



US00D464479S

(12) **United States Design Patent**
Banik

(10) **Patent No.:** **US D464,479 S**

(45) **Date of Patent:** **** Oct. 22, 2002**

- (54) **FOOTWEAR UPPER PORTION**
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- (73) Assignee: **Salomon S.A.**, Metz-Tessy (FR)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/143,288**
- (22) Filed: **Jun. 12, 2001**

Related U.S. Application Data

- (62) Division of application No. 29/089,153, filed on Jun. 19, 1998.

(30) **Foreign Application Priority Data**

Dec. 9, 1997 (XH) DM/042 312

- (51) **LOC (7) Cl.** **02-99**
- (52) **U.S. Cl.** **D2/972**
- (58) **Field of Search** D2/896, 902, 907, D2/946, 969, 972, 923; 36/45, 50.1, 51, 77 M, 77 R, 81, 83, 88, 113, 114, 126-130

(56) **References Cited**

U.S. PATENT DOCUMENTS

369,928 A	9/1887	Eisenbeis
483,246 A	9/1892	Chantler
782,445 A	2/1905	Giles
811,438 A	1/1906	Rhodes
1,491,086 A	4/1924	Dessau
D142,432 S	9/1945	Lissak et al.
D155,956 S	11/1949	Wood
D273,628 S	5/1984	Huberman et al.
D280,254 S	8/1985	Pavon

D335,570 S	5/1993	Hatfield et al.
D336,767 S	6/1993	Hatfield et al.
D342,145 S	12/1993	Yeh
D344,621 S	3/1994	Pereira, Sr.
D352,383 S	11/1994	Verin
5,392,832 A	2/1995	Colson et al. 160/84.07
5,444,926 A	8/1995	Allen et al. 36/93
D384,491 S	10/1997	Baker et al.
D389,295 S	1/1998	Kelchak
5,794,359 A	8/1998	Jenkins et al. 36/28
D401,049 S	11/1998	Greenberg
D412,776 S	8/1999	Biedermann D2/919
D417,946 S	12/1999	Turner D2/960
D425,692 S	5/2000	Matis D2/969
D450,913 S	* 11/2001	Banik et al. D2/909

* cited by examiner

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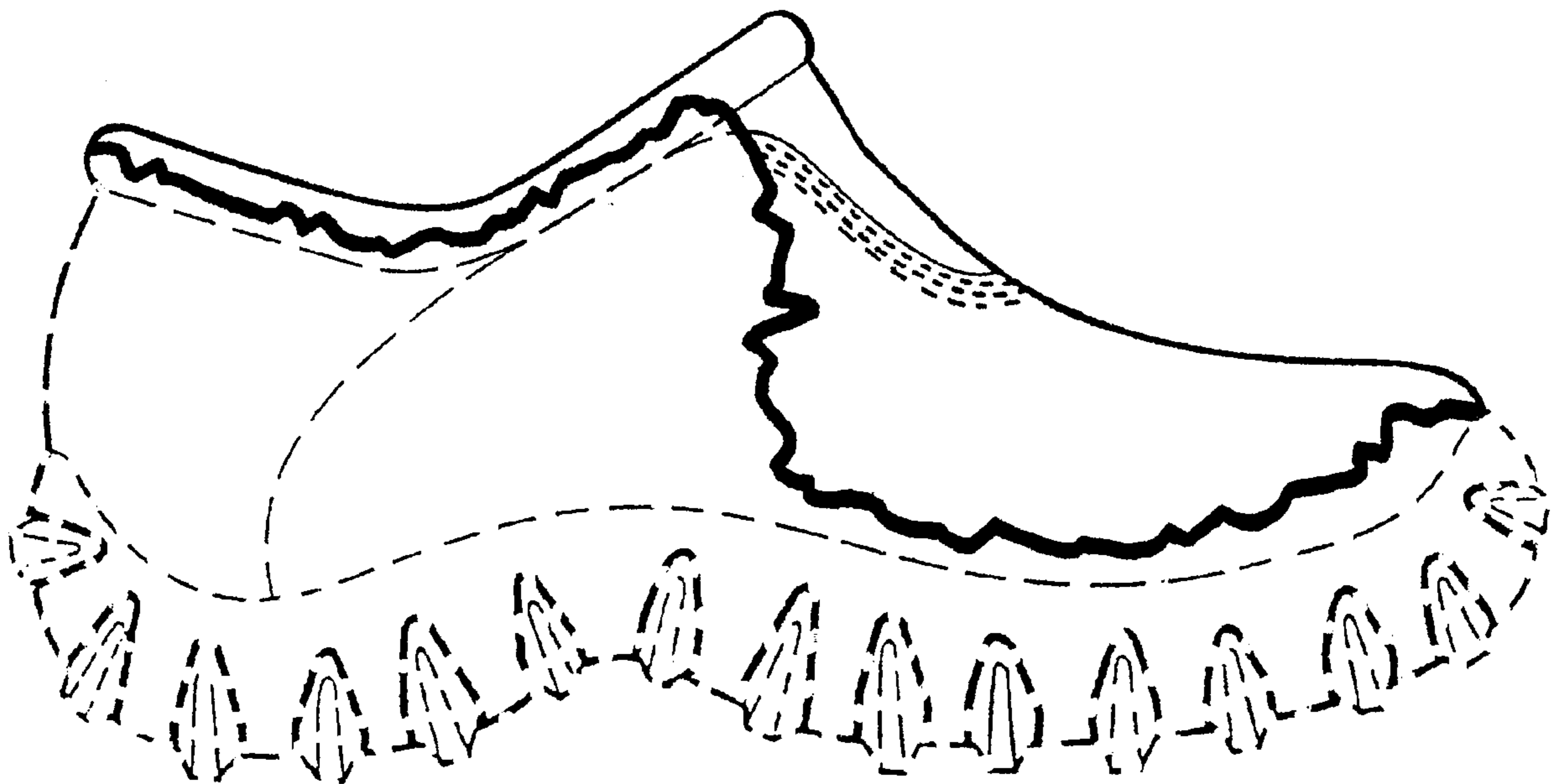
(57) **CLAIM**

I claim the ornamental design for a footwear upper portion, as shown and described.

DESCRIPTION

FIG. 1 is a front end view of a footwear upper portion, showing my new design;
 FIG. 2 is a right side view thereof;
 FIG. 3 is a top view thereof;
 FIG. 4 is a rear end view thereof; and,
 FIG. 5 is a left side view thereof.
 The broken-line showing of the sole and a lower and rear portion of the upper of the shoe is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



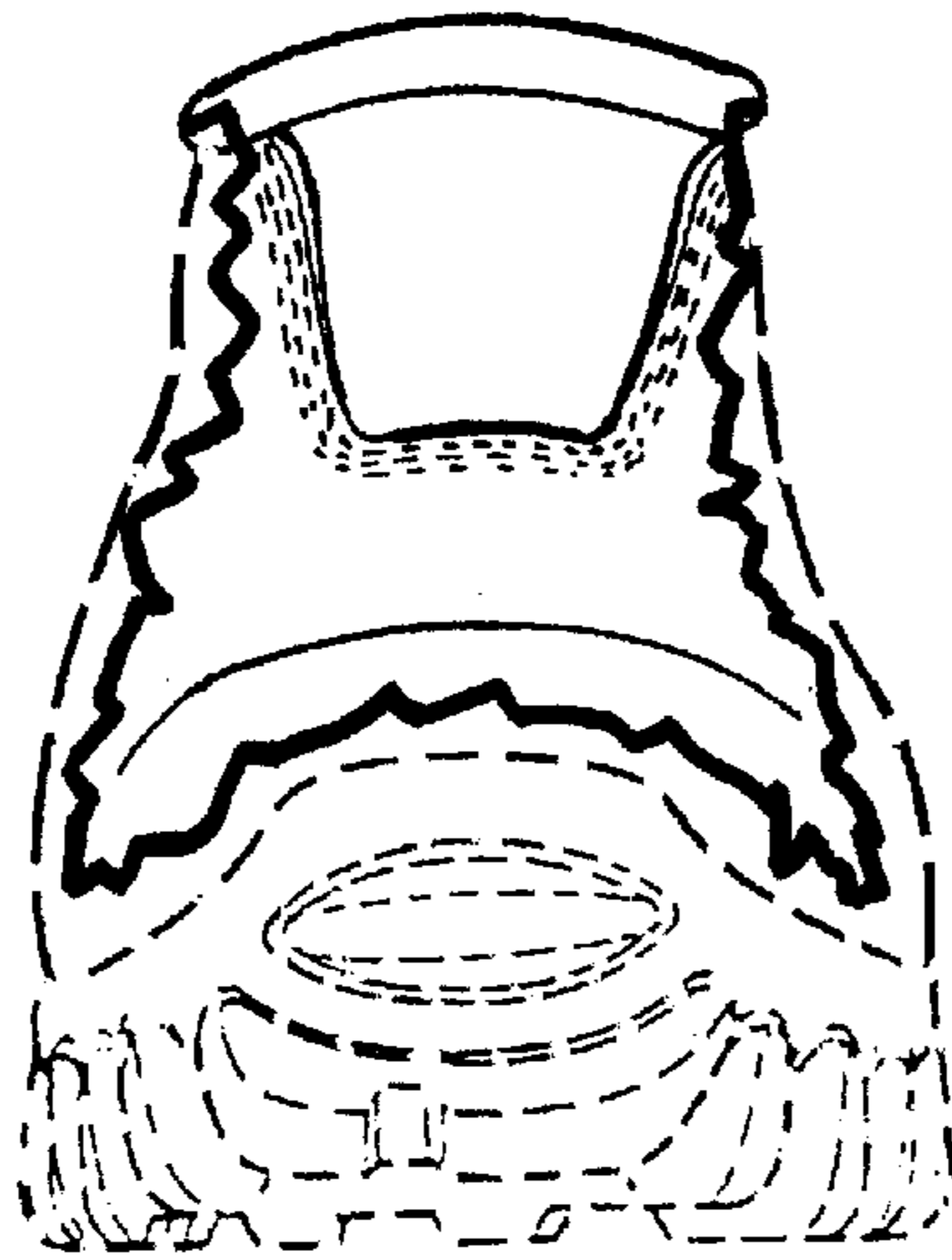


FIG. 1

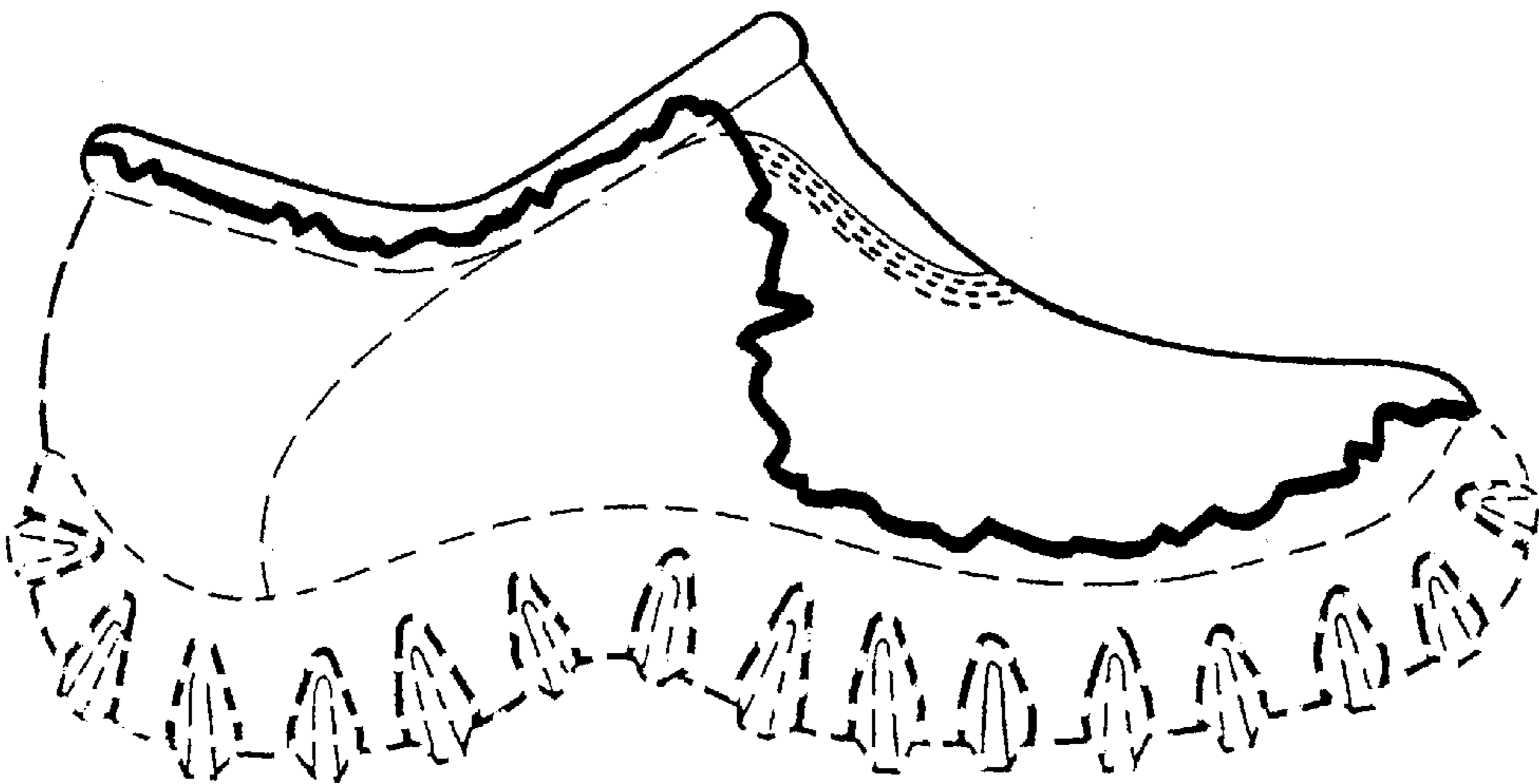


FIG. 2

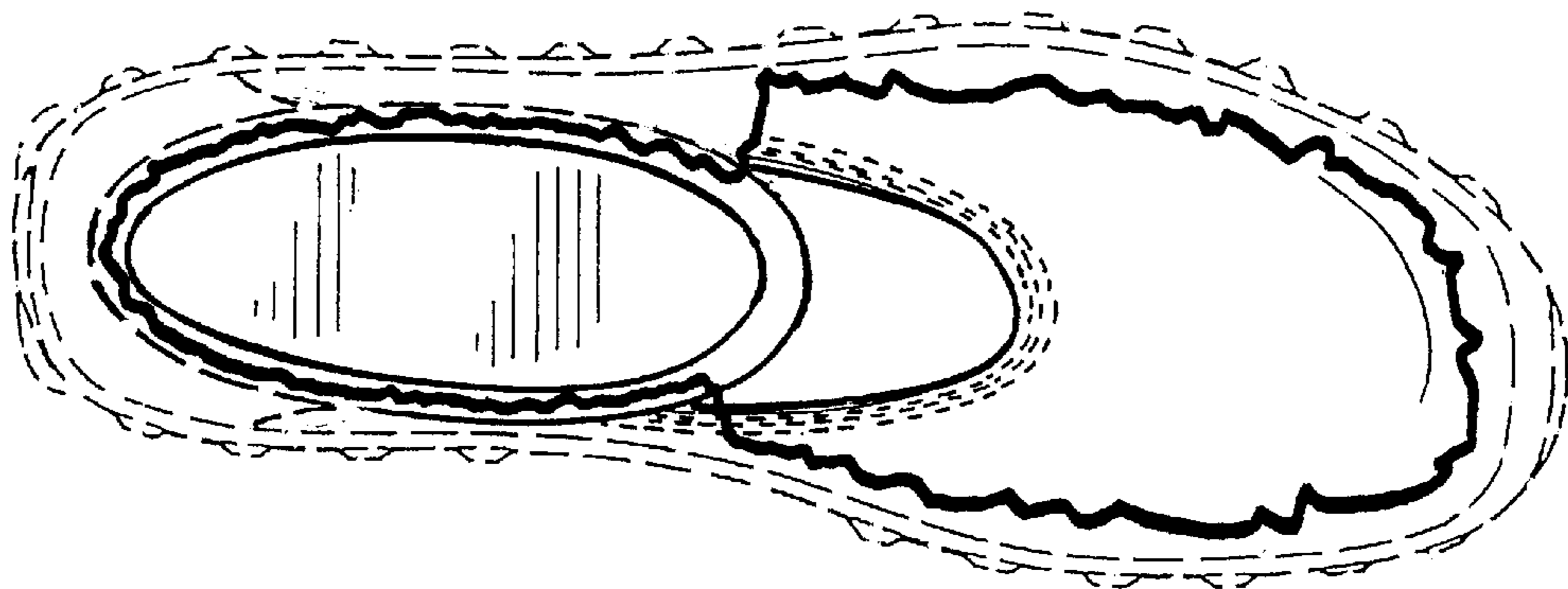


FIG. 3

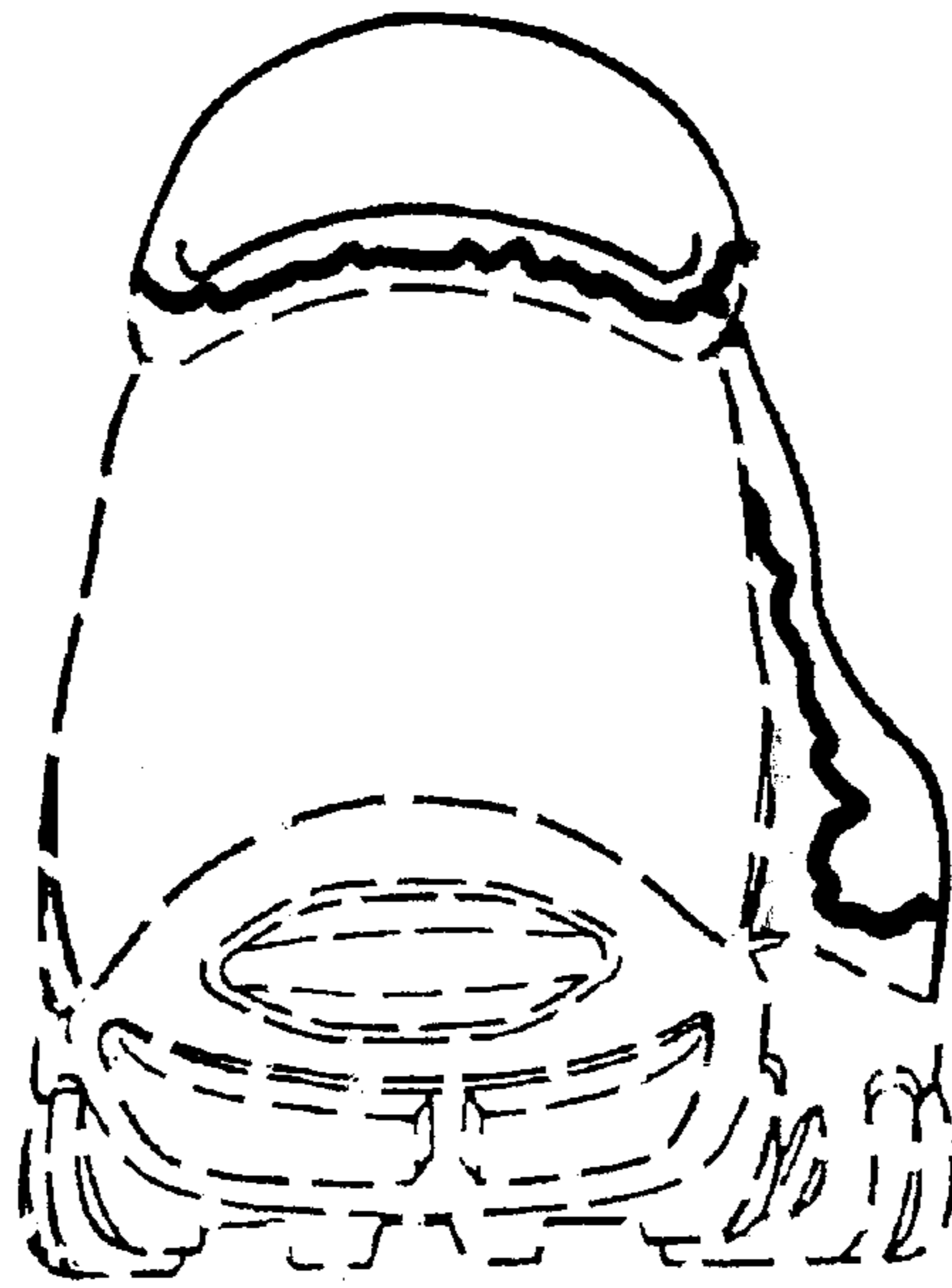


FIG. 4

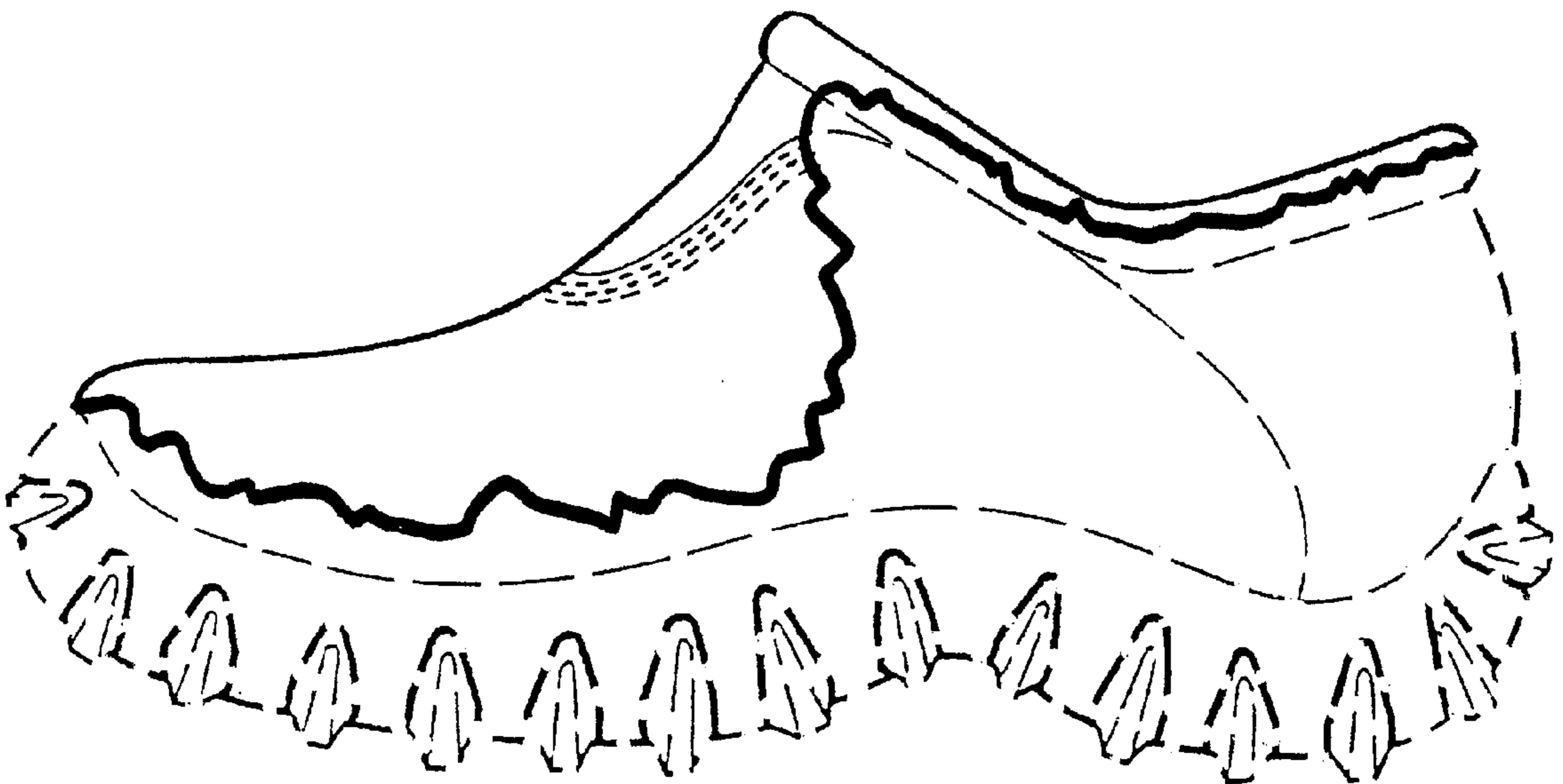


FIG. 5