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

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(54) **PORTION OF A SHOE UPPER**

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

(\*) Notice: This patent is subject to a terminal disclaimer.

(\*\*) Term: **14 Years**

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(51) **LOC (8) Cl.** ..... **02-99**

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

(58) **Field of Classification Search** ..... D2/902, D2/907, 908, 943, 944, 969, 972-974; 36/45, 36/50.1, 77 M, 77 R, 83, 88, 113, 114, 126-131  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,887,725 A	11/1932	Walsh	
D94,271 S	1/1935	Hertzig	
D98,241 S	1/1936	Ebling	
D98,509 S	2/1936	Goldberg	
2,034,091 A	3/1936	Dunbar	
D100,003 S	6/1936	Zuckerman	
D110,235 S	6/1938	Andrews	
2,183,277 A	12/1939	Heilhecker	
D174,987 S	6/1955	Gillis	
4,169,324 A	10/1979	Gibbs	
4,204,346 A	5/1980	Fugere	
D265,436 S	7/1982	Vermonet	
D276,569 S	12/1984	Kohno	
D287,063 S	12/1986	Kohno	
D293,159 S	12/1987	Sacre	
D300,083 S	3/1989	Tonkel	
D339,672 S	9/1993	Olson	
5,437,112 A	8/1995	Johnston	
D393,359 S	* 4/1998	Doxey	..... D2/972

D406,452 S	3/1999	Fogg	
D430,725 S	9/2000	McDowell	
D452,992 S	1/2002	Smith	
D468,891 S	1/2003	Truelsen	
D485,052 S	* 1/2004	Holmes	..... D2/972
D498,354 S	* 11/2004	Smith	..... D2/972
D499,245 S	12/2004	Wahoske	
D499,539 S	* 12/2004	Hlavacs	..... D2/972
D503,033 S	3/2005	Hlavacs	
D513,849 S	* 1/2006	Hull	..... D2/972

**OTHER PUBLICATIONS**

Nike Footwear Catalog (SP 06); pp. 12, 18, published Jun. 2005, Beaverton, Oregon, U.S.A.

(Continued)

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(57) **CLAIM**

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

**DESCRIPTION**

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

FIG. 2 is a side view of the portion of a shoe upper shown in FIG. 1;

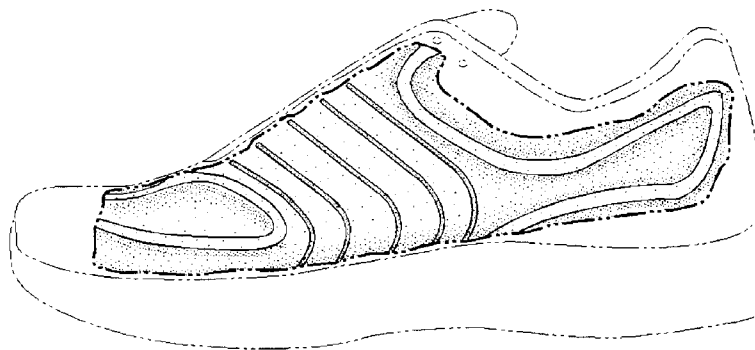
FIG. 3 is a front view of the portion of a shoe upper shown in FIG. 1;

FIG. 4 is a rear view of the portion of a shoe upper shown in FIG. 1; and,

FIG. 5 is a top view of the portion of a shoe upper shown in FIG. 1.

The uneven broken line immediately adjacent to the shaded area represent the bounds of the claimed design. All other uneven broken lines represent the remaining portion of the shoe. The uneven broken line representations in FIGS. 1-5 are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



OTHER PUBLICATIONS

Nike Footwear Catalog (FA 05); p. 6, published Nov. 2004, Beaverton, Oregon, U.S.A.

Men's Nike Footwear Catalog (SP 04); pp. 13, 20, 46, published Jun. 2003, Beaverton, Oregon, U.S.A.

Men's Nike Footwear Catalog (SP 03); p. 9, published Jun. 2002, Beaverton, Oregon, U.S.A.

Women's Nike Footwear Catalog (SP 03); p. 14, published Jun. 2002, Beaverton, Oregon, U.S.A.

Men's Nike Footwear Catalog (HO 02); p. 16, published Mar. 2002, Beaverton, Oregon, U.S.A.

Women's Nike Footwear Catalog (LS 02); p. 24, published Sep. 2001, Beaverton, Oregon, U.S.A.

Men's Nike Footwear Catalog (HO 99); p. M16, published Mar. 1999, Beaverton, Oregon, U.S.A.

Women's Nike Footwear Catalog (HO 99); p. W58, published Mar. 1999, Beaverton, Oregon, U.S.A.

Men's Nike Footwear Catalog (HO 97); p. 10, published Mar. 1997, Beaverton, Oregon, U.S.A.

\* cited by examiner

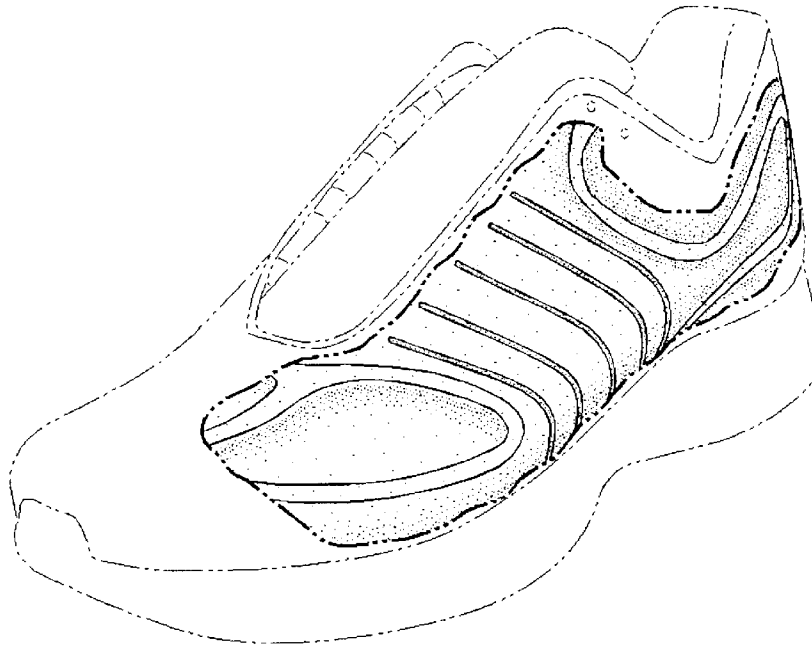


FIG. 1

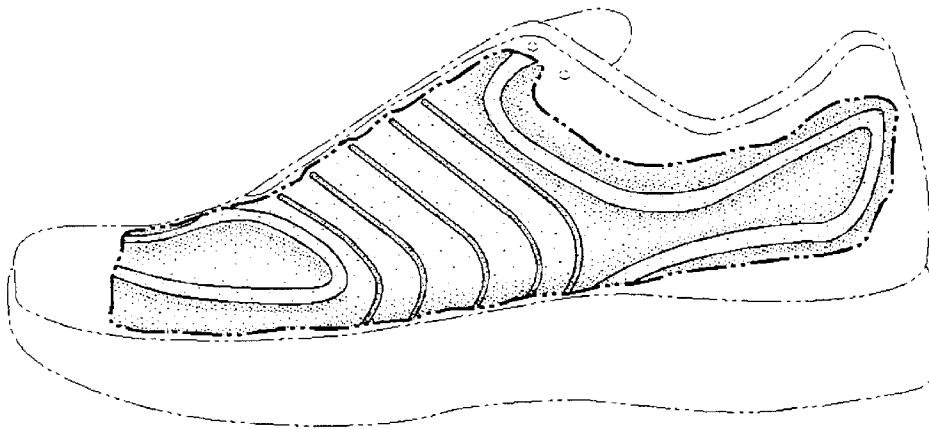
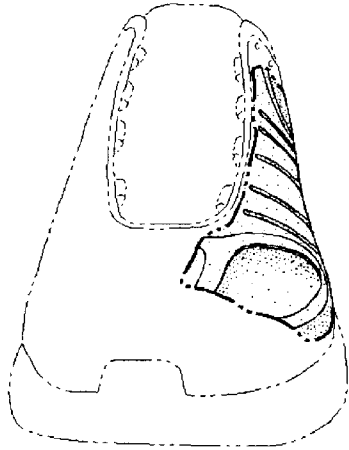
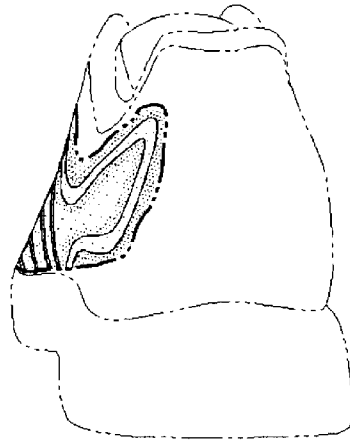


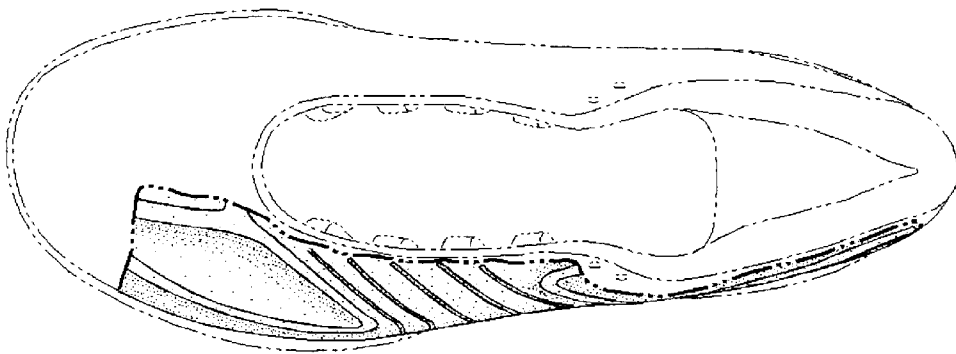
FIG. 2



**FIG. 3**



**FIG. 4**



**FIG. 5**