



US00D453990S

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

(10) **Patent No.:** **US D453,990 S**
(45) **Date of Patent:** **** Mar. 5, 2002**

(54) **CLOG TYPE SHOE UPPER**

(75) Inventors: **Ivan Davidowitz**, Kingston, PA (US);
Rosemary Wright, Hinckley (GB)

(73) Assignee: **Columbia Footwear Corporation**,
Hazelton, PA (US)

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

(21) Appl. No.: **29/123,805**

(22) Filed: **May 25, 2000**

Related U.S. Application Data

(62) Division of application No. 29/087,626, filed on May 7,
1998, now Pat. No. Des. 443,976.

(51) **LOC (7) Cl.** **02-04**

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

(58) **Field of Search** D2/896, 907, 908,
D2/916, 919, 922, 924, 925, 926, 928,
929, 930, 935, 939, 943, 946, 947, 948,
951, 952, 962, 970, 953, 960, 957, 972;
36/1.5, 2 R, 4, 7.1 R, 3 A, 7.3, 8.1, 9 A,
10, 11, 11.5, 25 R, 26, 30 R, 32 R, 34 R,
40, 45, 50.1, 51, 56, 57, 80, 105, 106, 127,
132, 138

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,061,740 A 5/1913 Gehant
1,795,305 A 3/1931 Jacob

(List continued on next page.)

FOREIGN PATENT DOCUMENTS

DE 2612930 9/1977
EP 308373 3/1989
FR 1499145 10/1967
GB 175408 2/1922

OTHER PUBLICATIONS

Dawson Creek™ Shoe (Figures 1–7), Dec. 4, 1997.

(List continued on next page.)

Primary Examiner—Louis S. Zarfes

Assistant Examiner—Monica A. Weingart

(74) *Attorney, Agent, or Firm*—Zoltick Technology Law
Group, PLLC

(57) **CLAIM**

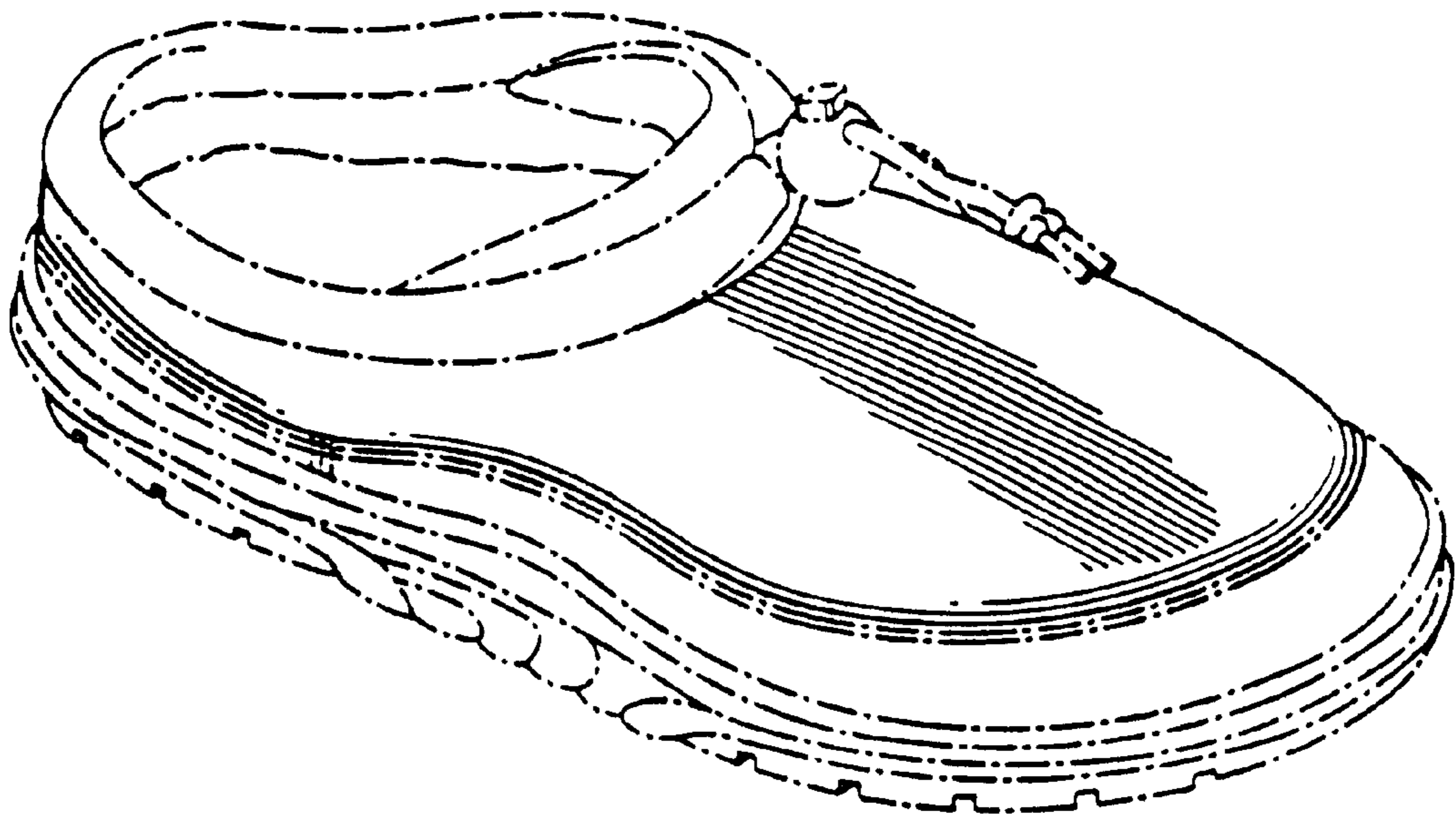
The ornamental design for a clog type shoe upper, as shown
and described.

DESCRIPTION

FIG. 1 is a top, right side perspective view of a clog type
shoe upper showing our new design;
FIG. 2 is a left side view thereof;
FIG. 3 is a right side view thereof;
FIG. 4 is a front elevational view thereof;
FIG. 5 is a rear elevational view thereof;
FIG. 6 is a top, front and right side perspective view thereof;
FIG. 7 is a top, front and left side perspective view thereof;
FIG. 8 is a top plan view thereof; and,
FIG. 9 is a bottom plan view thereof.

The phantom line showing in the Figures is for illustrative
purposes only and forms no part of the claimed design.

1 Claim, 5 Drawing Sheets



U.S. PATENT DOCUMENTS

2,627,677 A 2/1953 Kashian
 2,718,715 A 9/1955 Spilman
 2,999,323 A 9/1961 Bozza
 3,213,551 A 10/1965 Krauss
 3,289,328 A 12/1966 Abel
 3,568,338 A 3/1971 Nadler
 4,010,558 A 3/1977 Slusher
 4,458,373 A 7/1984 Maslow
 4,489,509 A 12/1984 Libit
 4,538,368 A 9/1985 Mugford
 4,619,058 A 10/1986 Gumbert
 4,742,625 A 5/1988 Sydor et al.
 4,856,207 A 8/1989 Datson
 4,870,761 A 10/1989 Tracy
 4,896,437 A 1/1990 Johnson
 4,896,438 A 1/1990 Debease
 4,901,453 A 2/1990 Gaynor
 4,942,678 A 7/1990 Gumbert
 5,035,069 A 7/1991 Minden
 5,056,240 A 10/1991 Sherrill
 5,067,260 A 11/1991 Jenkins, Jr.
 5,150,536 A 9/1992 Strong
 5,392,532 A 2/1995 Bray et al.
 D361,426 S 8/1995 Baker
 5,491,860 A 2/1996 Bray et al.
 5,515,566 A 5/1996 Ganon

5,553,399 A 9/1996 Strong

OTHER PUBLICATIONS

Xhilaration™ Shoe (Figures 8–12), Mar. 24, 1998.
 Best United Garment Company™ Shoe (Figures 13–18),
 Dec. 4, 1997.
 New York Lites Shoe™ (Figures 19–24), Jan. 11, 1998.
 Dawson Creek™ Shoe (2nd Embodiment Figures 25–29),
 Dec. 4, 1997.
 Ciao™ Shoe (Figures 30–33), Jan. 11, 1998.
 LL Bean Christmas 1997 Catalog, p. 161 Nike™ Air Moc
 Shoe, Dec. 1997.
 Nike™ Air Max Publication, p. 57, Jul. 1, 1995.
 Upton's 1998 Catalog, New York Lite Casual Shoes, p. 11,
 Mar. 4, 1998.
 Wanderlust Whistler Shoe displayed at WSA Shoe Show,
 Feb. 9, 1998.
 UGG Australia 1998 Catalog, (i.e. Tasman TH; Steward™;
 Clugg™; Cluggette™ and Ward™ Shoes.
 Hills Brochure—Ladies Fashion Clogs, Aug. 31, 1997.
 Caldor Publication—Ladies and Kids Clogs, Jan. 25, 1998.
 Catch A Star Publication—Sierra™ and Taos™ shoes Nov.
 1997.
 Clog Style Slipper Brochure, Item No. V3045, Apr. 1996.
 Wired Magazine, Jan. 1996, Simple® Shoes.

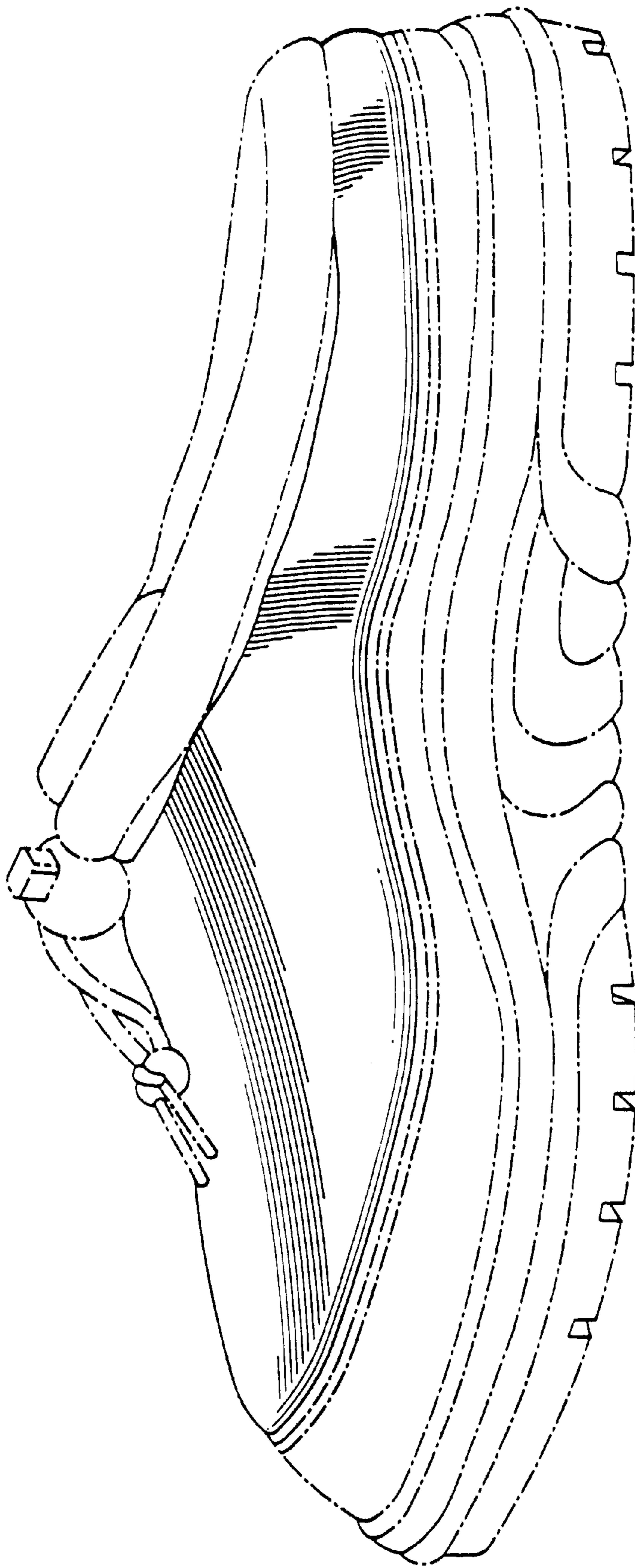


FIG. 1

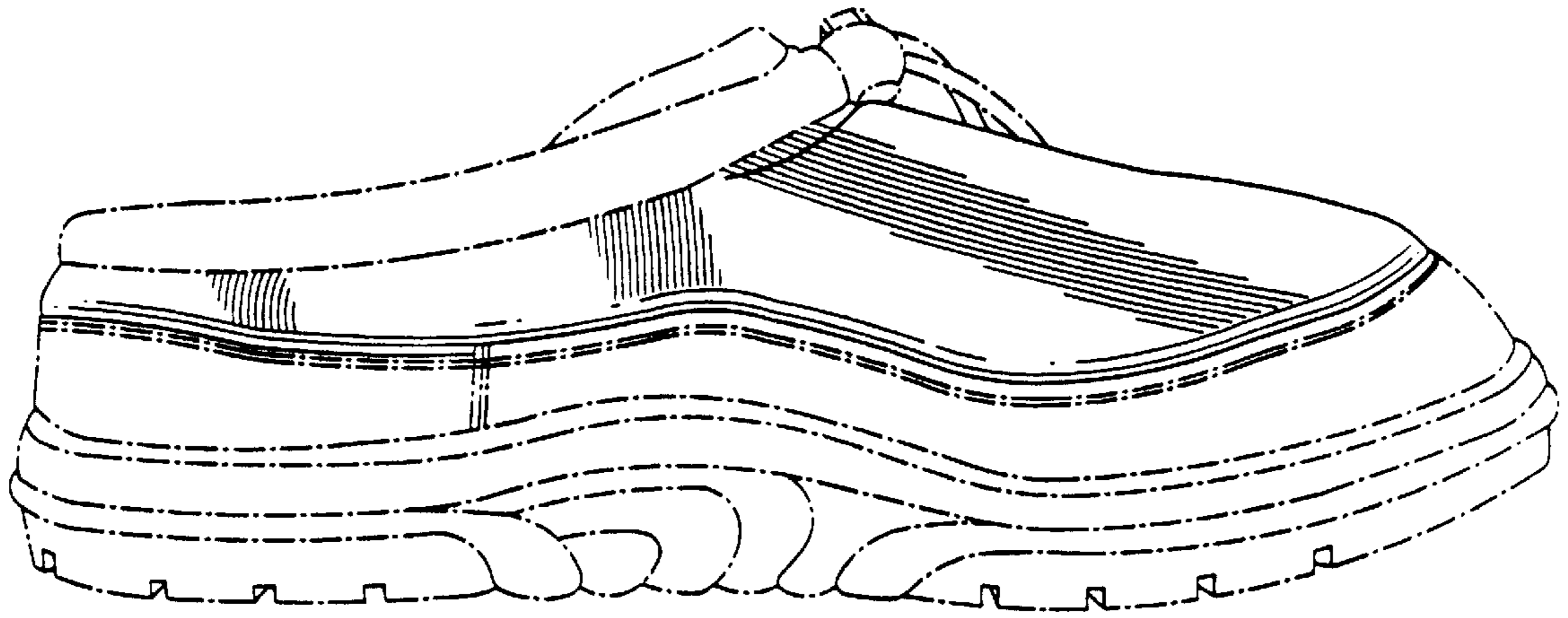


FIG. 2

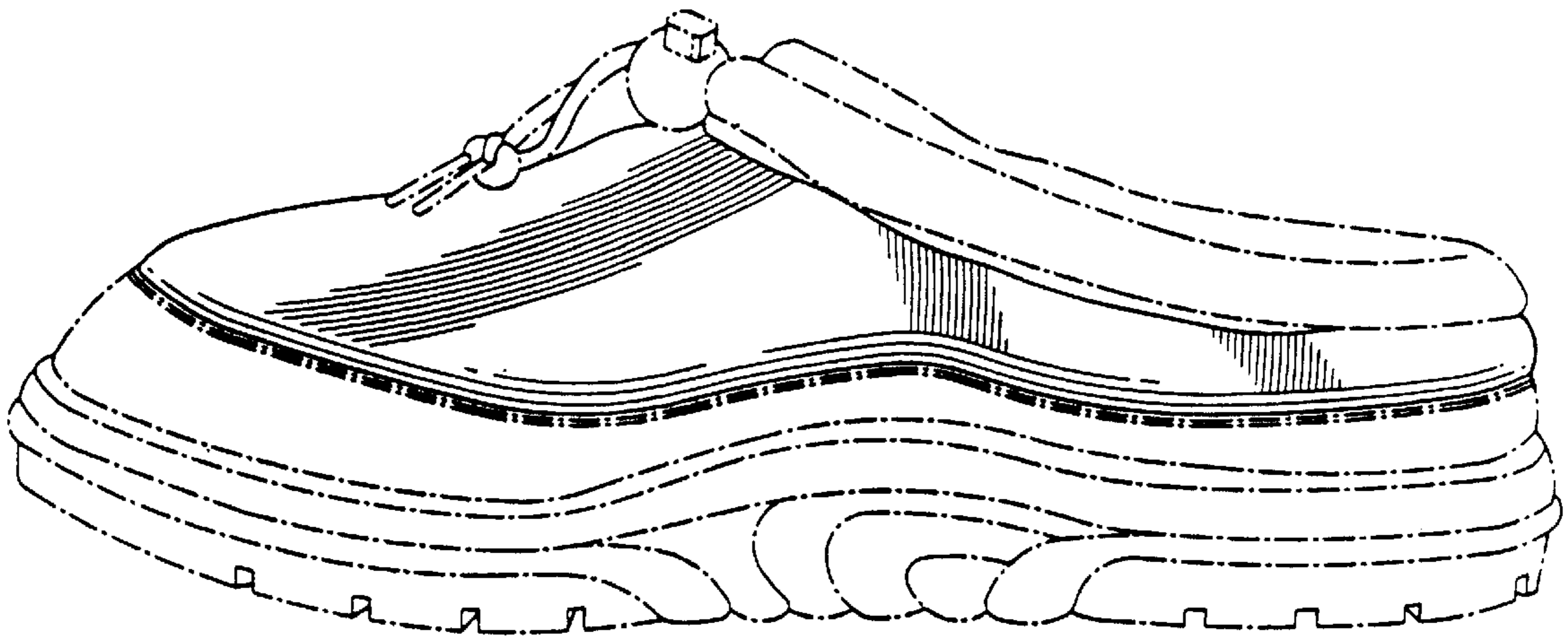


FIG. 3

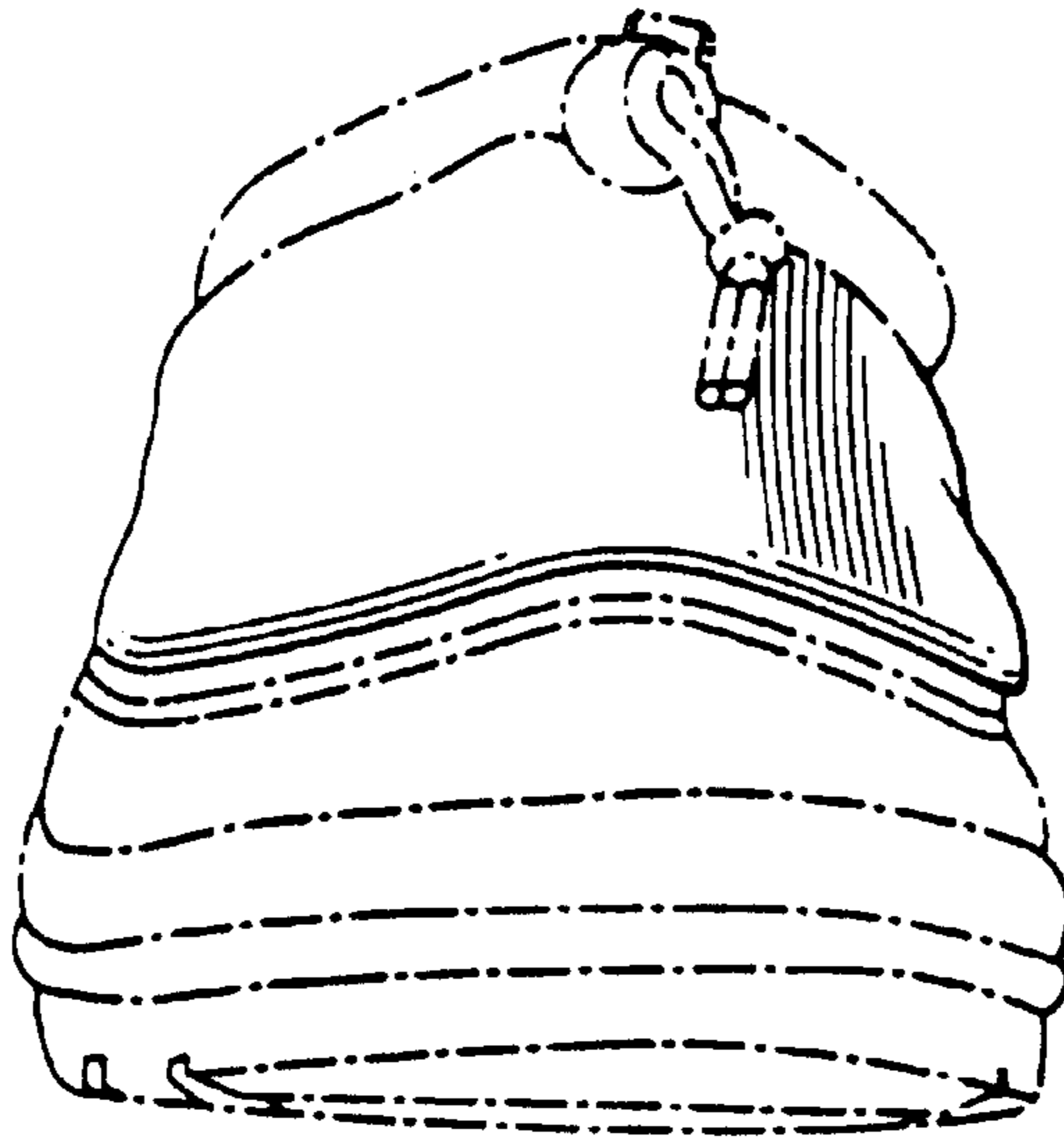


FIG. 4

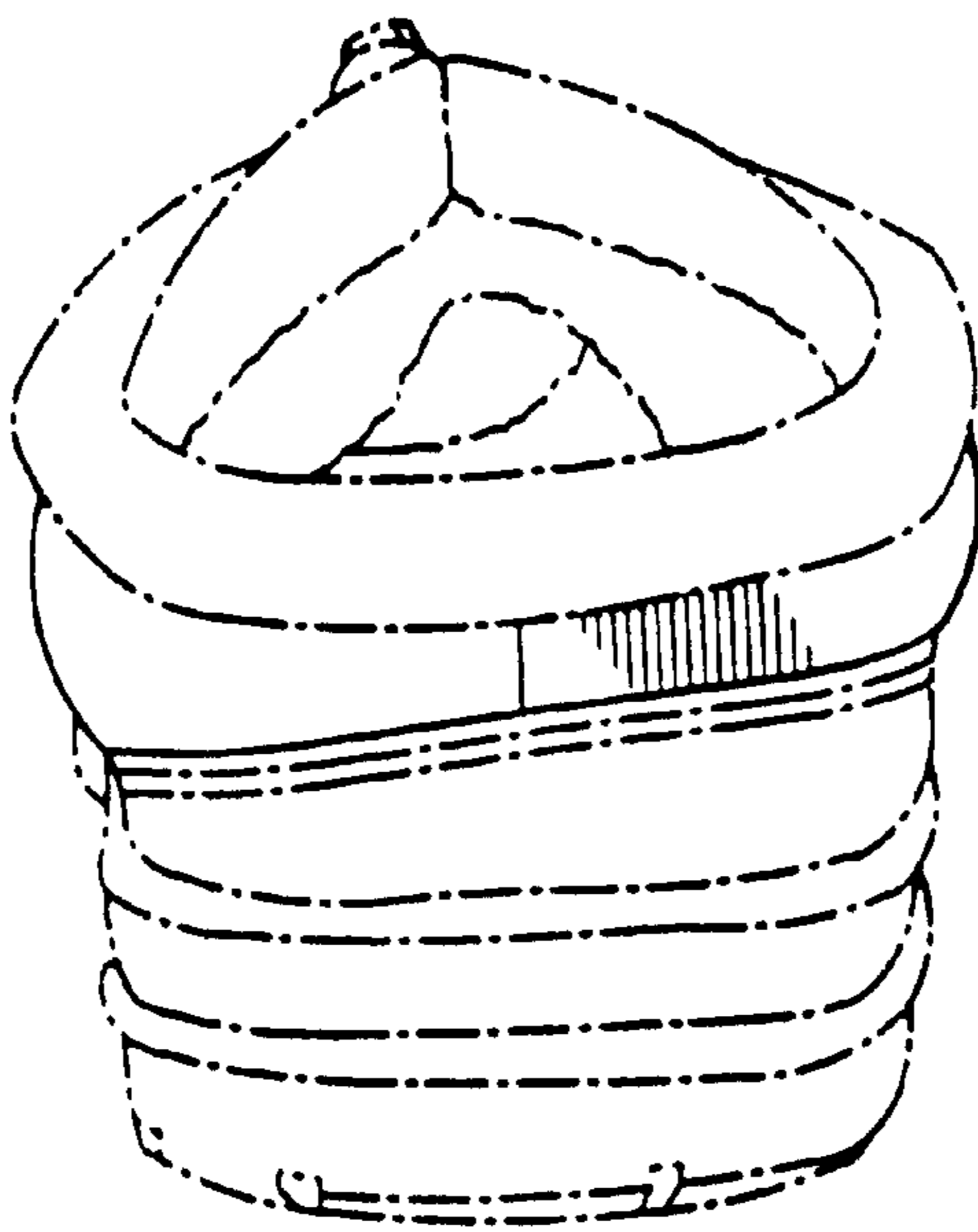


FIG. 5

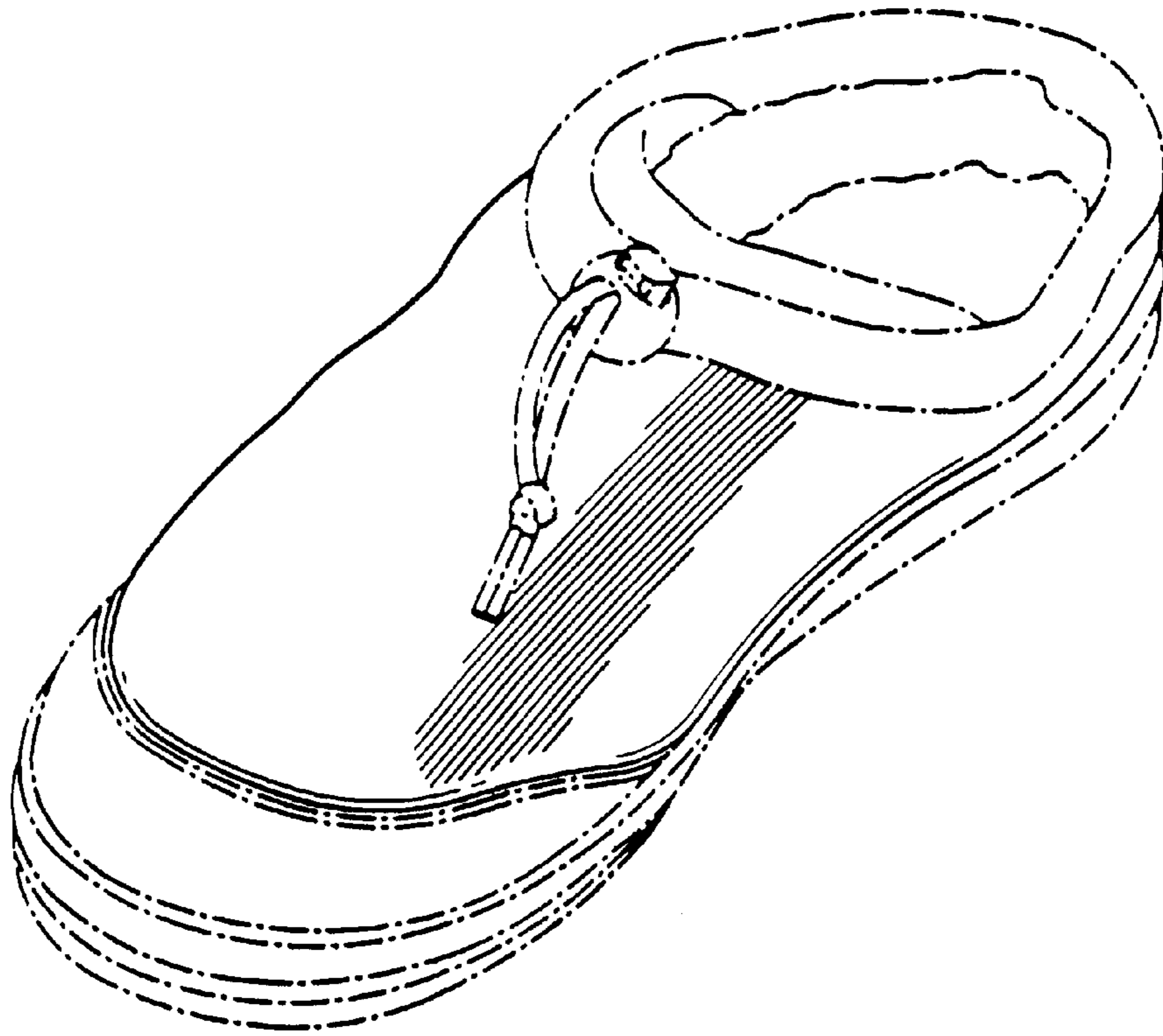


FIG. 6

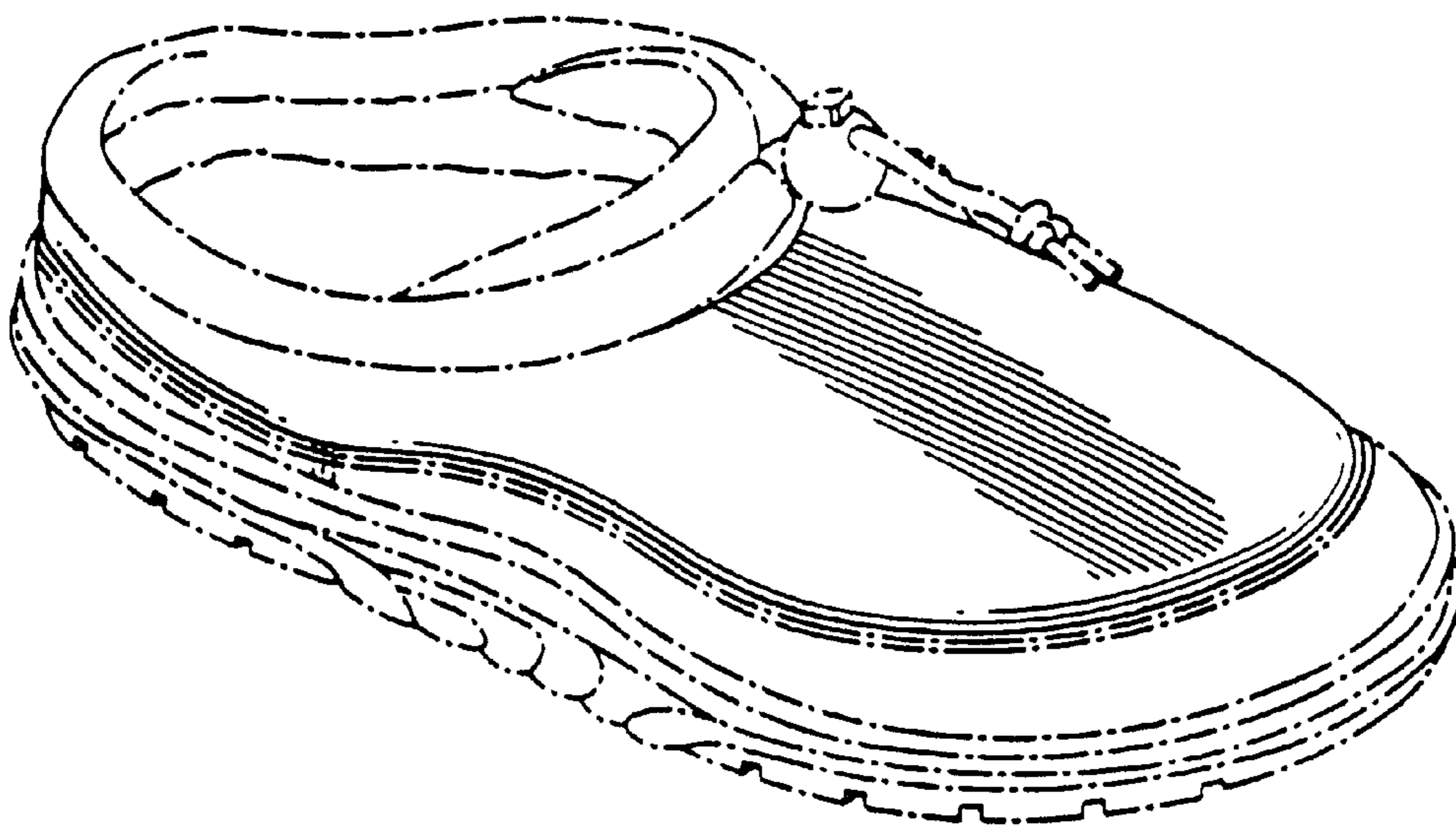


FIG. 7

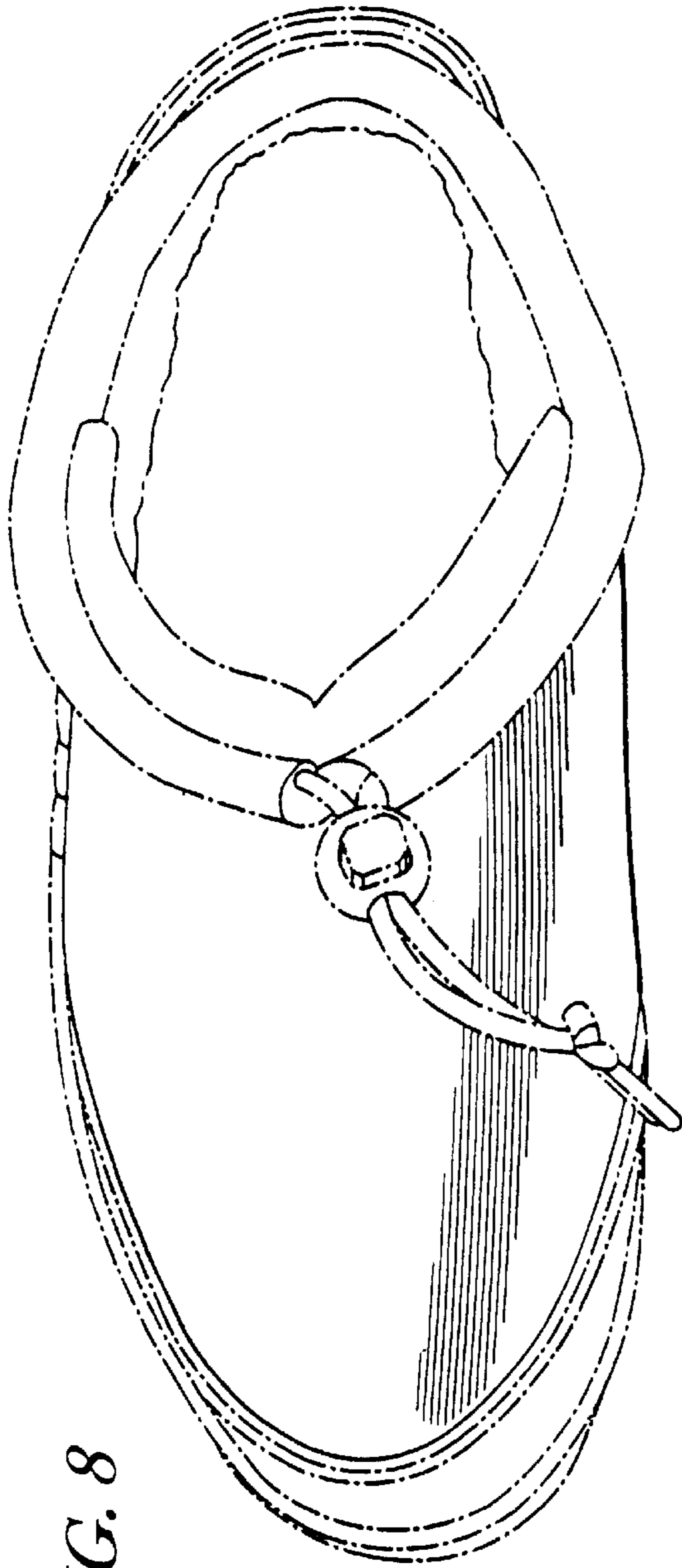


FIG. 8

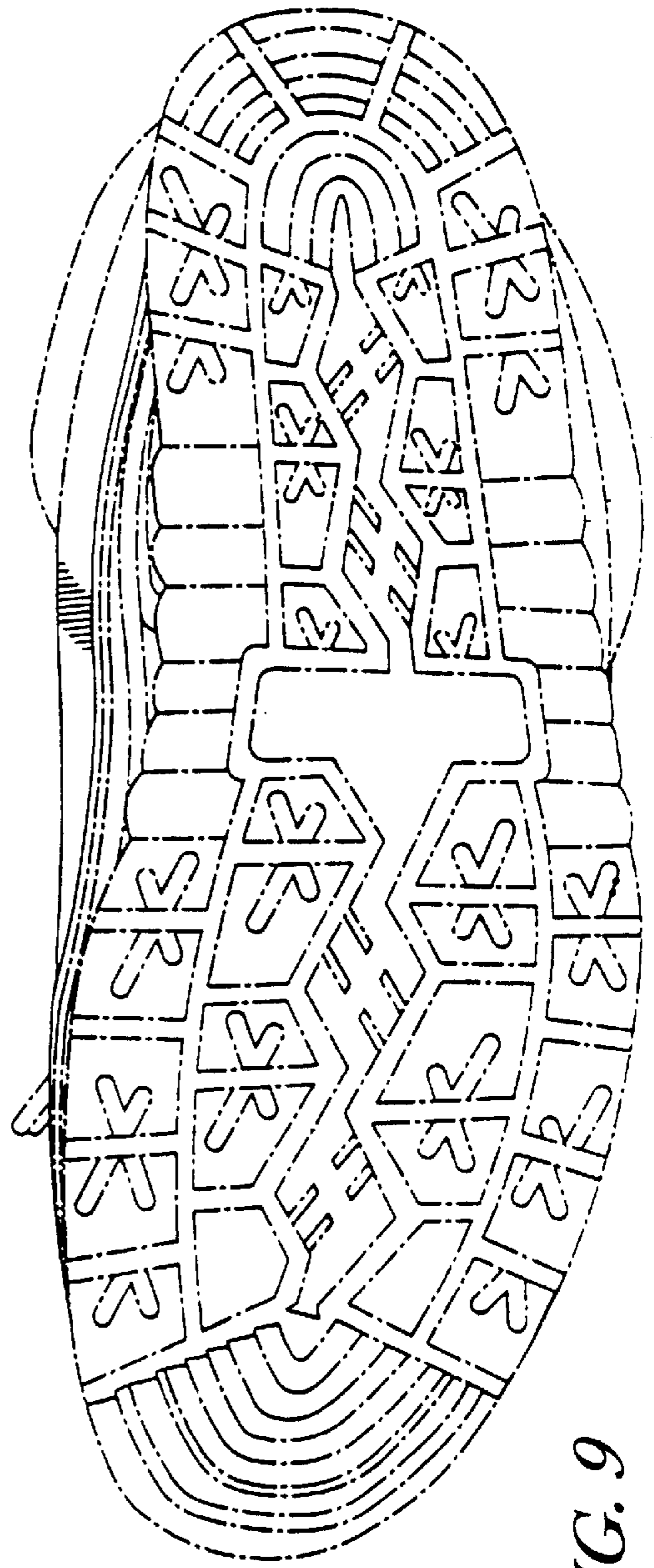


FIG. 9