

US00D541513S

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

(10) **Patent No.:** **US D541,513 S**

(45) **Date of Patent:** **\*\* May 1, 2007**

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

(75) Inventor: **Marni Luhta Gerber**, West Linn, OR (US)

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

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

(21) Appl. No.: **29/247,288**

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

(51) **LOC (8) Cl.** ..... **02-99**

(52) **U.S. Cl.** ..... **D2/969; D2/916**

(58) **Field of Classification Search** ..... D2/902,  
D2/905-908, 943, 944, 946, 969, 972-974,  
D2/916, 918, 910; 36/45, 50.1, 77 M, 77 R,  
36/83, 88, 113, 114, 126-131, 11.5  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D82,990 S	1/1931	Hubbell	
D107,710 S	12/1937	Wales	
D108,132 S	1/1938	Springer	
D108,491 S	* 2/1938	Ford et al.	..... D2/910

(Continued)

**OTHER PUBLICATIONS**

- Nike Footwear Catalog, Fall 1993, pp. 48, 136, published Dec. 1992.
- Nike Footwear Catalog, Fall 1994, pp. 60, 130, 154, published Nov. 1993.
- Nike Footwear Catalog, Spring 1995, pp. 47, 119, published Jun. 1994.
- Nike Footwear Catalog, Late Spring 1995, pp. 25, 67, published Sep. 1994.
- Nike Footwear Catalog, Fall 1995, p. 57, published Nov. 1994.

Nike Footwear Catalog, Spring 1996, pp. 82, 84, 183, published Jun. 1995.

Nike Footwear Catalog, Late Spring 1996, pp. 92, 95, 109, published Aug. 1995.

Nike Footwear Catalog, Spring 1997, pp. 97, 109, published Jun. 1996.

Nike Footwear Catalog, Late Spring 1999, pp. W49, W100, published Sep. 1998.

Nike Footwear Catalog, Late Spring 2003, pp. 43, 45, published Sep. 2002.

Nike Footwear Catalog, Late Spring 2004, p. 56, published Sep. 2003.

Nike Footwear Catalog, Holiday 2005, p. 221, published Mar. 2005.

Nike Footwear Catalog, Late Spring 2006, p. 209, published Sep. 2005.

*Primary Examiner*—Dominic Simone

(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

(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 rear perspective view thereof;

FIG. 3 is a first side view thereof;

FIG. 4 is a second side view thereof;

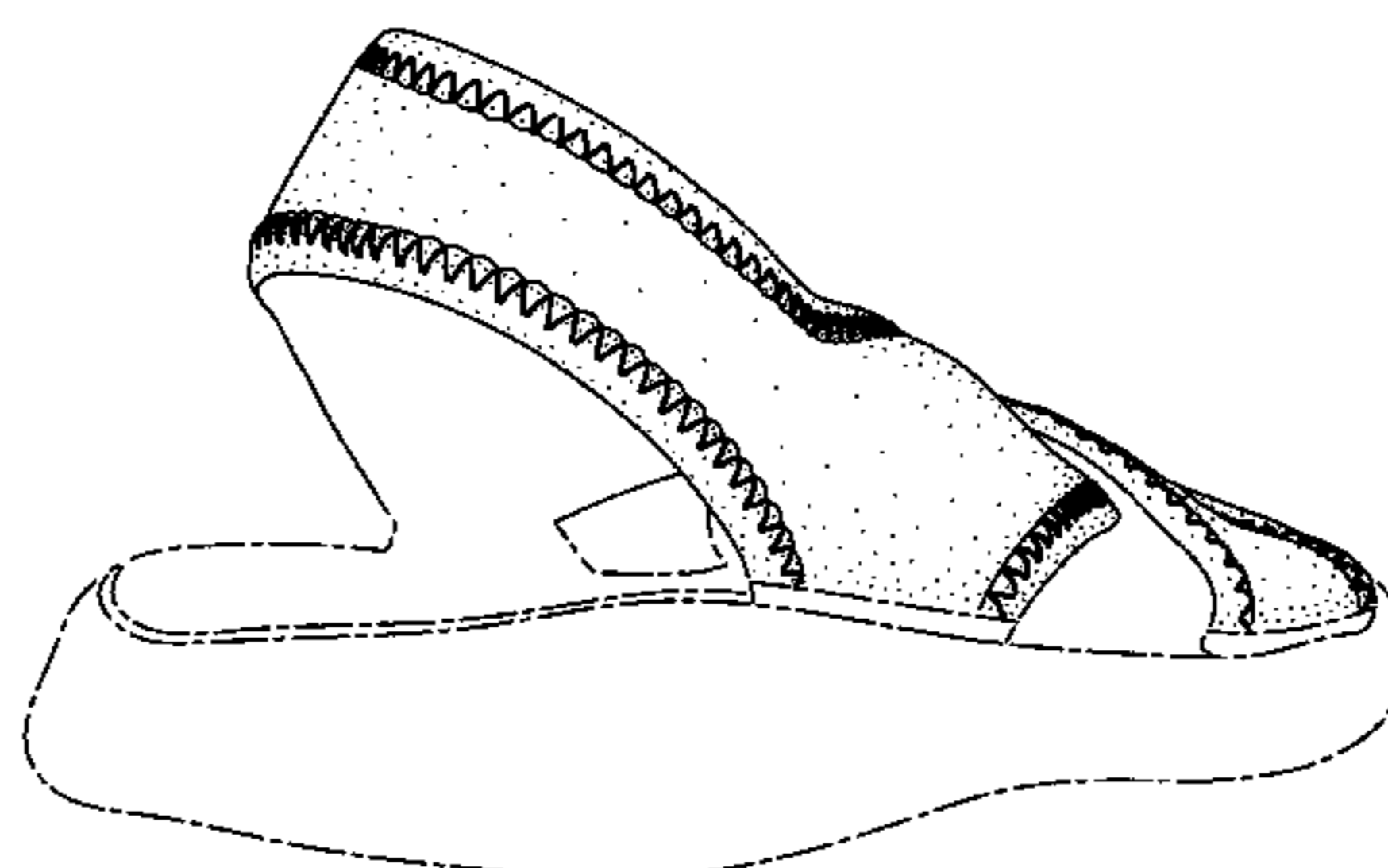
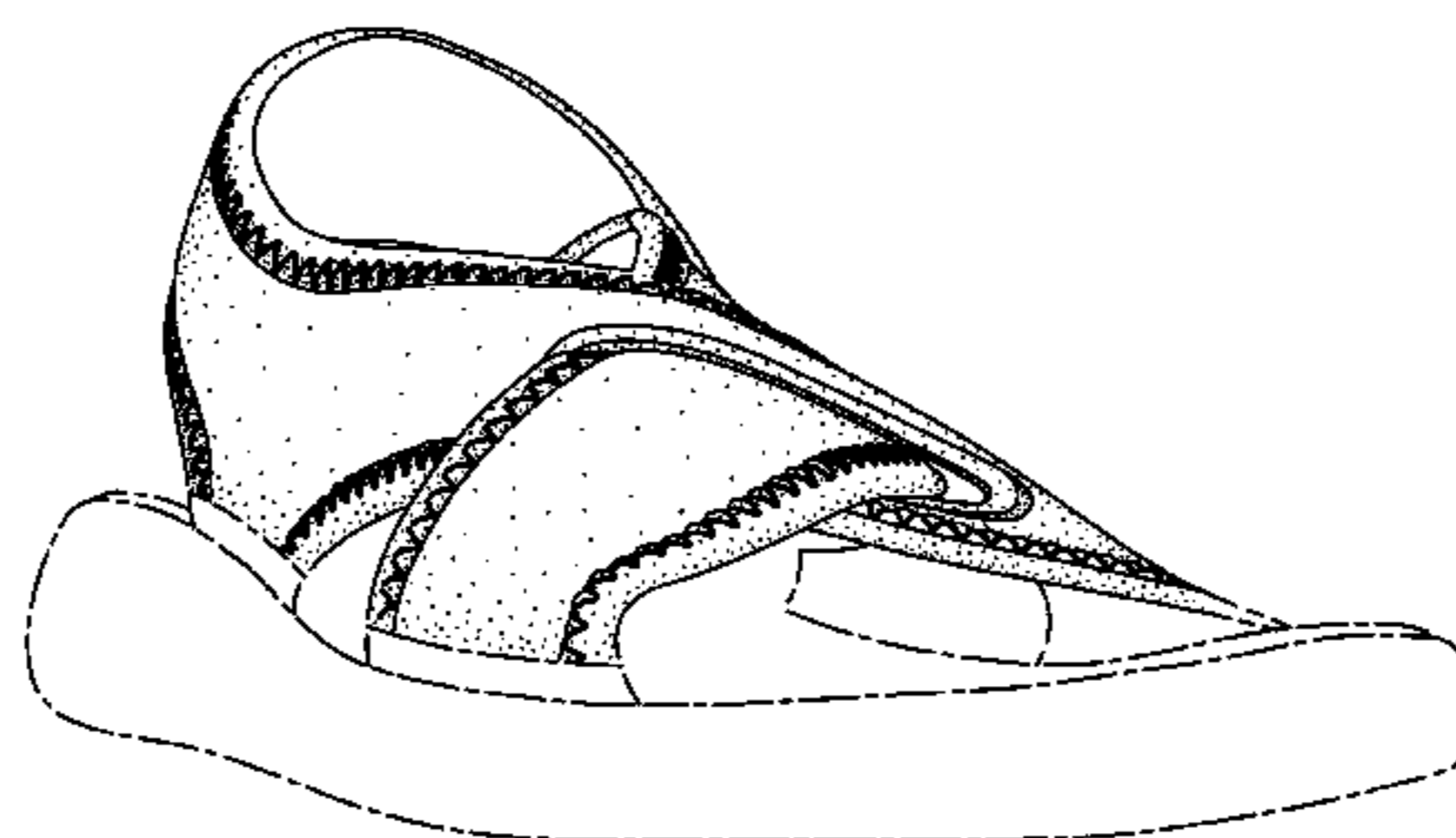
FIG. 5 is a top view thereof;

FIG. 6 is a front view thereof; and,

FIG. 7 is a rear view thereof.

The uneven broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 7 Drawing Sheets**



# US D541,513 S

Page 2

## U.S. PATENT DOCUMENTS

D110,362 S	7/1938	Oliphant		D346,271 S	4/1994	McDonald	
2,167,035 A *	7/1939	Westheimer	..... D2/918	D346,686 S	5/1994	Hatfield	
D129,593 S *	9/1941	Maling	..... D2/918	D346,894 S	5/1994	Hatfield	
2,268,967 A *	1/1942	Small	..... 36/11.5	D347,309 S	5/1994	McDonald	
D144,080 S	3/1946	Sobel		D351,276 S	10/1994	Gitelman	
D147,294 S	8/1947	Pfeiffer		D353,483 S	12/1994	Bailey	
2,486,886 A *	11/1949	Saukkonen	..... 36/11.5	D360,973 S	8/1995	Bailey	
3,063,458 A	11/1962	Scholl		D361,653 S	8/1995	Schenone	
3,841,003 A	10/1974	Huyge		D363,158 S	10/1995	Matis et al.	
D246,337 S	11/1977	Niarhos		D375,615 S	11/1996	McDonald	
4,095,353 A *	6/1978	Foldes	..... 36/11.5	D379,866 S	6/1997	Jenkins	
D250,738 S *	1/1979	Foldes	..... D2/916	D434,210 S *	11/2000	Dean	..... D2/969
D302,838 S	8/1989	Wendt		D441,175 S *	5/2001	Ritter et al.	..... D2/908
D314,414 S	2/1991	Wendt		D452,066 S *	12/2001	Dean	..... D2/969
D336,358 S	6/1993	Hatfield		D461,949 S	8/2002	Urie et al.	
D336,770 S	6/1993	Thomas, III et al.		D505,001 S *	5/2005	Robbins et al.	..... D2/969
D337,425 S	7/1993	Hatfield		D530,063 S *	10/2006	Issler	..... D2/916

\* cited by examiner

FIG. 1

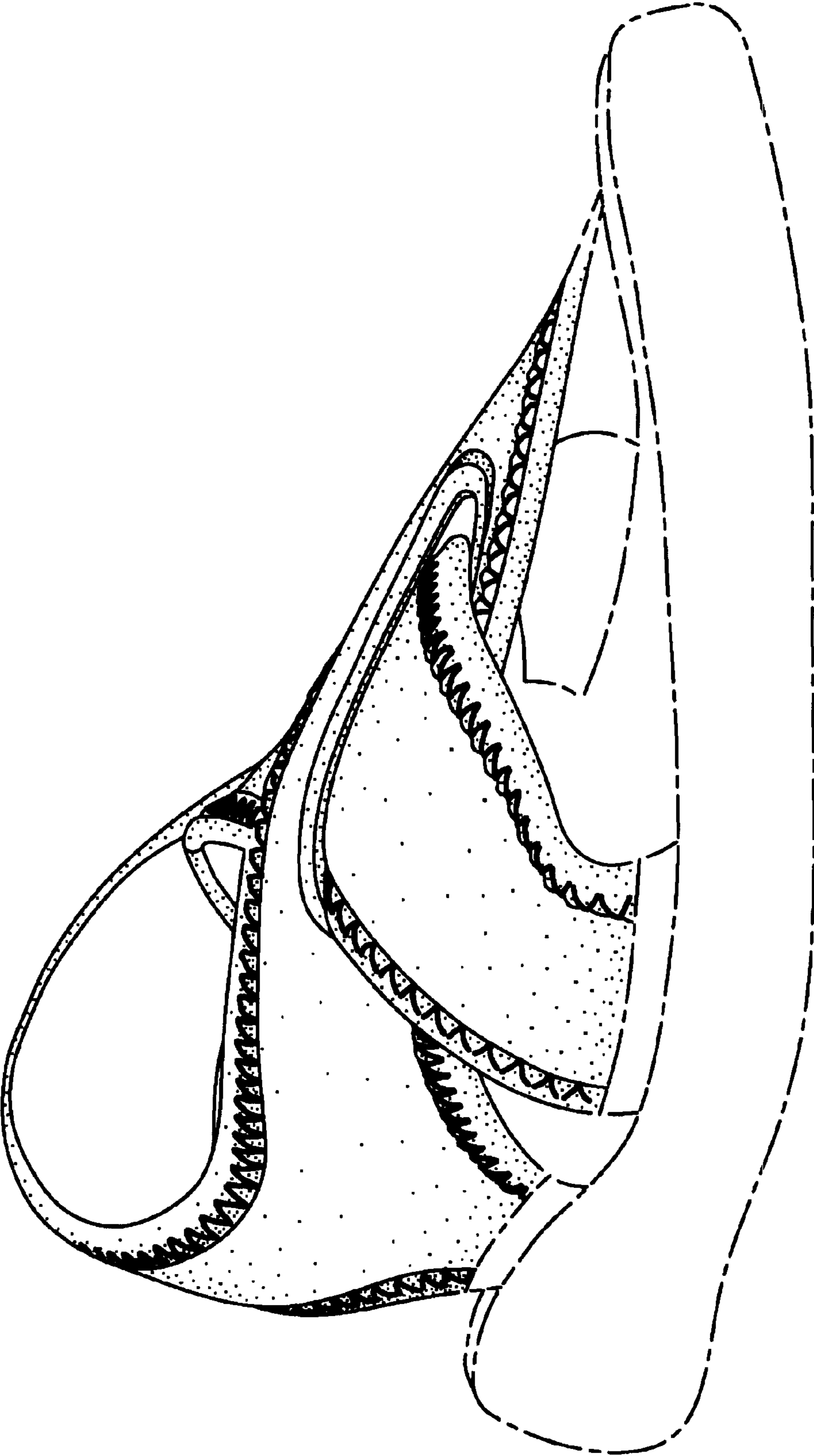


FIG. 2

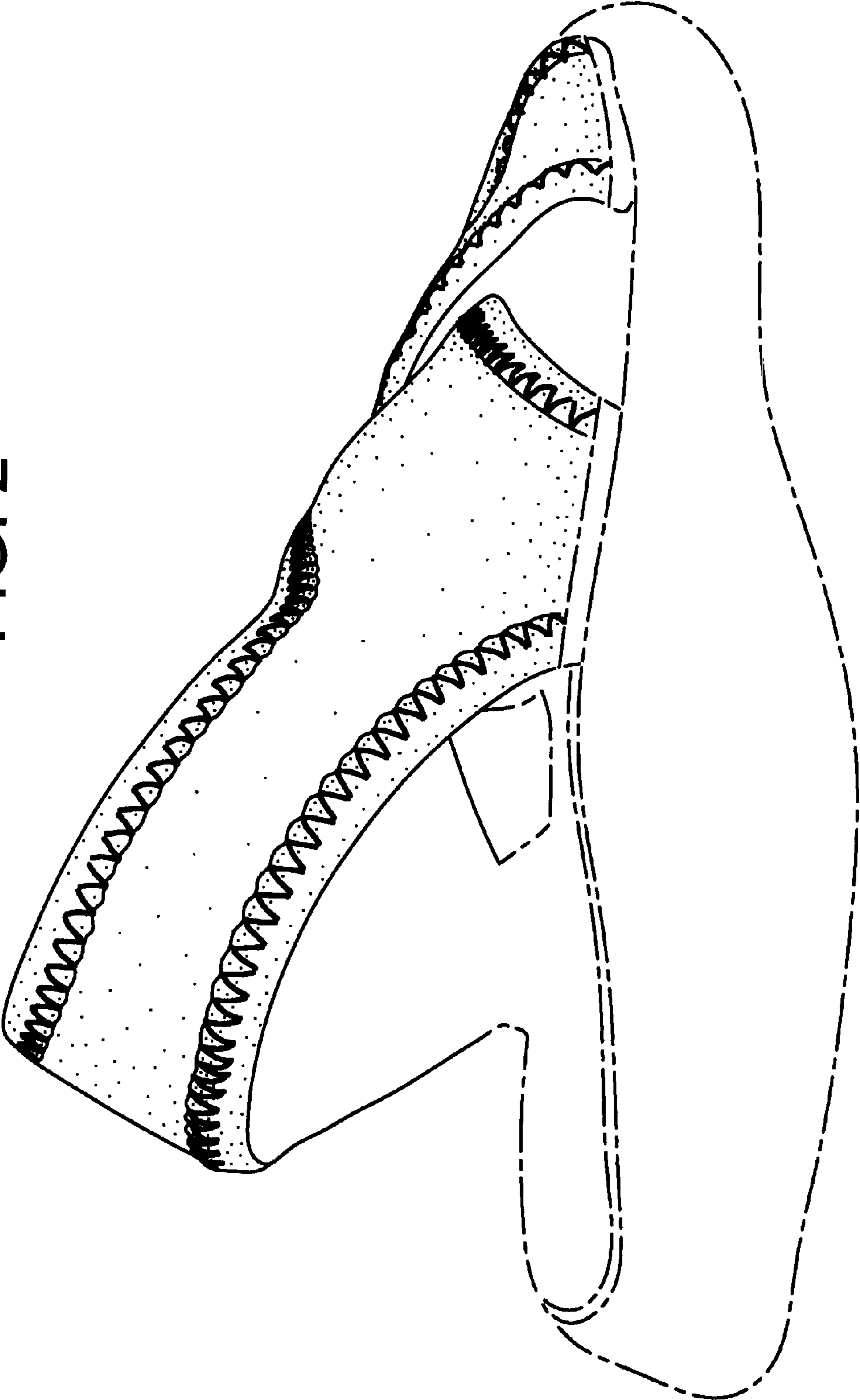


FIG. 3

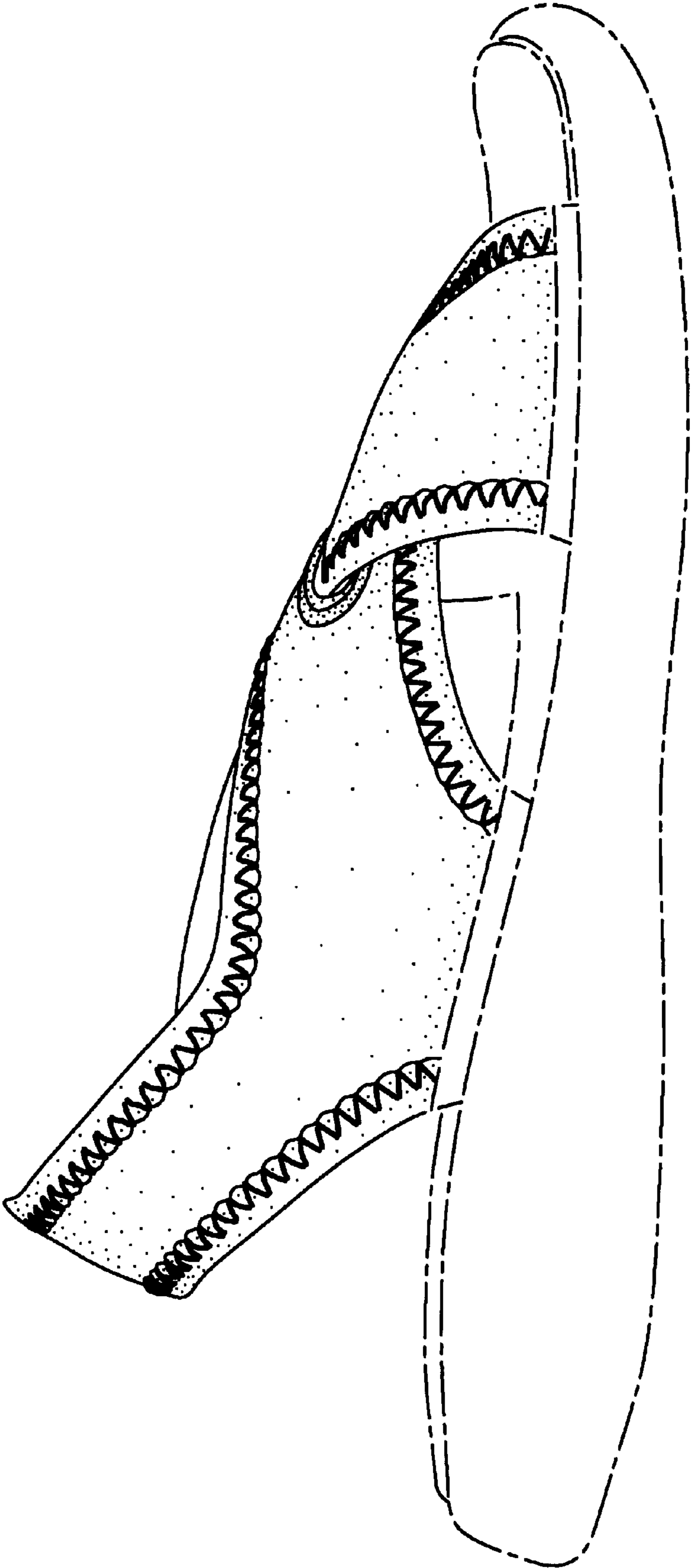


FIG. 4

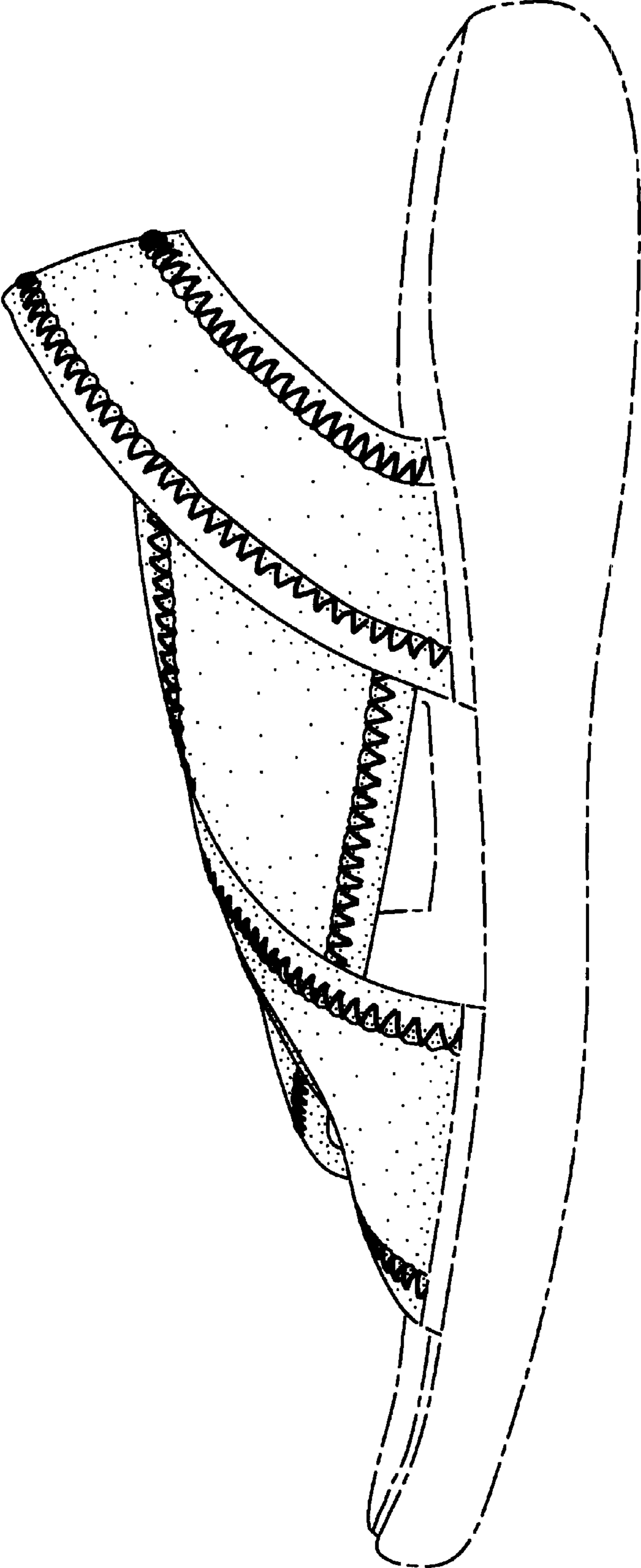


FIG. 5

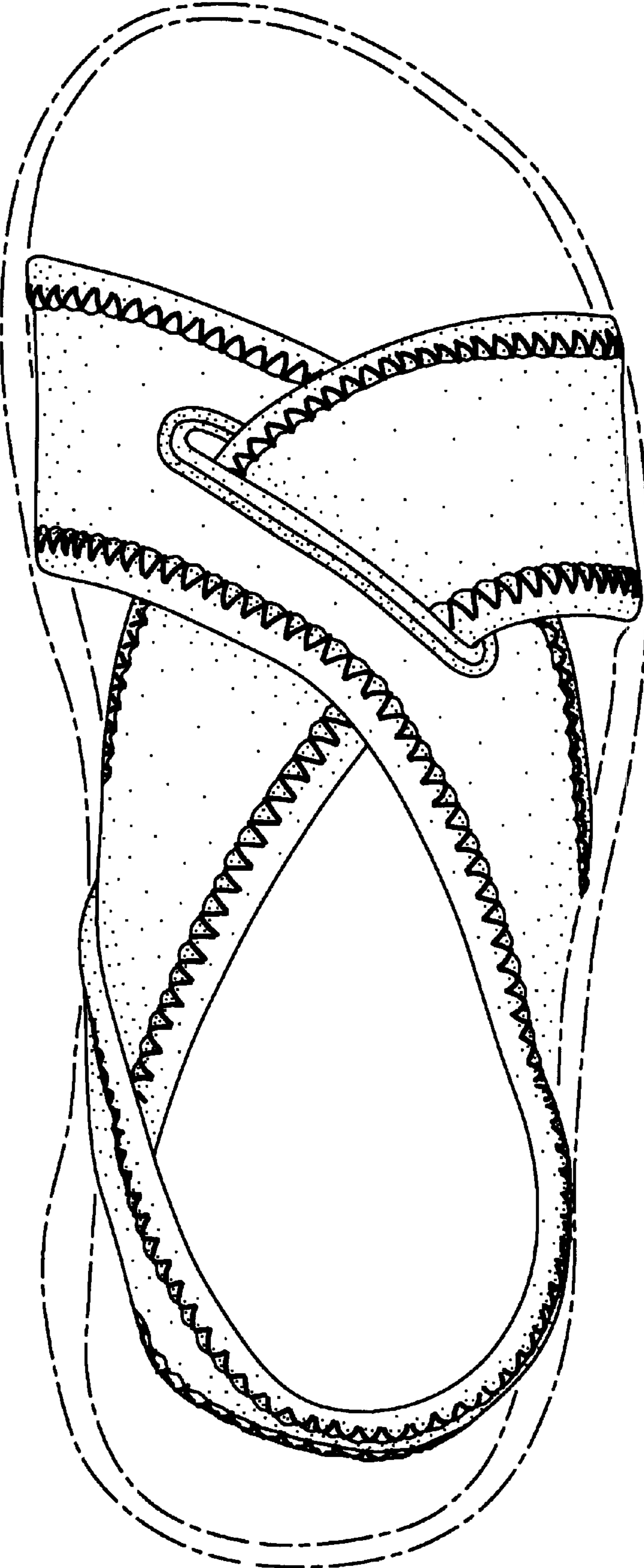


FIG. 6

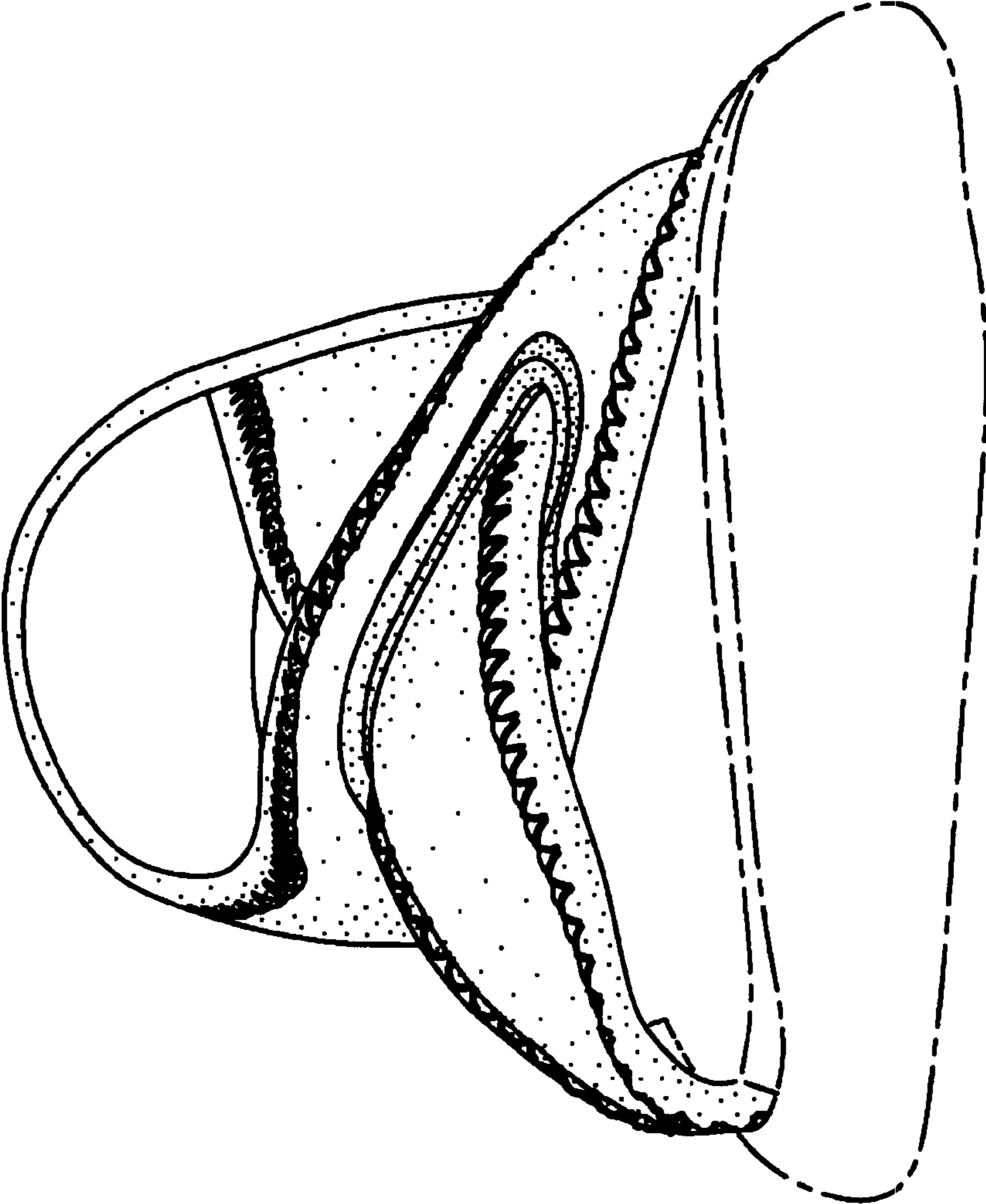




FIG. 7

