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(12) **United States Design Patent** (10) **Patent No.:** **US D823,589 S**  
**Rémy** (45) **Date of Patent:** **\*\* Jul. 24, 2018**

(54) **SHOE UPPER**  
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)  
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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)  
(\*\*) Term: **15 Years**

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

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(51) **LOC (11) Cl.** ..... **02-04**  
(52) **U.S. Cl.**  
USPC ..... **D2/972**  
(58) **Field of Classification Search**  
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D2/972-974  
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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.

**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/>>.\*

(Continued)

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(57) **CLAIM**

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

(56) **References Cited**

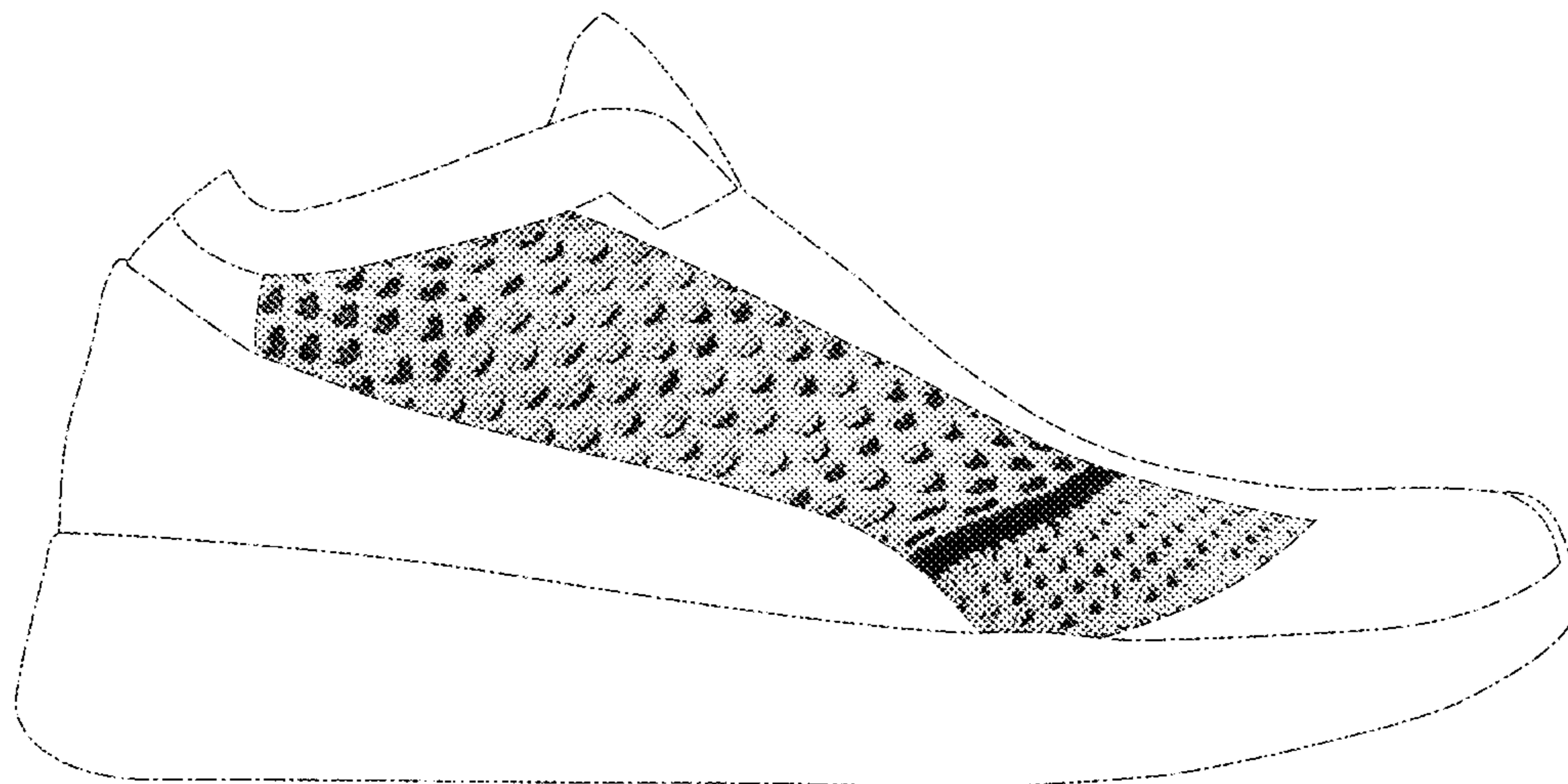
**U.S. PATENT DOCUMENTS**

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

**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](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](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

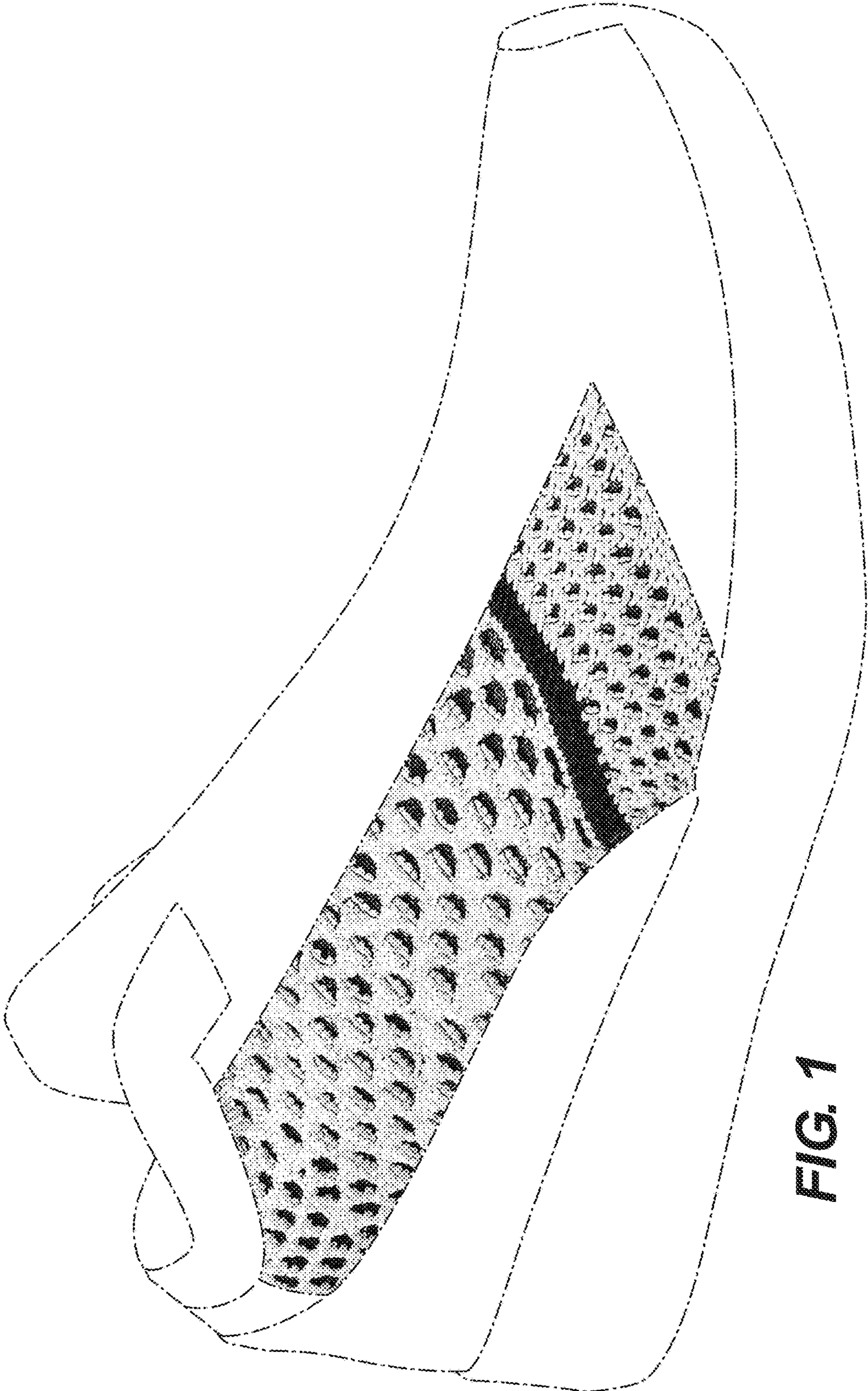
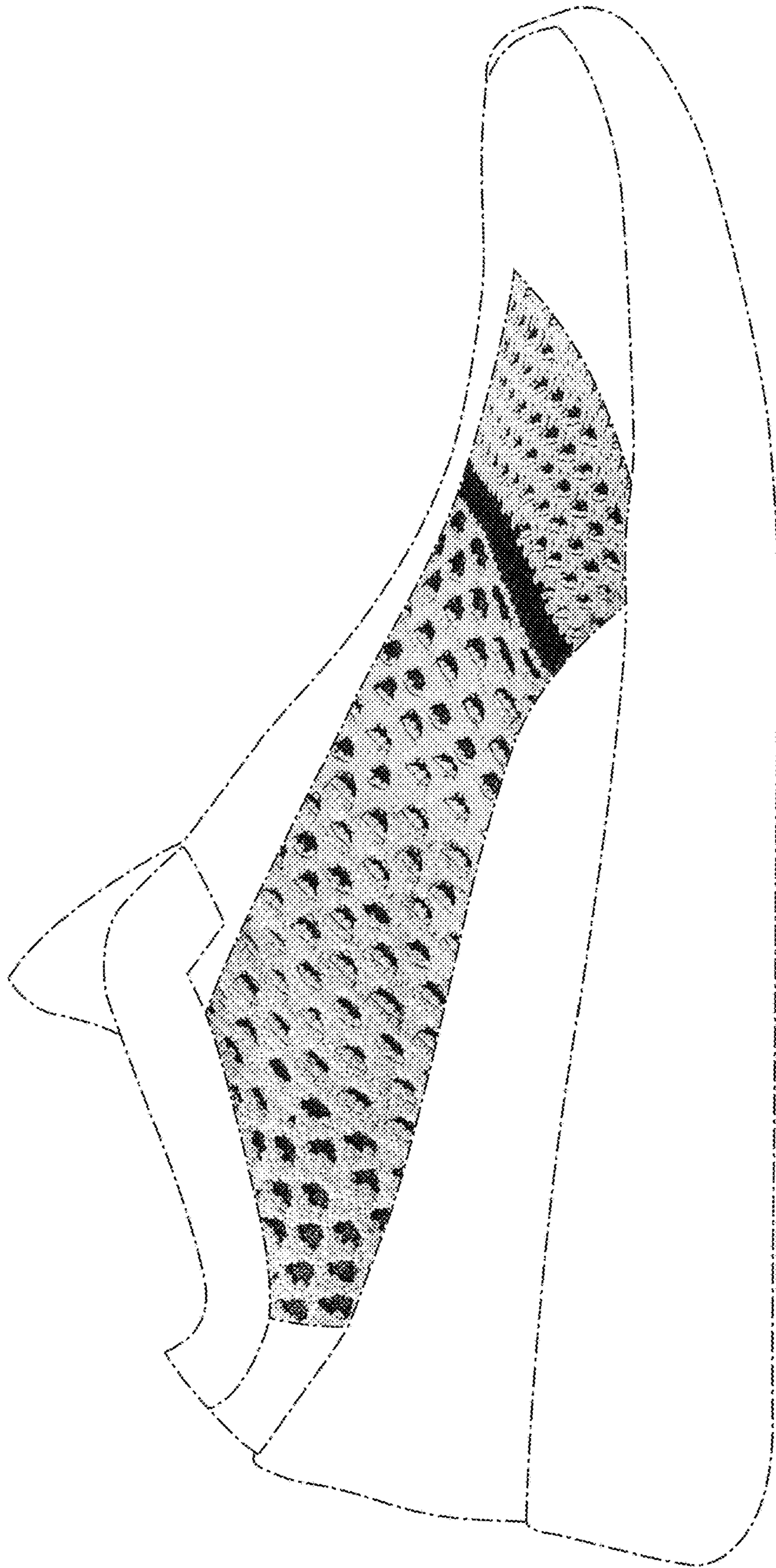


FIG. 1



**FIG. 2**

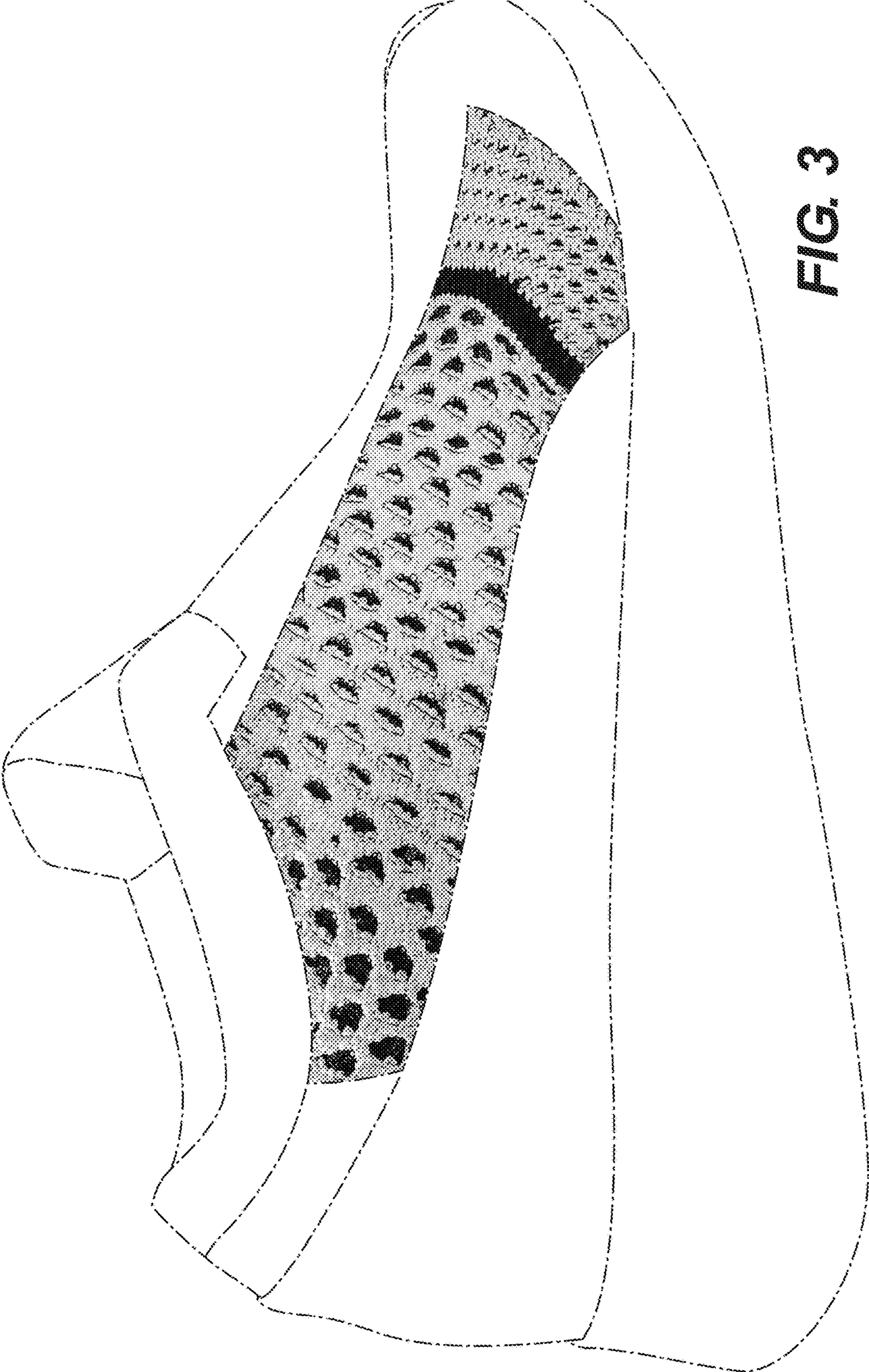
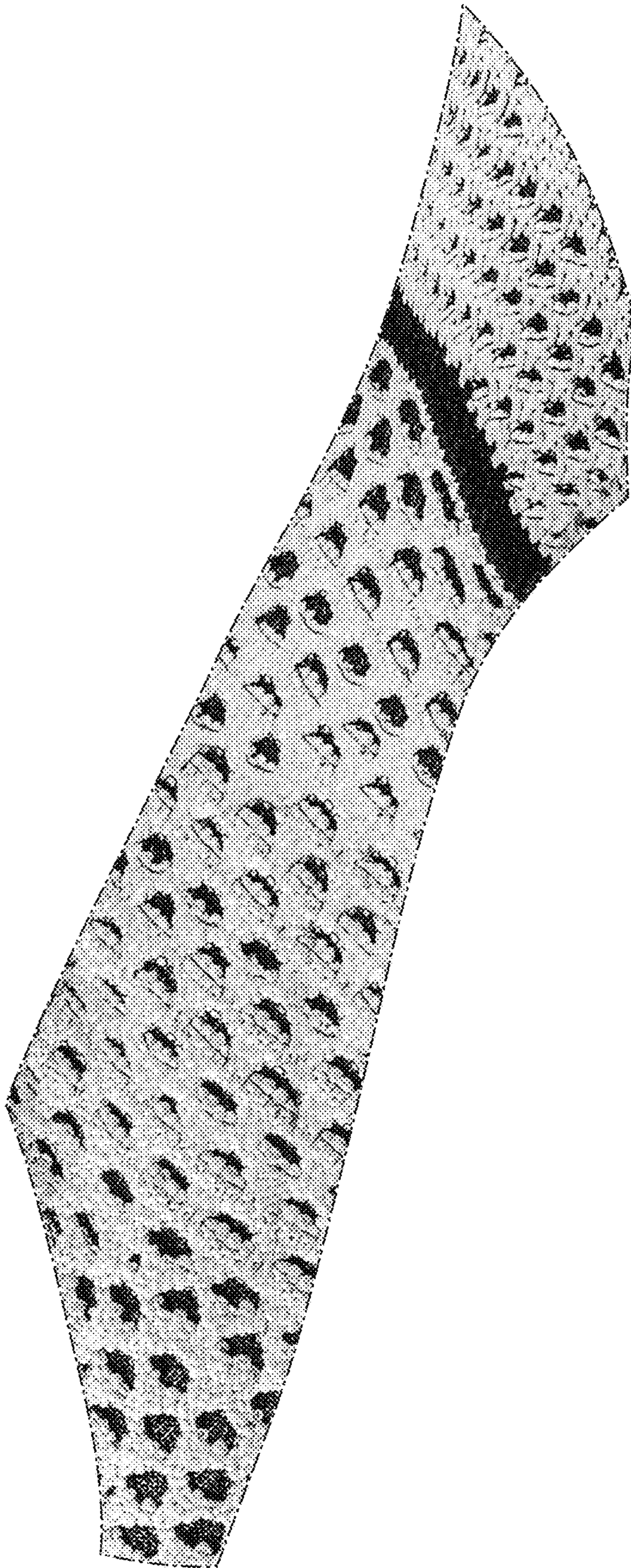


FIG. 3



**FIG. 4**