

US00D979916S

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

(10) **Patent No.:** **US D979,916 S**

(45) **Date of Patent:** **\*\* Mar. 7, 2023**

(54) **SHOE**

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

(72) Inventor: **Jordyn N. Klumpp**, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/819,813**

(22) Filed: **Dec. 17, 2021**

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

(52) **U.S. Cl.**  
USPC ..... **D2/972**

(58) **Field of Classification Search**  
USPC ..... D2/896, 900, 902, 904, 906-908, 910,  
D2/915-924, 925-945, 969-979  
CPC .... A43B 1/00; A43B 1/02; A43B 1/04; A43B  
3/00; A43B 3/02; A43B 3/06; A43B 3/10;  
A43B 3/12; A43B 3/14; A43B 5/00;  
A43B 5/001; A43B 5/002; A43B 5/008;  
A43B 5/06; A43B 5/10; A43B 5/12;  
A43B 23/00; A43B 23/02; A43B 23/04  
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D108,107 S *	1/1938	Pick	.....	A43B 7/085
				D2/945
D140,573 S *	3/1945	Sandler	.....	A43B 13/14
				D2/943
D283,173 S *	4/1986	Malone	.....	D2/907
D311,987 S *	11/1990	McKinstry	.....	D2/969
D315,055 S *	3/1991	Rogers	.....	D2/970
D319,721 S *	9/1991	Clark	.....	D2/969
D319,918 S *	9/1991	Hatfield	.....	D2/970
D320,689 S *	10/1991	Smith	.....	D2/969
D333,553 S *	3/1993	Bevier	.....	D2/970
D333,721 S *	3/1993	Hatfield	.....	D2/970

D336,148 S *	6/1993	Adams	.....	D2/969
D398,761 S	9/1998	Smith		
D399,999 S *	10/1998	Duclos	.....	D2/969
D471,350 S *	3/2003	Roulo	.....	D2/972
D476,145 S *	6/2003	Adams	.....	D2/969
D499,875 S	12/2004	Lozano		
D503,033 S *	3/2005	Hlavacs	.....	D2/972

(Continued)

FOREIGN PATENT DOCUMENTS

CN	304172077 S	6/2017
CN	304910471 S	11/2018

(Continued)

OTHER PUBLICATIONS

[Nike Zoom Fly 5 Men's Road Running Shoes], nike.com, Posted: 2022 [online], site visited: [Sep. 30, 2022], URL: <https://www.nike.com/t/zoom-fly-5-air-hola-lou-mens-road-running-shoes-jGsdSI/DM8968-800>. (Year: 2022).\*

(Continued)

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

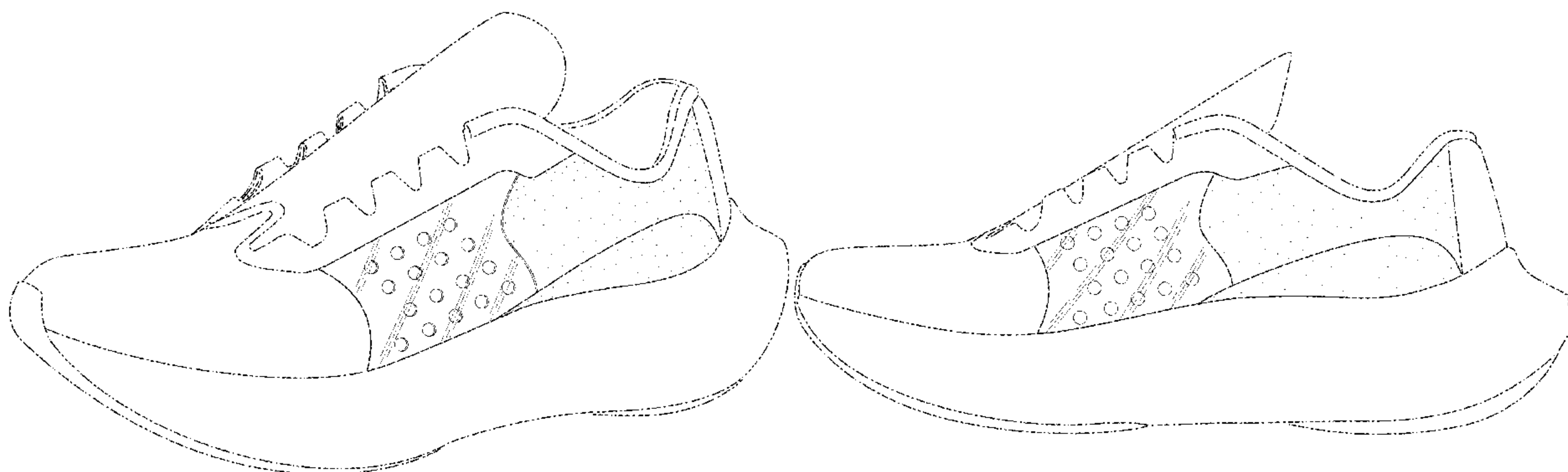
(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a front perspective view of a shoe showing my new design;  
FIG. 2 is a side view thereof; and,  
FIG. 3 is a rear perspective view thereof.  
The broken line immediately adjacent to the rear of the shaded area defines a bound of the claimed design and forms 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

D524,529 S 7/2006 Hlavacs  
 D545,558 S \* 7/2007 McDowell ..... D2/972  
 D553,340 S \* 10/2007 Dirsa ..... D2/972  
 D567,498 S \* 4/2008 Taylor ..... D2/972  
 D574,598 S 8/2008 Belley et al.  
 D577,888 S \* 10/2008 Horne ..... D2/969  
 D632,063 S \* 2/2011 Teteriatnikov ..... D2/969  
 D634,534 S \* 3/2011 McMillan ..... D2/972  
 D636,582 S \* 4/2011 Petrie ..... D2/972  
 D643,615 S \* 8/2011 Avar ..... D2/972  
 D651,390 S \* 1/2012 Van Zyll De Jong ..... D2/969  
 D653,020 S \* 1/2012 Van Zyll De Jong ..... D2/923  
 D675,424 S 2/2013 Williams, Jr.  
 D678,667 S \* 3/2013 Carboy ..... D2/972  
 D681,931 S \* 5/2013 Raysse ..... D2/969  
 D684,350 S \* 6/2013 Seamarks ..... D2/972  
 D689,684 S 9/2013 McMillan  
 D693,109 S 11/2013 Taylor  
 D715,040 S 10/2014 Mermet  
 D738,091 S 9/2015 de Montgolfier  
 D740,538 S 10/2015 Roulo  
 D743,159 S \* 11/2015 McMillan ..... D2/972  
 D784,000 S \* 4/2017 Kirschner ..... D2/972  
 D794,304 S 8/2017 Nethongkome  
 D796,825 S 9/2017 Anceresi  
 D798,571 S 10/2017 Cochran  
 D798,576 S 10/2017 Nethongkome  
 D814,776 S 4/2018 Odinet  
 D821,729 S \* 7/2018 Durflinger ..... D2/972  
 D837,503 S 1/2019 Taylor  
 D841,970 S 3/2019 Woodman  
 D850,089 S 6/2019 Shyllon  
 D865,337 S \* 11/2019 Laska ..... D2/907  
 D869,143 S \* 12/2019 de Montgolfier ..... D2/972  
 D871,050 S 12/2019 Cin  
 D880,137 S 4/2020 Belhacene et al.  
 D882,232 S 4/2020 Odinet et al.  
 D882,909 S 5/2020 Small et al.  
 D882,937 S 5/2020 de Montgolfier  
 D893,157 S \* 8/2020 Amago ..... D2/972  
 D899,036 S 10/2020 Van De Stouwe  
 D899,037 S 10/2020 Van De Stouwe  
 D903,276 S \* 12/2020 McMillan ..... D2/969  
 D905,424 S 12/2020 Strother  
 D909,737 S 2/2021 Schenone  
 D911,699 S \* 3/2021 McMillan ..... D2/973  
 D922,752 S \* 6/2021 Winskowicz ..... D2/969  
 D932,747 S \* 10/2021 Mokos ..... D2/960  
 D937,555 S \* 12/2021 Goto ..... D2/972  
 D937,557 S 12/2021 Parker et al.  
 D958,501 S \* 7/2022 Bertelli ..... D2/944

D963,318 S \* 9/2022 Mateo ..... D2/972  
 2012/0167417 A1 \* 7/2012 McDowell ..... A43B 7/085  
 36/107  
 2020/0100556 A1 \* 4/2020 Cin ..... A43B 13/14

FOREIGN PATENT DOCUMENTS

CN 305117256 S 4/2019  
 CN 305117274 S 4/2019  
 CN 305845992 S 6/2020  
 CN 306043503 S 9/2020  
 CN 306446852 S 4/2021  
 CN 306707654 S 7/2021  
 CN 306734444 S 8/2021  
 EM 008913354-0040 \* 6/2022  
 GB 6198841 \* 3/2022  
 KR 30-0681652 2/2013

OTHER PUBLICATIONS

[Nike Zoom Fly 5—the Brick is Back !], YouTube.com, Posted Jul. 10, 2022[online], site visited: [Oct. 13, 2022], URL: <<https://www.youtube.com/watch?v=n1hSUN1WoBw>>. (Year: 2022).  
 “Test: Nike Zoom Fly 4—Fly In Style”; Running Expert; retrieved Dec. 13, 2021; published Nov. 19, 2021; URL: <<https://www.runningxpert.com/en/inspiration/test-nikezoom-fly-4>>.  
 “Nike Zoom Rival Fly 2”; Run Repeat; retrieved Dec. 13, 2021; published May 2, 2020; URL: <<https://runrepeat.com/nike-zoom-rival-fly-2>>.  
 “For Better and Worse, the Nike Zoom Fly 3 Is a Vaporfly for Everyday Use”; Runners World; retrieved Dec. 13, 2021 published Oct. 21, 2019; URL: <<https://www.runnersworld.com/gear/a29519136/nike-zoom-fly-3-review/>>.  
 “Nike Air Zoom Rival Fly 3 Review”; Running Shoes Guru; retrieved Dec. 13, 2021; published date unknown, but prior to application filing date; URL: <<https://www.runningshoesguru.com/2021/10/nike-air-zoom-rival-fly-3-review/>>.  
 Nike Footwear Catalog, 1989 Spring Footwear, p. 76, published Jun. 1988, Nike, Inc., USA.  
 Nike Footwear Catalog, 2000 Spring Men’s and Women’s Footwear 2, p. M26, published Nov. 1999, Nike, Inc., USA.  
 Nike Footwear Catalog, 2007 Spring Footwear, p. 53, published Jun. 2006, Nike, Inc., USA.  
 Nike Footwear Catalog, 2012 Fall Jordan Footwear, p. 97, published Nov. 2010, Nike, Inc., USA.  
 Nike Footwear Catalog, 2014 Spring Men’s Footwear Performance , p. 6, published Nov. 1, 2013 , Nike, Inc., USA.  
 Nike Footwear Catalog, 2016 Spring Territory Sporting Goods Footwear Best NA, p. 21, published Nov. 2015, Nike, nc., USA.  
 Nike Footwear Catalog, 2017 Spring General Footwear Footwear NA, p. 10, published May 2016, Nike, Inc., USA.

\* cited by examiner



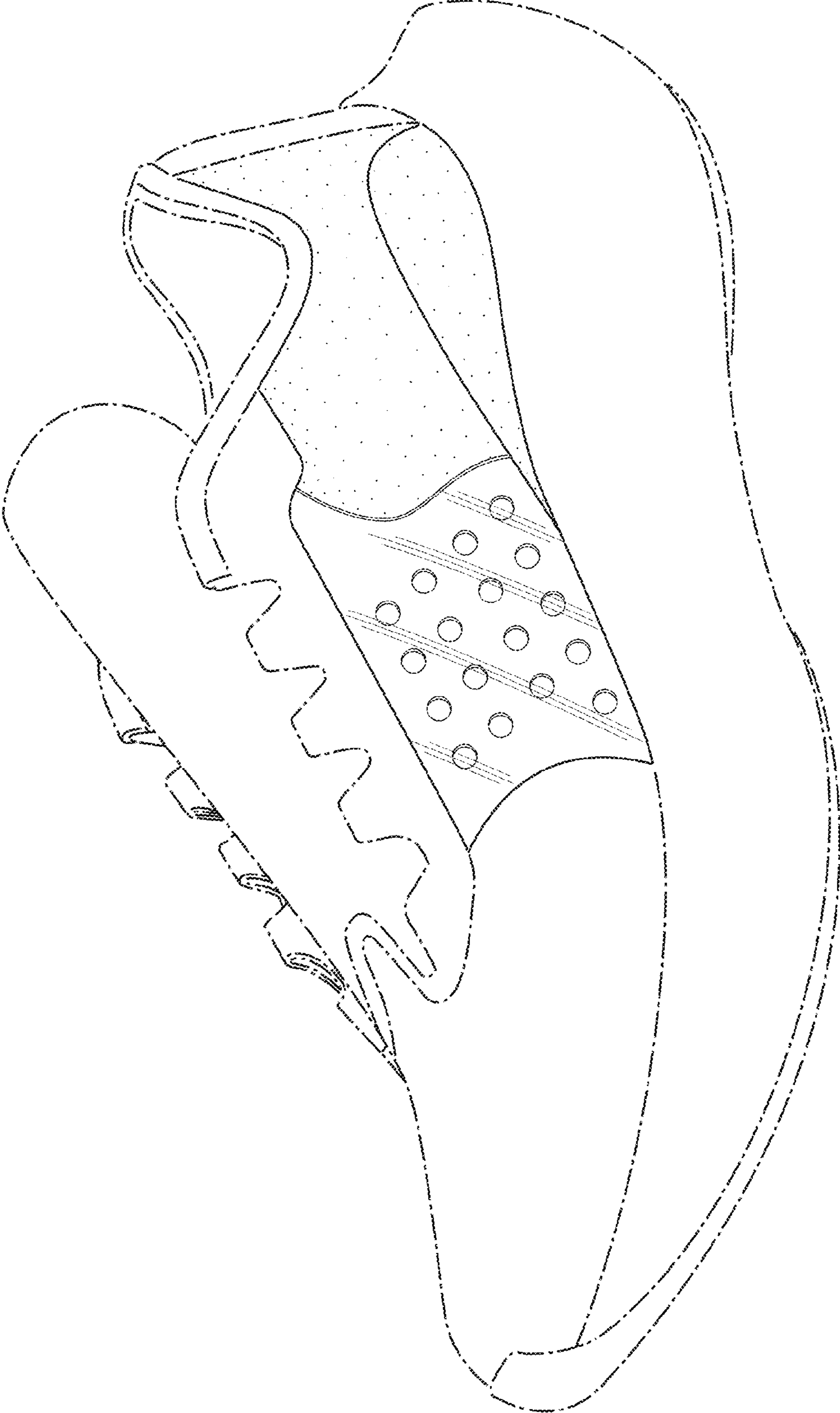


FIG. 1

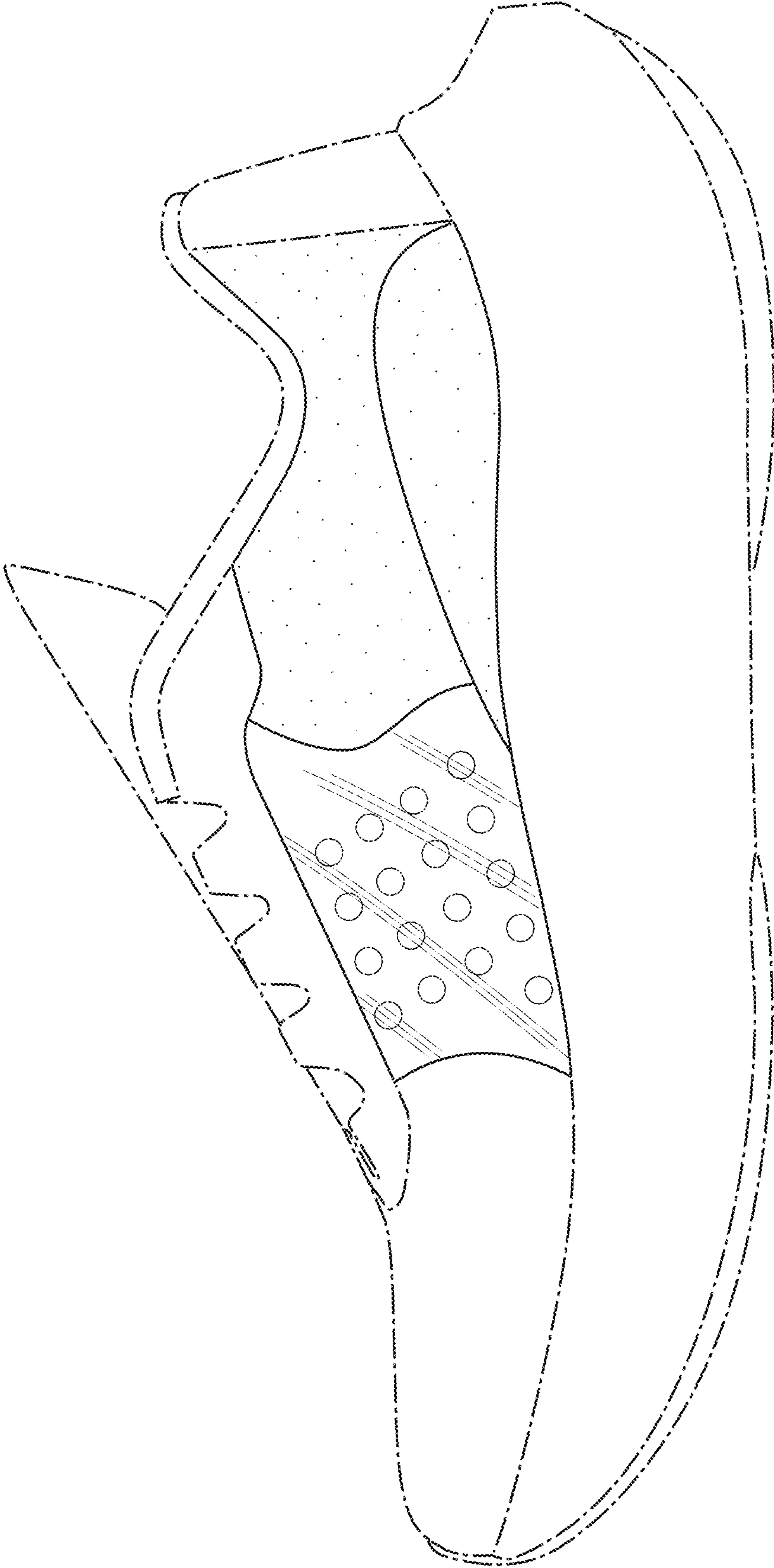


FIG. 2

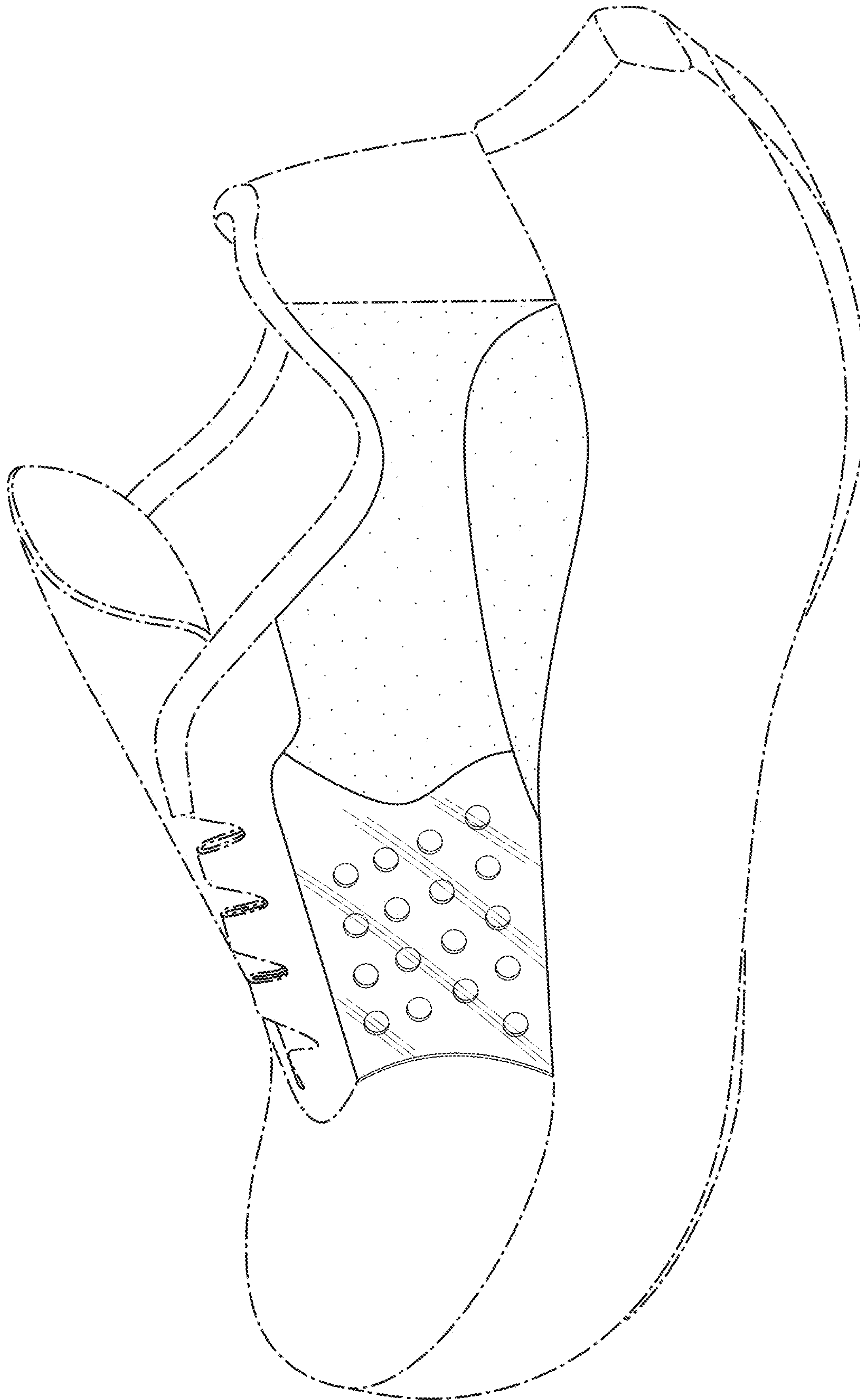


FIG. 3