



US00D687220S

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

(10) **Patent No.:** **US D687,220 S**

(45) **Date of Patent:** **** Aug. 6, 2013**

(54) **SHOE UPPER**

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

(72) Inventor: **Michael A. Aveni**, Lake Oswego, OR (US)

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

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

(21) Appl. No.: **29/436,618**

(22) Filed: **Nov. 7, 2012**

(51) **LOC (9) Cl.** **02-99**

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

(58) **Field of Classification Search**
USPC D2/902, 906-908, 944, 969, 972-974;
36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114,
36/126-131

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D283,364 S	4/1986	Gamm	
D348,977 S	7/1994	Koh	
D349,394 S	8/1994	Hatfield	
D349,395 S	8/1994	Kelchak	
D351,275 S	10/1994	Hatfield et al.	
D358,021 S	5/1995	Vestuti	
D365,197 S *	12/1995	Hatfield	D2/969
D367,754 S *	3/1996	James	D2/902
D376,042 S	12/1996	Cooper	
D386,896 S	12/1997	Fogg	
D394,144 S	5/1998	Parmar	
D412,241 S *	7/1999	Hatfield et al.	D2/972
D422,132 S *	4/2000	Fogg	D2/972
D424,798 S *	5/2000	McDowell	D2/972
D431,711 S *	10/2000	Matis et al.	D2/969
D438,697 S *	3/2001	Matis et al.	D2/969
D448,548 S	10/2001	Simpson	

D449,432 S *	10/2001	Matis et al.	D2/969
D456,985 S *	5/2002	Clegg	D2/972
D457,296 S *	5/2002	Burt	D2/969
D458,015 S *	6/2002	Dolan et al.	D2/972
D460,251 S *	7/2002	Dolan	D2/972
D467,723 S	12/2002	Gerber	
D503,527 S *	4/2005	McDowell	D2/972
D512,213 S	12/2005	Hlavacs	
D515,801 S *	2/2006	Smith, III	D2/972
D521,718 S	5/2006	Young	
D523,228 S	6/2006	Henderson	
D527,518 S	9/2006	Harlow	
D539,020 S	3/2007	Belley	
D544,196 S *	6/2007	Caine	D2/972
D544,693 S *	6/2007	Caine	D2/972
D546,549 S	7/2007	Gajowskyj	

(Continued)

OTHER PUBLICATIONS

Nike Footwear Catalog, Footwear: Late Spring 1997, p. 6, published Sep. 1996, NIKE, Inc., USA.

(Continued)

Primary Examiner — Dominic Simone

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

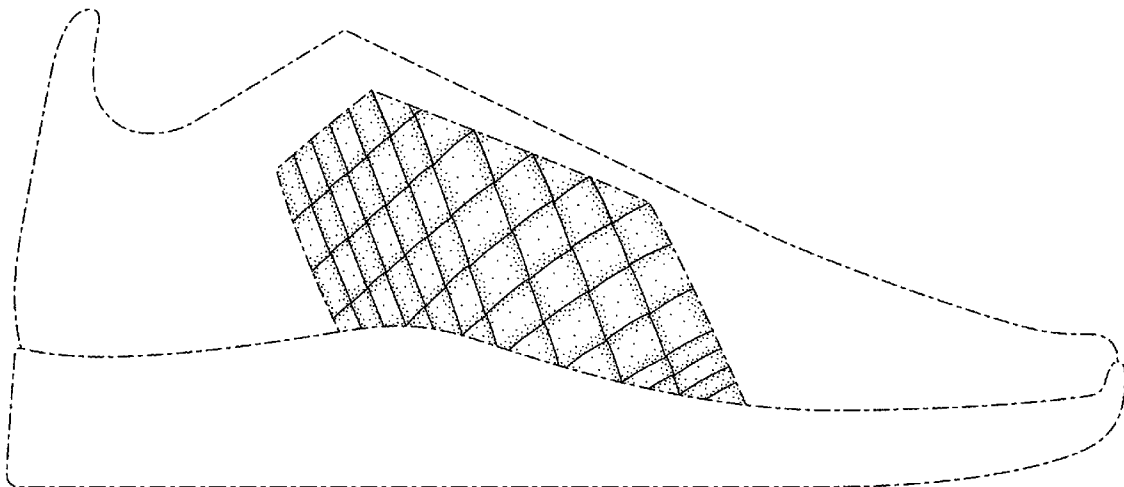
(57) **CLAIM**

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 broken lines immediately adjacent to the shaded area represent unclaimed boundaries of the design. The broken lines showing the remainder of the shoe are for environmental purposes only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



U.S. PATENT DOCUMENTS

D547,039	S	7/2007	Belley	
D547,539	S	7/2007	Yang	
D553,346	S	10/2007	Dekovic	
D564,193	S	3/2008	Horne	
D575,048	S	8/2008	Santos	
D575,481	S	8/2008	Santos	
D578,294	S	10/2008	Mervar et al.	
D583,140	S	12/2008	Avar	
D586,999	S	2/2009	Avar	
D587,000	S	* 2/2009	Avar	D2/972
D587,002	S	* 2/2009	Chang	D2/972
D587,891	S	* 3/2009	Minami	D2/972
D595,498	S	7/2009	Dolan	
D595,499	S	7/2009	Dekovic	
D614,388	S	4/2010	Petrie	
D614,389	S	4/2010	Petrie	
D614,390	S	* 4/2010	Petrie	D2/972

OTHER PUBLICATIONS

Nike Footwear Catalog, Men's Specialty and Women's & Kids' Footwear: Holiday 1998, p. W49, published Feb. 1998, NIKE, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear: Spring 2000, p. 38, published Jul. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear (shoes): Holiday 2000, p. 5, published Mar. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear (blue cover): Fall 2000, p. 10, published Nov. 1999, NIKE, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear: Fall 2001, p. M23, published Nov. 2000, NIKE, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear: Spring 2002, p. M16, published Jun. 2001, NIKE, Inc., USA.

Nike Footwear Catalog, Men's and Women's Footwear: Fall 2003, p. 57, published Nov. 2002, NIKE, Inc., USA.

Nike Footwear Catalog, Men's, Women's, and Kids' Footwear: Late Spring 2004, p. W33, published Sep. 2003, NIKE, Inc., USA.

Nike Footwear Catalog, Men's, Women's, Boy's, and Girl's Footwear: Spring 2005, p. W44, published Jun. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, Footwear: Late Spring 2005, p. 9, published Aug. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, Footwear: Late Spring 2005, p. M20, published Aug. 2004, NIKE, Inc., USA.

Nike Footwear Catalog, Sport Performance Footwear: Summer 2009, p. 9, published Aug. 2008, NIKE, Inc., USA.

Nike Footwear Catalog, Sport Performance Footwear: Summer 2009, p. 153, published Aug. 2008, NIKE, Inc., USA.

Nike Footwear Catalog, Core Performance Footwear: Fall 2009, p. 5, published Nov. 2008, NIKE, Inc., USA.

Nike Footwear Catalog, Core Footwear: Summer 2010, p. 28, published Aug. 2009, NIKE, Inc., USA.

Nike Footwear Catalog, Men's Footwear: Performance: Holiday 2010, p. 59, published Feb. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, Women's Footwear: Performance: Holiday 2010, p. 10, published Feb. 2010, NIKE, Inc., USA.

Nike Footwear Catalog, Men's Running Footwear: Spring 2011, p. 23, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, Livestrong Footwear: Holiday 2011, p. 3, published date unknown, but prior to the filing date of the present application, NIKE, Inc., USA.

Nike Footwear Catalog, Core Footwear: Spring 2012, pp. 2 and 4, published May 2011, NIKE, Inc., USA.

Nike Footwear Catalog, Men's and Women's Sportswear Best Footwear: Spring 2012, p. 3, published May 2011, NIKE, Inc., USA.

Sneaker Files Blog, Nike Air Woven Dragon Boat Festival Just Released, <http://www.sneakerfiles.com/2008/06/06/nike-air-woven-dragon-boat-festival-just-released>, 4 Color Pages, Listed date of posting Jun. 6, 2008.

Sneaker Freaker Blog, Nike Mayfly Woven NSW TZ, <http://www.sneakerfreaker.de/blog/news/nike-mayfly-woven-nsw-tz>, 1 Color Page, Listed date of posting May 29, 2012.

Sneaker News, Nike Air Footscape Woven Chukka Motion "Wool", <http://sneakernews.com/2012/09/06/nike-air-footscape-woven-chukka-motion-wool/-more-351751>, 3 Color Pages, Listed date of posting Sep. 6, 2012.

Skechers Men's Pebble shoe, <http://www.skechers.com/style/63562/pebble-shoal/gry>, 1 color page, published date unknown but prior to the filing date of the present application.

Skechers Women's Bikers—Hot Ticket shoe, <http://www.skechers.com/style/21159/bikers-hot-ticket/bkw>, 1 color page, published date unknown but prior to the filing date of the present application.

* cited by examiner

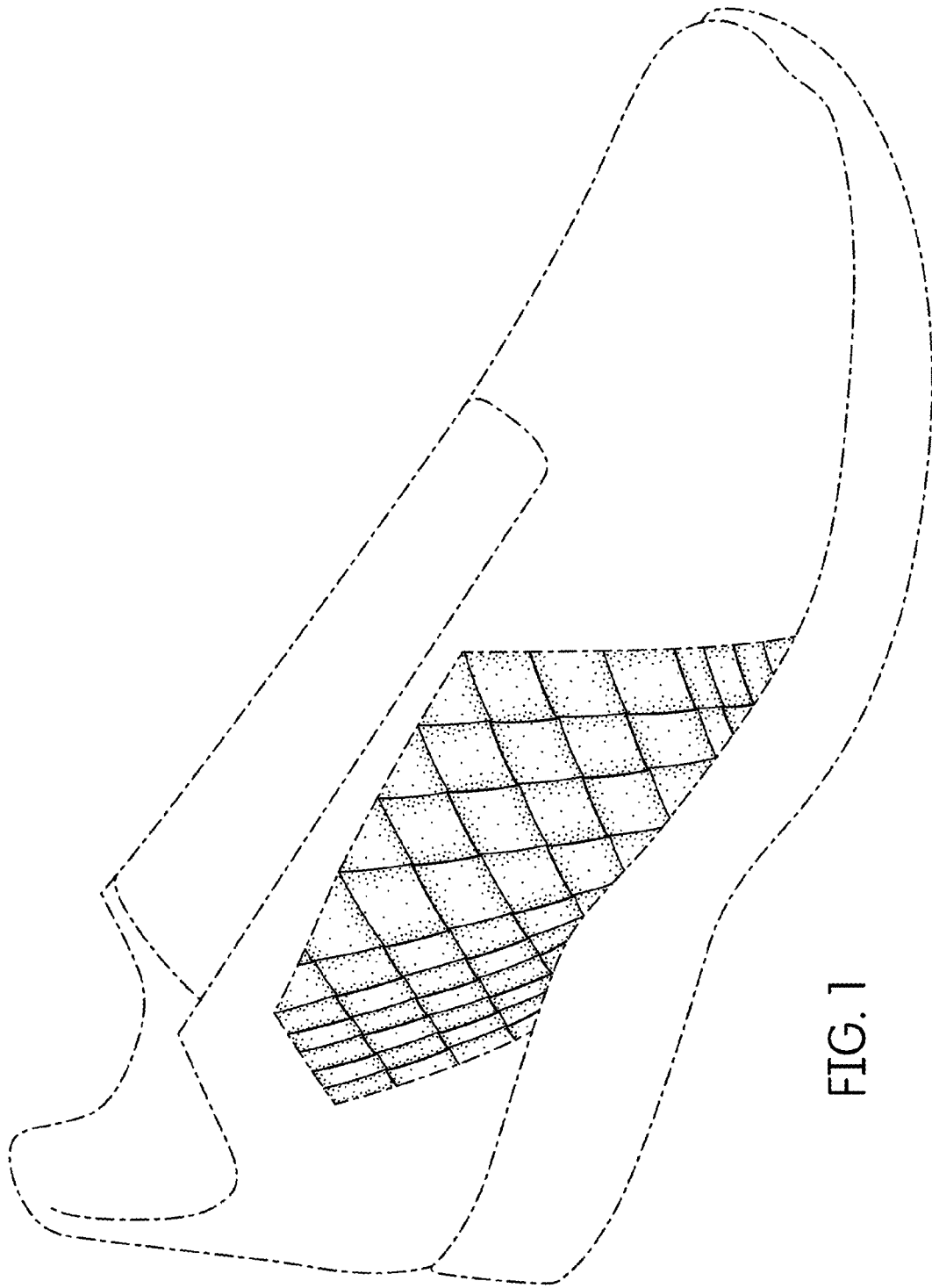


FIG. 1

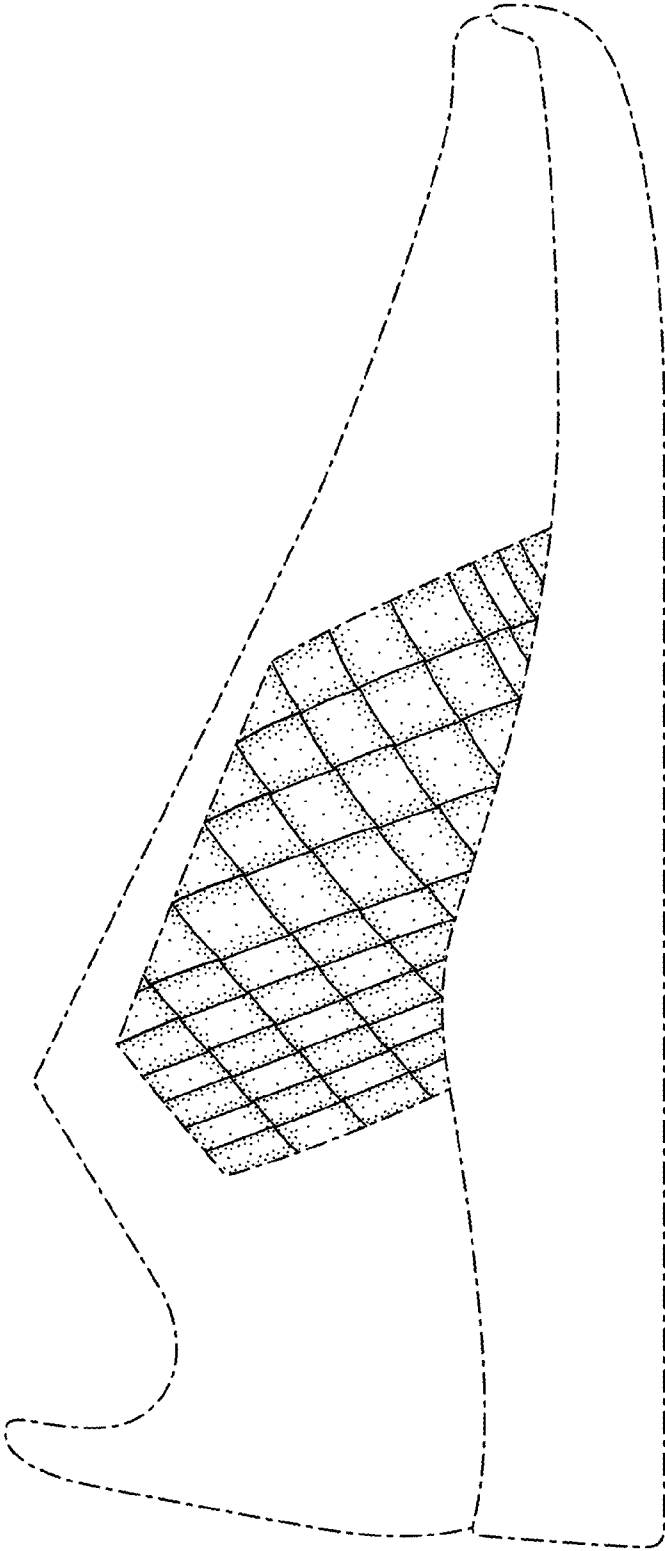


FIG. 2

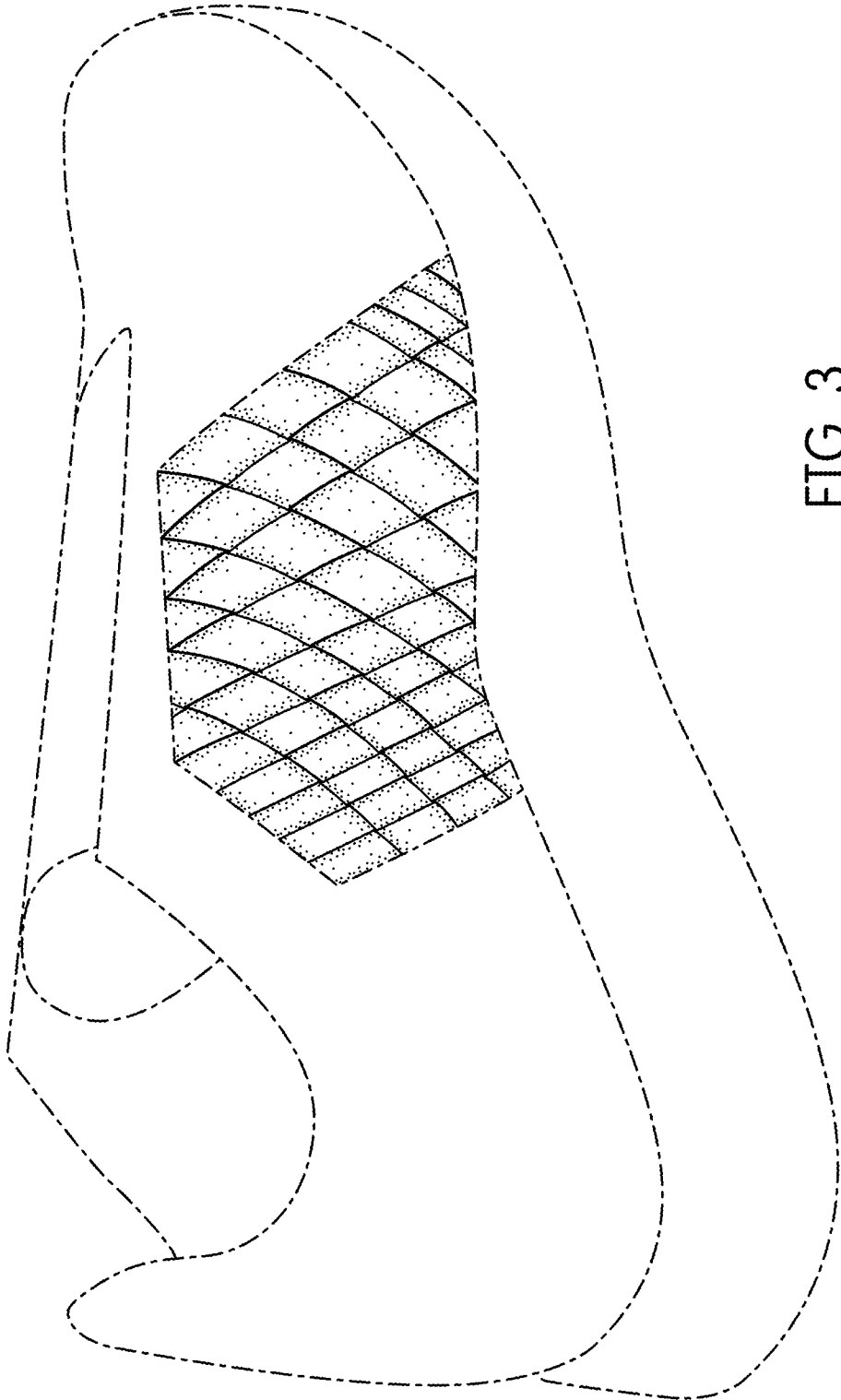


FIG. 3