



US00D797432S

(12) **United States Design Patent** (10) **Patent No.:** **US D797,432 S**
Avar et al. (45) **Date of Patent:** **** Sep. 19, 2017**

(54) **SHOE UPPER**
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
(72) Inventors: **Eric P. Avar**, Lake Oswego, OR (US);
Nadia M. Panian, Beaverton, OR (US)
(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**

D744,737 S * 12/2015 Raasch D2/969
D745,771 S 12/2015 Cin
D746,570 S * 1/2016 Raasch D2/969
D747,090 S * 1/2016 Raasch D2/972
D756,101 S * 5/2016 Portzline D2/973
D780,432 S * 3/2017 Gibson D2/972
D784,001 S * 4/2017 Cochrane D2/972
D785,919 S * 5/2017 Parrett D2/972
D785,922 S * 5/2017 Hong D2/972
D788,443 S * 6/2017 Gibson D2/972

(21) Appl. No.: **29/576,676**
(22) Filed: **Sep. 6, 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.

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

D295,458 S * 5/1988 Selbiger D2/969
D295,576 S * 5/1988 Selbiger D2/969
D295,577 S * 5/1988 Selbiger D2/970
D375,193 S * 11/1996 Kallen D2/912
D397,544 S * 9/1998 Egelja D2/902
5,992,057 A * 11/1999 Monti A43B 5/02
36/50.1
D437,991 S * 2/2001 Matis D2/902

OTHER PUBLICATIONS

“Here’s When the NXT Kobe Sneaker Is Releasing,” Nike Kobe 12 A.D. NXT pictured therein, as posted at SoleCollector.com, posted on Mar. 24, 2017, [site visited Jun. 19, 2017]. Available on the Internet, <URL: <https://solecollector.com/news/2017/03/nike-kobe-ad-nxt-release-date>>.*

(Continued)

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

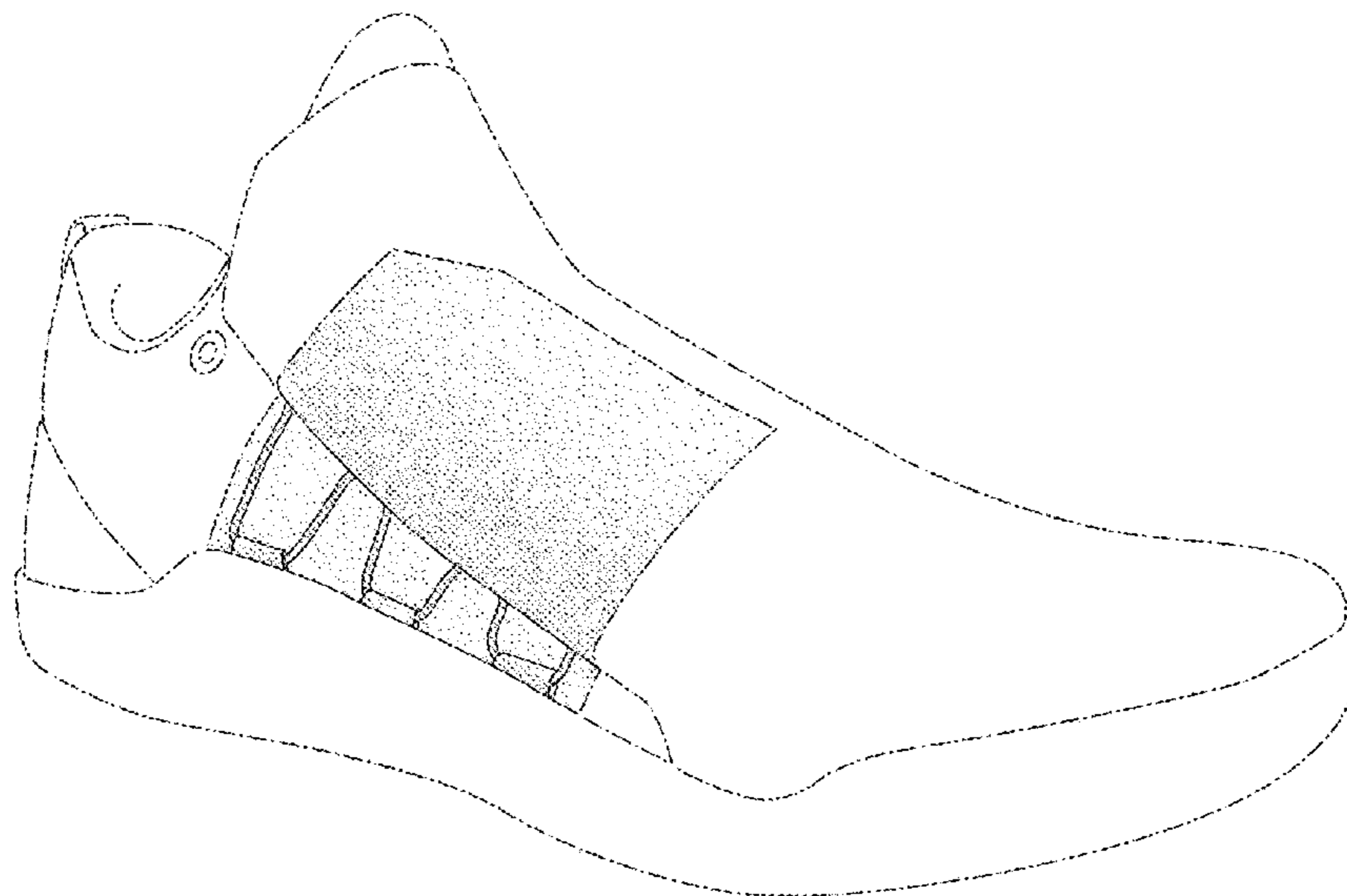
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front perspective view of a shoe upper showing our 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 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, 3 Drawing Sheets



(56)

References Cited

OTHER PUBLICATIONS

Nike Zoom Kobe 1 “Houston All-Star Game” Sample—Available on eBay [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://sneakernews.com/2014/10/22/nike-zoom-kobe-houston-star-game-sample-available-ebay/>>; 9 color pages, Dated Oct. 22, 2014.

Nike Zoom Kobe 2 Retro [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-2-retro/>>; 2 color pages, Dated Nov. 18, 2013.

Nike Zoom Kobe 3—“MPLS” Colorway—Now Available [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://sneakemews.com/2008/02/03/nike-zoom-kobe-3-mlps-colorway-now-available/>>; 5 color pages, Dated Feb. 3, 2008.

Nike Zoom Kobe 4 ‘3-D Lakers’ New Images [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-zoom-kobe-4-3-d-lakers-new-images/>>; 2 color pages, Dated Oct. 28, 2011.

Sneaker Grails: The Chase for the Nike Zoom Kobe 5 Big Stage [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/sneaker-grails-nike-zoom-kobe-5-big-stage/>>; 4 color pages, Dated Nov. 30, 2015.

Nike Zoom Kobe VI White/Purple-Yellow [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-zoom-kobe-vi-whitepurple-yellow-2/>>; 1 color page, Dated Sep. 6, 2011.

Nike Kobe 7 ‘All Star Game’ New Images [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-7-all-star-game-new-images/>>; 2 color pages, Dated Feb. 9, 2012.

Nike Kobe 8 “Python” (Release Info) [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-8-python-release-info/>>; 1 color page, Dated Jan. 24, 2013.

Nike Kobe 9 EM “CH” [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-9-em-ch/>>; 1 color page, Dated Jul. 10, 2014.

Nike Kobe 10 “Blue Lagoon” (New Images) [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-10-blue-lagoon-new-images/>>; 1 color page, Dated Jan. 28, 2015.

Introducing the Nike Kobe 11 [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-11-achilles/>>; 2 color pages, Dated Dec. 14, 2015.

* cited by examiner

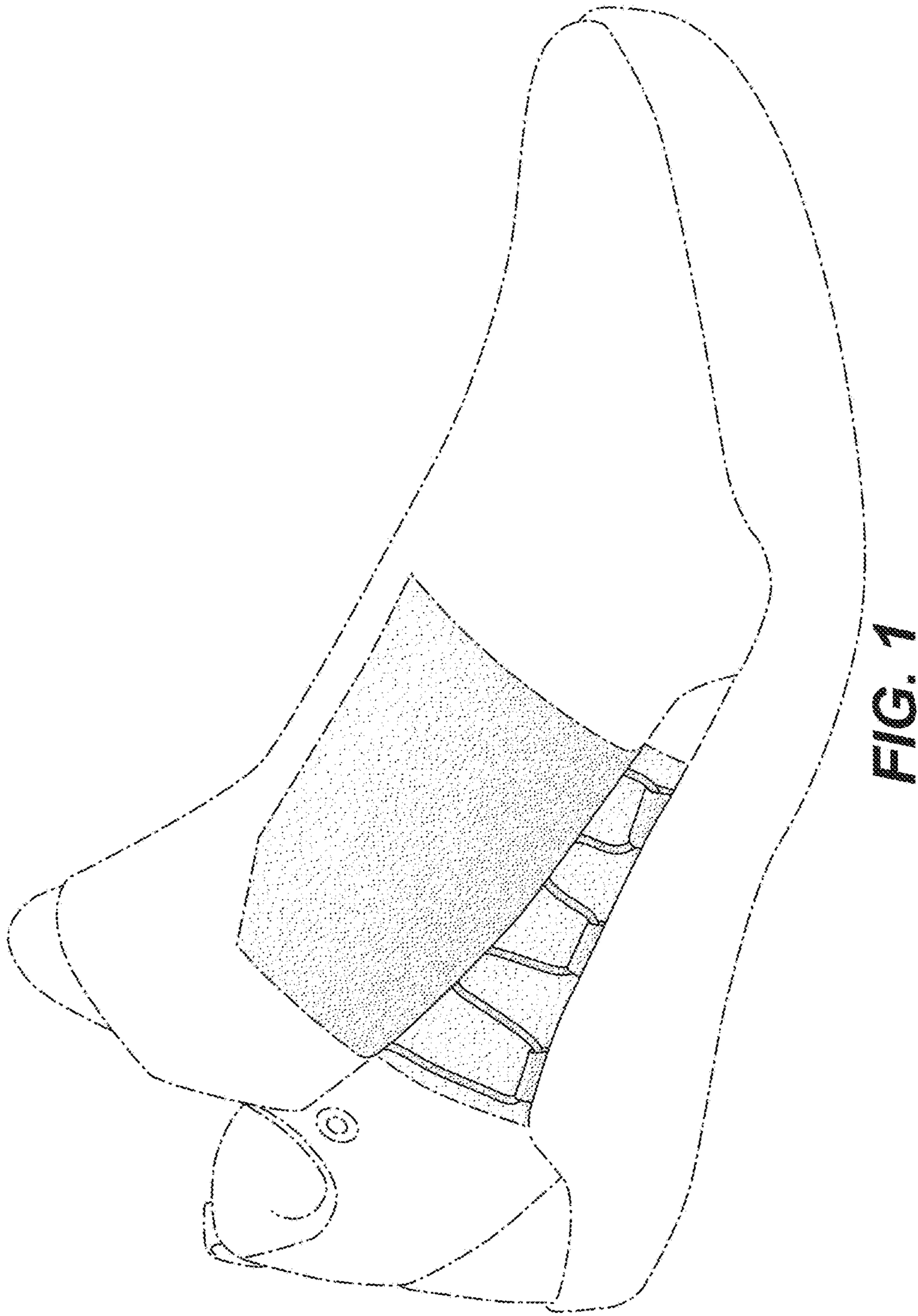


FIG. 1

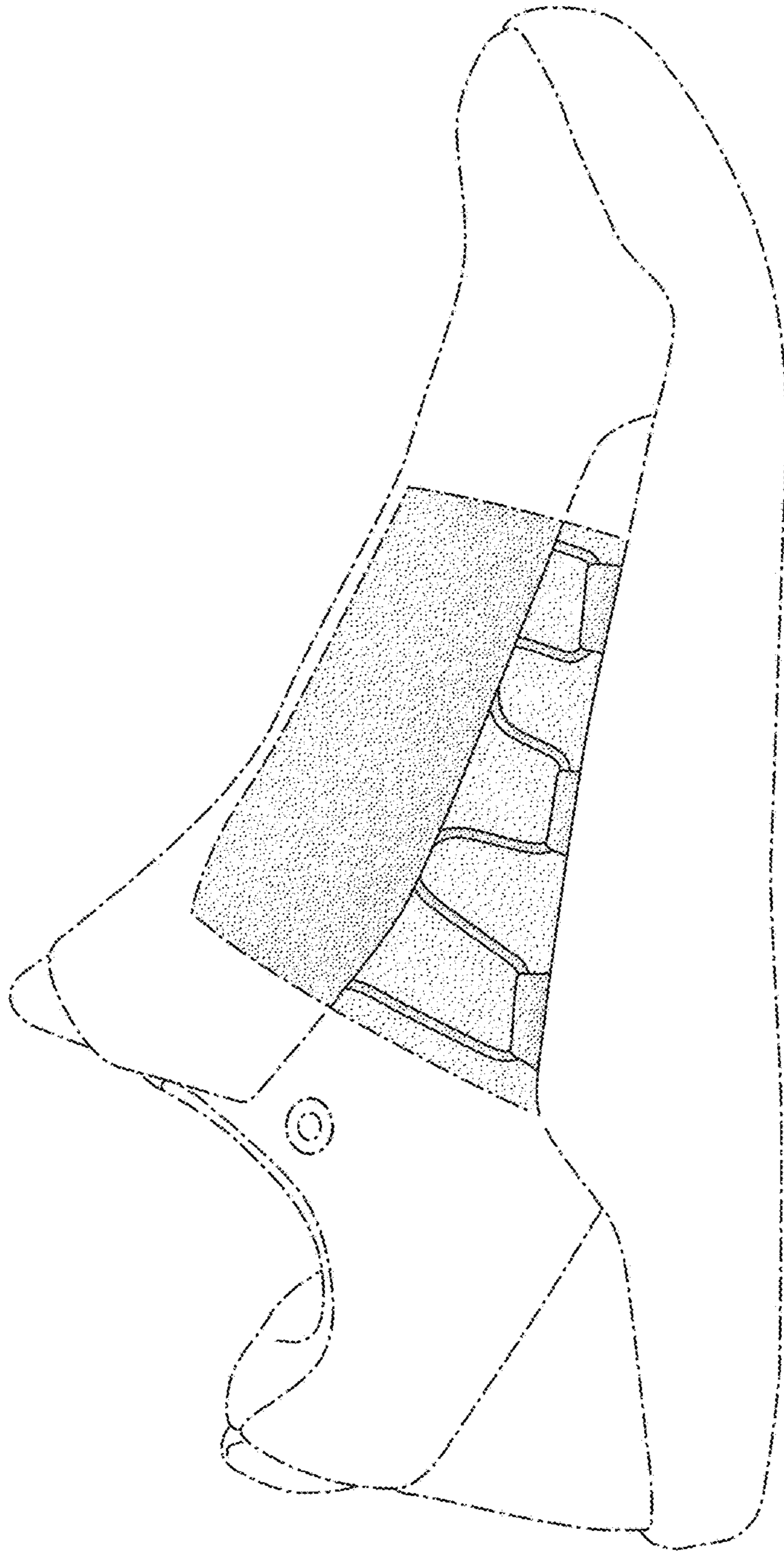


FIG. 2

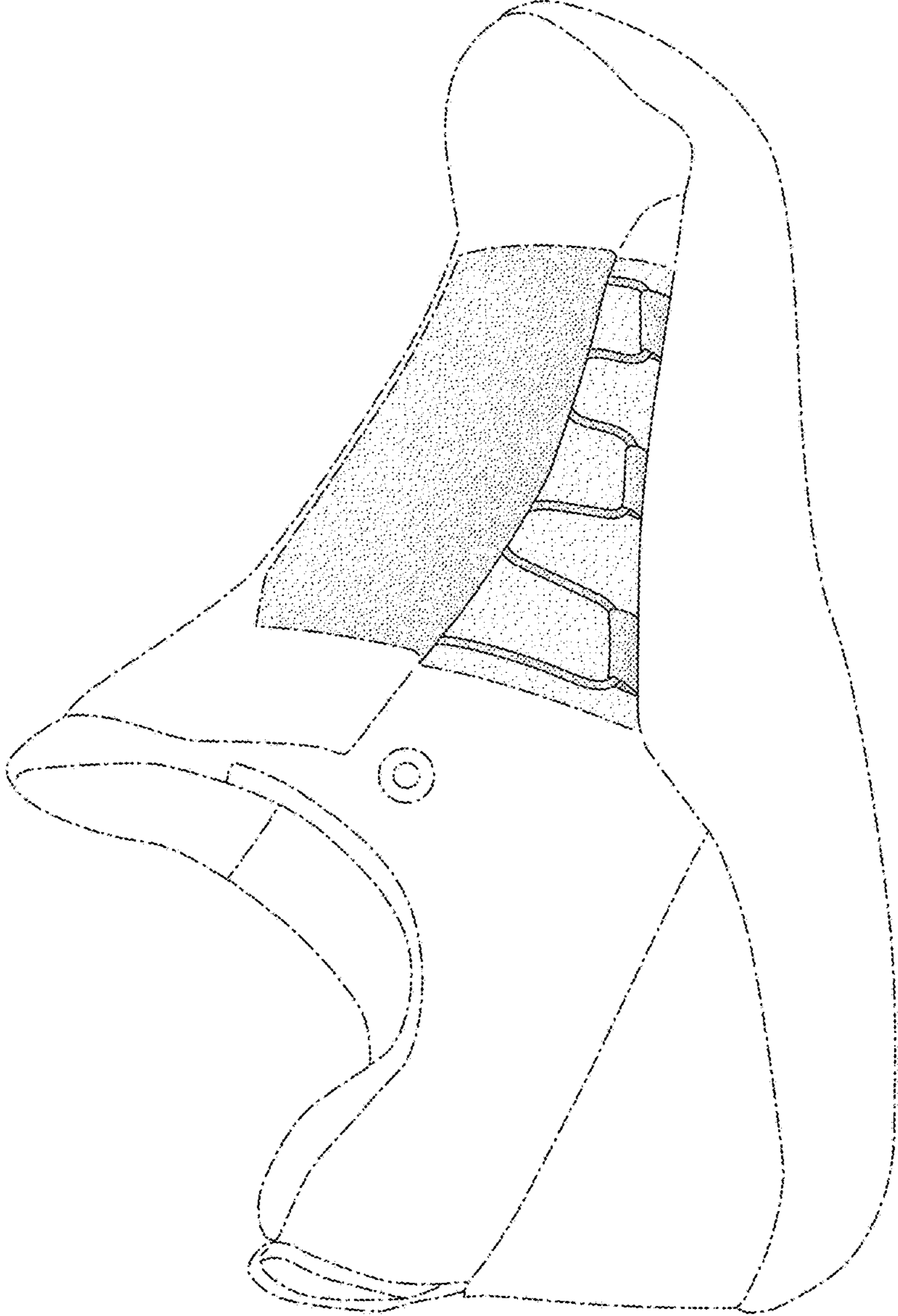


FIG. 3