



US00D999513S

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

(10) **Patent No.:** **US D999,513 S**  
(45) **Date of Patent:** **\*\* Sep. 26, 2023**

- (54) **SHOE**
- (71) Applicant: **NIKE, Inc.**, Beaverton, OR (US)
- (72) Inventors: **Charles S. Han**, Portland, OR (US);  
**Samuel L. Bartys**, London (GB)
- (73) Assignee: **NIKE, Inc.**, Beaverton, OR (US)
- (\*\*) Term: **15 Years**
- (21) Appl. No.: **29/861,829**
- (22) Filed: **Dec. 2, 2022**
- (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,  
D2/916–924, 925–945, 969–979, 47, 54,  
D2/55, 56, 58, 60, 62  
CPC .... A43B 1/00; A43B 1/01; 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.

- D668,031 S 10/2012 Shaffer
  - D668,032 S 10/2012 Shaffer
  - D668,033 S 10/2012 Shaffer
  - D668,034 S 10/2012 Shaffer
  - D668,035 S 10/2012 Shaffer
  - D668,441 S 10/2012 Shaffer
  - D675,424 S 2/2013 Williams, Jr.
  - D696,853 S 1/2014 Martin
- (Continued)

**FOREIGN PATENT DOCUMENTS**

- CN 304372286 S 11/2017
  - CN 304877307 S 11/2018
- (Continued)

**OTHER PUBLICATIONS**

“Nike suing Skechers over copied shoe design”; Running Magazine; retrieved Jun. 23, 2022; published Jan. 8, 2016; URL: <<https://runningmagazine.ca/uncategorized/nike-suing-skechers-over-copied-shoe-design/>>.

(Continued)

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

(57) **CLAIM**

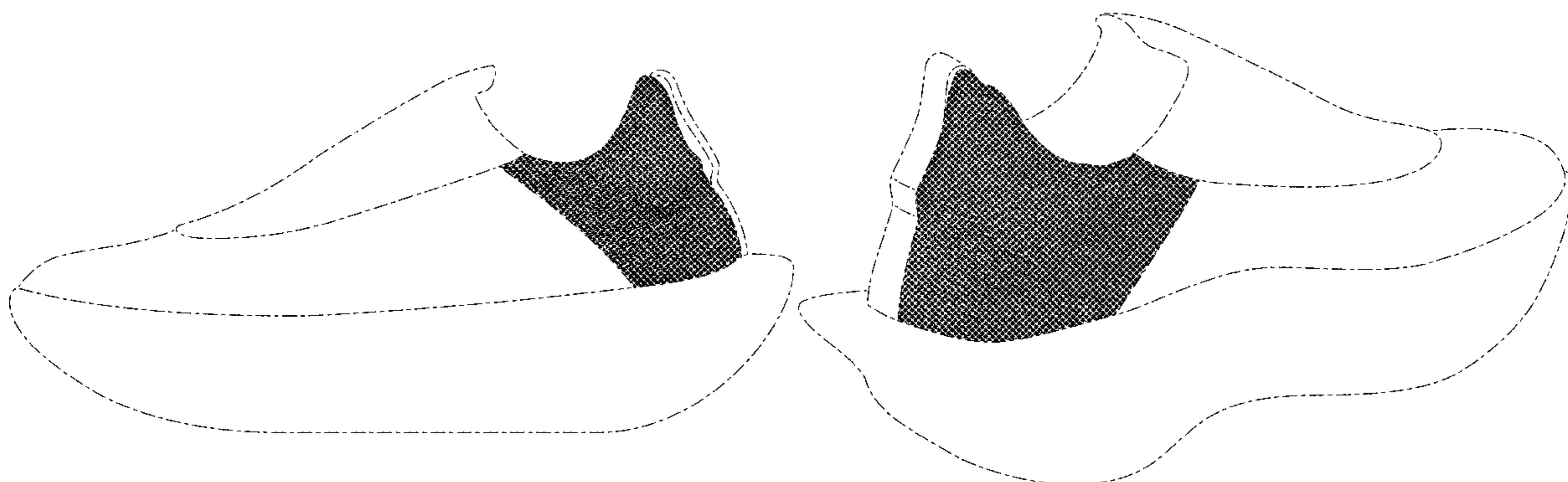
The ornamental design for a shoe, as shown and described.

**DESCRIPTION**

FIG. 1 is a side view of a shoe showing our new design; FIG. 2 is a rear perspective view thereof; FIG. 3 is a rear view thereof; FIG. 4 is an opposite side rear perspective view thereof; and, FIG. 5 is an opposite side view thereof. The broken lines immediately adjacent to the photographic area define the bounds of the claimed design and form no part 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
- D397,858 S 9/1998 Cass
- D457,296 S 5/2002 Burt
- D517,297 S 3/2006 Jones et al.
- D550,946 S 9/2007 Lotti
- D600,001 S 9/2009 St-Louis et al.
- D666,404 S 9/2012 Shaffer
- D667,211 S 9/2012 Shaffer
- D667,625 S 9/2012 Shaffer
- D667,626 S 9/2012 Shaffer
- D667,627 S 9/2012 Shaffer



(56)

## References Cited

## U.S. PATENT DOCUMENTS

D700,423 S	3/2014	Martin	
D701,036 S	3/2014	Martin	
D701,037 S	3/2014	Ho et al.	
D707,027 S	6/2014	Shaffer	
D707,028 S	6/2014	Parker et al.	
D707,032 S	6/2014	Martin	
D707,950 S	7/2014	William, Jr.	
D709,280 S	7/2014	Shaffer	
D718,036 S	11/2014	McMillan	
1,722,224 A1	2/2015	Williams, Jr.	
1,722,225 A1	2/2015	Williams, Jr.	
D731,163 S	6/2015	Williams, Jr.	
D731,164 S	6/2015	Williams, Jr.	
D752,332 S	3/2016	Williams, Jr.	
D765,384 S	9/2016	Williams, Jr.	
D767,268 S	9/2016	Avar	
D767,867 S	10/2016	Johnsongiiffin	
D767,868 S	10/2016	Johnsongiiffin	
D767,873 S *	10/2016	Petrie .....	D2/973
D769,602 S	10/2016	Mueller	
D769,603 S	10/2016	Mueller	
D770,159 S	11/2016	Williams, Jr. et al.	
D771,925 S	11/2016	Johnsongriffin	
D778,569 S	2/2017	Chang	
D779,184 S	2/2017	Avar et al.	
D779,187 S	2/2017	Williams, Jr.	
D780,431 S	3/2017	Pauk	
D781,551 S *	3/2017	Madore .....	D2/972
D781,556 S *	3/2017	Nethongkome .....	D2/972
D782,802 S	4/2017	Kanata	
D782,803 S	4/2017	Kanata	
D782,804 S	4/2017	Kanata	
D782,805 S	4/2017	Kanata	
D782,806 S	4/2017	Small	
D783,257 S	4/2017	Small	
D783,259 S	4/2017	Small	
D783,975 S	4/2017	Schenone	
D783,979 S	4/2017	Gerig	
D783,987 S *	4/2017	Williams, Jr. ....	D2/972
D784,680 S	4/2017	Lee	
D785,312 S	5/2017	Small	
D788,435 S	6/2017	Gibson	
D788,443 S	6/2017	Gibson	
D789,063 S	6/2017	Madore	
D789,677 S	6/2017	Kuerbis	
D790,191 S	6/2017	Small	
D790,196 S	6/2017	O'Connor	
D790,200 S *	6/2017	Hardman .....	D2/972
D790,201 S	6/2017	McMillan	
D790,834 S	7/2017	Roulo et al.	
D790,837 S	7/2017	Greenspan	
D791,463 S	7/2017	Williams, Jr.	
D792,085 S	7/2017	Kuerbis	
D792,701 S	7/2017	Small	
D792,703 S *	7/2017	Chang .....	D2/972
D792,704 S	7/2017	O'Connor	
D793,692 S	8/2017	Lee	
D793,693 S	8/2017	Roulo et al.	
D793,710 S	8/2017	Winfield	
D794,313 S	8/2017	Yun	
D795,555 S	8/2017	Matthews	
D795,561 S *	8/2017	Engel .....	D2/972
D795,562 S	8/2017	Engel	
D796,819 S	9/2017	Chang	
D797,434 S *	9/2017	Klein .....	D2/972
D798,579 S	10/2017	McMillan	
D798,580 S	10/2017	McMillan	
D798,581 S	10/2017	McMillan	
D799,805 S	10/2017	Lee	
D801,028 S	10/2017	Small	
D801,029 S	10/2017	Lee	
D801,030 S	10/2017	O'Connor	
D801,031 S	10/2017	Cin	
D801,034 S	10/2017	Sokol	
D801,664 S	11/2017	Small	
D801,670 S	11/2017	O'Connor	
D801,672 S *	11/2017	Small .....	D2/972
D805,280 S	12/2017	O'Connor	
D805,282 S	12/2017	Crow et al.	
D807,009 S	1/2018	Lee	
D807,011 S	1/2018	O'Connor	
D807,018 S	1/2018	O'Connor	
D808,146 S	1/2018	Smyth	
D809,263 S	2/2018	Boys et al.	
D809,264 S	2/2018	Boys et al.	
D809,267 S	2/2018	O'Connor	
D809,270 S	2/2018	Pauk	
D809,272 S	2/2018	Williams, Jr.	
D809,766 S	2/2018	Remy	
D810,418 S	2/2018	Chang	
D810,419 S *	2/2018	Avar .....	D2/972
D811,073 S	2/2018	Cin	
D811,074 S *	2/2018	Avar .....	D2/972
D815,826 S	4/2018	Kuerbis	
D816,308 S *	5/2018	Boys .....	D2/908
D816,978 S	5/2018	Small	
D816,979 S	5/2018	Lee	
D817,609 S	5/2018	Boys et al.	
D818,694 S	5/2018	Pauk	
D819,323 S *	6/2018	Hobson .....	D2/972
D821,083 S *	6/2018	Avar .....	D2/972
D821,726 S *	7/2018	Wright .....	D2/972
D822,364 S	7/2018	Small	
D822,974 S	7/2018	Klein	
D822,975 S	7/2018	Klein	
D823,589 S	7/2018	Remy	
D826,540 S	8/2018	Petrie	
D827,284 S	9/2018	Winfield	
D827,286 S	9/2018	Behr	
D827,287 S *	9/2018	Behr .....	D2/972
D828,992 S	9/2018	Winfield	
D833,134 S	11/2018	Kuerbis	
D834,294 S	11/2018	Small	
D837,505 S	1/2019	Chang	
D840,664 S	2/2019	Small	
D840,665 S	2/2019	Small	
D840,666 S	2/2019	Small	
D841,970 S	3/2019	Woodman	
D841,971 S	3/2019	Lee	
D841,973 S	3/2019	Small	
D843,088 S	3/2019	Frank	
D843,102 S	3/2019	Kosenick	
D845,591 S	4/2019	Frank	
D845,608 S	4/2019	Popovic	
D848,132 S	5/2019	Piacentini et al.	
D849,371 S	5/2019	Ortega	
D849,372 S	5/2019	Ortega	
D854,807 S	7/2019	Hernandez	
D855,301 S	8/2019	Williams, Jr.	
D858,077 S	9/2019	Taylor	
D865,336 S	11/2019	Jenkins et al.	
D866,154 S	11/2019	Petrenka et al.	
D867,729 S	11/2019	Dean	
D874,811 S	2/2020	Avar et al.	
D876,783 S *	3/2020	Brown .....	D2/969
D876,784 S *	3/2020	Brown .....	D2/969
D876,785 S *	3/2020	Brown .....	D2/969
D880,141 S	4/2020	Strek	
D880,819 S *	4/2020	Verfl .....	D2/954
D880,835 S	4/2020	Lee	
D882,234 S	4/2020	Durflinger	
D882,927 S	5/2020	Bruns et al.	
D884,331 S	5/2020	Kanata et al.	
D889,805 S *	7/2020	Bock .....	D2/969
D890,504 S	7/2020	Williams, Jr.	
D891,050 S	7/2020	Verfl et al.	
D891,071 S *	7/2020	Swierszczyk .....	D2/969
D892,484 S *	8/2020	Lee .....	D2/972
D893,152 S	8/2020	Jenkins et al.	
D893,847 S	8/2020	Jenkins et al.	
D894,575 S *	9/2020	Verfl .....	D2/944
D895,234 S *	9/2020	Motoki .....	D2/907
D895,953 S	9/2020	Hernandez	
D895,954 S	9/2020	Hernandez	

(56)

## References Cited

## OTHER PUBLICATIONS

## U.S. PATENT DOCUMENTS

D900,459	S	*	11/2020	Verfl	.....	D2/969
D903,248	S		12/2020	Verfl et al.		
D903,251	S		12/2020	Verfl et al.		
D903,273	S	*	12/2020	Verfl	.....	D2/969
D903,274	S	*	12/2020	Verfl	.....	D2/969
D903,275	S	*	12/2020	Brown	.....	D2/969
D903,277	S		12/2020	Verfl et al.		
D903,289	S		12/2020	Avar et al.		
D903,291	S		12/2020	Verfl		
D903,997	S		12/2020	Avar et al.		
D904,751	S		12/2020	Kanata		
D905,386	S		12/2020	Boys et al.		
D905,419	S	*	12/2020	Murphy-Reinhertz	.....	D2/972
D909,022	S	*	2/2021	Patt	.....	D2/907
D912,386	S		3/2021	Murphy-Reinhertz et al.		
D912,965	S		3/2021	Han et al.		
D912,966	S		3/2021	Han et al.		
D913,649	S		3/2021	Suh		
D913,650	S		3/2021	Ortega		
D913,674	S		3/2021	Suh		
D913,675	S		3/2021	Ortega		
D914,335	S		3/2021	Patt et al.		
D914,345	S		3/2021	Chang		
D914,352	S		3/2021	Schenone		
D915,034	S		4/2021	Sartori		
D917,861	S		5/2021	Hernandez		
D920,640	S		6/2021	Johnson et al.		
D922,039	S	*	6/2021	Xue	.....	D2/908
D925,205	S		7/2021	Schenone		
D925,892	S		7/2021	Witherow		
D928,466	S		8/2021	Xie		
D929,109	S		8/2021	Small		
D929,707	S		9/2021	Suh		
D932,144	S		10/2021	Fu		
D938,711	S		12/2021	Ortega		
D941,561	S		1/2022	Fu		
D943,246	S		2/2022	Du		
D943,952	S	*	2/2022	Engel	.....	D2/972
D943,977	S		2/2022	da Costa Pereira Machado		
D947,516	S		4/2022	Schenone		
D958,510	S	*	7/2022	Martin	.....	D2/939
D959,101	S		8/2022	De Boer		
D959,819	S		8/2022	Odinot et al.		
D960,548	S		8/2022	Suh		
D961,223	S		8/2022	Han		
D961,235	S		8/2022	Han		
D962,599	S	*	9/2022	Shi	.....	D2/907
D963,308	S		9/2022	Suh		
D963,310	S	*	9/2022	Cleveland	.....	D2/972
D970,868	S		11/2022	Suh		
D971,574	S		12/2022	Polgar et al.		
D972,280	S	*	12/2022	Schenone	.....	D2/972
D974,707	S	*	1/2023	Wang	.....	D2/907
D975,985	S	*	1/2023	Beck	.....	D2/972
D978,513	S		2/2023	Bruns et al.		
D978,515	S		2/2023	Scarpa		
D979,913	S	*	3/2023	Diacre	.....	D2/907
D980,587	S	*	3/2023	Chen	.....	D2/960
D981,699	S	*	3/2023	Danby	.....	D2/972

## FOREIGN PATENT DOCUMENTS

CN	305719323	S	4/2020
CN	305992323	S	8/2020
CN	306252668	S	12/2020
CN	306489806	S	4/2021
CN	306590908	S	6/2021
CN	307163424	S	3/2022
CN	307285776	S	4/2022

“Nike Flyknit Racer”; Nike News; retrieved Jun. 23, 2022; published Oct. 14, 2016; URL: <<https://news.nike.com/footwear/flyknit-racer-white?page=116>>.

“Flyknit Trainer 2017 ‘OG’”; Flight Club; retrieved Jun. 23, 2022; published Jul. 27, 2017; URL: <<https://www.flightclub.com/nike-flyknit-trainer-white-black-white-801624>>.

“Flyknit Trainer ‘White Gum’”; Flight Club; retrieved Jun. 23, 2022; published Apr. 19, 2018; URL: <<https://www.flightclub.com/nike-flyknit-trainer-white-white-white-804012>>.

“Nike’s Air VaporMax 2020 FlyKnit Receives ‘Stone Blue’ Make-over”; HypeBeast; retrieved Jun. 23, 2022; published Oct. 1, 2020; URL: <<https://hypebeast.com/2020/9/nike-air-vapormax-2020-flyknit-stone-blue-ct1823-400-release>>.

“Air Vapormax 2020 Flyknit ‘Obsidian Siren Red’”; Flight Club; retrieved Jun. 23, 2022; published Dec. 26, 2020; URL: <<https://www.flightclub.com/air-vapormax-2020-flyknit-obsidian-siren-red-cw1765-400>>.

“Air Vapormax 2021 Fk DH4085 002 Pure Platinum/Summit White”; efootwear.eu; retrieved Jun. 23, 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 Plus”; Nike; retrieved Jun. 23, 2022; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/air-vapormax-plus-mens-shoes-nC0dzF>>.

Nike Footwear Catalog, 1975 Footwear, p. 14, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 1991 Fall Footwear, p. 50, published Dec. 1989, Nike, Inc., USA.

Nike Footwear Catalog, 1994 Fall Footwear, p. 8, published Mar. 1993, Nike, Inc., USA.

Nike Footwear Catalog, 1997 Fall Footwear, p. 17, published Mar. 1996, Nike, Inc., USA.

Nike Footwear Catalog, 2000 Spring Men’s and Women’s Footwear 2, p. W12, published Nov. 1999, Nike, Inc., USA.

Nike Footwear Catalog, 2001 Holiday Jordan Footwear, p. M9, published Nov. 1999, Nike, Inc., USA.

Nike Footwear Catalog, 2002 Spring Men’s and Women’s Footwear, p. M39, published Nov. 2001, Nike, Inc., USA.

Nike Footwear Catalog, 2004 Holiday Men’s, Women’s, and Kids’ Footwear, p. M5, published Nov. 2003, Nike, Inc., USA.

Nike Footwear Catalog, 2005 Fall Footwear, p. M13, published Nov. 2003, Nike, Inc., USA.

Nike Footwear Catalog, 2011 Fall Men’s Nike Sportswear Footwear, p. 2, published Feb. 2010, Nike, Inc., USA.

Nike Footwear Catalog, 2012 Fall Core Footwear, p. 38, published Nov. 2010, Nike, Inc., USA.

Nike Footwear Catalog, 2014 Fall City Specialty Footwear Best Final, p. 129, published Feb. 2013, Nike, Inc., USA.

Nike Footwear Catalog, 2014 Spring Women’s Footwear Performance, p. 23, published Nov. 1, 2013, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Spring Nike Running Specialty, p. 82, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2016 Fall Strategic Sporting Goods Footwear Catalog NA, p. 87, published Nov. 2015, Nike, Inc., USA.

Nike Footwear Catalog, 2018 Summer Running, p. 49, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Fall Athletic Specialty\_Sportswear, p. 2418, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

Nike Free Run 2018, Nike.com, [online], [site visited Dec. 15, 2022]. <URL: <https://www.nike.com/t/free-run-2018-mens-road-running-shoes-RRT9elMk/942838-101>> (Year: 2022).

Nike React Infinity Run Flyknit 3, Nike.com, [online], [site visited Dec. 15, 2022]. <URL: <https://www.nike.com/t/react-infinity-run-flyknit-3-mens-road-running-shoes-mZMPS2/DH5392-400>> (Year: 2022).

“Nike Air Zoom SuperRep 3”; Nike; retrieved Feb. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/air-zoom-superrep-3-womens-training-shoes-4p1pwz>>.

(56)

**References Cited**

## OTHER PUBLICATIONS

“Nike Tempo”; Nike; retrieved Feb. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/tempo-mens-road-running-shoes-HMLvjm/CI9923-105>>.

“Nike Alphafly 2”; Nike; retrieved Feb. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.nike.com/t/alphafly-2-mens-road-racing-shoes-Bstm8X/DZ4784-304>>.

“Nike Zoom Fly 4 Review”; Running Shoes Guru; retrieved Feb. 10, 2023; published date unknown, but prior to application filing date; URL: <<https://www.runningshoesguru.com/2021/10/nike-zoom-fly-4-review/>>.

Nike Footwear Catalog, 2009 Fall Sport Performance Footwear, p. 7, published Nov. 2008, Nike, Inc., USA.

Nike Footwear Catalog, 2012 Fall Men’s Footwear Sportswear Best, p. 17, published Nov. 2010, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Fall City Specialty Best NA, p. 208, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2015 Fall City Specialty Best NA, p. 211, published Nov. 2014, Nike, Inc., USA.

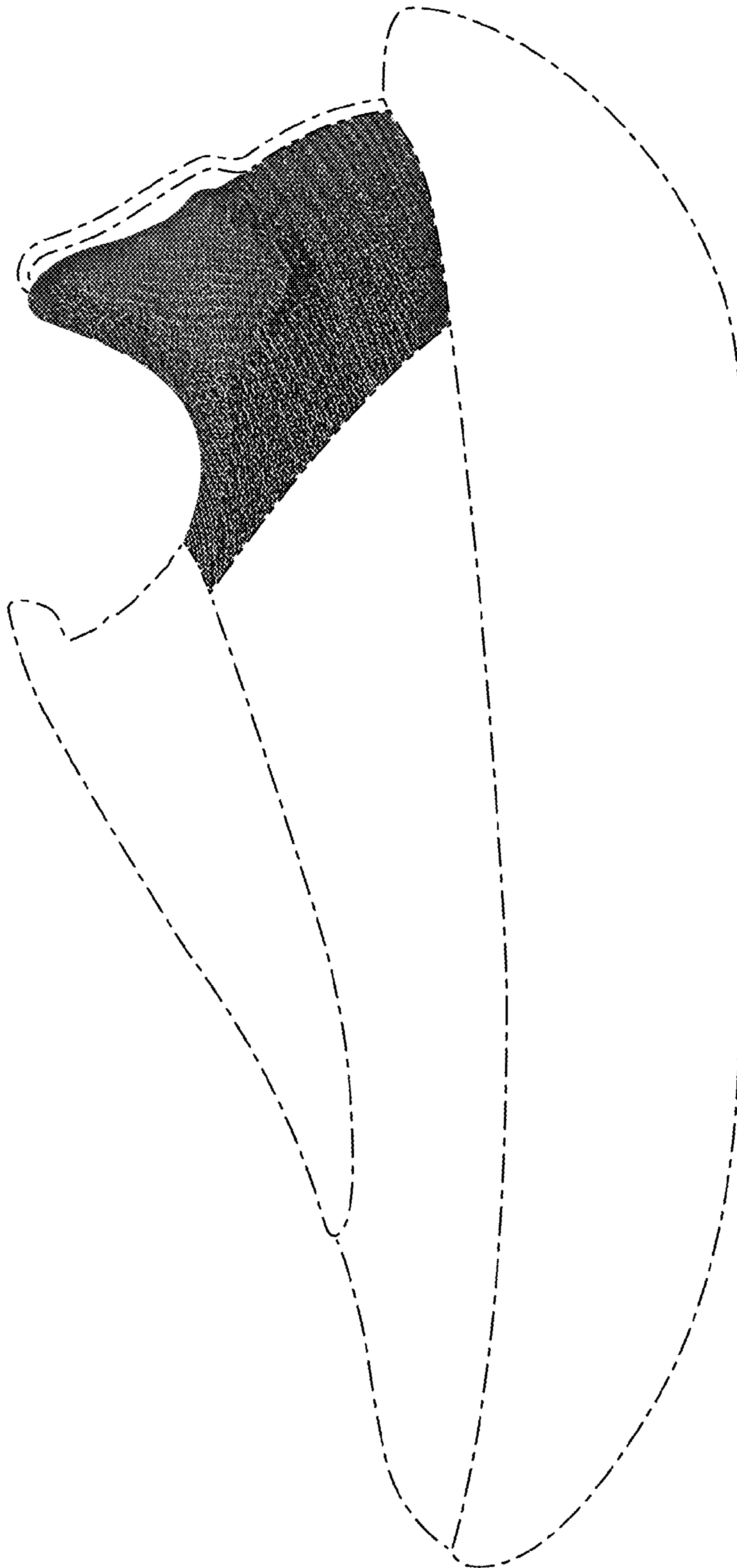
Nike Footwear Catalog, 2016 Fall Athletic Specialty Footwear NA, p. 12, published Nov. 2014, Nike, Inc., USA.

Nike Footwear Catalog, 2017 Spring Strategic Sporting Goods Footwear Best NA, p. 83, published May 2016, Nike, Inc., USA.

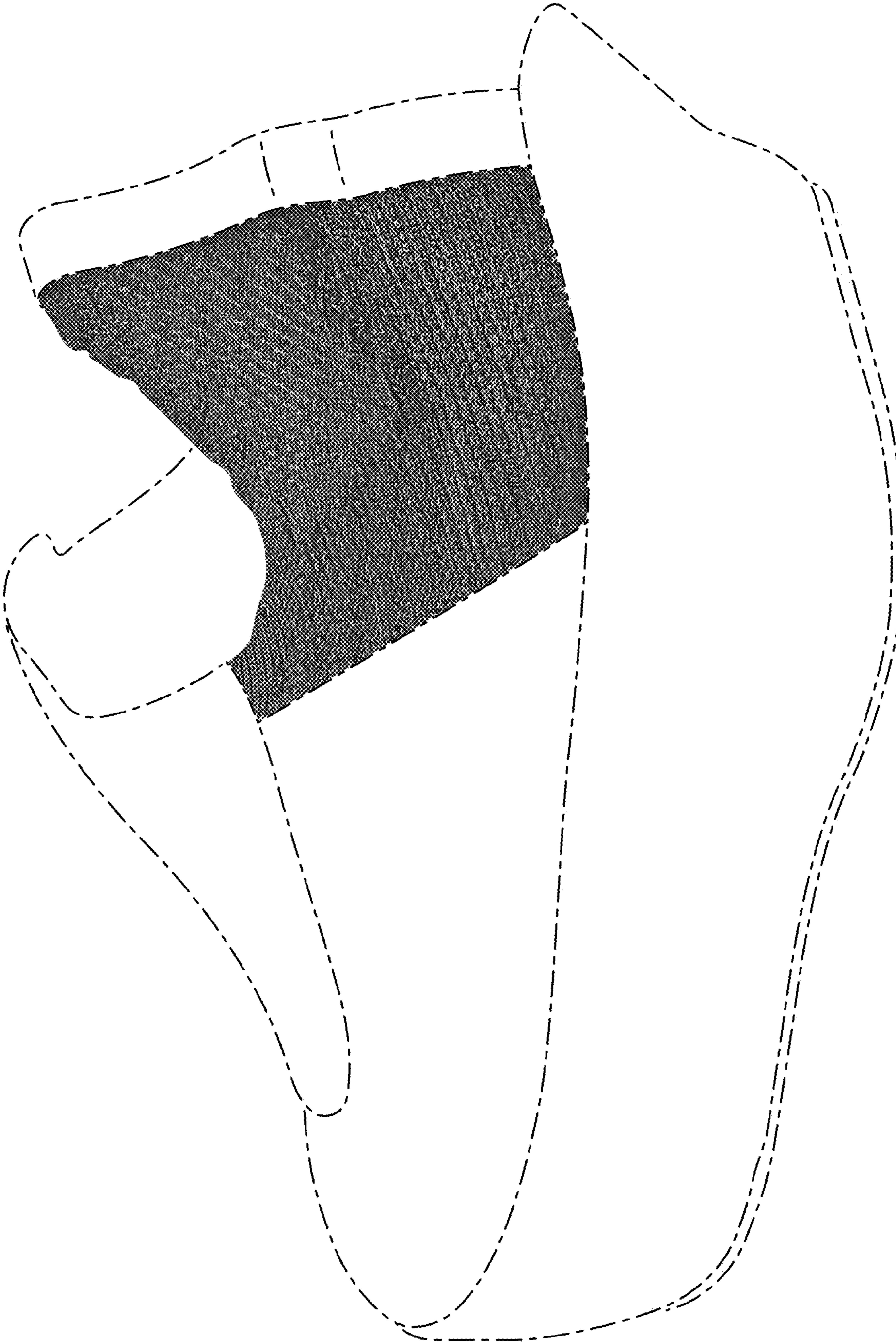
Nike Footwear Catalog, 2018 Holiday Men’s Training, p. 79, published May 2016, Nike, Inc., USA.

Nike Footwear Catalog, 2019 Spring Running, p. 89, published date unknown, but prior to the filing date of the present application, Nike, Inc., USA.

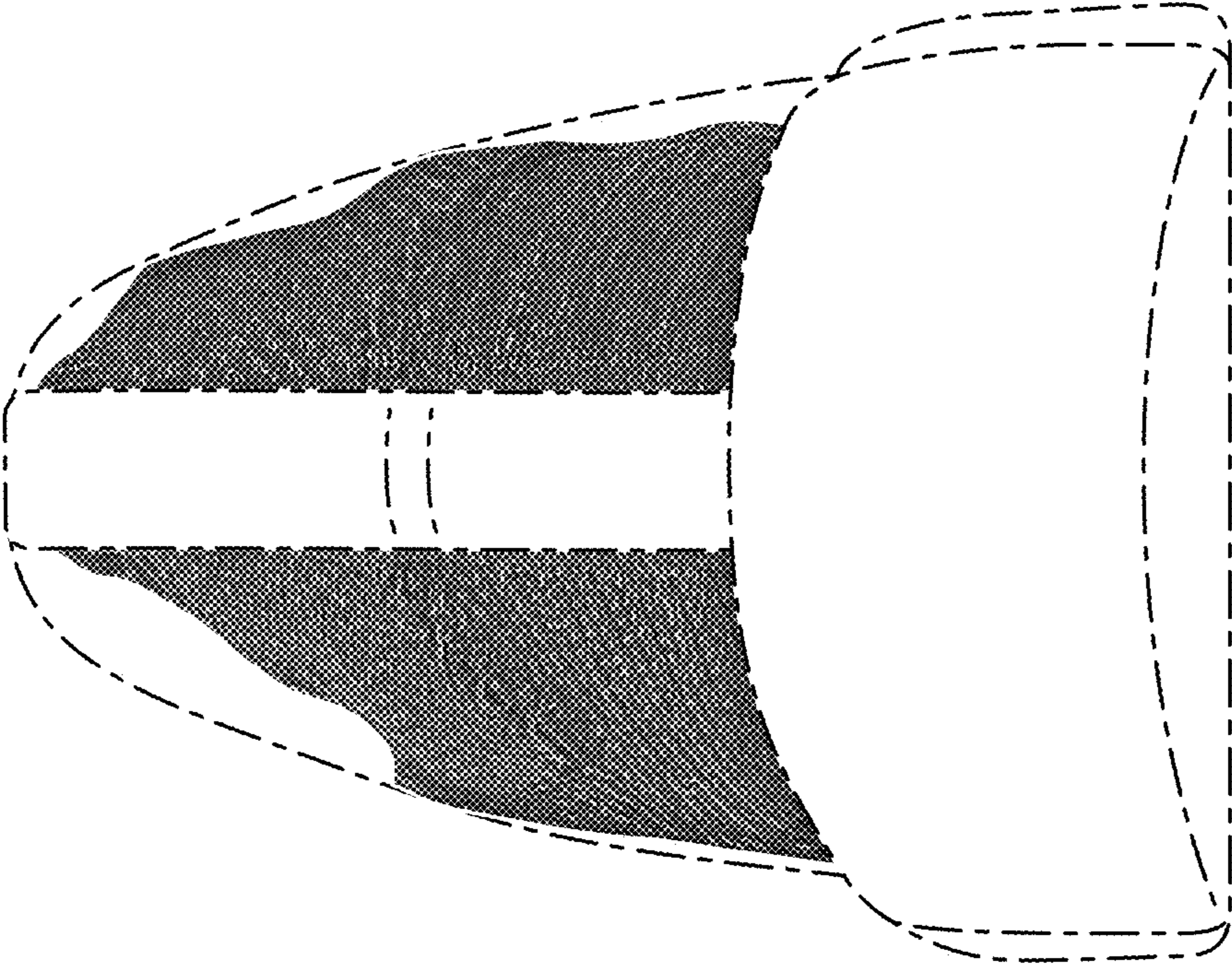
\* cited by examiner



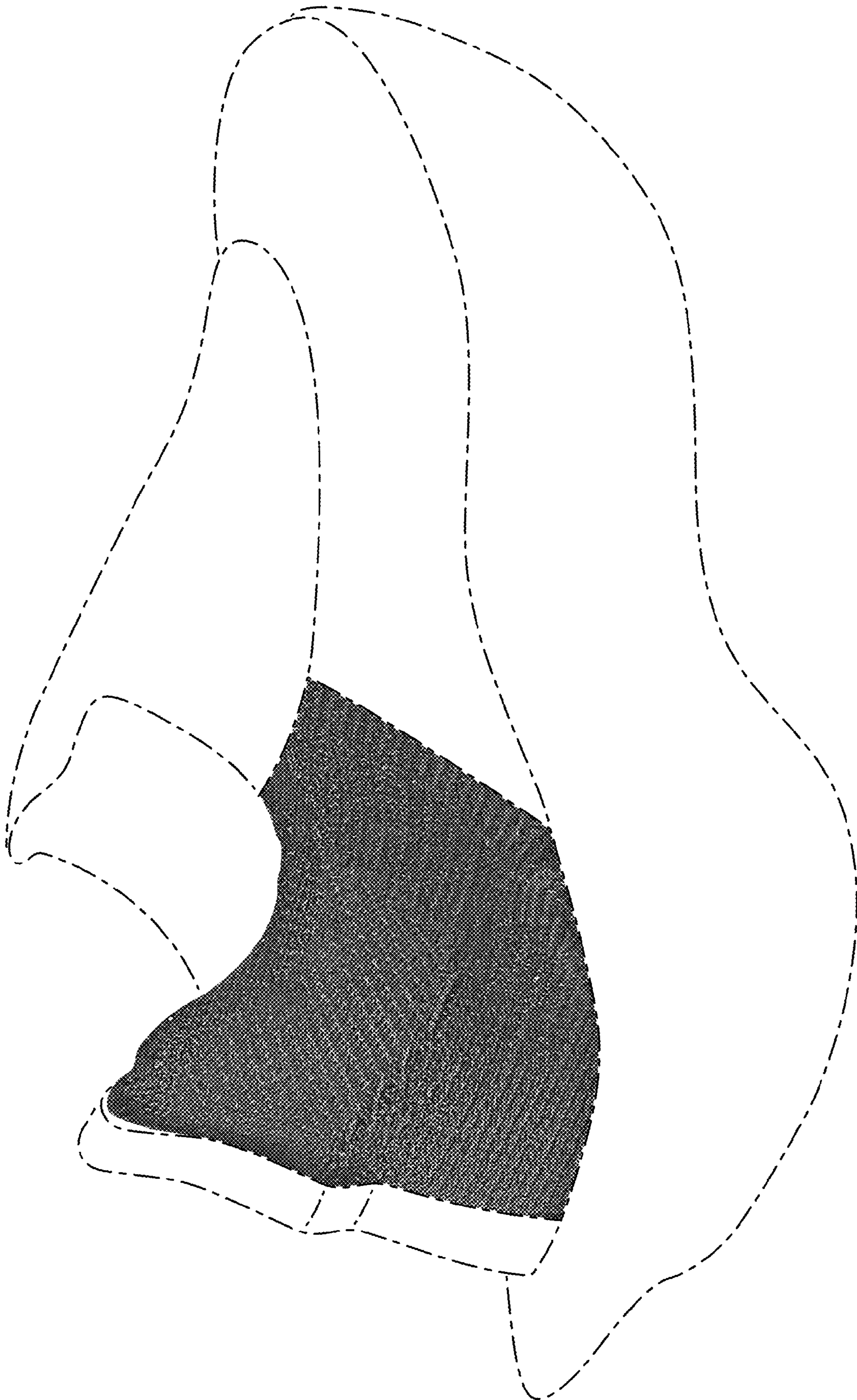
**FIG. 1**



**FIG. 2**



**FIG. 3**



**FIG. 4**



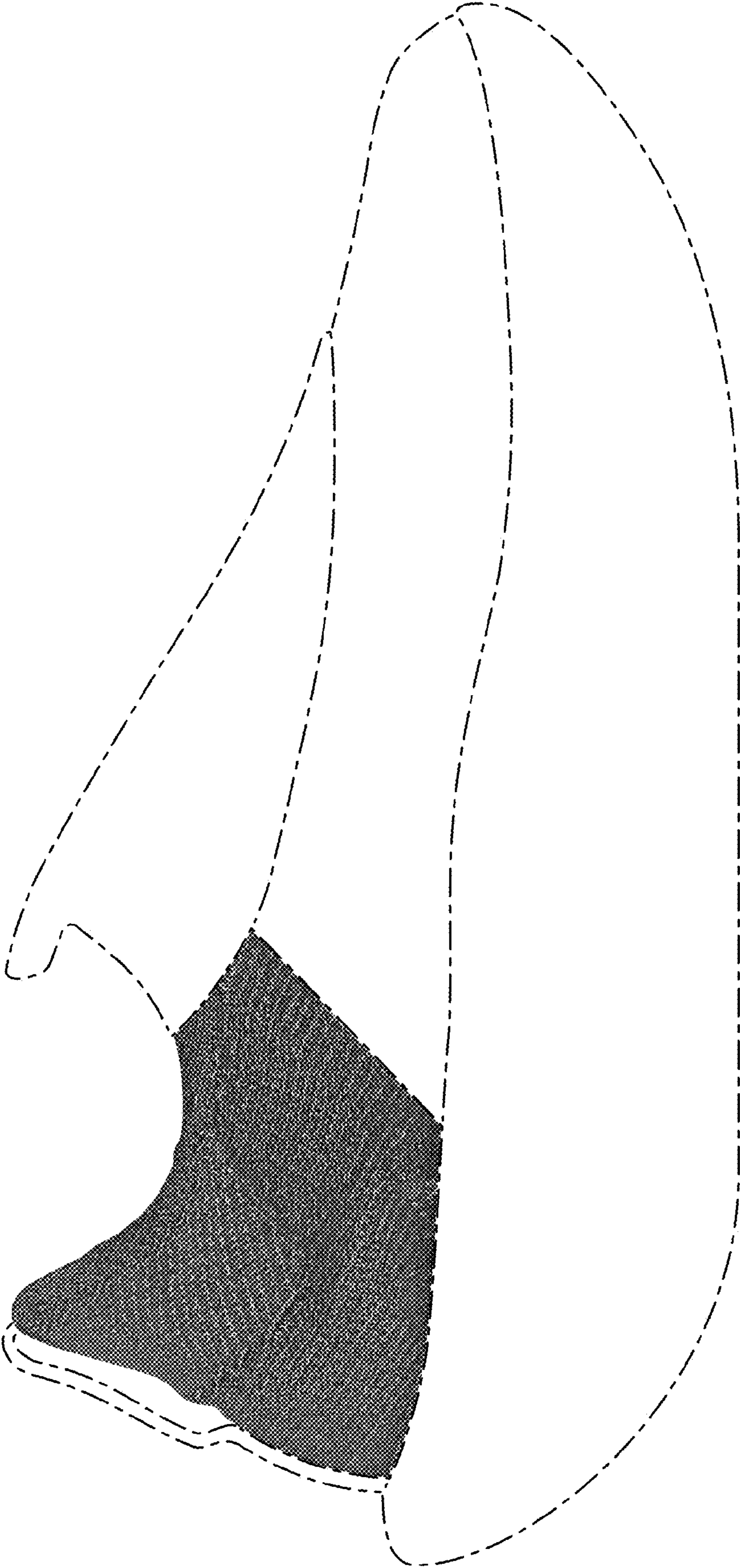


FIG. 5