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(12) **United States Design Patent** (10) **Patent No.:** **US D809,764 S**
Lee (45) **Date of Patent:** **** Feb. 13, 2018**

(54) **SHOE UPPER**
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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**

D734,018 S * 7/2015 Wright D2/972
D735,462 S * 8/2015 Pauk D2/972
D737,039 S * 8/2015 Pauk D2/972
D737,040 S * 8/2015 Pauk D2/972
D765,381 S * 9/2016 Yun D2/972
D767,865 S * 10/2016 Chang D2/972
D767,871 S 10/2016 Avar
D778,580 S * 2/2017 Rowe D2/972
D781,549 S * 3/2017 Lee D2/972
D781,550 S * 3/2017 Lee D2/972

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(52) **U.S. Cl.**
USPC **D2/972**
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D2/968-969, 970, 972-974, 977, 980,
D2/983-986, 994, 901; D24/192
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.

OTHER PUBLICATIONS

“Nike Zoom Pegasus 34 Review: Minor Tweaks, Totally Satisfying,” Nike Air Zoom Pegasus 34 pictured therein, as posted at RoadTrailRun.com [online], posted on May 26, 2017, [site visited Oct. 24, 2017]. Available from the Internet, <URL: <http://www.roadtrailrun.com/2017/05/nike-zoom-pegasus-34-review-minor.html>>.*

(Continued)

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(57) **CLAIM**

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

DESCRIPTION

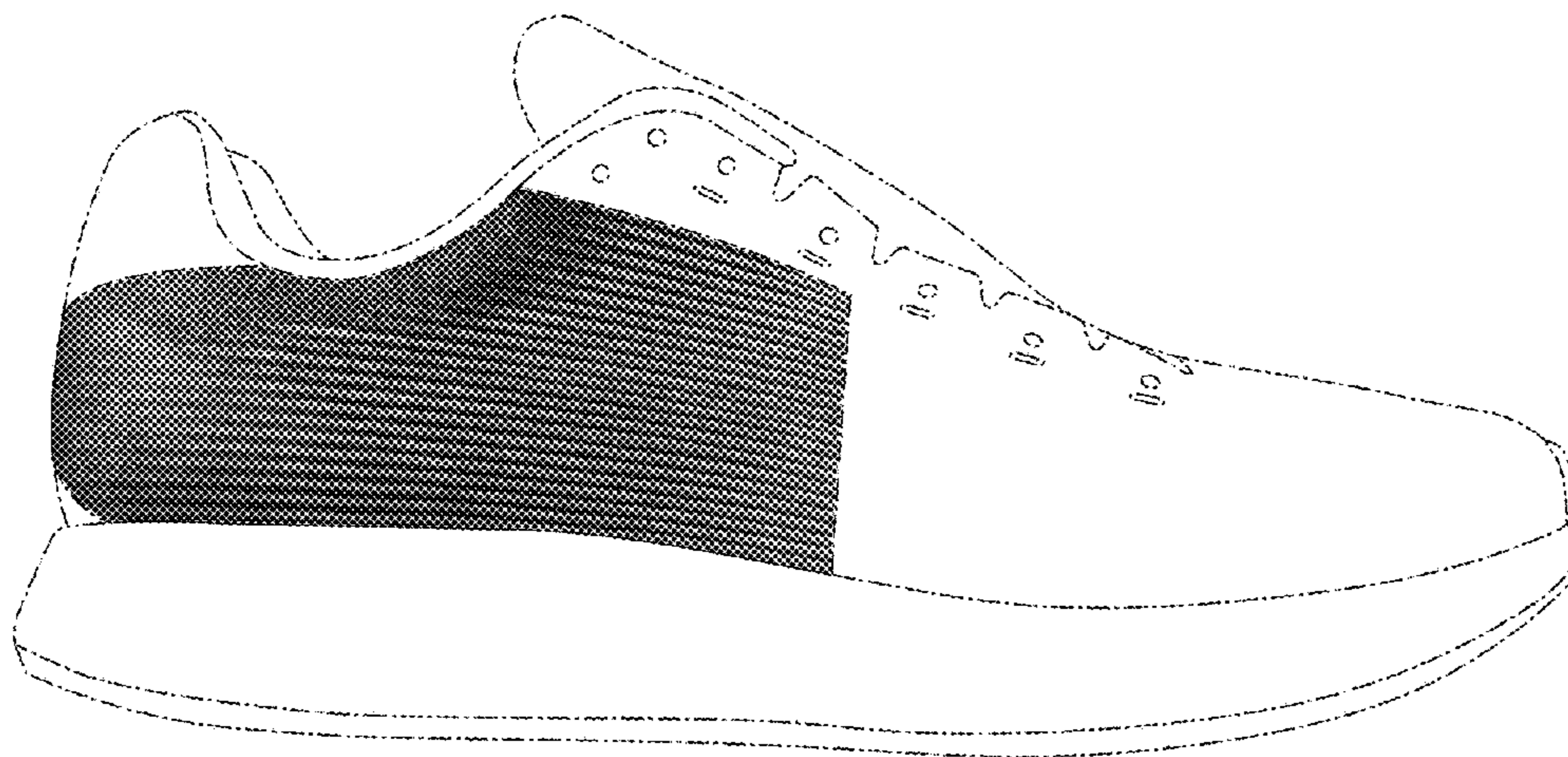
FIG. 1 is a front perspective view of a shoe upper showing my new design; FIG. 2 is a side view thereof; and, FIG. 3 is a rear perspective view thereof. The photographic area is the claim. The broken lines immediately adjacent to the photographic area define the bounds of the claimed design, and form 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**

U.S. PATENT DOCUMENTS

D97,136 S * 10/1935 Kilborne D2/943
D412,780 S 8/1999 Hatfield et al.
D440,389 S * 4/2001 Lozano D2/972
D461,043 S * 8/2002 Greene D2/972
D508,767 S 8/2005 Hatfield
D526,772 S * 8/2006 Cass D2/972
D549,947 S 9/2007 Huthmaker
D580,646 S * 11/2008 Portzline D2/972
D583,546 S * 12/2008 Henderson D2/972
D595,496 S 7/2009 Mayden
D613,933 S 4/2010 Chang
D693,105 S * 11/2013 James D2/972



(56)

References Cited

U.S. PATENT DOCUMENTS

D781,552 S * 3/2017 Madore D2/972
 D787,803 S * 5/2017 Lee D2/972
 D799,188 S * 10/2017 Nethongkome D2/972
 2014/0310984 A1 * 10/2014 Tamm D04B 1/102
 36/84
 2017/0049187 A1 * 2/2017 Aristizabal D04B 1/24
 2017/0238644 A1 * 8/2017 Meir A43B 1/04

OTHER PUBLICATIONS

Nike, Air Zoom Pegasus 34 LE Running Shoe, as posted at Nordstrom.com [online], no posting date available, [site visited Oct. 24, 2017]. Available from the Internet, <URL: <https://shop.nordstrom.com/s/nike-air-zoom-pegasus-34-le-running-shoe-men/4622805>>.*

Let Your Feet Fly [online], [retrieved Dec. 2, 2016] Retrieved from internet <URL: <http://news.nike.com/news/let-your-feet-fly/>>; 5 color sheets, Dated Jun. 2, 2016.

Nike Expands on Flyease Entry System [online], [retrieved Dec. 2, 2016] Retrieved from internet <URL: <http://news.nike.com/news/nike-expands-on-flyease-entry-system-satisfying-every-athletes-need-for-speed/>>; 5 color sheets, Dated Mar. 14, 2016.

Nike Unveils High Mileage Speed Machine—Nike Air Zoom Pegasus 31 [online], [retrieved Dec. 12, 2016] Retrieved from internet <URL: <http://news.nike.com/news/nike-unveils-high-mileage-speed-machine-nike-air-zoom-pegasus-31/>>; 15 color sheets, Dated May 30, 2014.

Stay Protected From the Elements in Nike’s Winter Running Gear [online], [retrieved Dec. 2, 2016] Retrieved from internet <URL: <http://news.nike.com/news/stay-protected-from-the-elements-in-nike-s-winter-running-gear/>>; 25 color sheets, Dated Oct. 3, 2013.

The Pegasus: 25 Years [online], [retrieved Dec. 2, 2016] Retrieved from internet <URL: <http://news.nike.com/news/the-pegasus-25-years/>>; 6 color sheets, Dated Oct. 22, 2008.

* cited by examiner

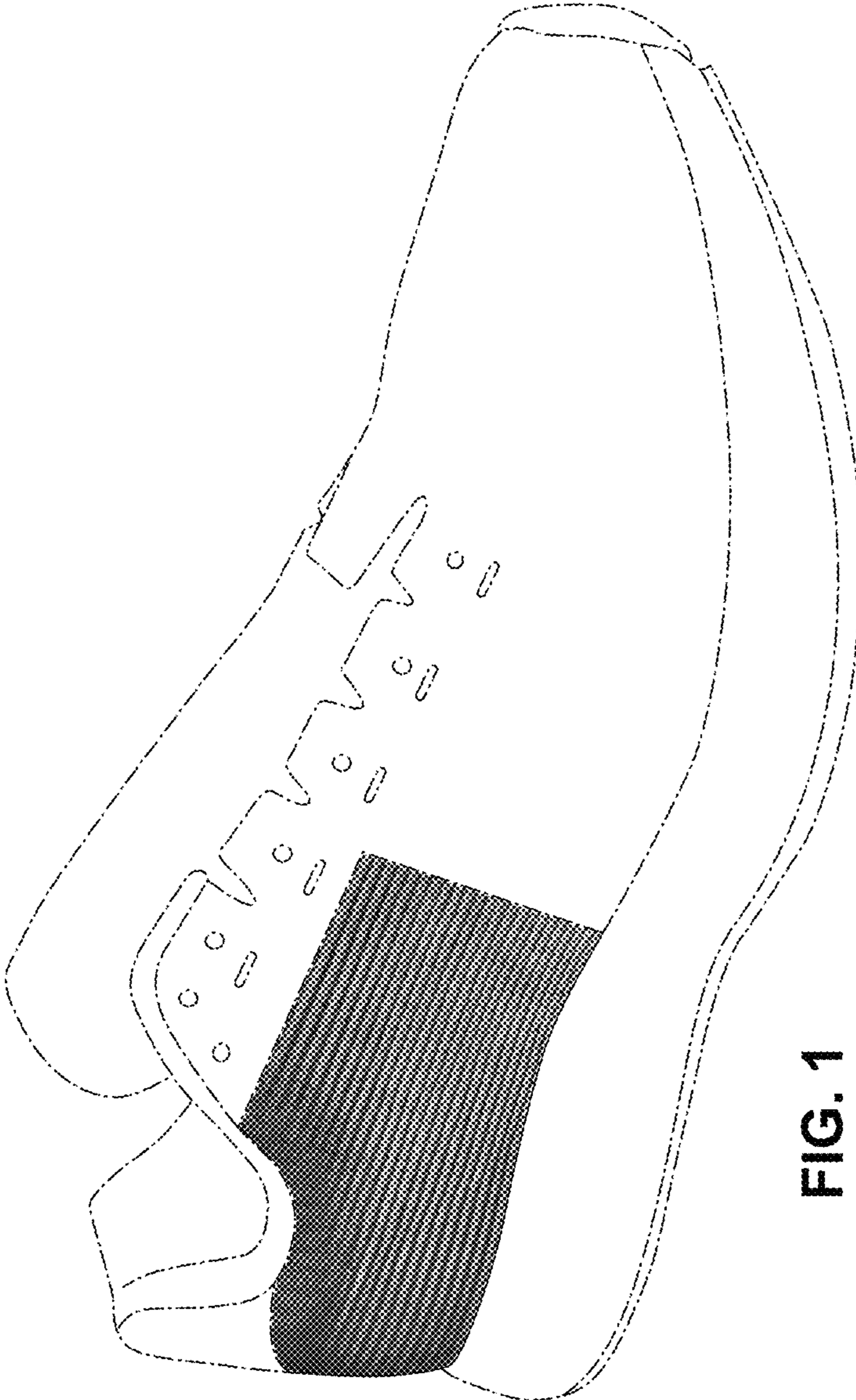


FIG. 1

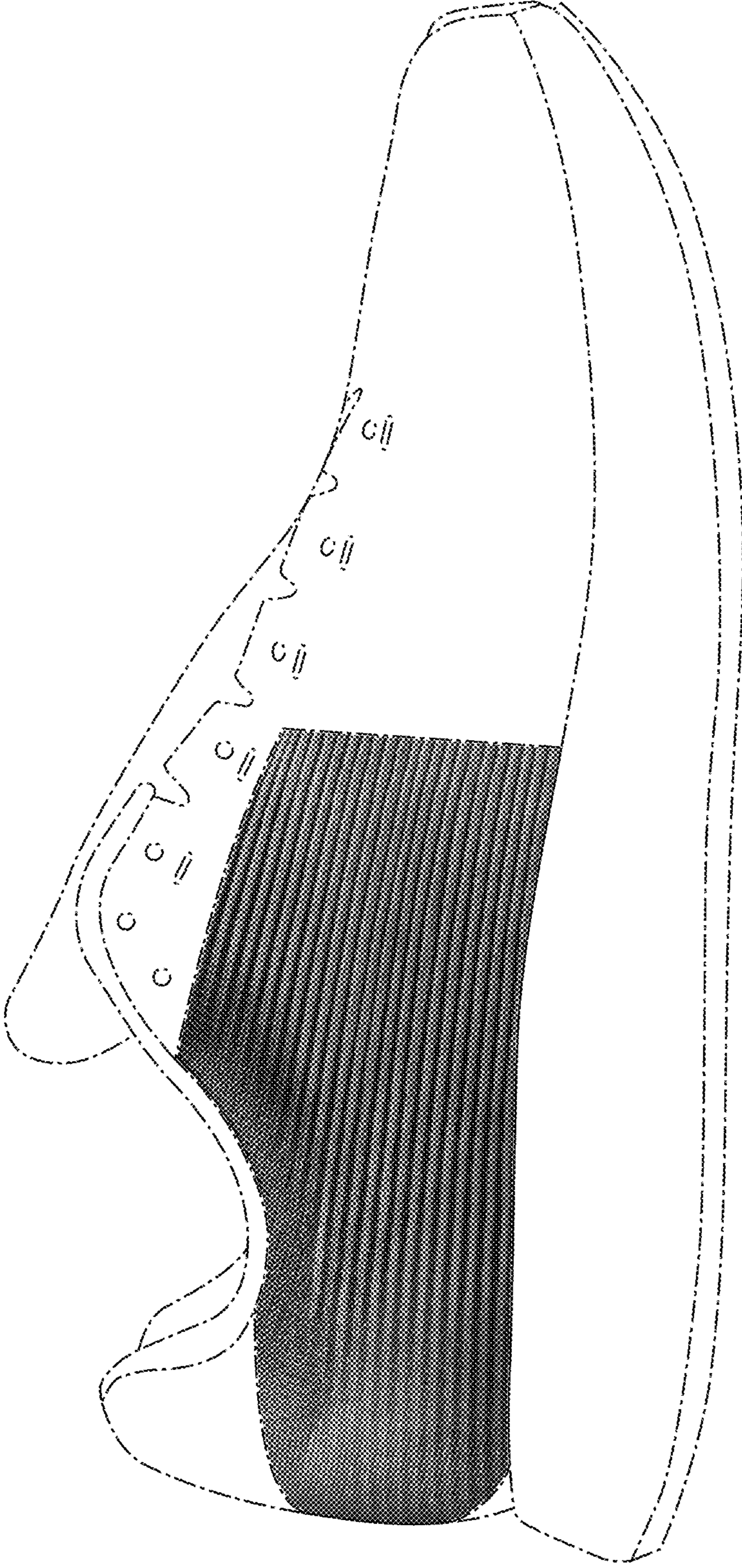


FIG. 2

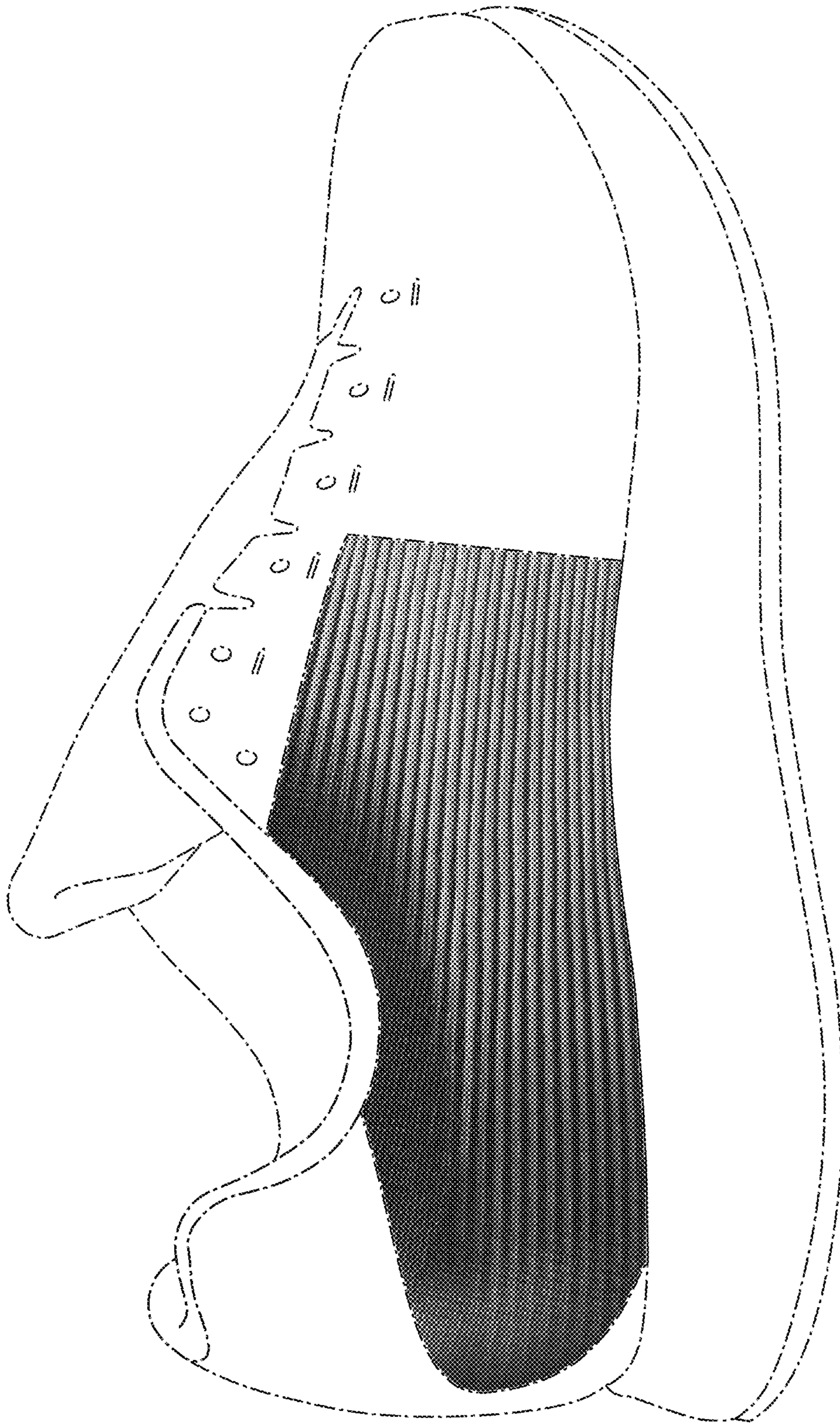


FIG. 3