

US0D1007135S

(12)

United States Design Patent

Klumpp

(10)

Patent No.:

US D1,007,135 S

(45)

Date of Patent:

** Dec. 12, 2023

(54) SHOE

(71) Applicant: NIKE, Inc., Beaverton, OR (US)

(72) Inventor: Jordyn N. Klumpp, Beaverton, OR (US)

(73) Assignee: NIKE, Inc., Beaverton, OR (US)

(**) Term: 15 Years

(21) Appl. No.: 29/887,582

(22) Filed: Mar. 22, 2023

(51) LOC (14) Cl. 02-04

(52) U.S. Cl. D2/972

(58) Field of Classification Search

USPC D2/896, 900, 902, 904, 906–912, D2/919–925, 929–931, 935–947, D2/969–979; D5/46, 47, 54, 55, 56, 58, D5/60, 62

CPC A43B 5/00; A43B 5/001; A43B 5/002; A43B 5/008; A43B 5/06; A43B 5/10; A43B 5/12; A43B 1/00; A43B 1/02; A43B 1/04; A43B 3/00; A43B 3/02; A43B 3/06; A43B 3/10; A43B 3/12; A43B 3/14; A43B 23/00; A43B 23/02; A43B 23/04; A43B 13/00; A43B 13/02; A43B 13/04; A43B 13/06; A43B 13/10; A43B 13/37; A43B 13/28

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

D110,189 S	*	6/1938	Minoff	D5/47
D113,386 S	*	2/1939	Kaplan	D5/47
D117,984 S	*	12/1939	Tillman	D5/47
D119,252 S	*	2/1940	Weber	D5/47
D143,244 S	*	12/1945	Solomon	D5/47
D183,323 S	*	8/1958	Pomeroy	D25/144
D490,231 S		5/2004	Estey	

D528,276 S		9/2006	Fullum	
D553,838 S	*	10/2007	Belley	D2/969
D556,436 S		12/2007	Wilkenfeld et al.	
D675,424 S		2/2013	Williams, Jr.	
D700,423 S		3/2014	Martin	
D701,036 S		3/2014	Martin	
(Continued)				

FOREIGN PATENT DOCUMENTS

GB	9004104602-0006	*	7/2012
GB	9003825876-0001	*	3/2017
(Continued)			

OTHER PUBLICATIONS

Brooks Men’s Levitate Stealthfit 6 Neutral Running Shoe, Amazon.com, [online], [site visited Sep. 26, 2023]. <URL: <https://www.amazon.com/Brooks-Levitate-Stealthfit-Neutral-Running/dp/B0BHDSYN7W>> (Year: 2022).*

(Continued)

Primary Examiner — Jonathan J Han
Assistant Examiner — Molly K. Orzechowski
(74) Attorney, Agent, or Firm — Banner & Witcoff, Ltd.

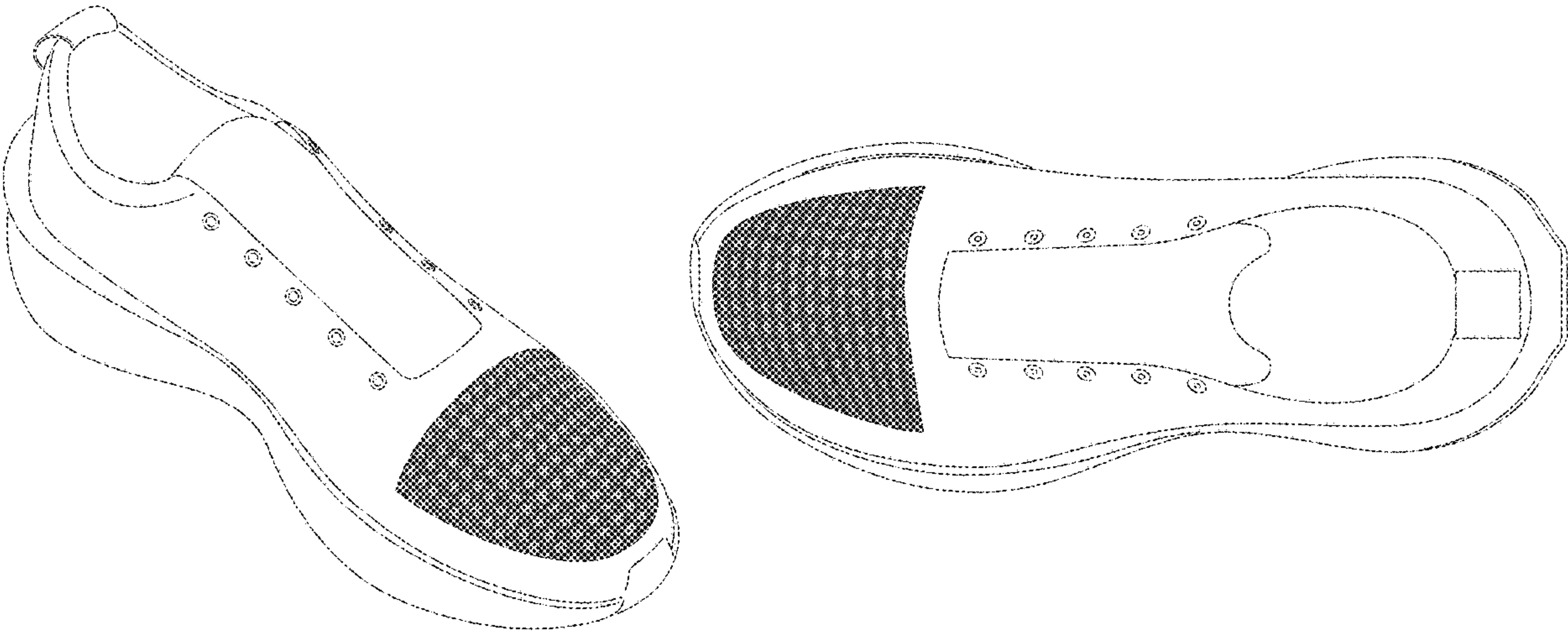
(57) CLAIM

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

DESCRIPTION

FIG. 1 is a front perspective view of a shoe showing my new design;
FIG. 2 is an opposite side front perspective view thereof; and,
FIG. 3 is a top view thereof.
The broken line immediately adjacent to and surrounding the photographic area defines the peripheral bounds of the claimed design and forms no part thereof. The broken lines depicting the remainder of the shoe form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D709,280 S 7/2014 Shaffer
D722,225 S 2/2015 Williams, Jr.
D749,831 S 2/2016 Gewirz et al.
D767,868 S 10/2016 Johnsongriffin
D769,602 S 10/2016 Mueller
D769,603 S 10/2016 Mueller
D772,553 S * 11/2016 Williams, Jr. D2/972
D778,569 S 2/2017 Chang
D783,975 S 4/2017 Schenone
D788,435 S 6/2017 Gibson
D790,834 S 7/2017 Roulo et al.
D790,837 S 7/2017 Greenspan
D801,664 S 11/2017 Small
D801,672 S 11/2017 Small
D807,011 S 1/2018 O'Connor
D809,267 S 2/2018 O'Connor
D812,870 S * 3/2018 Laska D2/945
D816,978 S 5/2018 Small
D816,979 S 5/2018 Lee
D822,364 S 7/2018 Small
D823,588 S 7/2018 Miner
D827,286 S 9/2018 Behr
D832,567 S 11/2018 Kuerbis
D833,134 S 11/2018 Kuerbis
D834,294 S 11/2018 Small
D836,318 S 12/2018 Petrie
D837,505 S 1/2019 Chang
D840,664 S 2/2019 Small
D840,665 S 2/2019 Small
D840,666 S 2/2019 Small
D841,303 S 2/2019 Lee
D841,970 S 3/2019 Woodman
D841,973 S 3/2019 Small
D843,088 S * 3/2019 Frank D2/907
D843,102 S 3/2019 Kosenick
D845,591 S * 4/2019 Frank D2/907
D855,301 S 8/2019 Williams, Jr.
D856,654 S 8/2019 Hernandez
D857,366 S 8/2019 Cooper
D858,077 S 9/2019 Taylor
D864,419 S * 10/2019 Milenovich D5/4
D866,154 S 11/2019 Petrenka et al.
D866,929 S * 11/2019 Kuerbis D2/969
D867,742 S * 11/2019 de Montgolfier D2/972
D882,234 S 4/2020 Durflinger
D882,909 S * 5/2020 Small D2/902
D884,331 S 5/2020 Kanata et al.
D895,257 S * 9/2020 Hernandez D2/972
D895,954 S 9/2020 Hernandez
D897,116 S * 9/2020 Park D5/47
10,772,382 B2 * 9/2020 Fontaine A43B 23/088
D911,015 S 2/2021 Belhacene
D912,965 S 3/2021 Han et al.
D912,966 S 3/2021 Han et al.
D917,861 S 5/2021 Hernandez
D919,277 S * 5/2021 Schultze D2/972
D929,109 S 8/2021 Small
D961,222 S 8/2022 Han
D962,599 S * 9/2022 Shi D2/907
D963,309 S 9/2022 Suh
D972,831 S * 12/2022 Cenicerros D2/972
D974,019 S 1/2023 Cloke
D978,513 S * 2/2023 Bruns D2/969
D979,217 S 2/2023 Petrie
D982,296 S * 4/2023 Rémy D2/972
D983,505 S * 4/2023 Suh D2/969
D984,112 S * 4/2023 Carbonere D2/972
D987,271 S * 5/2023 Petrenka D2/972
D987,273 S * 5/2023 Petrenka D2/972
D990,135 S * 6/2023 Greenhalgh D2/969
D990,146 S * 6/2023 Lee D2/972
D990,861 S * 7/2023 Klumpp D2/972
D995,081 S * 8/2023 Blimel D2/972
D996,046 S * 8/2023 Bartys D2/972

D996,047 S * 8/2023 Bartys D2/972
D999,510 S * 9/2023 Carbonere D2/972
2019/0328075 A1 * 10/2019 Poulsen D04B 1/104

FOREIGN PATENT DOCUMENTS

GB 9004104602-0001 * 7/2017
GB 9004104602-0002 * 7/2017
GB 9004104602-0005 * 7/2017
GB 9004104602-0008 * 7/2017

OTHER PUBLICATIONS

Brooks Levitate GTS Women's Supportive Running Shoe, Amazon.com, [online], [site visited Sep. 26, 2023]. <URL: https://www.amazon.com/Brooks-Levitate-Womens-Supportive-Running/dp/B08LQZ21PM/ref=sr_1_12?crid=O8POZZLF1PCU&keywords=BROOK> (Year: 2021).*

Auenix Sneakers, Amazon.com, [online], [site visited Sep. 26, 2023]. <URL: <https://www.amazon.it/Auenix-Sneakers-Platform-Traspirante-Ginnastica/dp/B0B63PM74K?th=1>> (Year: 2022).*

Coconuts by Matisse Women's Go To Shoes, Amazon.com, [online], [site visited Sep. 26, 2023]. <URL: https://www.amazon.com/Coconuts-Matisse-Womens-Tan-Woven/dp/B0CF6SL2YH/ref=sr_1_1?crid> (Year: 2023).*

Nike Footwear Catalog, 2009 Fall Sport Performance Footwear, p. 7, published Nov. 2008, Nike, Inc., USA.

Nike Footwear Catalog, 2012 Fall Men's Footwear Sportswear Best, p. 17, published Nov. 2010, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Fall City Specialty Best NA, p. 208, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Fall City Specialty Best NA, p. 211, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2016 Fall Athletic Specialty Footwear NA, p. 12, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2017 Spring Strategic Sporting Goods Footwear Best NA, p. 83, published May 2016, Nike, Inc., USA.

Nike Footwear Catalog, 2018 Holiday Men's Training, p. 79, published May 2016, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Spring Running, p. 89, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

U.S. Appl. No. 29/887,577, filed Mar. 22, 2023.

"Nike Flyknit Racer Black White Volt"; Kicks On Fire; retrieved Mar. 10, 2023; published Sep. 24, 2014; URL: <<https://www.kicksonfire.com/app/nike-flyknit-racer-black-white-volt/>>.

"Nike suing Skechers over copied shoe design"; Running Magazine; retrieved Mar. 10, 2023; published Jan. 8, 2016; URL: <<https://runningmagazine.ca/uncategorized/nike-suing-skechers-over-copied-shoe-design/>>.

"Nike Gives the Roshe Waffle Racer a Fresh New Everyday Look"; Sneaker Bar Detroit; retrieved Jun. 10, 2021; published Feb. 27, 2017; URL: <<https://sneakerbardetroit.com/nike-roshe-waffle-racer-premium-smokey-blue/>>.

"This Nike Pegasus 35 Features A Playful Message On The Sole"; Sneaker News; retrieved Sep. 28, 2022; published Feb. 2, 2019; URL: <<https://sneakernews.com/2019/02/02/nike-pegasus-35-at9977-101-sail-release-info/>>.

"First Look At The Nike Zoom Pegasus Turbo II In 'Racer Blue'"; Sneaker News; retrieved Sep. 28, 2022; published Jul. 31, 2019; URL: <<https://sneakernews.com/2019/07/31/nike-zoom-pegasus-turbo-2-racer-blue-at2863-400-release-date/>>.

"Nike's Air VaporMax 2020 FlyKnit Receives 'Stone Blue' Make-over"; Hypebeast; retrieved Mar. 10, 2023; published Oct. 1, 2020; URL: <<https://hypebeast.com/2020/9/nike-air-vapormax-2020-flyknit-stone-blue-ct1823-400-release>>.

"The Women's Nike Daybreak 'Platinum Violet' Is Available Now"; Sneaker News; retrieved Jun. 10, 2021; published Dec. 9, 2020; URL: <<https://sneakernews.com/2020/12/09/nike-daybreak-enigma-stone-platinum-violet-wmns-ck2351-008/>>.

(56)

References Cited

OTHER PUBLICATIONS

“Shoe Review: Nike React Infinity Run Flyknit 2”; Fleet Feet; retrieved Mar. 10, 2023; published Jan. 12, 2021; URL: <<https://www.fleetfeet.com/blog/nike-react-infinity-run-flyknit-2-review>>.

“Nike Sportswear: The Story Of The Nike Challenger”; Always in Colour; retrieved Jun. 10, 2021; published Jan. 25, 2021; URL: <<https://alwaysincolour.com/blogs/blog/nike-sportswear-the-story-of-the-nike-challenger>>.

“This Nike Waffle One Brings Peace and Unity”; Sneaker Bar Detroit; retrieved Jun. 10, 2021; published May 20, 2021; URL: <<https://sneakerbardetroit.com/nike-waffle-one-dm9049-001-release-date/>>.

“The Nike Pegasus 38 Is Arriving In FlyEase Form”; Sneaker News; retrieved Sep. 28, 2022; published Apr. 21, 2022; URL: <<https://sneakernews.com/2021/04/14/nike-pegasus-38-flyease-da6698-101/>>.

“Flyknit Trainer 2017 ‘OG’”; Flight Club; retrieved Mar. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.flightclub.com/nike-flyknit-trainer-white-black-white-801624>>.

“Flyknit Trainer ‘White Gum’”; Flight Club; retrieved Mar. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.flightclub.com/nike-flyknit-trainer-white-white-white-804012>>.

“Nike Air Zoom Pegasus 39”; Nike; retrieved Sep. 28, 2022; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/air-zoom-pegasus-39-little-big-kids-road-running-shoes-x7qQR4/DM4015-003>>.

“Nike Pegasus Turbo Next Nature”; Nike; retrieved Sep. 28, 2022; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/pegasus-turbo-next-nature-womens-road-running-shoes-B2CBRP/DM3414-002>>.

“Nike React Infinity 3”; Nike; retrieved Mar. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/react-infinity-3-premium-mens-road-running-shoes-1bRq75/DH5392-006>>.

* cited by examiner

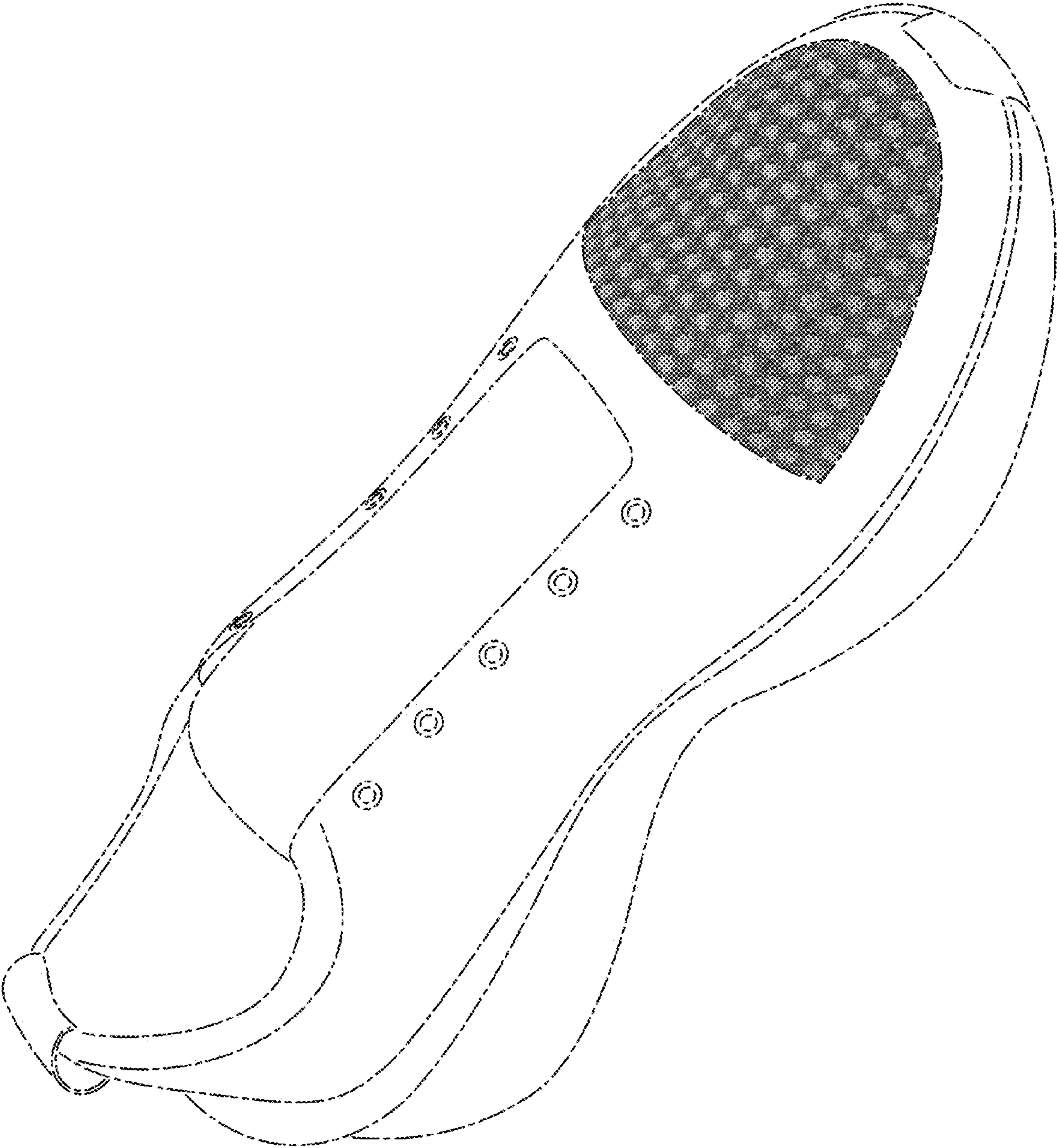


FIG. 1

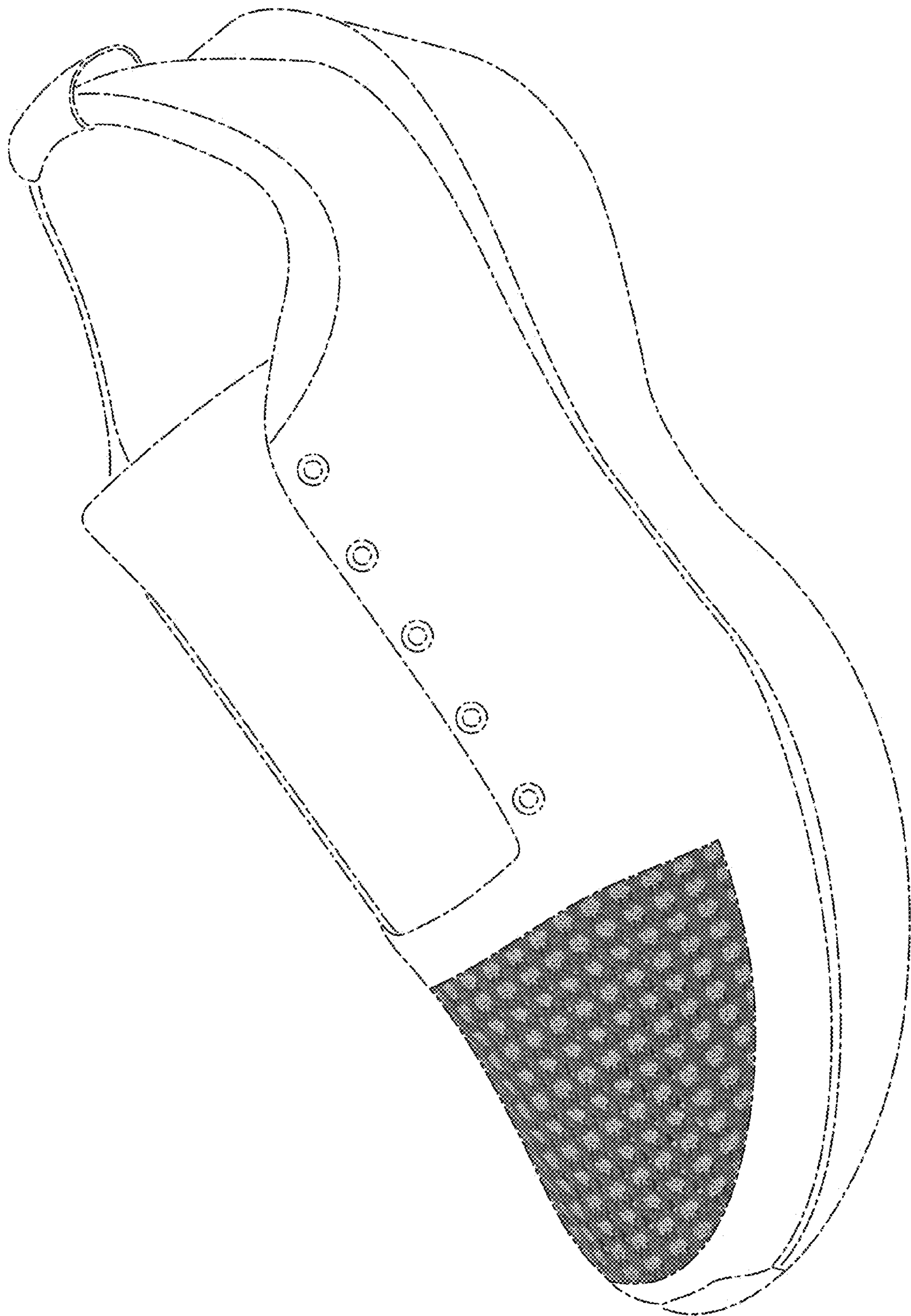


FIG. 2

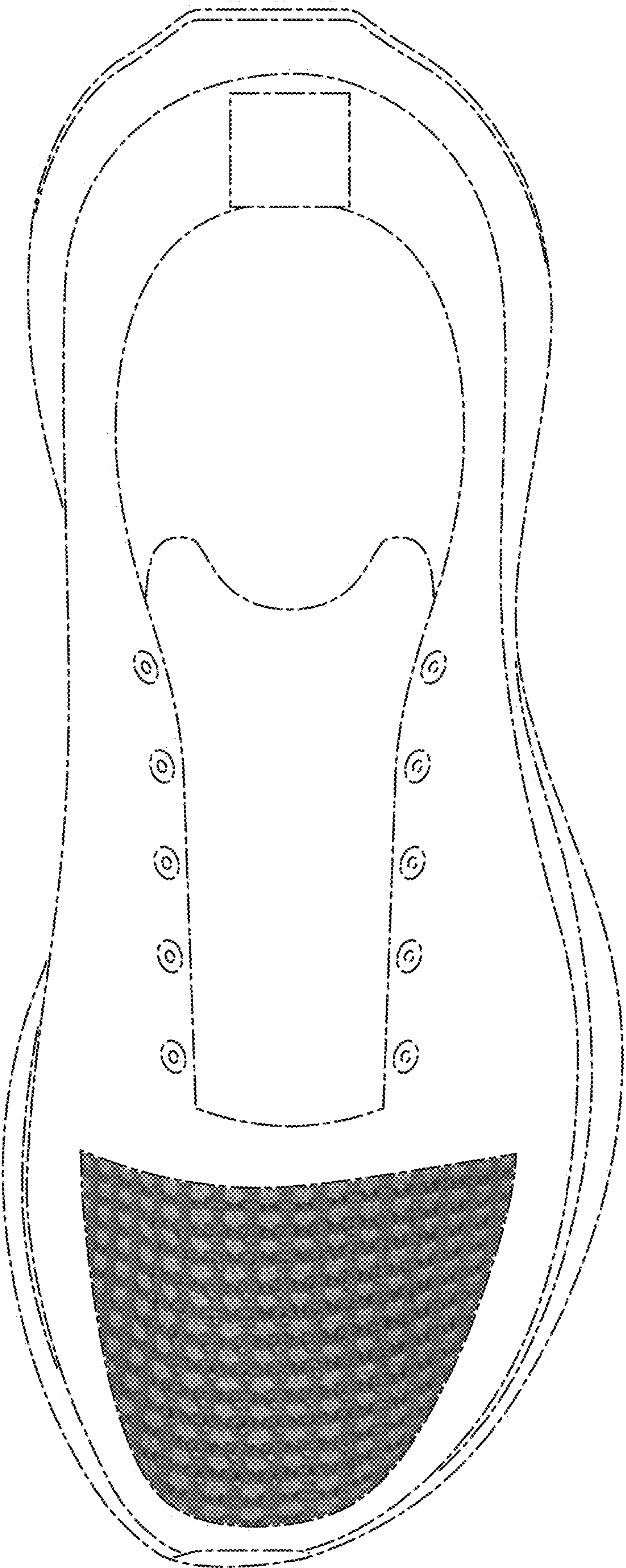


FIG. 3