



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**

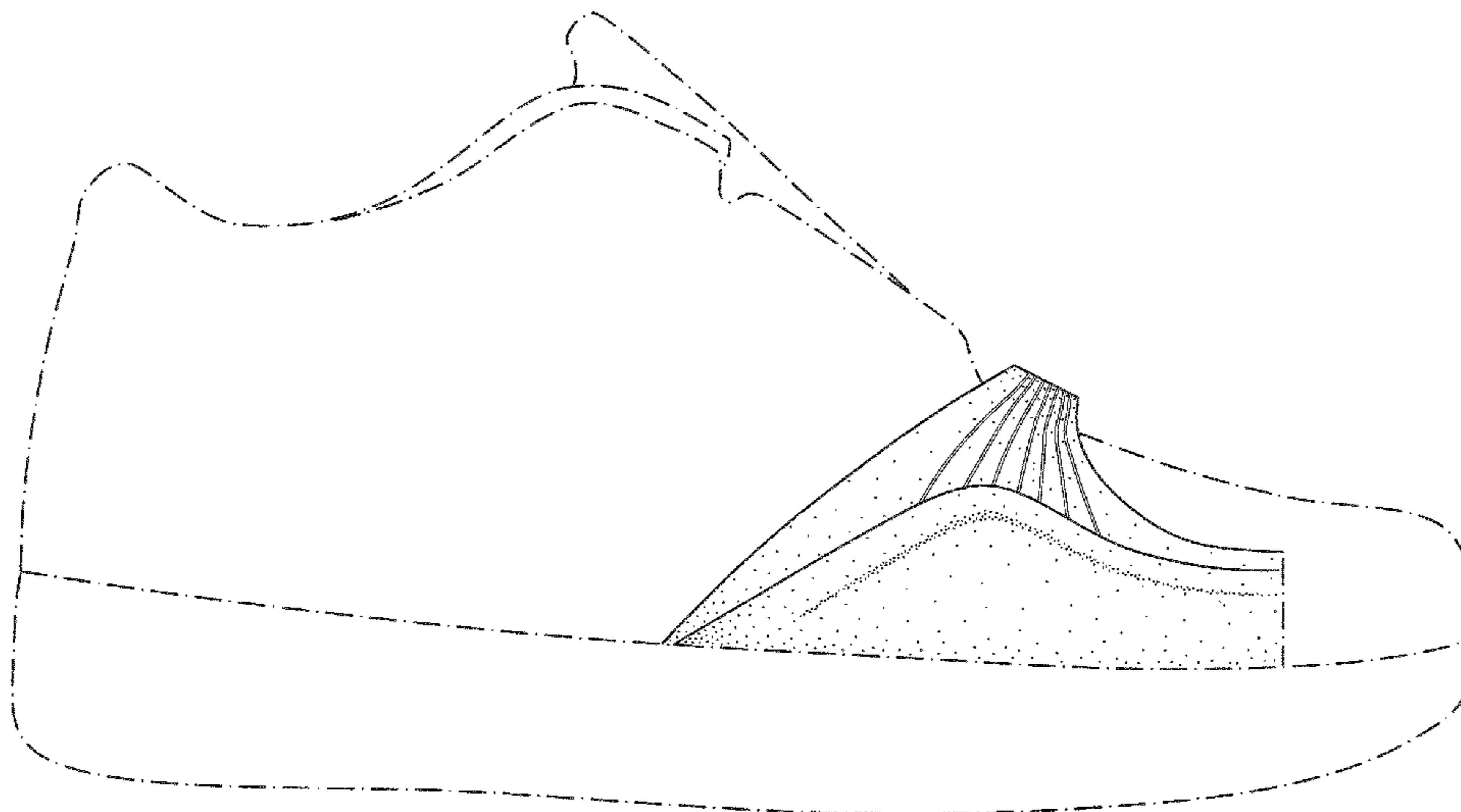
FIG. 1 is a front perspective view of a shoe upper showing my new design;

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

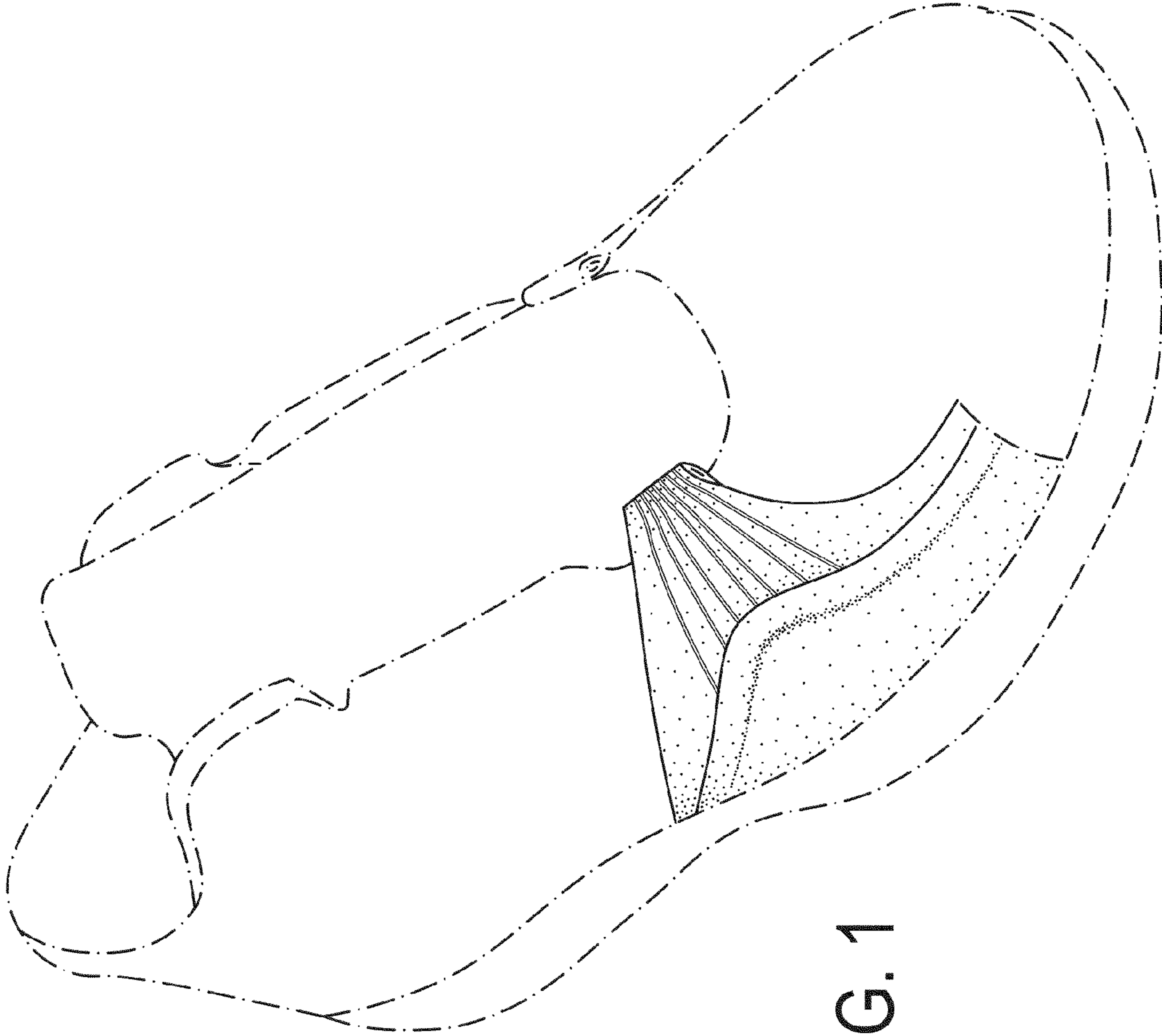


FIG. 1

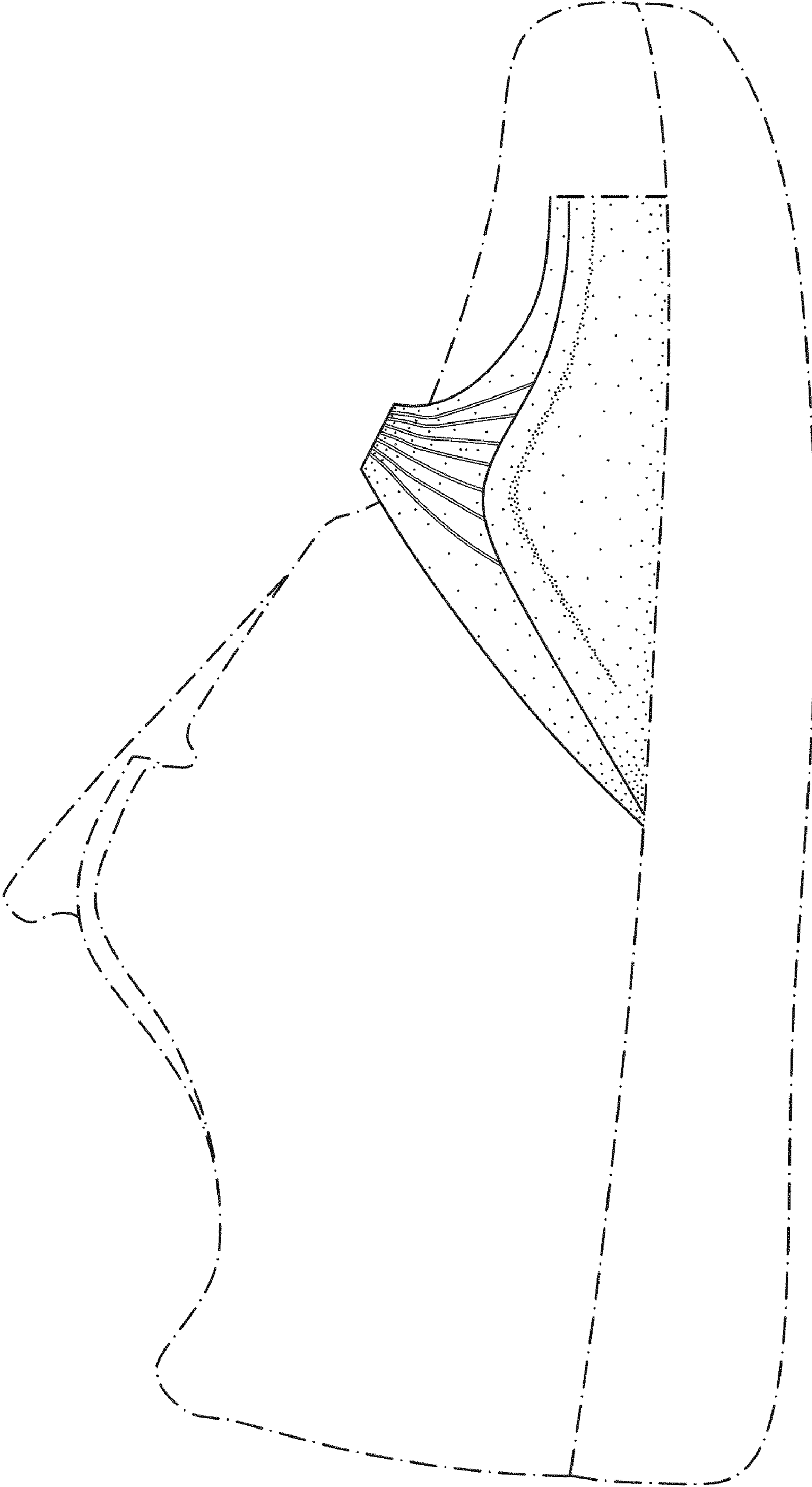


FIG. 2

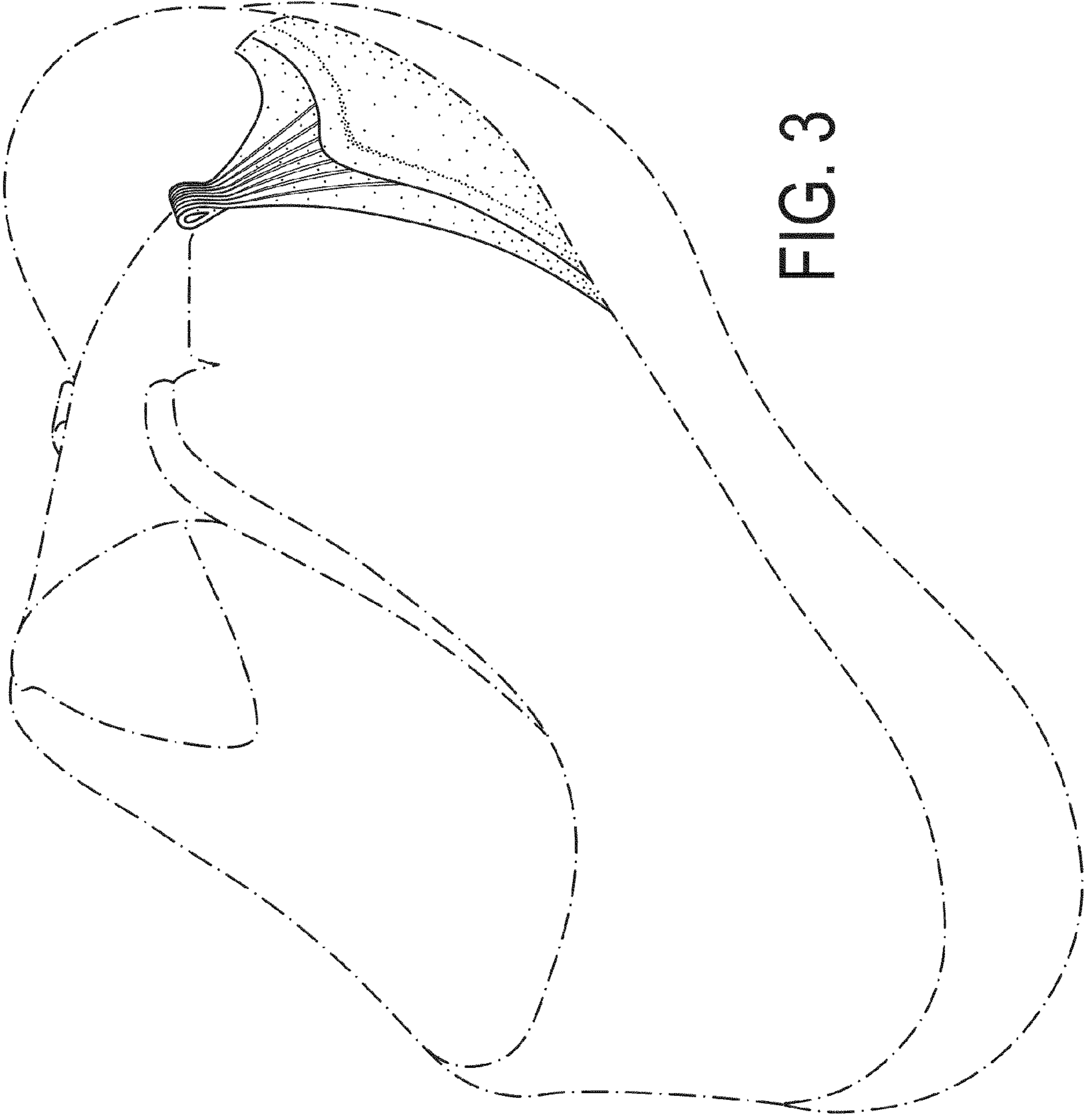


FIG. 3