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Carboy

(10)

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(54) SHOE

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

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See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

3,615 A * 6/1844 McCauley A43B 13/12 36/31

46,061 A * 1/1865 Adamson C14B 1/00 69/21

48,481 A * 6/1865 Coburn A43B 13/12 36/31

393,241 A * 11/1888 Keith A43B 13/39 36/22 R

872,762 A * 12/1907 Shillaber A43B 13/145 36/31

1,497,103 A * 6/1924 La Chapelle B29D 35/122 12/146 M

1,658,170 A * 2/1928 La Chapelle A43B 13/14 36/28

1,695,331 A * 12/1928 Hadaway A43B 13/41 36/17 R

2,222,391 A * 11/1940 Andreasen A43B 13/187 36/28

4,439,936 A * 4/1984 Clarke A43B 13/26 36/102

D288,028 S 2/1987 Chassaing

(Continued)

OTHER PUBLICATIONS

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(Continued)

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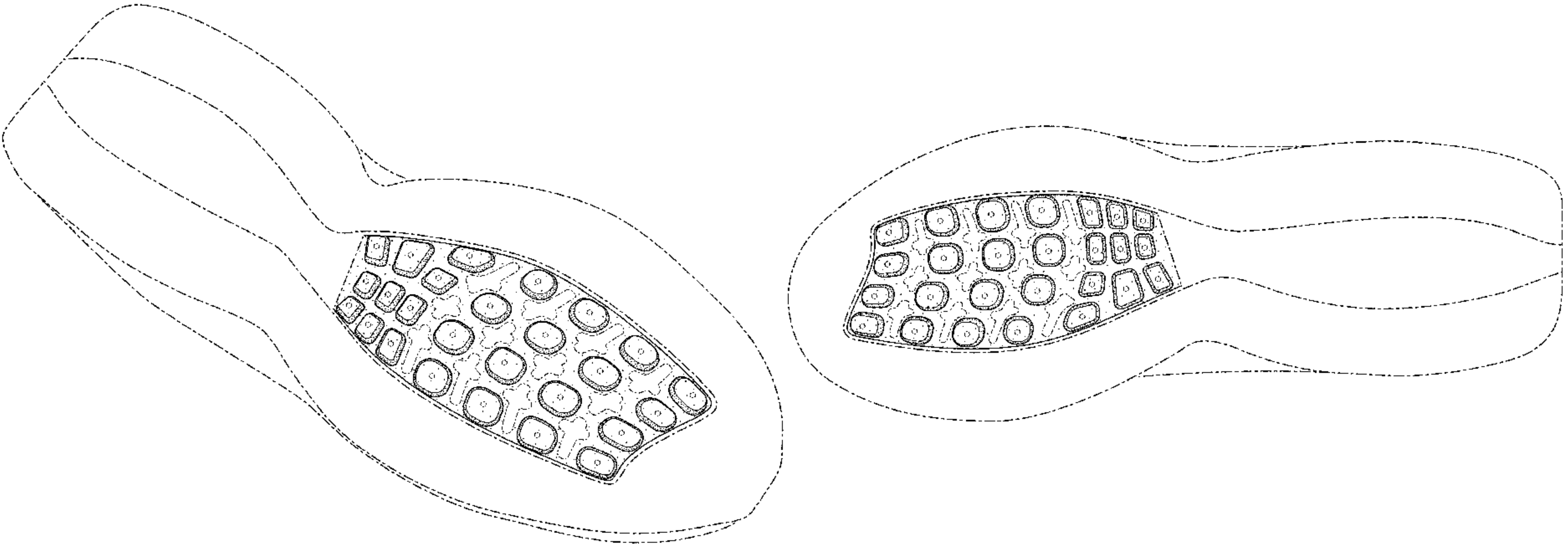
(57) CLAIM

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

DESCRIPTION

FIG. 1 is a bottom front perspective view of a shoe showing my new design;
FIG. 2 is a bottom view thereof; and,
FIG. 3 is a bottom rear perspective view thereof.
The broken line immediately adjacent to the rear of the shaded area defines the bound of the claimed design and forms no part thereof. The broken line showing of the twenty-six circular shaped areas on the top of the tread elements form no part of the claimed design. The broken line showing of the twelve unshaded cross shaped areas form no part of the claimed design. 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

D308,902 S *	7/1990	Aveni	D2/946	D657,542 S	4/2012	Duan	
D311,810 S *	11/1990	Hatfield	D2/957	D659,967 S *	5/2012	Miner	D2/951
D315,442 S *	3/1991	Kilgore	D2/977	D672,124 S	12/2012	Minami	
D318,170 S	7/1991	Hatfield		8,365,445 B2	2/2013	Sink	
D319,331 S	8/1991	Hatfield et al.		D680,722 S	4/2013	Link	
D319,535 S	9/1991	Hatfield		8,590,179 B2	11/2013	Sink	
D321,973 S	12/1991	Hatfield		D707,023 S	6/2014	Della Valle et al.	
D321,977 S	12/1991	Kilgore et al.		D709,275 S	7/2014	Tucker et al.	
D322,508 S *	12/1991	Riecken	D2/961	D710,079 S	8/2014	Tucker et al.	
D322,511 S	12/1991	Lucas		D711,083 S	8/2014	Tucker et al.	
D324,449 S	3/1992	Hatfield		D712,122 S	9/2014	Tucker et al.	
D324,941 S *	3/1992	Hatfield	D2/954	D728,912 S	5/2015	Taestensen	
D325,814 S *	5/1992	Benatti	D2/960	D737,552 S	9/2015	Guichot	
D329,129 S *	9/1992	Brown	D2/961	9,125,453 B2	9/2015	Keating et al.	
D329,536 S	9/1992	Lucas		D741,589 S *	10/2015	Boscariol	D2/961
D329,689 S	9/1992	Hatfield et al.		D759,361 S	6/2016	Robinson, Jr. et al.	
D329,939 S	10/1992	Bailey		D761,541 S	7/2016	Hermes	
D330,112 S	10/1992	Hatfield et al.		D777,412 S	1/2017	Antonelli	
D330,800 S	11/1992	Lucas		D796,173 S	9/2017	Winfield	
D330,971 S	11/1992	Hatfield		D811,060 S	2/2018	Rockensuess et al.	
D330,972 S	11/1992	Hatfield et al.		D823,582 S	7/2018	Gibson	
D331,139 S	11/1992	Hatfield et al.		D844,308 S	4/2019	Cruz et al.	
D331,314 S	12/1992	Smith		D844,960 S	4/2019	Cooper	
D331,810 S	12/1992	Tanikawa		D846,249 S	4/2019	Cruz	
D333,909 S	3/1993	Hatfield		D866,145 S	11/2019	Small	
D335,954 S	6/1993	Avar		D871,730 S	1/2020	Rockensuess et al.	
D336,151 S *	6/1993	Minkin	D2/955	D871,733 S *	1/2020	Jones	D2/951
D339,454 S *	9/1993	Hatfield	D2/954	D882,225 S *	4/2020	Small	D2/947
5,280,680 A *	1/1994	Burke	A43B 13/14	D882,924 S	5/2020	Rasmussen	
			D2/951	D883,628 S	5/2020	Winfield	
5,287,638 A *	2/1994	Preston	A43B 13/189	D889,094 S	7/2020	Matis et al.	
			36/3 R	D889,095 S	7/2020	Carboy	
D368,360 S *	4/1996	Wolfe	D2/962	D889,103 S *	7/2020	Auger	D2/961
D376,471 S *	12/1996	Kalin	D2/947	D890,490 S	7/2020	Page	
D385,093 S	10/1997	Cass		D894,568 S	9/2020	de Montgolfier	D2/951
D385,392 S	10/1997	Cass		D894,569 S *	9/2020	de Montgolfier	D2/951
D387,938 S *	12/1997	Lucas	D2/951	D894,570 S *	9/2020	de Montgolfier	D2/951
D388,945 S	1/1998	Teague		D899,052 S	10/2020	Henrichot	
D392,438 S	3/1998	Backus		D902,548 S	11/2020	Hatfield et al.	
D392,446 S	3/1998	Fogg		D904,741 S	12/2020	Rasmussen	
D394,944 S	6/1998	Doxey		D910,294 S *	2/2021	Gerig	D2/951
D394,945 S	6/1998	Doxey		D910,996 S	2/2021	Klein	
D395,340 S	6/1998	Tresser		D911,003 S	2/2021	Richez	
D395,740 S	7/1998	Cass		D912,960 S	3/2021	Han et al.	
D399,997 S	10/1998	Girard		D920,647 S *	6/2021	Stewart	D2/951
D404,901 S	2/1999	Blakeslee		D930,964 S	9/2021	Street	
D409,826 S	5/1999	Turner et al.		D932,166 S	10/2021	Eldem	
D423,200 S	4/2000	Schambra		D932,167 S	10/2021	Eldem	
D452,061 S *	12/2001	Smith	D2/947	D934,546 S	11/2021	Page	
D462,509 S	9/2002	Merceron		D938,708 S	12/2021	Sagat	
D463,097 S	9/2002	Matis et al.		D939,197 S	12/2021	Papp	
D464,477 S	10/2002	Adams		D955,726 S	6/2022	Nickless	
D481,201 S	10/2003	Shea et al.		D958,508 S	7/2022	Dean	
D502,308 S	3/2005	Teague		D963,306 S *	9/2022	Choi	D2/951
D502,595 S	3/2005	Sonnergren		D964,717 S	9/2022	Mahoney	
D504,758 S	5/2005	Sonnergren		D966,672 S	10/2022	Zovak et al.	
D509,048 S	9/2005	Sonnergren		D967,617 S	10/2022	O'Connor	
D513,112 S	12/2005	Le		D968,065 S *	11/2022	O'Connor	D2/951
D513,841 S	1/2006	Corbi Rico		D970,171 S *	11/2022	Schenone	D2/951
D514,288 S	2/2006	Burg		D970,180 S	11/2022	Kanata et al.	
D530,491 S	10/2006	Sonnergren		D970,181 S *	11/2022	Kanata	D2/951
D530,493 S *	10/2006	Holmes	D2/954	D971,569 S	12/2022	O'Connor	
D547,036 S	7/2007	Schoenborn et al.		D972,821 S *	12/2022	Schenone	D2/951
D548,435 S	8/2007	McClaskie		D973,326 S *	12/2022	Schenone	D2/951
D549,938 S	9/2007	Belley et al.		D974,012 S *	1/2023	Schenone	D2/951
D551,435 S	9/2007	Belley et al.		D974,015 S *	1/2023	Sebastian	D2/957
D553,833 S	10/2007	Walden		D974,016 S	1/2023	Hannah	
D554,836 S	11/2007	Shaffer		D976,539 S	1/2023	Qu	
D563,083 S *	3/2008	Corbi Rico	D2/947	D981,095 S	3/2023	Chen	
D609,892 S	2/2010	Andersen et al.		D984,107 S *	4/2023	Young	D2/951
D616,186 S	5/2010	Petrie		D984,789 S *	5/2023	Cristobal	D2/947
D620,244 S	7/2010	Taestensen		D985,915 S	5/2023	Small	
D625,501 S *	10/2010	Lidtke	D2/961	D988,682 S	6/2023	Popovic	
D638,210 S	5/2011	Del Biondi		D988,684 S	6/2023	Kilgore	
D640,453 S	6/2011	Del Biondi		D990,110 S	6/2023	Hardy	
				D990,130 S	6/2023	Cristobal	
				D992,881 S	7/2023	Ikeda	
				D992,884 S *	7/2023	Braithwaite	D2/951
				D993,594 S	8/2023	Ikeda	

(56) References Cited

U.S. PATENT DOCUMENTS

D997,513	S	*	9/2023	Schenone	.....	D2/951
D997,514	S	*	9/2023	Schenone	.....	D2/951
D998,300	S	*	9/2023	Schenone	.....	D2/951
D998,301	S	*	9/2023	Schenone	.....	D2/951
D1,000,075	S	*	10/2023	Small	.....	D2/951
D1,000,775	S	*	10/2023	Petrenka	.....	D2/951
D1,000,787	S	*	10/2023	Petrenka	.....	D2/951
D1,001,437	S	*	10/2023	Portzline	.....	D2/947
2008/0289224	A1		11/2008	Sink		
2011/0289799	A1		12/2011	Keating et al.		
2013/0152429	A1		6/2013	Sink		
2017/0095034	A1	*	4/2017	Dupre	.....	A43B 13/141
2020/0305545	A1	*	10/2020	Yahata	.....	A43B 7/1435
2020/0315287	A1	*	10/2020	Benincasa	.....	A43B 7/28
2023/0371656	A1	*	11/2023	Iuchi	.....	A43C 15/161

OTHER PUBLICATIONS

Nike Footwear Catalog, 1987 Fall Footwear, p. 8, published Jan. 1987, Nike, Inc., USA.

Nike Footwear Catalog, 2006 Spring Men’s, Women’s, and Kid’s Footwear, p. 225, published Nov. 2005, Nike, Inc., USA.

Nike Footwear Catalog, 2010 Fall Core Footwear, p. 5, published Nov. 2009, Nike, Inc., USA.

Nike Footwear Catalog, 2012 Spring Core Footwear, p. 79, published May 2011, Nike, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men’s Performance Footwear, p. 3, published May 2011, Nike, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men’s Performance Footwear, p. 9, published May 2011, Nike, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men’s Performance Footwear, p. 33, published May 2011, Nike, Inc., USA.

“Nike Air Griffey Max 2 Releases For Dec. 2014”; Sneaker News; retrieved Mar. 29, 2023; published Dec. 10, 2014; URL: <<https://sneakernews.com/2014/12/10/nike-air-griffey-max-2-releases-december-2014/>>.

“Nike Welcomes Back Pete Sampras With Unexpected Shoe Release”; Sneaker News; retrieved Mar. 29, 2023; published Aug. 20, 2015; URL: <<https://sneakernews.com/2015/08/20/nike-welcomes-back-pete-sampras-with-unexpected-shoe-release/>>.

“Puma Godfather Helmut Fischer Shares Massive Sneaker Archive”; Sneakerfreaker; retrieved Jul. 10, 2023; published Jun. 5, 2017; URL: <<https://www.sneakerfreaker.com/news/puma-godfather-helmut-fischer-shares-3500-sneaker-archive?page=2>>.

“Material Matters: What’s up With Energy Return Foam?”; Sneakerfreaker; retrieved Jul. 10, 2023; published Mar. 5, 2018; URL: <<https://www.sneakerfreaker.com/features/material-matters/matterial-matters-what?page=2>>.

“Official Images Of The Air Jordan 14 “Hyper Royal””; SneakerNews; retrieved May 1, 2023; published Sep. 4, 2020; URL: <<https://sneakernews.com/2020/09/04/air-jordan-14-hyper-royal-487471-104/>>.

“Clot Officially Announces The Air Jordan 14 Low “Terracotta””; Sneaker News; retrieved Dec. 16, 2021; published Jan. 21, 2021; URL: <<https://sneakernews.com/2021/01/21/clot-air-jordan-14-low-terracotta-release-date/>>.

“K-Swiss Tubes Comfort 200 review”; RunRepeat; retrieved Jul. 12, 2023; published May 30, 2022; URL: <<https://runrepeat.com/k-swiss-tubes-comfort-200>>.

“Nike Air Zoom Flight 95 Black Metallic Silver Size 11”; Ebay; retrieved Jun. 9, 2022; published date unknown, but prior to application filing date; URL: <<https://www.ebay.com/itm/255554584024?chn=ps&var=555505140396&norover=1>>.

“Vintage Nike Zoom Air”; ebay; retrieved Jun. 30, 2023; published date unknown, but prior to application filing date; URL: <<https://www.ebay.com/itm/363623992346>>.

“Zoom Air Hawk Flight ‘Class of 97 Pack’”; Goat; retrieved Jun. 9, 2022; published date unknown, but prior to application filing date; URL: <<https://www.goat.com/sneakers/zoom-air-hawk-flight-class-of-97-pack-805272-001>>.

“This Sneakersnstuff-Exclusive Air Max Tailwind 4 is an Anniversary Special”; High Snobiety; retrieved Mar. 14, 2023; published date unknown, but prior to application filing date; URL: <<https://www.highsnobiety.com/p/sneakersnstuff-nike-air-max-tailwind-4-release-date-price/>>.

“K-Swiss Tubes Collection”; K-Swiss; retrieved Jul. 12, 2023; published date unknown, but prior to application filing date; URL: <<https://kswiss.com/collections/tubes>>.

“Nike Air Max 2021”; Nike; retrieved Aug. 10, 2022; published date unknown, but prior to application filing date; URL: <https://www.nike.com/t/air-max-2021-mens-shoes-fnRMh3> >.

“Nike Air Max 96 II”; Nike; retrieved May 3, 2022; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/my/t/air-max-96-ii-shoes-J0szvR/DC9409-200>>.

“Nike Air Max Plus”; Nike; retrieved Jul. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/air-max-plus-mens-shoes-x9G2xF/DX2663-001>>.

“Puma 1980 Elite Rider Vintage Sneaker AD”; thedeffest; retrieved Jul. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.thedeffest.com/vintage-ads/tag/80s+running+shoes>>.

“Nike Air Max 2001 Silver / Chili DS”; RootsBK; retrieved Jul. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.rootsbk.net/sold-sneakers-2/nike-air-max-2001-silver-chili-size-105-ds>>.

“Nike Air Max 360”; Sneaker News; retrieved May 3, 2022; published date unknown, but prior to application filing date; URL: <<https://sneakernews.com/nike-air-max/nike-air-max-360/>>.

* cited by examiner

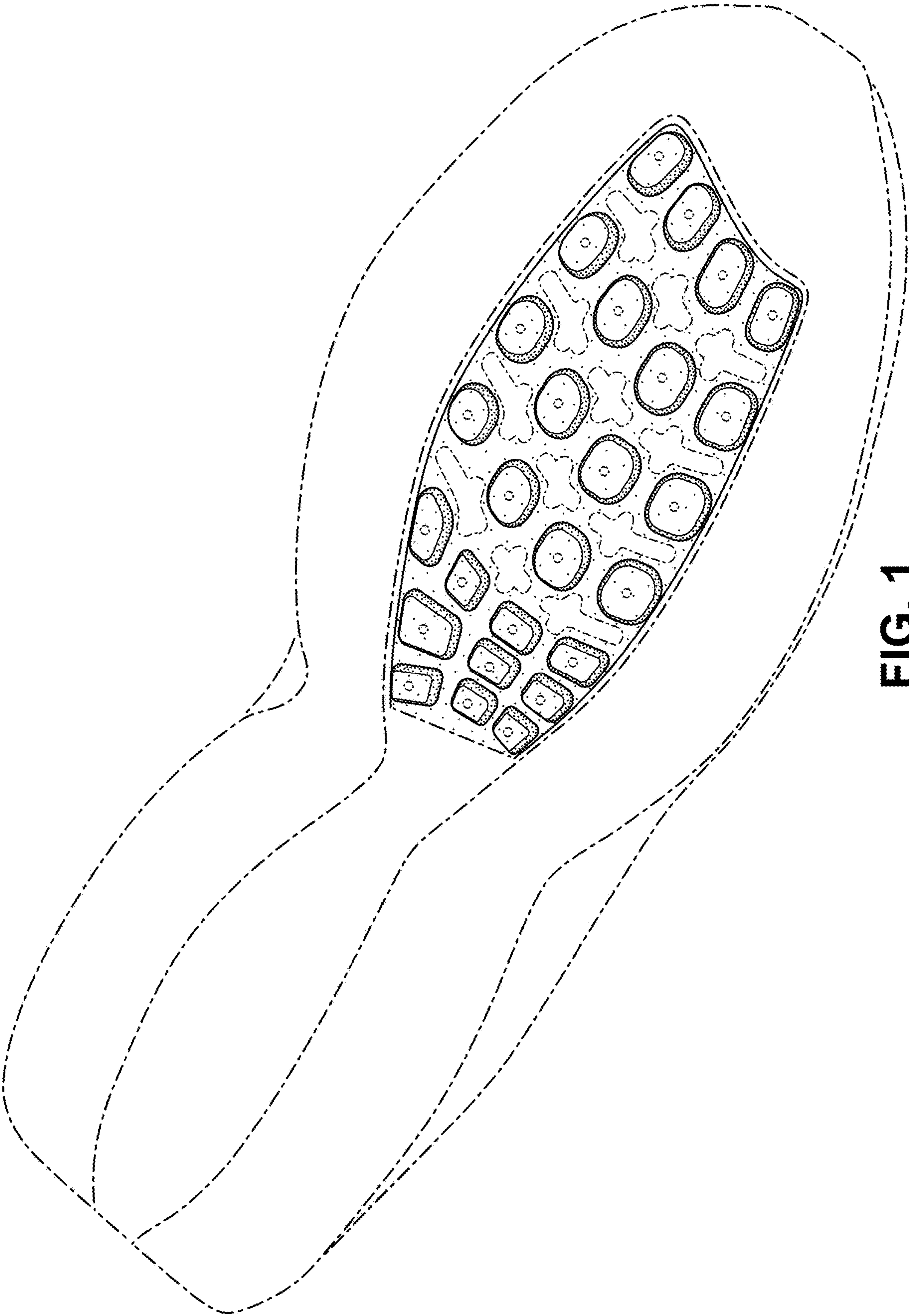


FIG. 1

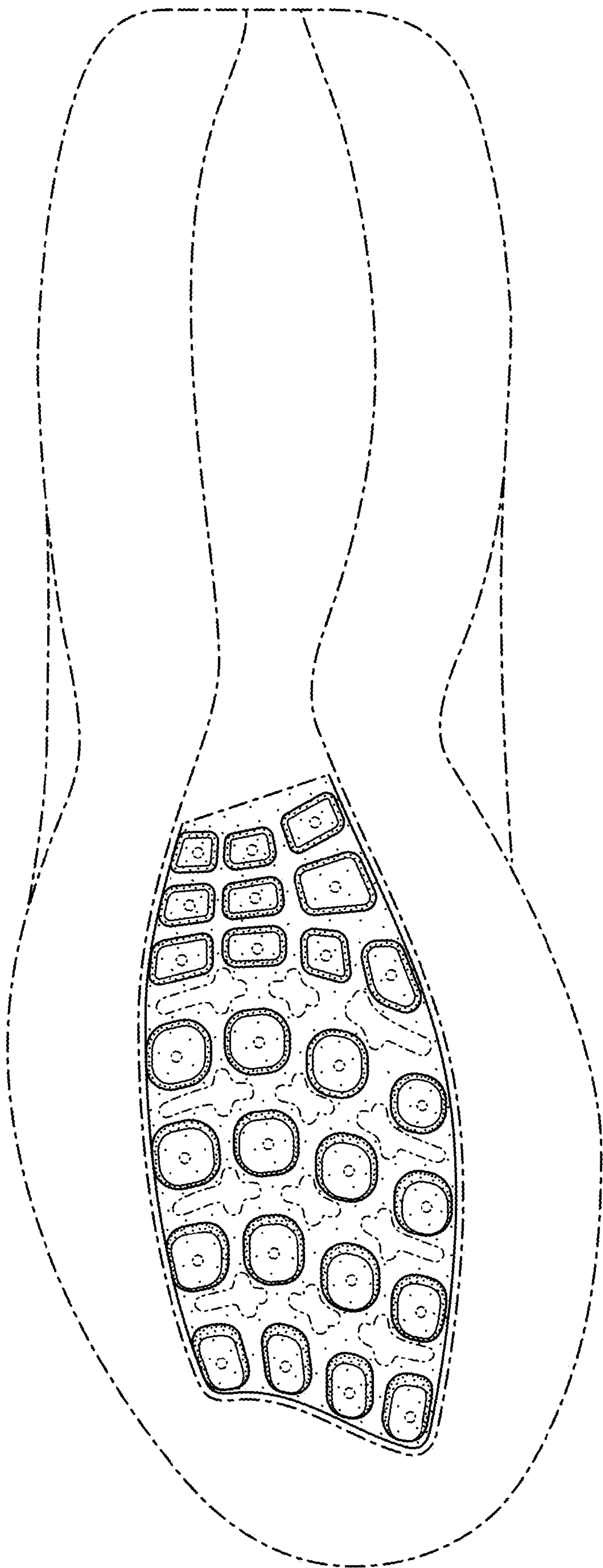


FIG. 2

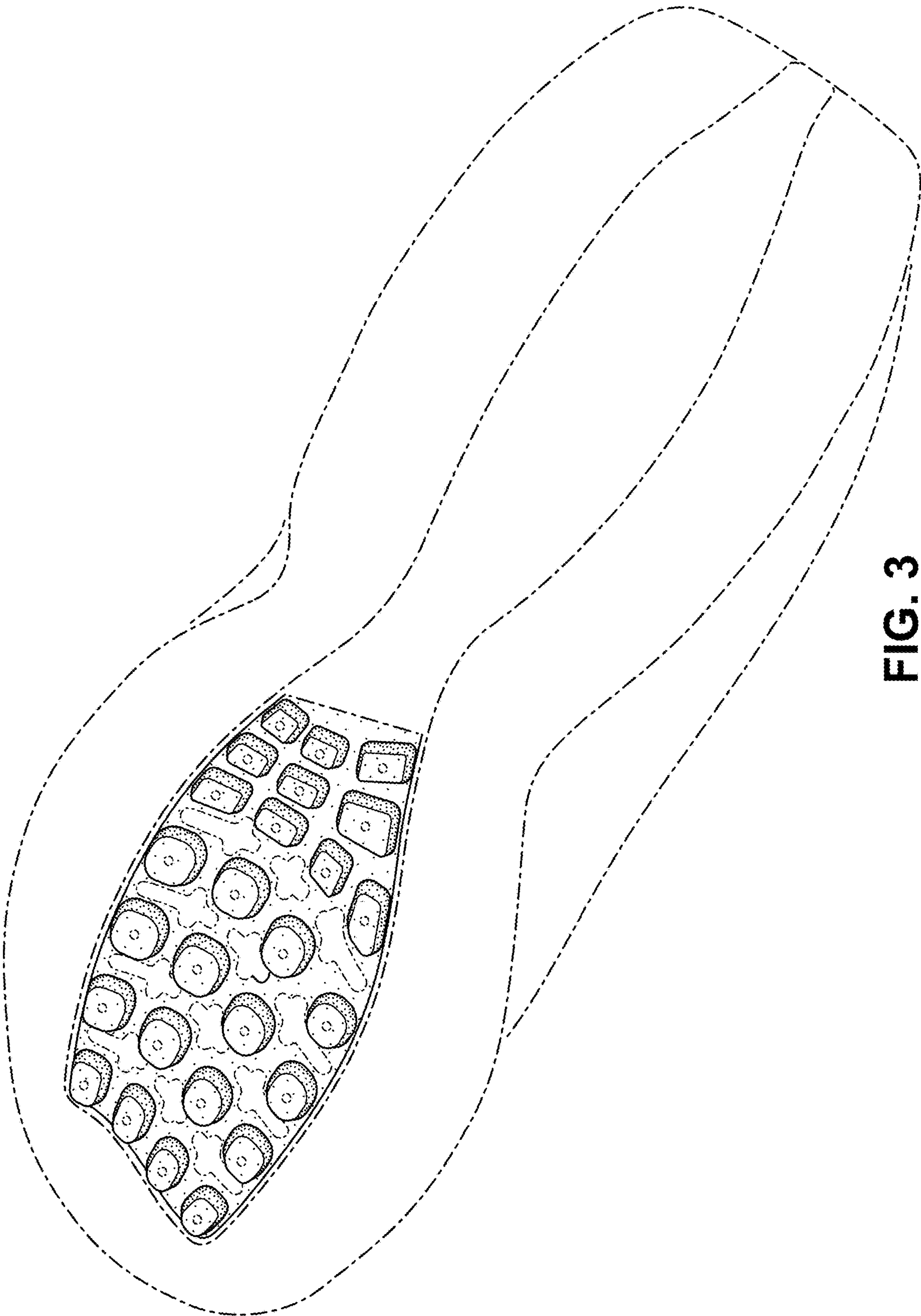


FIG. 3