



US00D815816S

(12) **United States Design Patent** (10) **Patent No.:** **US D815,816 S**  
**Cin** (45) **Date of Patent:** **\*\* Apr. 24, 2018**

(54) **SHOE** 13/28; A43B 13/30; A43B 13/32; A43B 13/34; A43B 13/36

(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US) See application file for complete search history.

(72) Inventor: **David Cin**, Portland, OR (US) (56)

**References Cited**

**U.S. PATENT DOCUMENTS**

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

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

(21) Appl. No.: **29/632,828**

(22) Filed: **Jan. 10, 2018**

**Related U.S. Application Data**

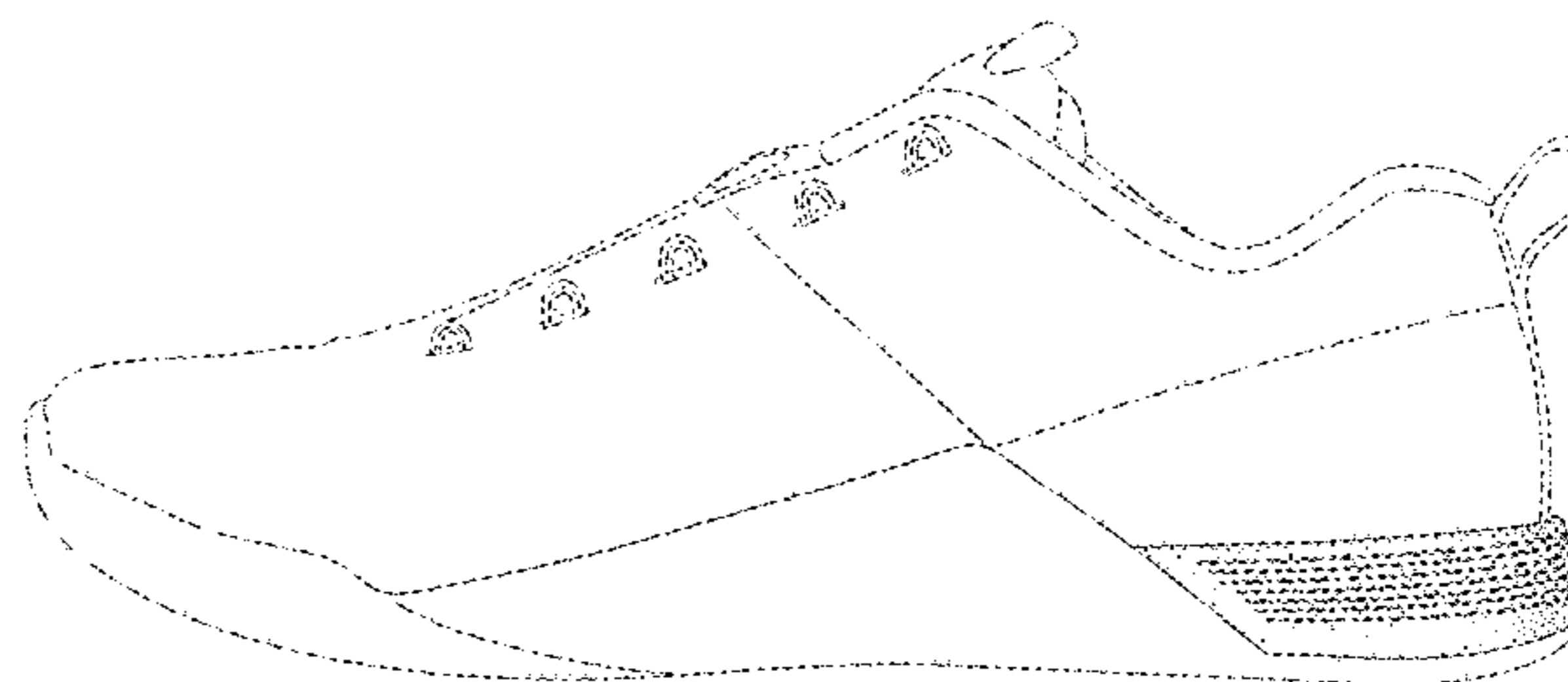
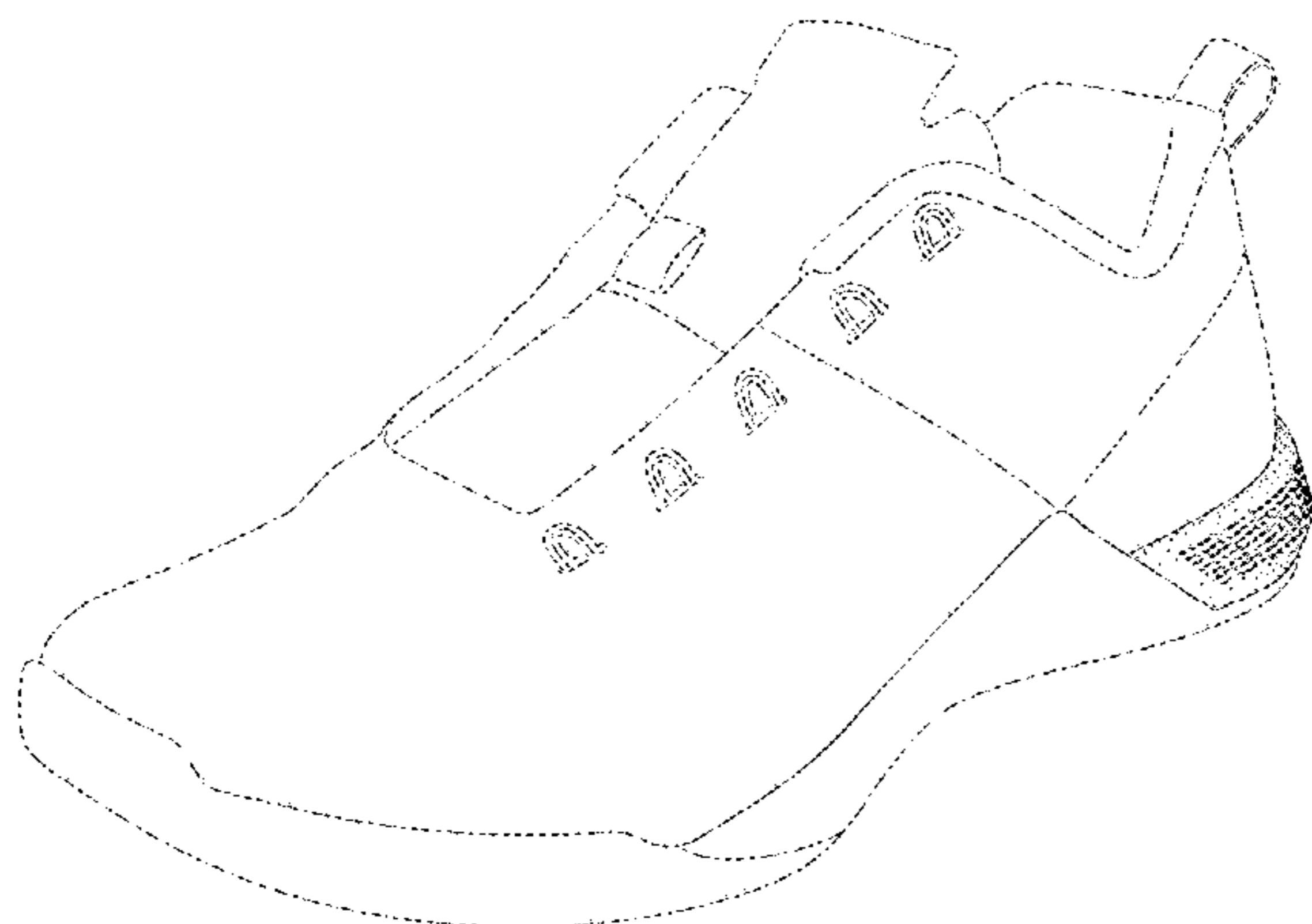
(63) Continuation of application No. 29/560,056, filed on Apr. 1, 2016, which is a continuation of application No. 29/543,737, filed on Oct. 27, 2015, which is a continuation of application No. 29/527,499, filed on May 19, 2015.

(51) **LOC (11) Cl.** ..... **02-04**

(52) **U.S. Cl.**  
USPC ..... **D2/947**

(58) **Field of Classification Search**  
USPC ..... D2/902, 906, 908, 916, 918, 925,  
D2/946-962, 977; 36/1, 1.5, 3 B, 22 R,  
36/24.5, 25 R, 28, 32 R, 34 R, 59 C,  
36/67 A, 101-107, 114-116, 117.3, 117.4,  
36/124-136  
CPC ..... A43B 13/00; A43B 13/02; A43B 13/023;  
A43B 13/026; A43B 13/04; A43B 13/08;  
A43B 13/10; A43B 13/12; A43B 13/14;  
A43B 13/141; A43B 13/143; A43B  
13/16; A43B 13/18; A43B 13/181; A43B  
13/187; A43B 13/189; A43B 13/20; A43B  
13/22; A43B 13/223; A43B 13/24; A43B

1,491,696 A	4/1924	Guinzburg	
1,572,213 A	2/1926	Wilbert	
1,773,127 A	8/1930	Auster	
D118,606 S	1/1940	Friedman	
2,205,577 A	6/1940	Roberts	
2,447,590 A	8/1948	Meltzer	
D155,816 S	11/1949	Little	
D157,034 S	1/1950	Eldon	
D235,701 S	7/1975	Famolare	
D237,427 S	11/1975	Thornberry	
D238,983 S	3/1976	Senter	
D263,643 S	4/1982	Vermonet	
D265,018 S	6/1982	Vermonet	
D265,144 S	6/1982	Vermonet	
D265,435 S	7/1982	Vermonet	
D266,285 S	9/1982	Vermonet	
D271,633 S	12/1983	Casetta	
4,624,062 A	11/1986	Autry	
D290,542 S	6/1987	O'Rourke	
4,670,998 A	6/1987	Pasternak	
D291,142 S	8/1987	Kelley	
D291,501 S	8/1987	Tong	
4,736,531 A	4/1988	Richard	
D296,611 S	7/1988	Brown et al.	
4,776,110 A	10/1988	Shiang	
D299,681 S	2/1989	Miller et al.	
D300,385 S	3/1989	Backus	
4,845,864 A	7/1989	Corliss	
4,852,276 A	8/1989	Savoca et al.	
4,876,806 A	10/1989	Robinson et al.	
D321,776 S	11/1991	Hatfield	
D323,055 S	1/1992	Cavasin	
D323,735 S	2/1992	Aveni	
D324,762 S *	3/1992	Hatfield	D2/977
D324,937 S	3/1992	Cavasin	
D324,938 S	3/1992	Cohen	
D325,288 S	4/1992	Richard et al.	
D325,289 S	4/1992	Aveni	
D326,015 S *	5/1992	Kayano	D2/953
D326,762 S	6/1992	Kiyosawa	
D326,763 S	6/1992	Holbrook	
D327,165 S *	6/1992	Hatfield	D2/953
D327,362 S	6/1992	Hatfield	
D329,739 S *	9/1992	Hatfield	D2/977
D329,937 S *	10/1992	Hatfield	D2/970



# US D815,816 S

D329,941 S	10/1992	Hatfield	7,047,668 B2	5/2006	Burriss et al.
D330,110 S	10/1992	Worthington	7,065,906 B2	6/2006	Jones et al.
D330,798 S	11/1992	Hatfield et al.	7,082,703 B2	8/2006	Greene et al.
D333,207 S	2/1993	Smith	D528,778 S	9/2006	Avar et al.
D334,650 S	4/1993	Teague	D545,551 S	7/2007	Duclos
D334,652 S	4/1993	Hatfield	7,243,445 B2	7/2007	Manz et al.
D336,560 S	6/1993	Peterson	D549,949 S *	9/2007	Portzline ..... D2/972
D336,771 S	6/1993	Hatfield et al.	D556,433 S	12/2007	Le
5,216,827 A	6/1993	Cohen	7,328,527 B2	2/2008	Goldman
D336,979 S	7/1993	Peterson	D563,637 S	3/2008	Nakano
D336,980 S	7/1993	Peterson	7,337,558 B2	3/2008	Terlizzi et al.
D337,871 S	8/1993	Teague	D571,997 S	7/2008	Teeter et al.
D338,326 S	8/1993	Dolinsky	D574,581 S	8/2008	Cooper
D339,447 S	9/1993	McDonald	D576,393 S	9/2008	Kaufman
D339,456 S	9/1993	Kayano	D582,644 S	12/2008	Belley et al.
D340,128 S	10/1993	Mitsui	D586,105 S	2/2009	Banik et al.
D341,024 S	11/1993	Peterson	7,513,066 B2	4/2009	Kokstis et al.
D341,477 S	11/1993	Teague	7,513,067 B2	4/2009	Marvin et al.
D341,700 S	11/1993	Avar	D592,837 S	5/2009	Vico et al.
D341,932 S	12/1993	Elliot	7,526,881 B2	5/2009	Jones et al.
D343,044 S	1/1994	Kilgore et al.	D594,636 S	6/2009	Del Biondi et al.
D343,045 S	1/1994	Bailey	7,543,399 B2	6/2009	Kilgore et al.
D343,272 S	1/1994	James	7,591,084 B2	9/2009	Santa Ana
D347,936 S	6/1994	Takaoka	D603,598 S	11/2009	Bacon
D348,145 S	6/1994	Nakano	7,637,032 B2	12/2009	Sokolowski et al.
5,319,866 A	6/1994	Foley et al.	D611,232 S	3/2010	Della Valle et al.
5,319,869 A	6/1994	McDonald et al.	D613,482 S	4/2010	Della Valle et al.
5,371,926 A	12/1994	Van Noy et al.	7,694,438 B1	4/2010	Christensen et al.
D356,884 S	4/1995	Ho	7,730,640 B2	6/2010	Clark et al.
5,437,112 A	8/1995	Johnston	D618,894 S	7/2010	Taestensen
5,465,509 A	11/1995	Fuerst et al.	D624,291 S	9/2010	Henderson
D374,337 S	10/1996	Murai et al.	7,814,686 B2	10/2010	Becker et al.
D393,358 S	4/1998	Teague	D634,918 S	3/2011	Katz et al.
D395,738 S	7/1998	Hatfield et al.	7,895,772 B2	3/2011	Mariacher
5,784,807 A	7/1998	Pagel	7,906,199 B2	3/2011	Rearick et al.
D398,743 S	9/1998	Rask	D639,037 S	6/2011	McVicker et al.
D401,039 S	11/1998	Lupo	7,954,259 B2	6/2011	Antonelli et al.
D401,741 S	12/1998	Clarke	D643,189 S	8/2011	Teteriatnikov
D406,690 S *	3/1999	Vestuti ..... D2/916	D643,602 S	8/2011	Teteriatnikov
D412,236 S	7/1999	von Conta	D644,418 S	9/2011	Yi
5,918,338 A	7/1999	Wong	8,028,442 B2	10/2011	Hodgson
D414,317 S	9/1999	Lubart	D648,514 S	11/2011	Avar
D416,126 S	11/1999	Jimenez	D653,842 S	2/2012	Weiss
D418,282 S	1/2000	von Conta et al.	D657,947 S	4/2012	Recchi et al.
D422,128 S	4/2000	Adler	8,146,273 B2	4/2012	Sokolowski
D431,349 S	10/2000	Matis et al.	8,151,489 B2	4/2012	Marvin et al.
D437,477 S	2/2001	Tyler	8,181,363 B2	5/2012	Klein
D441,175 S	5/2001	Ritter et al.	8,196,322 B2	6/2012	Atsumi et al.
D447,616 S	9/2001	Bandini et al.	D662,697 S	7/2012	Portzline
D452,362 S	12/2001	Mastroianni et al.	D663,933 S	7/2012	Lane
D453,989 S	3/2002	Cagner	8,256,141 B2	9/2012	Christensen et al.
D458,742 S	6/2002	Crary et al.	D671,306 S	11/2012	Tzenos
6,412,196 B1	7/2002	Gross	D671,723 S	12/2012	Teteriatnikov
D465,905 S	11/2002	Meza et al.	8,356,429 B2	1/2013	Eder et al.
D466,277 S	12/2002	Smith, III	D676,635 S	2/2013	Bosomworth
D466,278 S	12/2002	Smith, III	D677,869 S	3/2013	Labarbera et al.
D468,085 S	1/2003	Baker	8,414,811 B1	4/2013	De Santis et al.
6,523,282 B1	2/2003	Johnston	D682,515 S	5/2013	Della Valle et al.
D475,181 S	6/2003	McClaskie	D682,516 S	5/2013	Avar et al.
D476,471 S	7/2003	Alfaro	D685,166 S	7/2013	Hatfield et al.
6,606,804 B2	8/2003	Kaneko et al.	D687,221 S	8/2013	Taylor
D480,541 S	10/2003	Galway	D689,273 S	9/2013	Hardman
D486,632 S	2/2004	Adams	D689,675 S	9/2013	Hardman
D486,633 S	2/2004	Adams	D690,088 S *	9/2013	Hardman ..... D2/947
6,701,644 B2	3/2004	Oorei et al.	D691,785 S	10/2013	Chang
6,708,427 B2	3/2004	Sussmann et al.	D692,217 S	10/2013	Fogg
D495,859 S	9/2004	Kubo et al.	D696,852 S	1/2014	Madore
D498,352 S	11/2004	Ringholz et al.	D701,680 S	4/2014	Della Valle et al.
6,817,112 B2	11/2004	Berger et al.	D702,025 S	4/2014	Della Valle et al.
D507,097 S	7/2005	Sonnergren	D702,026 S	4/2014	Della Valle et al.
6,915,596 B2	7/2005	Grove et al.	D708,828 S	7/2014	Avar et al.
D511,886 S	11/2005	Galway	8,789,298 B2	7/2014	Eder et al.
D512,818 S	12/2005	Mitani et al.	D713,624 S	9/2014	Petrie
6,973,746 B2	12/2005	Auger et al.	D713,625 S	9/2014	Raasch
D515,286 S	2/2006	Dabah	D713,636 S	9/2014	Cin
D516,783 S	3/2006	Chu	8,844,171 B2	9/2014	Eder et al.
D517,297 S	3/2006	Jones et al.	8,850,721 B2	10/2014	Long et al.
7,010,872 B2	3/2006	Pawlus et al.	8,869,431 B2	10/2014	Dimatteo
D520,732 S	5/2006	Mitani et al.	D717,526 S *	11/2014	Cho ..... D2/909



# US D815,816 S

D718,033 S	11/2014	Cin	2015/0181976 A1	7/2015	Cooper et al.
8,887,411 B2	11/2014	Lacorazza et al.	2015/0257489 A1	9/2015	Trudel
D722,425 S	2/2015	Cin	2015/0342292 A1	12/2015	Mariacher
D722,749 S	2/2015	Svensson et al.	2015/0342300 A1*	12/2015	Cin ..... A43B 17/003 36/103
8,959,796 B2	2/2015	Lazaris			
9,032,645 B2	5/2015	Stauffer	2016/0095384 A1	4/2016	Kraft
9,038,288 B2	5/2015	Droege et al.	2016/0143386 A1*	5/2016	Cone ..... A43B 3/16 36/7.1 R
D731,761 S	6/2015	Carroll et al.			
D731,767 S	6/2015	Lan	2016/0174660 A1	6/2016	Iuchi et al.
D732,284 S	6/2015	Yasui et al.	2016/0213095 A1	7/2016	Kohatsu et al.
D737,037 S *	8/2015	Dolce ..... D2/972	2016/0262494 A1	9/2016	Weidl
D737,038 S *	8/2015	Dolce ..... D2/972	2016/0286898 A1	10/2016	Manz et al.
9,101,179 B2	8/2015	Marvin et al.	2016/0295955 A1	10/2016	Wardlaw et al.
D738,092 S *	9/2015	Caron ..... D2/972	2016/0338449 A1	11/2016	Steuerwald
D738,600 S	9/2015	Vasyli	2017/0156439 A1	6/2017	Yoshida et al.
D739,128 S	9/2015	Vasyli	2017/0251761 A1	9/2017	Cin et al.
9,173,448 B1	11/2015	Knoblauch	2017/0258179 A1	9/2017	Conant et al.
9,179,732 B2	11/2015	Minami			
D745,771 S	12/2015	Cin			
D748,899 S	2/2016	Bartel			
9,295,304 B2	3/2016	Hatfield et al.			
9,320,313 B2	4/2016	Craig et al.			
D756,620 S *	5/2016	Boys ..... D2/947			
D761,005 S	7/2016	Nataadiningrat			
D765,360 S	9/2016	Petrie			
D765,363 S	9/2016	Petrie			
D770,153 S *	11/2016	Marvin ..... D2/951			
D773,159 S	12/2016	Seamarks			
D773,168 S *	12/2016	Cin ..... D2/973			
D778,551 S	2/2017	Pauk			
D778,553 S *	2/2017	DeAlmeida ..... D2/947			
9,585,434 B2	3/2017	Van Atta et al.			
D782,790 S *	4/2017	Lee ..... D2/947			
D783,995 S *	4/2017	Kuerbis ..... D2/972			
D789,659 S	6/2017	Stovall			
D789,664 S *	6/2017	Seo ..... D2/951			
D789,674 S	6/2017	Williams, Jr.			
9,675,130 B2	6/2017	Ueda et al.			
D791,453 S *	7/2017	McMillan ..... D2/947			
9,693,604 B2	7/2017	Cin et al.			
D793,046 S *	8/2017	Lee ..... D2/947			
D794,290 S *	8/2017	Nethongkome ..... D2/947			
D794,293 S	8/2017	Robusti			
D794,294 S	8/2017	Robusti			
D794,296 S *	8/2017	Lee ..... D2/947			
D795,541 S *	8/2017	Henrichot ..... D2/947			
D796,802 S	9/2017	Kinley			
D796,804 S	9/2017	Young			
D796,816 S *	9/2017	Klein ..... D2/972			
9,750,304 B2	9/2017	Kohatsu et al.			
D798,555 S *	10/2017	Enayah ..... D2/947			
D798,559 S *	10/2017	Pauk ..... D2/947			
D799,180 S	10/2017	Sokol			
D799,807 S *	10/2017	Sokol ..... D2/972			
D802,266 S *	11/2017	Hardman ..... D2/947			
D802,280 S *	11/2017	Comeaux ..... D2/972			
D802,283 S *	11/2017	McCullagh ..... D2/972			
D802,284 S *	11/2017	McCullagh ..... D2/972			
D807,014 S *	1/2018	Sullivan ..... D2/972			
D807,632 S *	1/2018	Sullivan ..... D2/972			
D808,631 S *	1/2018	Enayah ..... D2/972			
9,867,426 B2 *	1/2018	Conant ..... A43B 13/186			
2004/0128863 A1	7/2004	Hong et al.			
2004/0244226 A1	12/2004	Farys et al.			
2005/0257402 A1	11/2005	Kobayashi			
2006/0059716 A1	3/2006	Yamashita et al.			
2008/0034613 A1	2/2008	Wilkenfeld et al.			
2010/0083541 A1	4/2010	Baucom et al.			
2010/0115796 A1	5/2010	Pulli			
2010/0287792 A1	11/2010	Hide			
2011/0185597 A1	8/2011	Guest			
2012/0304503 A1	12/2012	Bouvet et al.			
2013/0031805 A1 *	2/2013	Crowley, II ..... A43B 7/144 36/103			
2013/0312284 A1 *	11/2013	Berend ..... A43B 1/0027 36/84			
2014/0150298 A1 *	6/2014	Crowley ..... A43B 7/1445 36/103			
2015/0173454 A1	6/2015	Perez et al.			

## OTHER PUBLICATIONS

Nike Revolution 4 Flyease, Nike.com, [online], [site visited Feb. 13, 2018]. <URL: <https://www.nike.com/t/revolution-4-flyease-mens-running-shoe-JI6Qct>> (Year: 2018).\*

Jordan Ultra Fly 2 Low, Nike.com, [online], [site visited Feb. 13, 2018]. <URL: <https://www.nike.com/t/jordan-ultra-fly-2-low-mens-basketball-shoe-bky9JP>> (Year: 2018).\*

Nike Tiempox Legend VII Academy IC, Nike.com, [online], [site visited Feb. 13, 2018]. <URL: <https://www.nike.com/t/tiempox-legend-vii-academy-indoor-court-soccer-shoe-8g0JDn>> (Year: 2018).\*

Nike Metcon 3 Realtree, Nike.com, [online], [site visited Feb. 13, 2018]. <URL: <https://www.nike.com/t/metcon-3-realtree-mens-training-shoe-qkJoMK>> (Year: 2018).\*

Nike MetCon Crossfit Shoes Review, YouTube.com, RIZKNOWS, Published on Mar. 28, 2015, [online], [site visited Feb. 13, 2018]. <URL: <https://www.youtube.com/watch?v=XJN6cMGpvIM>> (Year: 2015).\*

Nike Footwear Catalog, 1986 Fall Performance, p. 58, published Jan. 1986, NIKE, Inc., USA.

Nike Footwear Catalog, 1986 Fall Performance, p. 92, published Jan. 1986, NIKE, Inc., USA.

Nike Footwear Catalog, 1987 Fall Footwear, p. 96, published Jan. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1988 Fall Footwear, p. 52, published Dec. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1988 Fall Footwear, p. 54, published Dec. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1989 Fall Footwear, p. 26, published Dec. 1988, NIKE, Inc., USA.

Nike Footwear Catalog, 1989 Fall Footwear, p. 46, published Dec. 1988, NIKE, Inc., USA.

Nike Footwear Catalog, 1989 Fall Footwear, p. 70, published Dec. 1988, NIKE, Inc., USA.

Nike Footwear Catalog, 1990 Fall Footwear, p. 84, published Dec. 1989, NIKE, Inc., USA.

Nike Footwear Catalog, 1990 Spring Footwear, p. 4, published Jun. 1989, NIKE, Inc., USA.

Nike Footwear Catalog, 1990 Spring Footwear, p. 96, published Jun. 1989, NIKE, Inc., USA.

Nike Footwear Catalog, 1991 Fall Footwear, p. 120, published Dec. 1990, NIKE, Inc., USA.

Nike Footwear Catalog, 1991 Spring Footwear, p. 46, published Jun. 1990, NIKE, Inc., USA.

Nike Footwear Catalog, 1991 Spring Footwear, p. 82, published Jun. 1990, NIKE, Inc., USA.

Nike Footwear Catalog, 2006 Fall Footwear, p. 44, published Nov. 2005, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Fall Performance Footwear, p. 78, published Nov. 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Men's Performance Footwear, p. 45, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Men's Performance Footwear, p. 66, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Spring Men's Running Footwear, p. 35, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Fall Men's Footwear Sportswear Best, p. 32, published Nov. 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall City Specialty Best NA, p. 32, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Holiday City Specialty Footwear, p. 38, published Feb. 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Core Performance Footwear Final Low, p. 22, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Sporting Goods Footwear Best, p. 223, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Training Introduces the Much-Anticipated Nike Metcon 1, [online], [retrieved Jan. 9, 2018], 7 color sheets. <URL: <<https://news.nike.com/news/nike-training-introduces-the-much-anticipated-metcon-1>>> Publish date Jan. 28, 2015.

\* cited by examiner

*Primary Examiner* — T. Chase Nelson

*Assistant Examiner* — Jonathan J. Han

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

(57)

**CLAIM**

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

**DESCRIPTION**

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

FIG. 2 is a side view thereof; and,

FIG. 3 is an enlarged partial view of FIG. 2.

The solid line that is not immediately adjacent to the shaded area is claimed. The uneven-length broken lines within the shaded area represent a feature that forms no part of the claimed design. 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**

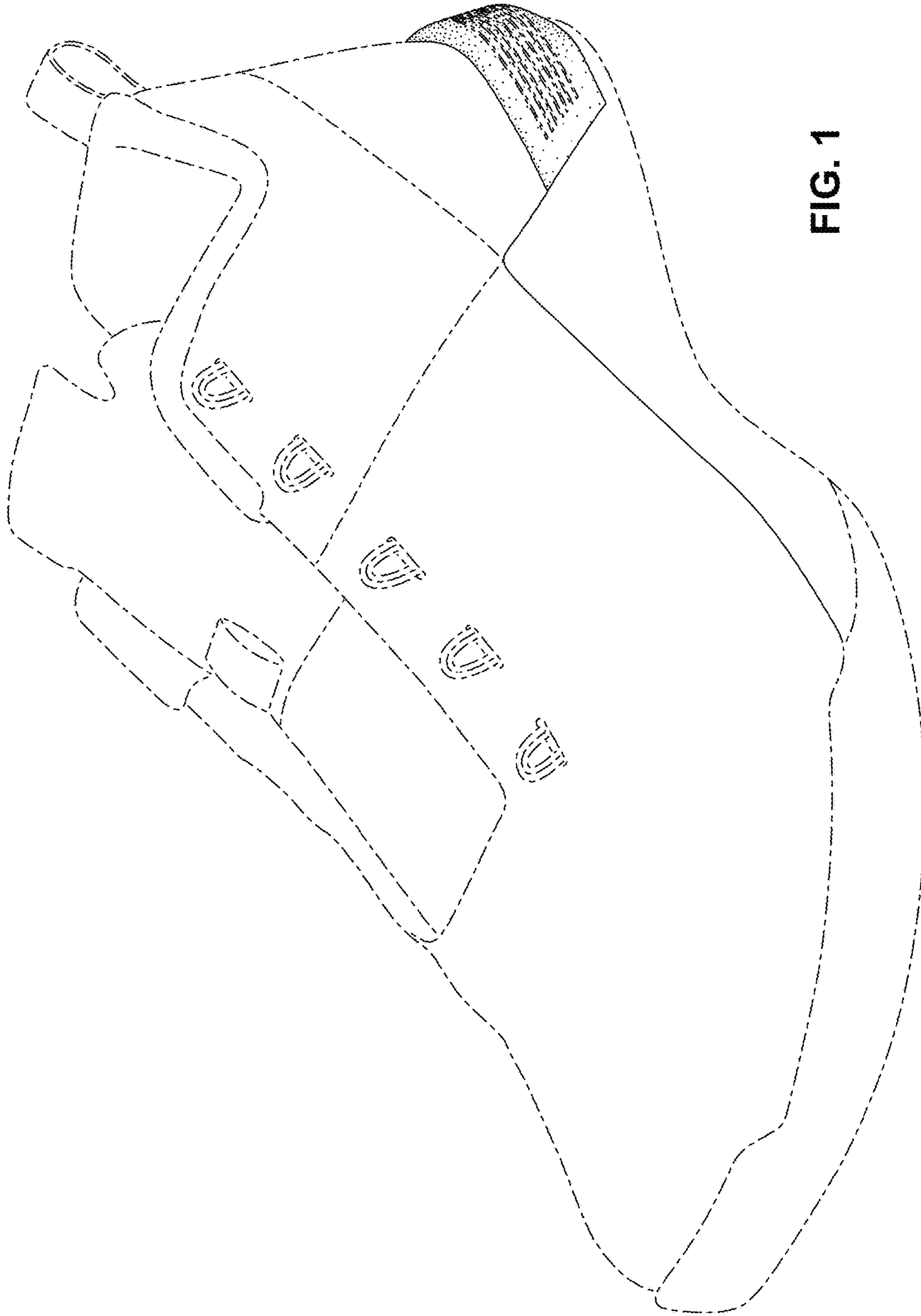


FIG. 1



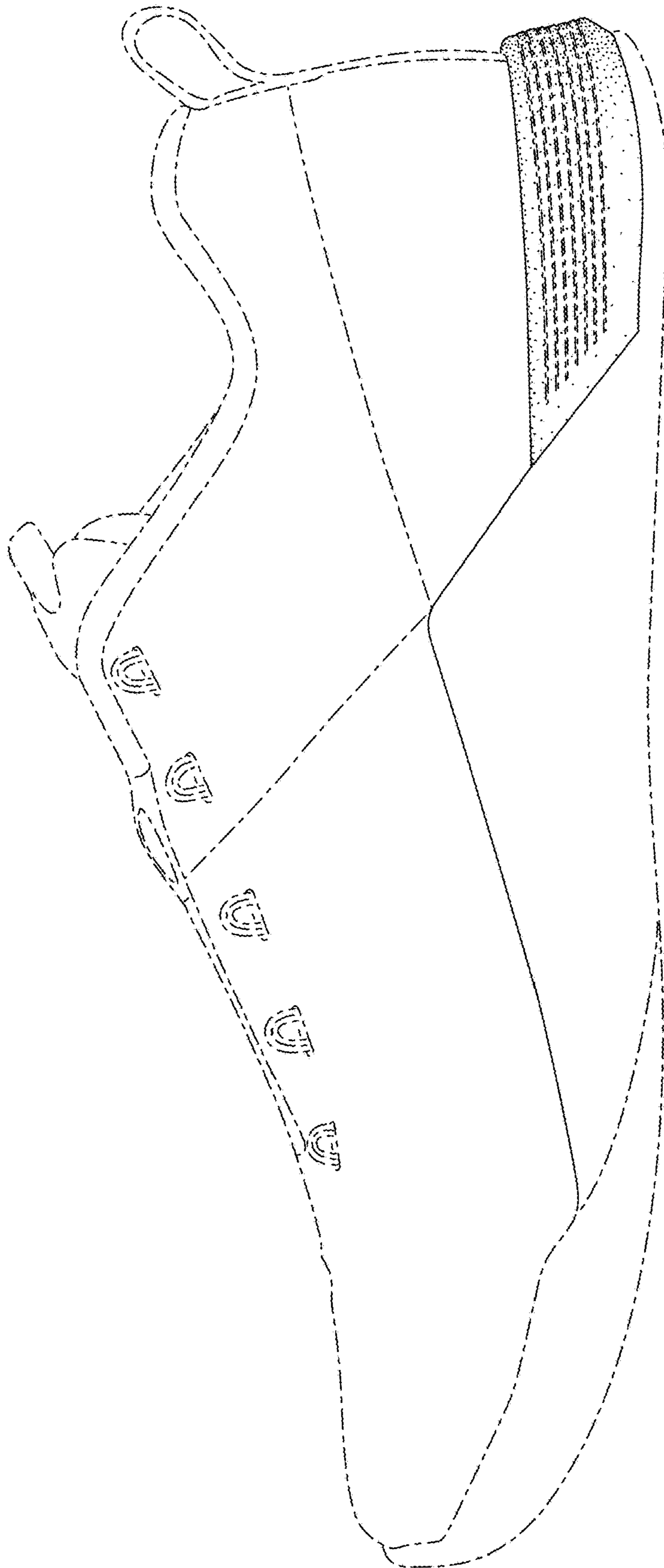


FIG. 2

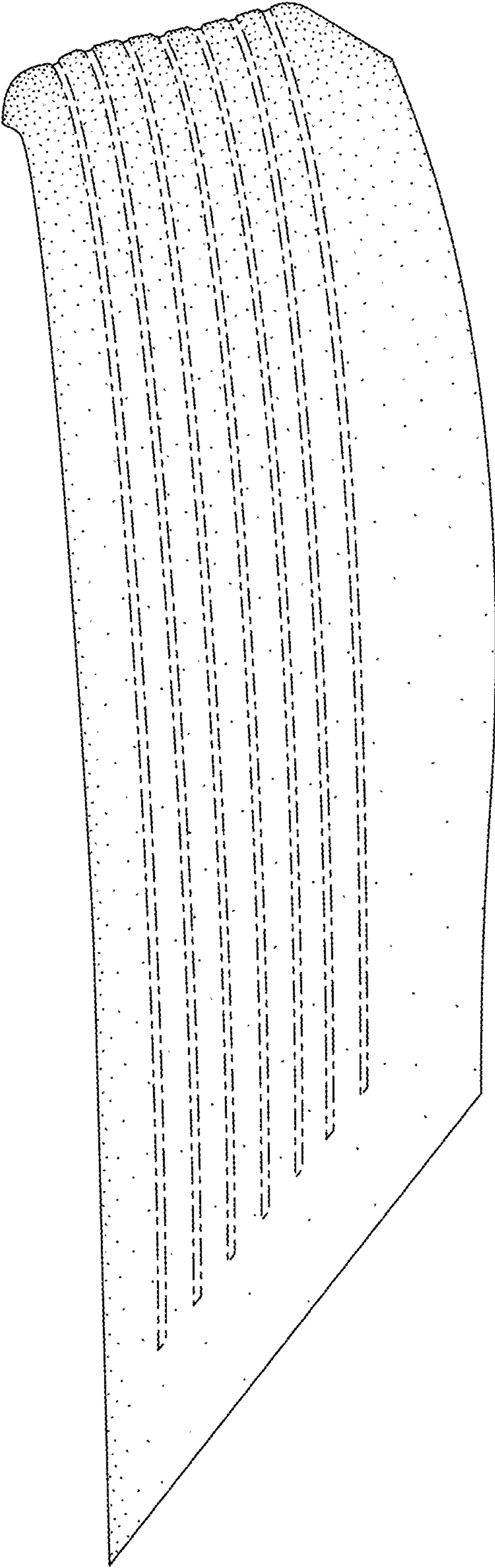


FIG. 3