



US00D667627S

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

(10) **Patent No.:** **US D667,627 S**

(45) **Date of Patent:** **** Sep. 25, 2012**

(54) **SHOE UPPER**

(75) Inventor: **Benjamin A. Shaffer**, Portland, OR
(US)

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

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

(21) Appl. No.: **29/422,475**

(22) Filed: **May 21, 2012**

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

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

(58) **Field of Classification Search** D2/896,
D2/902, 906-908, 923, 943-945, 969, 972-975;
36/45-49, 50.1, 54, 77 M, 77 R, 83, 88, 113,
36/114, 126-131

See application file for complete search history.

3,766,566 A	10/1973	Tadokoro	
3,778,856 A	12/1973	Christie et al.	
3,952,427 A	4/1976	von den Benken et al.	
3,972,086 A	8/1976	Belli et al.	
4,027,402 A	6/1977	Liu et al.	
4,031,586 A	6/1977	von den Benken et al.	
D254,398 S *	3/1980	Finn	D2/908
4,211,806 A	7/1980	Civardi et al.	
4,255,949 A	3/1981	Thorneburg	
D259,149 S *	5/1981	Werman	D2/969
4,317,292 A	3/1982	Melton	
4,373,361 A	2/1983	Thorneburg	
4,447,967 A	5/1984	Zaino	
4,465,448 A	8/1984	Aldridge	
4,607,439 A	8/1986	Harada	
4,737,396 A	4/1988	Kamat	

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/420,273, filed May 7, 2012.

(Continued)

Primary Examiner — Dominic Simone

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

(56) **References Cited**

U.S. PATENT DOCUMENTS

601,192 A	3/1898	Woodside	
1,215,198 A	2/1917	Rothstein	
D54,215 S	11/1919	Johnson	
D63,302 S	11/1923	Kukovec	
1,597,934 A	8/1926	Stimpson	
1,888,172 A	11/1932	Joha	
1,902,780 A	3/1933	Holden et al.	
1,910,251 A	5/1933	Joha	
D90,233 S	7/1933	Daniels	
D92,737 S	7/1934	Miller	
2,001,293 A	5/1935	Wilson	
2,047,724 A	7/1936	Zuckerman	
D109,786 S *	5/1938	Fein	D2/972
2,147,197 A	2/1939	Glidden	
2,330,199 A	9/1943	Basch	
2,400,692 A	5/1946	Herbert	
2,586,045 A	2/1952	Hoza	
2,641,004 A	6/1953	Whiting et al.	
2,675,631 A	4/1954	Doughty	
3,694,940 A	10/1972	Stohr	
3,704,474 A	12/1972	Winkler	

(57) **CLAIM**

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

DESCRIPTION

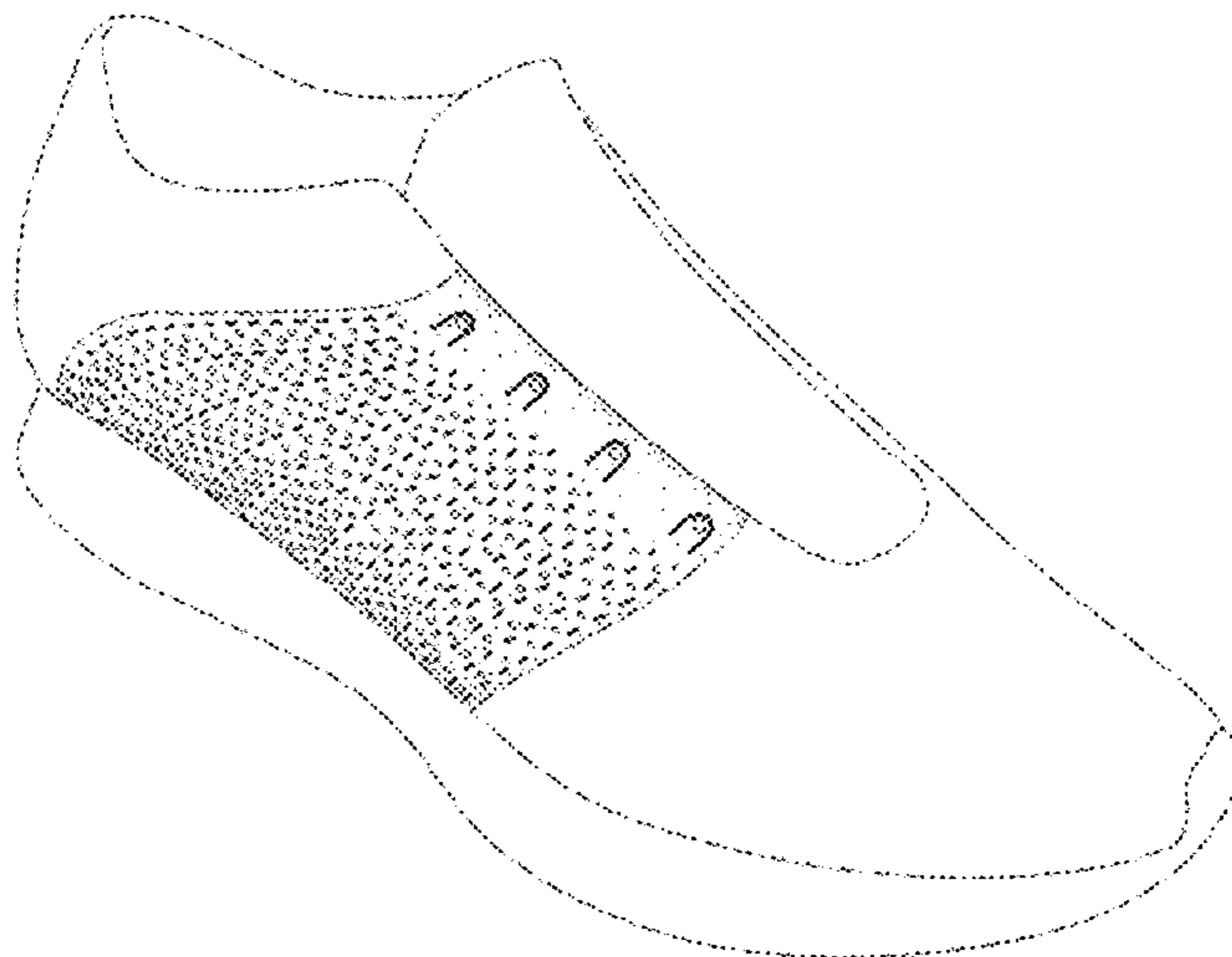
FIG. 1 is a front perspective view of a shoe upper showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The uneven-length broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The spaced line segments within the shaded area constitute part of the claimed design. The uneven-length 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 D667,627 S

Page 3

Various shoes by Salomon, 12 pages included, disclosure date unknown but prior to filing date of the instant application.

Nike Footwear Catalog, Men's and Women's Footwear (red cover): Late Spring 2001, p. 18, published Sep. 2000, Nike, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear: Fall 2001, p. 20, published Nov. 2000, Nike, Inc., USA.

Zoom Victory XC by Nike, Inc., 1 page of full-color photographs, published 2010.

Nike Footwear Catalog, Men's Footwear: Sportswear: Spring 2011, p. 81, published May 2010, Nike, Inc., USA.

Nike Footwear Catalog, Core Footwear: Holiday 2011, p. 61, published Feb. 2011, Nike, Inc., USA.

* cited by examiner

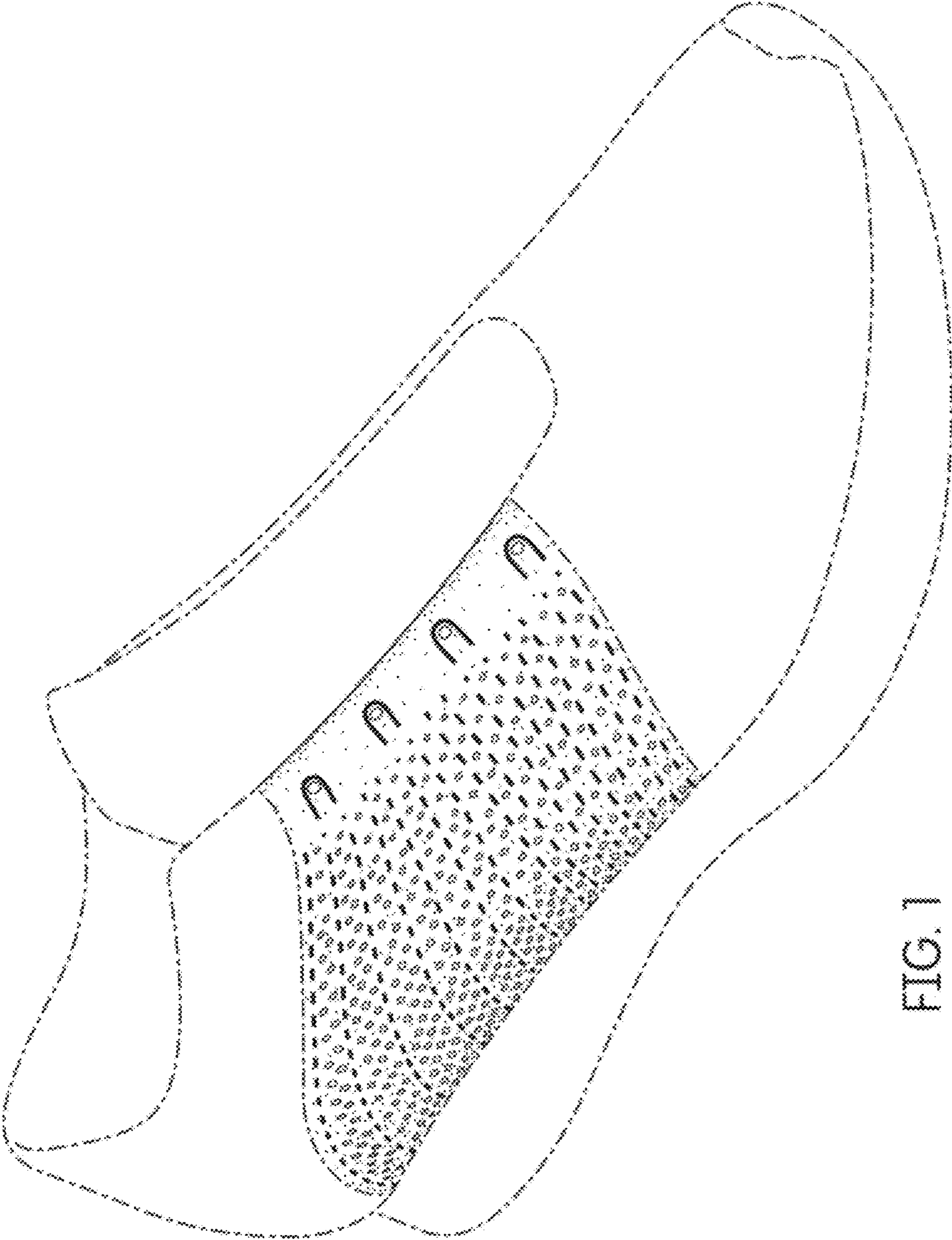


FIG. 1

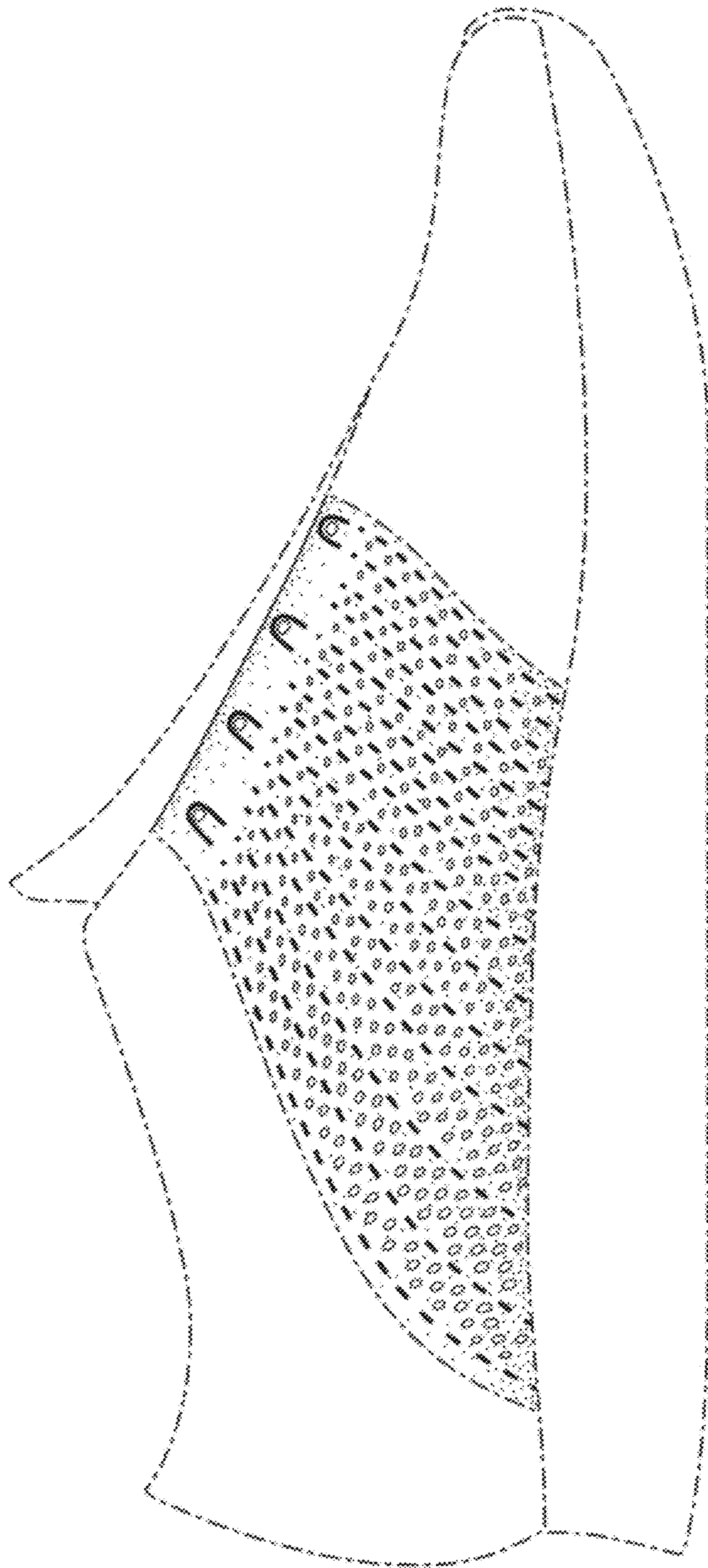


FIG. 2

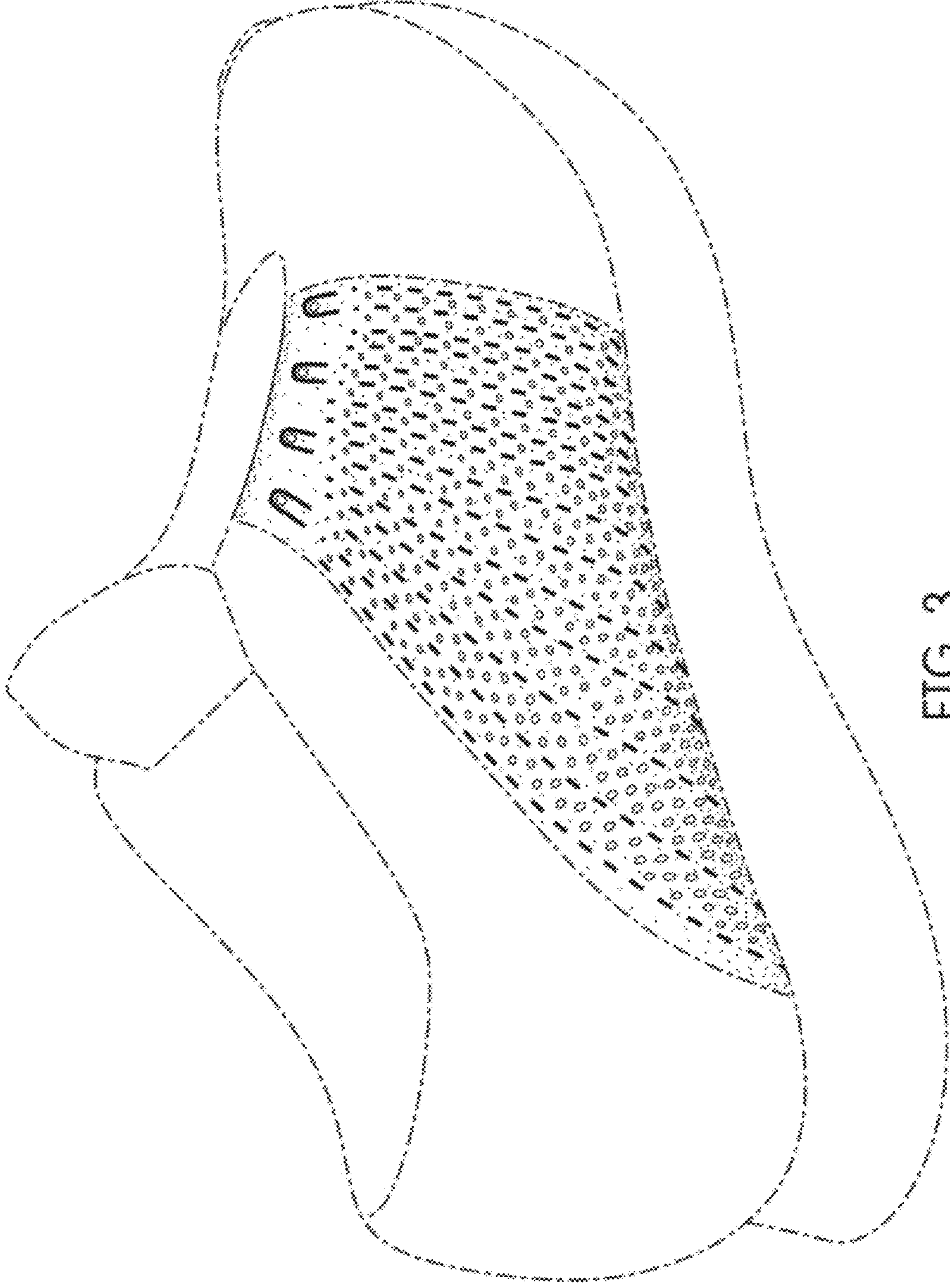


FIG. 3