



US00D815423S

(12) **United States Design Patent** (10) **Patent No.:** **US D815,423 S**
Gibson (45) **Date of Patent:** **** Apr. 17, 2018**

(54) **SHOE UPPER**
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
(72) Inventor: **Lee Gibson**, Beaverton, OR (US)
(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**
(21) Appl. No.: **29/619,590**
(22) Filed: **Sep. 29, 2017**
(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, 946, 969,
D2/972-975; D5/7, 15, 46, 47, 49
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

D378,242 S	3/1997	Smith
D425,694 S	5/2000	Fogg
D528,276 S	9/2006	Fullum
D537,616 S	3/2007	Campbell
D546,544 S	7/2007	DiTullo, Jr.
D546,545 S	7/2007	DiTullo, Jr. et al.
D550,946 S	9/2007	Lotti
D648,110 S	11/2011	Rasmussen
D676,643 S	2/2013	Lee
D676,647 S	2/2013	O'Connor
D676,648 S	2/2013	O'Connor
D692,225 S	10/2013	Madore
D694,509 S	12/2013	Miner
D697,299 S	1/2014	Maejima
D700,427 S	3/2014	Cochrane

D700,769 S	*	3/2014	Parrett	.....	D2/972
D703,426 S		4/2014	Lee		
D703,932 S		5/2014	Avar et al.		
D707,027 S	*	6/2014	Shaffer	.....	D2/972
D707,440 S		6/2014	Chang		
D707,943 S		7/2014	Nascimento		
D707,955 S		7/2014	Petrie		
D710,585 S	*	8/2014	Ho	.....	D2/972
D712,132 S	*	9/2014	O'Connor	.....	D2/972
D715,040 S		10/2014	Mermet		
D716,037 S		10/2014	Young		
D738,087 S		9/2015	Roulo		
D746,577 S		1/2016	Miner		
D751,803 S		3/2016	Fogg		
D767,872 S	*	10/2016	Hardman	.....	D2/973

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 1996 Late Spring Footwear, p. 144, published Aug. 1995, NIKE, Inc., USA.

(Continued)

Primary Examiner — Dominic V Simone
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

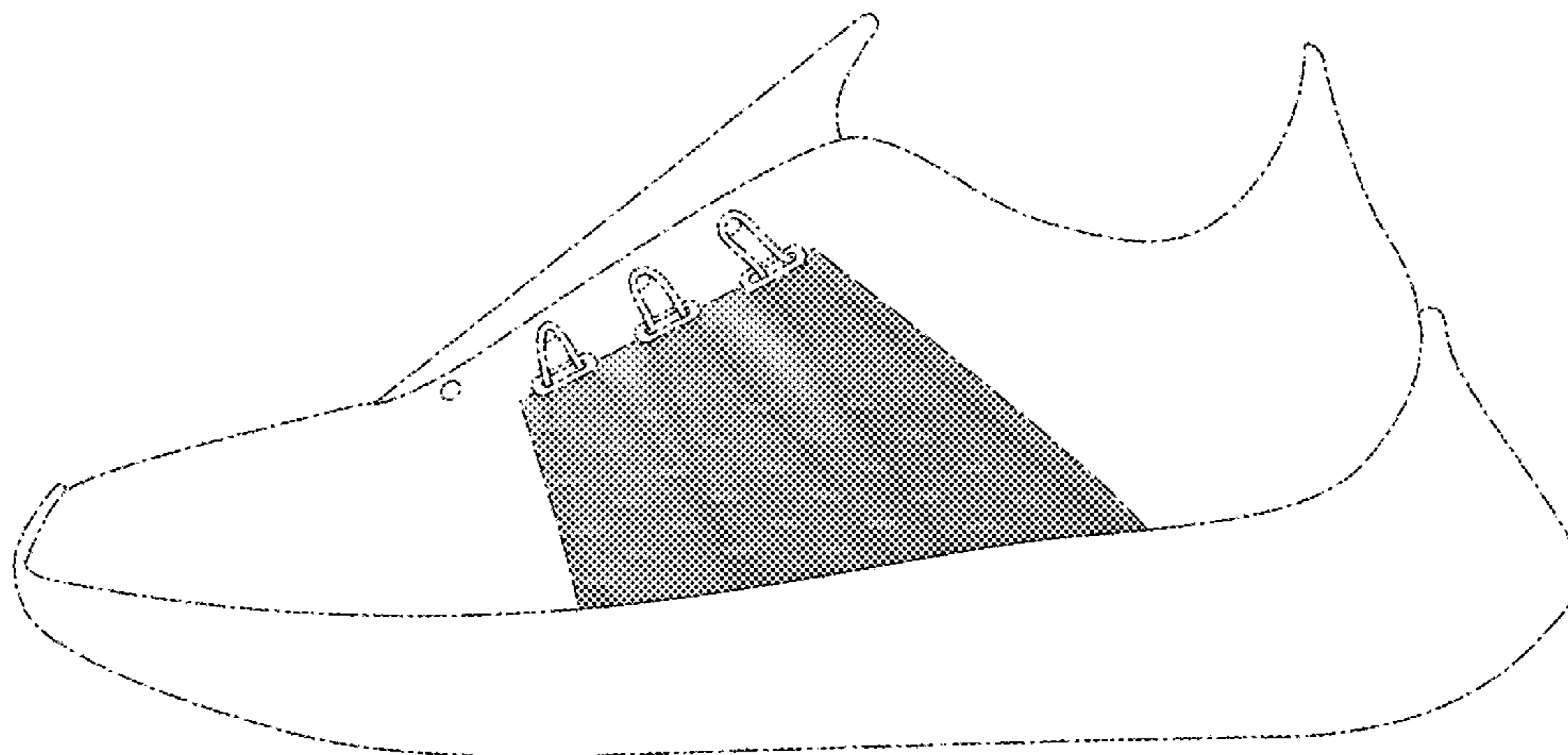
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front perspective view of a shoe upper showing my new design;
FIG. 2 is a side view thereof; and,
FIG. 3 is a rear perspective 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 represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D779,184 S	2/2017	Avar et al.	
D783,980 S	4/2017	Cin	
D784,680 S *	4/2017	Lee	D2/972
D785,922 S	5/2017	Hong	
D788,435 S	6/2017	Gibson	
D789,063 S *	6/2017	Madore	D2/972
D790,206 S	6/2017	O'Connor	
D790,842 S	7/2017	Greenspan	
D792,697 S	7/2017	Seamarks	
D796,828 S	9/2017	da Costa Pereira Machado	
D799,187 S	10/2017	Miner	
D800,437 S	10/2017	McMillan	
D801,026 S	10/2017	VanHook	
D801,034 S *	10/2017	Sokol	D2/972
D801,672 S *	11/2017	Small	D2/972

OTHER PUBLICATIONS

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

Nike Footwear Catalog, 1998 Holiday Men's Specialty and Women's & Kids' Footwear, p. W39, published Feb. 1998, NIKE, Inc., USA.

Nike Footwear Catalog, 1999 Holiday Men's and Women's Footwear, p. m137, published Mar. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 2003 Holiday Men's, Women's, and Kids' Footwear, p. 45, published Mar. 2003, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Holiday Men's FootwearPerformance, p. 3, published Feb. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 84, published May 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Core Reax Footwear, p. 3, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Spring Women's Performance Footwear, p. 34, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Core Footwear, p. 4, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Core Footwear, p. 29, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 8, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Mens Sportswear Footwear Best, p. 13, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Womens Performance Footwear, p. 34, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 77, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 136, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Sporting Goods Footwear Best, p. 32, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring City Specialty Best Updated, p. 69, published Jun. 11, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring City Specialty Best Updated, p. 139, published Jun. 11, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring Men's Footwear Performance, p. 21, published May 22, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 10, published May 14, 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Spring Women's Performance Footwear, p. 34, published May 14, 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring General Footwear NA, p. 46, published May 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring Strategic Sporting Goods Footwear NA, p. 13, published May 2015, NIKE, Inc., USA.

The Nike Zoom Mariah Flyknit Racer Goes "Bordeaux" [online], [retrieved Dec. 8, 2017] Retrieved from Sneakernews.com [Internet] <URL: <https://sneakernews.com/2017/10/08/nike-zoom-mariah-flyknit-racer-bordeaux-navy/>>; 5 color sheets, Dated Oct. 8, 2017.

* cited by examiner

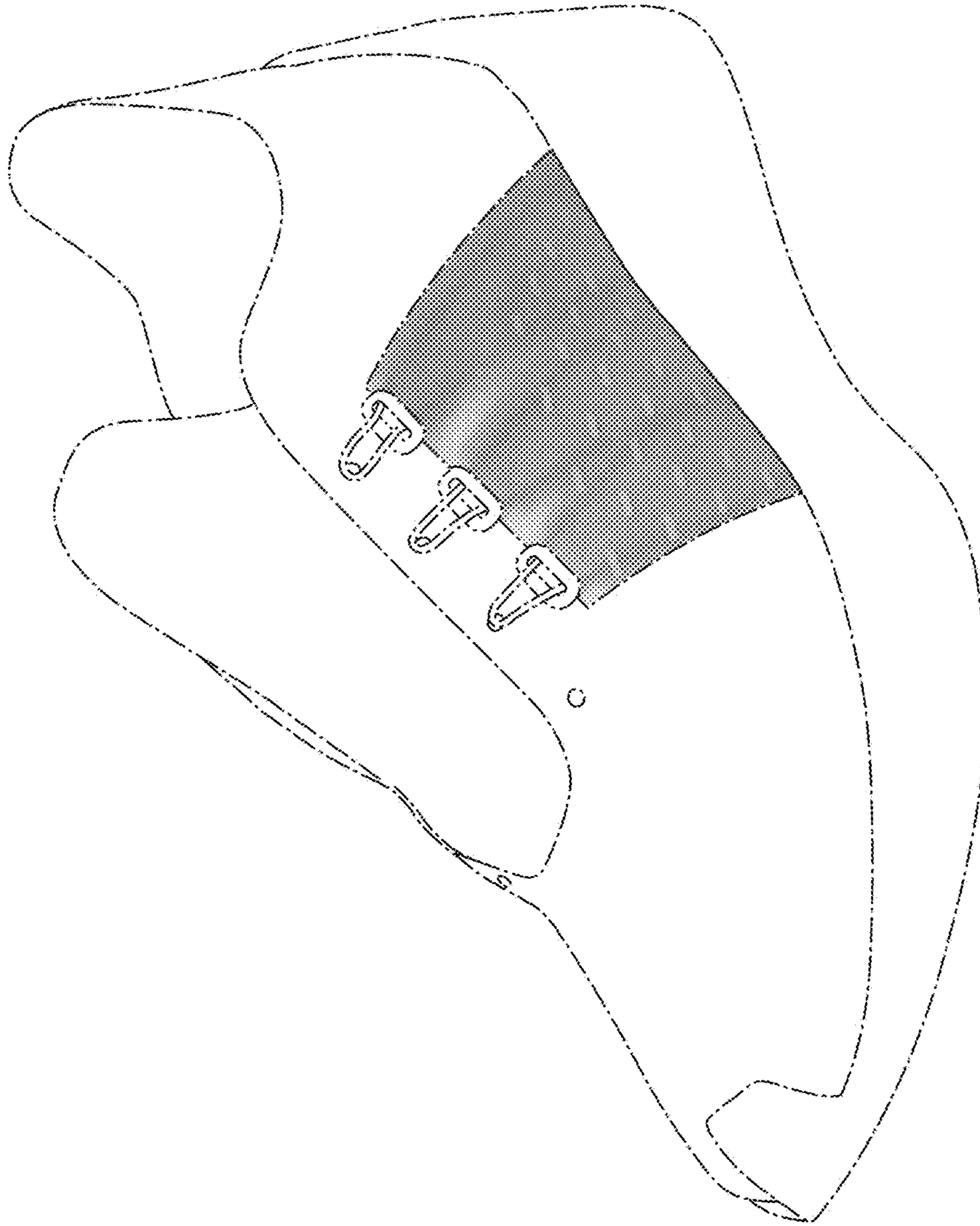


FIG. 1

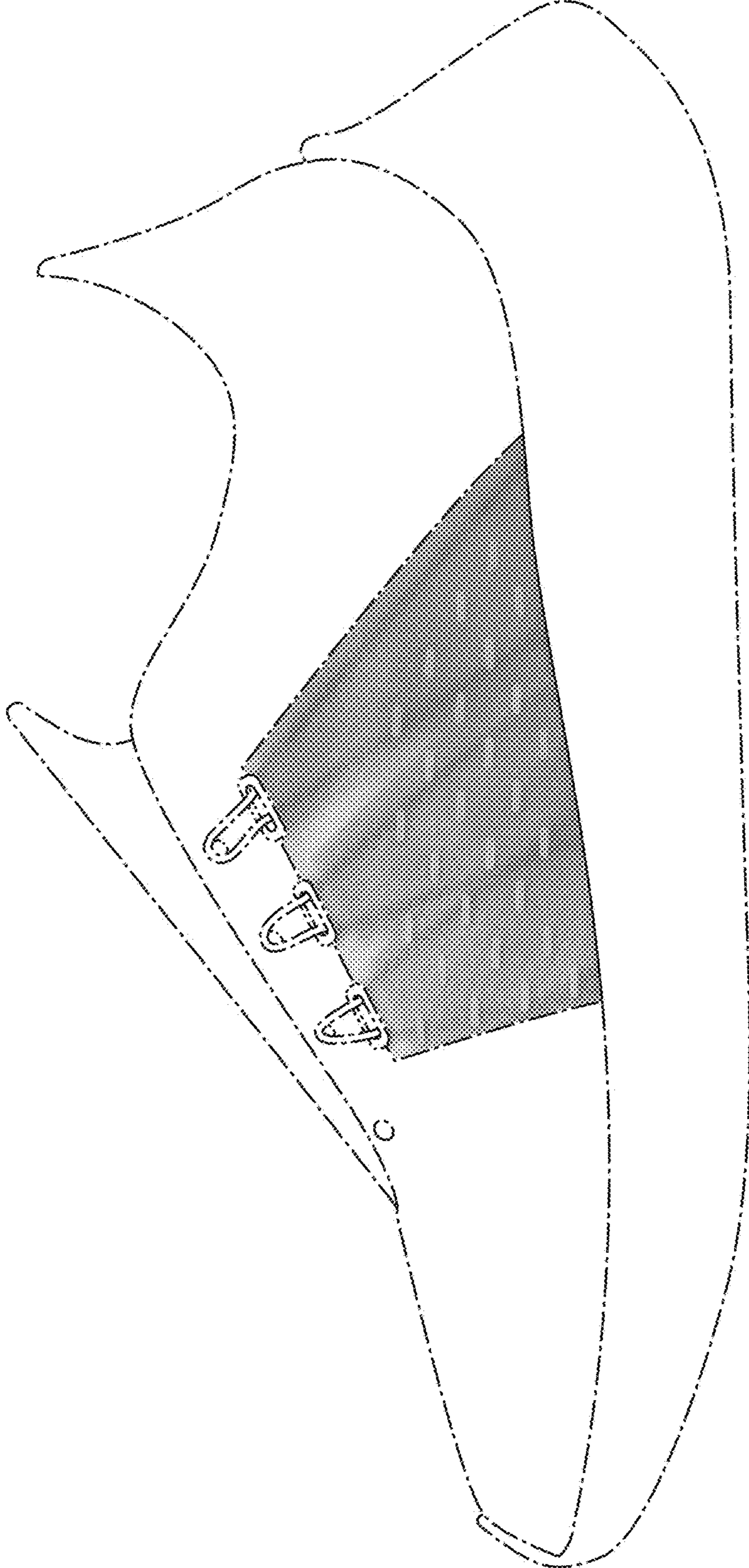


FIG. 2

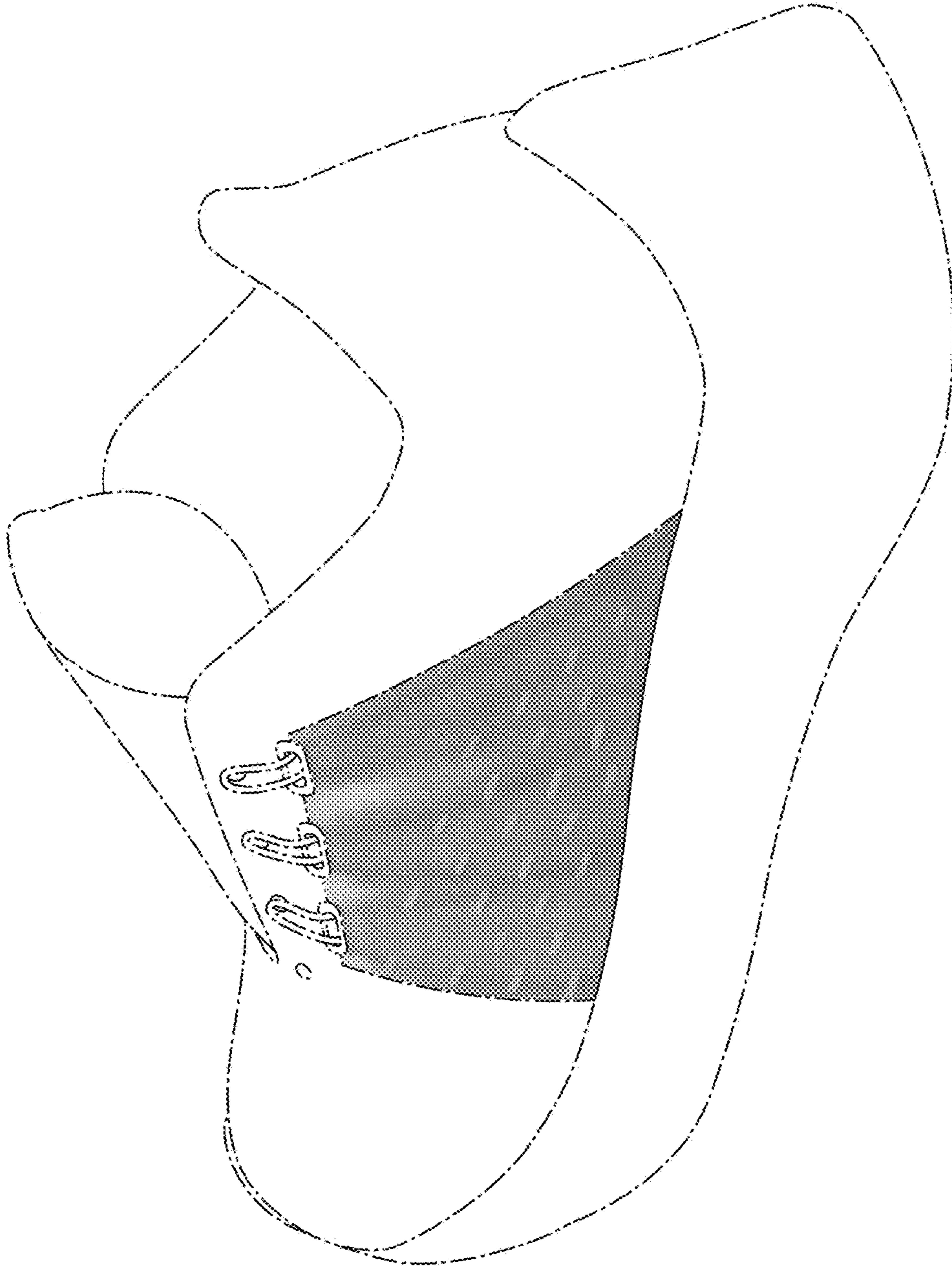


FIG. 3