

US00D865351S

(12) **United States Design Patent** (10) **Patent No.:** **US D865,351 S**
Sokol (45) **Date of Patent:** **** Nov. 5, 2019**

(54) **SHOE**
(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
(72) Inventor: **Matthew Sokol**, Portland, OR (US)
(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
(**) Term: **15 Years**
(21) Appl. No.: **29/680,480**

D239,983 S 5/1976 Senter
D242,866 S 12/1976 Ditto
D262,751 S 1/1982 Anderie
D264,392 S 5/1982 Lydiard
D273,340 S 4/1984 Gamm
D279,139 S 6/1985 Gamm
D283,173 S 4/1986 Malone
D291,144 S 8/1987 Tong et al.
D292,784 S 11/1987 Autry
D292,945 S 12/1987 Selbiger et al.
D295,578 S 5/1988 Tong
D297,782 S 9/1988 Brown

(Continued)

(22) Filed: **Feb. 15, 2019**
(51) **LOC (12) Cl.** **02-99**
(52) **U.S. Cl.**
USPC **D2/973**
(58) **Field of Classification Search**
USPC D2/896, 902, 906-908, 946, 969, 971,
D2/972-974; D5/47, 49, 50, 53, 54, 56,
D5/60
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 11/14; A43B 7/00; A43B 3/12;
A43C 3/00; A43C 5/00; A43C 7/00;
A43C 11/004
See application file for complete search history.

(56) **References Cited**
U.S. PATENT DOCUMENTS
D93,544 S 10/1934 De Liso
D94,854 S 3/1935 Rosenfield
D114,457 S 4/1939 Ochs
D130,425 S 11/1941 Daniels
D132,196 S 2/1942 Daniels
D140,573 S 3/1945 Sandler
D146,774 S 5/1947 Parker
D173,030 S 9/1954 Hoza
D173,699 S 12/1954 Hosker
D173,700 S 12/1954 Hosker
D208,393 S 8/1967 Onitsuka

OTHER PUBLICATIONS

Nike Footwear Catalog, 1976 Footwear, p. 16, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

(Continued)

Primary Examiner — Dominic V Simone
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

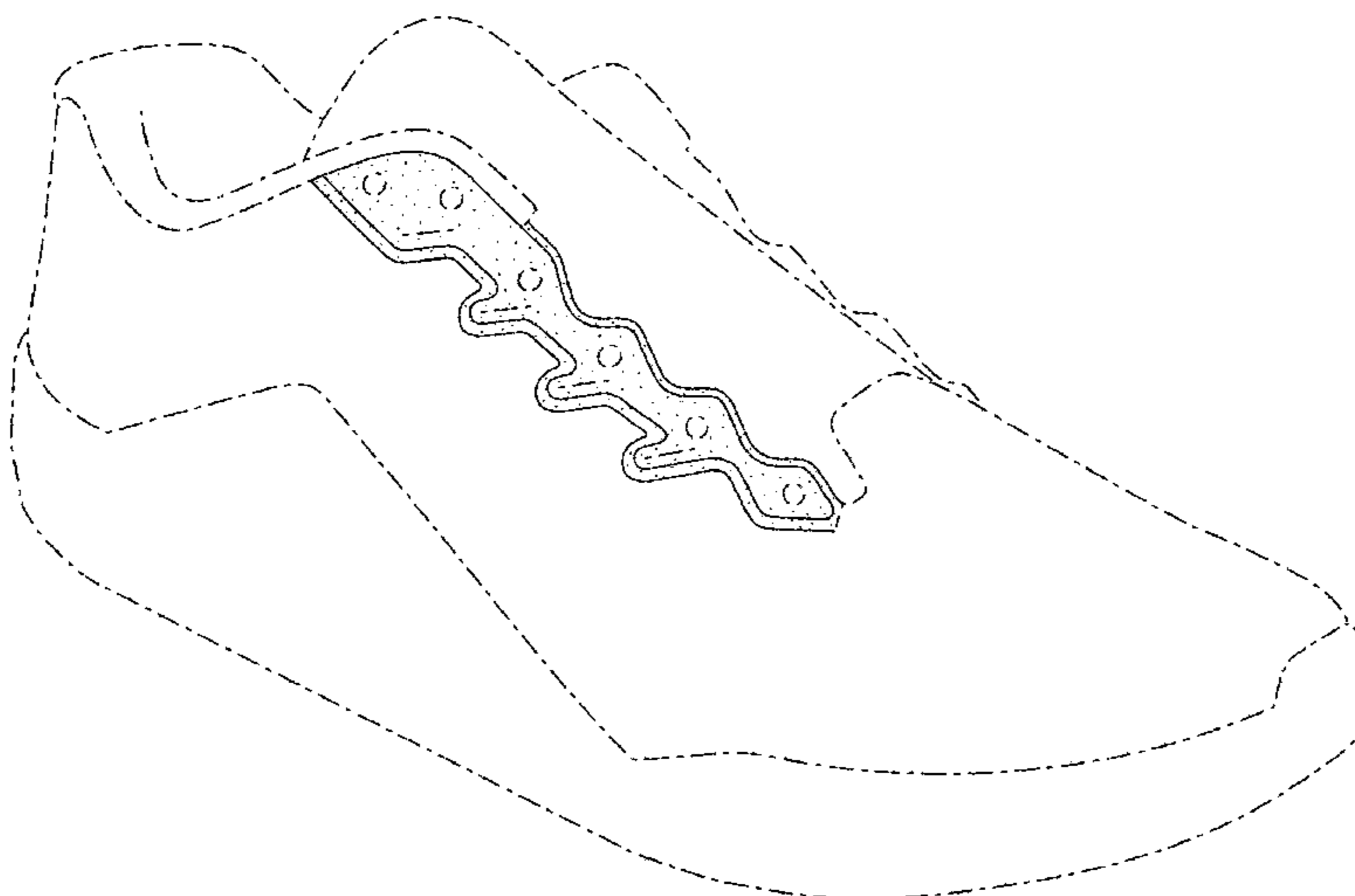
(57) **CLAIM**

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; and,
FIG. 3 is a rear perspective view thereof.
The broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The six unshaded broken line circles within the shaded area represent eyelets and form no part of the claimed design. The four straight broken lines within the shaded area represent slits that form no part of the claimed design. The broken lines depicting the remainder of the shoe show features that form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D300,385 S	3/1989	Backus	
D306,371 S	* 3/1990	Feller	D2/969
D316,927 S	5/1991	Quan et al.	
D318,563 S	7/1991	Lucas	
D319,142 S	8/1991	Quan et al.	
D319,721 S	9/1991	Clark	
D325,120 S	4/1992	Clark	
D348,561 S	7/1994	Lozano	
D348,765 S	* 7/1994	Lozano	D2/902
D385,395 S	10/1997	Morris	
D385,996 S	11/1997	Tresser	
D471,350 S	3/2003	Roulo	
D484,300 S	12/2003	Smith	
D498,583 S	11/2004	Yun	
D504,012 S	4/2005	Fullum	
D513,857 S	1/2006	Hlavacs	
D544,196 S	6/2007	Caine	
D544,699 S	6/2007	Link	
D624,291 S	9/2010	Henderson	
D650,573 S	12/2011	Smith	
D672,129 S	* 12/2012	Bell	D2/969
D682,527 S	5/2013	O'Shea	
D683,128 S	* 5/2013	Avar	D2/972
D683,947 S	6/2013	James	
D688,040 S	* 8/2013	Williams, Jr.	D2/973
D701,688 S	4/2014	Holmes et al.	
D703,935 S	5/2014	Seamarks	
D707,436 S	6/2014	Seamarks	
D707,947 S	7/2014	Seamarks	
D713,636 S	9/2014	Cin	
D718,033 S	11/2014	Cin	
D718,036 S	11/2014	McMillan	
D738,094 S	9/2015	Taylor	
D749,834 S	2/2016	Kuerbis	
D770,752 S	11/2016	McMillan	
D776,417 S	1/2017	Williams, Jr.	
D790,839 S	7/2017	Pauk	
D792,694 S	* 7/2017	Cin	D2/969
D795,558 S	8/2017	Rowe	
D799,806 S	10/2017	Atwell	
D799,807 S	10/2017	Sokol	
D801,668 S	* 11/2017	Kuerbis	D2/972
D802,289 S	11/2017	Hardman	
D802,291 S	* 11/2017	Petrenka	D2/974
D808,148 S	1/2018	Link et al.	
D808,632 S	1/2018	Link et al.	
D821,081 S	6/2018	Redon	
D824,155 S	7/2018	Maulid	
D827,285 S	* 9/2018	Kohatsu	D2/972
D828,001 S	* 9/2018	Sokol	D2/972
D829,432 S	10/2018	Sokol	
D832,570 S	* 11/2018	Durand	D2/973
D833,731 S	11/2018	Hernandez	
D837,502 S	1/2019	Maulid	
D837,503 S	1/2019	Taylor	
D842,600 S	3/2019	Catteau	
D844,965 S	4/2019	Lashmore et al.	

OTHER PUBLICATIONS

Nike Footwear Catalog, 1982 Footwear, p. 2, published Jan. 1982, NIKE, Inc., USA.
 Nike Footwear Catalog, 1983 Footwear, p. 9, published Jan. 1983, NIKE, Inc., USA.
 Nike Footwear Catalog, 1984 Footwear, p. 2, published Nov. 1983, NIKE, Inc., USA.
 Nike Footwear Catalog, 1984 Footwear, p. 62, published Nov. 1983, NIKE, Inc., USA.
 Nike Footwear Catalog, 1985 Footwear, p. 30, published Dec. 1984, NIKE, Inc., USA.
 Nike Footwear Catalog, 1987 Fall Footwear, p. 24, published Jan. 1987, NIKE, Inc., USA.
 Nike Footwear Catalog, 1989 Spring Footwear, p. 66, published Jun. 1988, NIKE, Inc., USA.

Nike Footwear Catalog, 1990 Spring Footwear, p. 4, published Jun. 1989, NIKE, Inc., USA.
 Nike Footwear Catalog, 1990 Fall Footwear, p. 88, published Dec. 1989, NIKE, Inc., USA.
 Nike Footwear Catalog, 1992 Spring Footwear, p. 70, published May 1991, NIKE, Inc., USA.
 Nike Footwear Catalog, 1993 Holiday Footwear, p. 8, published Mar. 1993, NIKE, Inc., USA.
 Nike Footwear Catalog, 1994 Late Spring Footwear, p. 14, published Sep. 1993, NIKE, Inc., USA.
 Nike Footwear Catalog, 1995 Fall Footwear, p. 15, published Nov. 1994, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Spring Footwear, p. 14, published Jun. 1995, NIKE, Inc., USA.
 Nike Footwear Catalog, 1996 Holiday Footwear, p. 116, published Mar. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Spring Footwear, p. 27, published Jun. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Spring Footwear, p. 131, published Jun. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1997 Late Spring Footwear, p. 18, published Sep. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Late Spring Footwear, p. M75, published Sep. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Holiday Jordan Footwear Catalog, p. 10, published Mar. 1999, NIKE, Inc., USA.
 Nike Footwear Catalog, 2002 Spring Footwear, p. 3, published Jun. 2001, NIKE, Inc., USA.
 Nike Footwear Catalog, 2003 Spring Footwear, p. 20, published Jun. 2002, NIKE, Inc., USA.
 Nike Footwear Catalog, 2007 Fall Footwear, p. 33, published Nov. 2006, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Spring Soccer Footwear, p. 20, published May 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Fall Footwear Sportswear Sports Inspired, p. 16, published Nov. 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2011 Spring Men's Tennis Footwear, p. Cover, published May 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Spring Womens Performance Footwear, p. 25, published May 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 6, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 45, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Fall City Specialty Pinnacle NA, p. 264, published Nov. 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2016 Fall Core Footwear Na, p. 29, published Nov. 2015, NIKE, Inc., USA.
 "Nike LunarMX+—Sport Red—Black—Anthracite"; Sneaker News; retrieved May 16, 2019; published Nov. 2, 2010; URL: (<https://sneakernews.com/2010/11/02/nike-lunarmx-sport-red-black-anthracite/>).
 "Release Date: Nike Metcon 2 Amp"; Kicks on Fire; retrieved Feb. 8, 2019; published Jul. 13, 2016; URL: (<https://www.kicksonfire.com/nike-metcon-2-amp-volt-blue-glow-release-date/>).
 "Nike Introduces Metcon 3, Now With Flyknit, For All Your Training Needs"; Sneaker News; retrieved Feb. 8, 2019; published Dec. 13, 2016; URL: (<https://sneakernews.com/2016/12/13/nike-metcon-3-flyknit-unveiled/>).
 "Take a Look At the All-New Nike Metcon Repper DSX"; Kicks on Fire; retrieved Feb. 8, 2019; published Feb. 26, 2017; URL: (<https://www.kicksonfire.com/take-a-look-at-the-all-new-nike-metcon-repper-dsx/>).
 "Nike Officially Introduces The Nike Metcon 4 + Release Date"; Kicks on Fire; retrieved Feb. 8, 2019; published Dec. 11, 2017; URL: (<https://www.kicksonfire.com/nike-metcon-4-officially-introduced/>).
 "First Look At Russell Westbrook's Jordan Fly Next Signature Shoe"; Sneaker Bar Detroit ; retrieved Feb. 11, 2019; published Dec. 27, 2017; URL: (<https://sneakerbardetroit.com/russell-westbrook-jordan-fly-next-signature-shoe/>).

(56)

References Cited

OTHER PUBLICATIONS

“NIKE Metcon 1”; Kicks on Fire; retrieved Feb. 8, 2019; Disclosure date unknown but prior to the filing date of the present application; URL: <<https://www.kicksonfire.com/app/nike-metcon-1>>.

“Nike Metcon 3 Shoes Review”; Garage Gym Built ; retrieved May 29, 2019; published May 6, 2019; URL: <<https://www.garagegymreviews.com/nike-metcon-3-shoes-review/>>.

Nike Footwear Catalog, 2019 Spring Sportswear, p. 253, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

* cited by examiner

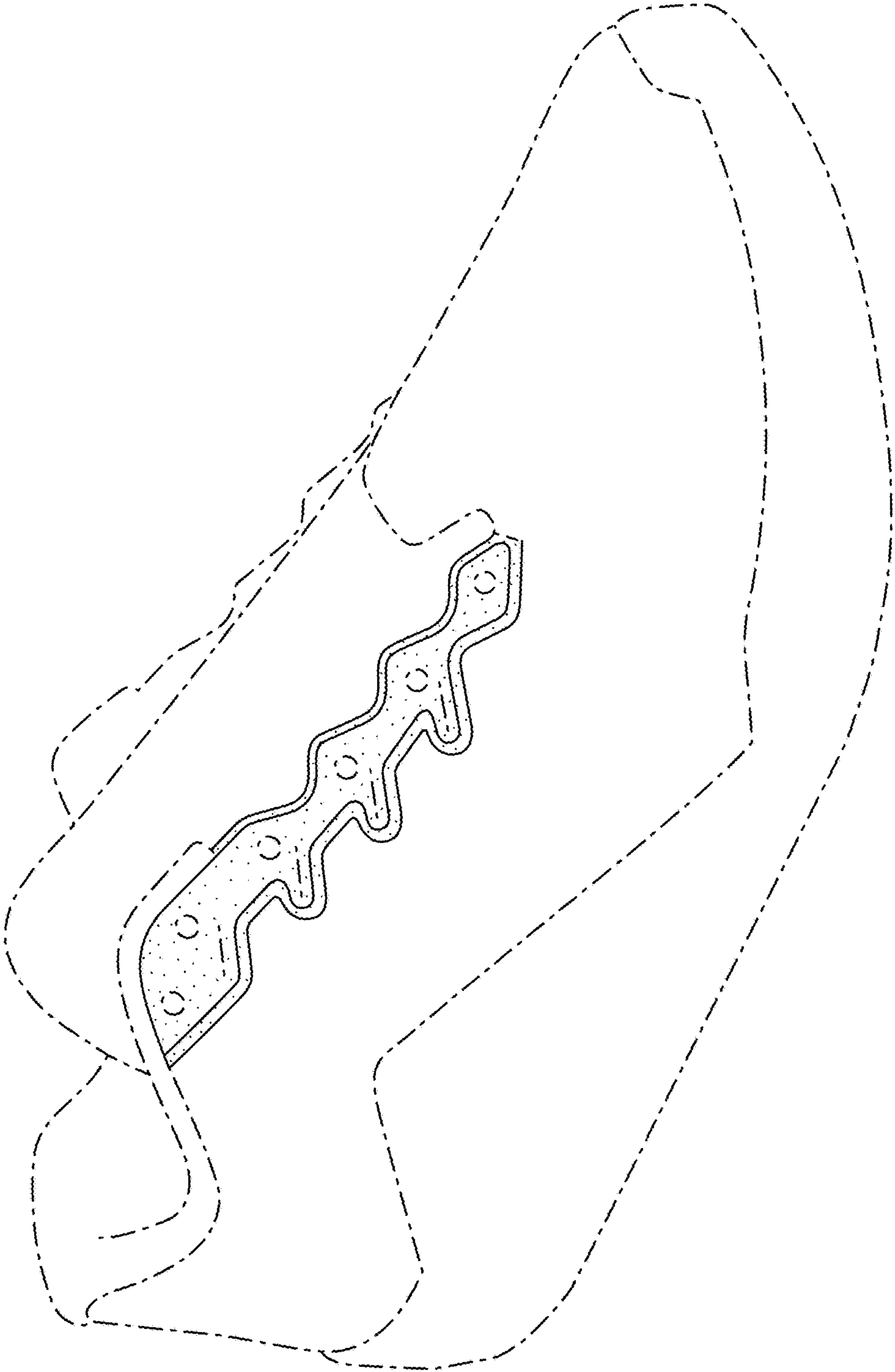


FIG. 1

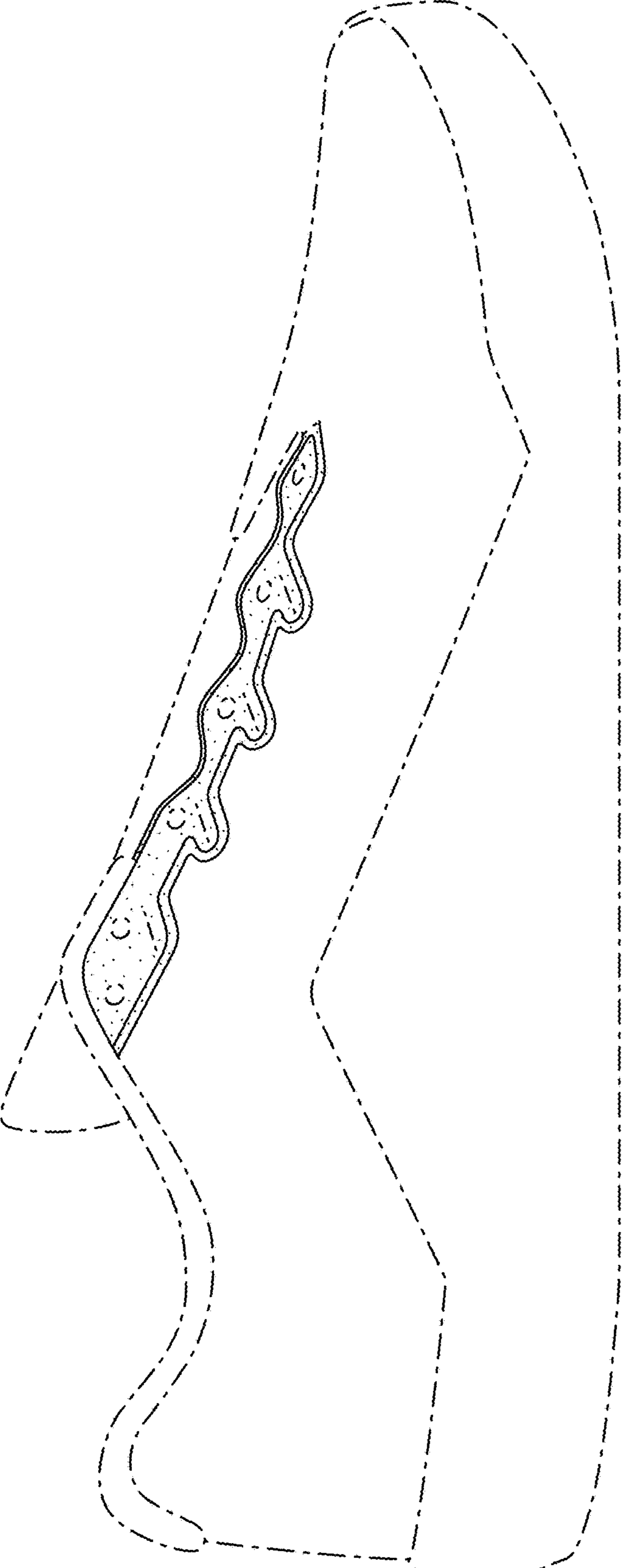


FIG. 2

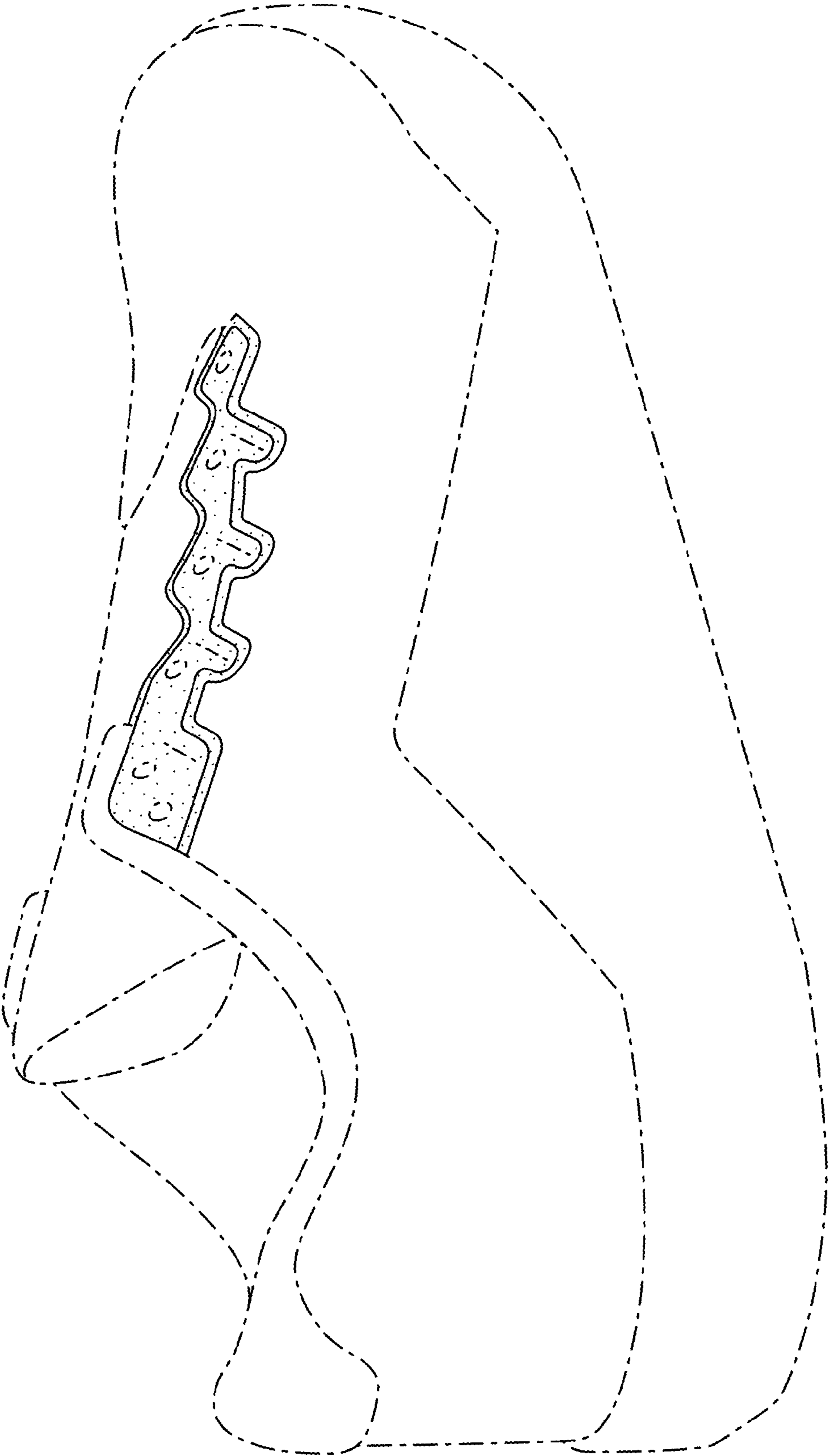


FIG. 3