



US00D448148B1

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

(10) **Patent No.:** **US D448,148 S**

(45) **Date of Patent:** **** Sep. 25, 2001**

(54) **FOOTWEAR UPPER**

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

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

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

(21) Appl. No.: **29/133,425**

(22) Filed: **Nov. 30, 2000**

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

(52) **U.S. Cl.** **D2/969; D2/907; D2/902;**
D2/919

(58) **Field of Search** D2/969, 970, 945,
D2/943, 944, 902, 903, 907, 908, 909,
910-912, 919, 923, 924, 952, 897-899;
36/114, 126-131, 8.1-8.4, 11, 45, 50.1

(56) **References Cited**

U.S. PATENT DOCUMENTS

D. 96,687	*	8/1935	Lutz	.....	D2/945
D. 387,194	*	12/1997	Serna	.....	D2/969
D. 420,783	*	2/2000	Brady et al.	.....	D2/902
D. 420,790	*	2/2000	Oliva	.....	D2/969
D. 425,692	*	5/2000	Matis	.....	D2/969
D. 432,771	*	10/2000	Matis et al.	.....	D2/969
D. 433,560	*	11/2000	Pawlus	.....	D2/969
D. 435,717	*	1/2001	Bettencourt	.....	D2/969

OTHER PUBLICATIONS

Merrell Outdoor Footwear, Spring 1998, (front and back covers with 2 unnumbered pages).

Merrell, Fall/Holiday 1996, (front and back covers with 4 unnumbered pages).

1997 Merrell Outdoor Footwear, (front and back covers with 2 unnumbered pages).

Merrell Outdoor Footwear, Fall 1999, pp. 13 and 14.

Merrell Performance Footwear, Spring 2001, pp. 38 and 44.

* 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 shoe upper embodying the new design;

FIG. 2 is a front elevational view thereof;

FIG. 3 is a rear elevational view thereof;

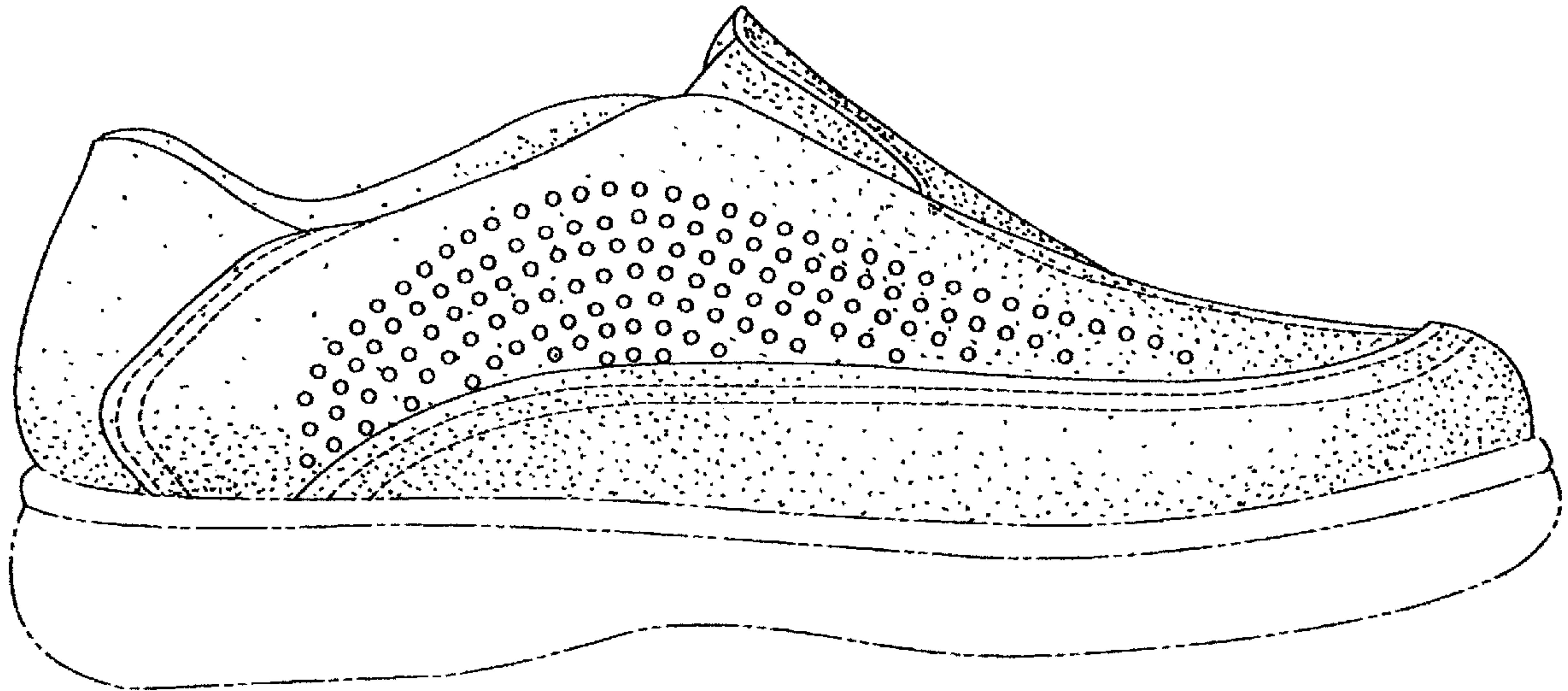
FIG. 4 is a top plan view thereof;

FIG. 5 is a right side elevational view thereof; and,

FIG. 6 is a left 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, 4 Drawing Sheets



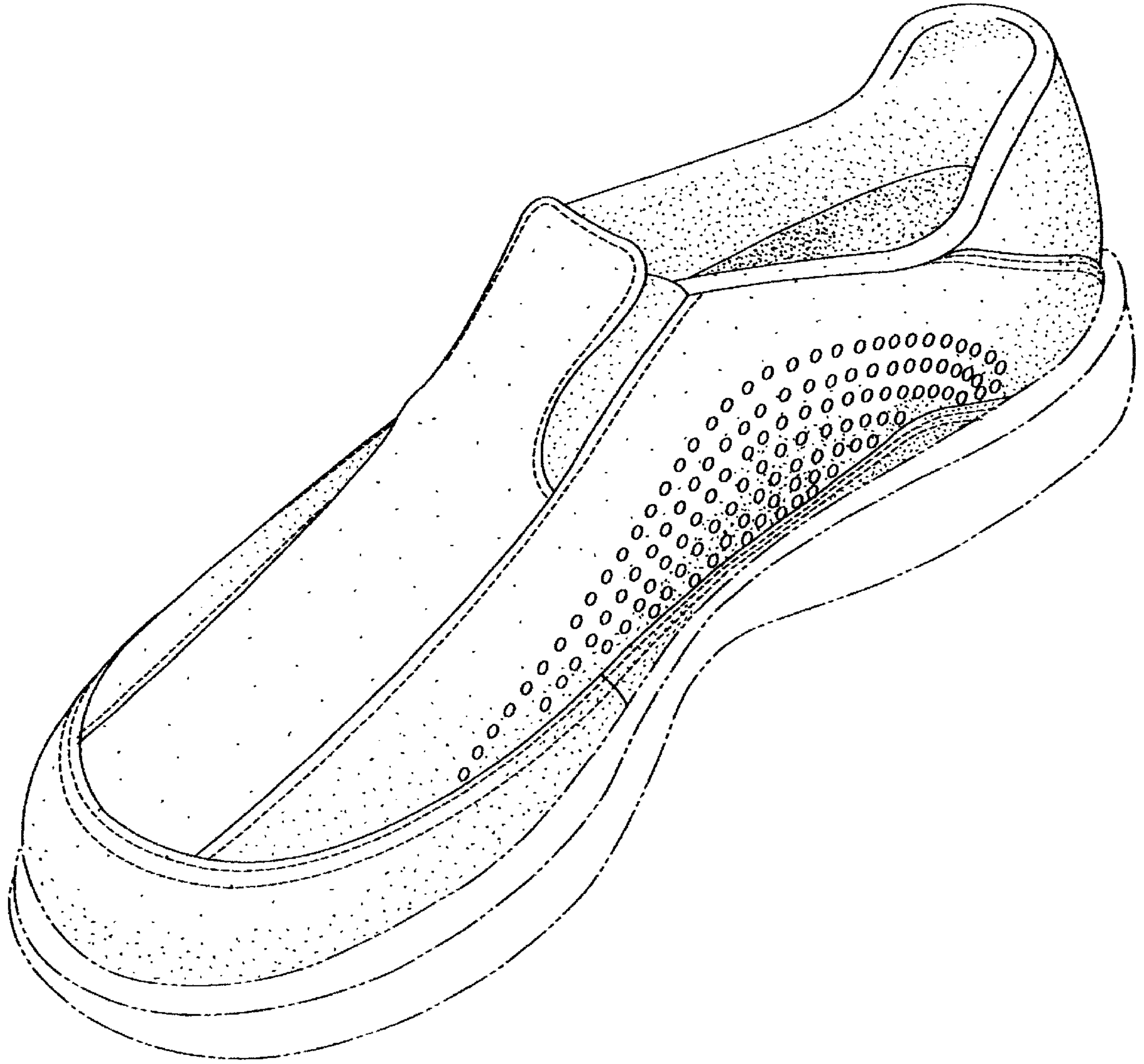


Fig. 1

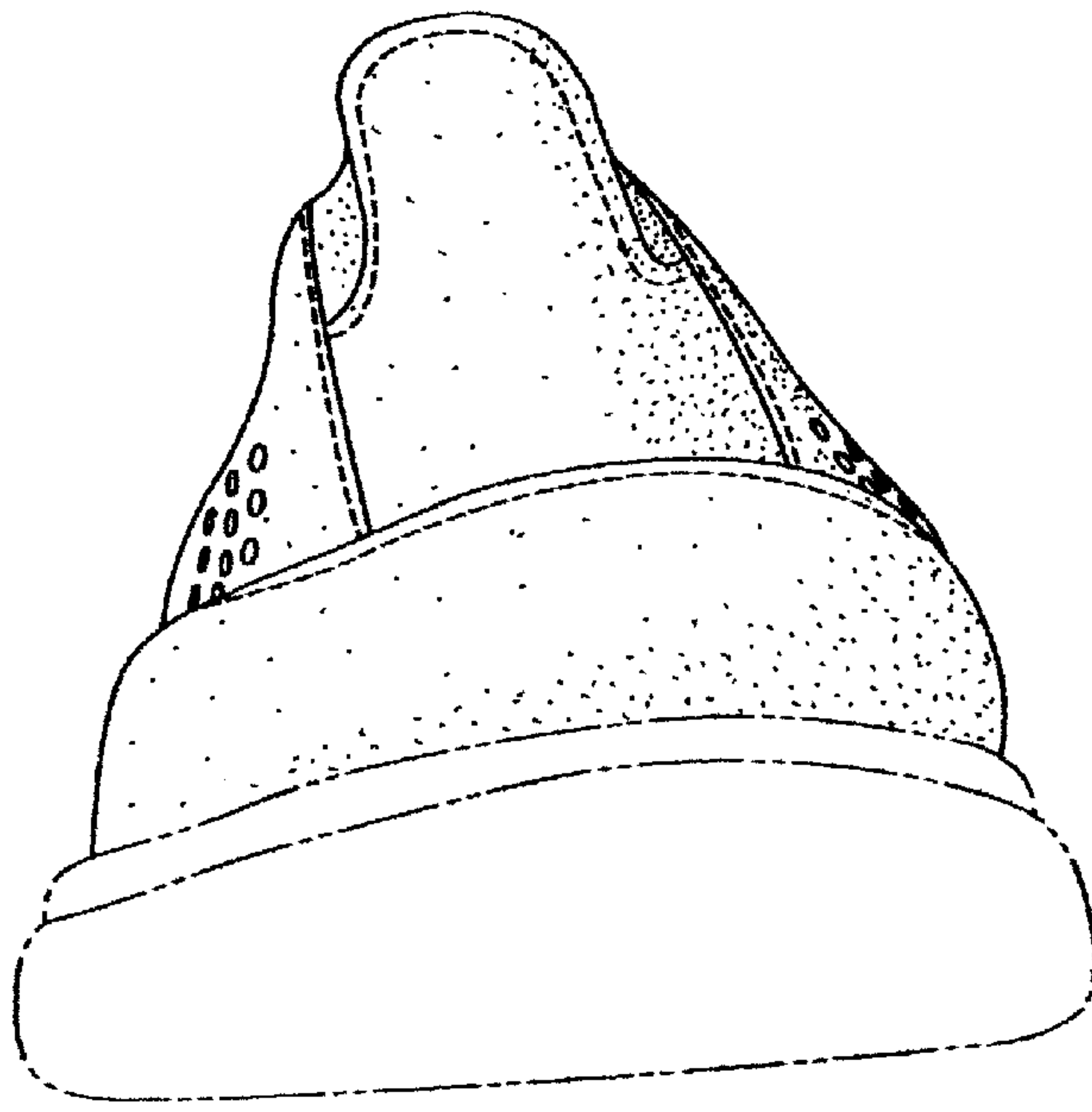


Fig. 2

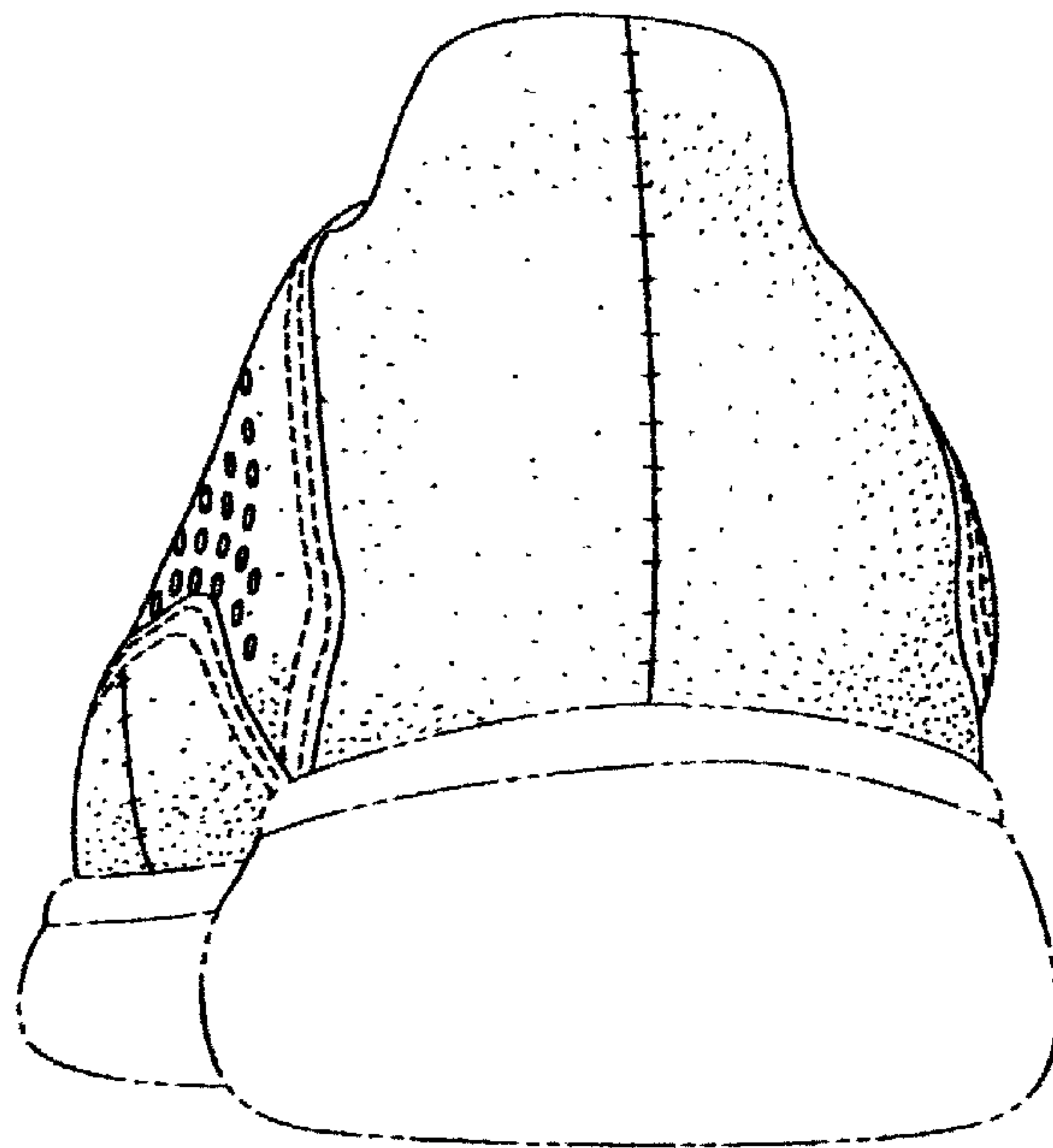


Fig. 3

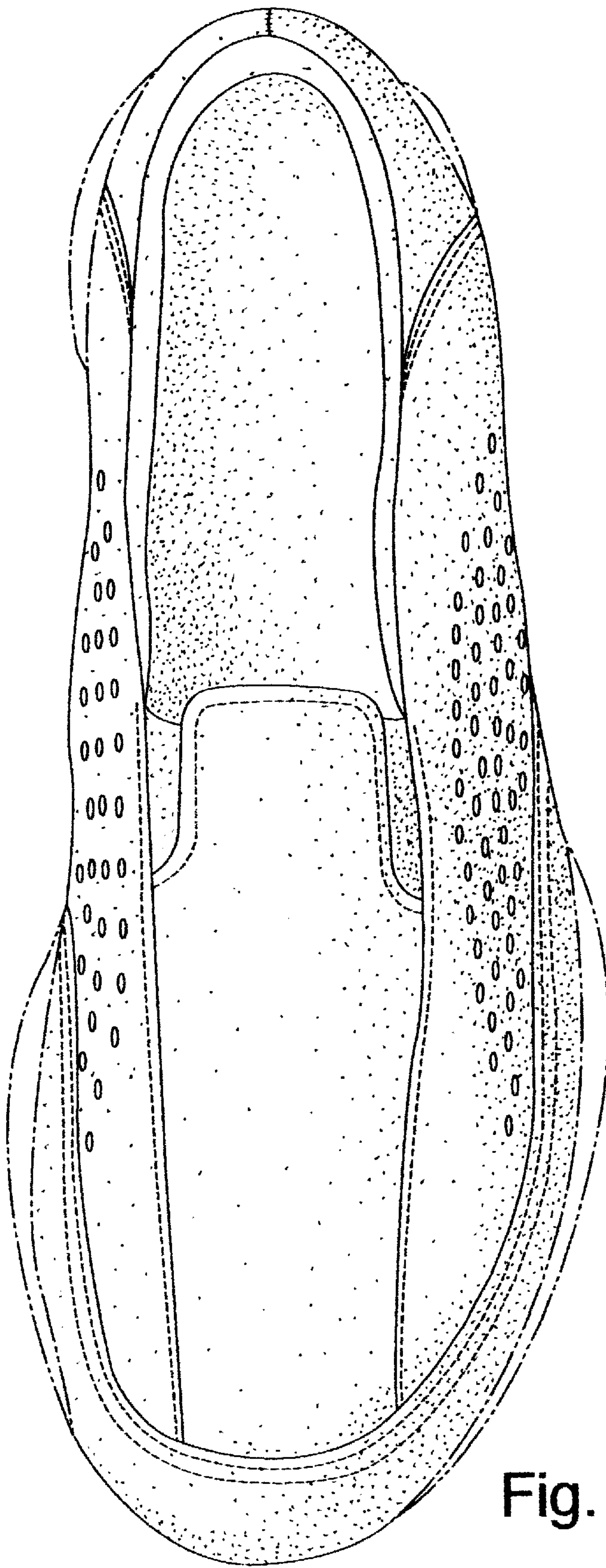


Fig. 4

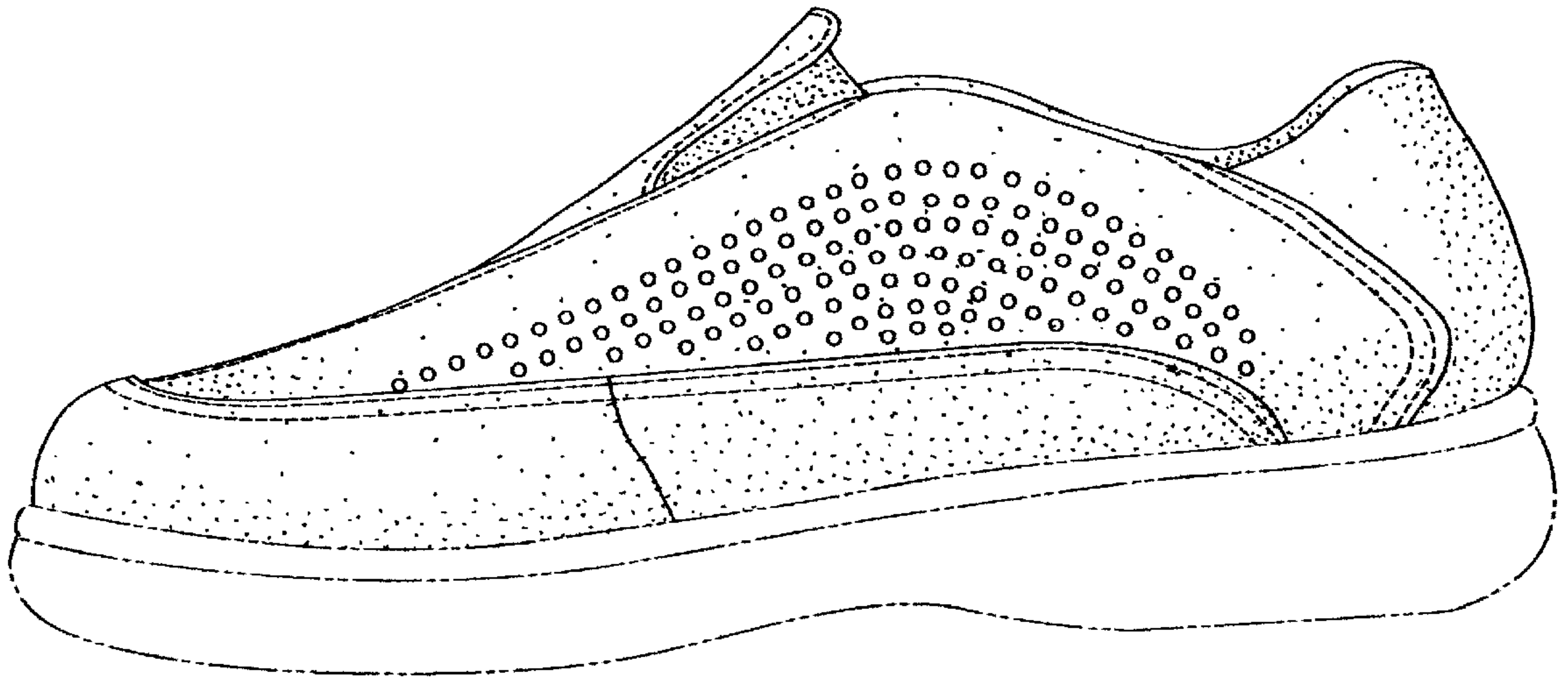


Fig. 6

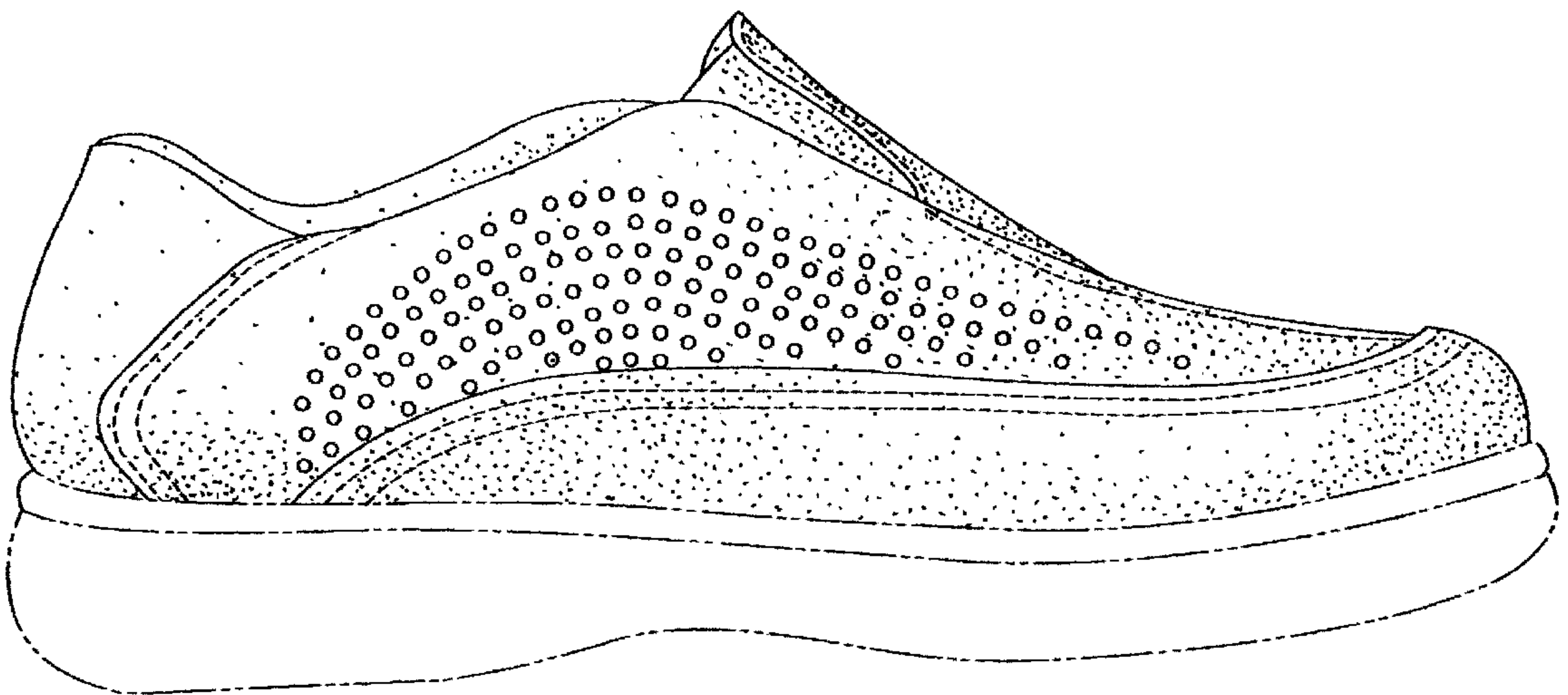


Fig. 5