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

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(45) **Date of Patent:** **\*\* Jan. 22, 2008**

(54) **FOOTWEAR UPPER**

D541,027 S \* 4/2007 Belley et al. .... D2/969  
D545,540 S \* 7/2007 Matis ..... D2/969  
D545,544 S \* 7/2007 Matis et al. .... D2/969

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**OTHER PUBLICATIONS**

(73) Assignee: **Wolverine World Wide, Inc.**,  
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Merrell Spring 2006 Catalog, pp. 54, 55, 58.  
Merrell Fall 2003 Catalog, pp. 23, 24.  
Hush Puppies Women's 1999 Catalog, pp. 3-5.  
Merrell Fall 2006 Catalog, p. 52.

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

\* cited by examiner

(21) Appl. No.: **29/268,628**

*Primary Examiner*—Dominic Simone

(22) Filed: **Nov. 9, 2006**

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

(51) **LOC (8) Cl.** ..... **02-99**

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

(58) **Field of Classification Search** ..... D2/896,  
D2/900, 902, 903, 905, 907, 908, 916, 919-921,  
D2/923-925, 943, 944, 969, 972-974, 977;  
36/8.1, 9 R, 10, 45, 50.1, 77 M, 77 R, 78,  
36/83, 88, 112-114, 126-131

(57) **CLAIM**

See application file for complete search history.

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

**DESCRIPTION**

(56) **References Cited**

FIG. 1 is a perspective view of the footwear upper embodying the new design;

**U.S. PATENT DOCUMENTS**

FIG. 2 is a top view thereof;

- D132,929 S \* 6/1942 Shields ..... D2/921
- D141,582 S \* 6/1945 Margouleff ..... D2/921
- D174,979 S \* 6/1955 Bergmans ..... D2/923
- D186,427 S \* 10/1959 Carlin ..... D2/969
- D244,727 S \* 6/1977 Borri ..... D2/924
- D360,066 S \* 7/1995 Verin ..... D2/977
- D425,291 S \* 5/2000 Matis ..... D2/969
- D425,692 S \* 5/2000 Matis ..... D2/969
- D481,858 S \* 11/2003 Belley et al. .... D2/969
- D500,194 S \* 12/2004 Matis ..... D2/969
- D514,794 S \* 2/2006 Corbi Rico ..... D2/969
- D516,791 S \* 3/2006 Le ..... D2/969
- D517,295 S \* 3/2006 Robbins et al. .... D2/969
- D518,282 S \* 4/2006 Le ..... D2/969
- D525,775 S \* 8/2006 Cintron ..... D2/977

FIG. 3 is a right side view thereof;

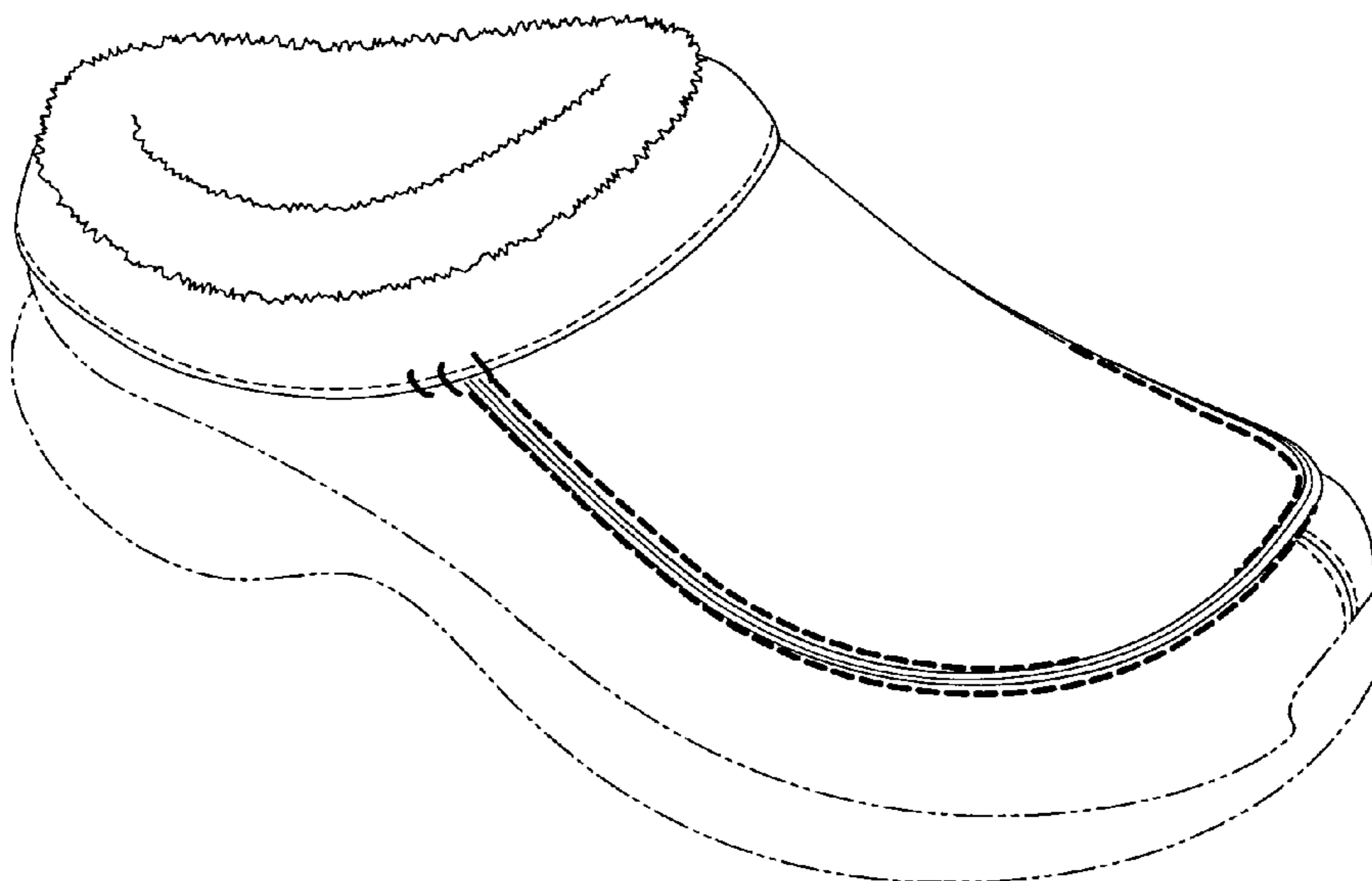
FIG. 4 is a left side view thereof;

FIG. 5 is a front view thereof; and,

FIG. 6 is a rear view thereof.

FIGS. 1-6 show features of an article of footwear in phantom lines. These features are shown for environmental purposes and do not form any part of the claimed design. Further, the phantom lines immediately adjacent the solid-line portions of the design form the boundary of the design, with the phantom lines forming no part of the claimed design.

**1 Claim, 4 Drawing Sheets**



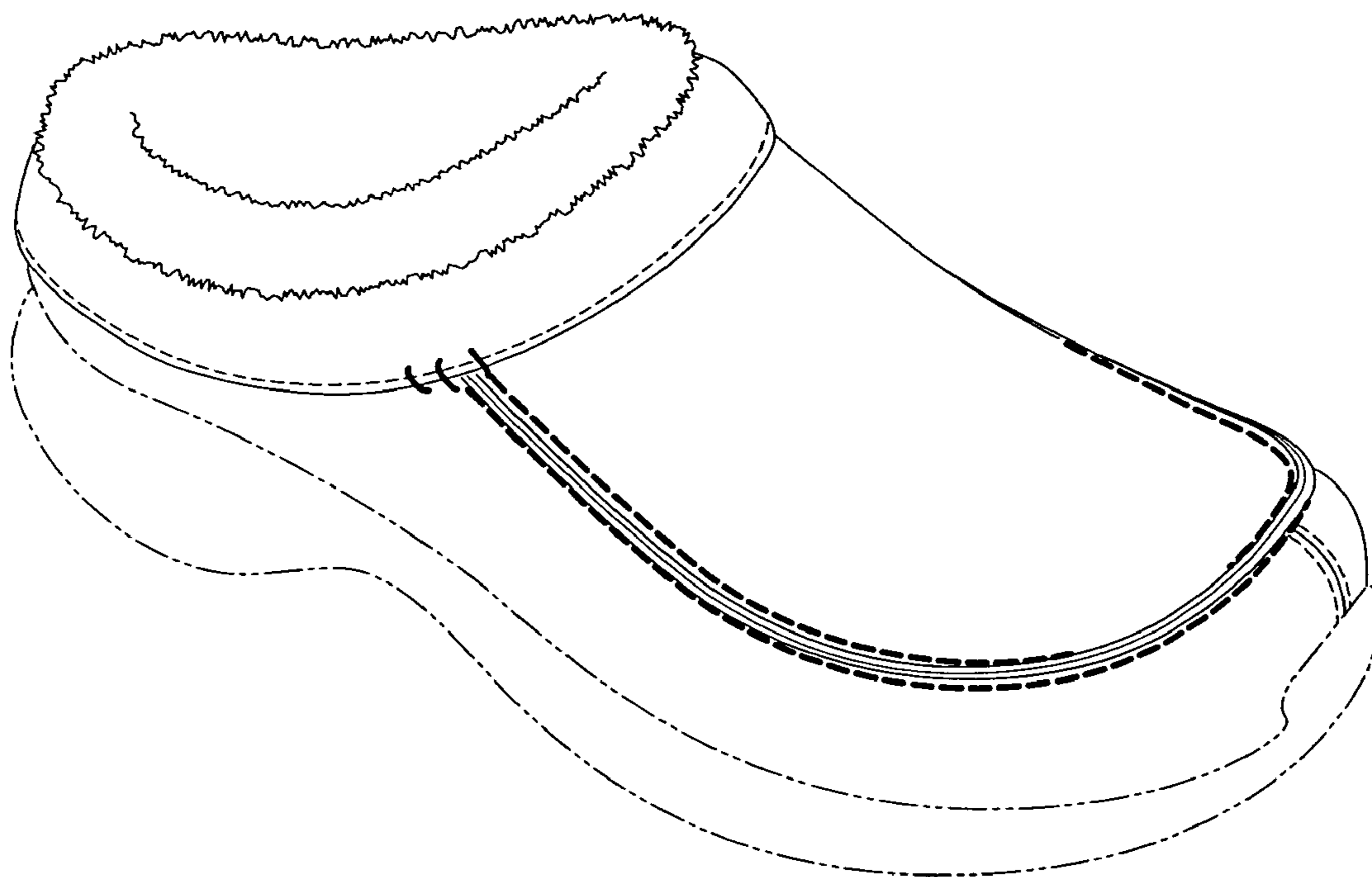


Fig. 1

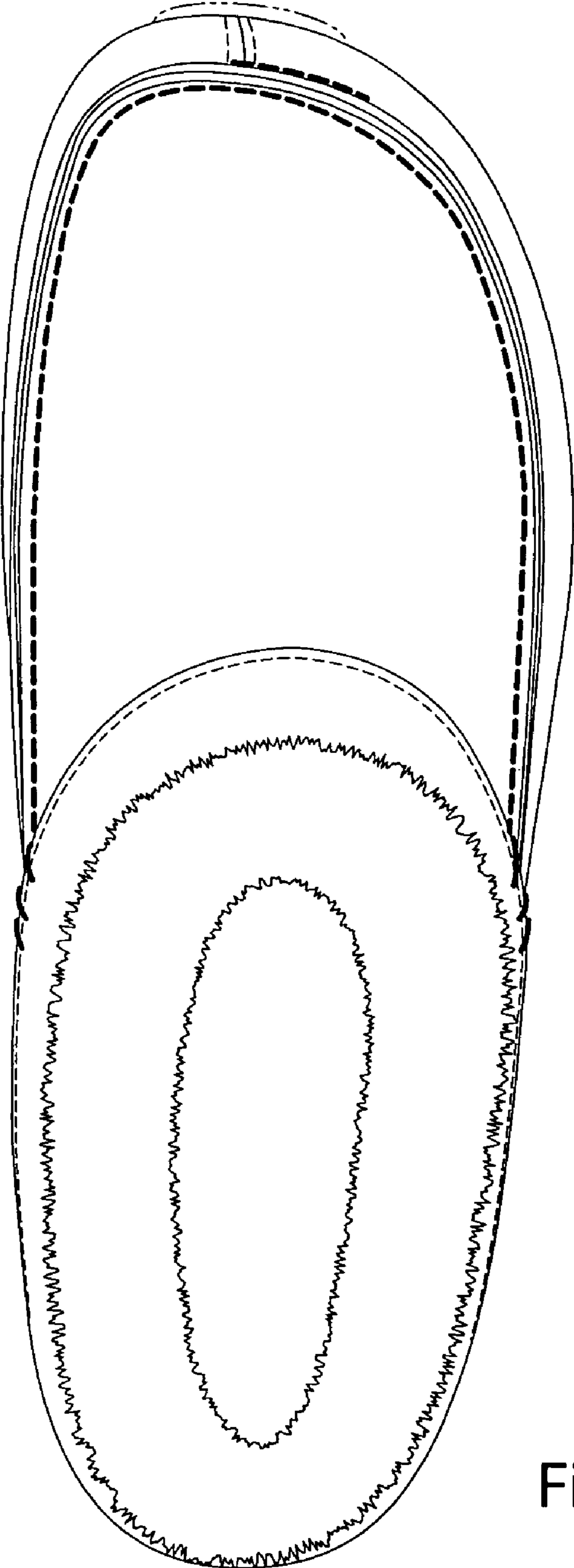


Fig. 2

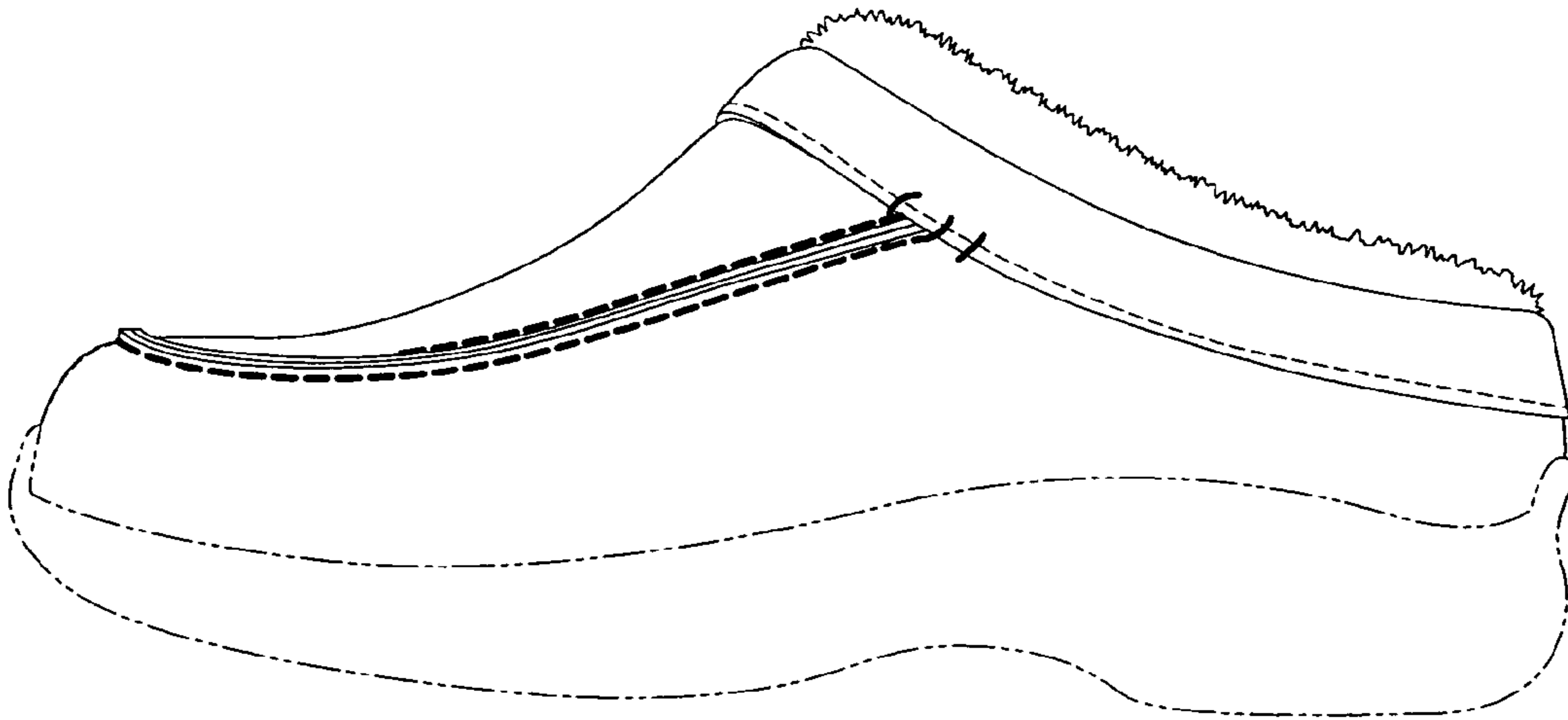


Fig. 3

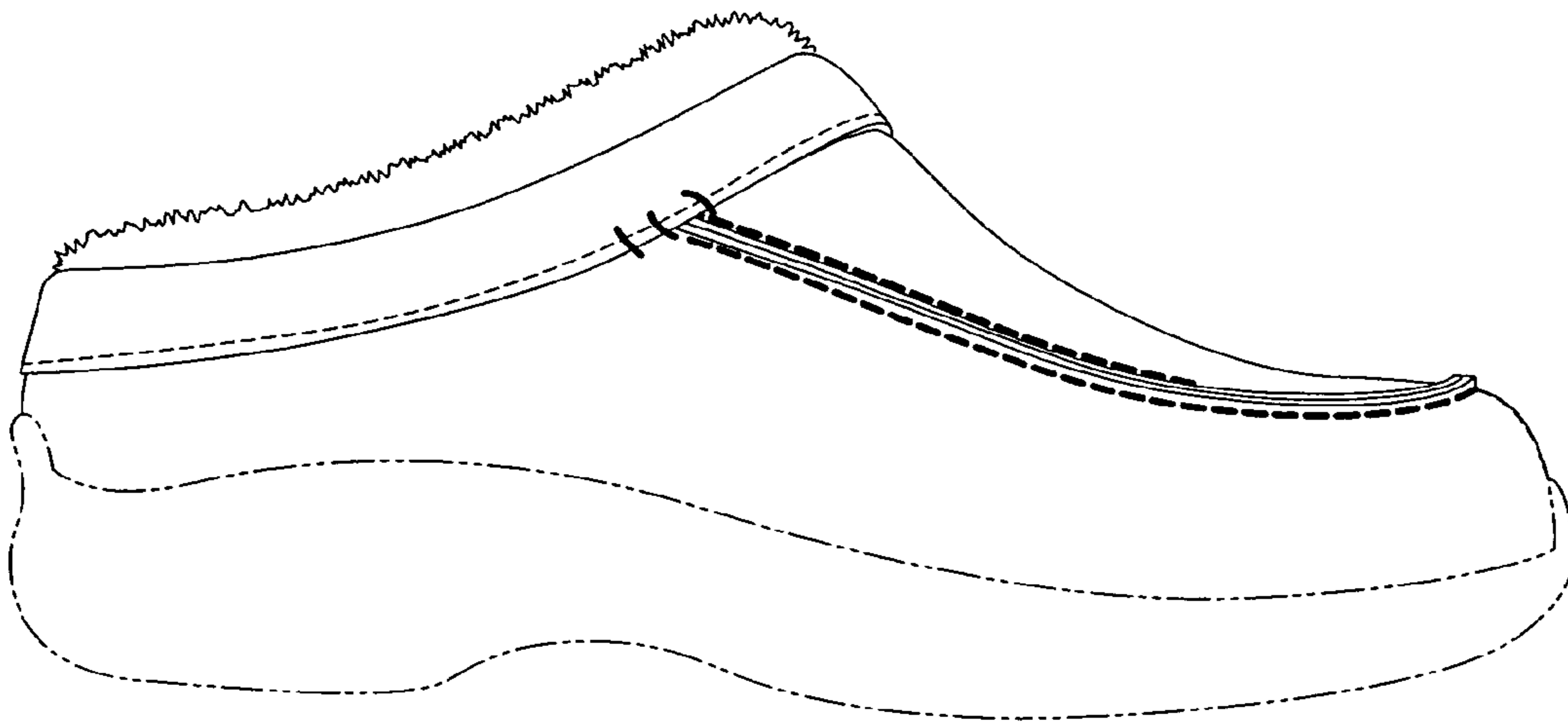


Fig. 4

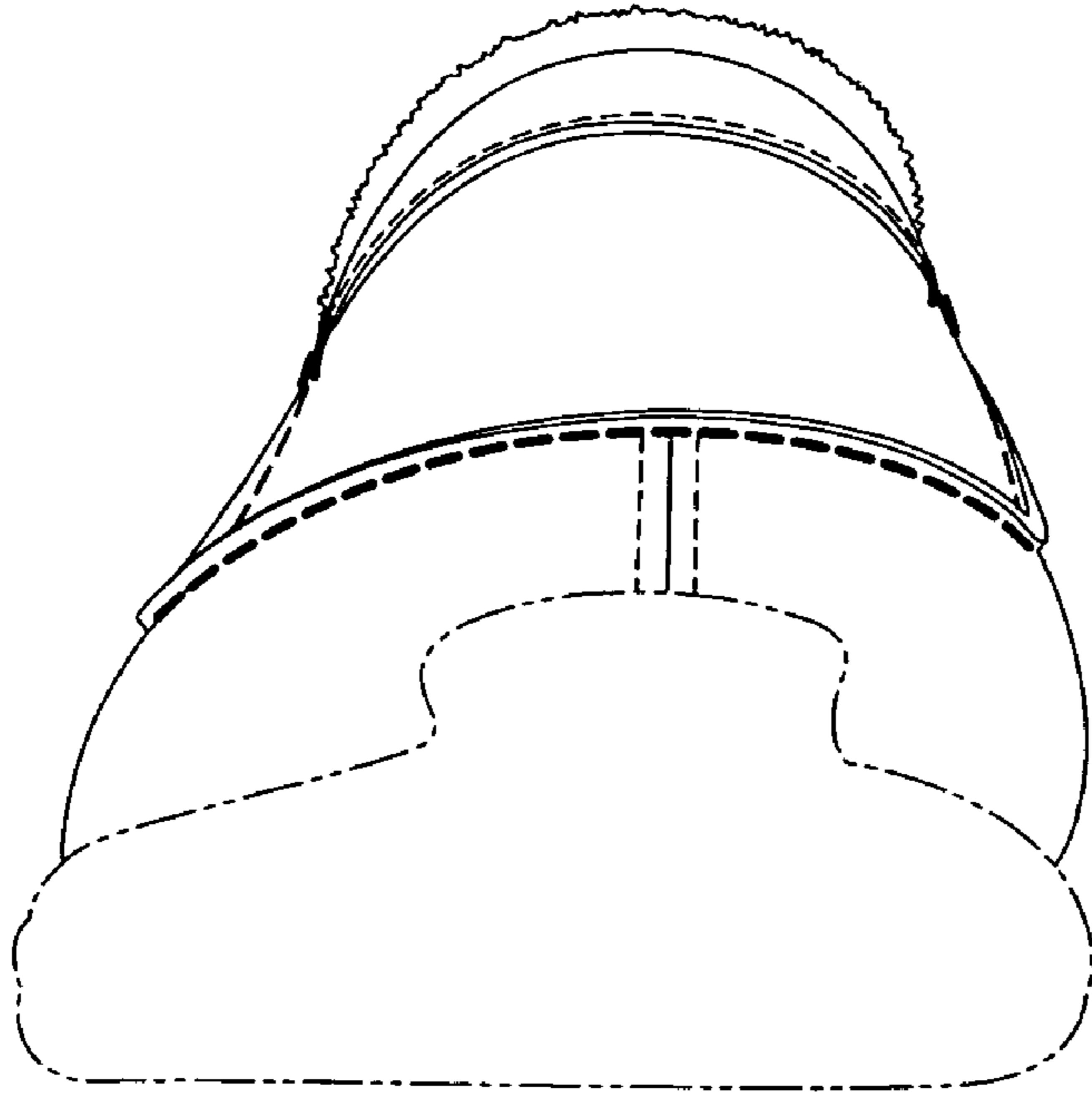


Fig. 5

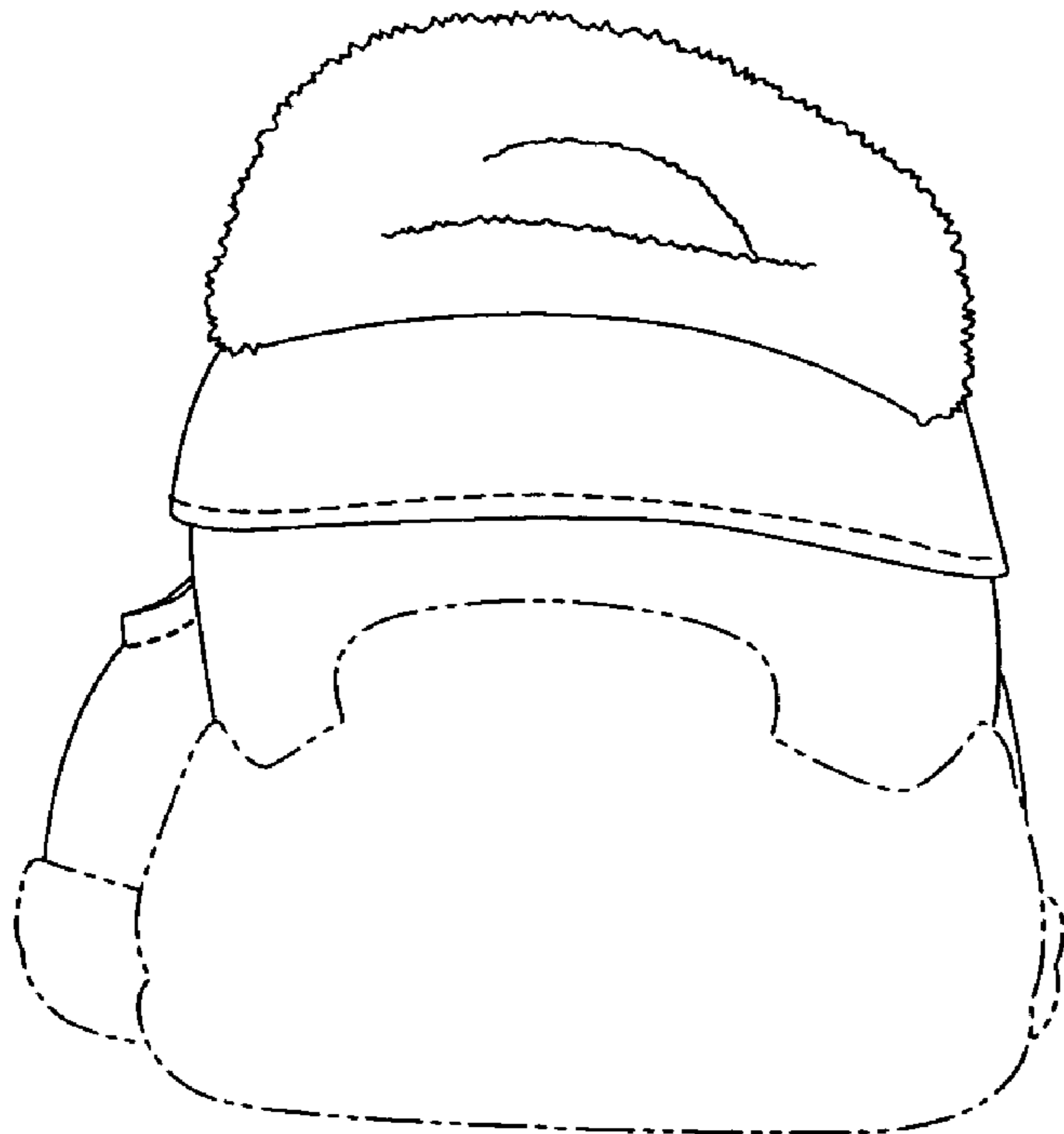


Fig. 6