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

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(54) **SHOE UPPER**

D758,599 S * 6/2016 McLachlan D24/190
D765,378 S * 9/2016 Seemarks D2/972
D771,264 S * 11/2016 McLachlan D24/192

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

(21) Appl. No.: **29/552,757**

(22) Filed: **Jan. 26, 2016**

(51) **LOC (10) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/972**

(58) **Field of Classification Search**
USPC D2/902, 906–912, 943–946, 969–974,
D2/901, 980, 983; D5/47, 54, 63;
D24/192
CPC ... A43B 3/0047; A43B 3/0052; A43B 3/0057;
A43B 3/0063; A43B 3/0068; A43B
3/0073; A43B 1/04; A43B 1/06; A43B
5/00; A43B 5/02; A43B 5/06; A43B 5/10;
A43B 5/14; A43B 23/0245; A43C 3/00;
A43C 7/06
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D1,572 S * 5/1862 Bart D2/901
D63,195 S * 10/1923 Rauh 36/2 R
D65,761 S * 10/1924 Tweedie D2/901
D119,195 S * 2/1940 Fitzgerald D2/911
D123,676 S * 11/1940 Lindner 36/2 R
D459,068 S * 6/2002 Huard D2/969
D703,936 S * 5/2014 Seemarks D2/972
D715,530 S * 10/2014 de Montgolfier D2/972
D738,086 S * 9/2015 Avar D2/972

OTHER PUBLICATIONS

“KD8 Elite Features Advanced Performance Innovation for Durant’s Stretch Run,” Nike KD8 Elite pictured therein, as posted at News.Nike.com [online], posted on Feb. 29, 2016 [site visited Jan. 31, 2017]. Available on the Internet, <URL: <http://news.nike.com/news/kd8-elite-kevin-durant>>.*

Nike KD1: The Definitive Guide to Colorways [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://solecollector.com/news/2014/06/nike-kd-1-the-definitive-guide-to-colorways>>; 39 color sheets, Dated Jun. 19, 2014.

(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;

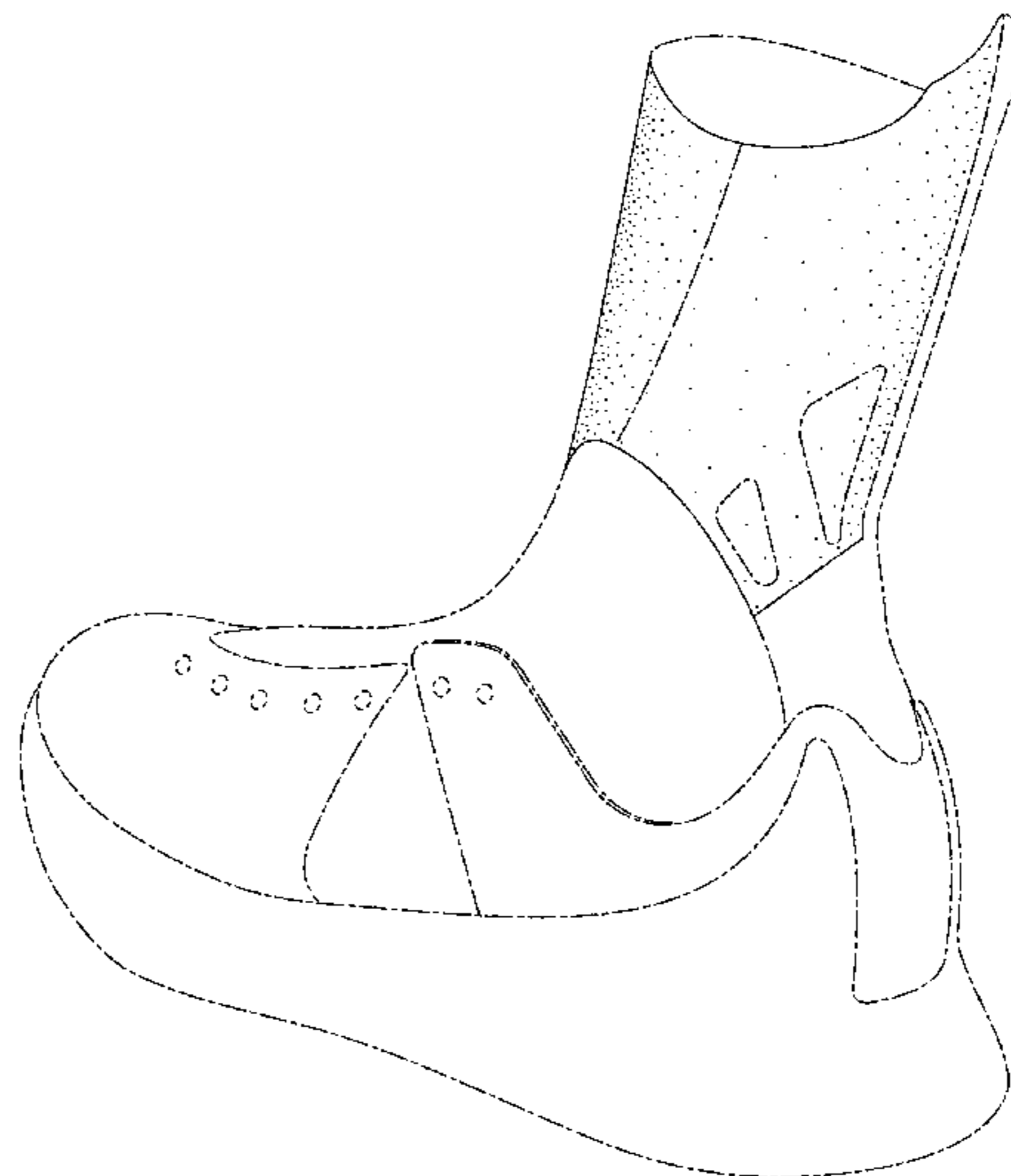
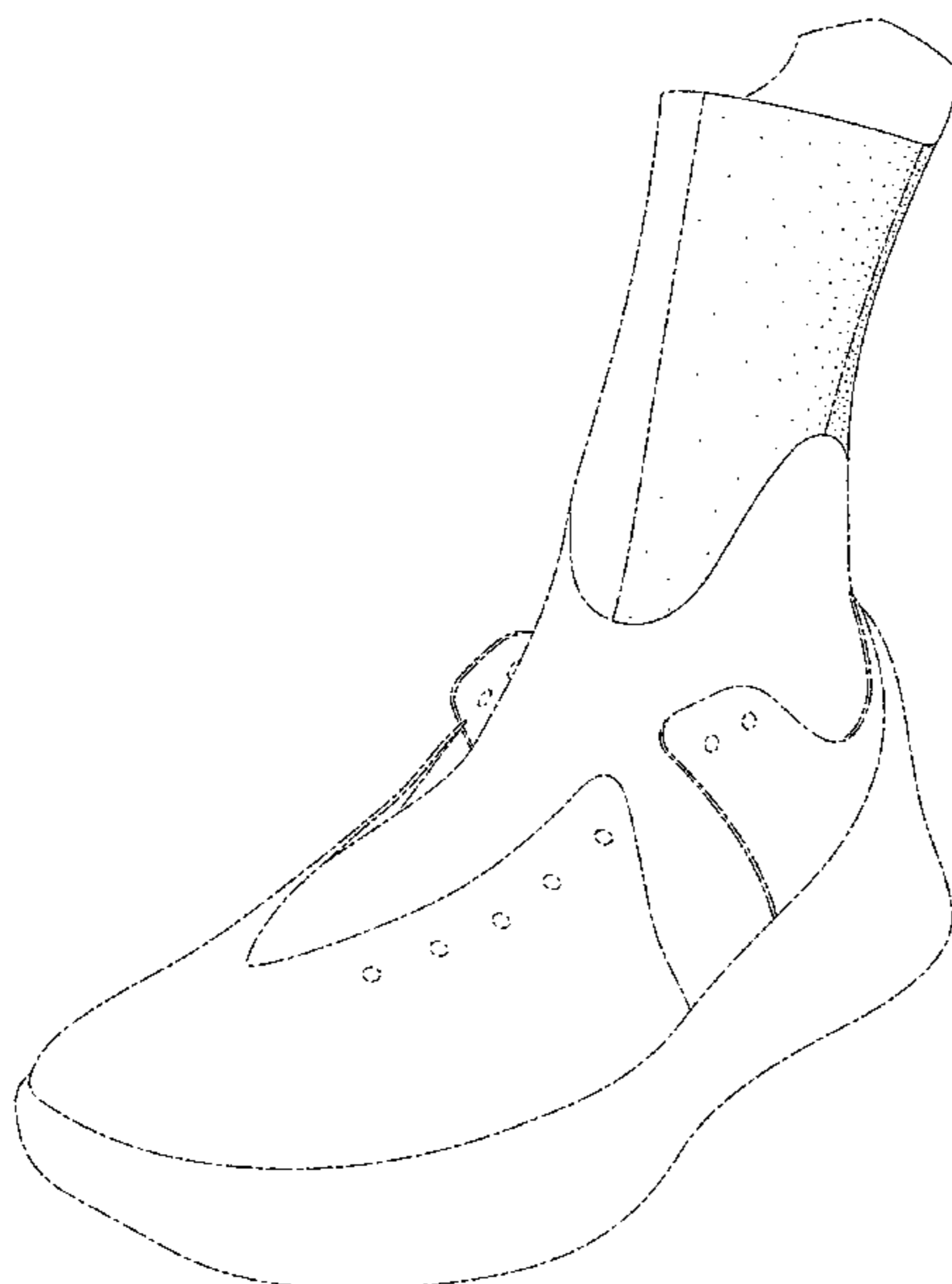
FIG. 2 is a side view thereof;

FIG. 3 is a top view thereof; and,

FIG. 4 is a rear perspective view thereof.

The broken lines within the shaded area represent features that form no part of the claimed design. The remaining broken lines immediately adjacent to the shaded area define the bounds of the claimed design, and form no part thereof. The further remaining 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

OTHER PUBLICATIONS

Nike KD2 Black/Blue-Orange—Durant's Second SIG [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/2009/11/10/nike-kd2-blackblue-orange-durants-second-sig/>>; 4 color sheets, Dated Nov. 10, 2009.

Nike Zoom KD III: The Definitive Guide to Colorways [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://solecollector.com/news/2014/06/nike-zoom-kd-iii-the-definitive-guide-to-colorways>>; 44 color sheets, Dated Jun. 21, 2014.

Nike N7 Zoom KD IV Officially Unveiled [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://solecollector.com/news/2012/04/nike-n7-zoom-kd-iv-officially-unveiled>>; 36 color sheets, Dated Apr. 11, 2014.

Real Athlete Reviews: Nike KD V [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://www.stack.com/a/kd-v-review>>; 55 color sheets, Dated Apr. 26, 2013.

Nike KD VI Elite Supremacy Releases Tomorrow [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/2014/07/17/nike-kd-vi-elite-supremacy-releases-tomorrow/>>; 4 color sheets, Dated Jul. 17, 2014.

Nike KD VII "July 4th" Releases Tomorrow [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/2014/06/25/nike-kd-vii-july-4th-releases-tomorrow/>>; 5 color sheets, Dated Jun. 25, 2014.

Nike What the Kobe 9 Elite Release Is Near! [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/2015/01/06/nike-kobe-9-elite-release-near/>>; 6 color sheets, Dated Jan. 6, 2015.

Nike ARI Flight Huarache Dons Croc Print [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/2015/07/08/nike-air-flight-huarache-grey-croc/>>; 5 color sheets, Dated Jul. 8, 2015.

Nike Air Huarache "Tech Pack" Release Date [online], [retrieved Sep. 26, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/2015/07/29/nike-air-huarache-tech-pack-release-date/>>; 5 color sheets, Dated Jul. 8 2015.

U.S. Appl. No. 29/550,001, filed Dec. 29, 2015.

U.S. Appl. No. 29/550,004, filed Dec. 29, 2015.

U.S. Appl. No. 29/550,006, filed Dec. 29, 2015.

* cited by examiner

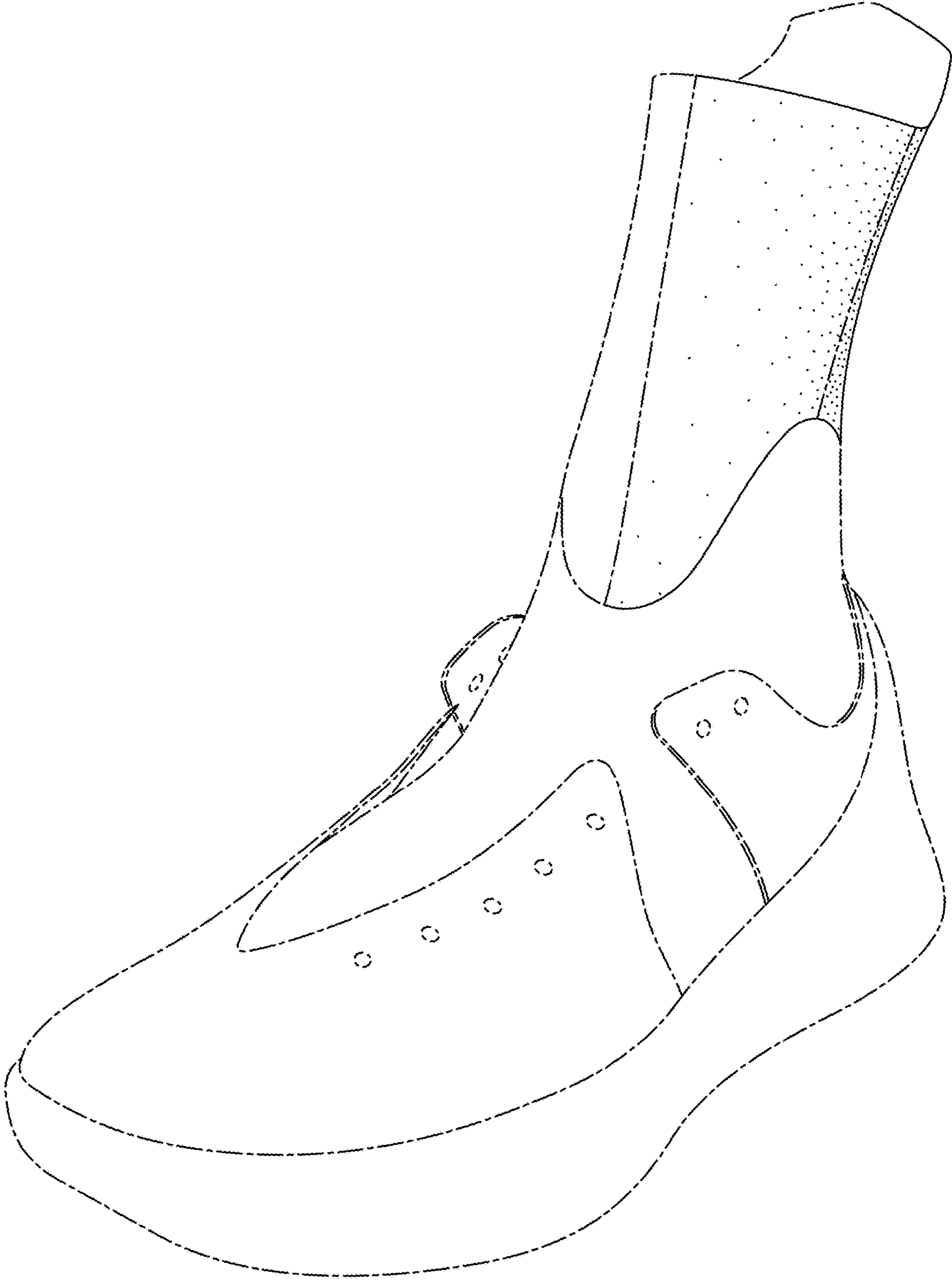


FIG. 1

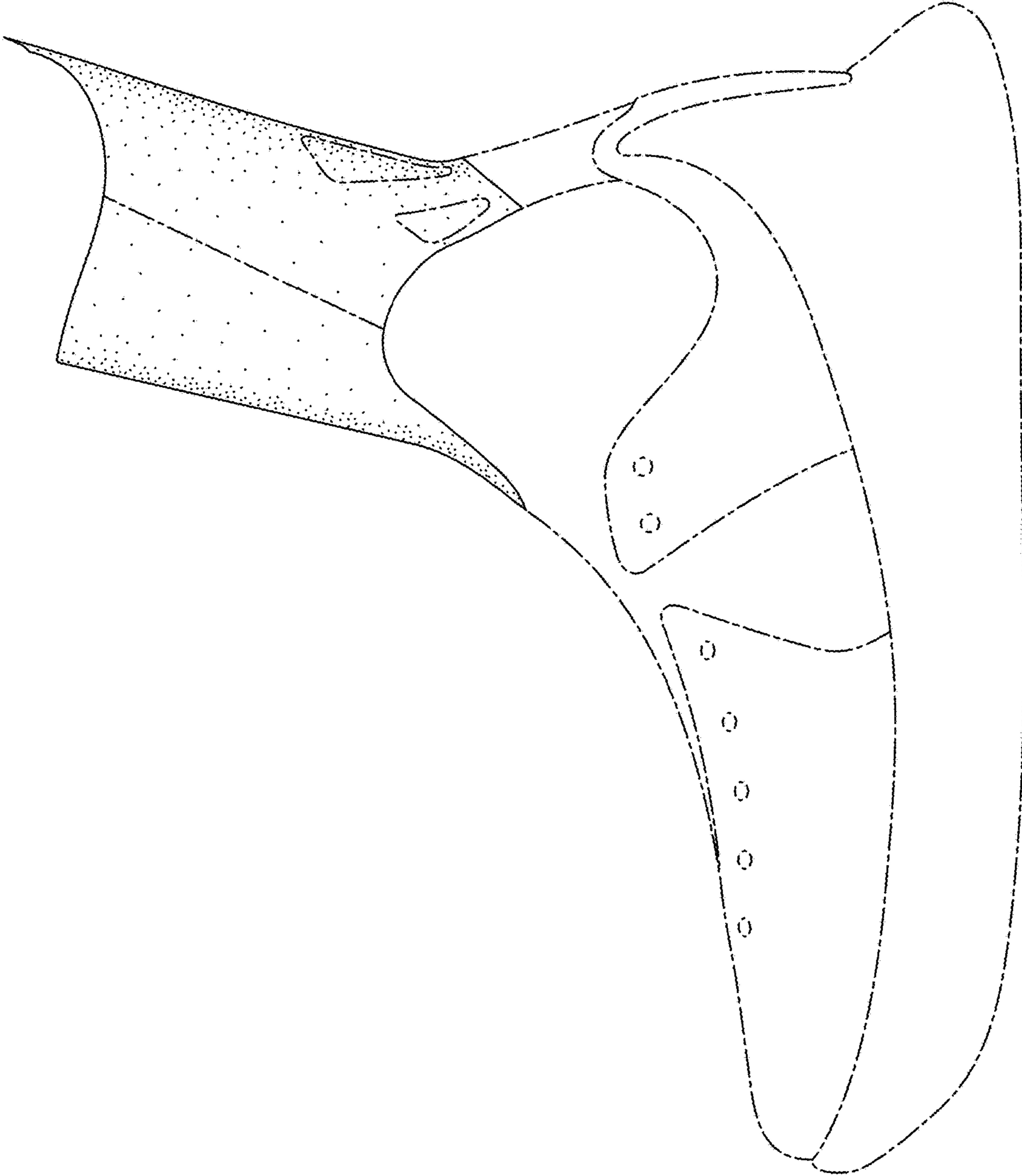


FIG. 2

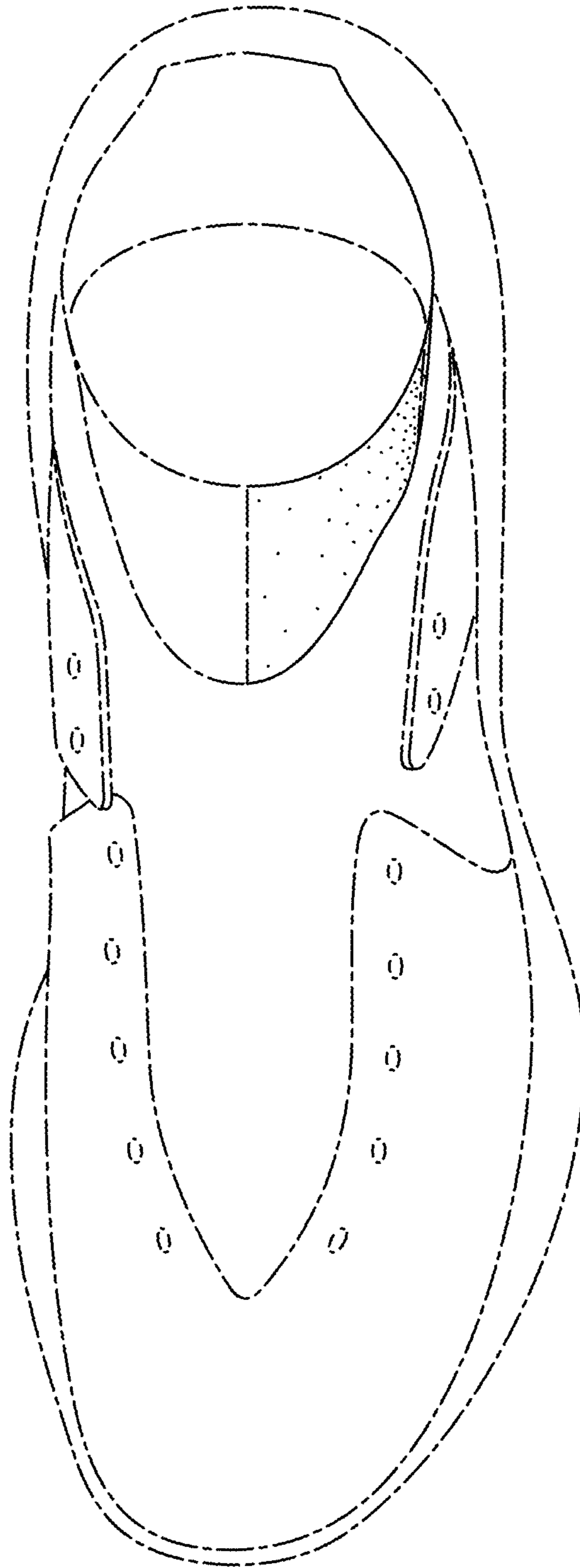


FIG. 3

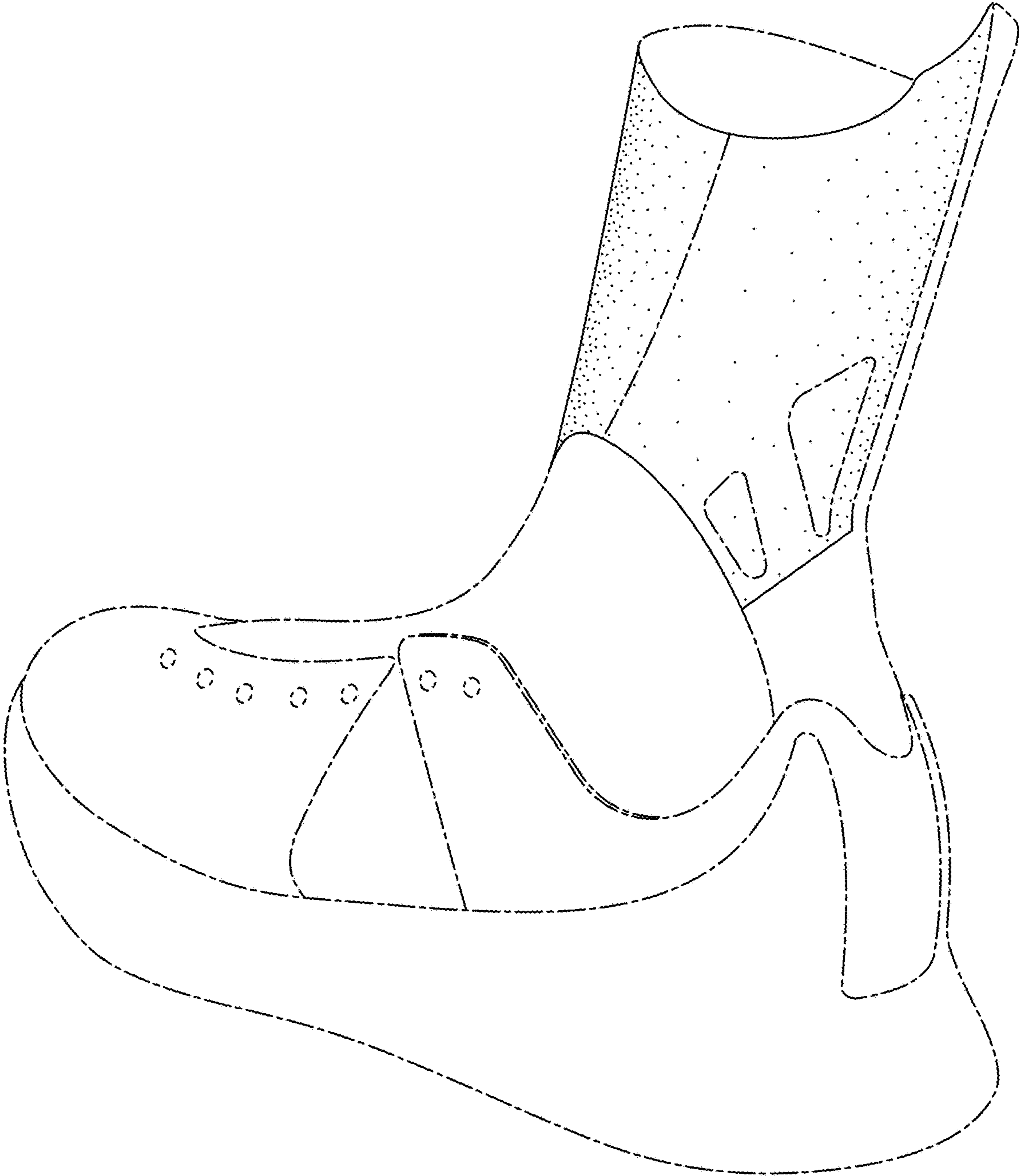


FIG. 4