



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**

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

(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.

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.

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

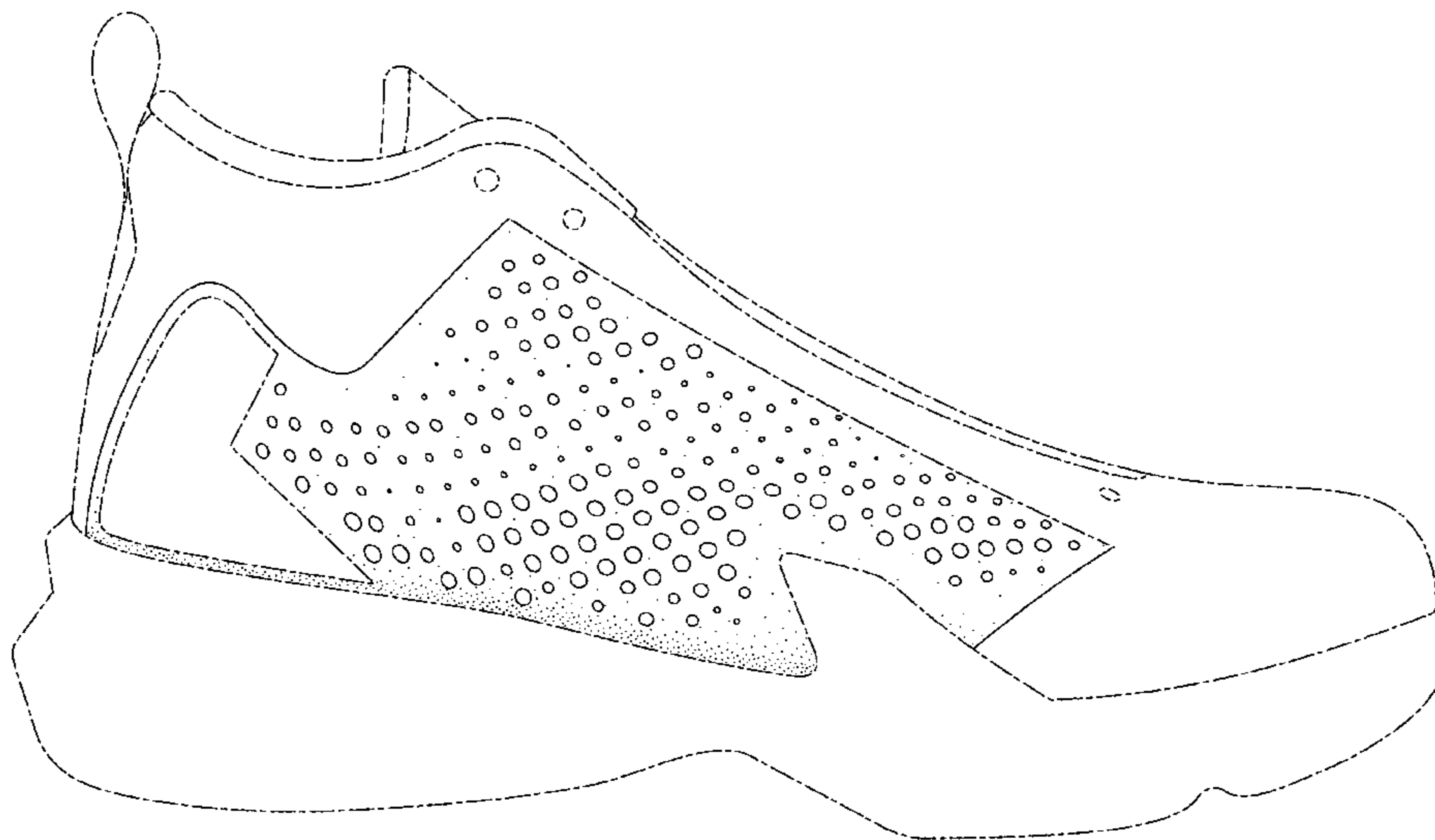
4,813,158 A 3/1989 Brown
4,858,339 A 8/1989 Hayafuchi et al.
D311,092 S * 10/1990 Hatfield D2/969
D357,574 S 4/1995 Morris
D400,000 S 10/1998 Hatfield et al.
D413,718 S 9/1999 Lupo
D498,044 S 11/2004 Morris
D499,875 S 12/2004 Lozano
D508,603 S 8/2005 Newson
D513,857 S 1/2006 Hlavacs
D513,858 S 1/2006 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

(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

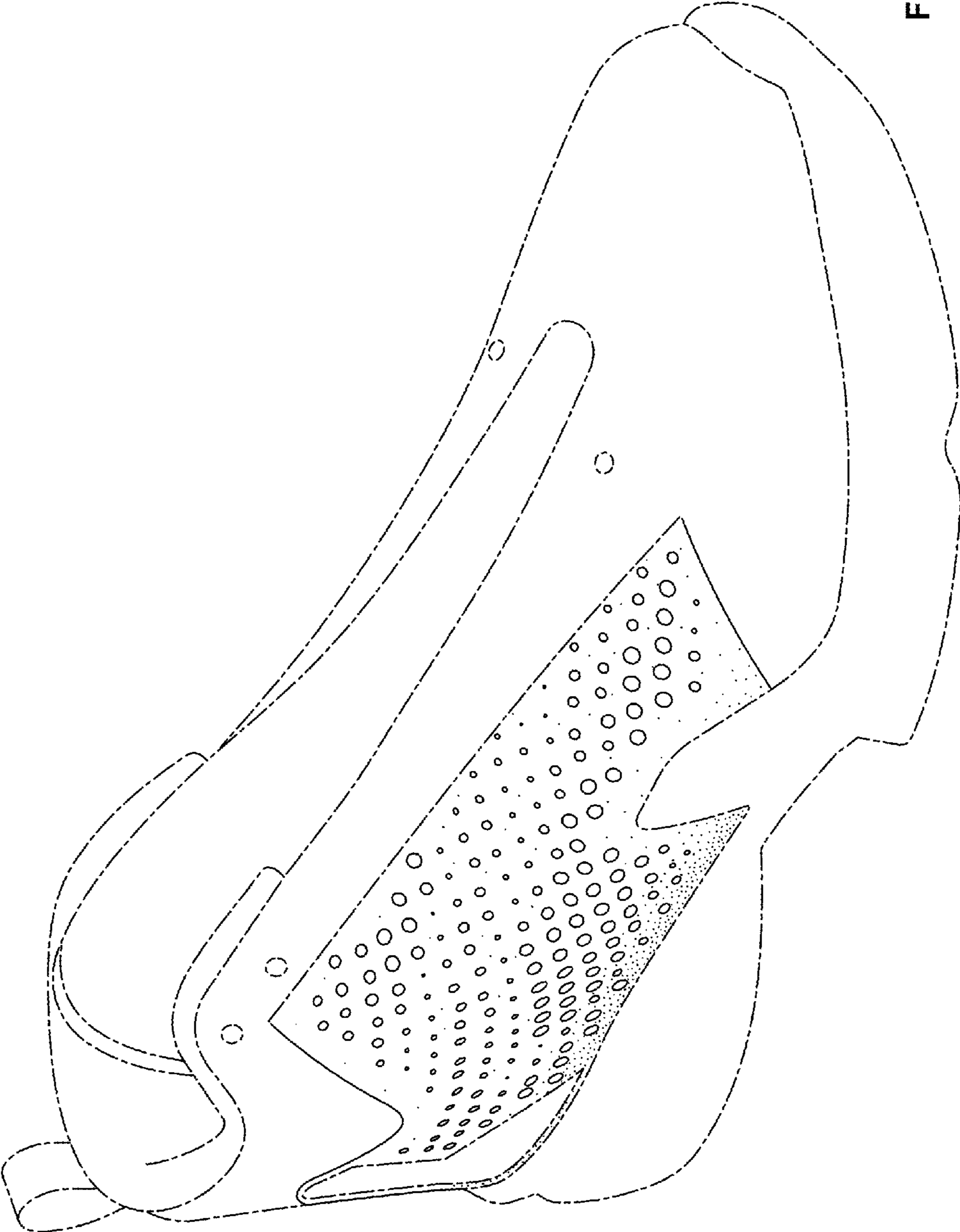


FIG. 1

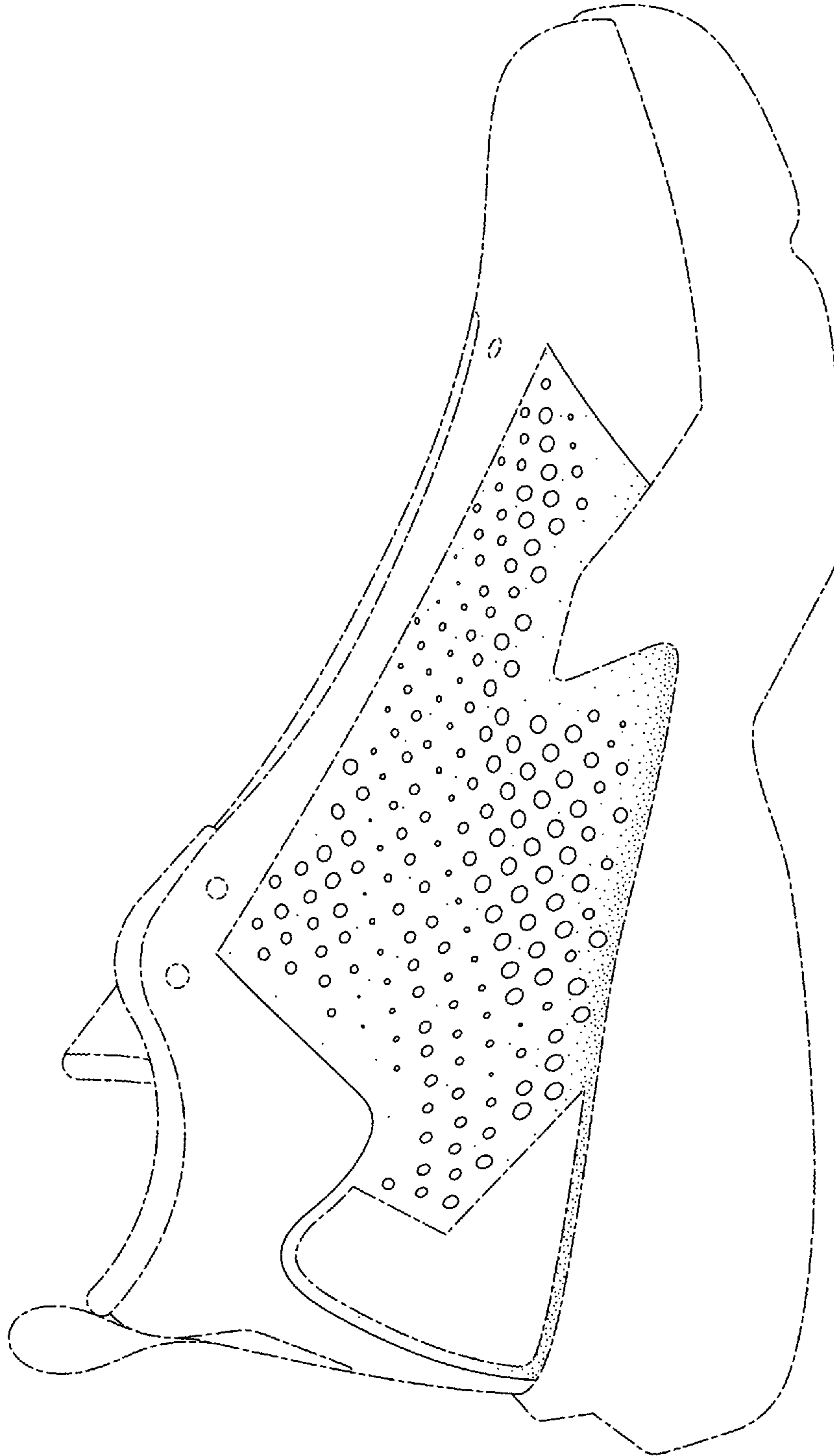


FIG. 2

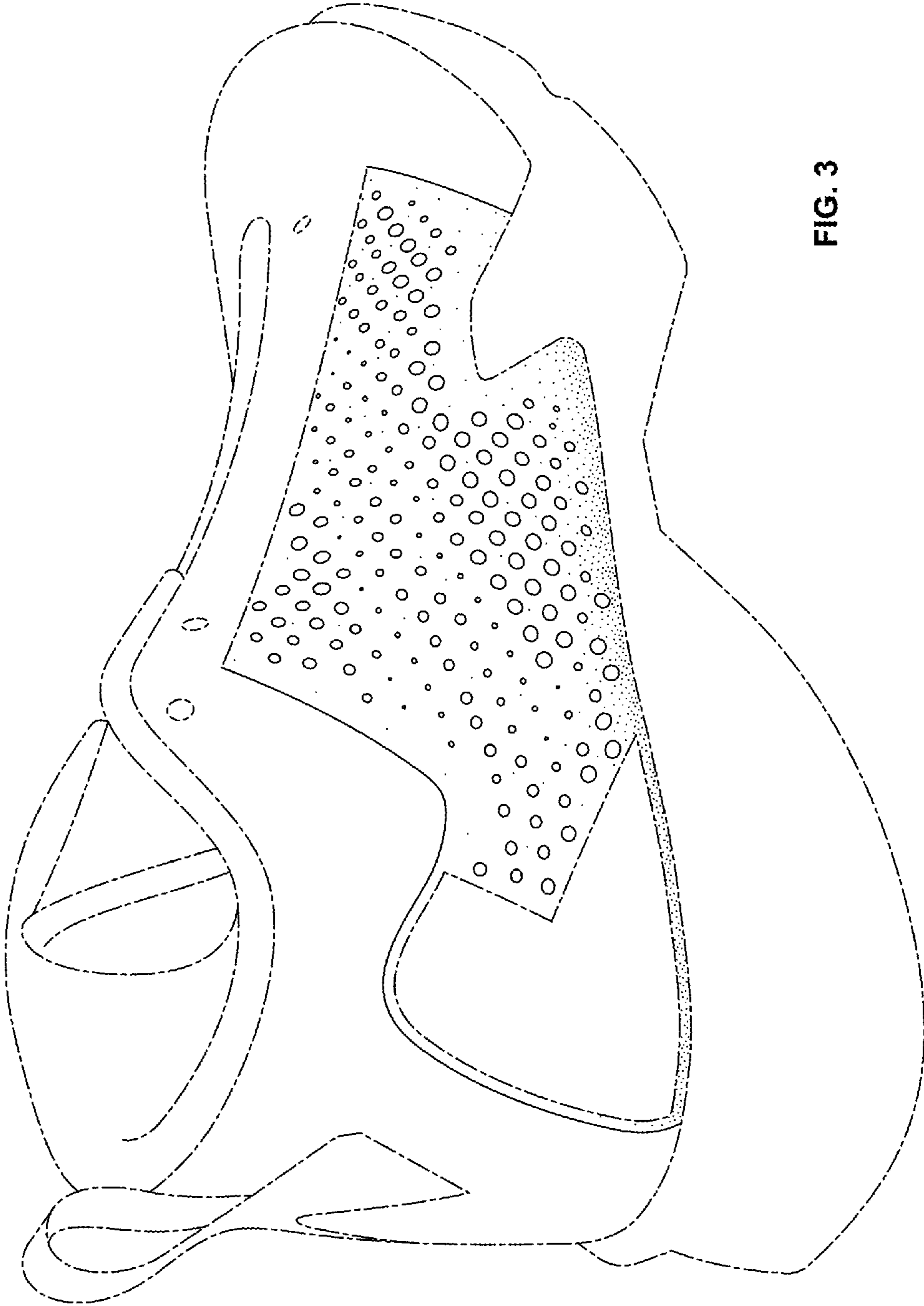


FIG. 3