



US00D368797S

# United States Patent [19]

Brooks et al.

[11] Patent Number: **Des. 368,797**

[45] Date of Patent: **\*\*Apr. 16, 1996**

[54] **SHOE UPPER**

D. 267,675 1/1983 Allen ..... D2/909

[75] Inventors: **Mike Brooks**, Nelsonville; **Edgar H. Simpson**; **Theodore A. Kastner**, both of Lancaster; **Diana A. Wurfbain**, Athens, all of Ohio

### OTHER PUBLICATIONS

*Hood Rubber Co. Cat. 1948*—Oct. 29, 1948—pp. 12, 13, & 17—“Rubashu”, Rubashu Storm & Over Shoe.  
*Cabela’s Cat.—Fall 1985*—Jul. 12, 1986—p. 42—shoes at bottom—rt. “E” & D.

[73] Assignee: **Rocky Shoes & Boots, Inc.**, Nelsonville, Ohio

*Primary Examiner*—Nelson C. Holtje  
*Attorney, Agent, or Firm*—Porter, Wright, Morris & Arthur

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

### [57] CLAIM

[21] Appl. No.: **35,563**

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

[22] Filed: **Mar. 2, 1995**

[52] U.S. Cl. .... **D2/969**; D2/909

### DESCRIPTION

[58] Field of Search ..... D2/909–910, 969; 36/4

FIG. 1 is a right side elevational view of a shoe upper showing our new design;  
FIG. 2 is a left side elevational view thereof;  
FIG. 3 is a rear elevational view thereof;  
FIG. 4 is a front elevational view thereof; and,  
FIG. 5 is a top plan view thereof.

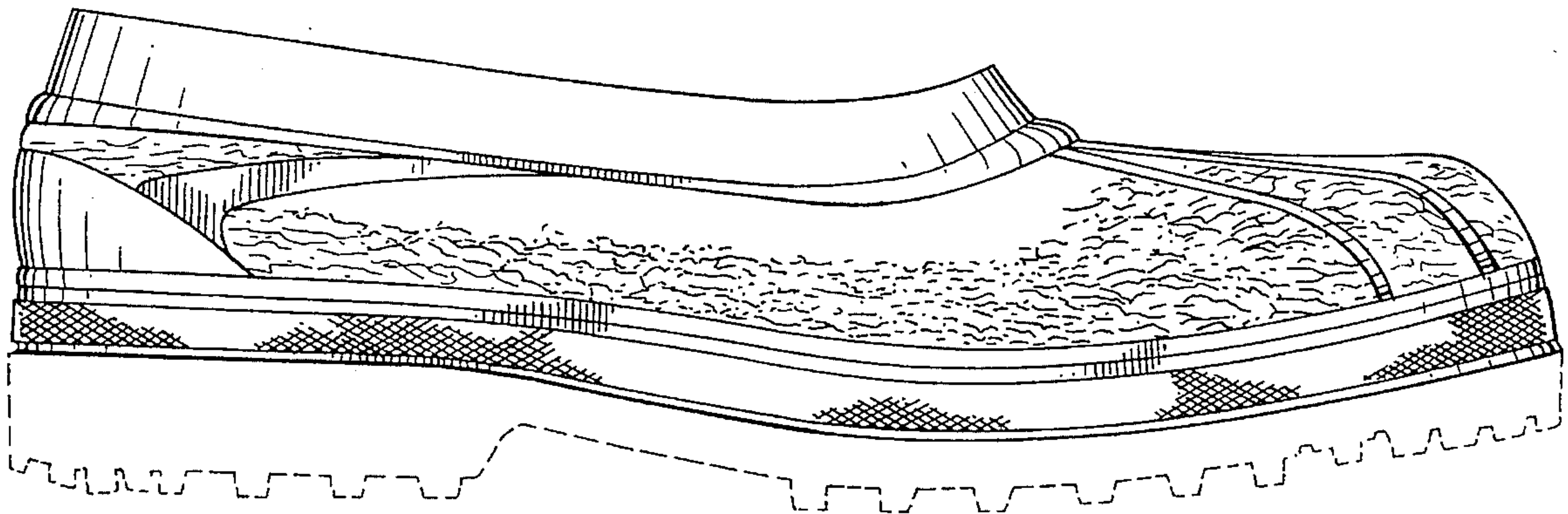
### [56] References Cited

#### U.S. PATENT DOCUMENTS

D. 7,634	8/1874	Bickford	.....	D2/909
D. 14,774	2/1884	Prizston	.....	D2/909
	31,730	3/1861	Meyer	..... 36/4
D. 35,348	11/1901	Mason	.....	D2/909 X
D. 47,933	10/1915	Payne	.....	D2/909
D. 79,289	8/1929	Ferrettie	.....	D2/909
D. 127,994	7/1941	Hard	.....	D2/910

The broken line showing of a shoe sole in the figures is for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 4 Drawing Sheets**



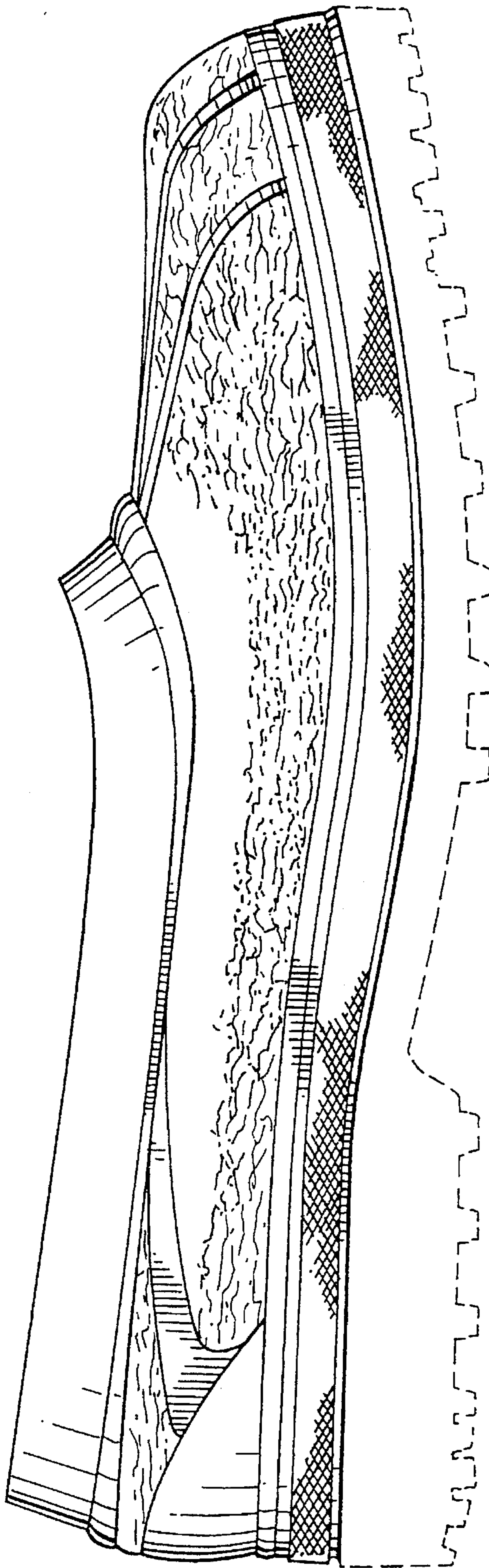


FIG. 1

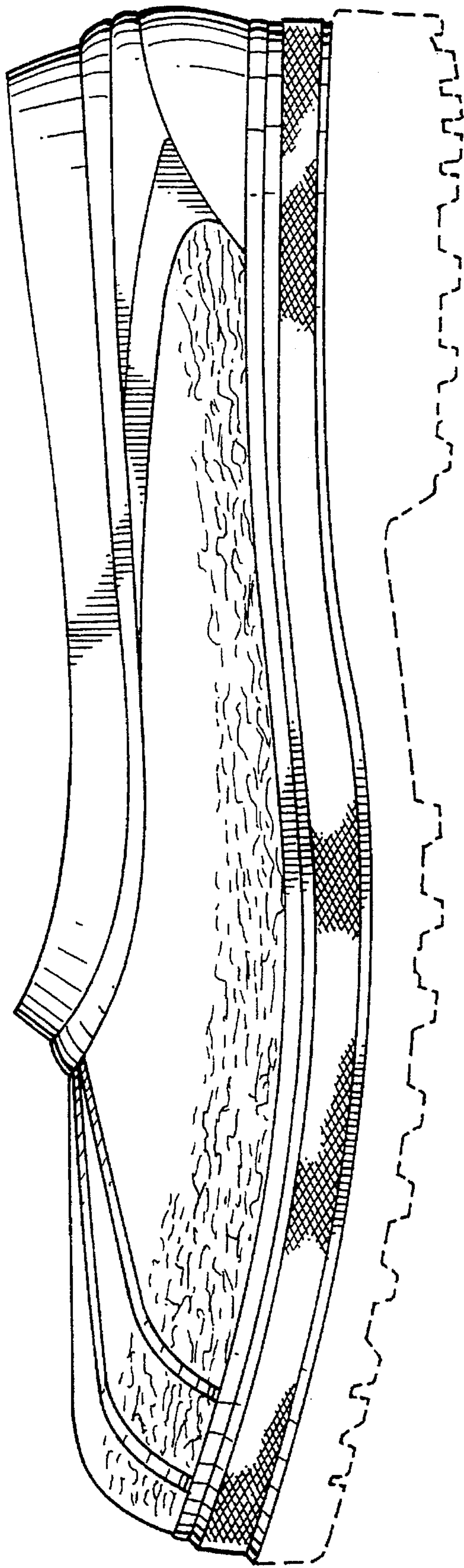


FIG. 2



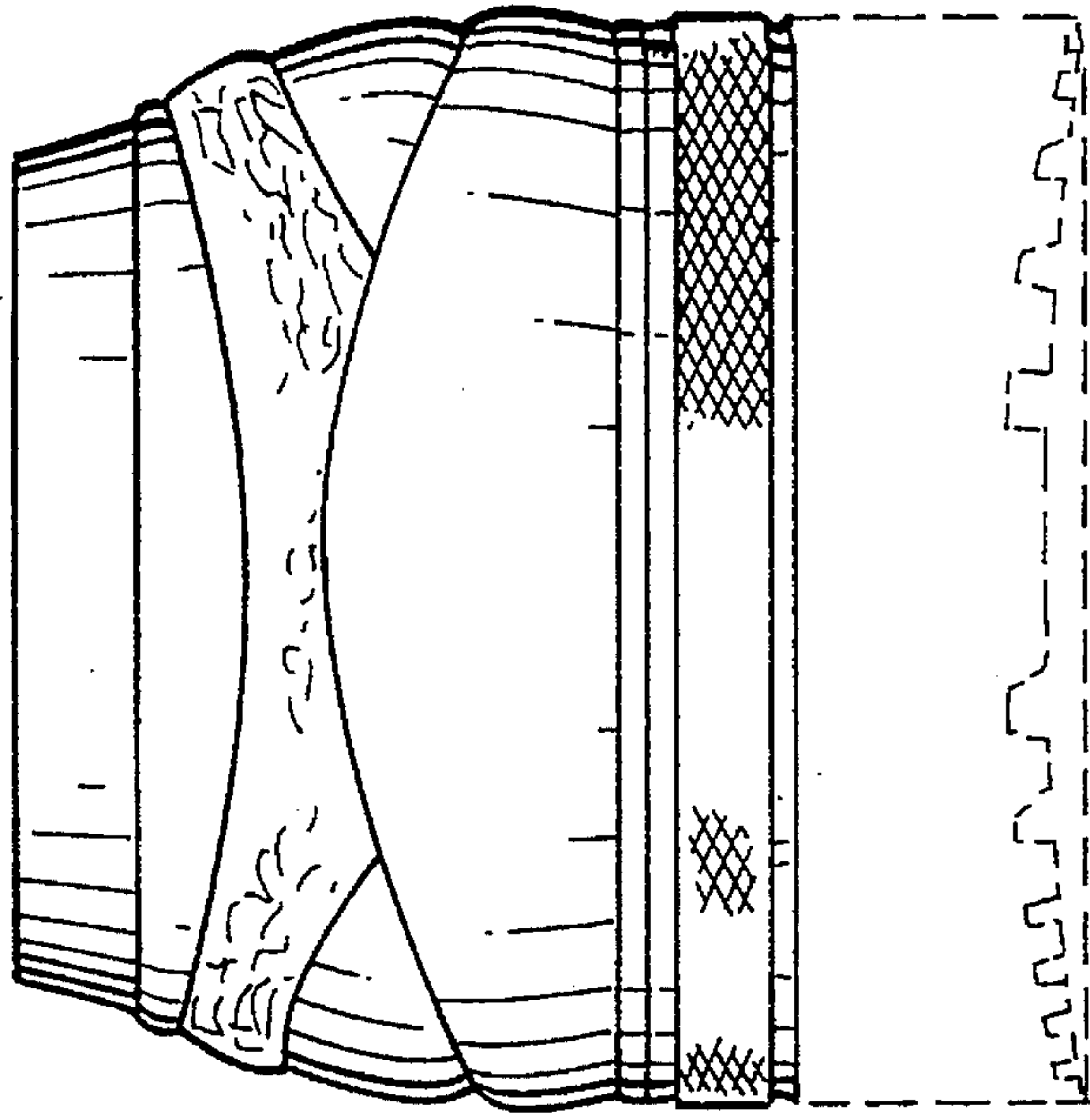


FIG. 3

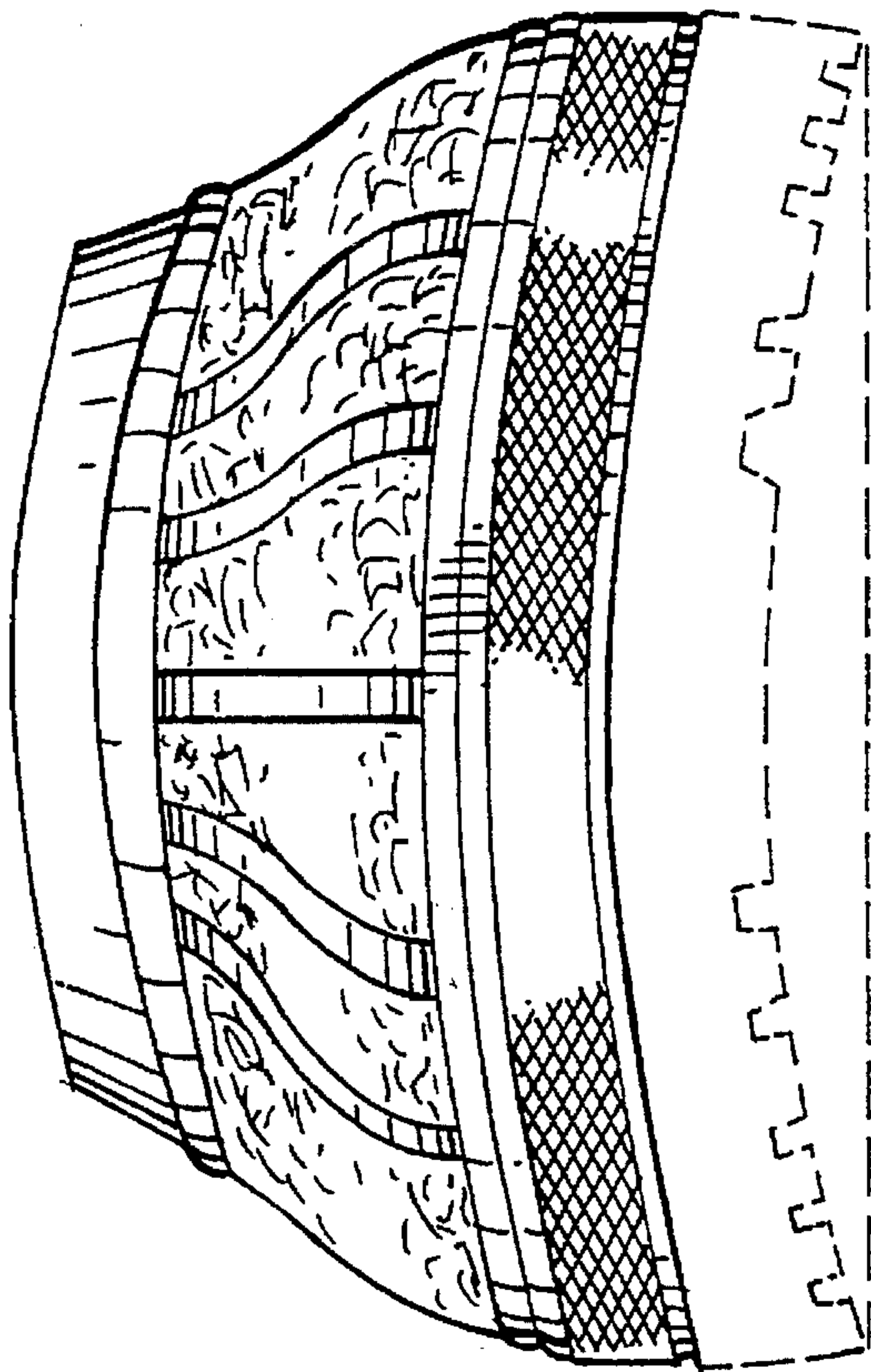


FIG. 4

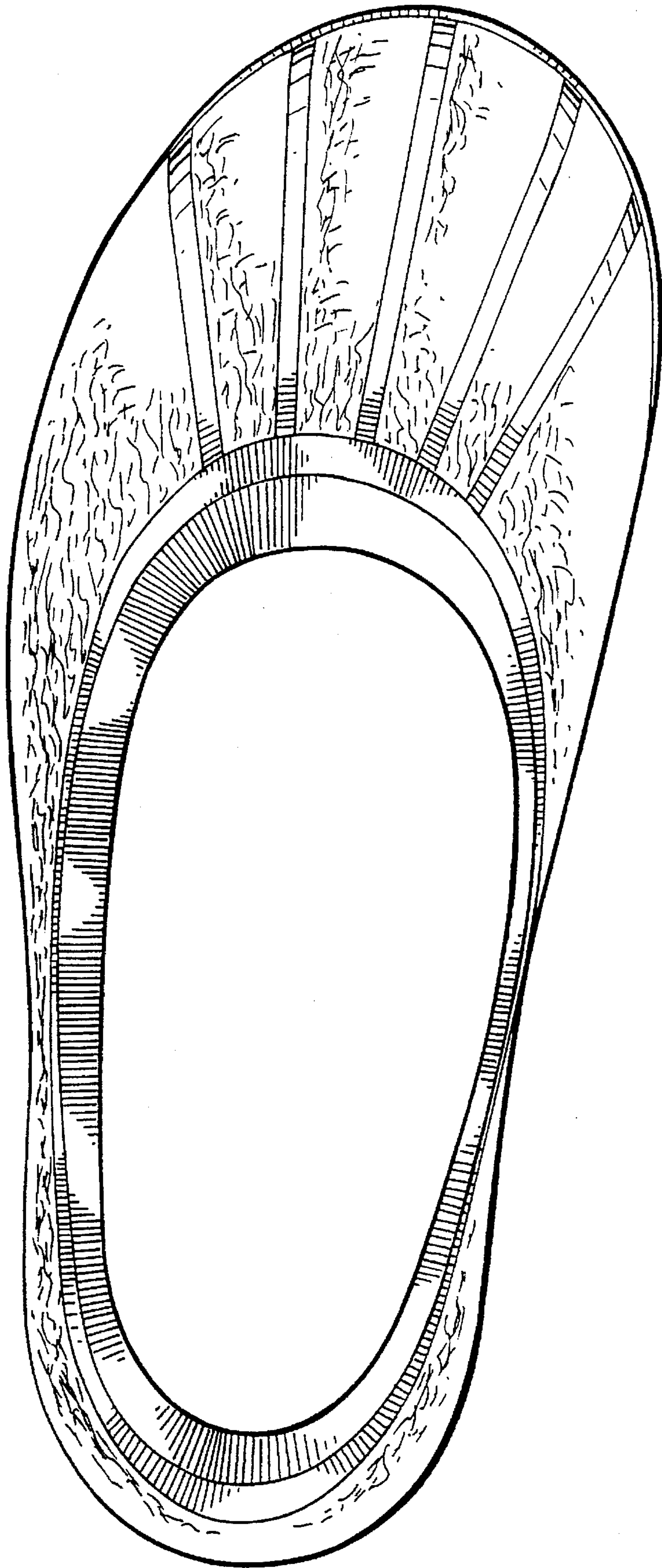


FIG. 5