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

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(54) **SHOE UPPER**

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

(72) Inventor: **Patrick B. Kirschner**, Beaverton, OR (US)

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

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

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

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D2/923–927, 929–930, 939, 942–946,
D2/964–965, 969, 971–975, 977–978
CPC A43B 1/04; A43B 3/0078; A43B 3/06;
A43B 3/10; A43B 3/12; A43B 3/126;
A43B 3/24; A43B 5/00; A43B 5/04;
A43B 5/06; A43B 5/10; A43B 9/00;
A43B 11/00; A43B 23/00; A43B
23/0205; A43B 23/0245; A43B 23/025;
A43B 23/04; A43B 23/24; A43B 23/25;
A43B 23/26

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D92,737 S * 7/1934 Miller D2/935
- 6,052,921 A * 4/2000 Oreck A43C 1/00
36/50.1
- D432,776 S * 10/2000 McDowell D2/972
- D440,392 S * 4/2001 Neely D2/972
- D440,759 S * 4/2001 Zebe, Jr. D2/973
- D468,520 S * 1/2003 Holmes D2/972
- 6,754,983 B2 * 6/2004 Hatfield A43B 3/163
36/101
- D513,554 S * 1/2006 Matis D2/969

- D517,299 S * 3/2006 Drury D2/969
- D523,217 S * 6/2006 Matis D2/969
- D532,194 S * 11/2006 Cessor D2/972
- D562,533 S * 2/2008 Keen D2/896
- D632,882 S * 2/2011 O'Rorke D2/969
- D633,701 S * 3/2011 O'Rorke D2/969
- D646,878 S * 10/2011 Huynh D2/972
- D646,882 S * 10/2011 Huynh D2/972
- 8,935,861 B2 * 1/2015 Baker A43B 1/0018
36/128

(Continued)

OTHER PUBLICATIONS

Sandal with bands | posted at importecerto.com No posting date given. Copyright by Importe Certo 2013/2014 [online][site visited Mar. 26, 2017]. Available from Internet: <<http://www.importecerto.com.br/sandalia-importada-com-com-tiras-plataforma-salto-alto-ideal-para-festa-1078.html>>.*

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Primary Examiner — Karen Kearney
Assistant Examiner — Katherine Glennon
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

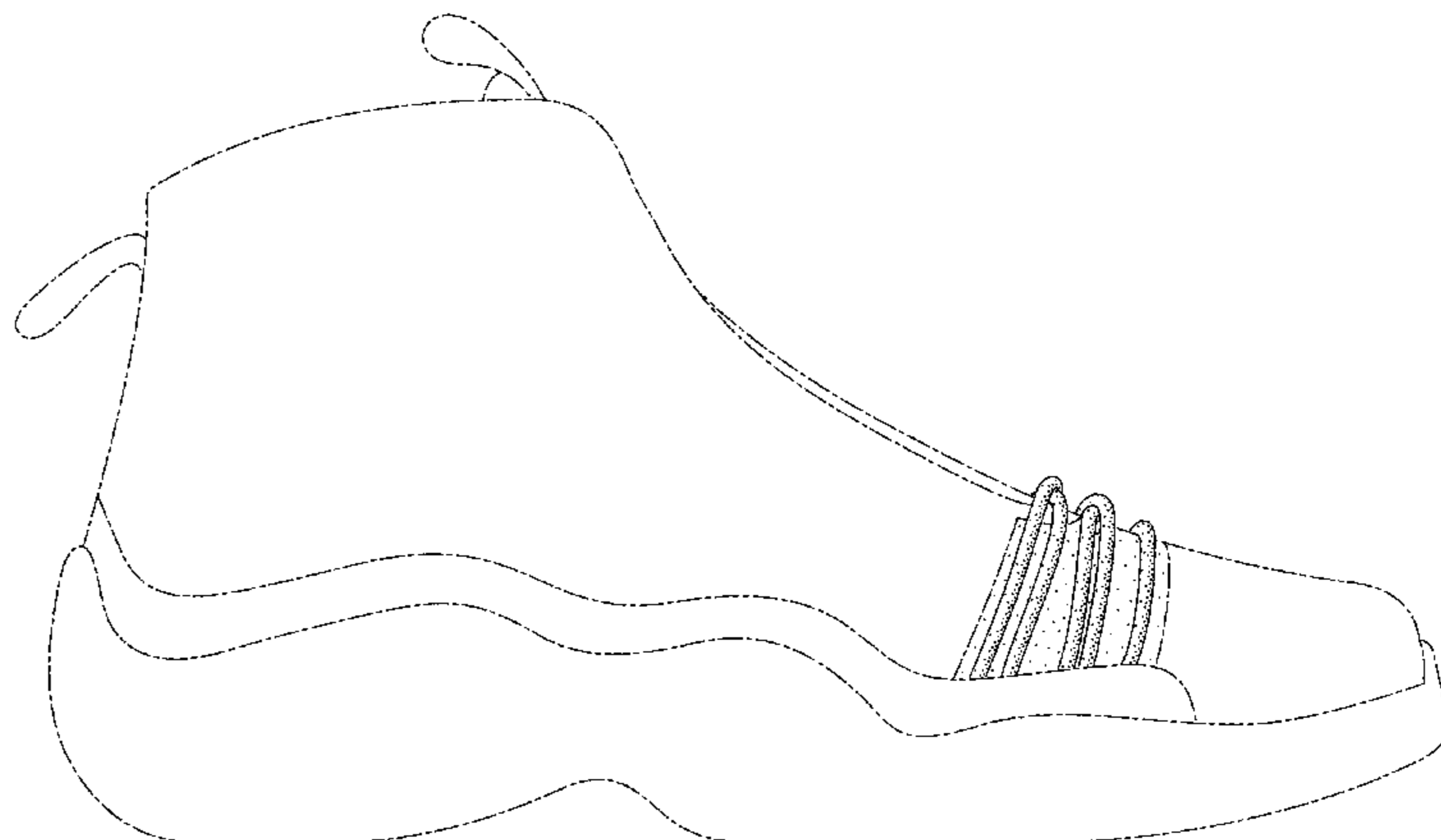
(57) **CLAIM**

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 an opposite side view thereof;
FIG. 4 is a top view thereof; and,
FIG. 5 is a second front perspective view thereof.
The broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the 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, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

9,078,488 B1 * 7/2015 Meir A43B 1/04
D746,570 S * 1/2016 Raasch D2/969
D778,584 S * 2/2017 Kanata D2/972
2009/0229144 A1 * 9/2009 Sussman A43B 3/24
36/97
2012/0180340 A1 * 7/2012 Crowley, II A43B 1/0009
36/103
2014/0020192 A1 * 1/2014 Jones A43B 13/14
12/146 B

OTHER PUBLICATIONS

Nike Air Shibusa [online], [retrieved Nov. 28, 2016], Retrieved from Internet <URL: <https://www.sportchek.ca/categories/men/footwear/casual/casual/product/nike-air-shibusa-mens-casual-shoes-332071756.html>>; 1 color sheet, Date unknown but at least as early as Nov. 16, 2015.

* cited by examiner

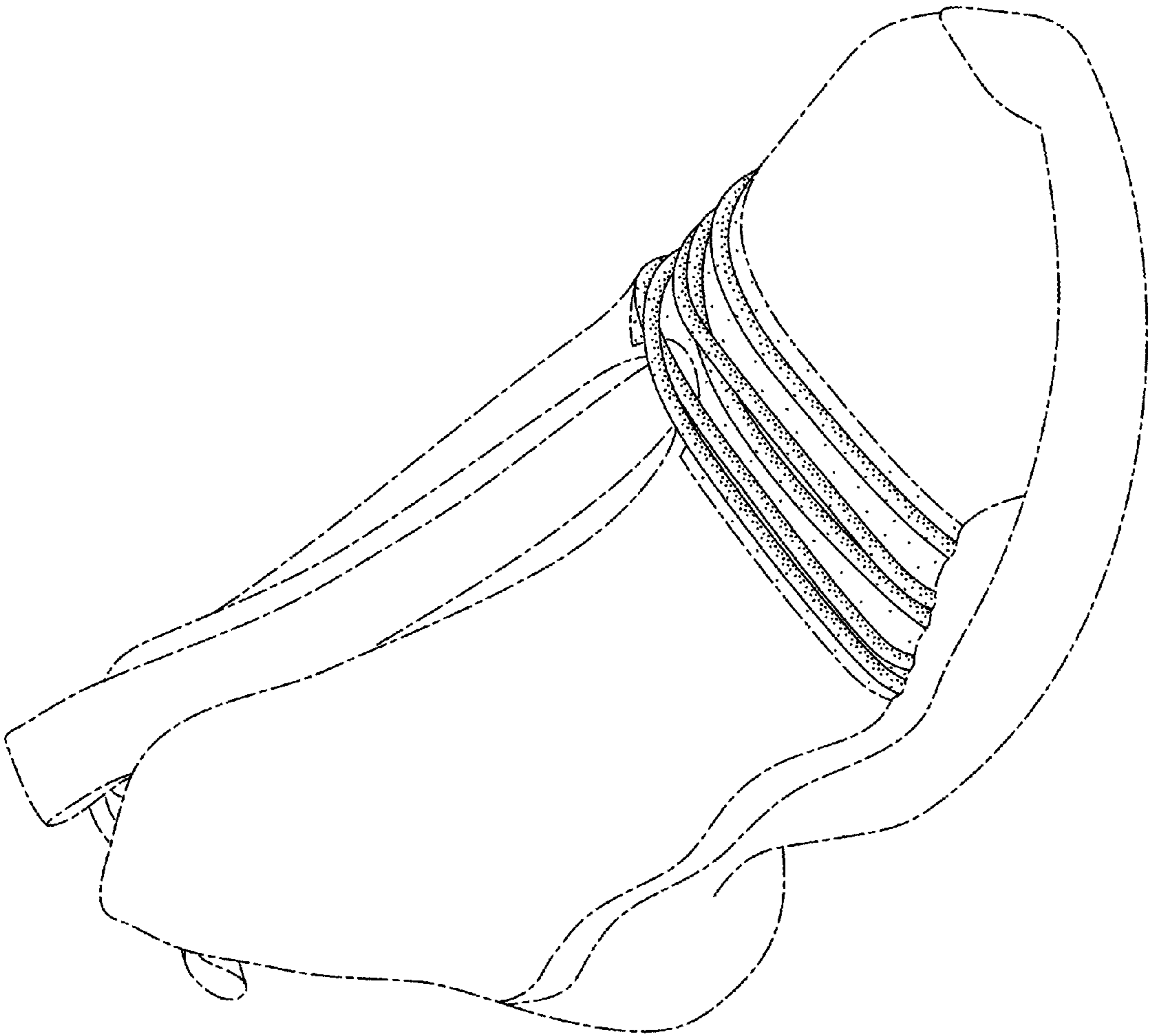


FIG. 1

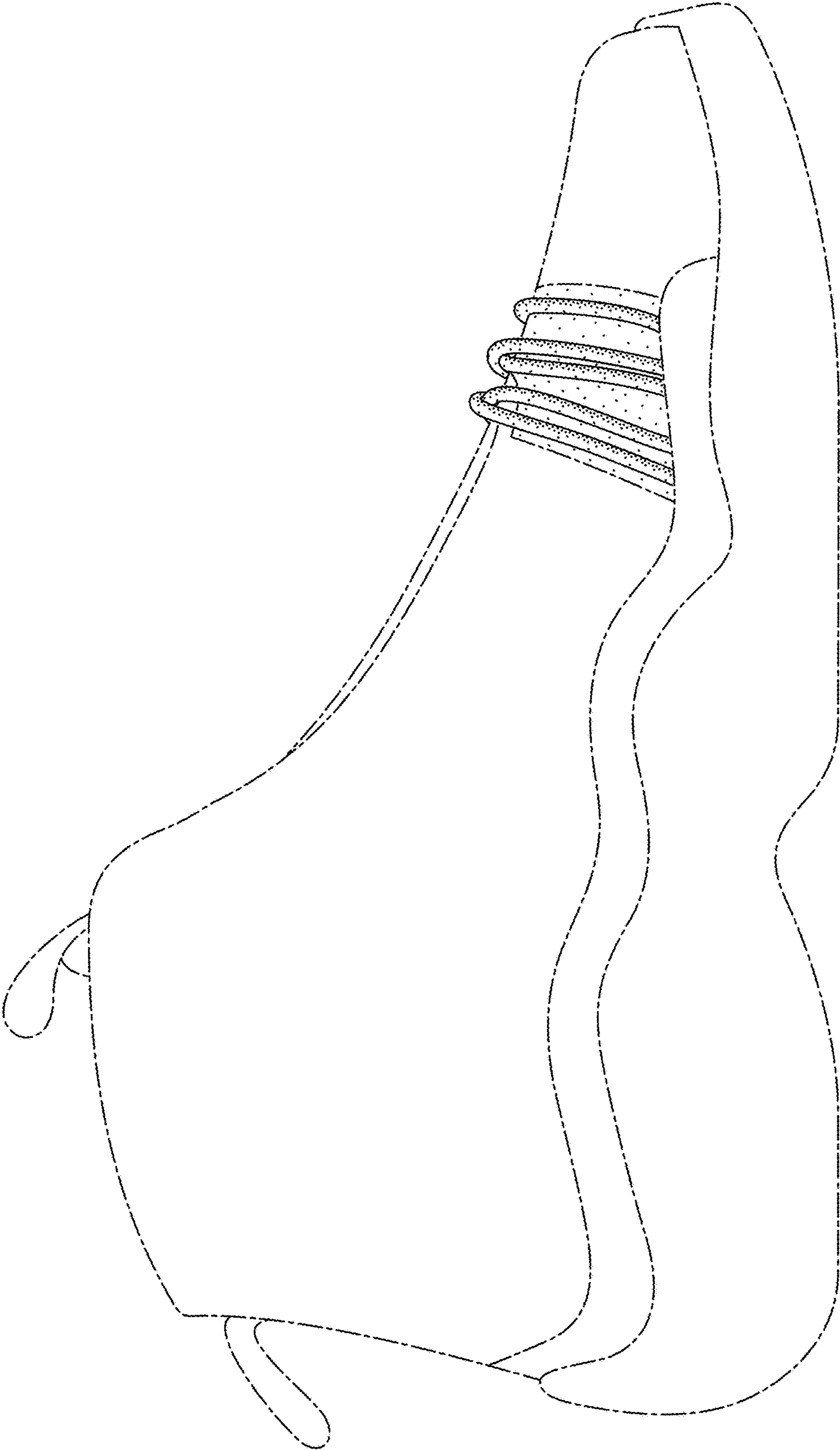


FIG. 2

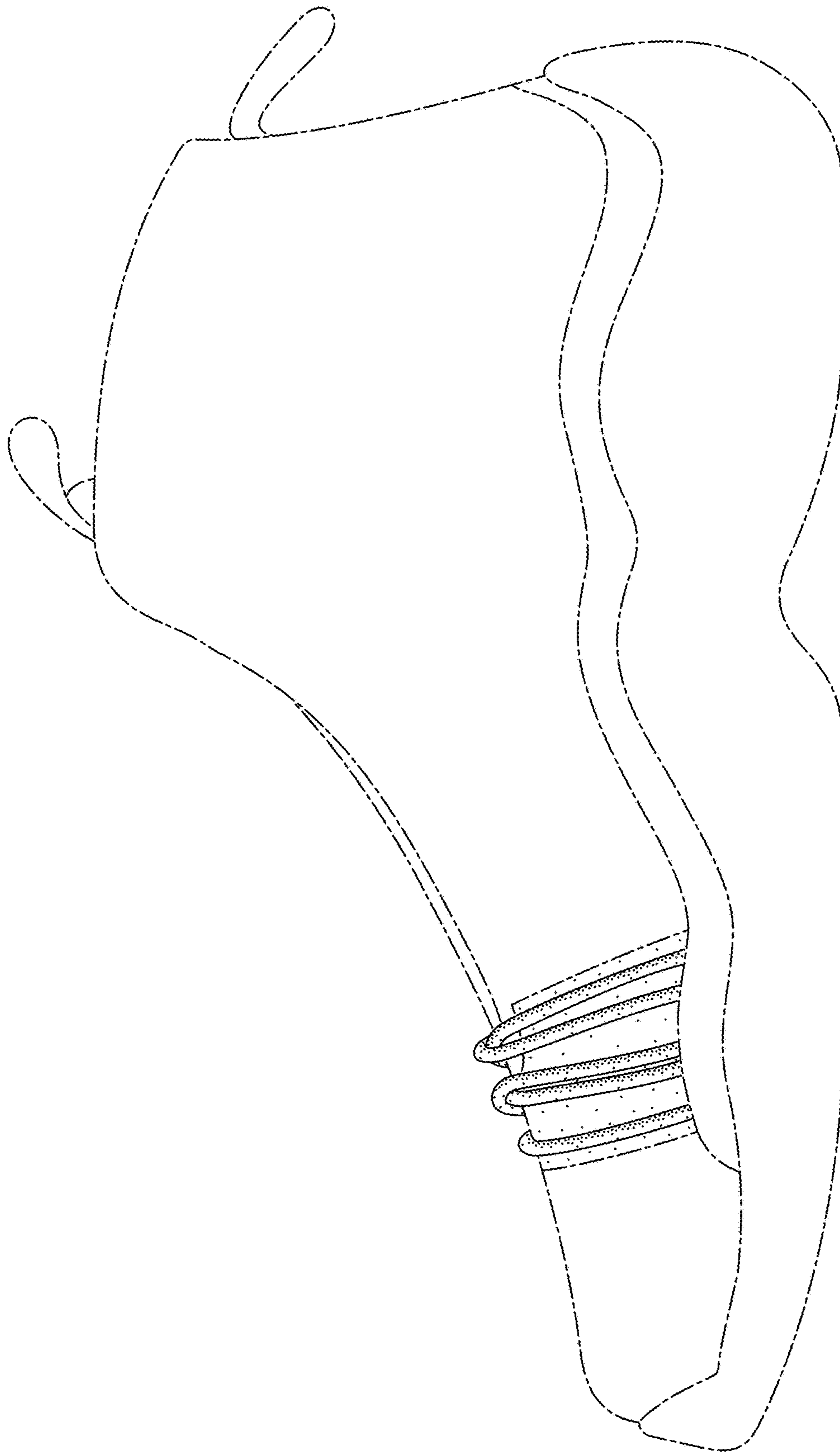


FIG. 3

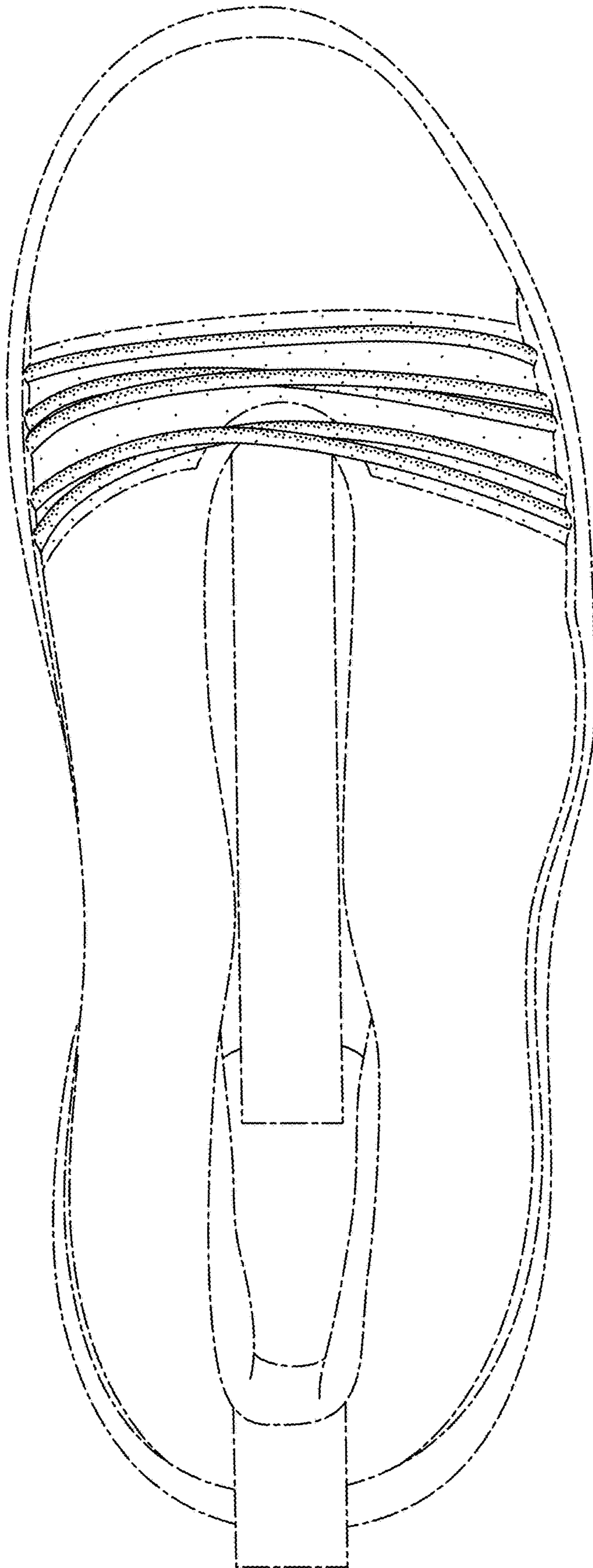


FIG. 4

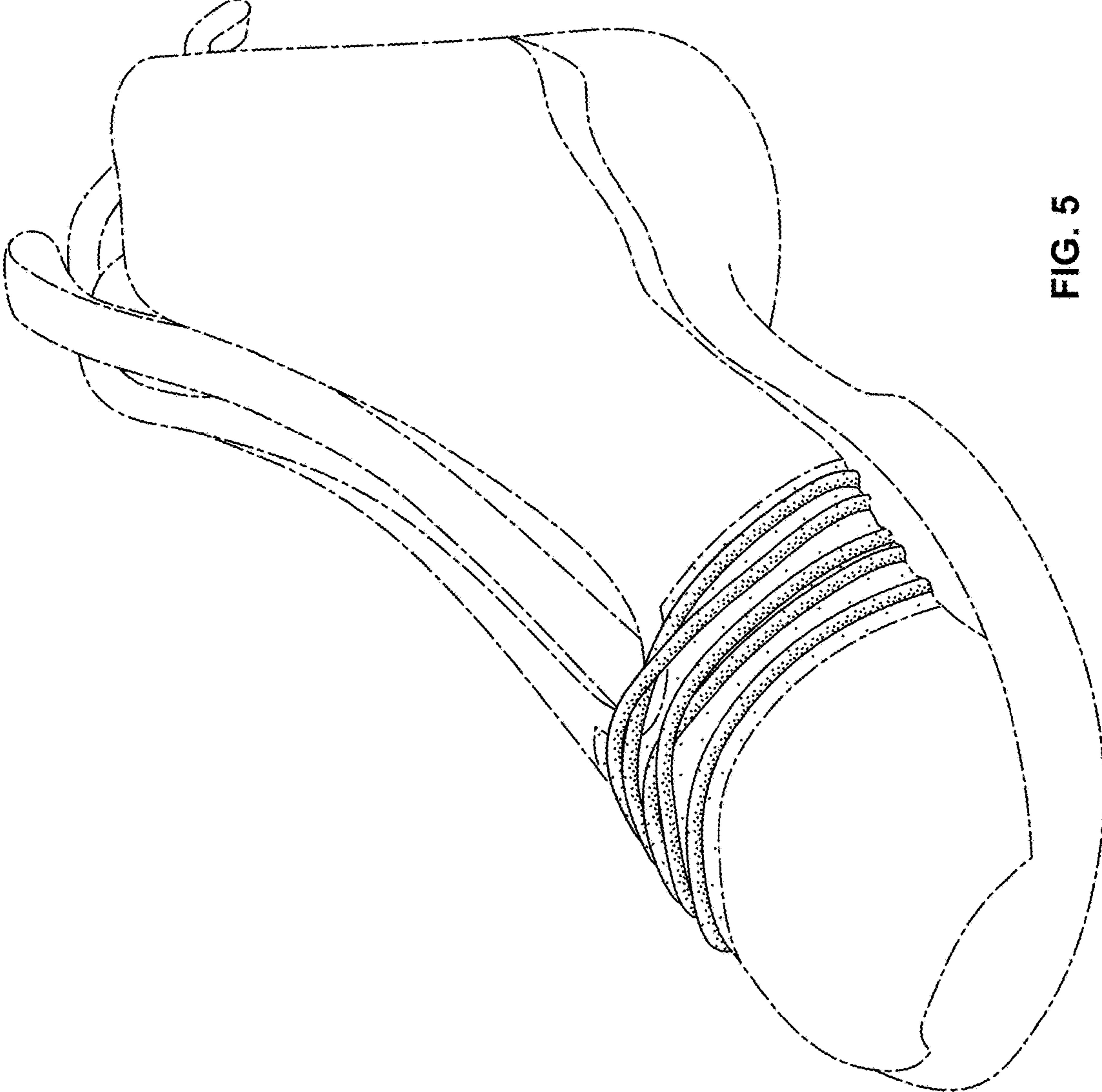


FIG. 5