



US00D642368S

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

(10) **Patent No.:** **US D642,368 S**

(45) **Date of Patent:** **** Aug. 2, 2011**

(54) **SHOE UPPER**

(75) Inventor: **Kenneth Link**, Portland, OR (US)

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

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

(21) Appl. No.: **29/390,897**

(22) Filed: **Apr. 29, 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.

D332,520 S *	1/1993	Kittle	.....	D2/973
5,175,947 A	1/1993	Parracho		
D333,033 S	2/1993	Bailey		
D333,550 S	3/1993	Marziali		
D335,386 S *	5/1993	Greene	.....	D2/969
D356,884 S *	4/1995	Ho	.....	D2/902
D366,952 S	2/1996	Pyle		
D367,554 S *	3/1996	James	.....	D2/902
D368,578 S	4/1996	Smith		
D370,554 S	6/1996	Greene		
D382,695 S	8/1997	Teague		
D382,699 S	8/1997	Avar		
D382,701 S	8/1997	Rask		
D395,352 S	6/1998	Mervar		
D408,980 S *	5/1999	Doxey	.....	D2/972

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, Footwear: Fall 1988, p. 8, published Dec. 1987, Nike, Inc., USA.

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

D198,157 S *	5/1964	Doss	.....	D2/906
D300,782 S	4/1989	Brown et al.		
D303,870 S	10/1989	Selbiger		
D304,516 S	11/1989	Selbiger et al.		
D304,518 S	11/1989	Brown et al.		
D306,514 S	3/1990	Backus		
D307,350 S	4/1990	Brown et al.		
D307,508 S	5/1990	Miller et al.		
D308,280 S	6/1990	Selbiger		
D308,745 S	6/1990	Brown		
D310,291 S	9/1990	Selbiger		
D310,292 S *	9/1990	Selbiger	.....	D2/969
D314,858 S *	2/1991	Richard et al.	.....	D2/969
D320,689 S *	10/1991	Smith	.....	D2/969
D322,880 S *	1/1992	Smith, III	.....	D2/969
D326,013 S	5/1992	Earle		
D326,764 S *	6/1992	Earle	.....	D2/969
D327,567 S	7/1992	Nakao		
D329,127 S	9/1992	Preskar et al.		
D329,530 S	9/1992	Bailey		
D330,795 S	11/1992	Close		
D331,145 S *	11/1992	Cheng	.....	D2/969

Primary Examiner — Dominic Simone

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57) **CLAIM**

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

DESCRIPTION

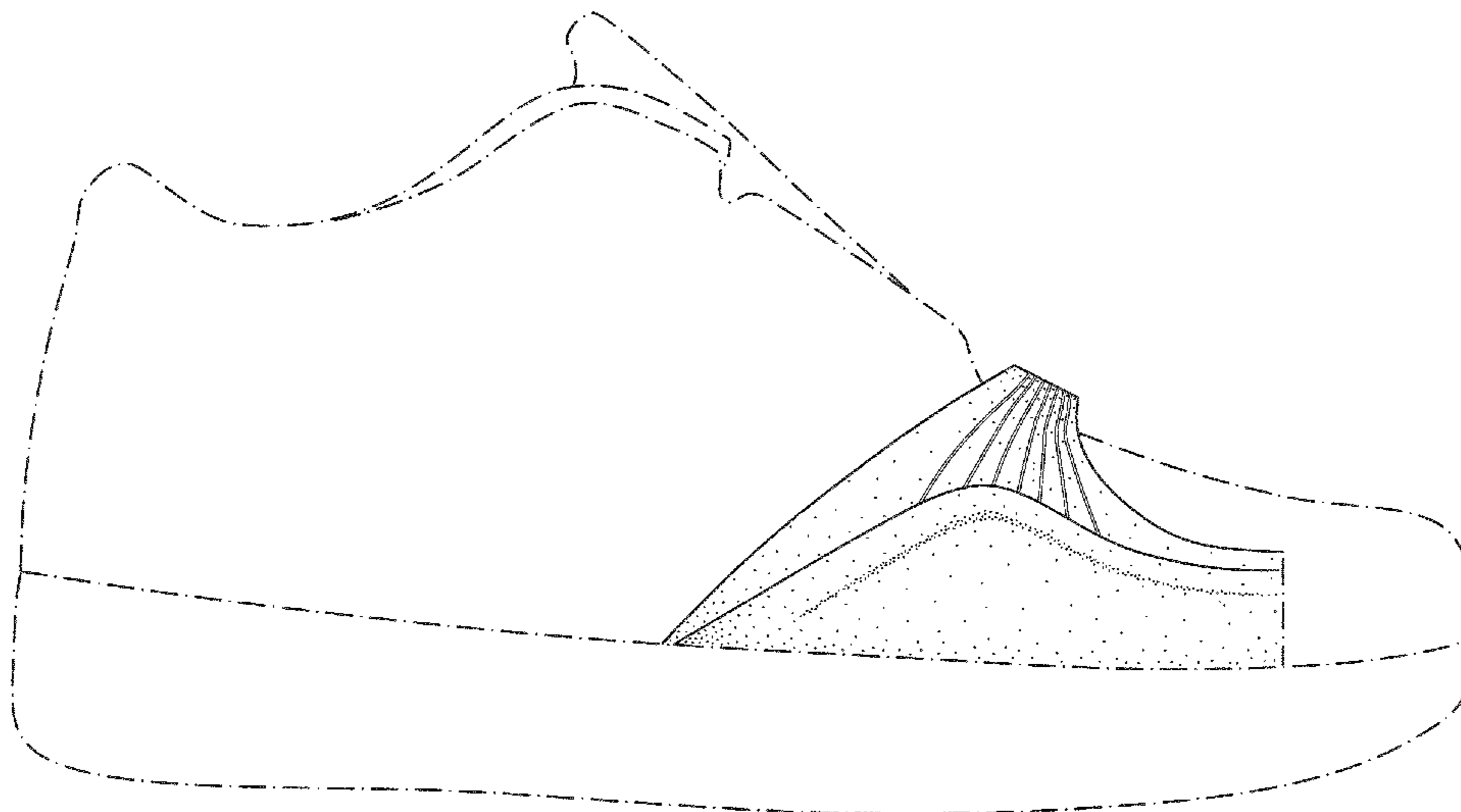
FIG. 1 is a front perspective view of a shoe upper showing my new design;

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



U.S. PATENT DOCUMENTS

D513,848 S	1/2006	Teague	
D527,174 S	8/2006	Kayano et al.	
D528,770 S	9/2006	Chang	
D528,777 S	9/2006	McDowell et al.	
D536,866 S	2/2007	Cass	
D544,692 S	6/2007	Kuerbis	
D550,444 S	9/2007	Caine	
D571,992 S *	7/2008	Robinson et al.	D2/969
D571,995 S *	7/2008	Mochen	D2/969
D572,459 S	7/2008	Hatfield et al.	
D583,141 S *	12/2008	Mermet	D2/972
D583,545 S *	12/2008	Lee	D2/972
D583,547 S *	12/2008	Mermet	D2/972
D595,043 S	6/2009	Wright	
D595,045 S *	6/2009	Dolan	D2/972
D595,498 S	7/2009	Dolan	
D610,340 S *	2/2010	Cooper	D2/972
D610,341 S	2/2010	Cooper	
D614,387 S	4/2010	Rasmussen	
D623,841 S	9/2010	Maejima	

OTHER PUBLICATIONS

Nike Footwear Catalog, Footwear: Fall 1988, p. 116, published Dec. 1987, Nike, Inc., USA.
 Nike Footwear Catalog, Footwear: Holiday 1988, p. 4, published Mar. 1988, Nike, Inc., USA.
 Nike Footwear Catalog, Footwear: Fall 1989, p. 22, published Dec. 1988, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Spring 1990, p. 72, published Jun. 1989, Nike, Inc., USA.
 Nike Footwear Catalog, Footwear: Spring 1990, p. 142, published Jun. 1989, Nike, Inc., USA.
 Nike Footwear Catalog, Footwear: Spring 1990, p. 158, published Jun. 1989, Nike, Inc., USA.
 Nike Footwear Catalog, Footwear: Fall 1990, p. 142, published Dec. 1989, Nike, Inc., USA.
 Nike Footwear Catalog, Footwear: Holiday 1996, p. 22, published Mar. 1996, Nike, Inc., USA.
 Nike Footwear Catalog, Men's and Women's Footwear: Fall 1999, p. M42, published Nov. 1998, Nike, Inc., USA.
 Nike Footwear Catalog, Men's and Women's Footwear: Fall 2003, p. 50, published Nov. 2002, Nike, Inc., USA.
 Nike Footwear Catalog, Men's and Women's Footwear: Fall 2003, p. 86, published Nov. 2002, Nike, Inc., USA.
 Nike Footwear Catalog, Sport Performance Footwear: Spring 2009, p. 133, published May. 2008, Nike, Inc., USA.
 Zoom Morizaba by Nike, Inc., 1 page of full-color photographs, published 2010.
 Trainer One Low by Nike, Inc., 1 page of full-color photographs, published 2010.
 Free TR by Nike, Inc., 1 page of full-color photographs, published 2010.
 Air Max Trainer 1 Unleashed + Low by Nike, Inc., 1 page of full-color photographs, published 2010.
 Nike Footwear Catalog, Men's Athletic Training: Spring 2011, p. 50, published May 2010, Nike, Inc., USA.

* cited by examiner

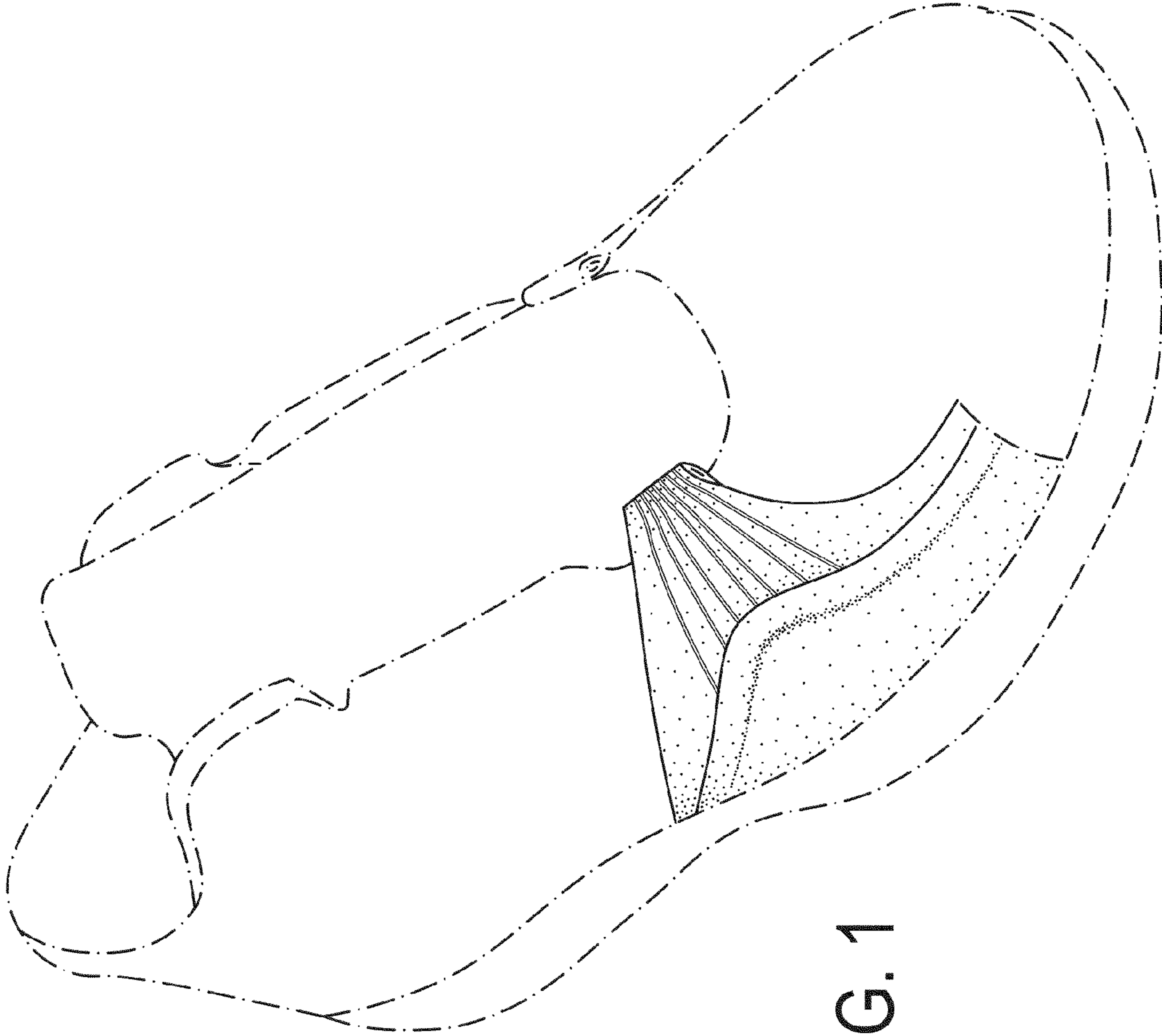


FIG. 1

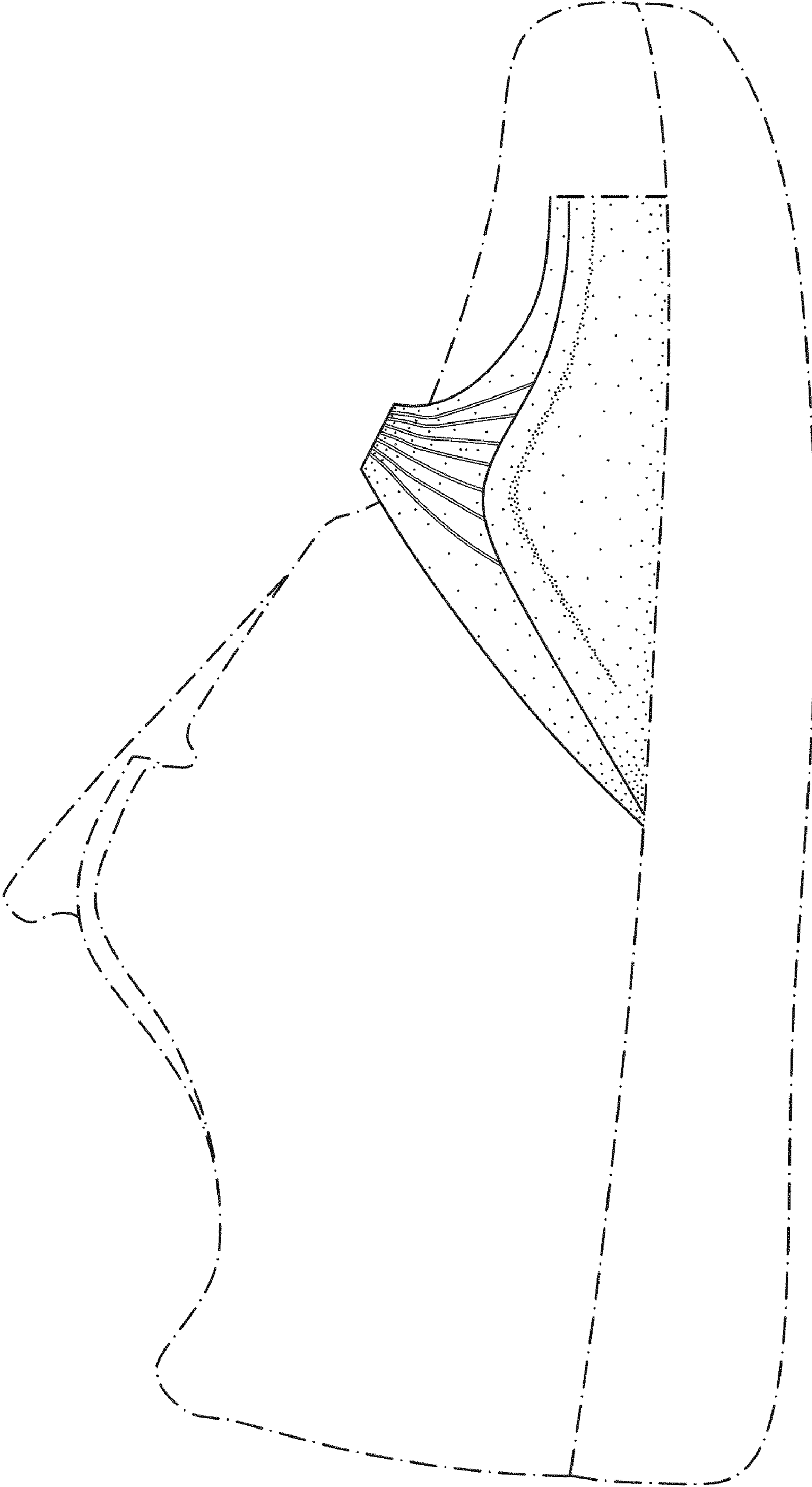


FIG. 2

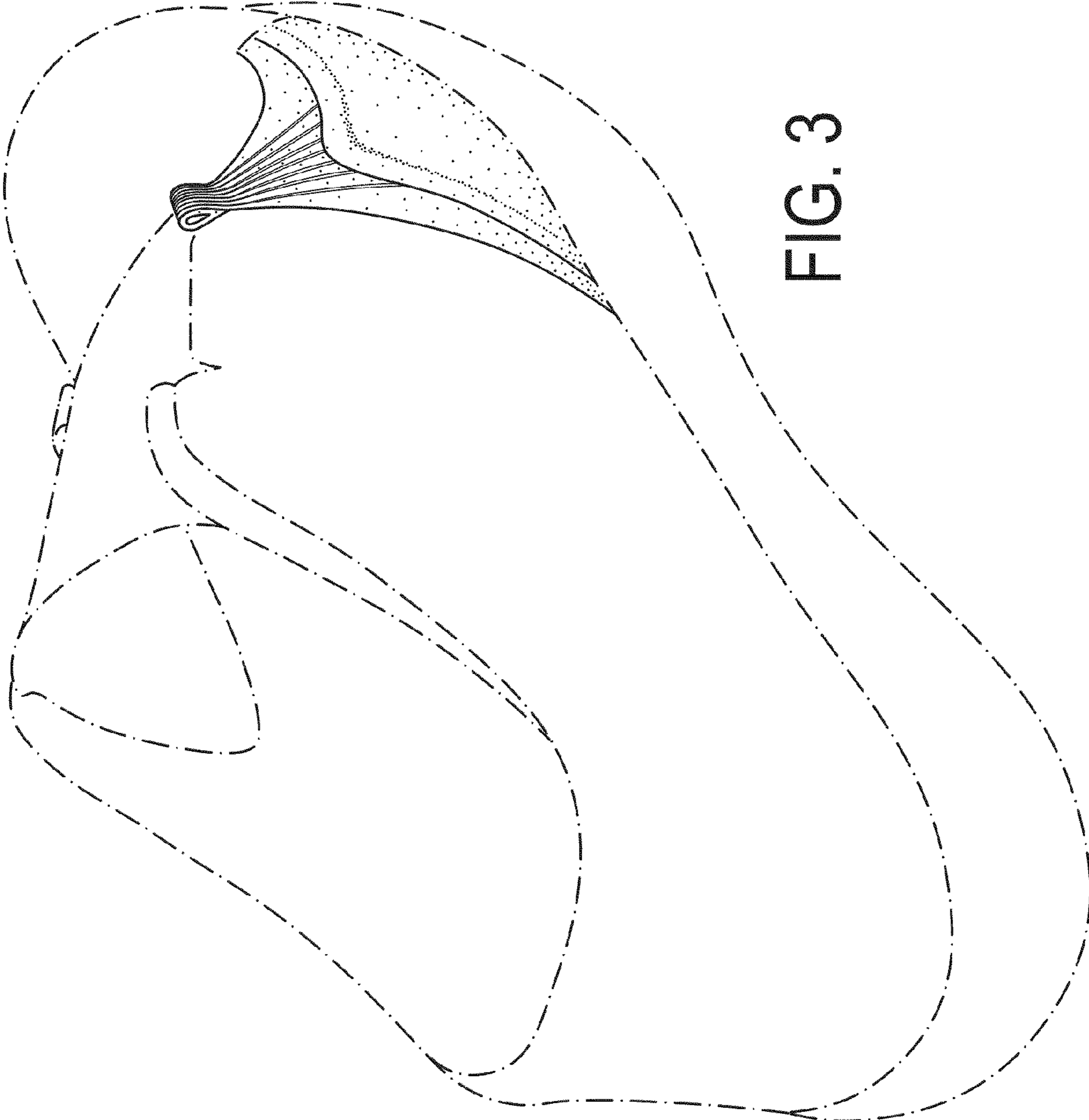


FIG. 3