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United States Patent [19]

Mervar

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[54] SIDE ELEMENT OF A SHOE UPPER

[75] Inventor: Robert Mervar, Portland, Oreg.

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

[**] Term: 14 Years

[21] Appl. No.: 82,425

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[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. 176,094	11/1955	Berland et al.	.
D. 198,157	5/1964	Doss	.
D. 226,985	5/1973	McBarron	.
D. 243,421	2/1977	Cohen	.
D. 265,435	7/1982	Vermonet	.
D. 311,637	10/1990	Hatfield	.
D. 319,529	9/1991	Hatfield	.
D. 346,899	5/1994	Hatfield et al.	.
D. 348,767	7/1994	Hatfield et al.	.
D. 355,977	3/1995	Teague	.
D. 371,898	7/1996	Hatfield	.
D. 377,261	1/1997	Avar D2/972
D. 383,297	9/1997	Gray D2/972
D. 386,606	11/1997	Lozano D2/972
D. 388,682	1/1998	Hudson D2/972
1,121,158	12/1914	Barnhart	.
2,969,573	1/1961	Forrester	.
3,239,952	3/1966	Lange et al.	.
4,934,072	6/1990	Fredericksen et al.	.
5,014,449	5/1991	Richard et al.	.
5,191,727	3/1993	Barry et al.	.

OTHER PUBLICATIONS

"Nike Footwear Catalog", Spring 1991, published Jun., 1990 (pp. 36 & 60).

"Nike Footwear Catalog", Fall 1991, published Dec., 1990 (pp. 8 & 74).

"Nike Footwear Catalog", Spring 1993, published Jun., 1992 (pp. 3 & 8).

"Nike Footwear Catalog", Spring 1994, published Jun., 1993 (pp. 6, 22 & 88).

"Nike Footwear Catalog", Late Spring 1994, published Sep., 1993 (p. 10).

"Nike Footwear Catalog", Holiday 1994, published Mar., 1994 (pp. 4, 12, 20, 32, 34, 52, 68, & 78).

"Nike Footwear Catalog", Spring 1995, published Jun., 1994 (p. 104).

"Nike Footwear Catalog", Fall 1995, published Nov., 1994 (pp. 42, 112, 153, 154, & 155).

"Nike Footwear Catalog", Holiday 1995, published Mar., 1995 (pp. 20, 21, 51, & 104).

"Nike Footwear Catalog", Fall 1996, published Dec., 1995 (pp. 25, 150, 172, 186 & 195).

"Nike Footwear Catalog", Holiday 1996, Mar., 1996 (pp. 24, 45, 95, 115, 128 & 141).

"Nike Footwear Catalog", Spring 1996, published Jun., 1995 (pp. 8, 121 & 175).

"Nike Footwear Catalog", Late Spring, published Aug., 1996 (p. 127).

"Nike Footwear Catalog", Fall 1997, published Dec., 1996 (pp. 7, 8, 19, 66, 144, 145, 150, 167, 190, 197, 198, 200, 206 & 222).

(List continued on next page.)

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[57] CLAIM

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

DESCRIPTION

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

FIG. 2 is a right (lateral) side elevational view thereof;

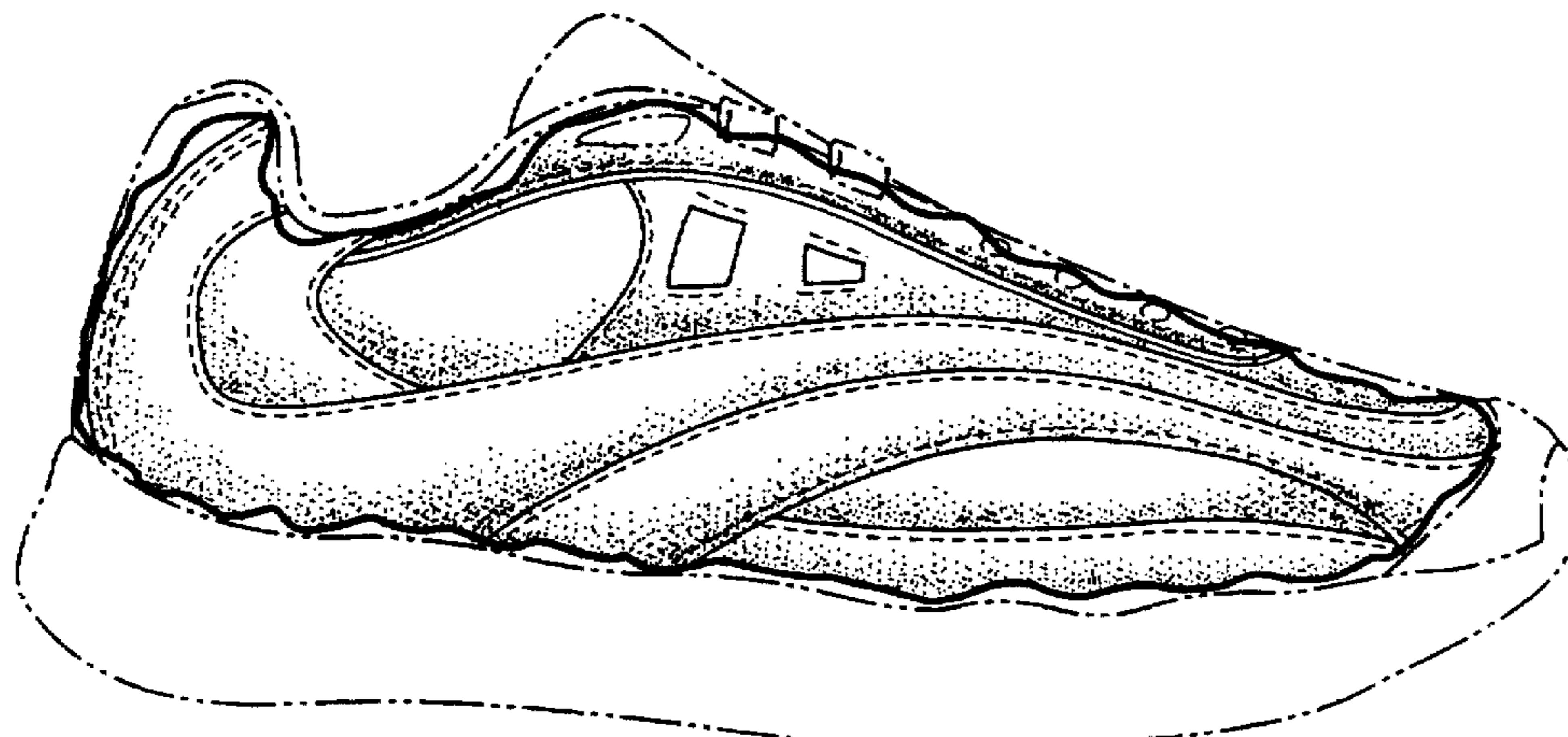
FIG. 3 is a front view thereof;

FIG. 4 is a rear view thereof; and,

FIG. 5 is a top plan view thereof.

The phantom line showing of a shoe sole, the remaining portion of the shoe upper shown in FIGS. 1-5 is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



OTHER PUBLICATIONS

"Nike Footwear Catalog". Holiday 1997, published Mar., 1997 (pp. 9, 14, 16, 48, 65, 66, 128, 163, 164, 168, 171, 182, 183, 185, 213 & 229).
"Nike Footwear Catalog", Spring 1997, published Jun., 1996 (pp. 8, 25, 41, 60 & 123).

"Nike Footwear Catalog". Late Spring 1997, published Sep. 1996 (pp. 32, 68 & 189).

"Nike Footwear Catalog", Spring 1998, published Jun., 1997 (pp. 3, 8, 50, 60, 72, 75, 80, 86, 140, 163, 165, 170, 193, 195, 201, 207, 210 & 217).

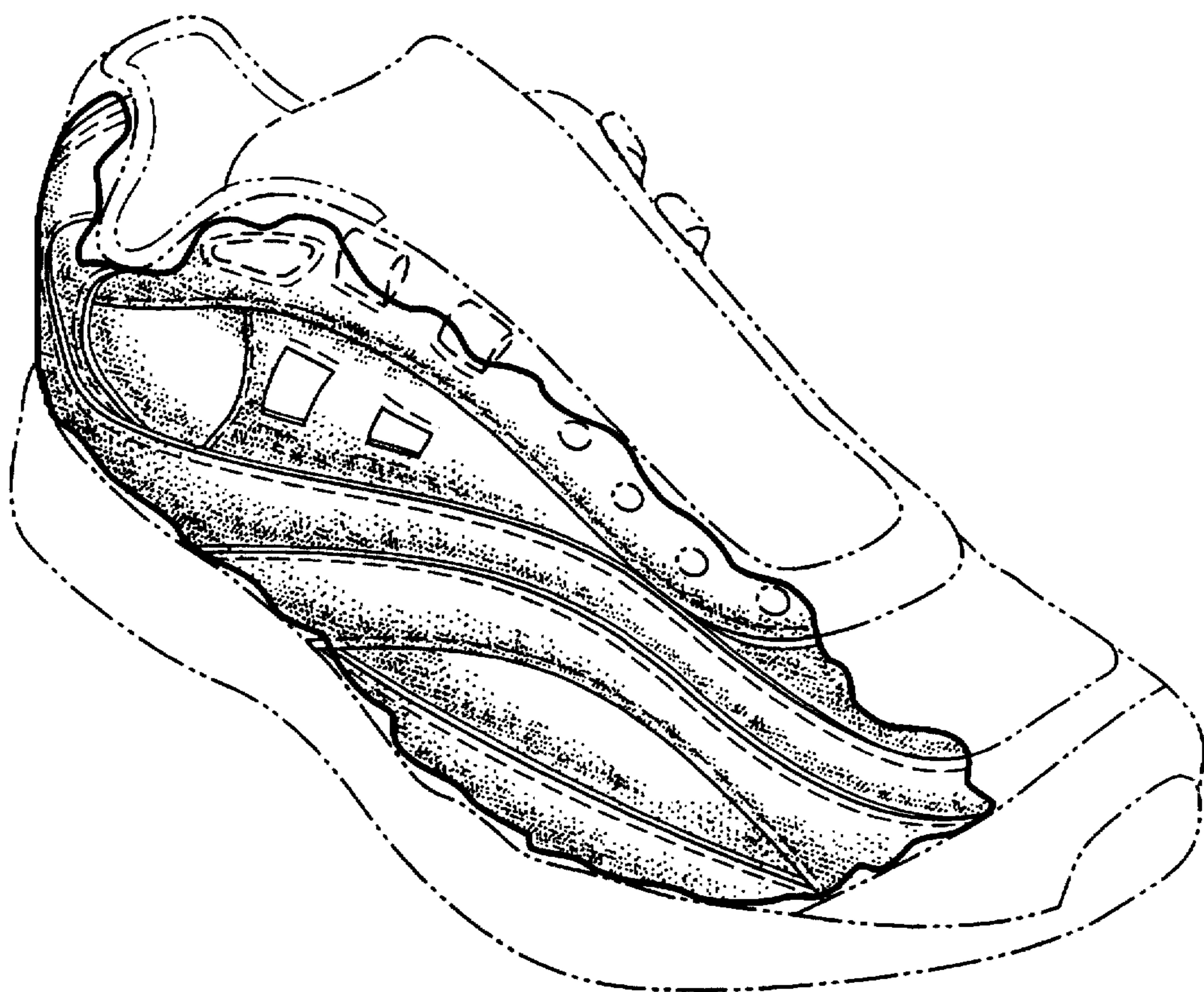


Fig. 1

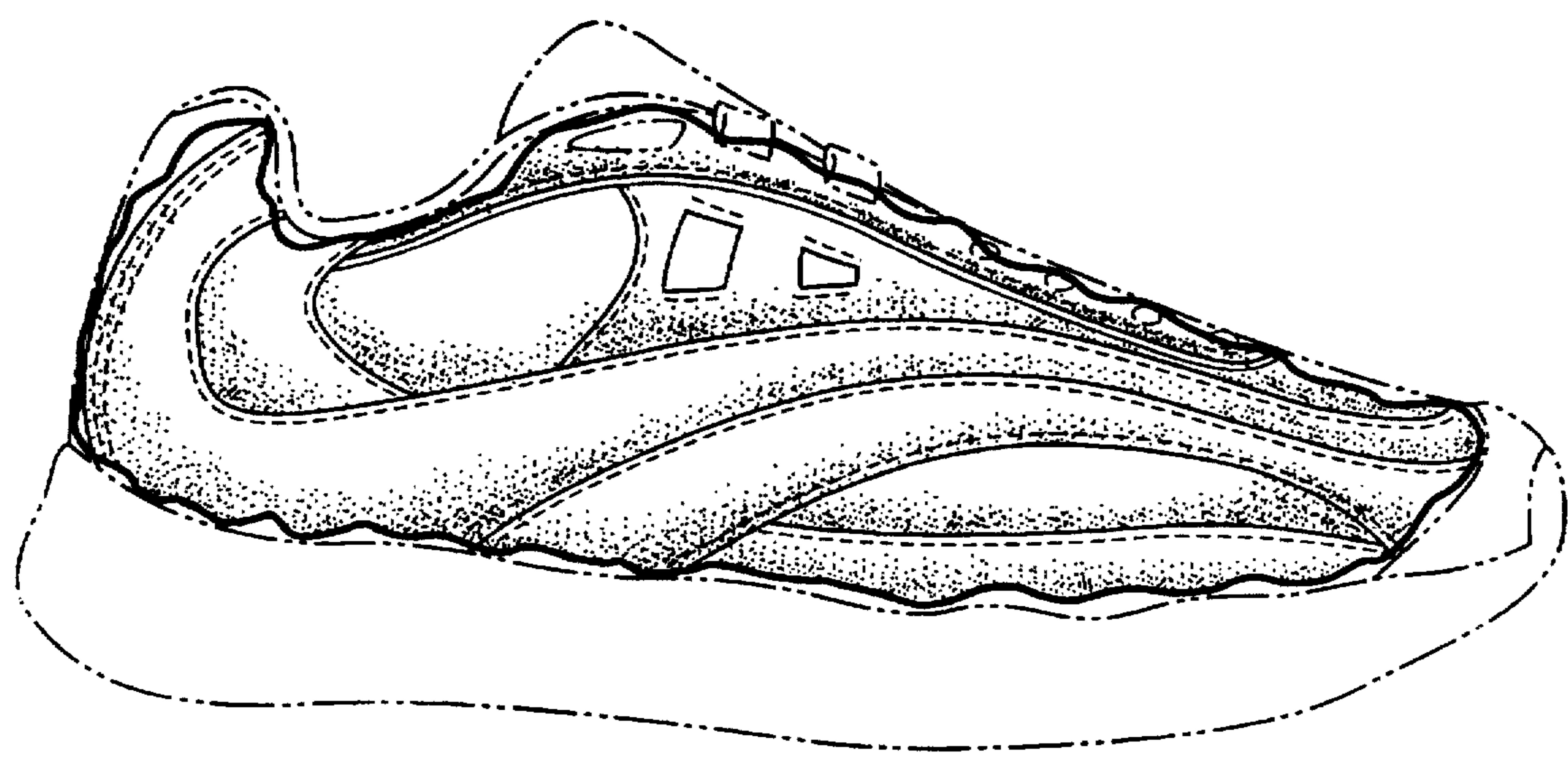


Fig. 2

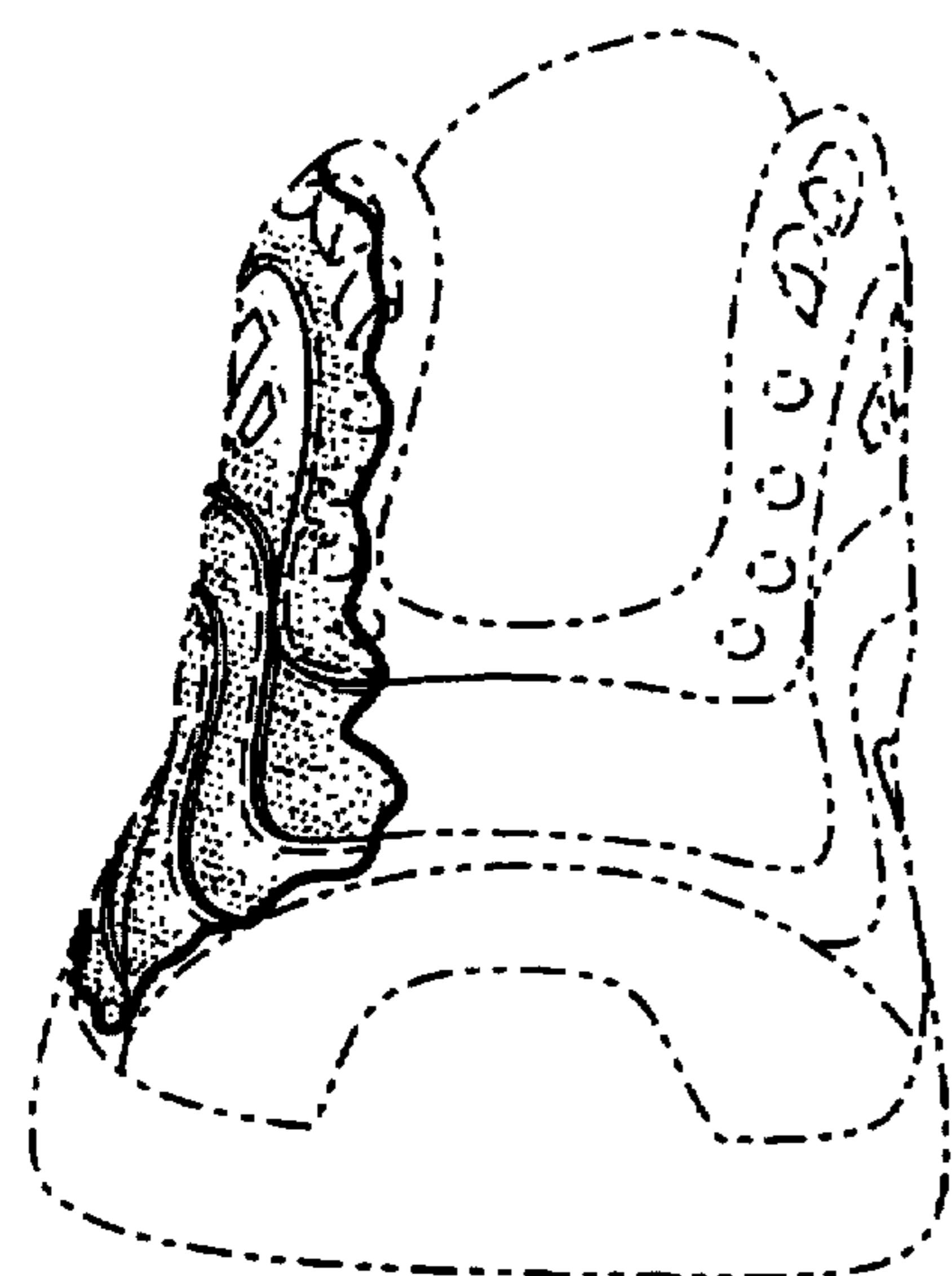


Fig. 3

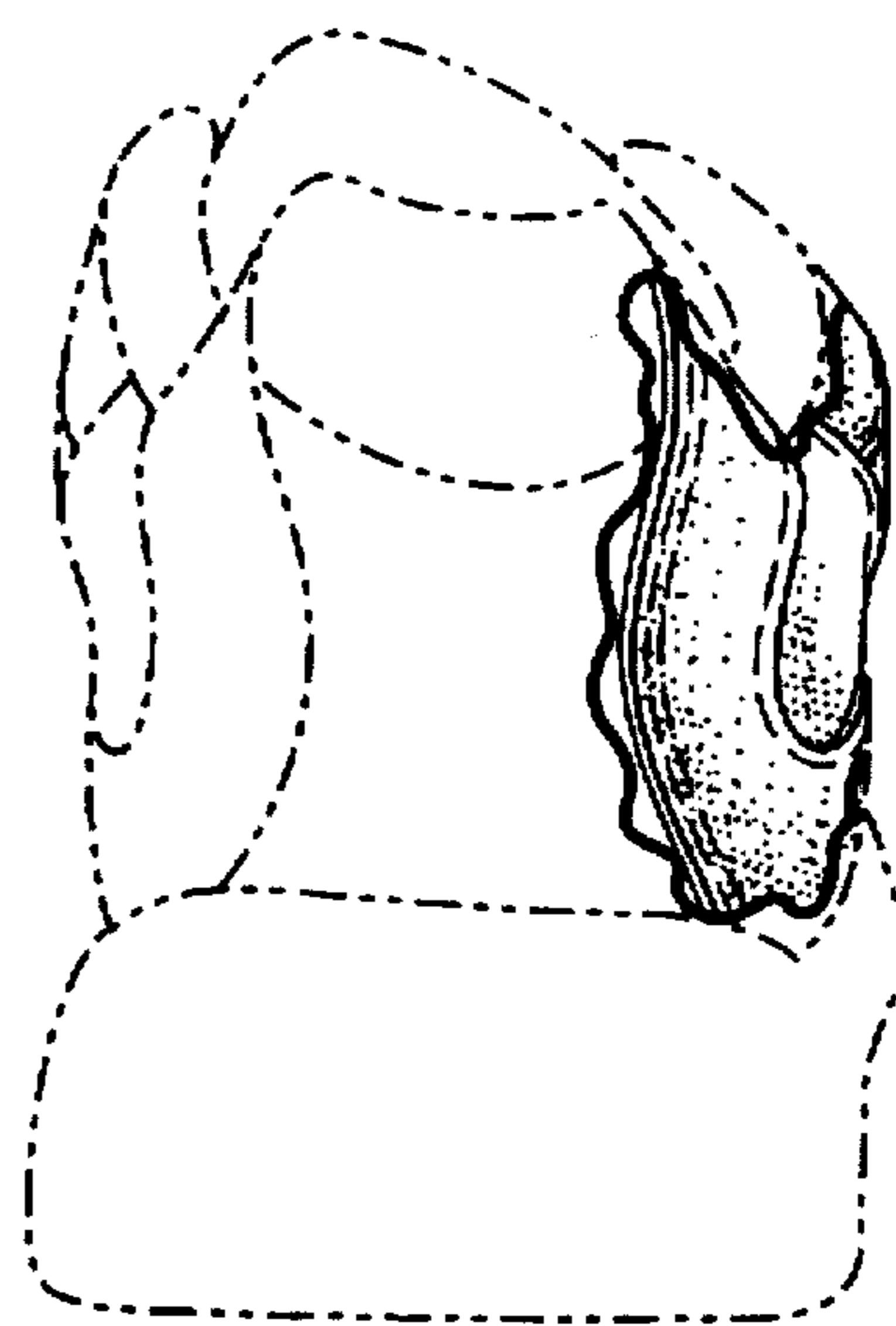


Fig. 4

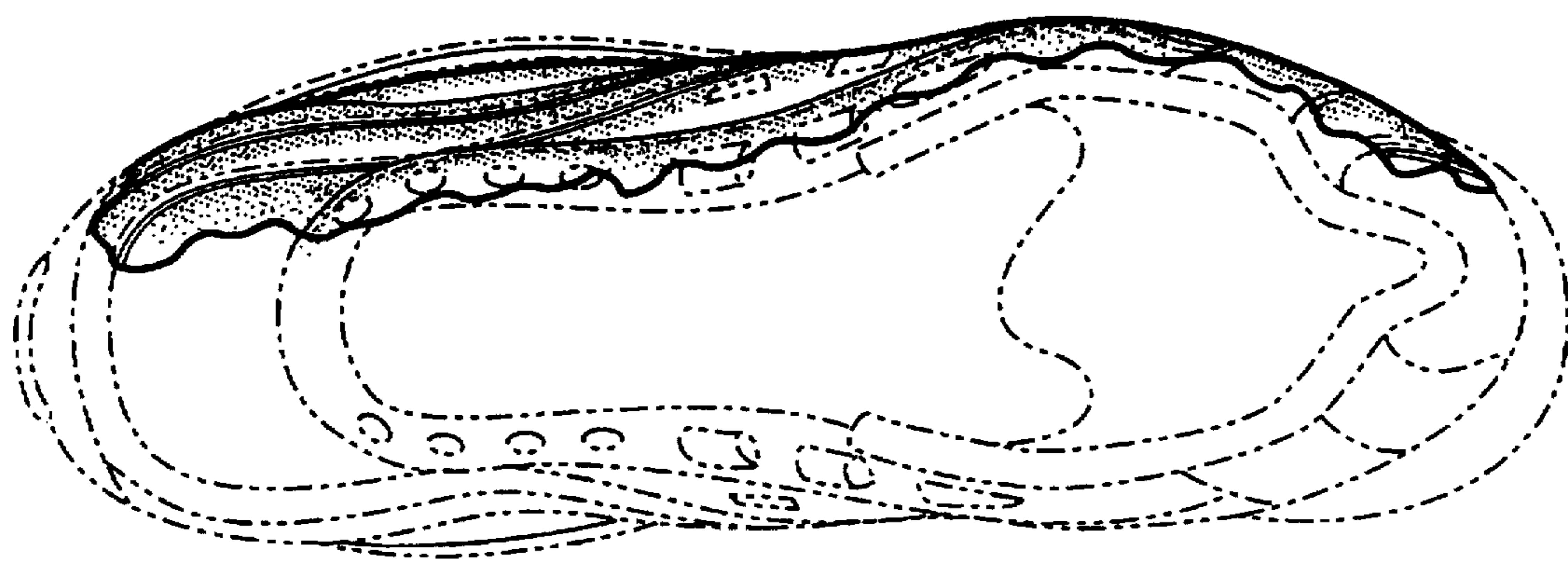


Fig. 5