



US00D490604S

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

(10) **Patent No.:** **US D490,604 S**

(45) **Date of Patent:** **** Jun. 1, 2004**

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

(75) **Inventor:** **Aaron Alexander Carroll Cooper,**
Portland, OR (US)

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

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

(21) **Appl. No.:** **29/196,020**

(22) **Filed:** **Dec. 23, 2003**

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

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

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

(56) **References Cited**

U.S. PATENT DOCUMENTS

D85,017 S	*	9/1931	Troy	D2/972
D273,438 S	*	4/1984	Gamm	D2/907
D296,492 S	*	7/1988	Brown et al.	D2/972
D329,737 S		9/1992	Elliot		
D338,095 S		8/1993	Kittle et al.		
D391,051 S		2/1998	Blakeslee et al.		
D429,064 S		8/2000	Lozano		
D462,511 S	*	9/2002	Price	D2/969
D467,057 S		12/2002	Jacobs		
D467,064 S		12/2002	Hillyer		
D467,410 S		12/2002	Mervar		
D467,718 S		12/2002	Holmes		
D474,885 S		6/2003	Burg et al.		
D475,516 S		6/2003	Laberge		
D475,847 S		6/2003	Schroeder et al.		
D479,391 S		9/2003	Hillyer		

OTHER PUBLICATIONS

Nike Footwear Catalog, Fall 1987, p. 112; published Jan. 1987.

Nike Footwear Catalog, Spring 1990, p. 138, published Jun. 1989.

Nike Footwear Catalog, Late Spring, 1994, p. 56, published Sep. 1993.

Nike Footwear Catalog, Fall 1995, p. 40, published Nov. 1994.

Nike Footwear Catalog, Spring 1996, p. 172, published Jun. 1995.

Nike Footwear Catalog, Fall 1996, pp. 42, 93, 102, 135, and 185, published Dec. 1995.

Nike Footwear Catalog, Spring 1997, pp. 6 and 65, published Jun. 1996.

Nike Footwear Catalog, Late Spring 1997, pp. 179 and 240, published Sep. 1996.

Nike Footwear Catalog, Spring 1998, pp. 117 and 134, published Jun. 1997.

Nike Footwear Catalog, Late Fall 1998, p. 110, published Mar. 1998.

Nike Footwear Catalog, Spring 2000 #1, p. W17, published Jul. 1999.

Nike Footwear Catalog, Spring 2000 #2, p. M35, published Nov. 1999.

(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

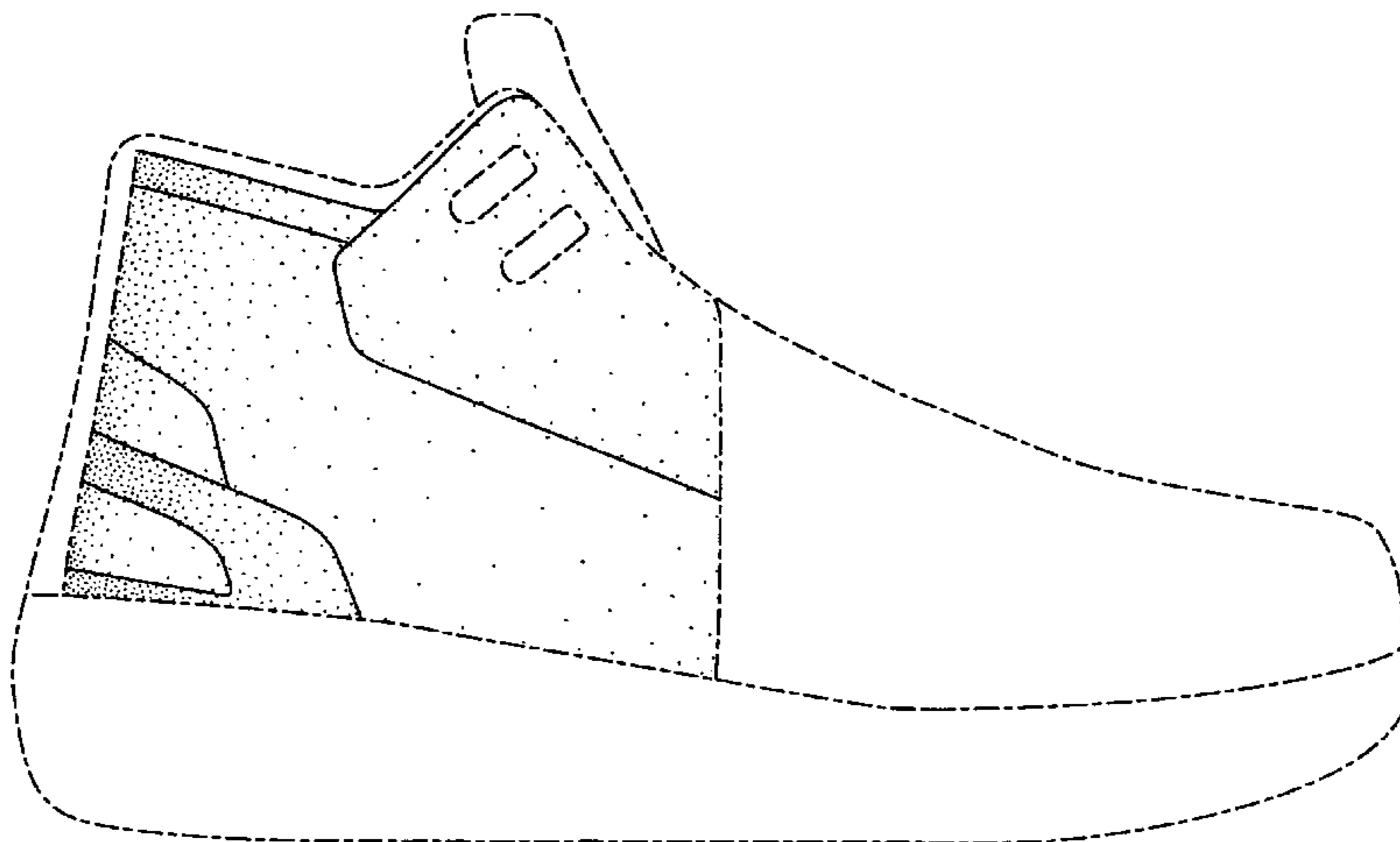
FIG. 1 is a front perspective view of a portion of a shoe upper showing my new design;

FIG. 2 is a rear perspective view thereof; and,

FIG. 3 is a right side view thereof.

The uneven broken line showing of the eyelet elements are for illustrative purposes only and form no part of the claimed design. The uneven broken line immediately adjacent to the shaded area represents an unclaimed portion of the boundary of the design. The uneven broken line showing of the remainder of the shoe forms no part of the claimed design.

1 Claim, 3 Drawing Sheets



OTHER PUBLICATIONS

Nike Footwear Catalog, Fall 2000, p. M112, published Nov. 1999.

Nike Footwear Catalog, Spring 2002, p. W54, published Jun. 2001.

Nike Footwear Catalog, Fall 2003, p. M115, published Nov. 2002.

* cited by examiner

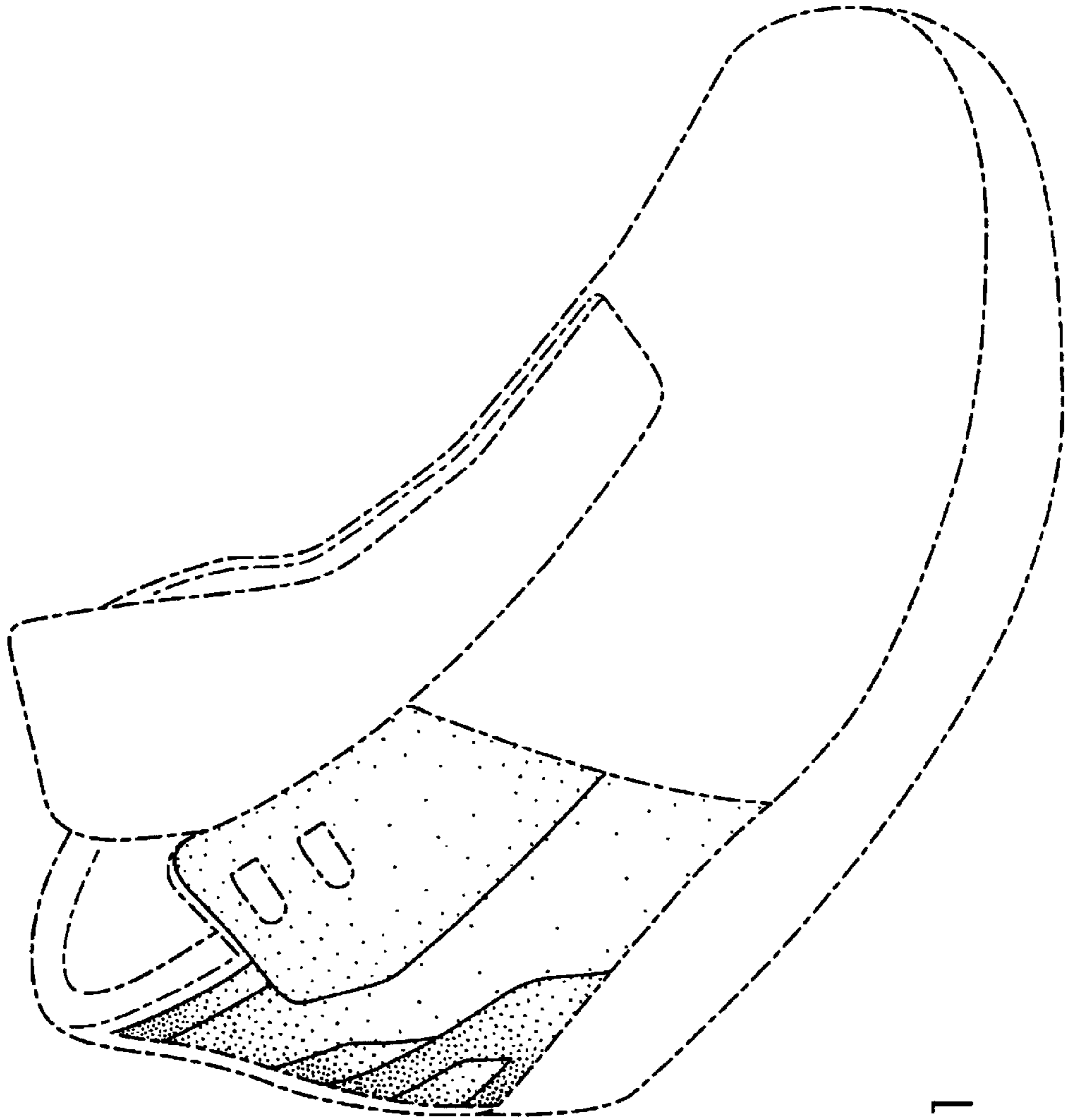


FIG. 1

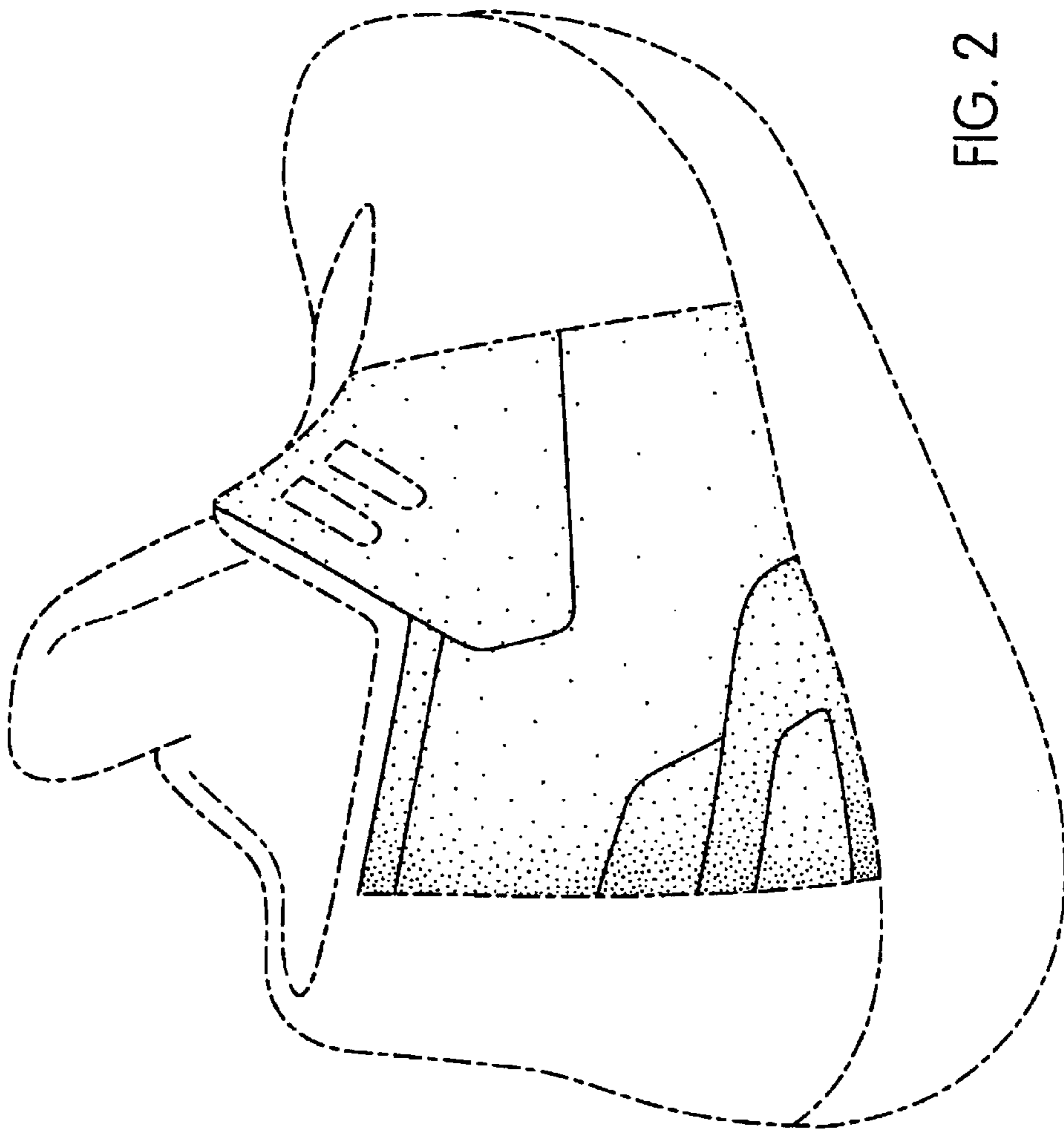


FIG. 2

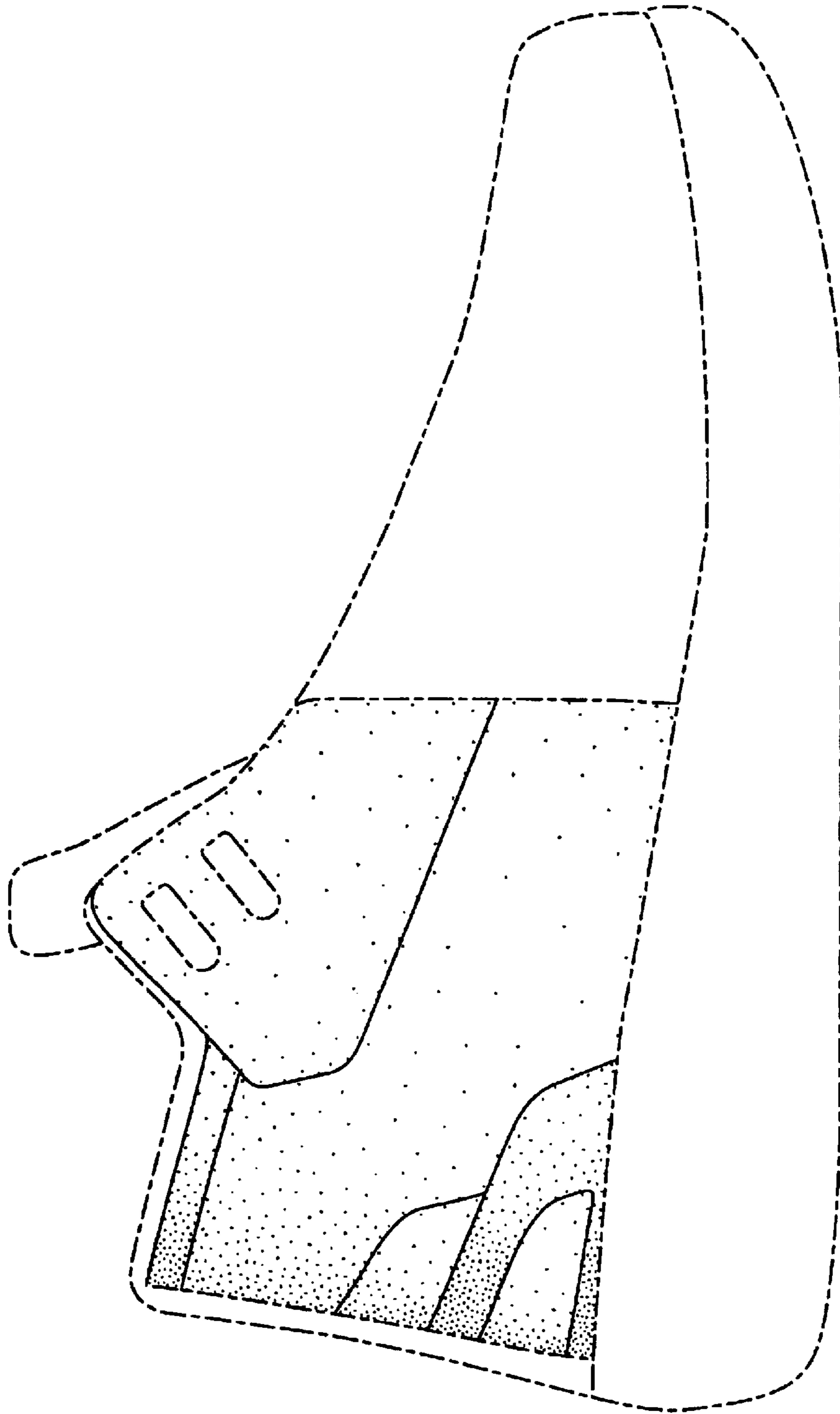


FIG. 3

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : Des. 490,604 S
DATED : June 1, 2004
INVENTOR(S) : Aaron Alexander Carroll Cooper

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

Item [56], **References Cited**, U.S. PATENT DOCUMENTS,

-- D273,439 S	1/1984	Gamm -- has been inserted.
"D474,885 S	6/2003	Burg et al." has been replaced with
-- D474,885 S	5/2003	Burg et al. --

Signed and Sealed this

Ninth Day of November, 2004



JON W. DUDAS

Director of the United States Patent and Trademark Office