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(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.

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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;

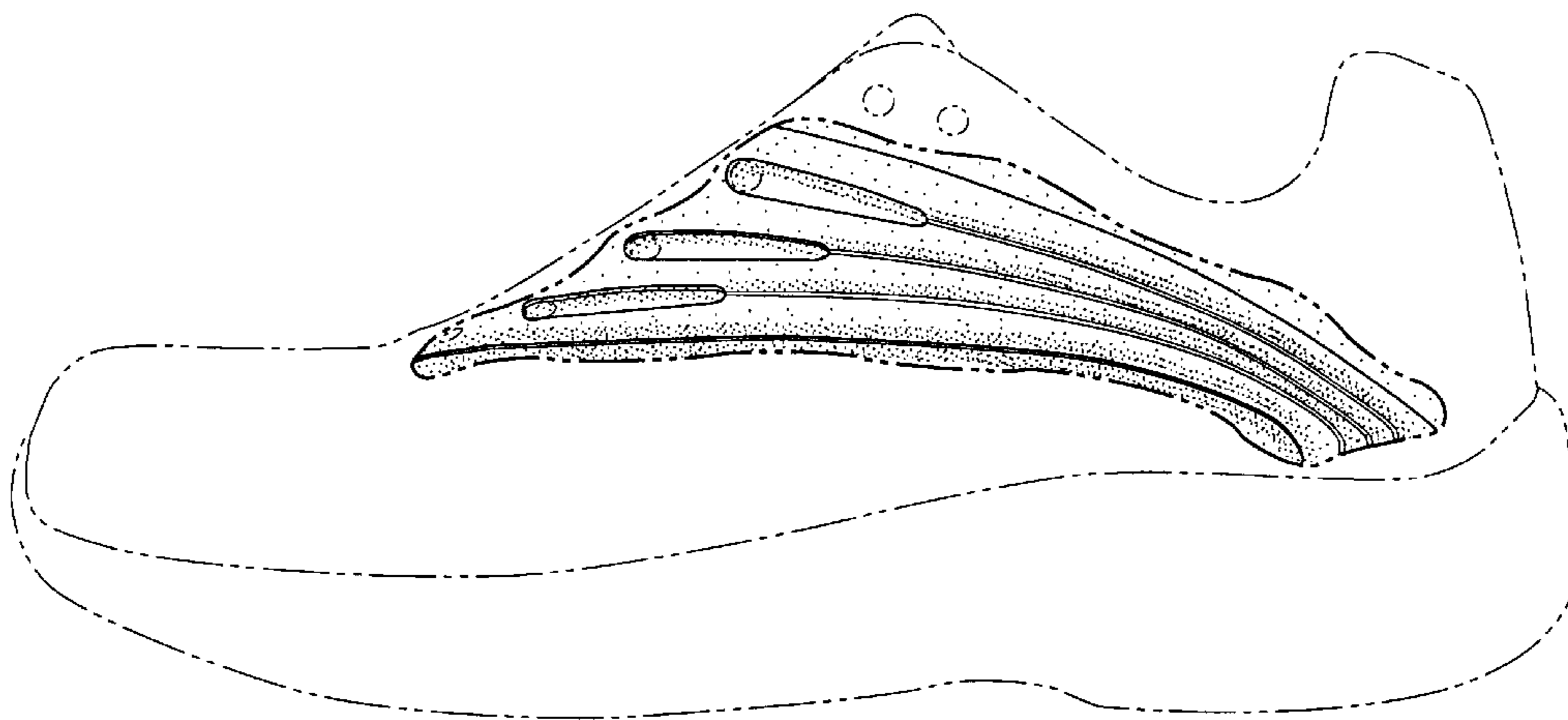
FIG. 3 is a front view of the side element of a shoe upper shown in FIG. 1;

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



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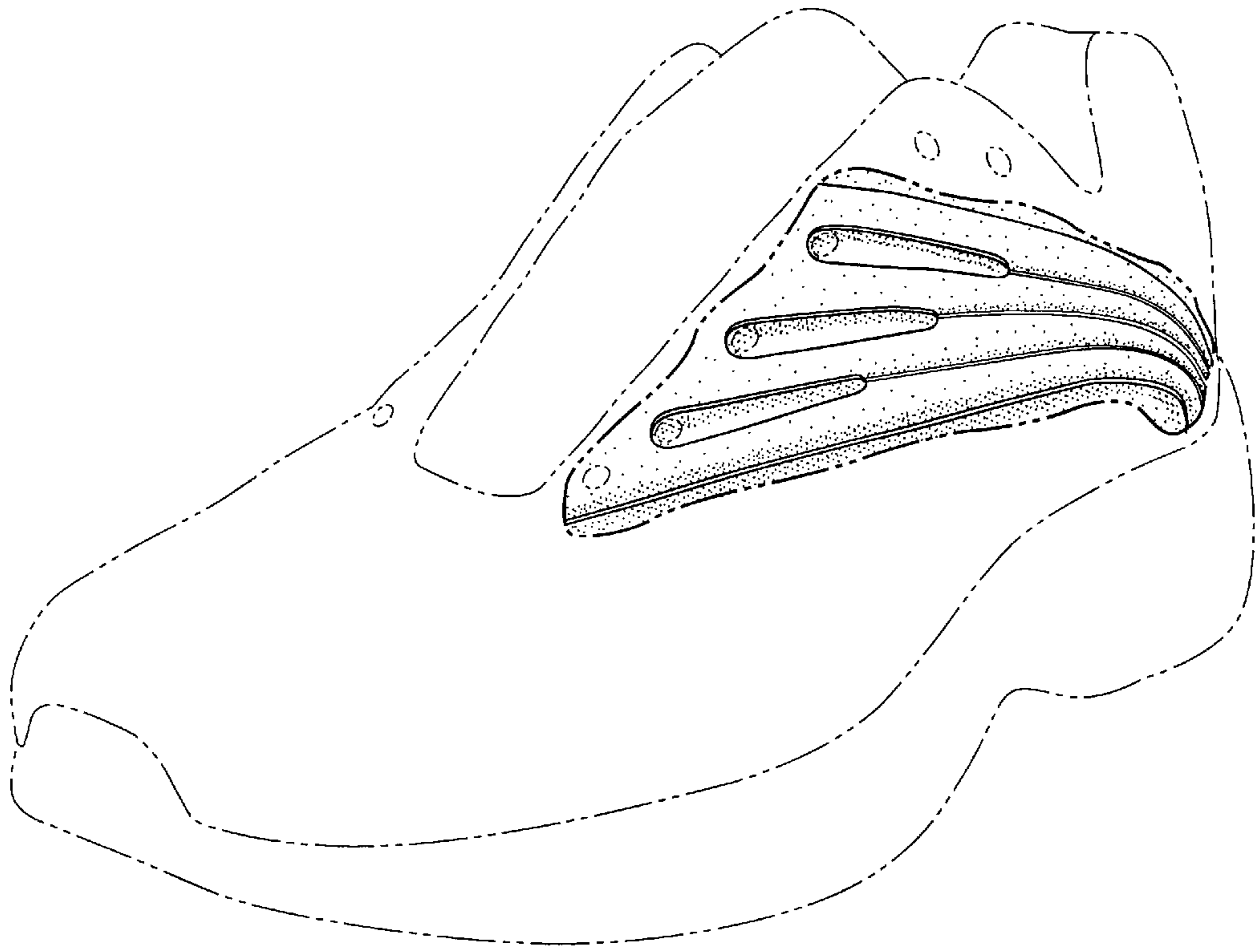


FIG. 1

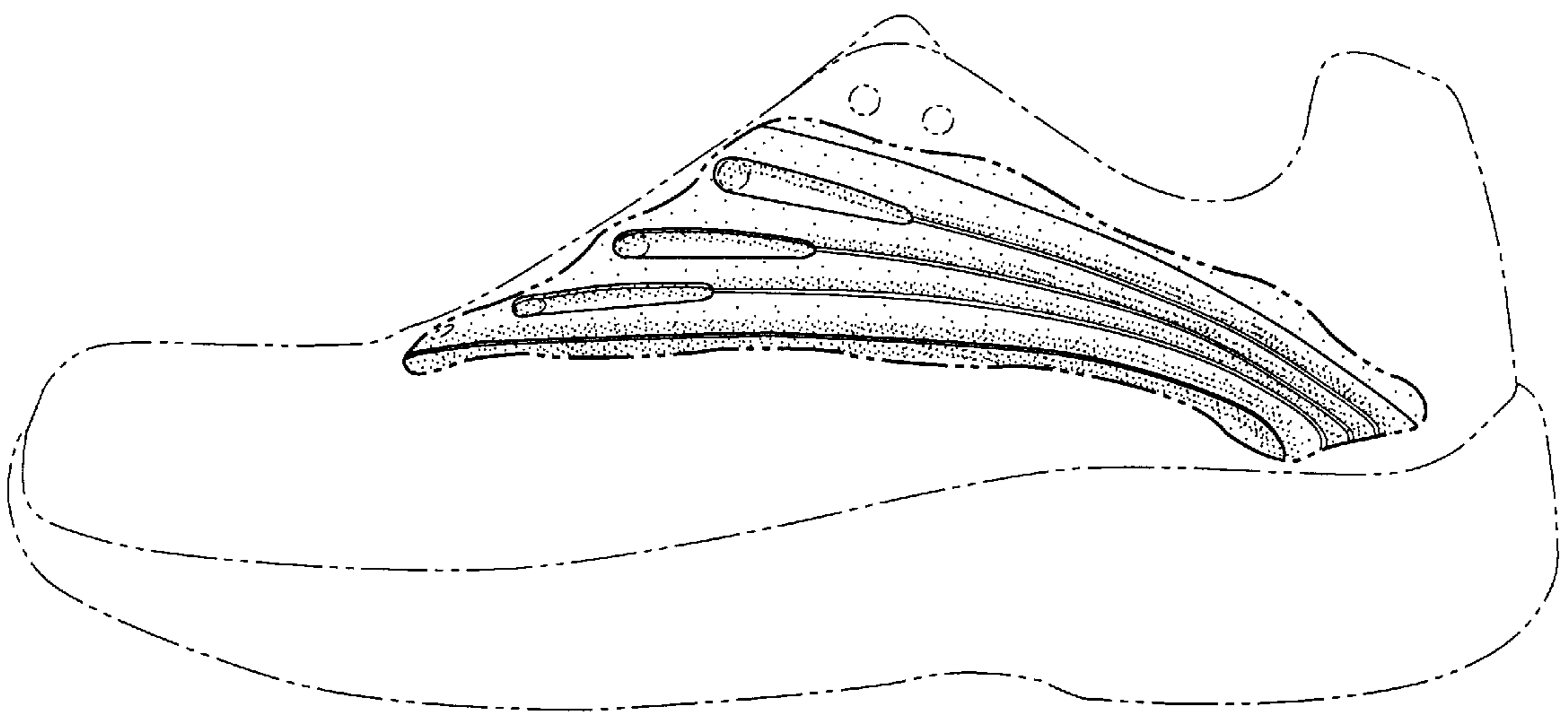


FIG. 2

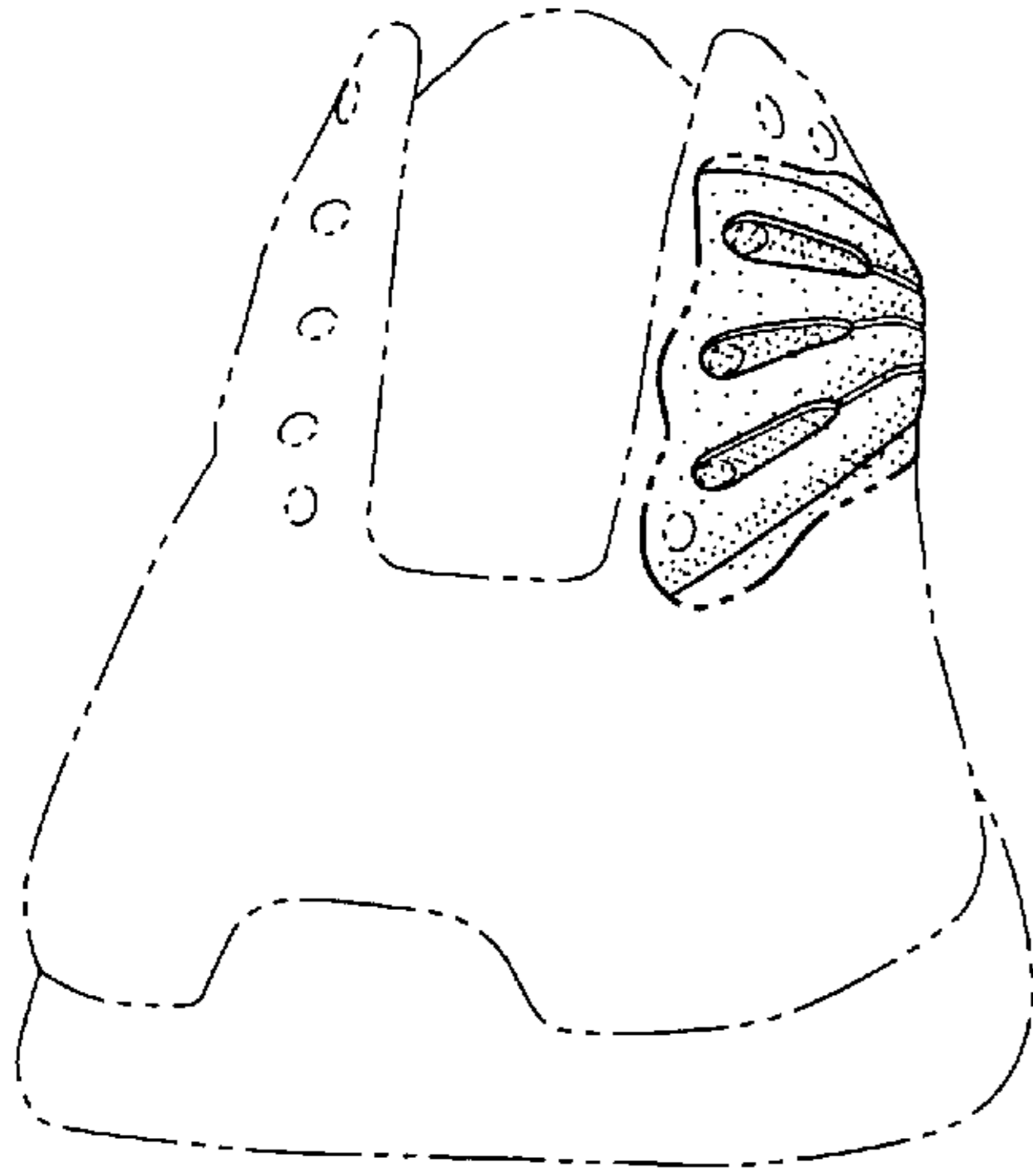


FIG. 3

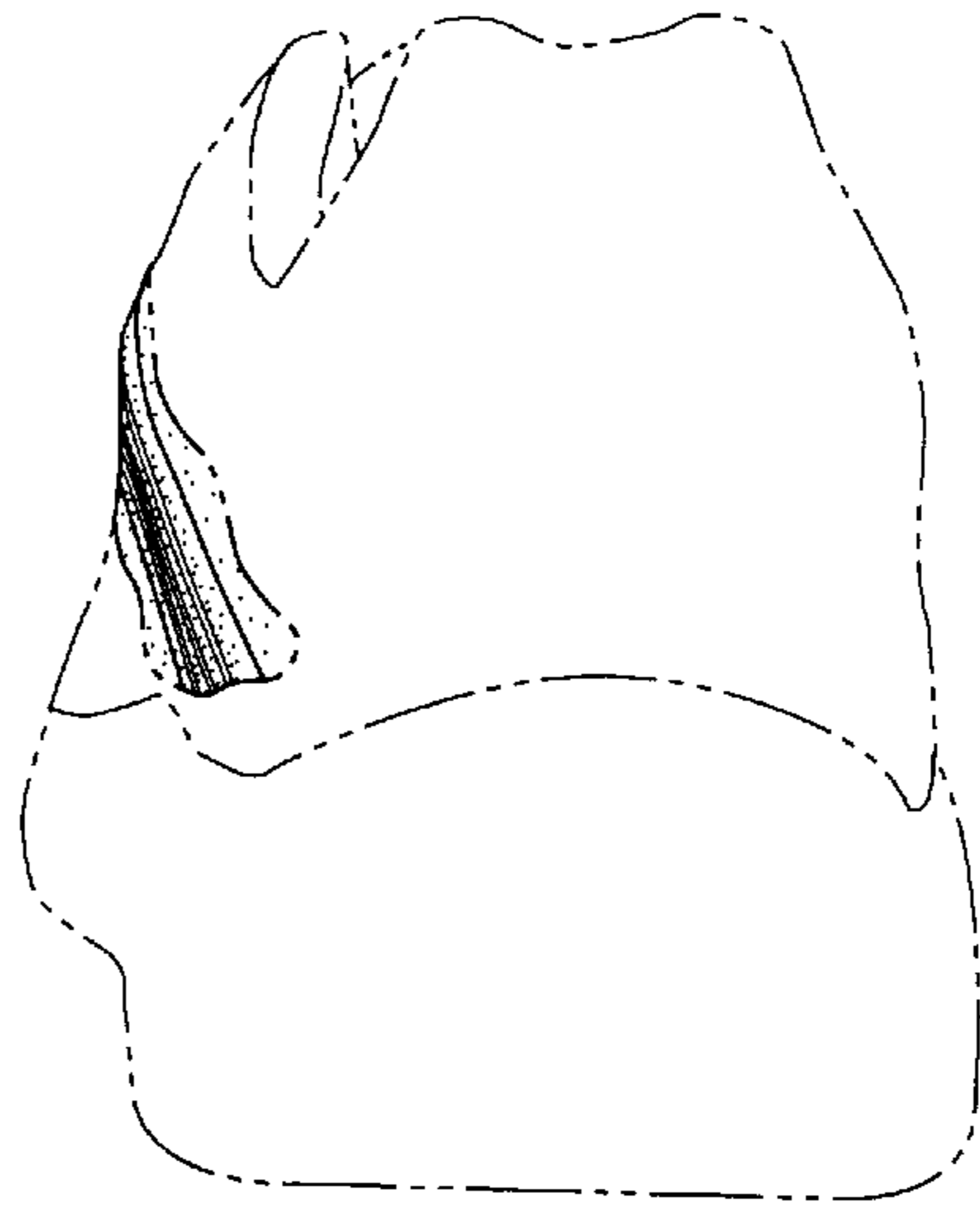


FIG. 4

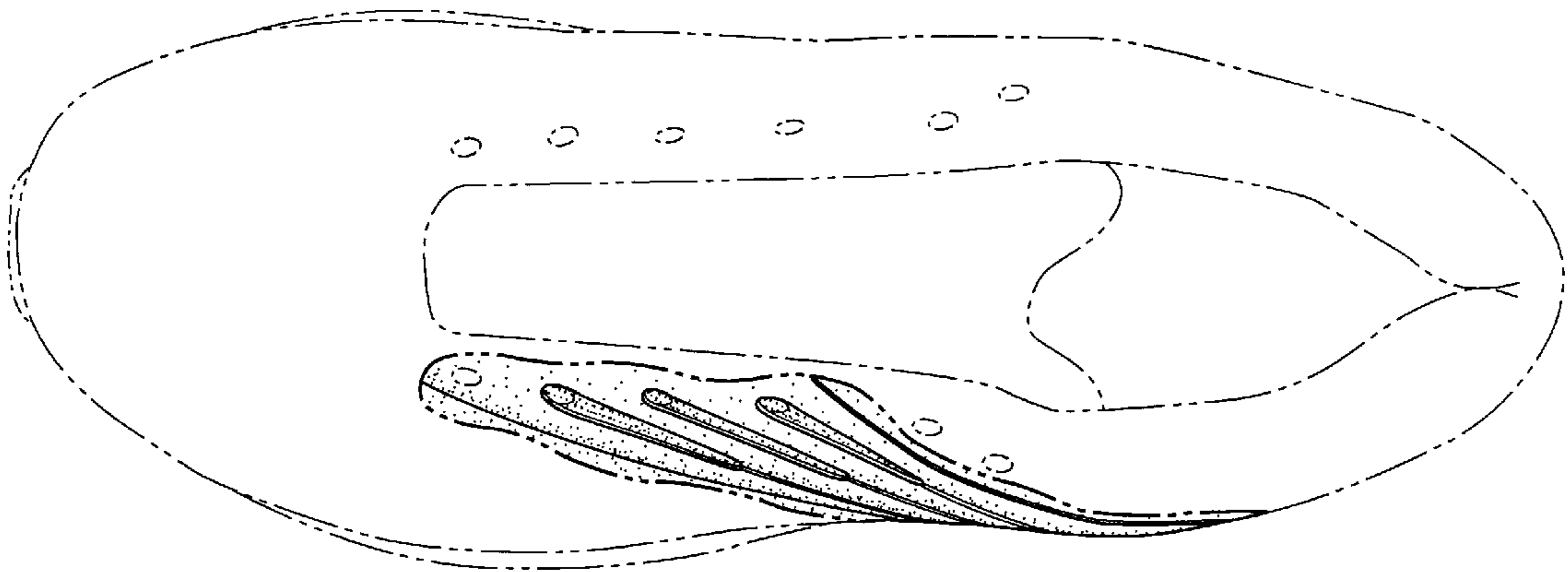


FIG. 5