



US00D766565S

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

(10) **Patent No.:** **US D766,565 S**

(45) **Date of Patent:** **\*\* Sep. 20, 2016**

- (54) **SHOE UPPER**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
- (72) Inventor: **Tobie D. Hatfield**, Lake Oswego, OR (US)
- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **14 Years**
- (21) Appl. No.: **29/487,938**
- (22) Filed: **Apr. 14, 2014**

5,377,430 A	1/1995	Hatfield et al.	
D361,884 S	9/1995	Lozano	
D364,729 S *	12/1995	Teague .....	D2/969
D365,923 S *	1/1996	Crowley .....	D2/974
D383,288 S	9/1997	Avar	
D385,995 S	11/1997	Horn	
D388,950 S *	1/1998	Hewett .....	D2/969
D393,343 S *	4/1998	Smith .....	D2/972
D447,859 S *	9/2001	Matis .....	D2/902
D455,251 S *	4/2002	Sakai .....	D2/969
D480,205 S	10/2003	Robinson, Jr. et al.	
D487,337 S *	3/2004	Rogers .....	D2/969
D492,096 S	6/2004	Sanchez et al.	
D494,350 S *	8/2004	Hillyer .....	D2/972
D503,268 S	3/2005	Belley et al.	

(Continued)

**Related U.S. Application Data**

- (63) Continuation of application No. 29/471,745, filed on Nov. 4, 2013, now abandoned, which is a continuation of application No. 29/452,624, filed on Apr. 18, 2013, now abandoned.
- (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  
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.

**References Cited**

**U.S. PATENT DOCUMENTS**

D10,757 S *	7/1878	Emerson .....	D2/943
D80,576 S *	2/1930	Morali .....	D2/935
D94,450 S *	1/1935	Simon .....	D2/935
D107,814 S *	1/1938	Zellweger .....	D2/974
D333,377 S *	2/1993	Hatfield .....	D2/972
D347,310 S *	5/1994	Johnson .....	D2/969
D347,317 S *	5/1994	Avar .....	D2/902

**OTHER PUBLICATIONS**

NIKE Footwear Catalog, 1994 Fall Footwear, p. 8, published Nov. 1993, 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 perspective view of the shoe upper showing my new design;

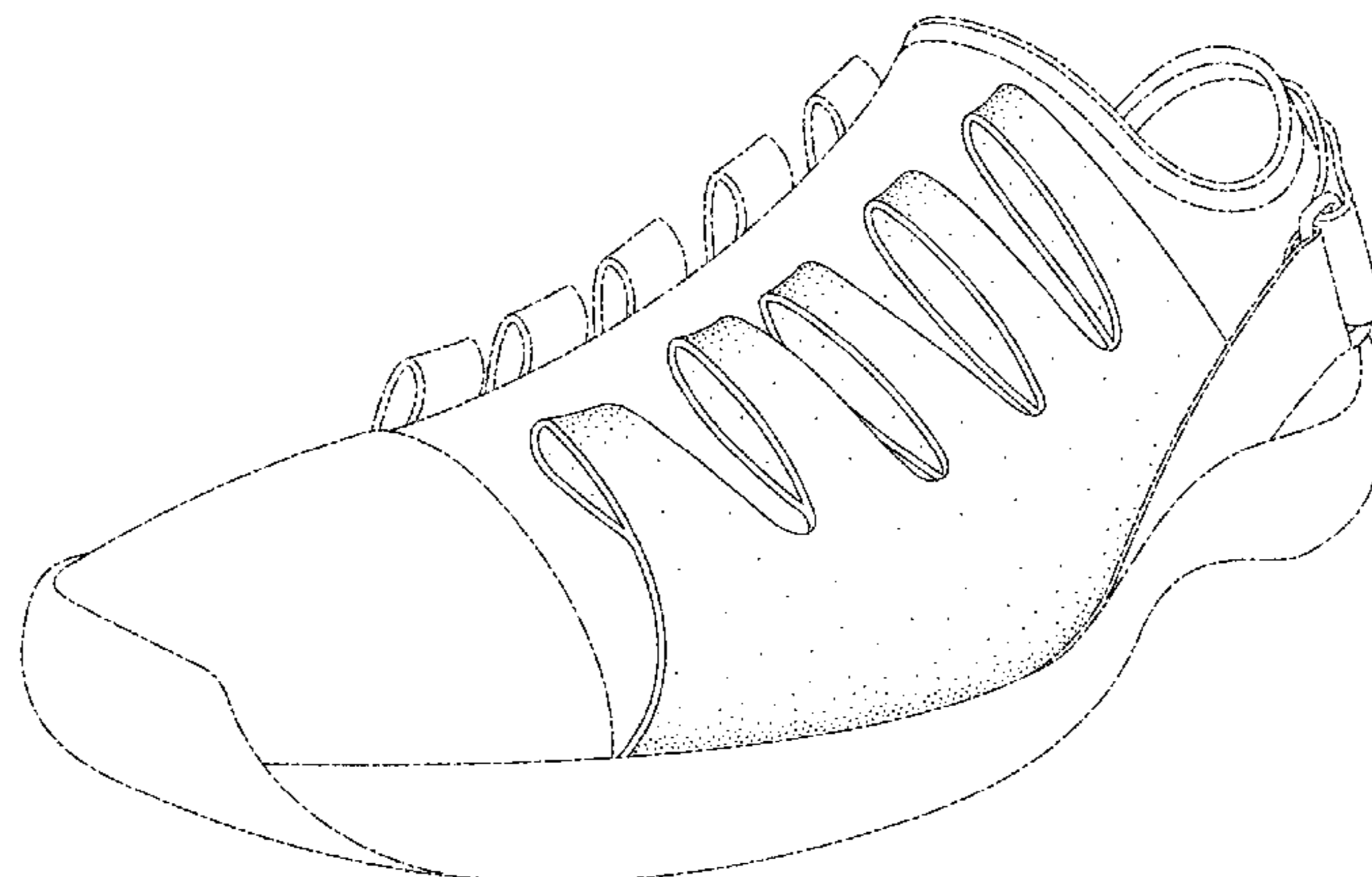
FIG. 2 is a lateral view thereof;

FIG. 3 is a rear view thereof; and,

FIG. 4 is a top view thereof.

The broken lines immediately adjacent to the shaded areas represent unclaimed boundaries of the 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, 4 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D511,883 S \* 11/2005 Matis ..... D2/969  
 D513,663 S \* 1/2006 Lane, III ..... D2/906  
 D514,294 S 2/2006 Matis  
 D517,302 S 3/2006 Ardissono  
 D523,626 S 6/2006 Mueller  
 D527,886 S \* 9/2006 Morris ..... D2/972  
 D533,987 S \* 12/2006 Matis ..... D2/969  
 D538,020 S \* 3/2007 Matis ..... D2/969  
 D538,522 S 3/2007 Keen  
 D540,522 S 4/2007 Lotti  
 D541,515 S \* 5/2007 Lane, III ..... D2/906  
 D544,689 S \* 6/2007 Link ..... D2/972  
 D545,051 S \* 6/2007 Roulo ..... D2/972  
 D545,550 S \* 7/2007 Matis ..... D2/969  
 D556,440 S \* 12/2007 Link ..... D2/972  
 D560,895 S 2/2008 St. Louis  
 D568,597 S \* 5/2008 Alfaro ..... D2/972  
 D575,492 S \* 8/2008 St-Louis ..... D2/969  
 D580,155 S \* 11/2008 Banik ..... D2/969  
 D593,310 S \* 6/2009 St-Louis ..... D2/969  
 D600,896 S 9/2009 St-Louis et al.  
 D600,898 S 9/2009 St-Louis et al.  
 D600,899 S 9/2009 St-Louis et al.  
 D601,783 S \* 10/2009 Pizzuti ..... D2/907  
 D619,348 S \* 7/2010 Schwartz ..... D2/946  
 D644,010 S \* 8/2011 Hill ..... D2/924  
 D653,440 S 2/2012 Hatfield et al.  
 D654,668 S 2/2012 Van Zyll De Jong et al.

D659,973 S 5/2012 McCourt  
 8,533,976 B2 9/2013 Fuerst  
 D699,934 S 2/2014 Hatfield

OTHER PUBLICATIONS

NIKE Footwear Catalog, 1994 Fall Footwear, p. 26, published Nov. 1993, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 1994 Fall Footwear, p. 28, published Nov. 1993, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 1996 Spring Footwear, p. 103, published Jun. 1995, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 1997 Fall Footwear, p. 121, published Dec. 1996, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 1997 Fall Footwear, p. 167, published Dec. 1996, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 1998 Late Spring Footwear, p. 31, published Sep. 1997, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 1998 Spring Footwear, p. 125, published Jun. 1997, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2001 Fall: Men's and Women's Footwear, p. 2, published Nov. 2000, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2001 Fall: Men's and Women's Footwear, p. 3, published Nov. 2000, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2006 Fall Footwear, p. 70, published Nov. 2005, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2010 Fall: Performance Footwear, p. 108, published Nov. 2009, NIKE, Inc., USA.  
 NIKE Footwear Catalog, 2012 Holiday: Men's Sportswear Footwear Best, p. 17, published Nov. 2011, NIKE, Inc., USA.

\* cited by examiner

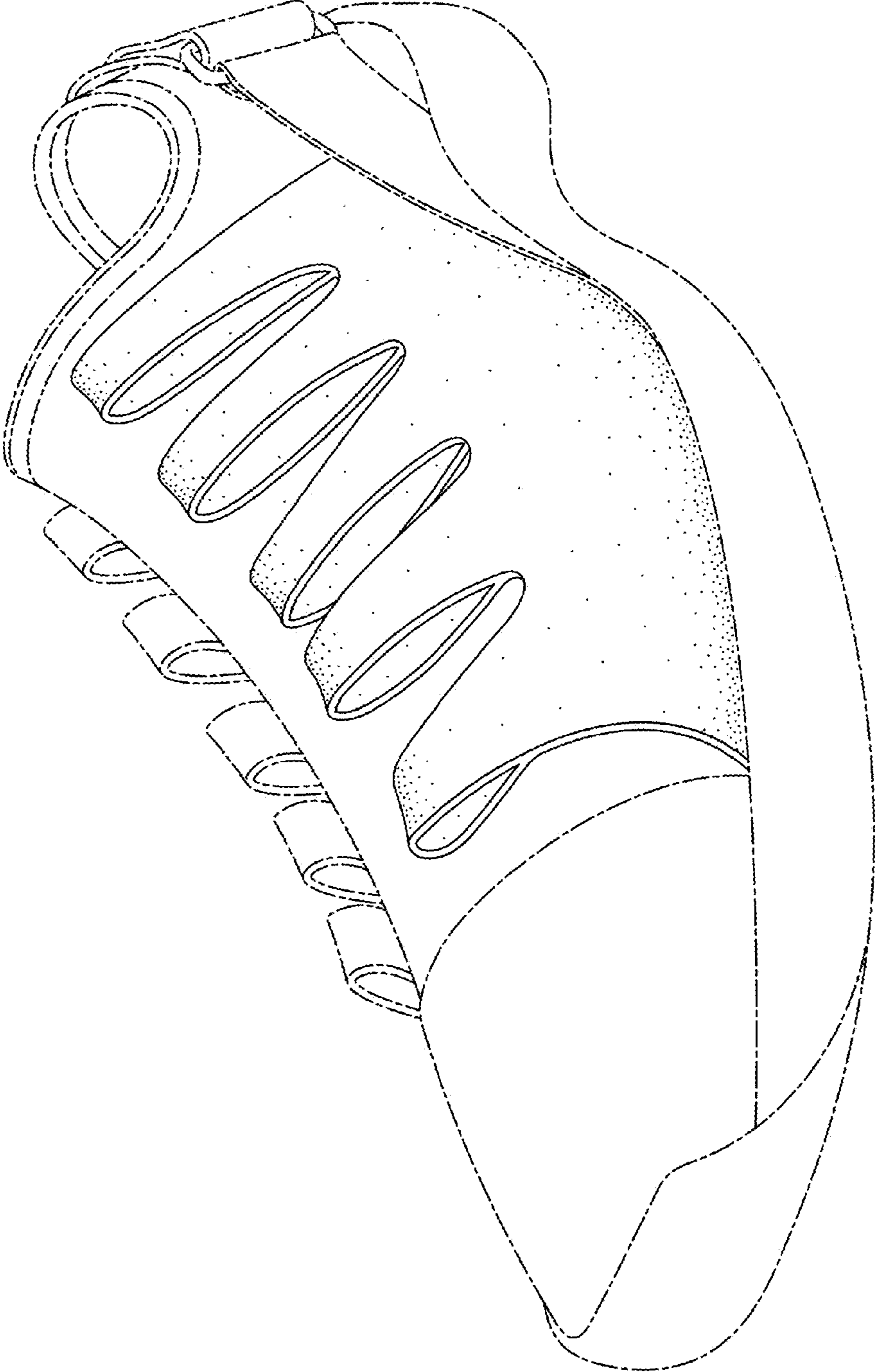


FIG. 1

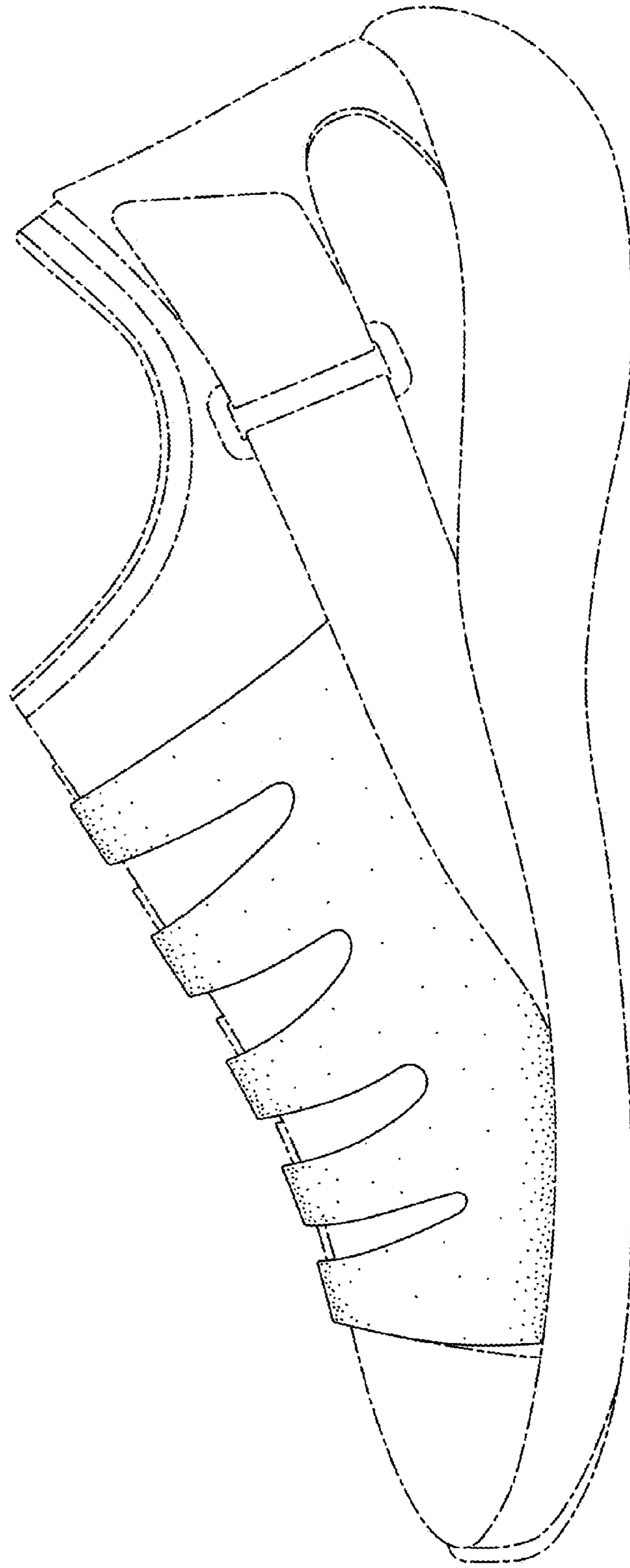


FIG. 2

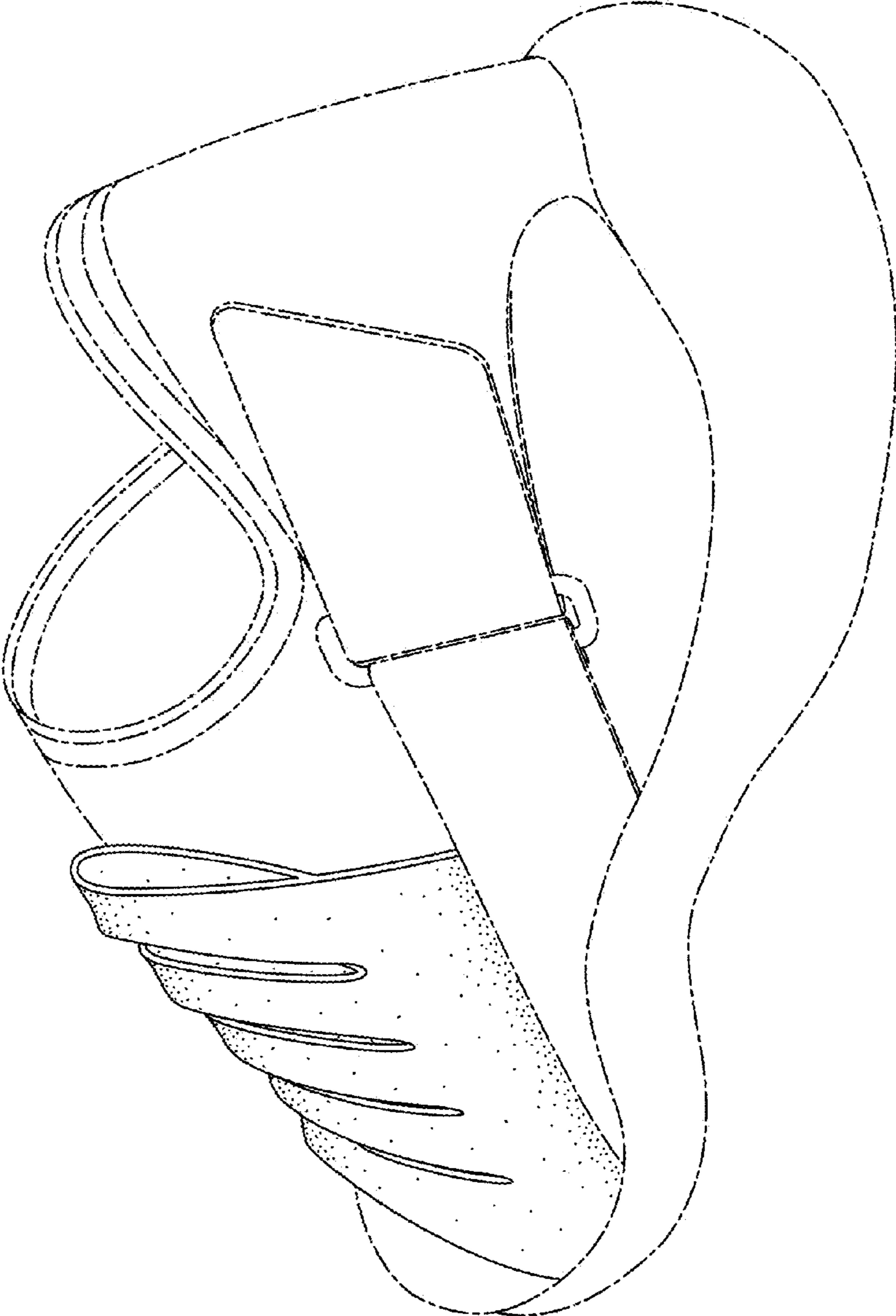


FIG. 3

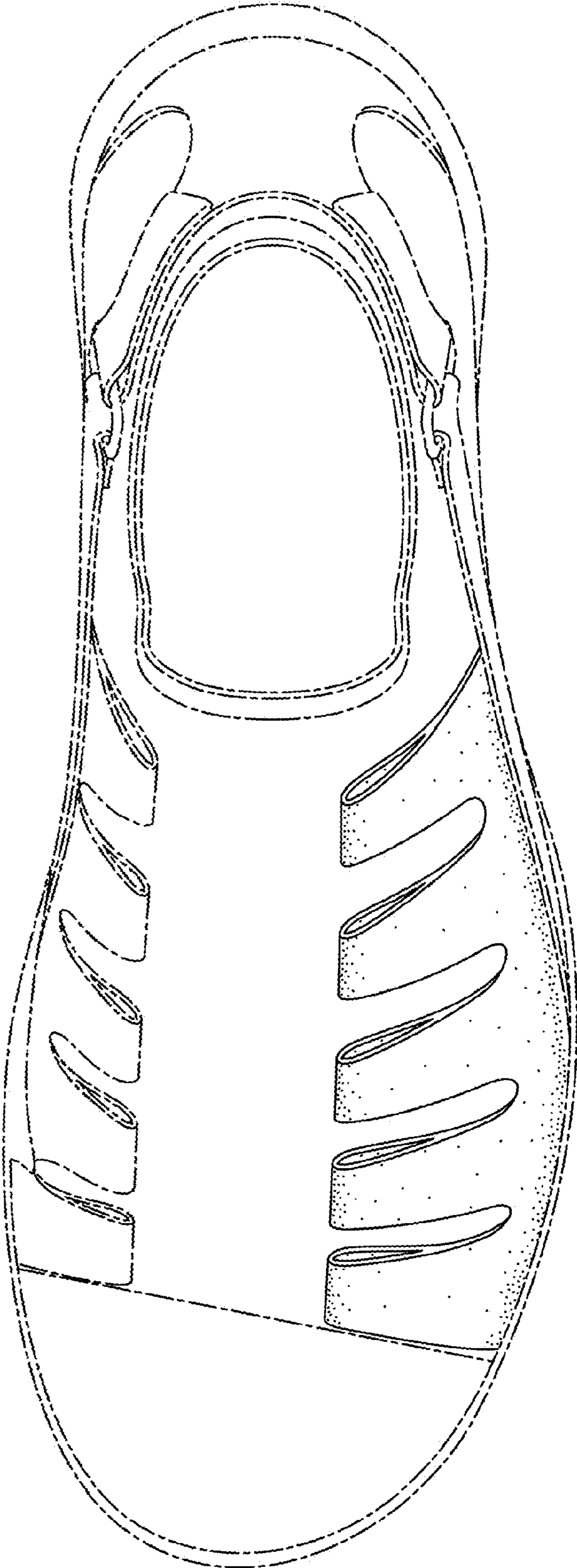


FIG. 4