

US00D766568S

(12) **United States Design Patent** (10) **Patent No.:** **US D766,568 S**
Payne (45) **Date of Patent:** **** Sep. 20, 2016**

(54) **SHOE UPPER**
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
(72) Inventor: **Ashley Payne**, Beaverton, OR (US)
(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **14 Years**
(21) Appl. No.: **29/516,814**
(22) Filed: **Feb. 6, 2015**
(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 45/00; A43B 23/26; A43B 1/04;
A43B 11/14; A43B 7/00; A43B 1/00; A43B
11/00
See application file for complete search history.

D712,132 S 9/2014 O'Connor
D718,039 S 11/2014 McMillan
D737,042 S * 8/2015 Thornhill D2/973

OTHER PUBLICATIONS

Nike Footwear Catalog, 1993 Fall Footwear, p. 5, published Dec. 1992, NIKE, Inc., USA.
Nike Footwear Catalog, 1993 Spring Footwear, p. 94, published Jun. 1992, NIKE, Inc., USA.
Nike Footwear Catalog, 1993 Spring Footwear, p. 98, published Jun. 1992, NIKE, Inc., USA.
Nike Footwear Catalog, 2004 Fall Jordan Apparel & Footwear, p. 5, published Oct. 2003, NIKE, Inc., USA.
Nike Footwear Catalog, 2004 Fall Men's, Women's, and Kids' Footwear, p. 34, published Nov. 2003, NIKE, Inc., USA.
Nike Footwear Catalog, 2004 Spring Men's, Women's, and Kids' Footwear, p. 7, published Jun. 2003, NIKE, Inc., USA.
Nike Footwear Catalog, 2005 Holiday Footwear, p. 97, published Mar. 2005, 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.

(56) **References Cited**

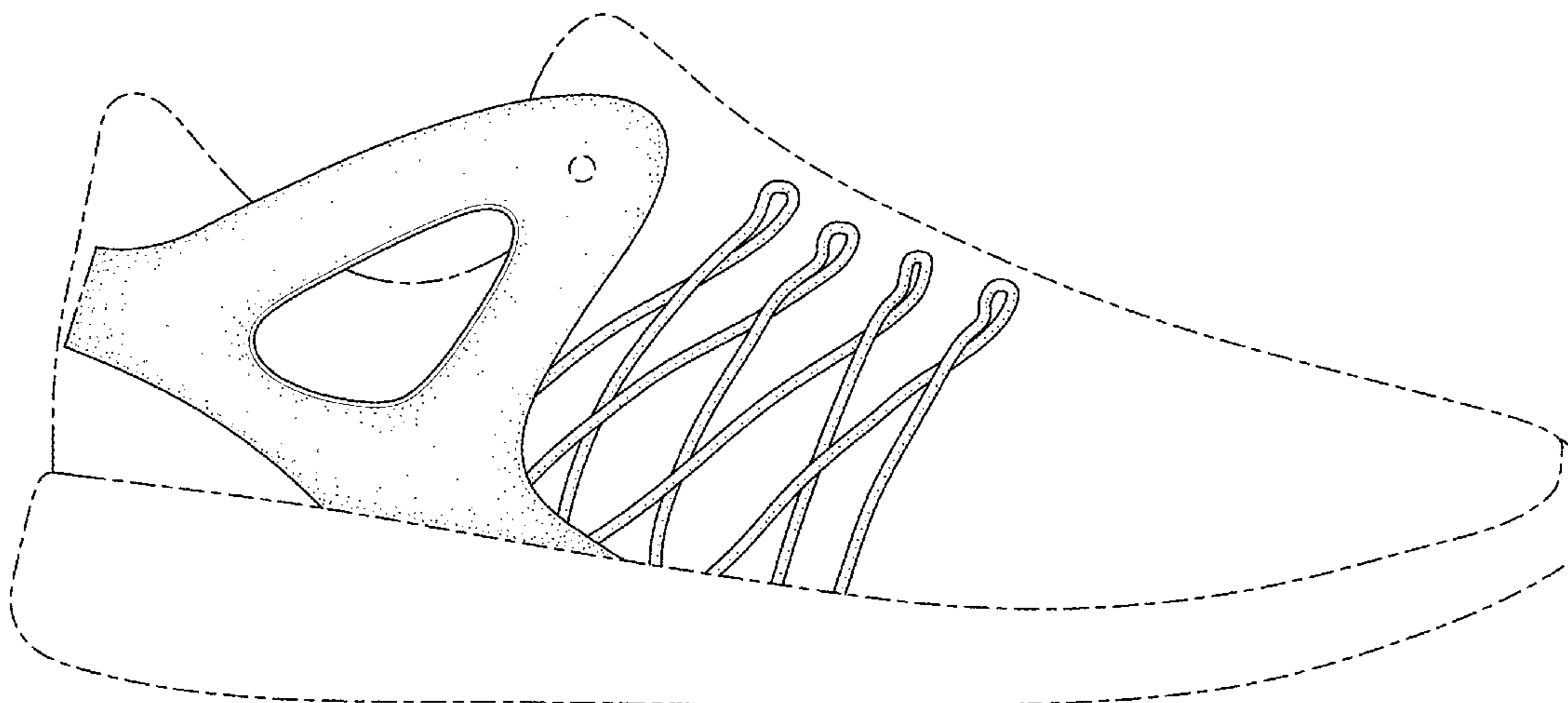
U.S. PATENT DOCUMENTS

D132,351 S * 5/1942 Boothby D2/973
D406,628 S 3/1999 Avar et al.
D573,784 S 7/2008 Petrie
D595,498 S 7/2009 Dolan
D605,396 S 12/2009 Henderson
D636,584 S 4/2011 Williams, Jr.
D676,643 S 2/2013 Lee
D676,644 S 2/2013 Avar et al.
D676,648 S 2/2013 O'Connor
D682,532 S 5/2013 Roulo
D699,028 S 2/2014 Weeks
D700,427 S 3/2014 Cochrane
D700,429 S * 3/2014 Miner D2/973
D700,769 S 3/2014 Parrett
D703,934 S 5/2014 Kuerbis

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 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

OTHER PUBLICATIONS

Nike Footwear Catalog, 2005 Late Spring Footwear, p. 4, published Aug. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, 2008 Holiday Performance Footwear, p. 153, published Feb. 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2008 Summer Footwear, p. 47, published Aug. 2007, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men's and Women's Sportswear Best Footwear, p. 7, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men's Performance Footwear, p. 41, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Holiday Men's Nike Sportswear Footwear Best, p. 54, published Feb. 1, 2014, NIKE, Inc., USA.

* cited by examiner

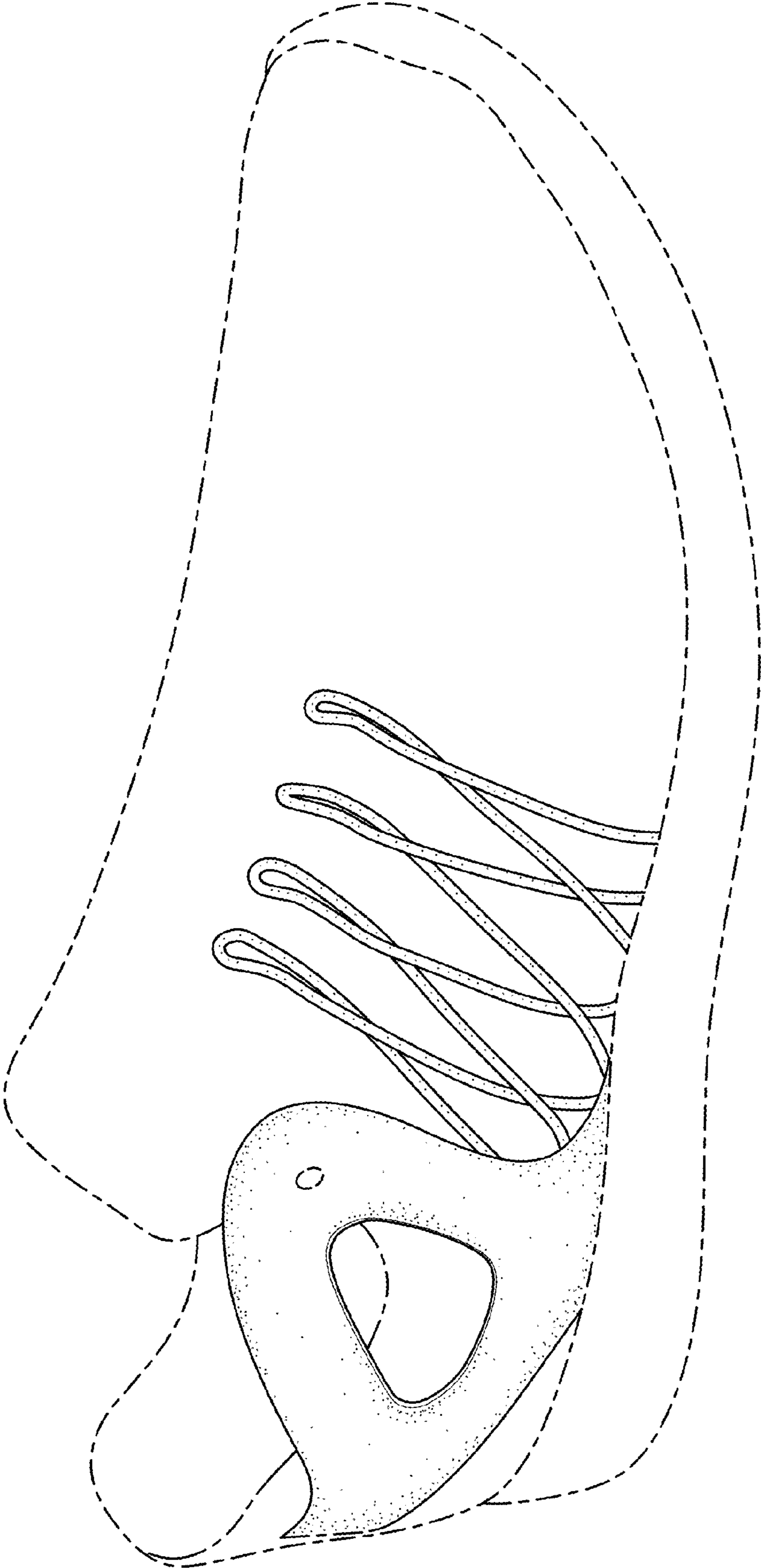


FIG. 1

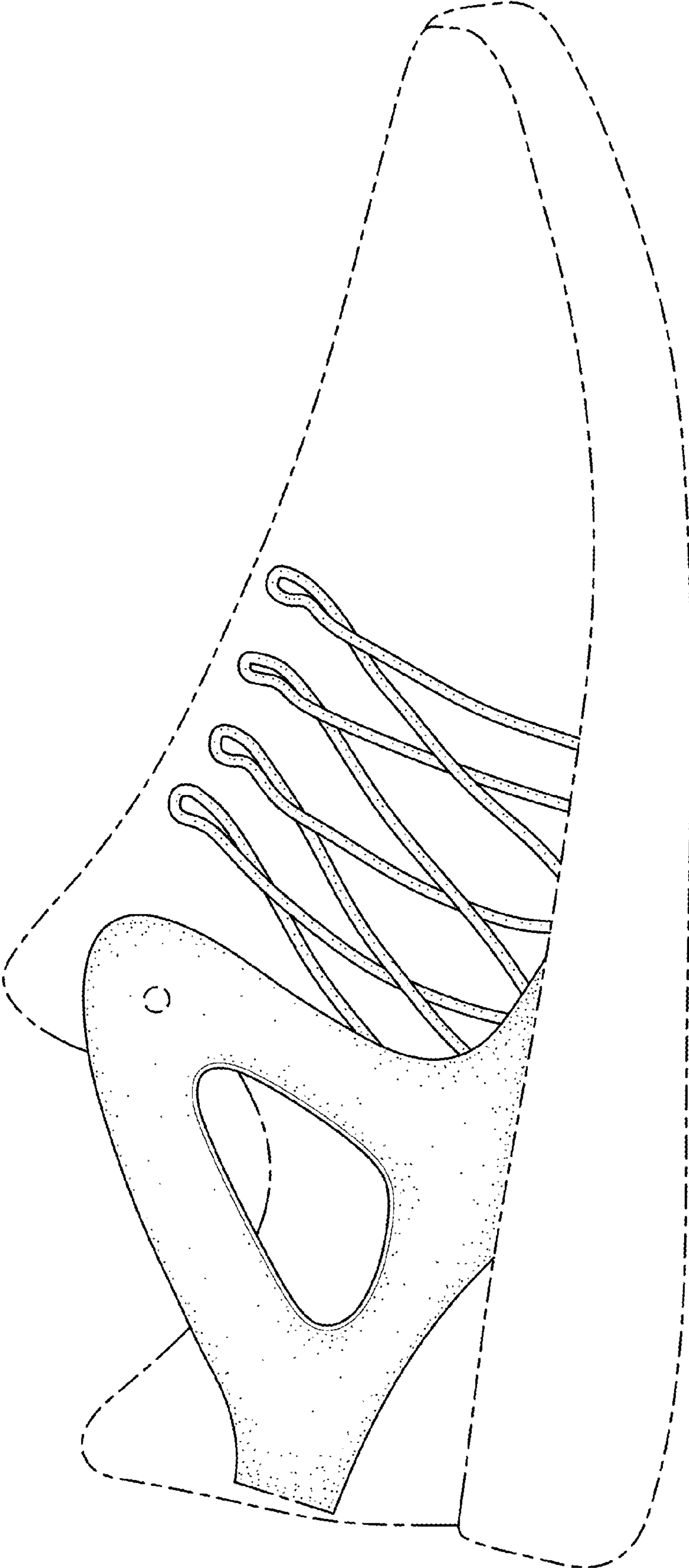


FIG. 2

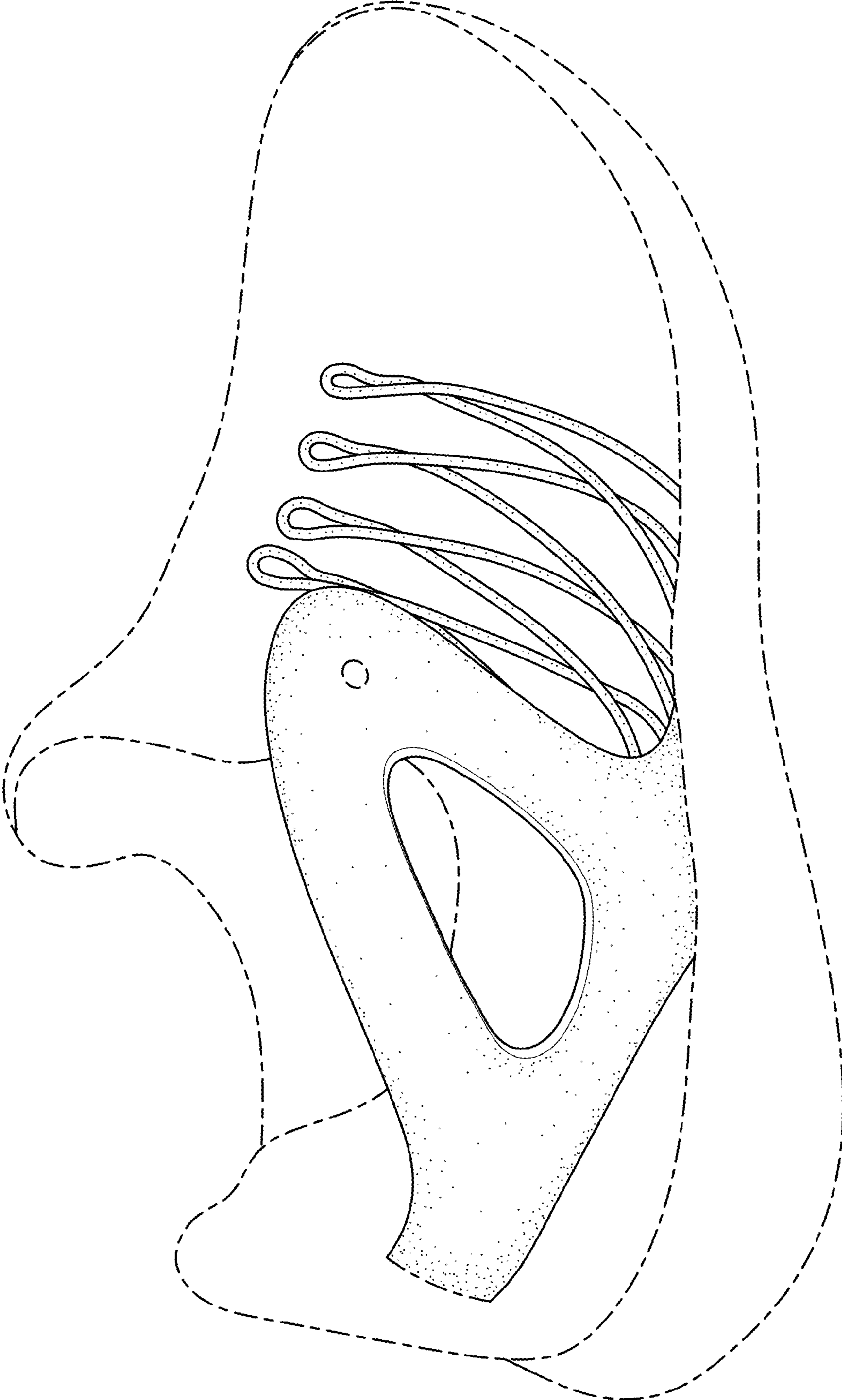


FIG. 3