



US00D446640B1

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

(10) **Patent No.:** **US D446,640 S**

(45) **Date of Patent:** **\*\* Aug. 21, 2001**

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

(75) Inventor: **Andrew Estey**, West Linn, OR (US)

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

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

(21) Appl. No.: **29/138,848**

(22) Filed: **Mar. 19, 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, 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. 395,348	6/1998	Smith, III .	
D. 397,861	9/1998	Teague .	
D. 399,340	10/1998	James .	
D. 400,000	10/1998	Hatfield et al. .	
D. 413,194	8/1999	Cooper .	
D. 414,599	10/1999	Doxey .	
D. 428,693	8/2000	Hlavacs .	
D. 431,899	10/2000	Cooper .	
D. 432,775	10/2000	McDowell .	
D. 437,992 *	2/2001	Link .....	D2/972
D. 439,034 *	3/2001	Lozano .....	D2/972
D. 440,389 *	4/2001	Lozano .....	D2/972
D. 440,751 *	4/2001	McCullagh .....	D2/972

**OTHER PUBLICATIONS**

“Nike Footwear Catalog,” Fall 1997, published Dec. 1, 1996 (p. M27), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 1997, published Mar. 1, 1997 (p. M 33), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 1998, published Feb., 1998 (p. M92), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 1998, published Nov. 1, 1997 (p. W7), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1999, published Jun. 1, 1998 (pp. M52, M104, W4), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 2000, published Nov. 1, 1999 (p. W22 ), Beaverton, Oregon.

“Nike Footwear Catalog” Holiday 2000, published Mar. 1, 2000 (pp. M75, M76), Beaverton, Oregon.

“Nike Footwear Catalog” Spring 2001, published Jun. 1, 2000 (p. M75), Beaverton, Oregon.

“Nike Footwear Catalog” Late Spring 2001, published Sep. 1, 2000 (p. M75), Beaverton, Oregon.

“Nike Footwear Catalog” Fall 2001, published Nov. 1, 2000 (p. M46), Beaverton, Oregon.

\* cited by examiner

*Primary Examiner*—Dominic Simone

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

(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;

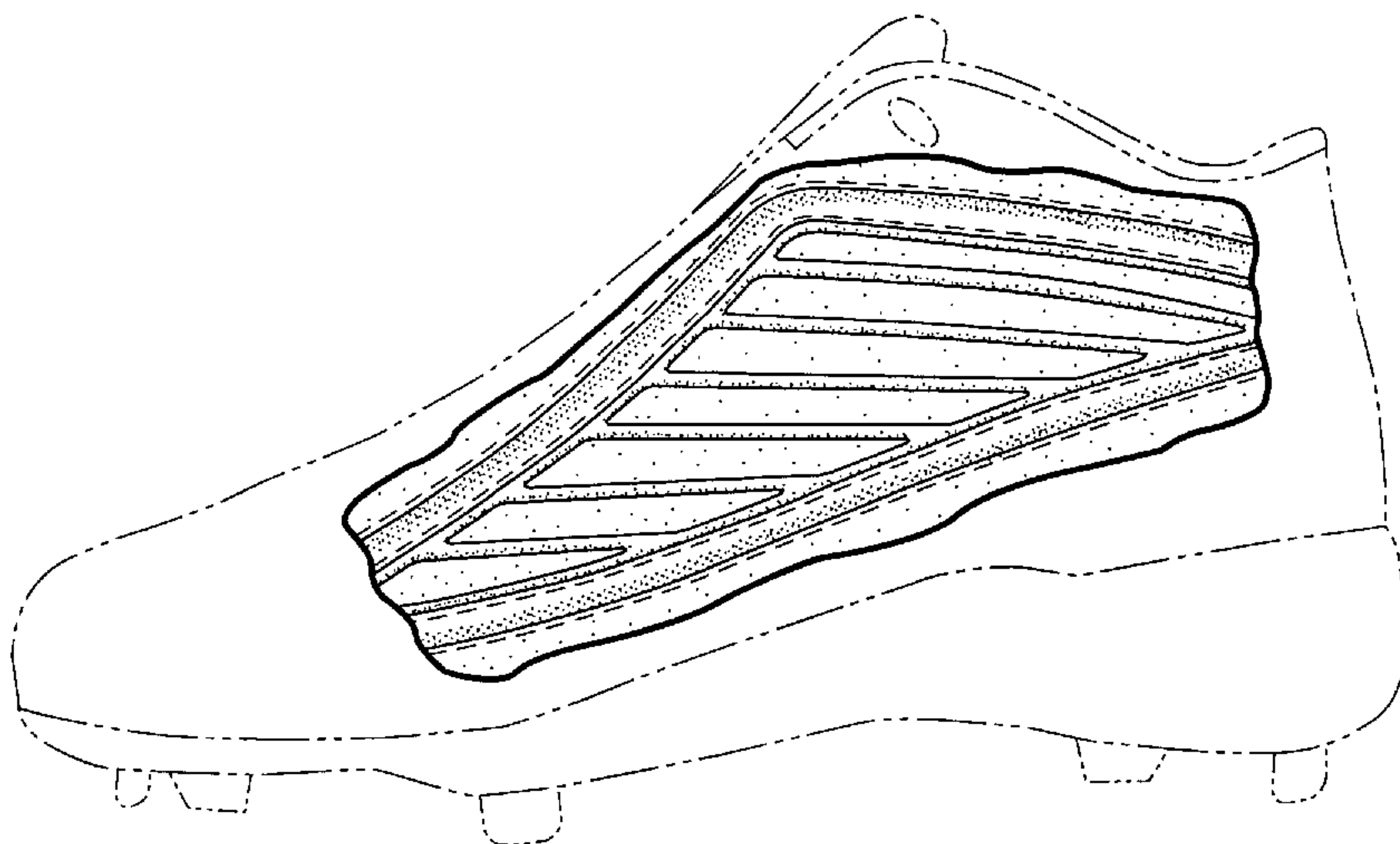
FIG. 3 is a front view of the side element of a shoe upper shown in FIG. 1;

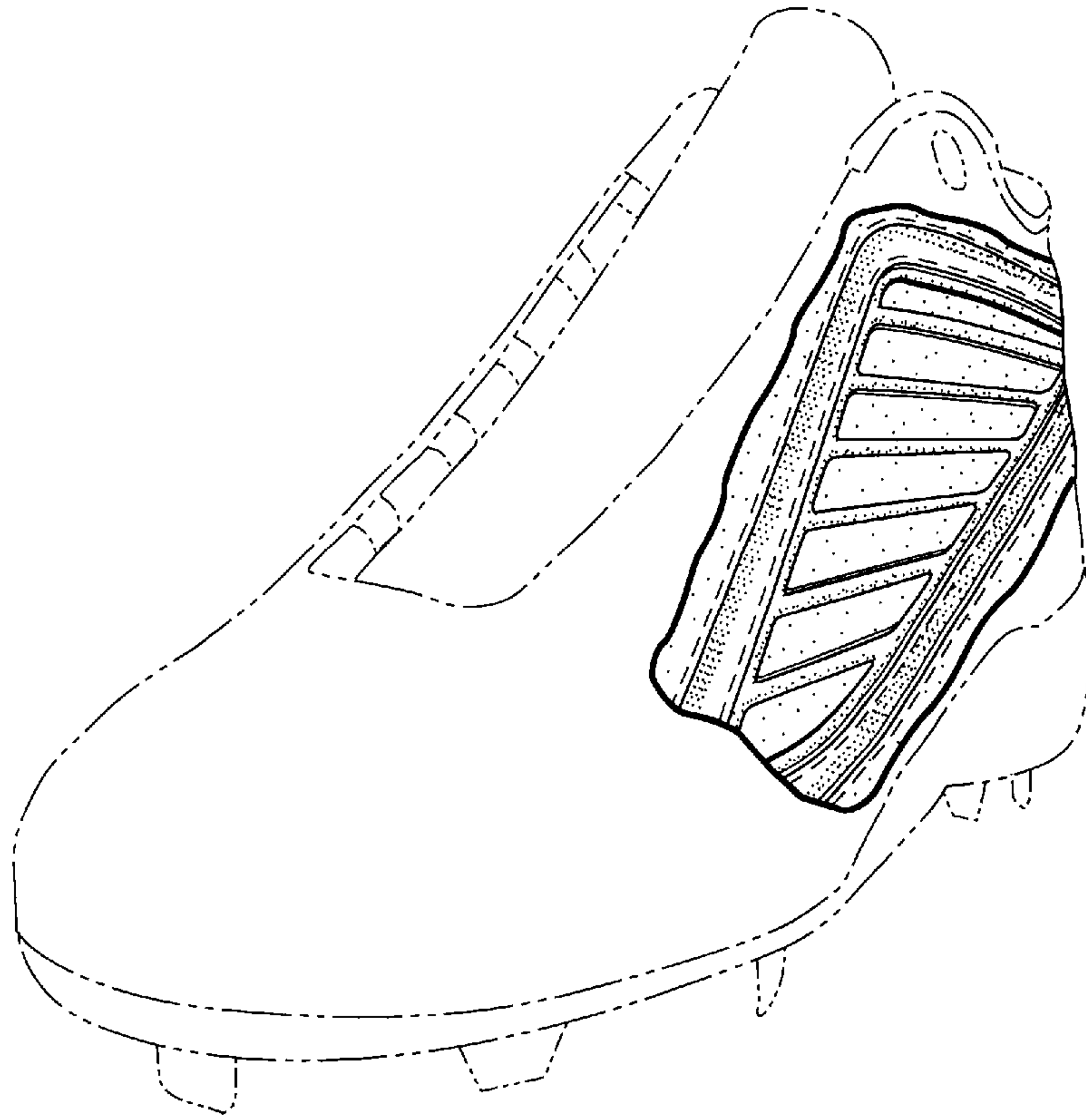
FIG. 4 is a rear view of the side element of a shoe upper shown in FIG. 1; and,

FIG. 5 is a top view of the side element of a shoe upper shown in FIG. 1.

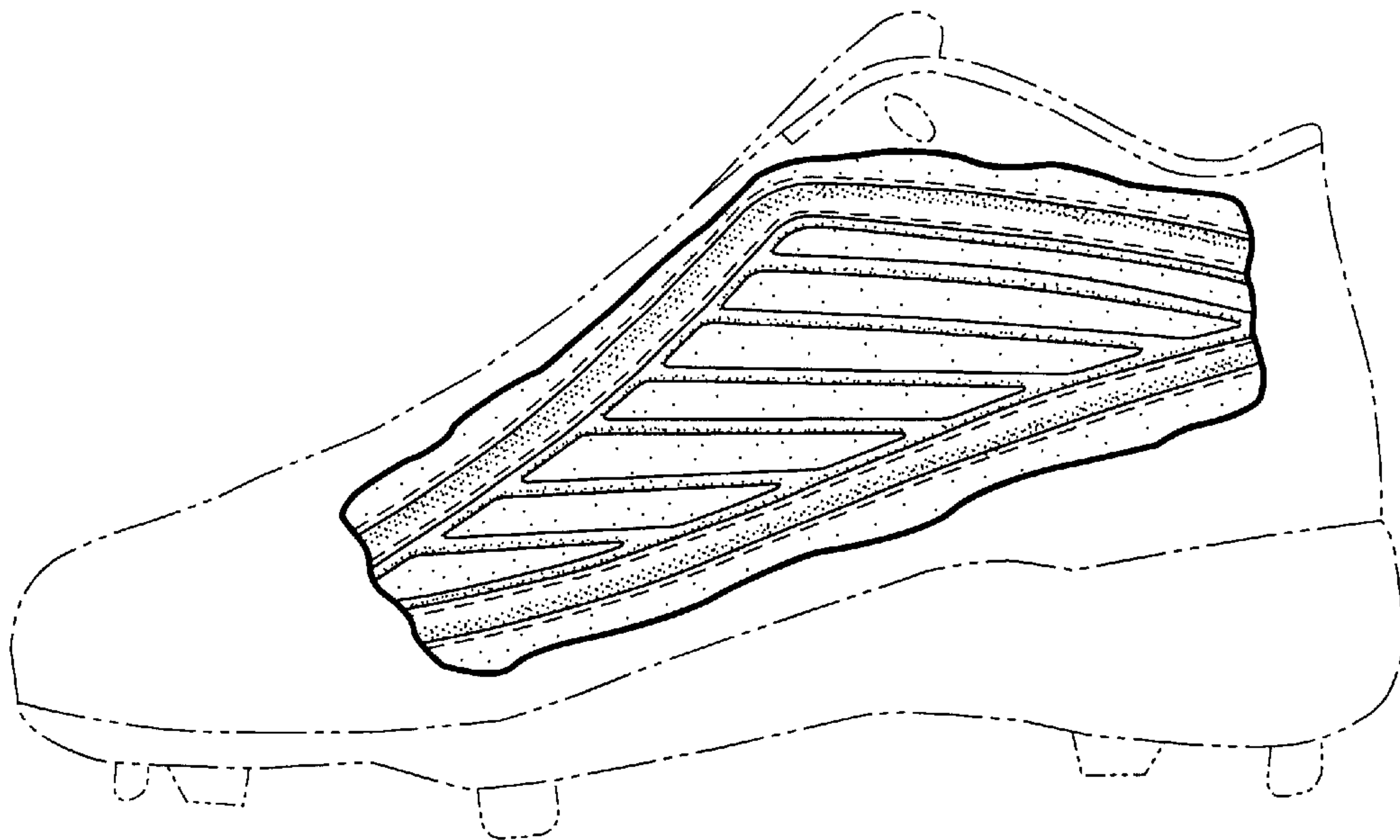
The phantom lines showing portions of a shoe in FIGS. 1-5 are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 2 Drawing Sheets**

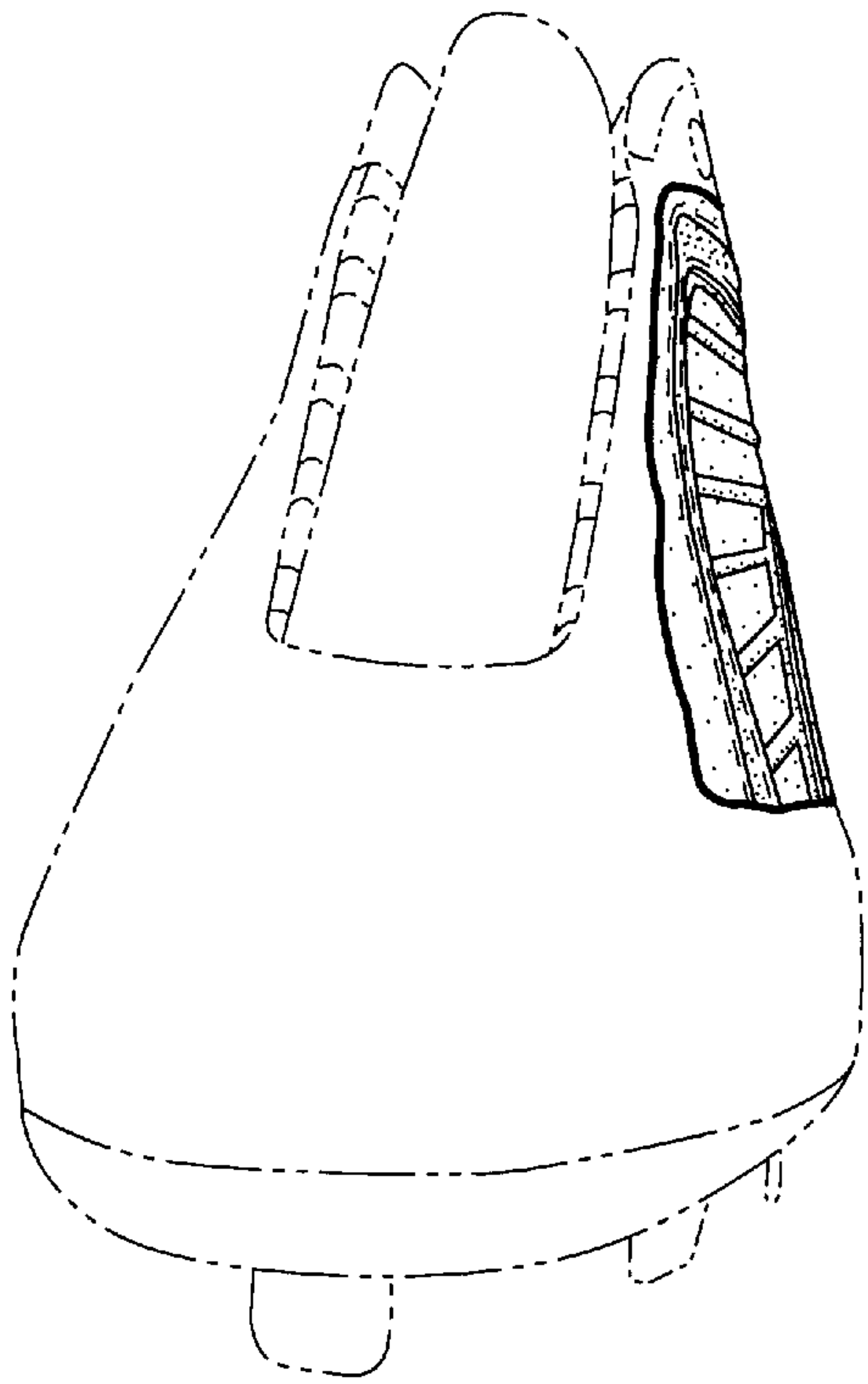




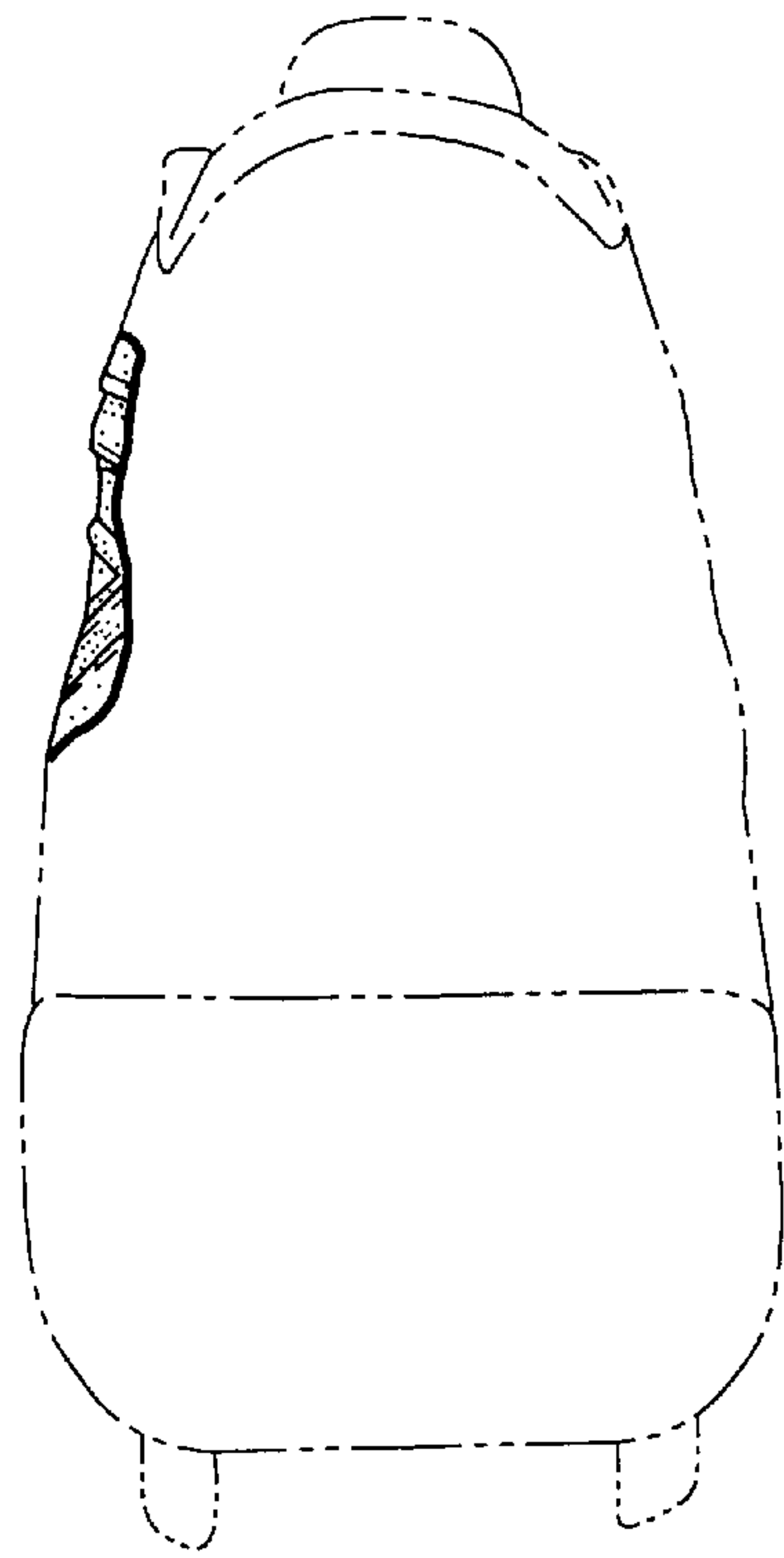
**Fig. 1**



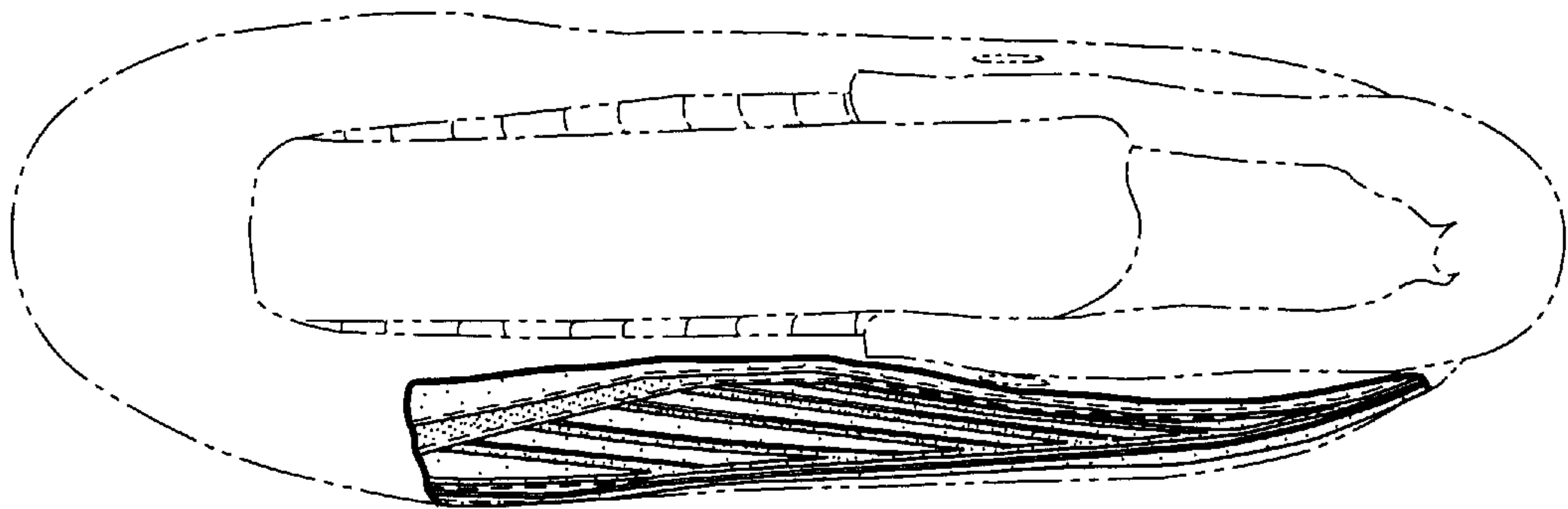
**Fig. 2**



**Fig. 3**



**Fig. 4**



**Fig. 5**