



US00D738097S

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

(10) **Patent No.:** **US D738,097 S**

(45) **Date of Patent:** **\*\* Sep. 8, 2015**

(54) **SHOE UPPER**

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

(72) Inventor: **Mark C. Miner**, Portland, OR (US)

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

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

(21) Appl. No.: **29/510,359**

(22) Filed: **Nov. 26, 2014**

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

(52) **U.S. Cl.**  
USPC ..... **D2/973**

(58) **Field of Classification Search**  
USPC ..... D2/902, 906-908, 944, 969, 972-974  
CPC .. A43B 13/181; A43B 13/141; A43B 13/186;  
A43B 13/188; A43B 23/00; A43B 23/02;  
A43B 5/00; A43C 1/10; A43C 11/16; A43C  
5/00

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

5,271,130	A *	12/1993	Batra	24/714.6
5,291,671	A *	3/1994	Caberlotto et al.	36/88
D361,885	S *	9/1995	Hatfield	D2/970
5,463,822	A *	11/1995	Miller	36/50.1
D381,800	S *	8/1997	Greene	D2/972
D421,176	S *	2/2000	Matis et al.	D2/969
D498,044	S *	11/2004	Morris	D2/972
D503,033	S *	3/2005	Hlavacs	D2/972
D513,858	S *	1/2006	O'Connor	D2/972
D527,885	S *	9/2006	Young	D2/972
D532,592	S *	11/2006	Chang	D2/972
D537,612	S *	3/2007	Belley et al.	D2/969
D545,552	S *	7/2007	Petrie	D2/972
D545,558	S *	7/2007	McDowell	D2/972
D546,546	S *	7/2007	Chang	D2/972
D560,343	S *	1/2008	Mochen	D2/969

D582,647	S *	12/2008	St-Louis et al.	D2/969
D597,293	S *	8/2009	Banik et al.	D2/972
D621,598	S	8/2010	Leleu	
D623,841	S	9/2010	Maejima	
D666,405	S	9/2012	Shaffer	
D666,406	S	9/2012	Shaffer	
D671,730	S	12/2012	Shaffer	
D676,227	S	2/2013	Lee	
D676,648	S	2/2013	O'Connor	
D689,683	S	9/2013	Caron	
D692,224	S	10/2013	Fogg	
D692,225	S	10/2013	Madore	
D694,507	S *	12/2013	Carboy	D2/972
D694,508	S *	12/2013	Henrichot	D2/972

(Continued)

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 1999 Fall Men's and Women's Footwear, p. M79, published Nov. 1998, NIKE, Inc., USA.

(Continued)

*Primary Examiner* — Dominic Simone

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

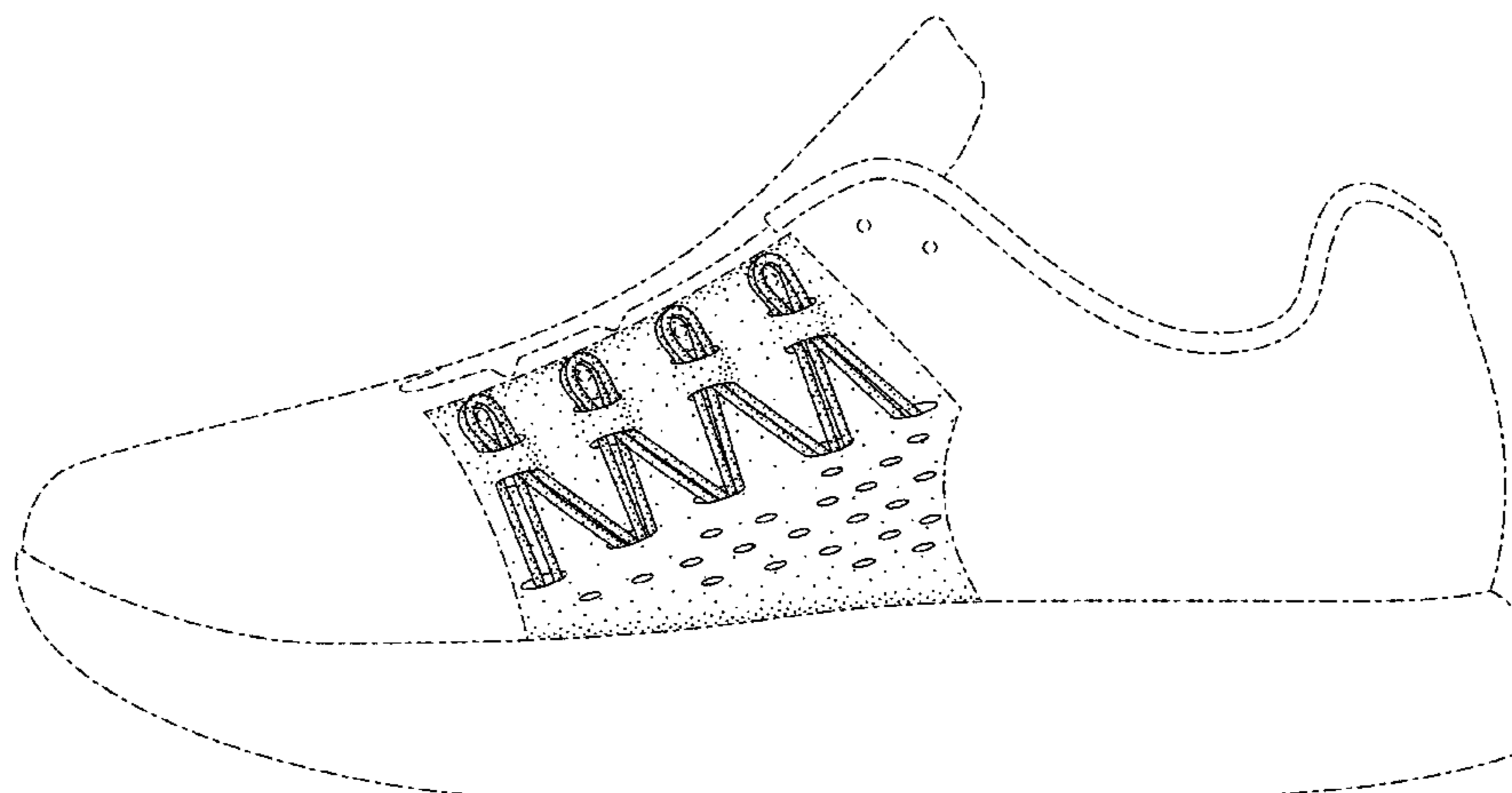
(57) **CLAIM**

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 regions within or adjacent to 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**

U.S. PATENT DOCUMENTS

D694,512 S	12/2013	James	
D694,513 S	12/2013	Fogg	
D694,516 S *	12/2013	Anceresi et al.	..... D2/973
D696,583 S	12/2013	Ramsey et al.	
D700,429 S *	3/2014	Miner	..... D2/973
D700,767 S	3/2014	Parrett	
D703,426 S	4/2014	Lee	
D707,033 S	6/2014	Shaffer	
D707,955 S	7/2014	Petrie	
D710,591 S	8/2014	Mervar	
8,800,172 B2 *	8/2014	Dua et al.	..... 36/50.1
8,844,167 B2 *	9/2014	Greene	..... 36/45
D717,532 S	11/2014	Grenet	

OTHER PUBLICATIONS

Nike Footwear Catalog, 2000 Spring Men's and Women's Footwear 2, p. 28, published Jul. 1999, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2001 Late Spring Men's and Women's Footwear (red cover), p. 12, published Sep. 2000, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2003 Fall Men's and Women's Footwear, p. 15, published Nov. 2002, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2004 Holiday Men's, Women's, and Kids' Footwear, p. 58, published Mar. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, 2007 Fall Footwear, p. 22, published Nov. 2006, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 130, published May 2008, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2012 Holiday Core Performance Footwear, p. 48, published Feb. 2012, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2012 Summer Men's Performance Footwear, p. 22, published Aug. 2011, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2012 Summer Women's Performance Footwear, p. 13, published Aug. 2011, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2013 Fall Core Footwear, p. 31, published Nov. 2012, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2013 Fall Livestrong Footwear, p. 5, published Nov. 2012, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 13, published Nov. 2012, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 123, published Nov. 1, 2013, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2015 Spring Men's Performance Footwear, p. 8, published May 14, 2014 NIKE, Inc., USA.  
 Nike Footwear Catalog, 2015 Spring Women's Performance Footwear, p. 10, published May 14, 2014, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2015 Summer Men's Performance Footwear, p. 31, published Aug. 1, 2014, NIKE, Inc., USA.

\* cited by examiner

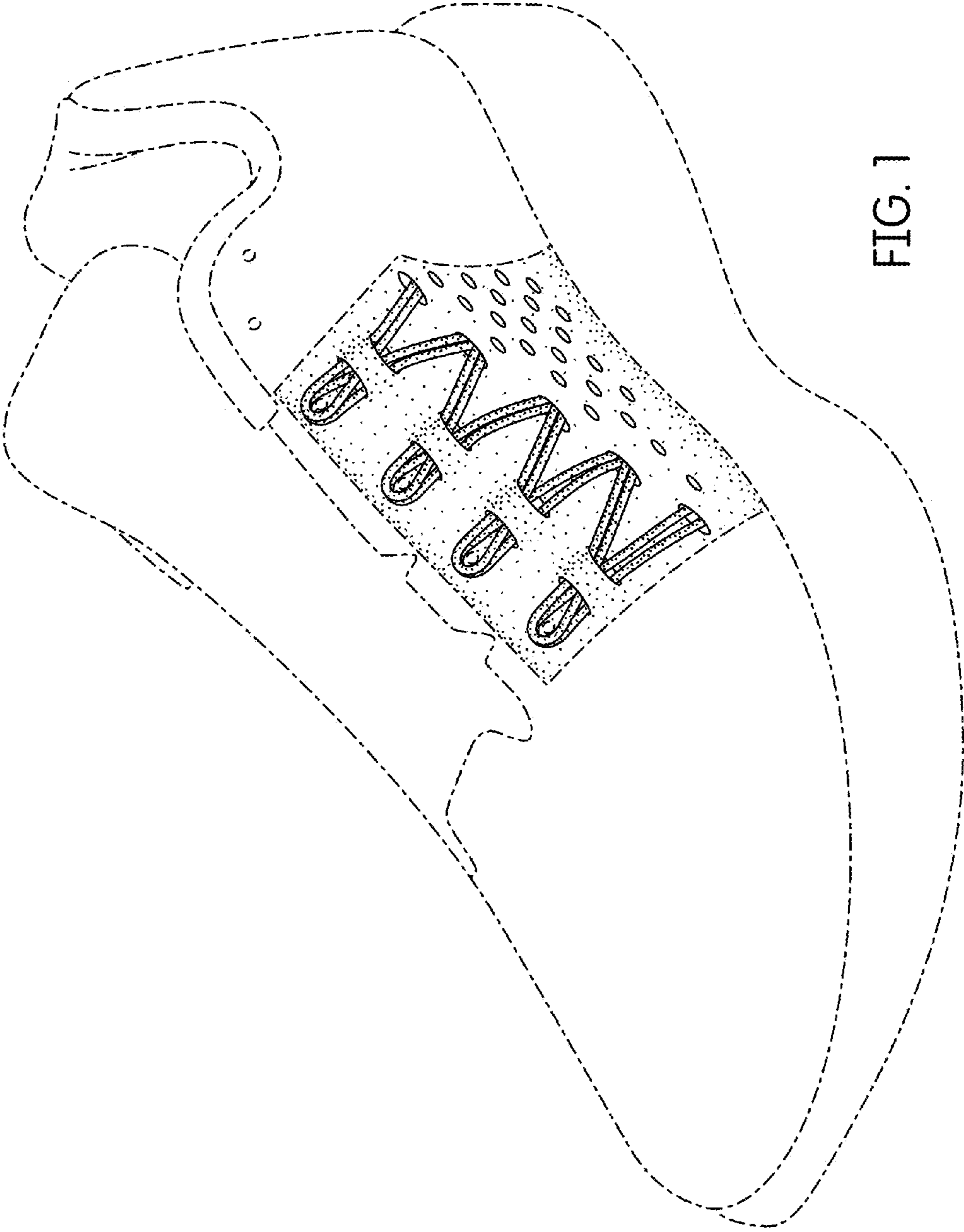


FIG. 1

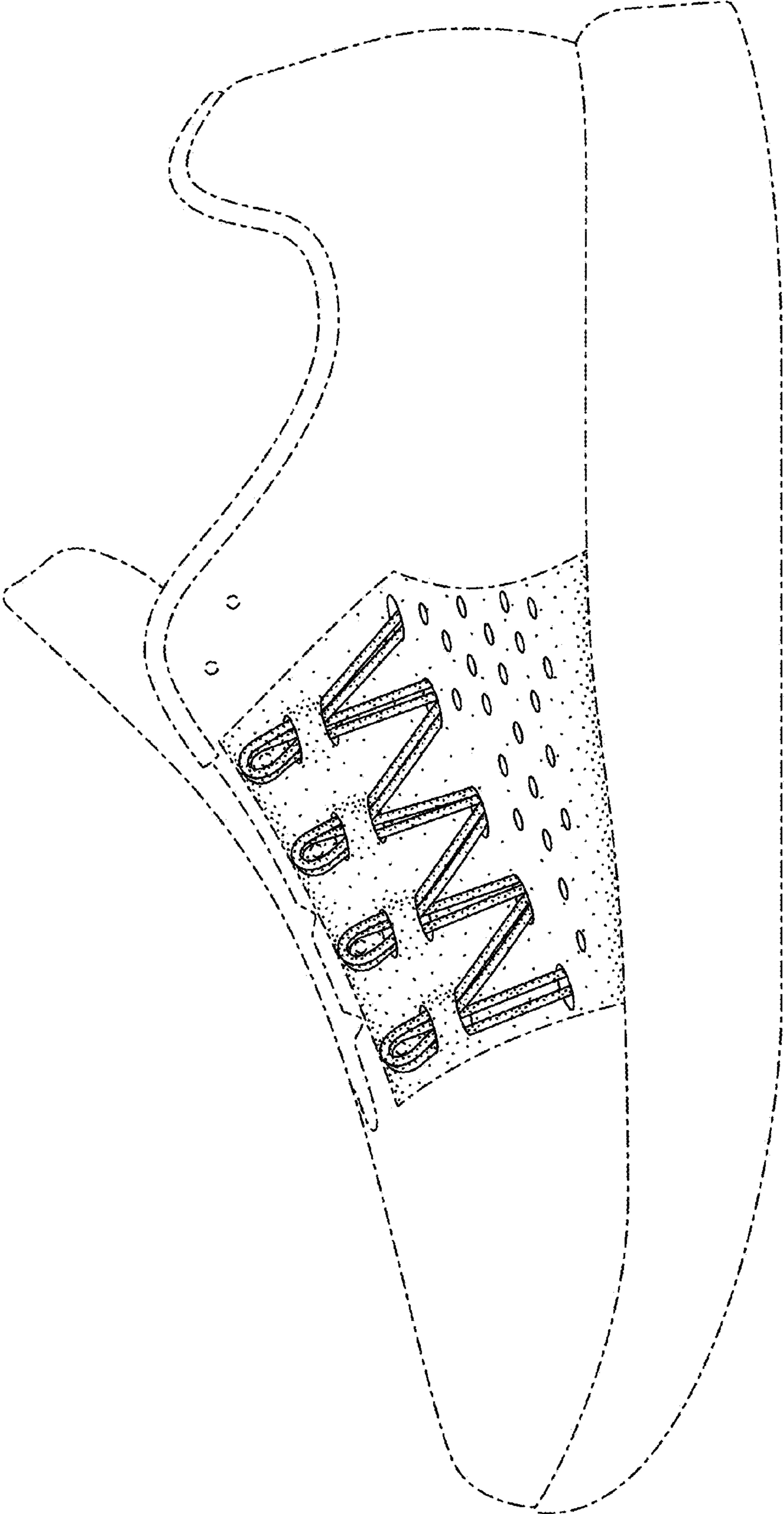


FIG. 2

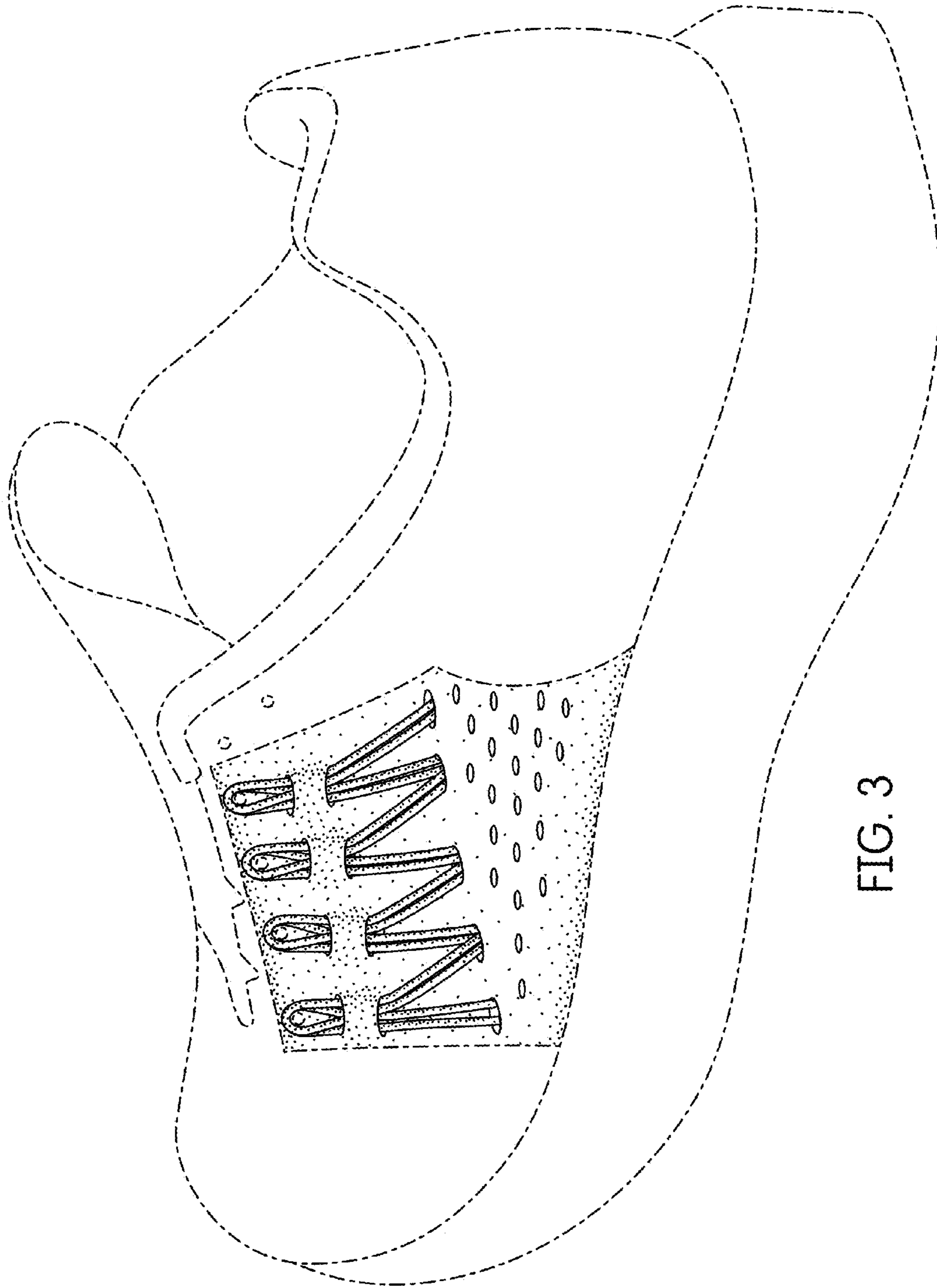


FIG. 3