



US00D494753S1

(12) **United States Design Patent** (10) **Patent No.:** **US D494,753 S**  
**Kozo** (45) **Date of Patent:** **\*\* Aug. 24, 2004**

- (54) **PORTION OF A SHOE UPPER**  
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 (\*\*) Term: **14 Years**  
 (21) Appl. No.: **29/194,000**  
 (22) Filed: **Nov. 19, 2003**  
 (51) **LOC (7) Cl.** ..... **02-99**  
 (52) **U.S. Cl.** ..... **D2/972**  
 (58) **Field of Search** ..... D2/902, 907, 908,  
 D2/943, 944, 969, 946, 972-974; 36/45,  
 50.1, 77 M, 77 R, 83, 88, 113, 114, 126-130

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D173,699 S	*	12/1954	Hosker	.....	D2/907
D292,945 S		12/1987	Selbiger et al.		
D295,578 S		5/1988	Tong		
D297,181 S		8/1988	Selbiger et al.		
D297,587 S		9/1988	Selbiger et al.		
4,858,339 A		8/1989	Hayafuchi et al.		

(List continued on next page.)

**OTHER PUBLICATIONS**

- Nike Footwear Catalog Fall 1987, p. 104, published Jan. 1987.  
 Nike Footwear Catalog Fall 1988, p. 4, published Dec. 1987.  
 Nike Footwear Catalog Fall 1988, p. 40, published Dec. 1987.  
 Nike Footwear Catalog Spring 1989, p. 12, published Jun. 1988.  
 Nike Footwear Catalog Fall, p. 42, published Dec. 1988.  
 Nike Footwear Catalog Fall, p. 48, published Dec. 1988.  
 Nike Footwear Catalog Spring 1991, p. 132, published Jun. 1990.  
 Nike Footwear Catalog Fall, p. 14, published Dec. 1990.  
 Nike Footwear Catalog Spring 1997, p. 175, published Jun. 1996.

- Nike Footwear Catalog Late Spring 1997, p. 154, published Sep. 1996.  
 Nike Footwear Catalog Spring 1998, p. 19, published Jun. 1997.  
 Nike Footwear Catalog Spring 1998, p. 39, published Jun. 1997.  
 Nike Footwear Catalog Spring 1998, p. 141, published Jun. 1997.  
 Nike Footwear Catalog Spring 1998, p. 194, published Jun. 1997.  
 Nike Footwear Catalog Holiday 1999, p. W8, published Mar. 1999.  
 Nike Footwear Catalog Fall 2000, p. W39, published Nov. 1999.  
 Nike Footwear Catalog Holiday 2001, p. W105, published Feb. 2001.  
 Nike Footwear Catalog Fall 2001, p. M17, published Nov. 2000.  
 Nike Footwear Catalog Fall 2002, p. M13, published Nov. 2001.

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(57) **CLAIM**

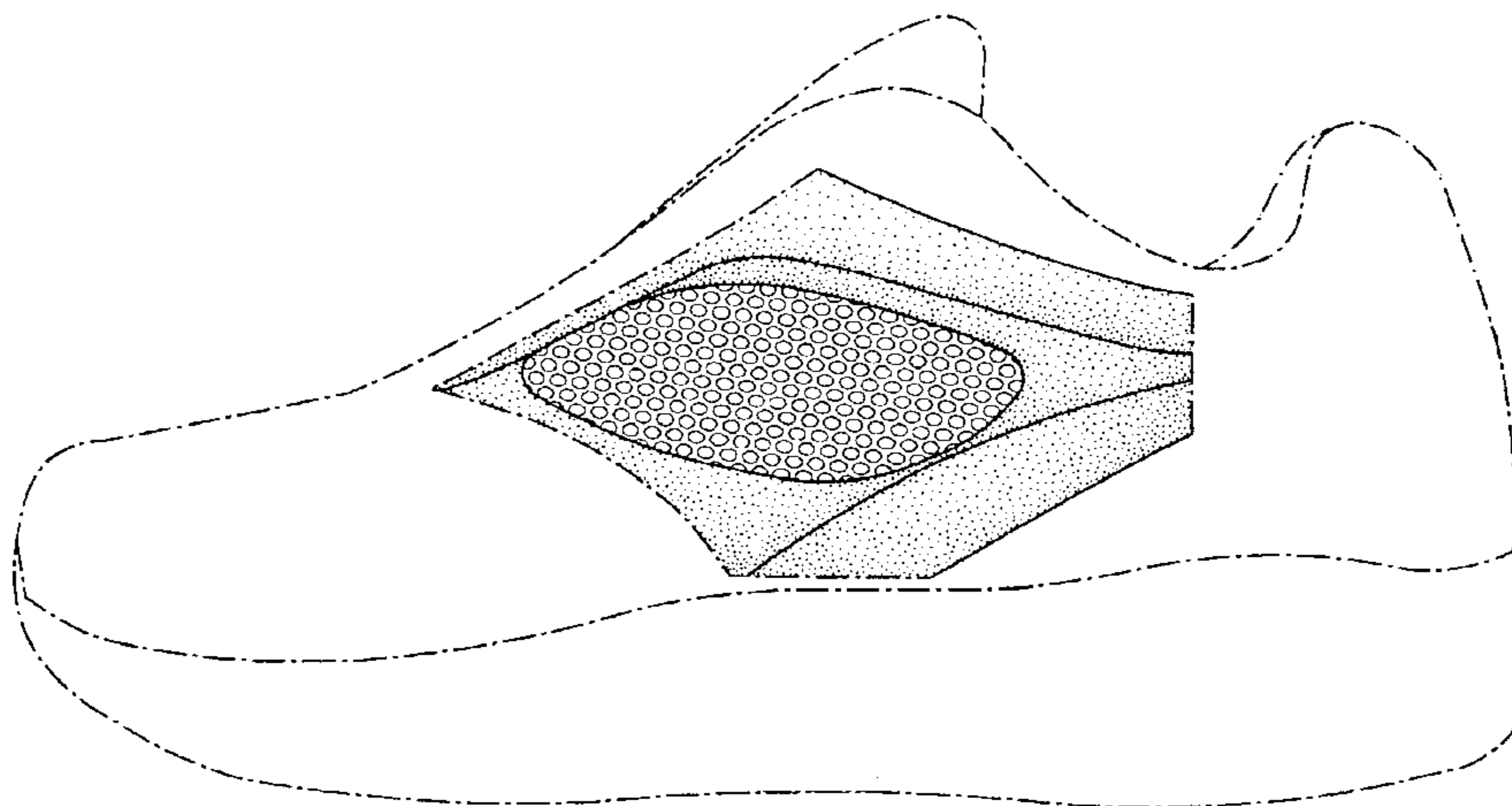
The ornamental design for a portion of a shoe upper, as shown and described.

**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 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, 4 Drawing Sheets**



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## U.S. PATENT DOCUMENTS

D311,092 S	10/1990	Hatfield	
D334,089 S	3/1993	Teague	
D335,016 S	4/1993	Lozano	
D345,458 S	3/1994	Lacoraza et al.	
D346,061 S	4/1994	Teague	
D351,940 S	11/1994	Morris	
D352,389 S	11/1994	Close et al.	
D373,461 S	9/1996	Smith	
D381,799 S	* 8/1997	Hatfield .....	D2/972
D385,997 S	11/1997	Tresser	
D388,364 S	12/1997	Vestuti	
D391,060 S	2/1998	Cass	
D394,147 S	5/1998	Schenone	
D398,756 S	9/1998	Tong	
D401,757 S	12/1998	Mervar	
D404,555 S	1/1999	Gray	
D407,550 S	4/1999	Clarke	
D407,551 S	4/1999	Doxey	
D408,986 S	5/1999	Gray et al.	
D412,776 S	8/1999	Biedermann	
D414,320 S	* 9/1999	Brent .....	D2/969
D416,129 S	11/1999	Lotti	
D419,285 S	1/2000	McDowell	
D420,503 S	2/2000	McDowell	
D429,876 S	8/2000	Vestuti	
D430,725 S	9/2000	McDowell	
D449,730 S	10/2001	McDowell	
D449,924 S	* 11/2001	O'Boyle .....	D2/972
D466,683 S	* 12/2002	Chen .....	D2/974
D467,722 S	12/2002	Wahoske	
D471,350 S	3/2003	Roulo	
D484,300 S	* 12/2003	Smith .....	D2/972
D487,336 S	* 3/2004	Matis .....	D2/969

\* cited by examiner

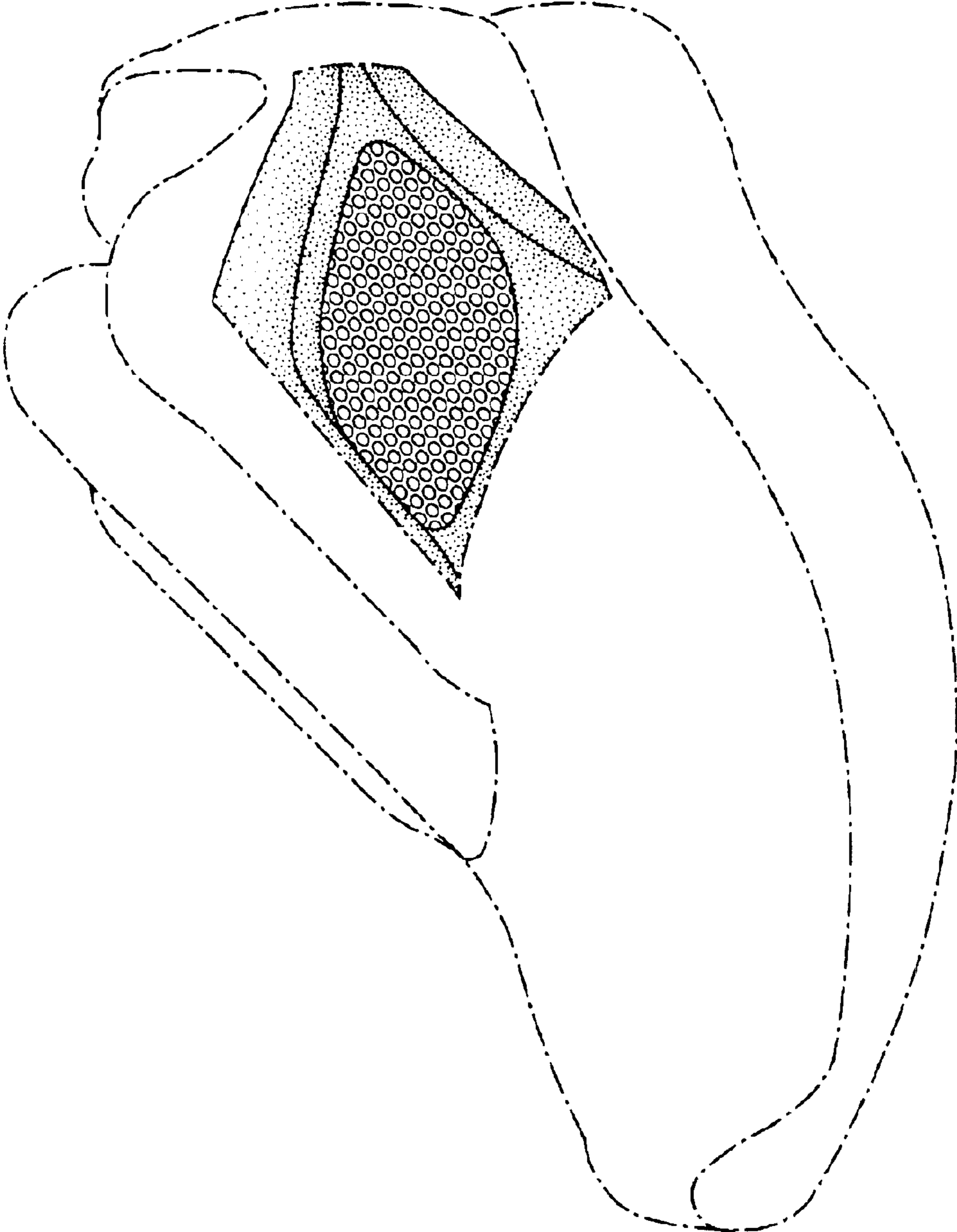


FIG. 1

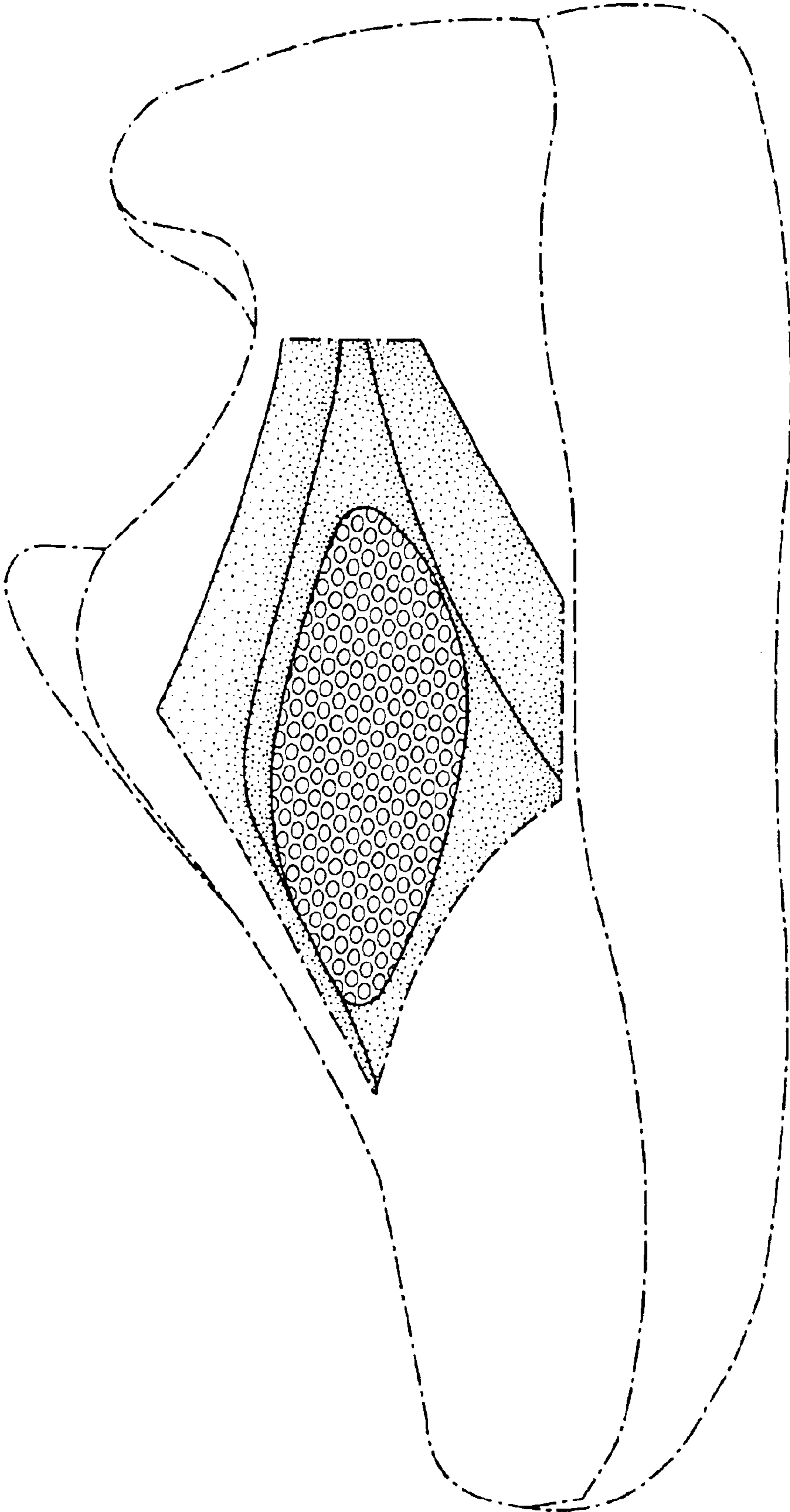
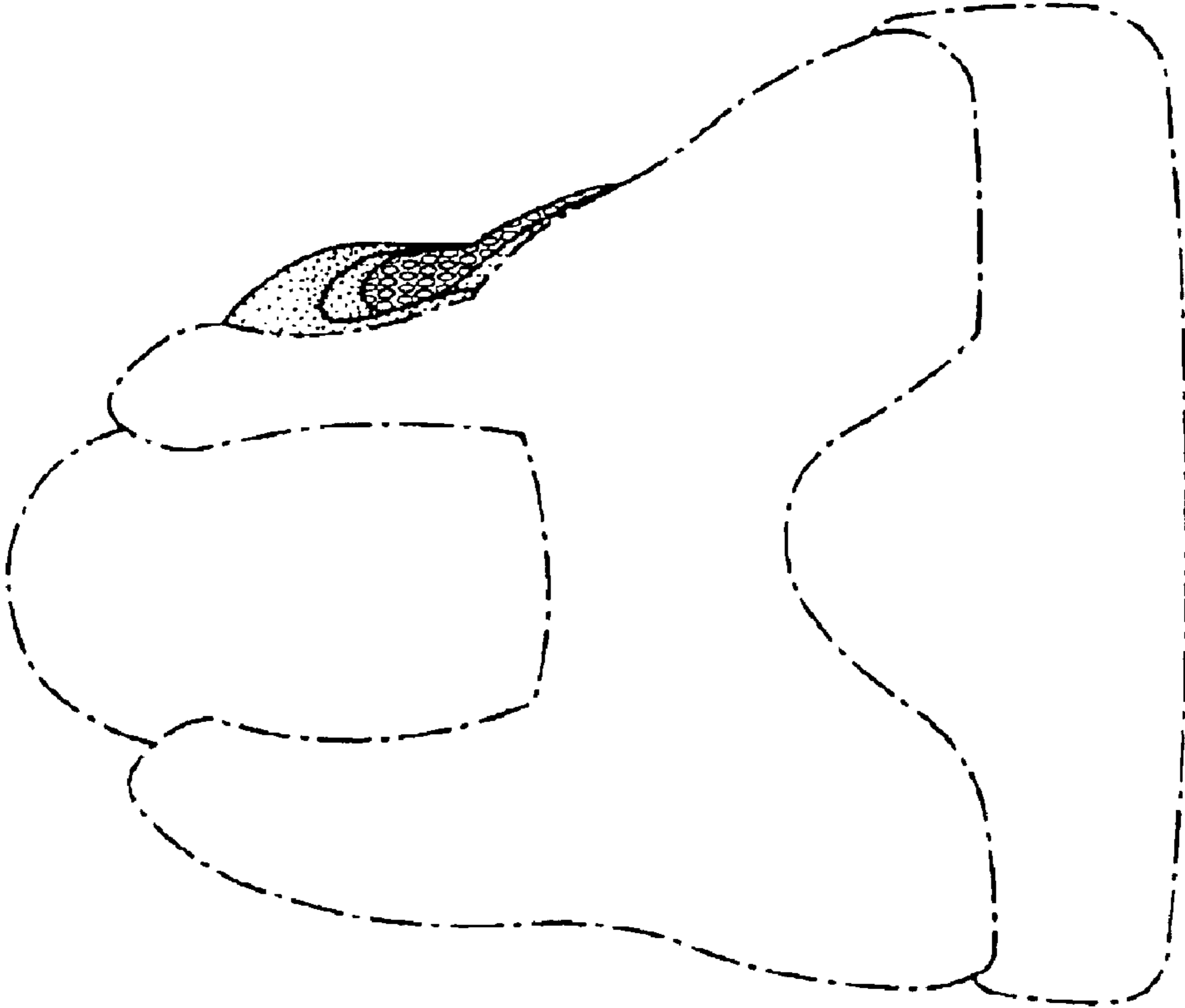


FIG. 2





**FIG.3**

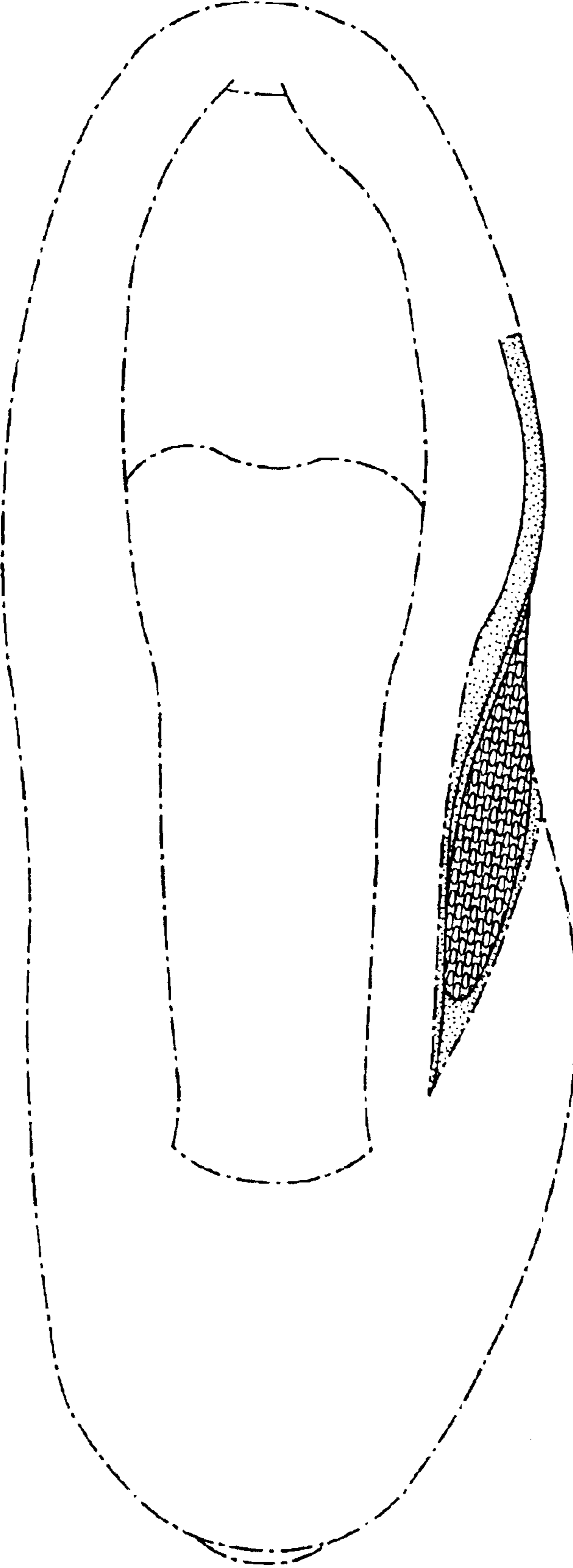


FIG.4