



US00D866134S

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

(10) **Patent No.:** **US D866,134 S**

(45) **Date of Patent:** **** Nov. 12, 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.: **29/663,324**

(22) Filed: **Sep. 13, 2018**

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

(52) **U.S. Cl.**
USPC **D2/947; D2/953**

(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.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D262,158 S	12/1981	Bartneck	
D268,543 S	4/1983	Bretschneider	
D273,631 S	5/1984	Ueda	
D279,620 S	7/1985	Ueda	
D307,212 S *	4/1990	Aveni	D2/953
D319,720 S	9/1991	Selbiger	
D321,585 S	11/1991	Rogers	

D321,776 S	11/1991	Haffield	
D322,506 S	12/1991	Rogers	
D323,418 S *	1/1992	Hatfield	D2/977
D323,735 S *	2/1992	Aveni	D2/977
D325,289 S	4/1992	Aveni	
D325,464 S	4/1992	Smith	
D327,165 S *	6/1992	Hatfield	D2/953
D327,362 S	6/1992	Hatfield	
D329,528 S	9/1992	Hatfield	
D329,529 S	9/1992	Hatfield	
D329,739 S	9/1992	Hatfield	
D330,110 S	10/1992	Worthington	
D330,798 S *	11/1992	Hatfield	D2/977
D330,970 S	11/1992	Hatfield et al.	
D332,344 S	1/1993	Hatfield et al.	
D333,207 S	2/1993	Smith	
D333,551 S	3/1993	Bailey	

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 1997 Holiday Footwear, p. 163, published Mar. 1997, 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

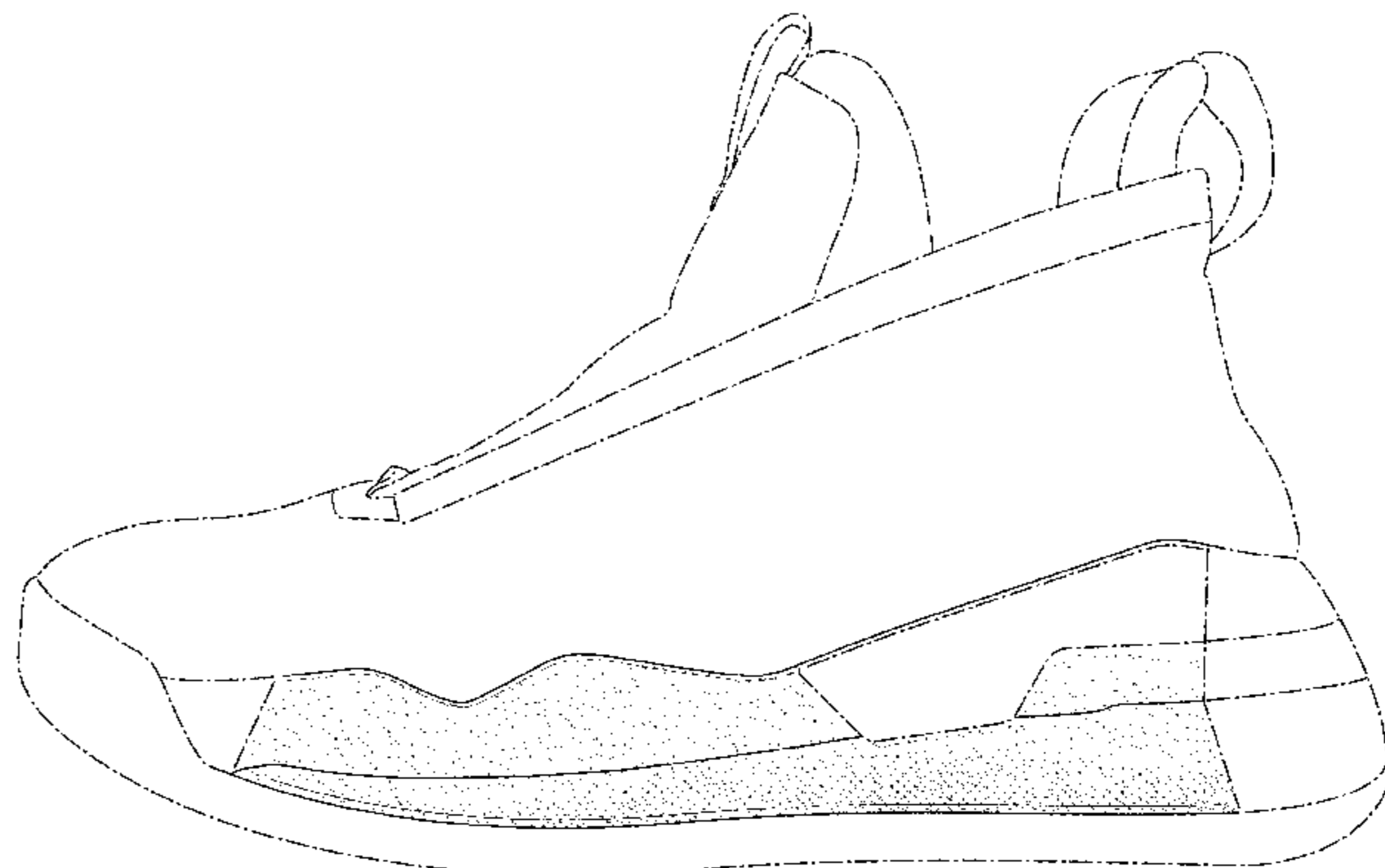
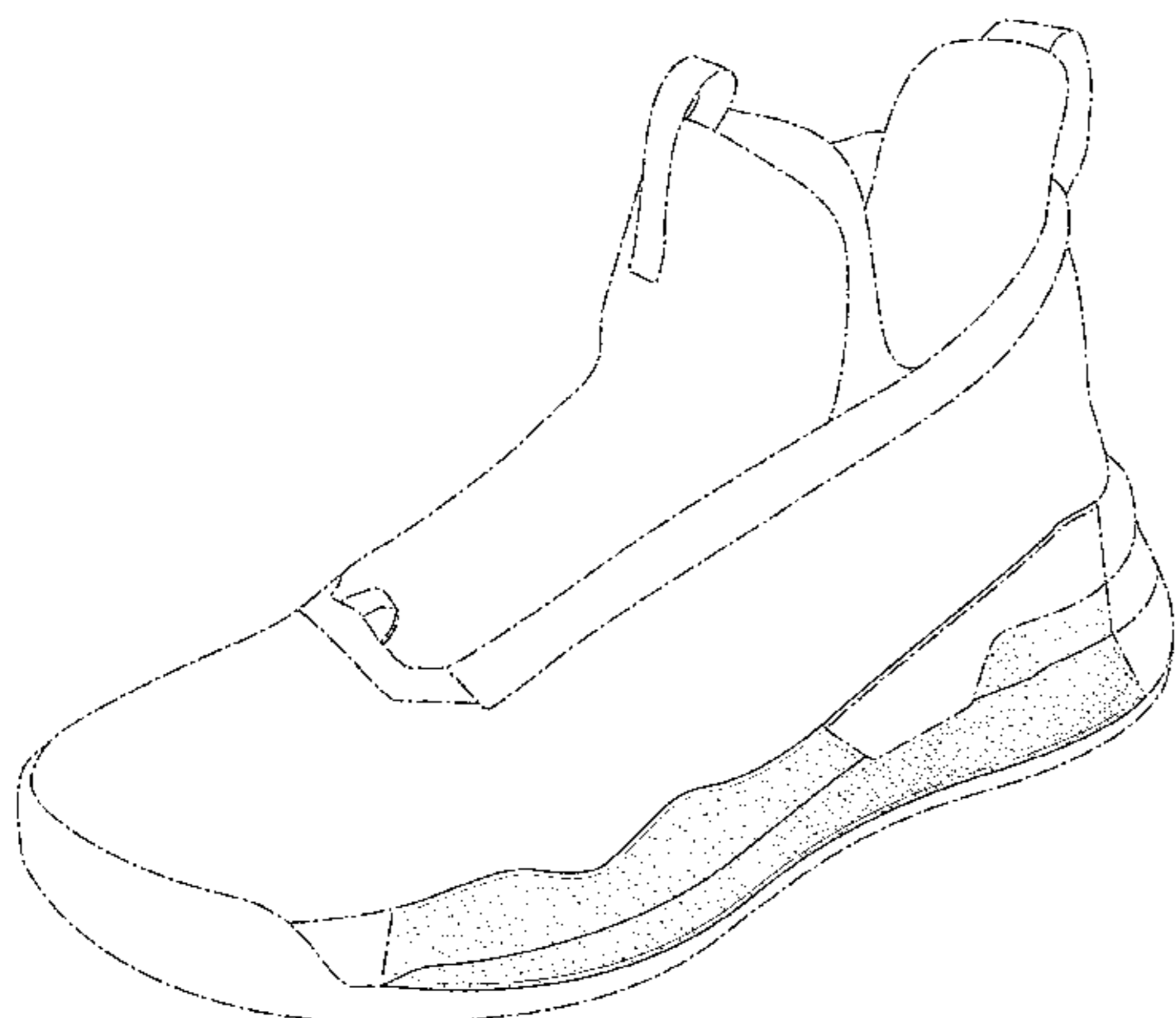
FIG. 1 is a front perspective view of a shoe showing my new design;

FIG. 2 is a side view thereof; 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 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

D333,720 S 3/1993 Hatfield
 D334,279 S * 3/1993 Teague D2/977
 D334,650 S 4/1993 Teague
 D334,729 S 4/1993 Treadway
 D335,015 S * 4/1993 Lozano D2/977
 D337,871 S 8/1993 Teague
 D338,326 S * 8/1993 Dolinsky D2/947
 D341,700 S * 11/1993 Avar D2/977
 D342,377 S * 12/1993 Smith D2/955
 D343,044 S 1/1994 Kilgore et al.
 D343,045 S 1/1994 Bailey
 D344,848 S 3/1994 Smith
 D347,318 S 5/1994 Avar
 D352,156 S * 11/1994 Purdom D2/953
 D386,897 S 12/1997 Teague
 D395,738 S 7/1998 Hatfield et al.
 D395,739 S 7/1998 Mervar
 D397,841 S * 9/1998 Munns D2/902
 D401,039 S 11/1998 Lupo
 D421,830 S 3/2000 Rohrbach et al.
 D424,284 S 5/2000 von Conta et al.
 D433,792 S * 11/2000 Cockrell D2/947
 D515,305 S * 2/2006 Andrews-Kramer D2/947
 D515,306 S * 2/2006 Andrews-Kramer D2/947
 D559,508 S 1/2008 Cintron
 D594,195 S * 6/2009 Nakano D2/951
 D648,514 S 11/2011 Avar
 D682,516 S 5/2013 Avar et al.
 D686,805 S * 7/2013 Day, Jr. D2/902
 D689,675 S 9/2013 Hardman
 D708,828 S 7/2014 Avar et al.
 D743,153 S 11/2015 Taylor
 D776,420 S 1/2017 Petrie
 D778,553 S 2/2017 DeAlmeida
 D783,246 S * 4/2017 Chang D2/947
 D789,051 S 6/2017 Kuerbis
 D790,173 S 6/2017 Raasch
 D794,290 S 8/2017 Nethongkome
 D794,294 S * 8/2017 Robusti D2/954
 D796,168 S 9/2017 Shyllon
 D796,169 S 9/2017 Winfield
 D796,803 S * 9/2017 Nethongkome D2/947
 D796,804 S 9/2017 Young
 D796,816 S 9/2017 Klein
 D799,800 S 10/2017 Engel
 D801,035 S 10/2017 Odinet
 D802,266 S 11/2017 Hardman
 D803,531 S * 11/2017 Petrie D2/947
 D809,757 S * 2/2018 Ford D2/947
 D812,872 S 3/2018 Palmer
 D813,506 S 3/2018 O'Connor
 D821,712 S 7/2018 Avar et al.
 D822,965 S 7/2018 DeAlmeida
 D823,579 S 7/2018 Sokol
 D825,158 S * 8/2018 Petrenka D2/947
 D828,985 S * 9/2018 Gibson A43B 3/00
 D829,423 S * 10/2018 Robusti D2/947
 D834,799 S * 12/2018 Rathburn D2/947
 D841,304 S * 2/2019 Dealmeida D2/972
 D844,952 S * 4/2019 Taylor D2/947
 D846,242 S * 4/2019 Durflinger D2/947
 D848,129 S * 5/2019 Hatfield D2/947

2009/0200763 A1* 8/2009 Adams A43B 5/1633
 280/11.19
 2010/0180474 A1* 7/2010 Clark A43B 3/00
 36/3 B
 2010/0186255 A1* 7/2010 Avar A43B 3/0036
 36/10
 2013/0291404 A1* 11/2013 Follows A43B 13/20
 36/105
 2019/0082781 A1* 3/2019 Iuchi A43B 5/06

OTHER PUBLICATIONS

Nike Footwear Catalog, 2013 Fall Womens Sportswear Footwear Best, p. 6, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 8, published Nov. 1, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2018 Summer Sportswear, p. 57, published at least as early as Jun. 14, 2018.
 Jordan Trainer Pro in "Gym Red" to Match This Year's Holiday Air Jordan 11 [online], retrieved Jan. 16, 2019, retrieved from Sneaker Bar Detroit [Internet] <<https://sneakerbardetroit.com/jordan-trainer-pro-gym-red-release-date/>>; 5 color sheets, Dated Sep. 18, 2017.
 The Jordan Trunner LX is Releasing in the Original "BULLS" Colorway [online], retrieved Jan. 16, 2019, retrieved from Sneaker News [Internet] <<https://sneakernews.com/2017/03/13/jordan-trunner-lx-original-bulls-black-red-white/>>; 5 color sheets, Dated Mar. 13, 2017.
 Direct Descendants: The 360 Air Max Era [online], retrieved Jan. 16, 2019, retrieved from Sneaker News [Internet] <<https://sneakemews.com/2014/03/27/direct-descendants-360-air-max-era/>>; 12 color sheets, Dated Mar. 17, 2014.
 Nike Designer Sean McDowell Says the Air Max Plus Was Inspired by Beaches and Whales [online], retrieved Jan. 16, 2019, retrieved from Sneaker News [Internet] <<https://sneakernews.com/2017/11/21/nike-air-max-plus-inspiration-sean-mcdowell/>>; 6 color sheets, Dated Nov. 21, 2017.
 Nike Footwear Catalog, 1997 Fall Footwear, p. 26, published Dec. 1996, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Spring Footwear, p. 32, published Jun. 1997, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Fall Mens Womens Kids Footwear 2, p. 124, published date unknown, but prior to the Filing date of the present application, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Fall Men's/Specialty and Women's/Kids' Footwear, p. M92, published Dec. 1997, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Fall Men's Specialty and Women's & Kids' Footwear, p. W48, published Dec. 1997, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Holiday Footwear, p. W92, published Feb. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Spring Footwear, p. M38, published Jun. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Late Spring Footwear, p. M46, published Sep. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 1999 Holiday Footwear, p. M41, published date unknown, but prior to the filed of the present application, NIKE, Inc., USA.
 Nike Footwear Catalog, 2002 Spring Footwear, p. 26, published Jun. 2001, NIKE, Inc., USA.
 Nike Footwear Catalog, 2007 Spring Footwear, p. 54, published Jun. 2006, NIKE, Inc., USA.

* cited by examiner

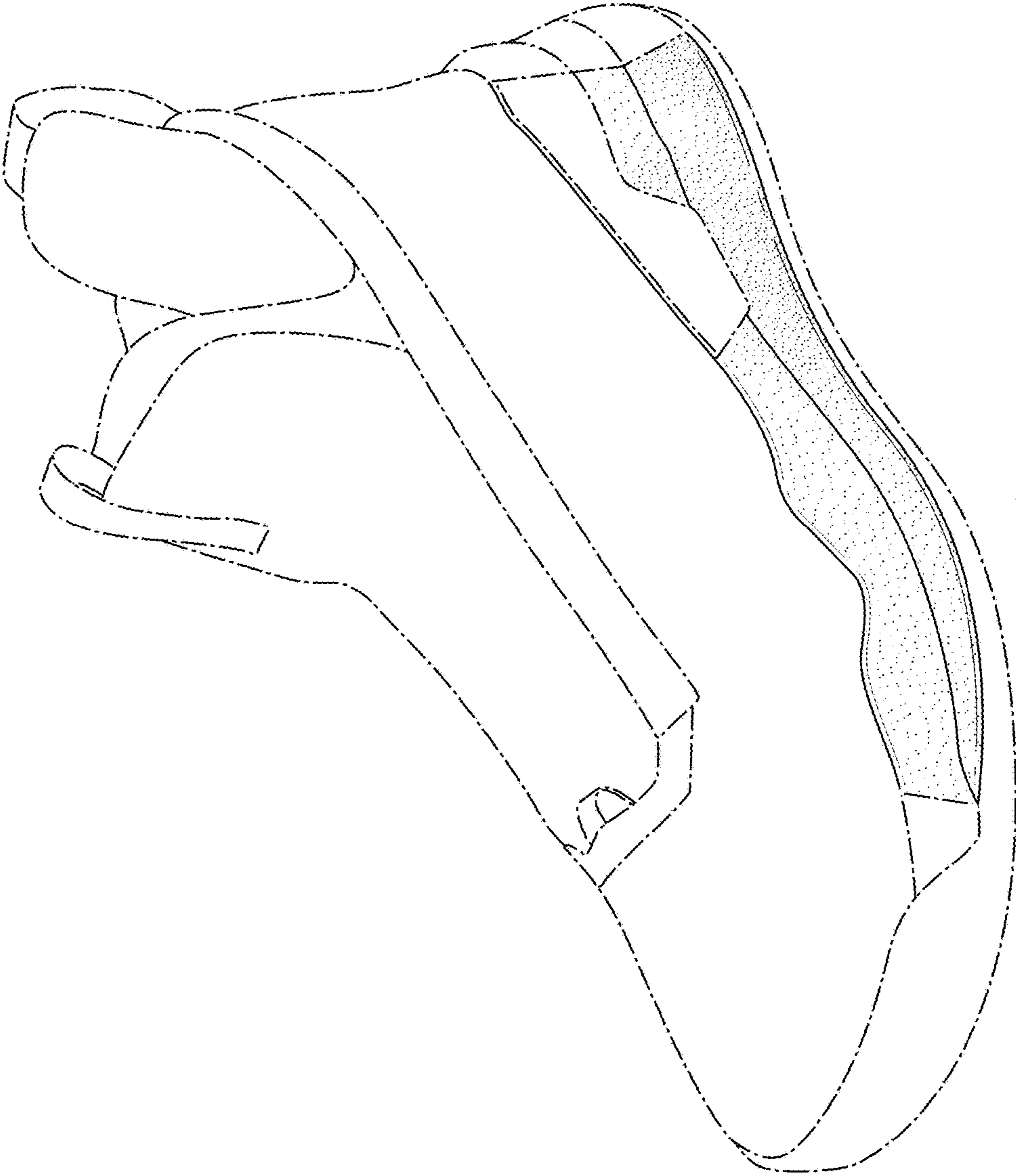


FIG. 1

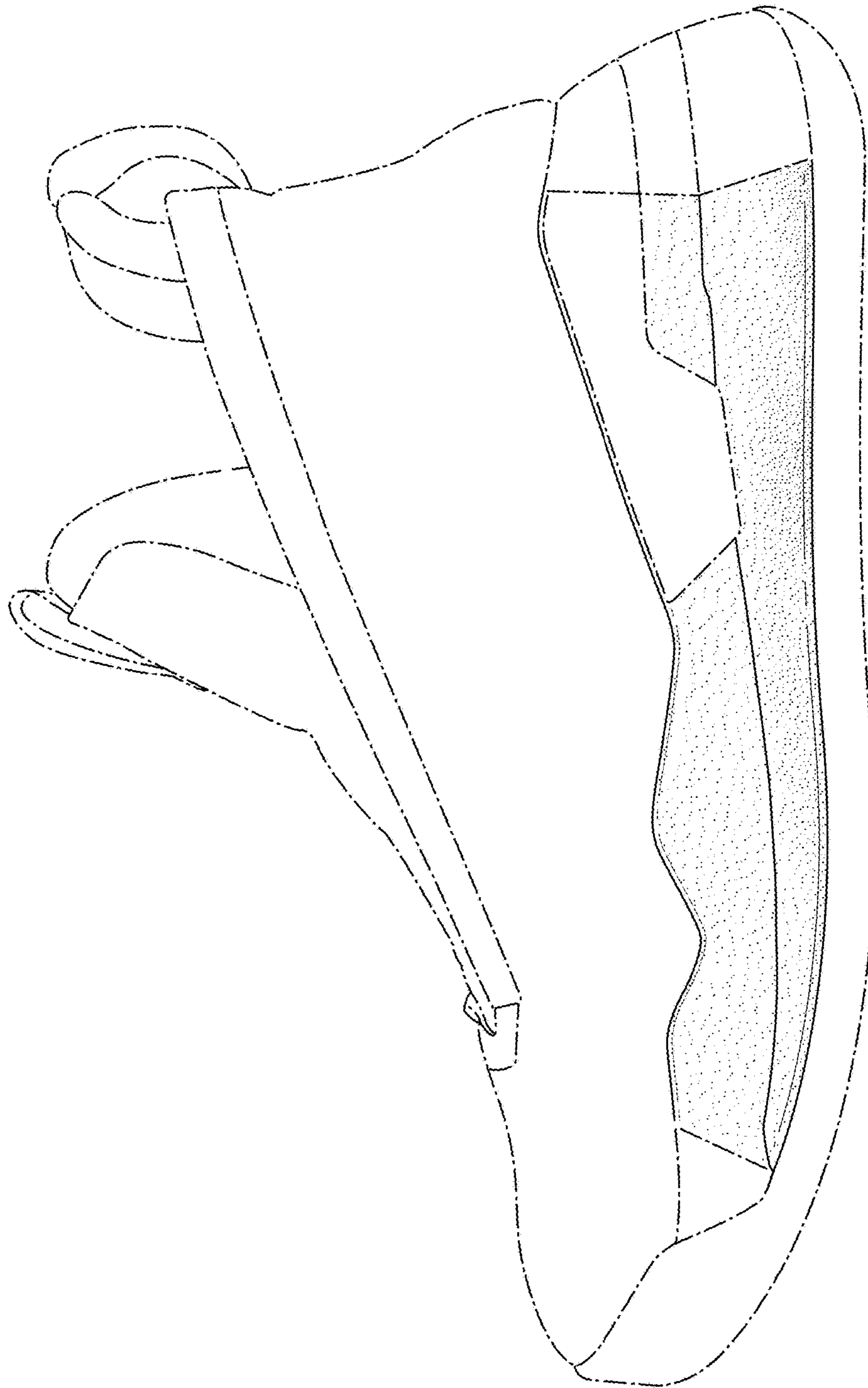


FIG. 2

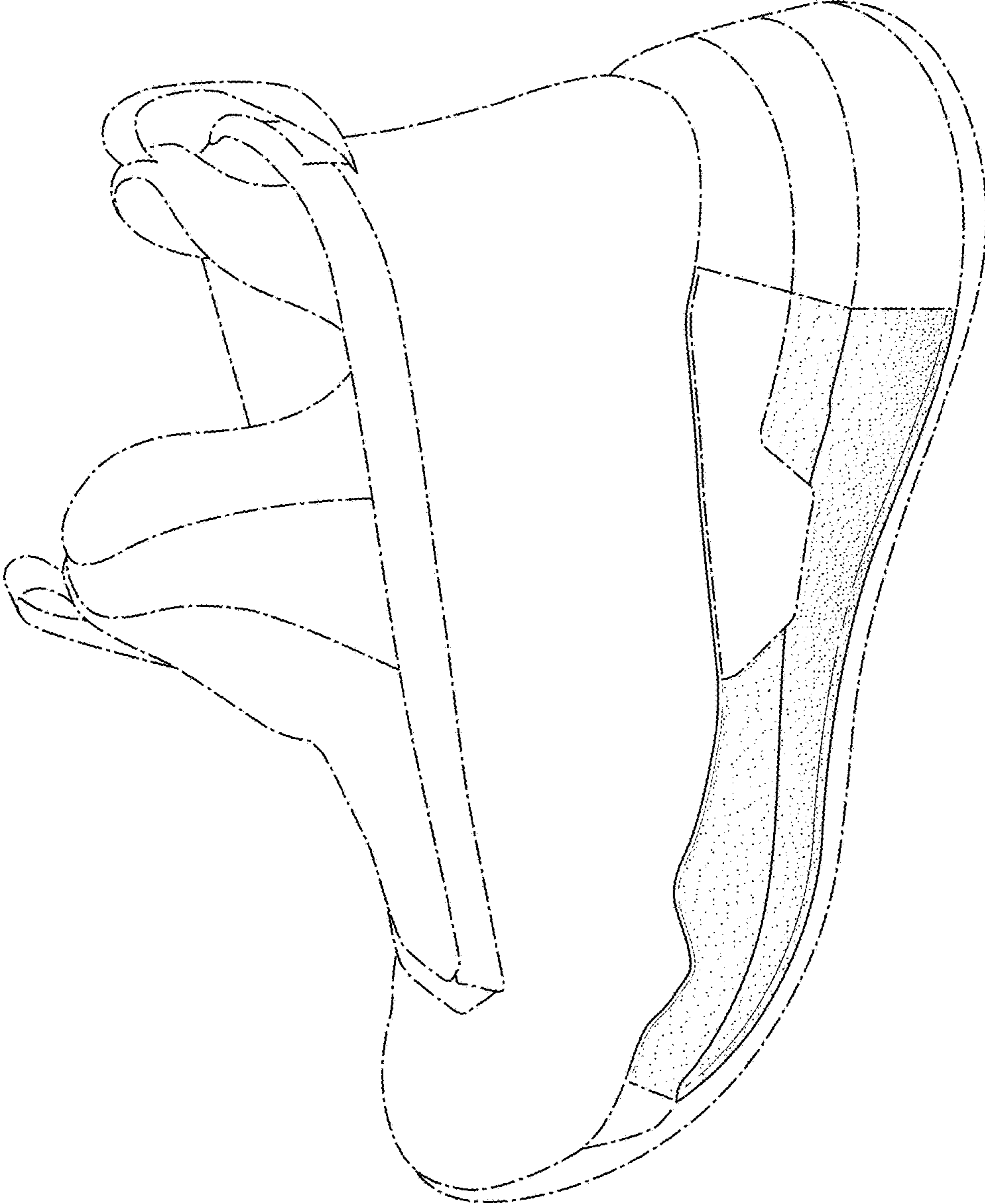


FIG. 3