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(12) **United States Design Patent**
Chang

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(54) **SHOE UPPER**

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(**) Term: **15 Years**

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(52) **U.S. Cl.**
USPC **D2/972**

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D2/911-912, 943-945, 970; D5/47, 54,
D5/63
CPC ... A43B 3/0052; A43B 3/0057; A43B 3/0063;
A43B 3/0068; A43B 3/0073; A43B 1/04;
A43B 1/06; A43B 5/02; A43B 5/06;
A43B 5/10; A43B 5/14; A43B 3/0047;
A43C 3/00; A43C 7/06
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D319,721 S	9/1991	Clark	
D325,120 S	4/1992	Clark	
D336,976 S	7/1993	McDonald	
D361,885 S *	9/1995	Hatfield	D2/970
D438,697 S	3/2001	Matis et al.	
D456,985 S	5/2002	Clegg	
D457,296 S	5/2002	Burt	
D458,015 S	6/2002	Dolan et al.	
D470,995 S	3/2003	Bronga	
D470,997 S	3/2003	Bronga	
D487,336 S *	3/2004	Matis	D2/969
D492,098 S	6/2004	Magro	
D504,012 S	4/2005	Fullum	

D513,857 S *	1/2006	Hlavacs	D2/972
D515,299 S	2/2006	Burg	
D515,801 S	2/2006	Smith, III	
D522,722 S	6/2006	Wilkenfeld et al.	
D523,220 S	6/2006	Link	
D524,023 S	7/2006	Avar	
D524,518 S *	7/2006	James	D2/896
D524,530 S	7/2006	Avar	
D544,699 S	6/2007	Link	

(Continued)

OTHER PUBLICATIONS

“First Look at the Nike KD Trey 5 III,” Nike KD Trey 5 III pictured therein, as posted at SneakerNews.com [online], posted on Jun. 5, 2015 [site visited Jan. 3, 2017]. Available on the Internet, <URL: <http://sneakernews.com/2015/06/05/first-look-at-the-nike-kd-trey-5-iii/>>.*

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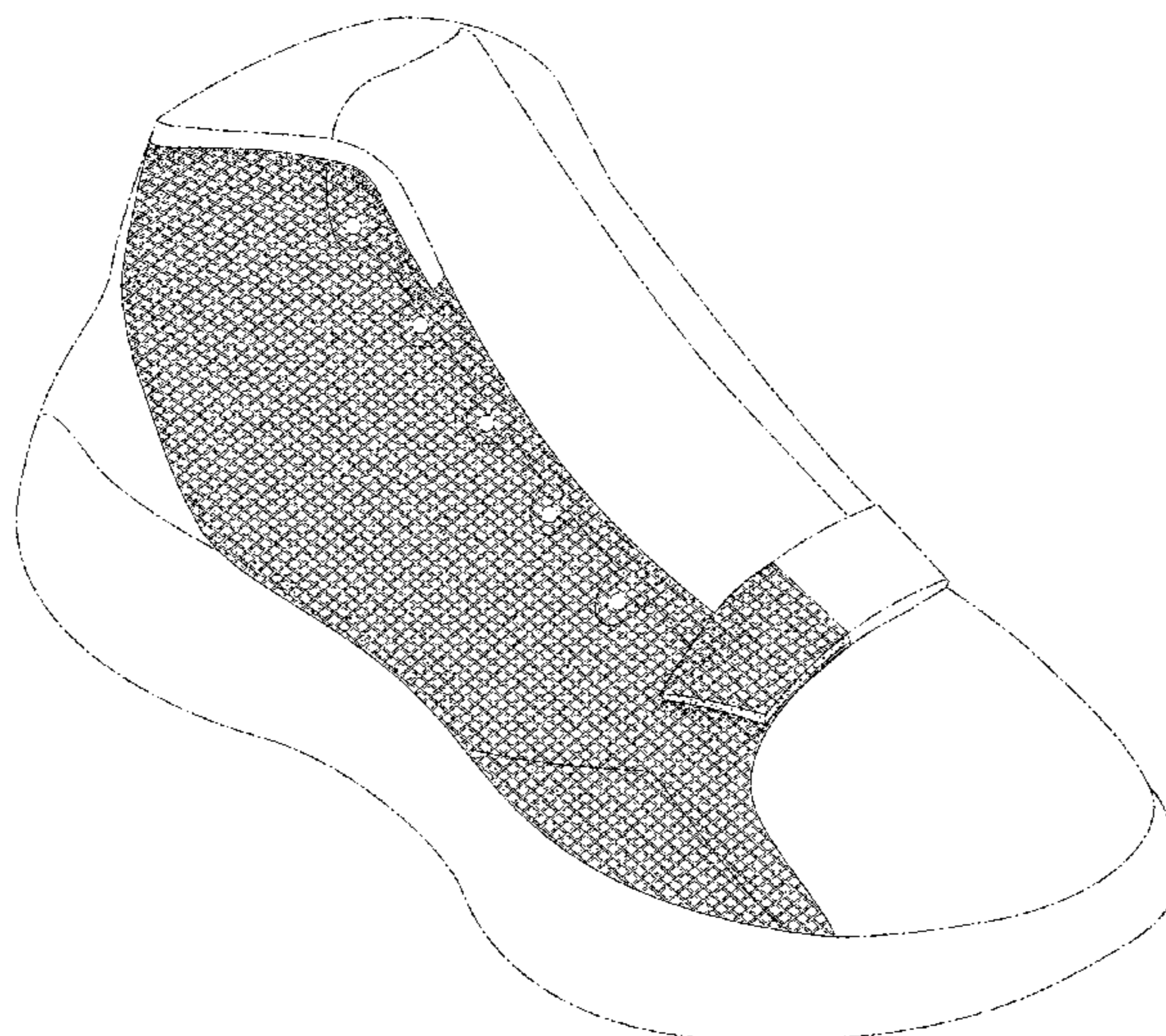
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a rear perspective view of a shoe upper showing my new design;
FIG. 2 is a side view thereof; and,
FIG. 3 is a front 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 5 unshaded eyelet regions within the shaded area that are demarcated by broken lines form no part of the claimed design. 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

D544,700 S 6/2007 Link
 D548,949 S 8/2007 Hui
 D562,541 S 2/2008 Avar
 D567,484 S 4/2008 James
 D568,599 S 5/2008 Avar
 D568,600 S 5/2008 Chang
 D570,089 S 6/2008 Avar
 D573,782 S 7/2008 Link
 D573,783 S 7/2008 Link
 D574,136 S 8/2008 Avar
 D576,381 S 9/2008 Weber
 D576,383 S 9/2008 Weber
 D576,384 S 9/2008 Weber
 D577,185 S 9/2008 Link
 D578,294 S 10/2008 Mervar et al.
 D579,186 S 10/2008 Mervar et al.
 D585,189 S 1/2009 Jarvis
 D587,001 S 2/2009 Jarvis
 D598,188 S 8/2009 Walton
 D598,190 S 8/2009 Weber
 D603,587 S 11/2009 Boone et al.
 D614,388 S 4/2010 Petrie
 D614,389 S 4/2010 Petrie
 D636,590 S 4/2011 Miner
 D636,591 S 4/2011 Miner
 D642,787 S 8/2011 Lee
 D643,615 S 8/2011 Avar
 D649,763 S 12/2011 Chang
 D654,259 S * 2/2012 Hatfield D2/951
 D656,715 S 4/2012 Katz et al.
 D663,519 S 7/2012 Grangaard
 D682,530 S 5/2013 Wilken
 D683,134 S 5/2013 Shyllon
 D687,220 S 8/2013 Aveni
 D687,622 S 8/2013 Tzenos et al.
 D687,625 S 8/2013 Aveni
 D688,039 S 8/2013 Williams, Jr.
 D692,648 S 11/2013 Anceresi et al.
 D700,428 S 3/2014 Kuerbis
 D700,766 S 3/2014 Bramani et al.
 D702,422 S 4/2014 Dougherty
 D707,943 S * 7/2014 Nascimento D2/969
 D713,631 S * 9/2014 Millogo D2/969
 D738,090 S * 9/2015 Avar D2/972

D744,223 S * 12/2015 Kirschner D2/972
 D746,571 S * 1/2016 Bell D2/972
 D746,572 S * 1/2016 Bell D2/972
 D752,329 S * 3/2016 Kirschner D2/969
 9,532,625 B2 * 1/2017 Katz A43B 7/20
 D782,800 S * 4/2017 Smyth D2/972
 D788,433 S * 6/2017 Taylor D2/972

OTHER PUBLICATIONS

Nike KD Trey 5 III "Rise", as posted at SneakerBarDetroit.com [online], posted on Jul. 20, 2015 [site visited Jan. 17, 2017]. Available on the Internet, <URL: <http://sneakerbardetroit.com/nike-kd-trey-5-iii-rise/>>.*
 Nike Footwear Catalog, 2010 Fall Performance Footwear, p. 55, published Nov. 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Holiday Men's FootwearPerformance, p. 34, published Feb. 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Holiday Women's FootwearPerformance, p. 25, published Feb. 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Spring Soccer, p. 20, published May 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Summer Performance Footwear, p. 54, published Aug. 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2011 Summer Core Footwear, p. 73, published Aug. 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2012 Holiday Men's Performance Footwear, p. 12, published Feb. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 80, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Spring Mens Performance Footwear, p. 6, published May 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 158, published Nov. 1, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 225, published Nov. 1, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Spring Men's Nike Sportswear Footwear Better, p. 17, published May 17, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Summer Men's Nike Sportswear Best Footwear, p. 18, published Aug. 1, 2014, NIKE, Inc., USA.

* cited by examiner

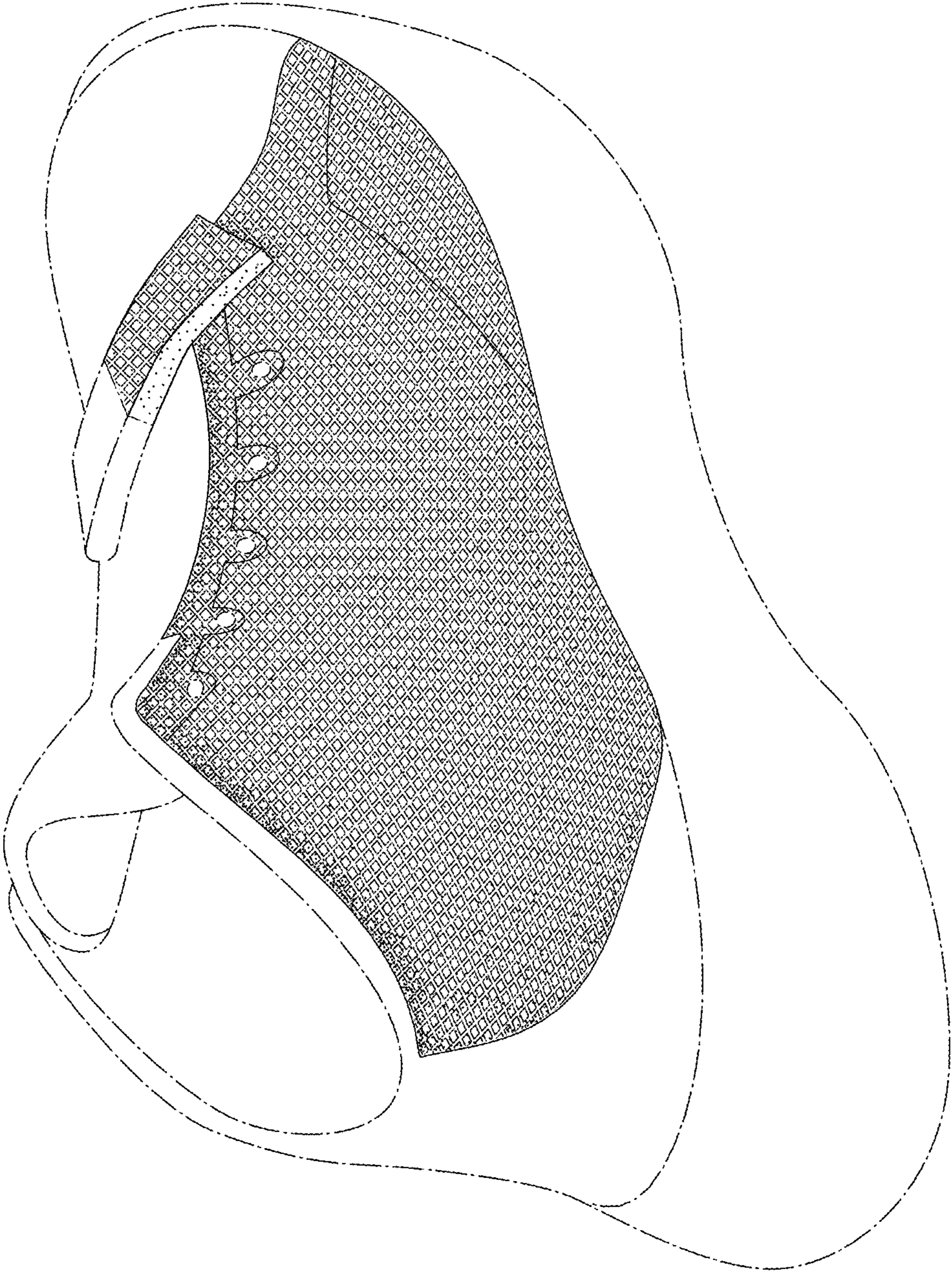


FIG. 1

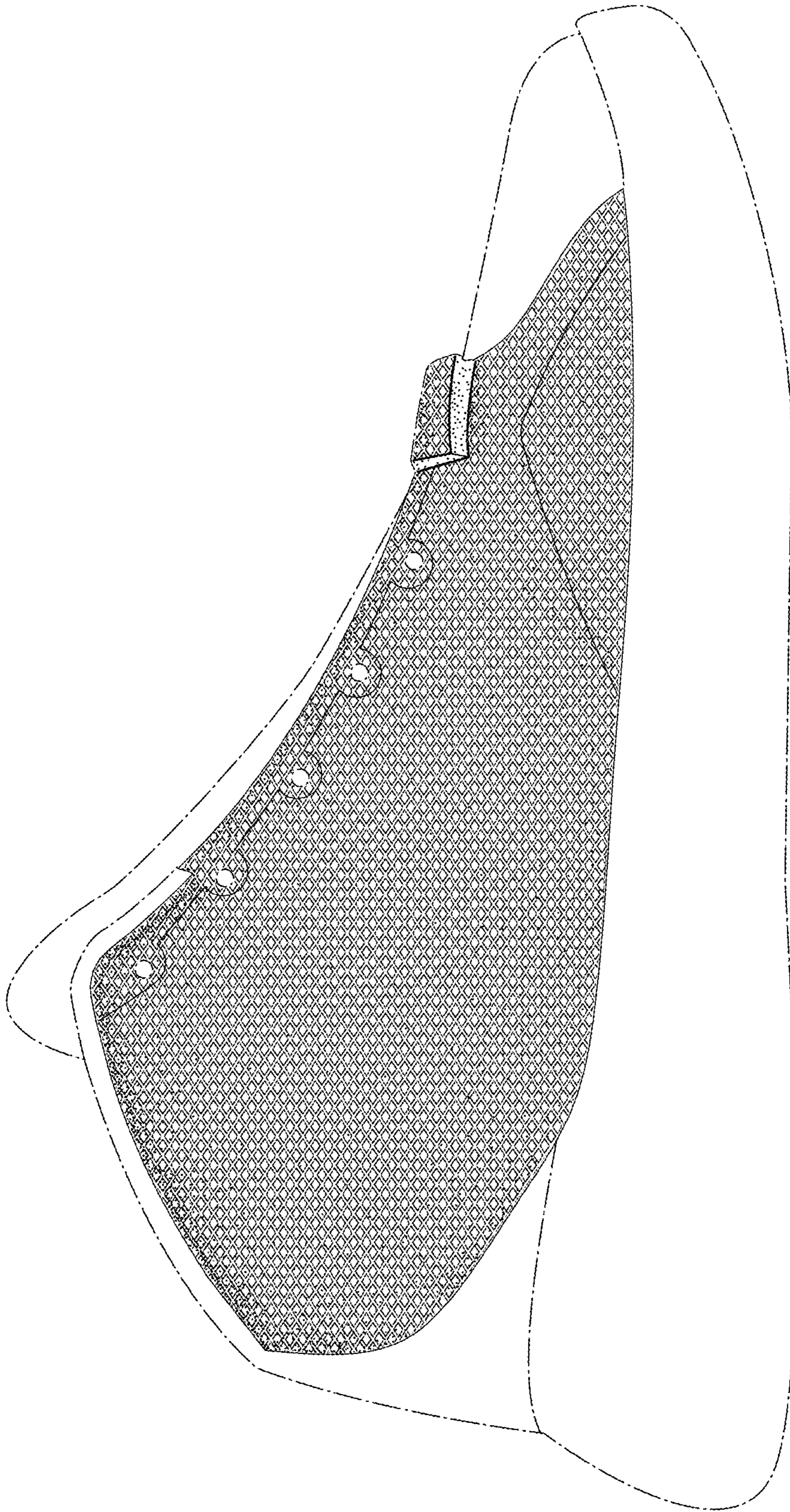


FIG. 2

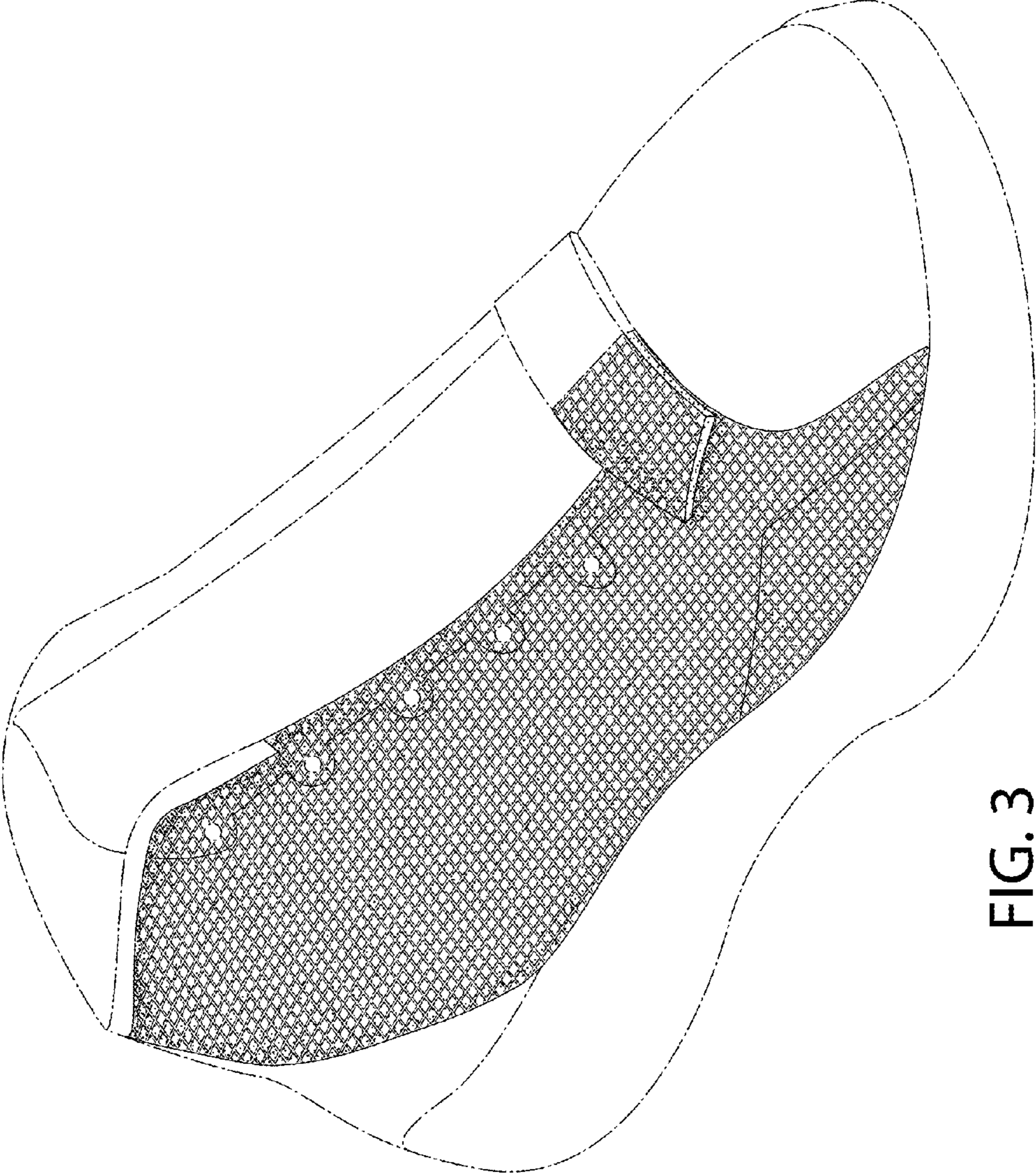


FIG. 3