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(12) **United States Design Patent** (10) **Patent No.:** **US D789,071 S**
Nethongkome (45) **Date of Patent:** **** Jun. 13, 2017**

(54) **SHOE UPPER**

D766,568 S 9/2016 Payne
D769,601 S * 10/2016 Hardman D2/972
D770,749 S 11/2016 Paz et al.

(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)

(72) Inventor: **Benjamin Nethongkome**, Beaverton,
OR (US)

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

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

(21) Appl. No.: **29/569,349**

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

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

(58) **Field of Classification Search**
USPC D2/896, 898, 900, 902-908, 923, 969,
D2/972-974
CPC .. A43B 5/00; A43B 5/02; A43B 23/00; A43B
5/10

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D344,405 S	*	2/1994	Close	.....	D2/902
D391,752 S	*	3/1998	von Conta	.....	D2/969
D524,527 S	*	7/2006	Shin	.....	D2/972
D530,075 S	*	10/2006	Roulo	.....	D2/972
D541,030 S	*	4/2007	Dirsa	.....	D2/969
D571,991 S		7/2008	Petrie		
D643,612 S	*	8/2011	Chang	.....	D2/972
D648,113 S	*	11/2011	Chang	.....	D2/972
D662,310 S		6/2012	Petrie		
D676,649 S	*	2/2013	Fogg	.....	D2/972
D694,511 S		12/2013	Dolce		
D710,083 S		8/2014	Dolce		
D738,088 S		9/2015	Nethongkome		
D739,135 S		9/2015	Nethongkome		

OTHER PUBLICATIONS

Nike LeBron 12: Engineered for Explosiveness [online], [retrieved Nov. 28, 2016] Retrieved from internet <URL: <http://news.nike.com/news/nike-unveils-new-lebron-12/>>; 23 color sheets, Dated Oct. 1, 2014.

Nike Air Rejuven8 Upcoming Colorways This Summer [online], [retrieved Nov. 28, 2016] Retrieved from internet <URL: <http://www.nikeblog.com/2010/04/14/nike-air-rejuven8-upcoming-colorways-this-summer/>>; 6 color sheets, Dated Apr. 14, 2010.

First Impression: Nike Zoom Devosion [online], [retrieved Dec. 6, 2016] Retrieved from internet <URL: <http://weartesters.com/first-impression-nike-zoom-devosion/>>; 9 color sheets, Dated Jun. 22, 2016.

(Continued)

Primary Examiner — Holly Baynham

Assistant Examiner — Rashida C Walshon

(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 front perspective view of a shoe upper showing my new design;

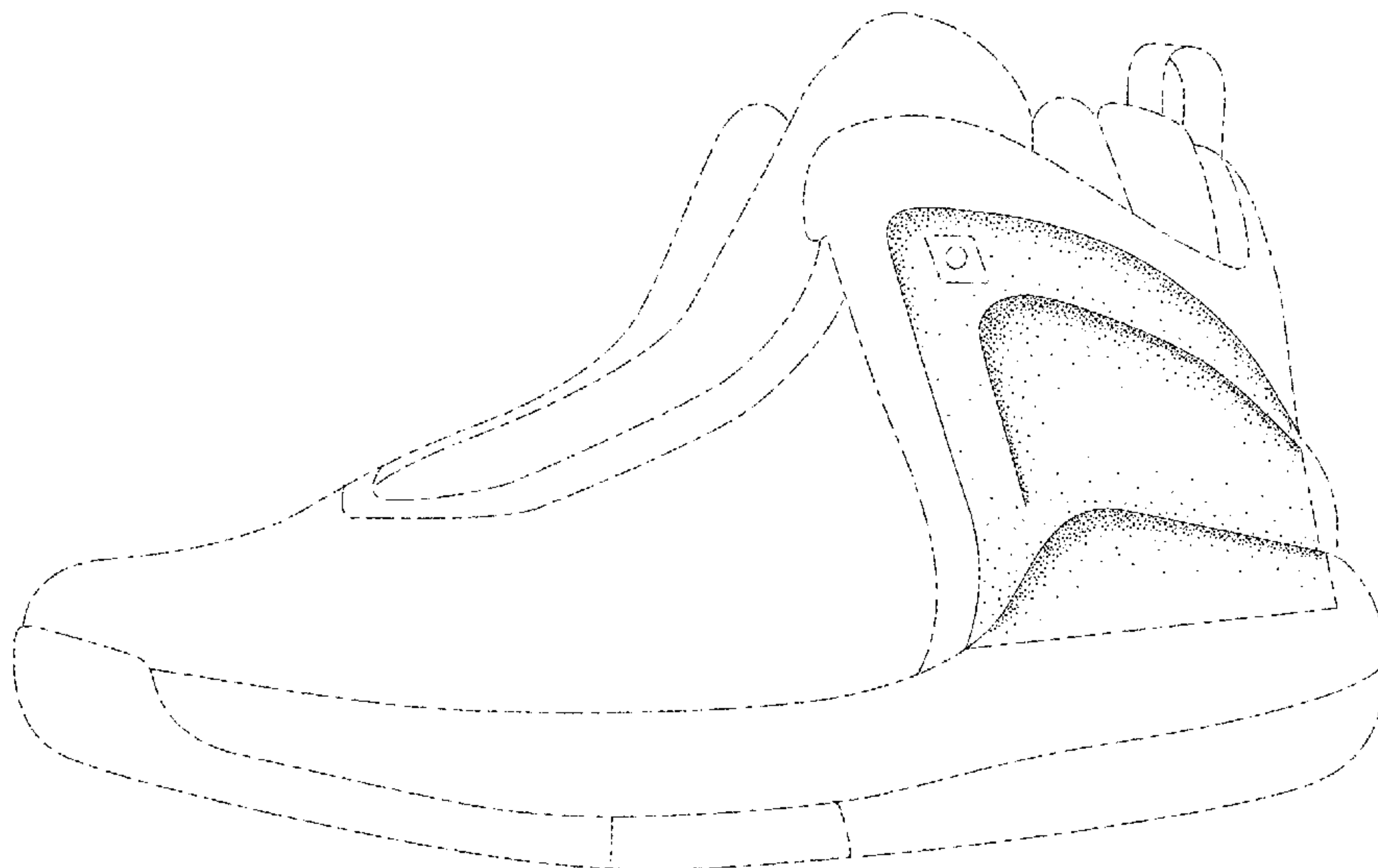
FIG. 2 is a side view thereof;

FIG. 3 is a rear perspective view thereof; and,

FIG. 4 is a front view thereof.

The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The unshaded regions within or adjacent to the shaded area form no part of the claimed design. The broken lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

References Cited

OTHER PUBLICATIONS

Introducing The Nike Zoom Hyperrev [online], [retrieved Dec. 6, 2016] Retrieved from internet <URL: <<http://news.nike.com/news/introducing-the-nike-zoom-hyperrev/>>; 16 color sheets, Dated Dec. 16, 2013.

Leading From The Front: The Nike Zoom Hypercross Trainer [online], [retrieved Dec. 6, 2016] Retrieved from internet: <URL: <<http://news.nike.com/news/hit-maker-the-nike-zoom-hypercross-trainer/>>; 15 color sheets, Dated Sep. 17, 2014.

Nike Air Zoom Hypercross TR2: Going Low for High Intensity [online], [retrieved Dec. 6, 2016] Retrieved from internet <URL: <<http://news.nike.com/news/nike-air-zoom-hypercross-tr2-going-low-for-high-intensity/>>; 8 color sheets, Dated Jun. 30, 2015.

The Nike Zoom Clear Out is Available Now [online], [retrieved Dec. 6, 2016] Retrieved from internet <URL: <<http://weartesters.com/nike-zoom-clear-out-now/>>; 5 color sheets, Dated Jun. 21, 2016.

Nike Footwear Catalog, 2015 Fall Boutique, p. 7, published date unknown, but prior to filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall Boutique, p. 203, published date unknown, but prior to filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall Boutique, p. 221, published date unknown, but prior to filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall Boutique, p. 268, published date unknown, but prior to filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Summer Athletic Specialty Footwear, p. 10, published date unknown, but prior to filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Summer Athletic Specialty Footwear, p. 25, published date unknown, but prior to filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Summer Athletic Specialty Footwear, p. 92, published date unknown, but prior to filing date of the present application, NIKE, Inc., USA.

* cited by examiner

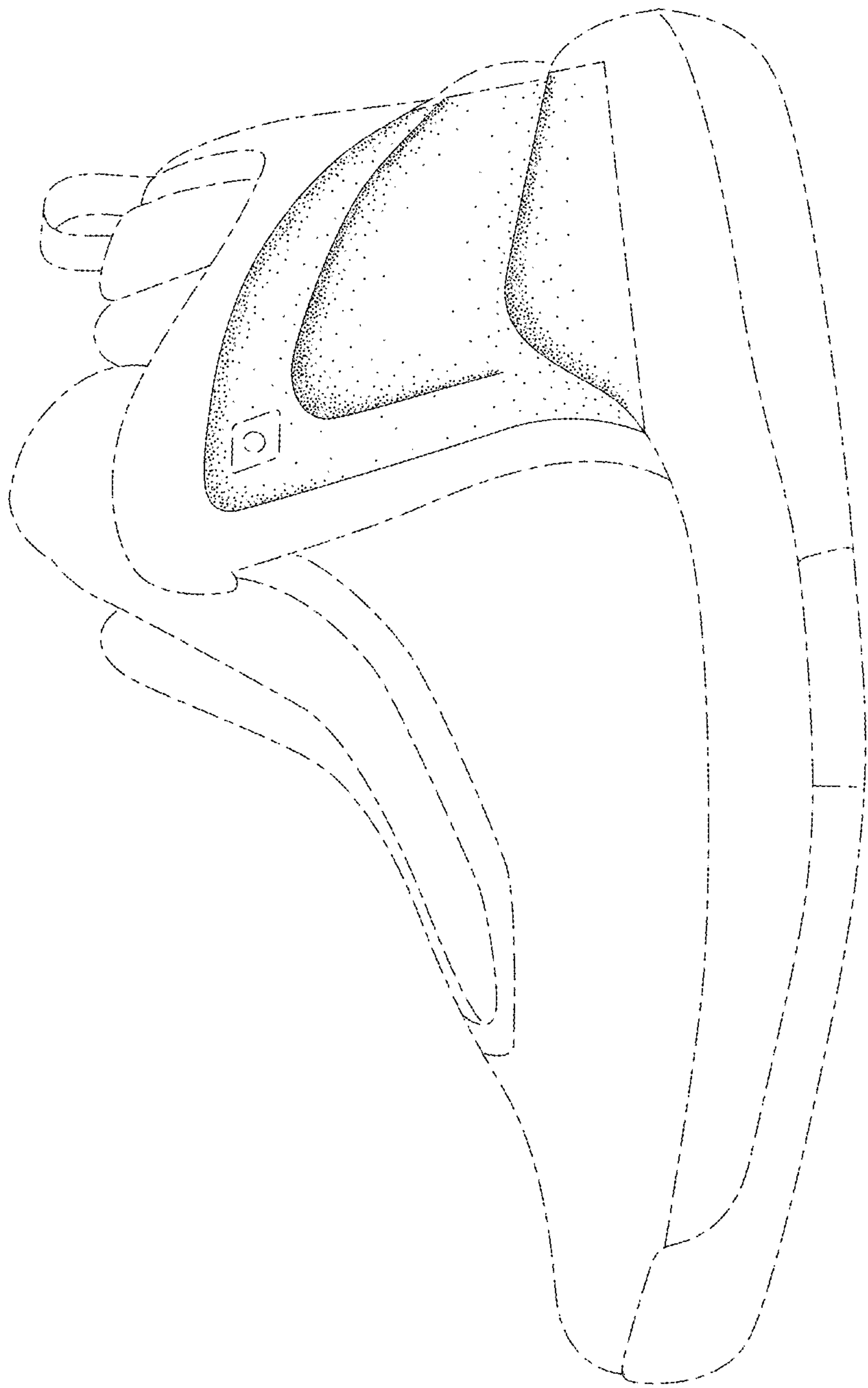


FIG. 1

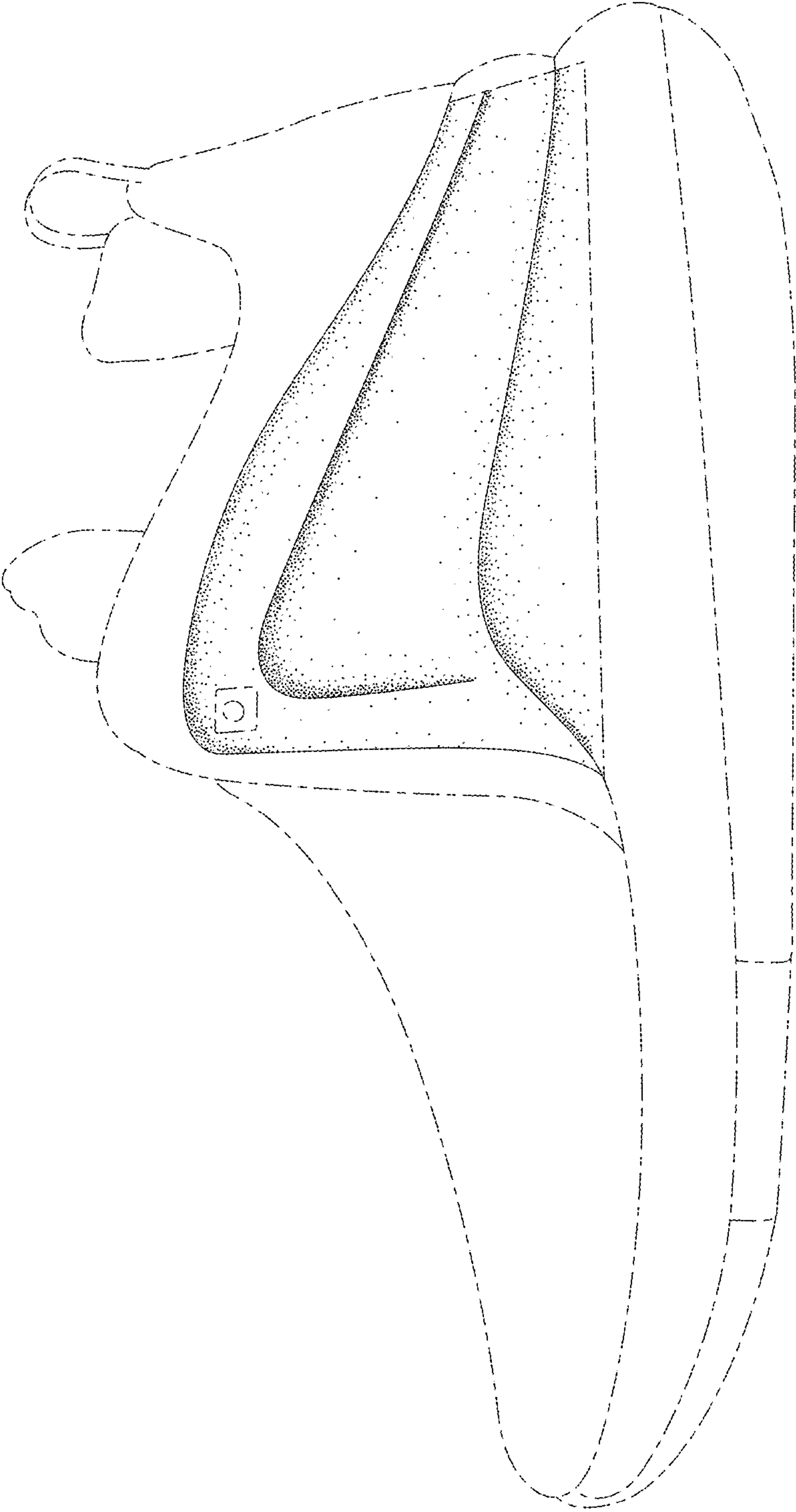


FIG. 2

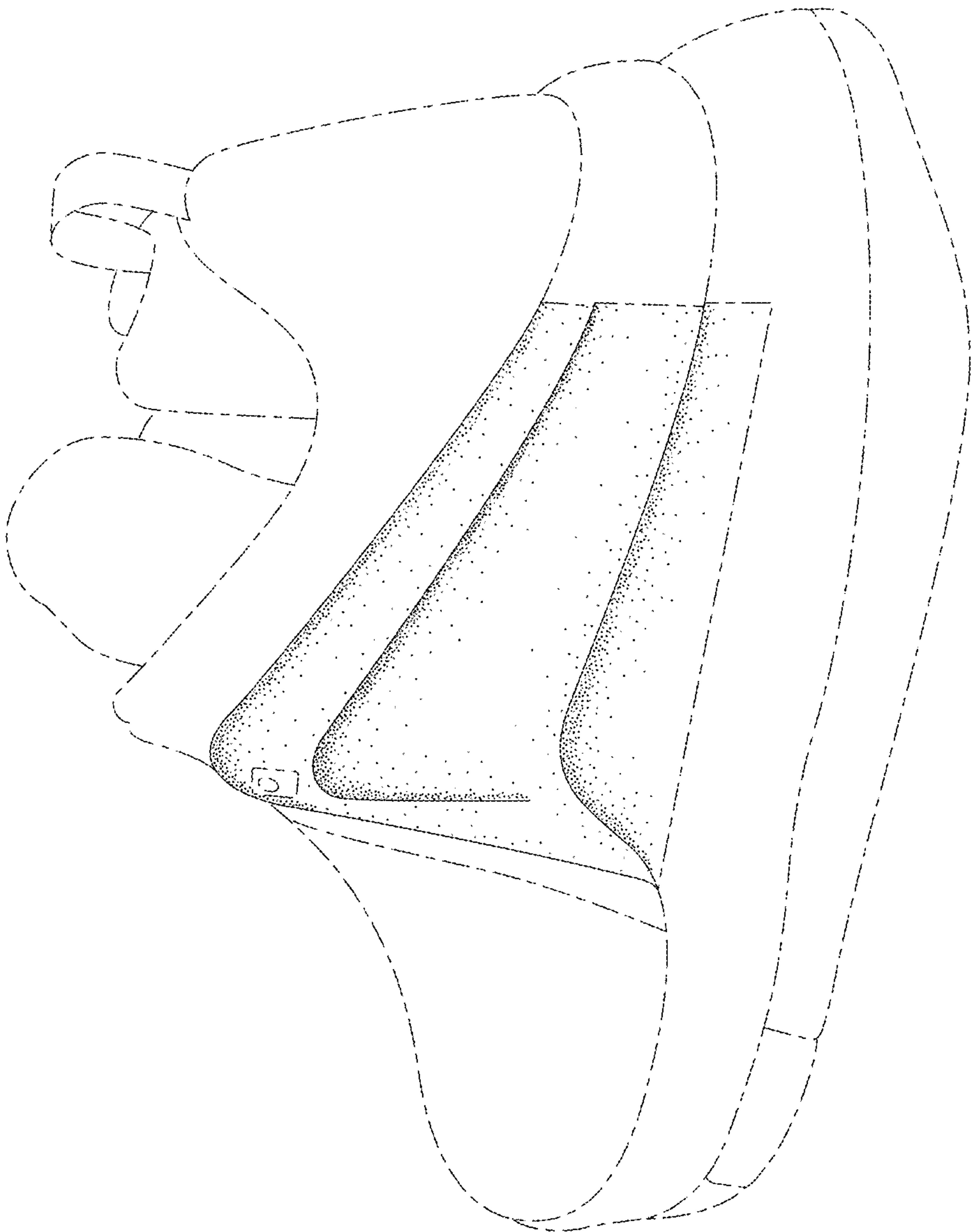


FIG. 3

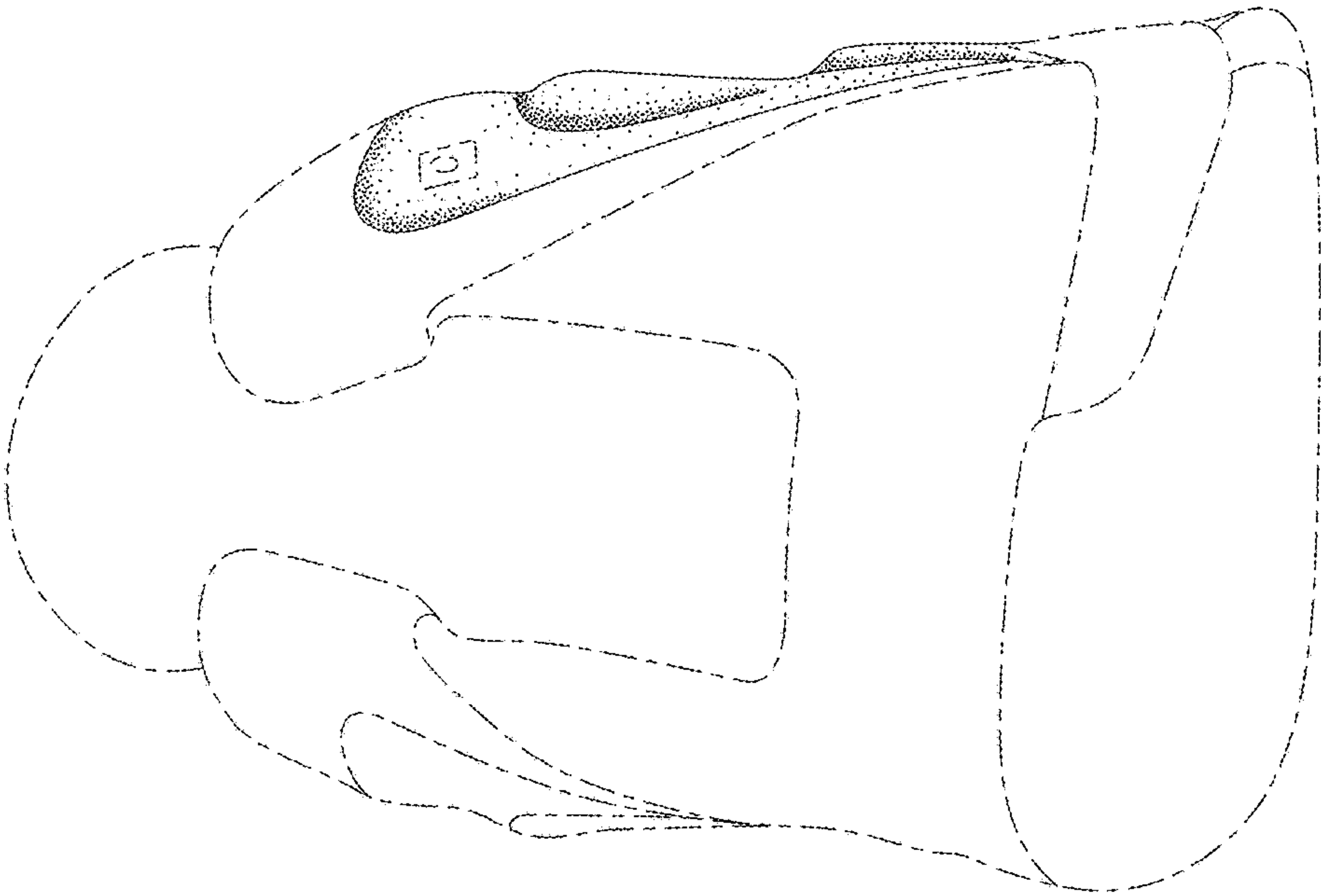


FIG. 4