



US00D397241S

United States Patent [19]
Hatfield et al.

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

[75] **Inventors: Tinker Linn Hatfield, Portland; Mark J. Smith, Beaverton, both of Oreg.**

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

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

[21] **Appl. No.: 65,767**

[22] **Filed: Apr. 15, 1998**

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

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

[58] **Field of Search D2/896, 902, 907,
D2/916, 930, 969, 972; 36/113, 114, 45,
48, 57, 77 R**

[56] **References Cited**

U.S. PATENT DOCUMENTS

D. 86,758	4/1932	Bancroft	D2/930
D. 93,710	10/1934	Elkin	D2/930
D. 96,390	7/1935	Kean	D2/930
D. 103,018	2/1937	Liberty	D2/930
D. 114,918	5/1939	Cairns	D2/902
D. 155,950	11/1949	Williams	D2/916
D. 229,251	11/1973	Askew	D2/907
D. 233,805	12/1974	Kubo	D2/902
D. 237,427	11/1975	Thornberry	D2/907
D. 253,138	10/1979	Foldes	D2/916
D. 271,633	12/1983	Casetta	D2/902
D. 280,595	9/1985	Puris	D2/969
D. 287,422	12/1986	MacGregor et al. .	
D. 290,062	6/1987	Valori .	
D. 294,654	3/1988	Liggett et al. .	
D. 295,916	5/1988	Selbiger .	
D. 296,036	6/1988	Le .	
D. 296,148	6/1988	Selbiger .	
D. 297,070	8/1988	Selbiger .	
D. 320,108	9/1991	Hatfield et al. .	
D. 324,129	2/1992	Hatfield .	
D. 325,465	4/1992	Hatfield .	
D. 325,813	5/1992	Kittle .	
D. 331,312	12/1992	Close .	
D. 332,522	1/1993	Hatfield et al. .	
D. 334,088	3/1993	Teague .	

(List continued on next page.)

OTHER PUBLICATIONS

Nike Footwear Catalog, Late Spring 1998, pp. 30, 70, 78, and 125, Published Sep. 1997.

Nike Footwear Catalog, Spring 1998, pp. 18 and 165, Published Jun. 1997.

Nike Footwear Catalog, Fall 1997, pp. 10, 11 and 12, Published Dec. 1996.

Nike Footwear Catalog, Spring 1997, pp. 6 and 45, Published Jun. 1996.

Nike Footwear Catalog, Holiday 1995, pp. 77 and 98, Published Mar. 1995.

Nike Footwear Catalog, Fall 1995, p. 10, Published Nov. 1994.

Nike Footwear Catalog, Holiday 1993, pp. 20 and 48, Published Mar. 1993.

Nike Footwear Catalog, Fall 1992, pp. 22, 34, 44, 126, and 138, Published Dec. 1991.

Nike Footwear Catalog, Spring 1992, pp. 3, 8, 60, and 62, Published May 1991.

(List continued on next page.)

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[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 our new design;

FIG. 2 is a front elevational view thereof;

FIG. 3 is a rear elevational view thereof;

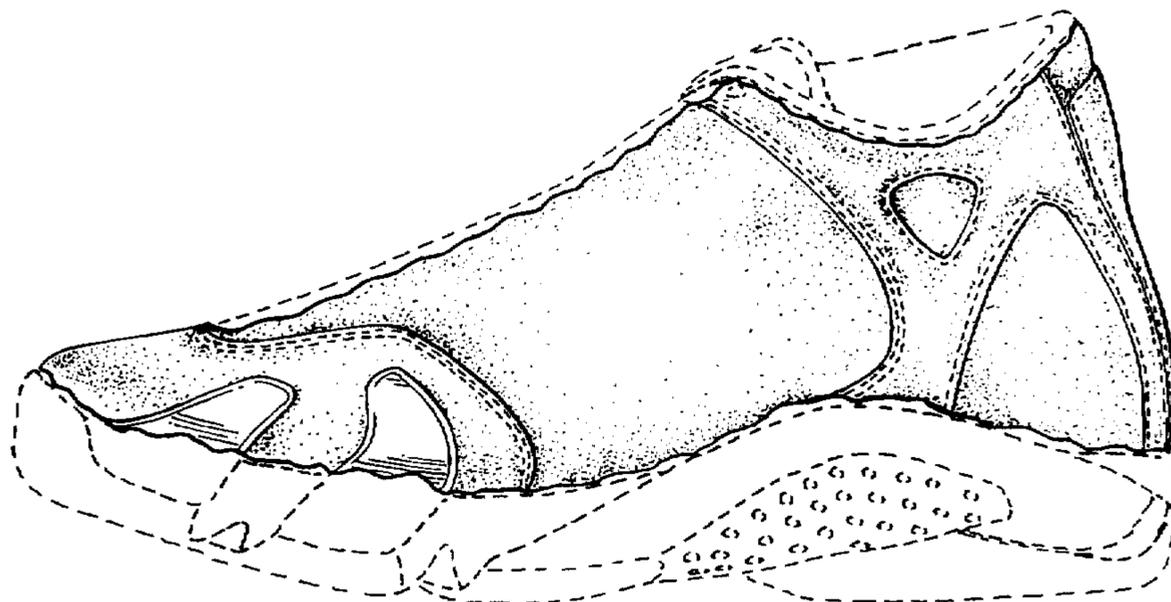
FIG. 4 is a side elevational view of one side thereof;

FIG. 5 is a side elevational view of the other side thereof; and,

FIG. 6 is a top plan view thereof.

The broken line showing of a shoe sole and the remaining portion of the upper shown in FIGS. 1—6 is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 3 Drawing Sheets



U.S. PATENT DOCUMENTS

D. 336,766 6/1993 Sjosward D2/902
 D. 336,973 7/1993 Fritcher .
 D. 342,599 12/1993 Luke .
 D. 344,405 2/1994 Close .
 D. 347,109 5/1994 Avar .
 D. 347,318 5/1994 Avar .
 D. 348,559 7/1994 Preskar .
 D. 348,560 7/1994 McDonald .
 D. 356,663 3/1995 Ueda .
 D. 369,459 5/1996 Feller .
 D. 369,897 5/1996 Worthington .
 D. 379,395 5/1997 Aird D2/972
 D. 382,697 8/1997 Schenone .
 D. 382,701 8/1997 Rask .
 D. 382,991 9/1997 Bishop D2/916
 D. 383,289 9/1997 Greene .
 D. 385,096 10/1997 Hoeft .
 D. 385,100 10/1997 Worthington .
 D. 385,102 10/1997 Avar .
 D. 385,989 11/1997 Feller .
 D. 386,895 12/1997 Hatfield D2/972
 D. 386,898 12/1997 Van Noy D2/972
 D. 387,551 12/1997 Lozano .
 D. 391,070 2/1998 Ford D2/972
 4,670,998 6/1987 Pasternak 36/114 X
 4,766,681 8/1988 O'Rourke et al. .
 5,377,430 1/1995 Hatfield et al. .
 5,392,535 2/1995 Van Noy et al. .

OTHER PUBLICATIONS

Nike Footwear Catalog, Fall 1991, p. 38. Published Dec. 1990.
 Nike Footwear Catalog, Fall 1990, p. 18. Published Dec. 1989.
 Nike Footwear Catalog, Fall 1989, pp. 6, 14 and 42. Published Dec. 1988.
 Nike Footwear Catalog, Fall 1988, p. 50. Published Dec. 1987.
 Nike Footwear Catalog, Athletic 1985, p. 26. Publication date unknown.
 Nike Footwear Catalog, Footwear 1985, pp. 47 and 49. Published Dec. 1994.
 Nike Footwear Catalog, Spring 1990, p. 6. Published Jun. 1989.
 Nike Footwear Catalog, Fall 1998, pp. 12 and 58. Published Dec. 1997.
 Nike Footwear Catalog, Holiday 1996, p. 6. Published Mar. 1996.
 Nike Footwear Catalog, Holiday 1994, p. 32. Published Mar. 1994.
 Nike Footwear Catalog, Late Spring 1997, p. 7. Published Sep. 1996.
 Nike Footwear Catalog, Holiday 1997, pp. 19, 77 and 191. Published Mar. 1997.
 Nike Footwear Catalog, Fall 1994, p. 74. Published Nov. 1993.

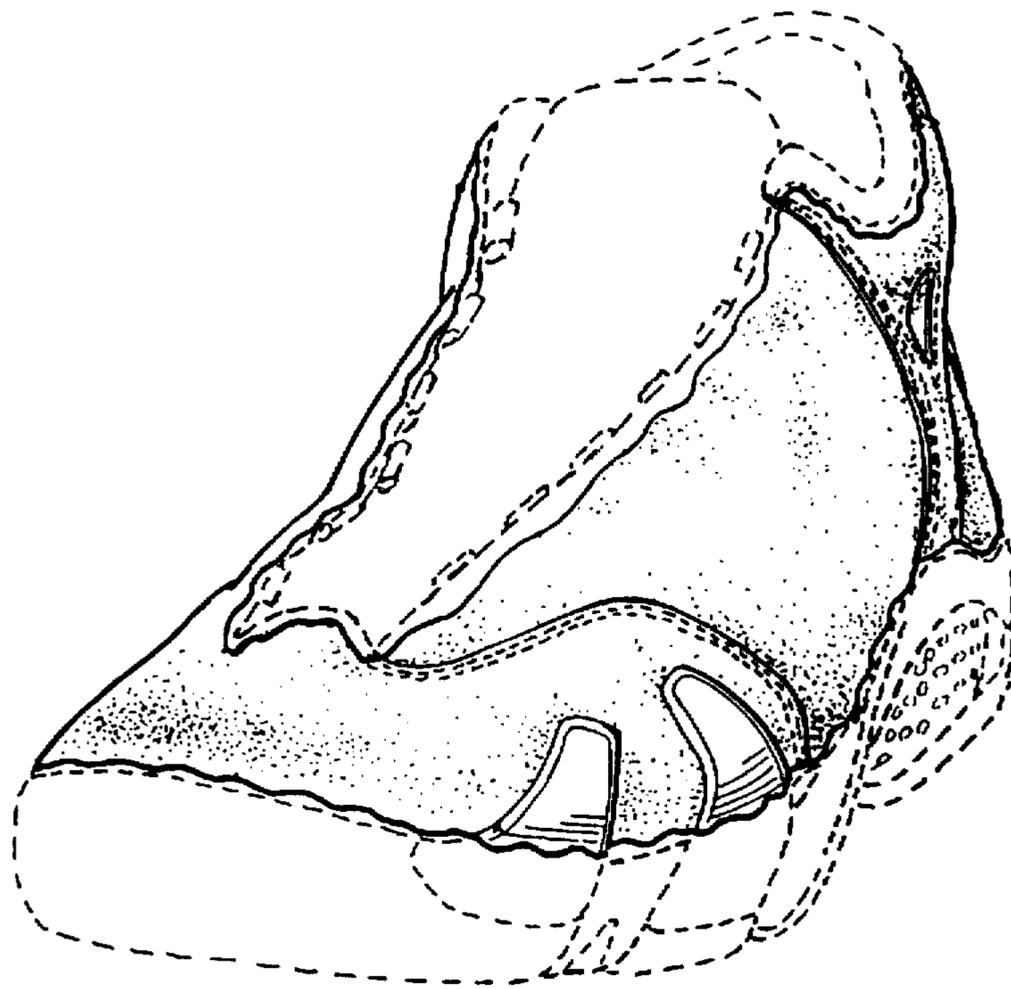


FIG. 1

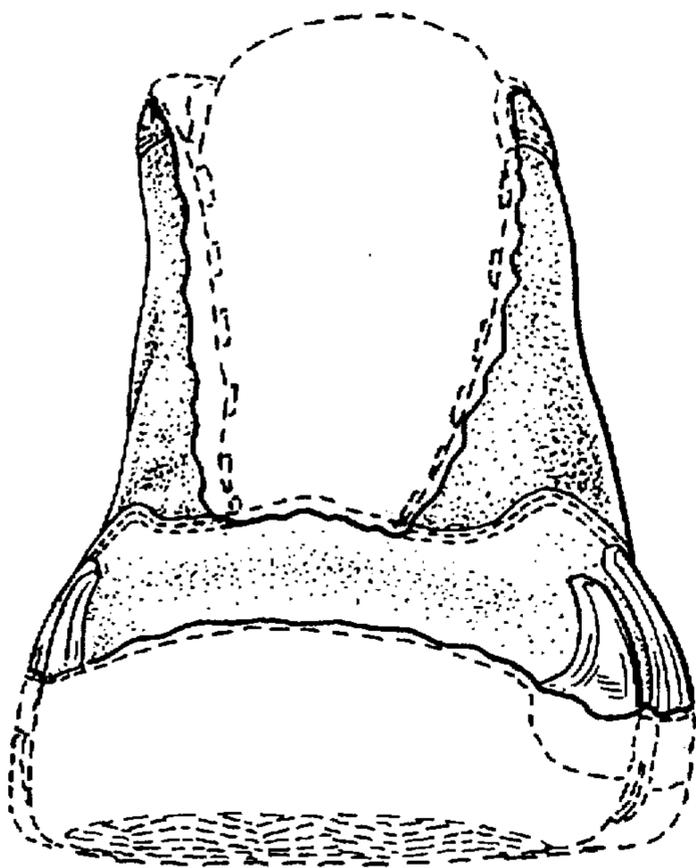


FIG. 2

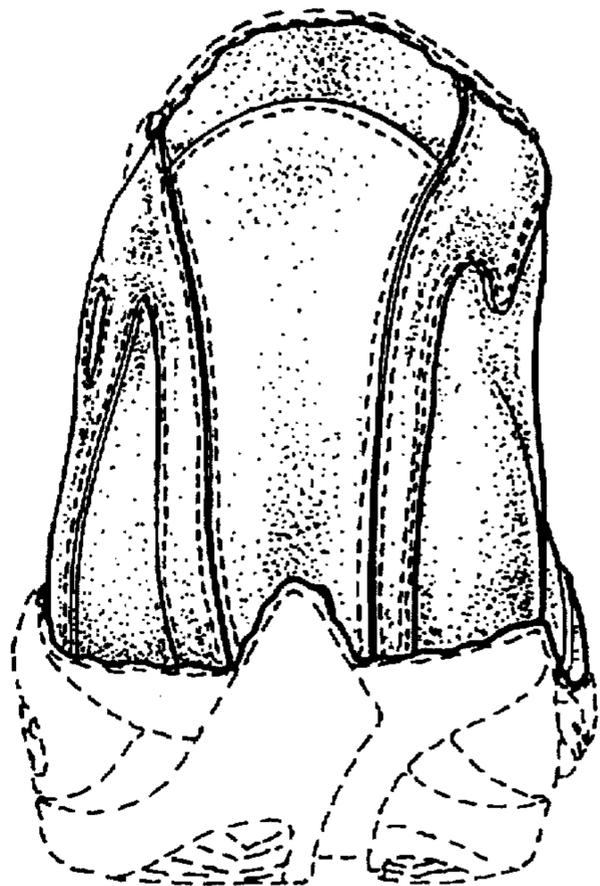


FIG. 3

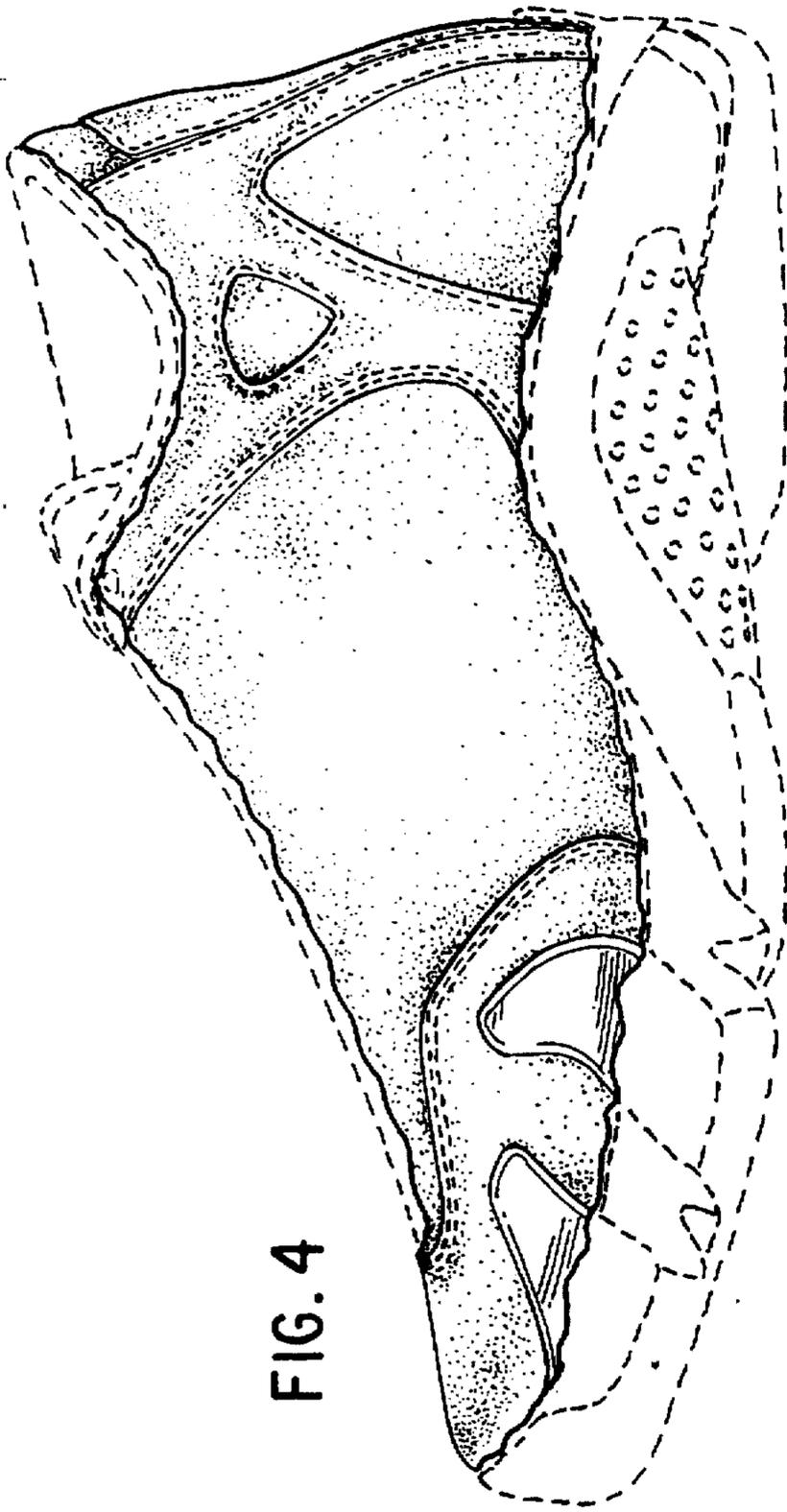


FIG. 4

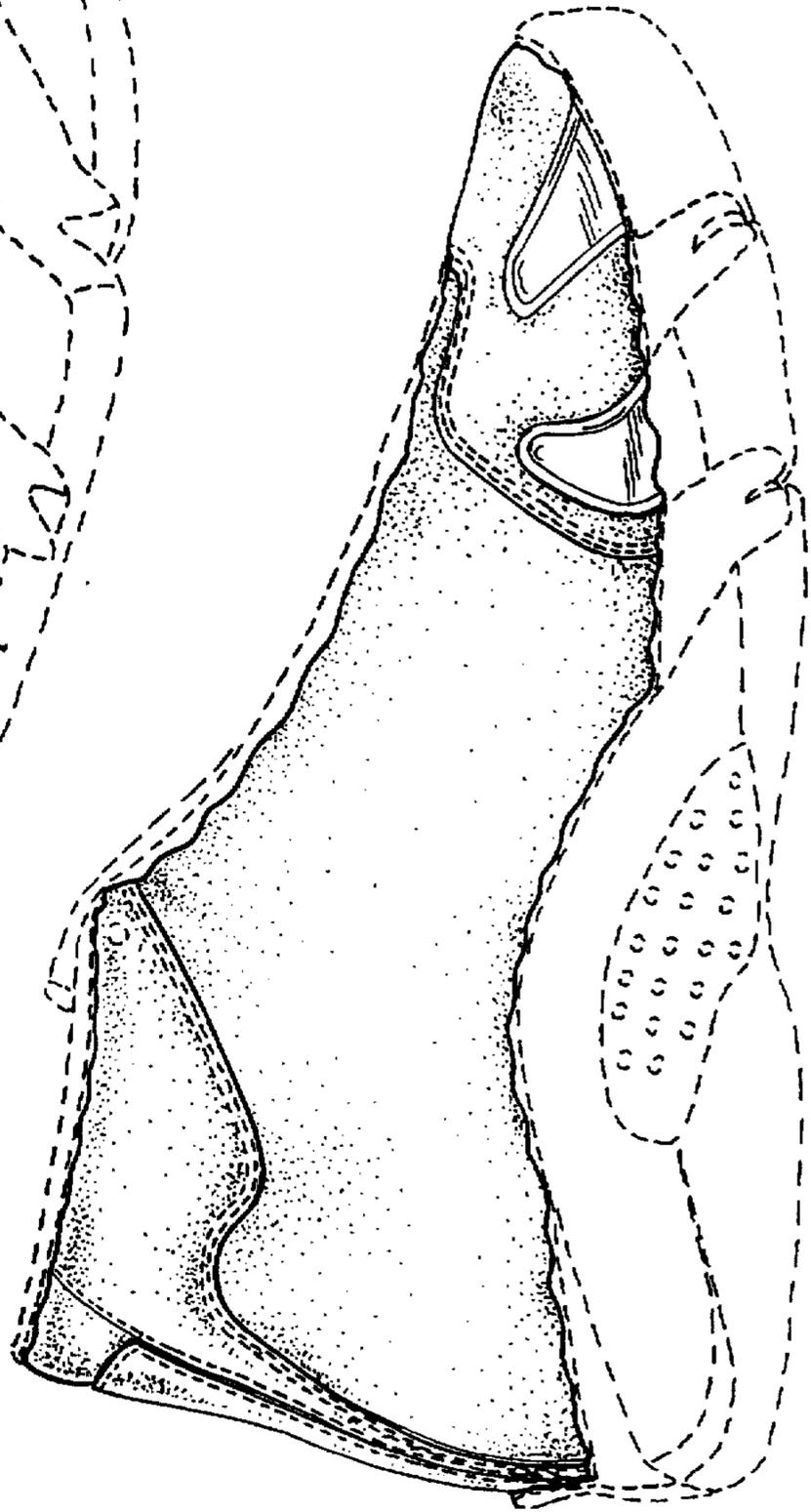


FIG. 5

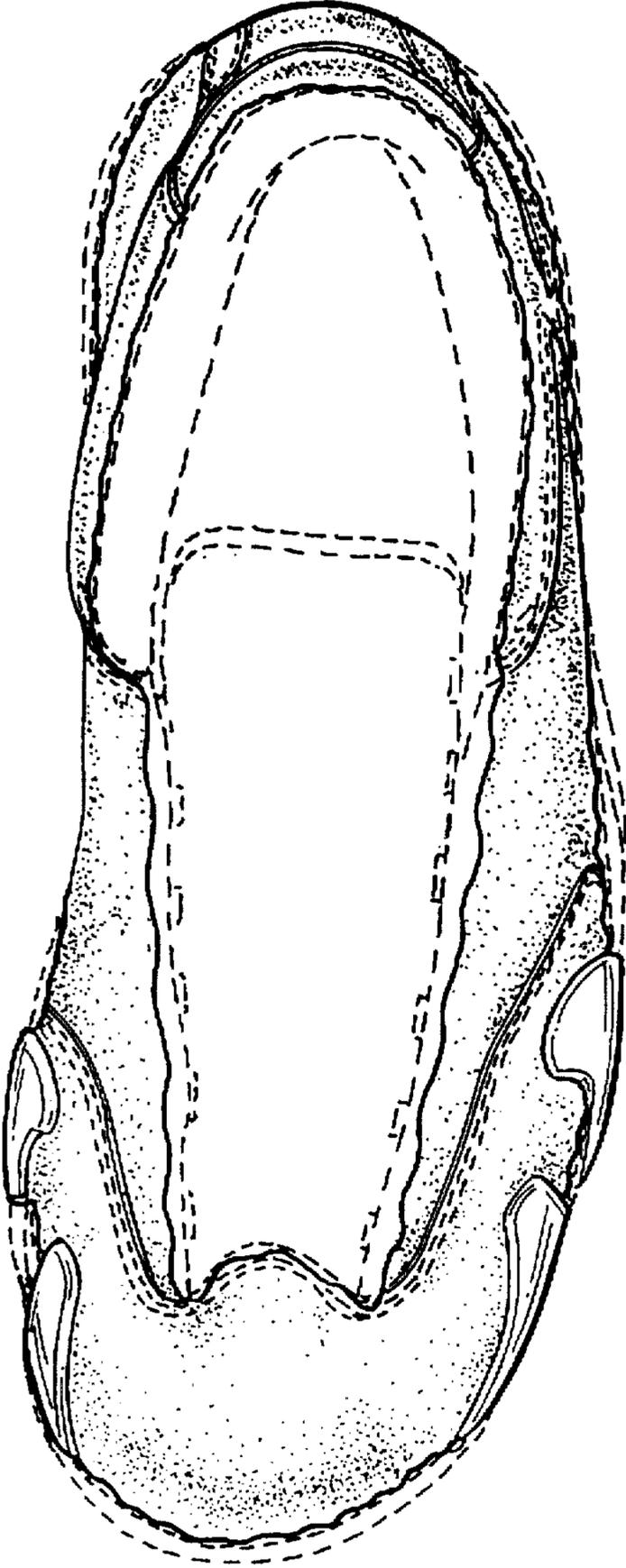


FIG. 6