



US00D549440S

(12) **United States Design Patent** (10) **Patent No.:** **US D549,440 S**
Hlavacs (45) **Date of Patent:** **** Aug. 28, 2007**

(54) **PORTION OF A SHOE UPPER**
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(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
(**) Term: **14 Years**
(21) Appl. No.: **29/276,393**
(22) Filed: **Jan. 24, 2007**

D523,619 S 6/2006 Mermet
D523,625 S 6/2006 Hull
D524,030 S * 7/2006 Lupo D2/972
D524,527 S * 7/2006 Shin D2/972
D526,773 S * 8/2006 Caine D2/972
D527,174 S * 8/2006 Kayano et al. D2/972
D527,516 S * 9/2006 Kayano et al. D9/972
D528,282 S * 9/2006 Lee D2/972
D528,774 S * 9/2006 Morris D2/972
D536,866 S * 2/2007 Cass D2/972

(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.

OTHER PUBLICATIONS

Nike Footwear Catalog Fall 2004, published Nov. 2003, pp. M9, M14, and M5.
Nike Footwear Catalog Late Spring 2006, published Sep. 2005, p. M9.
Nike Footwear Catalog Spring 2004, published Jun. 2003, p. M11.

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

* cited by examiner

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D93,320 S 9/1934 Arkin
D228,267 S 9/1973 Powers
D258,548 S 3/1981 Famolare
D284,039 S 6/1986 Yoshitake
D286,820 S 11/1986 Lu
D292,040 S 9/1987 Tong et al.
D294,998 S * 4/1988 Brown et al. D2/973
D327,567 S 7/1992 Nakao
D357,346 S 4/1995 Ho
D449,434 S 10/2001 Erickson et al.
D468,089 S 1/2003 Smith
D476,801 S 7/2003 Robinson, Jr. et al.
D478,413 S 8/2003 Robinson, Jr. et al.
D480,550 S 10/2003 Urie et al.
D485,052 S 1/2004 Holmes
D485,670 S 1/2004 Laberge
D511,615 S 11/2005 Sung
D512,213 S 12/2005 Hlavacs
D514,302 S 2/2006 Young
D514,800 S 2/2006 Fogg
D514,801 S 2/2006 Hui
D518,283 S * 4/2006 Kayano et al. D2/972
D523,224 S * 6/2006 Petrie D2/972

(57) **CLAIM**

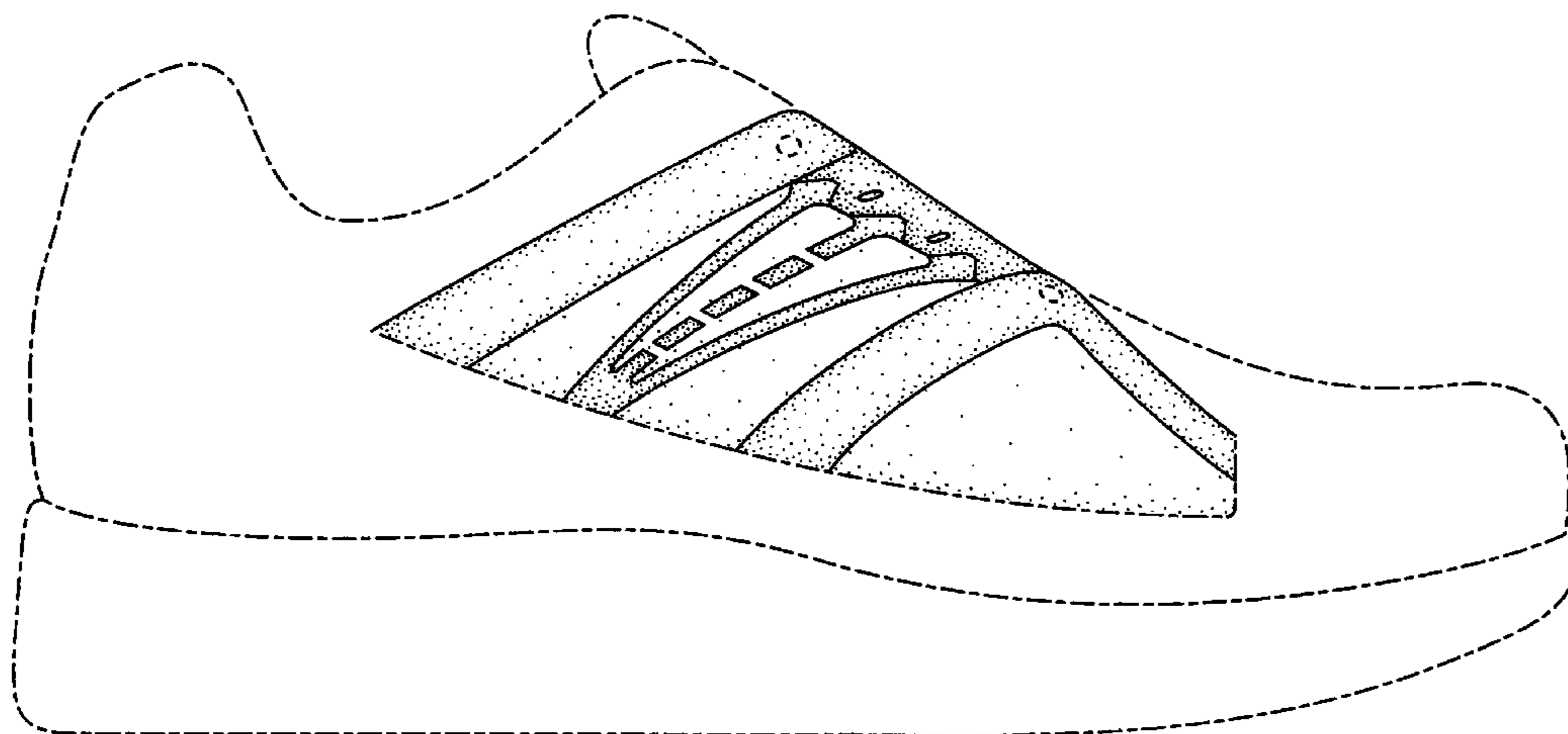
The ornamental design for a portion of a shoe upper, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a portion of a shoe upper showing my new design;
FIG. 2 is a rear perspective view thereof;
FIG. 3 is a side elevational view of one side thereof; and,
FIG. 4 is a top view thereof.

The uneven broken lines immediately adjacent to the shaded area represent an unclaimed boundary of the design. The broken line showing of the two circular elements within the claimed region and of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 4 Drawing Sheets



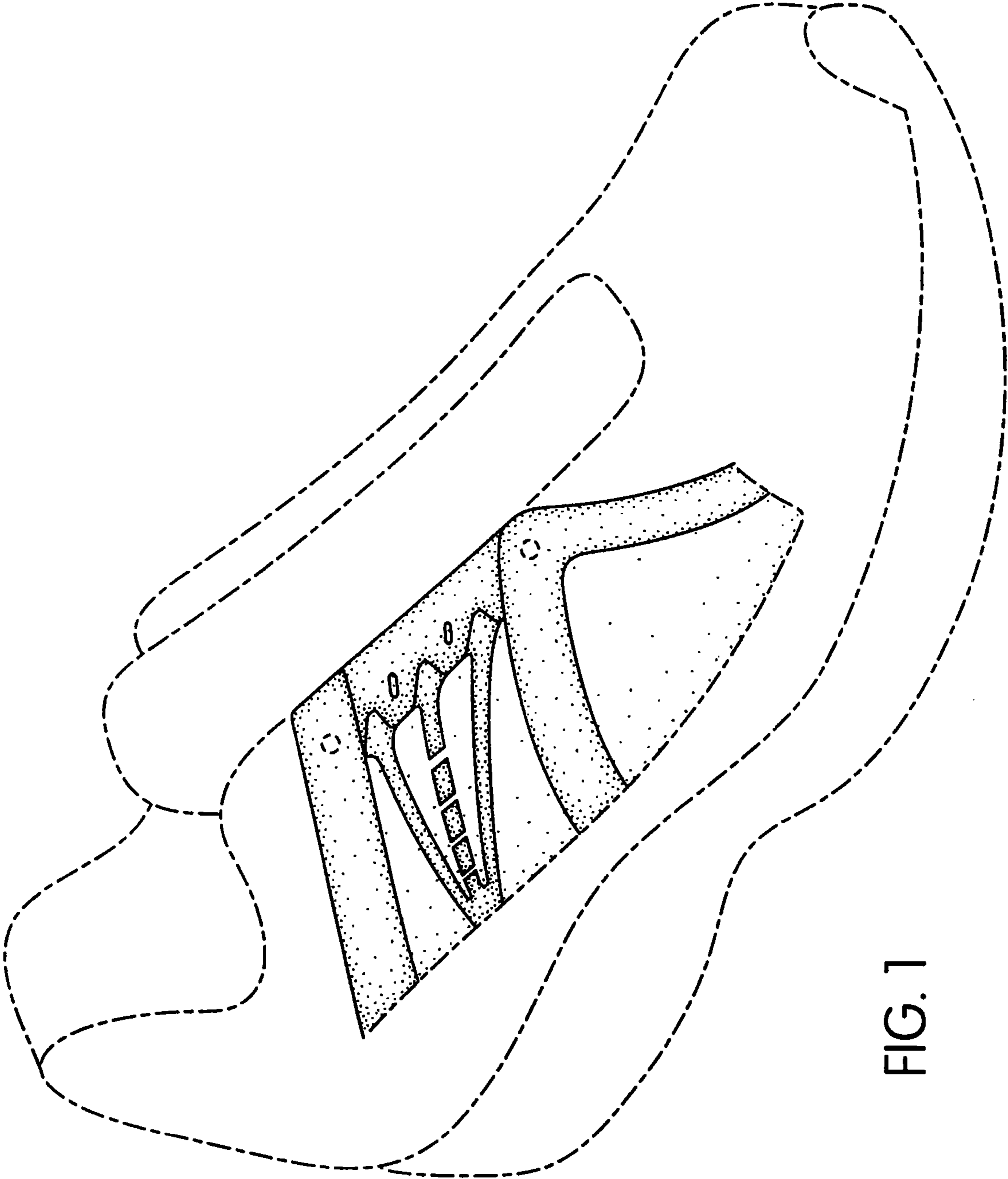


FIG. 1

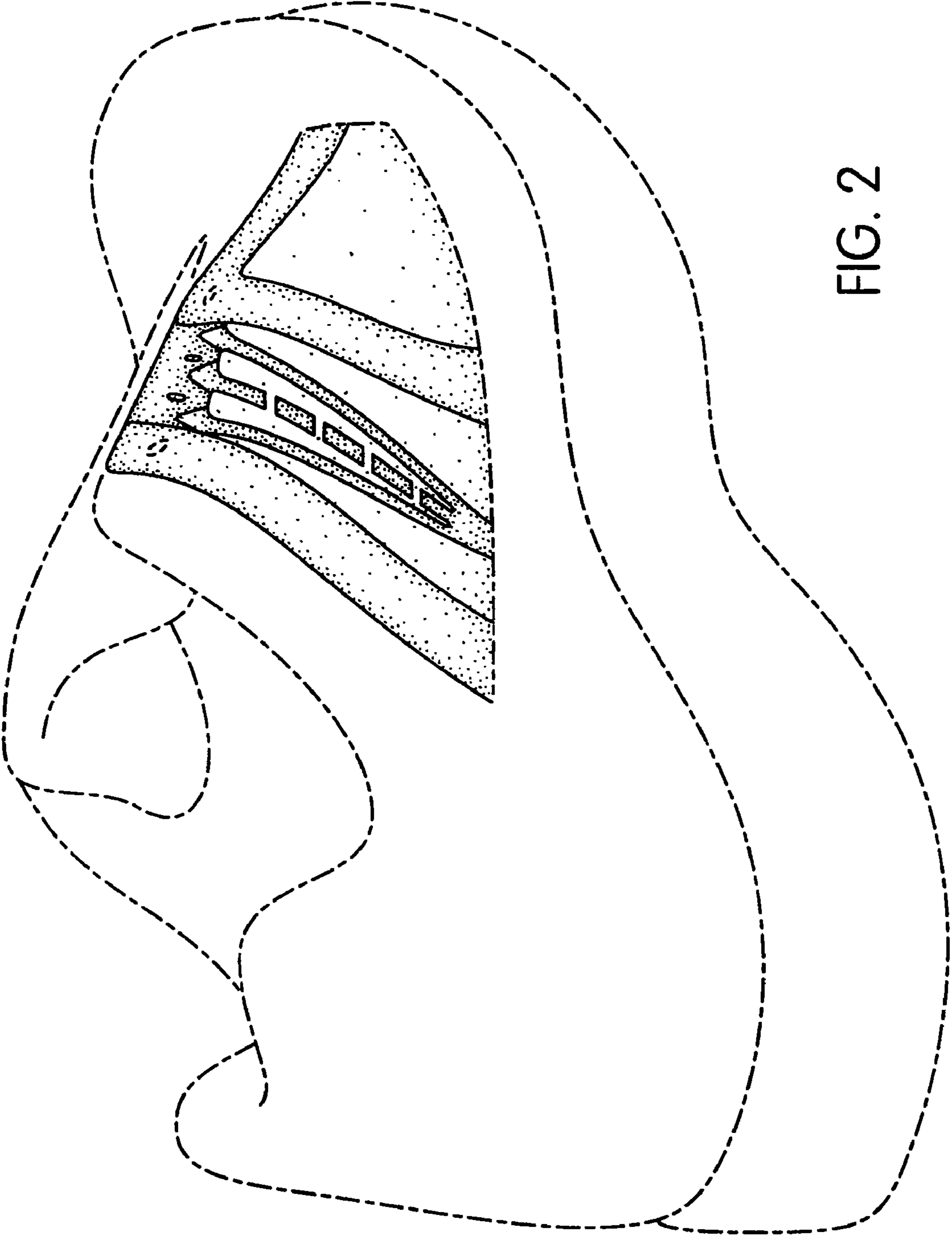


FIG. 2

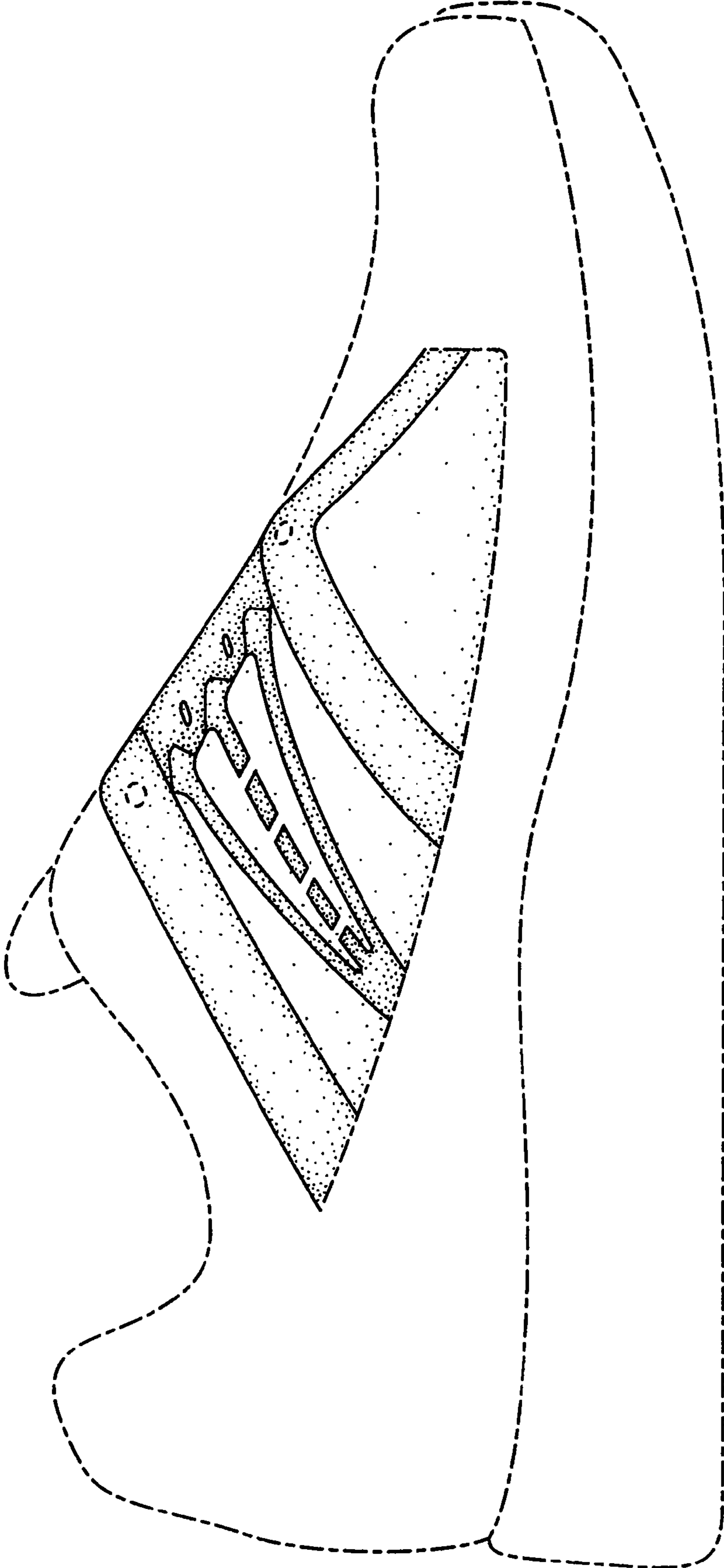


FIG. 3

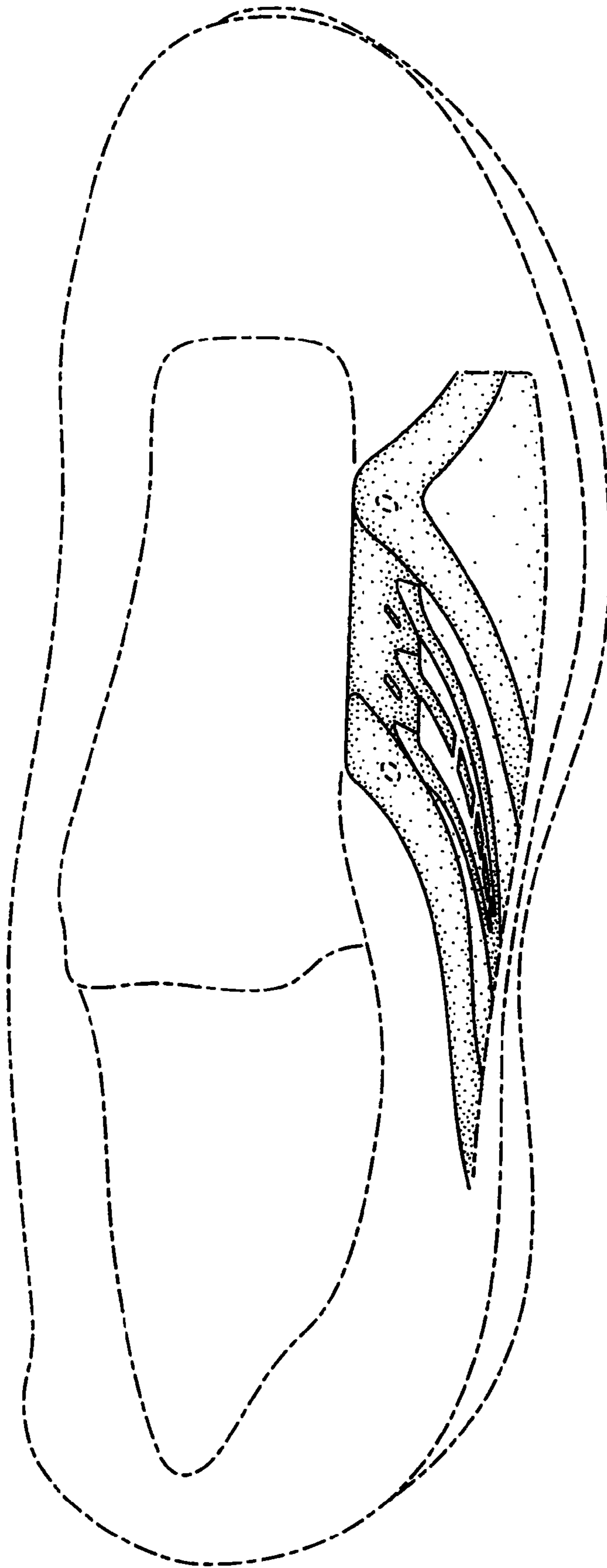


FIG. 4