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

(10) **Patent No.:** **US D522,732 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**
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- (52) **U.S. Cl.** ..... **D2/972**
- (58) **Field of Classification Search** ..... D2/902,  
D2/907, 908, 943, 944, 969, 972-974; 36/45,  
36/50.1, 77 M, 77 R, 83, 88, 113, 114, 126-131  
See application file for complete search history.

- D499,246 S \* 12/2004 Kuerbis ..... D2/972
- D499,539 S 12/2004 Hlavacs
- D500,586 S 1/2005 Wozniak
- D510,181 S \* 10/2005 Cessor ..... D2/972

**OTHER PUBLICATIONS**

- Nike Footwear Catalog Fall 1995, p. 27, published Nov. 1994.
- Nike Footwear Catalog Late Spring 1998, p. 61, published Sep. 1997.
- Nike Footwear Catalog Late Spring 1998, p. 251, published Sep. 1997.
- Nike Footwear Catalog Late Fall 1998; p. 162, published Mar. 1998.
- Nike Footwear Catalog Holiday 1998, p. W27, published Feb. 1998.
- Nike Footwear Catalog Spring 1999, p. M15, published Jun. 1998.
- Nike Footwear Catalog Spring 1999, p. M37, published Jun. 1998.
- Nike Footwear Catalog Spring 1999, p. M36, published Jun. 1998.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- D364,499 S 11/1995 Avar
- D365,201 S 12/1995 Avar
- D391,057 S 2/1998 Cooper
- D397,860 S 9/1998 Avar
- D398,770 S 9/1998 Lozano
- 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.
- D413,716 S 9/1999 Neely
- D415,885 S 11/1999 Mervar
- D432,782 S \* 10/2000 Tong ..... D2/972
- D442,360 S 5/2001 Holmes
- D449,730 S 10/2001 McDowell
- D452,069 S 12/2001 Allen
- D452,990 S 1/2002 McDowell
- D464,480 S 10/2002 Morris
- D485,052 S 1/2004 Holmes
- D485,054 S \* 1/2004 Morris ..... D2/972
- D493,612 S \* 8/2004 Chang ..... D2/972
- D494,355 S 8/2004 Allen
- D495,864 S 9/2004 Herbst
- D495,865 S 9/2004 Lee
- D499,245 S \* 12/2004 Wahoske ..... D2/972

(Continued)

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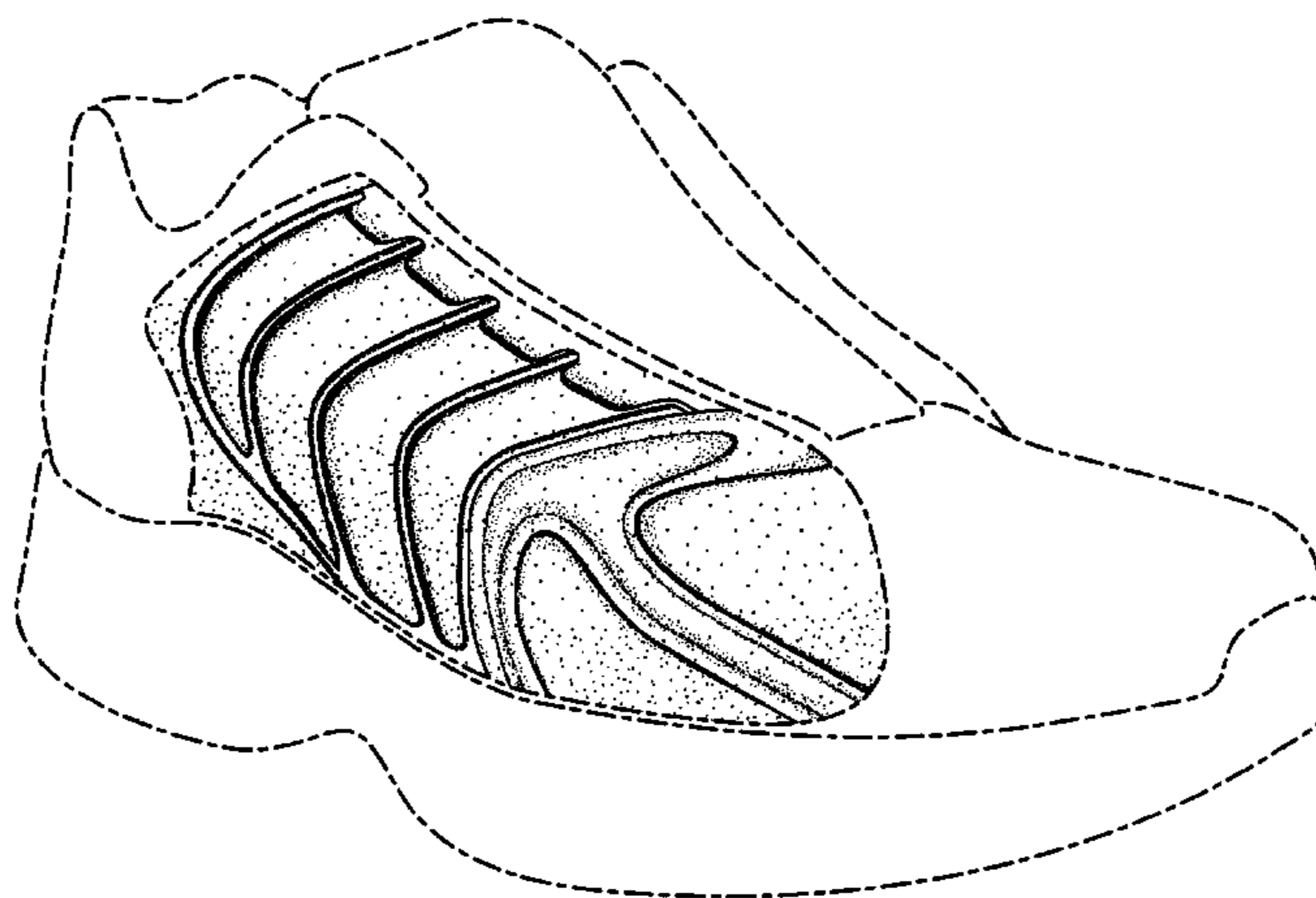
(57) **CLAIM**

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; and, FIG. 3 is a side view of one side thereof. The uneven broken line showing the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design. The uneven broken line immediately adjacent to the shaded area represents an unclaimed boundary of the design.

**1 Claim, 3 Drawing Sheets**



OTHER PUBLICATIONS

Nike Footwear Catalog Spring 1999, p. W31, published Jun. 1998.  
Nike Footwear Catalog Late Spring 1999, p. M16, published Sep. 1998.  
Nike Footwear Catalog Late Spring 1999, p. M43, published Sep. 1998.  
Nike Footwear Catalog Fall 1999, p. M33, published Nov. 1998.  
Nike Footwear Catalog Holiday 1999, p. M14, published Mar. 1999.  
Nike Footwear Catalog Holiday 1999, p. M16, published Mar. 1999.  
Nike Footwear Catalog Fall 2001; p. M45; published Nov. 2000.  
Nike Footwear Catalog Holiday 2001, p. M4, published Feb. 2001.  
Nike Footwear Catalog Late Spring 2002, p. M18, published Sep. 2001.  
Nike Footwear Catalog Late Spring 2002, p. M30, published Sep. 2001.  
Nike Footwear Catalog Late Spring 2002, p. M55, published Sep. 2001.  
Nike Footwear Catalog Spring 2002, p. M96, published Jun. 2001.  
Nike Footwear Catalog Spring 2003, p. W17, published Jun. 2002.  
Nike Footwear Catalog Fall 2003, p. M100, published Nov. 2002.

Nike Footwear Catalog Holiday 2003, p. W8, published Mar. 2003.  
Nike Footwear Catalog Holiday 2003, p. W19, published Mar. 2003.  
Nike Footwear Catalog Holiday 2003, p. M12, published Mar. 2003.  
Nike Footwear Catalog Spring 2004, p. M10, published Jun. 2003.  
Nike Footwear Catalog Spring 2004, p. M16, published Jun. 2003.  
Nike Footwear Catalog Fall 2004, p. M106, published Nov. 2003.  
Nike Footwear Catalog Holiday 2004, p. W67, published Mar. 2004.  
Nike Footwear Catalog Spring 2005, p. M27, published Jun. 2004.  
Nike Footwear Catalog Spring 2005, p. M31, published Jun. 2004.  
Nike Footwear Catalog Spring 2005, p. W4, published Jun. 2004.  
Nike Footwear Catalog Fall 2005, p. W131, published Nov. 2004.  
Nike Footwear Catalog Fall 2005, p. W144, published Nov. 2004.  
Nike Footwear Catalog Fall 2005, p. W238, published Nov. 2004.  
Nike Footwear Catalog Holiday 2005, p. 176, published Mar. 2005.

\* cited by examiner

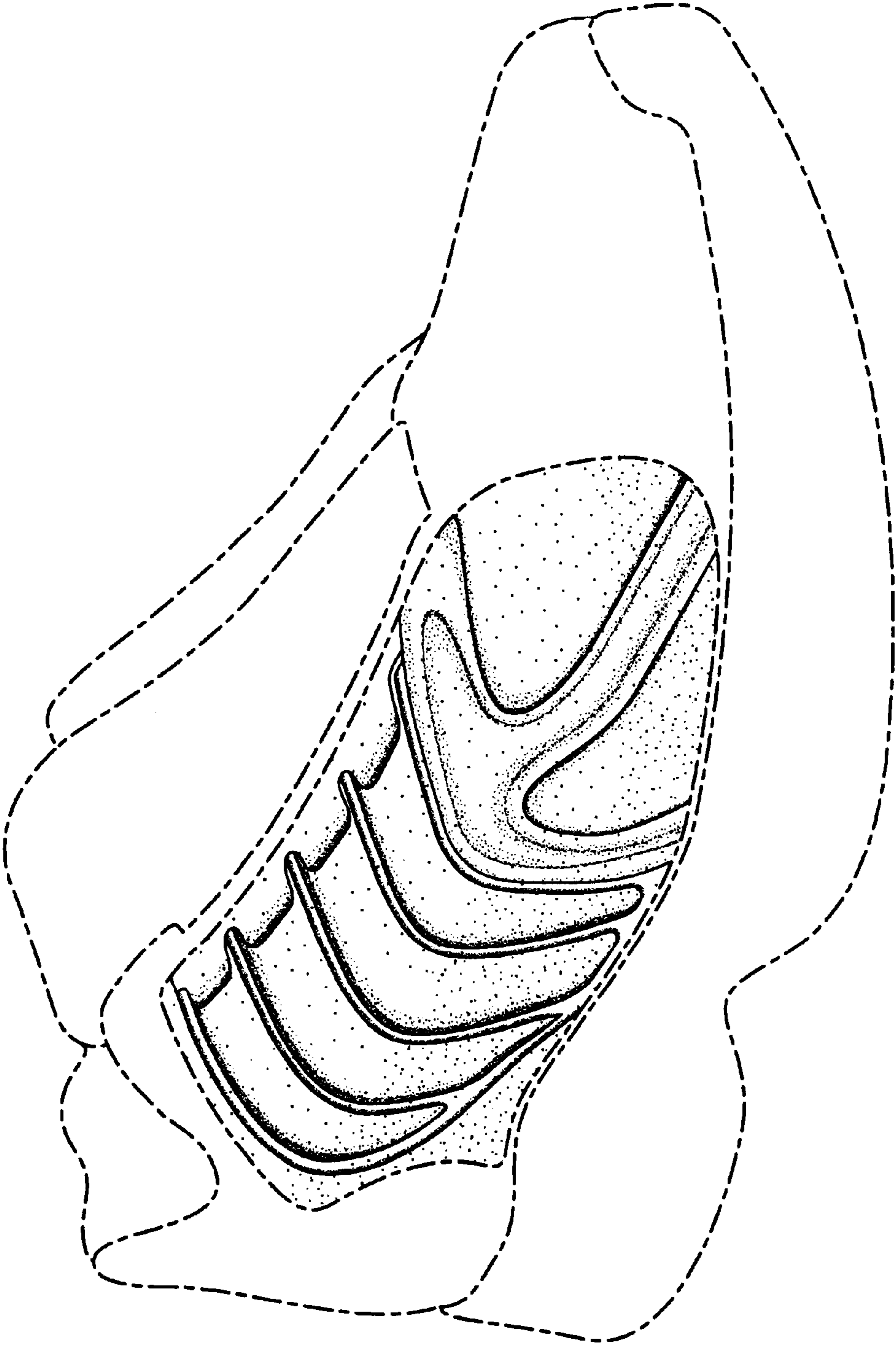


FIG. 1



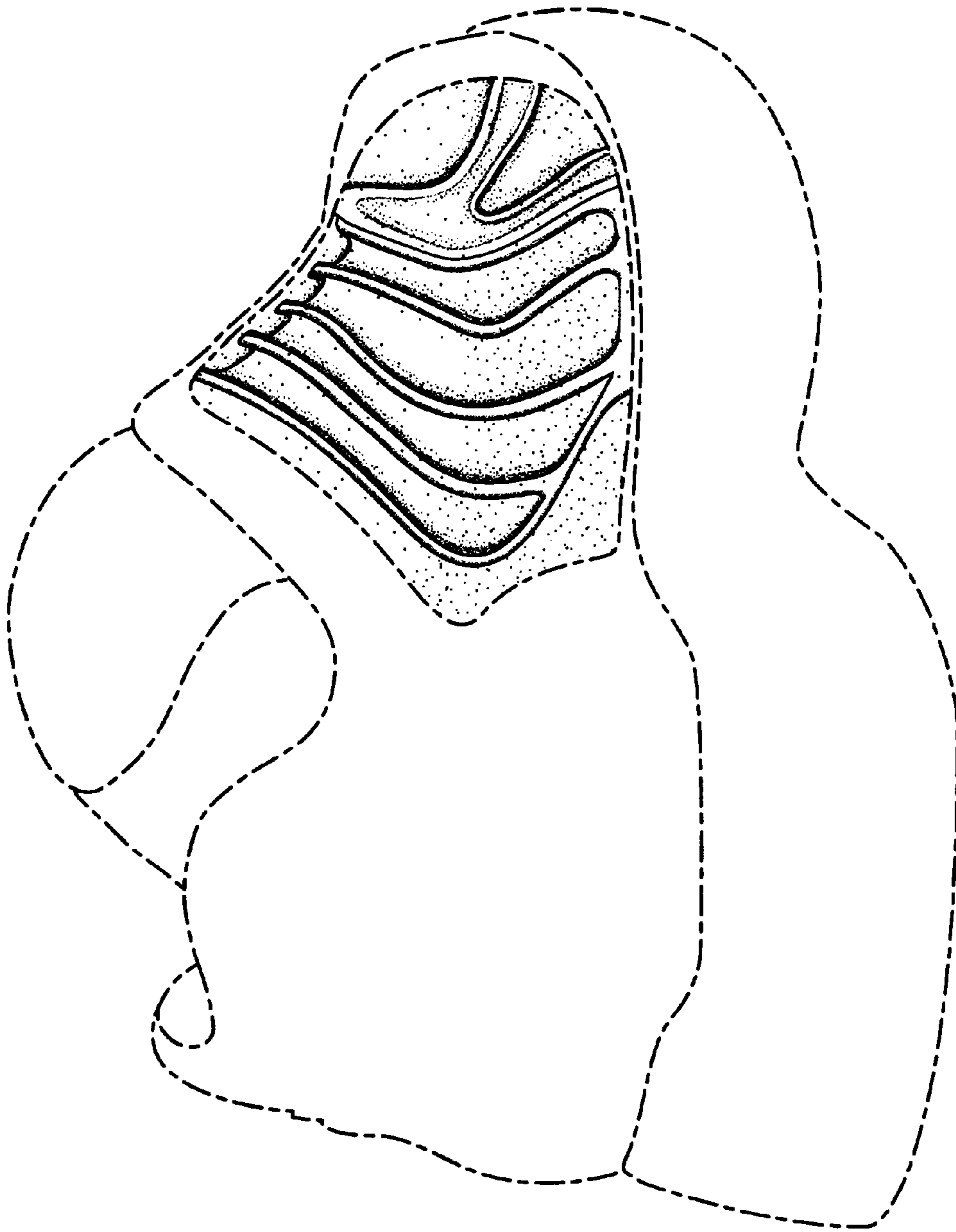


FIG. 2

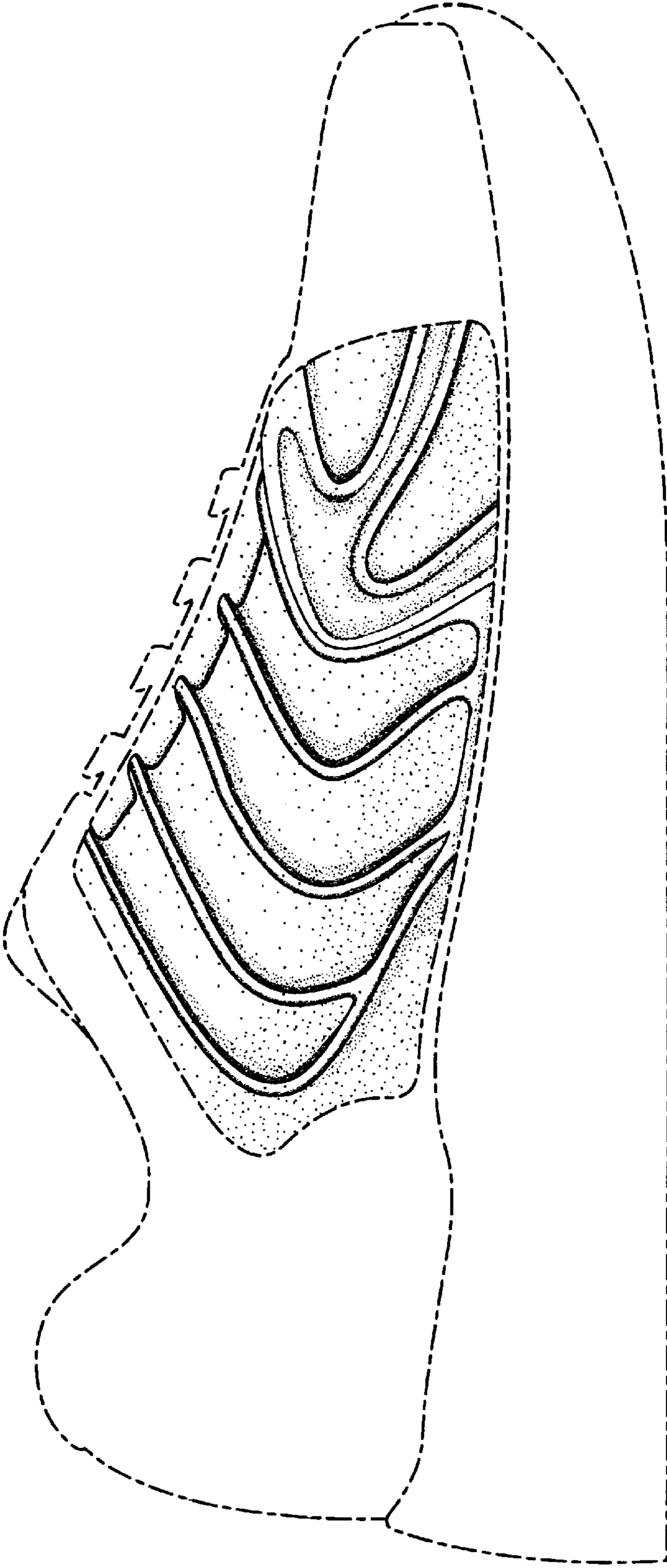


FIG. 3