



US00D528758S

(12) **United States Design Patent** (10) **Patent No.:** **US D528,758 S**
Keen (45) **Date of Patent:** **** Sep. 26, 2006**

(54) **SHOE UPPER WITH LACING**
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(73) Assignee: **The Timberland Company**, Stratham, NH (US)
(**) Term: **14 Years**

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(57) **CLAIM**

The ornamental design for shoe upper with lacing, as shown and described.

(21) Appl. No.: **29/251,788**
(22) Filed: **Jan. 12, 2006**

DESCRIPTION

Related U.S. Application Data

(62) Division of application No. 11/182,970, filed on Jul. 15, 2005.
(51) **LOC (8) Cl.** **02-99**
(52) **U.S. Cl.** **D2/969; D2/916**
(58) **Field of Classification Search** D2/896,
D2/916, 903, 907, 908, 943, 944, 969, 972-974;
36/7.3, 48.1, 11.5
See application file for complete search history.

FIG. 1 is a perspective view of a shoe upper with lacing in accordance with a first embodiment of the present invention including a pair of coverings on the toe cap;
FIG. 2 is a right side elevational view of the shoe upper with lacing of FIG. 1;
FIG. 3 is a left side elevational view of the shoe upper with lacing of FIG. 1;
FIG. 4 is a top plan view of the shoe upper with lacing of FIG. 1;
FIG. 5 is a front elevational view of the shoe upper with lacing of FIG. 1;
FIG. 6 is a rear elevational view of the shoe upper with lacing of FIG. 1;
FIG. 7 is a perspective view of a shoe upper with lacing in accordance with a second embodiment of the present invention including a pair of openings on the toe cap, the rear elevational view of this embodiment being the same as FIG. 6 of the first embodiment;
FIG. 8 is a right side elevational view of the shoe upper with lacing of FIG. 7;
FIG. 9 is a left side elevational view of the shoe upper with lacing of FIG. 7;
FIG. 10 is a top plan view of the shoe upper with lacing of FIG. 7; and,
FIG. 11 is a front elevational view of the shoe upper with lacing of FIG. 7.

The appearance of the air holes on the pair of coverings of the toe cap as shown in FIGS. 1-5; the lace end keeper as shown in FIGS. 1-2, 4, 7-8 and 10; the lace pull and the lace locking mechanism as shown in FIGS. 1-11; and the outsole as shown in FIGS. 1-3, 5-9 and 11 are presented in broken line format and form no part of the claimed invention.

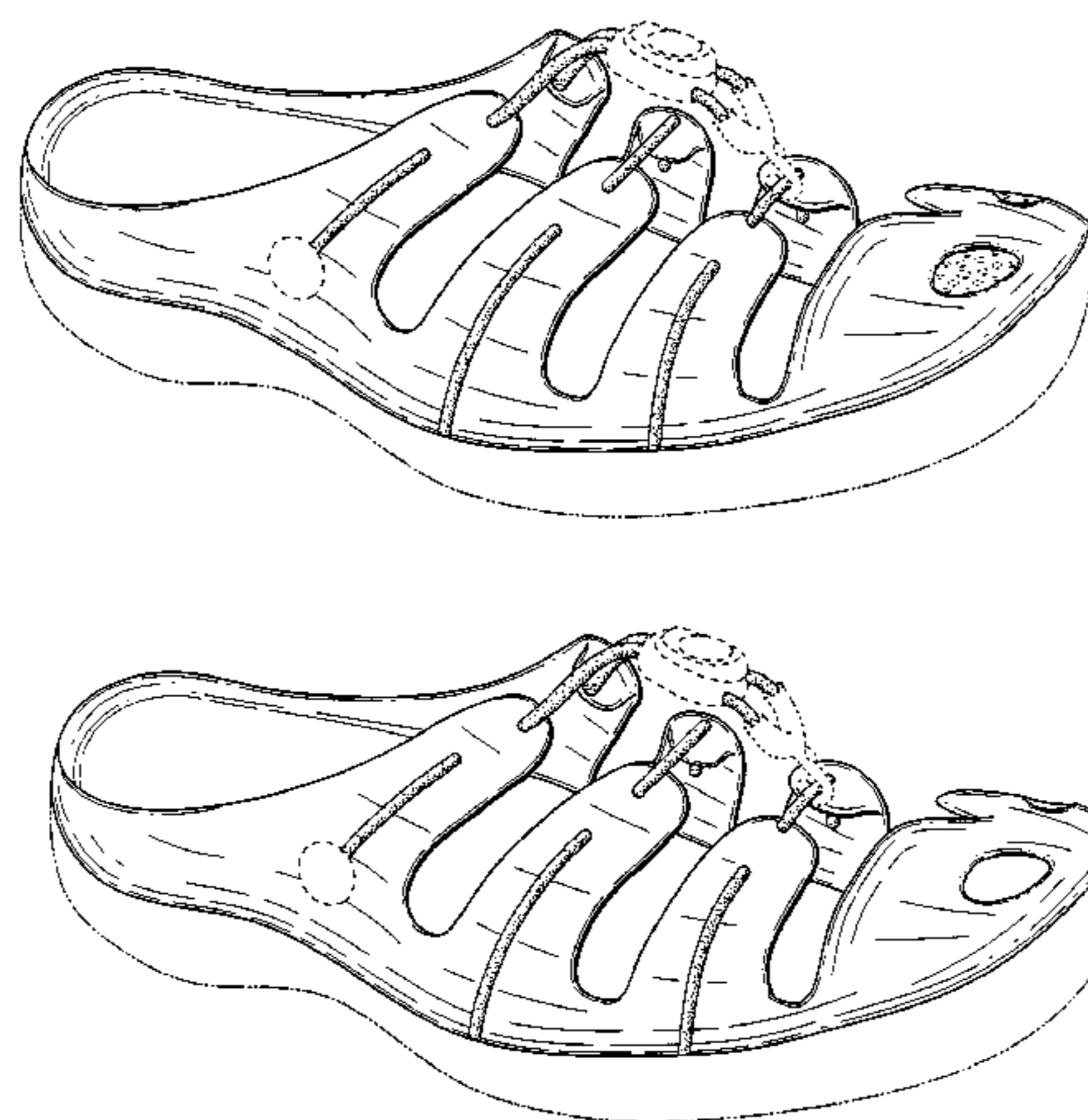
(56) **References Cited**

U.S. PATENT DOCUMENTS

D35,490 S	*	12/1901	Hatheway	.....	D2/916
D37,359 S	*	2/1905	Borchardt	.....	D2/916
1,386,684 A	*	8/1921	Bradford	.....	36/11.5
2,169,337 A		8/1939	Davis		
D135,155 S	*	3/1943	Huff	.....	D2/916
2,496,782 A		2/1950	Engel		
D158,653 S	*	5/1950	Fenlason	.....	D2/916
D163,359 S	*	5/1951	Braun	.....	D2/916
D163,615 S	*	6/1951	Laughlin	.....	D2/916
3,002,297 A	*	10/1961	Neilson	.....	36/11.5
4,107,857 A		8/1978	Devlin		
4,294,023 A		10/1981	Banford		
4,619,058 A		10/1986	Gumbert		
4,942,678 A		7/1990	Gumbert		
5,651,195 A		7/1997	Clancy		
D406,688 S		3/1999	Winters et al.		
6,052,921 A		4/2000	Oreck		

(Continued)

1 Claim, 7 Drawing Sheets



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U.S. PATENT DOCUMENTS

D433,220 S	*	11/2000	Fogg	D2/972	D515,299 S	*	2/2006	Burg	D2/969
D475,180 S		6/2003	Cosentino			D517,302 S	*	3/2006	Ardissono	.....	D2/969
6,701,644 B1		3/2004	Oorei et al.			2003/0182820 A1		10/2003	Fuerst et al.		
D505,250 S	*	5/2005	Adams et al.	.....	D2/969	2004/0128863 A1		7/2004	Hong et al.		
D511,883 S	*	11/2005	Matis	.....	D2/969	2005/0060914 A1		3/2005	Fuerst		
D513,838 S	*	1/2006	Birkenstock	.....	D2/916	2005/0274040 A1		12/2005	Fuerst		
D514,294 S	*	2/2006	Matis	.....	D2/969						

* cited by examiner

FIG. 1

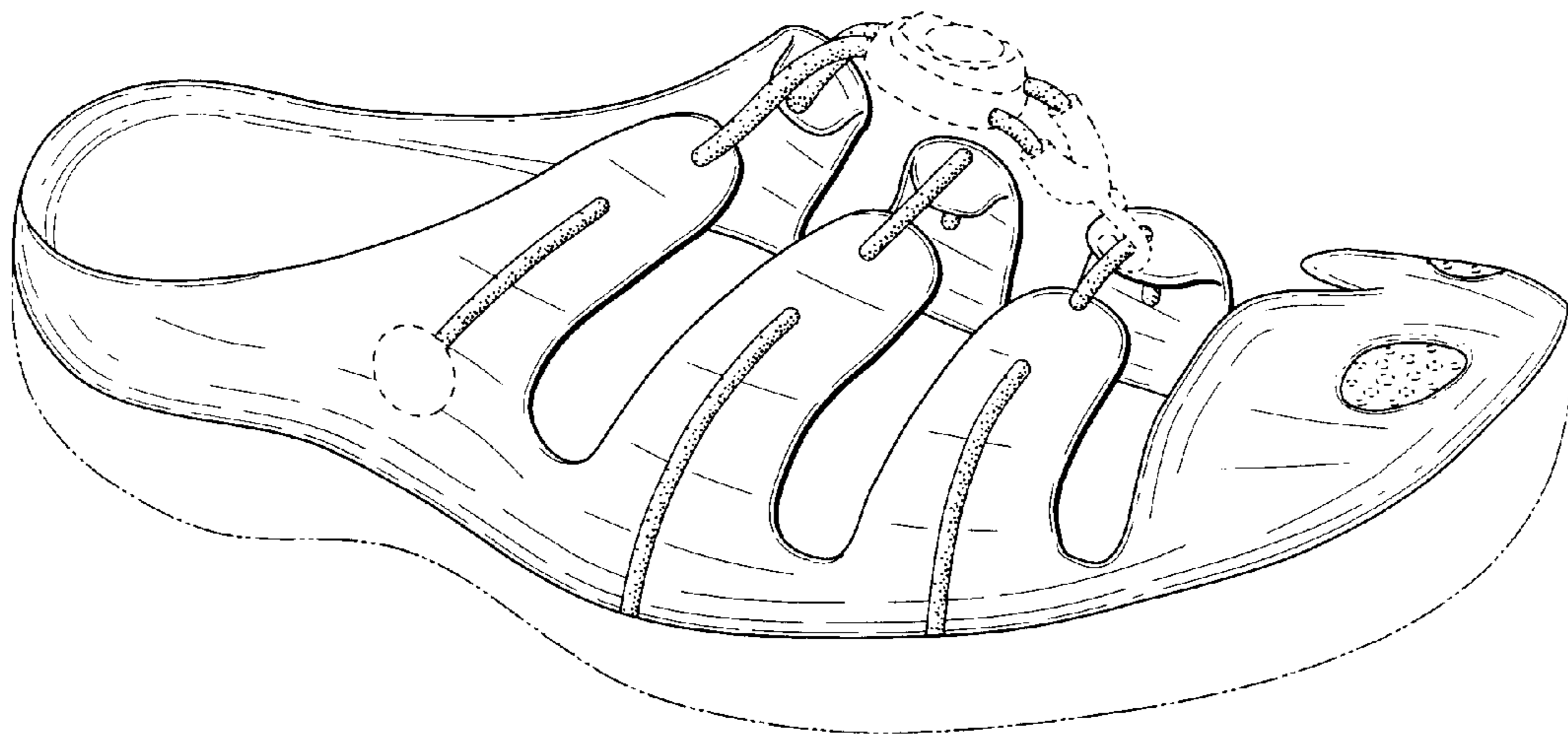


FIG. 2

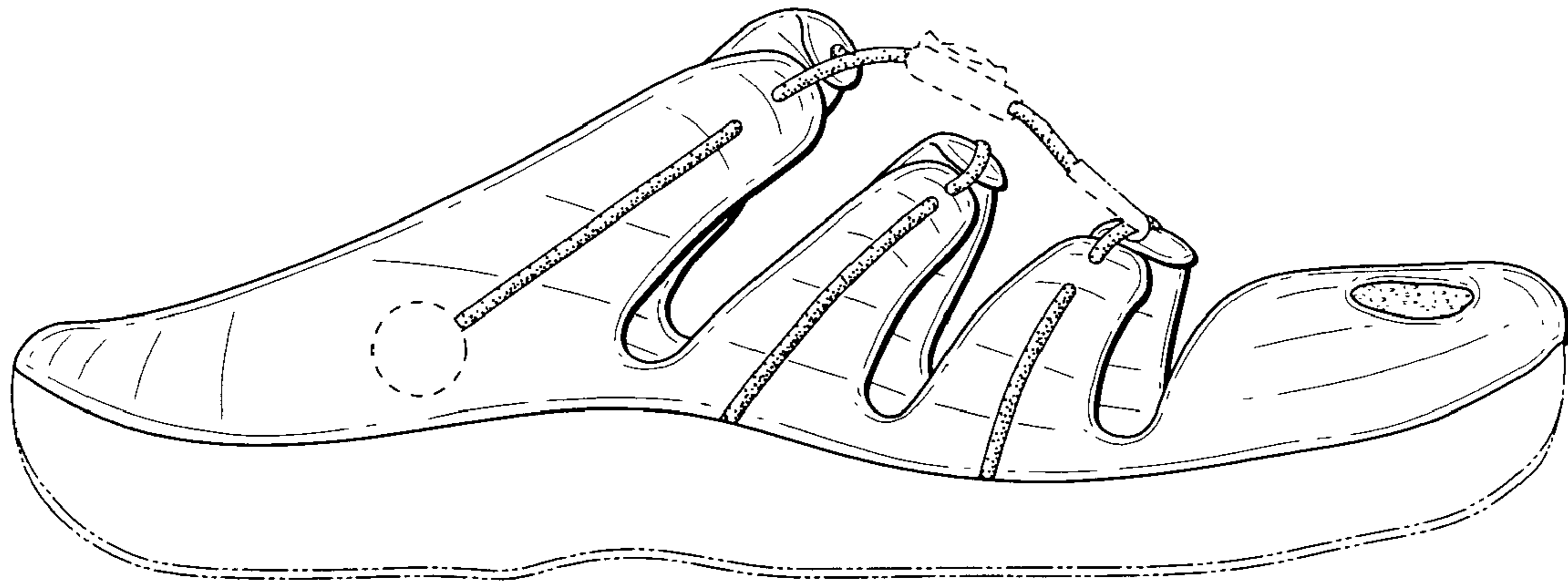


FIG. 3

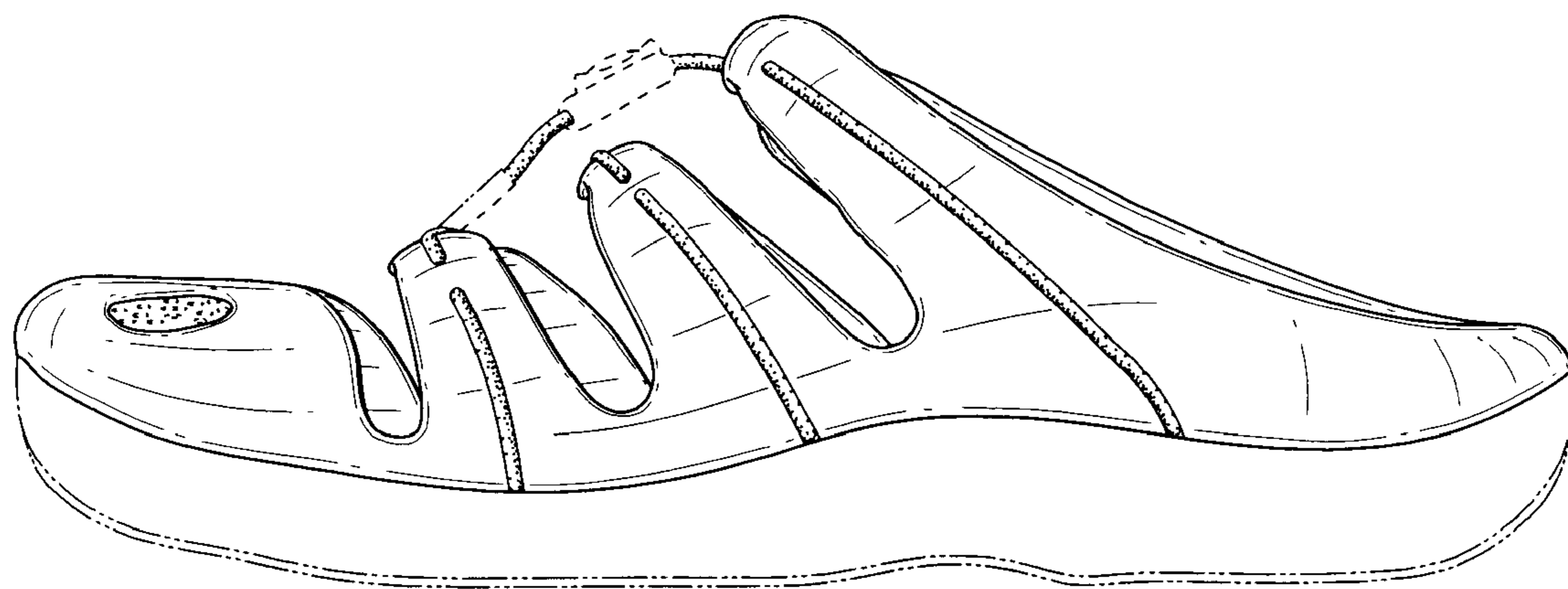


FIG. 4

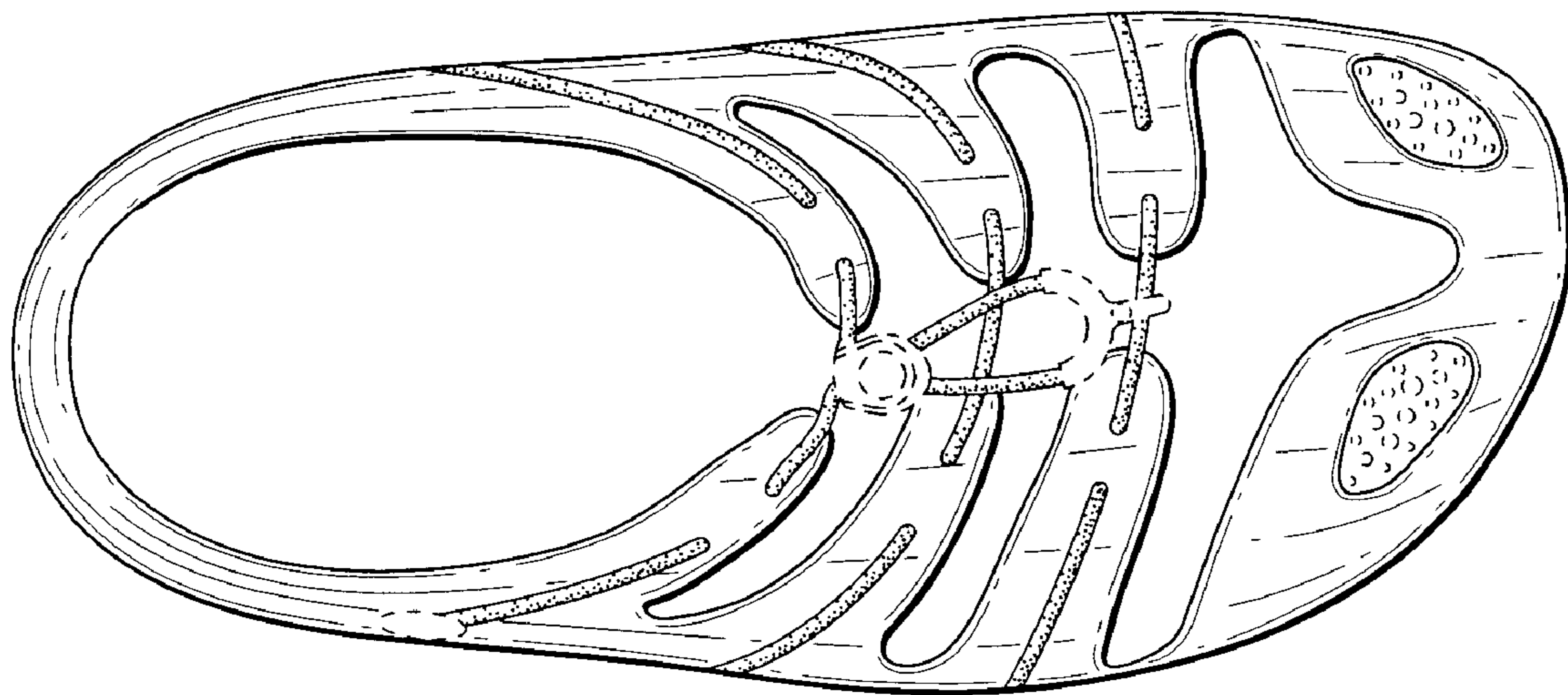


FIG. 5

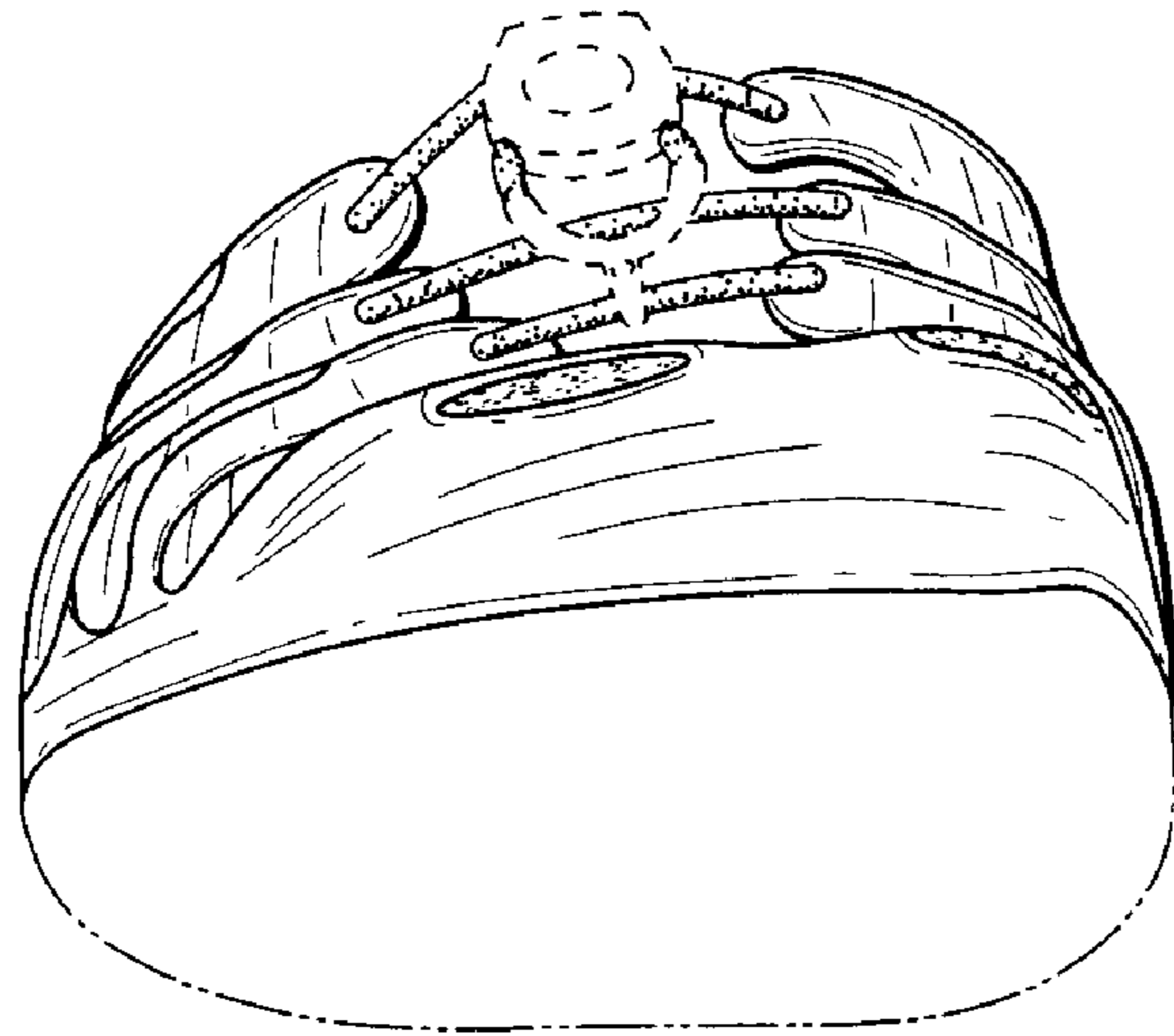


FIG. 6

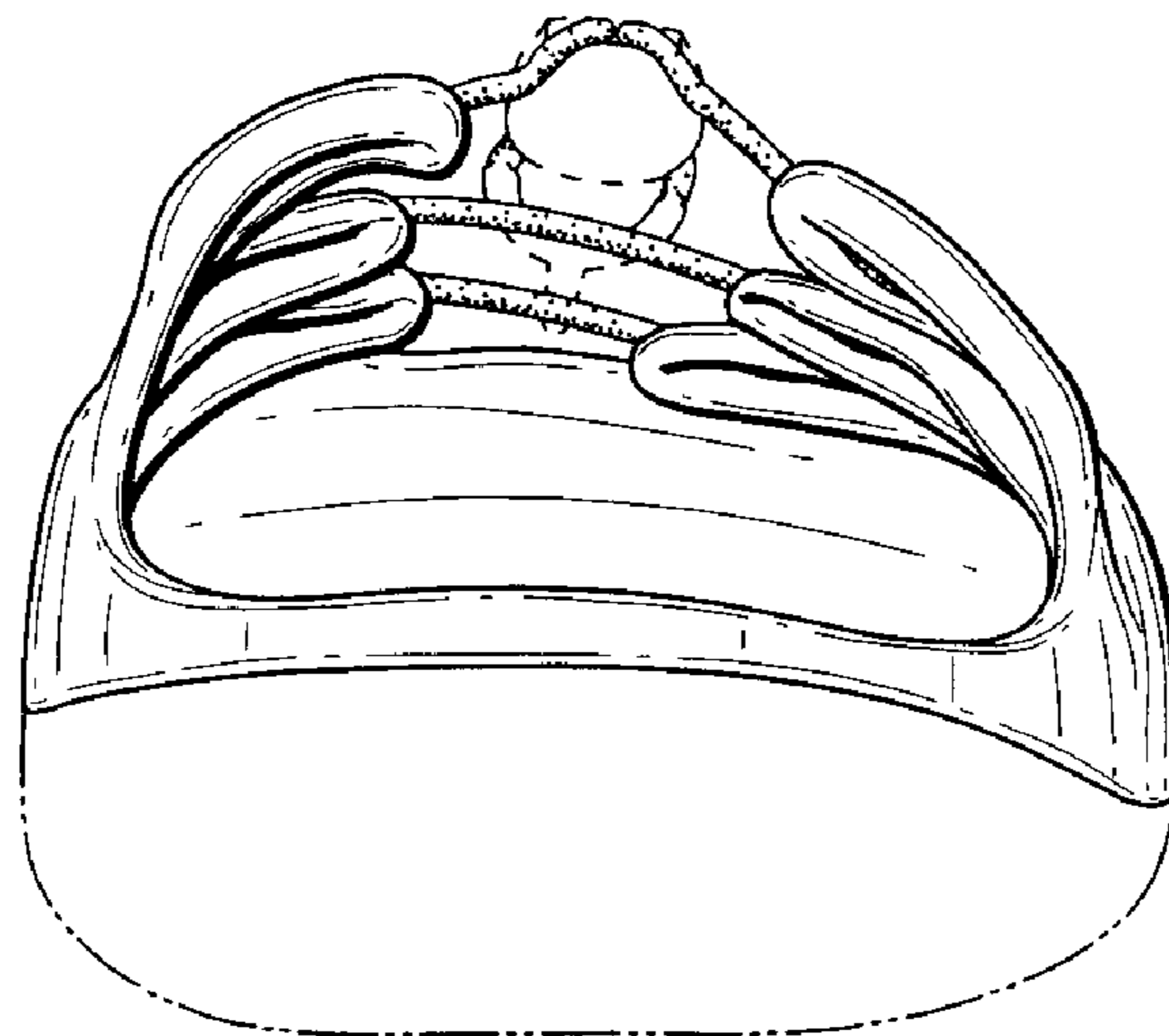


FIG. 7

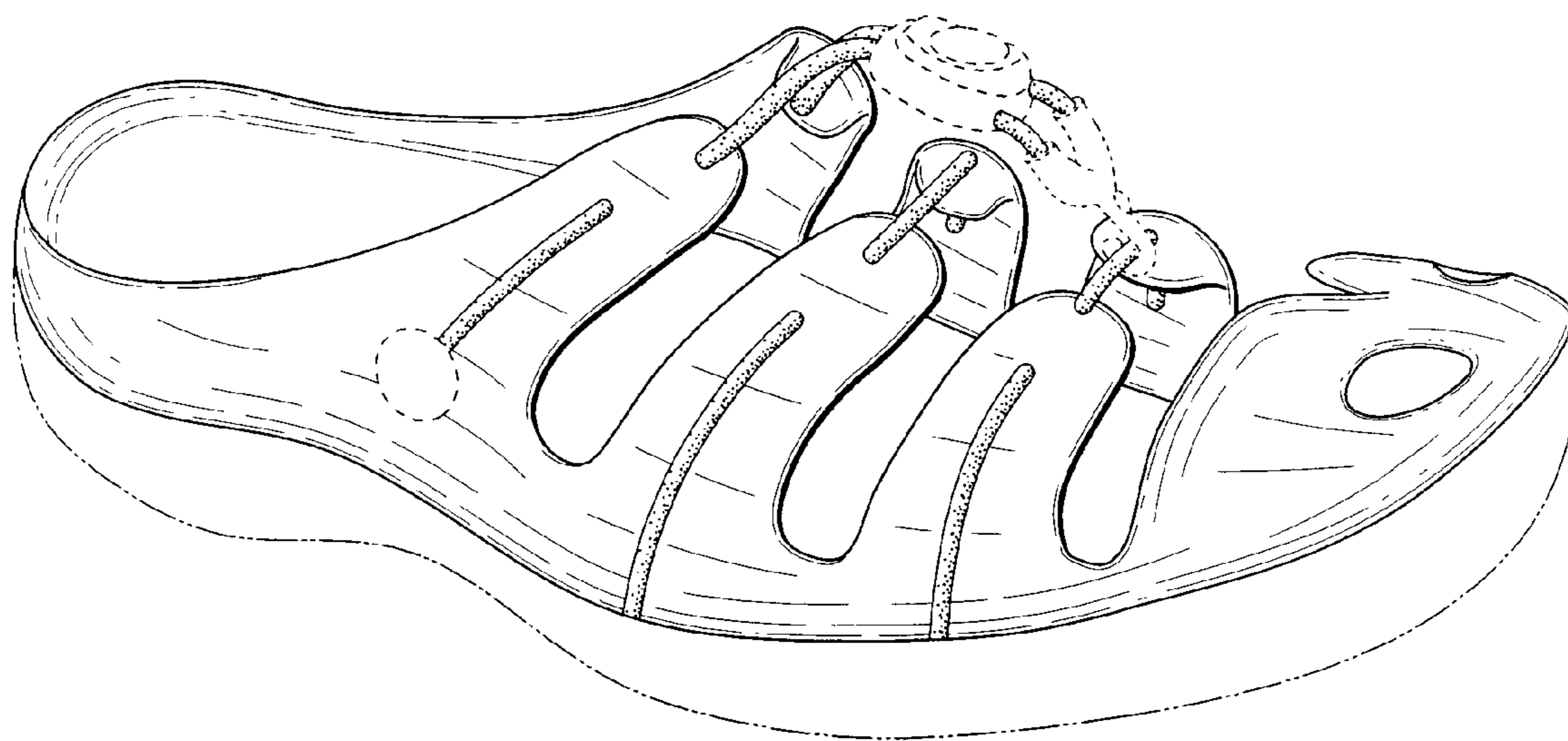


FIG. 8

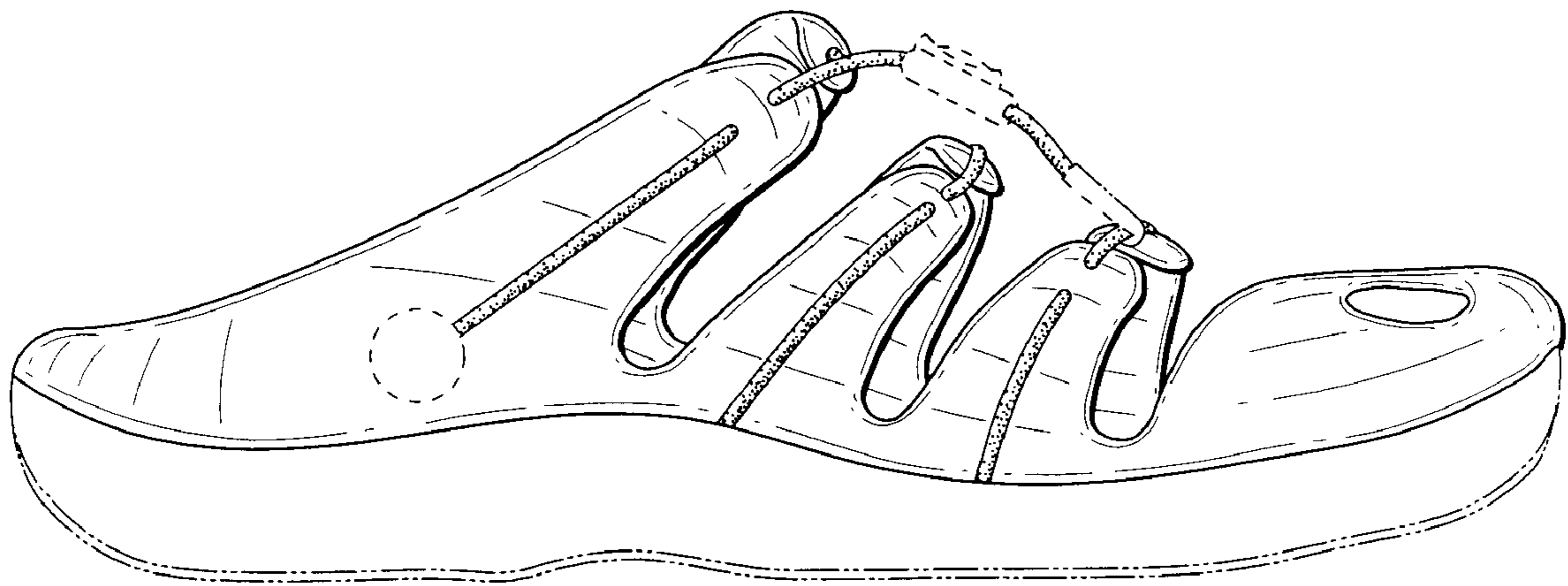


FIG. 9

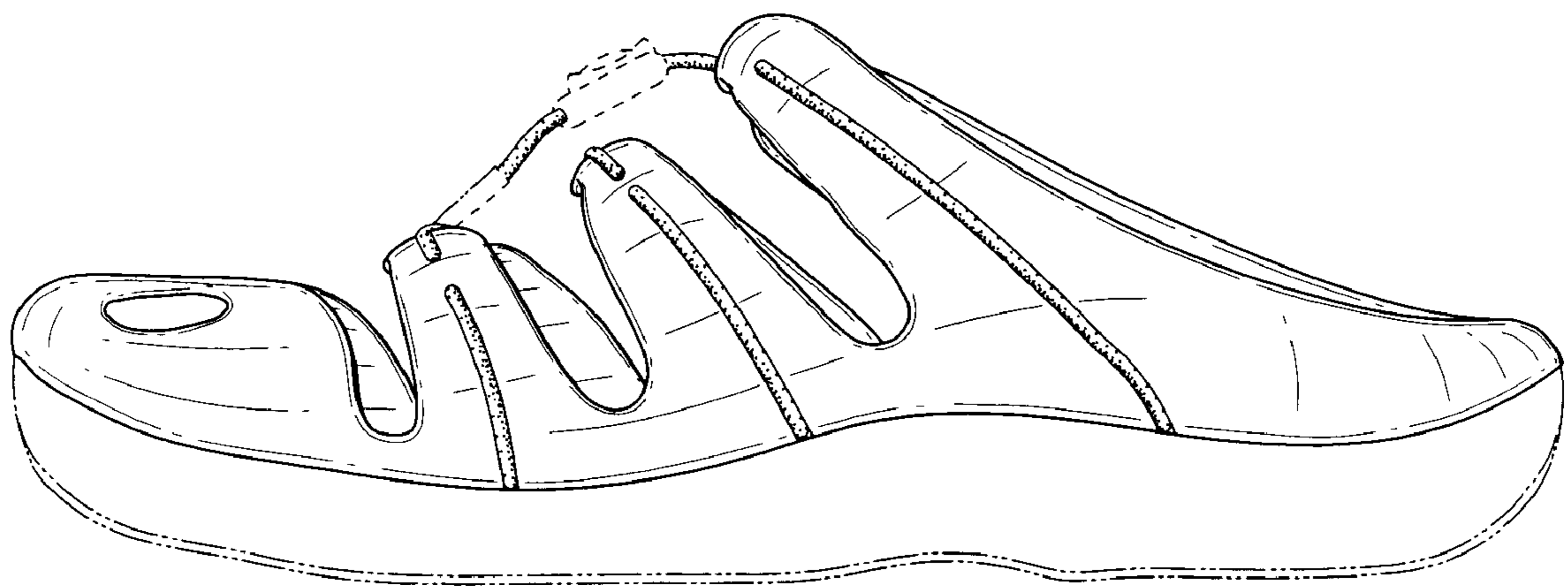


FIG. 10

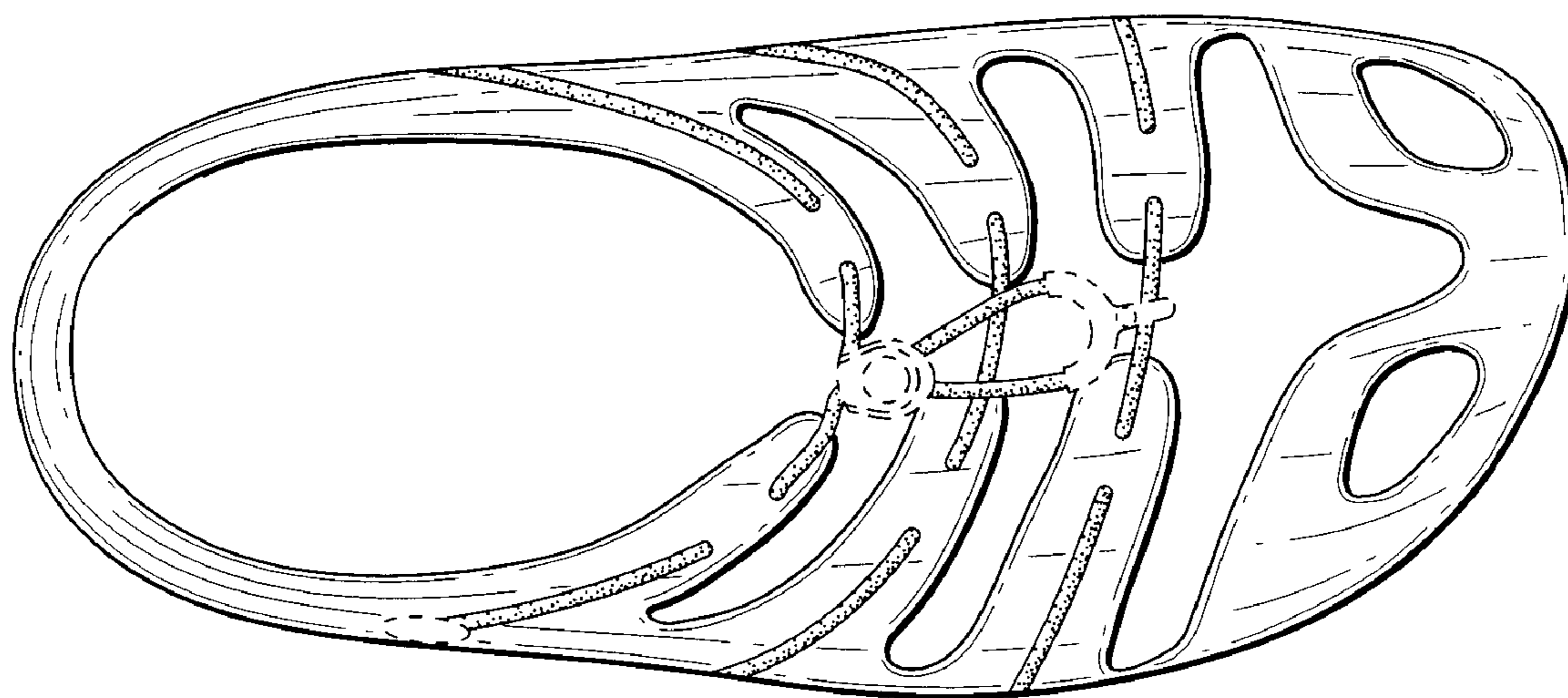


FIG. 11

