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(12) **United States Design Patent**
Eldem et al.

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(54) **SHOE**
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D347,106 S 5/1994 Sell, Jr. et al.
D349,808 S 8/1994 Passke et al.
D350,016 S 8/1994 Passke et al.
D352,159 S 11/1994 Kilgore
D355,755 S 2/1995 Kilgore
D362,747 S 10/1995 Orzeck
D362,954 S 10/1995 Orzeck
D363,372 S 10/1995 Hatfield et al.
D366,756 S 2/1996 Forland et al.

(Continued)

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

FOREIGN PATENT DOCUMENTS

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CN 3010930 10/1991
CN 302158407 11/2012

(Continued)

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(51) **LOC (14) Cl.** **02-04**

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

USPC **D2/947**

(58) **Field of Classification Search**

USPC D2/902, 906, 908, 916, 918, 925,
D2/946-962, 977

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
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13/22; A43B 13/223; A43B 13/24; A43B
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See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D336,772 S 6/1993 Forland et al.
D341,478 S 11/1993 Forland et al.
D344,174 S 2/1994 Kilgore
D344,400 S 2/1994 Kilgore
D344,401 S 2/1994 Kilgore
D344,622 S 3/1994 Kilgore

OTHER PUBLICATIONS

Air Max Scorpion Lemon Wash, Nike.com, [online], [site visited Oct. 6, 2022]. <URL: <https://www.nike.com/launch/t/air-max-scorpion-lemon-wash>> (Year: 2022).*

(Continued)

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(57) **CLAIM**

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

DESCRIPTION

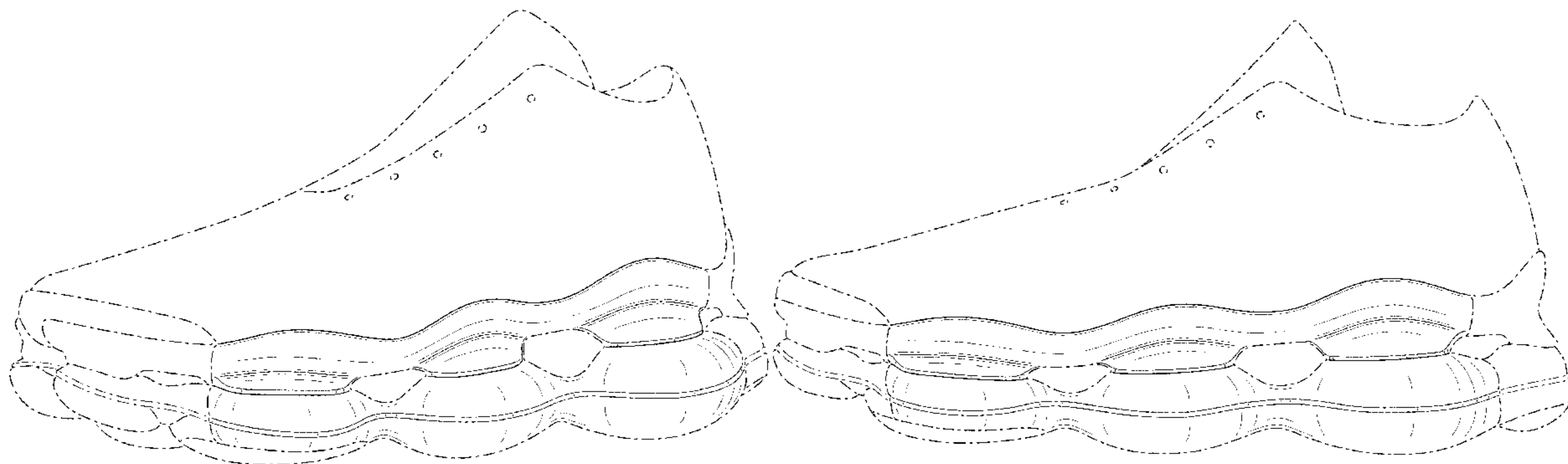
FIG. 1 is a front perspective view of a shoe showing our new design;

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 and unshaded regions 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

D376,902 S 12/1996 Avar
 D385,103 S * 10/1997 Teague D2/977
 D387,698 S 12/1997 Hatfield et al.
 D395,337 S 6/1998 Greene
 D410,964 S * 6/1999 Wilborn D2/947
 D433,216 S 11/2000 Avar et al.
 D433,789 S 11/2000 Hardy
 D446,923 S 8/2001 McCourt
 D462,830 S 9/2002 Greene
 D475,509 S * 6/2003 Avar D2/947
 D476,474 S * 7/2003 McDowell D2/964
 D517,787 S 3/2006 Teague
 D524,035 S 7/2006 Greene et al.
 D537,619 S 3/2007 Lupo
 D541,015 S 4/2007 Diaz
 D543,677 S 6/2007 Andrews et al.
 D572,440 S 7/2008 Polegato Moretti
 D583,132 S 12/2008 Polegato Moretti
 D583,539 S 12/2008 Henderson
 D617,983 S 6/2010 Raysse
 D628,368 S 12/2010 Raysse
 D632,878 S 2/2011 Raysse
 D634,918 S 3/2011 Katz et al.
 D635,748 S 4/2011 Katz et al.
 D636,567 S 4/2011 Raysse
 D642,775 S 8/2011 Raysse
 D642,776 S 8/2011 Raysse
 D642,777 S 8/2011 Walsh et al.
 D656,715 S 4/2012 Katz et al.
 D696,001 S * 12/2013 Schwartz D2/923
 D698,536 S * 2/2014 Schwartz D2/923
 8,745,895 B2 * 6/2014 Sokolowski A43C 1/04
 36/89
 D719,725 S 12/2014 Katz et al.
 D721,879 S * 2/2015 Lindner D2/954
 8,959,800 B2 * 2/2015 Sokolowski D04B 1/24
 36/89
 D759,359 S * 6/2016 Dombrow D2/951
 9,420,848 B2 * 8/2016 Campos, II A43B 13/20
 D778,552 S 2/2017 Chang
 D783,959 S 4/2017 Chang
 9,609,913 B2 * 4/2017 Bates A43B 13/141
 9,730,484 B2 * 8/2017 Dua A43B 23/0235
 D816,309 S 5/2018 Cooper
 D817,618 S 5/2018 Young
 9,955,748 B2 * 5/2018 Grove A43B 13/26
 D819,942 S 6/2018 Cin et al.
 D822,349 S 7/2018 Petrenka
 D824,645 S * 8/2018 Gibson D2/947
 10,159,307 B2 * 12/2018 Case A43B 13/127
 10,271,613 B2 * 4/2019 Campos, II A43B 13/189
 D850,068 S 6/2019 Campos et al.
 D850,069 S 6/2019 Campos et al.
 D850,070 S 6/2019 Campos et al.
 D850,071 S 6/2019 Campos et al.
 D850,072 S 6/2019 Campos et al.
 D850,073 S 6/2019 Campos et al.
 D850,074 S 6/2019 Campos et al.
 D850,075 S 6/2019 Campos et al.
 D850,076 S 6/2019 Campos et al.
 D850,077 S 6/2019 Campos et al.
 10,321,735 B2 * 6/2019 Connell A43B 13/206
 D854,294 S 7/2019 McMillan
 D858,951 S 9/2019 Luh et al.
 D860,598 S 9/2019 Small et al.
 D860,599 S 9/2019 Small et al.
 D860,600 S 9/2019 Small et al.
 D860,601 S 9/2019 Small et al.
 D860,602 S 9/2019 Small et al.
 D860,603 S 9/2019 Small et al.
 D860,606 S 9/2019 Small et al.
 D862,057 S 10/2019 Small et al.
 D869,131 S 12/2019 Raasch
 D879,425 S 3/2020 Raasch
 10,609,984 B2 * 4/2020 Adeagbo A43B 23/0265

D893,335 S 8/2020 Hsu
 10,729,206 B2 * 8/2020 Campos, II B29D 35/0063
 D897,075 S 9/2020 Vella
 D899,039 S * 10/2020 Small D2/947
 D899,040 S * 10/2020 Small D2/947
 D899,041 S * 10/2020 Small D2/947
 D899,042 S * 10/2020 Small D2/947
 D899,043 S * 10/2020 Small D2/947
 D899,044 S * 10/2020 Small D2/947
 D899,046 S * 10/2020 Small D2/947
 D900,442 S * 11/2020 Sagat D2/947
 D902,567 S 11/2020 Eldem
 D909,719 S 2/2021 Durflinger
 D910,984 S 2/2021 Petrenka et al.
 D912,374 S 3/2021 Herga et al.
 10,932,519 B2 * 3/2021 Bates A43B 13/184
 10,939,727 B2 * 3/2021 Campos, II A63B 71/081
 D915,041 S 4/2021 Taylor
 D917,855 S * 5/2021 Maulid D2/947
 D917,856 S * 5/2021 Gaboriault D2/947
 D923,299 S * 6/2021 Hardman D2/947
 11,019,881 B2 * 6/2021 Connell A43B 13/188
 11,033,074 B2 * 6/2021 Connell A43B 13/188
 11,051,582 B2 * 7/2021 Case A43B 13/12
 D938,155 S * 12/2021 Nikolic D2/947
 D943,891 S 2/2022 Sokol
 D943,893 S 2/2022 Sokol
 D959,115 S * 8/2022 Petrie D2/947
 2008/0120871 A1 * 5/2008 Sato A43B 23/0235
 36/114

FOREIGN PATENT DOCUMENTS

CN 305621356 2/2020
 CN 305657399 3/2020
 CN 305891302 7/2020
 CN 306446867 4/2021
 CN 306883871 10/2021
 CN 306924500 11/2021
 JP D1659265 5/2020
 KR 30-0703400 8/2013

OTHER PUBLICATIONS

Nike's upcoming Air Max 'Scorpion' sneaker is basically a flotation device, InputMag.com, Dec. 28, 2021, [online], [site visited Oct. 6, 2022]. <URL: <https://www.inputmag.com/style/nike-air-max-scorpion-release-date-price-leaked>> (Year: 2021).*

"Eliud Kipchoge Continues Search For Sub-Two Hour With Latest Nike Next% Shoe"; Sneaker News; retrieved Jan. 24, 2022; published Oct. 11, 2019; URL: <<https://sneakernews.com/2019/10/11/eliud-kipchoge-nike-next-percent-marathon-shoe/>> .

"Nike Vapormax "White Christmas" Set To Release Days Before The Holiday"; Sneaker News; retrieved Jan. 24, 2022; published Dec. 6, 2017; URL: <<https://sneakernews.com/2017/12/06/nike-vapormax-849558-100-release-date/>> .

"Nike Air Max 2021"; Footlocker; retrieved Jan. 24, 2022; published date unknown, but prior to application filing date; URL: <https://www.footlocker.com/product/~/A1925002.html?SID=5081&inceptor=1&cm_mmc=paid%20search> .

"The Future Is In The Air" By Nike Ushers In The Air Max 270 React"; Sneaker News; retrieved Jan. 24, 2022; published Jan. 1, 2021; URL: <<https://sneakernews.com/2021/01/01/nike-air-max-270-react-dd8498-161/>> .

"Nike Floods The Air Max 270 With "Atomic Pink""; Sneaker News; retrieved Jan. 24, 2022; published Dec. 26, 2020; URL: <<https://sneakernews.com/2020/12/26/nike-air-max-270-atomic-pink-dj2746-600/>> .

"Nike Air Vapormax Plus"; Footlocker; retrieved Jan. 24, 2022; published date unknown, but prior to application filing date; URL: <https://www.footlocker.com/product/~/M8121001.html?SID=5081&inceptor=1&cm_mmc=paid%20search> .

"Air Vapormax 2021 Fk"; eFootwear; retrieved Jan. 24, 2022; published date unknown, but prior to application filing date URL:

(56)

References Cited

OTHER PUBLICATIONS

<<https://www.efootwear.eu/footwear-nike-air-vapormax-2021-fk-dh4085-002-pure-platinum-summit-white.html> >.

“Nike Air VaporMax Reveals the Pinnacle of Air”; Nike News; retrieved Jan. 24, 2022; published Feb. 20, 2017; URL: <<https://news.nike.com/news/air-max-vapor>>.

“Air Vapormax 2020 Flyknit ‘Obsidian Siren Red’”; Flight Club; retrieved Jan. 24, 2022; published date unknown, but prior to application filing date; URL: <<https://www.flightclub.com/air-vapormax-2020-flyknit-obsidian-siren-red-cw1765-400>>.

Nike Footwear Catalog, 2015 Spring Core Performance Footwear Final, p. 60, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2016 Spring Core Footwear NA, p. 17, published Nov. 2015, Nike, Inc., USA.

Nike Footwear Catalog, 2018 Summer Basketball, p. 6, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Fall Athletic Specialty_Running, p. 746, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 2021 Holiday Sportswear, p. 3729, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

* cited by examiner

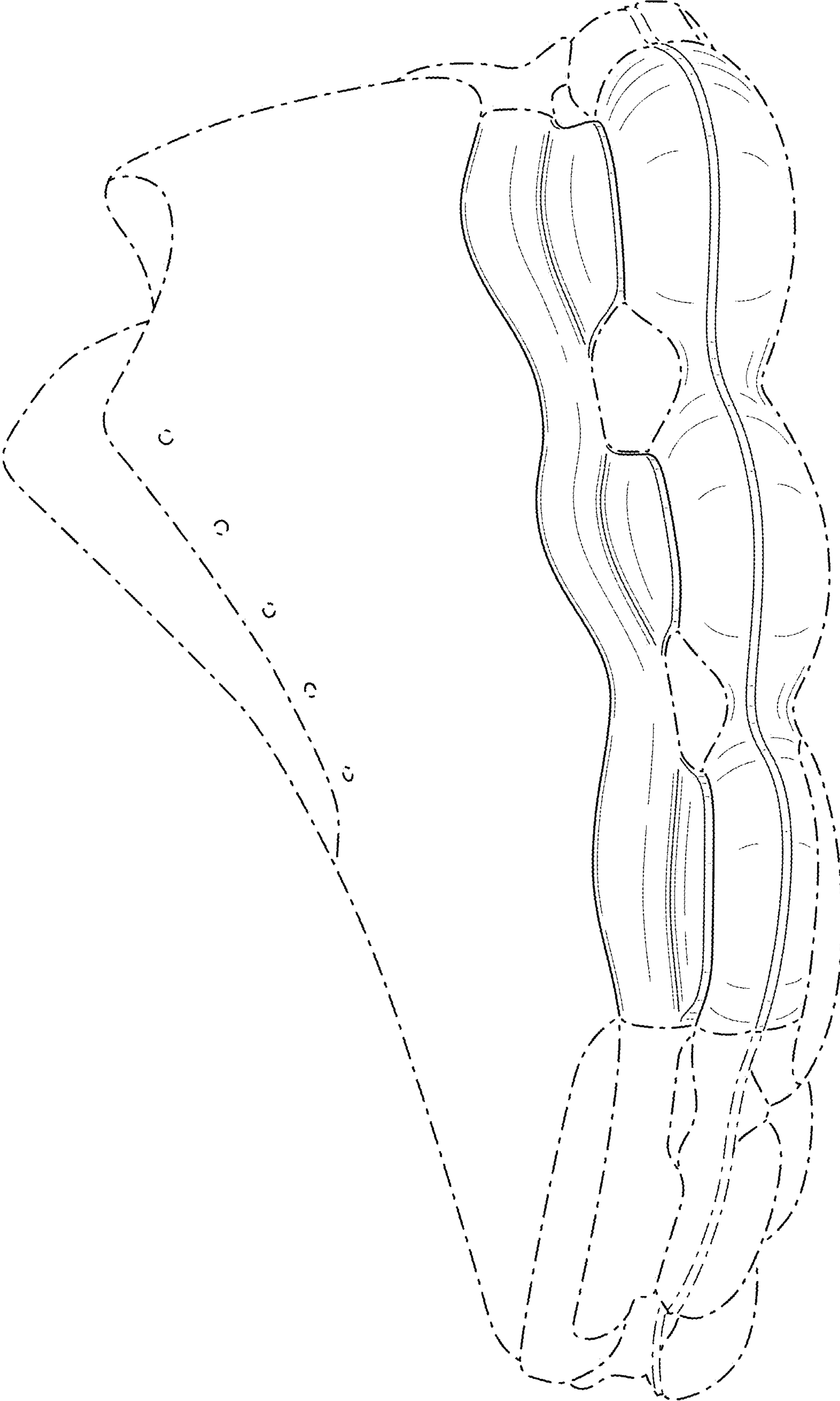


FIG. 1

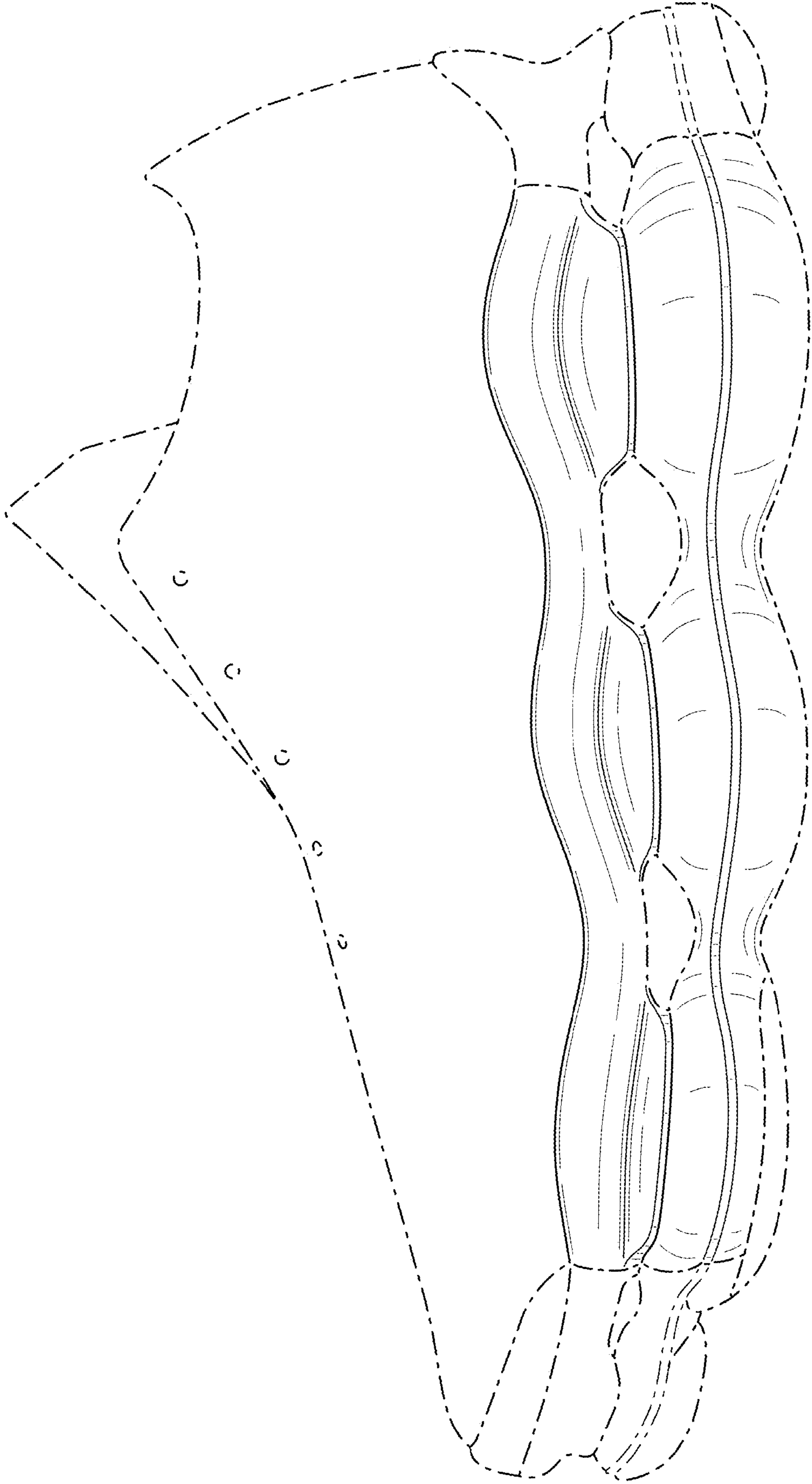


FIG. 2

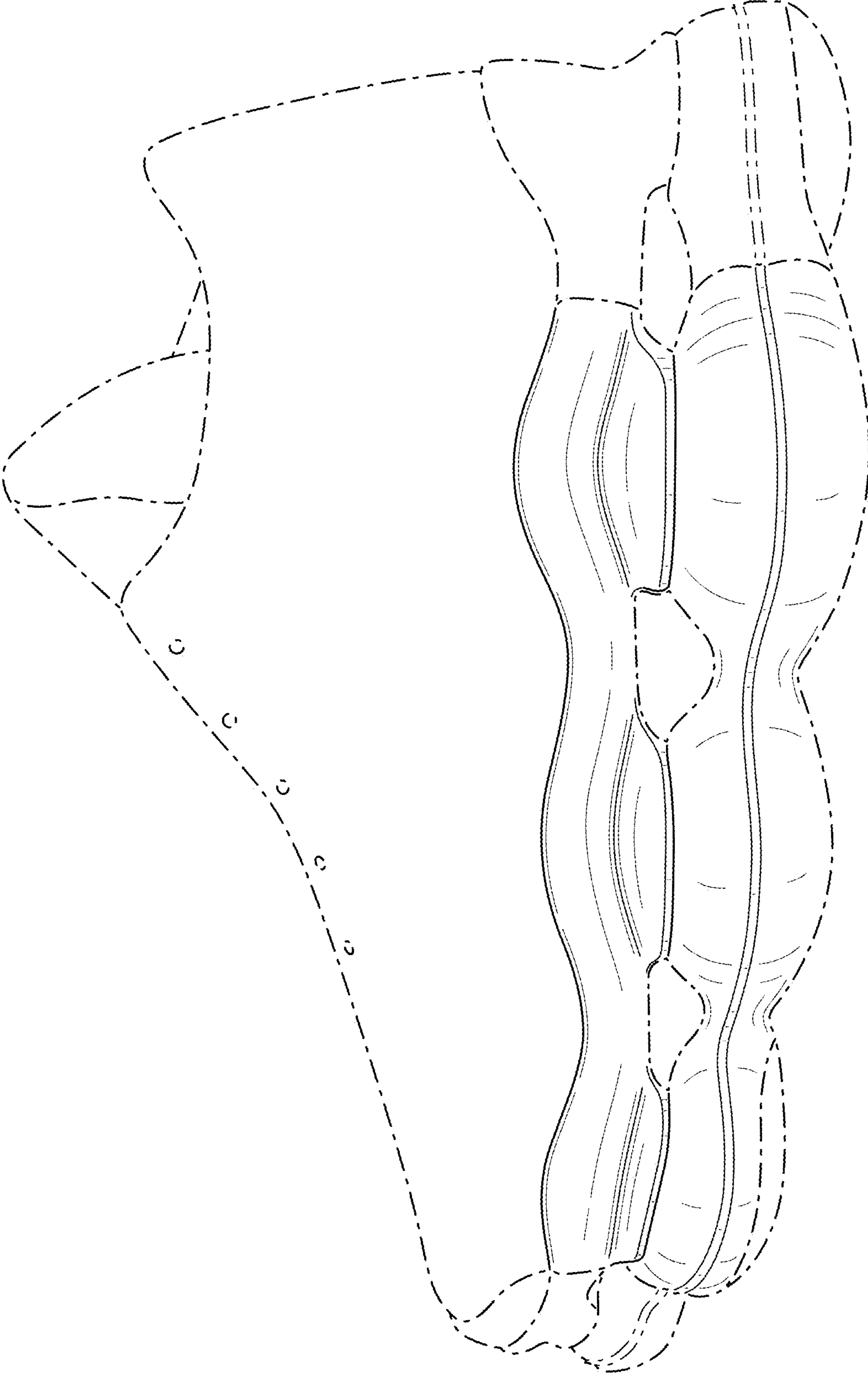


FIG. 3