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(12) **United States Design Patent** (10) **Patent No.:** **US D808,632 S**
Link et al. (45) **Date of Patent:** **** Jan. 30, 2018**

(54) **SHOE UPPER**

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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)

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

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(51) **LOC (11) 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

D266,968 S	11/1982	Railton	
D407,548 S	* 4/1999	Holmes	D2/972
D431,899 S	* 10/2000	Cooper	D2/972
D432,775 S	* 10/2000	McDowell	D2/972
D461,304 S	* 8/2002	Clegg	D2/972
D466,277 S	12/2002	Smith, III	
D466,278 S	12/2002	Smith, III	
D480,549 S	10/2003	Matis et al.	
D491,718 S	6/2004	Link	
D495,867 S	9/2004	Avar	
D504,562 S	5/2005	Kuerbis	
D526,772 S	* 8/2006	Cass	D2/972
D570,585 S	6/2008	Hatfield	

D570,586 S	6/2008	Hatfield	
D572,454 S	7/2008	Dirsra	
D575,941 S	9/2008	Weber	
D582,133 S	12/2008	Del Biondi	
D583,546 S	* 12/2008	Henderson	D2/972
D595,046 S	6/2009	Chang	
D595,496 S	7/2009	Mayden	
D595,950 S	7/2009	Mayden	
D595,951 S	7/2009	Henderson	

(Continued)

OTHER PUBLICATIONS

Nike Baseball Brings Speed to Minnesota for MLB All Star Game
[online], [retrieved May 11, 2017], Retrieved from Internet <URL:
[http://news.nike.com/news/nike-baseball-brings-speed-to-minne-](http://news.nike.com/news/nike-baseball-brings-speed-to-minnesota-for-mlb-all-star-game)
[sota-for-mlb-all-star-game](http://news.nike.com/news/nike-baseball-brings-speed-to-minnesota-for-mlb-all-star-game)>; 9 color sheets, Dated Jul. 10, 2014.

(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 our new design;

FIG. 2 is a lateral side view thereof;

FIG. 3 is a lateral rear perspective view thereof;

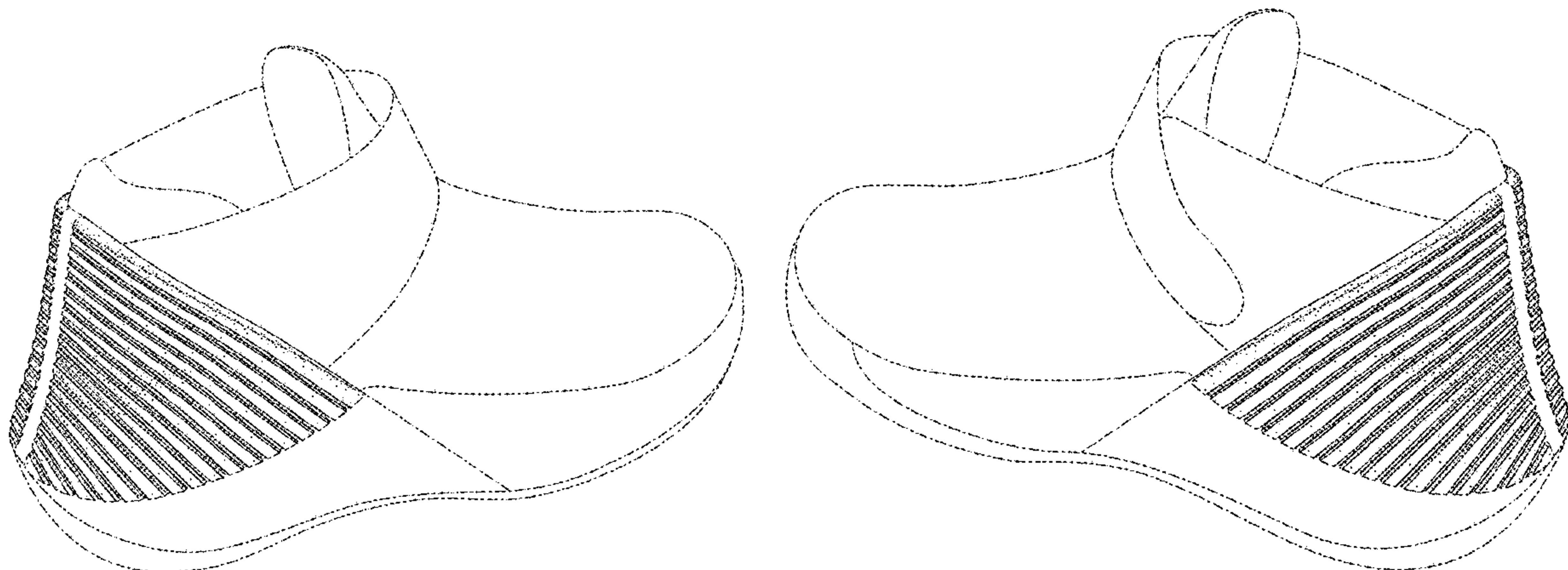
FIG. 4 is a rear view thereof;

FIG. 5 is a medial rear perspective view thereof; and,

FIG. 6 is a medial 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, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D610,339	S	2/2010	Mermet	
D610,341	S	2/2010	Cooper	
D636,592	S	4/2011	Dekovic	
D683,113	S	5/2013	Napurano	
D699,933	S *	2/2014	Rasmussen	D2/972
D725,895	S	4/2015	Cin	
D734,018	S	7/2015	Wright	
D737,039	S *	8/2015	Pauk	D2/972
D737,040	S *	8/2015	Pauk	D2/972
D744,737	S	12/2015	Raasch	
D746,578	S	1/2016	Chang	
D762,056	S *	7/2016	Fullum	D2/972
D762,964	S *	8/2016	Nyssen	D2/972
D763,564	S *	8/2016	Nyssen	D2/972
D767,865	S	10/2016	Chang	
D772,547	S *	11/2016	Raysse	D2/969
D778,580	S	2/2017	Rowe	
D778,586	S	2/2017	McMillan et al.	
D779,187	S	2/2017	Williams, Jr.	
D780,424	S	3/2017	Abe et al.	
D780,427	S	3/2017	Williams, Jr.	
D781,557	S	3/2017	Hui	
D781,559	S	3/2017	Williams, Jr.	
D782,807	S	4/2017	Kanata et al.	
D783,257	S	4/2017	Small	
D783,981	S	4/2017	Cin	
D783,984	S	4/2017	Williams, Jr.	
D783,998	S	4/2017	Anceresi	
D786,546	S	5/2017	Rasmussen	
D789,675	S	6/2017	Robusti	
D790,191	S	6/2017	Small	
D791,463	S	7/2017	Williams, Jr.	
D792,084	S	7/2017	Rasmussen	
D792,698	S	7/2017	Kirschner	
2005/0268497	A1	12/2005	Alfaro et al.	
2009/0229144	A1	9/2009	Sussman	

OTHER PUBLICATIONS

The Pristine Nike Swoosh Hunter [online], [retrieved May 11, 2017], Retrieved from Internet <URL: <https://www.kicksonfire.com/nike-swoosh-hunter-white/>>; 10 color sheets, Dated Feb. 22, 2016.

Nike Footwear Catalog, 1997 Spring Footwear, p. 41, published Jun. 1996, NIKE, Inc., USA.

Nike Footwear Catalog, 1998 Fall Men's Specialty and Women's & Kids' Footwear, p. 92, published Dec. 1997, NIKE, Inc., USA.

Nike Footwear Catalog, 1997 Late Spring Footwear, p. 229, published Sep. 1996, NIKE, Inc., USA.

Nike Footwear Catalog, 1999 Late Fall October & November Flow Footwear, p. 133, published Mar. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 2002 Fall Men's and Women's Footwear, p. 39, published Nov. 2001, NIKE, Inc., USA.

Nike Footwear Catalog, 2003 Fall Men's and Women's Footwear, p. 36, published Nov. 2002, NIKE, Inc., USA.

Nike Footwear Catalog, 2003 Fall Men's and Women's Footwear, p. 67, published Nov. 2002, NIKE, Inc., USA.

Nike Footwear Catalog, 2003 Spring Men's and Women's Footwear, p. 8, published Jun. 2002, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 36, published May 2009, 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, 2011 Spring Men's Athletic Training Footwear, p. 66, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Spring Men's Running Footwear, p. 25, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men's and Women's Sportswear Better Footwear, p. 8, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men's Performance Footwear, p. 32, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring City Specialty Best Updated, p. 18, published Jun. 11, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring Men's Footwear Performance, p. 23, published May 22, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2017 Spring Account Catalog, p. 54, published date unknown, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall Sporting Goods, p. 204, published date unknown, NIKE, Inc., USA.

* cited by examiner

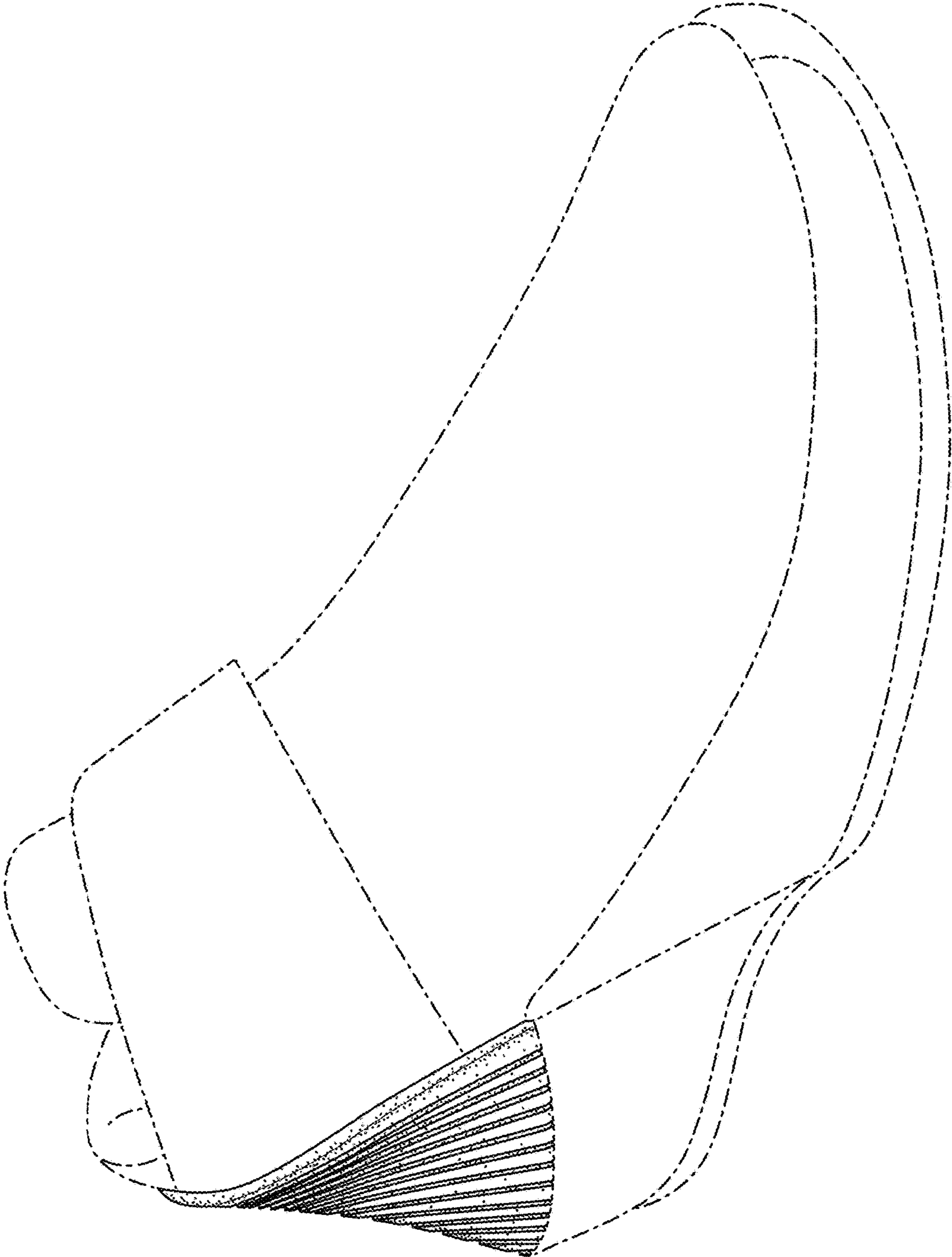


FIG. 1

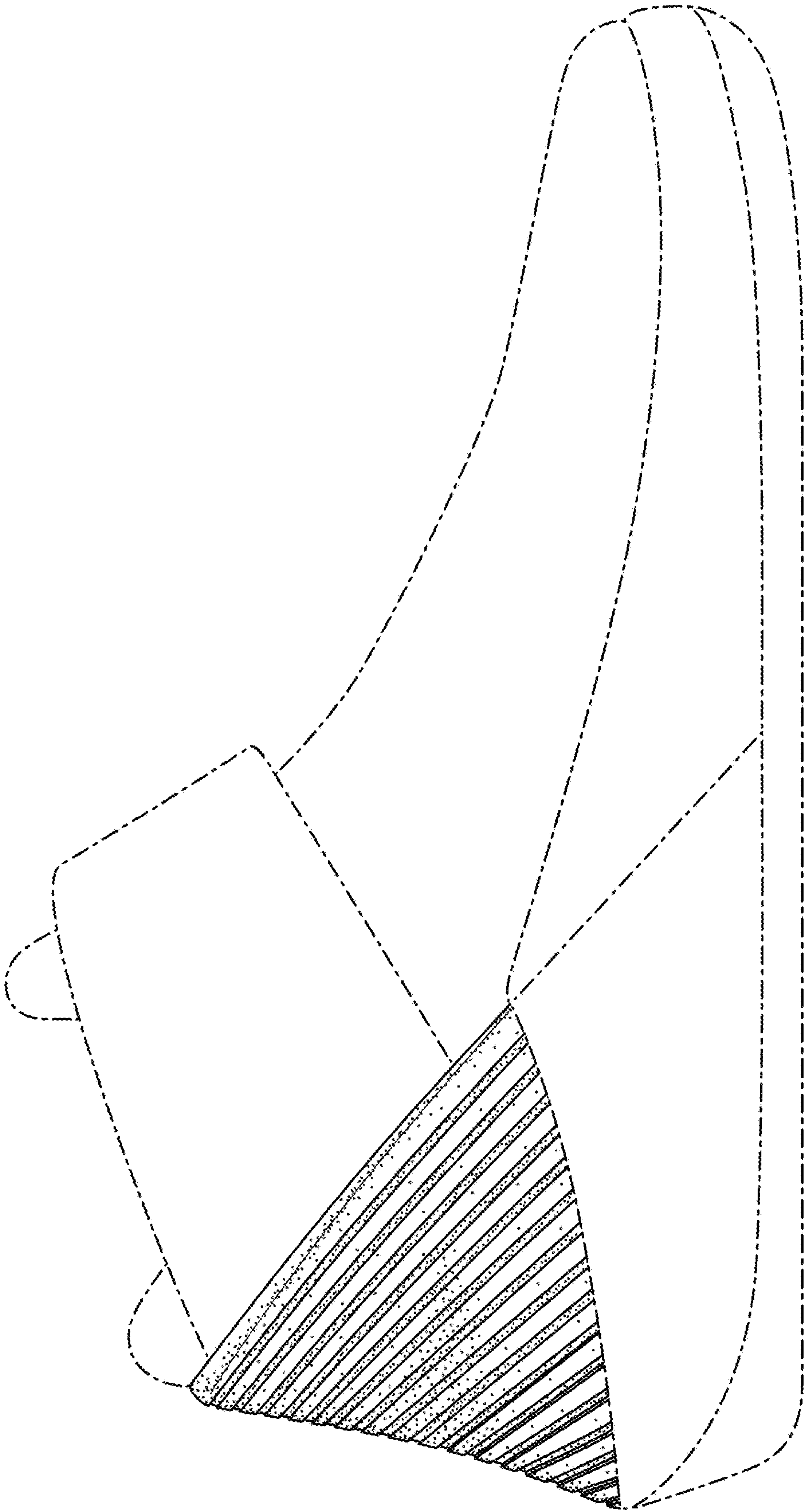


FIG. 2

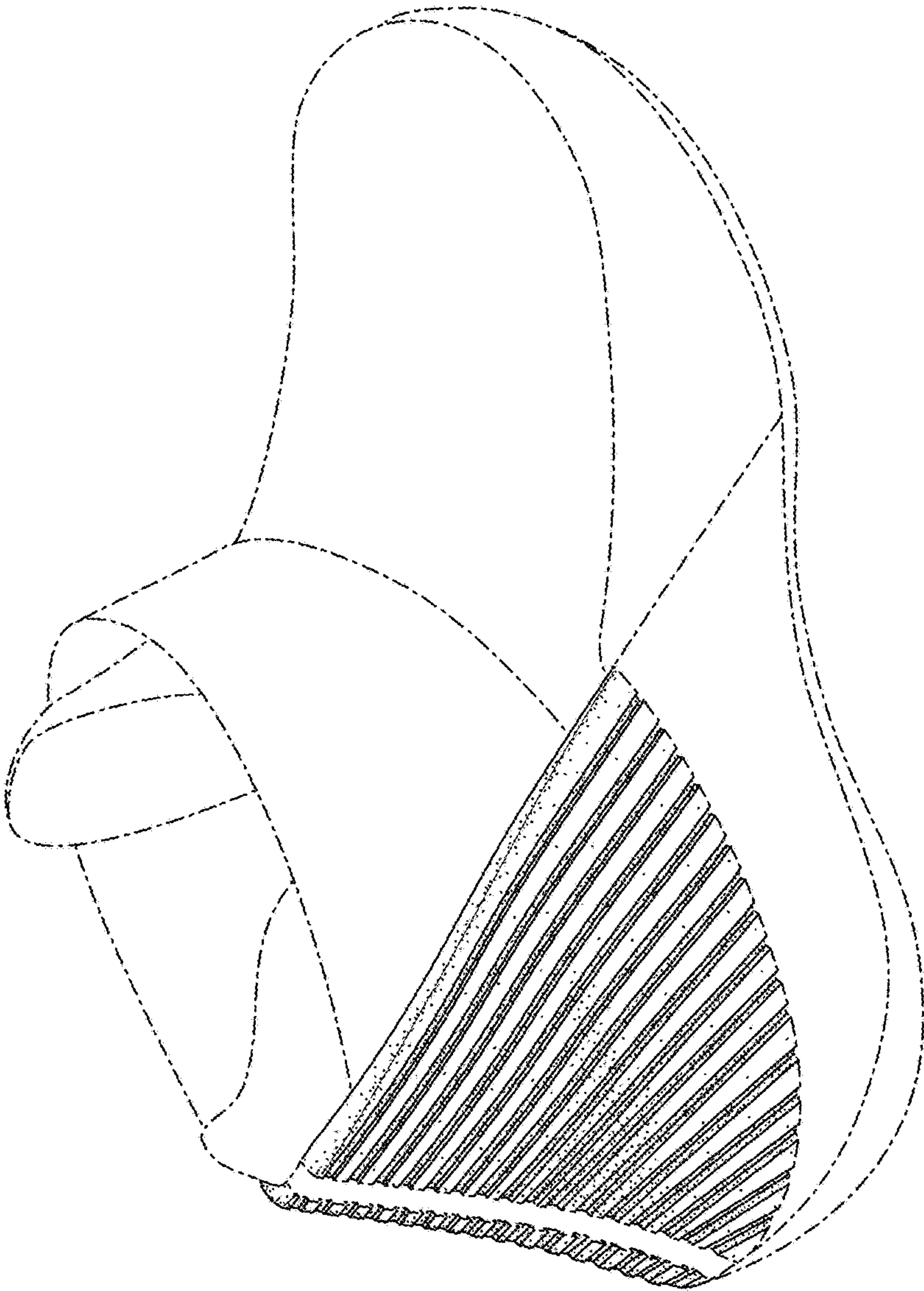


FIG. 3

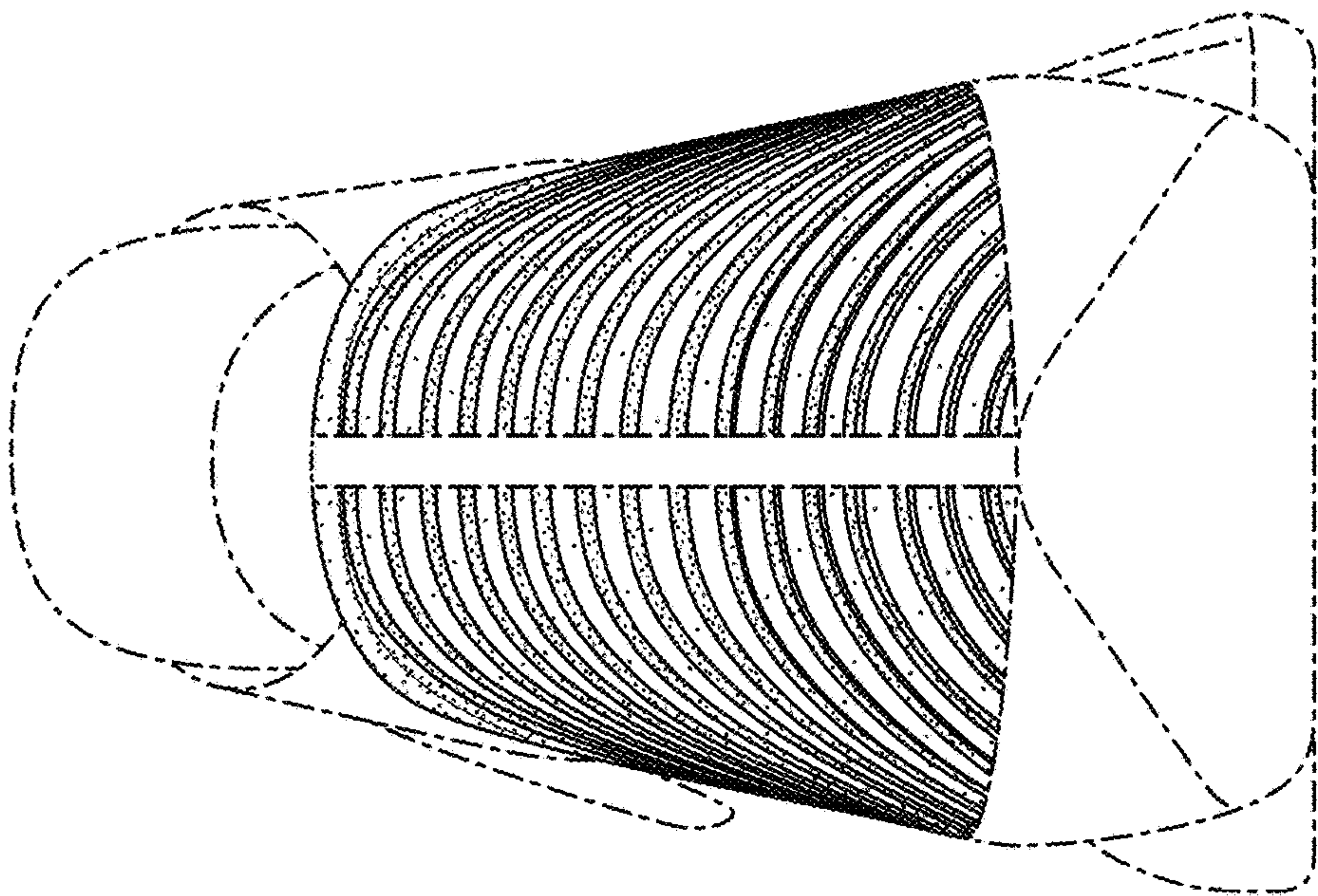


FIG. 4

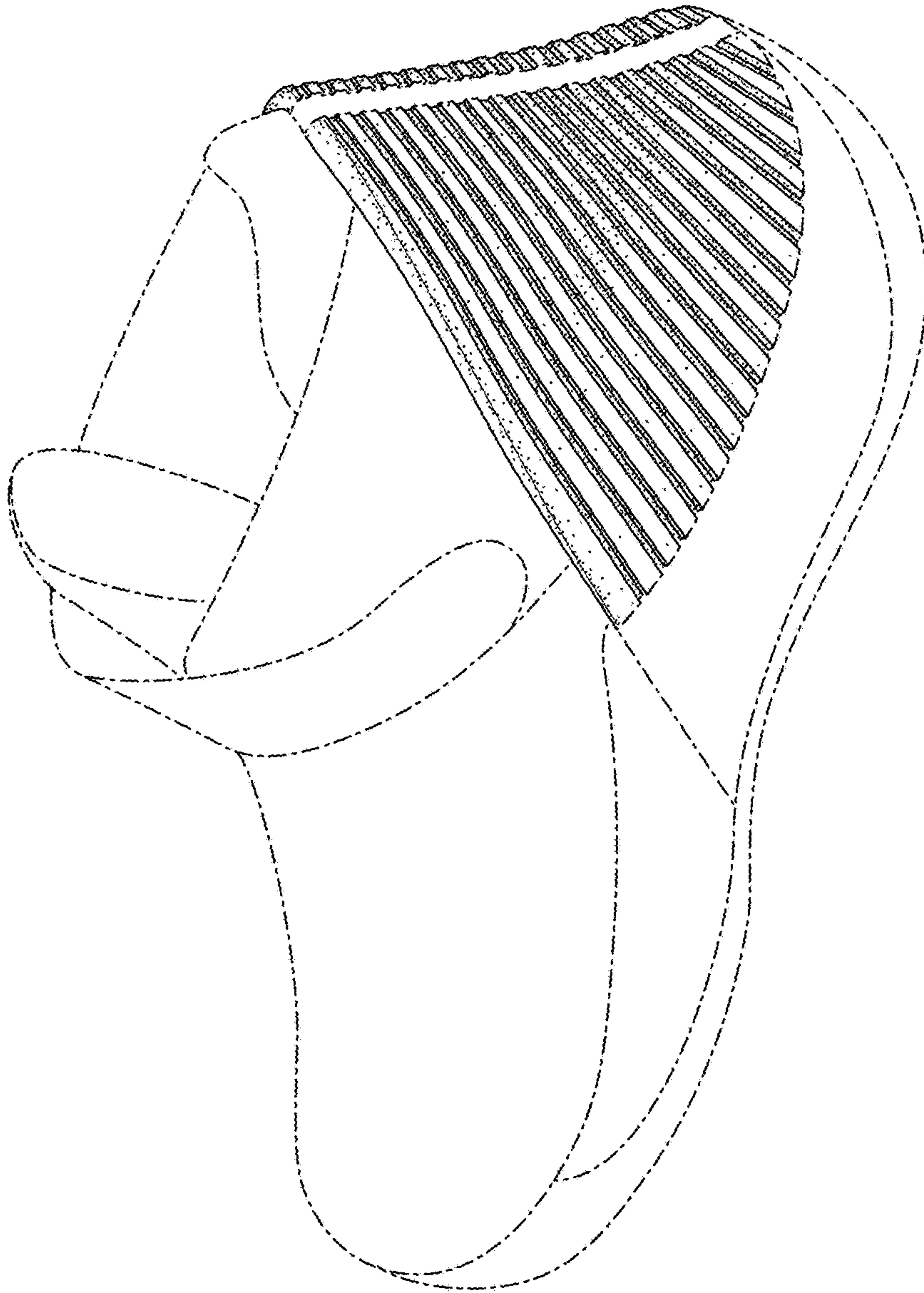


FIG. 5

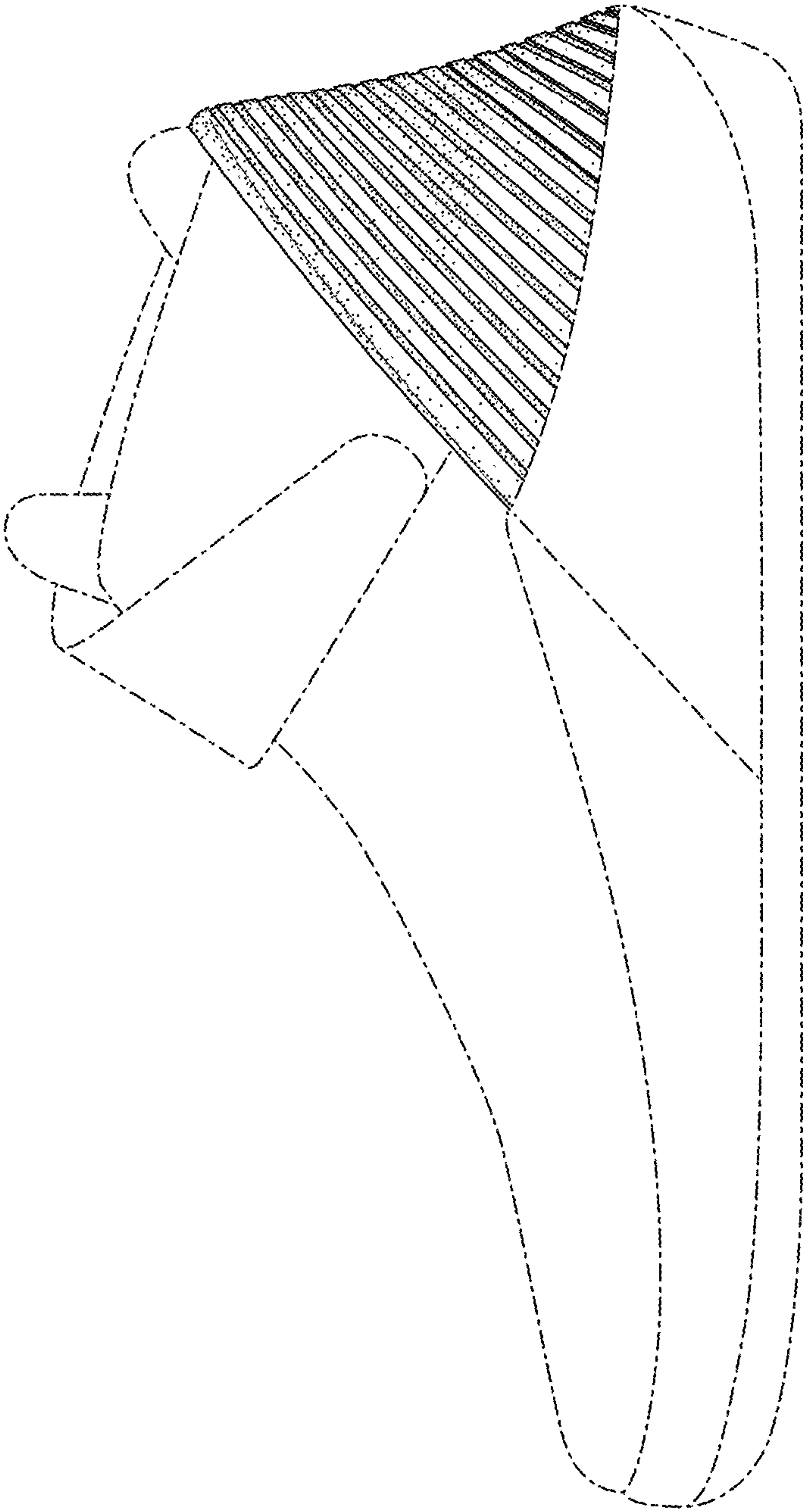


FIG. 6