



US00D394739S

United States Patent [19]

Carlson

[11] Patent Number: Des. 394,739
[45] Date of Patent: **Jun. 2, 1998

[54] SHOE UPPER

[75] Inventor: **Ragnar Carlson**, S. Yarmouth, Mass.[73] Assignee: **The Rockport Company, Inc.**,
Marlboro, Mass.

[**] Term: 14 Years

[21] Appl. No.: 69,428

[22] Filed: Apr. 15, 1997

[51] LOC (6) Cl. 02-04

[52] U.S. Cl. D2/906; D2/969

[58] Field of Search D2/906, 944, 969,
D2/970, 962, 907, 908; 36/127, 50.1, 116,
83, 136

[56] References Cited

U.S. PATENT DOCUMENTS

D. 97,783	12/1935	Peterson	.
D. 226,882	5/1973	Powers	.
D. 277,427	2/1985	Gamm	.
D. 303,451	9/1989	Weiner D2/908
D. 309,822	8/1990	Barret D2/907
D. 315,389	3/1991	Spence	.
D. 344,171	2/1994	Cotsidas	.
1,889,734	11/1932	Stevenson 36/127
2,238,477	4/1941	Murber 36/127
2,312,078	2/1943	Crannell	.
4,080,745	3/1978	Torrance 36/127
4,130,950	12/1978	Bazzle et al. 36/127
5,197,210	3/1993	Sink 36/127

OTHER PUBLICATIONS

- The Dove shoe, The Adidas 1985 catalog, p. 63.
The Gamebuster Shoe, The Brooks 1987 catalog, p. 18.
The Villanova, Vista, Crusader, Journey Axiom, Jet Flex,
Mentor and Tempo, Jr. shoes, The Brooks 1987-88 Price
list, p. 1 and p. 8.
The Conquest and Mirage shoes, The Brooks 1988 catalog,
p. 6.

The Astral and Pavement Lo shoes, The Brooks Fall/Winter
1993 catalog, p. 35.

The Cheers Ultra Lite shoe, The Converse 1994 catalog.
The G940-5, G940-9, G949-4 and G949-9 shoes, The
Dexter Golf 1987 catalog, p. 5 and 9.

The 57414, 51797 and 91587 shoes, The Foot-Joy
1989-1990 catalog.

The TW-32112C and TW-3212A shoes, The Mention
Enterprise & Co., Ltd. brochure.

The Air Classic Plus shoe, The Nike 1989 magazine, p. 29.
The Comfort Lite shoe, The Propét brochure.

The Tour Excellence shoe, The Reebok Golf brochure.

The M5677 shoe, The Rockport Fall 1989 catalog.
The M2570, M2114 and M2462 shoes, The Rockport Fall
1993 catalog, pp. 4 and 10.

The M5690 shoe, The Rockport 1994 catalog, p. 6.

The M1830 and M1860 shoes, The Rockport Spring 1995
catalog, p. 15.

The M3520 shoe, The Rockport Men's Casual Dress spring
1996 catalog.

The T260 shoe, The Tretorn 1987-1988 catalog, p. 8.

Primary Examiner—Doris V. Coles

Attorney, Agent, or Firm—Sterne, Kessler, Goldstein & Fox
P.L.L.C.

[57] CLAIM

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

DESCRIPTION

FIG. 1 is a left side elevational view of a shoe upper showing
my new design;

FIG. 2 is a right side elevational view thereof;

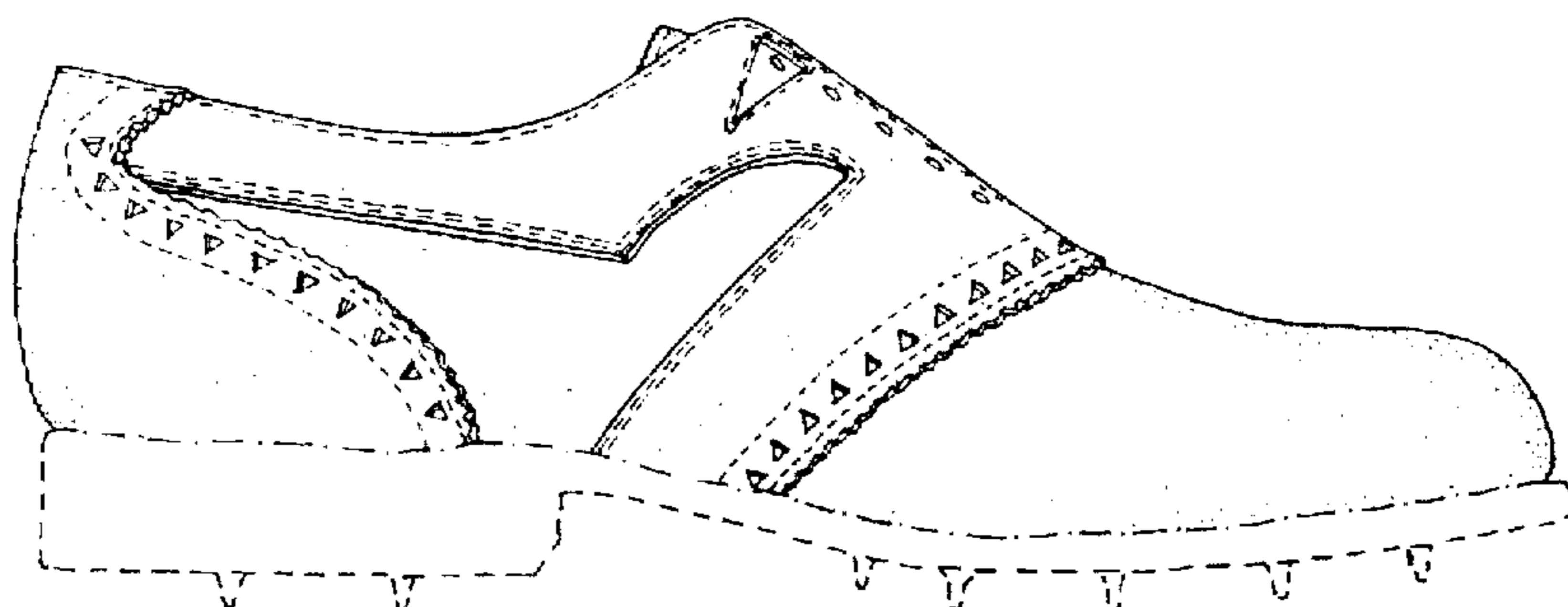
FIG. 3 is a top plan view thereof;

FIG. 4 is a front elevational view thereof; and,

FIG. 5 is a rear elevational view thereof.

The broken line showing of a shoe upper in FIGS. 1-5 is
environmental and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



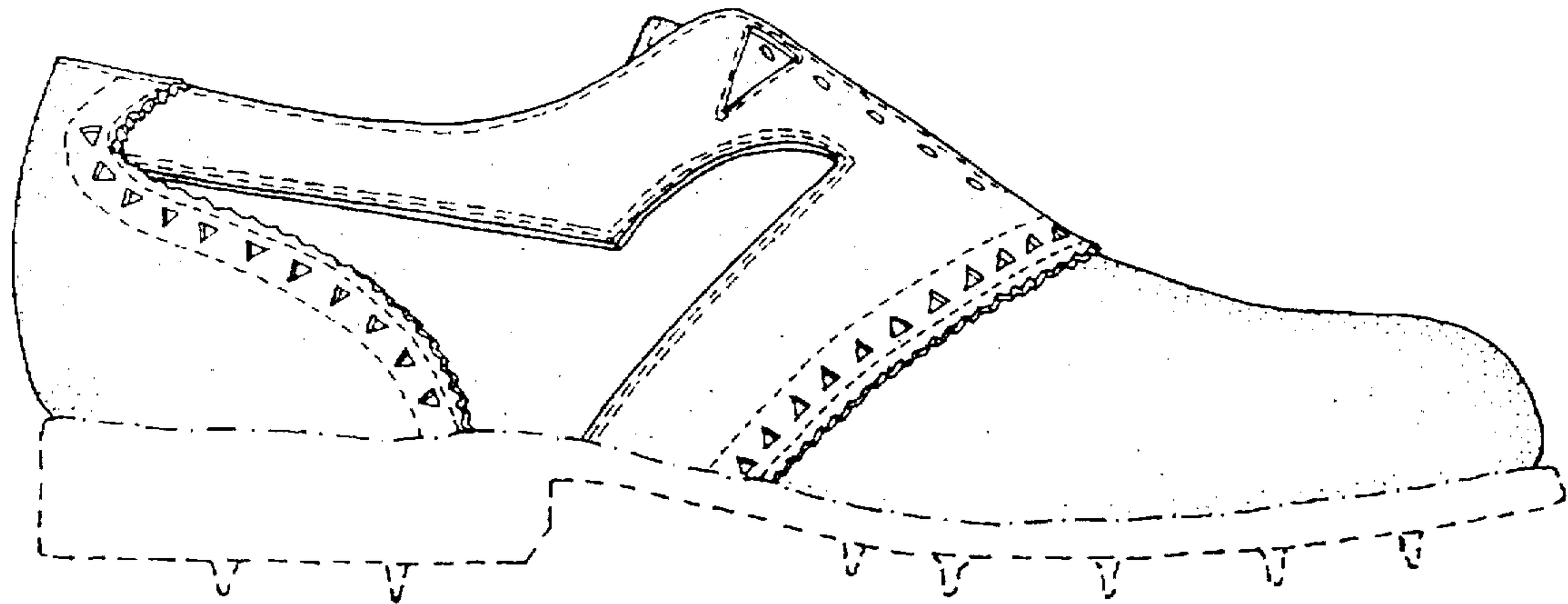


FIG. 1

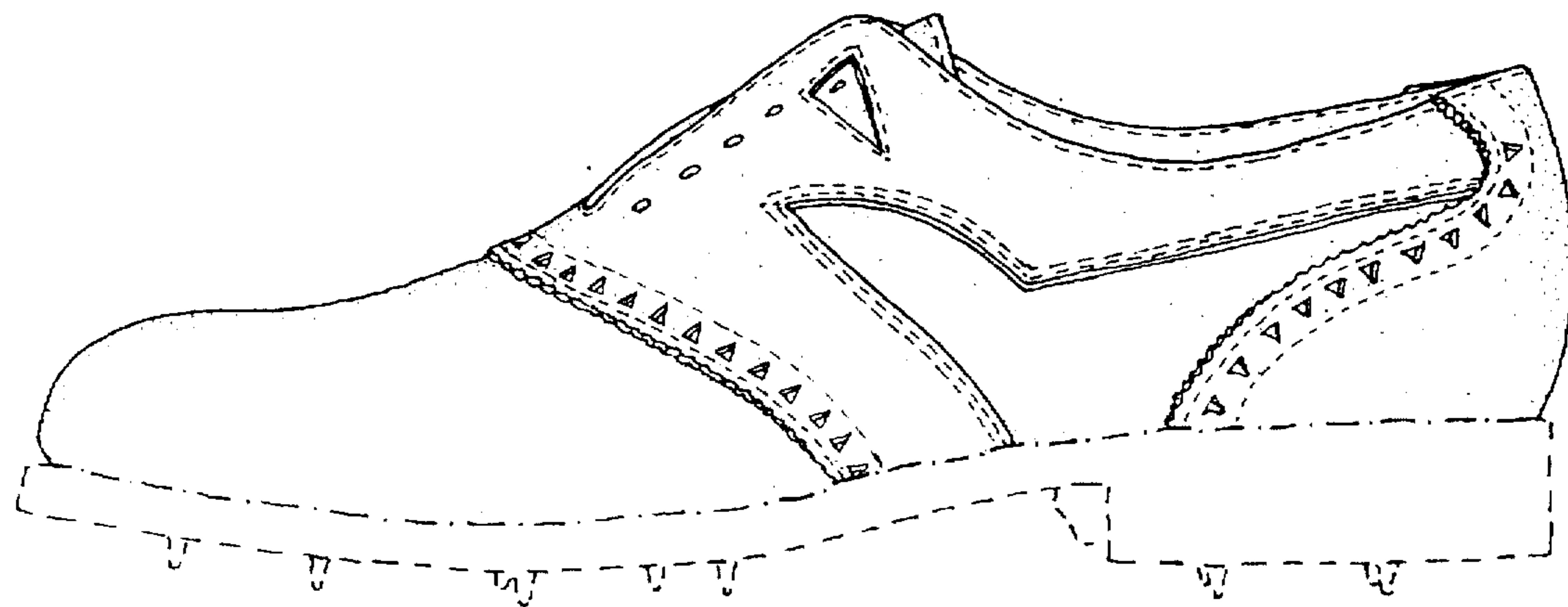


FIG. 2

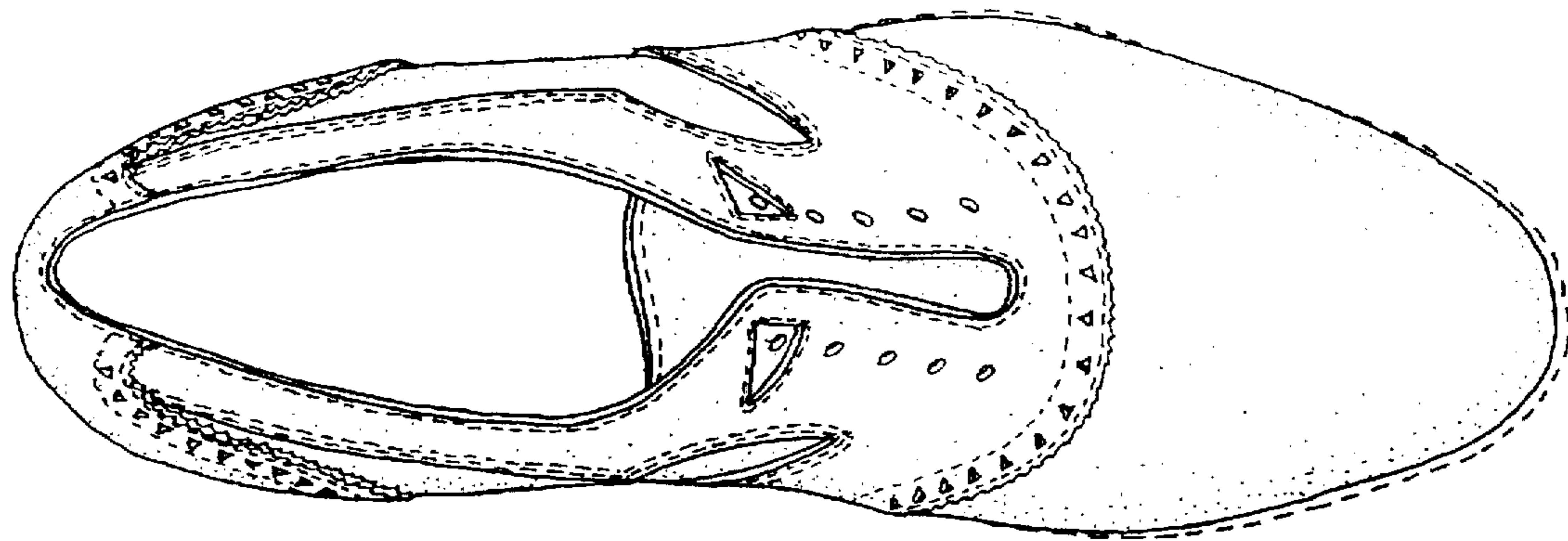


FIG. 3

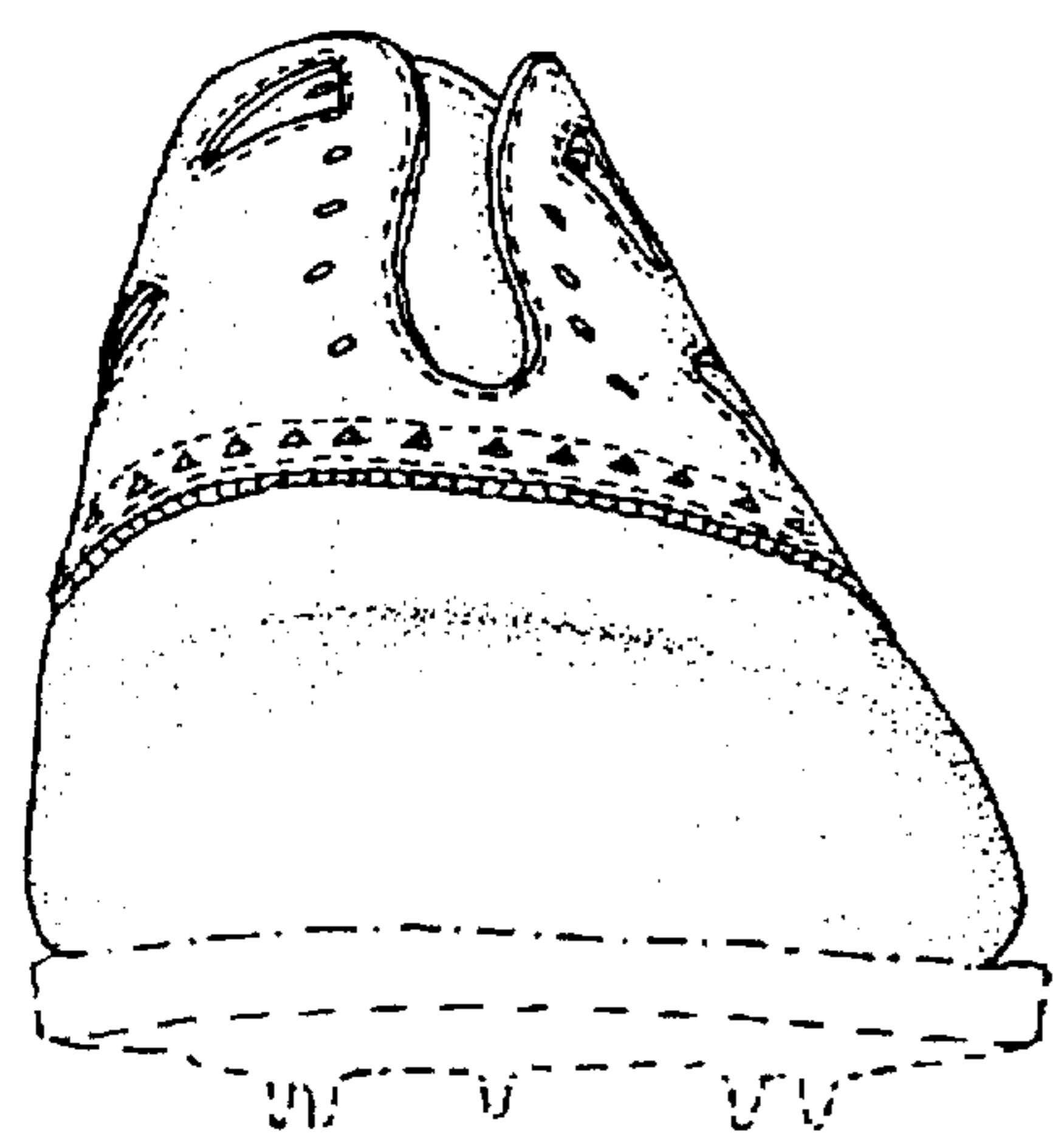


FIG. 4

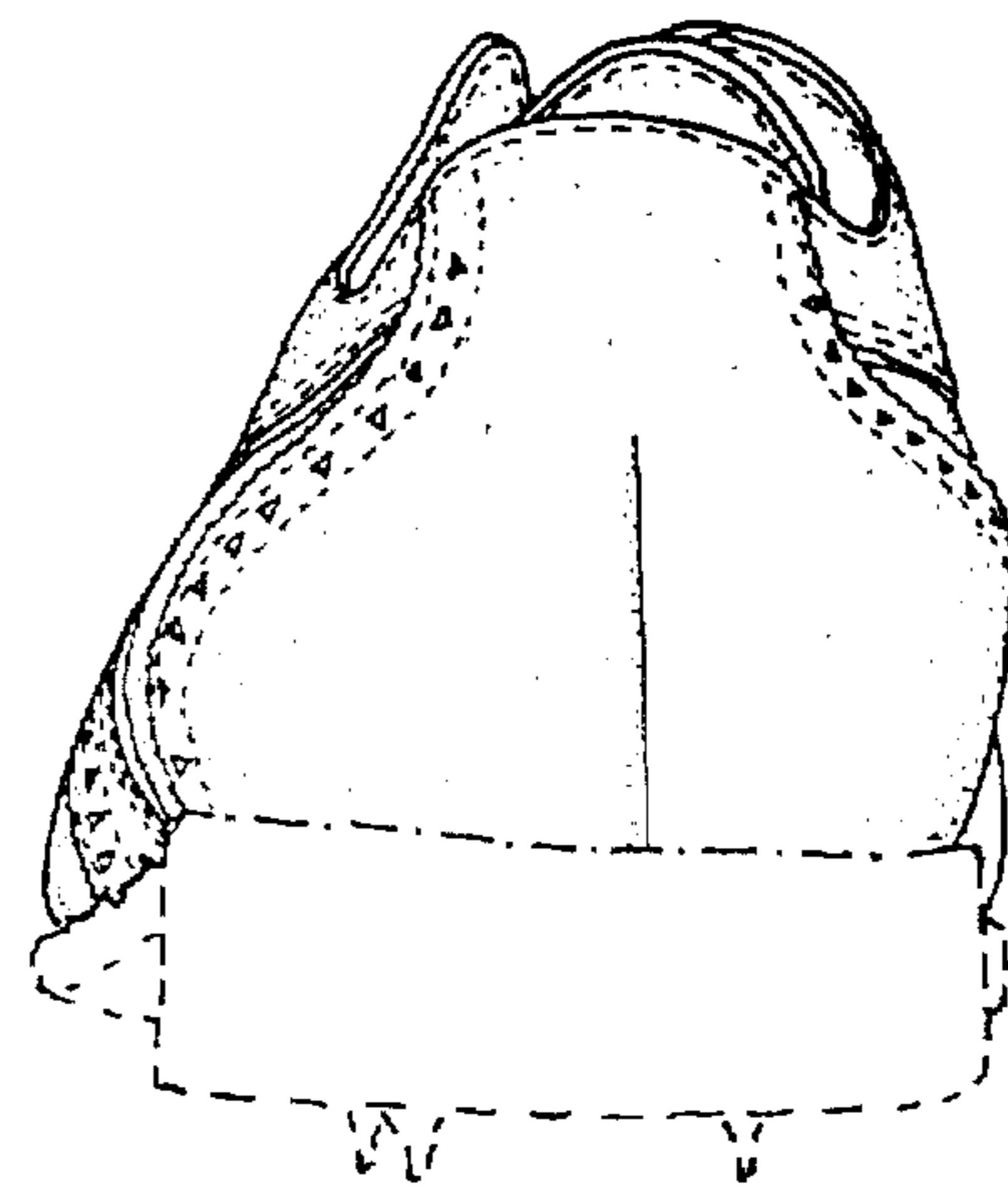


FIG. 5

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : Des. 394,739

DATED : June 2, 1998

INVENTOR : Ragnar Carlson

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below.

On the cover of the Patent:

after the individual Figure Descriptions:

delete "upper" and insert --sole-- therefor.

The statement should read "The broken line showing of a shoe sole in Figures 1-5 is environmental only and forms no part of the claimed design."

Signed and Sealed this
First Day of December, 1998

Attest:



BRUCE LEHMAN

Attesting Officer

Commissioner of Patents and Trademarks