

US00D979209S

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

(10) **Patent No.:** **US D979,209 S**
(45) **Date of Patent:** **** Feb. 28, 2023**

(54) **SHOE**

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

(72) Inventors: **Zachary M. Elder**, Portland, OR (US);
Philip Woodman, Treviso (IT)

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

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

(21) Appl. No.: **29/825,763**

(22) Filed: **Feb. 4, 2022**

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

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

(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
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			
D315,635 S	3/1991	Hatfield et al.	
D319,331 S	8/1991	Hatfield et al.	
D326,955 S	6/1992	Hatfield et al.	
D368,360 S	4/1996	Wolfe	
D372,574 S *	8/1996	Shea	D2/960
D385,093 S	10/1997	Cass	
D387,698 S	12/1997	Hatfield et al.	

D389,993 S *	2/1998	Ryan	D2/953
D392,449 S	3/1998	Worthington	
D393,341 S *	4/1998	Marshall	D2/951
D394,343 S *	5/1998	Marshall	D2/954
D394,741 S *	6/1998	Gaudio	D2/960
D403,846 S *	1/1999	Bove	D2/957
D407,892 S *	4/1999	Gaudio	D2/954
D411,910 S *	7/1999	Cessor	D2/951
D412,050 S *	7/1999	Chassaing	D2/960
D415,339 S *	10/1999	Rombis	D2/954
D433,789 S	11/2000	Hardy	
(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)

Primary Examiner — Jonathan J Han
(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

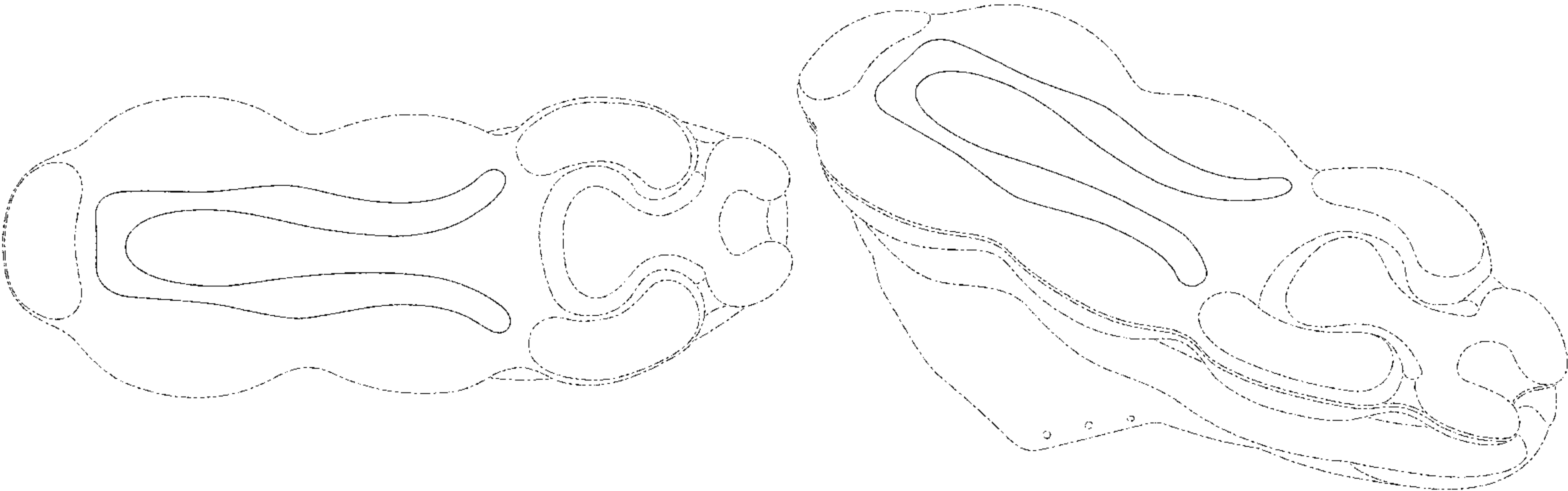
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a bottom view of a shoe showing our new design; FIG. 2 is a bottom front perspective view thereof; and, FIG. 3 is a bottom opposite side rear perspective view thereof.
The broken lines and unshaded areas 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

D442,357 S	5/2001	Burt	
D467,711 S	* 12/2002	Chen	D2/951
D540,015 S	4/2007	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
D556,432 S	12/2007	Gerber	
D579,184 S	10/2008	Challe et al.	
D719,727 S	* 12/2014	Abshire	D2/951
D720,124 S	* 12/2014	Grenet	D2/951
D726,398 S	* 4/2015	Grott	D2/947
D731,159 S	6/2015	Schoenhaus	
D734,930 S	* 7/2015	Bikowski	D2/951
D735,982 S	8/2015	Pauk	
D759,361 S	6/2016	Robinson, Jr. et al.	
D785,304 S	5/2017	Seo	
D798,036 S	* 9/2017	Opie	D2/951
D801,015 S	10/2017	Gibson	
D801,652 S	11/2017	Small	
D801,653 S	11/2017	Small	
D812,876 S	3/2018	Gibson	
D817,618 S	5/2018	Young	
D821,715 S	* 7/2018	Chang	D2/954
D840,652 S	* 2/2019	Raysse	D2/954
D843,704 S	* 3/2019	Hong	D2/951
D846,249 S	4/2019	Cruz	
D853,696 S	* 7/2019	Roxe	D2/923
D854,290 S	7/2019	Miner	
D854,294 S	7/2019	McMillan	
D858,059 S	* 9/2019	McMillan	D2/947
D870,439 S	* 12/2019	Petrie	D2/951
D871,732 S	1/2020	Behr	
D877,474 S	* 3/2020	Little	D2/947
D878,026 S	* 3/2020	Nikolic	D2/947
D879,428 S	* 3/2020	Braun	D2/947
D892,482 S	* 8/2020	de Montgolfier	D2/951
D896,488 S	* 9/2020	Page	D2/951
D900,446 S	11/2020	Jury	
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
D901,865 S	11/2020	Cruz	
D905,398 S	12/2020	Hong et al.	
D905,402 S	* 12/2020	McMillan	D2/951
D910,299 S	* 2/2021	Dieudonné	D2/951
D910,300 S	* 2/2021	Comeaux	D2/951
D910,996 S	2/2021	Klein	
D912,380 S	* 3/2021	Gerig	D2/951
D912,955 S	3/2021	Harper	
D915,046 S	* 4/2021	Odinot	D2/951
D915,052 S	* 4/2021	Odinot	D2/951
D917,849 S	* 5/2021	Rinella	D2/947
D917,850 S	* 5/2021	Odinot	D2/951
D917,853 S	* 5/2021	Lee	D2/954
D923,925 S	* 7/2021	Bramani	D2/947
D925,883 S	* 7/2021	Mokos	D2/947
D929,099 S	* 8/2021	Rémy	D2/962
D932,756 S	10/2021	Schenone	
D933,345 S	10/2021	Mahoney	
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).*

Nike Footwear Catalog, 1995 Holiday Footwear, p. 8, published Mar. 1994, Nike, Inc., USA.

Nike Footwear Catalog, 1996 Fall Footwear, p. 6, published Dec. 1995, Nike, Inc., USA.

Nike Footwear Catalog, 2001 Fall Men's and Women's Footwear, p. M3, published Nov. 1999, Nike, Inc., USA.

Nike Footwear Catalog, 2010 Fall Core Footwear, p. 7, published Nov. 2009, Nike, Inc., USA.

"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. 31, 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>>.

* cited by examiner

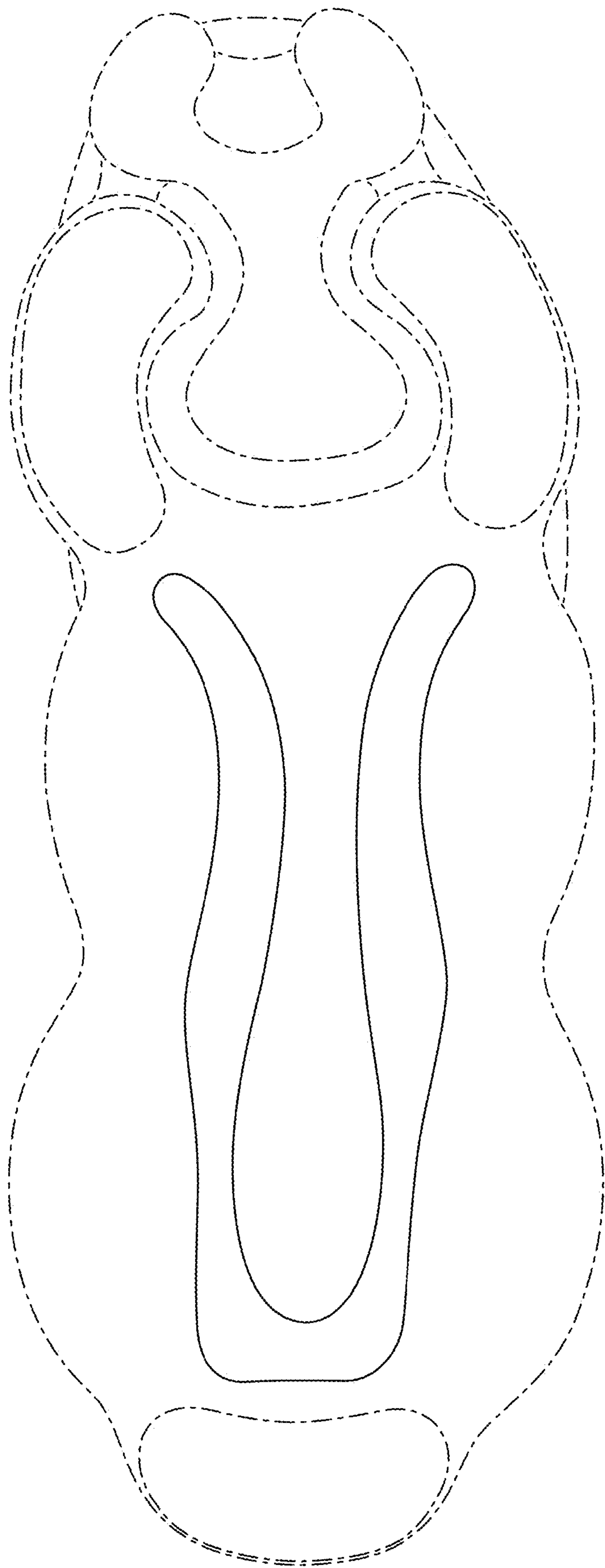


FIG. 1

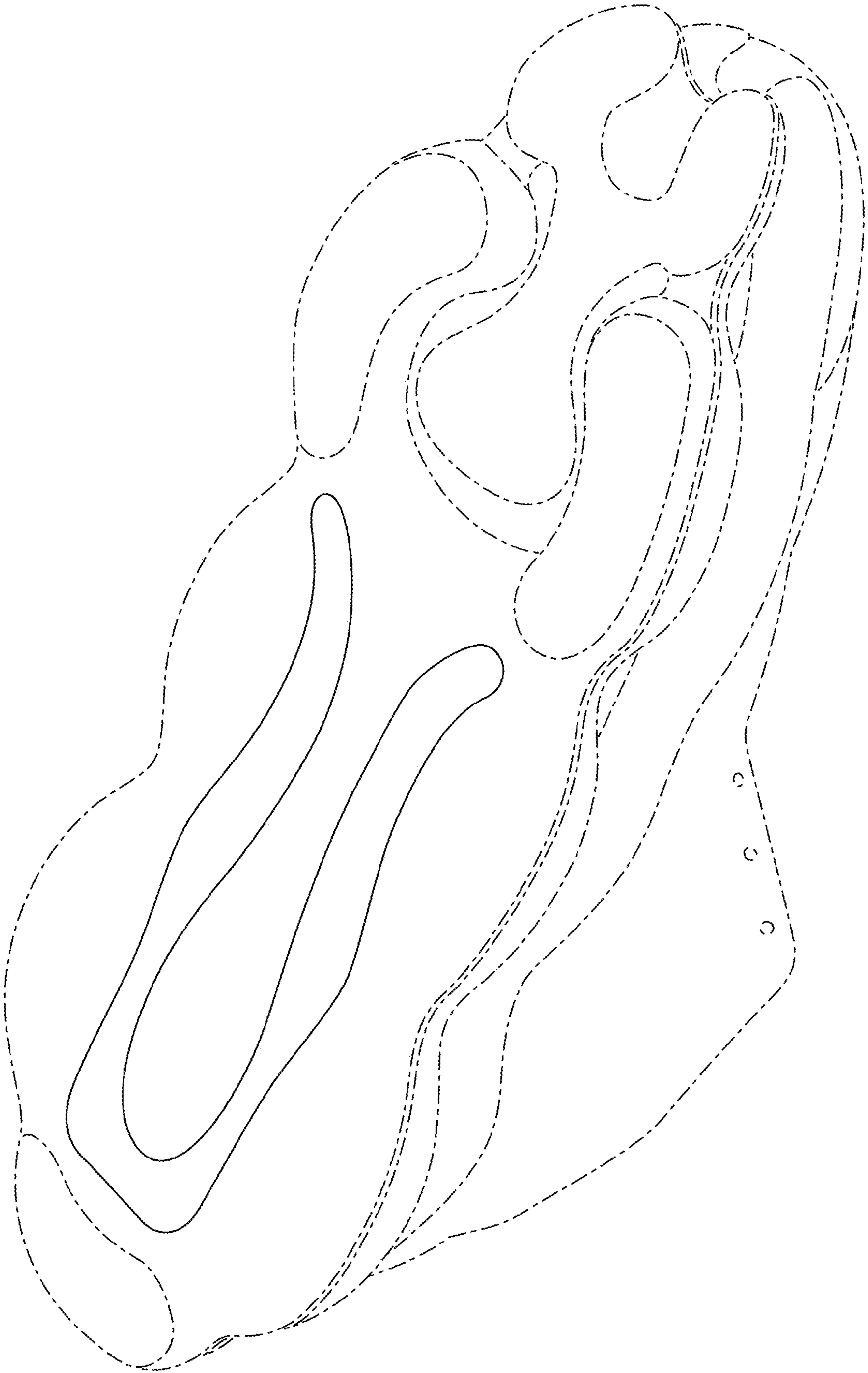


FIG. 2

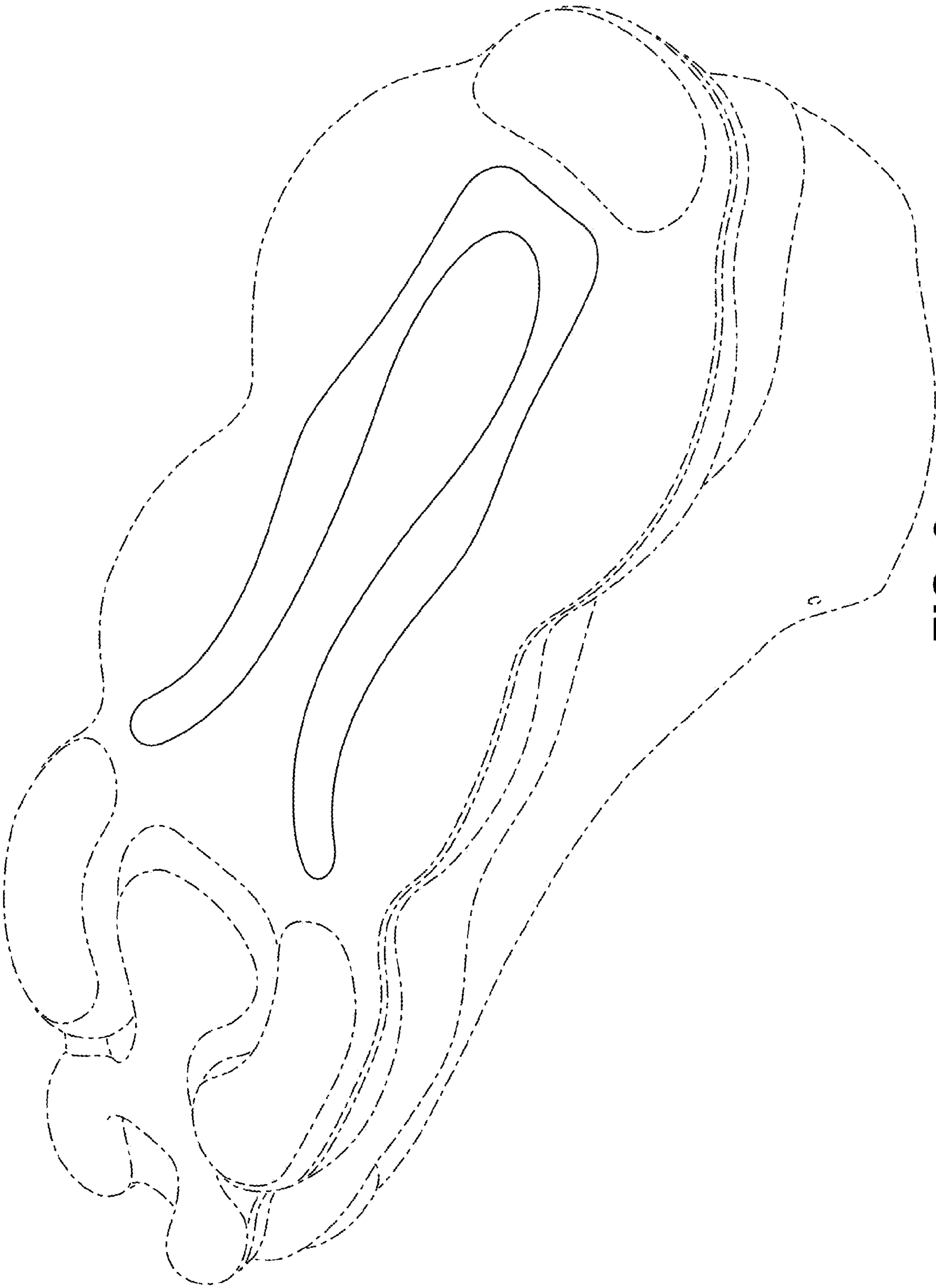


FIG. 3