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(12) **United States Design Patent** (10) **Patent No.:** **US D499,249 S**
Hlavacs (45) **Date of Patent:** **** Dec. 7, 2004**

(54) **SIDE ELEMENT 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**

(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

(56) **References Cited**

U.S. PATENT DOCUMENTS

D46,906 S	2/1915	Howell	
D84,889 S	8/1931	Goodkind	
D93,907 S	11/1934	Bancroft	
D100,847 S	8/1936	Borda	
D296,147 S	6/1988	McCrea	
D307,509 S	5/1990	Kittle	
D316,624 S	5/1991	Hatfield et al.	
D317,224 S	6/1991	Lucas	
D331,829 S	12/1992	Kittle	
D332,689 S	1/1993	Worthington	
D333,721 S	3/1993	Hatfield	
5,243,772 A	9/1993	Francis et al.	
D342,821 S	1/1994	Avar	
D345,458 S	3/1994	Lacoraza et al.	
D348,559 S	* 7/1994	Preskar	D2/969
D355,977 S	3/1995	Teague	
D357,575 S	4/1995	Dahlsten	
D364,498 S	* 11/1995	Teague	D2/969
D383,915 S	* 9/1997	Tresser	D2/972
D401,051 S	11/1998	Hamel	
D401,755 S	12/1998	Zinovieff	
D431,103 S	* 9/2000	McCourt	D2/972
D431,714 S	* 10/2000	Hatfield et al.	D2/972
D437,675 S	2/2001	Dahlsten	
D439,034 S	* 3/2001	Lozano	D2/972
D440,757 S	* 4/2001	Doxey	D2/972

D459,863 S	7/2002	Butler et al.	
D475,523 S	* 6/2003	McDowell	D2/972
D477,457 S	* 7/2003	Neely	D2/972
D487,337 S	* 3/2004	Rogers	D2/969

OTHER PUBLICATIONS

“Nike Footwear Catalog,” Spring 1991, published Jun. 1990 (p. M42), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 1991, published Dec. 1990 (pp. M46, W146), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 1992, published Dec. 1991 (pp. M36, W100), Beaverton, Oregon.
“Nike Footwear Catalog,” Fall 1994, published Nov. 1993 (p. M30), Beaverton, Oregon.

(List continued on next page.)

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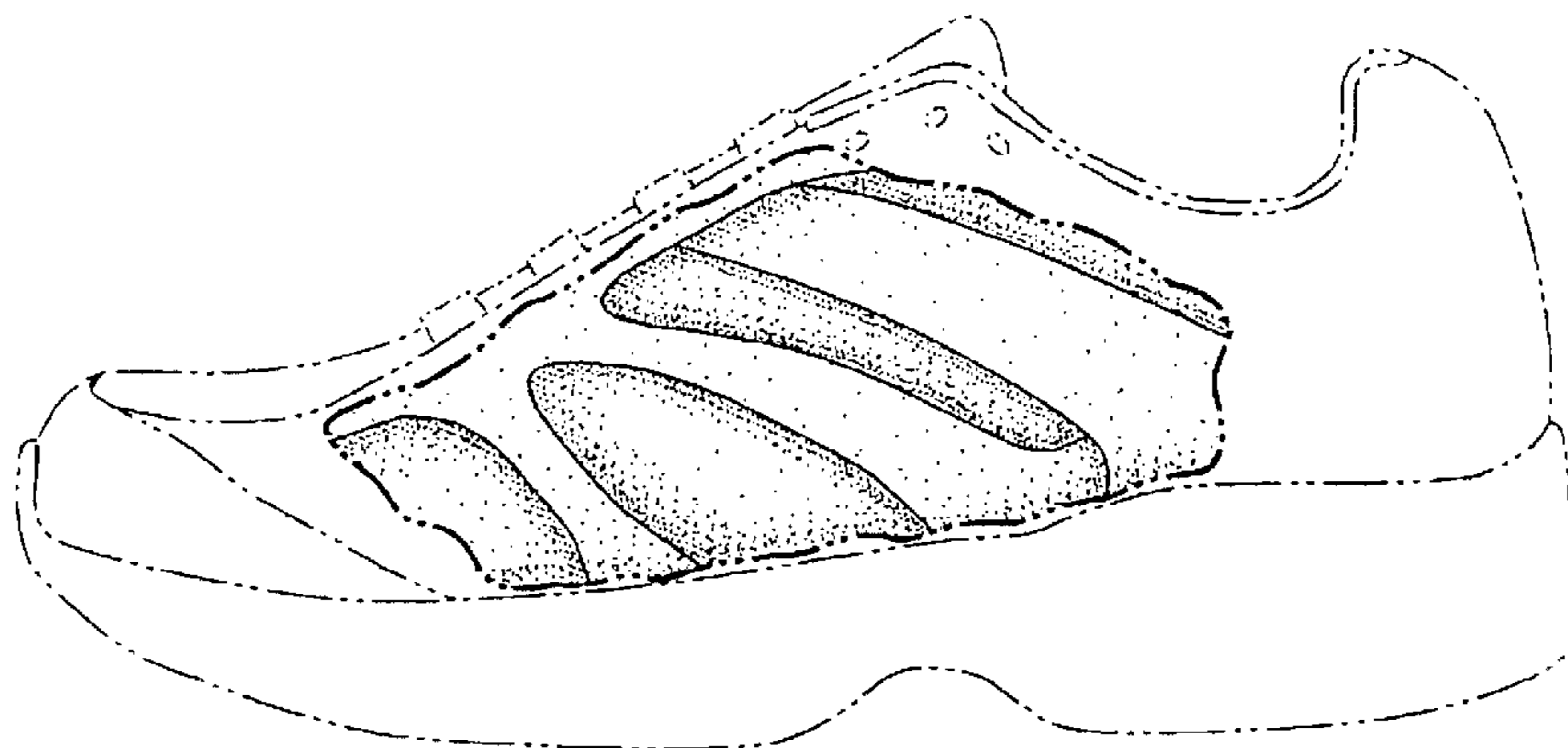
(57) **CLAIM**

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 view of the side element of a shoe upper shown in FIG. 1.
The uneven broken line immediately adjacent to the shaded area represents 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



OTHER PUBLICATIONS

“Nike Footwear Catalog,” Spring 1996, published Jun. 1995 (p. M60), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 2000, published Nov. 1999 (p. W66), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 2002, published Nov. 2001 (p. M50), Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 2001, published Jun. 2000 (p. M141), Beaverton, Oregon.

“Nike Footwear Catalog,” Holiday 2002, published Mar. 2002 (p. W16), Beaverton, Oregon.

“Nike Footwear Catalog,” Late Spring 2004, published Sep. 2003 (pp. W2, M46), Beaverton, Oregon.

“Nike Footwear Catalog,” Fall 2004, published Nov. 2003 (p. W5), Beaverton, Oregon.

* cited by examiner

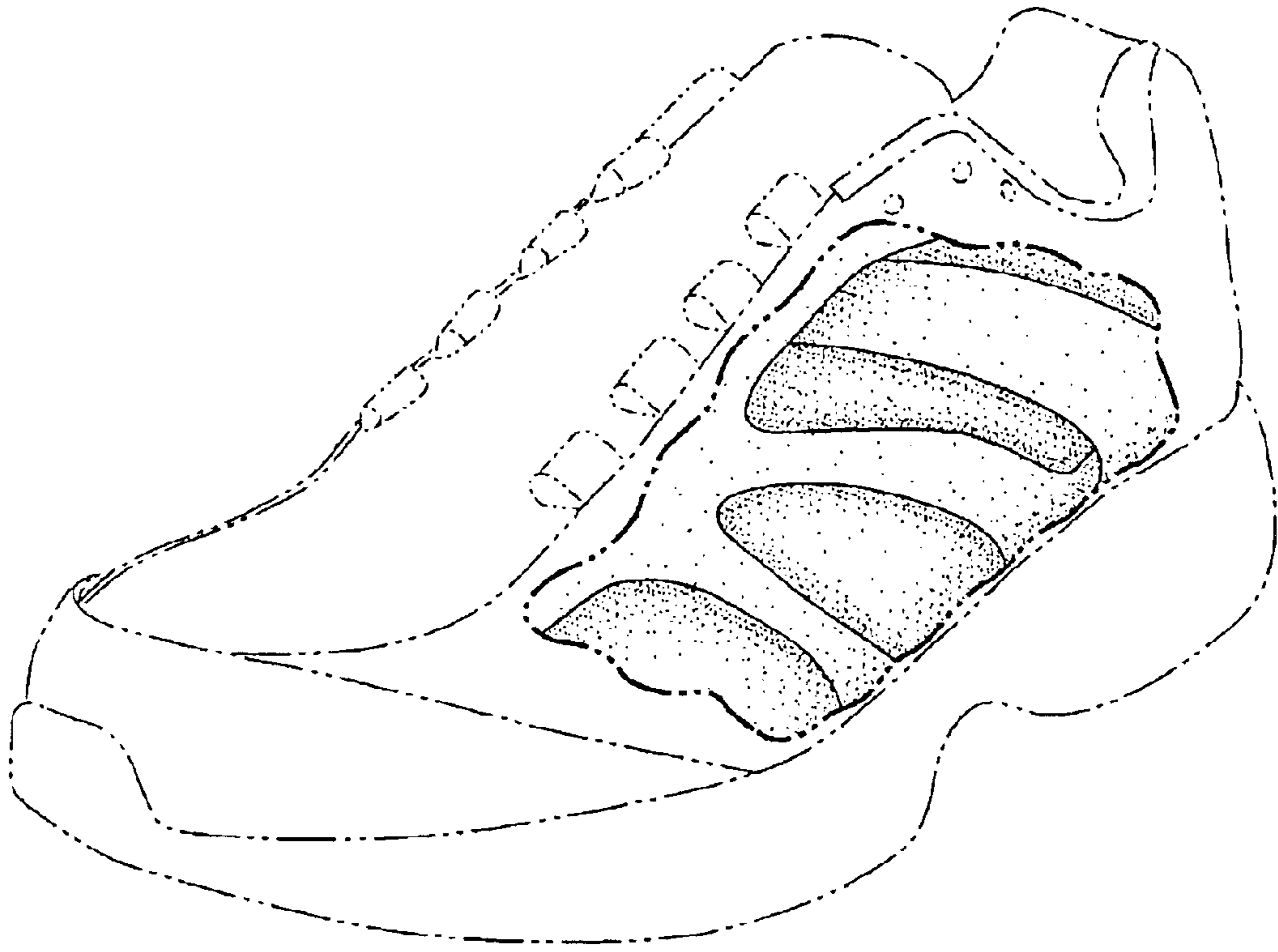


FIG. 1

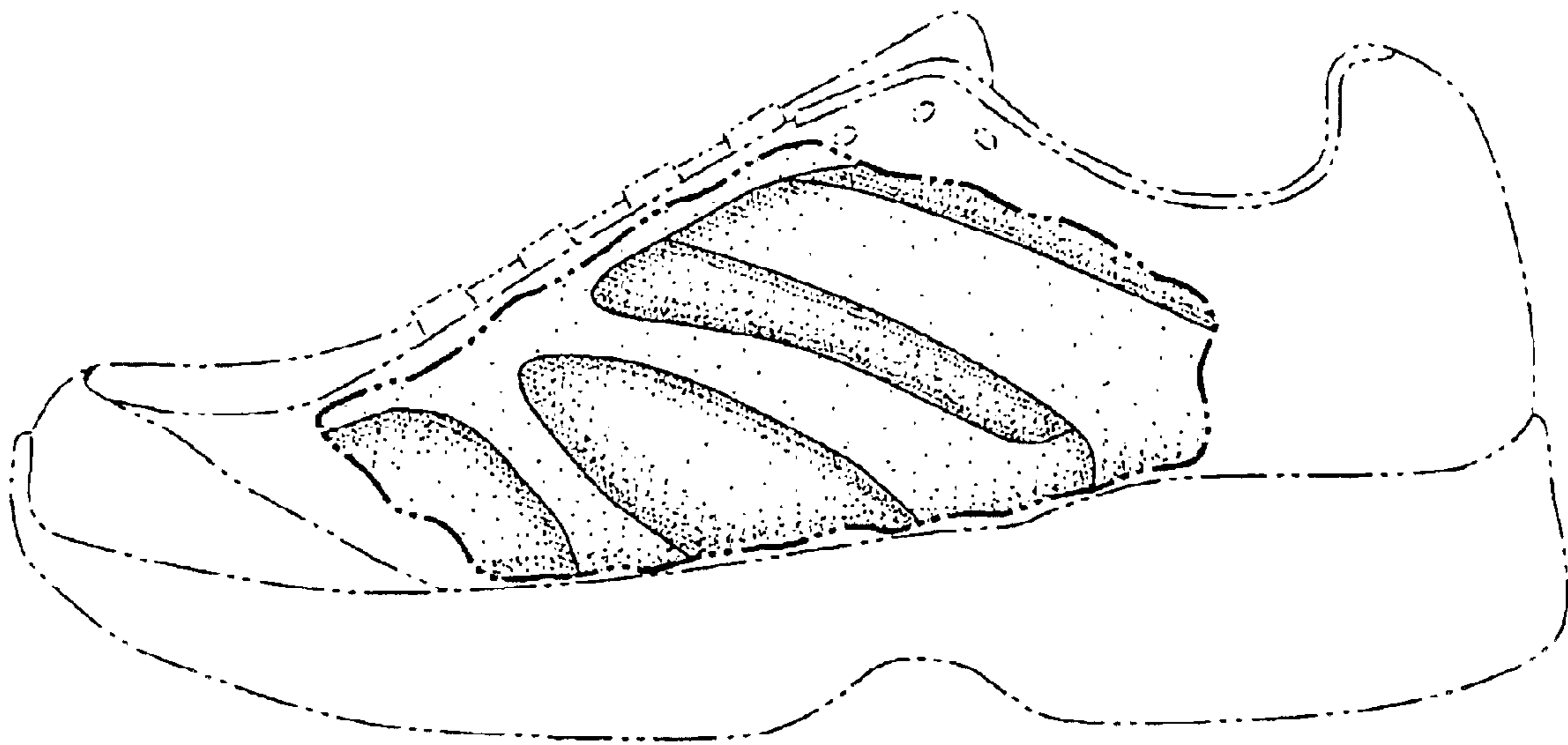


FIG. 2

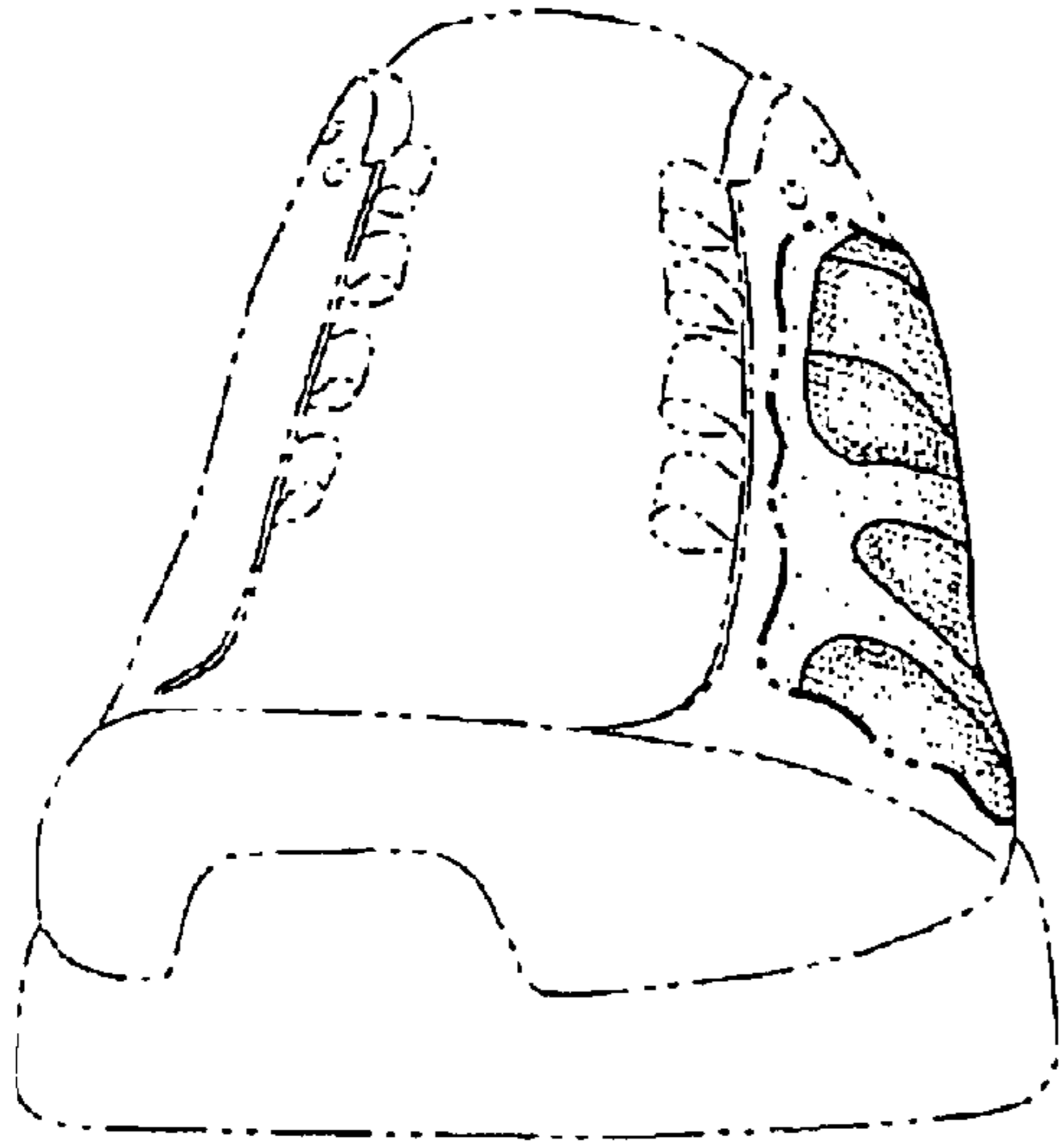


FIG. 3

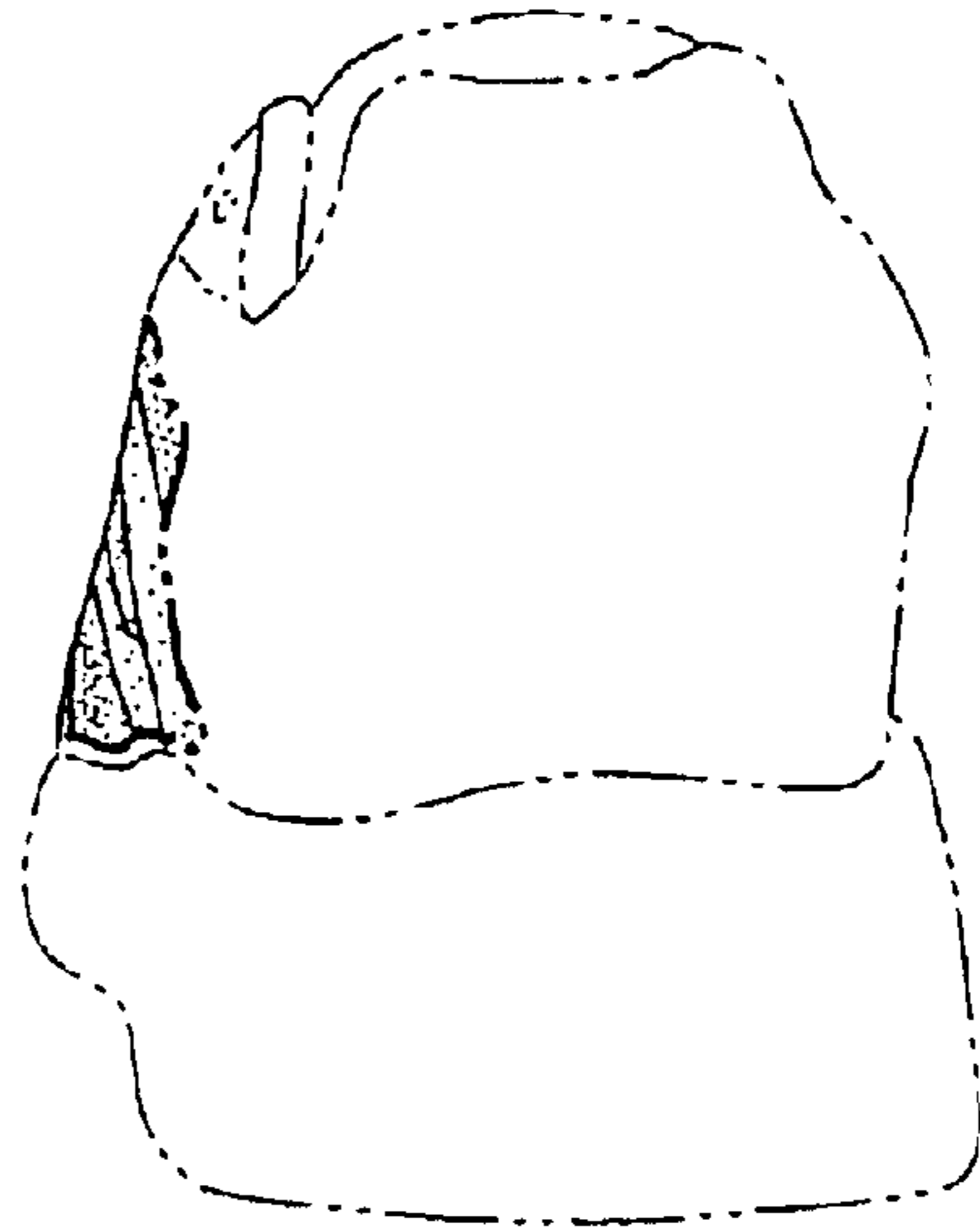


FIG. 4

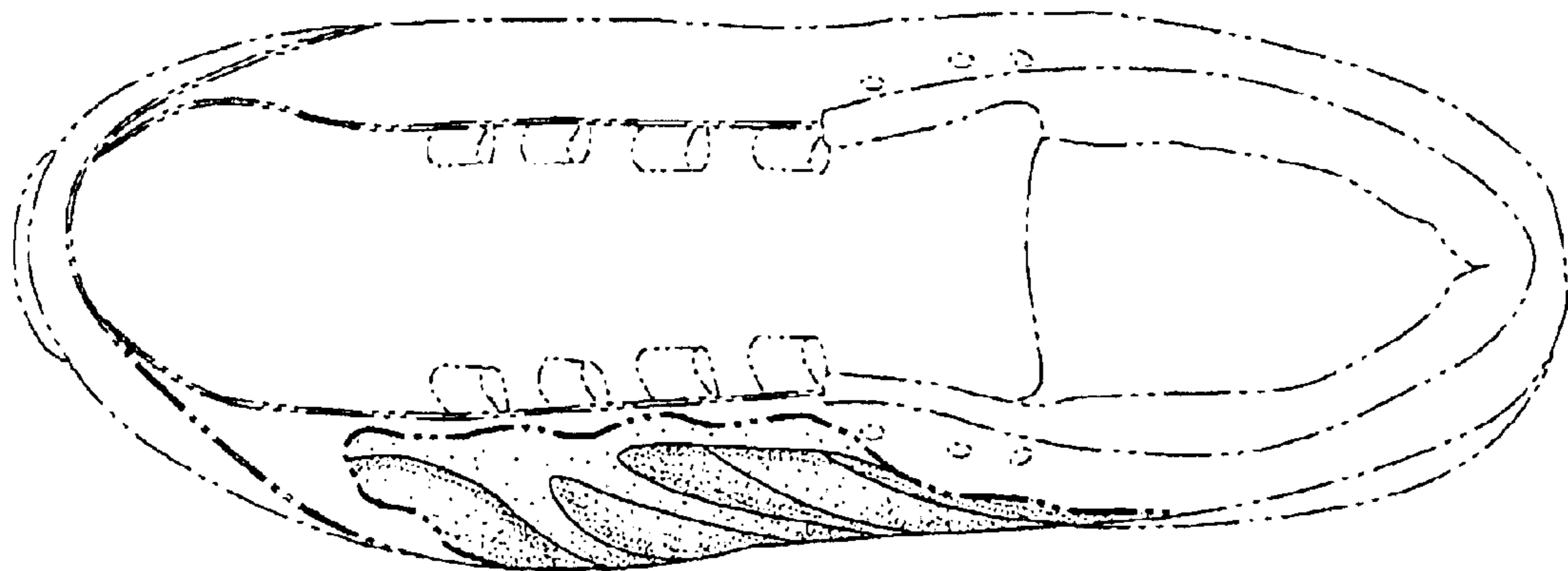


FIG. 5