



US00D528762S

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

(10) **Patent No.:** **US D528,762 S**

(45) **Date of Patent:** **** Sep. 26, 2006**

(54) **PORTION OF A SHOE UPPER**

(75) Inventor: **Leonard Wozniak**, Tigard, OR (US)

(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/240,645**

(22) Filed: **Oct. 17, 2005**

(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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | |
|-----------|---|---------|---------------|
| 2,484,935 | A | 10/1949 | De Rooy |
| 4,535,554 | A | 8/1985 | De Obaldia B. |
| D304,520 | S | 11/1989 | Clark |

(Continued)

OTHER PUBLICATIONS

- “Nike Footwear Catalog,” Spring 2006, published Jun. 2005 (p. M39), Beaverton Oregon.
- “Nike Footwear Catalog,” Spring 2005, published Jun. 2004 (p. M36), Beaverton Oregon.
- “Nike Footwear Catalog,” Spring 2004, published Jun. 2003 (p. M38), Beaverton Oregon.
- “Nike Footwear Catalog,” Late Spring 2002, published Sep. 2001 (pp. M9, 52), Beaverton Oregon.
- “Nike Footwear Catalog,” Spring 2001, published Jun. 2000 (pp. M30, 48, 66), Beaverton Oregon.
- “Nike Footwear Catalog,” Fall 2000, published Nov. 1999 (p. W15), Beaverton Oregon.
- “Nike Footwear Catalog,” Fall 1999, published Nov. 1998 (p. M36), Beaverton Oregon.
- “Nike Footwear Catalog,” Spring 1999, published Jun. 1998 (p. W65), Beaverton Oregon.

“Nike Footwear Catalog,” Holiday 1998, published Feb. 1998, (p. M34), Beaverton Oregon.

“Nike Footwear Catalog,” Fall 1998, published Nov. 1997 (p. M52), Beaverton Oregon.

“Nike Footwear Catalog,” Holiday 1997, published Mar. 1997 (pp. M31, 54, 74), Beaverton Oregon.

“Nike Footwear Catalog,” Fall 1997, published Dec. 1996 (p. M69), Beaverton Oregon.

“Nike Footwear Catalog,” Fall 1997, published Dec. 1996 (pp. W155, 156) Beaverton, Oregon.

“Nike Footwear Catalog,” Spring 1991, published Jun. 1990 (p. M38), Beaverton Oregon.

“Nike Footwear Catalog,” Fall 1991, published Dec. 1990 (p. M34), 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;

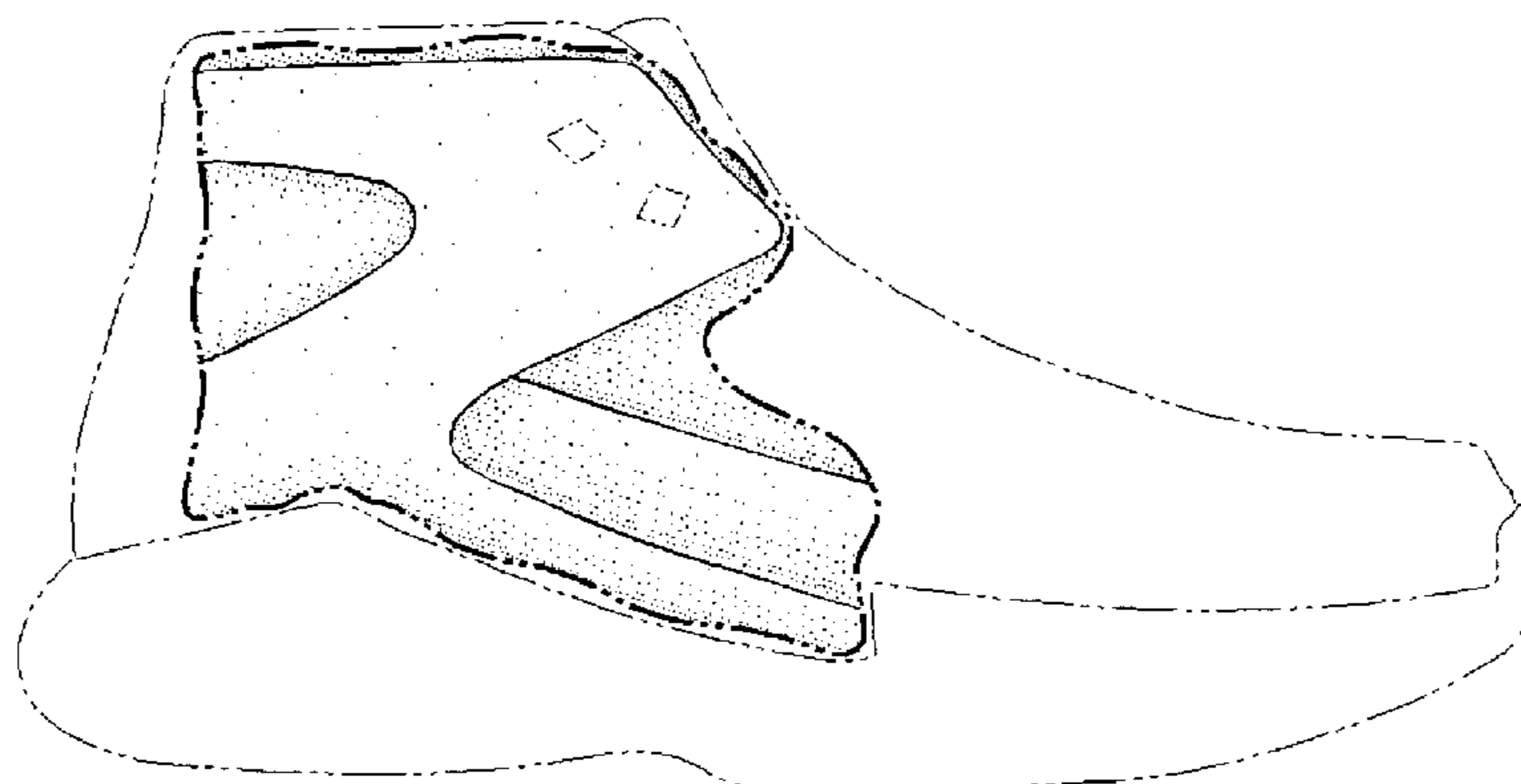
FIG. 3 is a front view of the portion of a shoe upper shown in FIG. 1;

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. 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



U.S. PATENT DOCUMENTS

D309,824 S 8/1990 Aveni et al.
 D310,293 S 9/1990 Serna et al.
 D319,142 S * 8/1991 Quan et al. D2/973
 D319,721 S 9/1991 Clark
 D331,145 S 11/1992 Cheng
 D344,405 S 2/1994 Close
 D349,806 S 8/1994 Minkin
 D350,222 S 9/1994 Hase
 D368,361 S 4/1996 Brooks et al.
 D391,754 S 3/1998 Lozano
 D397,856 S 9/1998 Smith, III
 D397,857 S 9/1998 Smith, III
 D400,000 S 10/1998 Hatfield et al.
 D406,628 S 3/1999 Avar et al.
 D411,247 S 6/1999 Lavertue et al.
 D411,909 S 7/1999 Lavertue et al.
 D412,614 S 8/1999 Lavertue et al.
 D460,250 S 7/2002 Hillyer
 D474,009 S * 5/2003 Lotti D2/972
 D475,189 S 6/2003 Laberge et al.
 D482,859 S 12/2003 Laberge
 D491,347 S 6/2004 Cooper
 D494,752 S * 8/2004 Adams et al. D2/969
 D497,709 S * 11/2004 Henderson D2/972
 D497,711 S 11/2004 Wozniak
 D498,356 S 11/2004 Lotti
 D500,200 S * 12/2004 Cooper D2/972
 D500,584 S * 1/2005 Link D2/972
 D504,219 S * 4/2005 Morris D2/972

OTHER PUBLICATIONS

“Nike Footwear Catalog,” Fall 1990, published Dec. 1989 (pp. M24, 28, 34, 68, 88, 90, 110,122), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1989, published Dec. 1988 (pp. M22, 24, 30, 32, 48, 112), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1989, published Dec. 1988 (pp. B128, 130), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1988, published Jan. 1988 (pp. M82, 94), Beaverton Oregon.
 “Nike Footwear Catalog,” Spring 1988, published Jun. 1987 (p. M10), Beaverton Oregon.
 “Nike Footwear Catalog,” Spring 1988, published Jun. 1987 (p. W14), Beaverton Oregon.
 “Nike Footwear Catalog,” Spring 1988, published Jun. 1987 (p. C46), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1987, published Jan. 1987 (p. M26), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1987, published Jan. 1987 (p. W52), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1986, published Jan. 1986 (pp. M28, 98), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1986, published Jan. 1986 (pp. W38, 92), Beaverton Oregon.
 “Nike Footwear Catalog,” Fall 1986, published Jan. 1986 (p. C104), Beaverton Oregon.

* cited by examiner

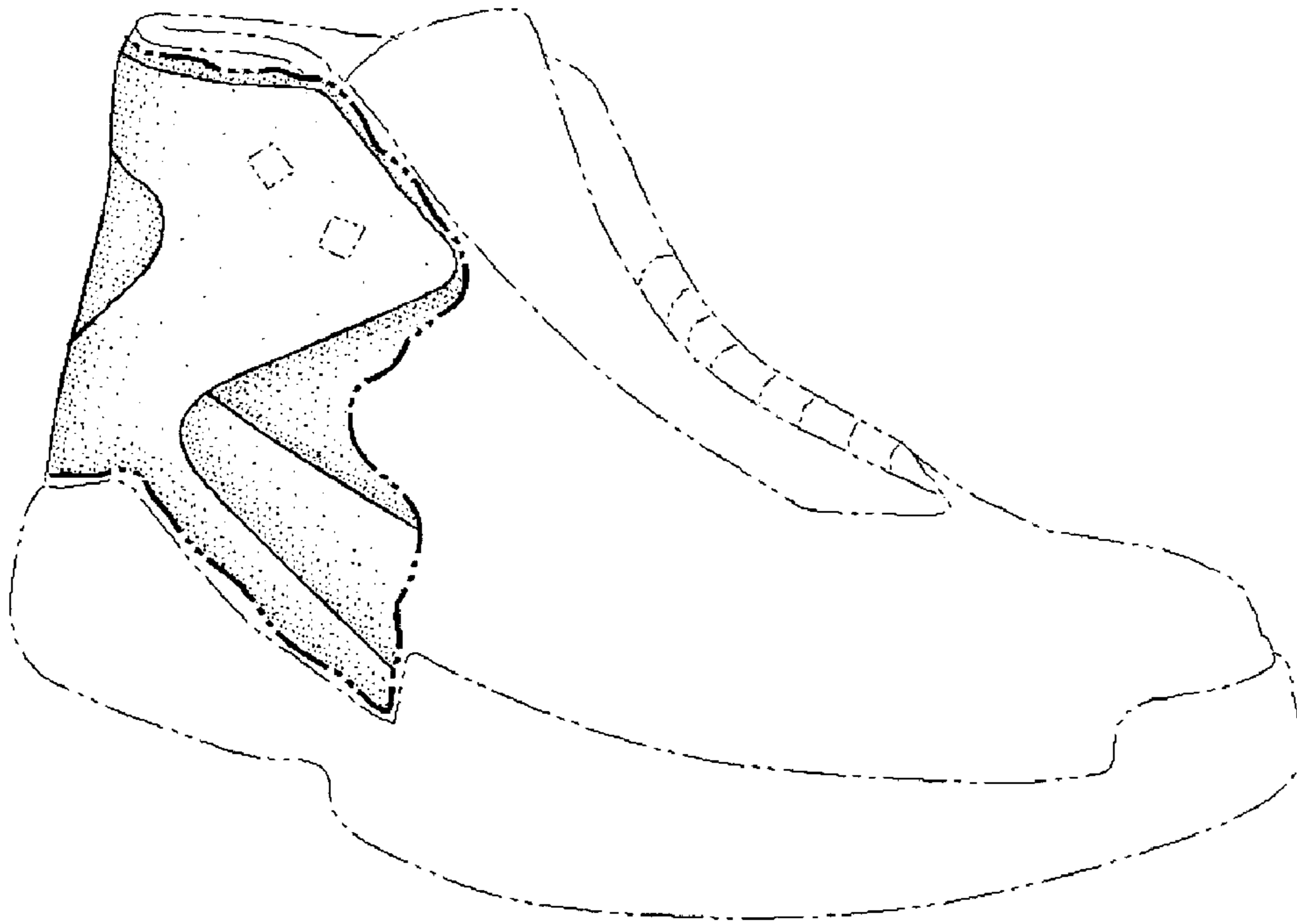


FIG. 1

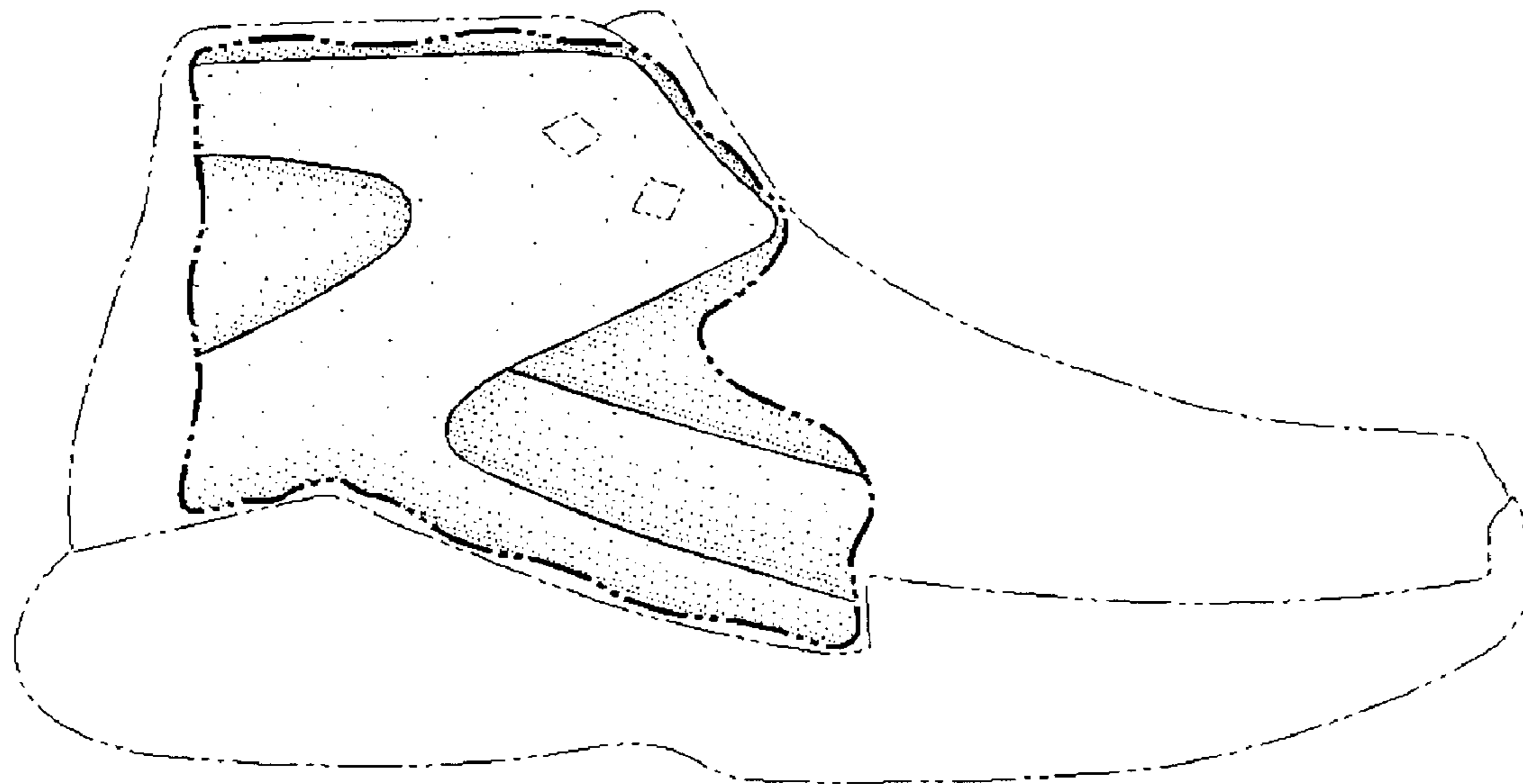


FIG. 2

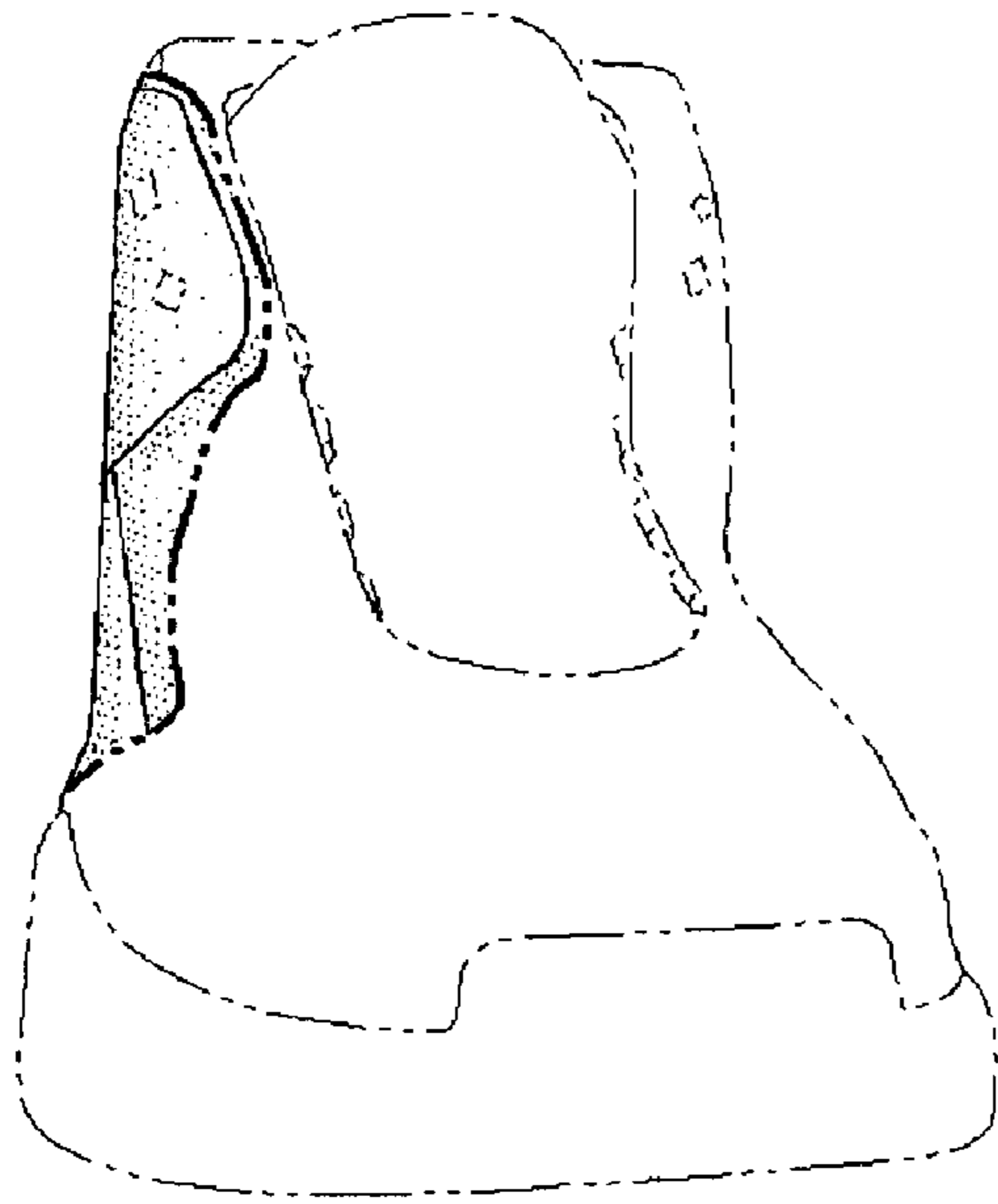


FIG. 3

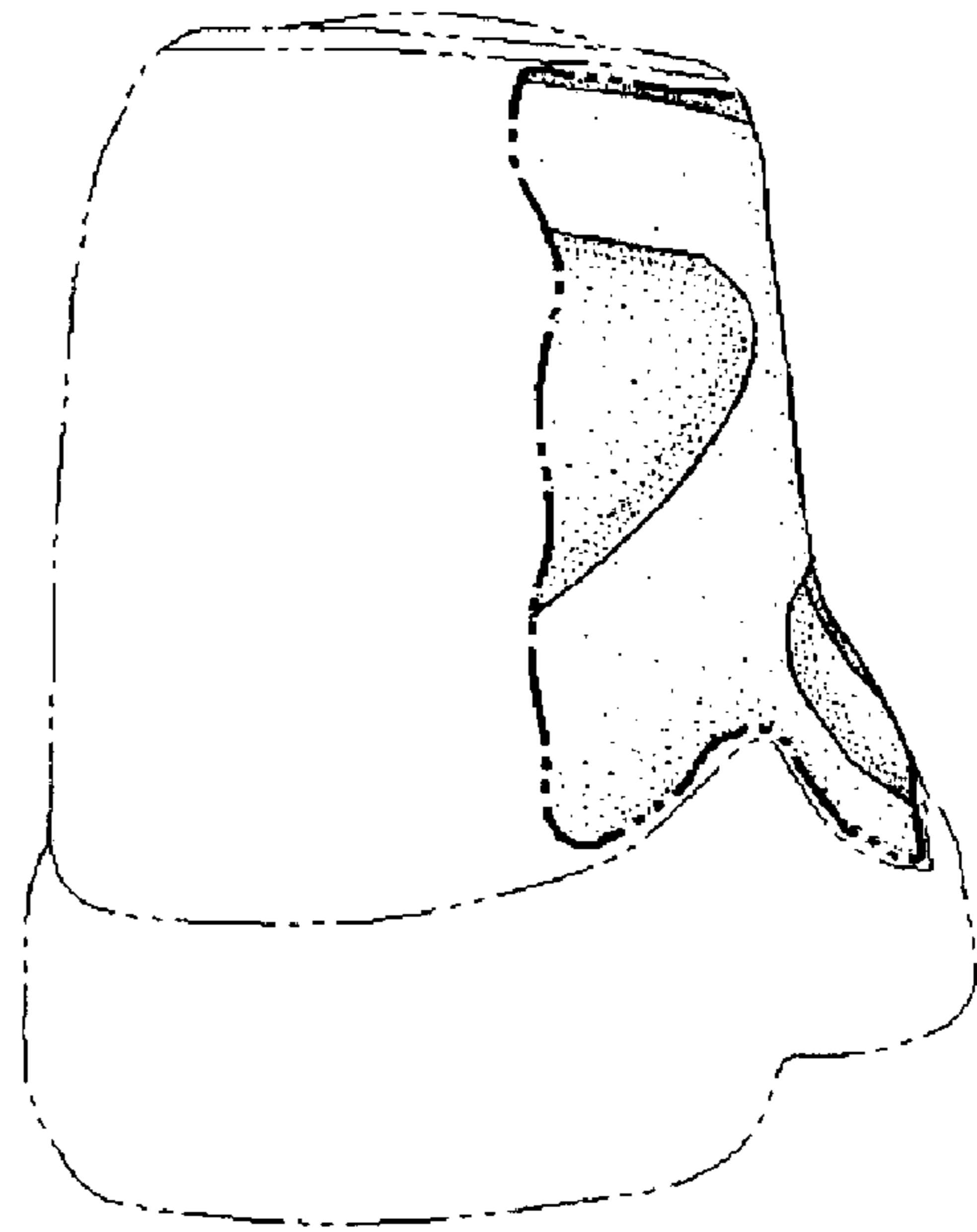


FIG. 4

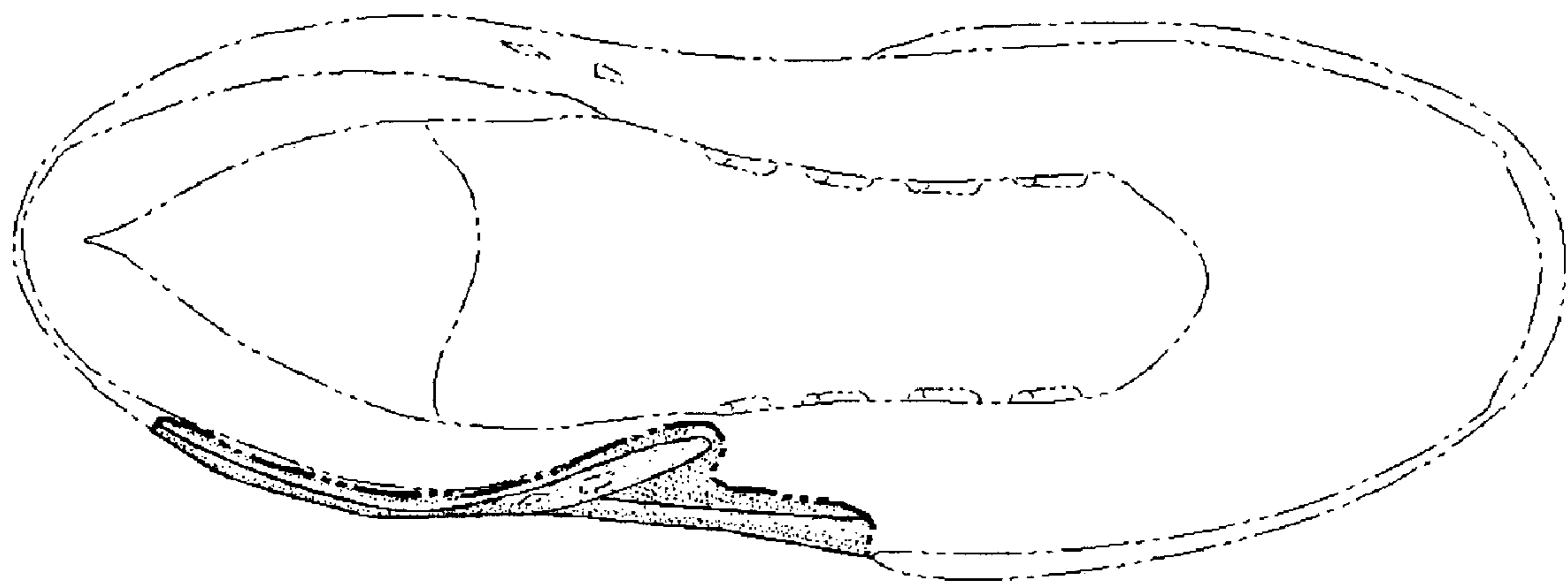


FIG. 5