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

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(54) **SHOE**

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(**) Term: **15 Years**

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(51) **LOC (12) Cl.** **02-04**

(52) **U.S. Cl.**

USPC **D2/953**; D2/947; D2/951; 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

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13/28; A43B 13/30; A43B 13/32; A43B

13/34; A43B 13/36

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D76,541 S	10/1928	Hopwood
D89,936 S	5/1933	Crossman et al.
D118,564 S	1/1940	Medwed
D123,898 S	12/1940	Tousley
D126,599 S	4/1941	Cox et al.
D268,543 S	4/1983	Bretschneider
D274,955 S	8/1984	Lee

D285,985 S	10/1986	Tong
D291,147 S	8/1987	Kelley et al.
D294,537 S	3/1988	Le
D295,691 S	5/1988	Zuidema et al.
D324,448 S	3/1992	Blissett
D343,281 S	1/1994	James
D361,881 S	9/1995	Hatfield
D386,595 S	11/1997	Teague
D394,741 S	6/1998	Gaudio
D397,851 S	9/1998	Greenberg
D409,825 S	5/1999	Greenberg

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 1976 Footwear, p. 23, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

(Continued)

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(57)

CLAIM

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

DESCRIPTION

FIG. 1 is a front bottom perspective view of a shoe showing my new design;

FIG. 2 is a bottom view thereof;

FIG. 3 is a rear bottom perspective view thereof;

FIG. 4 is an opposite rear bottom perspective view thereof;

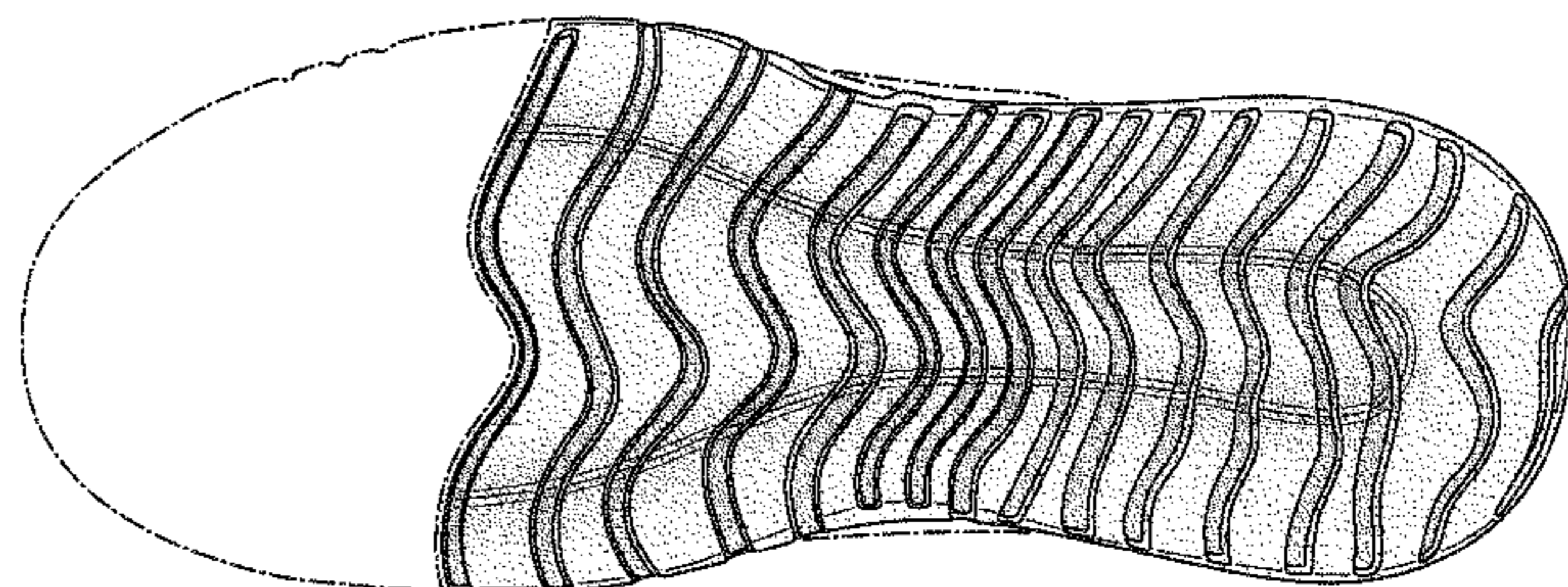
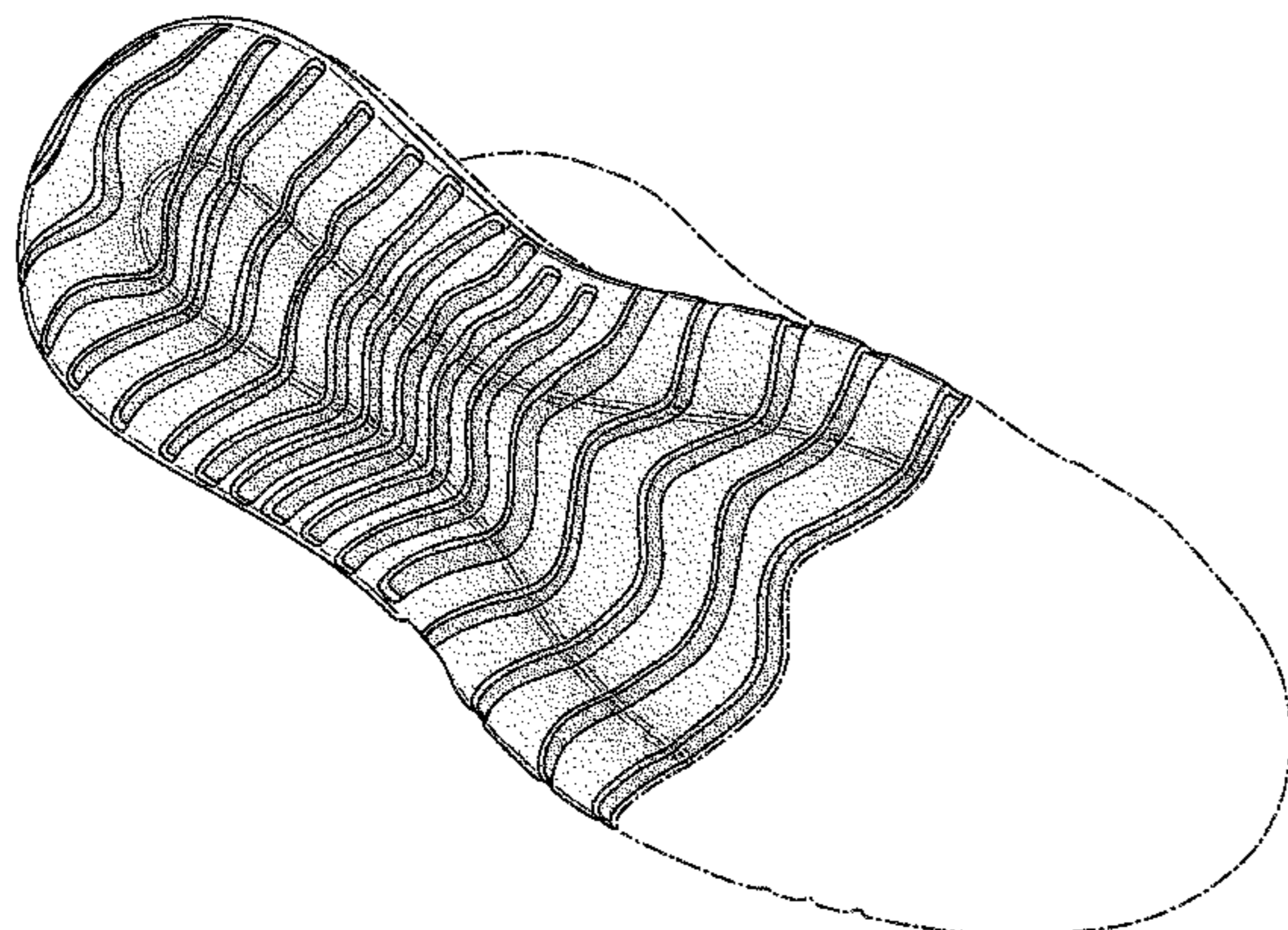
FIG. 5 is a side view thereof;

FIG. 6 is an opposite side view thereof; and,

FIG. 7 is a rear view thereof.

The broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The broken lines depicting the remainder of the shoe show features that form no part of the claimed design.

1 Claim, 7 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D449,426 S 10/2001 Pollastrelli
 D461,295 S 8/2002 Pollastrelli
 D470,998 S * 3/2003 Adreliunas D2/953
 D481,854 S * 11/2003 Belley D2/953
 D492,096 S 6/2004 Sanchez et al.
 D551,433 S * 9/2007 Loverin D2/951
 D552,335 S 10/2007 Matis et al.
 D559,508 S 1/2008 Cintron
 D580,638 S * 11/2008 McClaskie D2/951
 D596,385 S 7/2009 McDade et al.
 D636,155 S 4/2011 Della Valle et al.
 D641,145 S 7/2011 Della Valle et al.
 8,146,266 B2 * 4/2012 Vattes A43B 17/08
 36/10
 D679,899 S 4/2013 Taestensen
 D679,900 S * 4/2013 Taestensen D2/950
 D680,722 S 4/2013 Link
 D681,315 S 5/2013 Della Valle et al.
 D682,514 S 5/2013 Lamstein
 D685,166 S * 7/2013 Hatfield D2/947
 D699,026 S 2/2014 Stark
 D703,927 S * 5/2014 Taestensen D2/951
 D710,079 S * 8/2014 Tucker D2/951
 D724,828 S 3/2015 Lonigan
 D724,829 S 3/2015 Lonigan
 D749,833 S * 2/2016 Hansen D2/951
 D762,958 S 8/2016 Sars
 D764,155 S 8/2016 Tæstensen et al.
 D788,418 S * 6/2017 Wright A43B 3/00
 D2/953
 D790,821 S 7/2017 Beers et al.
 D798,037 S * 9/2017 Montross D2/951
 D802,897 S * 11/2017 Howe A43B 1/0018
 D2/953
 D804,792 S 12/2017 de Montgolfier et al.
 D819,944 S 6/2018 Martin
 D821,722 S * 7/2018 Chang D2/960
 D822,966 S 7/2018 Thompson et al.
 D824,646 S * 8/2018 Sullivan D2/960
 D838,952 S 1/2019 McMillan

D839,568 S 2/2019 McMillan
 D839,569 S * 2/2019 Petrie D2/953
 D843,098 S * 3/2019 Natowich McPhee D2/960
 D847,478 S * 5/2019 Fracassi D2/957
 2005/0060914 A1 * 3/2005 Fuerst A43B 1/14
 36/102
 2010/0139127 A1 * 6/2010 Huang A43B 1/0018
 36/3 B
 2014/0230284 A1 * 8/2014 Craig A43B 3/00
 36/103
 2018/0000191 A1 * 1/2018 Bacon A43B 5/001

OTHER PUBLICATIONS

Nike Footwear Catalog, 1982 Footwear, p. 3, published Jan. 1982, NIKE, Inc., USA.
 Nike Footwear Catalog, 1994 Holiday Footwear, p. 12, published Mar. 1994, NIKE, Inc., USA.
 Nike Footwear Catalog, 1995 Holiday Footwear, p. 13, published Mar. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Spring Footwear, p. 24, published Jun. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 2000 Spring Footwear 2, p. 22, published Jul. 1999, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 34, published Nov. 1, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2018 Holiday Sportswear, p. 241, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.
 Nike Footwear Catalog, 2018 Holiday Young Athletes, p. 126, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.
 New Release Update: Nike Air Force 270 Safari, Kicksonfire.com; URL: <https://www.kicksonfire.com/nike-air-force-270-safari-release-update/>; Dated Feb. 17, 2018.
 This Upcoming Air Jordan 10 Holds It Down for the Westside [online], retrieved Sep. 13, 2018], retrieved from Sole Collector [Internet] <URL: <https://solecollector.com/news/2016/05/air-jordan-10-los-angeles-release-date>>; 12 color sheets, Dated May 5, 2016.

* cited by examiner

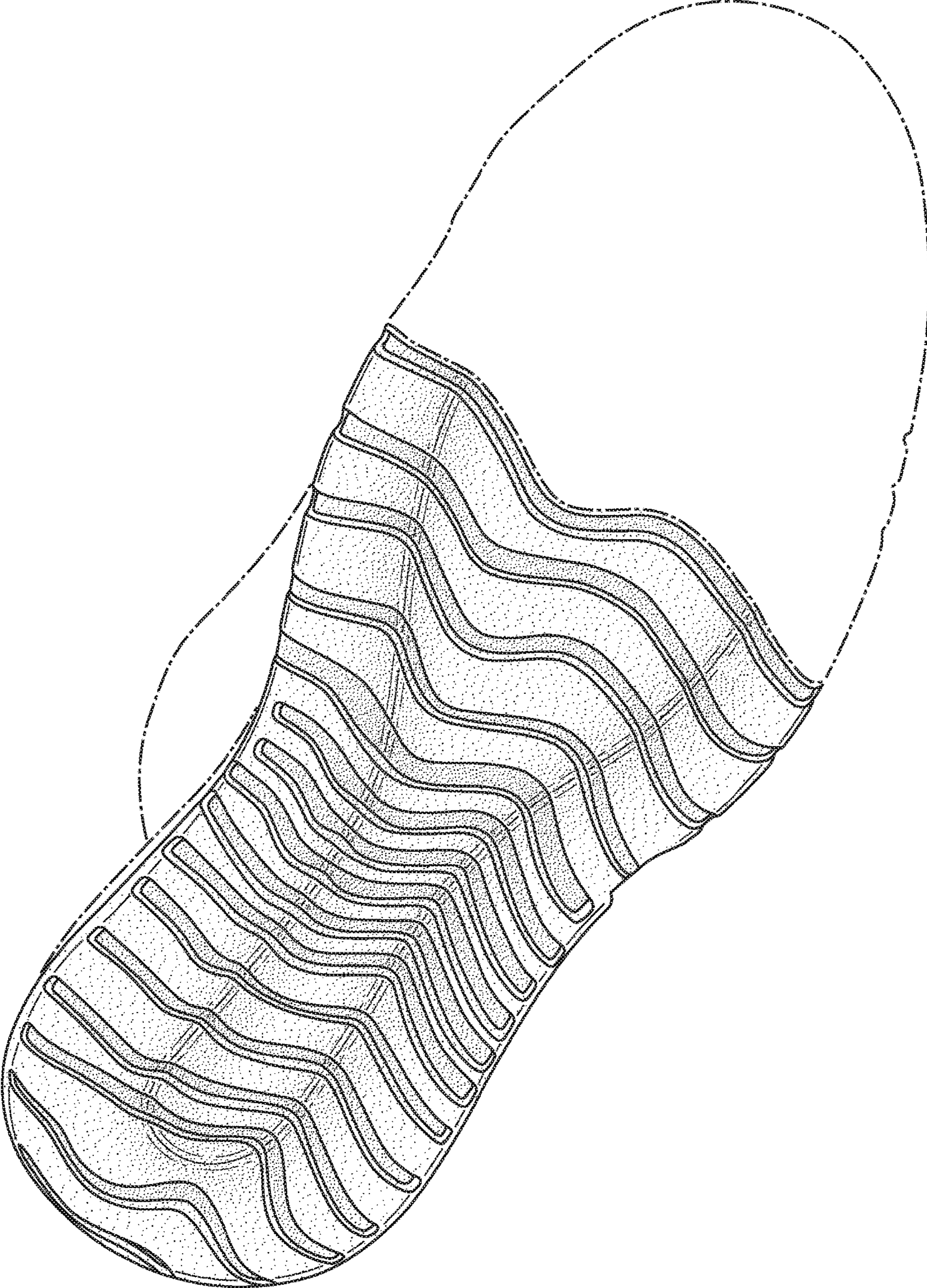


FIG. 1

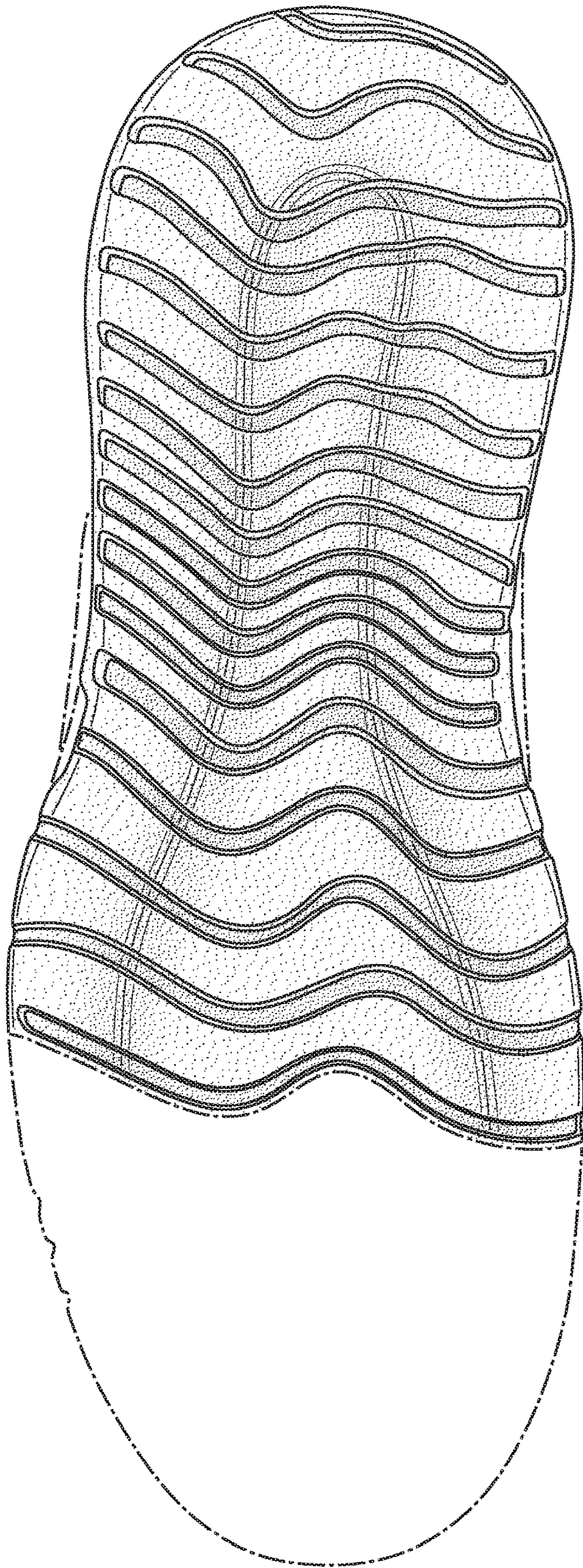


FIG. 2

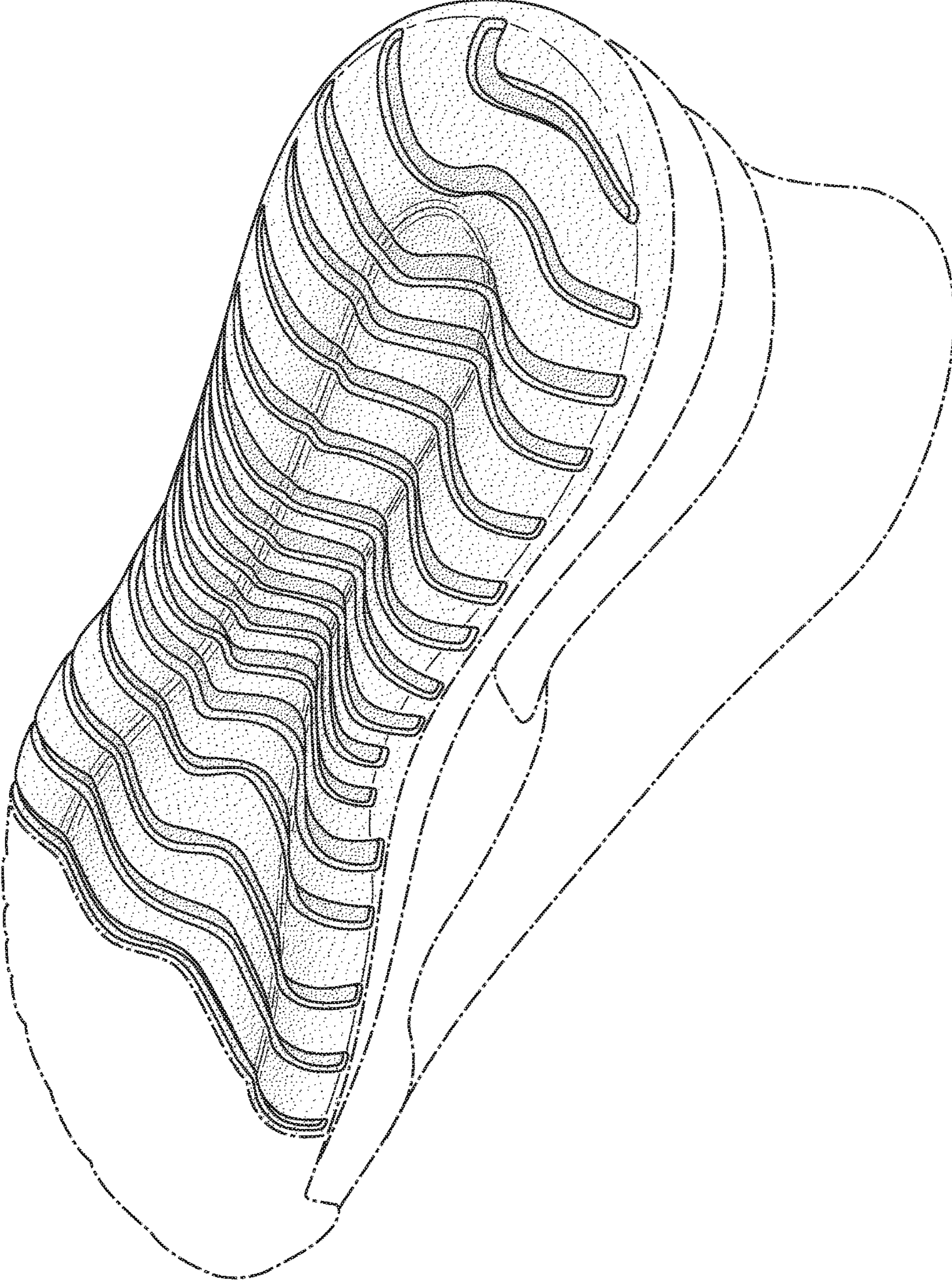


FIG. 3

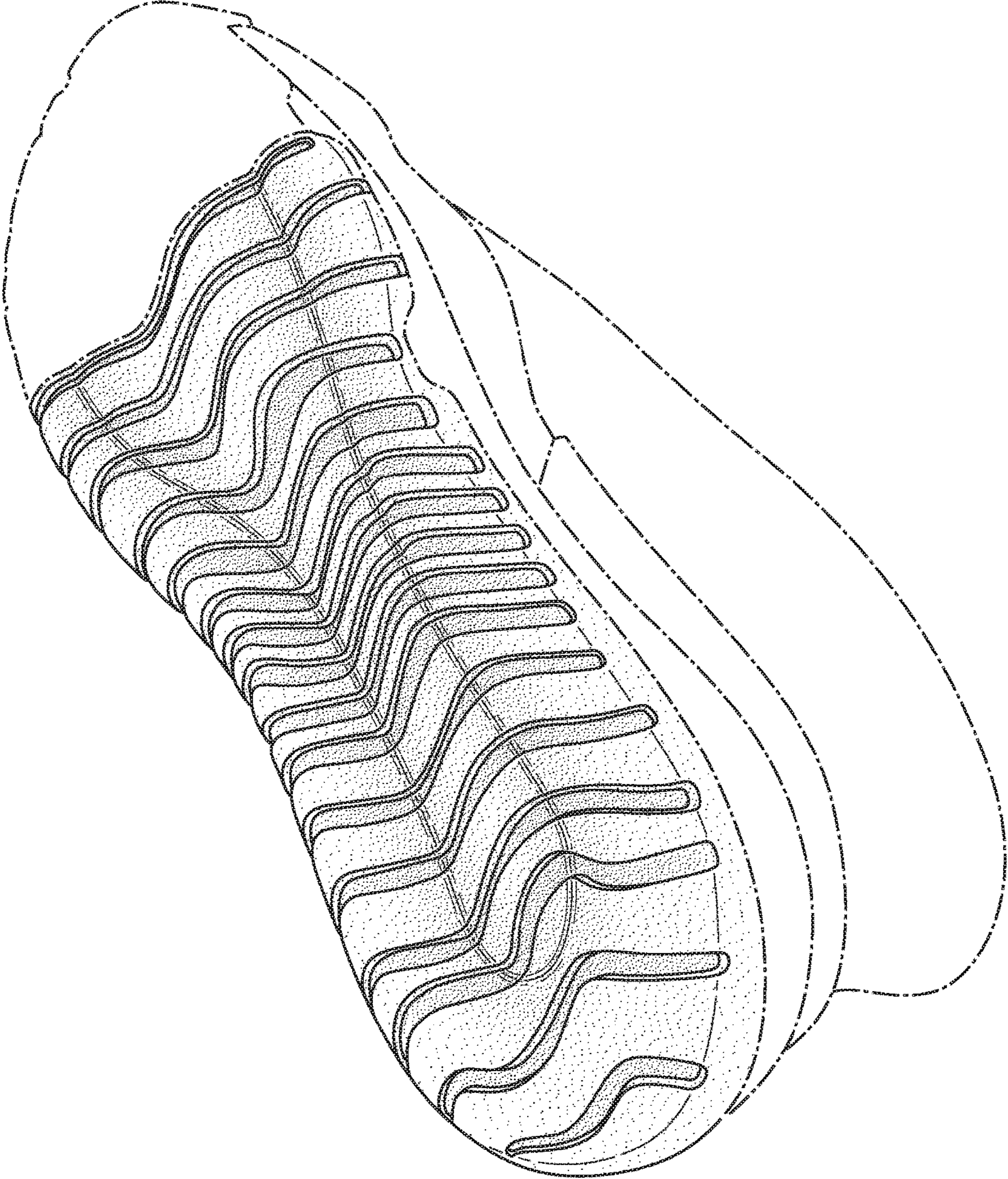


FIG. 4

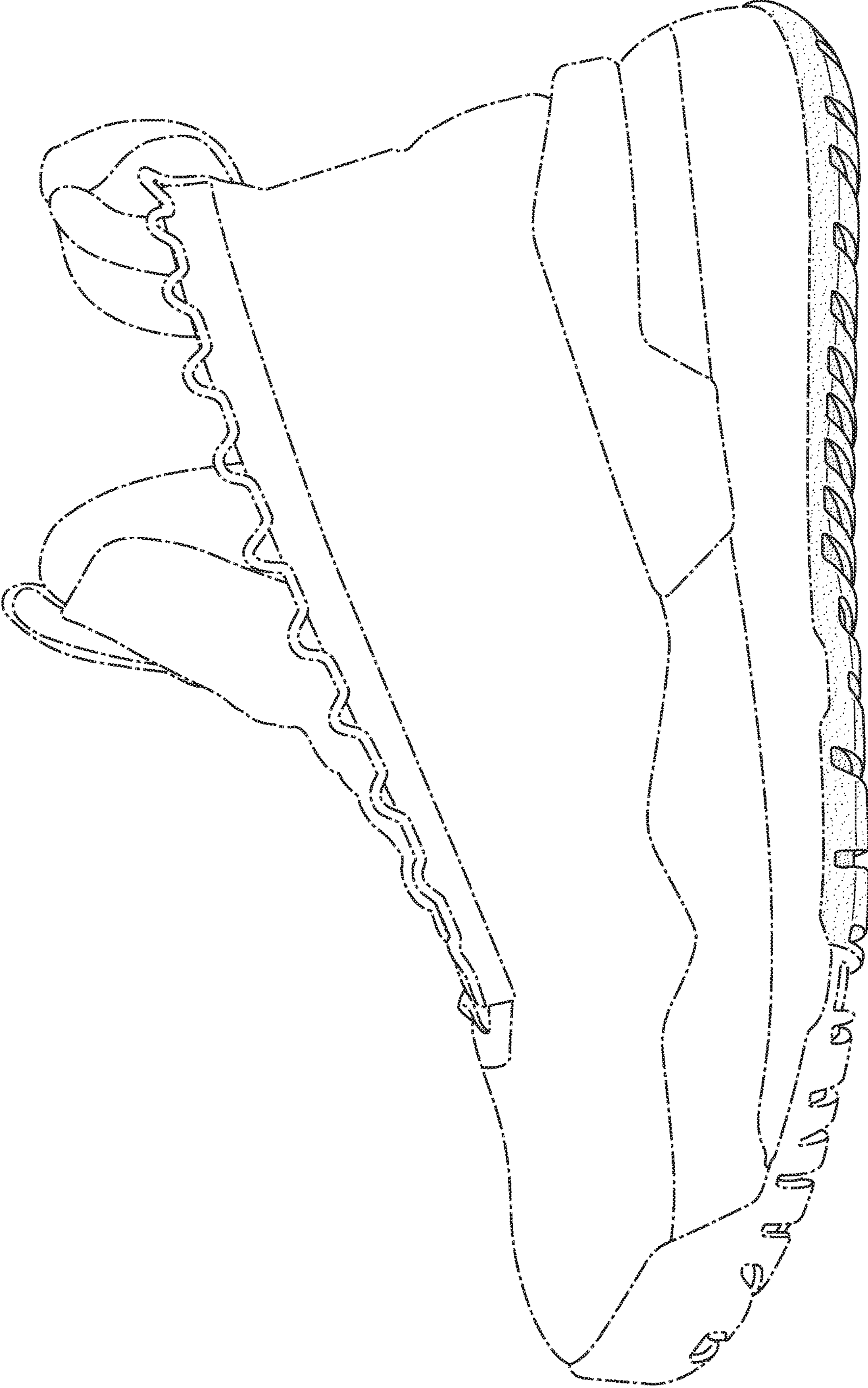


FIG. 5

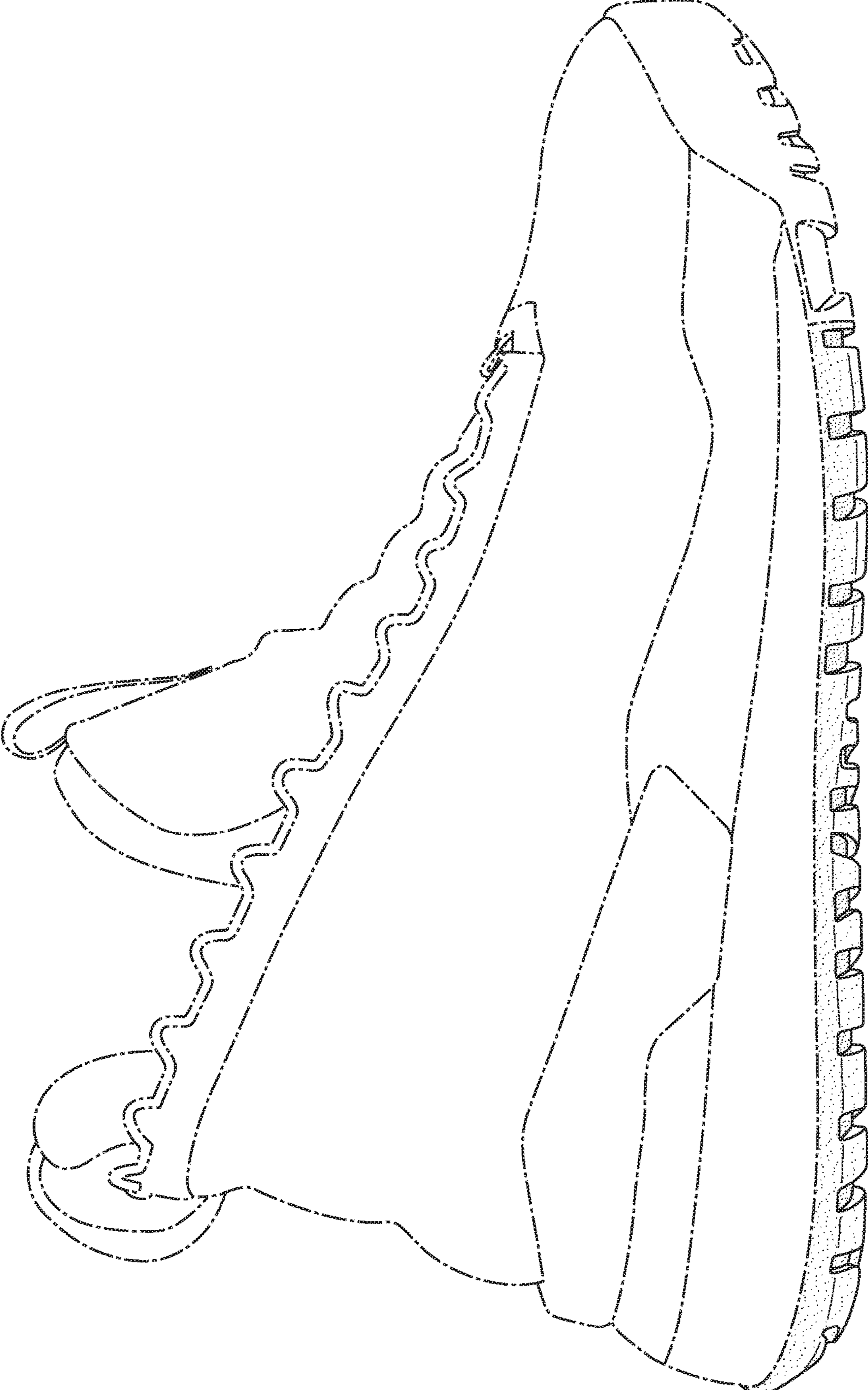


FIG. 6

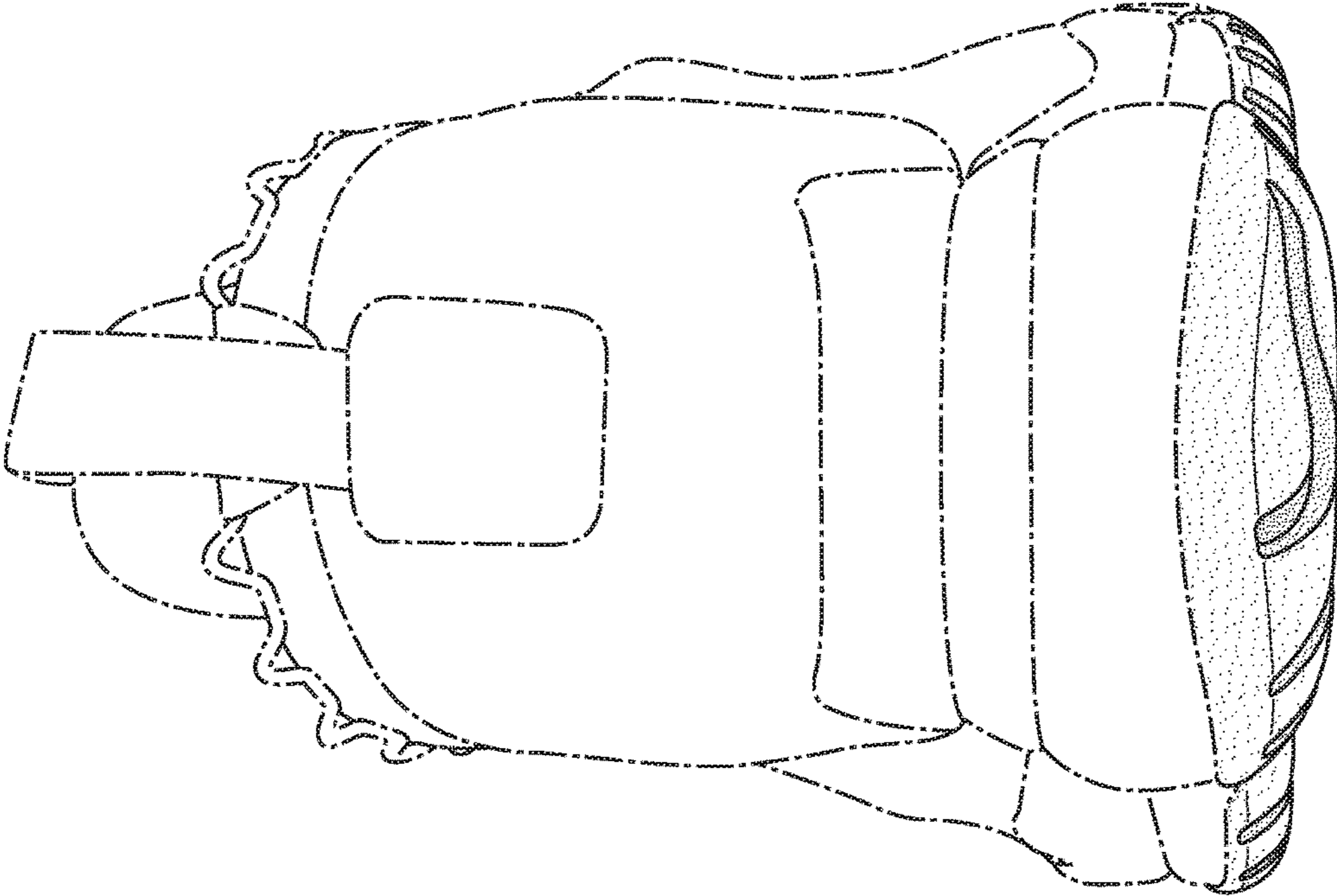


FIG. 7