



US00D643613S

(12) **United States Design Patent**  
**Smith et al.**

(10) **Patent No.:** **US D643,613 S**

(45) **Date of Patent:** **\*\* Aug. 23, 2011**

(54) **SHOE UPPER**

(75) Inventors: **Mark J. Smith**, Portland, OR (US); **Tom Luedecke**, Portland, OR (US)

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

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

(21) Appl. No.: **29/392,811**

(22) Filed: **May 26, 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.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D295,688 S *	5/1988	Brown et al. ....	D2/973
D296,837 S *	7/1988	Brown .....	D2/973
D297,781 S *	9/1988	Diaz et al. ....	D2/973
D297,883 S *	10/1988	Mourad .....	D2/969
D298,082 S *	10/1988	Selbiger et al. ....	D2/969
D313,885 S	1/1991	Richard et al.	
D320,498 S	10/1991	Hatfield	
D324,447 S	3/1992	Purdom	
D326,012 S	5/1992	Kittle et al.	
D331,141 S	11/1992	Smith, III	
D331,142 S	11/1992	Smith, III	
D331,146 S	11/1992	Brown et al.	
D331,486 S	12/1992	Dahlsten et al.	
D334,090 S	3/1993	Teague	
D347,314 S	5/1994	Uda	
D352,161 S *	11/1994	Preskar .....	D2/969
D367,754 S	3/1996	James	
D369,897 S *	5/1996	Worthington .....	D2/969
D385,395 S	10/1997	Morris	
D395,351 S *	6/1998	Teague .....	D2/972
D398,755 S	9/1998	Gray	

D412,395 S	8/1999	von Conta et al.	
D413,715 S *	9/1999	Clarke .....	D2/972
D434,895 S	12/2000	Laberge	
D435,718 S	1/2001	Laberge	
D467,719 S *	12/2002	Blakeslee .....	D2/972
D518,281 S	4/2006	Lane, III et al.	
D545,052 S *	6/2007	Clancy .....	D2/972
D574,598 S *	8/2008	Belley et al. ....	D2/969
D575,044 S *	8/2008	Alfaro .....	D2/969

**OTHER PUBLICATIONS**

Nike Footwear Catalog, Footwear: Fall 1991, p. 152, published Dec. 1990, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Spring 1992, p. 54, published May 1991, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Fall 1993, p. 34, published Dec. 1992, Nike, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear: Spring 2000, p. M36, published Jul. 1999, Nike, Inc., USA.

(Continued)

*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**

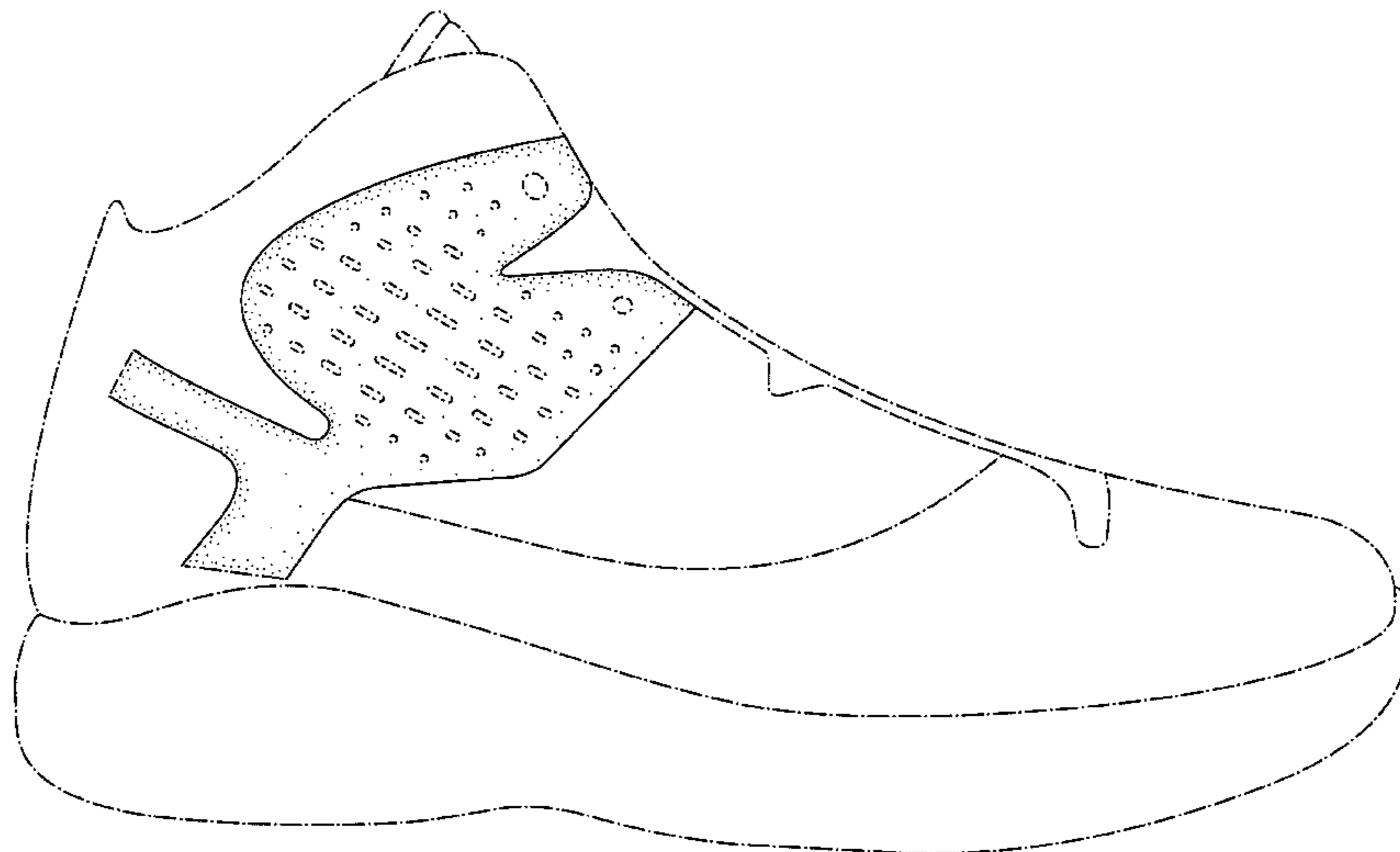
FIG. 1 is a front perspective view of a shoe upper showing our new design;

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 unshaded regions within the shaded area demarcated by broken lines form no part of the claimed design. The broken lines showing the remainder of the shoe are for environmental purposes only and form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



OTHER PUBLICATIONS

Nike Footwear Catalog, Urban Better Footwear: Fall 2010, p. 15, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, Jordan Footwear/Apparel: Spring 2006, p. 7, published May 2005, Nike, Inc., USA.

\* cited by examiner

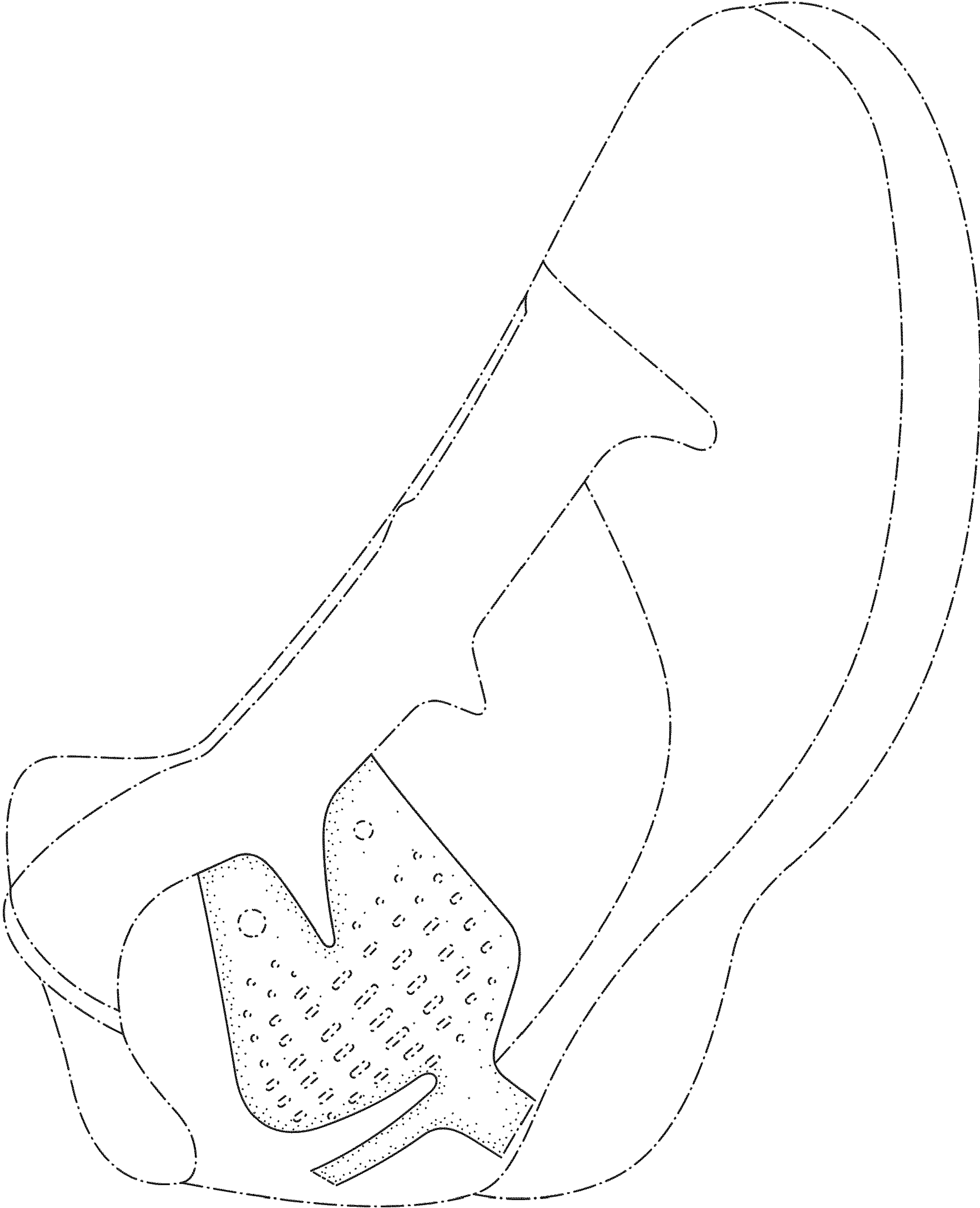


FIG. 1

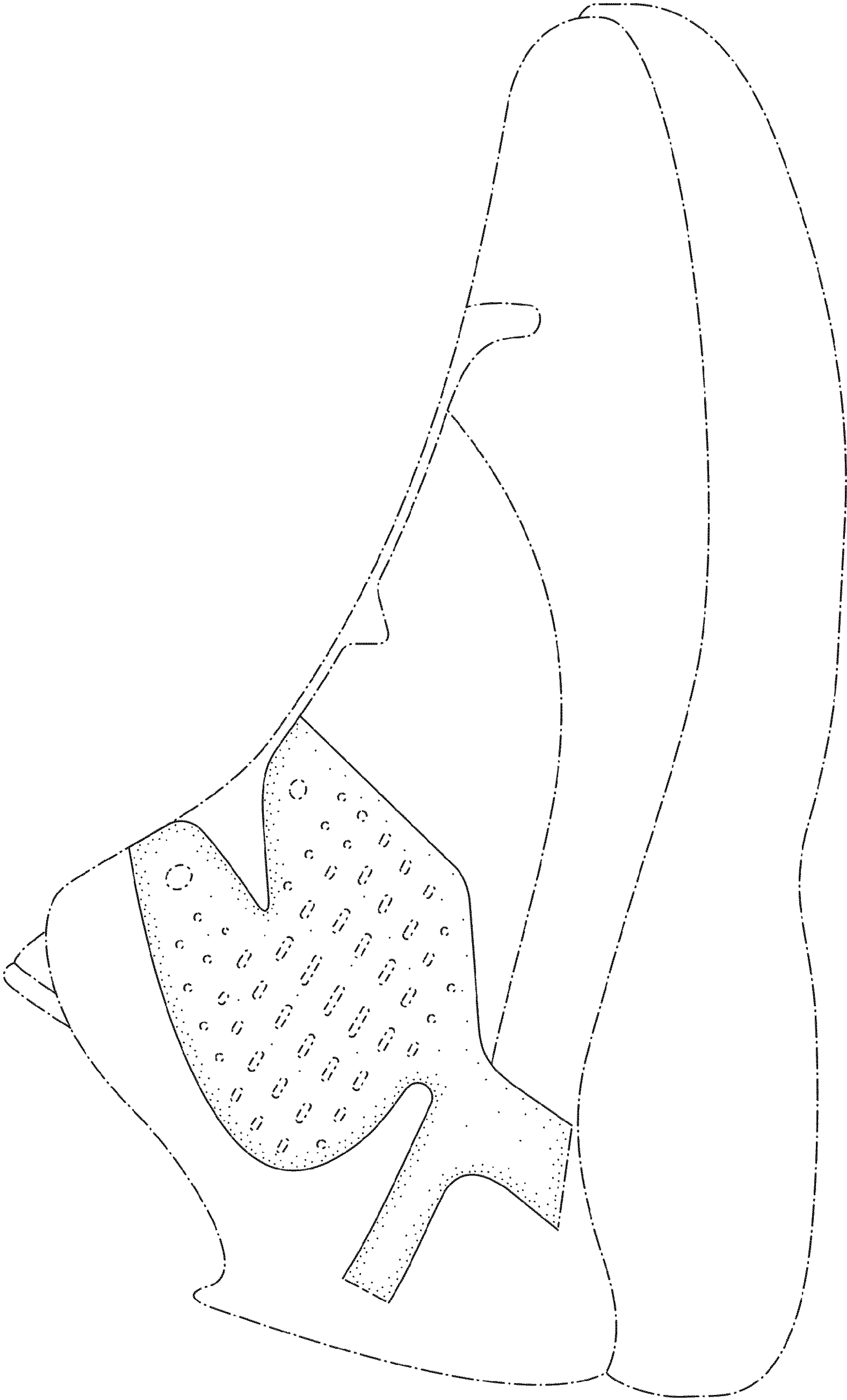


FIG. 2

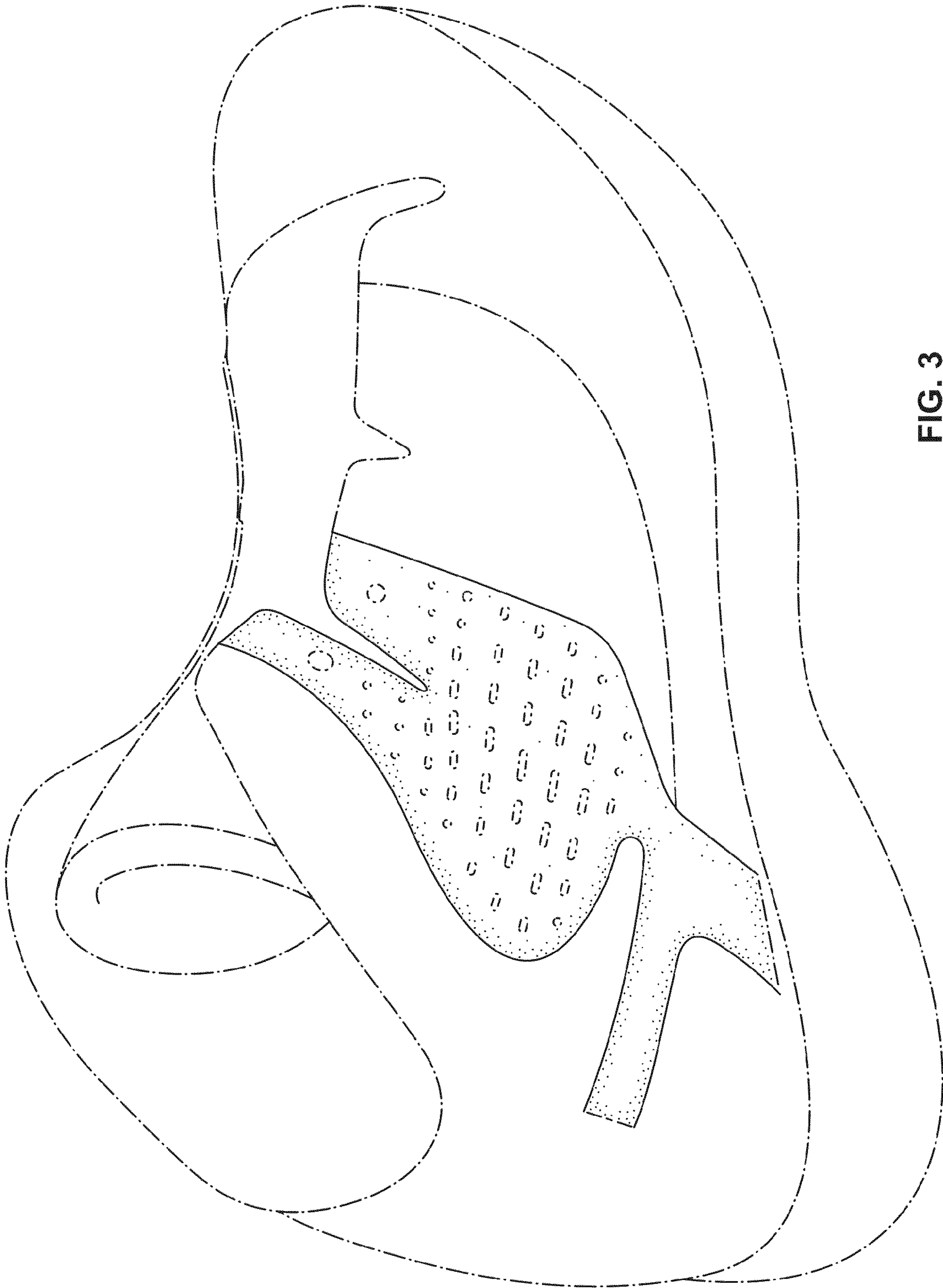


FIG. 3