



US00D545047S

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

(10) **Patent No.:** **US D545,047 S**
(45) **Date of Patent:** **** Jun. 26, 2007**

(54) **PORTION OF A SHOE UPPER**
(75) Inventor: **William J. Cass**, Portland, OR (US)
(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
(**) Term: **14 Years**
(21) Appl. No.: **29/276,978**
(22) Filed: **Feb. 9, 2007**

D499,245 S 12/2004 Wahoske
D514,298 S 2/2006 Le
D522,727 S 6/2006 Chen
D522,736 S 6/2006 Teague
D522,738 S 6/2006 Wozniak
D526,773 S * 8/2006 Caine D2/972
D526,774 S 8/2006 Dirsra
D527,888 S * 9/2006 Link D2/972
D528,282 S * 9/2006 Lee D2/972
D528,760 S * 9/2006 Wilken D2/972
D528,775 S * 9/2006 Teague D2/972
D531,397 S * 11/2006 Smith D2/972
D537,613 S * 3/2007 Caine D2/969

(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.

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

D273,437 S 4/1984 Kohno
D276,569 S 12/1984 Kohno
D281,457 S 11/1985 Po
D284,043 S 6/1986 Lowe, Jr. et al.
D287,063 S 12/1986 Kohno
4,670,998 A 6/1987 Pasternak
D294,998 S * 4/1988 Brown et al. D2/973
D295,689 S 5/1988 Diaz et al.
D295,916 S 5/1988 Selbiger
D297,070 S 8/1988 Selbiger
D297,781 S 9/1988 Diaz et al.
D302,898 S * 8/1989 Greenberg D2/969
D304,388 S 11/1989 Brown
D310,442 S 9/1990 Hatfield
D312,527 S 12/1990 Hatfield
D313,304 S * 1/1991 Quan et al. D2/973
D333,379 S 2/1993 Tonkel et al.
D335,388 S 5/1993 Hatfield et al.
D365,198 S 12/1995 Worthington
D370,118 S 5/1996 Avar
D391,052 S 2/1998 Selbiger
D406,452 S 3/1999 Fogg
D408,986 S * 5/1999 Gray et al. D2/972
D474,006 S 5/2003 Schroeder et al.
D493,028 S 7/2004 Len

OTHER PUBLICATIONS

Nike Footwear Catalog Spring 1990, published Jun. 1989, pp. 8 and 118.
Nike Footwear Catalog Fall 1991, published Dec. 1990, pp. 72 and 82.
Nike Footwear Catalog Spring 1992, published May 1991, pp. 36, 38, 100 and 122.
Nike Footwear Catalog Fall 1992, published Dec. 1991, p. 136.

(Continued)

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

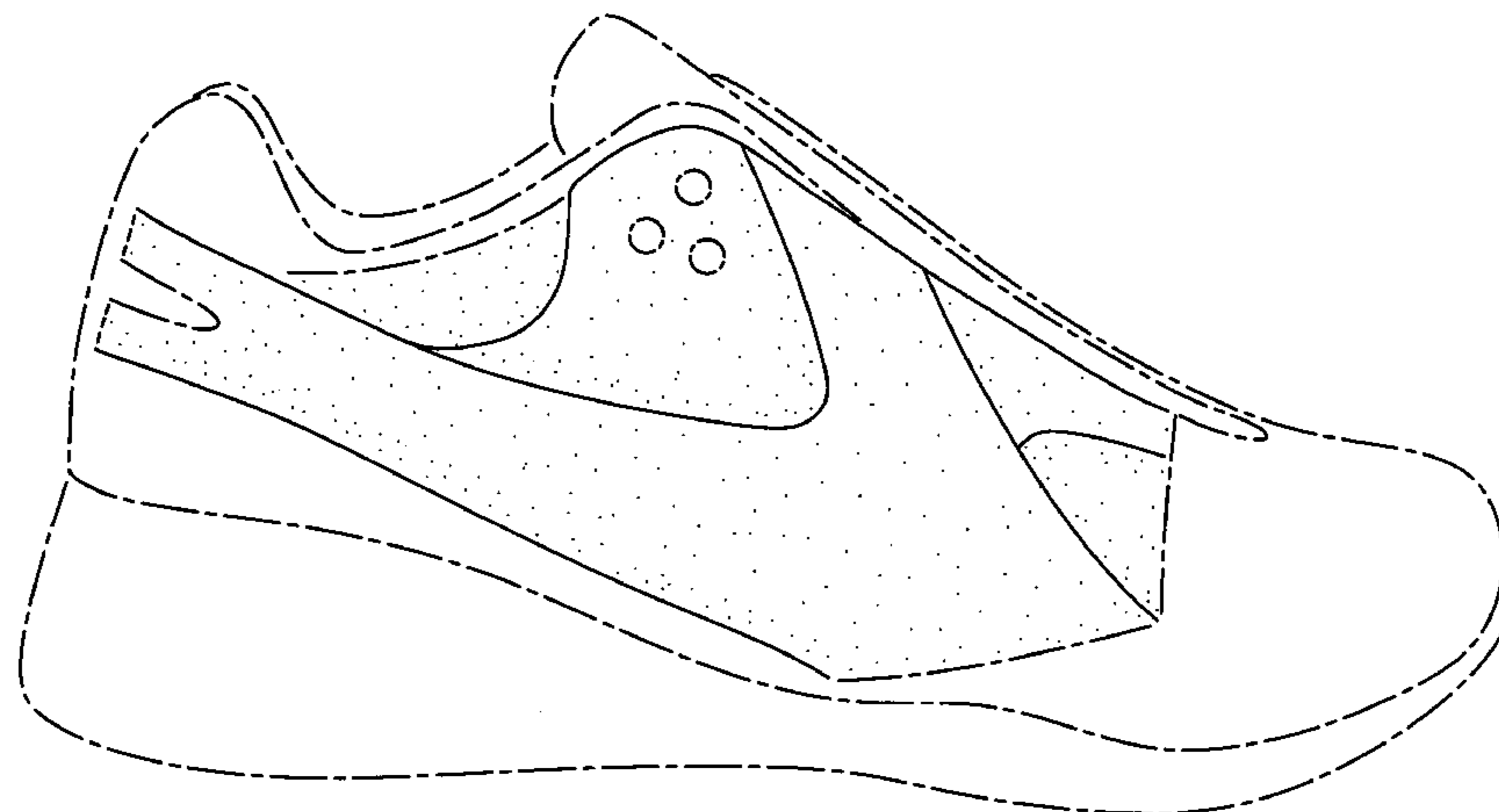
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front perspective view of a portion of a shoe upper showing my new design.
FIG. 2 is a side view thereof; and,
FIG. 3 is a rear perspective view thereof.
The broken lines immediately adjacent to the shaded areas represent unclaimed boundaries of the design. The broken line circles represent unclaimed eyelets. The uneven broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 3 Drawing Sheets



OTHER PUBLICATIONS

Nike Footwear Catalog Holiday 1993, published Mar. 1993, p. 18.
Nike Footwear Catalog Spring 1994, published Jun. 1993, p. 120.
Nike Footwear Catalog Holiday 1994, published Mar. 1994, pp. 70 and 72.
Nike Footwear Catalog Late Spring 1995, published Sep. 1994, p. 33.
Nike Footwear Catalog Fall 1996, published Dec. 1995, pp. 70 and 71.
Nike Footwear Catalog Holiday 1996, published Mar. 1996, p. 85.
Nike Footwear Catalog Spring 1999, published Jun. 1998, p. W145.
Nike Footwear Catalog Fall 1999, published Nov. 1998, p. M51.

Nike Footwear Catalog Holiday 1999, published Mar. 1999, p. W147.
Nike Footwear Catalog Spring 2001, published Jun. 2000, p. 145.
Nike Footwear Catalog Late Spring 2001, published Sep. 2000, pp. W42 and M122.
Nike Footwear Catalog Spring 2007, published Jun. 2006, p. 23.
Nike Footwear Catalog Fall 2007 Jordan, published Nov. 2006, pp. 8 and 12.
Nike Footwear Catalog Spring 2006, published Jun. 2005, p. 201.
U.S. Appl. No. 29/276,938, titled "Portion of A Shoe Upper," filed Feb. 9, 2007.

* cited by examiner

FIG. 1

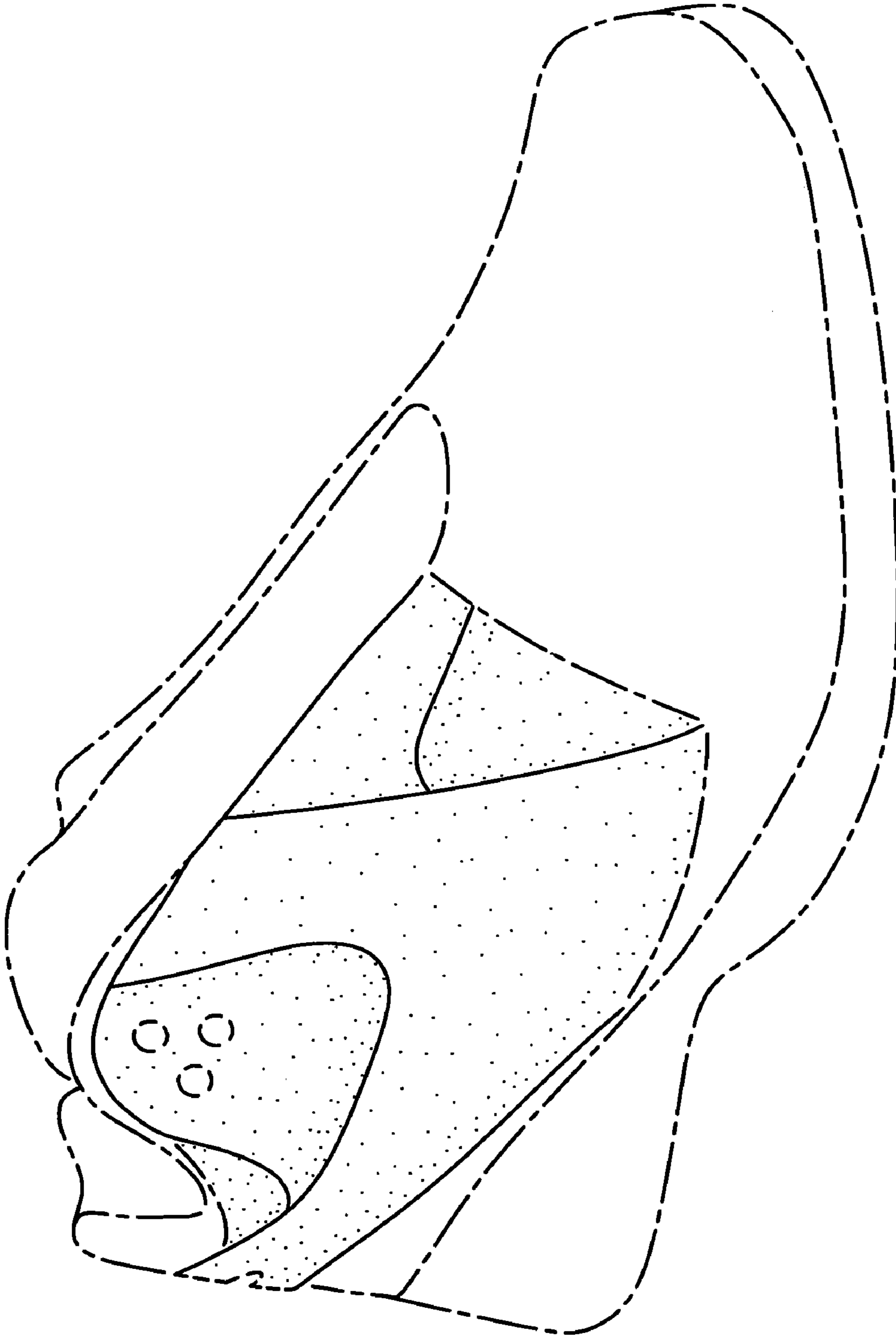


FIG. 2

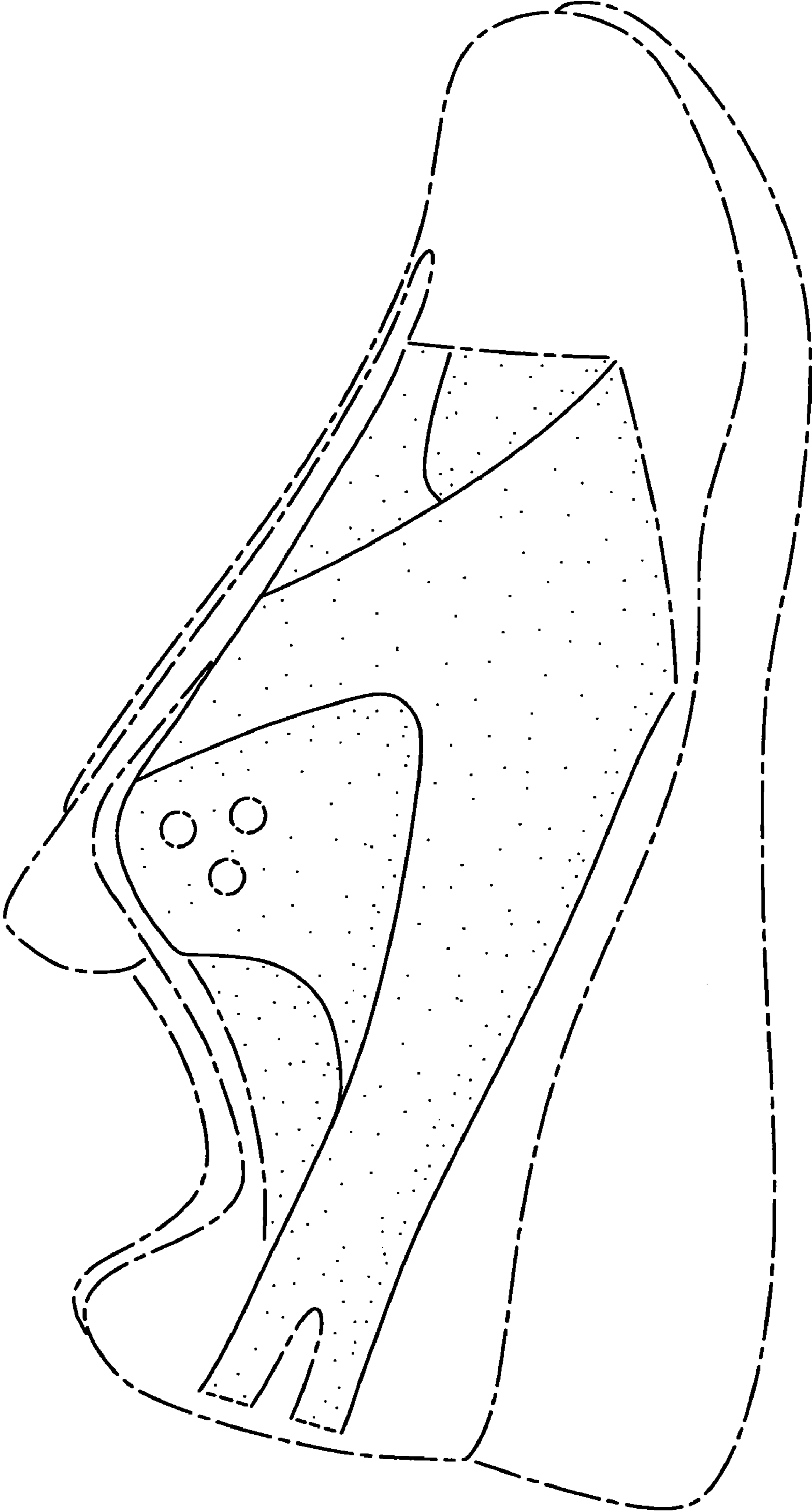


FIG. 3

