



US00D485052S

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

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(54) **PORTION OF A SHOE UPPER**

OTHER PUBLICATIONS

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Nike Footwear Catalog Spring 1986, p. 37, published Jun. 1985.

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

Nike Footwear Catalog Fall 1995, p. 27, published Nov. 1994.

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

Nike Footwear Catalog Spring 1996, pp. 117, 131, published Jun. 1995.

(21) Appl. No.: **29/183,282**

Nike Footwear Catalog Spring, 1997, pp. 6, 45, published Jun. 1996.

(22) Filed: **Jun. 11, 2003**

Nike Footwear Catalog Spring 1999, pp. M15, M43, M72, M140, published Jun. 1998.

(51) **LOC (7) Cl.** **02-99**

Nike Footwear Catalog Late Spring 1999, p. M43, published Sep. 1998.

(52) **U.S. Cl.** **D2/972**

Nike Footwear Catalog Spring 2000, No. 1, pp. M50, W13, published Jul. 1999.

(58) **Field of Search** D2/896, 902, 907, D2/943, 944, 946, 969, 972-974; 36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114, 126-130

Nike Footwear Catalog Fall 2000, No. 1, p. W92, published Nov. 1999.

Nike Footwear Catalog Fall 2001, p. M45, published Nov. 2000.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D172,229	5/1954	Frederick	
5,437,112	8/1995	Johnston	
D364,499	11/1995	Avar	
D365,201	12/1995	Avar	
D373,463	9/1996	Greene	
D397,852	9/1998	Smith, III	
D397,860	9/1998	Avar	
D398,770	9/1998	Lozano	
D401,052	11/1998	Lozano	
D406,448	3/1999	Rask	
D408,980	* 5/1999	Doxey	D2/972
D412,054	7/1999	Gray et al.	
D415,885	11/1999	Mervar	
D420,501	2/2000	Hlavacs	
D420,502	2/2000	Hlavacs	
D440,391	* 4/2001	Fogg	D2/972
D442,360	* 5/2001	Holmes	D2/972
D449,730	10/2001	McDowell	
D452,069	12/2001	Allen	
D452,608	1/2002	McDowell	
D452,990	1/2002	McDowell	
D467,411	* 12/2002	Dombrow	D2/972
D467,722	12/2002	Wahoske	
D475,519	6/2003	Morris	
D475,522	* 6/2003	Hlavacs	D2/972

Holiday 2001, pp. M15, M22, published Feb. 2001.

Spring 2002, pp. M6, M100, W19, published Nov. 2001.

Spring 2003, p. M13, published Jun. 2002.

Fall 2003, p. M2, published Nov. 2002.

* cited by examiner

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;

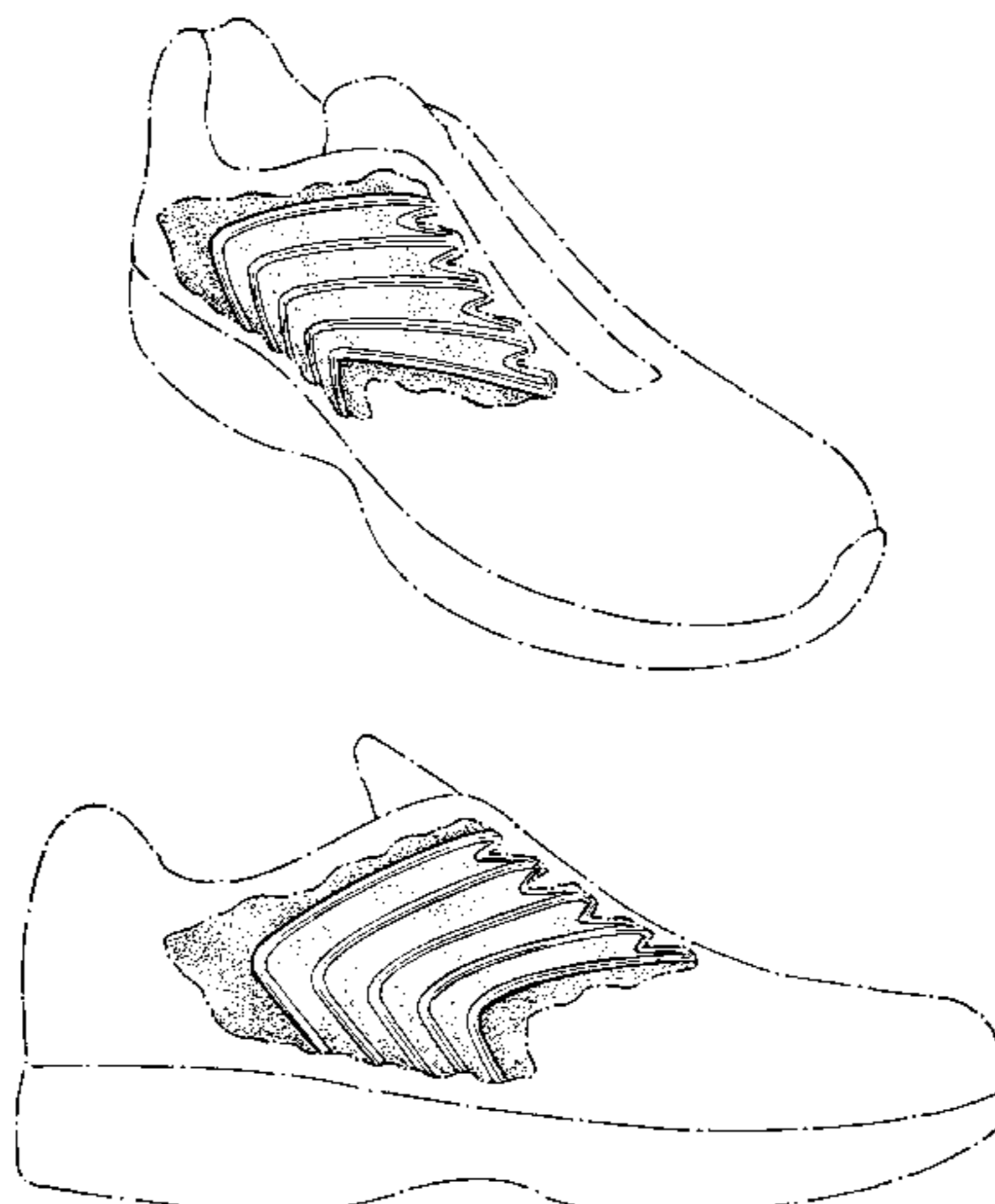
FIG. 2 is a side elevational view thereof;

FIG. 3 is a front elevational view thereof; and,

FIG. 4 is a top plan 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



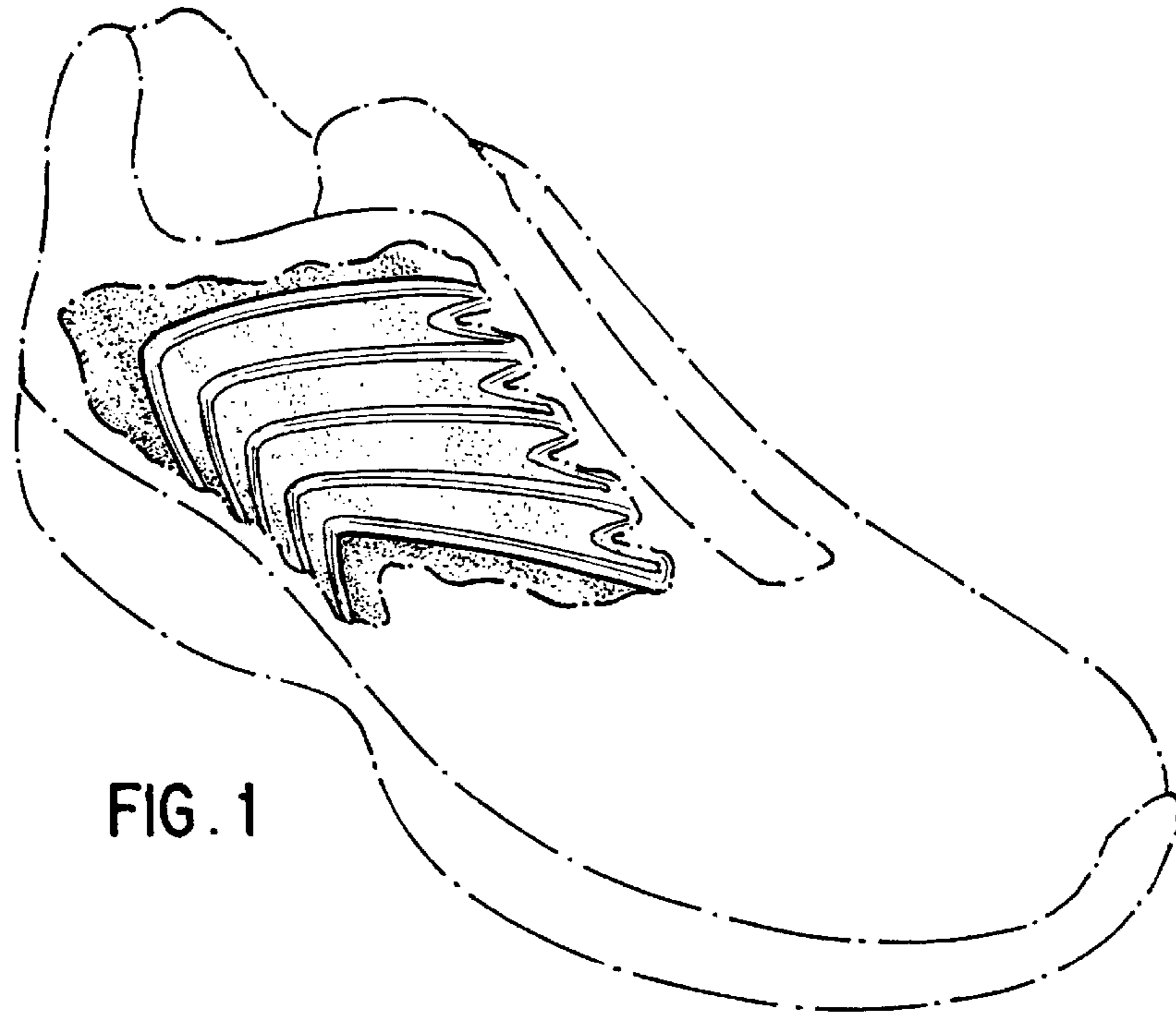


FIG. 1

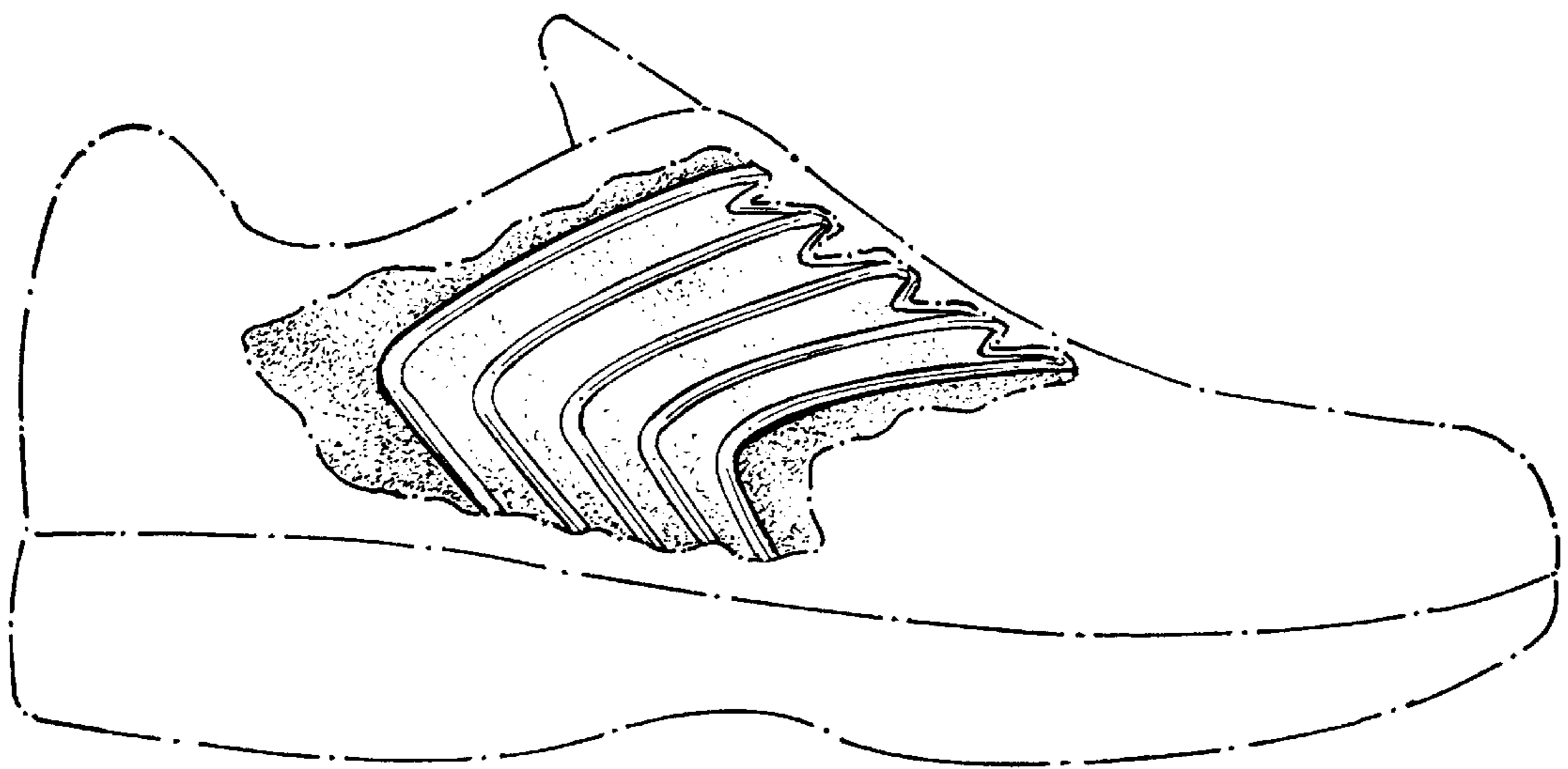


FIG. 2

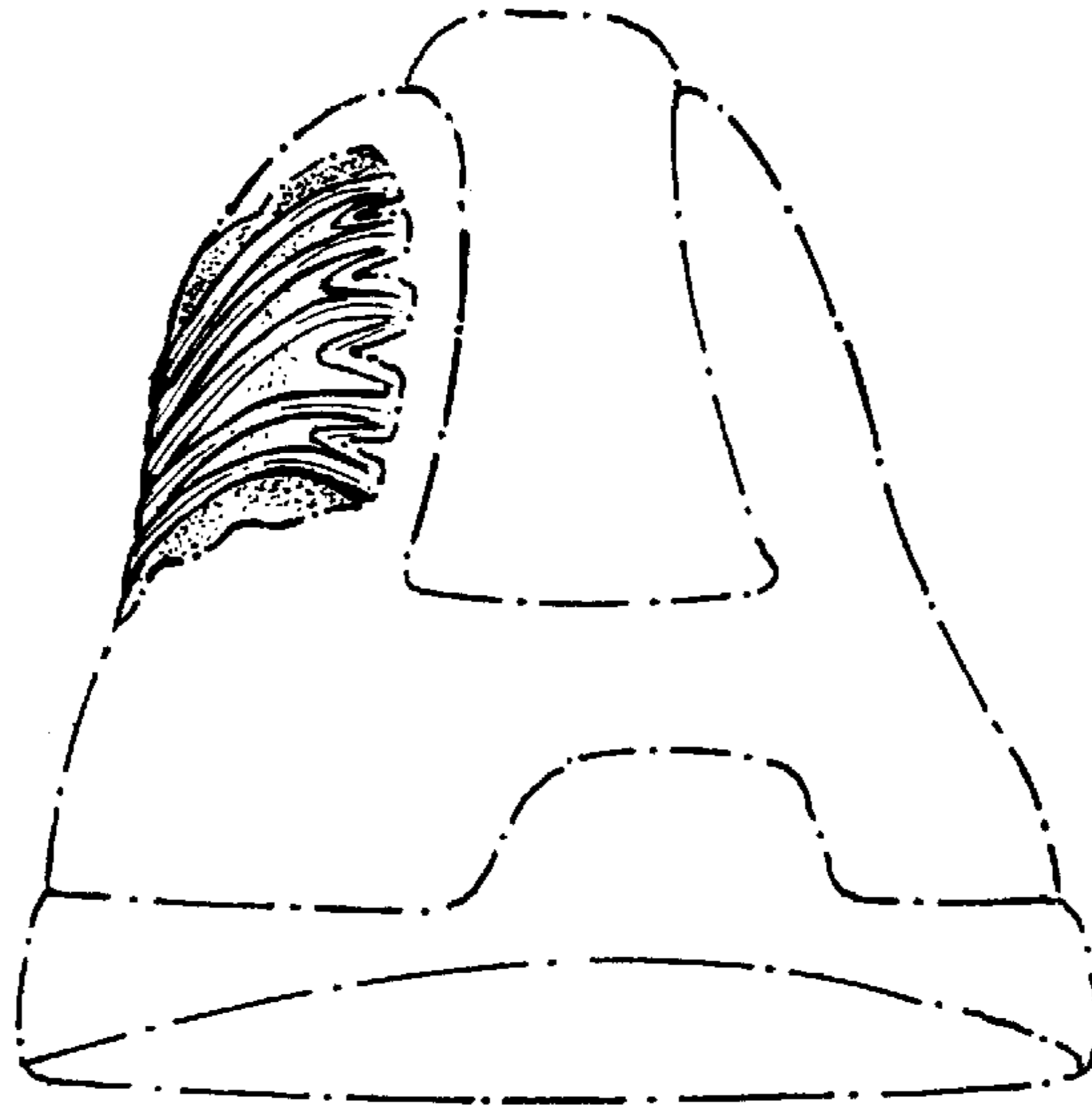


FIG. 3

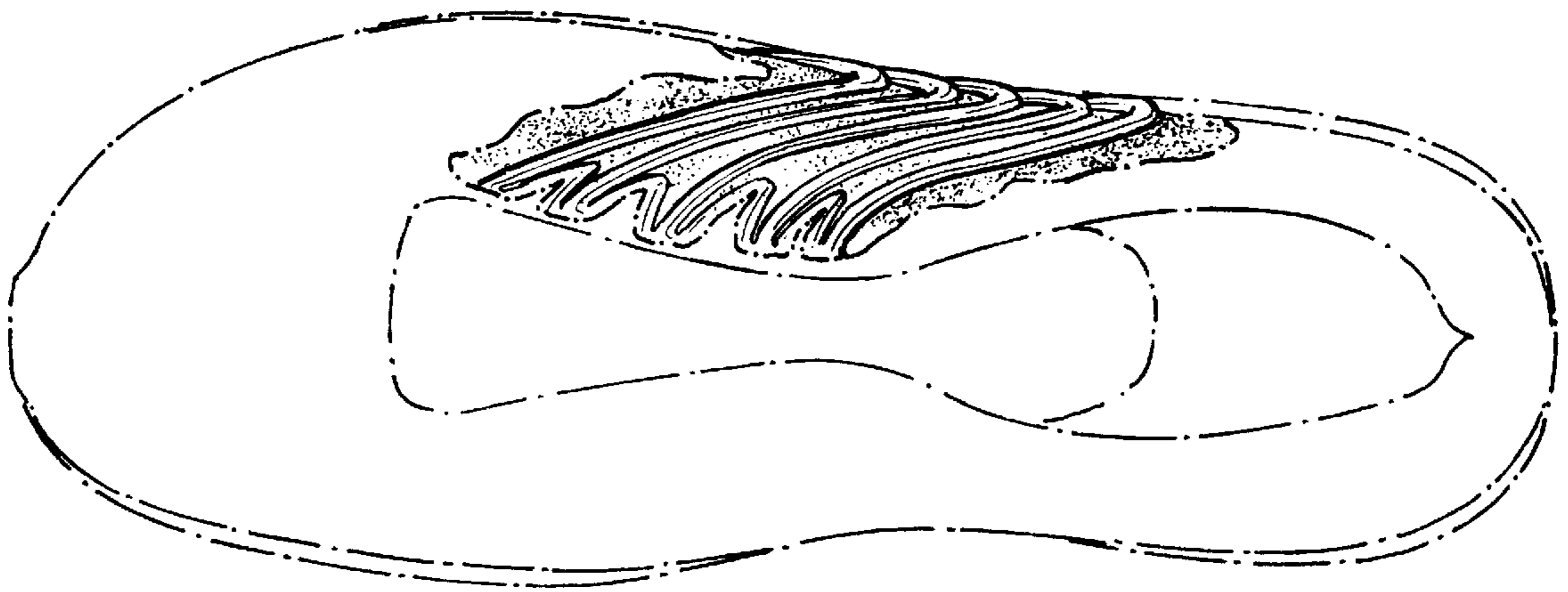


FIG. 4