



US00D509350S

(12) **United States Design Patent** (10) **Patent No.:** **US D509,350 S**
Holmes (45) **Date of Patent:** **** Sep. 13, 2005**

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

D499,874 S * 12/2004 Panariello, Jr. D2/972
D500,586 S * 1/2005 Wozniak D2/972

(75) Inventor: **Matthew J. Holmes**, Portland, OR (US)

OTHER PUBLICATIONS

(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)

“Nike Footwear Catalog”, Spring 1996, published Jun. 1995 (p. W131), Beaverton, Oregon.

(**) Term: **14 Years**

“Nike Footwear Catalog”, Holiday 1996, published Feb. 1996 (p. M31), Beaverton, Oregon.

(21) Appl. No.: **29/216,467**

“Nike Footwear Catalog”, Spring 1997, published Jun. 1996 (pp. M23, M24), Beaverton, Oregon.

(22) Filed: **Nov. 3, 2004**

“Nike Footwear Catalog”, Holiday 1997, published Mar. 1997 (p. W212), Beaverton, Oregon.

(51) **LOC (8) Cl.** **02-99**

“Nike Footwear Catalog”, Spring 1998, published Jun. 1997 (p. M11), Beaverton, Oregon.

(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, 126-131

(Continued)

(56) **References Cited**

Primary Examiner—Dominic Simone

(74) *Attorney, Agent, or Firm*—TraskBritt

U.S. PATENT DOCUMENTS

(57) **CLAIM**

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

- D96,578 S 8/1935 Arkin
- D226,882 S 5/1973 Powers
- D348,765 S 7/1994 Lozano
- D380,079 S 6/1997 Greene
- D402,103 S 12/1998 Hardy et al.
- D406,448 S 3/1999 Rask
- D407,199 S 3/1999 Hardy
- D413,196 S 8/1999 Hatfield
- D417,772 S 12/1999 Selbiger
- D420,499 S 2/2000 Dolinsky
- D421,331 S 3/2000 Mervar et al.
- D427,760 S 7/2000 Holmes
- D428,552 S 7/2000 Lupo
- D432,778 S 10/2000 McCourt
- D440,388 S 4/2001 Clegg
- D440,752 S 4/2001 Clegg
- D450,917 S 11/2001 Fogg
- D452,069 S 12/2001 Allen
- D463,098 S 9/2002 Hui
- D467,720 S 12/2002 Patt
- D474,011 S 5/2003 Smith
- D475,519 S * 6/2003 Morris D2/972
- D476,472 S 7/2003 Portzline
- D485,052 S * 1/2004 Holmes D2/972
- D498,911 S * 11/2004 Young D2/972

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;

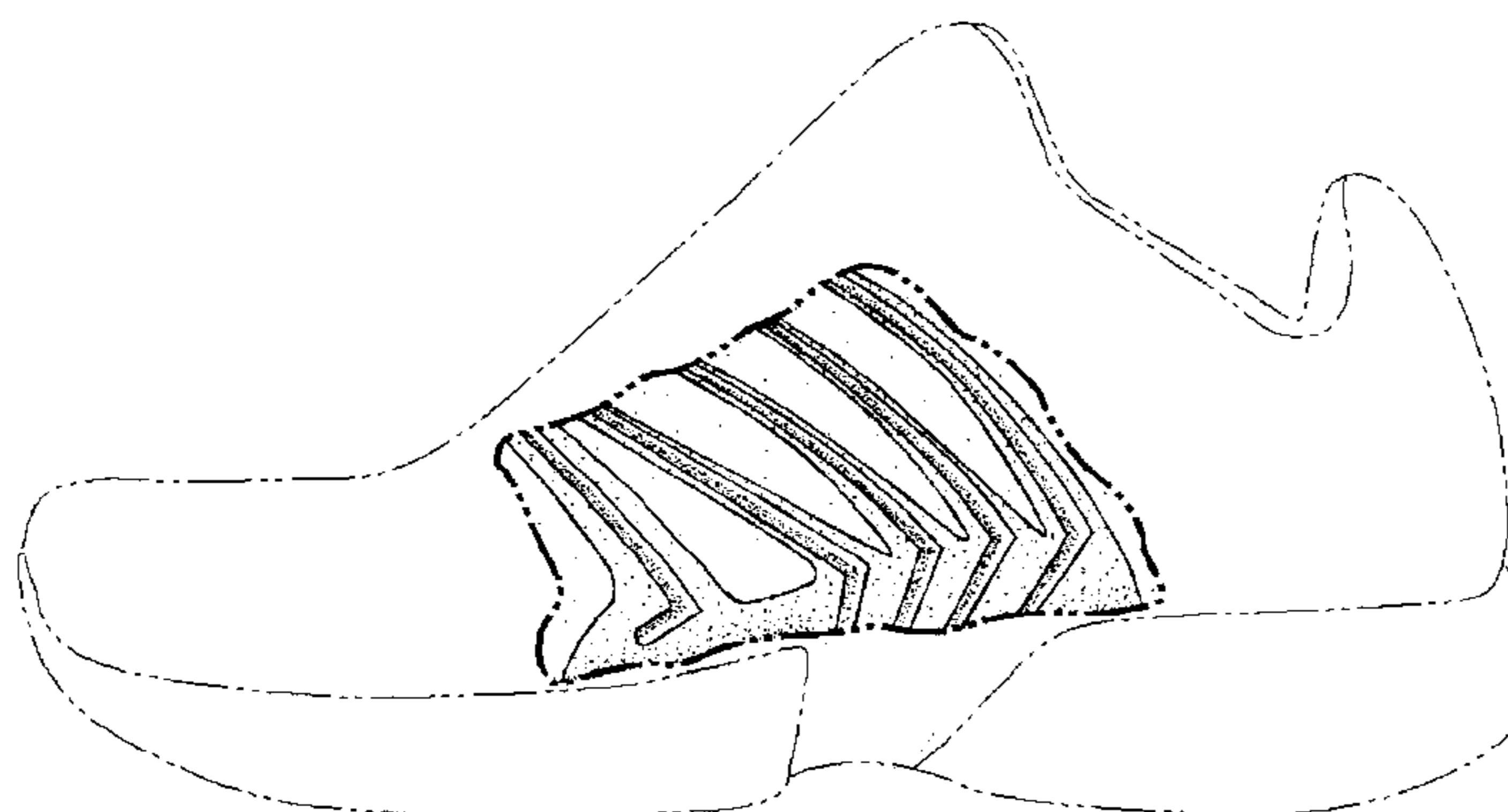
FIG. 3 is a front view of the side element of a shoe upper shown in FIG. 1;

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”, Holiday 1998, published Feb. 1998 (p. W19), Beaverton, Oregon.

“Nike Footwear Catalog”, Spring 1999, published Jun. 1998 (p. W117), Beaverton, Oregon.

“Nike Footwear Catalog”, Late Spring 1999, published Nov. 1998 (p. W7), Beaverton, Oregon.

“Nike Footwear Catalog”, Spring 2000, published Jul. 1999 (pp. W10, W19, M25, M50, M54), Beaverton, Oregon.

“Nike Footwear Catalog”, Holiday 2000, published Mar. 2000 (p. M8), Beaverton, Oregon.

“Nike Footwear Catalog”, Spring 2001, published Jun. 2000 (p. W19), Beaverton, Oregon.

“Nike Footwear Catalog”, Fall 2001, published Nov. 2000 (pp. M76, M77), Beaverton, Oregon.

“Nike Footwear Catalog”, Holiday 2001, published Feb. 2001 (p. M4), Beaverton, Oregon.

“Nike Footwear Catalog”, Fall 2002, published Nov. 2001 (p. M83), Beaverton, Oregon.

“Nike Footwear Catalog”, Fall 2002, published Nov. 2001 (p. W109), Beaverton, Oregon.

“Nike Footwear Catalog”, Spring 2003, published Jun. 2002 (p. W46), Beaverton, Oregon.

“Nike Footwear Catalog”, Late Spring 2003, published Sep. 2002 (p. W16), Beaverton, Oregon.

“Nike Footwear Catalog”, Spring 2005, published Jun. 2004 (p. M13), Beaverton, Oregon.

* cited by examiner

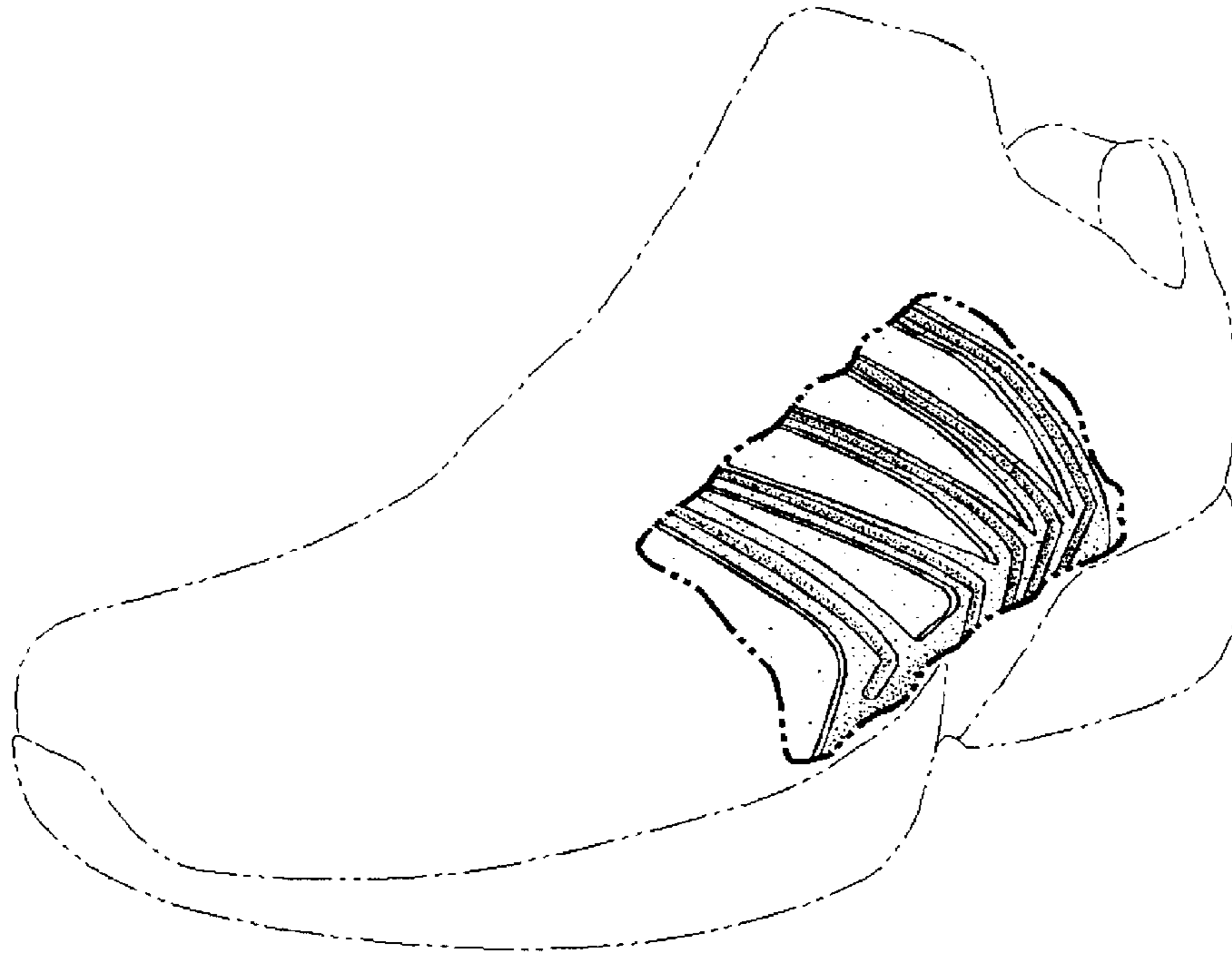


FIG. 1

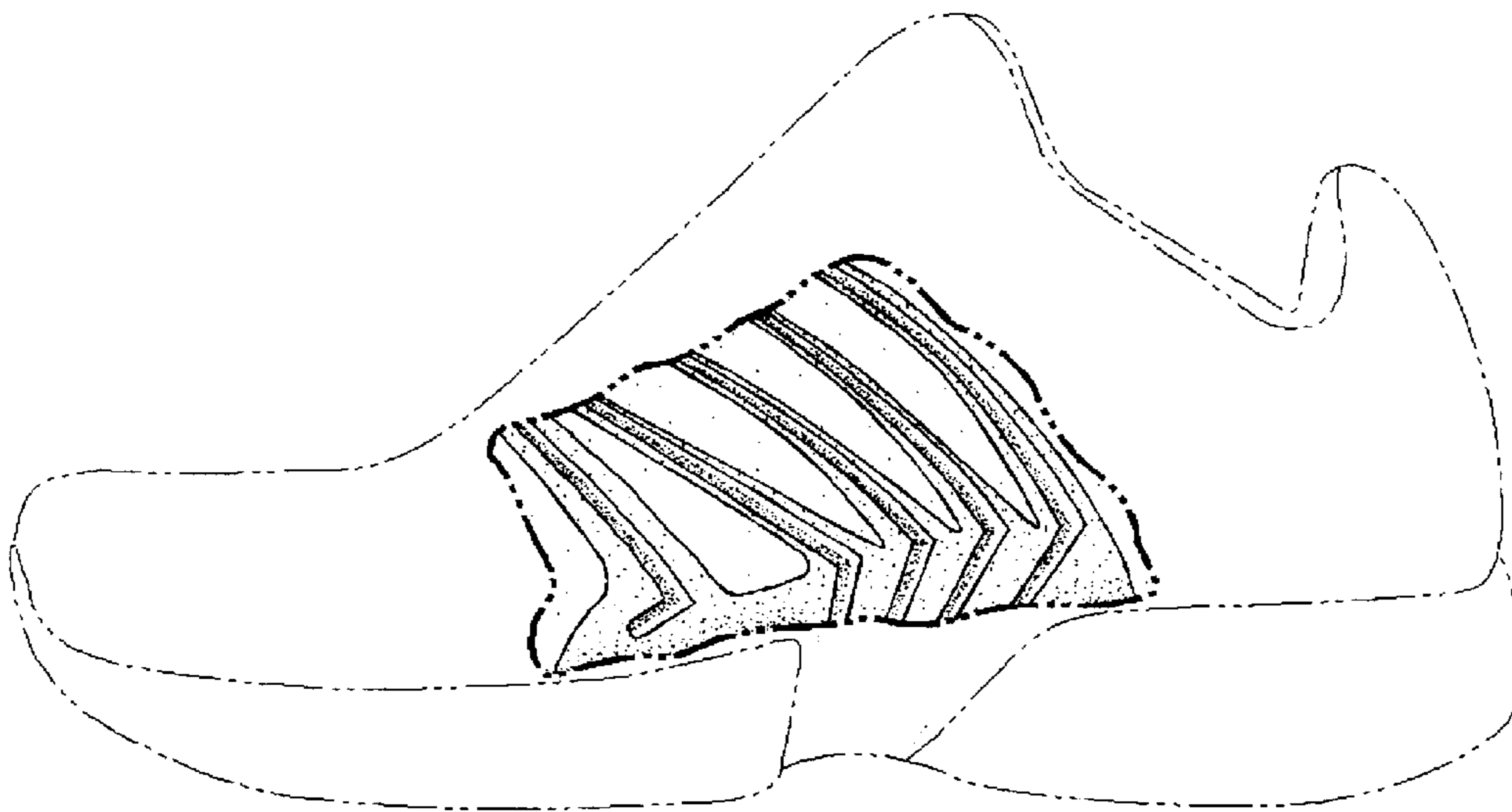


FIG. 2

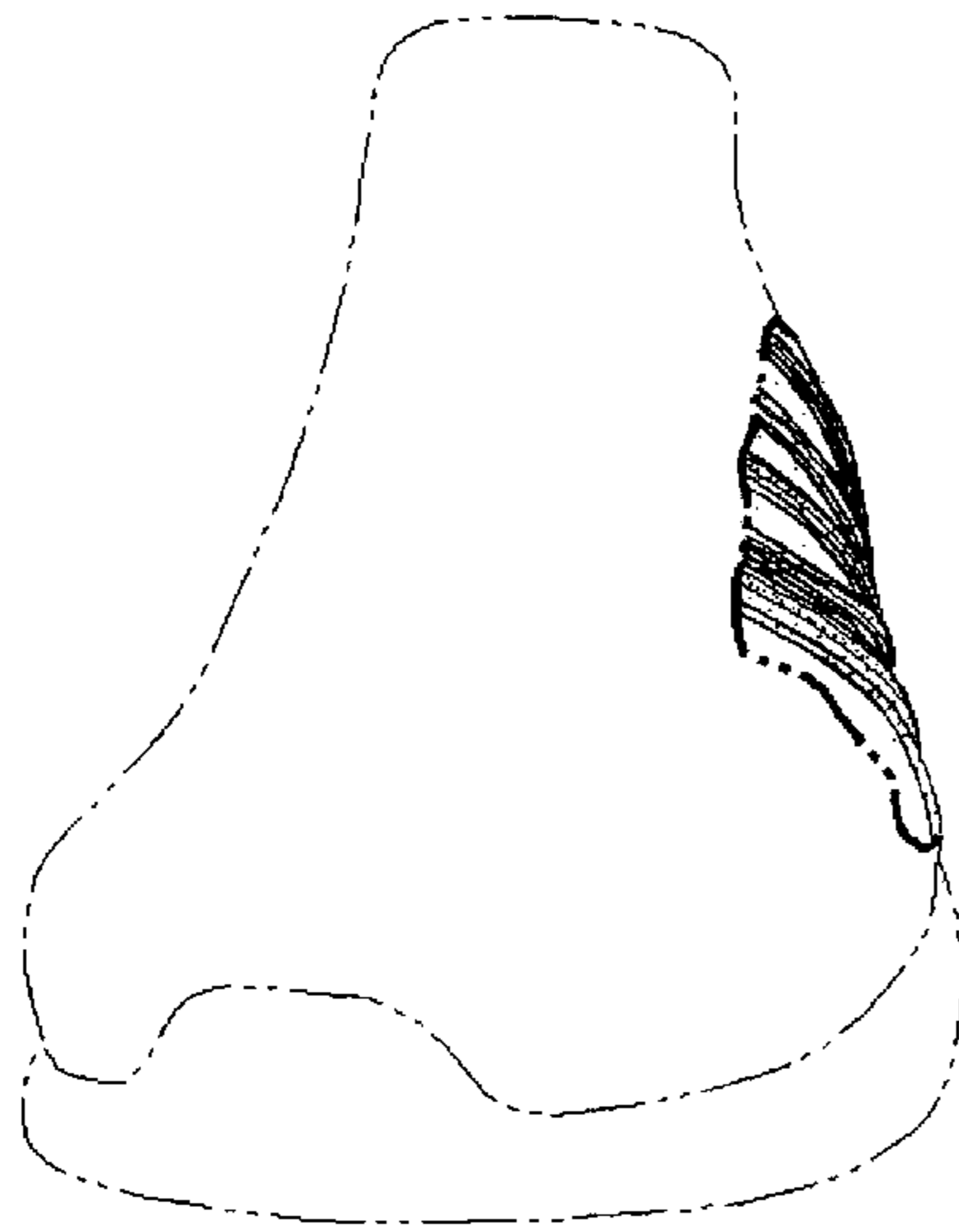


FIG. 3

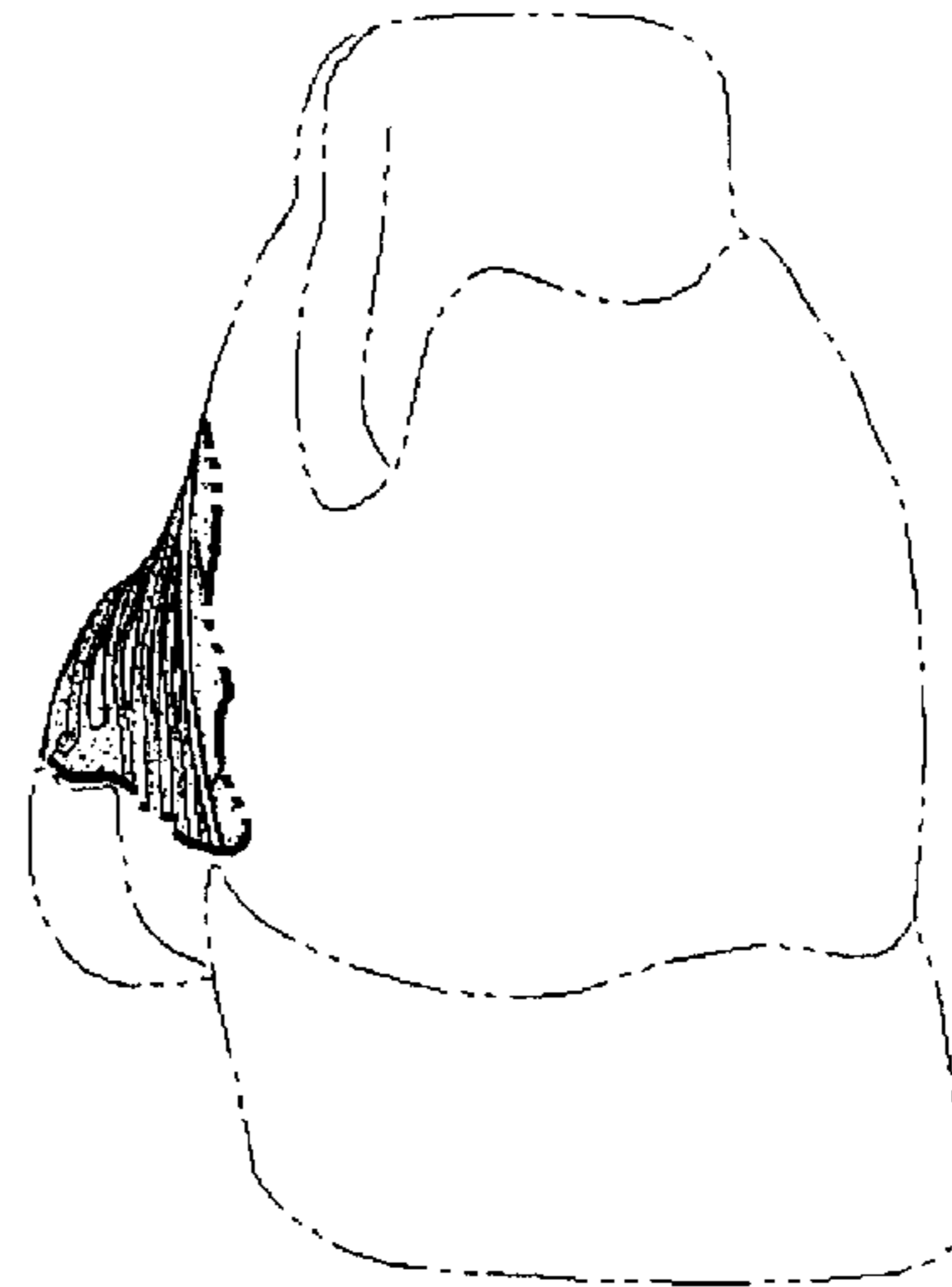


FIG. 4

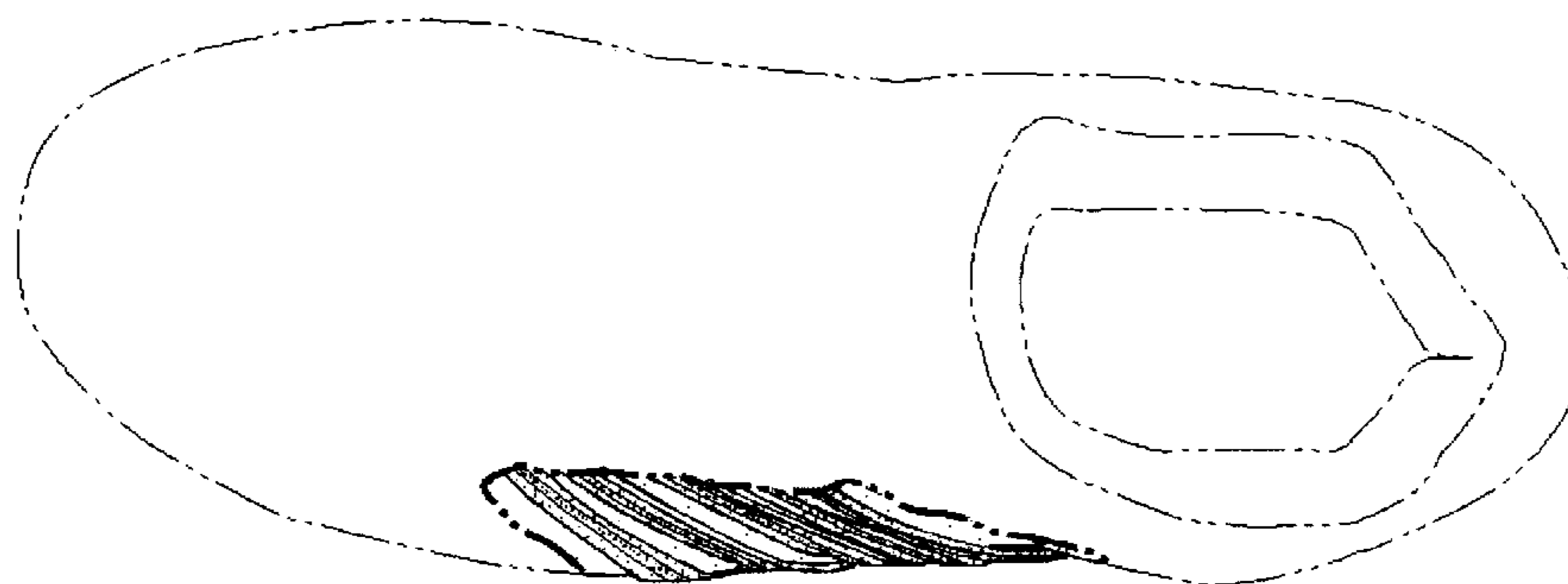


FIG. 5