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

(10) **Patent No.:** **US D823,589 S**
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- (54) **SHOE UPPER**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
- (72) Inventor: **Batiste Rémy**, Portland, OR (US)
- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/564,852**
- (22) Filed: **May 16, 2016**
- (51) **LOC (11) Cl.** **02-04**
- (52) **U.S. Cl.**
USPC **D2/972**
- (58) **Field of Classification Search**
USPC D2/902, 906-908, 944, 946, 969,
D2/972-974
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 7/00; A43C 1/00; A43C 11/00
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 2,675,631 A * 4/1954 Doughty A43B 1/04
36/12
- D718,521 S * 12/2014 Bosomworth D2/972
- D722,225 S * 2/2015 Williams, Jr. D2/972
- D740,538 S * 10/2015 Roulo D2/972
- D743,159 S * 11/2015 McMillan D2/972
- D744,739 S * 12/2015 Chang D2/972
- D752,330 S * 3/2016 O'Connor D2/972
- D767,867 S * 10/2016 Johnsongriffin D2/972
- D772,553 S * 11/2016 Williams, Jr. D2/972
- D775,808 S * 1/2017 Little D2/972
- D783,986 S * 4/2017 Williams, Jr. D2/972
- 2003/0221336 A1 * 12/2003 Krstic A43B 3/0042
36/93

- 2005/0016023 A1 * 1/2005 Burris A43B 5/02
36/45
- 2005/0188562 A1 * 9/2005 Clarke A43B 5/18
36/15
- 2010/0024255 A1 * 2/2010 Oumnia A43B 1/0045
36/3 B
- 2014/0352173 A1 * 12/2014 Bell A43B 1/04
36/50.1
- 2015/0342285 A1 * 12/2015 Huffman A43B 23/024
36/9 R

OTHER PUBLICATIONS

Pro Running Flyknit, posted date May 6, 2015, © sneakerbardetroit.com, [online], [site visited May 1, 2017]. Available from Internet, <<https://sneakerbardetroit.com/apl-techloom-pro-running-flyknit-multicolor/>>.*

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Primary Examiner — Charles Garth Rademaker
Assistant Examiner — Laura Yu
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

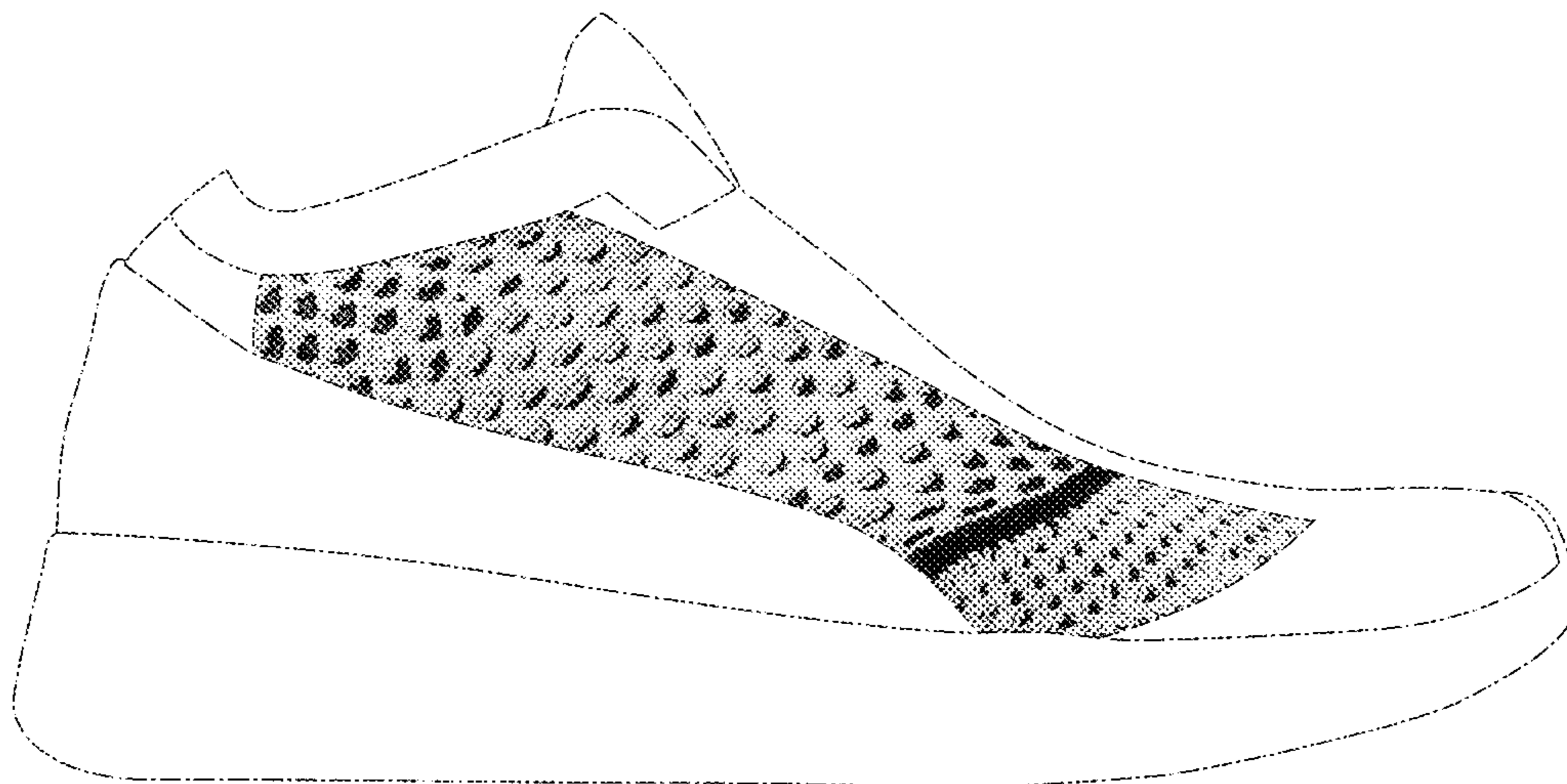
(57) **CLAIM**

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; and,
FIG. 4 is an enlarged view of FIG. 2 with environmental portions removed for clarity.
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, 4 Drawing Sheets



(56)

References Cited

OTHER PUBLICATIONS

Nike Flyknit Racer, posted date Oct. 2, 2014, © infinitelegroom.com, [online], [site visited May 1, 2017]. Available from Internet, <<http://infinitelegroom.com/gallery/best-sneakers-to-travel-in/nike-flyknit-racer/>>.*

Air Max Thea Ultra, posted date unknown, © Nordstrom.com, [online], [site visited May 1, 2017]. Available from Internet, <<http://shop.nordstrom.com/s/nike-air-max-thea-ultra-flyknit-sneaker-women/4424452?origin=category-personalizedsort&fashioncolor=DARK%20RAISIN%2F%20WHITE%2F%20PALE%20GREY>>.*

Pink Flash, posted date Jul. 15, 2014, © sneakerfreaker.com, [online], [site visited May 1, 2017]. Available from Internet, <<https://www.sneakerfreaker.com/sneakers/nike-air-max-lunar90-sp-moon-landing/>>.*

Fearless Shoe posted by Nike posted review date Feb. 2017, © Nordstrom, [online], [site visited Aug. 16, 2017]. Available from Internet, <http://shop.nordstrom.com/s/nike-air-zoom-fearless->

[flyknit-training-shoe-women/4424460?origin=category-personalizedsort&fashioncolor=WHITE%2F%20WOLF%20GREY%2F%20PINK%2F%20MELON](http://shop.nordstrom.com/s/nike-air-zoom-fearless-flyknit-training-shoe-women/4424460?origin=category-personalizedsort&fashioncolor=WHITE%2F%20WOLF%20GREY%2F%20PINK%2F%20MELON).*

Thea Shoe posted by Nike posted date Jan. 1, 2014, © Amazon, [online], [site visited Aug. 16, 2017]. Available from Internet, https://www.amazon.com/Womens-Ultra-Platinum-Running-Women/dp/B071HXPFCV/ref=sr_1_2?ie=UTF8&qid=1502937020&sr=8-2&keywords=Air%2BMax%2BThea%2BUltra%2BFlyknit%2BSneaker&th=1.*

Thea Ultra Shoe posted by Nike posted date Jan. 1, 2014, © Amazon, [online], [site visited Aug. 16, 2017]. Available from Internet, https://www.amazon.com/Nike-Womens-Thea-Ultra-Running/dp/B06XDVDR8W/ref=pd_sbs_309_2?_encoding=UTF8&pd_rd_i=B06XDVDR8W

&pd_rd_r=JHNE5B7BTKKH3B4Q240M&pd_rd_w=QW5wt
&pd_rd_wg=9F42b&refRID=JHNE5B7BTKKH3B4Q240M.*

Nike Air Max Thea—Jun. 2015 Releases [online], [retrieved Sep. 6, 2017], Retrieved from Sneakernews.com [Internet] <URL: <https://sneakernews.com/2014/06/07/nike-air-max-thea-june-2014-releases/>>; 3 color sheets, Dated Jun. 7, 2014.

* cited by examiner

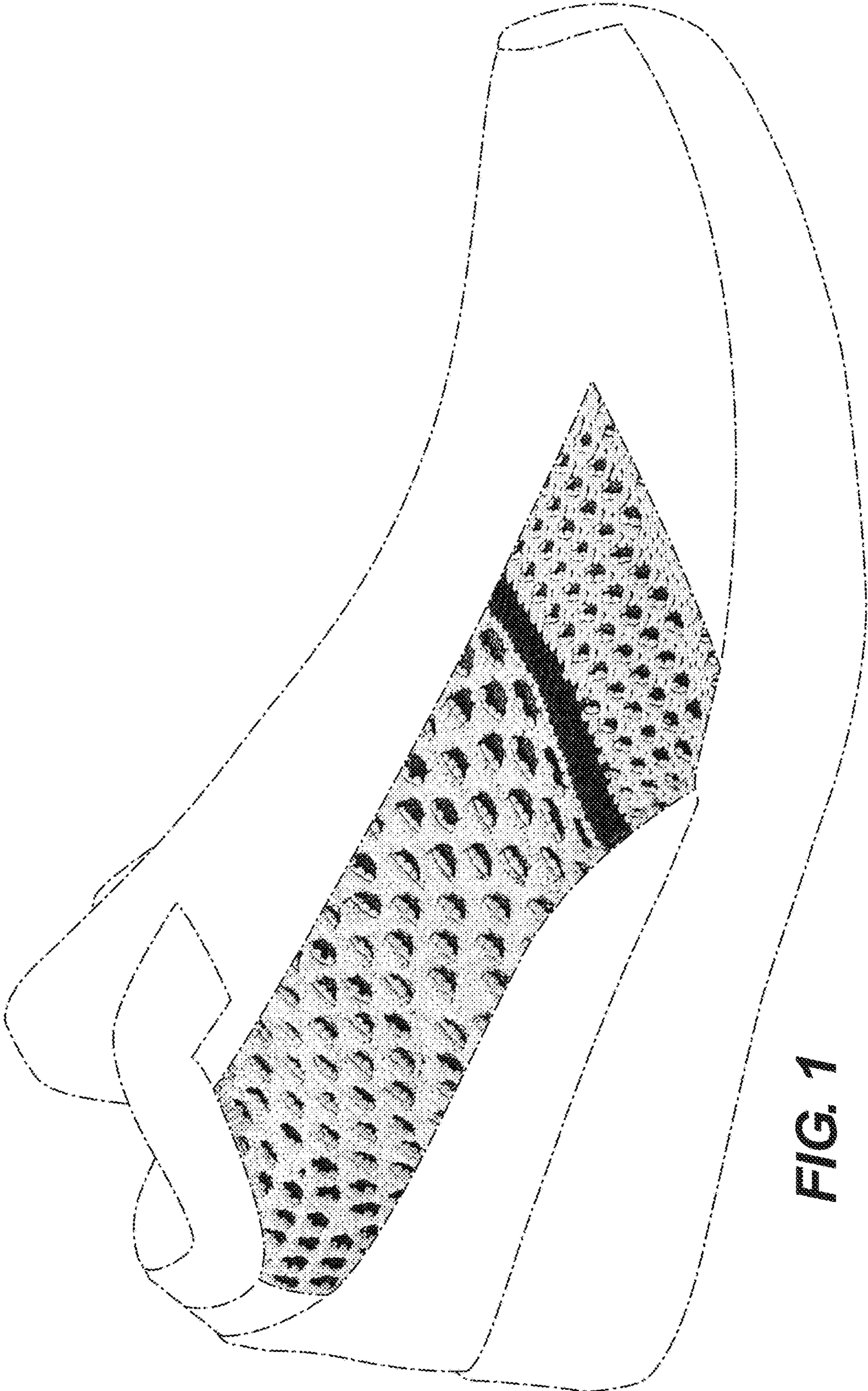


FIG. 1

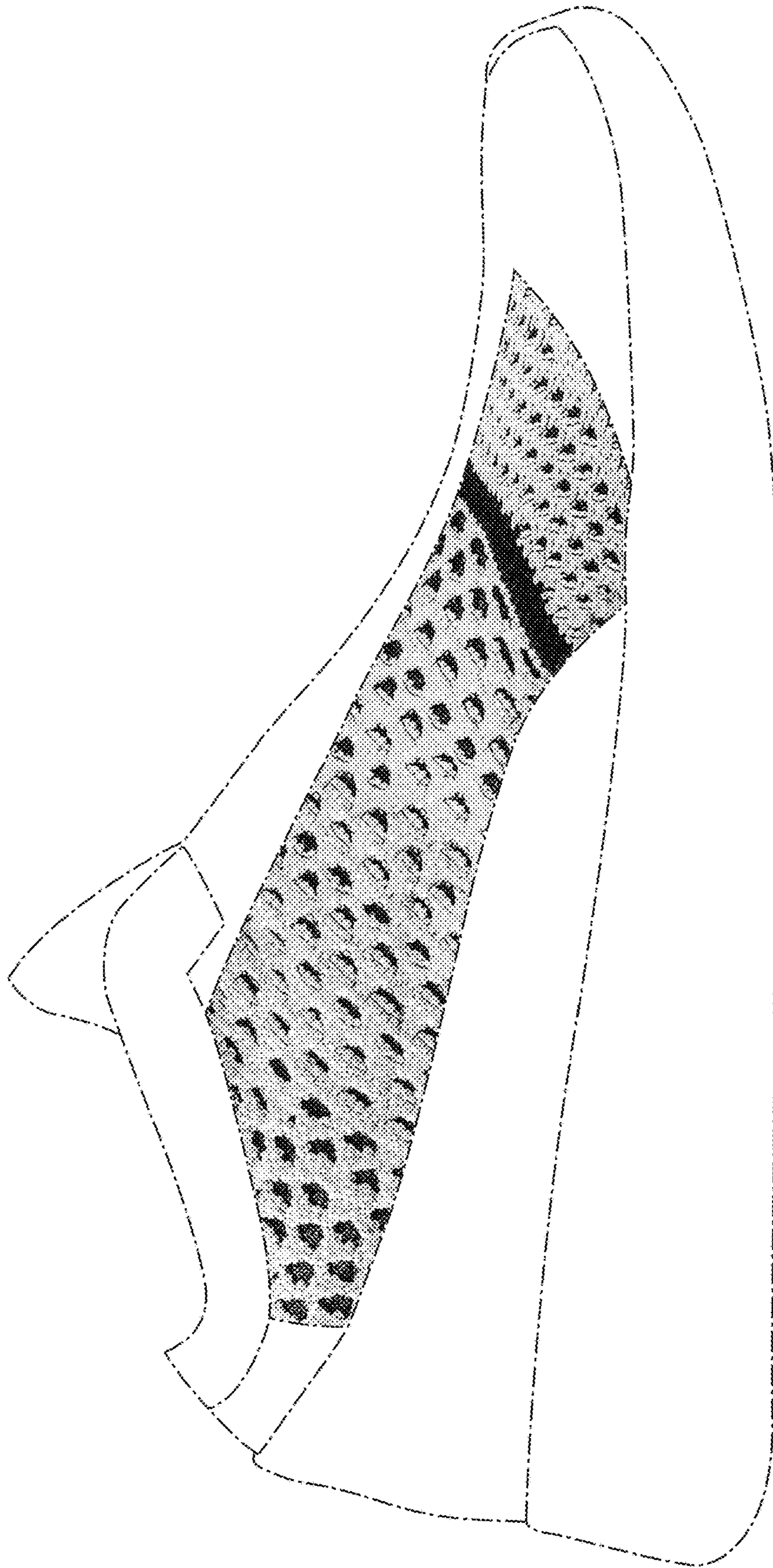


FIG. 2

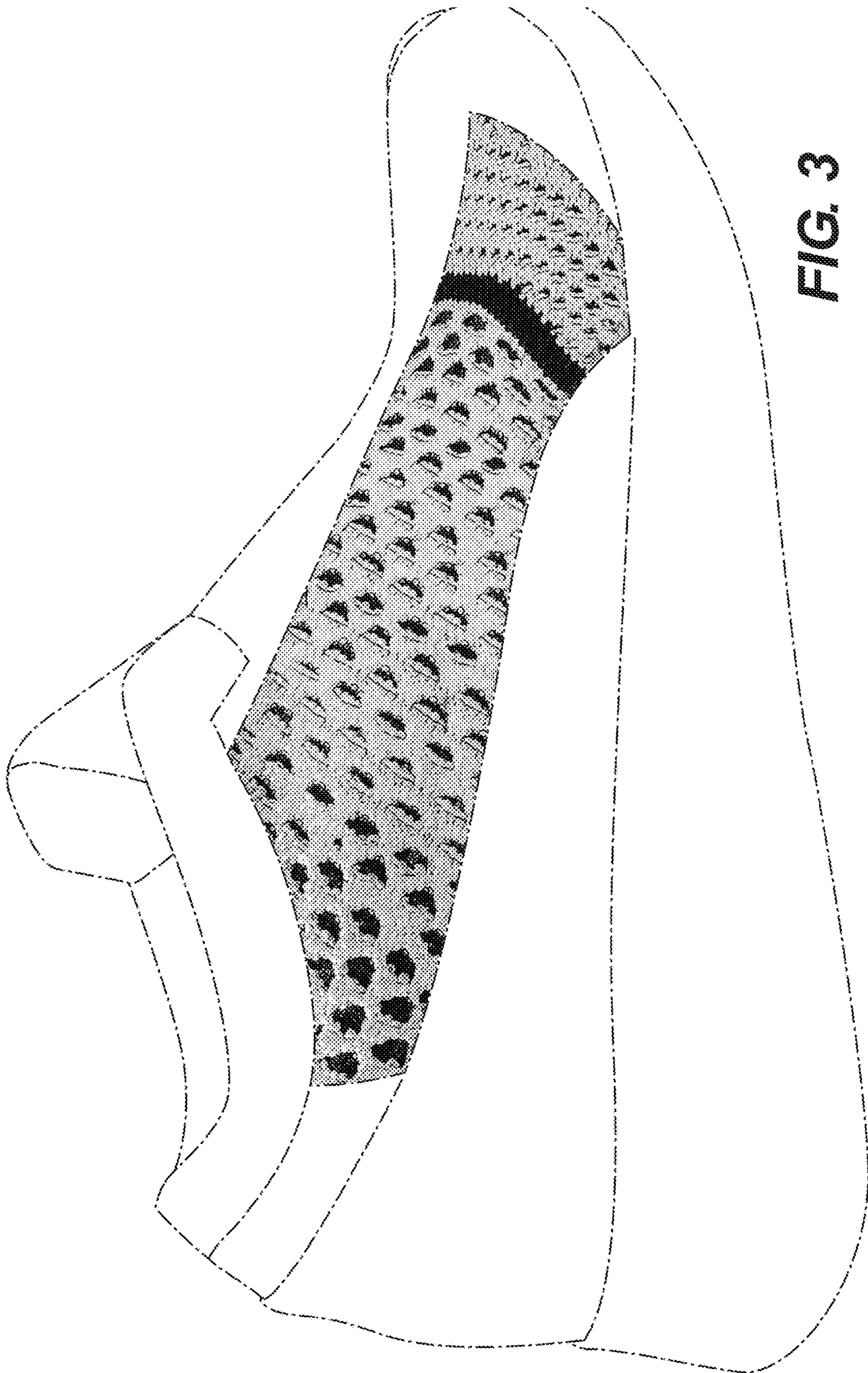


FIG. 3

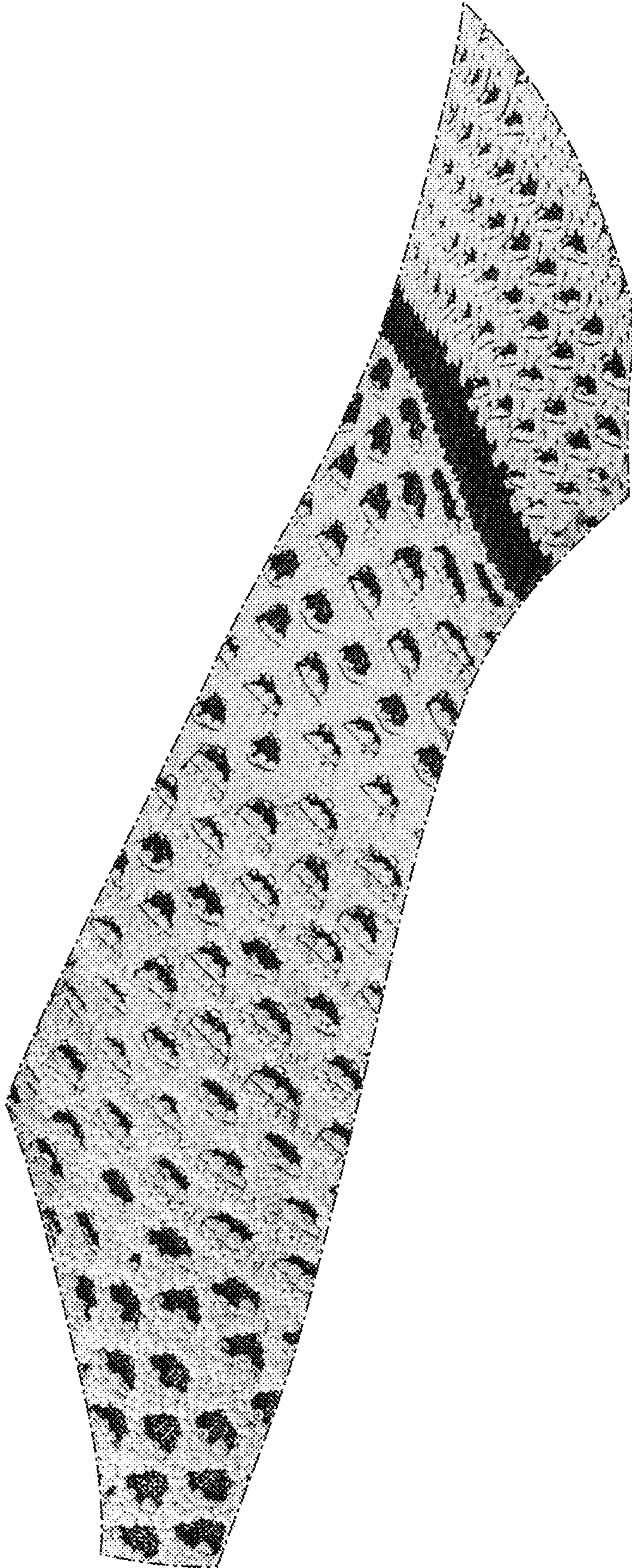


FIG. 4