



US00D789065S

(12) **United States Design Patent** (10) **Patent No.:** **US D789,065 S**
Petrie (45) **Date of Patent:** **** Jun. 13, 2017**

(54) **SHOE UPPER**
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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**

D649,766 S 12/2011 Petrie
D649,767 S 12/2011 Petrie
D661,887 S 6/2012 Petrie
D664,756 S 8/2012 Choi et al.
D676,649 S * 2/2013 Fogg D2/972
D689,686 S * 9/2013 Hardman D2/972
D691,788 S 10/2013 Petrie
D699,427 S 2/2014 Nakano
D699,428 S 2/2014 Nakano
(Continued)

(21) Appl. No.: **29/550,173**
(22) Filed: **Dec. 30, 2015**
(51) **LOC (10) Cl.** **02-04**
(52) **U.S. Cl.**
USPC **D2/972**
(58) **Field of Classification Search**
USPC D2/969, 972-974, 902, 906-908, 909,
D2/911-912, 943-945, 970; D5/47, 54,
D5/63
CPC ... A43B 3/0052; A43B 3/0057; A43B 3/0063;
A43B 3/0068; A43B 3/0073; A43B 1/04;
A43B 1/06; A43B 5/02; A43B 5/06;
A43B 5/10; A43B 5/14; A43B 3/0047;
A43C 3/00; A43C 7/06
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D385,398 S * 10/1997 Avar D2/972
D386,296 S * 11/1997 Lozano D2/972
D386,895 S 12/1997 Hatfield
D388,591 S * 1/1998 Tong D2/916
D495,863 S 9/2004 Sedlbauer
D498,580 S * 11/2004 Schambra D2/972
D519,271 S 4/2006 Hoefft
D544,698 S 6/2007 Chang
D547,534 S * 7/2007 Schindler D2/961
D549,435 S 8/2007 Lacorazza
D572,462 S 7/2008 Hatfield et al.
D575,488 S 8/2008 Covatch
D603,154 S 11/2009 Nakano
D649,761 S 12/2011 Chang

OTHER PUBLICATIONS

“Did this Sketch from over a Decade Ago Inspire LeBron’s Latest Nike Sneaker?” Sketch by Jason Petrie c. 2002 pictured therein, as posted at SoleCollector.com [online], posted on Sep. 29, 2015 [site visited Dec. 6, 2016]. Available on the Internet, <URL: <http://solecollector.com/news/2015/09/nike-lebron-13-design-sketch-jason-petrie-niketalk>>.*

(Continued)

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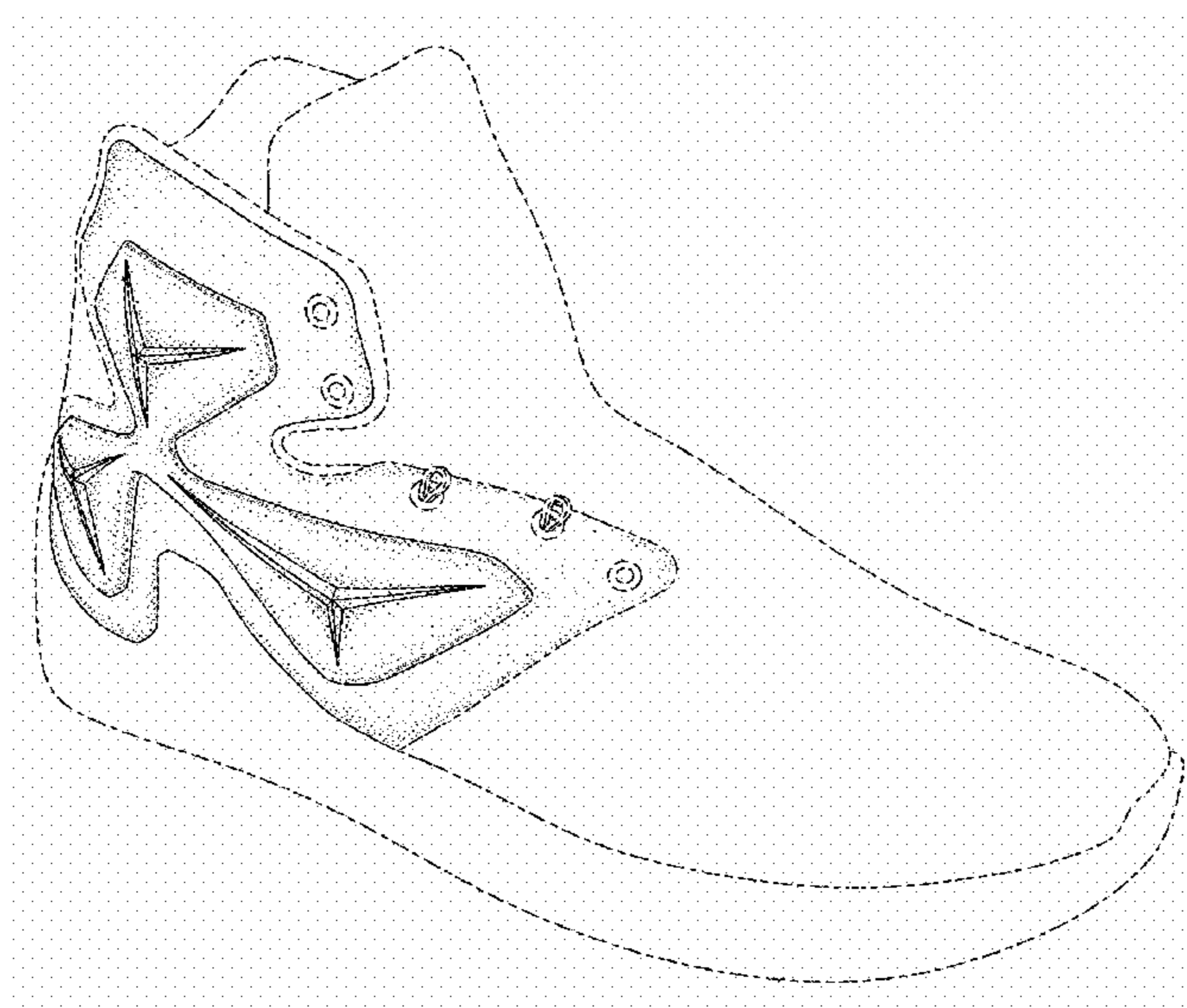
(57) **CLAIM**

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 define the bounds of the claimed design, and form no part thereof. 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

U.S. PATENT DOCUMENTS

D703,937 S	5/2014	Petrie	
D707,948 S	7/2014	Petrie	
D707,953 S	7/2014	Petrie	
D710,083 S	8/2014	Dolce	
D710,587 S	8/2014	Petrie	
D711,089 S *	8/2014	Dolce	D2/972
D714,042 S	9/2014	Petrie	
D716,027 S	10/2014	Kirschner	
D718,037 S	11/2014	Dolce	
D733,414 S *	7/2015	Butler	D2/951
D733,416 S *	7/2015	Butler	D2/951
D734,009 S *	7/2015	Butler	D2/951
D739,135 S *	9/2015	Nethongkome	D2/972
D765,360 S *	9/2016	Petrie	D2/947

OTHER PUBLICATIONS

“This Nike LeBron 13 has been Pushed Back,” Nike LeBron 13 pictured therein, as posted at SoleCollector.com [online], posted on

Oct. 23, 2015 [site visited Dec. 6, 2016]. Available on the Internet, <URL: <http://solecollector.com/news/2015/10/nike-lebron-13-away-cavs-red>>.*

“Nike LeBron 13 joins the Doernbecher Freestyle Collection,” Nike Doernbecher LeBron 13 pictured therein, as posted at NikeLeBron.net [online], posted on Oct. 24, 2015 [site visited Dec. 6, 2016]. Available on the Internet, <URL: <http://nikelebron.net/2015/10/24/nike-lebron-13-joins-the-doernbecher-freestyle-collection/>>.*

Nike Footwear Catalog, 2012 Fall Young Athletes Footwear , p. 17, published Nov. 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Holiday Mens Sportswear Best, p. 29, published Feb. 2013, NIKE, Inc., USA.

One Color Photo, LeBron X, NIKE Inc., 2012.

One Color Photo, LeBron XI Elite, NIKE Inc., 2014.

One Color Photo, LeBron XI, NIKE Inc., 2014.

* cited by examiner

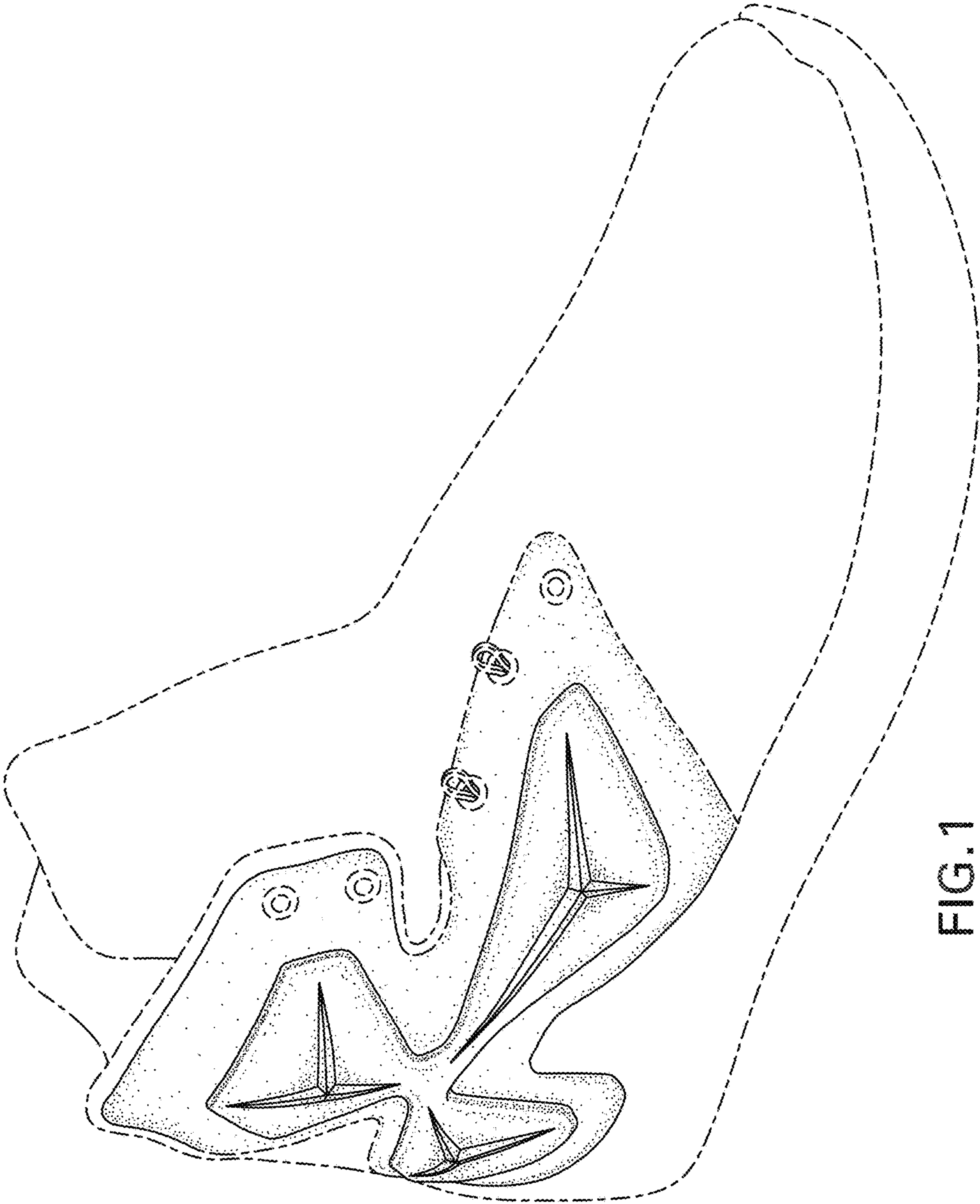


FIG.1

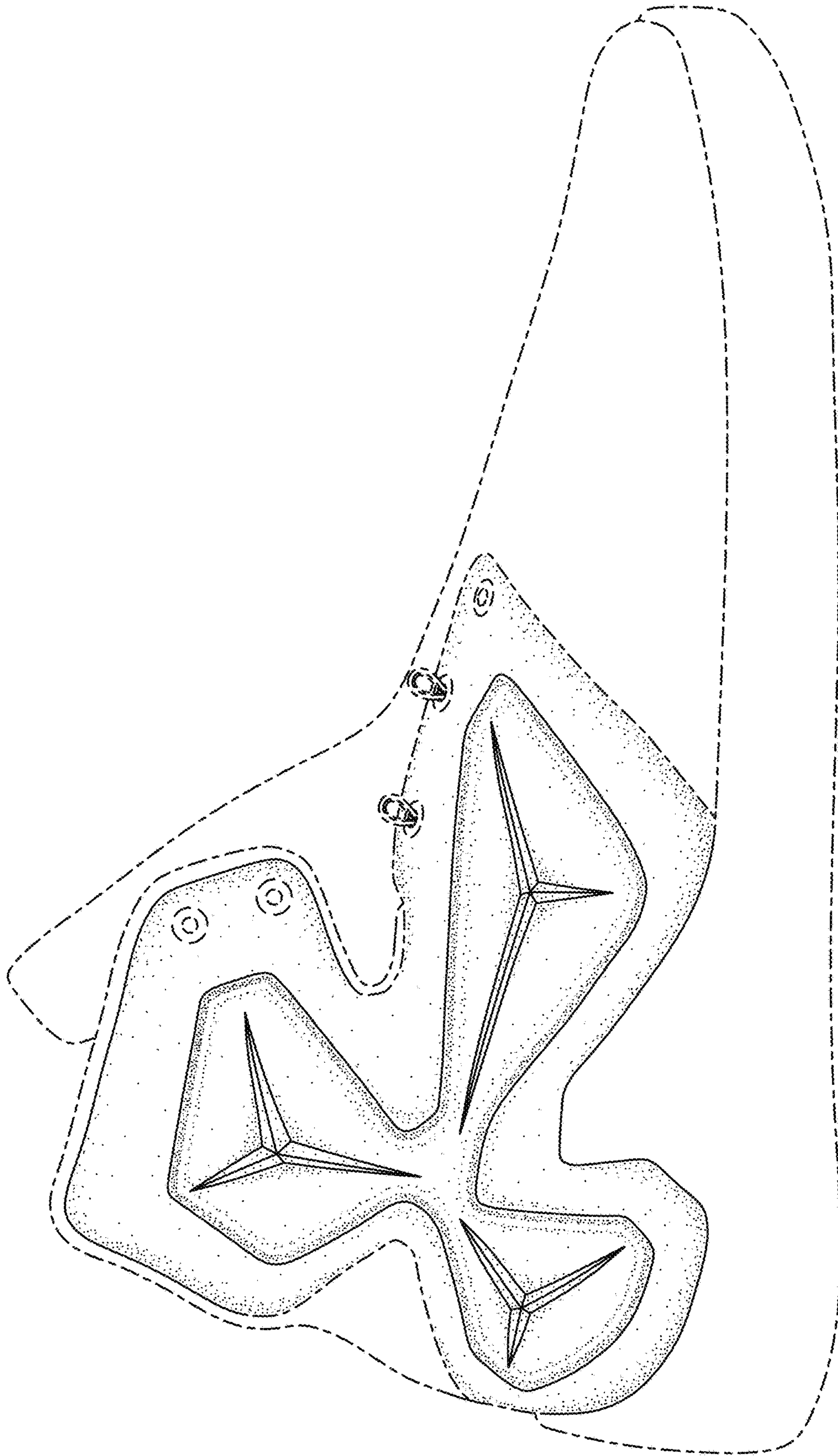


FIG. 2

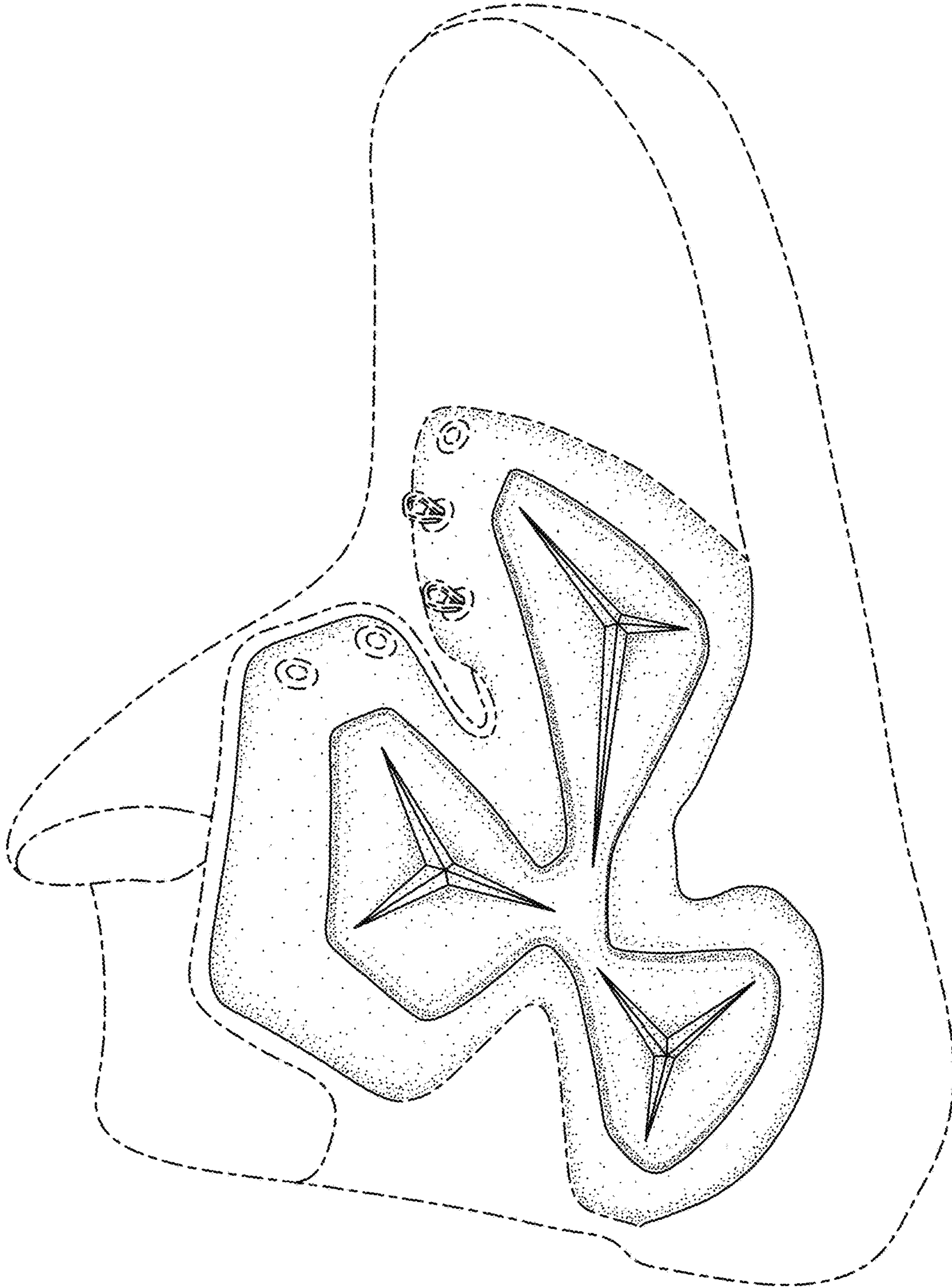


FIG. 3