

US00D498909S

(12) **United States Design Patent** (10) **Patent No.:** **US D498,909 S**
Patt (45) **Date of Patent:** **** Nov. 30, 2004**

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

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

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

(21) Appl. No.: **29/188,173**

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

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

(58) **Field of Search** D2/907, 908, 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

D94,350 S	1/1935	Holtz
D110,427 S	7/1938	Benjamin
D278,091 S	3/1985	Korn
D278,850 S	5/1985	Michaeli
D364,729 S	12/1995	Teague

(List continued on next page.)

OTHER PUBLICATIONS

- “Nike Footwear Catalog,” Fall 1990, published Dec. 1989, (p. 118), Beaverton, Oregon.
“Nike Footwear Catalog,” Spring 1993, published Jun. 1992, (p. 20), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 1992, published Dec. 1991, (pp. 32, 90), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 1995, published Nov. 1994, (p. 76), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 1997, published Dec. 1996, (pp. 7, 27, 65), Beaverton, Oregon.
“Nike Footwear Catalog,” Spring 1998, published Jun. 1997, (p. 1), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 1999, published Nov. 1998, (pp. M11, M55, M133), Beaverton, Oregon.

- “Nike Footwear Catalog,” Spring 2000, published Jul. 1999, (pp. 47, 108), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 2000, published Nov. 1999, (p. 90), Beaverton, Oregon.
“Nike Footwear Catalog,” Spring 2001, published Jun. 2000, (p. 30), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 2001, published Nov. 2000, (pp. 44, 119), Beaverton, Oregon.
“Nike Footwear Catalog,” Spring 2002, published Jun. 2001, (pp. 7, 15, 28, 687), Beaverton, Oregon.
“Nike Footwear Catalog,” Late Spring 2002, published Sep. 2001, (p. 125), Beaverton, Oregon.
“Nike Footwear Catalog,” Late Spring 2003, published Sep. 2002, (p. 26), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 2003, published Nov. 2002, (pp. 8, 20), Beaverton, Oregon.

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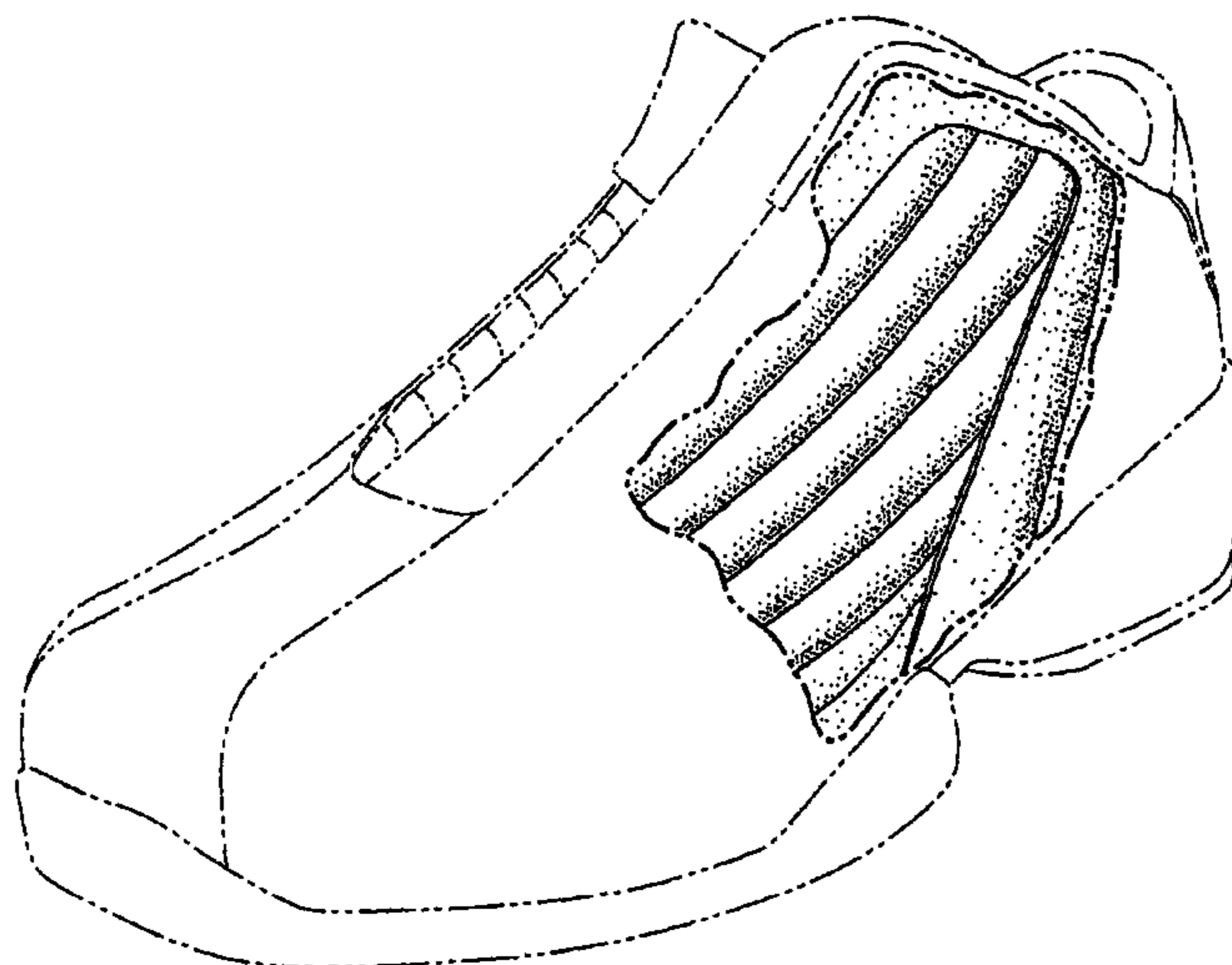
(57) **CLAIM**

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

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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U.S. PATENT DOCUMENTS

D395,348 S	6/1998	Smith, III	D433,219 S	11/2000	Lozano	
D397,861 S	9/1998	Teague	D441,182 S	5/2001	Link	
D398,764 S	9/1998	Hlavacs	D452,369 S	12/2001	Roulo	
D400,000 S	10/1998	Hatfield et al.	D461,304 S	8/2002	Clegg	
D401,756 S	12/1998	Avar	D461,951 S	8/2002	Hlavacs	
D406,452 S	3/1999	Fogg	D464,480 S	10/2002	Morris	
D412,053 S	7/1999	Blakeslee et al.	D475,846 S	* 6/2003	Lupo	D2/972
D413,194 S	8/1999	Cooper	D476,473 S	* 7/2003	Clegg	D2/972
D415,878 S	11/1999	Avar et al.	D486,629 S	* 2/2004	Le et al.	D2/969
D419,758 S	2/2000	Hudson	D491,344 S	* 6/2004	Laska	D2/969
D424,798 S	5/2000	McDowell	D491,347 S	* 6/2004	Cooper	D2/972
D433,218 S	11/2000	Lupo				

* cited by examiner

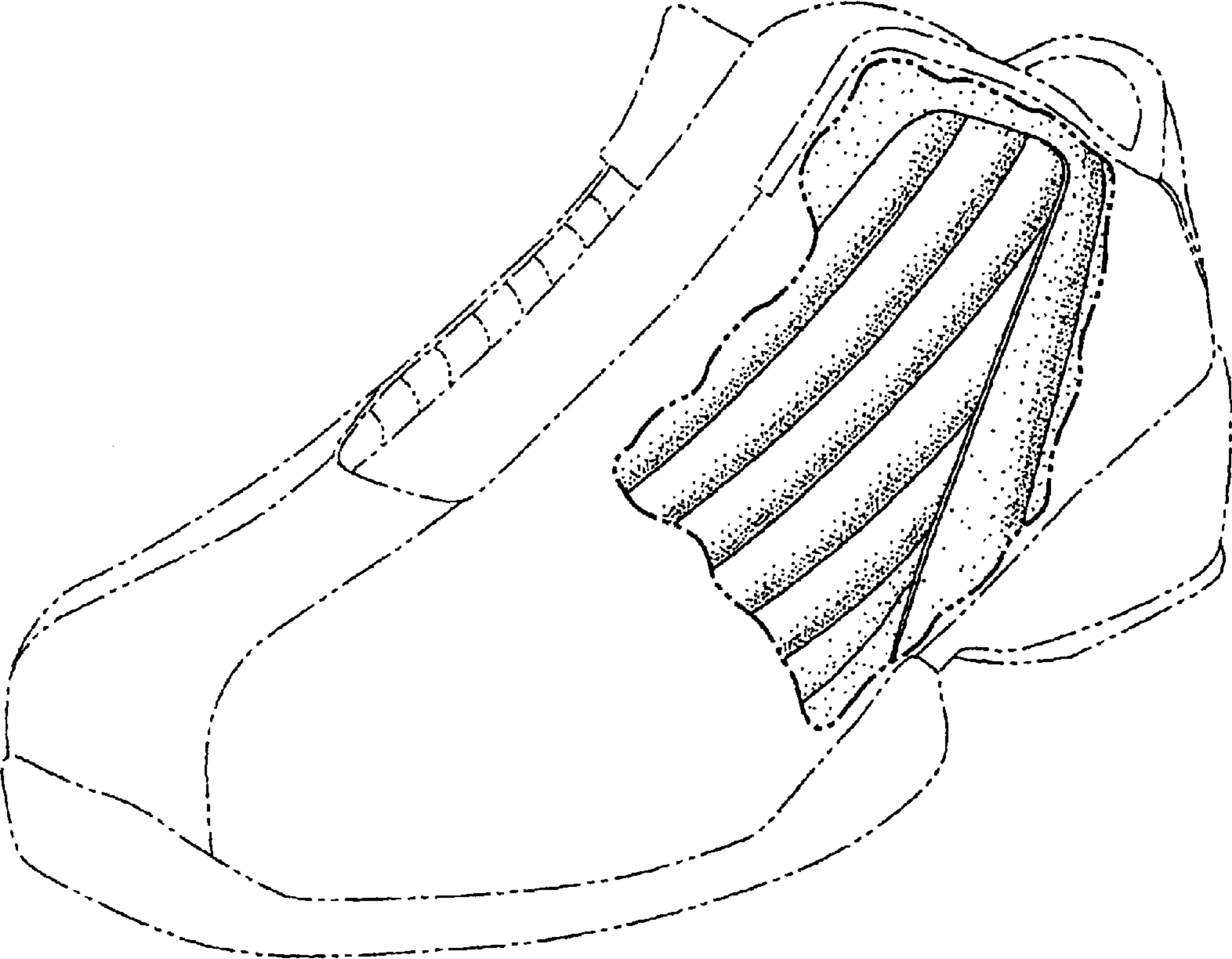


FIG. 1

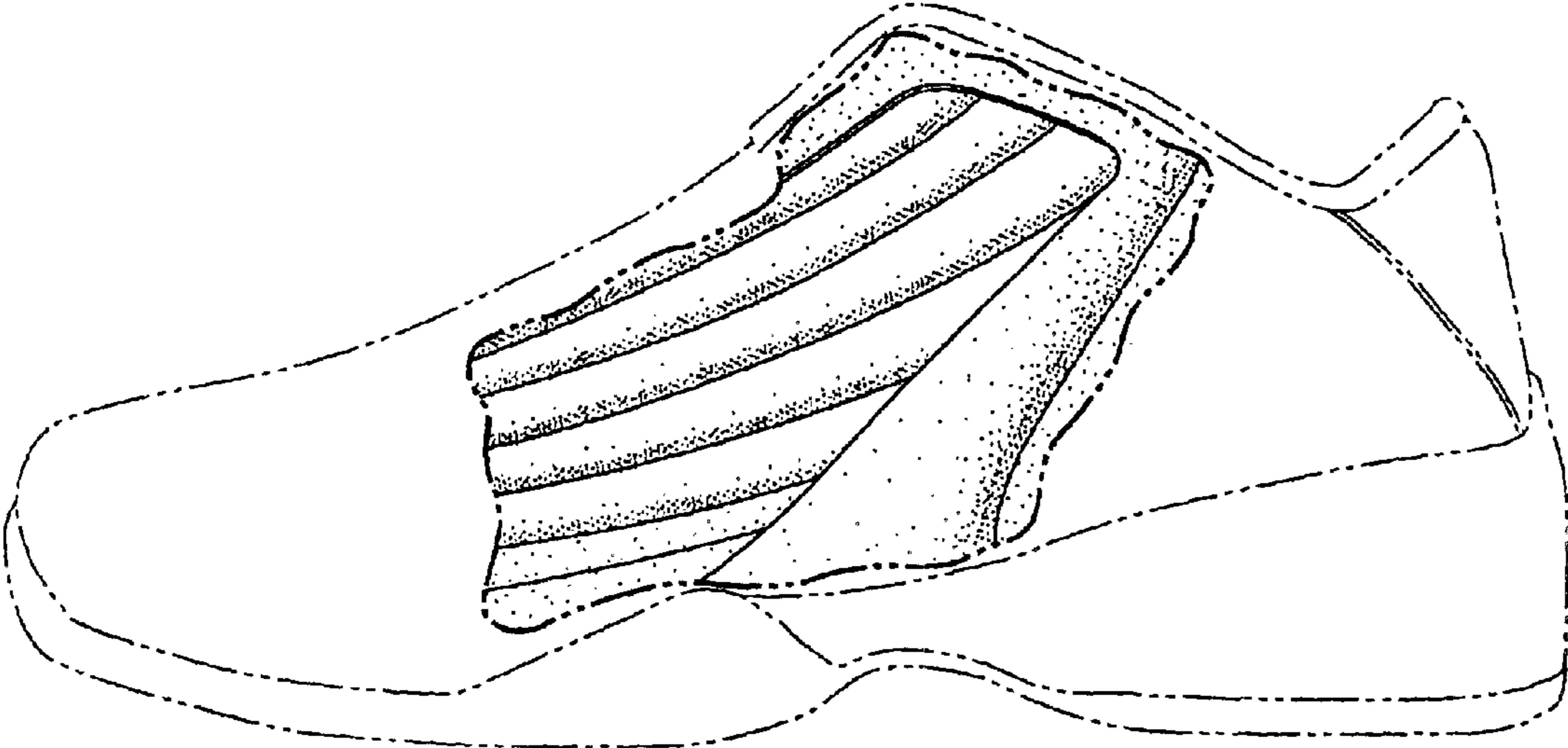


FIG. 2

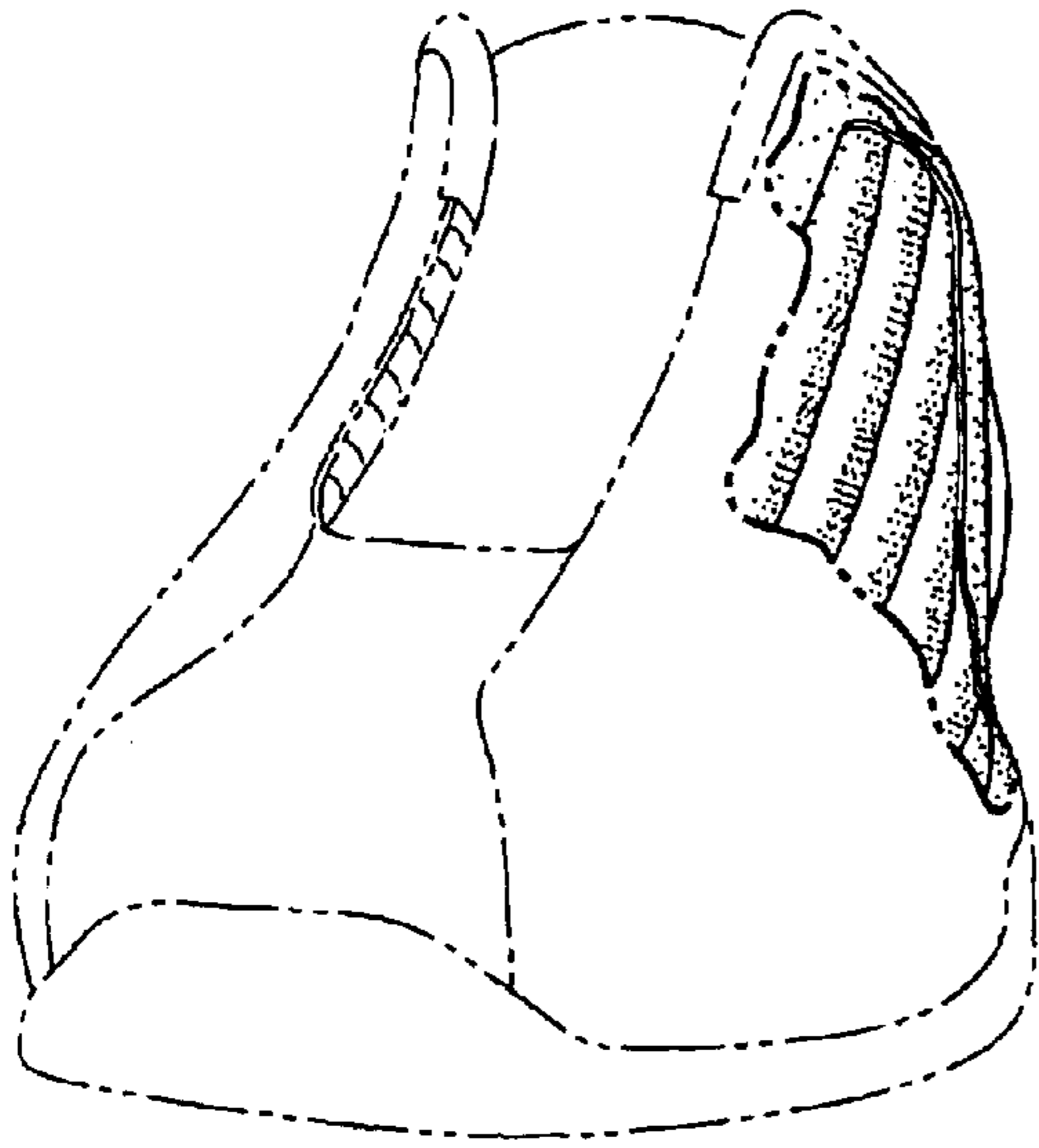


FIG. 3

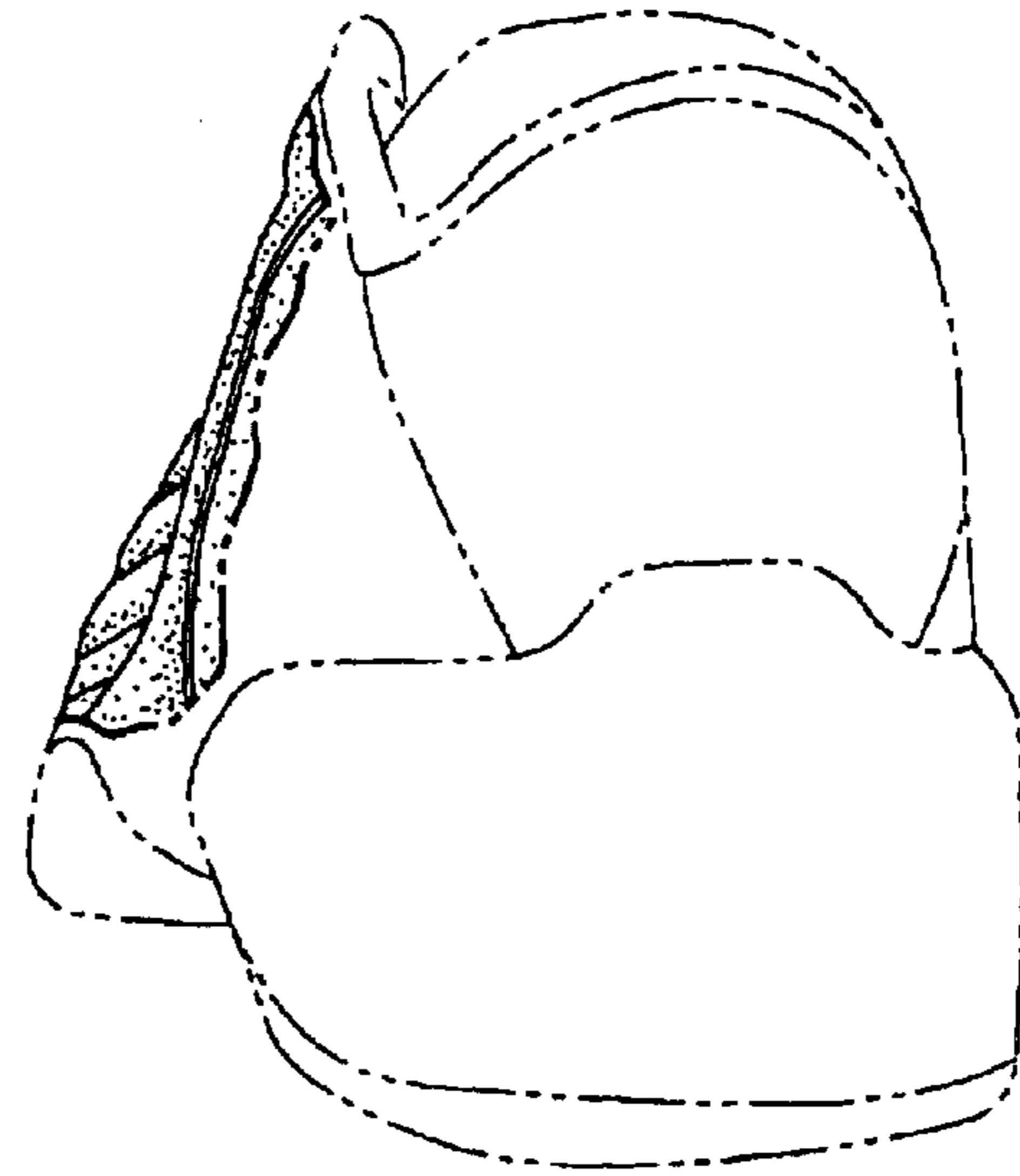


FIG. 4

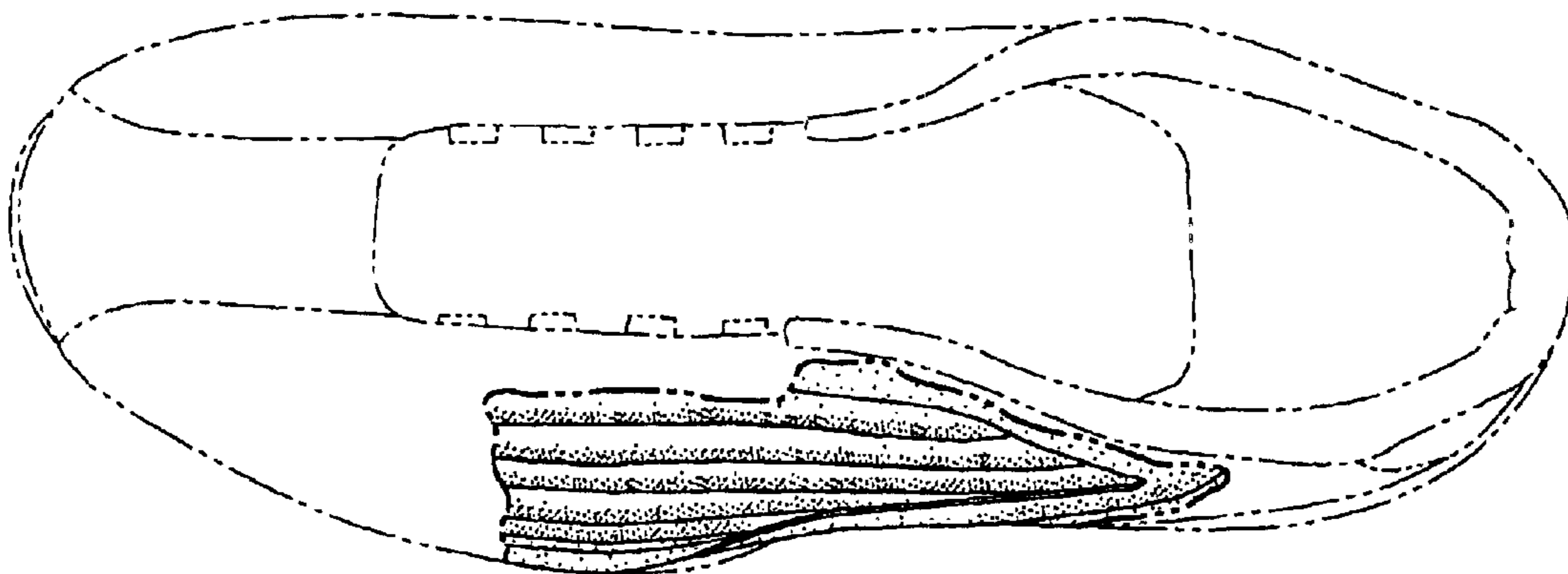


FIG. 5