



US00D839564S

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

(10) **Patent No.:** **US D839,564 S**

(45) **Date of Patent:** **\*\* Feb. 5, 2019**

- (54) **SHOE**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
- (72) Inventor: **Graeme McMillan**, Portland, OR (US)
- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **15 Years**
- (21) Appl. No.: **29/648,426**
- (22) Filed: **May 21, 2018**
- (51) **LOC (11) Cl.** ..... **02-04**
- (52) **U.S. Cl.**  
USPC ..... **D2/947; D2/960**
- (58) **Field of Classification Search**  
USPC ..... D2/902, 906, 908, 916, 918, 925,  
D2/946-962, 977; 36/3 B, 22 R, 24.5,  
36/25 R, 28, 32 R, 34 R, 59 C, 67 A, 103  
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.

- D343,045 S 1/1994 Bailey
- D345,243 S 3/1994 Hatfield
- D370,992 S 6/1996 Preskar et al.
- D387,864 S 12/1997 Hatfield
- 5,692,319 A \* 12/1997 Parker ..... A43B 7/1495  
36/114
- D397,847 S 9/1998 Hudson
- D409,825 S \* 5/1999 Greenberg ..... D2/953
- D410,966 S 6/1999 Cretinon
- D414,316 S \* 9/1999 Lozano ..... D2/946
- D416,380 S 11/1999 Werman
- D423,201 S 4/2000 Wilson
- D428,242 S \* 7/2000 Truelsen ..... A43B 7/146  
D2/951
- D440,749 S 4/2001 Rogers
- D441,944 S 5/2001 Rogers

(Continued)

**OTHER PUBLICATIONS**

Nike Footwear Catalog, 1993 Fall Footwear, p. 28, published Dec. 1992, NIKE, Inc., USA.

(Continued)

*Primary Examiner* — T Chase Nelson  
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57) **CLAIM**

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

**DESCRIPTION**

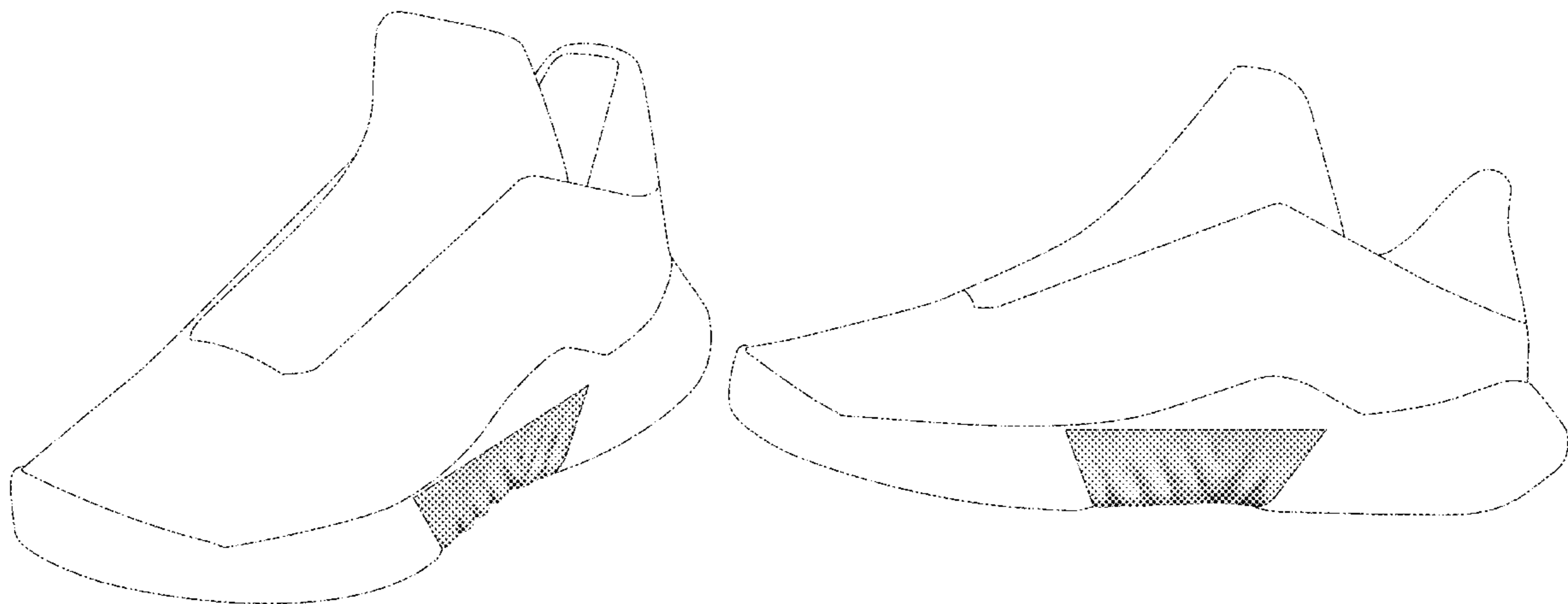
FIG. 1 is a front perspective view of a shoe showing my new design;  
FIG. 2 is a side view thereof;  
FIG. 3 is a rear perspective view thereof; and,  
FIG. 4 is a bottom view thereof.

The broken line surrounding the photographic area defines the peripheral bounds of the claimed design and forms no part thereof. The broken lines depicting the remainder of the shoe show features that form no part of the claimed design.

**1 Claim, 4 Drawing Sheets**

(56) **References Cited**  
U.S. PATENT DOCUMENTS

- D257,647 S \* 12/1980 Combaret ..... D2/953
- D295,462 S 5/1988 Brown et al.
- D296,952 S 8/1988 Brown et al.
- D297,593 S 9/1988 Swett
- D298,983 S 12/1988 Tong
- D324,764 S 3/1992 Allen
- D329,529 S 9/1992 Hatfield



(56)

References Cited

U.S. PATENT DOCUMENTS

D443,976 S \* 6/2001 Davidowitz ..... D2/947  
 D450,439 S 11/2001 Wilson  
 D450,914 S 11/2001 Wilson  
 D459,065 S 6/2002 Wilson  
 D469,598 S 2/2003 Wilson  
 D469,599 S 2/2003 Wilson  
 D470,998 S \* 3/2003 Adreliunas ..... D2/953  
 D472,037 S \* 3/2003 Masullo ..... D2/949  
 D473,367 S 4/2003 Wilson  
 D474,587 S 5/2003 Wilson  
 D495,128 S 8/2004 Avar  
 D496,523 S 9/2004 Fuerst  
 D498,042 S 11/2004 Recchi  
 D498,905 S 11/2004 Wilson  
 D528,777 S \* 9/2006 McDowell ..... D2/977  
 D564,192 S 3/2008 Covatch  
 D595,047 S 6/2009 Petrie  
 D618,894 S \* 7/2010 Tæstensen ..... D2/951  
 D689,675 S 9/2013 Hardman  
 D691,785 S 10/2013 Chang  
 D696,504 S \* 12/2013 McClaskie ..... D2/951  
 D703,927 S \* 5/2014 Taestensen ..... D2/951  
 D709,681 S 7/2014 Williams, Jr.  
 8,931,187 B2 \* 1/2015 Healy ..... A43B 13/122  
 36/30 R  
 D765,364 S 9/2016 Chang  
 D765,365 S 9/2016 Chang  
 D789,054 S \* 6/2017 Shyllon ..... D2/947  
 D794,927 S \* 8/2017 Matthews ..... D2/953  
 9,789,644 B2 \* 10/2017 Iovu ..... B32B 37/1018  
 D801,654 S \* 11/2017 Young ..... D2/953  
 D813,507 S 3/2018 Cin et al.  
 D816,956 S \* 5/2018 Sokol ..... A43B 1/0072  
 D2/947  
 D819,312 S \* 6/2018 Lashmore ..... D2/947  
 D824,646 S \* 8/2018 Sullivan ..... A43B 7/1495  
 D2/960  
 2007/0006489 A1 \* 1/2007 Case et al. .... A43B 3/0005  
 36/132  
 2010/0281711 A1 \* 11/2010 Vestuti ..... A43B 1/0072  
 36/28  
 2017/0295886 A1 \* 10/2017 Davis  
 2018/0035750 A1 \* 2/2018 Fanaian ..... A43B 7/146  
 2018/0110292 A1 \* 4/2018 Beers ..... A43B 3/0036

OTHER PUBLICATIONS

Nike Footwear Catalog, 1994 Late Spring Footwear, p. 40, published Sep. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Holiday Footwear, p. 20, published Mar. 1994, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1998 Spring Footwear, p. 182, published Jun. 1997, NIKE, Inc., USA.  
 Nike Footwear Catalog, 1999 Spring Footwear, p. 67, published Jun. 1998, NIKE, Inc., USA.  
 Nike Footwear Catalog, 2015 Fall City Specialty Best NA, p. 315, published Nov. 2014, NIKE, Inc., USA.  
 More Colorways for the Women’s Nike Metcon 1 [online], [retrieved May 4, 2018], Retrieved from Kicksonfire.com [Internet] <URL: <https://www.kicksonfire.com/more-colorways-for-the-womens-nike-metcon-1/>>; 12 Color Sheets, Dated Jul. 13, 2015.  
 Nike Metcon 2 Review: Price, Specifications and Everything You Need to Know [online], [retrieved May 7, 2018], Retrieved from Sportskeeda.com [Internet] <URL: [https://www.sportskeeda.com/health-and-fitness/nike-metcon-2-review-price-specifications-everything-you-need-to-know](https://www.sportskeeda.com/health-and-fitness/nike-metcon-2-review-price-specifications-everything-you-need-to-know/)>; 5 Color Sheets, Dated Feb. 18, 2016.  
 Step Up Your Training With the Nike Metcon 3 [online], [retrieved May 4, 2018], Retrieved from Kicksonfire.com [Internet] <URL: <https://www.kicksonfire.com/nike-metcon-3-official-look/>>; 12 Color Sheets, Dated Dec. 13, 2016.  
 Nike Continues to Evolve the Metcon Series With Fourth Model [online], [retrieved May 4, 2018], Retrieved from Sneakernews.com [Internet] <URL: <https://sneakernews.com/2017/12/12/nike-metcon-4-release-date/>>; 9 Color Sheets, Dated Dec. 12, 2016.  
 Nike to Release the Air Huarache Ultra in a “Bo Jackson” Colorway [online], [retrieved May 4, 2018], Retrieved from Sneakernews.com [Internet] <URL: <https://sneakernews.com/2016/06/20/nike-releases-air-huarache-ultra-bo-jackson-colorway/>>; 8 Color Sheets, Dated: Jun. 20, 2016.  
 The Jordan Trunner LX is Releasing in the Original “Bulls” Colorway [online], [retrieved May 4, 2018], Retrieved from Sneakernews.com [Internet] <URL: <https://sneakernews.com/2017/03/13/jordan-trunner-lx-original-bulls-black-red-white/>>; 3 Color Sheets, Dated Mar. 13, 2017.  
 The Nike Air Huarache Gets Inspired by Its Fellow 1991 Classmate [online], [retrieved May 4, 2018], Retrieved from Sneakernews.com [Internet] <URL: <https://sneakernews.com/2018/02/17/nike-air-huarache-ultramarine-release-info/>>; 4 color sheets, Dated Feb. 17, 2018.  
 Jordan Trainer Pro in “Gym Red” to Match This Year’s Holiday Air Jordan 11 [online], [retrieved May 4, 2018], Retrieved from Sneakerbardetroit.com [Internet] <URL: <https://sneakerbardetroit.com/jordan-trainer-pro-gym-red-release-date/>>; 8 Color Sheets, Dated Sep. 18, 2017.

\* cited by examiner

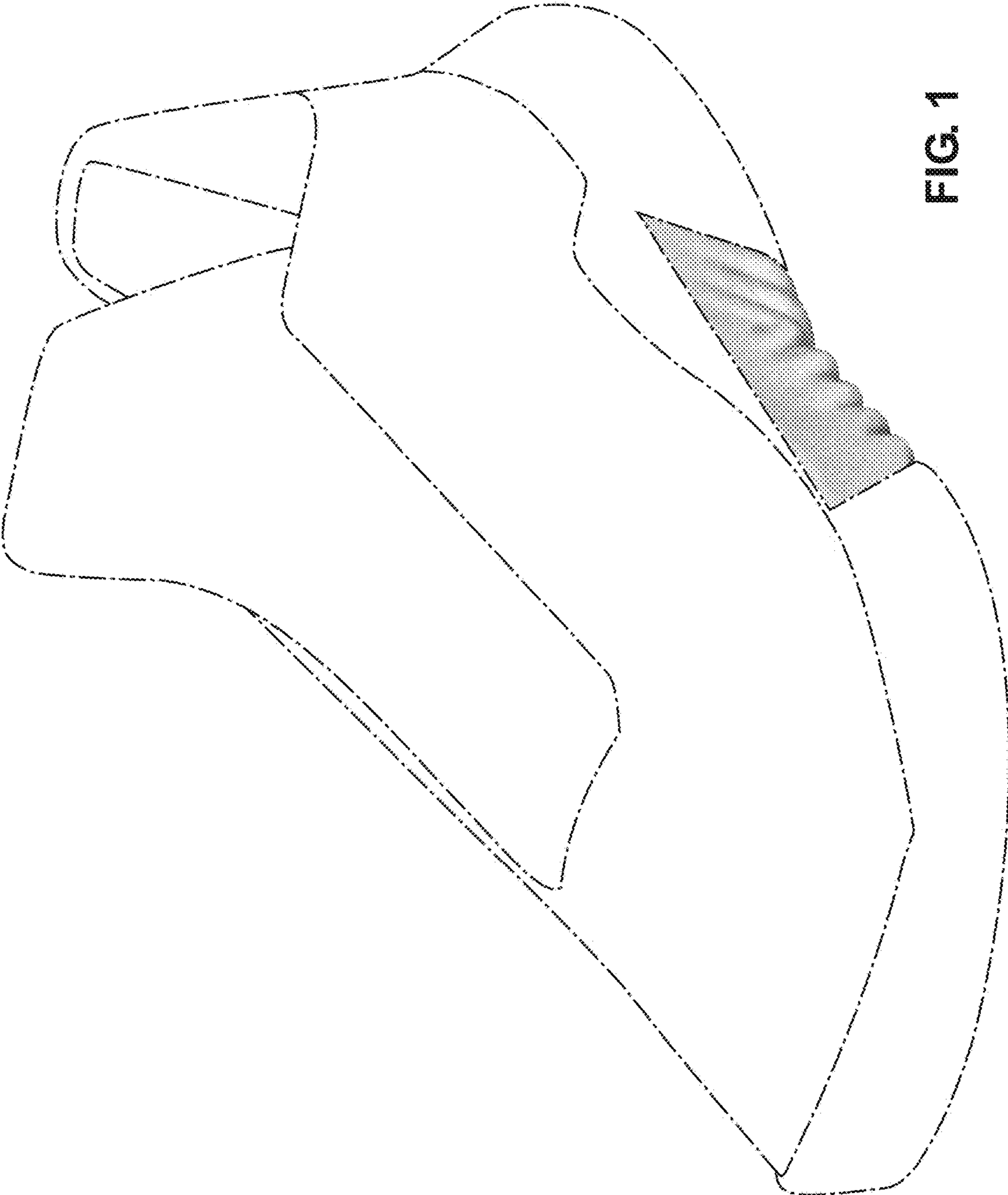


FIG. 1

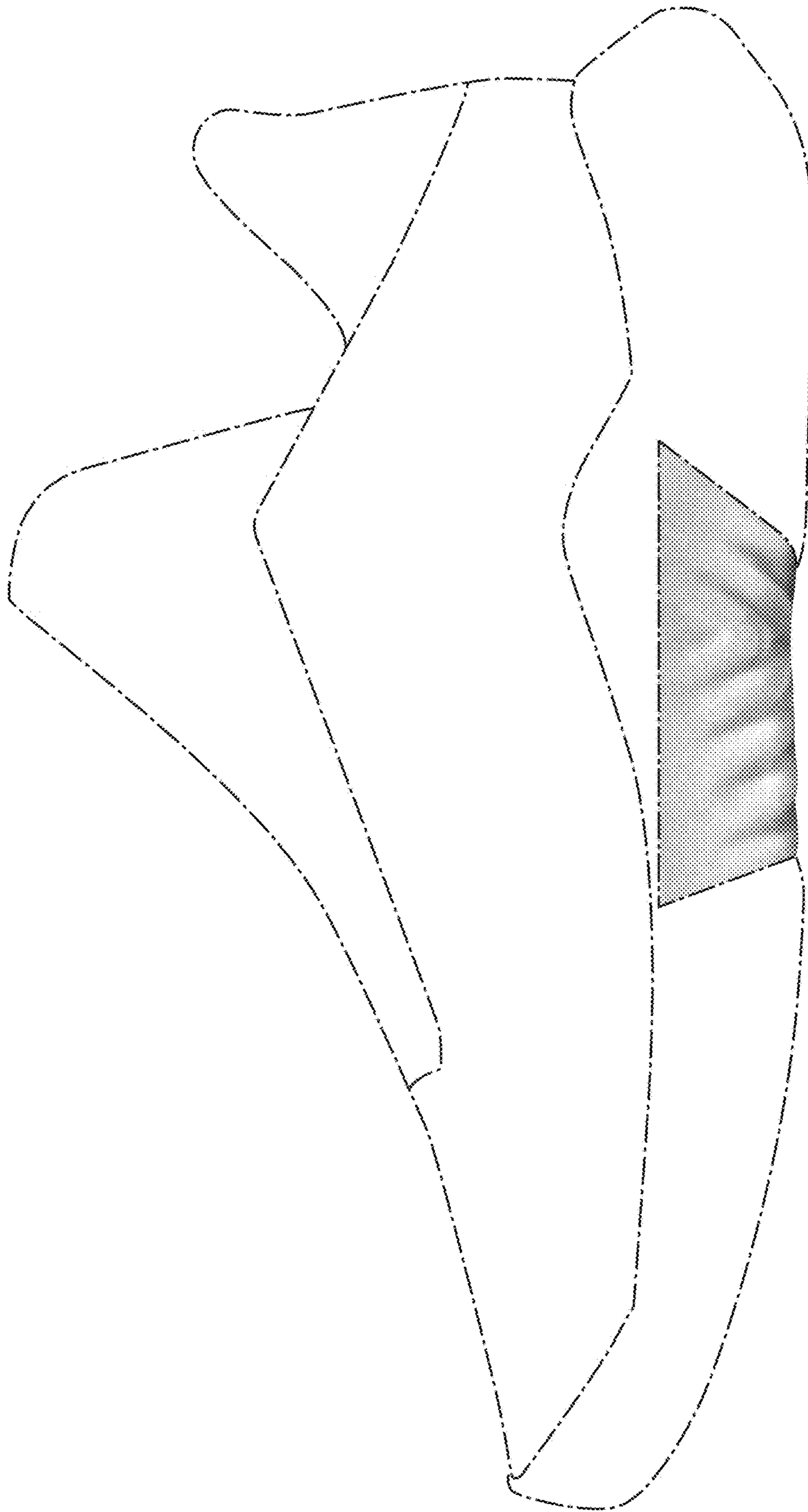


FIG. 2

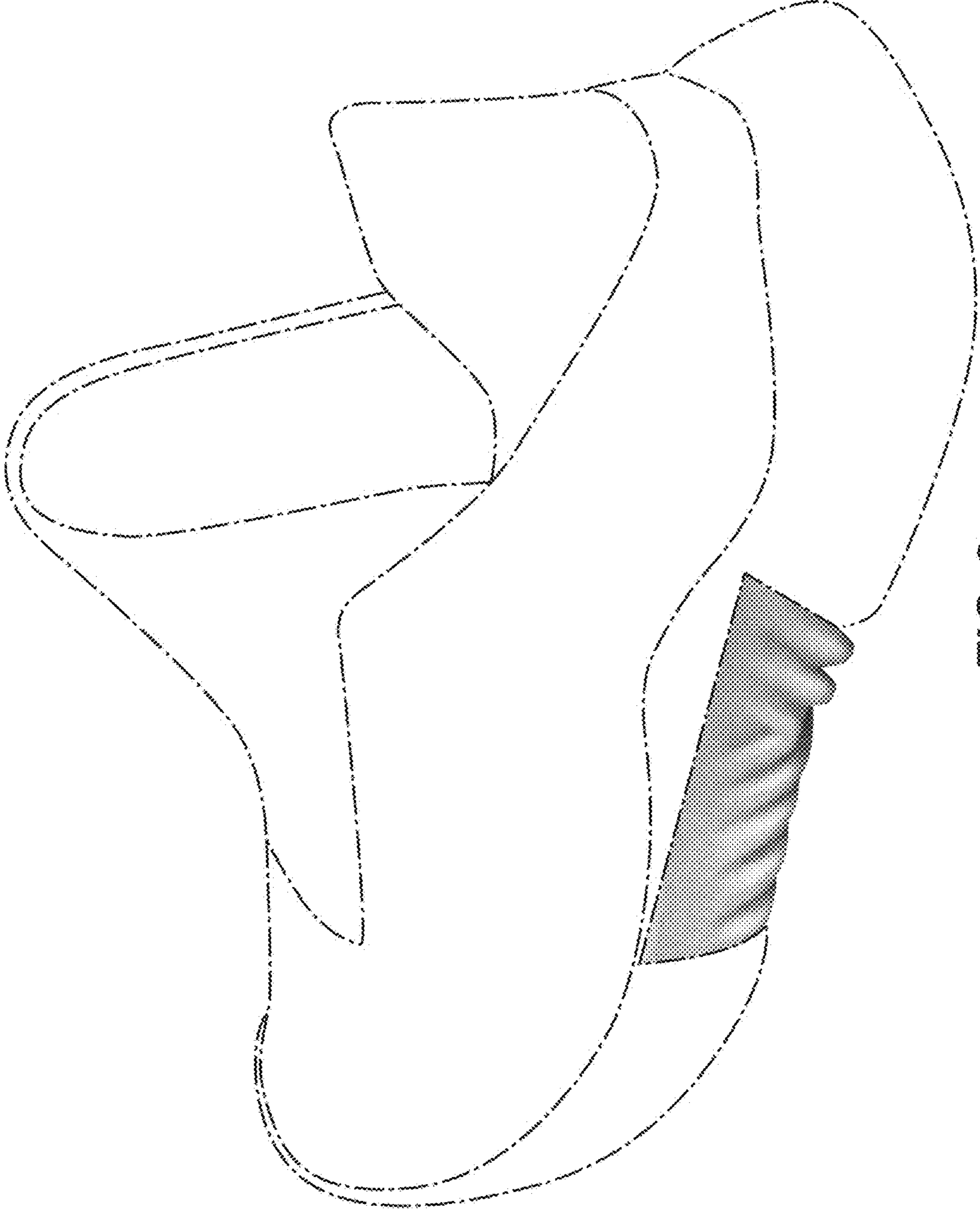


FIG. 3

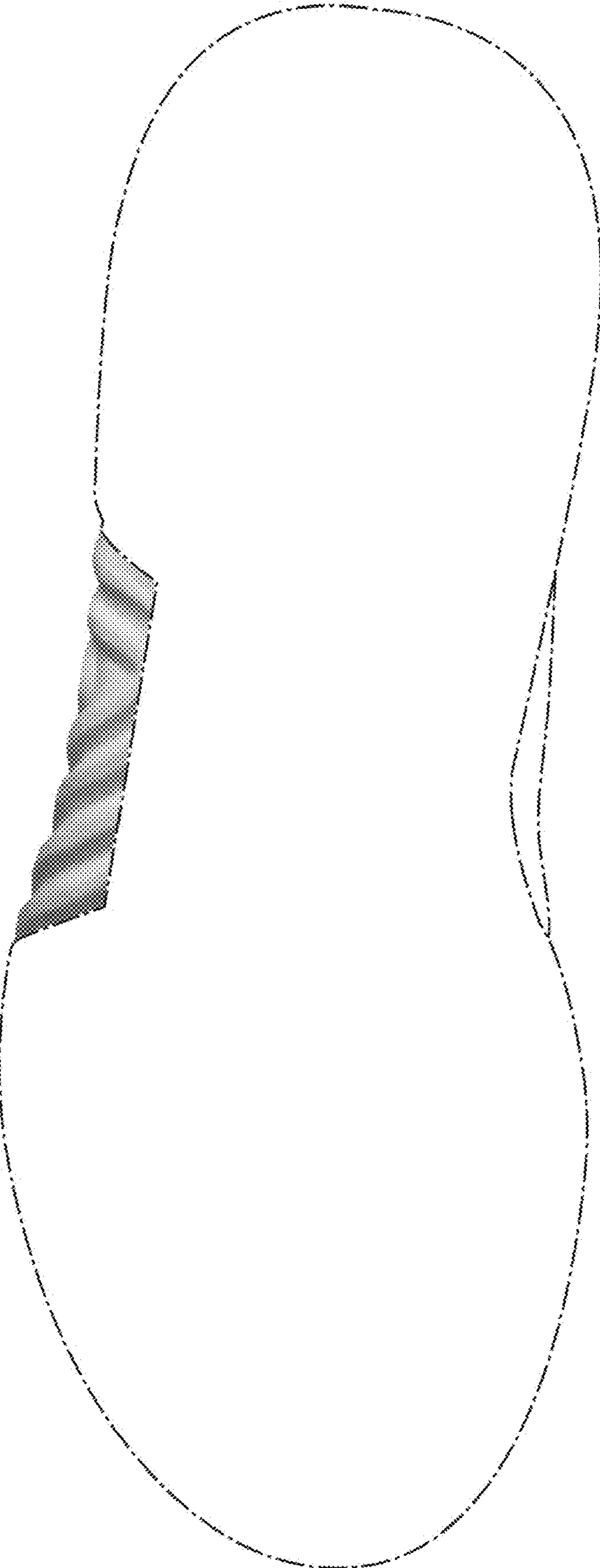


FIG. 4