



US00D40000S

United States Patent [19]

[11] **Patent Number: Des. 400,000**

Hatfield et al.

[45] **Date of Patent: **Oct. 27, 1998**

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

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

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

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

[21] Appl. No.: **86,924**

[22] Filed: **Apr. 23, 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. 86,758 4/1932 Bancroft .
- D. 93,367 9/1934 Weidner D2/972
- D. 93,710 10/1934 Elkin .
- D. 96,390 7/1935 Kean .
- D. 103,018 2/1937 Liberty .
- D. 114,918 5/1939 Cairns .
- D. 116,598 9/1939 Pick D2/972
- D. 229,251 11/1973 Askew .
- D. 233,805 12/1974 Kubo .
- D. 237,427 11/1975 Thornberry .
- D. 253,138 10/1979 Foldes .

(List continued on next page.)

OTHER PUBLICATIONS

- Nike Footwear Catalog, Fall 1994, p. 74. Published Nov. 1993.
- Nike Footwear Catalog, Fall 1993, p. 28, Published Dec. 1992.
- Nike Footwear Catalog, Holiday 1993, pp. 20 and 48. Published Mar. 1993.
- Nike Footwear Catalog, Fall 1992, pp. 22, 34, 44 and 138. Published Dec. 1991.
- Nike Footwear Catalog, Spring 1992, pp. 62 and 66. Published May 1991.

- Nike Footwear Catalog, Fall 1991, p. 38. Published Dec. 1990.
- Nike 1985 Athletic Catalog, p. 26.
- Nike 1985 Footwear Catalog, p. 49. Published Dec. 1984.
- Nike Footwear Catalog, Late Spring 1997, pp. 48, 49 and 77. Published Sep. 1996.
- Nike Footwear Catalog, Spring 1997, p. 45. Published Jun. 1996.
- Nike Footwear Catalog, Holiday 1996, p. 136. Published Mar. 1996.
- Nike Footwear Catalog, Fall 1995, pp. 10, 11 and 115. Published Nov. 1994.
- Nike Footwear Catalog, Holiday 1998, pp. M32 and M75. Published Mar. 1998.
- Nike Footwear Catalog, Fall 1998, p. 62. Published Dec. 1997.
- Nike Footwear Catalog, Late Spring 1998, p. 35. Published Sep. 1997.
- Nike Footwear Catalog, Spring 1998, pp. 18, 49, 86 and 165. Published Jun. 1997.
- Nike Footwear Catalog, Fall 1997, pp. 10, 11 and 12. Published Dec. 1996.

Primary Examiner—Dominic Simone
Attorney, Agent, or Firm—Banner & Witcoff, Ltd.

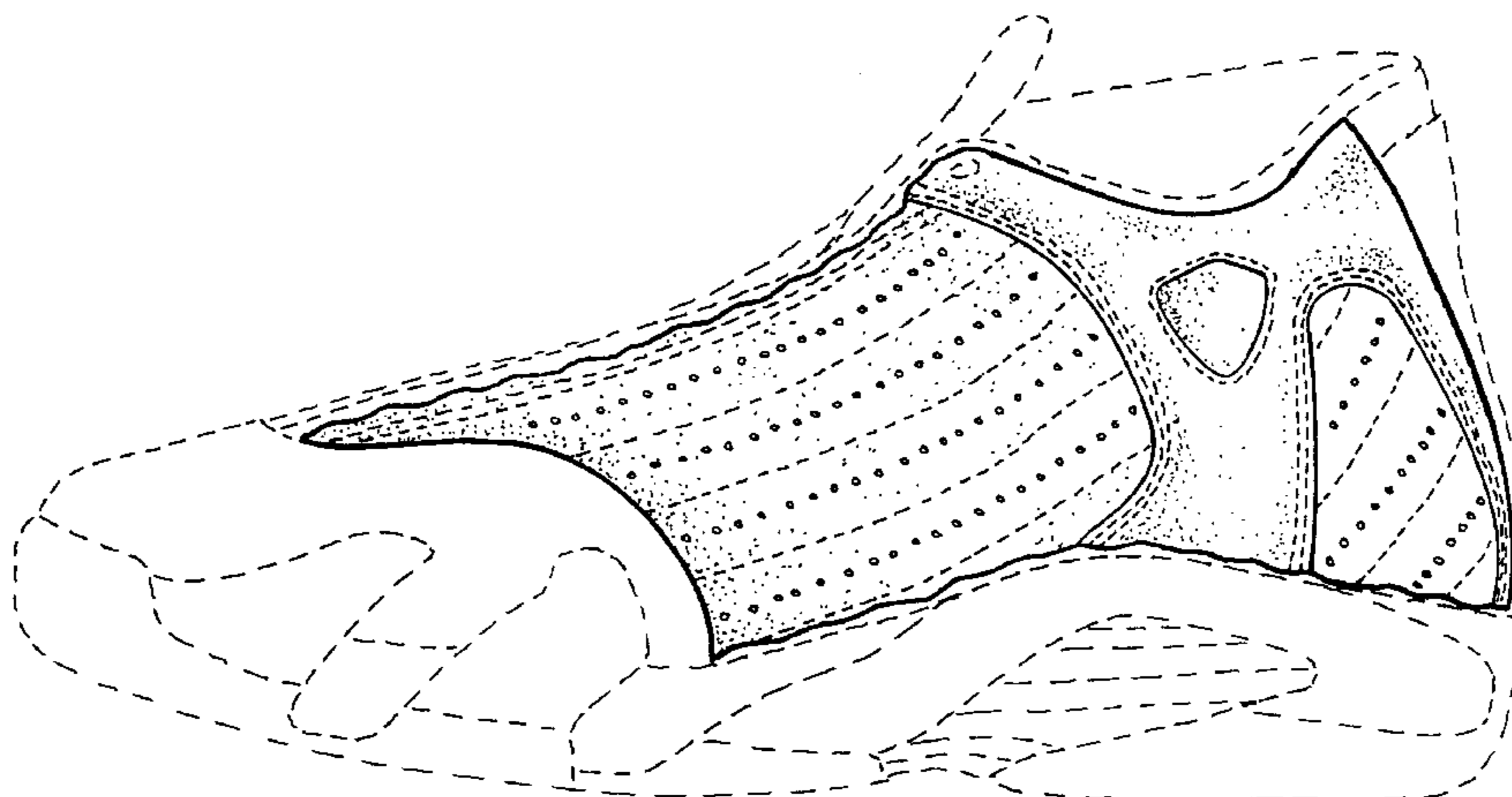
[57] **CLAIM**

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 our new design;
 FIG. 2 is a side elevational view of one side 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



U.S. PATENT DOCUMENTS

D. 264,393	5/1982	Sasaki	D2/902	D. 382,101	8/1997	Teague .
D. 271,633	12/1983	Casetta .		D. 382,991	9/1997	Bishop .
D. 283,463	4/1986	Chassaing .		D. 383,287	9/1997	Van Noy .
D. 296,036	6/1988	Le .		D. 383,289	9/1997	Greene .
D. 296,148	6/1988	Selbiger .		D. 383,292	9/1997	Smith, III .
D. 297,070	8/1988	Selbiger .		D. 383,301	9/1997	Teague .
D. 325,812	5/1992	Hatfield .		D. 384,802	10/1997	Avar .
D. 330,795	11/1992	Ringel Close .		D. 385,096	10/1997	Hoeft .
D. 331,145	11/1992	Cheng .		D. 385,408	10/1997	Kuerbis .
D. 332,522	1/1993	Hatfield et al. .		D. 385,689	11/1997	James .
D. 333,550	3/1993	Marziali et al. .		D. 386,895	12/1997	Hatfield .
D. 336,766	6/1993	Sjöswärd .		D. 386,898	12/1997	Van Noy .
D. 344,405	2/1994	Close .		D. 387,551	12/1997	Lozano .
D. 348,767	7/1994	Hatfield et al. .		D. 388,682	1/1998	Hudson .
D. 353,937	1/1995	Smith .		D. 391,063	2/1998	Lozano .
D. 354,165	1/1995	Werman .		D. 391,070	2/1998	Ford .
D. 363,151	10/1995	Vitrac .		D. 391,754	3/1998	Lozano .
D. 369,897	5/1996	Worthington .		1,095,213	5/1914	Johnson .
D. 379,395	5/1997	Aird .		4,670,998	6/1987	Pasternak .
				4,766,681	8/1988	O'Rourke et al. .

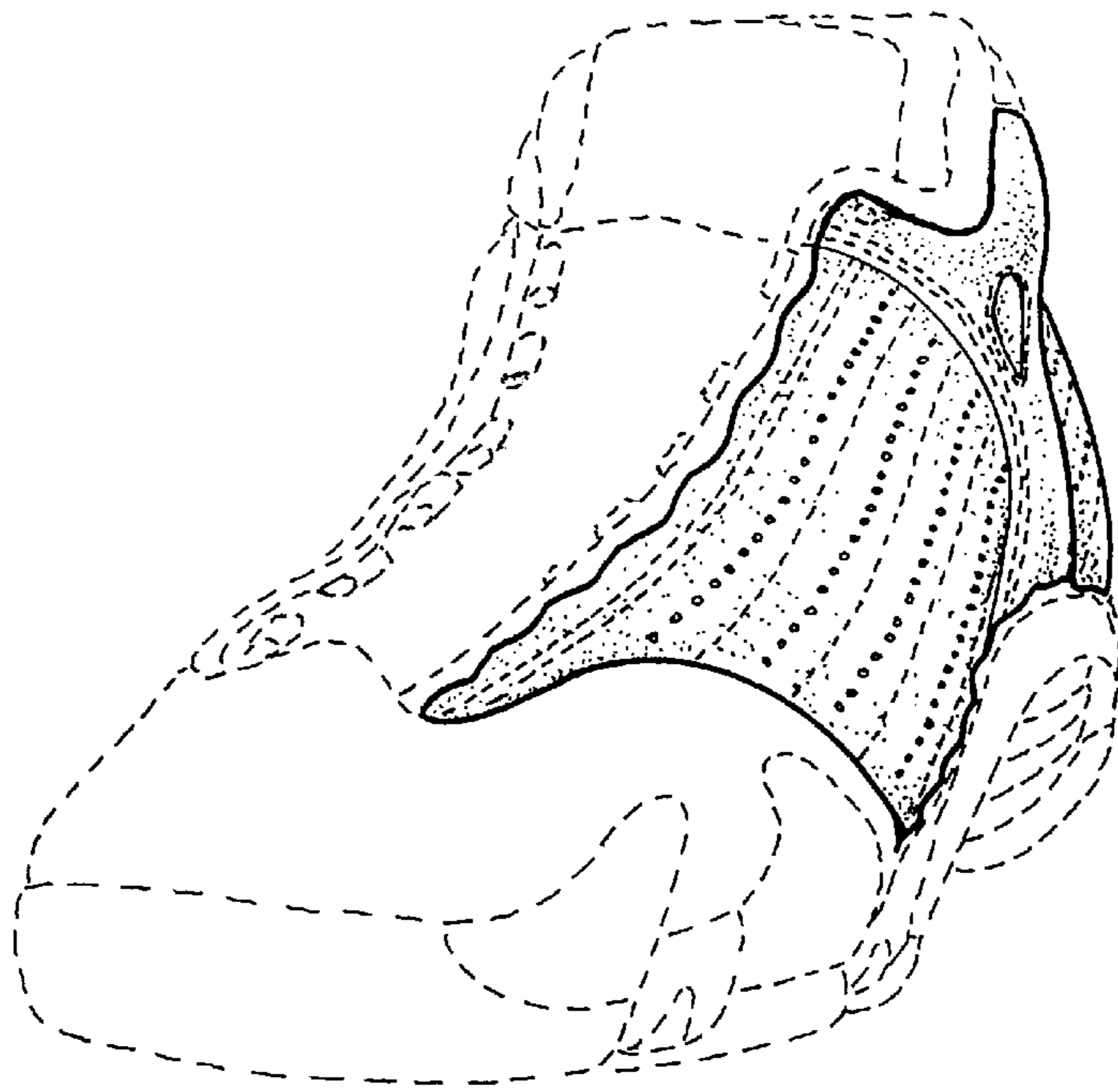


FIG. 1

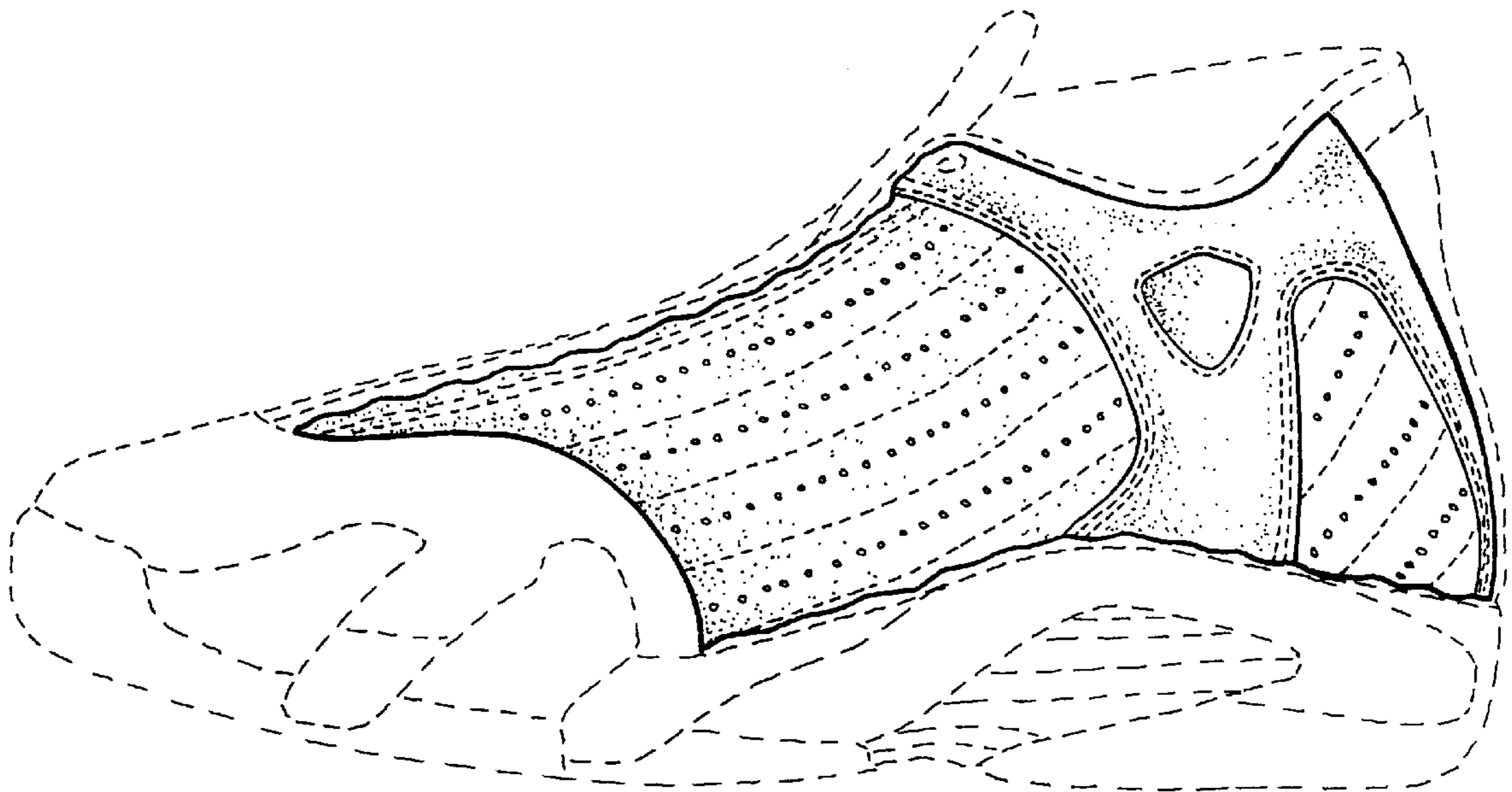


FIG. 2

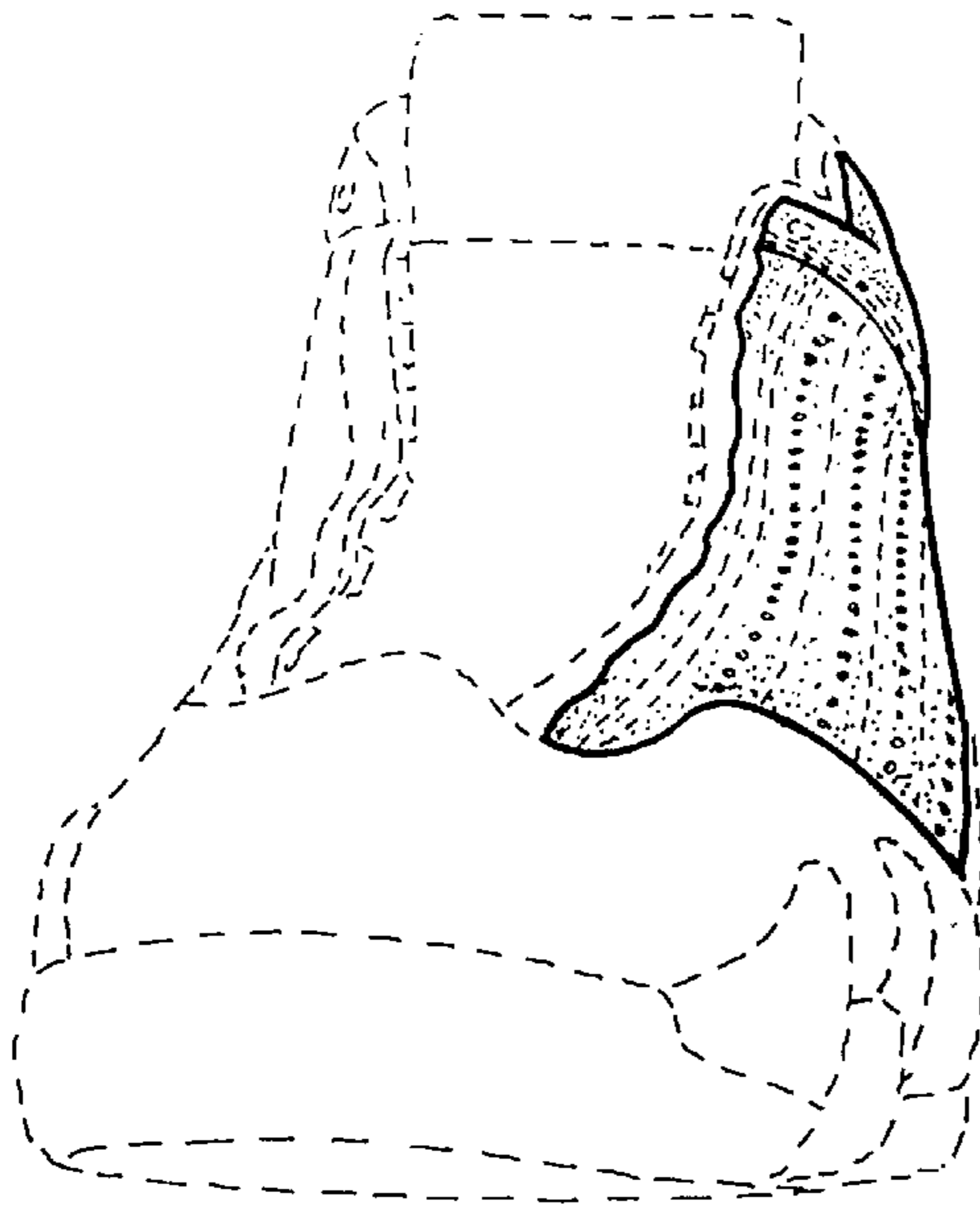


FIG. 3

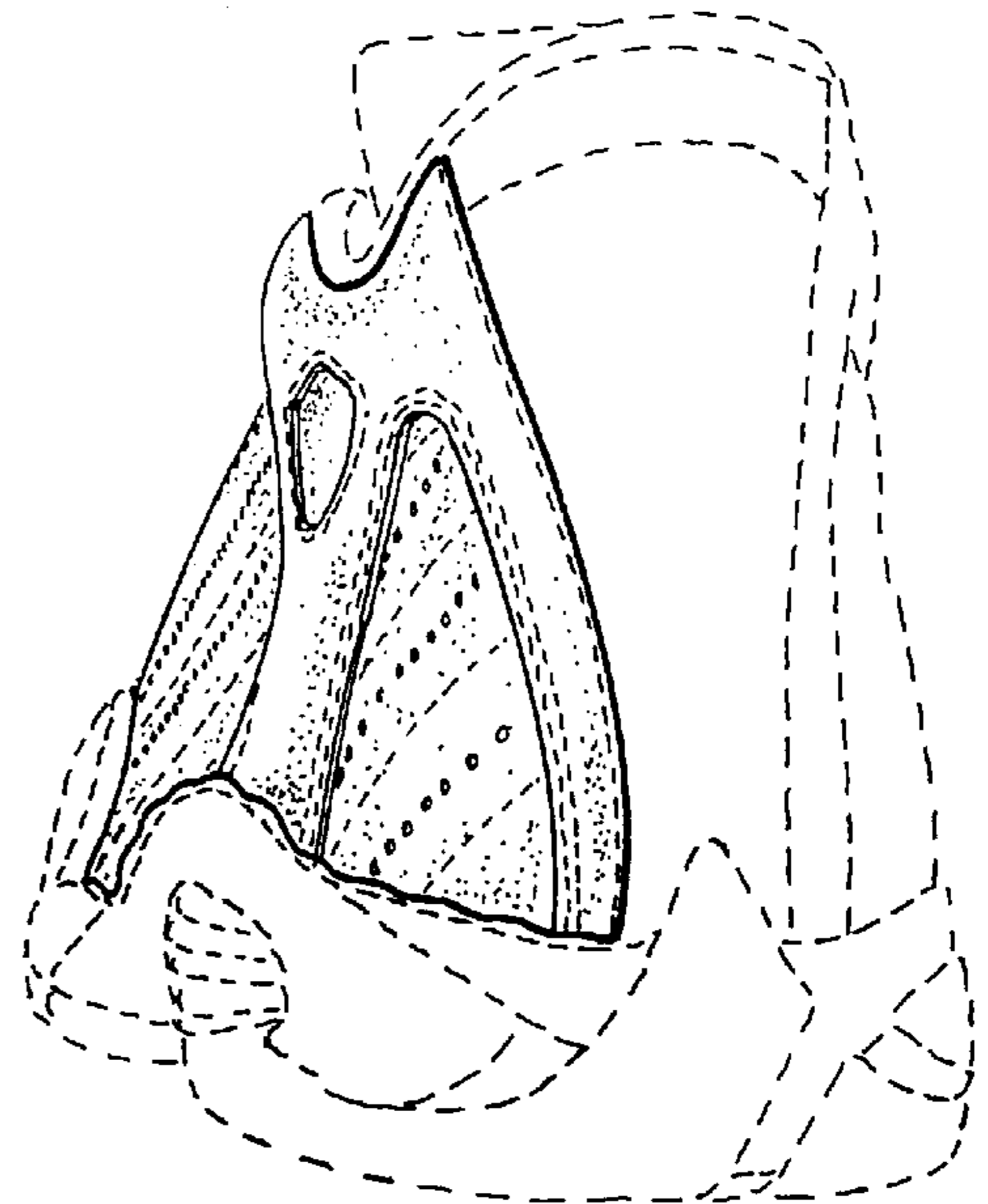


FIG. 4

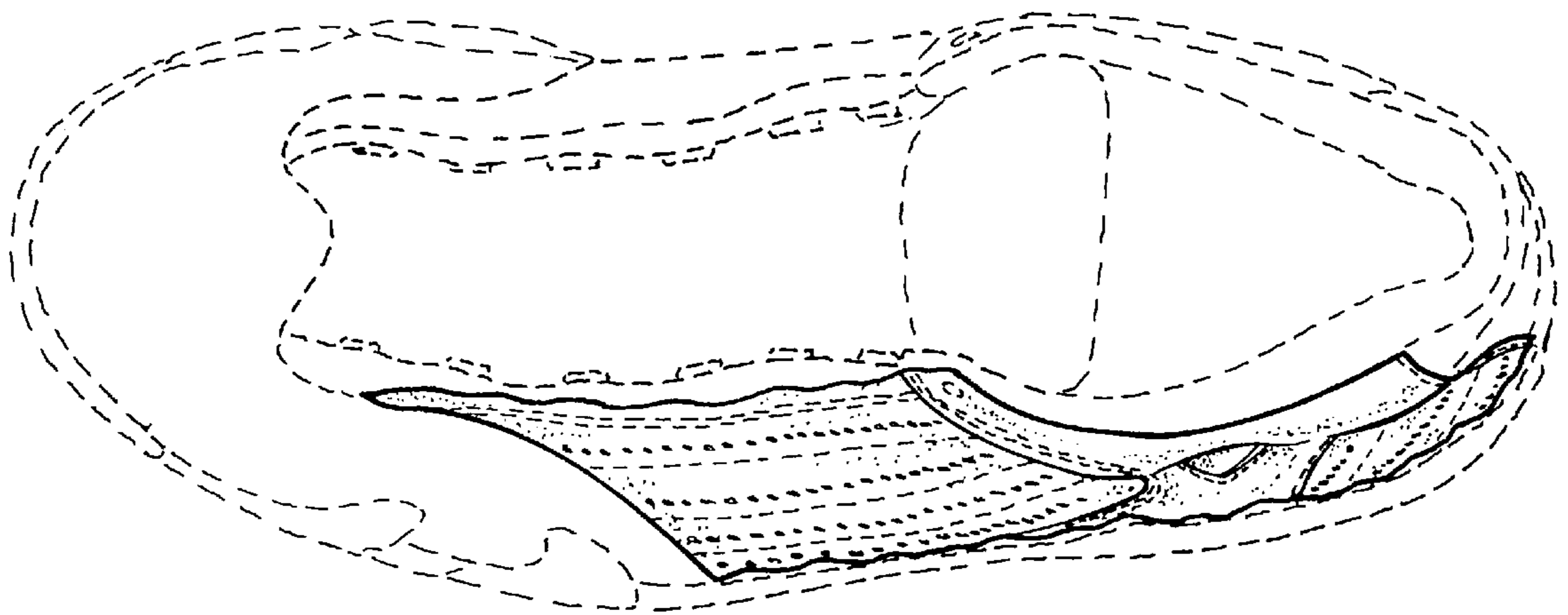


FIG. 5