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

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(54) **FOOTWEAR UPPER**

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

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

(21) Appl. No.: **29/471,634**

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

(52) **U.S. Cl.**  
USPC ..... **D2/970**

(58) **Field of Classification Search**  
USPC ..... D2/896, 900, 909-911, 943, 946, 969, D2/970, 974; 36/83, 1.5, 2 R, 109, 3 A, 36/7.1 R, 45, 52, 112, 100

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D76,233	S	*	9/1928	Golden	.....	D2/900
D164,667	S	*	10/1951	Bingham, Jr.	.....	D2/912
D284,805	S	*	7/1986	Smith	.....	D2/900
D439,030	S	*	3/2001	Bernath	.....	D2/900
D529,269	S	*	10/2006	Belley et al.	.....	D2/970
D599,999	S	*	9/2009	MacIntyre	.....	D2/970
D616,190	S	*	5/2010	MacIntyre	.....	D2/970
D646,475	S	*	10/2011	Boncutter	.....	D2/970

OTHER PUBLICATIONS

UGG Australia Mini Bailey Button model, [www.uggaustralia.com, https://web.archive.org/web/20121016124321/http://www.uggaustralia.com/womens-mini-bailey-button-boots/3352,default,pd.html](http://www.uggaustralia.com/https://web.archive.org/web/20121016124321/http://www.uggaustralia.com/womens-mini-bailey-button-boots/3352,default,pd.html); Oct. 16, 2012, see images.

UGG Australia Bailey Bow model, [www.uggaustralia.com, https://web.archive.org/web/20121002051839/http://www.uggaustralia.com/womens-bailey-bow-sheepskin-boot/1002954,default,pd.html](http://www.uggaustralia.com/https://web.archive.org/web/20121002051839/http://www.uggaustralia.com/womens-bailey-bow-sheepskin-boot/1002954,default,pd.html); Oct. 2, 2012, see images.

UGG Australia Bailey Bow Tall model, [www.uggaustralia.com, https://web.archive.org/web/20121015074327/http://www.uggaustralia.com/womens-bailey-bow-tall/3388,default,pd.html](http://www.uggaustralia.com/https://web.archive.org/web/20121015074327/http://www.uggaustralia.com/womens-bailey-bow-tall/3388,default,pd.html); Oct. 15, 2012, see images.

\* cited by examiner

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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 rear perspective view thereof;

FIG. 3 is a side elevational view thereof;

FIG. 4 is an opposite side elevational view thereof;

FIG. 5 is a front elevational view thereof;

FIG. 6 is a rear elevational view thereof;

FIG. 7 is a top plan view thereof; and,

FIG. 8 is a bottom plan view thereof.

The broken lines in FIGS. 1-8 represent portions of the footwear that form no part of the claimed design. The dot-dash lines which define the bounds of the claimed design form no part thereof.

**1 Claim, 6 Drawing Sheets**



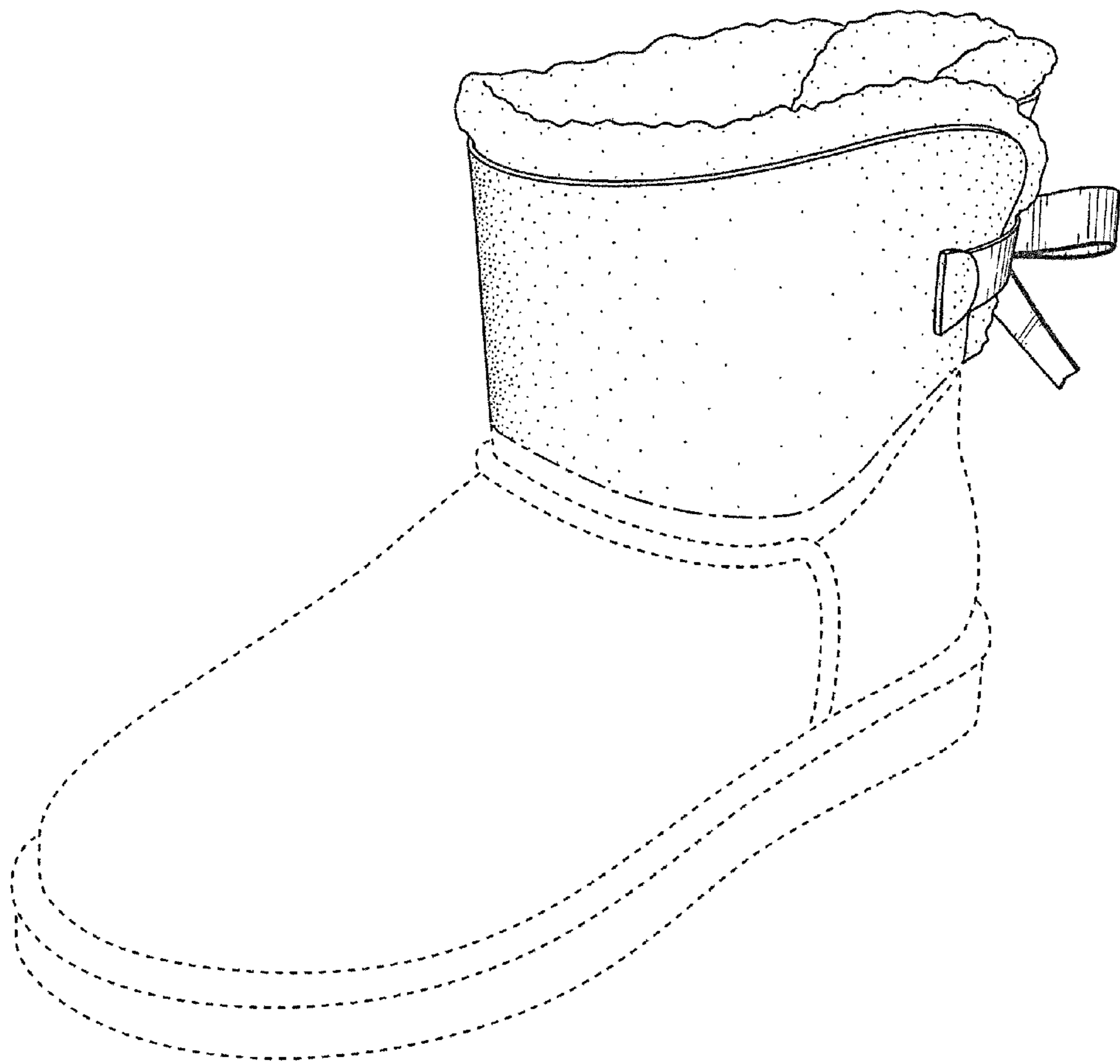


FIG. 1

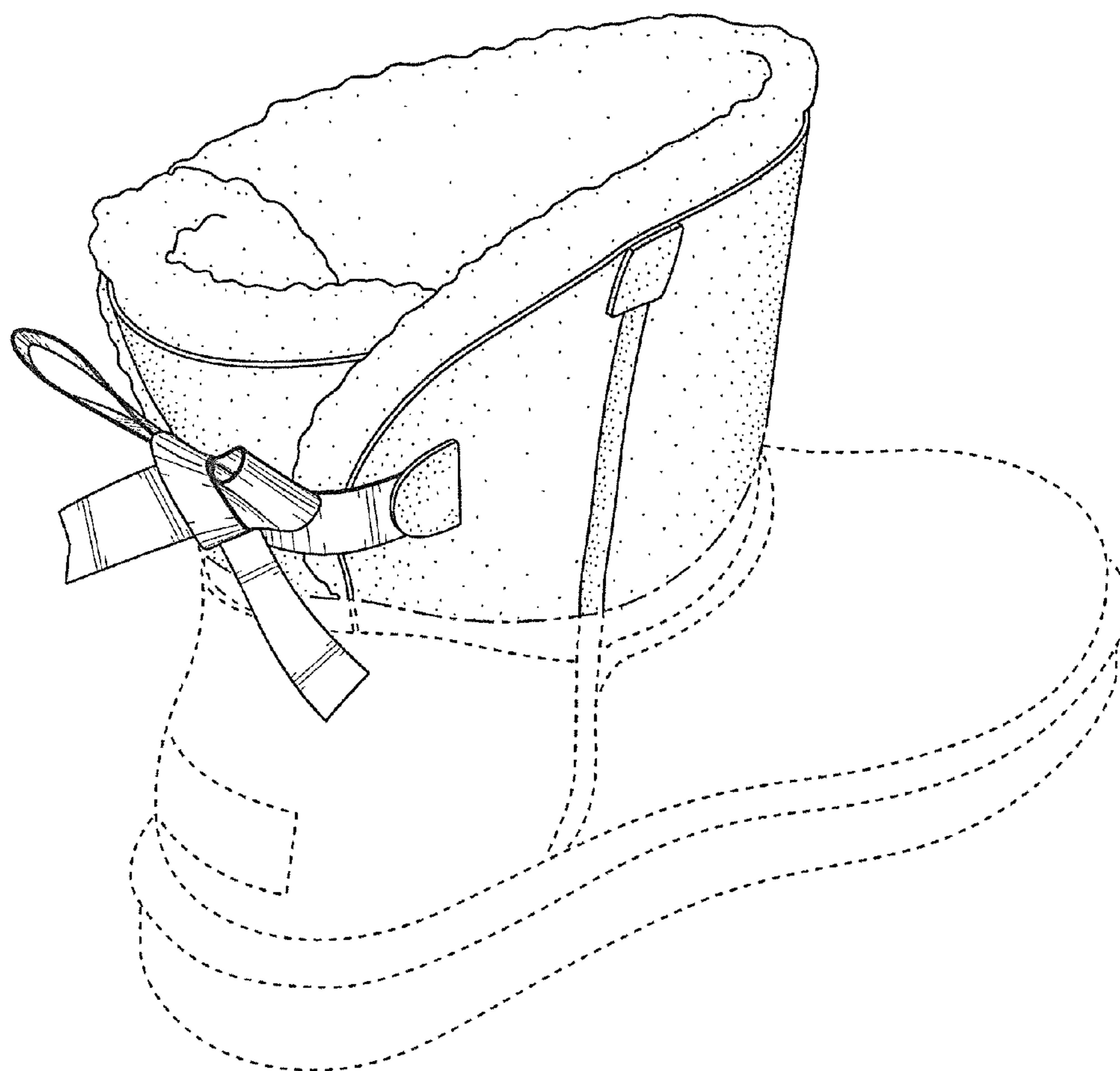


FIG. 2

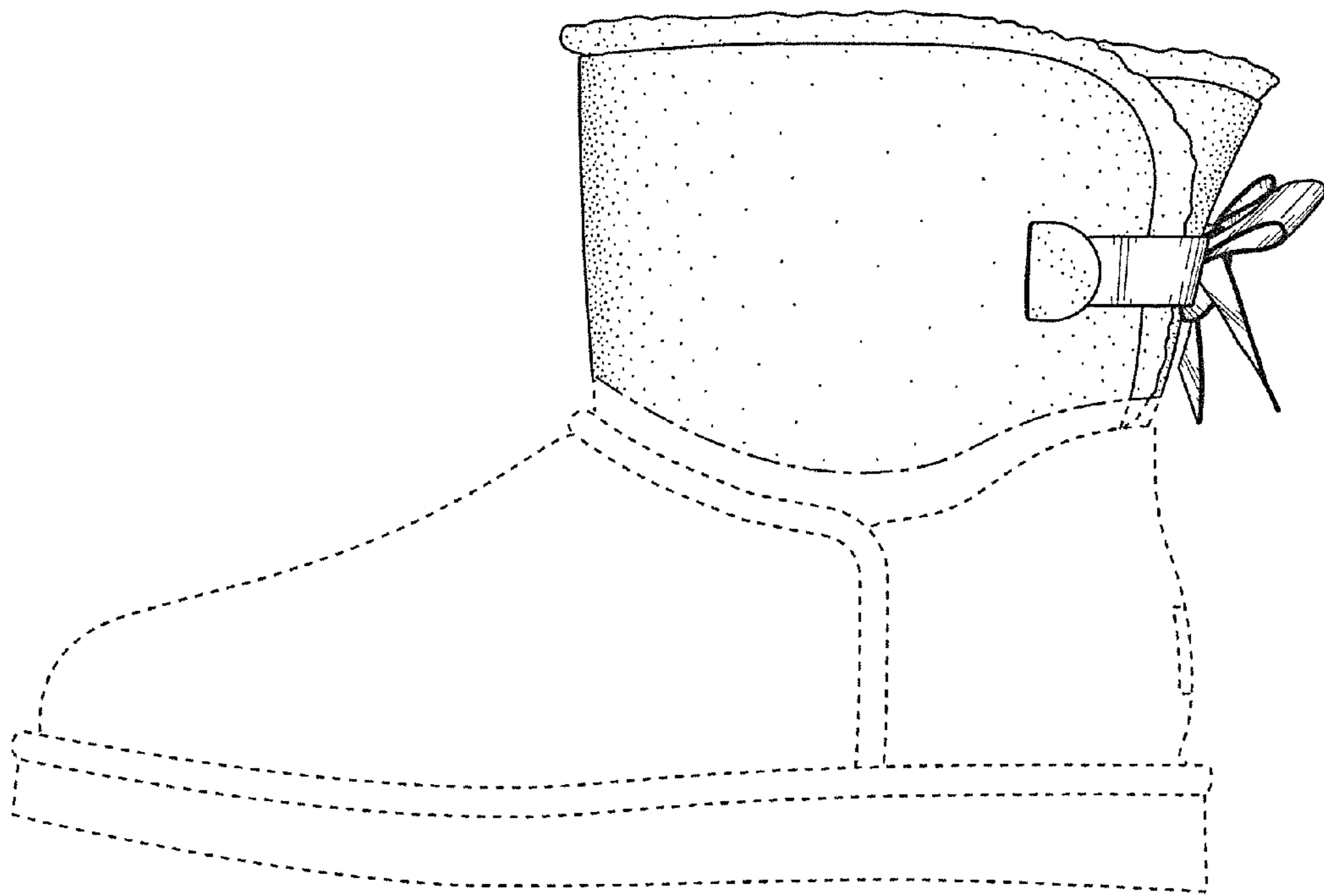


FIG. 3

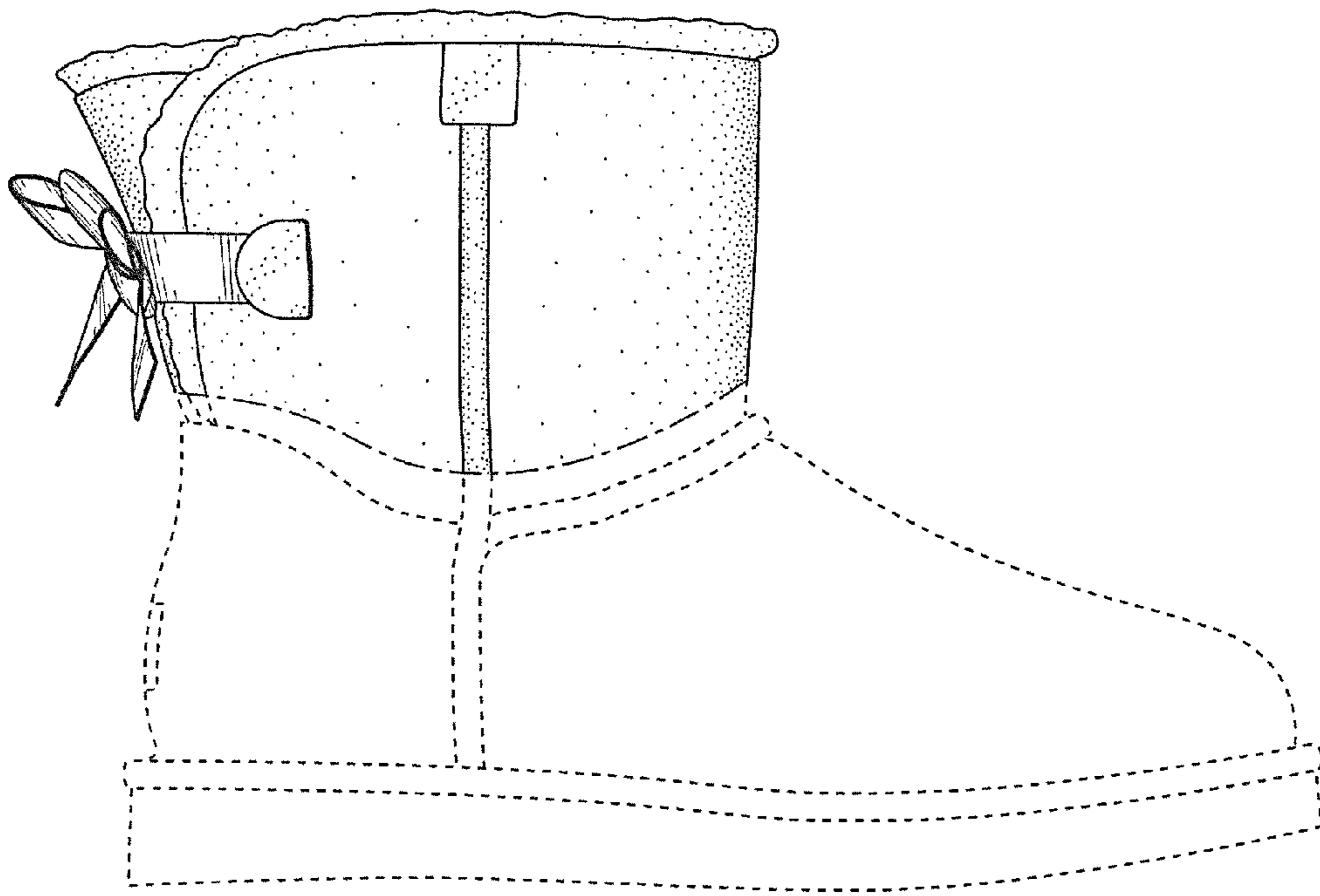


FIG. 4

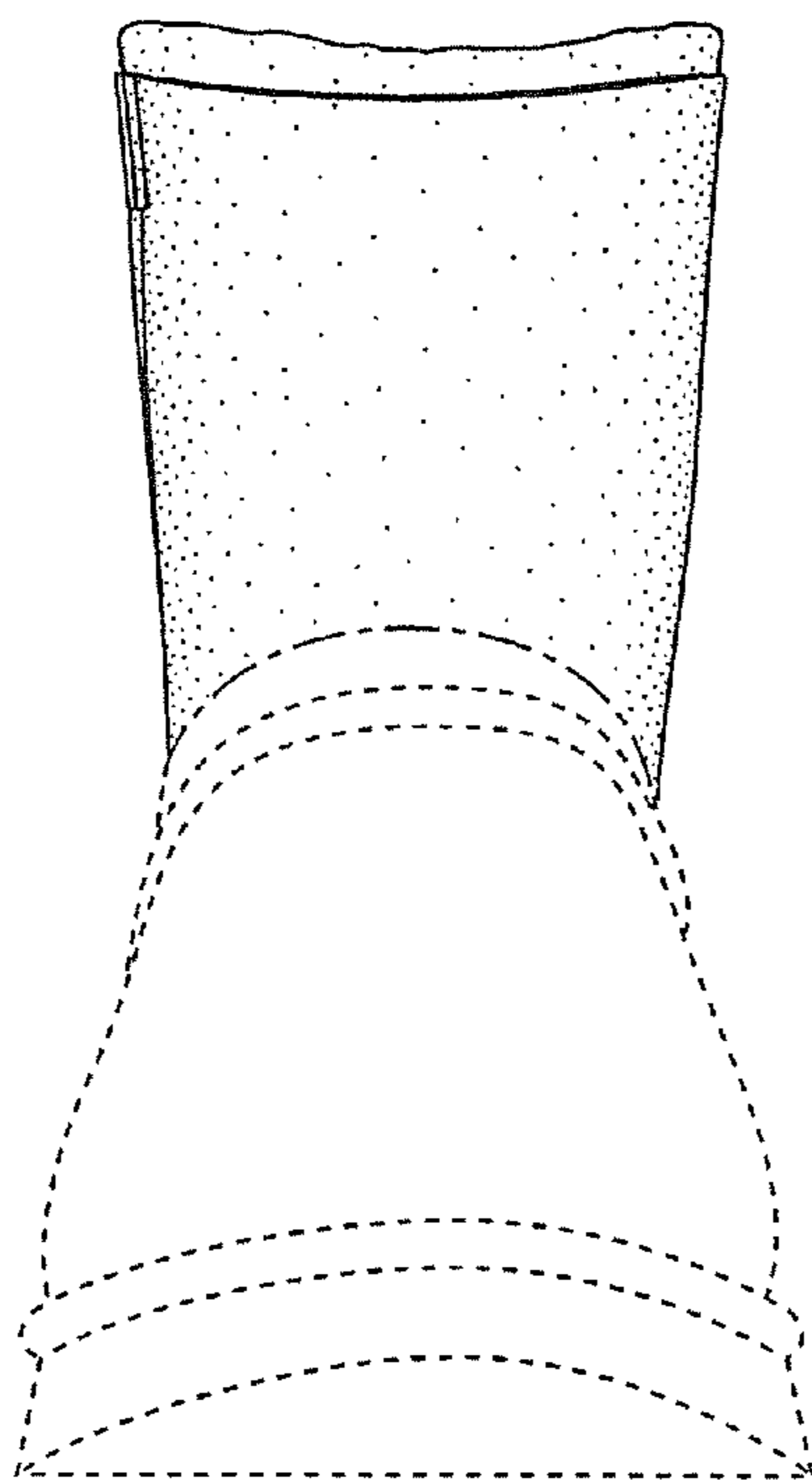


FIG. 5

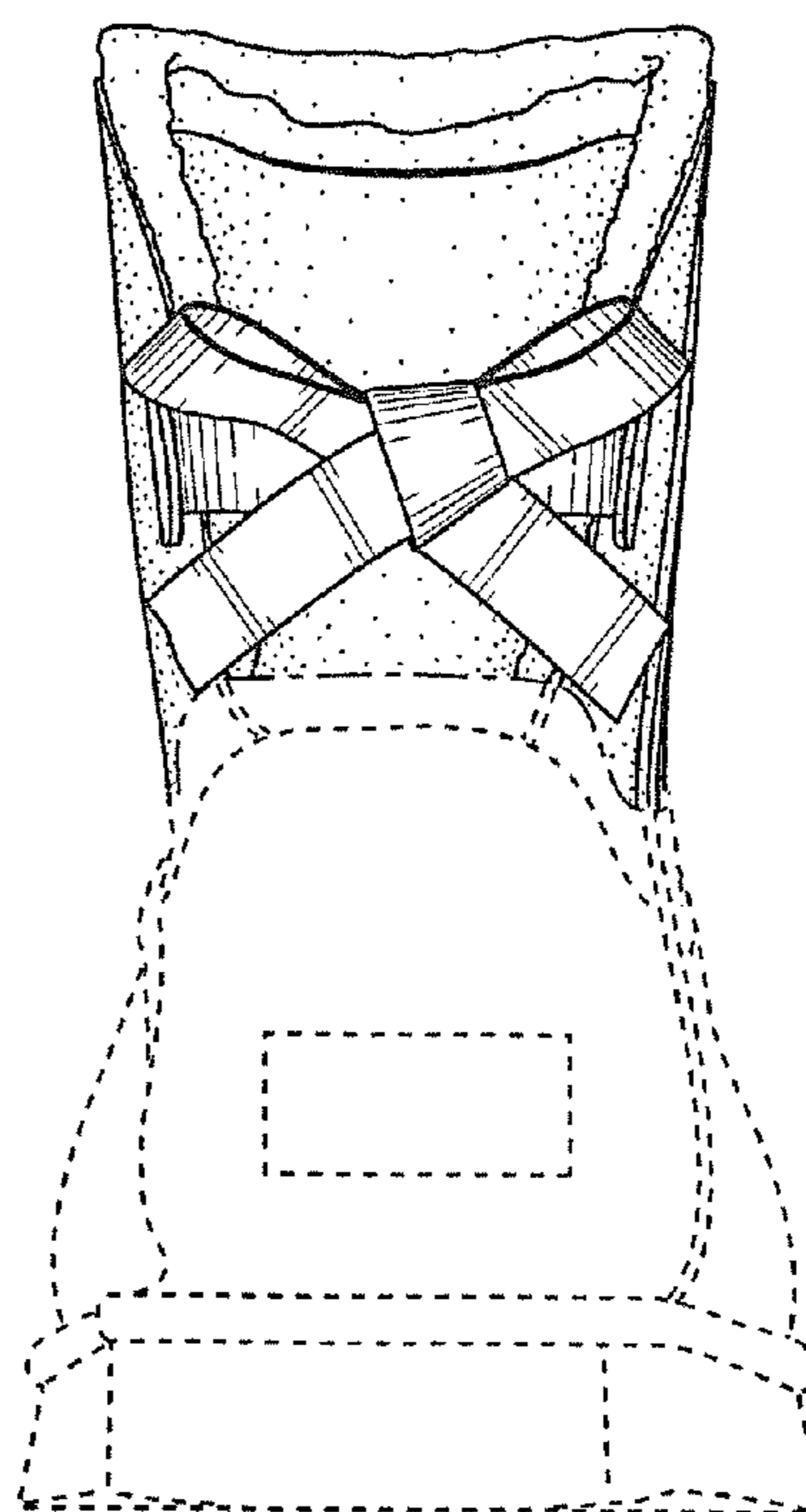


FIG. 6

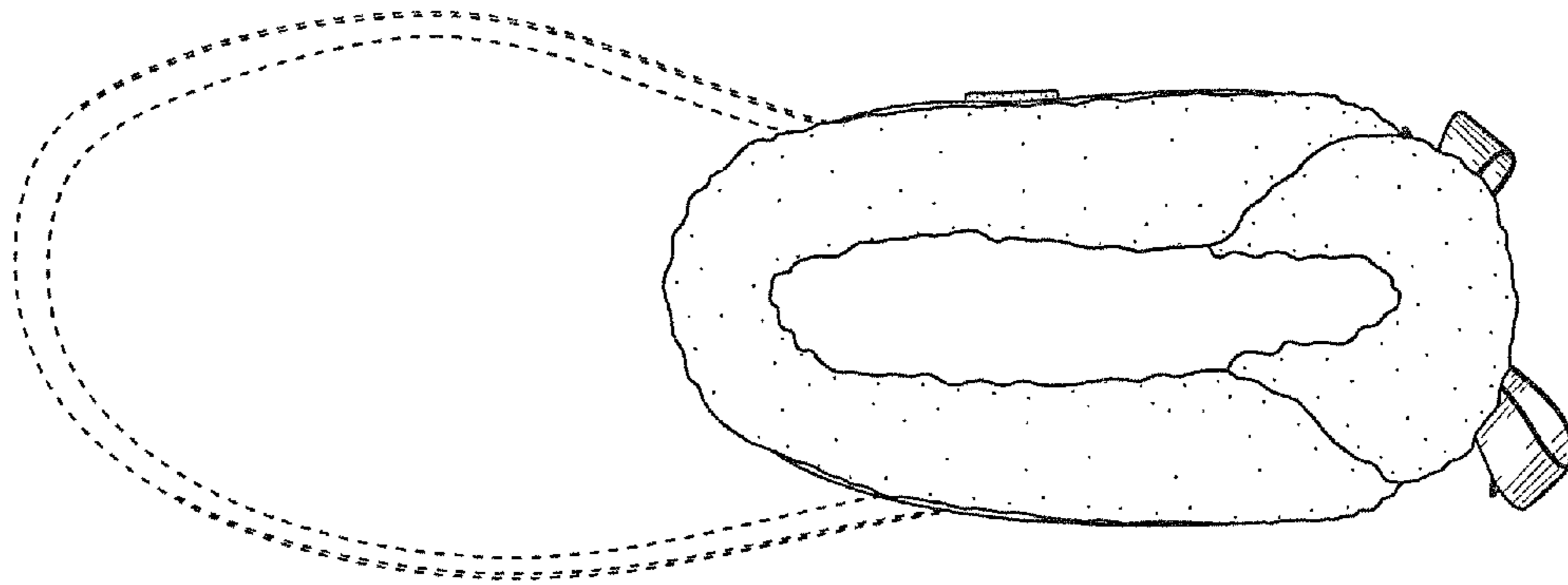


FIG. 7

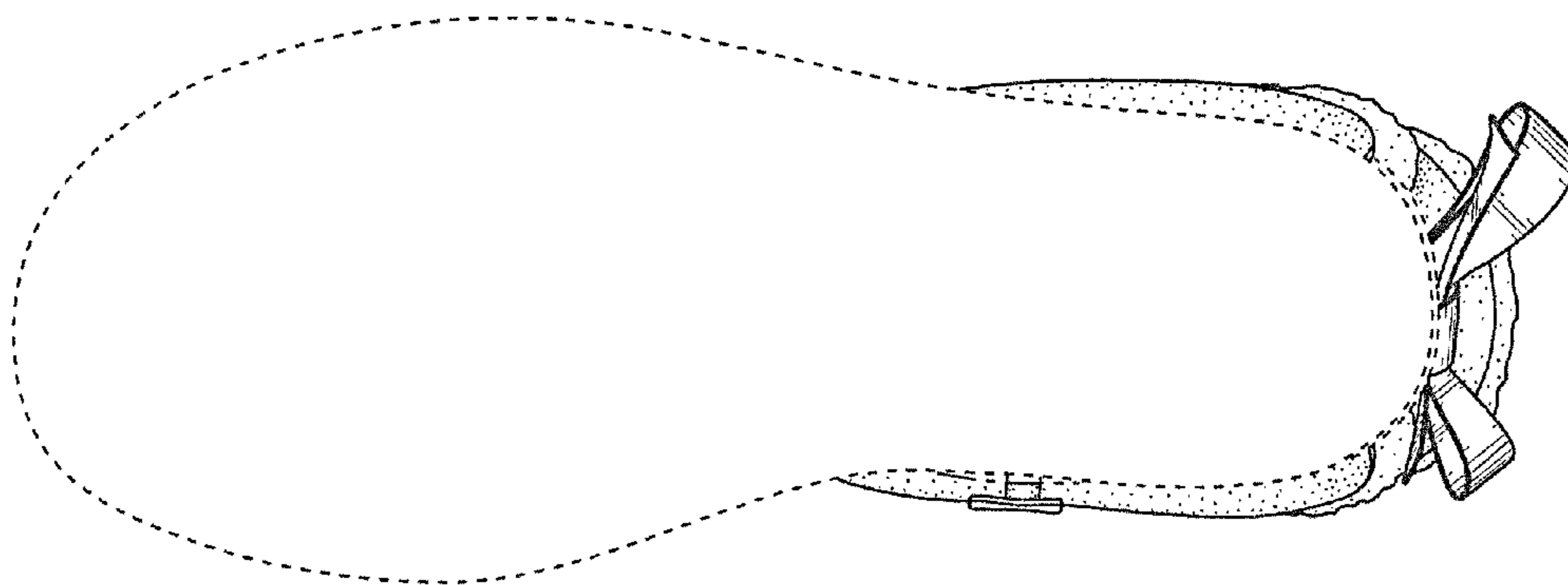


FIG. 8