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(12) **United States Design Patent** (10) **Patent No.:** **US D816,974 S**  
**Hernandez** (45) **Date of Patent:** **\*\* May 8, 2018**

(54) **SHOE UPPER**  
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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)  
(\*\*) Term: **15 Years**  
(21) Appl. No.: **29/623,593**

D673,765 S 1/2013 Parker et al.  
D676,649 S 2/2013 Fogg et al.  
D707,437 S \* 6/2014 Chang ..... D2/972  
D710,083 S 8/2014 Dolce  
D716,539 S \* 11/2014 Dombrow ..... D2/972  
D731,162 S \* 6/2015 Cin ..... D2/972  
D737,038 S 8/2015 Dolce  
D738,088 S 9/2015 Nethongkome  
D769,601 S 10/2016 Hardman  
D781,561 S 3/2017 Gibson  
D781,563 S 3/2017 Chang  
D802,284 S \* 11/2017 McCullagh ..... D2/972  
D807,015 S \* 1/2018 Hernandez ..... D2/972

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(51) **LOC (11) Cl.** ..... **02-99**  
(52) **U.S. Cl.**  
USPC ..... **D2/972**  
(58) **Field of Classification Search**  
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D2/972-975, 978; 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.

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 1984 Shoe Show, p. 52, published Nov. 1983, NIKE, Inc., USA.  
Nike Footwear Catalog, 1984 Shoe Show, p. 55, published Nov. 1983, NIKE, Inc., USA.

(Continued)

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(57) **CLAIM**

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

(56) **References Cited**

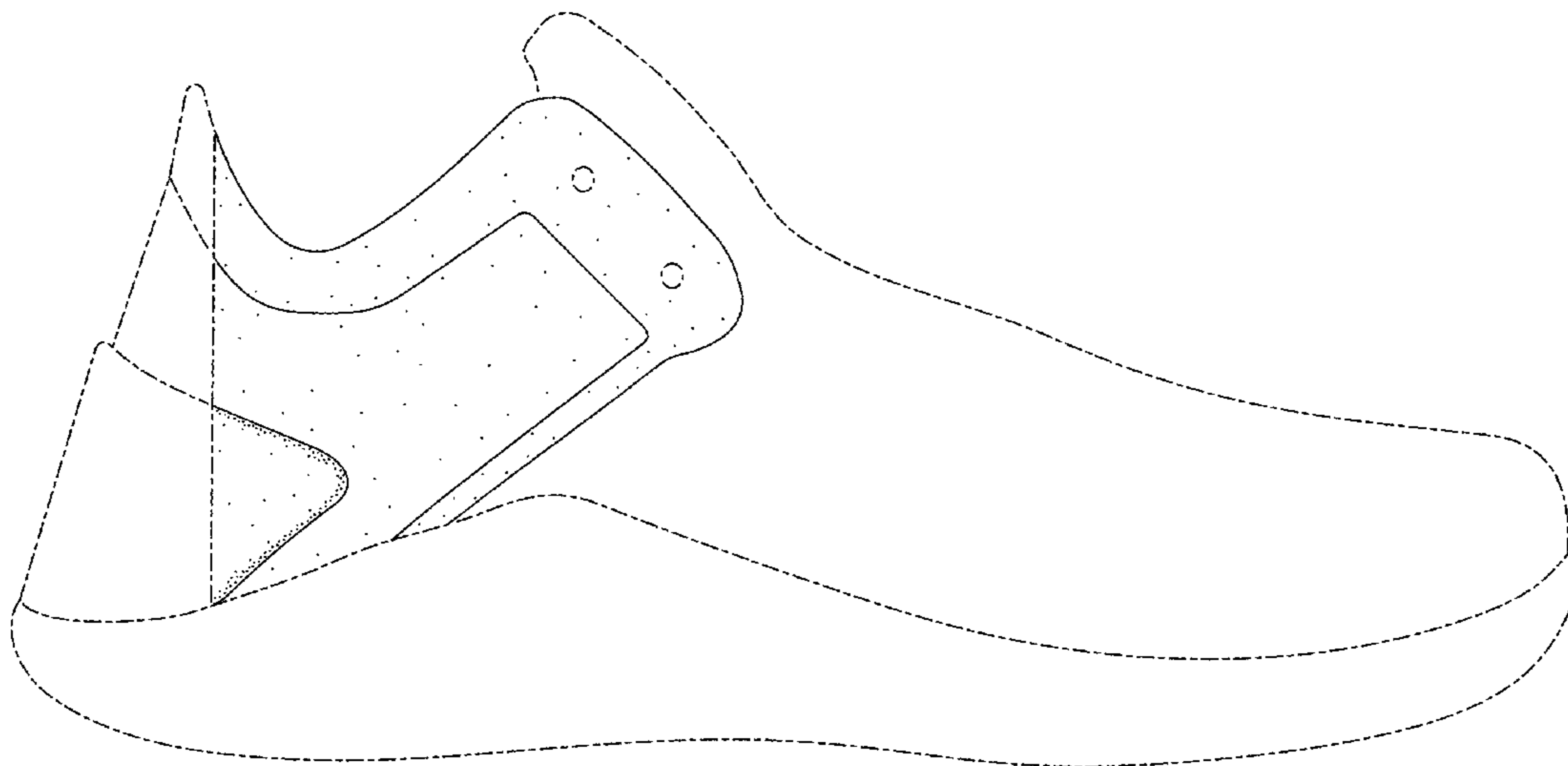
**U.S. PATENT DOCUMENTS**

D294,998 S \* 4/1988 Brown ..... D2/973  
D359,387 S 6/1995 Van Noy  
D502,799 S \* 3/2005 Matis ..... D2/969  
D511,882 S 11/2005 Robinson, Jr. et al.  
D561,453 S 2/2008 Lane, III et al.  
D636,575 S 4/2011 Raysse  
D641,968 S \* 7/2011 Miner ..... D2/972  
D642,785 S 8/2011 Mayden  
D643,203 S \* 8/2011 Mermet ..... D2/972  
D643,612 S 8/2011 Chang  
D648,113 S 11/2011 Chang  
D654,262 S \* 2/2012 Jarvis ..... D2/972

**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 shaded 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**

## OTHER PUBLICATIONS

Nike Footwear Catalog, 1994 Holiday Footwear, p. 28, published Mar. 1994, NIKE, Inc., USA.  
Nike Footwear Catalog, 1995 Fall Footwear, p. 53, published Nov. 1994, NIKE, Inc., USA.  
Nike Footwear Catalog, 1995 Holiday Footwear, p. 56, published Mar. 1995, NIKE, Inc., USA.  
Nike Footwear Catalog, 1996 Spring Footwear, p. 85, published Jun. 1995, NIKE, Inc., USA.  
Nike Footwear Catalog, 1999 Late Spring Men's and Women's Footwear, p. W45, published Sep. 1998, NIKE, Inc., USA.  
Nike Footwear Catalog, 1999 Holiday Men's and Women's Footwear, p. M89, published Mar. 1999, NIKE, Inc., USA.  
Nike Footwear Catalog, 2007 Fall Footwear, p. 17, published Nov. 2006, NIKE, Inc., USA.  
Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 21, published May 2008, NIKE, Inc., USA.  
Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 57, published May 2009, NIKE, Inc., USA.  
Nike Footwear Catalog, 2012 Spring Women's Performance Footwear, p. 4, published May 2011, NIKE, Inc., USA.  
Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 12, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Sporting Goods Footwear Best, p. 78, published Nov. 1, 2013, NIKE, Inc., USA.  
Nike Footwear Catalog, 2015 Spring Men's Performance Footwear, p. 104, published May 14, 2014, NIKE, Inc., USA.  
Nike Footwear Catalog, 2015 Fall Boutique, p. 27, published Nov. 26, 2014, NIKE, Inc., USA.  
Nike Footwear Catalog, 2015 Fall Sporting Goods Best NA, p. 134, published Nov. 27, 2014, NIKE, Inc., USA.  
Nike Footwear Catalog, 2015 Fall Sporting Goods Best NA, p. 154, published Nov. 27, 2014, NIKE, Inc., USA.  
Nike Footwear Catalog, 2016 Spring Dept Store Best Footwear NA, p. 88, published May 2015, NIKE, Inc., USA.  
Nike Footwear Catalog, 2017 Spring Boutique Footwear NA, p. 7, published May 2016, NIKE, Inc., USA.  
Nike Footwear Catalog, 2017 Spring Strategic Sporting Goods Footwear Best NA, p. 122, published May 2016, NIKE, Inc., USA.  
Nike Free Trainer 3.0 V3 Video Review [online], [retrieved Dec. 18, 2017] Retrieved from Soccerreviewsforyou.com [Internet] <URL: <http://soccerreviewsforyou.com/2014/12/nike-free-trainer-3-0-v3-video-review/>>; 29 color sheets, Dated Dec. 30, 2014.  
Nike Made a Free Running Shoe That Doesn't Have a Thin Sole [online], [retrieved Dec. 18, 2017] Retrieved from Complex.com [Internet] <URL: <http://www.complex.com/sneakers/2015/11/nike-free-rn-distance>>; 6 color sheets, Dated Nov. 20, 2015.

\* cited by examiner

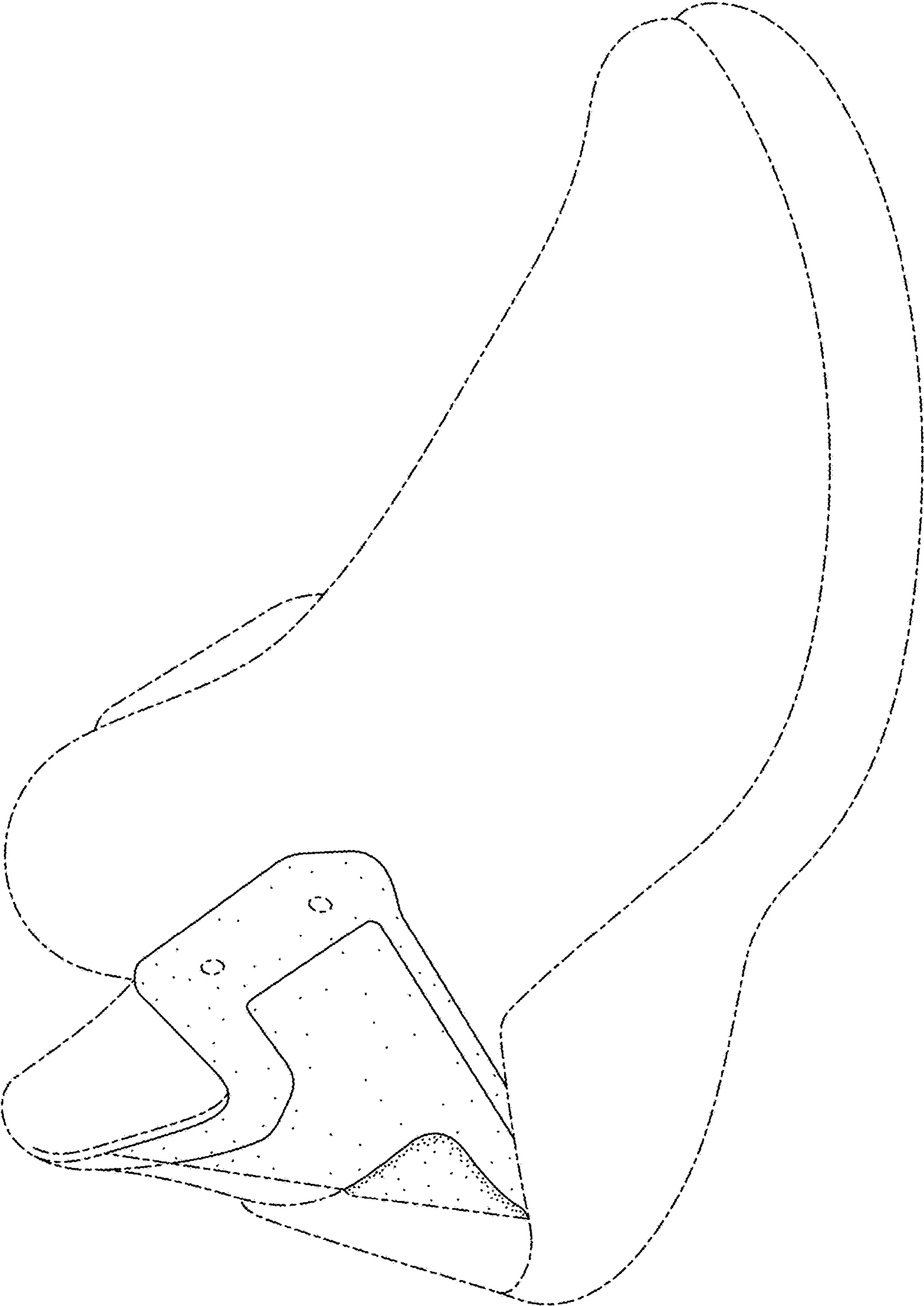


FIG. 1

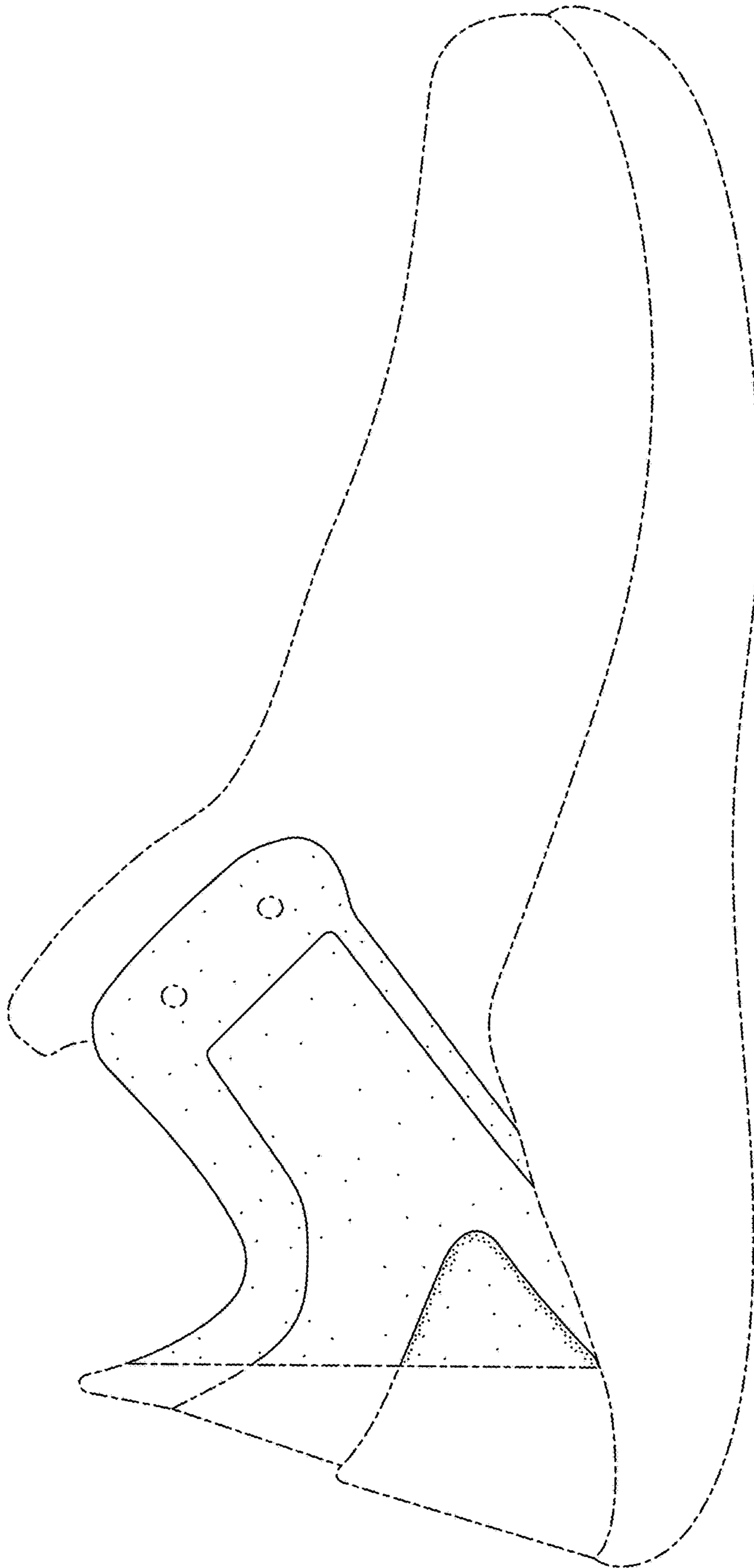


FIG. 2

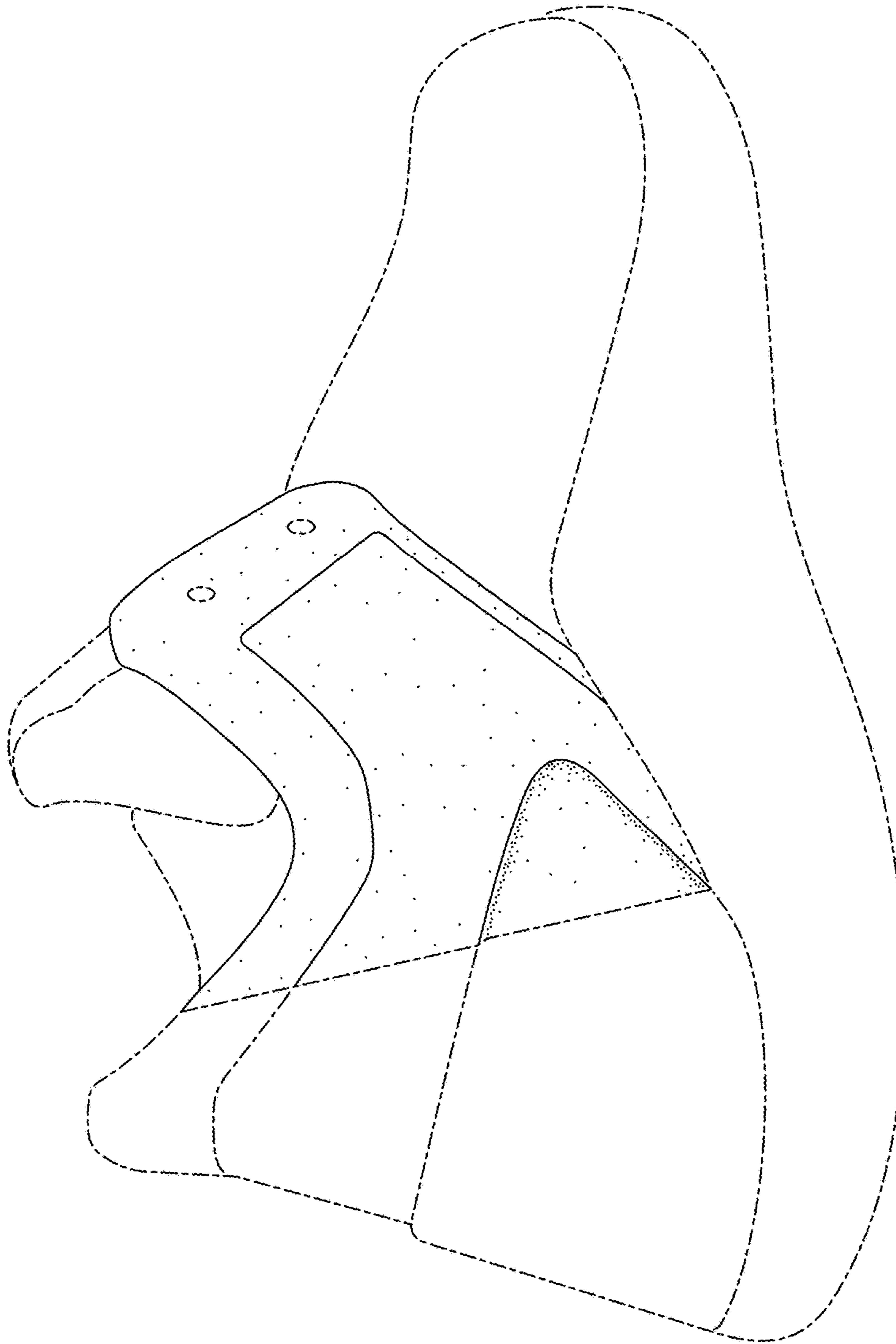


FIG. 3