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United States Patent [19]

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Mervar

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[54] **SIDE ELEMENT OF A SHOE UPPER**

[75] Inventor: **Robert Mervar**, Portland, Oreg.

[73] Assignee: **Nike, Inc.**, Beaverton, Oreg.

[**] Term: **14 Years**

[21] Appl. No.: **82,423**

[22] Filed: **Jan. 22, 1998**

[51] **LOC (6) Cl.** **02-99**

[52] **U.S. Cl.** **D2/972**

[58] **Field of Search** D2/896, 902, 907,
D2/908, 972-974; 36/45, 50.1, 53, 57

[56] **References Cited**

U.S. PATENT DOCUMENTS

D. 176,094	11/1955	Berland et al. .	
D. 198,157	5/1964	Doss .	
D. 226,885	5/1973	McBarron .	
D. 243,421	2/1977	Cohen .	
D. 265,435	7/1982	Vermonet .	
D. 311,637	10/1990	Hatfield .	
D. 319,529	9/1991	Hatfield .	
D. 346,899	5/1994	Hatfield et al. .	
D. 348,767	7/1994	Hatfield et al. .	
D. 355,977	3/1995	Teague .	
D. 371,898	7/1996	Hatfield .	
D. 383,297	9/1997	Gray	D2/972
D. 383,915	9/1997	Tresser	D2/972
D. 385,693	11/1997	Case	D2/972
D. 393,347	4/1998	Kuerbis	D2/972
D. 393,349	4/1998	Backus	D2/972
D. 393,350	4/1998	Aveni	D2/972
1,121,158	12/1914	Barnhart .	
2,969,573	1/1961	Forrester .	
3,239,952	3/1966	Lange et al. .	
4,934,072	6/1990	Fredericksen et al. .	
5,014,449	5/1991	Richard et al. .	
5,191,727	3/1993	Barry et al. .	

OTHER PUBLICATIONS

“Nike Footwear Catalog”, Spring 1991, published Jun., 1990 (pp. 36 & 60).

“Nike Footwear Catalog”, Fall 1991, published Dec., 1990 (pp. 8 & 74).

“Nike Footwear Catalog”, Spring 1993, published Jun., 1992 (pp. 3 & 8).

“Nike Footwear Catalog”, Spring 1994, published Jun., 1993 (pp. 6, 22 & 88).

“Nike Footwear Catalog”, Late Spring 1994, published Sep., 1993 (p. 10).

“Nike Footwear Catalog”, Holiday 1994, published Mar., 1994 (pp. 4, 12, 20, 32, 34, 52, 68, & 78).

“Nike Footwear Catalog”, Spring 1995, published Jun., 1994 (p. 104).

“Nike Footwear Catalog”, Fall 1995, published Nov., 1994 (pp. 42, 112, 153, 154, & 155).

“Nike Footwear Catalog”, Holiday 1995, published Mar., 1995 (pp. 20, 21, 51, & 104).

“Nike Footwear Catalog”, Fall 1996, published Dec., 1995 (pp. 25, 150, 172, 186 & 195).

“Nike Footwear Catalog”, Holiday 1996, published Mar., 1996 (pp. 24, 45, 95, 115, 128 & 141).

“Nike Footwear Catalog”, Spring 1996, published Jun., 1995 (pp. 8, 121, & 175).

“Nike Footwear Catalog”, Late Spring, published Aug., 1996 (p. 127).

(List continued on next page.)

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[57] **CLAIM**

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

DESCRIPTION

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

FIG. 2 is a right (lateral) side elevational view thereof;

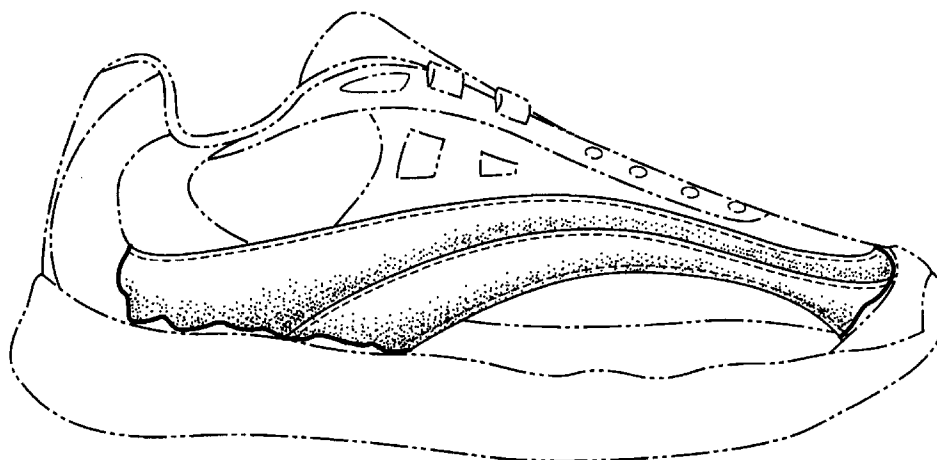
FIG. 3 is a front view thereof;

FIG. 4 is a rear view thereof; and,

FIG. 5 is a top plan view thereof.

The phantom line showing of a shoe sole, the remaining portion of the shoe upper shown in FIGS. 1-5 is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



OTHER PUBLICATIONS

“Nike Footwear Catalog”, Fall 1997, published Dec., 196 (pp. 7, 8, 19, 66, 144, 145, 150, 167, 190, 197, 198, 200, 206 & 222).

“Nike Footwear Catalog”, Holiday 1997, published Mar., 1997 (pp. 9, 14, 16, 48, 65, 66, 128, 163, 164, 168, 171, 182, 183, 185, 213 & 229).

“Nike Footwear Catalog”, Spring 1997, published Jun., 1996 (pp. 8, 25, 41, 60 & 123).

“Nike Footwear Catalog”, Late Spring, published Sep. 1996 (pp. 32, 68 & 189).

“Nike Footwear Catalog”, Spring 1998, published Jun., 1997 (pp. 3, 8, 50, 60, 72, 75, 80, 86, 140, 163, 165, 170, 193, 195, 201, 207, 210 & 217).

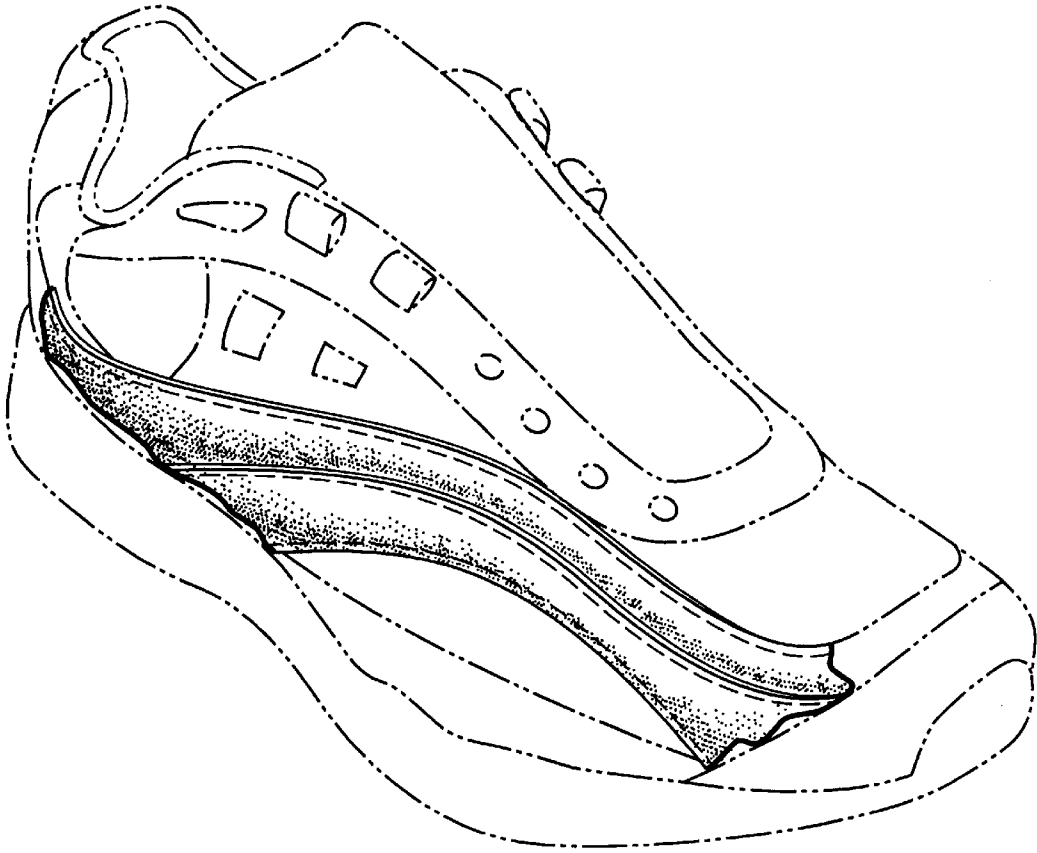


Fig. 1

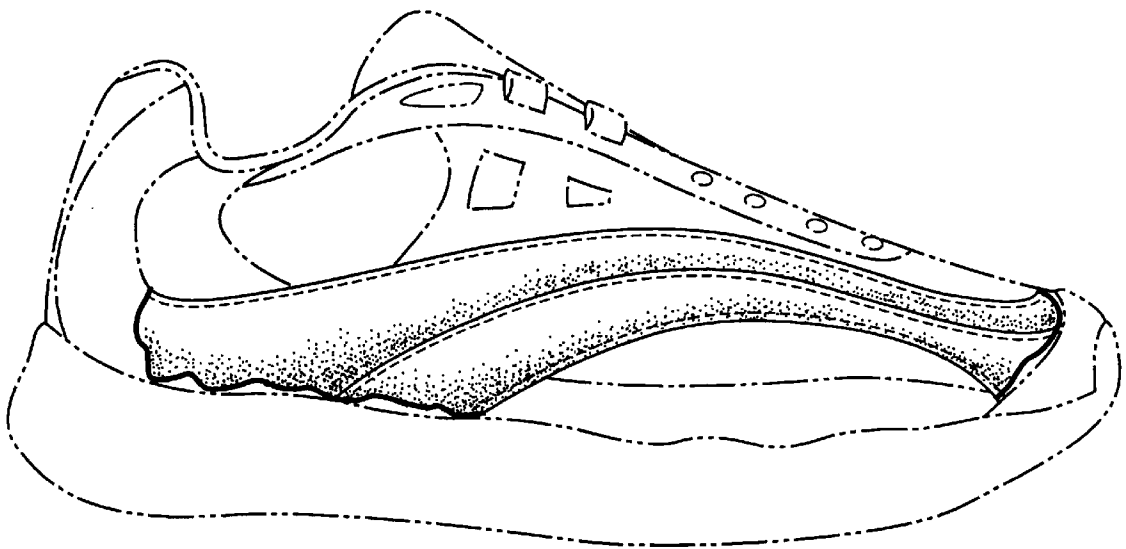


Fig. 2

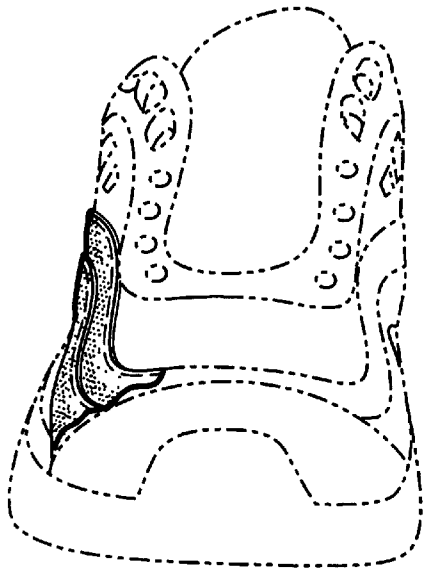


Fig. 3

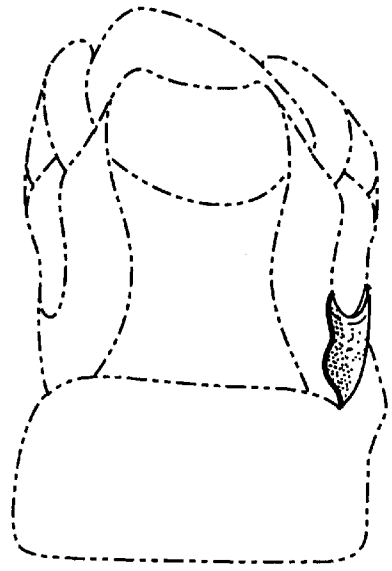


Fig. 4

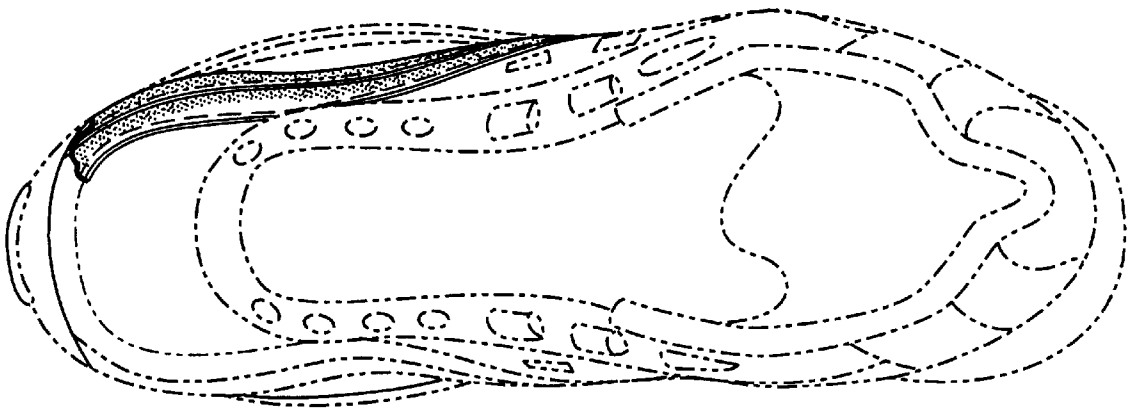


Fig. 5