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

(10) **Patent No.:** **US D523,229 S**

(45) **Date of Patent:** **** Jun. 20, 2006**

- (54) **PORTION OF A SHOE UPPER**
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- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
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- (51) **LOC (8) Cl.** **02-99**
- (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.

- D463,099 S * 9/2002 Roulo D2/972
- D468,520 S 1/2003 Holmes
- D474,009 S * 5/2003 Lotti D2/972
- D475,521 S 6/2003 Clegg
- D477,131 S * 7/2003 Holmes D2/972
- D480,547 S 10/2003 Matis et al.
- D480,553 S * 10/2003 Adams et al. D2/969
- D482,860 S 12/2003 Yun
- D487,958 S 4/2004 Matis et al.
- D499,232 S * 12/2004 Sakai et al. D2/902
- D499,243 S 12/2004 Avar
- D500,197 S * 12/2004 Young D2/972
- D501,302 S 2/2005 Cessor
- D504,218 S 4/2005 Link

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D295,578 S 5/1988 Tong
- D299,783 S 2/1989 Brown et al.
- D333,721 S 3/1993 Hatfield
- D338,995 S 9/1993 Snell
- 5,595,004 A 1/1997 Lyden et al.
- D383,287 S * 9/1997 Van Noy D2/969
- D387,551 S 12/1997 Lozano
- D392,455 S 3/1998 Lozano
- D392,792 S * 3/1998 Obi D2/970
- D395,345 S 6/1998 Doxey
- D401,741 S 12/1998 Clarke
- D410,140 S 5/1999 Joseph
- D417,775 S * 12/1999 Holmes D2/972
- D423,207 S 4/2000 Selbiger
- D429,412 S 8/2000 Tresser
- D429,413 S 8/2000 Fogg
- D430,723 S 9/2000 Kim
- D437,478 S 2/2001 Cadet
- D443,978 S 6/2001 McDowell
- D449,731 S 10/2001 Roulo
- D449,923 S 11/2001 Doxey
- D450,438 S * 11/2001 Dolan D2/972
- D452,369 S 12/2001 Roulo
- D459,868 S * 7/2002 McCourt D2/972
- D460,252 S 7/2002 Smith

OTHER PUBLICATIONS

- Nike Footwear Catalog Fall 1988, pp. 116, 118, published Dec. 1987.
- Nike Footwear Catalog Spring 1989, p. 108, published Jun. 1988.
- Nike Footwear Catalog Fall 1989, pp. 56, 86, 98, 134, published Dec. 1988.

(Continued)

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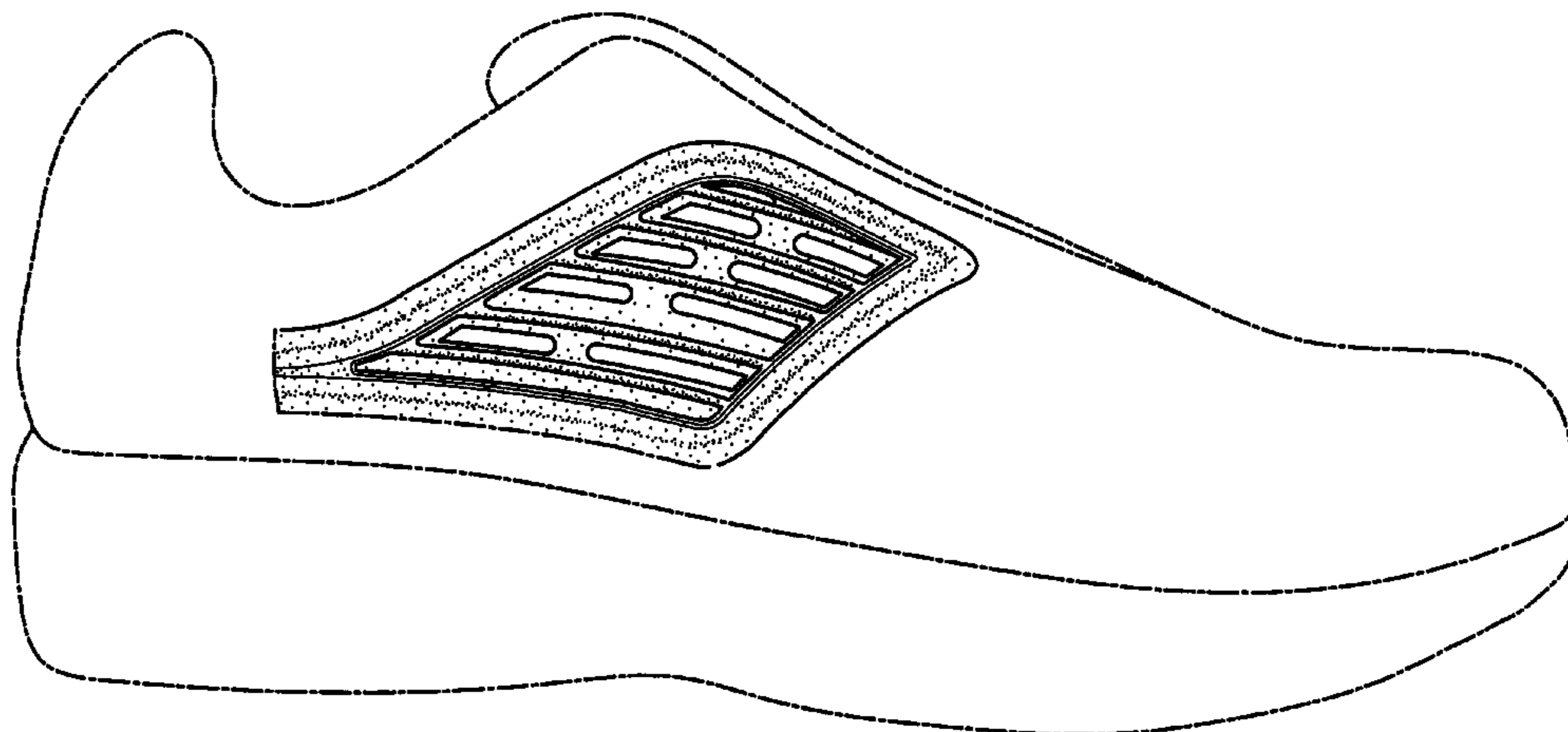
(57) **CLAIM**

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 front view thereof;
FIG. 3 is a side view thereof; and,
FIG. 4 is a rear perspective view thereof.
The uneven broken lines immediately adjacent the shaded area represent unclaimed boundaries 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 Spring 1990, pp. 108, 112, 124, published Jun. 1989.

Nike Footwear Catalog Spring 1993, p. 116, published Jun. 1992.

Nike Footwear Catalog Spring 1997, p. 46, published Jun. 1996.

Nike Footwear Catalog Fall 1997, p. 114, published Dec. 1996.

Nike Footwear Catalog Spring 1998, p. 162, Jun. 1997.

Nike Footwear Catalog Fall 1999, pp. M41, M56, W32, published Nov. 1998.

Nike Footwear Catalog Spring 2000 (#2—feet), p. M20, published Jul. 1999.

Nike Footwear Catalog Spring 2000 (#1—shoes), pp. M51, W7, published Jul. 1999.

Nike Footwear Catalog Fall 2000 (#2—red), p. W48, published Nov. 1999.

Nike Footwear Catalog Fall 2000 (#1—blue), p. M41, published Nov. 1999.

Nike Footwear Catalog Holiday 2000, pp. M5, M7, M8, M82, published Mar. 2000.

Nike Footwear Catalog Spring 2001, p. M37, published Jun. 2000.

Nike Footwear Catalog Fall 2001, pp. M33, M121, published Nov. 2000.

Nike Footwear Catalog Holiday 2001, p. M37, published Feb. 2001.

Nike Footwear Catalog Spring 2002, pp. W11, W31, published Jun. 2001.

Nike Footwear Catalog Fall 2002, pp. M42, M56, W10, published Nov. 2001.

Nike Footwear Catalog Holiday 2002, p. M58, published Mar. 2002.

Nike Footwear Catalog Spring 2003, pp. M34, M43, published Jun. 2002.

Nike Footwear Catalog Fall 2003, p. M34, published Nov. 2002.

Nike Footwear Catalog Late Spring 2004, pp. W6, W17, published Sep. 2003.

Nike Footwear Catalog Holiday 2004, p. W89, published Mar. 2004.

* cited by examiner

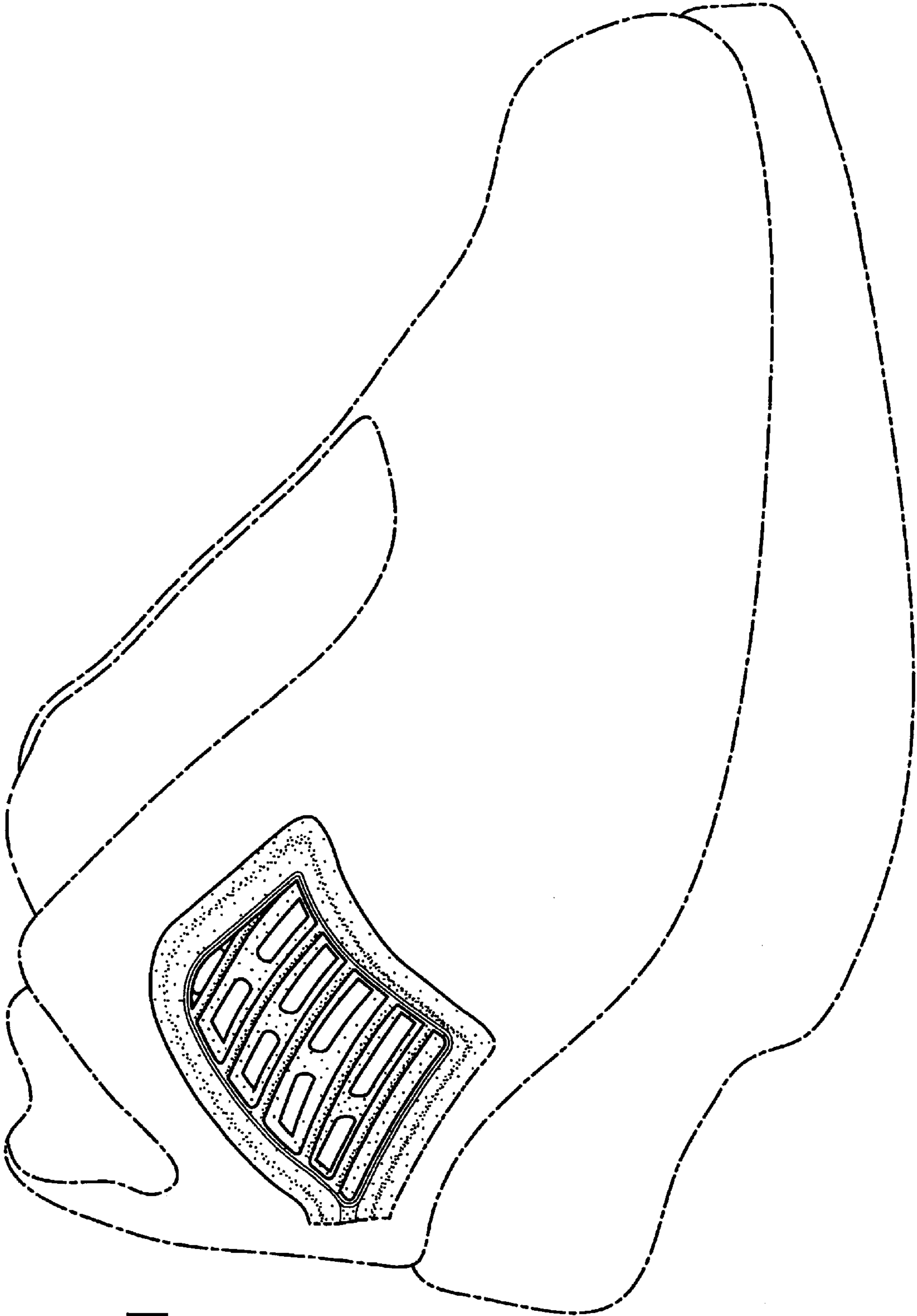


FIG. 1

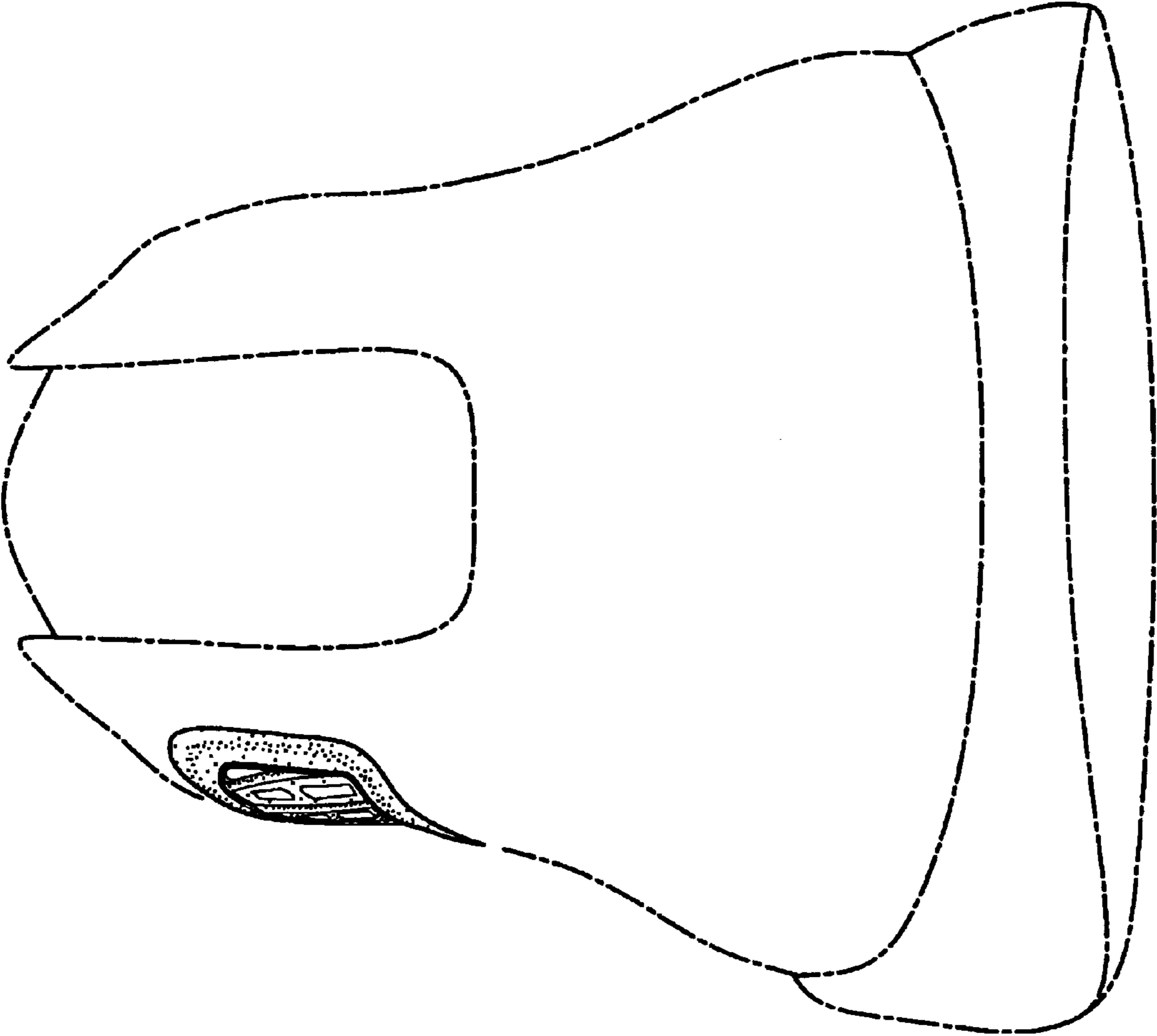
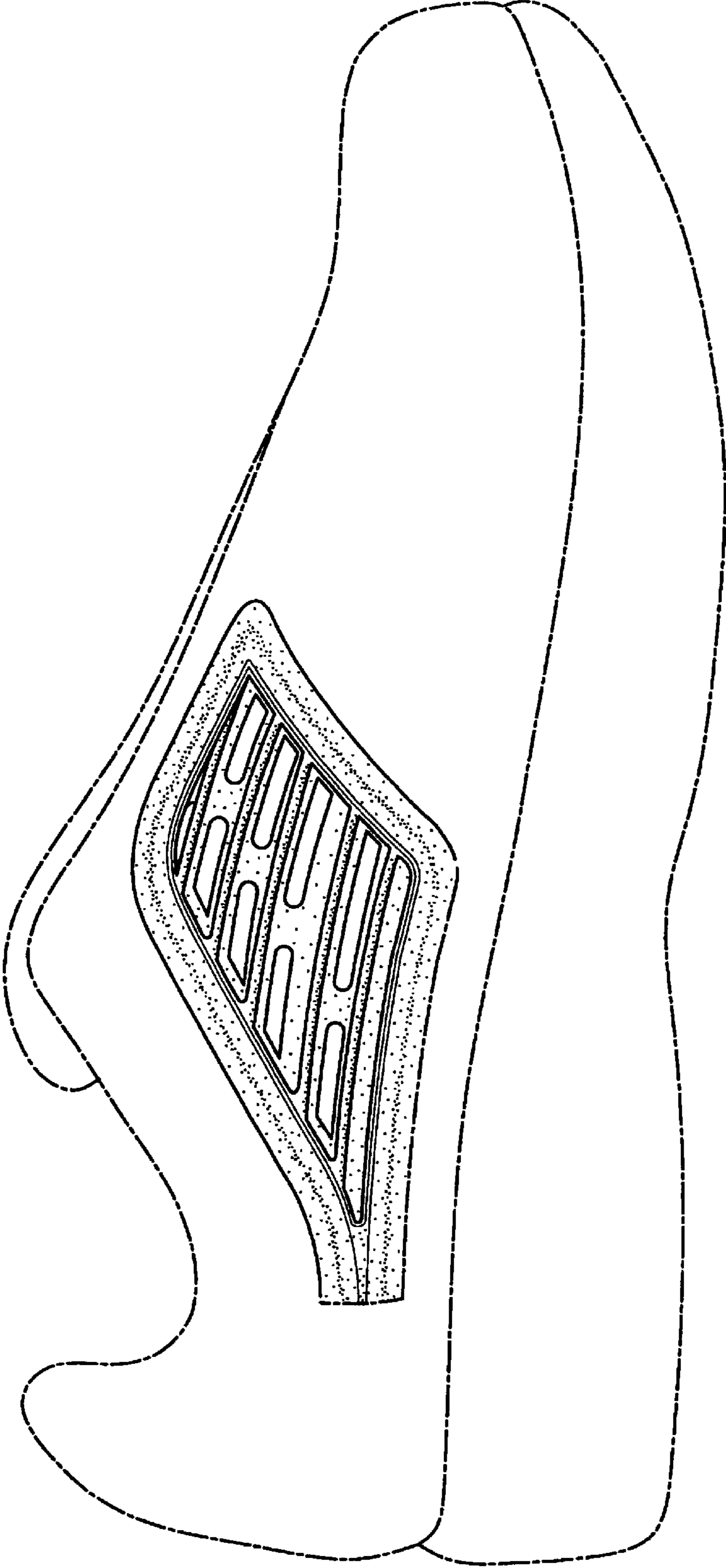


FIG. 2

FIG. 3



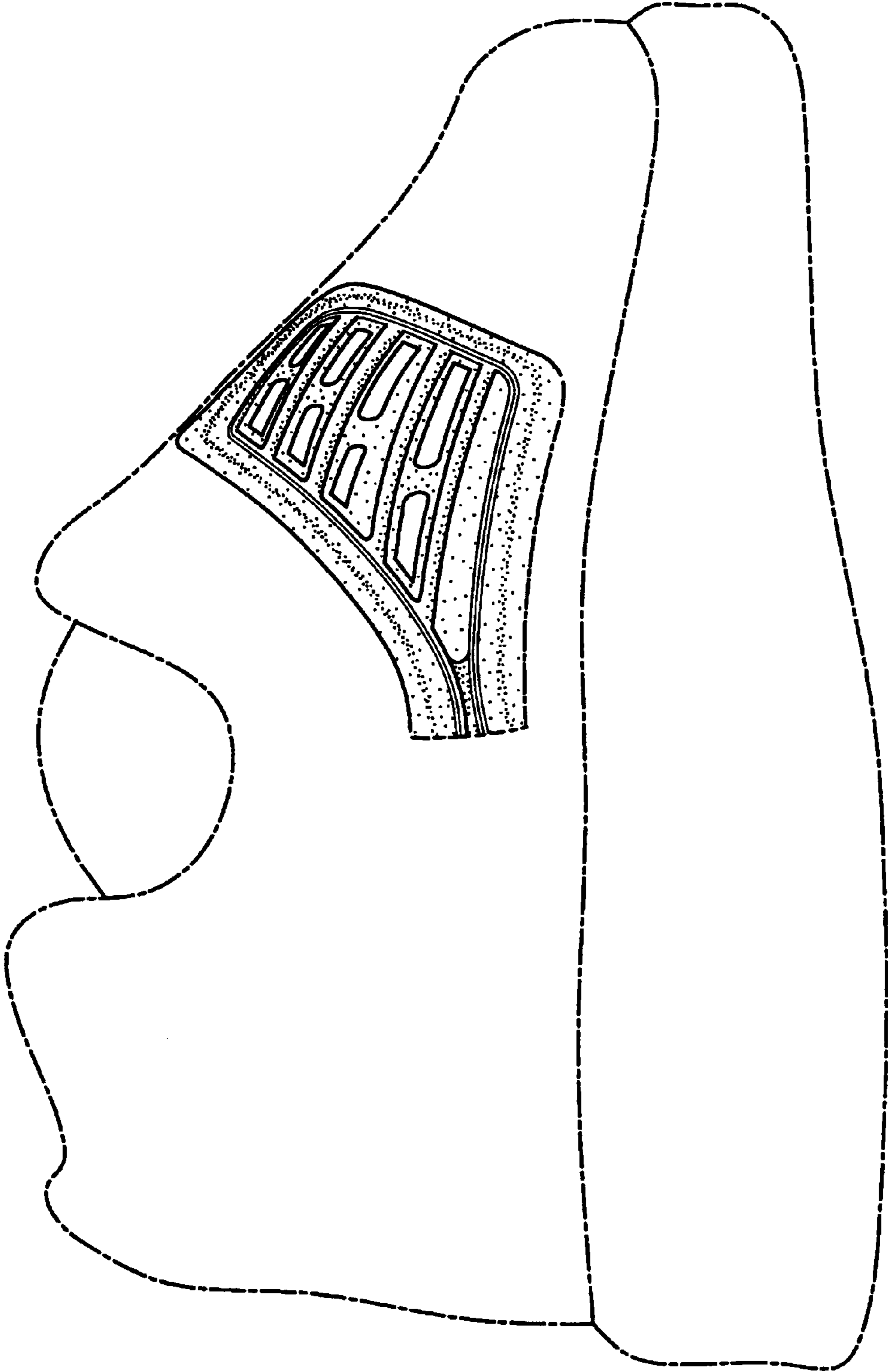


FIG. 4