



US00D889790S

(12) **United States Design Patent**
O'Connor

(10) **Patent No.:** **US D889,790 S**

(45) **Date of Patent:** **** Jul. 14, 2020**

(54) **SHOE**

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

(21) Appl. No.: **29/701,096**

(22) Filed: **Aug. 8, 2019**

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

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

D295,458 S	5/1988	Selbiger
D354,163 S	1/1995	Hatfield
D362,333 S	9/1995	Teague
D365,200 S	12/1995	Teague
D368,578 S	4/1996	Smith
D384,803 S	10/1997	Avar
D386,589 S	11/1997	Cass

D386,590 S	11/1997	Cass
D413,196 S	8/1999	Hatfield
D482,858 S	12/2003	Hillyer
D524,018 S	7/2006	Deas
D619,793 S	7/2010	Raysse
D636,566 S	4/2011	Frantz
D643,603 S	8/2011	Teteriatnikov
D666,795 S	9/2012	Shaffer
D672,123 S	12/2012	Williams, Jr.
D672,129 S	12/2012	Bell et al.
D678,668 S	3/2013	Parrett et al.
D680,308 S	4/2013	Hardman
D690,088 S	9/2013	Hardman
D694,499 S	12/2013	Williams, Jr.
D694,999 S	12/2013	Feldman
D702,424 S	4/2014	Miner

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 2017 Spring Territory Sporting Goods Footwear Best NA, p. 77, published May 2016, NIKE, Inc., USA.

(Continued)

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(57) **CLAIM**

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

DESCRIPTION

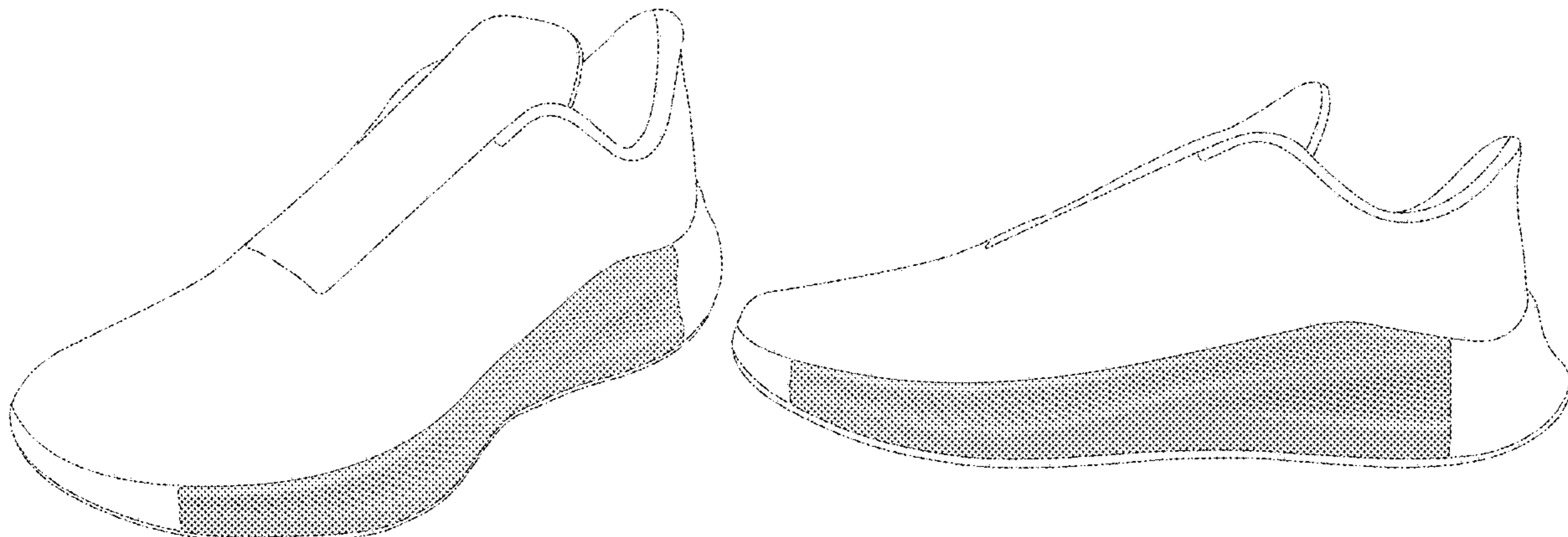
FIG. 1 is a front perspective view of a shoe showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The broken line immediately adjacent to the front, rear, and bottom edge of the photographic area defines 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

D710,579 S 8/2014 Williams, Jr.
 D711,081 S 8/2014 Miner
 D714,035 S 9/2014 O'Connor
 D717,029 S 11/2014 Young
 D721,474 S 1/2015 Miner
 D723,772 S 3/2015 Miner
 D723,778 S 3/2015 Miner
 D723,782 S 3/2015 Miner
 D723,783 S 3/2015 Miner
 D725,356 S 3/2015 Miner
 D725,359 S 3/2015 Miner
 D741,583 S 10/2015 Miner
 D765,366 S 9/2016 Fogg
 D768,368 S 10/2016 Birkinhead et al.
 D768,968 S 10/2016 Howe et al.
 D779,801 S 2/2017 Gavrieli et al.
 D784,667 S 4/2017 Wright
 D784,668 S 4/2017 Pauk
 D788,416 S 6/2017 Chang
 D792,685 S 7/2017 Parrett
 D792,686 S 7/2017 Small
 D793,688 S 8/2017 Avar et al.
 D794,293 S 8/2017 Robusti
 D794,294 S 8/2017 Robusti
 D795,541 S 8/2017 Henrichot et al.
 D796,169 S 9/2017 Winfield
 D796,803 S 9/2017 Nethongkome
 D796,812 S 9/2017 Odinet
 D796,816 S 9/2017 Klein
 D798,551 S 10/2017 Shyllon
 D798,556 S 10/2017 Sullivan
 D798,558 S 10/2017 Pauk
 D798,559 S 10/2017 Pauk
 D799,801 S 10/2017 Da Costa Pereira Machado
 D801,650 S 11/2017 Nykreim
 D810,408 S 2/2018 Hernandez
 D810,409 S 2/2018 Hernandez
 D812,872 S 3/2018 Palmer
 D814,154 S 4/2018 Gibson
 D814,155 S 4/2018 Hernandez
 D814,753 S 4/2018 Gibson
 D816,956 S 5/2018 Sokol
 D816,957 S 5/2018 Lee
 D819,311 S 6/2018 Jury et al.
 D821,070 S 6/2018 Brunner
 D821,714 S 7/2018 Chang
 D823,580 S 7/2018 Pauk
 D829,420 S 10/2018 McWee
 D829,421 S 10/2018 Pope
 D829,422 S 10/2018 Rathburn
 D829,423 S 10/2018 Robusti
 D834,291 S 11/2018 Chang
 D834,292 S 11/2018 Hernandez
 D834,796 S 12/2018 Pope
 D834,797 S 12/2018 Rathburn
 D834,798 S 12/2018 Rathburn
 D834,799 S 12/2018 Rathburn
 D834,800 S 12/2018 Raysse
 D836,891 S 1/2019 Benzien
 D838,094 S * 1/2019 Seamarks D2/972
 D839,565 S 2/2019 Petrie
 D841,304 S 2/2019 DeAlmeida
 D841,949 S 3/2019 Ciccone
 D843,699 S 3/2019 Cin et al.
 D844,952 S 4/2019 Taylor
 D844,954 S 4/2019 Sokol
 D844,955 S 4/2019 Cooper
 D846,242 S 4/2019 Durflinger
 D848,126 S 5/2019 Rhu et al.
 D848,129 S 5/2019 Hatfield et al.
 D853,700 S * 7/2019 Kuerbis D2/947
 D854,285 S 7/2019 Chang
 D857,358 S 8/2019 Greenhalgh et al.
 D862,053 S 10/2019 de Montgolfier
 D867,733 S 11/2019 Kanata

D869,132 S 12/2019 de Montgolfier
 D869,831 S 12/2019 Hernandez
 D870,429 S 12/2019 Becker
 D871,729 S 1/2020 Taylor
 D876,067 S * 2/2020 Shyllon D2/960
 D881,535 S * 4/2020 Tæstensen D2/947
 D881,536 S * 4/2020 Pope D2/947
 2011/0179678 A1 7/2011 Shiao

OTHER PUBLICATIONS

Nike Footwear Catalog, 2017 Spring Boutique Footwear NA, p. 86, published May 2016, NIKE, Inc., USA.
 Nike Footwear Catalog, 2017 Spring General Footwear Footwear NA, p. 5, published May 2016, NIKE, Inc., USA.
 Nike Footwear Catalog, 2017 Spring General Footwear Footwear NA, p. 25, published May 2016, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring NIKE Running Specialty, p. 85, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Men's and Women's Footwear Good, p. 36, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2011 Spring Women's Running Footwear, p. 3, published May 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2017 Spring General Footwear Footwear NA, p. 29, published May 2016, NIKE, Inc., USA.
 Nike Footwear Catalog, 2017 Spring General Footwear Footwear NA, p. 32, published May 2016, NIKE, Inc., USA.
 Nike Footwear Catalog, 2017 Spring General Footwear Footwear NA, p. 37, published May 2016, NIKE, Inc., USA.
 Nike Footwear Catalog, 2019 Spring Running, p. 107, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.
 Nike Footwear Catalog, 2016 Fall Sporting Goods Footwear Best NA, p. 15, published Nov. 2015, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Spring Core Footwear, p. 51, published May 28, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 45, published May 2010, NIKE, Inc., USA.
 Nike Footwear Catalog, 2018 Holiday Sportswear, p. 236, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.
 First Look at New Colorways of the Nike Vapor Street Flyknit [online], retrieved Mar. 18, 2019. Retrieved from Sole Collector [Internet] <<<https://solecollector.com/news/2018/02/nike-vapor-street-flyknit-khaki-aq1763-200-olive-aq1763-201-images>>>; 12 color sheets, Dated Feb. 23, 2018.
 Nike Releasing Another Zoom Vaporfly Elite [online], retrieved Mar. 18, 2019. Retrieved from Sneaker Bar Detroit [Internet] <<<https://sneakerbardetroit.com/nike-zoom-vaporfly-elite-grey-blue-black-release-date/>>>; 4 color sheets, Dated Jan. 5, 2018.
 The Nike Zoom Vaporfly 4% is Releasing in Bright Crimson [online], retrieved Mar. 18, 2019. Retrieved from Sneaker News [Internet] <<<https://sneakernews.com/2017/09/26/nike-zoom-vaporfly-4-bright-crimson-release-info/>>>; 7 color sheets, Dated Sep. 26, 2017.
 The Nike Future Racer Will Be Making Its Debut in 2018 [online], retrieved from Kicks on Fire [Internet] <<<https://www.kicksonfire.com/nike-future-racer/>>>; 2 color sheets, Dated Jan. 9, 2018.
 Nike Zoom Fly in 'Varsity Red' [online], retrieved Mar. 18, 2019, retrieved from Sneaker Files [Internet] <<<https://www.sneakerfiles.com/nike-zoom-fly-varsity-red-aj9282-600/>>>; 8 color sheets, Dated Oct. 30, 2018.
 Nike Footwear Catalog, 2013 Spring Core Footwear, p. 67, published May 2012, NIKE, Inc., USA.
 Nike Footwear Catalog, 2014 Fall Sporting Goods Footwear Best, p. 80, published Nov. 1, 2013, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 12, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 22, published May 14, 2014, NIKE, Inc., USA.
 Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 64, published May 14, 2014, NIKE, Inc., USA.

(56)

References Cited

OTHER PUBLICATIONS

Nike Footwear Catalog, 2016 Fall Running Specialty, p. 144, published Nov. 2015, NIKE, Inc., USA.

Nike Footwear Catalog, 2018 Summer Running, p. 53, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2018 Summer Sportswear, p. 81, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 2018 Holiday Sportswear, p. 230, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Running Shoes [Online], retrieved [Aug. 8, 2019], retrieved from PopSugar.com [Internet] <URL:https://www.popsugar.com/fitness/photo-gallery/43727792/image/43727793/Nike-Zoom-Winflo-2>; 2 color sheets, Dated Jul. 19, 2017.

Nike Zoom Air Winflo 6 SE [Online], retrieved [Aug. 9, 2019], retrieved from RunnerExpert.com [Internet] <URL:https://runnerexpert.com/nike-zoom-air-winflo-6-se/>; 3 color sheets, Dated May 25, 2019.

Nike Zoom Winflo 3 Mens Running Shoe [Online], retrieved [Aug. 8, 2019], retrieved from Amazon.com [Internet] <URL:https://www.amazon.com/Winflo-Black-White-Paramount-Running/dp/B01H2MUSAU/ref=asc_df_B01H2MUSAU/?tag=hyprod-20&linkCode=df0&hvadid=366383304848&hvpos=1o1&hvnetw=g&hvrnd=16012041119181331488&hvpone=&hvptwo=&hvqmt=&hvdev=c&hvdvcmdl=&hvlocint=&hvlocphy=9061285&hvtargid=pla-338130192413&psc=1&g=&ref=&adgrpid=78877181169&hvpone=&hvadid=366383304848&hvpos=1o1&hvnetw=g&hvrnd=

16012041119181331488&hvqmt=&hvdev=c&hvdvcmdl=&hvlocint=&hvlocphy=9061285&hvtargid=pla-338130192413>; 1 color sheet, no date but published prior to filing this application.

Nike Zoom Winflo 4 [Online], retrieved [Aug. 9, 2019], retrieved from RunnerClick.com [Internet] <URL:https://runnerclick.com/nike-zoom-winflo-4-review/>; 2 color sheets, No date but published prior to filing this application.

Nike Zoom Rival Fly [Online], retrieved [Aug. 6, 2019], retrieved from EastBay.com [Internet] <URL:https://www.eastbay.com/product/~D7288003.html?SID=4988&inceptor=1&cm_mmc=SEM-_-PLA-_-Bing-_-d7288003&msclkid=

da7cb3d0c8ef1ec95567ee99275e9e2e&utm_source=bing&utm_medium=cpc&utm_campaign=B%20-%20%5BS%5D%5BRLSA%5D%20-%20Shopping&utm_term=4585100929550477&utm_content=B%20-%20%5BS%5D%5BRLSA%5D%20-%20Shopping&gclid=CLehqa-X7-MCFQWmswodn1UNWQ&gclid=ds>; 1 color sheet, No date but published prior to filing this application.

Nike's Newest Running Shoe [Online], retrieved [Aug. 6, 2019], retrieved from SneakerBarDetroit.com [Internet] <URL:https://sneakerbardetroit.com/nike-pegasus-35-sample-first-look/>; 4 color sheets, Dated Oct. 10, 2017.

Nike Men's Zoom Winflo Running Shoe [online], [retrieved Aug. 1, 2018] Retrieved from Shoezoo.com [Internet] <URL: http://www.shoezoo.com/nike-men-s-zoom-winflo-684488-100.html>; 1 color sheet, Date unknown but prior to Aug. 1, 2018.

Nike Air Zoom Pegasus 35 Shield NRG 'Hyper Violet' [Online], retrieved [Jul. 23, 2019], retrieved from SneakerNews.com [Internet] <URL:https://www.sneakerfiles.com/nike-air-zoom-pegasus-35-shield-nrg-hyper-violet-bq9779-001-release-date/>; 6 color sheets, Dated Oct. 26, 2018.

* cited by examiner

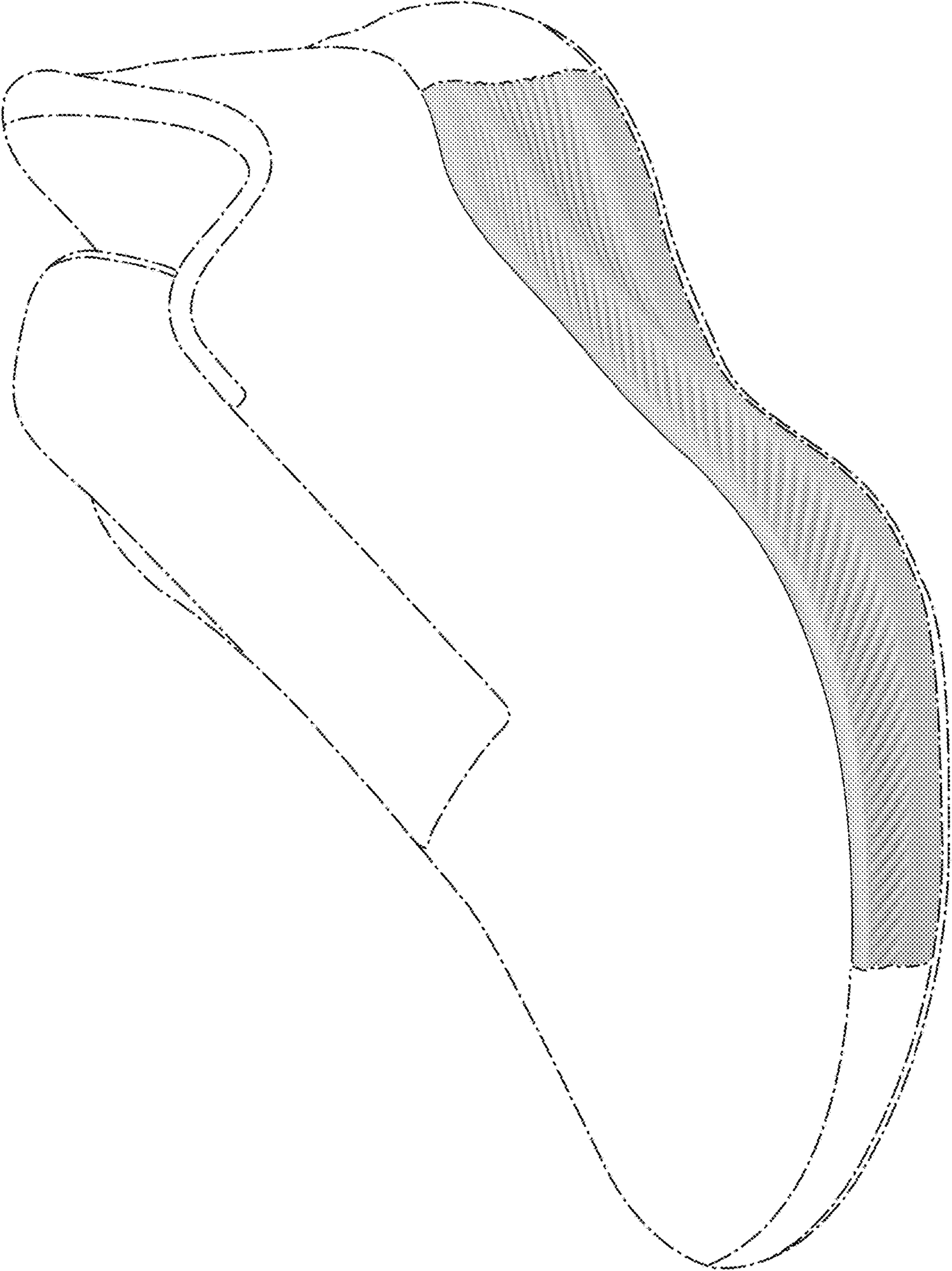


FIG. 1

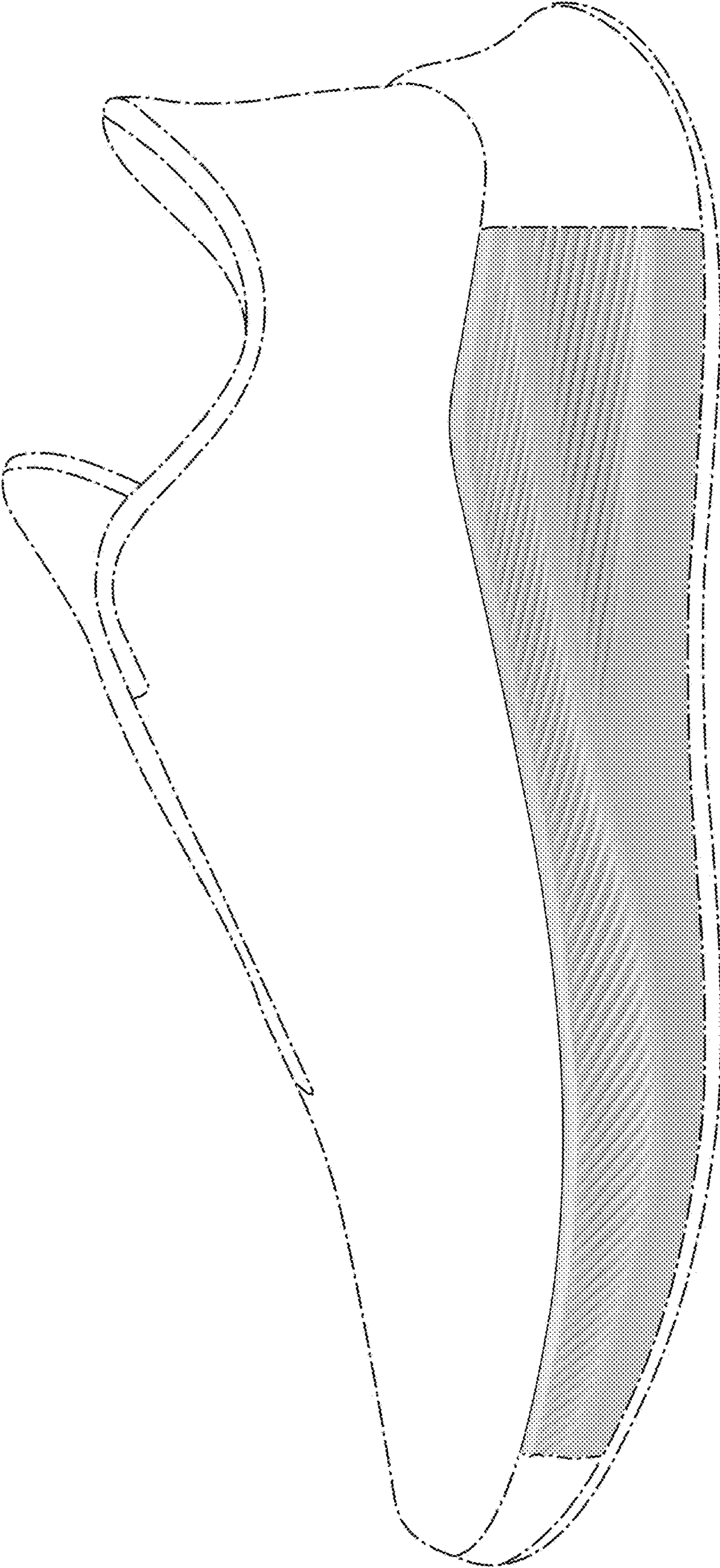


FIG. 2

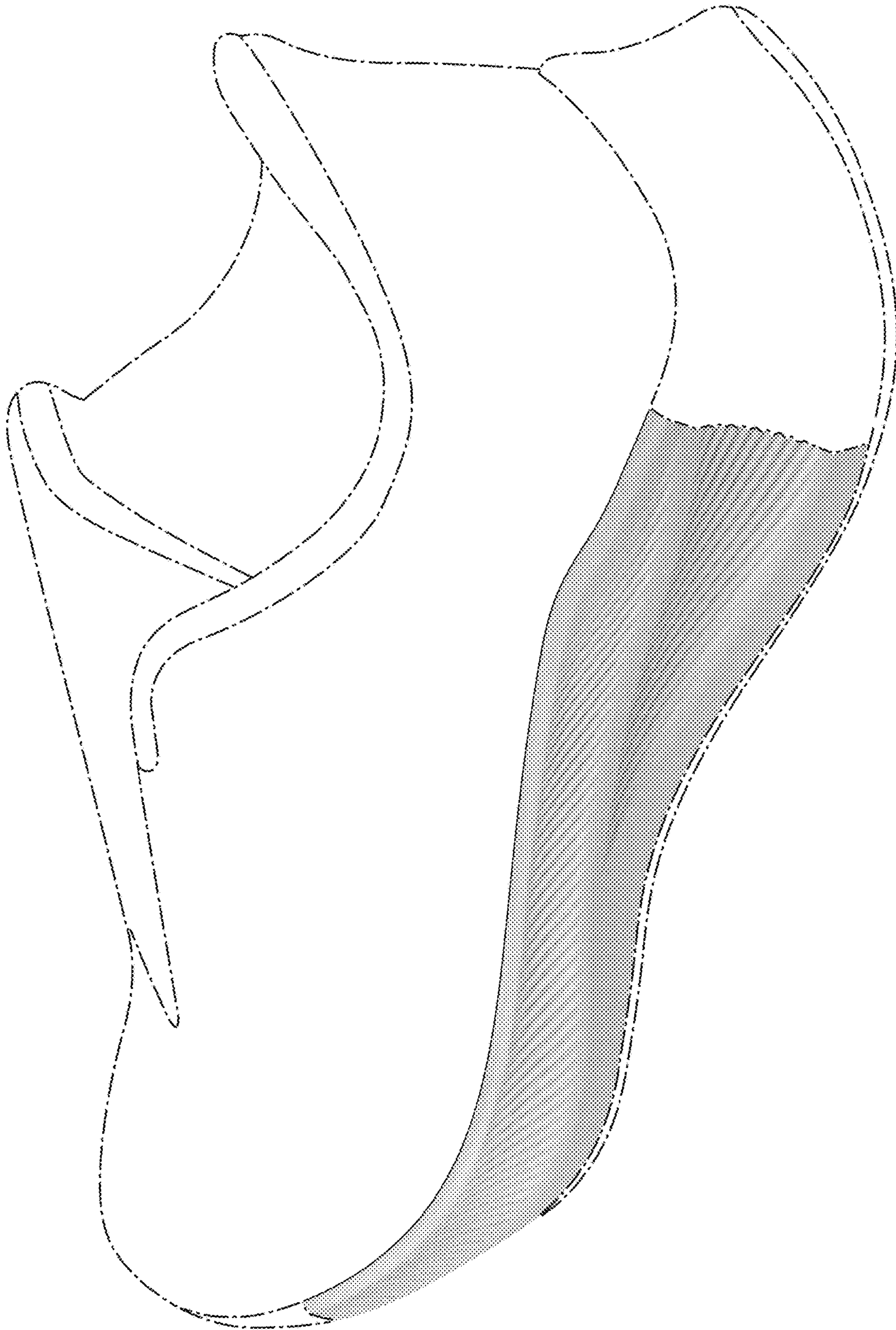


FIG. 3