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(12) **United States Design Patent** (10) **Patent No.:** **US D495,126 S**
Patt (45) **Date of Patent:** **** Aug. 31, 2004**

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

D487,340 S * 3/2004 Costantini D2/972

(75) Inventor: **Scott Patt**, Portland, OR (US)

OTHER PUBLICATIONS

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

“Nike Footwear Catalog,” Spring 1990, published Jun. 1989 (pp. W10, W76), Beaverton, Oregon.

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

“Nike Footwear Catalog,” Spring 1991, published Jun. 1990 (p. M8), Beaverton, Oregon.

(21) Appl. No.: **29/198,254**

“Nike Footwear Catalog,” Fall 1991, published Dec. 1990 (p. 46), Beaverton, Oregon.

(22) Filed: **Jan. 27, 2004**

“Nike Footwear Catalog,” Late Spring 1994, published Sep. 1993 (p. 4), Beaverton, Oregon.

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

“Nike Footwear Catalog,” Fall 1994, published Nov. 1993 (pp. M28, M46, W88), Beaverton, Oregon.

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

(58) **Field of Search** D2/902, 907, 908, D2/943, 944, 969, 972-974; 36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114, 126-130

(List continued on next page.)

(56) **References Cited**

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U.S. PATENT DOCUMENTS

(57) **CLAIM**

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

D283,364 S	4/1986	Gamm	
D319,722 S	9/1991	Hatfield	
D344,404 S	2/1994	Close	
D344,405 S	2/1994	Close	
D345,253 S	3/1994	Lucas	
D347,109 S	5/1994	Avar	
D347,938 S	6/1994	Smith	
D348,979 S	7/1994	Greene	
D349,805 S	8/1994	Earle et al.	
D355,756 S	2/1995	Vestuti	
D357,573 S	4/1995	Ng	
D357,796 S	5/1995	Crowley, II	
D361,426 S	8/1995	Baker	
D373,460 S	9/1996	Crowley	
D380,081 S	6/1997	Gerber	
D380,291 S	7/1997	Morris	
D383,595 S	* 9/1997	Morris	D2/99
D411,247 S	6/1999	Lavertue et al.	
D451,269 S	12/2001	Burt	
D459,862 S	7/2002	Butler et al.	
D467,720 S	* 12/2002	Patt	D2/972
D475,189 S	6/2003	Laberge et al.	
D479,392 S	* 9/2003	Hillyer	D2/972
D481,530 S	* 11/2003	Hillyer	D2/972
D487,339 S	* 3/2004	Laberge	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 a side element of a shoe upper shown in FIG. 1;

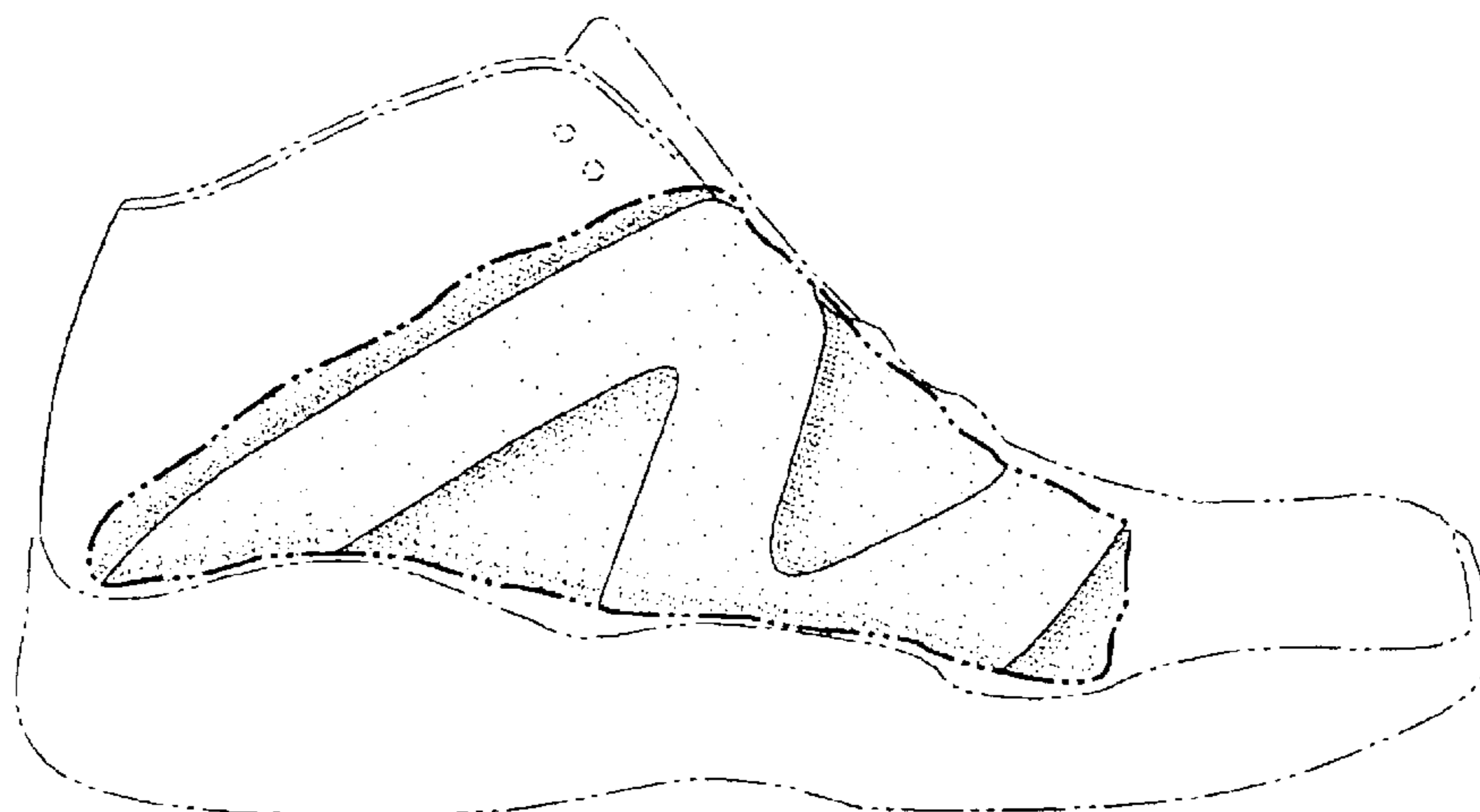
FIG. 3 is a front view of a side element of a shoe upper shown in FIG. 1;

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

FIG. 5 is a top view of a side element of a shoe upper shown in FIG. 1;

The uneven broken line(s) immediately adjacent to the shaded area(s) represent(s) 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 forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



OTHER PUBLICATIONS

“Nike Footwear Catalog,” Spring 1995, published Jun. 1994 (pp. M10, W109), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 1995, published Nov. 1994 (pp. 17, 24, 47, 97, 140), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1996, published Jun. 1995 (pp. W155, W156), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 1996, published Aug. 1995 (p. W20), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 1996, published Dec. 1995 (pp. M19, M102, W168), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 1996, published Mar. 1996 (pp. M100, W102, W136), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1997, published Jun. 1996 (pp. M10, M115), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 1997, published Dec. 1996 (pp. M6, M42), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1998, published Jun. 1997 (p. M113), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 1998, published Nov. 1997 (p. W28), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 1998, published Feb. 1998 (p. M130), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 2000, published Jul. 1999 (p. M35), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 2001, published Sep. 2000 (p. M19), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 2001, published Nov. 2000 (pp. M30, W134), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 2001, published Feb. 2001 (p. M10), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 2003, published Sep. 2002 (pp. W48, W66, W68, M44), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 2003, published Nov. 2002 (p. M9), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 2004, published Jun. 2003 (pp. W15, M103, M33), Beaverton, Oregon.

* cited by examiner

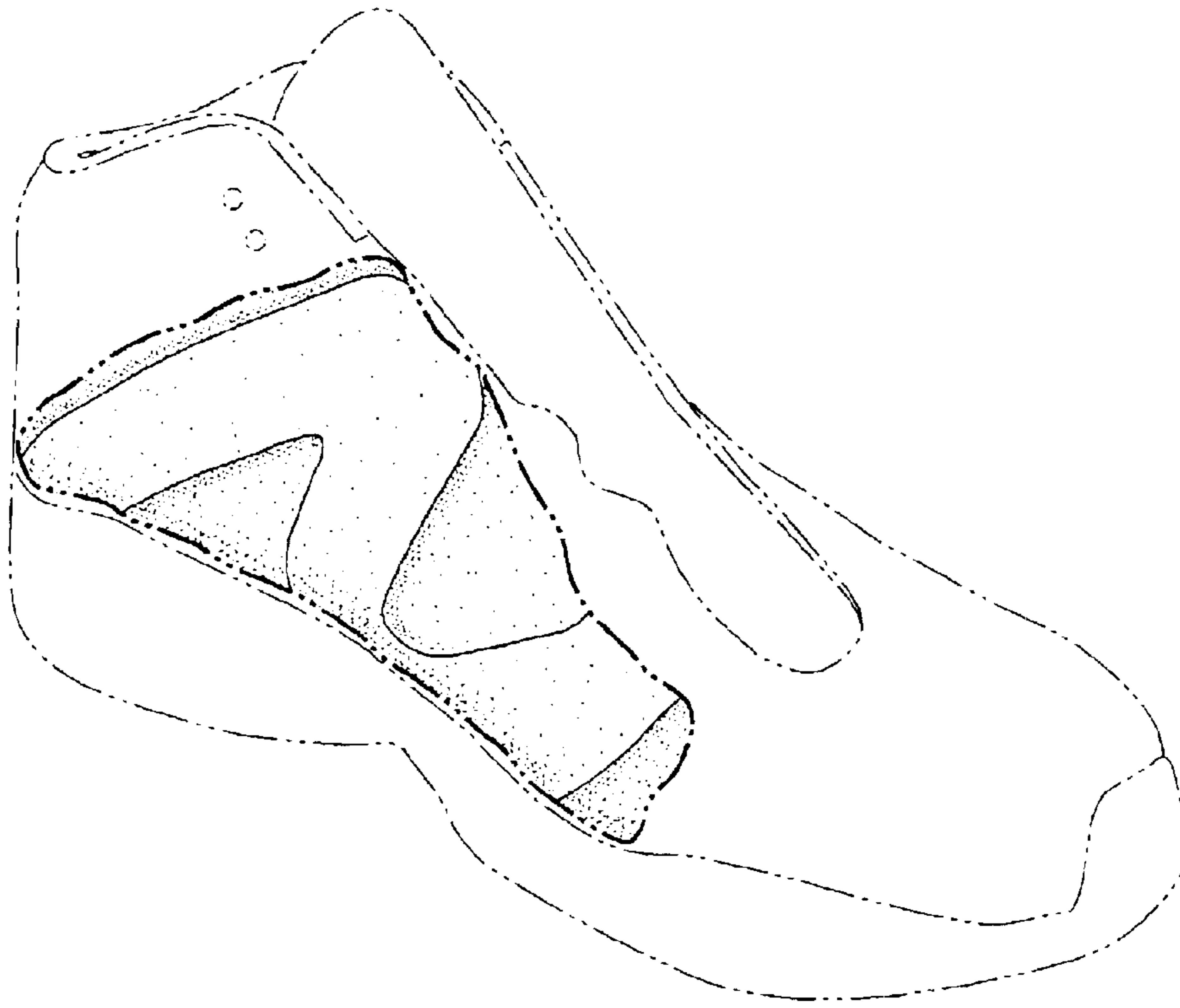


FIG. 1

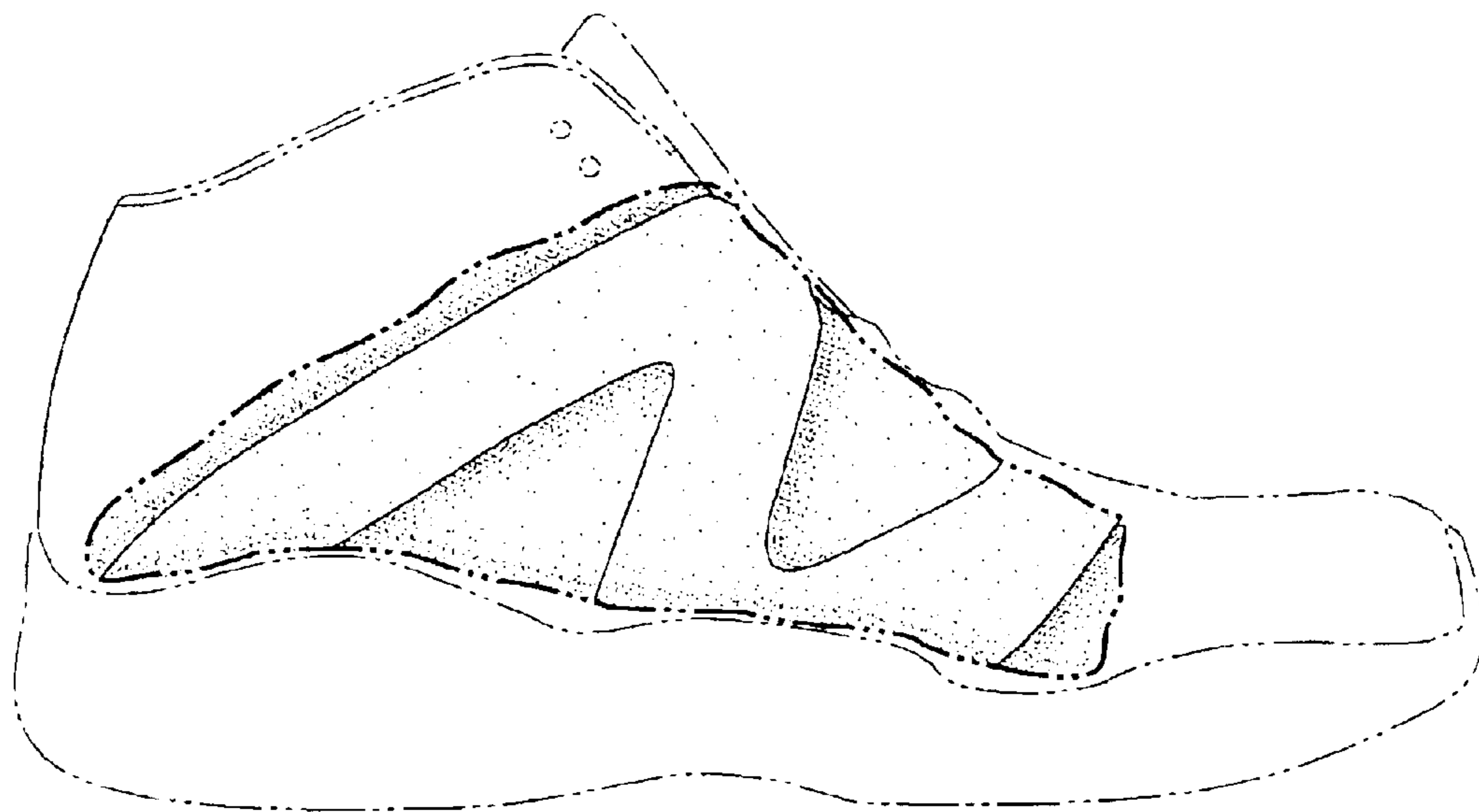


FIG. 2

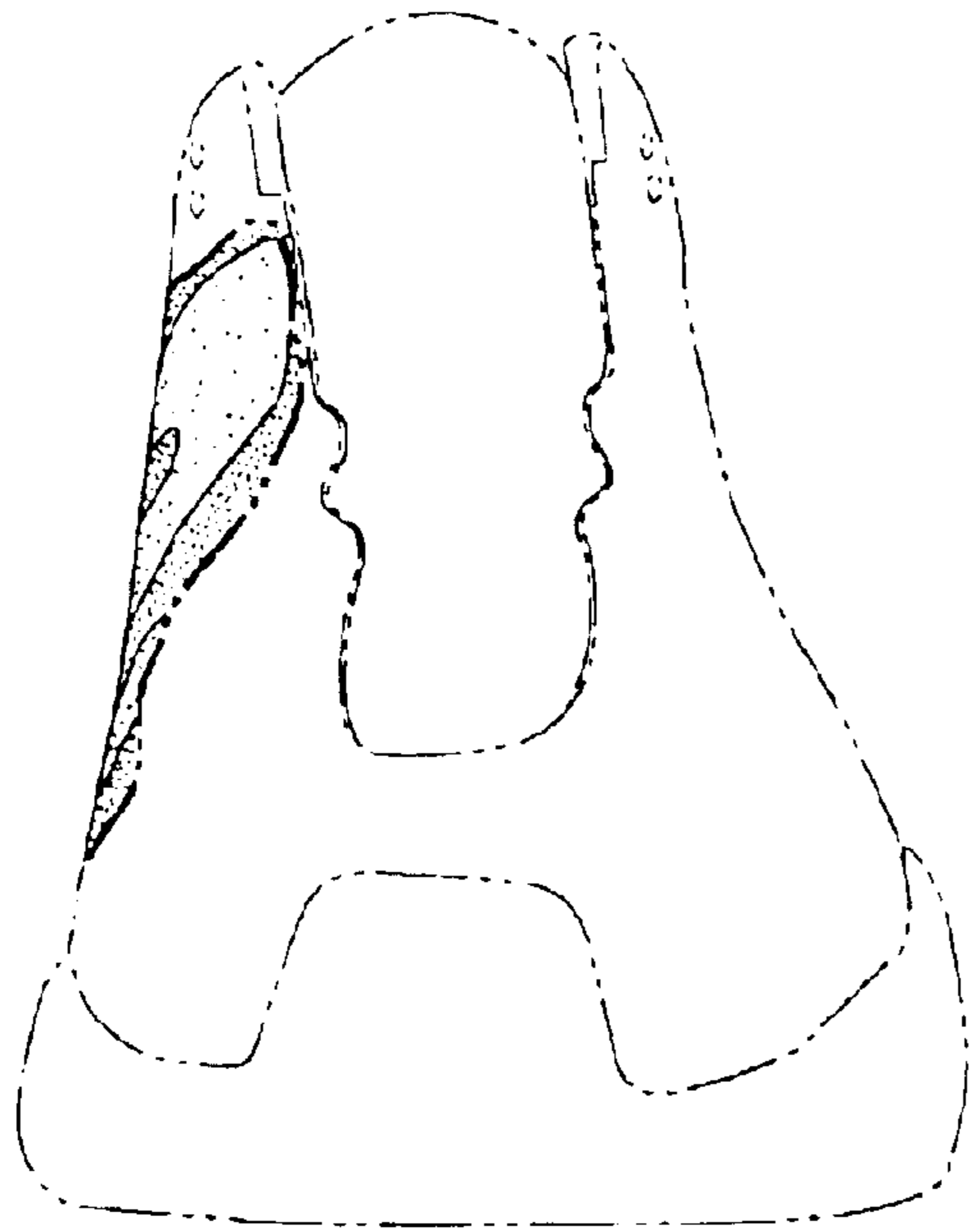


FIG. 3

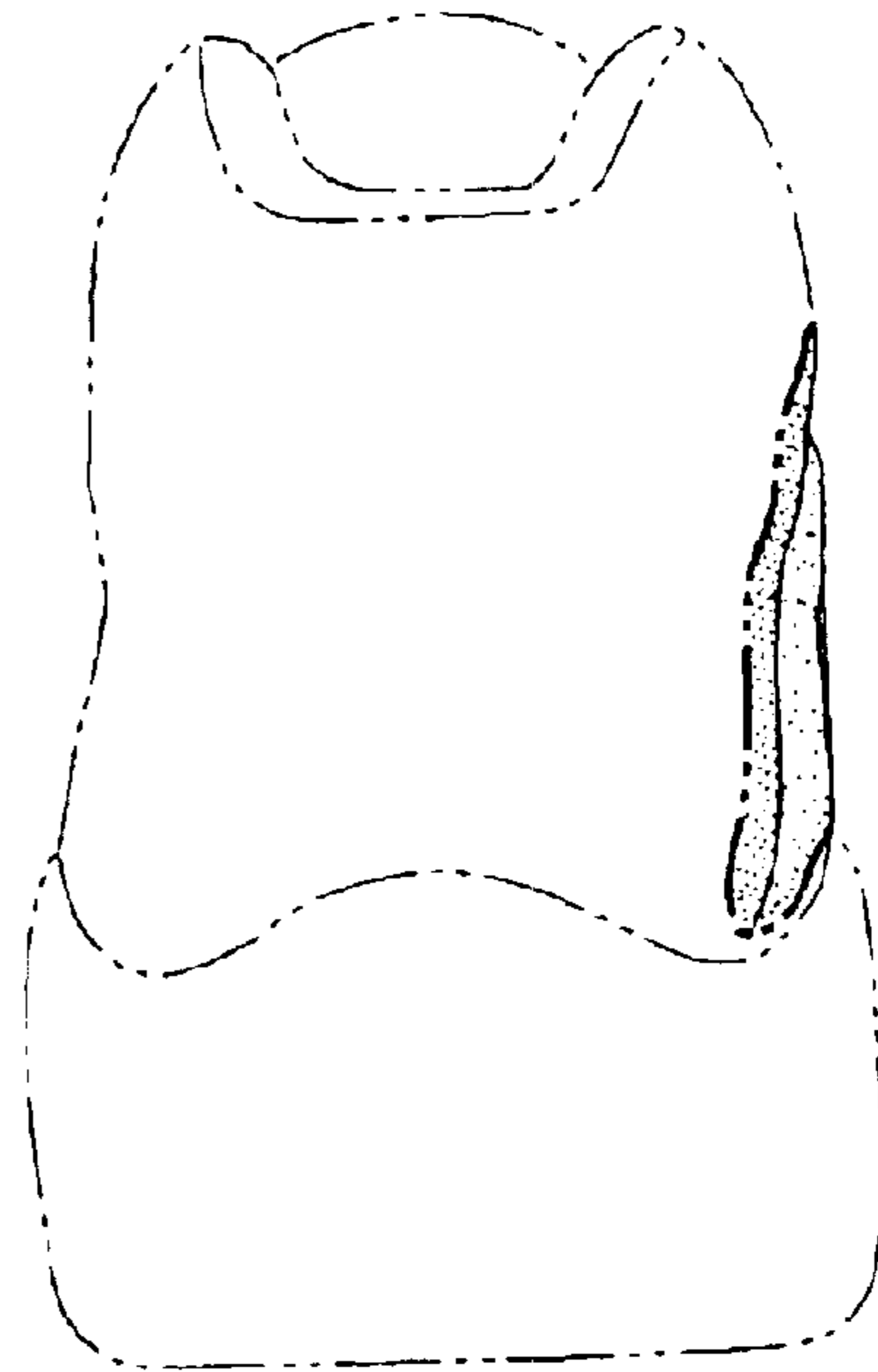


FIG. 4

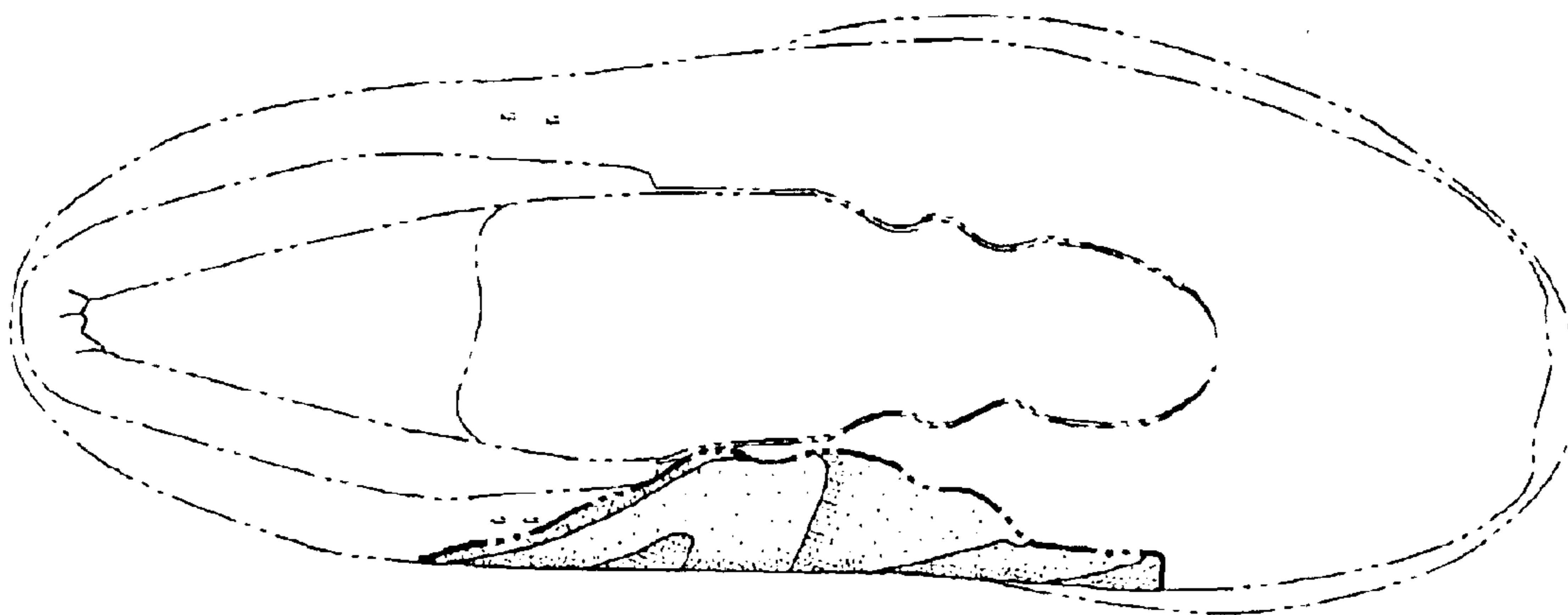


FIG. 5