



US00D790834S

(12) **United States Design Patent** (10) **Patent No.:** **US D790,834 S**
Roulo et al. (45) **Date of Patent:** **** Jul. 4, 2017**

(54) **SHOE UPPER**

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

(72) Inventors: **David J. Roulo**, Portland, OR (US);
Daniel Taylor Rowe, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/549,675**

(22) Filed: **Dec. 28, 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.

D715,530 S * 10/2014 de Montgolfier D2/972
D746,035 S * 12/2015 Bell D2/972
D747,089 S * 1/2016 Bell D2/972
D752,330 S * 3/2016 O'Connor D2/972
D765,378 S * 9/2016 Seamarks D2/972
D770,752 S * 11/2016 McMillan D2/972

OTHER PUBLICATIONS

“PE Spotlight Mariano Rivera’s Nike . . . ,” Nike Air Trainer 1.3 Max Breath pictured therein, as posted by Brennan Hiro Williams at SoleCollector [online] posted on May 10, 2012 [site visited Dec. 16, 2016]. Available on the Internet, <URL: <http://solecollector.com/news/2012/05/pe-spotlight-mariano-rivera-rehabs-in-nike-air-trainer-1-3-max-breathe>>.*

(Continued)

Primary Examiner — Jeffrey D Asch
Assistant Examiner — Rebekah A Caruso
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57) **CLAIM**

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

DESCRIPTION

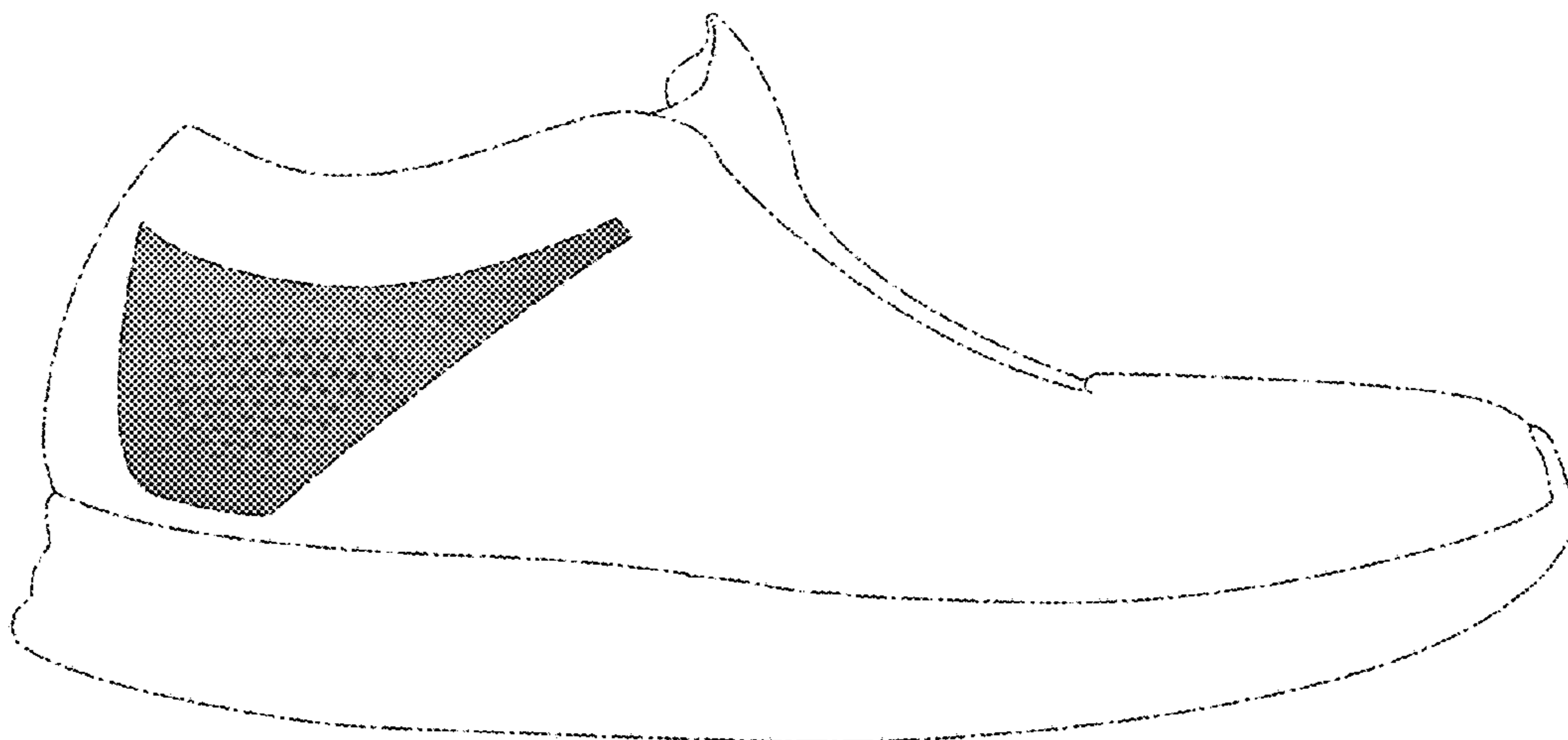
FIG. 1 is a front perspective view of a shoe upper showing our new design;
FIG. 2 is a side view thereof;
FIG. 3 is a rear perspective view thereof; and,
FIG. 4 is an enlarged view of the FIG. 2 side view, shown isolated from the environment.
A grayscale photographic area is shown in the Figures. The broken lines immediately adjacent to the photographic area define the bounds of the claimed design, and form no part thereof. The 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**

U.S. PATENT DOCUMENTS

D523,226 S * 6/2006 Hudson D2/972
D524,028 S * 7/2006 Fullum D2/972
D570,086 S * 6/2008 McDowell D2/969
D597,293 S * 8/2009 Banik D2/969
D598,190 S * 8/2009 Weber D2/969
D624,297 S * 9/2010 Henderson D2/972
D692,225 S 10/2013 Madore
D696,853 S 1/2014 Martin
D701,037 S 3/2014 Ho et al.
D713,633 S * 9/2014 Dolce D2/972



(56)

References Cited

OTHER PUBLICATIONS

“Nike Air Zoom Color Pack,” Nike Air Zoom Pegasus 32 pictured therein, as posted at News.Nike.com [online], posted on Nov. 11, 2015 [site visited Dec. 20, 2016]. Available on the Internet, <URL: <http://news.nike.com/news/nike-air-zoom-color-pack>>.*

Nike Flyknit Racer, as posted at Nike.com [online], posting date not available, [site visited Dec. 21, 2016]. Available on the Internet, <URL: http://www.nike.com/ae/en_gb/launch/c/2016-05/nike-flyknit-racer-rainbow>.*

Nike Footwear Catalog, 2015 Summer Men’s Performance Footwear, p. 5, published Aug. 1, 2014 , NIKE, Inc., USA.

* cited by examiner

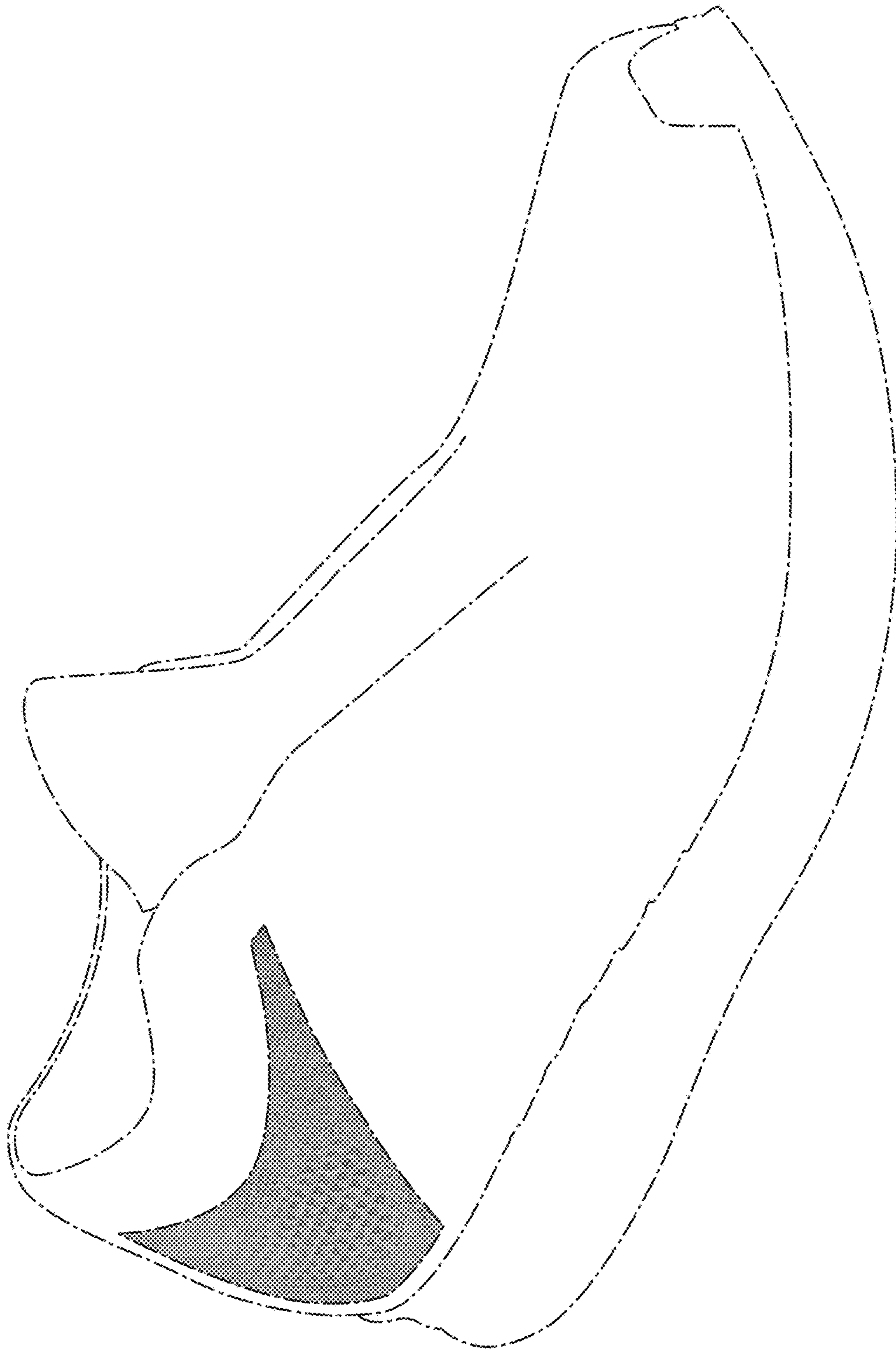


FIG. 1

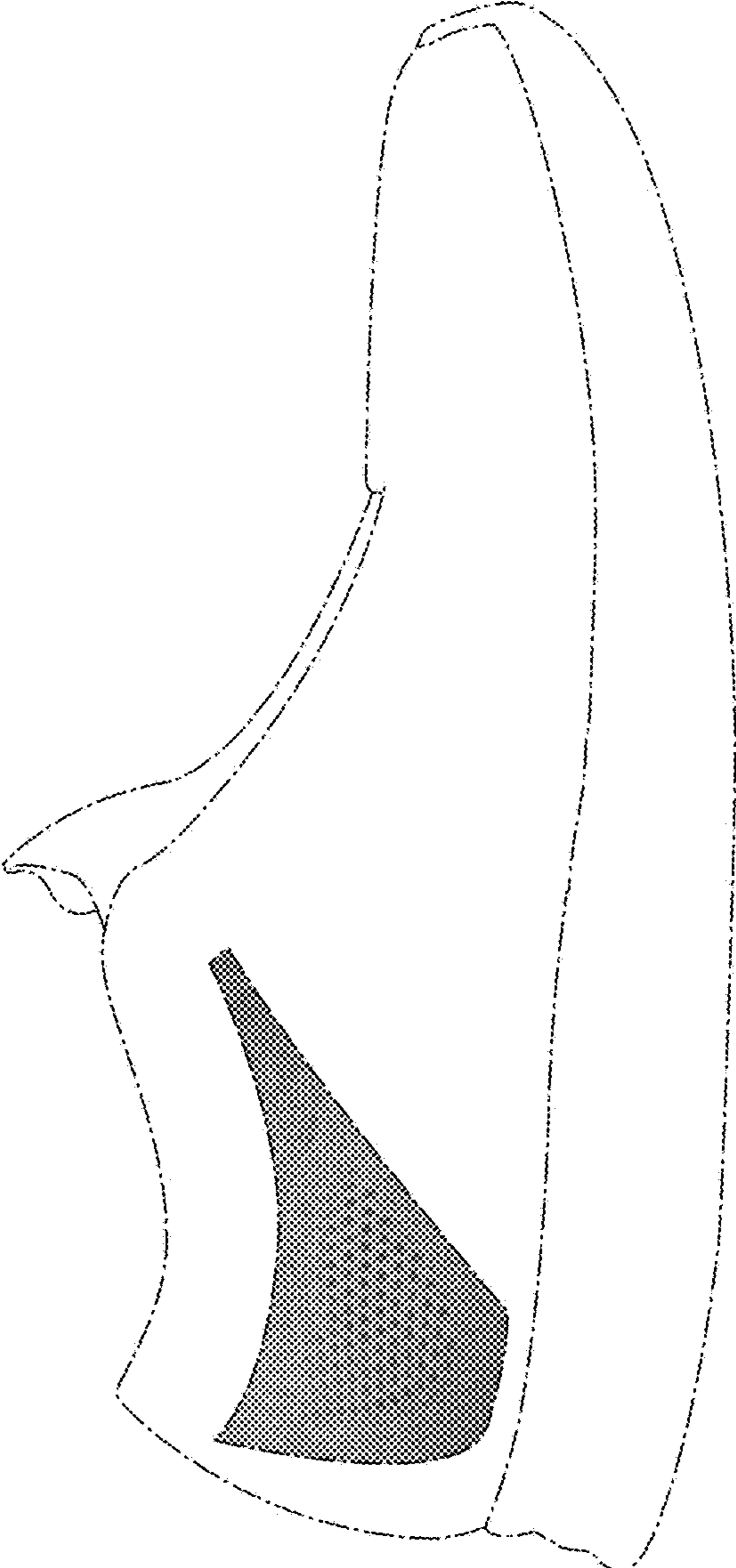


FIG. 2

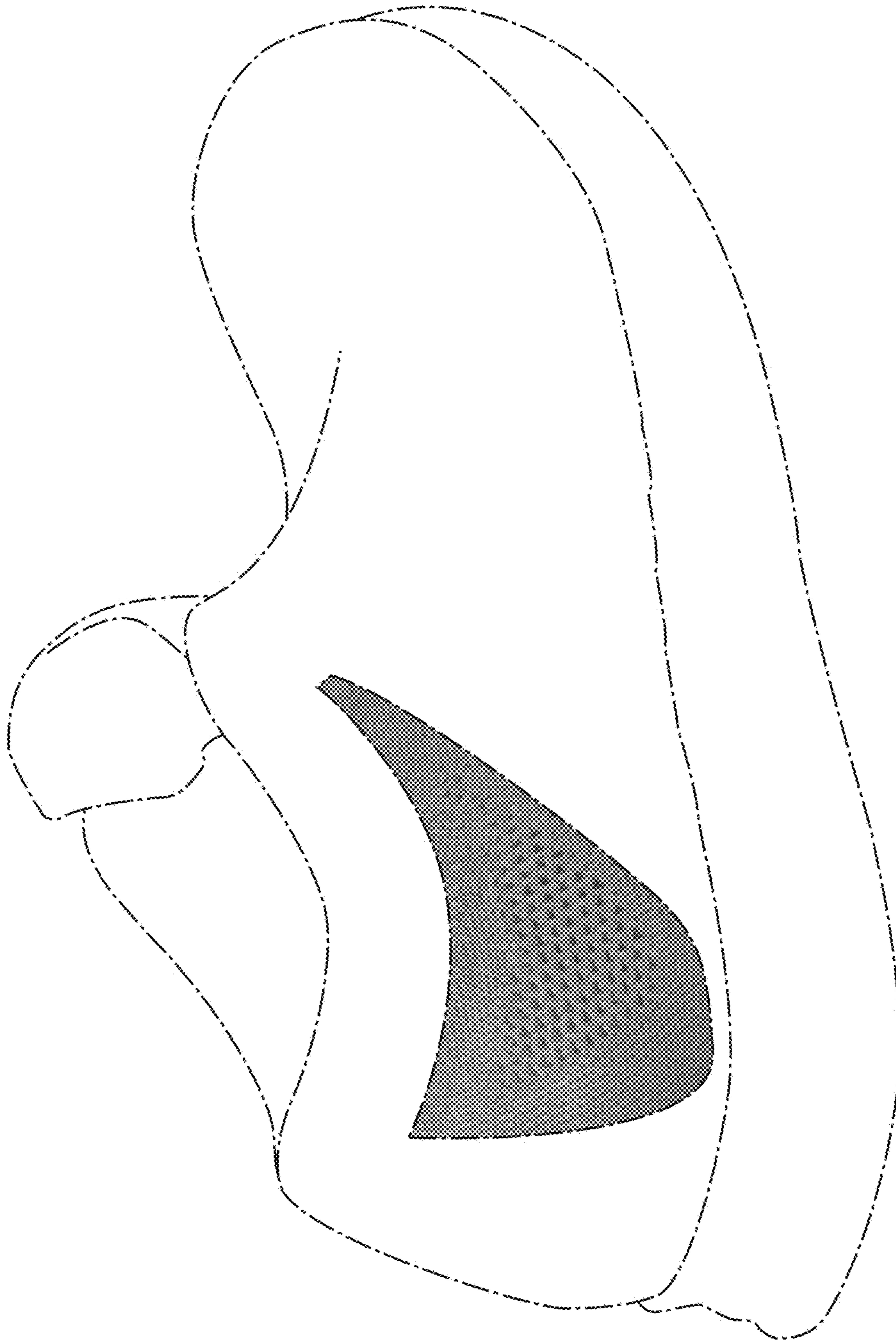


FIG. 3

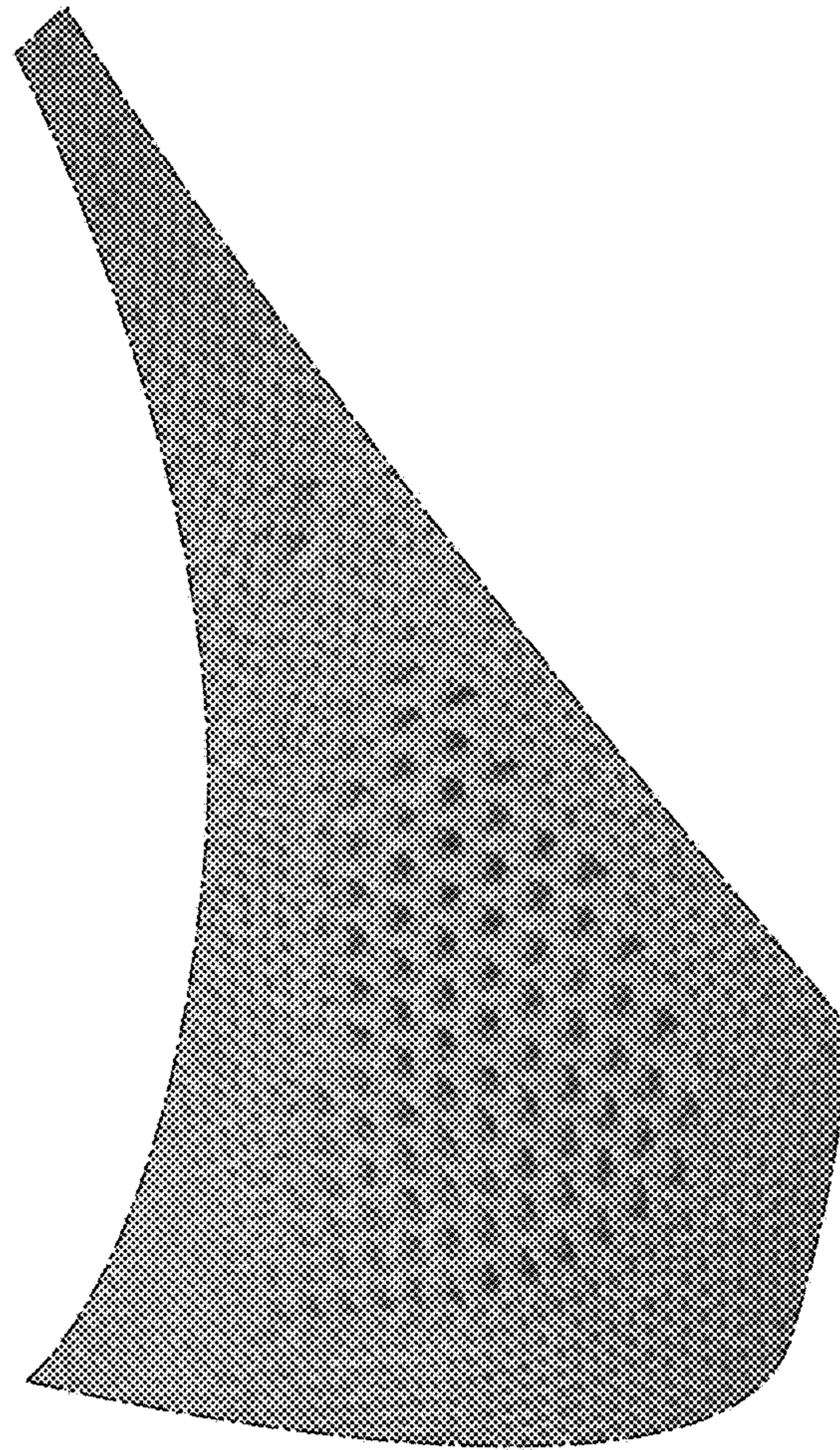


FIG. 4