



US00D443756S

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

(10) **Patent No.:** **US D443,756 S**

(45) **Date of Patent:** **\*\* Jun. 19, 2001**

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

(75) Inventor: **Sean Michael McDowell**, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/136,532**

(22) Filed: **Feb. 1, 2001**

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

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

(58) **Field of Search** ..... D2/896, 902, 907,  
D2/943, 944, 946, 969, 970, 972, 973;  
36/45, 50.1, 51, 77 M, 77 R, 83, 88, 89,  
113, 114, 126-130

“Nike Footwear Catalog,” Spring 1997, published Jun. 1, 1996 (p. 131), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 1997, (p. 45), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 1998, published Feb. 1, 1998 (p. M33), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1999, published Jun. 1, 1998 (pp. M18, M40, M43, M44, W20, W22, Girls 12), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 1999, published Sep. 1, 1998 (pp. W7, W20), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 1999, published Mar. 1, 1999 (p. W3), Beaverton, Oregon.

“Nike Footwear Catalog A,” Spring 2000, published Jul. 1, 1999 (pp. M39, M96, W14, W19, W24, W64), Beaverton, Oregon.

(List continued on next page.)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D. 345,253	*	3/1994	Lucas	.....	D2/969
D. 362,335	*	9/1995	Estefano	.....	D2/972
D. 377,262		1/1997	Lucas	.	
D. 393,347		4/1998	Kuerbis	.	
D. 395,348		6/1998	Smith, III	.	
D. 398,760	*	9/1998	Rask	.....	D2/972
D. 407,199	*	3/1999	Hardy	.....	D2/972
D. 420,499		2/2000	Dolinsky	.	
D. 420,505	*	2/2000	Lupo	.....	D2/972
D. 427,759		6/2000	Hlavacs	.	
D. 428,224		7/2000	Young	.	
D. 432,775		10/2000	McDowell	.	
D. 437,992	*	2/2001	Link	.....	D2/972

**OTHER PUBLICATIONS**

“Nike Footwear Catalog,” Fall 1993, published Jun. 1, 1992 (p. 32), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1995, published Jun. 1, 1994 (p. 32), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 1996, published Aug. 1, 1995, (pp. 8, 29, 30), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 1996, published Dec. 1, 1995, (pp. 6, 19, 67, 141), Beaverton, Oregon.

*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;

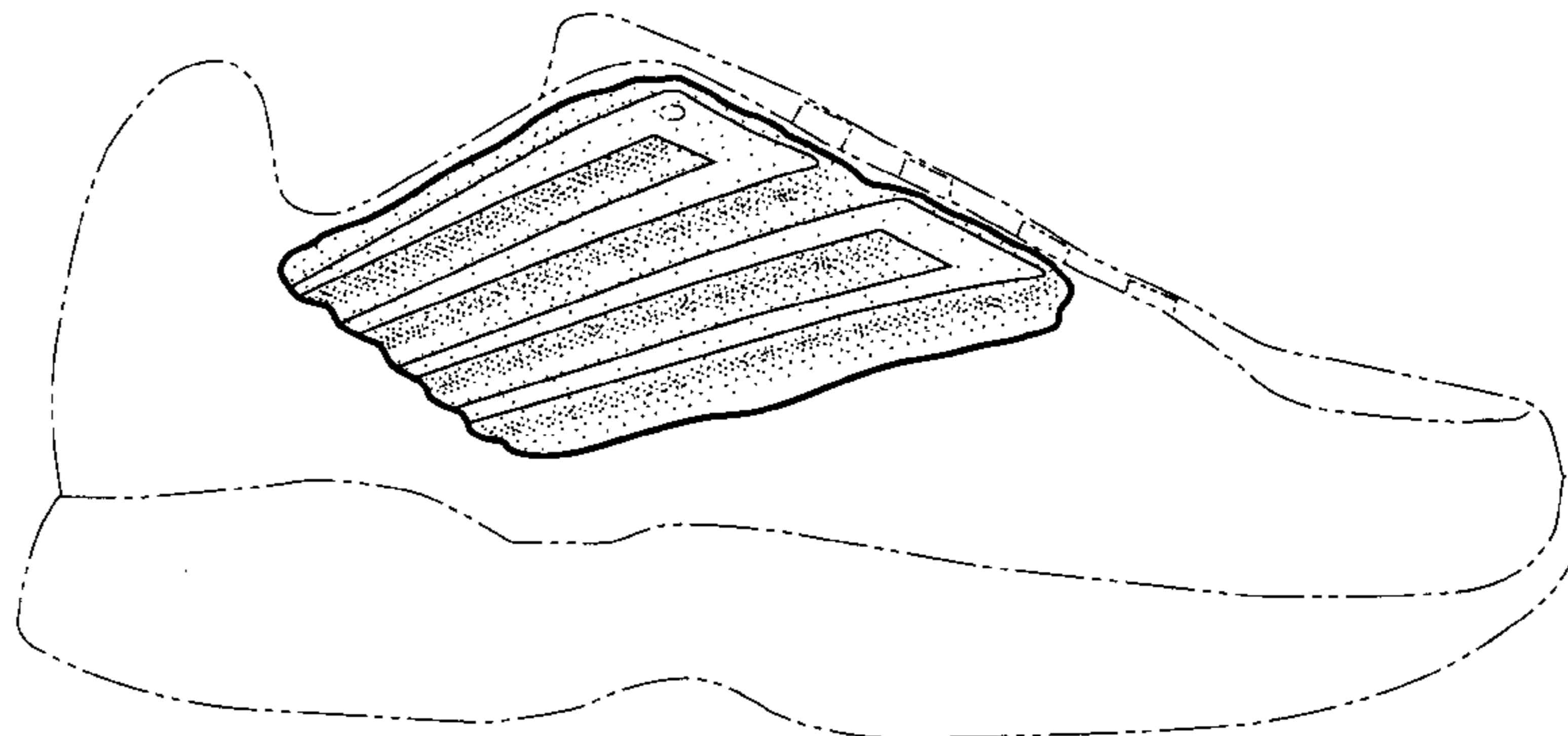
FIG. 3 is a front view of the side element of a shoe upper shown in FIG. 1;

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

FIG. 5 is a top plan 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**



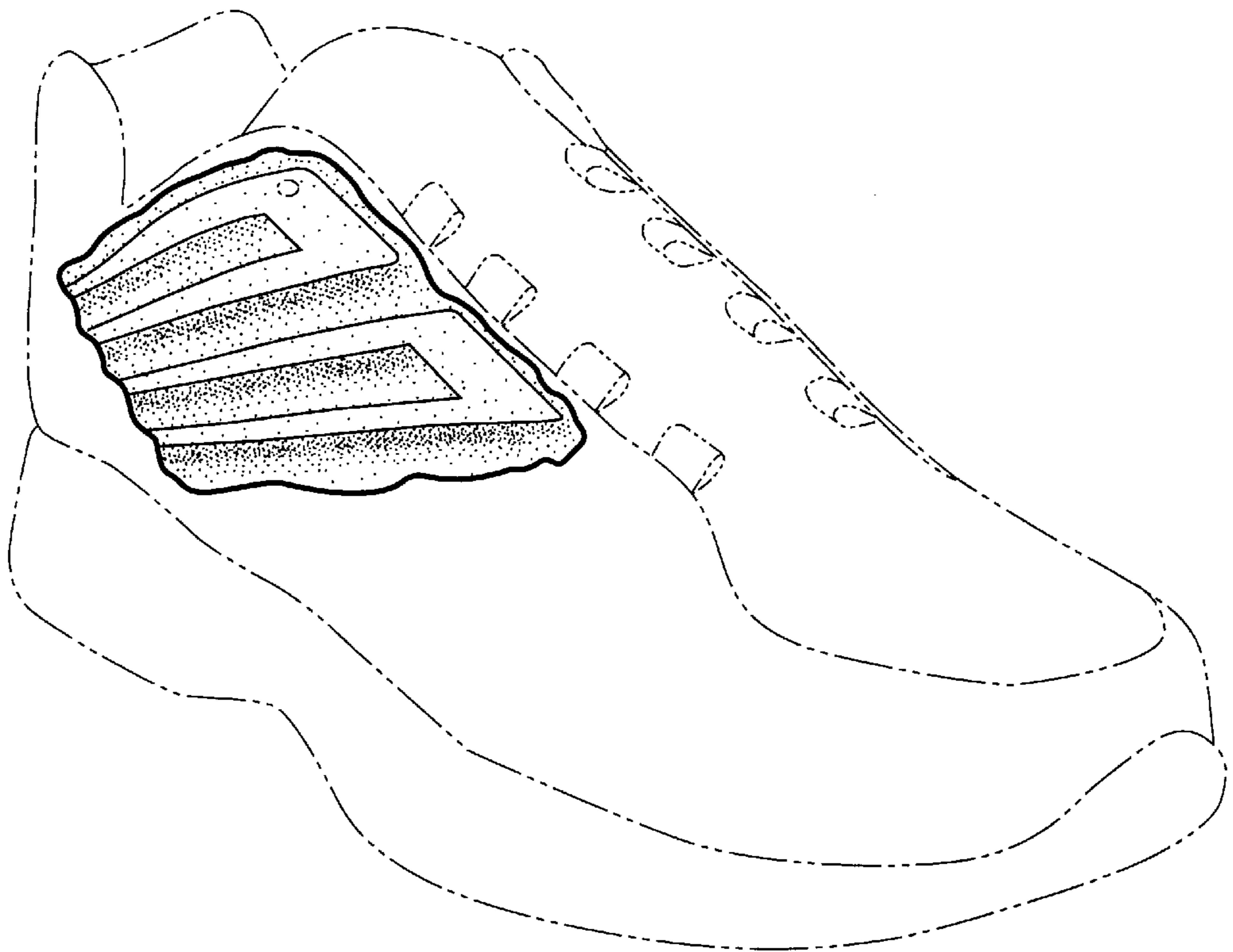
OTHER PUBLICATIONS

“Nike Footwear Catalog,” Holiday 2000, published Mar. 1, 2000 (pp. M77, M91, M94, W20), Beaverton, Oregon.

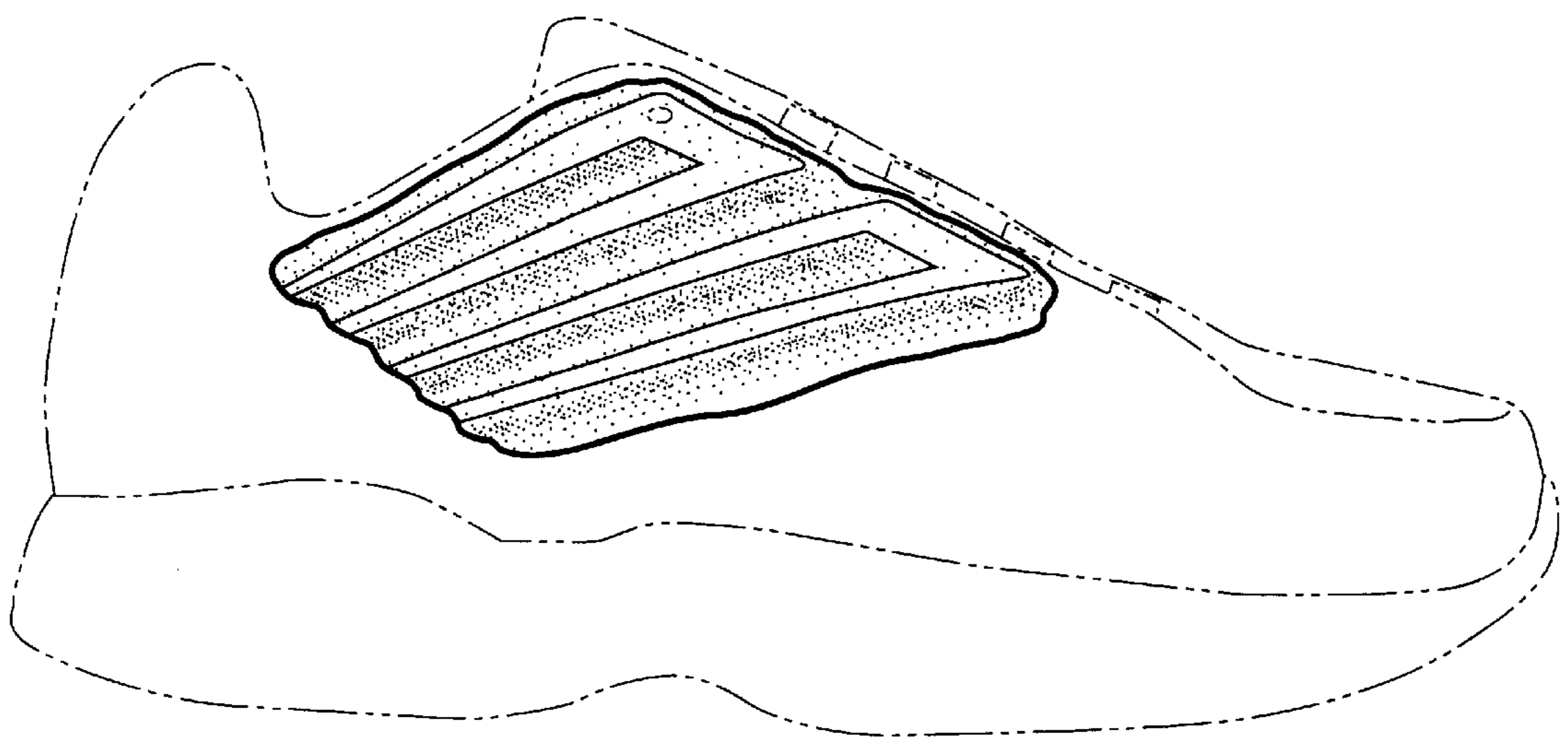
“Nike Footwear Catalog,” Late Spring 2001, published Sep. 1, 2000 (pp. M23, M79, M100, M139), Beaverton, Oregon.

“Nike Footwear Catalog” Fall 2001, published Nov. 1, 2001 (pp. W37, W79), Beaverton, Oregon.

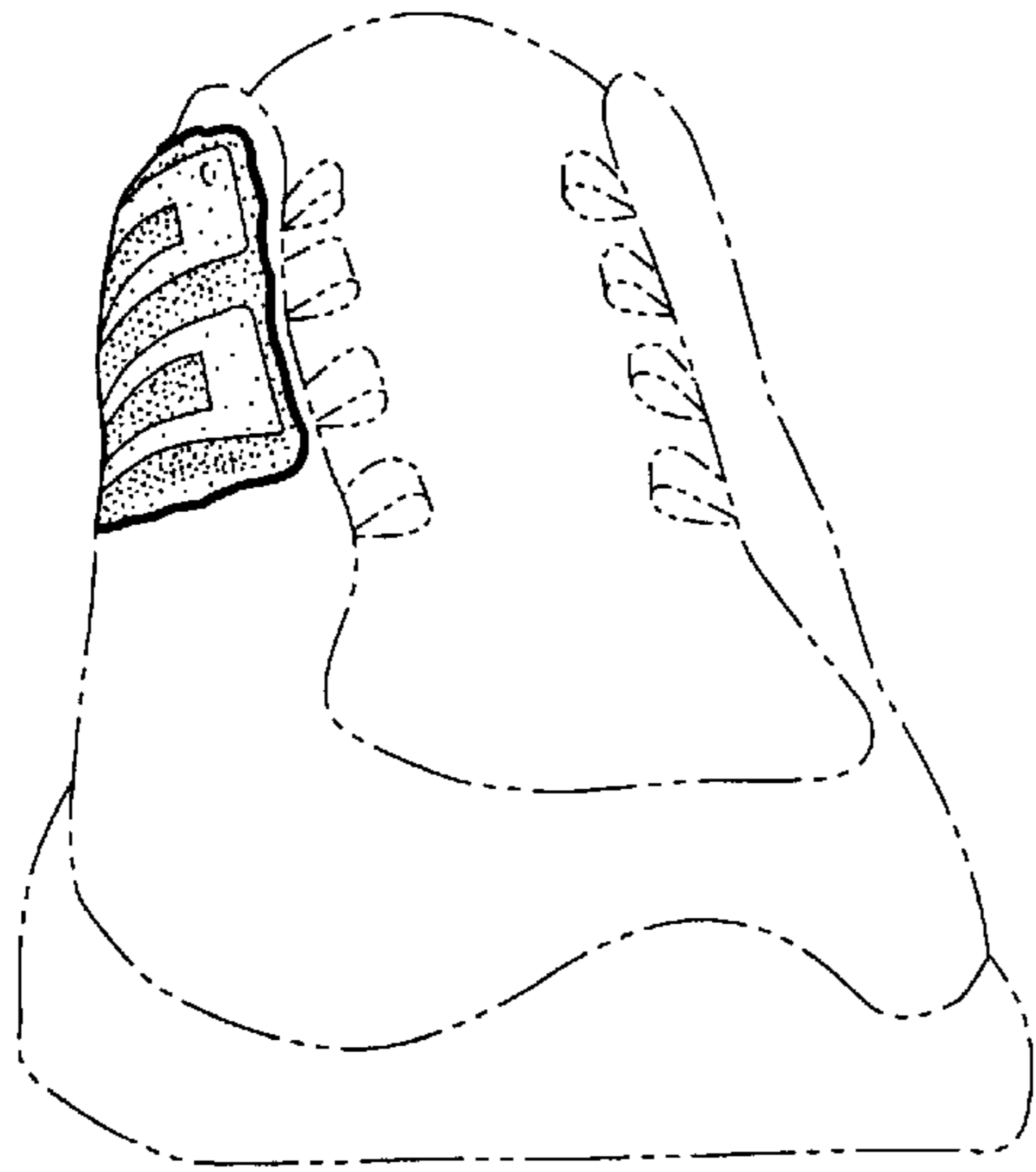
\* cited by examiner



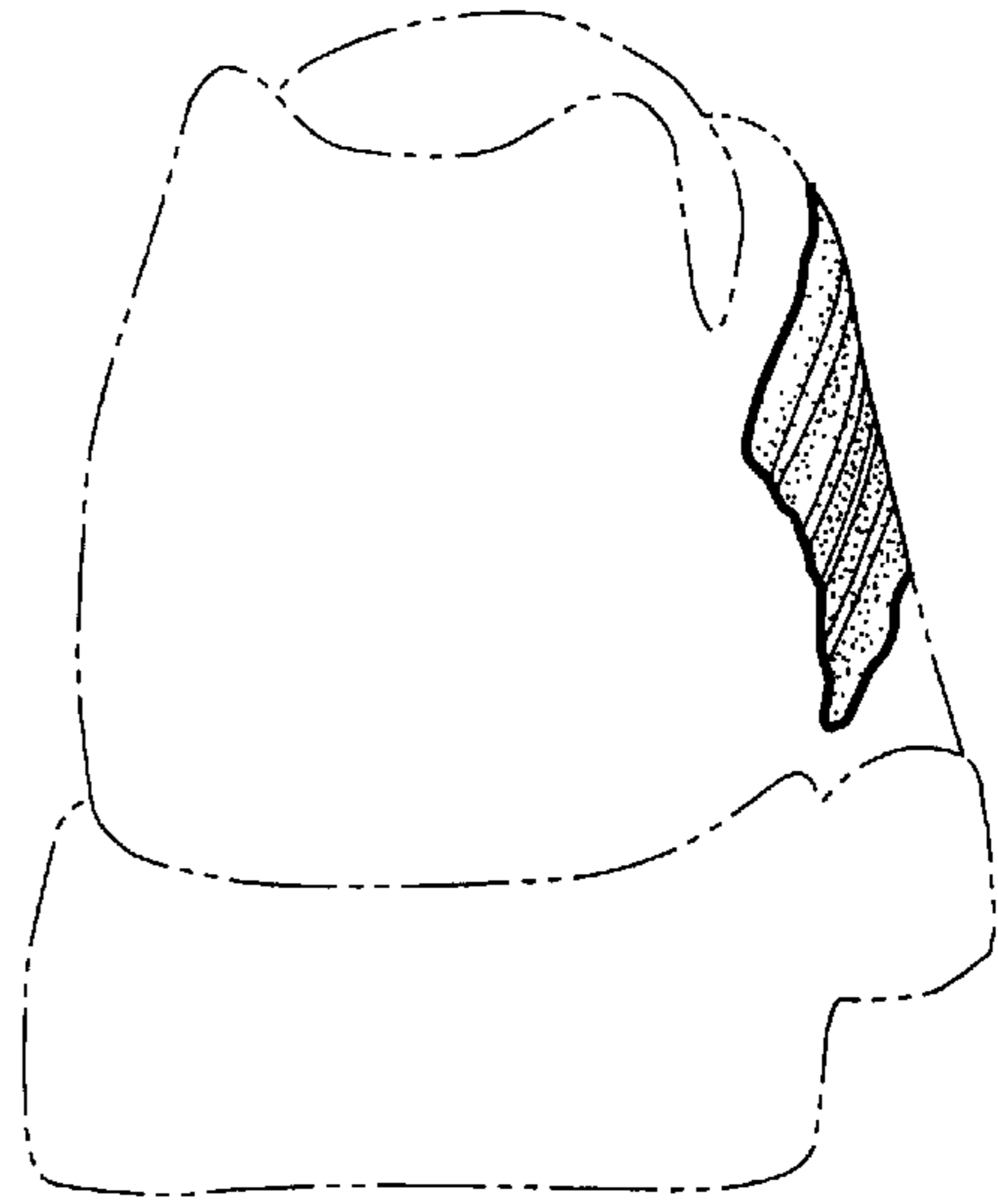
**Fig. 1**



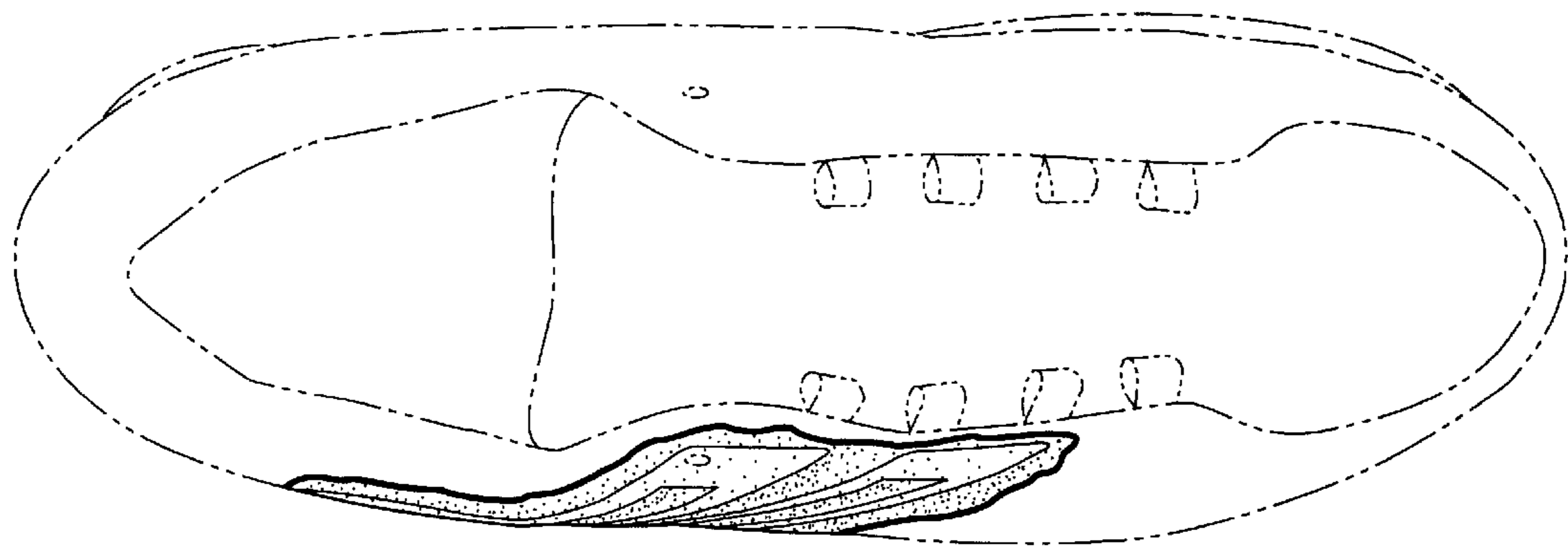
**Fig. 2**



**Fig. 3**



**Fig. 4**



**Fig. 5**