



US00D438698S

(12) **United States Design Patent**
Matis et al.

(10) **Patent No.:** **US D438,698 S**
(45) **Date of Patent:** **** Mar. 13, 2001**

(54) **FOOTWEAR UPPER**

(75) Inventors: **Clark A. Matis**, Charlotte, VT (US);
Bruce Rogers, Portland, OR (US)

(73) Assignee: **Wolverine World Wide, Inc.**,
Rockford, MI (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/124,440**

(22) Filed: **Jun. 6, 2000**

(51) **LOC (7) Cl.** **02-04**

(52) **U.S. Cl.** **D2/970; D2/909**

(58) **Field of Search** D2/969, 970, 901,
D2/897, 902, 903, 907-912, 924, 923;
36/45, 114, 115, 50.1, 83, 126-131, 8.1-11

(56) **References Cited**

U.S. PATENT DOCUMENTS

D. 342,371	*	12/1993	Morris et al.	.....	D2/970
D. 362,112	*	9/1995	Avar	.....	D2/970
D. 362,334	*	9/1995	Avar	.....	D2/970
D. 364,498	*	11/1995	Teague	.....	D2/969
D. 402,793	*	12/1998	Loverin	.....	D2/902
D. 403,494	*	1/1999	Loverin	.....	D2/902
D. 421,176	*	2/2000	Matis et al.	.....	D2/969

OTHER PUBLICATIONS

Merrell Spring 2000 catalogue, pp. 2-12 and 21-31.
Merrell Fall 1999 catalogue, pp. 7, 8, 9, 11, 17 and 18.

* cited by examiner

Primary Examiner—Louis S. Zarfaz

Assistant Examiner—Gregory Andoll

(74) *Attorney, Agent, or Firm*—Warner Norcross & Judd

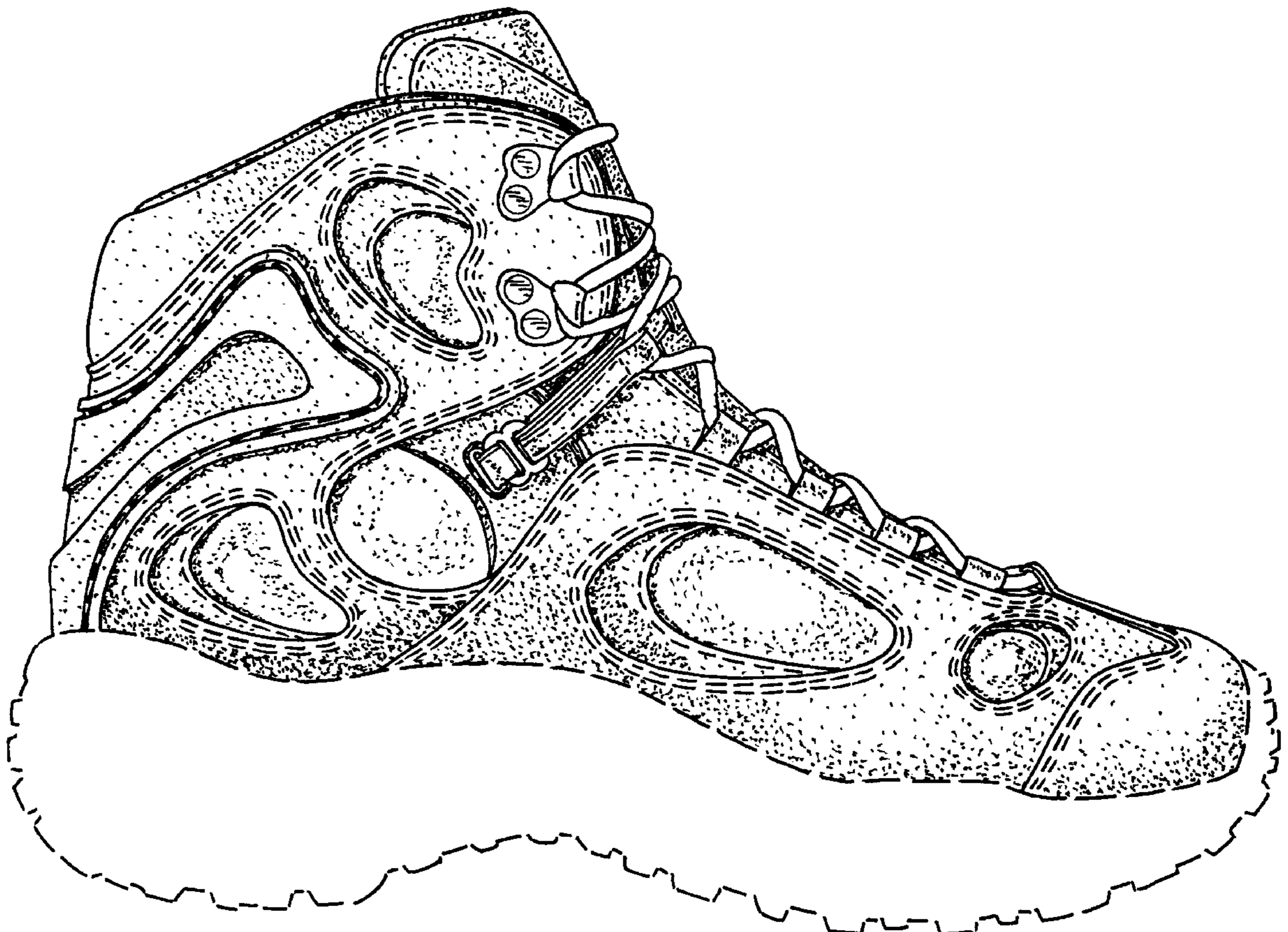
(57) **CLAIM**

The ornamental design for footwear upper, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of the footwear upper embodying the new design;
FIG. 2 is a front elevational view thereof;
FIG. 3 is a rear elevational view thereof;
FIG. 4 is a top plan view thereof;
FIG. 5 is a left side elevational view thereof; and,
FIG. 6 is a right side elevational view thereof.
FIGS. 1-6 show an outsole in broken lines. The outsole is shown for environmental purposes and does not form any part of the claimed design.

1 Claim, 6 Drawing Sheets



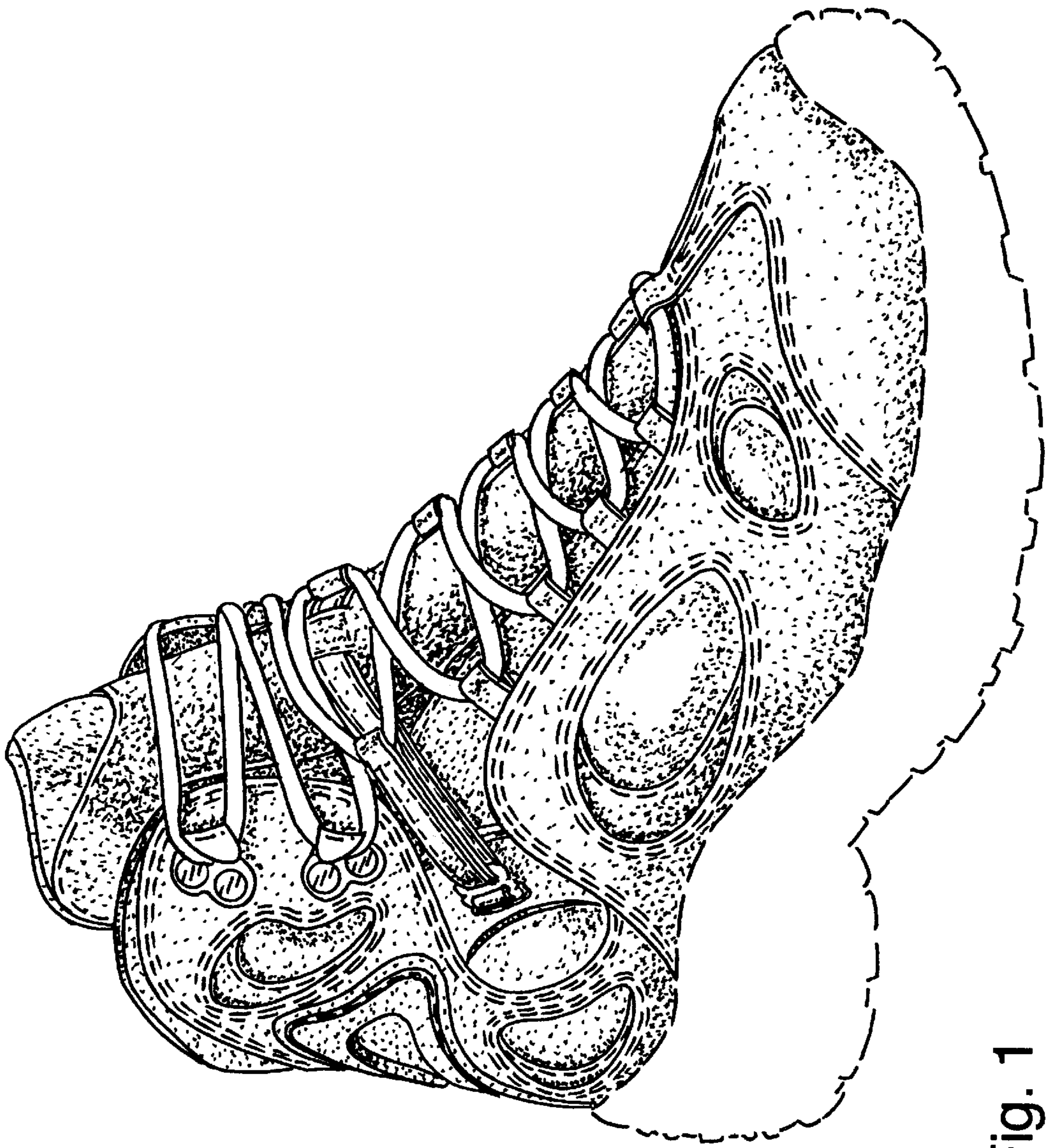


Fig. 1

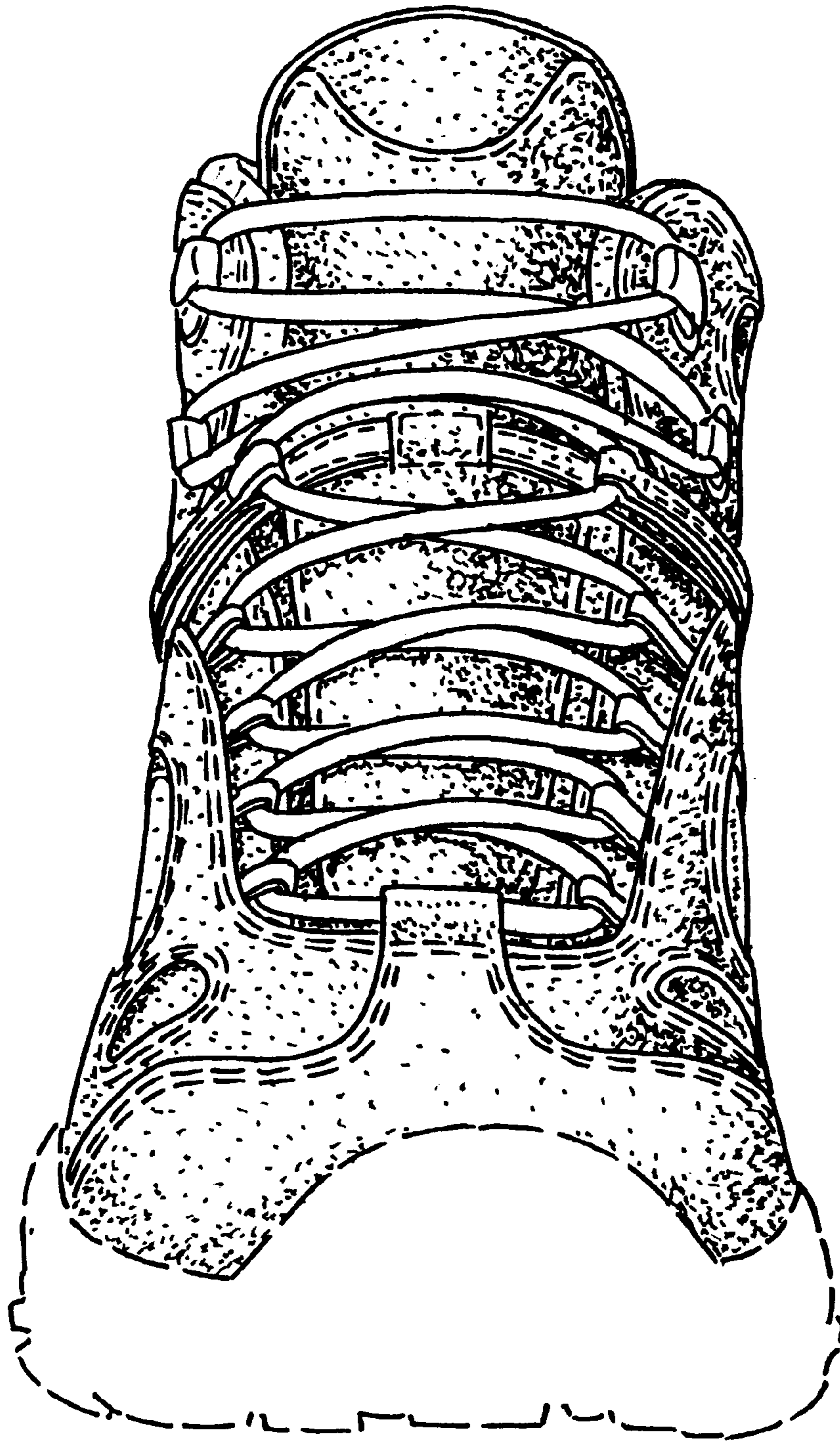


Fig. 2

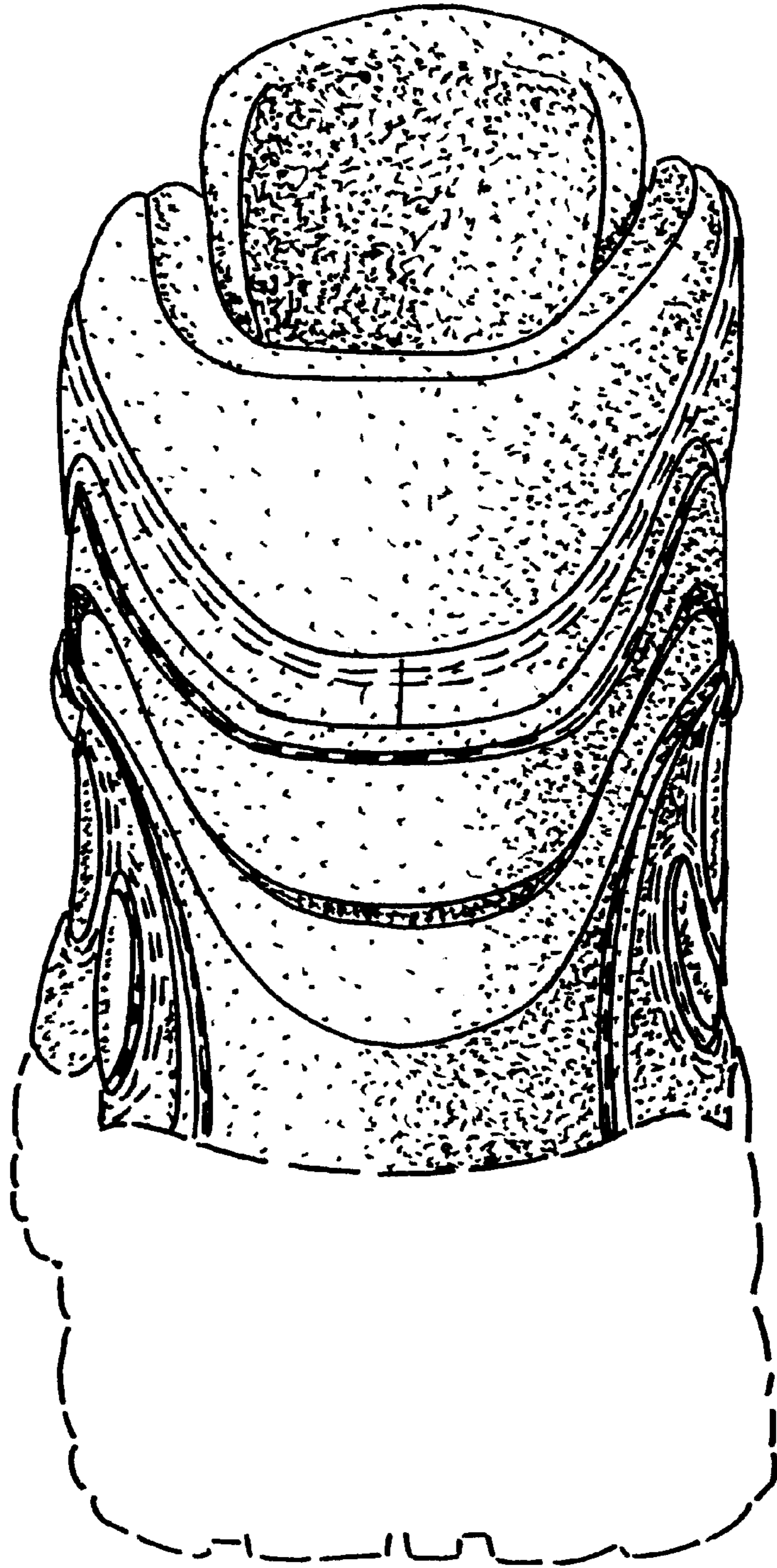


Fig. 3

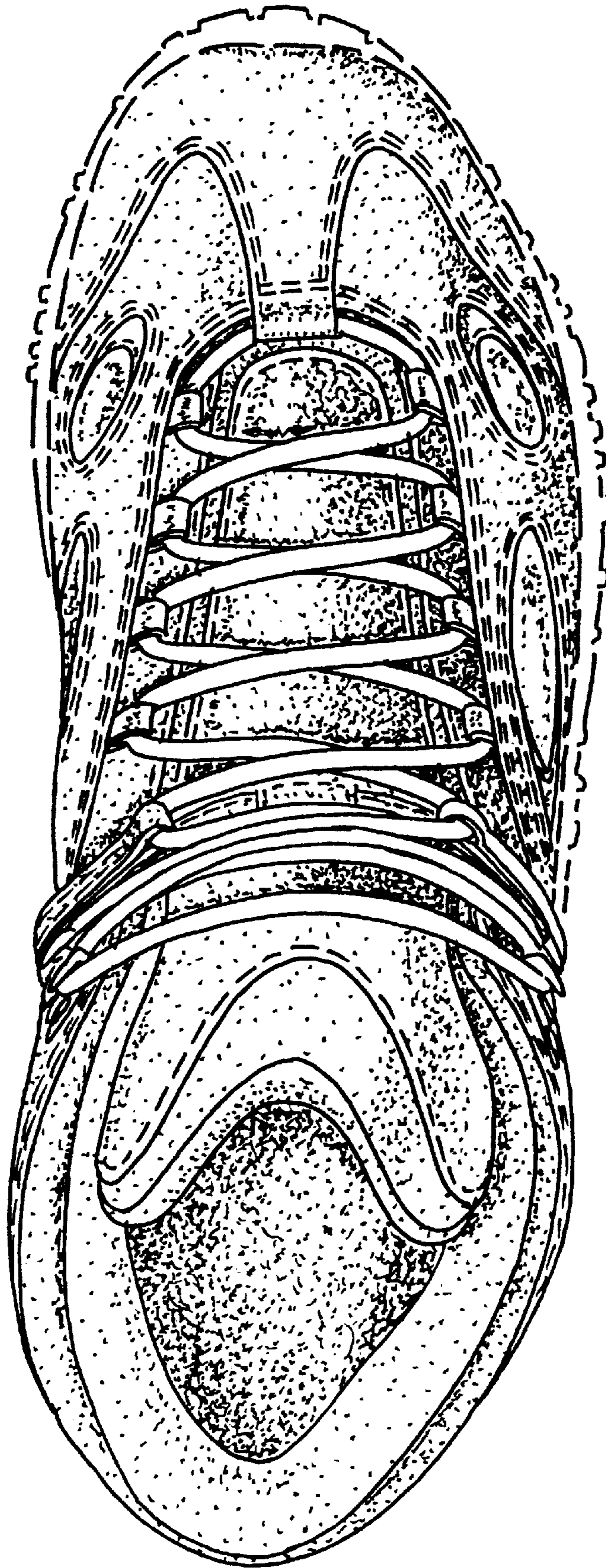


Fig. 4

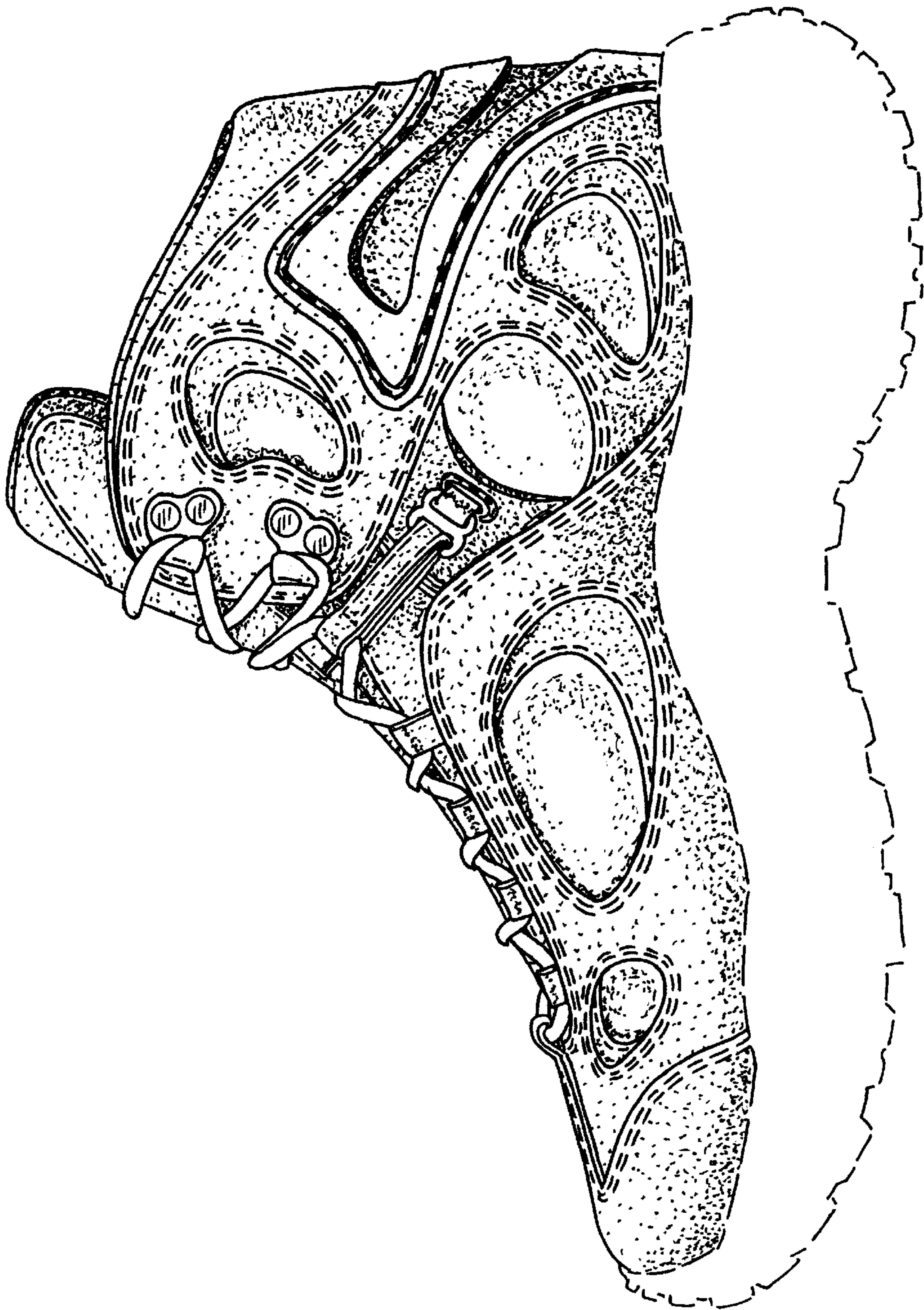


Fig. 5

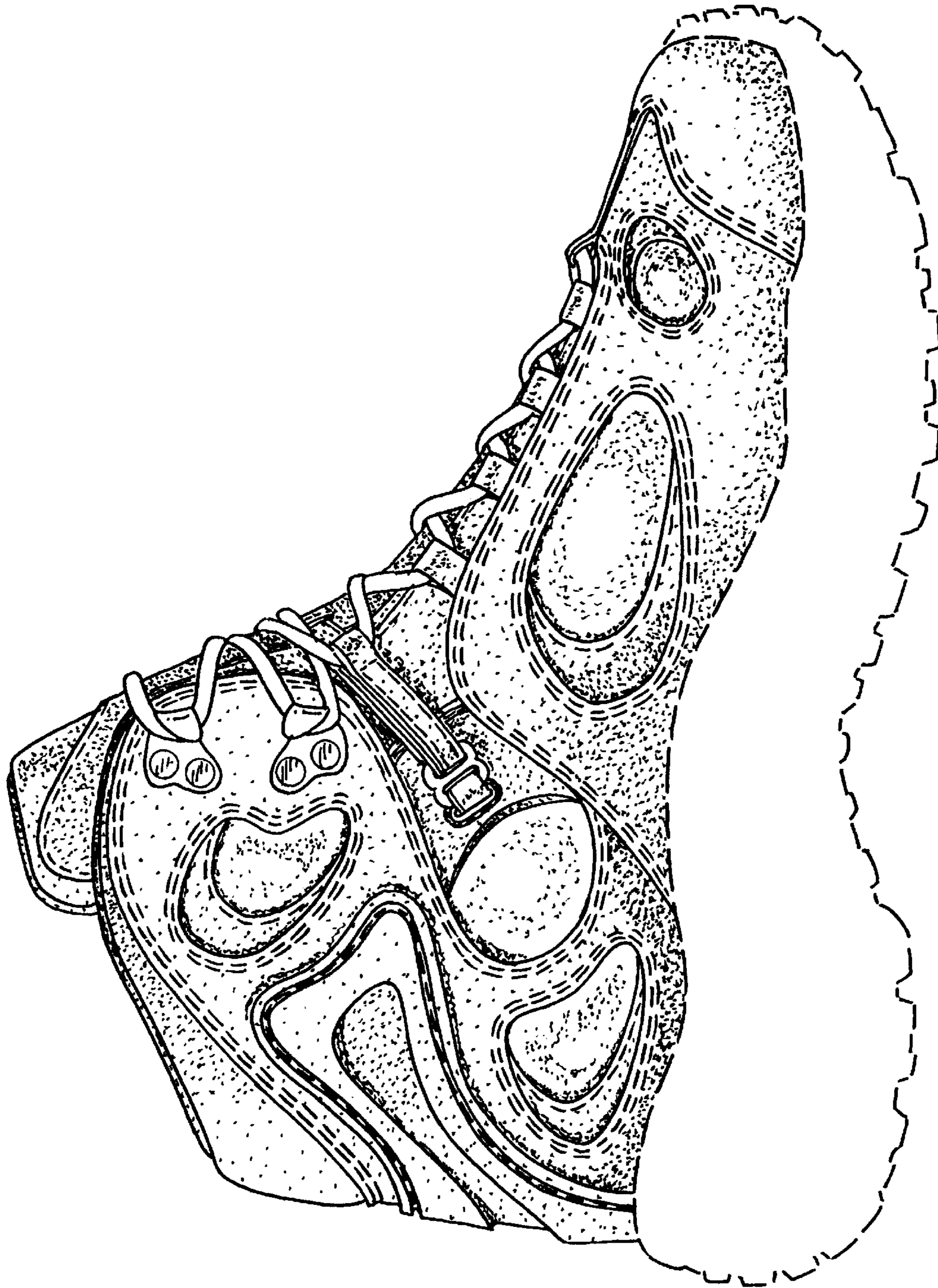


Fig. 6