

US00D548451S

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

(10) **Patent No.:** **US D548,451 S**

(45) **Date of Patent:** **\*\* Aug. 14, 2007**

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

(75) Inventor: **Nicole Mueller**, Portland, OR (US)

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

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

(21) Appl. No.: **29/279,697**

(22) Filed: **May 4, 2007**

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

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

(58) **Field of Classification Search** ..... D2/902,  
D2/906-908, 944, 969, 972-974; 36/45,  
36/50.1, 77 M, 77 R, 88, 113, 114, 126-134

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D94,437 S	1/1935	Napier	
D96,667 S	8/1935	Horn	
3,138,880 A	6/1964	Kunzli	
3,224,117 A	12/1965	Dassler	
D220,464 S	4/1971	Hayashi	
4,314,413 A	2/1982	Dassler	
D272,012 S	1/1984	Trevisani	
4,651,447 A	3/1987	Sullivan	
4,756,098 A	7/1988	Boggia	
4,949,476 A	8/1990	Anderie	
5,459,947 A	10/1995	Lasher	
D380,077 S	6/1997	Preskar et al.	
D402,454 S *	12/1998	Kelchak	D2/969
D416,126 S	11/1999	Jimenez	
D432,773 S	10/2000	Debiase	
D449,426 S *	10/2001	Pollastrelli	D2/908
D473,045 S	4/2003	Nason	
D487,965 S	4/2004	Hardy	
D519,273 S	4/2006	Costantini	
D522,224 S	6/2006	Costantini	
D523,219 S	6/2006	Borje	
D524,533 S	7/2006	Paz	

D528,766 S *	9/2006	Savage	D2/972
D532,965 S *	12/2006	Huthmaker	D2/972
D533,990 S	12/2006	Mueller	
D534,343 S	1/2007	Rasmussen	

OTHER PUBLICATIONS

Nike Footwear Catalog (HO 01), p. 13, published Feb. 2001, Beaverton, Oregon, USA.  
Nike Footwear Catalog (SP 02), p. 13, published Jun. 2001, Beaverton, Oregon, USA.

(Continued)

Primary Examiner—Dominic Simone

(74) Attorney, Agent, or Firm—TraskBritt, P.C.

(57) **CLAIM**

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

**DESCRIPTION**

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

FIG. 2 is a side of the portion of a shoe upper shown in FIG. 1;

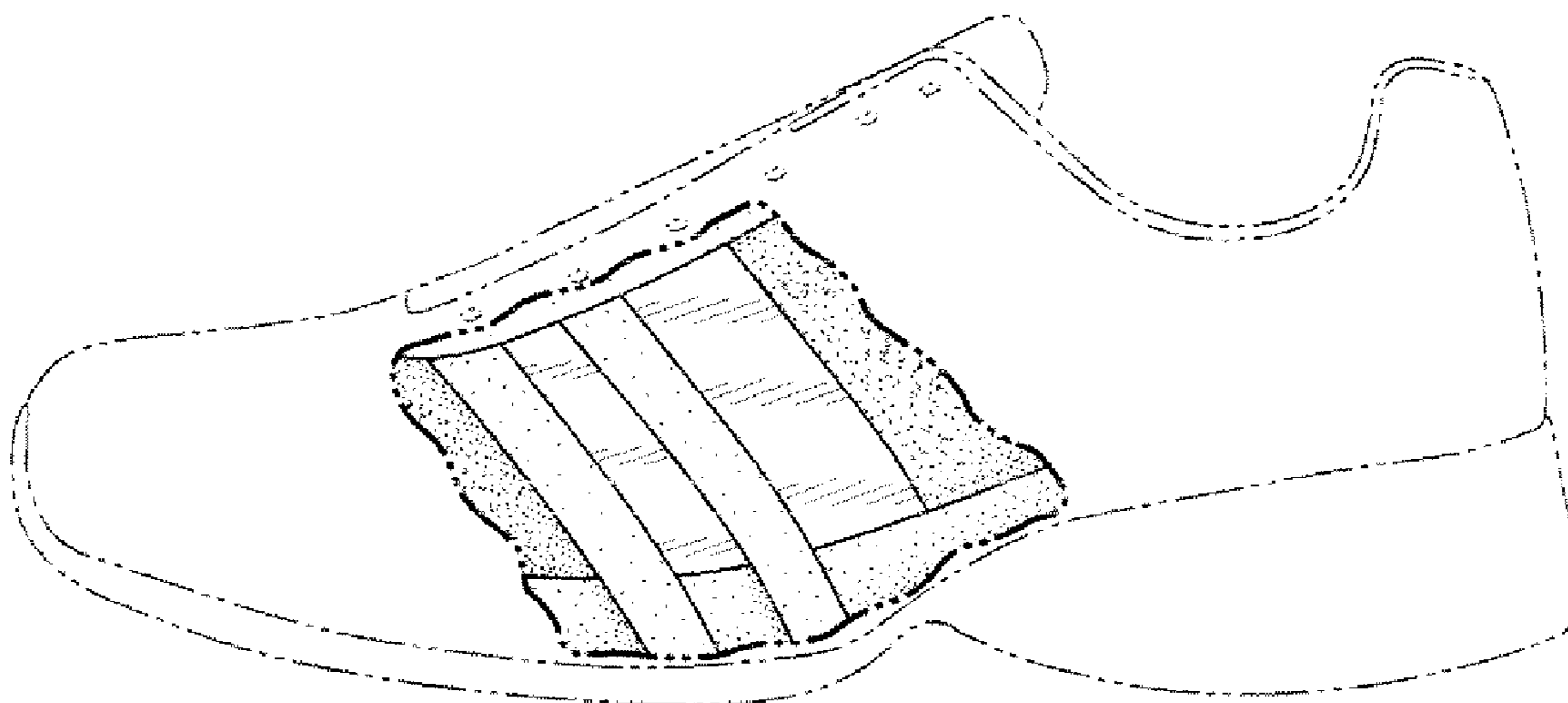
FIG. 3 is a front view of the portion of a shoe upper shown in FIG. 1;

FIG. 4 is a rear view of the portion of a shoe upper shown in FIG. 1; and,

FIG. 5 is a top view of the portion of a shoe upper shown in FIG. 1.

The uneven broken line immediately adjacent to the shaded area represent the bounds of the claimed design, All other uneven broken lines represent the remaining portion of the shoe. The uneven broken line representations in FIGS. 1-5 are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



OTHER PUBLICATIONS

Nike Footwear Catalog (HO 03), p. 16, published Mar. 2003, Beaverton, Oregon, USA.

Nike Footwear Catalog (FA 05), pp. 59, 69, 136, published Nov. 2004, Beaverton, Oregon, USA.

Nike Footwear Catalog (LS 06), pp. 8, 115, 133, published Sep. 2005, Beaverton, Oregon, USA.

Nike Footwear Catalog (FA 06), pp. 56, 59, 72, 137, 143, 151, published Nov. 2005, Beaverton, Oregon, USA.

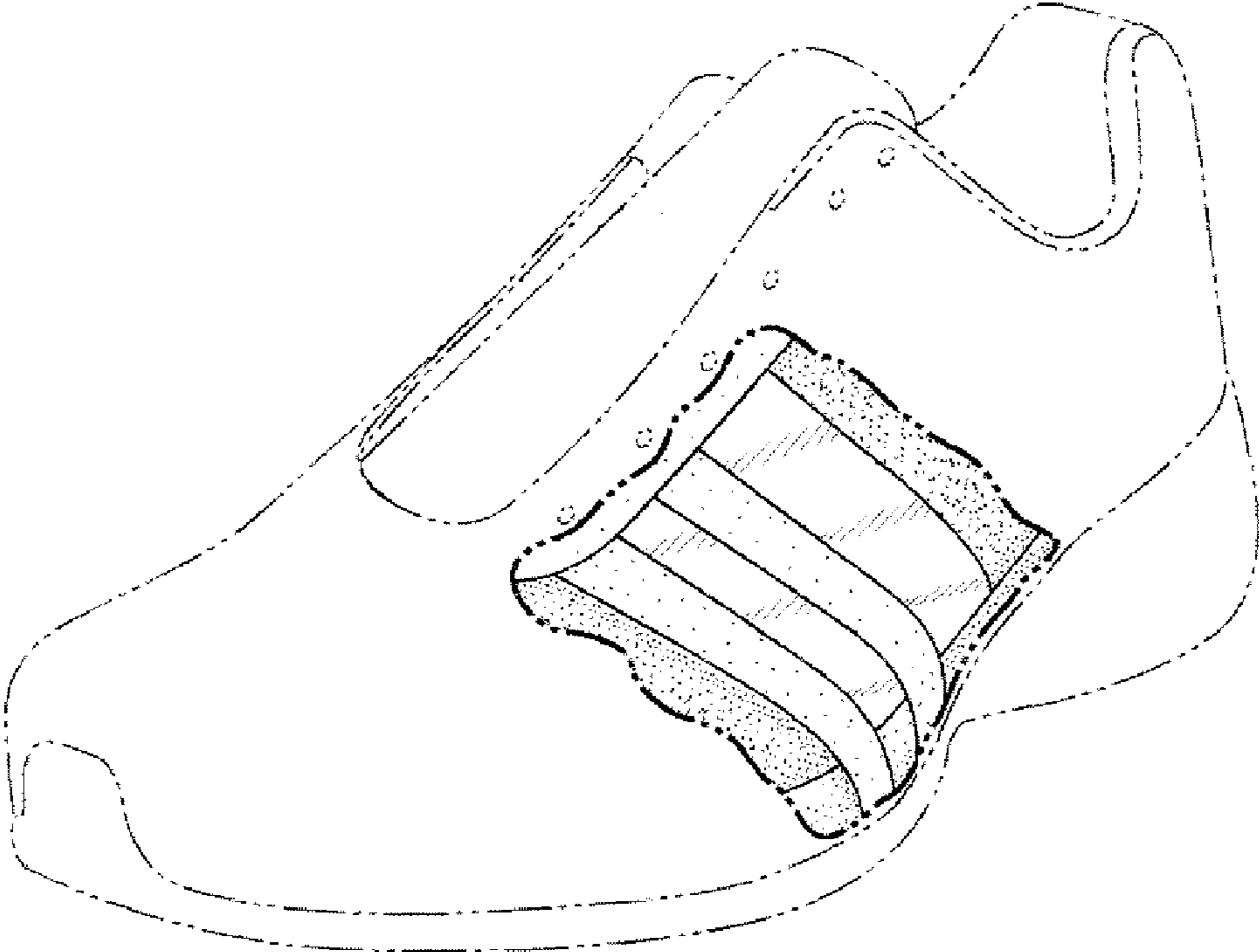
Nike Footwear Catalog (SP 07), p. 129, published Jun. 2006, Beaverton, Oregon, USA.

Nike Footwear Catalog (FA 07), pp. 161, 163, 167, 171, published Nov. 2006, Beaverton, Oregon, USA.

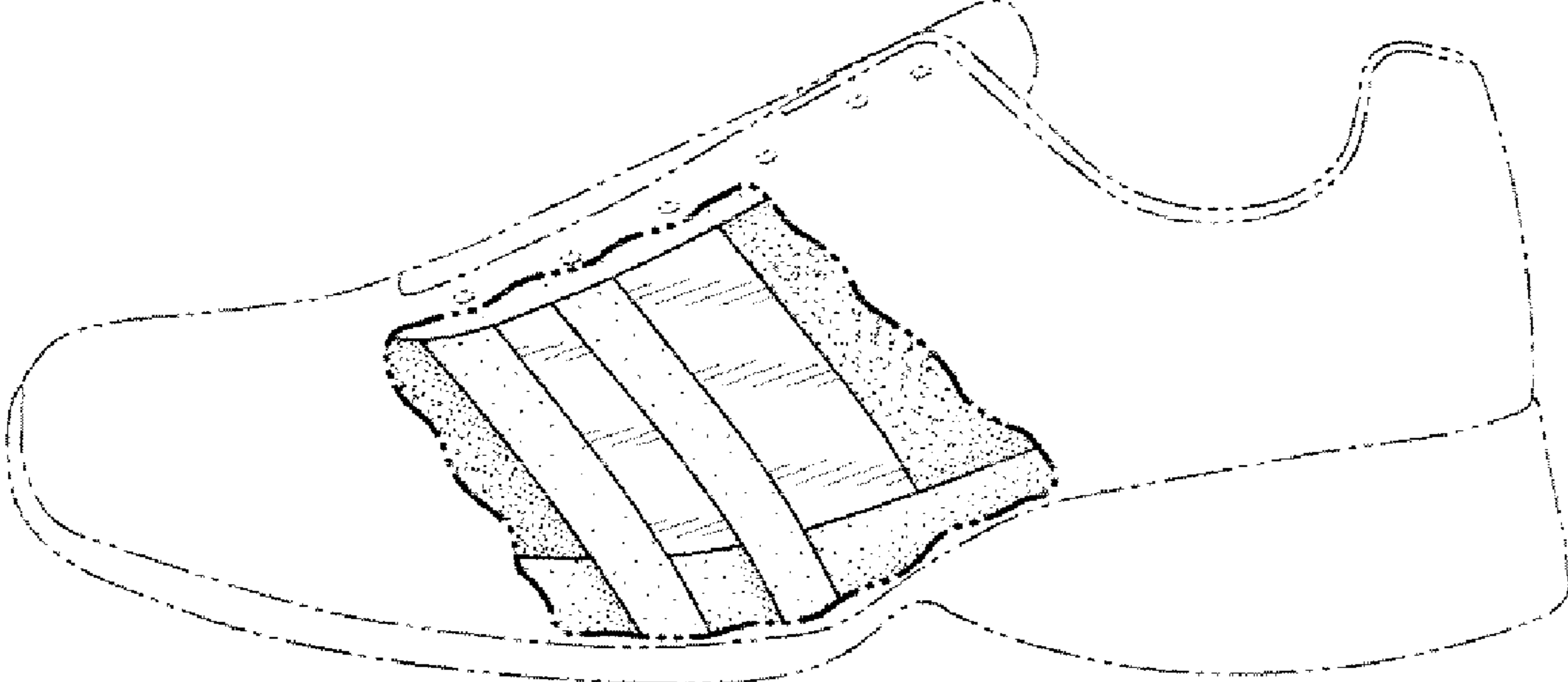
Nike Footwear Catalog (HO 07), pp. 120, 154, 155, 156, published Feb. 2007, Beaverton, Oregon, USA.

US D529,274, 10/2006, Mueller (withdrawn)

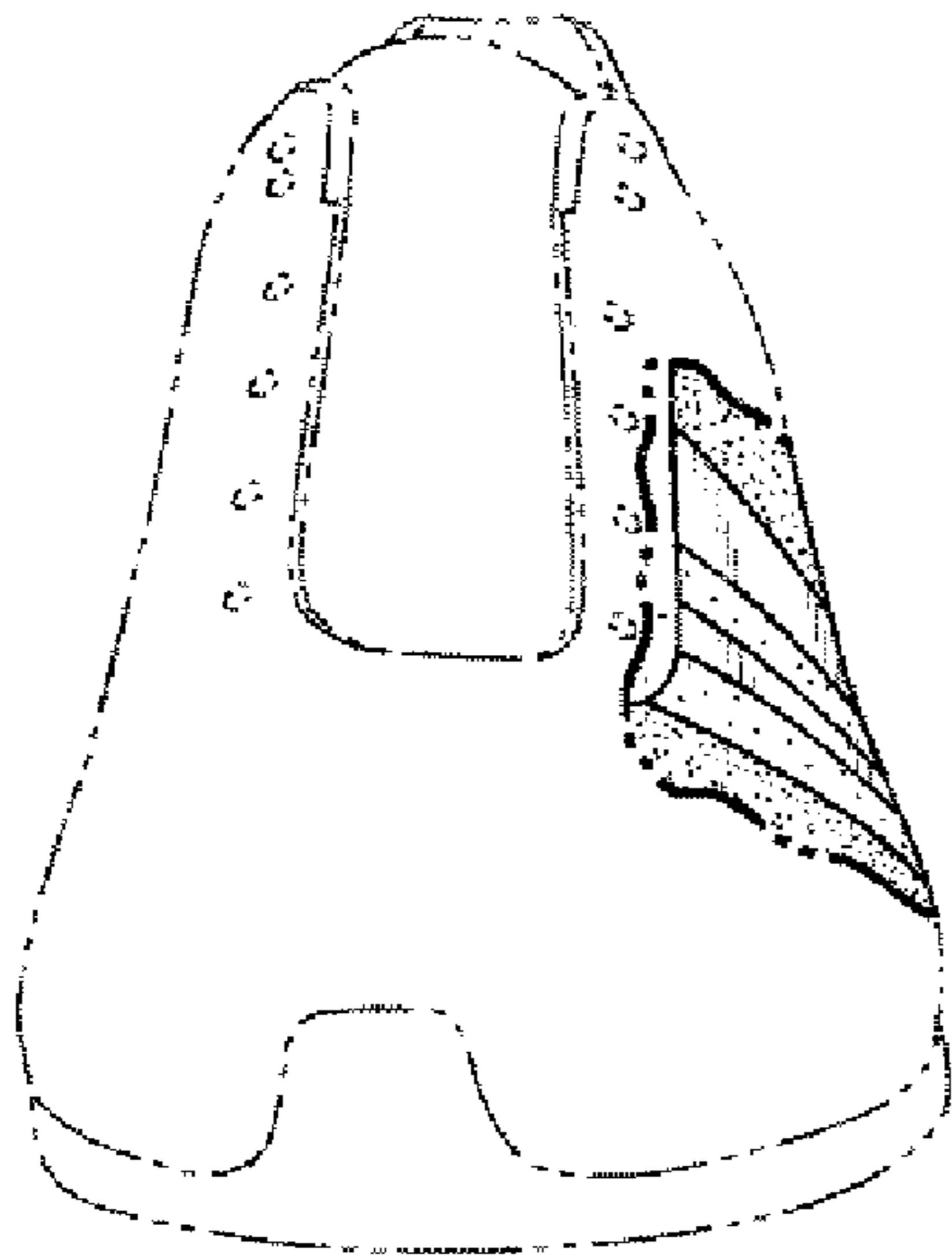
\* cited by examiner



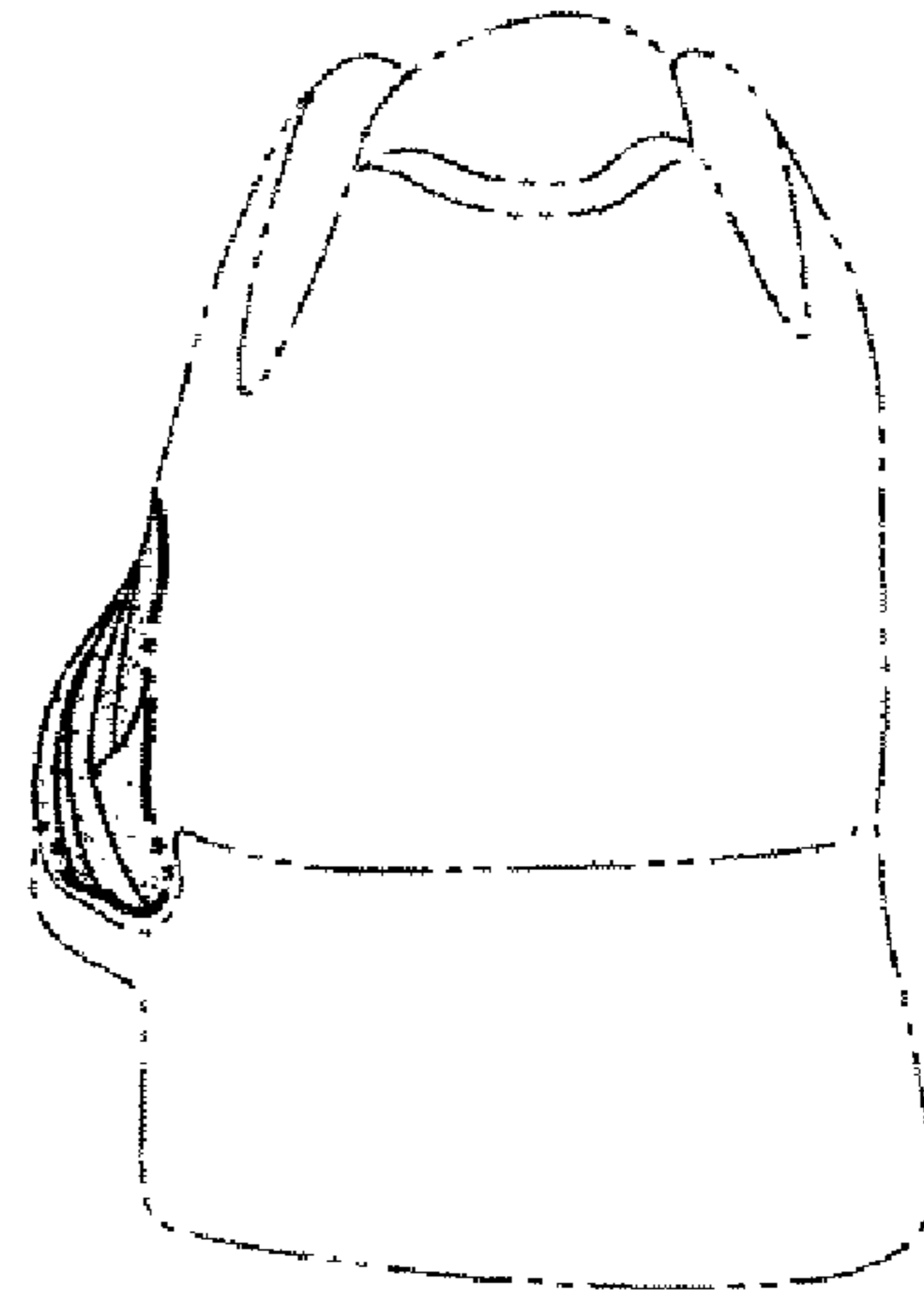
**FIG. 1**



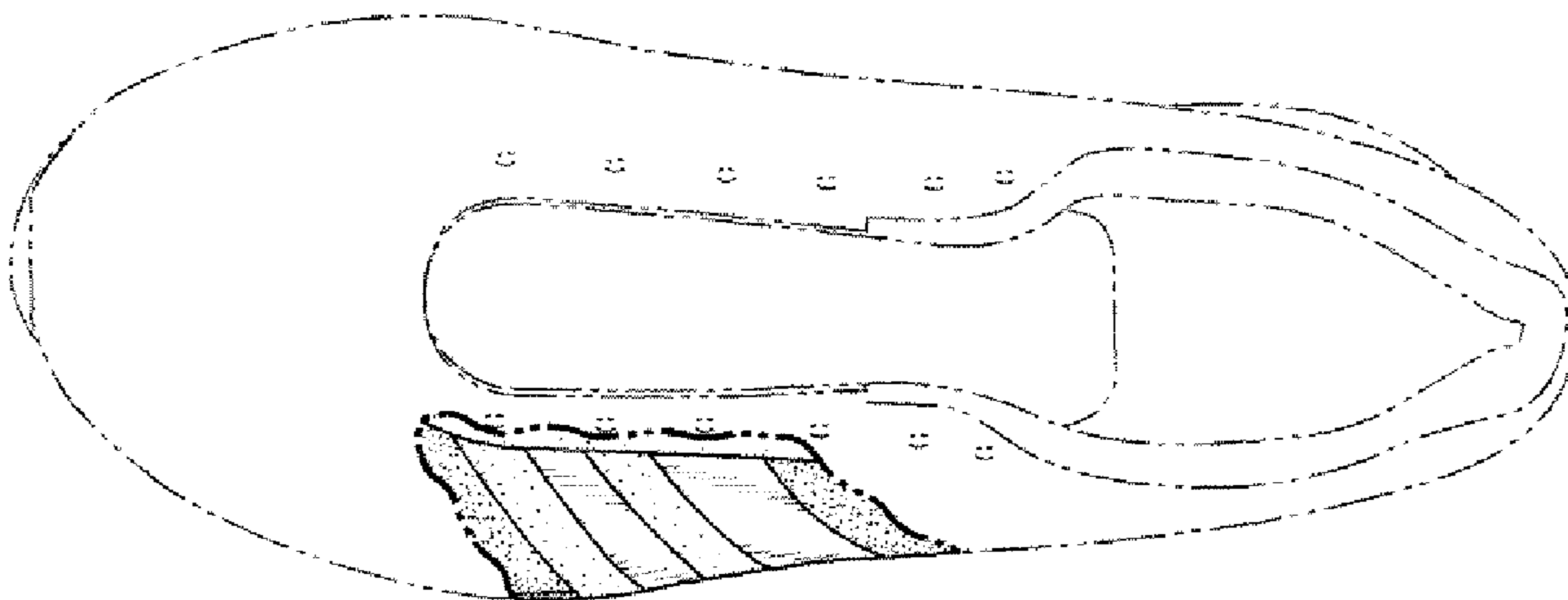
**FIG. 2**



**FIG. 3**



**FIG. 4**



**FIG. 5**