



US00D398760S

# United States Patent [19] Rask

[11] **Patent Number: Des. 398,760**

[45] **Date of Patent: \*\*Sep. 29, 1998**

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

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

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

[21] Appl. No.: **82,778**

[22] Filed: **Jan. 30, 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, 561, 126-129

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

D. 93,327	9/1934	Borda	.....	D2/973
D. 347,938	6/1994	Smith	.	
D. 348,764	7/1994	Teague	.	
D. 351,275	10/1994	Hatfield et al.	.	
D. 354,163	1/1995	Hatfield	.	
D. 361,425	8/1995	Backus	.	
D. 370,554	6/1996	Greene	.	
D. 381,496	7/1997	Smith	.....	D2/972
D. 382,698	8/1997	Avar	.	
D. 383,292	9/1997	Smith, III	.....	D2/972
D. 383,297	9/1997	Gray	.....	D2/972
D. 385,693	11/1997	Cass	.....	D2/972
D. 386,601	11/1997	Cass	.....	D2/972
D. 389,637	1/1998	Blakeslee	.	
D. 391,053	2/1998	Lucas	.	
D. 391,060	2/1998	Cass	.	
D. 391,066	2/1998	Smith, III	.....	D2/972

**OTHER PUBLICATIONS**

Nike Footwear Catalog, Fall 1998, pp. 76 and 140. Published Dec. 1997.

Nike Footwear Catalog, Late Spring 1998, pp. 68 and 121. Published Sep. 1997.

Nike Footwear Catalog, Spring 1998, p. 113. Published Jun. 1997.

Nike Footwear Catalog, Holiday 1997, p. 212. Published Mar. 1997.

Nike Footwear Catalog, Fall 1997, p. 13. Published Dec. 1996.

Nike Footwear Catalog, Spring 1997, pp. 41 and 60. Published Jun. 1996.

Nike Footwear Catalog, Fall 1996, p. 40. Published Dec. 1995.

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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 my new design;

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

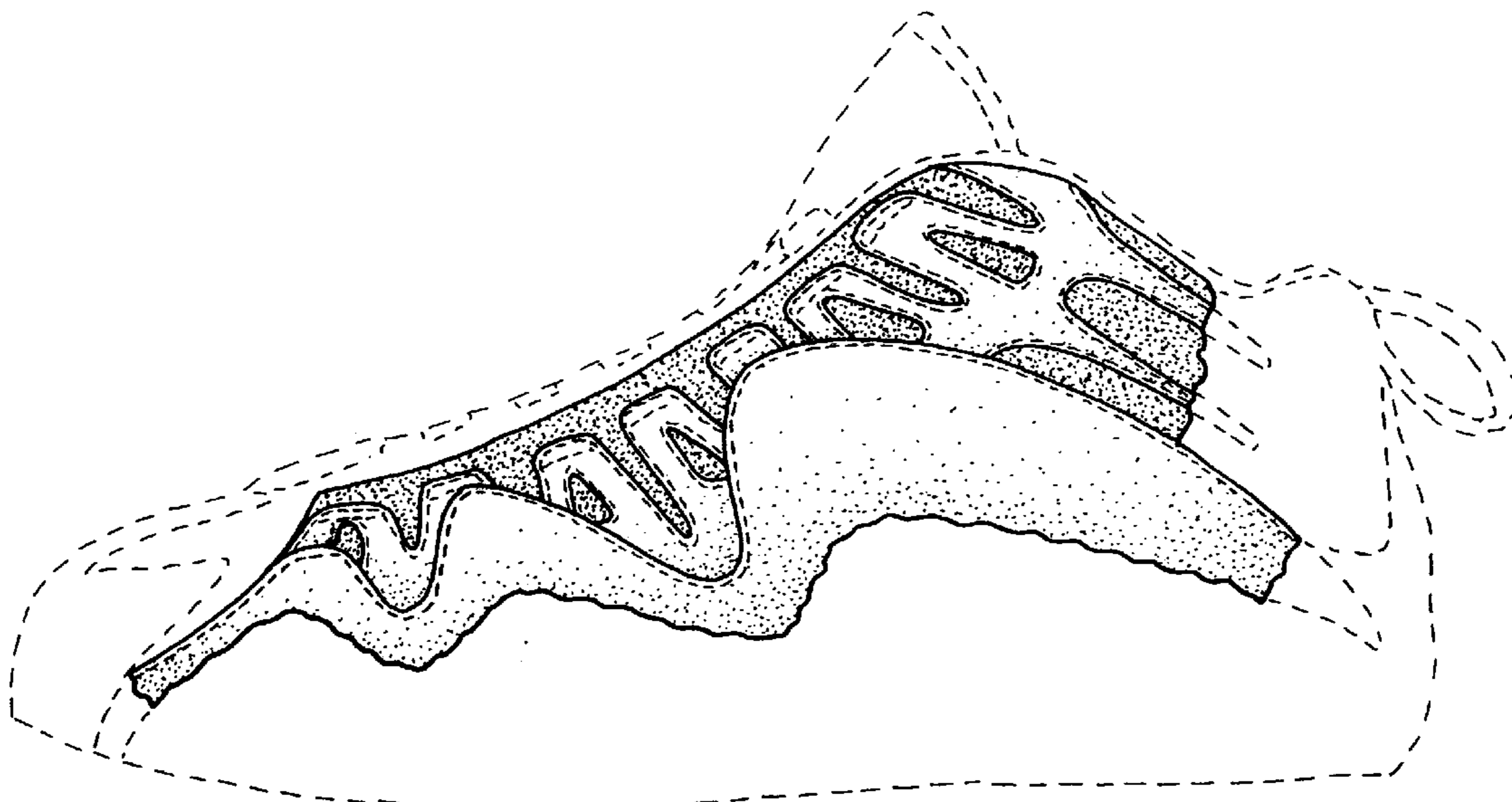
FIG. 3 is a top plan view of the portion of a shoe upper shown in FIG. 1;

FIG. 4 is a front elevational view of the portion of a shoe upper shown in FIG. 1; and,

FIG. 5 is a rear elevational view of the portion of a shoe upper shown in FIG. 1.

The broken line showing of the remainder of the shoe is for illustration purposes only and forms no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



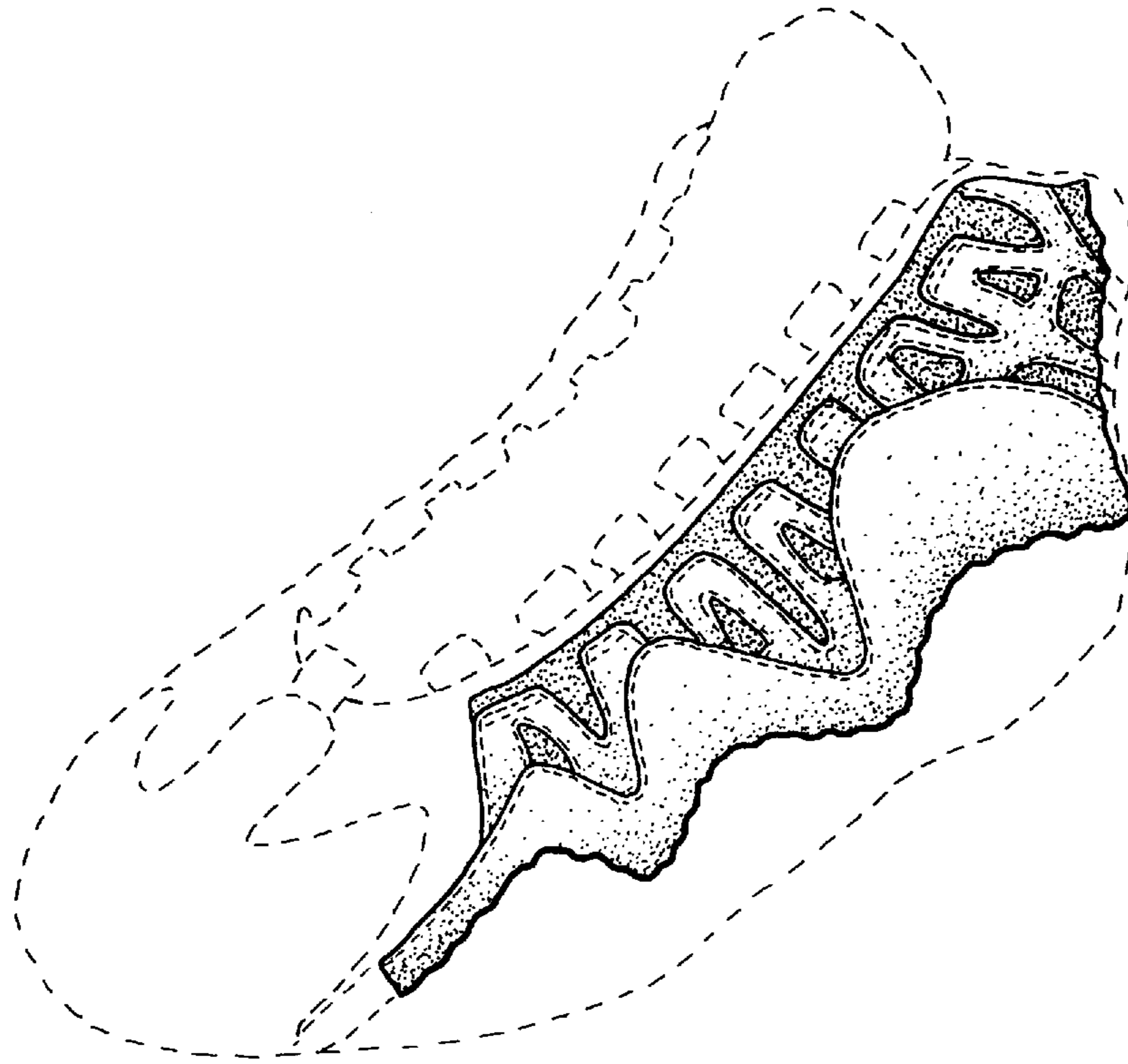


FIG. 1

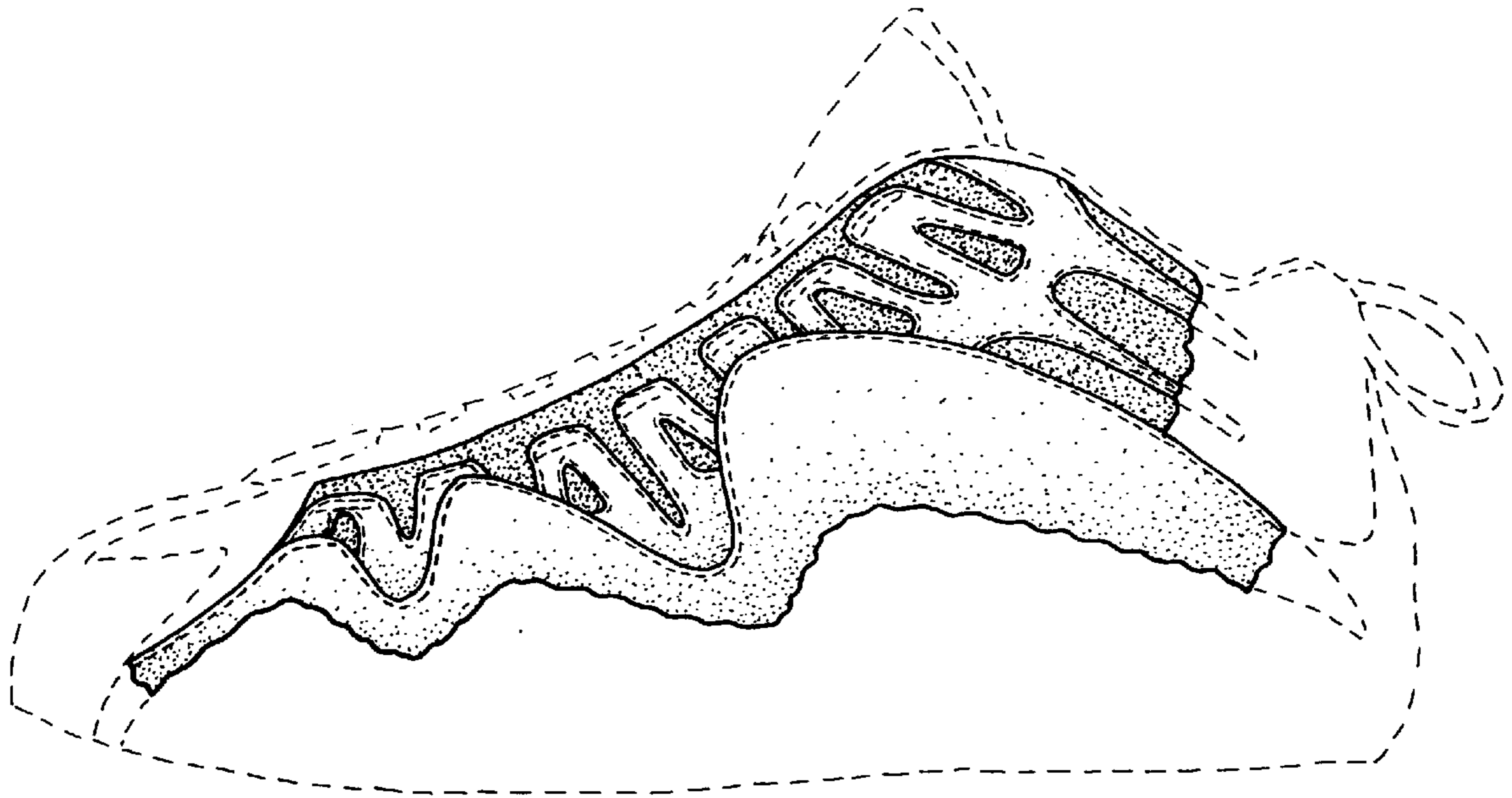


FIG. 2

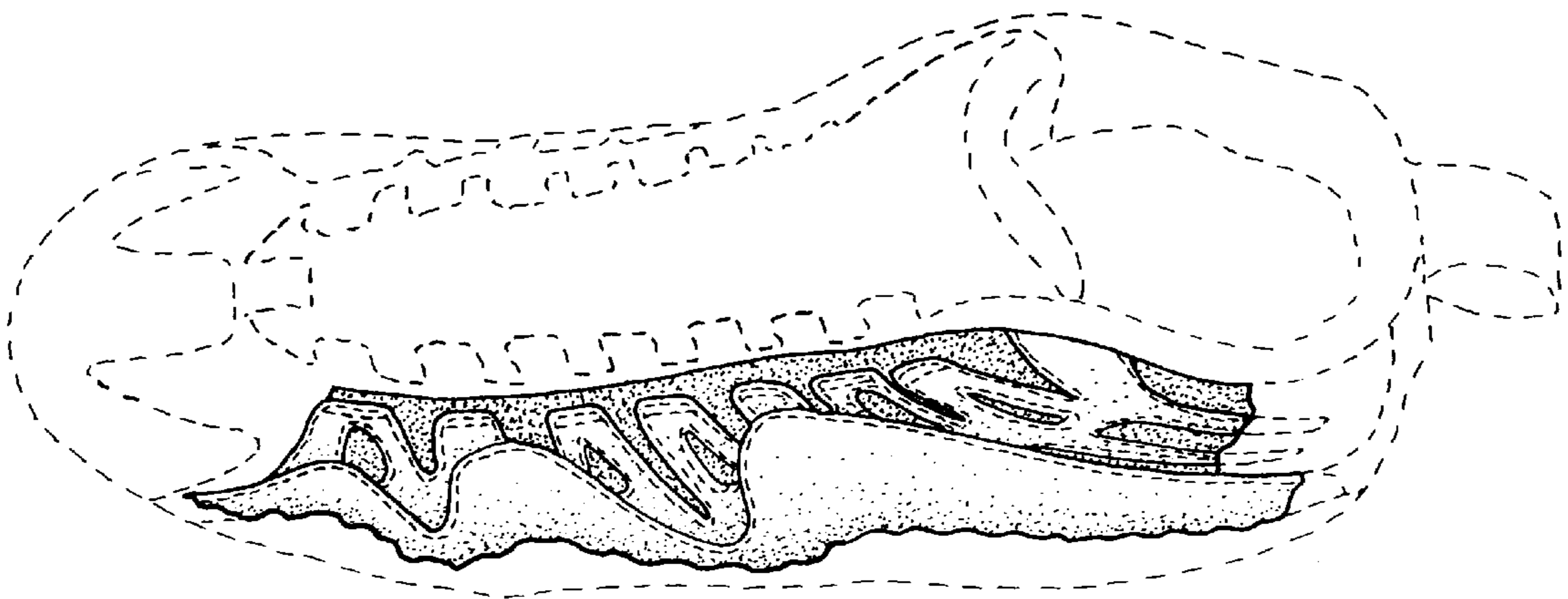


FIG. 3

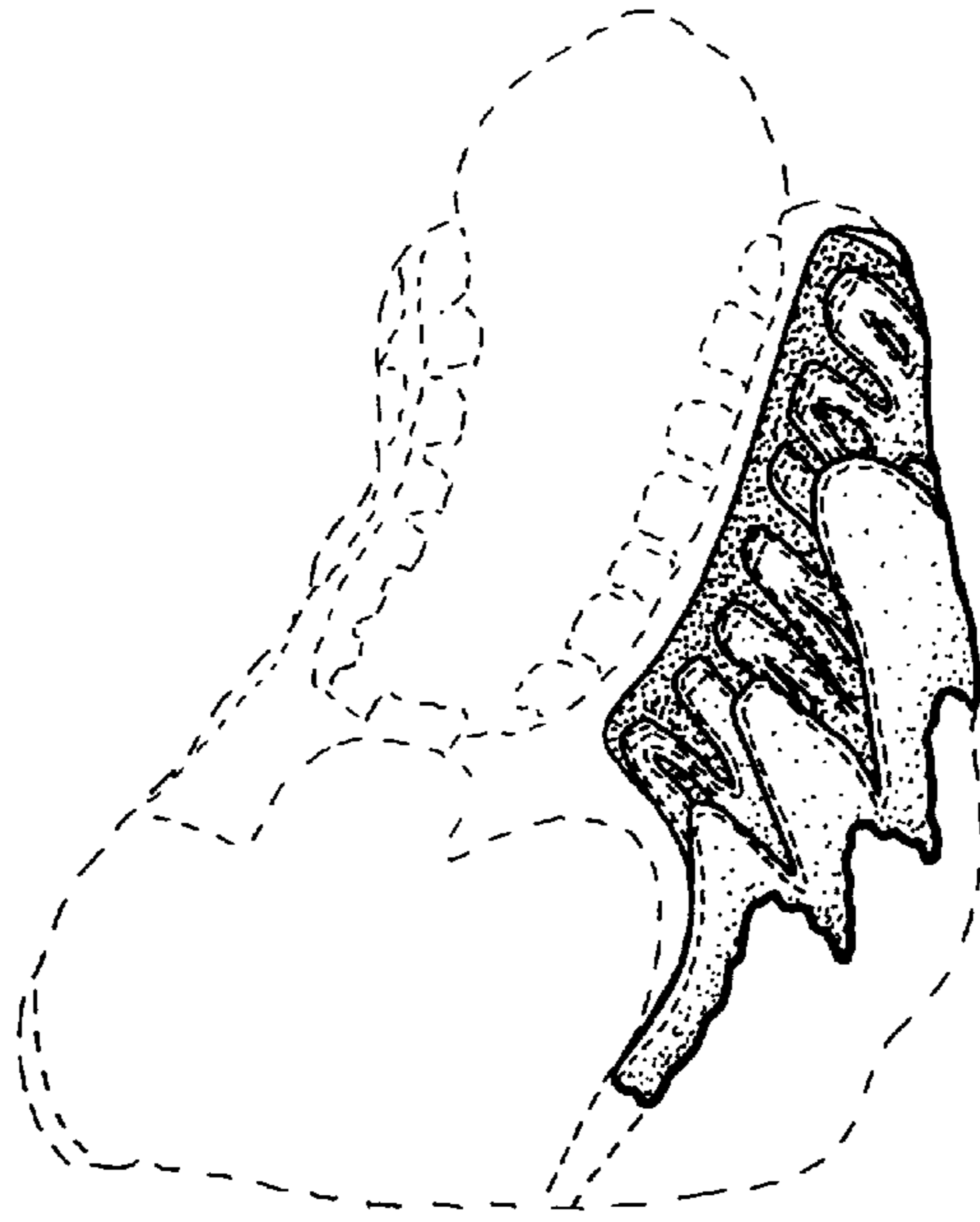


FIG. 4

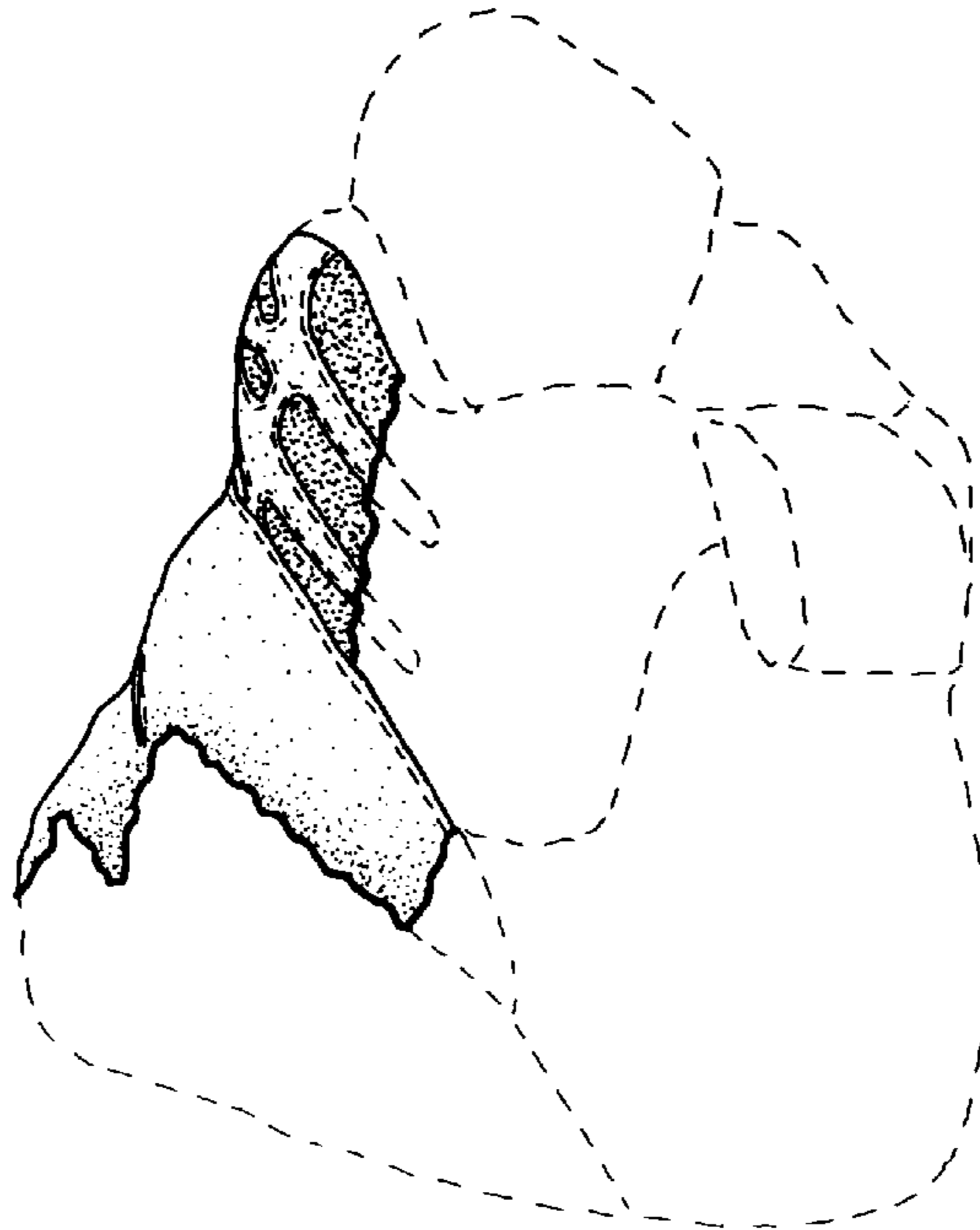


FIG. 5