

US00D503033S

(12) **United States Design Patent**
Hlavacs

(10) **Patent No.: US D503,033 S**

(45) **Date of Patent: ** Mar. 22, 2005**

- (54) **PORTION OF A SHOE UPPER**
- (75) Inventor: **John Hlavacs**, Portland, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**

- D450,916 S * 11/2001 Turner et al. D2/972
- D467,722 S 12/2002 Wahoske
- D470,300 S * 2/2003 Close D2/969
- D476,145 S 6/2003 Adams et al.
- D487,619 S 3/2004 Matis
- D490,972 S * 6/2004 Blakeslee D2/972
- D494,354 S * 8/2004 Clegg D2/972
- D495,125 S * 8/2004 Cessor D2/972

- (21) Appl. No.: **29/201,166**
- (22) Filed: **Mar. 12, 2004**

- (51) **LOC (7) Cl. 02-99**
- (52) **U.S. Cl. D2/972**
- (58) **Field of Search** D2/902, 907, 908,
D2/942-945, 969, 972-973, 977, 934, 937,
938; 36/45, 50.1, 77 M, 77 R, 83, 88, 113,
114, 126-130

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D90,615 S * 9/1933 Daniels D2/937
- D92,749 S * 7/1934 Miller D2/942
- D92,753 S * 7/1934 Miller D2/937
- D93,312 S * 9/1934 Weinstat D2/942
- D94,865 S 3/1935 Sullivan
- D102,898 S 1/1937 Kalmon
- D108,320 S 2/1938 Eldon
- D130,849 S * 12/1941 Pick D2/945
- D179,486 S * 1/1957 Levine D2/942
- D247,007 S 1/1978 Krome
- D273,630 S 5/1984 Bidegain
- D283,173 S 4/1986 Malone
- D301,387 S * 6/1989 Diaz et al. D2/969
- D330,109 S 10/1992 Hatfield
- D334,089 S 3/1993 Teague
- D334,277 S 3/1993 Teague
- D345,451 S 3/1994 Teague
- D345,458 S 3/1994 Lacoraza et al.
- D391,055 S 2/1998 Cooper
- D392,794 S 3/1998 Greene
- D413,718 S 9/1999 Lupo
- D423,769 S 5/2000 Clarke
- D447,618 S 9/2001 Matis et al.
- D448,148 S 9/2001 Matis et al.

OTHER PUBLICATIONS

- Nike Footwear Catalog Fall 1987, p. 104, published Jan. 1987.
- Nike Footwear Catalog Fall 1991, p. 32, published Dec. 1990.
- Nike Footwear Catalog Spring 1992, p. 30, published May 1991.
- Nike Footwear Catalog Fall 1992, p. 32, published Dec. 1991.
- Nike Footwear Catalog Spring 1994, pp. 40, 136, published Jun. 1993.

(List continued on next page.)

Primary Examiner—Dominic Smone
(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

(57) **CLAIM**

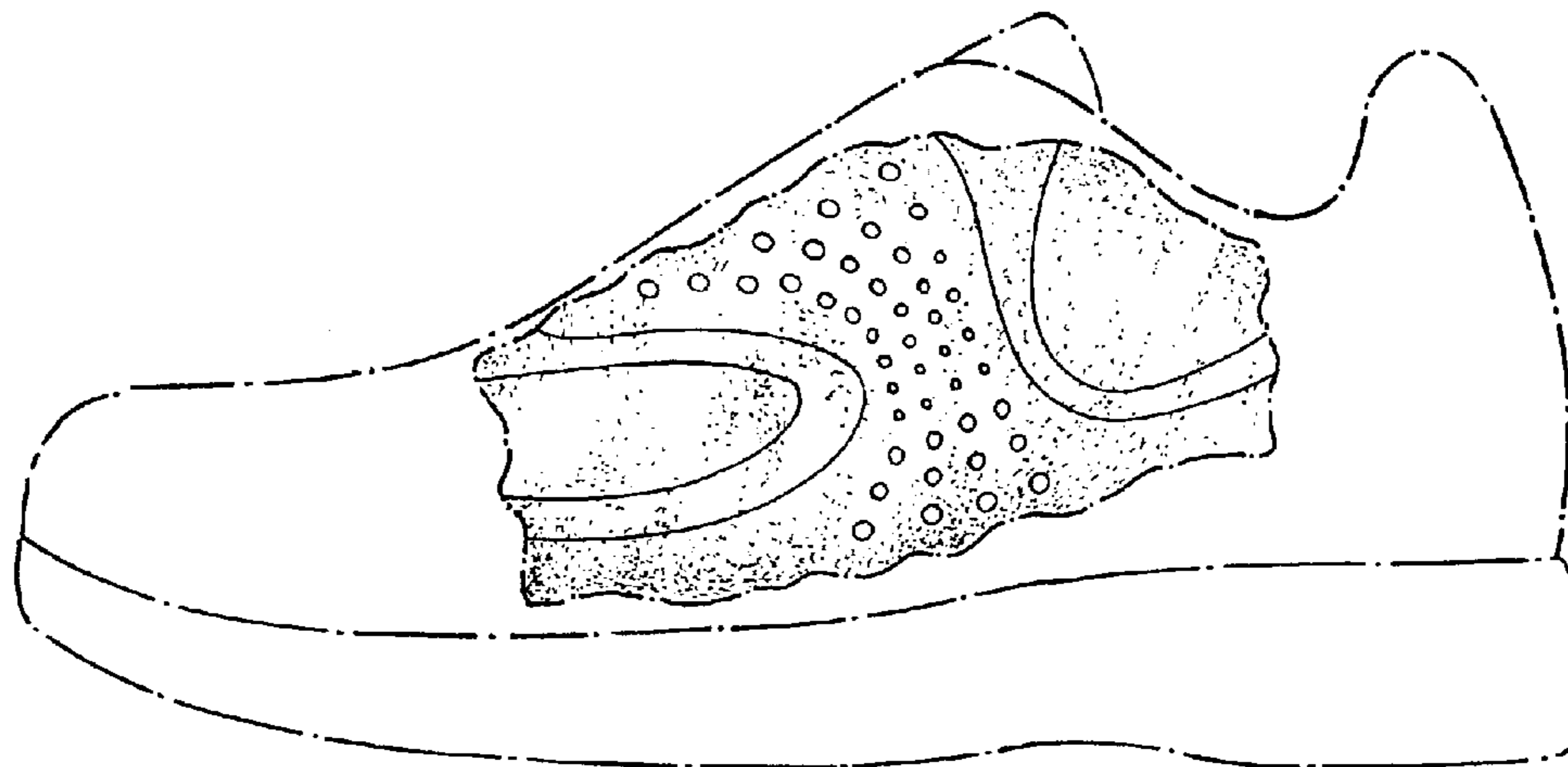
The ornamental design for a portion of a shoe upper, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a portion of a shoe upper showing my new design;
 FIG. 2 is a front elevational view thereof;
 FIG. 3 is a side elevational view thereof;
 FIG. 4 is a rear perspective view thereof; and,
 FIG. 5 is a top plan view thereof.

The uneven broken line immediately adjacent to the shaded area represents an unclaimed boundary of the design. The uneven 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



OTHER PUBLICATIONS

Nike Footwear Catalog Late Spring 1996, p. 47, published Aug. 1995.

Nike Footwear Catalog Fall 1997, p. 129, 213, published Dec. 1996.

Nike Footwear Catalog Holiday 1997, pp. 10, 222, published Mar. 1997.

Nike Footwear Catalog Spring 1998, pp. 4, 50, published Jun. 1997.

Nike Footwear Catalog Late Spring 1998, p. 125, published Sep. 1997.

Nike Footwear Catalog Fall 1998, p. 56, published Dec. 1997.

Nike Footwear Catalog Late Fall 1998, p. 16, published Mar. 1998.

Nike Footwear Catalog Spring 1999, pp. M6, M58, published Jun. 1998.

Nike Footwear Catalog Late Spring 1999, p. M102, published Sep. 1998.

Nike Footwear Catalog Fall 1999, pp. W23, W105, published Nov. 1998.

Nike Footwear Catalog Fall 2000 #1, p. M16, published Nov. 1999.

Nike Footwear Catalog Spring 2002, p. M31, published Jun. 2001.

Nike Footwear Catalog Late Spring 2002, p. M85, published Sep. 2001.

Nike Footwear Catalog Fall 2002, p. M35, published Nov. 2001.

Nike Footwear Catalog Holiday 2002, p. W39, published Mar. 2002.

Nike Footwear Catalog Spring 2003, p. W46, published Jun. 2002.

Nike Footwear Catalog Late Spring 2003, p. M18, published Sep. 2002.

Nike Footwear Catalog Fall 2003, pp. W9, W59, published Nov. 2002.

Nike Footwear Catalog Holiday 2003, p. M60, published Mar. 2003.

Nike Footwear Catalog Spring 2004, pp. W8, W13, M20, M22, M116, published Jun. 2003.

Nike Footwear Catalog Fall 2004, p. M107, published Nov. 2003.

Nike Footwear Catalog Holiday 2004, p. W12, published Mar. 2004.

* cited by examiner

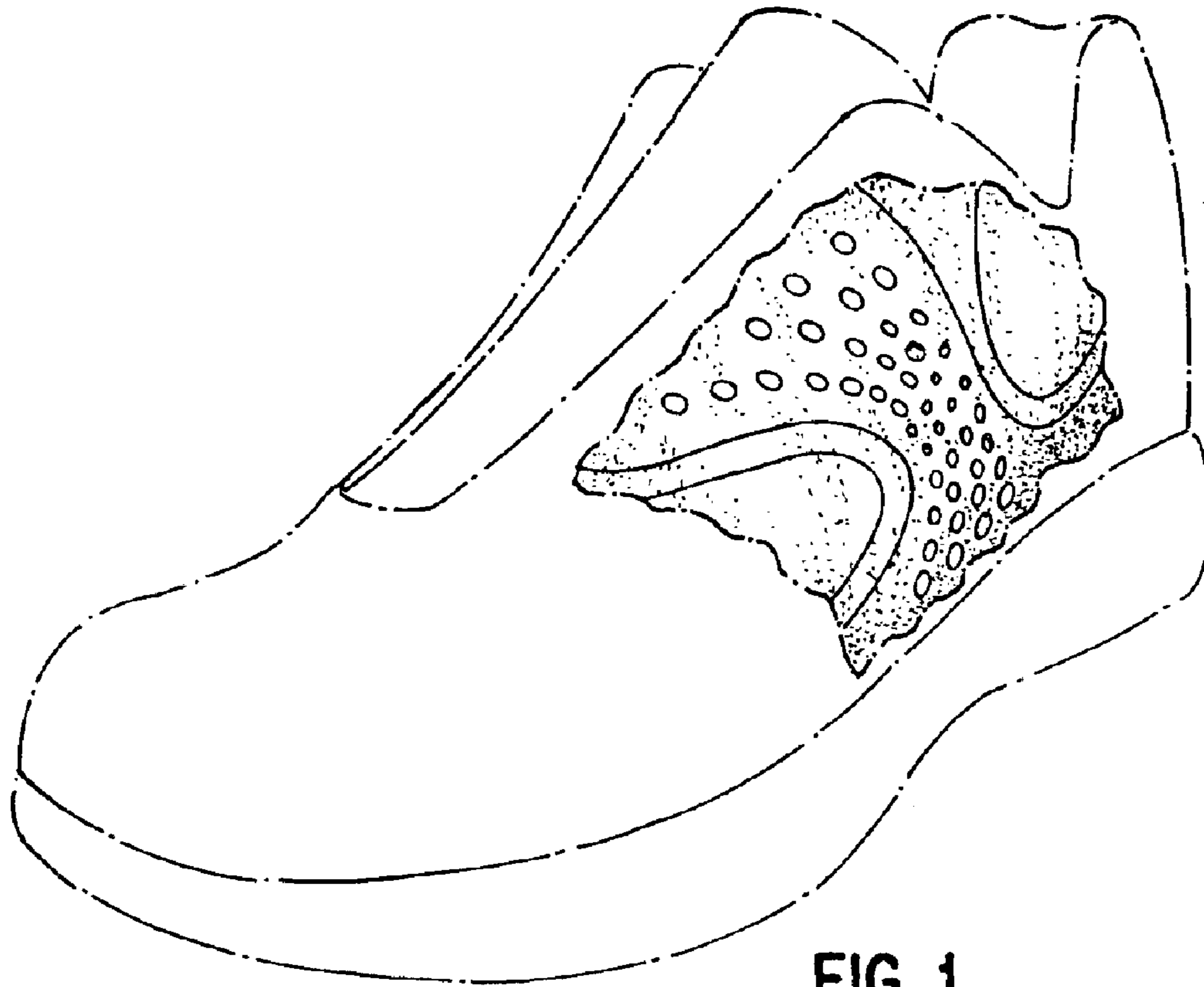


FIG. 1

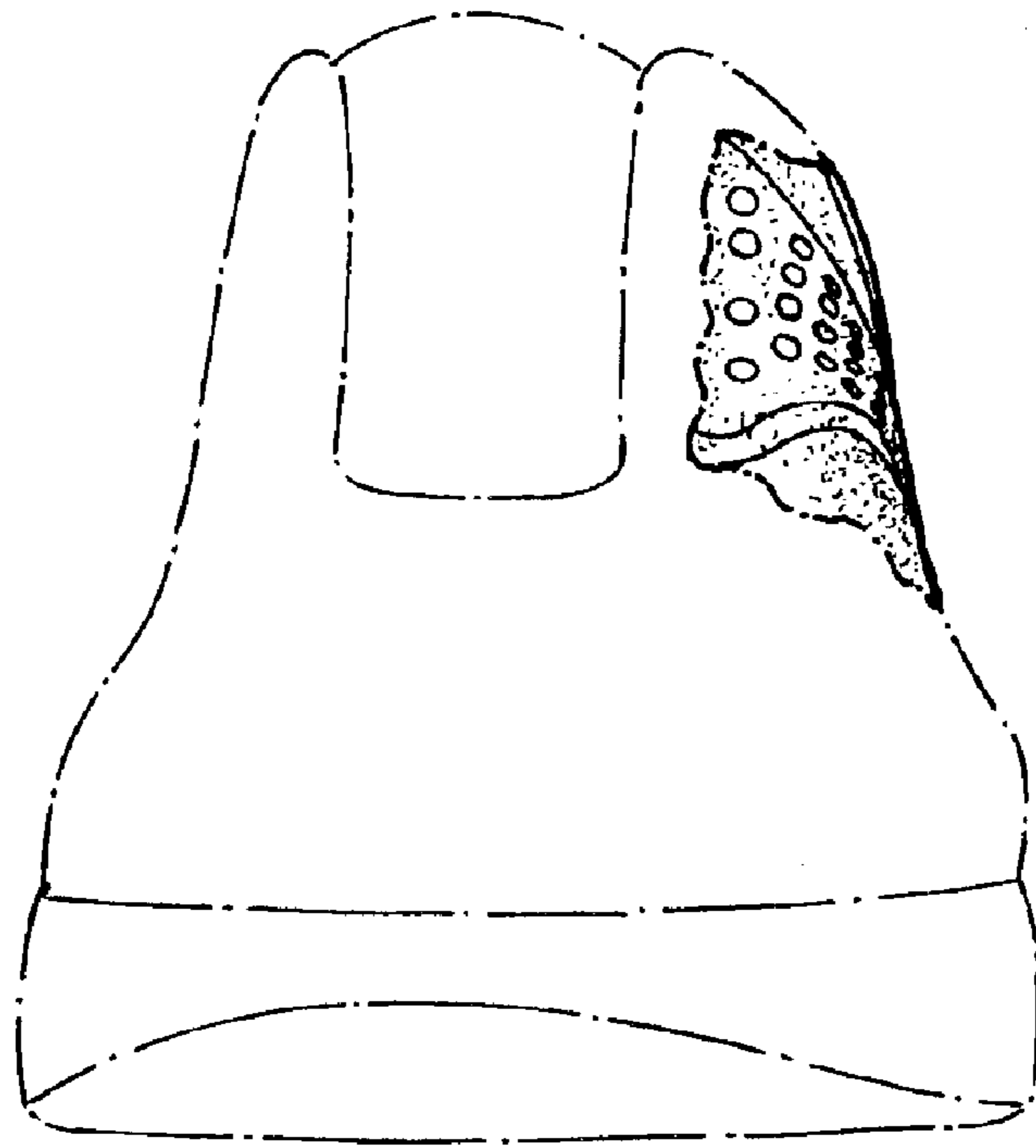


FIG. 2

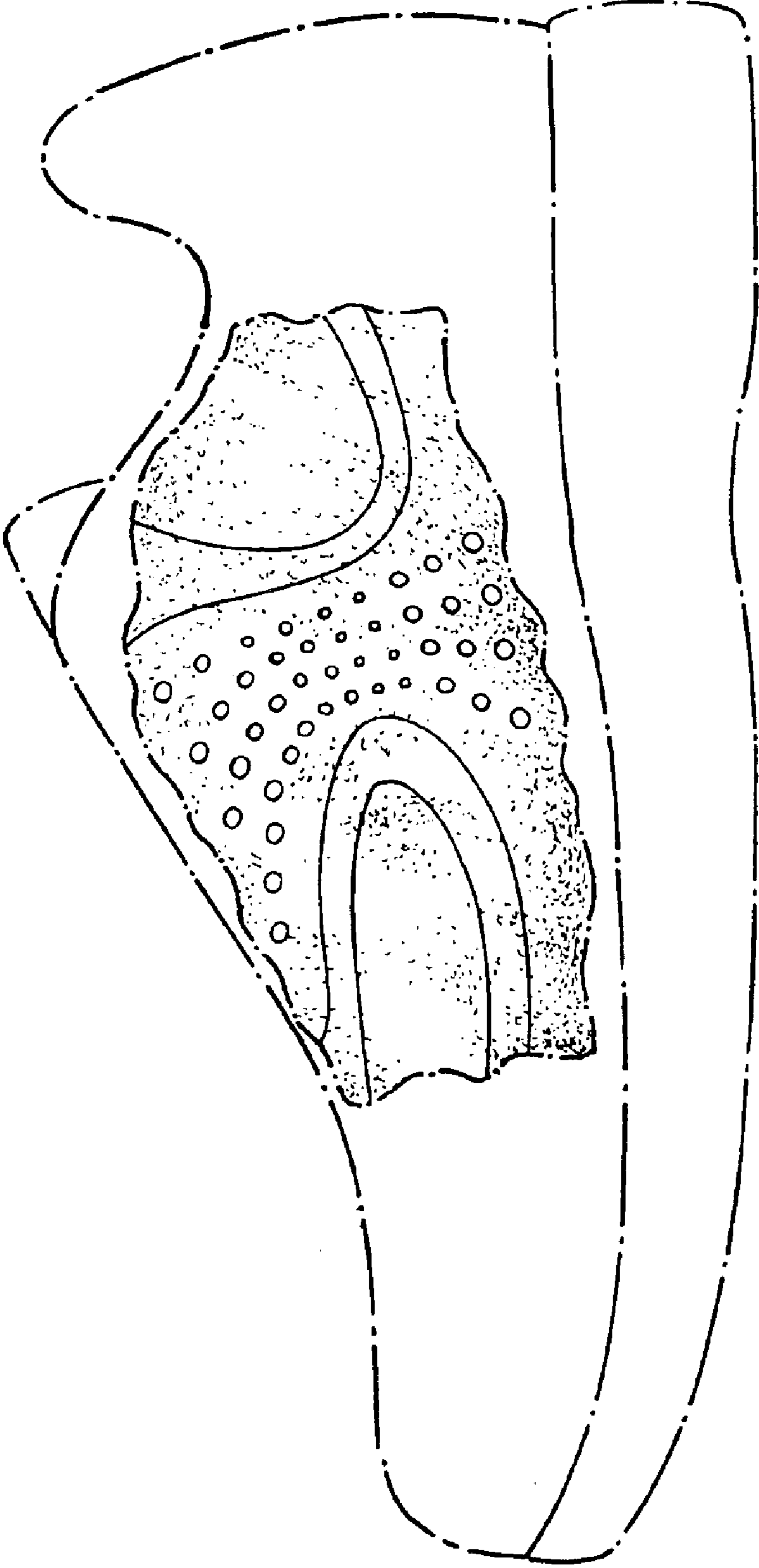


FIG. 3

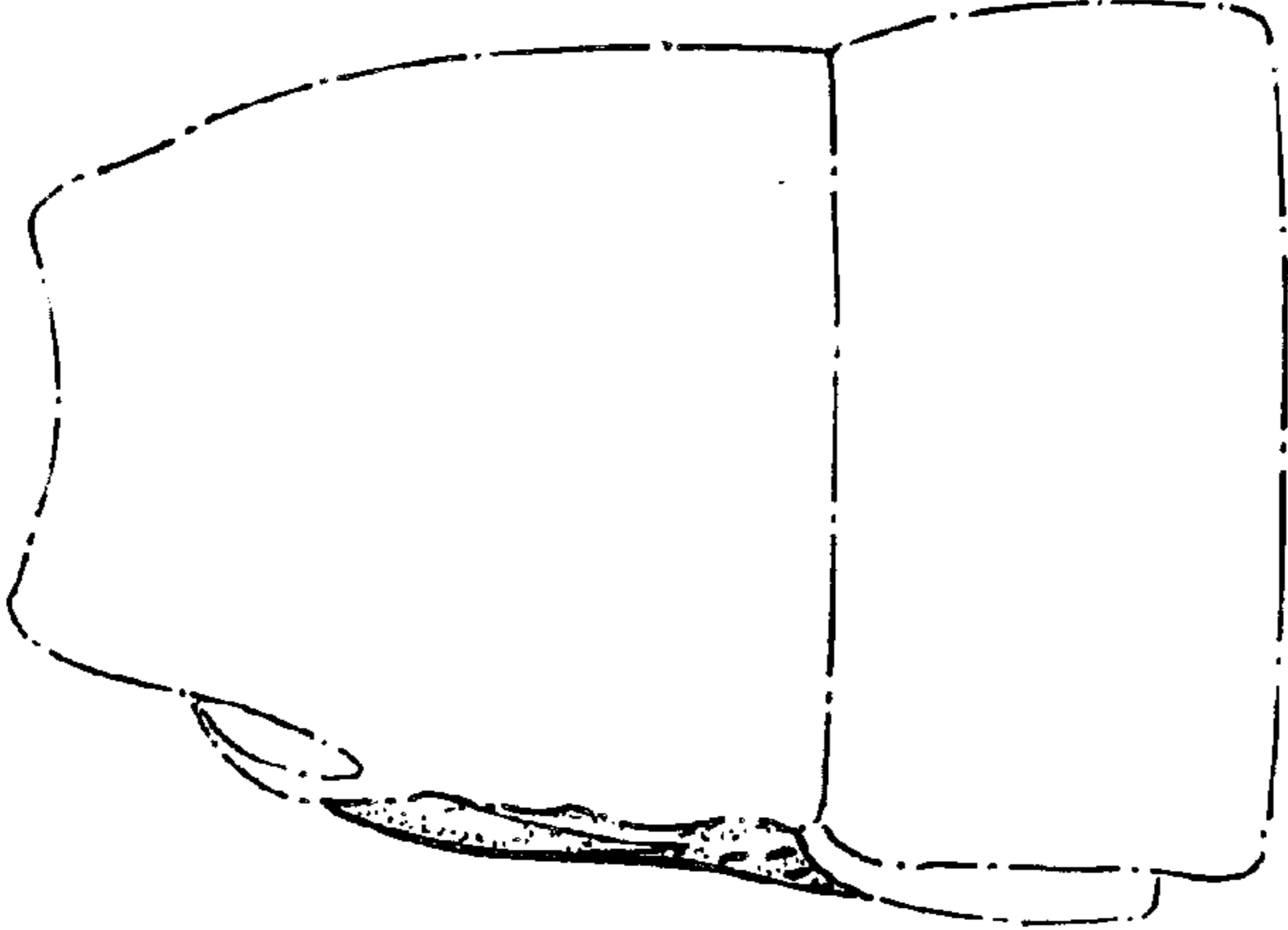


FIG. 4

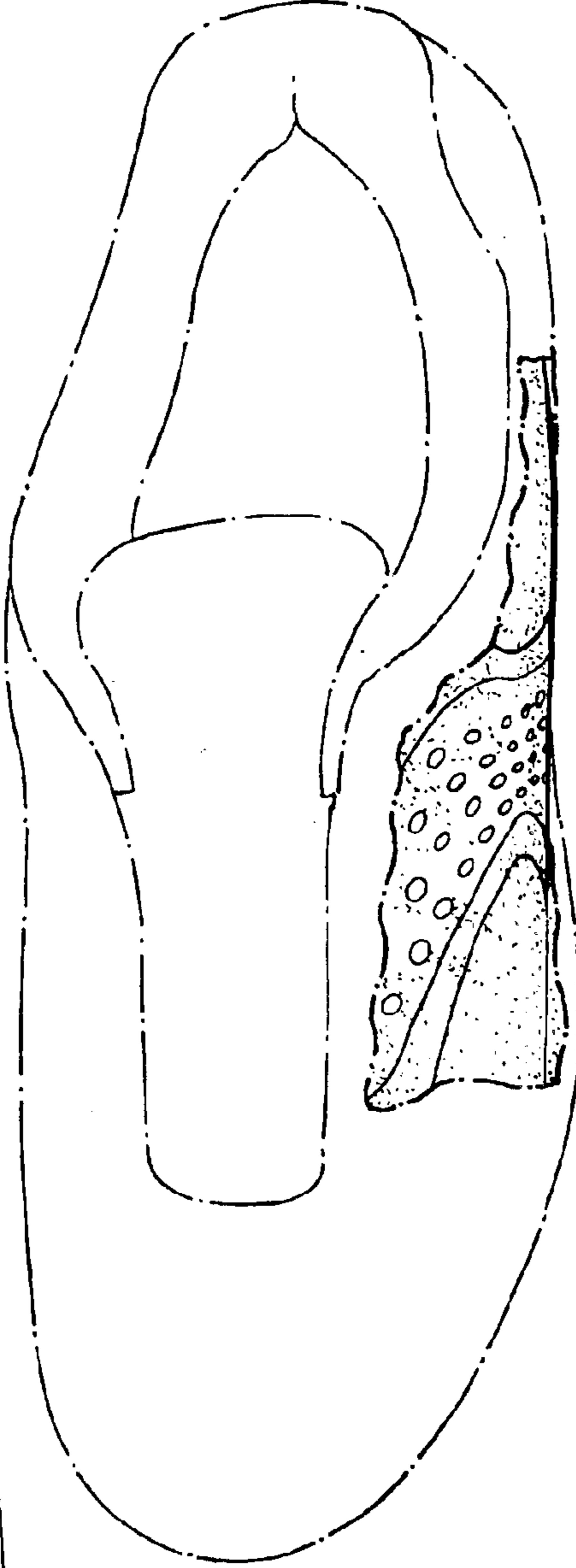


FIG. 5