文獻。

O：公開使用、販賣或展覽相關之文件。

P：申請日與優先權日間公開之文獻。

L：其他基於引用之文獻。

完成日： 104年5月26日

Skechers EX1013-p. 1952
Skechers v Nike

關聯性代碼	引用文獻資料與相關段落處	相關聯請求項
A	6. CN 202456755 U 2012/10/03 全文	1~35
A	7. GB 782562 1957/09/11 全文	1~35
A	8. DE 475363 1929/04/24 全文	1~35
A	9. US 2586045 1952/02/19 全文	1~35

關聯性代碼說明：

X：單獨引用時足以否定發明新穎性或進步性之特別相關的文獻。

Y：結合一或多篇其他文獻後足以否定發明進步性之特別相關的文獻。

A：一般性的技術之參考文獻。

D：說明書已敘述之文獻。

E：申請在前、公開/公告在後之專利文獻。

O：公開使用、販賣或展覽相關之文件。

P：申請日與優先權日間公開之文獻。

L：其他理由引用之文獻。

完成日：104年5月26日

DECISION OF THE INTELLECTUAL PROPERTY OFFICE

(Translation)

Issuance Date: 21 September 2015

IPC: A43B 15/00 (2006.01) A43B 19/00 (2006.01) A43B 23/00 (2006.01)

I. Application No.:102142337

II. Title: FOOTWEAR UPPER INCORPORATING A KNITTED COMPONENT WITH COLLAR AND THROAT PORTIONS

III. Applicant: NIKE INNOVATE C.V.

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V. Filing Date: 20 November 2013

VI. Priority Claim: 2012/11/20;U.S.;13/681,842

VII. Examiner: Wang, Jian-Fu

VIII. Contents of Decision:

SUBJECT: The subject application shall not be granted.

BASIS: Article 46 of the Patent Act.

REASONS:

(A) The Intellectual Property Office (IPO) issued an office action on 24 April 2015 with reasons for objection and requested the applicant to submit a response and amendment. The applicant submitted a response and amendment to the IPO on 24 July 2015. It is found that the amendment includes amending Claim 1 to include the content of original Claims 1 and 2. The amendment does not go beyond the disclosure of the specification, claims and drawings submitted at the time of filing. The subject application was examined on the basis of the amendment and the documents as filed.

(B) The subject application, entitled "FOOTWEAR UPPER INCORPORATING A KNITTED COMPONENT WITH COLLAR AND THROAT PORTIONS," includes 34 claims. Claims 1, 10, 19, 22, 26 and 32 are independent claims and the rest are dependent claims. The response brief submits comparison and

explanation arguments based on the reasons given in the office action and emphasizes that the subject application meets patentable requirements. After examination, however, the examiner still considers that Claims 1-24 fail to comply with the patentable requirements.

(C) Claims 10, 12-13, 15, 17 and 22 violate Paragraph 2, Article 22 of Patent Act in view of Citation 1. Claims 1-3, 8, 11, 19-20, 23, 26-28 and 31 violate Paragraph 2, Article 22 of Patent Act in view of Citations 1 and 2. Claims 14 and 16 violate Paragraph 2, Article 22 of Patent Act in view of Citations 1 and 3. Claim 18 violates Paragraph 2, Article 22 of Patent Act in view of Citations 1 and 5. Claims 32 and 33 violate Paragraph 2, Article 22 of Patent Act in view of Citations 2 and 3. Claims 4-6, 21, 24-25, 29-30 and 34 violate Paragraph 2, Article 22 of Patent Act in view of Citations 1, 2 and 3. Claim 7 violate Paragraph 2, Article 22 of Patent Act in view of Citations 1, 2 and 4. Claim 9 violate Paragraph 2, Article 22 of Patent Act in view of Citations 1, 2 and 5.

(1) Claim 1

The response emphasizes that amended Claim 1 has an inventive step over Citation 1. In particular, the outer layer 61 of Figs. 19 and 21A of Citation 1 only forms a portion of the outer surface of the collar-throat element 60.

After examination, the examiner considers that the knitted component 64 disclosed in Fig. 21A of Citation 1 is a combined knitting structure of outer layer 61 and inner layer 62. The first knit layer and the second knit layer disclosed in Claim 1 of the subject application can be derived from the outer layer 61 and inner layer 62 of Citation 1.

Figs. 18, 23 and 25 and paragraph [0078] of Citation 1 and Figs. 1 and 2 and column 2, lines 53-57 and column 2, lines 66-69 of Citation 2 disclose an article of footwear having an upper [Citation 1: upper element 30; Fig. 18] and a sole structure [Citation 1: sole structure 20; Fig. 18] secured to the upper, the upper comprising: a knitted component [Citation 1: element 70; Fig. 23] formed of unitary knit construction and including a collar portion and a throat portion [Citation 1: collar-throat element (60); Fig. 18; paragraph [0078], lines 1-8], the collar portion having a cylindrical configuration defining an ankle opening [Citation 2: Figs. 1 and 2; column 2, lines 66-69], and the throat portion extending outward from the collar portion and through at least a portion of a length of a throat area of the upper [Citation 1; Fig. 18], the collar portion and the throat portion forming (a) a first area of an exterior surface of the upper [Citation 1: Fig. 23; the element has an exterior surface] and (b) a first area of an interior surface of the upper [Citation 1: Fig. 23; the element has an interior surface opposite to the exterior surface]; and a cover component [Citation 1: layer (31); Fig. 25] secured to the knitted component and extending between the knitted component and the sole structure [Citation 1: Fig. 25], the cover component forming (a) a second area of the exterior surface of the upper [Citation 1: Fig. 25; the layer 31 has an exterior surface toward the outside] and (b) a

second area of the interior surface of the upper [Citation 1: Fig. 25; the layer (31) has an interior surface which is toward the inside and connects to the layer (32)].

Further, Figs. 19 and 21A of Citation 1 disclose that the knitted component includes a first knit layer [Citation 1: outer layer (61); Figs. 19 and 21A] and a second knit layer [Citation 1: inner layer 62; Figs. 19 and 21A], the first knit layer forming the first area of the exterior surface of the upper, and the second knit layer forming the second area of the exterior surface of the upper.

Thus, Claim 1 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(2) Claim 2

Fig. 21A of Citation 1 discloses that the first knit layer contacts and lies against the second knit layer [Citation 1: Fig. 21A]. Citation 1 discloses that the outer layer contacts and lies against the inner layer.

Thus, Claim 2 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(3) Claim 3

Fig. 21A of Citation 1 discloses that (a) peripheral areas of the first knit layer and the second knit layer are joined to each other [Citation 1: Fig. 21A; the peripheral areas of the outer layer and the inner layer are joined to each other] and (b) central areas of the first knit layer and the second knit layer are unjoined to each other [Citation 1: Fig. 21A; the central areas of the outer layer and the inner layer are unjoined to each other]. Citation 1 discloses the structures of the outer layer and the inner layer.

Thus, Claim 3 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(4) Claim 4

Fig. 3 and column 7, lines 34-36 of Citation 3 disclose that the knitted component [Citation 3: the instep section and the ankle section (43, 41); Fig. 3] further includes a heel portion extending outward from the collar portion and through at least a portion of a height of a heel region of the footwear [Citation 3: Fig. 3; column7, lines 34-46]. Citation 3 discloses that the instep section (corresponding to a portion of the knitted portion of the subject invention) includes a heel portion, wherein the heel portion extends outward from the collar portion and through at least a portion of a height of a heel region of the footwear.

Thus, Claim 4 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(5) Claim 5

Fig. 3 of Citation 3 discloses that the heel portion forms further areas of the exterior surface of the upper and the interior surface of the upper [Citation 3: Fig. 3]. Citation 3 discloses that the instep section forms the inner and outer surfaces of the upper.

Thus, Claim 5 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(6) Claim 6

Column 8, line 55 to column 9, line 4 of Citation 3 disclose that the knitted component includes separate regions having at least one of (a) different knit structures and (b) different yarns [Citation 3: column 8, line 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics.

Thus, Claim 6 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(7) Claim 7

Line 21, page 43, to line 2, page 44 and lines 14-16, page 57 of the (Chinese) specification of Citation 4 disclose that a least a portion of the knitted component [Citation 4: page 57, lines 14-16; an elastic circular knitted fabric having a three-dimensional structure is suitably used for upper materials for shoes] has a rib knit structure [Citation 4: page 43, line 21 to page 44, line 2]. Citation 4 discloses that the elastic knitted fabric has a rib knit structure.

Thus, Claim 7 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1, 2 and 4 with minor modifications.

(8) Claim 8

Fig. 23 of Citation 1 discloses that a lace extends across the throat area and contacts the first area of the exterior surface of the upper [Citation 1: Fig. 23; the element (70) has a plurality apertures and the lace will extend through these apertures]. Citation 1 discloses that the element (70) has a plurality apertures and the lace will extend through these apertures. Therefore, the

lace should extend across the throat area when the lace extends through the element.

Thus, Claim 8 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(9) Claim 9

Figs. 1-4 and paragraphs [0008] and [0009] of Citation 5 disclose that the upper includes (a) a plurality of tensile strands [Citation 5: cage-shaped structure (1); Fig. 1] extending through a region between the knitted component [Citation 5: shoe cover (2); Fig. 1] and the sole structure and (b) a lace coupled to the tensile strands and extending across the throat area [Citation 5: paragraph [0008], lines 5-6]. Citation 5 discloses that the combined shoe has several the cage-shaped structures and the cage-shaped structure covers the sole and the upper of the shoe cover and has a plurality of apertures such that the cage-shaped structure could be secured to the foot of user by the lace. Therefore, the structure of Citation 5 is identical to the claimed invention.

Thus, Claim 9 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1, 2 and 5 with minor modifications.

(10) Claim 10

Citation 1 discloses in Figs. 19-19, 23 and 25 and paragraph [0078] an article of footwear having an upper [Citation 1: upper (30); Fig. 18] and a sole structure [Citation 1: sole structure (20); Fig. 18] secured to the upper, the upper comprising: a knitted component [Citation 1: element (70); Fig. 23; paragraph [0078], lines 1-8] including an outer knit layer [t Citation 1: outer layer (61); Figs. 18, 19 and 21A] and an inner knit layer [Citation 1: inner layer (62); Figs. 18, 19 and 21A; as described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] laying adjacent to each other, each of the outer knit layer and the inner knit layer extending around and forming a collar of the upper that defines an ankle opening of the upper [Citation 1: paragraph [0078], lines 1-8]; each of the outer knit layer and the inner knit layer extending through at least a portion of a length of a throat area of the upper, the outer knit layer forming a first area of an exterior surface of the upper [Citation 1: Fig. 23; the element has an exterior surface], and the inner knit layer forming a first area of an interior surface of the upper [Citation 1: Fig. 23; the element has an interior surface opposite to the exterior surface]; and a cover component [Citation 1: layer (31);Fig. 25] secured to the knitted component and extending between the knitted component [Citation 1: Fig. 25] and the sole structure, the cover component forming (a) a second area of the exterior surface of the upper [Citation 1: Fig. 25; the layer 31 has an exterior surface toward the outside] and (b) a second area of the interior surface of the upper

[Citation 1: Fig. 25; the layer (31) has an interior surface which is toward the inside and connects to the layer (32)]. Citation 1 discloses that the upper of the footwear article has a knitted component adjacent to the collar portion and the throat portion. The difference between Claim 10 and Citation 1 is that the collar portion of the element of Citation 1, which is adjacent to the ankle portion, is not a cylindrical knitted article. However, the collar portion having a cylindrical configuration is a common knowledge.

Thus, Claim 10 of the subject application can be easily derived by a person ordinarily skilled in the art from Citation 1 with minor modifications.

(11) Claim 11

Figs. 1 and 2 and column 2, lines 66-69 of Citation 2 disclose that the knitted component has a cylindrical configuration in the collar [Citation 2: Figs. 1 and 2; column 2, lines 66-69]. Citation 2 discloses that the collar portion of the upper, which is adjacent to the ankle portion, is a cylindrical knitted article.

Thus, Claim 11 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(12) Claim 12

Fig. 21A of Citation 1 discloses that the outer knit layer contacts and lies against the inner knit layer [Citation 1: Fig. 21A]. Citation 1 discloses that the outer layer contacts and lies against the inner layer.

Thus, Claim 12 of the subject application can be easily derived by a person ordinarily skilled in the art from Citation 1 with minor modifications.

(13) Claim 13

Fig. 21A of Citation 1 discloses that (a) peripheral areas of the outer knit layer and the inner knit layer are joined to each other [Citation 1: Fig. 21A; the peripheral areas of the outer layer and the inner layer are joined to each other] and (b) central areas of the outer knit layer and the inner knit layer are unjoined to each other [Citation 1: Fig. 21A; the central areas of the outer layer and the inner layer are unjoined to each other]. Citation 1 discloses the structures of the outer layer and the inner layer.

Thus, Claim 13 of the subject application can be easily derived by a person ordinarily skilled in the art from Citation 1 with minor modifications.

(14) Claim 14

Citation 3 of Fig. 3 discloses that each of the outer knit layer [Citation 3: Fig. 3; each knitted region of the upper has an outer knit layer toward the outside] and the inner knit layer [Citation 3: Fig. 3; each knitted region of the upper has an inner knit layer toward the inside] extend through a majority of a height of a heel region of the footwear [Citation 3: Fig. 3]. Citation 3 discloses the structures of the outer and inner knit layers within the heel region.

Thus, Claim 14 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 3 with minor modifications.

(15) Claim 15

Fig. 21A and paragraph [0076], lines 4-8 of Citation 1 disclose that the knitted component includes a seam where either (a) two sections of the outer knit layer are joined to each other or (b) two sections of the inner knit layer are joined to each other [Citation 1: Fig. 21A and paragraph [0076], lines 4-8]. Citation 1 discloses that the outer and inner layers of the collar-throat portion are jointed to each other in a seamless manner, and thus there is a seam at the junction.

Thus, Claim 15 of the subject application can be easily derived by a person ordinarily skilled in the art from Citation 1 with minor modifications.

(16) Claim 16

Citation 3 discloses in column 8, line 5 to column 9, line 4 that the outer knit layer includes separate regions having at least one of (a) different knit structures and (b) different yarns [Citation 3: column 8, line 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics.

Thus, Claim 16 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 3 with minor modifications.

(17) Claim 17

Fig. 23 of Citation 1 discloses that a lace extends repeatedly across the throat area and contacts the first knit layer [Citation 1: Fig. 23; the element (70) has a plurality apertures and the lace will extend through these apertures]. Citation 1 discloses that the element (70) has a plurality apertures and the lace will extend through these apertures. Therefore, the lace should extend across the throat area when the lace extends through the element.

Thus, Claim 17 of the subject application can be easily derived by a person ordinarily skilled in the art from Citation 1 with minor modifications.

(18) Claim 18

Figs. 1-4 and paragraphs [0008]-[0009] of Citation 5 disclose that the upper includes (a) a plurality of tensile strands [Citation 5: cage-shaped structure (1);Fig. 1] extending through a region between the knitted component [Citation 5: shoe cover (2); Fig. 1] and the sole structure [Citation 5: detachable sole structure (2); Fig. 1] and (b) a lace coupled to the tensile strands and extending repeatedly across the throat area [Citation 5: paragraph [0008], lines 5-6]. Citation 5 discloses that the combined shoe has several the cage-shaped structures and the cage-shaped structure covers the sole and the upper of the shoe cover and has a plurality of apertures such that the cage-shaped structure could be secured to the foot of user by the lace. Therefore, the structure of Citation 5 is identical to the claimed invention.

Thus, Claim 18 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1and 5 with minor modifications.

(19) Claim 19

Figs. 18, 19, 21A, 23 and 25 and paragraph [0078] of Citation 1 and Figs. 1 and 2 and column 2, lines 53-57 and column 2, lines 66-69 of Citation 2 disclose a knitted component [Citation 1: Fig. 23; element (70)] for an article of footwear, the knitted component comprising:

a collar portion having a cylindrical configuration [Citation 1: collar-throat element portion (60); Fig. 18; see paragraph [0078], lines 1-8];

a throat portion extending outward from the collar portion [Citation 1: collar-throat element portion (60); Fig. 18; paragraph [0078], lines 1-8];

a first knit layer [Citation 1: outer layer (61); Figs. 18, 19 and 21A; as described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] forming a first surface of the collar portion and the throat portion [Citation 1: Fig. 23; the element has a first surface at its outside]; and

a second knit layer [Citation 1: inner layer (62); Figs. 18, 19 and 21A; as described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] located adjacent to the first knit layer and forming an opposite second surface of the collar portion and the throat portion [Citation 1: Fig. 23; the element has a second surface at its inside],

peripheral areas of the first knit layer and the second knit layer being joined to each other [Citation 1: Fig. 21A; the peripheral areas of the outer layer and the inner layer are joined to each other], and central

areas of the first knit layer and the second knit layer being unjoined to each other[Citation 1: Fig. 21A; the central areas of the outer layer and the inner layer are unjoined to each other].

Citation 1 discloses that the upper of the footwear article has a knitted component adjacent to the collar portion and the throat portion and the knitted component has a layer (31, 32) at its underside, which can support knitted portion to form the upper. Citation 2 discloses that the collar portion of the upper, which is adjacent to the ankle portion, is a cylindrical knitted article.

Thus, Claim 19 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(20) Claim 20

Paragraph [0078] of Citation 1 discloses that the knitted component is formed of unitary knit construction [Citation 1: paragraph [0078]]. Citation 1 discloses that the throat-collar portion is formed of unitary knit construction.

Thus, Claim 20 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(21) Claim 21

Column 8, line 55 to column 9, line 4 of Citation 3 disclose that the knitted component includes separate regions having at least one of (a) different knit structures and (b) different yarns [Citation 3: column 8, line 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics.

Thus, Claim 21 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(22) Claim 22

Figs. 18-21A and 23 and paragraph [0078] of Citation 1 disclose a method for manufacturing an article of footwear, the method comprising:

utilizing a circular knitting process to form a knitted component by (a) knitting two substantially coextensive layers [Citation 1: paragraph [0078]; Figs. 19-21A and 23] and (b) joining peripheral areas of the layers to each other [Citation 1: paragraph [0078]; Figs. 19-21A and 23]; and

incorporating the knitted component into an upper of the article of footwear, the knitted component forming a collar of the upper [Citation 1: Figs. 18 and 23], and the knitted component extending through a majority of a length of a throat area of the upper [Citation 1: Figs. 18 and 23].

Citation 1 discloses that the upper has a knitted component adjacent to the throat portion and the collar portion. Citation 1 fails to disclose that the peripheral areas of the layers are joined to each other by utilizing a circular knitting process to form a knitted component. However, the knitted component of Citation 1 is formed by a circular knitting process of circular knitting machine. Therefore, the knitted components of Claim 22 and Citation 1 are identical to each other and formed by the same knitting machine.

Thus, Claim 22 of the subject application can be easily derived by a person ordinarily skilled in the art from Citation 1 with minor modifications.

(23) Claim 23

Column, lines 53-57 and lines 66-69 Citation 2 disclose that the step of utilizing the circular knitting process includes forming (a) a first portion of the knitted component to have a cylindrical configuration [Citation 2: Figs. 1 and 2 and column 2, lines 66-69 and lines 53-57] and (b) a second portion of the knitted component to extend outward from the first portion [Citation 2: Figs. 1 and 2 and column 2, lines 44-46]. Citation 2 discloses that a first portion of the knitted portion has a cylindrical configuration and a second portion of the knitted component extends outward from the first portion.

Thus, Claim 23 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(24) Claim 24

Figs. 1-4 and the abstract of Citation 3 disclose that the step of utilizing the circular knitting process further includes forming the first portion and the second portion from the two substantially coextensive knit layers [Citation 3: Figs. 1-4 and the abstract]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics. Therefore, to form the first and second portions by utilizing the circular knitting process is a common knowledge.

Thus, Claim 24 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(25) Claim 25

Figs. 1-4 and column 7, lines 23-30 of Citation 3 disclose that the step of incorporating the knitted component includes locating (a) the first portion to form the collar [Citation 3: Figs. 1-4; column 7, lines 23-30] and (b) the second portion to extend into the throat area [Citation 3: Figs. 1-4; column 7, lines 23-30]. Citation 3 discloses that each area of the upper could be knitted by the specific yarn and thus each area has the specific structure.

Thus, Claim 25 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(26) Claim 26

Figs. 18, 19, 21A, 23 and 25 and paragraph [0078] of Citation 1 and Figs. 1 and 2 and column 2, lines 53-57 and lines 66-69 of Citation 2 disclose a method for manufacturing an article of footwear, the method comprising:

> knitting a first layer [Citation 1: outer layer (61); Figs. 18, 19 and 21A; as described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] and a second layer [Citation 1: inner layer (62); Figs. 18, 19 and 21A; as described in paragraph [0078], the element (70) is a combination of tongue element (40) and collar-throat element (60)] that each form opposite surfaces of a collar portion and a throat portion [Citation 1: throat-collar portion (60); Fig. 18; paragraph [0078], lines 1-8] [Citation 2: Figs. 1 and 2; column 2, lines 66-69] of a knitted component [Citation 1: Fig. 23; element (70)], the collar portion having a cylindrical configuration [Citation 2: Figs. 1 and 2], and the throat portion extending outward from the collar portion [Citation 1: Figs. 18, 19 and 23]; and
>
> incorporating the knitted component into an upper of the article of footwear, the collar portion being located to form a collar of the upper and define an ankle opening [Citation 1: Figs. 18 and 23], the throat portion being located to extend through at least a portion of a length of a throat area of the upper [Citation 1: Figs. 18 and 23], the first layer being located to form a portion of an exterior surface of the upper [Citation 1: Figs. 18 and 23], and the second layer being located to form a portion of an interior surface of the upper [Citation 1: Figs. 18 and 23].

Citation 1 discloses that the upper has a knitted component adjacent to the throat portion and the collar portion and the first layer of the knitted component forms a portion of the exterior surface of the upper and the second layer of the knitted component forms a portion of the inner surface of the upper. Citation 2 discloses that the collar portion adjacent to the ankle portion is a cylindrical knitted article.

Thus, Claim 26 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(27) Claim 27

Citation 1 discloses in the abstract that the step of knitting includes utilizing a circular knitting process. Citation 1 discloses that the step of knitting includes utilizing a circular knitting process. Thus, Claim 27 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(28) Claim 28

Fig. 21A of Citation 1 discloses that the step of knitting includes joining peripheral areas of the first layer and the second layer [Citation 1: Fig. 21A]. Citation 1 discloses the structure of the peripheral of the first and second layers.

Thus, Claim 28 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(29) Claim 29

Fig. 3 and column 3, lines 34-36 of Citation 3 disclose that the step of knitting includes forming a heel portion extending outward from the collar portion, and the step of incorporating includes locating the heel portion in a heel region of the footwear [Citation 3: Fig. 3 and column 7, lines 34-46]. Citation 3 discloses that the instep section (corresponding to a portion of the knitted portion of the subject invention) includes a heel portion, wherein the heel portion extends outward from the collar portion and through at least a portion of a height of a heel region of the footwear.

Thus, Claim 29 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(30) Claim 30

Column 8, line 55 to column 9, line 4 of Citation 3 disclose that the step of knitting includes forming separate regions having at least one of (a) different knit structures and (b) different yarns [Citation 3: column 8, line 55 to column 9, line 4]. Citation 3 discloses that the different areas of the upper could be knitted by different yarns such that they have different physical characteristics.

Thus, Claim 30 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(31) Claim 31

Fig. 25 of Citation 1 discloses that the step of incorporating includes joining the knitted component to a cover component [Citation 1: layer (31); Fig. 25] extending between the knitted component and a sole structure of the article of footwear. Citation 1 discloses that the knitted component joins to a cover component extending between the knitted component and a sole structure of the article of footwear.

Thus, Claim 31 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1 and 2 with minor modifications.

(32) Claim 32

Figs. 1-4 and column 2, lines 53-57 and lines 66-69 of Citation 2 and Fig. 3 and column 8, lines 25-27 and column 9, lines 10-12 of Citation 3 disclose a method for manufacturing an article of footwear, the method comprising:

> knitting a tubular structure to have a cylindrical configuration with two knit layers [Citation 3: column 9, lines 10-12] [Citation 2: Figs. 1-4 and column 2, lines 53-57 and lines 66-69]; removing a knitted component from the tubular structure [Citation 3: column 8, lines 25-27] that includes a collar portion and a throat portion extending outward from the collar portion [Citation 3: instep portion (43); Fig. 3]; and
>
> incorporating the knitted component into an upper of the article of footwear [Citation 3: upper (40); Fig.3], the collar portion being located to form a collar of the upper and define an ankle opening [Citation 3: Fig. 3], the throat portion being located to extend through at least a portion of a length of a throat area of the upper [Citation 3: Fig. 3].

Citation 3 discloses the structures of the regions of the upper and these regions are formed by the circular knitting machine. Citation 3 fails to disclose that the knitted component could be removed from the tubular. However, the circular knitting machine has a cutting element which can cut the knitted article.

Thus, removing the knitted component from the tubular is a common knowledge. Further, Citation 2 discloses that the collar portion of the upper, which is adjacent to the ankle portion, is a cylindrical knitted article.

Thus, Claim 32 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 2 and 3 with minor modifications.

(33) Claim 33

Figs. 1-4 and the abstract of Citation 3 disclose that the step of knitting includes utilizing a circular knitting process. Citation 1 discloses the regions of the upper formed by utilizing a circular knitting process.

Thus, Claim 33 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 2 and 3 with minor modifications.

(34) Claim 34

Fig. 25 of Citation 1 discloses that the step of incorporating includes joining the knitted component to a cover component [Citation 1: layer (31); Fig. 25] extending between the knitted component and a sole structure of the article of footwear. Citation 1 discloses a cover component extending between the knitted component and a sole structure of the article of footwear.

Thus, Claim 34 of the subject application can be easily derived by a person ordinarily skilled in the art from Citations 1-3 with minor modifications.

(D) Cited documents:

Citation 1: US2011/0078921 A1
Citation 2: US277055
Citation 3: US6986269 B2
Citation 4: TWI228158
Citation 5: CN201536681 U

In view of the above, the subject application does not comply with Paragraph 2, Article 22 of the Patent Act and patent rights are not granted.

Sealed by

Wang Mei-Hua
Commissioner

Note: If dissatisfied with this decision, the applicant can file a petition for re-examination and a re-examination brief in duplicate with the IPO within two months of receipt of this decision at a government fee of NT$7,000 for the first ten claims to be re-examined and the first 50 pages of the application (the abstract, specification, claims and drawings); the applicant needs to pay a government fee of NT$800 for each additional claim and a government fee of NT$500 for each additional 50 pages.

正本

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八、審定內容：

智慧法律事務所 GA-18-02 SEP 23 2015 LEE AND LI ATTORNEYS-AT-LAW

Skechers EX1013-p.1968
Skechers v Nike

主文：本案應不予專利。

依據：專利法第46條。

理由：

(一)本局曾於104年4月24日以（104）智專一（六）05055字第10420529080號申請案審查意見通知函請申復、修正，申請人於104年7月24日提出申復及申請專利範圍修正，經查該修正為原請求項1、2合併為請求項1，另其他相關誤繕之修正，並未超出申請時說明書、申請專利範圍或圖式所揭露之範圍，本案依修正及申請時所送資料內容進行審查，合先敘明。

(二)本案「併入有含領部及喉部的編織組件之鞋面」，經查修正後請求項共計34項，其中第1、10、19、22、26、32為獨立項，其餘為附屬項。又本案申復理由書主要針對前開審查意見通知函之引證案做比對說明，稱本案具專利要件云云；惟經審酌後，本案請求項1~34仍有不符專利要件之情事，合先敘明。

(三)依據引證1的揭示內容，本案請求項10、12~13、15、17、22不符合專利法第22條第2項之規定；依據引證1~2的揭示內容，本案請求項1~3、8、11、19~20、23、26~28、31不符合專利法第22條第2項之規定；依據引證1、3的揭示內容，本案請求項14、16不符合專利法第22條第2項之規定；依據引證1、5的揭示內容，本案請求項18不符合專利法第22條第2項之規定；依據引證2~3的揭示內容，本案請求項32~33不符合專利法第22條第2項之規定；依據引證1~3的揭示內容，本案請求項4~6、21、24~25、29~30、34不符合專利法第22條第2項之規

Skechers EX1013-p. 1989
Skechers v Nike

定；依據引證1~2、4的揭示內容，本案請求項7不符合專利法第22條第2項之規定；依據引證1~2、5的揭示內容，本案請求項9不符合專利法第22條第2項之規定。

1、本案請求項1獨立項申復理由如下：引證1之圖19及21A外層61僅形成喉領部元件60之外表面之一部分，而內層62僅形成喉領部元件60之內表面之一部分。惟經審酌，引證1圖21A之編織組件64為外層61與內層62合併編織，而本發明之「第一編織層與第二編織層」為引證1之「外層61與內層62」的簡易轉用；本案請求項1，引證1圖式第18、23、25圖與說明書第[0078]段及引證2圖式第1~2圖與說明書第2欄第53~57行、第2欄第66~69行已揭露「一種鞋類物件，其具有一鞋面[引證1鞋面(圖18，30)]及緊固至該鞋面之一鞋底結構[引證1鞋底結構(圖18，20)]，該鞋面包括：一編織組件[引證1元件(圖23，70)]，其由單一編織構造形成且包含一領部及一喉部[引證1喉領部(圖18，60)；說明書第[0078]段第1~8行]，該領部具有界定一腳踝開口之一圓柱形組態[引證2如圖1~2所示；說明書第2欄第66~69行]，且該喉部自該領部向外延伸且延伸穿過該鞋面之一喉區域之一長度之至少一部分[引證1如圖18所示]，該領部及該喉部形成：(a)該鞋面之一外表面之一第一區域[引證1如圖23所示；該元件具有一外表面]；及(b)該鞋面之一內表面之一第一區域[引證1如圖23所示；該元件具有一相對該外表面之一內表面]；及一覆蓋組件[引證1層(圖25，31)]，其緊固至該編織組件且在該編織組件與該鞋底結構之間延伸[引證1如圖25所示]，該覆蓋組件形成：(a)

Skechers EX1013-p. 1970
Skechers v Nike

該鞋面之該外表面之一第二區域[引證1如圖25所示；該層(31)具有一朝向外側之外表面]；及(b)該鞋面之該內表面之一第二區域[引證1如圖25所示；該層(31)具有一朝向內側並相連該層(32)之內表面]」之技術內容，又引證1圖式第19、21A圖已揭露「其中該編織組件包含一第一編織層[引證1外層(圖19、21A，61)]及一第二編織層[引證1內層(圖21A，62)]，該第一編織層形成該鞋面之該外表面之該第一區域，且該第二編織層形成該鞋面之該內表面之該第一區域」之技術內容，故該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

2、本案請求項2，引證1圖式第21A圖已揭露「其中該第一編織層接觸且倚靠該第二編織層[引證1如圖21A所示]」之技術內容。其中引證1揭露該外層及該內層接觸且倚靠之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

3、本案請求項3，引證1圖式第21A圖已揭露「其中(a)該第一編織層及該第二編織層之周邊區域彼此接合[引證1如圖21A所示；該外層與該內層在周邊區域彼此接合]，且(b)該第一編織層及該第二編織層之中央區域彼此不接合[引證1如圖21A所示；該外層與該內層在中央區域彼此不接合]」之技術內容。其中引證1揭露該外層與該內層之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

Skechers EX1013-p. 1971
Skechers v Nike

4、本案請求項4，引證3圖式第3圖與說明書第7欄第34~36行已揭露「其中該編織組件[引證3腳背部分、腳踝部分(圖3，43、41)]進一步包含一腳後跟部分，該腳後跟部分自該領部向外延伸且延伸穿過該鞋子之一腳後跟區之一高度之至少一部分[引證3如圖3所示；說明書第7欄第34~36行]」之技術內容。其中引證3揭露該腳背部分(對應本案之編織組件之一部分) 包含一腳後跟部分，該腳後跟部分自該領部向外延伸且延伸穿過該鞋子之一腳後跟區之一高度之至少一部分之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

5、本案請求項5，引證3圖式第3圖已揭露「其中該腳後跟部分形成該鞋面之該外表面及該鞋面之該內表面之進一步區域[引證3如圖3所示]」之技術內容。其中引證3揭露該腳背部分形成為該鞋面之一外表面及一內表面之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

6、本案請求項6，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該編織組件包含若干單獨區，該等單獨區具有(a)不同編織結構及(b)不同紗線中之至少一者[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

Skechers EX1013-p. 1972
Skechers v Nike

7、本案請求項7，引證4說明書第43頁第21行~第44頁第2行、第57頁第14~16行已揭露「其中該編織組件[引證4說明書第57頁第14~16行；該立體構造之彈性圓織布料可使用於鞋靴之上面材]之至少一部分具有一羅紋編織結構[引證4說明書第43頁第21行~第44頁第2行]」之技術內容。其中引證4揭露該彈性圓織布料具有羅紋組織，並該彈性圓織布料更可使用在鞋材之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2、4揭示技術內容簡單變化而輕易完成本請求項之發明

8、本案請求項8，引證1圖式第23圖已揭露「其中一鞋帶延伸跨越該喉區域且接觸該鞋面之該外表面之該第一區域[引證1如圖23所示；該元件(70)具有複數個孔洞供該鞋帶穿設]」之技術內容。其中引證1揭露該元件(70)具有複數個孔洞供該鞋帶穿設，故可推知該鞋帶穿過該元件必然延伸跨越該喉區域之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

9、本案請求項9，引證5圖式第1~4圖與說明書第[0008]~[0009]段已揭露「其中該鞋面包含：(a)延伸穿過該編織組件[引證5鞋套(圖1，3)]與該鞋底結構[引證5可拆卸鞋底(圖1，2)]之間之一區之複數個成環線[引證5籠狀結構(圖1，1)]；及(b)耦合至該等成環線且延伸跨越該喉區域之一鞋帶[引證5說明書第[0008]段第5~6行]」之技術內容。其中引證5揭露該包括籠狀結構的組合鞋具有複數個籠狀結構，該籠狀結構從該鞋底包覆至該鞋套上方，並該籠狀結構具有複數個鞋帶孔供一

Skechers EX1013-p. 1973
Skechers v Nike

鞋帶將該籠狀結構固定在穿用者的腳上，該等結構與本案相同，故該發明所屬技術領域中具有通常知識者，自可依引證1~2、5揭示技術內容簡單變化而輕易完成本請求項之發明。

１０、本案請求項10，引證1圖式第18~19、23、25圖與說明書第[0078]段已揭露「一種鞋類物件，其具有一鞋面[引證1鞋面(圖18，30)]及緊固至該鞋面之一鞋底結構[引證1鞋底結構(圖18，20)]，該鞋面包括：一編織組件[引證1元件(圖23，70)；說明書第[0078]段第1~8行]，其包含彼此毗鄰而放置之一外編織層[引證1外層(圖18、19、21A，61)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]及一內編織層[引證1內層(圖18、19、21A，62)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]，該外編織層及該內編織層中之每一者圍繞該鞋面界定該鞋面之一腳踝開口之一領而延伸且形成該領[引證1說明書第[0078]段第1~8行]，且該外編織層及該內編織層中之每一者延伸穿過該鞋面之一喉區域之一長度之一至少一部分，該外編織層形成該鞋面之一外表面之一第一區域[引證1如圖23所示；該元件具有一外表面]，且該內編織層形成該鞋面之一內表面之一第一區域[引證1如圖23所示；該元件具有一相對該外表面之一內表面]；及一覆蓋組件[引證1層(圖25，31)]，其緊固至該編織組件且在該編織組件與該鞋底結構之間延伸[引證1如圖25所示]，該覆蓋組件形成：(a)該鞋面之該外表面之一第二區域[引證1如圖25所示；該層(31)具有

Skechers EX1013-p. 1974
Skechers v Nike

一朝向外側之外表面]；及(b)該鞋面之該內表面之一第二區域[引證1如圖25所示；該層(31)具有一朝向內側並相連該層(32)之內表面]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結構，引證1與本案之差異為引證1之元件在靠近腳踝部位之領部非為一圓柱形組態之針織物，然而在該領部區域針織為一圓柱形組態係為習知技術，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

１１、本案請求項11，引證2圖式第1~2圖與說明書第2欄第66~69行已揭露「其中該編織組件在該領中具有一圓柱形組態[引證2如圖1~2所示；說明書第2欄第66~69行]」之技術內容。其中引證2揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

１２、本案請求項12，引證1圖式第21A圖已揭露「其中該外編織層接觸且倚靠該內編織層[引證1如圖21A所示]」之技術內容。其中引證1揭露該外層及該內層接觸且倚靠之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

１３、本案請求項13，引證1圖式第21A圖已揭露「其中(a)該外編織層及該內編織層之周邊區域彼此接合[引證1如圖21A所示；該外層與該內層在周邊區域彼此接合]，且(b)該外編織層及該內編織層之中央區域彼此不接合[引

Skechers EX1013-p. 1975
Skechers v Nike

證1如圖21A所示；該外層與該內層在中央區域彼此不接合]」之技術內容。其中引證1揭露該外層與該內層之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

１４、本案請求項14，引證3圖式第3圖已揭露「其中該外編織層[引證3如圖3所示；該鞋面之各針織區域皆具有朝向外側之外編織層]及該內編織層[引證3如圖3所示；該鞋面之各針織區域皆具有朝向內側之內編織層]中之每一者延伸穿過該鞋子之一腳後跟區之一高度之大半部分[引證3如圖3所示]」之技術內容。其中引證3揭露該外編織層及該內編織層在該腳後跟區之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1、3揭示技術內容簡單變化而輕易完成本請求項之發明。

１５、本案請求項15，引證1圖式第21A圖與說明書第[0076]段第4~8行已揭露「其中該編織組件包含一縫，其中(a)該外編織層之兩個區段彼此接合，或(b)該內編織層之兩個區段彼此接合[引證1如圖21A所示；說明書第[0076]段第4~8行]」之技術內容。其中引證1揭露該喉領部之外層與內層係為無縫接合，即在接合處已有一縫之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

１６、本案請求項16，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該外編織層包含若干單獨區，該等單獨區具有(a)不同編織結構及(b)不同紗線中之至少一者

Skechers EX1013-p. 1976
Skechers v Nike

[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1、3揭示技術內容簡單變化而輕易完成本請求項之發明。

17、本案請求項17，引證1圖式第23圖已揭露「其中一鞋帶重複地延伸跨越該喉區域且接觸該第一編織層[引證1如圖23所示；該元件(70)具有複數個孔洞供該鞋帶穿設]」之技術內容。其中引證1揭露該元件(70)具有複數個孔洞供該鞋帶穿設，故可推知該鞋帶穿過該元件必然延伸跨越該喉區域之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

18、本案請求項18，引證5圖式第1~4圖與說明書第[0008]~[0009]段已揭露「其中該鞋面包含：(a)延伸穿過該編織組件[引證5鞋套(圖1，3)]與該鞋底結構[引證5可拆卸鞋底(圖1，2)]之間之一區域之複數個成環線[引證5籠狀結構(圖1，1)]；及(b)耦合至該等成環線且重複地延伸跨越該喉區域之一鞋帶[引證5說明書第[0008]段第5~6行]」之技術內容。其中引證5揭露該包括籠狀結構的組合鞋具有複數個籠狀結構，該籠狀結構從該鞋底包覆至該鞋套上方，並該籠狀結構具有複數個鞋帶孔供一鞋帶將該籠狀結構固定在穿用者的腳上，該等結構與本案相同，該發明所屬技術領域中具有通常知識者，自可依引證1、5揭示技術內容簡單變化而輕易完成本請求項之發明。

Skechers EX1013-p. 1977
Skechers v Nike

１９、本案請求項19，引證1圖式第18~19、21A、23、25圖與說明書第[0078]段及引證2圖式第1~2圖與說明書第2欄第53~57行、第2欄第66~69行已揭露「一種用於一鞋類物件之編織組件[引證1元件(圖23，70)]，該編織組件包括：一領部，其具有一圓柱形組態[引證1喉領部(圖18，60)；說明書第[0078]段第1~8行][引證2如圖1~2所示；說明書第2欄第66~69行]；一喉部，其自該領部向外延伸[引證1喉領部(圖18，60)；說明書第[0078]段第1~8行]；一第一編織層[引證1外層(圖19、21A，61)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]，其形成該領部及該喉部之一第一表面[引證1如圖23所示；該元件朝外側具有一第一表面]；及一第二編織層[引證1內層(圖21A，62)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]，其毗鄰於該第一編織層而定位且形成該領部及該喉部之一相對第二表面[引證1如圖23所示；該元件朝內側具有一第二表面]，該第一編織層及該第二編織層之周邊區域彼此接合[引證1如圖21A所示；該外層與該內層在周邊區域彼此接合]，且該第一編織層及該第二編織層之中央區域彼此不接合[引證1如圖21A所示；該外層與該內層在中央區域彼此不接合]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結構，並該編織組件下方具有一層(31、32)來支撐進而形成一鞋面，引證2則揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物，該發明所屬技術領域中具有通常知識者，自可依引證1~2

Skechers EX1013-p. 1978
Skechers v Nike

揭示技術內容簡單變化而輕易完成本請求項之發明。

２０、本案請求項20，引證1說明書第[0078]段已揭露「其中該編織組件由單一編織構造形成[引證1說明書第[0078]段]」之技術內容。其中引證1揭露該喉領部為單一編織構造形成之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２１、本案請求項21，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該編織組件包含若干單獨區，該等區具有(a)不同編織結構及(b)不同紗線中之至少一者[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

２２、本案請求項22，引證1圖式第18~21A、23圖與說明書第[0078]段已揭露「一種用於製造一鞋類物件之方法，該方法包括：利用一圓編程序來藉由以下操作形成一編織組件：(a)編織兩個實質上共延伸之層[引證1說明書第[0078]段；圖19~21A、23]；及(b)將該等層之周邊區域彼此接合[引證1說明書第[0078]段；圖19~21A、23]；及將該編織組件併入至該鞋類物件之一鞋面中，該編織組件形成該鞋面之一領[引證1如圖18、23所示]，且該編織組件延伸穿過該鞋面之一喉區域之一長度之大半部分[引證1如圖18、23所示]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為

Skechers EX1013-p. 1979
Skechers v Nike

一編織組件之結構，引證1雖無揭露該等層之周邊區域彼此接合係透過一圓編程序達成該些編織組件，然而引證1之編織組件係為使用圓編機針織之圓編程序而成，兩者使用相同之針織機完成相同之編織組件，故實質上為相同技術，該發明所屬技術領域中具有通常知識者，自可依引證1揭示技術內容簡單變化而輕易完成本請求項之發明。

２３、本案請求項23，引證2說明書第2欄第53~57行、第2欄第66~69行已揭露「其中利用該圓編程序之步驟包含：形成(a)該編織組件之一第一部分以具有一圓柱形組態[引證2如圖1~2所示；說明書第2欄第66~69行、第2欄第53~57行]；及(b)該編織組件之一第二部分以自該第一部分向外延伸[引證2如圖1~2所示；說明書第2欄第44~46行]」之技術內容。其中引證2揭露該編織組件之一第一部分以具有一圓柱形組態，而該編織組件之第二部分以自該第一部分向外延伸之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２４、本案請求項24，引證3圖式第1~4圖與摘要已揭露「其中利用該圓編程序之該步驟進一步包含：自該兩個實質上共延伸之編織層形成該第一部分及該第二部分[引證3如圖1~4所示；摘要全文]」之技術內容。其中引證3揭露利用一圓編程序針織鞋面之各個區域，該些各個區域因著不同紗線而具有不同物理性質，故可得知可利用該圓編程序針織編織層形成該第一部分及該第二部分之特徵係為習知技術，該發明所屬技術領域中具有通常知識

Skechers EX1013-p.1980
Skechers v Nike

者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

２５、本案請求項25，引證3圖式第1~4圖與說明書第7欄第23~30行已揭露「其中併入該編織組件之步驟包含：定位(a)該第一部分以形成該領[引證3如圖1~4所示；說明書第7欄第23~30行]；及(b)定位該第二部分以延伸至該喉區域中[引證3如圖1~4所示；說明書第7欄第23~30行]」之技術內容。其中引證3揭露該鞋面之各個區域從特定的紗線編織，形成具有特定的針織結構之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

２６、本案請求項26，引證1圖式第18~19、21A、23、25圖與說明書第[0078]段及引證2圖式第1~2圖與說明書第2欄第53~57行、第2欄第66~69行已揭露「一種用於製造一鞋類物件之方法，該方法包括：編織各自形成一編織組件[引證1元件(圖23，70)]之一領部及一喉部[引證1喉領部(圖18，60)；說明書第[0078]段第1~8行][引證2如圖1~2所示；說明書第2欄第66~69行]之相對表面之一第一層[引證1外層(圖19、21A，61)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]及一第二層[引證1內層(圖19、21A，62)；說明書第[0078]段，該元件(70)係為鞋舌元件(40)和喉領部(60)的組合]，該領部具有一圓柱形組態[引證2如圖1~2所示]，且該喉部自該領部向外延伸[引證1如圖18、19、23所示]；及將該編織組件併入至該鞋類物件之一鞋面中，該領部經定位以形成該鞋面之一領且界定一腳

Skechers EX1013-p. 1981
Skechers v Nike

踝開口[引證1如圖18、23所示]，該喉部經定位以延伸穿過該鞋面之一喉區域之一長度之至少一部分[引證1如圖18、23所示]，該第一層經定位以形成該鞋面之一外表面之一部分[引證1如圖18、23所示]，且該第二層經定位以形成該鞋面之一內表面之一部分[引證1如圖18、23所示]」之技術內容。其中引證1揭露該鞋之鞋面在接近喉部與領部之處係為一編織組件之結構，並該編織組件之第一層形成該鞋面之外表面的一部分，且該第二層形成該鞋面之內表面的一部分，引證2則揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２７、本案請求項27，引證1摘要「其中該編織步驟包含：利用一圓編程序」之技術內容。其中引證1揭露該編織步驟包含：利用一圓編程序之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２８、本案請求項28，引證1圖示第21A圖已揭露「其中該編織步驟包含：接合該第一層及該第二層之周邊區域[引證1如圖21A所示]」之技術內容。其中引證1揭露該第一層及該第二層之周邊區域之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

２９、本案請求項29，引證3圖式第3圖與說明書第7欄第34~36行已揭露「其中該編織步驟包含：形成自該領部向外延伸之一腳後跟部分，且該併入步驟包含在該鞋子

Skechers Ex1013 p. 1982
Skechers v Nike

之一腳後跟區中定位該腳後跟部分[引證3如圖3所示；說明書第7欄第34~36行]」之技術內容。其中引證3揭露該腳背部分(對應本案之編織組件之一部分) 包含一腳後跟部分，該腳後跟部分自該領部向外延伸且延伸穿過該鞋子之一腳後跟區之一高度之至少一部分之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３０、本案請求項30，引證3說明書第8欄第55行~第9欄第4行已揭露「其中該編織步驟包含：形成具有(a)不同編織結構及(b)不同紗線中之至少一者之單獨區[引證3說明書第8欄第55行~第9欄第4行]」之技術內容。其中引證3揭露該鞋面之不同區域可由不同紗線去針織達到不同物理性質之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３１、本案請求項31，引證1圖式第25圖已揭露「其中該併入步驟包含：將該編織組件接合至在該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件[引證1層(圖25，31)]；如圖25所示」之技術內容。其中引證1揭露該編織組件接合至在該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件之特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~2揭示技術內容簡單變化而輕易完成本請求項之發明。

３２、本案請求項32，引證2圖式第1~4圖與說明書第2欄第53~57行、第2欄第66~69行及引證3圖式第3圖與說明書第8欄第25~27行、第9欄第10~12行已揭露「一種用於製

Skechers EX1013-p. 1983
Skechers v Nike

造一鞋類物件之方法，該方法包括：編織一管狀結構以具有含兩個編織層之一圓柱形組態[引證3說明書第9欄第10~12行][引證2如圖1~4所示；說明書第2欄第53~57行、第2欄第66~69行]；自該管狀結構移除一編織組件[引證3說明書第8欄第25~27行]，該編織組件包含一領部及自該領部相外延伸之一喉部[引證3腳背部分(圖3，43)]；及將該編織組件併入至該鞋類物件之一鞋面中[引證3鞋面(圖3，40)]，該領部經定位以形成該鞋面之一領且界定一腳踝開口[引證3如圖3所示]，該喉部經定位以延伸穿過該鞋面之一喉區域之一長度之至少一部分[引證3如圖3所示]」之技術內容。其中引證3揭露該鞋面之各個區域之結構特徵，並該鞋面之各個區域皆為由一圓編機所針織而成，引證3雖無揭露自該管狀結構移除一編織組件，然而該圓編機具有一切斷器，能將針織出的針織物加以切邊、切斷成形，故其該手段其僅為習知技術，並結合引證2揭露該鞋面靠近腳踝部位之領部係為一圓柱形組態之針織物，故該發明所屬技術領域中具有通常知識者，自可依引證2~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３３、本案請求項33，引證3圖式第1~4圖與摘要已揭露「其中該編織步驟包含：利用一圓編程序[引證3如圖1~4所示；摘要全文]」之技術內容。其中引證1揭露利用一圓編程序針織鞋面之各個區域之特徵，該發明所屬技術領域中具有通常知識者，自可依引證2~3揭示技術內容簡單變化而輕易完成本請求項之發明。

３４、本案請求項34，引證1圖式第25圖已揭露「其中該併

Skechers EX1013-p. 1984
Skechers v Nike

入步驟包含：接合該編織組件與在該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件[引證1層(圖25，31)]」之技術內容。其中引證1揭露該編織組件與該鞋類物件之一鞋底結構之間延伸之一覆蓋組件之結構特徵，該發明所屬技術領域中具有通常知識者，自可依引證1~3揭示技術內容簡單變化而輕易完成本請求項之發明。

(四)引證文件：

1、US 2011/0078921A1。

2、US 2770055。

3、US 6986269B2。

4、TW I228158。

5、CN 201536681U。

據上論結，本案因違反專利法第22條第2項之規定，爰依專利法第46條，審定如主文。

局長 王美花

依照分層負責規定
授權單位主管決行

如不服本審定，得於審定書送達後2個月內，備具再審查理由書一式2份及規費新臺幣7000元整(請求項合計10項以上者，每項加收新臺幣800元；摘要、說明書、申請專利範圍及圖式

Skechers EX1013-p. 1985
Skechers v Nike

合計在50頁以上者，每50頁加收新臺幣500元，其不足50頁者，以50頁計)，向本局申請再審查。

Skechers EX1013-p. 1986
Skechers v Nike

OFFICE ACTION OF THE INTELLECTUAL PROPERTY OFFICE

(Translation)

Issuance Date: 26 December 2016

I. Applicant: NIKE INNOVATE C.V.

II. Attorney: C. V. Chen
Address: 7th Floor, No. 201, Tun Hua North Road, Taipei

SUMMARY:

After examination, the Intellectual Property Office (IPO) considers that ROC (Taiwan) Patent Application No. 105111914 has the defects indicated in EXPLANATION (A) below. The applicant is required to file a response in duplicate within three months from the day after receipt of this office action if any substantive counter-evidence or arguments are to be presented. If the applicant fails to act according to this office action by the deadline, the IPO will proceed with the examination based solely upon the materials on hand.

EXPLANATION:

(A) Upon examination, the IPO notes the following:

(I) The subject application, entitled "ARTICLE OF FOOTWEAR INCORPORATING A KNITTED COMPONENT HAVING FLOATED PORTIONS," was examined based on the documents submitted by the applicant at the time of filing. The subject application has 21 claims. Claims 1, 14 and 20 are independent claims and the rest are dependent ones.

(II) Claims 1-13 violate Paragraph 2, Article 22 of the Patent Act in view of Citation 1 and Citation 2.

(1) Claim 1

Citation 1 has already disclosed an article of footwear [Fig. 1; element (100)] having an upper and a sole structure [Fig. 1; elements (120, 110)] secured to the upper, the upper incorporating a knitted component [Fig. 1; element 130], the knitted component comprising:

a first course [Fig. 5; element (131)] extending from a first area of the knitted component to a second area [Fig. 5; element (133) extending to element (135)] of the knitted component along a first knitting direction, the first course including a first loop and a second loop [Fig. 8A; element (131): left end loop and right end loop], the first loop and the second loop being separated by a plurality of loops [Fig. 8A; element (131): a loop between left end loop and right end loop], and

a second course [Fig. 5; element (132)] extending from the first area to the second area [Fig. 5; element (133) extending to element (135)], the second course including a first tuck stitch and a second tuck stitch, the first tuck stitch interacting with the first loop, the second tuck stitch interacting with the second loop [Fig. 23; loop (211) shown by the bold line interacting with loop (260)], the second course including a floated portion [Fig. 23; floated portion (211) shown by the bold line];
wherein the second course is configured to resist stretch in at least a first portion of the upper [lines 12-18, page 10 of the Chinese specification].

Citation 2 has already disclosed that the second course including a first tuck stitch and a second tuck stitch [Fig. 17; element (1400), i.e., the upper tuck stitch and the lower tuck stitch], the first tuck stitch interacting with the first loop, the second tuck stitch interacting with the second loop [Fig. 23; element (1400) discloses: the upper tuck stitch interacting with the lower tuck stitch], the second course including a floated portion [Fig. 17; element (1400), i.e., the floated portion] extending from the first tuck stitch to the second tuck stitch [Fig. 17; element (1400) discloses: the upper tuck stitch extending to the lower tuck stitch], the floated portion extending over the plurality of loops of the first course [lines 11-26, page 34 of the Chinese specification].

Both Citation 1 and Citation 2 relate to the technical field of knitted components for an article of footwear. It follows that Claim 1 can be easily arrived at by a person ordinarily skilled in the art by combining the knitted component of Citation 1 with the knitted floated portion of Citation 2 and lacks an inventive step.

(2) Claim 2

Citation 1 has already disclosed that the first course is formed of a first material and the second course is formed of a second material, the second material having a higher tensile strength than the first material [lines 11-18, page 10 of the Chinese specification].

Therefore, Claim 2 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(3) Claim 3

Citation 2 has already disclosed that the floated portion extends over at least ten loops of the first course [Fig. 17; element (1400), i.e., the floated portion; lines 11-26, page 34 of the Chinese specification; the spaced part features].

Therefore, Claim 3 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(4) Claim 4

Citation 1 has already disclosed that the first area is located on a lateral side of the knitted component and the second area is located on a medial side of the knitted component [Fig. 5; elements (133, 135)].

Therefore, Claim 4 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(5) Claim 5

Citation 2 has already disclosed that the second course further includes a third tuck stitch [Fig. 17; element (1400), i.e., the tuck stitch], the third tuck stitch being located between the second tuck stitch and the sole structure, the third stitch interacting with one of the plurality of loops [Fig. 17; element (1400); the tuck stitch interacting with the corresponding loop].

Therefore, Claim 5 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(6) Claim 6

Citation 2 has already disclosed that the third tuck stitch is located in a central region of the knitted component [Fig. 17; element (1400); the tuck stitch is positioned in a central region].

Therefore, Claim 6 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(7) Claim 7

Citation 2 has already disclosed that the second course further includes a fourth tuck stitch [Fig. 17; element (1400), i.e., tuck stitch], the fourth tuck stitch being located between the third tuck stitch and the sole structure [Fig. 17; element (1400); the tuck stitch being located with respect to other tuck stitches and the sole structure], the fourth tuck stitch interacting with one of the plurality of loops [Fig. 17; element (1400), i.e., the tuck stitch interacting with the corresponding loop].

Therefore, Claim 7 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(8) Claim 8

Citation 2 has already disclosed that the fourth stitch is located adjacent the sole structure [Fig. 17; element (1400); the tuck stitch being located adjacent the sole structure].

Therefore, Claim 8 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(9) Claim 9

Citation 2 has already disclosed that the second course includes a plurality of loops between the second tuck stitch and the third tuck stitch [Fig. 17; element (1400); see the tuck stitch], the plurality of loops of the second course interacting with the plurality of loops of the first course [Fig. 17; element (1400); the tuck stitch interacting with the corresponding loop].

Therefore, Claim 9 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(10) Claim 10

Citation 1 has already disclosed that the first tuck stitch is located adjacent to the sole structure [Fig. 5; elements (132, 133) and Fig. 23; element (211) disclose: the tuck stitch shown by the bold line being located adjacent to the sole structure].

Therefore, Claim 10 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(11) Claim 11

Citation 1 has already disclosed that the second tuck stitch is located adjacent to the sole structure [Fig. 5; elements (132, 133) and Fig. 23; element (211) disclose: the tuck stitch shown by the bold line being located adjacent to the sole structure].

Therefore, Claim 11 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(12) Claim 12

Citation 1 has already disclosed that the knitted component includes a first layer and a second layer [Fig. 8B; elements (138, 139)].

Therefore, Claim 12 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(13) Claim 13

Citation 2 has already disclosed that the second course incorporates a cross tuck that extends between the first layer and the second layer [Fig. 17; element (1403), i.e., the cross tuck].

Therefore, Claim 13 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(III) Claims 14-19 violate Paragraph 2, Article 22 of the Patent Act in view of Citation 1 and Citation 2.

(1) Claim 14

Citation 1 has already disclosed an article of footwear [Fig. 1; element (100)] having an upper and a sole structure [Fig. 1; elements (120, 110)] secured to the upper, the upper incorporating a knitted component [Fig. 1; element 130], the knitted component comprising:

> a stretch resistant area [Fig. 5; element (132)] formed of a plurality of courses [line 20, page 8 to line 3, page 9 of the Chinese specification], at least a first course incorporating a floated portion [Fig. 23; floated portion (211) shown by the bold line];

Citation 2 has already disclosed:

> at least a first course incorporating a floated portion [Fig. 17; element (1400), i.e., the floated portion];
>
> a first loop [Fig. 17; element (1400), i.e., the tuck stitch] being located at a first end of the floated portion [Fig. 17; element (1400), i.e., an end of the floated portion of the tuck stitch], a second loop [Fig. 17; element (1400), i.e., the tuck stitch] being located at a second end of the floated portion [Fig. 17; element (1400), i.e., an end of the floated portion of the tuck stitch].

Both Citation 1 and Citation 2 relate to the technical field of knitted components for an article of footwear. It follows that Claim 14 can be easily arrived at by a person ordinarily skilled in the art by combining the knitted component of Citation 1 with the knitted floated portion of Citation 2 and lacks an inventive step.

(2) Claim 15

Citation 1 has already disclosed that the first loop of the first course interacts with a third loop of a second course and the second loop interacts with a fourth loop of the second course [Fig. 23; loop (211) shown by the bold line interacting with loop (260)].

Therefore, Claim 15 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(3) Claim 16

Citation 2 has already disclosed that the first loop is a tuck loop [Fig. 17; element (1400), i.e., the tuck stitch].

Therefore, Claim 16 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(4) Claim 17

Citation 1 has already disclosed that the stretch resistant area extends from a sole structure to an instep area [Fig. 5; element (133) extending to element (135)].

Therefore, Claim 17 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(5) Claim 18

Citation 1 has already disclosed that a second area is located adjacent to the stretch resistant area, the second area stretching a greater distance that the stretch resistant area when subjected to the same magnitude of force [lines 19-25, page 10 of the Chinese specification].

Therefore, Claim 18 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(6) Claim 19

Citation 1 has already disclosed that a third course is located in the stretch resistant area [the courses in Fig. 5]. Further, Citation 2 has already disclosed that the third course including a fifth loop [Fig. 17; element (1400); see the tuck stitch], the first loop being located at a first wale position and the fifth loop being located at a second wale position, the first wale position being different than the second wale position [Fig. 17; element (1400); the wales are at different positions].

Therefore, Claim 19 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(IV) Claims 20 and 21 violate Paragraph 2, Article 22 of the Patent Act in view of Citation 1 and Citation 2.

(1) Claim 20

Citation 1 has already disclosed a method of making an article of footwear having an upper and a sole structure secured to the upper [line 7, page 6 to line 9, page 8 of the Chinese specification], the upper incorporating a knitted component [Fig. 5; element (130)], the knitted component formed by:

knitting a first course [Fig. 5; element (131)] from a first area [Fig. 5; element (133)] of the knitted component to a second area [Fig. 5; element (135)] of the knitted component along a first knitting direction, the first course including a first loop [Fig. 8A; element (131): left end loop] located in the first area and a second loop [Fig. 8A; element (131): right end loop] located in the second area, the first loop and the second loop being separated by a plurality of loops [Fig. 8A; element (131): a loop between left end loop and right end loop], and

knitting a second course from the first area to the second area [Fig. 5; element (132) and element (133) extending to element (135)], the second course including a first tuck stitch and a second tuck stitch, the first tuck stitch interacting with the first loop [Fig. 23; loop (211) shown by the bold line interacting with loop (260)], the second tuck stitch interacting with the second loop, the second course including a floated portion [Fig. 23; floated portion (211) shown by the bold line];

wherein the second course is configured to resist stretch in at least a first area of the upper [lines 12-18, page 10 of the Chinese specification].

Further, Citation 2 has already disclosed that the second course including a first tuck stitch and a second tuck stitch [Fig. 17; element (1400), i.e., the upper tuck stitch and the lower tuck stitch], the first tuck stitch interacting with the first loop, the second tuck stitch interacting with the second loop [Fig. 23; element (1400) discloses: the upper tuck stitch interacting with the lower tuck stitch], the second course including a floated portion [Fig. 17; element (1400), i.e., the floated portion] extending from the first tuck stitch to the second tuck stitch [Fig. 17; element (1400) discloses: the upper tuck stitch extending to the lower tuck stitch], the floated portion extending over the plurality of loops of the first course [lines 11-26, page 34 of the Chinese specification].

Both Citation 1 and Citation 2 relate to the technical field of knitted components for an article of footwear. It follows that Claim 20 can be easily arrived at by a person ordinarily skilled in the art by combining the knitted component of Citation 1 with the knitted floated portion of Citation 2 and lacks an inventive step.

(2) Claim 21

Citation 1 has already disclosed further positioning the first tuck stitch adjacent to the sole structure and positioning the second tuck stitch adjacent to the sole structure [Fig. 5; elements (132, 133) and Fig. 23; element (211) disclose: the tuck stitch shown by the bold line being located adjacent to the sole structure].

Therefore, Claim 21 can be easily arrived at by a person ordinarily skilled in the art based on Citation 1 and Citation 2 and lacks an inventive step.

(V) Cited documents:

Citation 1: TW201402030A
Citation 2: TWM498500

(B) If any amendments and/or corrections are to be made to the subject application, such amendments and/or corrections should be made according to the provisions of Article 43 and Paragraph 3 of Article 44 of the Patent Act and Articles 36-38 of the Enforcement Rules of the Patent Act; the application form(s) should be completed according to the regulations for amending and/or correcting patent applications.

(C) If the applicant wishes to appear before the IPO for a face-to-face demonstration or explanation, please explicitly indicate "Interview Requested" in the response and effect payment of a government fee of NT$1,000. The time and place of the interview will be arranged if the IPO considers an interview necessary.

(D) Attached is a search report of the subject application.

SEARCH REPORT
ROC (TAIWAN) PATENT APPLICATION NO. 105111914
(Translation)

1. FILING DATE: 15 April 2016		
2. PRIORITY DATE: 16 April 2015		
3. INTERNATIONAL PATENT CLASSIFICATION (IPC): A43B9/04 (2006.01), A43B9/06 (2006.01)		
4. TECHNICAL FIELDS SEARCHED (IPC): A43B (2006.01)		
5. DATABASE SEARCHED (KEY WORDS): TIPO patent database, Google Patents		
Category	Cited documents, indicating relevant passages (if applicable)	Relevant to Claim(s)
Y	1. TW 201402030 A 2014/01/16 Figs. 1, 5, 8A, 8B, 23 and line 7, page 6 to line 25, page 25 of the Chinese specification	1-21
Y	2. TW M498500 2015/04/11 Fig. 17; lines 11-26, page 34 of the Chinese specification	1-21
A	3. TW 201438615 A 2014/10/16 The entire document	1-21
A	4. US 2015/0059209 A1 2015/03/05 The entire document	1-21
A	5. CN 103653542 A 2014/03/26 The entire document	1-21
A	6. US 6277010 B1 2001/08/21 The entire document	1-21

CATEGORIES OF CITED DOCUMENTS

X: document of particular relevance, indicating lack of novelty or inventive step when taken alone

Y: document of particular relevance, indicating lack of inventive step when combined with one or more other documents of the same category

A: document indicating technological background and/or state of the art

D: document cited in the specification

E: patent document published on or after, but with priority date earlier than, the filing date of this application

O: document referring to a public use, sale or exhibition

P: document published on or after the declared priority date but before the filing date of this application

L: document cited for other reasons

DATE OF COMPLETION OF SEARCH: 23 December 2016

正本

檔　　號：
保存年限：

經濟部智慧財產局　審查意見通知函

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受文者：耐克創新有限合夥公司（代理人：陳長文　專利代理人）

發文日期：中華民國105年12月26日
發文字號：（105）智專二（二）04517字第10521585040號
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附　　件：如文

10521585040

主旨：第105111914號專利申請案經審查後認有如說明一所述情事，請於文到次日起3個月內提出申復說明(一式2份)或修正。逾期未提出者，將依現有資料續行審查，請查照。

說明：

一、本案經審查認為：

(一)本案「具有含浮起部之編織組件之鞋類物件」，依申請人申請時所送資料內容審查，其請求項共21項，其請求項1、14、20為獨立項，其餘為附屬項。

(二)依據引證1、2揭示內容，本案請求項1~13不符專利法第22條第2項之規定。

1、請求項1，引證1已揭露一種鞋類物件【圖1，100】，其具有一鞋面及固定至鞋面的一鞋底結構【圖1，120、110】，鞋面具有一編織組件【圖1，

經濟部智慧財產局 收文章

Skechers EX1013-p.1996
Skechers v Nike

簽收時間 105/12/28(2016/12/28) 10:14:47

130】，編織組件包括：一第一緯圈【圖5，131】，其沿一第一編織方向自編織組件之一第一區域延伸至編織組件之一第二區域【圖5，133延伸至135】，第一緯圈包含一第一環圈及一第二環圈【圖8A，131左端環圈、右端環圈】，第一環圈及第二環圈藉由複數個環圈分離【圖8A，131左端環圈與右端環圈之間環圈】，及一第二緯圈【圖5，132】，其自第一區域延伸至第二區域【圖5，133延伸至135】，第二緯圈包含一集圈針跡，集圈針跡與環圈串套【圖23，211黑線環圈串套260環圈】，第二緯圈包含一浮起部【圖23，211黑線浮起部】；其中第二緯圈經構形以在鞋面之至少一第一部分中抵抗伸展【說明書第10頁第12~18行】。另引證2已揭露第二緯圈包含一第一集圈針跡及一第二集圈針跡【圖17，1400上端集圈針跡、下端集圈針跡】，第一集圈針跡與第一環圈串套【圖17，1400上端集圈針跡串套上端環圈】，第二集圈針跡與第二環圈串套【圖17，1400下端集圈針跡串套下端環圈】，第二緯圈包含一浮起部【圖17，1400浮起部】，其自第一集圈針跡延伸至第二集圈針跡【圖17，1400上端集圈針跡延伸至下端集圈針跡】，浮起部在第一緯圈之複數個環圈上延伸【說明書第34頁第11~26行】；引證1、2同屬鞋類編織組件之技術領域，故本項發明為所屬技術領域中具有通常知識者組合引證1之編織組件、引證2之編織浮起部，而可輕易完成，不具進步性。

經濟部智慧財產局 收文章 公告
Skechers EX1013-p.1997
Skechers v Nike

2、請求項2，引證1已揭露其中第一緯圈由一第一材料形成且第二緯圈由一第二材料形成，第二材料具有比第一材料更高的一拉伸強度【說明書第10頁第11~18行】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

3、請求項3，引證2已揭露其中浮起部在第一緯圈之至少十個環圈上延伸【圖17，1400浮起部；說明書第34頁第11~26行；浮起部間隔設置】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

4、請求項4，引證1已揭露其中第一區域位於織組件之一外側上且第二區域位於編織組件之一內側上【圖5，133、135】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

5、請求項5，引證2已揭露其中第二緯圈進一步包含一第三集圈針跡【圖17，1400中集圈針跡】，第三集圈針跡位於第二集圈針跡與鞋底結構之間【圖17，1400集圈針跡對應其他集圈針跡與鞋底結構位置設置】，第三針跡與複數個環圈之一者串套【圖17，1400集圈針跡串套對應環圈】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

6、請求項6，引證2已揭露其中第三集圈針跡位於編織組件之一中心區中【圖17，1400集圈針跡位置設置，於中心區】。故本項發明為所屬技術領域中具

經濟部智慧財產局 收文章
Skechers EX1013-p 1998
Skechers v Nike

有通常知識者依引證1、2所能輕易完成，不具進步性。

7、請求項7，引證2已揭露其中第二緯圈進一步包含一第四集圈針跡【圖17，1400中集圈針跡】，第四集圈針跡位於第三集圈針跡與鞋底結構之間【圖17，1400集圈針跡對應其他集圈針跡與鞋底結構位置設置】，第四集圈針跡與複數個環圈之一者串套【圖17，1400集圈針跡串套對應環圈】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

8、請求項8，引證2已揭露其中第四針跡定位為與鞋底結構毗鄰【圖17，1400集圈針跡位置設置，於鞋底結構毗鄰】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

9、請求項9，引證2已揭露其中第二緯圈在第二集圈針跡與第三集圈針跡之間包含複數個環圈【圖17，1400中集圈針跡】，第二緯圈之複數個環圈與第一緯圈之複數個環圈串套【圖17，1400集圈針跡串套對應環圈】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

10、請求項10，引證1已揭露其中第一集圈針跡定位為與鞋底結構毗鄰【圖5，132、133、圖23，211黑，集圈針跡位置設置，於鞋底結構毗鄰】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

11、請求項11，引證1已揭露其中第二集圈針跡定位

經濟部智慧財產局 Skechers EX1013-p.1999 Skechers v Nike

為與鞋底結構毗鄰【圖5，132、133、圖23，211黑，集圈針跡位置設置，於鞋底結構毗鄰】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

１２、請求項12，引證1已揭露其中編織組件包含一第一層及一第二層【圖8B，138、139】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

１３、 請求項13，引證2已揭露其中第二緯圈具有一交叉集圈，交叉集圈在第一層與第二層之間延伸【圖17，1403交叉集圈】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

(三)依據引證1、2揭示內容，本案請求項14~19不符專利法第22條第2項之規定。

１、請求項14，引證1已揭露一種鞋類物件【圖1，100】，其具有一鞋面及固定至鞋面的一鞋底結構【圖1，120、110】，鞋面具有一編織組件【圖1，130】，編織組件包括：一抗伸展區域【圖1，132】，其由複數個緯圈形成【說明書第8頁第20行~第9頁第3行】，至少第一緯圈具有一浮起部【圖23，211黑線浮起部】。另引證2已揭露至少一第一緯圈具有一浮起部【圖17，1400浮起部】；一第一環圈【圖17，1400集圈針跡】，其位於浮起部之一第一端處【圖17，1400集圈針跡、浮起部一端】；一第二環圈【圖17，1400集圈針跡】，其位於浮起

經濟部智慧財產局 Skechers EX1013-p. 2000 Skechers v Nike

部之一第二端處【圖17，1400集圈針跡、浮起部一端】；引證1、2同屬鞋類編織組件之技術領域，故本項發明為所屬技術領域中具有通常知識者組合引證1之編織組件、引證2之編織浮起部，而可輕易完成，不具進步性。

2、請求項15，引證1已揭露其中第一緯圈之第一環圈與一第二緯圈之一第三環圈串套且第二環圈與第二緯圈之一第四環圈串套【圖23，211黑環圈與260串套】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

3、請求項16，引證2已揭露其中第一環圈為一集圈環圈【圖17，1400集圈環圈】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

4、請求項17，引證1已揭露其中抗伸展區域自一鞋底結構延伸至一腳背區域【圖5，133延伸至135】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

5、請求項18，引證1已揭露其中一第二區域定位為與抗伸展區域毗鄰，當經受相同量級之力時，第二區域比抗伸展區域伸展一更大距離【說明書第10頁第19~25行】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

6、請求項19，引證1已揭露其中一第三緯圈位於抗伸展區域中【圖5，132中緯圈】。另引證2已揭露第三緯圈包含一第五環圈【圖17，1400中集圈針

經濟部智慧財產局電子公文
Skechers EX1013-p. 2001
Skechers v Nike

跡】，第一環圈位於一第一經圈位置處且第五環圈位於一第二經圈位置處【圖17，1400集圈環圈】，第一經圈位置不同於第二經圈位置【圖17，1400中經圈點不同位置】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

(四)依據引證1、2揭示內容，本案請求項20~21不符專利法第22條第2項之規定。

1、請求項20，引證1已揭露一種使一鞋類物件具有一鞋面及固定至鞋面的一鞋底結構之方法【說明書第6頁第7行~第8頁第9行】，鞋面具有一編織組件【圖5，130】，編織組件藉由以下形成：沿一第一編織方向自編織組件之一第一區域至編織組件之一第二區域編織一第一緯圈【圖5，131】，第一緯圈包含：一第一環圈【圖8A，131左端環圈】，其位於第一區域中【圖5，133】；及一第二環圈【圖8A，131右端環圈】，其位於第二區域中【圖5，135】，第一環圈及第二環圈藉由複數個環圈分離【圖8A，131左端環圈與右端環圈之間環圈】，且自第一區域至第二區域編織一第二緯圈【圖5，132、133延伸至135】，第二緯圈包含一集圈針跡，集圈針跡與環圈串套【圖23，211黑線環圈串套260環圈】，第二緯圈包含一浮起部【圖23，211黑線浮起部】；其中第二緯圈經構形以在鞋面之至少一第一區域中抵抗伸展【說明書第10頁第12~18行】。另引證2已揭露第二緯圈包含一第一集圈針

經濟部智慧財產局 收文章
Skechers EX1013-p. 2002
Skechers v Nike

跡及一第二集圈針跡【圖17，1400上端集圈針跡、下端集圈針跡】，第一集圈針跡與第一環圈串套【圖17，1400上端集圈針跡串套上端環圈】，第二集圈針跡與第二環圈串套【圖17，1400下端集圈針跡串套下端環圈】，第二緯圈包含一浮起部【圖17，1400浮起部】，其自第一集圈針跡延伸至第二集圈針跡【圖17，1400上端集圈針跡延伸至下端集圈針跡】，浮起部在第一緯圈之複數個環圈上延伸【說明書第34頁第11~26行】；引證1、2同屬鞋類編織組件之技術領域，故本項發明為所屬技術領域中具有通常知識者組合引證1之編織組件、引證2之編織浮起部，而可輕易完成，不具進步性。。

2、請求項21，引證1已揭露其進一步包括將第一集圈針跡定位為與鞋底結構毗鄰且將第二集圈針跡定位為與鞋底結構毗鄰【圖5，132、133、圖23，211黑，集圈針跡位置設置，於鞋底結構毗鄰】。故本項發明為所屬技術領域中具有通常知識者依引證1、2所能輕易完成，不具進步性。

(五)引證文件：

1、TW 201402030 A。

2、TW M498500。

二、本案如有修正、訂正，應依專利法第43條、第44條第3項、專利法施行細則第36條至第38條之規定辦理，並請依專利修正申請書、專利誤譯訂正申請書之規定撰寫。

三、若需當面示範或說明者，請於申復理由內註明「申請面詢」並繳交規費新臺幣1千元，本局認為有必要時，將另

經濟部智慧財產局 收文章
Skechers EX1013-p. 2003
Skechers v Nike

行通知面詢地點及時間。

四、檢送本案檢索報告1份。

正本：耐克創新有限合夥公司（代理人：陳長文　專利代理人）

副本：



經濟部智慧財產局電子公文
Skechers EX1013-p. 2004
Skechers v Nike

附件

第105111914號專利申請案檢索報告

1.申 請 日： 105年4月15日

2.優先權日： 2015年4月16日

3.本案國際專利分類號(IPC)： ***A43B9/04*** (2006.01) ， ***A43B9/06*** (2006.01)

4.檢索國際專利分類號(IPC)範圍：

A43B (2006.01)

5.檢索使用資料庫名稱(關鍵詞)：

TIPO 國內外專利資料庫，Google Patents

關聯性代碼	引用文獻資料與相關段落處	相關聯請求項
Y	1. TW 201402030 A 2014/01/16 圖式第1、5、8A、8B、23；說明書第6頁第7行~第10頁第25行	1~21
Y	2. TW M498500 2015/04/11 圖式第17圖；說明書第34頁第11~26行	1~21
A	3. TW 201438615 A 2014/10/16 全文	1~21
A	4. US 2015/0059209 A1 2015/03/05 全文	1~21
A	5. CN 103653542 A 2014/03/26 全文	1~21
A	6. US 6277010 B1 2001/08/21 全文	1~21

關聯性代碼說明：

X：單獨引用即足以否定發明新穎性或進步性之特別相關的文獻。

Y：結合一或多篇其他文獻後足以否定發明進步性之特別相關的文獻。

A：一般技術水準之參考文獻。

D：說明書已記載之文獻。

E：申請在前、公開／公告在後之專利文獻。

O：公開使用、販賣或展覽陳列之文件。

P：申請日與優先權日間公開之文獻。

L：其他理由引用之文獻。

完成日： 105年12月23日

簽收時間 105/12/28(2016/12/28) 10:14:47

Skechers EX1013-p. 2005
Skechers v Nike

Electronic Patent Application Fee Transmittal

Application Number:	14087169
Filing Date:	22-Nov-2013
Title of Invention:	Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction
First Named Inventor/Applicant Name:	Bhupesh Dua
Filer:	Andrew A. Hufford/Kati Penovich
Attorney Docket Number:	06-0517US100/15571-26

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
		Total in USD ($)		**180**

Electronic Acknowledgement Receipt

EFS ID:	28824440
Application Number:	14087169
International Application Number:	
Confirmation Number:	5123
Title of Invention:	Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction
First Named Inventor/Applicant Name:	Bhupesh Dua
Customer Number:	133691
Filer:	Andrew A. Hufford/Kati Penovich
Filer Authorized By:	Andrew A. Hufford
Attorney Docket Number:	06-0517US100/15571-26
Receipt Date:	04-APR-2017
Filing Date:	22-NOV-2013
Time Stamp:	11:46:19
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$180
RAM confirmation Number	040417INTEFSW00009647231925
Deposit Account	
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	2017-04-04_IDS_15571-26_06-0517US100.pdf	177196 dce10591e27b25644ebd10f0ac9259ae66ecf93c	no	3
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
2	Foreign Reference	CN1925763A_with-English-Abstract.pdf	4615688 034bca9520e4f48852fe2bd4dab585bc9d14ab8c	no	35
Warnings:					
Information:					
3	Foreign Reference	CN201536681U_with-English-Abstract.pdf	468417 5b7080e3dcc03a7c0f175ca80fcf30a1ed5b07ff	no	10
Warnings:					
Information:					
4	Foreign Reference	CN103556384A_with-English-Translation.pdf	3959619 b00bae4f894df7f7910df232b317773d1a549bd1	no	27
Warnings:					
Information:					
5	Foreign Reference	DE475363C_Abstract-not-available.pdf	210604 fbb16ea0c40d3ec86165dbad2d1e1756c9f6192e	no	4
Warnings:					
Information:					
6	Foreign Reference	EP2805638A1.pdf	542496 0360a0fb0e6e92d246e7f1561f9b0bdd364bbc6c	no	11
Warnings:					

Information:					
7	Foreign Reference	GB12787.pdf	154152 c0a20bb881798577a89aa4a7f5fb16908b06d564	no	3
Warnings:					
Information:					
8	Foreign Reference	TW1228158B.pdf	3329283 2acea0a640234ffc582dbb155a2f7a9b8327675d	no	76
Warnings:					
Information:					
9	Foreign Reference	TW201402030A_with-English-Abstract.pdf	2378305 2bbf3bdc0f96c4b8ec5969a6c42ba089c9261604	no	121
Warnings:					
Information:					
10	Foreign Reference	TWM498500U_with-English-Abstract.pdf	1410997 2c957455a1b226baf219904cf8d61b0f24fe7322	no	67
Warnings:					
Information:					
11	Foreign Reference	WO2013_108506A1_with-English-Abstract.pdf	788023 26e235ea93ae9d6f2dafbf2bf0eda082a912d601	no	20
Warnings:					
Information:					
12	Foreign Reference	WO2013-126313A2.pdf	4315541 b1f5e40cd208ffa8e5aa088894677beae1c1d5fd	no	125
Warnings:					
Information:					
13	Foreign Reference	WO2014-050289A1_with-English-Abstract.pdf	1212572 9903d374aea58540d88817bf2cd8a3a87f91b04e	no	33
Warnings:					
Information:					

14	Non Patent Literature	CN201410768401-1_1OA_2016-Jan-26.pdf	8493112 152150c91b06cbbc5da5fecaae435b03b3d4a60f	no	21
Warnings:					
Information:					
15	Non Patent Literature	PCT-US13-70651_IPRP_2015-Jun-04.pdf	300210 f0685c57862a7aeb50f25c681203e45a30f72d8f	no	9
Warnings:					
Information:					
16	Non Patent Literature	PCT-US13-70651_ISR-and-WO_2014-Mar-27.pdf	1027764 c304c1cc13ff38a94525249daee90d996a005100	no	14
Warnings:					
Information:					
17	Non Patent Literature	PCT-US15-15340_ISR-and-WO_2015_Apr-28.pdf	854260 19d50498273015eb385ee6c46607b5c39d407ced	no	10
Warnings:					
Information:					
18	Non Patent Literature	PCT-US15-15343_2015-Jun-16.pdf	898087 d3c760063d577af299f8cef0242f4c53e8e9f284	no	11
Warnings:					
Information:					
19	Non Patent Literature	PCT-US15-15346_ISR-and-WO_2015-Apr-22.pdf	746585 32c23acd26c092d946cc086220a18afaab55e58a	no	10
Warnings:					
Information:					
20	Non Patent Literature	PCT-US16-26345_ISR-and-WO_2016-Oct-04.pdf	1093070 95b145521a25a42fc38915b42a8702ed337371d3	no	20
Warnings:					
Information:					

21	Non Patent Literature	CN2013800364497_OA_2015-Sep-25.pdf	360958 411bd853c67149322ea48cd8fc4a7957e9cc6f70	no	6
Warnings:					
Information:					
22	Non Patent Literature	EP13814673-3_OA_2015-Jun-30.pdf	104659 6fb1f7fdc420e8322bdbffaf69564a5175283f7d	no	2
Warnings:					
Information:					
23	Non Patent Literature	KR10-2014-7036252_OA_2016-Jan-21.pdf	551855 25fc20aaea8ccaebea9a36c939dc6b57431eb33c	no	11
Warnings:					
Information:					
24	Non Patent Literature	TW102142337_OA_2015-May-27.pdf	2596791 6f3fd68f8cfe7a9d2fff37f80b8b25087508bea4	no	36
Warnings:					
Information:					
25	Non Patent Literature	TW102142337_OA_2015-Sep-21.pdf	1848513 8894ca53d4451896c09ad87a8205c66adfe9727b	no	33
Warnings:					
Information:					
26	Non Patent Literature	TW105111914_OA_2016-Dec-26.pdf	13515170 06a786cf359d4ee9764a91113a6874cd5ef7f0c2	no	19
Warnings:					
Information:					
27	Fee Worksheet (SB06)	fee-info.pdf	30644 ad0f6cee74b62890d7c3a6769fb56f717ad83ebc	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	55984571	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

133691 7590 06/05/2017

NIKE, Inc./BGL
P.O. Box 10395
Chicago, IL 60610

EXAMINER
WORRELL JR, LARRY D

ART UNIT	PAPER NUMBER
3765	

DATE MAILED: 06/05/2017

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/087,169	11/22/2013	Bhupesh Dua	06-0517US100/15571-26	5123

TITLE OF INVENTION: Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	09/05/2017

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

133691 7590 06/05/2017
NIKE, Inc./BGL
P.O. Box 10395
Chicago, IL 60610

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/087,169	11/22/2013	Bhupesh Dua	06-0517US100/15571-26	5123

TITLE OF INVENTION: Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	09/05/2017

EXAMINER	ART UNIT	CLASS-SUBCLASS
WORRELL JR, LARRY D	3765	066-170000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. The following fee(s) are submitted:
- ❑ Issue Fee
- ❑ Publication Fee (No small entity discount permitted)
- ❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
- ❑ A check is enclosed.
- ❑ Payment by credit card. Form PTO-2038 is attached.
- ❑ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ❑ Applicant certifying micro entity status. See 37 CFR 1.29 — NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
- ❑ Applicant asserting small entity status. See 37 CFR 1.27 — NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
- ❑ Applicant changing to regular undiscounted fee status. — NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

Skechers EX1013-p. 2015
Skechers v Nike

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/087,169	11/22/2013	Bhupesh Dua	06-0517US100/15571-26	5123

133691 7590 06/05/2017

NIKE, Inc./BGL
P.O. Box 10395
Chicago, IL 60610

EXAMINER	
WORRELL JR, LARRY D	

ART UNIT	PAPER NUMBER
3765	

DATE MAILED: 06/05/2017

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 14/087,169	Applicant(s) DUA ET AL.	
	Examiner DANNY WORRELL	Art Unit 3765	AIA (First Inventor to File) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *amendment filed 1/30/17*.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are *1-10 and 12-20*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐ All b) ☐ Some *c) ☐ None of the:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 4/4/17
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
5. ☐ Examiner's Amendment/Comment
6. ☐ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/DANNY WORRELL/
Primary Examiner, Art Unit 3765

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: April 4, 2017 Name: Andrew A. Hufford (Reg. No. 69,425) Signature: /Andrew A. Hufford/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14/087,169
	Filing Date	November 22, 2013
	First Named Inventor	Bhupesh Dua
	Art Unit	3765
	Confirmation Number	5123
	Examiner Name	Larry D. Worrell, Jr.
	Attorney Docket No.	15571-26/06-0517US100

In accordance with the duty of disclosure, Applicant(s) hereby cites the following references:

US PATENT REFERENCES

EXAMINER INITIAL		DOCUMENT NUMBER Number-Kind Code (if known)	DATE	NAME
	D1	4,967,494 A	11/6/1990	Johnson
	D2	6,227,010 B1	5/8/2001	Roell
	D3	6,986,269 B2	1/17/2006	Dua
	D4	8,448,474 B1	5/28/2013	Tatler et al.
	D5	2006/0010931 A1	1/19/2016	Lynch et al.
	D6	2006/0130359 A1	6/22/2006	Dua et al.
	D7	2007/0294920 A1	12/27/2007	Baychar
	D8	2012/0240429 A1	9/27/2012	Sokolowski et al.
	D9	2013/0160323 A1	6/27/2013	Hsiao
	D10	2013/0269209 A1	10/17/2013	Lang et al.
	D11	2013/0269212 A1	10/17/2013	Little
	D12	2014/0137433 A1	5/22/2014	Craig
	D13	2014/0150292 A1	6/5/2014	Podhajny et al.
	D14	2015/0075031 A1	3/19/2015	Podhajny et al.

FOREIGN PATENT REFERENCES

EXAMINER INITIAL		DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY	TRANSLATION YES OR NO
	D15	CN 1925763 A	3/7/2007	China	Yes
	D16	CN 201536681 U	8/4/2010	China	Yes - Abstract
	D17	CN 103556384 A	2/5/2014	China	Yes
	D18	DE 475363 C	4/24/1929	Germany	No
	D19	EP 2805638	11/26/2014	Europe	
	D20	GB 12787	6/6/1904	Great Britain	
	D21	TW 1228158 B	2/21/2005	Taiwan	Yes - Abstract
	D22	TW 201402030 A	1/16/2014	Taiwan	Yes - Abstract
	D23	TW M498500 U	4/11/2015	Taiwan	Yes - Abstract
	D24	WO 2013/108506 A1	7/25/2013	WIPO	Yes - Abstract
	D25	WO 2013/126313 A2	8/29/2013	WIPO	

Examiner Signature	/DANNY WORRELL/ (05/26/2017)	Date Considered	

Skechers EX1013 p. 2019
Skechers v Nike

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DW/

Information Disclosure Statement

Application No. 14/087,169 Attorney Docket No. 15571-26/ 06-0517US100

EXAMINER INITIAL		DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY	TRANSLATION YES OR NO
	D26	WO 2014/050289 A1	4/3/2014	WIPO	Yes - Abstract

OTHER ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL		Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	D27	First Office Action with English translation for Chinese Patent Application No. 201410768401.1, dated January 26, 2016, (21 pages).
	D28	International Preliminary Report on Patentability for International Application No. PCT/US2013/070651, mailed June 4, 2015.
	D29	International Search Report and Written Opinion for International Application No. PCT/US2013/070651, dated March 27, 2014 (14 pages).
	D30	International Search Report and Written Opinion for International Application No. PCT/US2015/015340, dated April 28, 2015 (10 pages).
	D31	International Search Report and Written Opinion for International Application No. PCT/US2015/015343, dated June 16, 2015 (11 pages).
	D32	International Search Report and Written Opinion for International Application No. PCT/US2015/015346, dated April 22, 2015 (10 pages).
	D33	International Search Report and Written Opinion for International Application No. PCT/US2016/026345, dated October 4, 2016 (20 pages).
	D34	Office Action for Chinese Application No. 2013800364497, dated September 25, 2015 (6 pages).
	D35	Office Action for European Application No. 13814673.3, dated June 30, 2015 (2 pages).
	D36	Office Action for Korean Application No. 10-2014-7036252, dated January 21, 2016 (11 pages).
	D37	Office Action for Taiwanese Application No. 102142337, dated May 27, 2015 (36 pages).
	D38	Office Action for Taiwanese Application No. 102142337, dated September 21, 2015 (33 pages).
	D39	Office Action for Taiwanese Application No. 105111914, dated December 26, 2016 (19 pages).

1. PRIORITY INFORMATION:

☐ This application claims priority under 35 USC §120 to the following United States patent application(s): _____. In accordance with 37 CFR §1.98(d), copies of the references cited herein which were submitted to, or cited by, the office, in compliance with 37 CFR §1.98(a)-(c) in the earlier application are not provided herewith. The Examiner is directed to those references cited in all Information Disclosure Statements filed in the priority United States patent application(s) cited above in addition to the references cited herein.

2. CERTIFICATIONS: (CHECK ALL THAT APPLY)

A. Certifications For 37 CFR §1.97(c) or 37 CFR §1.97(d):

☐ Applicant hereby certifies pursuant to 37 CFR §1.97(e)(1) that each item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ Applicant hereby certifies pursuant to 37 CFR §1.97(e)(2) that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart

Examiner Signature	/DANNY WORRELL/ (05/26/2017)	Date Considered	

Skechers EX1013 p. 2020 Skechers v Nike

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DW/

foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c), more than three months prior to the filing of this Information Disclosure Statement.

B. For Patent Term Adjustment Purposes:

☐ For purposes of 37 CFR §1.704(d)(i) or 37 CFR §1.704(d)(ii), Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a patent office in a counterpart foreign or international application or from the Office or is a communication that was issued by a patent office in a counterpart foreign or international application or by the Office, and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

3. FEE INFORMATION: (CHECK IF FEE REQUIRED)

☒ Applicant has calculated a processing fee in the amount of $180 (large entity) to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicant authorizes charging the fee to Deposit Account 23-1925.

☒ The Director is hereby authorized to charge any fee deficiency associated with the filing of this Information Disclosure Statement to Deposit Account 23-1925.

Pursuant to the undersigned attorney's obligation and duties under 37 CFR §§ 1.56 and 1.98(a)(3) and (c), either English language abstracts, partial translations, or full translations are included for patent documents which are not in English for the express purpose of providing a concise explanation of the references to the Patent and Trademark Office with the opportunity to evaluate the same. Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

Respectfully submitted,

April 4, 2017 /Andrew A. Hufford/

Date Andrew A. Hufford (Reg. No. 69,425)

Examiner Signature	/DANNY WORRELL/ (05/26/2017)	Date Considered	

Skechers EX1013 p. 2021 Skechers v Nike

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DW/

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14087169	DUA ET AL.
	Examiner	Art Unit
	LARRY WORRELL JR	3765

CPC- SEARCHED		
Symbol	Date	Examiner
D04B 7/30, 7/24, 7/28, 1/24, 1/26, 7/32	8/1/2016	/dw/
A43B 23/0205, 23/0235, 23/024, 23/0245, 23/042, 1/04	8/1/2016	/dw/

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
36	48, 49	7/31/2016	/dw/

SEARCH NOTES		
Search Notes	Date	Examiner
Review related applications	7/31/2016	/dw/
CPC and US Class search limited by term "Knit$5"	8/1/2016	/dw/

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
D04B	7/30, 7/24, 7/28, 1/24, 1/26, 7/32	5/26/2017	/dw/
A43B	23/0205, 23/0235, 23/024, 23/0245, 23/042, 1/04	6/2/2017	/dw/

Skechers Exhibit p. 2227
Skechers v Nike

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14087169	DUA ET AL.
	Examiner	**Art Unit**
	LARRY WORRELL JR	3765

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	08/01/2016	05/26/2017							
	1	✓	=							
	2	✓	=							
	3	✓	=							
	4	✓	=							
	5	✓	=							
	6	✓	=							
	7	✓	=							
	8	✓	=							
	9	✓	=							
	10	✓	=							
	11	✓	=							
	12	✓	=							
	13	✓	=							
	14	✓	=							
	15	✓	=							
	16	✓	=							
	17	✓	=							
	18	✓	=							
	19	✓	=							
	20	✓	=							

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14087169	DUA ET AL.
	Examiner	**Art Unit**
	LARRY WORRELL JR	3765

CPC						
Symbol					**Type**	**Version**
A43B		1	/	04	F	2013-01-01
A43C		1	/	04	I	2013-01-01
A43B		23	/	0235	I	2013-01-01
A43B		23	/	0275	I	2013-01-01
A43B		3	/	0031	I	2013-01-01
D04B		1	/	22	I	2013-01-01
D10B		2403	/	0332	A	2013-01-01
D10B		2501	/	043	A	2013-01-01
D10B		2501	/	061	A	2013-01-01
			/			
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			/			
			/			
			/			
			/			

CPC Combination Sets							
Symbol					**Type**	**Set**	**Ranking**	**Version**
			/					
			/					

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 20	
/DANNY WORRELL/ Primary Examiner.Art Unit 3765 (Primary Examiner) (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 10C

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14087169	DUA ET AL.
	Examiner	**Art Unit**
	LARRY WORRELL JR	3765

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION										
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED					
		D	0	4	B	1 / 22 (2006.01.01)						
CROSS REFERENCE(S)												
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)											

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 20	
/DANNY WORRELL/ Primary Examiner.Art Unit 3765 (Primary Examiner) (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 10C

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14087169	DUA ET AL.
	Examiner	**Art Unit**
	LARRY WORRELL JR	3765

☒ **Claims renumbered in the same order as presented by applicant** ☐ **CPA** ☐ **T.D.** ☐ **R.1.47**

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 20	
/DANNY WORRELL/ Primary Examiner.Art Unit 3765 (Primary Examiner) (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 10C

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

133691 7590 06/05/2017

NIKE, Inc./BGL
P.O. Box 10395
Chicago, IL 60610

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Andrew A. Hufford	(Depositor's name)
/Andrew A. Hufford/	(Signature)
July 11, 2017	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/087,169	11/22/2013	Bhupesh Dua	06-0517US100/15571-26	5123

TITLE OF INVENTION: Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	09/05/2017

EXAMINER	ART UNIT	CLASS-SUBCLASS
WORRELL JR, LARRY D	3765	066-170000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 **Andrew A. Hufford**
2 **Brinks, Gilson & Lione**
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: **NIKE, Inc.**

(B) RESIDENCE: (CITY and STATE OR COUNTRY): **Beaverton, OR (US)**

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**

☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number **23-1925** (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29
NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

☐ Applicant asserting small entity status. See 37 CFR 1.27
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

☐ Applicant changing to regular undiscounted fee status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature **/Andrew A. Hufford/** Date **July 11, 2017**

Typed or printed name **Andrew A. Hufford** Registration No. **69,425**

Skechers EX1013-p. 2027
Skechers v Nike

Electronic Patent Application Fee Transmittal

Application Number:	14087169
Filing Date:	22-Nov-2013
Title of Invention:	Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction
First Named Inventor/Applicant Name:	Bhupesh Dua
Filer:	Andrew A. Hufford/Kati Penovich
Attorney Docket Number:	06-0517US100/15571-26

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
UTILITY APPL ISSUE FEE	1501	1	960	960

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**960**

Electronic Acknowledgement Receipt

EFS ID:	29752740
Application Number:	14087169
International Application Number:	
Confirmation Number:	5123
Title of Invention:	Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction
First Named Inventor/Applicant Name:	Bhupesh Dua
Customer Number:	133691
Filer:	Andrew A. Hufford/Kati Penovich
Filer Authorized By:	Andrew A. Hufford
Attorney Docket Number:	06-0517US100/15571-26
Receipt Date:	11-JUL-2017
Filing Date:	22-NOV-2013
Time Stamp:	18:18:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$960
RAM confirmation Number	071217INTEFSW00005276231925
Deposit Account	
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	2017-07-11_Issue-Fee-Transmittal_15571-26.pdf	122668 c7022dd558cba16788e6036b83c8044726f9a479	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30622 7259c08fcaccbbc2aba127adc5865546699b1b7f	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	153290		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(**Not for submission under 37 CFR 1.99)**

Application Number	14087169
Filing Date	2013-11-22
First Named Inventor	Bhupesh Dua
Art Unit	3765
Examiner Name	Larry D. Worrell Jr.
Attorney Docket Number	51-3770

	26	20110030244	A1	2011-02-10	Motawi et al.	
	27	20110078921	A1	2011-04-07	Greene et al.	
Change(s) applied to document, /S.R.R./ 6/14/2017	28	2012/0233882 ~~20120255204~~	A1	2012-09-20	Huffa et al.	
	29	20120285043		2012-11-15	Dua et al.	
	30	20060048413		2006-03-09	Sokolowski et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1	19728848	DE		1999-01-07	Kundert Werke Gmbh		☐
	2	0448714	EP		1991-10-02	Toray Industries		☐
	3	1233091	EP		2002-08-21	Lee Sara Corp		☐
	4	0231247	WO		2002-04-18	Prodesco Inc.		☐

/DANNY WORRELL/ (08/01/2016)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DW/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(**Not for submission under 37 CFR 1.99)**

Application Number	14087169
Filing Date	2013-11-22
First Named Inventor	Bhupesh Dua
Art Unit	3765
Examiner Name	Larry D. Worrell Jr.
Attorney Docket Number	51-3770

	15	20070180730	A1	2007-08-09	Greene et al.	
Change(s) applied to document, /S.R.R./ 6/14/2017	16	20070180730	A1	2007-~~12-27~~ 08	~~Baychar~~ Greene et al.	
	17	20080017294	A1	2008-01-24	Bailey et al.	
	18	20080078102	A1	2008-04-03	Kilgore et al.	
	19	20080110048	A1	2008-05-15	Dua et al.	
	20	20080189830	A1	2008-08-14	Egglesfield	
	21	20080313939	A1	2008-12-25	Ardill	
	22	20090068908	A1	2009-03-12	Hinchcliff	
	23	20100051132	A1	2010-03-04	Glenn	
	24	20100154256	A1	2010-06-24	Dua	
	25	20100170651	A1	2010-07-08	Scherb et al.	

/DANNY WORRELL/ (08/01/2016)
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DW/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	14087169
Filing Date	2013-11-22
First Named Inventor	Bhupesh Dua
Art Unit	3765
Examiner Name	Larry D. Worrell Jr.
Attorney Docket Number	51-3770

	42	4373361	A	1983-02-15	Thorneburg	
	43	4465448	A	1984-08-14	Aldridge	
Change(s) applied to document, /S.R.R./ 6/14/2017	44	4607439	A	1986-08-26	~~Harada~~ Sogabe et al.	
	45	4737396	A	1988-04-12	Kamat	
	46	5031423	A	1991-07-16	Ikenaga	
	47	5095720	A	1992-03-17	Tibbals, Jr.	
	48	5117567	A	1992-06-02	Berger	
	49	5152025	A	1992-10-16	Hirmas	
	50	5192601	A	1993-03-09	Neisler	
	51	5353524	A	1994-10-11	Brier	
	52	5461884	A	1995-10-31	McCartney et al.	

/DANNY WORRELL/ (08/01/2016)
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DW/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(**Not for submission under 37 CFR 1.99)**

Application Number	14087169
Filing Date	2013-11-22
First Named Inventor	Bhupesh Dua
Art Unit	3765
Examiner Name	Larry D. Worrell Jr.
Attorney Docket Number	51-3770

	9	6333105		2001-12-25	Tanaka et al.	
Change(s) applied to document, /S.R.R./ 6/14/2017	10	3583081		1971 ~~1974~~-06-08	Hayashi	
	11	4447967		1984-05-15	Zaino	
	12	4813158		1989-03-21	Brown	
	13	4756098		1988-07-12	Boggia	
	14	5345638		1994-09-13	Nishida	
	15	4785558		1988-11-22	Shiomura	
	16	0601192		1898-03-22	Woodside	
	17	1215198	A	1917-02-06	Rothstein	
	18	1597934	A	1926-08-31	Stimpson	
	19	1888172	A	1932-11-15	Joha	

/DANNY WORRELL/ (08/01/2016)
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DW/

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/087,169	08/15/2017	9730484	06-0517US100/15571-26	5123

133691 7590 07/26/2017

NIKE, Inc./BGL
P.O. Box 10395
Chicago, IL 60610

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 671 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

NIKE, Inc., Beaverton, OR;
Bhupesh Dua, Portland, OR;
Edward N. Thomas, Portland, OR;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82A (07-13)
Approved for use through 03/31/2021. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	14/087169
Filing Date	2013-11-22
First Named Inventor	Bhupesh Dua
Title	Article of Footwear Having a Flat Knit Upper Construction or Other Upper Construction
Art Unit	
Examiner Name	
Attorney Docket Number	06-0517US100

SIGNATURE of Applicant or Patent Practitioner

Signature	/CORY W. FISHER/	Date (Optional)	
Name	Cory W. Fisher	Registration Number	59,366
Title (if Applicant is a juristic entity)			
Applicant Name (if Applicant is a juristic entity)			

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82B (07-13)
Approved for use through 01/31/2018. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

[x] I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 78342

OR

[ ] I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

[x] The address associated with the above-mentioned Customer Number

OR

[ ] The address associated with Customer Number:

OR

[ ] Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

NIKE, Inc.

[ ] Inventor or Joint Inventor (title not required below)

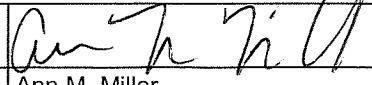
[ ] Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

[x] Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

[ ] Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature		Date (Optional)	
Name	Ann M. Miller		
Title	Secretary, NIKE, Inc.		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

[ ] Total of _____ forms are submitted.

Electronic Acknowledgement Receipt

EFS ID:	41959714
Application Number:	14087169
International Application Number:	
Confirmation Number:	5123
Title of Invention:	Article Of Footwear Having A Flat Knit Upper Construction Or Other Upper Construction
First Named Inventor/Applicant Name:	Bhupesh Dua
Customer Number:	133691
Filer:	Cory Wayne Fisher/Rebecca Broz
Filer Authorized By:	Cory Wayne Fisher
Attorney Docket Number:	06-0517US100/15571-26
Receipt Date:	18-FEB-2021
Filing Date:	22-NOV-2013
Time Stamp:	16:08:17
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	06_0517US100_Power_of_Attorney.pdf	225783 a06438048d2dc64e24bf2bd53eada32a2086169d	no	2

Warnings:

Information:	
Total Files Size (in bytes):	225783

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/087,169	11/22/2013	Bhupesh Dua	06-0517US100/15571-26

CONFIRMATION NO. 5123

POWER OF ATTORNEY NOTICE

133691
NIKE, Inc./BGL
P.O. Box 10395
Chicago, IL 60610

OC000000123586680

Date Mailed: 02/25/2021

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/18/2021.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/yteferra/

Skechers EX1013-p. 2041
Skechers v Nike

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/087,169	11/22/2013	Bhupesh Dua	06-0517US100

CONFIRMATION NO. 5123

78342
Shook Hardy & Bacon LLP (NIKE, Inc.)
2555 Grand Boulevard
Kansas City, MO 64108

POA ACCEPTANCE LETTER

OC00000123586726

Date Mailed: 02/25/2021

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/18/2021.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/yteferra/

Skechers EX1013-p. 2042
Skechers v Nike

To: shbdocketing@shb.com,ipdocket@shb.com,nike_docketing@cardinal-ip.com
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 78342

Feb 25, 2021 03:46:09 AM

Dear PAIR Customer:

Shook Hardy & Bacon LLP (NIKE, Inc.)
2555 Grand Boulevard
Kansas City, MO 64108
UNITED STATES

The following USPTO patent application(s) associated with your Customer Number, 78342 , have new outgoing correspondence. This correspondence is now available for viewing in Private PAIR.

The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

Disclaimer:
The list of documents shown below is provided as a courtesy and is not part of the official file wrapper. The content of the images shown in PAIR is the official record.

Application	Document	Mailroom Date	Attorney Docket No.
14087169	N570	02/25/2021	06-0517US100
	N570	02/25/2021	06-0517US100

To view your correspondence online or update your email addresses, please visit us anytime at https://sportal.uspto.gov/secure/myportal/privatepair.

If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov with 'e-Office Action' on the subject line or call 1-866-217-9197 during the following hours:

Monday - Friday 6:00 a.m. to 12:00 a.m.

Thank you for prompt attention to this notice,

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Trials@uspto.gov
571-272-7822

Paper No. 3

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LULULEMON USA INC.,
Petitioner,

v.

NIKE, INC.,
Patent Owner.

Case IPR2023-01460
Patent 9,730,484

Mailed: October 3, 2023

Before Cathy Underwood, *Trial Paralegal*

NOTICE OF FILING DATE ACCORDED TO PETITION
AND
TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE

The petition for *inter partes* review, filed in the above proceeding has been accorded the filing date of September 27, 2023.

Patent Owner may file a preliminary response to the petition no later than three months from the date of this notice. The preliminary response is limited to setting forth the reasons why the requested review should not be instituted. Patent Owner may also file an election to waive the preliminary response to expedite the proceeding. For more information, please consult

the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), which is available on the Board Web site at http://www.uspto.gov/PTAB.

Patent Owner is advised of the requirement to submit mandatory notice information under 37 C.F.R. § 42.8(a)(2) within 21 days of service of the petition. Mandatory notices include identifying any other judicial or administrative matter that would affect, or be affected by, a decision in the proceeding. 37 C.F.R. § 42.8(b)(2). Such administrative matters include requests for certificates of correction.

The parties are encouraged to use the heading on the first page of this Notice for all future filings in the proceeding.

The parties are advised that under 37 C.F.R. § 42.10(c), recognition of counsel *pro hac vice* requires a showing of good cause. The parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Such motions shall be filed in accordance with the "Order -- Authorizing Motion *for Pro Hac Vice* Admission" in Case IPR2013-00639, Paper 7, a copy of which is available on the Board Web site under "Representative Orders, Decisions, and Notices."

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Trial Appeal Case Tracking System (P-TACTS), accessible from the Board Web site at http://www.uspto.gov/PTAB.

To file documents, users must first obtain a user ID by registering with MyUSPTO. Information regarding how to register with MyUSPTO and use P-TACTS is available at the Board Web site at https://www.uspto.gov/patents/ptab/patent-trial-and-appeal-case-tracking-system-p-tacts.

Skechers EX1013-p. 2045
Skechers v Nike

The parties are directed to contact the Board within a month of this Order if there is a need to discuss proposed changes to this Scheduling Order or proposed motions that have not been authorized in this Order or other prior Order or Notice. *See* Consolidated Trial Practice Guide ("Trial Practice Guide")[1] at 9–10, 65 (guidance in preparing for a conference call); *see also* 84 Fed. Reg. 64,280 (Nov. 21, 2019). A request for an initial conference call shall include a list of proposed motions, if any.

The parties may request additional conference calls as needed. Any email requesting a conference call with the Board should: (a) copy all parties, (b) indicate generally the relief being requested or the subject matter of the conference call, (c) include multiple times when all parties are available, (d) state whether the opposing party opposes any relief requested, and (e) if opposed, either certify that the parties have met and conferred telephonically or in person in an attempt to reach agreement, or explain why such meet and confer did not occur. The email may not contain substantive argument and, unless otherwise authorized, may not include attachments. *See* Trial Practice Guide at 9–10. If practicable, in order to ensure emails are consistent with the above, the panel recommends that the parties send a single, joint email that includes items (a)–(e).

If there are any questions pertaining to this notice, please contact Cathy Underwood at 571-272-8358 or the Patent Trial and Appeal Board at 571-272-7822.

[1] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

Skechers EX1013-p. 2046
Skechers v Nike

PETITIONER:

Ali S. Razai
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PATENT OWNER:

78342 - SHOOK, HARDY & BACON LLP/NIKE, INC.
2555 Grand Boulevard
Kansas City, MO 64108

NOTICE CONCERNING ALTERNATIVE DISPUTE RESOLUTION (ADR)

The Patent Trial and Appeal Board (PTAB) strongly encourages parties who are considering settlement to consider alternative dispute resolution as a means of settling the issues that may be raised in an AIA trial proceeding. Many AIA trials are settled prior to a Final Written Decision. Those considering settlement may wish to consider alternative dispute resolution techniques early in a proceeding to produce a quicker, mutually agreeable resolution of a dispute or to at least narrow the scope of matters in dispute. Alternative dispute resolution has the potential to save parties time and money.

Many non-profit organizations, both inside and outside the intellectual property field, offer alternative dispute resolution services. Listed below are the names and addresses of several such organizations. The listings are provided for the convenience of parties involved in cases before the PTAB; the PTAB does not sponsor or endorse any particular organization's alternative dispute resolution services. In addition, consideration may be given to utilizing independent alternative dispute resolution firms. Such firms may be located through a standard keyword Internet search.

CPR INSTITUTE FOR DISPUTE RESOLUTION	AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION (AIPLA)	AMERICAN ARBITRATION ASSOCIATION (AAA)	WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)	AMERICAN BAR ASSOCIATION (ABA)
Telephone: (212) 949-6490	Telephone: (703) 415-0780	Telephone: (212) 484-3266	Telephone: 41 22 338 9111	Telephone : (202) 662-1000
Fax: (212) 949-8859	Fax: (703) 415-0786	Fax: (212) 307-4387	Fax: 41 22 733 5428	N/A
575 Lexington Ave	241 18th Street, South, Suite 700	140 West 51st Street	34, chemin des Colombettes	1050 Connecticut Ave, NW
New York, NY 10022	Arlington, VA 22202	New York, NY 10020	CH-1211 Geneva 20, Switzerland	Washington D.C. 20036
www.cpradr.org	www.aipla.org	www.adr.org	www.wipo.int	www.americanbar.org

If parties to an AIA trial proceeding consider using alternative dispute resolution, the PTAB would like to know whether the parties ultimately decided to engage in alternative dispute resolution and the reasons why or

Skechers EX1013-p. 2048
Skechers v Nike

why not. If the parties actually engage in alternative dispute resolution, the PTAB would be interested to learn what mechanism (e.g., arbitration, mediation, etc.) was used and the general result. Such a statement from the parties is not required but would be helpful to the PTAB in assessing the value of alternative dispute resolution to parties involved in AIA trial proceedings. To report an experience with ADR, please forward a summary of the particulars to the following email address: PTAB_ADR_Comments@uspto.gov

Skechers EX1013-p. 2049
Skechers v Nike

The United States Patent and Trademark Office
PATENT TRIAL AND APPEAL BOARD

A petition has been filed in Patent Number 9,730,484, Application Number 14/087,169 on 9/27/23 (Date).

The Case Number is IPR2023-01460.
(IPR, CBM, PGR, DER #)

To view the documents filed in this petition, go to https://ptab.uspto.gov.

Use the Search PTAB tab and enter the Patent Number or the Trial or Case Number and select the Search button.

Questions regarding this notice should be directed to the Patent Trial and Appeal Board at 571-272-7822.