

EXHIBIT H

**TO DECLARATION AND LOCAL RULE 7-5 CERTIFICATION OF ERIK
S. MAURER IN SUPPORT OF PLAINTIFFS' EMERGENCY MOTION
FOR TEMPORARY RESTRAINING ORDER, SEIZURE ORDER, AND
PRELIMINARY INJUNCTION**



US00D500917S

(12) **United States Design Patent** (10) **Patent No.:** **US D500,917 S**
Chang (45) **Date of Patent:** **** Jan. 18, 2005**

(54) **PORTION OF A SHOE UPPER**
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(73) Assignee: **Nike, Inc.**, Beaverton, OR (US)
(**) Term: **14 Years**
(21) Appl. No.: **29/205,803**
(22) Filed: **May 21, 2004**
(51) **LOC (7) Cl.** **02-99**
(52) **U.S. Cl.** **D2/972**
(58) **Field of Search** D2/902, 907, 908,
D2/943, 944, 969, 972-974; 36/45, 50.1,
77 M, 77 R, 83, 88, 113, 114, 126-130

Nike Footwear Catalog Late Spring 1997, pp. 18 and 200, published Sep. 1996.
Nike Footwear Catalog Holiday 1997, p. 20, published Mar. 1997.
Nike Footwear Catalog Late Fall 1998, pp. 136 and 218, published Mar. 1998.
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Nike Footwear Catalog Holiday 2000, p. W23, published Mar. 2000.
Nike Footwear Catalog Late Spring 2001, p. W18, published Sep. 2000.
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(74) *Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

(57) **CLAIM**

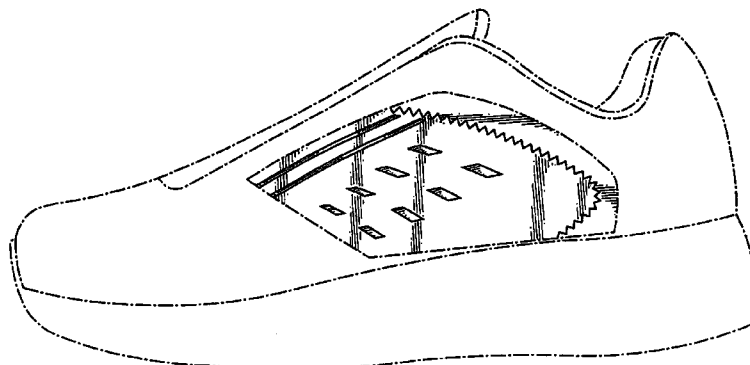
The ornamental design for a portion of a shoe upper, as shown and described.

DESCRIPTION

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

The uneven broken line showing the remainder of shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 3 Drawing Sheets



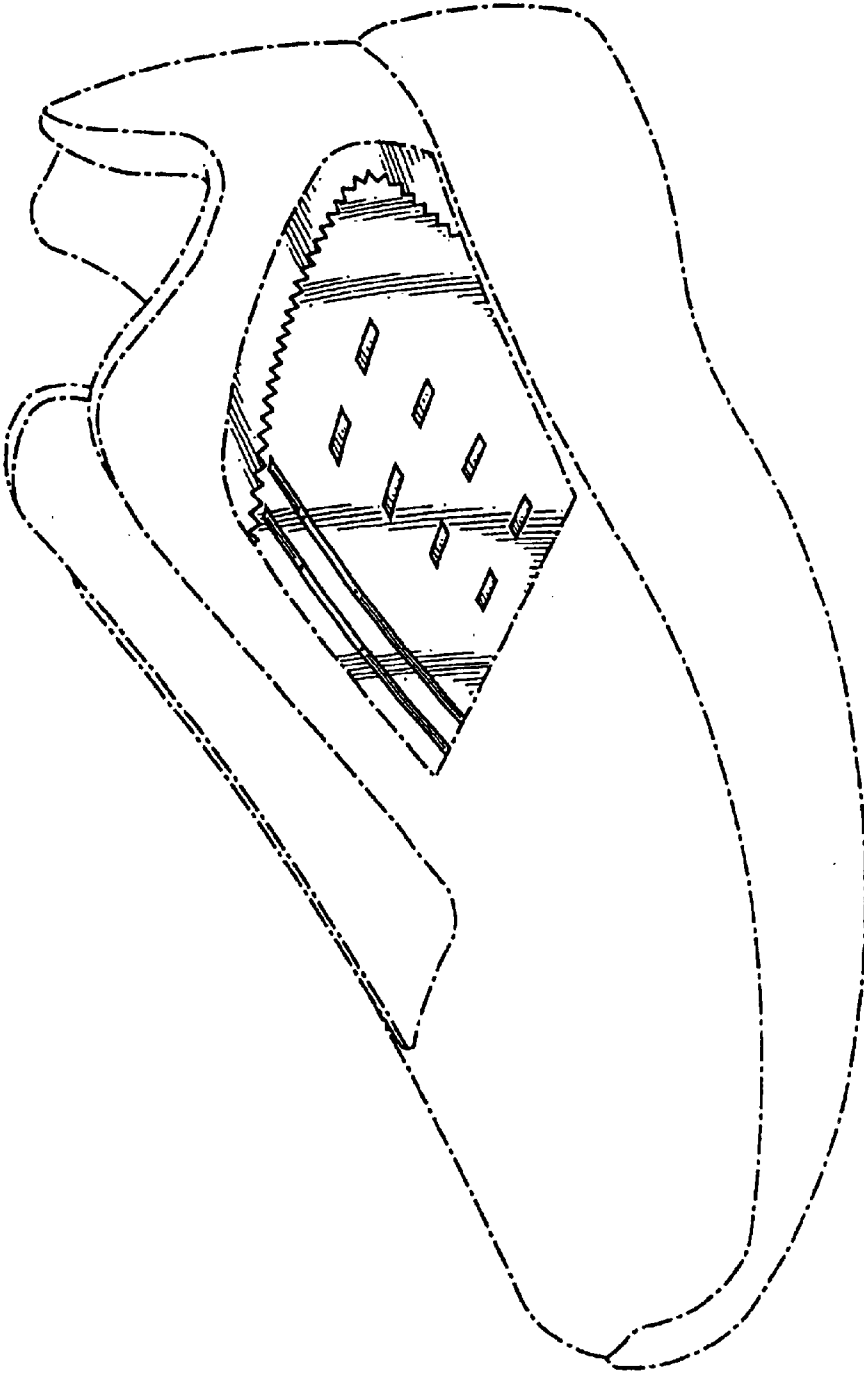


FIG.1

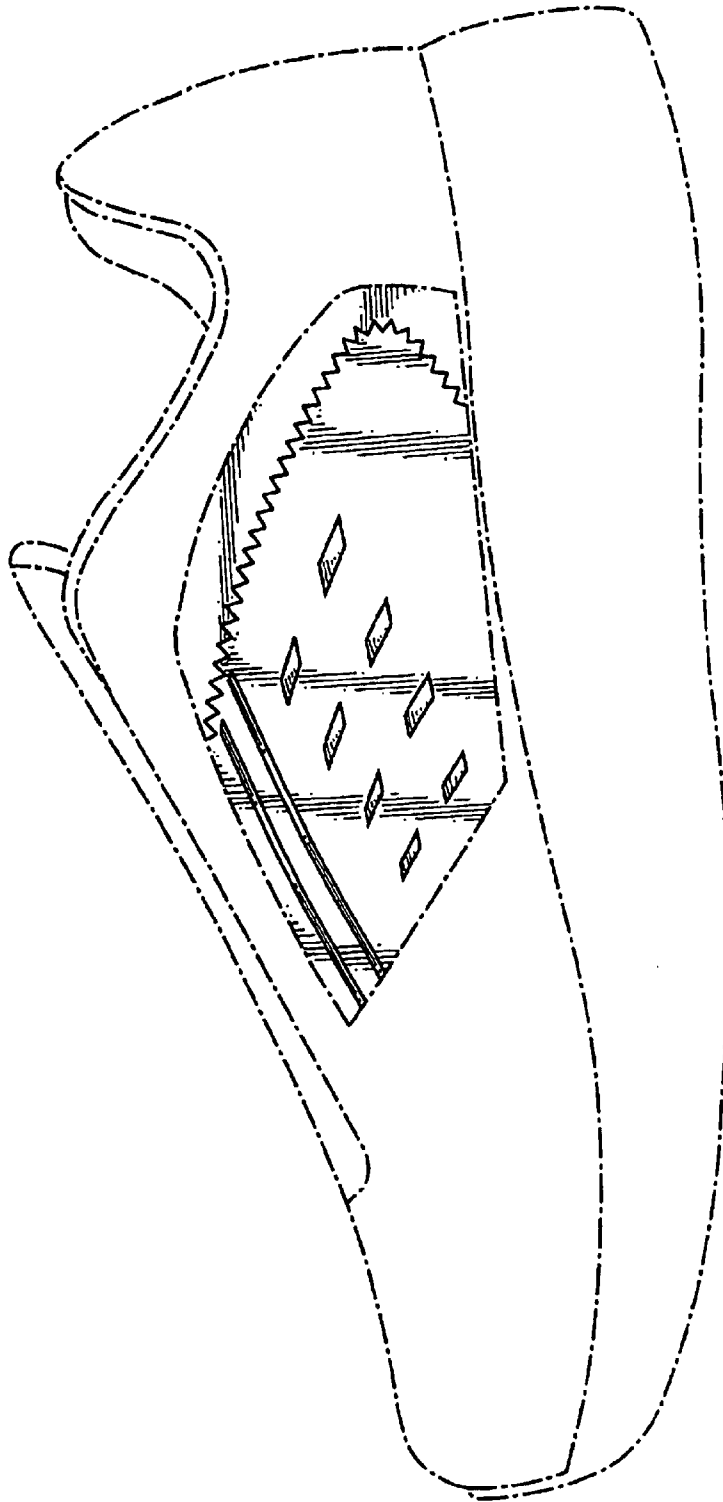


FIG. 2

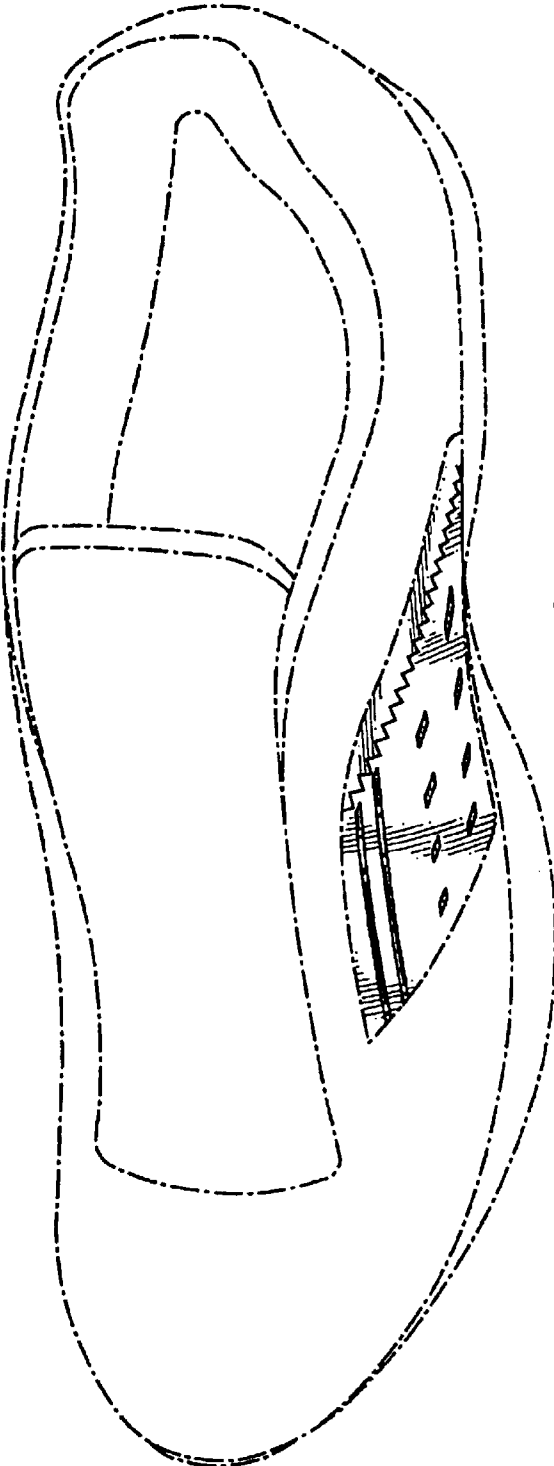


FIG.3