



US00D385999S

# United States Patent [19] Tong

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[54] **ELEMENT OF A SHOE UPPER**

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

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

[21] Appl. No.: **60,755**

[22] Filed: **Oct. 7, 1996**

[51] LOC (6) Cl. .... **02-99**

[52] U.S. Cl. .... **D2/977; D2/946; D2/976**

[58] Field of Search ..... **D2/896, 902, 907, D2/946, 969, 972, 976; 36/84, 114, 116, 136, 45, 47, 48, 50.1, 52, 78, 113**

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

D. 261,446	10/1981	Schmohl .	
D. 304,127	10/1989	Mourad .	
D. 311,988	11/1990	Hase .	
D. 312,167	11/1990	Hase .	
D. 315,979	4/1991	Legacki et al. .	
D. 328,384	8/1992	Rogers et al. .	
330,945	11/1885	Valiant .....	36/52
D. 333,552	3/1993	Berger et al. .	
D. 338,096	8/1993	Tonkel .	
D. 341,933	12/1993	Dahlsten et al. .	
D. 356,435	3/1995	Vignola et al. .	
D. 360,521	7/1995	Ho .	
375,581	12/1887	Thompson et al. ....	36/52
400,408	3/1889	Lyon .....	36/52 X
1,145,784	7/1915	Mendelson .....	36/52
1,158,368	10/1915	Bubier .....	36/52
4,736,531	4/1988	Richard .	

**OTHER PUBLICATIONS**

- Nike 1983 Shoe Show Catalog, p. 13, 14, published Jan. 1983.
- Nike 1984 Shoe Show Catalog, p. 55, published Nov. 1983.
- Nike 1985 Athletic Footwear Catalog, pp. 20, 36, publication date unknown.

Nike Fall 1990 Footwear Catalog, p. 150, published Dec. 1989.

Nike Spring 1992 Footwear Catalog, p. 134, published May 1991.

Nike Spring 1994 Footwear Catalog, p. 118, published Jun. 1993.

Nike Late Spring 1994 Footwear Catalog, p. 12, published Sep. 1993.

Nike Spring 1995 Footwear Catalog, pp. 51, 94, 120, 136, 149, published Jun. 1994.

Nike Fall 1995 Footwear Catalog, p. 42, published Nov. 1994.

Nike Late Spring 1996 Footwear Catalog, p. 100, published Aug. 1994.

Nike Holiday 1996 Footwear Catalog, pp. 95, 96, 107-109, 122, published Mar. 1996.

Nike Spring 1997 Footwear Catalog, pp. 7, 92, 107, 108, 123, 132, 190, published Jun. 1996.

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[57] **CLAIM**

The ornamental design for an element of a shoe upper, as shown and described.

**DESCRIPTION**

FIG. 1 is a top plan view of a shoe upper having an element showing my new design;

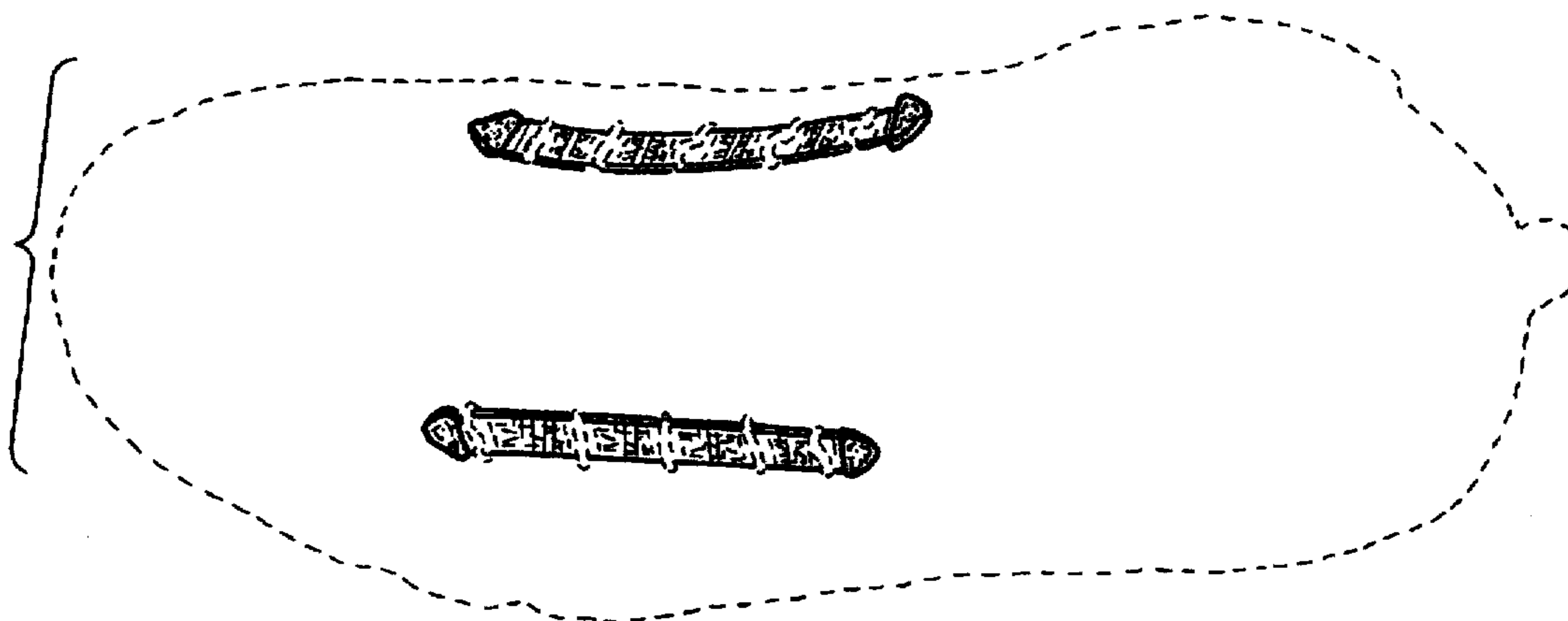
FIG. 2 is a left side elevational view thereof;

FIG. 3 is a right side elevational view thereof; and,

FIG. 4 is a rear elevational view thereof.

The broken line showing of the remainder of the shoe, including the lacing elements, is for illustrative purposes and forms no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



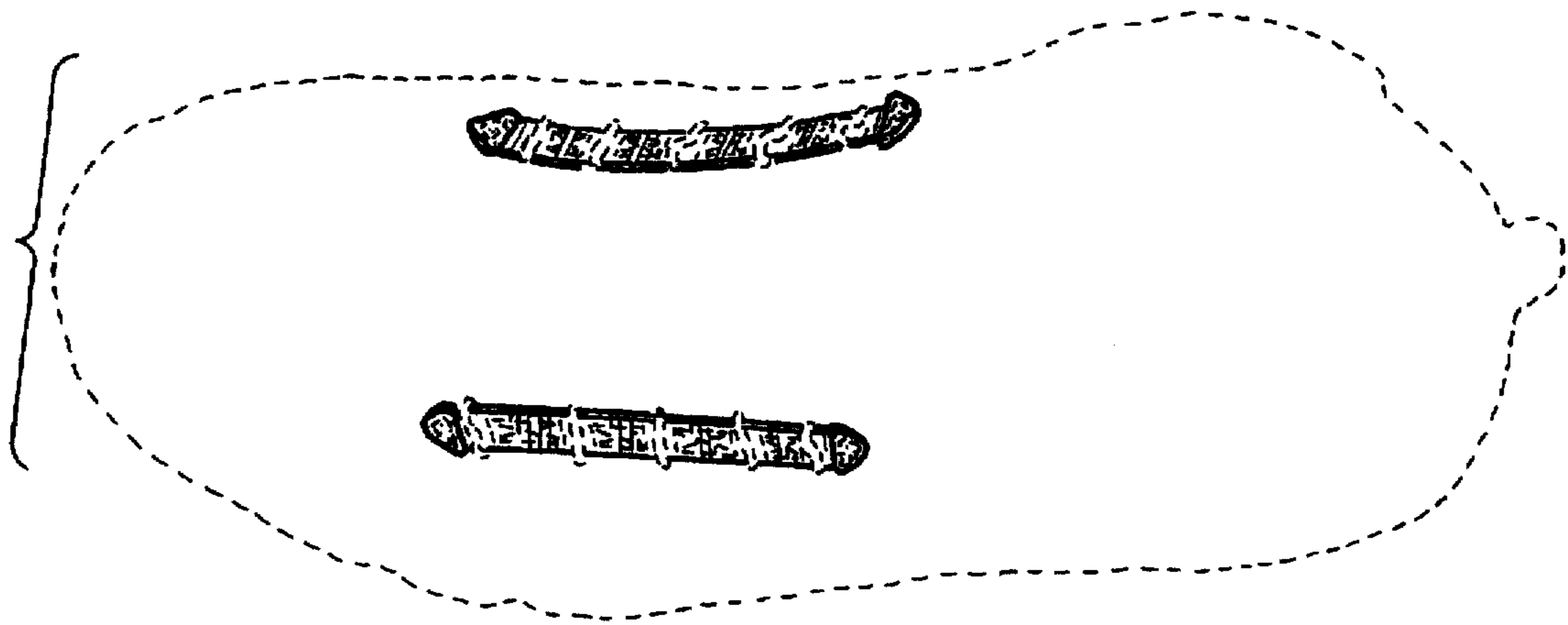


FIG. 1

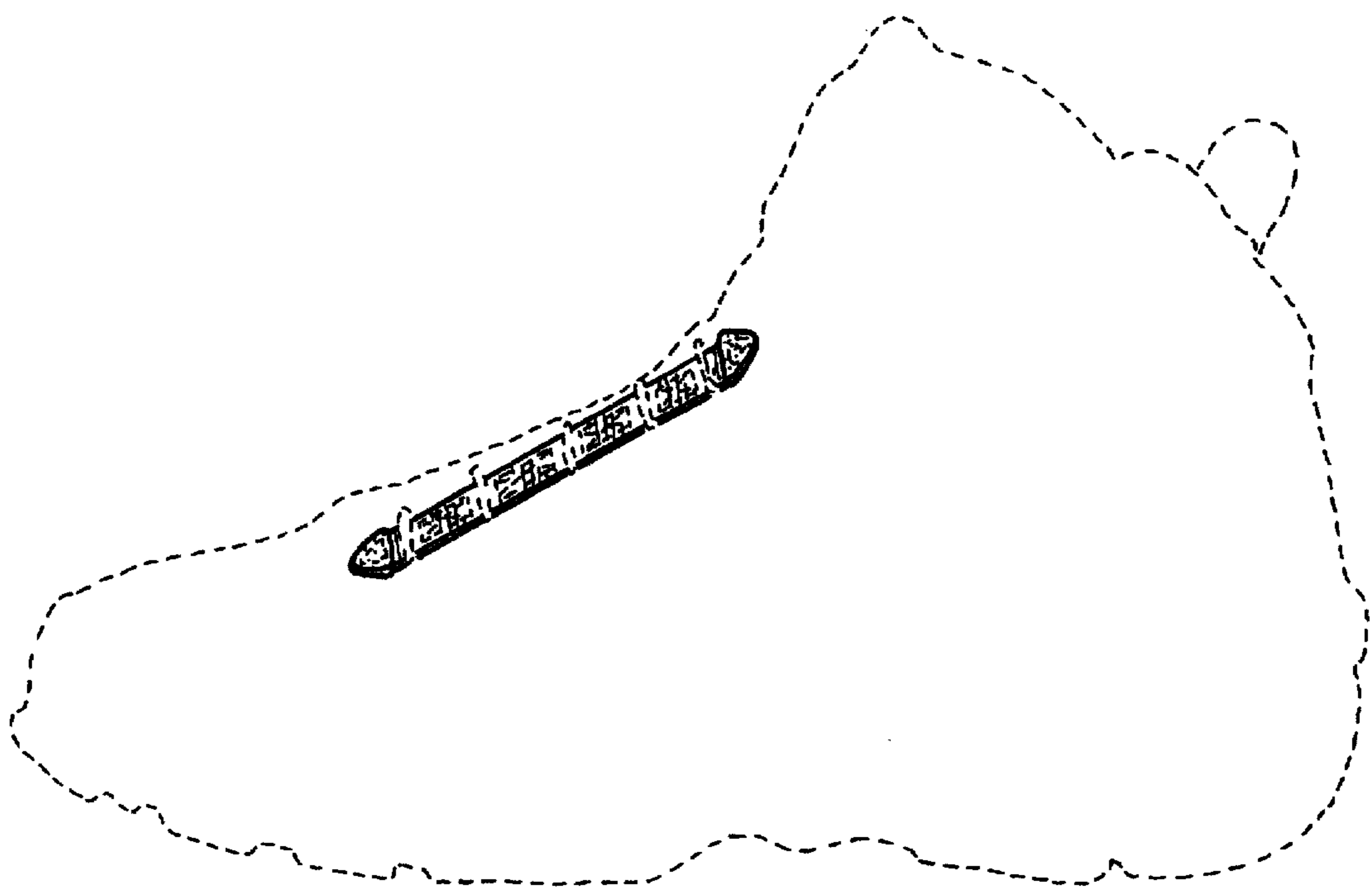


FIG. 2

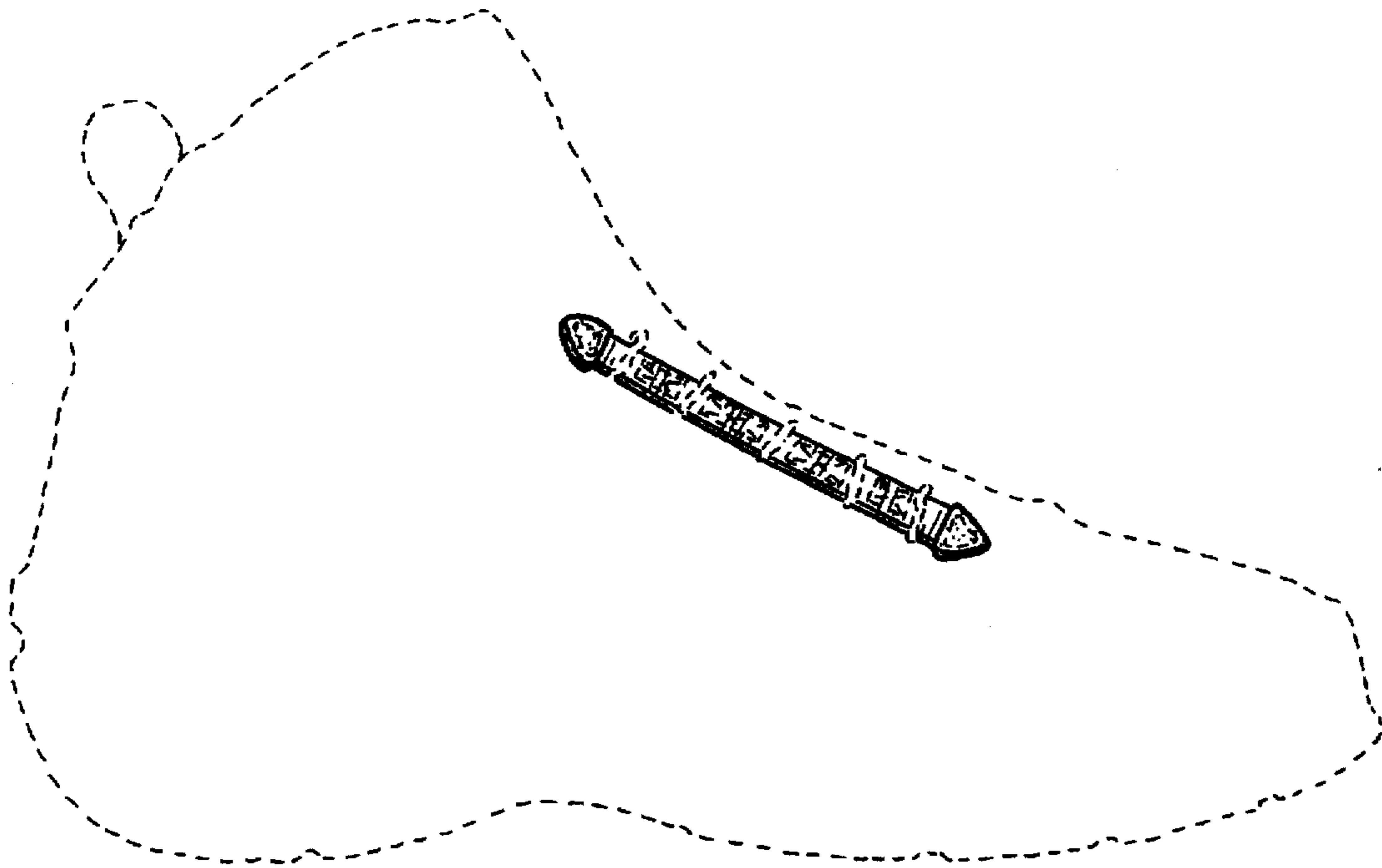


FIG. 3

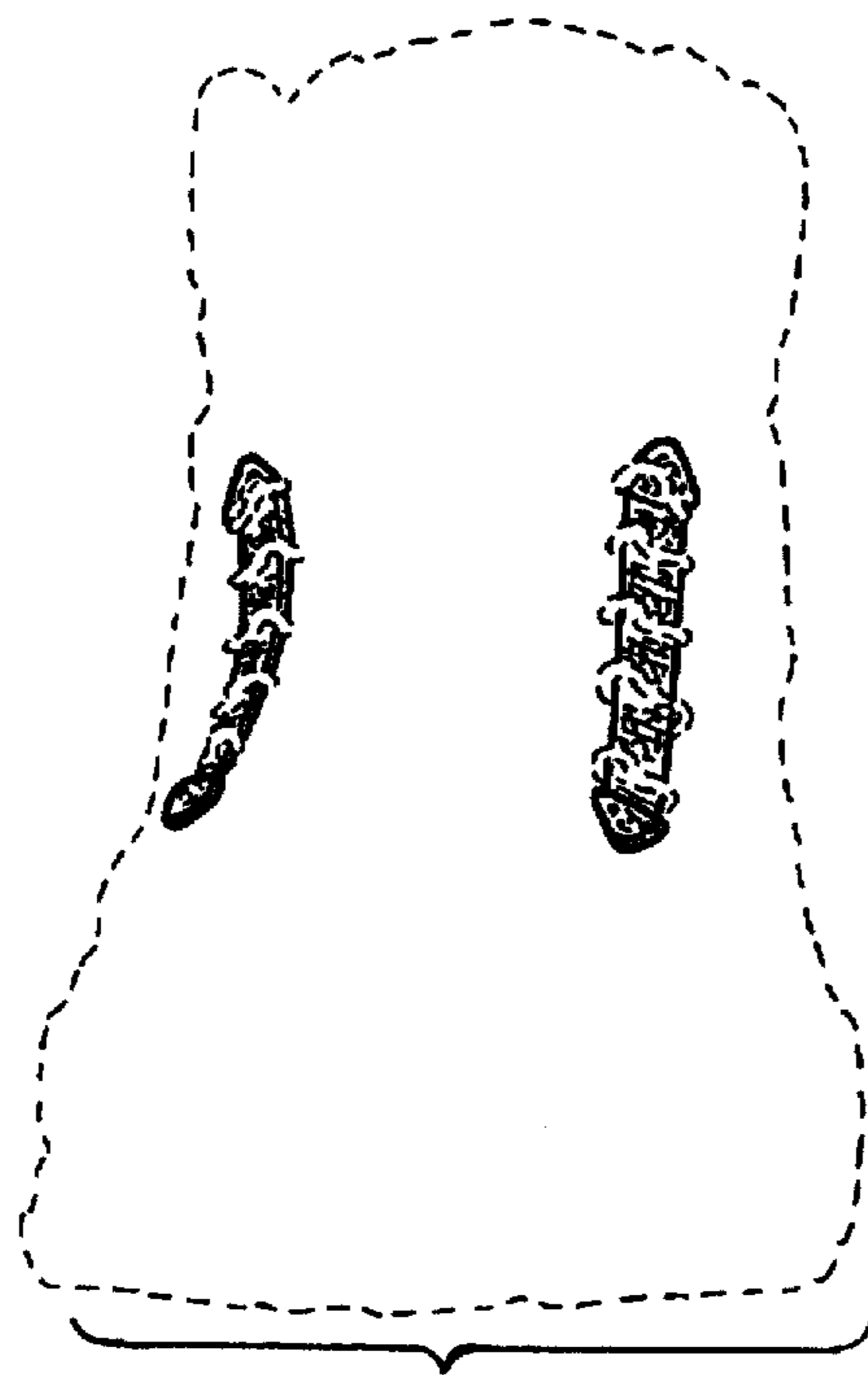


FIG. 4