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# United States Patent [19] Hlavacs

[11] **Patent Number: Des. 428,693**

[45] **Date of Patent: \*\* Aug. 1, 2000**

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

D. 415,883 11/1999 Kozo ..... D2/972  
D. 417,775 12/1999 Holmes ..... D2/972

[75] Inventor: **John Hlavacs**, Portland, Oreg.

### OTHER PUBLICATIONS

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

Nike Holiday 1997 Footwear Catalog, p. 32, published Mar. 1997.

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

Nike Holiday 1999 Footwear Catalog, pp. M15 and M43 published Mar. 1999.

[21] Appl. No.: **29/118,544**

Nike Spring 1999 Footwear Catalog, pp. W45 and W46 published Jun. 1998.

[22] Filed: **Feb. 11, 2000**

Nike Spring 2000 Footwear Catalog, p. 47 published Jul. 1999.

[51] **LOC (7) Cl. .... 02-99**

Nike Fall 2000 Footwear Catalog, p. 32 published Nov. 1999.

[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

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

### [56] **References Cited**

### [57] **CLAIM**

#### U.S. PATENT DOCUMENTS

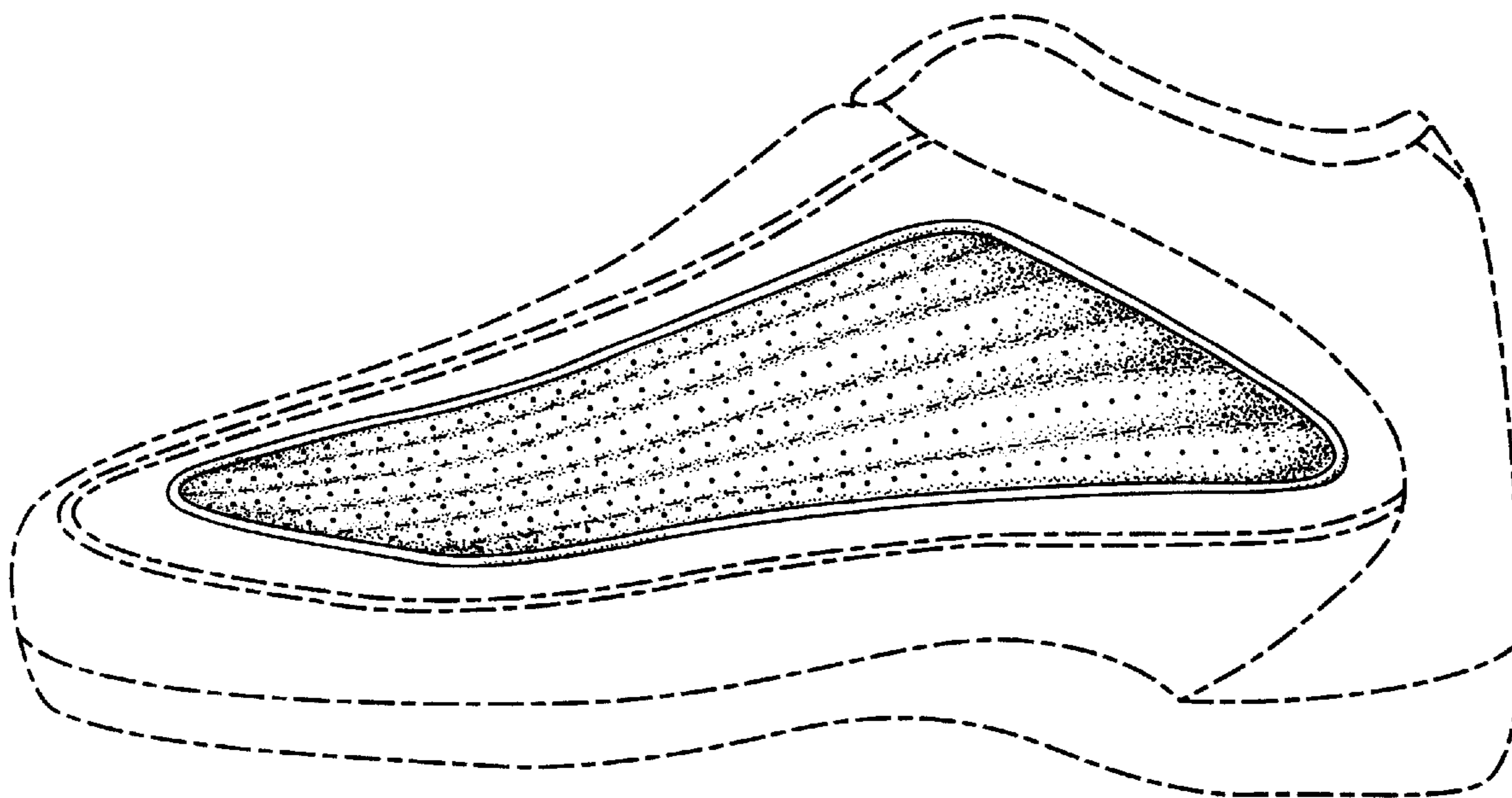
The ornamental design for a portion of a shoe upper, as shown and described.

- D. 116,598 9/1939 Pick ..... D2/973
- D. 299,183 1/1989 Brown .
- D. 379,113 5/1997 McDonald et al. .
- D. 382,101 8/1997 Teague .
- D. 383,561 9/1997 Tresser .
- D. 383,791 9/1997 Avar .
- D. 385,689 11/1997 James .
- D. 388,682 1/1998 Hudson .
- D. 393,350 4/1998 Aveni .
- D. 399,340 10/1998 James .
- D. 400,000 10/1998 Hatfield et al. .
- D. 413,194 8/1999 Cooper .
- D. 413,718 9/1999 Lupo .
- D. 413,720 9/1999 Smith, III .
- D. 414,599 10/1999 Doxey .

### DESCRIPTION

FIG. 1 is a perspective view of an element 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 broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



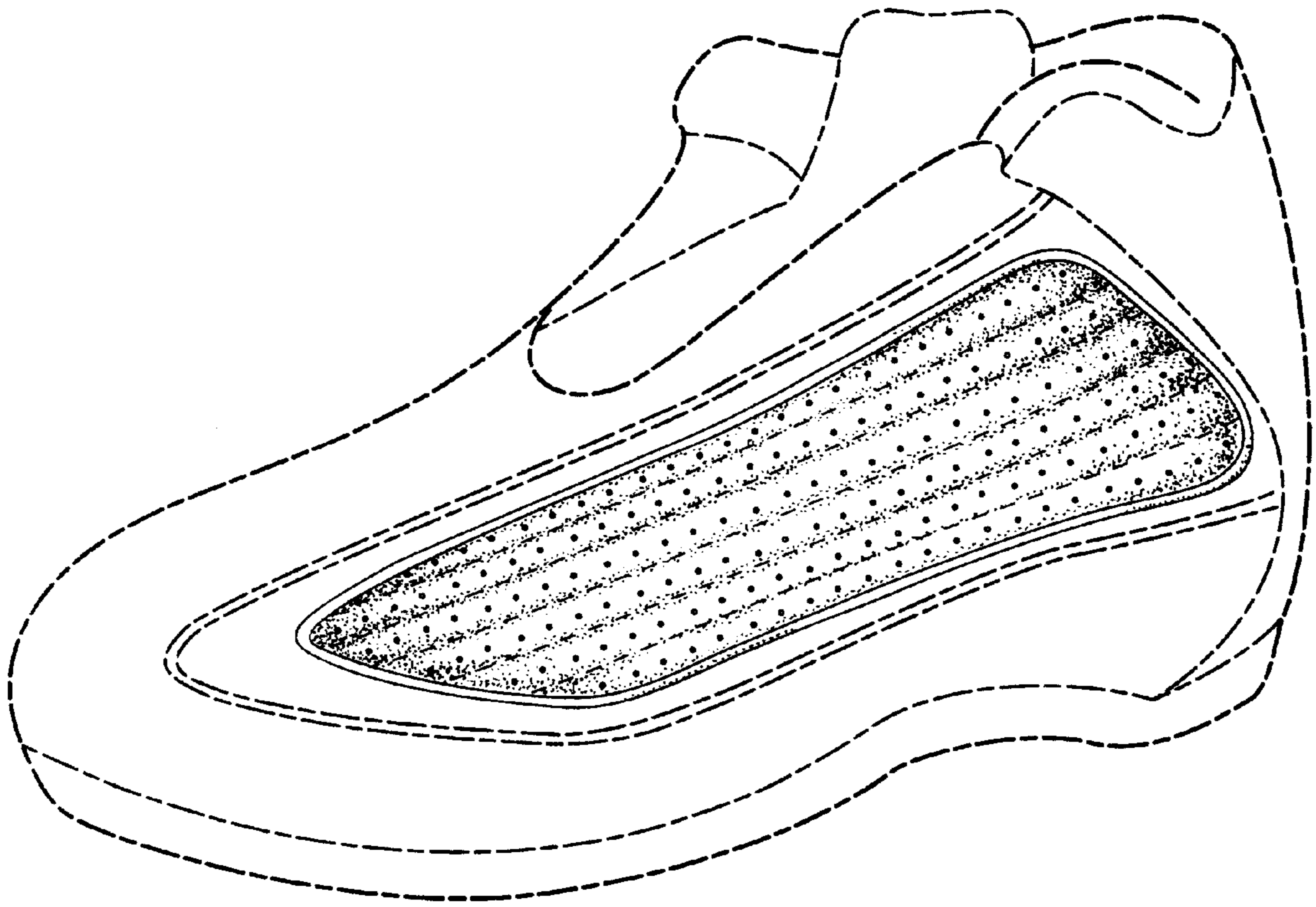


FIG. 1

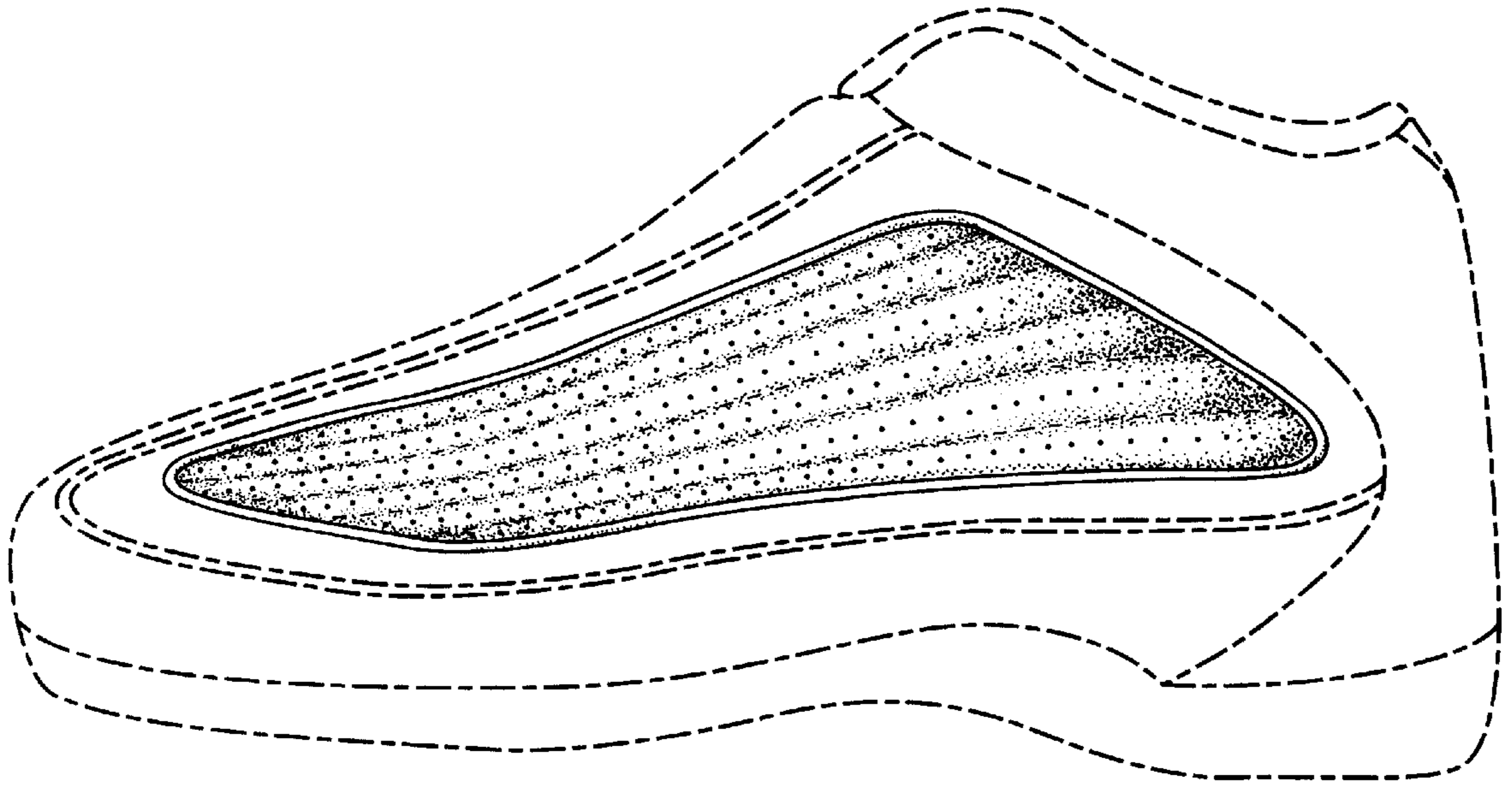


FIG. 2

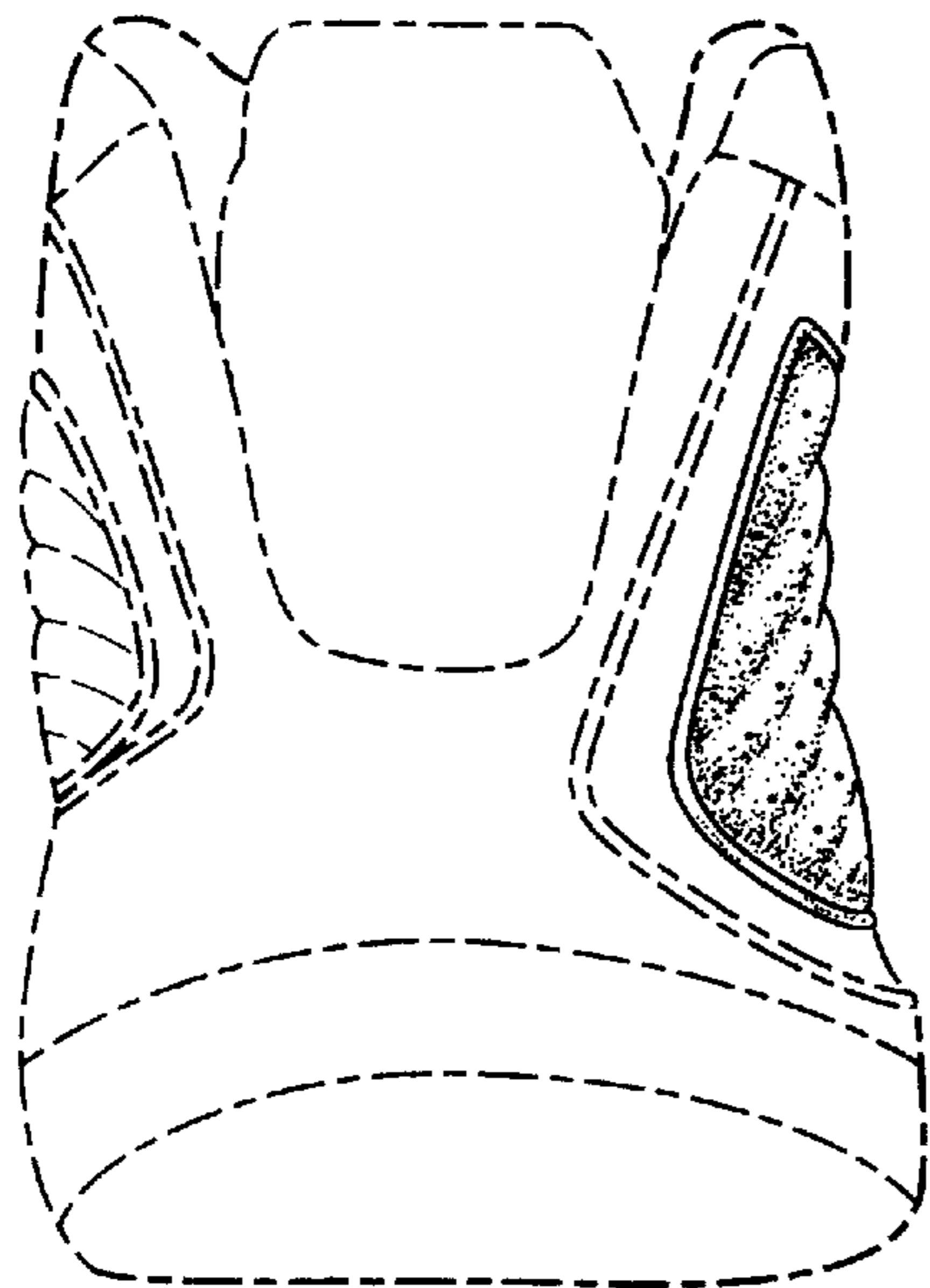


FIG. 3

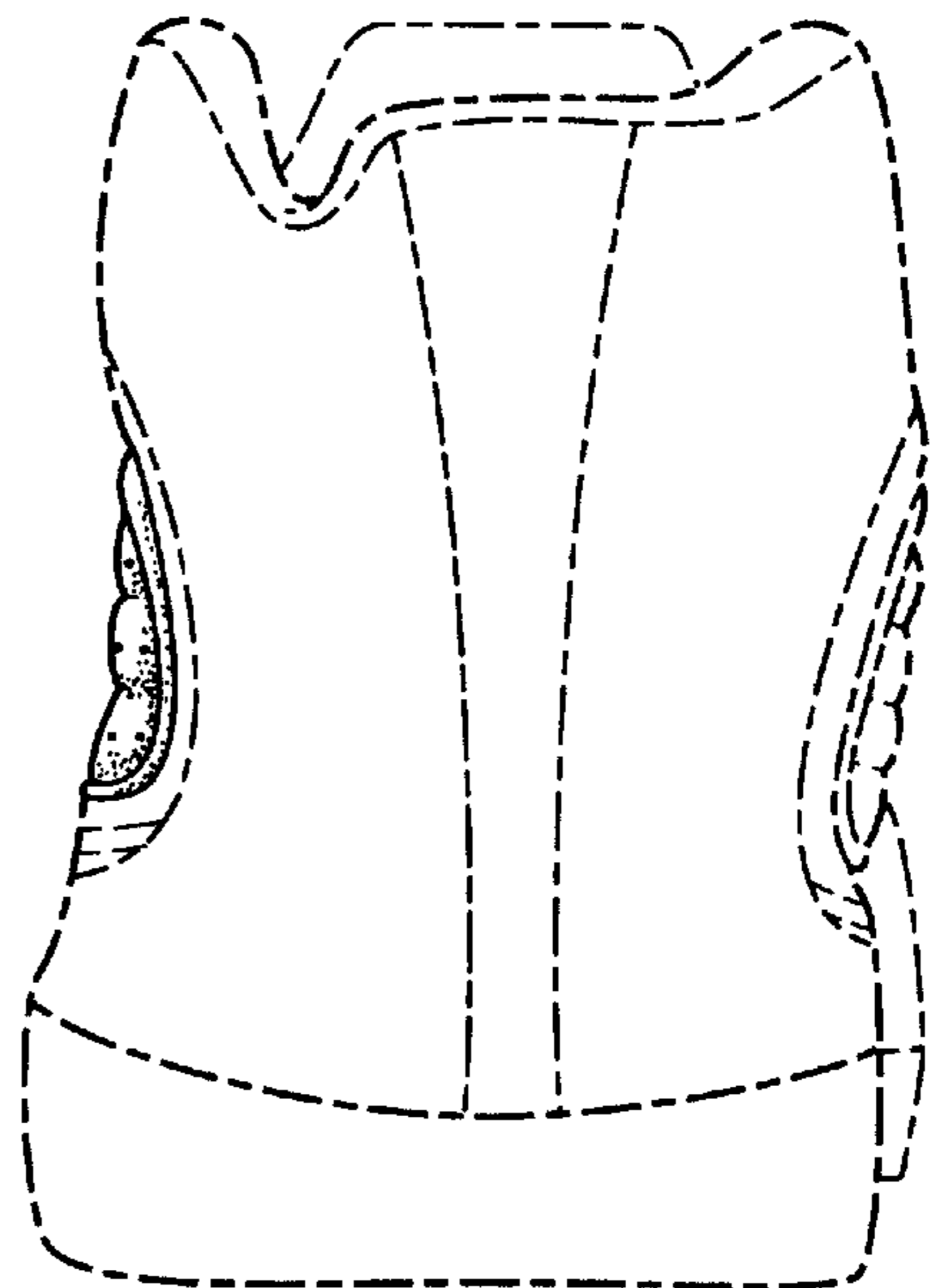


FIG. 4

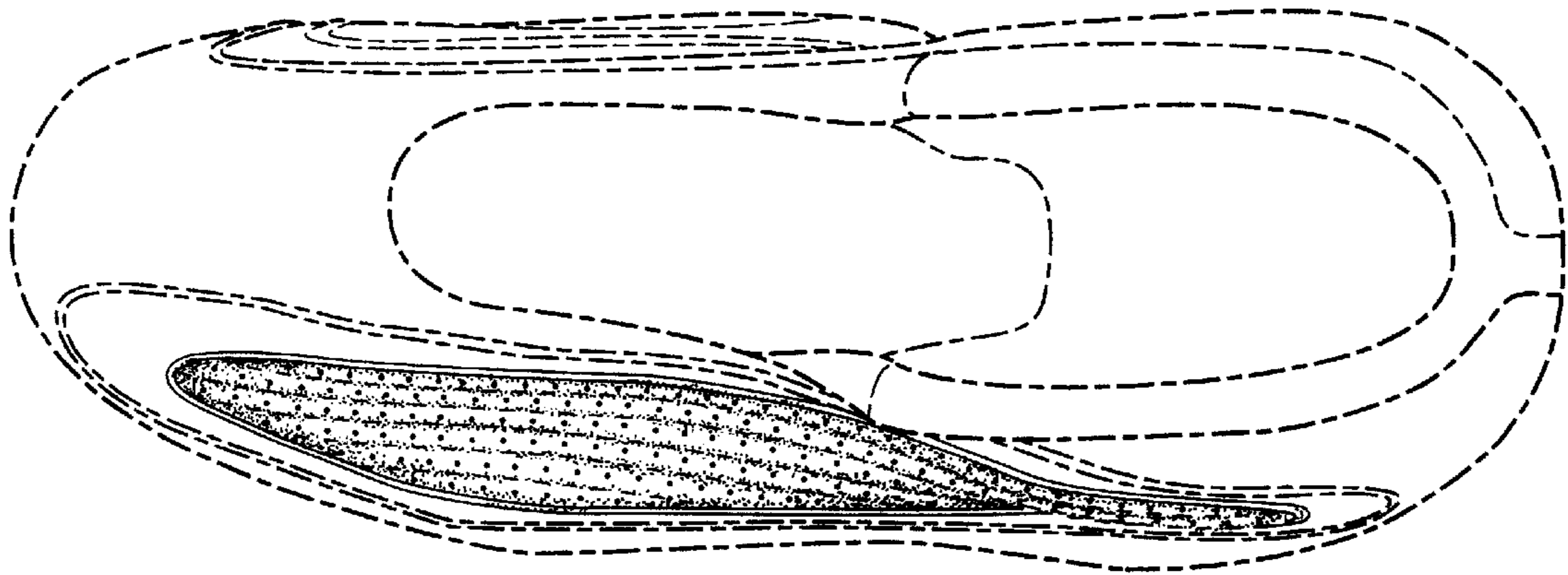


FIG. 5