

US00D545559S

(12) **United States Design Patent**  
**Roulo et al.**

(10) **Patent No.:** **US D545,559 S**  
(45) **Date of Patent:** **\*\* Jul. 3, 2007**

- (54) **PORTION OF A SHOE UPPER**
- (75) Inventors: **David Roulo**, Hillsboro, OR (US);  
**Kenneth Link**, Portland, OR (US)
- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **14 Years**
- (21) Appl. No.: **29/277,041**
- (22) Filed: **Feb. 12, 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.

- D393,353 S 4/1998 Lozano
- D393,360 S 4/1998 Aveni et al.
- D393,361 S 4/1998 Rask
- D394,743 S 6/1998 Koh
- D396,141 S 7/1998 Smith, III
- D397,855 S 9/1998 Clarke
- D404,554 S 1/1999 Kelchak
- D406,690 S 3/1999 Vestuti
- D409,364 S 5/1999 Wilson
- D409,366 S 5/1999 Duggan
- D413,196 S 8/1999 Hatfield
- D419,756 S 2/2000 Edwards
- 6,029,376 A 2/2000 Cass
- D431,713 S 10/2000 Wilson

(Continued)

**OTHER PUBLICATIONS**

Nike Footwear Catalog, Spring 1985—Freestyle, pp. 14 and 32, published 1985.

(Continued)

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

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

- D220,464 S 4/1971 Hayashi
- D248,513 S 7/1978 Soler
- D272,012 S 1/1984 Trevisani
- D306,370 S 3/1990 Selbiger et al.
- D324,129 S 2/1992 Hatfield
- D345,246 S 3/1994 Greene
- D346,272 S 4/1994 Cessor
- D347,317 S 5/1994 Avar
- D349,807 S 8/1994 Hatfield et al.
- D351,275 S 10/1994 Hatfield et al.
- D361,884 S 9/1995 Lozano
- D361,885 S 9/1995 Hatfield
- D370,994 S 6/1996 Avar
- D371,898 S 7/1996 Hatfield
- D374,551 S 10/1996 Hatfield
- D380,077 S 6/1997 Preskar et al.
- D382,695 S 8/1997 Teague
- D382,696 S 8/1997 Lozano
- D383,596 S 9/1997 Hatfield
- D385,409 S 10/1997 Smith, III
- D386,597 S 11/1997 Avar
- D388,598 S 1/1998 Hatfield
- D391,066 S 2/1998 Smith, III
- D392,456 S 3/1998 Yun

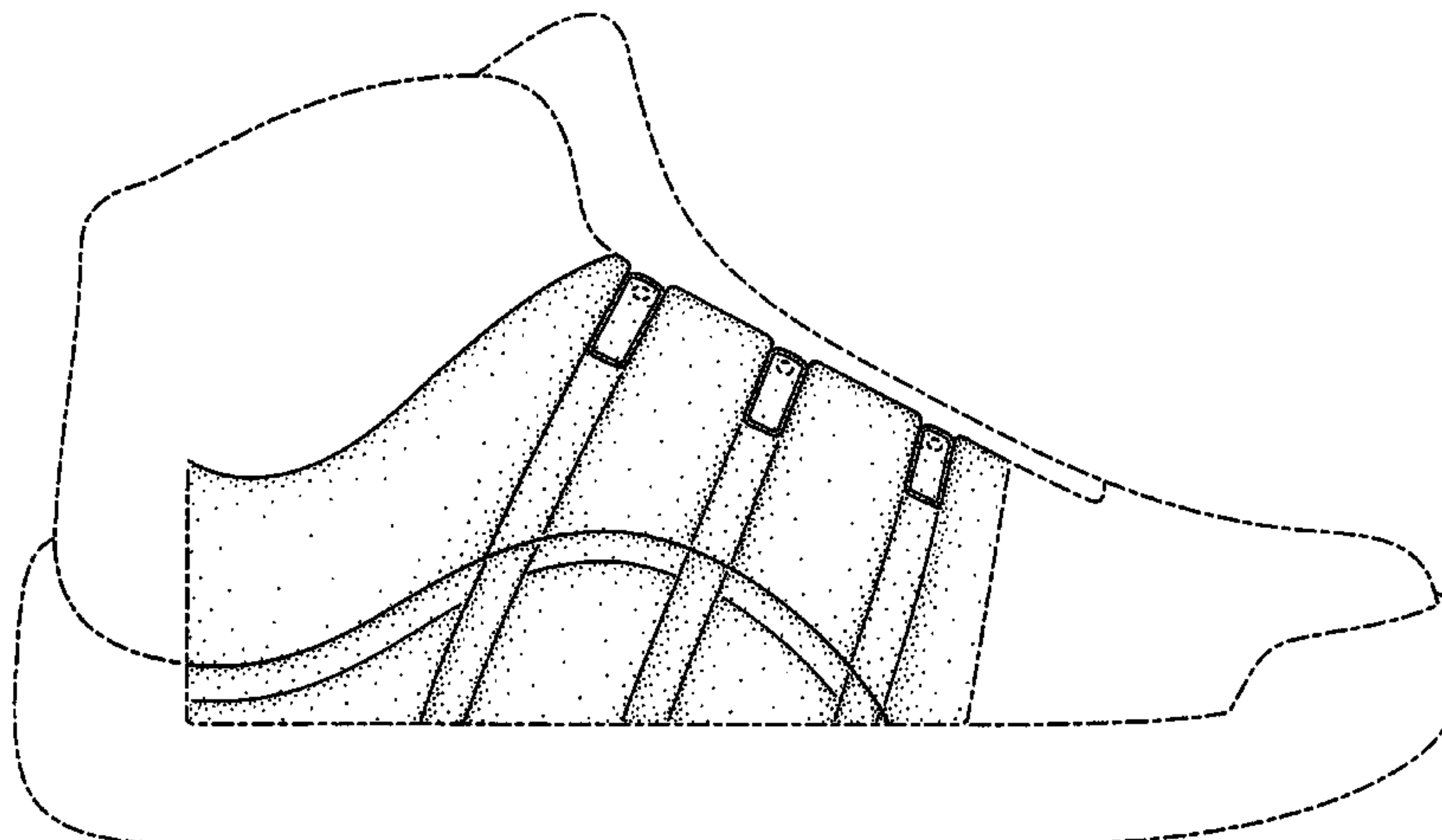
(57) **CLAIM**

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 our new design;  
FIG. 2 is a rear perspective view thereof; and,  
FIG. 3 is a side elevational view thereof.  
The uneven broken lines immediately adjacent to the shaded areas 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, 3 Drawing Sheets**



U.S. PATENT DOCUMENTS

D431,899 S	10/2000	Cooper	
D434,213 S	11/2000	Smith	
D444,938 S	7/2001	Smith	
D447,857 S	9/2001	Januszewski	
D448,550 S	10/2001	Yang	
D449,426 S	10/2001	Pollastrelli	
D450,438 S	11/2001	Dolan	
D452,608 S	1/2002	McDowell	
D467,412 S	12/2002	Morris	
D467,413 S	12/2002	Rogers	
D475,520 S	* 6/2003	Avar .....	D2/972
D476,473 S	7/2003	Clegg	
D487,960 S	4/2004	Bandini et al.	
D496,527 S	9/2004	Roulo	
D498,355 S	11/2004	Fullum	
D503,518 S	4/2005	Della Valle	
D504,009 S	4/2005	Matis et al.	
D509,053 S	9/2005	Chang	
D512,476 S	12/2005	Howard	
D516,287 S	3/2006	Fontanarosa	
D516,288 S	3/2006	Link	
D522,737 S	* 6/2006	Jonsson .....	D2/972
D523,626 S	6/2006	Mueller	
D528,278 S	9/2006	Hui	
D528,279 S	9/2006	Smith, III	
D528,281 S	* 9/2006	Mermet .....	D2/972
D528,764 S	9/2006	Clancy	
D528,773 S	9/2006	Henderson	
D529,273 S	10/2006	Lotti	
D532,965 S	12/2006	Huthmaker	
D533,709 S	* 12/2006	Link .....	D2/972
D533,990 S	12/2006	Mueller	
D535,463 S	* 1/2007	Matis et al. ....	D2/969
D536,865 S	* 2/2007	Holmes .....	D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog, Spring 1988, p. 18, published Jun. 1987.  
 Nike Footwear Catalog, Late Spring 1994, p. 36, published Sep. 1993.  
 Nike Footwear Catalog, Fall 1994, p. 106, published Nov. 1993.

Nike Footwear Catalog, Holiday 1995, p. 83, published Mar. 1995.  
 Nike Footwear Catalog, Holiday 1997, p. 191, published Mar. 1997.  
 Nike Footwear Catalog, Spring 1999, p. W64, published Jun. 1998.  
 Nike Footwear Catalog, Spring 2002 #2, p. W8, published Jul. 1999.  
 Nike Footwear Catalog, Fall 2002, p. M3, published Nov. 2002.  
 Nike Footwear Catalog, Late Spring 1994, p. 34, published Sep. 1993.  
 Nike Footwear Catalog, Fall 1994, p. 144, published Nov. 1993.  
 Nike Footwear Catalog, Holiday 1995, p. 5, published Mar. 1995.  
 Nike Footwear Catalog, Spring 1996, pp. 10, and 26, published Jun. 1995.  
 Nike Footwear Catalog, Fall 1996, p. 33, published Dec. 1995.  
 Nike Footwear Catalog, Late Spring 1998, pp. 14 and 213, published Sep. 1997.  
 Nike Footwear Catalog, Fall 1997, p. 144, published Dec. 1996.  
 Nike Footwear Catalog, Spring 1999, p. W31, published Jun. 1998.  
 Nike Footwear Catalog, Fall 1999, p. W54, published Nov. 1998.  
 Nike Footwear Catalog, Spring 2000 (#2—Feet), pp. 9 and W12, published Jul. 1999.  
 Nike Footwear Catalog, Spring 2001, p. W12, published Jun. 2000.  
 Nike Footwear Catalog, Fall 2002, pp. W25 and M36, published Nov. 2001.  
 Nike Footwear Catalog, Holiday 2002, p. M14, published Mar. 2002.  
 Nike Footwear Catalog, Spring 2003, pp. W22 and M30, published Jun. 2002.  
 Nike Footwear Catalog, Late Spring 2003, pp. M4, W7, W15 and W16, published Sep. 2002.  
 Nike Footwear Catalog, Spring 2004, pp. M8 and M81, published Jun. 2003.  
 Nike Footwear Catalog, Holiday 2004, pp. W5 and W65, published Mar. 2004.  
 Nike Footwear Catalog, Spring 2005, p. M4, published Jun. 2004.  
 Nike Footwear Catalog, Fall 2005, pp. W112 and W173, published Nov. 2004.  
 Nike Footwear Catalog, Holiday 2005, pp. M13 and M31, published Mar. 2005.  
 Nike Footwear Catalog, Holiday 2006, p. 121, published Mar. 2006.  
 Nike Footwear Catalog, Spring 2007, pp. 115 and 116, published Sep. 2006.

\* cited by examiner

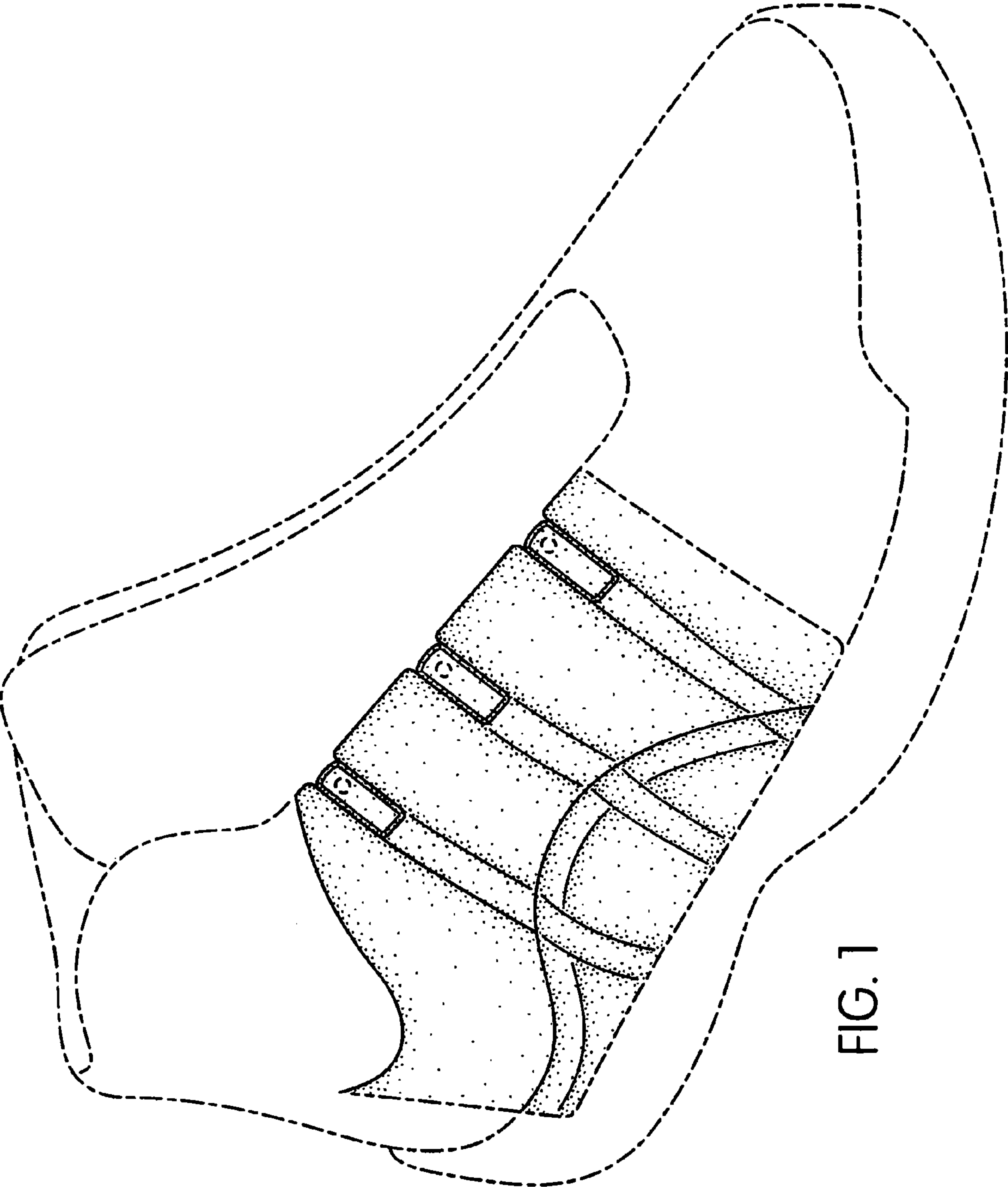


FIG. 1



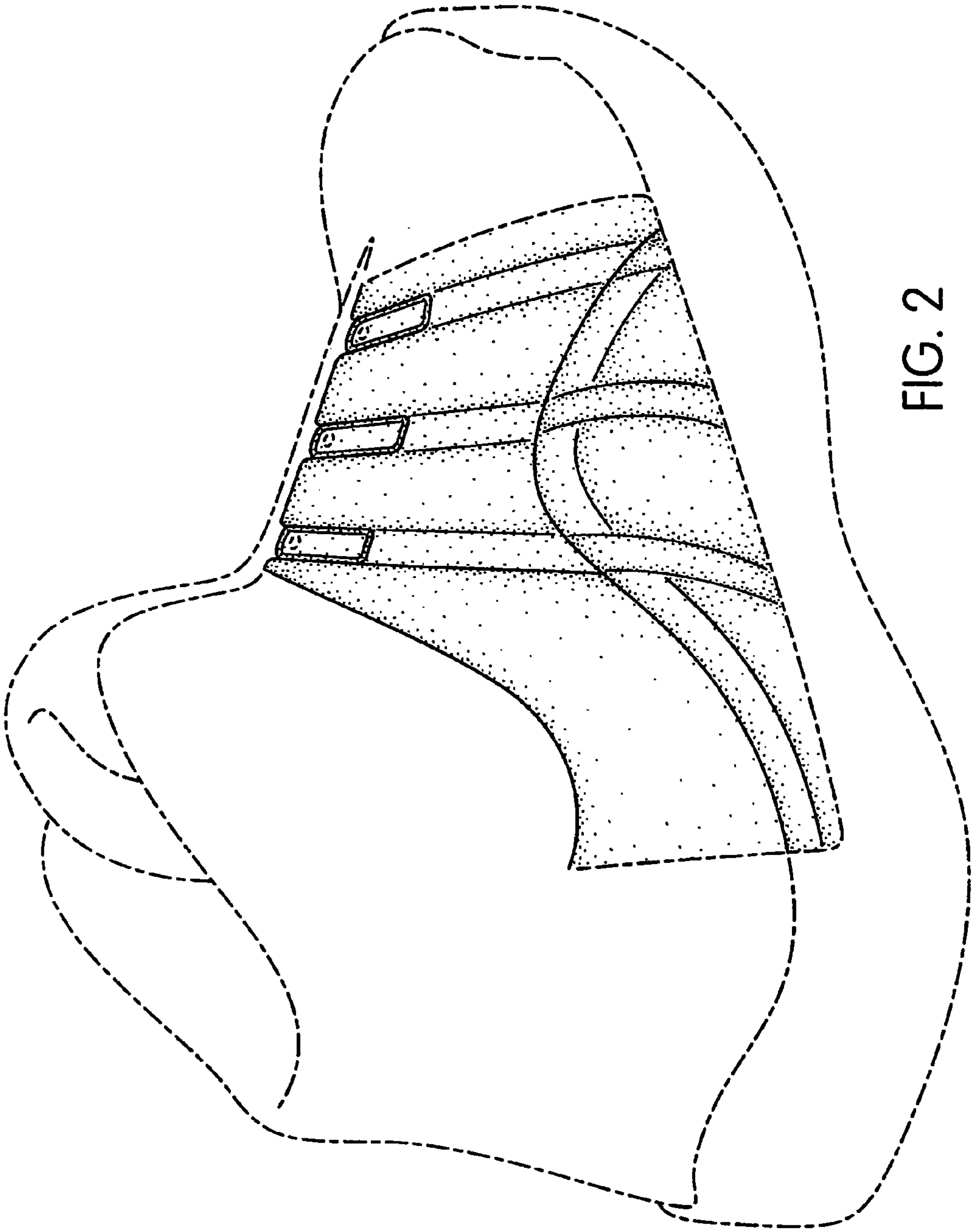


FIG. 2

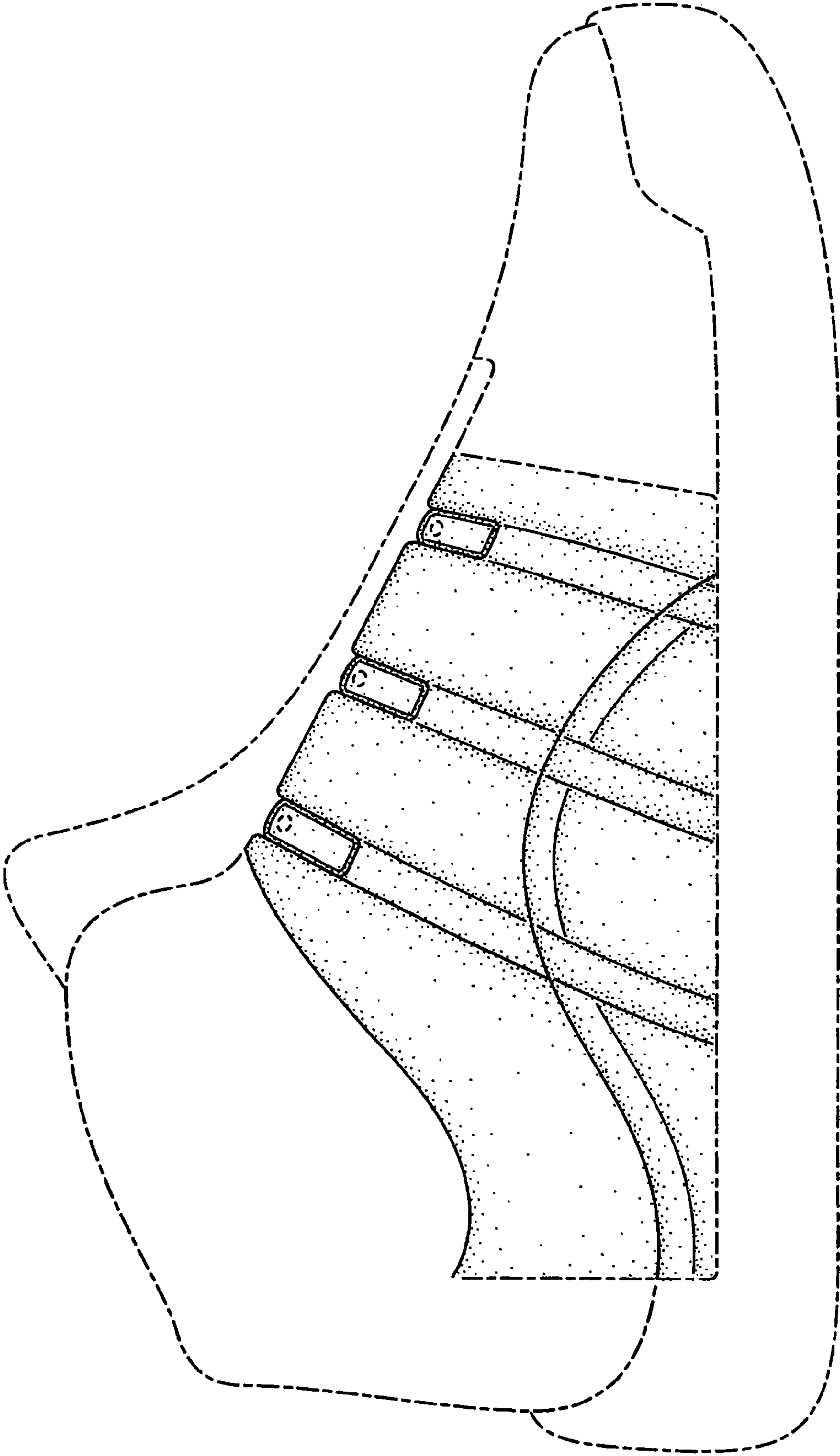


FIG. 3