



US00D528772S

(12) **United States Design Patent** (10) **Patent No.:** **US D528,772 S**  
**Portzline** (45) **Date of Patent:** **\*\* Sep. 26, 2006**

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

(75) Inventor: **Scott Portzline**, Portland, OR (US)

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

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

(21) Appl. No.: **29/255,504**

(22) Filed: **Mar. 9, 2006**

(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**

D86,386 S	3/1932	Miller
3,626,610 A	12/1971	Dassler
4,187,623 A	2/1980	Dassler
4,399,621 A	8/1983	Dassler
D283,364 S	4/1986	Gamm
4,689,900 A	9/1987	Ishibashi
D319,529 S	9/1991	Hatfield
D319,722 S	9/1991	Hatfield

(Continued)

**OTHER PUBLICATIONS**

- Nike Footwear Catalog (FA 88), pp. 4, 60, published Dec. 1997, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 89), pp. 8, 50, published 1998, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 90), p. 52, published Dec. 1989, Beaverton, Oregon, U.S.A.  
 Women's Nike Footwear Catalog (SP 91), p. 8, published Jun. 1990, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 91), p. 8, published Dec. 1990, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 92), pp. 30, 40, 132, published Jun. 1991, Beaverton, Oregon, U.S.A.

- Nike Footwear Catalog (FA 92), pp. 100, 142, published Dec. 1991, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 93), pp. 8, 18, published Jun. 1992, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 93), pp. 13, 25, 27, published Dec. 1992, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 94), p. 22, 84, published Jun. 1993, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 94), pp. 30, 32, 40, published Nov. 1993, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (HO 94), p. 32, published Mar. 1994, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 95), pp. 9, 11, 102, 123, published Jun. 1994, Beaverton, Oregon, U.S.A.

(Continued)

*Primary Examiner*—Dominic Simone

(74) *Attorney, Agent, or Firm*—TraskBritt, P.C.

(57) **CLAIM**

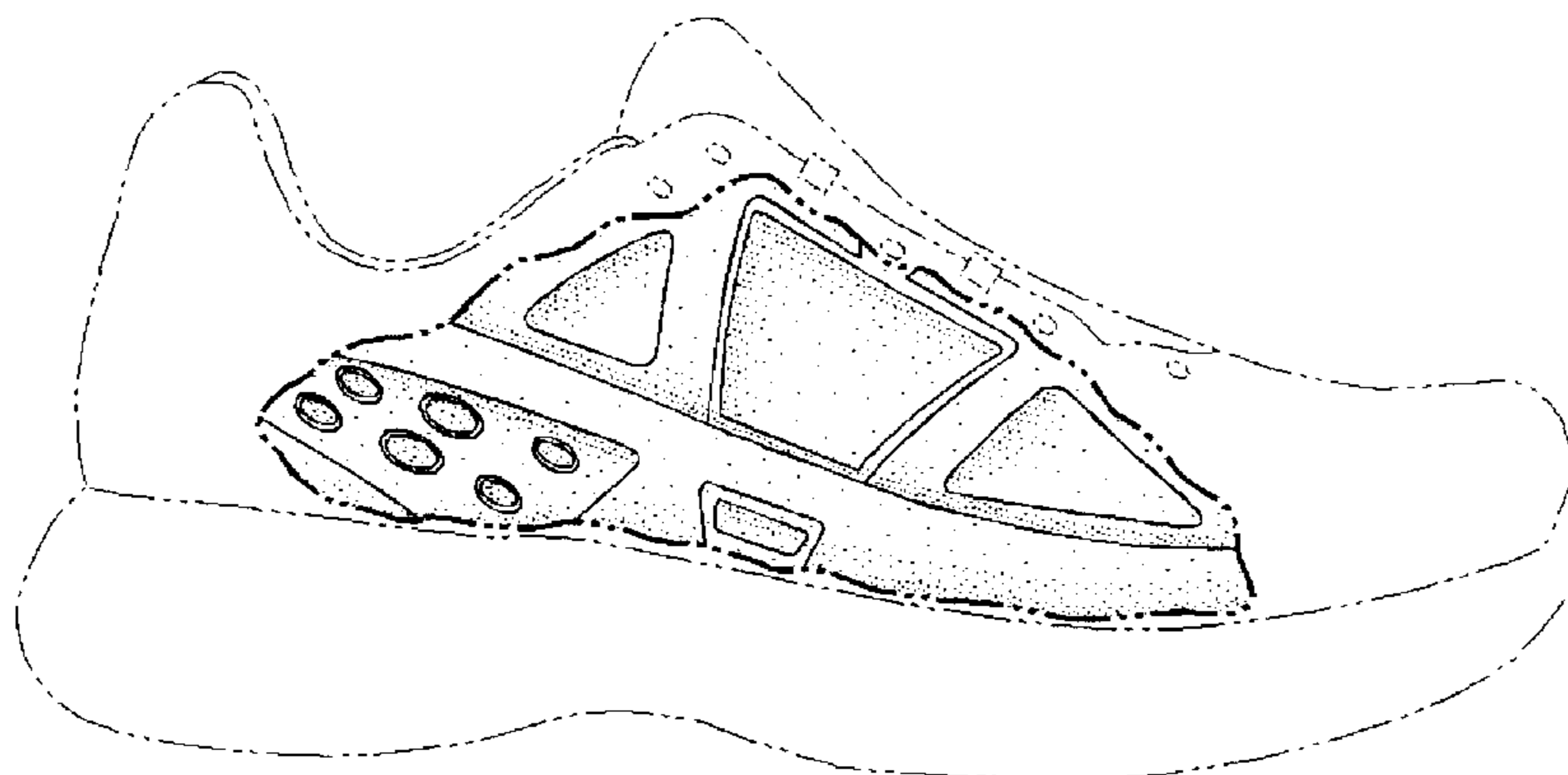
The ornamental design for a portion of a shoe upper, as shown and described.

**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 represent 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

D345,253 S	3/1994	Lucas	
D348,976 S	7/1994	Van Noy	
D348,977 S	7/1994	Koh	
D351,275 S	10/1994	Hatfield et al.	
D355,756 S	2/1995	Vestuti	
D364,729 S	12/1995	Teague	
D369,459 S	5/1996	Feller	
D373,460 S	9/1996	Crowley	
D415,882 S	11/1999	McDowell	
D429,414 S	8/2000	Tresser	
D431,714 S	* 10/2000	Hatfield et al. ....	D2/972
D459,862 S	7/2002	Butler et al.	
D479,392 S	9/2003	Hillyer	
D481,530 S	11/2003	Hillyer	
D487,339 S	3/2004	Laberge	
D499,249 S	* 12/2004	Hlavacs .....	D2/972
D501,984 S	2/2005	Allen	
D505,006 S	5/2005	Fogg	
D505,253 S	5/2005	Rask	
D509,350 S	* 9/2005	Holmes .....	D2/972
D510,655 S	* 10/2005	Portzline .....	D2/972
D514,291 S	* 2/2006	Whiteman et al. ....	D2/969
D514,801 S	* 2/2006	Hui .....	D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog (LS 95), p. 9, 73, published Jun. 1994, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 95), pp. 10, 25, published Nov. 1994, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 96), p. 114, published Jun. 1995, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (LS 96), p. 49, published Aug. 1995, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 97), pp. 11, 12, 41, 46, 57, 120, 204, published Dec. 1996, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (HO 97), p. 40, published Mar. 1997, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 98), pp. 8, 150, published Jun. 1997, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalogs (FA 98), pp. M8, M31, W14, published Nov. 1997, Beaverton, Oregon, U.S.A.  
 Men's Nike Footwear Catalog (HO 98), p. M19, M22, M23, published Feb. 1998, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalogs (SP 99), pp. M17, M21, M31, M45, M80, M123, W19, W31, W37, published Nov. 1998, Beaverton, Oregon, U.S.A.

Nike Footwear Catalogs (LS 99), pp. M10, M46, W7, published Sep. 1998, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 99), pp. M43, M76, published Nov. 1998, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (HO 99), p. M26, published Mar. 1999, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 00), pp. M1, M65, M73, I-103, M26, , M53, M77, M86, W10, published Jul. 1999, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 00), pp. M1,I-14, M38, M47, published Nov. 1999, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (HO 00), p. 1, published Mar. 2000, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 01), pp. M13, M127, published Jun. 2000, Beaverton, Oregon, U.S.A.  
 Men's Nike Footwear Catalog (LS 01), p. 30, published Sep. 2000, Beaverton, Oregon, U.S.A.  
 Women's Nike Footwear Catalog (FA 01), pp. M35, M76, W65, published Nov. 2000, Beaverton, Oregon, U.S.A.  
 Men's Nike Footwear Catalog (HO 01), p. 10, published Feb. 2001, Beaverton, Oregon, U.S.A.  
 Men's Nike Footwear Catalog (SP 02), pp. 31, 43, published Jun. 2001, Beaverton, Oregon, U.S.A.  
 Men's Nike Footwear Catalog (FA 02), pp. 38, published Nov. 2001, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalogs (SP 03), pp. M34, M52, K80, published Jun. 2002, Beaverton, Oregon, U.S.A.  
 Men's Nike Footwear Catalog (LS 03), pp. 25, 28, 30, published Sep. 2002, Beaverton, Oregon, U.S.A.  
 Men's Nike Footwear Catalog (SP 04), pp. 32, 33, published Jun. 2003, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (LS 04), pp. 2, 58, published Sep. 2003, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 05), pp. 4, 5, 6, 10, 11, 12, 14, 48, published Nov. 2004, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (LS 05), p. 60, published Sep. 2004, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (FA 05), pp. 19, 62, 113, 135, published Nov. 2004, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (HO 05), pp. 32,48, 65, published Mar. 2005, Beaverton, Oregon, U.S.A.  
 Nike Footwear Catalog (SP 06), pp. 14, 22, 129, published Jun. 2005, Beaverton, Oregon, U.S.A.

\* cited by examiner

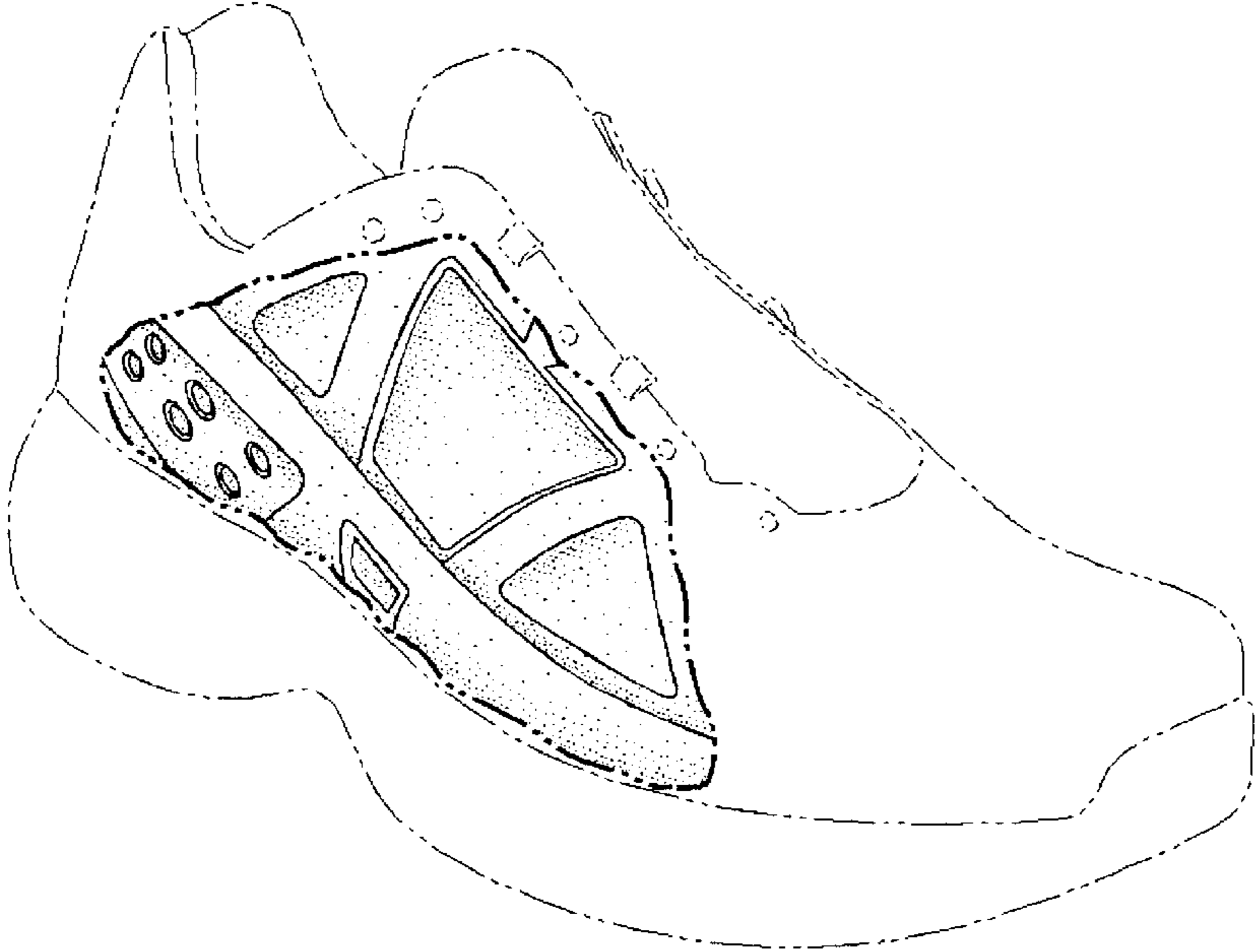


FIG. 1

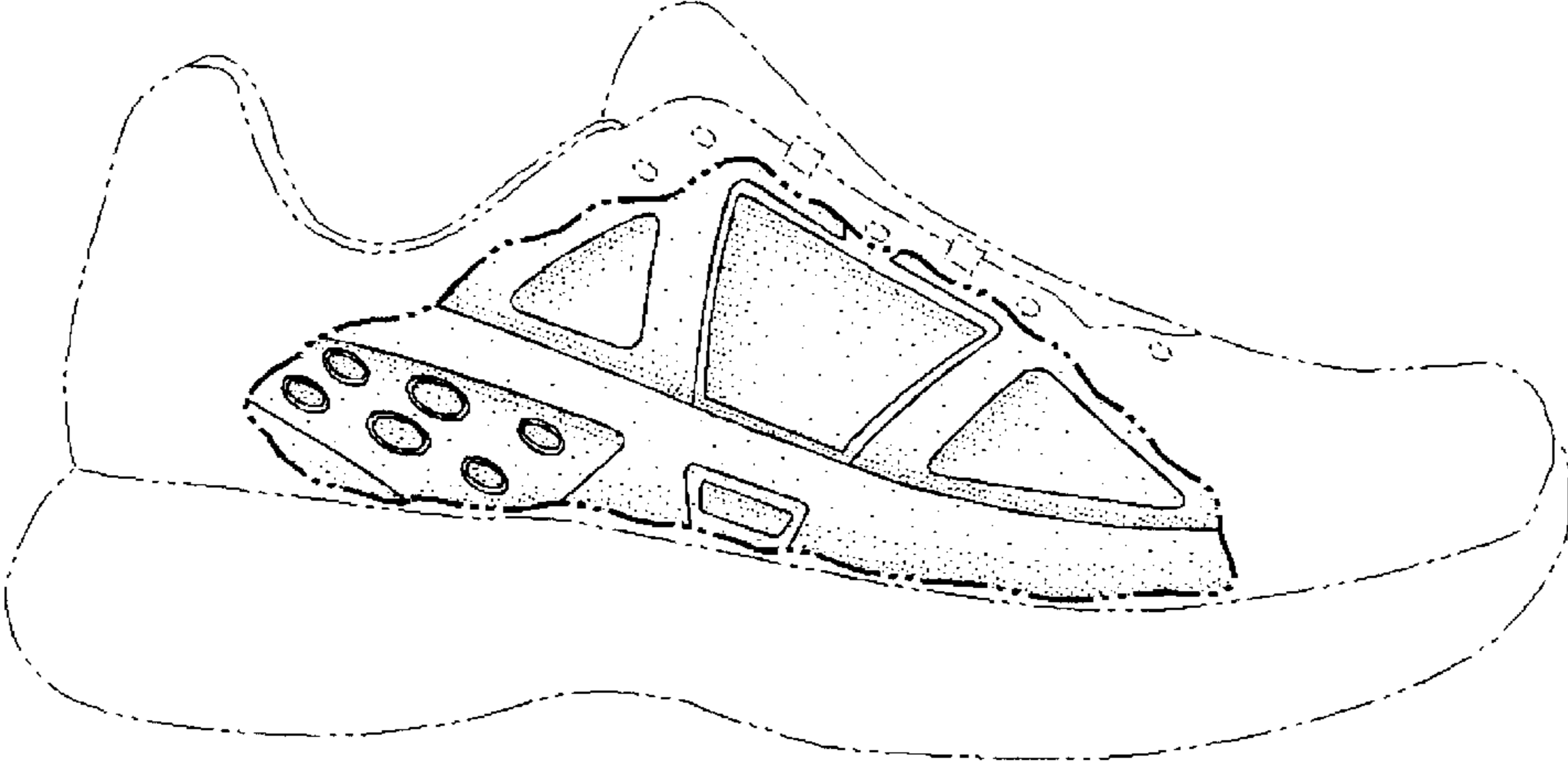
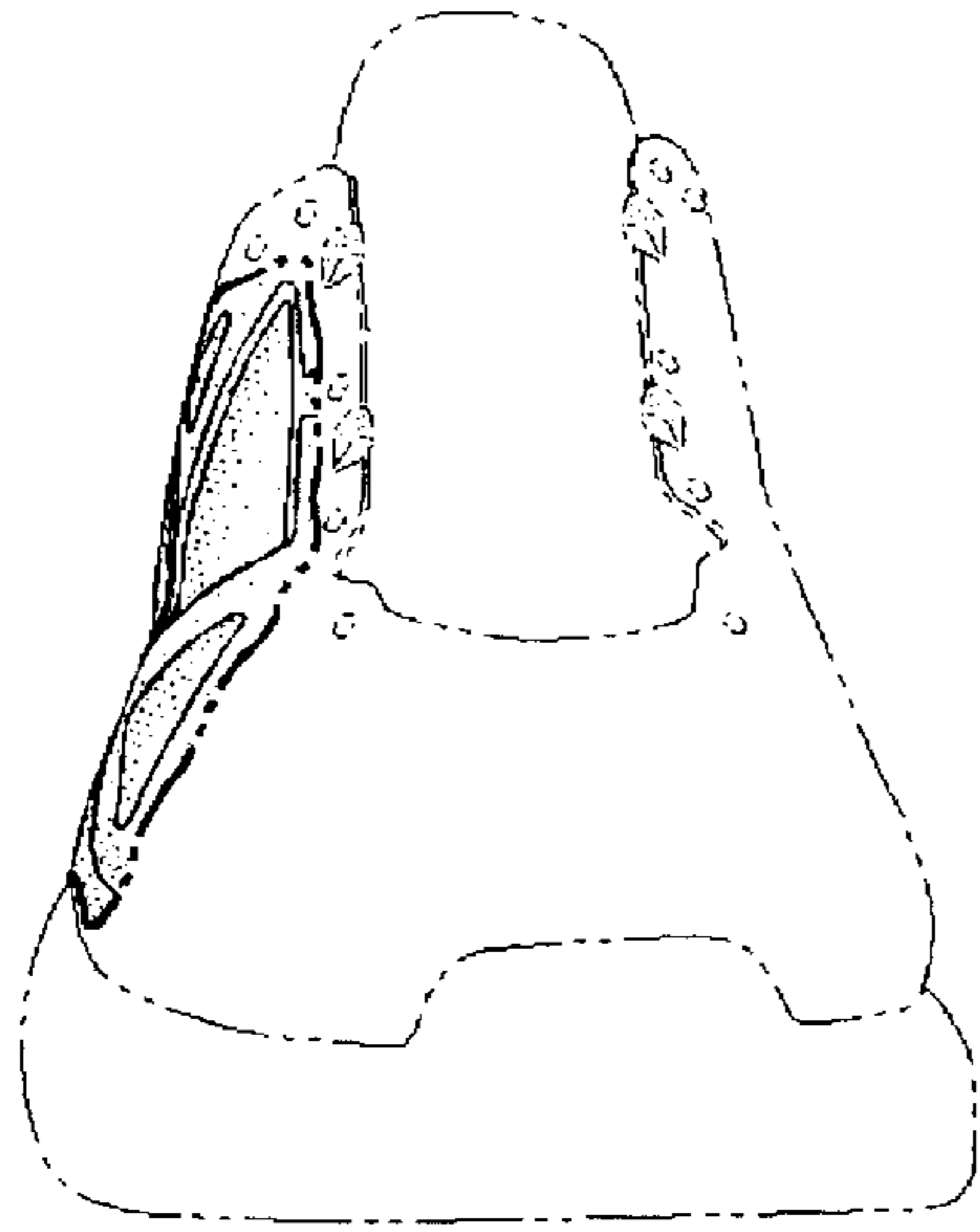


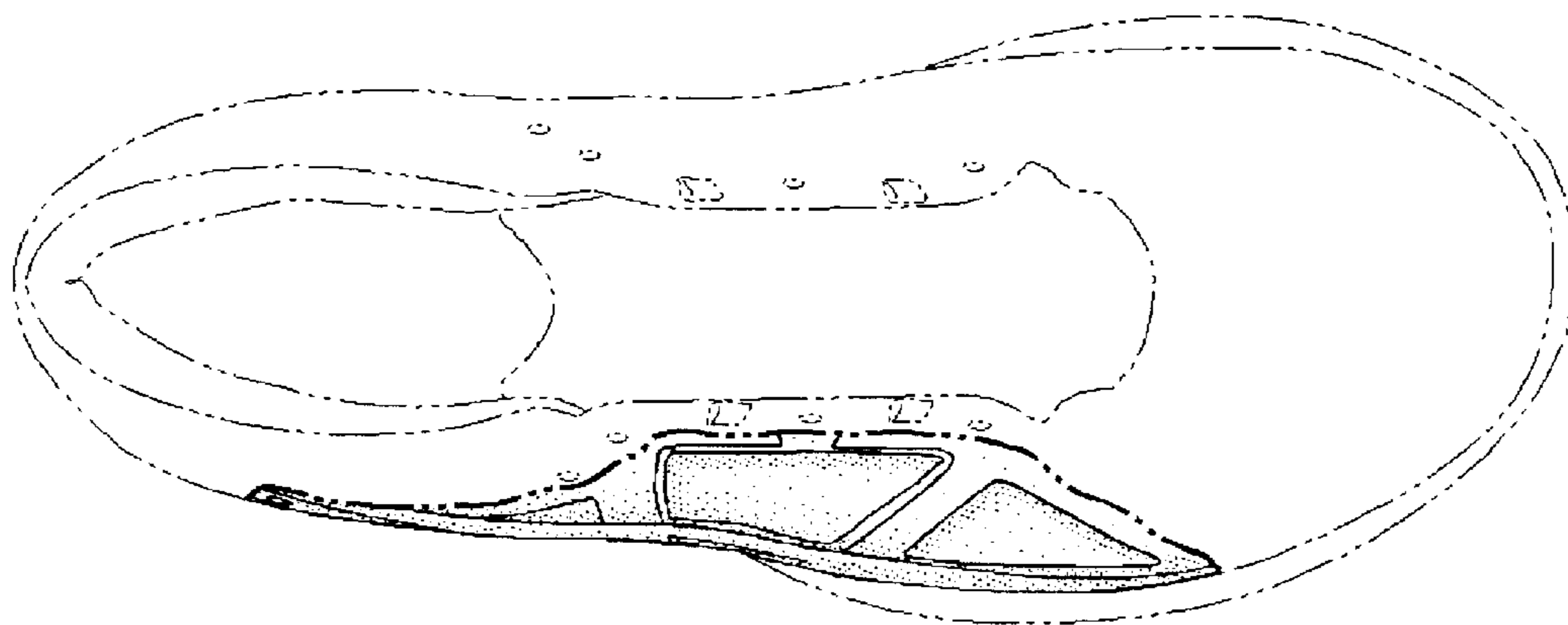
FIG. 2



**FIG. 3**



**FIG. 4**



**FIG. 5**