

[54] **ATHLETIC SHOE UPPER AND MIDSOLE**

[75] **Inventor:** Tinker L. Hatfield, Portland, Oreg.

[73] **Assignee:** Nike, Inc., Beaverton, Oreg.

[**] **Term:** 14 Years

[21] **Appl. No.:** 504,414

[22] **Filed:** Apr. 3, 1990

[52] **U.S. Cl.** D2/314; D2/309

[58] **Field of Search** D2/264, 265, 268, 269,
 D2/272, 279, 308-314; 36/45, 83, 84, 102-106,
 112-116, 132, 136

[56] **References Cited**

U.S. PATENT DOCUMENTS

D. 265,019	6/1982	Vernonet	D2/320
D. 276,190	11/1984	Hess	D2/309
D. 276,569	12/1984	Kohno	D2/310
D. 279,620	7/1985	Ueda	D2/310
D. 290,901	7/1987	Tong et al.	D2/314
D. 291,383	8/1987	Campbell et al.	D2/309
D. 294,766	3/1988	Igoe	D2/309
D. 295,458	5/1988	Selbiger	D2/314
D. 295,916	5/1988	Selbiger	D2/314
D. 297,182	8/1988	Brown et al.	D2/314
D. 297,586	9/1988	Tong et al.	D2/314
D. 297,588	9/1988	Gerber et al.	D2/314
D. 299,081	12/1988	Greenberg	D2/314
D. 299,183	1/1989	Brown	D2/314
D. 299,886	2/1989	Brown et al.	D2/314
D. 300,385	3/1989	Backus	D2/314
D. 301,081	5/1989	Quan et al.	D2/314
D. 301,388	6/1989	Miller et al.	D2/314
D. 302,070	7/1989	Kilgore et al.	D2/310
4,222,183	9/1980	Haddox	36/114
4,258,480	3/1981	Famolare, Jr.	36/91
4,354,318	10/1982	Frederick et al.	36/30 R
4,817,304	4/1989	Parker et al.	36/114

OTHER PUBLICATIONS

- Nike Catalog, Spring 1989 (published around Jul. 1988) issue, p. 8.
- Nike Catalog, Spring 1988 (published around Jul. 1987) issue, p. 2.
- Nike Catalog, Fall 1988 (published around Jan. 1988) issue, p. 4.
- Nike Catalog, Fall 1987 (published around Jan. 1987) issue, pp. 4 and 8.
- Footwear News, Oct. 6, 1986 issue, p. 24.
- Footwear News, Super Shoe Report of Feb. 1988.
- Sportstrek Publication, date unknown.
- Design Publication, Aug. 1982, p. 42.

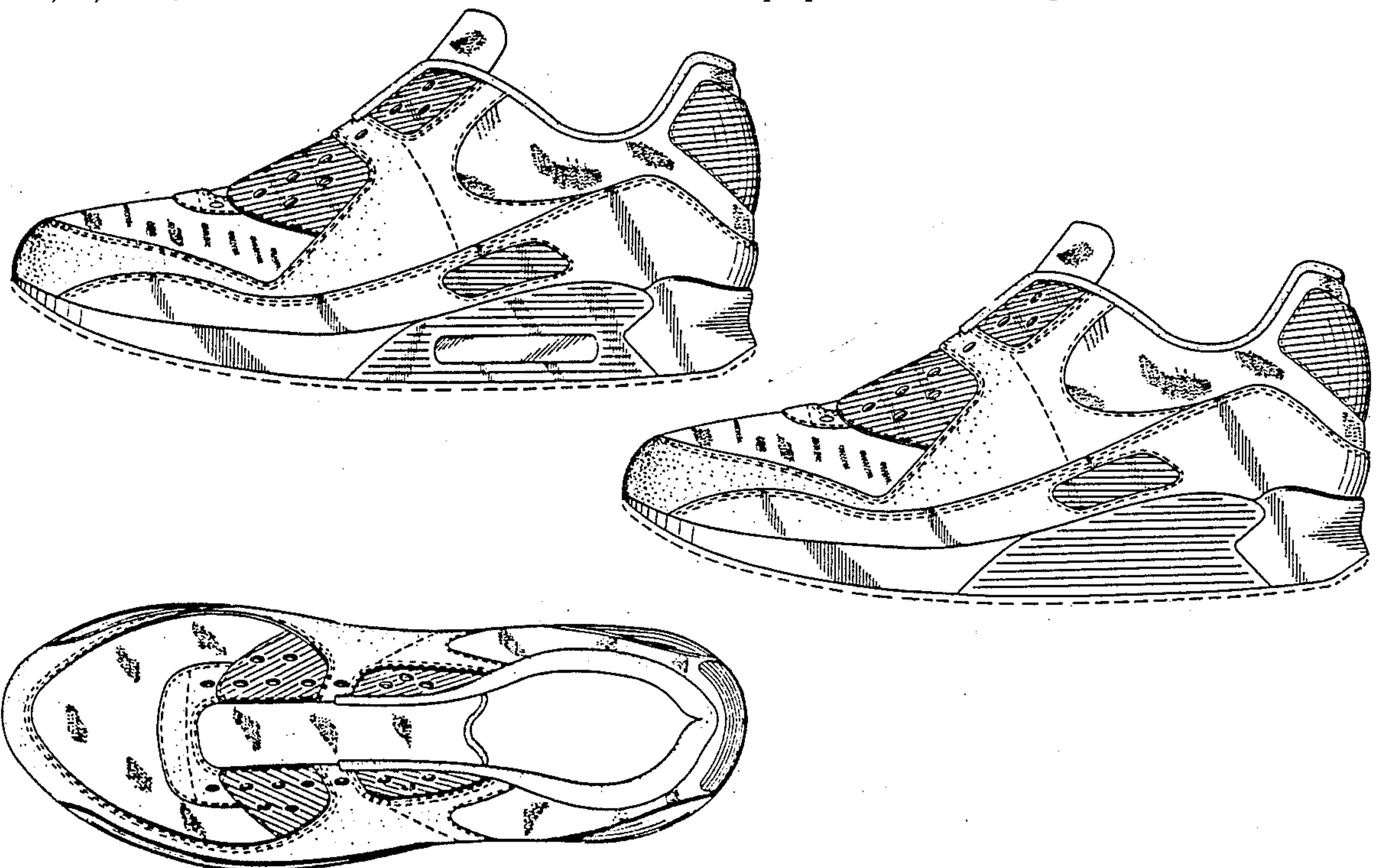
Primary Examiner—Louis S. Zarfes
Attorney, Agent, or Firm—Banner, Birch, McKie & Beckett

[57] **CLAIM**

The ornamental design for an athletic shoe upper and midsole, as shown and described.

DESCRIPTION

FIG. 1 is a side elevational view of one side of an athletic shoe upper and midsole showing my new design; FIG. 2 is a side elevational view of the other side of the shoe upper and midsole shown in FIG. 1; FIG. 3 is a top plan view of the shoe upper shown in FIG. 1; FIG. 4 is a front elevational view of the shoe upper and midsole shown in FIG. 1; FIG. 5 is a rear elevational view of the shoe upper and midsole shown in FIG. 1; FIG. 6 is a side elevational view of one side of a shoe upper and midsole showing an alternative embodiment of my new design; and FIG. 7 is a side elevational view of the other side of the shoe upper and midsole shown in FIG. 6. The broken line showing of a shoe outsole is for illustrative purposes and forms no part of the claimed design.



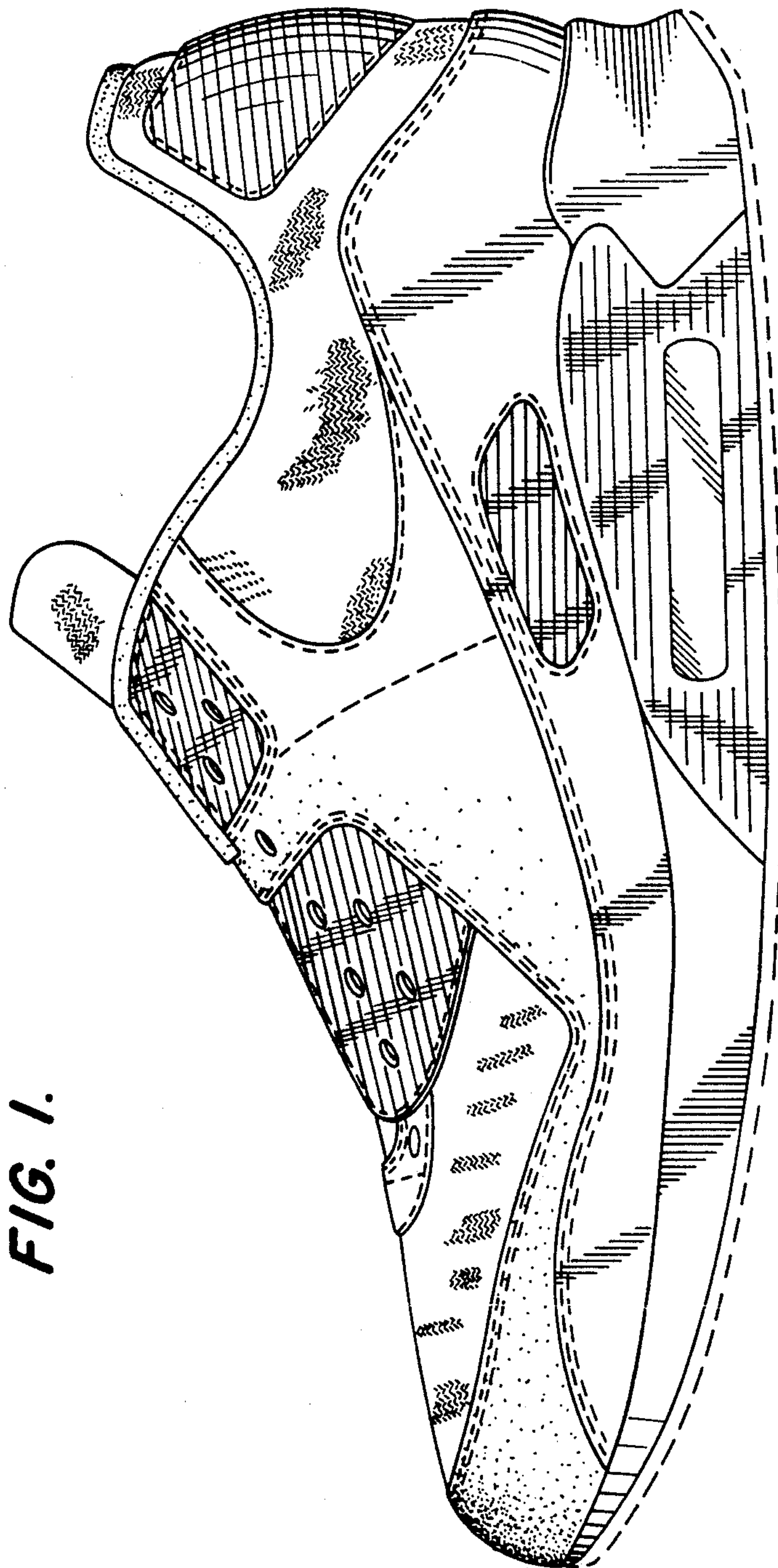


FIG. 1.

FIG. 2.

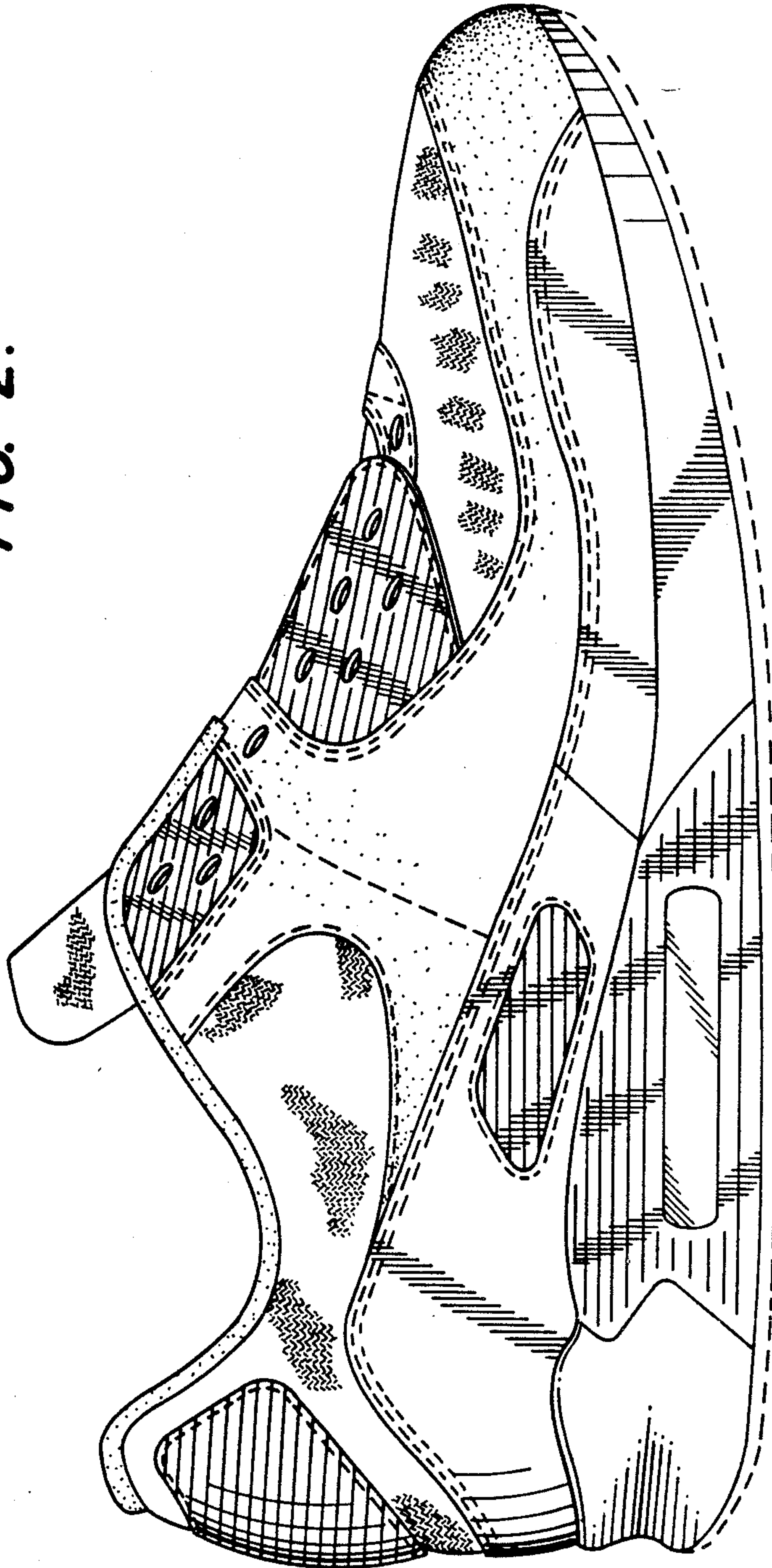


FIG. 3.

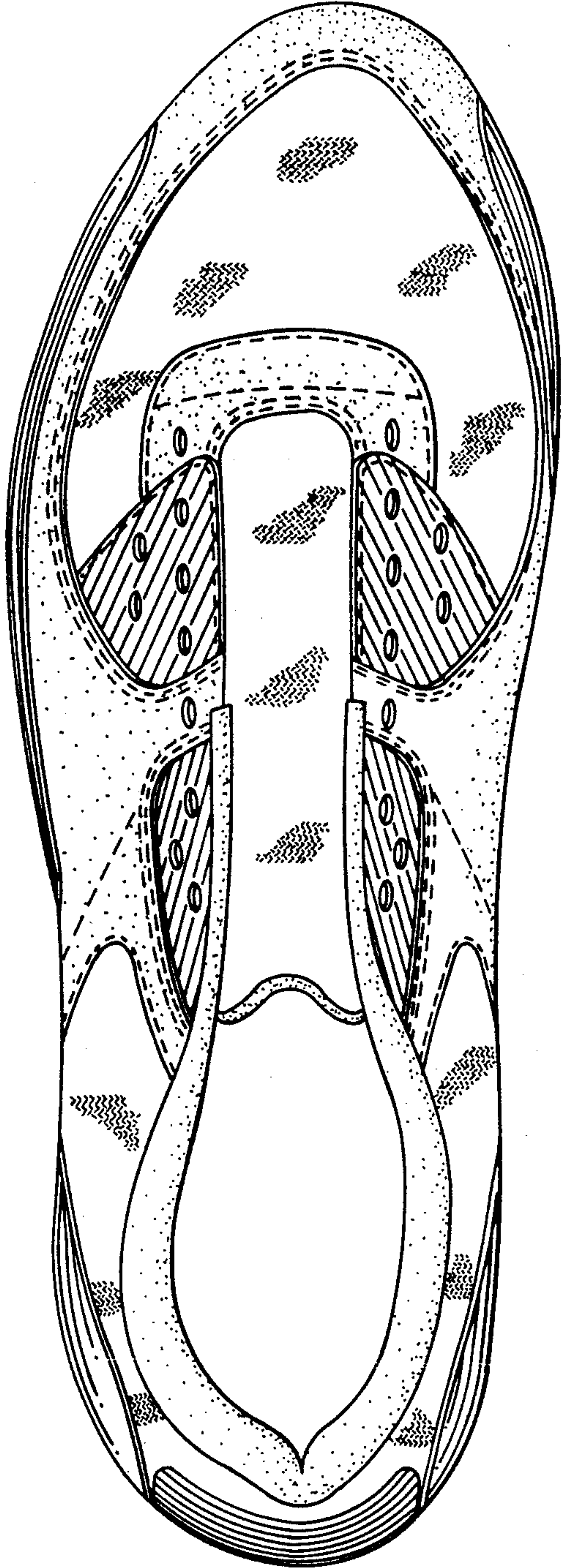


FIG. 4.

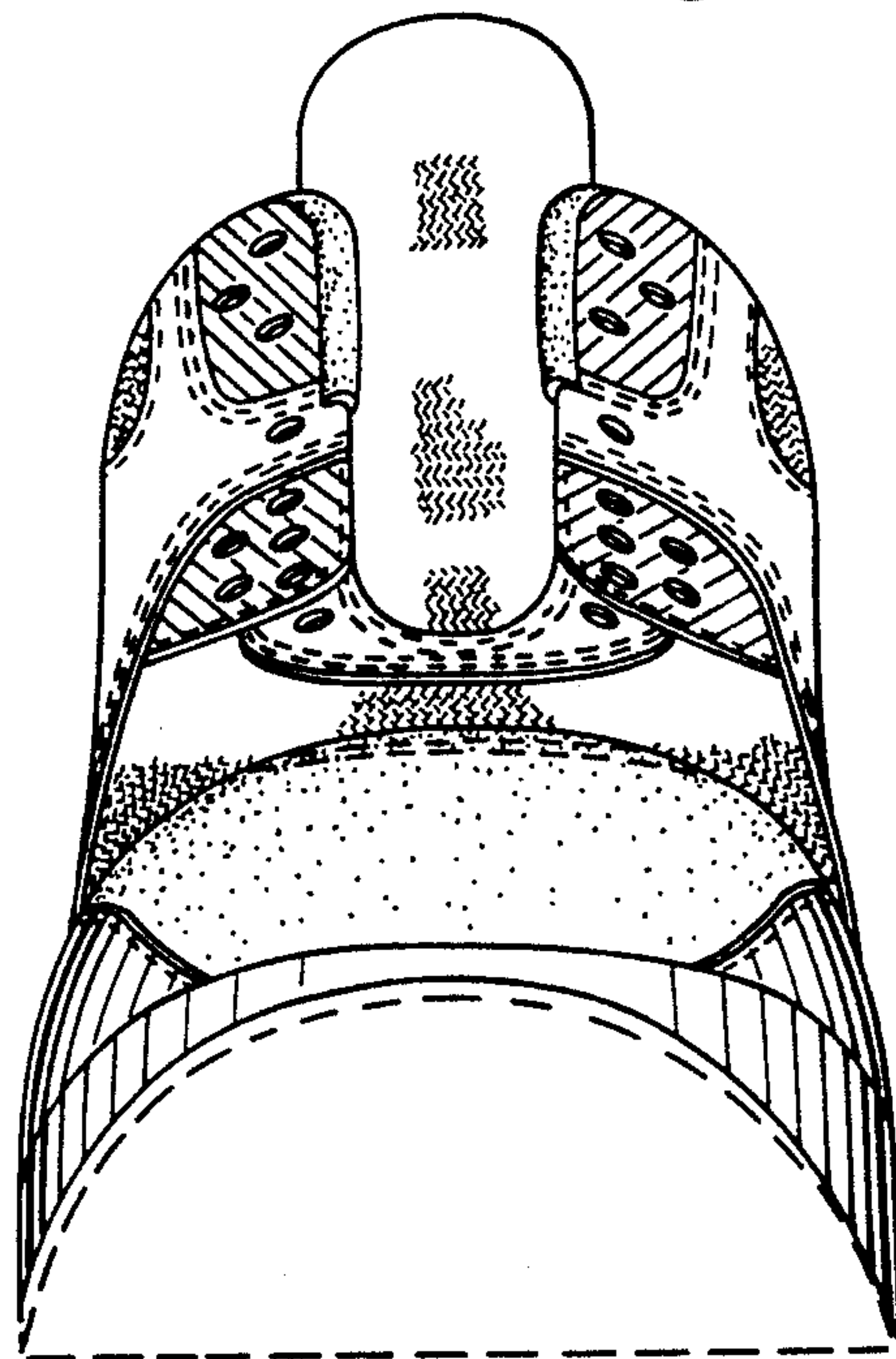
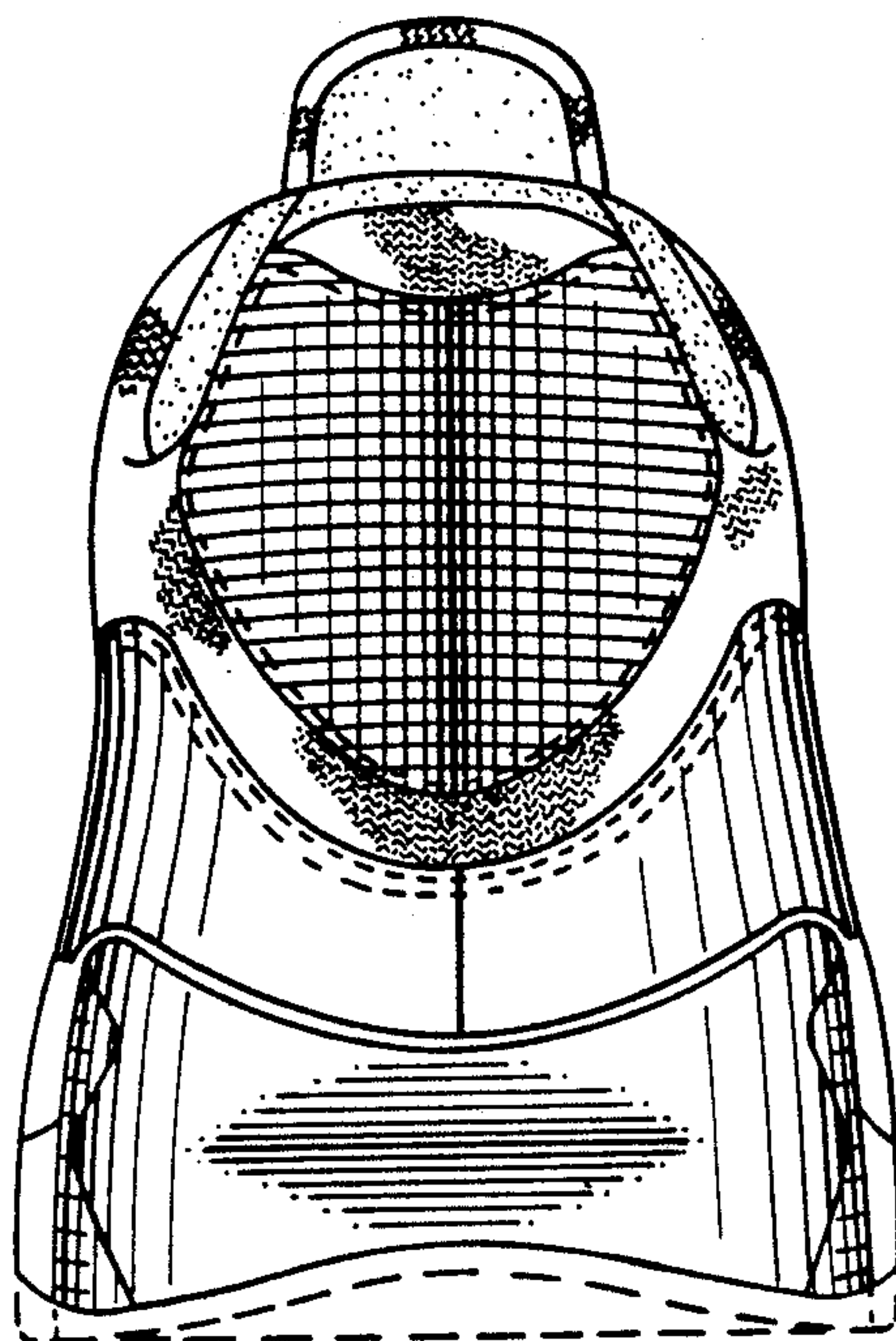


FIG. 5.



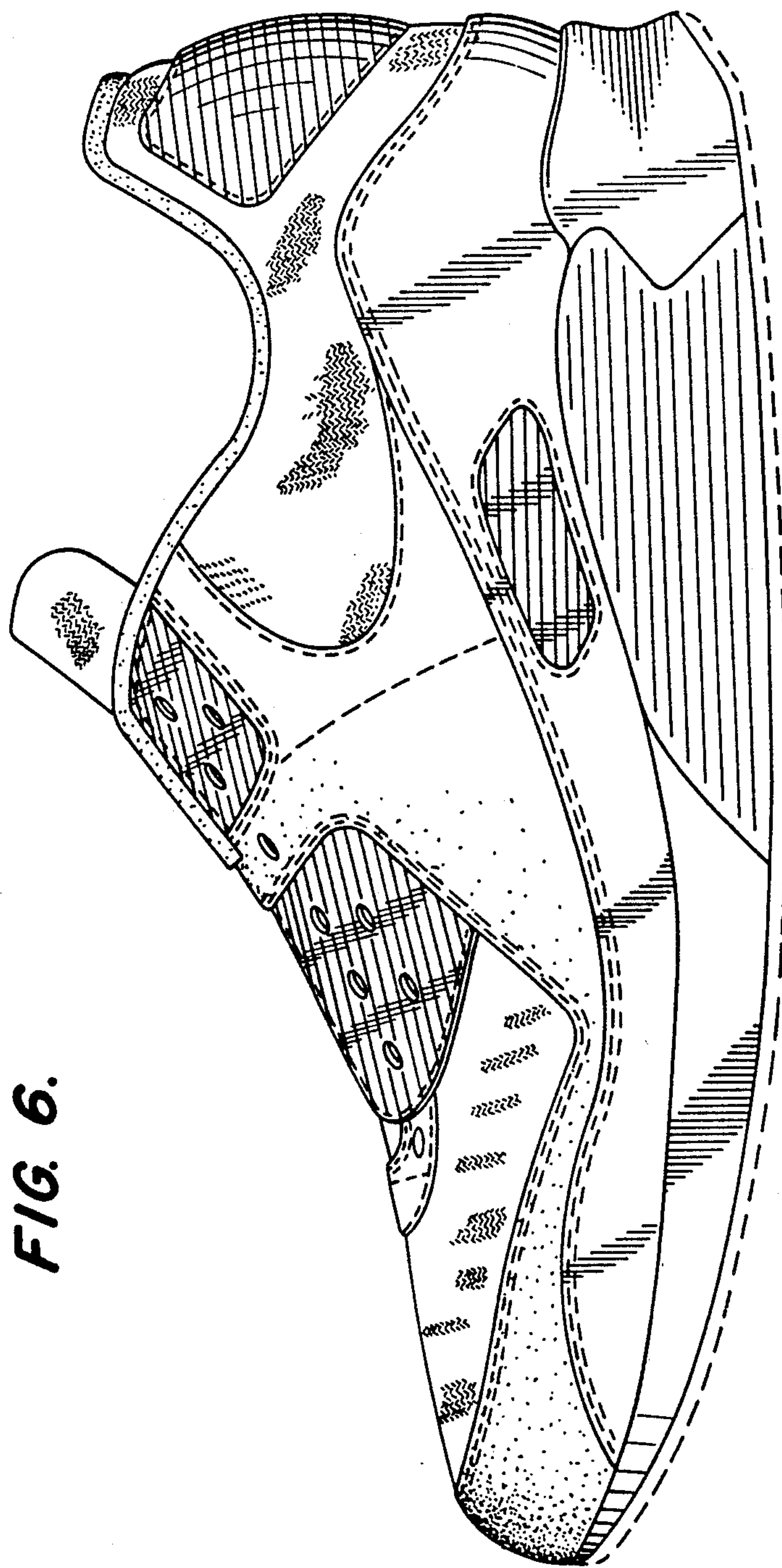


FIG. 6.

FIG. 7.

