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

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(54) **SHOE UPPER**

(75) Inventors: **Eric P. Avar**, Lake Oswego, OR (US);
Leo S. Chang, Portland, OR (US);
Olivier Henrichot, Lake Oswego, OR (US)

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

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

(21) Appl. No.: **29/431,012**

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(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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D376,042 S	12/1996	Cooper	
D381,495 S *	7/1997	Avar	D2/972
D386,896 S	12/1997	Fogg	
D405,950 S *	2/1999	Lozano	D2/972
D406,454 S	3/1999	Blakeslee	
D479,388 S *	9/2003	Matis	D2/969
D513,450 S *	1/2006	Portzline	D2/972
D546,539 S *	7/2007	Paz	D2/972
D577,892 S *	10/2008	St-Louis et al.	D2/969
D577,894 S *	10/2008	St-Louis et al.	D2/969
D595,498 S	7/2009	Dolan	
D595,499 S *	7/2009	Dekovic	D2/972
D605,396 S	12/2009	Henderson	
D608,540 S	1/2010	Dekovic	
D623,841 S	9/2010	Maejima	
D639,042 S *	6/2011	Gibson	D2/969
D643,206 S	8/2011	Chang	

OTHER PUBLICATIONS

Air Max+ 2009 by Nike, Inc., 1 page of full color photographs, published 2010.

Hyperize by Nike, Inc., 1 page of full color photographs, published 2009.

Hyperlite by Nike, Inc., 1 page of full color photographs, published 2009.

Nike Footwear Catalog, Sport Performance Footwear: Fall 2009, p. 33, published Nov. 2008, Nike, Inc., USA.

LeBron VII by Nike, Inc., 1 page of full color photographs, published 2010.

Zoom Fly Sister One+ by Nike, Inc., 1 page of full color photographs, published 2010.

Nike Footwear Catalog, Men's and Women's Footwear: Holiday 2002, p. 22, published Mar. 2002, Nike, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear (blue cover): Fall 2000, p. 17, published Nov. 1999, Nike, Inc., USA.

Nike Footwear Catalog, Footwear: Holiday 1995, p. 20, published Mar. 1995, Nike, Inc., USA.

Nike Footwear Catalog, Core Reax Footwear: Fall 2011, p. 3, 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. 59, published Feb. 2010, Nike, Inc., USA.

Nike Zoom Kobe MS (Make Sense) by Nike, Inc., 1 page of full color photographs, published 2010.

* cited by examiner

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

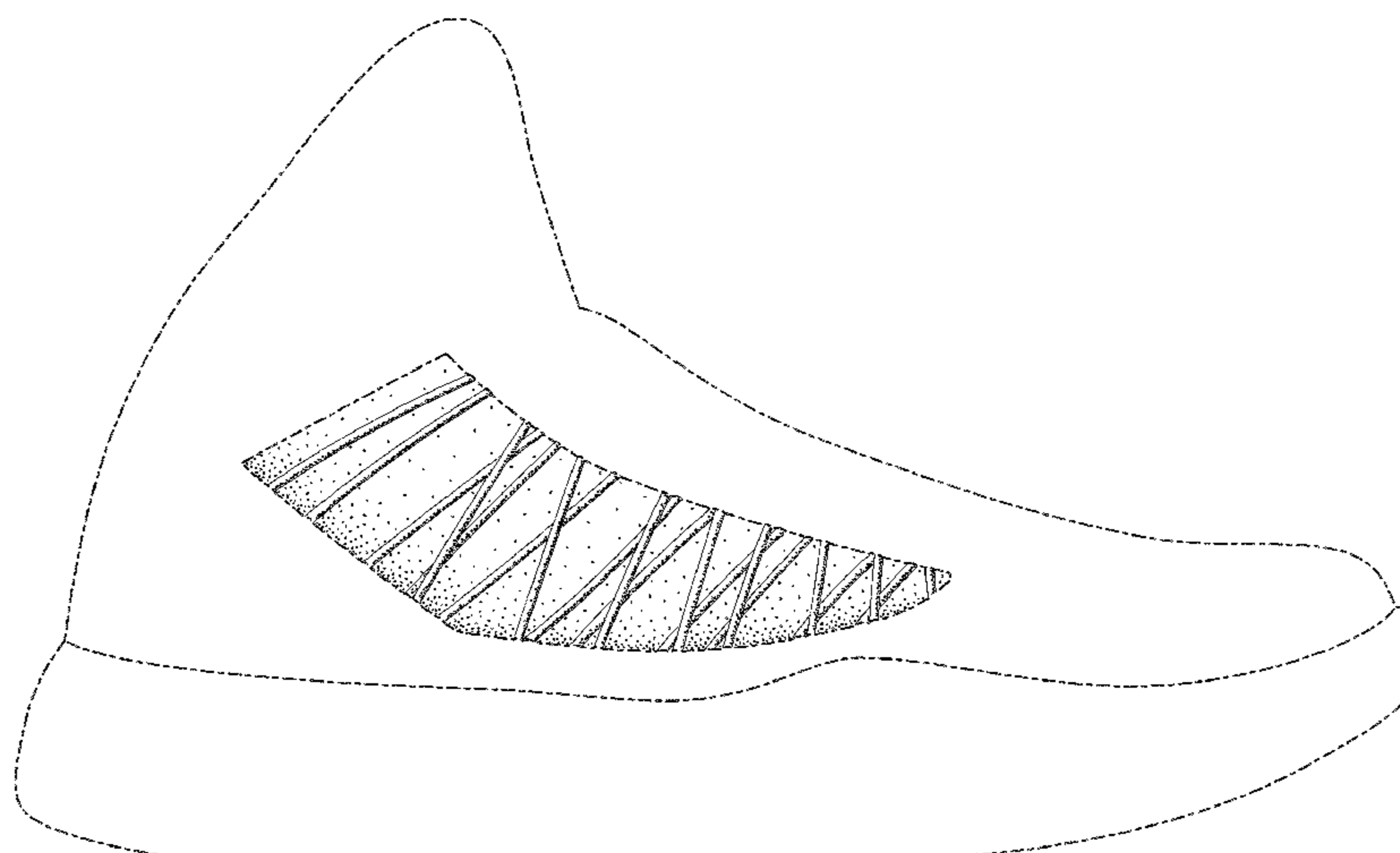
FIG. 1 is a front perspective view of a shoe upper showing our new design;

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 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



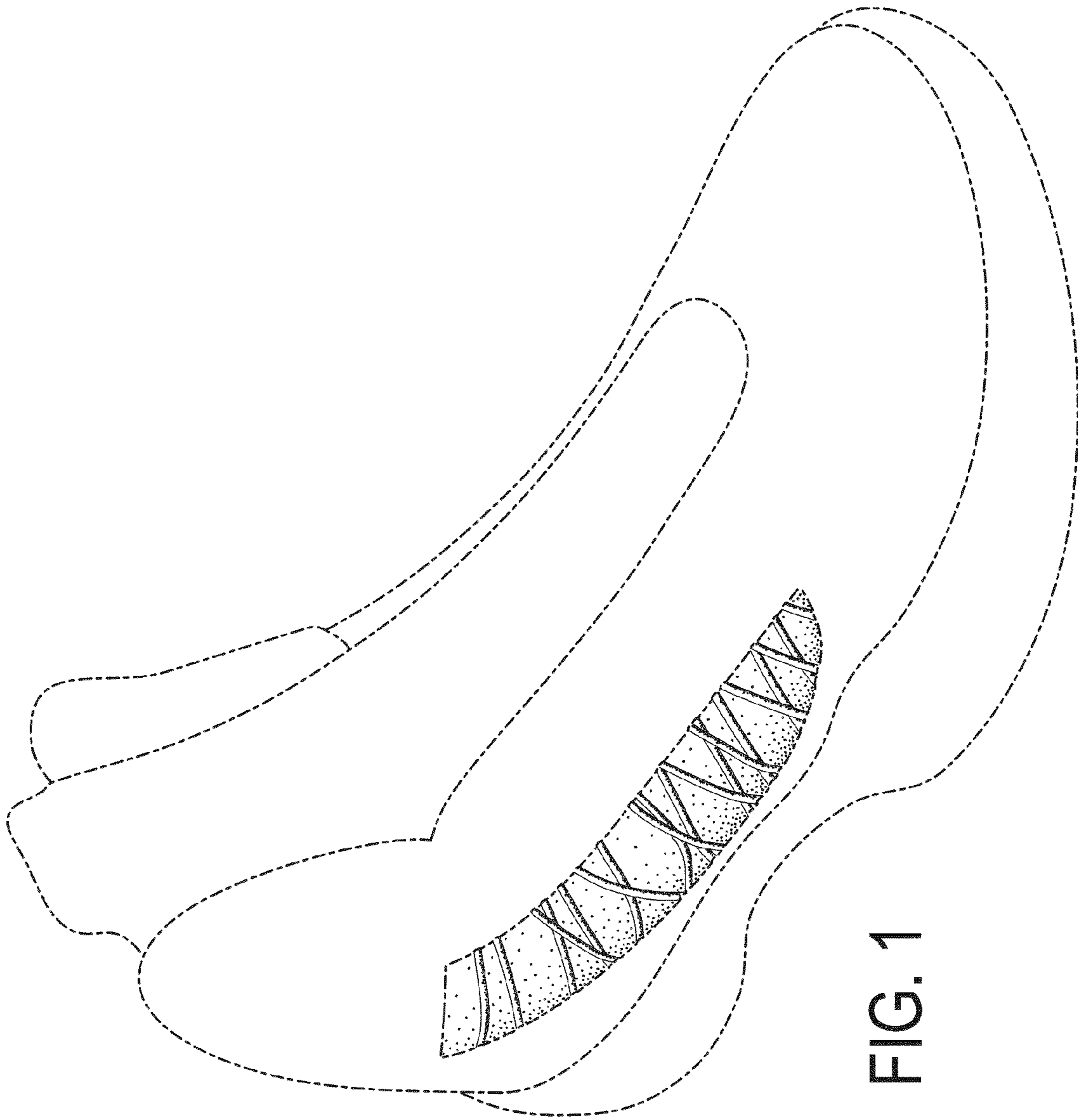


FIG. 1

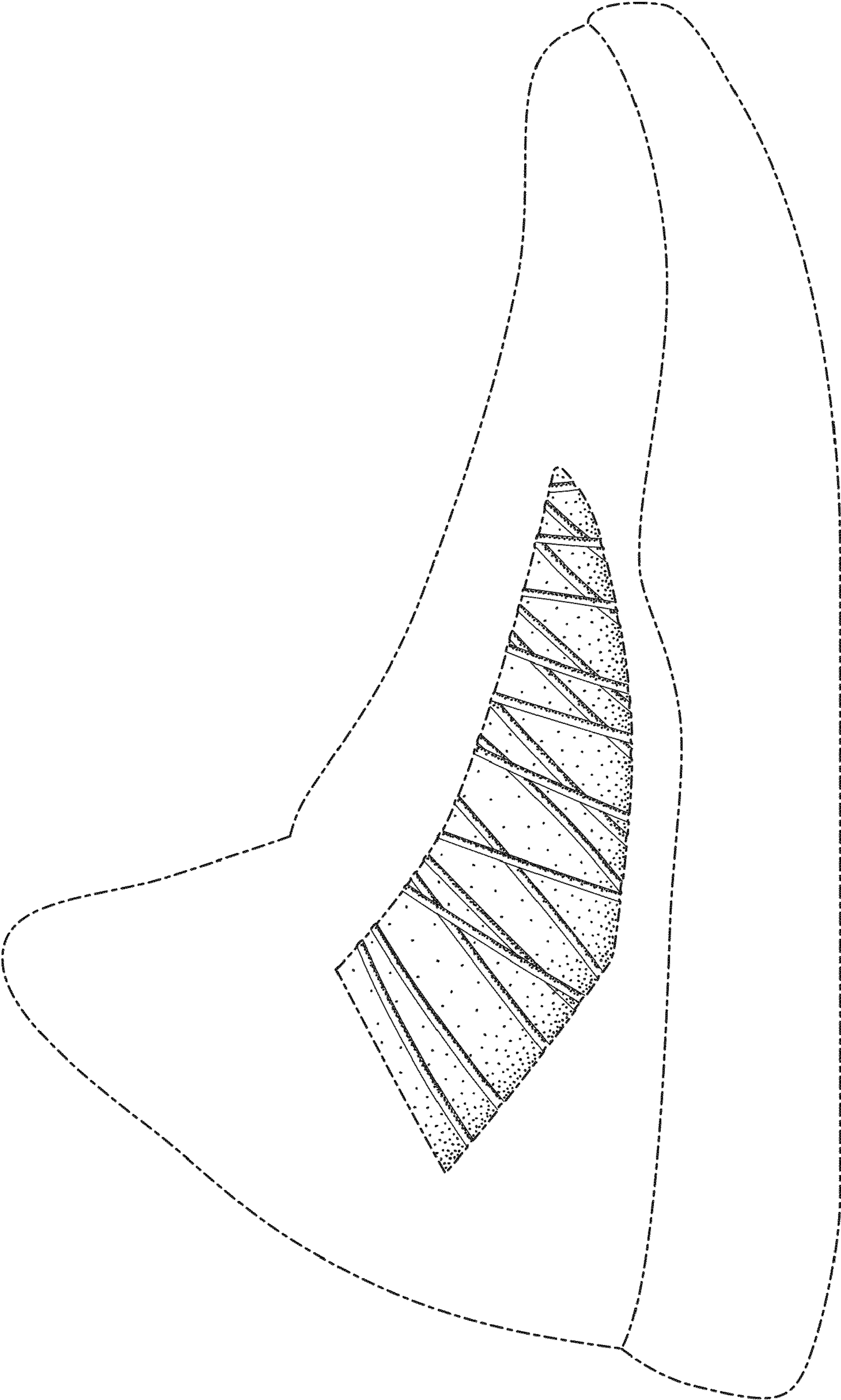


FIG. 2

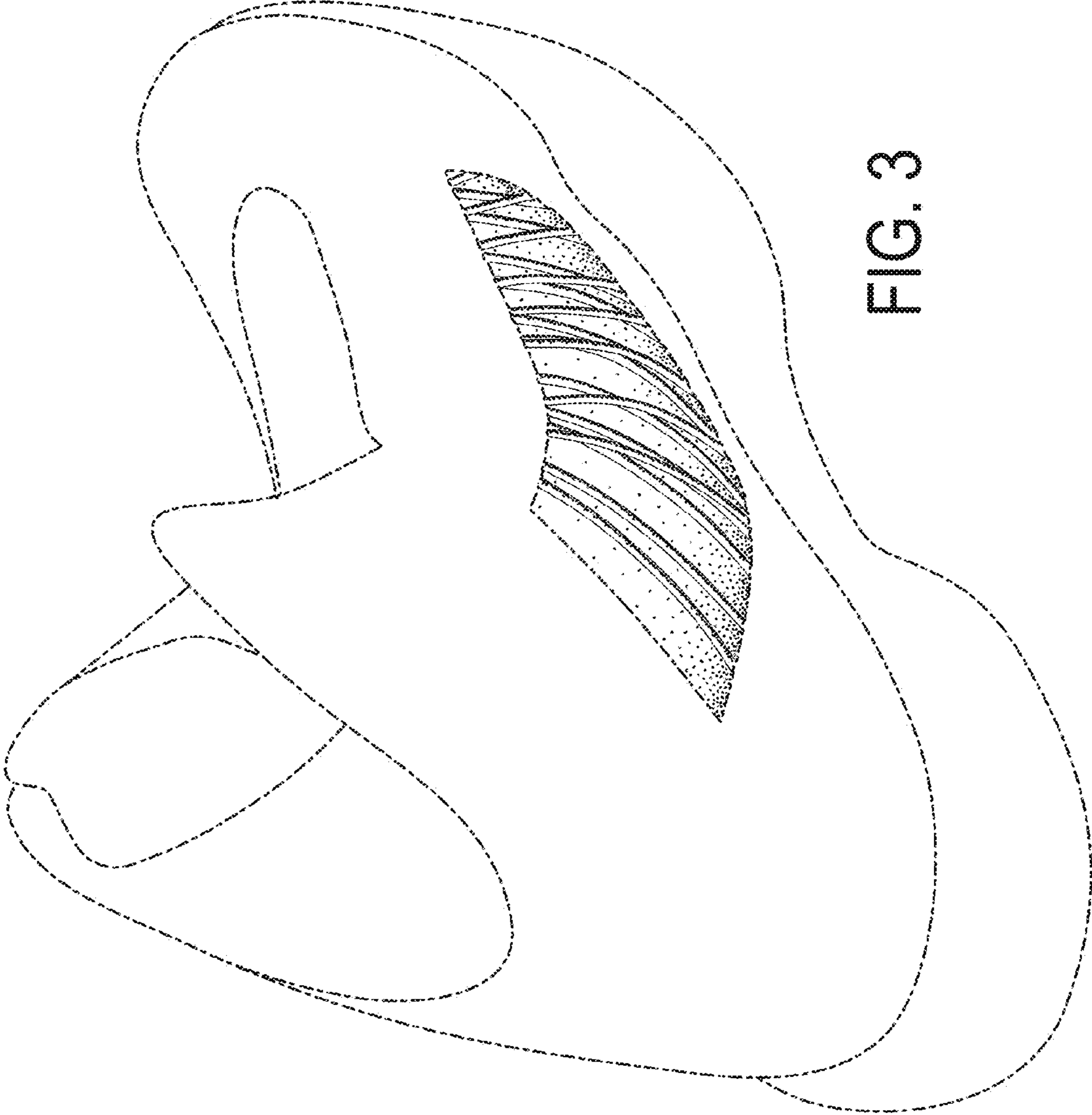


FIG. 3