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

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(54) **SHOE**

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(73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)

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

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

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

USPC ..... **D2/953**; D2/951; D2/960

(58) **Field of Classification Search**

USPC ..... D2/902, 906, 908, 916, 918, 925,  
D2/946-962, 972, 977; 36/3 B, 22 R,  
36/24.5, 25 R, 28, 32 R, 34 R, 59 C,  
36/67 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**

D123,898 S	12/1940	Tousley	
D163,956 S *	7/1951	Capdevila	..... D2/960
D253,319 S	11/1979	Dassler	
D255,175 S	6/1980	Iwakata	
D279,044 S	6/1985	Norton et al.	
D285,985 S	10/1986	Tong	

D317,826 S	7/1991	Austin
D324,448 S	3/1992	Blissett
D329,131 S	9/1992	Ostberg
D333,555 S	3/1993	Hatfield et al.
D336,775 S	6/1993	Smith
D341,709 S	11/1993	Hatfield et al.
D341,710 S	11/1993	Hatfield et al.
D345,046 S	3/1994	Avar
D356,665 S	3/1995	Lucarelli
D368,577 S	4/1996	Mitsui et al.
D376,896 S	12/1996	O'Rorke
D378,871 S	4/1997	Hatfield
D379,259 S	5/1997	Kayano
D384,796 S	10/1997	Smith, III

(Continued)

**OTHER PUBLICATIONS**

The Nike Zoom Vaporfly 4% Is Releasing in Bright Crimson [Online], retrieved [Sep. 4, 2019], retrieved from SneakerNews.com [Internet] <URL:https://sneakernews.com/2017/09/26/nike-zoom-vaporfly-4-bright-crimson-release-info/>; 5 color sheets, Dated Sep. 26, 2017.

(Continued)

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(57) **CLAIM**

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

**DESCRIPTION**

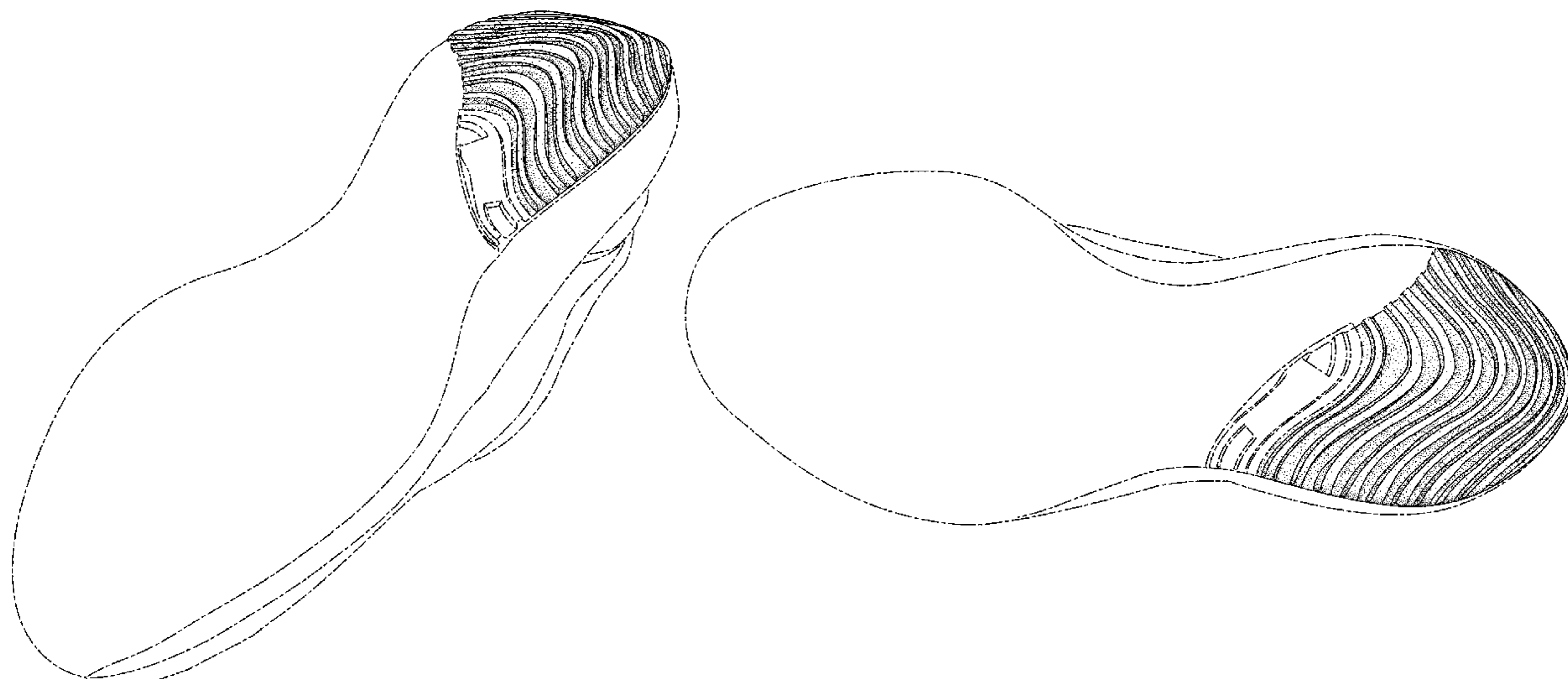
FIG. 1 is a front perspective view of a shoe showing my new design;

FIG. 2 is a bottom 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 form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



(56)

## References Cited

## U.S. PATENT DOCUMENTS

D386,288 S 11/1997 Merceron  
D386,595 S 11/1997 Teague  
D387,864 S \* 12/1997 Hatfield ..... D2/953  
D387,890 S \* 12/1997 Faulconer ..... D2/953  
D387,895 S 12/1997 Cooper  
D388,350 S 12/1997 Smith  
D388,355 S 12/1997 Smith, III  
D389,293 S 1/1998 Crowley  
D390,690 S 2/1998 Murai et al.  
D391,747 S 3/1998 Avar  
D393,341 S 4/1998 Marshall et al.  
D394,938 S 6/1998 Lupo  
D394,947 S 6/1998 Aver  
D398,748 S 9/1998 Hatfield et al.  
D406,446 S 3/1999 Yun  
D407,892 S 4/1999 Gaudio  
D408,972 S 5/1999 Greenberg  
D411,910 S \* 7/1999 Cessor ..... D2/951  
D412,050 S 7/1999 Chassaing  
D412,237 S 7/1999 Hatfield  
D412,779 S 8/1999 James  
D455,895 S \* 4/2002 Yang ..... D2/951  
D459,062 S 6/2002 Pollastrelli  
D470,998 S \* 3/2003 Adreliunas ..... D2/953  
D474,004 S \* 5/2003 Kuerbis ..... D2/951  
D480,540 S 10/2003 Hoyt et al.  
D481,854 S \* 11/2003 Belley ..... D2/953  
D500,399 S 1/2005 Fuerst  
D500,582 S 1/2005 Robbins et al.  
D527,514 S \* 9/2006 Cass ..... D2/952  
D550,437 S \* 9/2007 Belley ..... D2/953  
D551,433 S \* 9/2007 Loverin ..... D2/951  
D570,582 S \* 6/2008 Roy ..... D2/953  
D571,087 S \* 6/2008 Dillenbeck ..... D2/947  
D571,988 S 7/2008 Dillenbeck  
D572,884 S \* 7/2008 Belley ..... D2/947  
D573,333 S 7/2008 Petrie  
D574,581 S 8/2008 Cooper  
D580,638 S \* 11/2008 McClaskie ..... D2/951  
D590,586 S 4/2009 Harlow  
D616,636 S 6/2010 Hatfield et al.  
D618,894 S \* 7/2010 Tæstensen ..... D2/953  
D620,242 S 7/2010 Bourdin et al.  
D668,439 S \* 10/2012 Lo ..... D2/953  
D670,489 S 11/2012 Thornhill  
D673,759 S 1/2013 Bourdin et al.  
D703,927 S \* 5/2014 Taestensen ..... D2/953  
D724,828 S \* 3/2015 Lonigan ..... D2/953  
D724,829 S \* 3/2015 Lonigan ..... D2/953  
D738,077 S 9/2015 Montross et al.  
D764,155 S 8/2016 Tæstensen et al.  
D769,593 S 10/2016 Chang  
D769,594 S 10/2016 Chang  
D776,412 S 1/2017 Carboy  
D785,303 S 5/2017 Carboy  
D790,821 S 7/2017 Beers et al.  
D794,927 S 8/2017 Matthews  
D798,037 S 9/2017 Montross et al.  
D798,564 S \* 10/2017 Sullivan ..... D2/960  
D799,185 S 10/2017 Usui  
D803,532 S \* 11/2017 Scott ..... D2/953  
D804,792 S \* 12/2017 de Montgolfier ..... D2/955  
D805,279 S 12/2017 Odinot  
D812,883 S 3/2018 Gibson  
D815,412 S 4/2018 Guest et al.  
D819,944 S 6/2018 Martin  
D821,078 S \* 6/2018 Galway ..... D2/960  
D821,722 S \* 7/2018 Chang ..... D2/960  
D823,582 S 7/2018 Gibson  
D836,895 S 1/2019 Taylor  
D839,569 S 2/2019 Petrie  
D841,954 S 3/2019 Petrenka  
D843,704 S 3/2019 Hong  
D845,601 S 4/2019 Cooper  
D851,880 S 6/2019 Seamarks

D858,057 S \* 9/2019 Hernandez ..... A43B 7/141  
D2/953  
D858,058 S \* 9/2019 McMillan ..... A43B 13/187  
D2/953  
D858,059 S \* 9/2019 McMillan ..... A43B 17/14  
D2/953  
D858,060 S \* 9/2019 McMillan ..... D2/953  
D860,613 S 9/2019 Hernandez  
D862,059 S \* 10/2019 de Montgolfier ... B29C 44/0469  
D2/953  
D870,439 S \* 12/2019 Petrie ..... A43B 7/087  
D2/960  
D871,738 S \* 1/2020 Gibson ..... A43B 17/003  
D2/960  
D876,775 S \* 3/2020 Petrenka ..... D2/953  
D879,435 S \* 3/2020 de Montgolfier .... A43B 13/141  
D2/957  
D879,439 S \* 3/2020 Egelja ..... A43B 13/122  
D2/960  
D884,328 S \* 5/2020 Pauk ..... D2/953  
D885,730 S \* 6/2020 Durand ..... D2/953  
D885,732 S \* 6/2020 de Montgolfier ..... D2/953  
D888,389 S \* 6/2020 de Montgolfier ..... D2/953  
2005/0060914 A1 \* 3/2005 Fuerst ..... A43B 7/141  
36/102  
2006/0016100 A1 \* 1/2006 Riha ..... A43B 13/141  
36/59 R  
2006/0283043 A1 \* 12/2006 Lamstein ..... A43B 7/087  
36/3 B  
2010/0242312 A1 \* 9/2010 Lim ..... B29C 44/0469  
36/3 A  
2013/0047474 A1 \* 2/2013 Healy ..... A43B 13/122  
36/30 R  
2018/0035750 A1 \* 2/2018 Fanaian ..... A43B 17/003  
2019/0231026 A1 \* 8/2019 Fujita ..... A43B 13/187  
2020/0170338 A1 \* 6/2020 Lucca ..... A43B 17/14

## OTHER PUBLICATIONS

Nike Releasing Another Zoom Vaporfly Elite [Online], retrieved [Sep. 4, 2019], retrieved from SneakerBarDetroit.com [Internet] <URL:https://sneakerbardetroit.com/nike-zoom-vaporfly-elite-grey-blue-black-release-date/>; 3 color sheets, Dated Jan. 5, 2018.  
First Look At New Colorways of the Nike Vapor Street Flyknit [Online], retrieved [Sep. 4, 2019], retrieved from SoleCollector.com [Internet] <URL:https://solecollector.com/news/2018/02/nike-vapor-street-flyknit-khaki-aq1763-200-olive-aq1763-201-images/>; 9 color sheets, Dated Feb. 23, 2018.  
The 'Luminous Green/Black/Starfish' Nike Zoom Fly 3 Rise is Coming [Online], retrieved [Sep. 4, 2019], retrieved from WearTesters.com [Internet] <URL:https://weartesters.com/nike-zoom-fly-3-rise/>; 4 color sheets, Dated Sep. 27, 2019.  
Nike Footwear Catalog, 1978 Footwear, p. 6, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.  
Nike Footwear Catalog, 1999 Fall Footwear, p. M37, published Nov. 1998, Nike, Inc., USA.  
Nike Footwear Catalog, 2001 Fall Footwear, p. 11, published Nov. 2000, Nike, Inc., USA.  
Nike Footwear Catalog, 2005 Spring Footwear, p. 51, published Jun. 2004, Nike, Inc., USA.  
Nike Footwear Catalog, 2017 Spring City Specialty Footwear Best NA, p. 19, published May 2016, Nike, Inc., USA.  
Nike Footwear Catalog, 2017 Spring City Specialty Footwear Best NA, p. 63, published May 2016, Nike, Inc., USA.  
Nike Footwear Catalog, 2017 Spring City Specialty Footwear Best NA, p. 116, published May 2016, Nike, Inc., USA.  
Nike Footwear Catalog, 2017 Spring Department Stores Footwear Better, p. 25, published May 2016, Nike, Inc., USA.  
Nike Footwear Catalog, 2017 Spring Department Stores Footwear Better, p. 26, published May 2016, Nike, Inc., USA.  
Nike Footwear Catalog, 2016 Fall Tennis Specialty Final, p. 5, published Nov. 2015, Nike, Inc., USA.

(56)

**References Cited**

## OTHER PUBLICATIONS

Nike Footwear Catalog, 2016 Fall Tennis Specialty Final, p. 6, published Nov. 2015, Nike, Inc., USA.

Nike Footwear Catalog, 2016 Fall Tennis Specialty Final, p. 8, published Nov. 2015, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Spring Young Athletes, p. 124, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Spring Young Athletes, p. 132, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Spring Young Athletes, p. 139, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Spring Young Athletes, p. 152, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Fall Tennis Specialty Final NA, p. 6, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Spring Men's Nike Sportswear Footwear Best, p. 27, published May 14, 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Spring Men's Nike Sportswear Footwear Best, p. 29, published May 14, 2014, Nike, Inc., USA.

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

Nike Footwear Catalog, 2014 Spring Men's Nike Sportswear Footwear Best, p. 23, published May 17, 2013, Nike, Inc., USA.

Nike Footwear Catalog, 2014 Spring Men's Nike Sportswear Footwear Best, p. 51, published May 17, 2013, Nike, Inc., USA.

Nike Footwear Catalog, 2014 Fall City Specialty Footwear Better Final, p. 59, published Nov. 1, 2013, Nike, Inc., USA.

Nike Footwear Catalog, 2014 Fall City Specialty Footwear Better Final, p. 84, published Nov. 1, 2013, Nike, Inc., USA.

Nike Footwear Catalog, 2013 Spring Action Sports Footwear, p. 27, published May 2012, Nike, Inc., USA.

Nike Footwear Catalog, 2013 Spring Action Sports Footwear, p. 28, published May 2012, Nike, Inc., USA.

Nike Footwear Catalog, 2013 Spring Action Sports Footwear, p. 36, published May 2012, Nike, Inc., USA.

Nike Footwear Catalog, 2011 Fall Men's Sportswear Footwear, p. 14, published Nov. 2010, Nike, Inc., USA.

Nike Footwear Catalog, 2009 Fall Sport Performance Footwear, p. 46, published Nov. 2008, Nike, Inc., USA.

Nike Footwear Catalog, 2007 Spring Footwear, p. 9, published Jun. 2006, Nike, Inc., USA.

Nike Footwear Catalog, 2007 Spring Footwear, p. 10, published Jun. 2006, Nike, Inc., USA.

Nike Footwear Catalog, 2007 Spring Footwear, p. 12, published Jun. 2006, Nike, Inc., USA.

Nike Footwear Catalog, 2003 Fall Men's and Women's Footwear, p. 47, published Nov. 2002, Nike, Inc., USA.

Nike Footwear Catalog, 1999 Spring Men's Specialty and Women's & Kids' Footwear, p. M69, published Jun. 1998, Nike, Inc., USA.

Nike Footwear Catalog, 1995 Holiday Footwear, p. 25, published Mar. 1995, Nike, Inc., USA.

\* cited by examiner

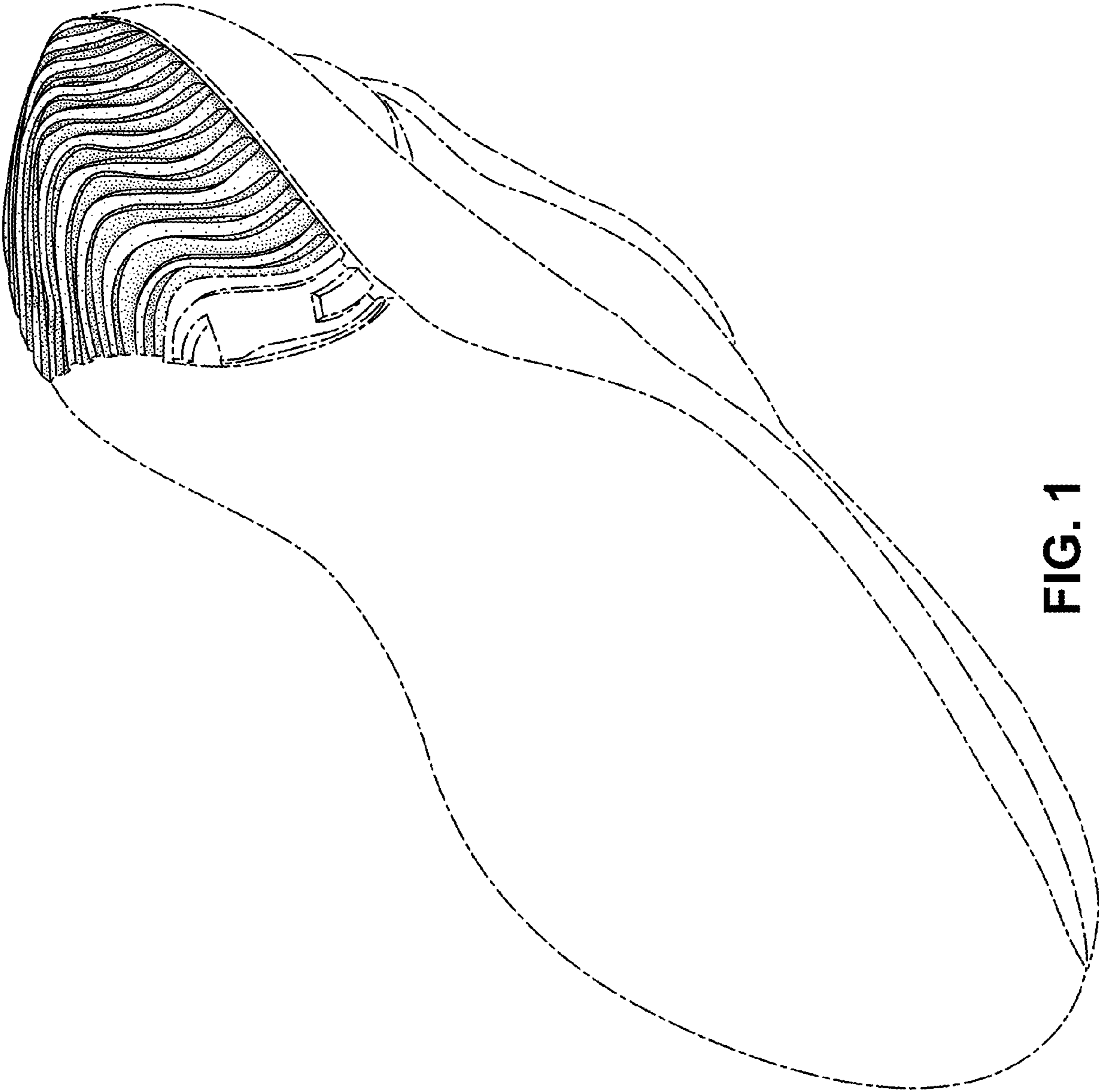


FIG. 1

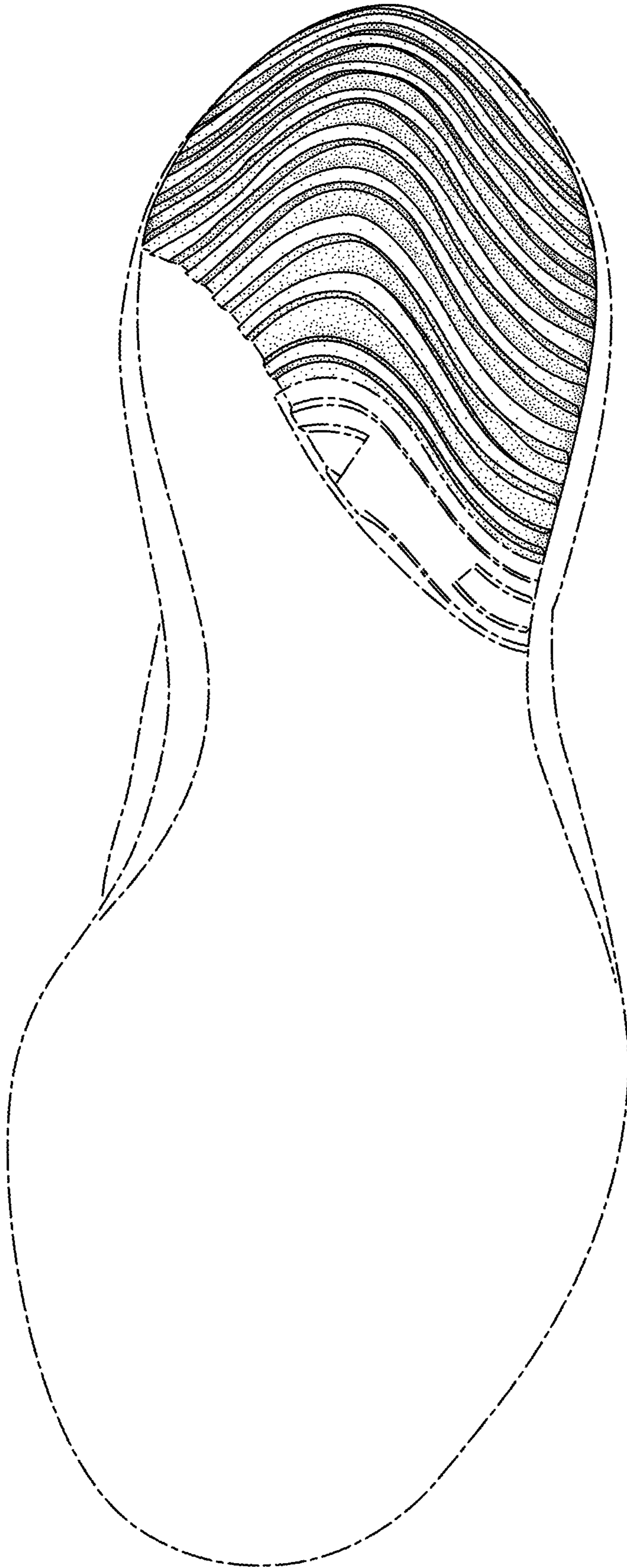


FIG. 2

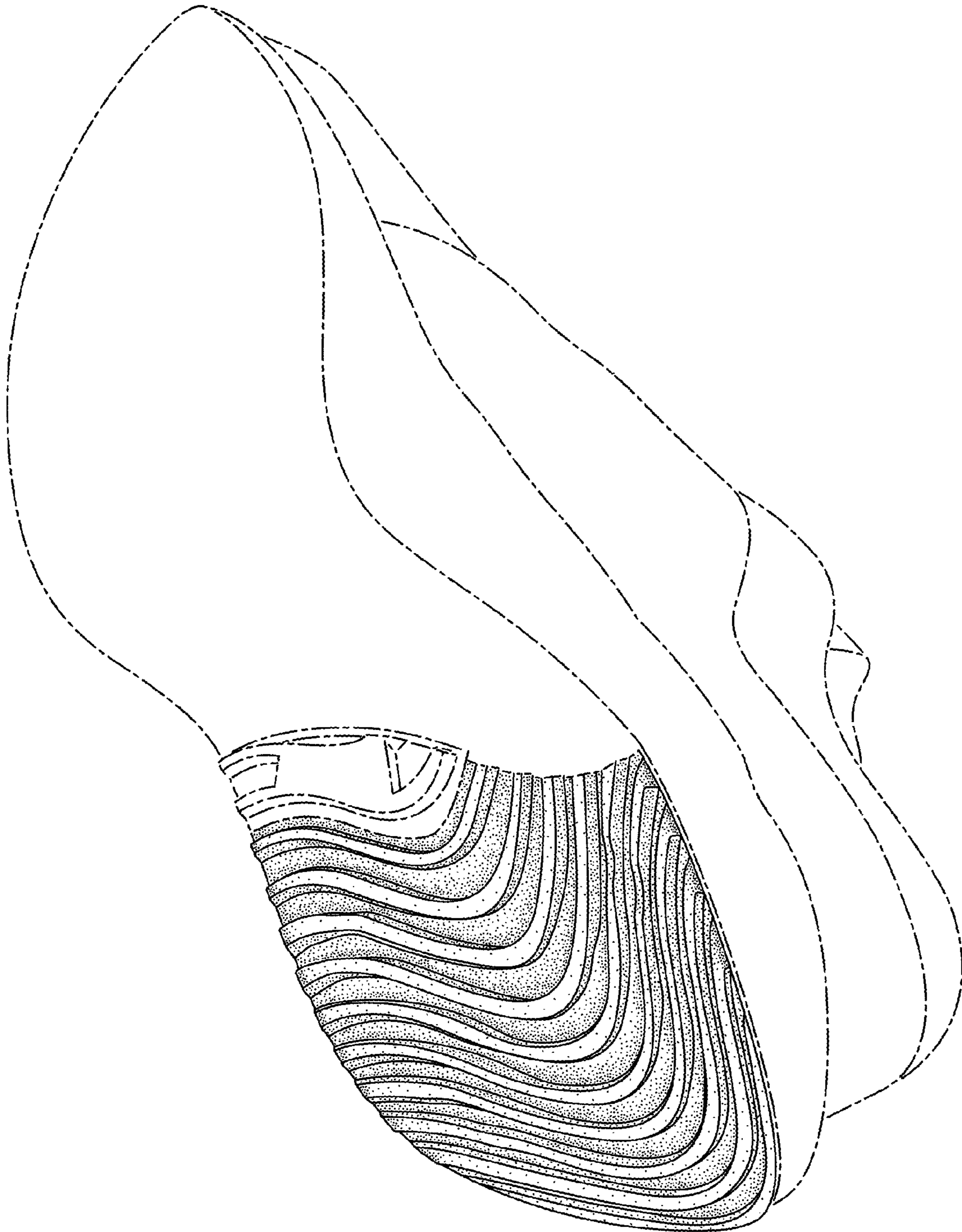


FIG. 3