



US00D648114S

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

(10) **Patent No.:** **US D648,114 S**
(45) **Date of Patent:** **** Nov. 8, 2011**

(54) **SHOE UPPER**

- (75) Inventor: **Angela N. Martin**, Lake Oswego, OR (US)
 - (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
 - (**) Term: **14 Years**
 - (21) Appl. No.: **29/399,906**
 - (22) Filed: **Aug. 19, 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.

OTHER PUBLICATIONS

- Nike Footwear Catalog, Footwear: Spring 1990, p. 4, published Jun. 1989, Nike, Inc., USA.
- Nike Footwear Catalog, Footwear: Late Spring 1995, p. 12, published Sep. 1994, Nike, Inc., USA.
- Nike Footwear Catalog, Footwear: Summer 2008, p. 133, published Aug. 2007, Nike, Inc., USA.
- Nike Footwear Catalog, Performance Footwear: Holiday 2008, p. 28, published Feb. 2008, Nike, Inc., USA.
- Nike Footwear Catalog, Sport Performance Footwear: Fall 2009, p. 4, published Nov. 2008, Nike, Inc., USA.
- Nike Footwear Catalog, Performance Footwear: Spring 2010, p. 9, published May 2009, Nike, Inc., USA.
- Nike Footwear Catalog, Performance Footwear: Spring 2010, p. 91, published May 2009, Nike, Inc., USA.
- Nike Footwear Catalog, Performance Footwear: Fall 2010, p. 3, published Nov. 2009, Nike, Inc., USA.
- Nike Footwear Catalog, Men's Footwear: Performance: Spring 2011, p. 1, published May 2010, Nike, Inc., USA.

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

- | | | | | |
|--------------|---------|-------------------|-------|--------|
| D41,951 S * | 11/1911 | Nuzzo | ..... | D2/973 |
| D293,970 S | 2/1988 | Brown et al. | | |
| D294,998 S | 4/1988 | Brown et al. | | |
| D296,262 S | 6/1988 | Brown et al. | | |
| D298,283 S | 11/1988 | Swett | | |
| D310,293 S * | 9/1990 | Serna et al. | ..... | D2/969 |
| D322,878 S | 1/1992 | Hatfield | | |
| D341,703 S * | 11/1993 | Hatfield et al. | ..... | D2/973 |
| D346,486 S | 5/1994 | Morris et al. | | |
| D347,724 S * | 6/1994 | Teague | ..... | D2/969 |
| D411,245 S * | 6/1999 | Edwards | ..... | D2/969 |
| D449,730 S * | 10/2001 | McDowell | ..... | D2/972 |
| D475,517 S | 6/2003 | St-Louis | | |
| D516,289 S * | 3/2006 | Hlavacs | ..... | D2/972 |
| D517,302 S | 3/2006 | Ardissono | | |
| D521,718 S * | 5/2006 | Young | ..... | D2/972 |
| D523,625 S * | 6/2006 | Hull | ..... | D2/972 |
| D527,517 S * | 9/2006 | Gajowskyj | ..... | D2/972 |
| D544,194 S * | 6/2007 | Roth et al. | ..... | D2/972 |
| D560,892 S * | 2/2008 | Belley et al. | ..... | D2/969 |
| D563,654 S | 3/2008 | Schoenborn et al. | | |
| D584,040 S | 1/2009 | McDade et al. | | |
| D591,497 S | 5/2009 | McDade et al. | | |
| D626,738 S | 11/2010 | Akhidime | | |
| D642,371 S * | 8/2011 | Dolan | ..... | D2/972 |

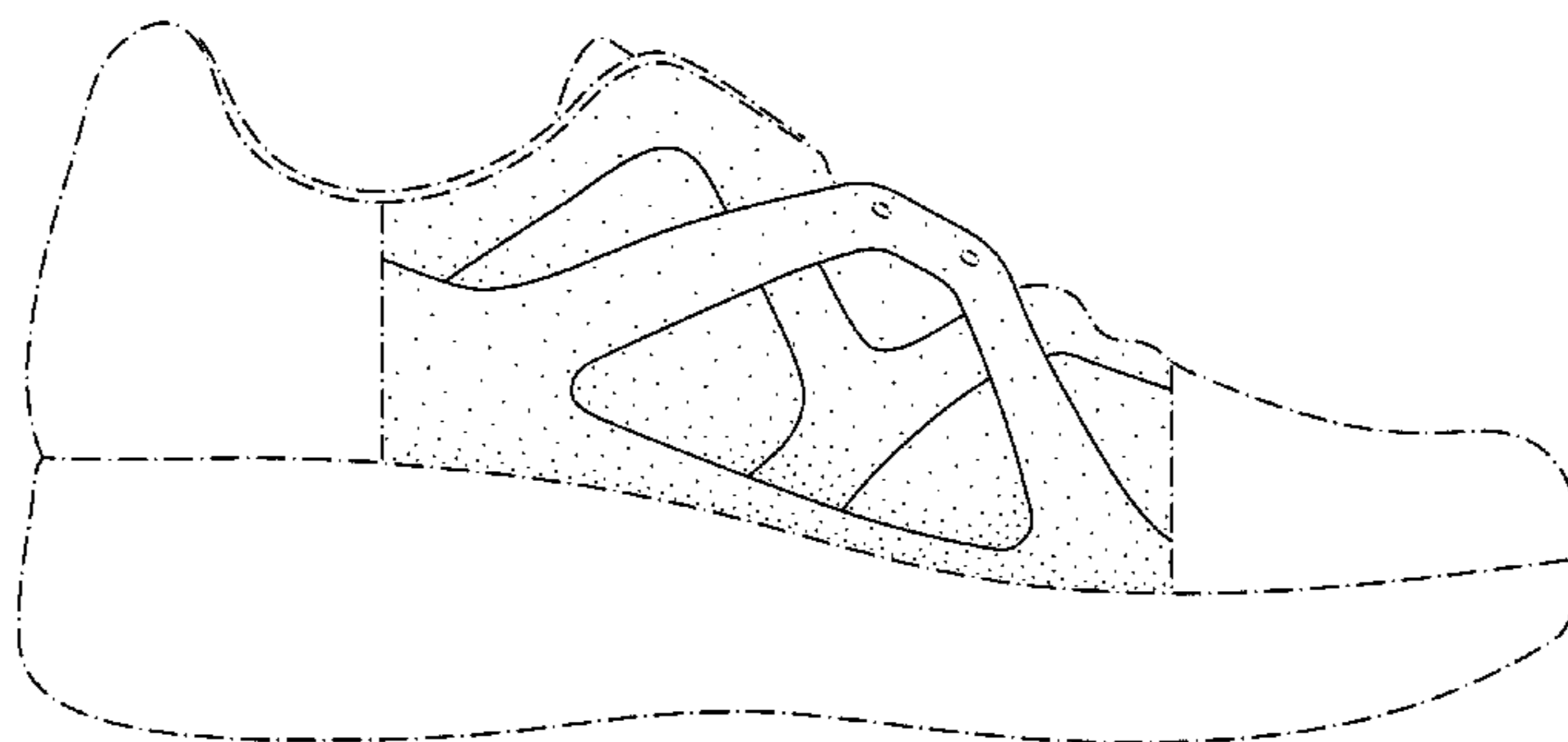
Primary Examiner — Dominic Simone
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(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 two unshaded eyelet regions 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, Core Reax Footwear: Fall 2011, p. 26, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, Women's Sportswear Footwear: Holiday 2011, p. 8, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

* cited by examiner

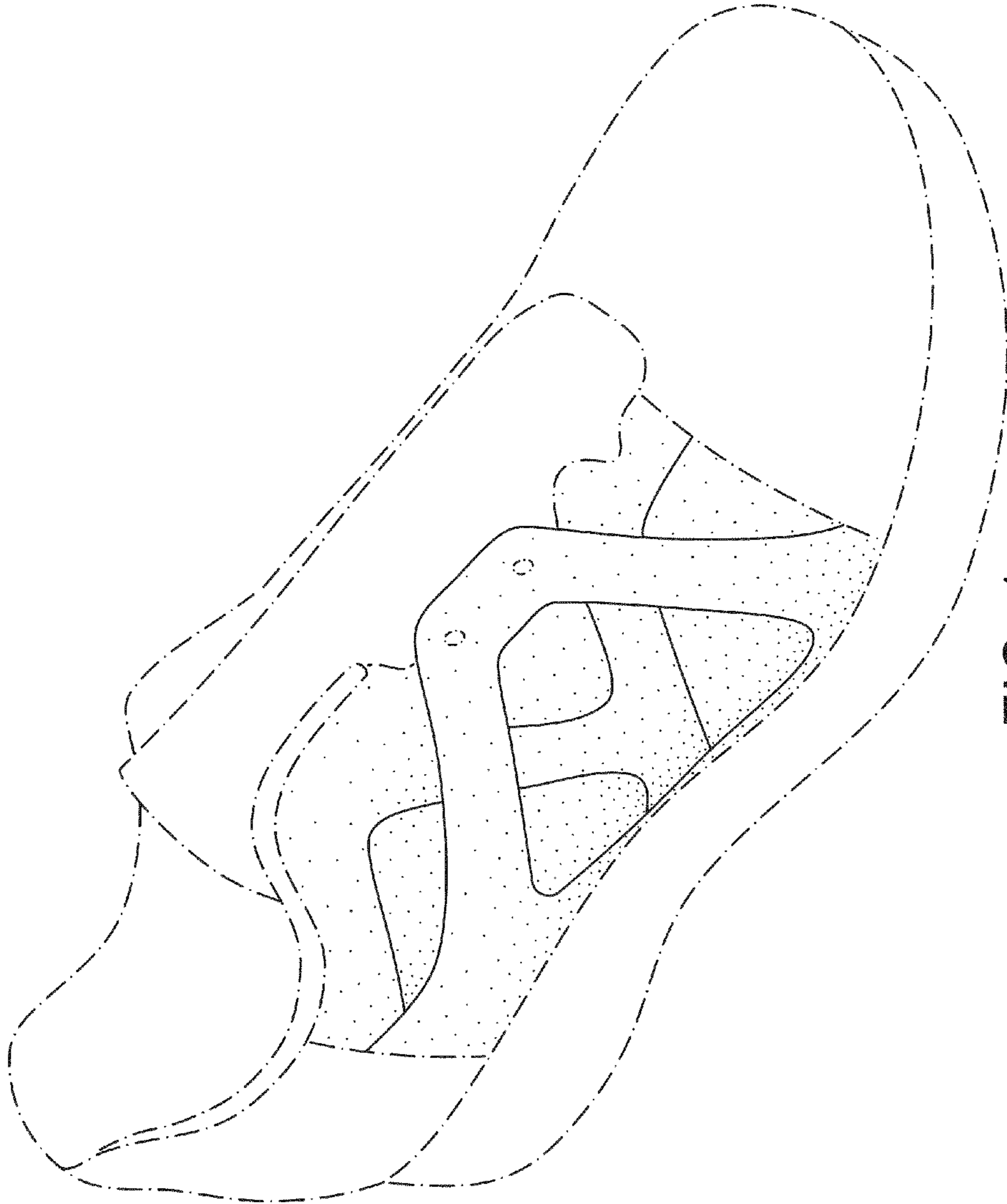


FIG. 1

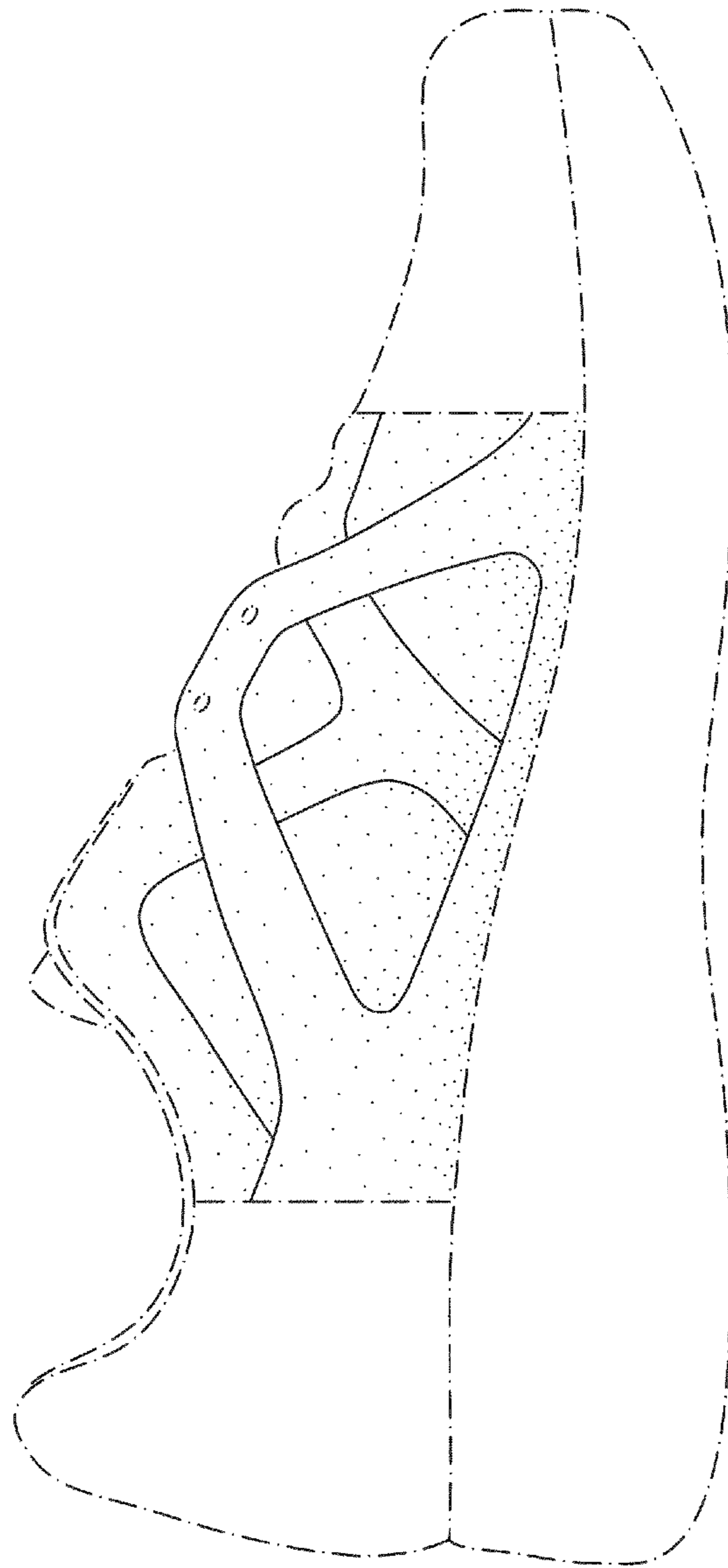


FIG. 2

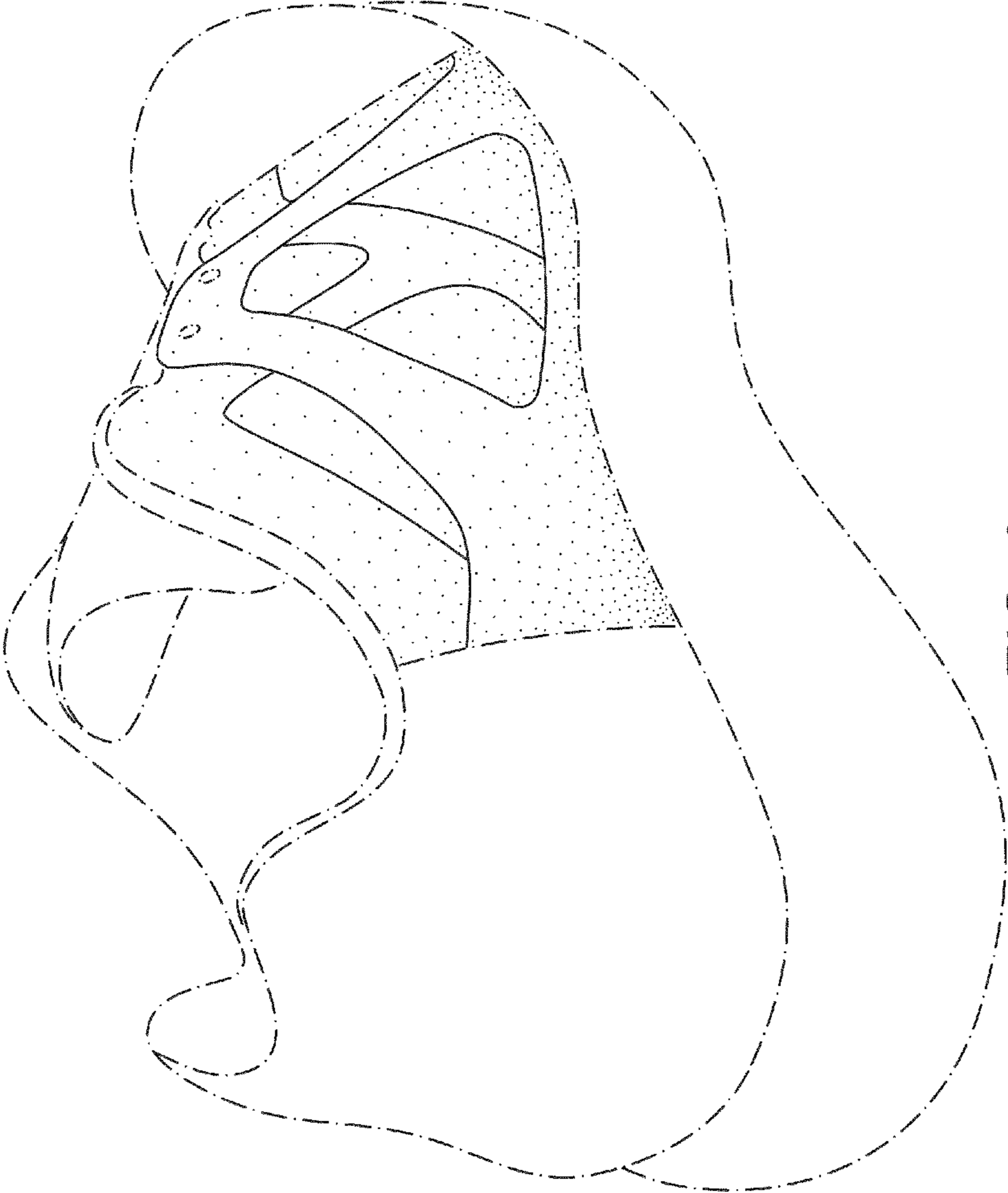


FIG. 3