



US00D510477S

(12) **United States Design Patent** (10) **Patent No.:** **US D510,477 S**
McDowell (45) **Date of Patent:** **** Oct. 11, 2005**

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

D475,523 S 6/2003 McDowell
D476,473 S 7/2003 Clegg
D477,708 S 7/2003 Smith
D485,052 S 1/2004 Holmes
D485,054 S * 1/2004 Morris D2/972
D494,355 S 8/2004 Allen
D495,864 S 9/2004 Herbst
D495,865 S 9/2004 Lee
D500,586 S * 1/2005 Wozniak D2/972

(21) **Appl. No.:** **29/217,221**
(22) **Filed:** **Nov. 16, 2004**

(51) **LOC (8) Cl.** **02-99**
(52) **U.S. Cl.** **D2/972**
(58) **Field of Search** D2/902, 907, 943, D2/944, 949, 969, 972-974; 36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114, 126-131

OTHER PUBLICATIONS

Nike Footwear Catalog Holiday 1995, Published Mar. 1995, p. 17.
Nike Footwear Catalog Spring 1997, Published Jun. 1996, p. 142.
Nike Footwear Catalog Late Spring 1999, Published Sep. 1998, p. M35.
Nike Footwear Catalog Fall 1999, Published Nov. 1998, p. W102.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D364,499 S 11/1995 Avar
D365,201 S 12/1995 Avar
D370,994 S 6/1996 Avar
D386,603 S 11/1997 Avar
D388,598 S 1/1998 Hatfield
D397,860 S 9/1998 Avar
D397,861 S 9/1998 Teague
D398,770 S 9/1998 Lozano
D398,771 S 9/1998 Doxey
D401,052 S 11/1998 Lozano
D406,448 S 3/1999 Rask
D407,203 S 3/1999 Maxwell
D412,054 S 7/1999 Gray et al.
D415,878 S 11/1999 Avar et al.
6,029,376 A 2/2000 Cass
D432,782 S 10/2000 Tong
D440,756 S 4/2001 Cooper
D442,360 S 5/2001 Holmes
D447,617 S * 9/2001 Matis et al. D2/969
D449,730 S 10/2001 McDowell
D467,412 S * 12/2002 Morris D2/972
D467,722 S 12/2002 Wahoske
D474,010 S 5/2003 Gerber

(Continued)

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

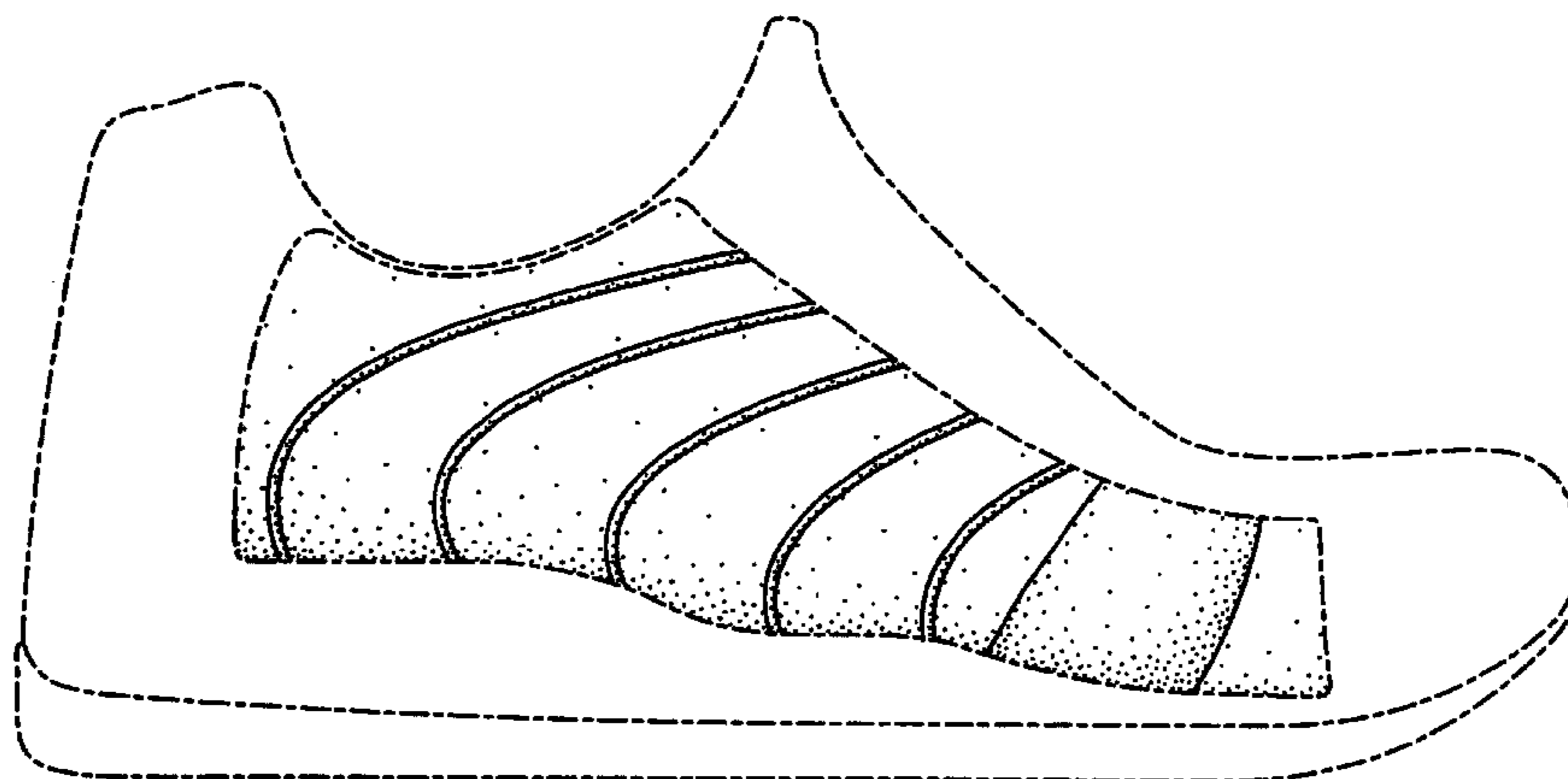
(57) **CLAIM**

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

DESCRIPTION

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



OTHER PUBLICATIONS

Nike Footwear Catalog Holiday 1999, Published Mar. 1999, p. M16.

Nike Footwear Catalog Holiday 1999, Published Mar. 1999, p. M140.

Nike Footwear Catalog Holiday 1999, Published Mar. 1999, p. M144.

Nike Footwear Catalog Holiday 1999, Published Mar. 1999, p. W58.

Nike Footwear Catalog Spring 2001, Published Jun. 2000, p. M25.

Nike Footwear Catalog Spring 2001, Published Jun. 2000, p. M32.

Nike Footwear Catalog Late Spring 2001, Published Sep. 2000, p. M15.

Nike Footwear Catalog Fall 2001, Published Nov. 2000, p. M33.

Nike Footwear Catalog Fall 2001, Published Nov. 2000, p. M45.

Nike Footwear Catalog Holiday 2001, Published Feb. 2001, p. W12.

Nike Footwear Catalog Spring 2002, Published Jun. 2001, p. M44.

Nike Footwear Catalog Late Spring 2002, Published Sep. 2001, p. M30.

Nike Footwear Catalog Late Spring 2004, Published Sep. 2003, p. W12.

* cited by examiner

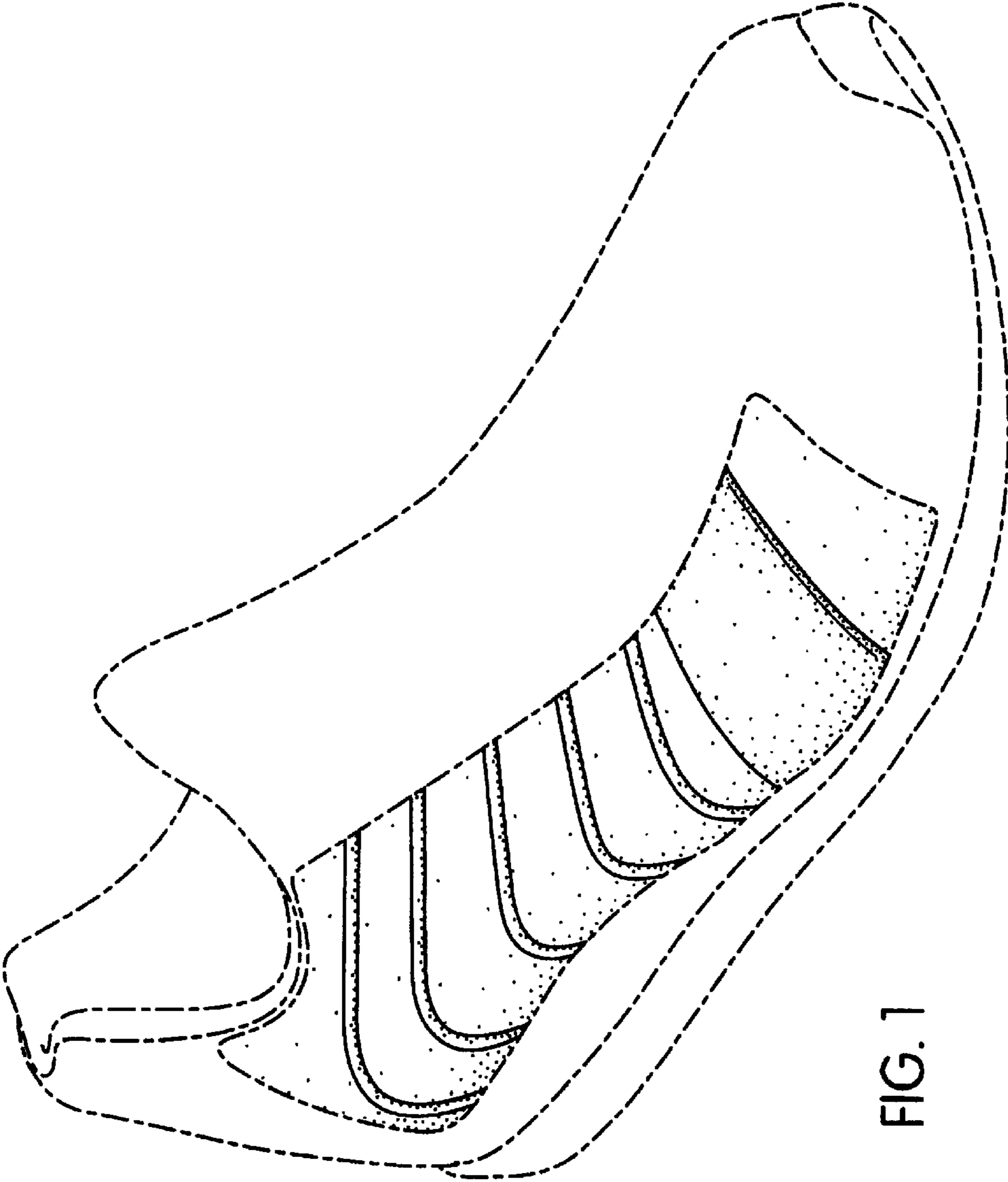


FIG. 1

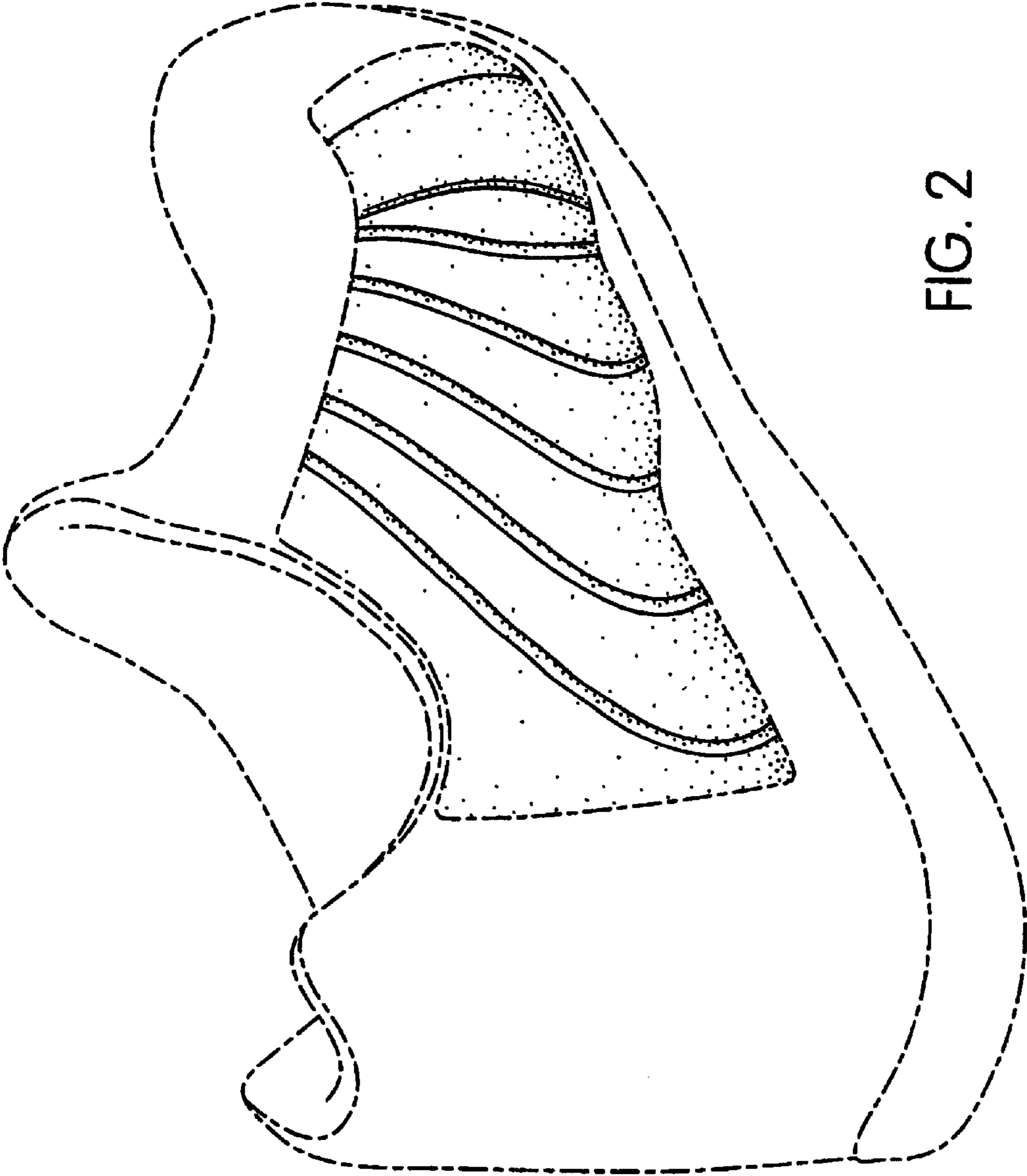


FIG. 2

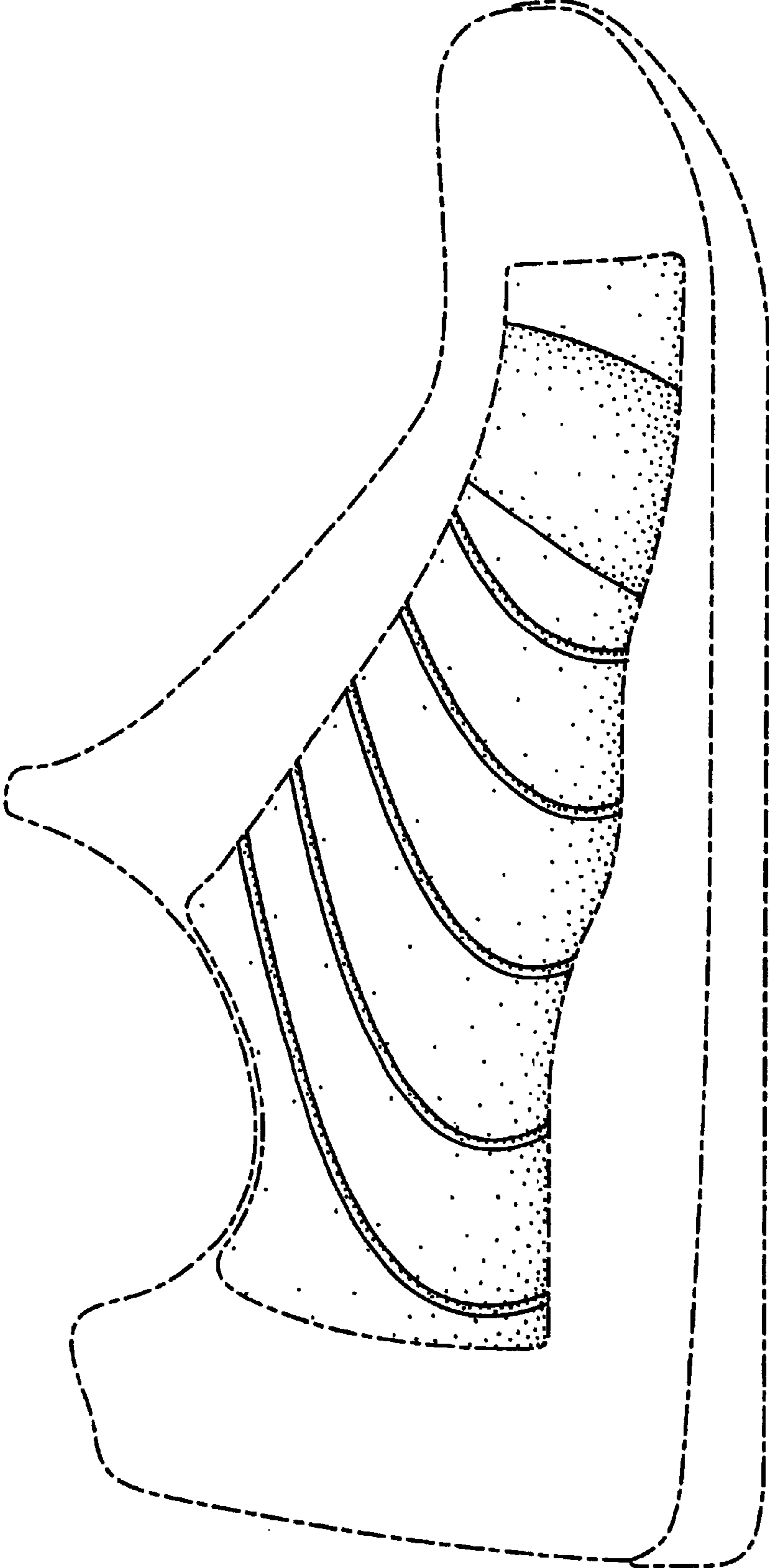


FIG. 3

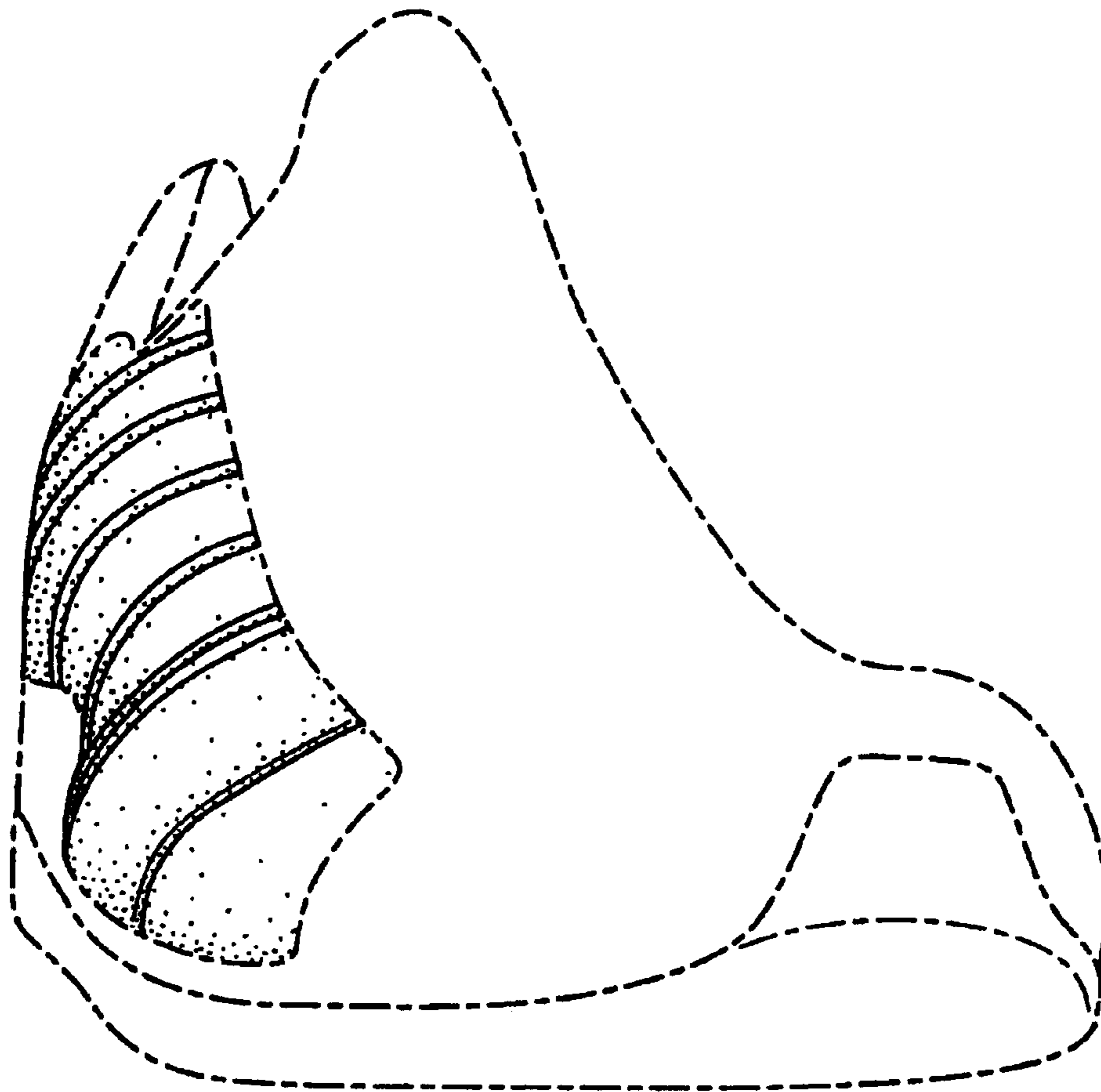


FIG. 4