



US00D839576S

(12) **United States Design Patent** (10) **Patent No.:** **US D839,576 S**
Small (45) **Date of Patent:** **** Feb. 5, 2019**

- (54) **SHOE**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
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- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/658,042**
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- D266,797 S 11/1982 Lucarelli et al.
- D286,342 S 10/1986 Stubblefield
- D291,147 S 8/1987 Kelley et al.
- D291,941 S 9/1987 Peterson
- D296,724 S 7/1988 Peterson
- D301,936 S 7/1989 Swett

(Continued)

FOREIGN PATENT DOCUMENTS

- CN 204653921 U 9/2015
- DE 1641293 U 7/1952

(Continued)

OTHER PUBLICATIONS

“New Balance Men’s M996 Sneaker”, Web Page <<https://www.amazon.com/New-Balance-Mens-M996-Sneaker/dp/B005BLUM8S?th=1>> 5 pages, published Apr. 14, 2005.

(Continued)

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Related U.S. Application Data

- (62) Division of application No. 29/604,155, filed on May 15, 2017, now Pat. No. Des. 826,526.
- (51) **LOC (11) Cl.** **02-04**
- (52) **U.S. Cl.**
USPC **D2/960**; D2/951; D2/957
- (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;
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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
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See application file for complete search history.

(57) **CLAIM**

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

DESCRIPTION

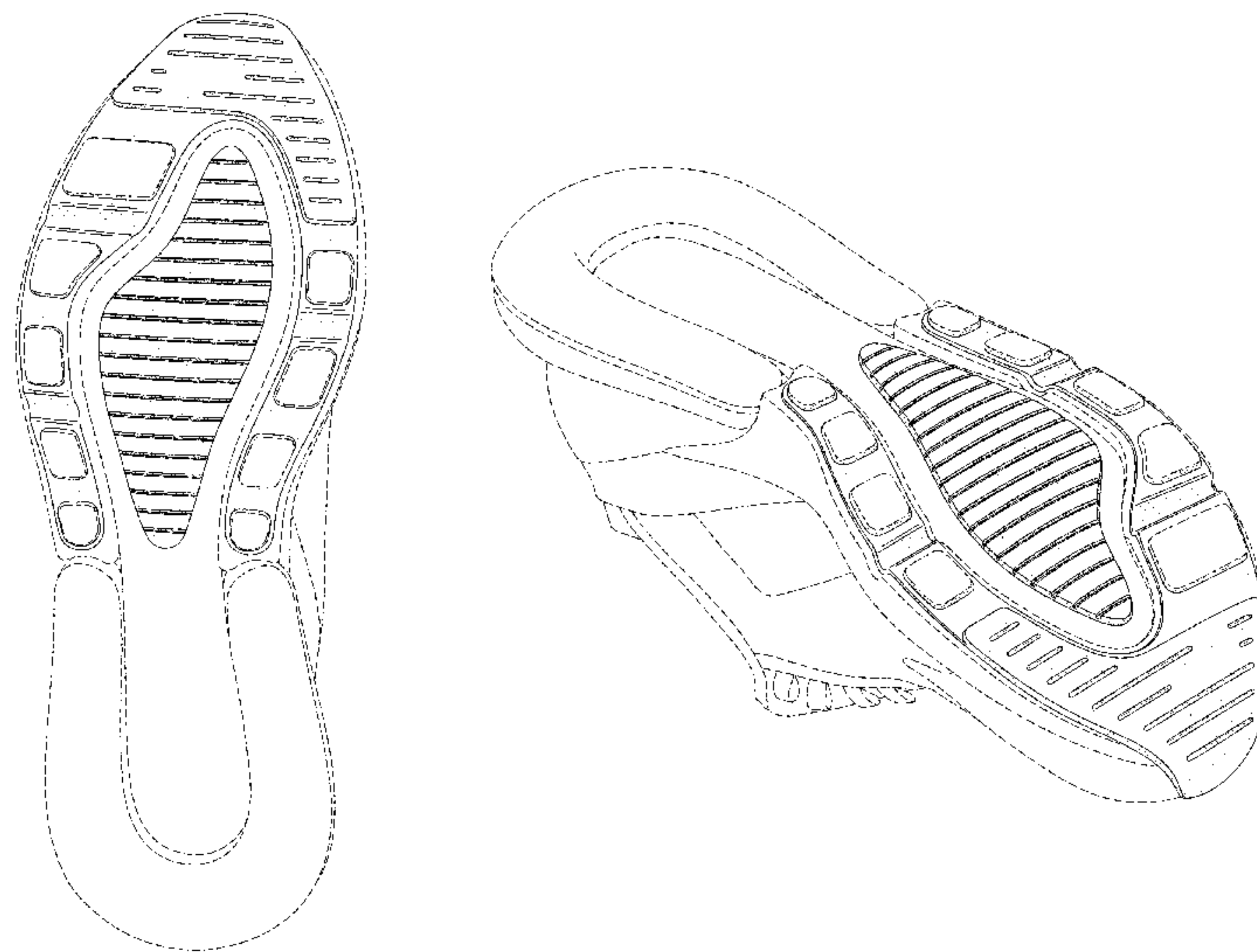
FIG. 1 is a bottom plan view of a shoe showing my design; FIG. 2 is a front side perspective view thereof; FIG. 3 is a side perspective view thereof; and, FIG. 4 is a front perspective view thereof. The even-length broken lines are directed to environment, represent unclaimed subject matter, and form no part of the claimed design. The long-and-short broken lines immediately adjacent shaded areas form an unclaimed boundary, and form no part of the claim.

1 Claim, 4 Drawing Sheets

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D77,183 S 12/1928 Oakley
- D115,438 S * 6/1939 Wirries D2/952
- D266,287 S 9/1982 Blissett et al.



(56)

References Cited

U.S. PATENT DOCUMENTS

D305,278 S 1/1990 Kiyosawa
 D321,588 S 11/1991 Issler
 D340,571 S 10/1993 Novy
 5,287,638 A * 2/1994 Preston A43B 13/20
 36/28
 D391,058 S * 2/1998 Cooper D2/947
 5,918,385 A 7/1999 Sessa
 D413,012 S 8/1999 Challant
 D414,922 S 10/1999 Wright
 D415,610 S 10/1999 Cahill
 D424,285 S 5/2000 Nason
 D438,368 S 3/2001 Akhidime
 D439,395 S 3/2001 Oberg
 D442,358 S 5/2001 Nason
 D443,129 S * 6/2001 Tresser D2/946
 D446,637 S * 8/2001 Patterson D2/961
 D449,157 S 10/2001 McClaskie
 D450,429 S 11/2001 McClaskie
 D474,586 S 5/2003 Recchi
 6,754,981 B1 6/2004 Edwards
 D496,525 S 9/2004 Dykstra
 D499,536 S * 12/2004 Castleberry D2/947
 D530,492 S 10/2006 McClaskie
 D539,518 S 4/2007 Hawker
 D548,438 S 8/2007 McClaskie
 D554,836 S * 11/2007 Shaffer D2/947
 D554,840 S 11/2007 McClaskie
 D570,081 S 6/2008 Longuet
 D574,583 S 8/2008 St-Louis et al.
 D603,151 S 11/2009 Roundhouse
 D608,534 S 1/2010 Bullard
 D608,537 S 1/2010 Anderson
 D612,136 S 3/2010 Hubner
 D625,501 S * 10/2010 Lidtke D2/961
 D635,754 S 4/2011 Mariman
 D636,570 S * 4/2011 Merritt A43B 13/188
 D2/951
 D643,197 S 8/2011 Teteriatnikov
 D645,240 S * 9/2011 McClaskie D2/951
 D656,304 S 3/2012 Debiase
 D657,120 S * 4/2012 Harper D2/951
 D659,966 S 5/2012 Lo
 D659,967 S * 5/2012 Miner D2/951
 D662,292 S 6/2012 Meynard
 D680,311 S 4/2013 McClaskie
 D714,036 S * 9/2014 Etcheverry D2/951
 9,282,784 B2 3/2016 Adeagbo et al.
 D755,491 S 5/2016 Nakano
 D759,360 S 6/2016 Zappiello
 D780,415 S * 3/2017 Gibson D2/951
 9,750,307 B2 9/2017 Campos, II et al.
 D801,659 S * 11/2017 Sullivan D2/960
 D802,269 S * 11/2017 Taylor D2/953
 D805,746 S 12/2017 Vega
 D806,373 S * 1/2018 McDonald D2/957
 D812,877 S * 3/2018 Link D2/954
 D819,948 S * 6/2018 Sisson D2/962
 D824,151 S * 7/2018 Newman A43B 3/0078
 D2/957
 D826,526 S * 8/2018 Small A43B 3/108
 D2/957
 D827,270 S * 9/2018 Yang A43B 13/20
 D2/961

2004/0020078 A1 * 2/2004 Bray, Jr. A43B 3/108
 36/9 R
 2010/0122476 A1 * 5/2010 Le A43B 3/0078
 36/30 R
 2016/0120263 A1 * 5/2016 Cortez A43B 13/127
 36/29
 2017/0020228 A1 1/2017 Scofield et al.
 2017/0042286 A1 * 2/2017 Meschter A43B 13/141
 2017/0265564 A1 9/2017 Peyton
 2017/0367440 A1 12/2017 Lo
 2018/0160773 A1 * 6/2018 Goldman A43B 13/223

FOREIGN PATENT DOCUMENTS

EP 410163 A2 1/1991
 EP 411330 A2 2/1991
 EP 930028 A1 7/1999

OTHER PUBLICATIONS

“adidas Neo Men’s Cloudfoam Groove Shoes”, Web Page <<https://www.amazon.com/adidas-Mens-Cloudfoam-Groove-Shoes/dp/B010MPP9JY?th=1>> 6 pages, published Aug. 8, 2005.
 Mario Fraioli, “Shoe of the Day: Nike LunarGlide+ 4”, Web Page <http://running.competitor.com/2013/01/photos/shoe-of-the-day-nike-lunarglide-4_55515> 4 pages, published Jan. 22, 2013.
 The Thrifty Couple, “Avia Toning and Workout Shoes Only \$9.99 Shipped Free”, Web Page <<https://thethriftycouple.com/avia-toning-and-workout-shoes-only-9-99-shipped-free/>> 9 pages, published Aug. 8, 2018, retrieved from the Internet Archive Wayback Machine <<https://web.archive.org/web/20180808181750/https://thethriftycouple.com/avia-toning-and-workout-shoes-only-9-99-shipped-free/>> on Aug. 22, 2018.
 Brandon Wood, “Review: Helly Hansen Nimble R2 Running Shoes”, Web Page, <<http://www.gearist.com/2014/10/20/review-helly-hansen-nimble-r2-running-shoes/>>, 2 pages, published Oct. 21, 2014, retrieved from Internet Archive Wayback Machine <<https://web.archive.org/web/20141021090156/http://www.gearist.com/2014/10/20/review-helly-hansen-nimble-r2-running-shoes/>> on Aug. 21, 2018.
 Believe in the Run, “361° Sensation 2 Running Shoe Review”, Web Page, <<https://www.believeintherun.com/2017/06/15/361-sensation-2-running-shoe-review/>>, 8 pages, published Jun. 15, 2017, retrieved from Internet Archive Wayback Machine <<https://web.archive.org/web/20170626201754/https://www.believeintherun.com/2017/06/15/361-sensation-2-running-shoe-review/>> on Aug. 21, 2018.
 Bruce Holmes, “Running Shoes”, Web Page, <<http://brucetholmes.com/Triathlon/TriShoes.html>>, 4 pages, published Jun. 5, 2011, retrieved from Internet Archive Wayback Machine <<https://web.archive.org/web/20110605223050/http://brucetholmes.com/Triathlon/TriShoes.html>> on Aug. 21, 2018.
 Bryan Hinkle, “The Under Armour Slingflex Rise Makes its First Appearance Stateside”, Web Page, <<https://weartesters.com/ua-slingflex-rise-makes-first-appearance-stateside/>>, 10 pages, published Jan. 22, 2018.
 SVIG Srl, “Rubber industry for Footwear”, Web Page Catalogue, <<http://www.svg.it/files/catalog.pdf>>, 44 pages, published Aug. 2018.

* cited by examiner

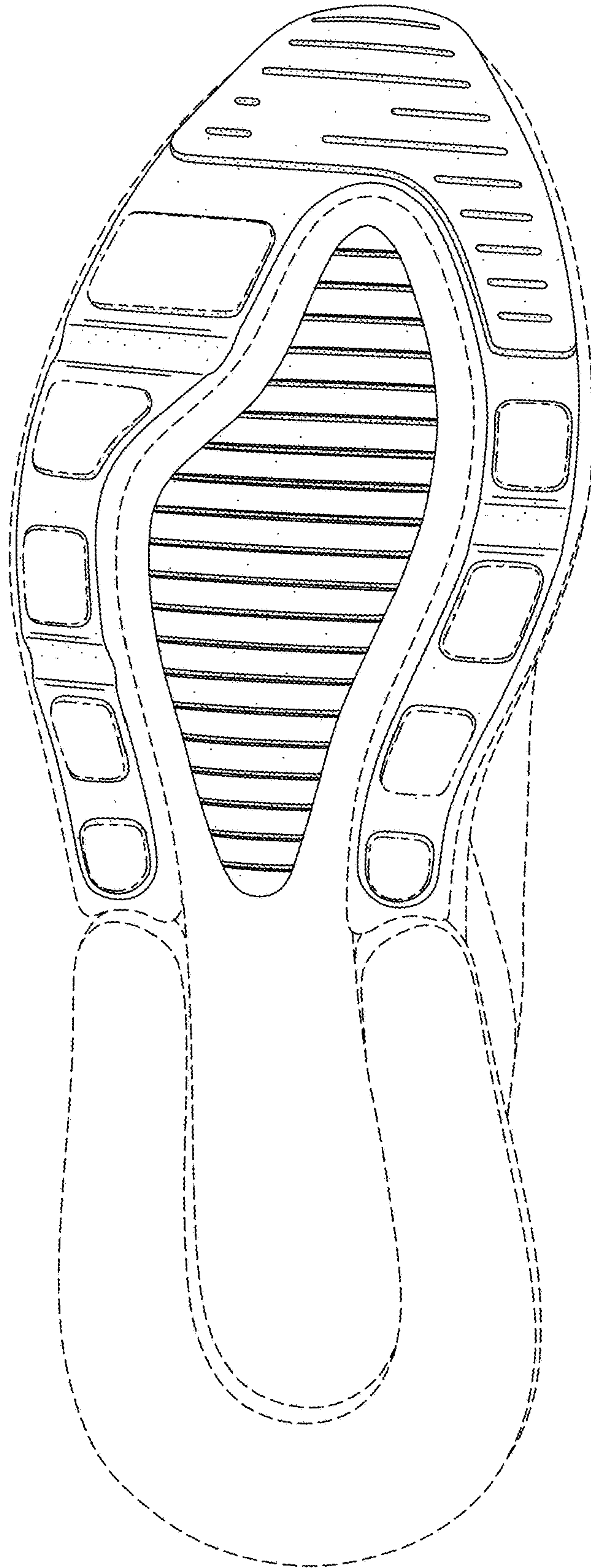


FIG. 1

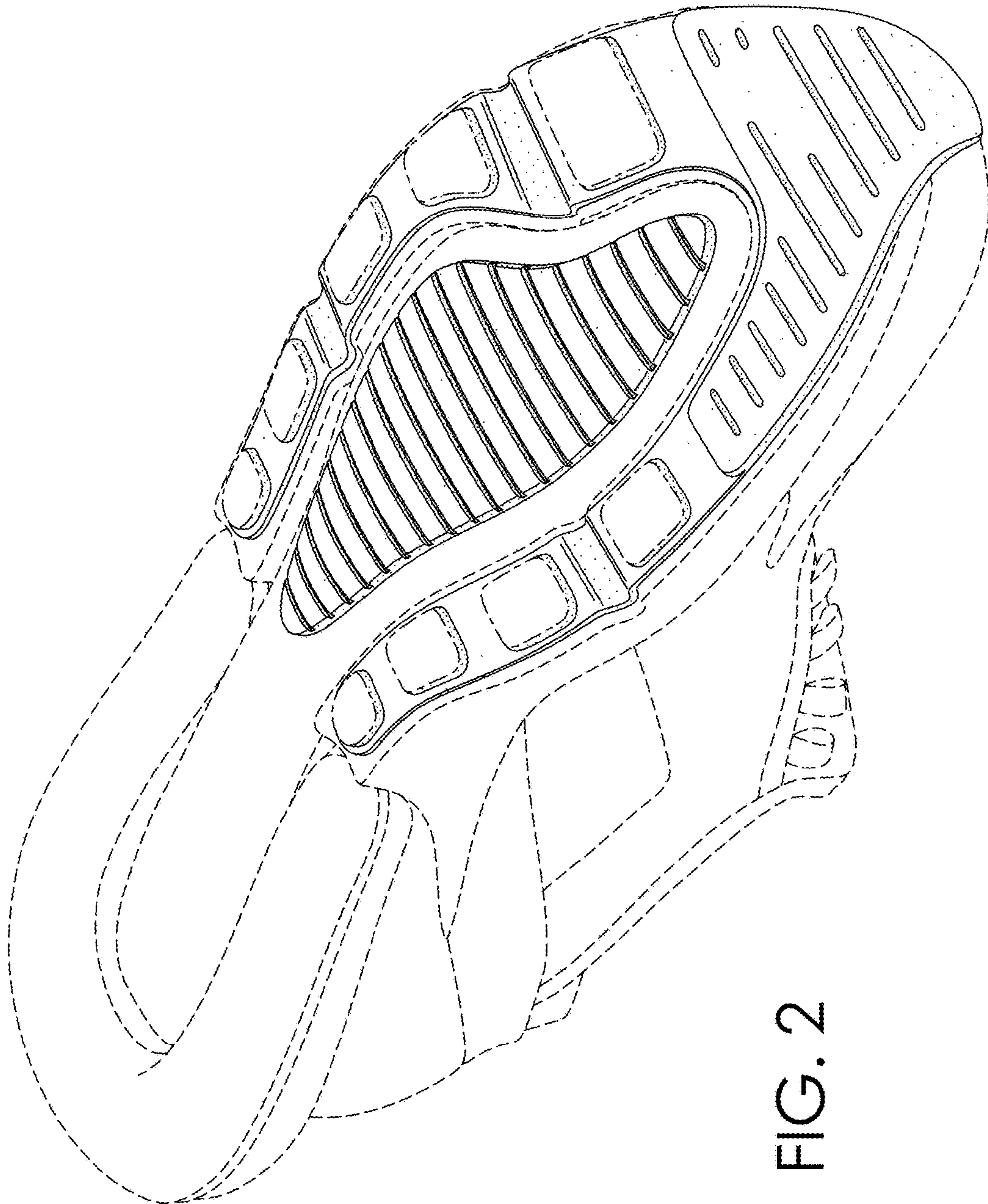


FIG. 2

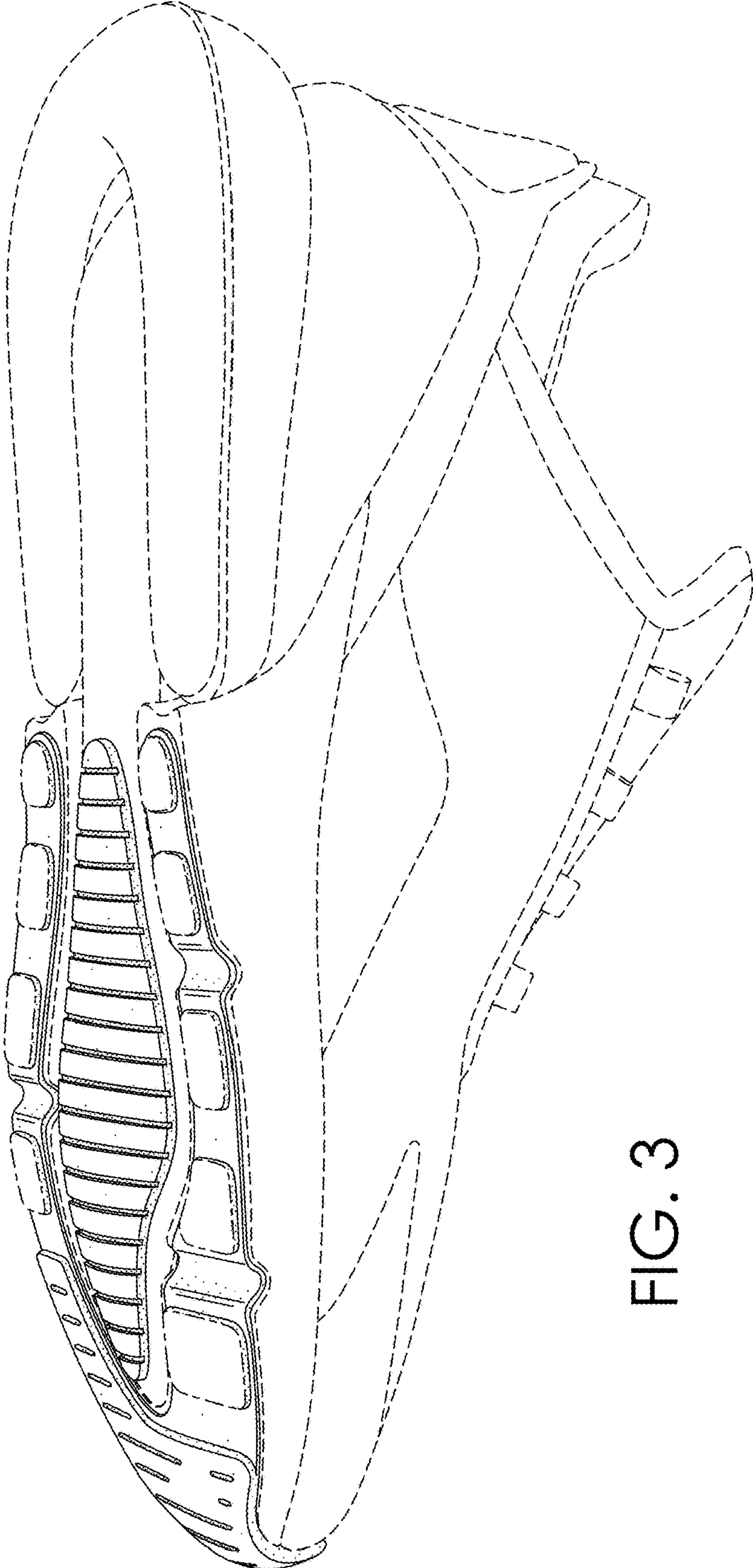


FIG. 3

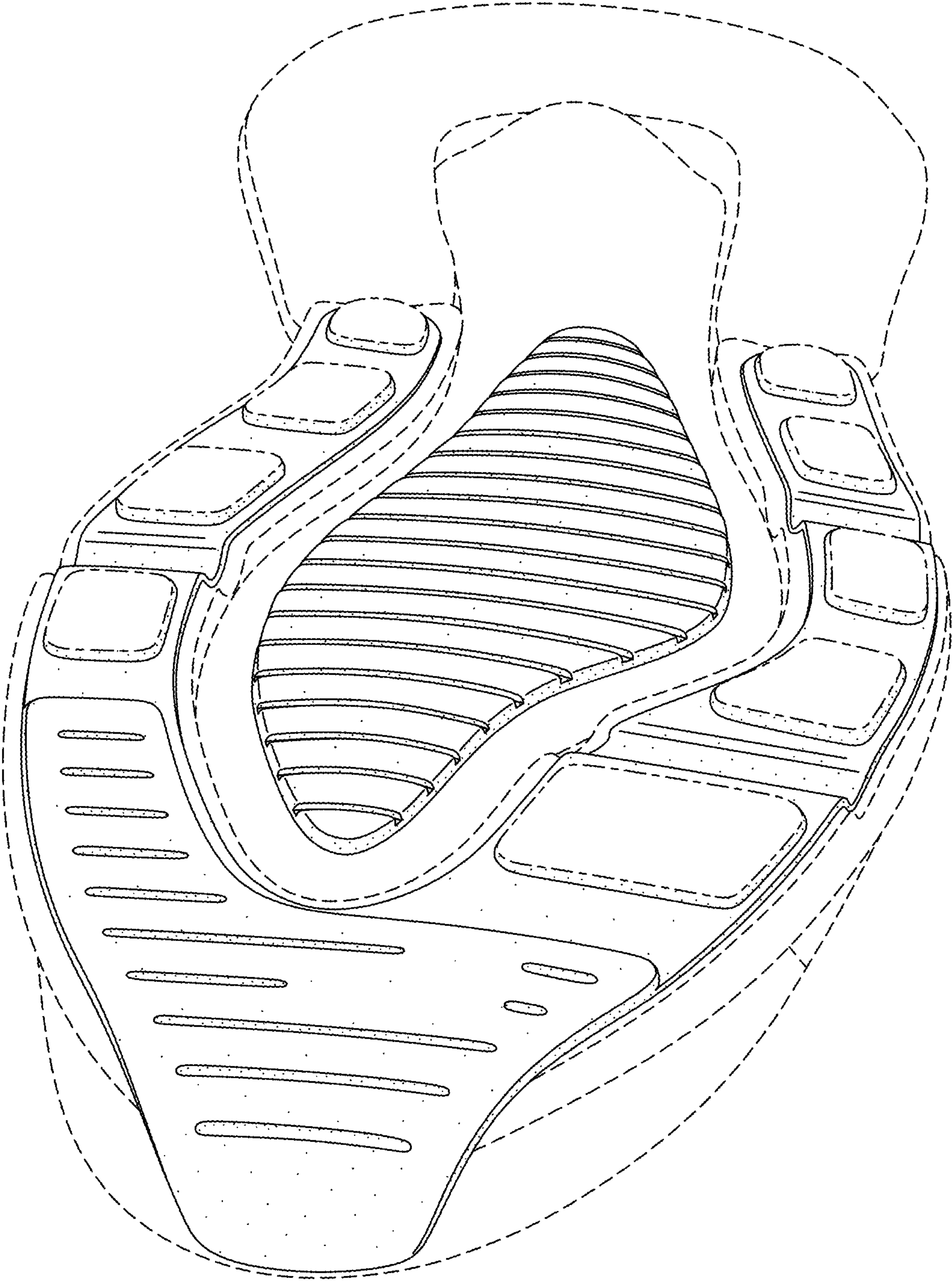


FIG. 4