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- (54) **SHOE UPPER**
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- (73) Assignee: NIKE, Inc., Beaverton, OR (US)
- (**) Term: 14 Years
- (21) Appl. No.: **29/400,290**

D593,294 S		6/2009	St-Louis et al.
D623,389 S		9/2010	Akhidime
D642,370 S		8/2011	Dolan
D642,371 S	*	8/2011	Dolan D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog, Footwear: Fall 1993, p. 8, published Dec. 1992, Nike, Inc., USA. Nike Footwear Catalog, Footwear: Late Spring 2006, p. 178, published Sep. 2005, Nike, Inc., USA.

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	See application file for complete search history.
(56)	References Cited

U.S. PATENT DOCUMENTS

D41,951 S	5	*	11/1911	Nuzzo D2/973
D310,293 S	5	*	9/1990	Serna et al D2/969
D331,829 S	5		12/1992	Kittle
D334,088 S	5	*	3/1993	Teague D2/969
D335,014 S	5	*		Hatfield D2/969
D335,207 S	5	*	5/1993	Lucas D2/969
D337,423 S	5		7/1993	Bailey
D339,449 S	5		9/1993	Hatfield
D341,703 S	5	*	11/1993	Hatfield et al D2/973
D342,600 S	5		12/1993	Hatfield et al.
D346,486 S	5		5/1994	Morris et al.
D347,724 S	5		6/1994	Teague
D361,426 S	5		8/1995	Baker
D398,756 S	5		9/1998	Tong
D406,452 S	5	*	3/1999	Fogg D2/972
D487,337 S	5		3/2004	Rogers
D511,885 S	5		11/2005	Young
D512,213 S	5	*	12/2005	Hlavaes D2/972
D517,302 S	5		3/2006	Ardissono
D531,397 S	5	*	11/2006	Smith D2/972
D584,040 S	5		1/2009	McDade et al.
D591,497 S	5		5/2009	McDade et al.

Nike Footwear Catalog, Urban Better Footwear: Fall 2010, p. 20, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, Men's Footwear: Performance: Holiday 2010, p. 29, published Feb. 2010, Nike, Inc., USA. Nike Footwear Catalog, Men's Performance Footwear: Fall 2011, p. 6, published Nov. 2010, Nike, Inc., USA. Nike Footwear Catalog, Women's Performance Footwear: Fall 2011, p. 11, published Nov. 2010, Nike, Inc., USA.

(Continued)

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(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 four unshaded eyelet regions, the V-shaped region, and the I-shaped region demarcated by broken lines within the shaded region 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



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OTHER PUBLICATIONS

Air Kukini by Nike Inc., 1 page of full-color photographs, 1998. Nike Air Presto by Nike Inc., 1 page of full-color photographs, Fall 2000.

Nike Air Presto Faze by Nike Inc., 1 page of full-color photographs, 2001.

Nike Shox TL3 by Nike Inc., 1 page of full-color photographs, Fall 2005.

Nike Lunar Presto Rejuven8 by Nike Inc., 1 page of full-color photographs, Summer 2010. Nike Air MAX Tailwind+ by Nike Inc., 1 page of full-color photographs, Holiday 2010.

* cited by examiner

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