



US00D398761S

United States Patent [19] Smith, III

[11] Patent Number: **Des. 398,761**

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

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

[75] Inventor: **Wilson Smith, III**, Portland, Oreg.

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

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

[21] Appl. No.: **82,782**

[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; D6/83, 113, 114,
45, 48, 50.1, 126-129

[56] **References Cited**

U.S. PATENT DOCUMENTS

D. 93,367	9/1934	Weidner	.....	D2/972
D. 116,598	9/1939	Pick	.....	D2/972
D. 264,393	5/1982	Sasaki	.....	D2/902
D. 283,173	4/1986	Malone	.....	D2/902
D. 357,573	4/1995	Ng .		
D. 382,701	8/1997	Rask .		
D. 383,301	9/1997	Teague	.....	D2/972
D. 385,693	11/1997	Cass	.....	D2/972
D. 386,601	11/1997	Cass .		
D. 387,591	12/1997	Hatfield et al. .		
D. 387,850	12/1997	Hatfield et al. .		
D. 391,051	2/1998	Blakeslee et al. .		

OTHER PUBLICATIONS

Nike Footwear Catalog, Fall 1998, pp. 60, 66 and 76. Published Dec. 1997.

Nike Footwear Catalog, Holiday 1997, p. 203. Published Mar. 1997.

Nike Footwear Catalog, Spring 1995, p. 24. Published Jun. 1994.

Nike Footwear Catalog, Spring 1993, p. 28. Published Jun. 1992.

Nike Footwear Catalog, Fall 1992, p. 24. Published Dec. 1991.

Nike Footwear Catalog, Fall 1991, p. 94. Published Dec. 1990.

Nike Footwear Catalog, Spring 1991, p. 36. Published Jun. 1990.

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 of the portion of a shoe upper shown in FIG. 1;

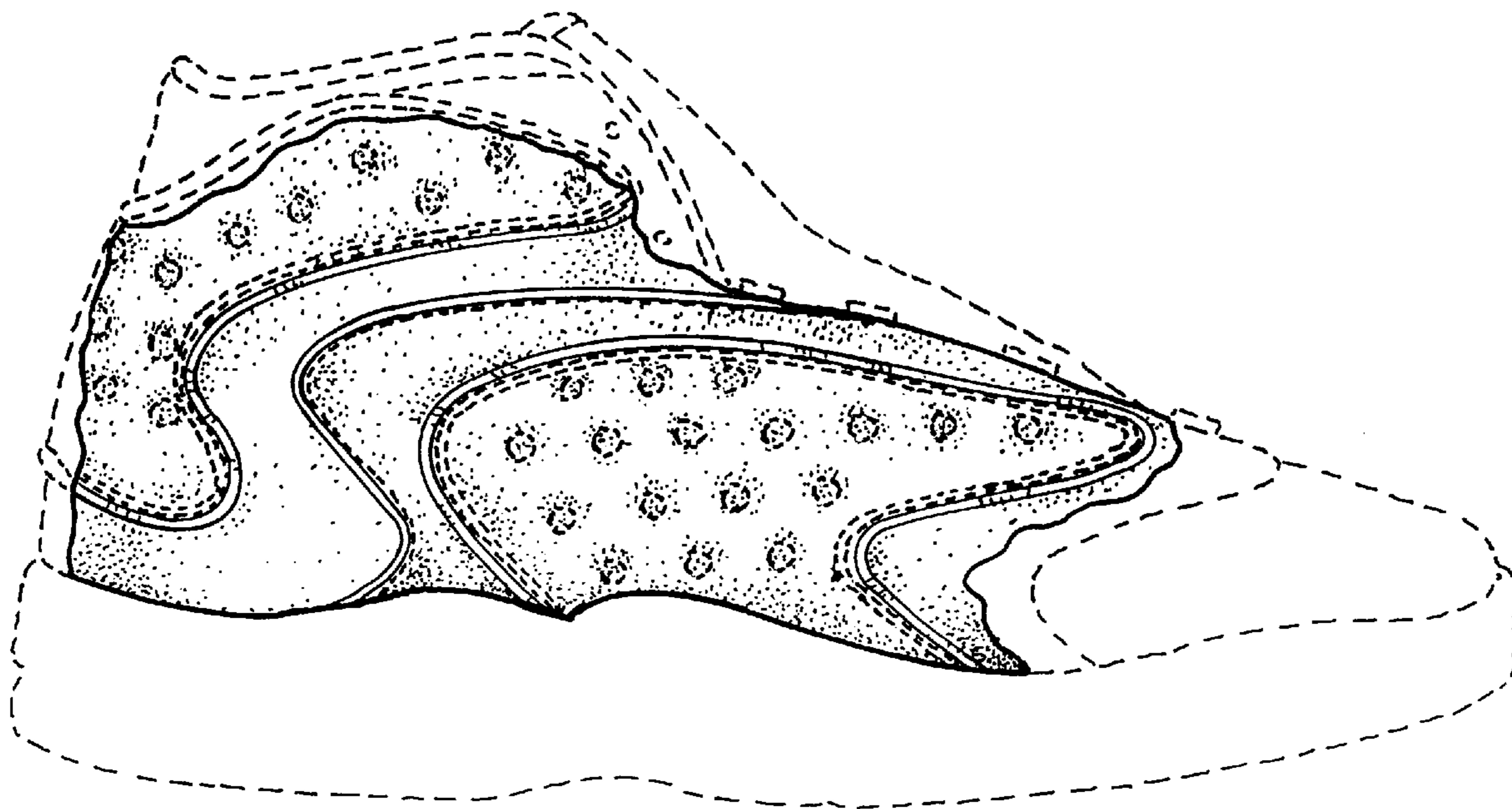
FIG. 3 is a front elevational view of the portion of a shoe upper shown in FIG. 1;

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

FIG. 5 is a top plan 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, 2 Drawing Sheets



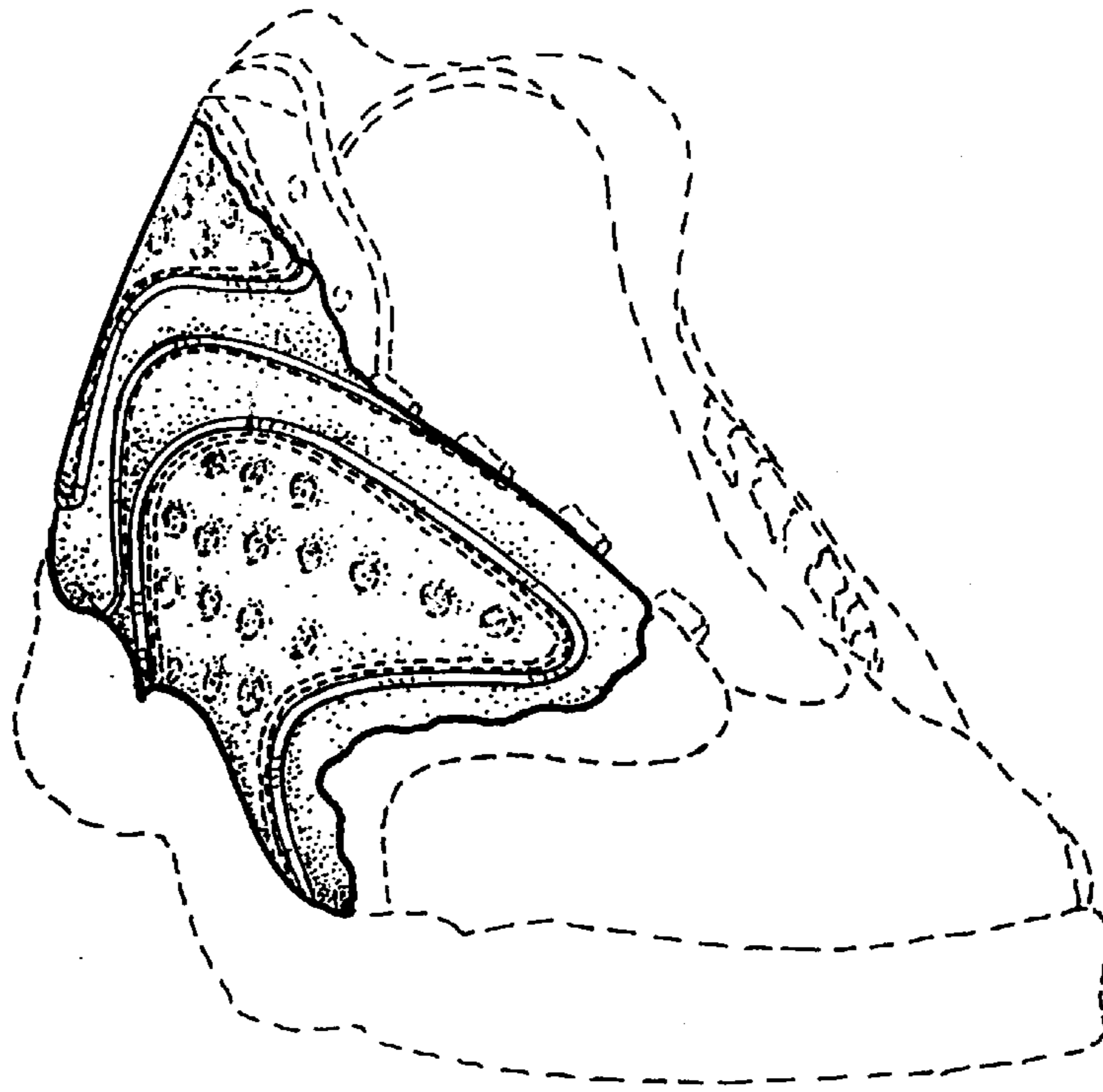


FIG. 1

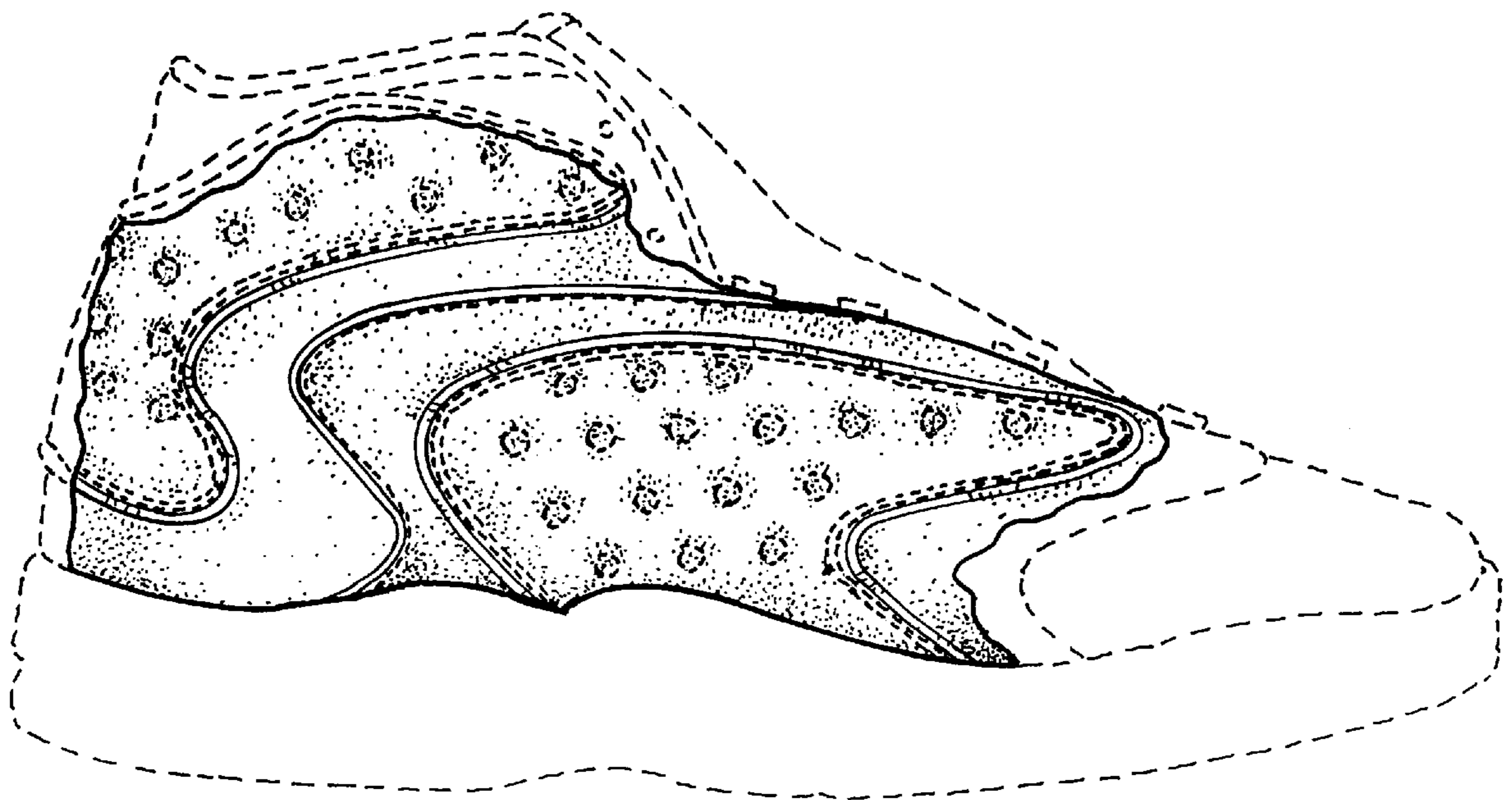


FIG. 2

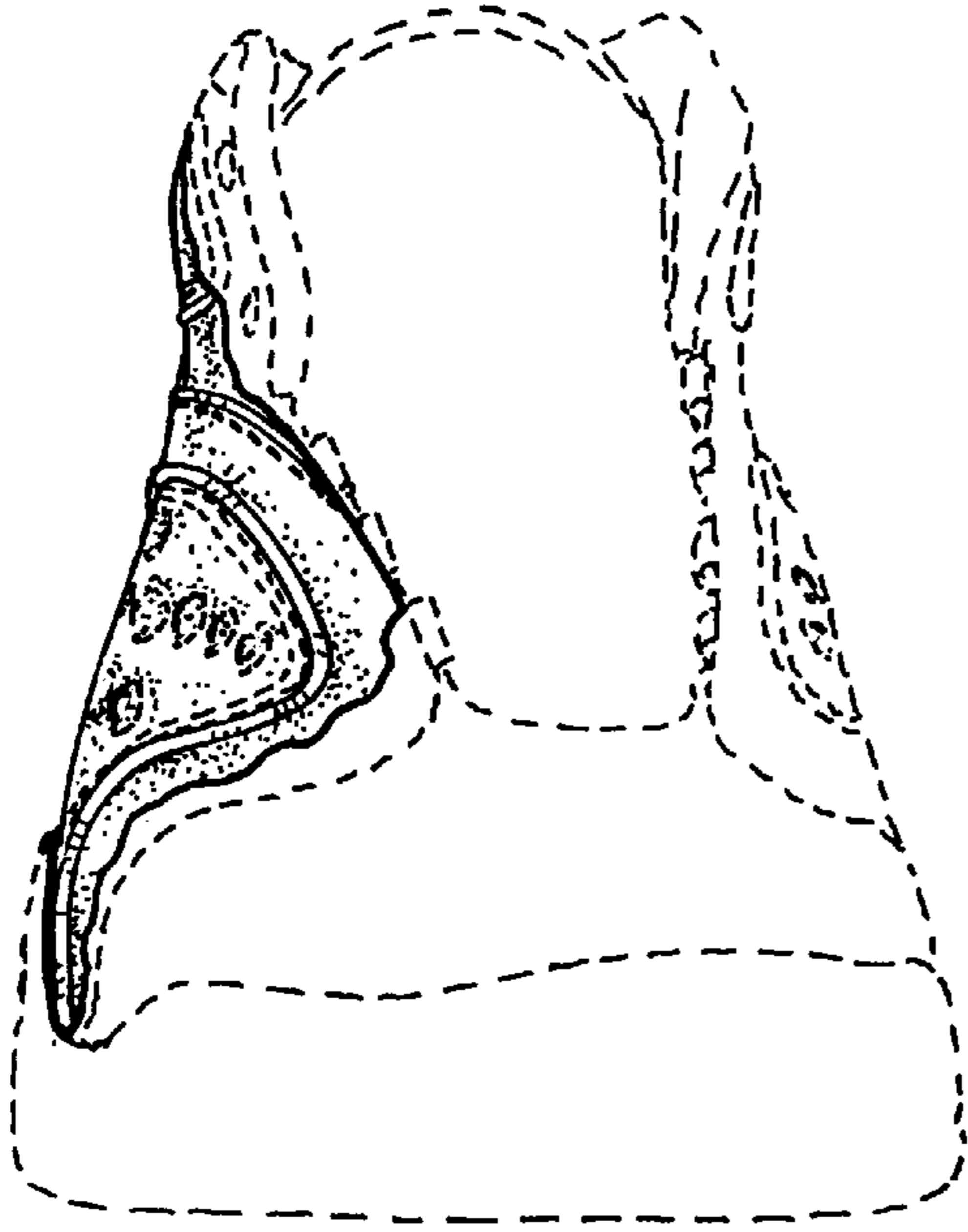


FIG. 3

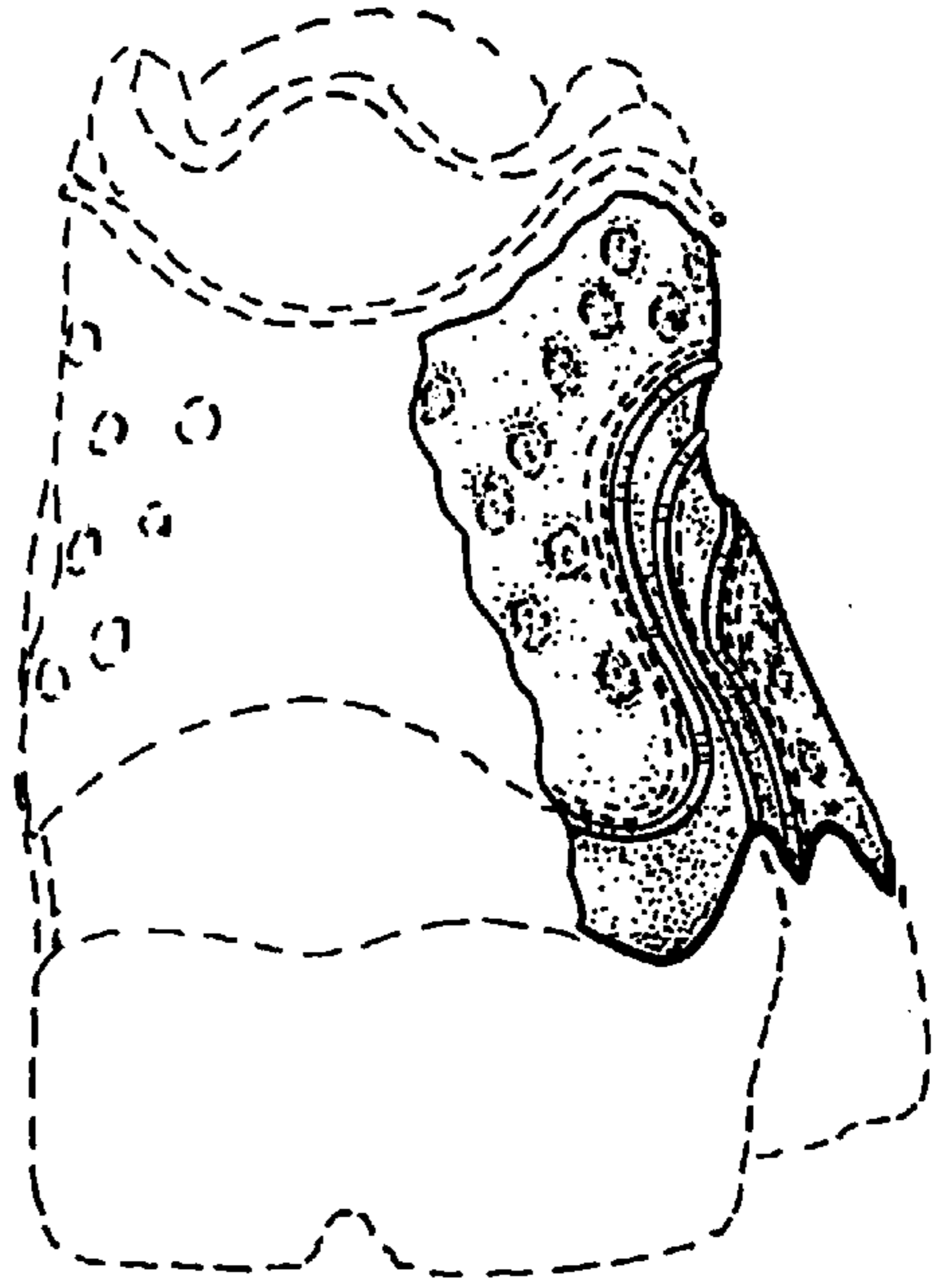


FIG. 4

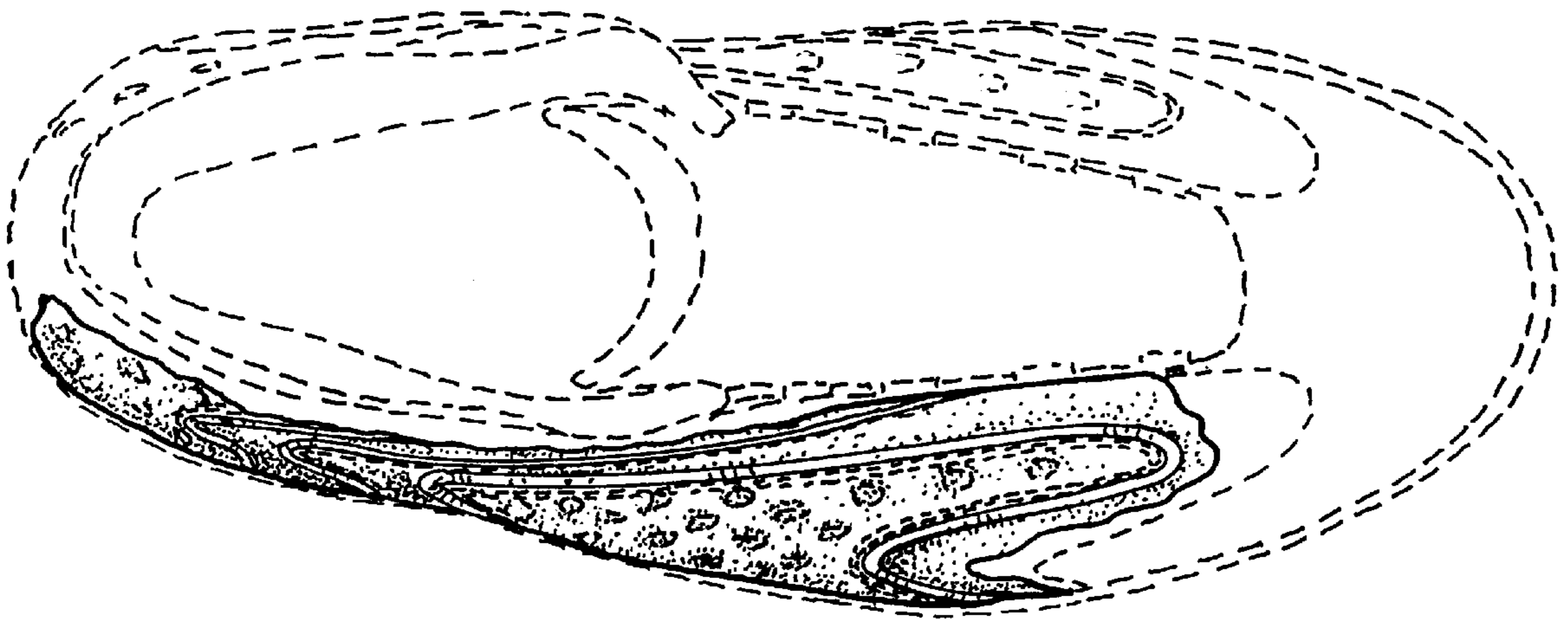


FIG. 5