



US00D432776S

**United States Patent** [19]  
**McDowell**

[11] **Patent Number: Des. 432,776**

[45] **Date of Patent: \*\* Oct. 31, 2000**

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

3,138,880 6/1964 Kunzli .

[75] Inventor: **Sean M. McDowell**, Beaverton, Oreg.

**OTHER PUBLICATIONS**

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

Nike Footwear Catalog, Spring 1998, p. 177. Published Jun. 1997.

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

Nike Footwear Catalog, Late Spring 1998, pp. 14, 22. Published Sep. 1997.

[21] Appl. No.: **29/123,395**

Nike Footwear Catalog, Spring 1999, p. W31. Published Jun. 1998.

[22] Filed: **May 18, 2000**

Nike Footwear Catalog, Fall 1999, p. W9. Published Dec. 1998.

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

Nike Footwear Catalog, Fall 2000, p. 33. Published Nov. 1999.

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

[58] **Field of Search** ..... D2/896, 902, 907,  
D2/943, 944, 969-973; 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. 5,098 7/1871 Bourn .
- D. 93,590 10/1934 Werthiem .
- D. 94,437 1/1935 Napier .
- D. 128,475 7/1941 Bergman .
- D. 268,065 3/1983 Spreng .
- D. 380,077 6/1997 Preskar et al. .
- D. 384,800 10/1997 Rask .
- D. 391,068 2/1998 Aveni et al. .
- D. 393,360 4/1998 Aveni et al. .
- D. 396,141 7/1998 Smith, III .
- D. 398,762 9/1998 McDowell et al. .
- D. 413,196 8/1999 Hatsfield .
- D. 414,598 10/1999 Lupo ..... D2/972
- D. 423,205 4/2000 Fallon ..... D2/972

**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 of one side thereof;

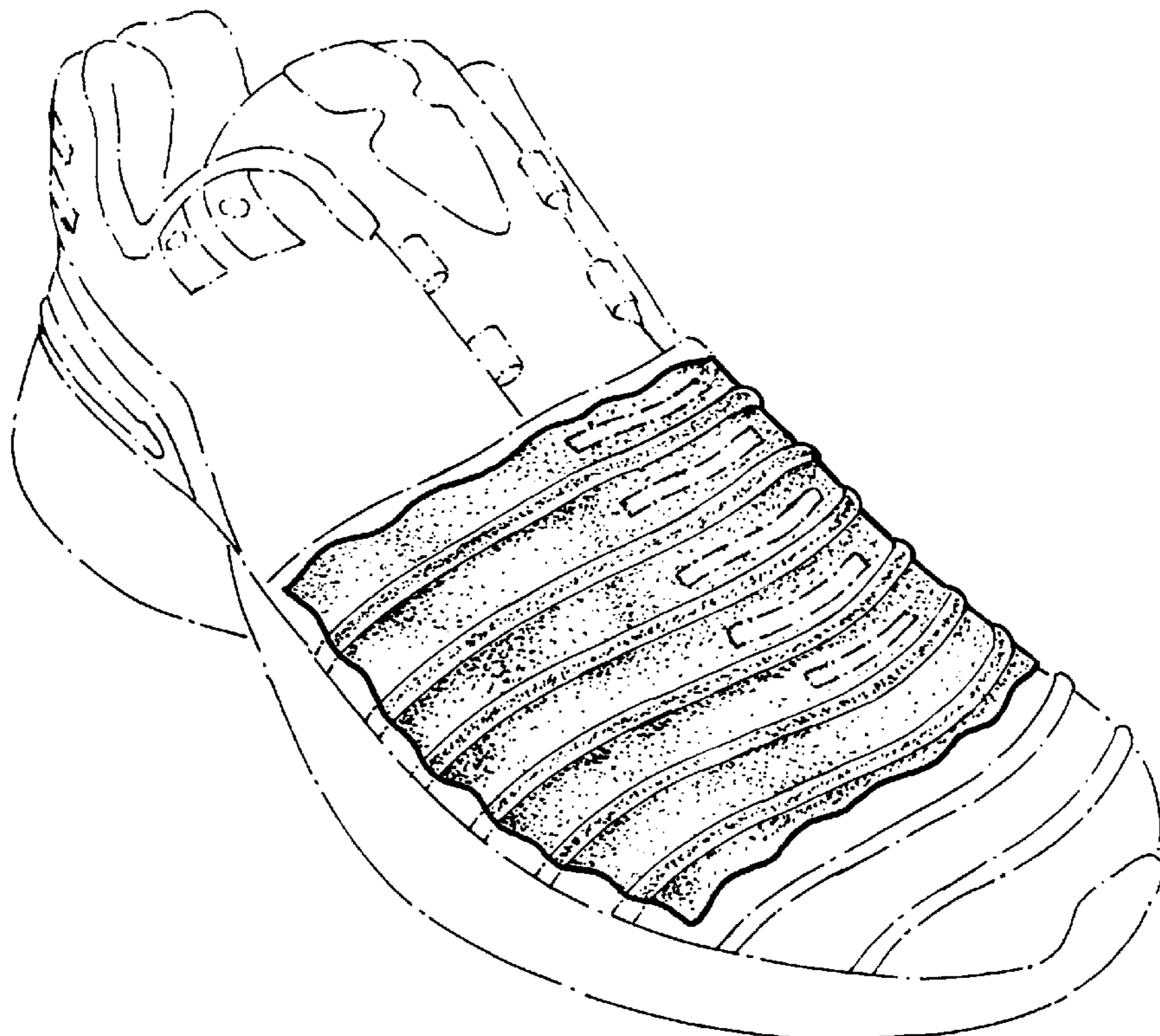
FIG. 3 is a side elevational view of the other side thereof;

FIG. 4 is a top plan view thereof; and,

FIG. 5 is a front elevational view thereof.

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

**1 Claim, 2 Drawing Sheets**



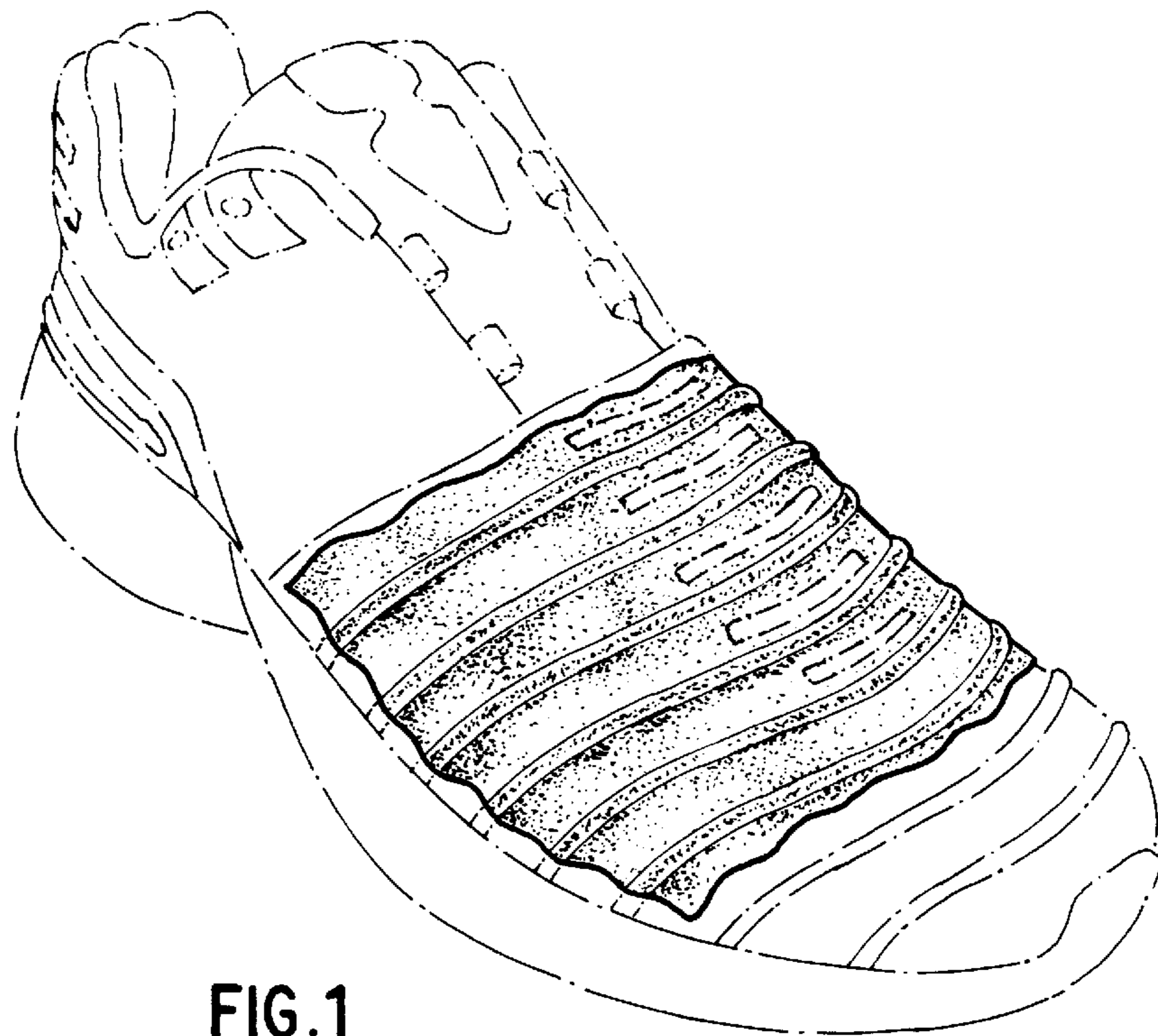


FIG. 1

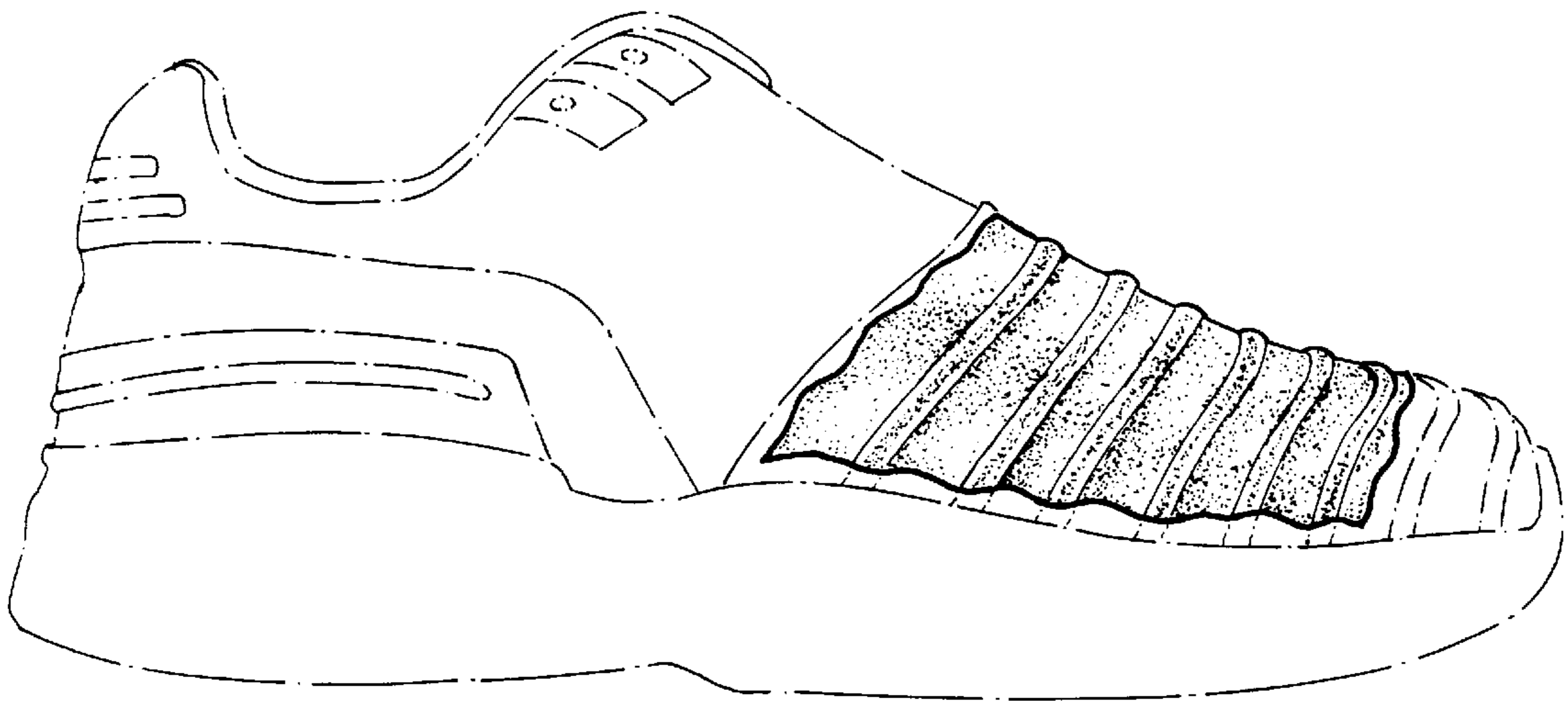


FIG. 2

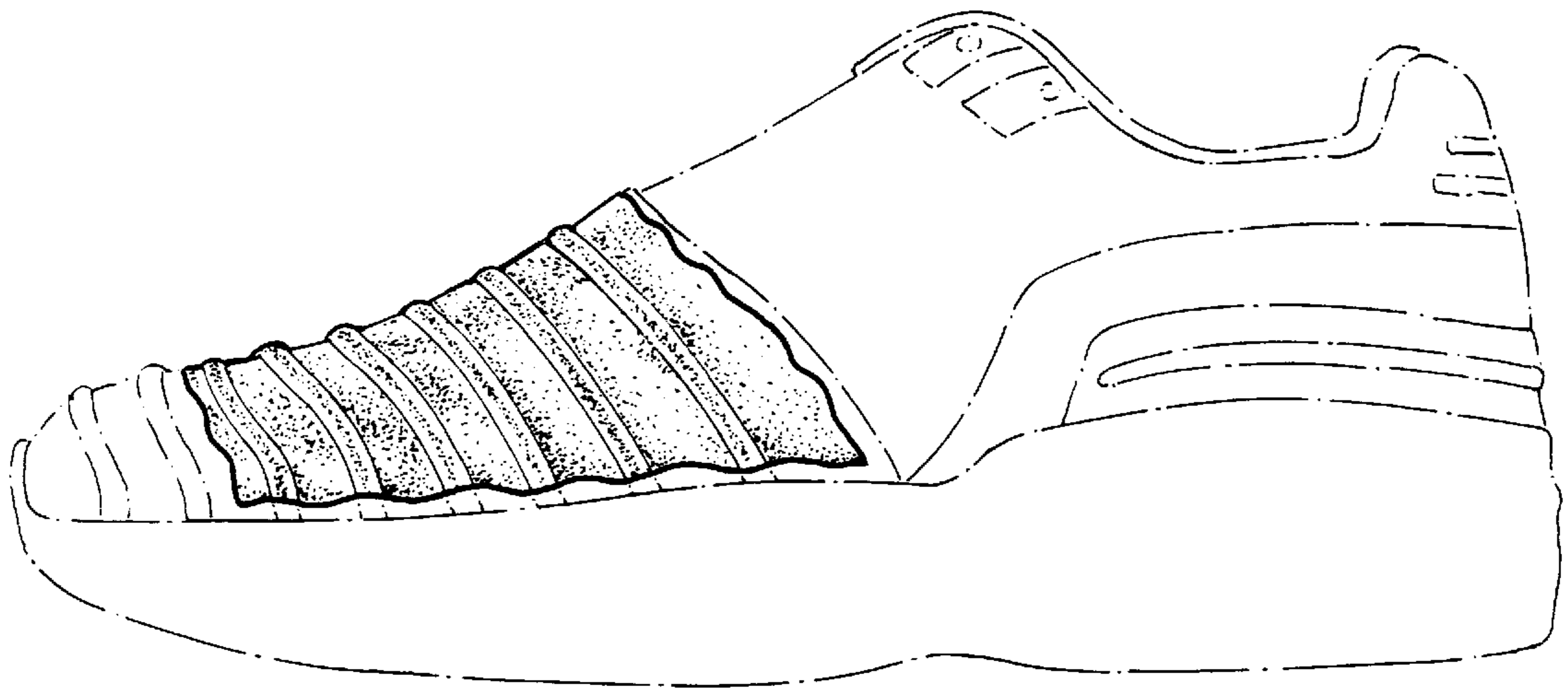


FIG. 3

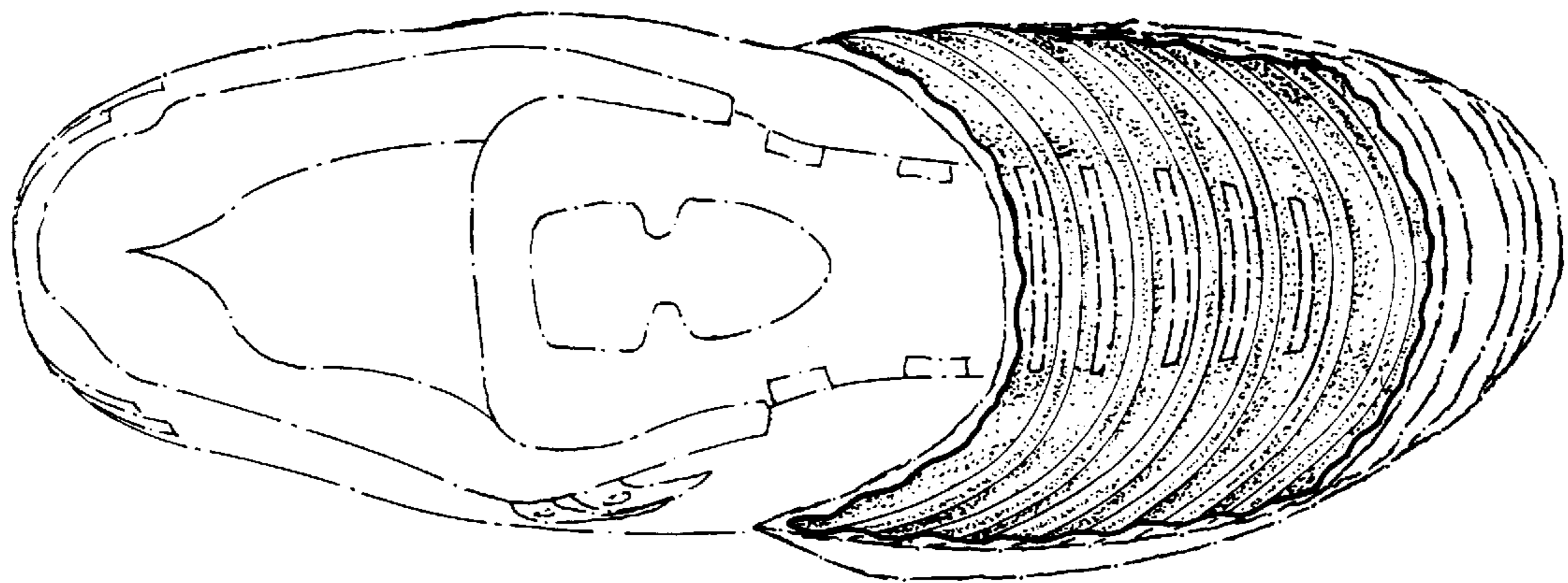


FIG. 4

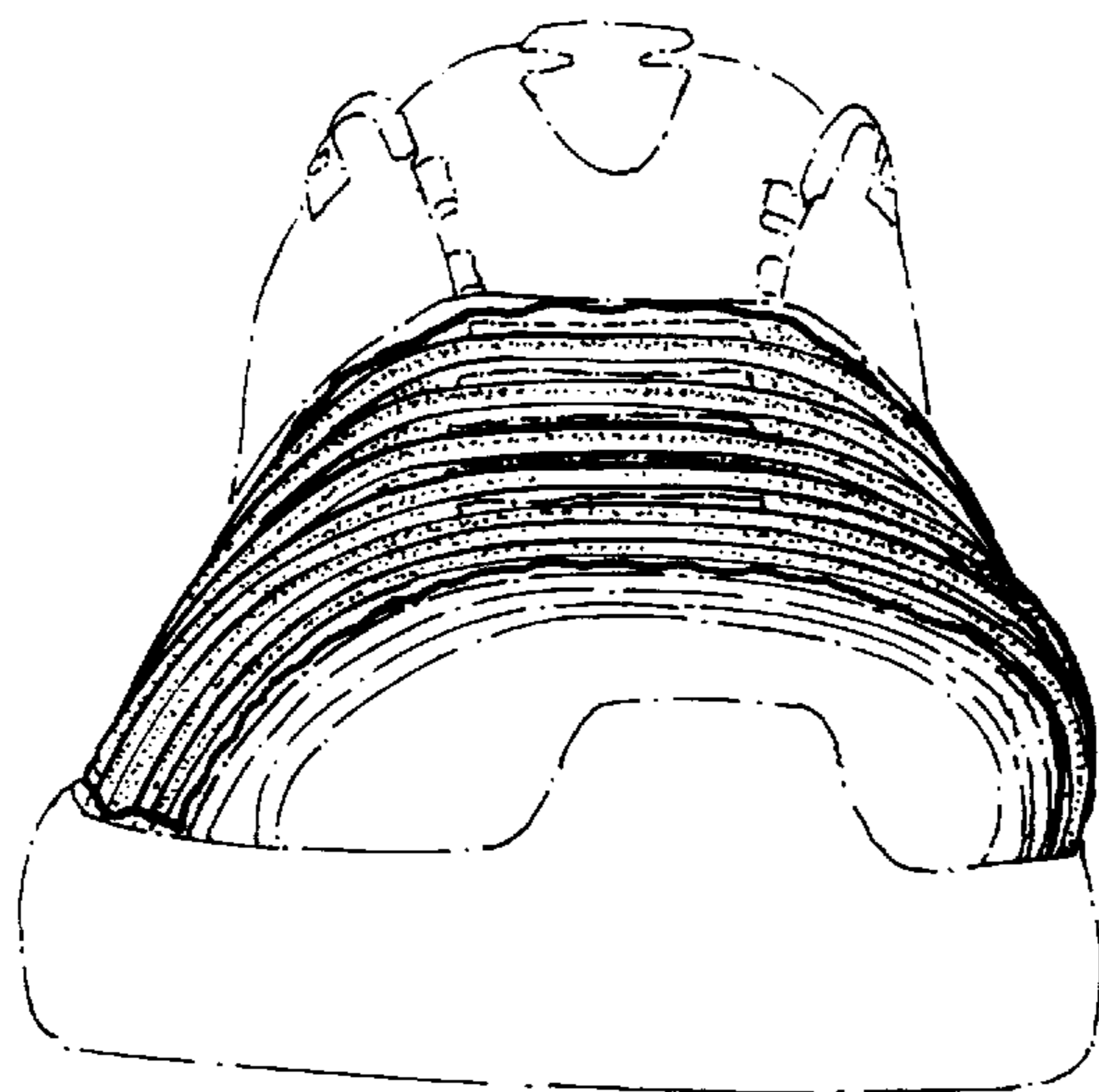


FIG. 5