



US00D475518S

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

(10) **Patent No.:** **US D475,518 S**

(45) **Date of Patent:** **** Jun. 10, 2003**

- (54) **PORTION OF A SHOE UPPER**
- (75) Inventor: **Martin M Lotti**, Beaverton, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**

- D414,599 S 10/1999 Doxey
- D415,883 S 11/1999 Kozo
- D415,884 S 11/1999 Kozo
- D423,205 S 4/2000 Fallon
- D425,694 S 5/2000 Fogg

(List continued on next page.)

- (21) Appl. No.: **29/162,721**
- (22) Filed: **Jun. 21, 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, 927; 36/45, 50.1,
51, 77 M, 77 R, 83, 88, 113, 114, 126-130

OTHER PUBLICATIONS

- Nike Footwear 1985 Spring Freestyle, p. 28, published 1985.
- Nike Footwear 1985 Spring Athletic, p. 46, published 1985.
- Nike Footwear 1985 Footwear, pp. 47, 49, published Dec. 1984.
- Nike Footwear Spring 1986, p. 47, published Jun. 1985.
- Nike Footwear Fall 1989, p. 108, published Dec. 1988.
- Nike Footwear Spring 1990, p. 132, published Jun. 1989.
- Nike Footwear Fall 1991, pp. 10, 130, published Dec. 1990.
- Nike Footwear Spring 1992, p. 92, published May 1991.

(List continued on next page.)

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D90,234 S 7/1933 Daniels
- D93,590 S 10/1934 Werthiem
- D97,613 S 11/1935 Mackey
- 2,039,476 A * 5/1936 Dunbar 36/7.3
- D103,586 S * 3/1937 Perugia D2/910
- D103,588 S * 3/1937 Perugia D2/910
- D116,598 S 9/1939 Pick
- D119,324 S * 5/1940 Bernstein D2/927
- 2,382,559 A 8/1945 Goldstein
- D244,727 S 6/1977 Borri
- D250,617 S 12/1978 Noches
- D312,919 S 12/1990 Aveni
- D330,967 S 11/1992 Aveni et al.
- D382,699 S 8/1997 Avar
- D383,294 S * 9/1997 Lozano D2/972
- D383,561 S 9/1997 Tresser
- D391,068 S 2/1998 Aveni et al.
- D393,142 S 4/1998 Brown
- D393,347 S 4/1998 Kuerbis
- D395,348 S 6/1998 Smith, III
- D397,861 S 9/1998 Teague
- D407,548 S 4/1999 Holmes
- D412,235 S 7/1999 Taylor et al.
- D412,780 S 8/1999 Hatfield et al.
- D413,194 S 8/1999 Cooper
- D413,717 S * 9/1999 Smith, III D2/972

Primary Examiner—Dominic Simone
(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd

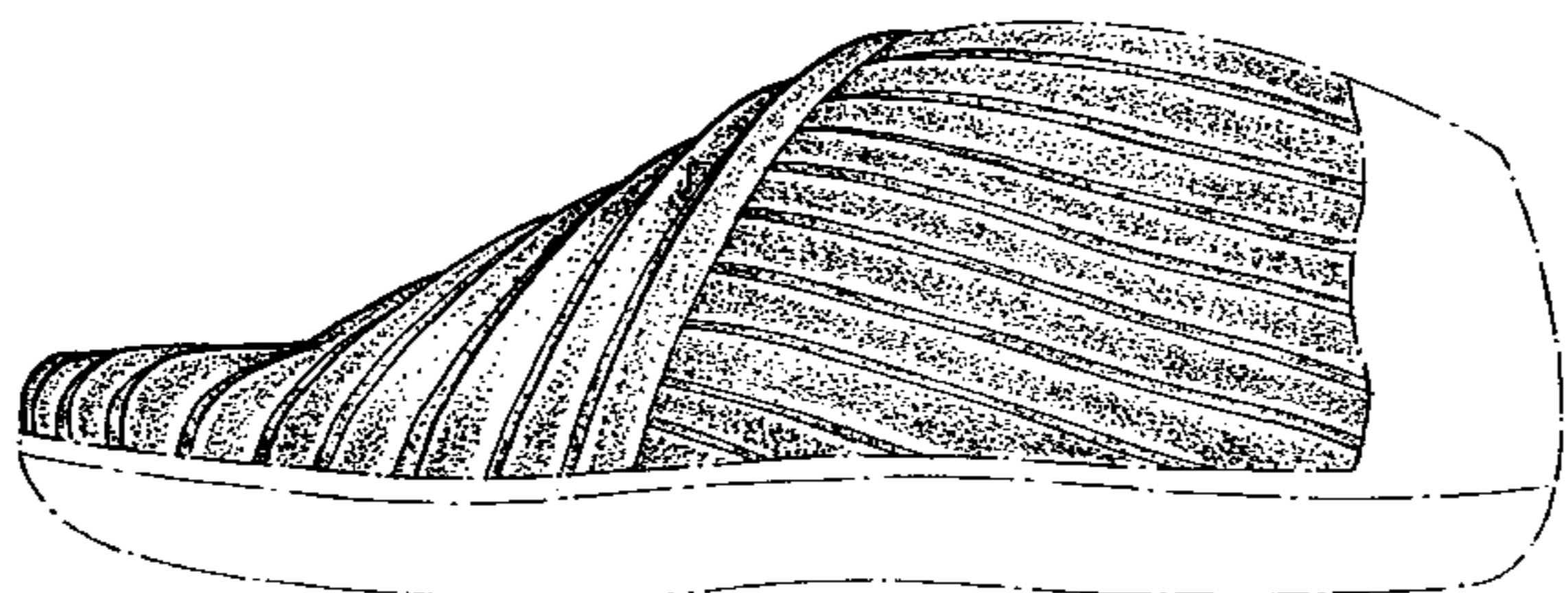
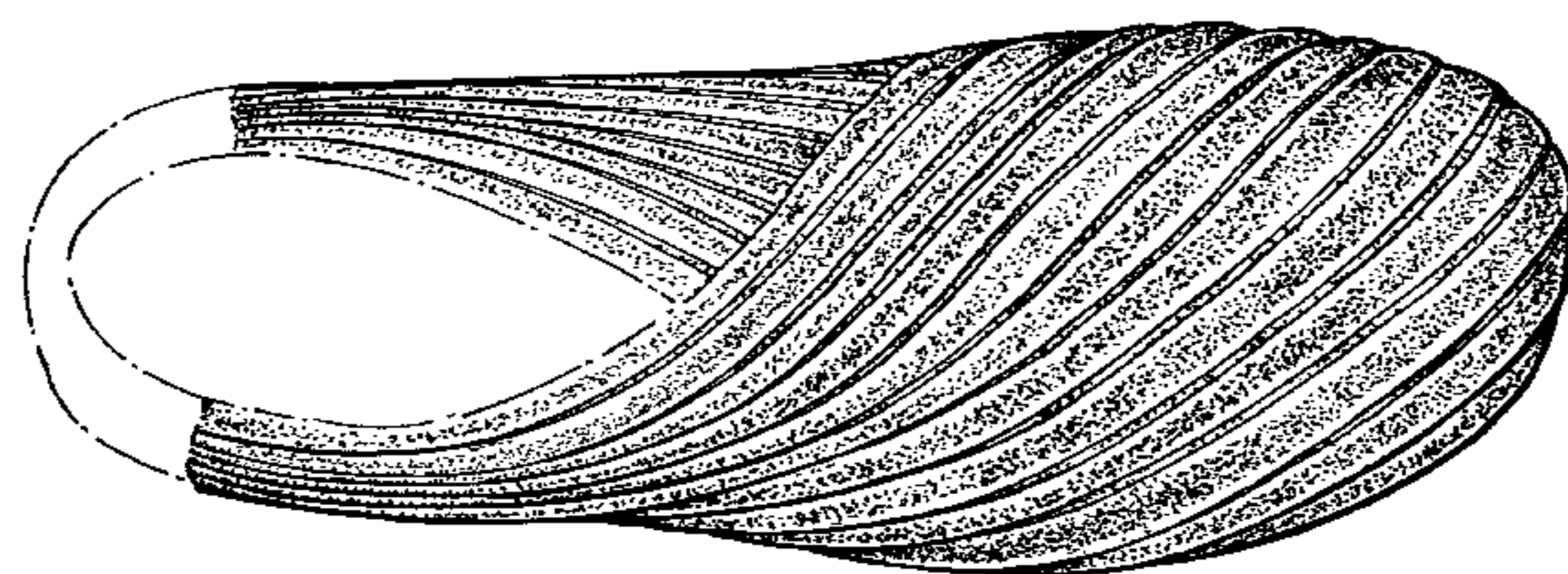
(57) **CLAIM**

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 of one side thereof;
 FIG. 3 is a front elevational view thereof;
 FIG. 4 is a rear elevational view thereof;
 FIG. 5 is a top plan view thereof; and,
 FIG. 6 is a side elevational view of the other side thereof.
 The uneven broken line immediately adjacent to the shaded area represents a boundary of the claimed design. The uneven broken line showing the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



U.S. PATENT DOCUMENTS

D427,759 S	7/2000	Hlavacs	
D430,723 S	9/2000	Kim	
D431,899 S	10/2000	Cooper	
D432,776 S	10/2000	McDowell	
D440,389 S	4/2001	Lozano	
D441,182 S	5/2001	Link	
D441,948 S	5/2001	Link	
D446,632 S	8/2001	Swift	
D449,923 S	11/2001	Doxey	
D451,271 S	12/2001	Gerber	
D459,867 S	7/2002	Morris	
D461,304 S	* 8/2002	Clegg D2/972

OTHER PUBLICATIONS

Nike Footwear Spring 1993, p. 32, published Jun. 1992.
 Nike Footwear Late Spring 1996, pp. 5, 26, 73, published Aug. 1995.
 Nike Footwear Holiday 1996, pp. 22, 79, published Mar. 1996.
 Nike Footwear Spring 1997, pp. 42, 131, 132, 142, published Jun. 1996.
 Nike Footwear Fall 1997, pp. 26, 144, published Dec. 1996.
 Nike Footwear Spring 1998, p. 30, 115, published Jun. 1997.
 Nike Footwear Late Spring 1998, pp. 116, 125, published Sep. 1997.
 Nike Footwear Fall 1998, pp. 58, 211, published Dec. 1997.
 Nike Footwear Late Fall 1998, p. 128, published Mar. 1998.

Nike Footwear Holiday 1998, p. 11, published Feb. 1998.
 Nike Footwear Spring 1999, p. W36, published Jun. 1998.
 Nike Footwear Fall 1999, pp. W21, W112, M134, published Nov. 1998.
 Nike Footwear Holiday 1999, p. M43, published Mar. 1999.
 Nike Footwear Spring 2000 #1, pp. W9, W19, published Jul. 1999.
 Nike Footwear Fall 2000 #1, pp. M31, M33, M58, M76, M106, published Nov. 1999.
 Nike Footwear Holiday 2000, pp. M29, M75, W12, W80, published Mar. 2000.
 Nike Footwear Spring 2001, pp. M2, M6, M28, M30, published Jun. 2000.
 Nike Footwear Late Spring 2001, p. M80, published Sep. 2000.
 Nike Footwear Fall 2001, pp. M31, M32, W36, W66, published Nov. 2000.
 Nike Footwear Holiday 2001, p. M26, published Feb. 2001.
 Nike Footwear Spring 2002, pp. W42, M28, published Jun. 2001.
 Nike Footwear Late Spring 2002, pp. M30, W15, published Sep. 2001.
 Nike Footwear Fall 2002, pp. M17, W14, published Nov. 2001.
 Nike Footwear Jordan Fall 2002, p. 6, published Nov. 2001.
 Nike Footwear Holiday 2002, p. M29, published Mar. 2002.

* cited by examiner

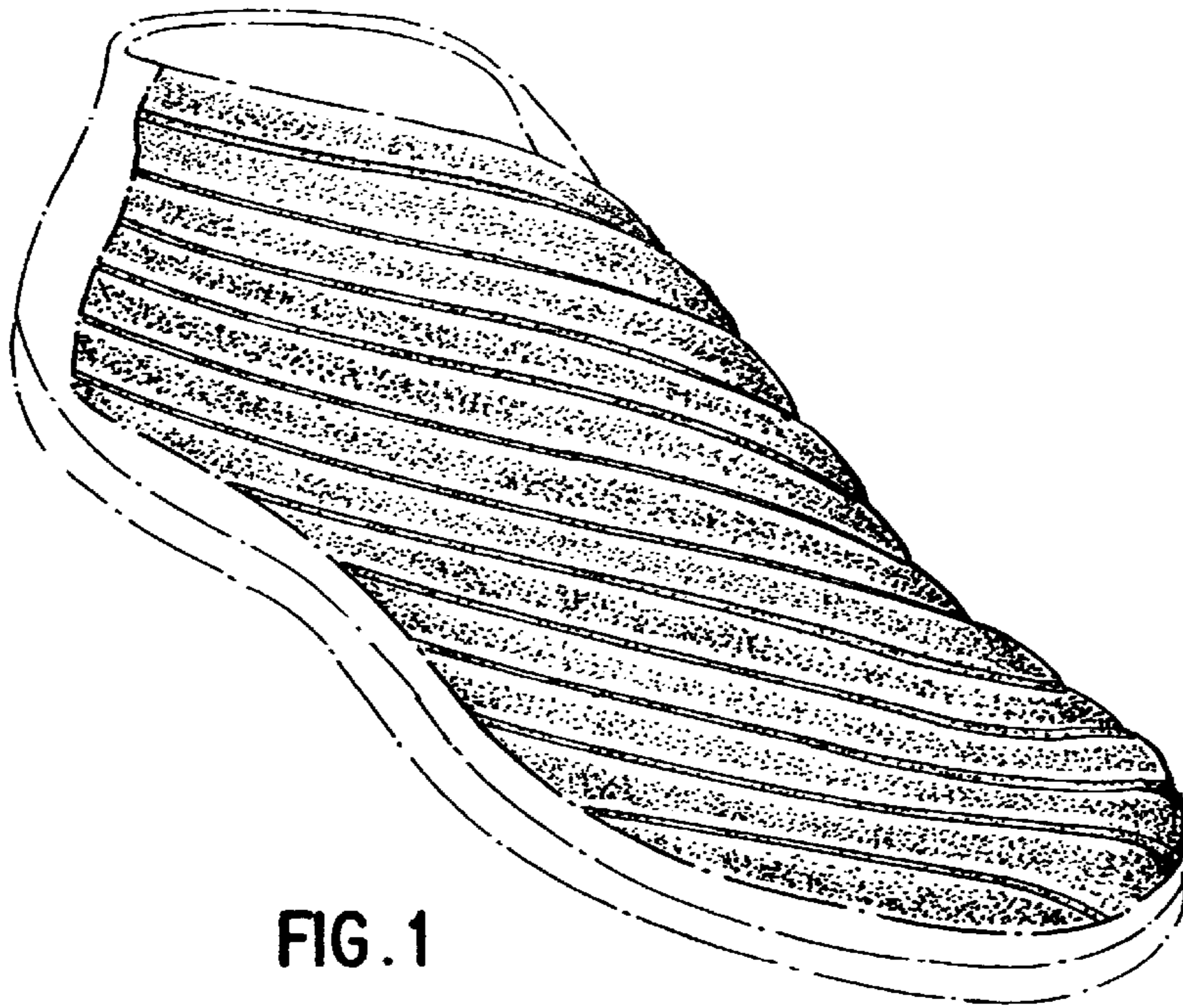


FIG. 1

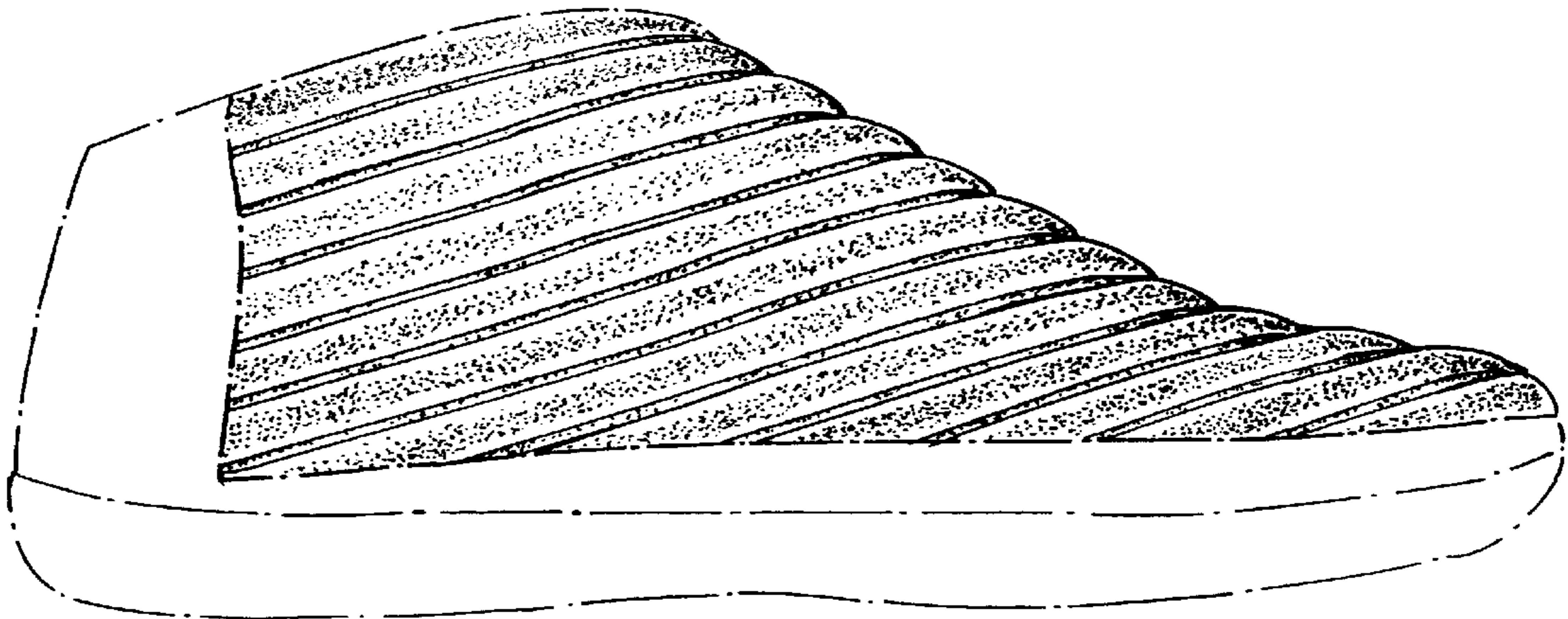


FIG. 2

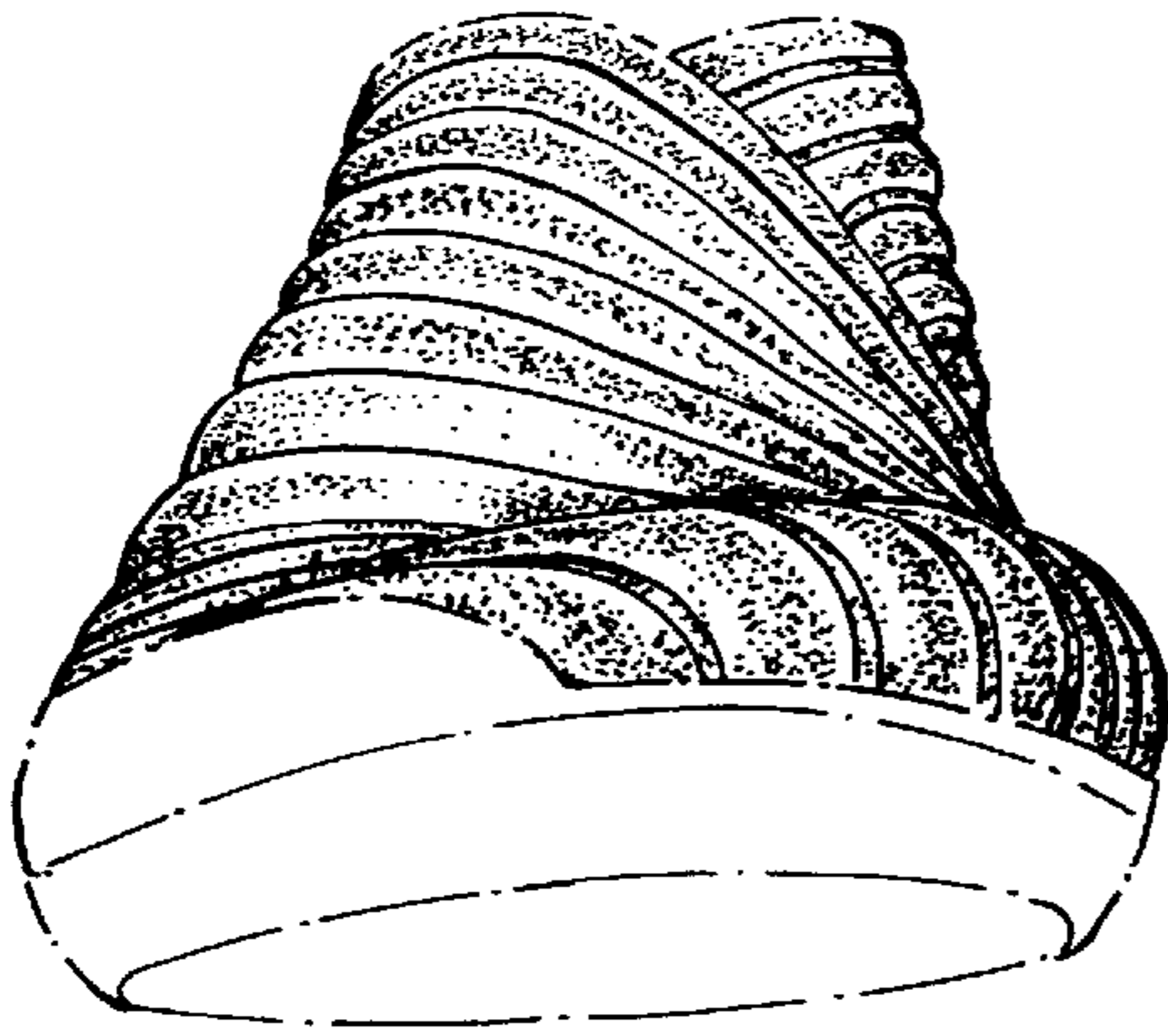


FIG. 3

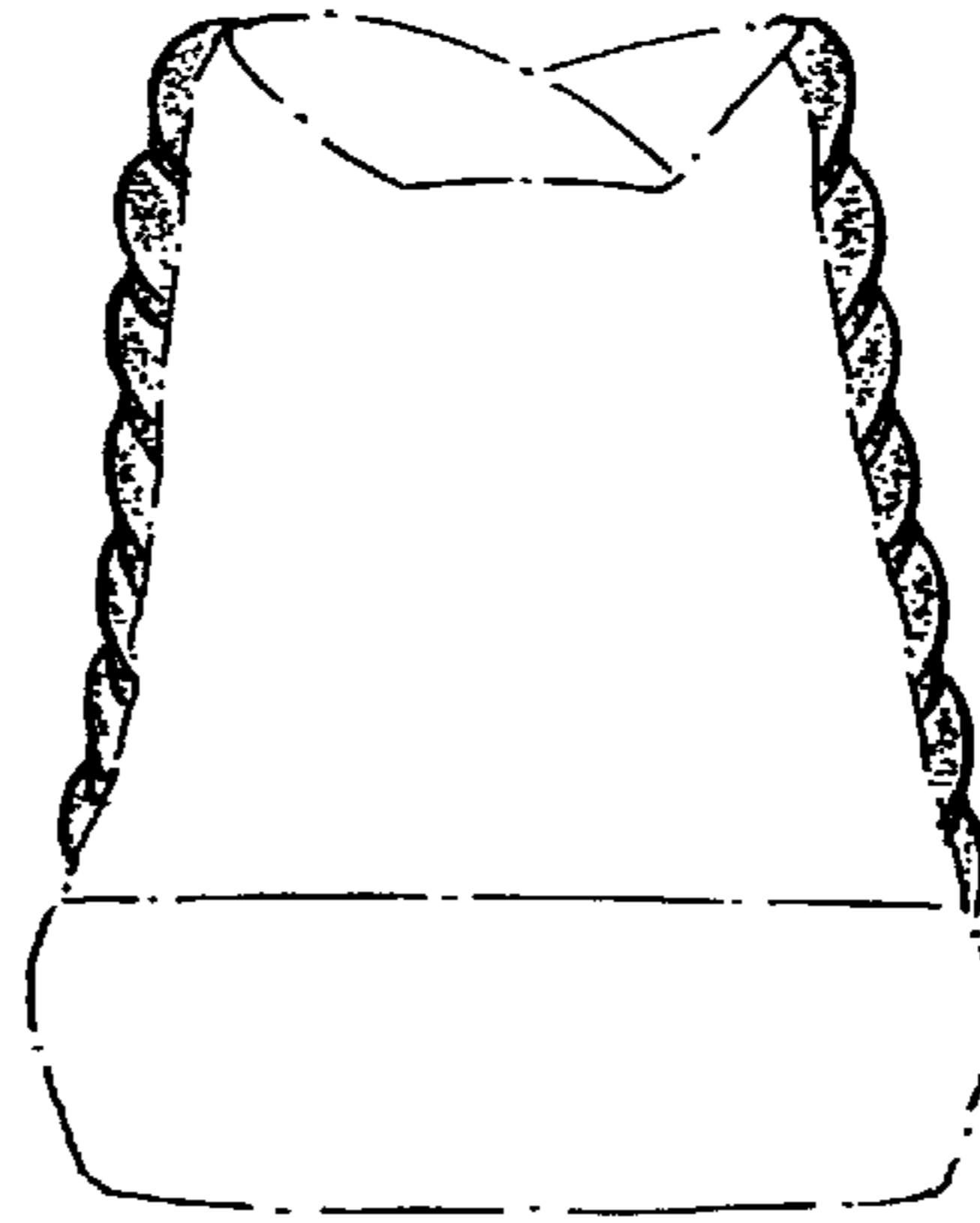


FIG. 4

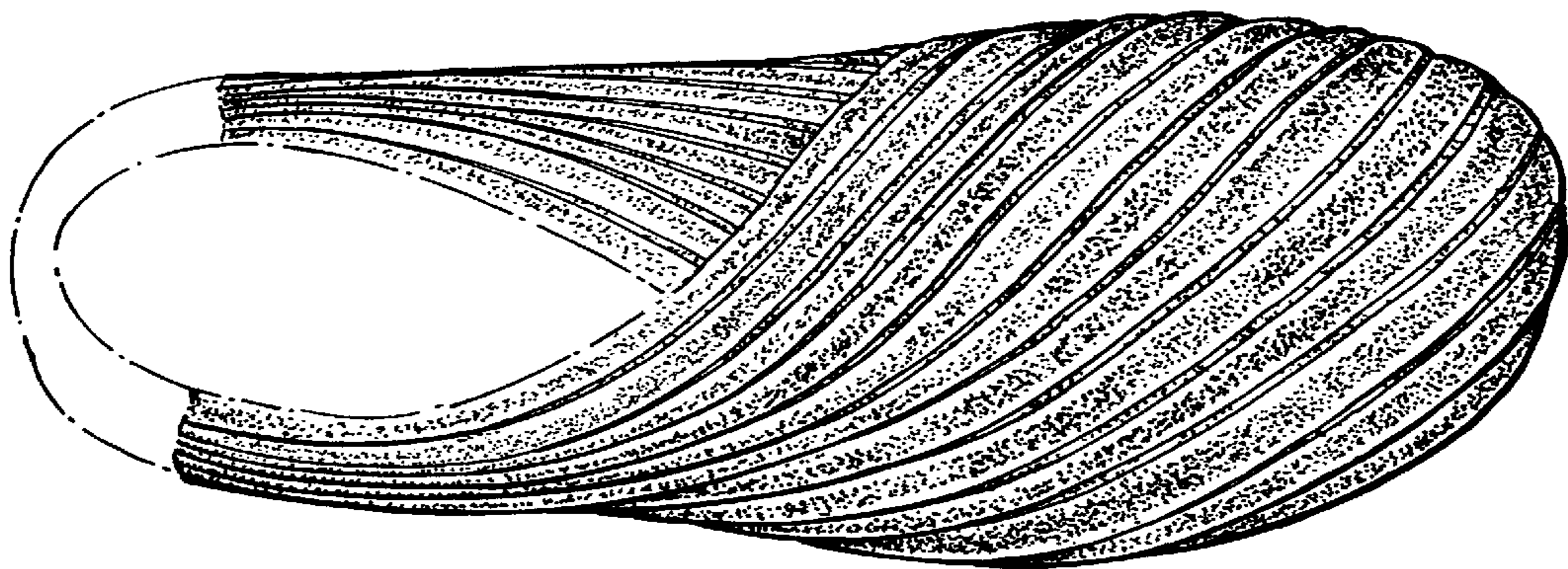


FIG. 5

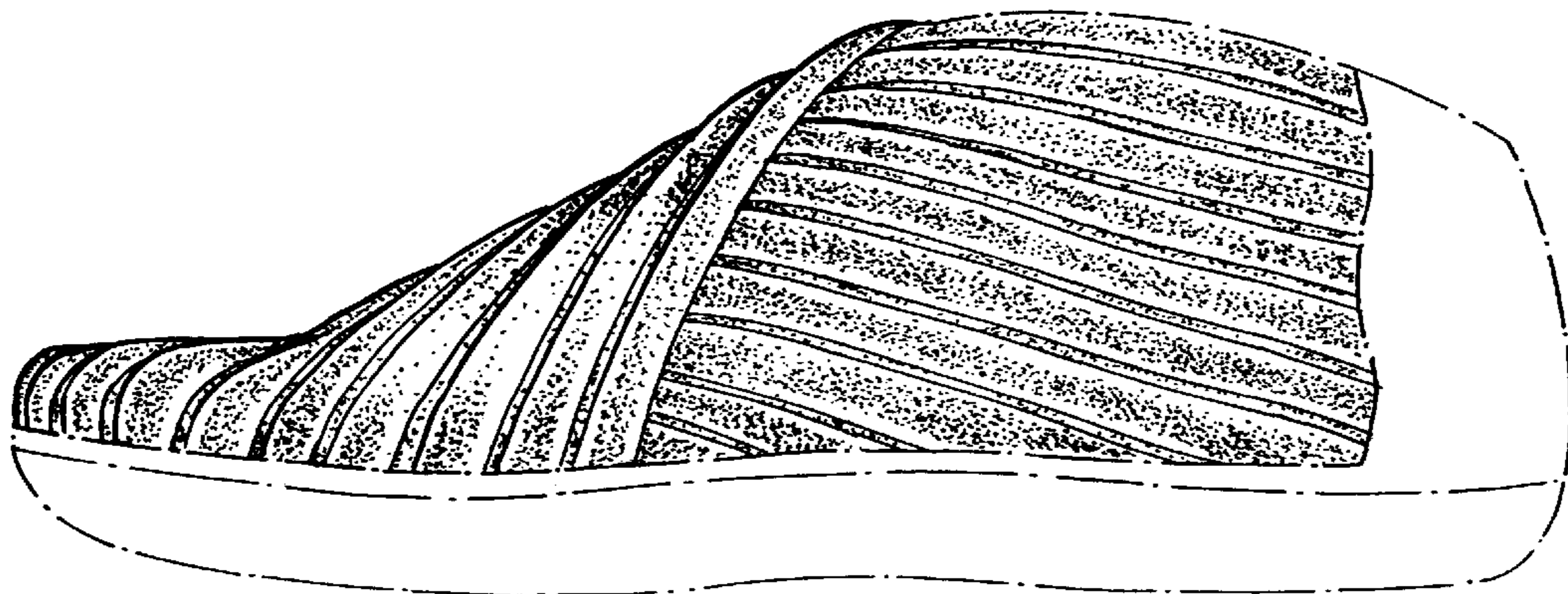


FIG. 6