



US00D817614S

(12) **United States Design Patent** (10) **Patent No.:** **US D817,614 S**
Cin (45) **Date of Patent:** **** May 15, 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.: **29/632,886**
- (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

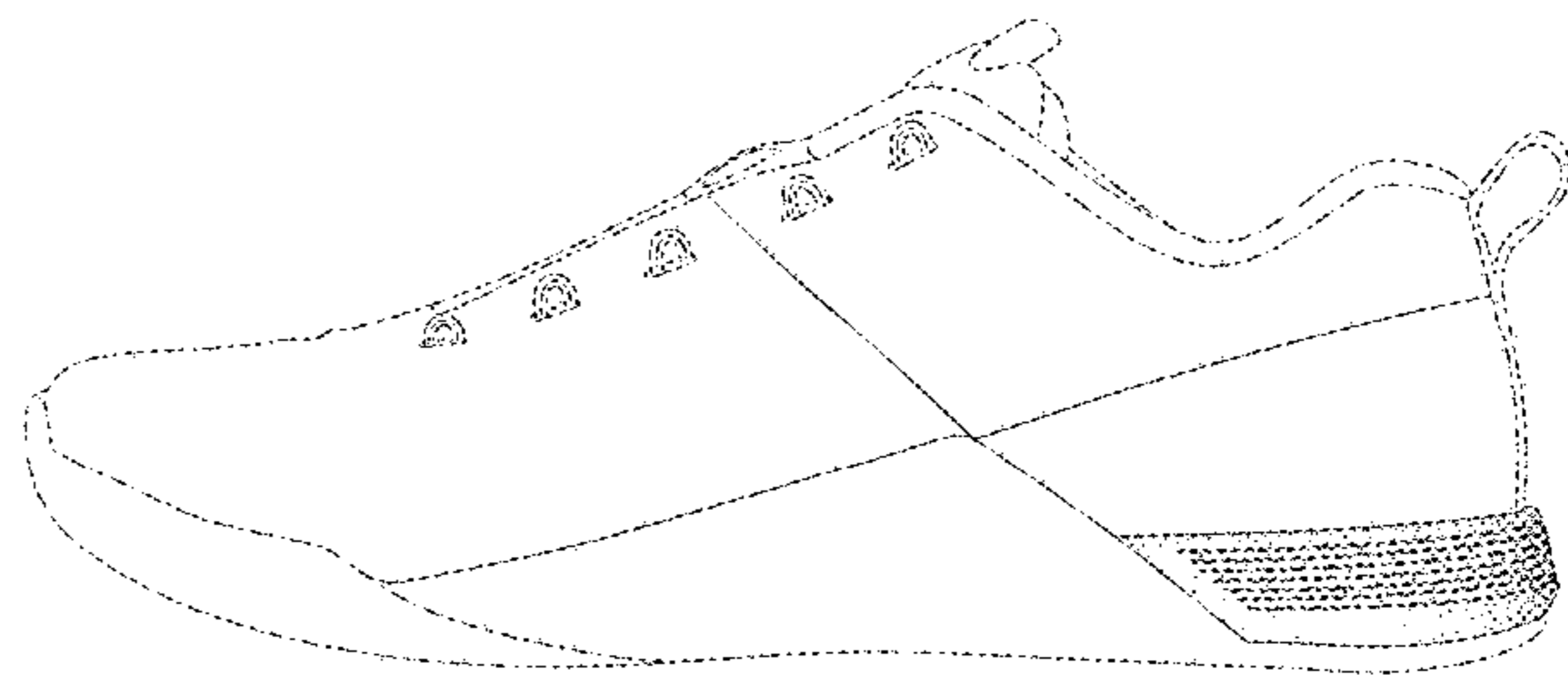
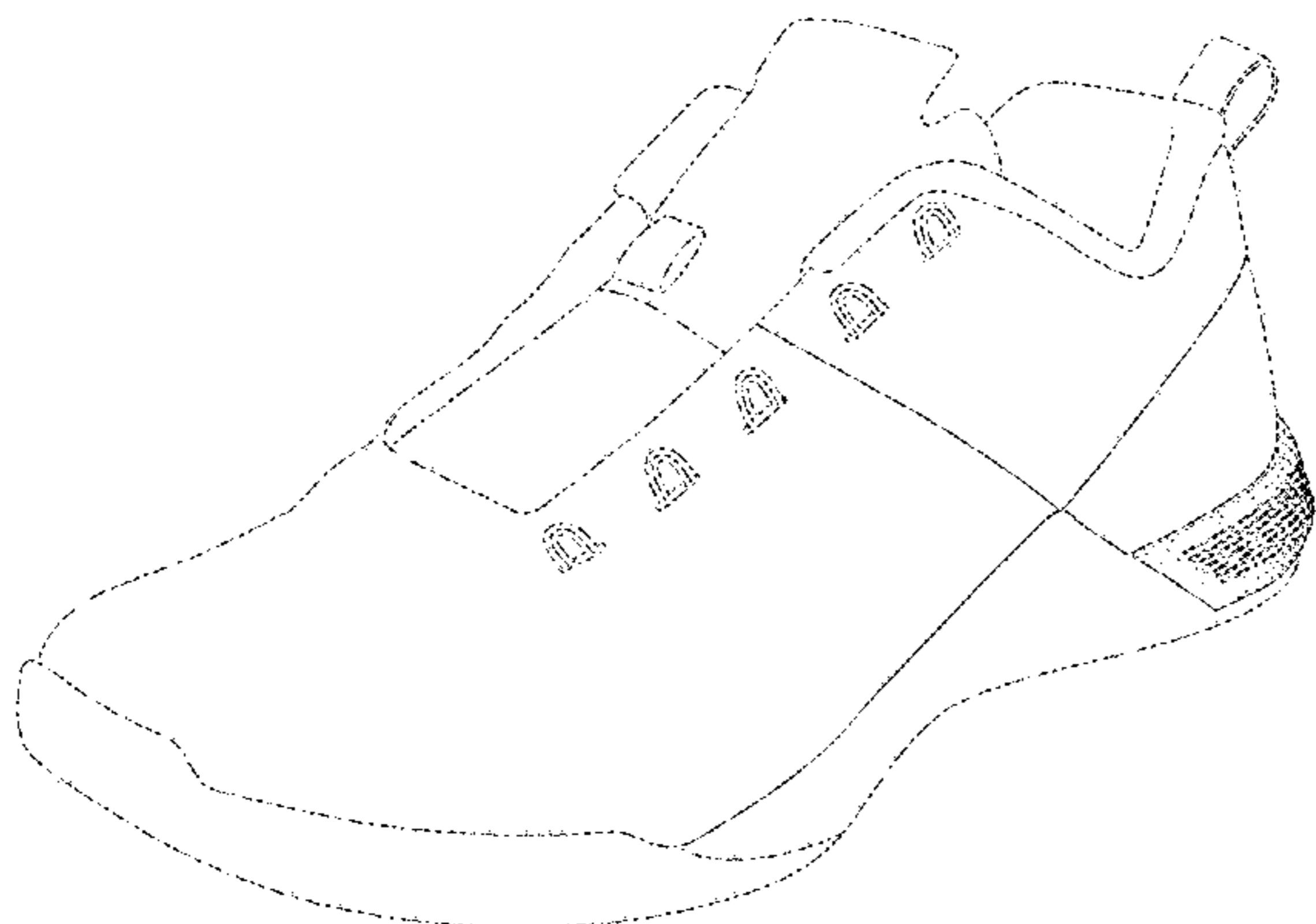
See application file for complete search history.

(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	Fluster	
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
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	



US D817,614 S

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	Tæstensen
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	Dorei 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
7,047,668 B2	5/2006	Burriss et al.		D718,033 S	11/2014	Cin
7,065,906 B2	6/2006	Jones et al.		8,887,411 B2	11/2014	Lacorazza et al.
7,082,703 B2	8/2006	Greene et al.		D722,425 S	2/2015	Cin
D528,778 S	9/2006	Avar et al.		D722,749 S	2/2015	Svensson et al.
D545,551 S	7/2007	Duclos		8,959,796 B2	2/2015	Lazaris
7,243,445 B2	7/2007	Manz et al.		9,032,645 B2	5/2015	Stauffer
D549,949 S *	9/2007	Portzline	D2/972	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.

US D817,614 S

D737,037	S *	8/2015	Dolce	.....	D2/972
D737,038	S *	8/2015	Dolce	.....	D2/972
9,101,179	B2	8/2015	Marvin et al.		
D738,092	S *	9/2015	Caron	.....	D2/972
D738,600	S	9/2015	Vasyli		
D739,128	S	9/2015	Vasyli		
9,173,448	B1	11/2015	Knoblauch		
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	Ong et al.		
2004/0244226	A1	12/2004	Farys et al.		
2005/0257402	A1	11/2005	Obayashi		
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.		
2015/0181976	A1	7/2015	Cooper et al.		
2015/0257489	A1	9/2015	Trudel		
2015/0342292	A1	12/2015	Mariacher		
2015/0342300	A1 *	12/2015	Cin	.....	A43B 17/003 36/103
2016/0095384	A1	4/2016	Kraft		
2016/0143386	A1 *	5/2016	Cone	.....	A43B 3/16 36/7.1 R
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	Ivardlaw 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 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. 92, published Jan. 1986, NIKE, Inc., USA.

Nike Footwear Catalog, 1986 Fall Performance, p. 58, 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 late 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 lines that are not immediately adjacent to the shaded area are 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

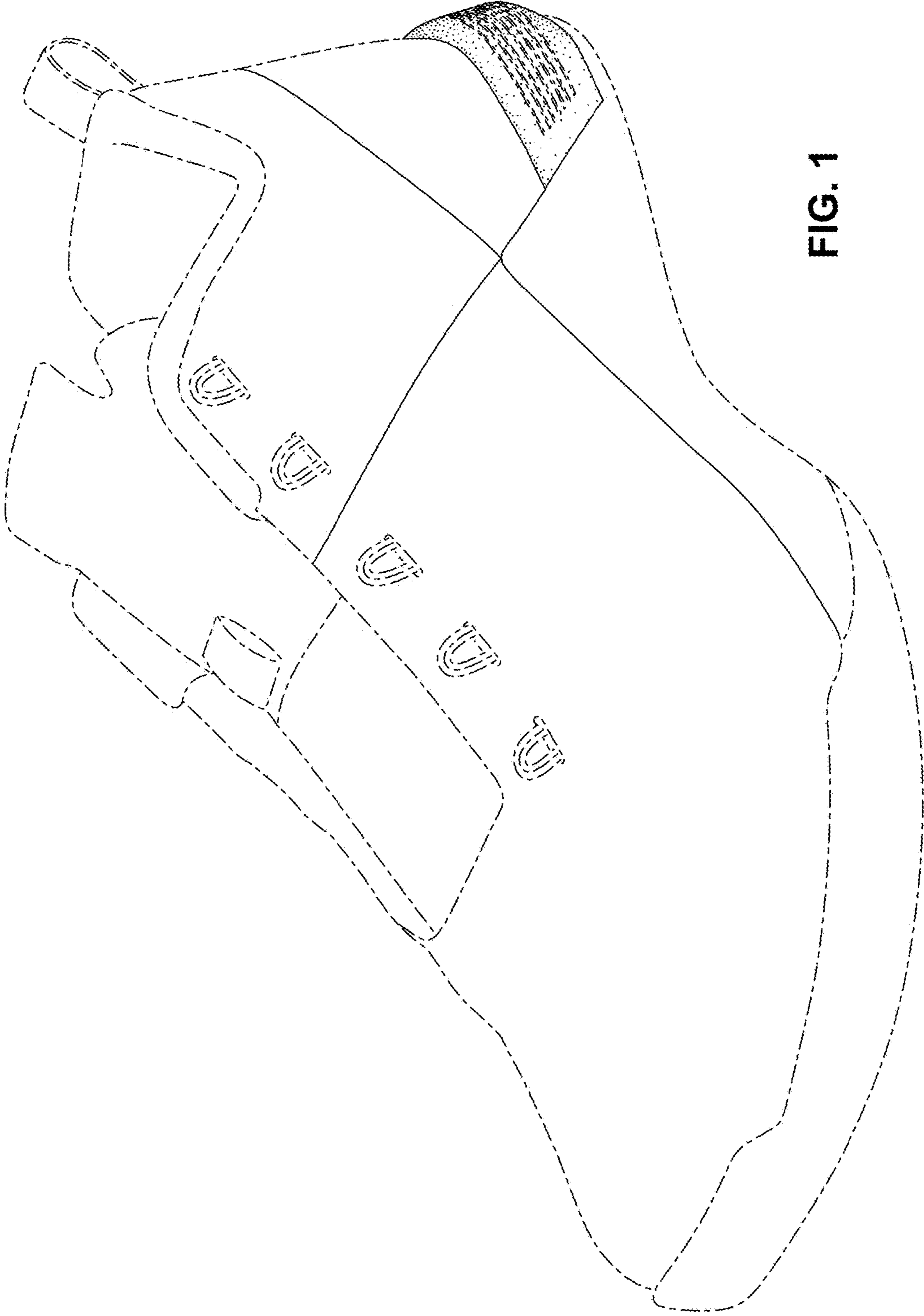


FIG. 1

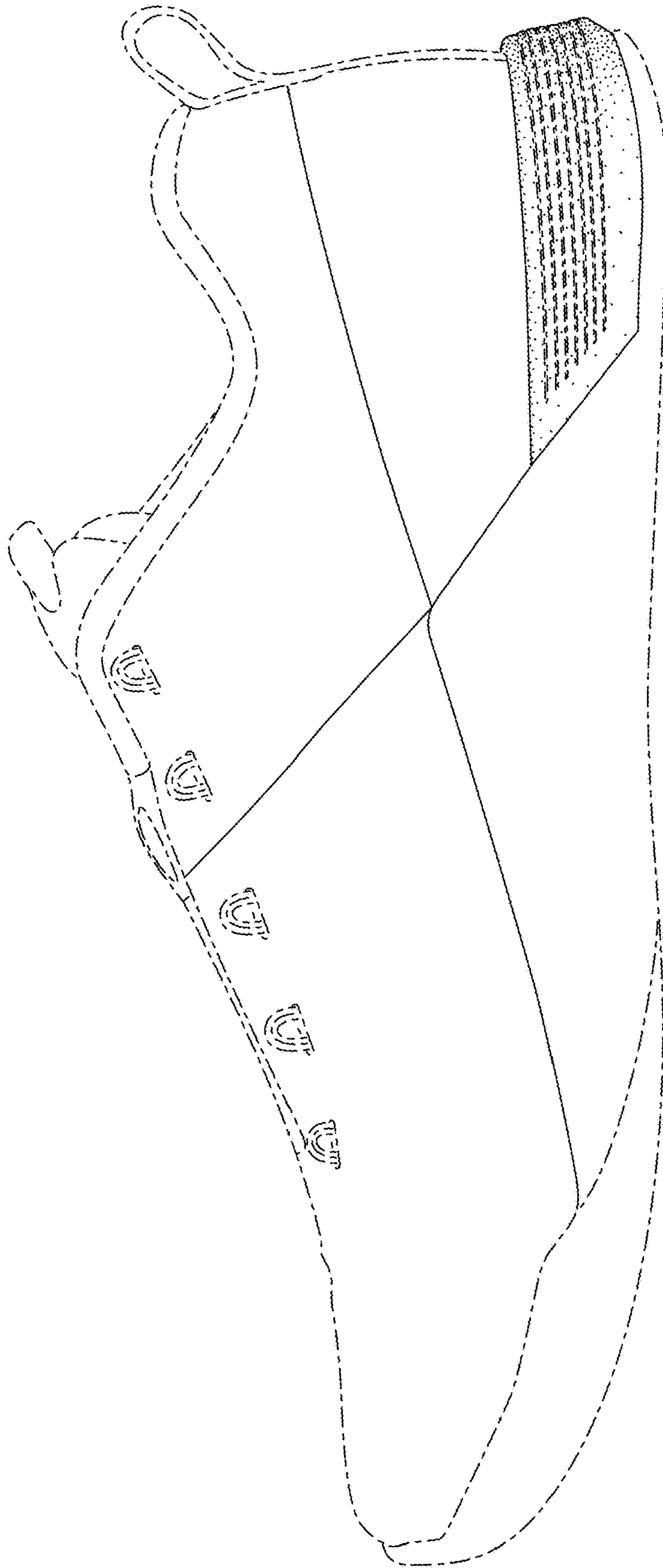


FIG. 2

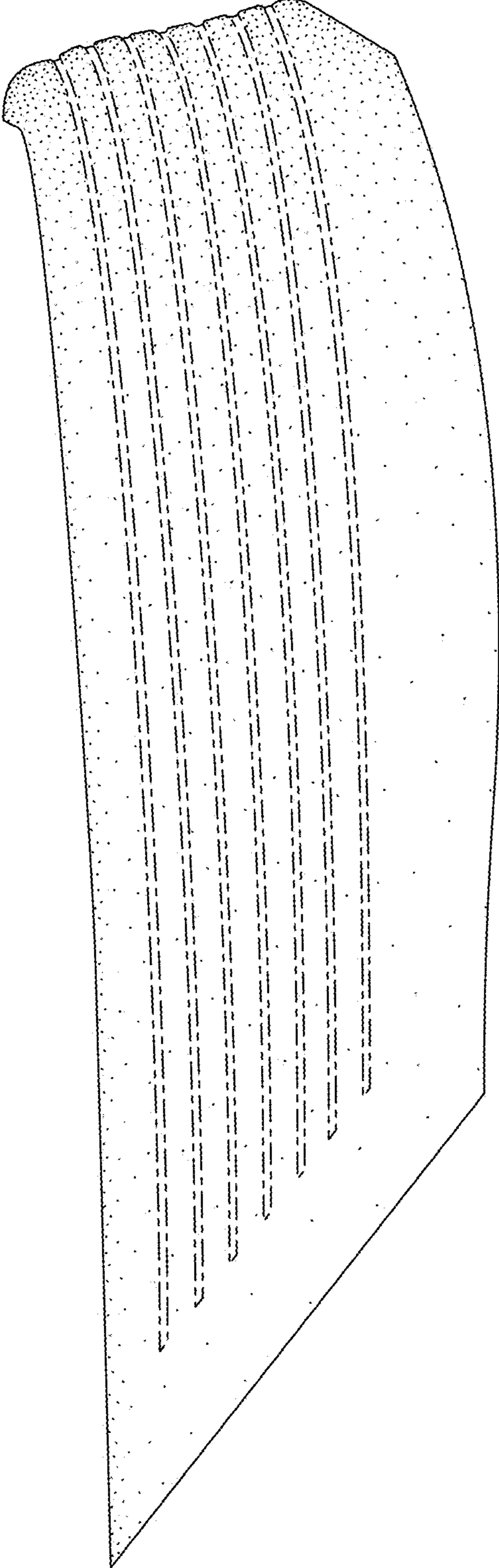


FIG. 3