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(12) **United States Design Patent** (10) **Patent No.:** **US D798,580 S**  
**McMillan** (45) **Date of Patent:** **\*\* Oct. 3, 2017**

(54) **SHOE UPPER**  
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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)  
(\*\*) Term: **15 Years**

D280,949 S 10/1985 Gamm  
D281,117 S 10/1985 Gamm  
D283,078 S 3/1986 Gamm  
D283,750 S 5/1986 Gamm  
D284,329 S 6/1986 Rolando  
D292,943 S 12/1987 Tong  
D292,944 S 12/1987 Kelley  
D295,230 S 4/1988 Tong  
D297,882 S 10/1988 Tong et al.  
(Continued)

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(22) Filed: **Apr. 6, 2017**

**Related U.S. Application Data**

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(51) **LOC (10) Cl.** ..... **02-99**  
(52) **U.S. Cl.**  
USPC ..... **D2/972**  
(58) **Field of Classification Search**  
USPC ..... D2/902, 906-908, 923, 944, 969,  
D2/971-974; D5/47, 49, 54  
CPC ... A43B 13/181; A43B 13/141; A43B 13/186;  
A43B 13/188; A43B 23/00; A43B 23/02;  
A43B 5/00; A43B 23/26; A43B 1/04;  
A43B 11/14; A43B 7/00; A43B 3/12  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D119,803 S \* 4/1940 Forstmann ..... D5/47  
D144,162 S 3/1946 Diamant  
D254,938 S 5/1980 Keller  
D278,185 S 4/1985 Michaeli  
D278,186 S 4/1985 Michaeli  
D278,757 S 5/1985 Werman  
D278,758 S 5/1985 Michaeli  
D278,850 S 5/1985 Michaeli  
D279,519 S 7/1985 Gamm  
D280,672 S 9/1985 Gamm

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 1994 Fall Footwear, p. 26, published Nov. 1993, NIKE, Inc., USA.  
(Continued)

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(57) **CLAIM**

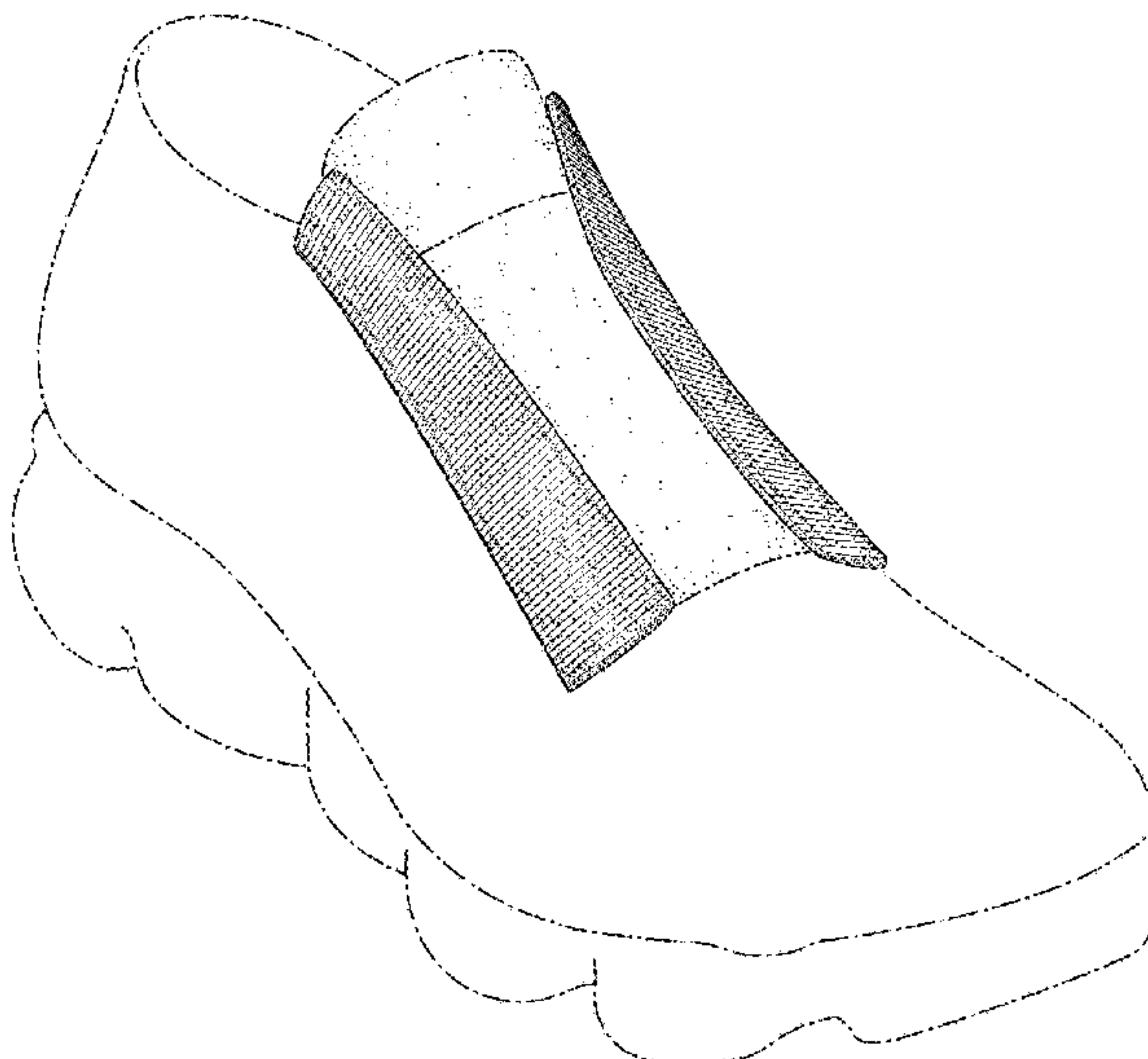
The ornamental design for a shoe upper, as shown and described.

**DESCRIPTION**

FIG. 1 is a front lateral perspective view of a shoe upper showing my new design;  
FIG. 2 is a front medial perspective view thereof;  
FIG. 3 is a lateral side view thereof;  
FIG. 4 is a medial side view thereof;  
FIG. 5 is a front view thereof; and,  
FIG. 6 is a top view thereof.

The broken lines immediately adjacent to the shaded area at the top and bottom of the tongue region represents unclaimed boundaries of the design. The broken line extending across the tongue represents unclaimed subject matter and forms no part of the claimed design. The broken lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

**1 Claim, 6 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D325,120 S 4/1992 Clark  
 D446,919 S 8/2001 Lamprou  
 D457,297 S 5/2002 Adams et al.  
 D467,713 S 12/2002 Adams et al.  
 D468,896 S 1/2003 Adams et al.  
 D470,298 S \* 2/2003 Adams ..... D2/969  
 D474,006 S \* 5/2003 Schroeder ..... D2/969  
 D474,008 S 5/2003 Masullo  
 D474,884 S \* 5/2003 Adams ..... D2/972  
 D481,529 S 11/2003 Adams et al.  
 D487,187 S 3/2004 Goldman  
 D501,300 S 2/2005 Adams et al.  
 D503,528 S 4/2005 Morris  
 D505,254 S 5/2005 Link  
 D509,953 S 9/2005 Cooper  
 D520,724 S 5/2006 Link  
 D527,883 S 9/2006 Holmes  
 D556,999 S 12/2007 Belley et al.  
 D564,197 S 3/2008 Matis  
 D566,943 S 4/2008 Belley et al.  
 D577,898 S \* 10/2008 Belley ..... D2/969  
 D584,498 S 1/2009 Matis  
 D643,616 S \* 8/2011 Caine ..... D2/972  
 D661,079 S \* 6/2012 Yang ..... D2/969  
 D668,441 S \* 10/2012 Shaffer ..... D2/972

D668,858 S \* 10/2012 Shaffer ..... D2/972  
 D675,419 S 2/2013 Miner  
 D688,860 S \* 9/2013 Hrsak ..... D2/972  
 D692,649 S 11/2013 Chang  
 D693,102 S 11/2013 Hoffer  
 D693,107 S 11/2013 Dolce  
 D694,515 S 12/2013 Rasmussen  
 D744,222 S 12/2015 Taylor  
 D771,926 S 11/2016 Little  
 D779,192 S 2/2017 Desphy  
 D780,424 S \* 3/2017 Abe ..... D2/972  
 D780,431 S \* 3/2017 Pauk ..... D2/972  
 D781,556 S \* 3/2017 Nethongkome ..... D2/972  
 D783,982 S \* 4/2017 Williams, Jr. .... D2/972  
 D783,987 S \* 4/2017 Williams, Jr. .... D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog, 1998 Spring Footwear, p. 7, published Jun. 1997, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1998 Spring Footwear, p. 112, published Jun. 1997, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2013 Fall Core Footwear, p. 5, published Nov. 2012, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2013 Fall Core Footwear, p. 25, published Nov. 2012, NIKE, Inc., USA.

\* cited by examiner

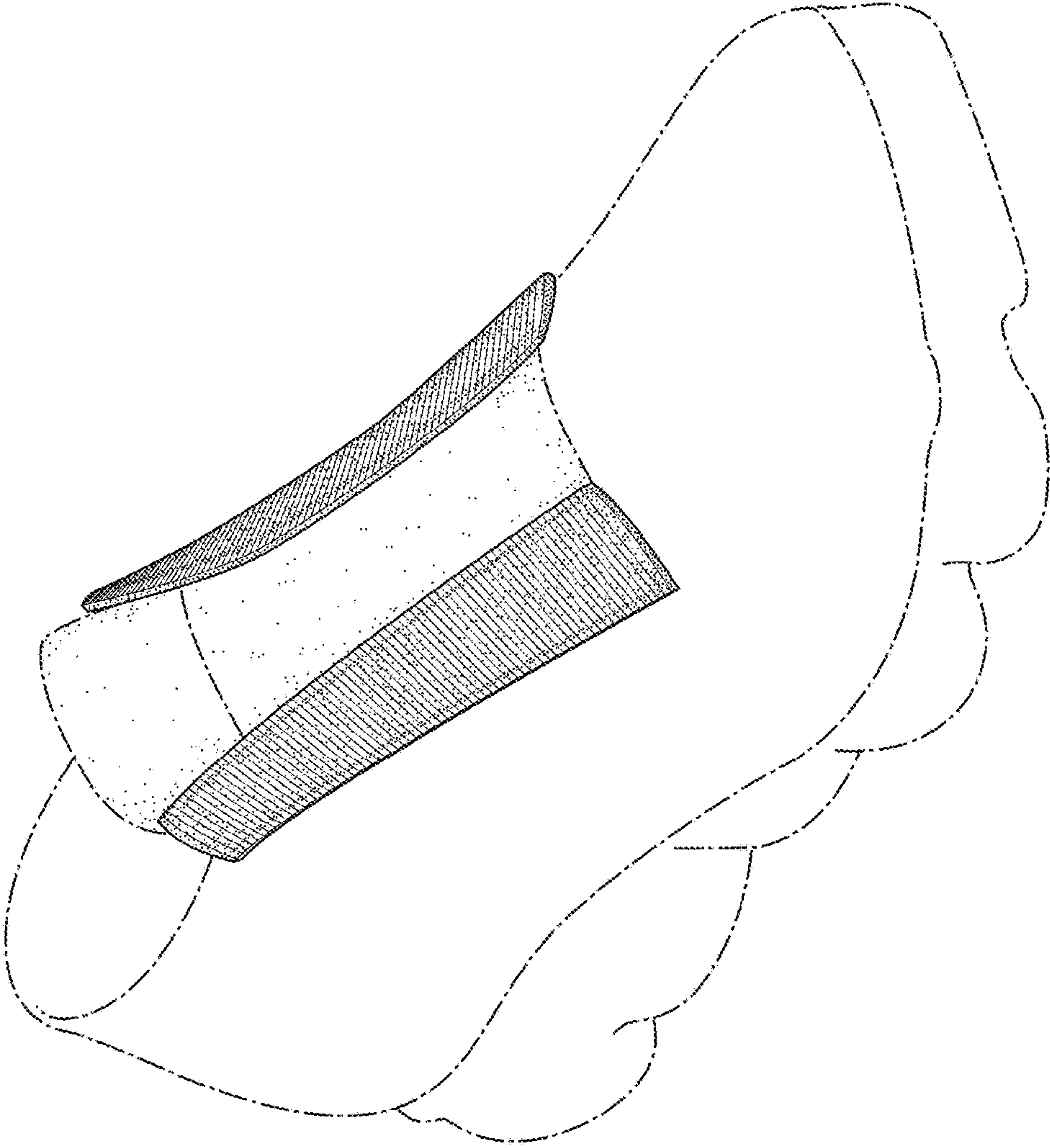


FIG. 1

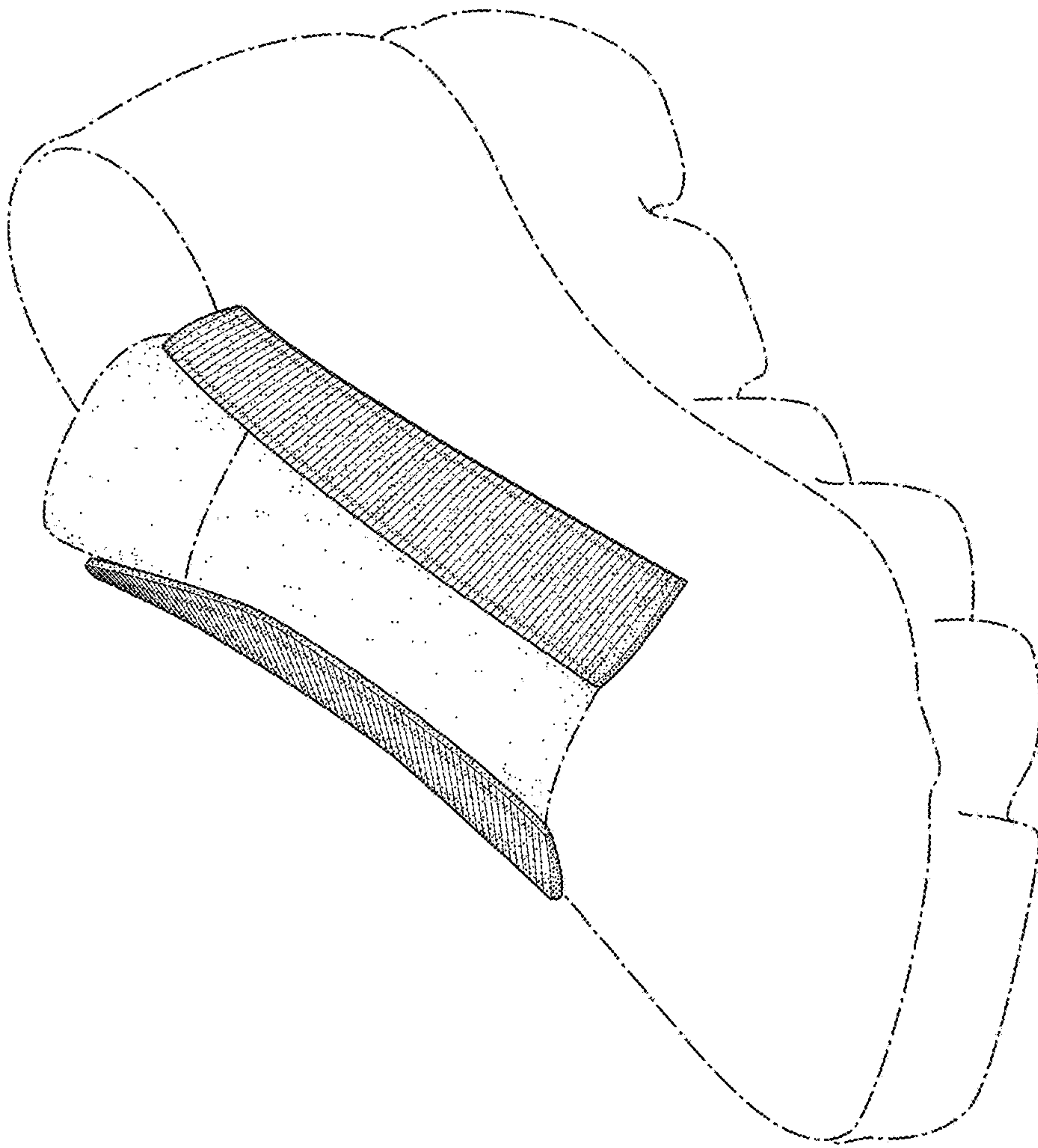


FIG. 2



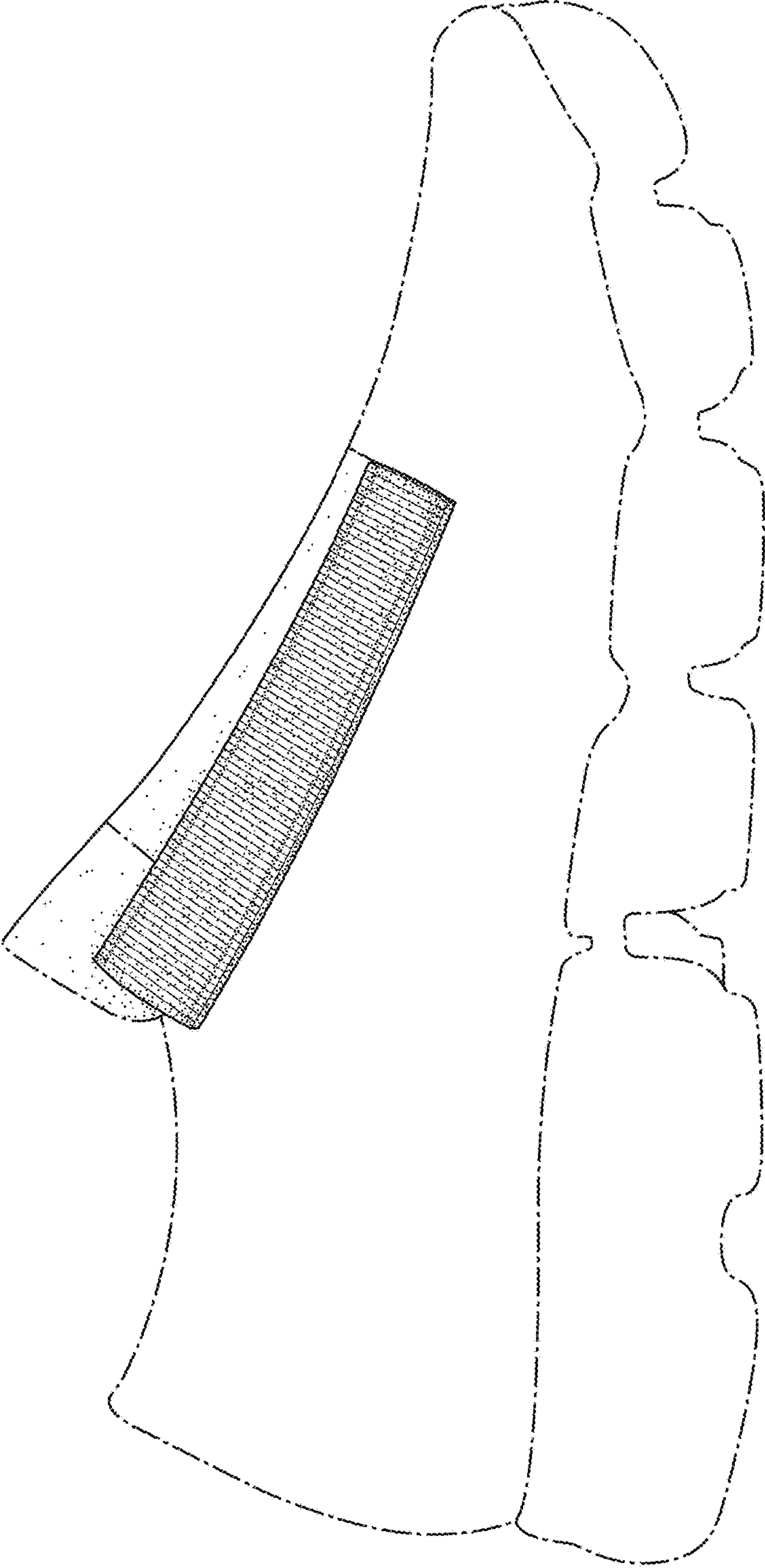


FIG. 3

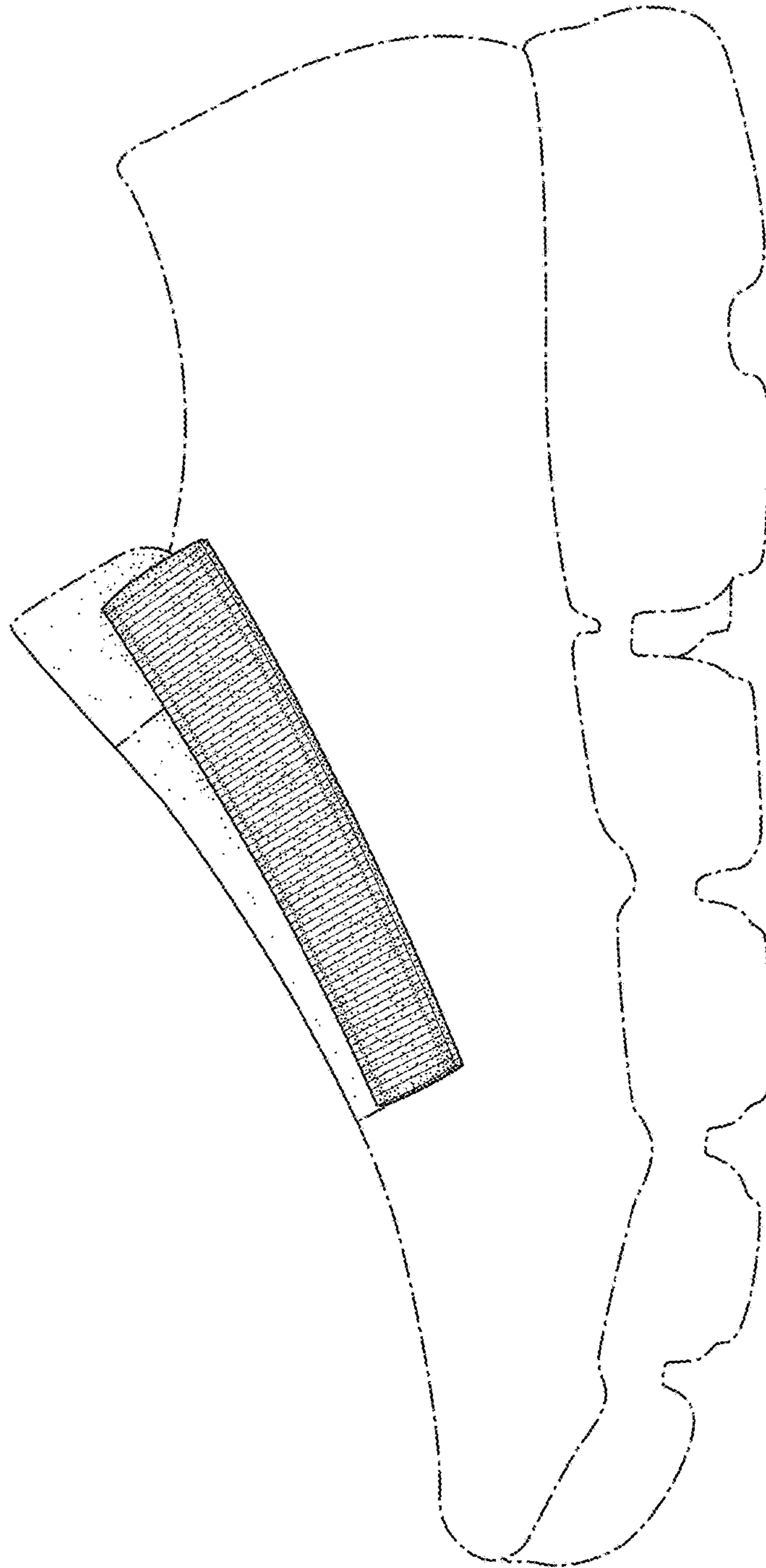


FIG. 4

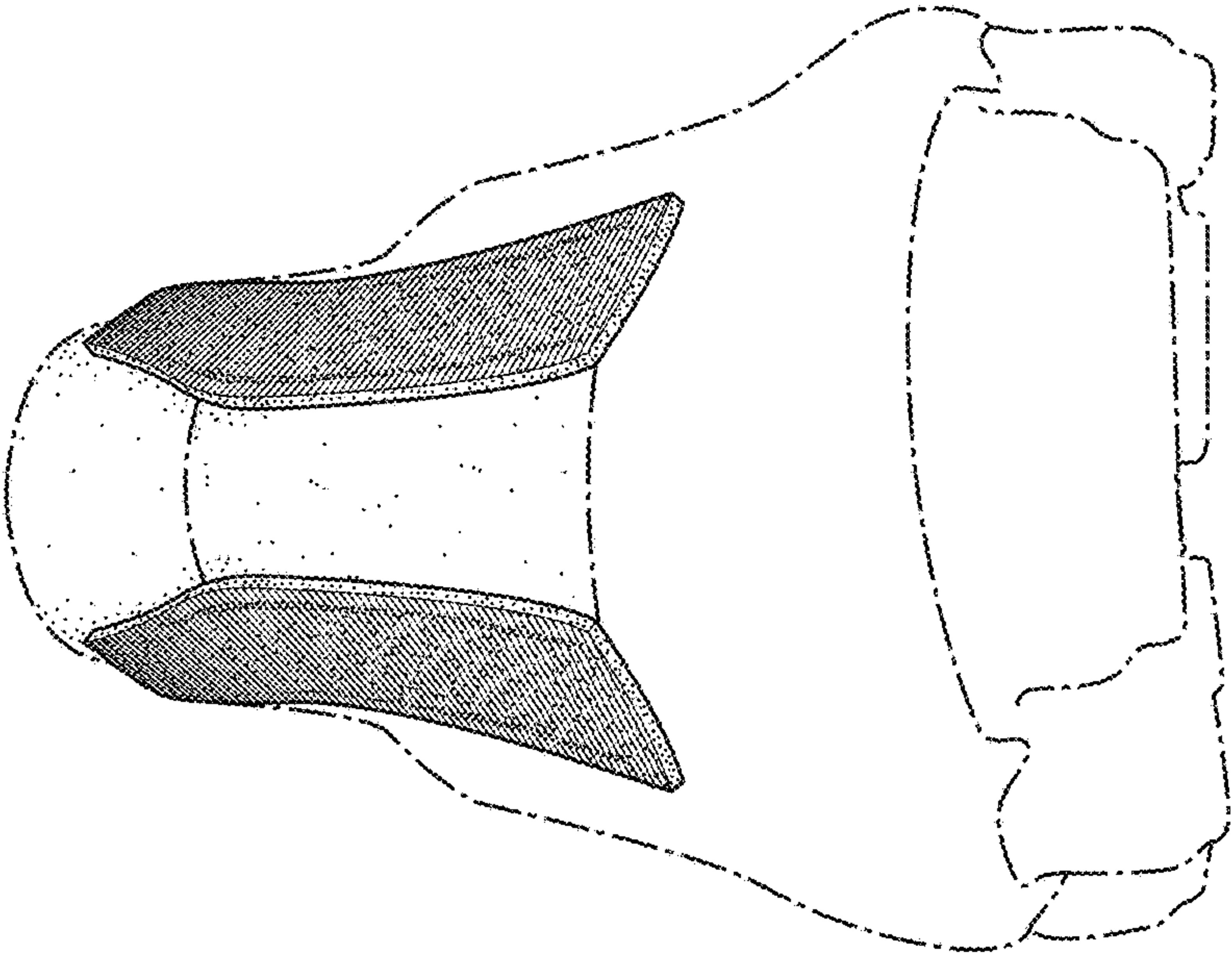


FIG. 5

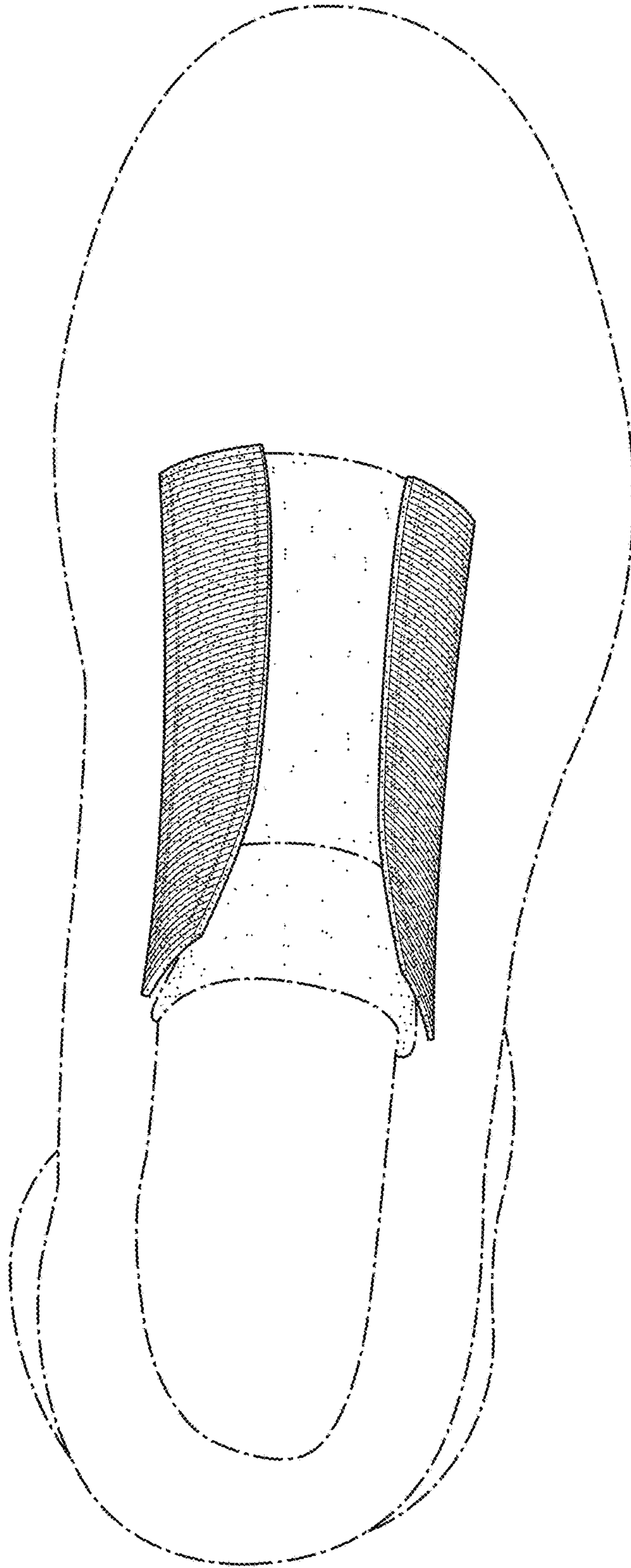


FIG. 6