



US00D528771S

(12) **United States Design Patent** (10) **Patent No.:** **US D528,771 S**
Lupo (45) **Date of Patent:** **** Sep. 26, 2006**

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

(75) Inventor: **Bo Lupo**, Portland, OR (US)

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

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

(21) Appl. No.: **29/255,399**

(22) Filed: **Mar. 8, 2006**

(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

D283,364 S	4/1986	Gamm
D319,722 S	9/1991	Hatfield
D320,498 S	10/1991	Hatfield

(Continued)

OTHER PUBLICATIONS

- Nike Footwear Catalog (FA 88), p. W8, published Dec. 1997, Beaverton, Oregon, U.S.A.
- Nike Footwear Catalog (FA 90), p. W76, published Dec. 1989, Beaverton, Oregon, U.S.A.
- Men's Nike Footwear Catalog (SP 91), p. 8, published Jun. 1990, Beaverton, Oregon, U.S.A.
- Nike Footwear Catalog (SP 94), p. 22, published Jun. 1993, Beaverton, Oregon, U.S.A.
- Men's Nike Footwear Catalog (HO 94), pp. 14, 22, published Mar. 1994, Beaverton, Oregon, U.S.A.
- Women's Nike Footwear Catalog (LS 95), p. 62, published Jun. 1994, Beaverton, Oregon, U.S.A.
- Nike Footwear Catalog (HO 95), p. M20, published Mar. 1995, Beaverton, Oregon, U.S.A.
- Nike Footwear Catalog (SP 97), pp. 10, 11, published Jun. 1996, Beaverton, Oregon, U.S.A.

- Men's Nike Footwear Catalog (FA 97), pp. 6, 7, 81, 88, 105, published Dec. 1996, Beaverton, Oregon, U.S.A.
- Nike Footwear Catalog (HO 97), p. 134, published Mar. 1997, Beaverton, Oregon, U.S.A.
- Nike Footwear Catalog (SP 98), p. 101, published Jun. 1997, Beaverton, Oregon, U.S.A.
- Men's Nike Footwear Catalog (HO 98), p. M23, published Feb. 1998, Beaverton, Oregon, U.S.A.
- Men's Nike Footwear Catalog (SP 99), p. M81, published Nov. 1998, Beaverton, Oregon, U.S.A.
- Women's Nike Footwear Catalog (HO 99), p. W10, published Mar. 1999, Beaverton, Oregon, U.S.A.
- Men's Nike Footwear Catalog (SP 02), p. 33, published Jun. 2001, Beaverton, Oregon, U.S.A.

(Continued)

Primary Examiner—Dominic Simone

(74) *Attorney, Agent, or Firm*—TraskBritt, P.C.

(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;

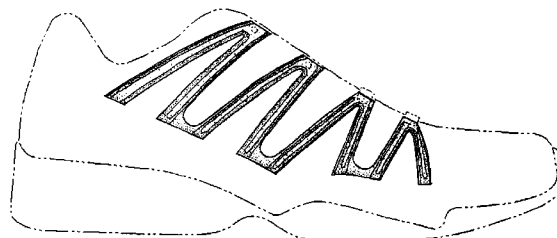
FIG. 3 is a front view of the portion of a shoe upper shown in FIG. 1;

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



US D528,771 S

Page 2

U.S. PATENT DOCUMENTS

D347,109 S 5/1994 Avar
D347,938 S 6/1994 Smith
D351,275 S 10/1994 Hatfield et al.
D365,195 S 12/1995 Chen
D373,460 S 9/1996 Crowley
D433,220 S 11/2000 Fogg
D435,336 S 12/2000 Barret et al.
D443,131 S 6/2001 Laberge
D443,408 S 6/2001 Laberge
D451,269 S * 12/2001 Burt D2/972
D479,392 S 9/2003 Hillyer
D479,644 S 9/2003 Sakai
D481,530 S 11/2003 Hillyer
D487,339 S 3/2004 Laberge
D488,917 S 4/2004 Koo
D496,527 S 9/2004 Roulo
D498,579 S 11/2004 Lemaster
D499,537 S * 12/2004 Robbins D2/969
D499,873 S 12/2004 Panariello, Jr.
D499,874 S 12/2004 Panariello, Jr.

D505,006 S 5/2005 Fogg
D505,253 S 5/2005 Rask
6,898,870 B1 5/2005 Rohde
D508,306 S 8/2005 Amado et al.
D515,796 S * 2/2006 Reardon D2/969
D515,800 S * 2/2006 Bertholon D2/972
D516,795 S * 3/2006 Tresser D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog (FA 03), p. M15, published Nov. 2002, Beaverton, Oregon, U.S.A.
Men'Nike Footwear Catalog (SP 04), p. M33, published Jun. 2003, Beaverton, Oregon, U.S.A.
Nike Footwear Catalog (SP 05), pp. M10, M14, W31, published Nov. 2004, Beaverton, Oregon, U.S.A.
Nike Footwear Catalog (FA 05), p. 19, published Nov. 2004, Beaverton, Oregon, U.S.A.
Nike Footwear Catalog (SP 06), p. 10, published Jun. 2005, Beaverton, Oregon, U.S.A.

* cited by examiner



FIG. 1

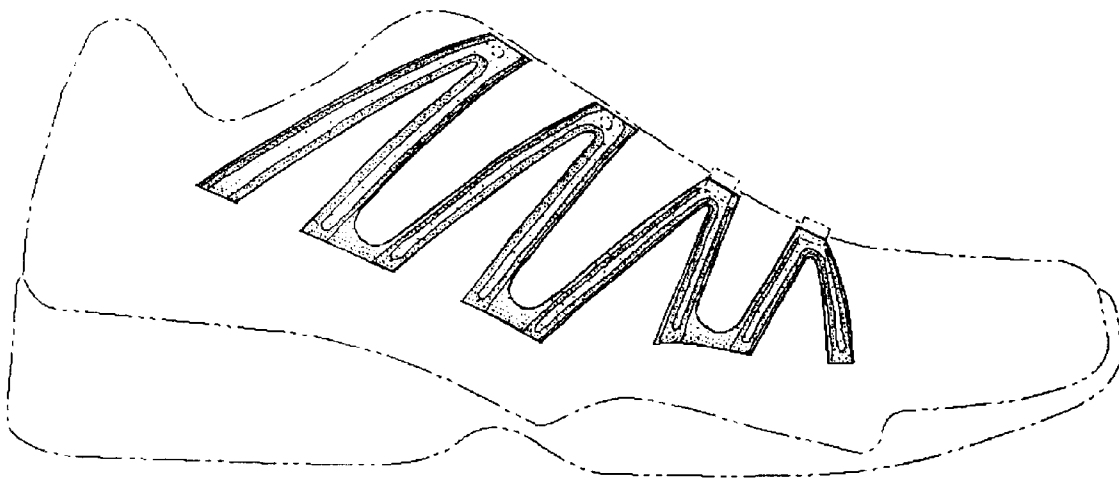


FIG. 2

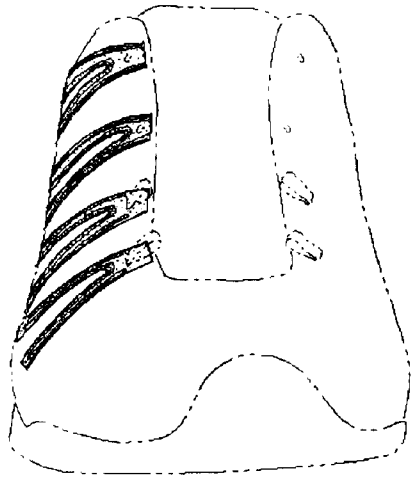


FIG. 3



FIG. 4

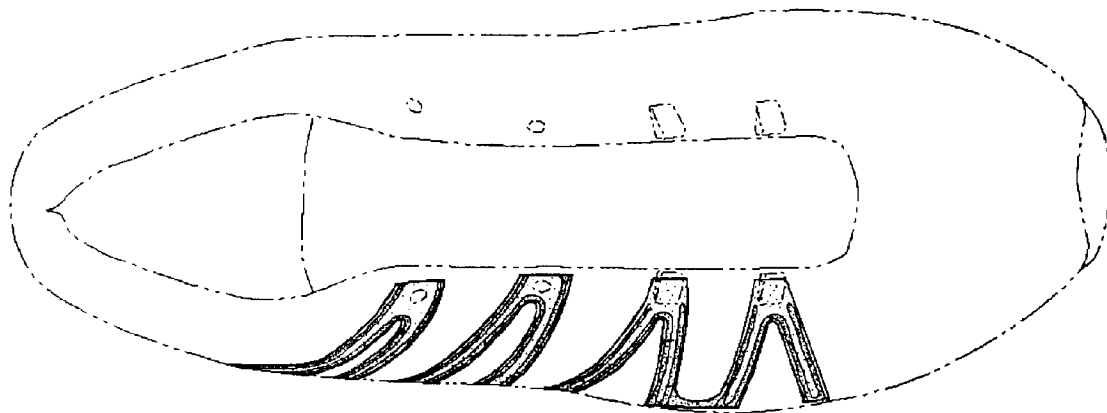


FIG. 5