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

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(54) **SHOE UPPER**

D767,268 S 9/2016 Avar
D769,600 S * 10/2016 Avar D2/972
D769,604 S 10/2016 Mueller
(Continued)

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

(21) Appl. No.: **29/584,218**

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(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;
D5/1–3, 47, 53, 61

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

D117,386 S * 10/1939 Werner D5/47
D412,780 S 8/1999 Hatfield et al.
D435,959 S 1/2001 Akhidime
D687,625 S * 8/2013 Aveni D2/972
D694,515 S 12/2013 Rasmussen
D707,950 S 7/2014 William, Jr.
D710,585 S * 8/2014 Ho D2/972
D746,571 S * 1/2016 Bell D2/972
D746,572 S * 1/2016 Bell D2/972
D746,578 S 1/2016 Chang
D750,881 S 3/2016 Hardman
D765,385 S 9/2016 Williams, Jr.

OTHER PUBLICATIONS

“Jordan Brand Uses Flyknit for the First Time on this Training Shoe,” Jordan Trainer 2 Flyknit pictured therein, as posted at SneakerNews.com [online], posted on Jan. 22, 2017, [site visited Nov. 15, 2017]. Available from the Internet, <URL: https://sneakernews.com/2017/06/08/jordan-trainer-2-flyknit-2-colorways-summer-2017/>.*

(Continued)

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(57) **CLAIM**

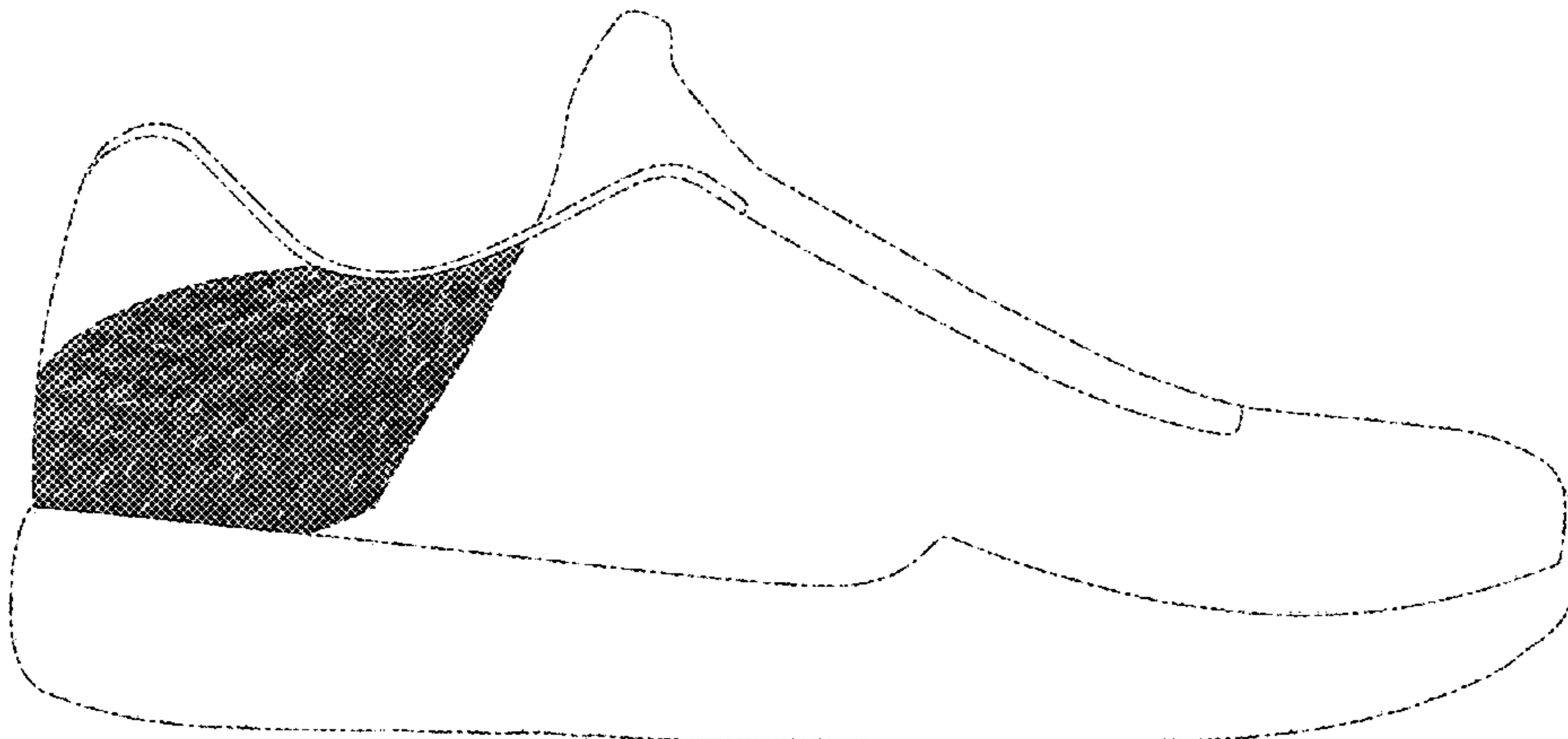
The ornamental design for a shoe upper, as shown and described.

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 an enlarged view of FIG. 1 with environment removed for clarity;
FIG. 5 is an enlarged view of FIG. 2 with environment removed for clarity; and,
FIG. 6 is an enlarged view of FIG. 3 with environment removed for clarity.

The photographic area shows 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, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D778,582 S	*	2/2017	Kanata	D2/972
D783,984 S	*	4/2017	Williams, Jr.	D2/972
D792,701 S	*	7/2017	Small	D2/972
D792,704 S	*	7/2017	O'Connor	D2/972
D793,705 S	*	8/2017	Durand	D2/972
D797,434 S	*	9/2017	Klein	D2/972

OTHER PUBLICATIONS

Jordan Flight Runner 2: Brining Jordan Brand Style to Sport Preparation [online], retrieved from internet <<http://news.nike.com/news/jordan-flight-runner-2-bringing-jordan-brand-style-to-sport-preparation/>>; 9 color sheets, Dated Jan. 22, 2015.

Jordan J23 Training Shoe Is Here in Gold [online], retrieved from internet <<http://sneakernews.com/2016/10/07/jordan-j23-training-shoe-gold/>>; 5 color sheets, Dated Oct. 7, 2016.

Jordan Pays Homage to MJ's Second Home With the Air Jordan XXXI "Chicago" [online], retrieved from internet <<http://news.nike.com/news/air-jordan-31/>>; 7 color sheets, Dated Nov. 4, 2016.

First Look at Jordan's New Cross-Trainer [online], retrieved from internet <<http://www.nikeblog.com/2016/04/08/jordan-trainer-1-low-first-look/>>; 3 color sheets, Date unknown, but before filing date.

Jordan Brand Introduces the Spike Forty [online], retrieved from Internet <<http://news.nike.com/news/jordan-brand-spike-forty/>>; 15 color sheets, Dated Oct. 28, 2015.

* cited by examiner

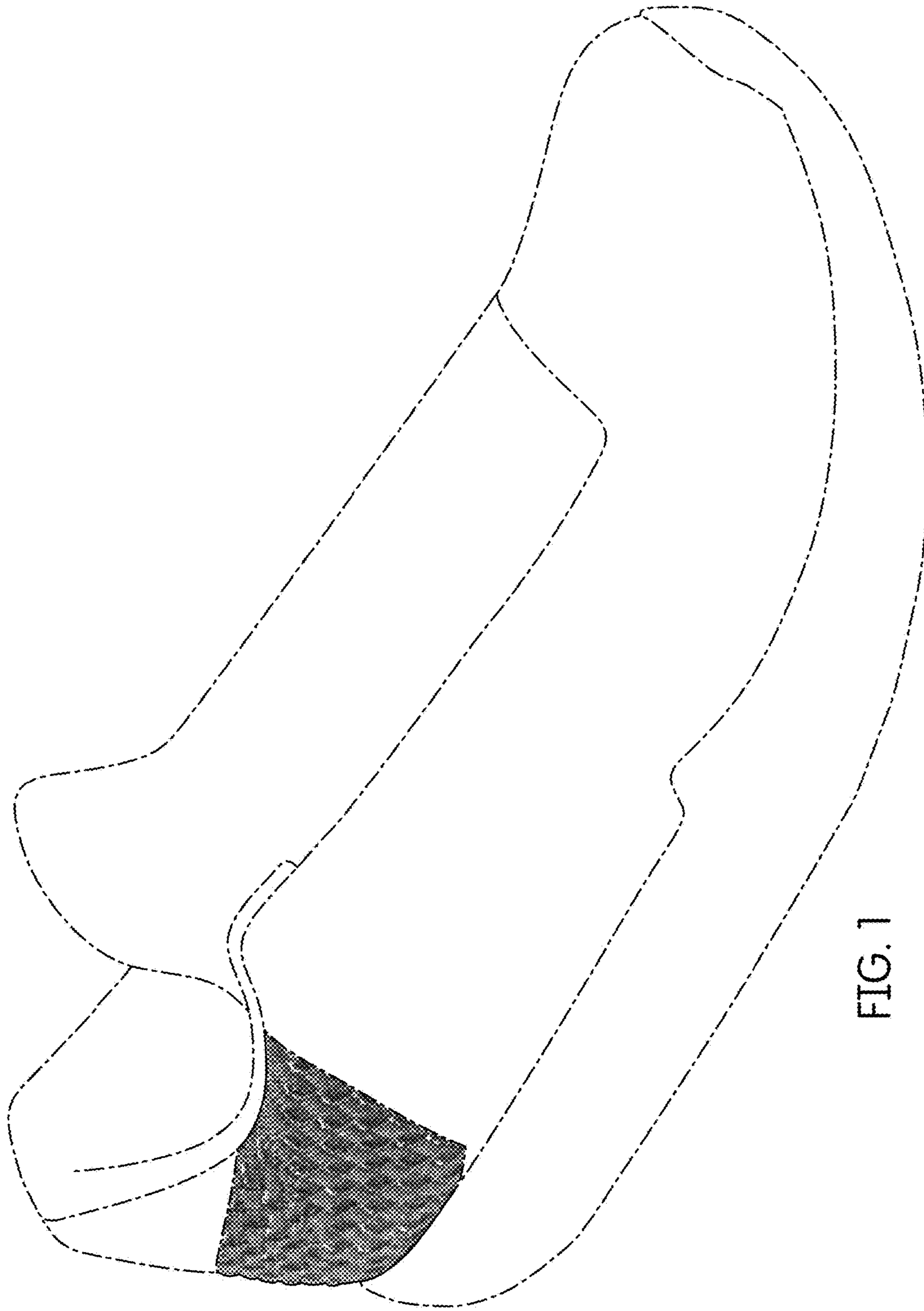


FIG. 1

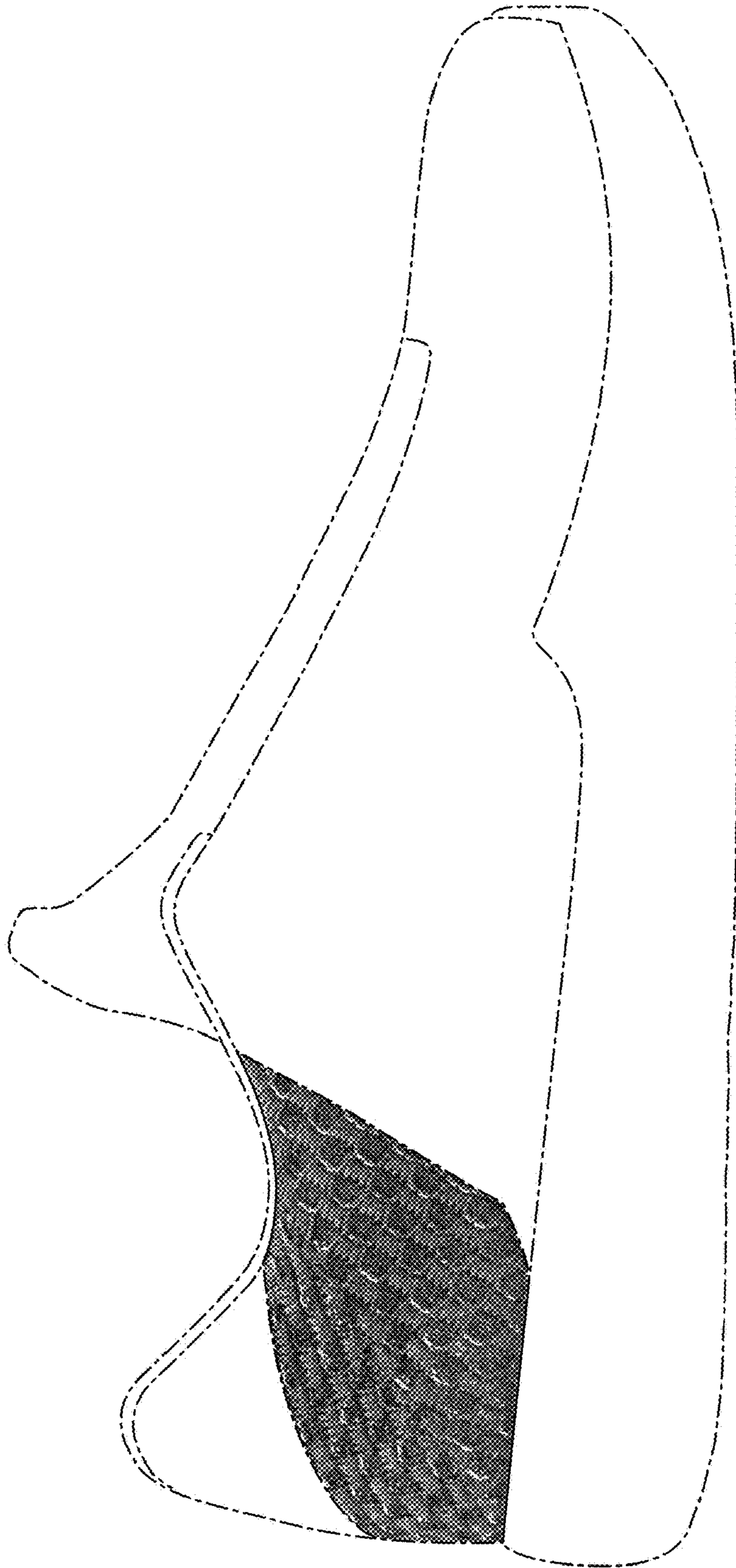


FIG. 2

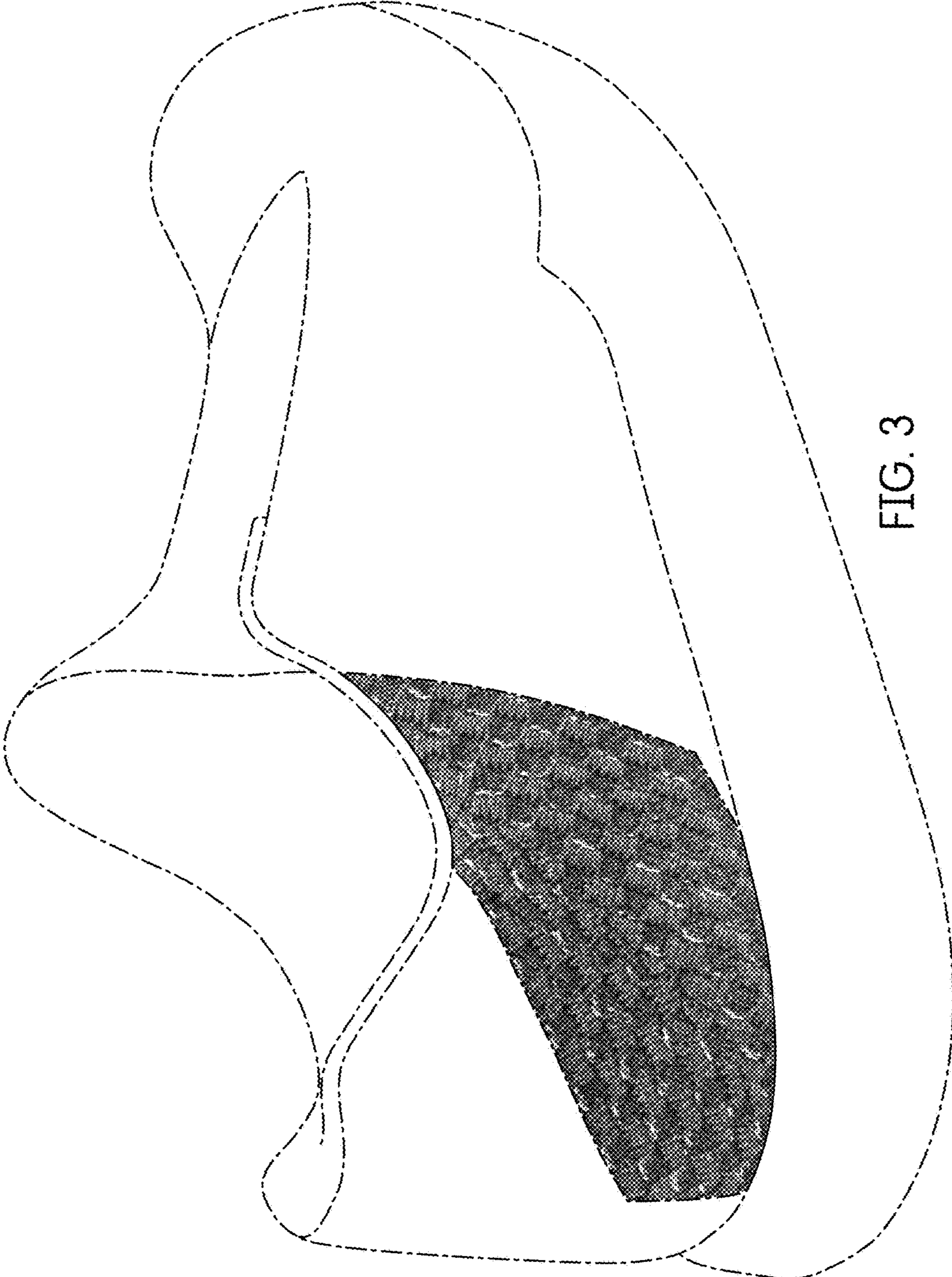


FIG. 3

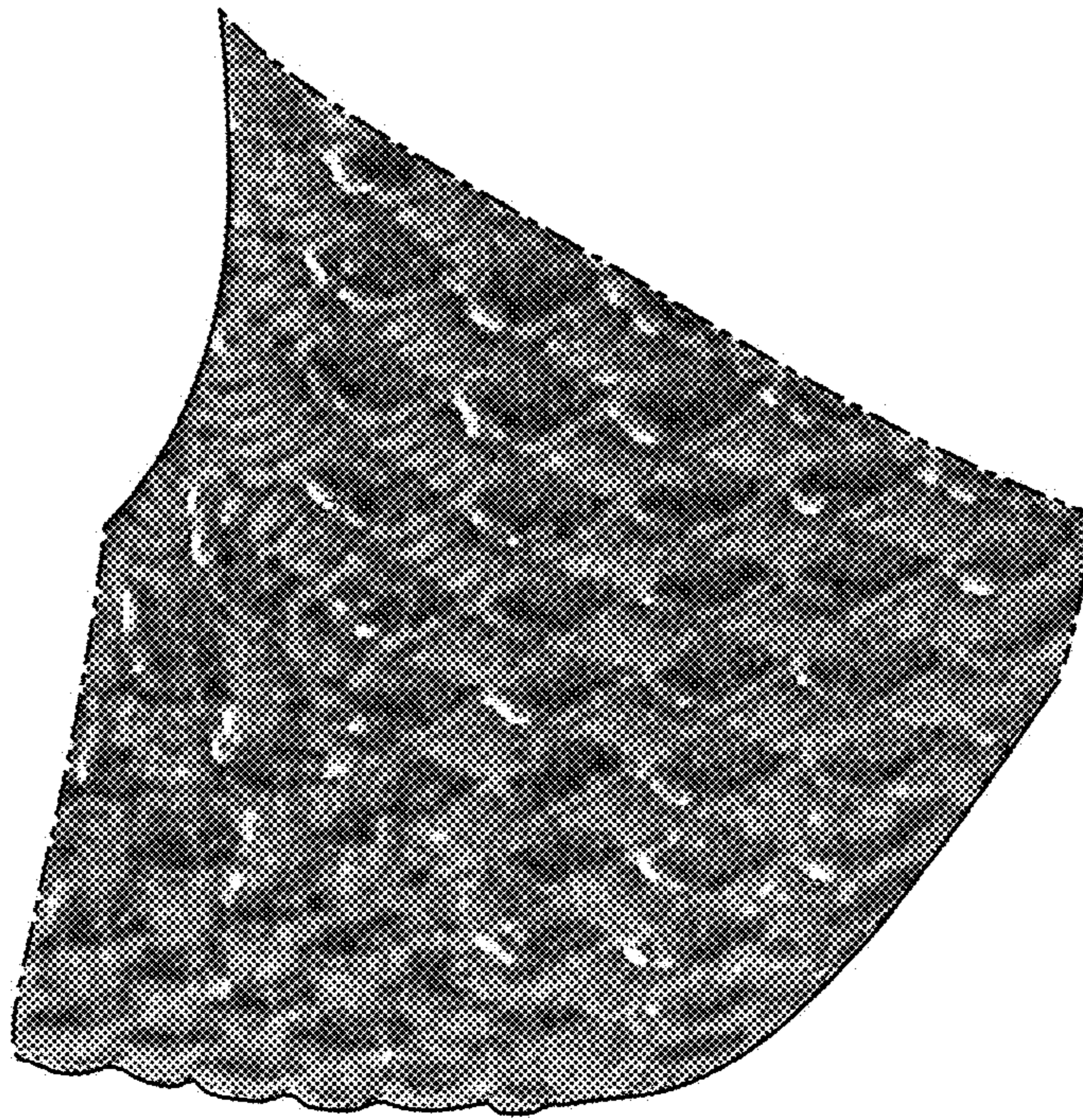


FIG. 4

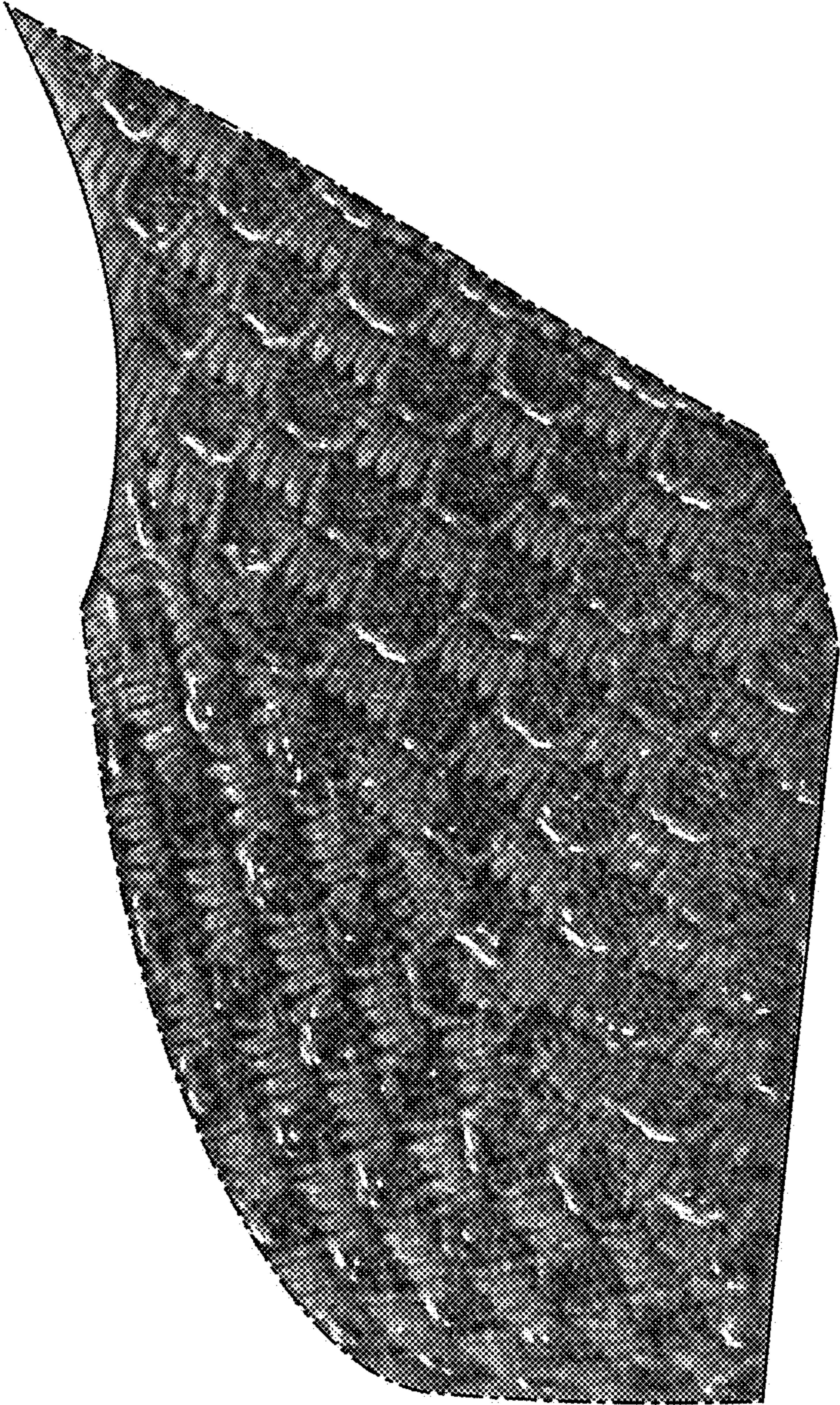


FIG. 5

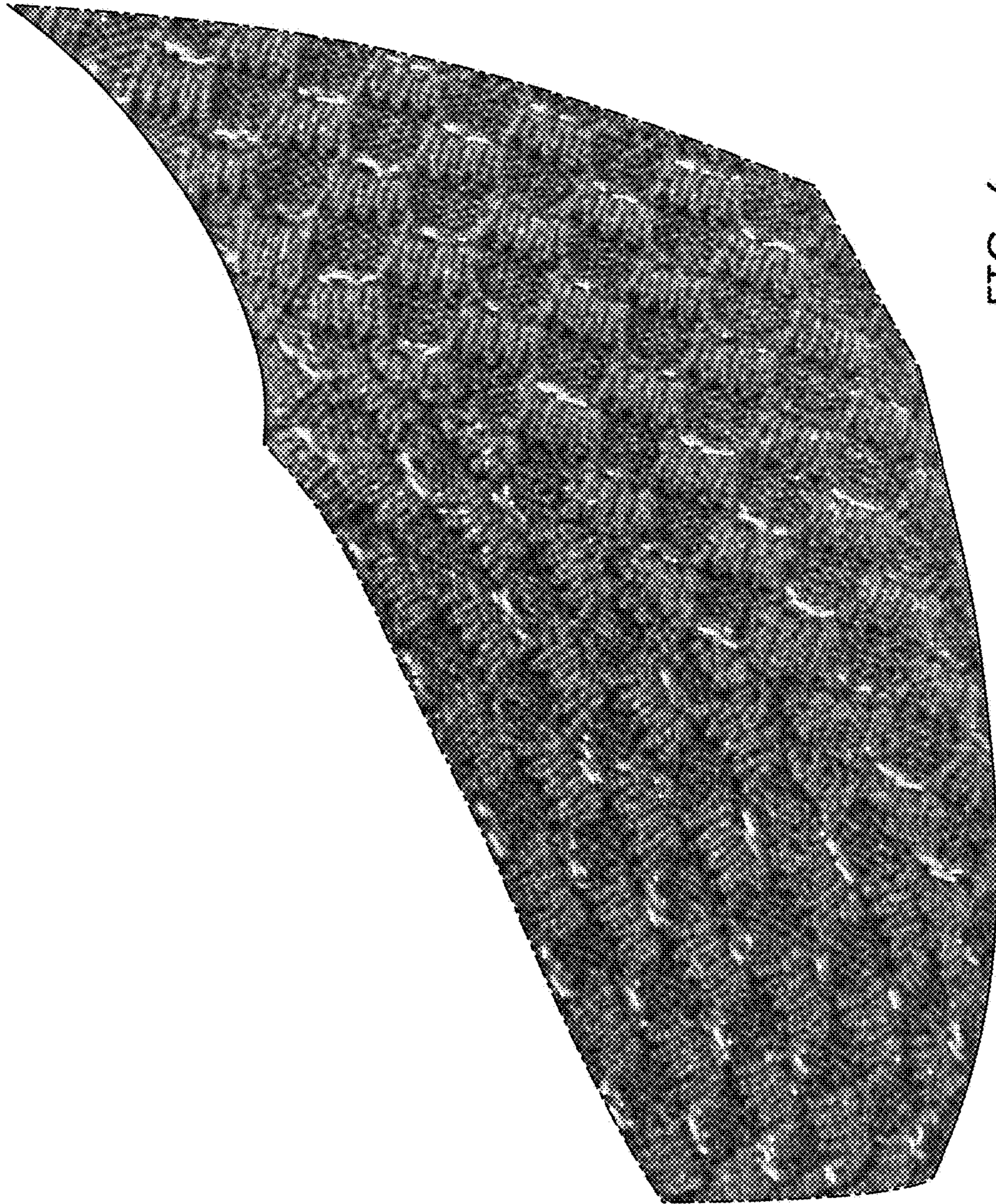


FIG. 6