



US00D527886S

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

(10) **Patent No.:** **US D527,886 S**

(45) **Date of Patent:** **\*\* Sep. 12, 2006**

- (54) **PORTION OF A SHOE UPPER**
- (75) Inventor: **E. Scott Morris**, Hillsboro, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **14 Years**

- 5,425,185 A 6/1995 Gansler
- D360,973 S 8/1995 Bailey
- 5,771,608 A 6/1998 Peterson
- 6,272,772 B1 8/2001 Sherman
- D460,245 S 7/2002 Butler et al.
- 6,772,541 B1 8/2004 Ritter et al.
- D511,609 S \* 11/2005 Magro et al. .... D2/908
- D513,361 S \* 1/2006 Teriatnikov ..... D2/969

- (21) Appl. No.: **29/251,574**
- (22) Filed: **Jan. 10, 2006**

- (51) **LOC (8) Cl.** ..... **02-99**
- (52) **U.S. Cl.** ..... **D2/972; D2/973**
- (58) **Field of Classification Search** ..... D2/902,  
D2/907, 908, 943, 944, 969, 972-974, 910,  
D2/911; 36/45, 50.1, 77 M, 77 R, 83, 88,  
36/113, 114, 126-131  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- 1,272,137 A 7/1918 Smith
- 1,450,047 A 3/1923 Oberg
- D64,104 S \* 2/1924 Kezy ..... D2/911
- 2,006,802 A 7/1935 Goodman
- D104,725 S 6/1937 Perugia
- 2,155,979 A 4/1939 Prondecki
- D122,454 S \* 9/1940 Ascheim ..... D2/911
- D142,506 S 10/1945 Wolock
- D154,513 S 7/1949 Sandler
- D165,971 S 2/1952 Frederick
- 4,441,265 A 4/1984 Burns et al.
- 4,577,419 A 3/1986 Chassaing
- D283,463 S 4/1986 Chassaing
- 4,640,025 A 2/1987 DeRenzo
- D298,685 S 11/1988 Dillard
- D333,721 S 3/1993 Hatfield
- D337,425 S 7/1993 Hatfield
- D340,125 S 10/1993 Johnson et al.
- D343,724 S 2/1994 Smith
- D350,013 S \* 8/1994 Gitelman ..... D2/902
- 5,379,530 A 1/1995 Bell et al.
- D358,021 S \* 5/1995 Vestuti ..... D2/902

**OTHER PUBLICATIONS**

Nike Shoe Show (1984); pp. 17, 20, 48, published 1984, Beaverton, Oregon, USA.

(Continued)

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

(57) **CLAIM**

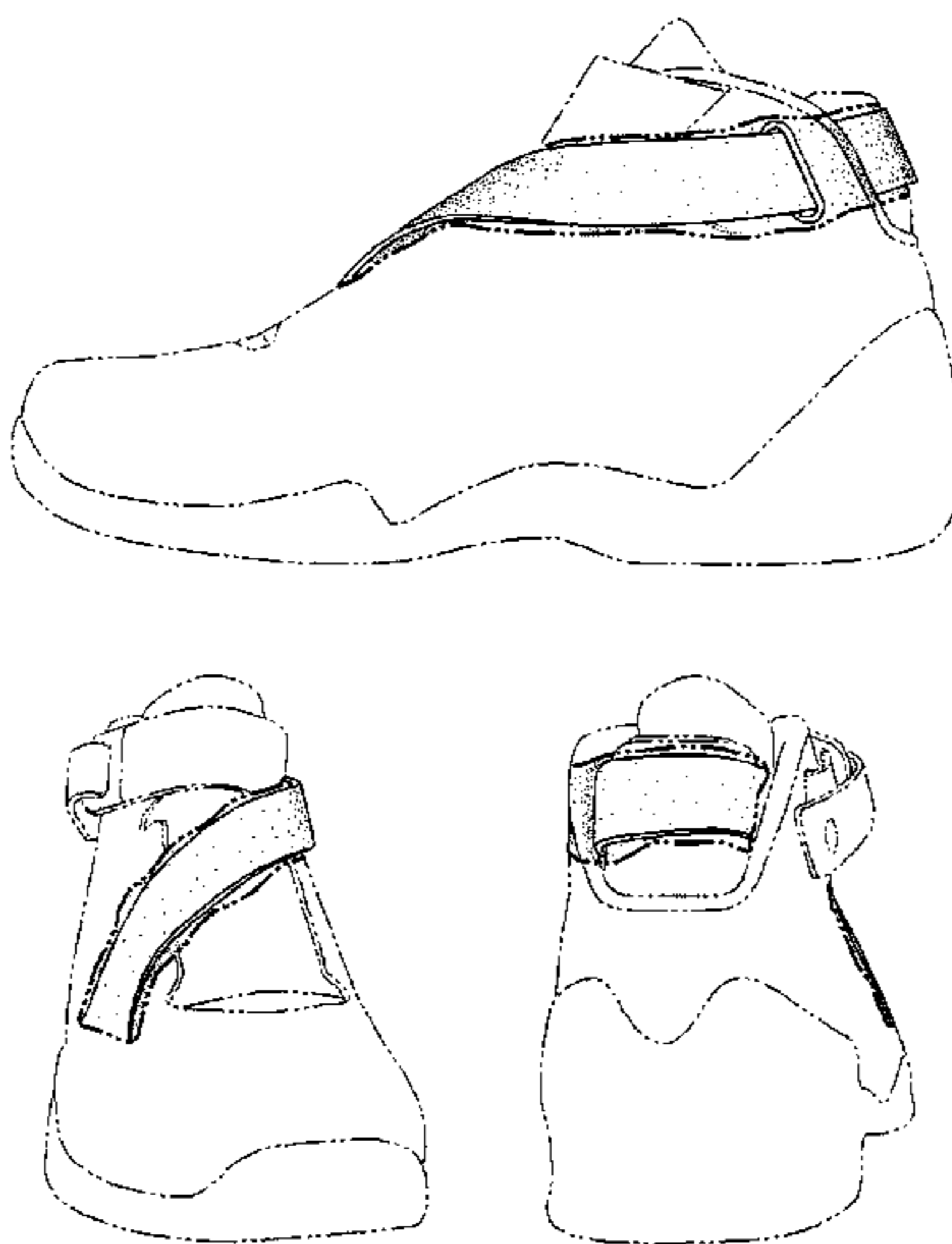
The ornamental design for a portion of a shoe upper, as shown and described.

**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 another side view of the portion of a shoe upper shown in FIG. 1;  
 FIG. 4 is a front view of the portion of a shoe upper shown in FIG. 1;  
 FIG. 5 is a rear view of the portion of a shoe upper shown in FIG. 1; and,  
 FIG. 6 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. All other uneven broken lines represent the remaining portion of the shoe. The uneven broken line representations in FIGS. 1-6 are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



OTHER PUBLICATIONS

Nike Footwear Catalog (1985); p. 16, published Dec. 1984, Beaverton, Oregon, USA.

Nike Footwear Catalog (FA 90); pp. 17, 20, 48, published Dec. 1989, Beaverton, Oregon, USA.

Nike Footwear Catalog (FA 92); p. 53, published Dec. 1991, Beaverton, Oregon, USA.

Nike Footwear Catalog (SP 93); p. 20, published Jun. 1992, Beaverton, Oregon, USA.

Nike Footwear Catalog (SP 94); p. M22, published Jun. 1993, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (FA 97); pp. 28, 40, 42, 43, 65, 68, 124, 125, published Dec. 1996, Beaverton, Oregon, USA.

Nike Footwear Catalog (SP 98); p. 59, published Jun. 1997, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (HO 98); p. 45, published Feb. 1998, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (SP 99); p. 76, published Jun. 1998, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (FA 01); pp. 29, 35, 52, published Jun. 1998, Beaverton, Oregon, USA.

Women's Nike Footwear Catalog (FA 01); p. 36, published Jun. 1998, Beaverton, Oregon, USA.

Nike Footwear Catalog (SP 02); pp. M26, W28, published Jun. 2001, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (LS 02); pp. 29, 34, published Sep. 2001, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (FA 02); p. 9, published Nov. 2001, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (SP 03); pp. 50, 52, published Jun. 2002, Beaverton, Oregon, USA.

Men's Nike Footwear Catalog (SP 04); p. 42, published Jun. 2003, Beaverton, Oregon, USA.

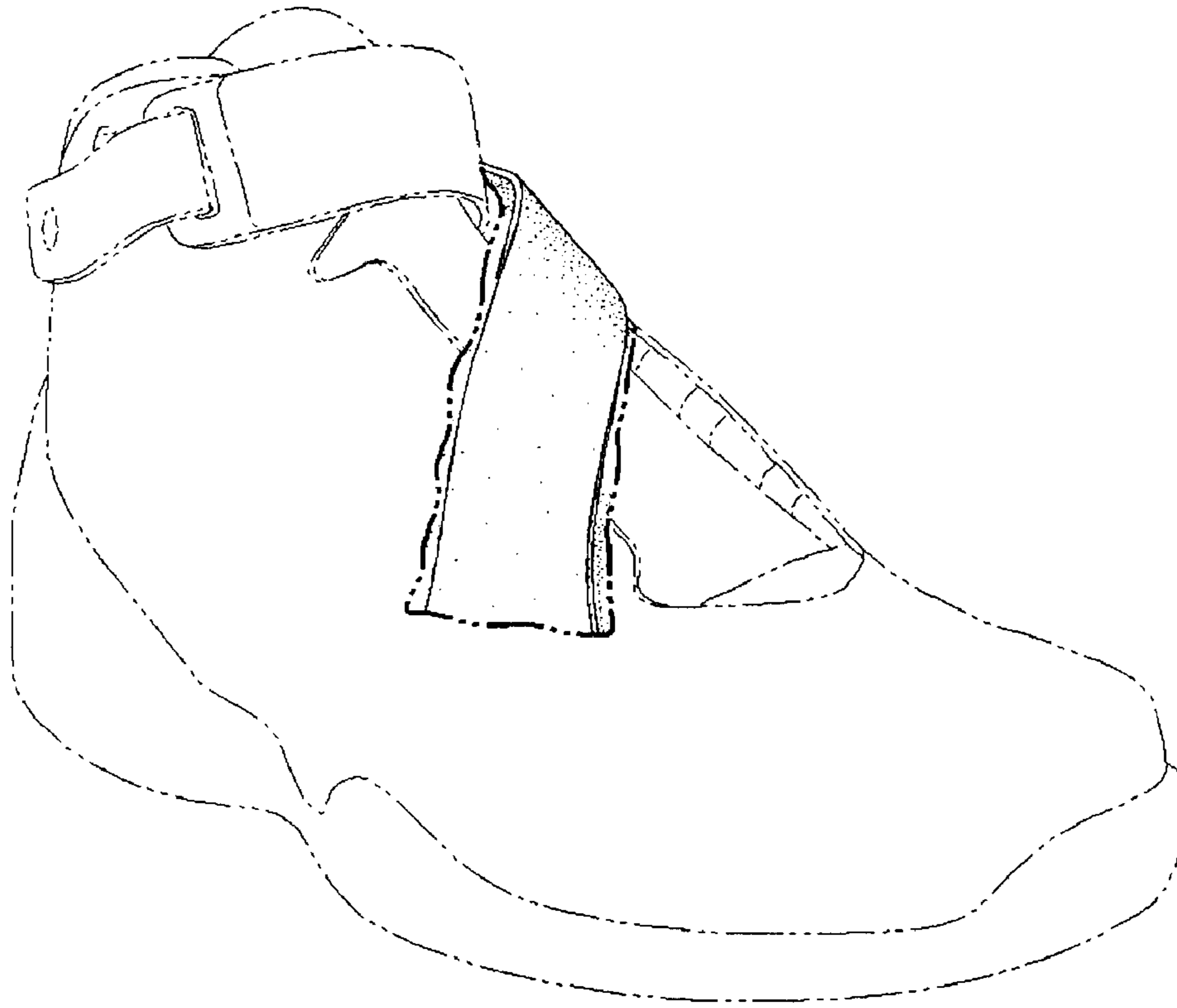
Men's Nike Footwear Catalog (SP 05); p. 73, published Jun. 2004, Beaverton, Oregon, USA.

Nike Footwear Catalog (FA 05); p. 41, published Nov. 2004, Beaverton, Oregon, USA.

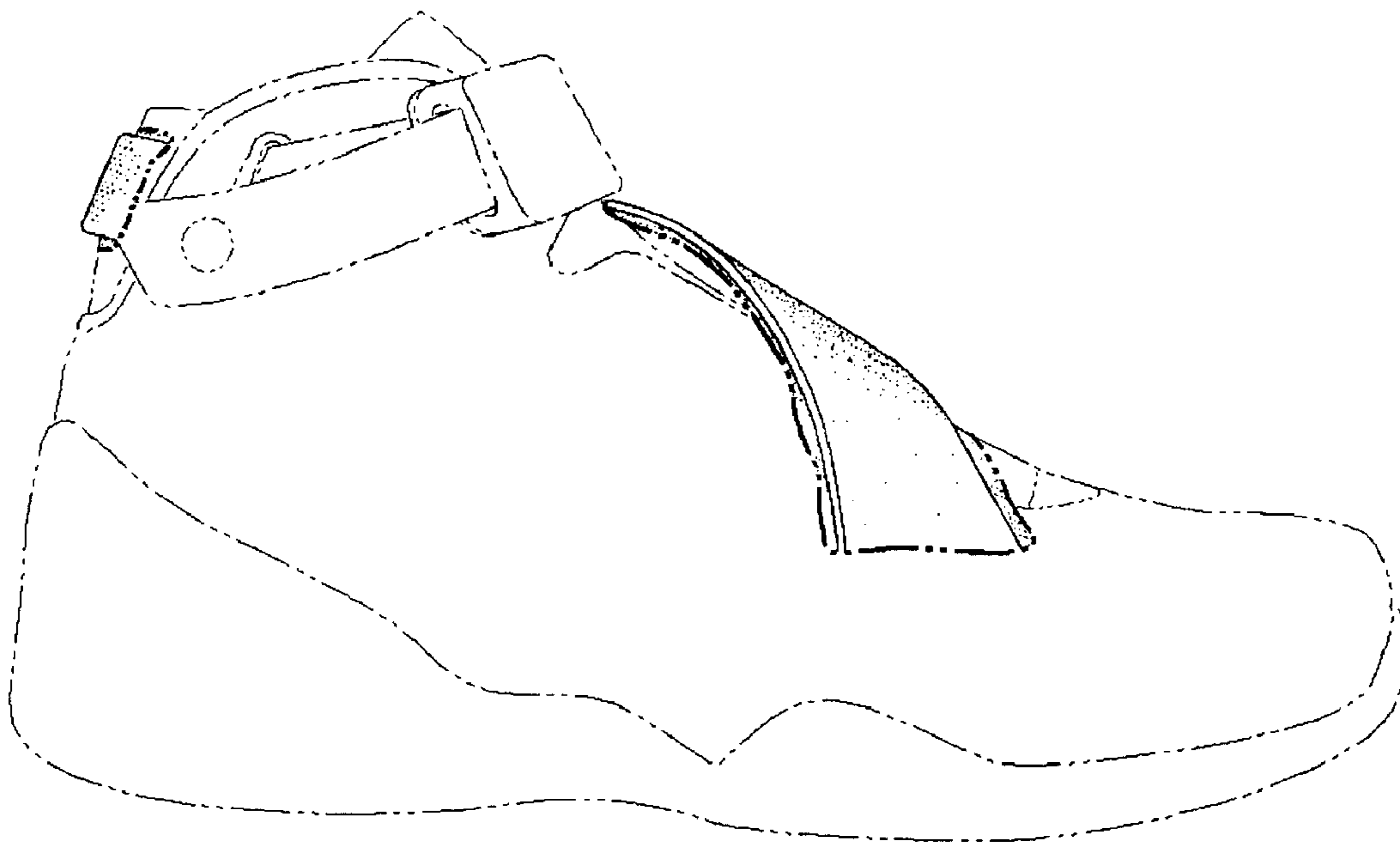
Nike Footwear Catalog (HO 05); pp. 11, 46, published Nov. 2004, Beaverton, Oregon, USA.

Nike Footwear Catalog (SP 06); pp. 39, 42, published Nov. 2004, Beaverton, Oregon, USA.

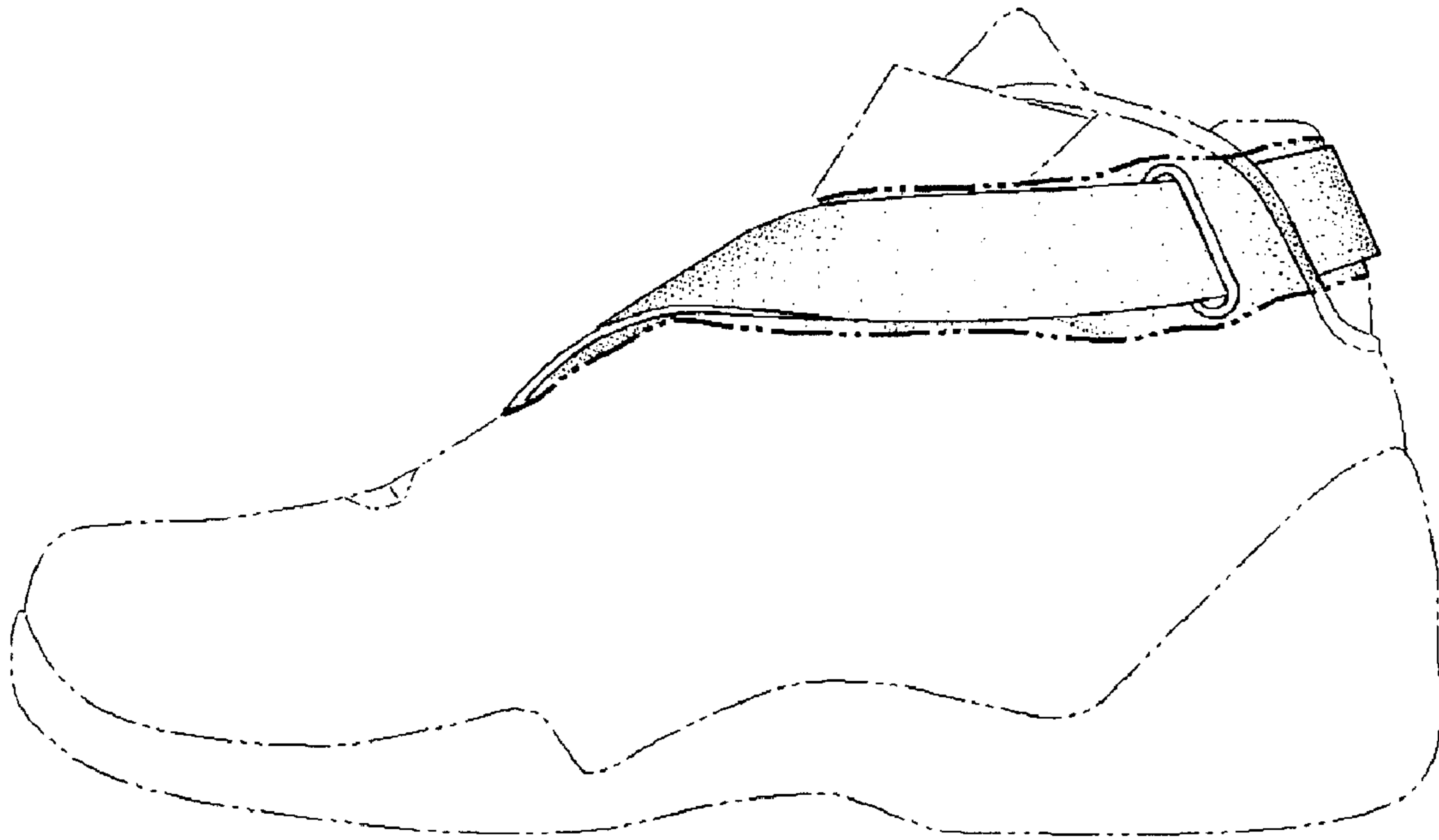
\* cited by examiner



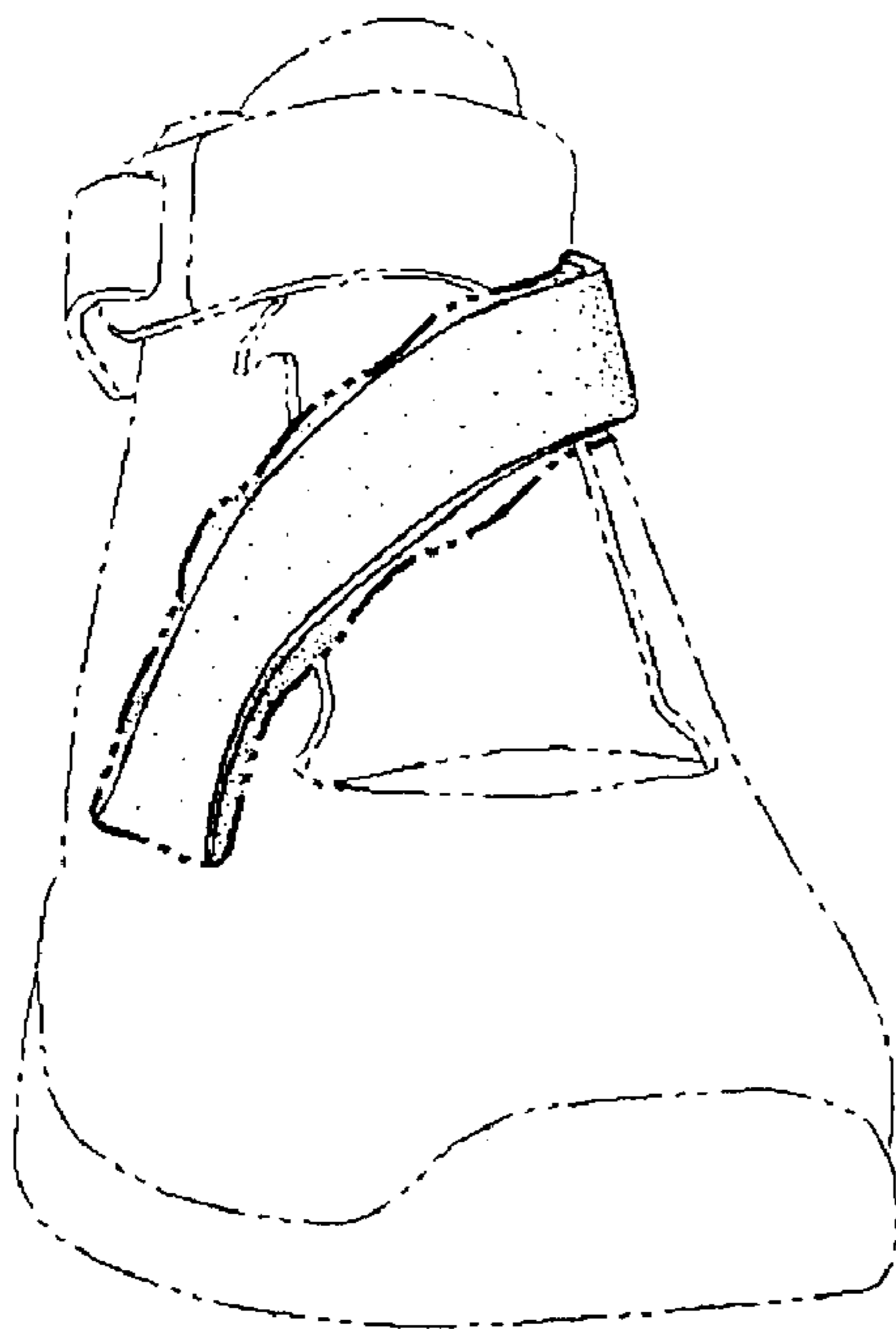
**FIG. 1**



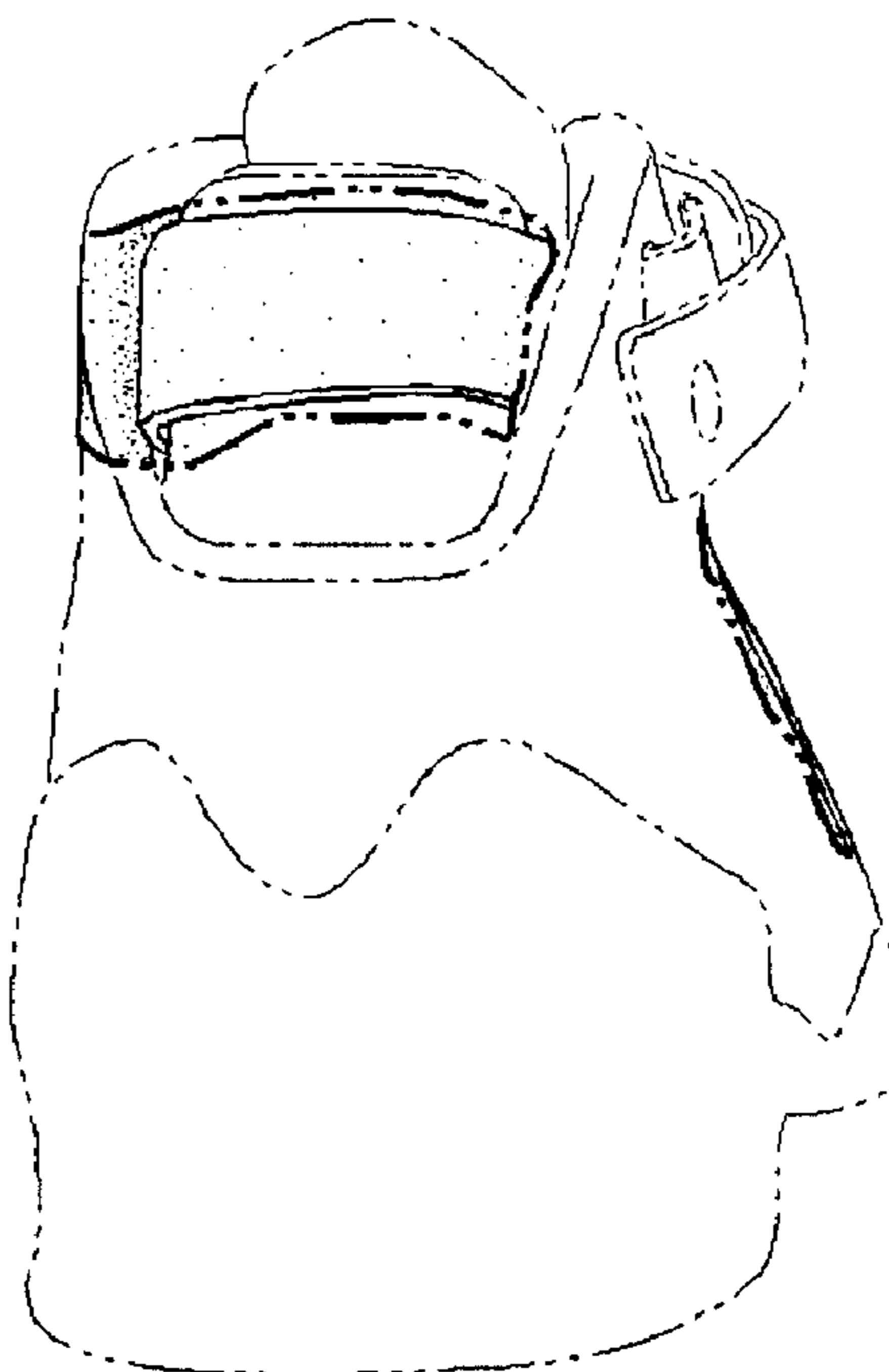
**FIG. 2**



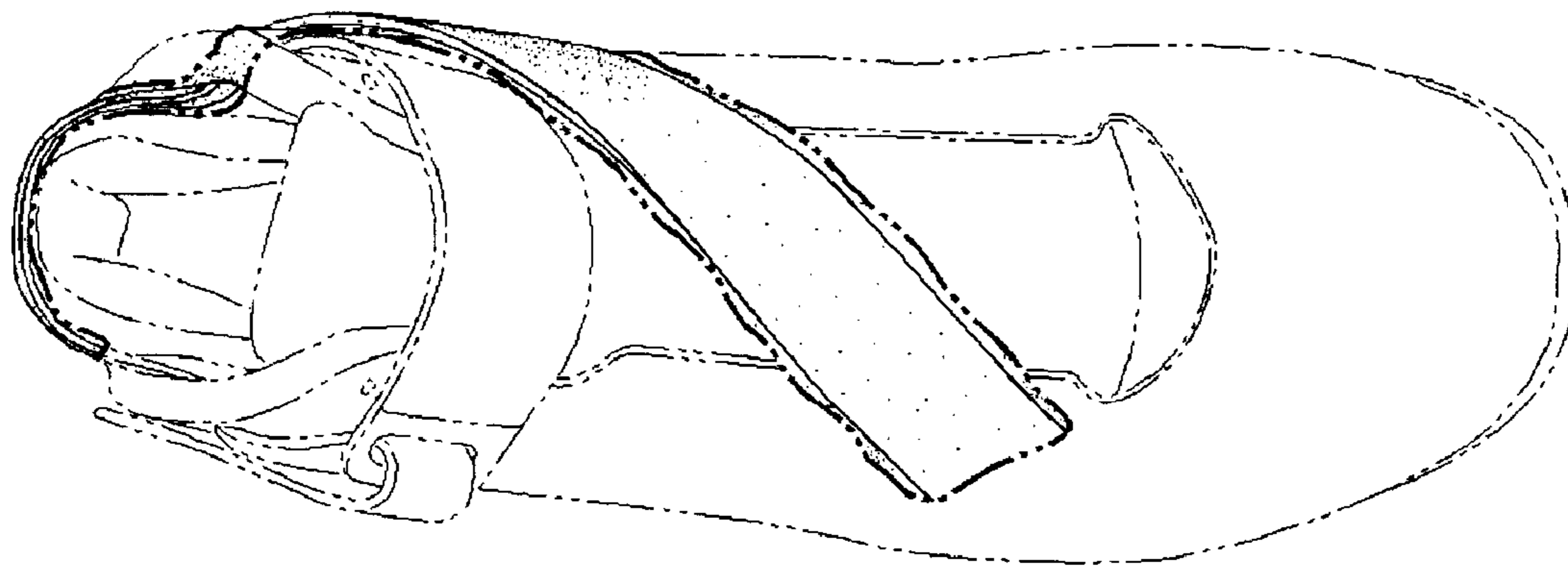
**FIG. 3**



**FIG. 4**



**FIG. 5**



**FIG. 6**