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

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(45) **Date of Patent:** **** Mar. 11, 2008**

(54) **FOOTWEAR UPPER**

D548,940 S * 8/2007 Hulbert D2/969
D548,941 S * 8/2007 Hulbert D2/969
D552,339 S * 10/2007 Gay D2/972

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OTHER PUBLICATIONS

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Merrell Spring 2006 Catalog, pp. 32, 33, 70.

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

* cited by examiner

(21) Appl. No.: **29/260,033**

Primary Examiner—Dominic Simone

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

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

(57) **CLAIM**

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

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

(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

DESCRIPTION

See application file for complete search history.

FIG. 1 is a perspective view of the footwear upper embody-
ing the new design;

(56) **References Cited**

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FIG. 2 is a top view thereof;

FIG. 3 is a right side view thereof;

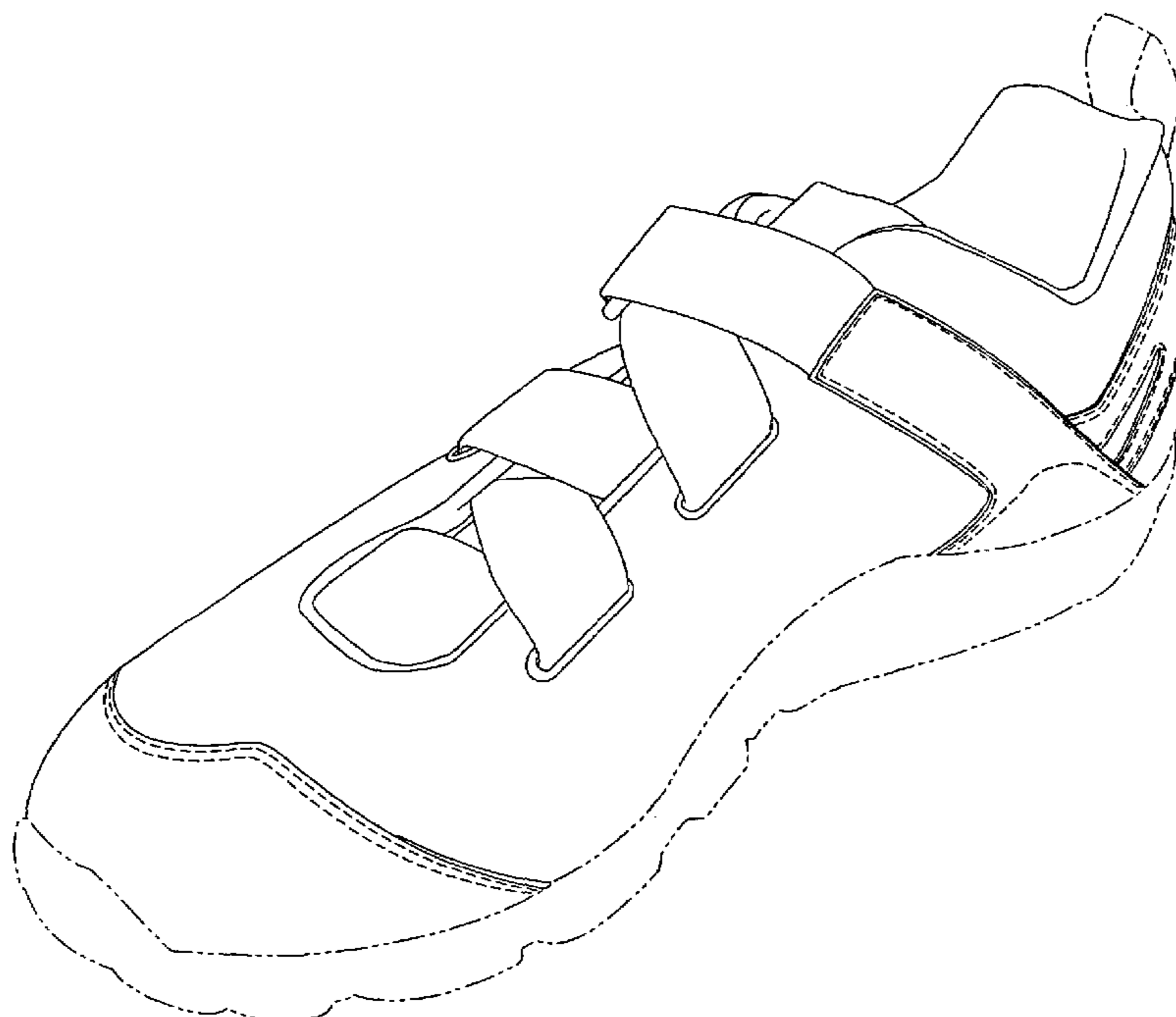
FIG. 4 is a left side view thereof;

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



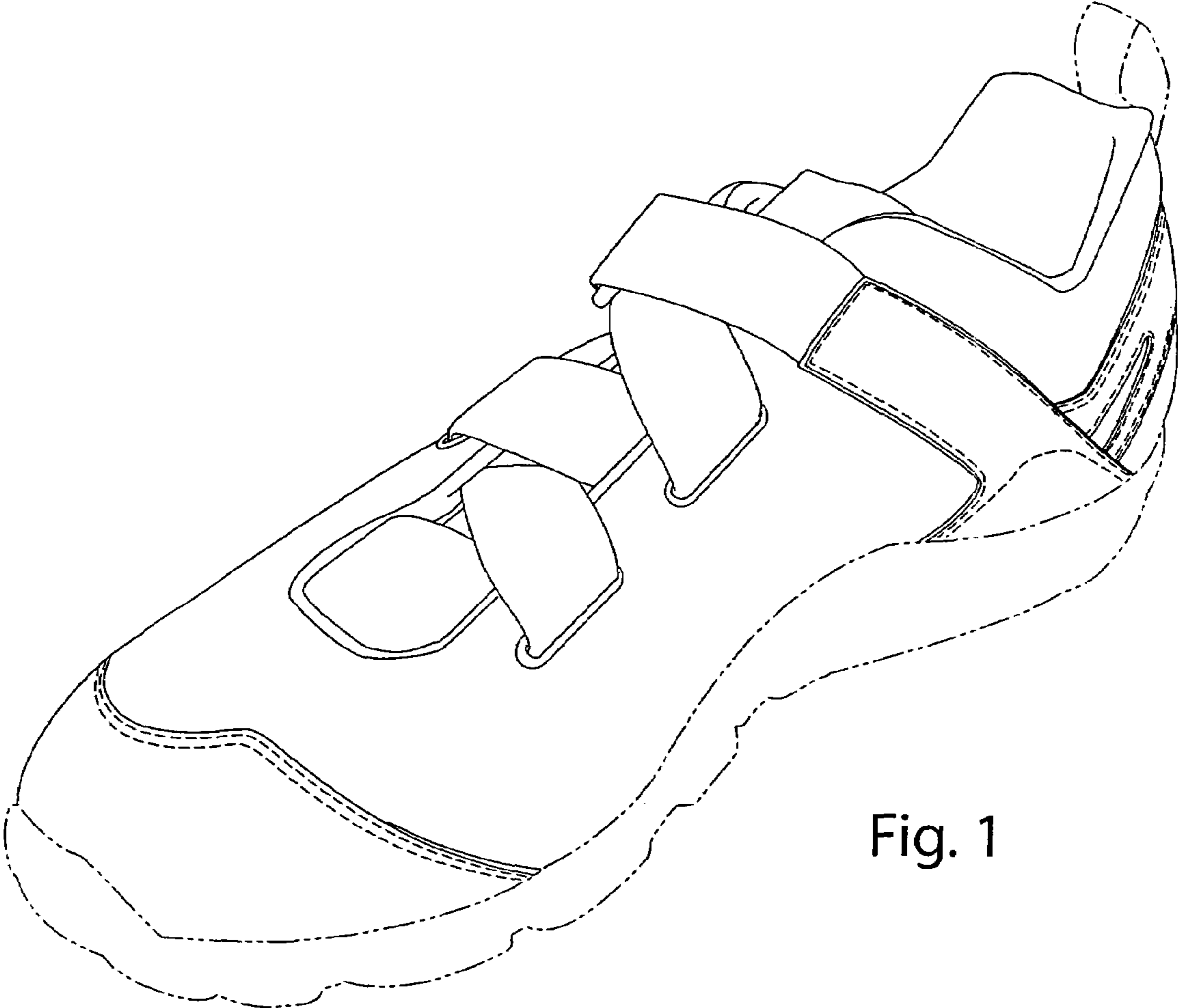


Fig. 1

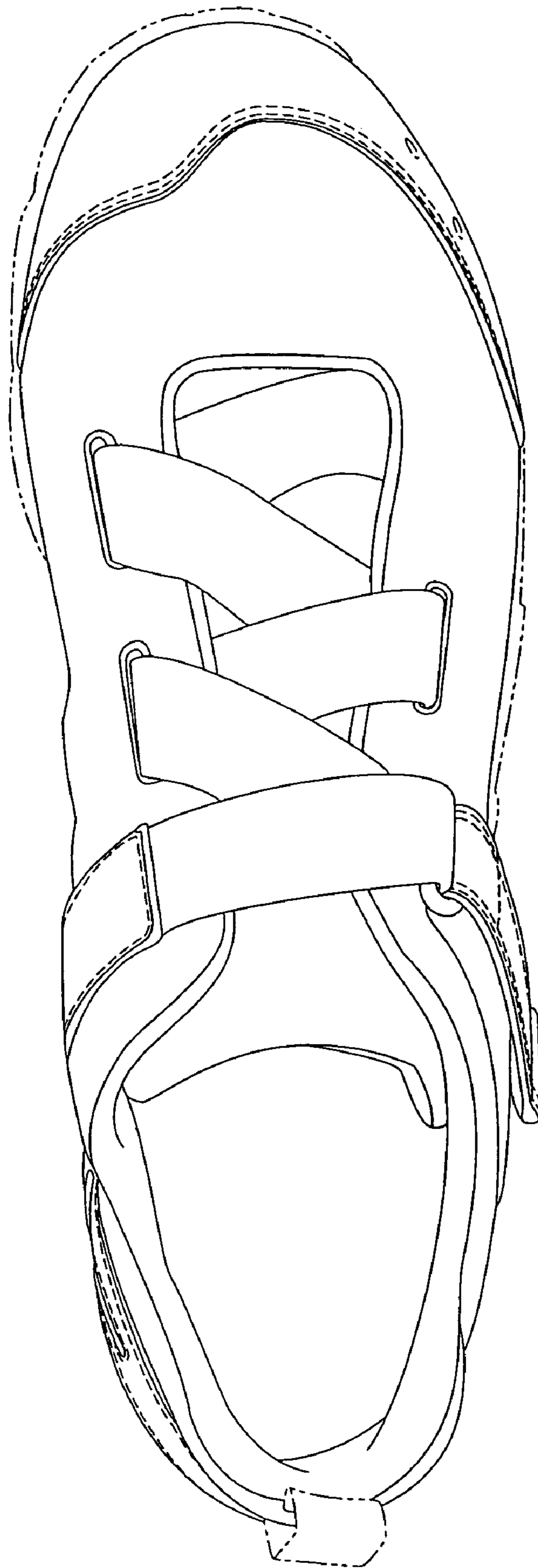


Fig. 2

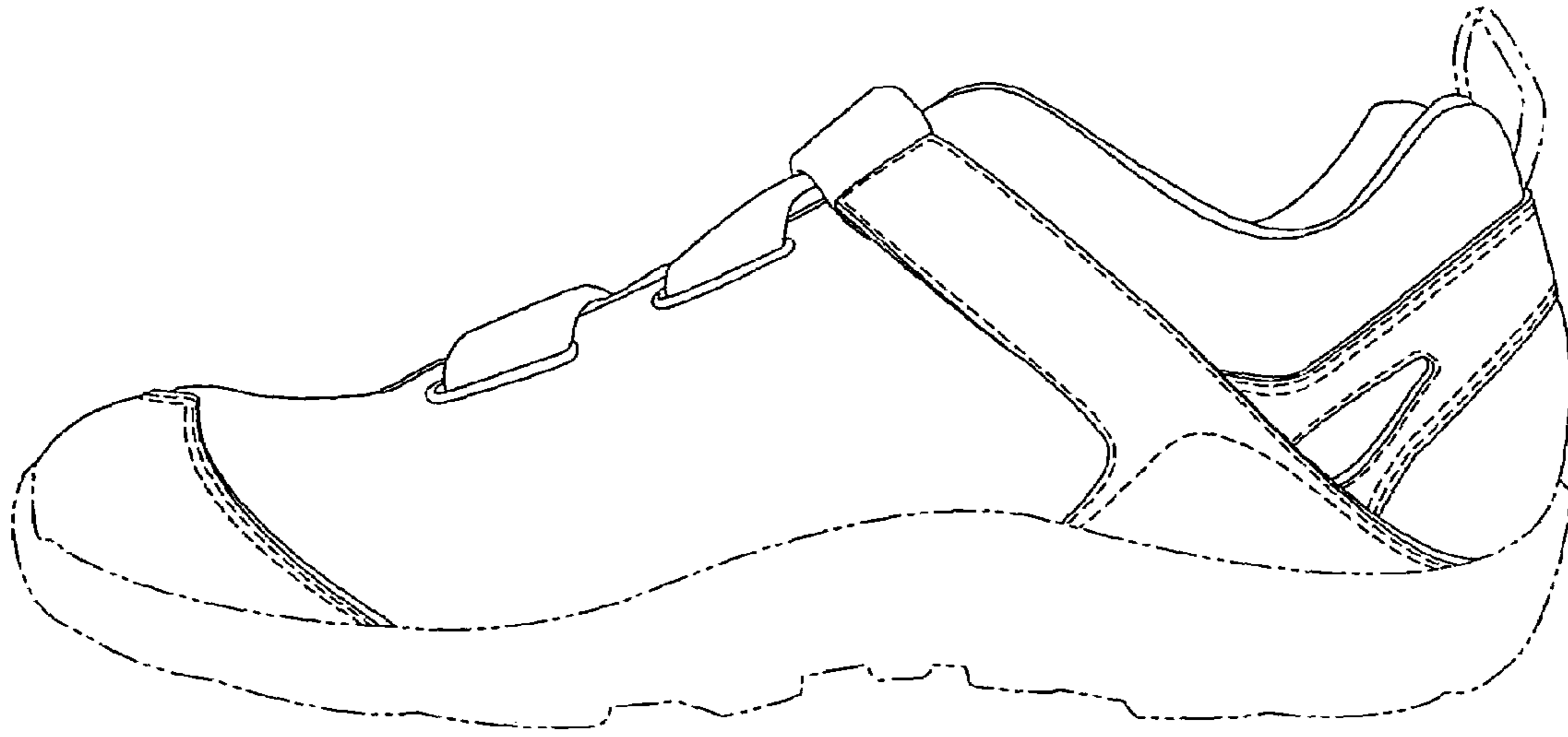


Fig. 3

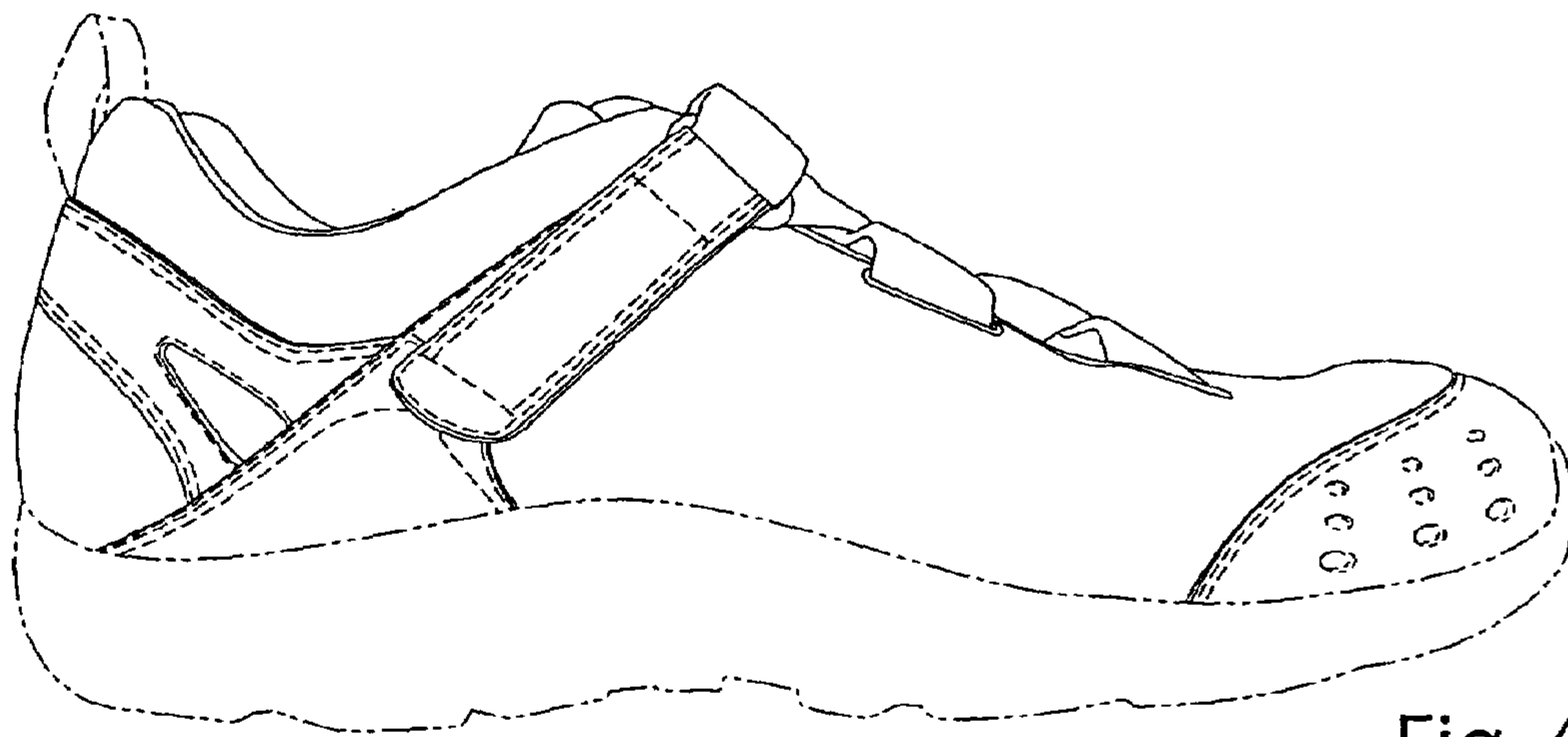


Fig. 4

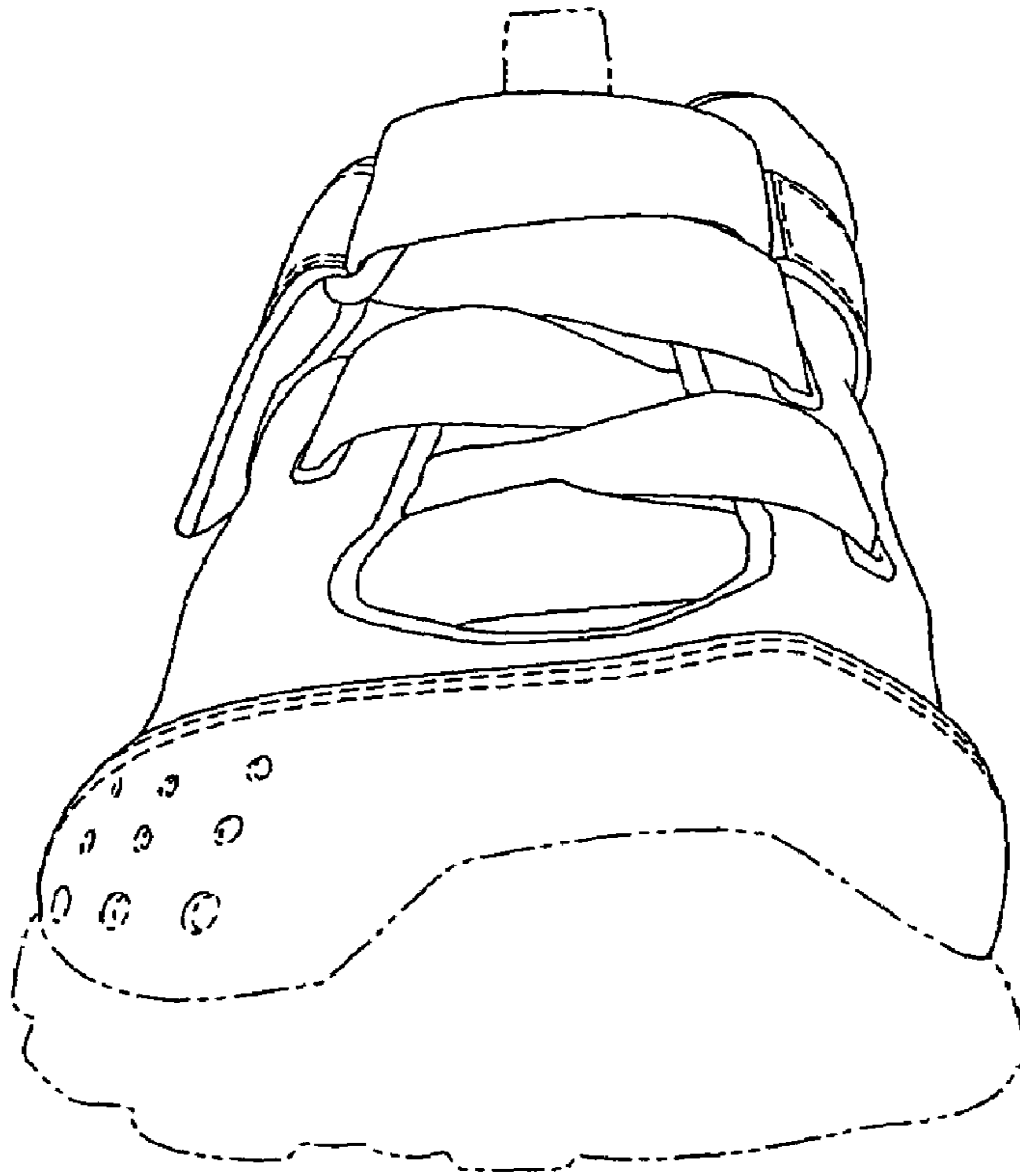


Fig. 5

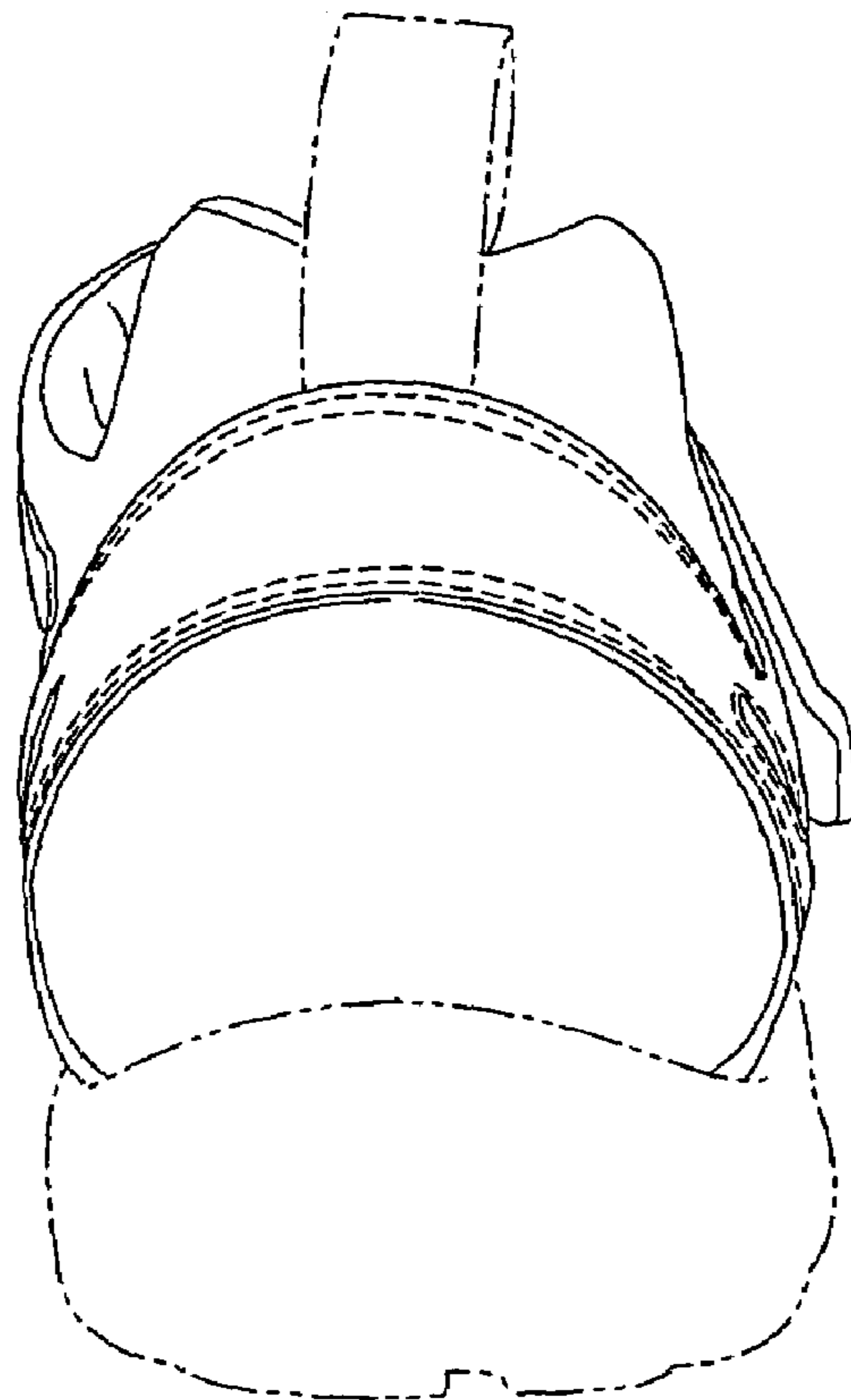


Fig. 6