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

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(54) **FOOTWEAR UPPER**

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(**) Term: **15 Years**

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(51) **LOC (10) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/917**

(58) **Field of Classification Search**
USPC D02/896-900, 903, 916-925, 943, 946,
D02/952, 969, 971; 36/45, 50.1, 112, 113,
36/136, 3 A, 7.4, 7.5, 7.6, 11.5
CPC A63B 3/126; A63B 3/12; A63B 23/00
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D200,697 S *	3/1965	Joiner	D2/917
4,530,171 A *	7/1985	Zabala	A43B 3/126 36/11.5
D293,963 S *	2/1988	Maciel	D2/917
D446,633 S *	8/2001	Ferris	D2/916
D487,183 S *	3/2004	Cumeau	D2/917
D489,517 S *	5/2004	Comeau	D2/917
D530,489 S *	10/2006	Comeau	D2/917
D550,942 S *	9/2007	Choi	D2/917
D632,060 S *	2/2011	Kieler	D2/917
D675,405 S *	2/2013	Khoury	D2/917

OTHER PUBLICATIONS

Sanuk, style "Sanuk Yoga Sling 2"; On public sale or in public use at least as early as Apr. 2014, see Review dated Apr. 26, 2014; www.zappos.com/sanuk-yoga-sling-2-prints-charcoal-natural-stripes?zifid=191&ref=pd_sims_v_1.
Saunk, style "Sanuk Yoga Sling Flat"; On public sale or in public use at least as early as Feb. 2014, see Review dated Feb. 25, 2014; http://www.dsw.com/shoe/sanuk+yoga+sling+flat+sandal?prodId=3027724#productRatingZone.
Sanuk, style "Sanuk Yoga Slinged Up"; First on public sale or in public use on May 13, 2014, see Review dated Apr. 1, 2015, http://www.zappos.com/sanuk-yoga-slinged-up-heather-grey.
Sanuk, style "Sanuk Yoga Slingshot"; First on public sale or in public use on Nov. 1, 2013, see Review dated Jul. 16, 2014, http://www.zappos.com/sanuk-yoga-slingshot-prints-dusty-yellow-multi.

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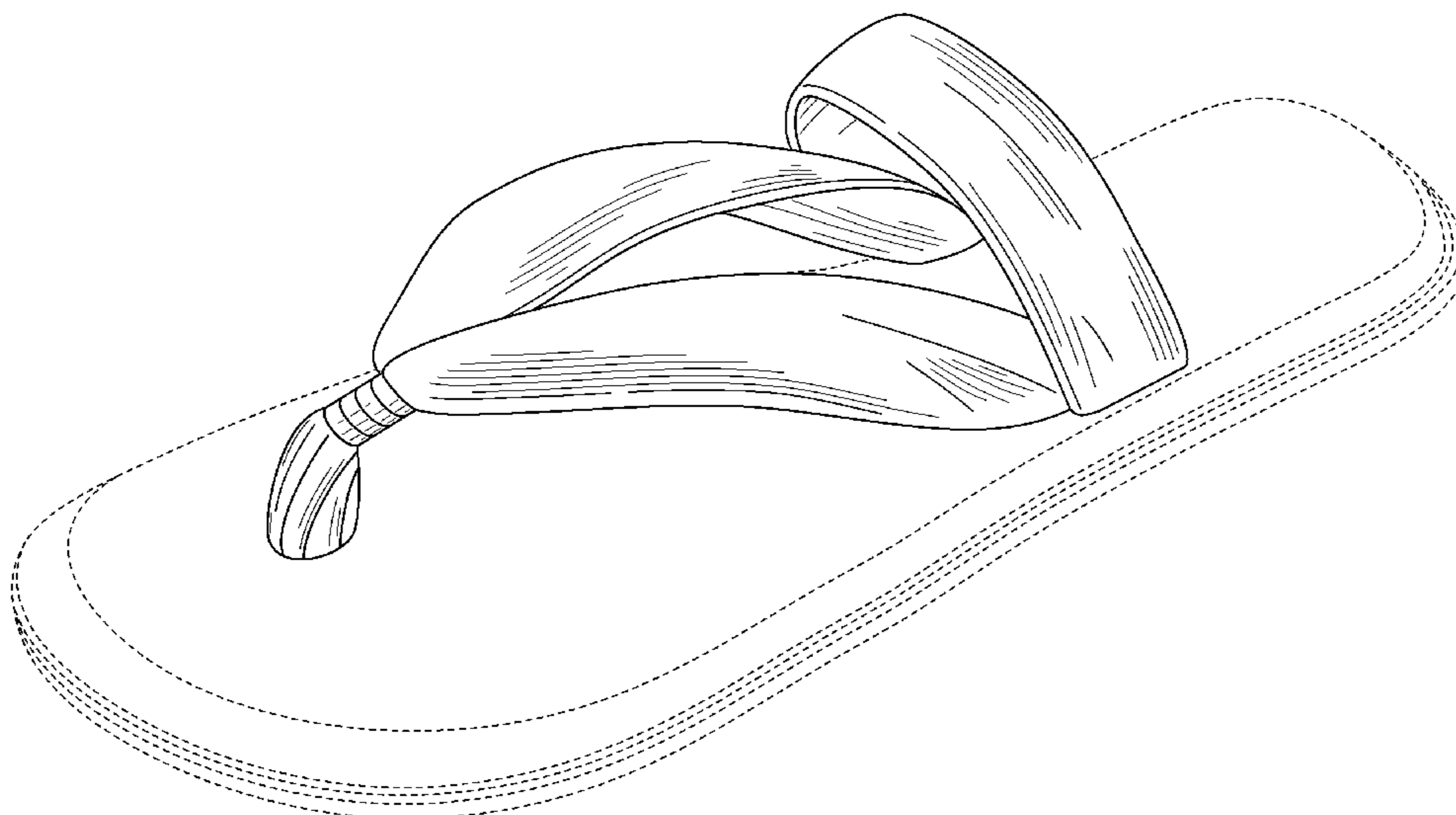
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(57) **CLAIM**
The ornamental design for a footwear upper, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a footwear upper showing my new design;
FIG. 2 is a front elevational view thereof;
FIG. 3 is a rear elevational view thereof;
FIG. 4 is a side elevational view thereof;
FIG. 5 is an opposite side elevational view thereof;
FIG. 6 is a top plan view thereof; and,
FIG. 7 is a bottom plan view thereof.
The broken lines in FIGS. 1-7 represent portions of the footwear that form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

OTHER PUBLICATIONS

Sanuk, style "Sanuk Yoga Slinglet"; First on public sale or in public use on Oct. 7, 2014, see Review dated Apr. 10, 2015; <http://www.sanuk.com/womens-sandals/yoga-slinglet/SWS10789.html>.

Sanuk, style "Sanuk Yoga Slinger"; First on public sale or in public use on Nov. 1, 2013, see Review dated Jul. 10, 2014; <http://www.zappos.com/sanuk-yoga-slinger>.

* cited by examiner



FIG. 1

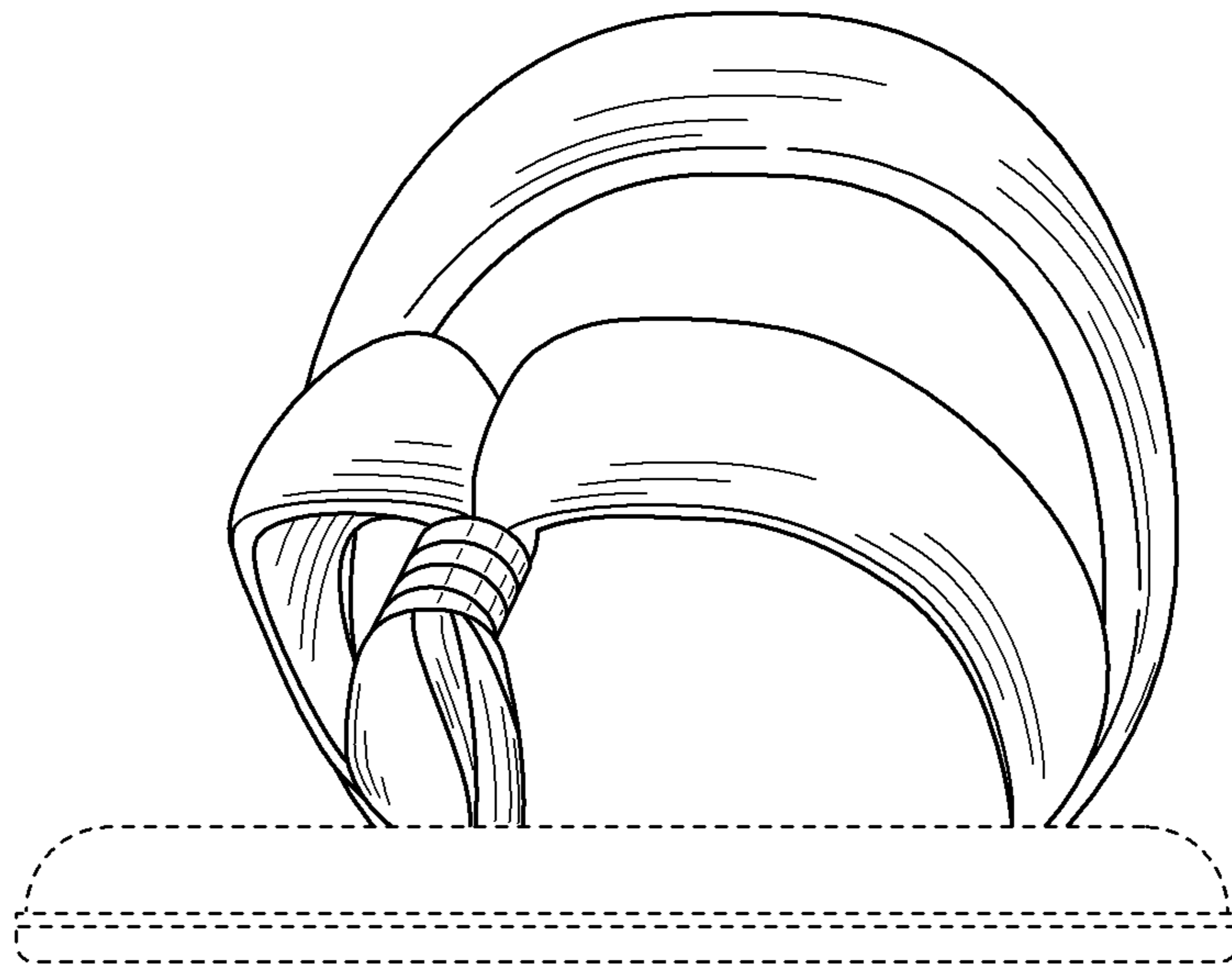


FIG. 2

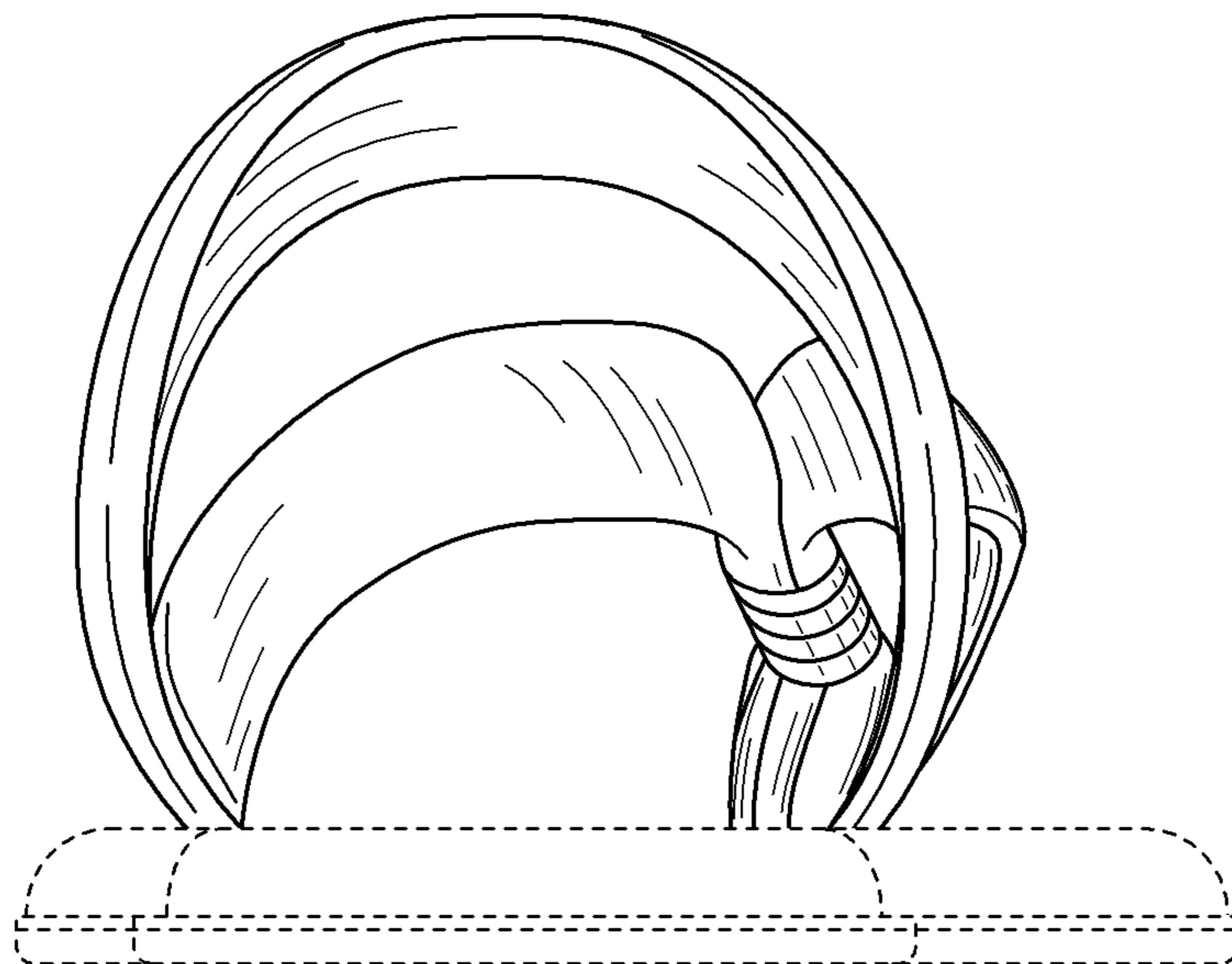


FIG. 3

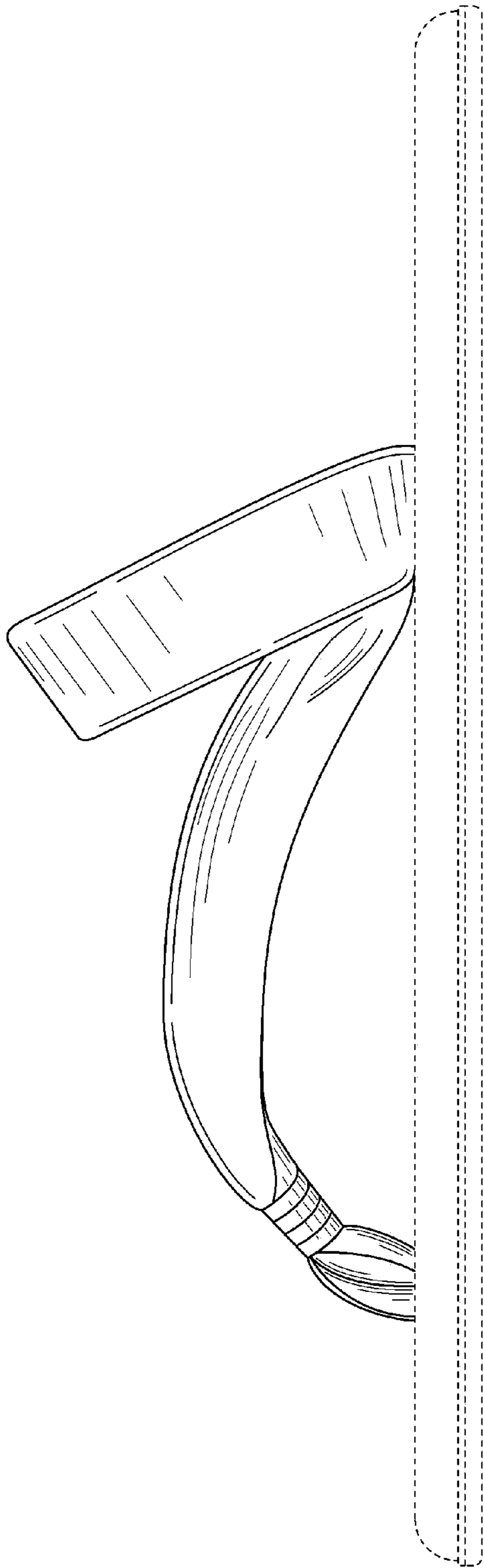


FIG. 4

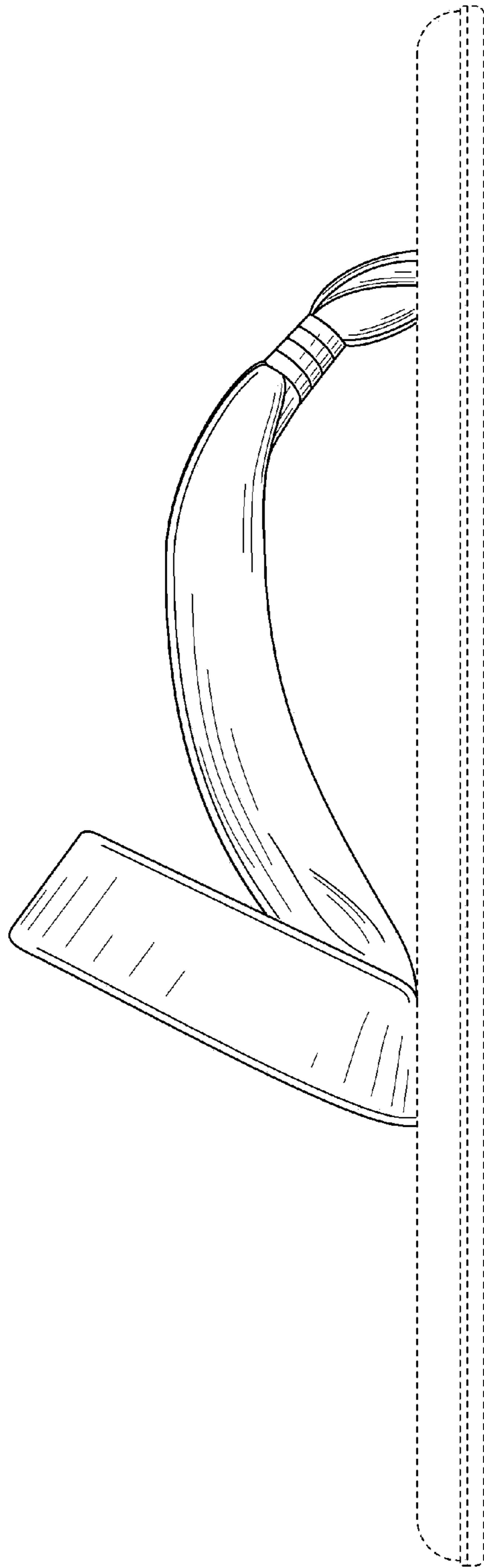


FIG. 5

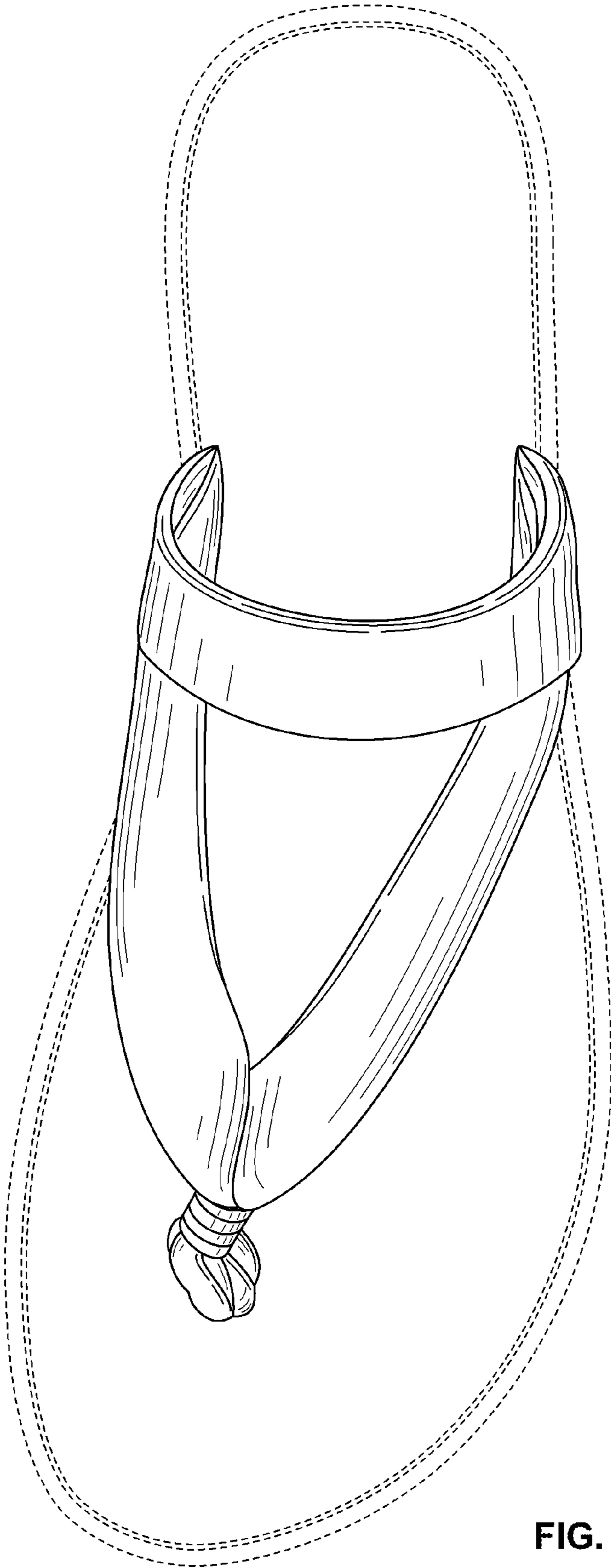


FIG. 6

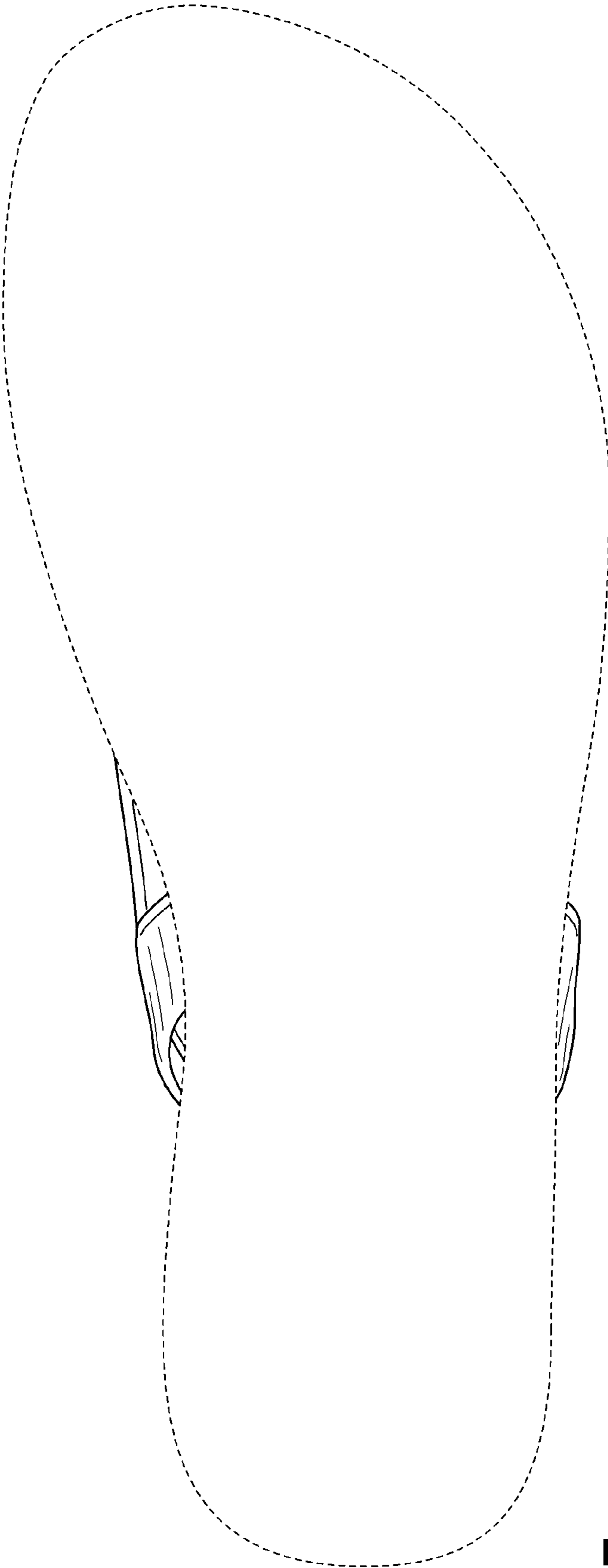


FIG. 7