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

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(54) **SHOE UPPER**

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

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

(21) Appl. No.: **29/383,708**

(22) Filed: **Jan. 20, 2011**

(51) **LOC (9) Cl.** ..... **02-99**

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

(58) **Field of Classification Search** ..... D2/896,  
D2/902, 906-908, 943, 944, 969, 972-974;  
36/45-49, 50.1, 77 M, 77 R, 83, 88, 113,  
36/114, 126-131

See application file for complete search history.

D405,950 S *	2/1999	Lozano	.....	D2/972
D409,367 S	5/1999	Maxwell		
D479,644 S	9/2003	Sakai		
D487,958 S	4/2004	Matis et al.		
D504,562 S *	5/2005	Kuerbis	.....	D2/972
D505,254 S	5/2005	Link		
D512,825 S	12/2005	Nelson		
D513,847 S	1/2006	Laberge		
D513,854 S	1/2006	Teague		
D515,299 S	2/2006	Burg		
D515,796 S	2/2006	Reardon		
D520,724 S	5/2006	Link		
D523,222 S *	6/2006	Savage	.....	D2/972
D528,772 S	9/2006	Portzline		

(Continued)

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 2000 Spring Footwear, p. 20, published Jul. 1999.

(Continued)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D283,364 S	4/1986	Gamm
D298,283 S	11/1988	Swett et al.
D309,667 S	8/1990	Aveni
D311,637 S	10/1990	Hatfield
D311,987 S	11/1990	McKinstry
D315,055 S	3/1991	Rogers et al.
D317,825 S	7/1991	Rogers
D319,722 S	9/1991	Hatfield
D320,498 S	10/1991	Hatfield
D322,878 S	1/1992	Hatfield
D326,354 S	5/1992	Hatfield
D336,148 S	6/1993	Adams
D339,449 S	9/1993	Hatfield
D341,703 S	11/1993	Hatfield et al.
D342,604 S	12/1993	Avar
D347,724 S	6/1994	Teague
D348,561 S	7/1994	Lozano
D354,163 S	1/1995	Hatfield
D356,439 S	3/1995	Teague
D361,886 S	9/1995	Johnson
D364,266 S	11/1995	Orzeck
D392,794 S	3/1998	Greene

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(57) **CLAIM**

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

**DESCRIPTION**

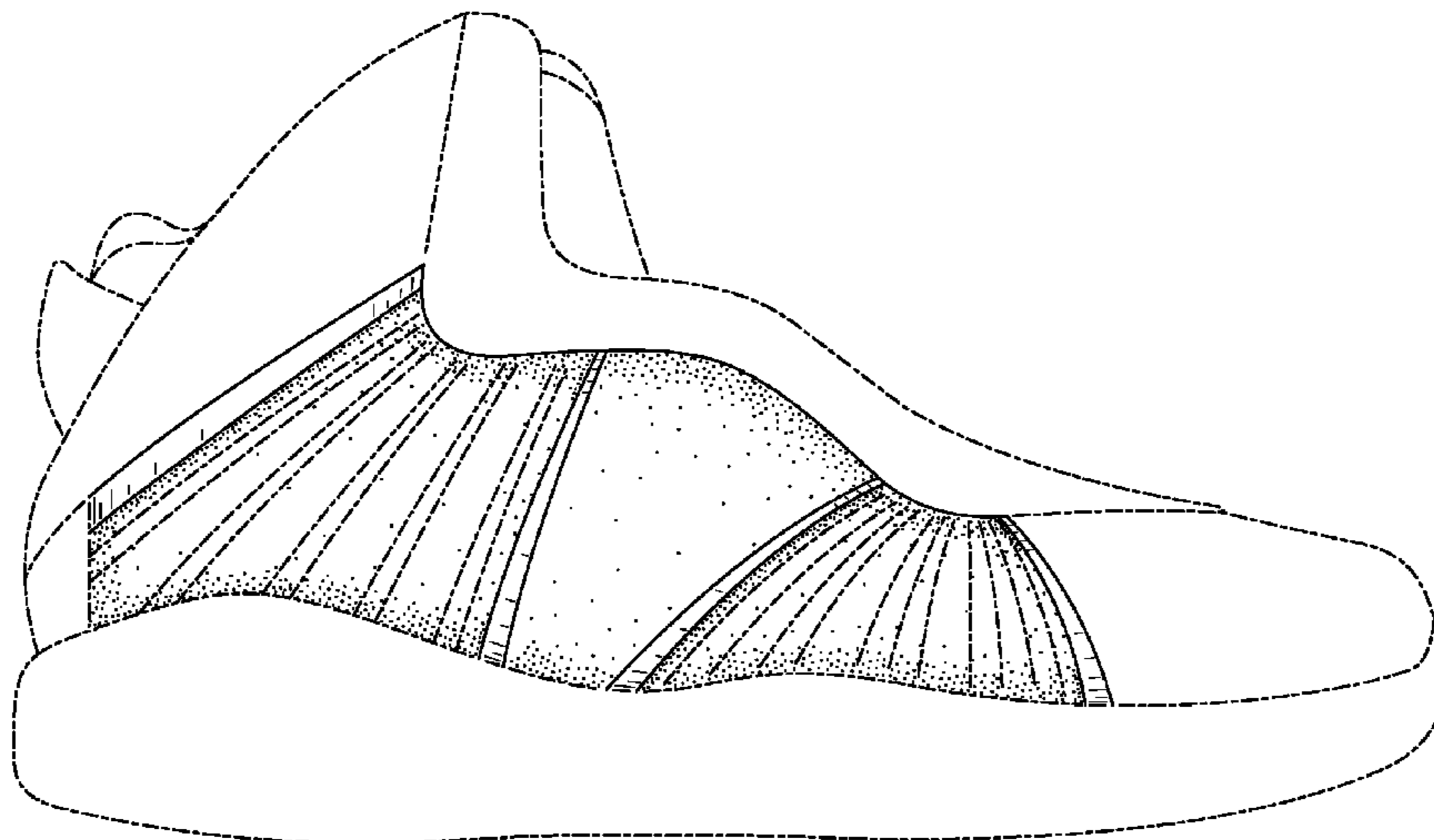
FIG. 1 is a front perspective view of a shoe upper showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken lines showing striping patterns form no part of the claimed design. The broken lines showing the remainder of the shoe upper are for environmental purposes only and form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



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## U.S. PATENT DOCUMENTS

D532,593 S 11/2006 Mayden  
D544,692 S \* 6/2007 Kuerbis ..... D2/972  
D546,546 S 7/2007 Chang  
D548,446 S 8/2007 Petrie  
D548,940 S 8/2007 Hulbert  
D548,941 S 8/2007 Hulbert  
D572,453 S 7/2008 Alfaro  
D582,643 S 12/2008 Belley et al.  
D583,545 S \* 12/2008 Lee ..... D2/972  
D595,498 S \* 7/2009 Dolan ..... D2/972  
D610,337 S 2/2010 Holmes et al.  
D610,338 S 2/2010 Holmes et al.  
D610,341 S 2/2010 Cooper  
D612,143 S 3/2010 Amphyon  
D614,387 S 4/2010 Rasmussen  
D621,598 S 8/2010 Leleu  
D622,050 S 8/2010 Amphyon  
D623,840 S 9/2010 Hui  
D623,841 S \* 9/2010 Maejima ..... D2/972  
D624,745 S \* 10/2010 Henderson ..... D2/972

## OTHER PUBLICATIONS

Nike Footwear Catalog, 2002 Late Spring Footwear, p. 121, published Jun. 2001.  
Nike Footwear Catalog, 2002 Fall Footwear, p. 75, published 7/11/2001.  
Nike Footwear Catalog, 2004 Fall Footwear, p. 20, published Nov. 2003.  
Nike Footwear Catalog, 2007 Holiday Footwear, p. 6, published Feb. 2007.  
Nike Footwear Catalog, 2009 Summer Footwear, p. 32, published Aug. 2008.  
Nike Footwear Catalog, 2010 Summer Performance Footwear, p. 46, published Aug. 2009.  
Nike Footwear Catalog, 2010 Fall Performance Footwear, p. 48, published Nov. 2009.  
Nike Zoom LeBron I-VII, announced 2003-2009, 7 sheets of full-color photographs.

\* cited by examiner

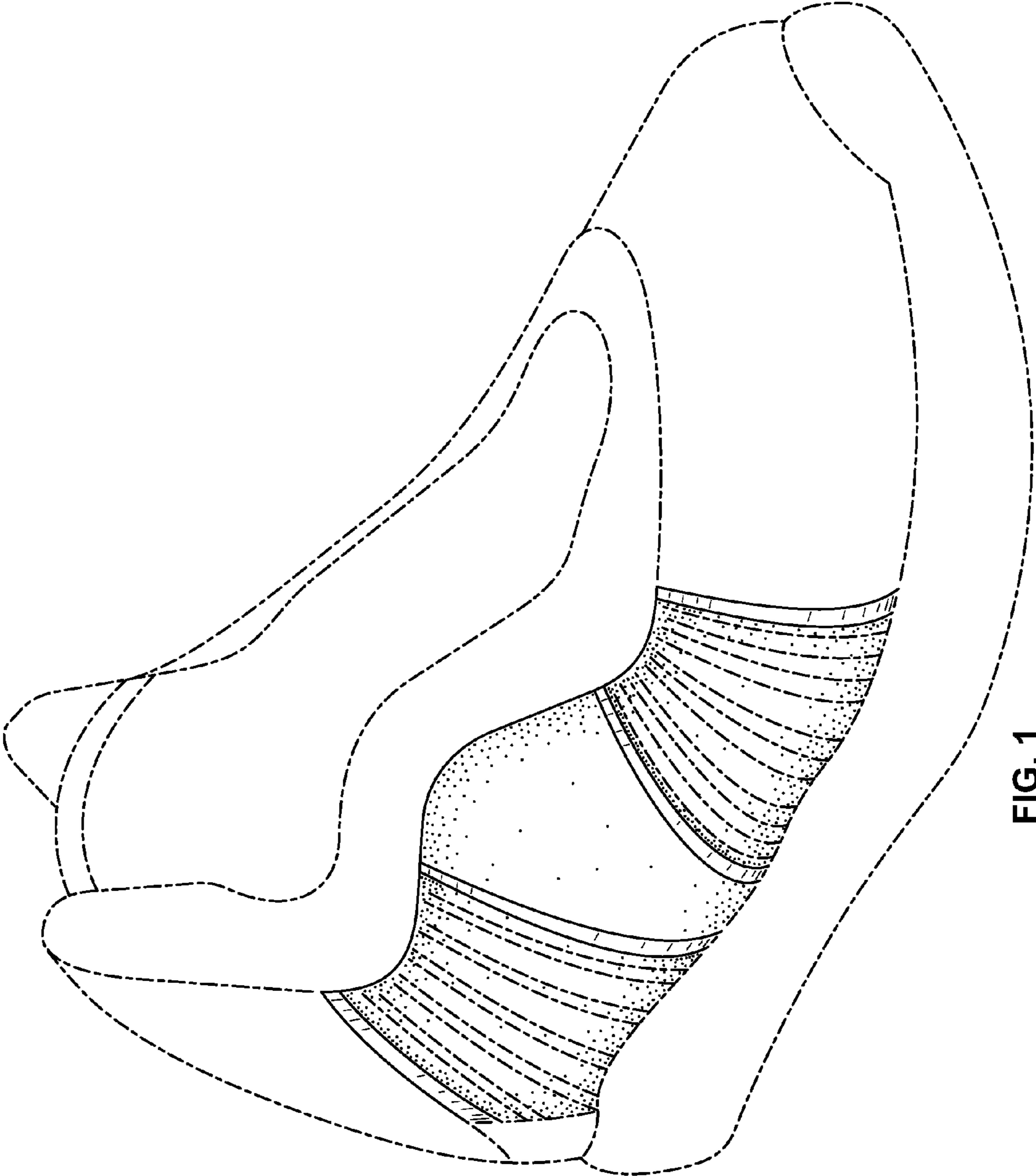


FIG. 1

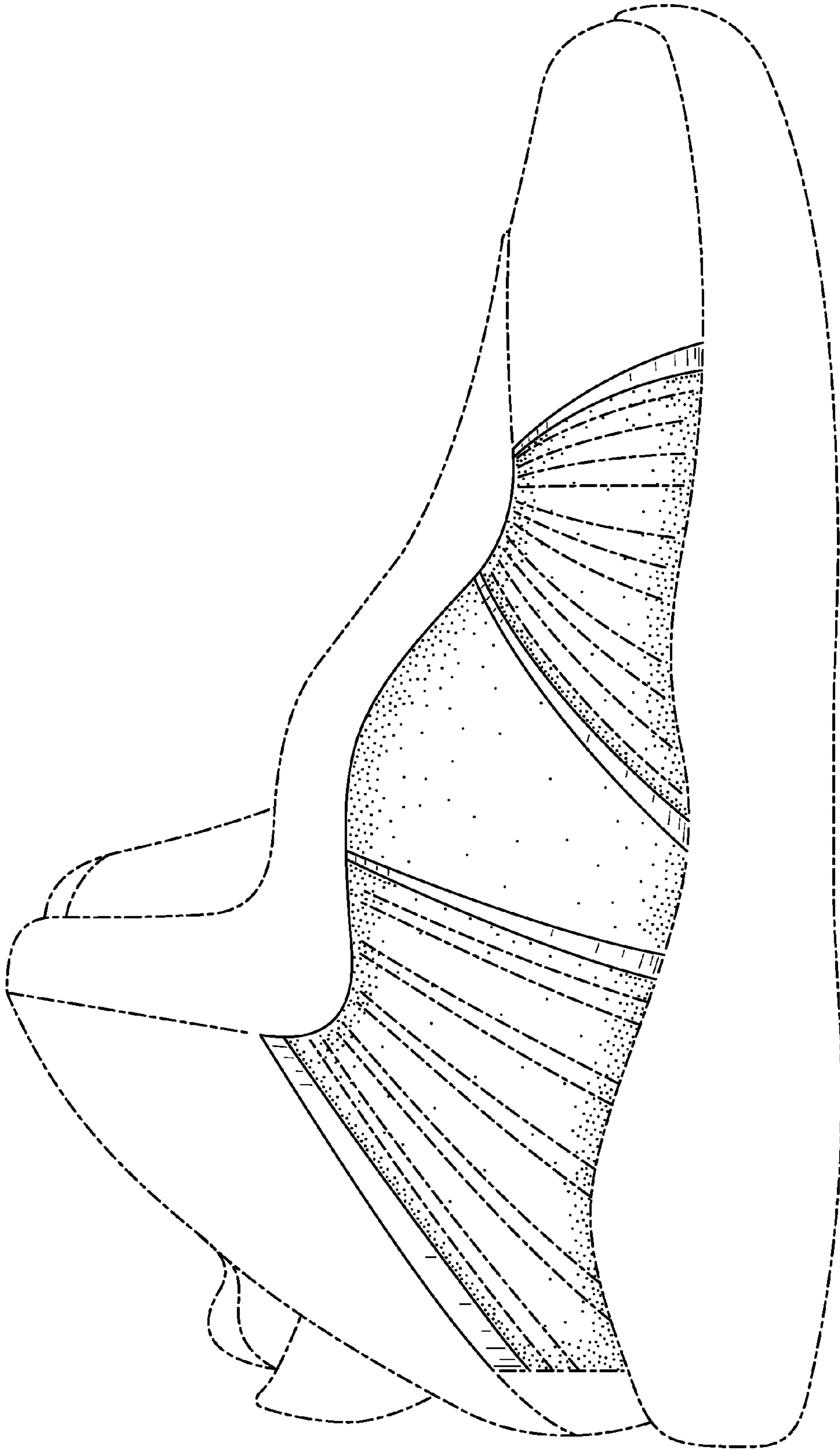


FIG. 2

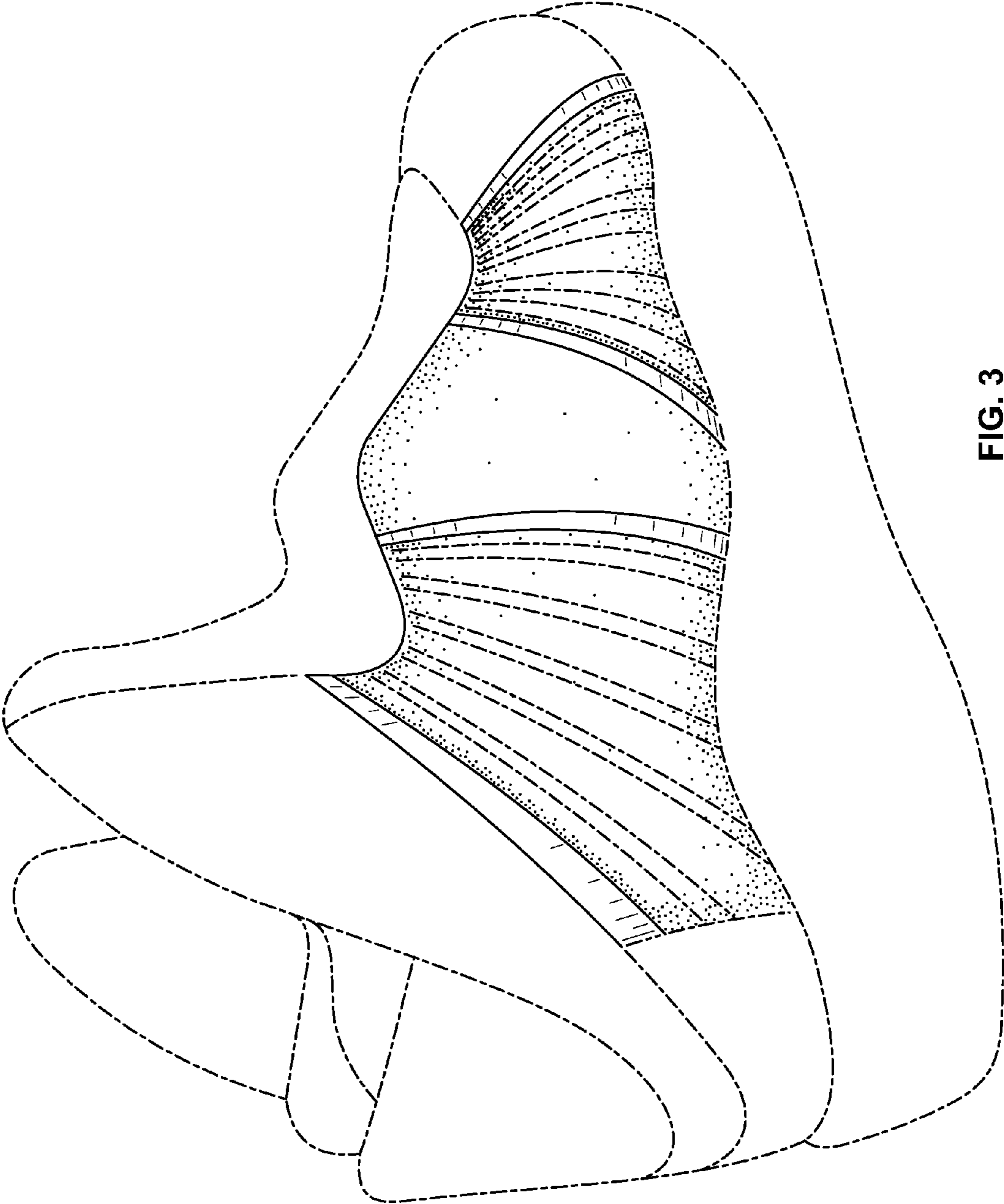


FIG. 3