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

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(54) **FOOTWEAR UPPER**

D579,648 S * 11/2008 McDowell D2/970

(75) Inventor: **Michael P. McCarron**, Danville, CA (US)

OTHER PUBLICATIONS

Ariat Fall 2008 Footwear Catalog, pp. 61-76, Ariat International, Inc., 2007.

(73) Assignee: **Ariat International, Inc.**, Union City, CA (US)

Printout of website <http://www.sneakerfreaker.com/sneaker-releases/Nike-Ippeas-2008-0lympics/>, printed Jul. 7, 2009; illustrated boot publicly used 2008.

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

* cited by examiner

(21) Appl. No.: **29/361,293**

Primary Examiner—Robert M Spear
Assistant Examiner—Rashida C McCoy

(22) Filed: **May 10, 2010**

(74) *Attorney, Agent, or Firm*—Dascenzo Intellectual Property Law, P.C.

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

(57) **CLAIM**

(52) **U.S. Cl.** **D2/970; D2/910; D2/911**

I claim the ornamental design for a footwear upper, as shown and described.

(58) **Field of Classification Search** D2/896,
D2/909–915, 946, 970, 973; 36/83, 109,
36/45, 50.1, 52, 113, 114, 131

See application file for complete search history.

DESCRIPTION

(56) **References Cited**

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

U.S. PATENT DOCUMENTS

FIG. 2 is a right side perspective view of a footwear upper showing the new design.

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D100,413 S	*	7/1936	Banigan	D2/911
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FIG. 3 is a front perspective view of a footwear upper showing the new design.

FIG. 4 is a rear perspective view of a footwear upper showing the new design; and,

FIG. 5 is a left side perspective view of a footwear upper showing the new design.

The broken lines shown in the drawings are to illustrate environment and form no part of the presently claimed design. The bottom and internal surface of the footwear upper form no part of the presently claimed design.

The shading lines shown in the drawings represent the approximate three-dimensional contour of the design, and are not intended to indicate surface decoration.

1 Claim, 3 Drawing Sheets



Fig. 1

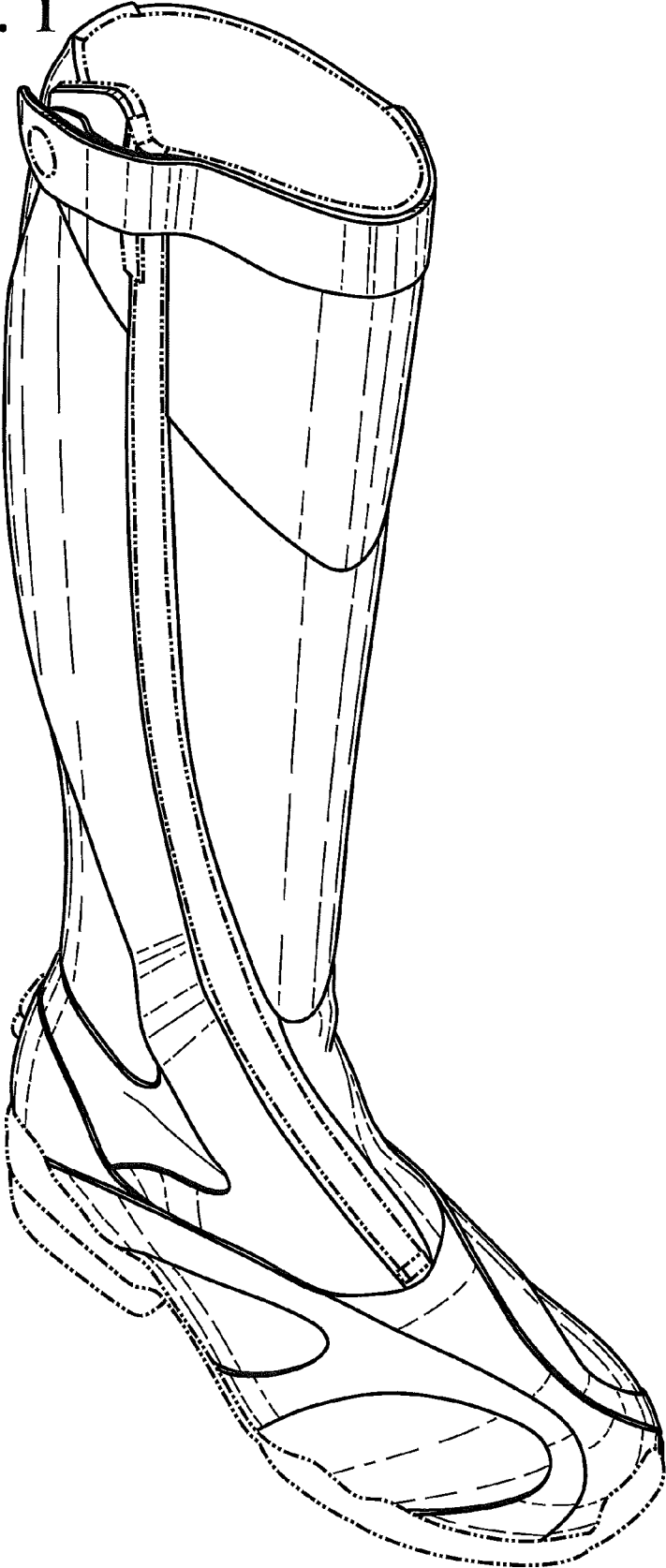


Fig. 2



Fig. 3

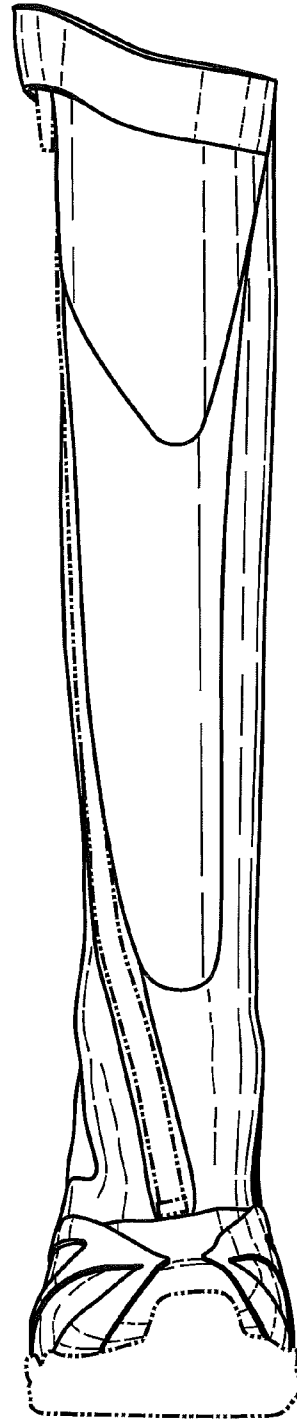


Fig. 4

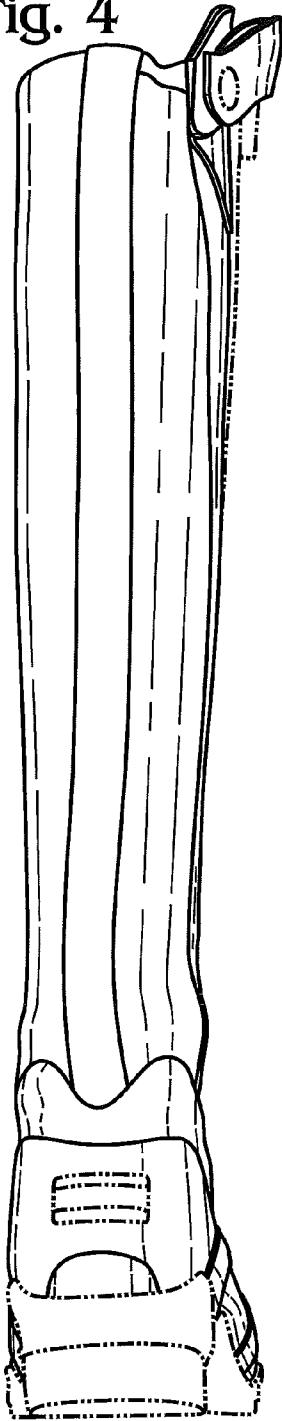


Fig. 5

