



US00D707438S

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

(10) **Patent No.:** **US D707,438 S**  
(45) **Date of Patent:** **\*\* Jun. 24, 2014**

(54) **SHOE UPPER**

(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)

(72) Inventor: **Justin Taylor**, Portland, OR (US)

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

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

(21) Appl. No.: **29/483,692**

(22) Filed: **Feb. 28, 2014**

(51) **LOC (10) Cl.** ..... **02-99**

(52) **U.S. Cl.**

USPC ..... **D2/972**

(58) **Field of Classification Search**

USPC ..... 1/902, 906-908, 944, 969, 947,  
1/972-974, 975; 36/45, 50.1, 77 M, 77 R,  
36/83, 88, 113, 114, 126-131

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

4,813,158 A	3/1989	Brown	
4,858,339 A	8/1989	Hayafuchi et al.	
D311,092 S	* 10/1990	Hatfield	D2/969
D357,574 S	4/1995	Morris	
D400,000 S	10/1998	Hatfield et al.	
D413,718 S	9/1999	Lupo	
D498,044 S	11/2004	Morris	
D499,875 S	12/2004	Lozano	
D508,603 S	8/2005	Newson	
D513,857 S	1/2006	Hlavacs	
D513,858 S	1/2006	O'Connor	
D538,023 S	* 3/2007	Belley et al.	D2/969
D538,024 S	* 3/2007	Belley et al.	D2/969
D541,521 S	* 5/2007	Smith et al.	D2/972
D570,086 S	6/2008	McDowell	
D574,587 S	* 8/2008	McDowell	D2/969
D613,934 S	4/2010	Taylor	

D642,784 S	8/2011	Mayden	
D666,798 S	9/2012	Now	
D675,424 S	* 2/2013	Williams, Jr.	D2/972
D678,667 S	* 3/2013	Carboy	D2/972
D680,316 S	4/2013	Mermet	
D689,684 S	9/2013	McMillan	
D693,109 S	11/2013	Taylor	
D694,506 S	12/2013	Anceresi et al.	
D694,507 S	12/2013	Carboy	
D694,508 S	12/2013	Henrichot	
D696,850 S	1/2014	Miner	

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 1985 Footwear, p. 67, published Dec. 1984, NIKE, Inc., USA.

Nike Footwear Catalog, 1987 Fall Footwear, p. 24, published Jan. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1989 Spring Footwear, p. 150, published Jun. 1988, 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**

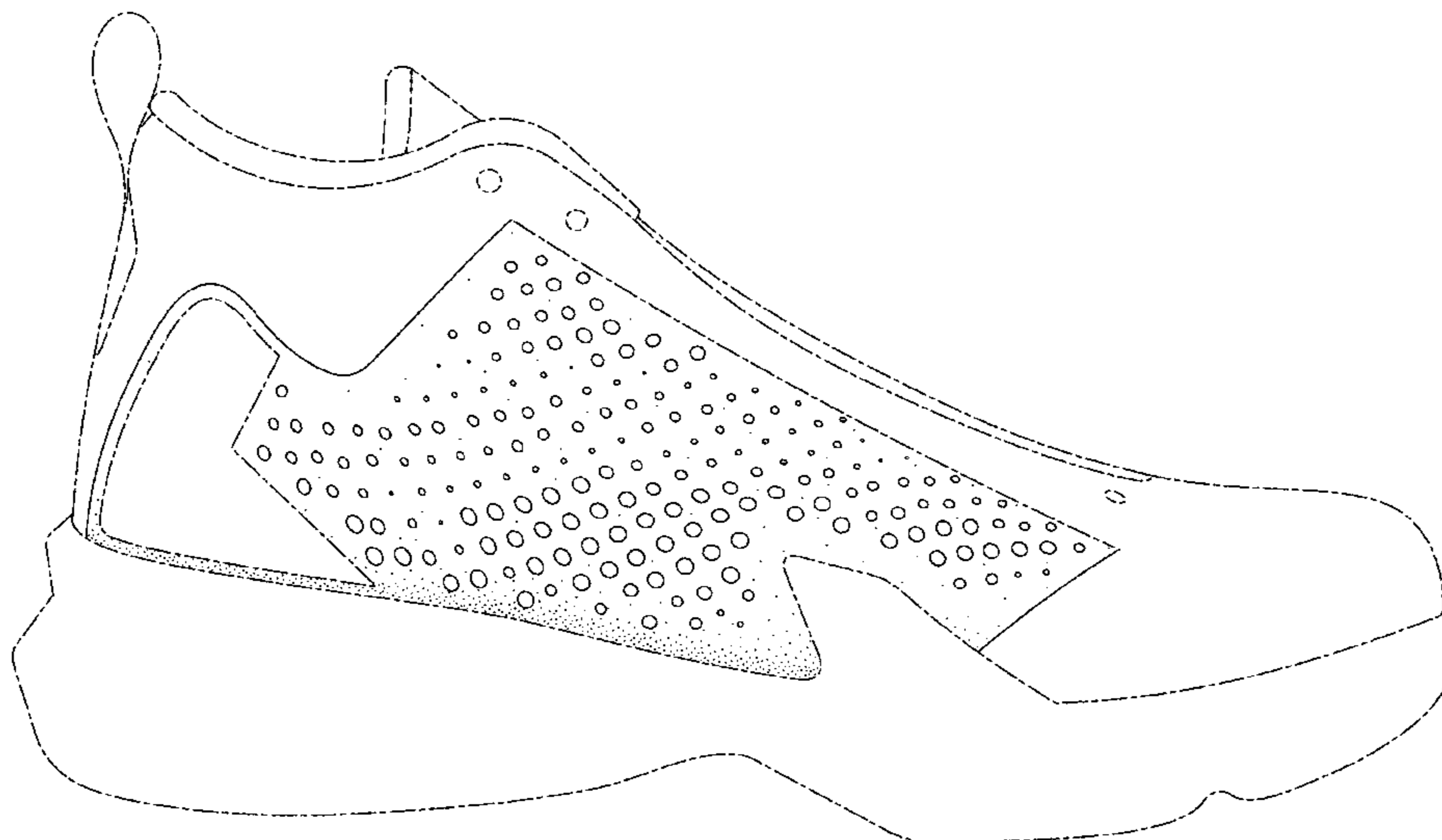
FIG. 1 is a front perspective view of a shoe upper showing my new design;

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 unshaded region within the shaded area is for environmental purpose only and forms 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, 1991 Fall Footwear, p. 146, published Dec. 1990, NIKE, Inc., USA.  
Nike Footwear Catalog, 1991 Fall Footwear, p. 162, published Dec. 1990, NIKE, Inc., USA.  
Nike Footwear Catalog, 1997 Holiday Footwear, p. 29, published Mar. 1997, NIKE, Inc., USA.  
Nike Footwear Catalog, 1998 Fall: Men's, Women's, and Kids' Footwear, p. 58, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.  
Nike Footwear Catalog, 1999 Late Spring: Men's and Women's Footwear, p. M58, published Sep. 1998, NIKE, Inc., USA.  
Nike Footwear Catalog, 1999 Late Spring: Men's and Women's Footwear, p. M31, published Sep. 1998, NIKE, Inc., USA.  
Nike Footwear Catalog, 1999 Late Fall: October & November Flow Footwear, p. M36, published Mar. 1999, NIKE, Inc., USA.  
Nike Footwear Catalog, 2001 Fall: Men's and Women's Footwear, p. 46, published Nov. 2000, NIKE, Inc., USA.  
Nike Footwear Catalog, 2002 Fall: Men's and Women's Footwear, p. 78, published Nov. 2001, NIKE, Inc., USA.  
Nike Footwear Catalog, 2002 Fall Jordan Footwear, p. 8, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2003 Fall: Men's and Women's Footwear, p. 29, published Nov. 2002, NIKE, Inc., USA.  
Nike Footwear Catalog, 2003 Fall Jordan Footwear, p. 12, published Oct. 2002, NIKE, Inc., USA.  
Nike Footwear Catalog, 2004 Spring: Men's, Women's, and Kids' Footwear, p. 9, published Jun. 2003, NIKE, Inc., USA.  
Nike Footwear Catalog, 2004 Spring Jordan Footwear, p. 17, published Jun. 2003, NIKE, Inc., USA.  
Nike Footwear Catalog, 2004 Late Spring: Men's, Women's, and Kids' Footwear, p. 2, published Sep. 2003, NIKE, Inc., USA.  
Nike Footwear Catalog, 2004 Fall: Men's, Women's, and Kids' Footwear, p. 46, published Nov. 2003, NIKE, Inc., USA.  
Nike Footwear Catalog, 2004 Holiday: Men's, Women's, and Kids' Footwear, p. 42, published Mar. 2004, NIKE, Inc., USA.  
Nike Footwear Catalog, 2004 Holiday: Men's, Women's, and Kids' Footwear, p. 44, published Mar. 2004, NIKE, Inc., USA.  
Nike Footwear Catalog, 2005 Fall Footwear, p. 42, published Nov. 2004, NIKE, Inc., USA.  
Nike Footwear Catalog, 2006 Late Spring Footwear, p. 194, published Sep. 2005, NIKE, Inc., USA.  
Nike Footwear Catalog, 2011 Holiday: Young Athletes Footwear, p. 51, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

\* cited by examiner

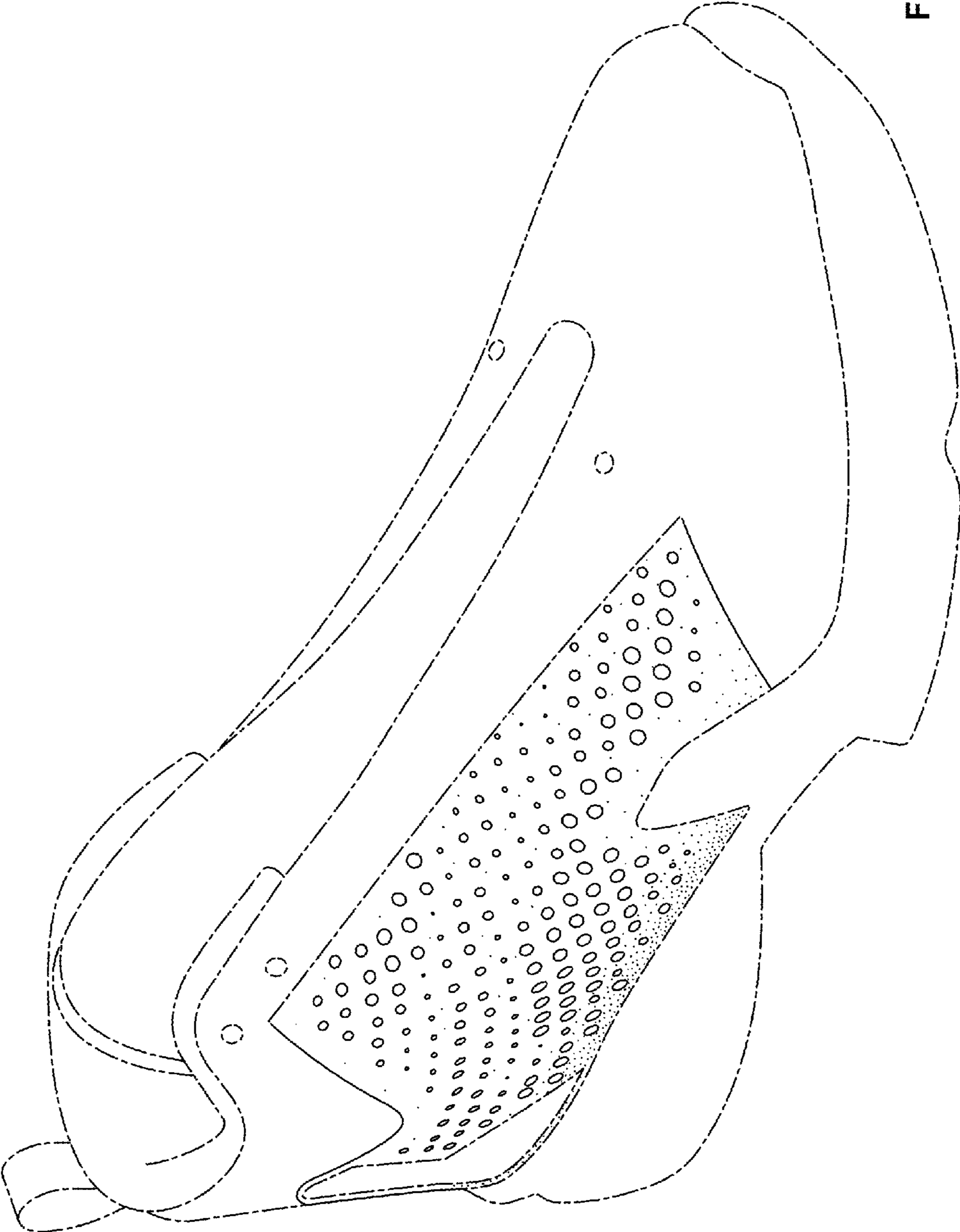


FIG. 1

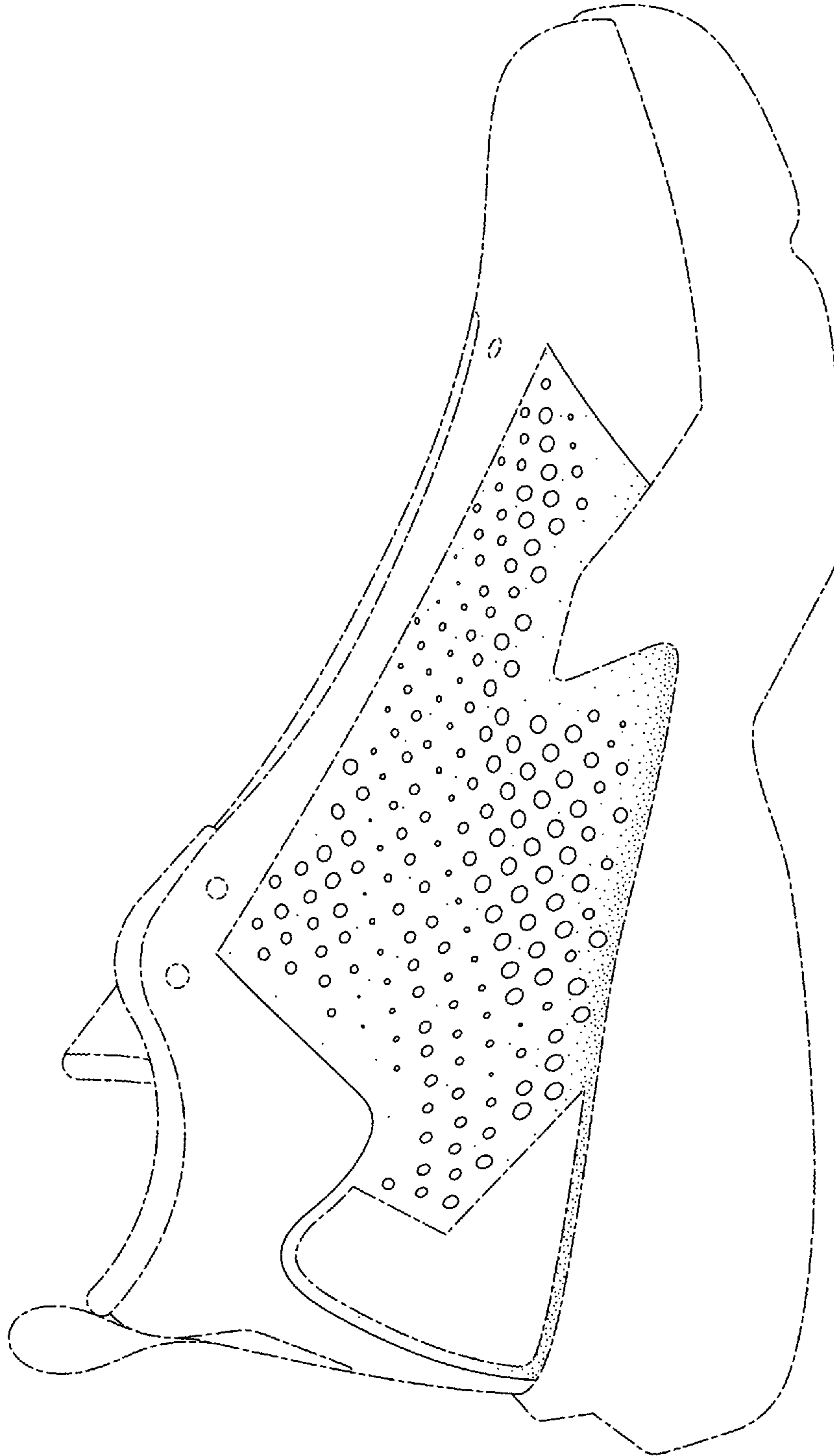


FIG. 2

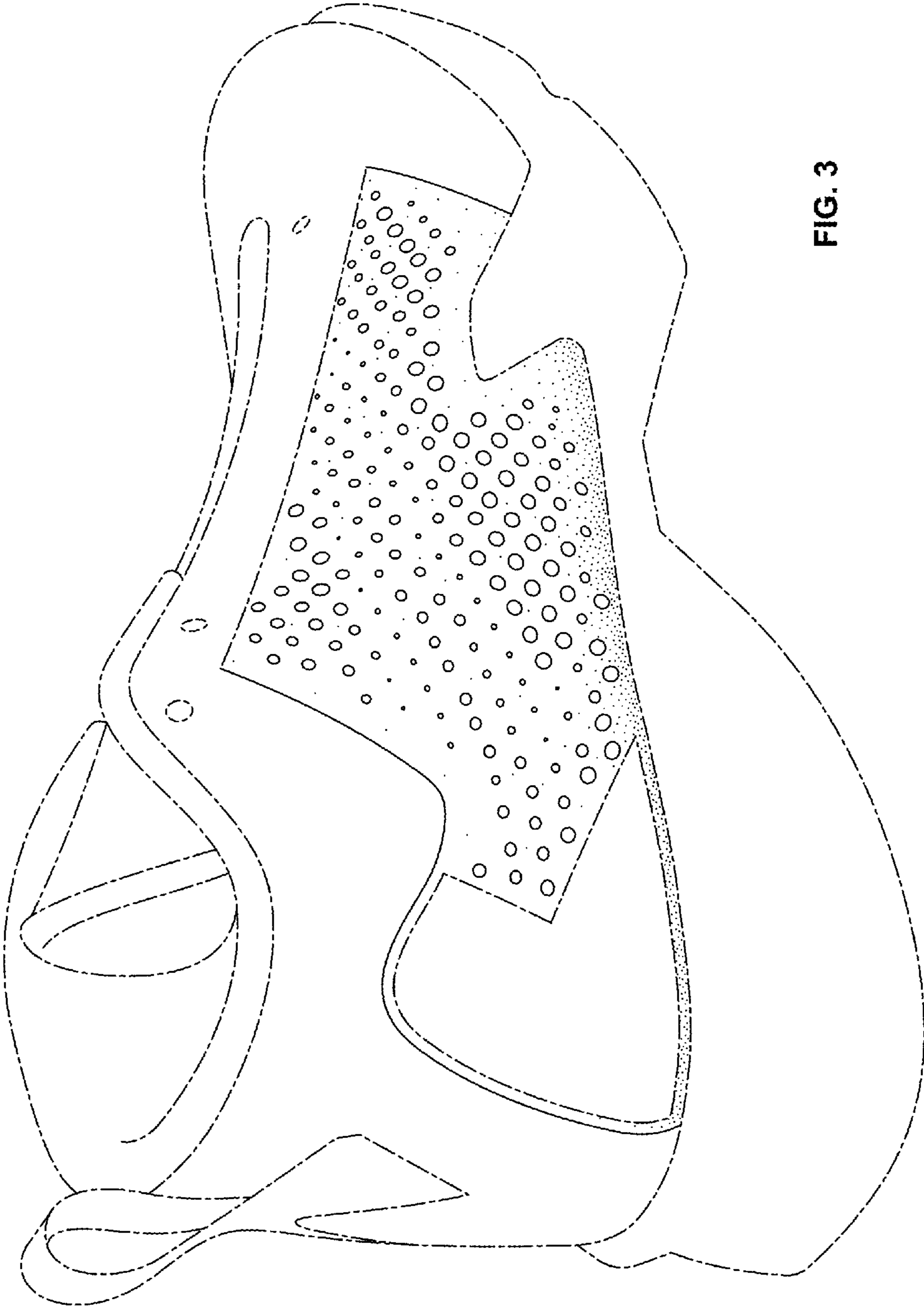


FIG. 3