



US00D818694S

(12) **United States Design Patent** (10) **Patent No.:** **US D818,694 S**
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(54) **SHOE UPPER**
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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**
(21) Appl. No.: **29/623,546**

D775,804 S 1/2017 Galway et al.
D776,909 S 1/2017 Johnson
D776,910 S 1/2017 Johnson
D779,186 S 2/2017 Kim et al.
D783,256 S 4/2017 Kanata
D788,443 S 6/2017 Gibson
D789,063 S * 6/2017 Madore D2/972
D789,680 S 6/2017 Seamarks
D792,085 S 7/2017 Kuerbis
D793,693 S 8/2017 Roulo et al.
D794,306 S 8/2017 Cin
D794,313 S 8/2017 Yun

(Continued)

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(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 Flyknit Racer No Parking Releases This Friday [online].
[retrieved Dec. 6, 2017], Retrieved from Sneakernews.com [Inter-
net] <URL: <https://sneakernews.com/2017/02/20/nike-flyknit-racer-no-parking-release-date-info/2/>>; 9 color sheets, Dated Feb. 20, 2017.

(Continued)

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(56) **References Cited**

U.S. PATENT DOCUMENTS

D16,615 S * 4/1886 MacColl D5/47
1,730,768 A * 10/1929 Heyman A43B 23/02
139/383 R
D323,737 S 2/1992 Smith
D327,161 S 6/1992 Hatfield
D407,540 S 4/1999 Dolinsky
D508,603 S 8/2005 Newson
D524,028 S 7/2006 Fullum
D546,545 S 7/2007 DiTullo, Jr. et al.
D684,761 S * 6/2013 Williams, Jr. D2/972
D701,036 S * 3/2014 Martin D2/972
D707,027 S * 6/2014 Shaffer D2/972
D707,028 S * 6/2014 Parker D2/972
D707,950 S 7/2014 William, Jr.
D710,585 S * 8/2014 Ho D2/972

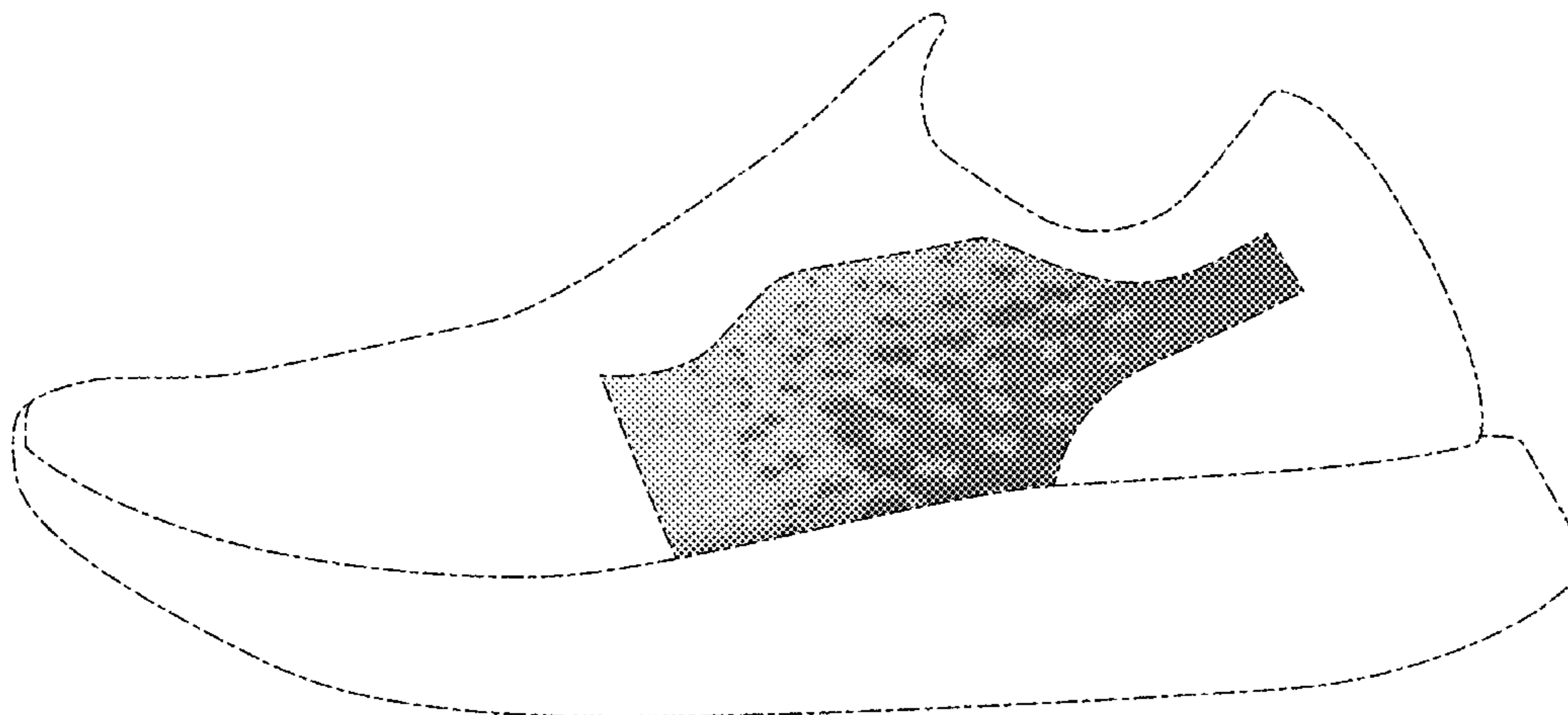
(57) **CLAIM**

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; and,
FIG. 3 is a rear perspective view thereof.
The broken lines immediately surrounding the photographic 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

U.S. PATENT DOCUMENTS

D796,822 S	9/2017	Kuerbis	
D799,805 S	10/2017	Lee	
D801,028 S	10/2017	Small	
D801,029 S	10/2017	Lee	
D801,034 S *	10/2017	Sokol	D2/972
D801,666 S	11/2017	Din	
D801,669 S	11/2017	Cochrane	
D801,670 S	11/2017	O'Connor	
D801,671 S	11/2017	Small	
D801,672 S *	11/2017	Small	D2/972

OTHER PUBLICATIONS

Nike Zoom Mariah Flyknit Racer Released in Clean White and Black [online], [retrieved Dec. 6, 2017], Retrieved from Sneakernews.com [Internet] <URL: <<https://sneakernews.com/2017/06/29/nike-zoom-mariah-flyknit-racer-white-black-pure-platinum/>>>; 6 color sheets, Dated Jun. 29, 2017.

Black Boost Soles Returns on the Adidas NMD R1 for Winter [online], [retrieved Dec. 6, 2017], Retrieved from Sneakernews.com [Internet] <URL: <<https://sneakernews.com/2017/11/21/adidas-nmd-r1-wool-heel-olive-release-details/>>>; 8 color sheets, Dated Nov. 21, 2017.

Another Nike VaporMax Model Appears With a New Flyknit Upper [online], [retrieved Dec. 6, 2017], Retrieved from Sneakernews.com [Internet] <URL: [https://sneakernews.com/2017/07/28/nike-](https://sneakernews.com/2017/07/28/nike-vapormax-white-royal-mid-model/)

[vapormax-white-royal-mid-model/](https://sneakernews.com/2017/07/28/nike-vapormax-white-royal-mid-model/)>; 3 color sheets, Dated Jul. 28, 2017.

Nike Footwear Catalog, 2010 Holiday Soccer, p. 5, published Feb. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Fall Young Athletes Footwear, p. 57, published Nov. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, 2011 Spring Young Athletes Footwear, p. 52, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Holiday Men's Sportswear Footwear Best, p. 38, published Feb. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Core Footwear, p. 18, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Core Performance Footwear Final Low, p. 41, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Holiday Men's and Women's NIKE Sportswear Footwear Good, p. 33, published Feb. 1, 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Holiday Women's NIKE Sportswear Best, p. 24, published Feb. 24, 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring Men's Footwear Performance, p. 90, published May 22, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall City Specialty Best NA, p. 389, published Nov. 22, 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Summer Core Performance Footwear Final, p. 37, published Aug. 1, 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Summer Women's Performance Footwear, p. 19, published Aug. 1, 2014, NIKE, Inc., USA.

* cited by examiner

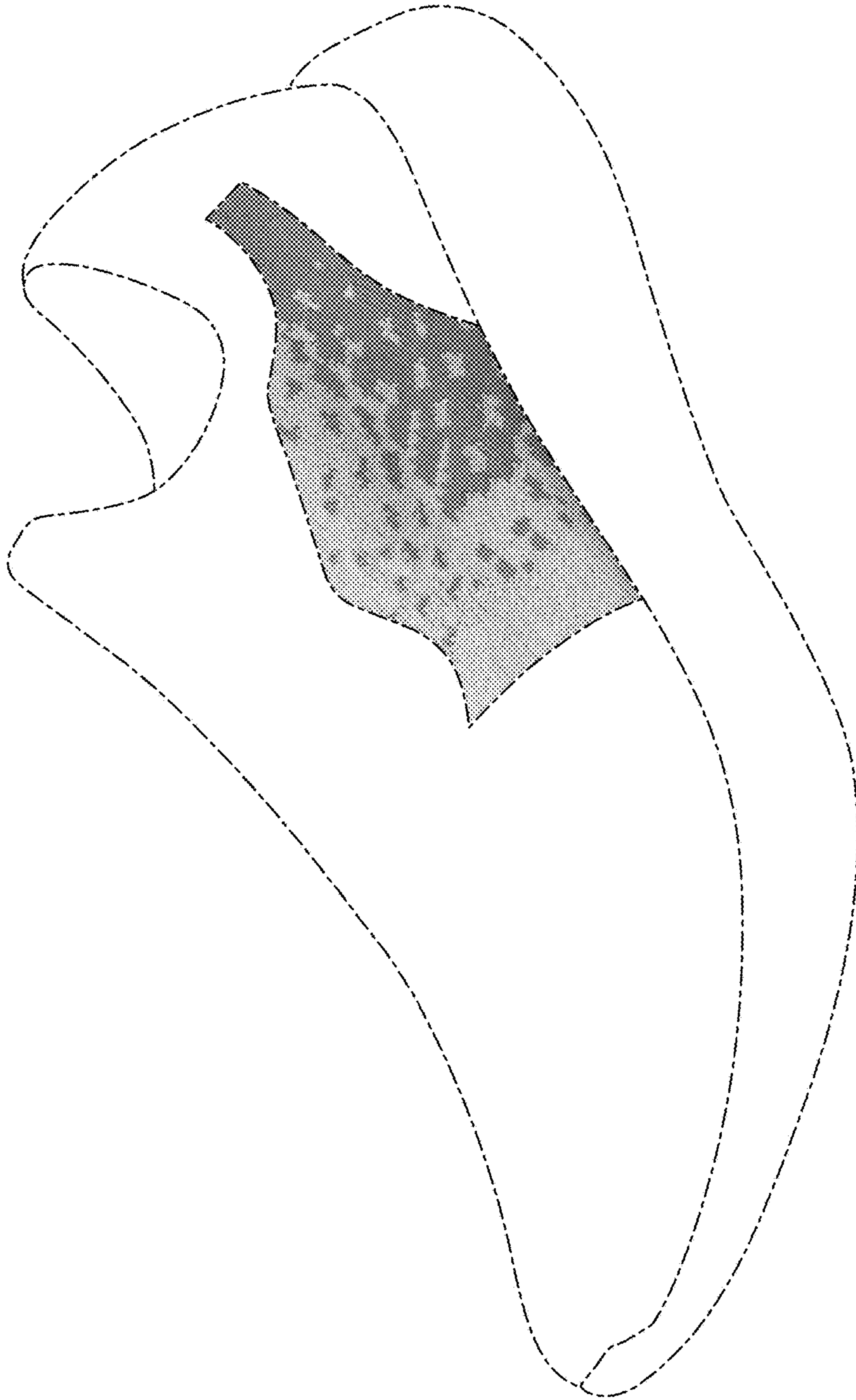


FIG. 1

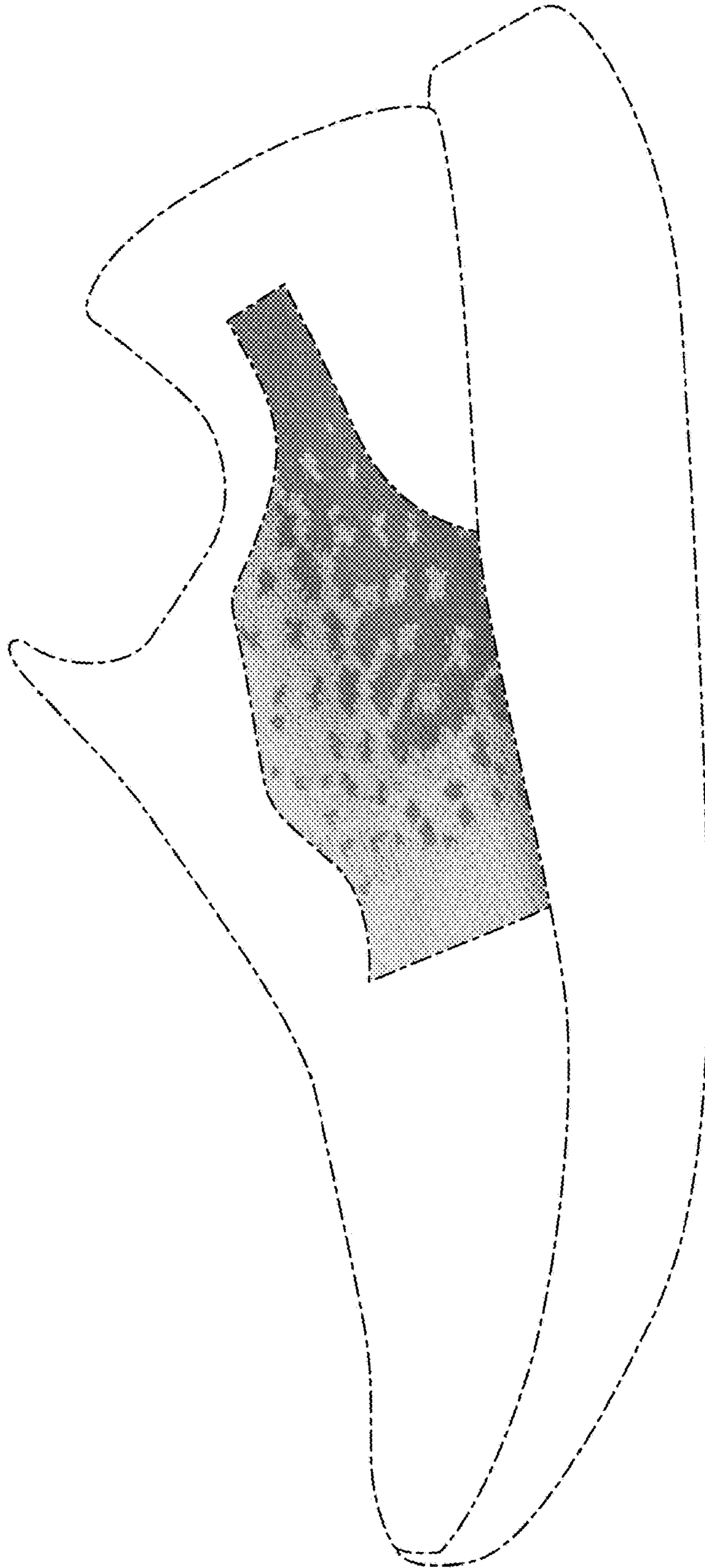


FIG. 2

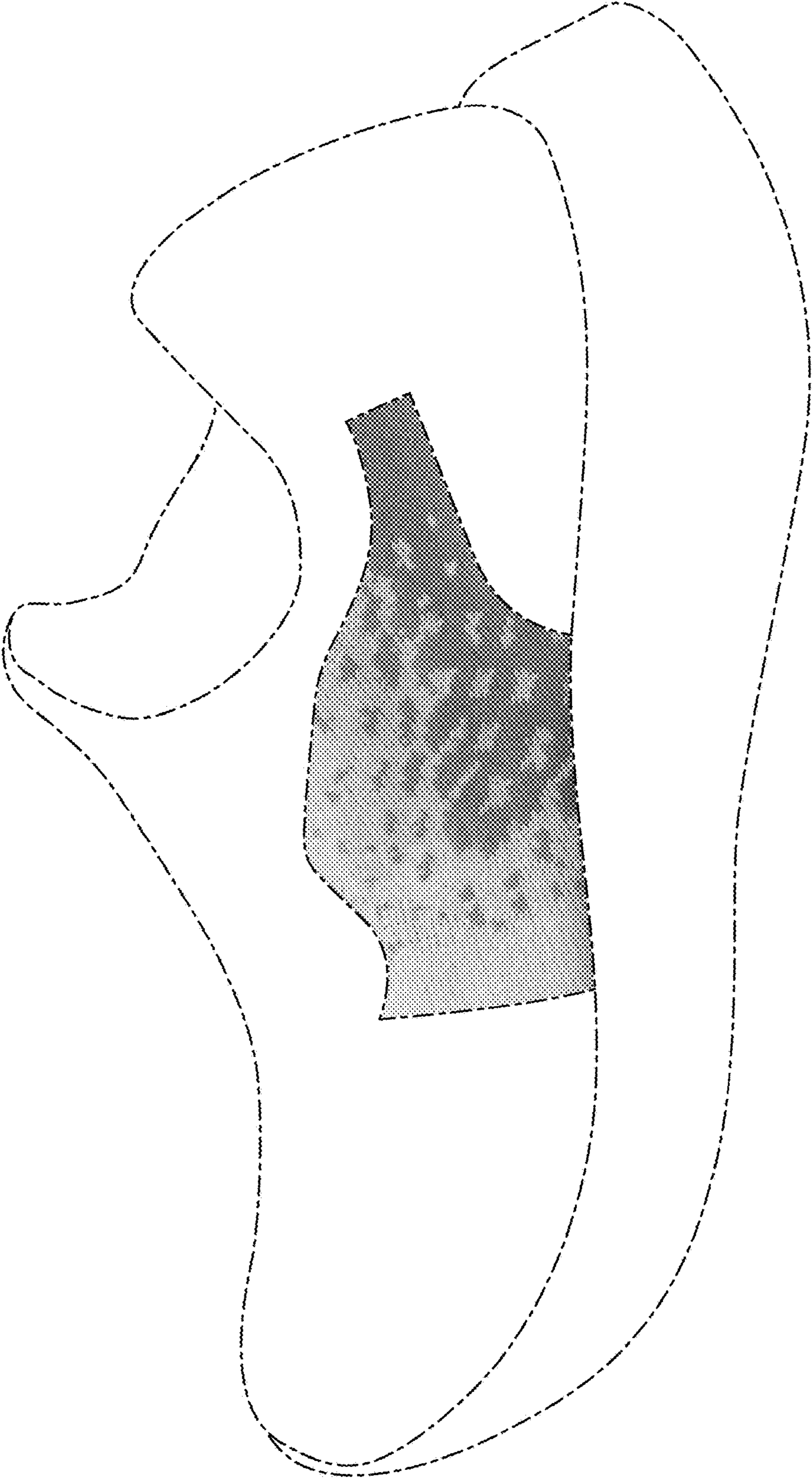


FIG. 3