



US00D467721S

(12) **United States Design Patent** (10) **Patent No.:** **US D467,721 S**  
**Lupo** (45) **Date of Patent:** **\*\* Dec. 31, 2002**

(54) **PORTION OF A SHOE UPPER**  
(75) Inventor: **Bo Lupo**, Portland, OR (US)  
(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)  
(\*\*) Term: **14 Years**  
(21) Appl. No.: **29/163,873**  
(22) Filed: **Jul. 12, 2002**  
(51) **LOC (7) Cl.** ..... **02-99**  
(52) **U.S. Cl.** ..... **D2/972**  
(58) **Field of Search** ..... D2/896, 902, 907,  
D2/946, 969, 972, 973; 36/45, 50.1, 51,  
77 M, 77 R, 83, 88, 113, 114, 126-130

D452,991 S 1/2002 Estey  
D452,992 S 1/2002 Smith  
D459,869 S \* 7/2002 Doxey ..... D2/972

**OTHER PUBLICATIONS**

Nike Footwear Catalog Fall 1987, p. 88, published Jan. 1987.  
Nike Footwear Catalog Fall 1992, p. 98, published Dec. 1991.  
Nike Footwear Catalog Spring 1993, p. 124, published Jun. 1992.  
Nike Footwear Catalog Spring 1994, p. 118, published Jun. 1993.  
Nike Footwear Catalog Late Spring 1994, p. 32, published Sep. 1993.  
Nike Footwear Catalog Holiday 1994, pp. 12, 32, published Mar. 1994.  
Nike Footwear Catalog Holiday 1995, p. 107, published Mar. 1995.  
Nike Footwear Catalog Spring 1996, p. 29, published Jun. 1995.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D299,784 S 2/1989 Brown et al.  
D319,529 S 9/1991 Hatfield  
D382,100 S 8/1997 Tresser  
D383,561 S 9/1997 Tresser  
D385,095 S 10/1997 Avar et al.  
D386,596 S 11/1997 Avar  
D386,603 S 11/1997 Avar  
D386,895 S 12/1997 Hatfield  
D387,550 S 12/1997 Ng et al.  
D387,850 S 12/1997 Hatfield et al.  
D388,598 S 1/1998 Hatfield  
D388,682 S 1/1998 Hudson  
D397,852 S 9/1998 Smith, III  
D397,860 S 9/1998 Avar  
D398,764 S 9/1998 Hlavacs  
D407,551 S \* 4/1999 Doxey ..... D2/972  
D415,883 S 11/1999 Kozo  
D415,884 S 11/1999 Kozo  
D427,759 S 7/2000 Hlavacs  
D428,693 S 8/2000 Hlavacs  
D431,715 S \* 10/2000 Hatfield et al. .... D2/972  
D431,899 S 10/2000 Cooper  
D432,775 S 10/2000 McDowell  
D440,753 S 4/2001 Morris  
D441,948 S 5/2001 Link  
D442,773 S 5/2001 Smith  
D450,918 S 11/2001 Lozano

(List continued on next page.)

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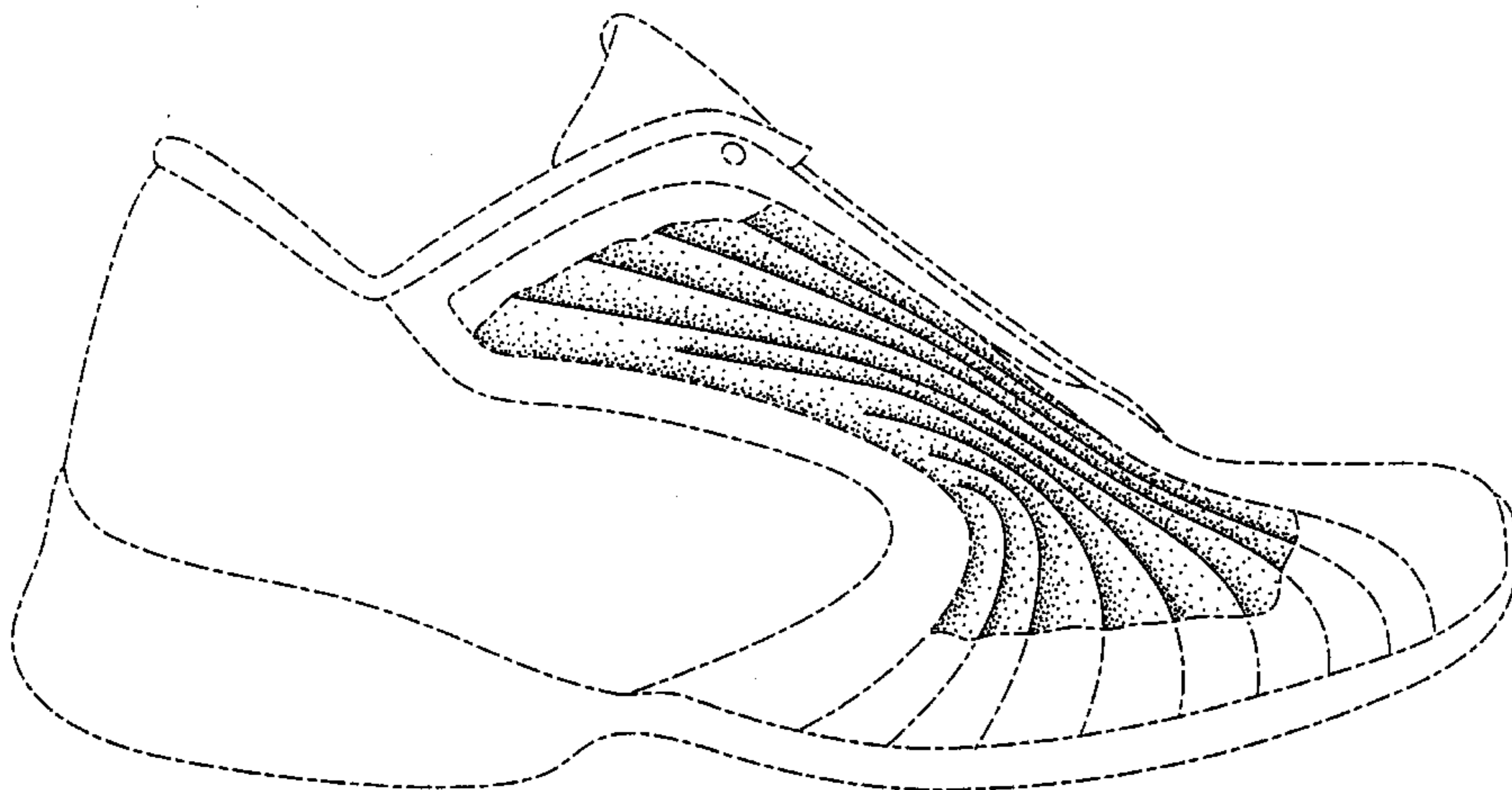
(57) **CLAIM**

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 view thereof;  
FIG. 3 is a top view thereof;  
FIG. 4 is a front view thereof; and,  
FIG. 5 is a rear view thereof.  
The uneven broken line immediately adjacent to the shaded area represents a boundary of the unclaimed design. The uneven broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 4 Drawing Sheets**



OTHER PUBLICATIONS

Nike Footwear Catalog Holiday 1996, p. 75, published Mar. 1996.

Nike Footwear Catalog Spring 1997, pp. 6, 24, 132, published Jun. 1996.

Nike Footwear Catalog Fall 1997, pp. 26, 27, 50, published Dec. 1996.

Nike Footwear Catalog Holiday 1997, pp. 3, 29, 53, published Mar. 1997.

Nike Footwear Catalog Spring 1998, p. 34, published Jun. 1997.

Nike Footwear Catalog Late Spring 1998, p. 51, published Sep. 1997.

Nike Footwear Catalog Spring 1999, p. 2, published Jun. 1998.

Nike Footwear Catalog Fall 1999, p. M33, published Nov. 1998.

Nike Footwear Catalog Spring 2000 #2, pp. W9, W31, published Jul. 1999.

Nike Footwear Catalog Fall 2000 #1, p. M39, published Nov. 1999.

Nike Footwear Catalog Holiday 2000, pp. M11, M19, published Mar. 2000.

Nike Footwear Catalog Holiday 2001, pp. W12, W67, M28, M35, published Feb. 2001.

Nike Footwear Catalog Fall 2002, p. M39, published Nov. 2001.

Nike Footwear Catalog Spring 2002, p. M7, published Jun. 2001.

\* cited by examiner

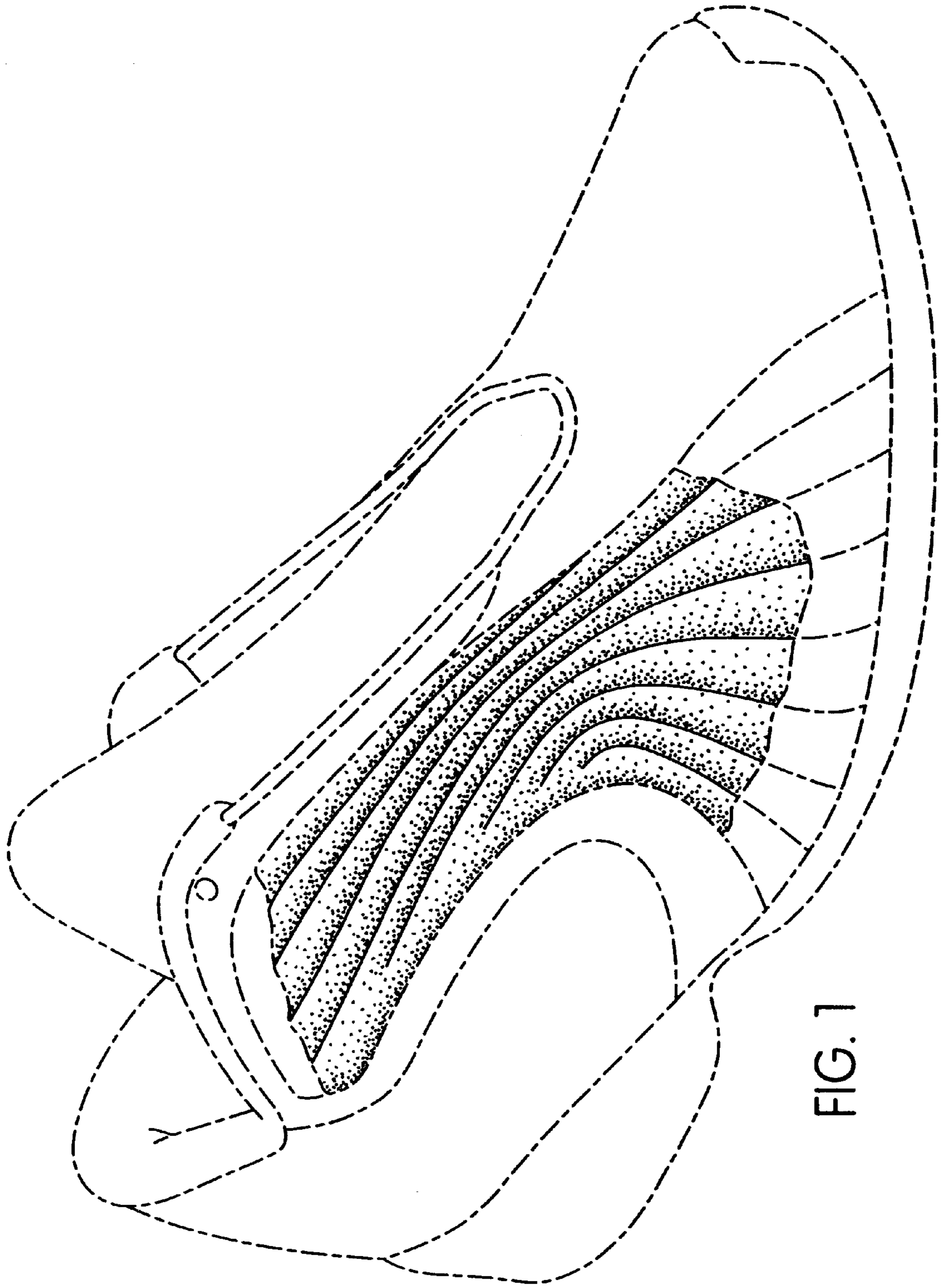


FIG. 1

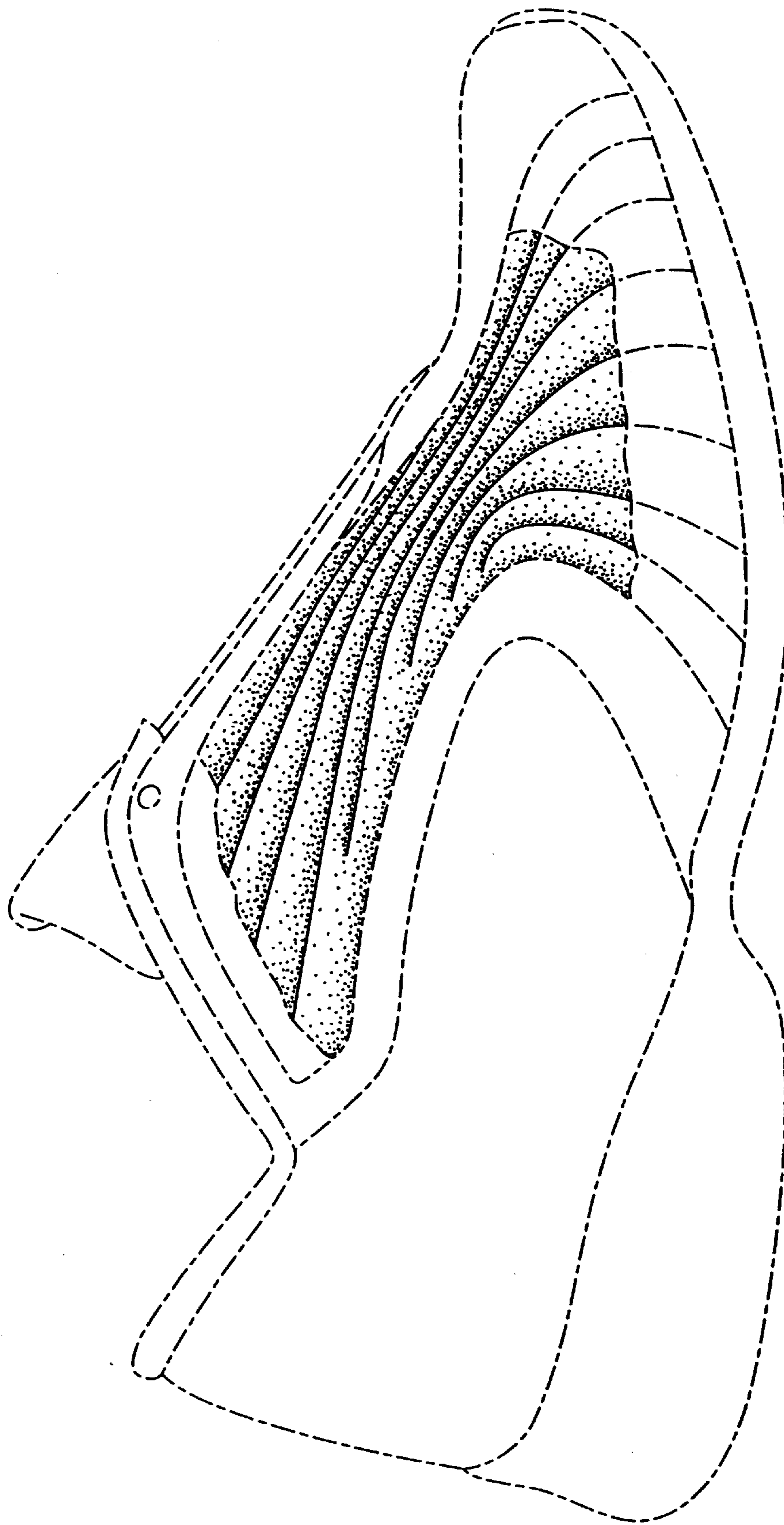


FIG. 2

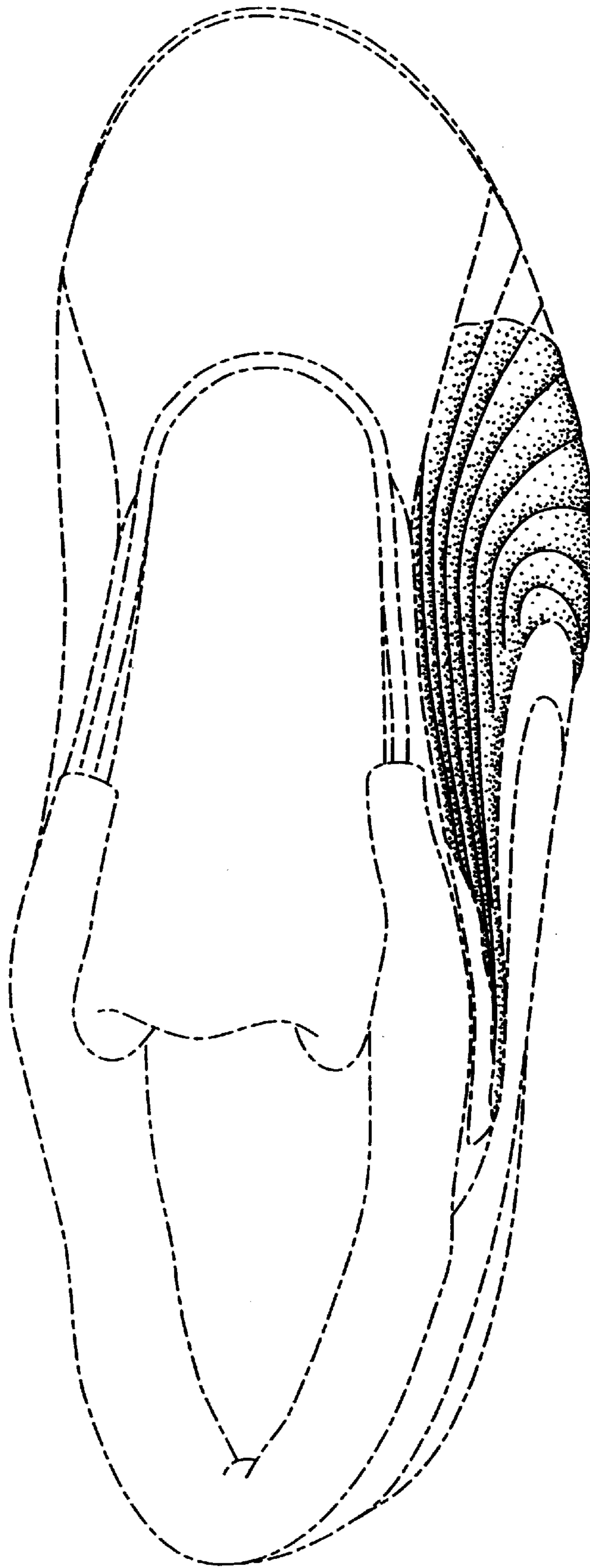


FIG. 3

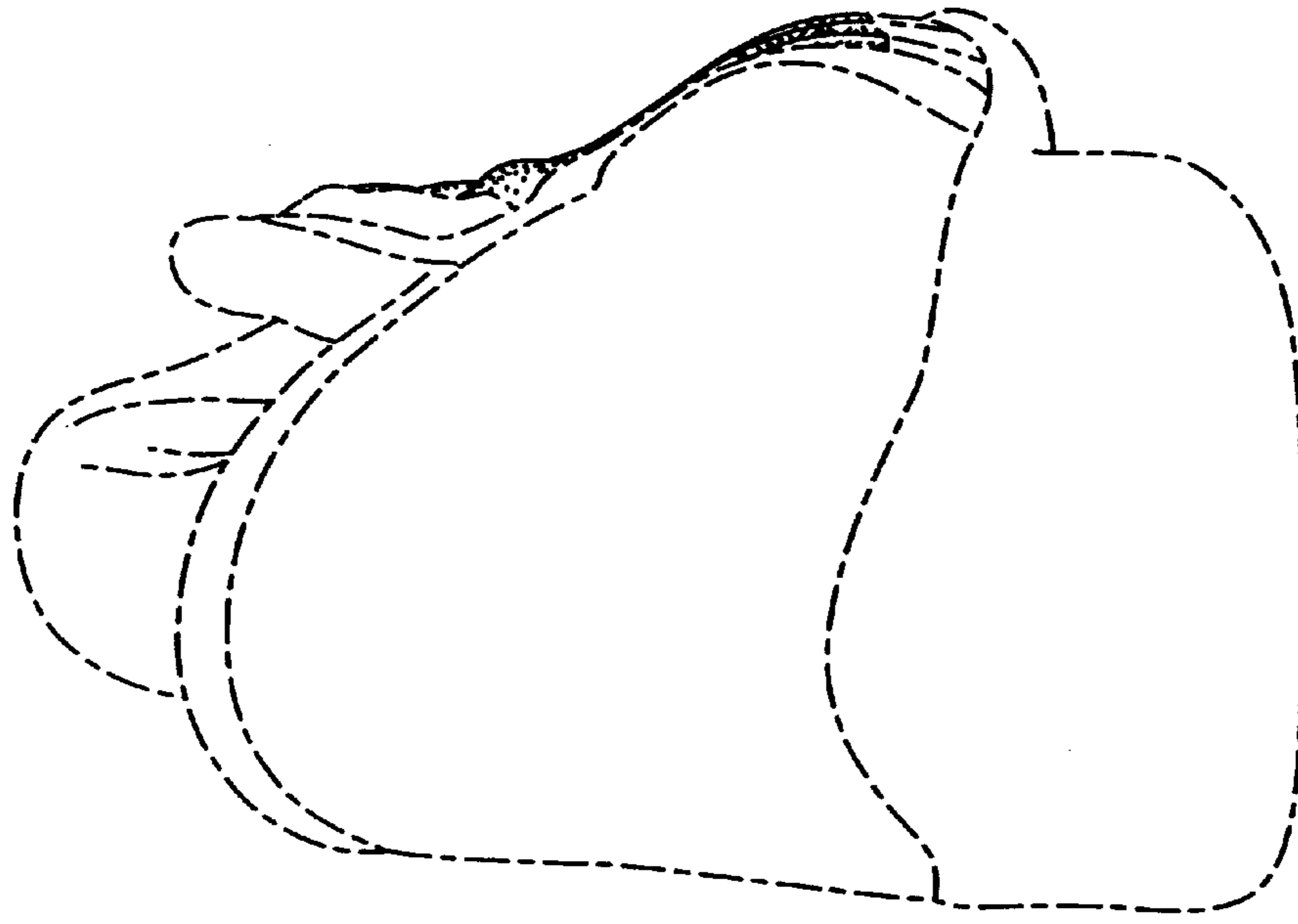


FIG. 5

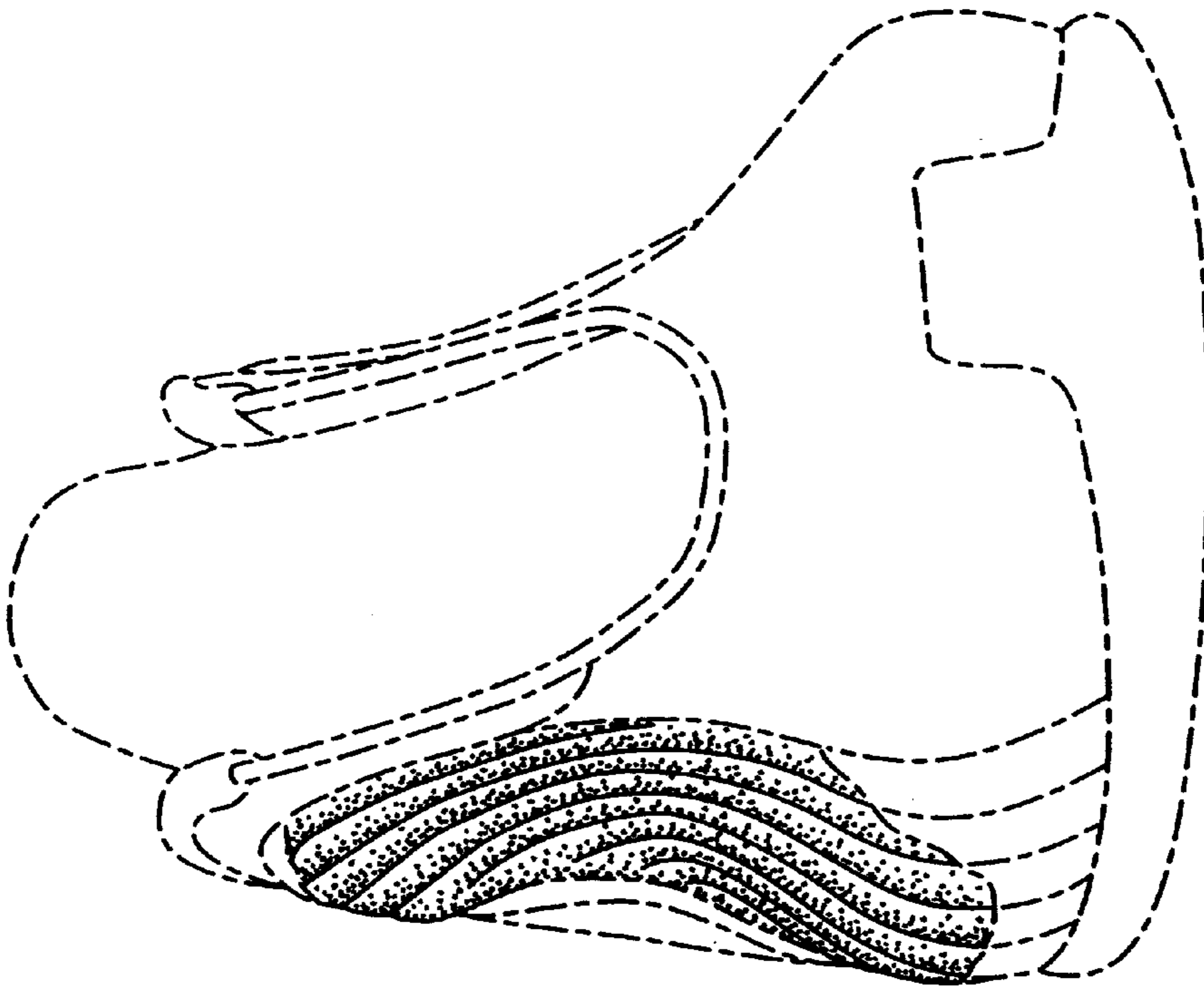


FIG. 4

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : Des. 467,721 S  
DATED : December 31, 2002  
INVENTOR(S) : Bo Lupo

Page 1 of 1

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 Footwear Catalog Holiday 1996, p. 75, published Mar. 1996.” has been replaced with -- Nike Footwear Catalog Holiday 1996, p. 45, published Mar. 1996. --

Signed and Sealed this

Twenty-ninth Day of April, 2003

A handwritten signature in black ink, appearing to read "James E. Rogan", with a horizontal line drawn underneath it.

JAMES E. ROGAN

*Director of the United States Patent and Trademark Office*