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# United States Patent [19]

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**Brooks et al.**

[45] **Date of Patent: \*\*Mar. 30, 1999**

[54] **SHOE UPPER**

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

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### 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.

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

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[21] Appl. No.: **77,174**

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

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

[52] **U.S. Cl.** ..... **D2/970; D2/969**

[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

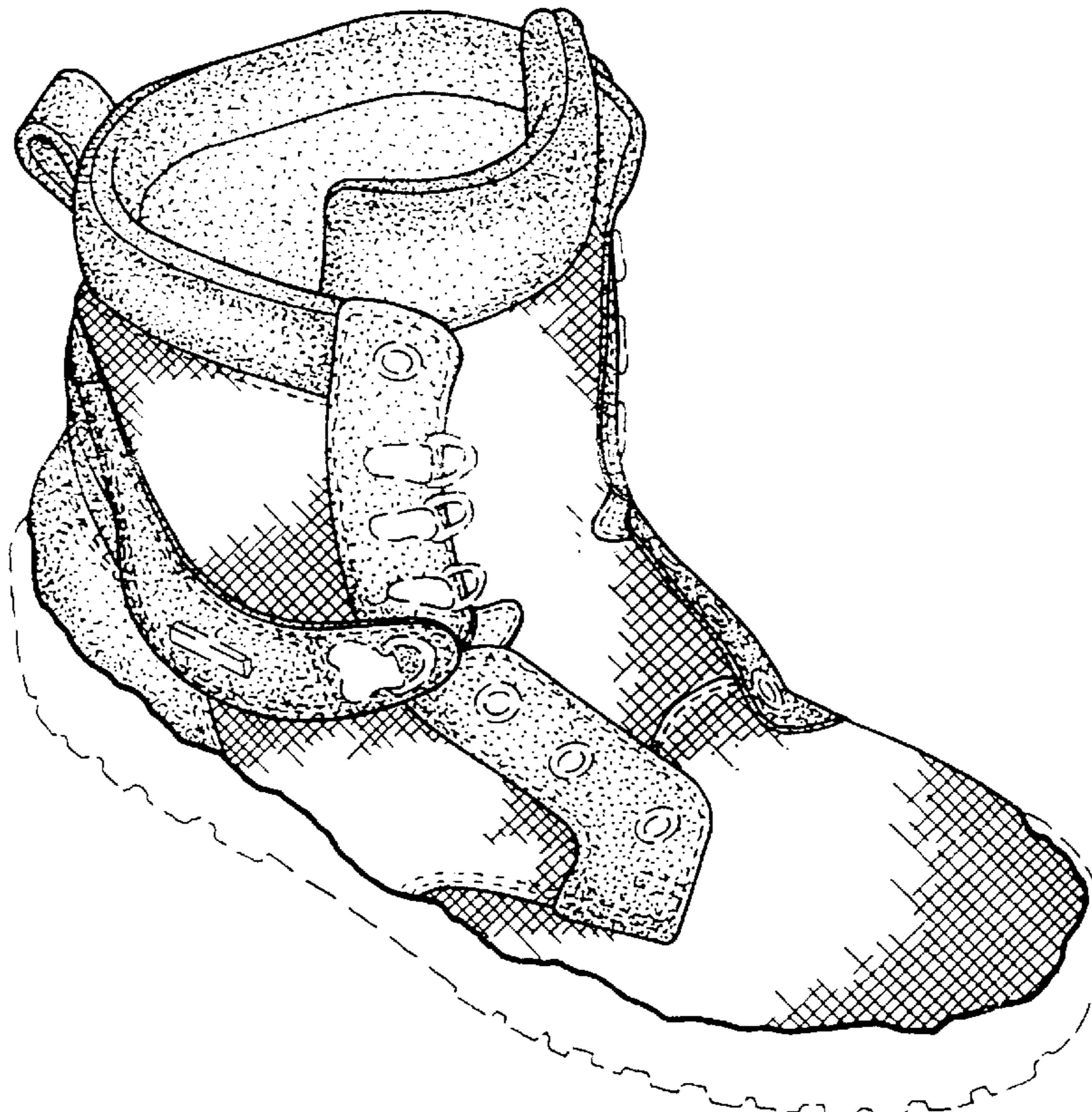
#### U.S. PATENT DOCUMENTS

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;  
FIG. 4 is a rear elevational view thereof; and,  
FIG. 5 is a right side 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, 4 Drawing Sheets**



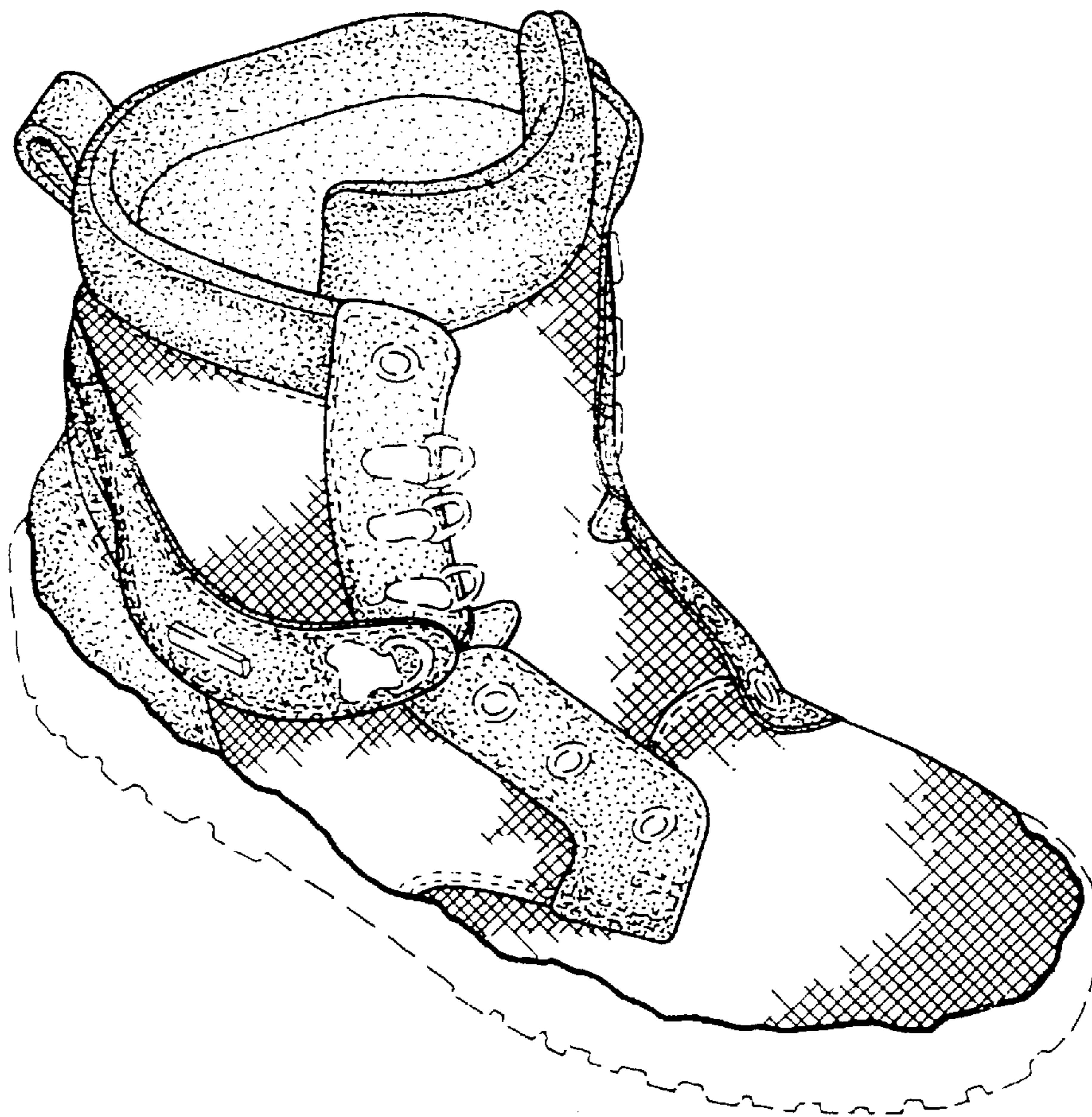


FIG. 1

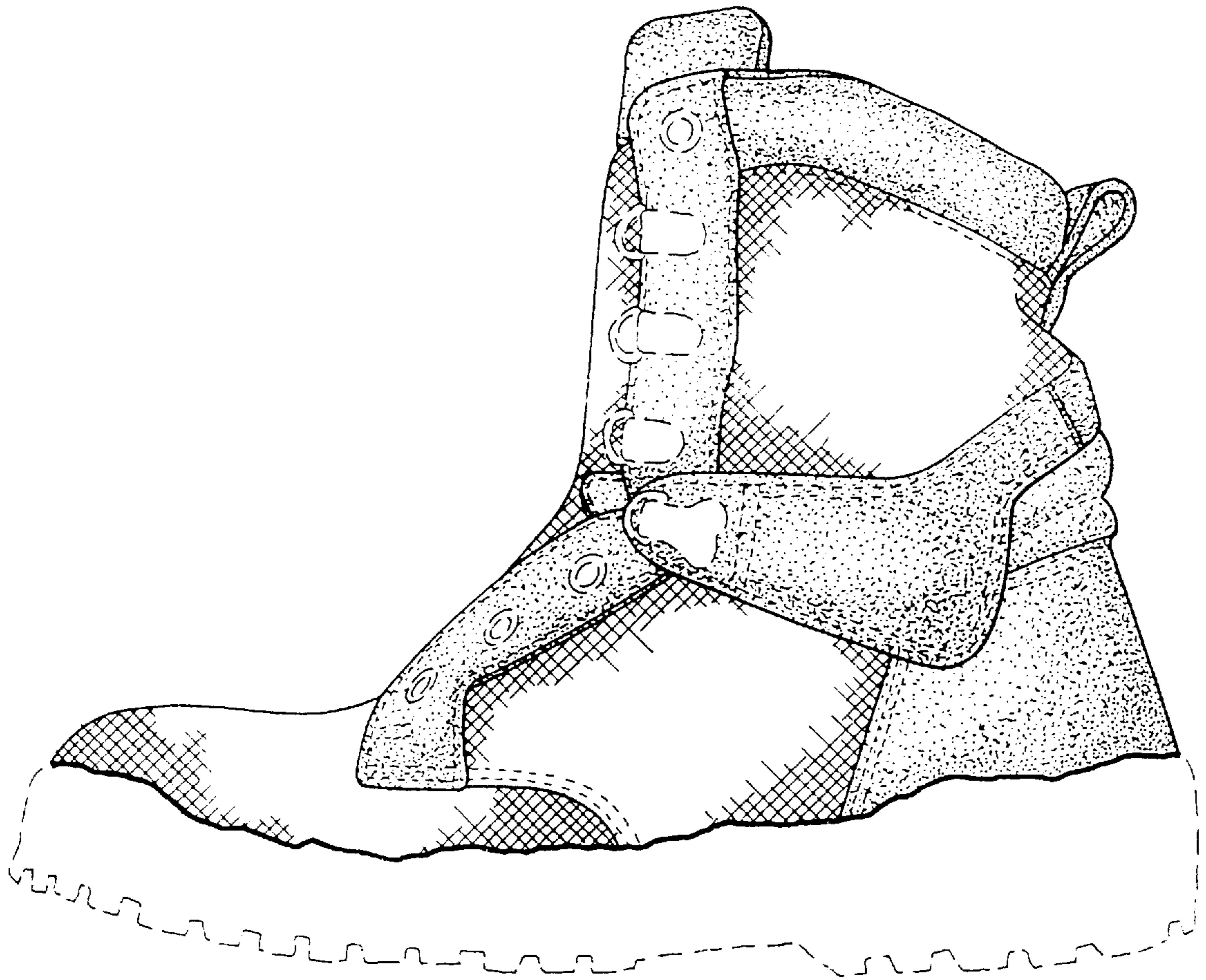


FIG. 2

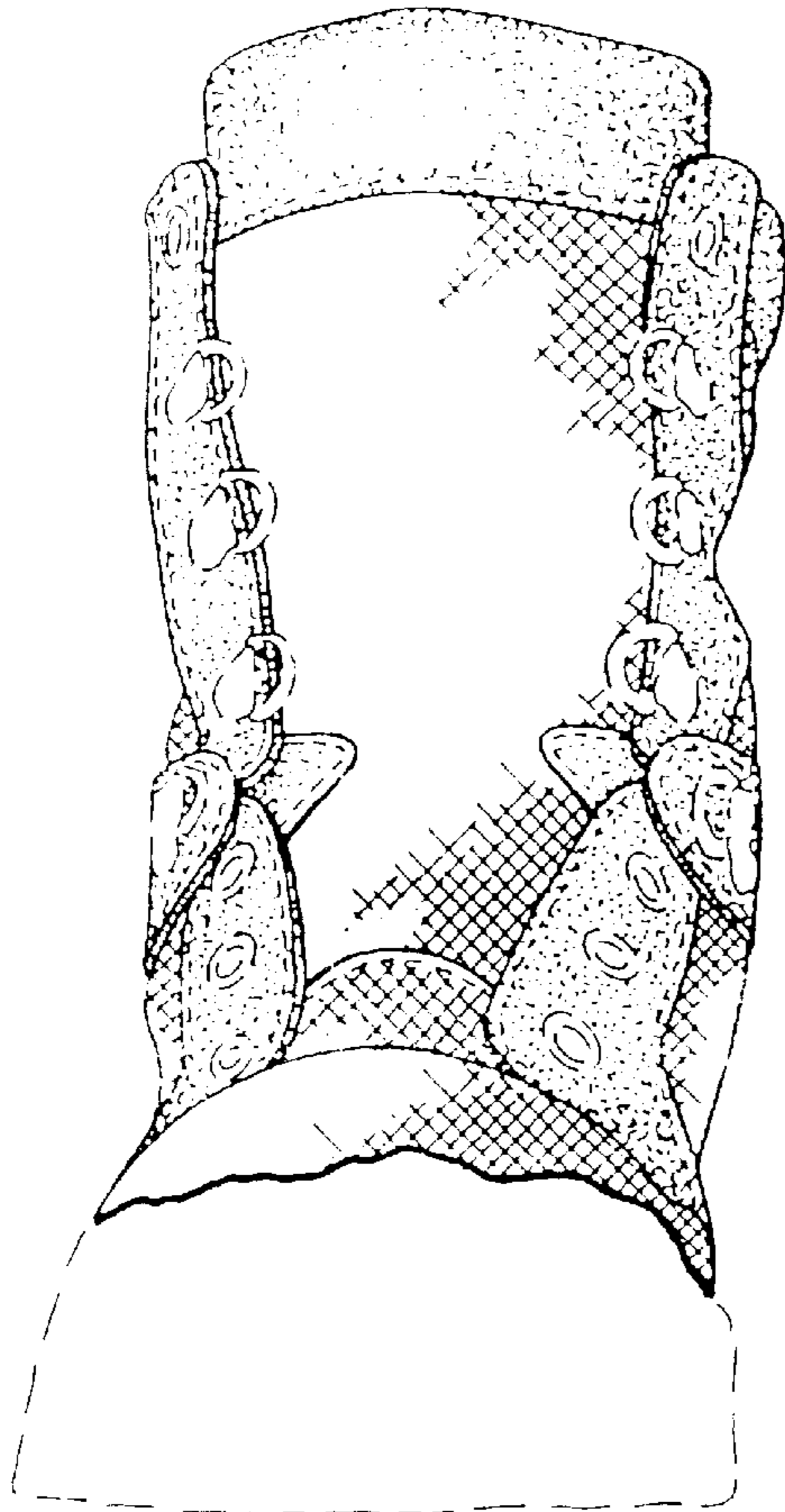


FIG. 3

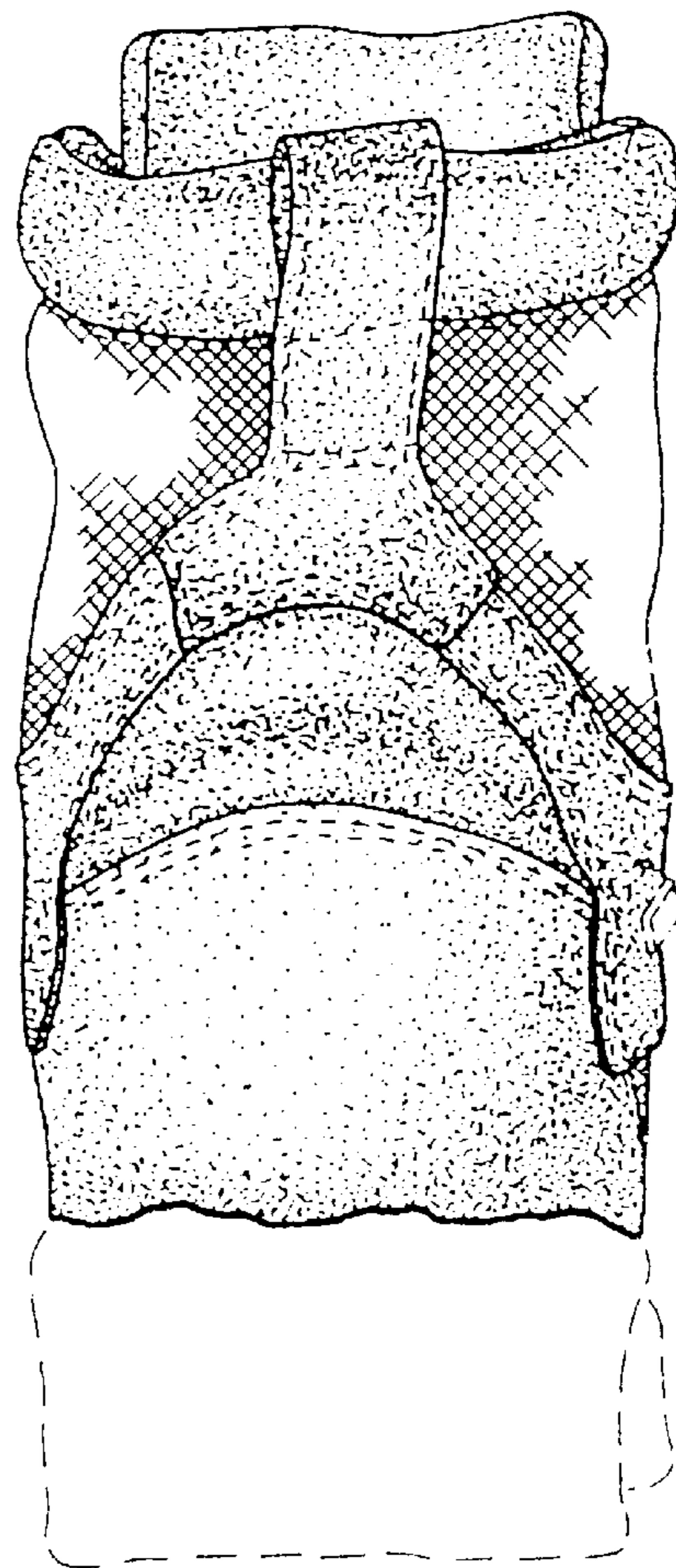


FIG. 4

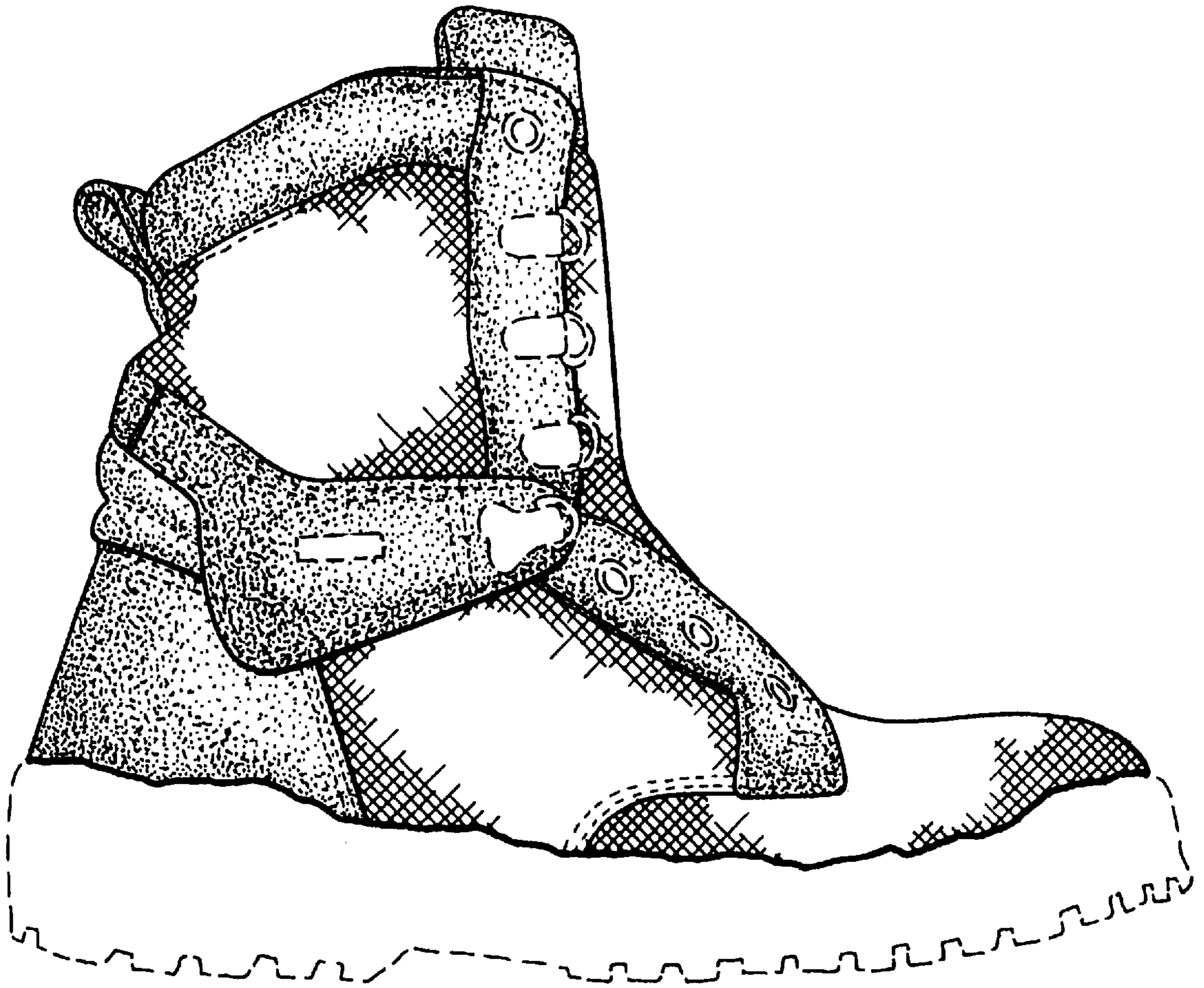


FIG. 5