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

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(54) **SHOE**

(71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/829,453**

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

(52) **U.S. Cl.**
USPC **D2/952**

(58) **Field of Classification Search**
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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
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

D316,324 S 4/1991 Rogers
D338,775 S 8/1993 Hatfield et al.
D341,709 S 11/1993 Hatfield et al.
D341,710 S 11/1993 Hatfield et al.
D345,250 S 3/1994 Hatfield
D387,698 S * 12/1997 Hatfield D2/947
D389,293 S * 1/1998 Crowley D2/953
D389,993 S * 2/1998 Ryan D2/953

D393,341 S * 4/1998 Marshall D2/951
D394,343 S * 5/1998 Marshall D2/954
D394,741 S * 6/1998 Gaudio D2/960
D402,096 S 12/1998 Gross et al.
D403,846 S * 1/1999 Bove D2/957
D406,446 S * 3/1999 Yun D2/960
D407,892 S * 4/1999 Gaudio D2/954
D411,910 S * 7/1999 Cessor D2/951
D412,050 S * 7/1999 Chassaing D2/960
D433,789 S 11/2000 Hardy
D467,711 S * 12/2002 Chen D2/951
D495,479 S 9/2004 McDowell
D513,840 S * 1/2006 Urie D2/947
D544,184 S * 6/2007 Diaz D2/951

(Continued)

OTHER PUBLICATIONS

Jordan Max Aura 4, Nike.com, [online], [site visited Oct. 27, 2022].
<URL: <https://www.nike.com/t/jordan-max-aura-4-mens-shoes-sDVD5R/DN3687-006>> (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 bottom perspective view of a shoe showing my new design;

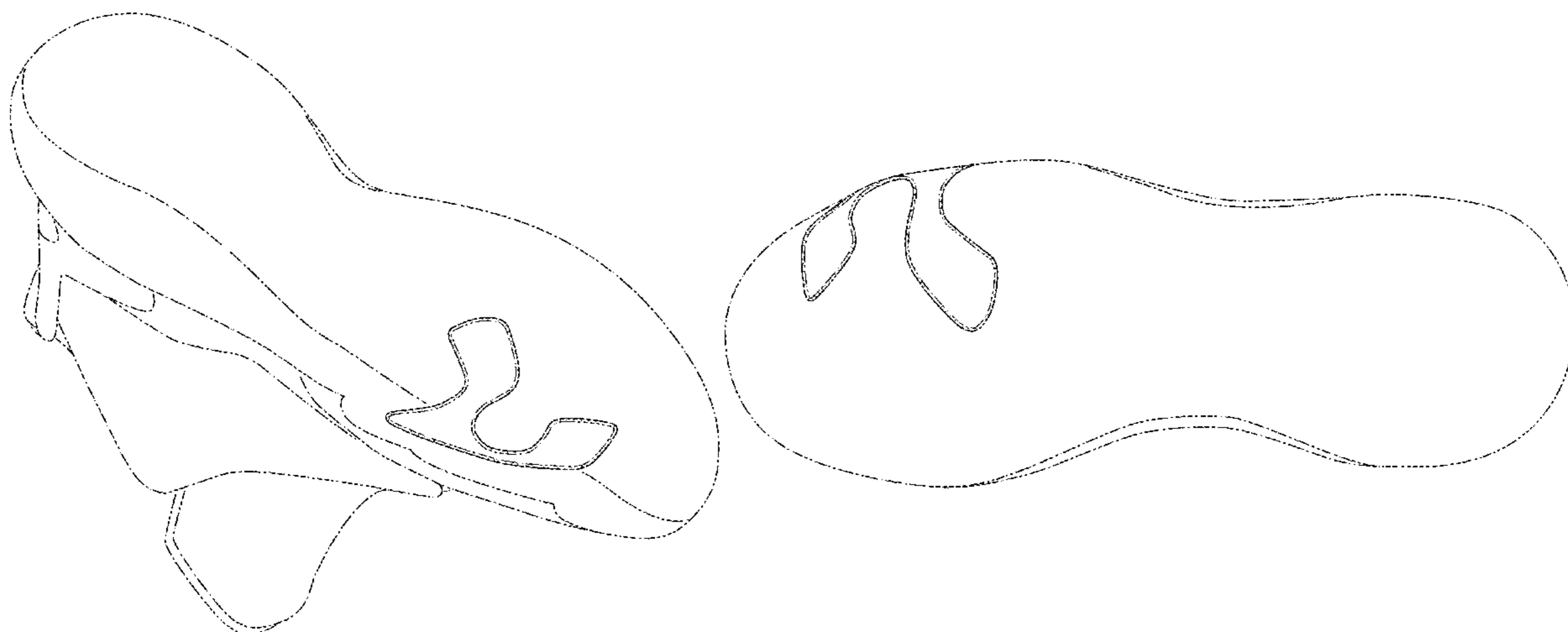
FIG. 2 is a bottom view thereof;

FIG. 3 is a rear bottom perspective view thereof; and,

FIG. 4 is a side view thereof.

The broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The unshaded area forms no part of the claimed design. The broken lines depicting the remainder of the shoe form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D551,433 S * 9/2007 Loverin D2/951
 D555,886 S 11/2007 McDowell
 D573,333 S 7/2008 Petrie
 D573,334 S 7/2008 Petrie
 D605,836 S 12/2009 Foust
 D616,636 S 6/2010 Hatfield et al.
 D640,864 S * 7/2011 Munkhammar D2/961
 D643,192 S * 8/2011 McClaskie D2/951
 D690,489 S 10/2013 Taylor
 D691,785 S 10/2013 Chang
 D697,297 S 1/2014 McClaskie
 D707,429 S 6/2014 Seamarks
 D715,036 S * 10/2014 Dolce D2/951
 D741,055 S 10/2015 Avar
 D782,799 S 4/2017 Caron et al.
 D784,671 S 4/2017 Little
 D787,168 S 5/2017 O'Connor
 D789,665 S 6/2017 Seamarks
 D793,047 S * 8/2017 Rasmussen D2/951
 D795,542 S 8/2017 Henrichot et al.
 D802,269 S 11/2017 Taylor
 D812,875 S * 3/2018 Petrie D2/951
 D839,567 S 2/2019 Young
 D844,309 S 4/2019 Belhacene et al.
 D852,479 S 7/2019 Link et al.
 D854,294 S * 7/2019 McMillan D2/947
 D860,612 S * 9/2019 Shyllon D2/951
 D872,434 S * 1/2020 Young D2/951
 D876,061 S 2/2020 Matthews
 D879,428 S * 3/2020 Braun D2/947
 D894,560 S * 9/2020 de Montgolfier D2/951
 D897,079 S * 9/2020 Han D2/951
 D897,647 S 10/2020 Lovering
 D899,741 S * 10/2020 Lesecq D2/960
 D904,750 S 12/2020 Matthews
 D905,401 S 12/2020 Gibson et al.
 D905,402 S 12/2020 McMillan
 D905,404 S * 12/2020 McMillan D2/951
 D905,407 S 12/2020 Gibson et al.
 D907,341 S 1/2021 Gibson et al.
 D914,342 S * 3/2021 Petrenka D2/951
 D917,853 S 5/2021 Lee
 D917,855 S * 5/2021 Maulid D2/947
 D923,303 S * 6/2021 McMillan D2/951
 D923,304 S 6/2021 McMillan
 D923,305 S * 6/2021 McMillan D2/951
 D930,333 S 9/2021 Miner
 D933,338 S 10/2021 Sassi
 D935,751 S 11/2021 Smith
 D935,754 S 11/2021 Schultze
 D935,755 S 11/2021 Schultze
 D955,713 S * 6/2022 Gibson D2/951

D955,715 S * 6/2022 Young D2/951
 D955,718 S * 6/2022 Gibson D2/954
 D962,609 S * 9/2022 Popovic D2/947

OTHER PUBLICATIONS

Jordan 6 Rings, Nike.com, [online], [site visited Oct. 27, 2022].
 <URL: <https://www.nike.com/t/jordan-6-rings-mens-shoes-2VAD3Y/322992-110>> (Year: 2022).*

“The Jordan Max Aura Looks Like An Air Jordan 11 Knock Off”; Sneaker News; retrieved Feb. 28, 2022; published Jul. 1, 2018; URL: <<https://sneakernews.com/2018/07/01/jordan-max-aura-aq9084-001-buy-now/>> .

“Jordan Max Aura 2”; Shiekh; retrieved Feb. 28, 2022; published date unknown, but prior to application filing date; URL: <<https://www.shiekh.com/jordan-max-aura-2-black.html>> .

“Air Jordan 13 Retro ‘Obsidian’”; Flight Club; retrieved Feb. 28, 2022; published date unknown, but prior to application filing date; URL: <<https://www.flightclub.com/air-jordan-13-retro-unc-414571-144?>> .

“Jordan Max Aura 3”; Foot Locker; retrieved Mar. 4, 2022; published date unknown, but prior to application filing date; URL: <https://www.footlocker.com/product/~/Z4167001.html?SID=5081&inceptor=1&cm_mmc=paid%20search> .

“Air Jordan 23—All-Stars”; Kicks On Fire; retrieved Feb. 28, 2022; published date unknown, but prior to application filing date; URL: <<https://www.kicksonfire.com/what-are-air-jordans/air-jordan-23-xx3/air-jordan-23-xx3-or-xxiii-all-stars-white-black-varsity-red/>> .

“The Air Jordan 9 ‘Dark Charcoal’ Releases This January”; Sneaker News; retrieved Feb. 28, 2022; published Nov. 16, 2020; URL: <<https://sneakernews.com/2020/11/16/air-jordan-9-black-charcoal-university-gold-ct8019-070/>> .

Nike Footwear Catalog, 1995 Late Spring Footwear, p. 54, published Mar. 1994, Nike, Inc., USA.

Nike Footwear Catalog, 1998 Fall Men’s, Women’s, and Kids’ Footwear, p. 56, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 1998 Fall Men’s, Women’s, and Kids’ Footwear, p. 66, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 1998 Holiday Footwear, p. W26, published Feb. 1998, Nike, Inc., USA.

Nike Footwear Catalog, 2002 Fall Men’s and Women’s Footwear, p. W22, published Nov. 2000, Nike, Inc., USA.

Nike Footwear Catalog, 2009 Spring Sport Performance Footwear, p. 50, published Nov. 2008, Nike, Inc., USA.

Nike Footwear Catalog, 2010 Spring Performance Footwear, p. 96, published Feb. 2010, Nike, Inc., USA.

Nike Footwear Catalog, 2014 Spring Men’s Nike Sportswear Footwear Best, p. 23, published Nov. 1, 2013, Nike, Inc., USA.

Nike Footwear Catalog, 2017 Spring City Specialty Footwear Energy NA, p. 17, published May 2016, Nike, Inc., USA.

* cited by examiner

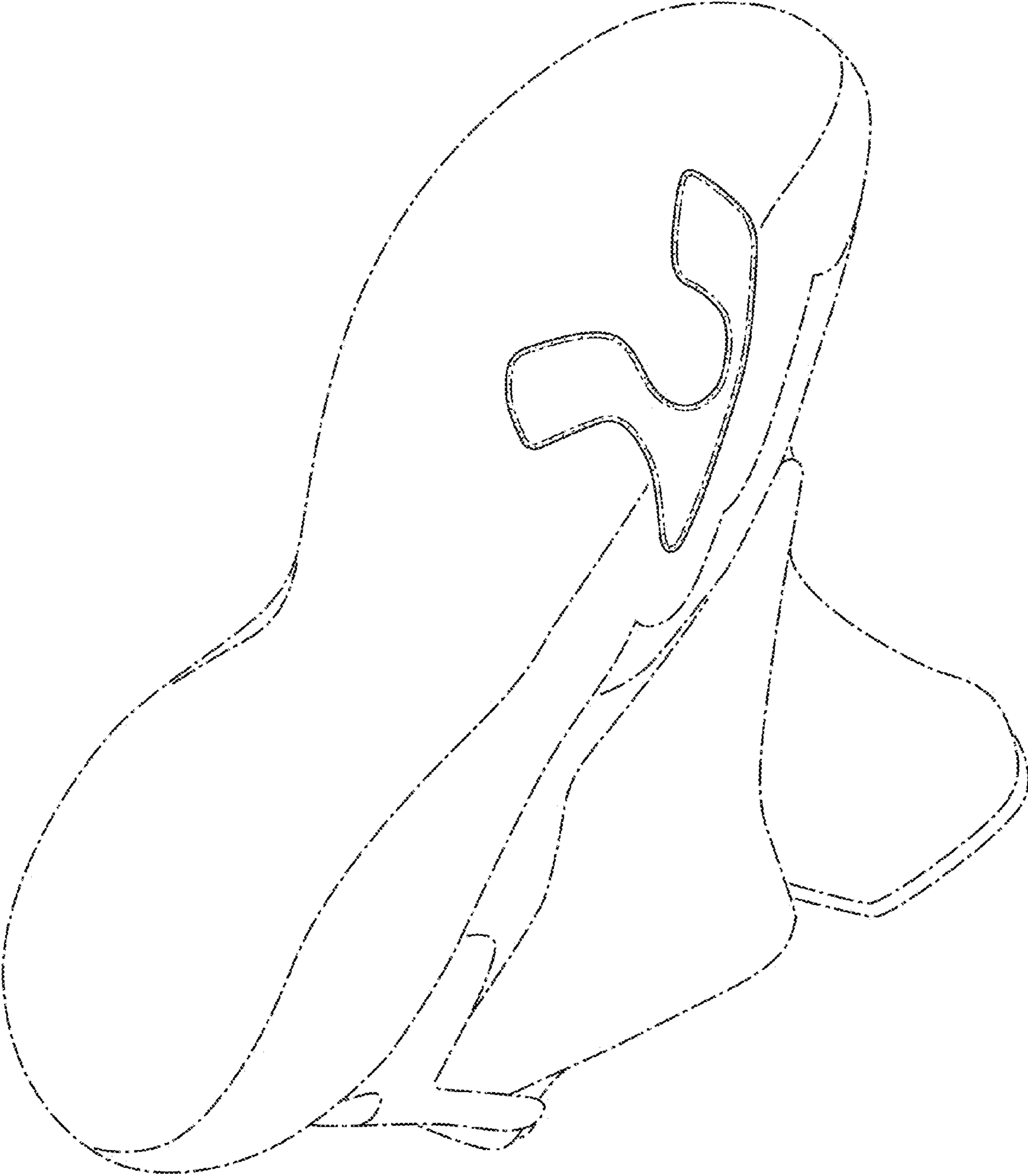


FIG. 1

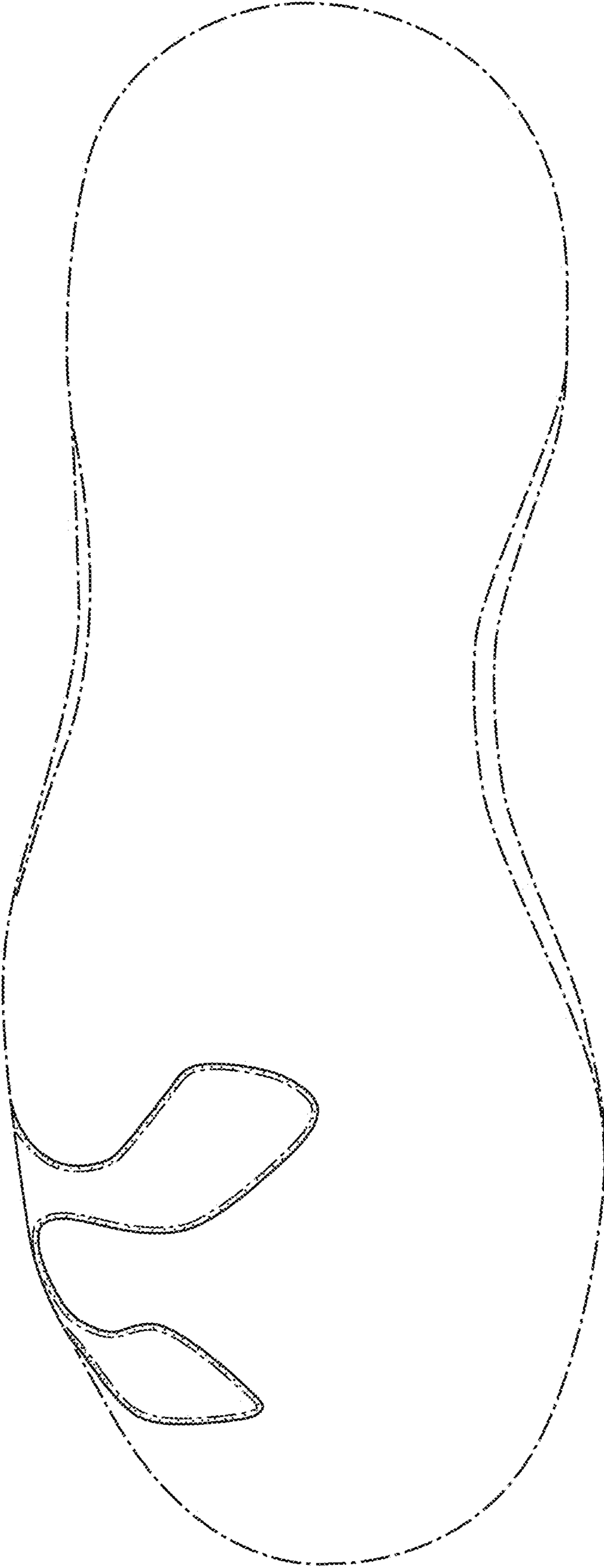


FIG. 2

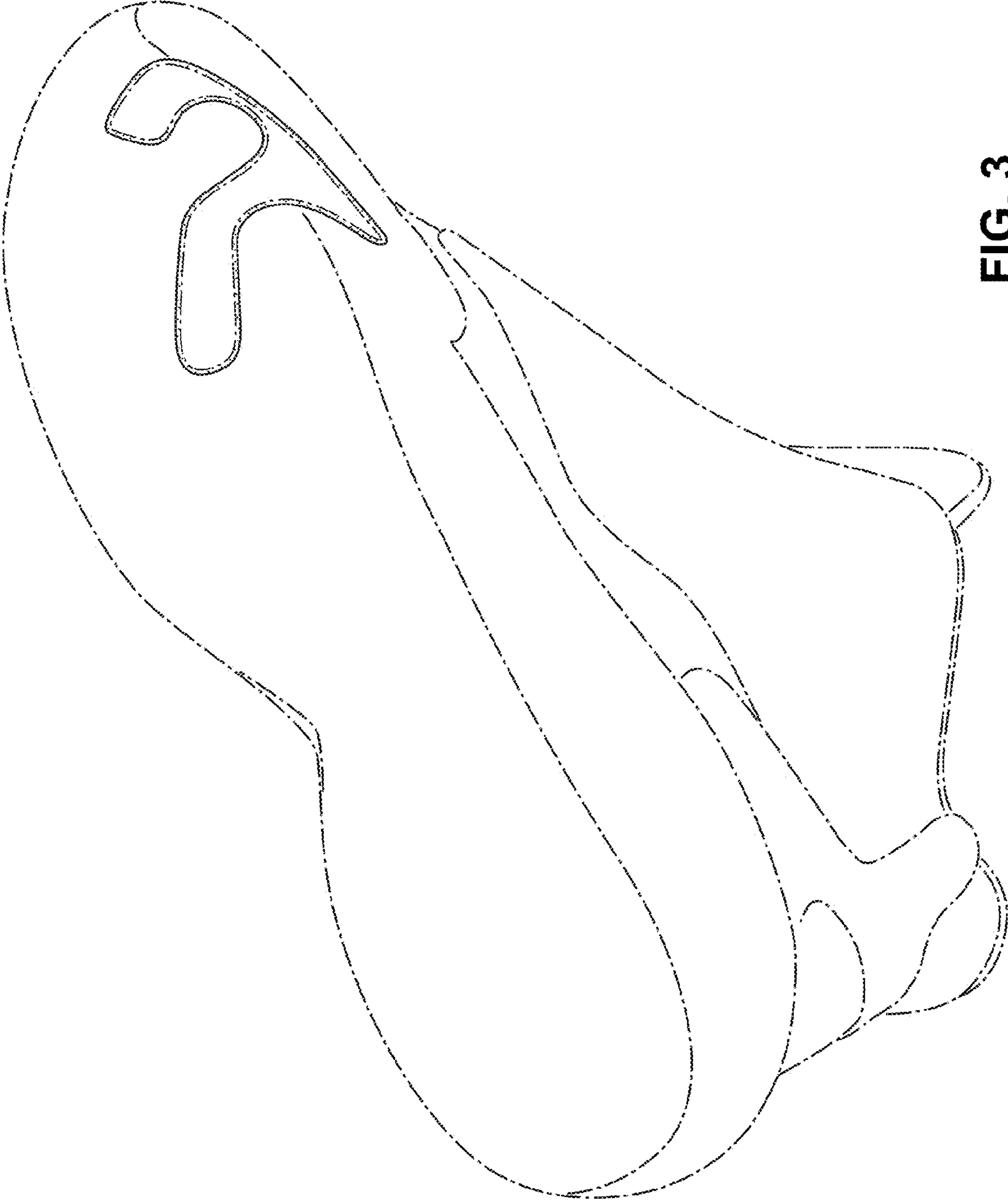


FIG. 3

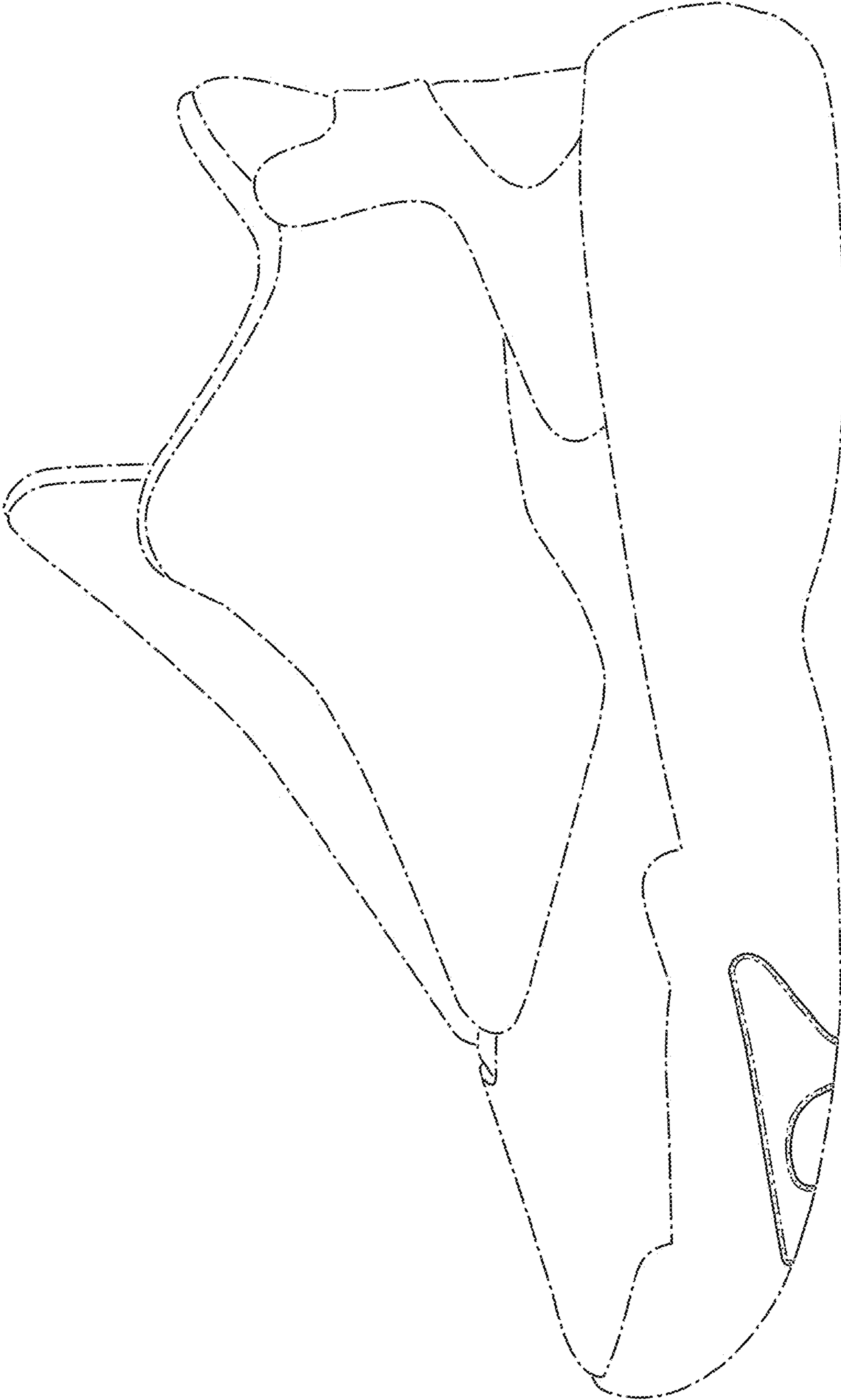


FIG. 4