



US00D440393S

(12) **United States Design Patent**
Mervar

(10) **Patent No.:** **US D440,393 S**

(45) **Date of Patent:** **** Apr. 17, 2001**

(54) **SIDE ELEMENT OF A SHOE UPPER**

(75) Inventor: **Robert Mervar**, Portland, OR (US)

(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/131,790**

(22) Filed: **Oct. 27, 2000**

(51) **LOC (7) 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, 81, 83, 88, 113, 114, 126-130

(56) **References Cited**

U.S. PATENT DOCUMENTS

D. 377,414	1/1997	Hatfield .	
D. 380,077	6/1997	Preskar et al. .	
D. 380,080	6/1997	Avar .	
D. 380,082	6/1997	Hatfield .	
D. 393,361	4/1998	Rask .	
D. 395,745	7/1998	Rask .	
D. 407,547	4/1999	Fogg .	
D. 409,828	* 5/1999	Worthington D2/972
D. 410,695	6/1999	Fogg .	
D. 411,249	6/1999	Maxwell .	
D. 415,878	11/1999	Avar et al. .	
D. 417,774	* 12/1999	Hlavacs D2/972
D. 423,206	* 4/2000	Fallon D2/972
D. 432,775	* 10/2000	McDowell D2/972
D. 432,778	* 10/2000	McCourt D2/972

OTHER PUBLICATIONS

“Nike Footwear Catalog,” Spring 1997, published Jun. 1, 1996 (p. 47), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1997, published Jun. 1, 1996 (p. 42), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 1997, published Sep. 1, 1996 (p. 49), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 1997, published Mar. 1, 1997 (pp. 13, 80, 145), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 1998, published Nov. 1, 1997 (p. M30), Beaverton, Oregon.

“Nike Women’s Footwear Catalog,” Spring 1999, published Jun. 1, 1998 (p. W13), Beaverton, Oregon.

“Nike Women’s Footwear Catalog,” Fall 1999, published Nov. 1, 1998 (p. W11, W37, W42), Beaverton, Oregon.

“Nike Men’s Footwear Catalog,” Fall 2000, published Nov. 1, 1999 (pp. M10, M8), Beaverton, Oregon.

“Nike Women’s Footwear Catalog,” Fall 2000, published Nov. 1, 1999 (p. W83), Beaverton, Oregon.

“Nike Men’s Footwear Catalog,” Fall 2000, published Nov. 1, 1999 (pp. M20, M40), Beaverton, Oregon.

“Nike Women’s Footwear Catalog,” Fall 2000, published Nov. 1, 1999 (p. W9), Beaverton, Oregon.

“Nike Men’s Footwear Catalog” Holiday 2000, published Mar. 1, 2000 (p. M29) Beaverton, Oregon.

“Nike Men’s Footwear Catalog,” Spring 2001, published Jun. 1, 2000 (p. M134,) Beaverton, Oregon.

“Nike Women’s Footwear Catalog,” Spring 2001, published Jun. 1, 2000 (pp. W33, W68,) Beaverton, Oregon.

* cited by examiner

Primary Examiner—Dominic Simone

(74) *Attorney, Agent, or Firm*—TraskBritt

(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 a side element of a shoe upper showing my new design;

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

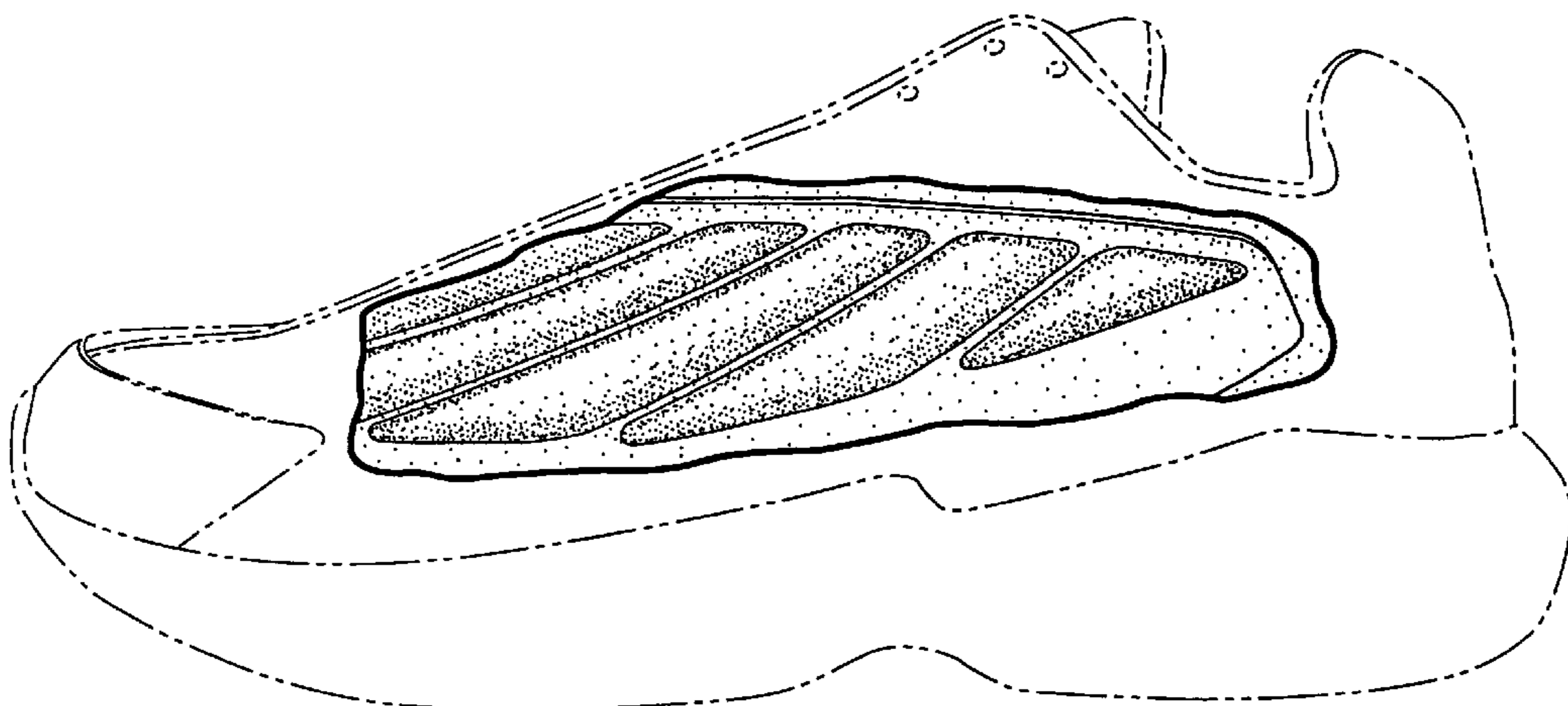
FIG. 3 is a front view of the side element of a shoe upper shown in FIG. 1;

FIG. 4 is a back 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 portions of a shoe in FIGS. 1-5 are for illustrative purposes only and form no part of the claimed design.

1 Claim, 2 Drawing Sheets



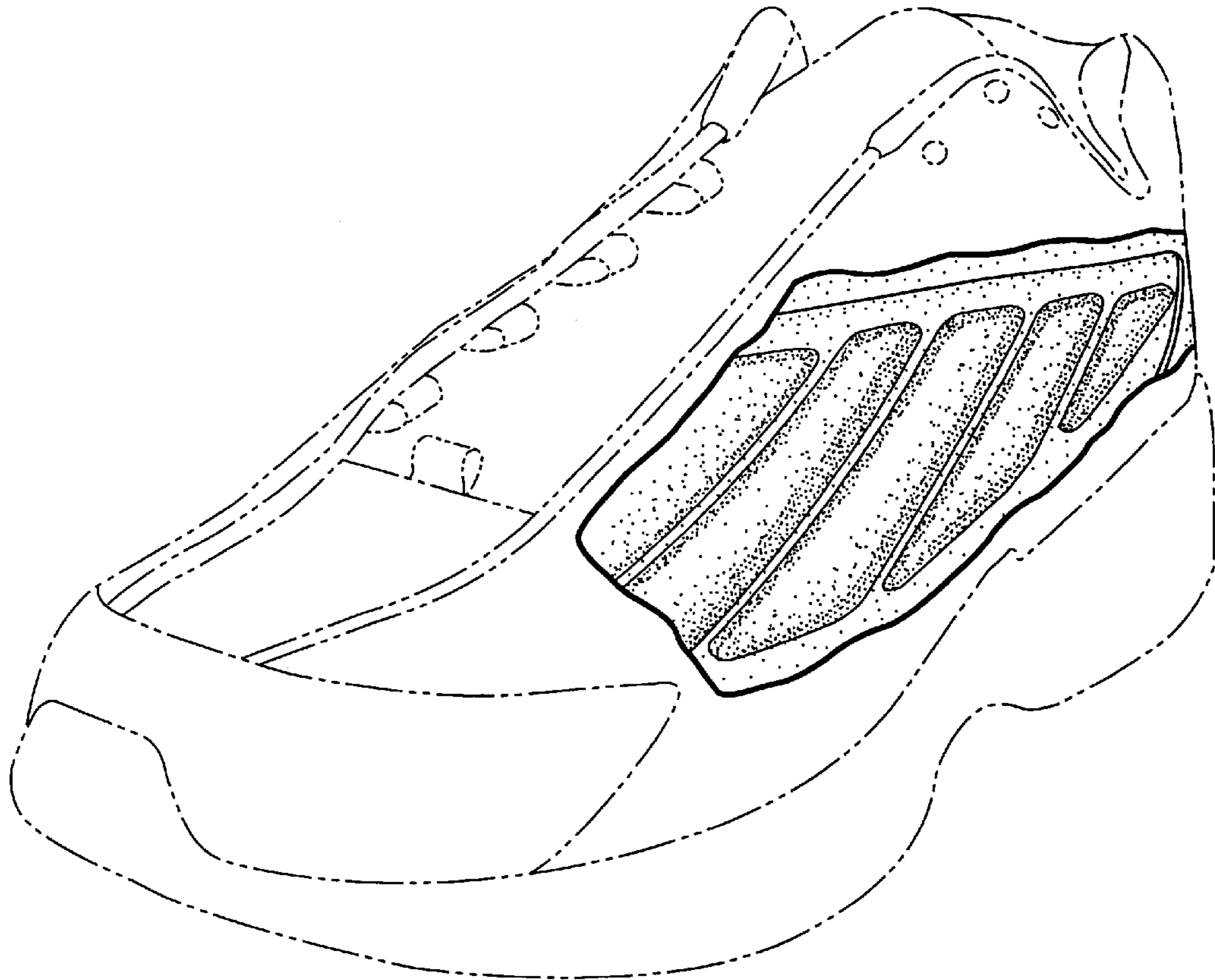


Fig. 1

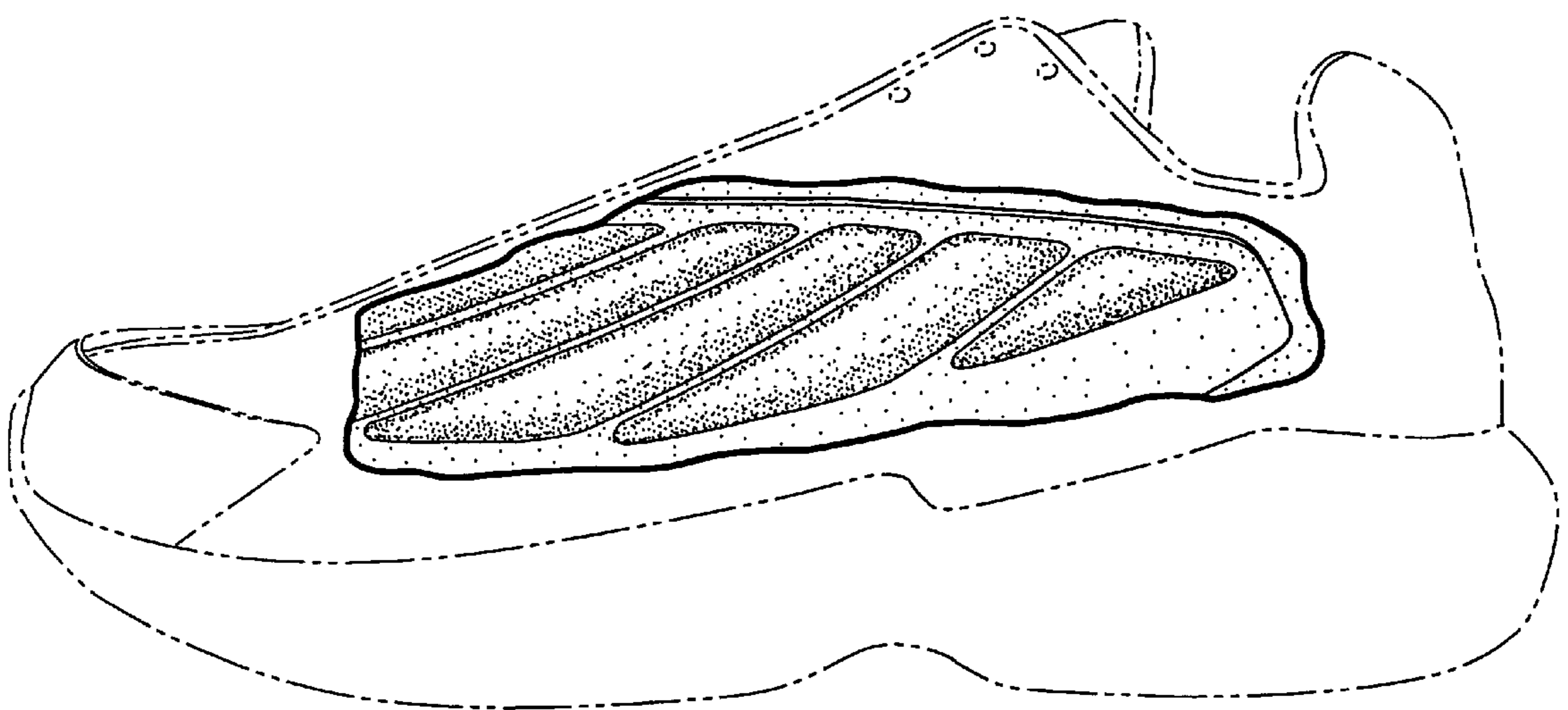


Fig. 2

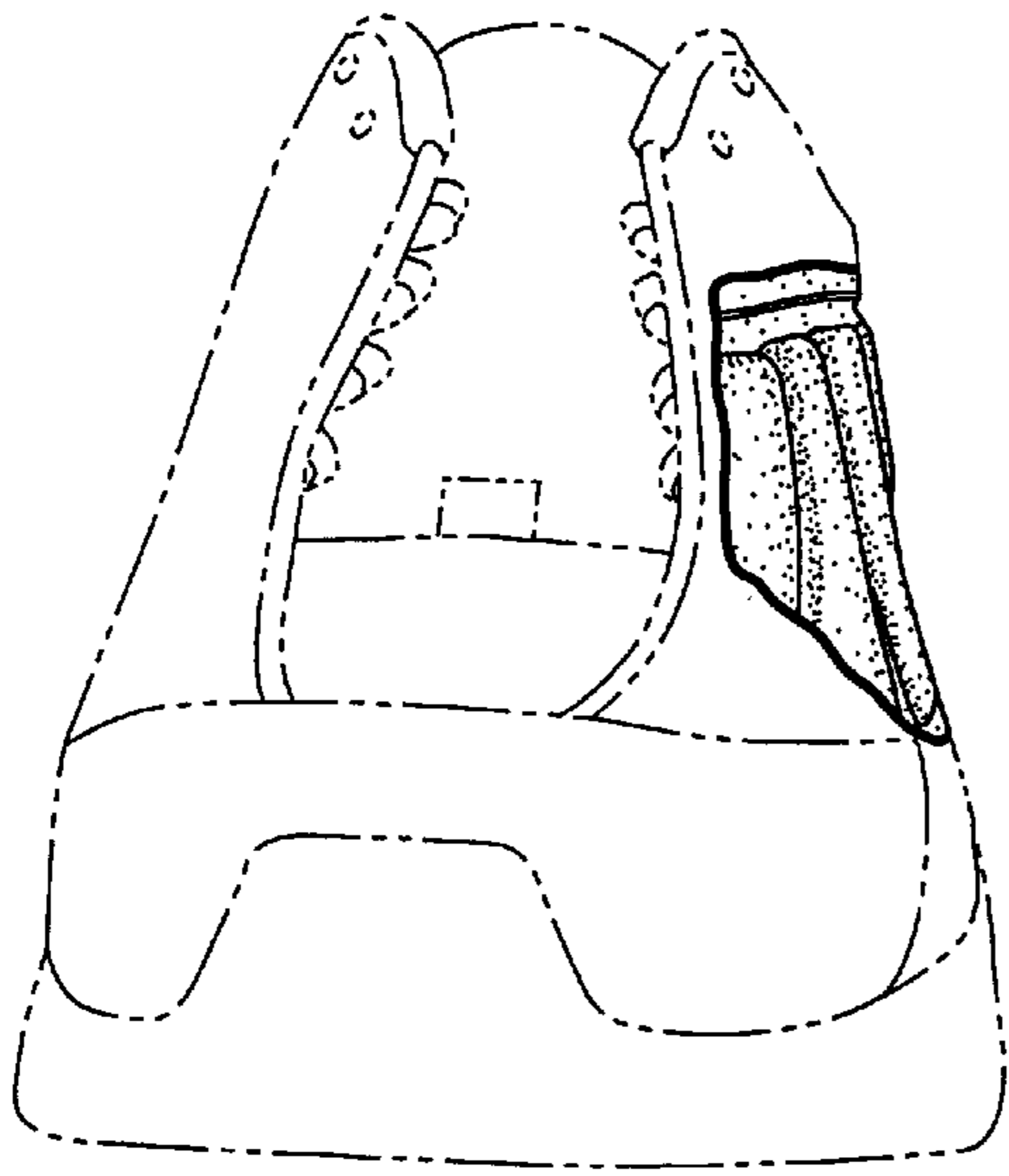


Fig. 3

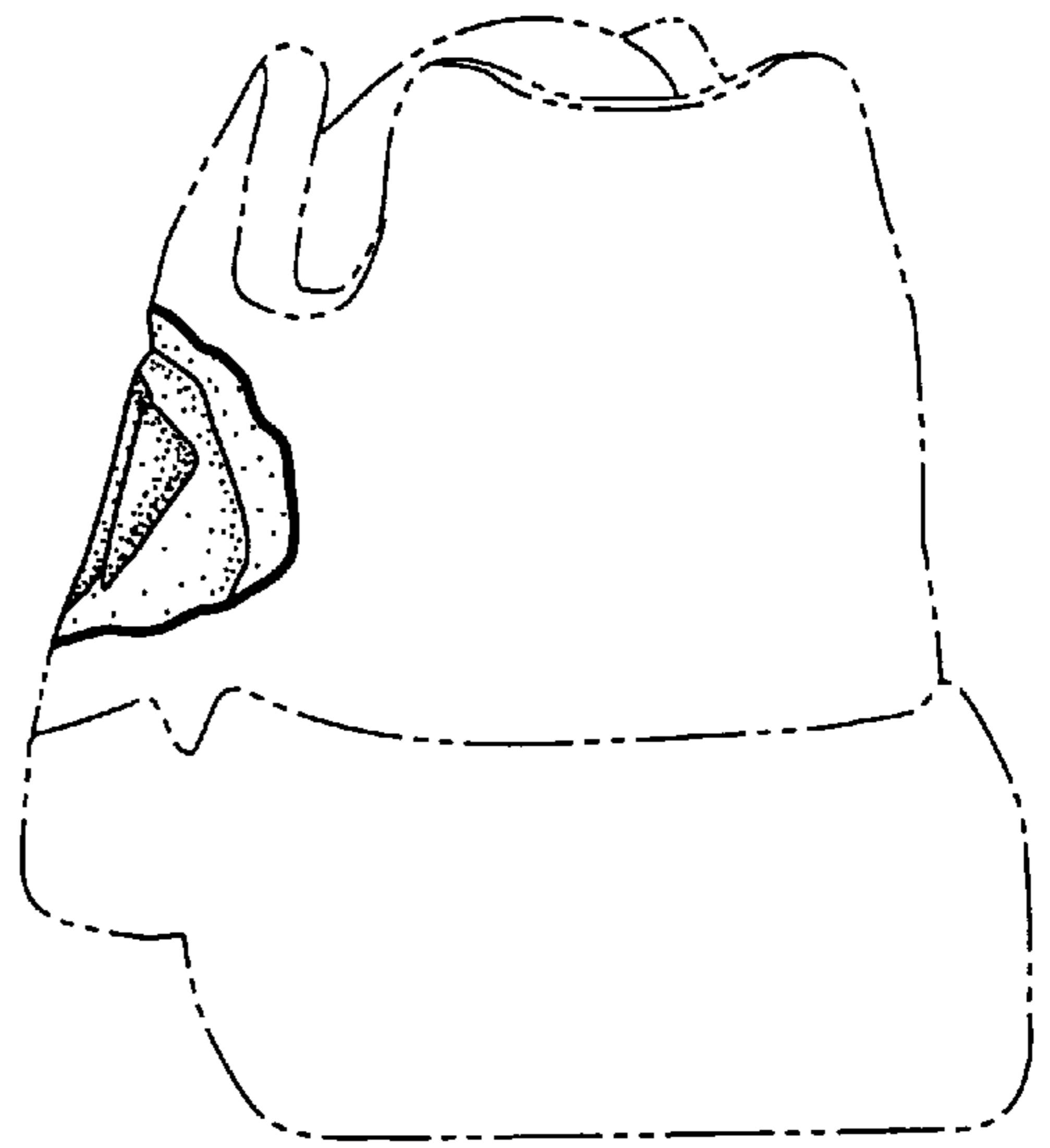


Fig. 4

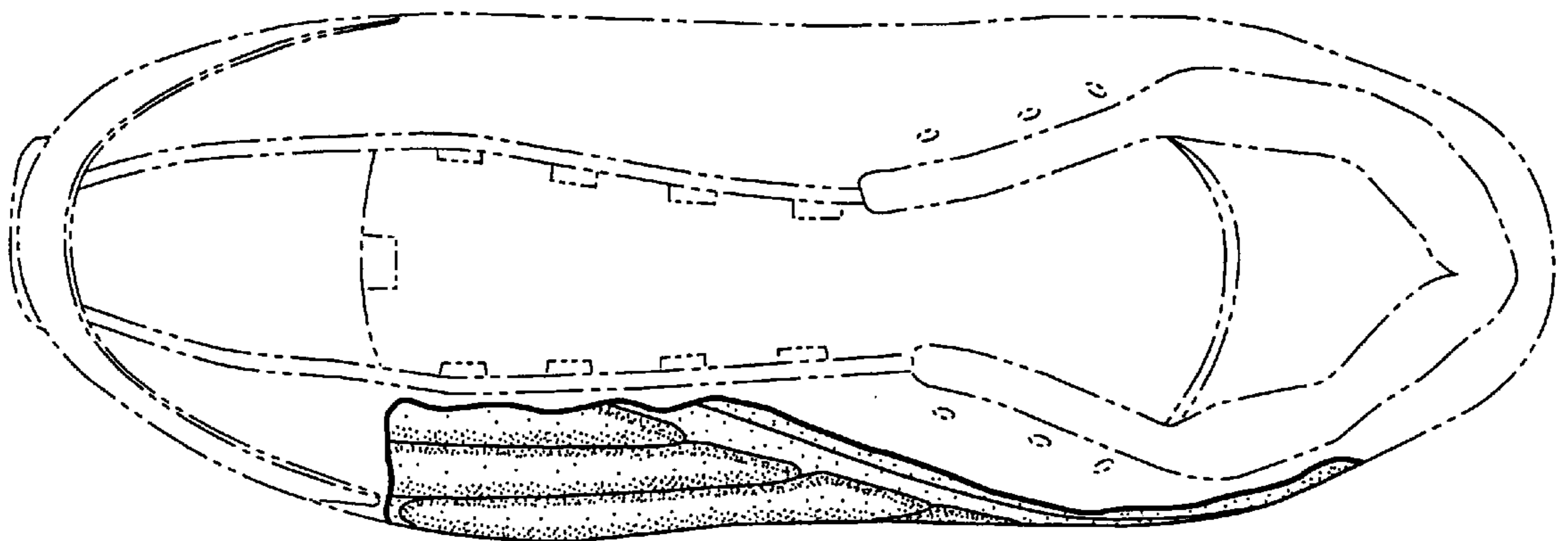


Fig. 5