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

(10) **Patent No.:** **US D546,540 S**

(45) **Date of Patent:** **** Jul. 17, 2007**

- (54) **PORTION OF A SHOE UPPER**
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- (73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**

- D473,369 S 4/2003 Link
- D487,337 S 3/2004 Rogers
- D491,347 S 6/2004 Cooper
- D499,250 S * 12/2004 Smith D2/972
- D499,874 S * 12/2004 Panariello, Jr. D2/972
- D500,195 S 12/2004 Matis
- D501,072 S 1/2005 Matis et al.

(21) Appl. No.: **29/276,091**

(Continued)

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OTHER PUBLICATIONS

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

(52) **U.S. Cl.** **D2/972**

(58) **Field of Classification Search** D2/902,
D2/905-908, 943, 944, 946, 969, 972-974;
36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114,
36/126-131

Nike Footwear Catalog, Summer 2007, pp. M5 M6, M18, M20 and B207, published Sep. 2006.
 Nike Footwear Catalog, Fall 2004, p. M35, published Nov. 2003.
 Nike Footwear Catalog, Spring 2002, p. M26, published Jun. 2001.
 Nike Footwear Catalog, Holiday 1999, p. M42, published Mar. 1999.

See application file for complete search history.

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

(56) **References Cited**

(57) **CLAIM**

U.S. PATENT DOCUMENTS

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

- D194,833 S 3/1963 Pool
- 4,255,876 A 3/1981 Johnson
- 4,327,503 A 5/1982 Johnson
- D278,281 S 4/1985 Dreir et al.
- D283,463 S 4/1986 Chassaing
- D284,039 S 6/1986 Yoshitake
- D284,043 S 6/1986 Lowe, Jr. et al.
- D296,611 S 7/1988 Brown et al.
- D335,386 S 5/1993 Greene
- D337,649 S 7/1993 Greene
- D343,722 S 2/1994 Lucas
- D401,756 S 12/1998 Avar
- D413,013 S 8/1999 Koh
- D413,720 S 9/1999 Smith, III
- D414,599 S 10/1999 Doxey
- D420,212 S 2/2000 Duclos et al.
- D420,505 S * 2/2000 Lupo D2/972
- D437,478 S 2/2001 Cadet
- D447,617 S * 9/2001 Matis et al. D2/969
- D467,410 S 12/2002 Mervar

DESCRIPTION

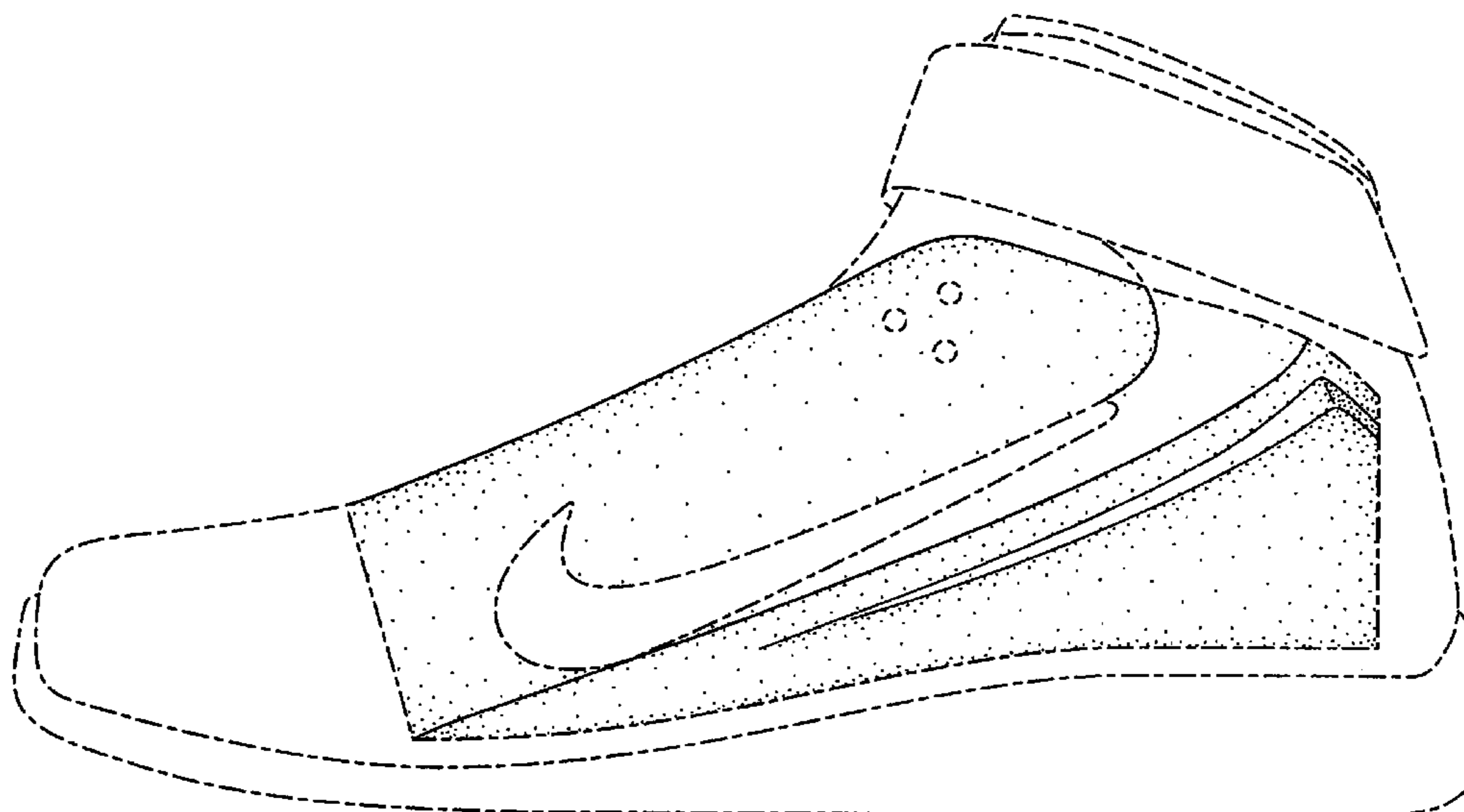
FIG. 1 is a perspective view of a portion of a shoe upper showing my new design;

FIG. 2 is a second perspective view thereof; and,

FIG. 3 is a side view thereof.

The even broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken line showing of three circular regions and the swoosh-shaped region within the shaded area are for illustrative purposes only and form no part of the claimed design. 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



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U.S. PATENT DOCUMENTS

D502,799 S	3/2005	Matis et al.		
D503,523 S	4/2005	Matis et al.		
D503,526 S	4/2005	Matis et al.		
D505,254 S	5/2005	Link		
D512,211 S	* 12/2005	Wozniak	D2/972	
D512,826 S	12/2005	Hatfield		
D513,554 S	1/2006	Matis et al.		
D514,297 S	2/2006	Matis et al.		
D519,269 S	4/2006	Matis et al.		
D519,720 S	* 5/2006	Lin	D2/907	
D523,615 S	6/2006	Burg		
D524,032 S	7/2006	Edwards		
D524,534 S	7/2006	Edwards		
D528,278 S	* 9/2006	Hui	D2/972	
D528,767 S	* 9/2006	Link	D2/972	
D531,398 S	* 11/2006	Petrie	D2/973	
D539,026 S	* 3/2007	DiTullo, Jr.	D2/972	

* cited by examiner



FIG. 1

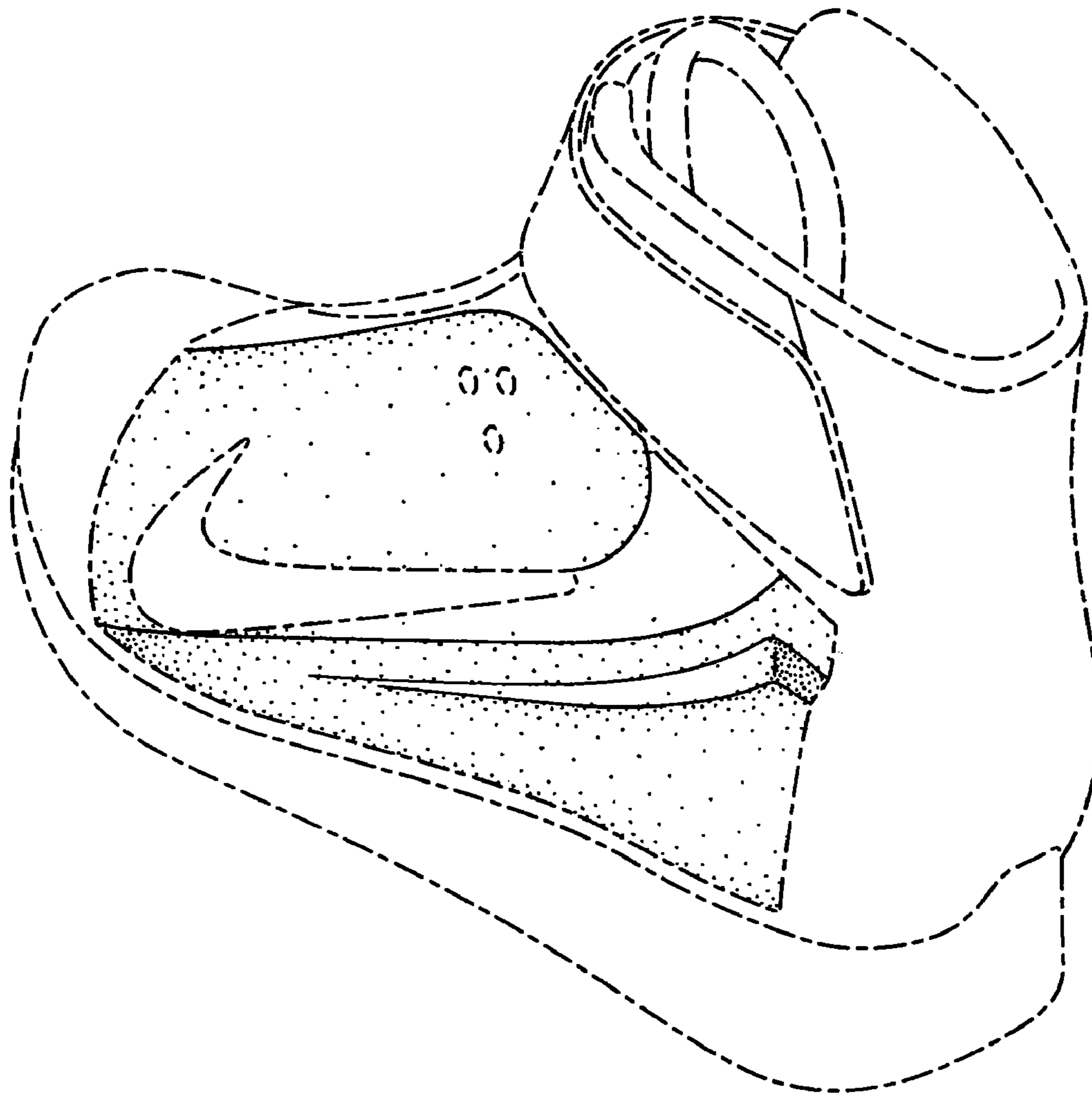


FIG. 2

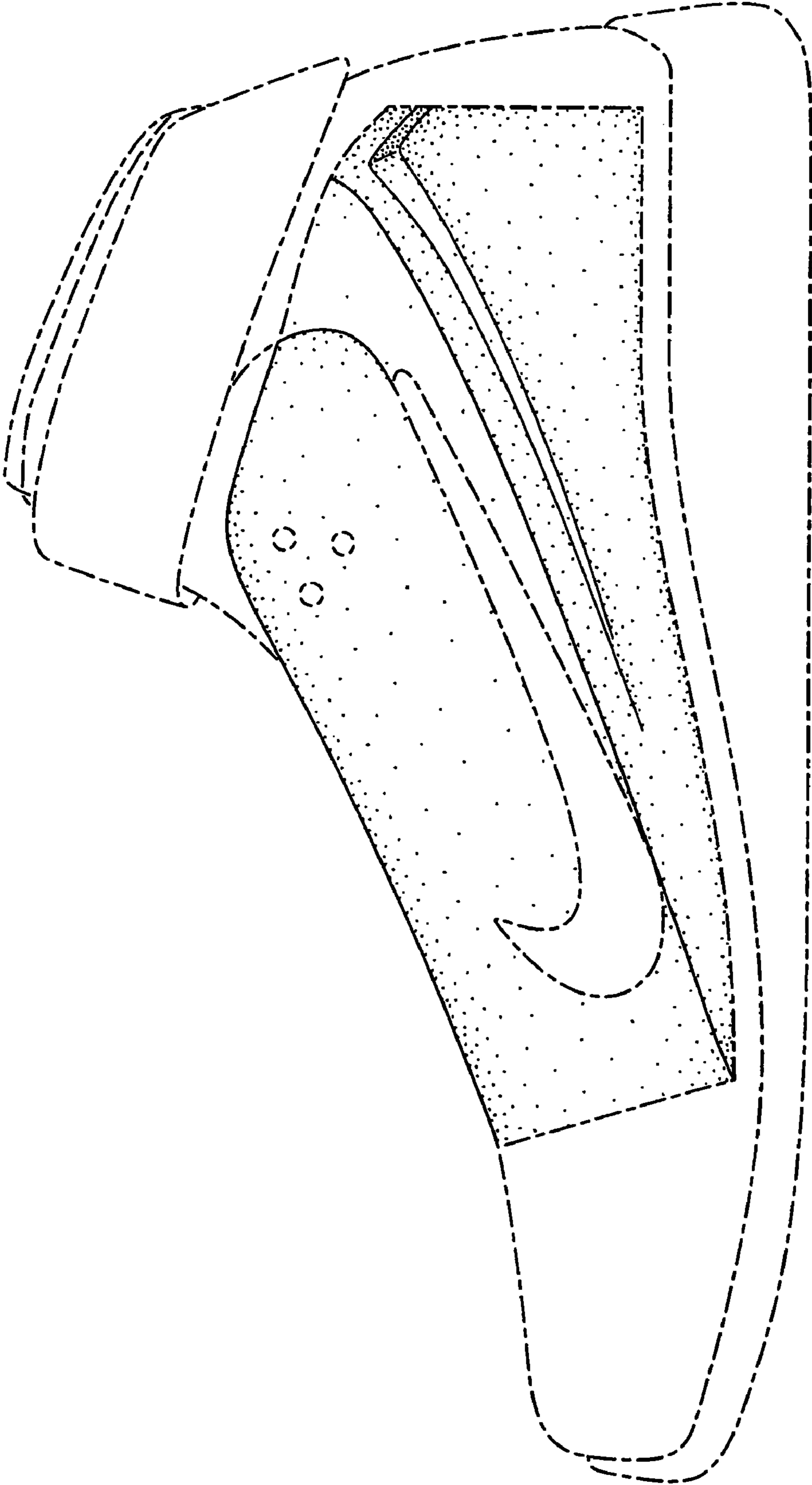


FIG. 3