



US00D793068S

(12) **United States Design Patent** (10) **Patent No.:** **US D793,068 S**
Nethongkome (45) **Date of Patent:** **** Aug. 1, 2017**

(54) **SHOE UPPER**
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
(72) Inventor: **Benjamin Nethongkome**, Beaverton, OR (US)
(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**

D636,591 S 4/2011 Miner
D648,110 S 11/2011 Rasmussen
D649,763 S * 12/2011 Chang D2/972
D683,127 S * 5/2013 Parrett D2/972
D693,104 S 11/2013 McMillan
D713,632 S 9/2014 da Costa Pereira Machado
D718,036 S 11/2014 McMillan
D738,095 S 9/2015 McMillan
D740,538 S 10/2015 Roulo
D750,882 S 3/2016 Carboy
D770,749 S 11/2016 Paz et al.

(21) Appl. No.: **29/569,332**
(22) Filed: **Jun. 27, 2016**
(51) **LOC (10) Cl.** **02-04**
(52) **U.S. Cl.**
USPC **D2/972**
(58) **Field of Classification Search**
USPC D2/896, 898, 900, 903, 907, 919-923,
D2/942, 945, 951, 969, 972-975
CPC A43B 3/00; A43B 3/14; A43B 3/16; A43B
3/10
See application file for complete search history.

OTHER PUBLICATIONS

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.

(Continued)

Primary Examiner — Holly Baynham
Assistant Examiner — Rashida C Walshon
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D457,296 S 5/2002 Burt
D498,583 S * 11/2004 Yun A43B 7/085
D2/972
D525,420 S * 7/2006 Cass D2/972
D568,039 S * 5/2008 Kuerbis D2/972
D572,452 S * 7/2008 Kuerbis D2/969
D573,337 S * 7/2008 McMillan D2/972
D578,294 S * 10/2008 Mervar D2/969
D586,999 S * 2/2009 Avar D2/972
D587,000 S * 2/2009 Avar D2/972
D587,001 S * 2/2009 Jarvis D2/972
D595,499 S * 7/2009 Dekovic D2/972
D614,389 S * 4/2010 Petrie D2/972

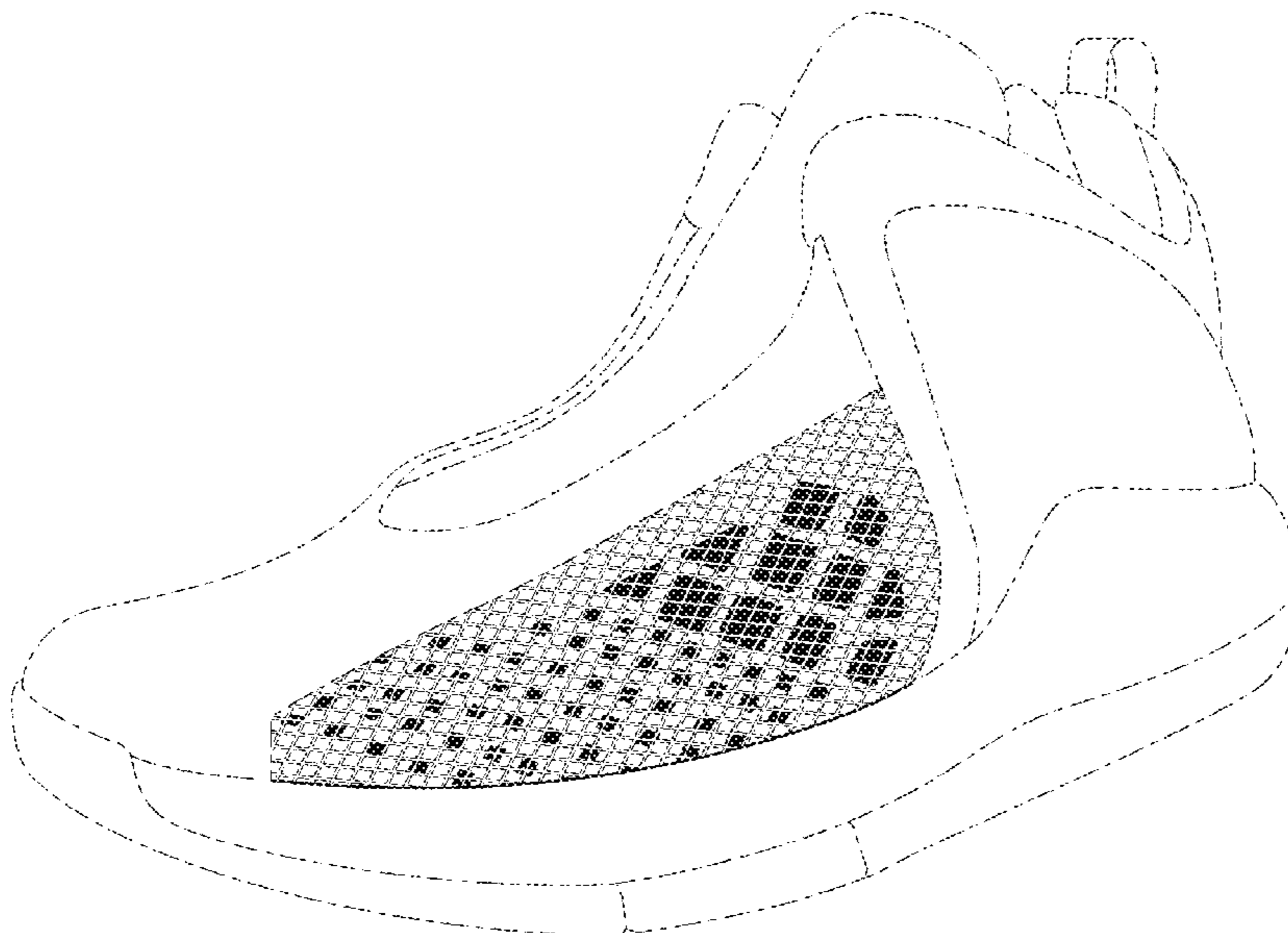
(57) **CLAIM**

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; and,
FIG. 3 is a rear 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 represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

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.

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.

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

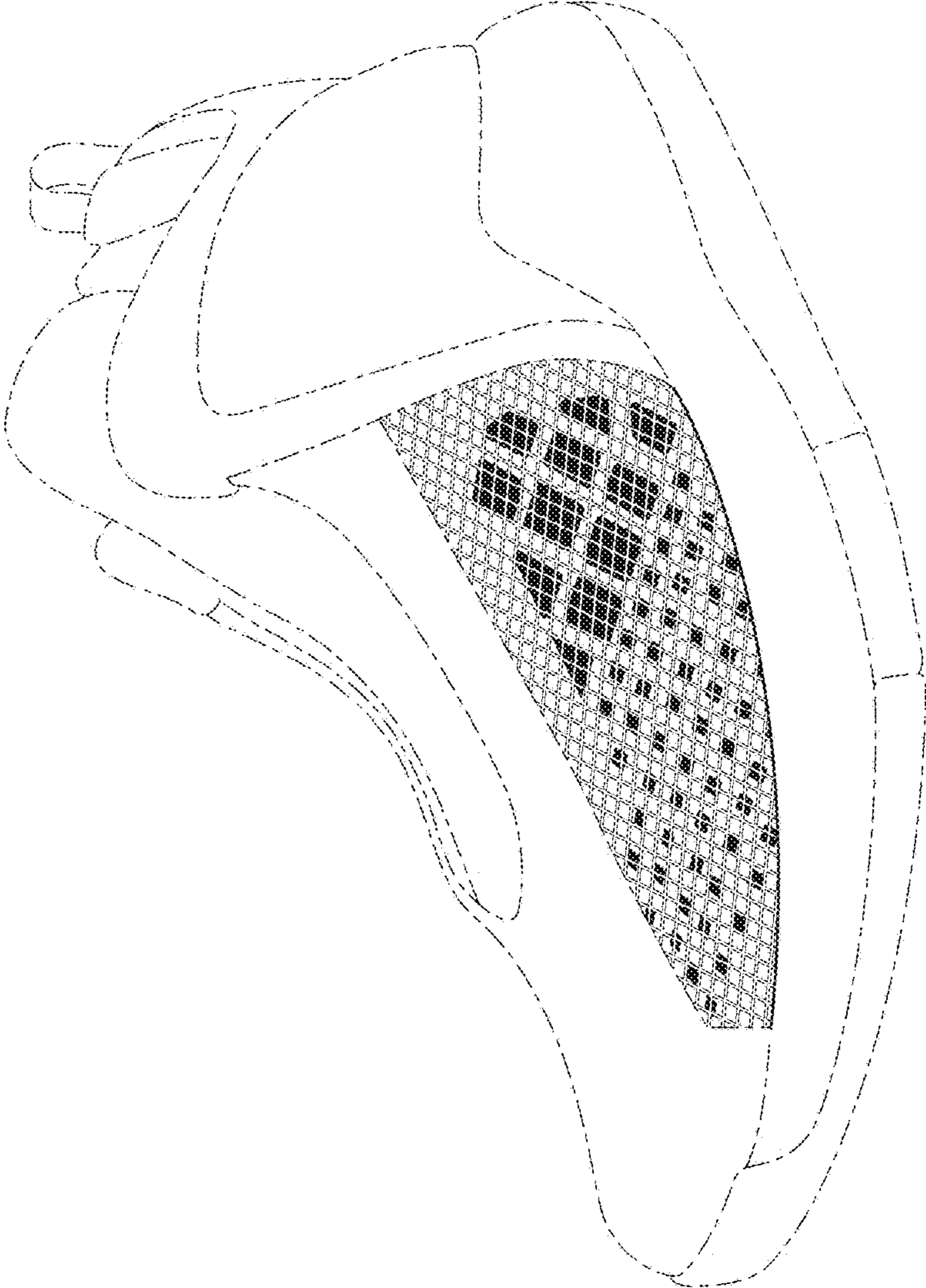


FIG. 1

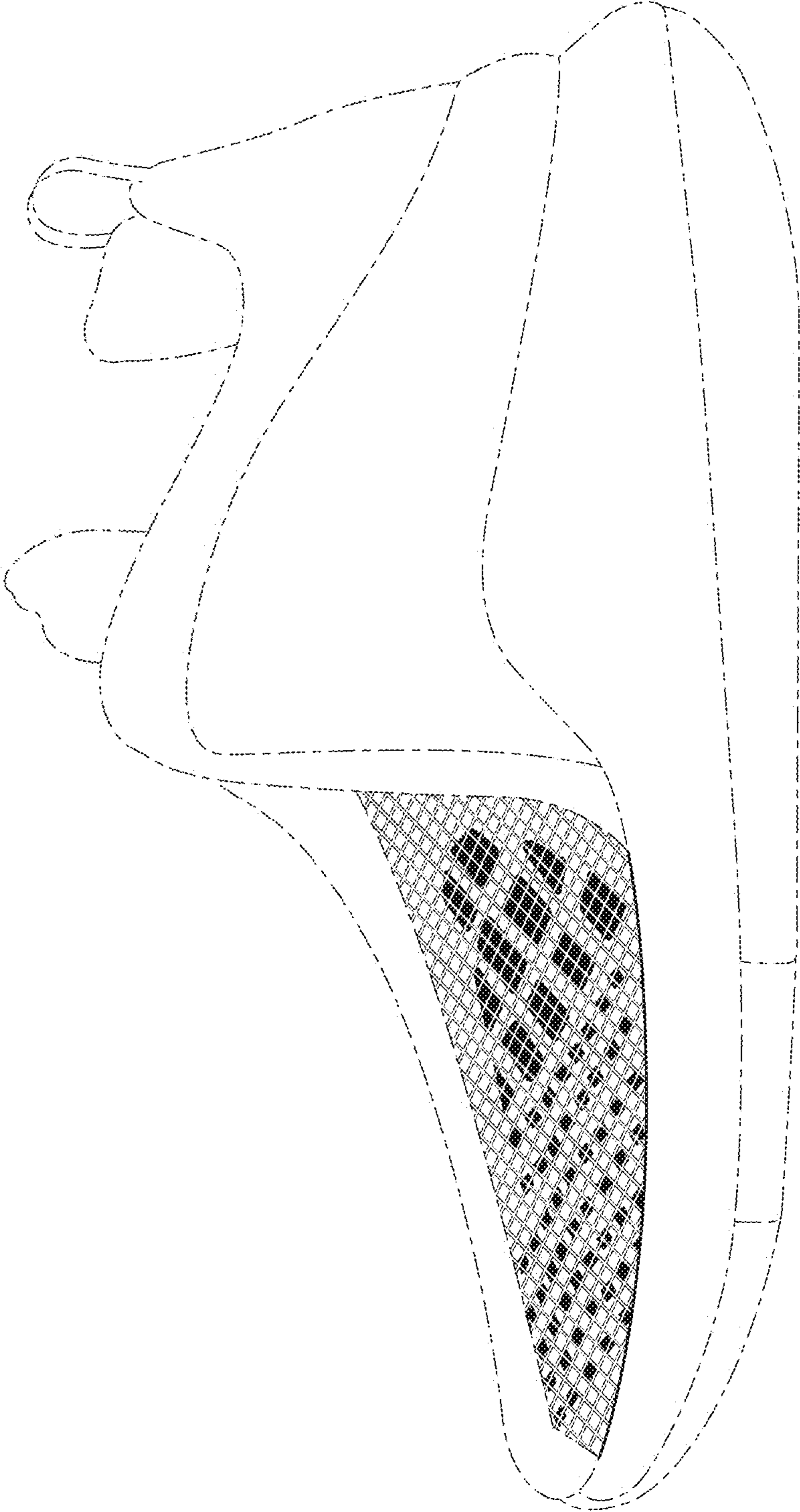


FIG. 2

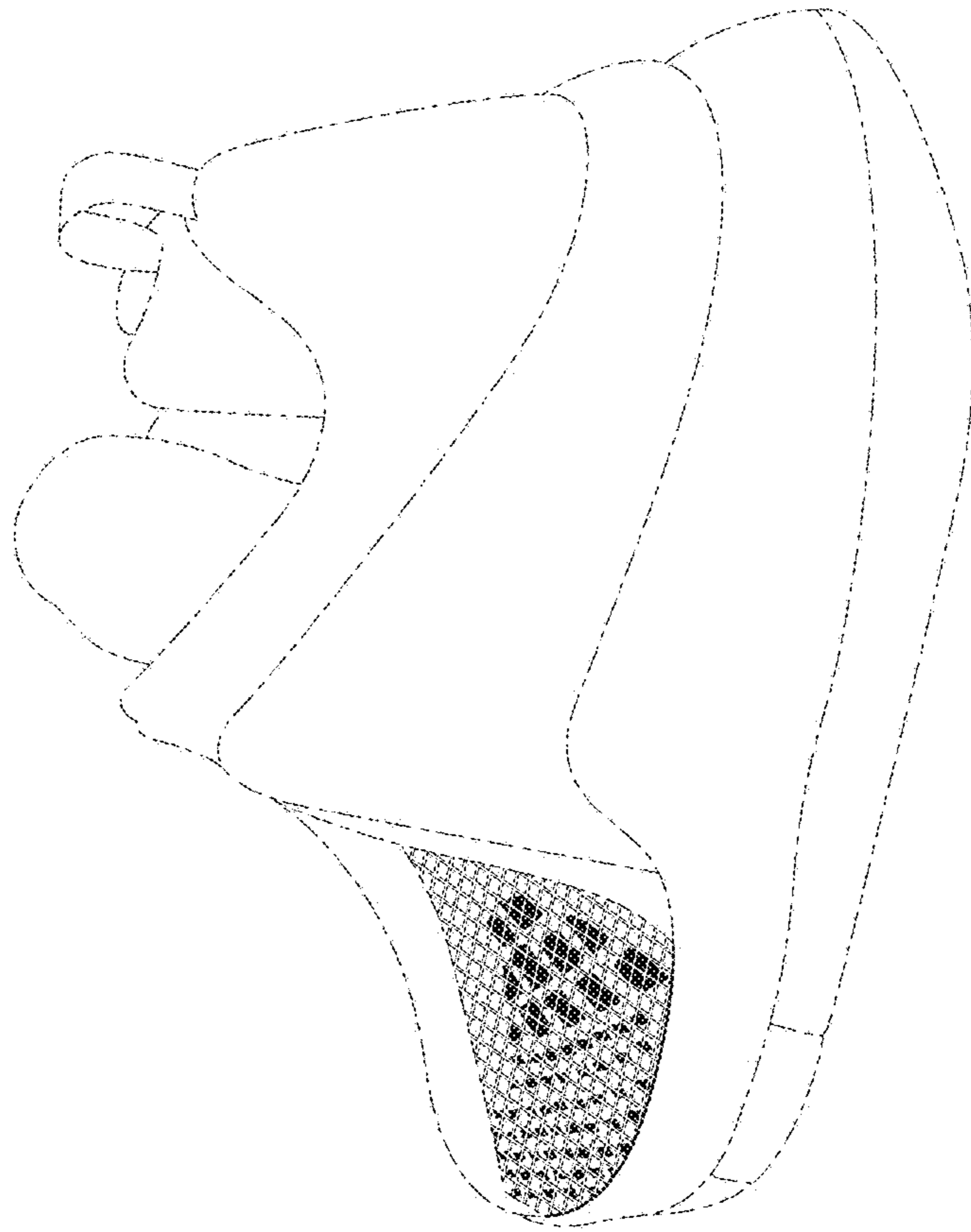


FIG. 3