



US00D578288S

(12) **United States Design Patent**  
**Banik**

(10) **Patent No.:** **US D578,288 S**  
(45) **Date of Patent:** **\*\* Oct. 14, 2008**

(54) **FOOTWEAR UPPER**

(75) Inventor: **Gary J. Banik**, Boulder, CO (US)

(73) Assignee: **Wolverine World Wide, Inc.**, Rockford, MI (US)

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

(21) Appl. No.: **29/286,728**

(22) Filed: **May 17, 2007**

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

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

(58) **Field of Classification Search** ..... D2/902,  
D2/906-908, 943, 944, 946, 969, 972-974;  
36/45, 50.1, 77 M, 77 R, 83, 88, 113, 114,  
36/126-131

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D438,698 S	3/2001	Matis et al.
D447,620 S	9/2001	Matis et al.
D447,859 S	9/2001	Matis et al.
D452,067 S	12/2001	Matis et al.
D480,545 S	10/2003	Matis et al.
D480,551 S	10/2003	Matis et al.
D486,627 S	2/2004	Rogers et al.
D503,268 S	3/2005	Belley et al.
D504,762 S	5/2005	Matis et al.
D504,763 S	5/2005	Matis et al.
D511,883 S	11/2005	Matis
D532,588 S	11/2006	Matis et al.

D533,987 S	12/2006	Matis et al.
D538,019 S *	3/2007	Schoenborn et al. .... D2/969
D541,518 S *	5/2007	Rasmussen ..... D2/972

**OTHER PUBLICATIONS**

Merrell Fall 2007 Catalog, pp. 8, 9, 20.

\* cited by examiner

*Primary Examiner*—Dominic Simone

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

(57) **CLAIM**

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

**DESCRIPTION**

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

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**

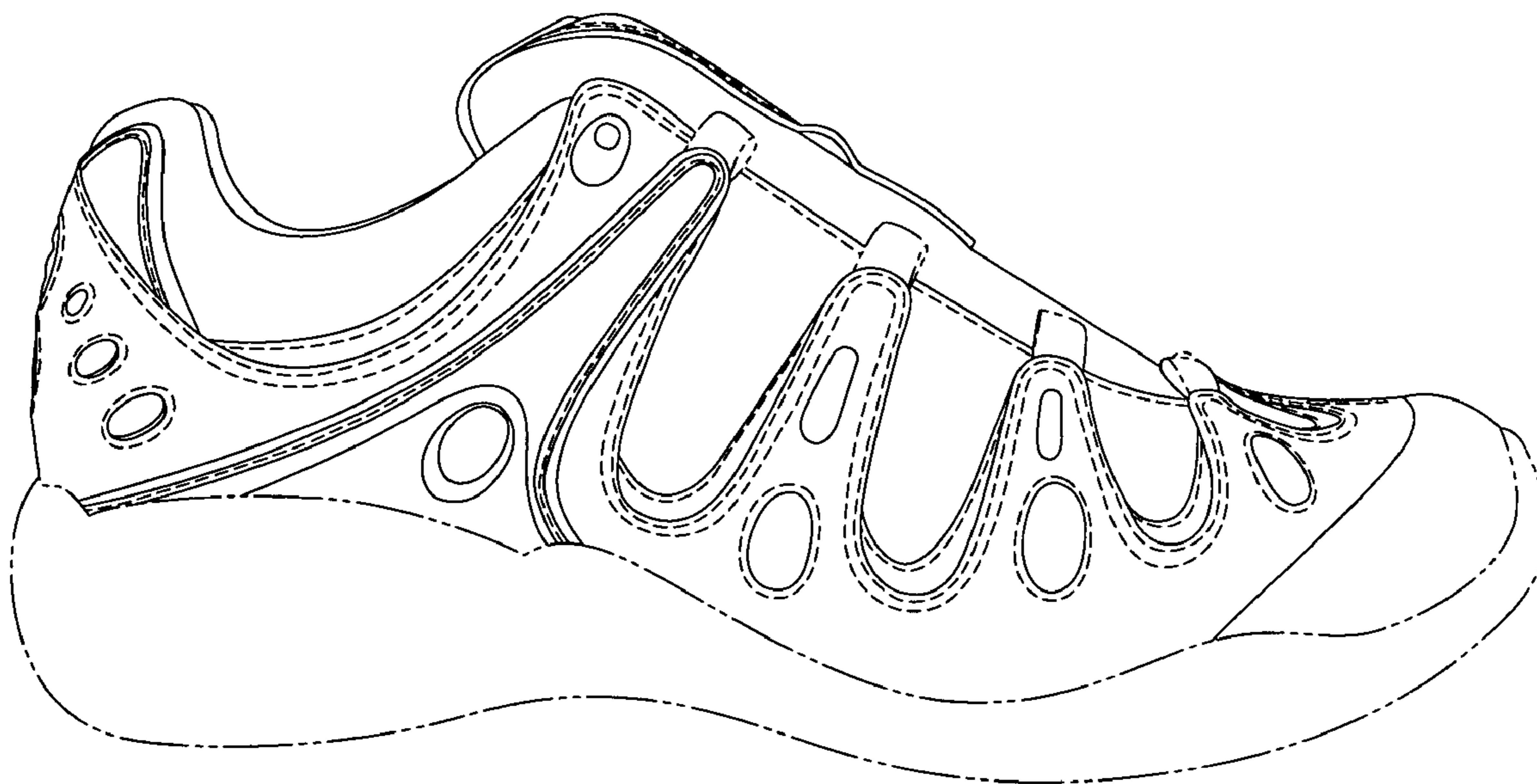




Fig. 1

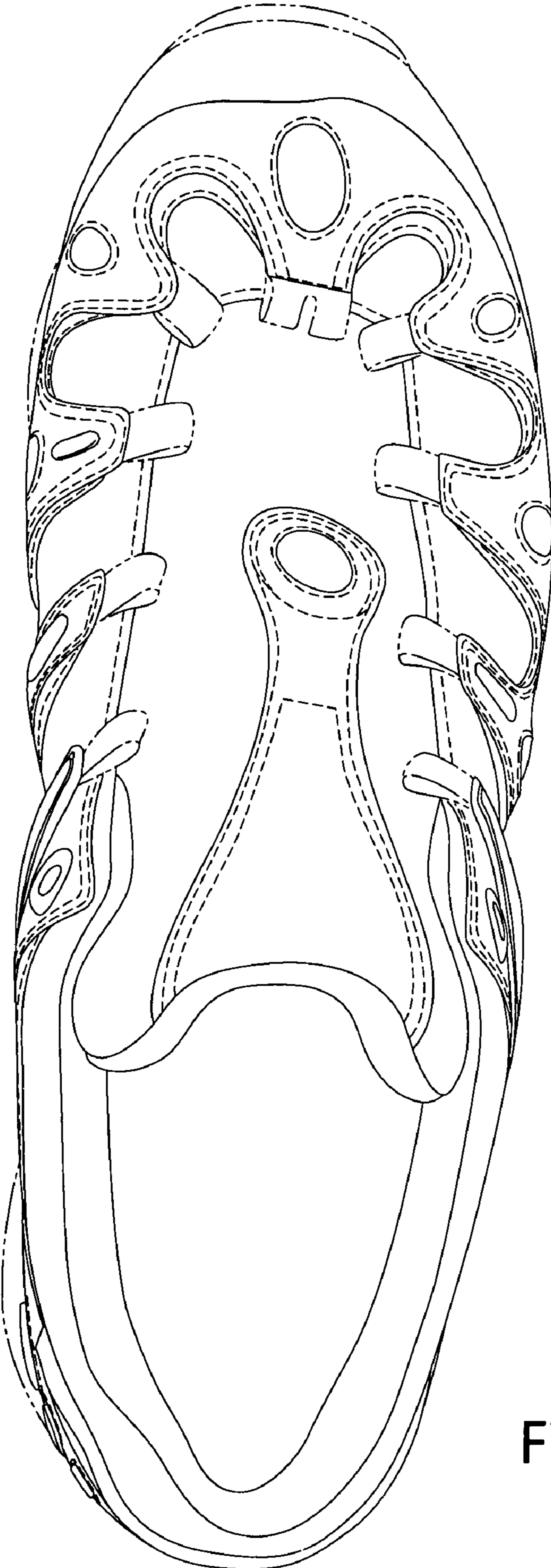


Fig. 2



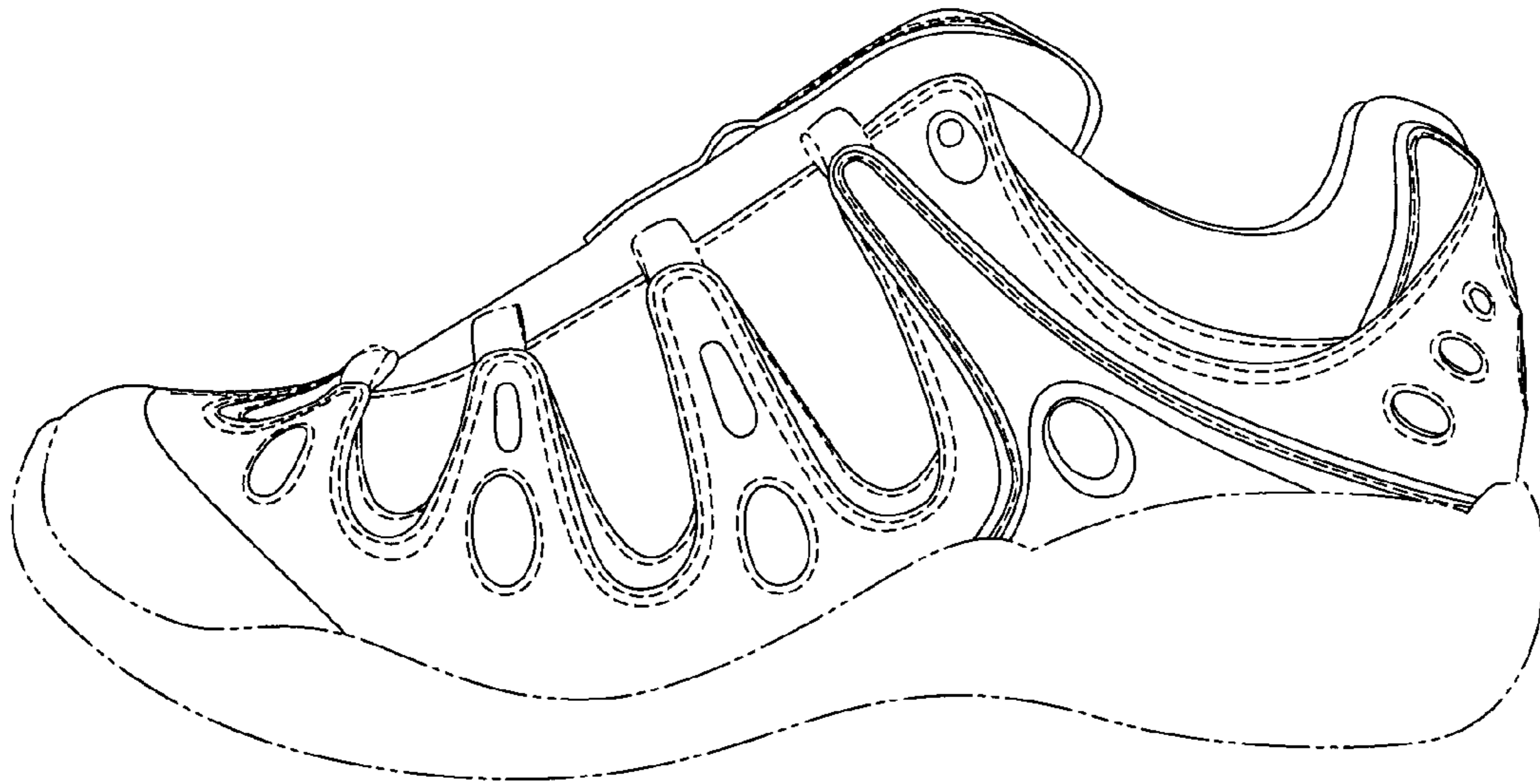


Fig. 3

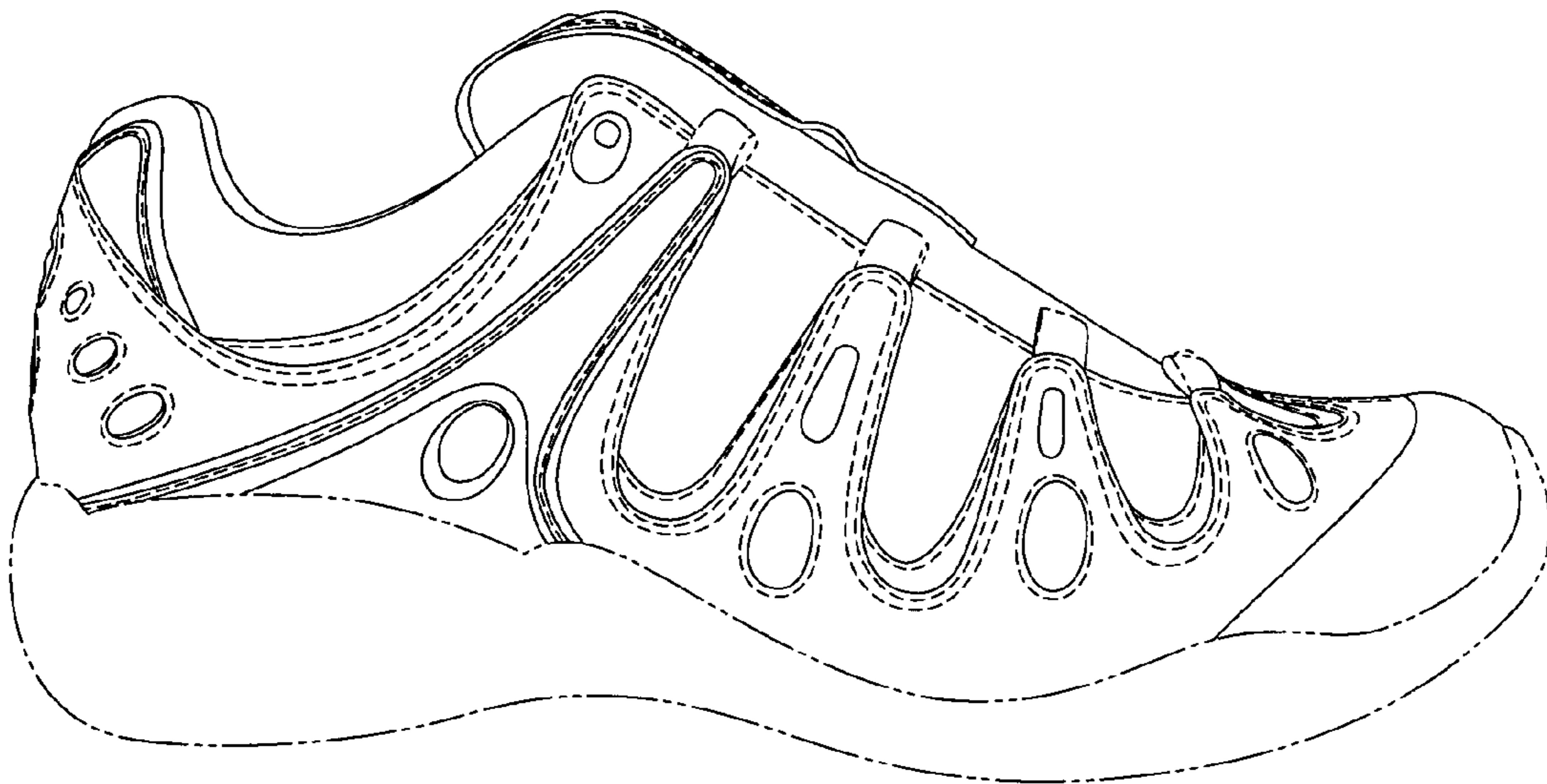


Fig. 4

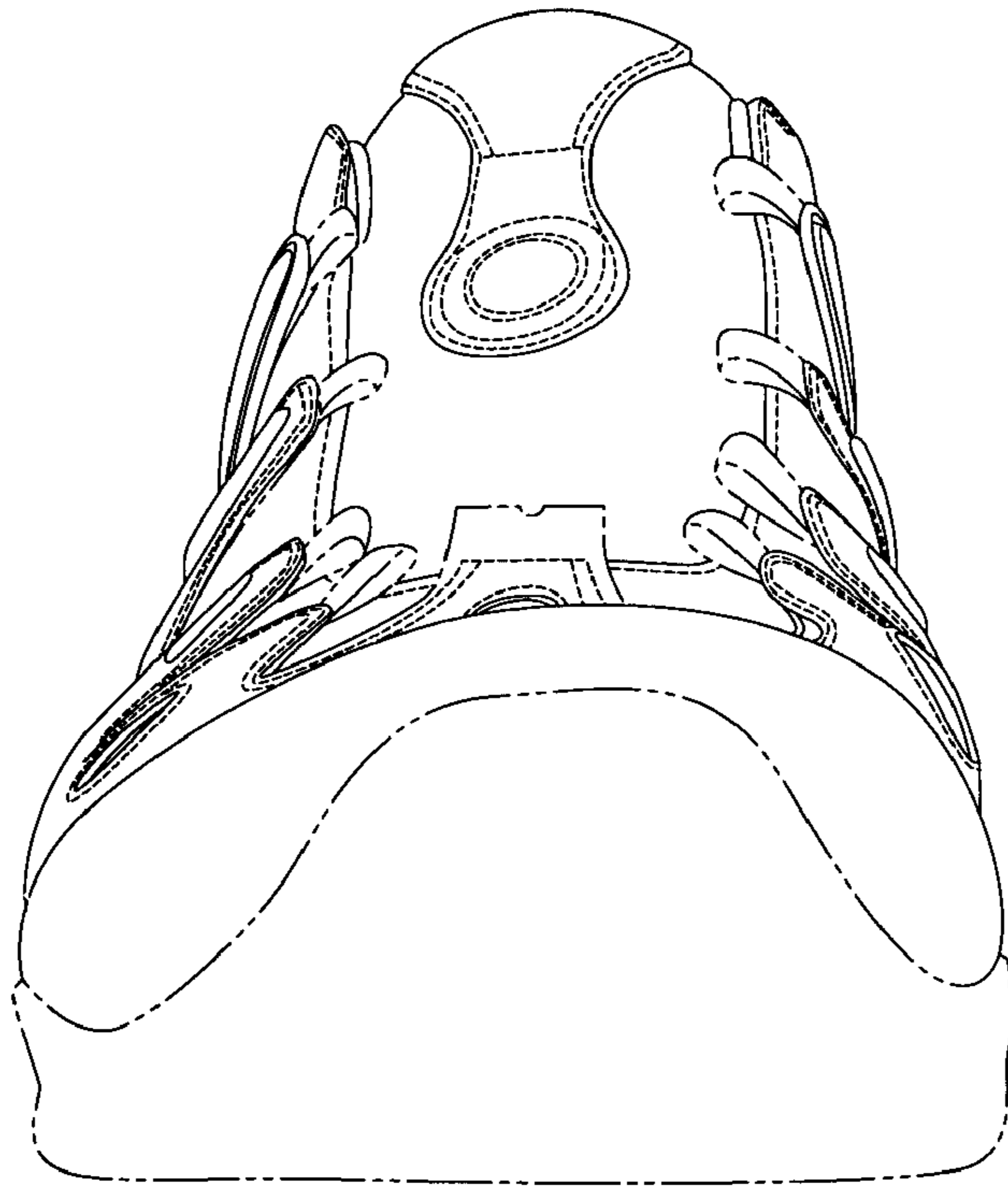


Fig. 5

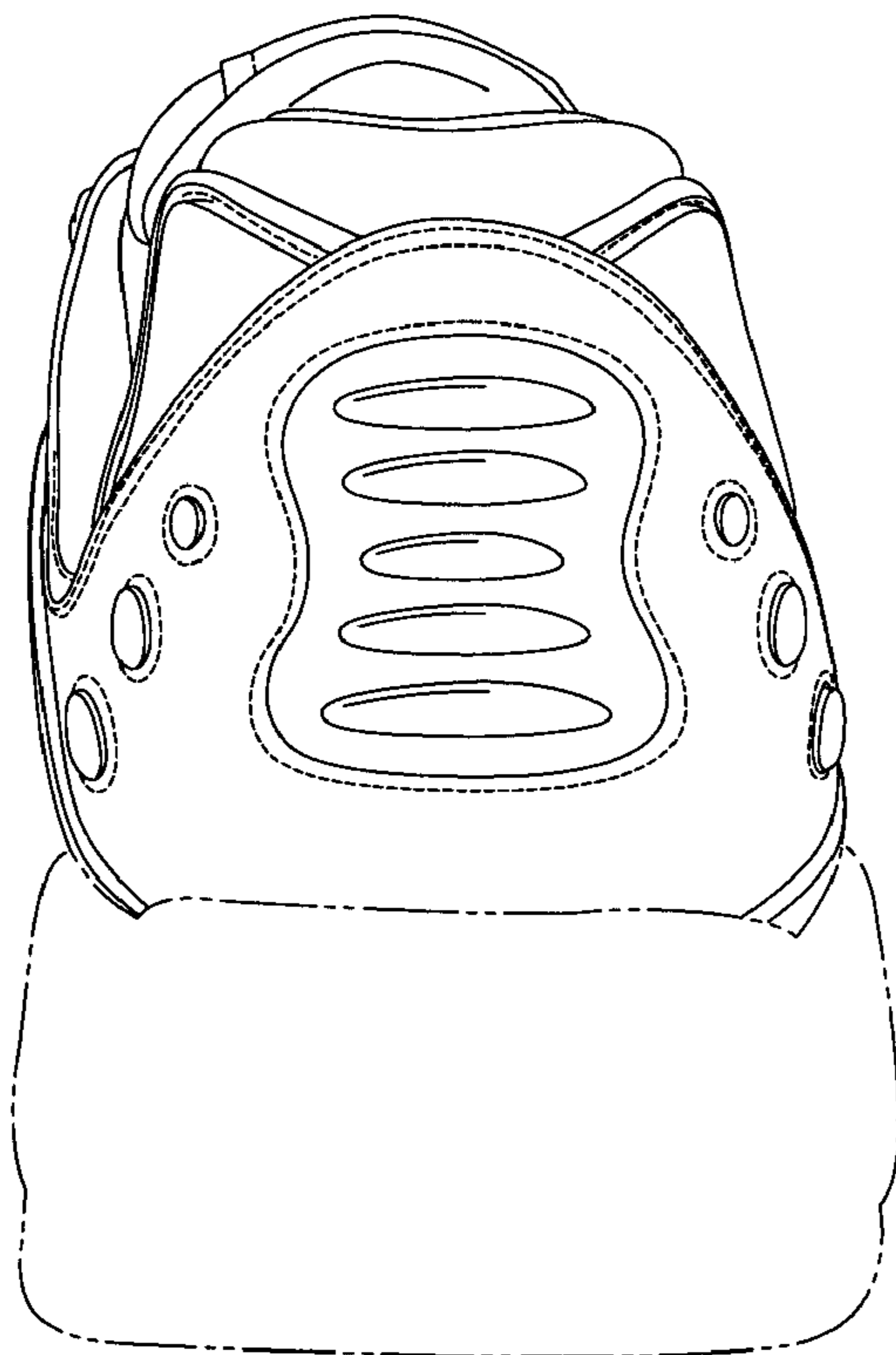


Fig. 6