



US00D809765S

(12) **United States Design Patent**
Lee

(10) **Patent No.:** **US D809,765 S**

(45) **Date of Patent:** **** Feb. 13, 2018**

(54) **SHOE UPPER**

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

(21) Appl. No.: **29/574,319**

(22) Filed: **Aug. 14, 2016**

(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
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

D97,136 S *	10/1935	Kilborne	.....	D2/943
D440,389 S *	4/2001	Lozano	.....	D2/972
D461,043 S *	8/2002	Greene	.....	D2/972
D508,766 S	8/2005	McDowell		
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		
D693,105 S *	11/2013	James	.....	D2/972
D707,951 S	7/2014	McCullagh		
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
D778,580 S *	2/2017	Rowe	.....	D2/972
D781,549 S *	3/2017	Lee	.....	D2/972

(Continued)

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**

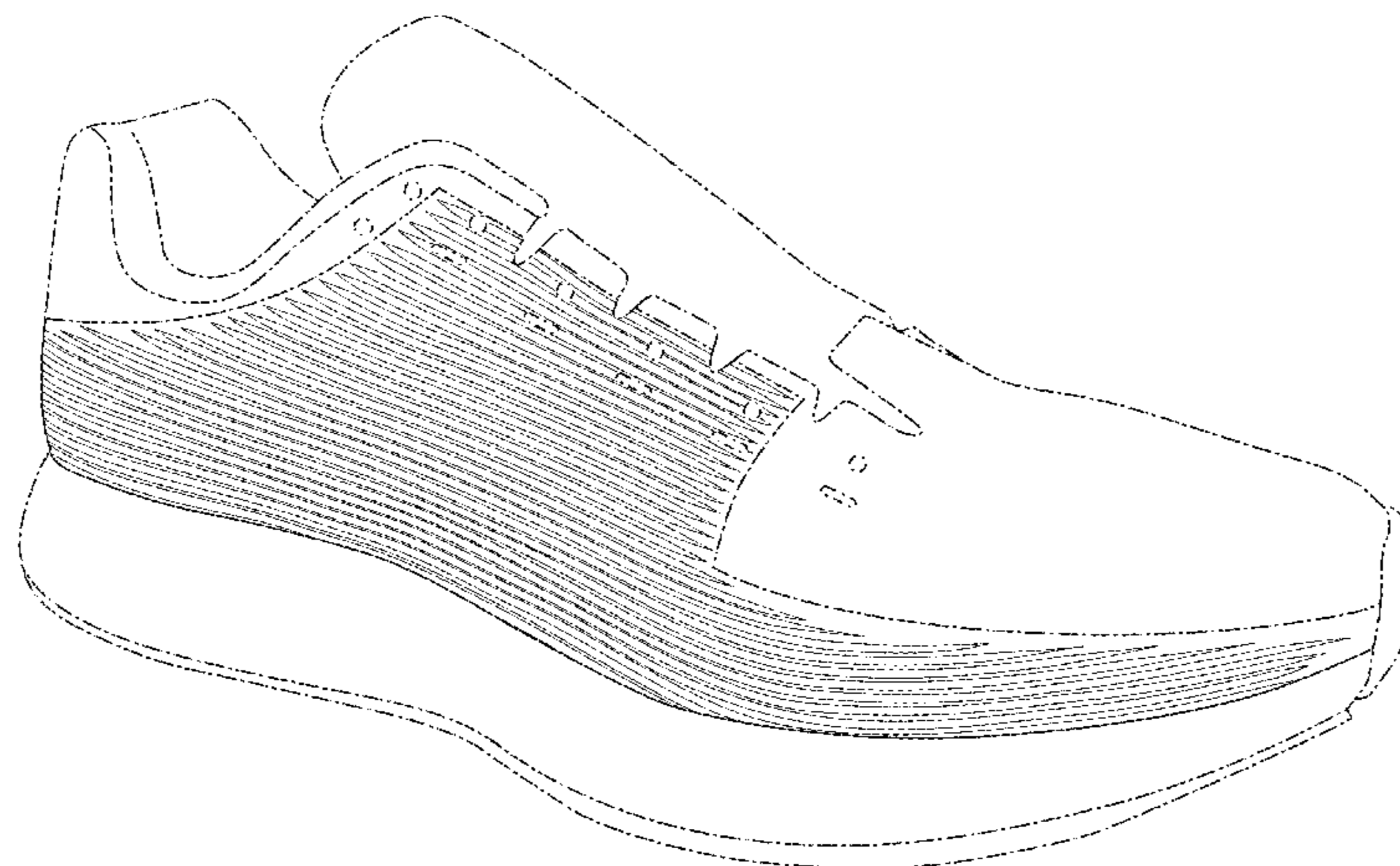
The ornamental design for a shoe upper, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a shoe upper showing my new design;
FIG. 2 is a side view thereof;
FIG. 3 is a rear perspective view thereof;
FIG. 4. is a front view thereof; and,
FIG. 5. is a review 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 or adjacent to the solid line area form no part of the claimed design. The broken lines showing the remainder of the shoe are for environmental purposes only and form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D781,550	S *	3/2017	Lee	.....	D2/972
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. 2, 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

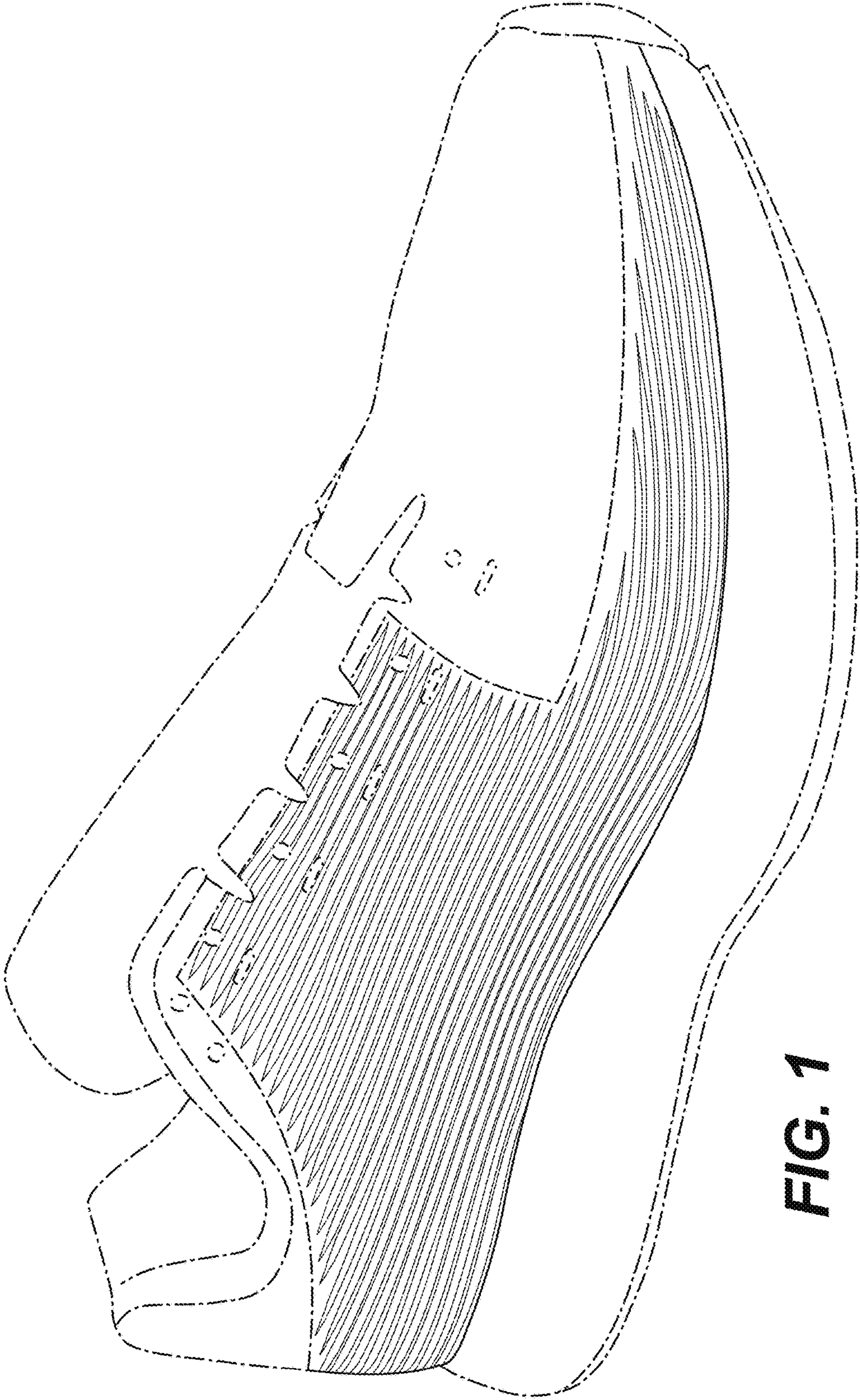


FIG. 1

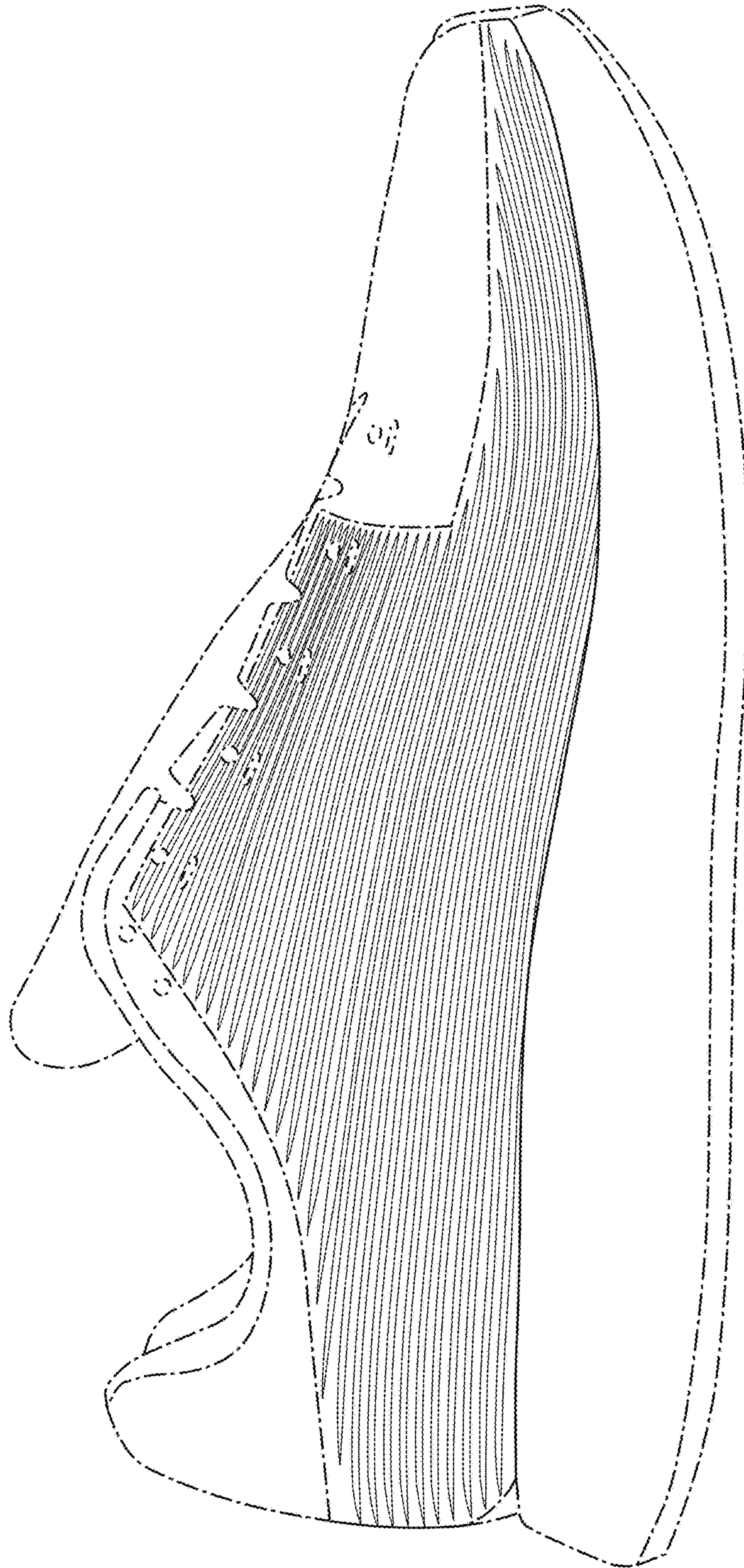


FIG. 2

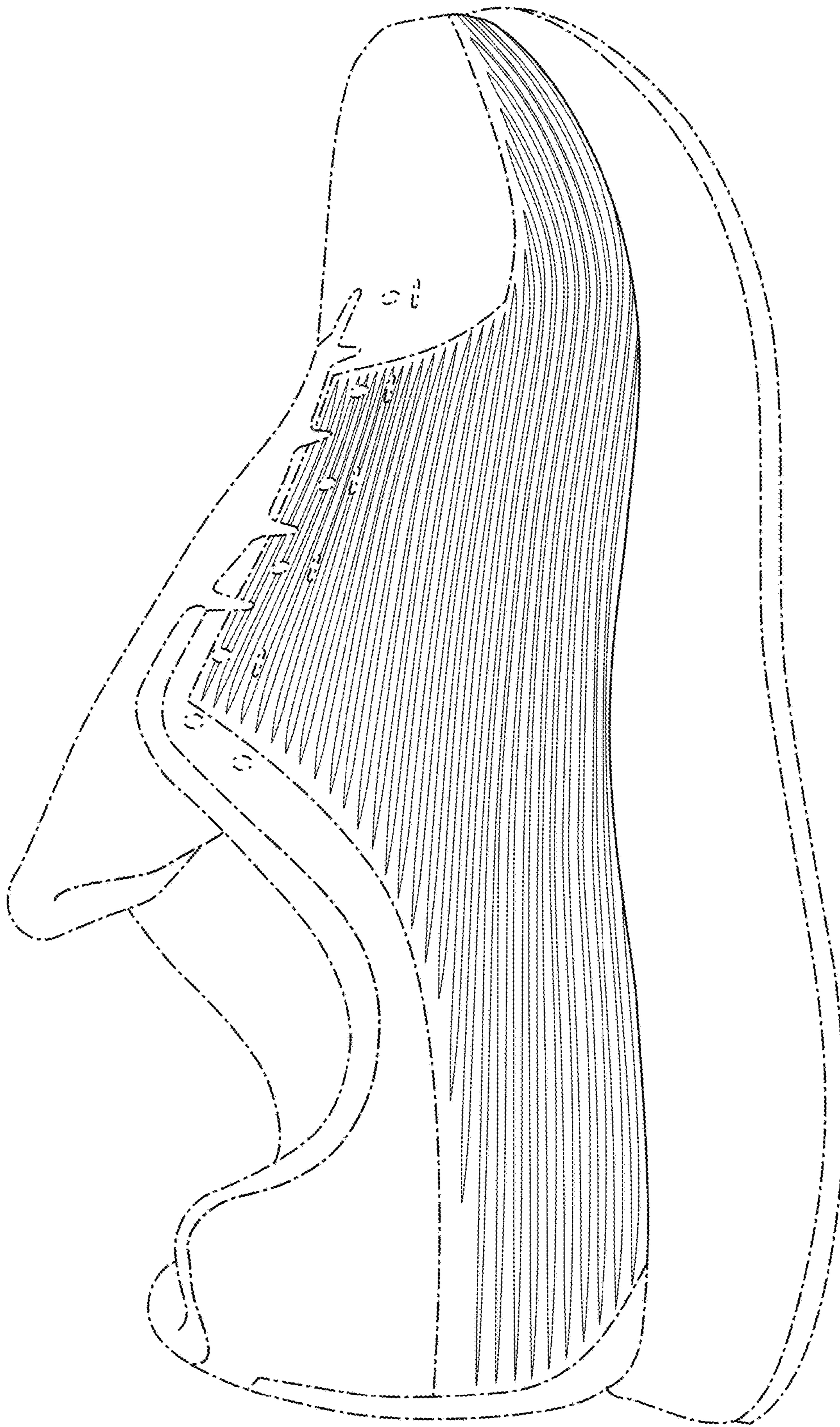


FIG. 3

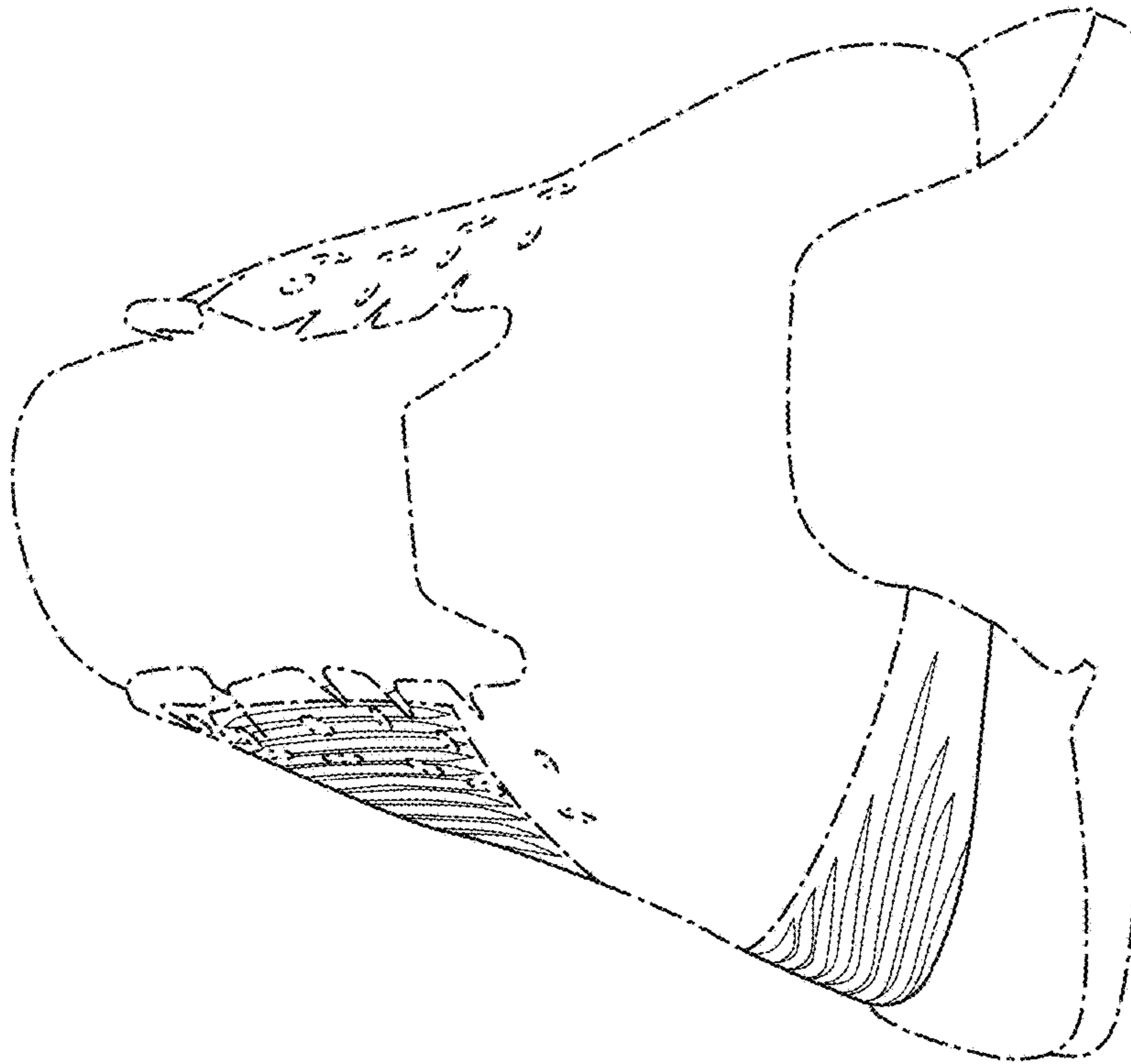


FIG. 4

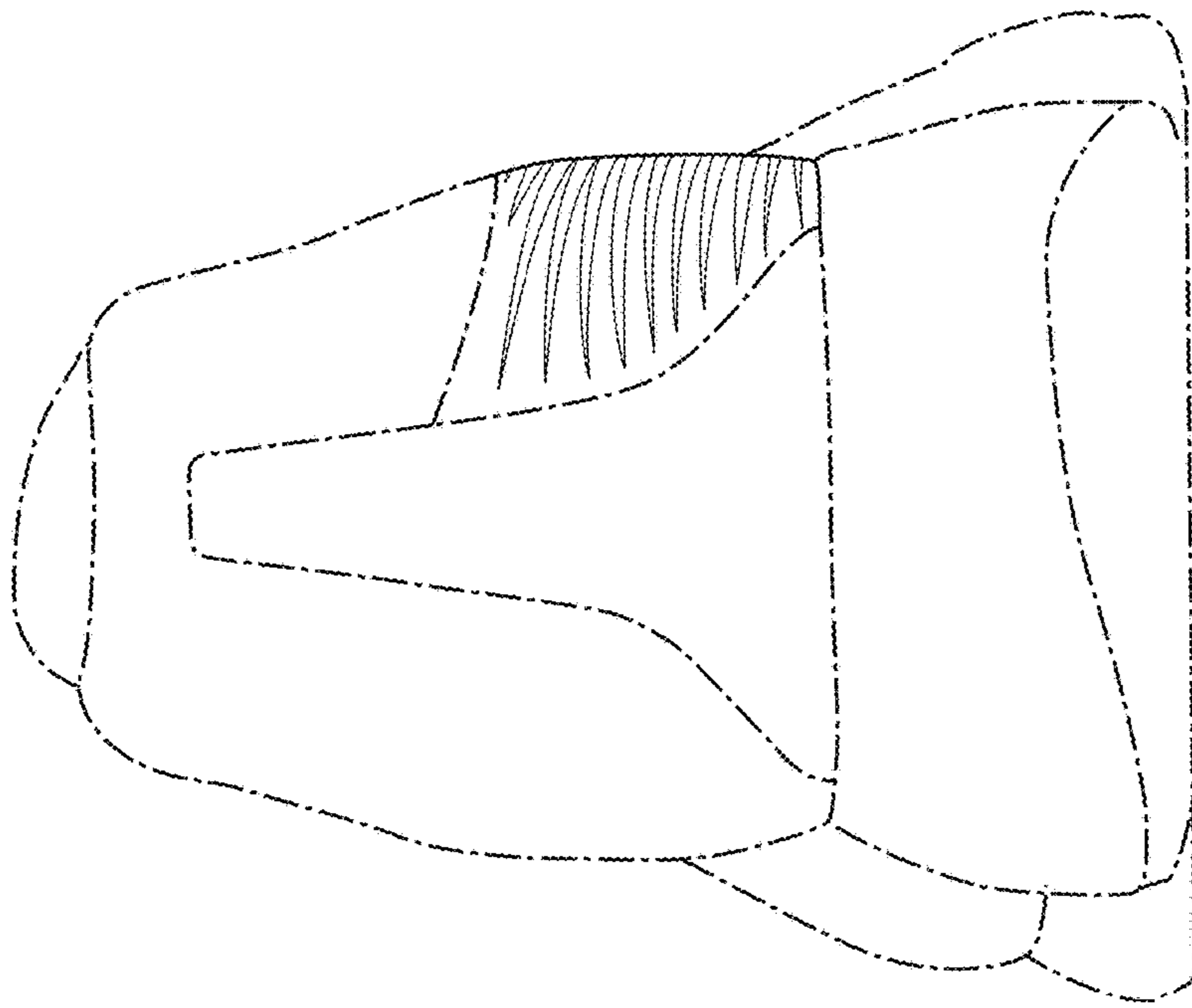


FIG. 5