



US00D533337S

(12) **United States Design Patent** (10) **Patent No.:** **US D533,337 S**
Keen (45) **Date of Patent:** **** Dec. 12, 2006**

(54) **SHOE UPPER WITH LACING**
(75) Inventor: **Martin Keen**, Jamestown, RI (US)
(73) Assignee: **The Tiberland Company**, Stratham, NH (US)
(**) Term: **14 Years**

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(74) *Attorney, Agent, or Firm*—Lerner, David, Littenberg, Krumholz & Mentlik, LLP

(21) Appl. No.: **29/251,732**
(22) Filed: **Jan. 12, 2006**

(57) **CLAIM**
The ornamental design for shoe upper with lacing, as shown and described.

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, 4, 8.1, 11.5
See application file for complete search history.

DESCRIPTION

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 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.

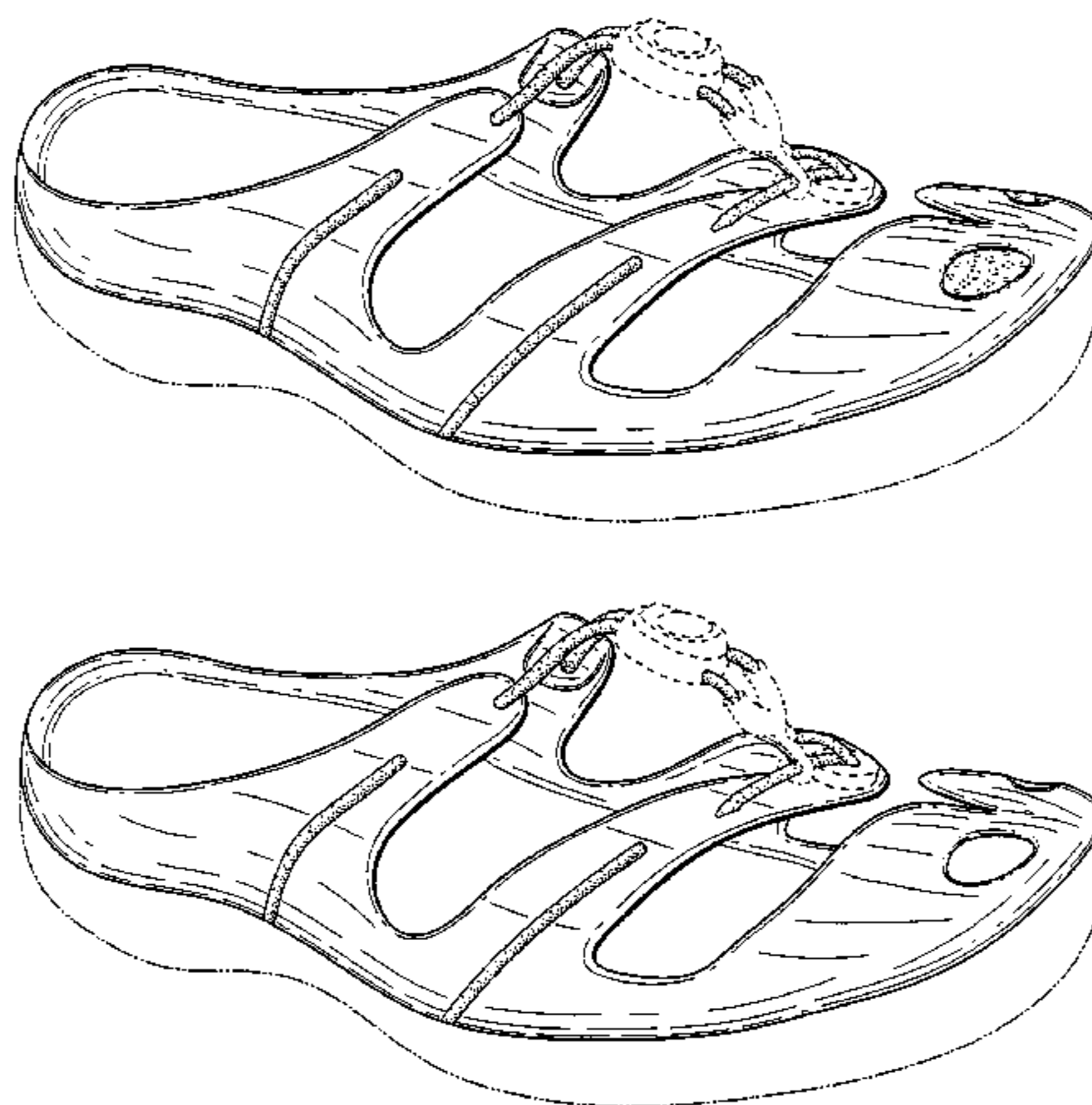
(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | | | |
|-------------|---|---------|----------------|-------|---------|
| D35,490 S | * | 12/1901 | Hatheway | | D2/916 |
| D37,359 S | * | 2/1905 | Borchardt | | D2/916 |
| 1,386,694 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

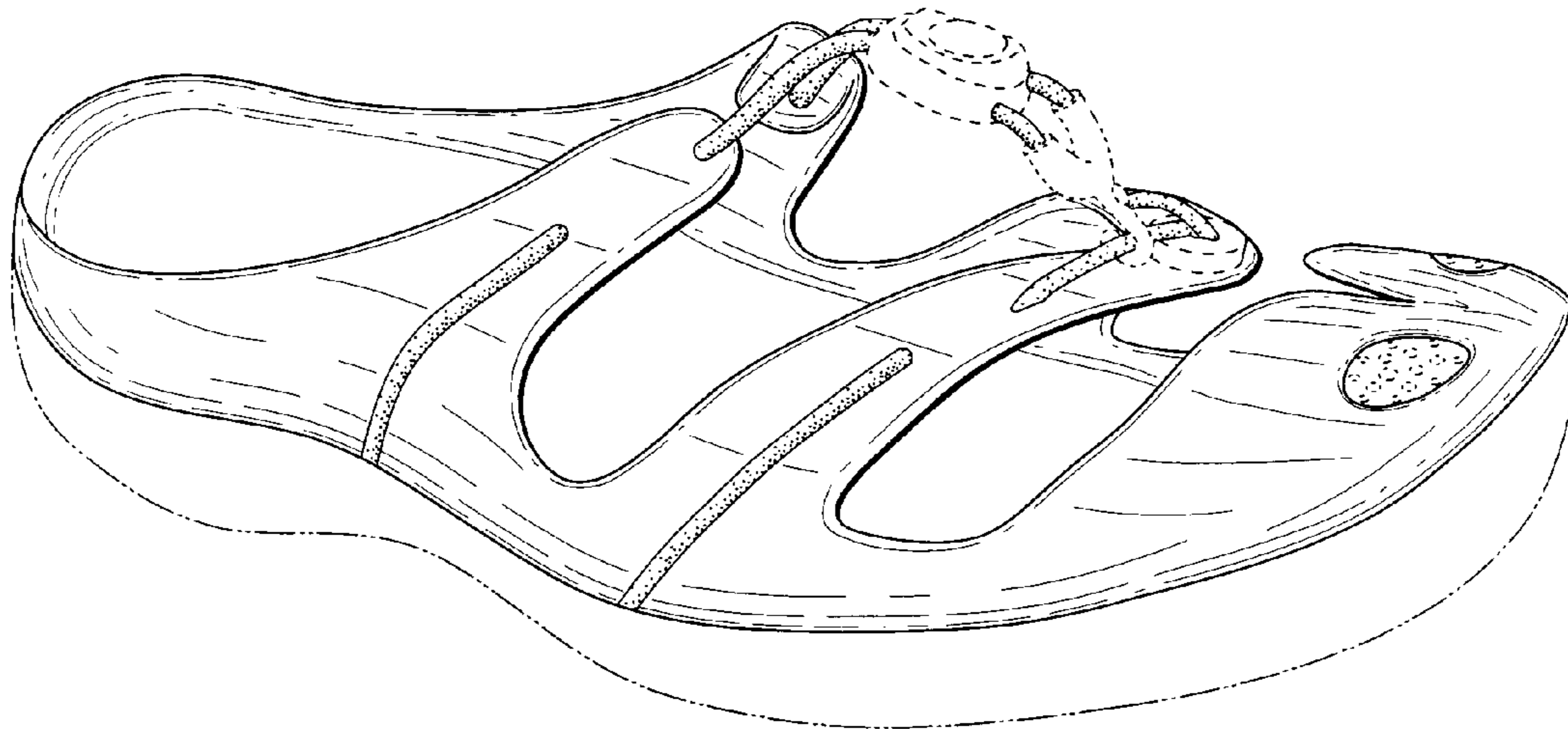


FIG. 2

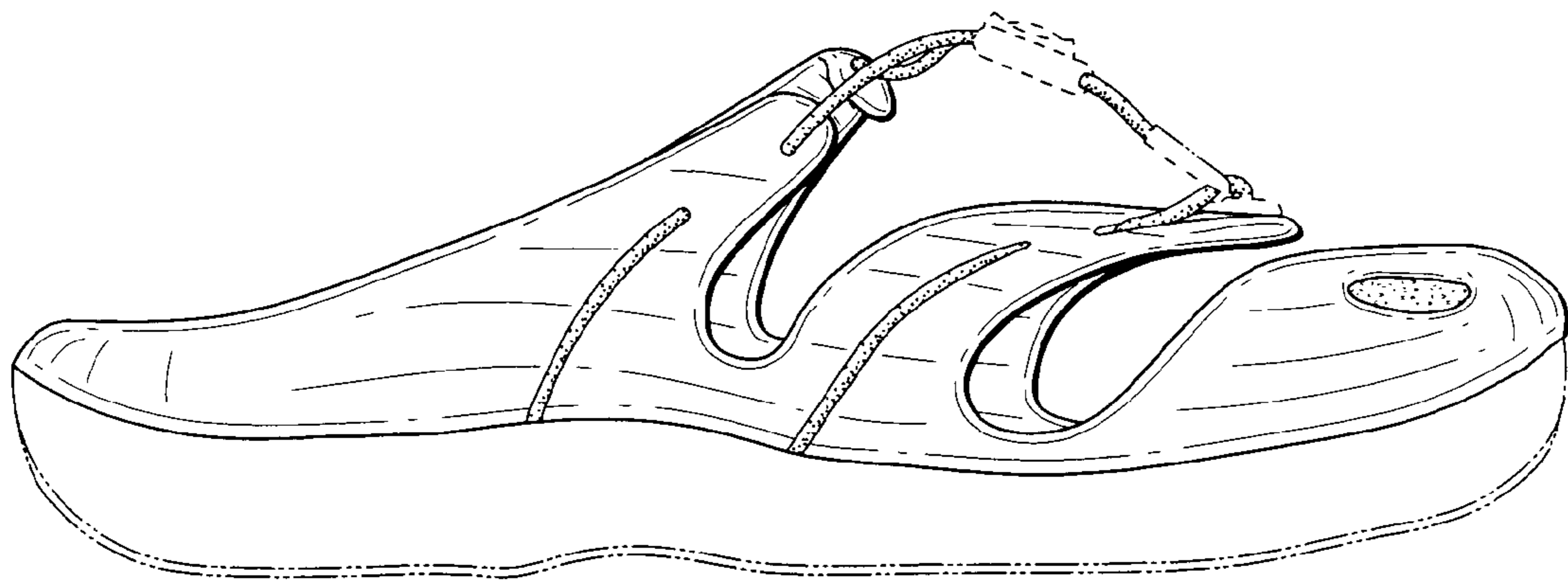


FIG. 3

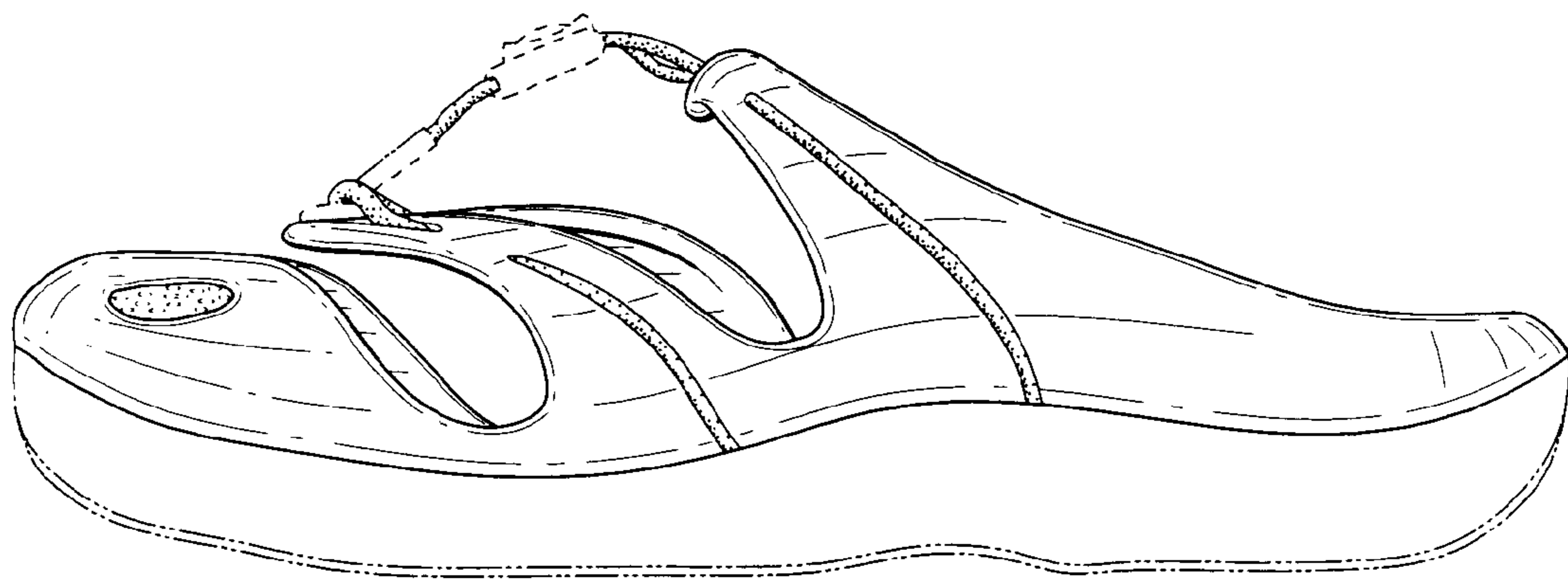


FIG. 4

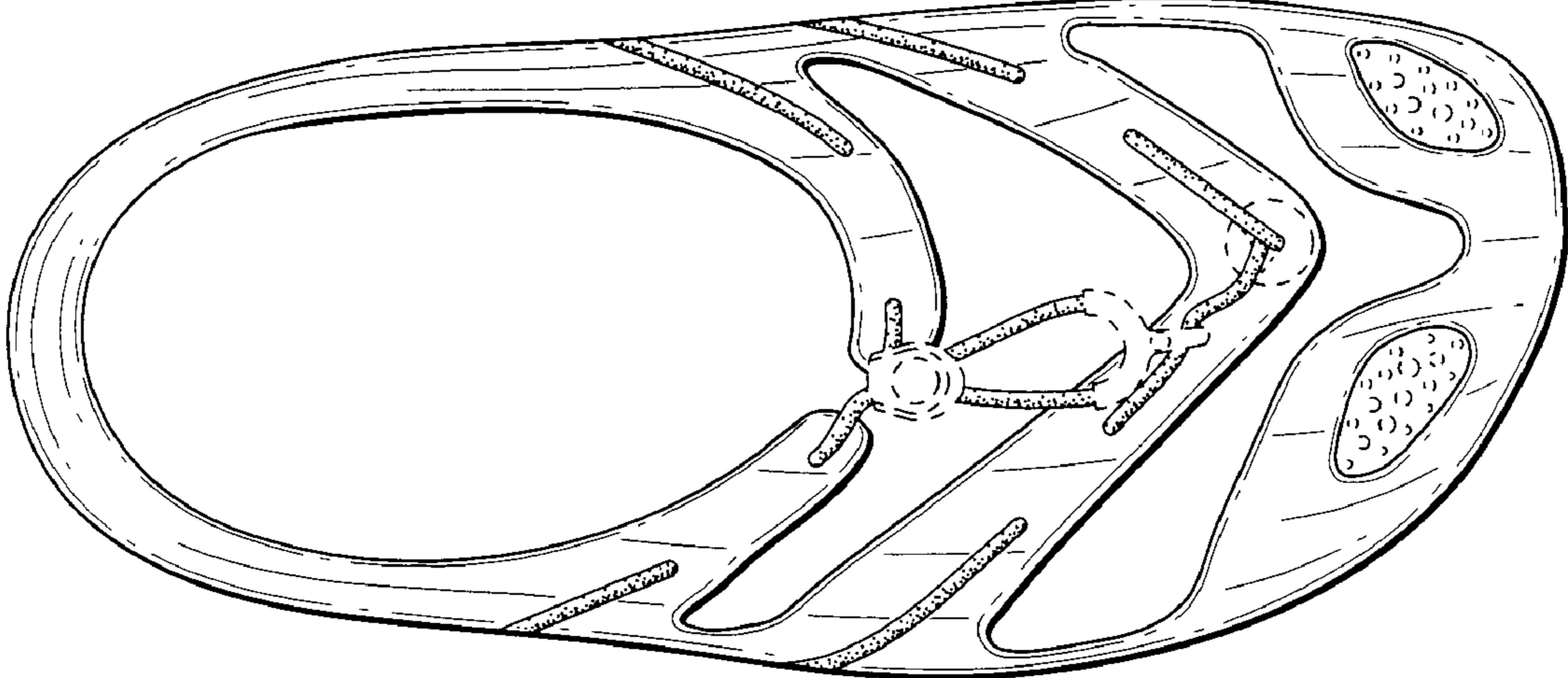


FIG. 5

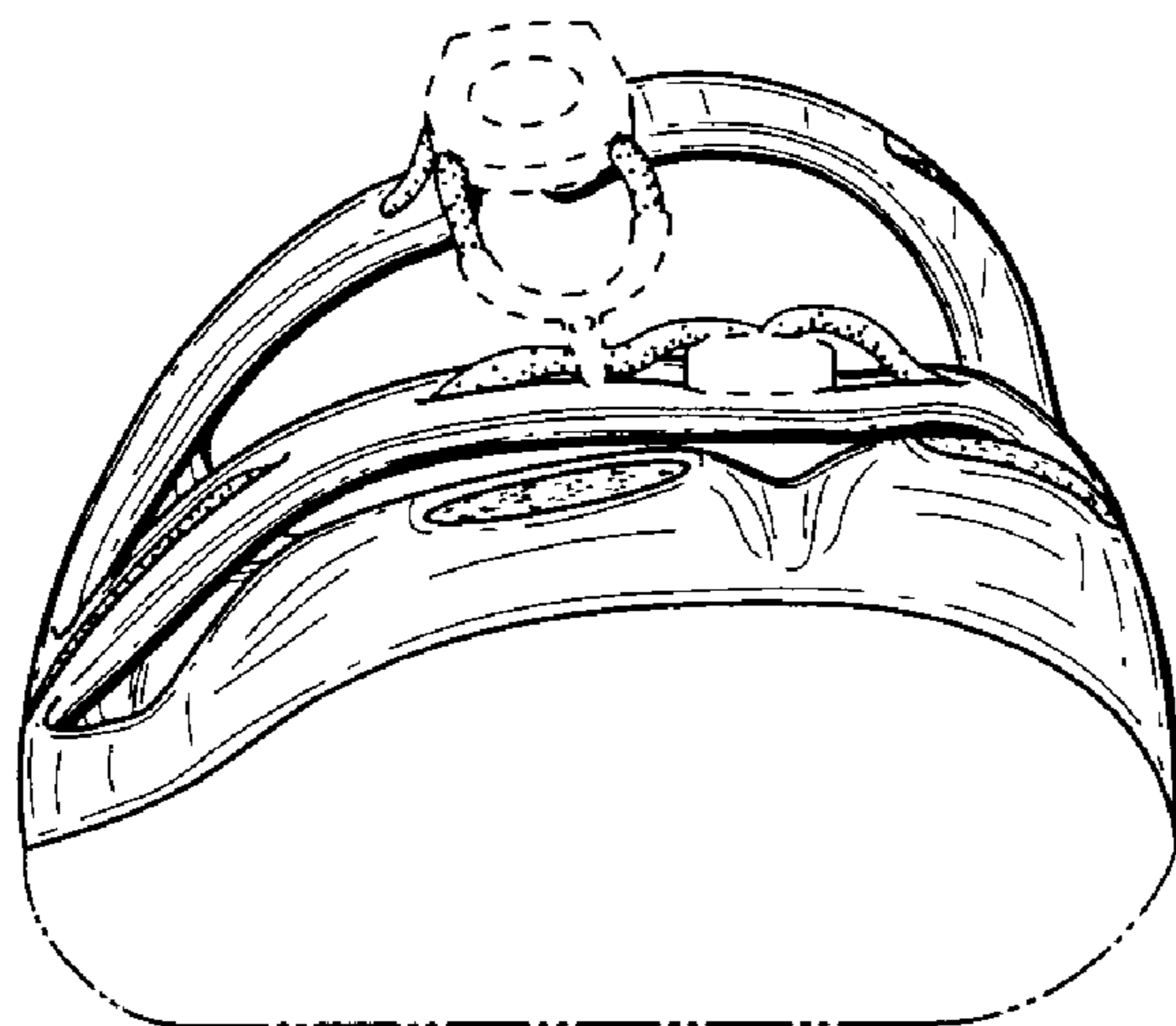


FIG. 6

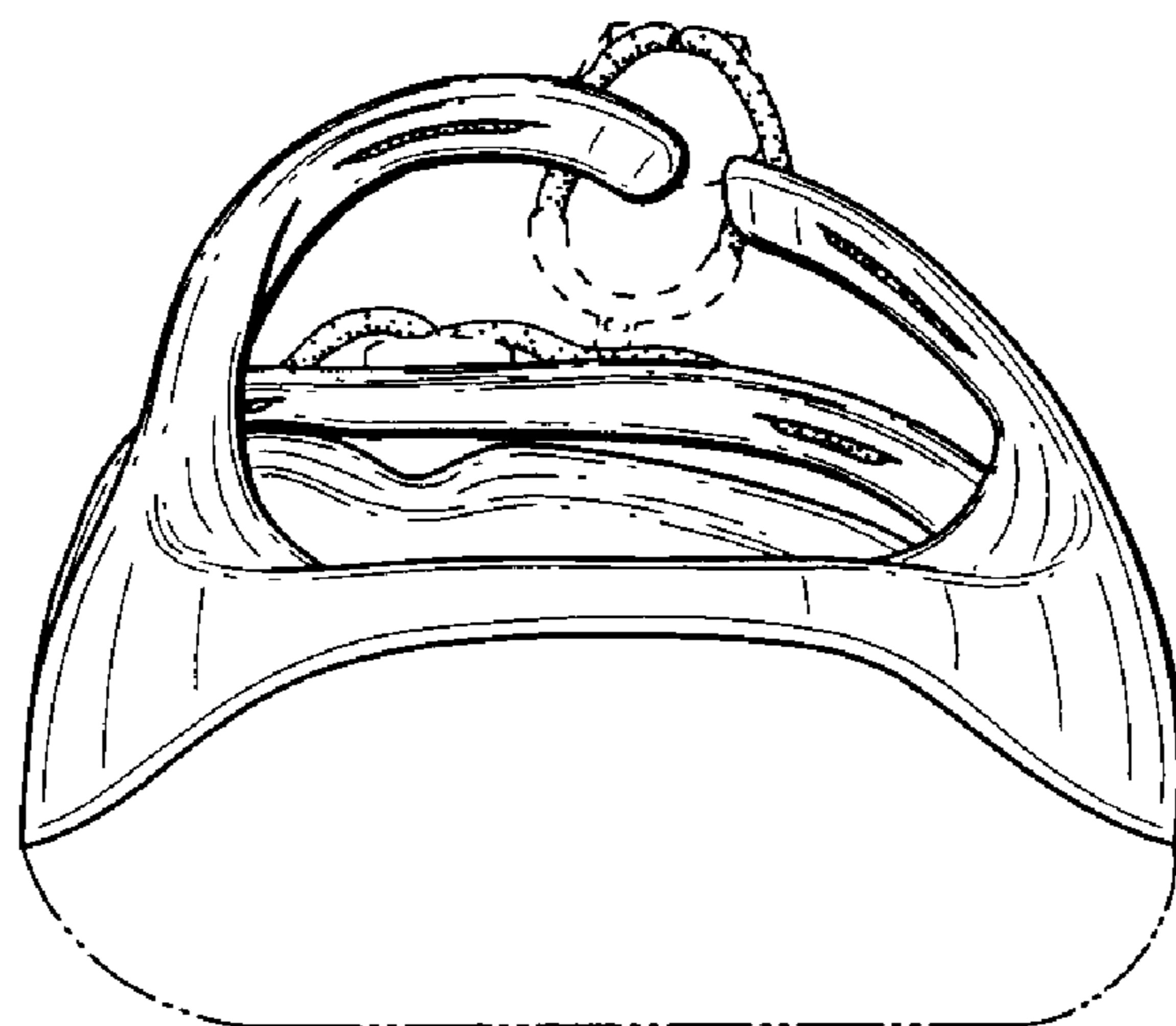


FIG. 7

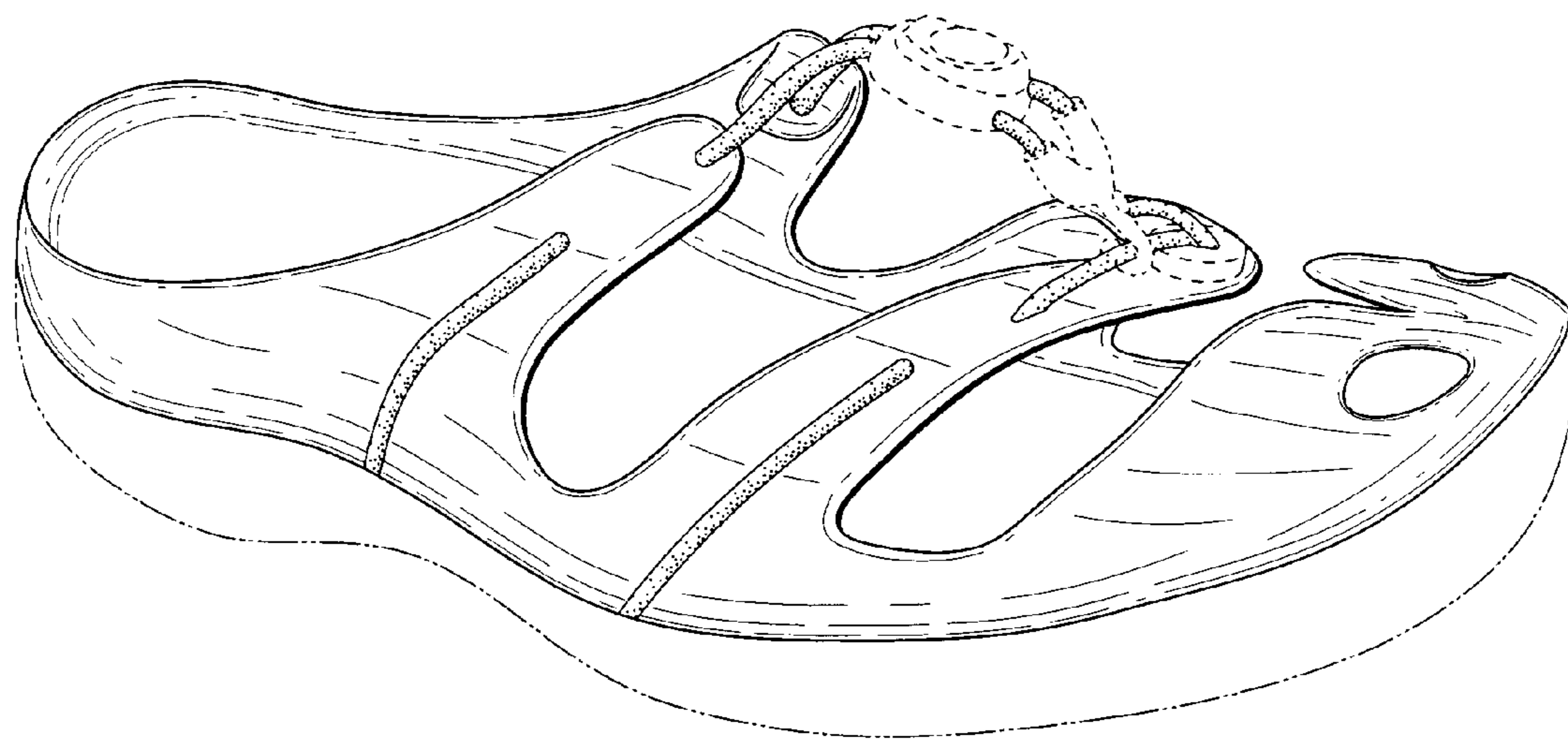


FIG. 8

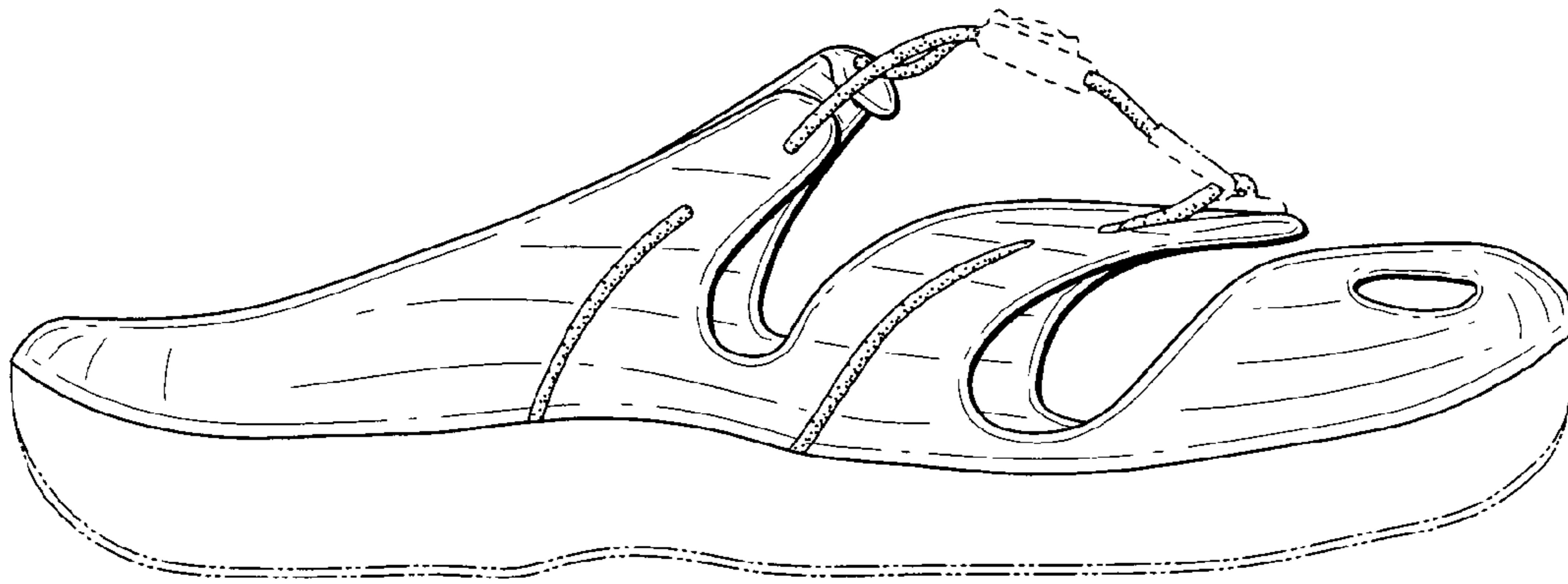


FIG. 9

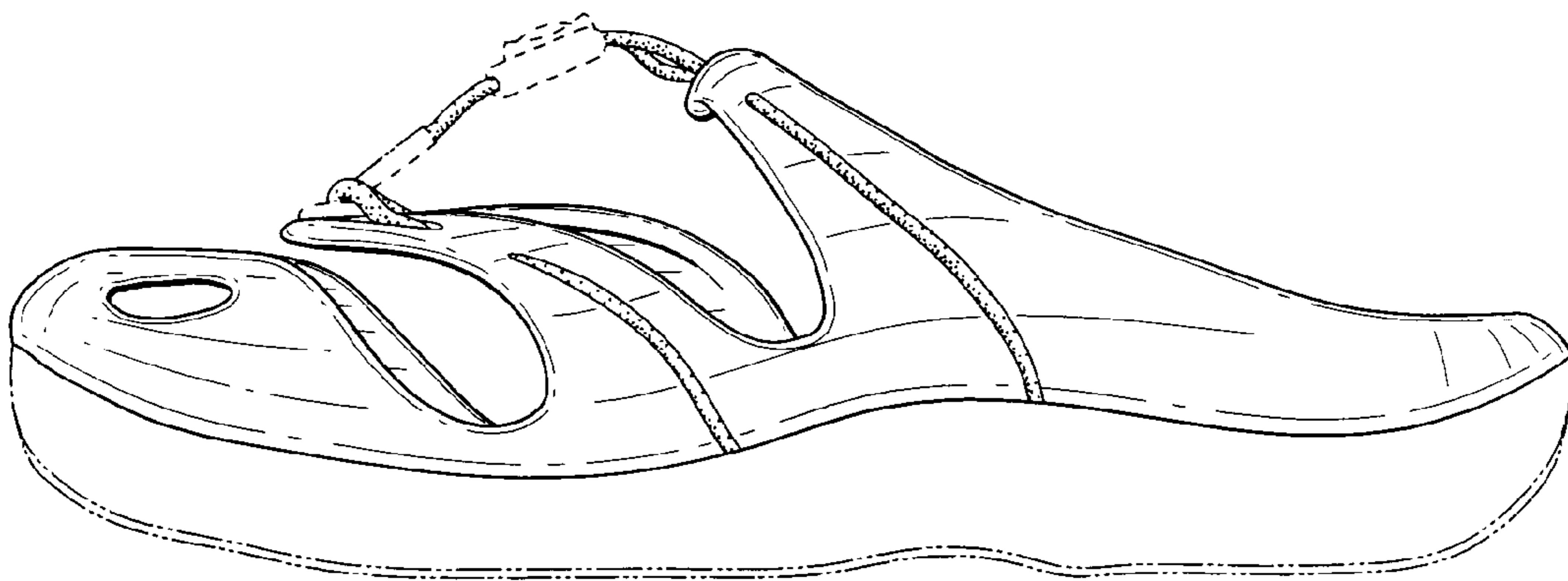


FIG. 10

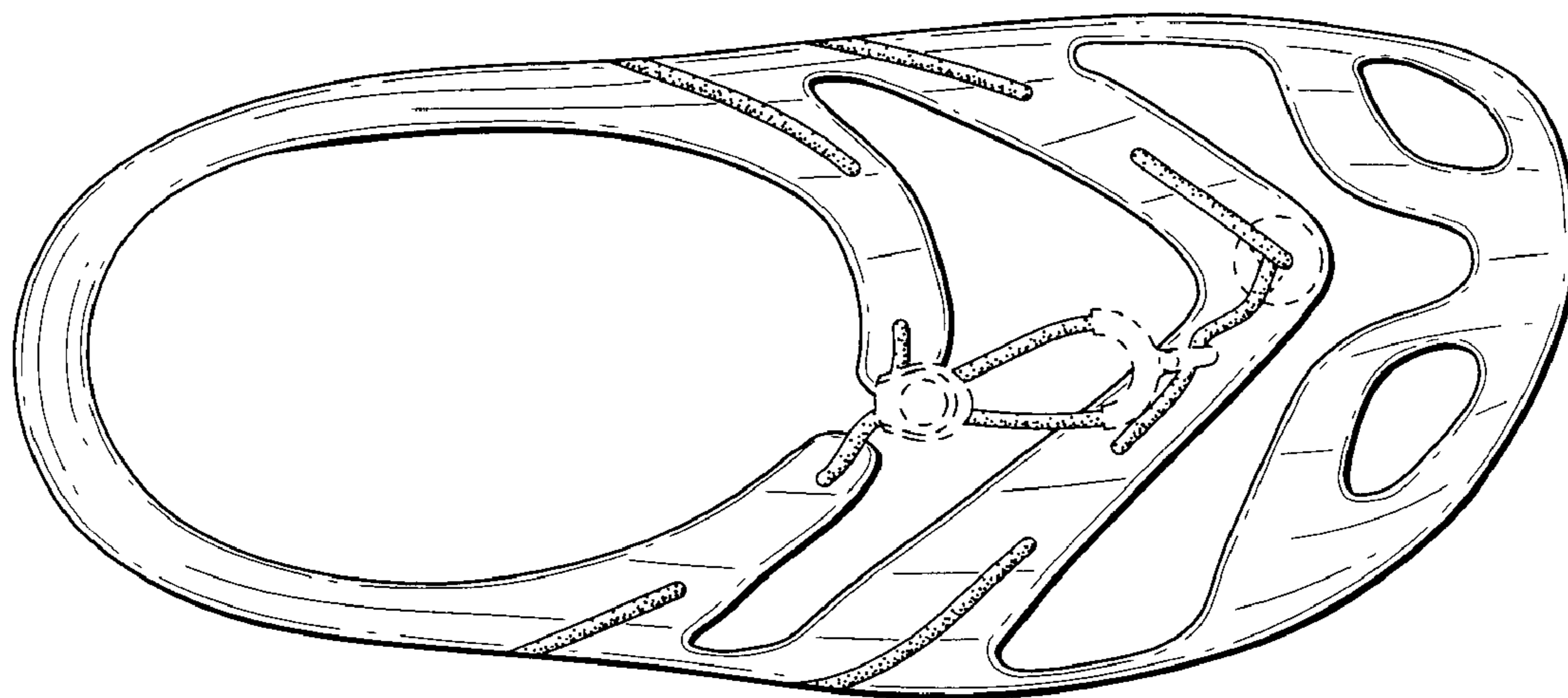
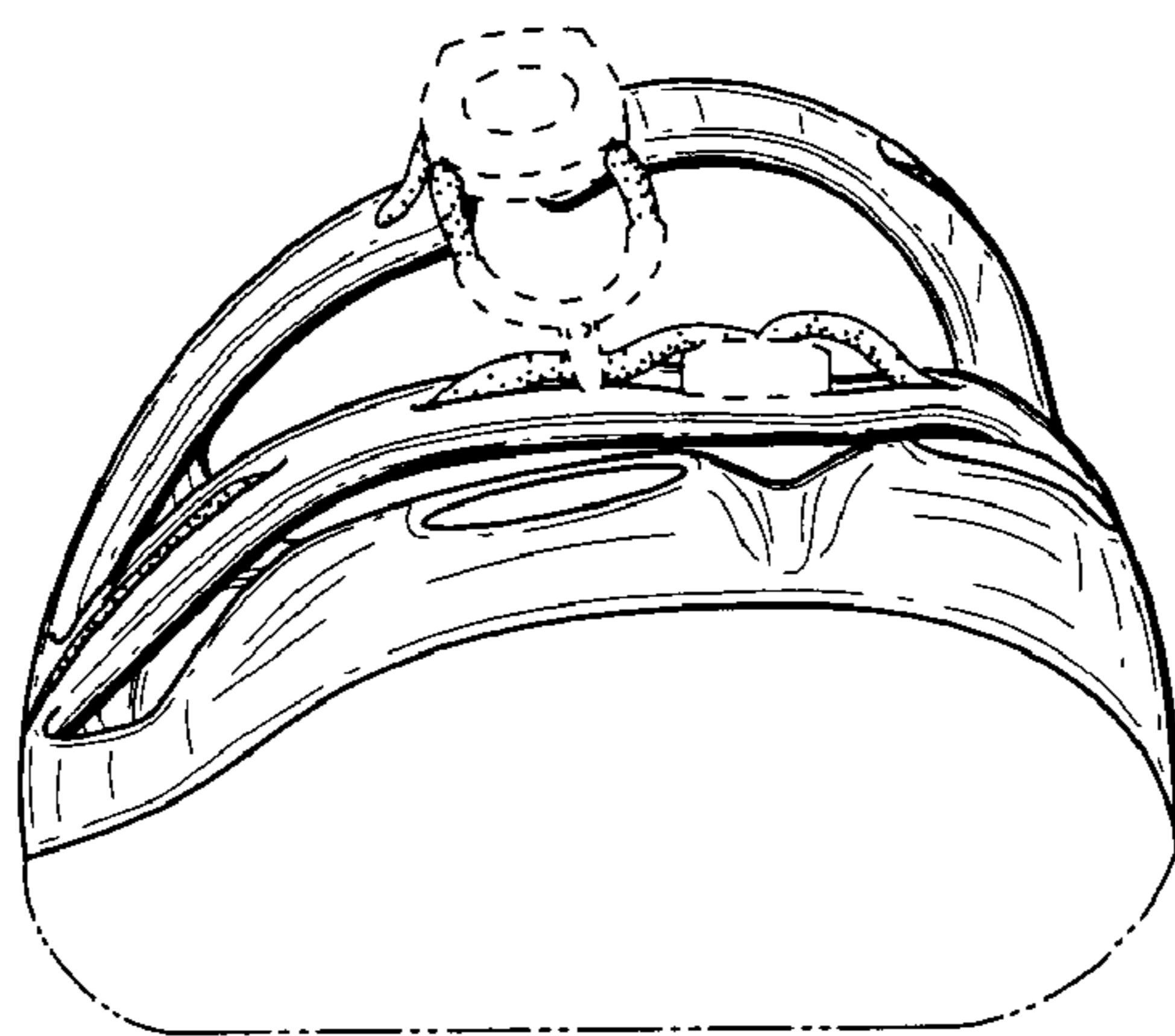


FIG. 11



UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : Des. 533,337 S
APPLICATION NO. : 29/251732
DATED : December 12, 2006
INVENTOR(S) : Martin Keen

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page Section (73) replace "Tiberland" with --Timberland--.

Signed and Sealed this

Eighteenth Day of September, 2007

A handwritten signature in black ink on a light gray dotted background. The signature reads "Jon W. Dudas" in a cursive style.

JON W. DUDAS

Director of the United States Patent and Trademark Office