



US00D587446S

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

(10) **Patent No.:** **US D587,446 S**
(45) **Date of Patent:** **** Mar. 3, 2009**

(54) **PORTION OF A 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.: **29/293,039**

(22) Filed: **Nov. 7, 2007**

(51) **LOC (9) Cl.** **02-99**

(52) **U.S. Cl.** **D2/972**

(58) **Field of Classification Search** D2/897,
D2/901, 904, 909-912, 946, 970-978; 36/45,
36/50.1, 83, 113, 114, 126-130, 77 R, 77 M,
36/88

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D297,591 S *	9/1988	Brown et al.	.....	D2/973
D301,389 S *	6/1989	Miller	.....	D2/969
D310,293 S *	9/1990	Serna et al.	.....	D2/969
D438,698 S	3/2001	Matis et al.		
D439,033 S *	3/2001	Feller et al.	.....	D2/972
D447,620 S	9/2001	Matis et al.		
D447,859 S	9/2001	Matis et al.		
D452,067 S	12/2001	Matis et al.		
D475,189 S *	6/2003	Laberge et al.	.....	D2/972
D480,545 S	10/2003	Matis et al.		
D480,551 S	10/2003	Matis et al.		
D486,627 S	2/2004	Rogers et al.		
D487,623 S *	3/2004	Matis	.....	D2/969
D494,348 S *	8/2004	Selbiger	.....	D2/969
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.
D534,339 S	1/2007	Matis et al.

OTHER PUBLICATIONS

Merrell Fall 2007 Catalog, pp. 8, 9 and 20.
Merrell Spring 2008 Catalog, pp. 5, 6, and 10.

* cited by examiner

Primary Examiner—Stella M. Reid

Assistant Examiner—Rashida C McCoy

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

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of the portion of a footwear upper showing our new design;

FIG. 2 is an enlarged top plan view thereof;

FIG. 3 is a reduced right side view thereof;

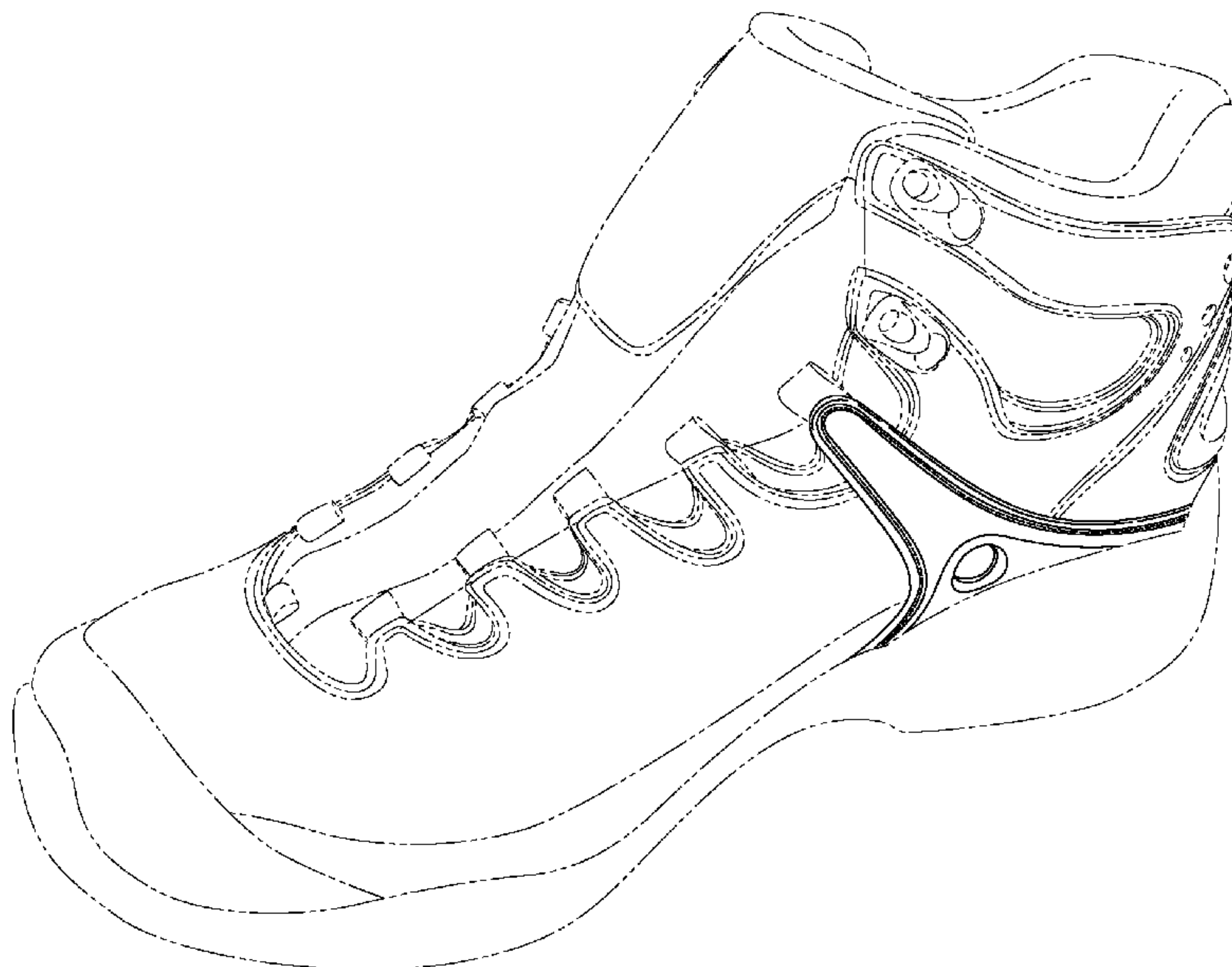
FIG. 4 is a reduced left side view thereof;

FIG. 5 is a reduced front view thereof; and,

FIG. 6 is a reduced 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



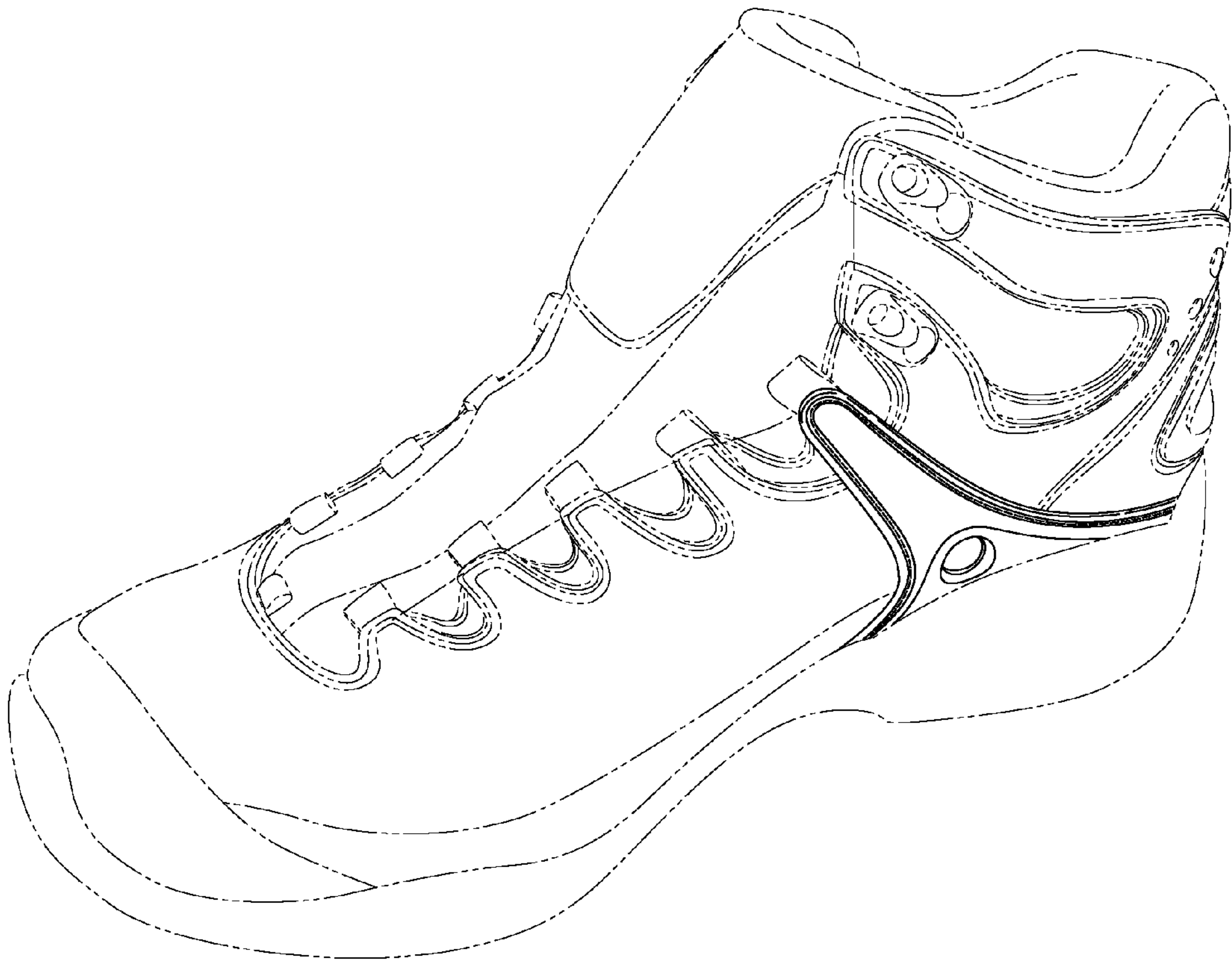


Fig. 1

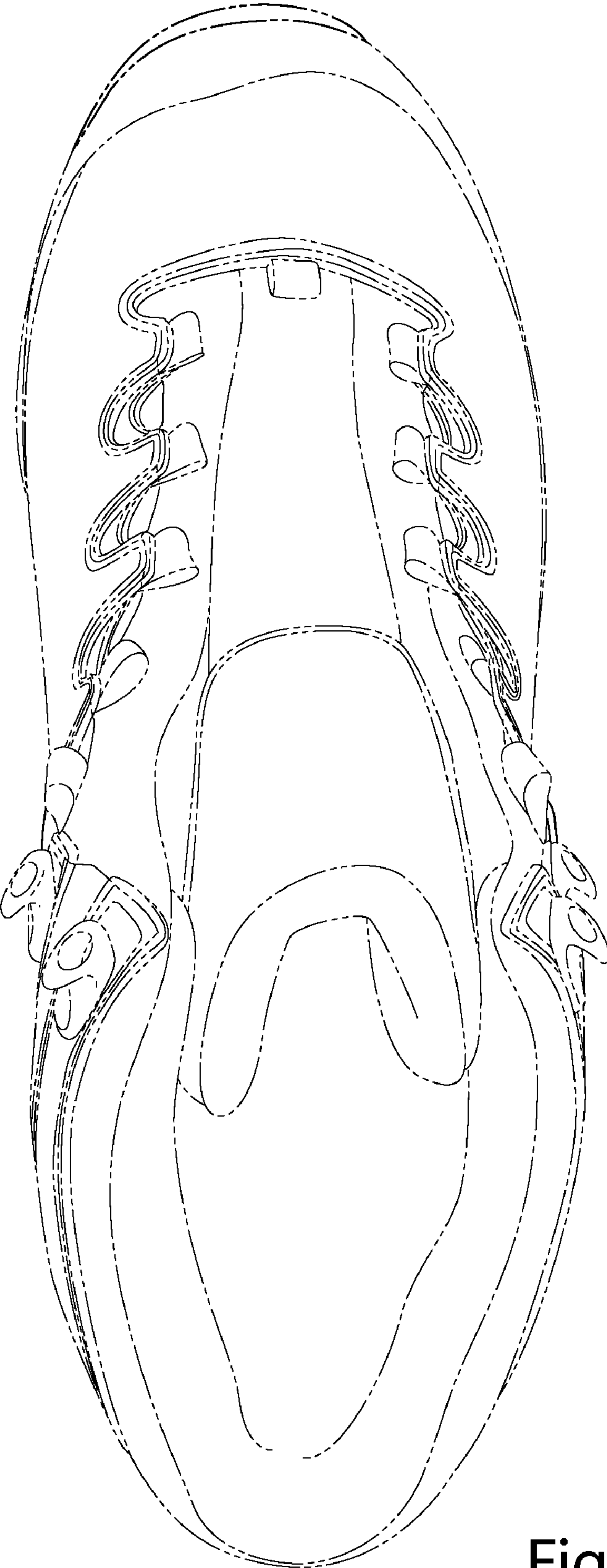


Fig. 2

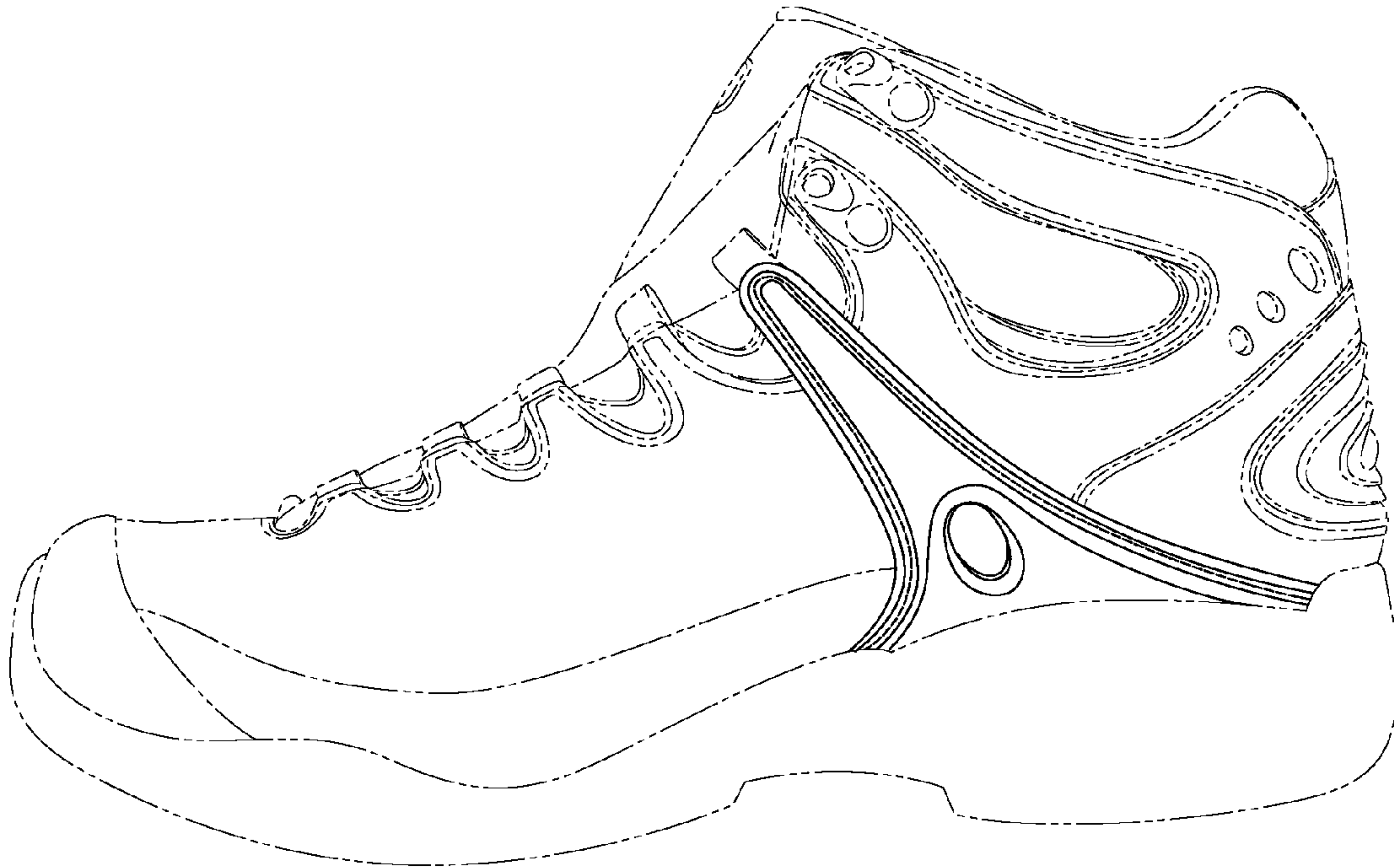


Fig. 3

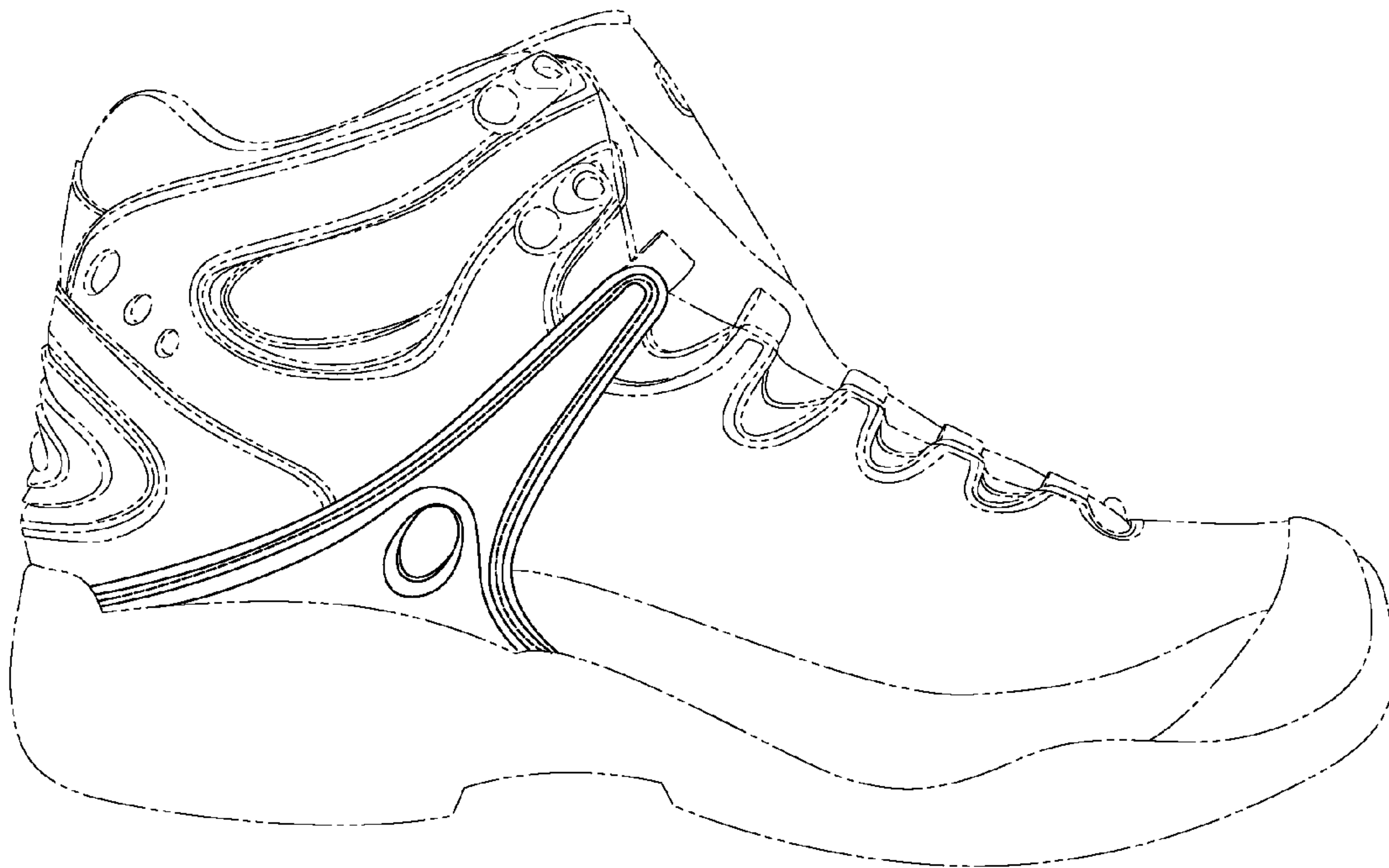


Fig. 4

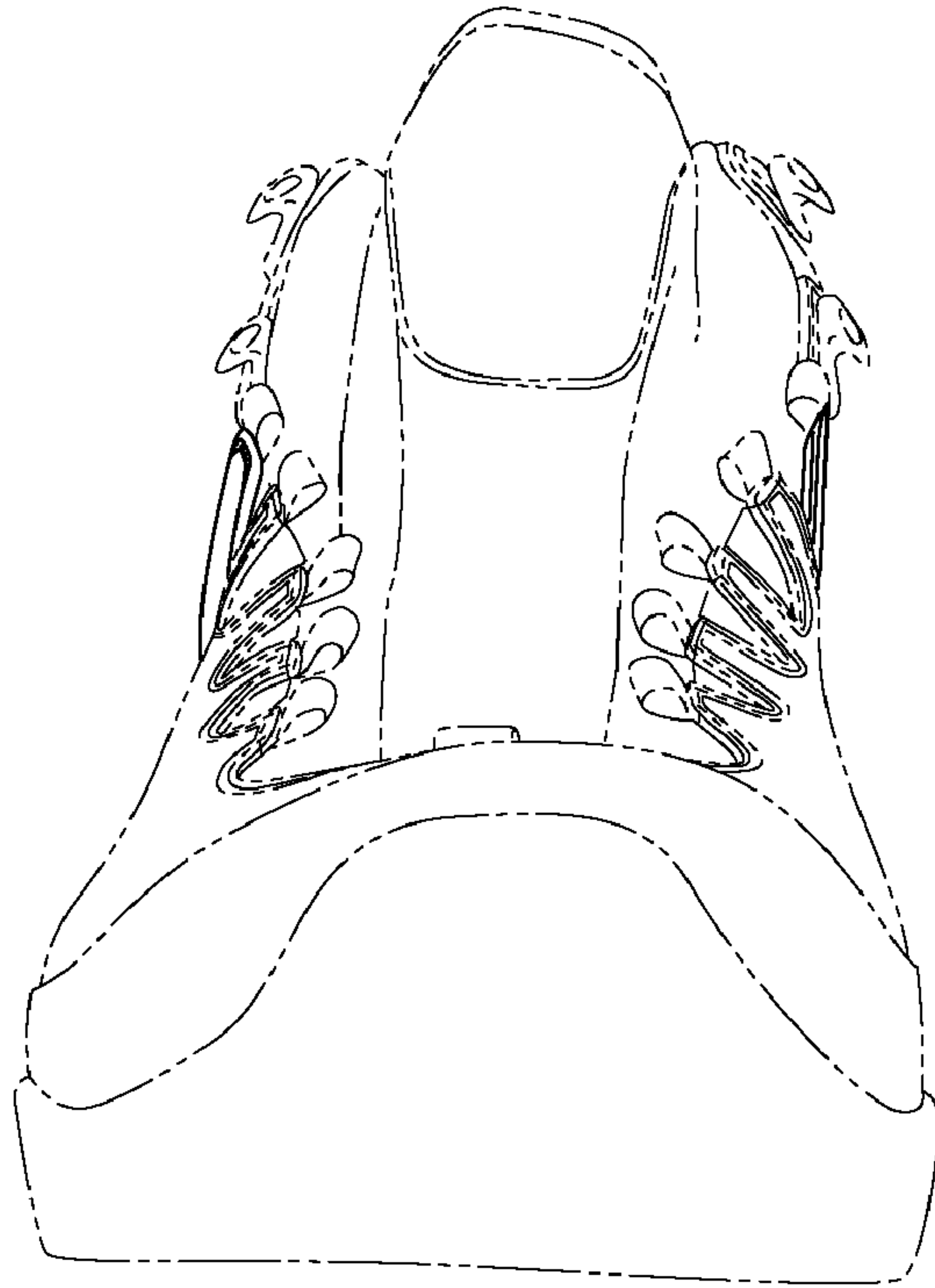


Fig. 5

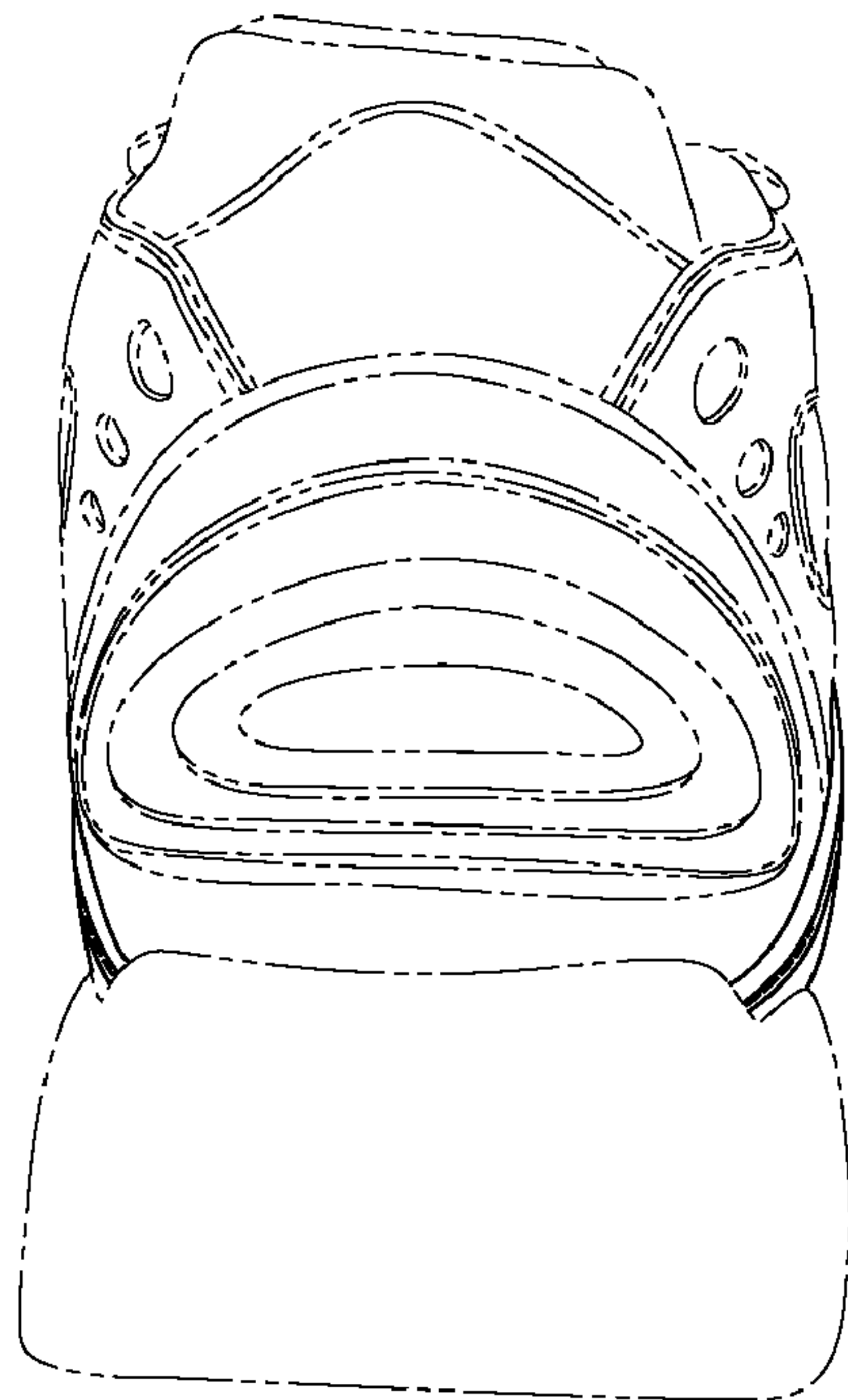


Fig. 6