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(12) **United States Design Patent** (10) **Patent No.:** **US D793,045 S**
Desphy (45) **Date of Patent:** **** Aug. 1, 2017**

- (54) **SHOE UPPER**
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- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/550,238**
- (22) Filed: **Dec. 31, 2015**
- (51) **LOC (10) Cl.** **02-04**
- (52) **U.S. Cl.**
USPC **D2/946; D2/972**
- (58) **Field of Classification Search**
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D2/925–942, 943–946, 957–960, 964,
D2/969, 970–974; D5/47, 54, 63
CPC ... A43B 3/0047; A43B 3/0052; A43B 3/0057;
A43B 3/0063; A43B 3/0068; A43B
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13/186; A43B 21/00; A43B 21/02; A43B
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7/06
See application file for complete search history.

- 5,974,591 A * 11/1999 Leslie A62B 17/001
2/227
 - D447,319 S * 9/2001 Yang D2/897
 - D466,683 S * 12/2002 Chen D2/907
 - D489,516 S * 5/2004 Gebhardt D2/898
 - D533,985 S * 12/2006 Belley D2/969
 - D579,186 S * 10/2008 Mervar D2/969
 - D628,776 S * 12/2010 Cofinco D2/908
 - D634,540 S * 3/2011 Lion D3/226
 - D637,385 S * 5/2011 Spring D2/911
 - D638,213 S * 5/2011 Funck D2/910
 - D654,668 S * 2/2012 Van Zyll De Jong D2/900
- (Continued)

OTHER PUBLICATIONS

Here Are the Official Images of the Riccardo Tisci x NikeLab Dunk Lux High, Nike Dunk Lux High pictured therein, as posted at Complex.com [online], posted on Feb. 4, 2016 [site visited Feb. 27, 2017]. Available on the Internet, <URL: <http://www.complex.com/sneakers/2016/02/riccardo-tisci-nikelab-dunk-lux-high>>.*

(Continued)

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(57) **CLAIM**

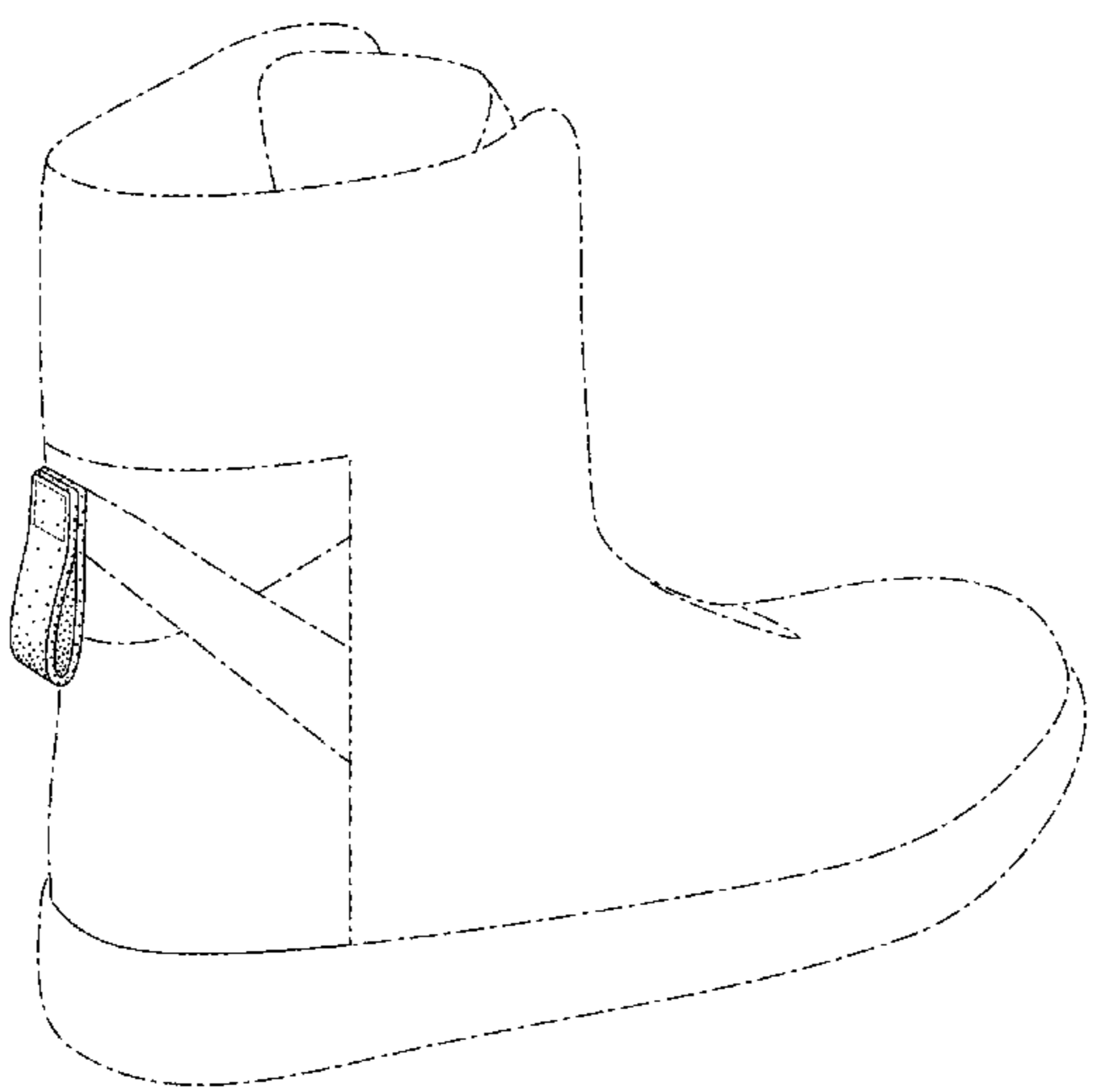
The ornamental design for a shoe upper, as shown and described.

DESCRIPTION

FIG. 1 is a first rear perspective view of a shoe upper showing my new design;
FIG. 2 is a rear view thereof; and,
FIG. 3 is a second rear perspective view thereof.
The even-length broken line showing in a rectangular shape represents stitching. 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
- D178,902 S * 10/1956 Reiman D24/190
- D199,558 S * 11/1964 Cohn D2/912
- D379,031 S * 5/1997 Hatfield D2/969
- D382,106 S * 8/1997 Hillestad D3/215
- D382,992 S * 9/1997 Chiu D2/912
- D385,991 S * 11/1997 Brooks D2/909
- 5,868,594 A * 2/1999 Vukelic B63B 35/812
441/70



(56)

References Cited

U.S. PATENT DOCUMENTS

D672,944 S * 12/2012 Gavitt D2/910
D677,871 S * 3/2013 Portzline D2/911
D686,815 S * 7/2013 Lam D2/912
D701,377 S * 3/2014 Spring D2/912
D704,426 S * 5/2014 Dillenbeck D2/970
D737,041 S * 8/2015 Raasch D2/972
D743,152 S * 11/2015 Toliver D2/944
D766,564 S * 9/2016 Radabaugh D2/970
D768,974 S * 10/2016 MacIntyre D2/970
D769,586 S * 10/2016 Buscemi D2/902
D769,599 S * 10/2016 White D2/911

OTHER PUBLICATIONS

NikeLab Dunk Lux High, as posted at SneakerNew.com [online], posted on Feb. 6, 2016 [site visited Feb. 27, 2017]. Available on the Internet, <URL: <http://sneakernews.com/2015/02/06/nikelab-dunk-lux-high/>>.*

Nike Dunk Sky Hi White-Cool grey, as posted at SneakerNews.com, posted on Dec. 14, 2013 [site visited Feb. 25, 2017]. Available on the Internet, <URL: <http://sneakernews.com/2013/12/14/nike-dunk-sky-hi-white-cool-grey/>>.*

Nike X Undercover Dunk Sky Hi Collection [online], [retrieved Nov. 3, 2016], Retrieved from Internet <URL: <http://news.nike.com/news/nike-x-undercover-dunk-sky-hi-collection/>>; 13 color sheets, Dated Oct. 20, 2014.

Nike Dunk High Coffin Halloween Heat Continues [online], [retrieved Nov. 3, 2016], Retrieved from Internet <URL: <http://www.nikeblog.com/2015/10/28/nike-dunk-high-coffin-halloween-heat-continues/>>; 3 color sheets, Dated Oct. 28, 2015.

* cited by examiner

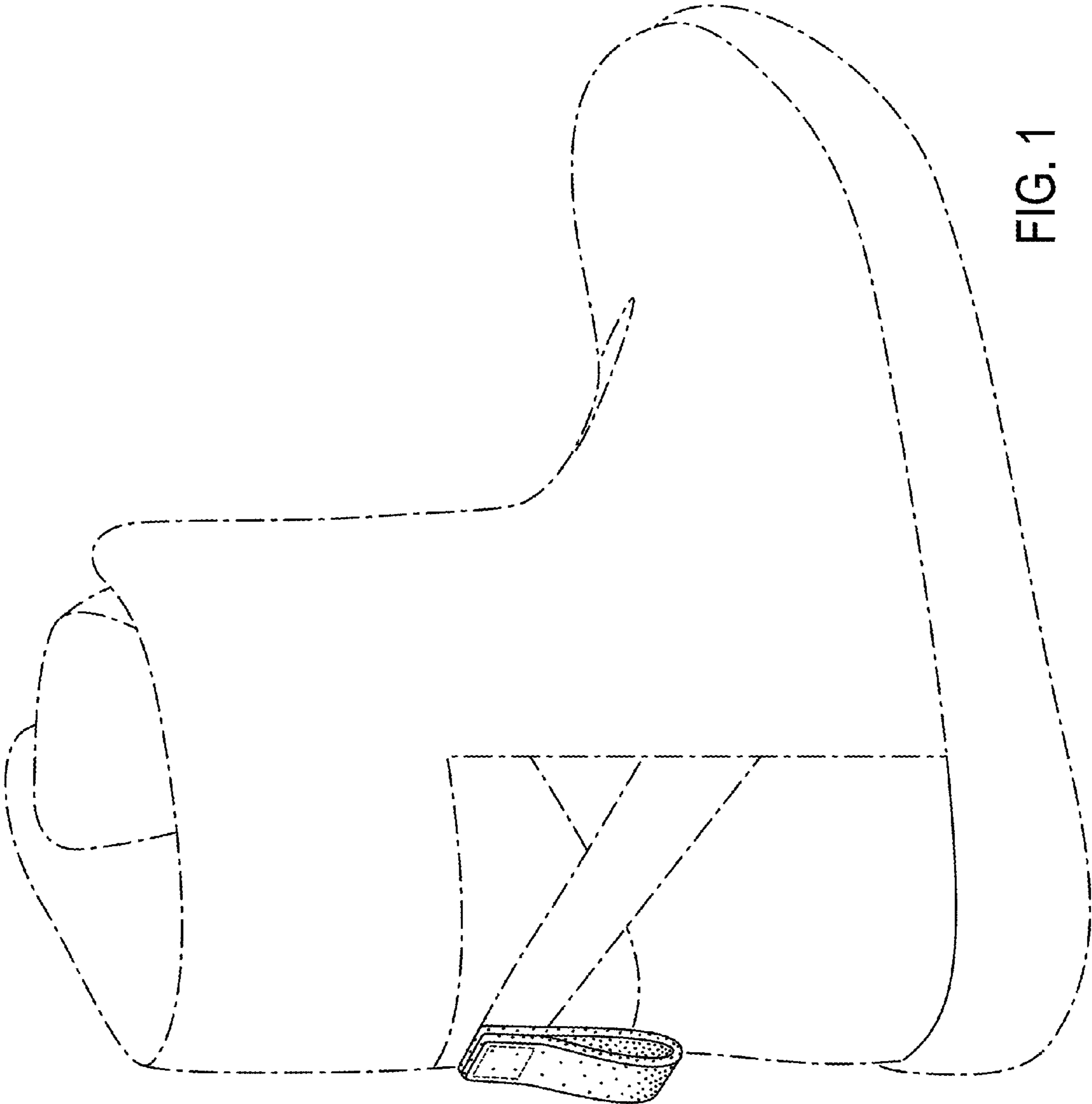


FIG. 1

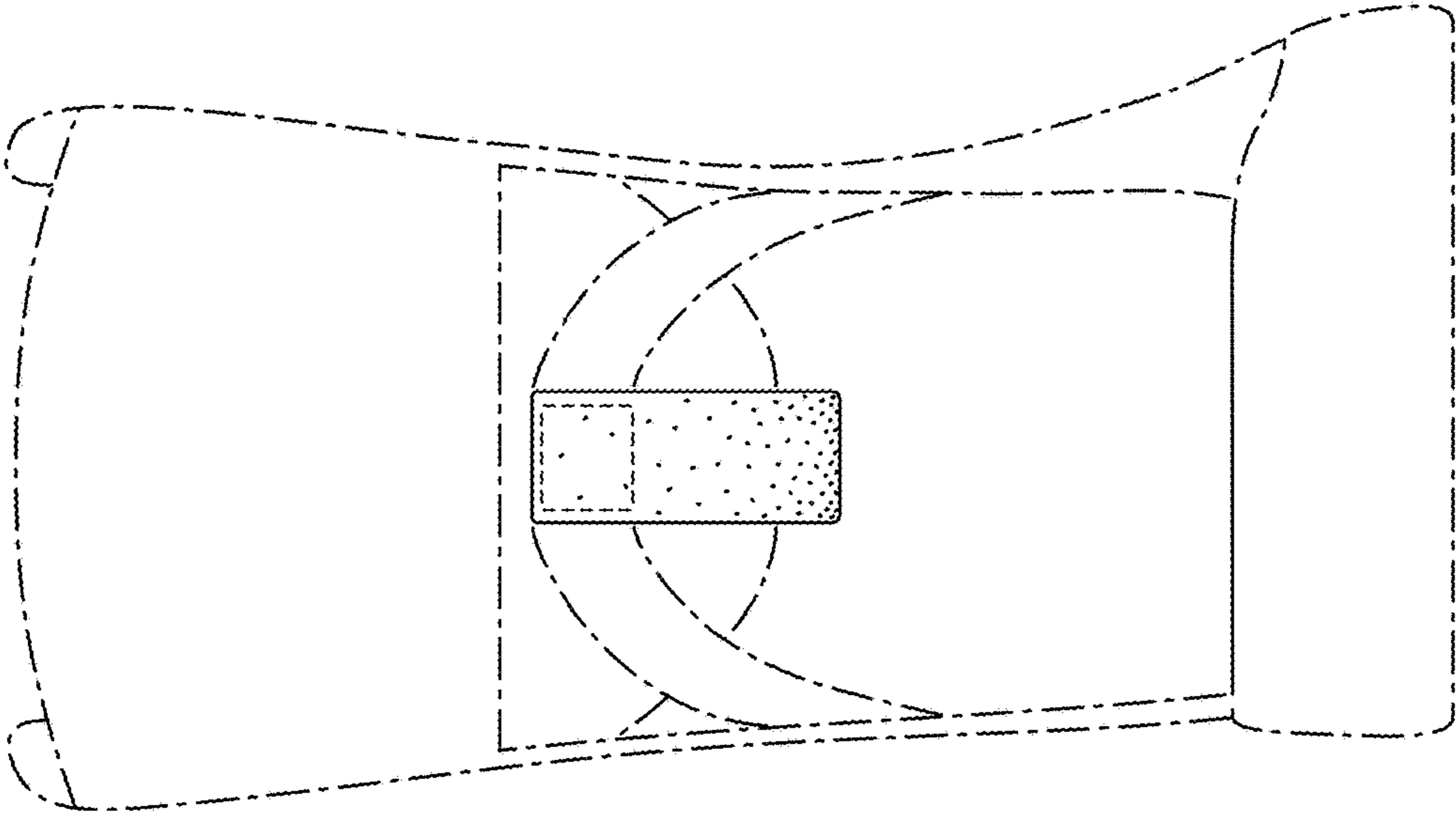


FIG. 2

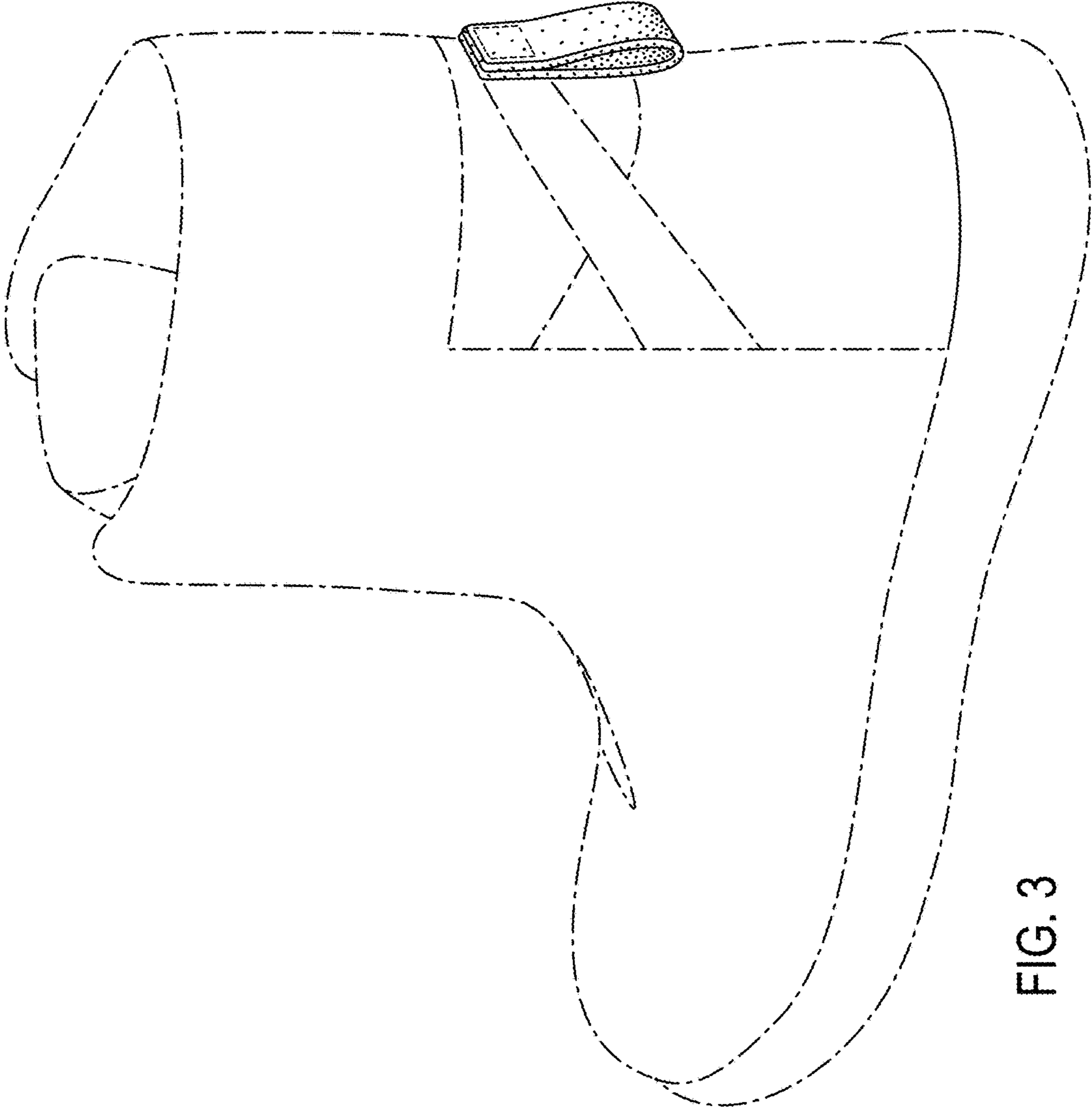


FIG. 3