

US00D499244S

(12) **United States Design Patent** (10) **Patent No.:** **US D499,244 S**
Dombrow (45) **Date of Patent:** **** Dec. 7, 2004**

(54) **PORTION OF A SHOE UPPER**
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(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
(**) Term: **14 Years**
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(51) **LOC (7) Cl.** **02-99**
(52) **U.S. Cl.** **D2/972; D2/973**
(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

D413,195 S 8/1999 Smith, III
D460,609 S 7/2002 Belley
D468,519 S 1/2003 Garcia
D483,935 S 12/2003 Kuerbis
D492,098 S * 6/2004 Magro D2/907

OTHER PUBLICATIONS

Nike Footwear Catalog Spring 1985 Athletic, p. 16, published 1985.
Nike Footwear Catalog Spring 1986, p. 2, published Jun. 1985.
Nike Footwear Catalog Fall 1988, p. 60, published Dec. 1987.
Nike Footwear Catalog Spring 1996, p. 166, published Jun. 1995.
Nike Footwear Catalog Late Spring 1997, p. 46, published Sep. 1996.
Nike Footwear Catalog Fall 1997, p. 216, published Dec. 1996.
Nike Footwear Catalog Fall 1999, p. W108, published Nov. 1998.
Nike Footwear Catalog Spring 2003, pp. M29, M65, published Jun. 2002.

* cited by examiner

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(57) **CLAIM**

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

DESCRIPTION

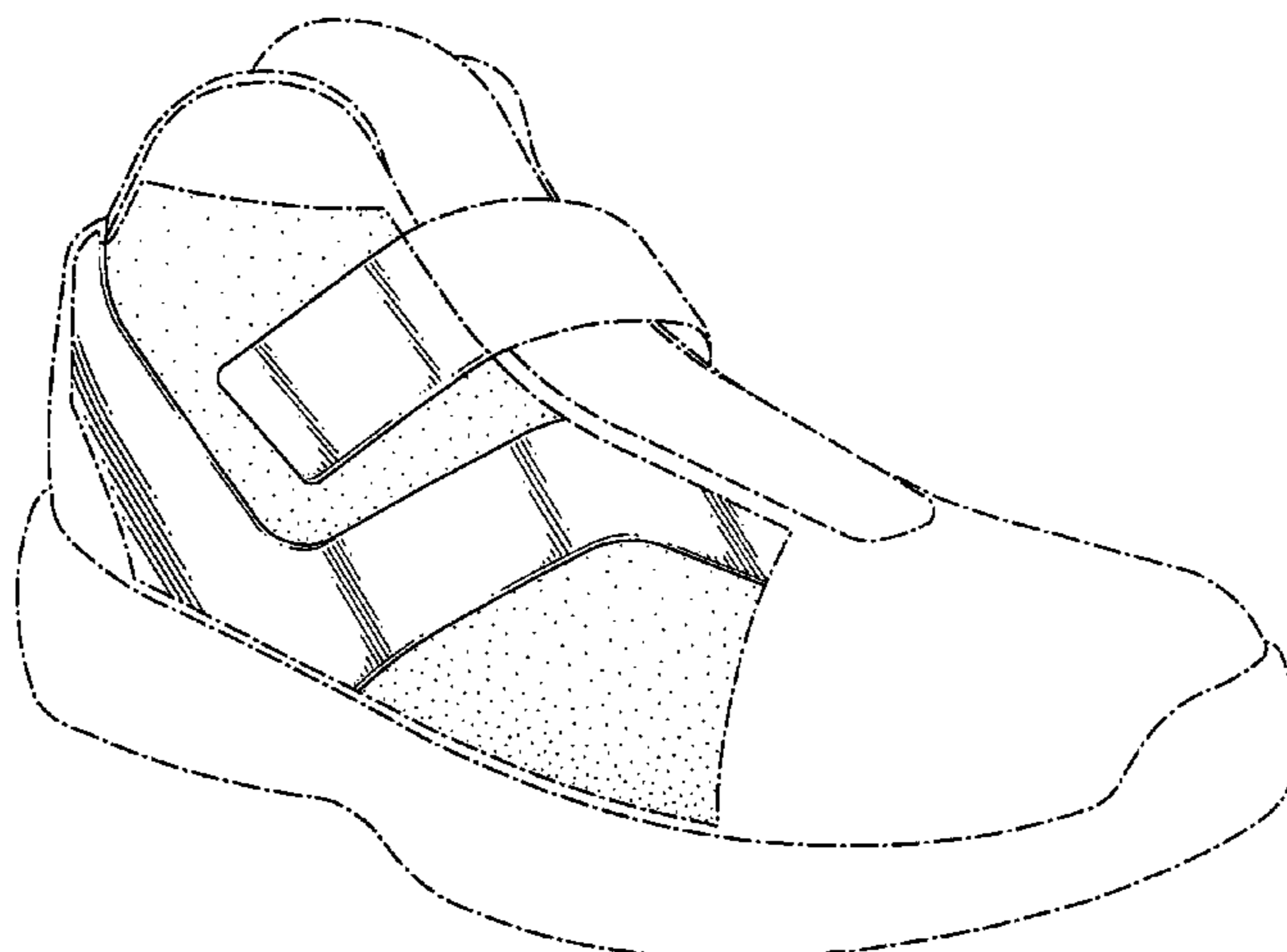
FIG. 1 is a front perspective view of a portion of a shoe upper showing my new design; FIG. 2 is a side view thereof; and, FIG. 3 is a rear perspective view thereof. The difference in shading indicates a contrast of appearance and does not depict any particular color, texture, or material. The broken lines immediately adjacent to the shaded area represent an unclaimed boundary of the design. The broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 3 Drawing Sheets

(56) **References Cited**

U.S. PATENT DOCUMENTS

D175,203 S * 7/1955 Wall D2/944
D239,217 S 3/1976 Lloyd
D239,478 S 4/1976 Senter
D239,479 S 4/1976 Senter
D241,383 S 9/1976 Dolinsky
D268,710 S 4/1983 Anderie
D272,771 S 2/1984 Muller Feigelstock
D272,963 S 3/1984 Muller
D272,964 S 3/1984 Muller Feigelstock
D276,190 S 11/1984 Hess
D276,569 S 12/1984 Kohno
D281,457 S 11/1985 Po
4,670,998 A 6/1987 Pasternak
D296,491 S 7/1988 Diaz
D296,721 S 7/1988 Brown
D297,591 S 9/1988 Brown et al.
D297,781 S 9/1988 Diaz et al.
D300,083 S 3/1989 Tonkel
5,109,613 A 5/1992 Van Dyke
D335,385 S 5/1993 Kawabata
D356,663 S 3/1995 Ueda
D363,151 S 10/1995 Vitrac
D367,952 S 3/1996 Shea
D373,456 S 9/1996 Gibson
D406,452 S 3/1999 Fogg



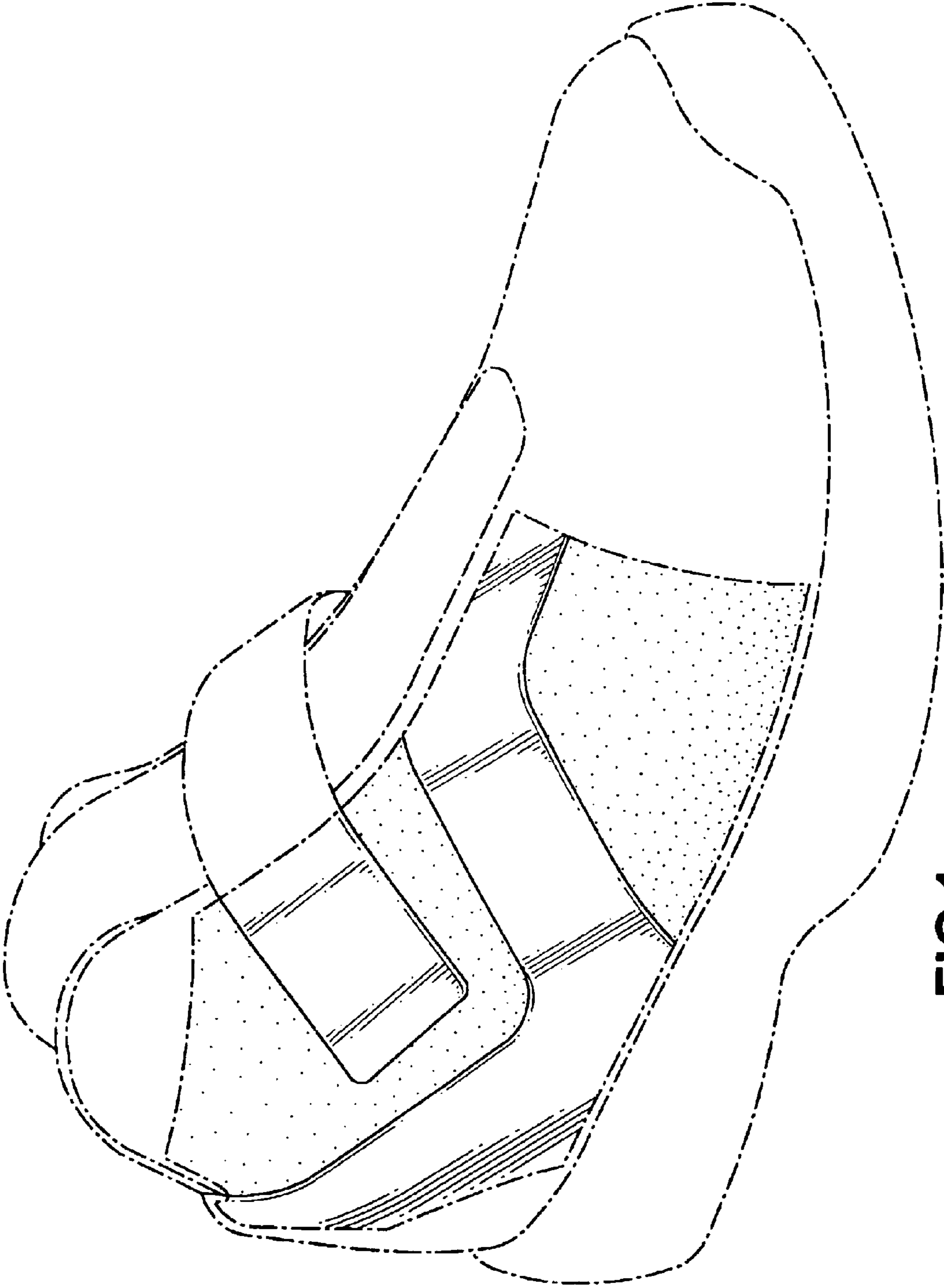


FIG.1

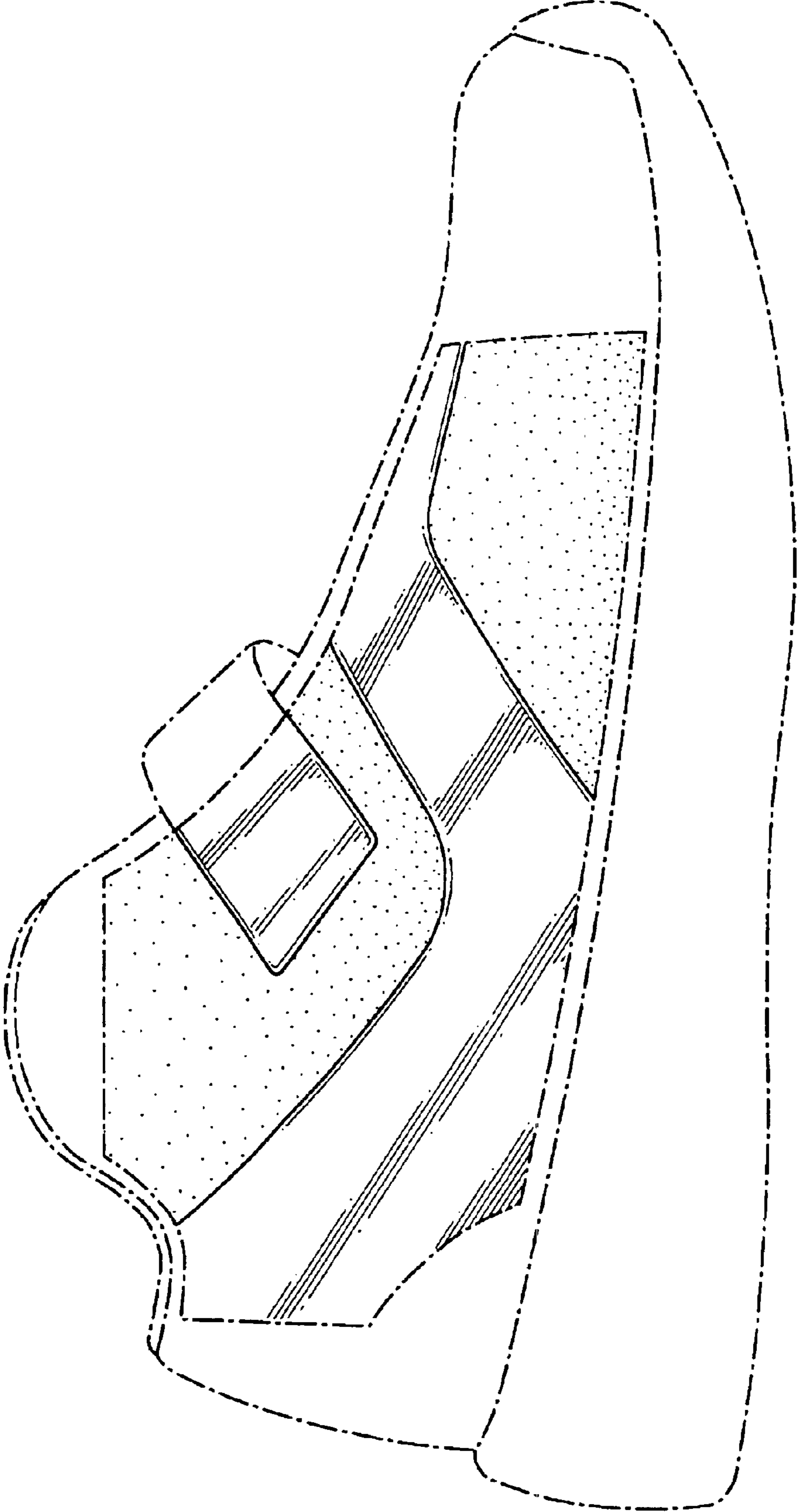


FIG. 2

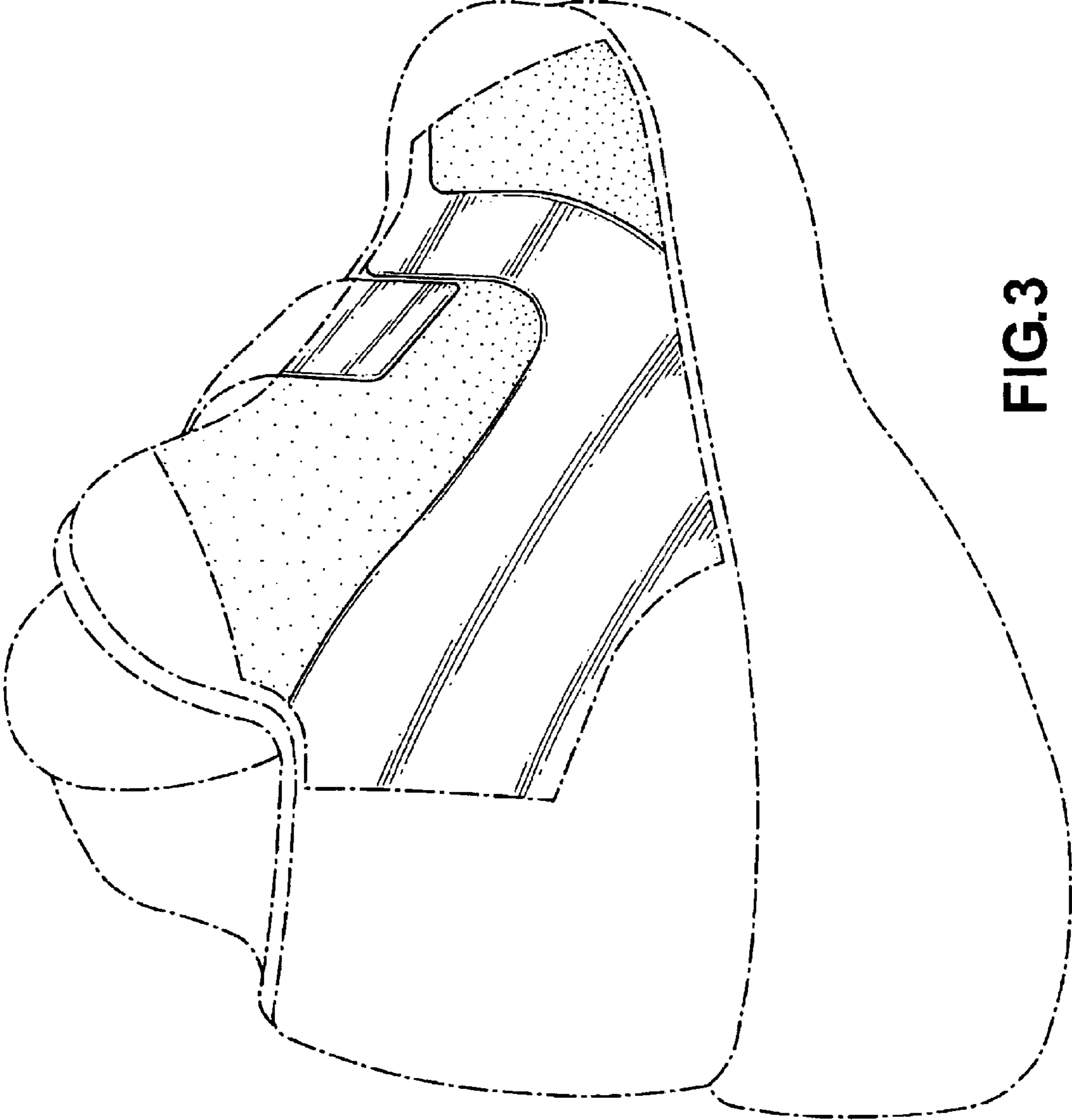


FIG. 3