



US00D644020S

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

(10) **Patent No.:** **US D644,020 S**

(45) **Date of Patent:** **** Aug. 30, 2011**

(54) **SHOE UPPER**

(75) Inventor: **Andrew Caine**, Portland, OR (US)

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

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

(21) Appl. No.: **29/394,572**

(22) Filed: **Jun. 17, 2011**

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

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

(58) **Field of Classification Search** D2/896,
D2/897, 902, 906-908, 943, 944, 969, 972-974;
36/45-49, 50.1, 77 M, 77 R, 83, 88, 113,
36/114, 126-131; D5/56

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | |
|-------------|-----------|------------------|--------|
| D289,580 S | 5/1987 | Bracy | |
| D330,108 S | * 10/1992 | Kazapowski | D2/897 |
| D338,324 S | 8/1993 | Canatella et al. | |
| 5,437,112 A | 8/1995 | Johnston | |
| D365,201 S | 12/1995 | Avar | |
| D366,561 S | 1/1996 | Shea | |
| D367,553 S | 3/1996 | Delfel et al. | |
| D385,993 S | 11/1997 | Avar | |
| D391,057 S | 2/1998 | Cooper | |
| D407,203 S | 3/1999 | Maxwell | |
| D413,717 S | * 9/1999 | Smith, III | D2/972 |
| D441,181 S | * 5/2001 | Morgan | D2/972 |
| D449,731 S | * 10/2001 | Roulo | D2/972 |
| D485,052 S | 1/2004 | Holmes | |
| D495,865 S | 9/2004 | Lee | |
| D513,849 S | 1/2006 | Hull | |
| D514,797 S | * 2/2006 | Gerber | D2/972 |
| D540,531 S | * 4/2007 | Lee | D2/972 |
| D541,520 S | * 5/2007 | Fogg | D2/972 |
| D553,845 S | 10/2007 | Roulo | |
| D556,980 S | 12/2007 | Bramani | |
| D572,460 S | * 7/2008 | McMillan | D2/972 |
| D636,594 S | 4/2011 | Henrichot | |

OTHER PUBLICATIONS

- Nike Footwear Catalog, Footwear: Fall 1997, p. 25, published Dec. 1996, Nike, Inc., USA.
- Nike Footwear Catalog, Footwear: Holiday 1997, p. 191, published Mar. 1997, Nike, Inc., USA.
- Nike Footwear Catalog, Footwear: Late Spring 1998, p. 41, published Sep. 1997, Nike, Inc., USA.
- Nike Footwear Catalog, Men's and Women's Footwear: Late Spring 1999, p. W68, published Sep. 1998, Nike, Inc., USA.
- Nike Footwear Catalog, Men's and Women's Footwear (red cover): Fall 2000, p. M2, published Nov. 1999, Nike, Inc., USA.
- Nike Footwear Catalog, Men's and Women's Footwear (blue cover): Fall 2000, p. M39, published Nov. 1999, Nike, Inc., USA.
- Nike Footwear Catalog, Men's and Women's Footwear: Fall 2001, pp. M60 and W26, published Nov. 2000, Nike, Inc., USA.
- Nike Footwear Catalog, Men's and Women's Footwear: Holiday 2001, p. M68, published Feb. 2001, Nike, Inc., USA.
- Nike Footwear Catalog, Men's and Women's Footwear (white shoes): Spring 2001, p. W56, published Jun. 2000, Nike, Inc., USA.
- Nike Footwear Catalog, Men's and Women's Footwear: Late Spring 2002, p. W88, published Sep. 2001, Nike, Inc., USA.
- Nike Footwear Catalog, Footwear: Fall 2005, p. 131, published Nov. 2004, Nike, Inc., USA.

(Continued)

Primary Examiner — Dominic Simone

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

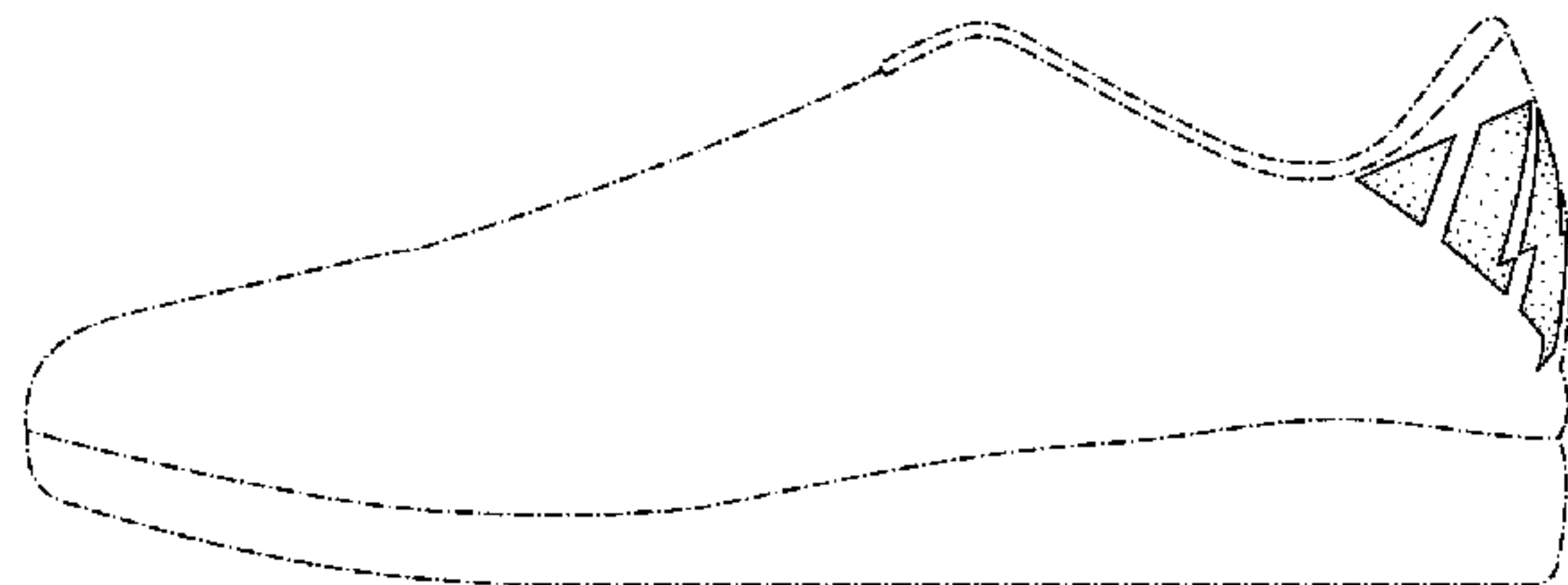
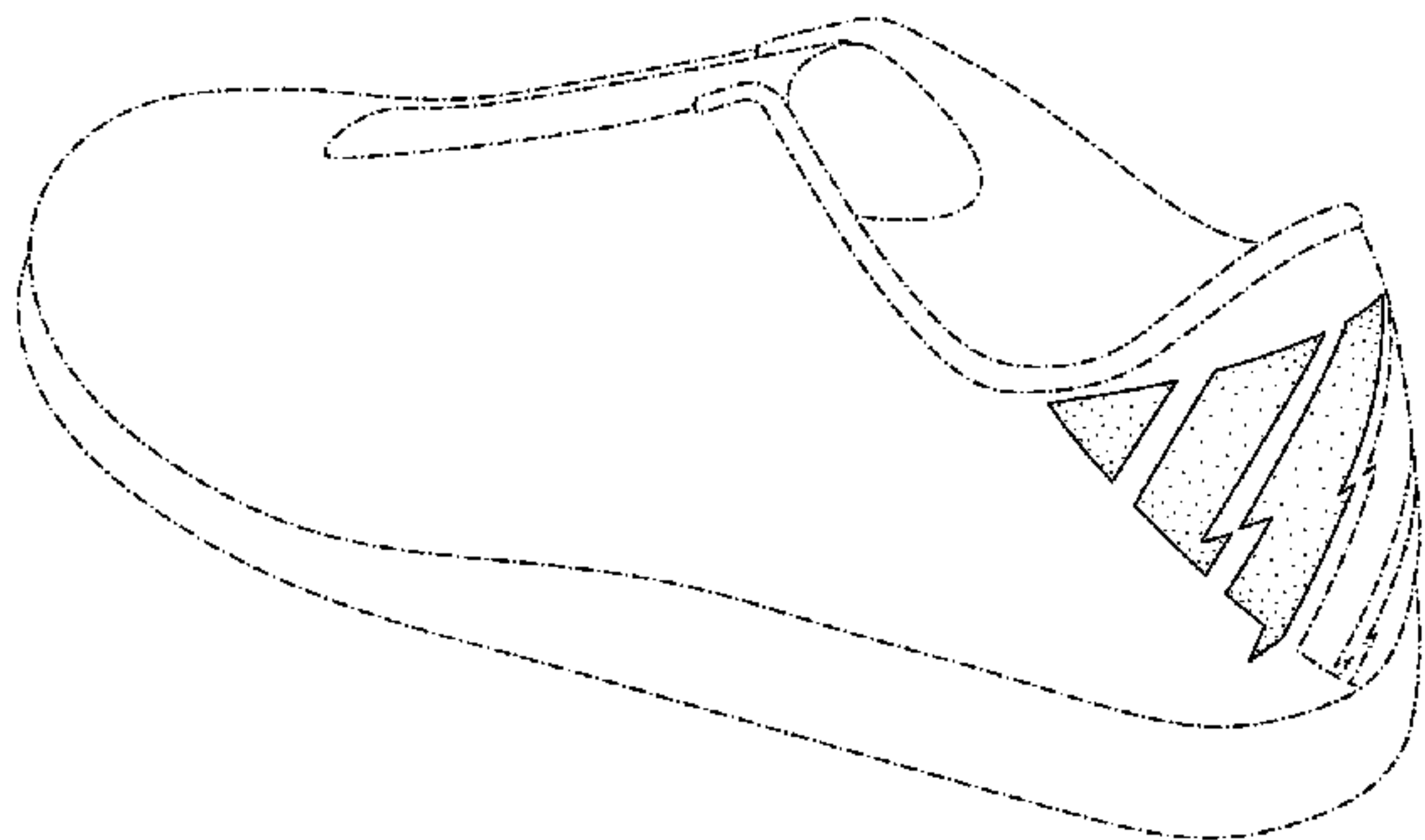
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a rear perspective view of a shoe upper showing my new design;
 FIG. 2 is a side view thereof; and,
 FIG. 3 is a rear view thereof.
 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



US D644,020 S

Page 2

OTHER PUBLICATIONS

Nike Footwear Catalog, Footwear: Holiday 2005, p. 76, published Mar. 2005, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Spring 2008, p. 13, published May 2007, Nike, Inc., USA.

* cited by examiner

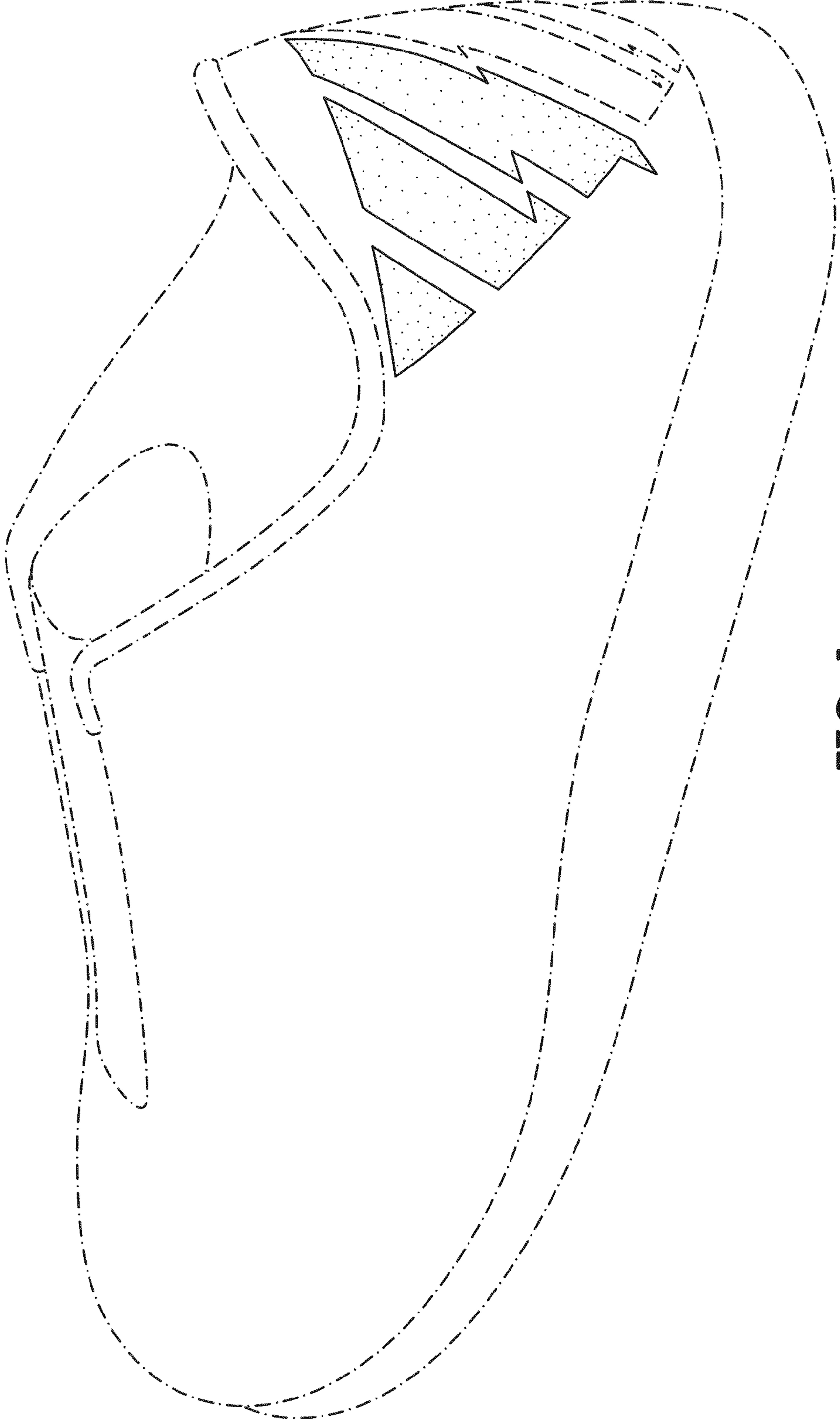


FIG. 1

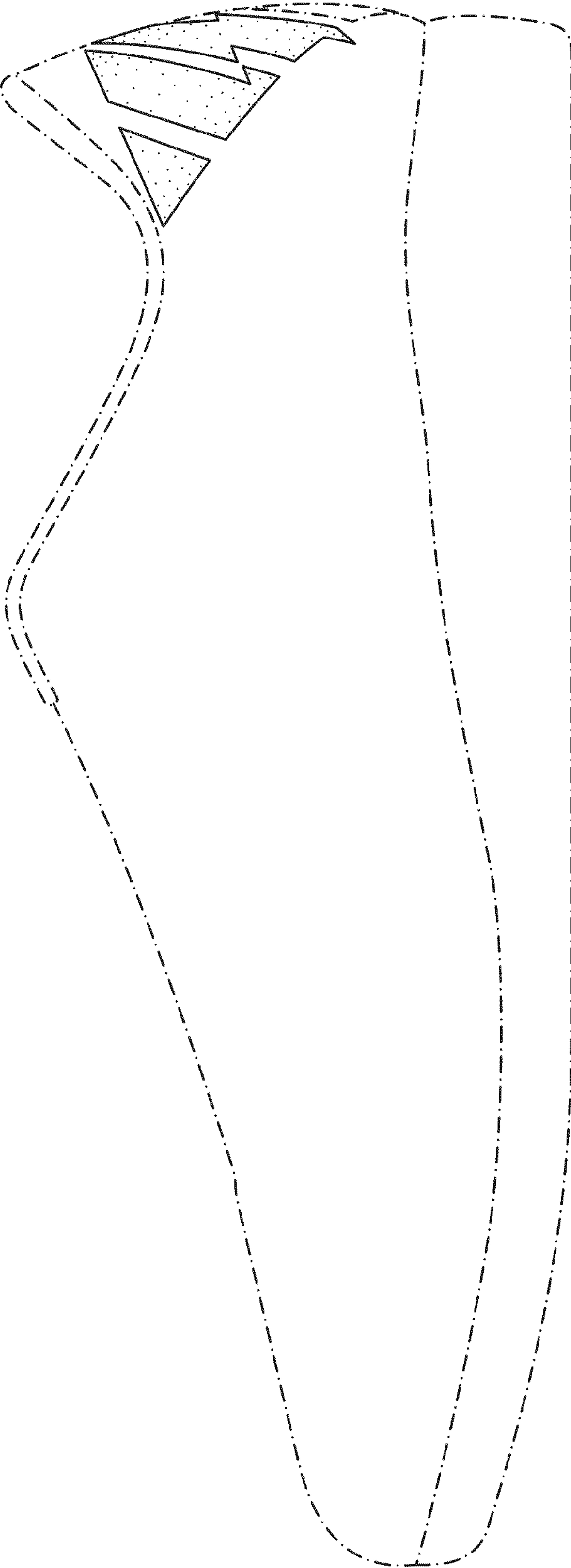


FIG. 2

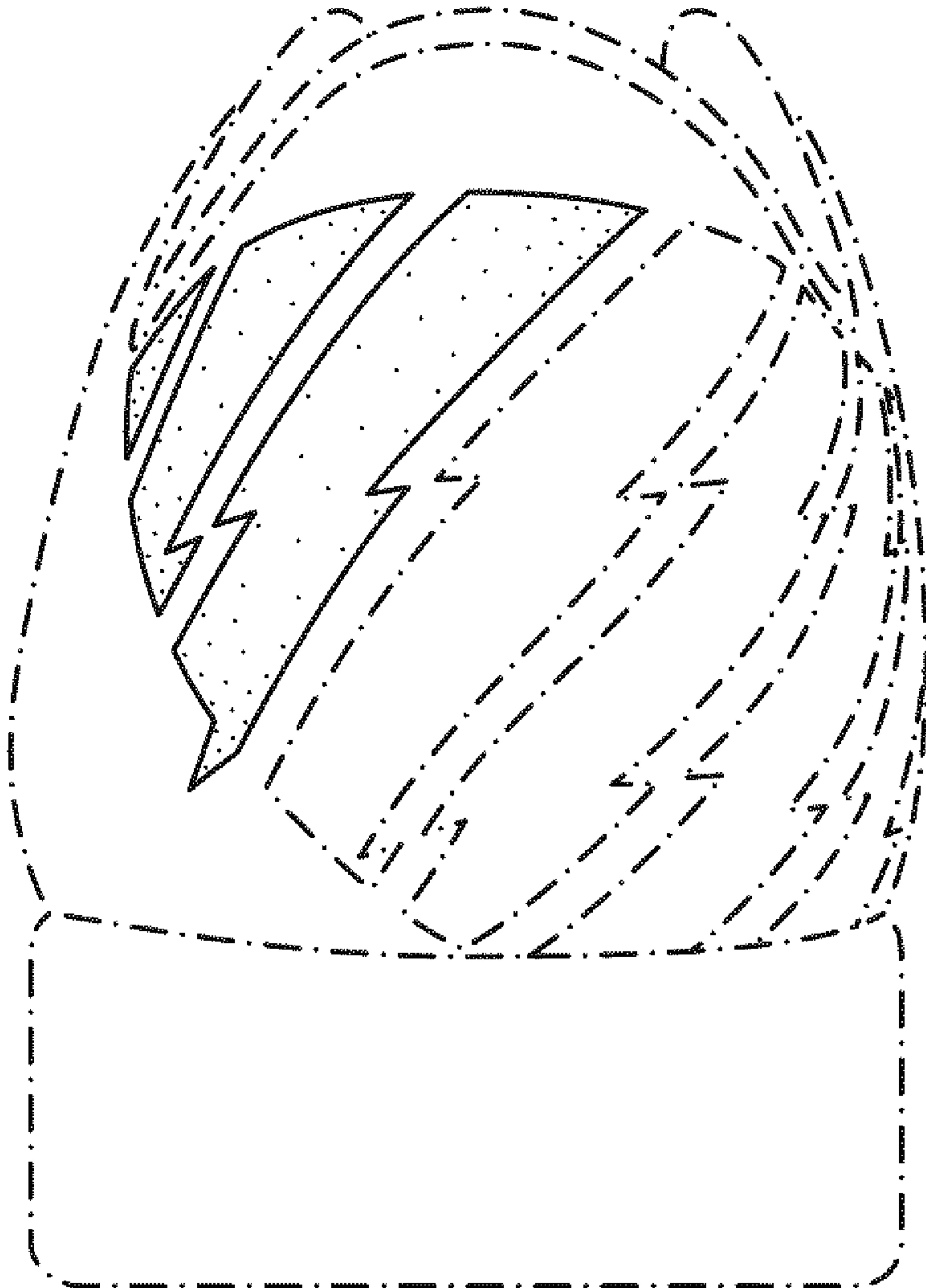


FIG. 3