



US00D524529S

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

(10) **Patent No.:** **US D524,529 S**

(45) **Date of Patent:** **** Jul. 11, 2006**

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

D508,603 S * 8/2005 Newson D2/972

(75) Inventor: **John Hlavacs**, Portland, OR (US)

OTHER PUBLICATIONS

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

Nike Footwear Catalog Late Spring 1997, p. 8, published Sep. 1996.

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

Nike Footwear Catalog Fall 1997, p. 11, published Dec. 1996.

(21) Appl. No.: **29/229,860**

Nike Footwear Catalog Late Spring 1998, p. 142, published Sep. 1997.

(22) Filed: **May 13, 2005**

Nike Footwear Catalog Late Fall 1998, pp. 16, 86, published Mar. 1998.

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

Nike Footwear Catalog Holiday 1999, pp. W116, M54, published Mar. 1999.

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

Nike Footwear Catalog Late Spring 2003, p. W5, published Sep. 2002.

(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

Nike Footwear Catalog Fall 2003, p. M21, published Nov. 2002.

See application file for complete search history.

(56)

References Cited

(Continued)

U.S. PATENT DOCUMENTS

Primary Examiner—Dominic Simone

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

D108,320 S	*	2/1938	Eldon	D2/902
D361,884 S		9/1995	Lozano		
D385,996 S		11/1997	Tresser		
D386,896 S		12/1997	Fogg		
D393,360 S		4/1998	Aveni et al.		
D393,361 S		4/1998	Rask		
D407,550 S		4/1999	Clarke		
D434,547 S	*	12/2000	Kim	D2/902
D440,753 S		4/2001	Morris		
D444,623 S		7/2001	Wilson		
D448,148 S		9/2001	Matis et al.		
D471,350 S	*	3/2003	Roulo	D2/972
D474,882 S		5/2003	Cooper		
D476,473 S		7/2003	Clegg		
D495,867 S		9/2004	Avar		
D498,355 S		11/2004	Fullum		
D499,246 S		12/2004	Kuerbis		
D499,874 S		12/2004	Panariello, Jr.		
D499,875 S		12/2004	Lozano		
D500,199 S		12/2004	Clegg		
D500,408 S		1/2005	Rask		
D500,586 S		1/2005	Wozniak		
D504,012 S		4/2005	Fullum		

(57)

CLAIM

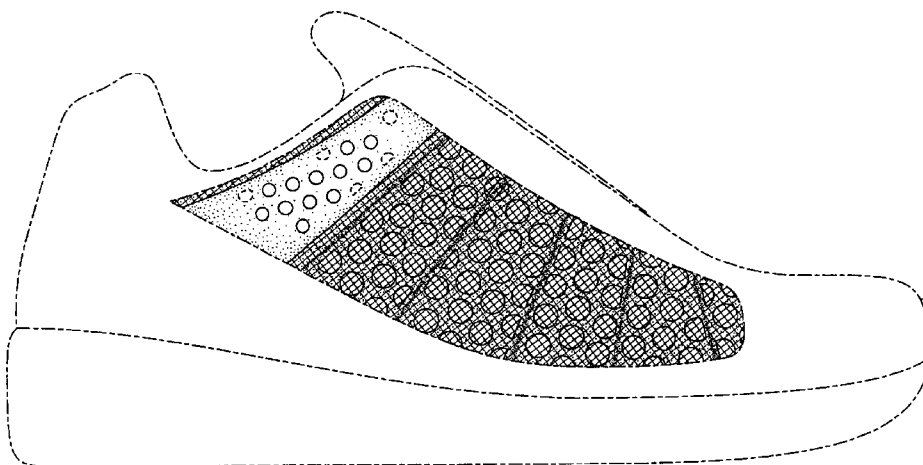
The ornamental design for a portion of a shoe upper, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a portion of a shoe upper showing my new design; FIG. 2 is a rear perspective view thereof; FIG. 3 is a side elevational view thereof; and, FIG. 4 is a top plan view thereof.

The uneven broken line immediately adjacent the shaded area represents an unclaimed boundary of the design. The uneven broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design. The broken lines and the unshaded regions within the circles and partial circles do not form part of the claimed design.

1 Claim, 4 Drawing Sheets



OTHER PUBLICATIONS

Nike Footwear Catalog Spring 2004, p. M8, published Jun. 2003.

Nike Footwear Catalog Late Spring 2004, pp. M1, M27, published Sep. 2003.

Nike Footwear Catalog Fall 2004, pp. W5, W6, M86, published Nov. 2003.

Nike Footwear Catalog Spring 2005, pp. W29, M12, M86, published Jun. 2004.

Nike Footwear Catalog Late Spring 2005, pp. 17, 21, 26, published Aug. 2005.

* cited by examiner

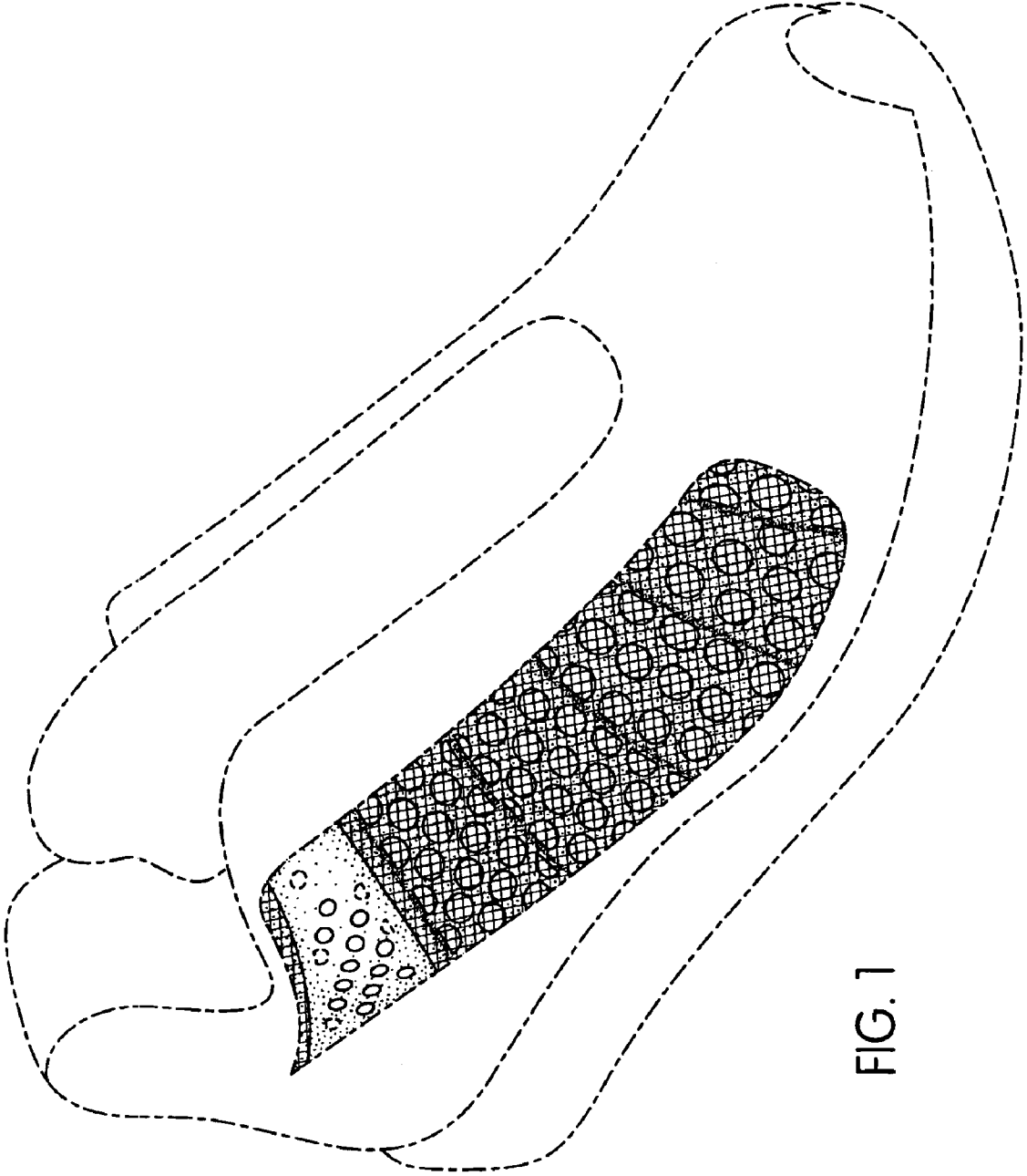


FIG. 1

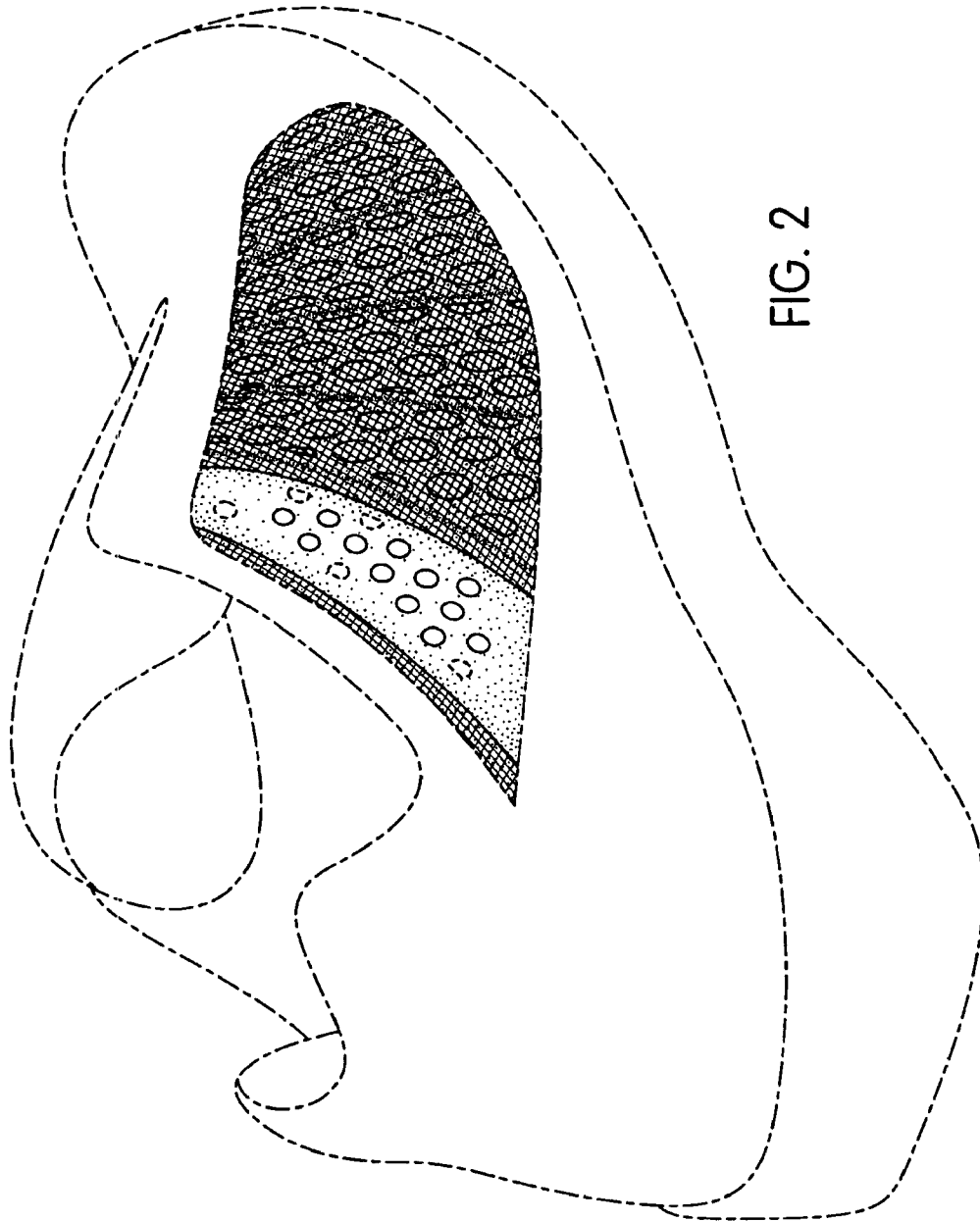


FIG. 2

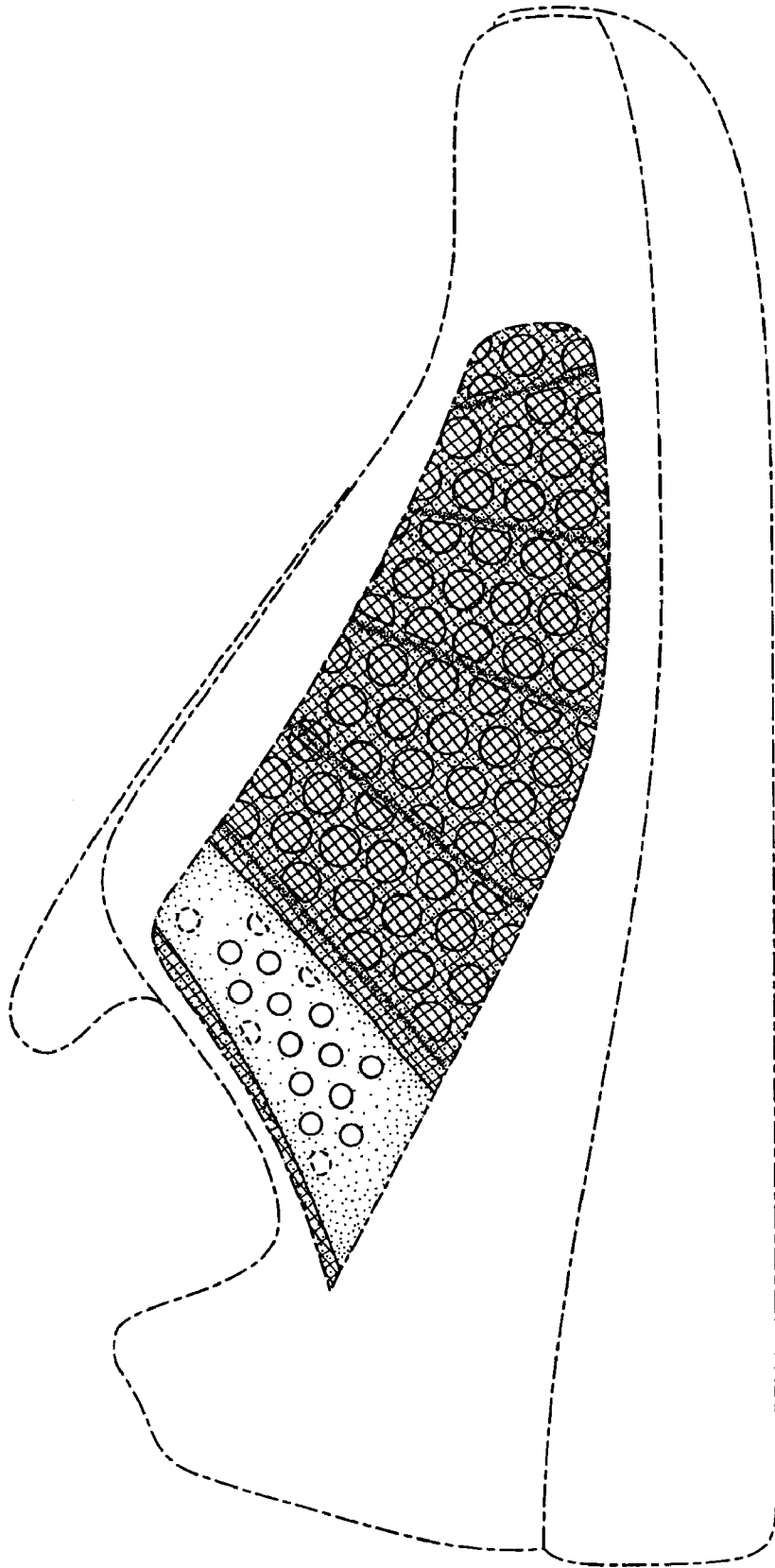


FIG. 3

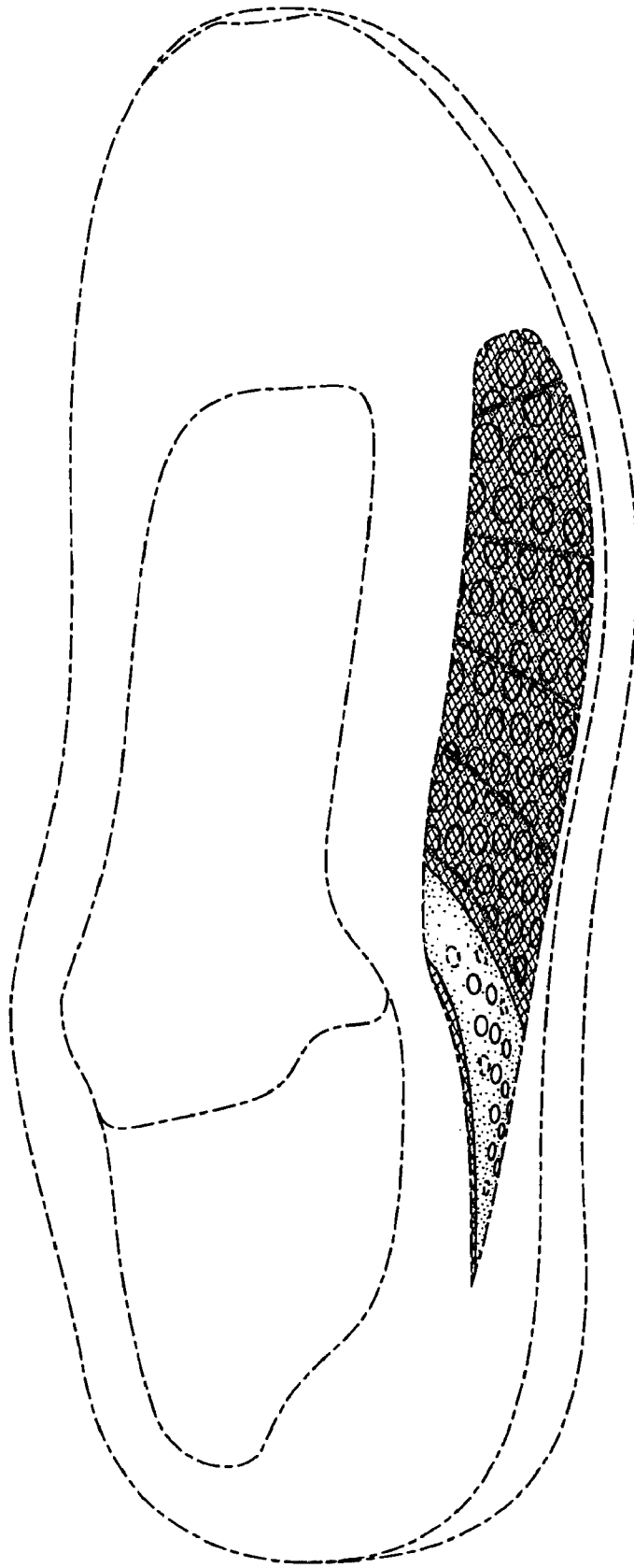


FIG. 4