

US00D467717S

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

(10) **Patent No.:** **US D467,717 S**

(45) **Date of Patent:** **\*\* Dec. 31, 2002**

(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.: **29/162,577**

(22) Filed: **Jun. 18, 2002**

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

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

(58) **Field of Search** ..... D2/896, 902, 907,  
D2/949, 969, 972, 973; 36/45, 50.1, 51,  
77 M, 77 R, 83, 88, 113, 114, 126-130

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

3,193,948 A	7/1965	Roberts	
D243,211 S	2/1977	Gamm	
D250,617 S	12/1978	Noches	
D393,347 S	4/1998	Kuerbis	
D395,348 S	6/1998	Smith, III	
D400,000 S	10/1998	Hatfield et al.	
D401,754 S	12/1998	Mervar	
D404,555 S	1/1999	Gray	
D407,548 S	4/1999	Holmes	
D413,194 S	8/1999	Cooper	
D413,720 S	* 9/1999	Smith, III	..... D2/972
D415,878 S	11/1999	Avar et al.	
D417,948 S	12/1999	Cooper	
D427,759 S	7/2000	Hlavacs	
D430,723 S	9/2000	Kim	
D431,102 S	9/2000	Clegg et al.	
D431,899 S	10/2000	Cooper	
D432,775 S	* 10/2000	McDowell	..... D2/972
D440,035 S	4/2001	Smith	
D446,632 S	8/2001	Swift	
D446,640 S	8/2001	Estey	
D449,923 S	11/2001	Doxey	
D452,992 S	1/2002	Smith	

**OTHER PUBLICATIONS**

“Nike Footwear Catalog” Spring 1990, published Jun. 1989, (p. 72) Beaverton, Oregon.

“Nike Footwear Catalog” Fall 1990, published Dec. 1989, (p. 138) Beaverton, Oregon.

“Nike Footwear Catalog” Fall 1991, published Dec. 1990, (pp. 52,62) Beaverton, Oregon.

“Nike Footwear Catalog” Spring 1993, published Jun. 1992, (p. 54) Beaverton, Oregon.

“Nike Footwear Catalog” Fall 1994 published Nov. 1993, (pp. 80, 124) Beaverton, Oregon.

(List continued on next page.)

*Primary Examiner*—Dominic Simone

(74) *Attorney, Agent, or Firm*—Trask Britt

(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;

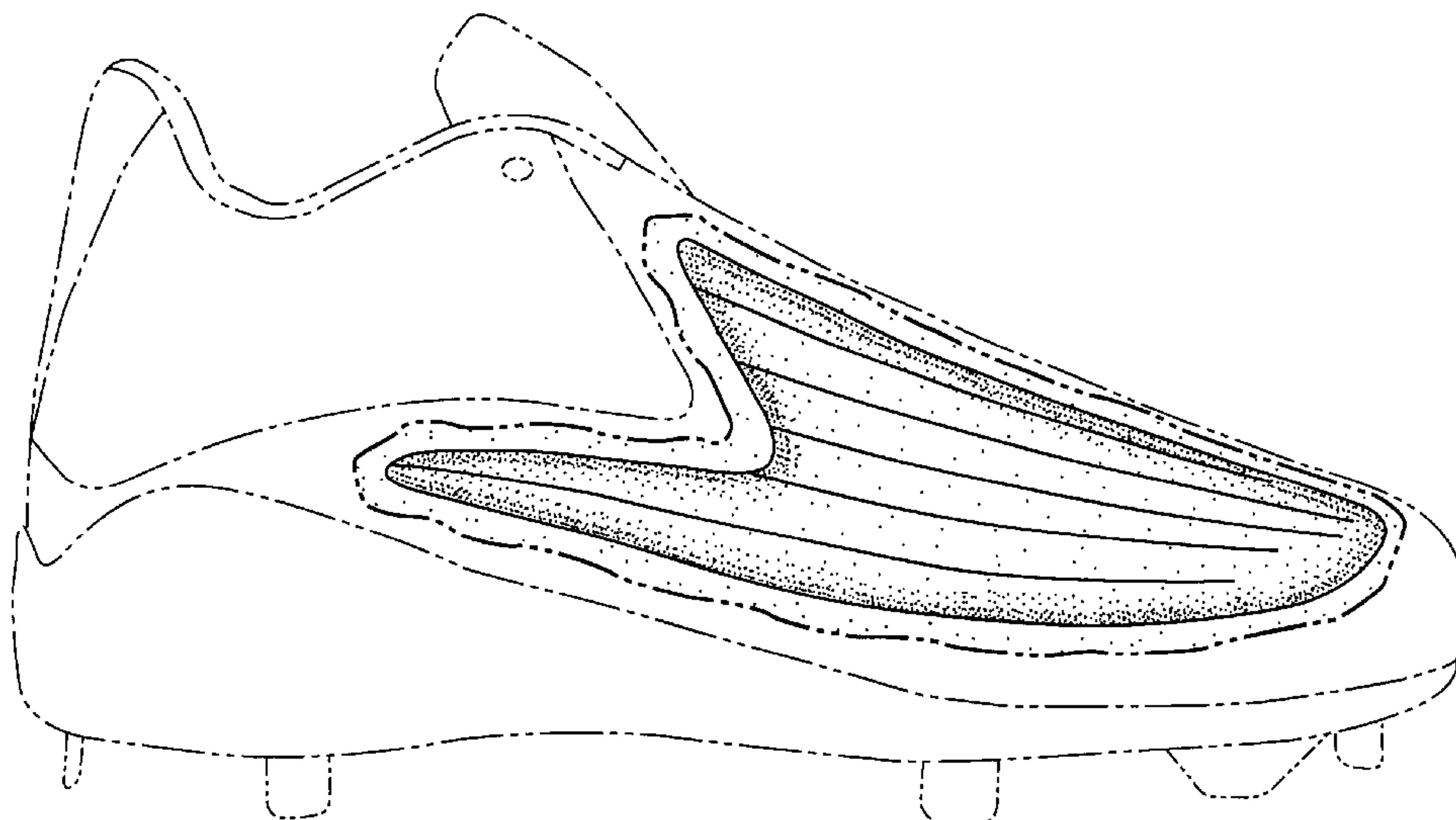
FIG. 3 is a front view of the side element of a shoe upper shown in FIG. 1;

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 uneven broken lines immediately adjacent to the shaded areas represent the bounds of the claimed design. All other uneven broken lines represent the remaining portion of the shoe. The uneven broken line representations 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” Spring 1995, published Jun. 1994, (pp. 36, 80) Beaverton, Oregon.

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

“Nike Footwear Catalog” Holiday 1998, published Feb. 1998, (p. M35) Beaverton, Oregon.

“Nike Footwear Catalog” Spring 2000, published Jul, 1999, (pp. M27, M46, W13) Beaverton, Oregon.

“Nike Footwear Catalog” Fall 2000, published Nov. 1999, (p. W13) Beaverton, Oregon.

“Nike Footwear Catalog” Spring 2001, published Jun. 2000, (pp. M14, M75, M125, W2, W3) Beaverton, Oregon.

“Nike Footwear Catalog” Late Spring 2001, published Sep. 2000, (pp. M3, W10, W36) Beaverton, Oregon.

“Nike Footwear Catalog” Fall 2001, published Nov. 2000, (pp. M31, M32, M6, M45, M114, 81) Beaverton, Oregon.

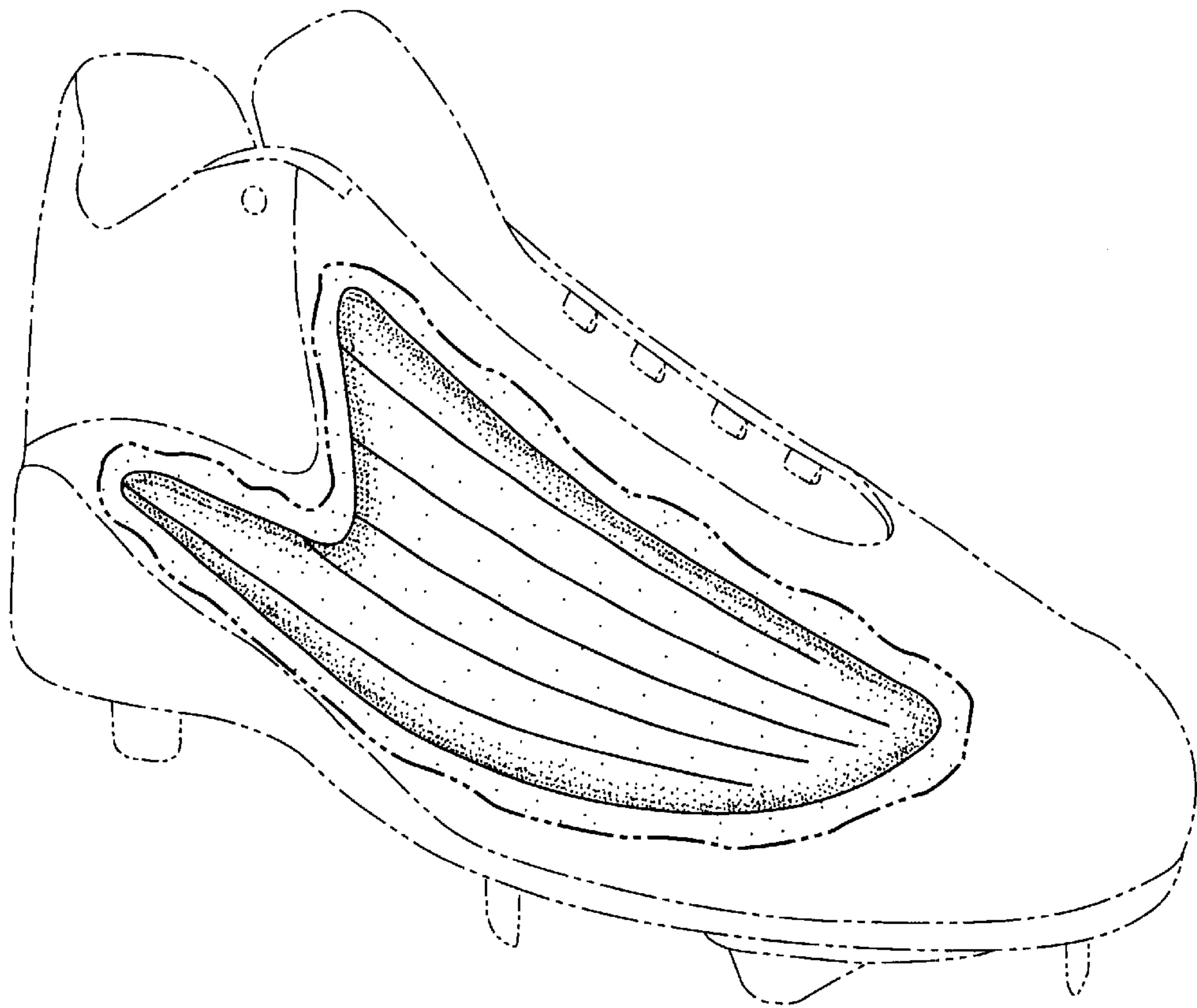
“Nike Footwear Catalog” Holiday 2001, published Feb. 2001, (p. M73) Beaverton, Oregon.

“Nike Footwear Catalog” Spring 2002, published Jun. 2001, (pp. M63, M67, W20, W43) Beaverton, Oregon.

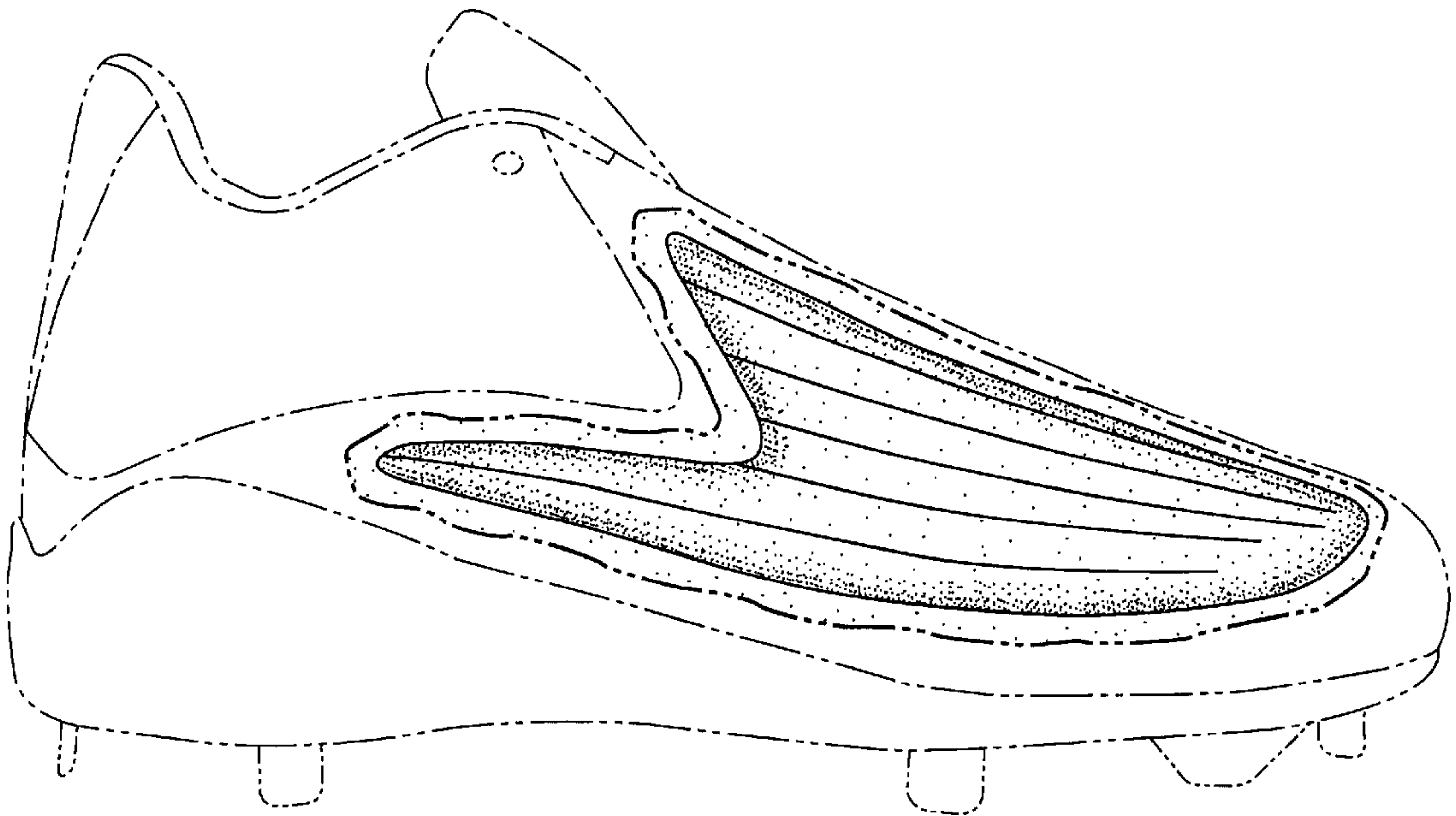
“Nike Footwear Catalog” Late Spring 2002, published Sep. 2001, (pp. M9, M69) Beaverton, Oregon.

“Nike Footwear Catalog” Fall 2002, published Nov. 2001, (pp. M56, M73) Beaverton, Oregon.

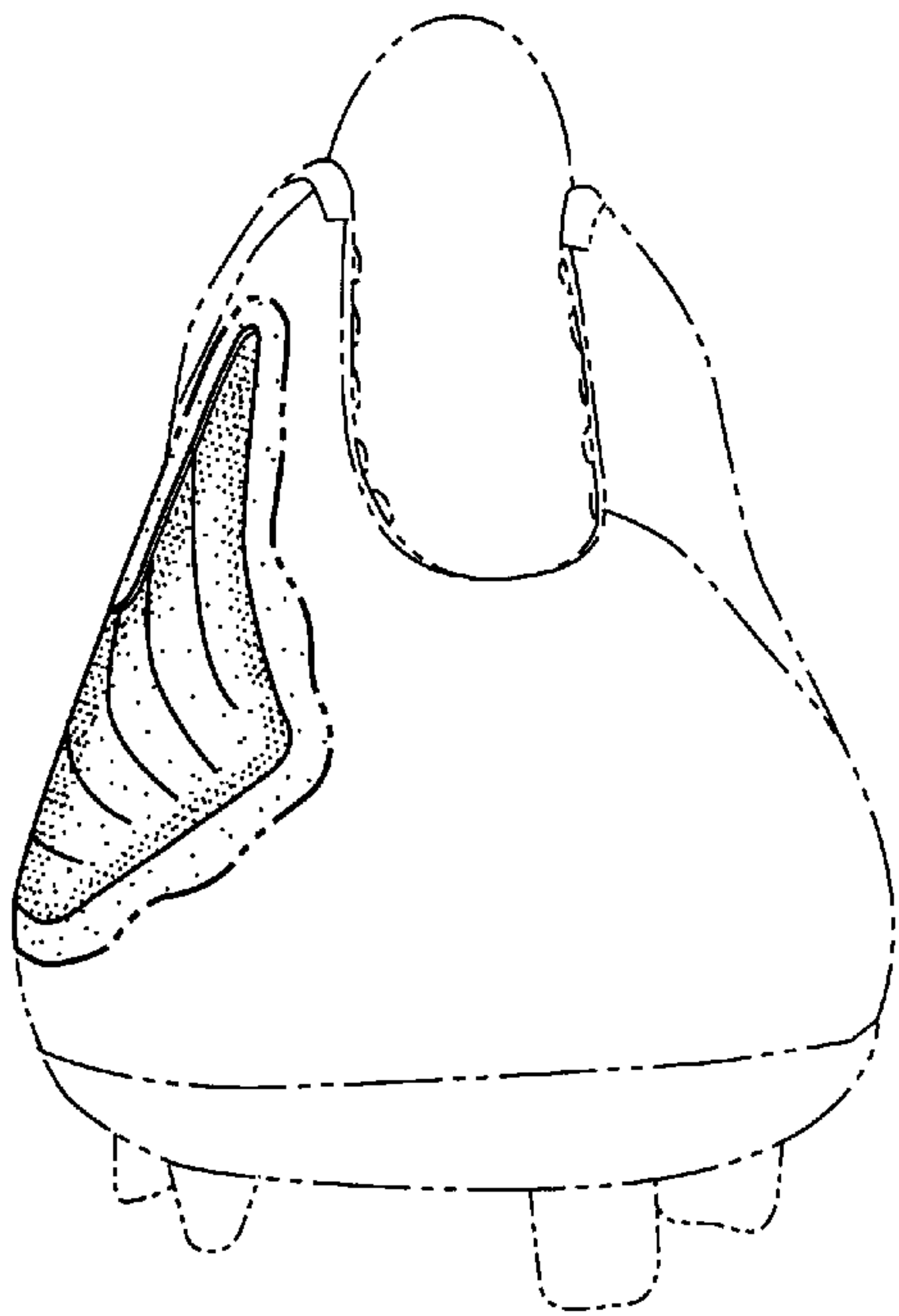
\* cited by examiner



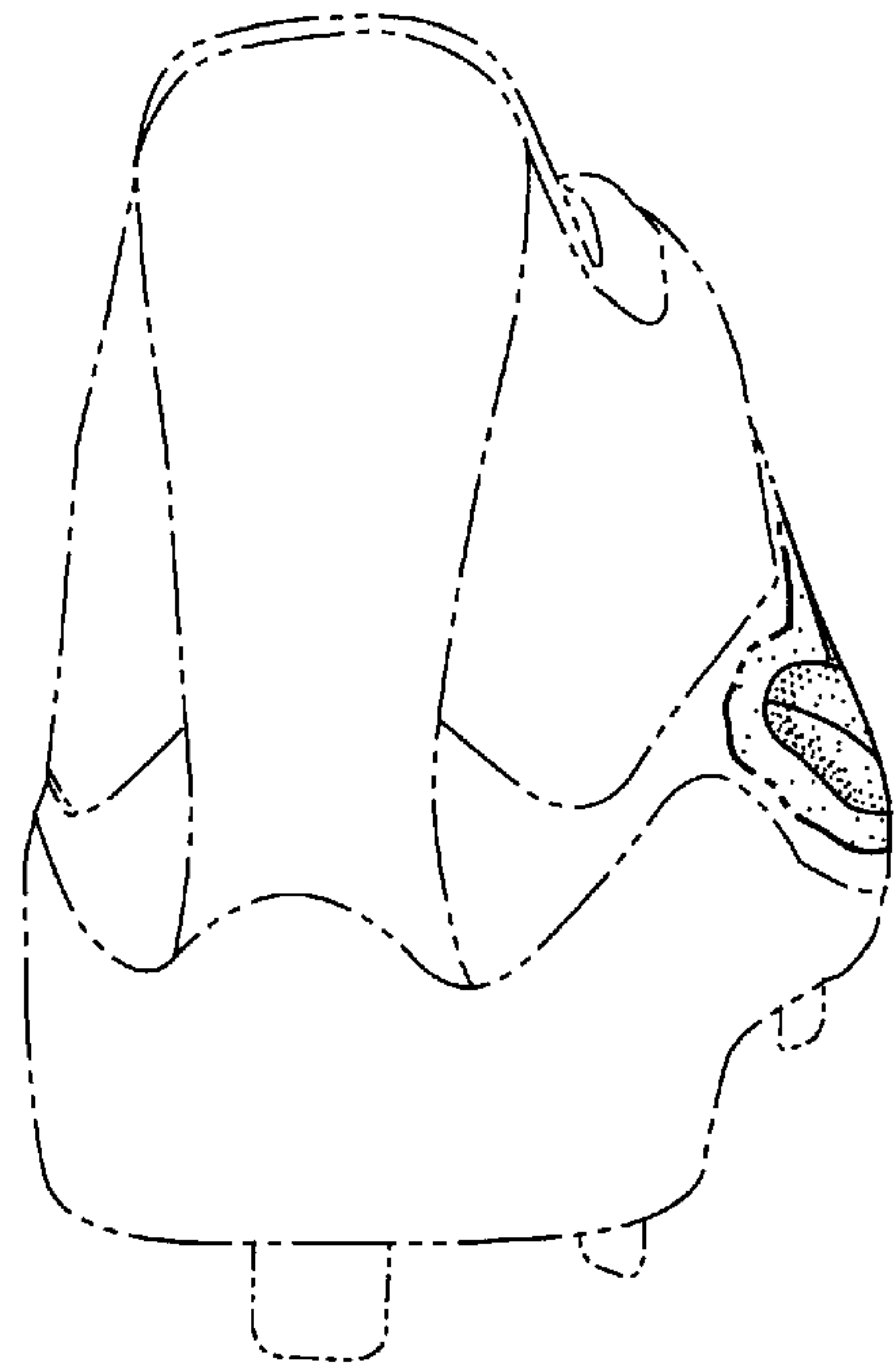
**Fig. 1**



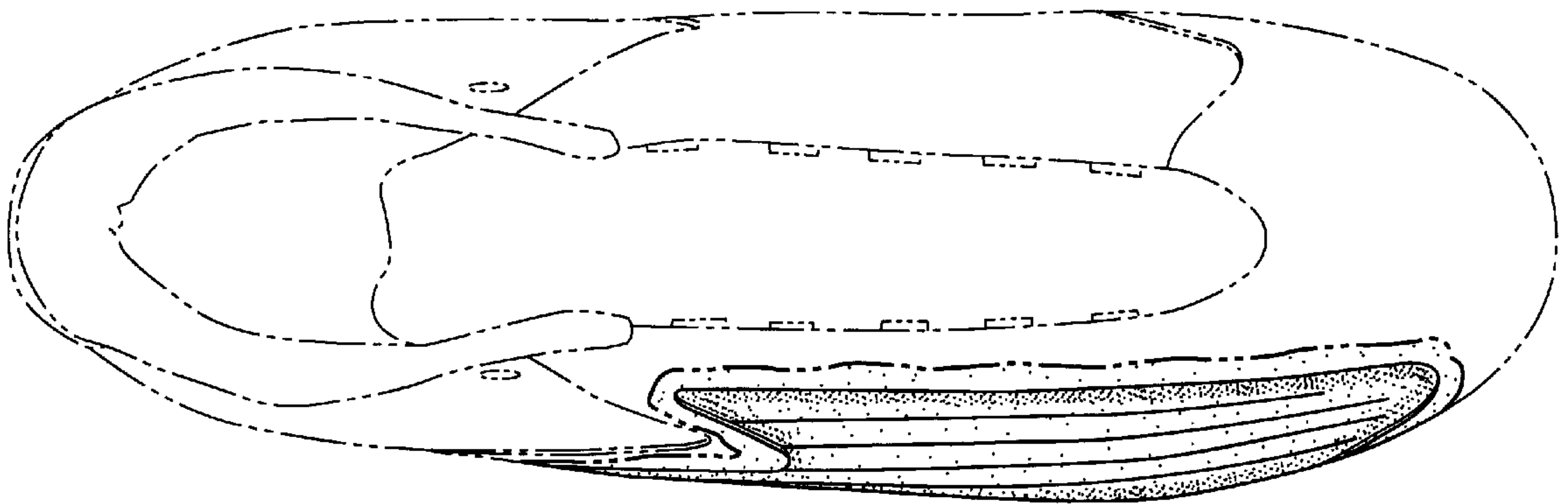
**Fig. 2**



**Fig. 3**



**Fig. 4**



**Fig. 5**