



US00D395353S

# United States Patent [19]

[11] **Patent Number: Des. 395,353**

**Avar**

[45] **Date of Patent: \*\*Jun. 23, 1998**

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

[75] Inventor: **Eric P. Avar**, Aloha, Oreg.

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

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

[21] Appl. No.: **77,871**

[22] Filed: **Oct. 10, 1997**

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

[52] **U.S. Cl. .... D2/972**

[58] **Field of Search** ..... D2/896, 902, 907,  
D2/908, 972-974; 36/45, 50.1, 53, 57

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

- D. 334,277 3/1993 Teague .
- D. 348,767 7/1994 Hatfield et al. .
- D. 349,805 8/1994 Earle et al. .
- D. 355,756 2/1995 Vestuti .
- D. 357,573 4/1995 Ng .
- D. 365,200 12/1995 Teague .
- D. 380,081 6/1997 Gerber .
- D. 380,291 7/1997 Morris .
- D. 381,801 8/1997 Smith .
- D. 382,695 8/1997 Teague ..... D2/972
- D. 383,297 9/1997 Gray ..... D2/972
- D. 383,298 9/1997 Yun .
- D. 383,595 9/1997 Morris .
- D. 384,196 9/1997 Hatfield ..... D2/972
- D. 385,693 11/1997 Cass ..... D2/972
- D. 388,598 1/1998 Hatfield ..... D2/972

**OTHER PUBLICATIONS**

Nike Footwear Catalog, Spring 1998, p. 169. Published Jun. 1997.

Nike Footwear Catalog, Holiday 1997, pp. 56 and 67. Published Mar. 1997.

Nike Footwear-Retail Catalog, Late Spring 1997, p. 80. Published Sep. 1996.

Nike Footwear Catalog, Fall 1995, p. 24. Published Nov. 1994.

Nike Footwear Catalog, Late Spring 1995, p. 11. Published Sep. 1994.

Nike Footwear Catalog, Fall 1990, p. 34. Published Dec. 1989.

*Primary Examiner*—Dominic Simone  
*Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

[57] **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a perspective view of a portion of a shoe upper showing my new design;

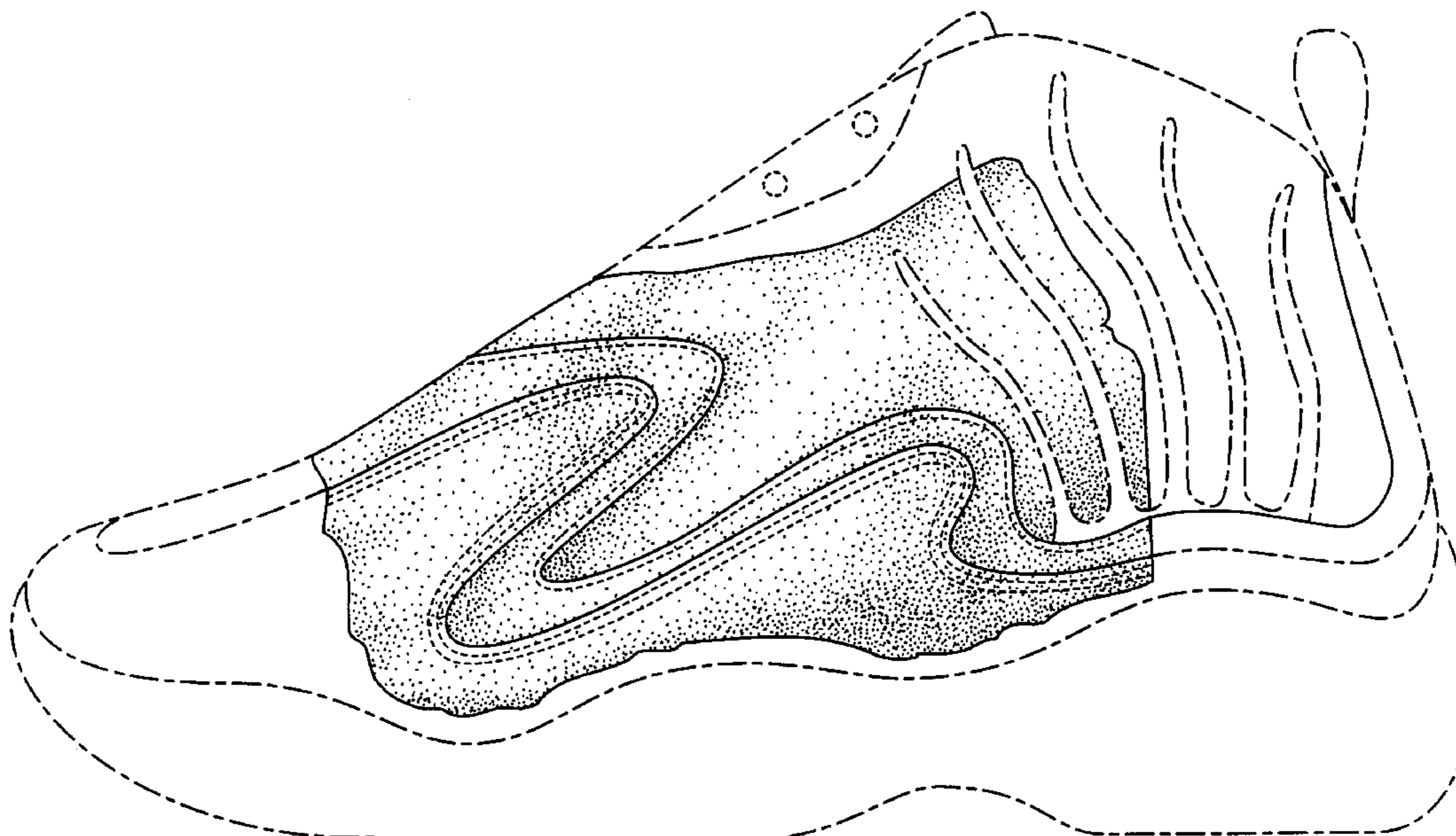
FIG. 2 is a side elevational view the portion of a shoe upper shown in FIG. 1;

FIG. 3 is a front elevational view of the portion of a shoe upper shown in FIG. 1; and,

FIG. 4 is a top plan view of the portion of a shoe upper shown in FIG. 1.

The broken line showing of the five-pronged element and the remainder of the shoe are for illustration purposes only and form no part of the claimed design.

**1 Claim, 4 Drawing Sheets**



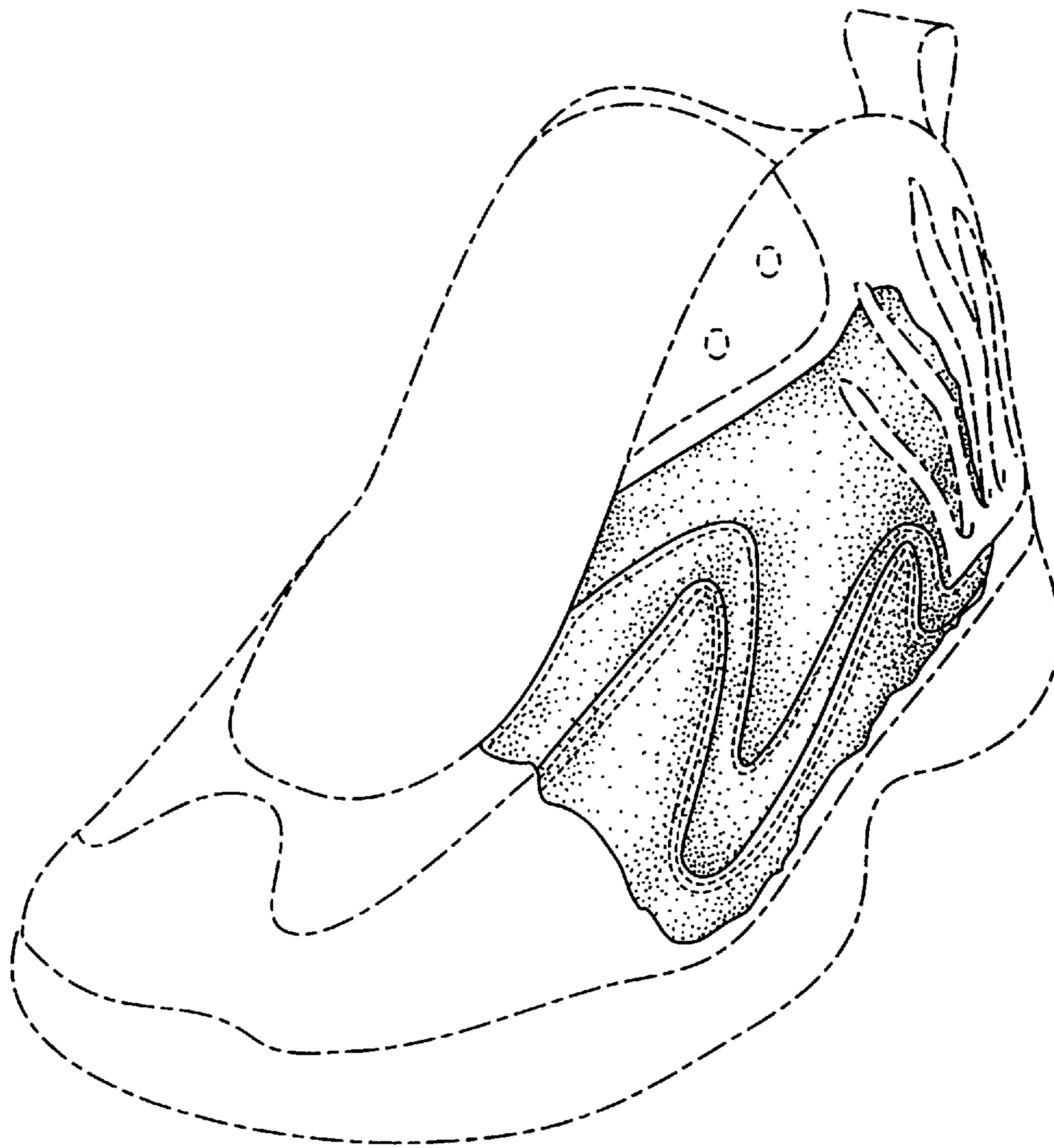


FIG. 1

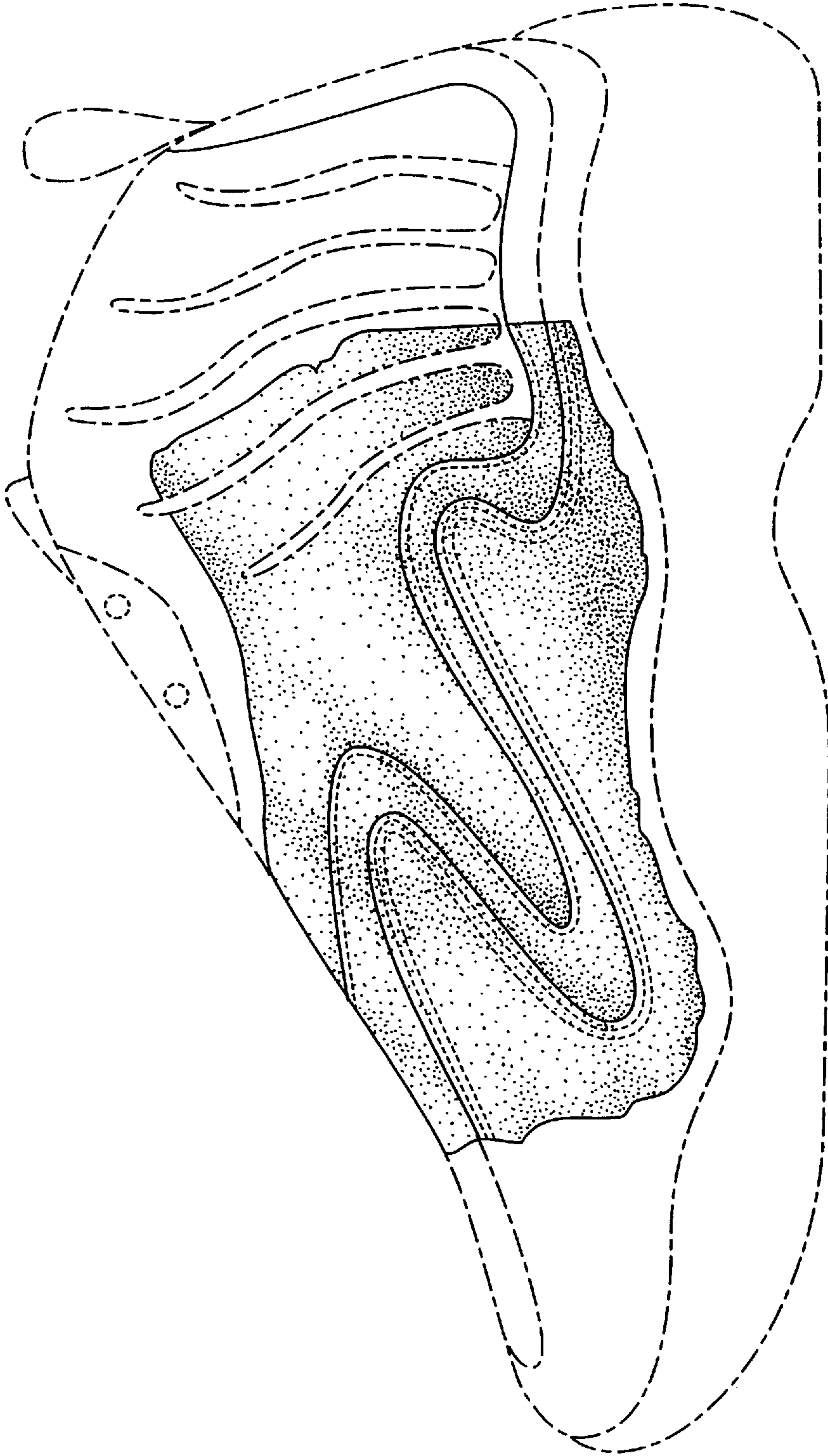


FIG. 2

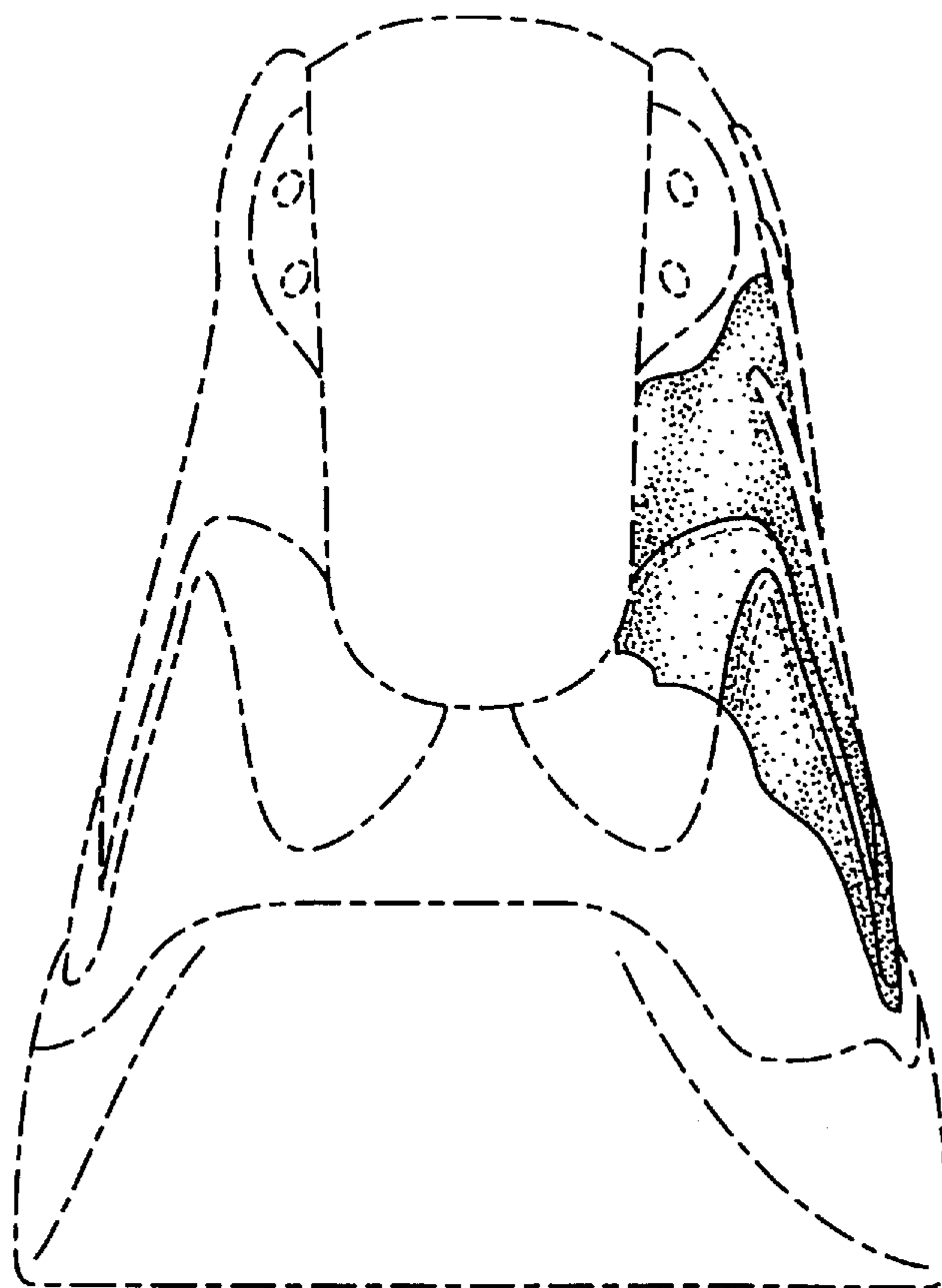


FIG. 3

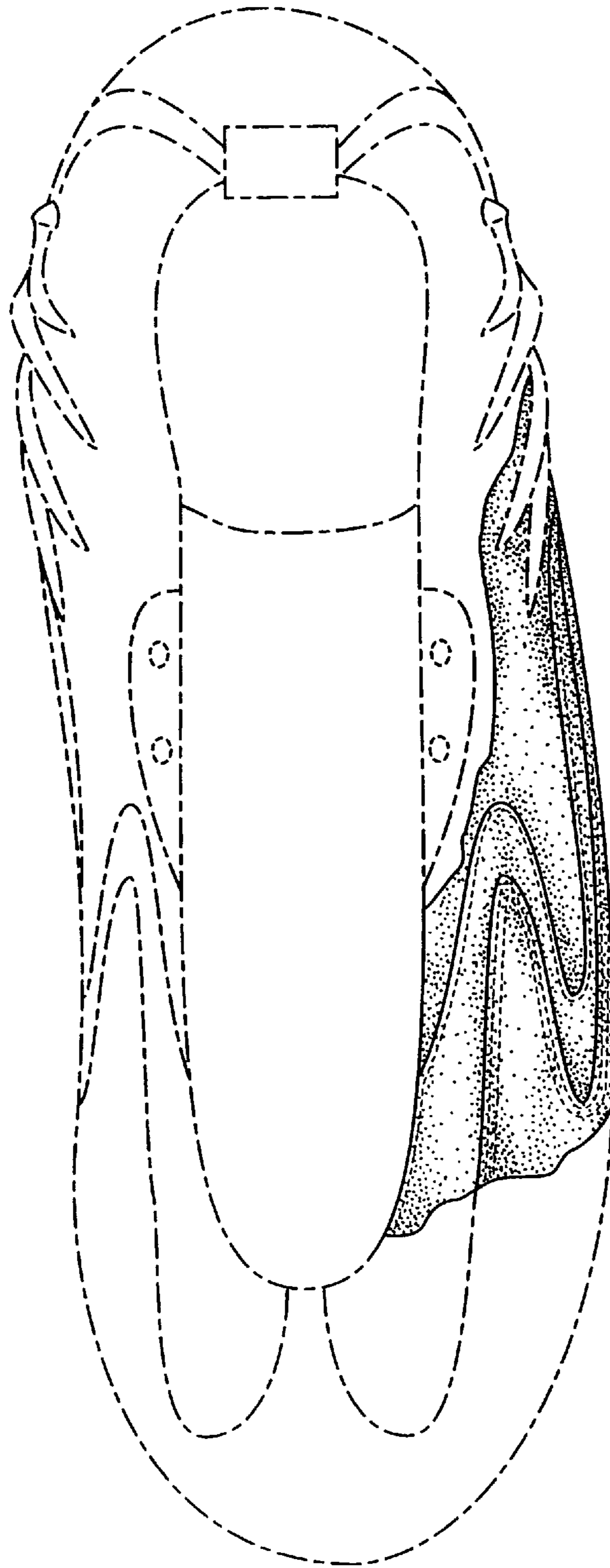


FIG. 4