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(12) **United States Design Patent** (10) **Patent No.:** **US D809,273 S**
Nethongkome (45) **Date of Patent:** **** Feb. 6, 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.** **02-04**

(52) **U.S. Cl.**

USPC **D2/972**

(58) **Field of Classification Search**

USPC D2/902, 906–912, 943–947, 964,
D2/968–969, 970, 972–974, 977, 980,
D2/983–986, 994, 901; D24/192;
D5/1–3, 47, 53, 61

CPC ... A43B 3/0047; A43B 3/0052; A43B 3/0057;
A43B 3/0063; A43B 3/0068; A43B
3/0073; A43B 1/04; A43B 1/06; A43B
5/00; A43B 5/02; A43B 5/06; A43B 5/10;
A43B 5/14; A43B 23/0245; A43B
13/125; A43B 13/186; A43C 3/00; A43C
7/06

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D85,523 S * 11/1931 Gross D5/47
D710,586 S * 8/2014 Williams, Jr. D2/972
D718,032 S * 11/2014 VanHook D2/972
D718,036 S * 11/2014 McMillan D2/972
D746,571 S * 1/2016 Bell D2/972
D746,572 S * 1/2016 Bell D2/972
D780,431 S * 3/2017 Pauk D2/972

D783,988 S * 4/2017 da Costa Pereira
Machado D2/972
D788,435 S * 6/2017 Gibson D2/972
D801,028 S * 10/2017 Small D2/972
D801,029 S * 10/2017 Lee D2/972
D801,671 S * 11/2017 Small D2/972
D802,282 S * 11/2017 Wright D2/972

OTHER PUBLICATIONS

Nike Zoom Winflo 4, as posted at YouTube.com [online], posted by Shop Zappos on May 10, 2017, [site visited Nov. 15, 2017]. Available from the Internet, <URL: <https://www.youtube.com/watch?v=I9zVFAGlQac>>.*
Nike Men's Zoom Winflo Running Shoe [online], [retrieved Feb. 22, 2017] retrieved from internet <URL:<https://www.amazon.com/Nike-Mens-Zoom-Winflo-Running/dp/B002QJ047W/>>; 3 color sheets, Dated Sep. 26, 2009.

(Continued)

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(57)

CLAIM

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

DESCRIPTION

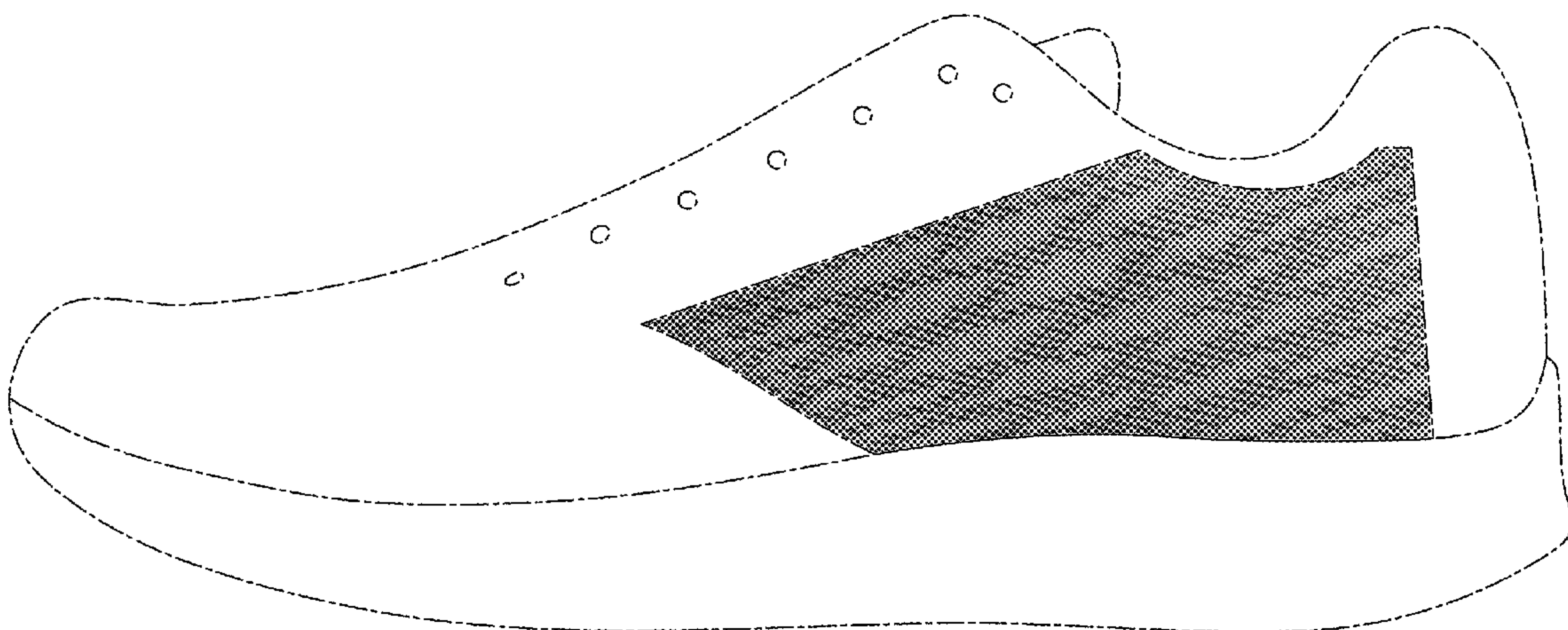
FIG. 1 is a front perspective view of a shoe upper showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The photographic area shows the claim. The broken lines immediately adjacent to the photographic area define the bounds of the claimed design and form no part thereof. 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

OTHER PUBLICATIONS

Nike Men's Zoom Winflo 2 Running Shoe [online], [retrieved Feb. 22, 2017] retrieved from internet <URL:https://www.amazon.com/Nike-Winflo-White-Anthracite-Running/dp/B005ABUIH4/ref=sr_1_4?s=apparel&ie=UTF8&qid=1487797945&sr=1-4&nodeID=7141123011&keywords=nike+zoom+winflo+2/>; 2 color sheets, Dated Dec. 30, 2015.

Nike Women's Zoom Winflo 3 Running Shoe [online], [retrieved Feb. 22, 2017] retrieved from internet <URL:https://www.amazon.com/Nike-Winflo-Aluminum-Womens-Running/dp/B01H4XG4DC/ref=sr_1_5?s=apparel&ie=UTF8&qid=1487798351&sr=1-5&nodeID=7141123011&keywords=nike+zoom+winflo+3/>; 3 color sheets, Dated Oct. 12, 2011.

* cited by examiner

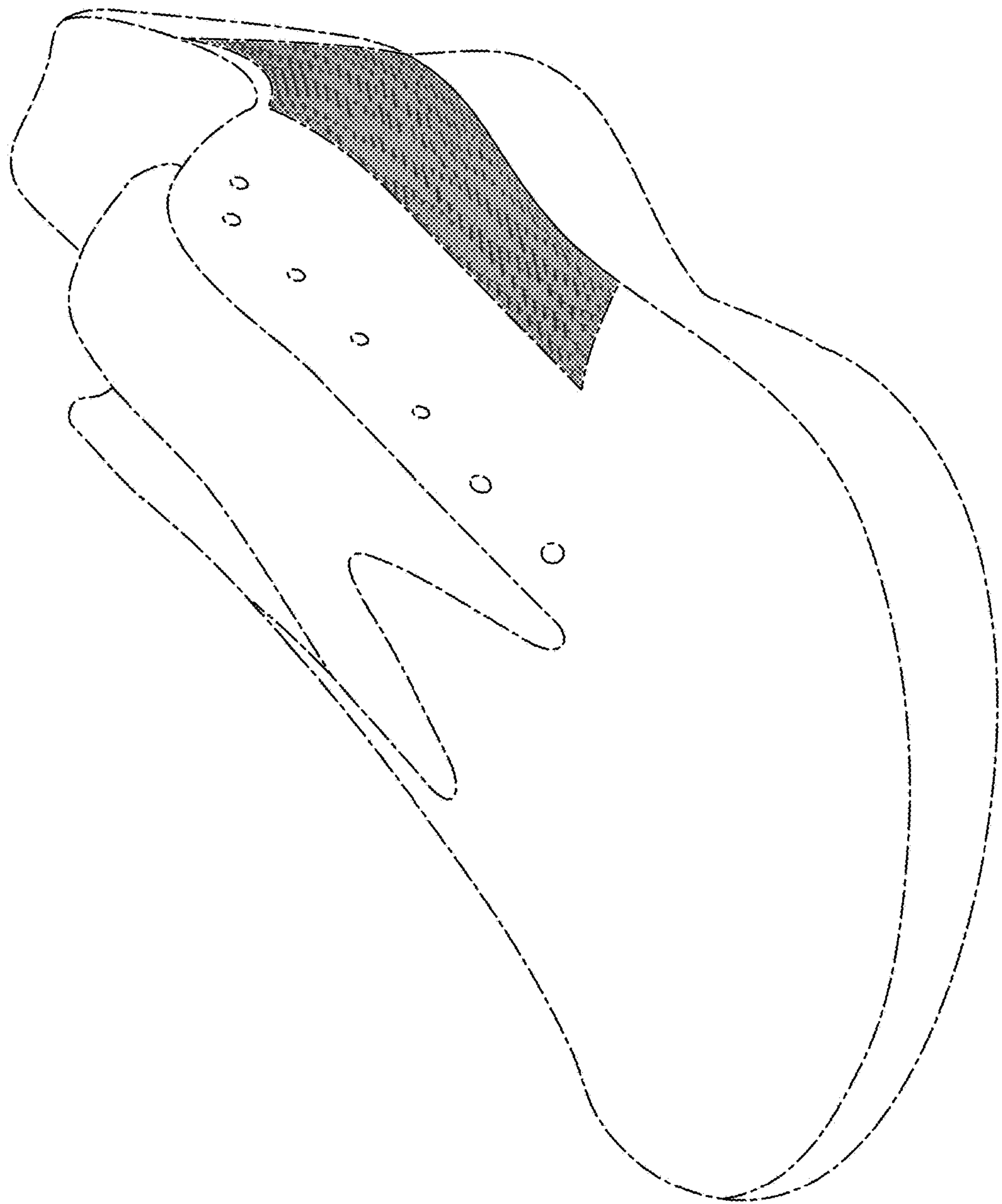


FIG. 1

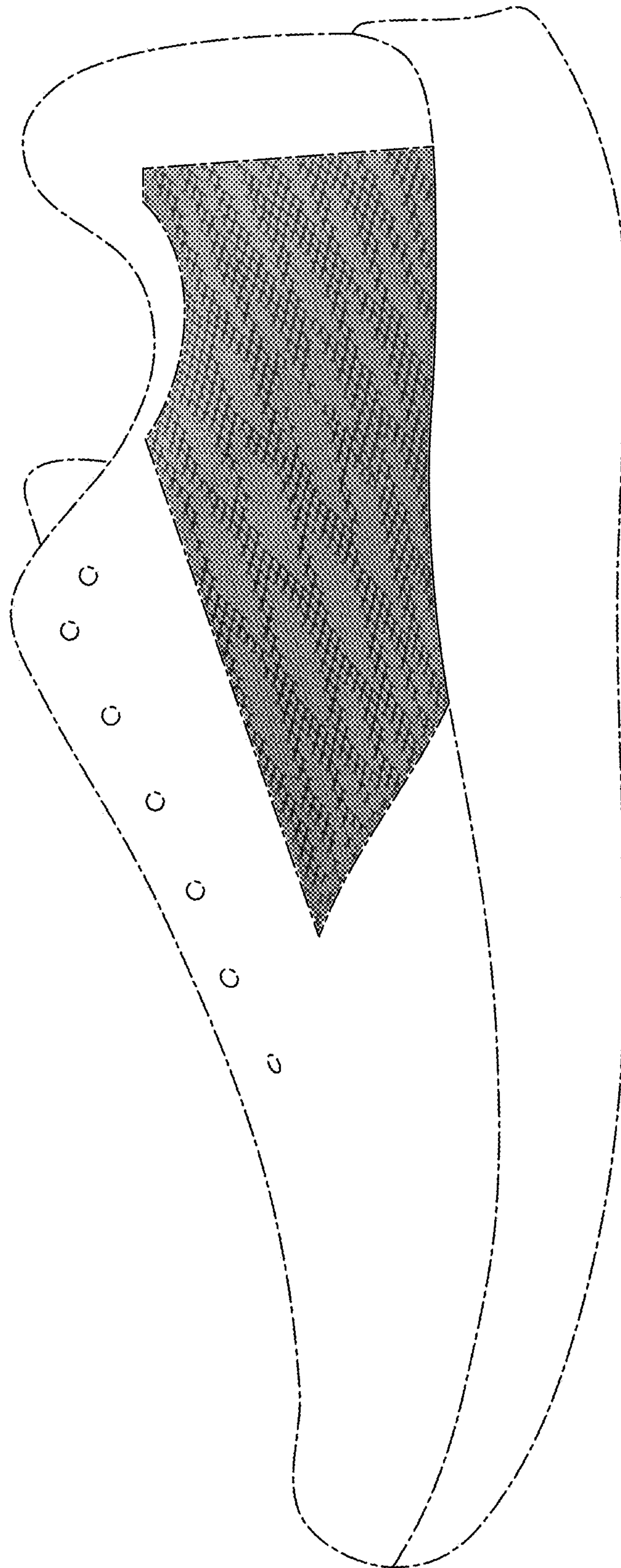


FIG. 2

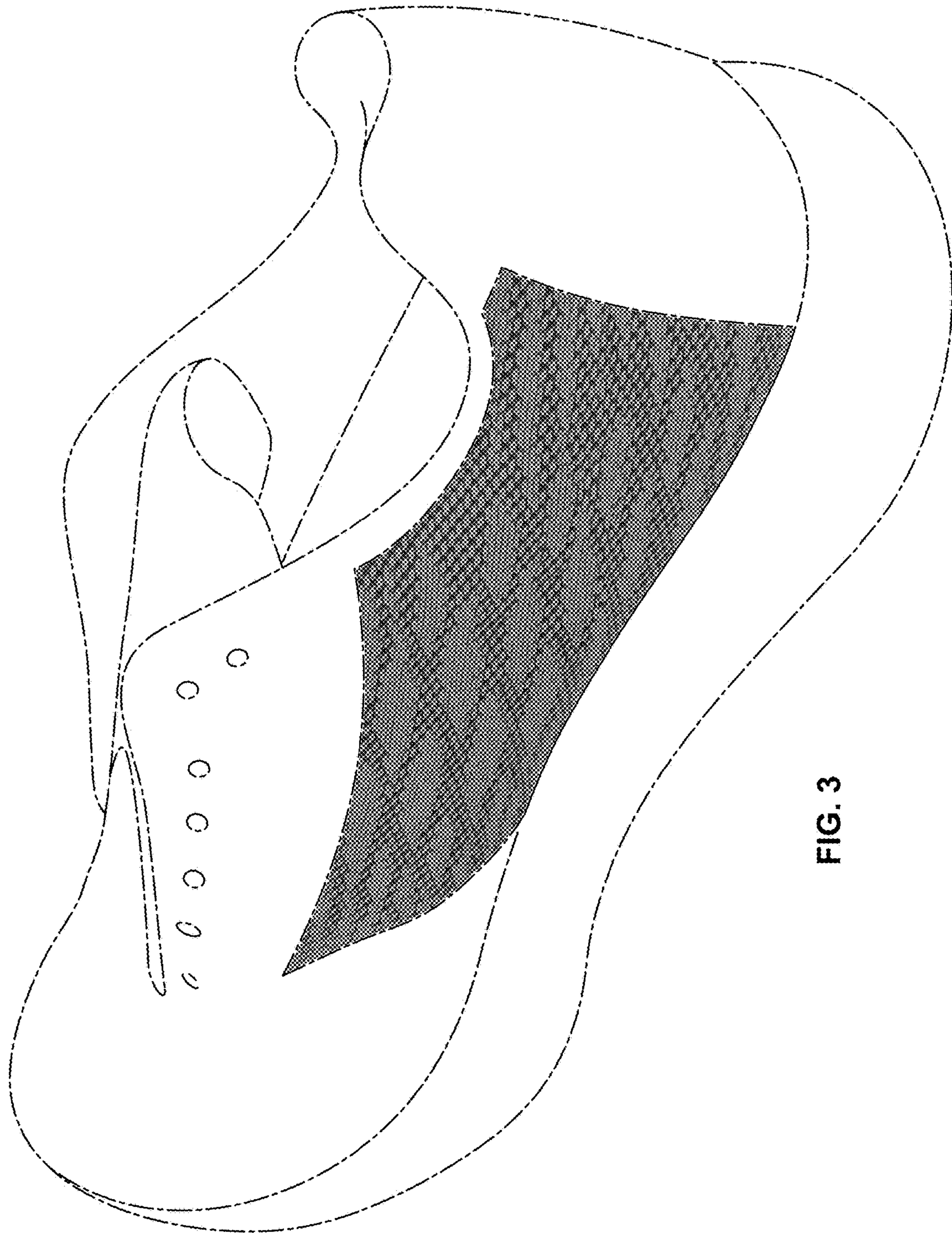


FIG. 3