

US00D544696S

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

(10) **Patent No.:** **US D544,696 S**

(45) **Date of Patent:** **\*\* Jun. 19, 2007**

- (54) **PORTION OF A SHOE UPPER**
- (75) Inventor: **Kathleen Huthmaker**, East Aurora, NY (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **14 Years**
- (21) Appl. No.: **29/277,271**
- (22) Filed: **Feb. 20, 2007**
- (51) **LOC (8) Cl.** ..... **02-99**
- (52) **U.S. Cl.** ..... **D2/972**
- (58) **Field of Classification Search** ..... D2/902, D2/906-908, 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.

D520,730 S	5/2006	Mueller	
D520,731 S *	5/2006	Lupo .....	D2/972
D522,737 S	6/2006	Jonsson	
D523,222 S	6/2006	Savage	
D523,619 S	6/2006	Mermet	
D525,773 S *	8/2006	Cass .....	D2/972
D527,883 S	9/2006	Holmes	
D527,884 S	9/2006	Morris	
D527,890 S *	9/2006	Shaffer .....	D2/972
D528,278 S	9/2006	Hui	
D528,285 S *	9/2006	Hlavacs .....	D2/972
D528,764 S *	9/2006	Clancy .....	D2/972
D528,766 S *	9/2006	Savage .....	D2/972
D528,770 S	9/2006	Chang	
D528,773 S	9/2006	Henderson	
D529,273 S *	10/2006	Lotti .....	D2/972
D532,193 S	11/2006	Cessor	
D532,594 S *	11/2006	Mermet .....	D2/972
D532,965 S	12/2006	Huthmaker	
D535,095 S	1/2007	Sung	

(56) **References Cited**  
U.S. PATENT DOCUMENTS

D47,238 S	4/1915	Miller	
D347,519 S	6/1994	Worthington	
D351,058 S	10/1994	Hatfield et al.	
D364,498 S	11/1995	Teague	
D365,200 S	12/1995	Teague	
D384,196 S	9/1997	Hatfield	
D385,403 S	10/1997	Kuerbis	
D391,068 S	2/1998	Aveni et al.	
D393,353 S	4/1998	Lozano	
D395,945 S	7/1998	Manowiski	
D396,141 S	7/1998	Smith	
D398,771 S	9/1998	Doxey	
D405,950 S	2/1999	Lozano	
D413,196 S	8/1999	Hatfield	
D427,760 S	7/2000	Holmes	
D439,034 S	3/2001	Lozano	
D443,756 S	6/2001	McDowell	
D467,720 S *	12/2002	Patt .....	D2/972
D475,523 S	6/2003	McDowell	
D496,527 S *	9/2004	Roulo .....	D2/972
D509,350 S	9/2005	Holmes	
D513,849 S	1/2006	Hull	
D513,850 S	1/2006	Alfaro	
D515,302 S	2/2006	Gillespie	

**OTHER PUBLICATIONS**

Nike Footwear Catalog, Holiday 1995, p. 83, published Mar. 1995.

(Continued)

*Primary Examiner*—Dominic Simone  
(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

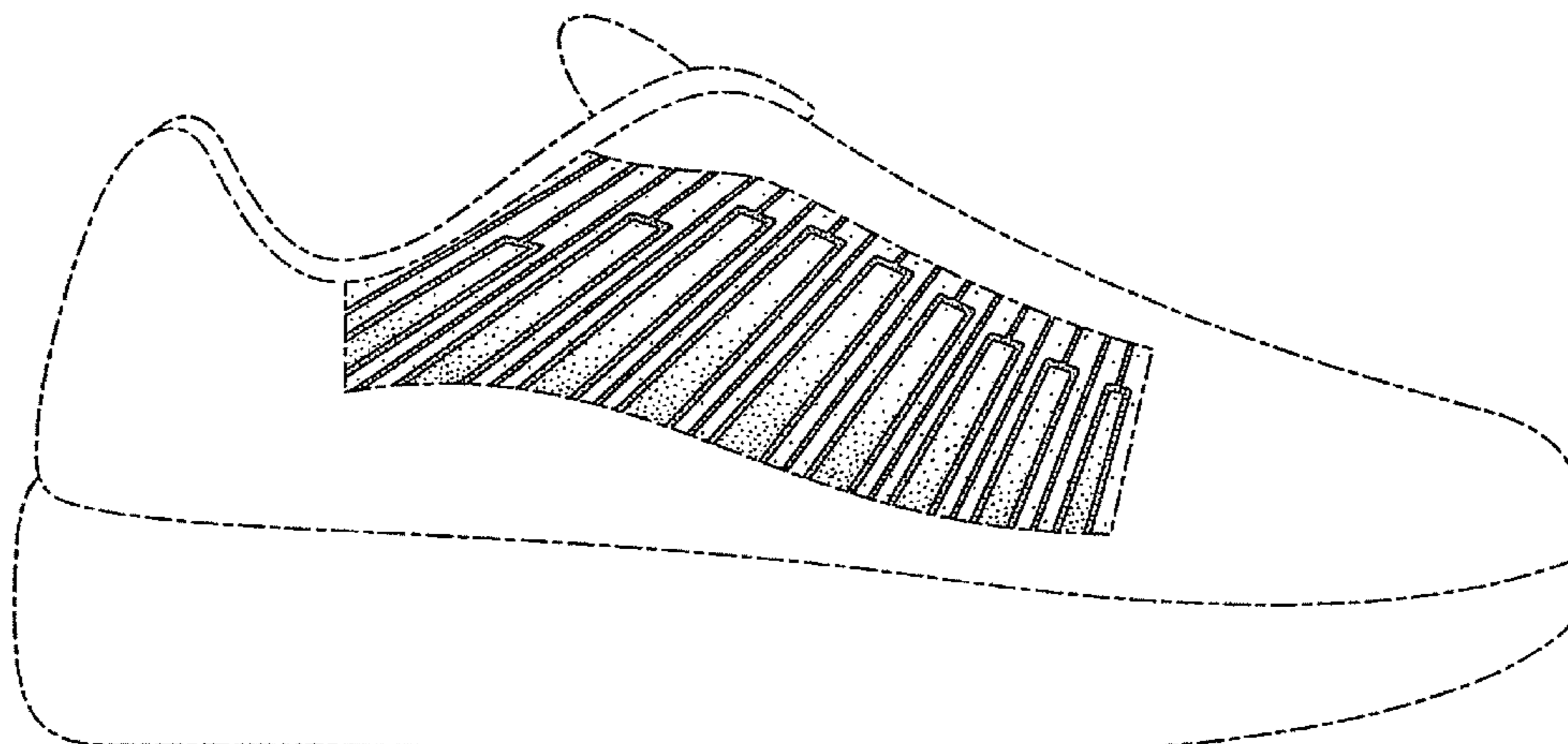
(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a front perspective view of a shoe showing my new design of a portion of a shoe upper;  
FIG. 2 is a rear perspective view thereof; and,  
FIG. 3 is a side elevational view of one side thereof.  
The broken lines immediately adjacent to the shaded areas in FIGS. 1-3 represent unclaimed boundaries of the design. The broken lines that depict the remainder of the shoe upper and the shoe sole in FIGS. 1-3 are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



OTHER PUBLICATIONS

Nike Footwear Catalog, Spring 1996, p. 131, published Jun. 1995.  
Nike Footwear Catalog, Fall 1996, p. 158, published Dec. 1995.  
Nike Footwear Catalog, Late Spring 1997, p. M38, published Sep. 1996.  
Nike Footwear Catalog, Spring 1998, p. M81, published Jun. 1997.  
Nike Footwear Catalog, Fall 1998, p. 31, published Dec. 1997.  
Nike Footwear Catalog, Holiday 1999, p. W10, published Mar. 1999.  
Nike Footwear Catalog, Fall 1999, pp. M9, M45 and W14, published Nov. 1998.  
Nike Footwear Catalog, Spring 2000 (#1-shoes), pp. W80 and M52, published Jul. 1999.

Nike Footwear Catalog, Holiday 2000, p. M38, published Mar. 2000.  
Nike Footwear Catalog, Holiday 2001, pp. M37 and W60, published Feb. 2001.  
Nike Footwear Catalog, Holiday 2002, pp. M83 and M43, published Mar. 2002.  
Nike Footwear Catalog, Late Spring 2003, p. W83, published Sep. 2002.  
Nike Footwear Catalog, Fall 2005, pp. W112 and W117, published Nov. 2004.  
Nike Footwear Catalog, Holiday 2006, p. W133, published Mar. 2006.

\* cited by examiner

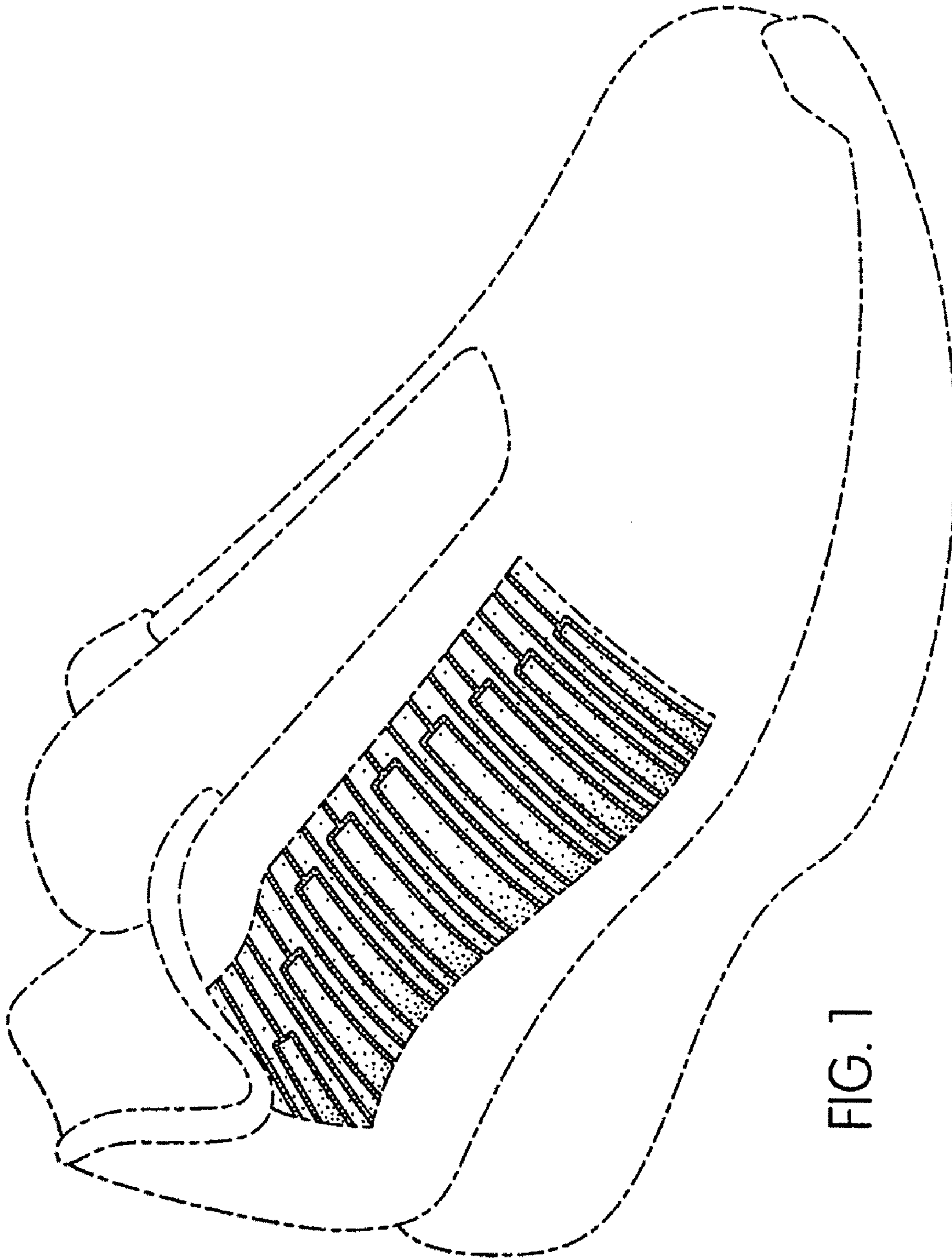


FIG. 1

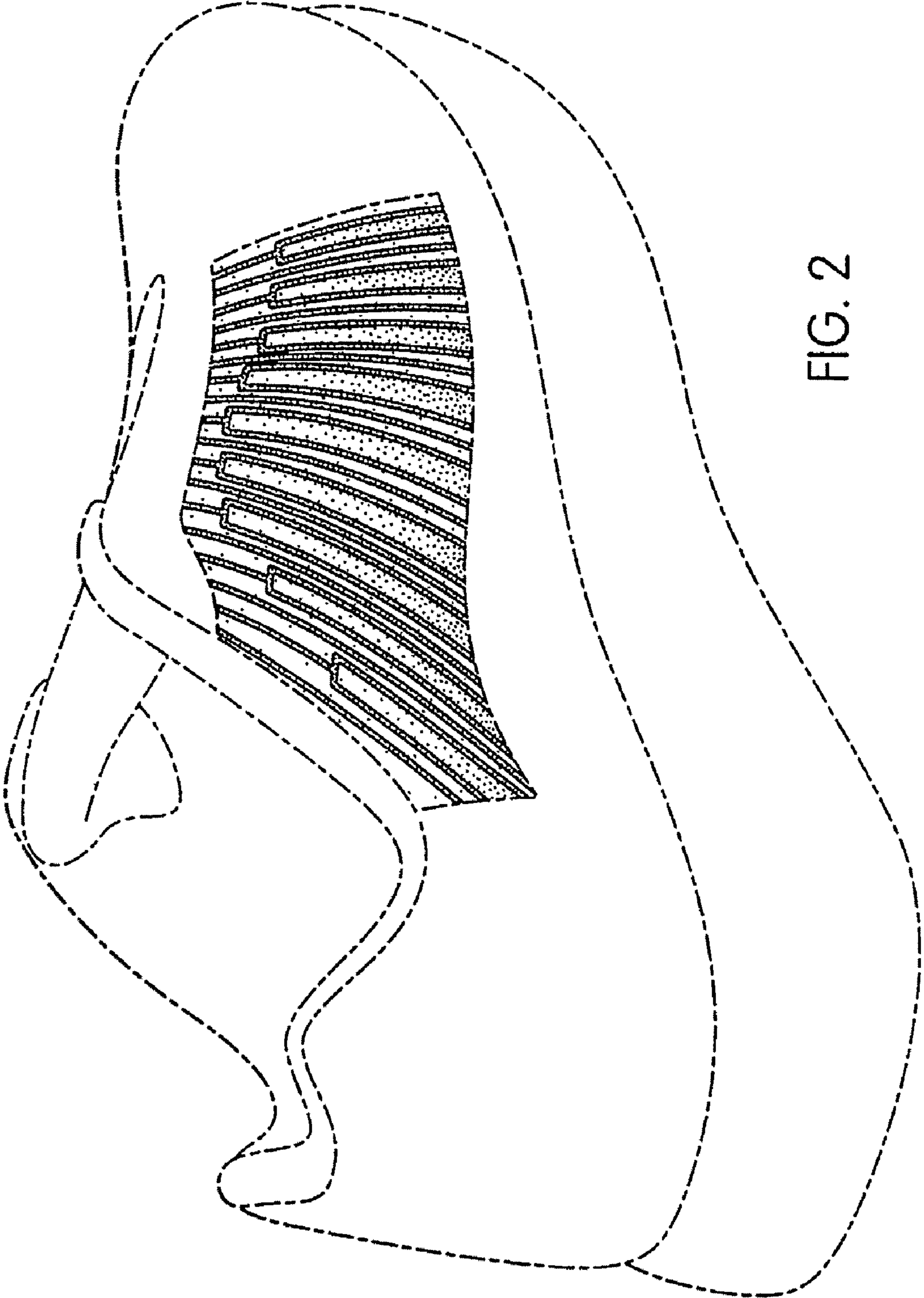


FIG. 2

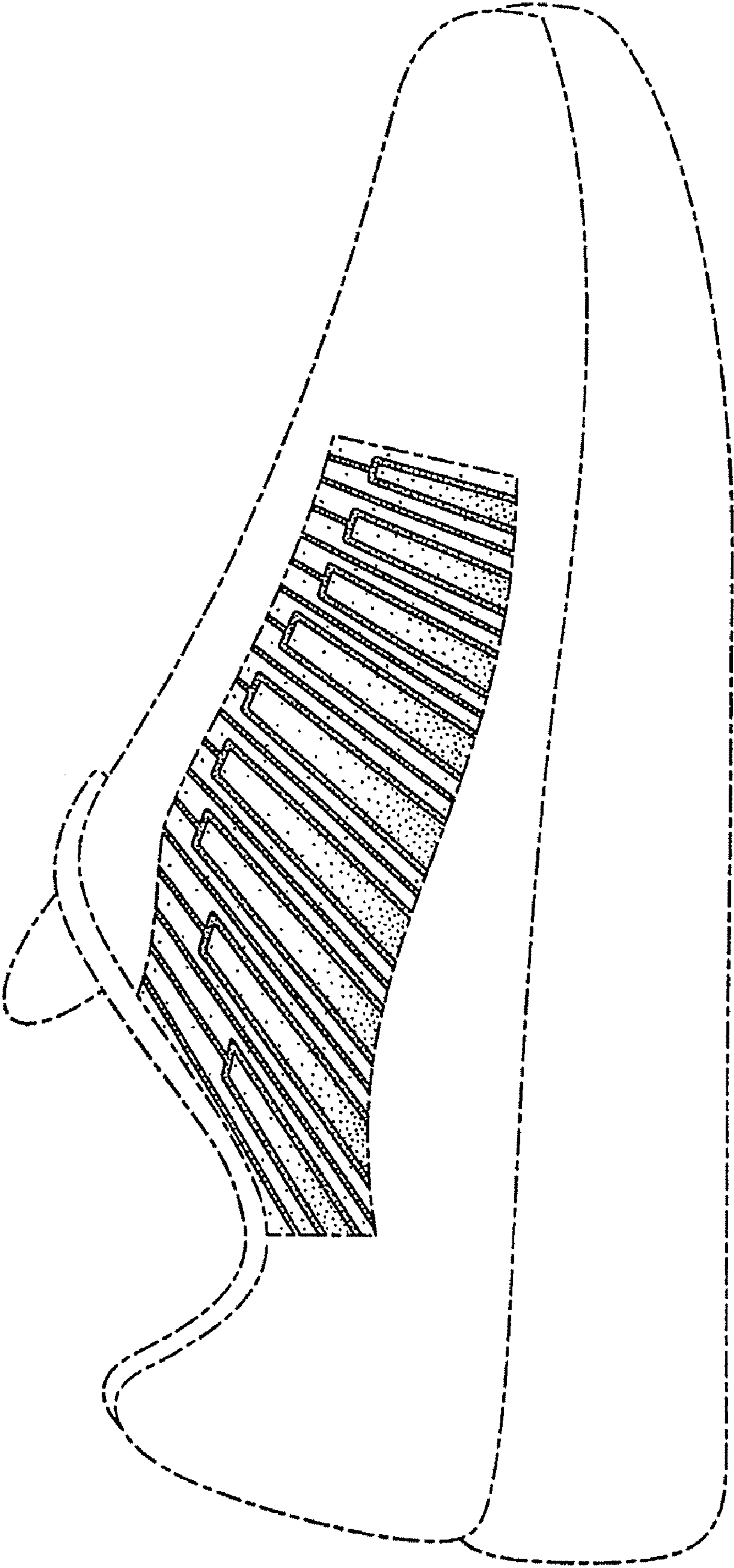


FIG. 3