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

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- (54) **SHOE UPPER**
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- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **14 Years**
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- (52) **U.S. Cl.**  
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- (58) **Field of Classification Search**  
USPC ..... D2/902, 906-908, 944, 946, 947, 962,  
D2/969, 972-974; 36/45, 50.1, 77 M, 77 R,  
36/83, 88, 113, 114, 126-131, 134  
See application file for complete search history.

D546,049 S *	7/2007	Mermet	.....	D2/972
D553,345 S	10/2007	Rasmussen		
D577,902 S *	10/2008	Mermet	.....	D2/972
D578,289 S	10/2008	Schoenborn		
D596,838 S	7/2009	Hui		
D601,783 S	10/2009	Pizzuti		
D622,486 S	8/2010	Goldston		
D629,594 S	12/2010	Mann		
D633,697 S	3/2011	Mann		
D653,024 S	1/2012	LaRusso		
D659,980 S *	5/2012	Grenet et al.	.....	D2/972
D676,642 S	2/2013	Rasmussen		
D683,533 S	6/2013	Williams, Jr.		

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 1997 Late Spring Footwear, p. 126, published Sep. 1996, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1997 Holiday Footwear, p. 229, published Mar. 1997, NIKE, Inc., USA.

(Continued)

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(56) **References Cited**  
**U.S. PATENT DOCUMENTS**

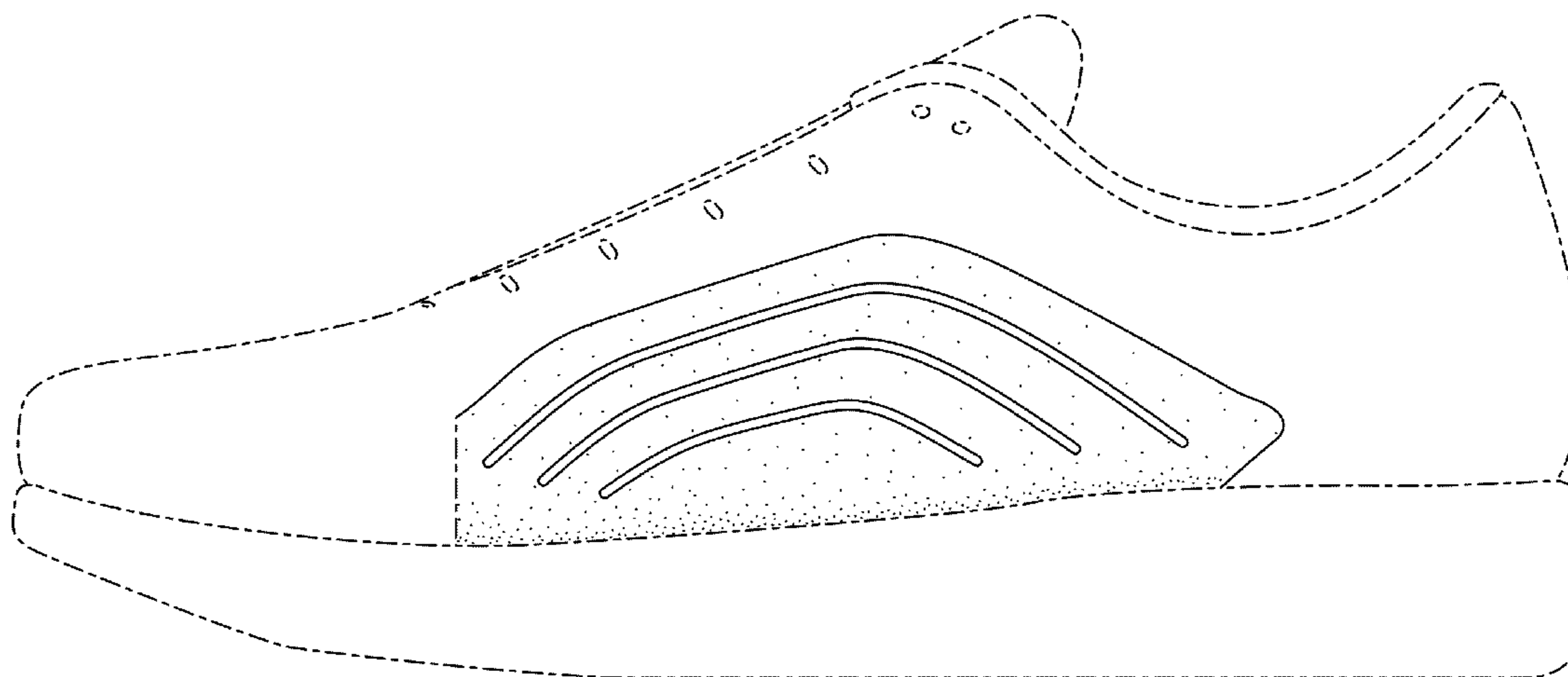
D210,864 S *	4/1968	Tusa	.....	D2/906
D336,974 S *	7/1993	Hatfield	.....	D2/969
D365,922 S	1/1996	O'Rorke		
D383,561 S	9/1997	Tresser		
D391,050 S	2/1998	Morris		
D427,759 S *	7/2000	Hlavacs	.....	D2/972
D431,899 S *	10/2000	Cooper	.....	D2/972
D432,775 S *	10/2000	McDowell	.....	D2/972
D436,244 S	1/2001	James		
D440,756 S	4/2001	Cooper		
D448,148 S	9/2001	Matis		
D461,043 S *	8/2002	Greene	.....	D2/972
D498,912 S	11/2004	Kuerbis		
D526,772 S *	8/2006	Cass	.....	D2/972
D528,284 S *	9/2006	Cessor	.....	D2/972
D533,709 S	12/2006	Link		
D544,685 S *	6/2007	Mermet	.....	D2/972

(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 three unshaded regions within the shaded area 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**



(56)

**References Cited**

OTHER PUBLICATIONS

Nike Footwear Catalog, 1998 Fall: Men's Specialty and Women's & Kids' Footwear, pp. 115 and 122, published Dec. 1997, NIKE, Inc., USA.

Nike Footwear Catalog, 1998 Fall: Men's, Women's, and Kids' Footwear, pp. 88 and 210, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2000 Fall: Men's and Women's Footwear (red cover), p. 56, published Nov. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 2001 Fall: Men's and Women's Footwear, p. 43, published Nov. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, 2007 Spring Footwear, p. 142, published Jun. 2006, NIKE, Inc., USA.

Nike Footwear Catalog, 2008 Spring Footwear, p. 137, published May 2007, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Spring: Sport Performance Footwear, p. 147, published May 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Summer: Sport Performance Footwear, p. 126, published Aug. 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Spring: Young Athletes Footwear, p. 62, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Holiday: Men's Sportswear Footwear, p. 9, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Summer: Men's Sportswear Footwear, p. 13, published Aug. 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Holiday: Women's Performance Footwear, p. 6, published Feb. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Holiday: City Specialty Footwear, p. 15, published Feb. 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Holiday: Mens Sportswear Best, p. 12, published Feb. 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Spring: Womens Sportswear Footwear Best, p. 6, published May 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Spring: Young Athletes Footwear, p. 38, published May 2012, NIKE, Inc., USA.

\* cited by examiner

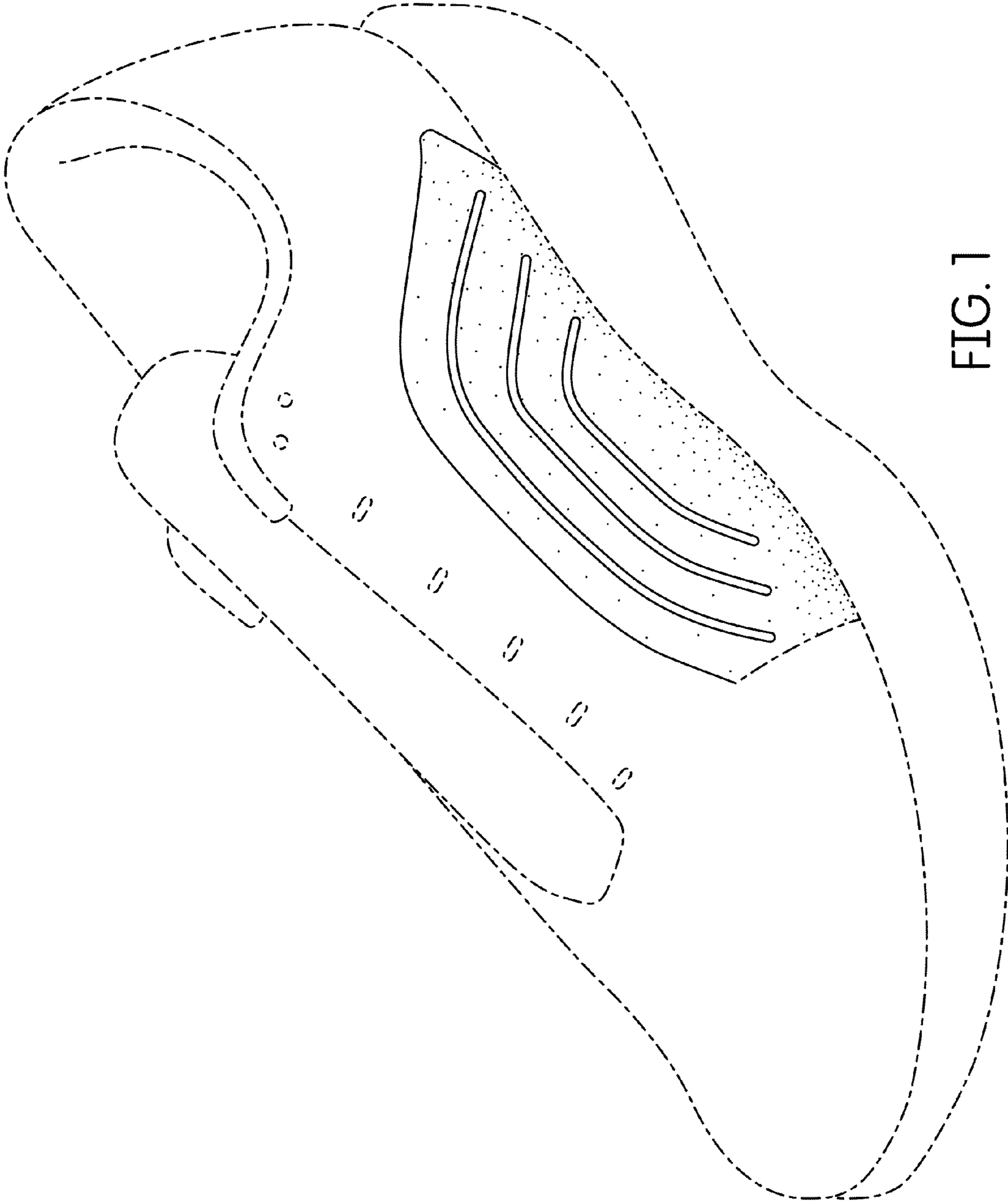


FIG. 1

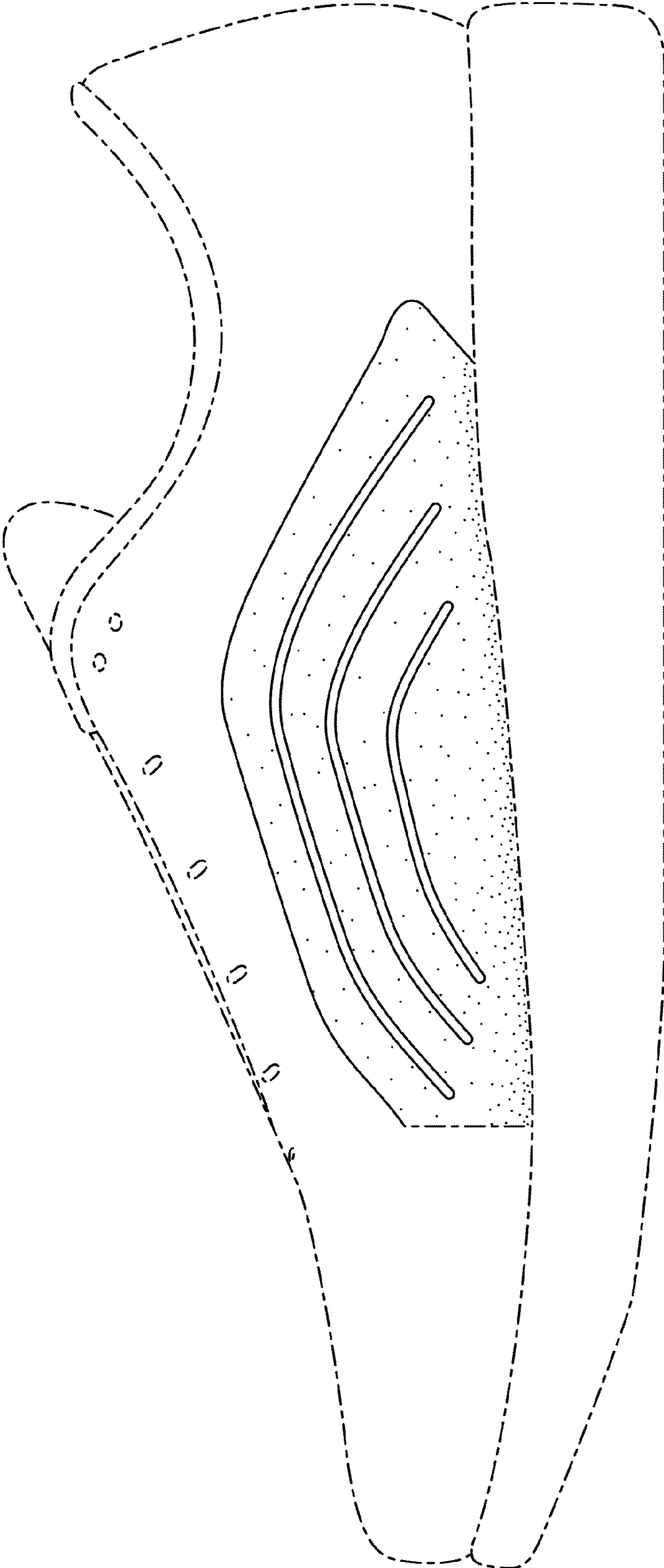


FIG. 2

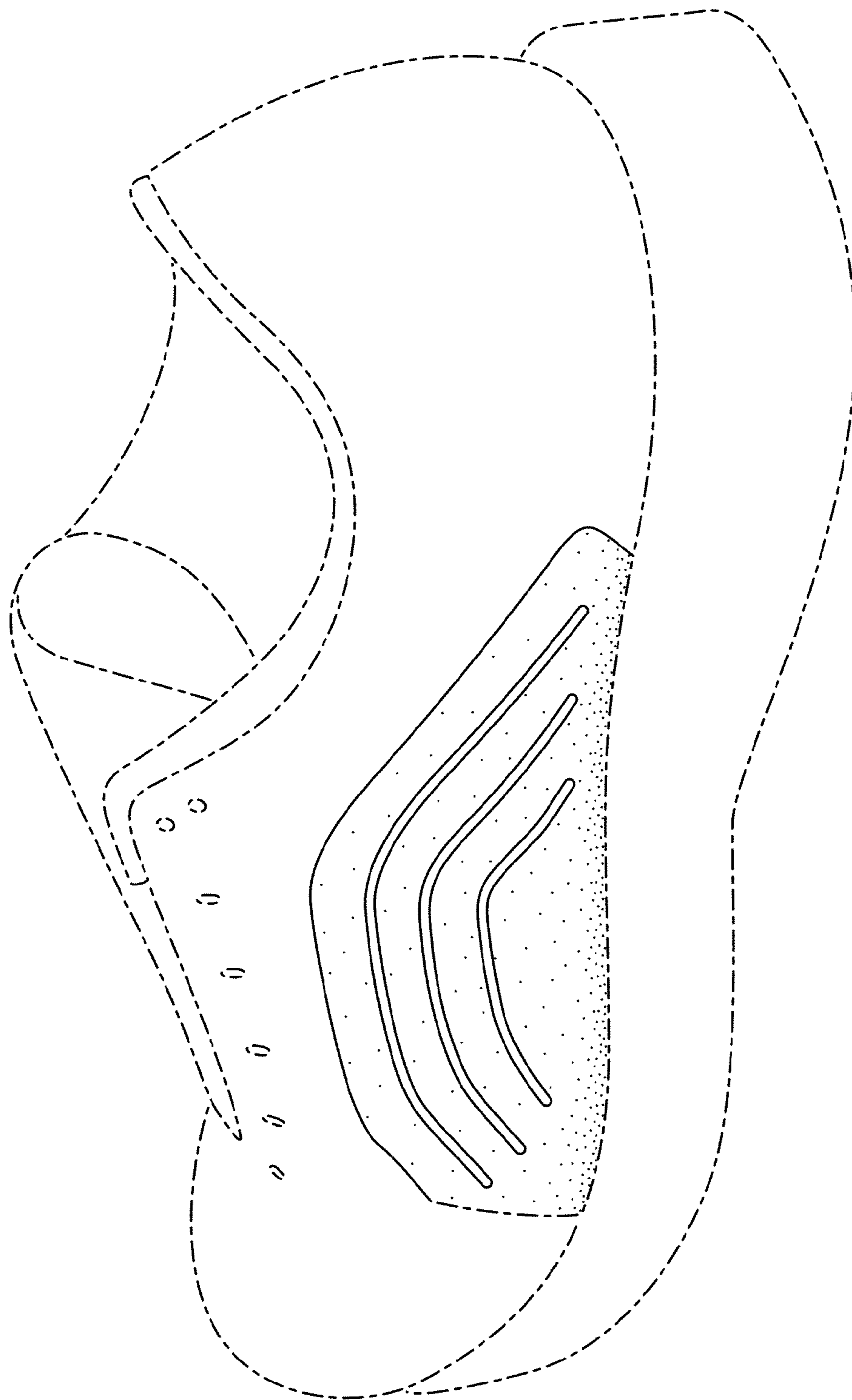


FIG. 3