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(12) **United States Design Patent** (10) **Patent No.:** **US D568,039 S**  
**Kuerbis** (45) **Date of Patent:** **\*\* May 6, 2008**

(54) **SHOE UPPER**

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

(21) Appl. No.: **29/298,055**

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(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, 946;  
36/45, 50.1, 83, 88, 113, 114, 126-130  
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,949,318 A	2/1934	Markowsky	
D104,964 S	6/1937	Douchette	
D173,699 S *	12/1954	Husker	..... D2/907
D311,092 S	10/1990	Hatfield	
D325,120 S	4/1992	Clark	
D326,953 S	6/1992	Hatfield	
D329,531 S	9/1992	Smith	
D349,394 S	8/1994	Hatfield	
D397,855 S	9/1998	Clark	
D414,321 S	9/1999	Blakeslee	
D418,284 S	1/2000	Hlavacs	
D422,132 S	4/2000	Fogg	
D424,798 S	5/2000	McDowell	
D457,296 S	5/2002	Burt	
D458,015 S	6/2002	Dolan et al.	
D471,350 S *	3/2003	Roulo	..... D2/972
D484,300 S	12/2003	Smith	
D494,753 S *	8/2004	Kozo	..... D2/972
D498,583 S *	11/2004	Yun	..... D2/972
D504,012 S	4/2005	Fullum	
D513,450 S *	1/2006	Portzline	..... D2/972

D515,801 S	2/2006	Smith, III	
D522,735 S *	6/2006	Mermet	..... D2/972
D529,276 S	10/2006	Fogg	
D544,699 S *	6/2007	Link	..... D2/972
D544,700 S *	6/2007	Link	..... D2/972
D546,053 S *	7/2007	Mayden	..... D2/972
D546,549 S *	7/2007	Gajowskyj	..... D2/972
D553,843 S *	10/2007	Chang	..... D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog, Fall 93, p. 90, published Dec. 1992.  
Nike Footwear Catalog, Late Spring 99, p. W20 & W29, published Sep. 1998.  
Nike Footwear Catalog, Spring 2000 #2, p. M21, published Jul. 1999.  
Nike Footwear Catalog, Spring 2004, p. M54, published Jun. 2003.  
Nike Footwear Catalog, Fall 04, p. M47, published Nov. 2003.  
Nike Footwear Catalog, Holiday 05, p. M21, published Mar. 2005.  
Nike Footwear Catalog, Summer 07, p. 21, published Sep. 2006.  
Nike Footwear Catalog, Summer 08, pp. 57 & 159, published Aug. 2007.

\* cited by examiner

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(57) **CLAIM**

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

**DESCRIPTION**

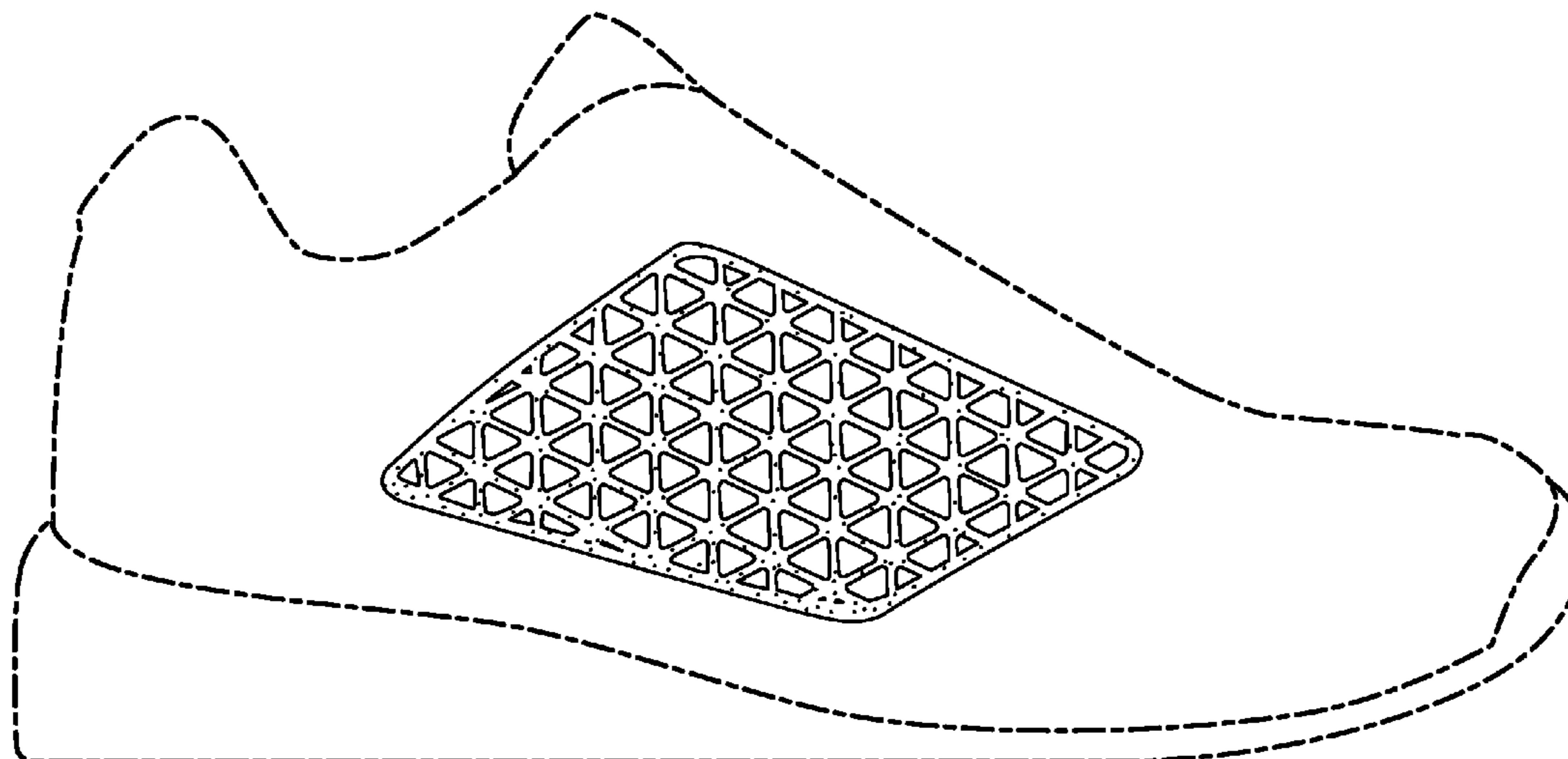
FIG. 1 is a front perspective view of a shoe upper showing my new design;

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

FIG. 3 is a side view thereof.

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**



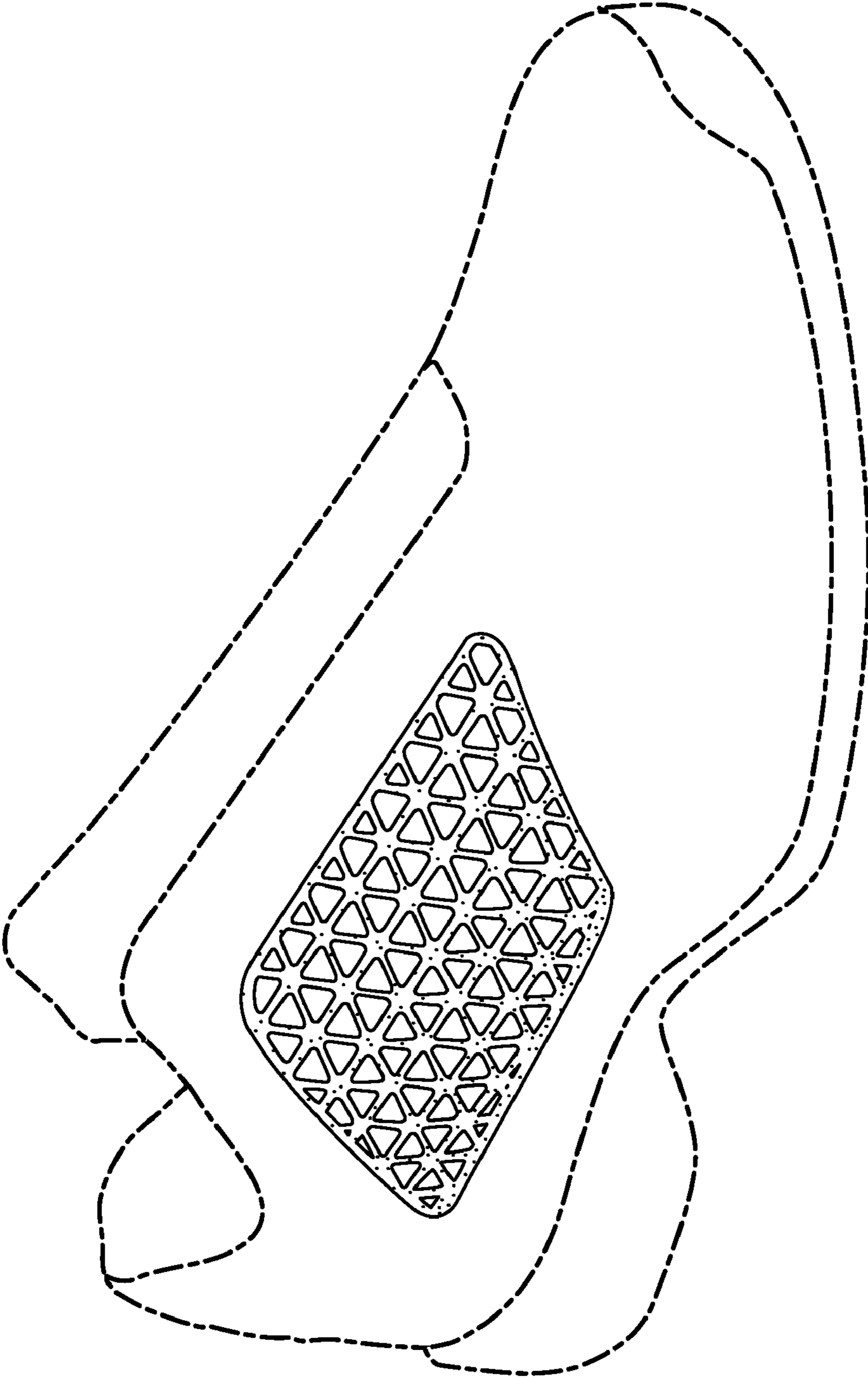


FIG. 1

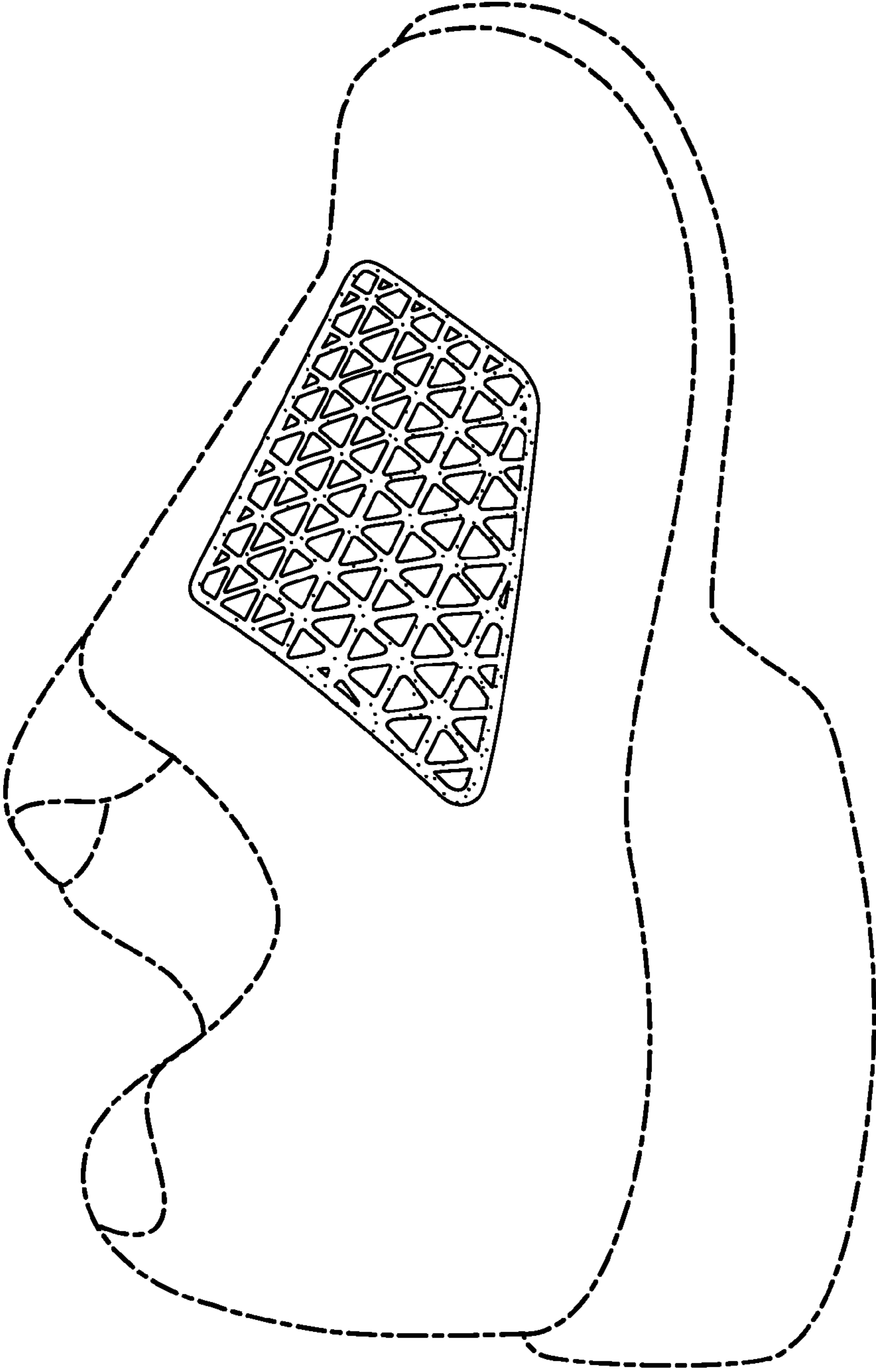


FIG. 2

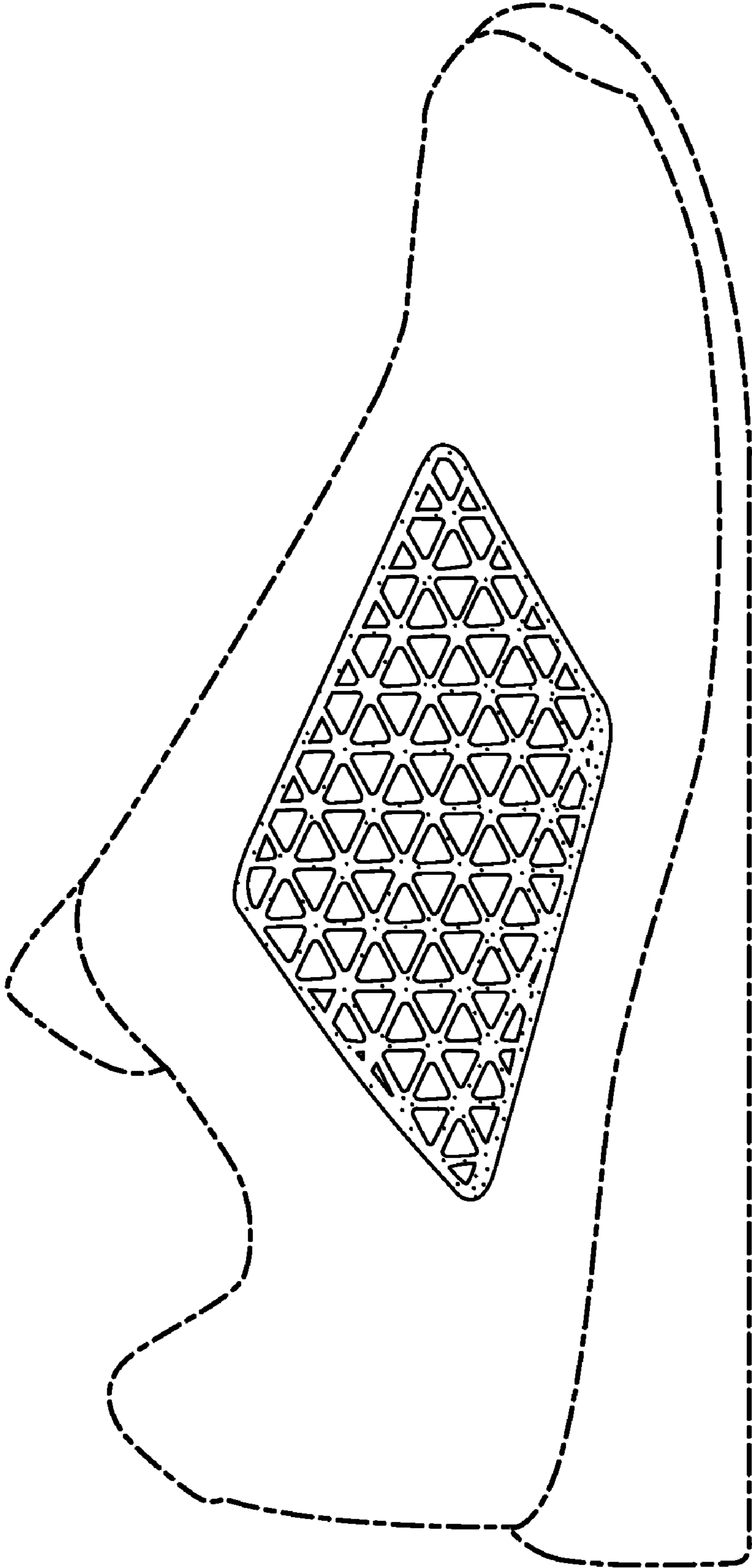


FIG. 3