



US00D594214S

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

(10) **Patent No.:** **US D594,214 S**  
(45) **Date of Patent:** **\*\* Jun. 16, 2009**

(54) **FOOTWEAR UPPER**

D574,590 S \* 8/2008 Maejima ..... D2/969

(75) Inventors: **Clark A. Matis**, Charlotte, VT (US);  
**Toren Phillip Ben Orzeck**, Portland, OR (US)

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

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

(21) Appl. No.: **29/307,930**

(22) Filed: **May 20, 2008**

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

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

(58) **Field of Classification Search** ..... D2/896,  
D2/902, 906-908, 943, 944, 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**

- D351,058 S \* 10/1994 Hatfield et al. .... D2/969
- D447,617 S 9/2001 Matis et al.
- D447,860 S 9/2001 Matis et al.
- D458,741 S 6/2002 Rogers
- D496,527 S \* 9/2004 Roulo ..... D2/972
- D544,194 S \* 6/2007 Roth et al. .... D2/972
- D547,936 S \* 8/2007 Masullo ..... D2/969
- D563,090 S 3/2008 Matis et al.
- D563,657 S 3/2008 Matis et al.
- D566,949 S \* 4/2008 Matis et al. .... D2/969

**OTHER PUBLICATIONS**

- Merrell Spring 2008 Catalog, pp. 34 and 35.
- Merrell Fall 2000 Catalog, pp. 8 and 9.
- Merrell Fall 2001 Catalog, p. 14.
- Merrell Fall 2003 Catalog, p. 11.

\* 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;

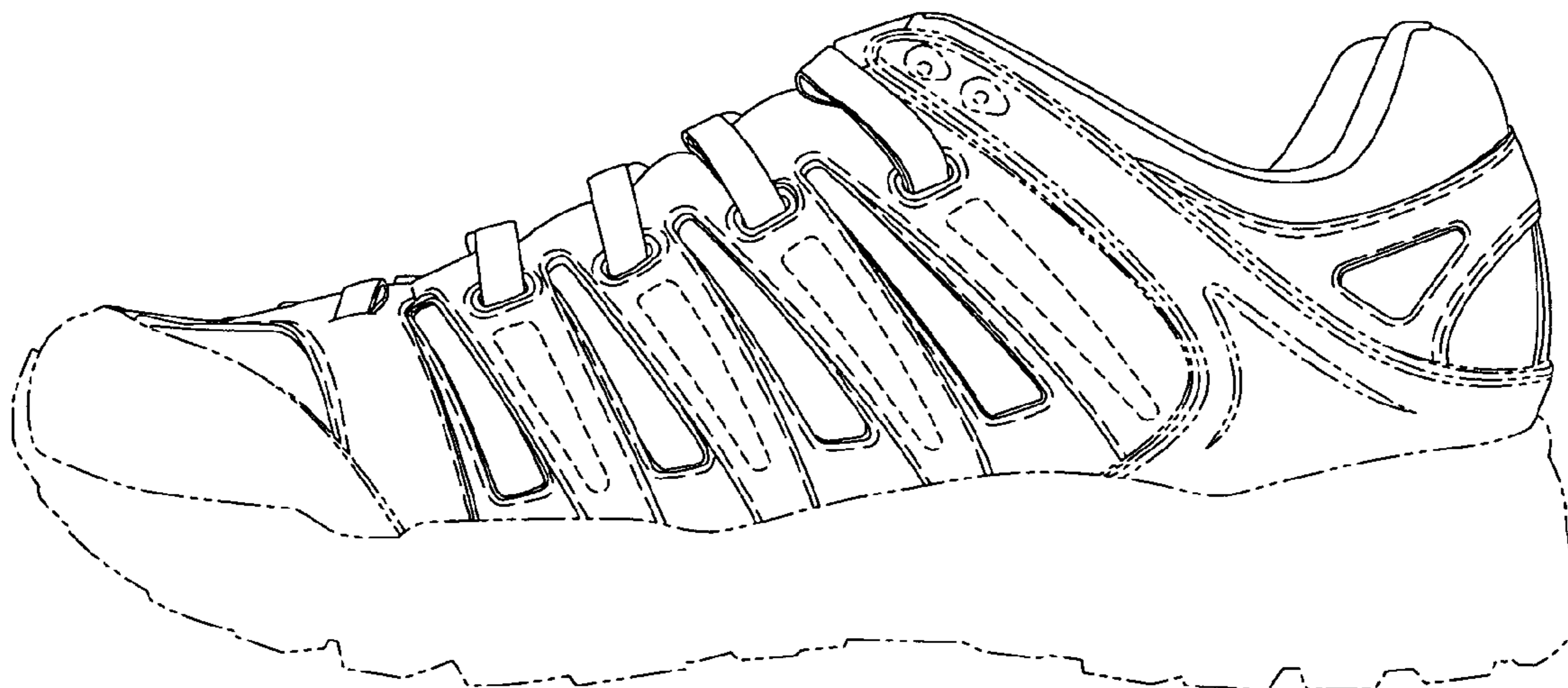
FIG. 4 is a left side view thereof;

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**



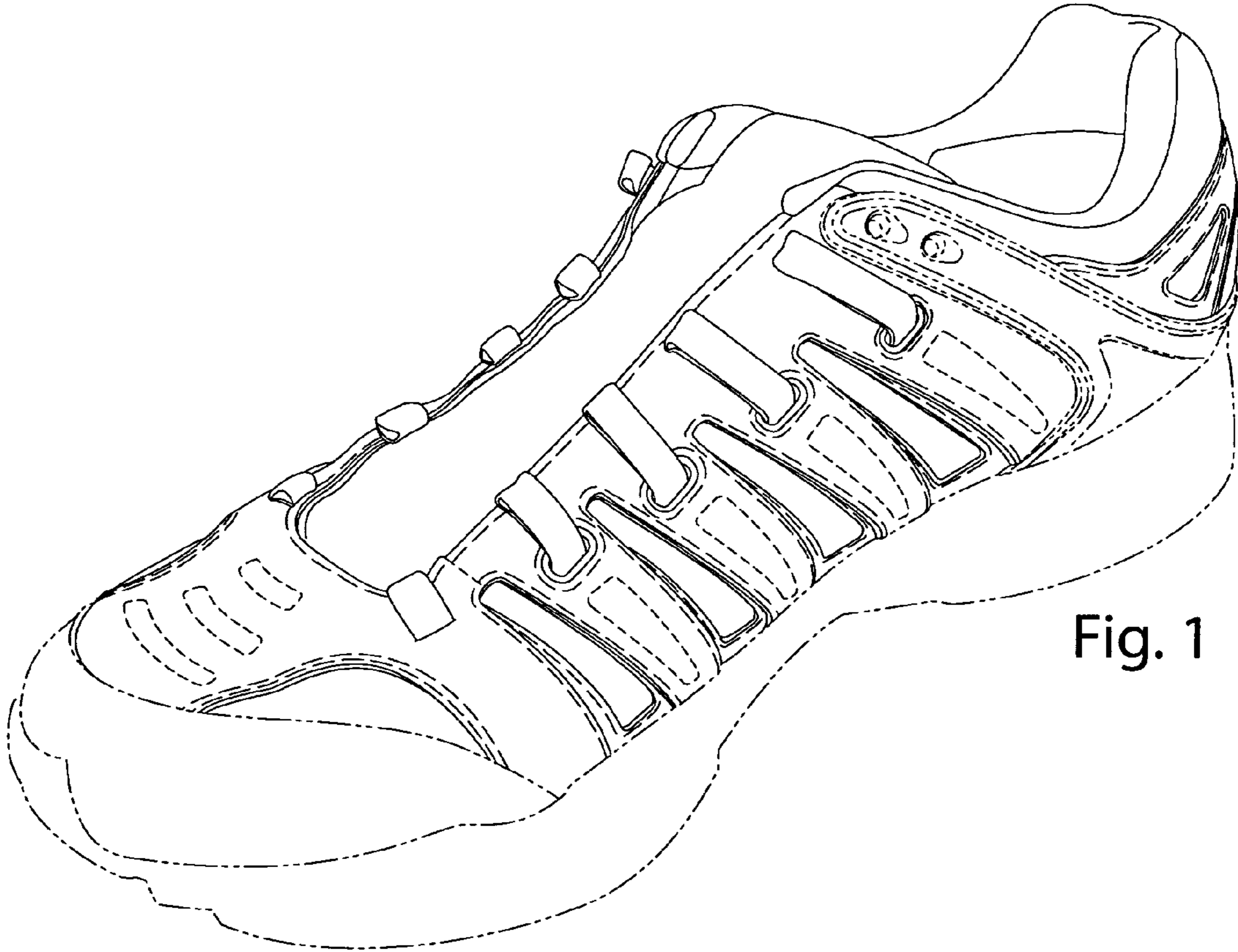


Fig. 1

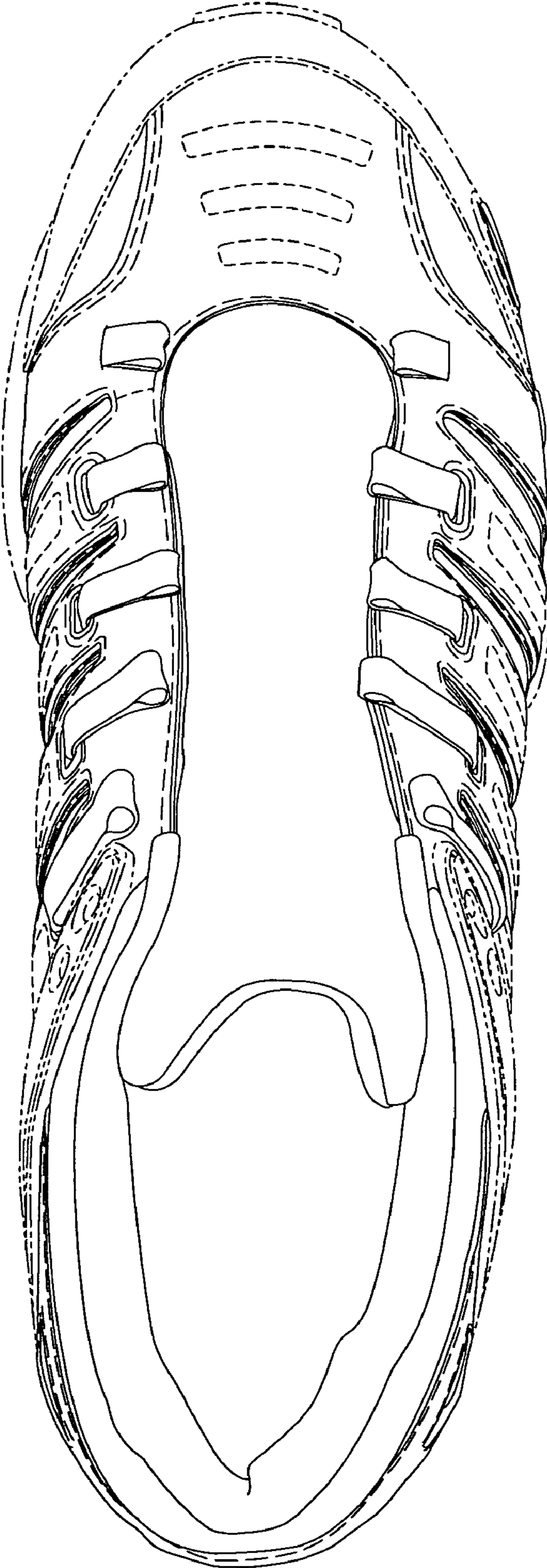


Fig. 2

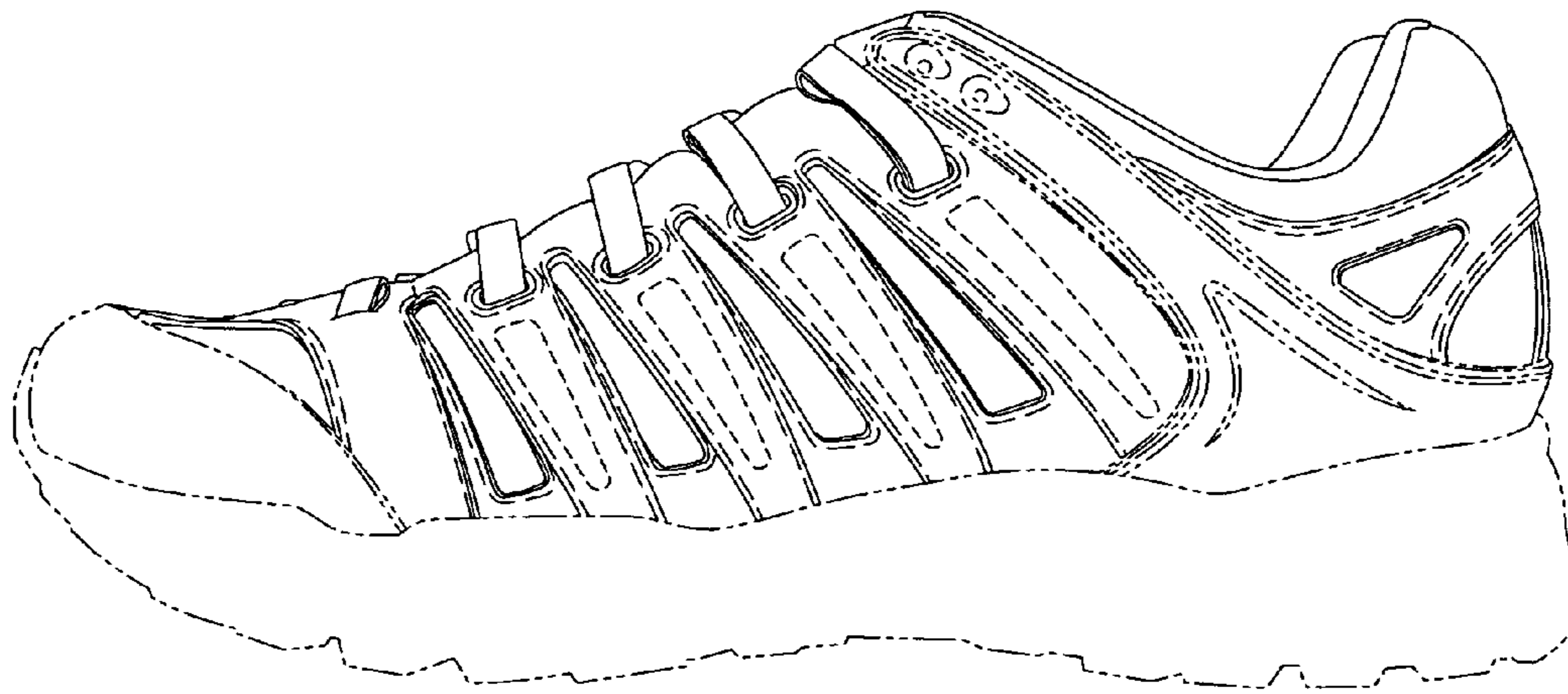


Fig. 3

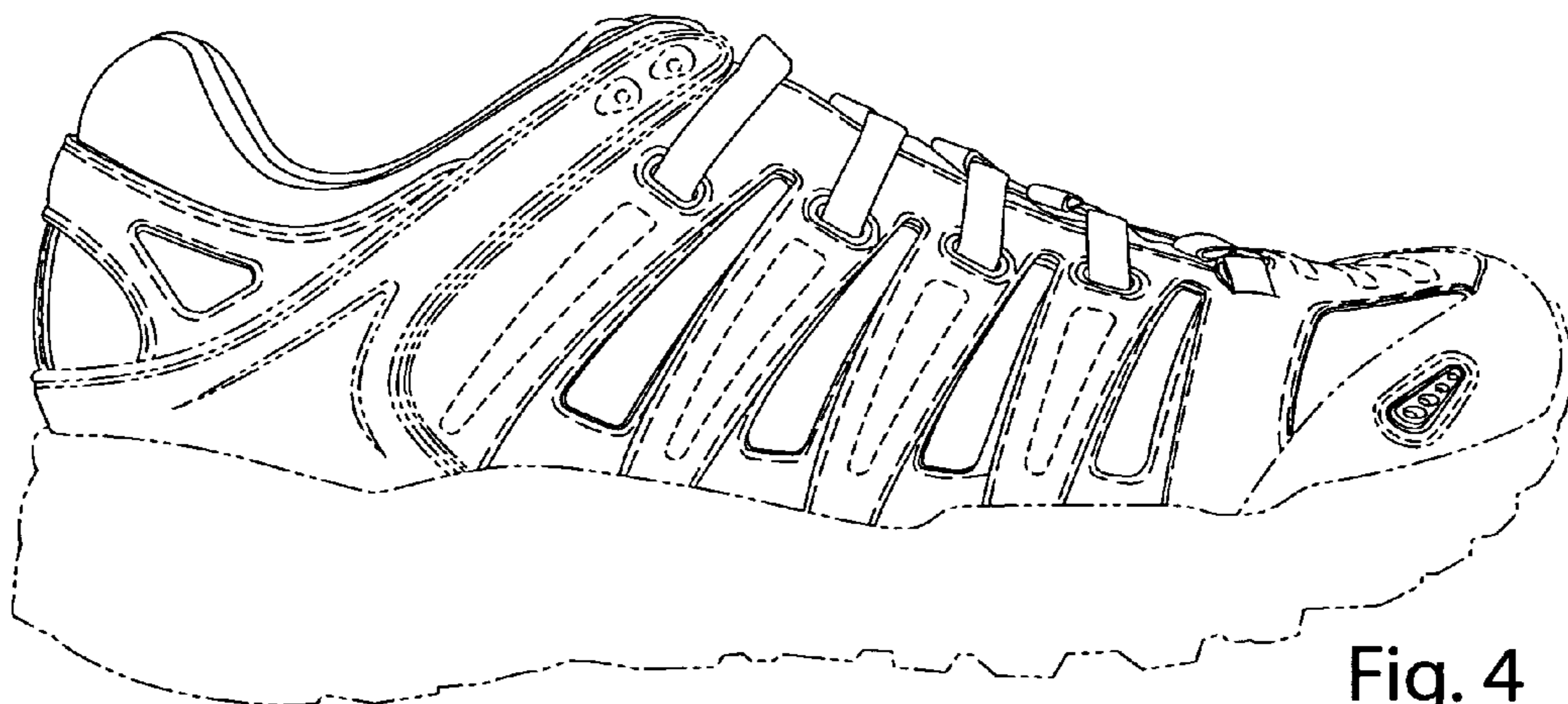


Fig. 4

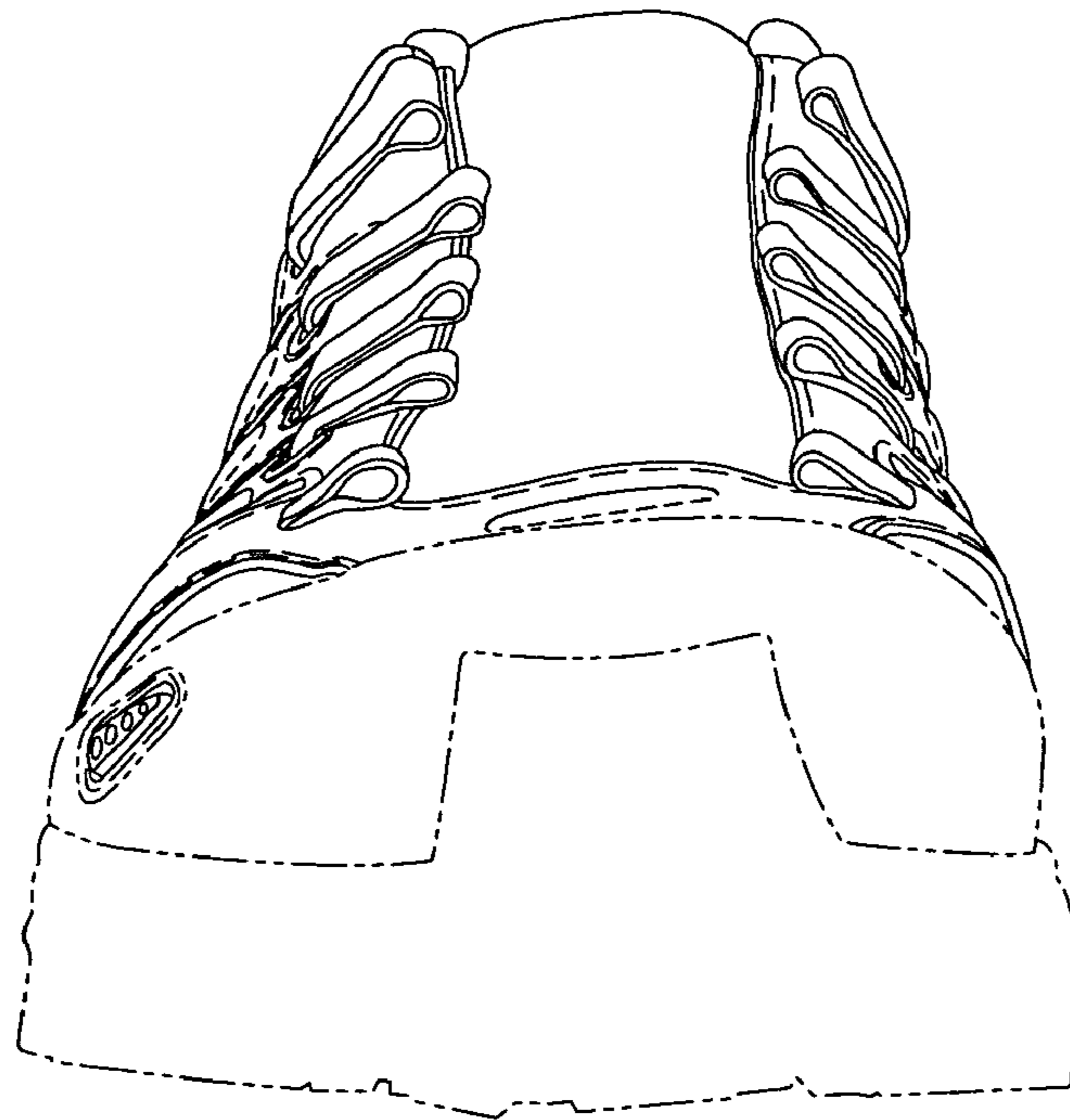


Fig. 5

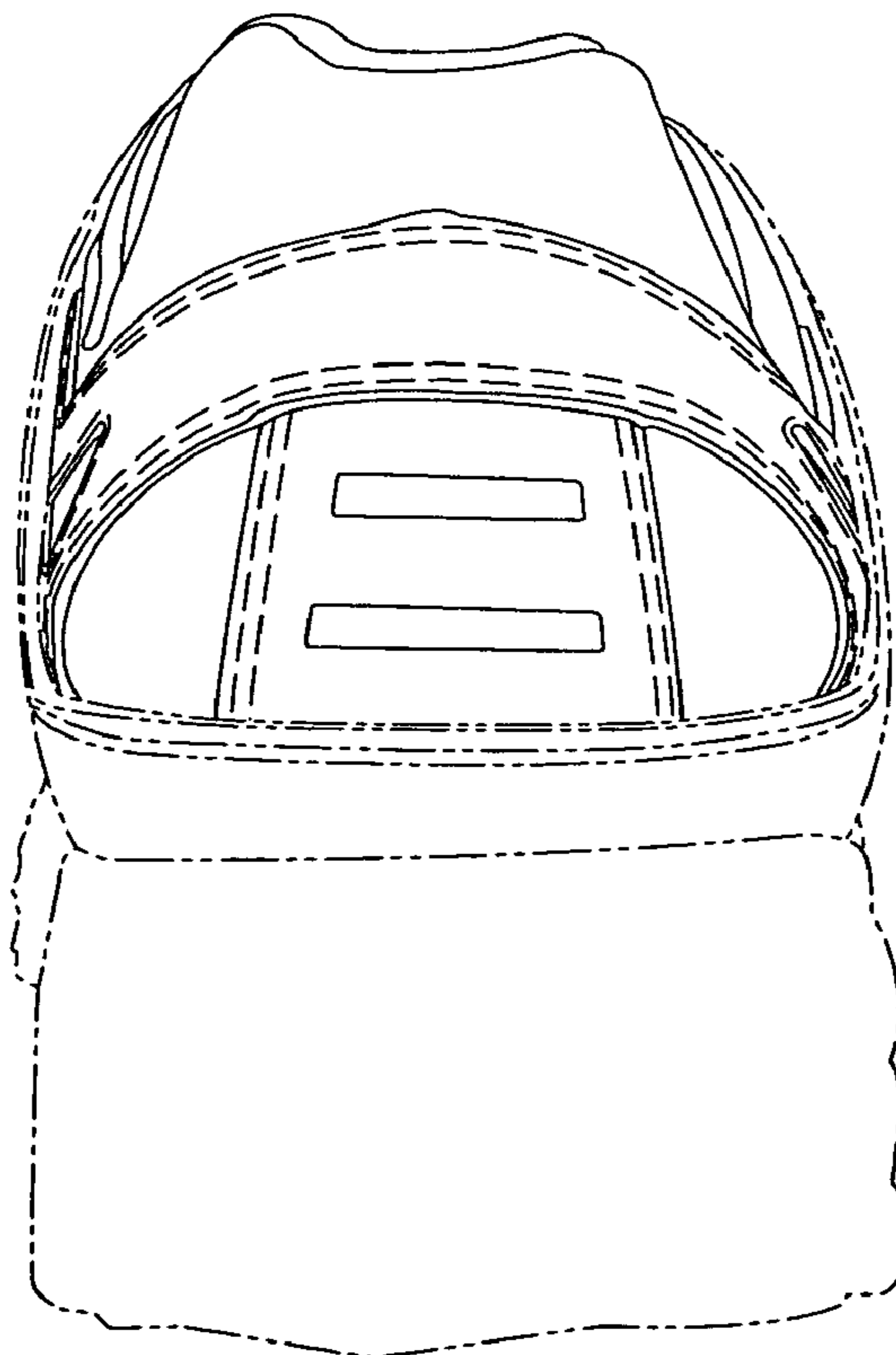


Fig. 6