



US00D39999S

# United States Patent [19]

## Duclos

[11] Patent Number: Des. 399,999  
[45] Date of Patent: \*\*Oct. 27, 1998

[54] SHOE UPPER

[75] Inventor: Gary P. Duclos, Newburyport, Mass.

[73] Assignee: The Rockport Company, Inc.,  
Marlboro, Mass.

[\*\*] Term: 14 Years

[21] Appl. No.: 83,233

[22] Filed: Feb. 6, 1998

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

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

[58] Field of Search .... D2/969, 970, 902,  
D2/907, 908, 910-912; 36/83, 89, 102,  
103, 114, 116, 50.1

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The 204D Arc Lightweight Cushion Trainer shoe, The Avia Fall 1991 catalog, p. 24.

The G940-9 shoe, The 1987 Dexter Golf catalog, p. 5.

The Strider 500 W shoe, The Donner Mountain Spring 1998 catalog.

The 57505 shoe, The Foot-Joy 1989-1990 catalog, p. 9.

The New Balance 999, The Classic shoe, The Road Runner Sports 1997 Sale catalog, p. 72.

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The M7061 shoe, The Rockport Fall 1988 catalog.

The M7302 shoe, The Rockport Spring 1991 Men's and Women's Collections catalog, p. 21.

The W7302 and W7322 shoes, The Rockport Fall 1991 catalog, p. 13.

The M5421 and M7324 shoes, The Rockport Spring 1992 catalog, p. 27.

The MWT80 shoe, The Rockport Fall 1996 catalog, p. 14.

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### [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;

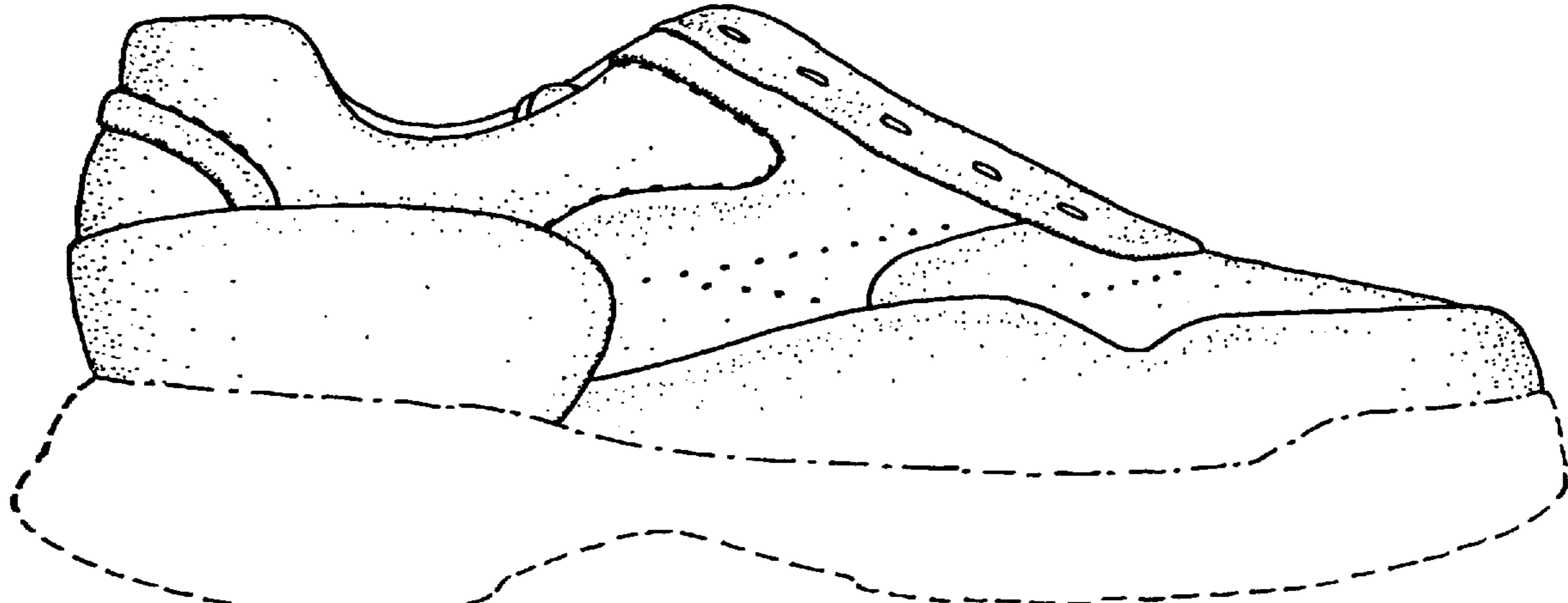
FIG. 2 is a right side elevational view thereof;

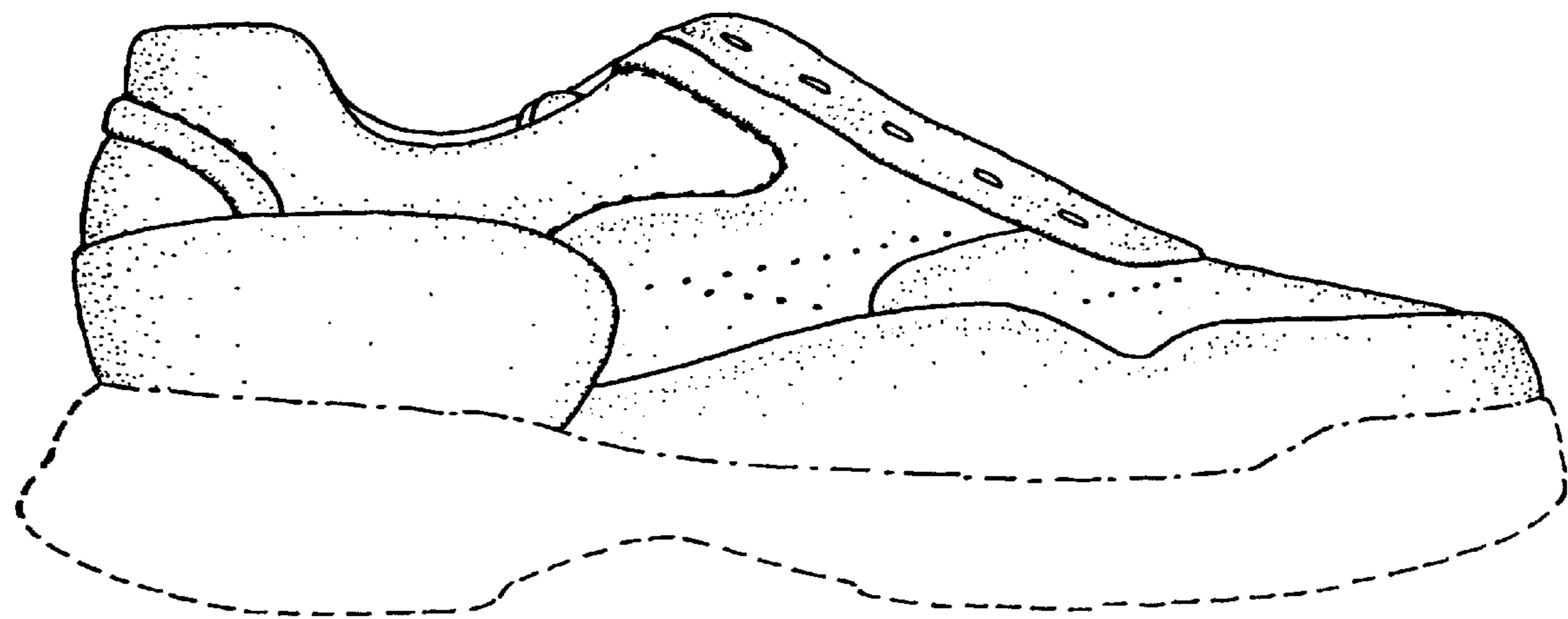
FIG. 3 is a top plan view thereof;

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

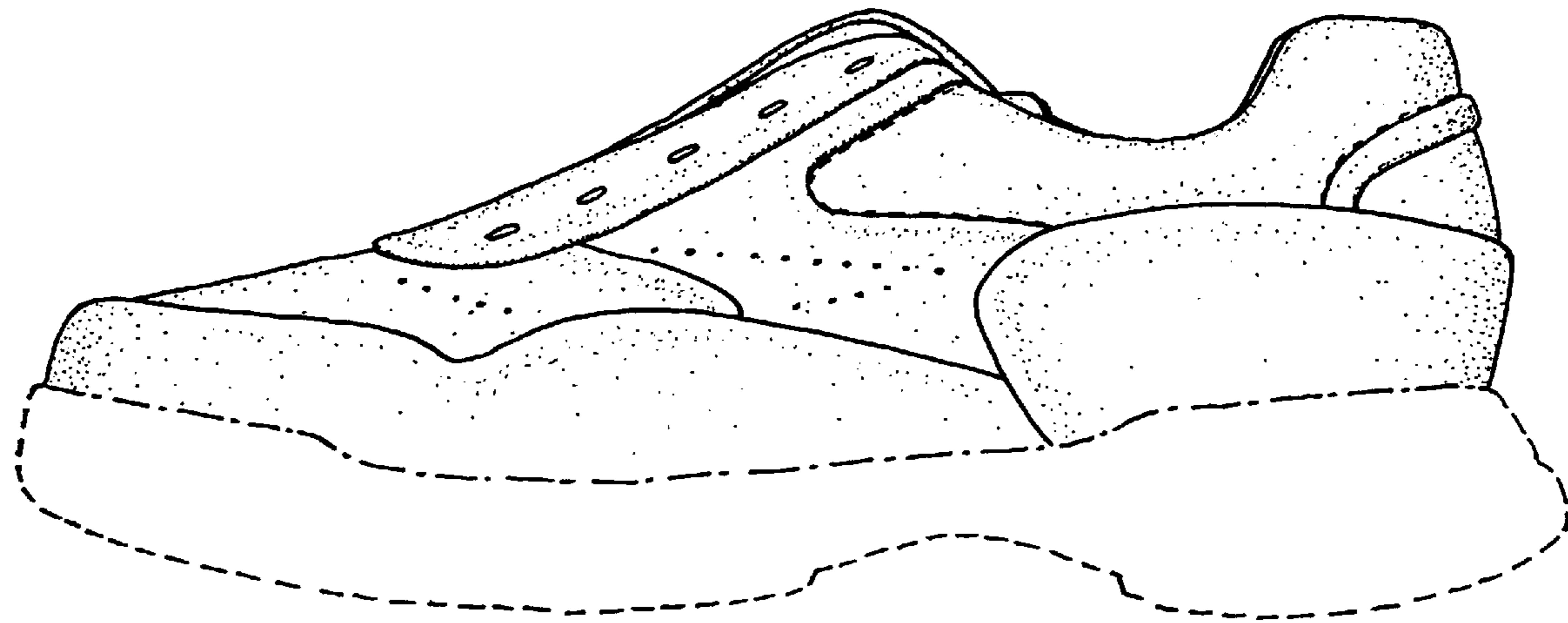
FIG. 5 is a rear elevational view thereof.

1 Claim, 2 Drawing Sheets

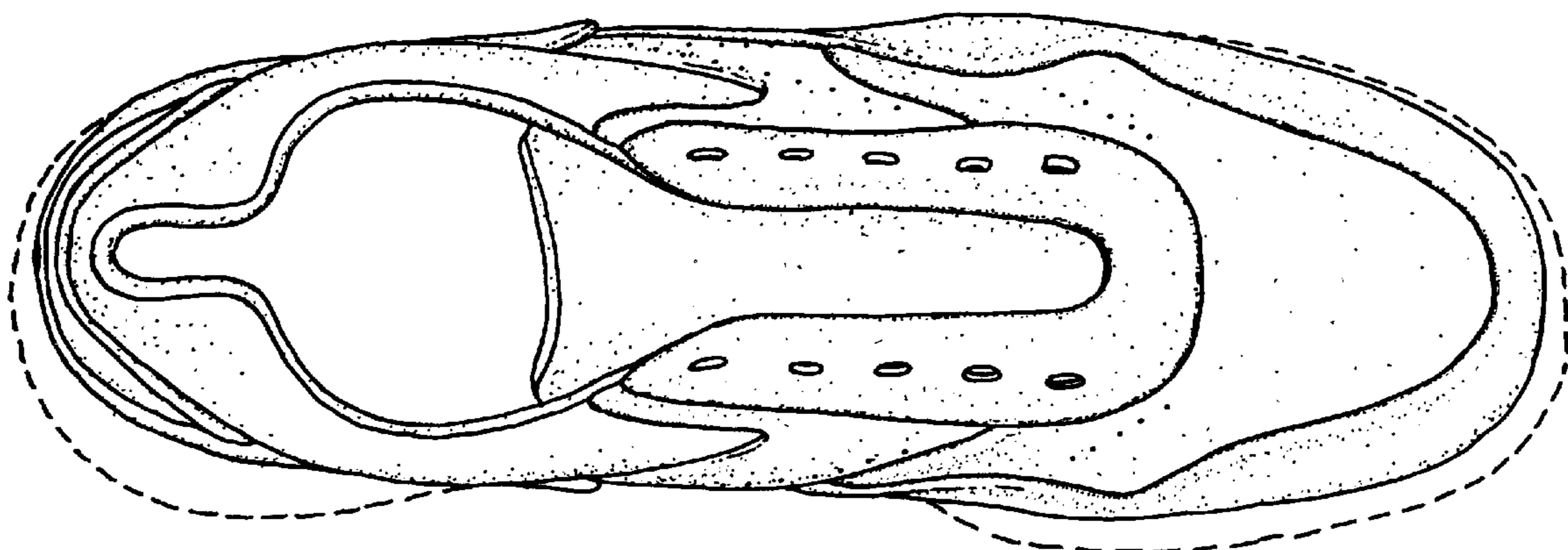




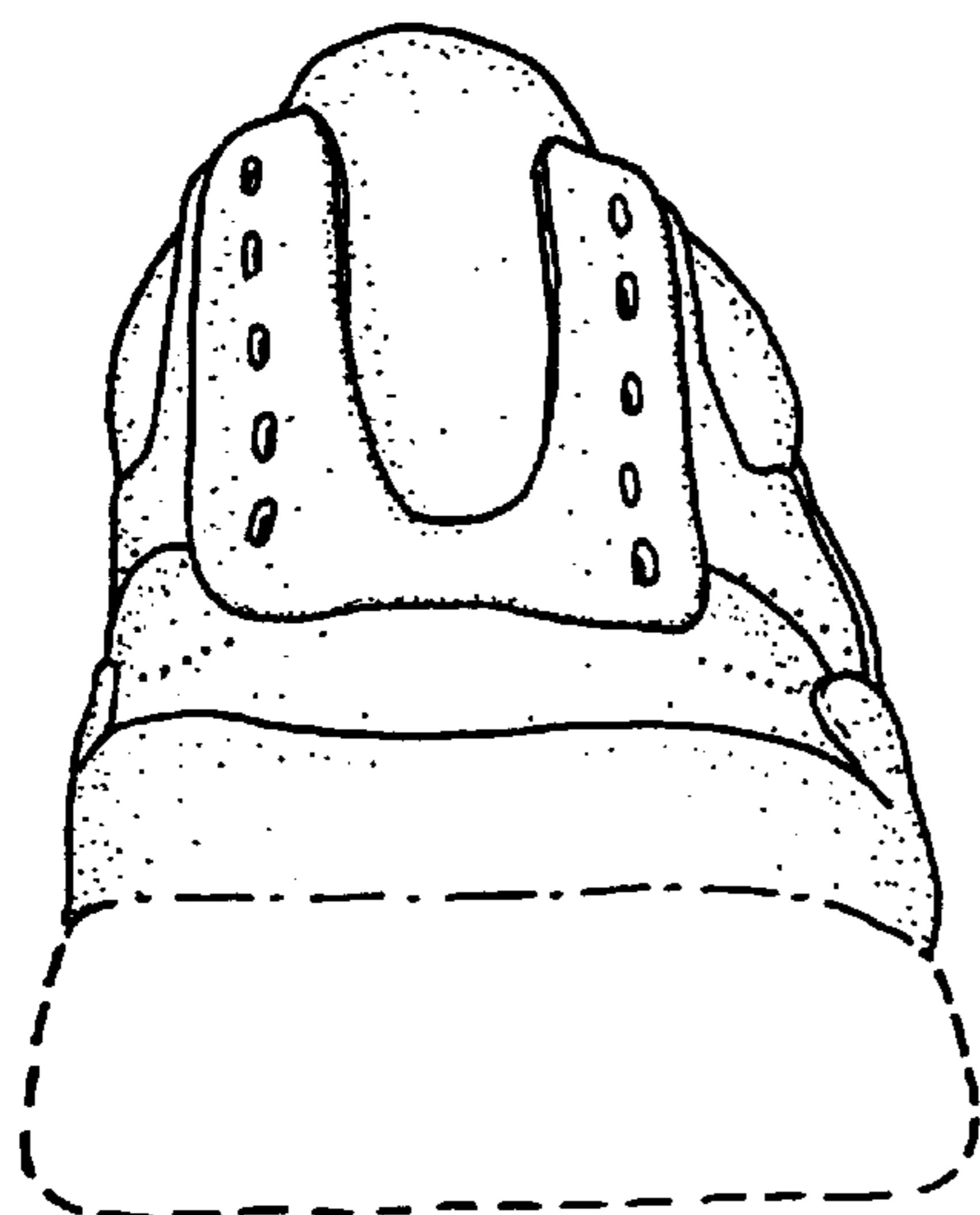
**FIG. 1**



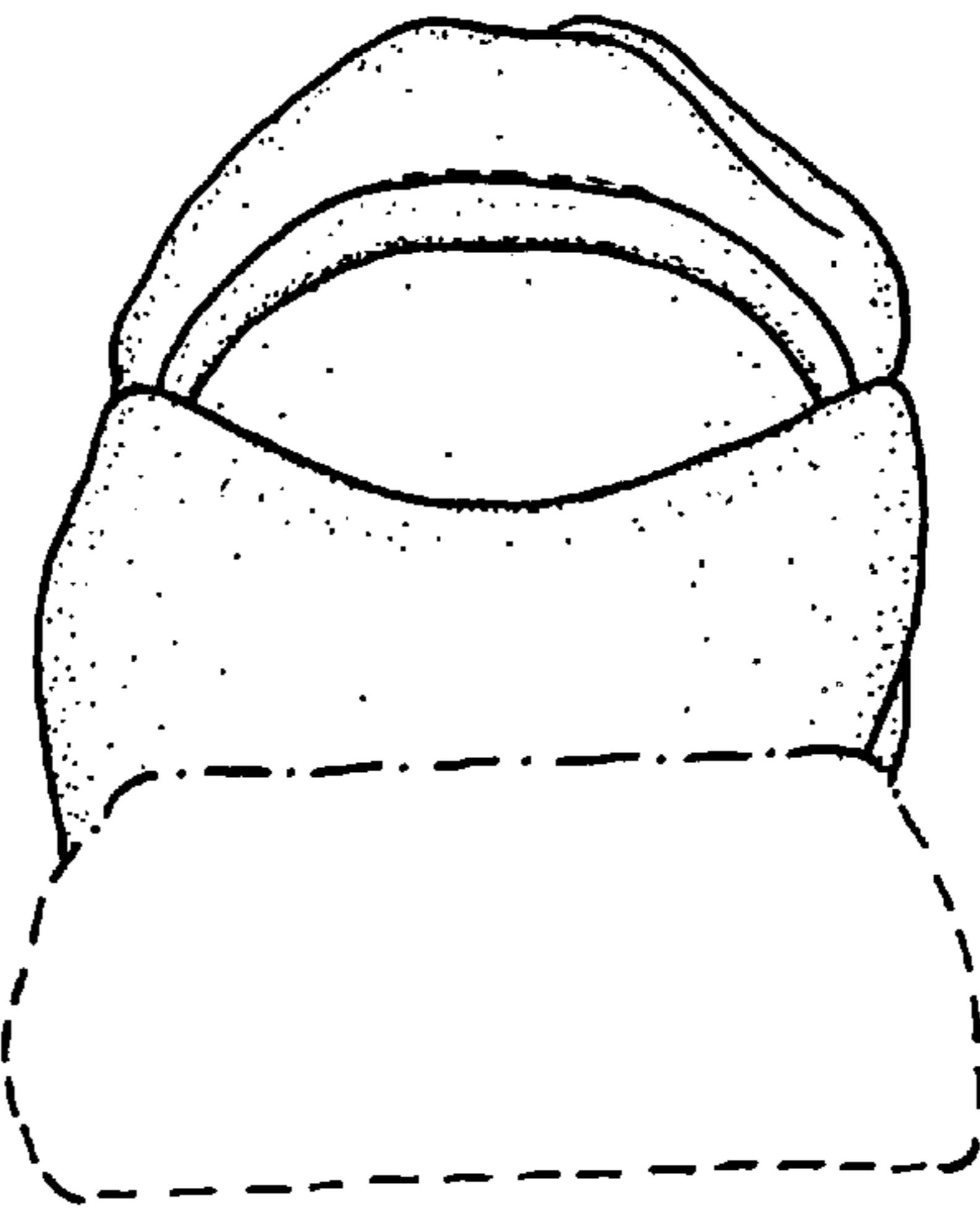
**FIG. 2**



*FIG. 3*



*FIG. 4*



*FIG. 5*

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : Des. 399,999

DATED : October 27, 1998

INVENTOR : Gary P. Duclos

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 title page: Item [56]

under "Other Publications":

delete "The 240D Arc" and substitute --The 2040 Arc-- therefor; and

after the Figure Descriptions, insert:

--The broken line showing of a shoe sole in the Figures is environmental only and forms no part of the claimed design.--

Signed and Sealed this

Second Day of February, 1999

Attest:

Attesting Officer

*J. Todd Palmer*  
*Acting Commissioner of Patents and Trademarks*