



US00D477708S

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

(10) **Patent No.:** **US D477,708 S**

(45) **Date of Patent:** **** Jul. 29, 2003**

(54) **SIDE ELEMENT OF A SHOE UPPER**

OTHER PUBLICATIONS

(75) Inventor: **Steven F. Smith**, Lake Oswego, OR (US)

“Nike Footwear Catalog,” Spring 1995, published Jun. 1, 1994 (p. 8), Beaverton, Oregon.

(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)

“Nike Footwear Catalog,” Fall 1996, published Dec. 1, 1995 (pp. 40, 44, 150, 174, 192), Beaverton, Oregon.

(**) Term: **14 Years**

“Nike Footwear Catalog,” Holiday 1996, published Mar. 1, 1996 (p. 130), Beaverton, Oregon.

(21) Appl. No.: **29/174,367**

“Nike Footwear Catalog,” Spring 1998, published Jun. 1, 1997 (pp. 11, 21, 29, 102, 103, 104, 143, 169, 188, 203), Beaverton, Oregon.

(22) Filed: **Jan. 15, 2003**

“Nike Footwear Catalog,” Fall 1998, published Nov. 1, 1997 (pp. M9, M11, M15, M63, W8, W10, W14, W105), Beaverton, Oregon.

(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, 83, 113, 114, 77 M, 77 R, 126-130

(List continued on next page.)

Primary Examiner—Dominic Simone

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

(56) **References Cited**

(57) **CLAIM**

U.S. PATENT DOCUMENTS

The ornamental design for a side element of a shoe upper, as shown and described.

D89,615 S	4/1933	Grubs	
D313,498 S	1/1991	Aveni	
D331,829 S	12/1992	Kittle	
D346,272 S	4/1994	Cessor	
D351,058 S	10/1994	Hatfield et al.	
D357,794 S	5/1995	Avar et al.	
D357,796 S	5/1995	Crowley, II	
D369,896 S	5/1996	Banik	
D392,092 S	3/1998	Cooper	
D395,354 S	6/1998	Avar	
D397,859 S	9/1998	Cass	
D398,762 S	* 9/1998	McDowell et al. D2/972
D407,548 S	4/1999	Holmes	
D411,249 S	6/1999	Maxwell	
D420,499 S	2/2000	Dolinsky	
D421,331 S	3/2000	Mervar et al.	
D427,760 S	7/2000	Holmes	
6,108,943 A	8/2000	Hudson et al.	
D432,778 S	10/2000	McCourt	
D437,992 S	2/2001	Link	
D443,978 S	6/2001	McDowell	
D467,721 S	* 12/2002	Lupo D2/972

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;

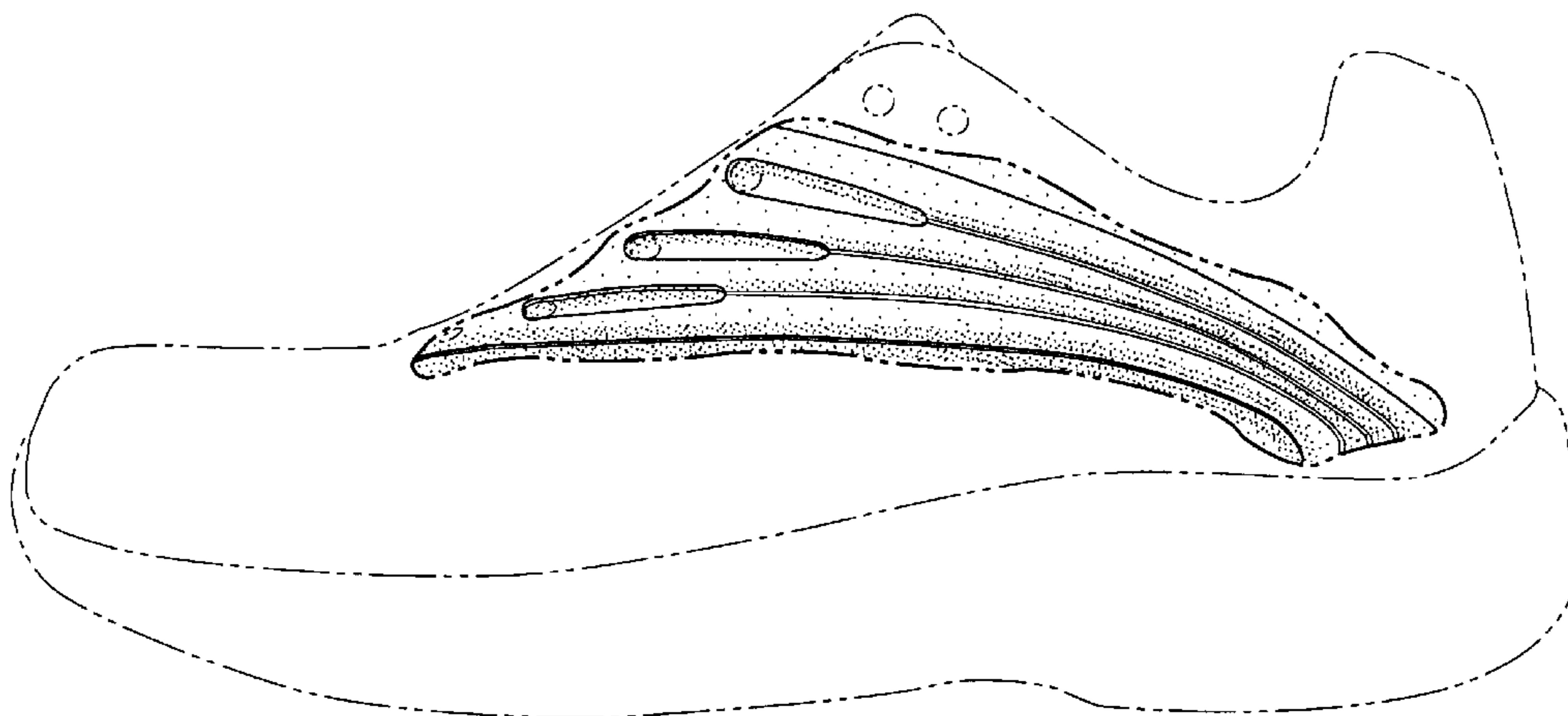
FIG. 3 is a front view of the side element of a shoe upper shown in FIG. 1;

FIG. 4 is a rear view of the side element of a shoe upper shown in FIG. 1; and,

FIG. 5 is a top plan 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," Holiday 1998, published Feb. 1, 1998 (pp. M9, M14, M26, M33, M74, M75, M92, M115, M132, W8, W12, W14, W48, W76, W81, W101), Beaverton, Oregon.

"Nike Footwear Catalog," Spring 2000, published Jul. 1, 1999 (p. 126), Beaverton, Oregon.

"Nike Footwear Catalog," Holiday 2000, published Mar. 1, 2000 (pp. 7, 118), Beaverton, Oregon.

"Nike Footwear Catalog," Spring 2001, published Jun. 1, 2000 (pp. 5, 125), Beaverton, Oregon.

"Nike Footwear Catalog," Late Spring 2001, published Sep. 1, 2000 (pp. 3, 4, 117), Beaverton, Oregon.

"Nike Footwear Catalog," Fall 2001, published Feb. 1, 2001 (pp. 9, 18, 27, 100, 118), Beaverton, Oregon.

"Nike Footwear Catalog," Holiday 2001, published Feb. 1, 2001 (pp. 10, 17, 31), Beaverton, Oregon.

"Nike Footwear Catalog," Spring 2002, published Jun. 1, 2001 (pp. M9, M33, W9), Beaverton, Oregon.

"Nike Footwear Catalog," Late Spring 2002, published Sep. 1, 2001 (pp. M14, M15, M109, W12, W26), Beaverton, Oregon.

"Nike Footwear Catalog," Fall 2002, published Nov. 1, 2001 (pp. 12, 117), Beaverton, Oregon.

"Nike Footwear Catalog," Holiday 2002, published Mar. 1, 2002 (p. 82), Beaverton, Oregon.

"Nike Footwear Catalog," Spring 2003, published Jun. 1, 2002 (pp. 14, 17, 95, 78), Beaverton, Oregon.

* cited by examiner

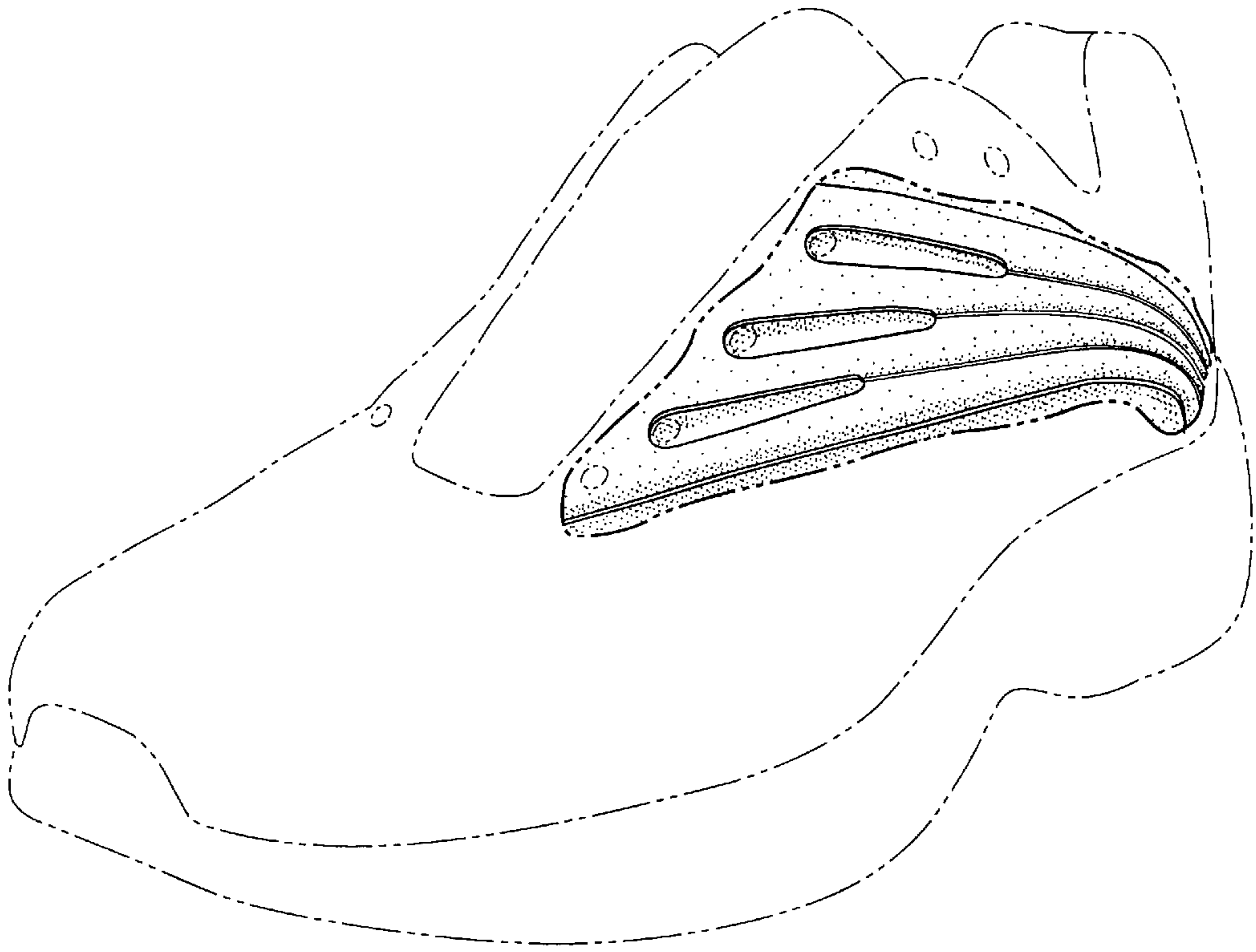


FIG. 1

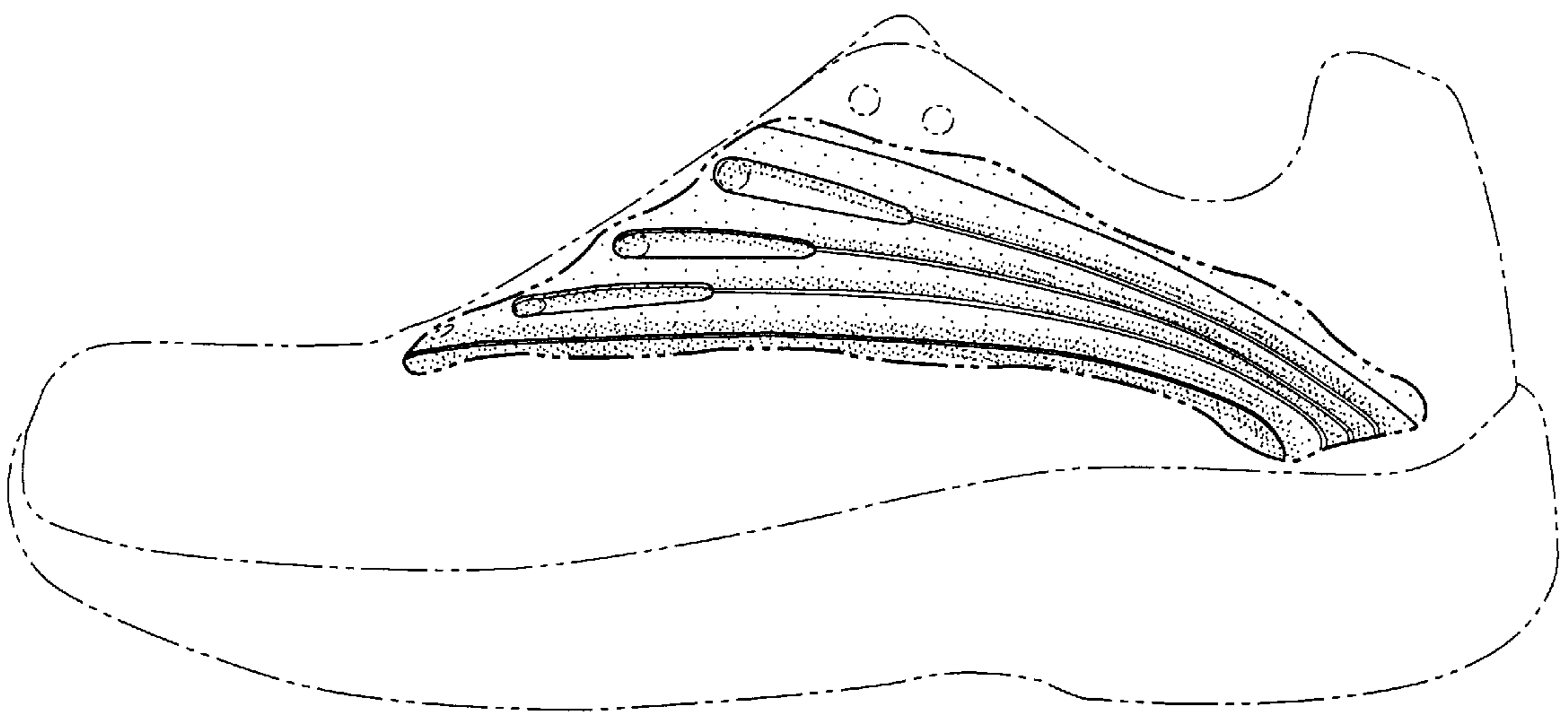


FIG. 2

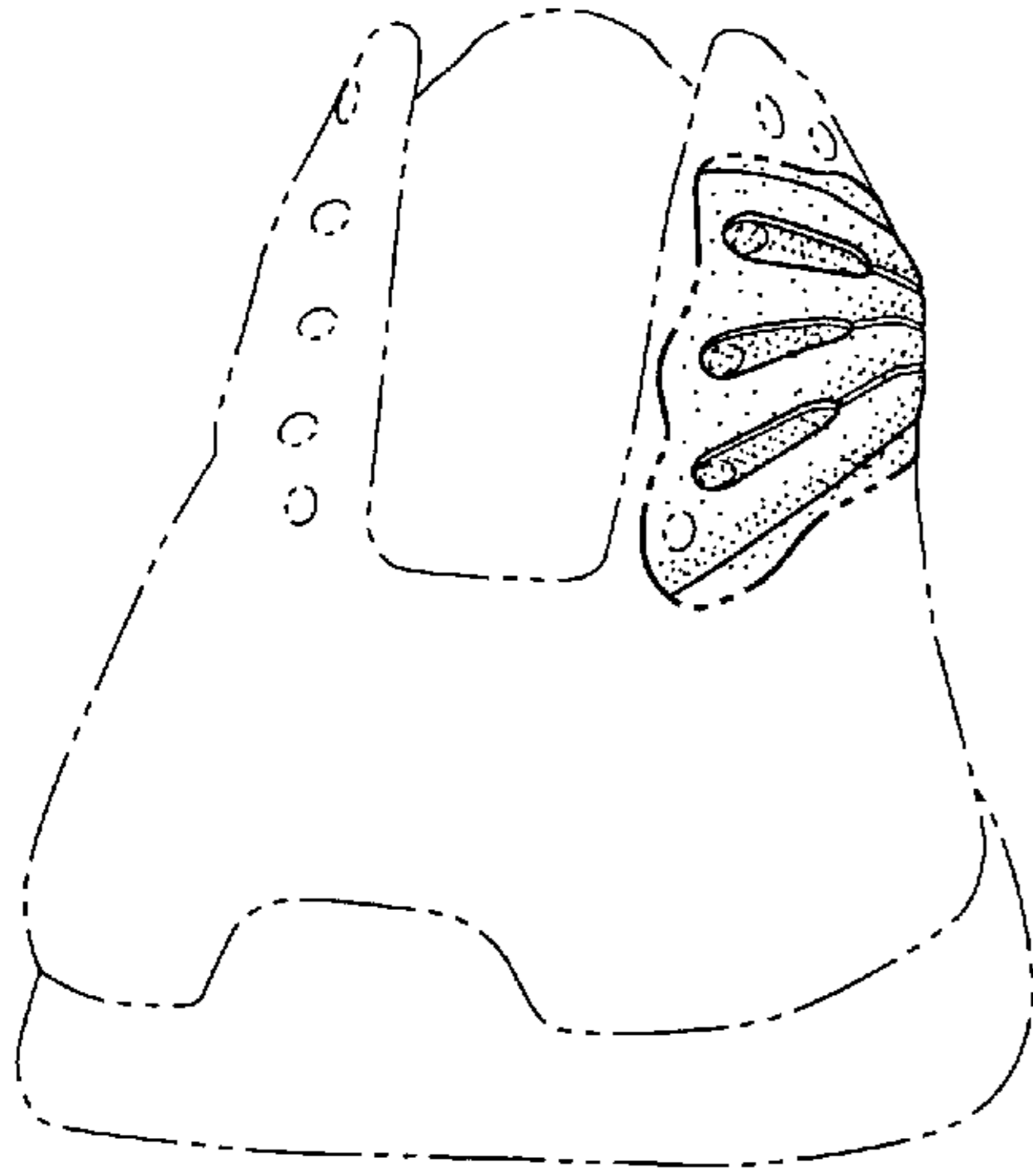


FIG. 3

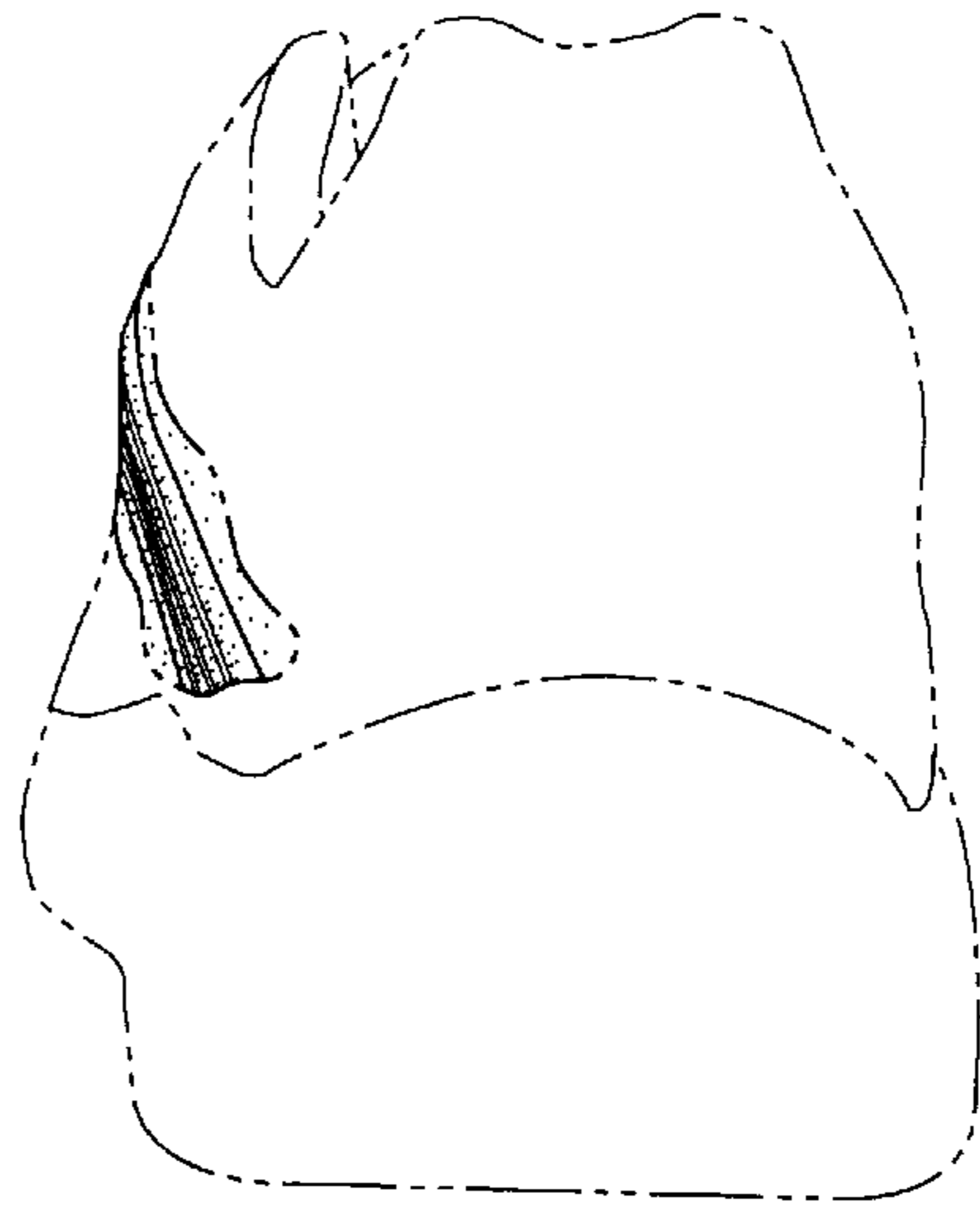


FIG. 4

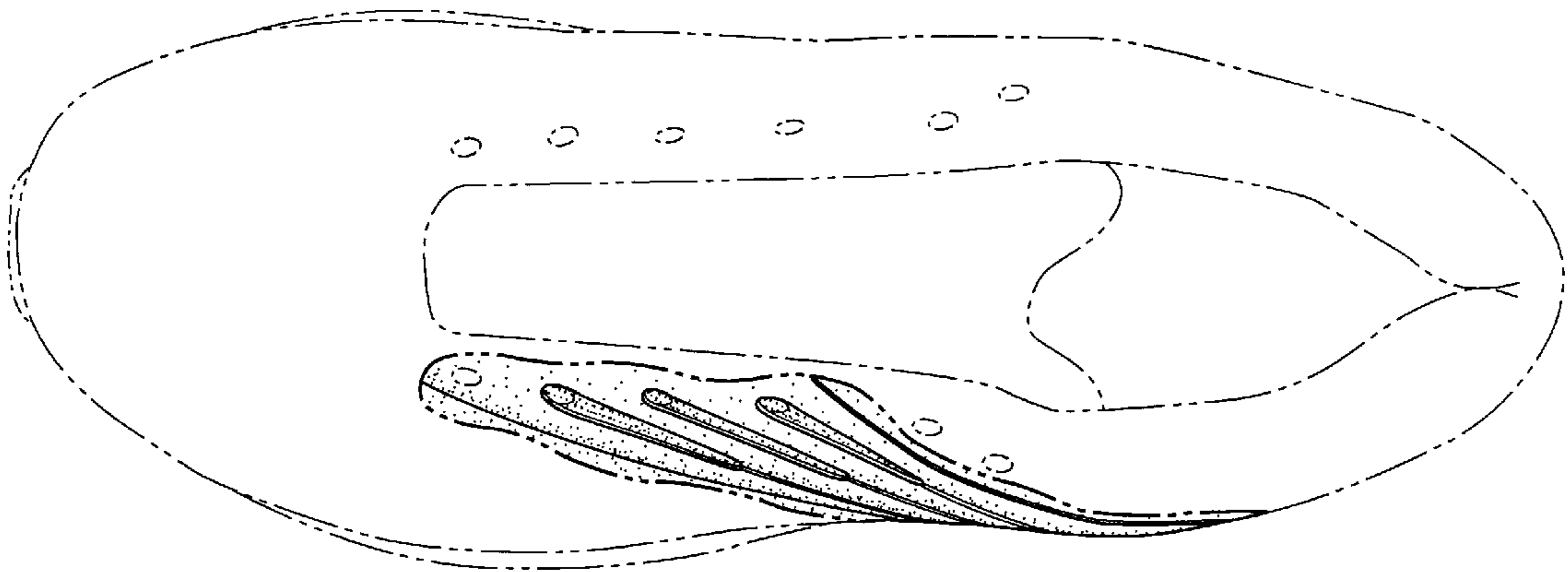


FIG. 5