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(12) **United States Design Patent** (10) **Patent No.:** **US D767,870 S**
Avar (45) **Date of Patent:** **** Oct. 4, 2016**

(54) **SHOE UPPER**

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

(**) Term: **15 Years**

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(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, 972-974;
D5/47

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; A43C 1/00; A43C 11/00
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D392,792 S	3/1998	Obi	
D398,771 S	9/1998	Doxey	
D420,499 S *	2/2000	Dolinsky	D2/972
D423,207 S *	4/2000	Selbiger	D2/972
D423,768 S *	5/2000	Hewett	D2/969
D424,292 S *	5/2000	Besanceney, III	D2/902
D431,351 S *	10/2000	Prats	D2/972
D434,547 S *	12/2000	Kim	D2/902
D450,438 S	11/2001	Dolan	
D452,369 S *	12/2001	Roulo	D2/973
D459,868 S	7/2002	McCourt	
D463,099 S	9/2002	Roulo	
D465,905 S *	11/2002	Meza	D2/908
D474,009 S	5/2003	Lotti	
D482,860 S	12/2003	Yun	

D491,718 S	6/2004	Link	
D507,865 S	8/2005	McDowell	
D510,475 S	10/2005	Hlavacs	
D511,616 S	11/2005	Fullum	
D513,850 S	1/2006	Alfaro	
D514,797 S	2/2006	Gerber	
D520,730 S	5/2006	Mueller	
D521,227 S	5/2006	Mermet	
D522,225 S	6/2006	Holmes	
D523,221 S	6/2006	Portzline	
D523,222 S	6/2006	Savage	
D523,623 S *	6/2006	Mermet	D2/972
D523,624 S	6/2006	Kuerbis	
D527,884 S	9/2006	Morris	

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 2003 Late Spring Men's, Women's, and Kids' Footwear, p. 40, published Sep. 2002, NIKE, Inc., USA.

(Continued)

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(57) **CLAIM**

The ornamental design for a shoe upper, as shown and described.

DESCRIPTION

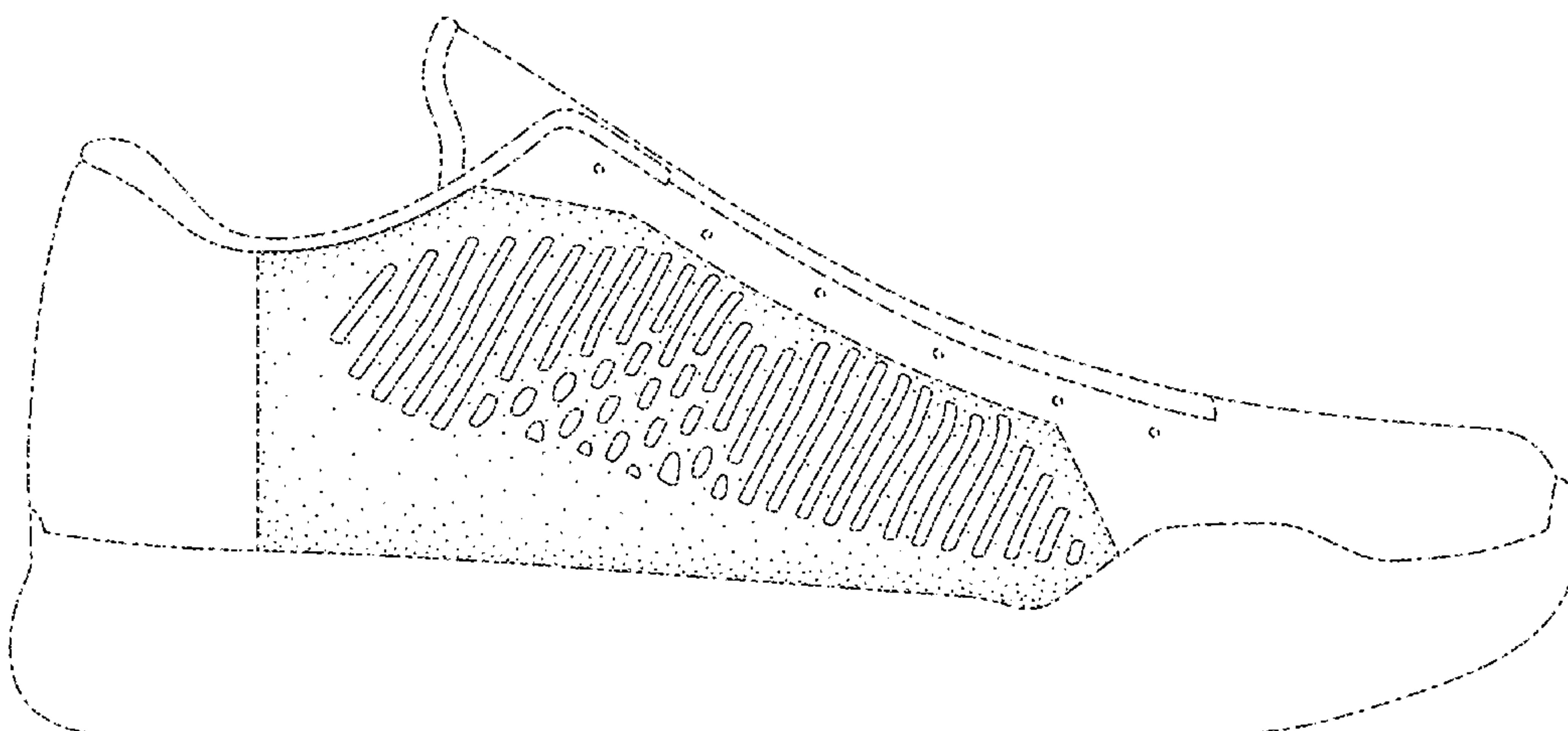
FIG. 1 is a front perspective view of a shoe upper showing my new design;

FIG. 2 is a 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 that are demarcated by solid lines 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

D527,890 S 9/2006 Shaffer
D528,281 S 9/2006 Mermet
D528,763 S * 9/2006 Rask D2/972
D529,271 S 10/2006 Kuerbis
D532,965 S 12/2006 Huthmaker
D536,519 S 2/2007 Caine
D540,025 S 4/2007 Shaffer
D544,696 S 6/2007 Huthmaker
D544,697 S 6/2007 Huthmaker
D545,553 S 7/2007 McGrath
D548,947 S 8/2007 Petrie
D551,842 S 10/2007 Kuerbis et al.
D573,338 S 7/2008 Stauffer
D574,590 S 8/2008 Maejima
D576,401 S 9/2008 Grenet
D595,945 S 7/2009 Mochen
D598,186 S 8/2009 Lamont
D623,842 S 9/2010 Yun
D624,296 S 9/2010 Henderson
D636,592 S 4/2011 Dekovic
D642,784 S 8/2011 Mayden
D649,762 S * 12/2011 Wilken D2/972
D649,769 S 12/2011 Thornhill
D667,621 S 9/2012 Portzline
D675,424 S * 2/2013 Williams, Jr. D2/972
D678,667 S * 3/2013 Carboy D2/972
D682,535 S 5/2013 Dekovic
D683,113 S 5/2013 Napurano
D683,944 S 6/2013 Dolce

D693,104 S * 11/2013 McMillan D2/972
D693,105 S 11/2013 James
D693,110 S 11/2013 Miner
D696,850 S * 1/2014 Miner D2/972
D703,932 S * 5/2014 Avar et al. D2/972
D703,933 S * 5/2014 Avar et al. D2/972
D707,438 S * 6/2014 Taylor D2/972
D711,085 S 8/2014 da Costa Pereira Machado
D731,768 S 6/2015 Avar
D735,463 S 8/2015 Avar
D735,464 S 8/2015 Avar
D737,562 S 9/2015 Avar
D738,089 S 9/2015 Avar
D738,090 S 9/2015 Avar
D741,055 S 10/2015 Avar
D746,030 S 12/2015 Avar

OTHER PUBLICATIONS

Nike Footwear Catalog, 2007 Fall Footwear, p. 70, published Nov. 2006, NIKE, Inc., USA.
Nike Footwear Catalog, 2007 Fall Footwear, p. 183, published Nov. 2006, NIKE, Inc., USA.
Nike Footwear Catalog, 2010 Fall Performance Footwear, p. 10, published Nov. 2009, NIKE, Inc., USA.
Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 9, published May 2009, NIKE, Inc., USA.
Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 122, published May 2009, NIKE, Inc., USA.

* cited by examiner

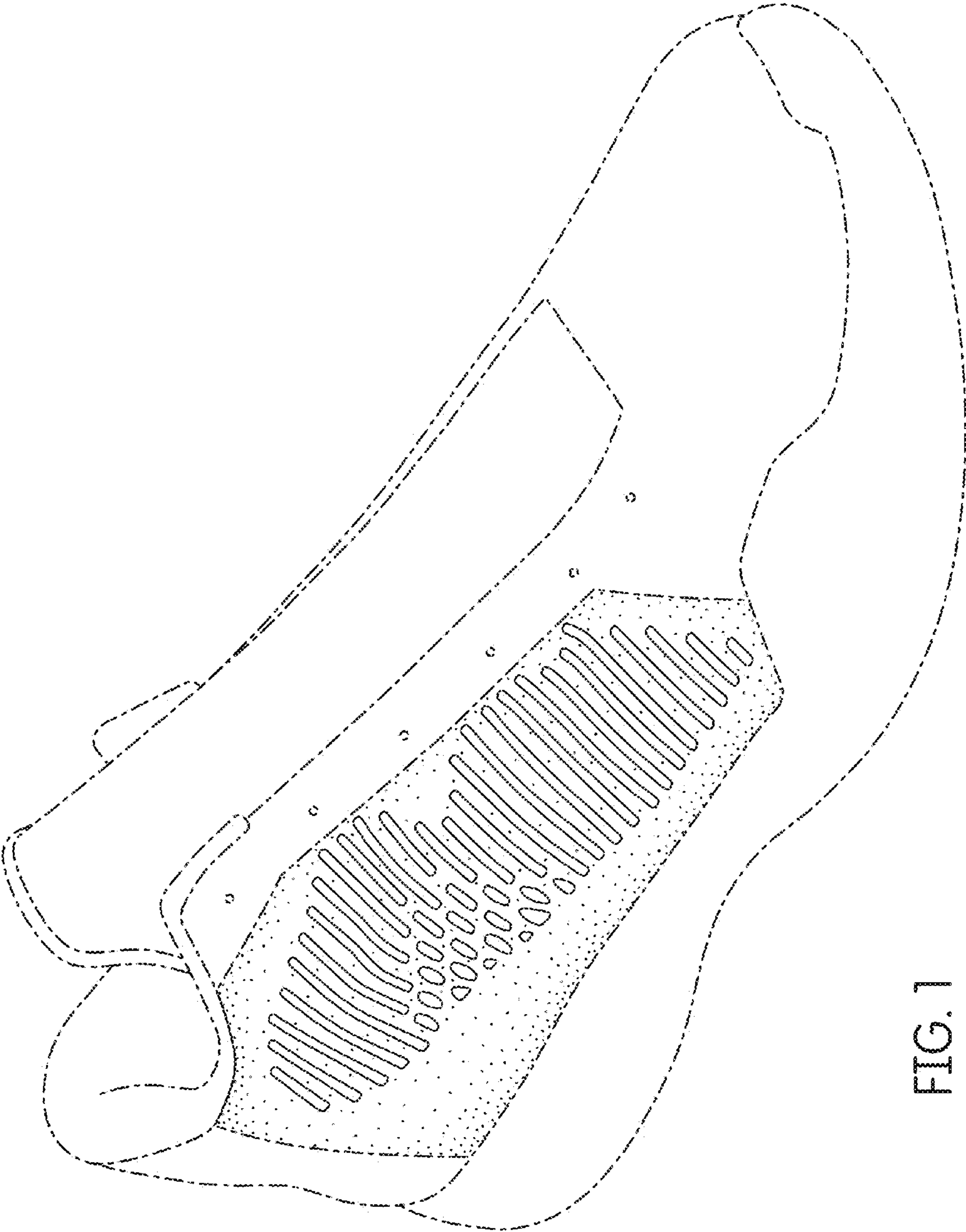


FIG. 1

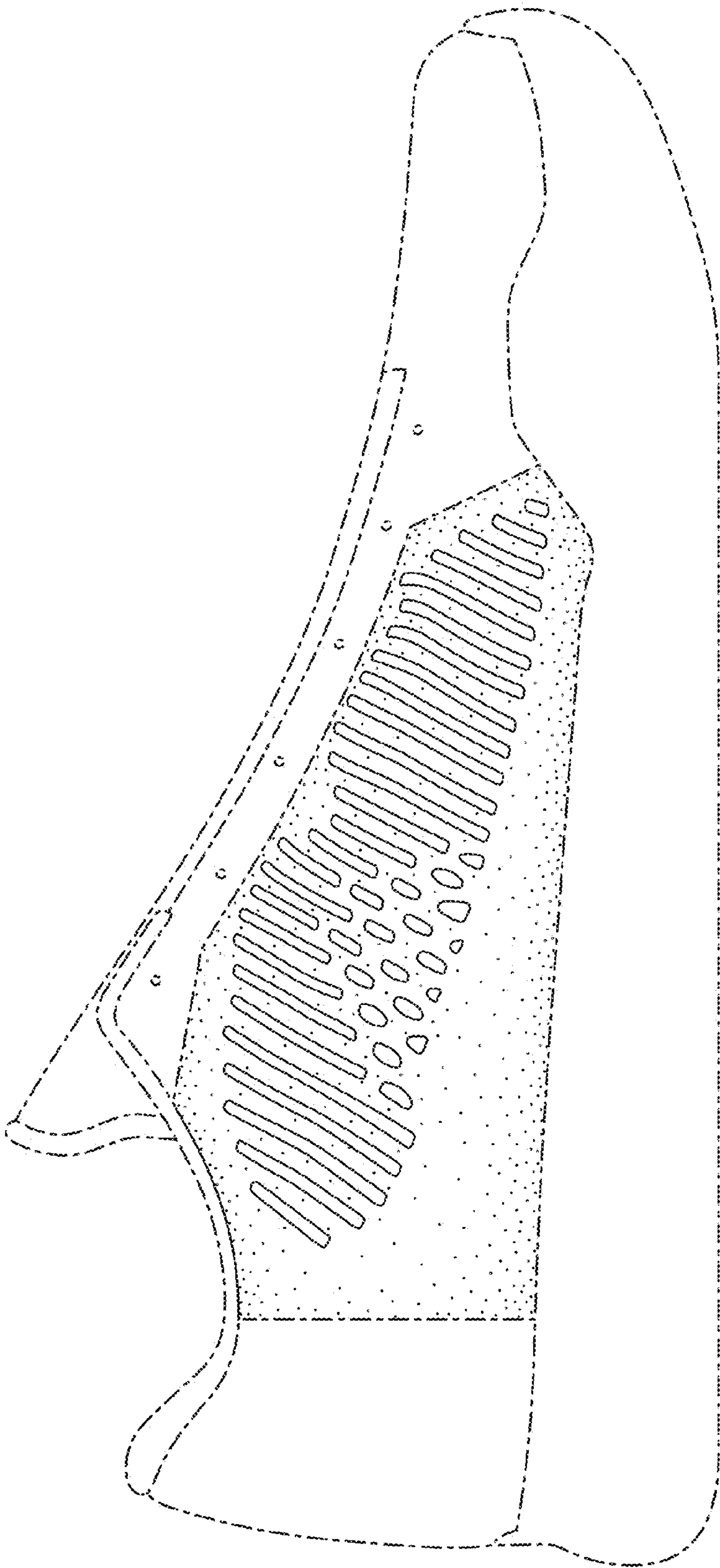


FIG. 2

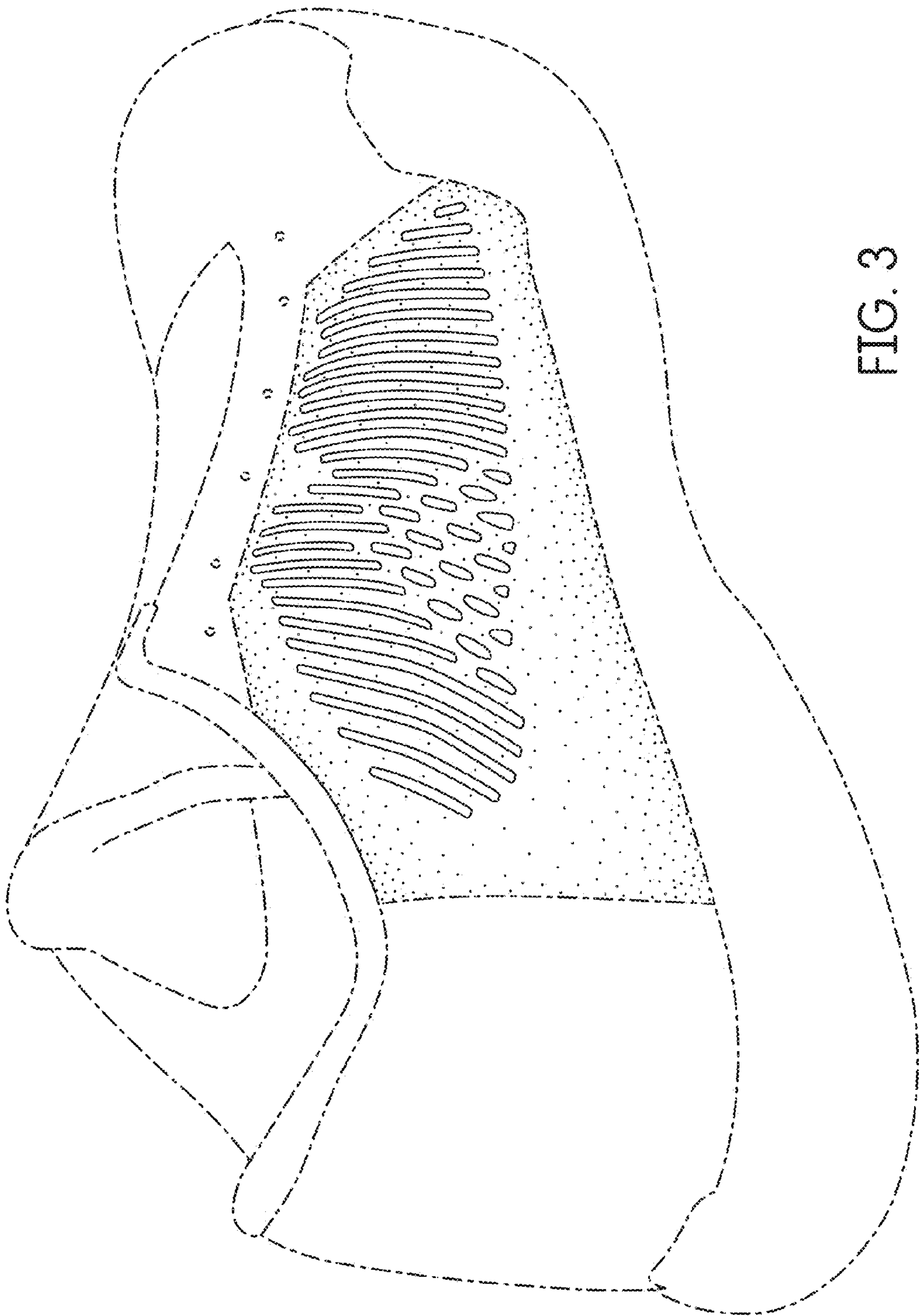


FIG. 3