



US00D801677S

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

(10) **Patent No.:** **US D801,677 S**

(45) **Date of Patent:** **** Nov. 7, 2017**

(54) **SHOE UPPER**

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

(72) Inventor: **Lee Gibson**, Beaverton, OR (US)

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

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

(21) Appl. No.: **29/593,606**

(22) Filed: **Feb. 10, 2017**

(51) **LOC (10) Cl.** **02-99**

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

(58) **Field of Classification Search**
USPC D2/902, 906-908, 923, 927, 944, 969,
D2/972-974

CPC ... A43B 13/181; A43B 13/141; A43B 13/186;
A43B 13/188; A43B 23/00; A43B 23/02;
A43B 5/00; A43B 23/26; A43B 1/04;
A43B 11/14; A43B 7/00; A43C 1/00;
A43C 11/00

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D96,567 S *	8/1935	Wagman	D2/972
D331,312 S	12/1992	Close	
D354,163 S	1/1995	Hatfield	
D362,111 S	9/1995	Avar	
D380,077 S	6/1997	Preskar et al.	
D380,080 S *	6/1997	Avar	D2/972
D383,296 S	9/1997	Rask	
D384,800 S	10/1997	Rask	
D391,068 S	2/1998	Aveni et al.	
D393,360 S	4/1998	Aveni et al.	
D395,745 S *	7/1998	Rask	D2/972
D400,001 S	10/1998	Lozano	
D405,950 S	2/1999	Lozano	

D423,205 S *	4/2000	Fallon	D2/972
D426,695 S *	6/2000	Fallon	D2/972
D432,776 S	10/2000	McDowell	
D440,753 S	4/2001	Morris	
D467,412 S	12/2002	Morris	
D475,523 S	6/2003	McDowell	
D476,473 S	7/2003	Clegg	
D495,867 S	9/2004	Avar	
D514,789 S *	2/2006	Robbins	D2/969
D515,298 S *	2/2006	Lamont	D2/969
D516,798 S *	3/2006	Blakeslee	D2/972
D524,532 S	7/2006	Roulo	
D529,273 S *	10/2006	Lotti	D2/972

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, 1973 Blue Ribbon Sports, p. 3, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

(Continued)

Primary Examiner — Dominic Simone

(74) *Attorney, Agent, or Firm* — Banner & Witcoff, Ltd.

(57)

CLAIM

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

DESCRIPTION

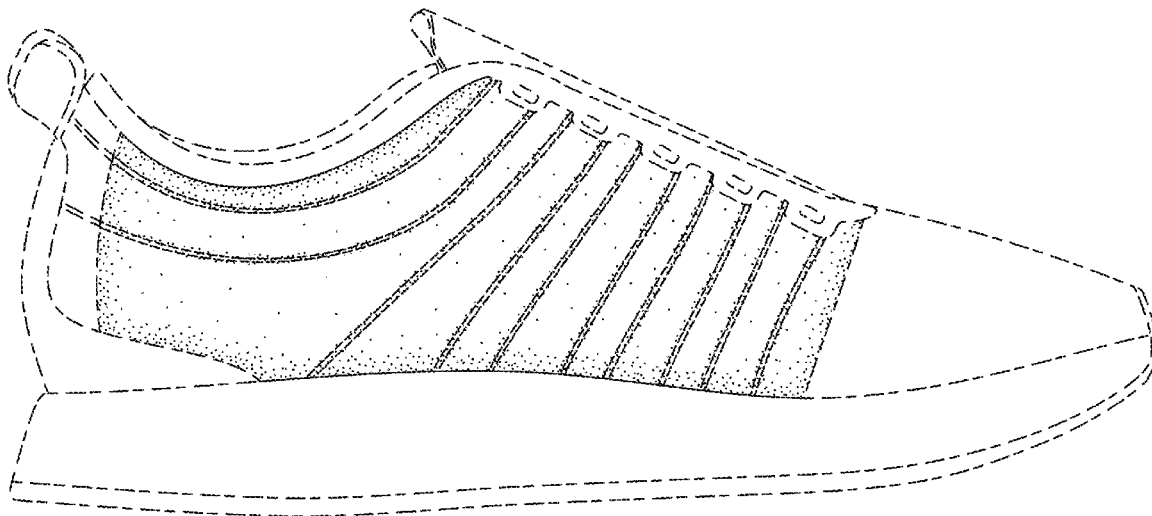
FIG. 1 is a front perspective view of a shoe upper showing my new design;

FIG. 2 is a side view thereof; and,

FIG. 3 is a rear perspective view thereof.

The even-length broken lines within the shaded area represent stitching. The uneven-length broken lines immediately adjacent to the shaded area define the bounds of the claimed design and form no part thereof. The uneven-length broken lines showing the remainder of the shoe represent unclaimed subject matter and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D557,489 S	12/2007	Dolan
D565,283 S	4/2008	Smith et al.
D571,549 S	6/2008	Dojan et al.
D574,587 S	8/2008	McDowell
D595,046 S	6/2009	Chang
D595,951 S	7/2009	Henderson
D634,111 S	3/2011	Hull
D666,404 S	9/2012	Shaffer
D666,406 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
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
D673,358 S	1/2013	Miner
D685,567 S	7/2013	Dolce
D694,508 S	12/2013	Henrichot
D700,426 S	3/2014	Ho et al.
D707,438 S	6/2014	Taylor
D731,164 S	6/2015	Williams, Jr.
D738,091 S	9/2015	de Montgolfier
D752,331 S	3/2016	Williams, Jr.
D757,418 S	5/2016	Portzline
D765,384 S	9/2016	Williams, Jr.
D765,385 S	9/2016	Williams, Jr.
D770,159 S	11/2016	Williams, Jr. et al.

OTHER PUBLICATIONS

Nike Footwear Catalog, 1987 Holiday, p. 3, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, 1988 Fall Footwear, p. 120, published Dec. 1987, NIKE, Inc., USA.

Nike Footwear Catalog, 1990 Fall Footwear, p. 32, published Dec. 1989, NIKE, Inc., USA.

Nike Footwear Catalog, 1992 Fall Footwear, p. 26, published Dec. 1991, NIKE, Inc., USA.

Nike Footwear Catalog, 1992 Spring Footwear, p. 10, published May 1991, NIKE, Inc., USA.

Nike Footwear Catalog, 1995 Fall Footwear, p. 112, published Nov. 1994, NIKE, Inc., USA.

Nike Footwear Catalog, 1997 Fall Footwear, p. 89, published Dec. 1996, NIKE, Inc., USA.

Nike Footwear Catalog, 1997 Fall Footwear, p. 112, published Dec. 1996, NIKE, Inc., USA.

Nike Footwear Catalog, 1998 Spring Footwear, p. 177, published Jun. 1997, NIKE, Inc., USA.

Nike Footwear Catalog, 2000 Spring Men's and Women's Footwear 1, p. 48, published Jul. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, 2001 Fall Men's and Women's Footwear, p. 30, published Nov. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, 2001 Fall Men's and Women's Footwear, p. 66, published Nov. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, 2002 Spring Men's and Women's Footwear, p. 82, published Jun. 2001, NIKE, Inc., USA.

Nike Footwear Catalog, 2010 Fall Core Footwear, p. 65, published Nov. 2009, NIKE, Inc., USA.

Nike Footwear Catalog, 2012 Spring Men's and Women's Sportswear Better Footwear, p. 7, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, 2013 Fall Mens Performance Footwear, p. 80, published Nov. 2012, NIKE, Inc., USA.

Release Date: Nike Air Zoom Pegasus 32, [online], [retrieved Feb. 9, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/release-date-nike-air-zoom-pegasus-32/>>; 2 color pages, Dated May 27, 2015.

Sleek New Nike Air Zoom Elite 7 the Lightest Yet [online], [retrieved Feb. 9, 2017], retrieved from Internet <URL: <http://news.nike.com/news/sleek-new-nike-air-zoom-elite-7-the-lightest-yet/>>; 9 color pages, Dated Aug. 11, 2014.

Nike Flyknit Racer—Volt/Black—The Runner of the Year, [online], [retrieved Feb. 9, 2017], retrieved from Internet <URL: <http://www.kicksonfire.com/nike-flyknit-racer-grey-volt-black/>>; 2 color pages, Dated Sep. 11, 2014.

* cited by examiner

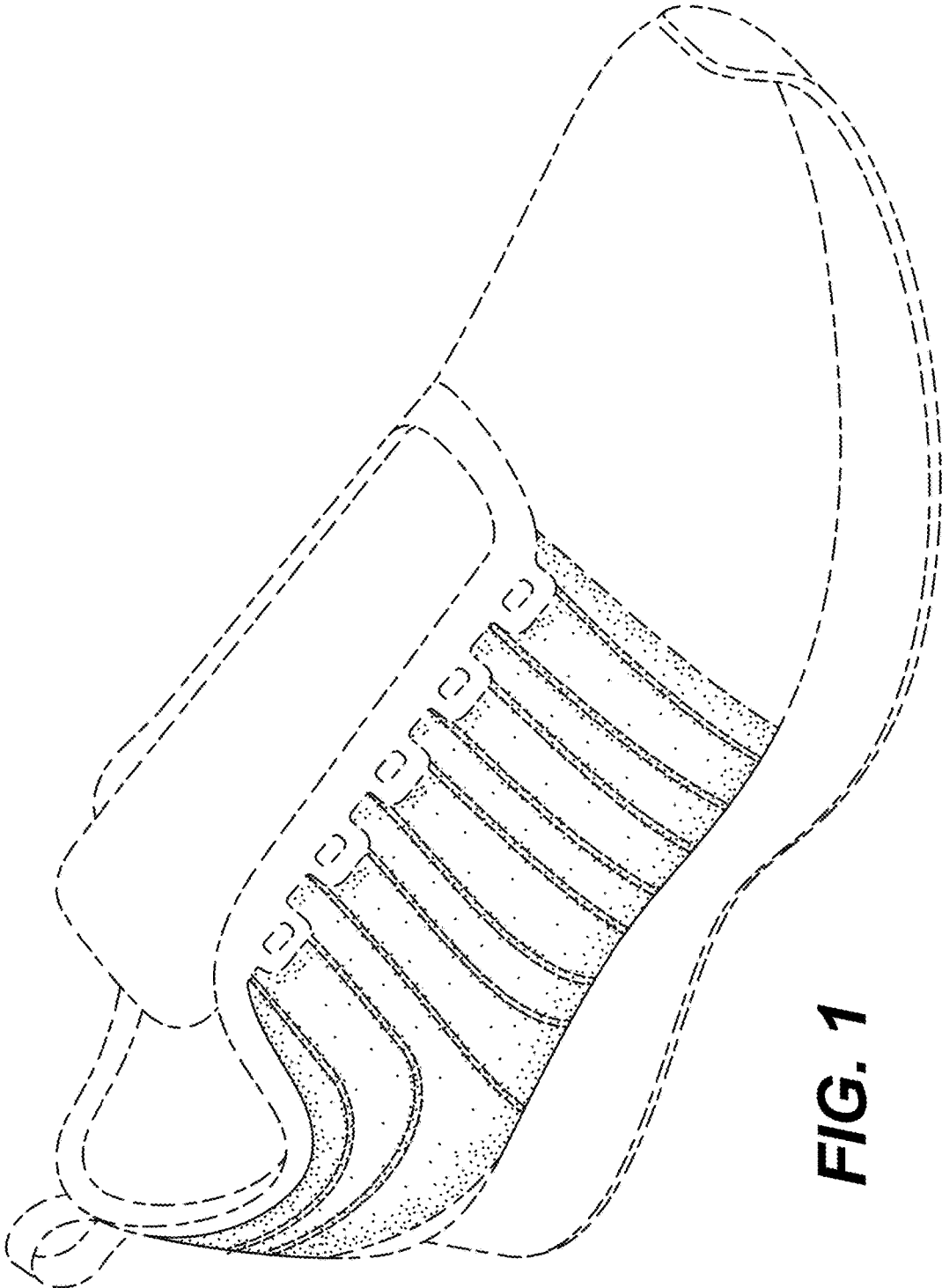


FIG. 1

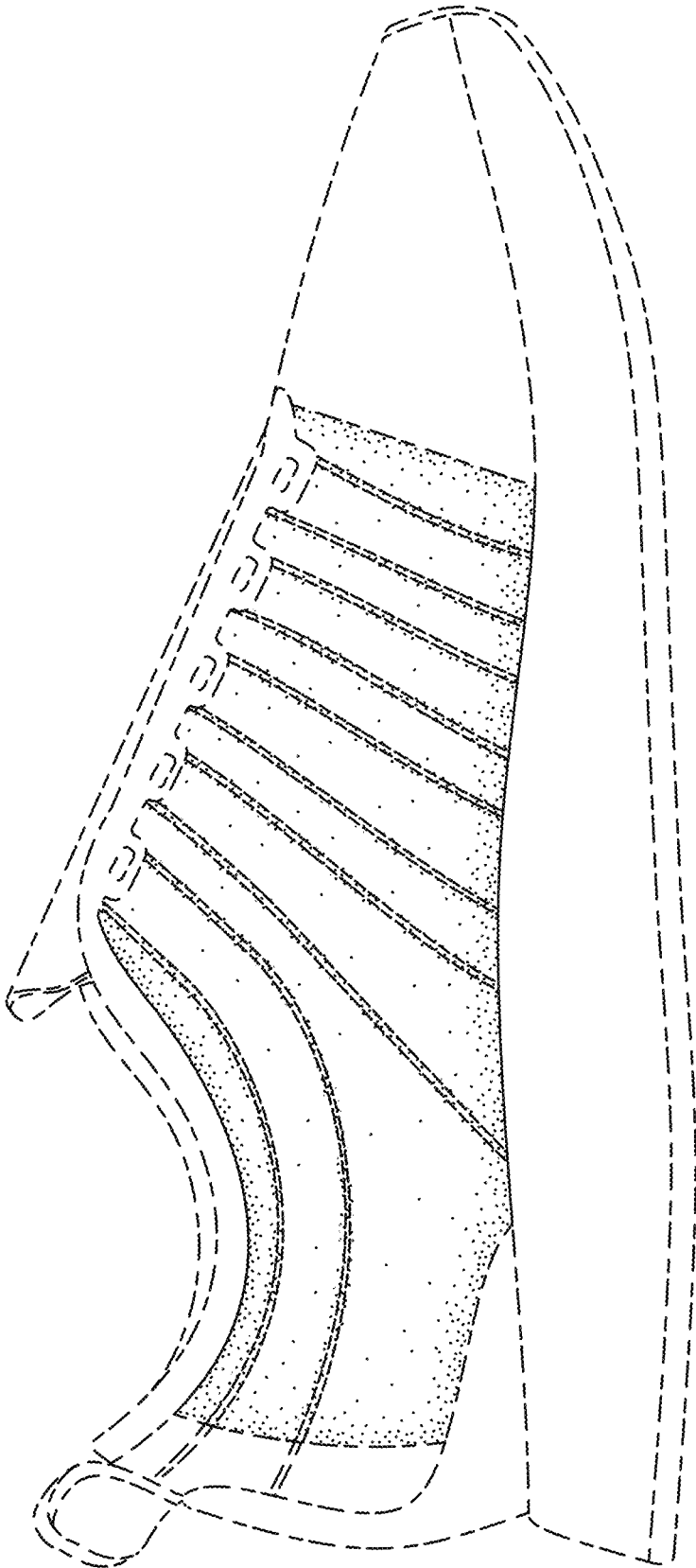


FIG. 2

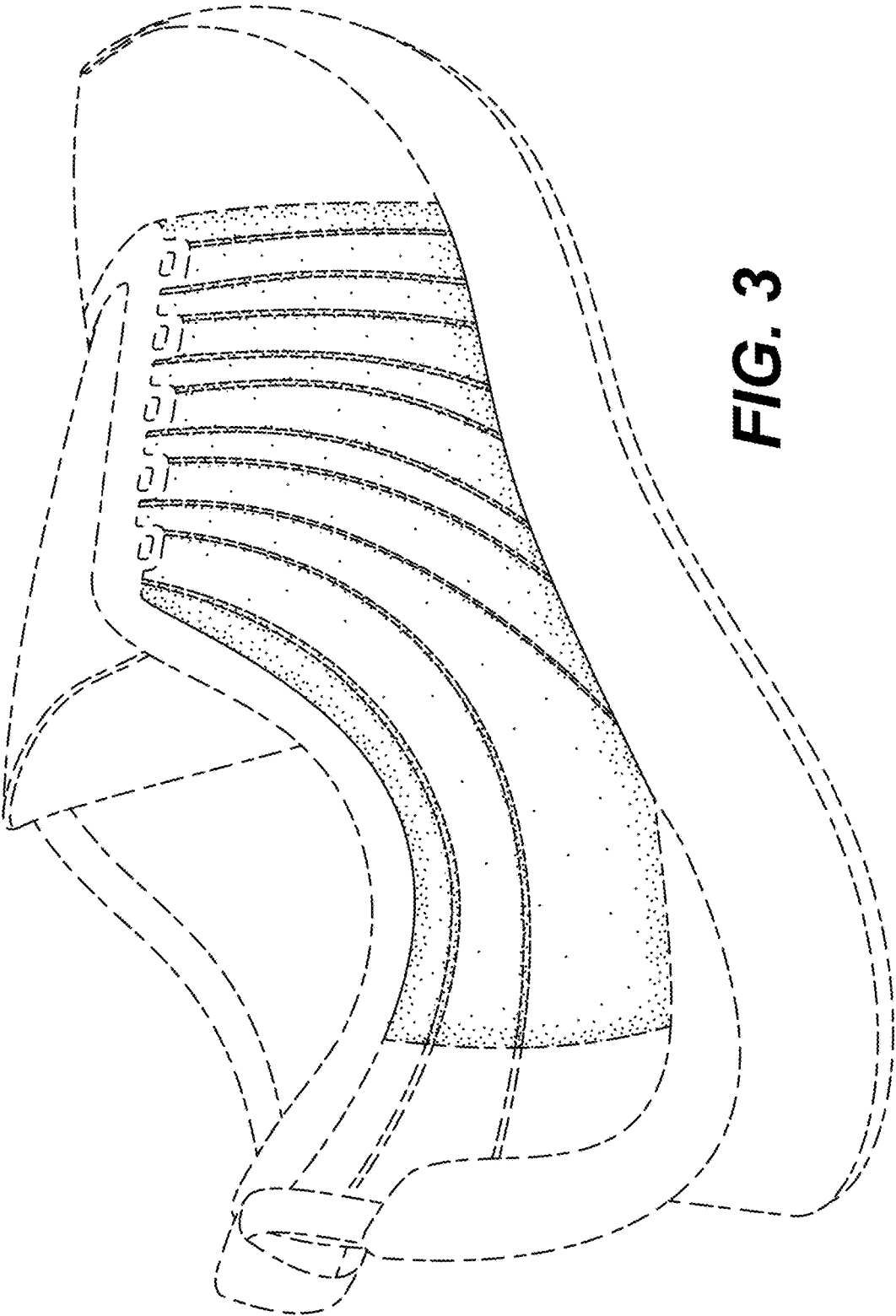


FIG. 3