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# United States Patent [19]

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**Mervar**

[45] **Date of Patent: \*\*Mar. 9, 1999**

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

D. 398,771 9/1998 Doxey ..... D2/972  
D. 400,001 10/1998 Lozano ..... D2/972

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

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

Nike Footwear Catalog, Holiday 1998, pp. M7, M10, M12, M31, M38, M48, and W37, Published Mar. 1998.

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

Nike Footwear Catalog, Late Fall 1998, p. 24. Published Mar. 1998.

[21] Appl. No.: **94,489**

Nike Footwear Catalog, Late Spring 1998, p. 213. Published Sep. 1997.

[22] Filed: **Oct. 2, 1998**

Nike Footwear Catalog, Spring 1998, p. 205. Published Jun. 1997.

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

Nike Footwear Catalog, Holiday 1997, pp. 9, 10, and 14. Published Mar. 1997.

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

[58] **Field of Search** ..... D2/896, 902, 907,  
D2/946, 969, 972-974; 36/83, 113, 114,  
126-130, 45, 50.1

Nike Footwear Catalog, Fall 1997, pp. 50, 148, 150, and 188. Published Dec. 1996.

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- D. 389,300 1/1998 Teague .
- D. 392,456 3/1998 Yun .
- D. 397,244 8/1998 Lupo ..... D2/972

Nike Footwear Catalog, Spring 1996, p. 19. Published Jun. 1995.

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*Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

### [57] **CLAIM**

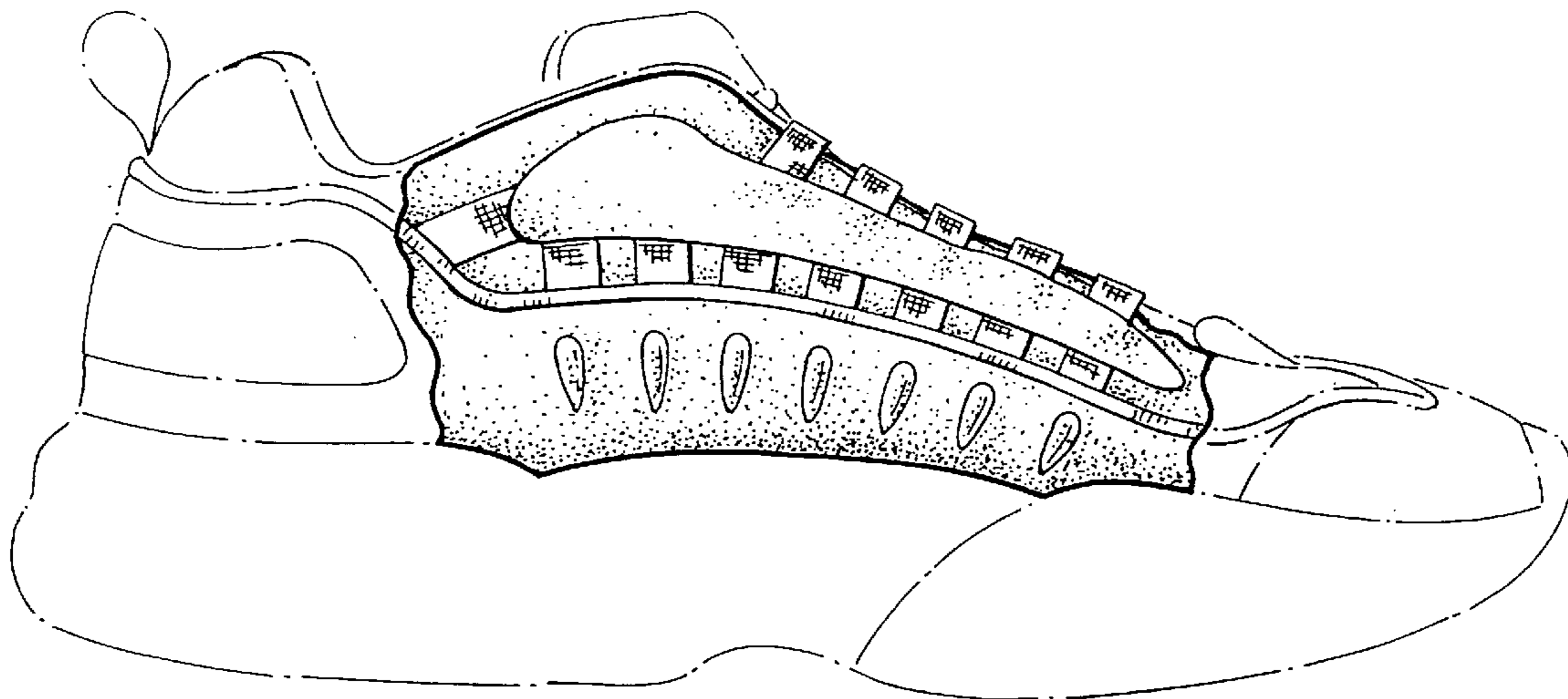
The ornamental design for a portion of a shoe upper, as shown and described.

### **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 thereof;  
FIG. 3 is a front elevational view thereof;  
FIG. 4 is a rear elevational view thereof; and,  
FIG. 5 is a top plan view thereof.

The uneven broken line showing of the shoe sole and the remaining portions of the shoe upper in FIGS. 1-5 is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



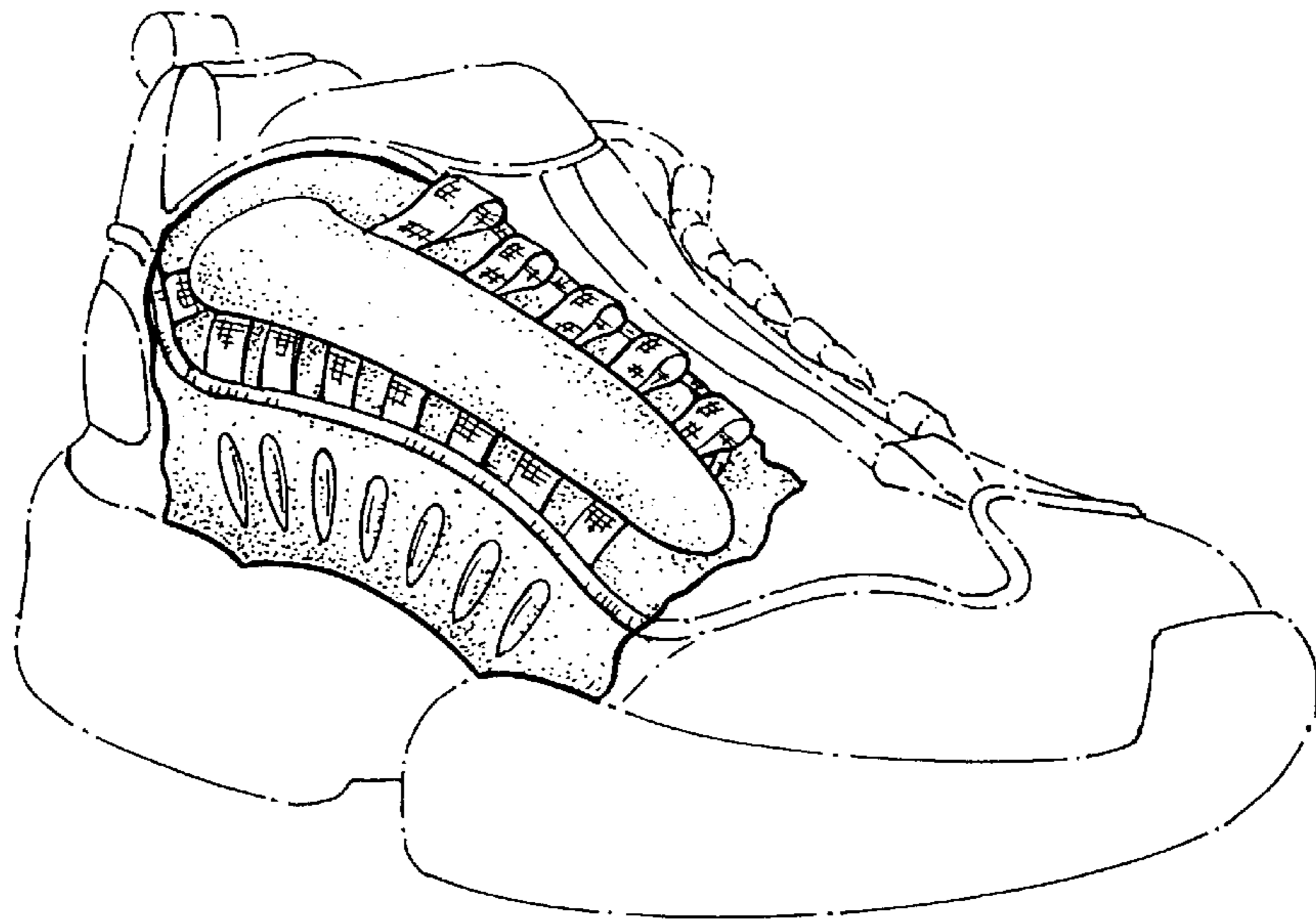


FIG. 1

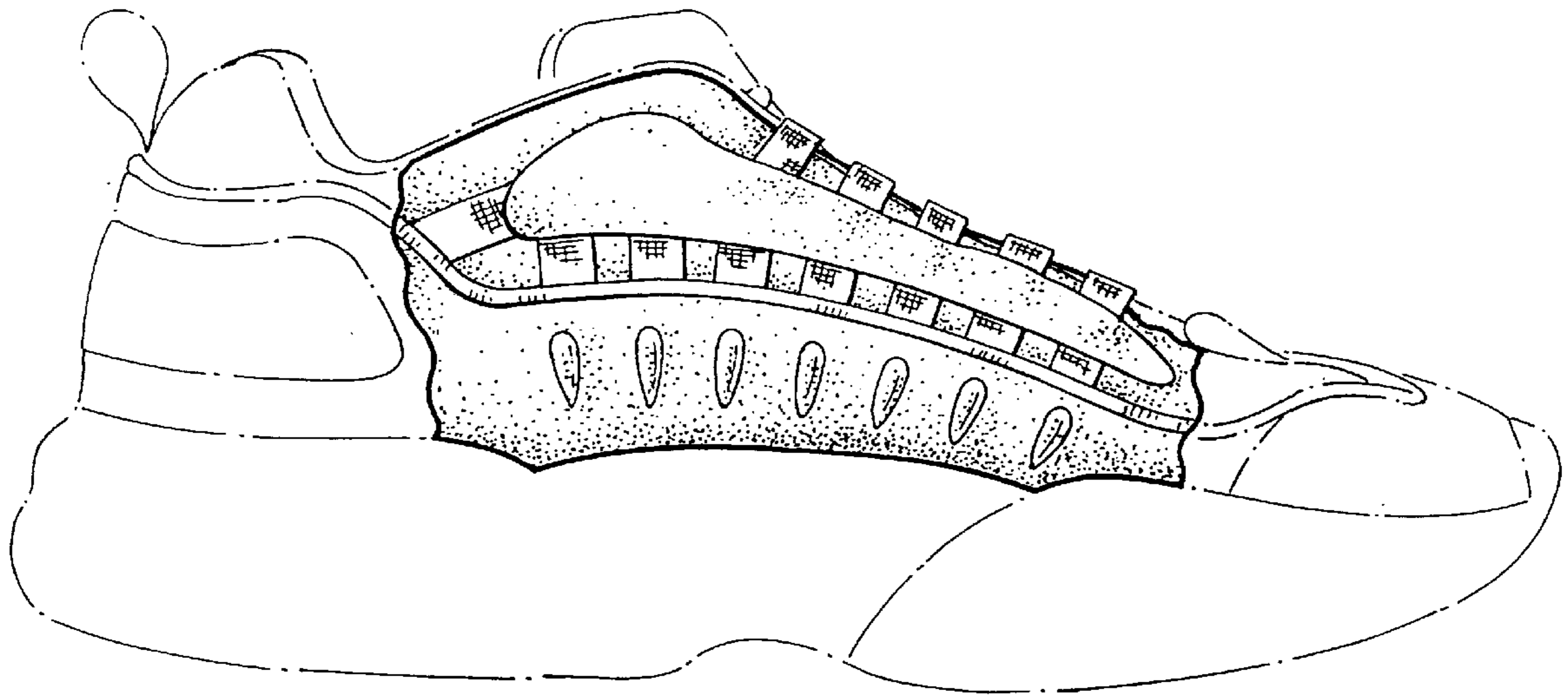


FIG. 2

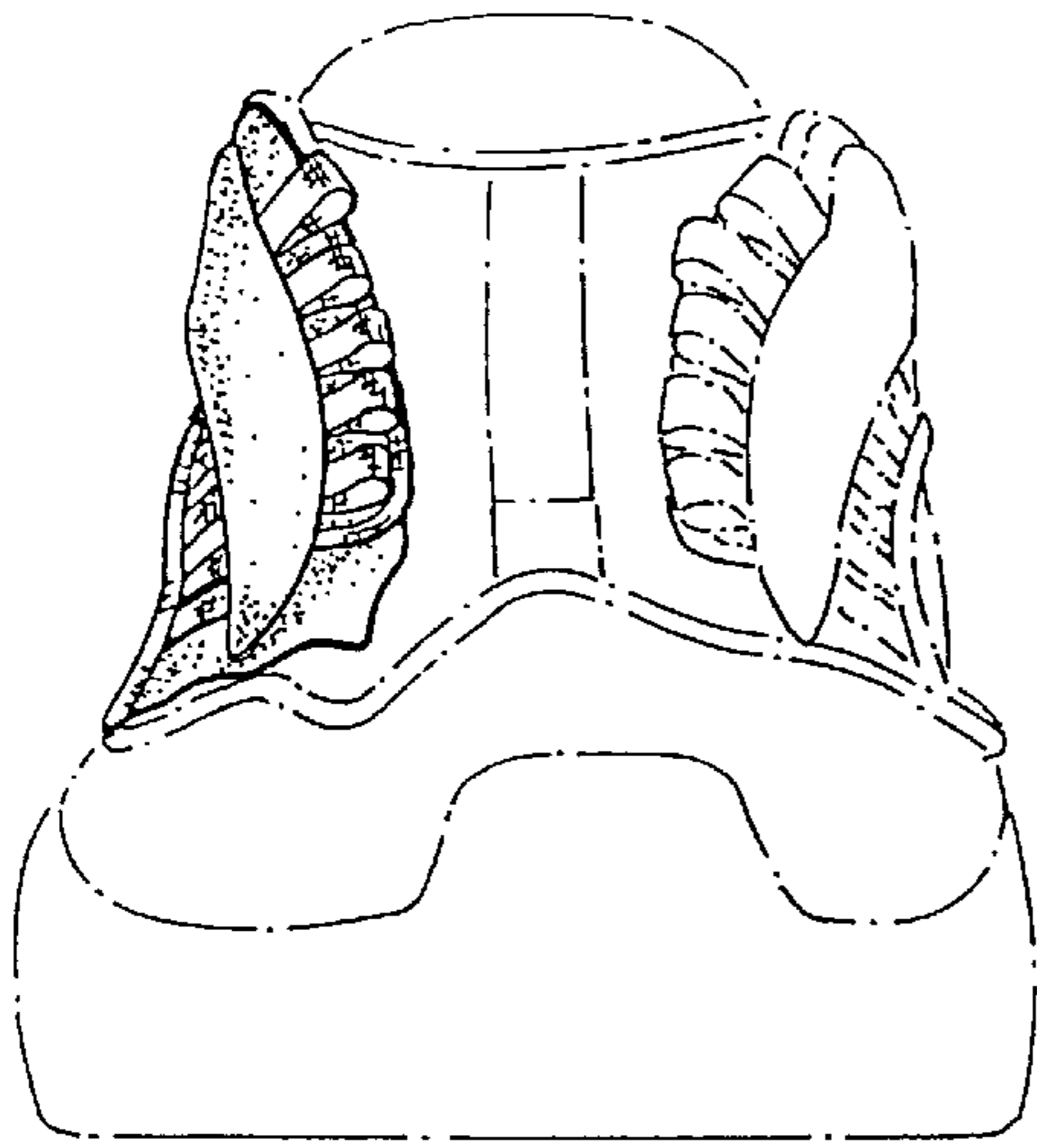


FIG. 3

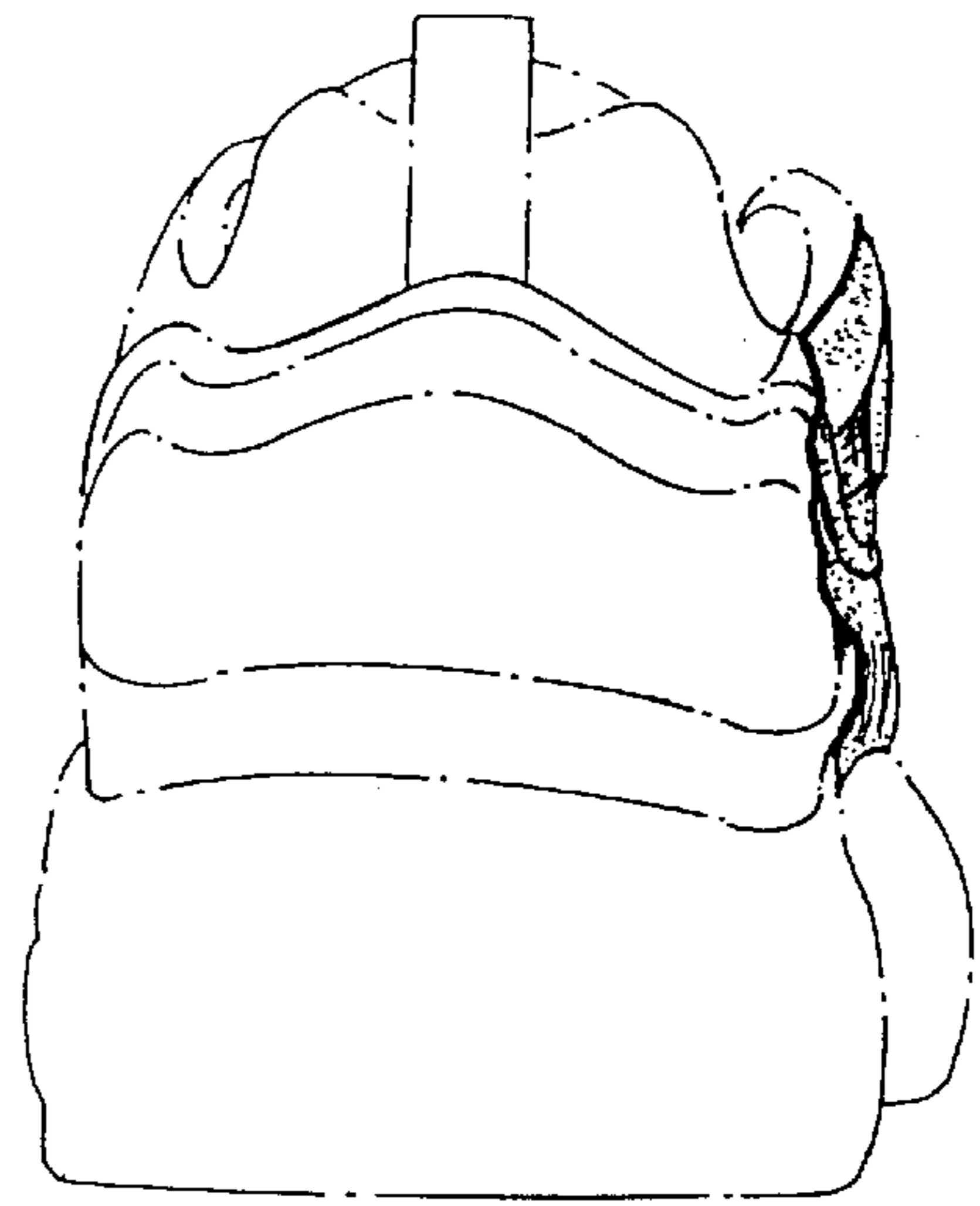


FIG. 4

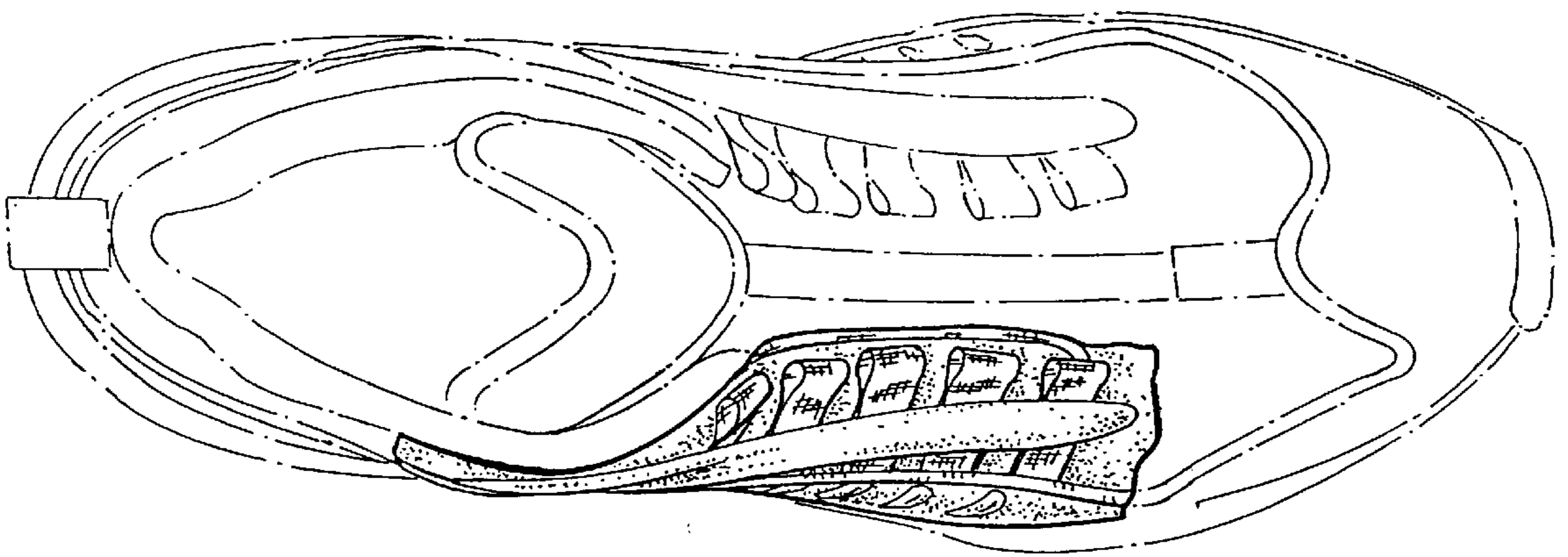


FIG. 5