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

(10) **Patent No.:** **US D446,924 S**

(45) **Date of Patent:** **** Aug. 28, 2001**

- (54) **PORTION OF A SHOE UPPER**
- (75) Inventor: **Robert McCourt**, Portland, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/138,125**
- (22) Filed: **Mar. 8, 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

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(List continued on next page.)

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(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;

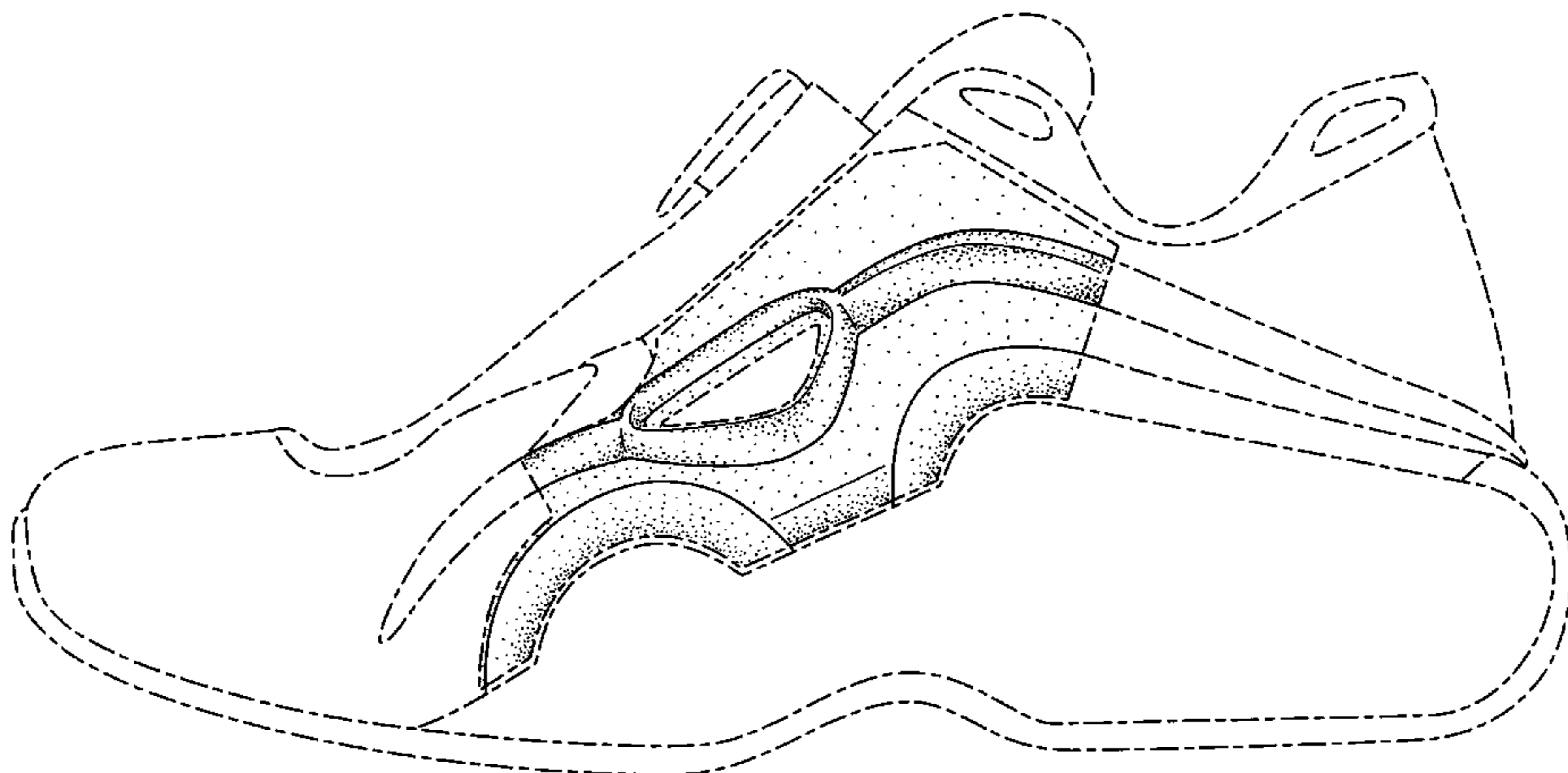
FIG. 3 is a top plan view thereof;

FIG. 4 is a front view thereof; and,

FIG. 5 is a rear view thereof.

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

1 Claim, 4 Drawing Sheets



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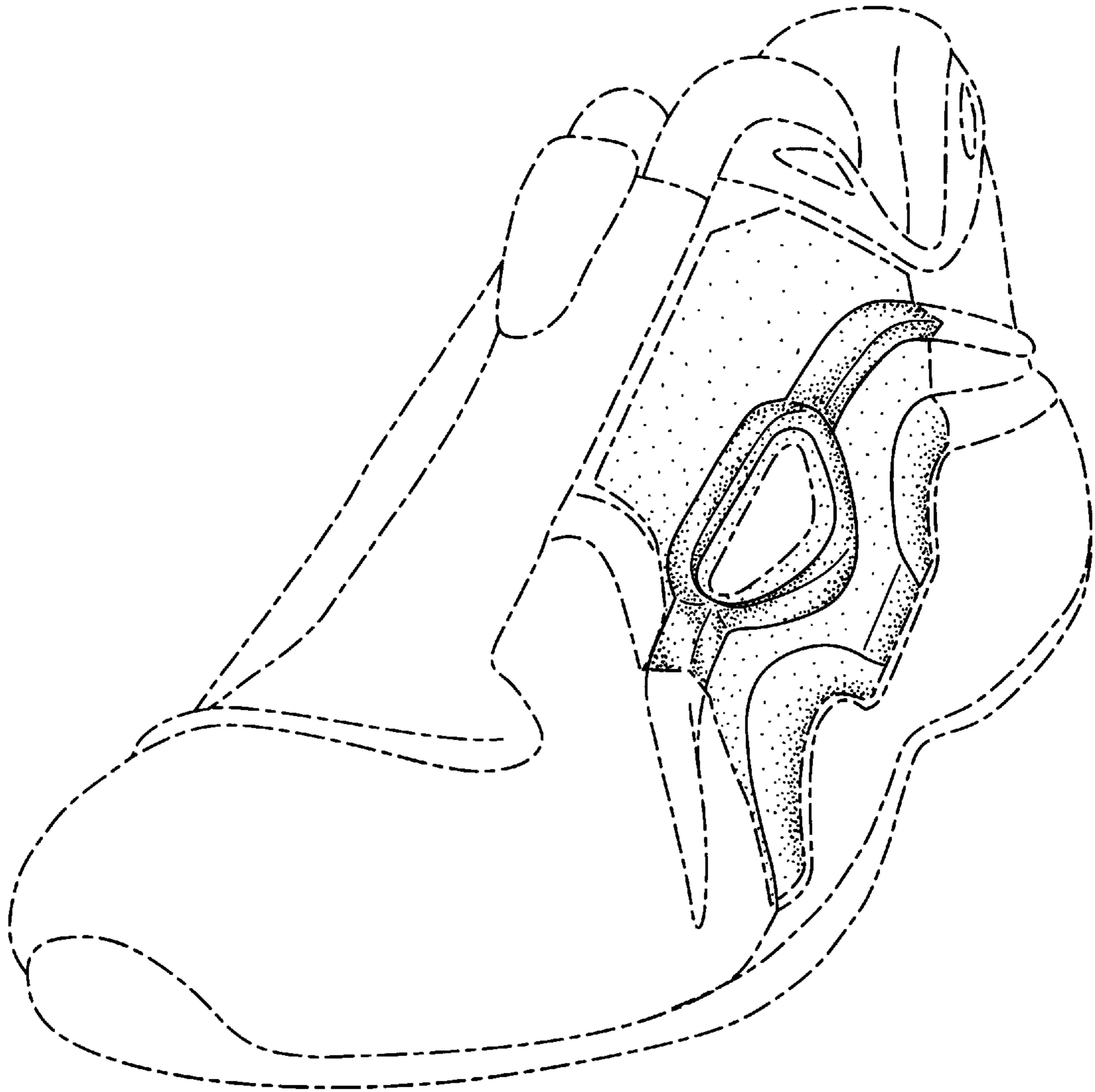


FIG. 1

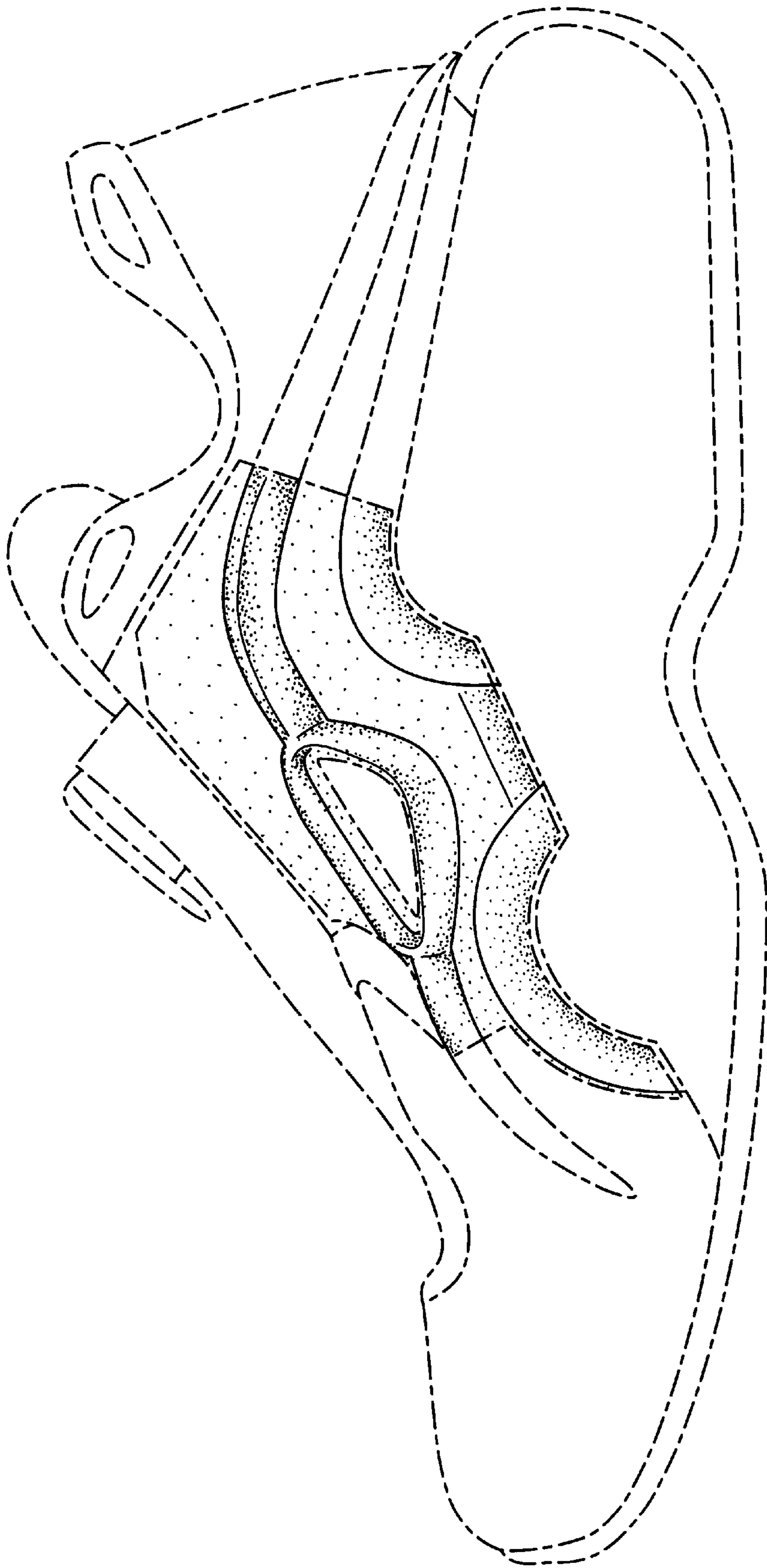


FIG. 2

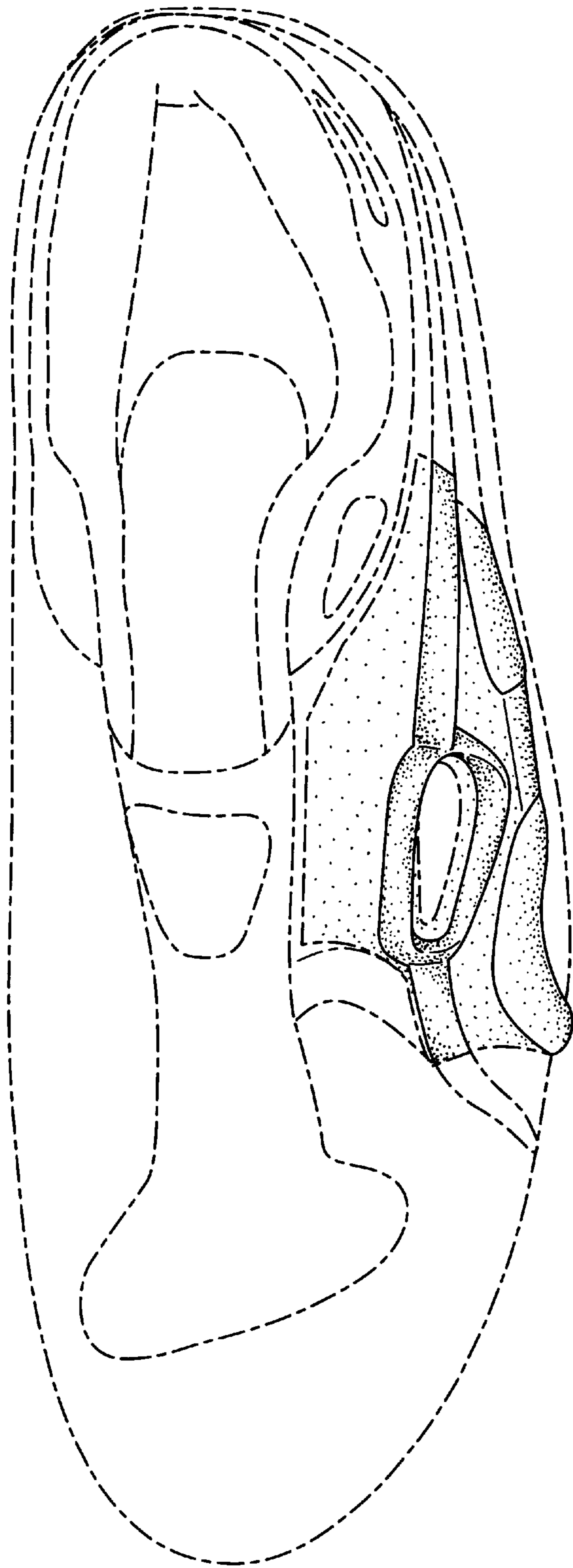


FIG. 3

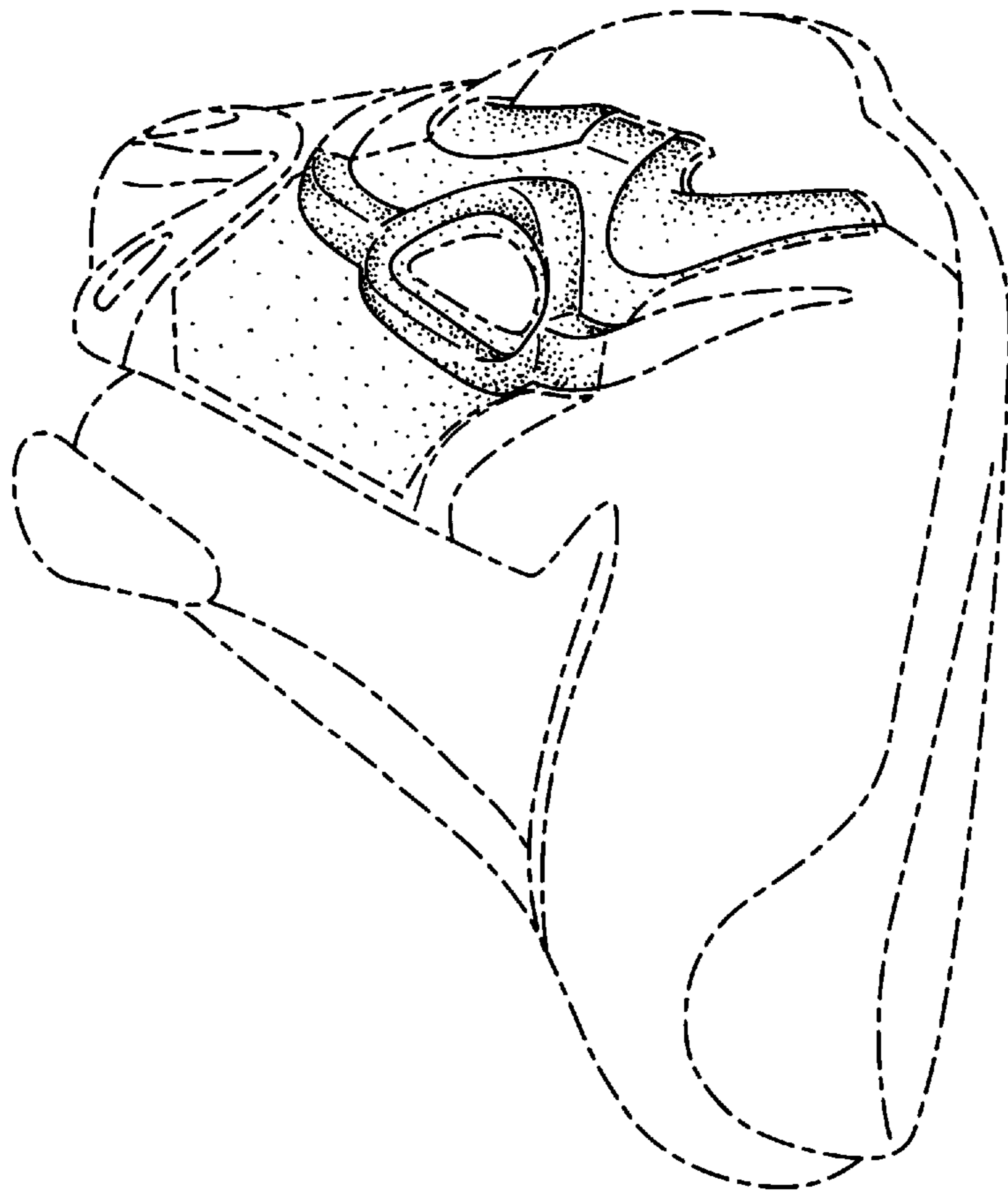


FIG. 4

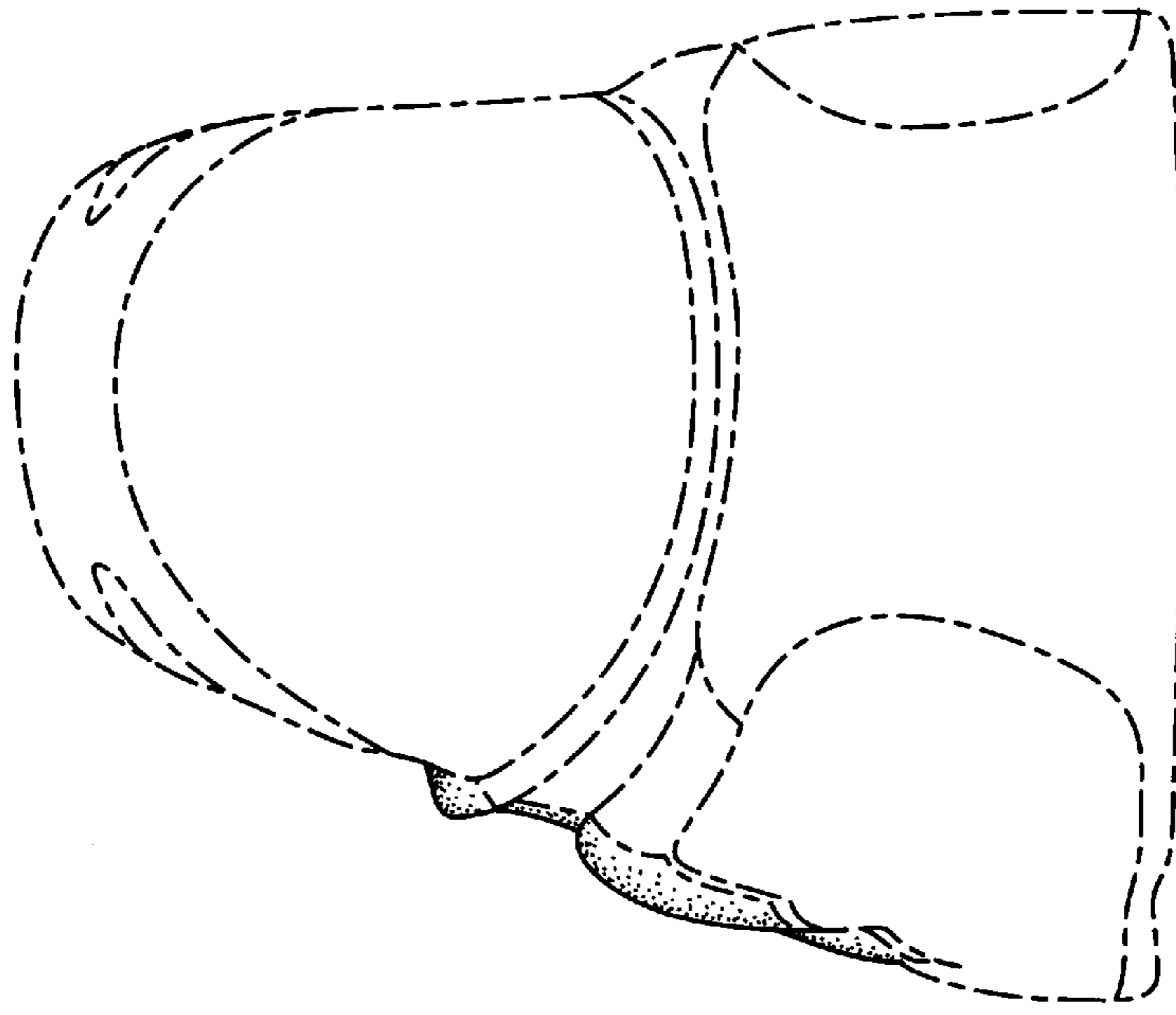


FIG. 5

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : Des 446,924 S
DATED : August 28, 2001
INVENTOR(S) : Robert McCourt

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It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page.

Item [56] **References Cited**, OTHER PUBLICATIONS, "Nike Late Spring 1996 Footwear Catalog, pp. 129, 171, 58, published Aug. 1995" has been replaced with -- Nike Late Spring 1996 Footwear Catalog, pp. 91, 129, 171, 58, published Aug. 1995 --

Signed and Sealed this

Twenty-sixth Day of March, 2002

Attest:



Attesting Officer

JAMES E. ROGAN
Director of the United States Patent and Trademark Office