



US00D421836S

**United States Patent** [19]  
**Berend**

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[54] **SIDE ELEMENT OF A SHOE UPPER**

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

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

[21] Appl. No.: **29/104,861**

[22] Filed: **May 13, 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, 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. 335,949 6/1993 Rogers .
- D. 374,552 10/1996 Avar .
- D. 391,066 2/1998 Smith, III .
- D. 393,351 4/1998 Avar .
- D. 395,353 6/1998 Avar .
- D. 395,945 7/1998 Mankowski ..... D2/972
- D. 397,855 9/1998 Clarke ..... D2/972
- D. 397,859 9/1998 Cass .
- D. 398,762 9/1998 McDowell et al. .... D2/972
- D. 398,771 9/1998 Doxey .
- D. 407,203 3/1999 Maxwell ..... D2/972
- D. 407,204 3/1999 Avar .
- D. 407,206 3/1999 Avar .
- D. 407,546 4/1999 Doxey et al. .
- D. 407,549 4/1999 McCourt .

**OTHER PUBLICATIONS**

“Nike Footwear Catalog,” Spring 1996, published Jun. 1, 1995 (p. 11, 131), Beaverton, Oregon.

“Nike Footwear Catalog” Spring 1999, published Jun. 1, 1998 (pp. W17, W18, W20, W22, W27, W31, W60, M15, M20, M58, M107, M121), Beaverton Oregon.

“Nike Footwear Catalog,” Late Spring 1999, published Sep. 1, 1998 (pp. W93, W95, M35, M41, M102), Beaverton, Oregon.

“Nike Footwear Catalog” Fall 1999, published Nov. 1, 1998 (p. M27), Beaverton, Oregon.

“Nike Footwear Catalog” Holiday 1999, published Mar. 1, 1999 (pp. W8, W52, W110), Beaverton, Oregon.

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[57] **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a perspective view of the side element of a shoe upper showing my new design;

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

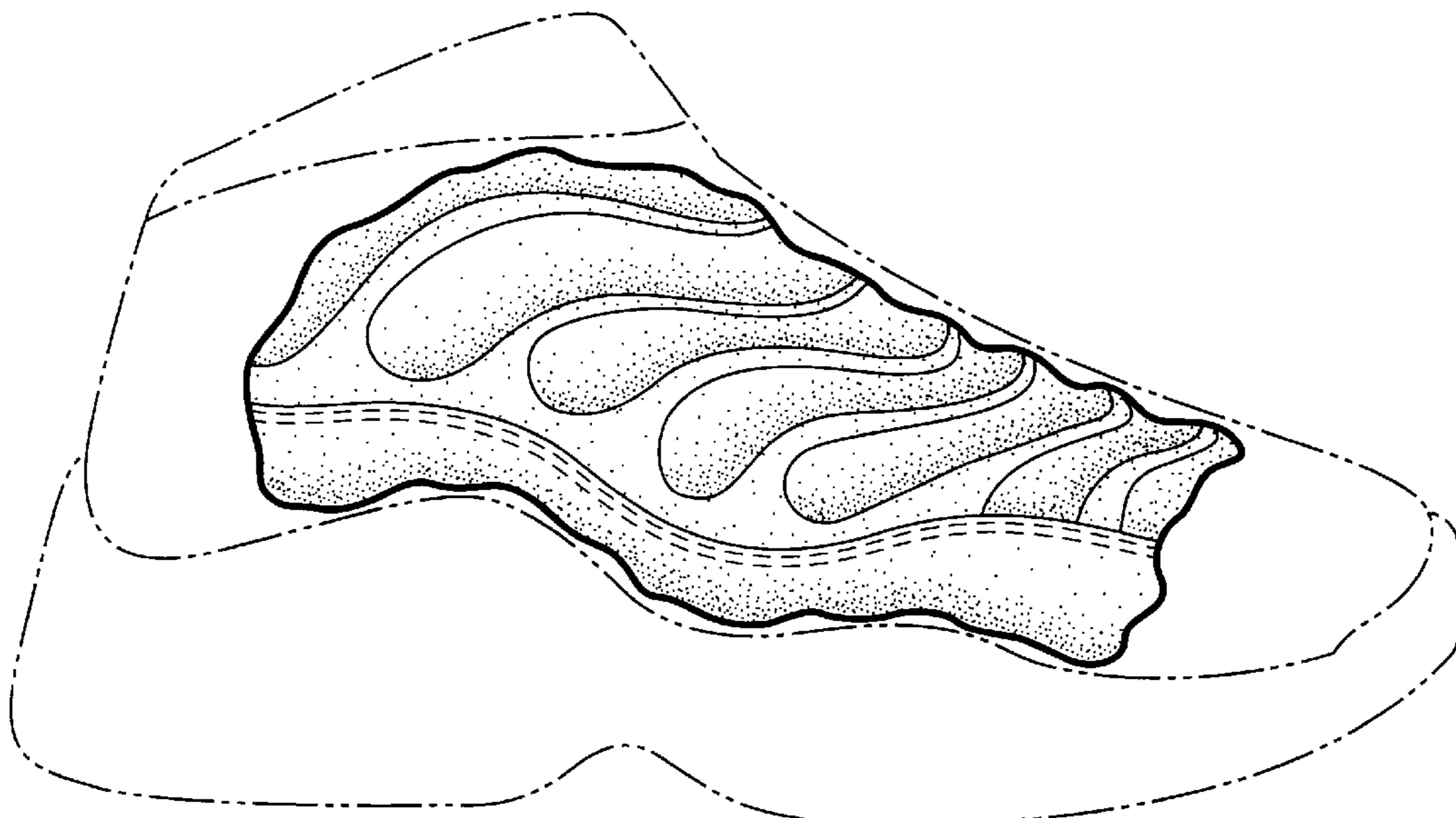
FIG. 3 is a front elevational view of the side element of a shoe upper shown in FIG. 1;

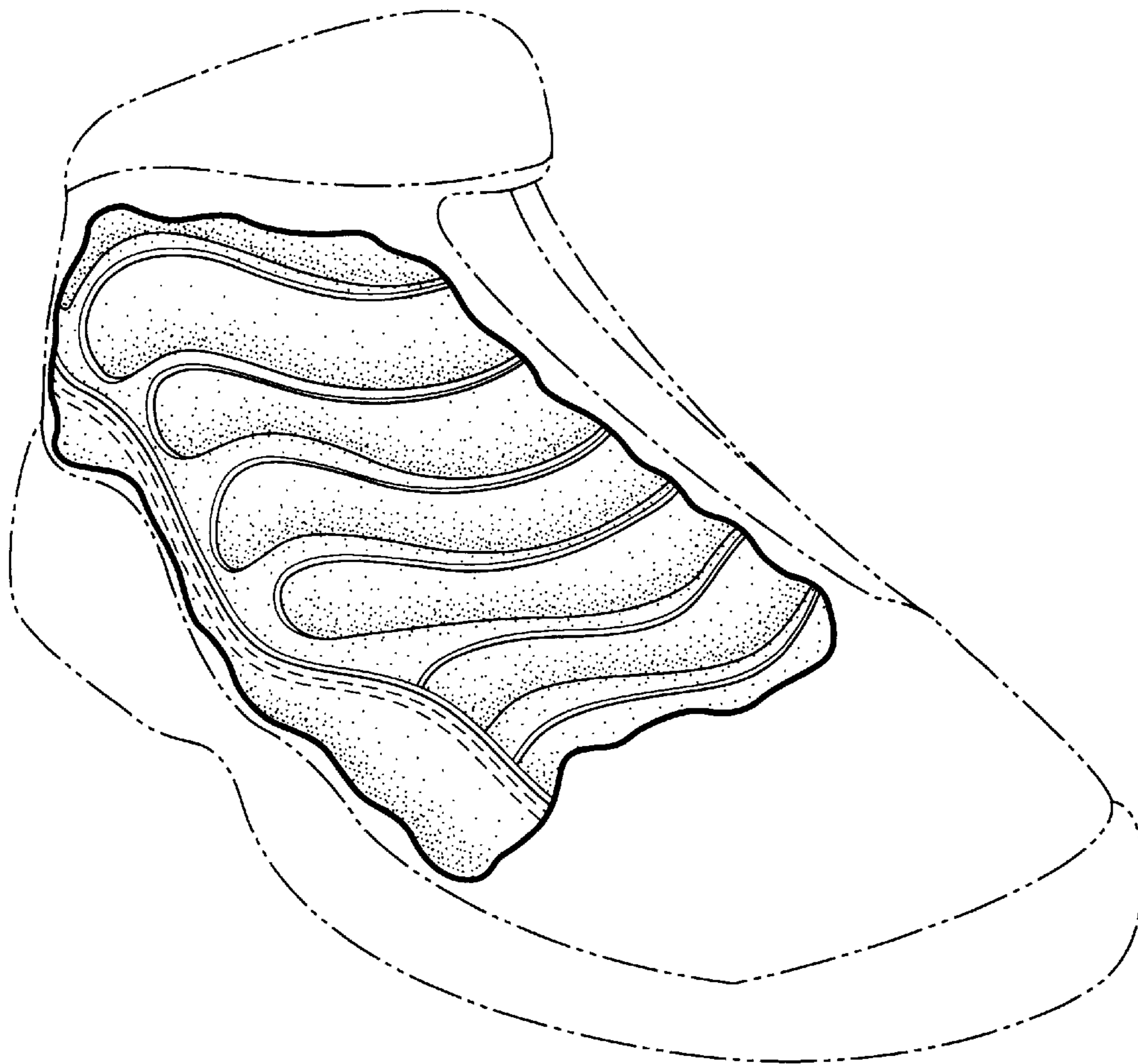
FIG. 4 is a rear elevational view of the side element of a shoe upper shown in FIG. 1; and,

FIG. 5 is a top view of the side element of a shoe upper shown in FIG. 1.

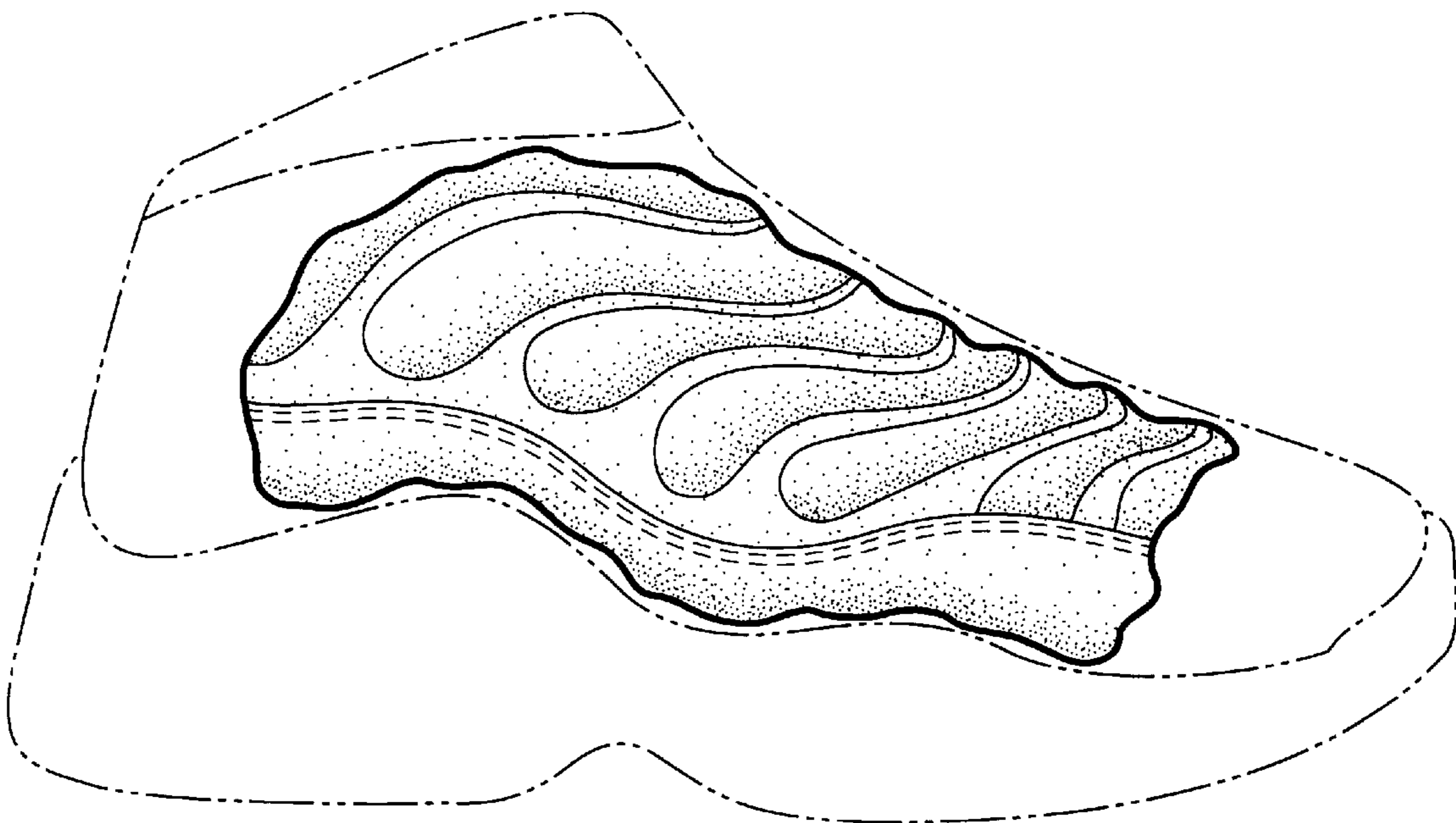
The phantom lines showing a portion of a shoe, in FIGS. 1-5 is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 2 Drawing Sheets**

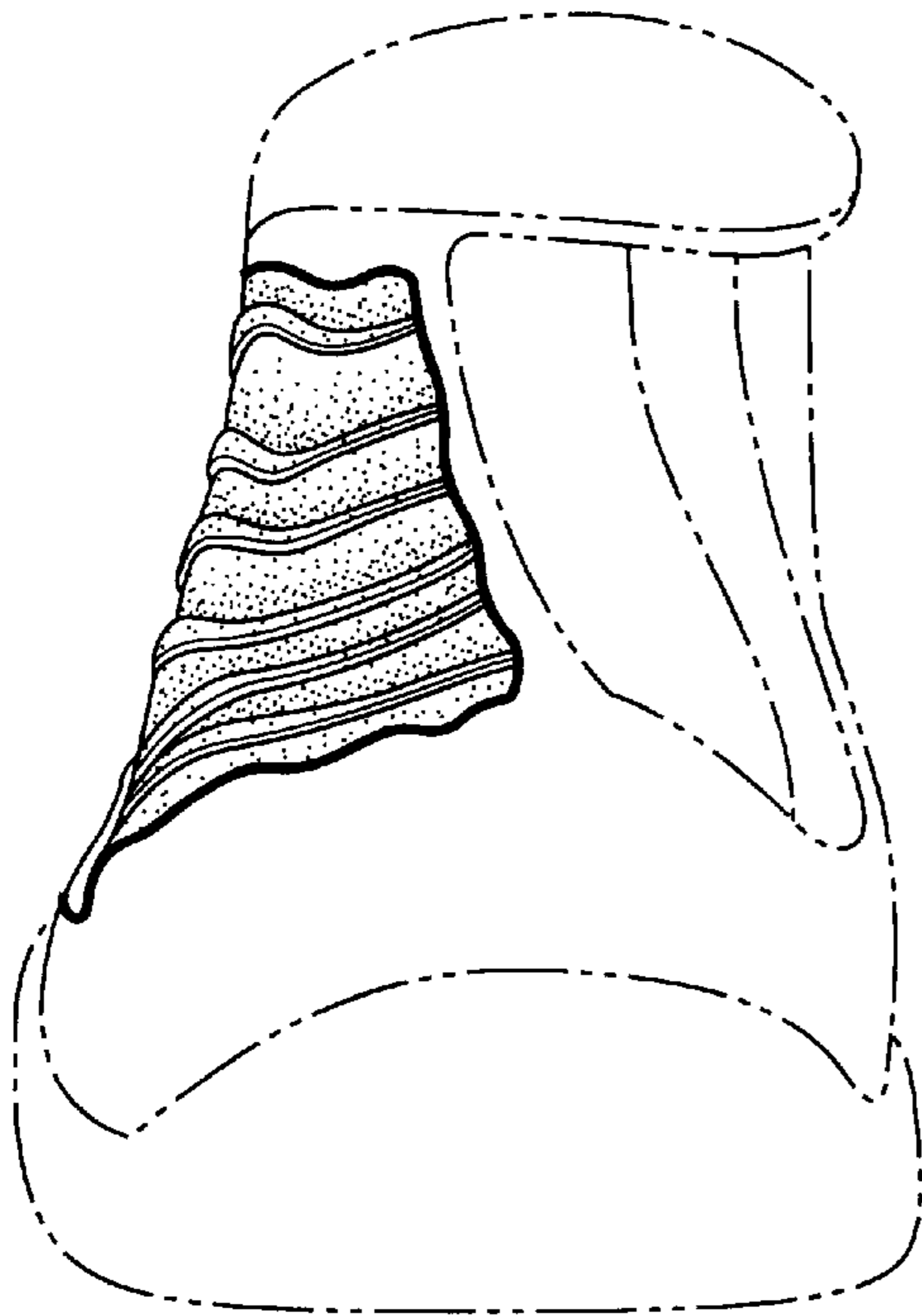




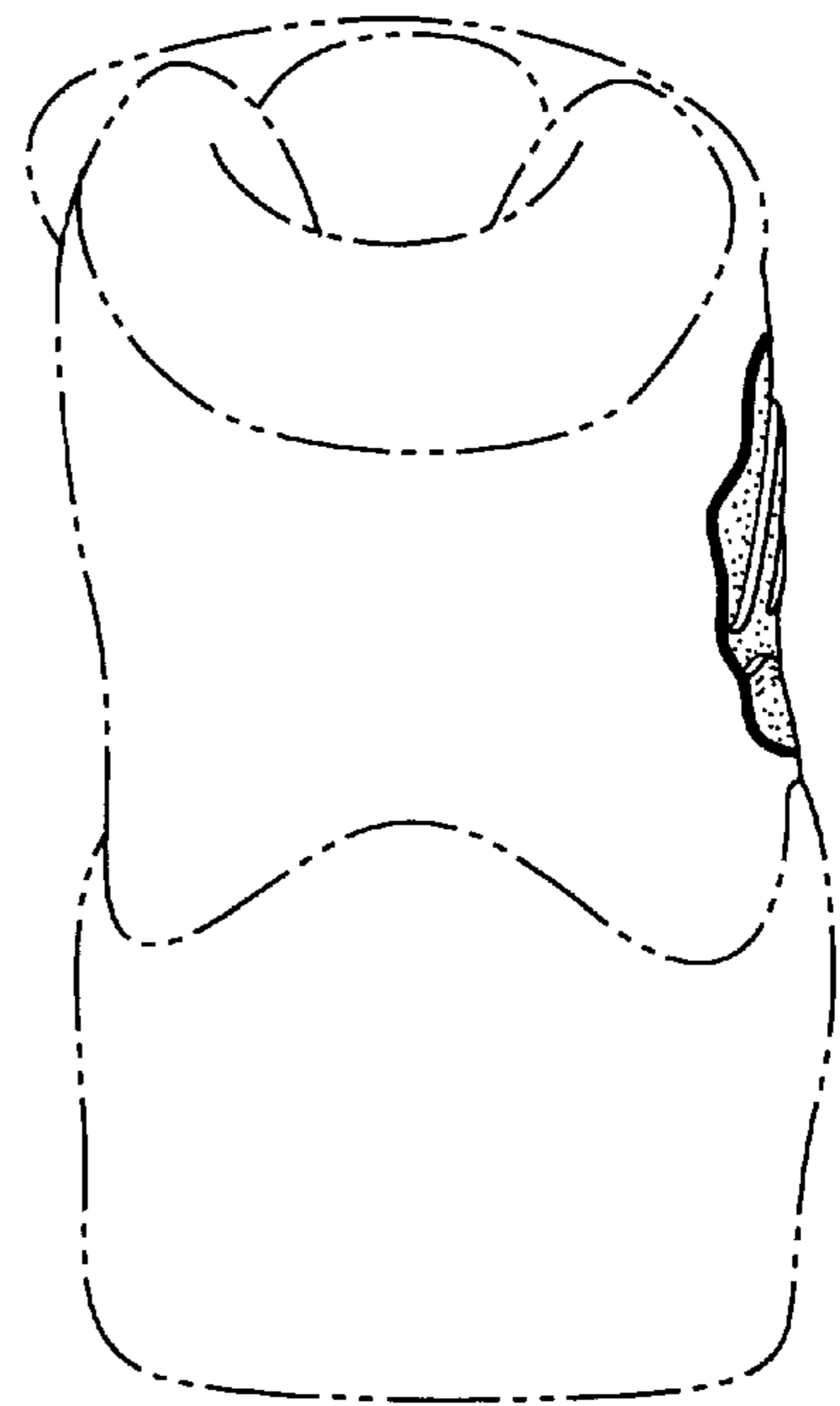
**Fig. 1**



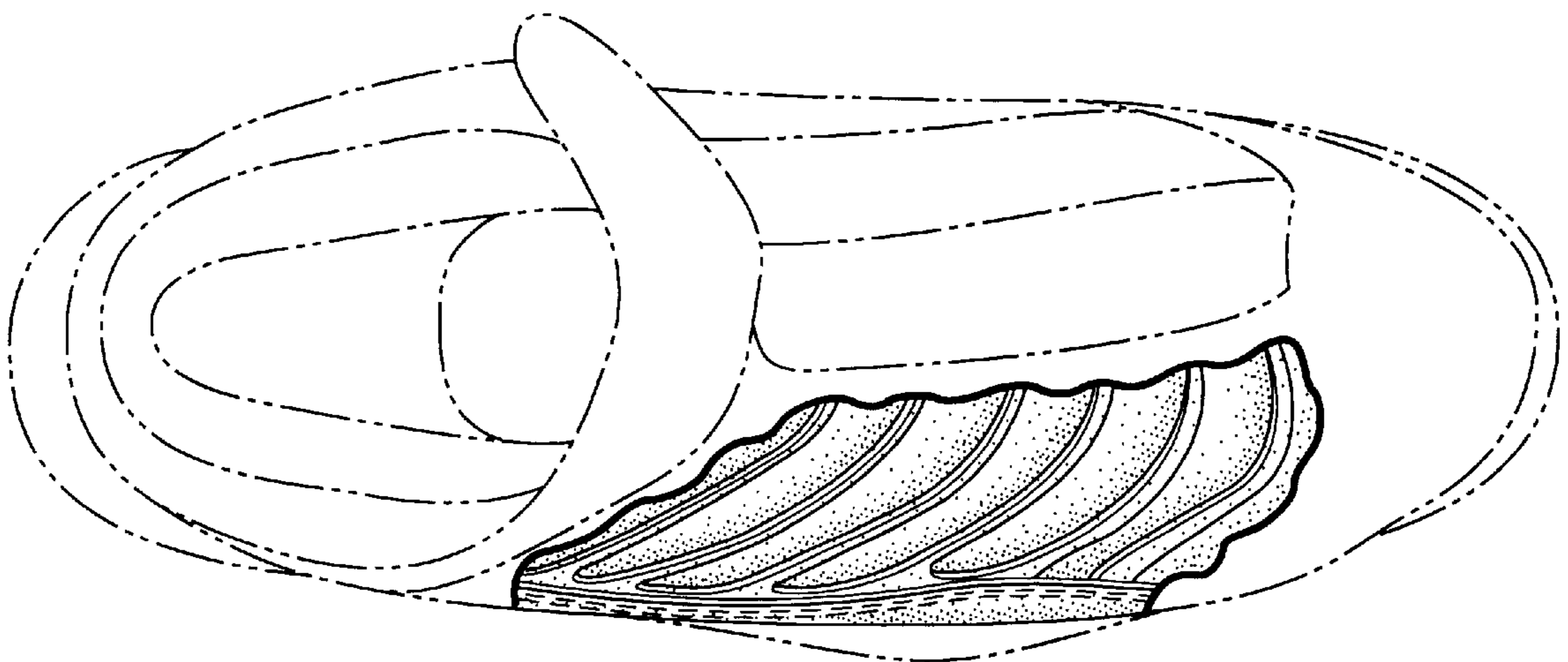
**Fig. 2**



**FIG. 3**



**FIG. 4**



**FIG. 5**