



US00D810419S

(12) **United States Design Patent** (10) **Patent No.:** **US D810,419 S**
Avar et al. (45) **Date of Patent:** **** Feb. 20, 2018**

(54) **SHOE UPPER**

(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)

(72) Inventors: **Eric P. Avar**, Lake Oswego, OR (US);
Nadia M. Panian, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/576,684**

(22) Filed: **Sep. 6, 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

D177,521 S	4/1956	Katz	
D668,858 S	10/2012	Shaffer	
D694,512 S	12/2013	James	
D707,440 S	6/2014	Chang	
D709,280 S	7/2014	Shaffer	
D745,771 S	12/2015	Cin	
D772,553 S	* 11/2016	Williams, Jr.	D2/972
D781,556 S	* 3/2017	Nethongkome	D2/972
D783,982 S	* 4/2017	Williams, Jr.	D2/972

D784,679 S	*	4/2017	Chang	D2/972
D788,435 S	*	6/2017	Gibson	D2/972
D792,703 S	*	7/2017	Chang	D2/972
D793,062 S	*	8/2017	Nethongkome	D2/972
D795,559 S	*	8/2017	Jury	D2/972
D801,023 S	*	10/2017	Hatfield	D2/969

FOREIGN PATENT DOCUMENTS

TW D172565 12/2015

OTHER PUBLICATIONS

Nike Kobe AD NXT Mambacurial, as posted at SneakerNews.com [online], posted on Jul. 26, 2017, [site visited Nov. 3, 2017]. Available from the Internet, <URL: <https://sneakernews.com/2017/07/26/nike-kobe-ad-nxt-mambacurial/>>.*

(Continued)

Primary Examiner — Jeffrey D Asch

Assistant Examiner — Rebekah A Caruso

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(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 side view thereof;

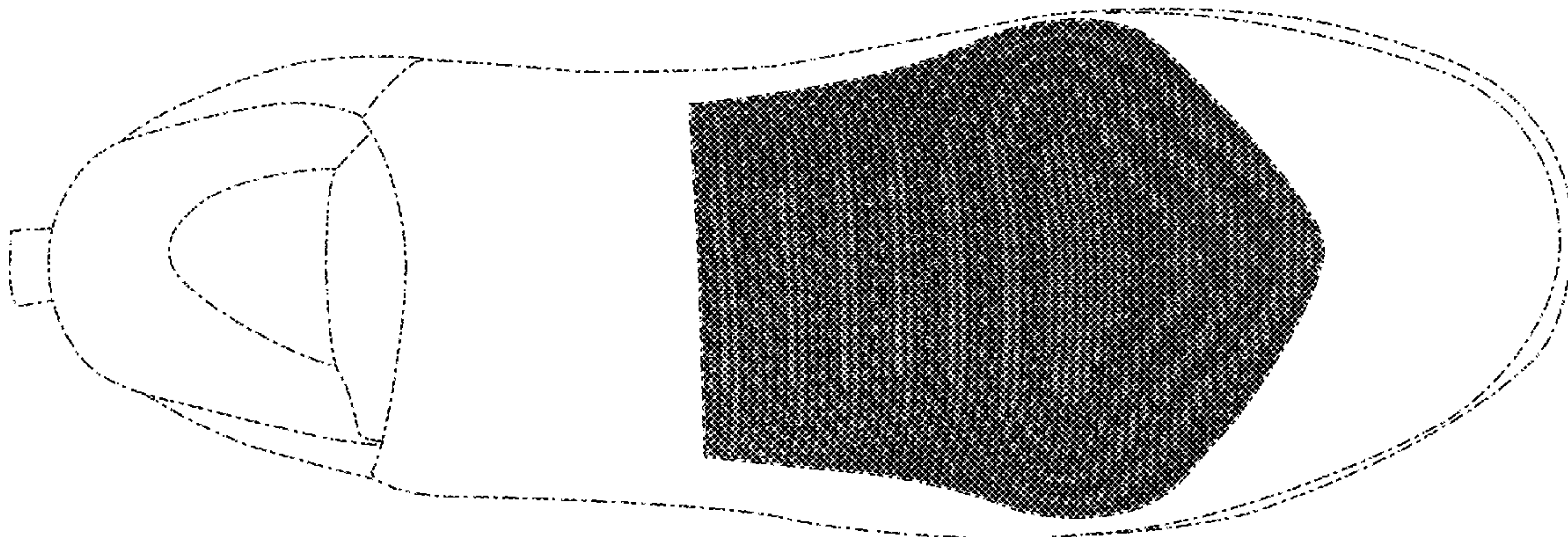
FIG. 3 is an opposite side view thereof;

FIG. 4 is a front view thereof; and,

FIG. 5 is a top view thereof.

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, 5 Drawing Sheets



(56)

References Cited

OTHER PUBLICATIONS

Nike Zoom Kobe 1 “Houston All-Star Game” Sample—Available on eBay [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://sneakernews.com/2014/10/22/nike-zoom-kobe-1-houston-star-game-sample-available-ebay/>>; 9 color pages, Dated Oct. 22, 2014.

Nike Zoom Kobe 2 Retro [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-2-retro/>>; 2 color pages, Dated Nov. 18, 2013.

Nike Zoom Kobe 3—“MPLS” Colorway—Now Available [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://sneakernews.com/2008/02/03/nike-zoom-kobe-3-mlps-colorway-now-available/>>; 5 color pages, Dated Feb. 3, 2008.

Nike Zoom Kobe 4 ‘3-D Lakers’ New Images [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-zoom-kobe-4-3-d-lakers-new-images/>>; 2 color pages, Dated Oct. 28, 2011.

Sneaker Grails: The Chase For The Nike Zoom Kobe 5 Big Stage [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/sneaker-grails-nike-zoom-kobe-5-big-stage/>>; 4 color pages, Dated Nov. 30, 2015.

Nike Zoom Kobe VI White/Purple-Yellow [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-zoom-kobe-vi-whitepurple-yellow-2/>>; 1 color page, Dated Sep. 6, 2011.

Nike Kobe 7 ‘All Star Game’ New Images [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-7-all-star-game-new-images/>>; 2 color pages, Dated Feb. 9, 2012.

Nike Kobe 8 “Python” (Release Info) [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-8-python-release-info/>>; 1 color page, Dated Jan. 24, 2013.

Nike Kobe 9 EM “CH” [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-9-em-ch/>>; 1 color page, Dated Jul. 10, 2014.

Nike Kobe 10 “Blue Lagoon” (New Images) [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-10-blue-lagoon-new-images/>>; 1 color page, Dated Jan. 28, 2015.

Introducing The Nike Kobe 11 [online], [retrieved Jan. 20, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-kobe-11-achilles/>>; 2 color pages, Dated Dec. 14, 2015.

* cited by examiner

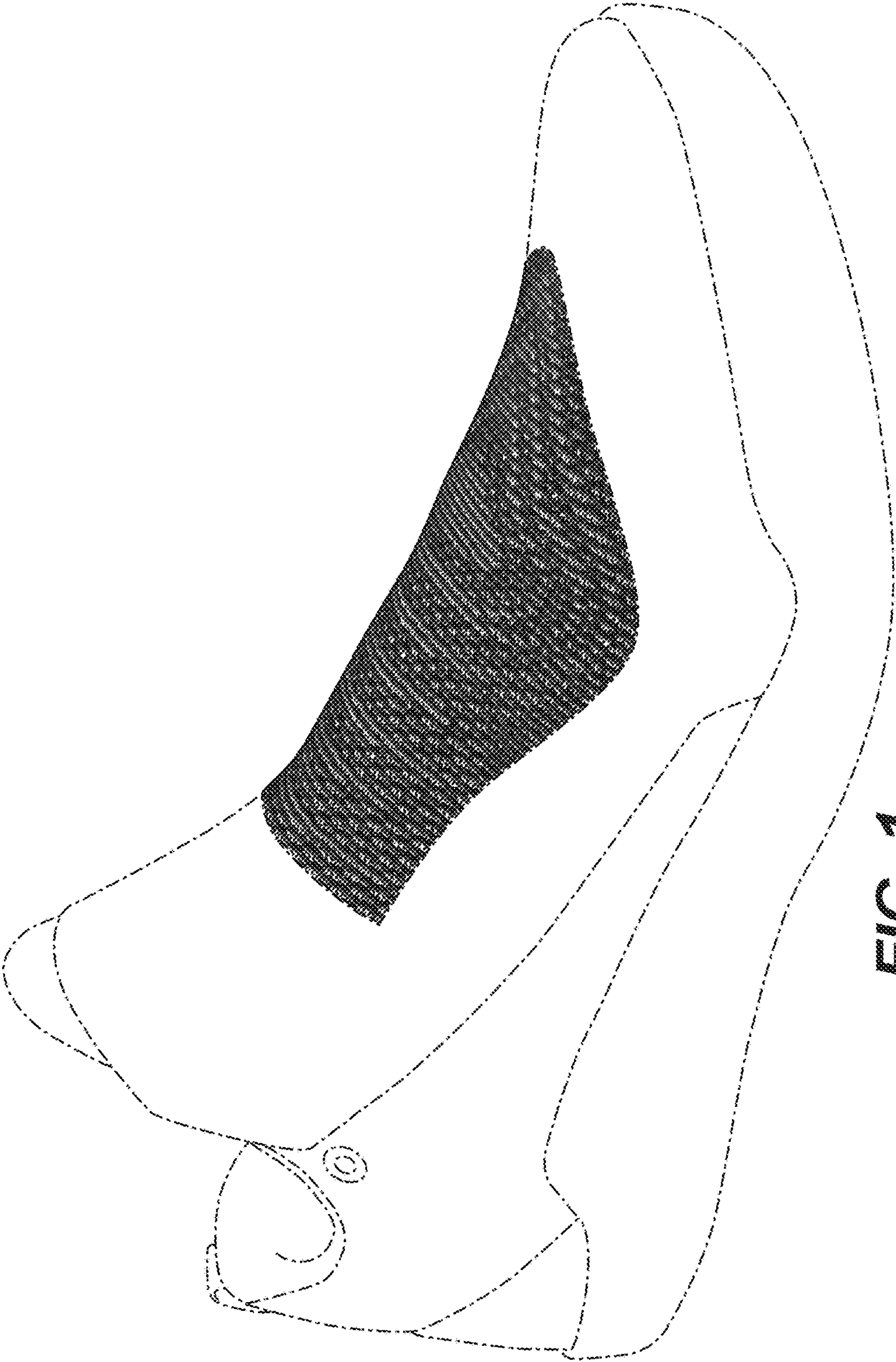


FIG. 1

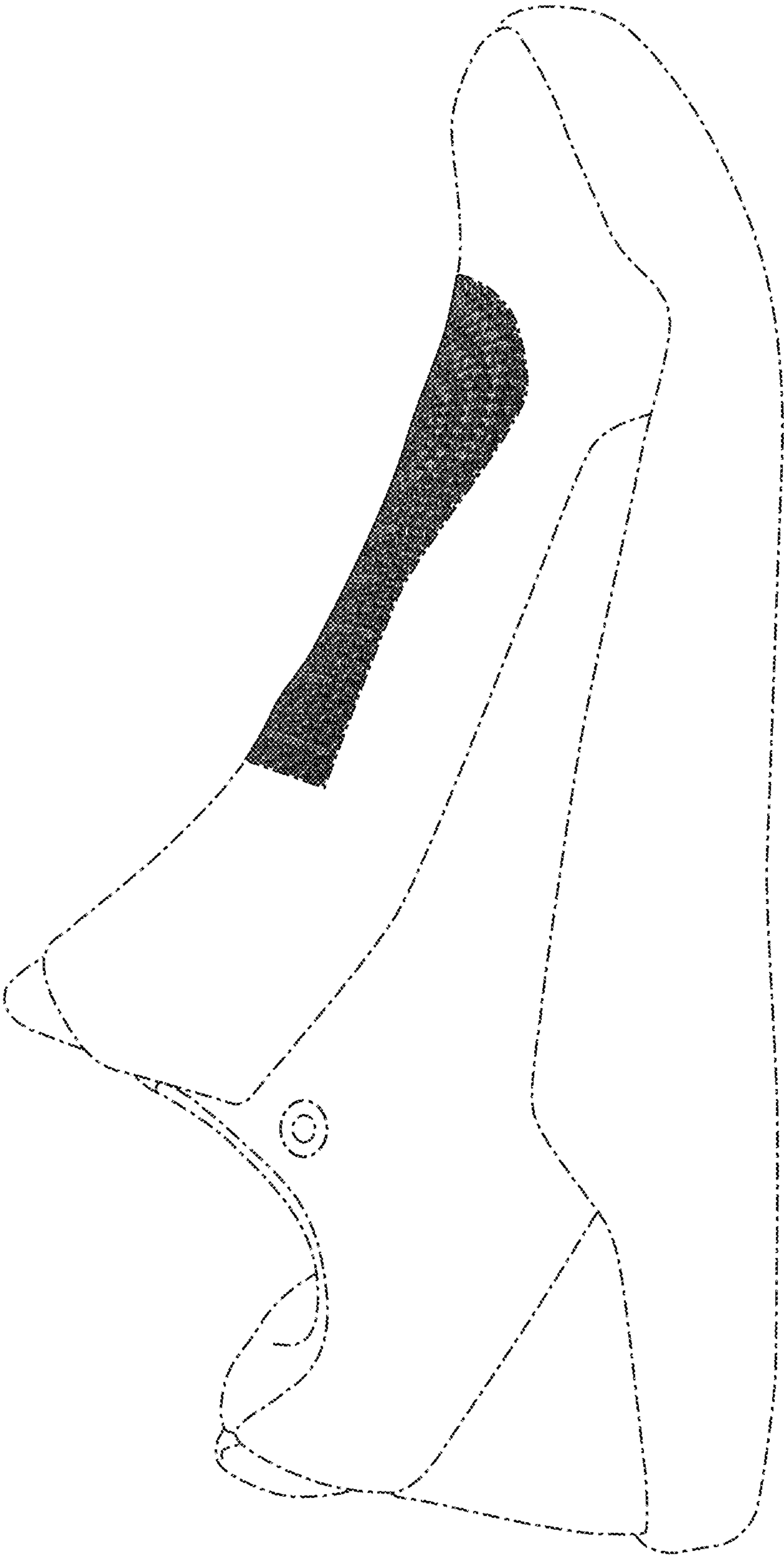


FIG. 2

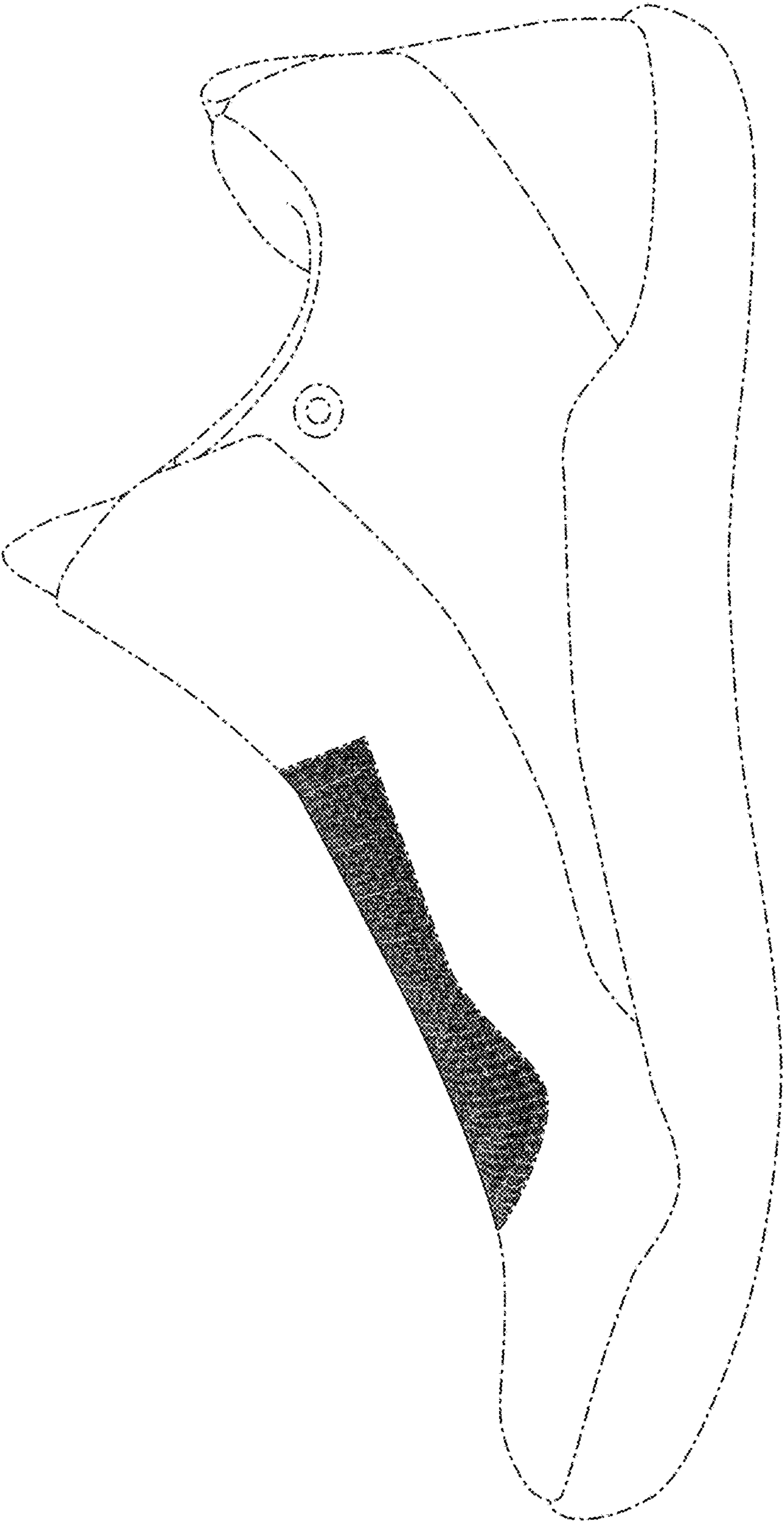


FIG. 3

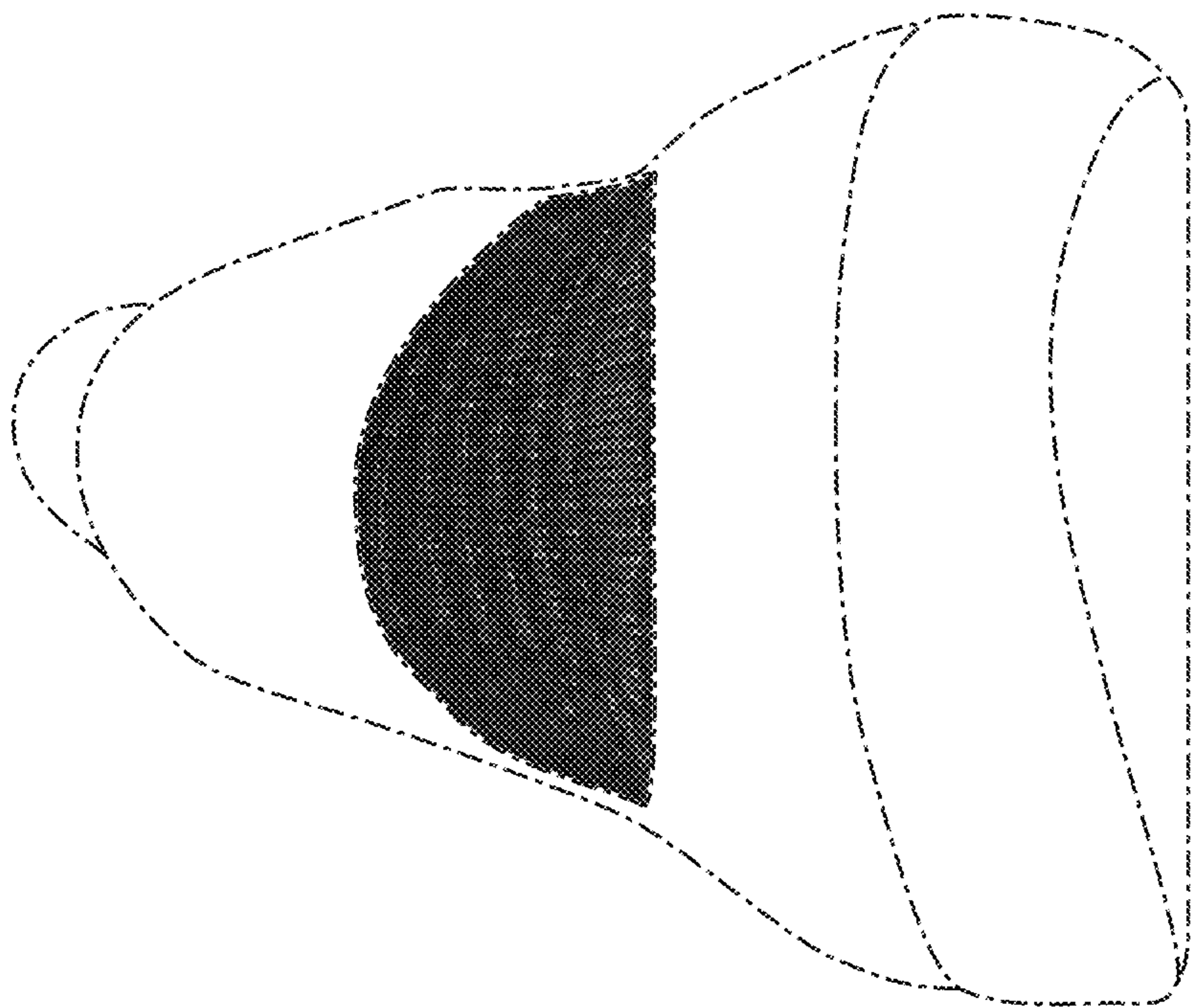


FIG. 4

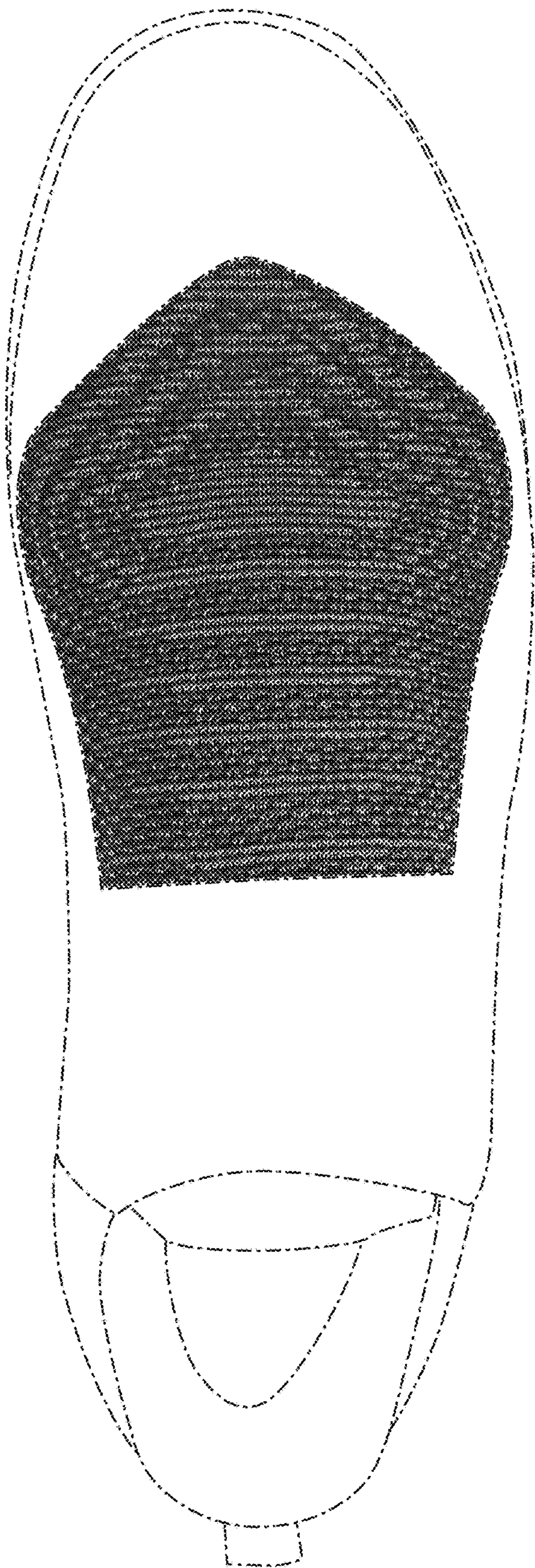


FIG. 5