



US00D508766S

(12) **United States Design Patent** (10) **Patent No.:** **US D508,766 S**  
**McDowell** (45) **Date of Patent:** **\*\* Aug. 30, 2005**

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

(75) Inventor: **Sean M. McDowell**, Portland, OR (US)  
(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)  
(\*\*) Term: **14 Years**

(21) Appl. No.: **29/207,770**  
(22) Filed: **Jun. 18, 2004**

(51) **LOC (8) 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, 50.1-54,  
77 M, 77 R, 83, 88, 113, 114, 126-131

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,986,580 A	1/1935	Johnson	
D313,498 S	1/1991	Aveni	
D330,967 S	11/1992	Aveni et al.	
D333,550 S	3/1993	Marziali et al.	
D338,995 S	9/1993	Snell	
D395,348 S	6/1998	Smith, III	
D397,861 S	9/1998	Teague	
D400,000 S	10/1998	Hatfield et al.	
D407,551 S	4/1999	Doxey	
D414,599 S	10/1999	Doxey	
D417,775 S	12/1999	Holmes	
D428,693 S	8/2000	Hlavacs	
D429,412 S	8/2000	Tresser	
D440,389 S	4/2001	Lozano	
D441,182 S	* 5/2001	Link	D2/972
D446,640 S	8/2001	Estey	
D461,304 S	8/2002	Clegg	
D464,474 S	10/2002	Swift	
D468,087 S	1/2003	Estey	
D473,703 S	4/2003	Labonte' et al.	
D484,300 S	12/2003	Smith	
D498,909 S	* 11/2004	Patt	D2/972
D498,913 S	* 11/2004	Cass	D2/972
D499,246 S	* 12/2004	Kuerbis	D2/972

**OTHER PUBLICATIONS**

“Nike Footwear Catalog,” 1987, published Jan. 1987 (p. M12), Beaverton Oregon.  
“Nike Footwear Catalog,” 1987, published Jan. 1987 (p. W44), Beaverton Oregon.  
“Nike Footwear Catalog,” 1987, published Jan. 1987 (p. M104), Beaverton Oregon.  
“Nike Footwear Catalog,” Fall 1990, published Dec. 1989 (p. W10), Beaverton Oregon.  
“Nike Footwear Catalog,” Fall 1990, published Dec. 1989 (M 42), Beaverton Oregon.

(Continued)

*Primary Examiner*—Dominic Simone  
(74) *Attorney, Agent, or Firm*—TraskBritt

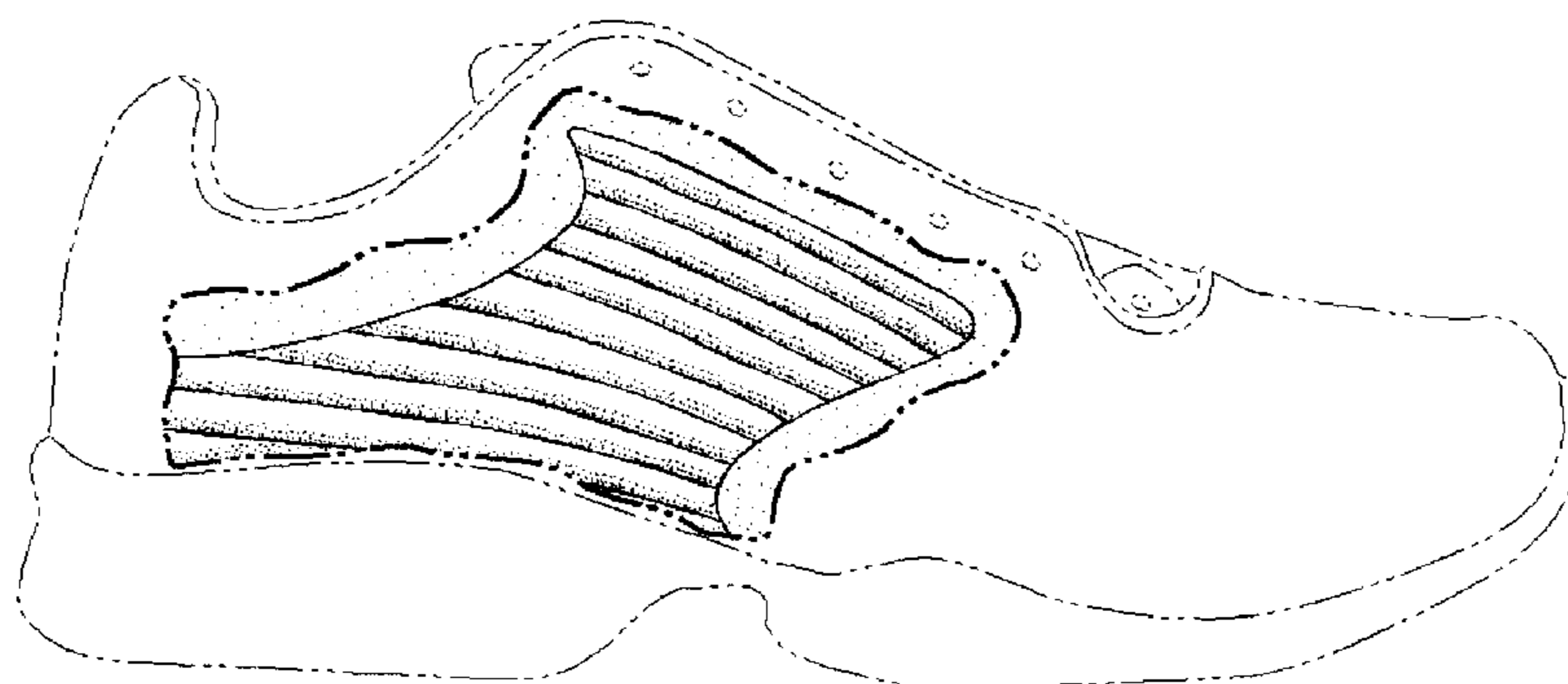
(57) **CLAIM**

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(s) immediately adjacent to the shaded area(s) represent(s) 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 1990, published Jun. 1989 (p. M6), Beaverton Oregon.

“Nike Footwear Catalog,” Late Spring 1996, published Aug. 1995 (p. M58), Beaverton Oregon.

“Nike Footwear Catalog,” Late Spring 1996, published Aug. 1995 (p. M120), Beaverton Oregon.

“Nike Footwear Catalog,” Fall 1996, published Dec. 1995 (p. W202), Beaverton Oregon.

“Nike Footwear Catalog,” Spring 1997, published Jun. 1996 (p. M12), Beaverton Oregon.

“Nike Footwear Catalog,” Spring 1998, published Jun. 1997 (Unisex 18), Beaverton Oregon.

“Nike Footwear Catalog,” Fall 1998, published Nov. 1997 (p. M7), Beaverton Oregon.

“Nike Footwear Catalog,” Holiday 2000, published Mar. 2000 (p. M14), Beaverton Oregon.

“Nike Footwear Catalog,” Holiday 2000, published Mar. 2000 (p. M48), Beaverton Oregon.

“Nike Footwear Catalog,” Holiday 2000, published Mar. 2000 (p. W12), Beaverton Oregon.

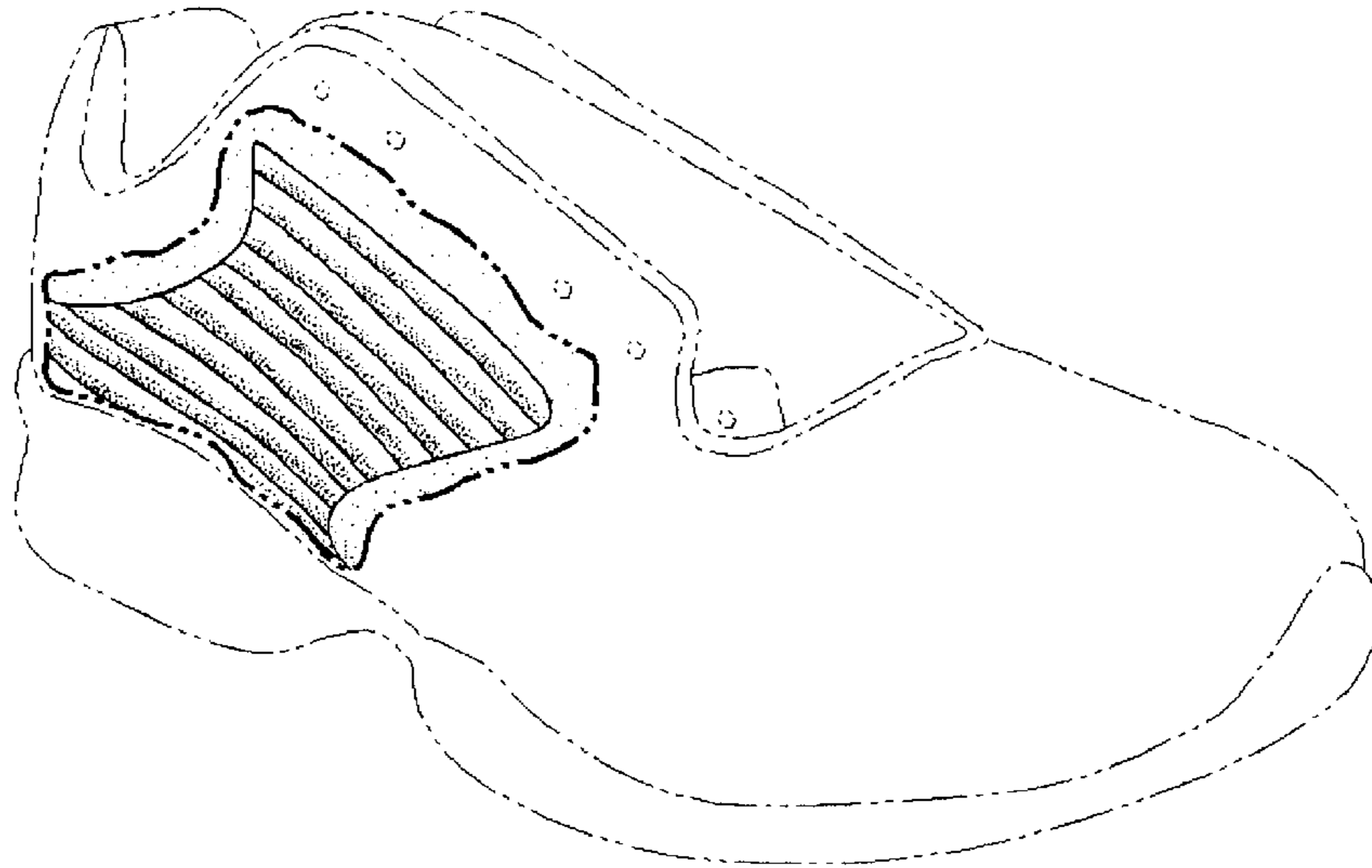
“Nike Footwear Catalog,” Holiday 2001, published Feb. 2001 (p. M48), Beaverton Oregon.

“Nike Footwear Catalog,” Spring 2002, published Jun. 2001 (p. W90), Beaverton Oregon.

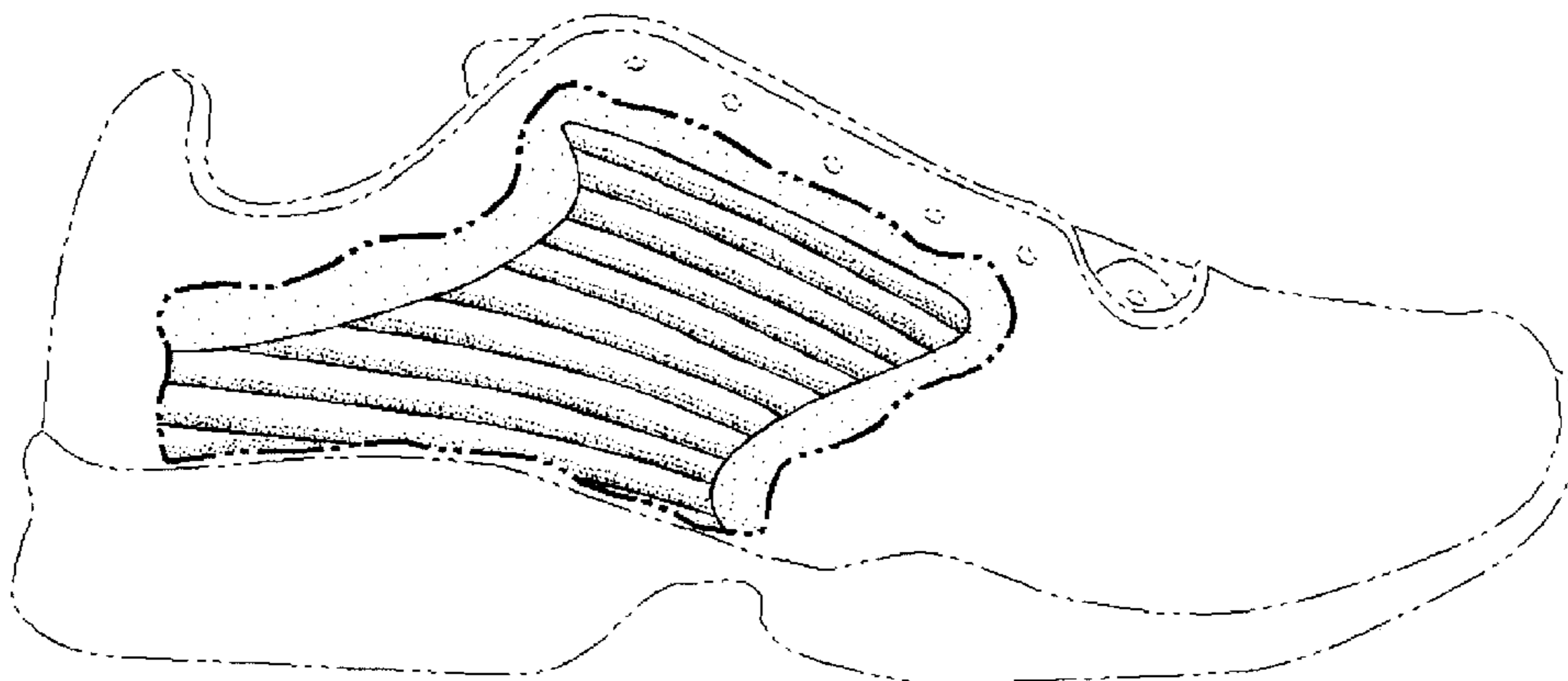
“Nike Footwear Catalog,” Late Spring 2003, published Sep. 2002 (p. W5), Beaverton Oregon.

“Nike Footwear Catalog,” Holiday 2004, published Mar. 2004 (p. M32), Beaverton Oregon.

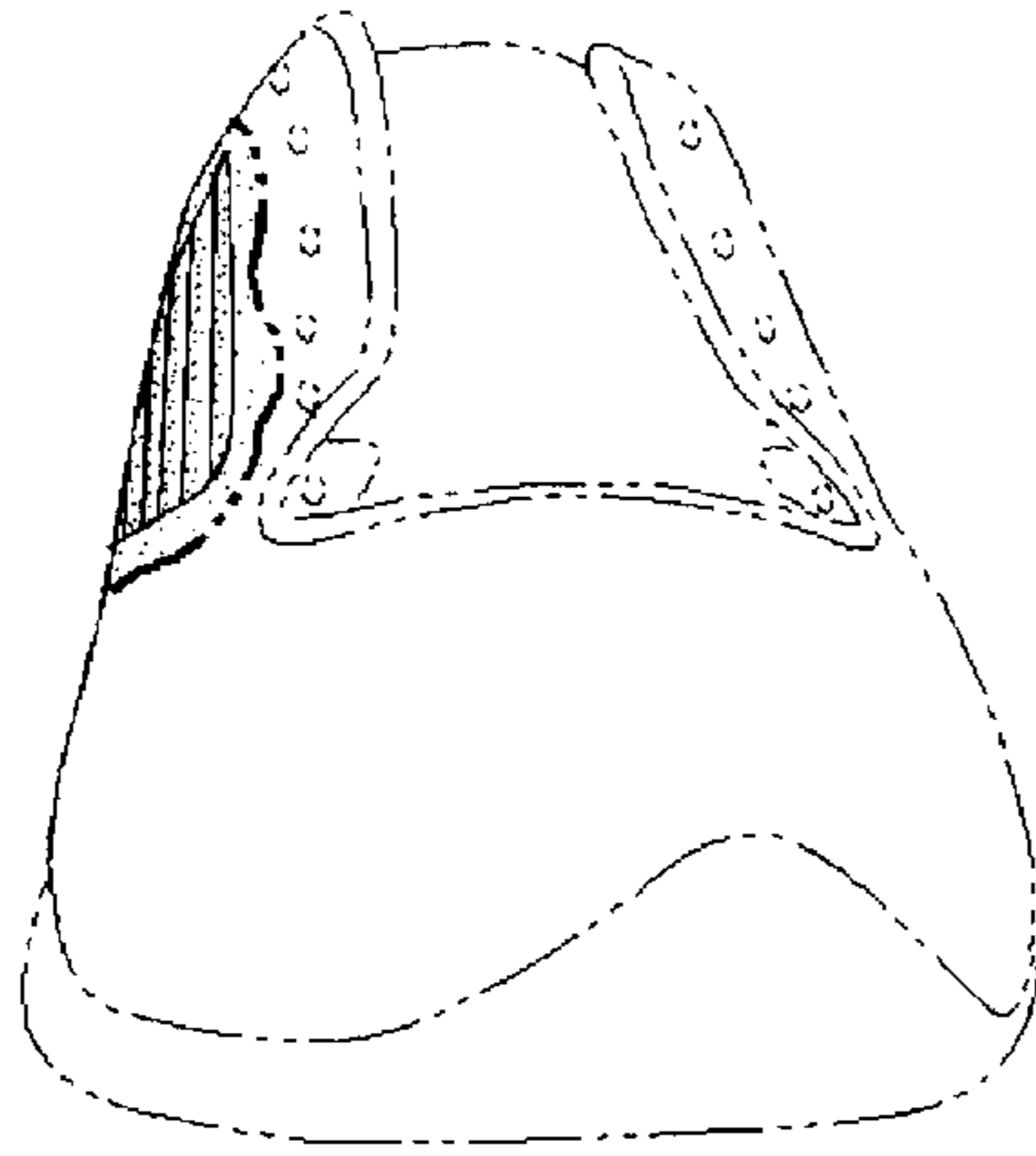
\* cited by examiner



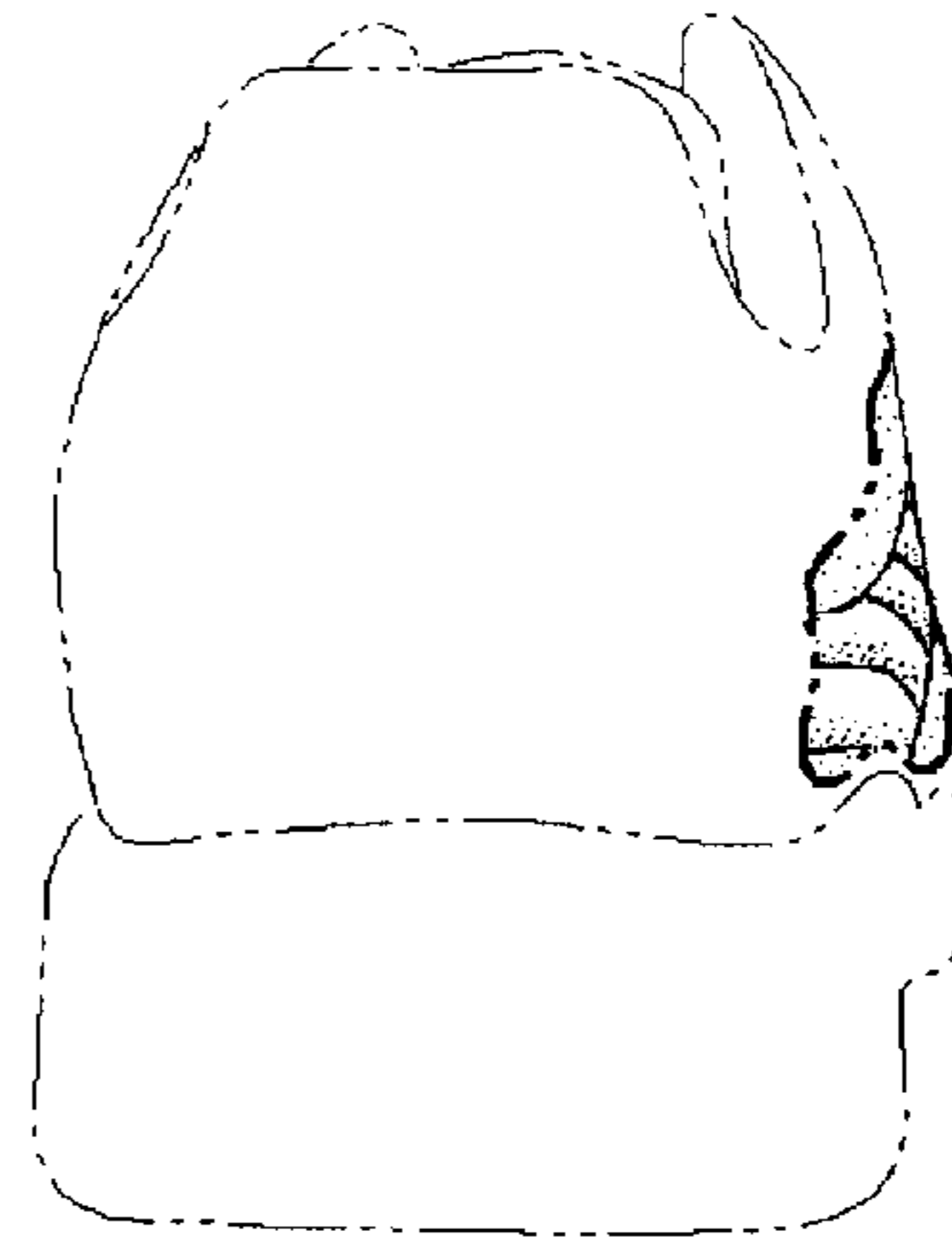
**FIG. 1**



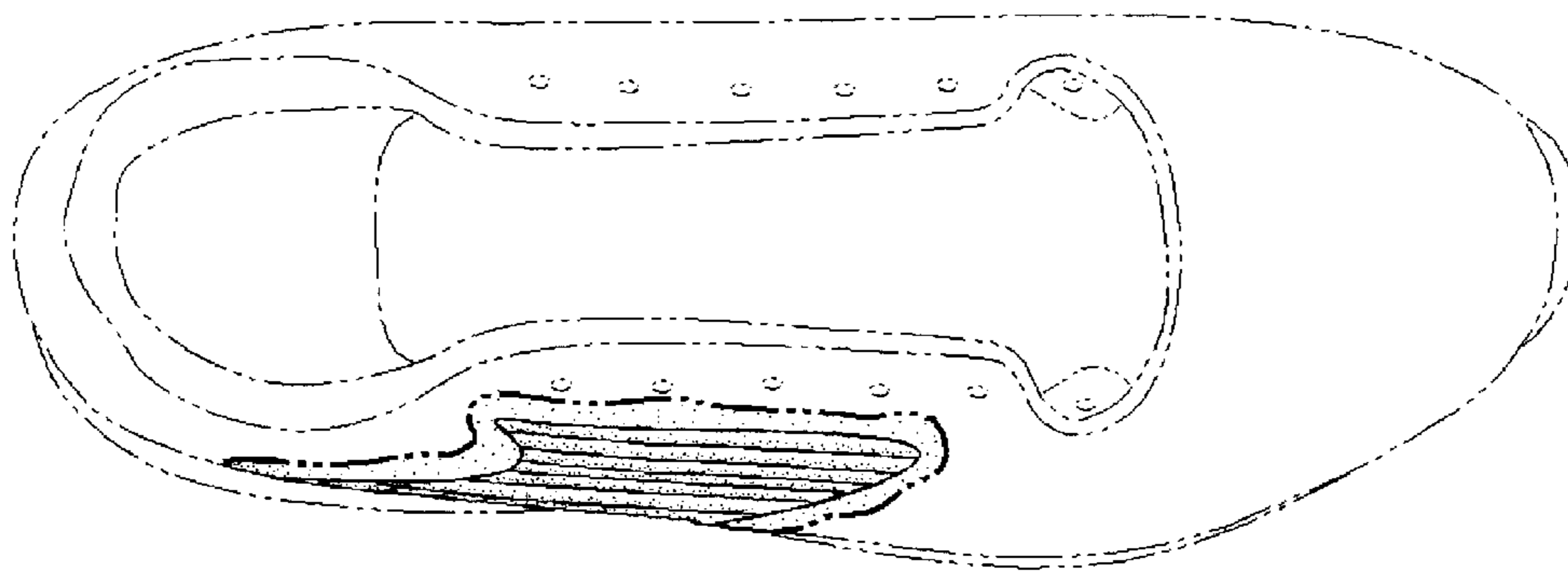
**FIG. 2**



**FIG. 3**



**FIG. 4**



**FIG. 5**