



US00D653440S

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

(10) **Patent No.:** **US D653,440 S**

(45) **Date of Patent:** **\*\* Feb. 7, 2012**

(54) **SHOE UPPER**

(75) Inventors: **Tinker L. Hatfield**, Portland, OR (US);  
**Michael Hui**, Lake Oswego, OR (US)

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

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

(21) Appl. No.: **29/406,076**

(22) Filed: **Nov. 9, 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, 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**

D47,238 S	4/1915	Miller	
D94,437 S	12/1934	Napier	
D342,600 S	12/1993	Hatfield	
D347,109 S	5/1994	Avar	
D347,317 S	5/1994	Avar	
D347,519 S	6/1994	Worthington	
D347,938 S	6/1994	Smith	
D348,977 S	7/1994	Koh	
D387,195 S	12/1997	McNulty	
D398,760 S *	9/1998	Rask	D2/972
D427,760 S	7/2000	Holmes	
D428,245 S *	7/2000	Brown	D2/972
D433,220 S *	11/2000	Fogg	D2/972
D434,547 S	12/2000	Kim	
D435,162 S *	12/2000	Wilson	D2/969
D447,859 S	9/2001	Matis et al.	
D467,720 S	12/2002	Patt	
D475,523 S	6/2003	McDowell	
D477,131 S	7/2003	Holmes	
D479,392 S	9/2003	Hillyer	
D511,883 S	11/2005	Matis	

D513,855 S	1/2006	Rask	
D517,794 S	3/2006	Shin	
D523,222 S	6/2006	Savage	
D524,028 S	7/2006	Fullum	
D588,350 S *	3/2009	Amphyon et al.	D2/972
D593,305 S *	6/2009	St-Louis et al.	D2/969
D600,898 S	9/2009	St-Louis et al.	
D605,842 S	12/2009	Andersen et al.	
D622,054 S *	8/2010	Bosomworth	D2/972
D643,610 S	8/2011	Yi	
D644,019 S *	8/2011	Grenet	D2/972

**OTHER PUBLICATIONS**

Nike Footwear Catalog, Footwear: Fall 1990, p. 32, published Dec. 1989, Nike, Inc., USA.  
Nike Footwear Catalog, Footwear: Fall 1994, p. 106, published Nov. 1993, Nike, Inc., USA.  
Nike Footwear Catalog, Footwear: Fall 1996, p. 44, published Dec. 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**

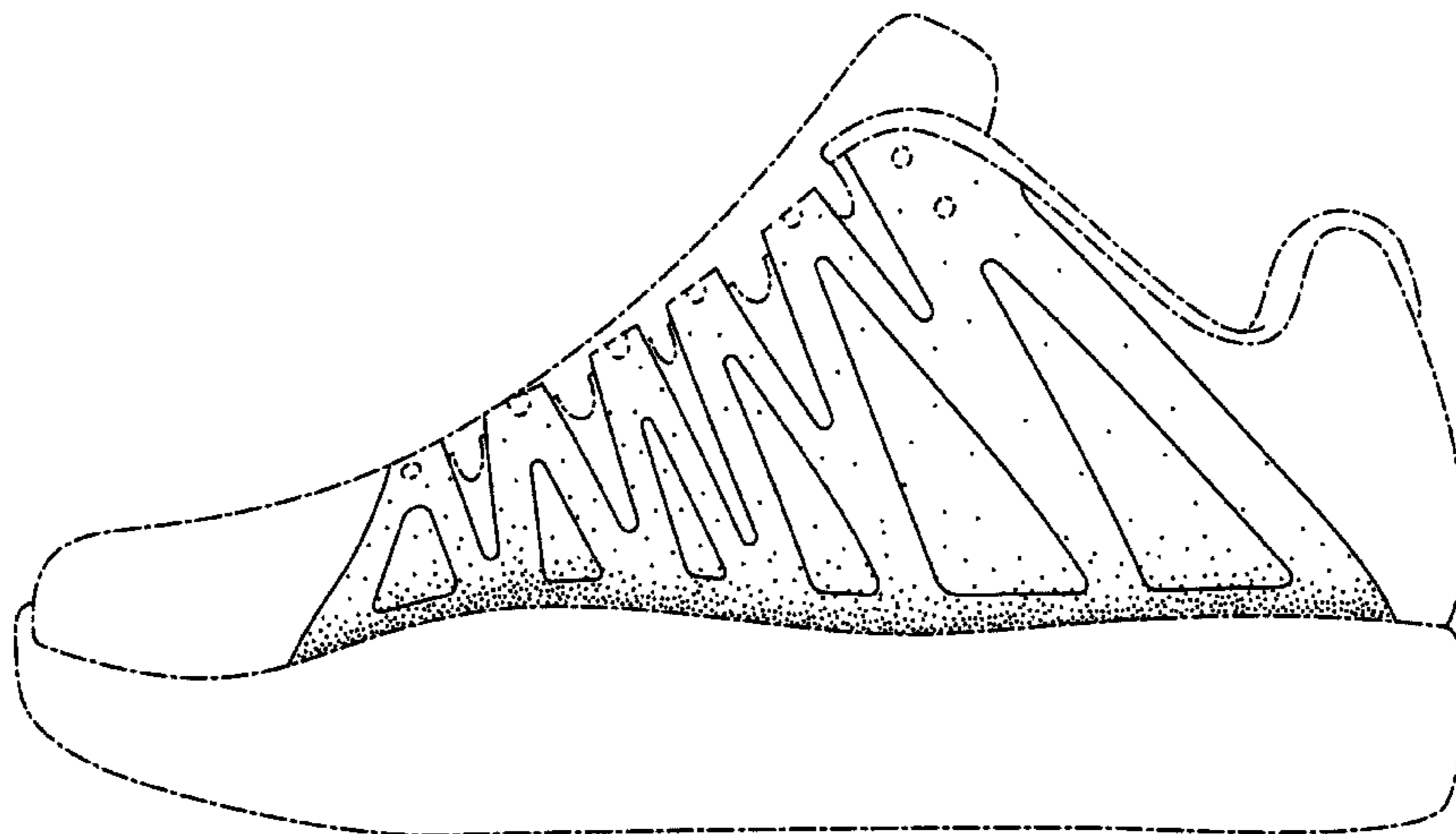
FIG. 1 is a front perspective view of a shoe upper showing our new design;

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 seven unshaded eyelet regions within and adjacent to the shaded area, and 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**



OTHER PUBLICATIONS

Nike Footwear Catalog, Footwear: Holiday 1996, p. 6, published Mar. 1996, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Late Spring 1996, p. 140, published Aug. 1995, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Spring 1997, p. 6, published Jun. 1996, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Spring 1997, p. 131, published Jun. 1996, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Holiday 1997, p. 162, published Mar. 1997, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Spring 1998, p. 150, published Jun. 1997, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Late Spring 1998, p. 31, published Sep. 1997, Nike, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear (blue cover): Fall 2000, p. 2, published Nov. 1999, Nike, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear (red cover): Late Spring 2001, p. 4, published Sep. 2000, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Fall 2005, p. 59, published Nov. 2004, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Fall 2006, pp. 21 and 57, published Nov. 2005, Nike, Inc., USA.

Nike Footwear Catalog Men's and Women's Footwear (black shoes); Spring 2001, p. 24 published Jun. 2000, Nike, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear (white shoes): Spring 2001, pp. 4 and 26, published Jun. 2000, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Holiday 2006, p. 49, published Mar. 2006, Nike, Inc., USA.

Nike Footwear Catalog, Men's Footwear: Nike Sportswear: Summer 2011, p. 27, published Aug. 2010, Nike, Inc., USA.

\* cited by examiner

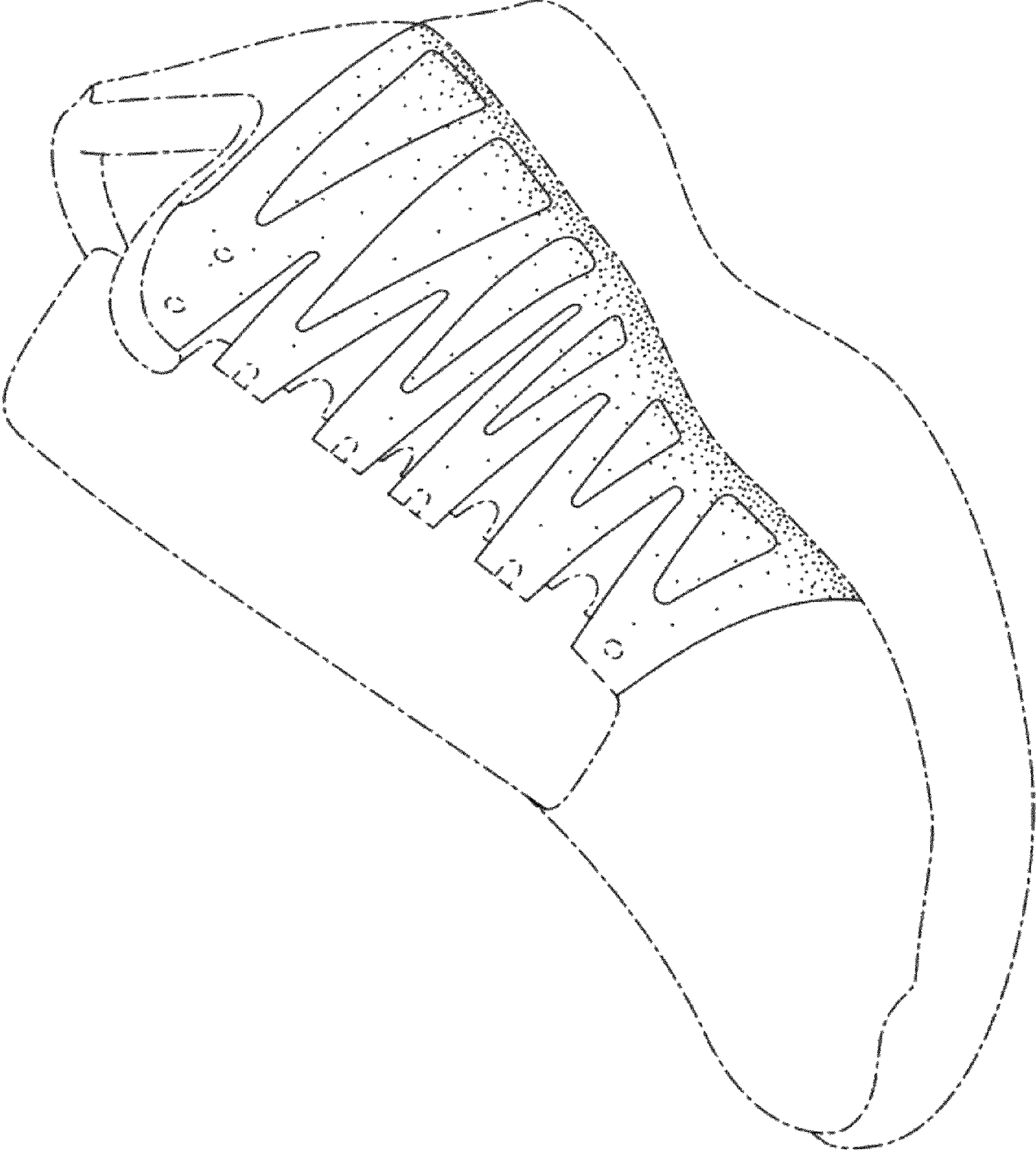


FIG. 1

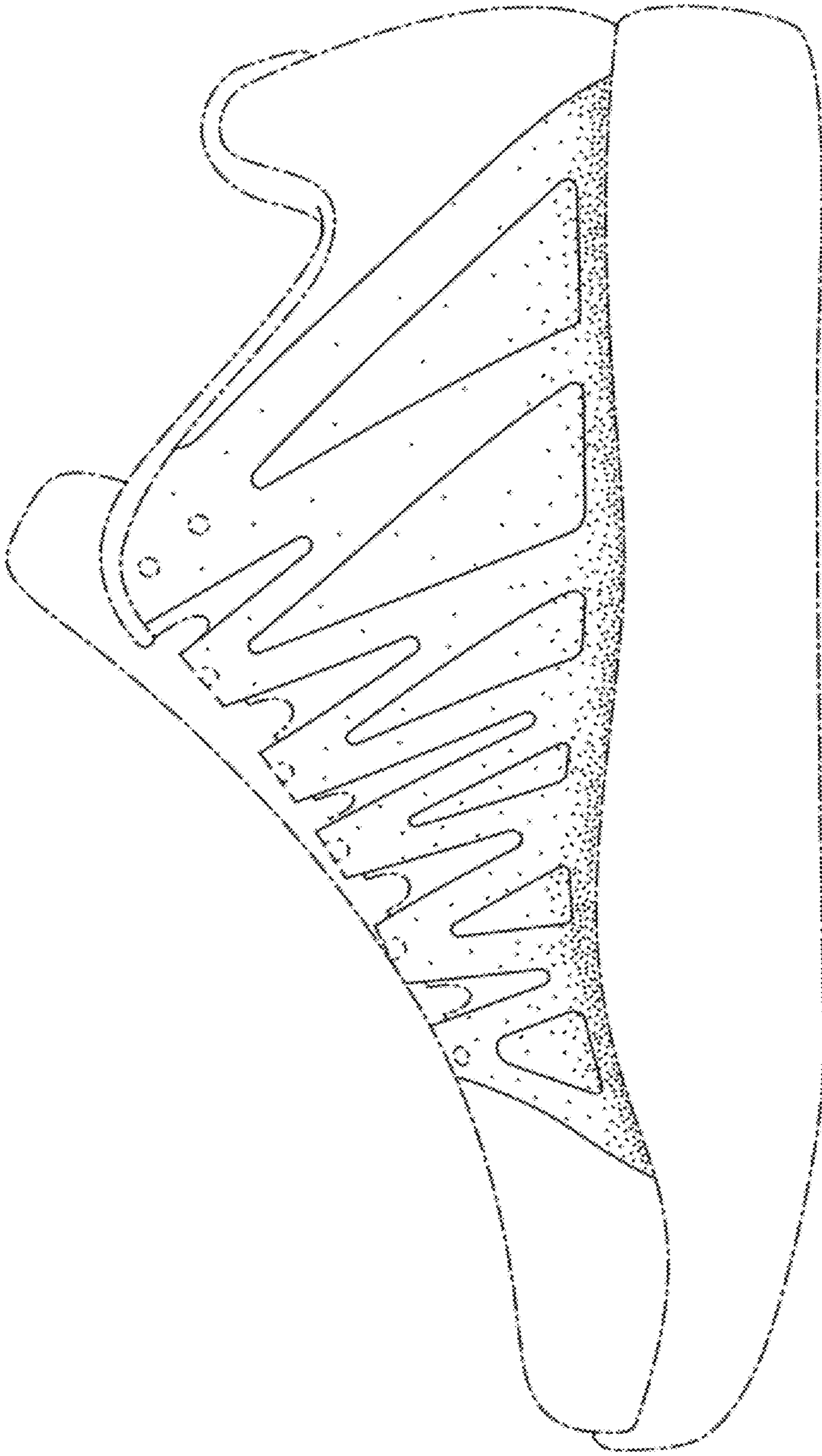


FIG. 2

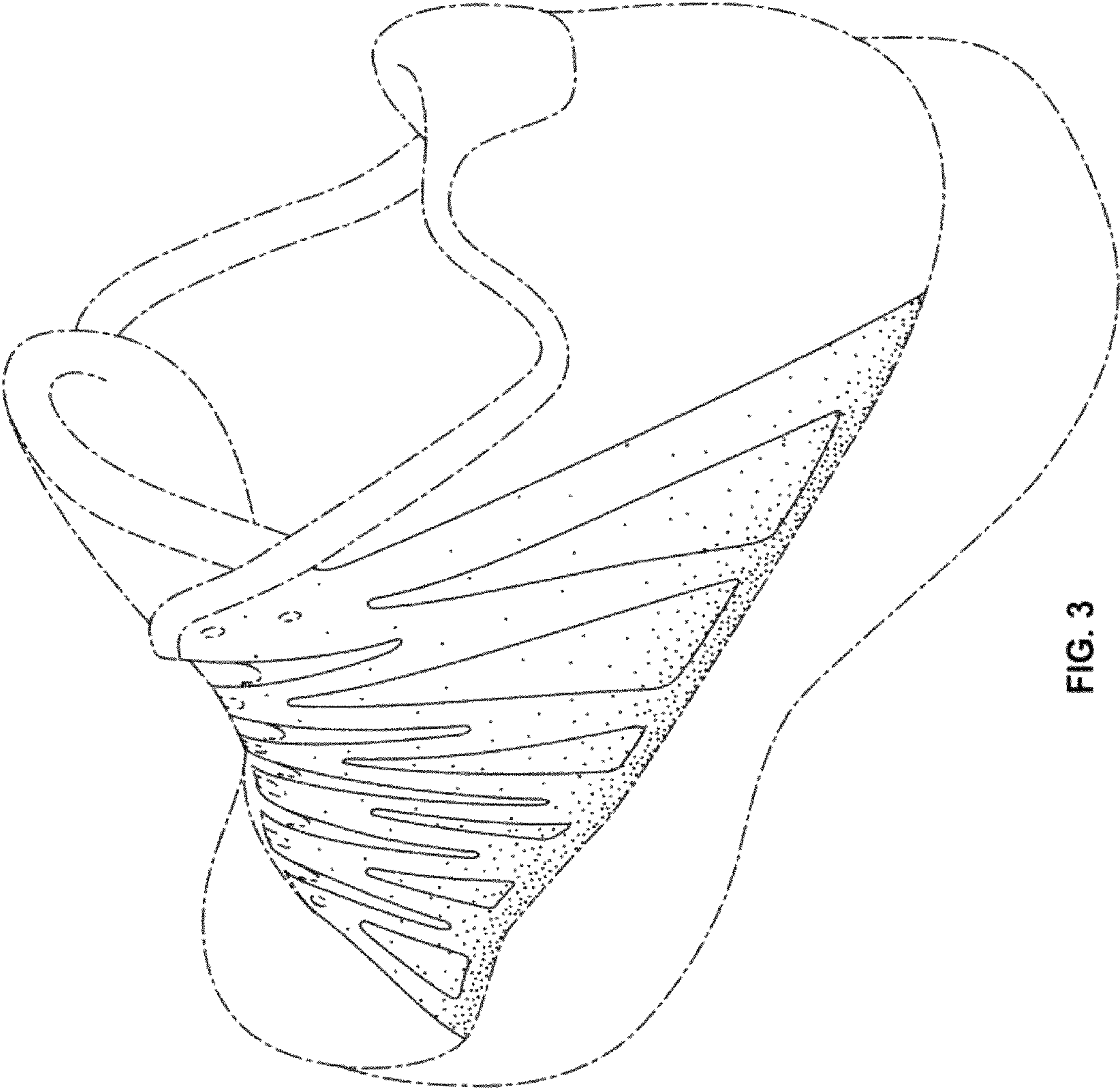


FIG. 3