



US00D499250S

(12) **United States Design Patent** (10) **Patent No.:** **US D499,250 S**  
**Smith** (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**
- (21) Appl. No.: **29/204,998**
- (22) Filed: **Oct. 23, 2003**

**Related U.S. Application Data**

- (63) Continuation-in-part of application No. 29/184,020, filed on Aug. 29, 2003, now Pat. No. Des. 484,300.
- (51) **LOC (7) Cl.** ..... **02-99**
- (52) **U.S. Cl.** ..... **D2/972**
- (58) **Field of Search** ..... D2/902, 907, 908, D2/943, 972-974, 944, 946, 969; 36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114, 126-130

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- Eight (8) photographs of shoes sold in certain U.S. Wal-Mart stores at least as early as Sep. 8, 2003.

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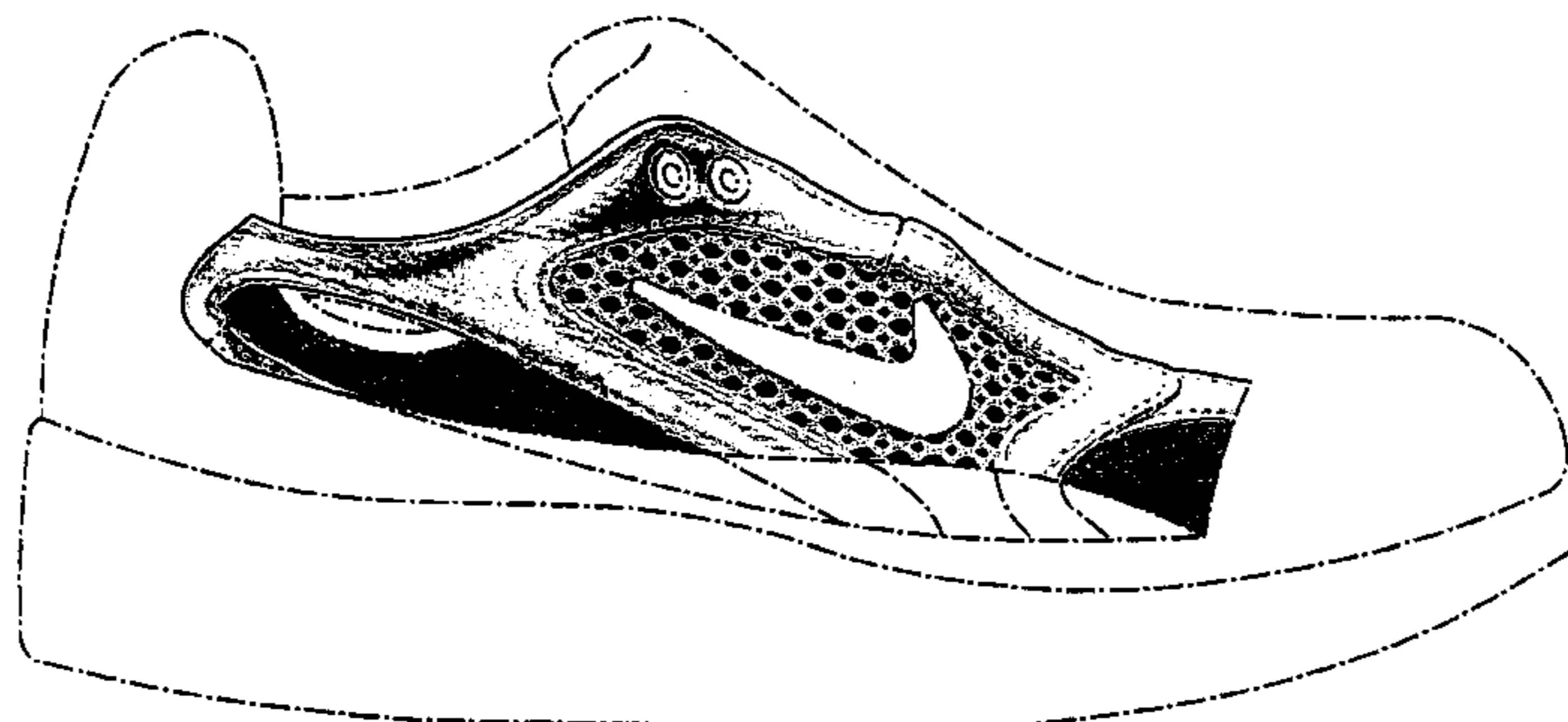
(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a side view of a portion of a shoe upper showing my new design; FIG. 2 is a front perspective view thereof; and, FIG. 3 is a rear perspective view thereof. The uneven broken lines immediately adjacent to the photographic portion represent unclaimed boundaries of the design. The uneven broken lines within the photographic portions, and the uneven broken line showing of the remainder of the shoe are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



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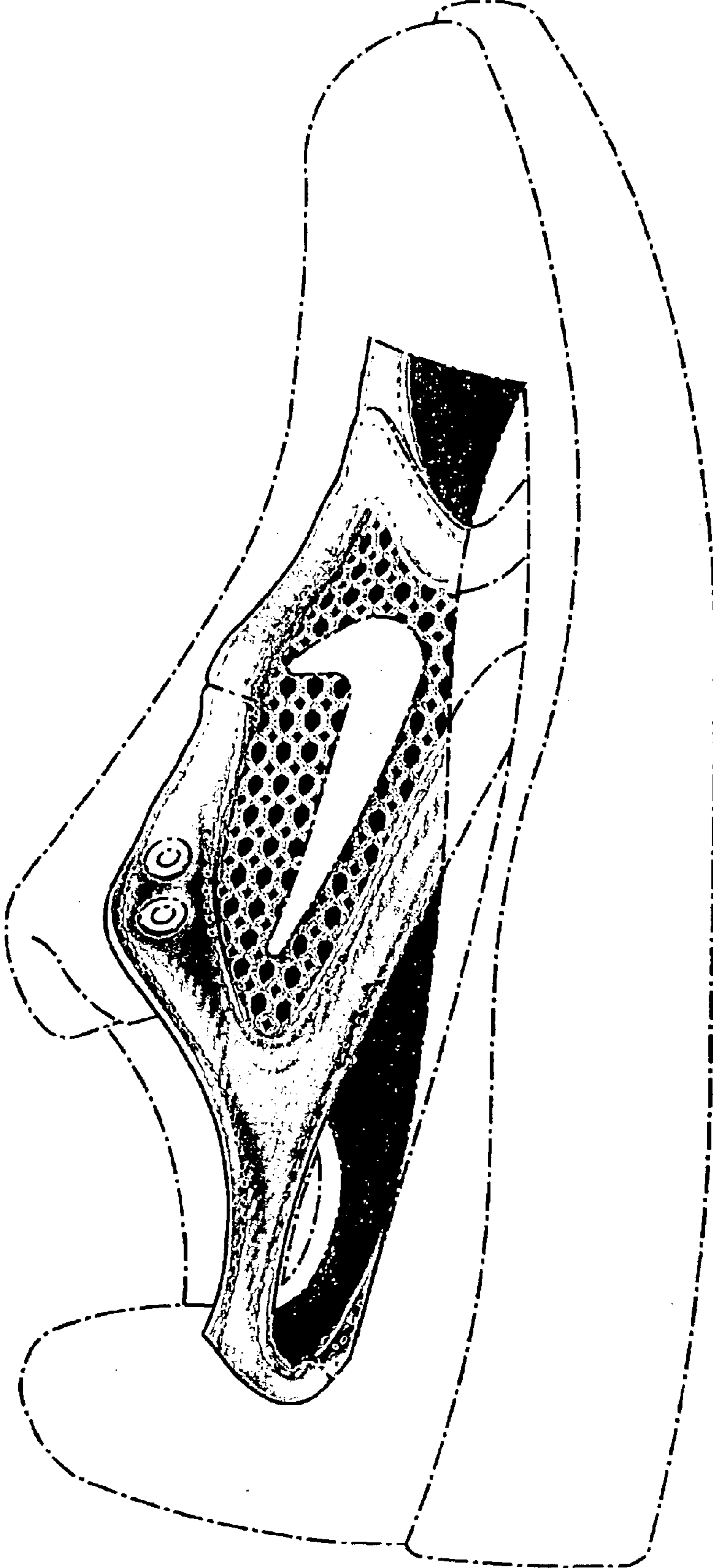
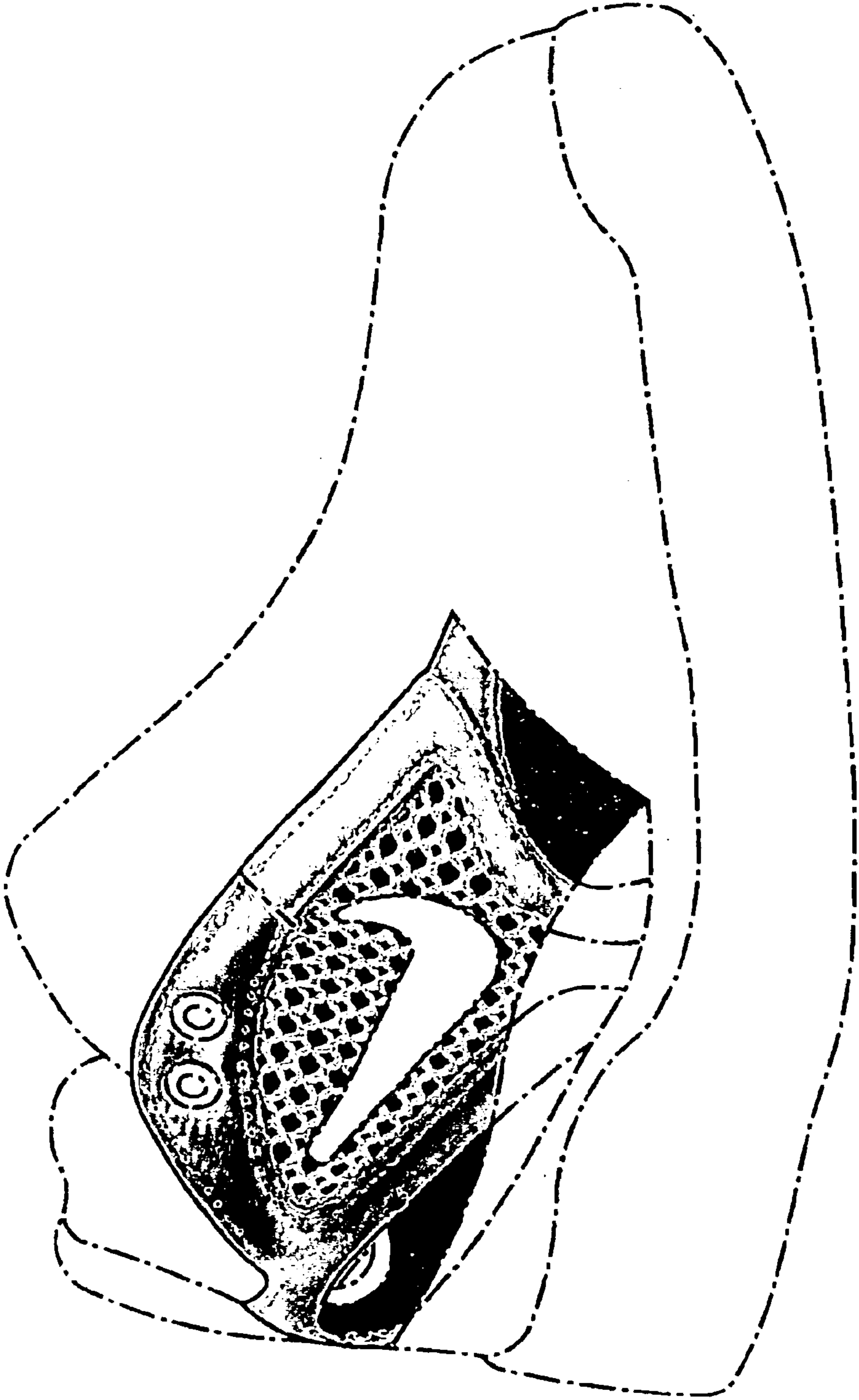


FIG.1



**FIG. 2**

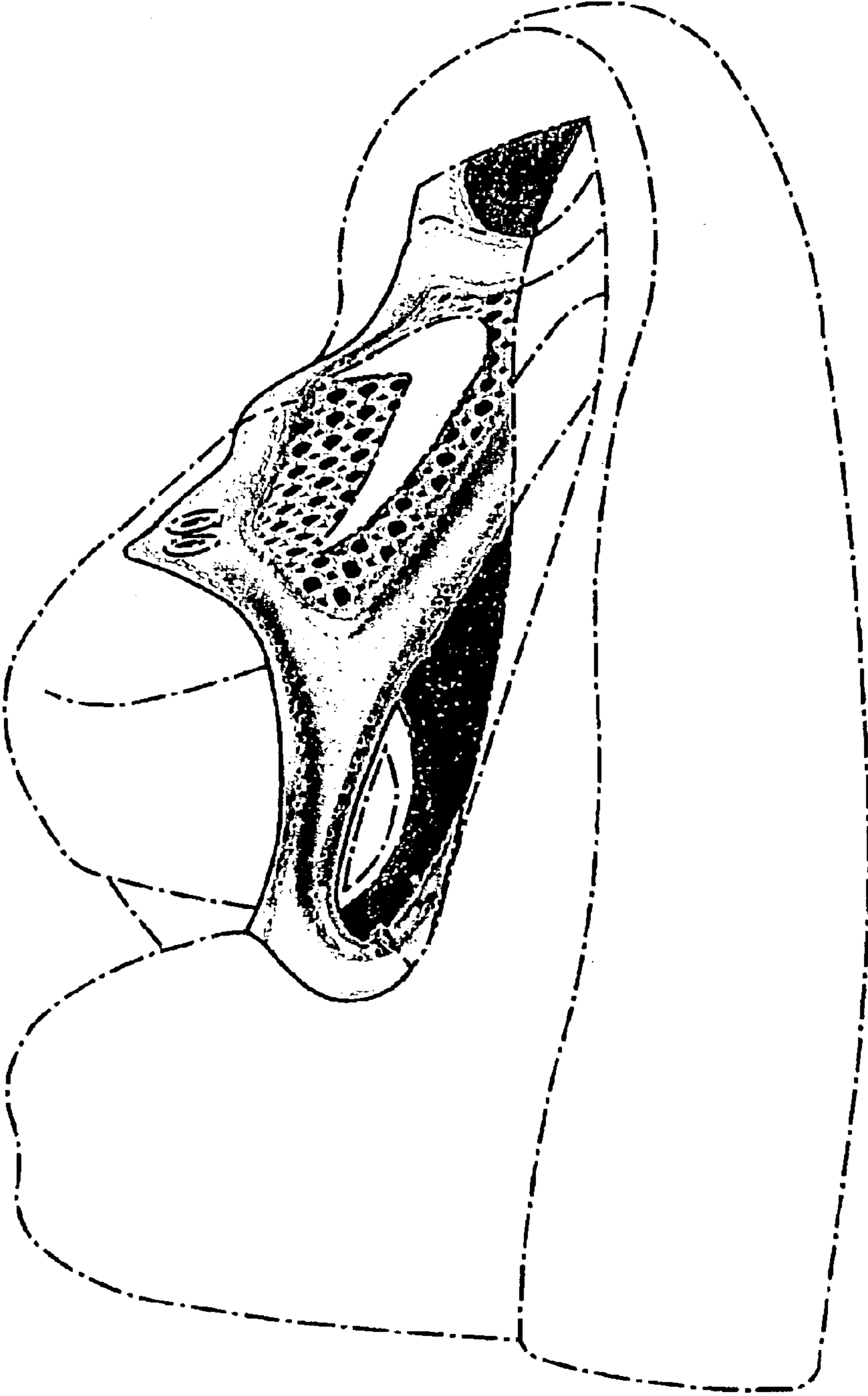


FIG.3