

US00D526770S

# (12) United States Design Patent (10) Patent No.:

Hull

US D526,770 S

## (45) Date of Patent: \*\* Aug. 22, 2006

### PORTION OF A SHOE UPPER

(75)	Inventor:	N. Scott	Hull,	Battle	Ground,	WA (	(US)	)
------	-----------	----------	-------	--------	---------	------	------	---

- Assignee: Nike, Inc., Beaverton, OR (US)
- 14 Years Term:
- Appl. No.: 29/240,393
- (22) Filed: Oct. 12, 2005
- LOC (8) Cl. ...... 02-99
- (58)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.

#### (56)**References Cited**

## U.S. PATENT DOCUMENTS

4,644,673	A		2/1987	Gamm
4,694,591	A		9/1987	Banich et al.
4,858,339	A		8/1989	Hayafuchi et al.
4,999,932	$\mathbf{A}$		3/1991	Grim
5,253,435	A		10/1993	Auger et al.
D346,061	$\mathbf{S}$		4/1994	Teague
D346,486	$\mathbf{S}$		5/1994	Morris et al.
5,343,639	A		9/1994	Kilgore et al.
D351,722	$\mathbf{S}$		10/1994	Earle
D356,206	$\mathbf{S}$		3/1995	Martin
D357,574	$\mathbf{S}$		4/1995	Morris
D357,575	$\mathbf{S}$		4/1995	Dahlsten
D359,388	S		6/1995	Martin
D367,354	$\mathbf{S}$		2/1996	Brooks et al.
D367,754	$\mathbf{S}$		3/1996	James
D393,354	$\mathbf{S}$		4/1998	Doxey
D401,757	$\mathbf{S}$	*	12/1998	Mervar
D449,730	$\mathbf{S}$		10/2001	McDowell
6,321,465	B1		11/2001	Bonk et al.
D475,519	$\mathbf{S}$		6/2003	Morris
D475,520	$\mathbf{S}$		6/2003	Avar
D490,220	S		5/2004	Edauw
D490,221	$\mathbf{S}$		5/2004	Edauw

6,739,074	В1		5/2004	Trommer
D499,232	$\mathbf{S}$		12/2004	Sakai et al.
D500,917	$\mathbf{S}$		1/2005	Chang
D504,012	S		4/2005	Fullum
D505,252	$\mathbf{S}$	*	5/2005	Belley et al D2/969
D507,866	$\mathbf{S}$	*	8/2005	Cooper
D513,851	$\mathbf{S}$	*	1/2006	Holmes D2/972
D513,859	$\mathbf{S}$	*	1/2006	Morris

#### OTHER PUBLICATIONS

"Nike Footwear Catalog," Spring 2006, published Jun. 2005 (p. M49), Beaverton Oregon.

(Continued)

Primary Examiner—Dominic Simone (74) Attorney, Agent, or Firm—TraskBritt, P.C.

#### (57)**CLAIM**

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

## **DESCRIPTION**

FIG. 1 is a perspective view of a portion of a shoe upper showing my new design;

FIG. 2 is a side view of the portion of a shoe upper shown in FIG. 1;

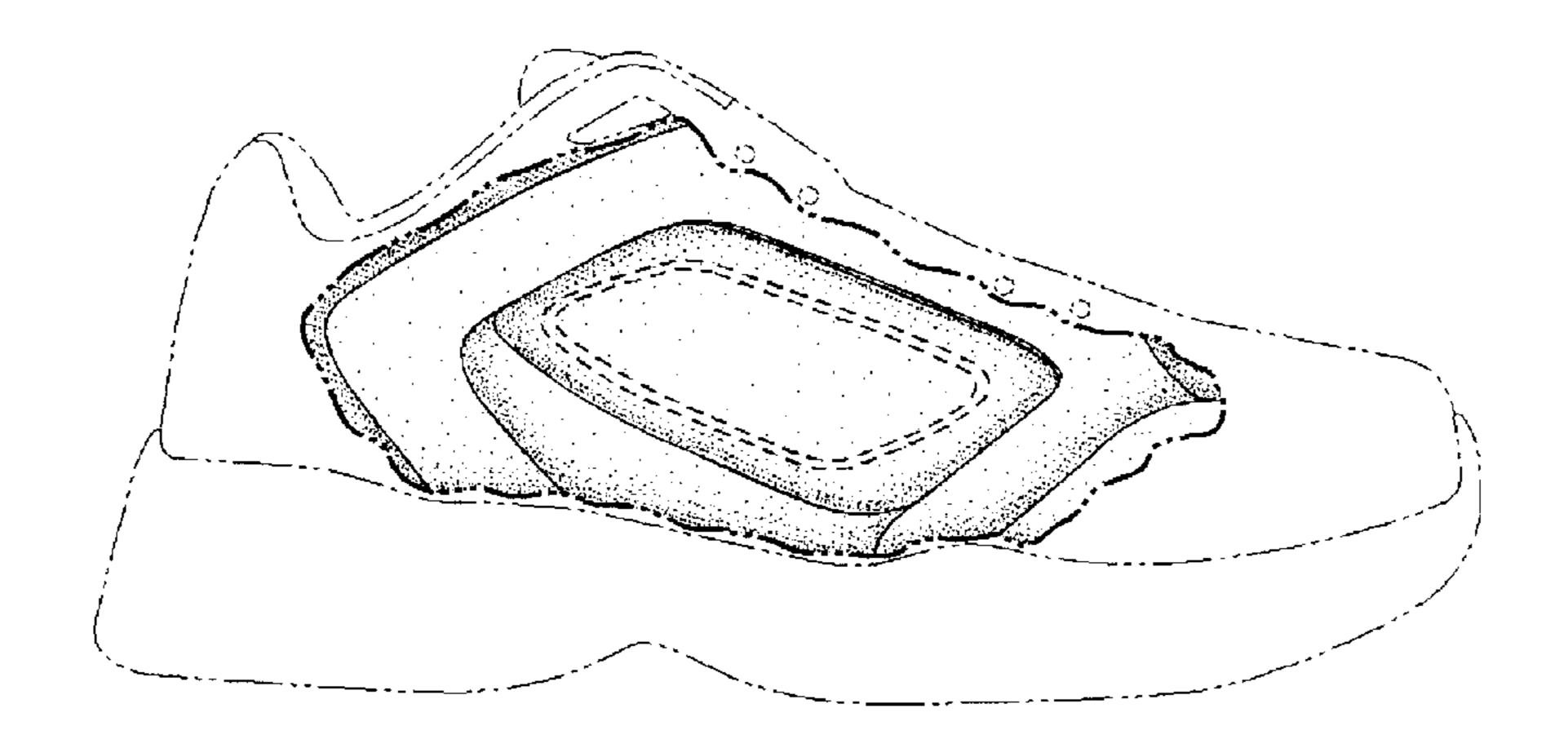
FIG. 3 is a front view of the portion of a shoe upper shown in FIG. 1;

FIG. 4 is a rear view of the portion of a shoe upper shown in FIG. 1; and,

FIG. 5 is a top view of the portion of a shoe upper shown in FIG. 1.

The uneven broken line immediately adjacent to the shaded area represents the bounds of the claimed design. The even broken lines within the shaded area represent stitching. 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," Fall 2005, published Nov. 2004 (p. M18), Beaverton Oregon.

"Nike Footwear Catalog," Fall 2005, published Nov. 2004 (pp. W129, 131, 142), Beaverton Oregon.

"Nike Footwear Catalog," Spring 2004, published Jun. 2003 (pp. M9, 32, 35, 51), Beaverton Oregon.

"Nike Footwear Catalog," Fall 2003, published Nov. 2002 (p. W39), Beaverton Oregon.

"Nike Footwear Catalog," Fall 2003, published Nov. 2002 (p. M54), Beaverton Oregon.

"Nike Footwear Catalog," Late Spring 2003, published Sep. 2001 (p. W5), Beaverton Oregon.

"Nike Footwear Catalog," Fall 2002, published Nov. 2001 (p. W23), Beaverton Oregon.

"Nike Footwear Catalog," Spring 2002, published Jun. 2001 (pp. M14, 27, 34, 43, 100), Beaverton Oregon.

"Nike Footwear Catalog," Spring 2001, published Jun. 2000 (pp. M5, 40,48,126), Beaverton Oregon.

"Nike Footwear Catalog," Fall 2000, published Nov. 1999 (p. W18), Beaverton Oregon.

"Nike Footwear Catalog," Holiday 1999, published Mar. 1999 (p. W16), Beaverton Oregon.

"Nike Footwear Catalog," Holiday 1999, published Mar. 1999 (pp. M12, 58), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1999, published Nov. 1998 (p. W1), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1999, published Nov. 1998 (p. M9), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1999, published Jun. 1998 (p. W65), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1999, published Jun. 1998 (pp. M15, 45), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1998, published Jun. 1997 (p. M13), Beaverton Oregon.

"Nike Footwear Catalog," Holiday 1997, published Mar. 1997 (pp. M83, 178), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1997, published Dec. 1996 (pp. M6, 143), Beaverton Oregon.

"Nike Footwear Catalog," Holiday 1995, published Mar. 1995 (p. M18), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1991, published Dec. 1990 (p. M38), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1991, published Jun. 1990 (pp. M8, 10), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1991, published Jun. 1990 (p. B132), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1990, published Dec. 1989 (pp. M4, 50), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1989, published Dec. 1988 (pp. M4, 14, 112, 116, 120), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1989, published Dec. 1988 (pp. W10, 44, 46, 48, 50, 58, 62, 64), Beaverton Oregon. "Nike Footwear Catalog," Fall 1988, published Dec. 1987

(p. M4), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1988, published Dec. 1987 (pp. W8, 72, 102), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1988, published Dec. 1987 (p. B124), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1988, published Jun. 1987 (pp. M6, 16, 20), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1988, published Jun. 1987 (p. Grade School 40), Beaverton Oregon.

"Nike Footwear Catalog," Spring 1988, published Jun. 1987 (p. W68), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1987, published Jan. 1987 (p. M28), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1987, published Jan. 1987 (pp. W46, 54), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1987, published Jan. 1987 (pp. M&W104, 106), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1987, published Jan. 1987 (p. Grade School 122), Beaverton Oregon.

"Nike Footwear Catalog," Fall 1986, published Jan. 1986 (pp. M8, 26, 54), Beaverton Oregon.

"Nike Footwear Catalog," 1985, published Dec. 1984 (p. M5), Beaverton Oregon.

"Nike Footwear Catalog," 1984, published 1984 (pp. M3, 32), Beaverton Oregon.

\* cited by examiner

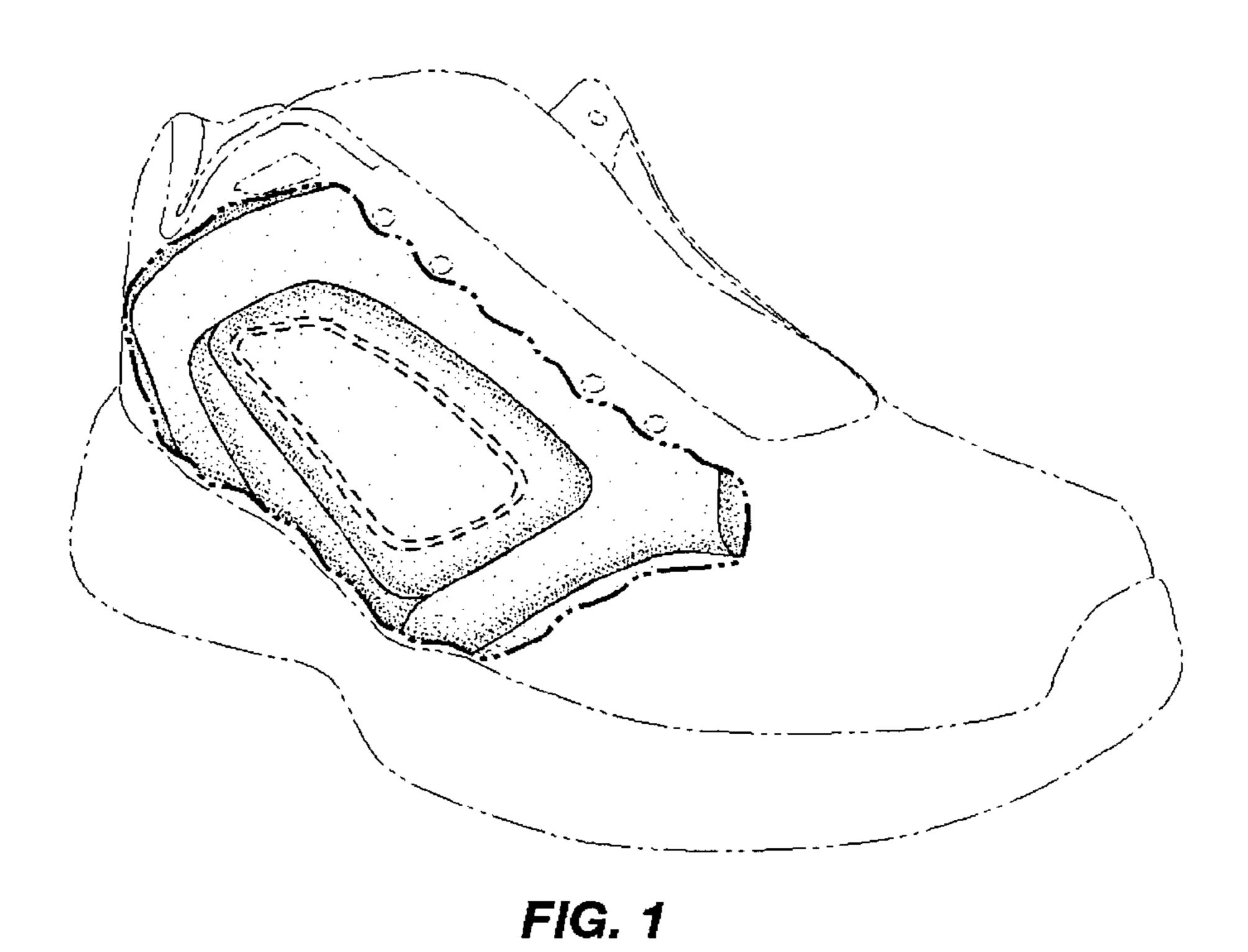
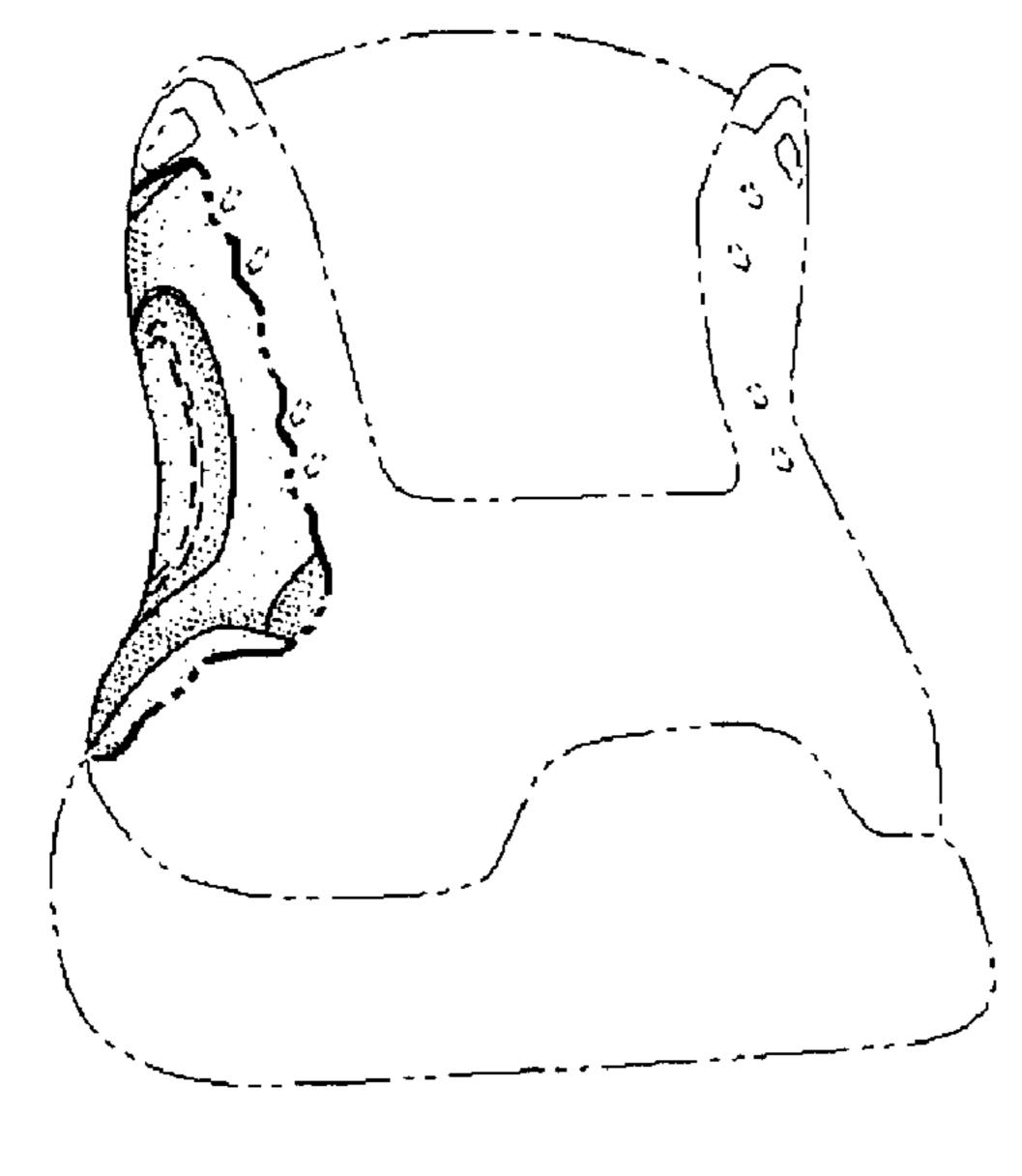


FIG. 2



Aug. 22, 2006



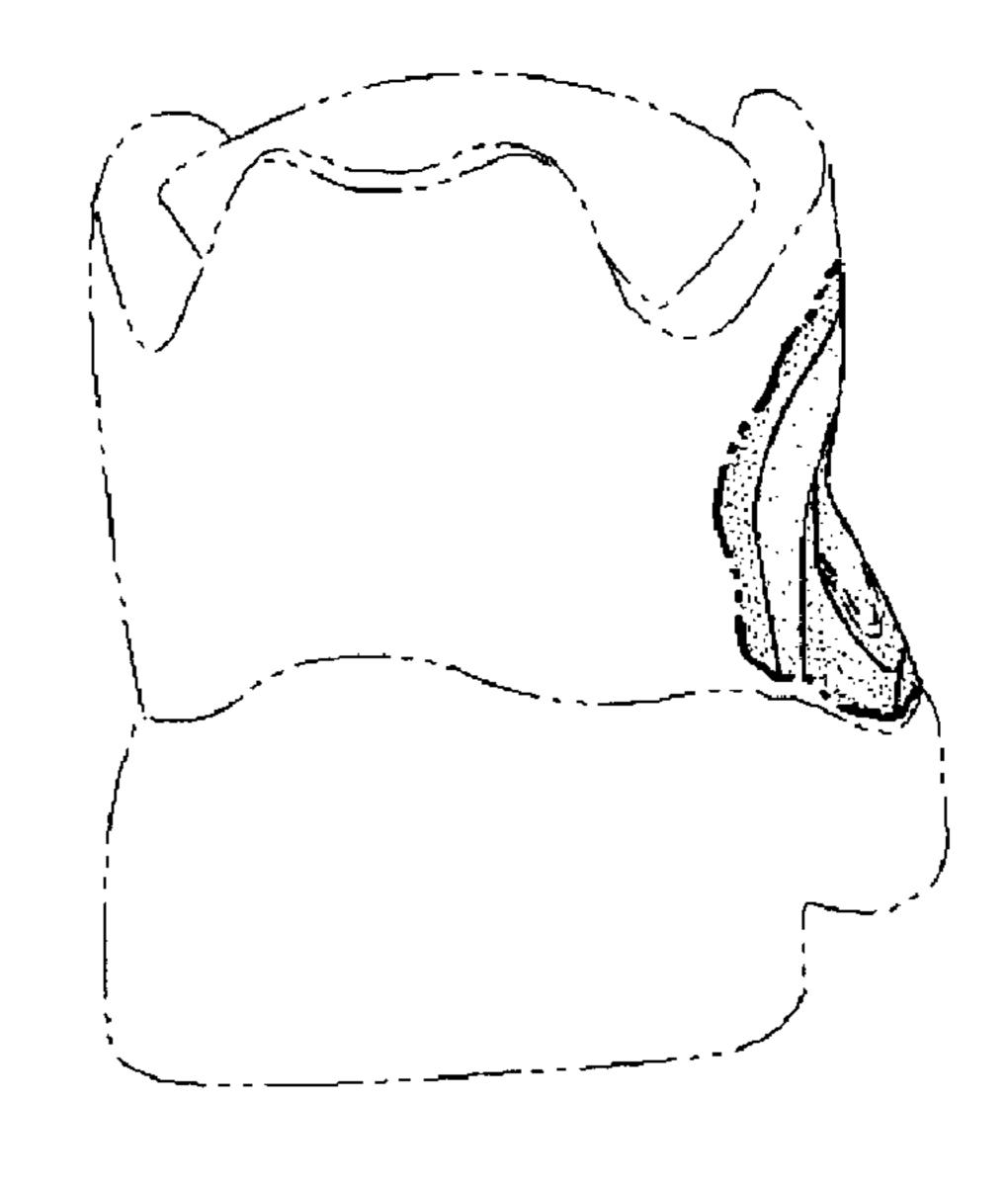


FIG. 4

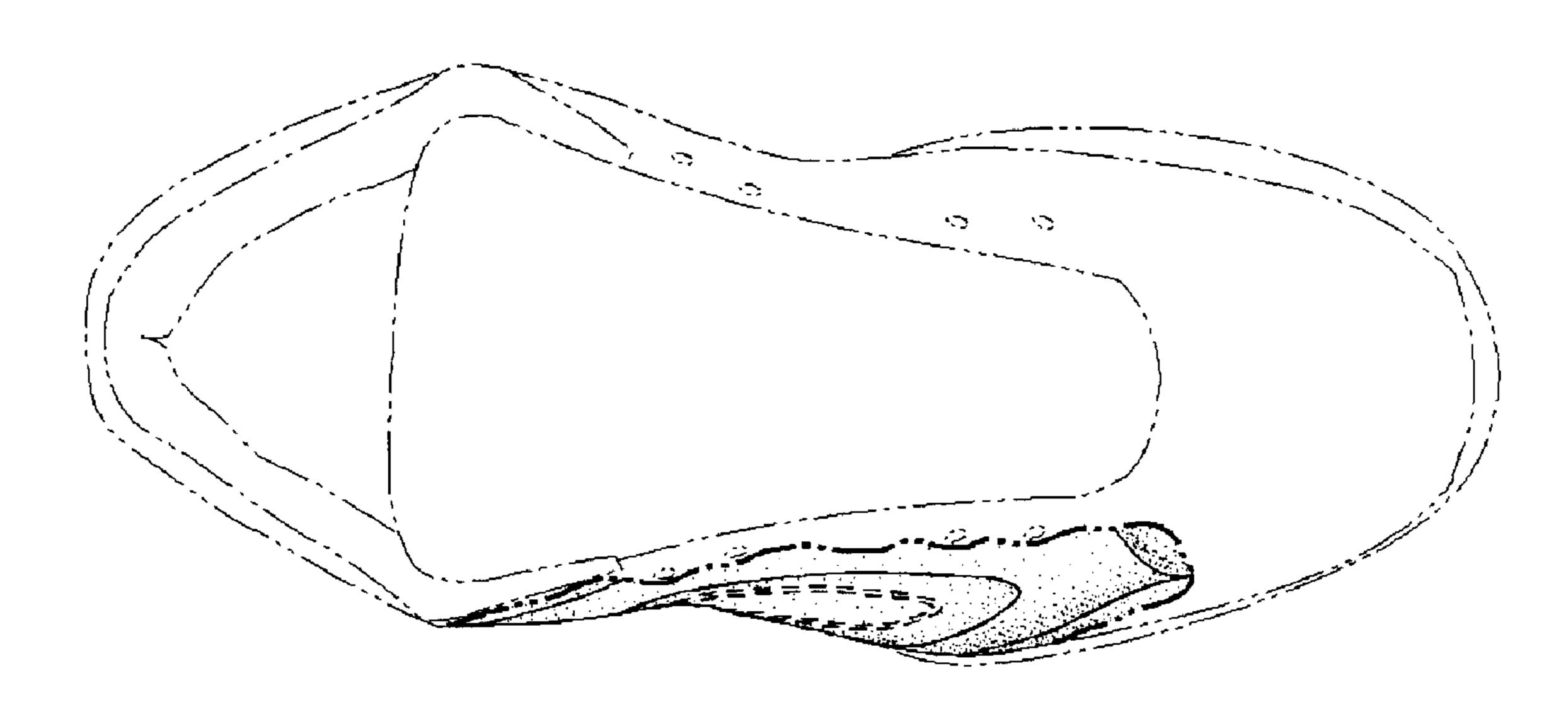


FIG. 5