



US00D867742S

(12) **United States Design Patent**
de Montgolfier

(10) **Patent No.:** **US D867,742 S**

(45) **Date of Patent:** **** Nov. 26, 2019**

- (54) **SHOE**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
- (72) Inventor: **Vianney de Montgolfier**, Portland, OR (US)
- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/681,995**
- (22) Filed: **Feb. 28, 2019**
- (51) **LOC (12) Cl.** **02-99**
- (52) **U.S. Cl.**
USPC **D2/972**
- (58) **Field of Classification Search**
USPC D2/896, 902, 904, 906-908, 946, 969,
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.

- D523,624 S * 6/2006 Kuerbis D2/972
- D528,276 S * 9/2006 Fullum D2/972
- D528,285 S * 9/2006 Hlavacs D2/972
- D528,764 S * 9/2006 Clancy D2/972
- D529,273 S * 10/2006 Lotti D2/972
- D535,463 S * 1/2007 Matis D2/969
- D537,616 S * 3/2007 Campbell
- D545,546 S * 7/2007 Schoenborn D2/969
- D546,544 S * 7/2007 DiTullo, Jr. D2/972
- D546,545 S * 7/2007 DiTullo, Jr. et al.
- D551,842 S * 10/2007 Kuerbis D2/972
- D551,843 S * 10/2007 Fullum D2/972
- D551,844 S * 10/2007 Hlavacs D2/972
- D574,590 S * 8/2008 Maejima D2/969
- D595,945 S * 7/2009 Mochen D2/969
- D636,592 S * 4/2011 Dekovic D2/972

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 1986 Spring Footwear, p. 3, published Jun. 1985, 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

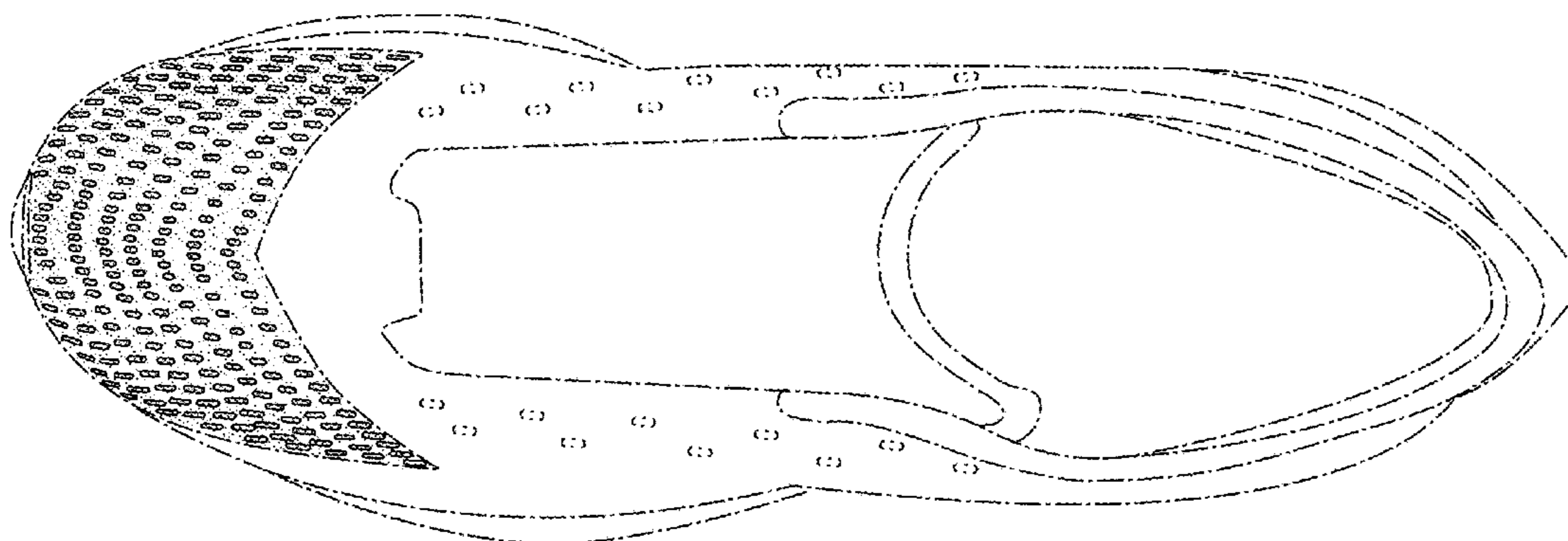
FIG. 1 is a front perspective view of a shoe showing my new design;
FIG. 2 is a side view thereof;
FIG. 3 is an opposite side view thereof; and,
FIG. 4 is a top view thereof.
The broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The broken lines depicting the remainder of the shoe show features that form no part of the claimed design.

1 Claim, 4 Drawing Sheets

(56) **References Cited**

U.S. PATENT DOCUMENTS

- D324,447 S * 3/1992 Purdom D2/970
- D383,295 S * 9/1997 Rask D2/972
- D413,718 S 9/1999 Lupo
- D429,412 S 8/2000 Tresser
- D429,413 S * 8/2000 Fogg D2/972
- D474,009 S * 5/2003 Lotti D2/972
- D487,610 S * 3/2004 Lin D2/907
- D499,243 S 12/2004 Avar
- D499,875 S 12/2004 Lozano
- D522,227 S * 6/2006 Young D2/972



(56)

References Cited

U.S. PATENT DOCUMENTS

D648,110 S 11/2011 Rasmussen
 D659,374 S 5/2012 Miner
 D667,625 S 9/2012 Shaffer
 D668,858 S 10/2012 Shaffer
 D675,424 S 2/2013 Williams, Jr.
 D683,113 S * 5/2013 Napurano A43C 13/04
 D2/969
 D684,761 S 6/2013 Williams, Jr.
 D687,625 S 8/2013 Aveni
 D694,506 S * 12/2013 Anceresi D2/972
 D696,850 S * 1/2014 Miner D2/972
 D696,851 S * 1/2014 Young D2/972
 D707,436 S 6/2014 Seamarks
 D707,947 S 7/2014 Seamarks
 D714,532 S * 10/2014 Miner D2/947
 D715,040 S 10/2014 Mermet
 D732,283 S * 6/2015 Bacon D2/969
 D735,463 S * 8/2015 Avar D2/972
 D738,090 S 9/2015 Avar
 D743,685 S * 11/2015 Payne D2/972
 D746,572 S 1/2016 Bell et al.
 D767,870 S * 10/2016 Avar D2/972
 D768,374 S * 10/2016 Roulo D2/972
 D775,806 S * 1/2017 Martin D2/972
 D775,811 S * 1/2017 Walden D2/972
 D776,417 S * 1/2017 Williams, Jr. D2/972
 D776,418 S * 1/2017 Martin D2/969
 D781,555 S 3/2017 Yun
 D783,257 S 4/2017 Small
 D783,260 S * 4/2017 Woodman D2/972
 D783,261 S * 4/2017 Woodman D2/972
 9,635,905 B2 * 5/2017 Dekovic A43B 23/0235
 D788,441 S * 6/2017 Taylor D2/972
 D789,069 S * 6/2017 Taylor D2/972
 D789,674 S * 6/2017 Williams, Jr. D2/972
 D789,675 S * 6/2017 Robusti D2/972
 D790,836 S 7/2017 Williams, Jr.
 D794,307 S * 8/2017 Winfield D2/972
 D796,825 S * 9/2017 Anceresi D2/972
 D796,826 S * 9/2017 Hardman D2/972
 D797,412 S 9/2017 Taestensen
 D798,571 S * 10/2017 Cochrane D2/972
 D799,187 S 10/2017 Miner
 D801,026 S 10/2017 VanHook
 D803,541 S 11/2017 Jury et al.
 D807,630 S * 1/2018 Robusti D2/972
 D816,978 S 5/2018 Small
 D816,979 S 5/2018 Lee
 D820,577 S 6/2018 Wright
 D827,280 S * 9/2018 Taylor D2/972
 D829,430 S * 10/2018 Petrenka D2/972
 D834,297 S * 11/2018 Robusti D2/972
 D834,797 S * 12/2018 Rathburn D2/947
 D834,798 S * 12/2018 Rathburn D2/947
 D834,799 S * 12/2018 Rathburn D2/947
 D838,094 S * 1/2019 Seamarks D2/972
 D838,961 S * 1/2019 Van Atta D2/972
 D838,965 S * 1/2019 Van Atta D2/972
 D840,666 S 2/2019 Small
 D841,973 S 3/2019 Small
 D847,480 S * 5/2019 Khalife D2/958
 D854,304 S * 7/2019 Comeaux D2/972
 2005/0268497 A1 * 12/2005 Alfaro A43B 1/0027
 36/136

OTHER PUBLICATIONS

Nike Footwear Catalog, 1987 Fall Footwear, p. 4, published Jan. 1987, NIKE, Inc., USA.
 Nike Footwear Catalog, 1987 Fall Footwear, p. 10, published Jan. 1987, NIKE, Inc., USA.
 Nike Footwear Catalog, 1988 Fall Footwear, p. 4, published Dec. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1990 Spring Footwear, p. 6, published Jun. 1989, NIKE, Inc., USA.
 Nike Footwear Catalog, 1998 Holiday Footwear, p. M20, published Feb. 1998, NIKE, Inc., USA.
 Nike Footwear Catalog, 2000 Fall Footwear Blue Cover, p. 15, published Nov. 1999, NIKE, Inc., USA.
 Nike Footwear Catalog, 2002 Spring Footwear, p. 39, published Jun. 2001, NIKE, Inc., USA.
 Nike Footwear Catalog, 2002 Fall Footwear, p. 30, published Nov. 2001, NIKE, Inc., USA.
 Nike Footwear Catalog, 2003 Fall Footwear, p. 9, published Nov. 2002, NIKE, Inc., USA.
 Nike Footwear Catalog, 2005 Spring Footwear, p. 11, published Jun. 2004, NIKE, Inc., USA.
 Nike Footwear Catalog, 2005 Spring Footwear, p. W11, published Jun. 2004, NIKE, Inc., USA.
 Nike Footwear Catalog, 2005 Fall Footwear, p. 127, published Nov. 2004, NIKE, Inc., USA.
 Nike Footwear Catalog, 2006 Fall Footwear, p. 138, published Nov. 2005, NIKE, Inc., USA.
 Nike Footwear Catalog, 2007 Spring Footwear, p. 23, published Jun. 2006, NIKE, Inc., USA.
 Nike Footwear Catalog, 2007 Fall Footwear, p. 145, published Nov. 2006, NIKE, Inc., USA.
 Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 7, published May 2008, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 11, published May 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Fall Indie Sportswear Footwear, p. 5, published Nov. 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Fall: Performance Footwear, p. 3, published Nov. 2009, NIKE, Inc., USA.
 Nike Footwear Catalog, 2011 Spring Men's and Women's Performance Footwear, p. 35, published May 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2011 Fall Core Reax Footwear, p. 3, published Nov. 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2011 Fall: Men's Performance Footwear, p. 6, published Nov. 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2012 Spring Men's Performance Footwear, p. 42, published May 2011, NIKE, Inc., USA.
 Nike Footwear Catalog, 2012 Spring Women's Performance Footwear, p. 25, published May 2011, NIKE, Inc., USA.
 Nike Footwear Catalog, 2012 Fall Core Footwear, p. 8, published Nov. 2011, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Spring Womens Performance Footwear, p. 22, published May 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Fall Action Sports Footwear, p. 40, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Fall Action Sports Footwear, p. 47, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 47, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Fall Mens Sportswear Footwear Best, p. 26, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2013 Fall Womens Performance Footwear, p. 8, published Nov. 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Spring Men's Nike Sportswear Footwear Best, p. 8, published May 17, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Spring Women's Footwear Performance, p. 28, published May 22, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 17, published Nov. 1, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 7, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 46, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 72, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Men's Performance Footwear, p. 104, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Fall Boutique NA, p. 18, published Nov. 2014, NIKE, Inc., USA.

(56)

References Cited

OTHER PUBLICATIONS

Nike Footwear Catalog, 2015 Fall City Specialty Pinnacle NA, p. 203, published Nov. 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring Core Footwear NA, p. 39, published May 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring Dept Store Footwear Best NA, p. 74, published May 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Fall City Specialty Footwear Better NA, p. 30, published Nov. 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2018 Summer Running, p. 58, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 1987 Fall Footwear, p. 30, published Jan. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1987 Fall Footwear, p. 36, published Jan. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1987 Fall Footwear, p. 44, published Jan. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1994 Spring Footwear, p. 14, published Jun. 1993, NIKE, Inc., USA.

Nike Footwear Catalog, 1997 Fall Footwear, p. 56, published Dec. 1996, NIKE, Inc., USA.

Nike Footwear Catalog, 1998 Late Spring Footwear, p. 220, published Sep. 1997, NIKE, Inc., USA.

Nike Footwear Catalog, 1998 Fall Men's/Specialty and Women's/Kids' Footwear, p. M20, published Dec. 1997, NIKE, Inc., USA.

Nike Footwear Catalog, 2005 Fall Footwear, p. 16, published Nov. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, 2007 Spring Footwear, p. 25, published Jun. 2006, NIKE, Inc., USA.

Nike Footwear Catalog, 2008 Spring Footwear, p. 14, published May 2007, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 37, published May 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 45, published May 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 137, published May 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Fall Core Footwear, p. 28, published Nov. 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2009 Fall Sport Performance Footwear, p. 142, published Nov. 2008, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men's Performance Footwear, p. 45, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Fall Core Footwear, p. 64, published Nov. 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Fall Mens Sportswear Footwear Best, p. 17, published Nov. 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Spring Mens Sportswear Footwear Best, p. 22, published May 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Spring Womens Performance Footwear, p. 6, published May 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 10, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Womens Performance Footwear, p. 48, published Nov. 2012, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring Men's Nike Sportswear Footwear Best, p. 7, published May 17, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Spring Women's Nike Sportswear Footwear Best, p. 22, published May 17, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Core Performance Footwear Final Low, p. 5, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2014 Fall Men's and Women's Good Footwear, p. 27, published Nov. 1, 2013, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall Boutique NA, p. 265, published Nov. 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2015 Fall Boutique NA, p. 313, published Nov. 2014, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring Allocated Styles Footwear Apparel NA, p. 12, published May 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring Allocated Styles Footwear Apparel NA, p. 50, published May 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring Dept Store Footwear Best NA, p. 66, published May 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Spring General Footwear NA, p. 66, published May 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2016 Fall Boutique Footwear NA, p. 98, published Nov. 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2018 Summer Running, p. 52, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

The Nike Zoom Vaporfly 4% Is Releasing In Bright Crimson [online], [retrieved May 20, 2019] retrieved from Internet <URL: <https://sneakernews.com/2017/09/26/nike-zoom-vaporfly-4-bright-crimson-release-info/>>; 6 color sheets, Dated Sep. 26, 2017.

The Nike Future Racer Will Be Making Its Debut In 2018 [online], [retrieved May 20, 2019] retrieved from Internet <URL: <https://www.kicksonfire.com/nike-future-racer/>>; 2 color sheets, Dated Jan. 9, 2018.

The Nike Zoom Pegasus 35 Turbo Is Dropping In Blue Hero [online], [retrieved May 20, 2019] retrieved from Internet <URL: <https://sneakernews.com/2018/08/08/nike-zoom-pegasus-35-turbo-white-blue-hero-aj4114-140/>>; 8 'color sheets, Dated Aug. 8, 2018.

"Nike Created A New Cushioning Exclusively For Kids"; Sneaker News; retrieved May 20, 2019; published Jun. 29, 2018; URL: <<https://sneakernews.com/2018/06/29/nike-kids-future-flight-future-speed-release-date/>>.

* cited by examiner

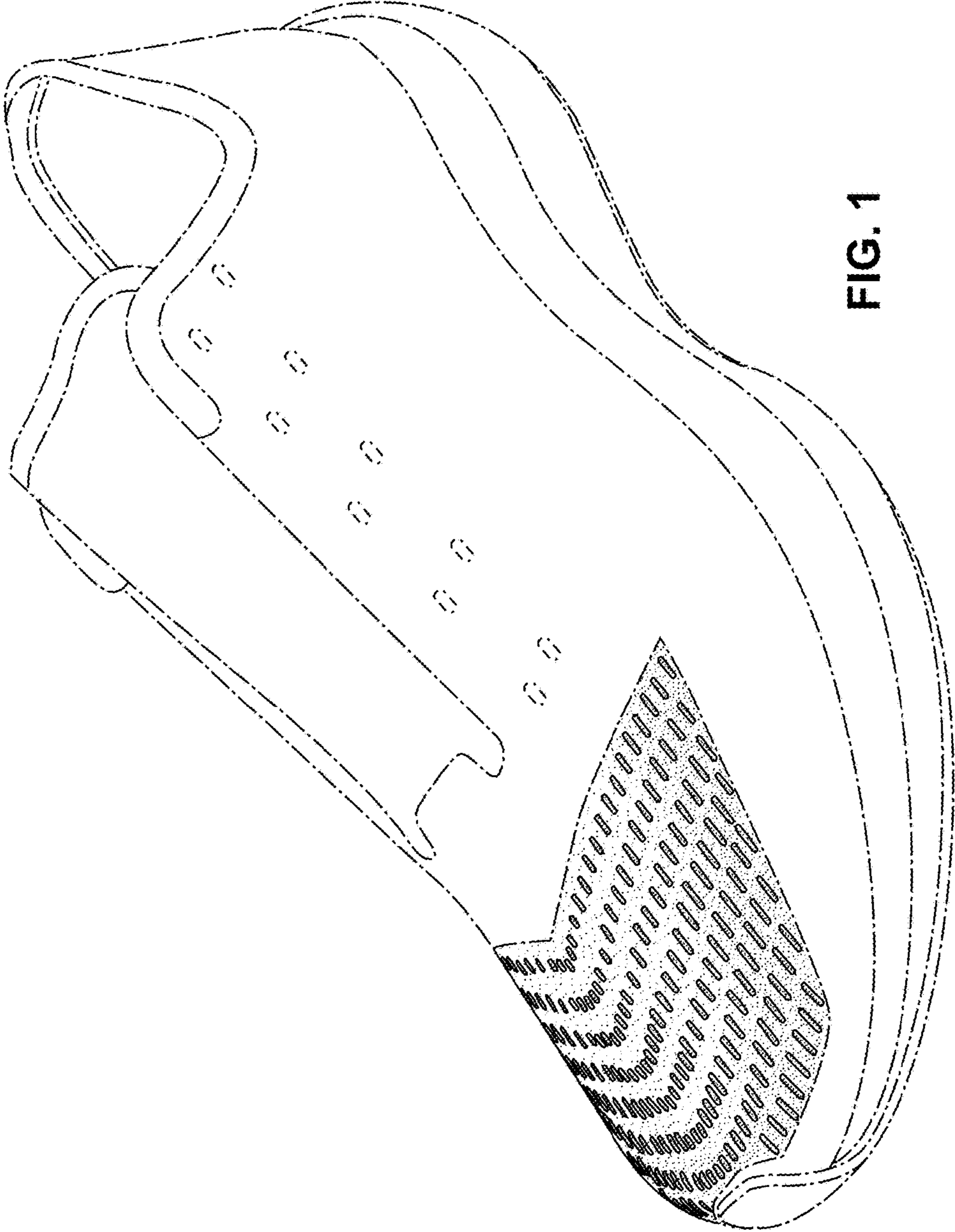


FIG. 1

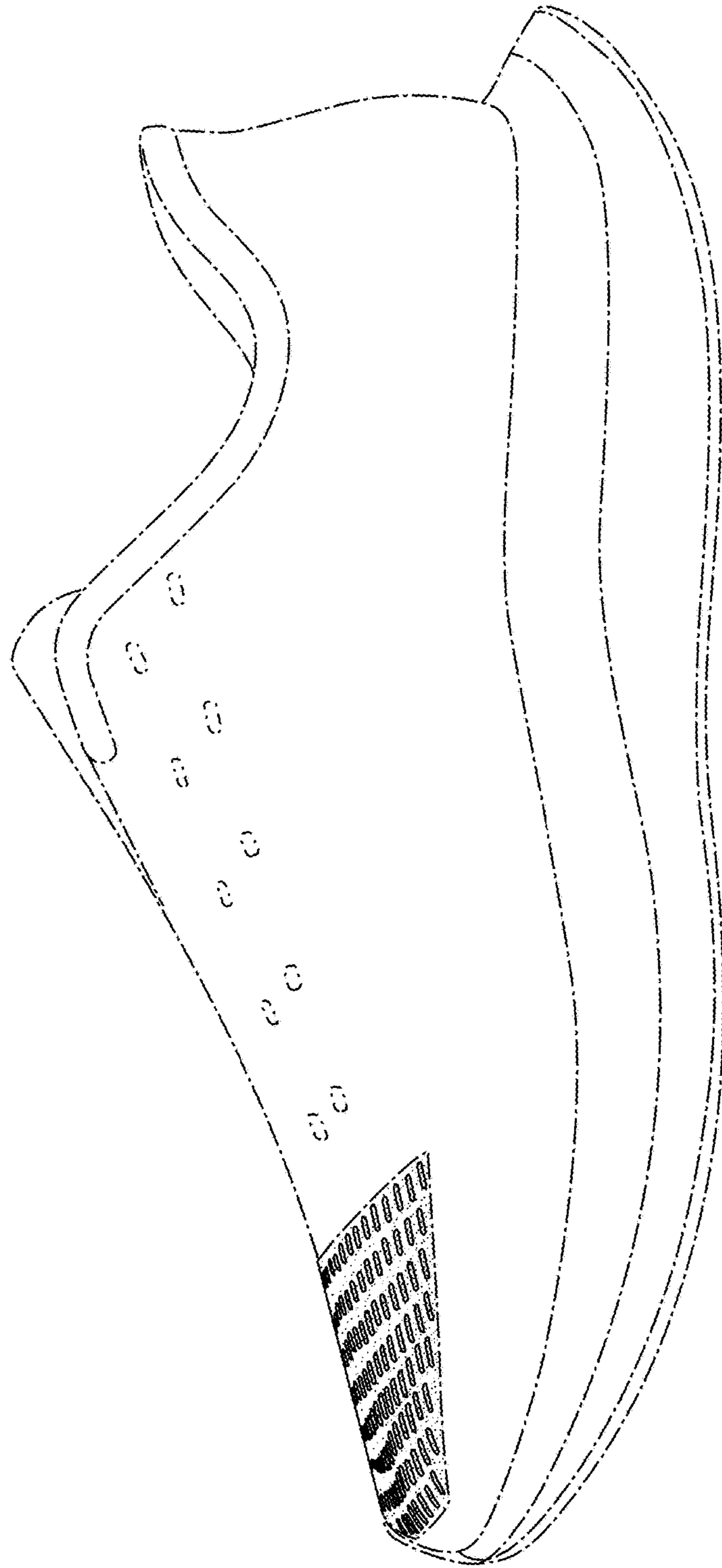


FIG. 2

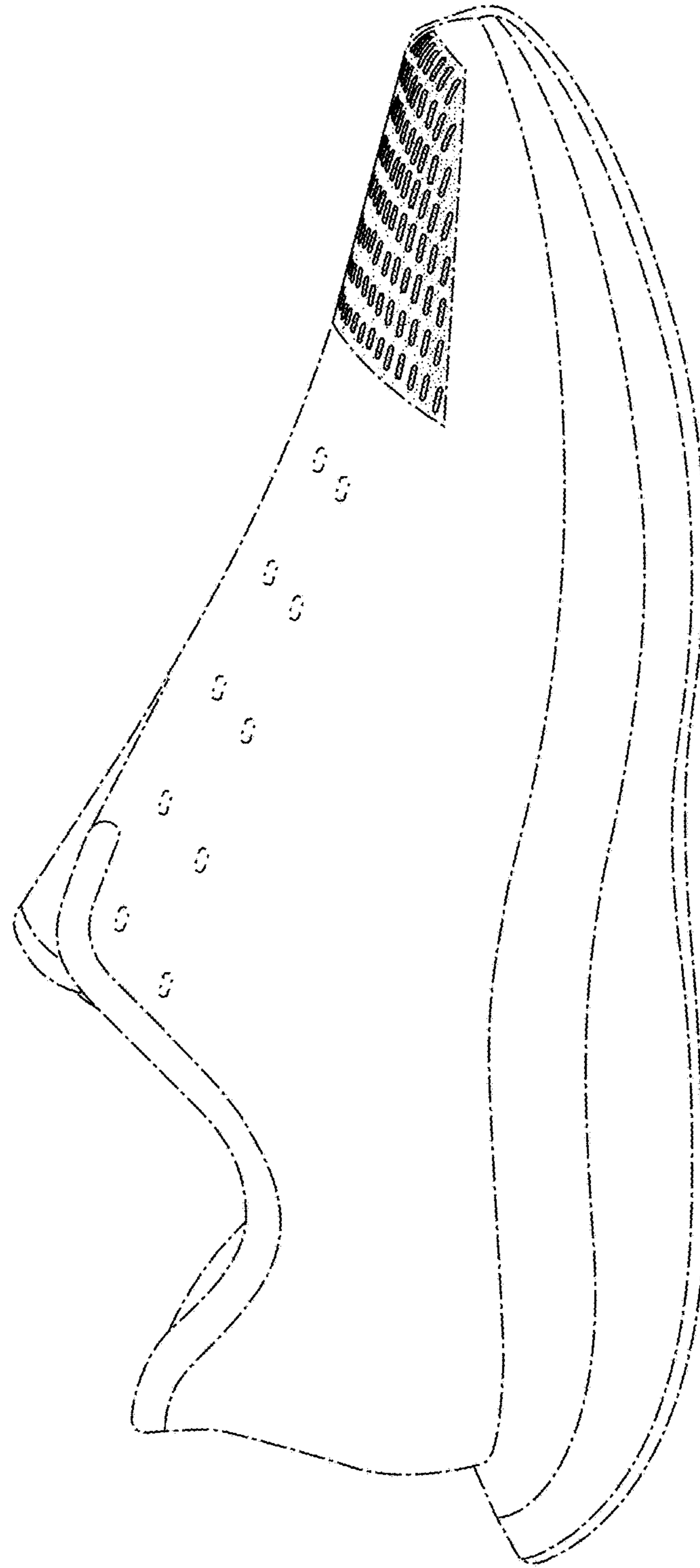


FIG. 3

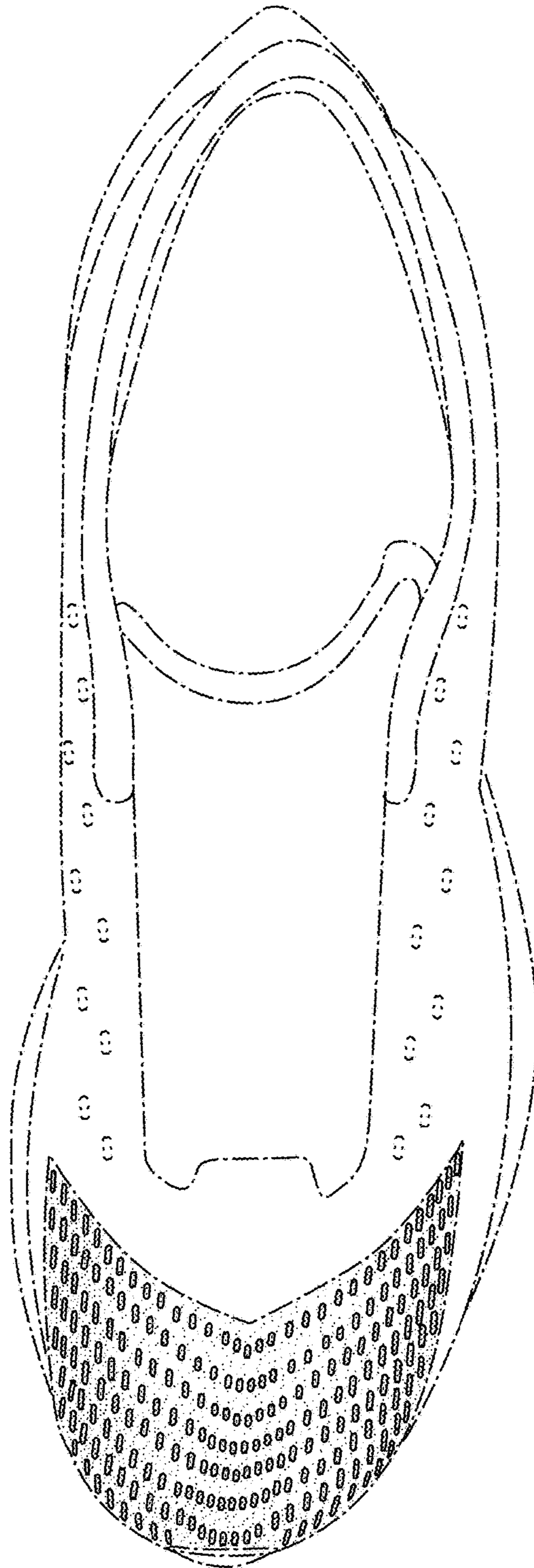


FIG. 4