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(12) **United States Design Patent** (10) **Patent No.:** **US D804,804 S**
Popovic (45) **Date of Patent:** **** Dec. 12, 2017**

(54) **SHOE UPPER**
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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**
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(52) **U.S. Cl.**
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(58) **Field of Classification Search**
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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;
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See application file for complete search history.

(56) **References Cited**
U.S. PATENT DOCUMENTS
D226,885 S 5/1973 McBarron
D245,127 S 7/1977 Fukuoka
D291,143 S 8/1987 Selbiger et al.
D320,689 S 10/1991 Smith
D348,765 S 7/1994 Lozano
D348,978 S 7/1994 Avar
D351,941 S 11/1994 Avar
D376,901 S 12/1996 Avar et al.
D380,291 S 7/1997 Morris
D381,801 S 8/1997 Smith
D382,693 S 8/1997 Avar
D382,695 S 8/1997 Teague
D383,298 S 9/1997 Yun
D383,791 S 9/1997 Avar
D385,095 S 10/1997 Avar et al.

D385,400 S 10/1997 Cooper
D385,412 S 10/1997 Teague
D395,353 S 6/1998 Avar
D396,142 S 7/1998 Teague
D398,758 S 9/1998 Hlavacs
D412,235 S 7/1999 Taylor et al.
D467,409 S * 12/2002 Wilson D2/969
D512,822 S 12/2005 Robinson, Jr. et al.
D513,844 S 1/2006 Robinson, Jr. et al.
D524,032 S 7/2006 Edwards
D541,520 S * 5/2007 Fogg D2/972
D560,339 S 1/2008 Lane, III et al.
D595,493 S 7/2009 Lane, III
D595,494 S 7/2009 Lane, III
D630,831 S 1/2011 Lane, III
(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 1993 Spring Footwear, p. 130, published Jun. 1992, NIKE, Inc., USA.
(Continued)

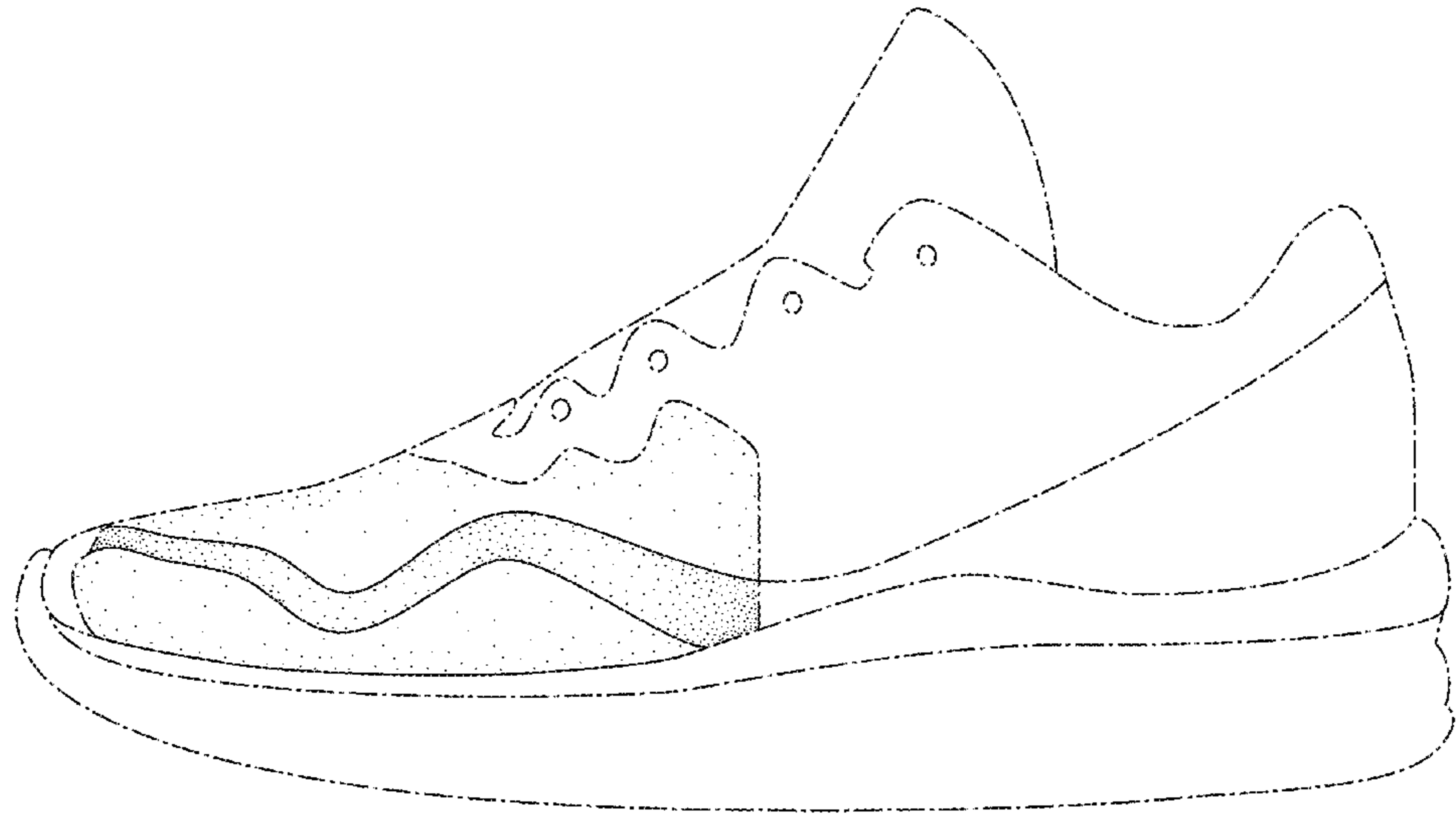
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(57) **CLAIM**
The ornamental design for a shoe upper, as shown and described.

DESCRIPTION

FIG. 1 is a front 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 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 represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D637,799 S	5/2011	Della Valle et al.	
D676,642 S	2/2013	Rasmussen	
D683,947 S	6/2013	James	
D685,567 S	7/2013	Dolce	
D709,277 S *	7/2014	Takenaka	D2/972
D709,280 S	7/2014	Shaffer	
D723,788 S *	3/2015	Raysse	D2/969
D745,772 S *	12/2015	Woodman	D2/972
D765,964 S *	9/2016	Fallon	D2/972
D770,751 S *	11/2016	Anceresi	D2/972
D773,168 S *	12/2016	Cin	D2/973

OTHER PUBLICATIONS

Nike Footwear Catalog, 1993 Spring Footwear, p. 102, published Jun. 1992, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Fall Footwear, p. 8, published Nov. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Fall Footwear, p. 16, published Nov. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Fall Footwear, p. 34, published Nov. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Fall Footwear, p. 44, published Nov. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Fall Footwear, p. 162, published Nov. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Late Spring Footwear, p. 16, published Sep. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Spring Footwear, p. 22, published Jun. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1995 Fall Footwear, p. 10, published Nov. 1994, NIKE, Inc., USA.

Nike Footwear Catalog, 1995 Fall Footwear, p. 153, published Nov. 1994, NIKE, Inc., USA.

Nike Footwear Catalog, 1995 Fall Footwear, p. 154, published Nov. 1994, NIKE, Inc., USA.

Nike Footwear Catalog, 1996 Spring Footwear, p. 25, published Jun. 1995, NIKE, Inc., USA.

Nike Footwear Catalog, 1997 Spring Footwear, p. 23, published Jun. 1996, NIKE, Inc., USA.

Nike Footwear Catalog, 1997 Late Spring Footwear, p. 224, published Sep. 1996, NIKE, Inc., USA.

Nike Footwear Catalog, 1998 Late Spring Footwear, p. 75, published Sep. 1997, NIKE, Inc., USA.

Nike Footwear Catalog, 2004 Late Spring Men's, Women's, and Kids' Footwear, p. 34, published Sep. 2003, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Men's Sportswear Footwear, p. 4, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Women's Sportswear Footwear, p. 2, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Young Athletes Footwear, p. 17, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Spring Men's and Women's REAX Performance Footwear, p. 44, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Spring Men's Athletic Training Footwear, p. 59, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall Boutique, p. 354, Published date unknown, NIKE Inc., USA.

Nike Footwear Catalog, 2015 Spring Women's Performance Footwear, p. 49, Published date unknown, NIKE Inc., USA.

Nike Footwear Catalog, 2016 Fall Account Catalog, p. 27, Published date unknown, NIKE Inc., USA.

Nike Footwear Catalog, 2017 Spring Athletic Specialty Footwear Best, p. 132, Published date unknown, NIKE Inc., USA.

Nike Brought Back the OG Air Max 1 [online], [retrieved Mar. 17, 2017], retrieved from Internet <URL: <http://www.gq.com/story/nike-og-air-max-1-2017-release>; 4 color pages, Dated Mar. 2, 2017.

Official Images of the Air Jordan 4 Motorsport [online], [retrieved Mar. 17, 2017], retrieved from Internet <URL: <https://www.kicksonfire.com/air-jordan-4-motorsport-official-images/>>; 2 color pages, Dated Mar. 9, 2017.

Nike Air Max Sequent (Racer Blue) [online], [retrieved Mar. 17, 2017], retrieved from Internet <URL: <https://www.sneakerfreaker.com/sneakers/nike-sock-dart-hits-nikeid/>>; 7 color pages, Dated Apr. 16, 2016.

* cited by examiner

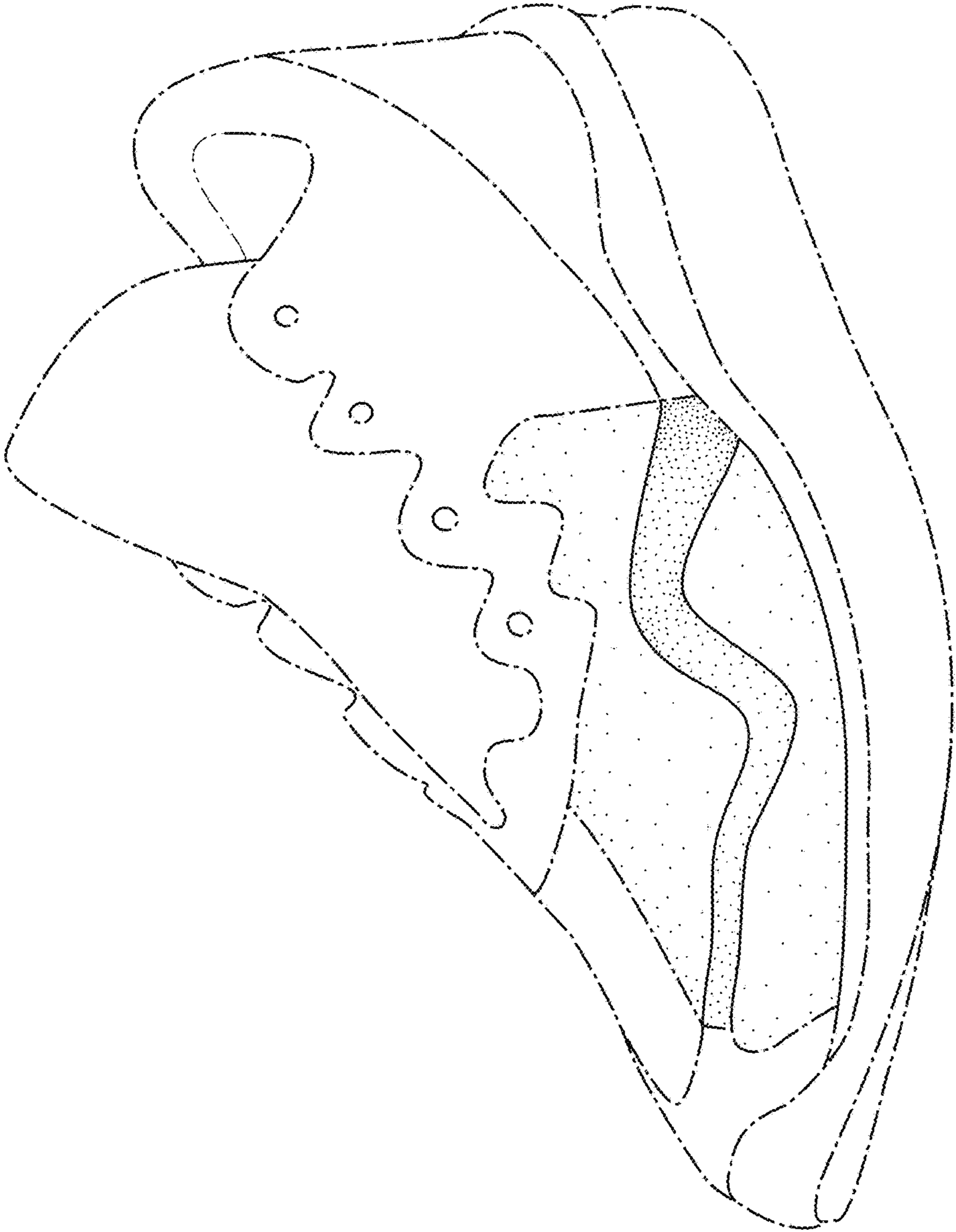


FIG. 1

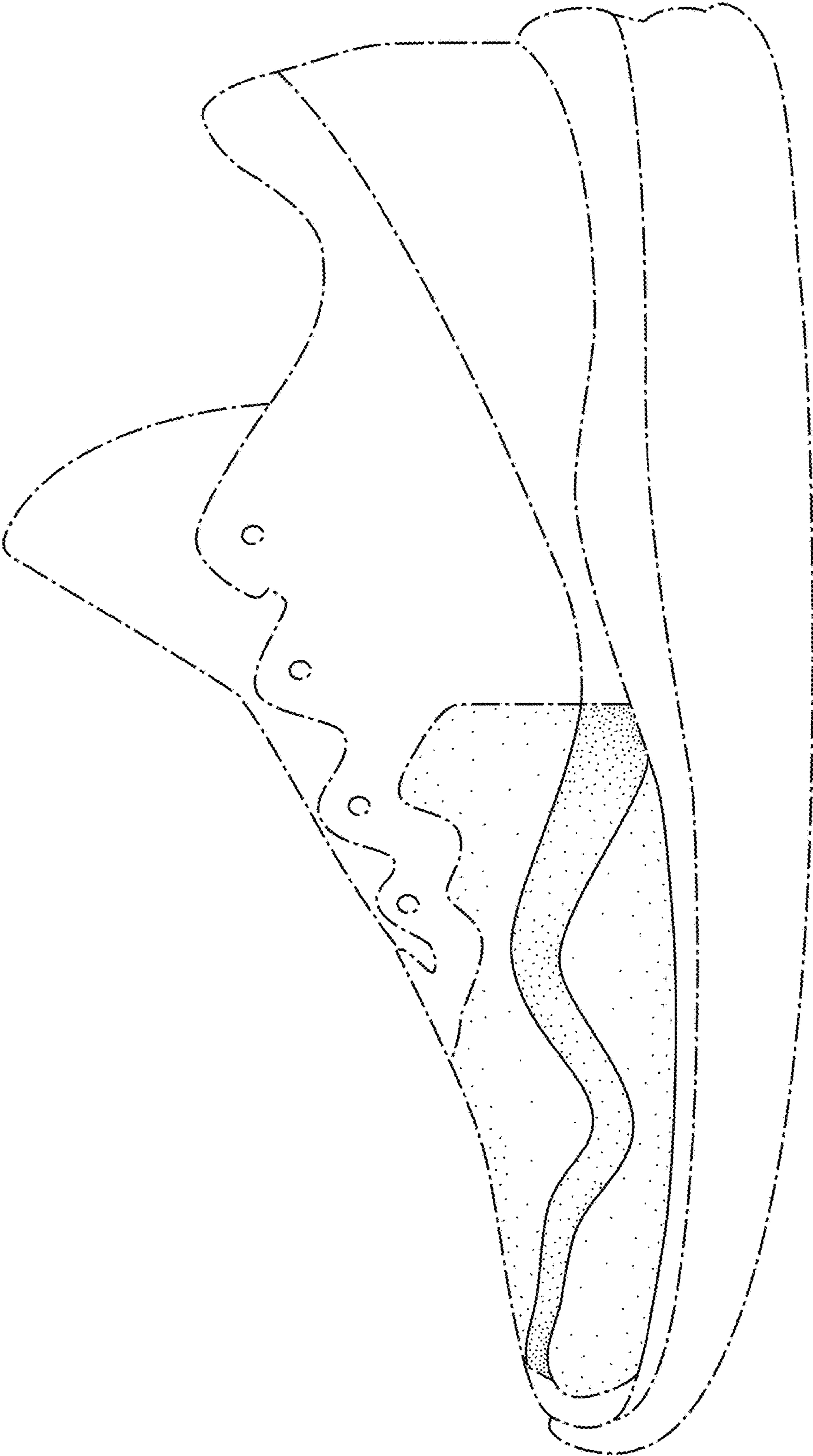


FIG. 2

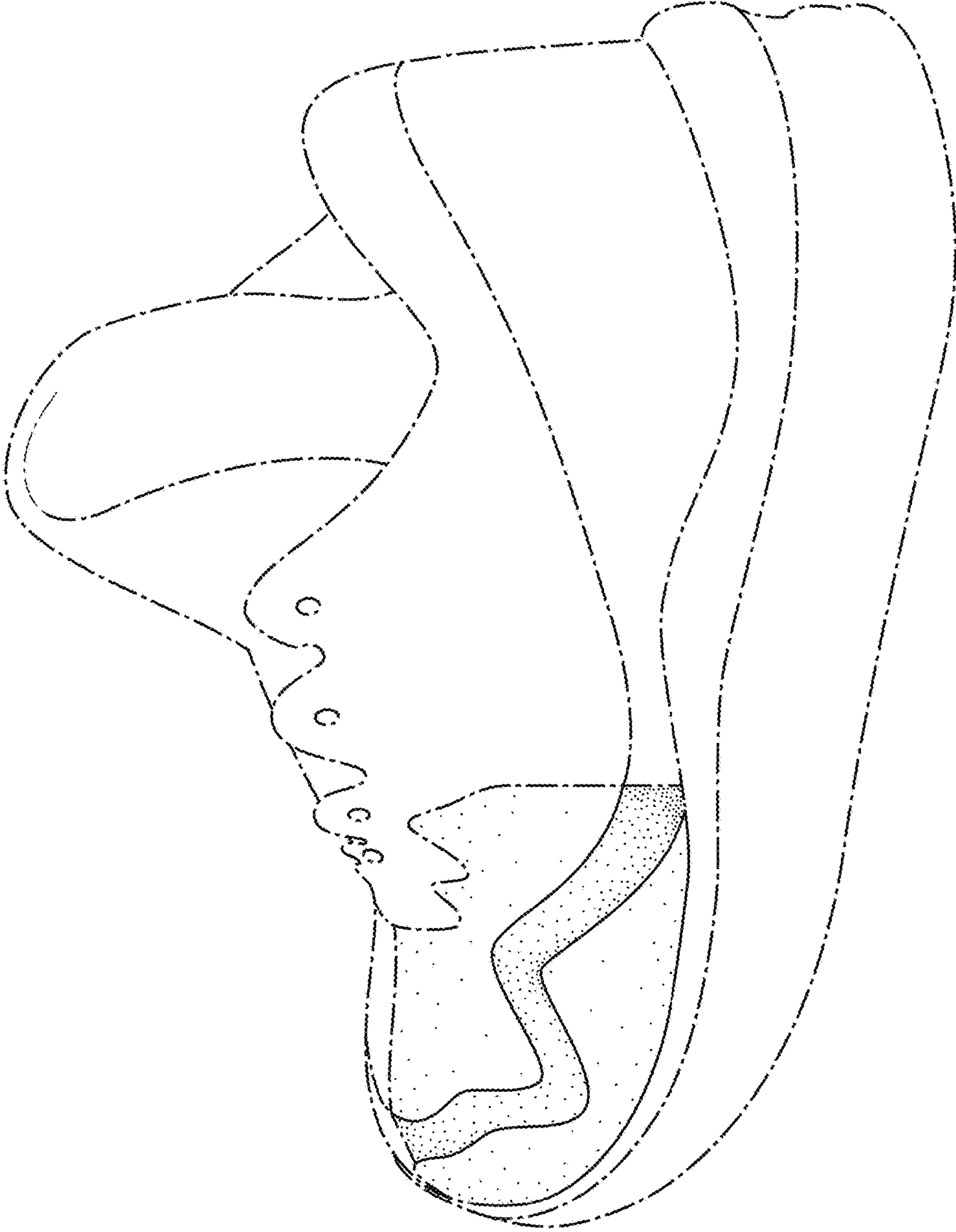


FIG. 3