



US00D475522S

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

(10) **Patent No.:** **US D475,522 S**

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

- (54) **PORTION OF A SHOE UPPER**
- (75) Inventor: **John Hlavacs**, Portland, OR (US)
- (73) Assignee: **Nike, Incorporated**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/173,843**
- (22) Filed: **Jan. 8, 2003**
- (51) **LOC (7) Cl.** **02-99**
- (52) **U.S. Cl.** **D2/972**
- (58) **Field of Search** D2/896, 902, 906, D2/907, 943, 944, 946, 969, 972, 974; 36/45, 50.1, 51, 77 M, 77 R, 83, 88, 113, 114, 126-130

- D461,951 S 8/2002 Hlavacs
- D463,099 S 9/2002 Roulo
- D463,656 S 10/2002 Hudson
- D467,411 S * 12/2002 Dombrow D2/972
- D467,721 S 12/2002 Lupo

OTHER PUBLICATIONS

- Nike Footwear Catalog Spring 1986, pp. 45, 46, published Jun. 1985.
- Nike Footwear Catalog Spring 1989, pp. 76, 150, published Jun. 1988.
- Nike Footwear Catalog Fall 1989, pp. 58, 62, 64, published Dec. 1988.
- Nike Footwear Catalog Spring 1990, p. 4, published Jun. 1989.
- Nike Footwear Catalog Fall 1990, pp. 116, 118, published Dec. 1989.
- Nike Footwear Catalog Fall 1991, pp. 114, 130, 148, published Dec. 1990.
- Nike Footwear Catalog Fall 1992, p. 76, published Dec. 1991.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D239,217 S * 3/1976 Lloyd D2/907
- D239,478 S * 4/1976 Senter D2/907
- D239,479 S 4/1976 Senter
- D240,470 S 7/1976 Ford
- D242,583 S * 12/1976 Knight D2/906
- D291,143 S 8/1987 Selbiger et al.
- D310,441 S 9/1990 Ali et al.
- 5,191,727 A 3/1993 Barry et al.
- D353,040 S 12/1994 Avar
- D365,201 S 12/1995 Avar
- D398,770 S 9/1998 Lozano
- D412,054 S * 7/1999 Gray et al. D2/972
- D415,884 S 11/1999 Kozo
- D430,725 S 9/2000 McDowell
- D431,899 S 10/2000 Cooper
- D432,775 S 10/2000 McDowell
- D440,756 S * 4/2001 Cooper D2/972
- D442,360 S 5/2001 Holmes
- D449,730 S * 10/2001 McDowell D2/972
- D452,991 S 1/2002 Estey
- D460,252 S 7/2002 Smith
- D461,044 S 8/2002 McCourt
- D461,304 S 8/2002 Clegg

(List continued on next page.)

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

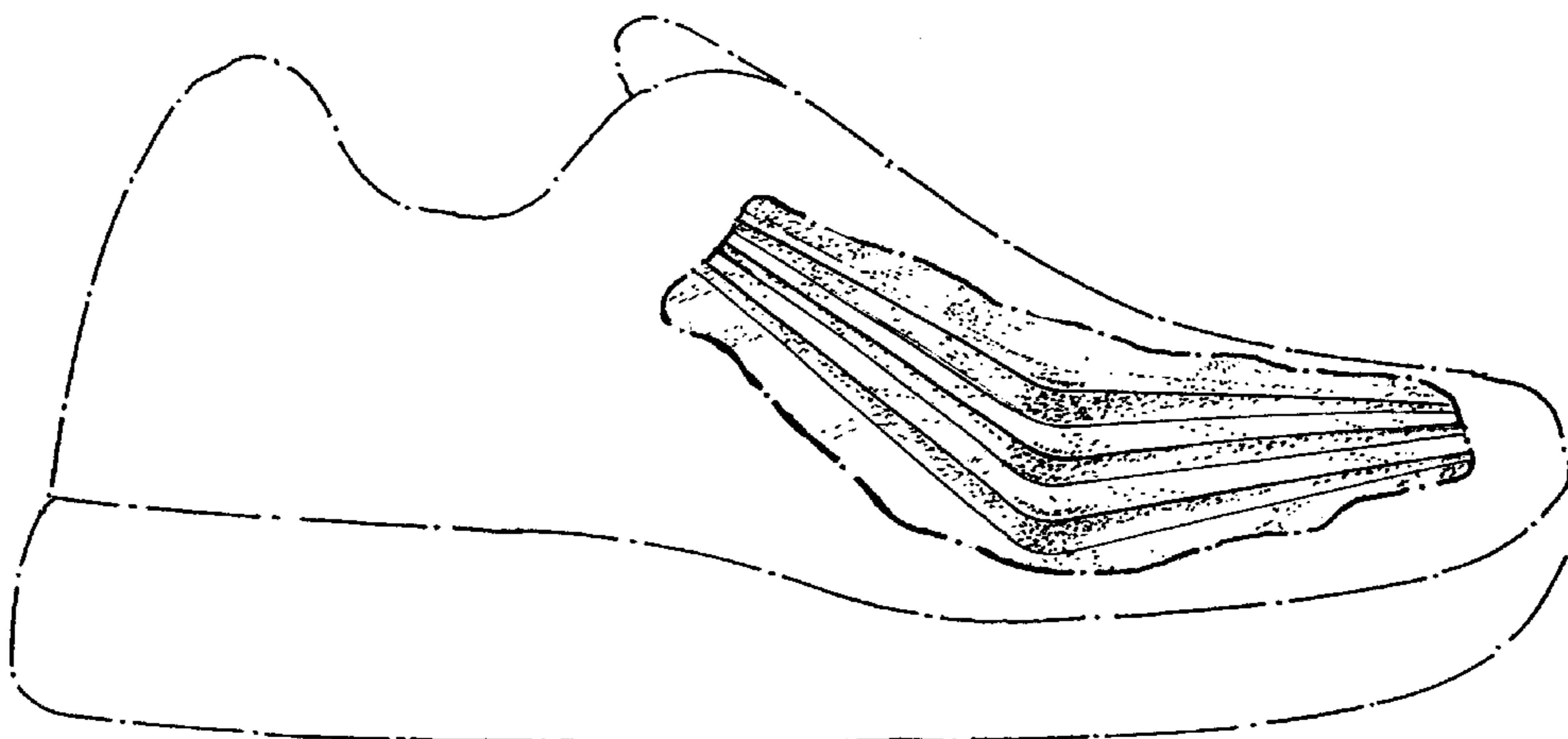
(57) **CLAIM**

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 view thereof; FIG. 3 is a front view thereof; and, FIG. 4 is a top view thereof. The uneven broken line immediately adjacent to the shaded area represents an unclaimed boundary of the 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, 2 Drawing Sheets



OTHER PUBLICATIONS

Nike Footwear Catalog Spring 1994, p. 74, published Jun. 1993.

Nike Footwear Catalog Late Spring 1998, p. 116, published Sep. 1997.

Nike Footwear Catalog Late Fall 1998, p. 142, published Mar. 1998.

Nike Footwear Catalog Spring 1999, pp. W32, W60, published Jun. 1998.

Nike Footwear Catalog Late Spring 1999, p. M13, published Sep. 1998.

Nike Footwear Catalog Holiday 1999, pp. M58, W110, published Mar. 1999.

Nike Footwear Catalog Spring 2000, p. W23, published Jul. 1999.

Nike Footwear Catalog Fall 2000, pp. M10, M20, published Nov. 1999.

Nike Footwear Catalog Holiday 2001, pp. W28, M29, published Feb. 2001.

Nike Footwear Catalog Spring 2002, p. W20, published Jun. 2001.

Nike Footwear Catalog Fall 2002, pp. M29, M36, published Nov. 2001.

Nike Footwear Catalog Late Spring 2003, pp. W12, W21, W30, G84, published Sep. 2002.

Nike Footwear Catalog Fall 2003, pp. M5, M12, M14, M27, M49, M93, published Nov. 2002.

* cited by examiner

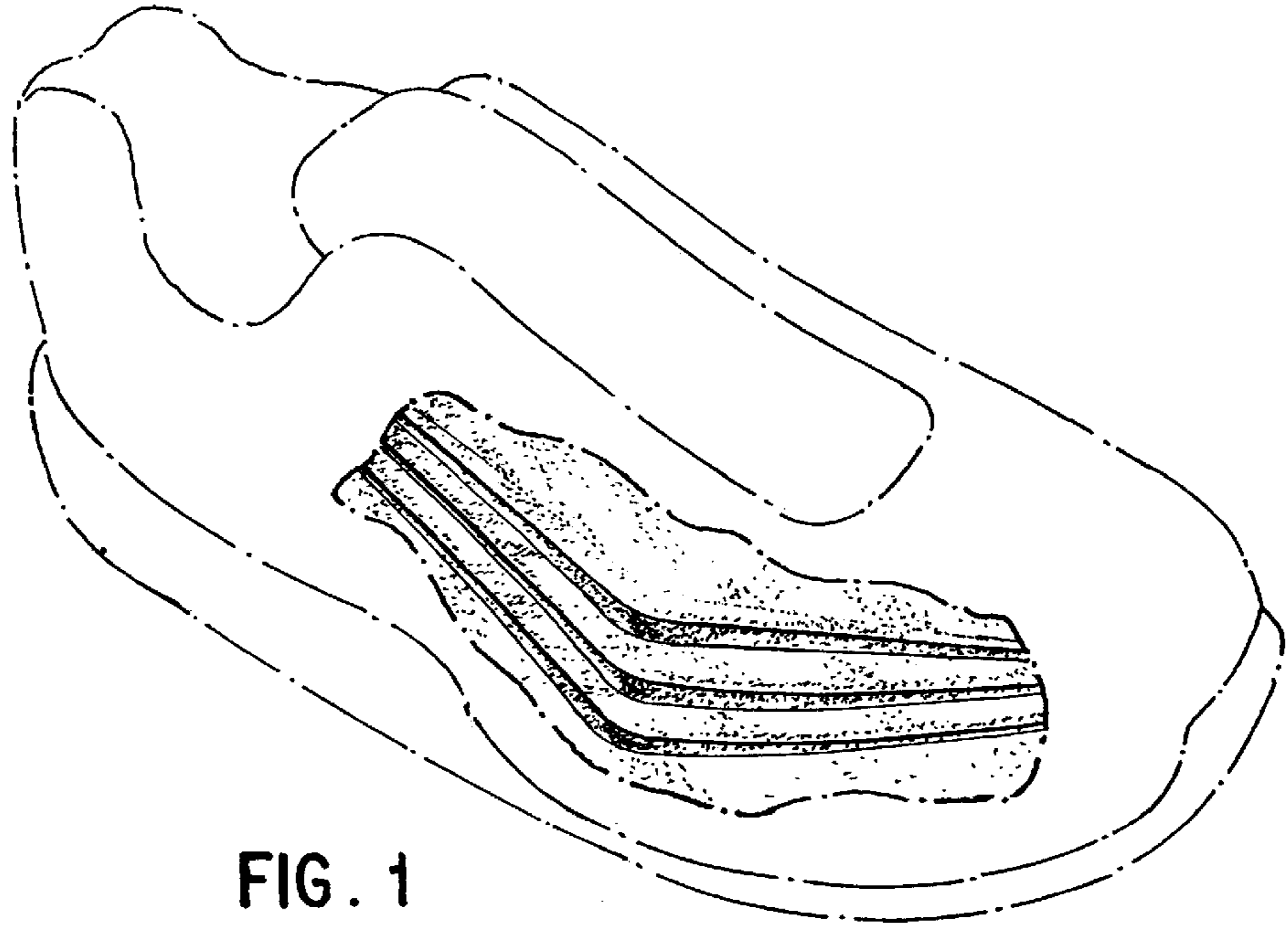


FIG. 1

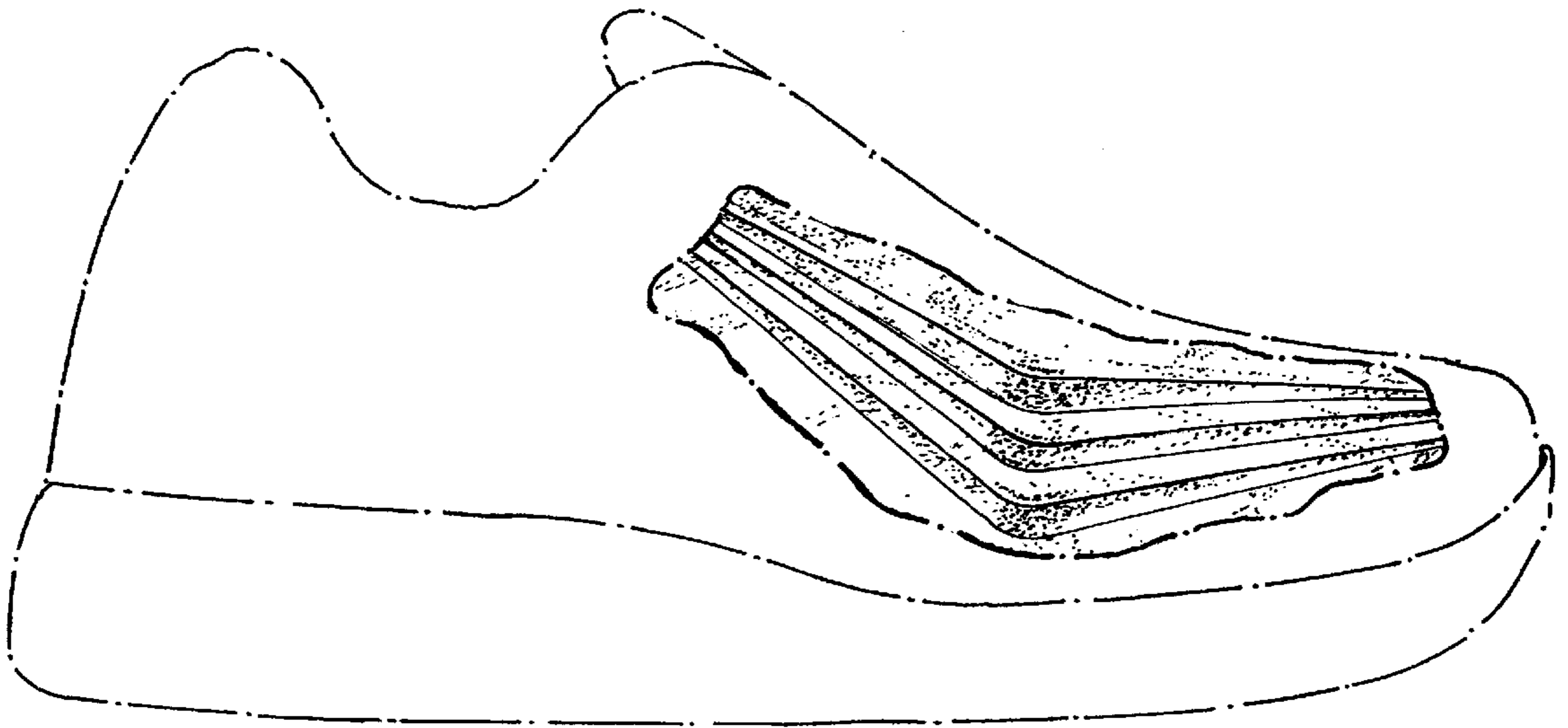


FIG. 2

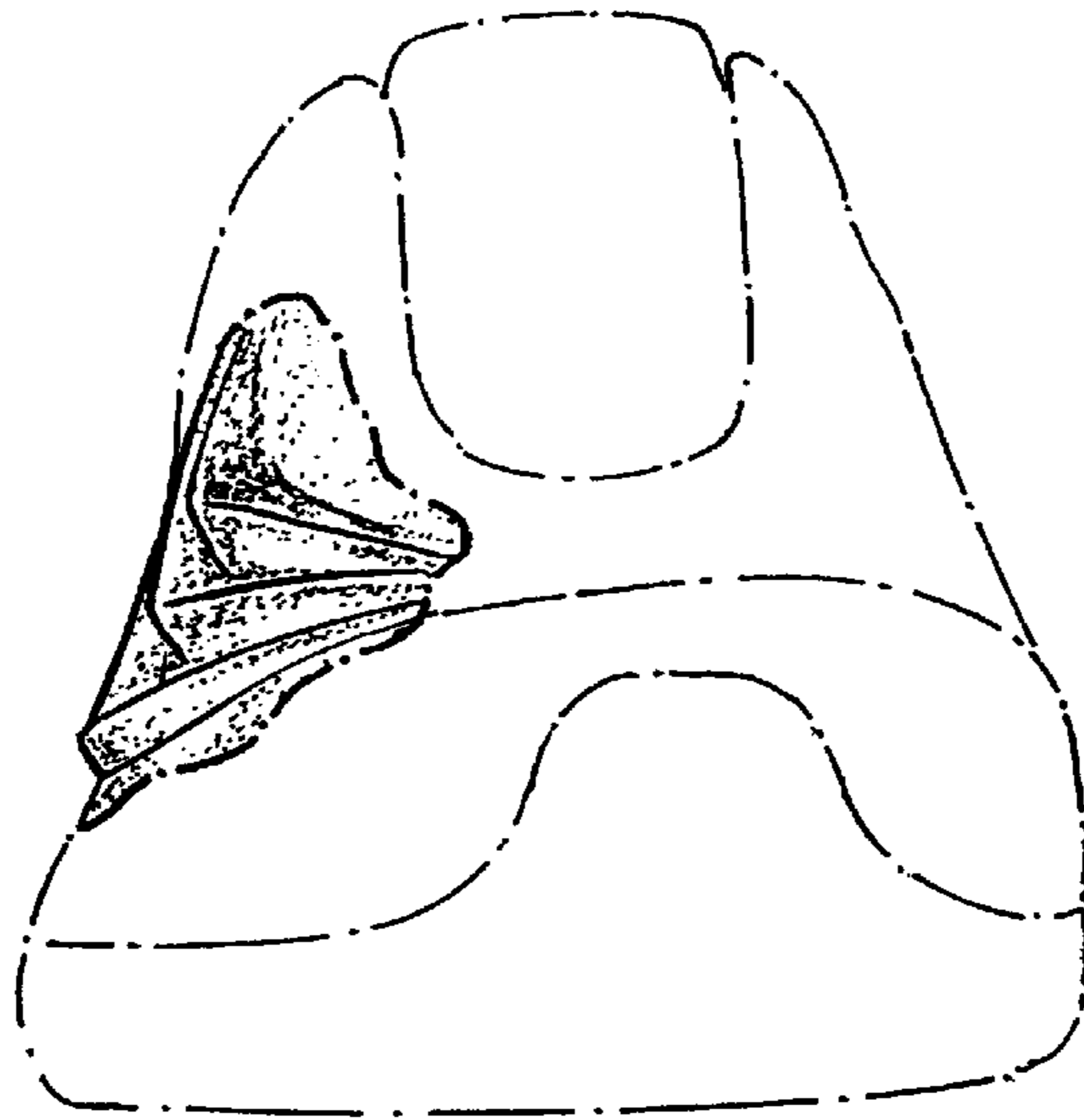


FIG. 3

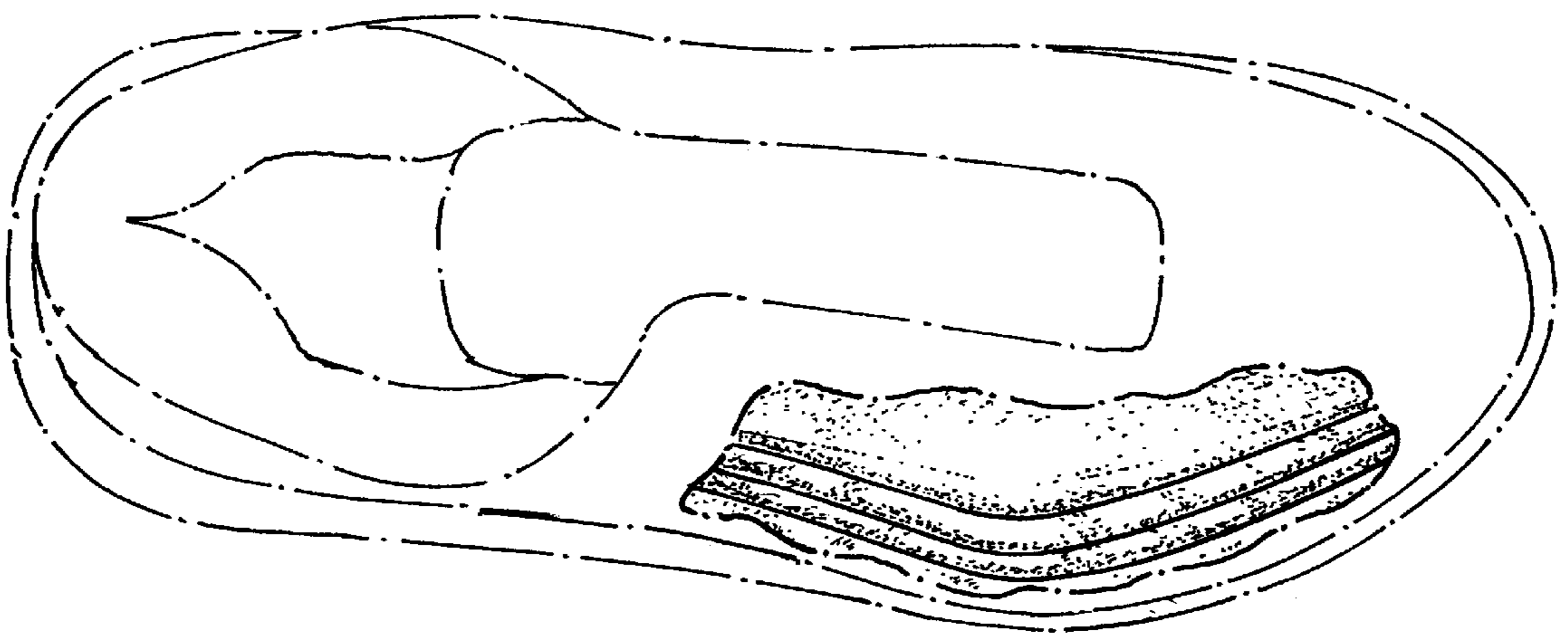


FIG. 4