



US00D744223S

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

(10) **Patent No.:** **US D744,223 S**

(45) **Date of Patent:** **\*\* Dec. 1, 2015**

(54) **SHOE UPPER**

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

(72) Inventor: **Patrick B. Kirschner**, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/517,246**

(22) Filed: **Feb. 11, 2015**

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

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

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

(58) **Field of Classification Search**

USPC ..... D2/902, 906-908, 944, 969, 971-974;  
D5/3, 47, 50, 52-54, 57  
CPC .. A43B 13/181; A43B 13/141; A43B 13/186;  
A43B 13/188; A43B 23/00; A43B 23/02;  
A43B 5/00; A43B 23/26; A43B 1/04; A43B  
11/14; A43B 7/00

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D4,270 S *	8/1870	Landenberger	.....	D5/47
D4,957 S *	5/1871	Dolan	.....	D5/47
D6,889 S *	9/1873	Langham	.....	D5/47
D17,194 S *	3/1887	Osborne	.....	D5/47
D17,195 S *	3/1887	Osborne	.....	D5/47
D65,961 S *	11/1924	Cocking	.....	D5/47
D105,831 S *	8/1937	Baumann	.....	D5/47
D106,156 S *	9/1937	Troy	.....	D5/47
2,171,452 A *	8/1939	McAdams	.....	D04B 1/26 D5/47
D393,359 S	4/1998	Doxey		
D441,417 S	5/2001	Wilson		
D458,442 S	6/2002	Matis		
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	
D487,336 S *	3/2004	Matis	..... D2/969
D499,875 S	12/2004	Lozano	
D513,857 S	1/2006	Hlavacs	
D524,015 S	7/2006	Burg	
D541,026 S *	4/2007	James	..... D2/969
D545,042 S	6/2007	McDowell	

(Continued)

**OTHER PUBLICATIONS**

2002 Fall Men's and Women's Footwear; 21; Nike Footwear Catalog, 2002 Fall Men's and Women's Footwear, p. 21, published Nov. 2001, 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 left side view thereof;

FIG. 3 is a right side view thereof;

FIG. 4 is a front view thereof;

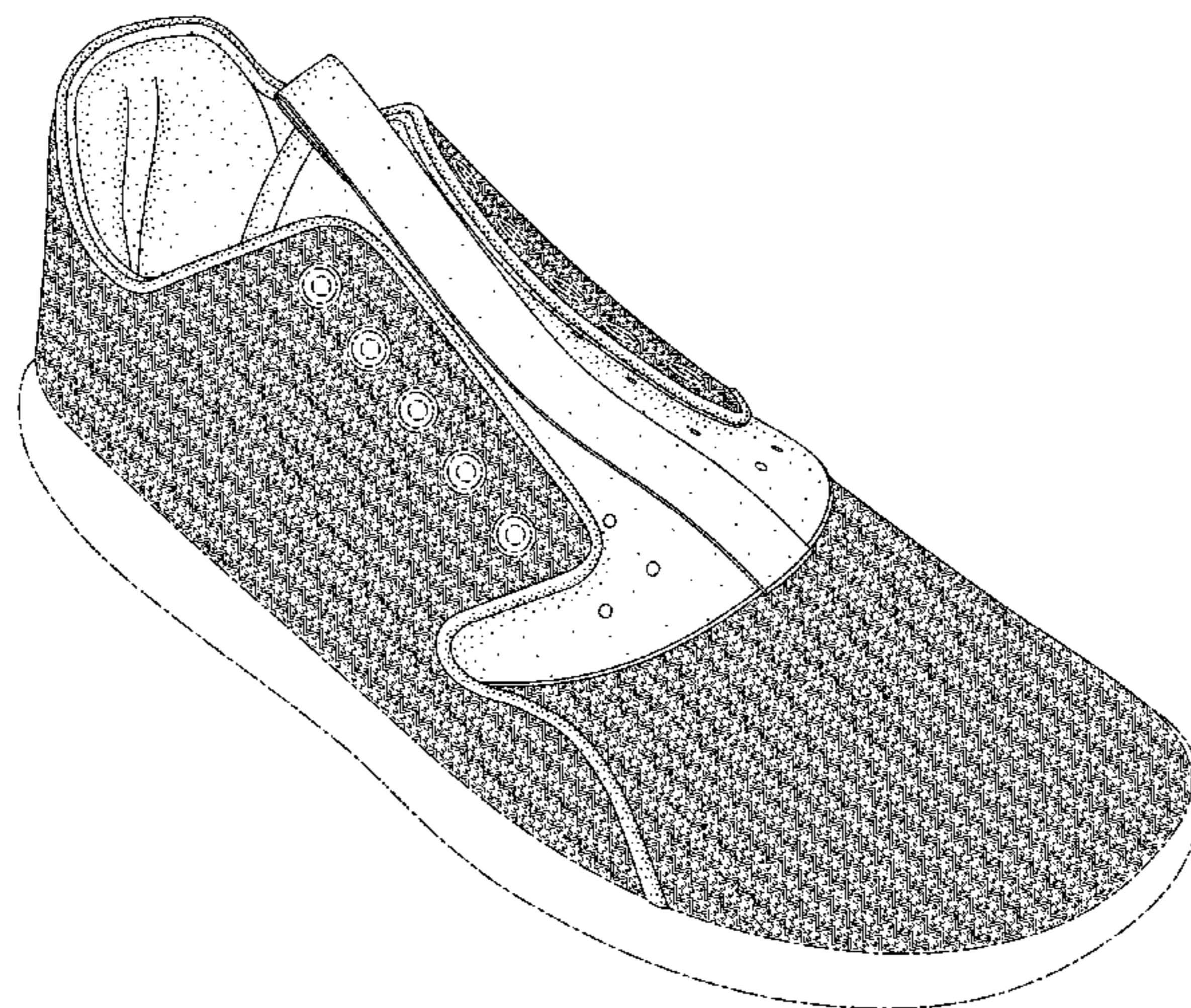
FIG. 5 is a rear view thereof;

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

D546,542 S	7/2007	Lubrano	
D549,441 S	8/2007	Chang	
D570,086 S	6/2008	McDowell	
D570,087 S	6/2008	Caine	
D579,186 S	10/2008	Mervar et al.	
D639,544 S	6/2011	Van Zyll De Jong et al.	
D649,767 S	12/2011	Petrie	
D682,530 S	5/2013	Wilken	
D700,428 S	3/2014	Kuerbis	
D701,036 S *	3/2014	Martin	D2/972
D701,037 S *	3/2014	Ho	D2/972
D709,280 S *	7/2014	Shaffer	D2/972
D713,632 S	9/2014	da Costa Pereira Machado	
D722,224 S *	2/2015	Williams, Jr.	D2/972
D722,225 S *	2/2015	Williams, Jr.	D2/972
D725,895 S *	4/2015	Cin	D2/972

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.  
 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.  
 2009 Fall Sport Performance Footwear; 155; Nike Footwear Catalog, 2009 Fall Sport Performance Footwear, p. 155, published Nov. 2008, NIKE, Inc., USA.

\* cited by examiner

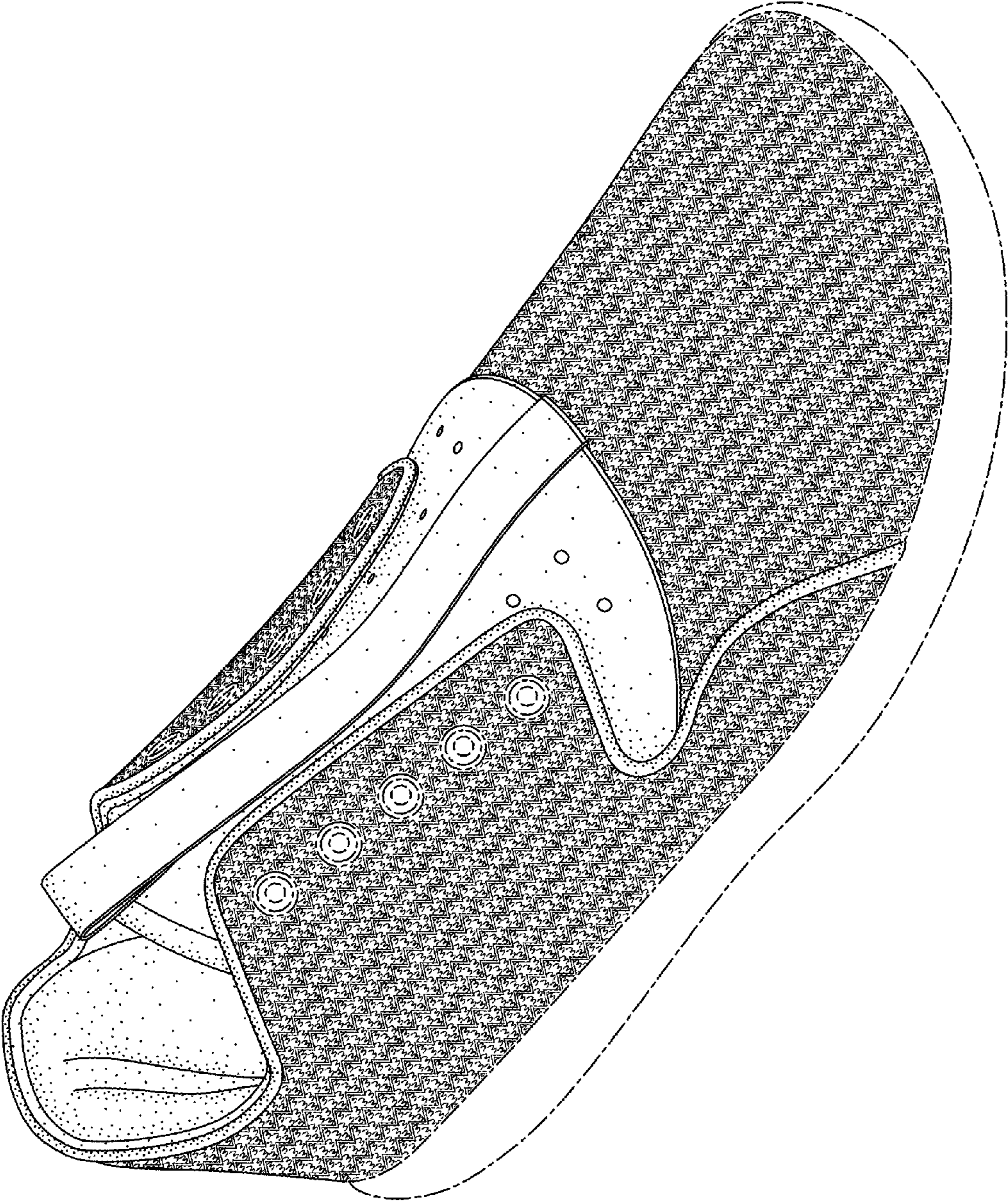


FIG. 1

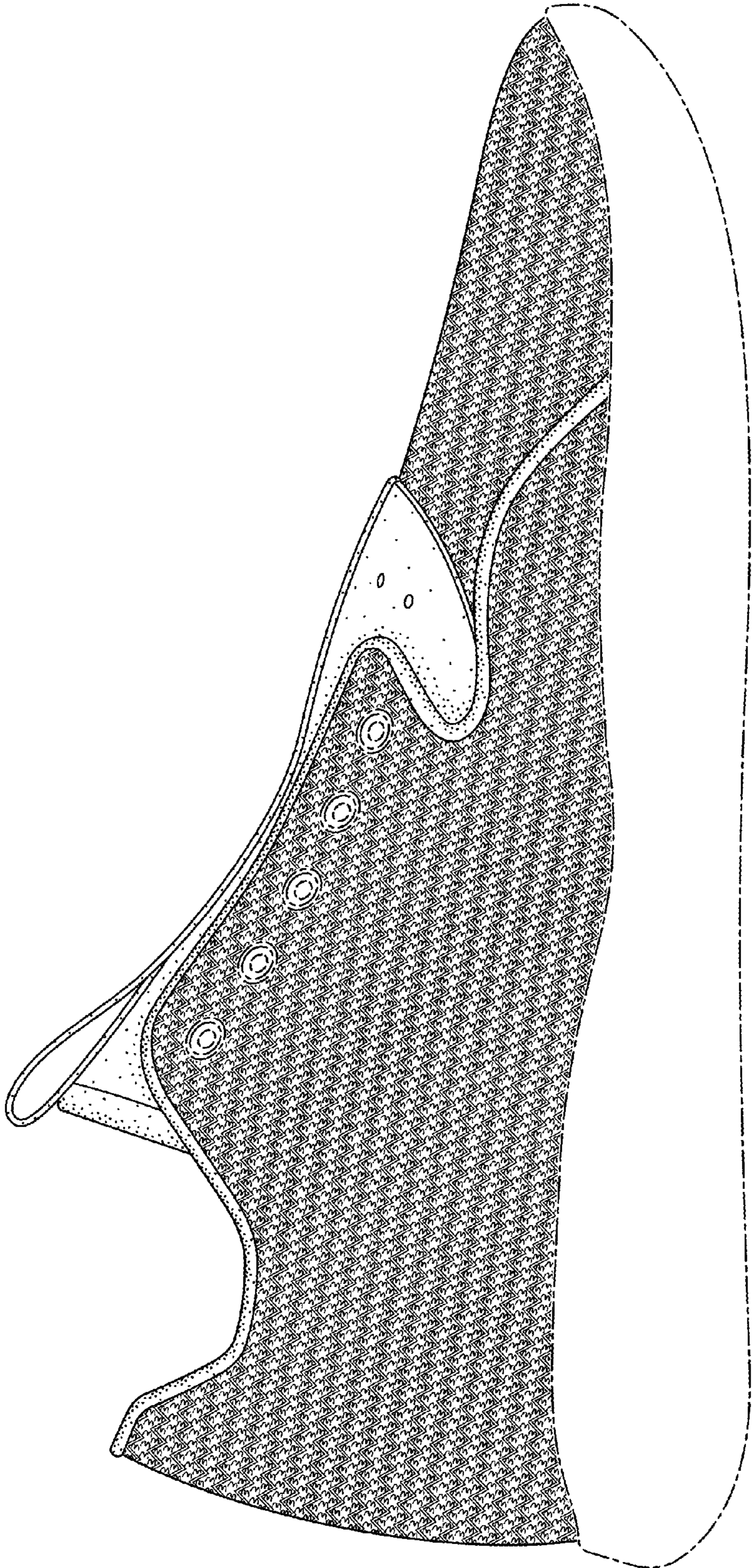


FIG. 2

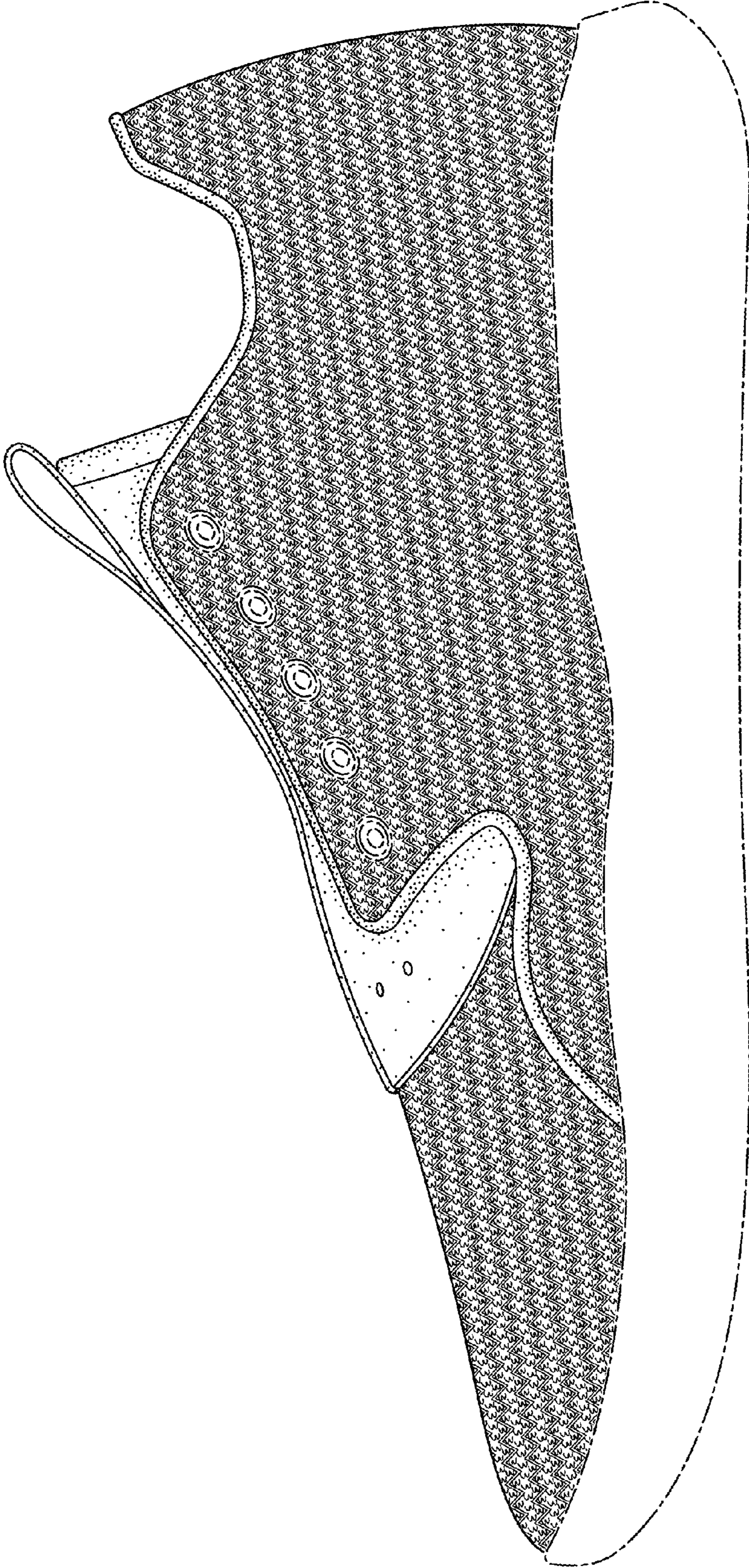


FIG. 3

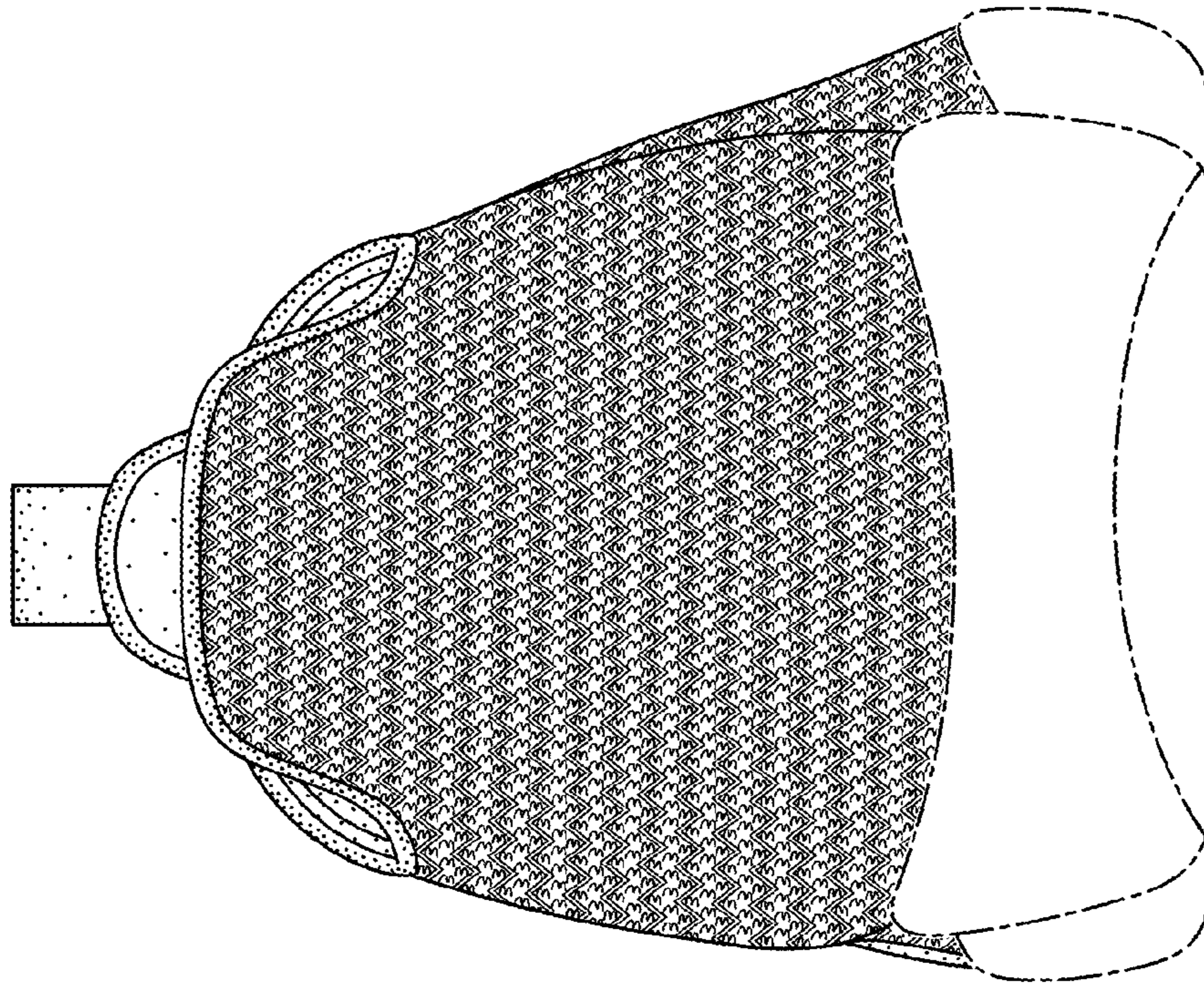


FIG. 5

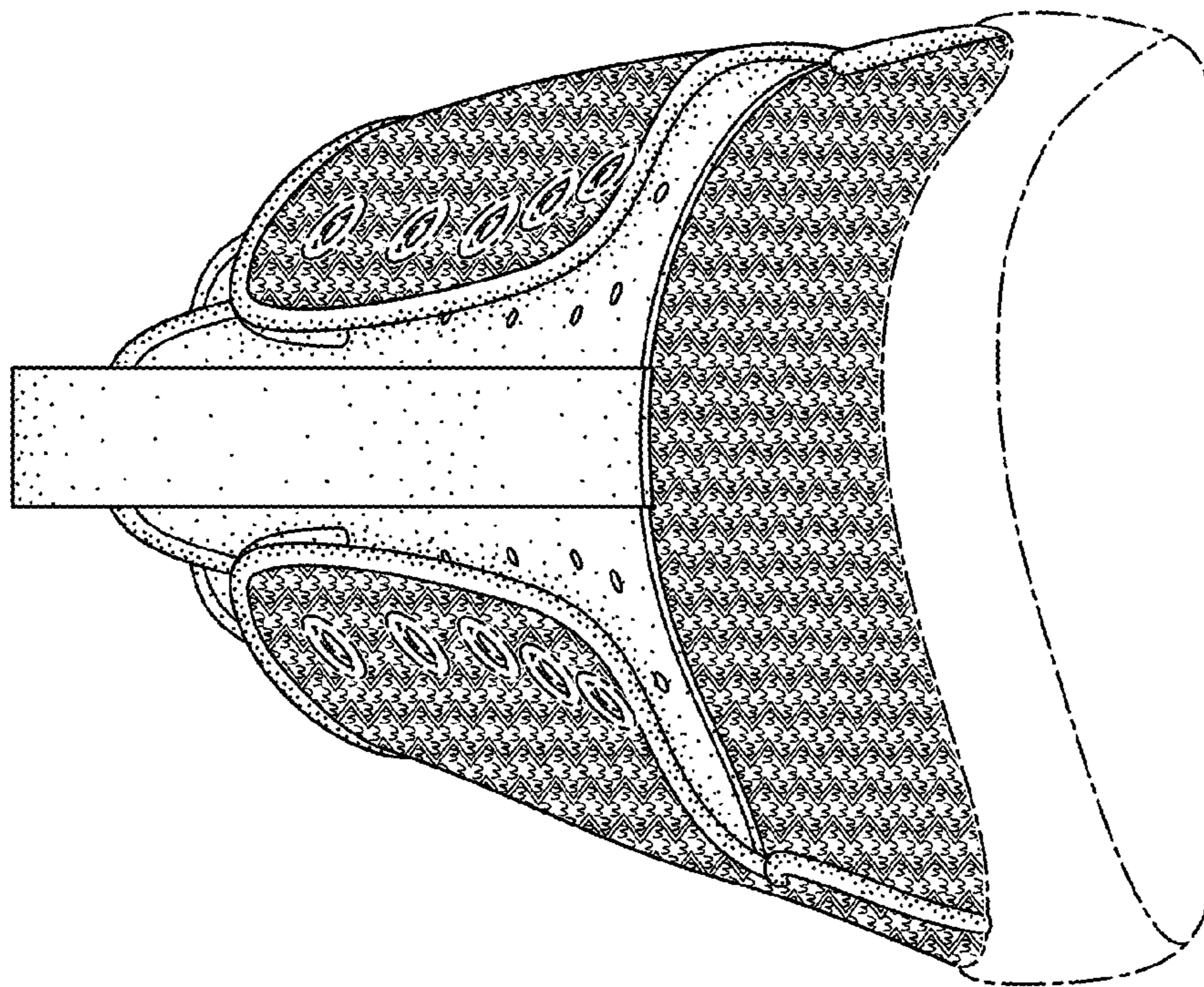


FIG. 4

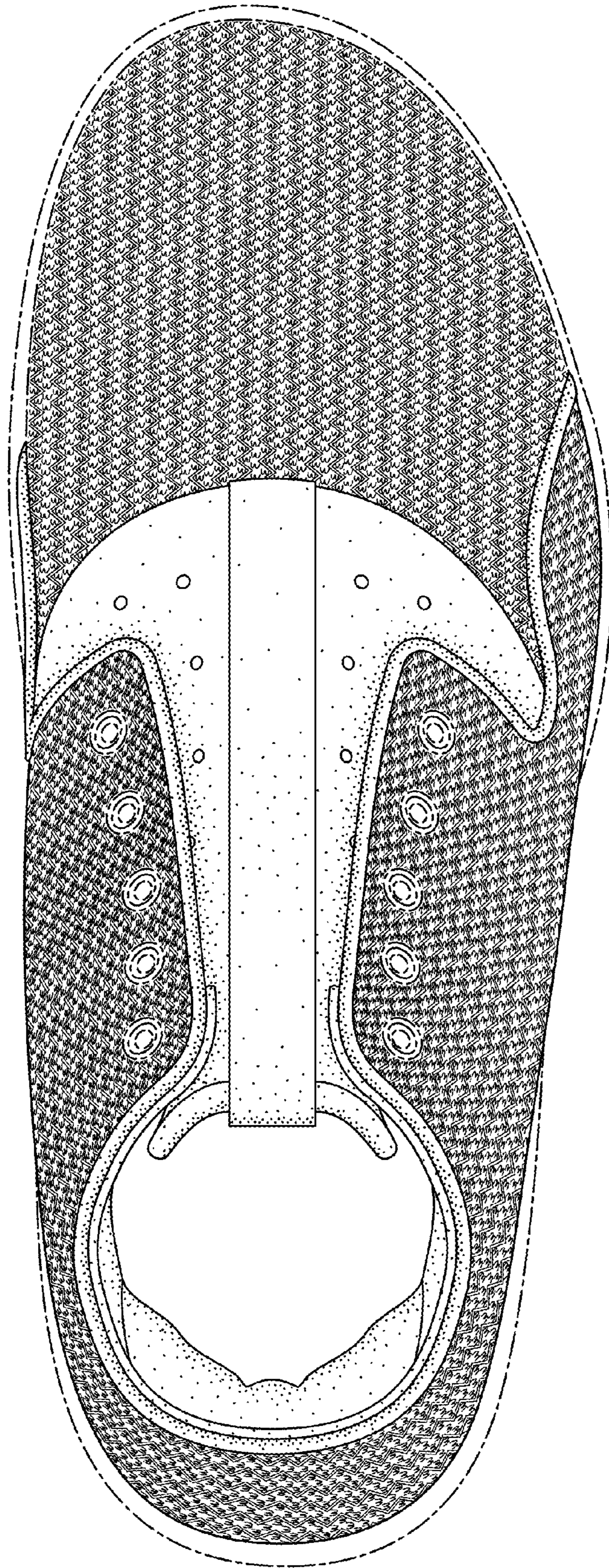


FIG. 6

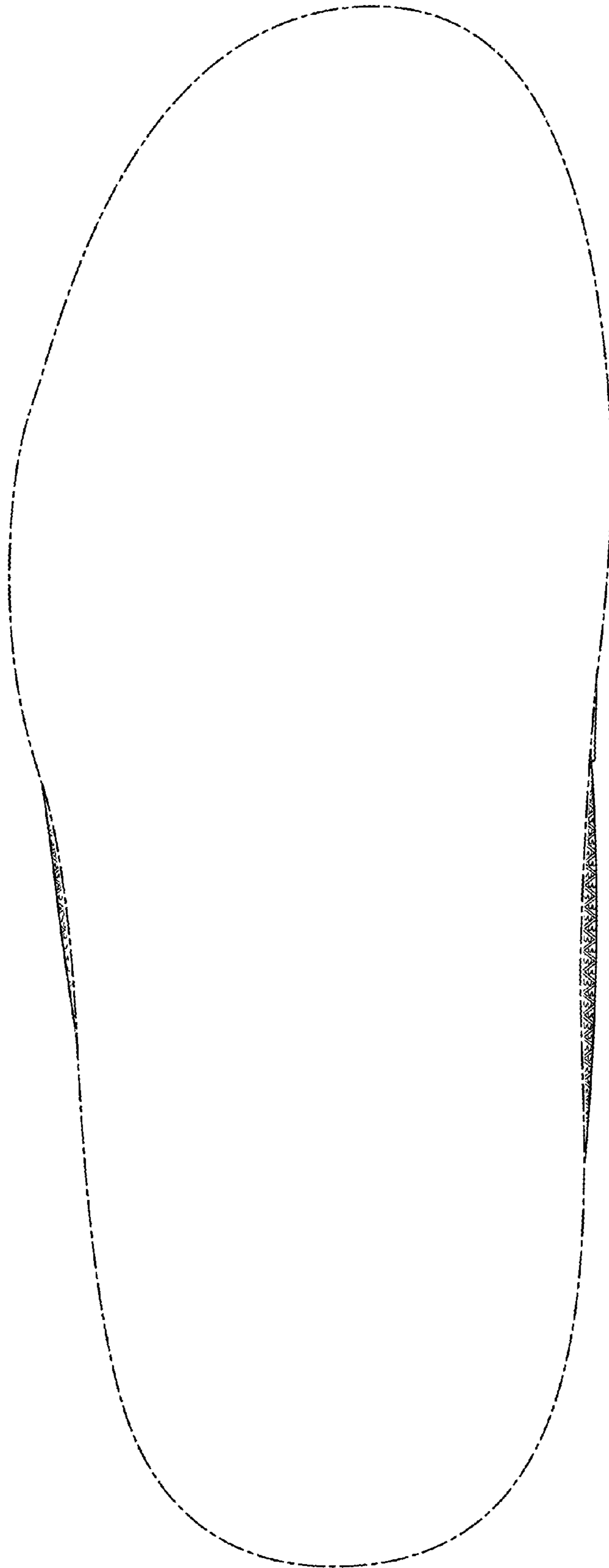


FIG. 7