

(12) United States Design Patent (10) Patent No.: US D792,086 S (45) **Date of Patent:** Jul. 18, 2017 Carboy **

- SHOE UPPER (54)
- Applicant: NIKE, Inc., Beaverton, OR (US) (71)
- Inventor: Shawn Carboy, Portland, OR (US) (72)
- Assignee: NIKE, Inc., Beaverton, OR (US) (73)
- **15 Years** (**)l'erm:

D731,162 S	6/2015	Cin
D747,860 S	1/2016	de Costa Pereira Machado
D765,379 S	9/2016	Woodman

OTHER PUBLICATIONS

Nike SB Hyperfeel Koston 3 XT, as posted at SneakerFreaker.com [online], posted on Oct. 24, 2016 [site visited Mar. 22, 2017]. Available on the Internet, <URL: https://www.sneakerfreaker.com/ sneakers/nike-sb-hyperfeel-koston-3-xt/>.*

"Release Date for the Nike SB Koston 3," Nike SB Koston 3 pictured therein, as posted at KicksOnFire.com [online] posted on Feb. 28, 2016 [site visited Mar. 22, 2017]. Available on the Internet, <URL: https://www.kicksonfire.com/release-date-for-the-nike-sbkoston-3/>.*

- (21) Appl. No.: 29/559,770
- (22)Mar. 31, 2016 Filed: LOC (10) Cl. (51)U.S. Cl. (52)USPC D2/972
- Field of Classification Search (58)USPC D2/902, 906–907, 909–912, 943–946, D2/957–960, 964, 969, 972–974, D2/977–978; D5/47, 54, 63 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; A43B 13/125; A43B 13/186; A43C 3/00; A43C 7/06

See application file for complete search history.

References Cited

(56)

U.S. PATENT DOCUMENTS

(Continued)

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

CLAIM (57)

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 front view thereof; and, FIG. 4 is a top view thereof.

D447,323 S	*	9/2001	Cadet	D2/947
D520,220 S	*	5/2006	Morgan	D2/954
D544,198 S		6/2007	Caine	
D574,604 S	*	8/2008	McMillan	D2/977
D595,047 S	*	6/2009	Petrie	D2/946
D596,836 S		7/2009	Link	
D649,753 S	*	12/2011	Callahan	D2/953
D659,959 S	*	5/2012	Vestuti	D2/946
D663,108 S	*	7/2012	Pulli	D2/947
D722,750 S	*	2/2015	Vella	D2/951

The broken lines immediately adjacent to the shaded 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



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(56) **References Cited**

OTHER PUBLICATIONS

Nike Blazer High Suede VNTG-Spring 2011 Colorways Available [online], [retrieved Dec. 22, 2016] retrieved from internet <URL: <http://sneakernews.com/2011/01/13/nike-blazer-high-suede-vntgspring-2011-colorways-available/>; 8 color sheets, Dated Jan. 13, 2011.

Nike SB Zoom Koston 1—Jun. 2011 Releases [online], [retrieved Dec. 22, 2016] retrieved from internet <URL: http://sneakernews.com/2011/05/27/nike-sb-zoom-koston-1-june-2011-releases/; 3

color sheets, Dated May 27, 2011.

Built Koston Tough: The Nike Koston 2 [online], [retrieved Dec. 22, 2016] retrieved from internet <URL: http://news.nike.com/news/built-koston-tough-the-nike-koston-2/; 6 color sheets, Dated Mar. 21, 2013.

Nike Hypervenom II Remixed for the Small-Sided Game [online], [retrieved Dec. 22, 2016] retrieved from internet <URL: <http:// news.nike.com/news/hypervenomx-joins-the-nikefootballx-lineup/ >; 8 color sheets, Dated Jun. 5, 2015.

Nike Koston 3 Flips the Script on Skate Footwear [online], [retrieved Dec. 22, 2016] retrieved from internet <URL: <http:// news.nike.com/news/nike-koston-3-flips-the-script-on-skate-footwear/>; 7 color sheets, Dated Feb. 27, 2016.

* cited by examiner

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