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

(10) **Patent No.:** **US D440,752 S**

(45) **Date of Patent:** **** Apr. 24, 2001**

(54) **PORTION OF A SHOE UPPER**

D. 432,778 * 10/2000 McCourt D2/972

(75) Inventor: **Damon Clegg**, Portland, OR (US)

OTHER PUBLICATIONS

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

Nike Holiday 2000 Footwear Catalog, pp. M33, M38, and W20, published Mar. 2000.

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

Nike Spring 1999 Footwear Catalog, pp. W26 and W29, published Jun. 1998.

(21) Appl. No.: **29/130,726**

Nike Fall 1999 Footwear Catalog, p. W78, published Dec. 1998.

(22) Filed: **Oct. 10, 2000**

Nike Fall 1998 Footwear Catalog, p. 56, published Dec. 1997.

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

(52) **U.S. Cl.** **D2/972**

Nike Late Fall 1998 Footwear Catalog, pp. 98 and 108, published Mar. 1998.

(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

Nike Late Fall 1998 Footwear Catalog, pp. 96, 107, and 108, published Mar. 1998.

Nike Late Fall 1998 Footwear Catalog, pp. 47 and 50, published Mar. 1998.

(56) **References Cited**

Nike Spring 1998 Footwear Catalog, pp. 161 and 162, published Jun. 1997.

Nike Late Spring 1997 Footwear Catalog, p. 55, published Sep. 1996.

U.S. PATENT DOCUMENTS

(List continued on next page.)

D. 333,905	3/1993	Close .	
D. 339,450	9/1993	Smith .	
D. 341,703	11/1993	Hatfield et al. .	
D. 342,600	12/1993	Hatfield et al. .	
D. 351,058	10/1994	Hatfield et al. .	
D. 380,082	6/1997	Hatfield .	
D. 382,698	8/1997	Avar .	
D. 383,295	9/1997	Rask .	
D. 384,053	9/1997	Smith, III .	
D. 384,196	9/1997	Hatfield .	
D. 384,801	10/1997	Rask .	
D. 393,351	4/1998	Avar .	
D. 398,765	9/1998	Lozano .	
D. 398,771	9/1998	Doxey .	
D. 406,453	3/1999	Mervar .	
D. 406,690	3/1999	Vestuti .	
D. 413,196	8/1999	Hatfield .	
D. 420,499 *	2/2000	Dolinsky	D2/972
D. 423,206 *	4/2000	Fallon	D2/973
D. 427,760 *	7/2000	Holmes	D2/972
D. 428,247 *	7/2000	Selbiger	D2/972
D. 429,556	8/2000	Vestuti .	
D. 429,876	8/2000	Vestuti .	
D. 431,102 *	9/2000	Clegg et al.	D2/972
D. 431,715	10/2000	Hatfield et al. .	
D. 431,716	10/2000	Hatfield et al. .	

Primary Examiner—Dominic Simone

(74) *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 perspective view of a portion of a shoe upper showing my new design;

FIG. 2 is a side elevational view thereof;

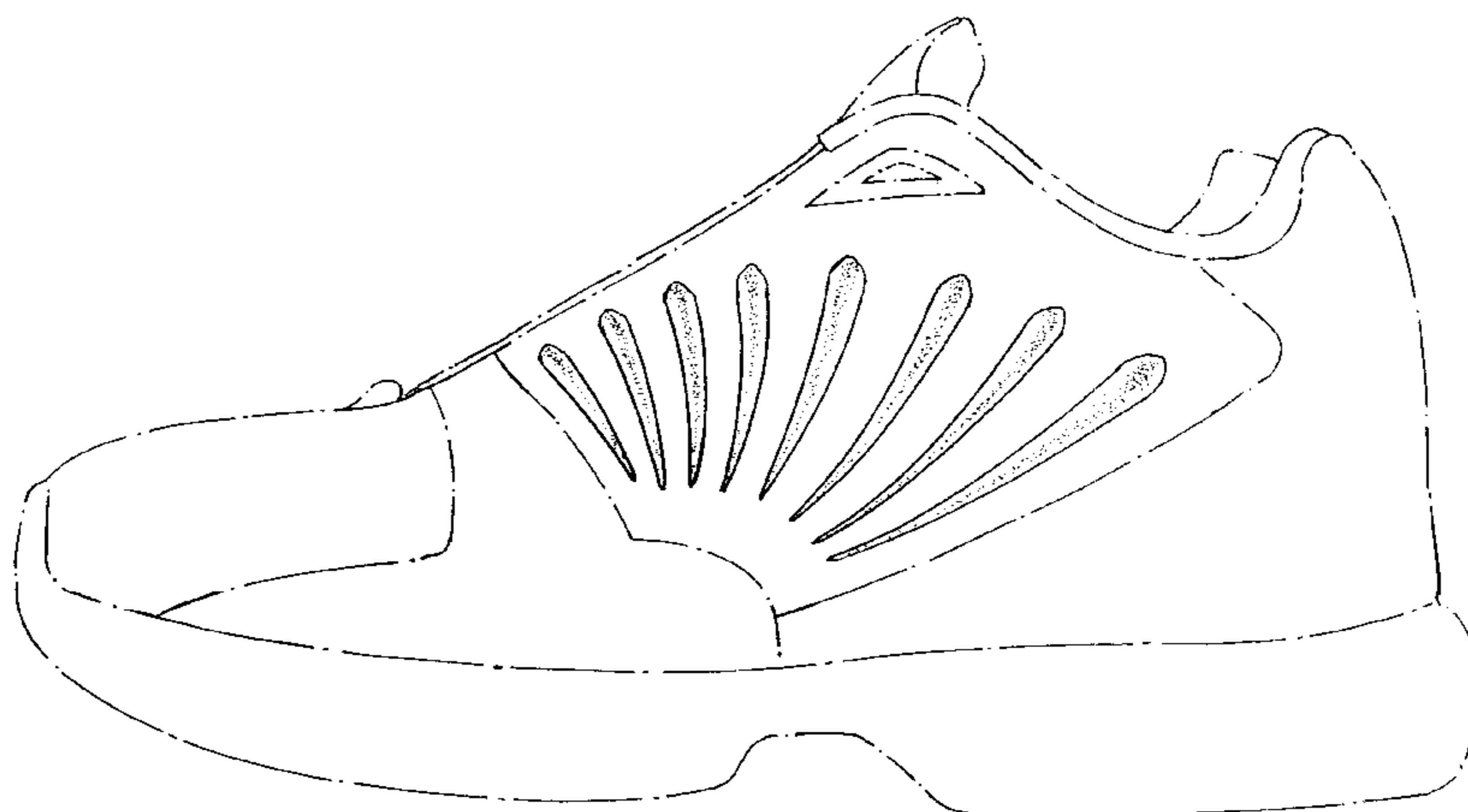
FIG. 3 is a front elevational view thereof;

FIG. 4 is a rear elevational view thereof; and,

FIG. 5 is a top plan view thereof.

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

1 Claim, 2 Drawing Sheets



OTHER PUBLICATIONS

Nike Holiday 1997 Footwear Catalog, pp. 190 and 191, published Mar. 1997.

Nike Fall 1997 Footwear Catalog, pp. 113 and 131, published Dec. 1996.

Nike Fall 1997 Footwear Catalog, pp. 29 and 178, published Dec. 1996.

Nike Spring 1997 Footwear Catalog, pp. 23 and 149, published Jun. 1996.

Nike Holiday 1996 Footwear Catalog, p. 31, 39, 106, published Mar. 1996.

Nike Spring 1995 Footwear Catalog, p. 35, published Jun. 1994.

Nike Fall 1993 Footwear Catalog, p. 28, published Dec. 1992.

* cited by examiner

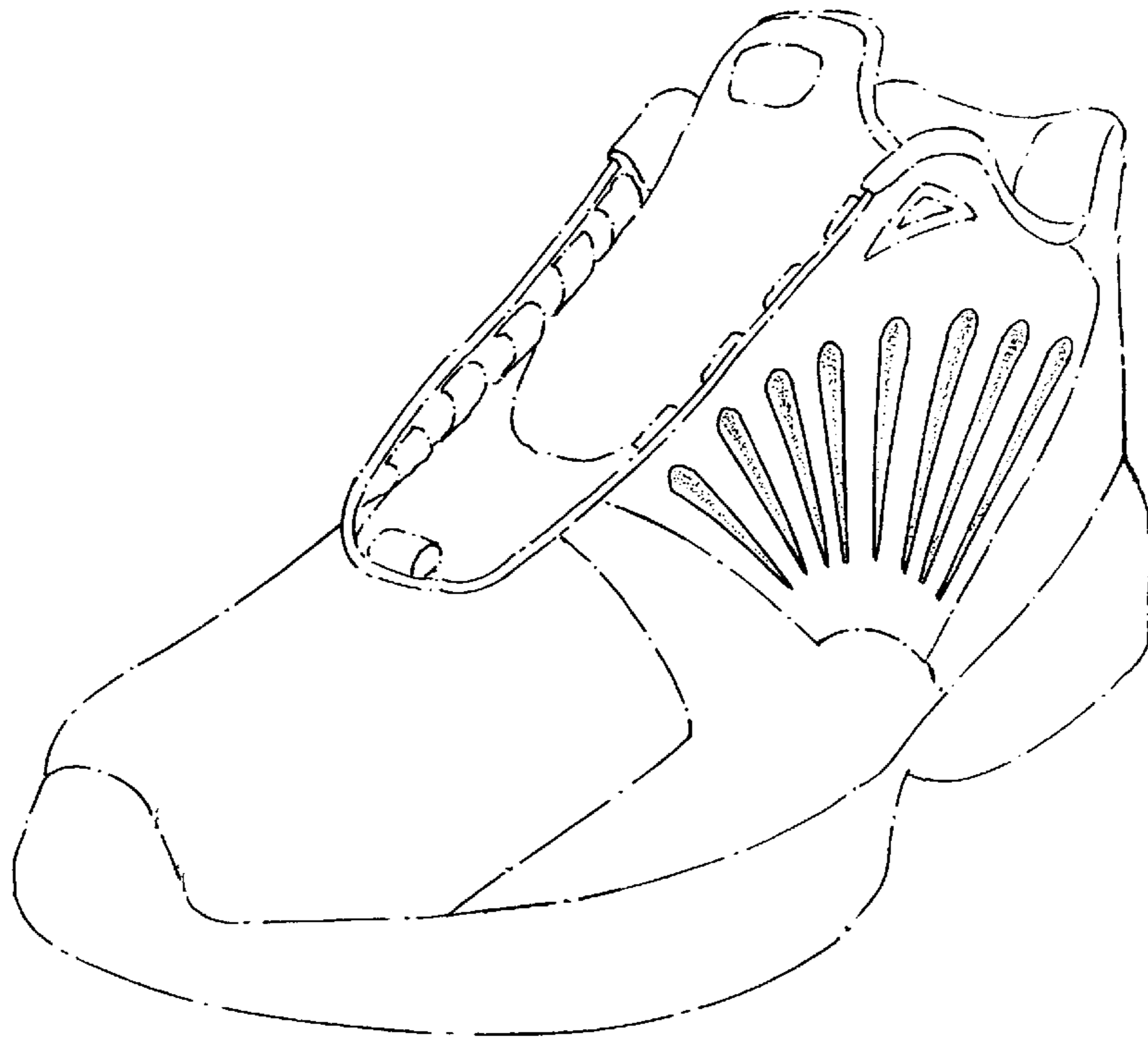


FIG. 1

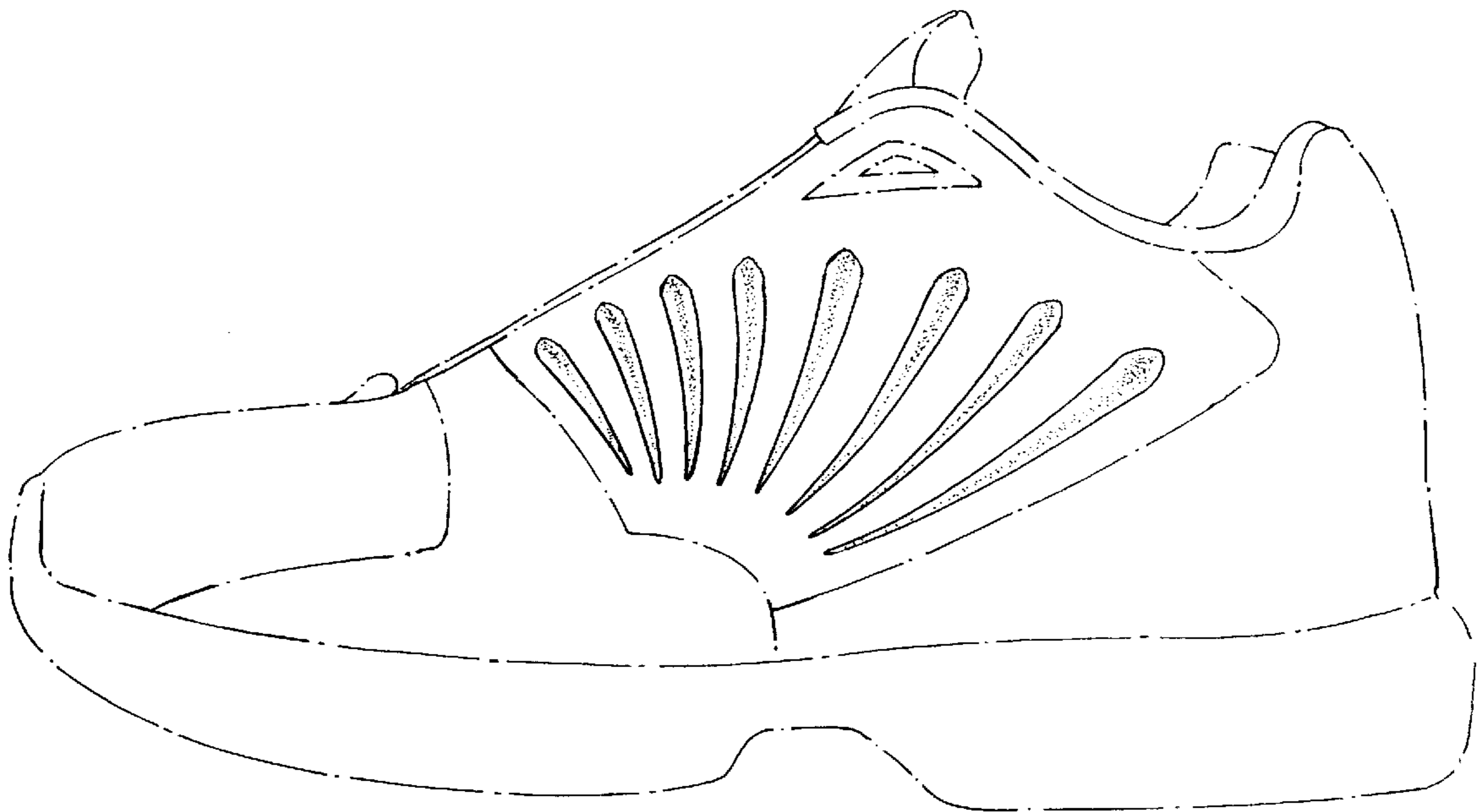


FIG. 2

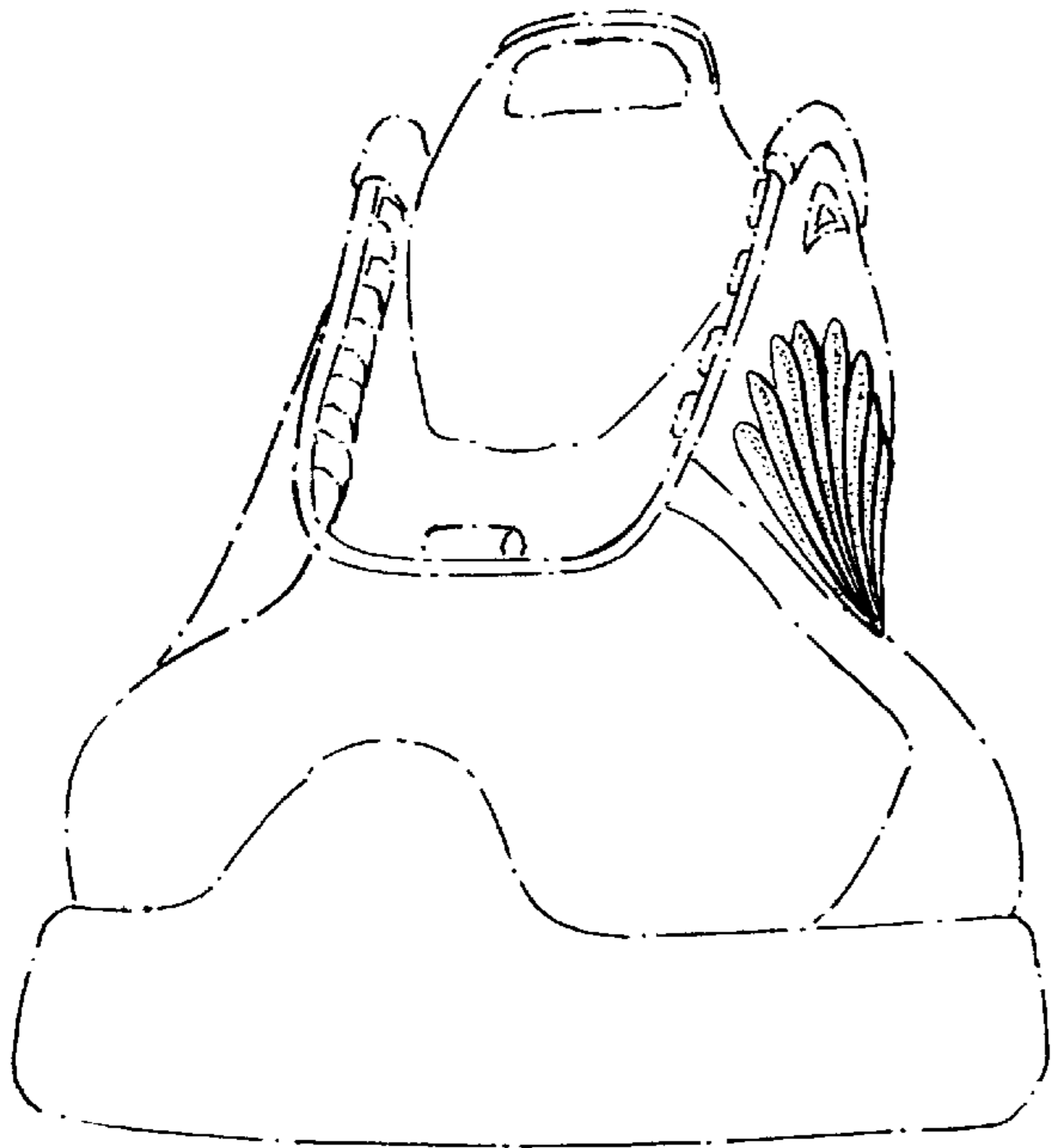


FIG. 3

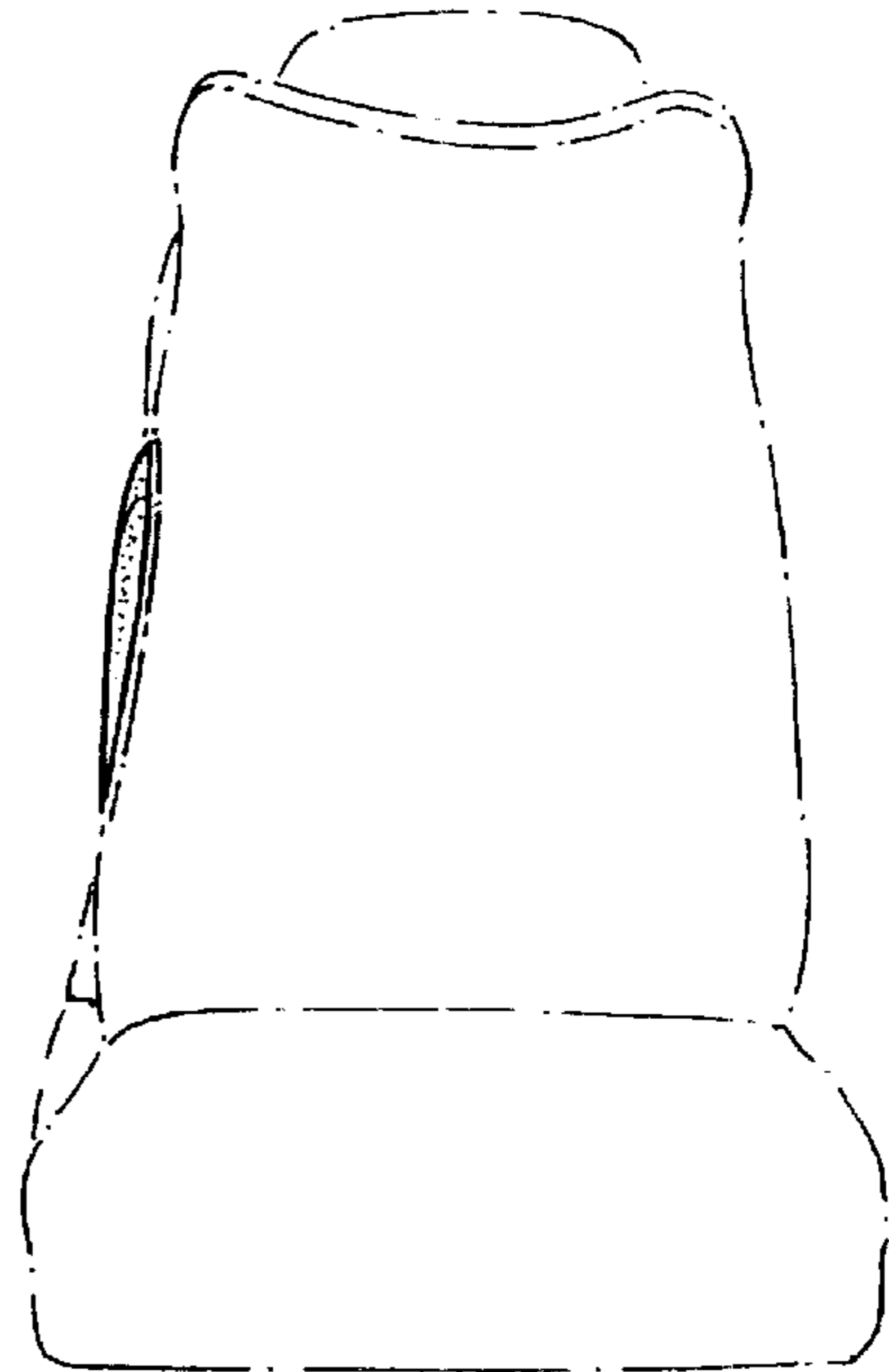


FIG. 4

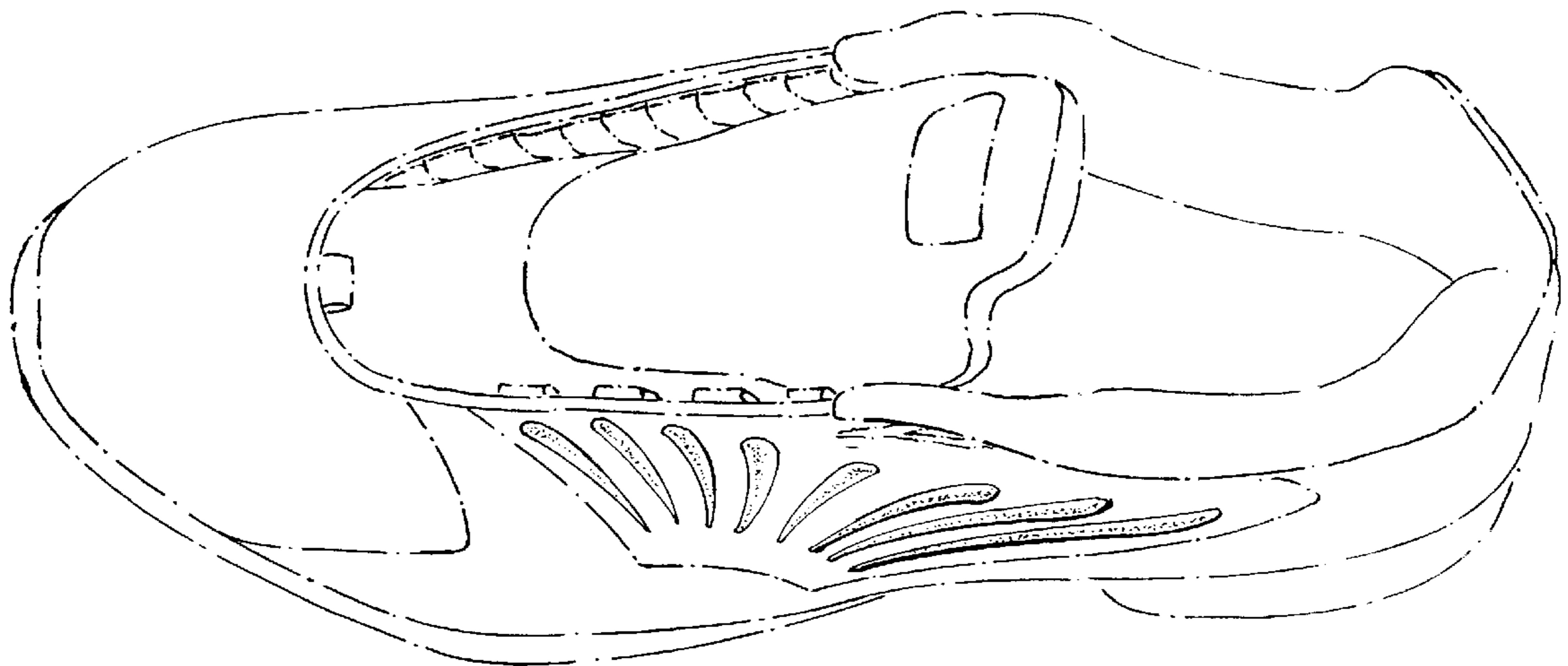


FIG. 5