



US00D591496S

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

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(45) **Date of Patent:** **\*\* May 5, 2009**

(54) **PORTION OF A FOOTWEAR UPPER**

D539,024 S 3/2007 Belley et al.

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FOREIGN PATENT DOCUMENTS

(73) Assignee: **Deckers Outdoor Corp.**, Goleta, CA (US)

DE 40702148 8/2007  
EP 0007180020006 5/2007

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

OTHER PUBLICATIONS

(21) Appl. No.: **29/328,131**

UGG Australia Fall/Winter 2004, Larkspur (style 5418) and Larkspur Tall (style 5419), p. 8.  
UGG Australia Fall 2005, Princeton (style 5461) and Nantucket (style 5462), p. 8.  
Catalogue Moscow Shoes, Summer 2006, p. 2, top center.

(22) Filed: **Nov. 19, 2008**

**Related U.S. Application Data**

(62) Division of application No. 29/292,350, filed on Oct. 9, 2007, now Pat. No. Des. 581,140.

\* cited by examiner

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

*Primary Examiner*—Stella M Reid

(52) **U.S. Cl.** ..... **D2/970; D2/946; D2/969**

*Assistant Examiner*—Rashida C McCoy

(58) **Field of Classification Search** ..... D2/896,  
D2/909–915, 946, 969, 970, 972, 973, 976;  
36/45, 50.1, 83, 113, 114, 127, 134, 1.7 R

(74) *Attorney, Agent, or Firm*—Greer, Burns & Crain, Ltd.

See application file for complete search history.

(57) **CLAIM**

(56) **References Cited**

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

U.S. PATENT DOCUMENTS

**DESCRIPTION**

- D48,437 S 1/1916 Crowely
- D67,571 S 6/1925 Blair
- D79,155 S \* 8/1929 Manville ..... D2/911
- D83,593 S \* 3/1931 Bitgood ..... D2/911
- D100,718 S \* 8/1936 Sholtz ..... D2/911
- D103,587 S \* 3/1937 Perugia ..... D2/911
- D119,195 S \* 2/1940 Fitzgerald ..... D2/911
- D127,993 S \* 7/1941 Hard ..... D2/911
- D149,977 S \* 6/1948 Shapper ..... D2/911
- D152,511 S \* 1/1949 Whatley ..... D2/911
- D172,742 S 8/1954 Doherty
- D194,833 S 3/1963 Pool
- D399,039 S \* 10/1998 Toschi ..... D2/911
- D521,228 S 5/2006 Kelsey

FIG. 1 is a front perspective view of a portion of a footwear upper showing my new design;

FIG. 2 is a side elevational view thereof;

FIG. 3 is an opposite side elevational view thereof;

FIG. 4 is a front elevational view thereof;

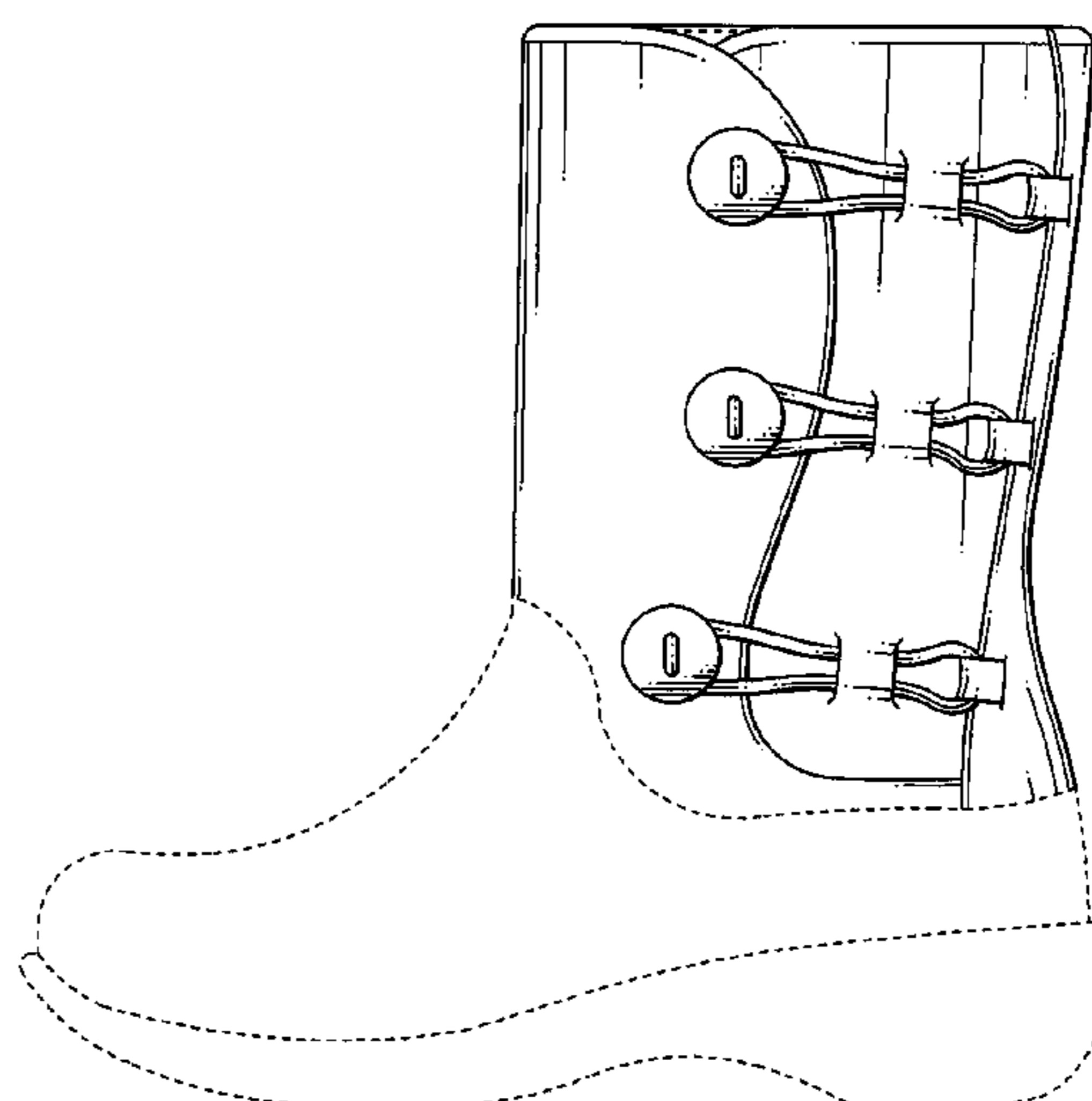
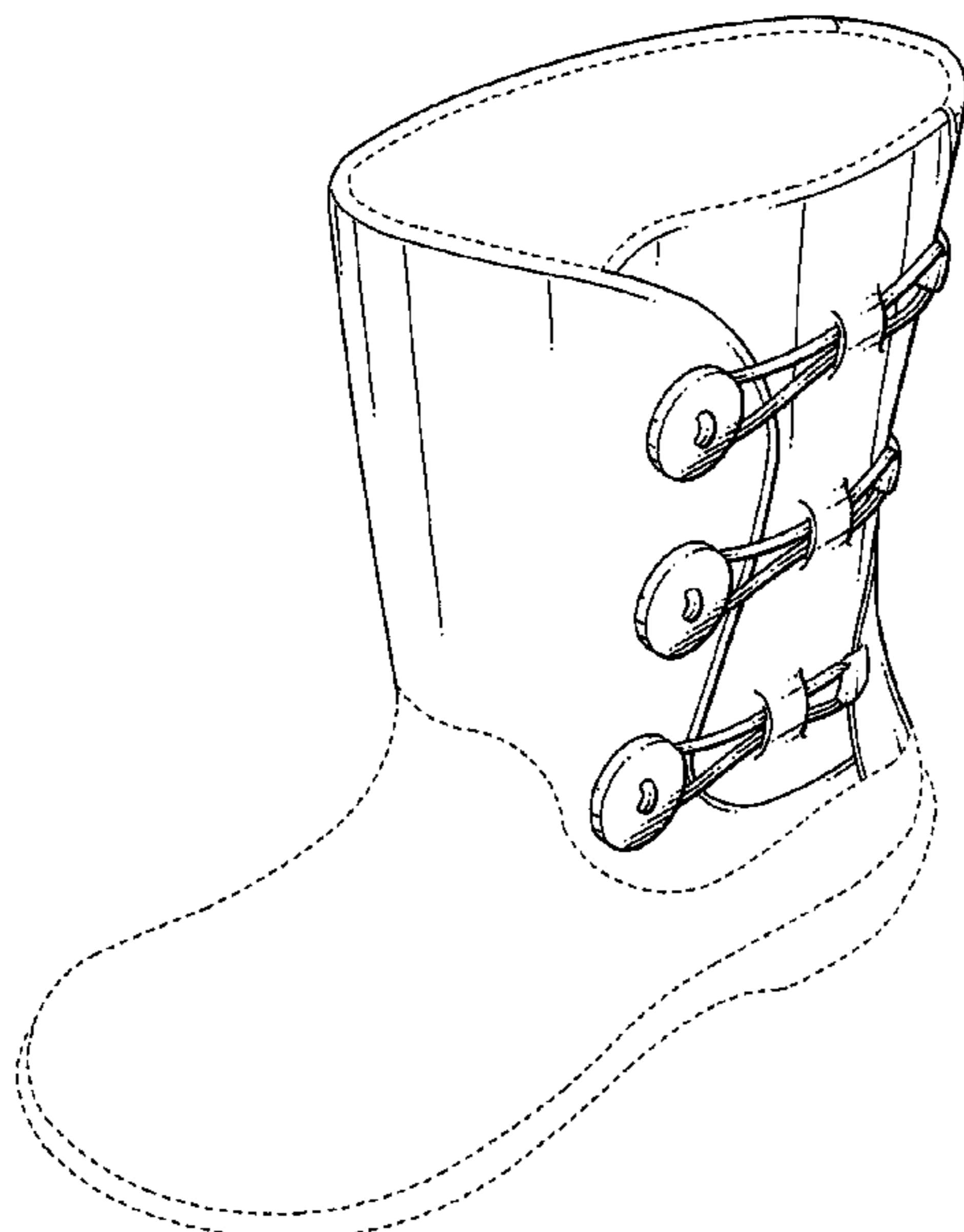
FIG. 5 is a rear elevational view thereof;

FIG. 6 is a top plan view thereof; and,

FIG. 7 is a bottom plan view thereof.

The broken lines immediately adjacent to the shaded areas represent the boundaries of the claimed design. None of the broken lines form part of the claimed design.

**1 Claim, 5 Drawing Sheets**



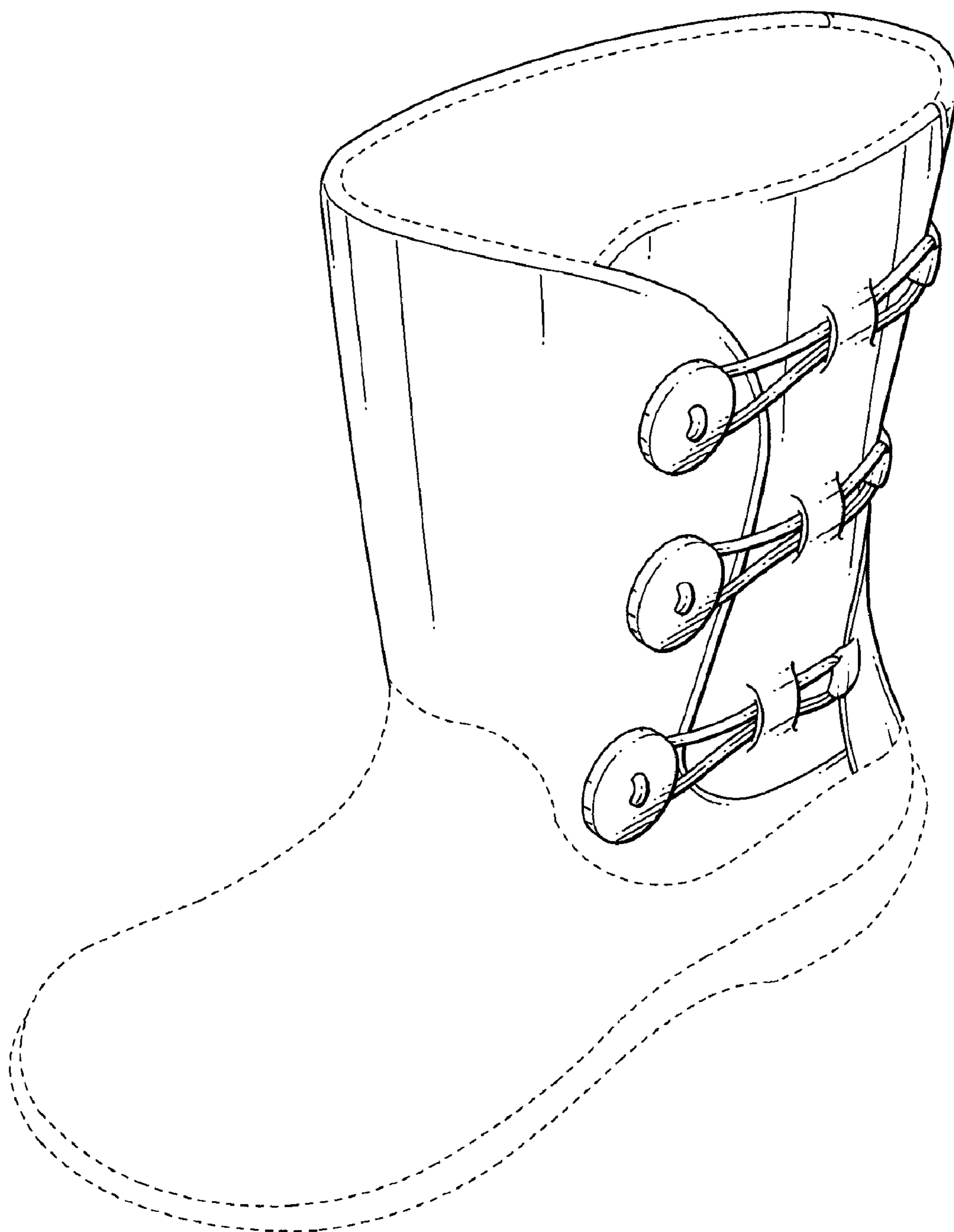


FIG. 1

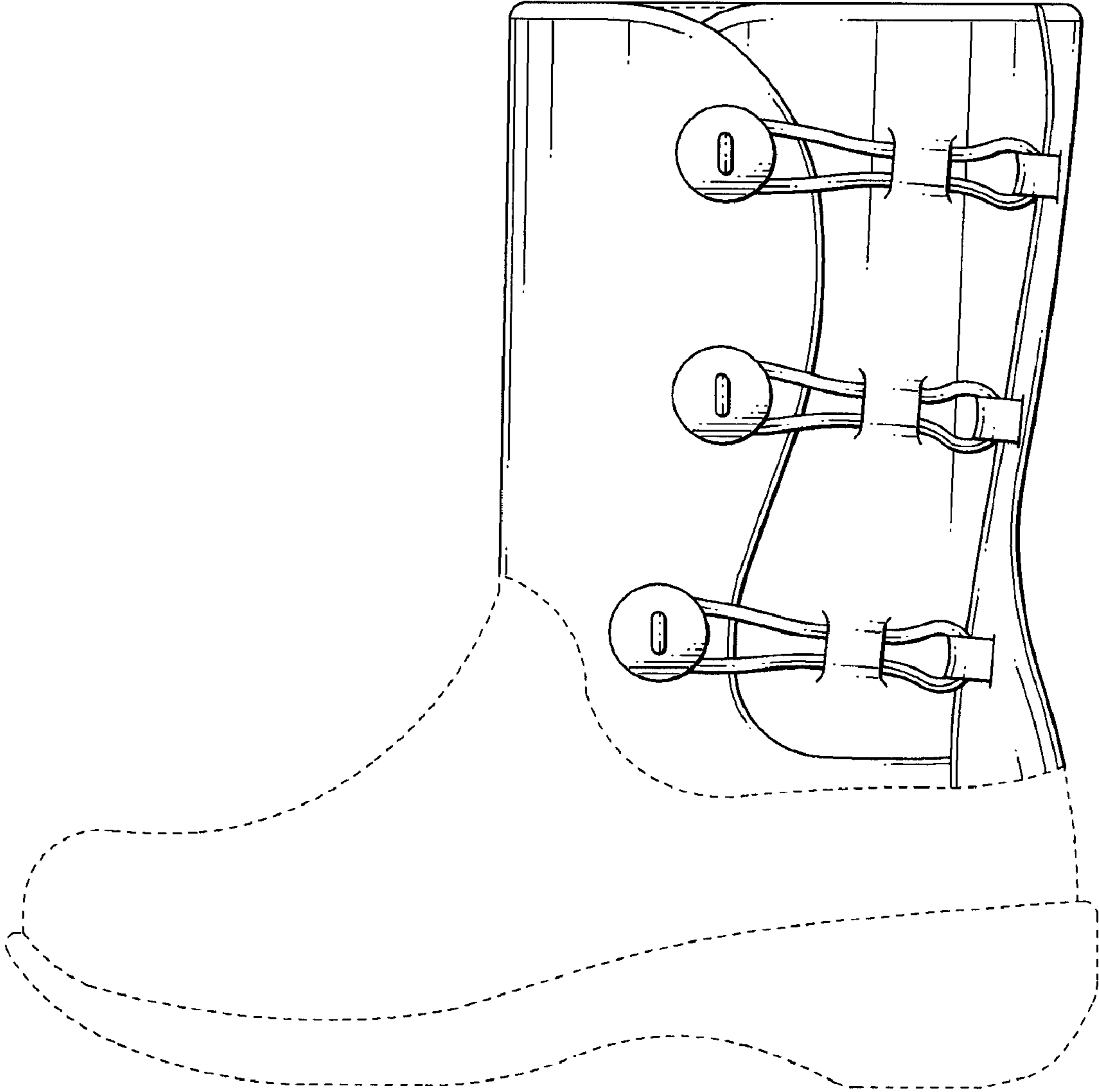


FIG. 2

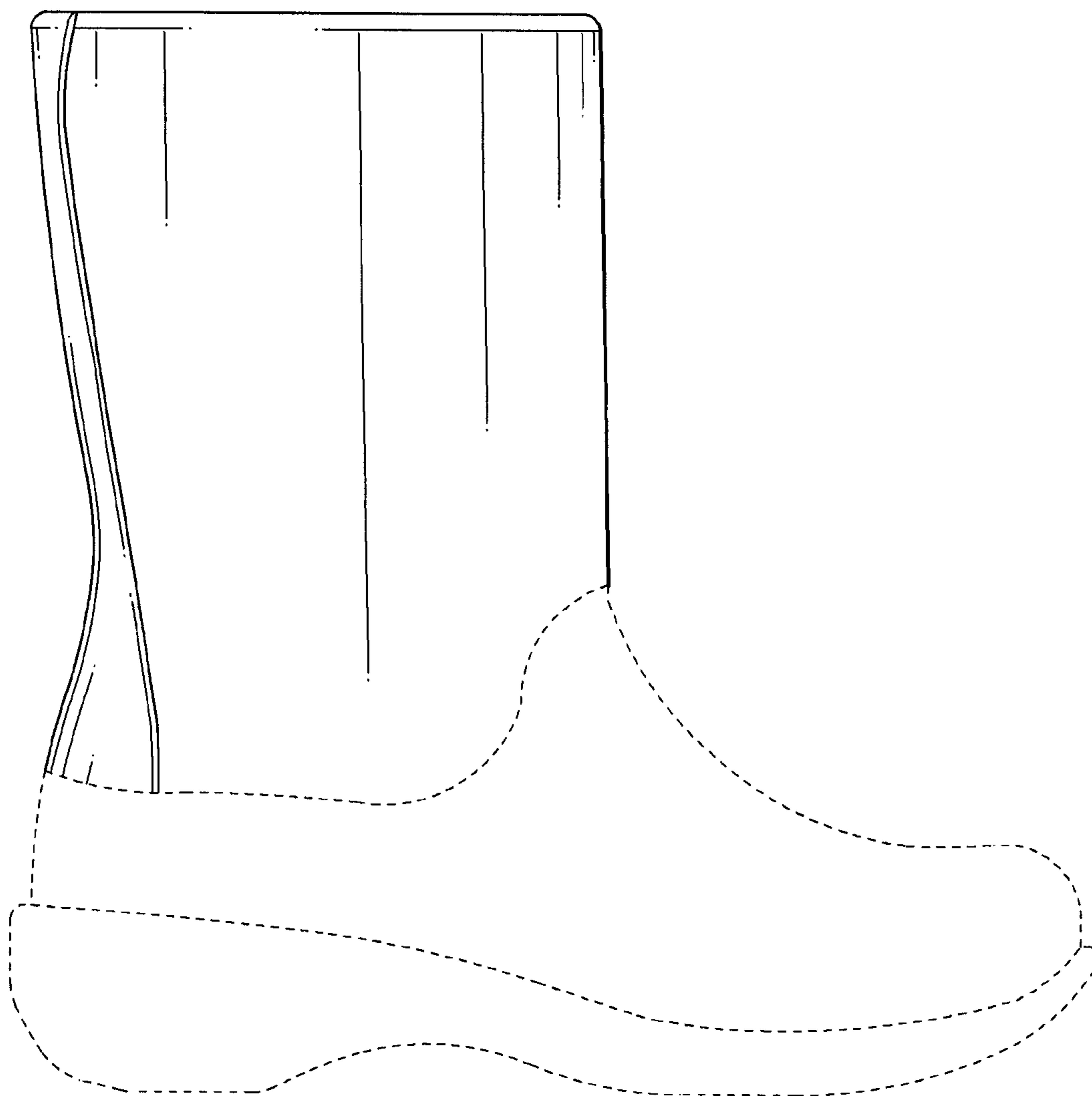


FIG. 3

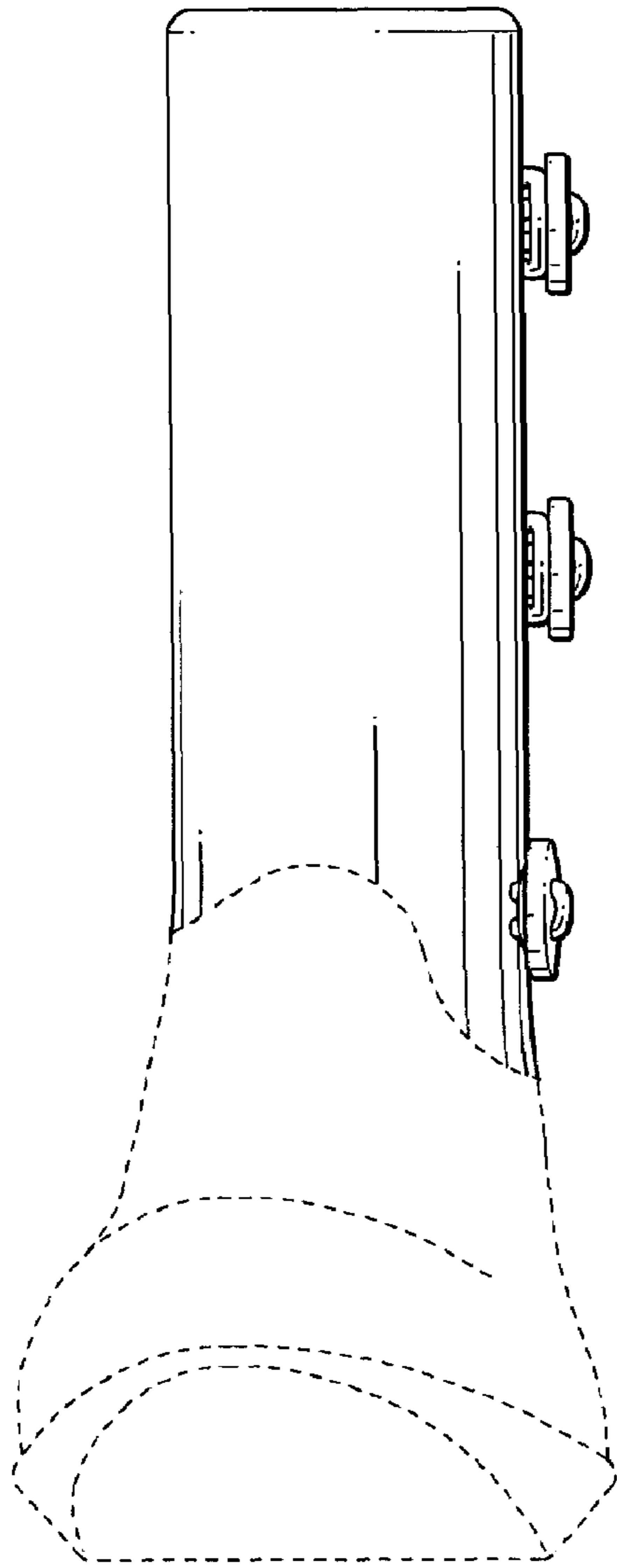


FIG. 4

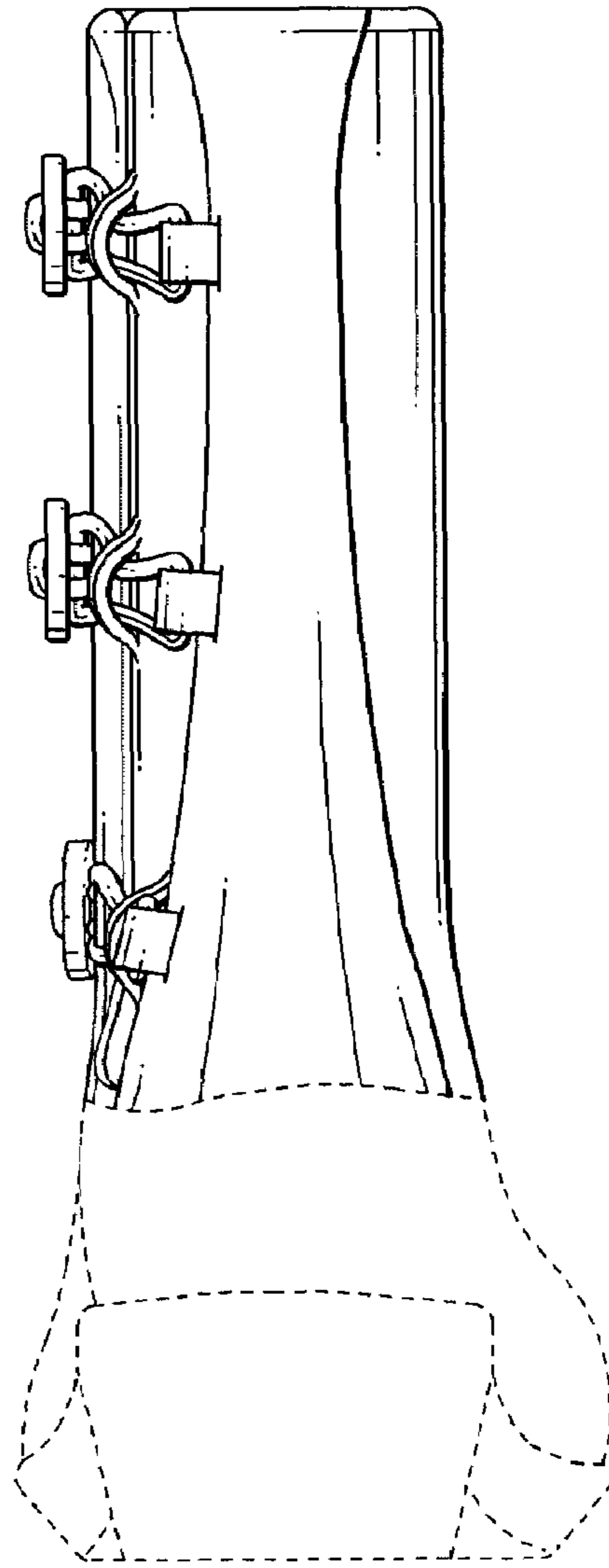


FIG. 5

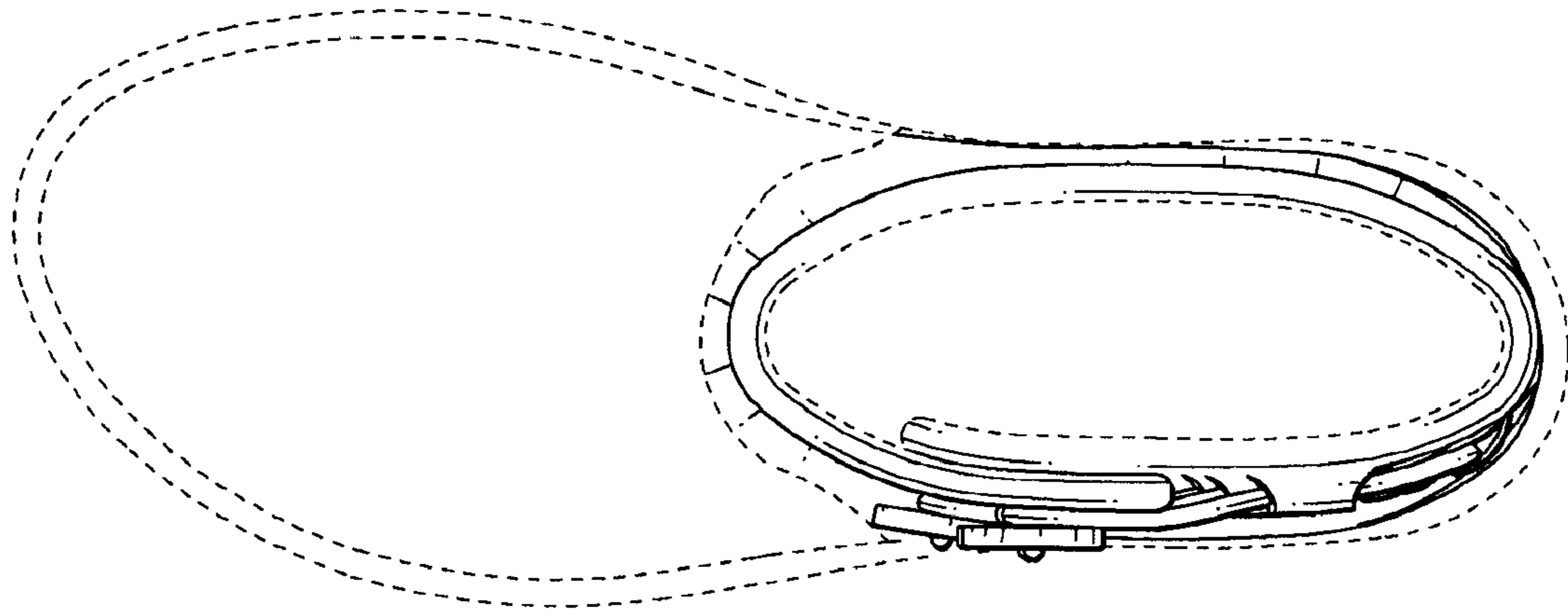


FIG. 6

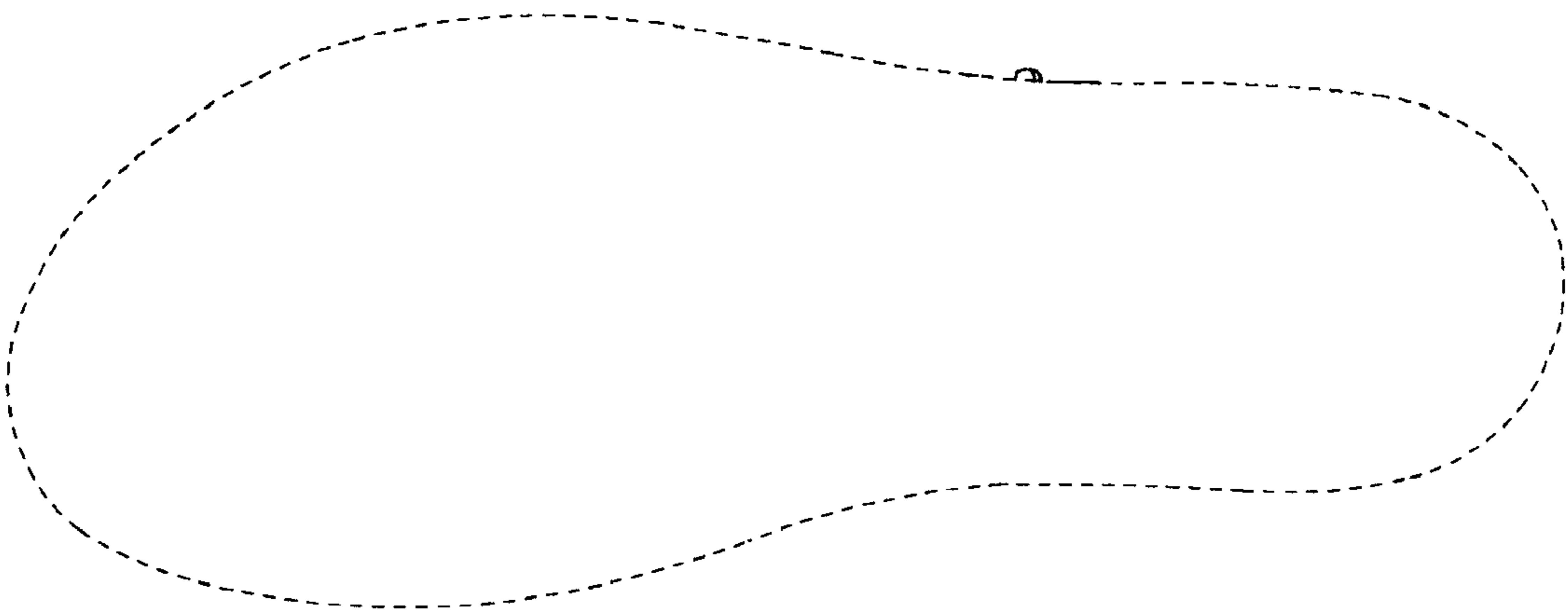


FIG. 7