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(12) **United States Design Patent** (10) **Patent No.:** **US D804,800 S**  
**Petrenka** (45) **Date of Patent:** **\*\* Dec. 12, 2017**

(54) **SHOE UPPER**  
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D291,382 S 8/1987 Vaccaro  
D295,229 S 4/1988 Brown et al.  
D298,685 S 11/1988 Dillard  
D300,282 S \* 3/1989 Brown ..... D2/970  
D321,084 S \* 10/1991 Miller ..... D2/903  
D322,879 S \* 1/1992 Hatfield ..... D2/972  
D325,290 S 4/1992 Hatfield  
D326,949 S 6/1992 Beckley  
D328,517 S 8/1992 Hallenbeck  
D333,721 S 3/1993 Hatfield  
D336,358 S 6/1993 Hatfield  
D337,425 S 7/1993 Hatfield

(Continued)

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See application file for complete search history.

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 1982 Shoe Show, p. 5, published Jan. 1982,  
NIKE, Inc., USA.

(Continued)

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(56) **References Cited**

**U.S. PATENT DOCUMENTS**

950,862 A \* 3/1910 Nelson ..... A43B 23/28  
36/58.5  
D103,588 S 3/1937 Perugia  
D119,324 S 3/1940 Bernstein  
D131,587 S 3/1942 Bergman  
D134,783 S 1/1943 Julianelli  
D144,080 S 3/1946 Sobel  
D147,294 S 8/1947 Pfeifler  
D166,436 S 4/1952 Wolfelt  
D244,886 S 7/1977 Perser et al.  
D250,738 S 1/1979 Foldes  
D254,578 S 4/1980 Finn  
D255,396 S 6/1980 Scheinhaus et al.  
4,547,981 A \* 10/1985 Thais ..... A43B 7/00  
36/114  
D283,463 S 4/1986 Chassaing

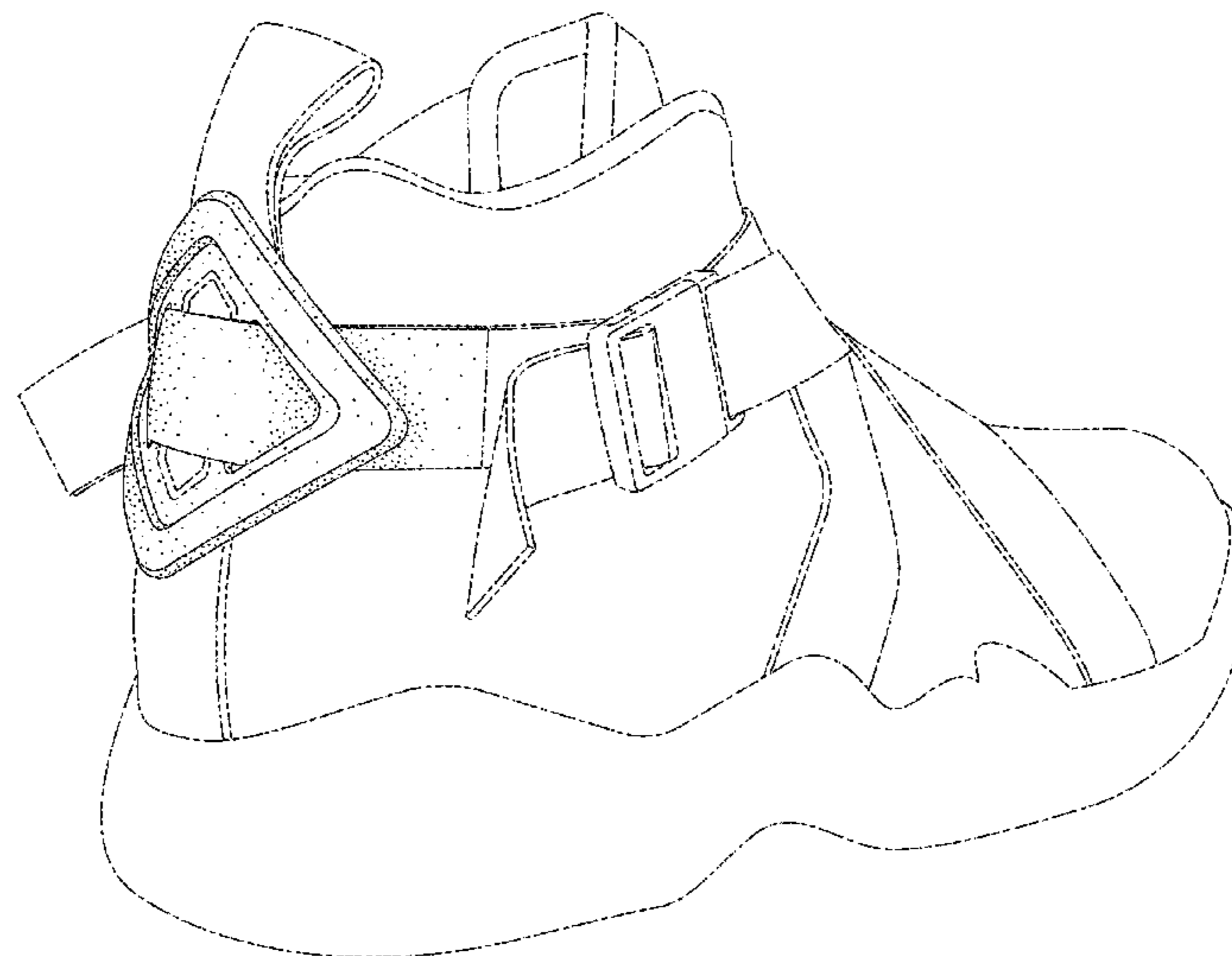
(57) **CLAIM**

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 rear view thereof; and,  
FIG. 3 is an opposite side 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 unshaded 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 represent unclaimed subject matter and form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D340,125 S \* 10/1993 Johnson ..... D2/910  
 D341,927 S 12/1993 Worthington  
 D345,245 S 3/1994 McDonald  
 D346,686 S 5/1994 Hatfield  
 D346,894 S 5/1994 Hatfield  
 D348,977 S 7/1994 Koh  
 D353,483 S 12/1994 Bailey  
 D358,021 S 5/1995 Vestuti  
 D360,973 S 8/1995 Bailey  
 D362,746 S 10/1995 Morris et al.  
 D376,472 S 12/1996 Hatfield  
 D385,102 S 10/1997 Avar  
 D385,992 S 11/1997 Brooks et al.  
 D434,210 S 11/2000 Dean  
 D444,936 S 7/2001 Matis et al.  
 D452,066 S 12/2001 Dean  
 D473,702 S 4/2003 Burg et al.  
 6,601,323 B2 \* 8/2003 Tsujino ..... A43C 7/02  
 24/712.3  
 D492,472 S 7/2004 Ortuno Santa  
 D505,001 S 5/2005 Robbins et al.  
 D511,884 S 11/2005 Hatfield  
 D524,023 S 7/2006 Avar  
 D527,172 S 8/2006 Burg  
 D527,886 S 9/2006 Morris  
 D544,689 S 6/2007 Link  
 D548,940 S 8/2007 Hulbert  
 D570,590 S 6/2008 Teteriatnikov  
 D586,100 S 2/2009 Schoenborn et al.  
 D598,190 S 8/2009 Weber  
 D609,897 S 2/2010 Carbonere et al.  
 D609,898 S 2/2010 Carbonere et al.  
 D619,348 S 7/2010 Schwartz et al.  
 D674,178 S 1/2013 Petrie  
 D682,525 S 5/2013 James  
 D682,526 S 5/2013 Link  
 D683,112 S 5/2013 James  
 D683,123 S 5/2013 James  
 D718,920 S 12/2014 Jones et al.  
 D719,725 S \* 12/2014 Katz ..... D2/902  
 9,095,188 B2 \* 8/2015 Cavaliere ..... A43B 7/14  
 D746,578 S 1/2016 Chang  
 D751,282 S \* 3/2016 Larue ..... D2/946  
 D762,955 S 8/2016 Buscemi  
 D769,586 S 10/2016 Buscemi  
 D771,932 S 11/2016 Little  
 D773,156 S 12/2016 Slimane

OTHER PUBLICATIONS

Nike Footwear Catalog, 1983 Shoe Show, p. 9, published Jan. 1983, NIKE, Inc., USA.

Nike Footwear Catalog, 1985 Footwear, p. 16, published Dec. 1984, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1985 Footwear, p. 75, published Dec. 1984, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1992 Fall Footwear, p. 26, published Dec. 1991, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1993 Fall Footwear, p. 26, published Dec. 1992, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1993 Fall Footwear, p. 8, published Dec. 1992, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2002 Fall Men's and Women's Footwear, p. 136, published Nov. 2001, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2003 Fall Jordan Footwear, p. 21, published Oct. 2002, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2004 Fall Men's, Women's, and Kids' Footwear, p. 35, published Nov. 2003, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2009 Fall Sport Performance Footwear, p. 36, published Nov. 2008, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 190, published May 2008, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 27, published Nov. 1, 2013, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2014 Spring City Specialty Best Updated, p. 18, published Jun. 11, 2013, NIKE, Inc., USA.  
 Jordan Brand Officially Introduces Spike Lee's New Shoe, The Spike Forty [online], [retrieved Feb. 8, 2017], retrieved from Internet <URL: <http://sneakernews.com/2015/10/28/jordan-brand-officially-introduces-spike-lees-new-shoe-the-spike-forty/>>; 6 color pages, Dated Oct. 28, 2015.  
 Is The Jordan Flight Flex Trainer 2 The Hardest Jordan Trainer Ever?!, [online], [retrieved Feb. 8, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/is-the-jordan-flight-flex-trainer-2-the-hardest-jordan-trainer-ever/>>; 2 color pages, Dated Jun. 11, 2015.  
 Nike Air Trainer Huarache PRM "Medicine Ball" (Official Images + Release Date), [online], [retrieved Feb. 8, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-air-trainer-huarache-prm-medicine-ball-official-images-release-date/>>; 1 color page, Dated Dec. 31, 2014.  
 Air Jordan 8 "Playoffs"—Summer 2013, [online], [retrieved Feb. 8, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/air-jordan-8-playoffs-summer-2013/>>; 1 color page, Dated Sep. 13, 2012.  
 More Images Of The Nike LeBron Zoom Soldier 10, [online], [retrieved Feb. 8, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-lebron-zoom-soldier-10-black-2/>>; 2 color pages, Dated Jun. 10, 2016.  
 Nike Footwear Catalog, 2014 Fall Sporting Goods Footwear Best, p. 183, published Nov. 1, 2013, NIKE, Inc., USA.

\* cited by examiner

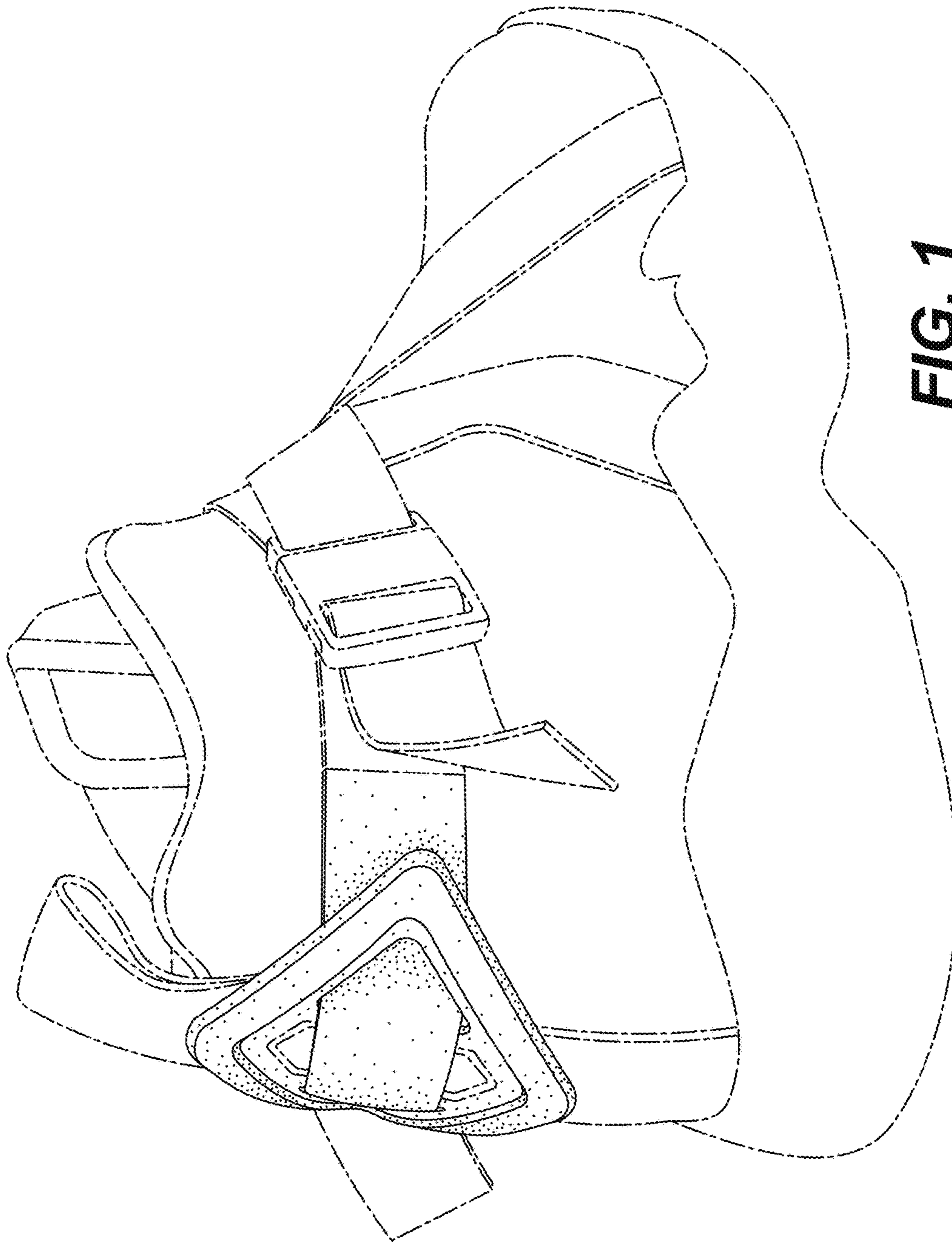
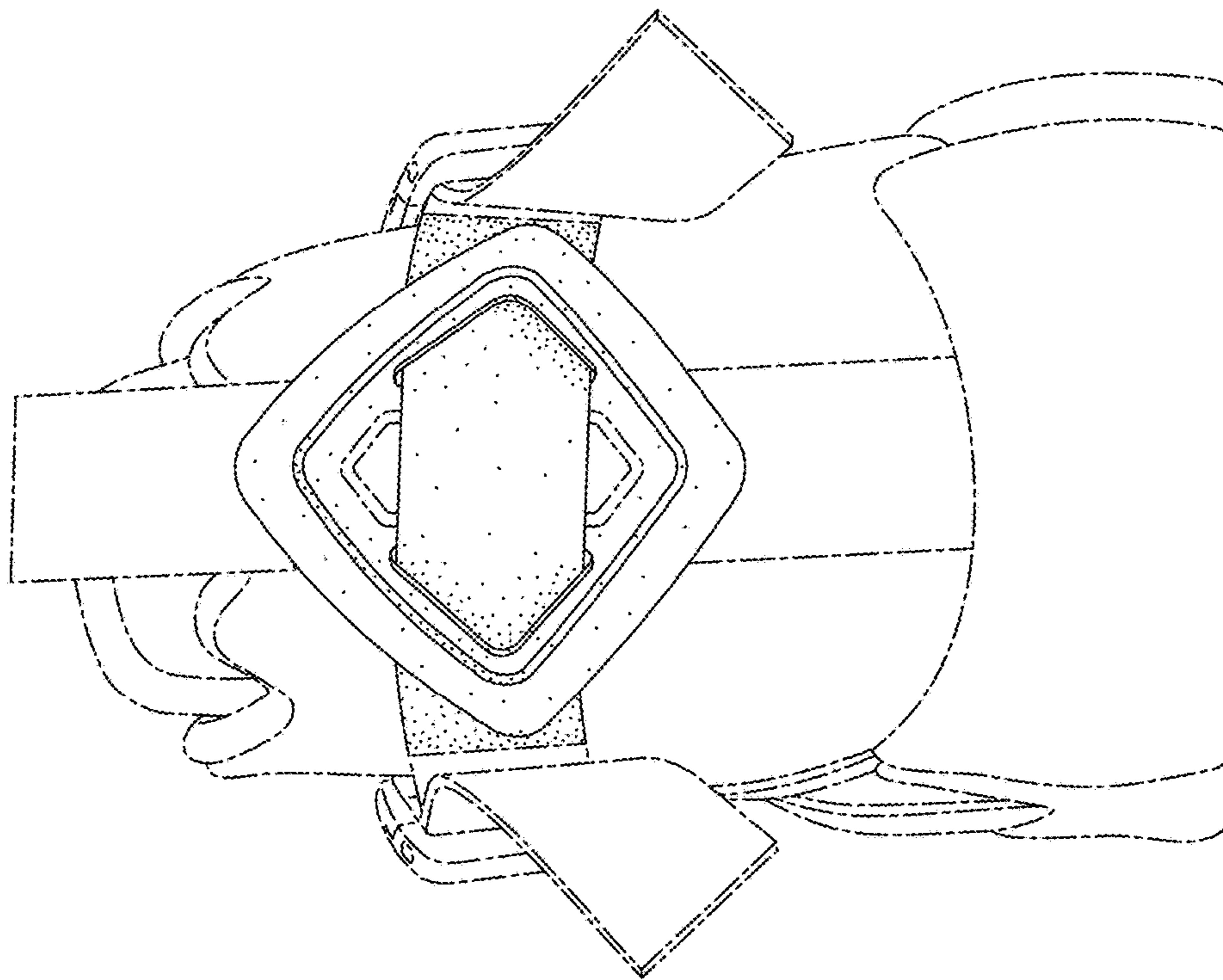
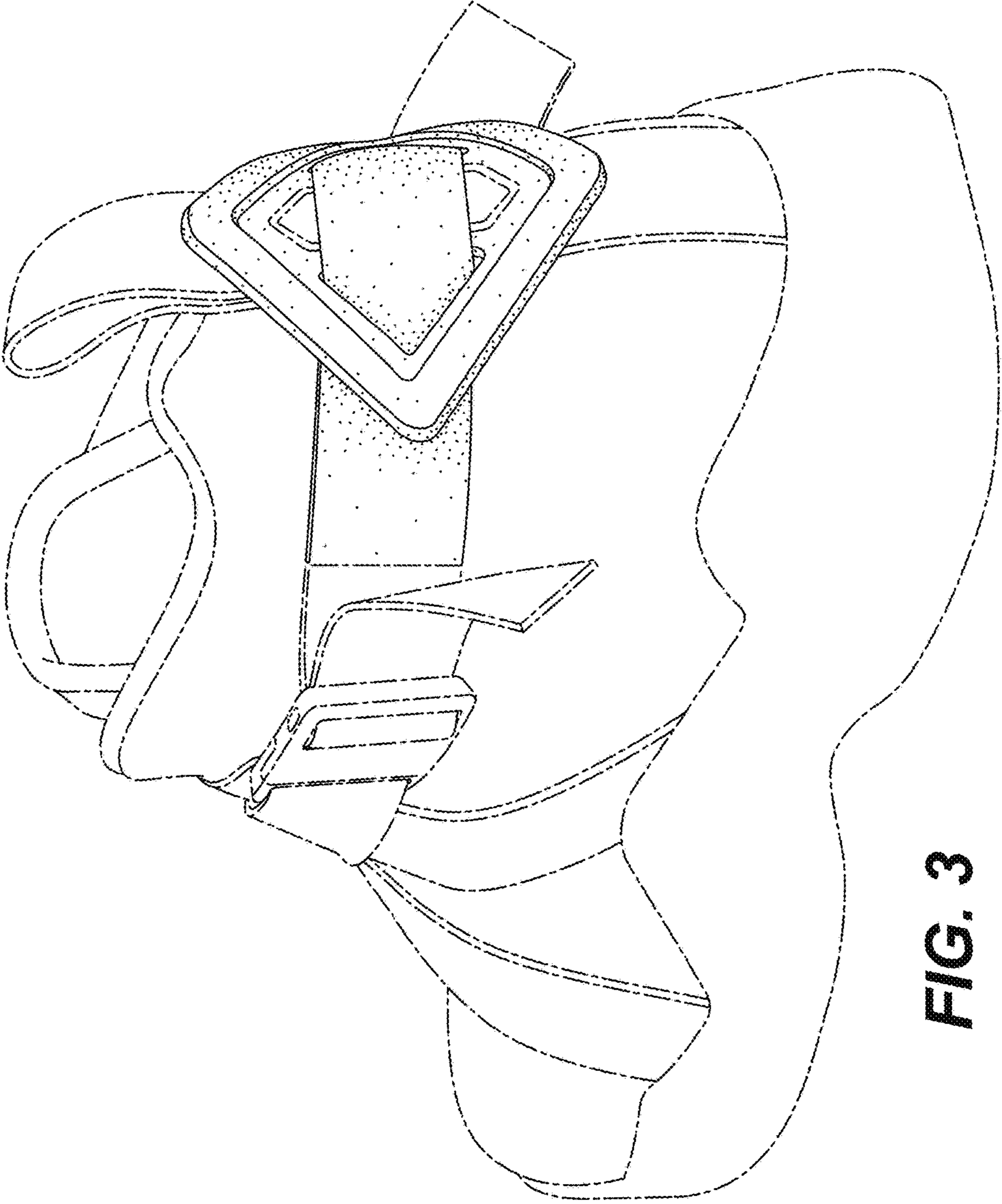


FIG. 1



**FIG. 2**



**FIG. 3**