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

(10) **Patent No.:** **US D475,523 S**

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

- (54) **PORTION OF A SHOE UPPER**
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- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
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- (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, 972-974; 36/45, 50.1, 51, 77 M, 77 R, 83, 88, 113, 114, 126-130

- D395,353 S 6/1998 Avar
- D395,354 S 6/1998 Avar
- D395,944 S 7/1998 Avar
- D397,242 S 8/1998 Mankowski
- D398,762 S 9/1998 McDowell et al.

(List continued on next page.)

OTHER PUBLICATIONS

- Nike Footwear Catalog 1985, p. 47, published Dec. 1984.
- Nike Footwear Catalog Fall 1994, p. 8, published Nov. 1993.
- Nike Footwear Catalog 1985, pp. 9, 61, 76, published Dec. 1984.
- Nike Footwear Catalog Fall 1994, pp. 34, 40, 88, 106, published Nov. 1993.
- Nike Footwear Catalog Holiday 1996, p. 28, published Mar. 1996.
- Nike Footwear Catalog Spring 1996, p. 169, published Jun. 1995.
- Nike Footwear Catalog Spring 1998, p. 169, published Jun. 1997.

(List continued on next page.)

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D47,238 S 4/1915 Miller
- D54,215 S 11/1919 Johnson
- D65,515 S 9/1924 Bohr
- D94,437 S 1/1935 Napier
- D107,413 S * 12/1937 Feldman D2/974
- D112,786 S * 1/1939 Pick D2/973
- D113,576 S * 2/1939 Snyder D2/973
- D304,387 S 11/1989 Brown
- D351,058 S 10/1994 Hatfield et al.
- D354,163 S 1/1995 Hatfield
- D357,796 S 5/1995 Crowley, II
- 5,437,112 A 8/1995 Johnston
- D361,884 S 9/1995 Lozano
- D365,195 S 12/1995 Chen
- D369,459 S 5/1996 Feller
- D377,712 S 2/1997 Avar et al.
- D378,473 S 3/1997 Feller
- D380,077 S 6/1997 Preskar et al.
- D382,698 S 8/1997 Avar
- D385,989 S 11/1997 Feller
- D385,993 S 11/1997 Avar
- D391,068 S 2/1998 Aveni et al.
- D393,360 S 4/1998 Aveni et al.

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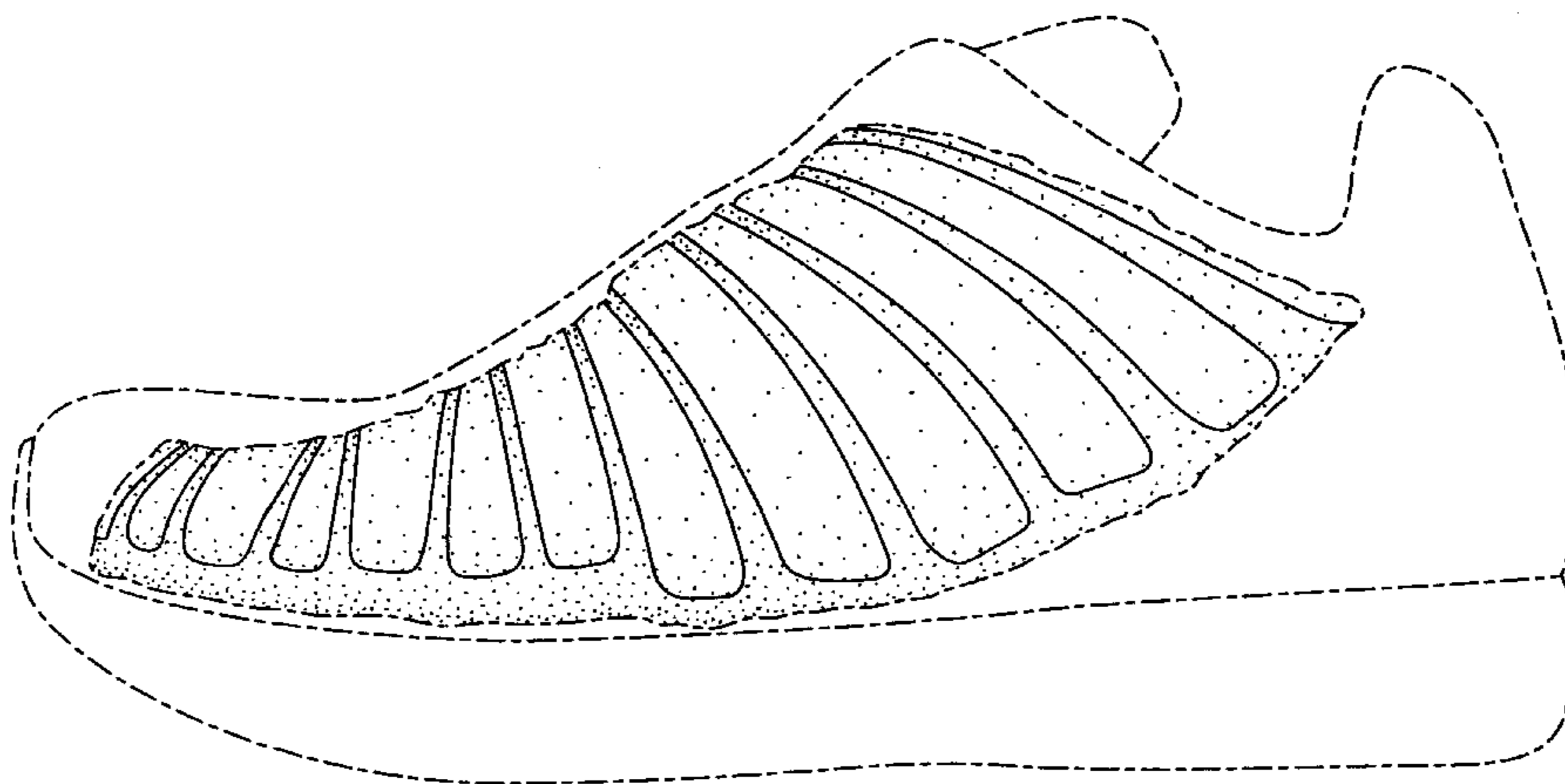
(57) **CLAIM**

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 elevational view of one side thereof;
FIG. 3 is a top plan view thereof;
FIG. 4 is a front elevational view thereof; and,
FIG. 5 is a rear elevational view thereof.
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



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U.S. PATENT DOCUMENTS

D398,771 S 9/1998 Doxey
D402,101 S * 12/1998 Selbiger D2/972
D407,199 S * 3/1999 Hardy D2/972
D407,203 S 3/1999 Maxwell
5,896,683 A 4/1999 Foxen et al.
D417,774 S 12/1999 Hlavacs
6,029,376 A 2/2000 Cass
D421,836 S 3/2000 Berend
D432,778 S 10/2000 McCourt
D439,034 S 3/2001 Lozano
D439,398 S * 3/2001 Dean D2/969
D440,757 S 4/2001 Doxey
D443,756 S * 6/2001 McDowell D2/972
D447,859 S 9/2001 Matis et al.
D447,860 S 9/2001 Matis et al.
D448,550 S * 10/2001 Yang D2/969
D452,069 S 12/2001 Allen
D460,253 S * 7/2002 Adams D2/972
D461,044 S * 8/2002 McCourt D2/972

D461,950 S * 8/2002 Adams D2/969
D463,098 S 9/2002 Hui
D467,720 S * 12/2002 Patt D2/972
D469,247 S * 1/2003 Adams D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog Late Spring 1998, p. 31, published Sep. 1997.

Nike Footwear Catalog Holiday 2000, p. 38, published Mar. 2000.

Nike Footwear Catalog Holiday 2002, Op. 46, published Mar. 2002.

Nike Footwear Catalog Fall 2003, p. M11, published Nov. 2002.

Nike Footwear Catalog Late Spring 1999, p. M152, published Sep. 1998.

* cited by examiner

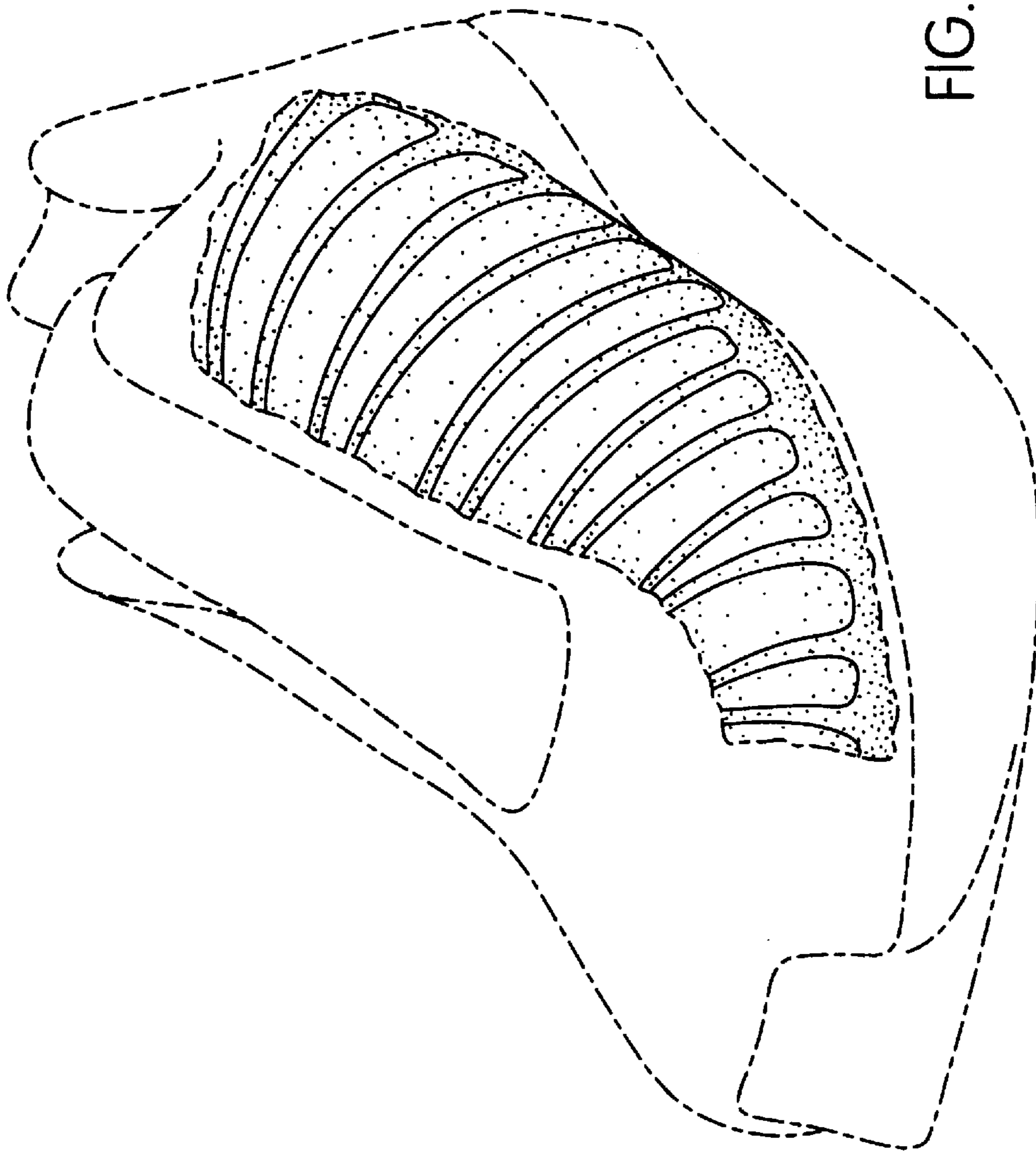


FIG. 1

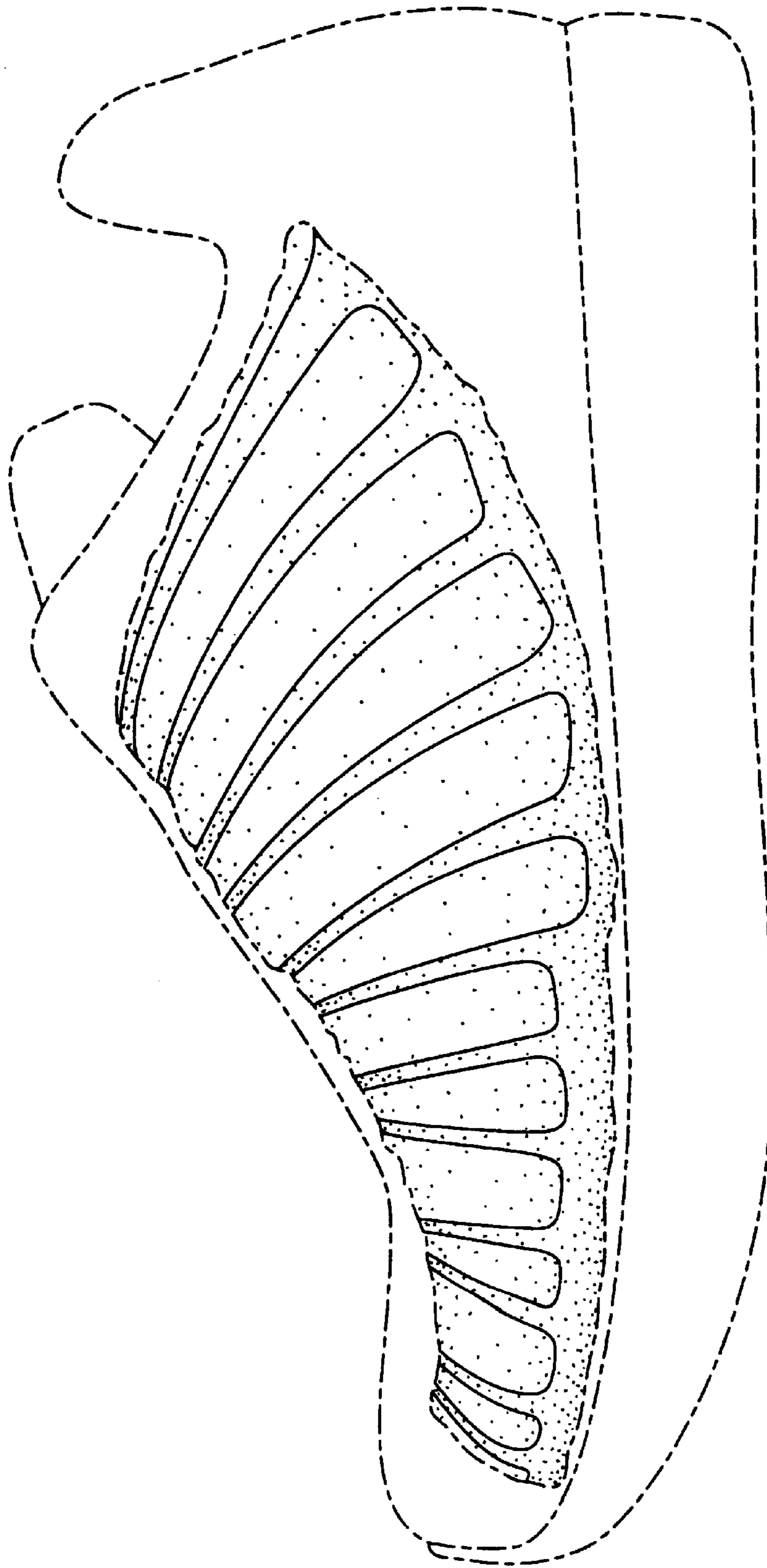


FIG. 2

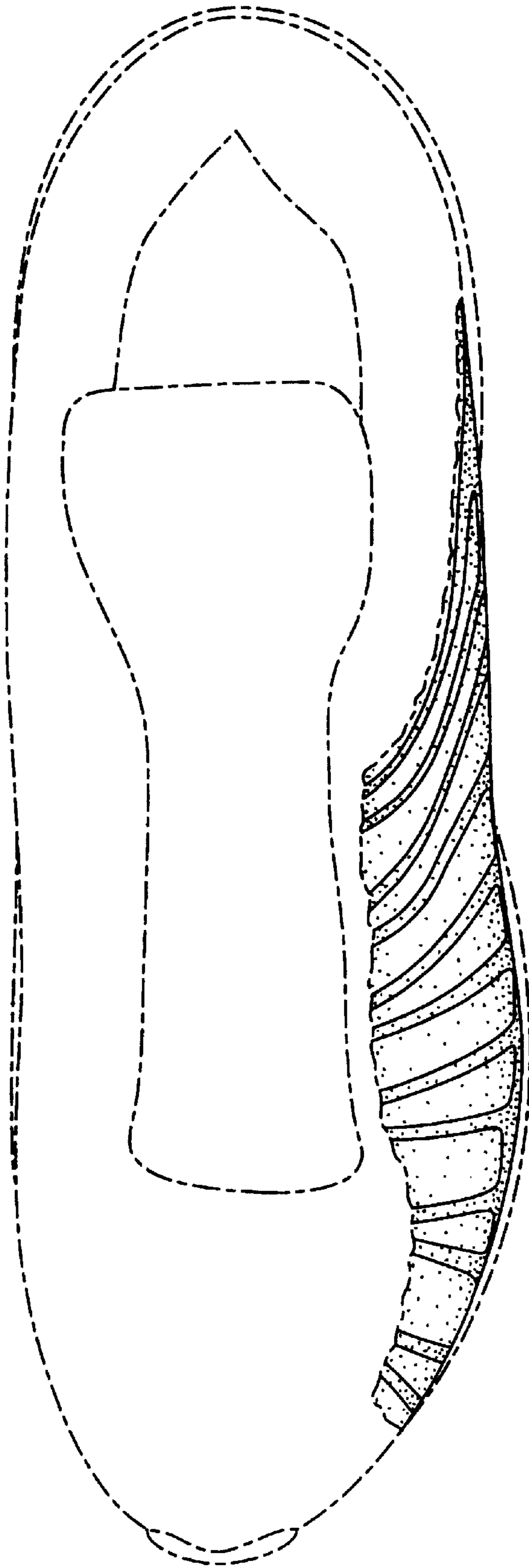


FIG. 3

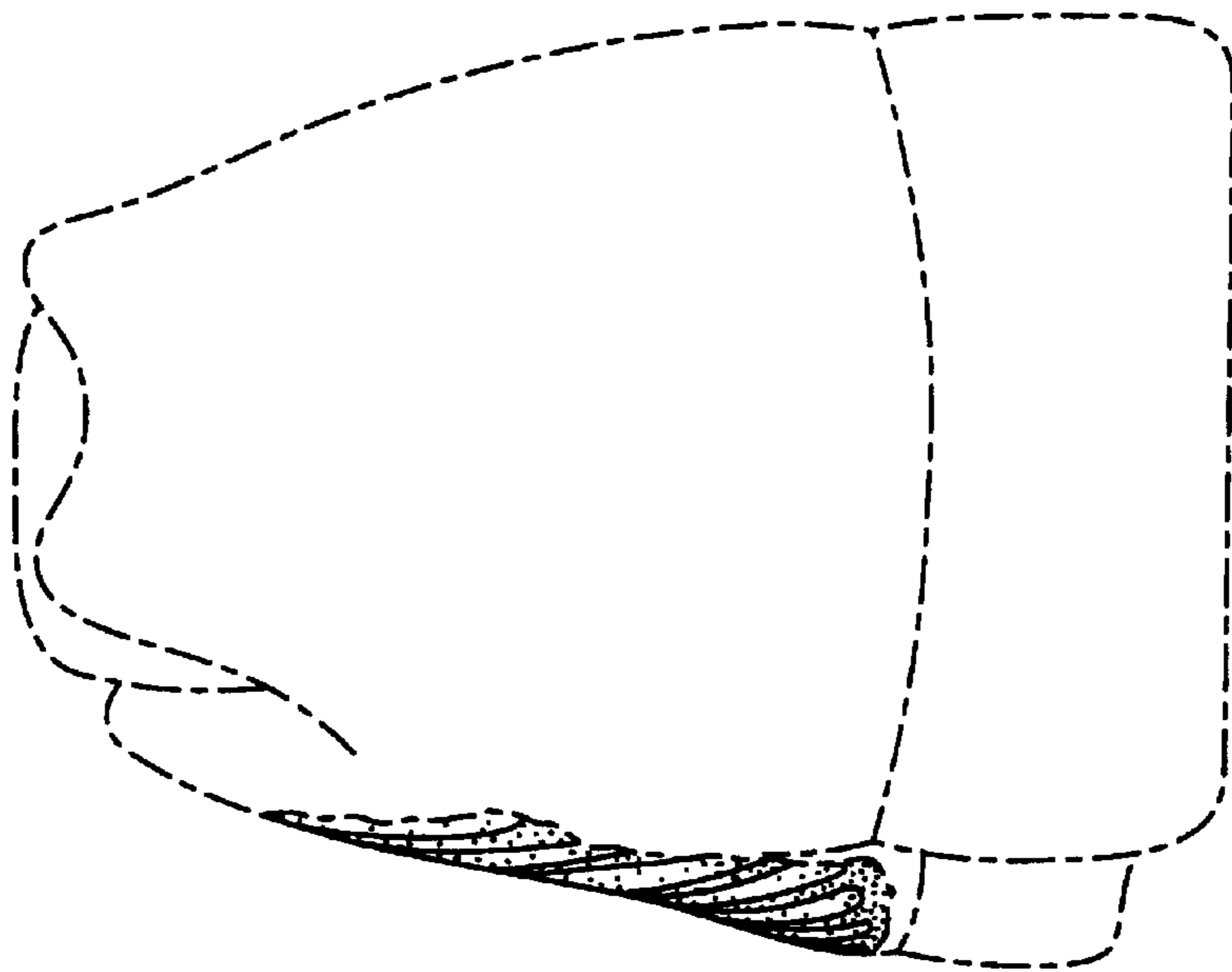


FIG. 5

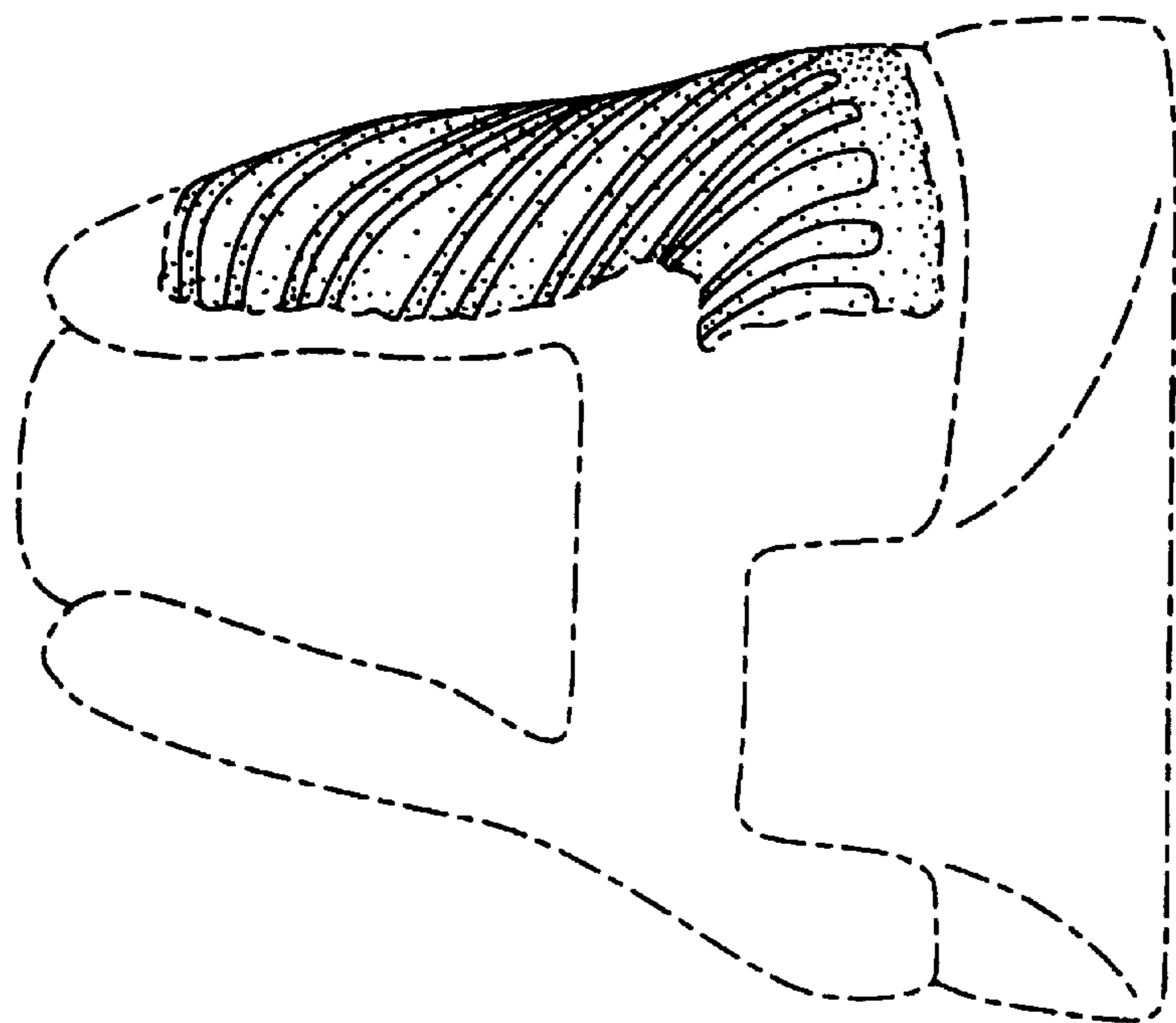


FIG. 4