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

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(54) **SHOE UPPER**

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- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (**) Term: **14 Years**
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- (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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D90,234 S	7/1933	Daniels	
D98,509 S	2/1936	Goldberg	
4,813,158 A	3/1989	Brown	
D319,721 S *	9/1991	Clark	D2/969
D325,120 S *	4/1992	Clark	D2/969
D364,266 S	11/1995	Orzeck	
D364,498 S	11/1995	Teague	
D365,200 S	12/1995	Teague	
D471,350 S *	3/2003	Roulo	D2/972
D498,355 S	11/2004	Fullum	
D515,299 S	2/2006	Burg	
D524,529 S	7/2006	Hlavacs	
D544,699 S	6/2007	Link	
D553,340 S	10/2007	Dirsa	
D570,086 S	6/2008	McDowell	
D572,452 S	7/2008	Kuerbis	
D573,782 S	7/2008	Link	
D587,001 S *	2/2009	Jarvis	D2/972
D595,499 S *	7/2009	Dekovic	D2/972
D628,373 S	12/2010	Lane, III	
D628,785 S	12/2010	Feeney et al.	

OTHER PUBLICATIONS

- Nike Footwear Catalog, Fall 1993, p. 32, published Dec. 1992.
- Nike Footwear Catalog, Fall 1994, p. 90, published Nov. 1993.
- Nike Footwear Catalog, Late Spring 2002, p. M12, published Sep. 2001.
- Nike Footwear Catalog, Fall 2003, p. M8, M59, published Nov. 2002.
- Nike Footwear Catalog, Holiday 2004, p. M78, published Mar. 2004.
- Nike Footwear Catalog, Late Spring 2004, p. M43, published Sep. 2003.
- Nike Footwear Catalog, Fall 2005, p. 9, 42, published Nov. 2004.
- Nike Footwear Catalog, Holiday 2005, p. 7, published Mar. 2005.
- Nike Footwear Catalog, Holiday 2007, p. 198, published Mar. 2007.
- Nike Footwear Catalog, Spring 2008, p. 56, published Jun. 2007.
- Nike Footwear Catalog, Holiday 2008, p. 149, published Mar. 2008.
- Nike Footwear Catalog, Spring Sport Performance 2009, p. 55, published Jun. 2008.
- Nike Footwear Catalog, Summer Sport Performance 2009, p. 153, published Aug. 2008.

(Continued)

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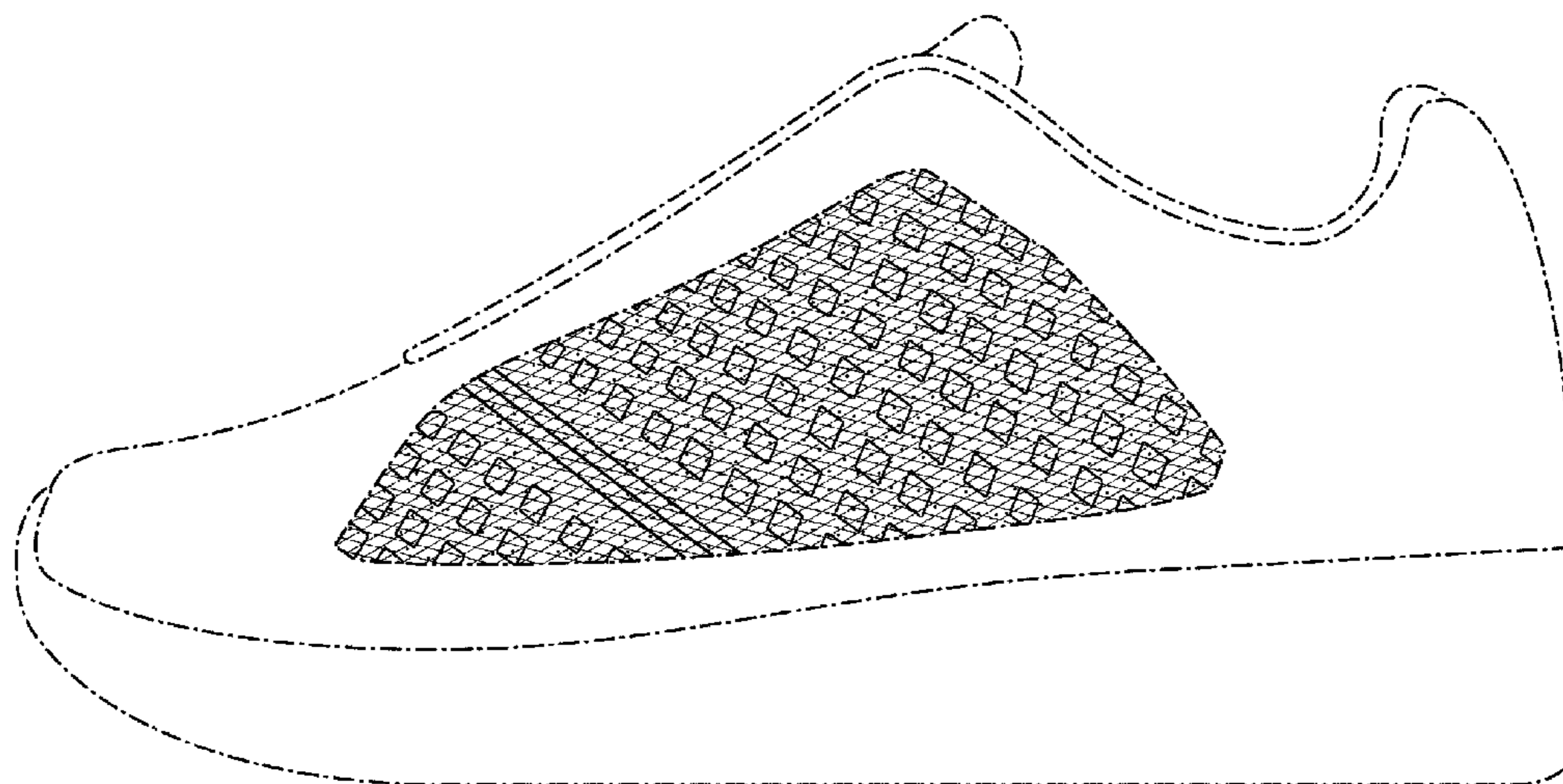
(57) **CLAIM**

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 the remainder of the shoe upper are for environmental purposes only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



OTHER PUBLICATIONS

Nike Footwear Catalog, Holiday Core 2009, p. 38, published Mar. 2009.

Nike Footwear Catalog, Spring Performance 2010, p. 80, published Jun. 2009.

Nike Footwear Catalog, Summer Performance 2010, p. 62, published Aug. 2009.

Nike Footwear Catalog, Holiday Men's Performance 2010, p. 24, published Mar. 2010.

* cited by examiner

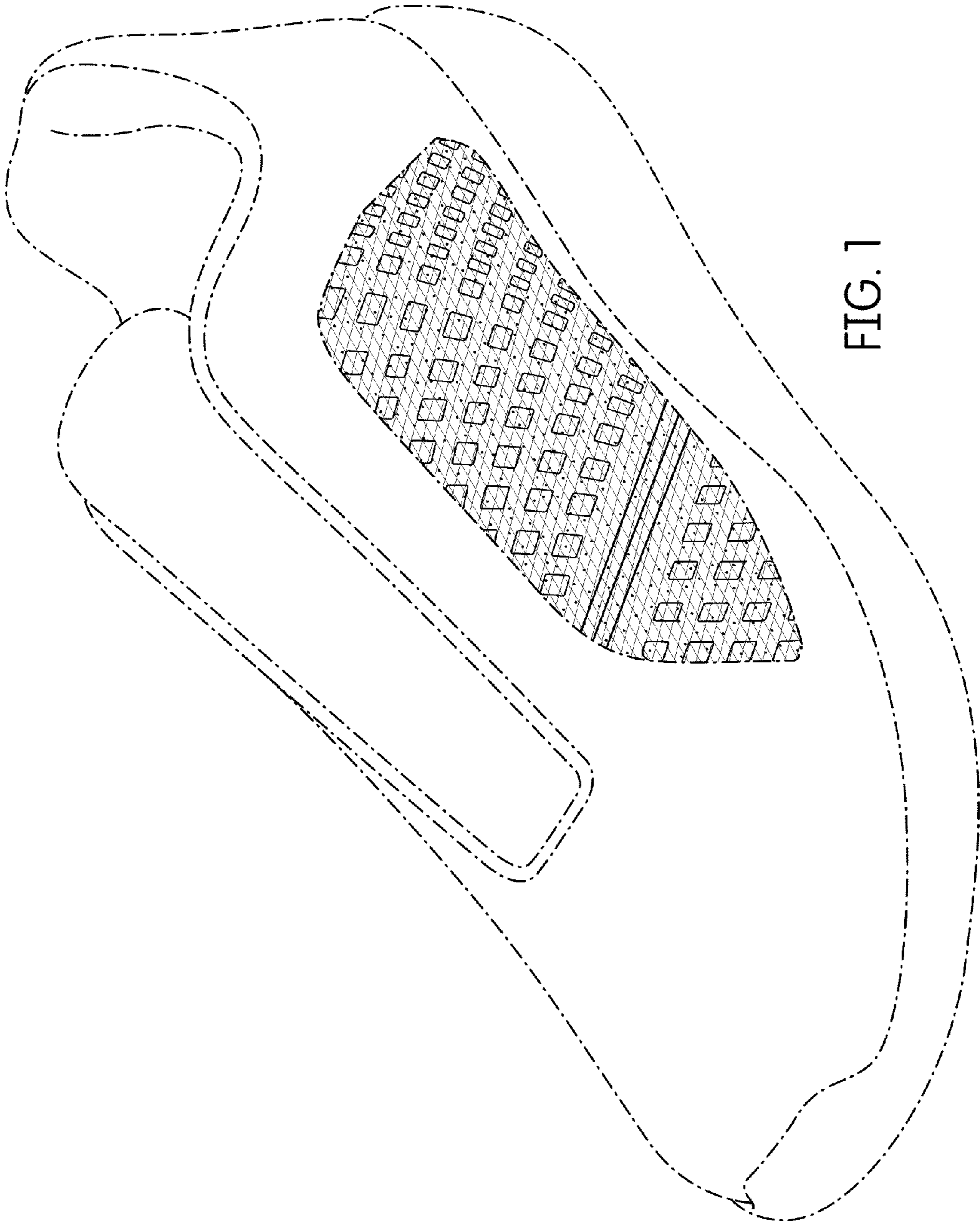


FIG. 1

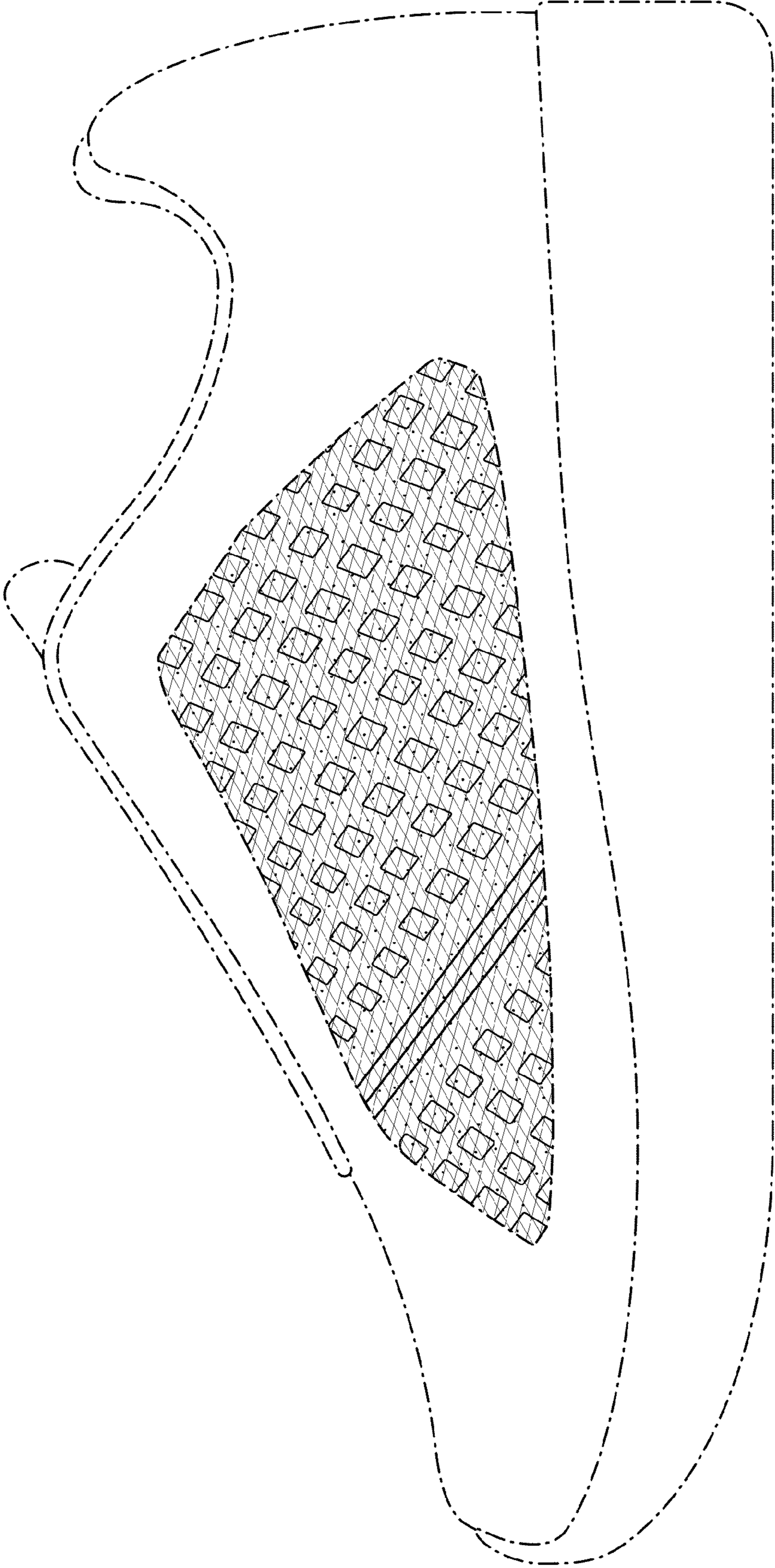


FIG. 2

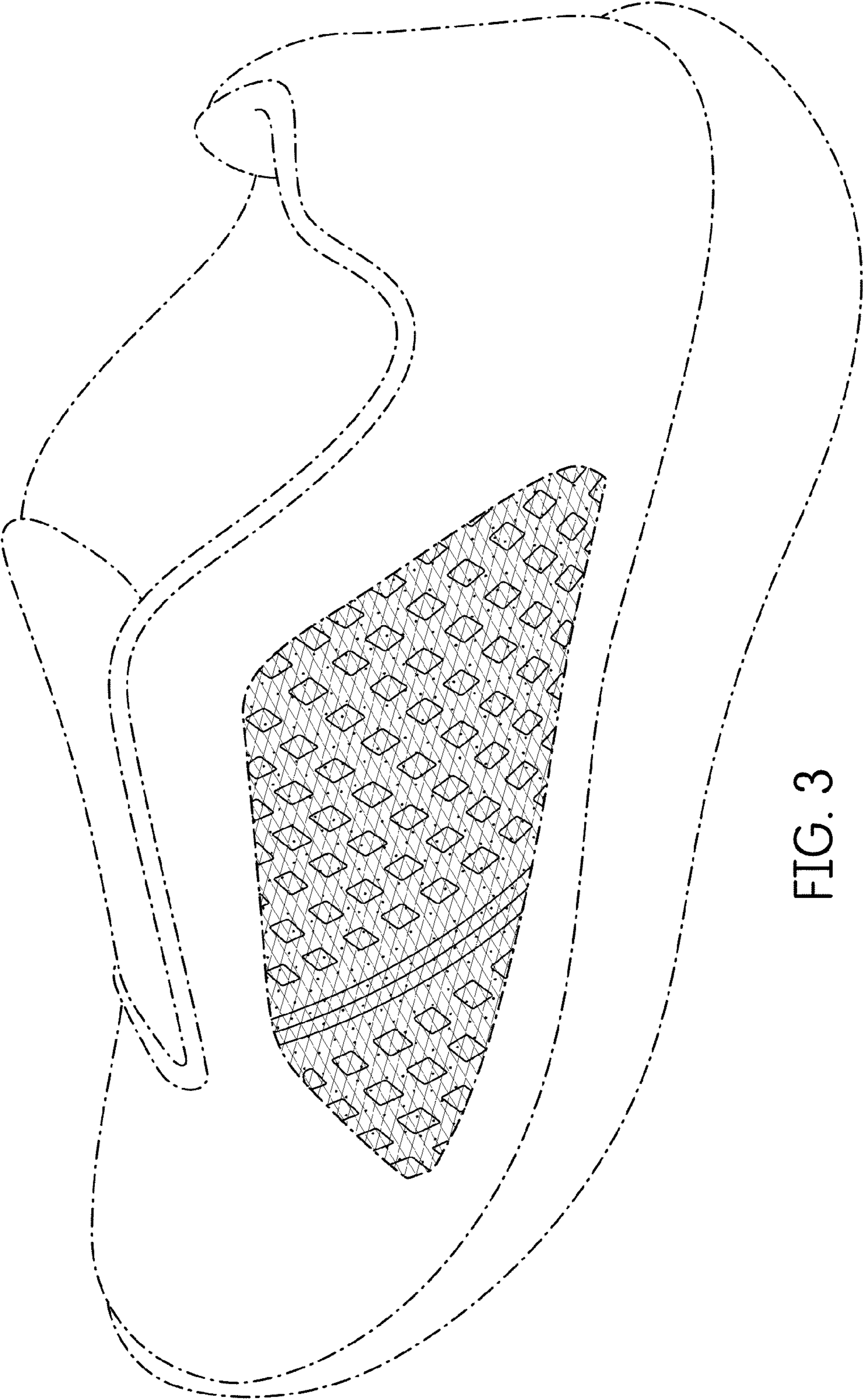


FIG. 3