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

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

(52) **U.S. Cl.**
USPC **D2/969**

(58) **Field of Classification Search**
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D2/971-975
CPC .. A43B 13/181; A43B 13/141; A43B 13/186;
A43B 13/188; A43B 23/00; A43B 23/02;
A43B 5/00

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D88,864 S *	1/1933	Elkin	.....	D2/972
D282,021 S *	1/1986	Linn	.....	D2/969
D302,486 S *	8/1989	Brown et al.	.....	D2/969
D341,476 S *	11/1993	Duclos	.....	D2/969
D348,976 S *	7/1994	Van Noy	.....	D2/969
D393,359 S	4/1998	Doxey		
D405,242 S *	2/1999	Gillespie	.....	D2/900
D410,691 S *	6/1999	Boyer	.....	D2/902
D420,783 S *	2/2000	Brady et al.	.....	D2/902
D425,694 S	5/2000	Fogg		
D435,162 S *	12/2000	Wilson	.....	D2/969
D438,696 S *	3/2001	Haas	.....	D2/969
D441,520 S *	5/2001	Lane et al.	.....	D2/969
D443,130 S *	6/2001	Matis	.....	D2/969
D444,624 S *	7/2001	Wilson	.....	D2/969
D450,180 S	11/2001	Matis et al.		

D456,984 S	5/2002	Duclos		
D457,295 S	5/2002	Puris		
D458,013 S	6/2002	Matis		
D458,442 S	6/2002	Matis		
D466,683 S	12/2002	Chen		
D467,719 S *	12/2002	Blakeslee	.....	D2/972
D470,302 S *	2/2003	Wilson	.....	D2/975
D473,704 S *	4/2003	Wilson	.....	D2/972

(Continued)

OTHER PUBLICATIONS

2002 Fall Men's and Women's Footwear; 71; Nike Footwear Catalog, 2002 Fall Men's and Women's Footwear, p. 71, published Nov. 2001, NIKE, Inc., USA.

(Continued)

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(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 left side view thereof;

FIG. 3 is a right side view thereof;

FIG. 4 is a front view thereof;

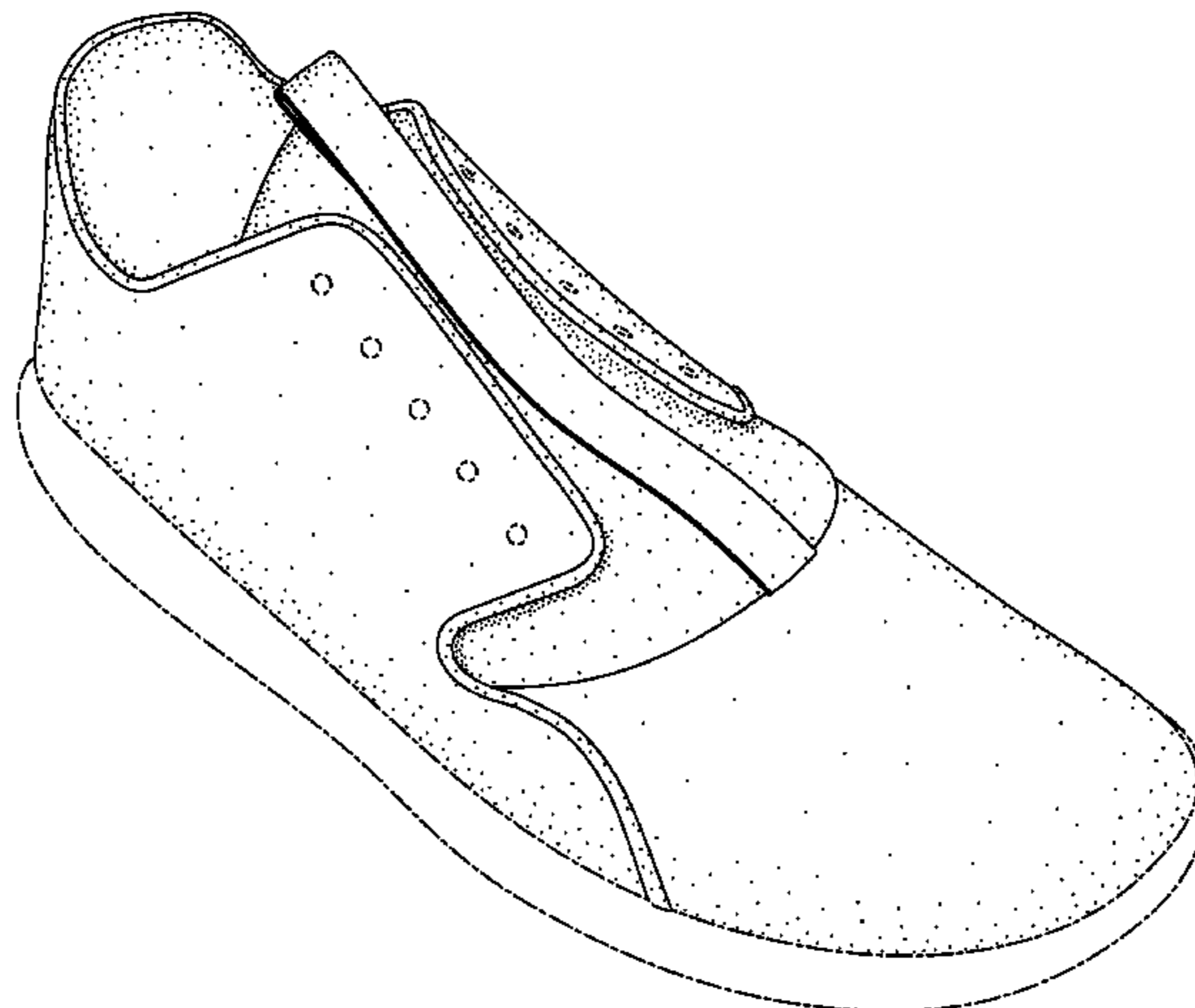
FIG. 5 is a rear view thereof;

FIG. 6 is a top view thereof; and,

FIG. 7 is a bottom view thereof.

The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The ten unshaded circular eyelet regions demarcated by broken lines within the shaded area form no part of the claimed design. The unshaded heel region shown in FIG. 6 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, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D474,883 S 5/2003 Cooper
 D479,388 S * 9/2003 Matis D2/969
 D480,540 S 10/2003 Hoyt et al.
 D481,530 S 11/2003 Hillyer
 D482,515 S 11/2003 St-Louis
 D482,858 S 12/2003 Hillyer
 D490,601 S 6/2004 Kuerbis
 D499,875 S 12/2004 Lozano
 D513,857 S 1/2006 Hlavacs
 D514,299 S 2/2006 Ardissono et al.
 D520,223 S * 5/2006 Burg D2/969
 D524,015 S 7/2006 Burg
 D545,042 S 6/2007 McDowell
 D545,547 S 7/2007 Horne et al.
 D546,041 S 7/2007 Horne et al.
 D546,043 S 7/2007 Belley et al.
 D546,046 S * 7/2007 Schoenborn et al. D2/969
 D546,542 S 7/2007 Lubrano
 D546,548 S 7/2007 Wozniak
 D549,441 S 8/2007 Chang
 D570,086 S 6/2008 McDowell

D570,087 S 6/2008 Caine
 D572,455 S 7/2008 Lubrano
 D579,186 S 10/2008 Mervar et al.
 D595,493 S 7/2009 Lane, III
 D610,340 S 2/2010 Cooper
 D636,577 S 4/2011 Chung
 D662,301 S 6/2012 Raysse
 D685,175 S 7/2013 Pizzuti
 D696,846 S 1/2014 Klug
 D707,030 S * 6/2014 Miner D2/972
 D712,133 S * 9/2014 Miner D2/972

OTHER PUBLICATIONS

2005 Spring Men's, Women's, Boy's, and Girl's Footwear; 39; Nike Footwear Catalog, 2005 Spring Men's, Women's, Boy's, and Girl's Footwear, p. 39, published Jun. 2004, NIKE, Inc., USA.
 2005 Spring Men's, Women's, Boy's, and Girl's Footwear; 49; Nike Footwear Catalog, 2005 Spring Men's, Women's, Boy's, and Girl's Footwear, p. 49, published Jun. 2004, NIKE, Inc., USA.
 2006 Fall Footwear; 190; Nike Footwear Catalog, 2006 Fall Footwear, p. 190, published Nov. 2005, NIKE, Inc., USA.

* cited by examiner

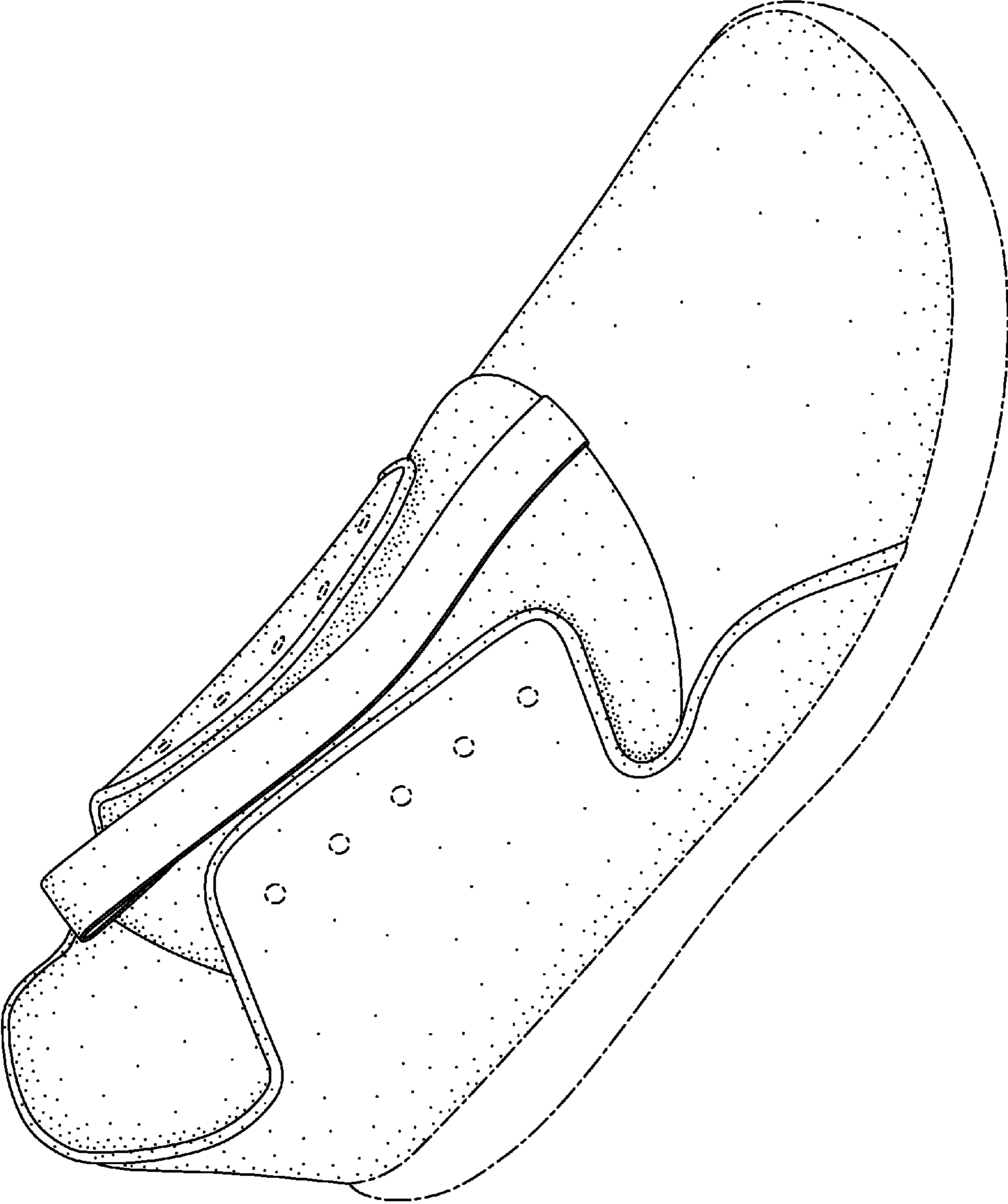


FIG. 1

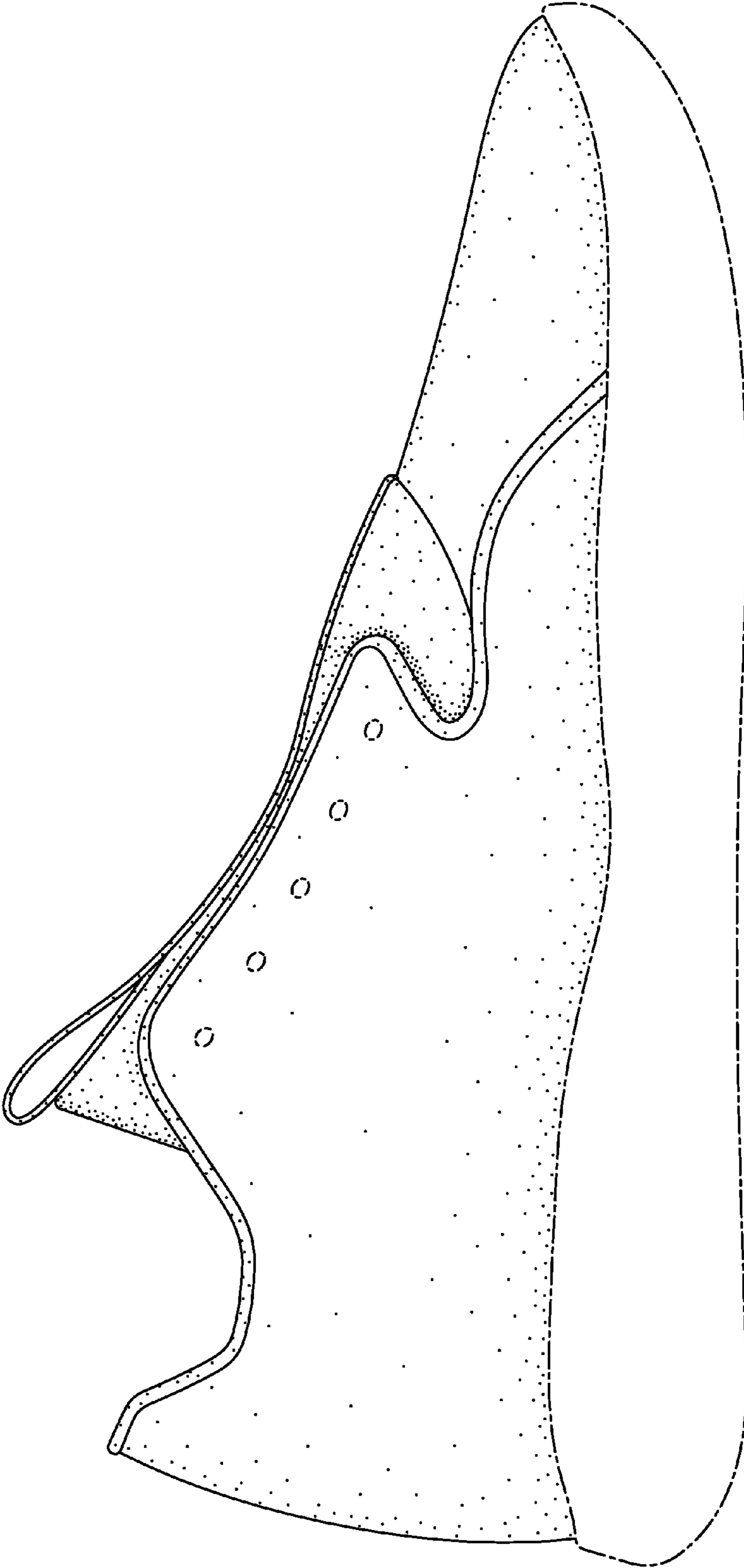


FIG. 2

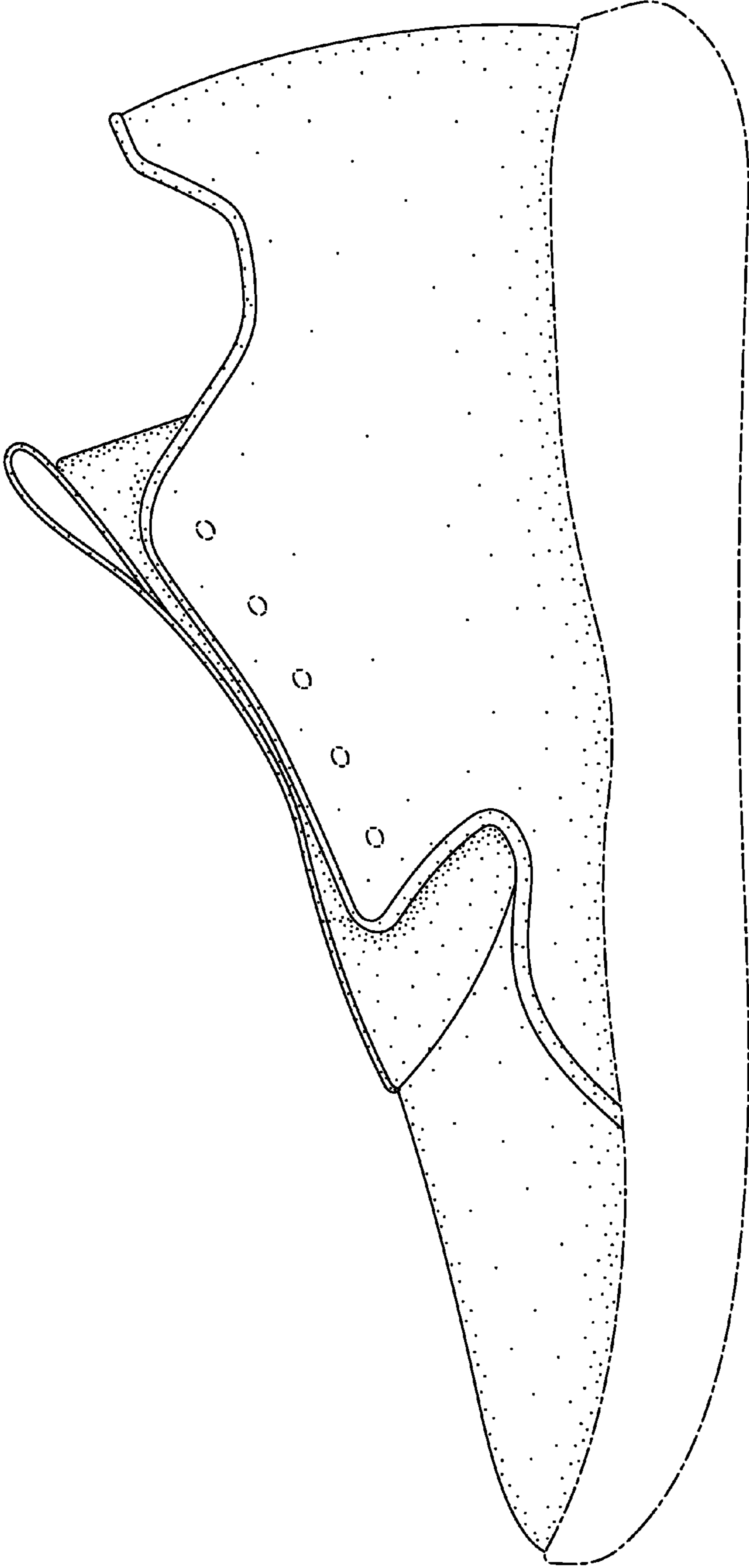


FIG. 3

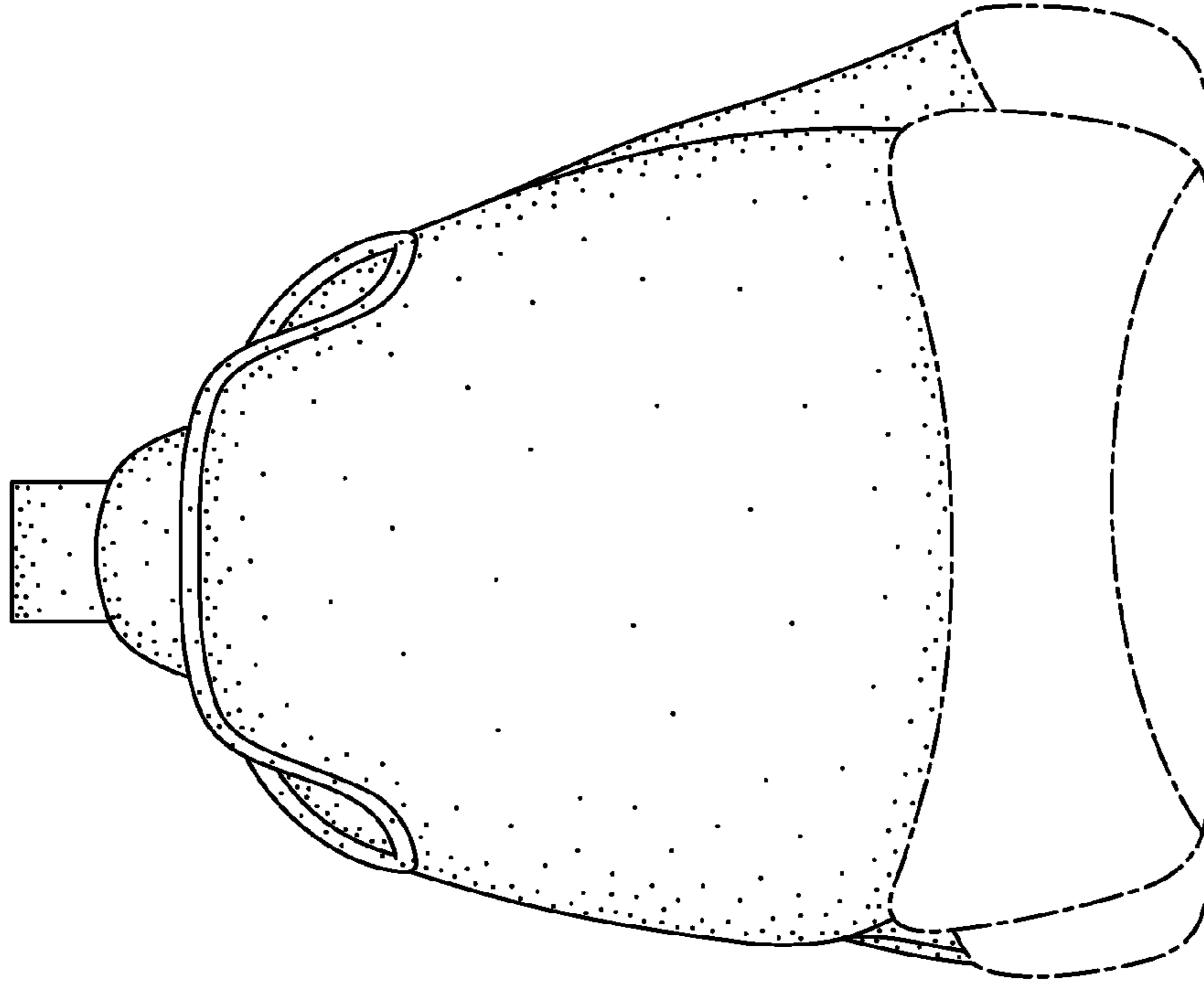


FIG. 5

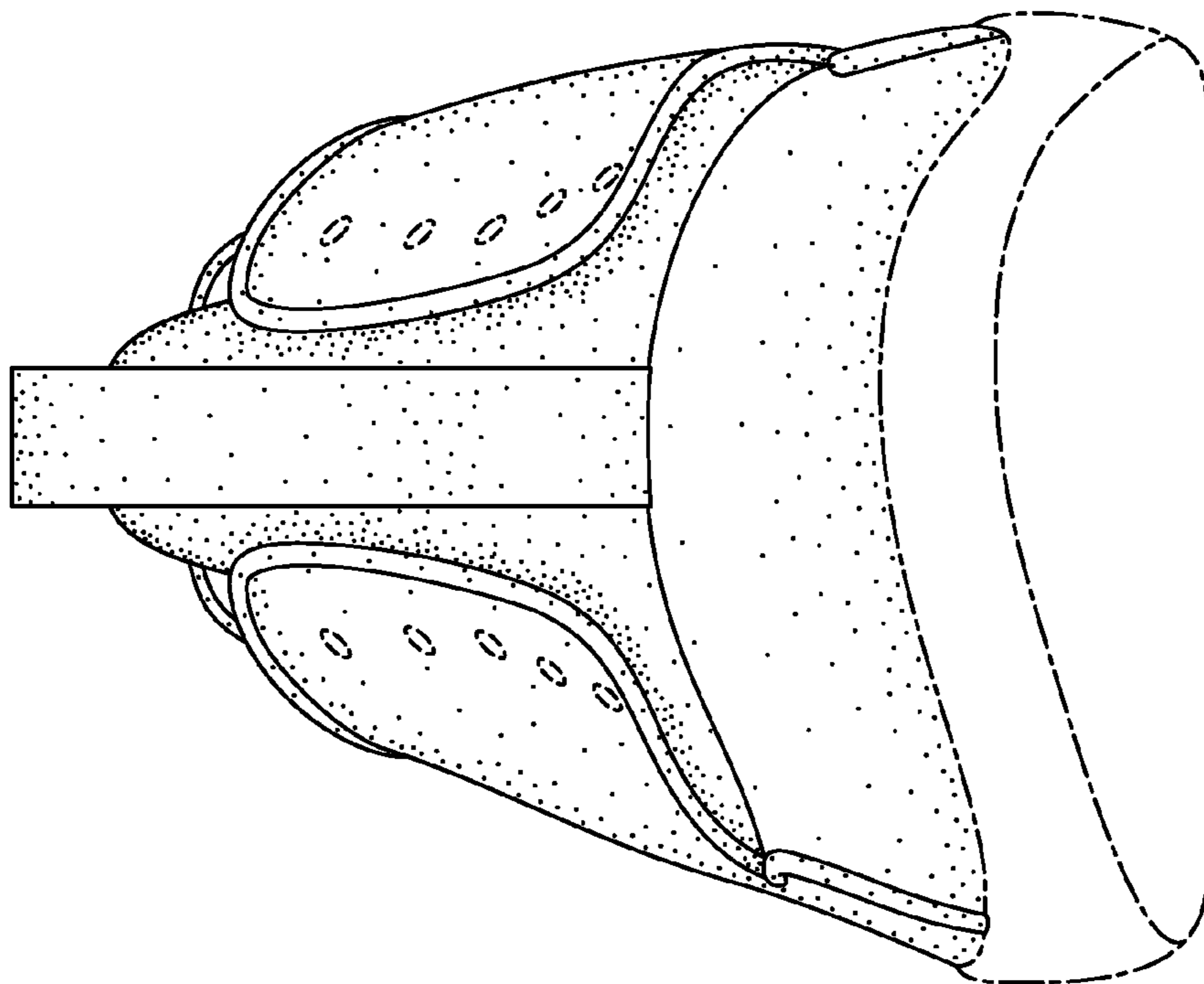


FIG. 4

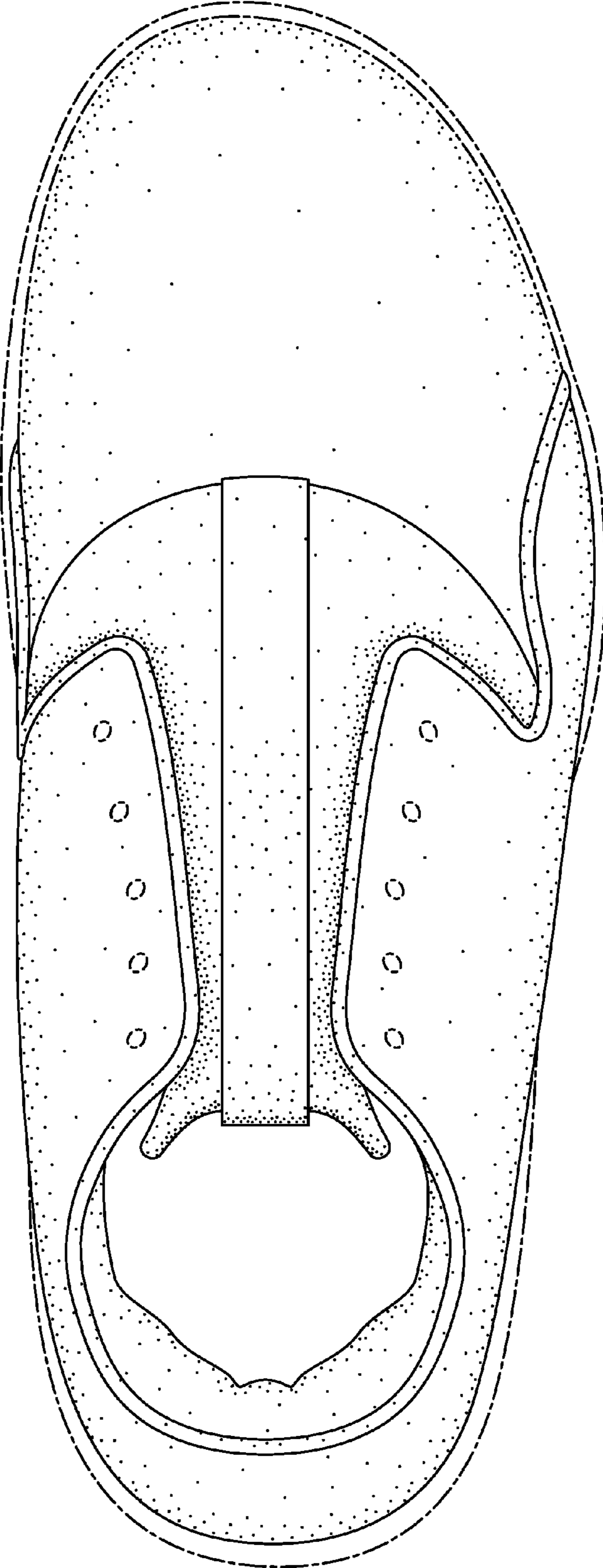


FIG. 6

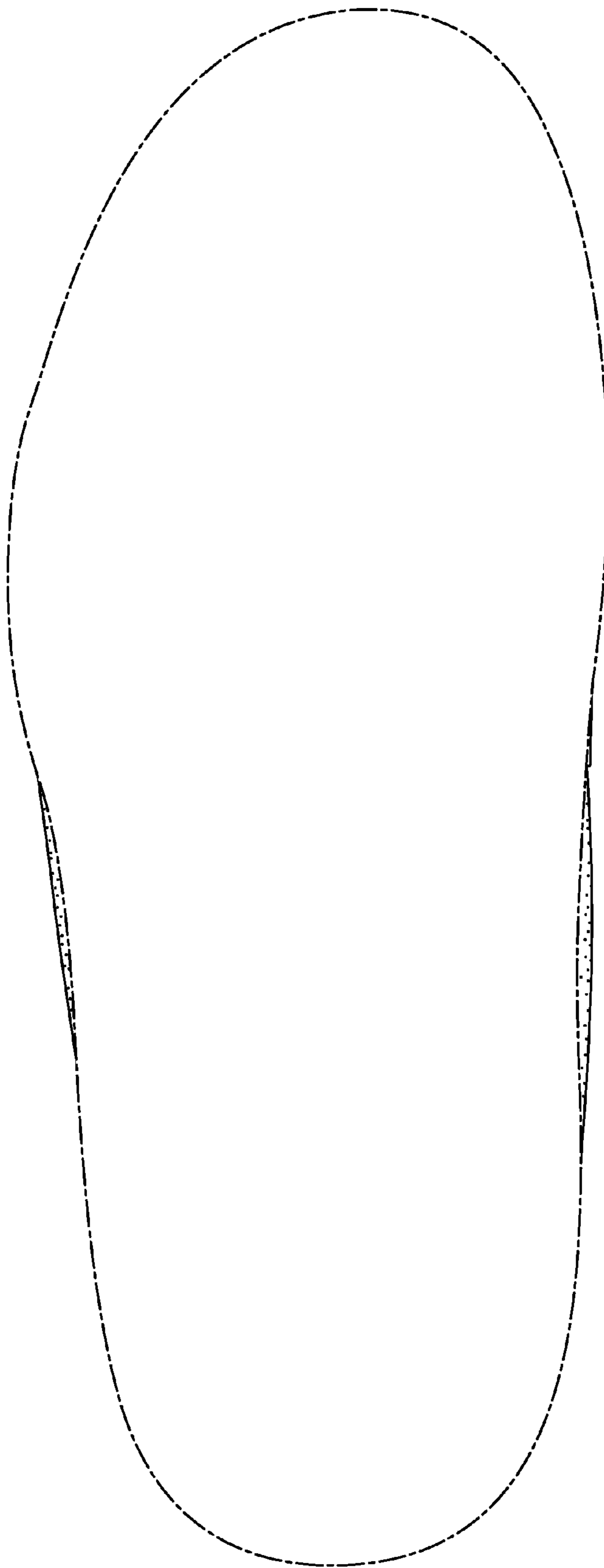


FIG. 7