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

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(45) **Date of Patent:** **** May 24, 2005**

(54) **FOOTWEAR UPPER**

D487,623 S * 3/2004 Matis D2/969
D487,960 S * 4/2004 Bandini et al. D2/969

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OTHER PUBLICATIONS

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Merrell Spring 2004 Catalog, p 12.
Merrell Spring 2002, pp 14, 20, 21.

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

* cited by examiner

(21) Appl. No.: **29/206,475**

Primary Examiner—Dominic Simone

(22) Filed: **Jun. 1, 2004**

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

(51) **LOC (7) Cl.** **02-99**

(52) **U.S. Cl.** **D2/969**

(58) **Field of Search** D2/896, 902, 907,
D2/908, 943-945, 969, 972-974; 36/45,
50.1, 77 M, 77 R, 83, 88, 113, 114, 126-130

(57) **CLAIM**

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

(56) **References Cited**

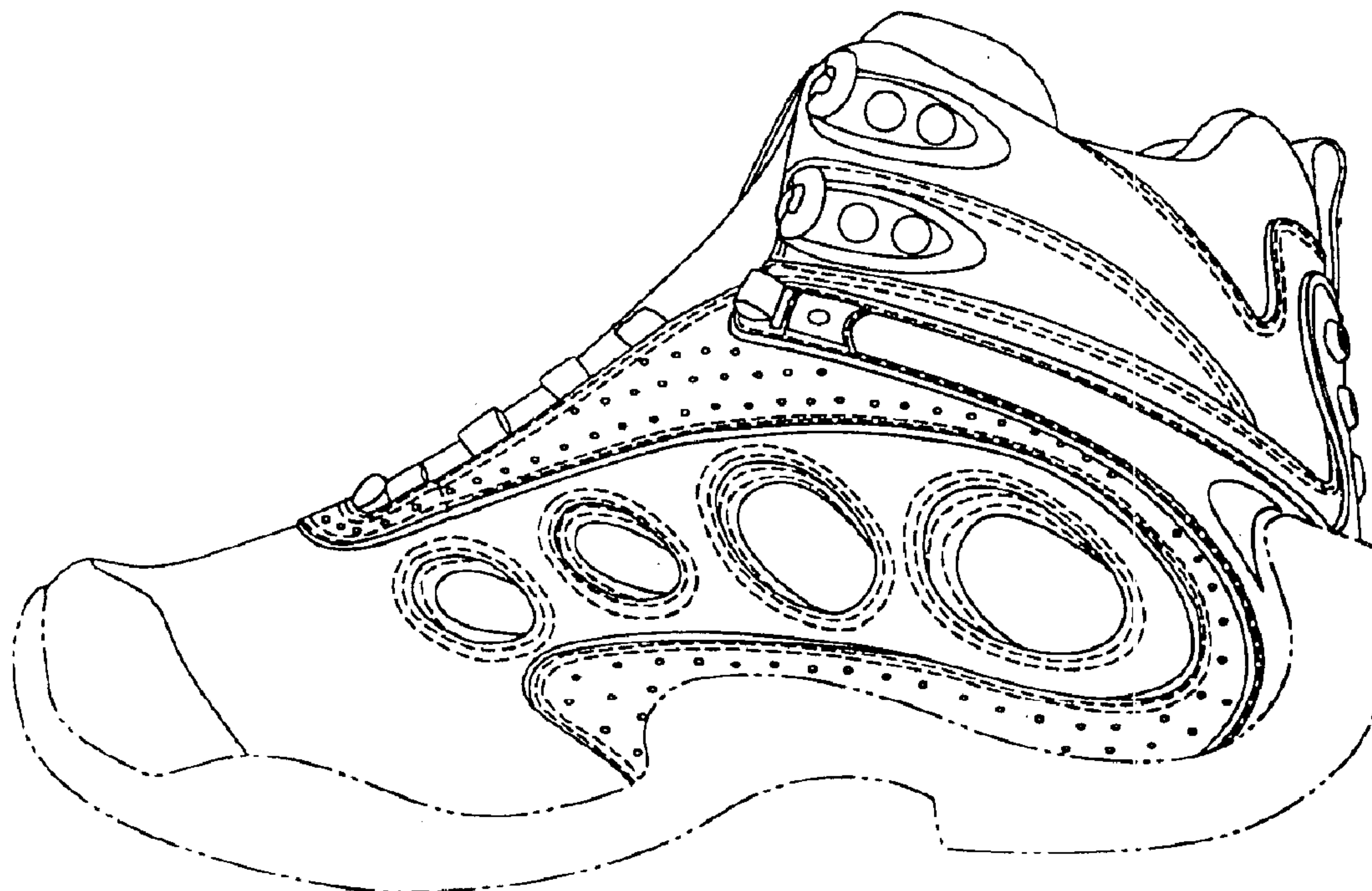
DESCRIPTION

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

1 Claim, 4 Drawing Sheets



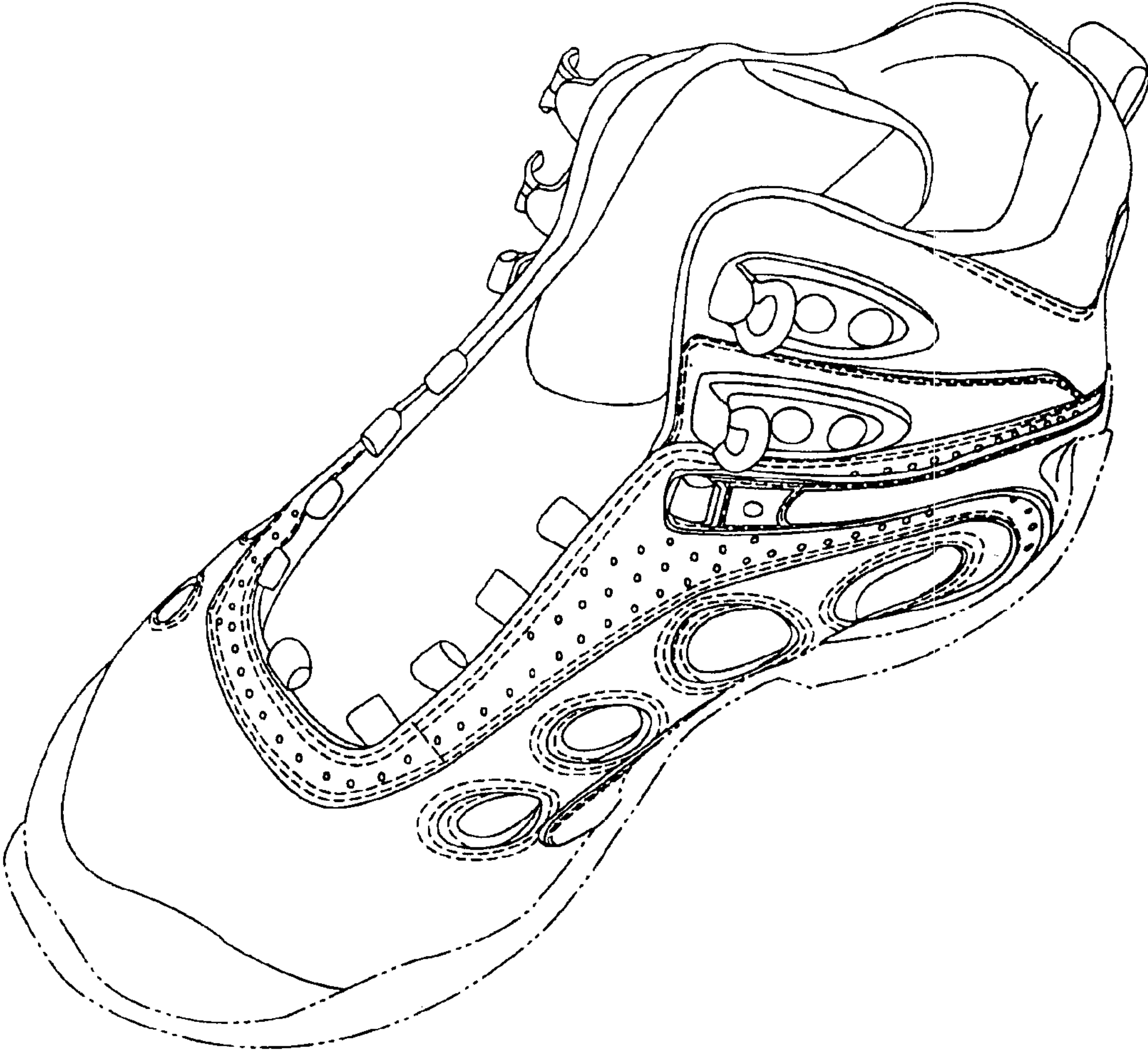


Fig. 1

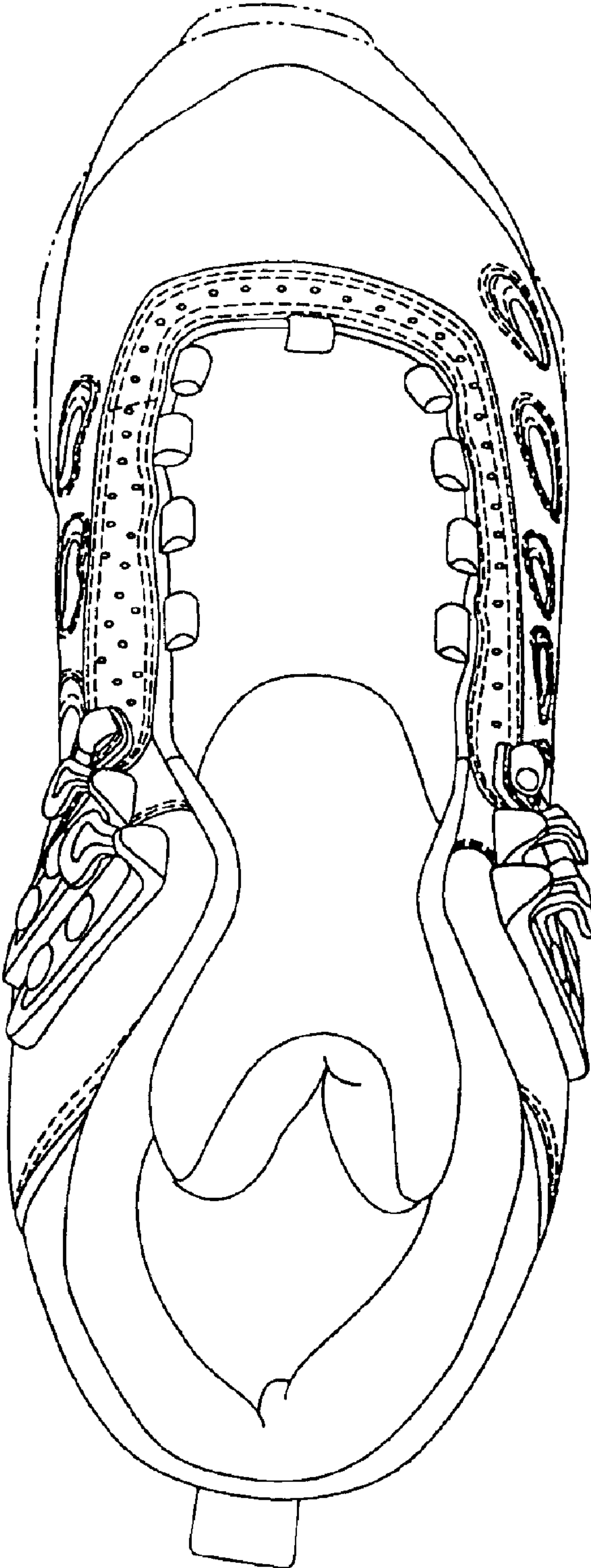


Fig. 2

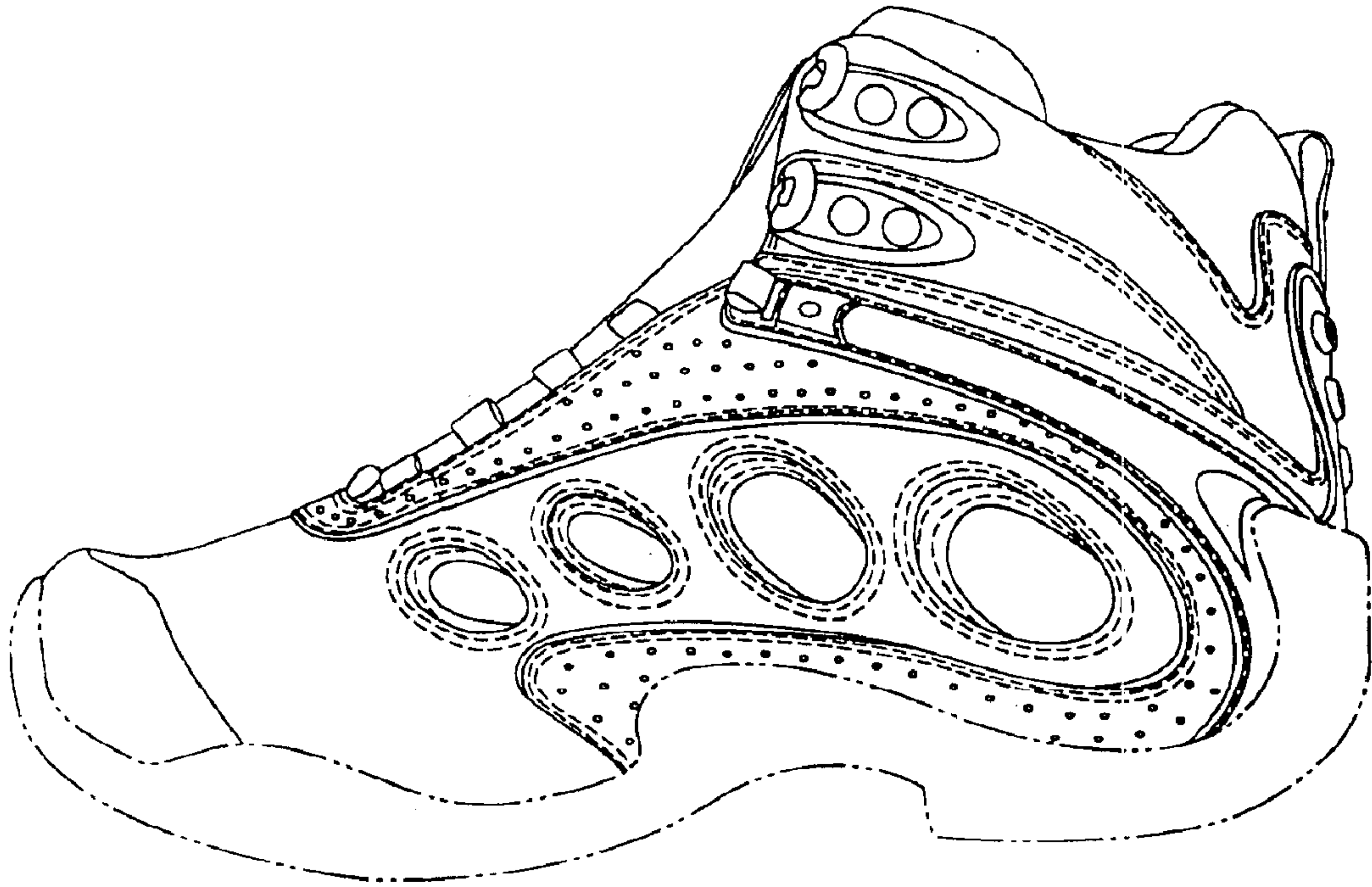


Fig. 3

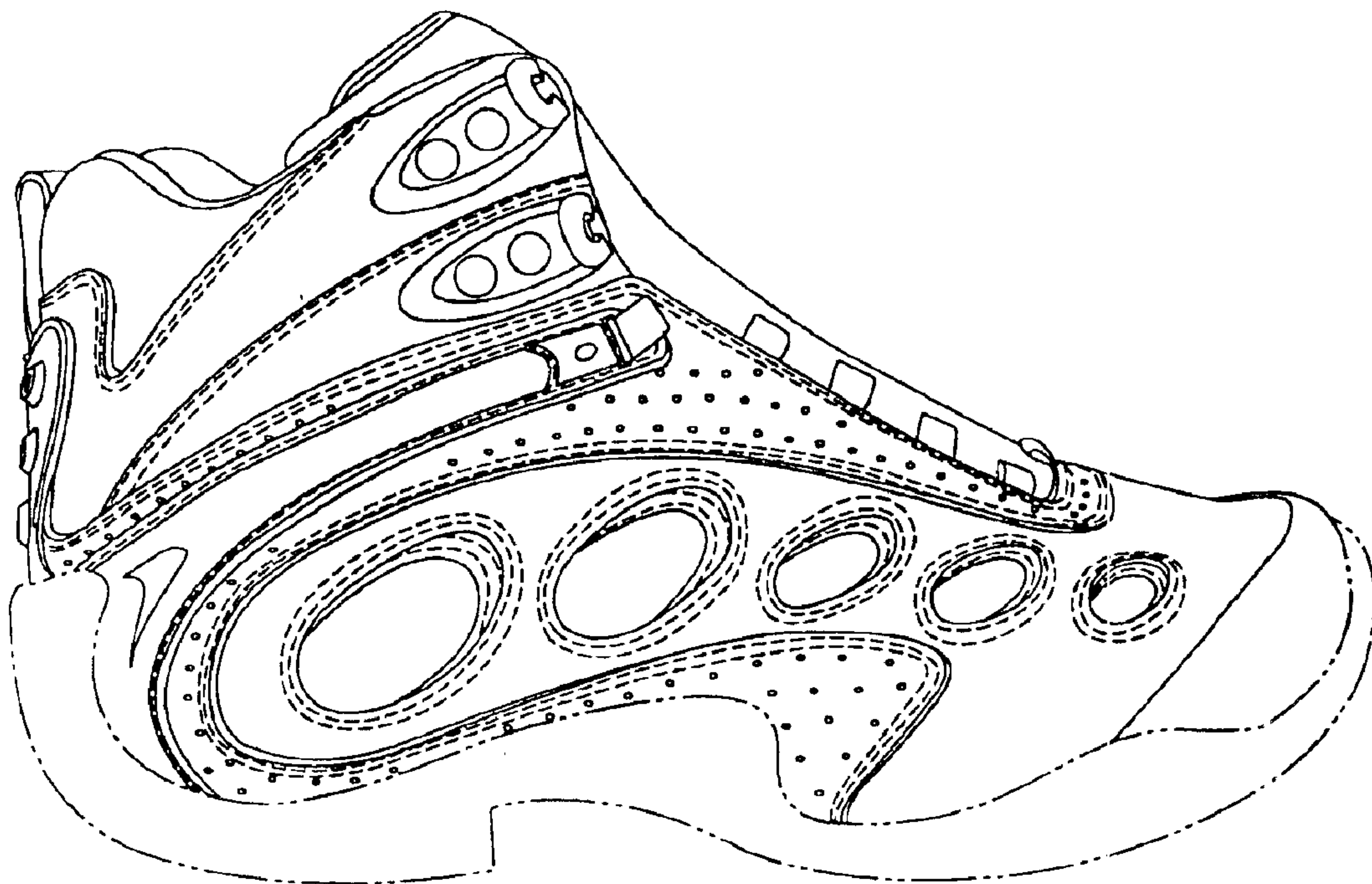


Fig. 4

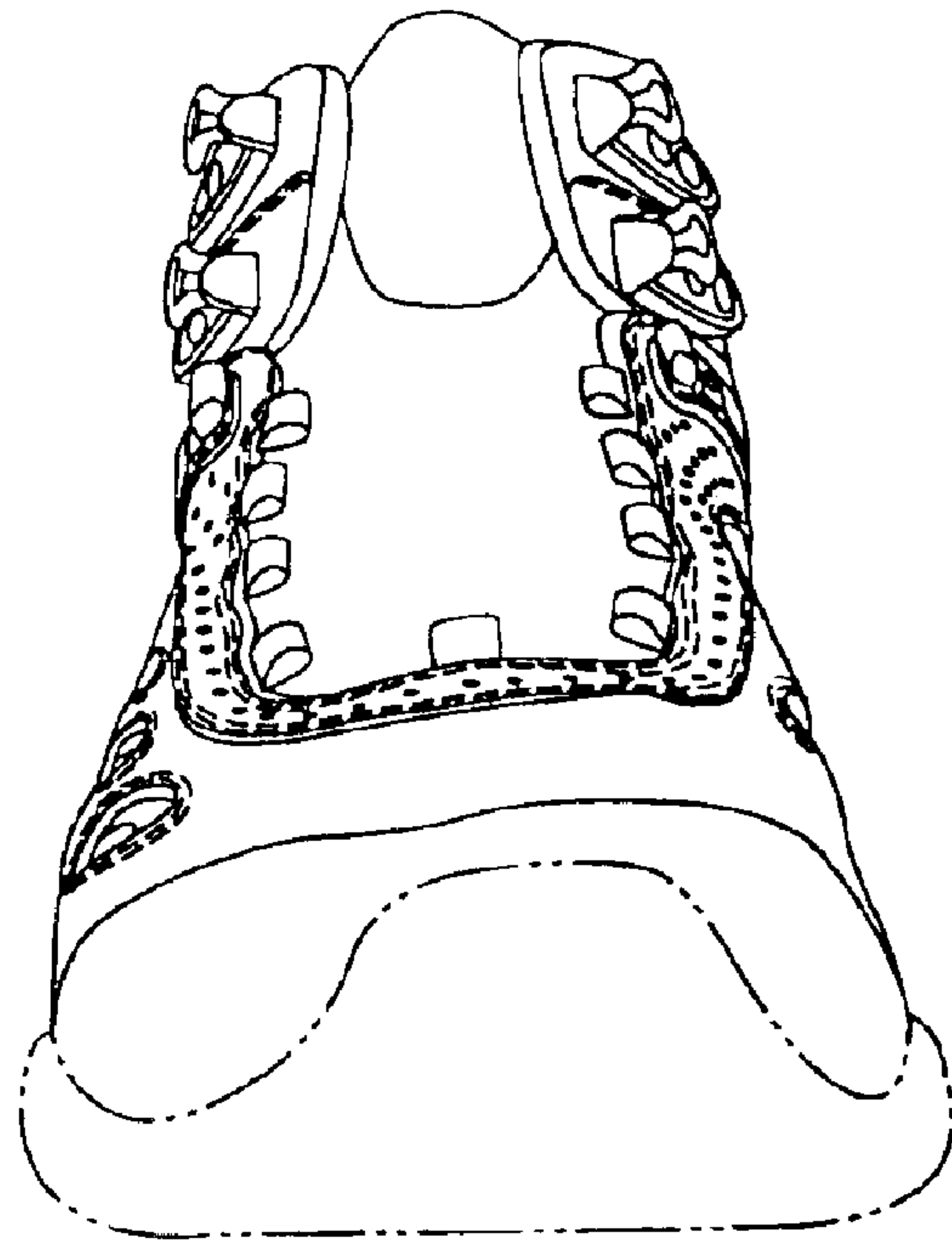


Fig. 5

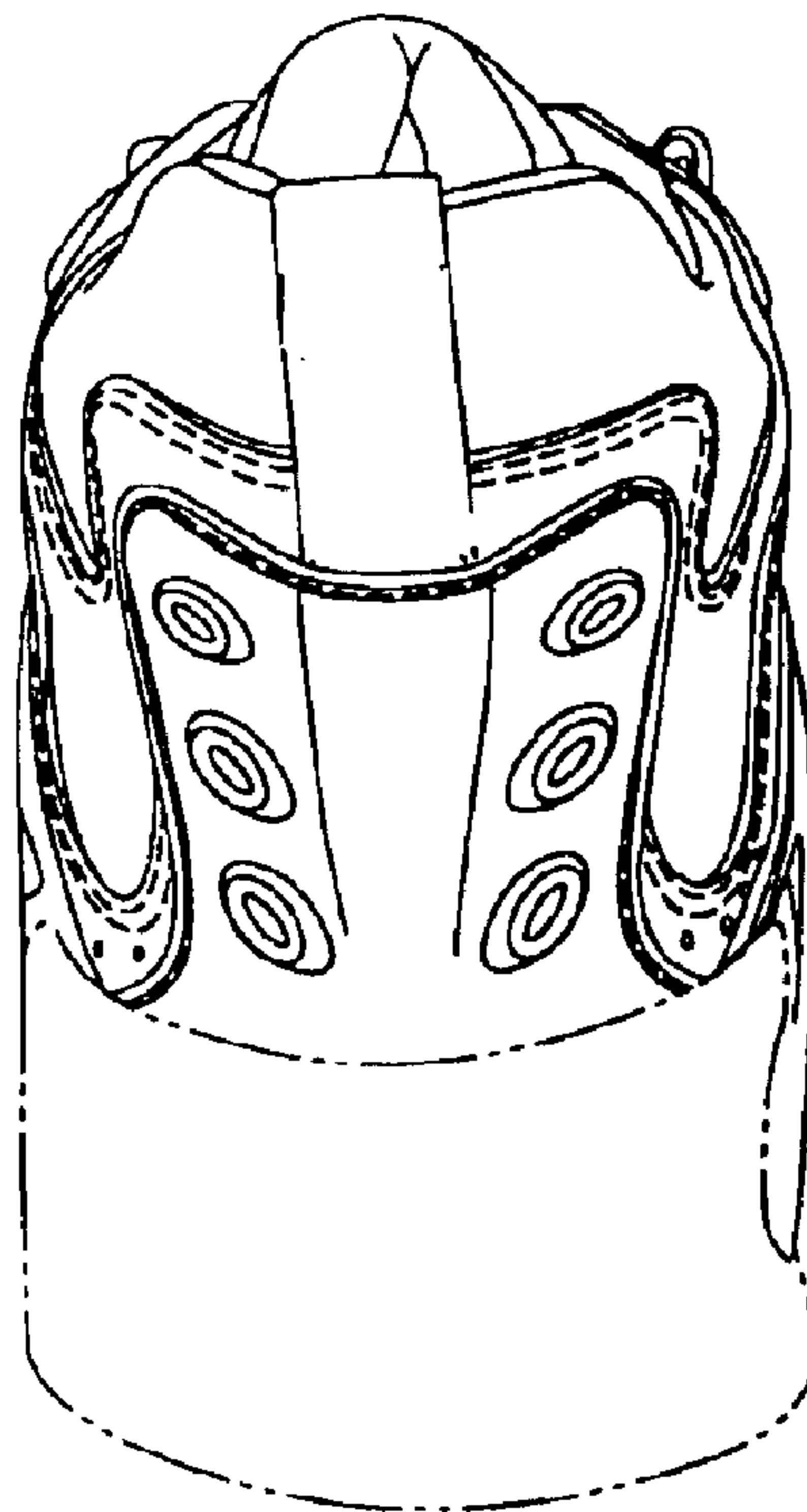


Fig. 6