



US00D397855S

United States Patent [19] Clarke

[11] **Patent Number: Des. 397,855**

[45] **Date of Patent: **Sep. 8, 1998**

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

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

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

[21] Appl. No.: **82,550**

[22] Filed: **Jan. 26, 1998**

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

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

[58] **Field of Search** D2/896, 902, 906,
D2/907, 972, 973, 978; 36/83, 113, 114,
45, 48, 50.1, 126-129

[56] **References Cited**

U.S. PATENT DOCUMENTS

- D. 317,825 7/1991 Rogers .
- D. 326,354 5/1992 Hatfield .
- D. 327,162 6/1992 Hatfield .
- D. 339,449 9/1993 Hatfield .
- D. 341,703 11/1993 Hatfield et al. .
- D. 342,600 12/1993 Hatfield et al. .
- D. 345,253 3/1994 Lucas .
- D. 345,452 3/1994 Lucas .
- D. 347,110 5/1994 Hoeft et al. .
- D. 355,296 2/1995 Greene .
- D. 369,459 5/1996 Feller .
- D. 369,460 5/1996 Van Noy .
- D. 369,896 5/1996 Banik .
- 4,447,967 5/1984 Zaino 36/45
- 5,533,279 7/1996 Mitsui et al. .

OTHER PUBLICATIONS

- Nike Fall 1998 Footwear Catalog, p. 6, published Dec. 1997.
- Nike Fall 1998 Footwear Catalog, p. 28, published Dec. 1997.
- Nike Fall 1998 Footwear Catalog, p. 140, published Dec. 1997.

Nike Fall 1996 Footwear Catalog, p. 39, published Dec. 1995.

Nike Fall 1996 Footwear Catalog, p. 51, published Dec. 1995.

Nike Holiday 1996 Footwear Catalog, p. 27, published Mar. 1996.

Nike Spring 1996 Footwear Catalog, p. 40, published Jun. 1995.

Nike Fall 1995 Footwear Catalog, p. 31, published Nov. 1994.

Nike Fall 1994 Footwear Catalog, p. 8, published Nov. 1993.

Nike Fall 1994 Footwear Catalog, p. 56, published Nov. 1993.

Nike Spring 1994 Footwear Catalog, p. 44, published Jun. 1993.

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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 side view of an element of a shoe upper showing my new design;

FIG. 2 is a front view thereof;

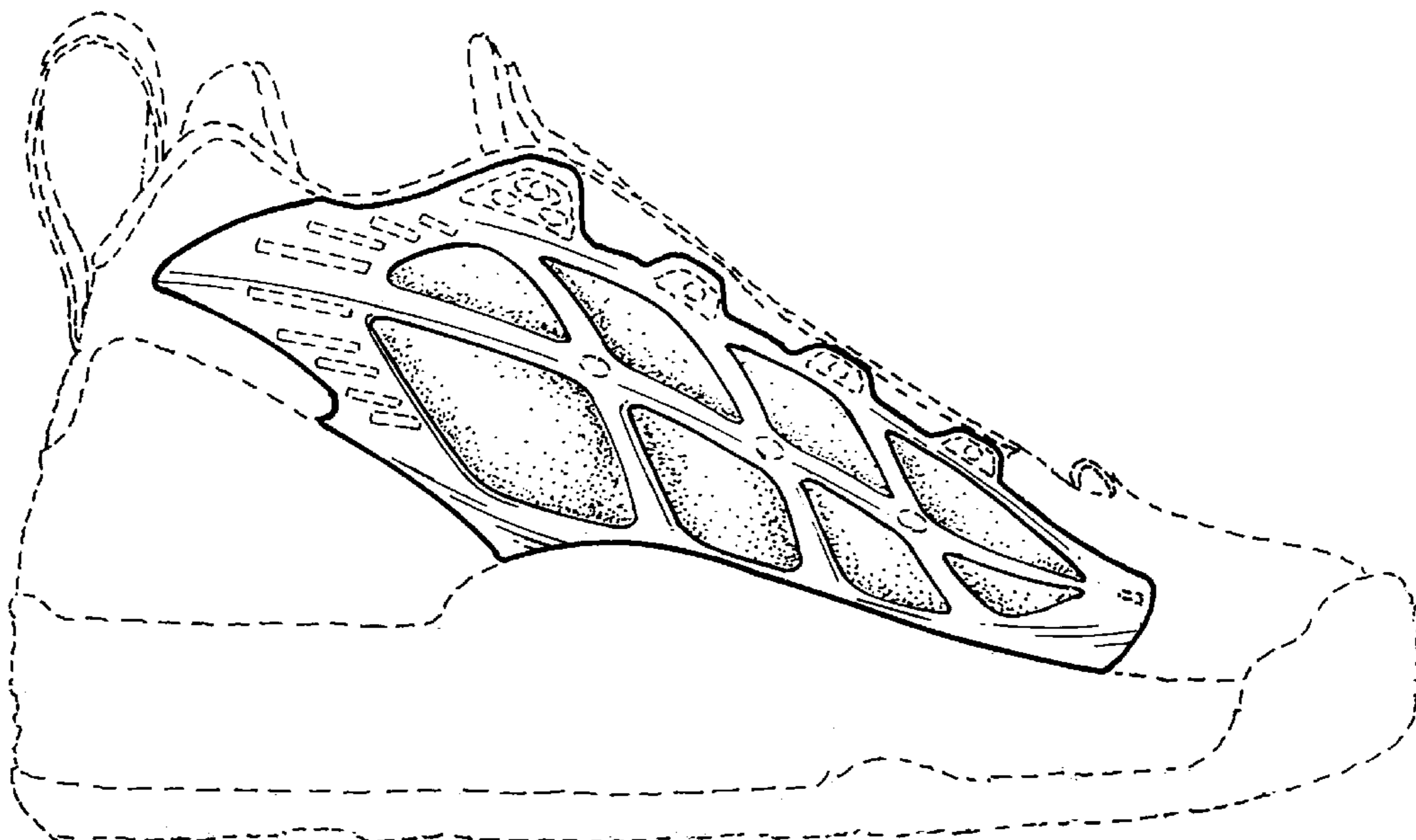
FIG. 3 is a rear view thereof;

FIG. 4 is a top plan view thereof; and,

FIG. 5 is a perspective view thereof.

The broken line showing of the eyelets, the trapezoids containing the eyelets, the two ovals in the rear-most trapezoid, the three ovals in the center region between the cutouts, the rectangles adjacent the rear edge of the element, the rectangle adjacent the front edge of the element, and the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



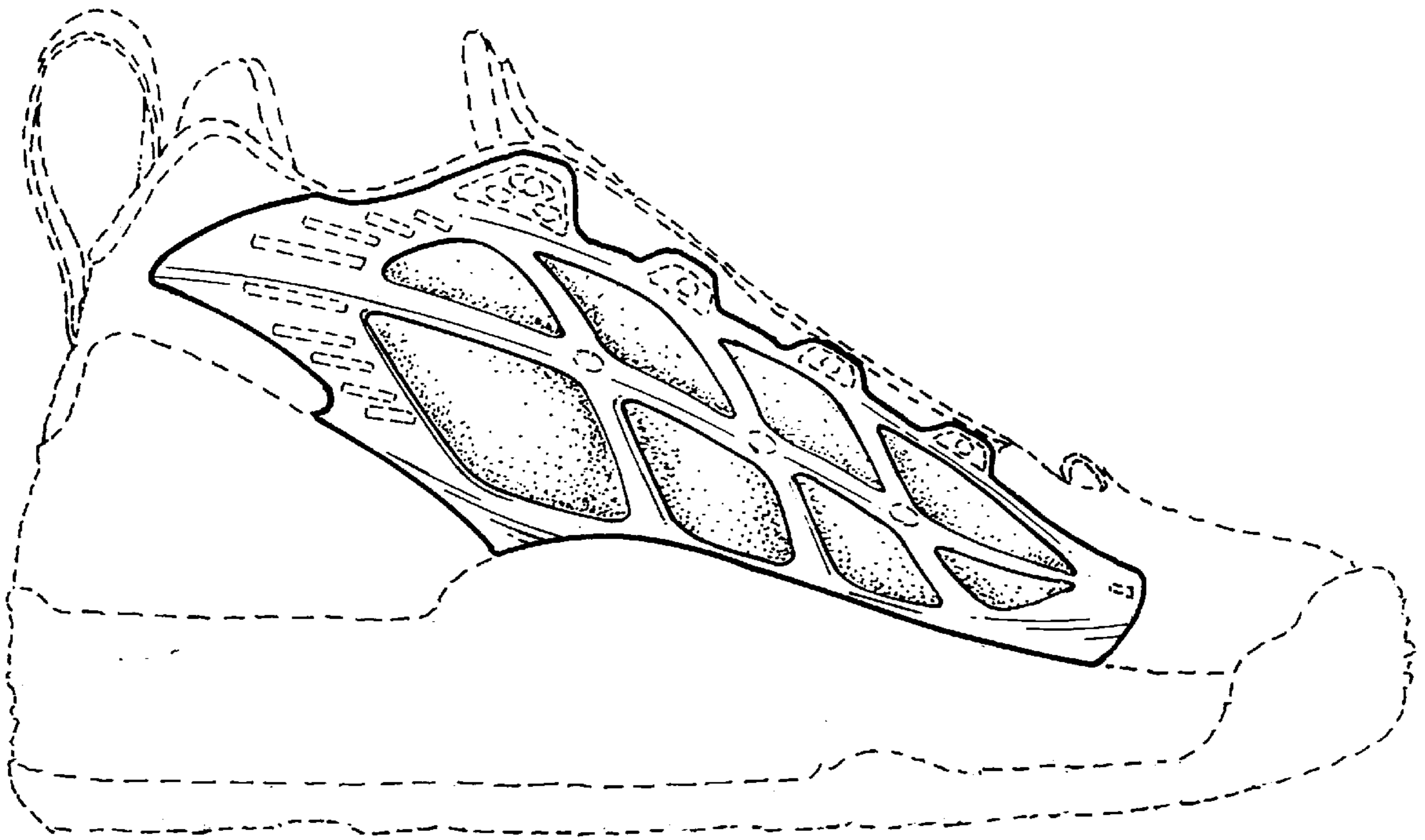


FIG. 1

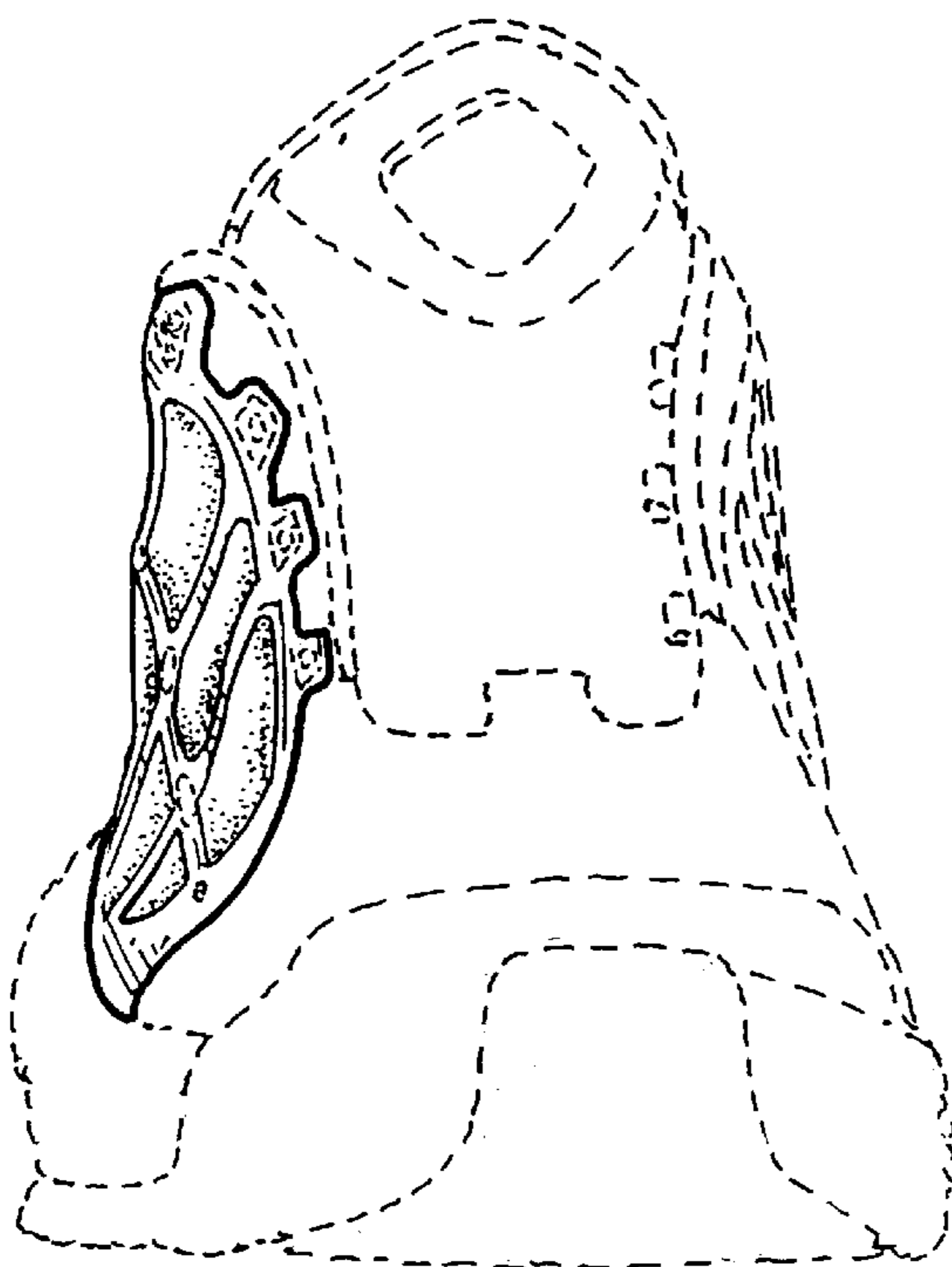


FIG. 2

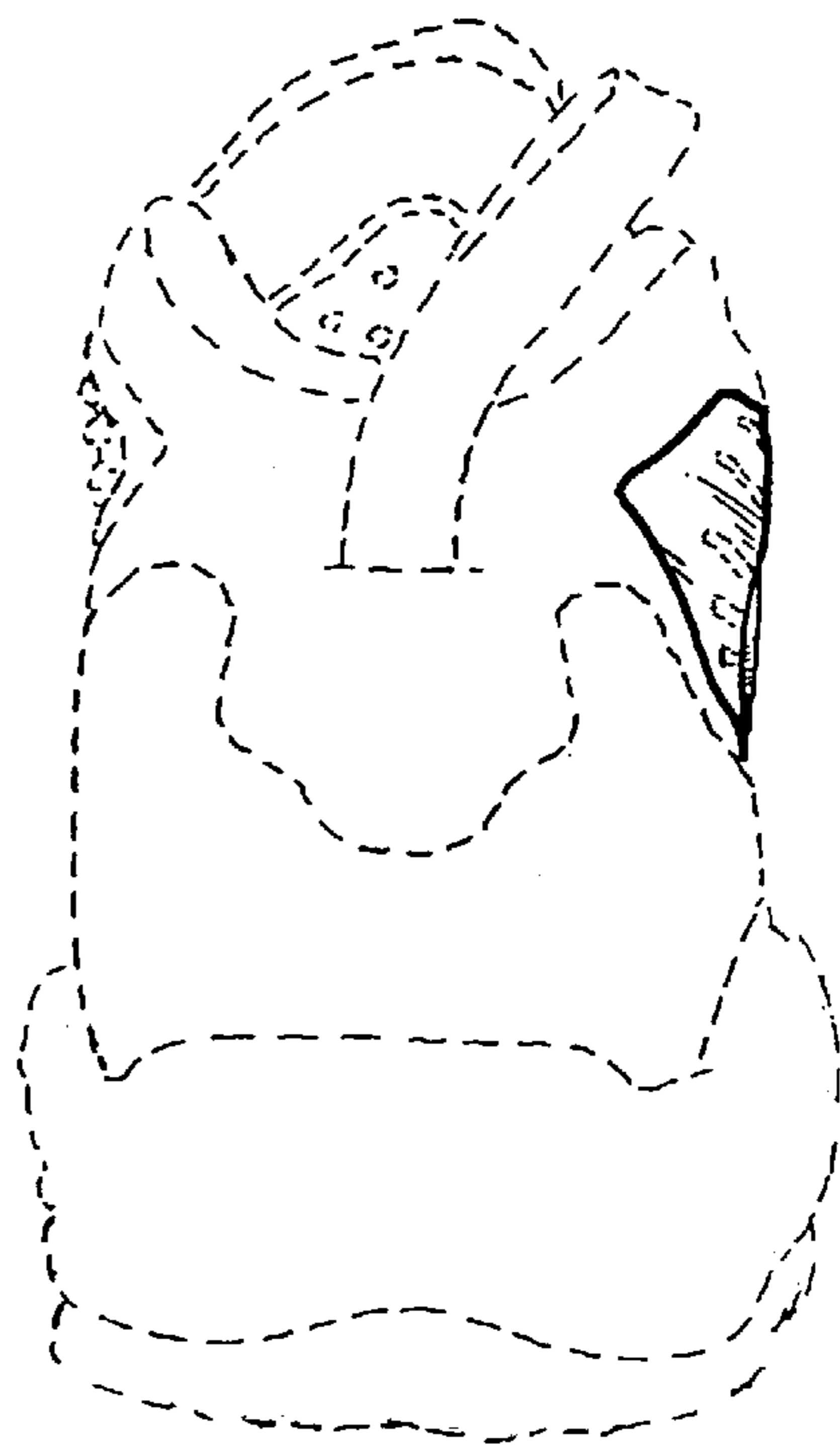


FIG. 3

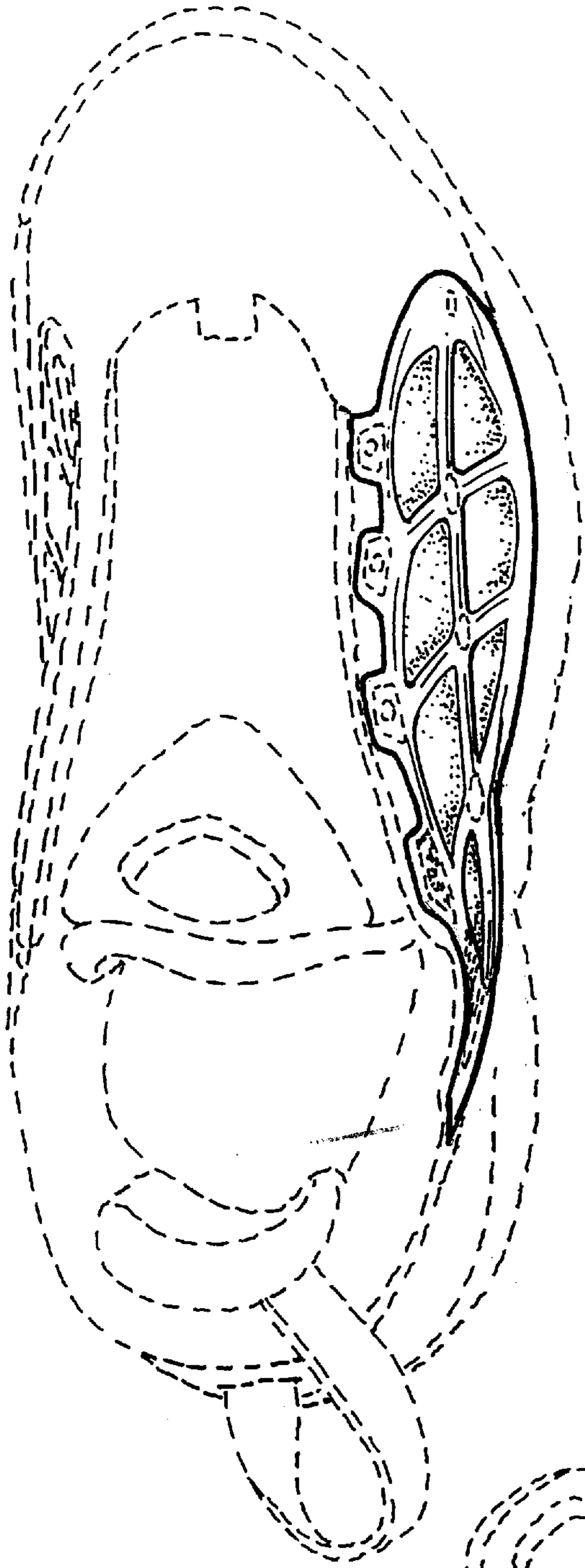


FIG. 4

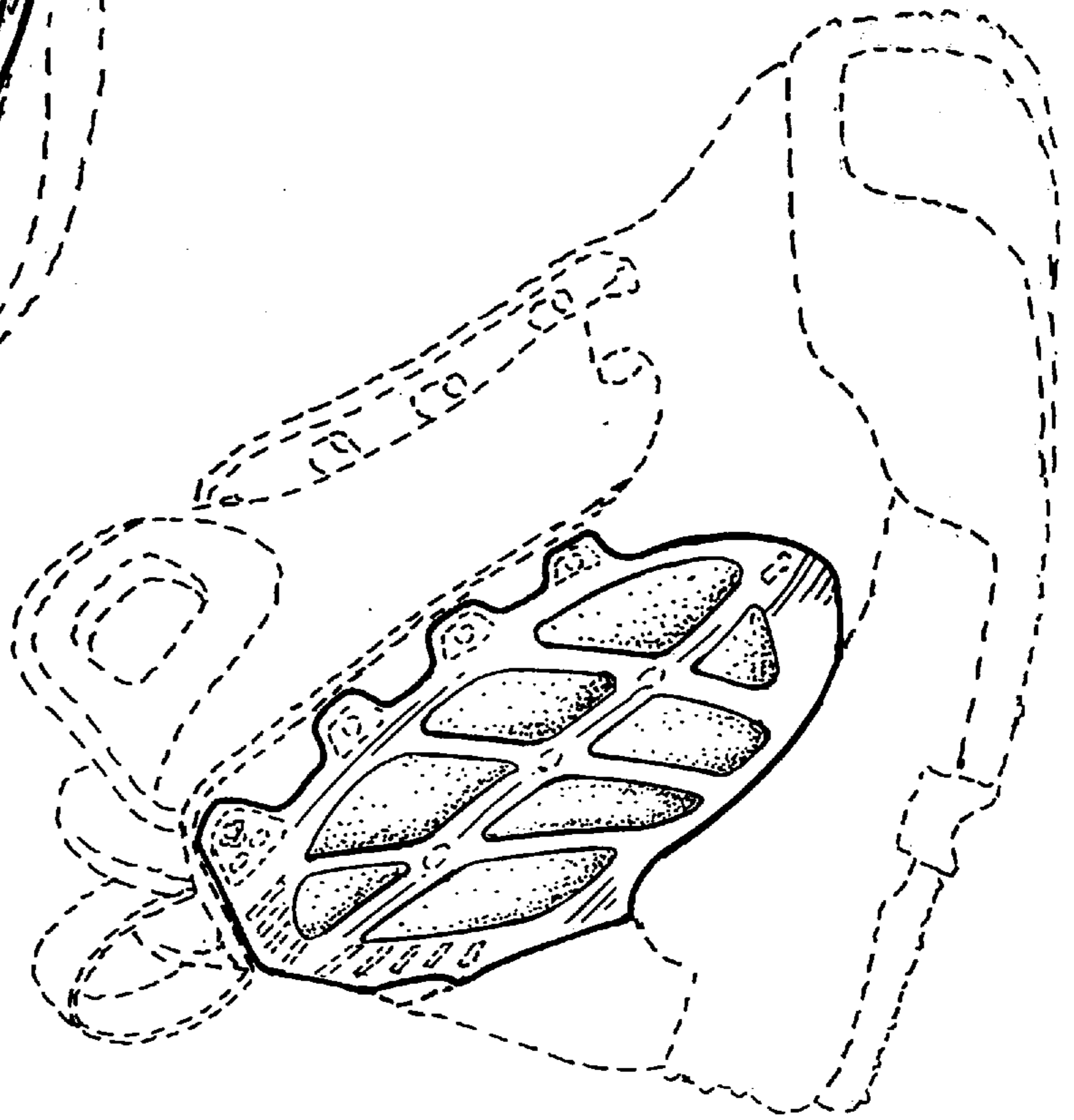


FIG. 5