



US00D413717S

United States Patent [19] Smith, III

[11] Patent Number: **Des. 413,717**

[45] Date of Patent: **** Sep. 14, 1999**

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

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

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

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

[21] Appl. No.: **29/104,551**

[22] Filed: **May 7, 1999**

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

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

[58] **Field of Search** D2/896, 902, 907,
D2/943, 944, 969, 970, 972, 973; 36/45,
50.1, 51, 77 M, 77 R, 83, 88, 89, 113,
114, 126-130

[56] **References Cited**

U.S. PATENT DOCUMENTS

- D. 304,519 11/1989 Miller .
- D. 306,514 3/1990 Backus .
- D. 309,823 8/1990 Kilgore et al. .
- D. 311,268 10/1990 Hatfield .
- D. 311,637 10/1990 Hatfield .
- D. 315,441 3/1991 Hatfield .
- D. 325,809 5/1992 Close .
- D. 333,205 2/1993 Zelenko .
- D. 333,905 3/1993 Close .
- D. 336,148 6/1993 Adams .
- D. 343,503 1/1994 Preskar .
- D. 345,246 3/1994 Greene .
- D. 346,897 5/1994 Morris et al. .
- D. 346,899 5/1994 Hatfield et al. .
- D. 347,317 5/1994 Avar .
- D. 353,040 12/1994 Avar .
- D. 383,294 9/1997 Lozano .
- D. 385,693 11/1997 Cass D2/972

- D. 387,591 12/1997 Hatfield et al. .
- D. 387,850 12/1997 Hatfield et al. .
- D. 387,894 12/1997 Crowley .
- D. 397,852 9/1998 Smith, III D2/972
- D. 407,206 3/1999 Avar .
- D. 408,981 5/1999 Smith .
- D. 408,986 5/1999 Gray et al. .

OTHER PUBLICATIONS

Nike Footwear Catalog, Holiday 1999, pp. M37, M106, Published Mar. 1999.

Nike Footwear Catalog, Late Spring 1999, pp. M34, M50, Published Sep. 1998.

Nike Footwear Catalog, Holiday 1998, p. M54, Published Mar. 1998.

Nike Footwear Catalog, Late Spring 1998, pp. 198, 199, Published Sep. 1997.

Nike Footwear Catalog, Spring 1998, p. 52, Published Jun. 1997.

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 rear perspective view of the portion of a shoe upper showing my new design;

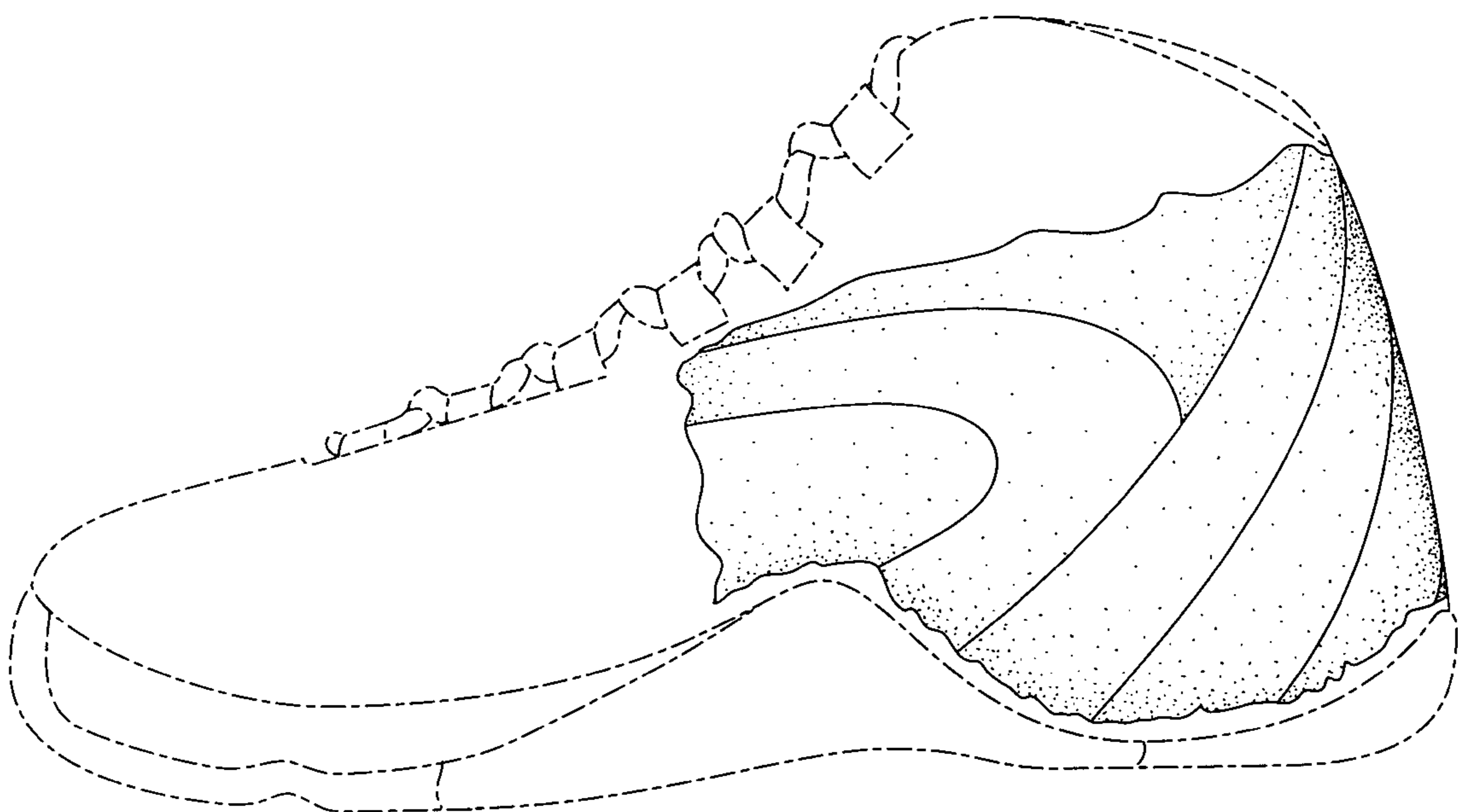
FIG. 2 is a side elevational view thereof;

FIG. 3 is a top plan view thereof; and,

FIG. 4 is a rear elevational view thereof.

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

1 Claim, 4 Drawing Sheets



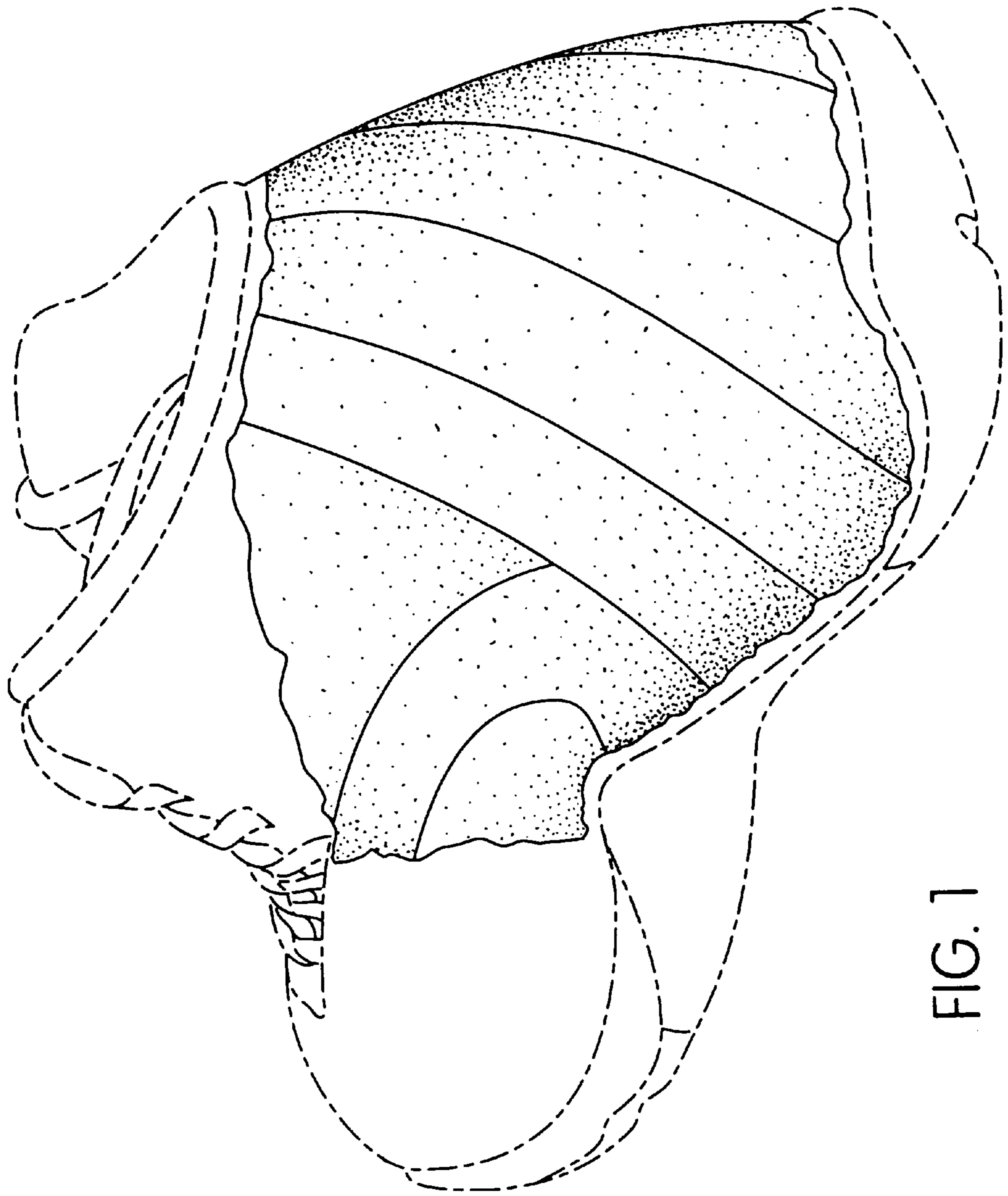


FIG. 1

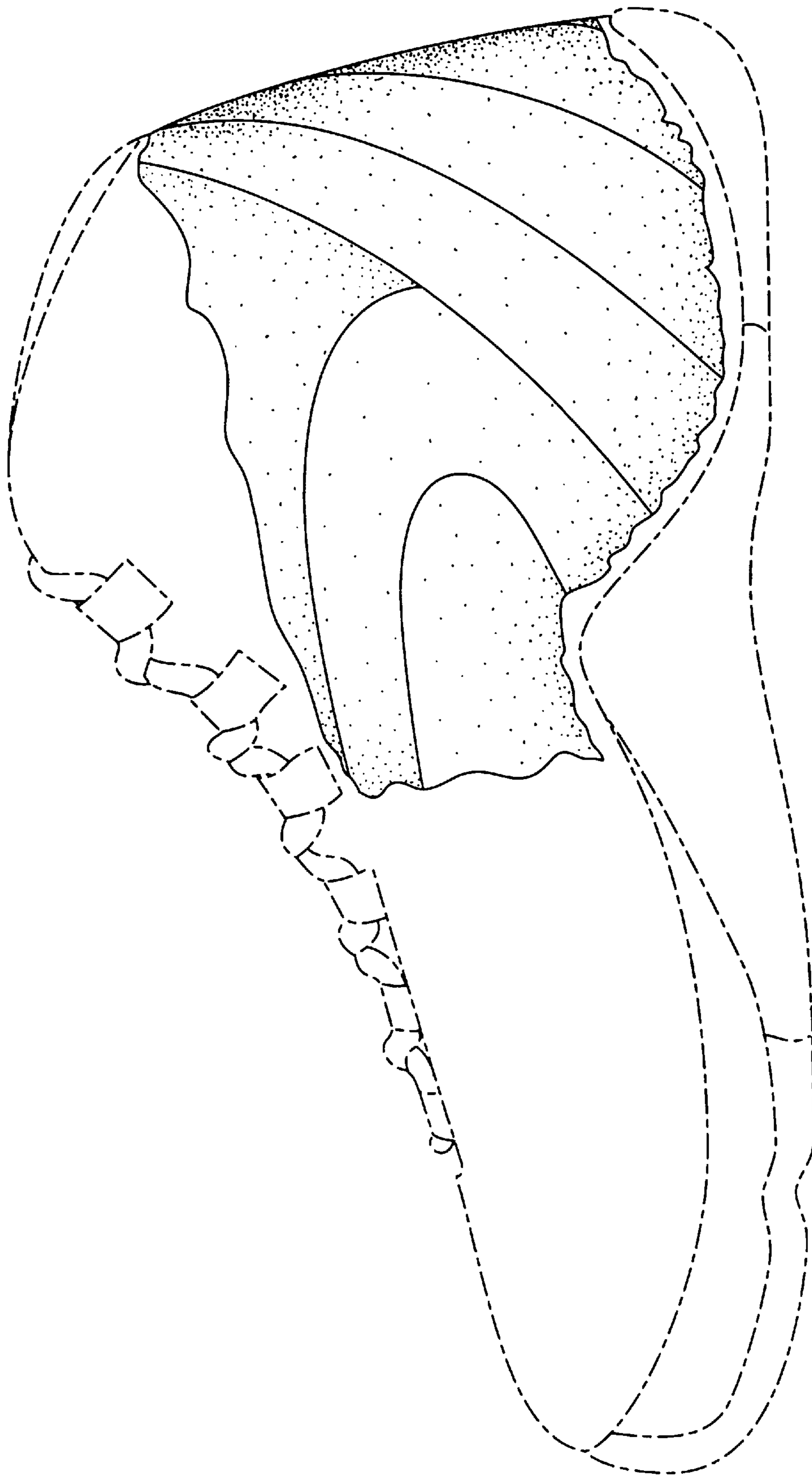


FIG. 2

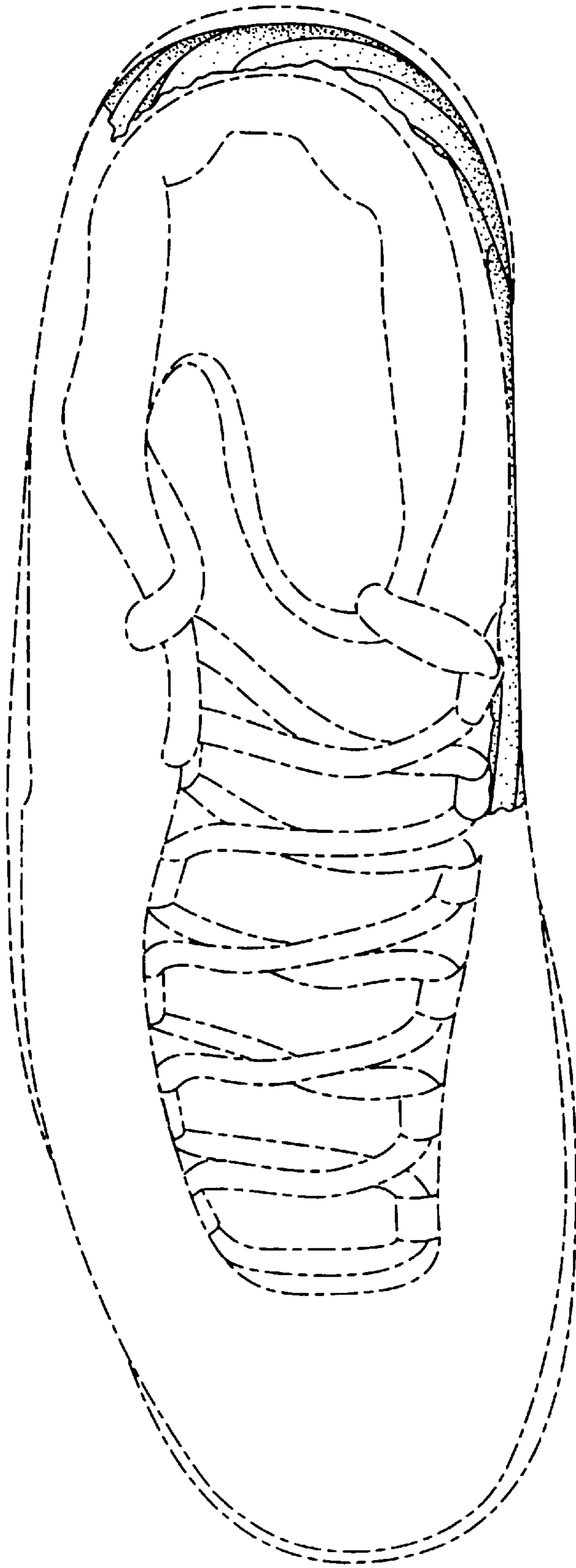


FIG. 3

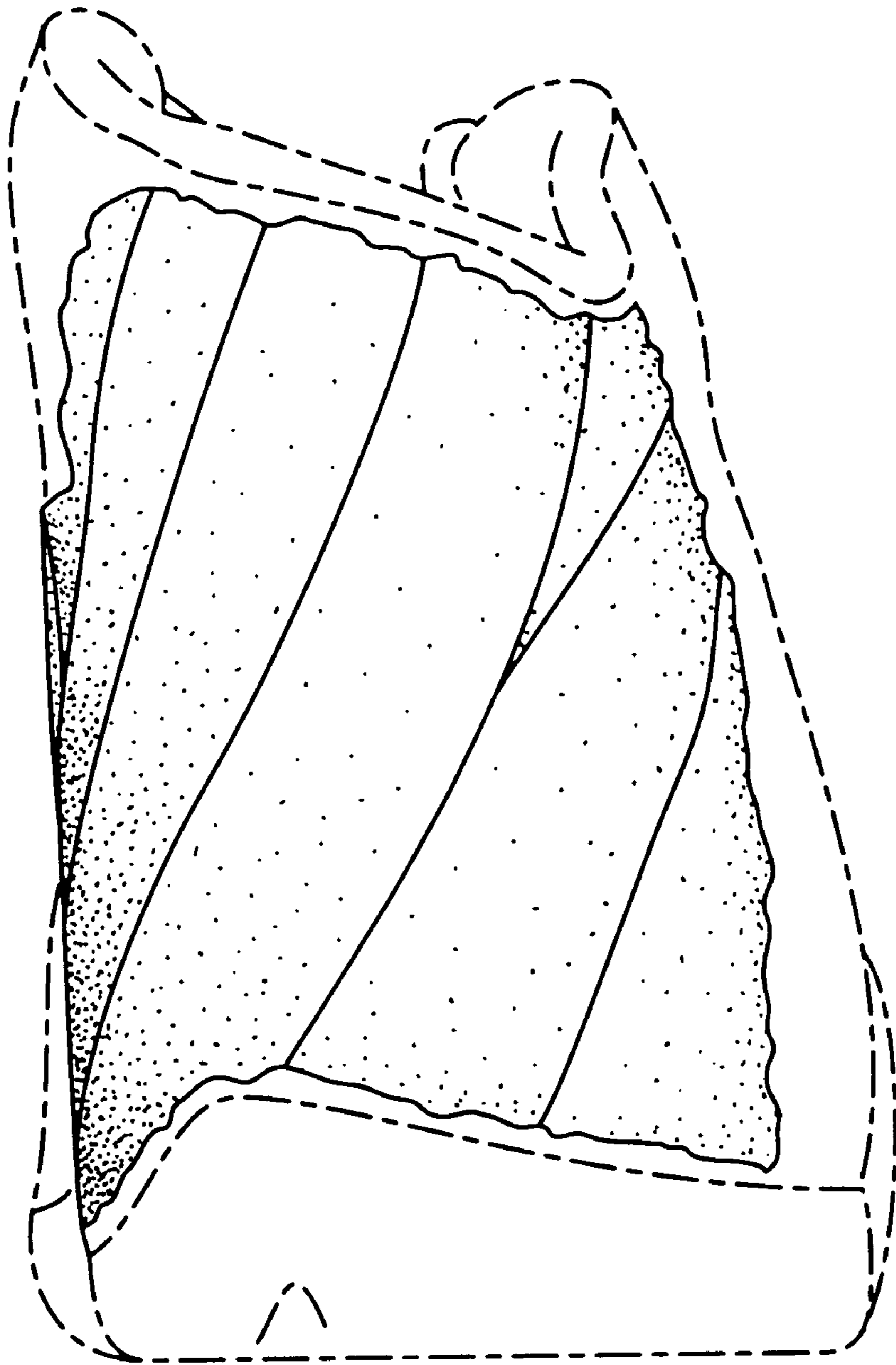


FIG. 4