



US00D676647S

(12) **United States Design Patent**
O'Connor

(10) **Patent No.:** **US D676,647 S**

(45) **Date of Patent:** **** Feb. 26, 2013**

(54) **SHOE UPPER**

(75) **Inventor:** **Kelly A. O'Connor**, Beaverton, OR (US)

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

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

(21) **Appl. No.:** **29/431,022**

(22) **Filed:** **Aug. 31, 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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | |
|------------|-----------|----------------|--------|
| D54,215 S | 11/1919 | Johnson | |
| D92,737 S | 7/1934 | Miller | |
| D173,700 S | * 12/1954 | Hosker | D2/907 |
| D278,185 S | 4/1985 | Michaeli | |
| D278,186 S | 4/1985 | Michaeli | |
| D294,422 S | 3/1988 | Gamm | |
| D330,451 S | * 10/1992 | Hatfield | D2/970 |
| D349,394 S | 8/1994 | Hatfield | |
| D378,242 S | * 3/1997 | Smith | D2/972 |
| D381,495 S | * 7/1997 | Avar | D2/972 |
| D385,043 S | * 10/1997 | Worthington | D2/972 |
| D386,896 S | * 12/1997 | Fogg | D2/972 |
| D405,950 S | * 2/1999 | Lozano | D2/972 |
| D408,982 S | 5/1999 | Blakeslee | |
| D425,694 S | 5/2000 | Fogg | |
| D444,623 S | 7/2001 | Wilson | |
| D446,922 S | 8/2001 | Yang | |
| D451,269 S | 12/2001 | Burt | |
| D467,714 S | 12/2002 | Wilson | |
| D479,388 S | * 9/2003 | Matis | D2/969 |
| D479,392 S | 9/2003 | Hillyer | |
| D481,530 S | 11/2003 | Hillyer | |
| D504,999 S | * 5/2005 | Robbins et al. | D2/969 |

| | | | |
|------------|----------|----------------|--------|
| D505,253 S | * 5/2005 | Rask | D2/972 |
| D512,213 S | 12/2005 | Hlavacs | |
| D513,450 S | * 1/2006 | Portzline | D2/972 |
| D514,302 S | 2/2006 | Young | |
| D515,800 S | 2/2006 | Bertholon | |
| D516,795 S | 3/2006 | Tresser | |
| D521,718 S | 5/2006 | Young | |
| D523,228 S | * 6/2006 | Henderson | D2/972 |
| D538,027 S | 3/2007 | Kohastu et al. | |
| D540,522 S | 4/2007 | Lotti | |
| D543,682 S | * 6/2007 | Matis et al. | D2/969 |
| D546,539 S | * 7/2007 | Paz | D2/972 |
| D548,948 S | * 8/2007 | Hui | D2/972 |
| D548,949 S | * 8/2007 | Hui | D2/972 |

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, Men's and Women's Footwear: Fall 2003, p. 14, published Nov. 2002, 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

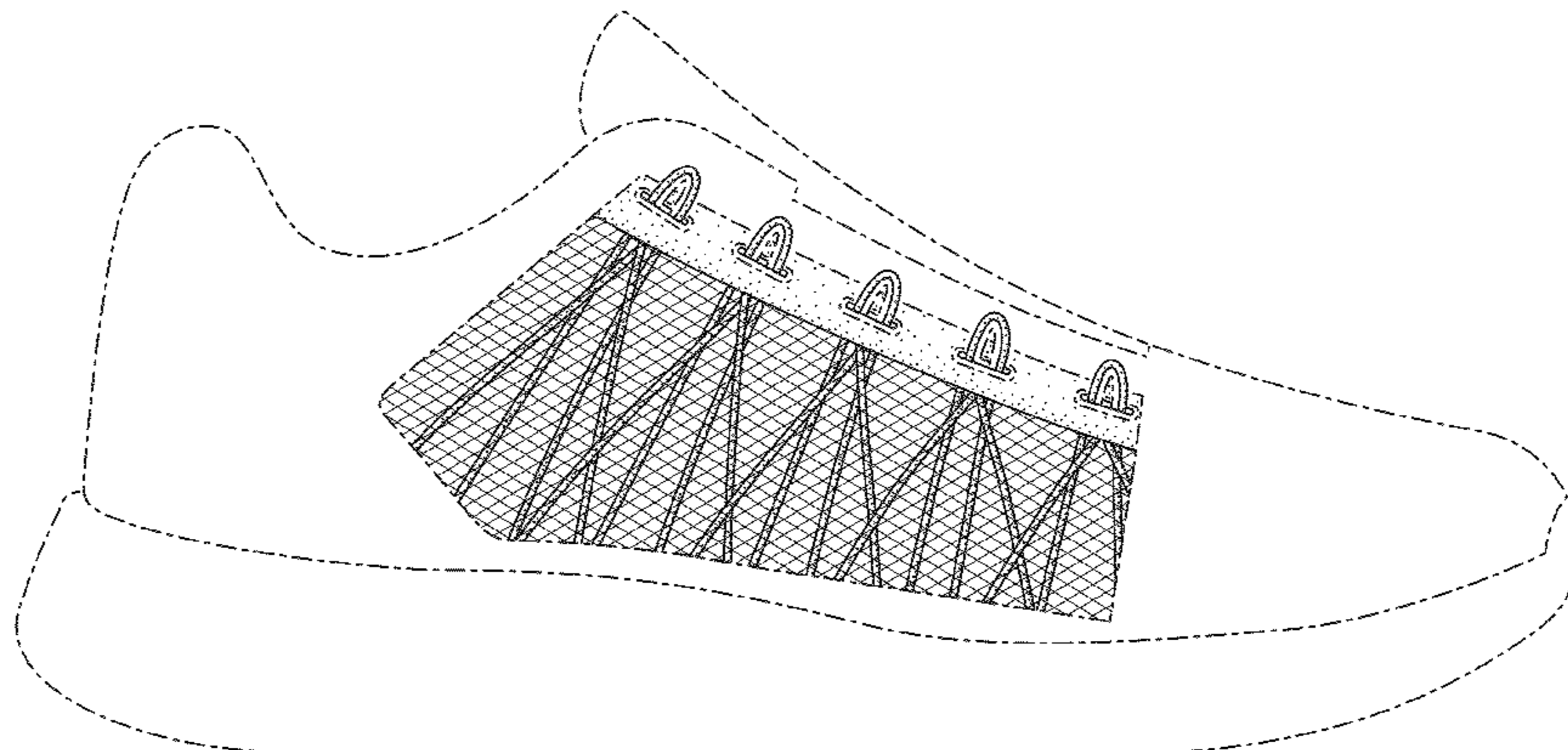
FIG. 1 is a front perspective view of a shoe upper showing my new design;

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 broken lines showing the five inner loops and the five racetrack-shaped elements within the claimed area are for environmental purposes only and 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



US D676,647 S

Page 2

U.S. PATENT DOCUMENTS

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
D604,939 S 12/2009 Grenet
D605,396 S 12/2009 Henderson
D608,540 S 1/2010 Dekovic
D621,147 S 8/2010 Raysse
D621,598 S 8/2010 Leleu
D623,841 S 9/2010 Maejima
D624,745 S 10/2010 Henderson
D636,581 S 4/2011 Petrie
D636,582 S 4/2011 Petrie
D636,593 S 4/2011 Henrichot
D636,594 S 4/2011 Henrichot
D639,042 S * 6/2011 Gibson D2/969
D643,206 S 8/2011 Chang
D648,116 S 11/2011 Avar
D648,518 S 11/2011 Chang
D649,761 S 12/2011 Chang
D653,440 S 2/2012 Hatfield et al.
D653,442 S 2/2012 Hui
D658,862 S 5/2012 Stryjak et al.
D658,865 S 5/2012 Stryjak et al.

D658,866 S 5/2012 Stryjak et al.
D659,372 S 5/2012 Stryjak et al.
D661,885 S * 6/2012 Williams, Jr. D2/972
D666,405 S 9/2012 Shaffer
D666,406 S 9/2012 Shaffer

OTHER PUBLICATIONS

Nike Footwear Catalog, Men's Footwear: Performance: Holiday 2010, p. 51, published Feb. 2010, Nike, Inc., USA.
LunarGlide+2 by Nike, Inc., 1 page of full-color photographs, published 2009.
Air Max+ 2009 by Nike, Inc., 1 page of full-color photographs, published 2010.
Air Hoop Structure FA LE by Nike, Inc., 1 page of full-color photographs, published 2010.
Lebron VII by Nike, Inc., 1 page of full-color photographs, published 2010.
Hyperdunk 2010 by Nike, Inc., 1 page of full-color photographs, published 2010.
Zoom Victory XC by Nike, Inc., 1 page of full-color photographs, published 2010.

* cited by examiner

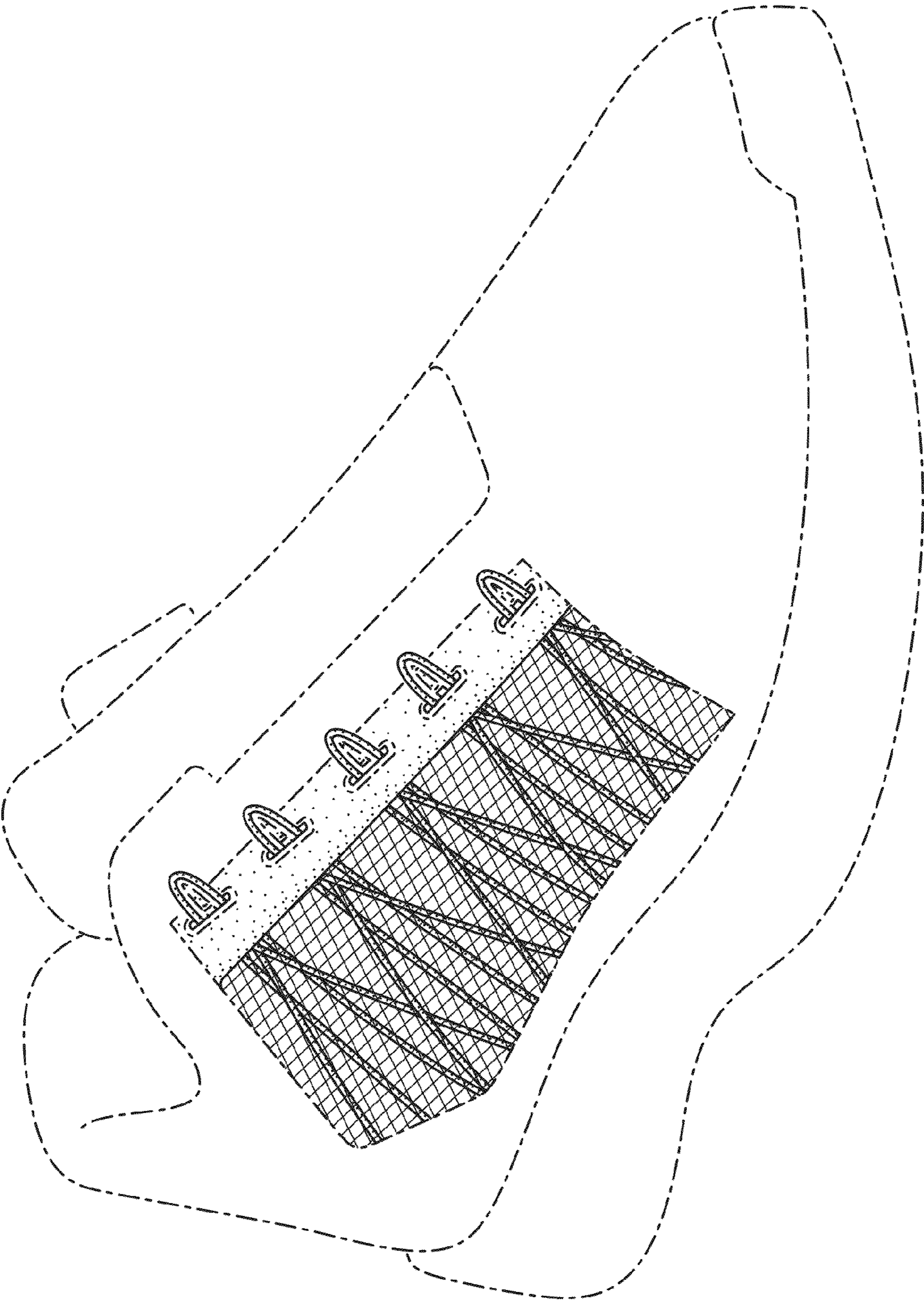


FIG. 1

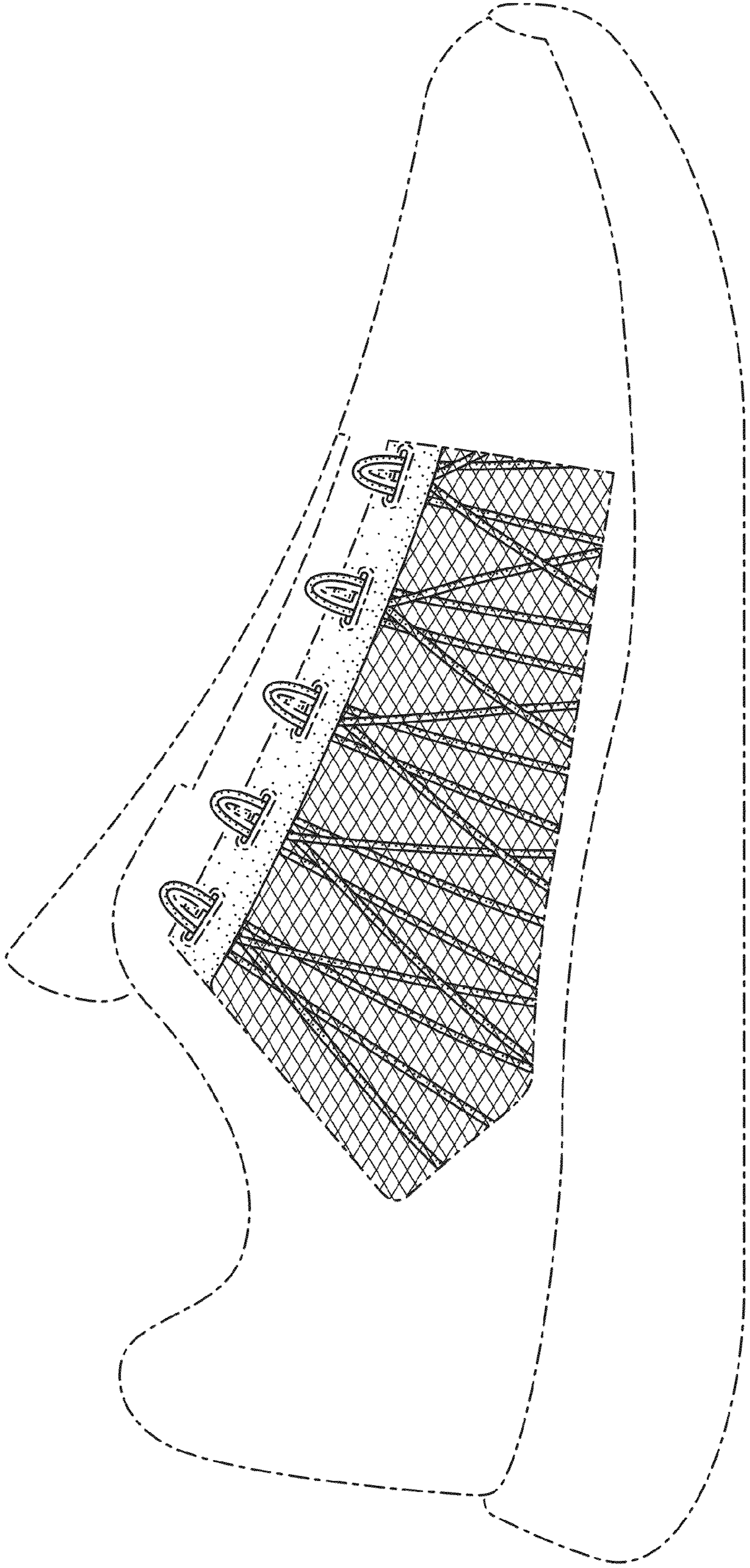


FIG. 2

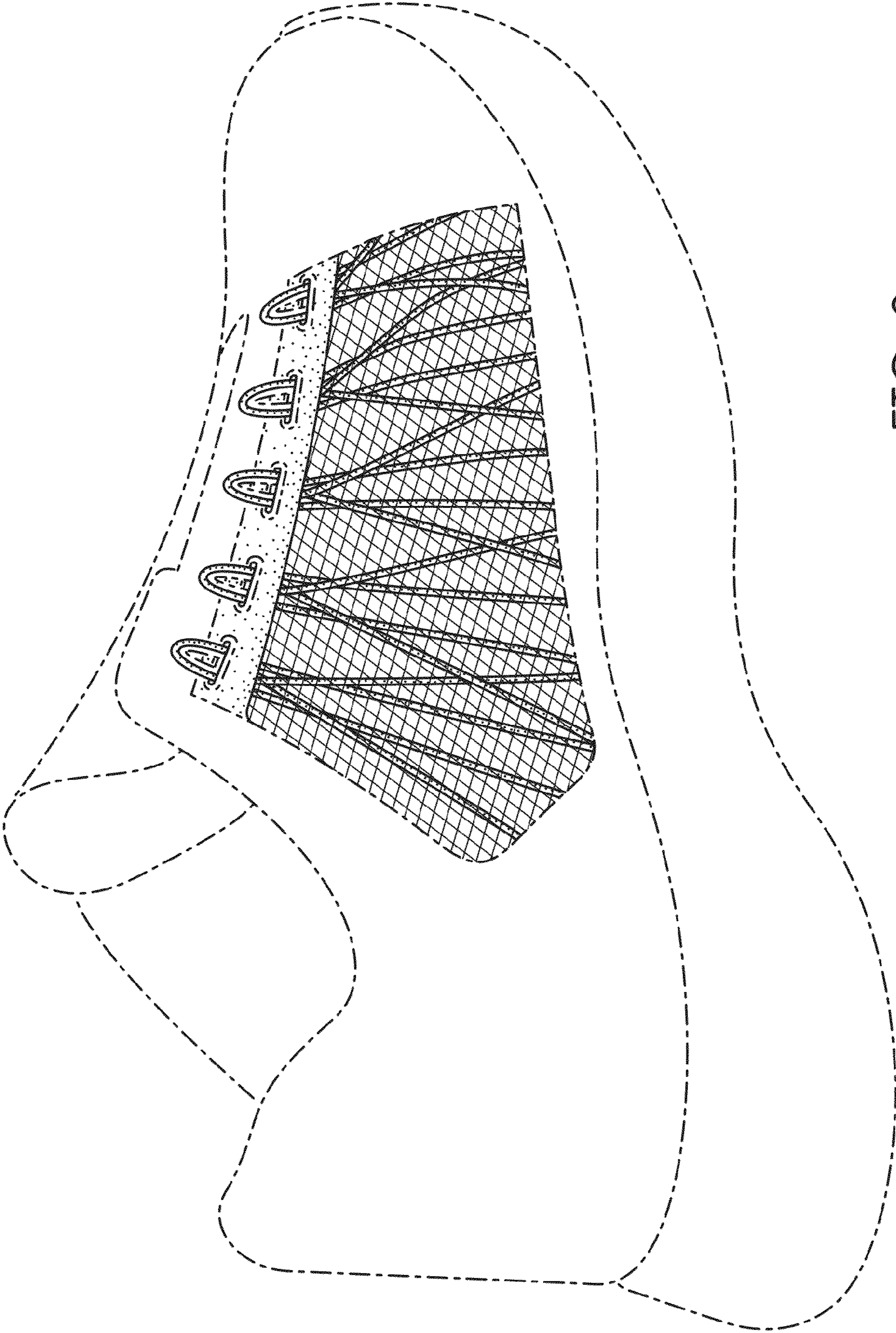


FIG. 3