

**EXHIBIT S**

**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**



US00D578294S

(12) **United States Design Patent**  
**Mervar et al.**

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(45) **Date of Patent:** **\*\* Oct. 14, 2008**

(54) **SHOE UPPER**

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

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

(21) Appl. No.: **29/319,685**

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

(52) **U.S. Cl.** ..... **D2/969**

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D2/902, 903, 906-908, 943, 944, 946, 969,  
D2/972-974; 36/45, 50.1, 77 M, 77 R, 83,  
36/88, 113, 114, 126-131

See application file for complete search history.

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(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a lateral side view of a shoe upper showing my new design;  
FIG. 2 is a medial side view thereof;  
FIG. 3 is a front view thereof;  
FIG. 4 is a rear view thereof;  
FIG. 5 is a top view thereof; and,  
FIG. 6 is a front perspective view thereof.  
The broken line showing of the remainder of the shoe is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 5 Drawing Sheets**



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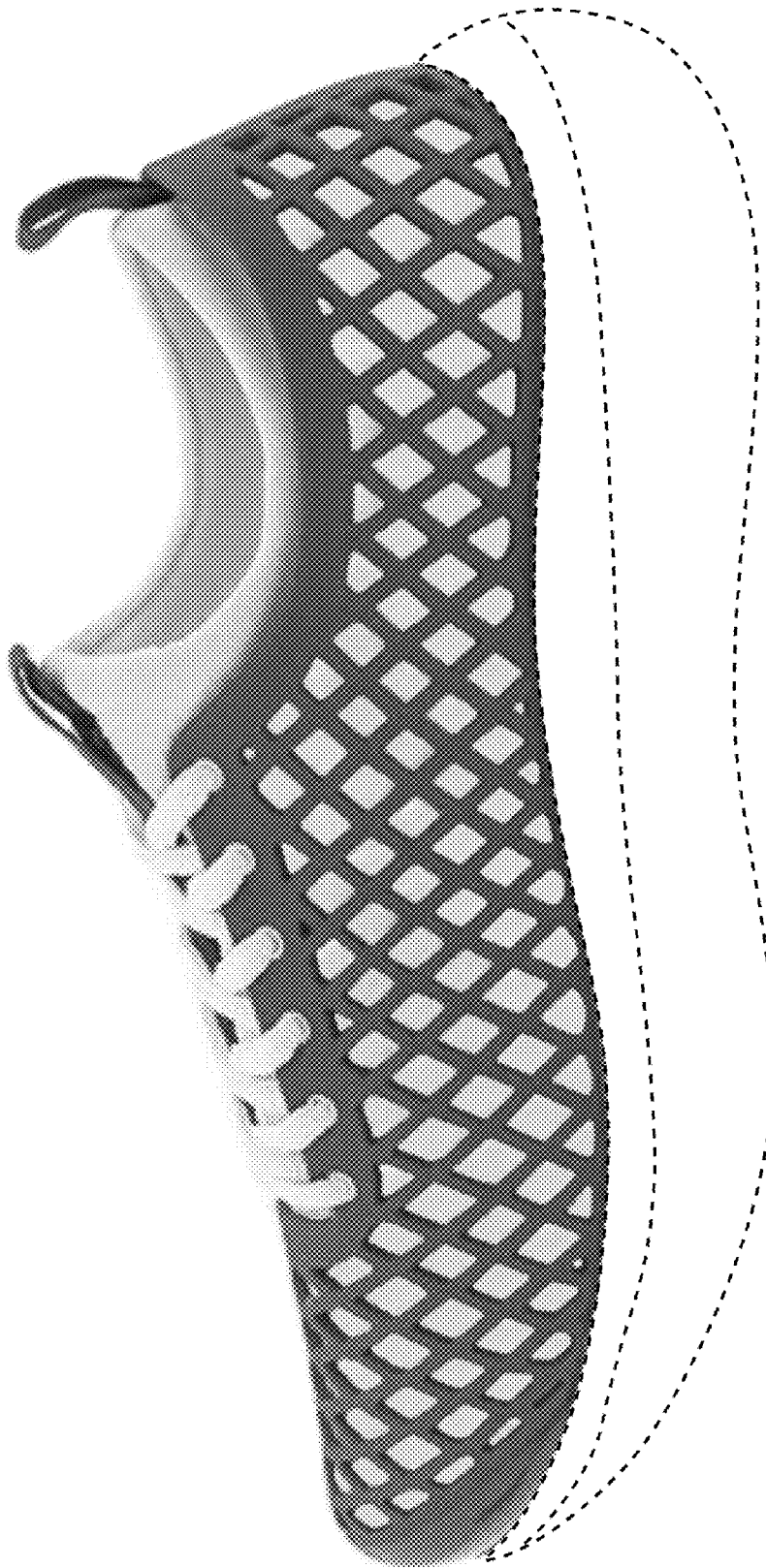


FIG. 1

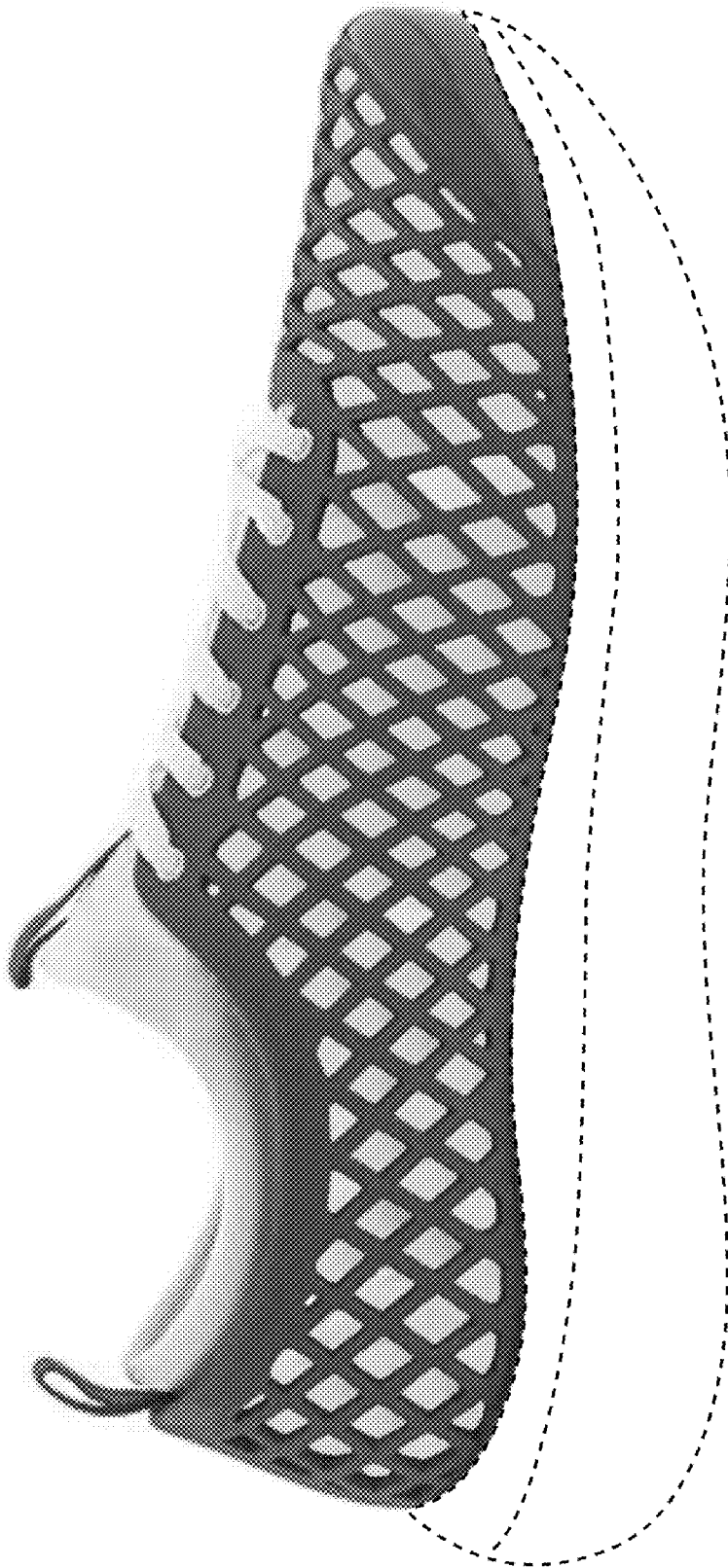


FIG. 2

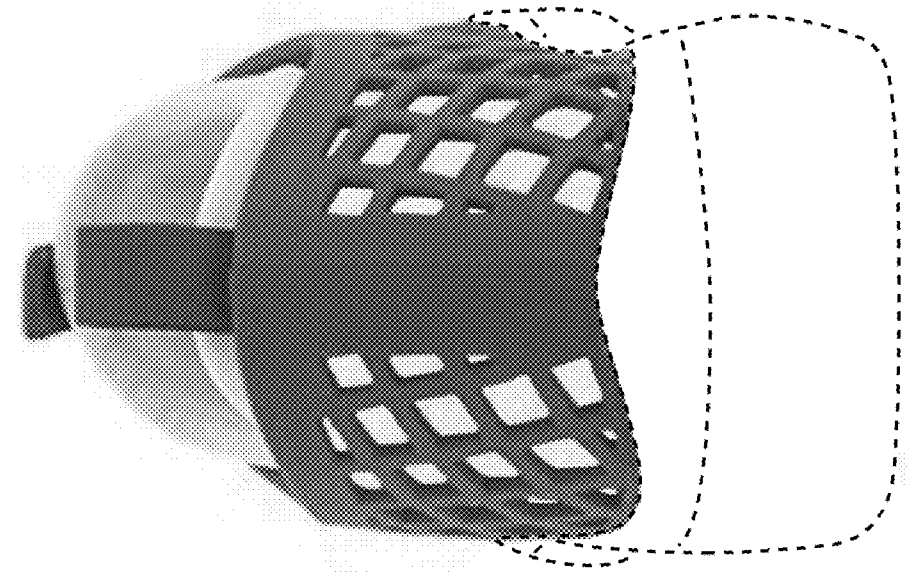


FIG. 3

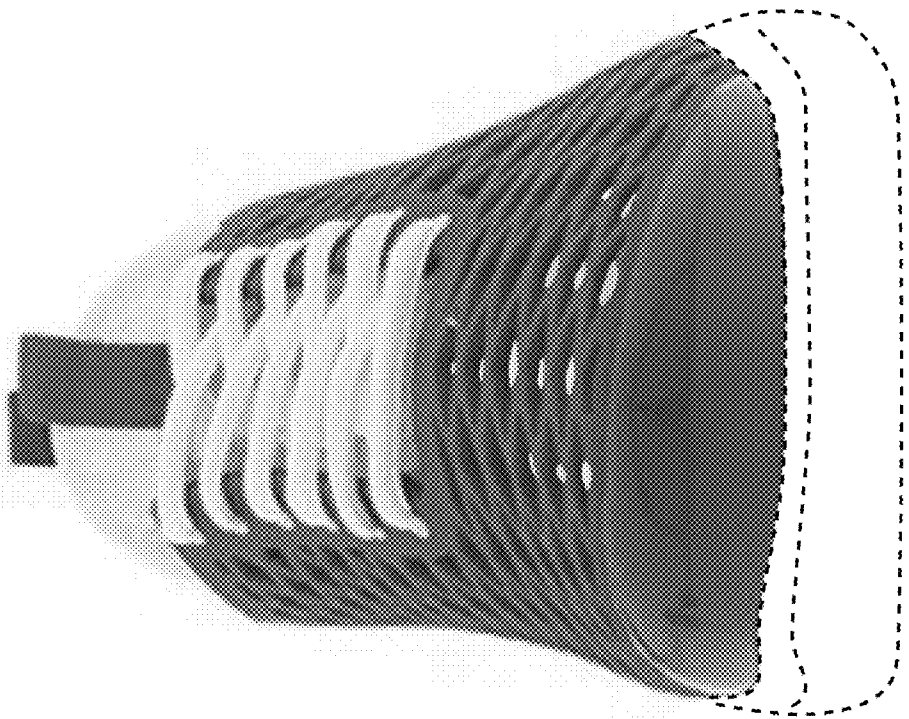


FIG. 4

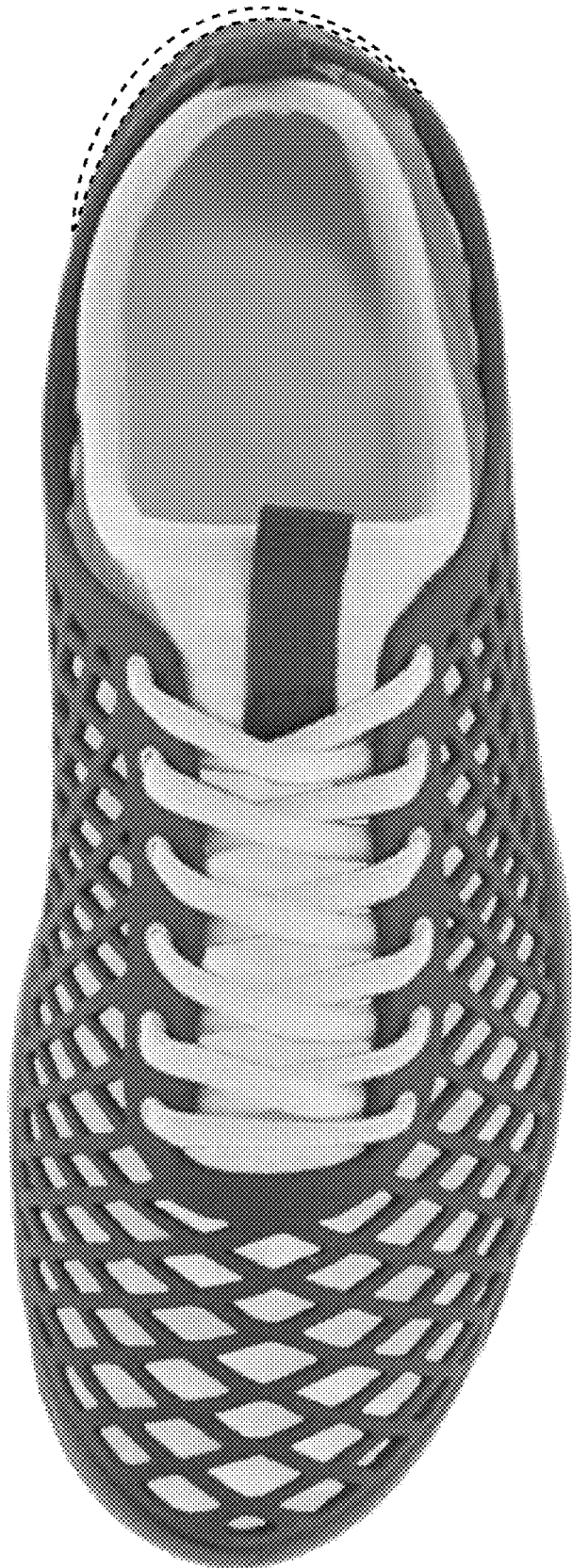


FIG. 5



FIG. 6