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

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(54) **SHOE UPPER**

(75) Inventor: **Cheresse Thornhill**, Beaverton, OR  
(US)

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

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

(21) Appl. No.: **29/402,014**

(22) Filed: **Sep. 19, 2011**

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

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

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D2/902, 906–908, 943, 944, 946, 947, 951,  
D2/969, 972–974, 977; 36/45–49, 50.1,  
36/77 M, 77 R, 83, 88, 113, 114, 126–131,  
36/25 R–25 A

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D295,578 S	5/1988	Tong	
D299,784 S	2/1989	Brown et al.	
D305,701 S *	1/1990	Whatley	D2/969
D305,828 S *	2/1990	Whatley	D2/969
D306,514 S	3/1990	Backus	
D307,350 S	4/1990	Brown et al.	
D309,055 S *	7/1990	Whatley	D2/969
D309,824 S	8/1990	Aveni et al.	
D312,919 S *	12/1990	Aveni	D2/973
D329,937 S	10/1992	Hatfield et al.	
D331,141 S	11/1992	Smith	
D331,142 S	11/1992	Smith	
D333,721 S	3/1993	Hatfield	
D338,995 S	9/1993	Snell	
D346,061 S	4/1994	Teague	
D380,080 S	6/1997	Avar	
D380,083 S	6/1997	Lozano	
D383,289 S	9/1997	Greene	
D392,455 S *	3/1998	Lozano	D2/972
D392,792 S *	3/1998	Obi	D2/970

D398,771 S *	9/1998	Doxey	D2/972
D406,451 S	3/1999	Lozano	
D430,723 S	9/2000	Kim	
D432,292 S	10/2000	Kim	
D449,731 S	10/2001	Roulo	
D452,369 S	12/2001	Roulo	
D482,860 S	12/2003	Yun	
D487,625 S	3/2004	Bandini et al.	
D487,960 S	4/2004	Bandini et al.	
D497,709 S *	11/2004	Henderson	D2/972
D522,228 S *	6/2006	Young	D2/972
D527,889 S	9/2006	Petrie	
D548,448 S	8/2007	Wilken	
D552,833 S	10/2007	Yamashita	

(Continued)

**OTHER PUBLICATIONS**

Nike Footwear Catalog, Footwear: Spring 1996, pp. 10 and 40,  
published Jun. 1995, 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**

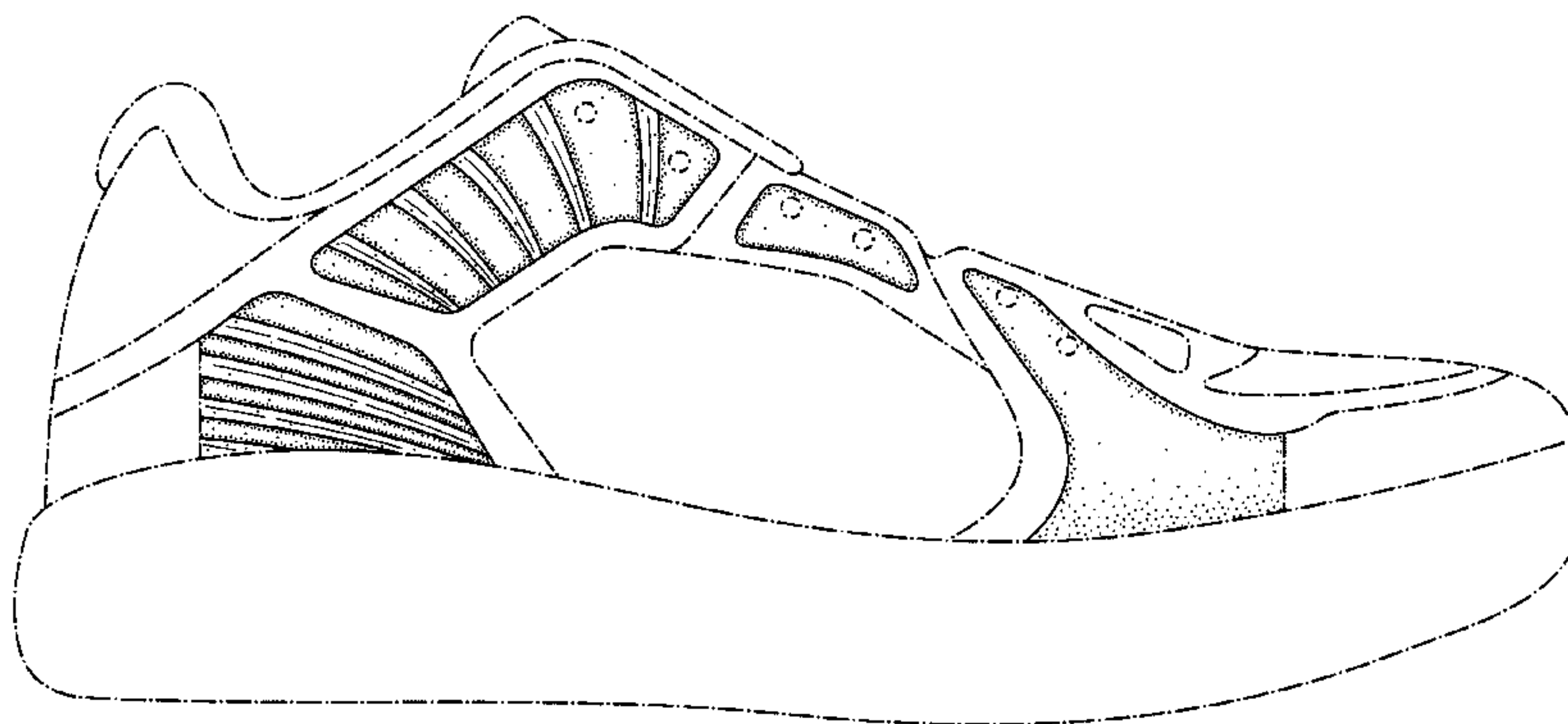
FIG. 1 is a front perspective view of a shoe upper showing my  
new design;

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 six  
unshaded eyelet regions within the shaded area that are  
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**



U.S. PATENT DOCUMENTS

D595,951 S \* 7/2009 Henderson ..... D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog, Footwear: Late Spring 1997, p. 38, published Sep. 1996, Nike, Inc., USA.  
Nike Footwear Catalog, Footwear: Spring 1998, pp. 30 and 162, published Jun. 1997, Nike, Inc., USA.  
Nike Footwear Catalog, Men's Specialty and Women's & Kids' Footwear: Fall 1998, p. W94, published Dec. 1997, Nike, Inc., USA.  
Nike Footwear Catalog, Men's Specialty and Women's & Kids' Footwear: Holiday 1998, p. M106, published Feb. 1998, Nike, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear: Late Spring 1999, p. M12, published Sep. 1998, Nike, Inc., USA.  
Nike Footwear Catalog, Men's and Women's Footwear: Holiday 1999, p. M107, published Mar. 1999, Nike, Inc., USA.  
Nike Footwear Catalog, Men's and Women's Footwear (feet): Spring 2000, p. W3, published Jul. 1999, Nike, Inc., USA.  
Nike Footwear Catalog, Men's and Women's Footwear: Spring 2000, p. W19, published Jul. 1999, Nike, Inc., USA.  
Nike Footwear Catalog, Men's and Women's Footwear (black shoes): Spring 2001, p. W18, published Jun. 2000, Nike, Inc., USA.  
Nike Footwear Catalog, Men's and Women's Footwear: Fall 2003, p. W15, published Nov. 2002, Nike, Inc., USA.  
Nike Footwear Catalog, Core Footwear: Holiday 2009, p. 16, published Feb. 2009, Nike, Inc., USA.

\* cited by examiner

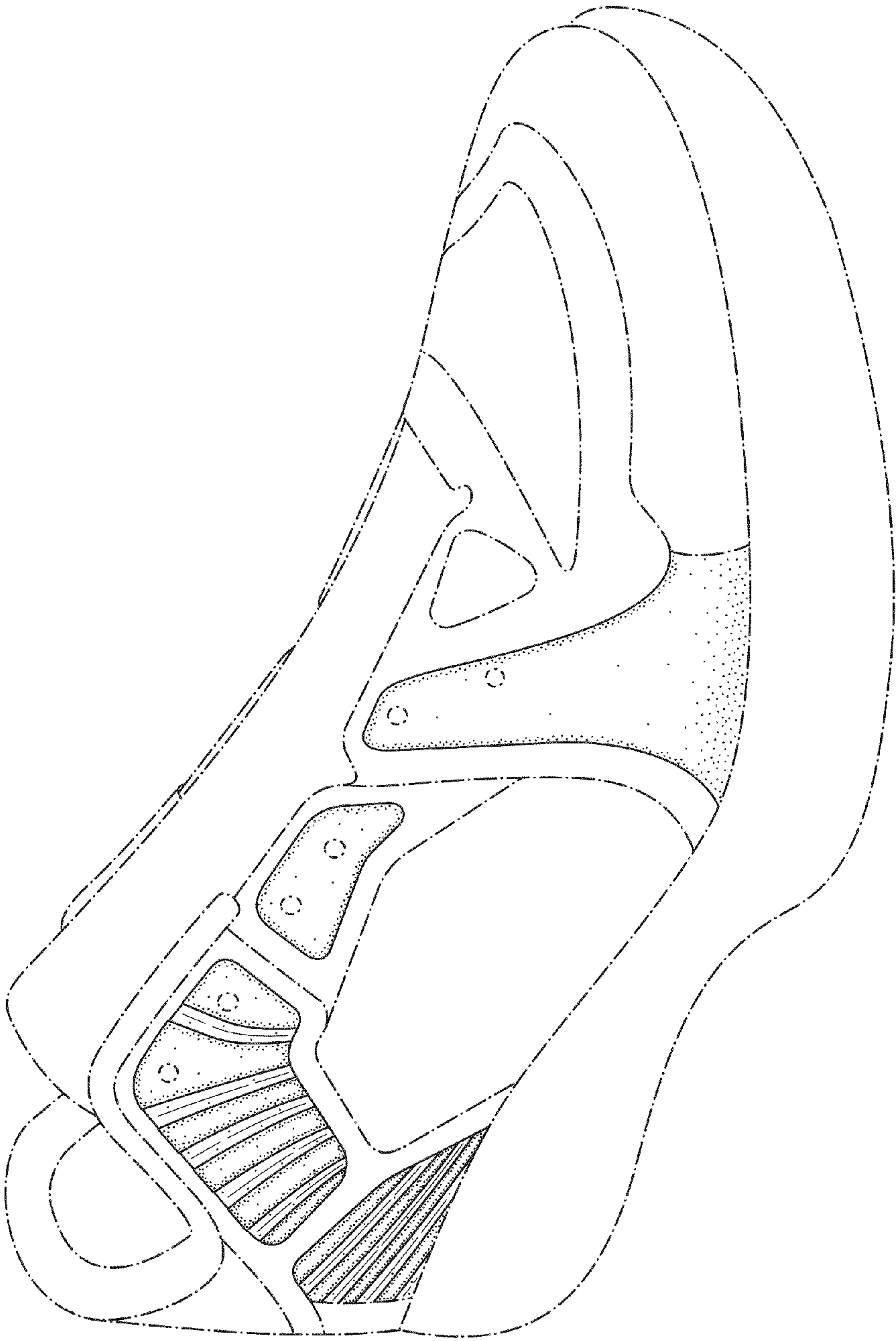


FIG. 1

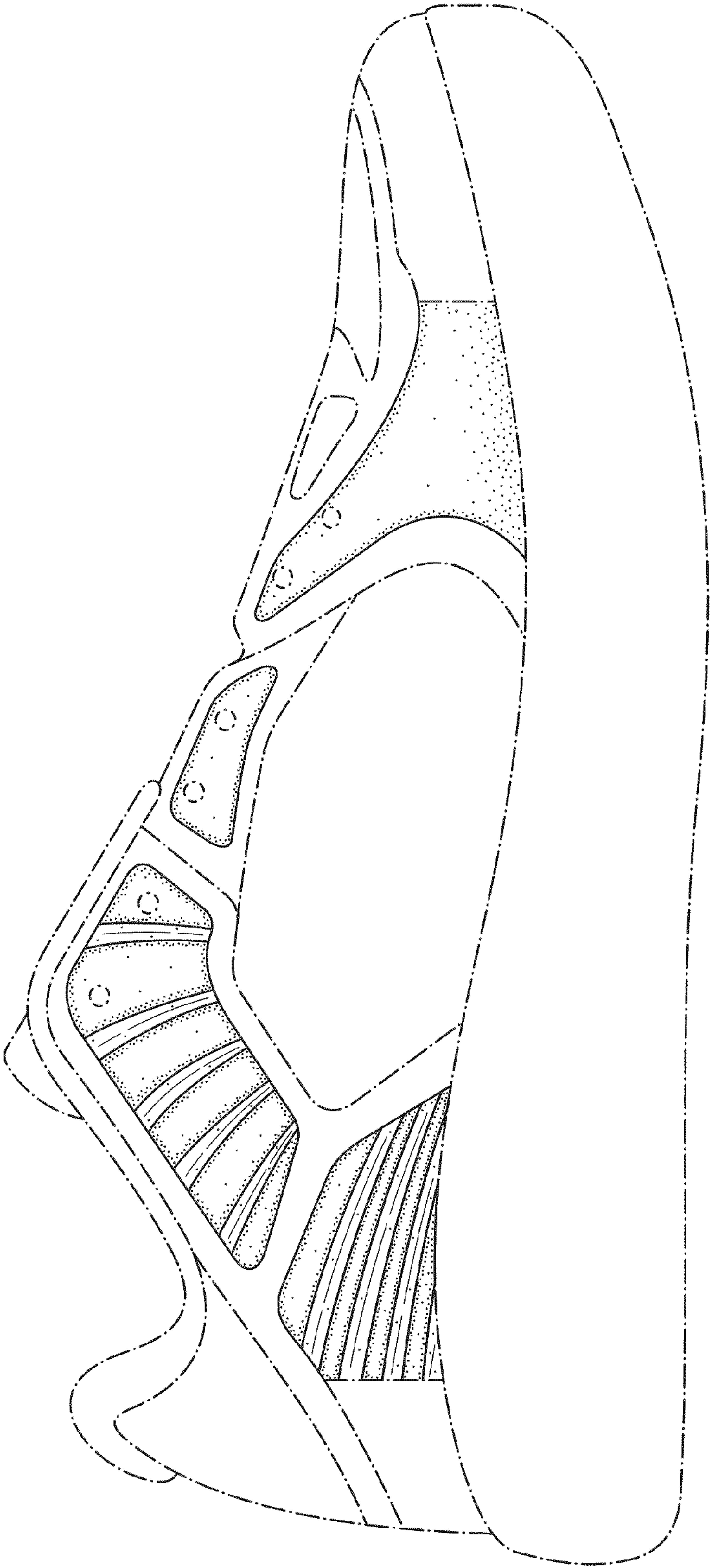


FIG. 2



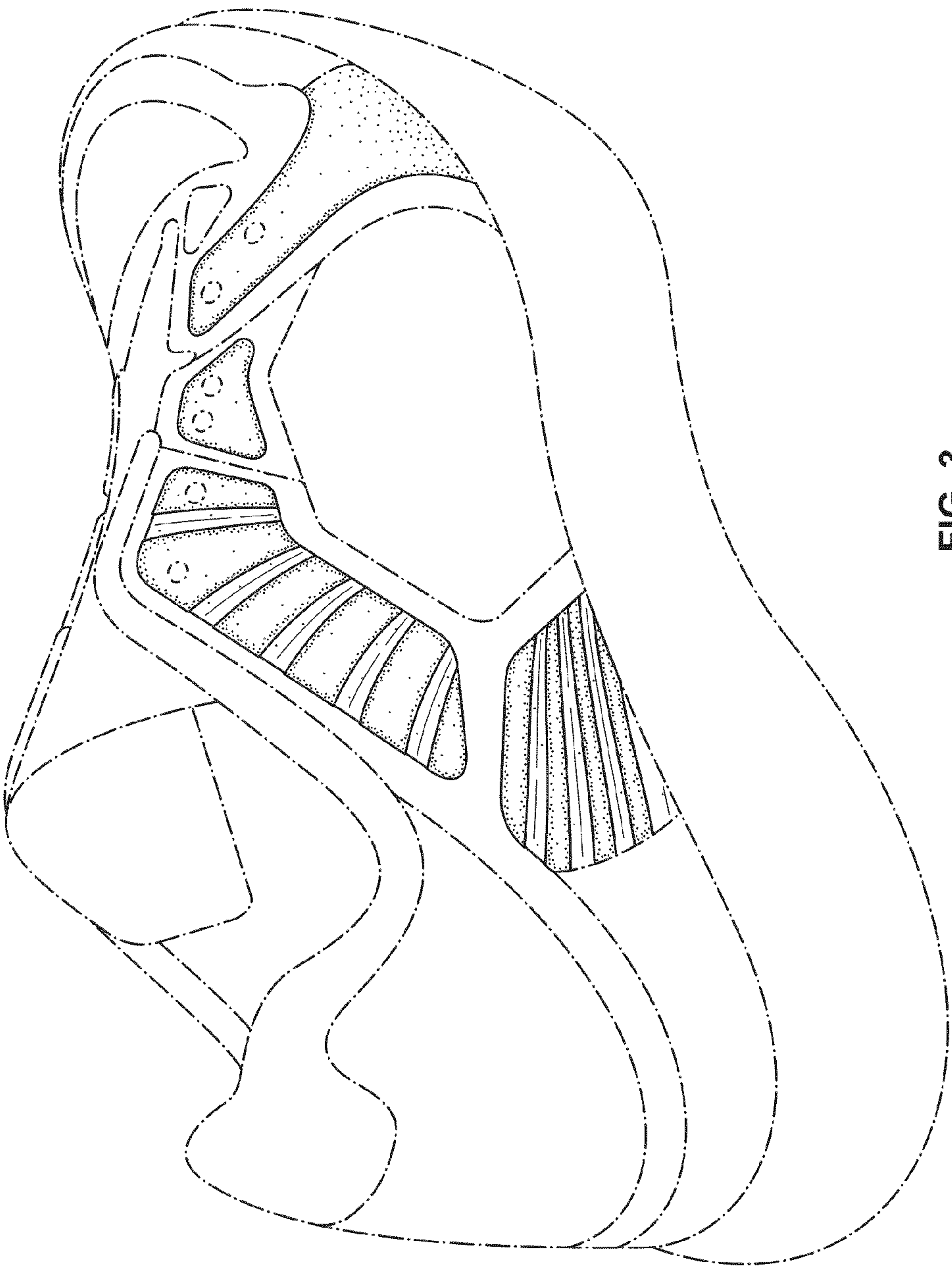


FIG. 3