



US00D816960S

(12) **United States Design Patent** (10) **Patent No.:** **US D816,960 S**
Cin (45) **Date of Patent:** **** May 8, 2018**

- (54) **SHOE**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
- (72) Inventor: **David Cin**, Portland, OR (US)
- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/632,871**
- (22) Filed: **Jan. 10, 2018**

Related U.S. Application Data

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

- (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
13/28; A43B 13/30; A43B 13/32; A43B
13/34; A43B 13/36

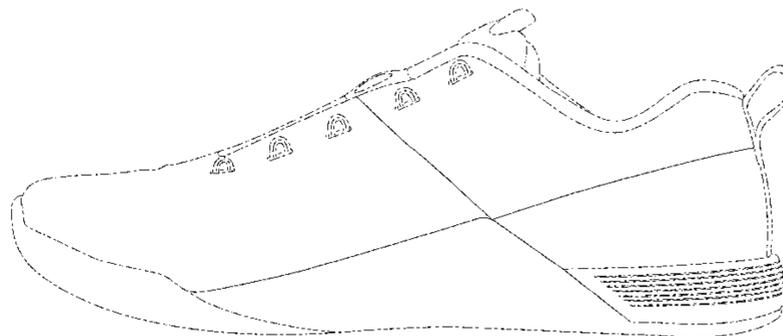
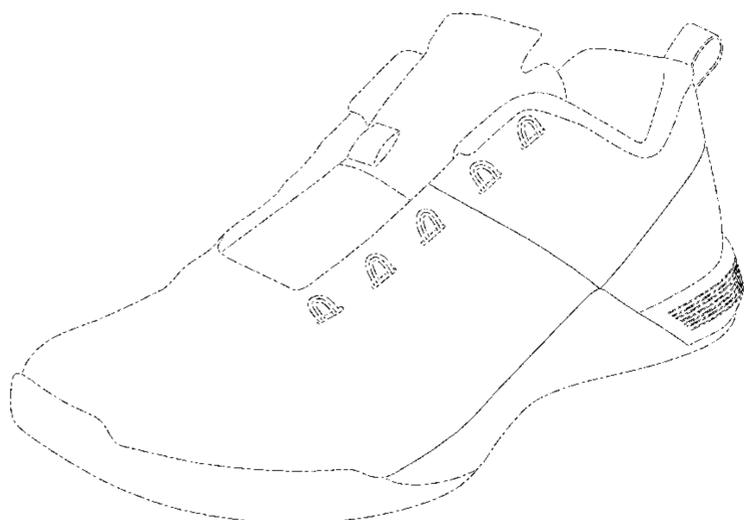
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 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
- D326,762 S 6/1992 Kiyosawa
- D326,763 S 6/1992 Holbrook
- D327,362 S 6/1992 Hatfield
- D329,739 S * 9/1992 Hatfield D2/977
- D329,937 S * 10/1992 Hatfield D2/970
- D329,941 S 10/1992 Hatfield
- D330,110 S 10/1992 Worthington
- D330,798 S 11/1992 Hatfield et al.
- D333,207 S 2/1993 Smith
- D334,650 S 4/1993 Teague
- D334,652 S 4/1993 Hatfield
- D336,560 S 6/1993 Peterson
- D336,771 S 6/1993 Hatfield et al.
- 5,216,827 A 6/1993 Cohen
- D336,979 S 7/1993 Peterson
- D336,980 S 7/1993 Peterson
- D337,871 S 8/1993 Teague



US D816,960 S

D338,326 S	8/1993	Dolinsky	D571,997 S	7/2008	Teeter et al.
D339,447 S	9/1993	McDonald	D574,581 S	8/2008	Cooper
D339,456 S	9/1993	Kayano	D576,393 S	9/2008	Kaufman
D340,128 S	10/1993	Mitsui	D582,644 S	12/2008	Belley et al.
D341,024 S	11/1993	Peterson	D586,105 S	2/2009	Banik et al.
D341,477 S	11/1993	Teague	7,513,066 B2	4/2009	Kokstis et al.
D341,700 S	11/1993	Avar	7,513,067 B2	4/2009	Marvin et al.
D341,932 S	12/1993	Elliot	D592,837 S	5/2009	Vico et al.
D343,044 S	1/1994	Kilgore et al.	7,526,881 B2	5/2009	Jones et al.
D343,045 S	1/1994	Bailey	D594,636 S	6/2009	Del Biondi et al.
D343,272 S	1/1994	James	7,543,399 B2	6/2009	Kilgore et al.
D347,936 S	6/1994	Takaoka	D595,937 S *	7/2009	Morris D2/907
D348,145 S	6/1994	Nakano	7,591,084 B2	9/2009	Santa Ana
5,319,866 A	6/1994	Foley et al.	D603,598 S	11/2009	Bacon
5,319,869 A	6/1994	McDonald et al.	7,637,032 B2	12/2009	Sokolowski et al.
5,371,926 A	12/1994	Van Noy et al.	D611,232 S	3/2010	Della Valle et al.
D356,884 S	4/1995	Ho	D613,482 S	4/2010	Della Valle et al.
5,437,112 A	8/1995	Johnston	7,694,438 B1	4/2010	Christensen et al.
5,465,509 A	11/1995	Fuerst et al.	7,730,640 B2	6/2010	Clark et al.
D374,337 S	10/1996	Murai et al.	D618,894 S	7/2010	Tæstensen
D393,358 S	4/1998	Teague	D624,291 S	9/2010	Henderson
D395,738 S	7/1998	Hatfield et al.	7,814,686 B2	10/2010	Becker et al.
5,784,807 A	7/1998	Pagel	D634,918 S	3/2011	Katz et al.
D398,743 S	9/1998	Rask	7,895,772 B2	3/2011	Mariacher
D401,039 S	11/1998	Lupo	7,906,199 B2	3/2011	Rearick et al.
D401,741 S	12/1998	Clarke	D639,037 S	6/2011	McVicker et al.
D406,690 S *	3/1999	Vestuti D2/916	7,954,259 B2	6/2011	Antonelli et al.
D412,236 S	7/1999	von Conta	D643,189 S	8/2011	Teteriatnikov
5,918,338 A	7/1999	Wong	D643,602 S	8/2011	Teteriatnikov
D414,317 S	9/1999	Lubart	D644,418 S	9/2011	Yi
D416,126 S	11/1999	Jimenez	8,028,442 B2	10/2011	Hodgson
D418,282 S	1/2000	von Conta et al.	D648,514 S	11/2011	Avar
D422,128 S	4/2000	Adler	D653,842 S	2/2012	Weiss
D431,349 S	10/2000	Matis et al.	D657,947 S	4/2012	Recchi et al.
D437,477 S	2/2001	Tyler	8,146,273 B2	4/2012	Sokolowski
D441,175 S	5/2001	Ritter et al.	8,151,489 B2	4/2012	Marvin et al.
D447,616 S	9/2001	Bandini et al.	8,181,363 B2	5/2012	Klein
D452,362 S	12/2001	Mastroianni et al.	8,196,322 B2	6/2012	Atsumi et al.
D453,989 S	3/2002	Cagner	D662,697 S	7/2012	Portzline
D458,742 S	6/2002	Crary et al.	D663,933 S	7/2012	Lane
6,412,196 B1	7/2002	Gross	8,256,141 B2	9/2012	Christensen et al.
D465,905 S	11/2002	Meza et al.	D671,306 S	11/2012	Tzenos
D466,277 S	12/2002	Smith, III	D671,723 S	12/2012	Teteriatnikov
D466,278 S	12/2002	Smith, III	8,356,429 B2	1/2013	Eder et al.
D468,085 S	1/2003	Baker	D676,635 S	2/2013	Bosomworth
6,523,282 B1	2/2003	Johnston	D677,869 S	3/2013	Labarbera et al.
D475,181 S	6/2003	McClaskie	8,414,811 B1	4/2013	De Santis et al.
D476,471 S	7/2003	Alfaro	D682,515 S	5/2013	Della Valle et al.
6,606,804 B2	8/2003	Kaneko et al.	D682,516 S	5/2013	Avar et al.
D480,541 S	10/2003	Galway	D685,166 S	7/2013	Hatfield et al.
D486,632 S	2/2004	Adams	D687,221 S	8/2013	Taylor
D486,633 S	2/2004	Adams	D689,273 S	9/2013	Hardman
6,701,644 B2	3/2004	Oorei et al.	D689,675 S	9/2013	Hardman
6,708,427 B2	3/2004	Sussmann et al.	D691,785 S	10/2013	Chang
D495,859 S	9/2004	Kubo et al.	D692,217 S	10/2013	Fogg
D498,352 S	11/2004	Ringholz et al.	D696,852 S	1/2014	Madore
6,817,112 B2	11/2004	Berger et al.	D701,680 S	4/2014	Della Valle et al.
D503,269 S *	3/2005	Rask D2/972	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
D519,726 S *	5/2006	Duclos D2/972	D717,526 S *	11/2014	Cho D2/909
D520,732 S	5/2006	Mitani et al.	D718,033 S	11/2014	Cin
7,047,668 B2	5/2006	Burriss et al.	8,887,411 B2	11/2014	Lacorazza et al.
7,065,906 B2	6/2006	Jones et al.	D722,425 S	2/2015	Cin
7,082,703 B2	8/2006	Greene et al.	D722,749 S	2/2015	Svensson et al.
D528,778 S	9/2006	Avar et al.	8,959,796 B2	2/2015	Lazaris
D545,551 S	7/2007	Duclos	9,032,645 B2	5/2015	Stauffer
7,243,445 B2	7/2007	Manz et al.	9,038,288 B2	5/2015	Droege et al.
D556,433 S	12/2007	Le	D731,761 S	6/2015	Carroll et al.
7,328,527 B2	2/2008	Goldman	D731,767 S	6/2015	Lan
D563,637 S	3/2008	Nakano	D732,284 S	6/2015	Yasui et al.
7,337,558 B2	3/2008	Terlizzi et al.	D737,037 S *	8/2015	Dolce D2/972

D737,038 S *	8/2015	Dolce	.....	D2/972	<URL: https://www.youtube.com/watch?v=XJN6cMGpvIM >
9,101,179 B2	8/2015	Marvin et al.			(Year: 2015).*
D738,600 S	9/2015	Vasyli			Nike Metcon DSX Flyknit 2, Nike.com, [online], [site visited Feb. 13, 2018]. <URL: https://www.nike.com/t/metcon-dsx-flyknit-2-mens-cross-training-weightlifting-shoe-DkV1G8/924423-002 >
D739,128 S	9/2015	Vasyli			(Year: 2018).*
9,173,448 B1	11/2015	Knoblauch			Nike Metcon Repper DSX, Nike.com, [online], [site visited Feb. 13, 2018]. <URL: https://www.nike.com/t/metcon-repper-dsx-mens-cross-training-weightlifting-shoe-o4GdBn/898048-009 >
9,179,732 B2	11/2015	Minami			(Year: 2018).*
D745,771 S	12/2015	Cin			Nike Footwear Catalog, 1986 Fall Performance, p. 92, published Jan. 1986, NIKE, Inc., USA.
D748,899 S	2/2016	Bartel			Nike Footwear Catalog, 1986 Fall Performance, p. 58, published Jan. 1986, NIKE, Inc., USA.
9,295,304 B2	3/2016	Hatfield et al.			Nike Footwear Catalog, 1987 Fall Footwear, p. 96, published Jan. 1987, NIKE, Inc., USA.
9,320,313 B2	4/2016	Craig et al.			Nike Footwear Catalog, 1988 Fall Footwear, p. 52, published Dec. 1987, NIKE, Inc., USA.
D761,005 S	7/2016	Nataadiningrat			Nike Footwear Catalog, 1988 Fall Footwear, p. 54, published Dec. 1987, NIKE, Inc., USA.
D765,360 S	9/2016	Petrie			Nike Footwear Catalog, 1989 Fall Footwear, p. 26, published Dec. 1988, NIKE, Inc., USA.
D765,363 S	9/2016	Petrie			Nike Footwear Catalog, 1989 Fall Footwear, p. 46, published Dec. 1988, NIKE, Inc., USA.
D773,159 S	12/2016	Seamarks			Nike Footwear Catalog, 1989 Fall Footwear, p. 70, published Dec. 1988, NIKE, Inc., USA.
D773,168 S *	12/2016	Cin	.....	D2/973	Nike Footwear Catalog, 1990 Fall Footwear, p. 84, published Dec. 1989, NIKE, Inc., USA.
D778,551 S	2/2017	Pauk			Nike Footwear Catalog, 1990 Spring Footwear, p. 4, published Jun. 1989, NIKE, Inc., USA.
D778,553 S *	2/2017	DeAlmeida	.....	D2/947	Nike Footwear Catalog, 1990 Spring Footwear, p. 96, published Jun. 1989, NIKE, Inc., USA.
9,585,434 B2	3/2017	Van Atta et al.			Nike Footwear Catalog, 1991 Fall Footwear, p. 120, published Dec. 1990, NIKE, Inc., USA.
D783,246 S *	4/2017	Chang	.....	D2/947	Nike Footwear Catalog, 1991 Spring Footwear, p. 46, published Jun. 1990, NIKE, Inc., USA.
D783,995 S *	4/2017	Kuerbis	.....	D2/972	Nike Footwear Catalog, 1991 Spring Footwear, p. 82, published Jun. 1990, NIKE, Inc., USA.
D789,659 S	6/2017	Stovall			Nike Footwear Catalog, 2006 Fall Footwear, p. 44, published Nov. 2005, NIKE, Inc., USA.
D789,674 S	6/2017	Williams, Jr.			Nike Footwear Catalog, 2010 Fall Performance Footwear, p. 78, published Nov. 2009, NIKE, Inc., USA.
9,675,130 B2	6/2017	Ueda et al.			Nike Footwear Catalog, 2011 Fall Men's Performance Footwear, p. 45, published Nov. 2010, NIKE, Inc., USA.
D790,819 S *	7/2017	Seamarks	.....	D2/947	Nike Footwear Catalog, 2011 Fall Men's Performance Footwear, p. 66, published Nov. 2010, NIKE, Inc., USA.
D790,843 S *	7/2017	Teague	.....	D2/972	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.
9,693,604 B2	7/2017	Cin et al.			Nike Footwear Catalog, 2012 Fall Men's Footwear Sportswear Best, p. 32, published Nov. 2011, NIKE, Inc., USA.
D794,290 S *	8/2017	Nethongkome	.....	D2/947	Nike Footwear Catalog, 2013 Fall City Specialty Best NA, p. 32, published Nov. 1, 2013, NIKE, Inc., USA.
D794,293 S	8/2017	Robusti			Nike Footwear Catalog, 2013 Holiday City Specialty Footwear, p. 38, published Feb. 2013, NIKE, Inc., USA.
D794,294 S	8/2017	Robusti			Nike Footwear Catalog, 2014 Fall Core Performance Footwear Final Low, p. 22, published Nov. 1, 2013, NIKE, Inc., USA.
D796,802 S	9/2017	Kinley			Nike Footwear Catalog, 2014 Fall Sporting Goods Footwear Best, p. 223, published Nov. 1, 2013, NIKE, Inc., USA.
D796,803 S *	9/2017	Nethongkome	.....	D2/947	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.
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	
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	
D808,629 S *	1/2018	Parrett	.....	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.			
2015/0173454 A1	6/2015	Perez et al.			
2015/0181976 A1	7/2015	Cooper et al.			
2015/0257489 A1	9/2015	Trudel			
2015/0342292 A1	12/2015	Mariacher			
2016/0095384 A1	4/2016	Kraft			
2016/0174660 A1	6/2016	Iuchi et al.			
2016/0213095 A1	7/2016	Kohatsu et al.			
2016/0262494 A1	9/2016	Weidl			
2016/0286898 A1	10/2016	Manz et al.			
2016/0295955 A1	10/2016	Wardlaw et al.			
2016/0338449 A1	11/2016	Steuerwald			
2017/0156439 A1	6/2017	Yoshida et al.			
2017/0251761 A1	9/2017	Cin et al.			
2017/0258179 A1	9/2017	Conant et al.			

OTHER PUBLICATIONS

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].

* 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; and,

FIG. 2 is a side view thereof.

The broken lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 2 Drawing Sheets

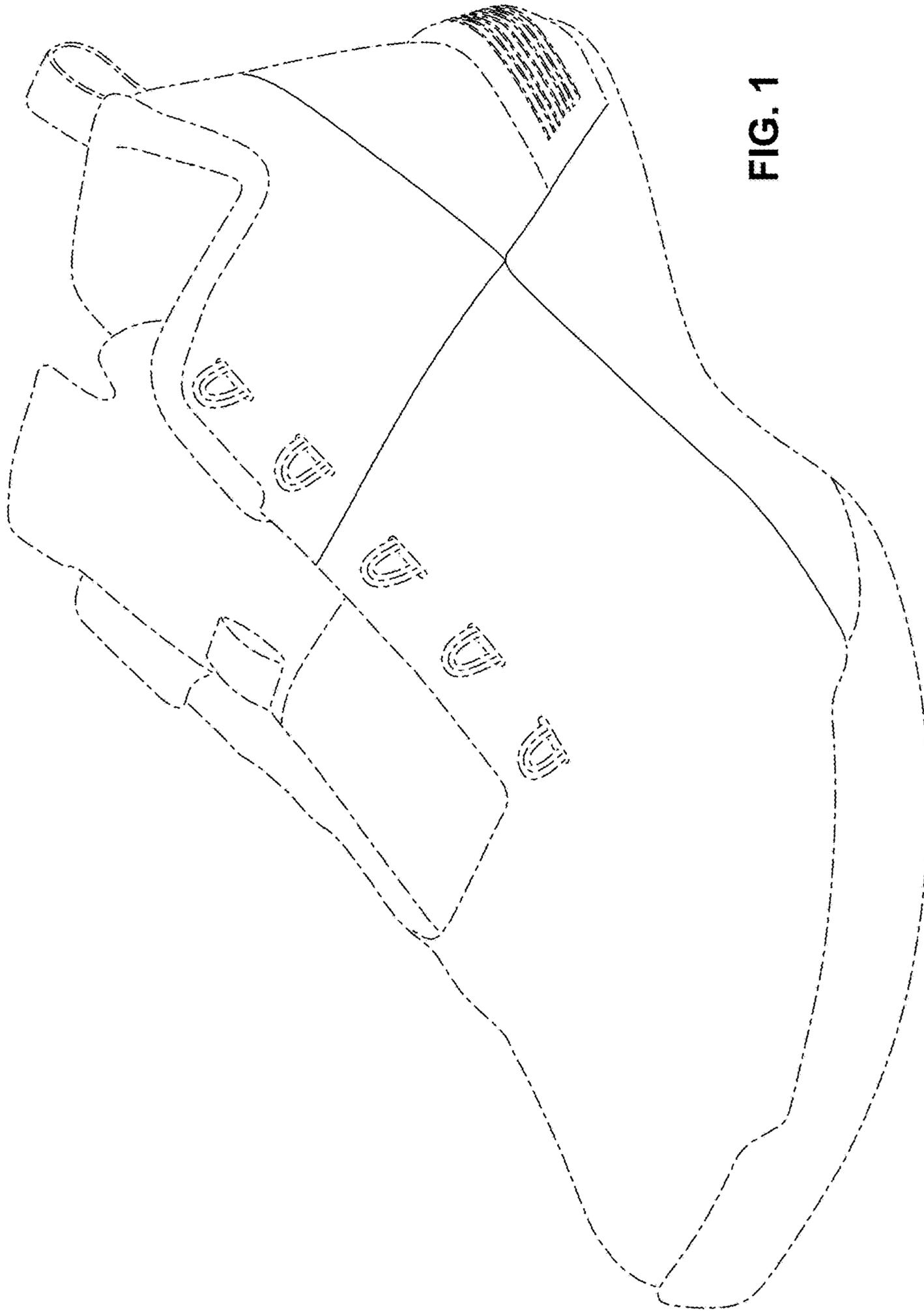


FIG. 1

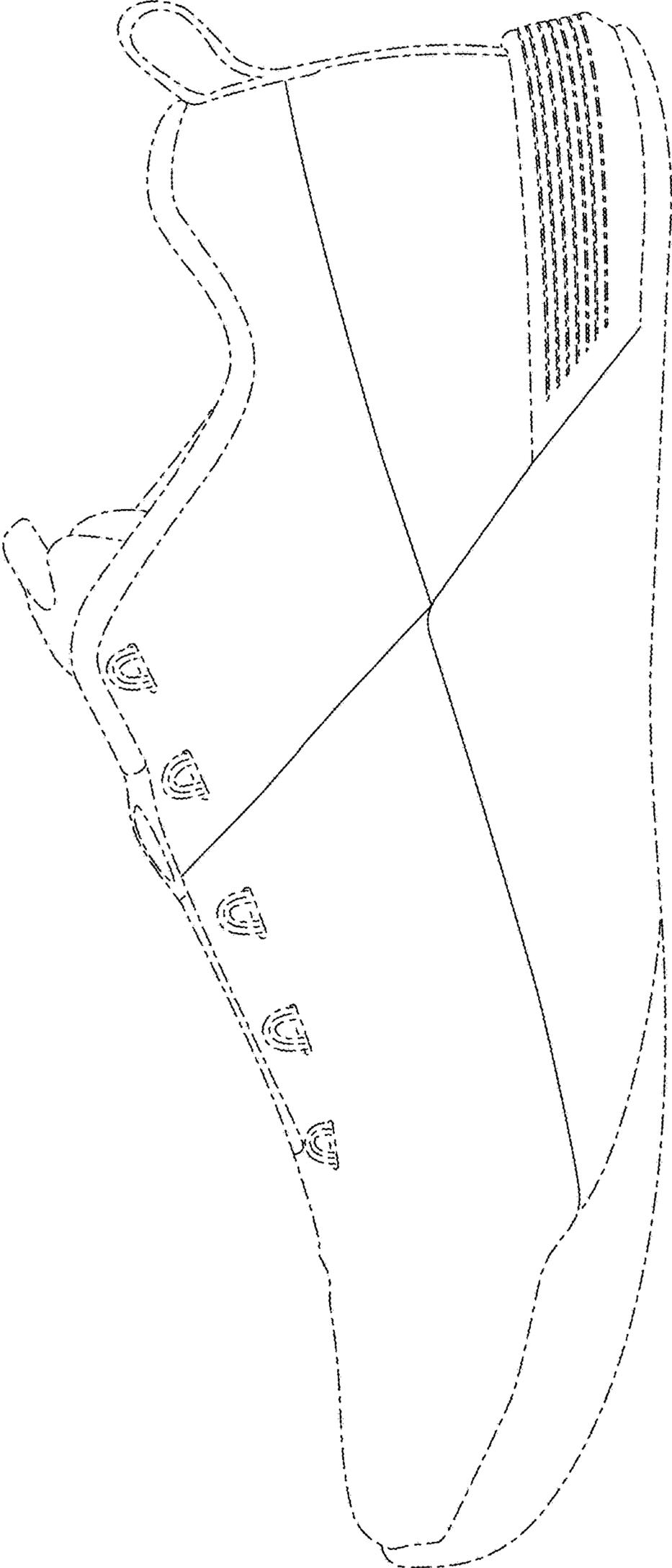


FIG. 2