

US00D796828S

(12) **United States Design Patent** (10) **Patent No.:** **US D796,828 S**  
**da Costa Pereira Machado** (45) **Date of Patent:** **\*\* Sep. 12, 2017**

- (54) **SHOE UPPER**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
- (72) Inventor: **Fabricio da Costa Pereira Machado**,  
Portland, OR (US)
- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **15 Years**
- (21) Appl. No.: **29/574,259**
- (22) Filed: **Aug. 12, 2016**
- (51) **LOC (10) Cl.** ..... **02-04**
- (52) **U.S. Cl.**  
USPC ..... **D2/972**
- (58) **Field of Classification Search**  
USPC ..... D2/969, 972-974, 902, 906-912,  
D2/943-945, 970, 977  
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.

D783,992 S *	4/2017	Sokol .....	D2/972
D784,001 S *	4/2017	Cochrane .....	D2/972
D785,922 S *	5/2017	Hong .....	D2/972
D787,806 S *	5/2017	Chang .....	D2/972
D789,067 S *	6/2017	Ngene .....	D2/972

**OTHER PUBLICATIONS**

Review by Tom Caughlan, Nike Air Zoom Wildhorse 4 pictured therein, as posted at IRunFar.com, posted on Apr. 20, 2017, [site visited Jun. 19, 2017]. Available on the Internet, <URL: <http://www.irunfar.com/2017/04/nike-air-zoom-wildhorse-4-and-air-zoom-terra-tiger-4-reviews.html>>.\*

“10 Tips to get the Most Out of your Cleats,” Nike Cleat (first image) pictured therein, as posted at Soccer.com, posted on May 20, 2015, [site visited Jun. 19, 2017]. Available on the Internet, <URL: <https://www.soccer.com/guide/10-tips-to-get-the-most-out-of-your-cleats>>.\*

Shoe of the Week: Nike Air Zoom Wildhorse 3 [online], [retrieved Jan. 19, 2017], retrieved from Internet <URL: [http://running.competitor.com/2015/07/shoes-and-gear/shoe-of-the-week-nike-air-zoom-wildhorse-3\\_132616](http://running.competitor.com/2015/07/shoes-and-gear/shoe-of-the-week-nike-air-zoom-wildhorse-3_132616)>; 7 color pages, Dated Jul. 31, 2015.

(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.

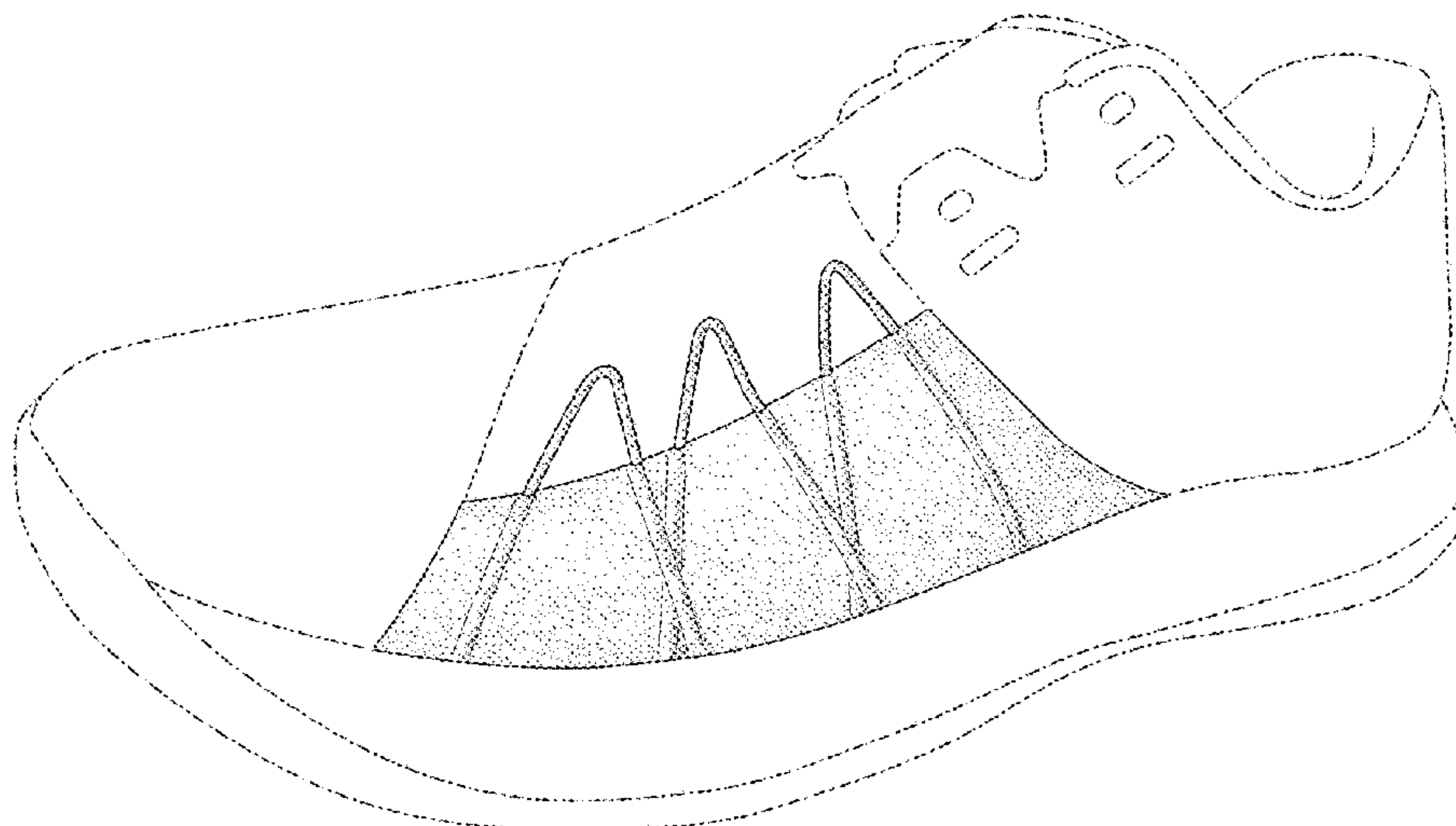
**DESCRIPTION**

FIG. 1 is a front perspective view of a shoe upper showing my new design;  
 FIG. 2 is a side view thereof; and,  
 FIG. 3 is a rear perspective view 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, 3 Drawing Sheets**

(56) **References Cited**  
**U.S. PATENT DOCUMENTS**

D666,405 S *	9/2012	Shaffer .....	D2/972
D666,406 S *	9/2012	Shaffer .....	D2/972
D707,028 S *	6/2014	Parker .....	D2/972
D707,033 S *	6/2014	Shaffer .....	D2/973
D710,591 S *	8/2014	Mervar .....	D2/972
D715,531 S *	10/2014	Cochrane .....	D2/973
D766,566 S *	9/2016	Woodman .....	D2/972
D768,375 S *	10/2016	Young .....	D2/972
D772,556 S *	11/2016	Woodman .....	D2/972



(56)

**References Cited**

OTHER PUBLICATIONS

Nike Zoom Wildhorse 2 [online], [retrieved Jan. 19, 2017], retrieved from Internet <URL: <http://sneakernews.com/2014/07/22/nike-zoom-wildhorse-2/>>; 5 color pages, Dated Jul. 22, 2014.

Nike Zoom Wildhorse—Two Colorways [online], [retrieved Jan. 19, 2017], retrieved from Internet <URL: <http://sneakernews.com/2013/06/15/nike-zoom-wildhorse/>>; 4 color pages, Dated Jun. 15, 2013.

Kicks of the Day: Nike Zoom Hypercross TR “Snow Camo” [online], [retrieved Jan. 19, 2017], retrieved from Internet <URL: <http://www.complex.com/sneakers/2015/01/kicks-of-the-day-nike-zoom-hypercross-tr-snow-camo>>; 8 color pages, Dated Jan. 23, 2015.

Nike Debuts the Hyperchase Basketball Shoe With a Fragment Design Collaboration [online], [retrieved Jan. 19, 2017], retrieved from Internet <URL: <http://sneakernews.com/2015/02/03/nike-debuts-hyperchase-basketball-shoe-fragment-design-collaboration/>>; 4 color pages, Dated Feb. 3, 2015.

\* cited by examiner

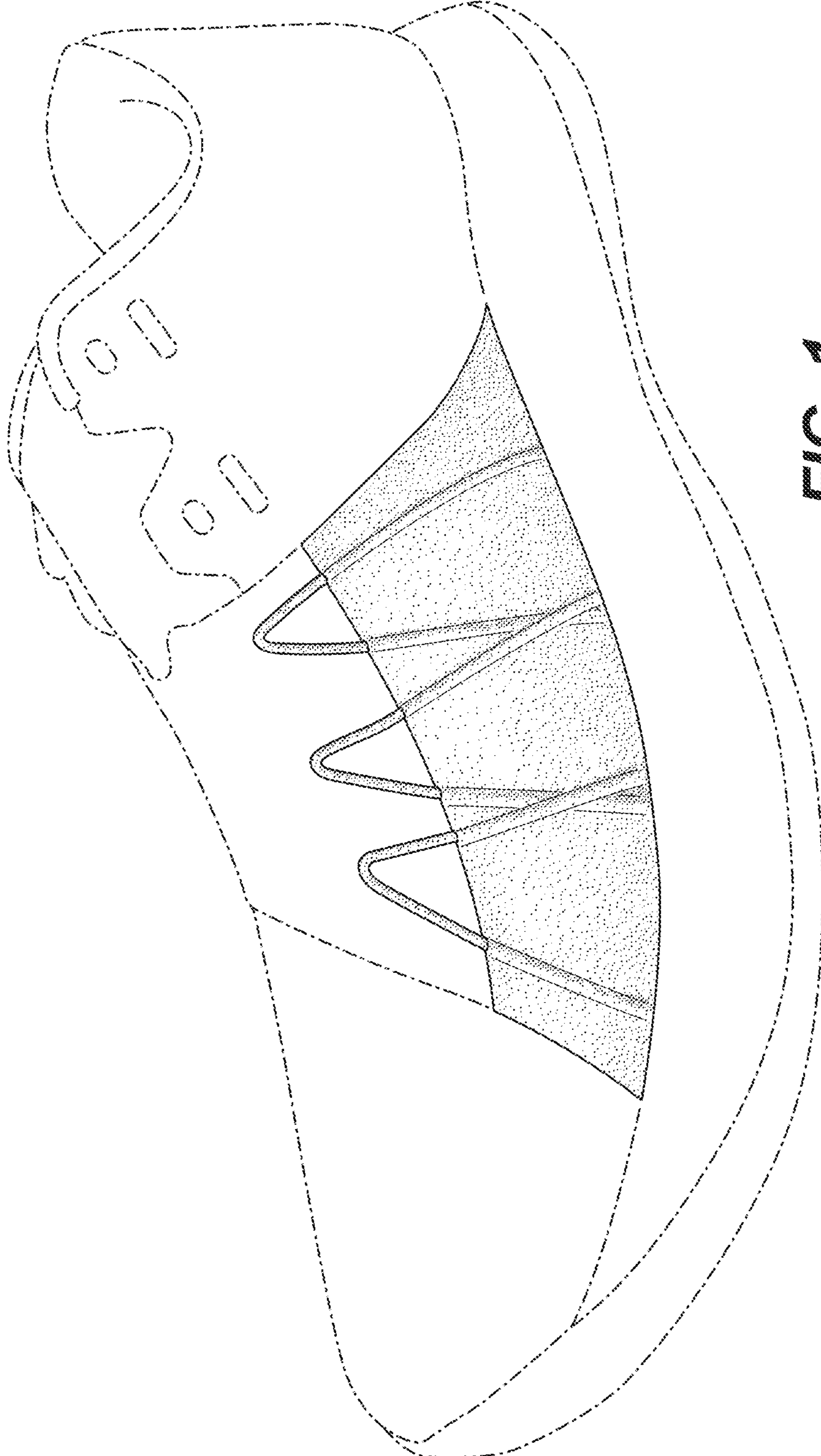
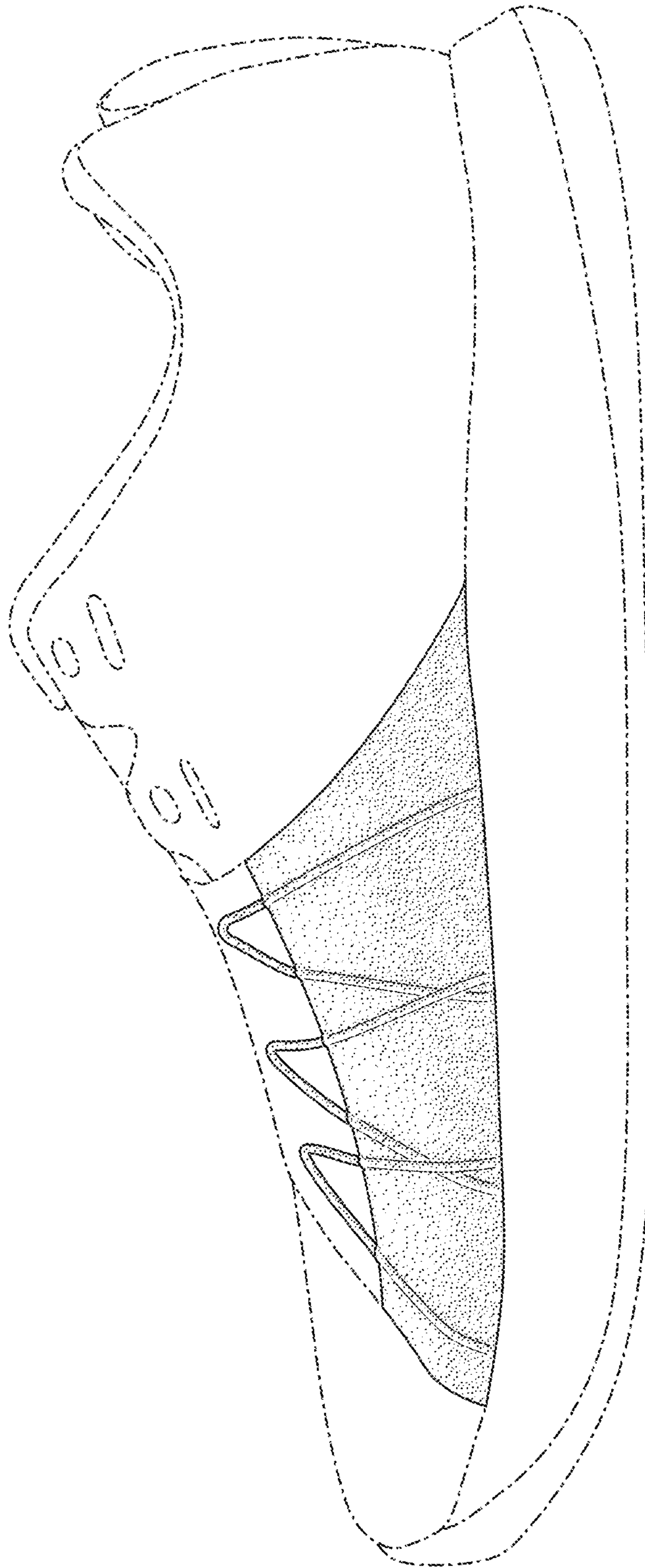


FIG. 1



**FIG. 2**



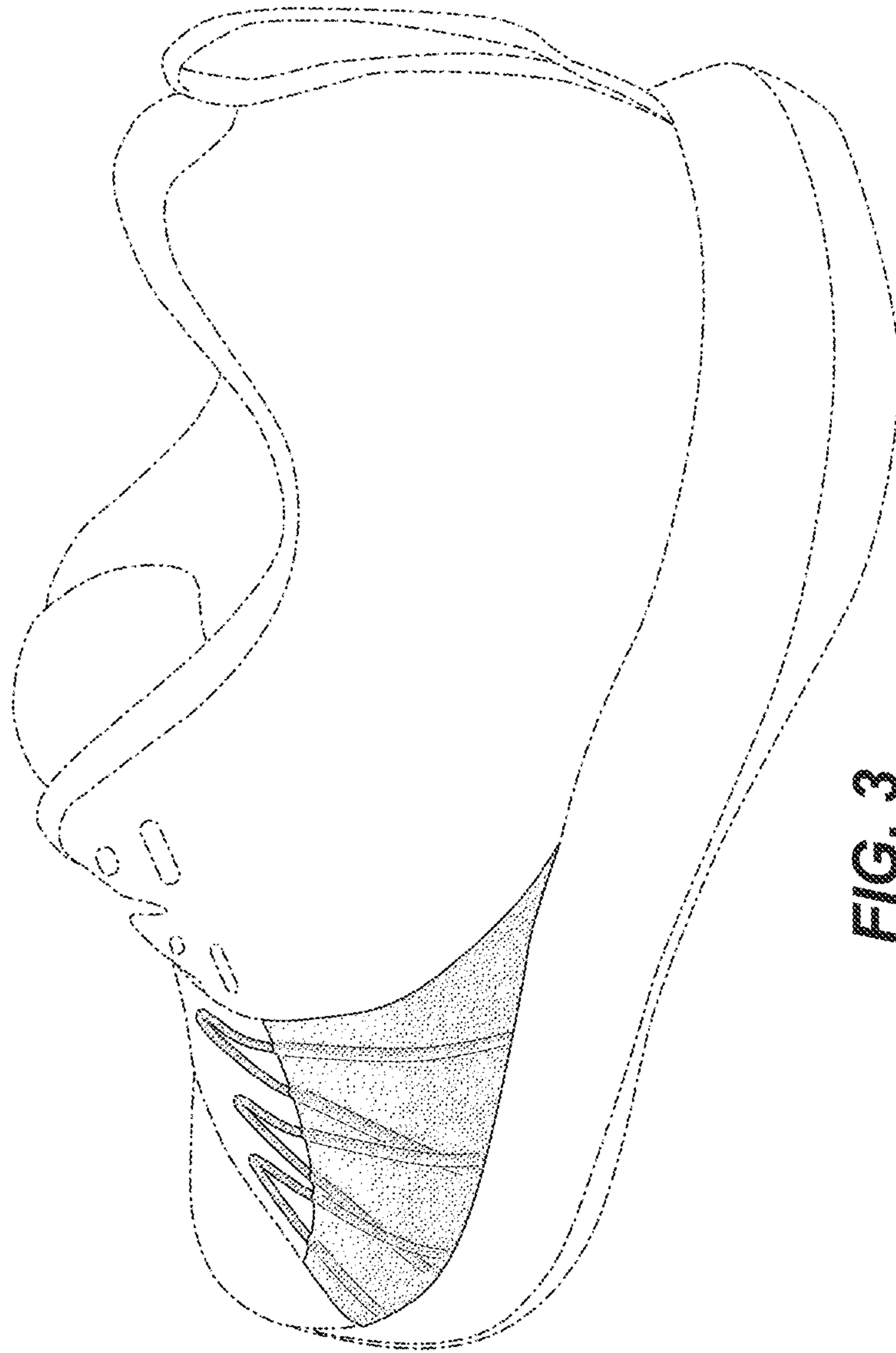


FIG. 3