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

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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**
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- (51) **LOC (14) Cl.** **02-04**
- (52) **U.S. Cl.**
USPC **D2/951; D2/954; D2/960**
- (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;
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13/16; A43B 13/18; A43B 13/181; A43B
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See application file for complete search history.

- D318,753 S 8/1991 Hatfield
- D319,534 S 9/1991 Rogers
- D321,590 S 11/1991 Smith, III
- D321,978 S 12/1991 Hatfield
- D323,927 S 2/1992 Rogers
- D325,667 S 4/1992 Smith, III
- D326,180 S 5/1992 Rogers
- (Continued)

FOREIGN PATENT DOCUMENTS

- CN 3010930 10/1991
- CN 302158407 11/2012
- (Continued)

OTHER PUBLICATIONS

Air Max Scorpion Lemon Wash, Nike.com, [online], [site visited Oct. 20, 2022]. <URL: <https://www.nike.com/launch/t/air-max-scorpion-lemon-wash>> (Year: 2022).*

(Continued)

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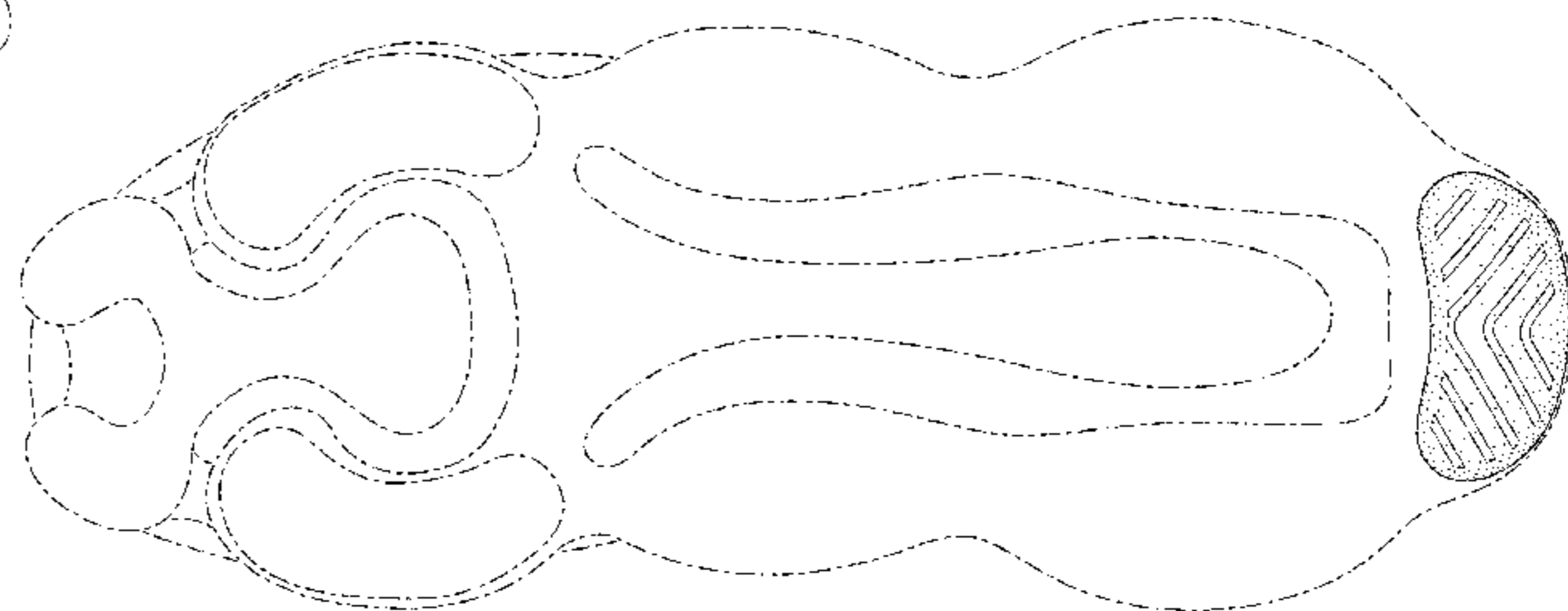
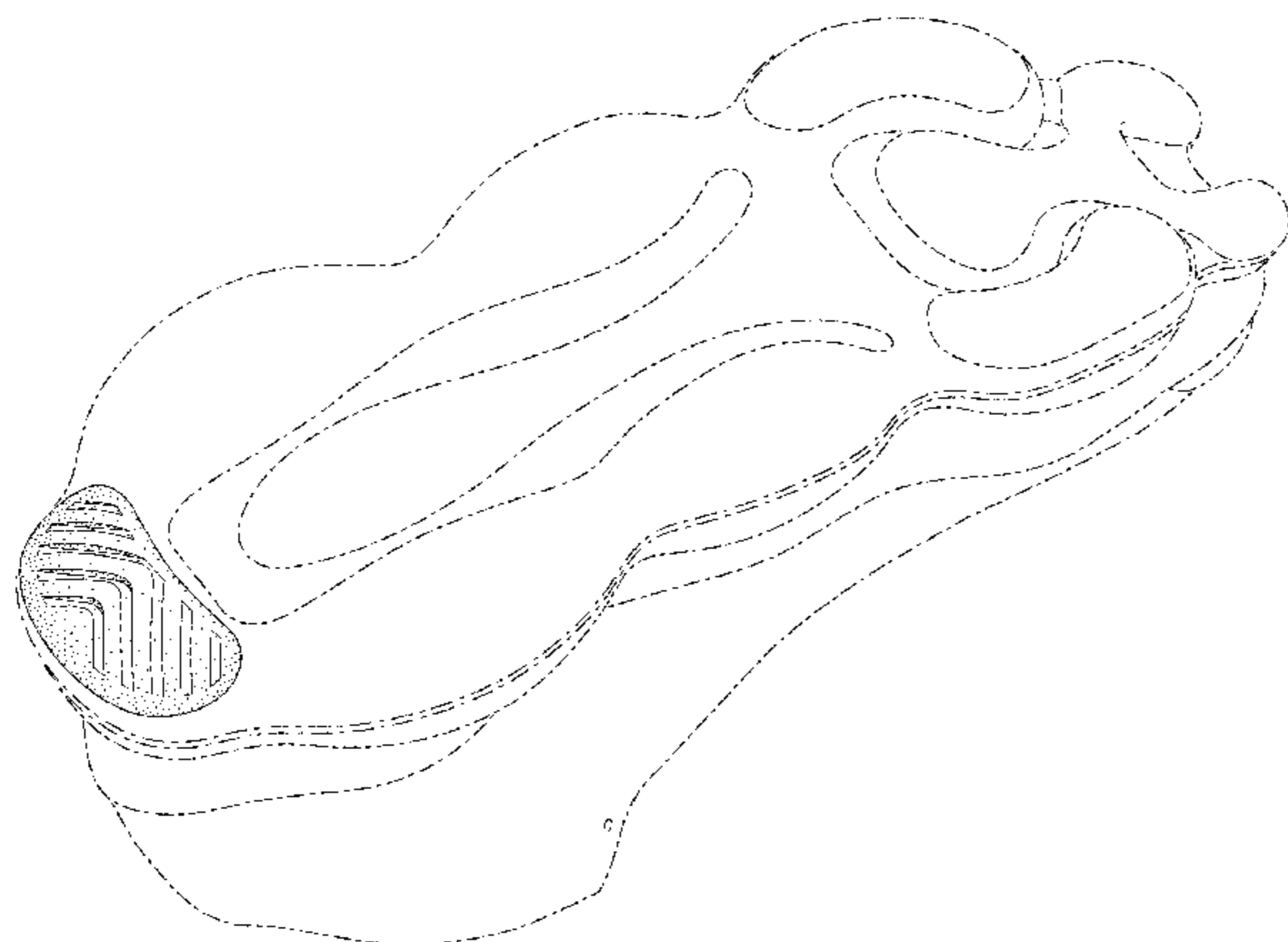
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a bottom rear perspective view of a shoe showing our new design;
FIG. 2 is a bottom view thereof;
FIG. 3 is a bottom opposite side rear perspective view thereof;
FIG. 4 is a bottom front perspective view thereof; and,
FIG. 5 is a bottom opposite side front perspective view thereof.
The broken lines depicting the remainder of the shoe form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D328,968 S 9/1992 Tinker
D329,941 S 10/1992 Hatfield
D330,972 S 11/1992 Hatfield et al.
D330,973 S 11/1992 Hatfield
D331,147 S 11/1992 Smith
D332,346 S 1/1993 Hatfield et al.
D332,692 S 1/1993 Hatfield et al.
D333,034 S 2/1993 McDonald
D333,555 S 3/1993 Hatfield et al.
D333,908 S 3/1993 Teague
D334,091 S 3/1993 McDonald
D334,092 S 3/1993 Teague
D334,465 S 4/1993 Teague
D334,655 S 4/1993 McDonald
D336,775 S 6/1993 Smith
D339,464 S 9/1993 Teague
D341,025 S 11/1993 Avar
D341,709 S 11/1993 Hatfield et al.
D341,710 S 11/1993 Hatfield et al.
D345,046 S 3/1994 Avar
D372,574 S * 8/1996 Shea D2/960
D378,871 S 4/1997 Hatfield
D384,795 S 10/1997 Hudson
D387,698 S 12/1997 Hatfield et al.
D387,895 S 12/1997 Cooper
D388,355 S 12/1997 Smith, III
D389,993 S * 2/1998 Ryan D2/953
D391,747 S 3/1998 Avar
D393,341 S * 4/1998 Marshall D2/951
D394,343 S * 5/1998 Marshall D2/954
D394,741 S * 6/1998 Gaudio D2/960
D398,748 S 9/1998 Hatfield et al.
D401,395 S 11/1998 Clarke
D403,846 S * 1/1999 Bove D2/957
D406,446 S 3/1999 Yun
D407,892 S * 4/1999 Gaudio D2/954
D411,910 S * 7/1999 Cessor D2/951
D412,050 S * 7/1999 Chassaing D2/960
D412,237 S 7/1999 Hatfield
D415,339 S * 10/1999 Rombis D2/954
D432,763 S 10/2000 Smith, III
D433,789 S 11/2000 Hardy
D450,426 S 11/2001 Huard et al.
D450,429 S 11/2001 McClaskie
D462,158 S 9/2002 White
D466,272 S 12/2002 Erickson et al.
D467,711 S * 12/2002 Chen D2/951
D507,863 S 8/2005 McClaskie
D544,184 S * 6/2007 Diaz D2/951
D547,934 S * 8/2007 Loverin D2/954
D551,433 S * 9/2007 Loverin D2/951
D553,833 S 10/2007 Walden
D556,432 S 12/2007 Gerber
D568,035 S 5/2008 McClaskie
D573,333 S 7/2008 Petrie
D574,585 S 8/2008 Wilken
D575,039 S 8/2008 Amado et al.
D590,586 S 4/2009 Harlow
D593,738 S 6/2009 McClaskie
D596,835 S 7/2009 Avar
D596,836 S 7/2009 Link
D634,108 S 3/2011 Tzenos
D643,194 S 8/2011 Raysse
D643,605 S 8/2011 Raysse
D646,470 S 10/2011 Jacobs
D690,489 S 10/2013 Taylor
D719,727 S * 12/2014 Abshire D2/951
D720,124 S * 12/2014 Grenet D2/951
D726,398 S * 4/2015 Grott D2/947
D729,393 S 5/2015 Dunn et al.
D734,930 S * 7/2015 Bikowski D2/951
D735,982 S 8/2015 Pauk
D780,417 S 3/2017 Chang
D788,428 S 6/2017 Raysse
D788,429 S 6/2017 Carmi

D793,047 S 8/2017 Rasmussen
D798,036 S * 9/2017 Opie D2/951
D799,184 S 10/2017 Chang
D799,803 S 10/2017 Nethongkome
D811,060 S 2/2018 Rockensuess et al.
D817,618 S 5/2018 Young
D821,715 S * 7/2018 Chang D2/954
D825,904 S 8/2018 Petrenka
D826,526 S 8/2018 Small
D826,528 S 8/2018 Hui et al.
D833,128 S 11/2018 DeAlmeida
D839,569 S 2/2019 Petrie
D840,652 S * 2/2019 Raysse D2/954
D841,954 S 3/2019 Petrenka
D843,704 S * 3/2019 Hong D2/951
D853,696 S * 7/2019 Roxe D2/923
D854,290 S 7/2019 Miner
D854,294 S 7/2019 McMillan
D854,301 S 7/2019 Raasch
D858,059 S * 9/2019 McMillan D2/947
D859,801 S 9/2019 Jenkins et al.
D866,939 S 11/2019 Small
D869,833 S 12/2019 Hartmann et al.
D870,433 S 12/2019 Hartmann et al.
D870,439 S * 12/2019 Petrie D2/951
D871,036 S 12/2019 Amago
D871,730 S 1/2020 Rockensuess et al.
D871,737 S 1/2020 Gibson
D872,434 S 1/2020 Young
D872,984 S 1/2020 de Montgolfier
D877,474 S * 3/2020 Little D2/947
D878,026 S * 3/2020 Nikolic D2/947
D879,424 S 3/2020 Hartmann et al.
D879,428 S * 3/2020 Braun D2/947
D880,127 S 4/2020 Powers
D881,541 S 4/2020 Small
D882,224 S 4/2020 Small
D882,225 S 4/2020 Small
D882,909 S 5/2020 Small et al.
D885,732 S 6/2020 de Montgolfier
D886,427 S 6/2020 Young
D890,490 S 7/2020 Page
D891,059 S 7/2020 Shyllon
D892,482 S * 8/2020 de Montgolfier D2/951
D893,153 S 8/2020 Lee
D896,488 S * 9/2020 Page D2/951
D900,452 S * 11/2020 Small D2/947
D900,453 S * 11/2020 Small D2/947
D900,454 S * 11/2020 Small D2/947
D900,455 S * 11/2020 Small D2/947
D901,152 S * 11/2020 Small D2/947
D901,157 S * 11/2020 Small D2/947
D901,866 S 11/2020 Brunner
D903,259 S 12/2020 Kosenick
D905,402 S * 12/2020 McMillan D2/951
D909,729 S 2/2021 Durflinger
D910,299 S * 2/2021 Dieudonné D2/951
D910,300 S * 2/2021 Comeaux D2/951
D912,380 S * 3/2021 Gerig D2/951
D912,383 S 3/2021 Jenkins et al.
D913,664 S 3/2021 Gibson
D915,046 S * 4/2021 Odinet D2/951
D915,052 S * 4/2021 Odinet D2/951
D917,141 S 4/2021 Radabaugh
D917,849 S * 5/2021 Rinella D2/947
D917,850 S * 5/2021 Odinet D2/951
D917,853 S * 5/2021 Lee D2/954
D918,557 S 5/2021 Gerig
D919,268 S 5/2021 Gerig
D919,269 S 5/2021 Gerig
D923,925 S * 7/2021 Bramani D2/947
D925,883 S * 7/2021 Mocos D2/947
D929,099 S * 8/2021 Rémy D2/962

(56)

References Cited

U.S. PATENT DOCUMENTS

D938,155 S * 12/2021 Nikolic D2/947
 D955,718 S * 6/2022 Gibson D2/954

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, Andrea Carrillo, Dec. 28, 2021, [online], [site visited Oct. 20, 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: <<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, 1996 Spring Footwear, p. 17, published Mar. 1996, Nike, Inc., USA.

Nike Footwear Catalog, 2018 Summer Sportswear, p. 85, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

* cited by examiner

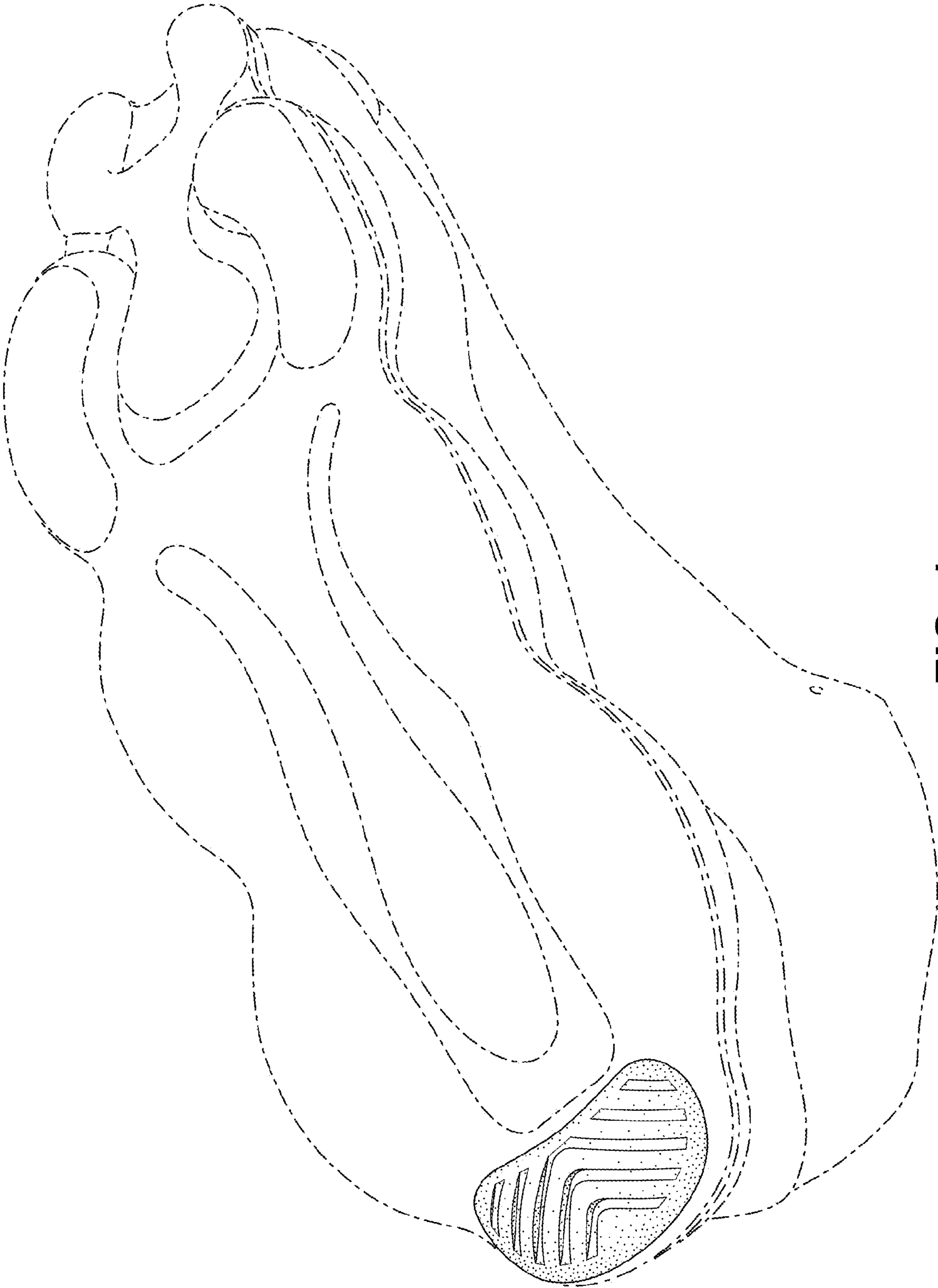


FIG. 1

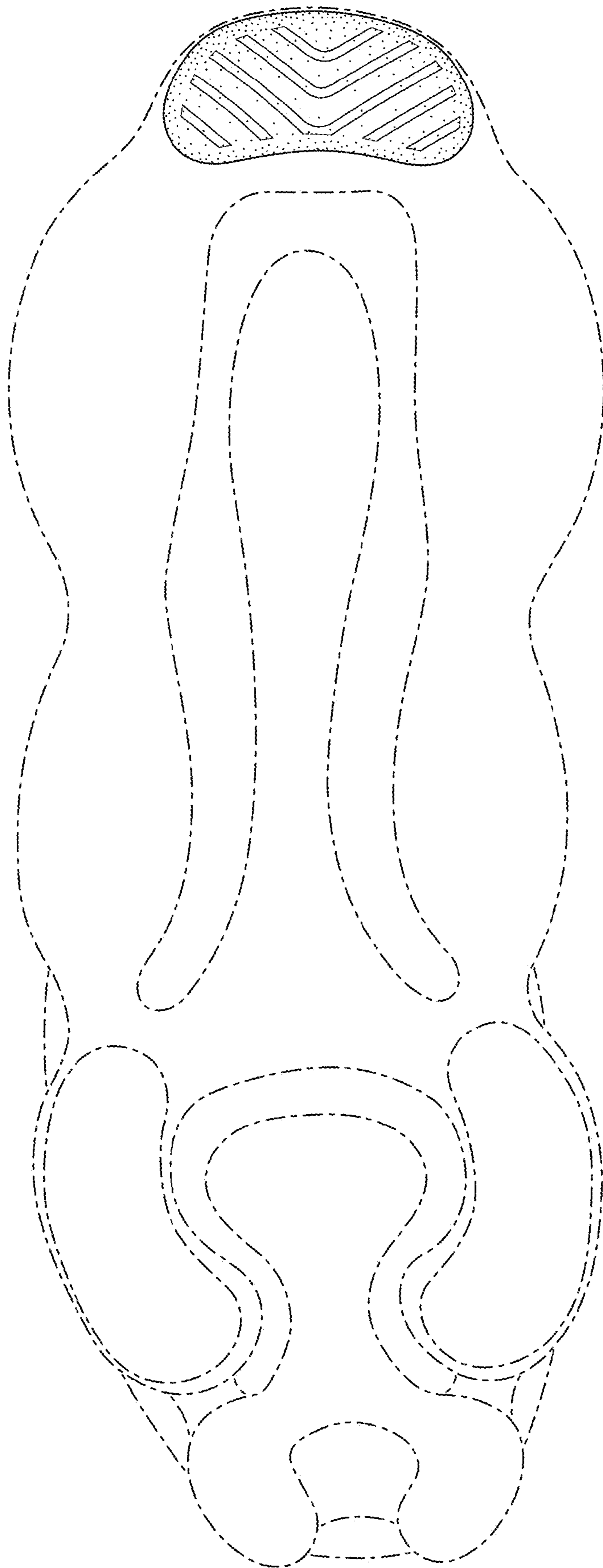


FIG. 2

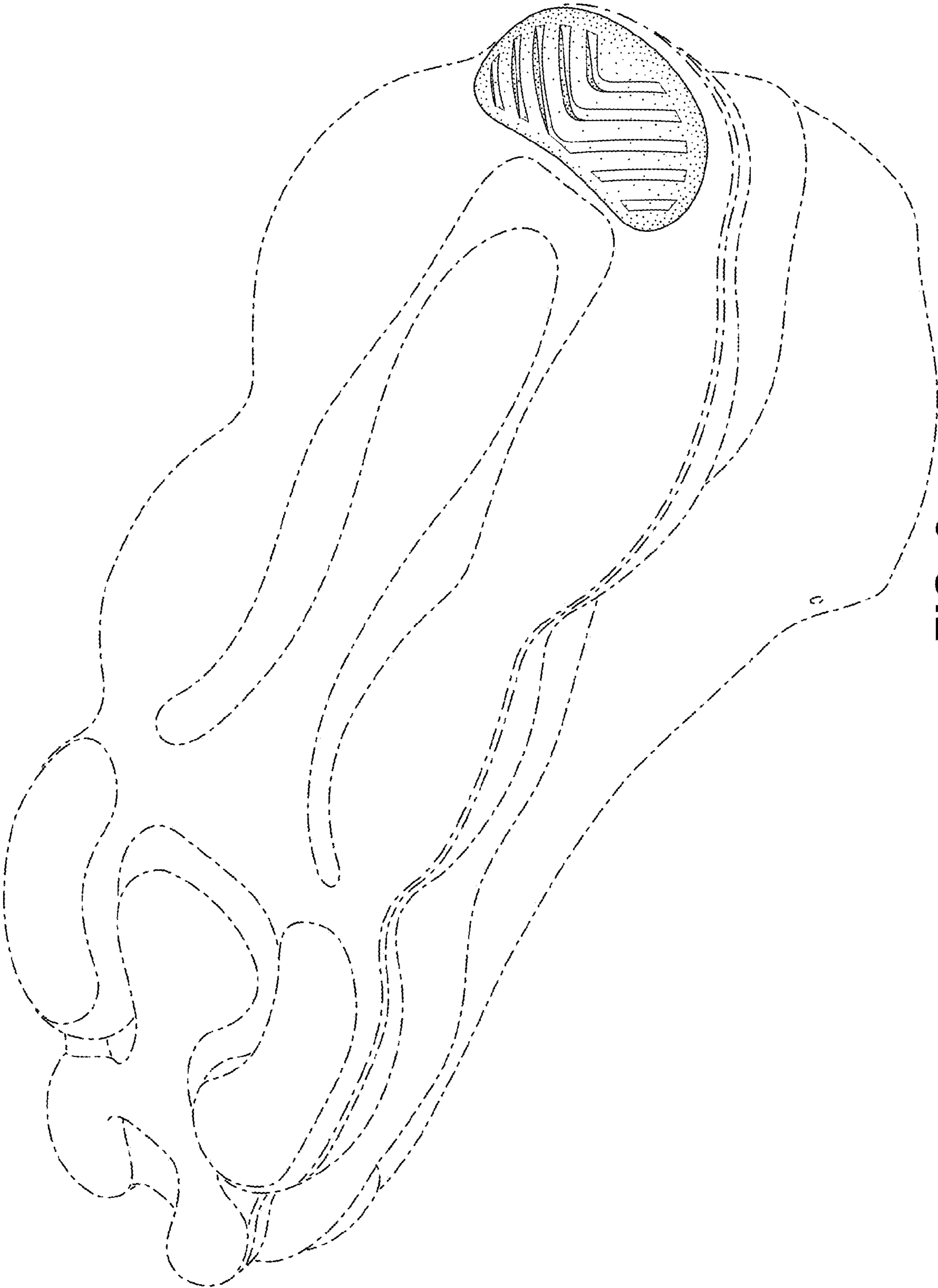


FIG. 3

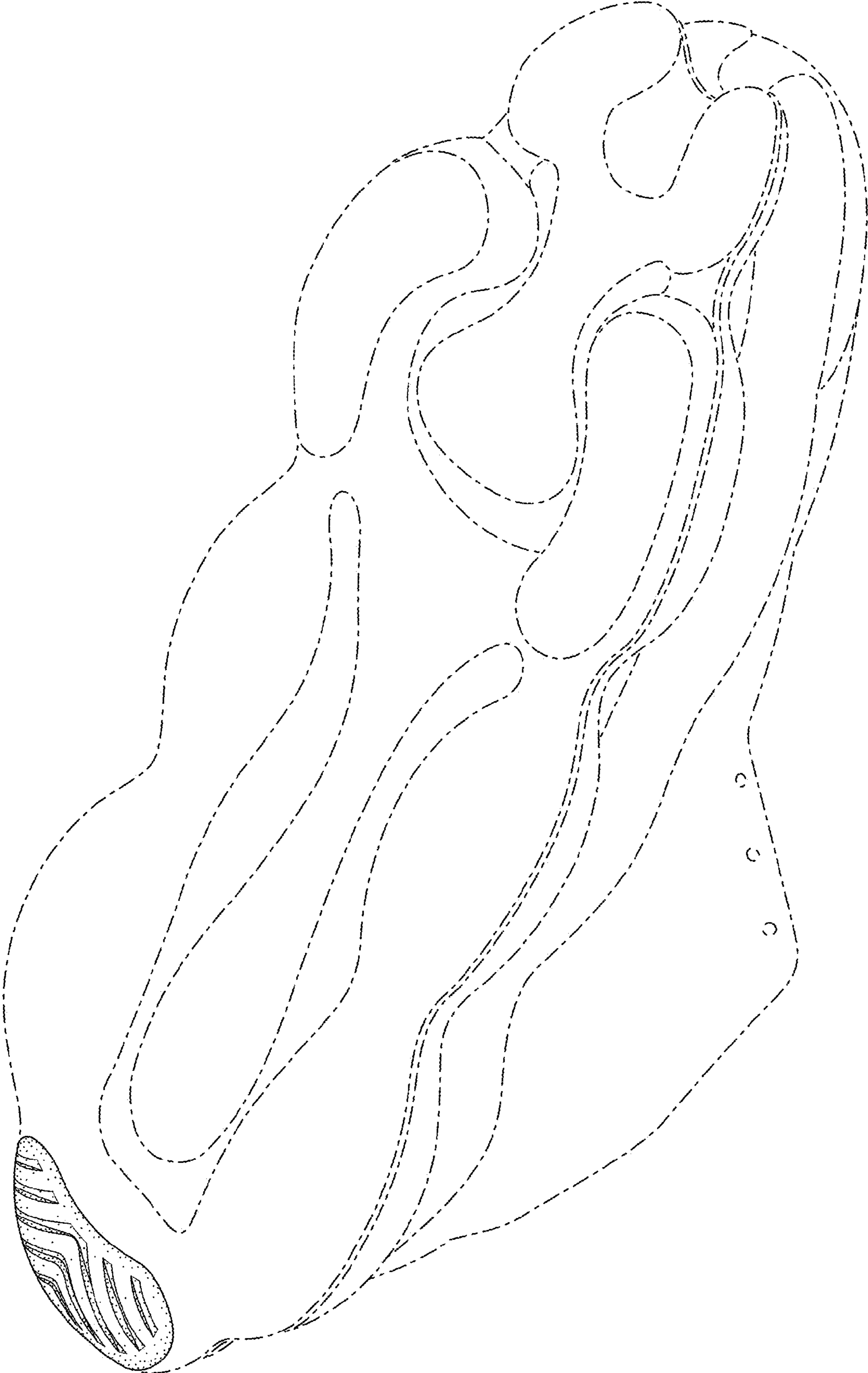


FIG. 4

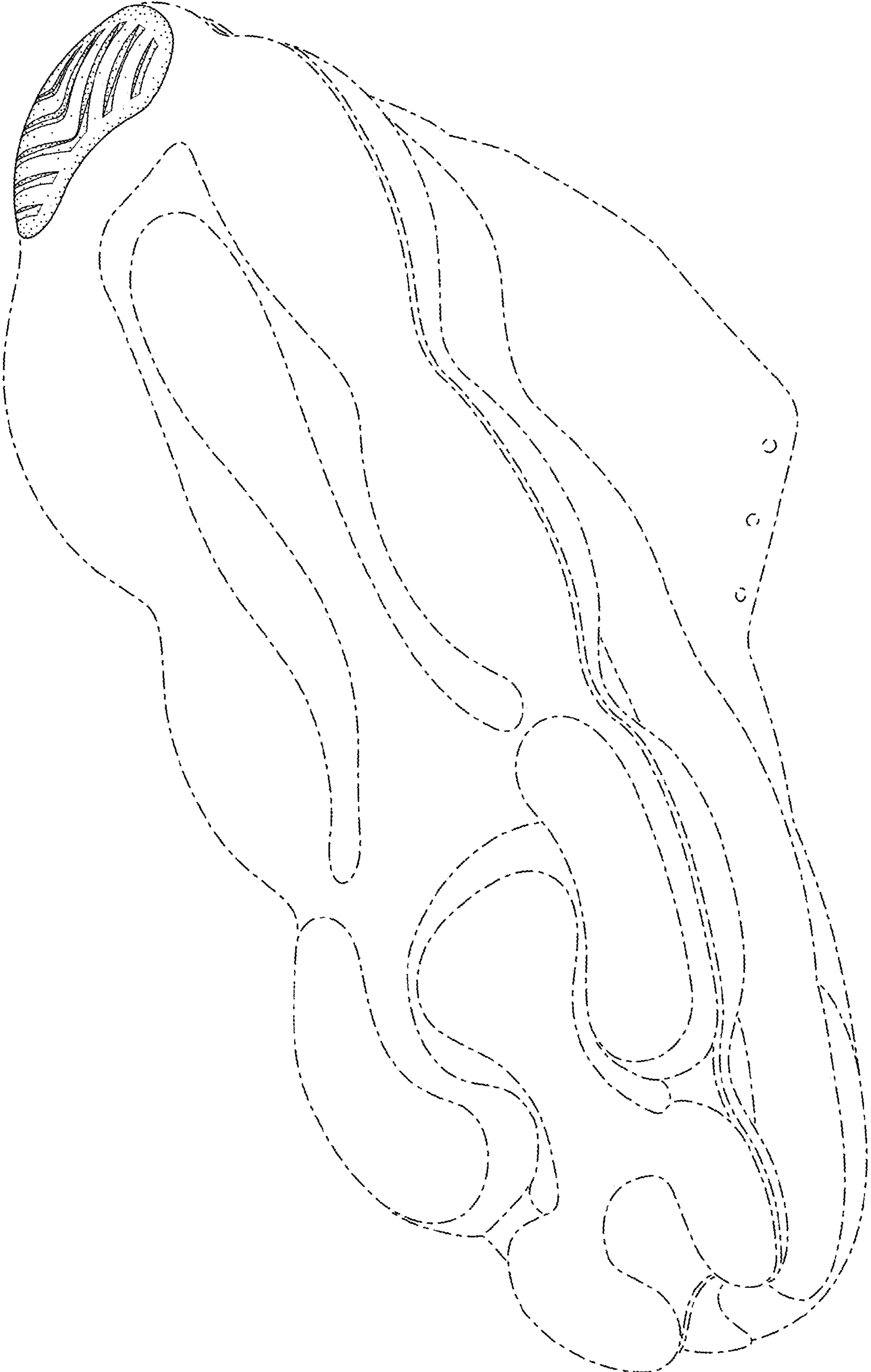


FIG. 5