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

(10) **Patent No.: US D512,214 S**
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- (54) **PORTION OF A SHOE UPPER**
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- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/221,534**
- (22) Filed: **Jan. 19, 2005**

- D459,867 S 7/2002 Morris
- D461,304 S 8/2002 Clegg
- D463,656 S 10/2002 Hudson
- D467,721 S 12/2002 Lupo
- D485,052 S 1/2004 Holmes
- D492,103 S * 6/2004 Galway D2/969
- D493,612 S * 8/2004 Chang D2/972
- D494,355 S 8/2004 Allen
- D499,245 S 12/2004 Wahoske
- D501,982 S * 2/2005 Belley et al. D2/969

- (51) **LOC (8) Cl. 02-99**
- (52) **U.S. Cl. D2/972**
- (58) **Field of Search D2/902, 907, 908,**
D2/943, 969, 972-974; 36/45, 50.1, 77 M,
77 R, 83, 88, 113, 114, 126-131

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D175,203 S 7/1955 Wall
- D268,065 S * 3/1983 Spreng D2/908
- 4,447,971 A 5/1984 Bente
- D274,290 S 6/1984 Migdow
- D274,672 S 7/1984 Garrett
- D280,862 S 10/1985 Gamm
- 4,547,982 A 10/1985 Gamm
- D281,734 S 12/1985 Gamm
- 5,181,873 A 1/1993 Tolbert
- D341,927 S 12/1993 Worthington
- D362,110 S 9/1995 Preskar
- D364,499 S 11/1995 Avar
- D365,201 S 12/1995 Avar
- D367,952 S 3/1996 Shea
- D385,102 S 10/1997 Avar
- D407,203 S 3/1999 Maxwell
- D412,054 S 7/1999 Gray et al.
- D415,885 S 11/1999 Mervar
- D418,284 S 1/2000 Hlavacs
- D420,501 S 2/2000 Hlavacs
- D420,502 S 2/2000 Hlavacs
- D432,776 S * 10/2000 McDowell D2/972
- D440,756 S 4/2001 Cooper
- D447,617 S 9/2001 Matis et al.
- D449,730 S 10/2001 McDowell
- D452,608 S * 1/2002 McDowell D2/973

OTHER PUBLICATIONS

- Nike Footwear Catalog, Spring 1986, p. 45, dated Jun. 1985.
- Nike Footwear Catalog, Fall 1999, p. M128, dated Nov. 1998.
- Nike Footwear Catalog, Fall 2000 #1, p. M110, dated Nov. 1999.
- Nike Footwear Catalog, Spring 2001, p. M12, dated Jun. 2000.

(Continued)

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(57) **CLAIM**

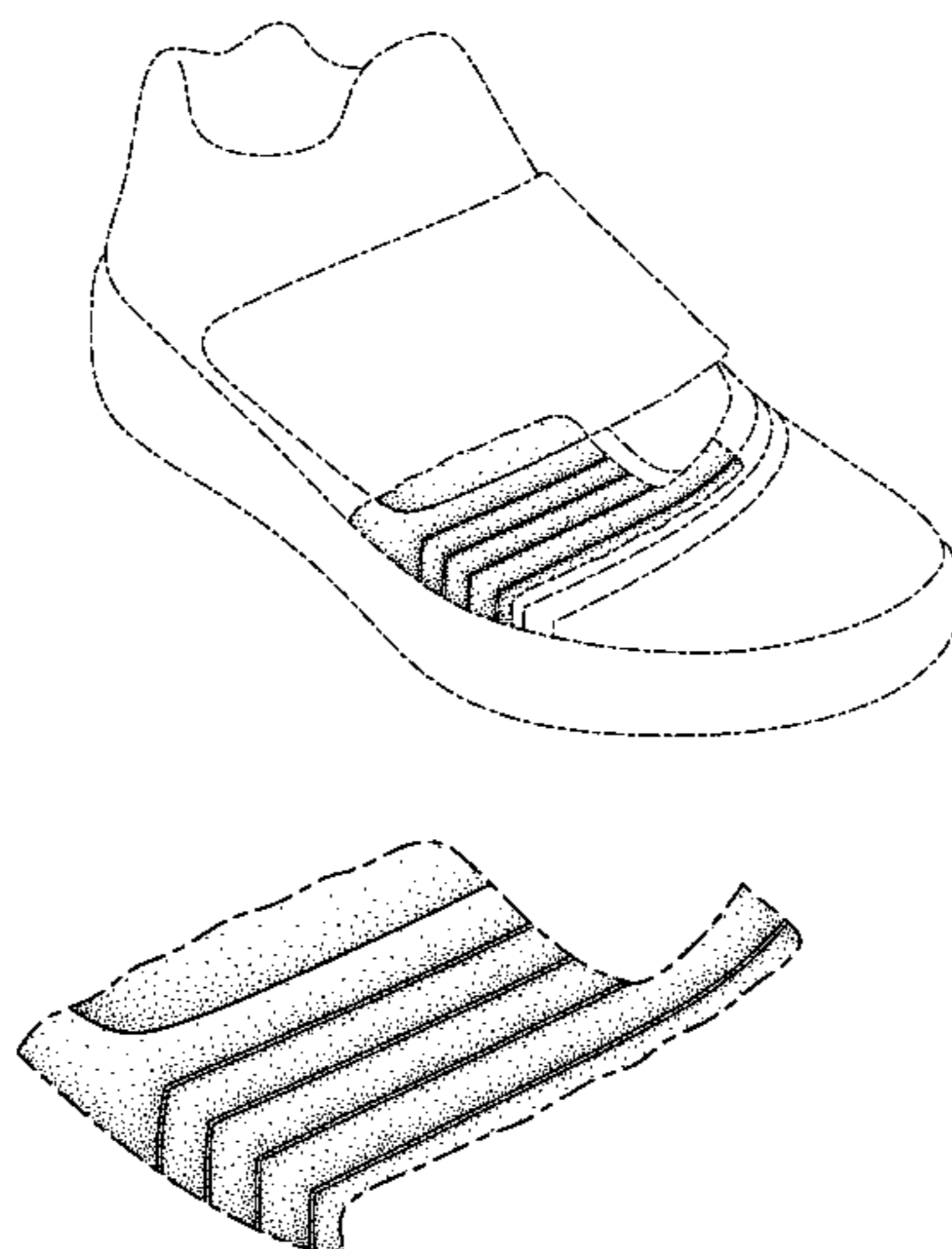
The ornamental design for a portion of a shoe upper, as shown and described.

DESCRIPTION

FIG. 1 is a 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 view thereof;
 FIG. 4 is a top view thereof;
 FIG. 5 is a front view thereof; and,
 FIG. 6 is a side view of the claimed portion of a shoe upper shown in isolation.

The broken line immediately adjacent to the shaded area represents an unclaimed boundary of the design. The broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 6 Drawing Sheets



OTHER PUBLICATIONS

Nike Footwear Catalog, Holiday 2004, p. M77, dated Mar. 2004.

Nike Footwear Catalog Spring 1990, Published Jun. 1989, p. 14.

Nike Footwear Catalog Holiday 1993, Published Mar. 1993, p. 16.

Nike Footwear Catalog Late Spring 1996, Published Aug. 1995, p. 20.

Nike Footwear Catalog Late Spring 1997, Published Sep. 1996, p. 69. 72.

Nike Footwear Catalog Late Spring 2001, Published Sep. 2000, p. M85.

Golf Magazine, Bite's DXL Buckle Up. p. 218, dated Jul. 2004.

* cited by examiner

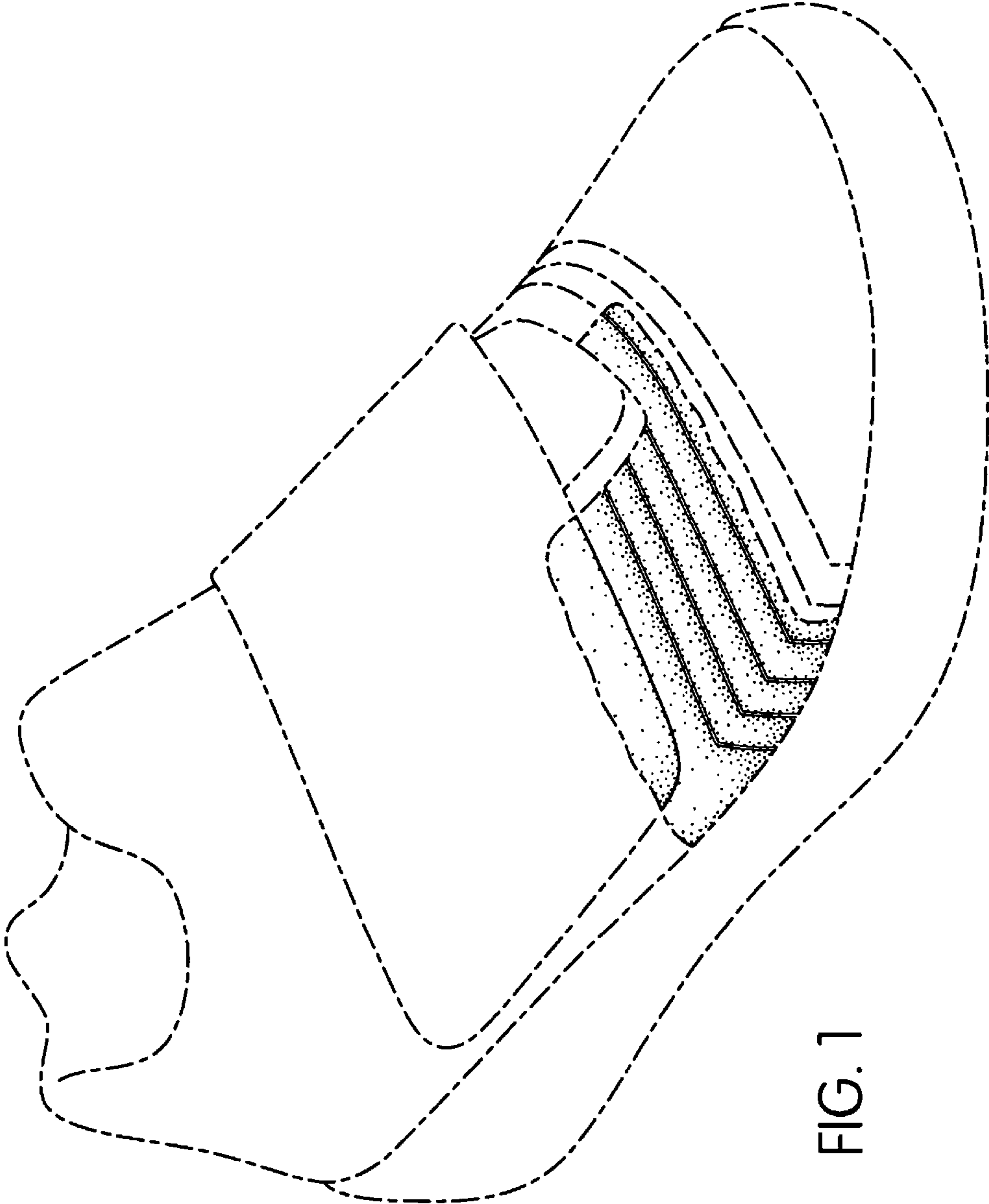


FIG. 1

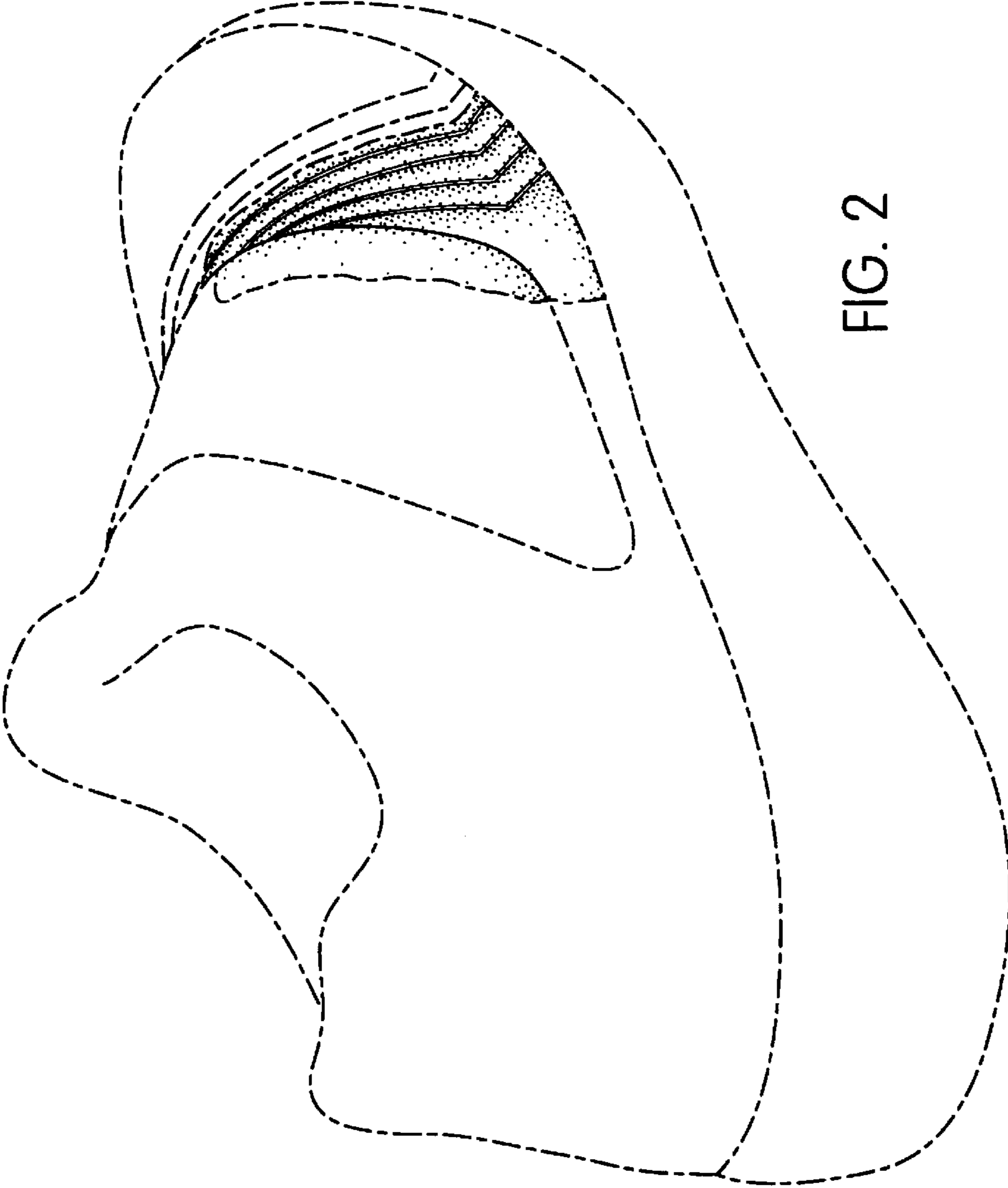


FIG. 2

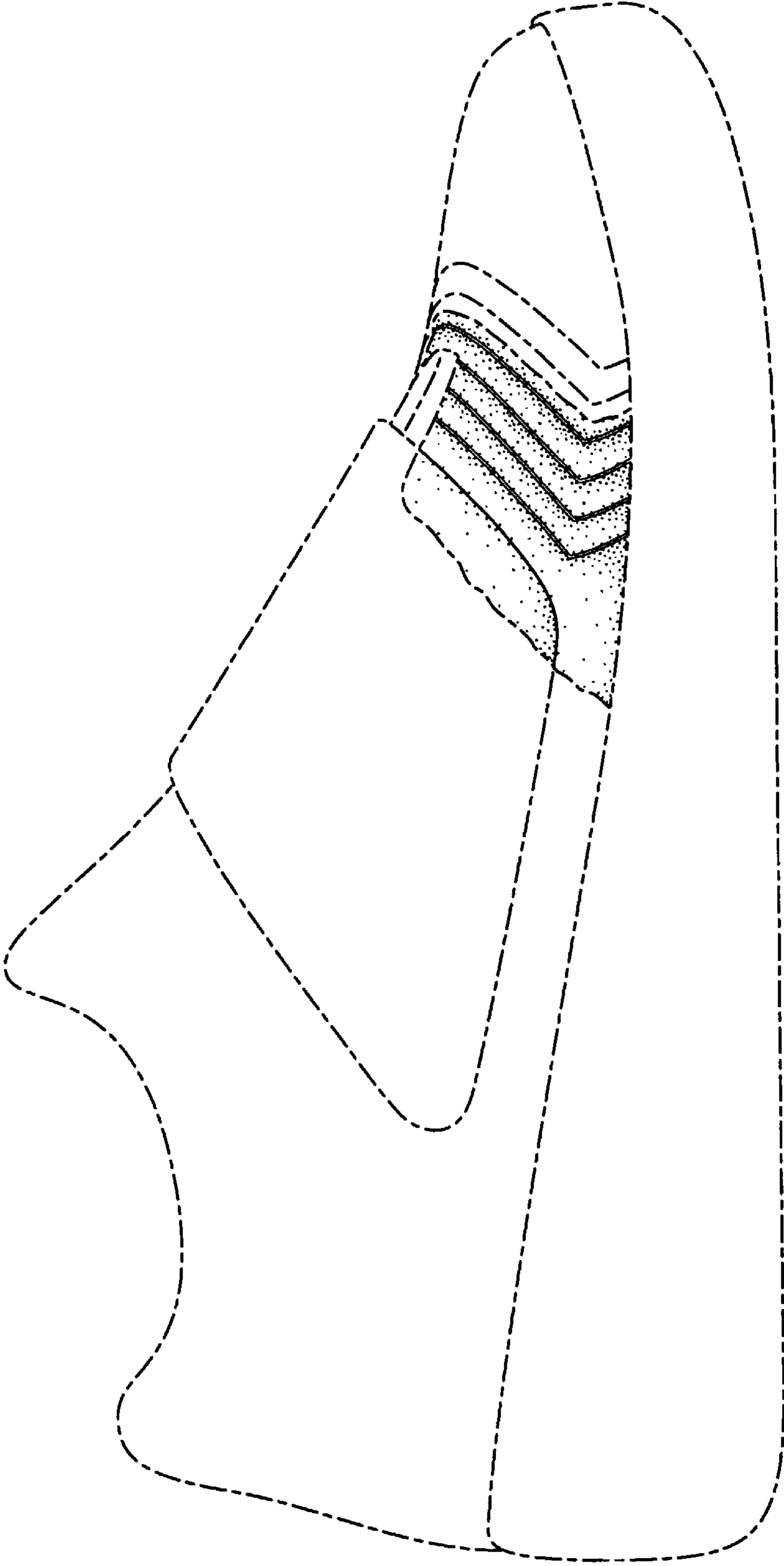


FIG. 3

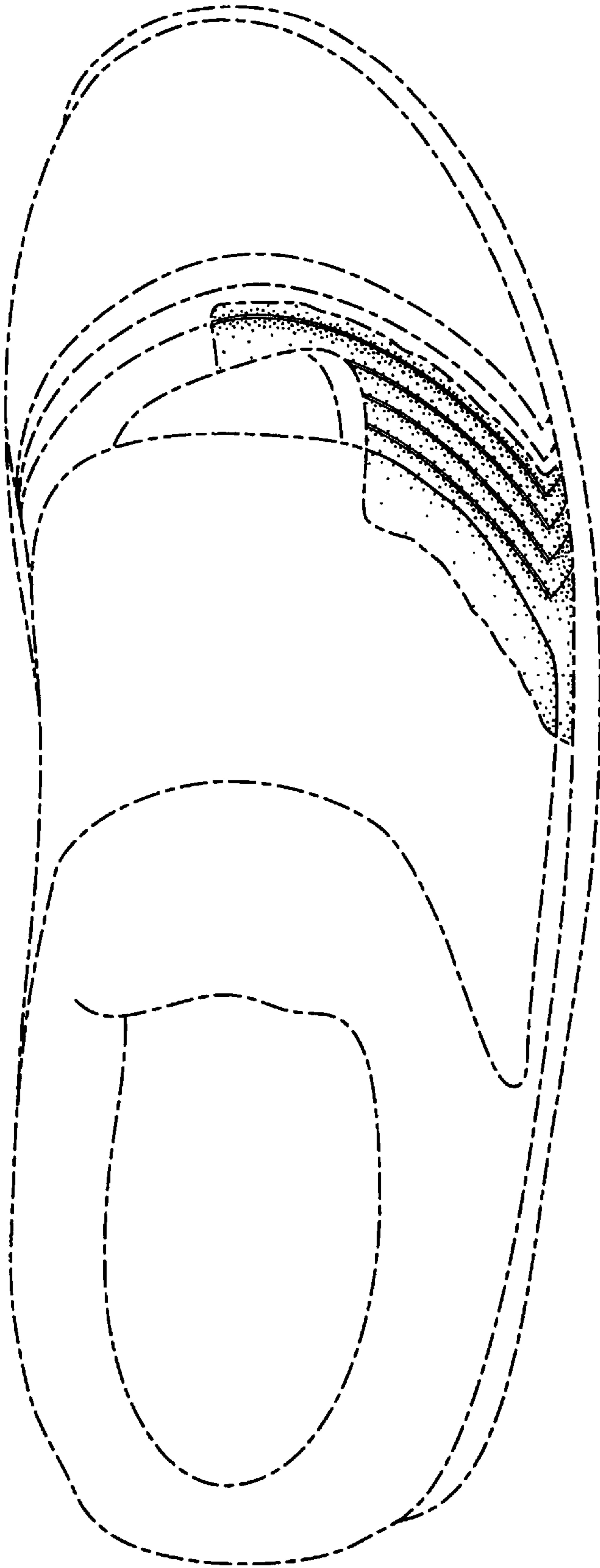


FIG. 4

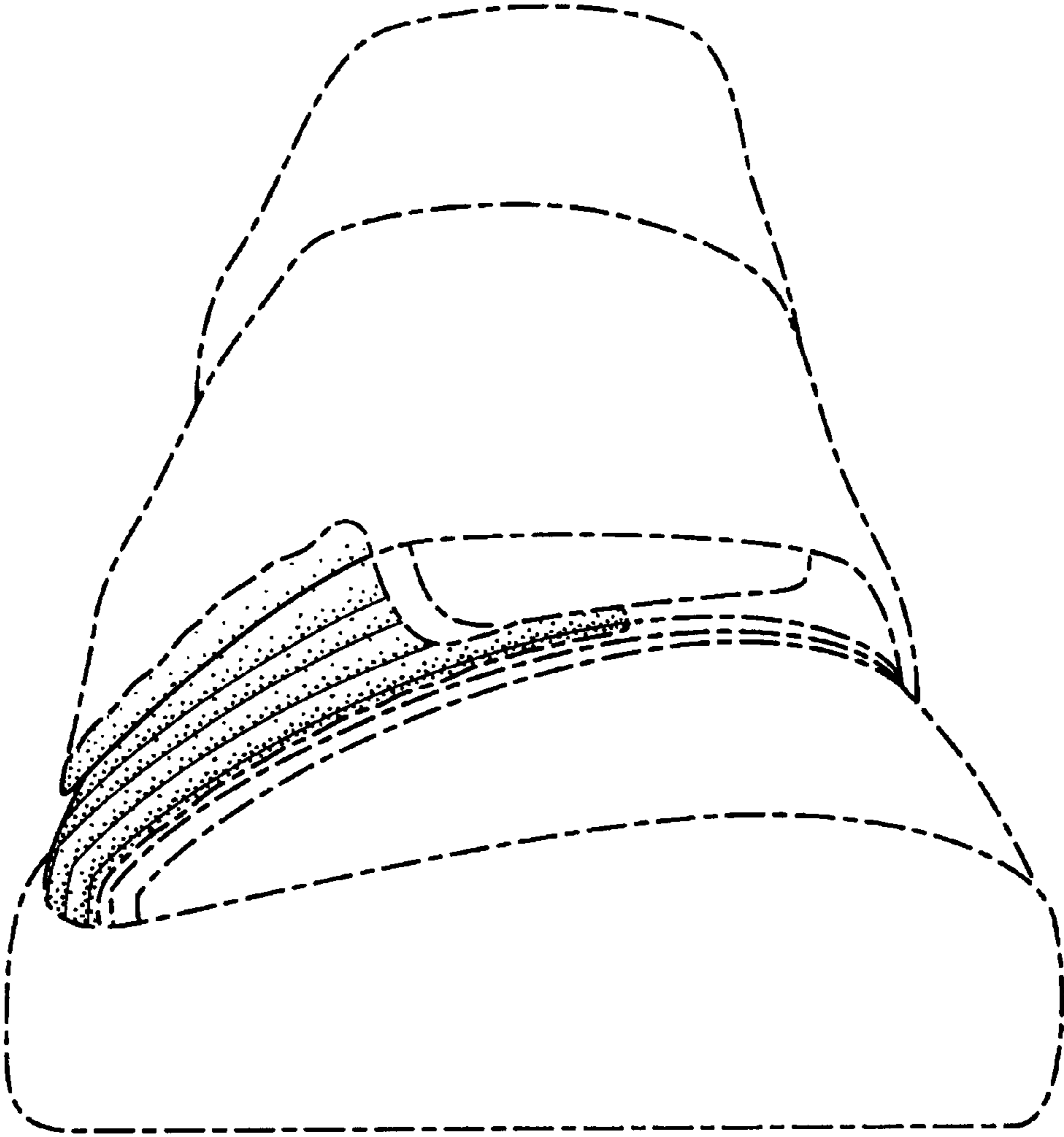


FIG. 5

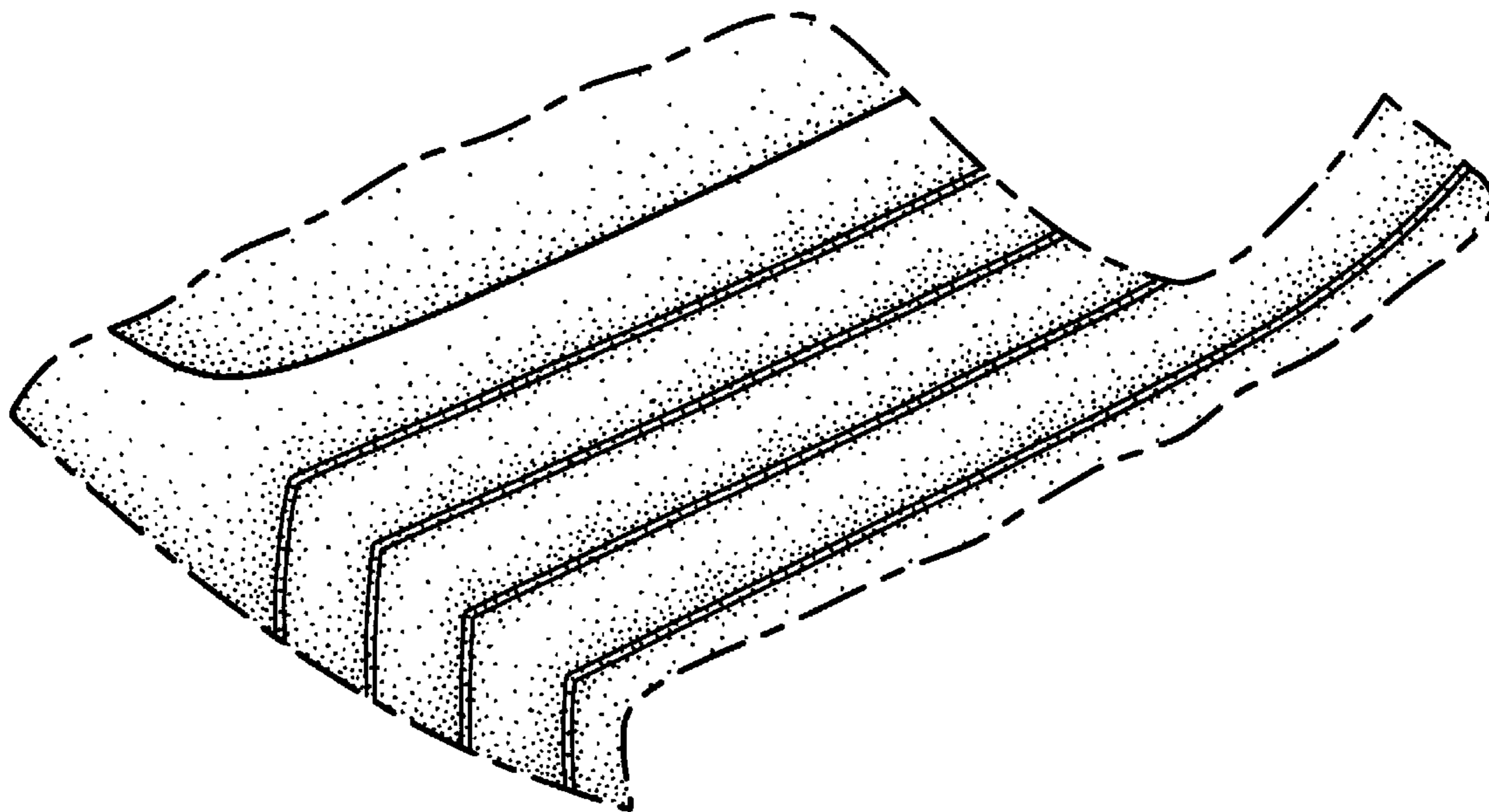


FIG. 6