



US00D401400S

United States Patent [19]

Brooks et al.

[11] Patent Number: **Des. 401,400**

[45] Date of Patent: ****Nov. 24, 1998**

[54] **SHOE UPPER**

D. 386,294 11/1997 Brooks et al. D2/970
2,285,993 6/1942 Marsh et al. 36/50.1

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

OTHER PUBLICATIONS

CABELA'S Fall Catalog, p. 102, "Gore-Tex Hunting Boot", Jul. 1991.
CABELA'S Fall Catalog, p. 93, "6-Point Waterproof Hunting Boot", Jul. 1991.
CABELA'S Fall Catalog, p. 87, "Mountain Hunter Boots", Jul. 1991.
CABELA'S Fall Catalog, p. 89, "Chameleon Boot", Jul. 1991.

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

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

Primary Examiner—Louis S. Zarfes
Assistant Examiner—G. Albert Andoll
Attorney, Agent, or Firm—Porter, Wright, Morris & Arthur

[21] Appl. No.: **77,187**

[22] Filed: **Sep. 29, 1997**

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

[52] **U.S. Cl.** **D2/970**

[58] **Field of Search** D2/969, 970, 902,
D2/907, 908, 910, 912, 944; 36/1.5, 83,
89, 102-104, 107, 110, 113-116, 117.4,
45, 50.1, 58.5

[57] CLAIM

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

[56] References Cited

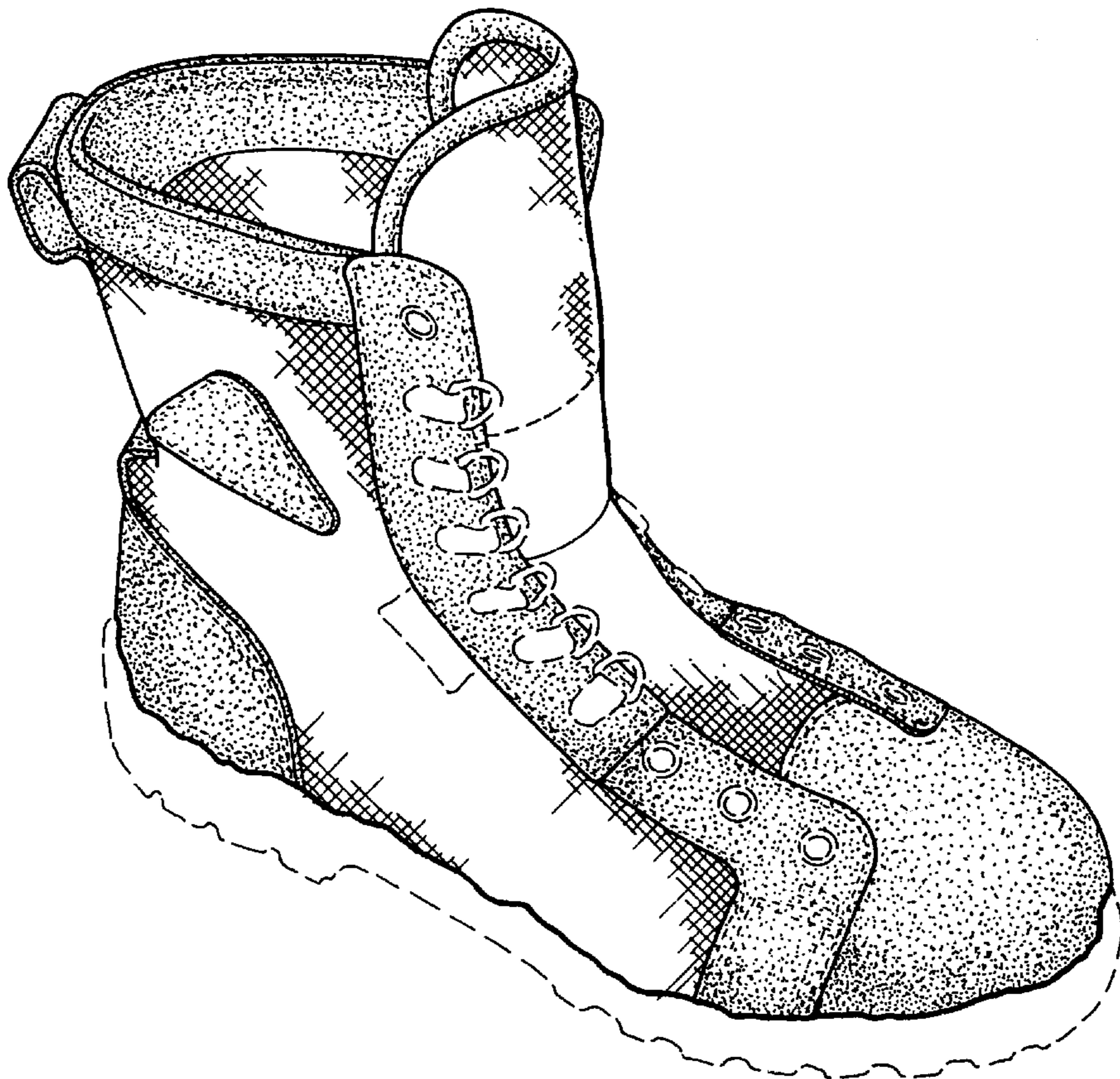
U.S. PATENT DOCUMENTS

D. 204,658	5/1966	Wakeland	.....	D2/912
D. 347,108	5/1994	Foster et al.	.....	D2/970
D. 367,165	2/1996	Brooks et al.	.....	D2/970
D. 367,354	2/1996	Brooks et al.	.....	D2/970
D. 368,362	4/1996	Werman	.....	D2/970
D. 380,598	7/1997	Brooks et al.	.....	D2/970
D. 380,599	7/1997	Brooks et al.	.....	D2/970
D. 385,692	11/1997	Beliveau	.....	D2/970

DESCRIPTION

FIG. 1 is a top right front perspective view of a shoe upper showing our new design;
FIG. 2 is a left side elevational view thereof;
FIG. 3 is a front elevational view thereof; and,
FIG. 4 is a rear elevational view thereof.
The broken line showing of a shoe sole and other features in the figures is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 3 Drawing Sheets



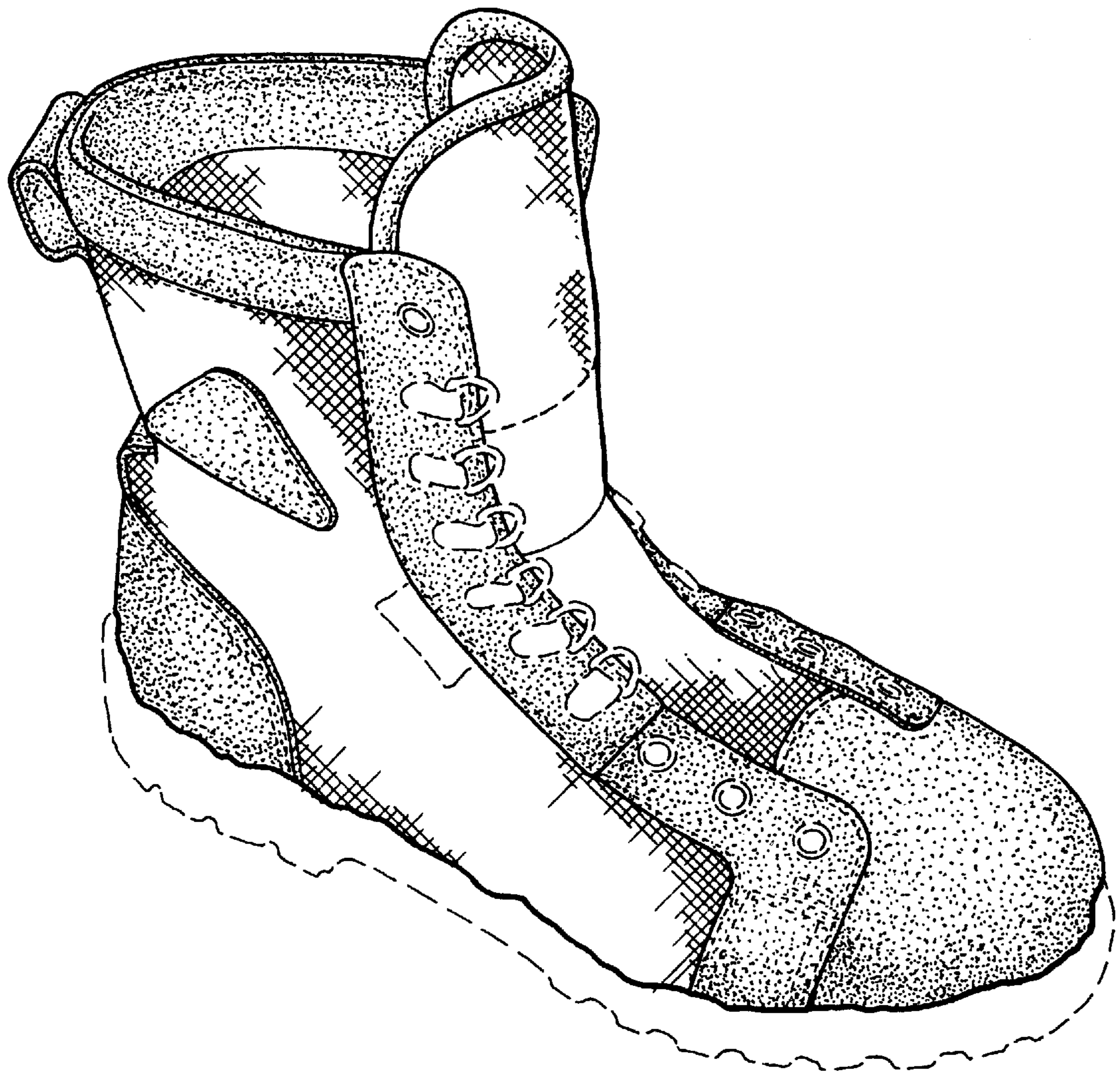


FIG. 1

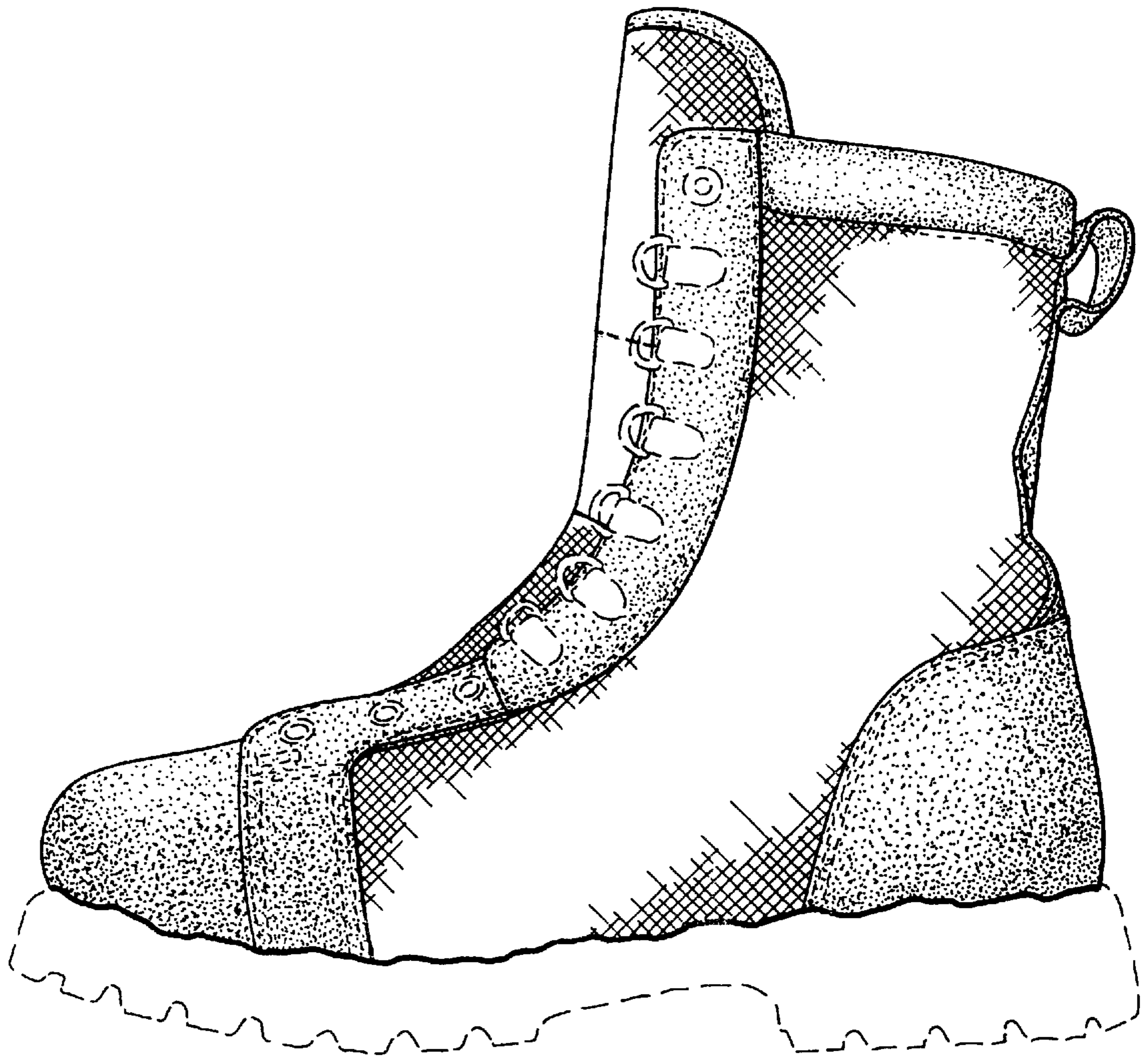


FIG. 2

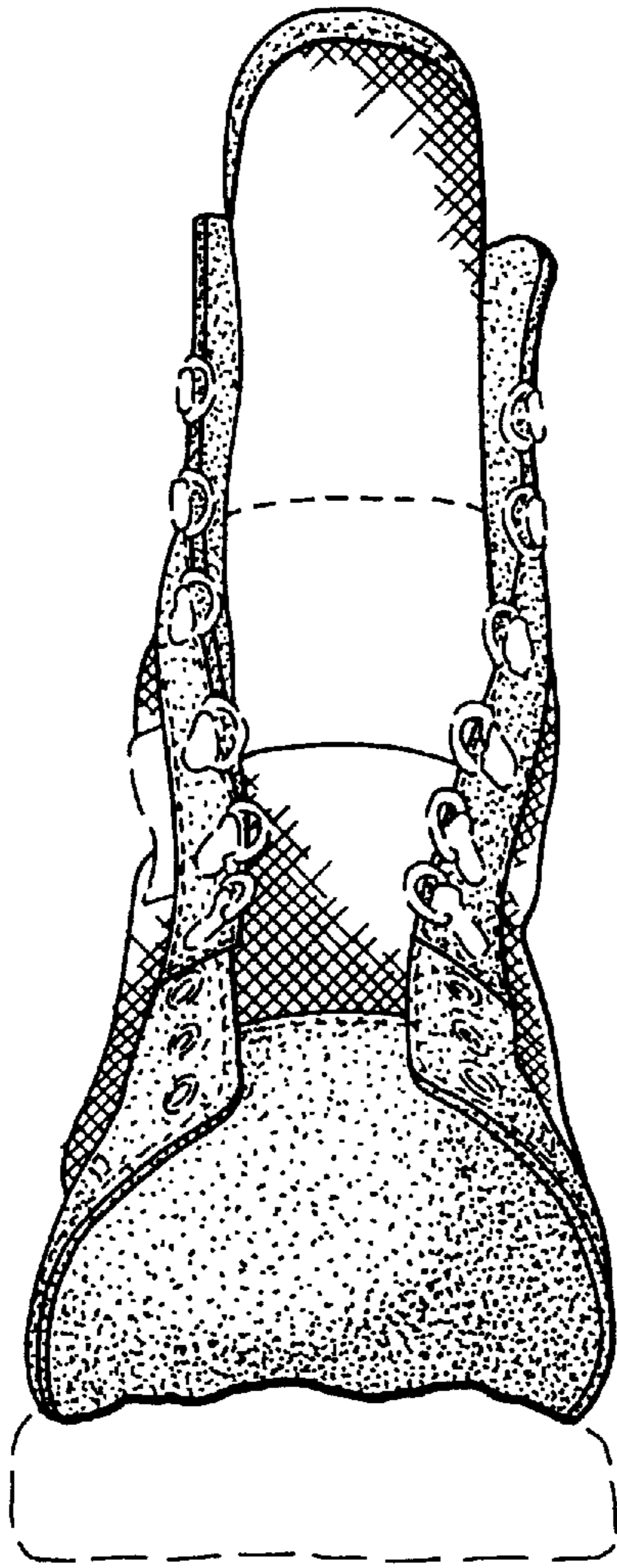


FIG. 3

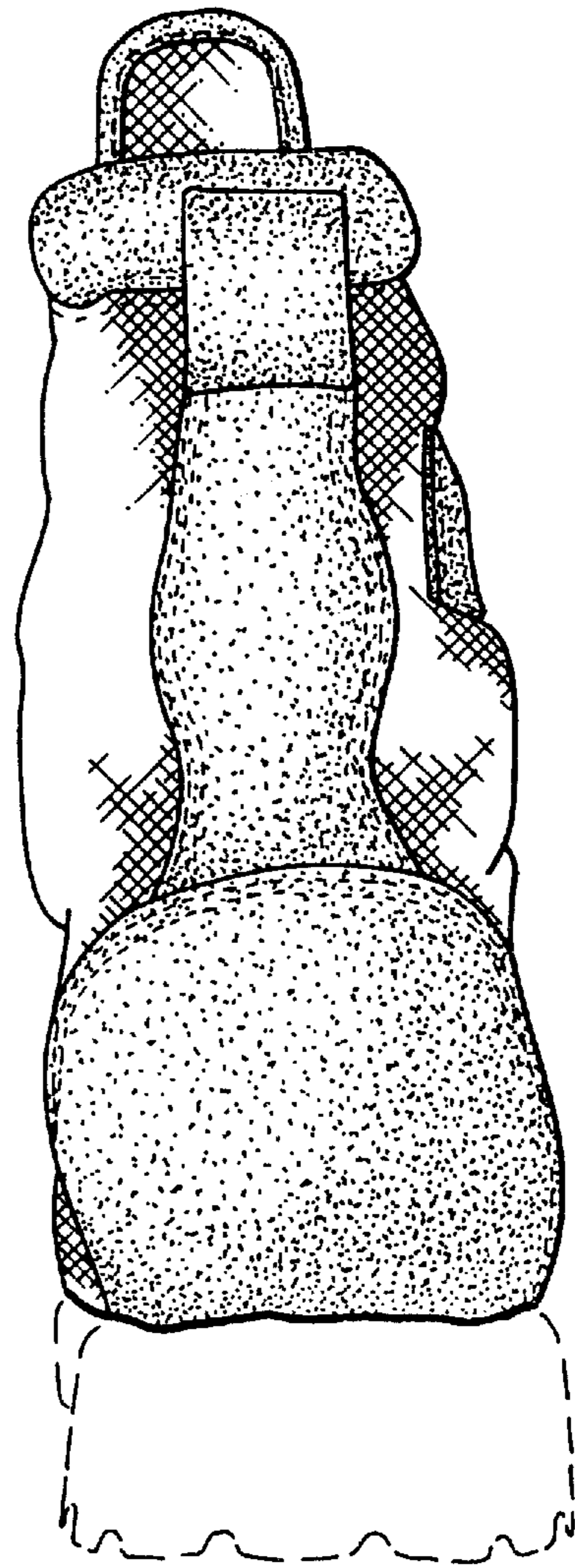


FIG. 4