



US00D738605S

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

(10) **Patent No.:** **US D738,605 S**
(45) **Date of Patent:** **** Sep. 15, 2015**

(54) **FOOTWEAR UPPER**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **Deckers Outdoor Corporation**, Goleta, CA (US)

EM 000718002-0006 4/2007

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Agnete S. Todd, Ventura, CA (US)

OTHER PUBLICATIONS

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

UGG Australia Bailey Button model, www.uggaustrali.com https://web.archive.org/web/20120909185522/http://www.uggaustralia.com/womens-bailey-button-boots/5803.default.pd.html?dwyar_5803_color=AUB&start=7&cgid=women-boots-classic Sep. 9, 2012, see images.

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

Blondo model, Footwear News magazine, p. 101, vol. 60 No. 06, Feb. 9, 2004.

(21) Appl. No.: **29/508,523**

Plush & Lush model, JJ magazine, p. 65, Oct. 10, 2008 (see bottom center).

(22) Filed: **Nov. 7, 2014**

Love Boat model, JJ magazine, p. 65, Oct. 10, 2008 (see upper left-hand corner and worn by person).

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

(Continued)

(52) **U.S. Cl.**

USPC **D2/970**; D2/911

Primary Examiner — Ian Simmons

Assistant Examiner — Rashida C McCoy

(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, 136

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

CPC A41D 17/00; A41D 17/02; A41D 5/00;
A43B 3/16; A43B 23/25; A43B 23/24;
A43B 23/00

(57) **CLAIM**

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

See application file for complete search history.

DESCRIPTION

(56) **References Cited**

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D529,269 S	10/2006	Belley et al.	
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D576,783 S	9/2008	Earle	
D599,999 S	9/2009	MacIntyre	
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D704,427 S *	5/2014	Dillenbeck	D2/970
D705,529 S *	5/2014	Ng	D2/970
D706,024 S *	6/2014	Ng	D2/970
D727,611 S *	4/2015	Dillenbeck	D2/970

FIG. 1 is a perspective view of a footwear upper showing our 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;

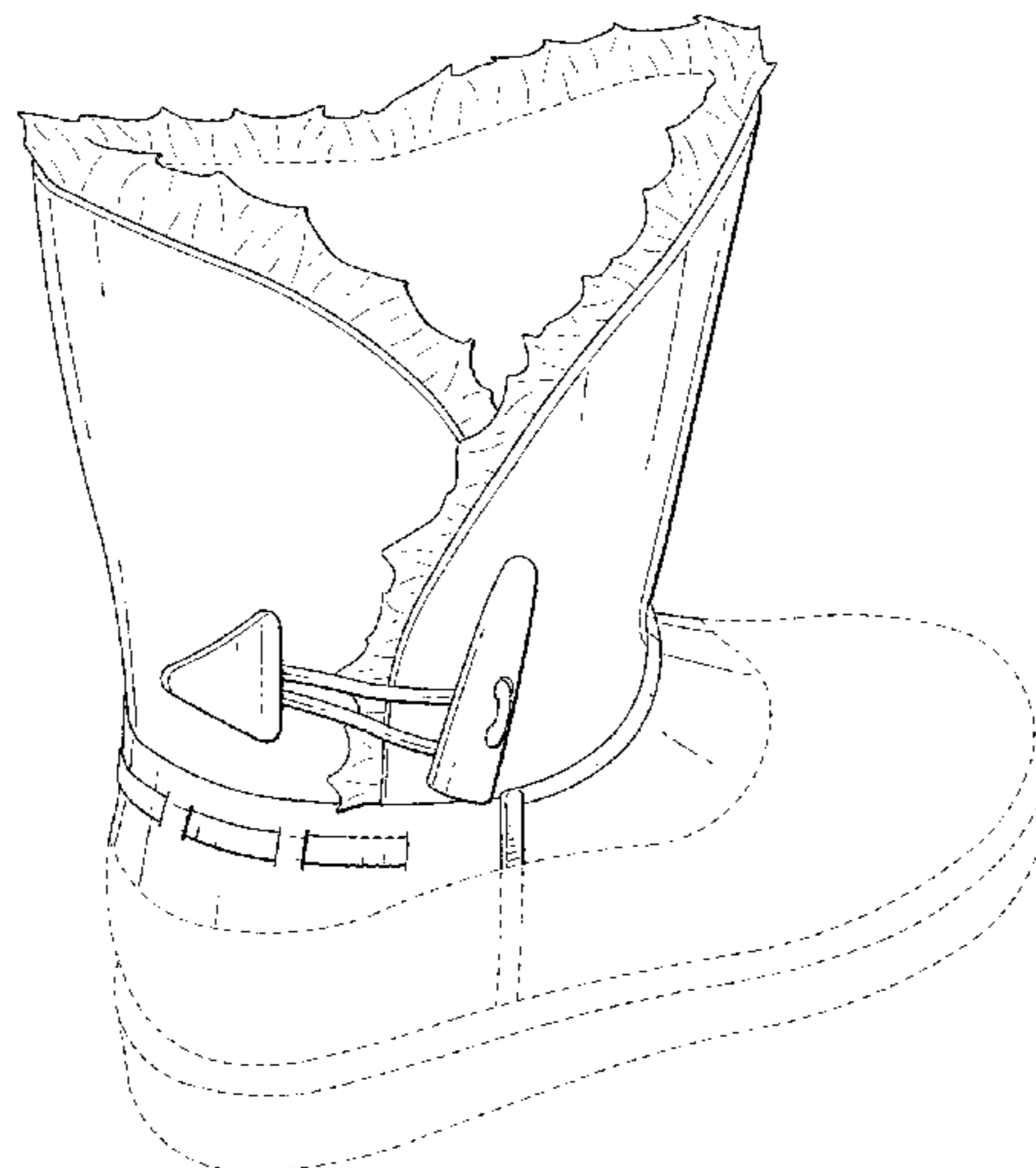
FIG. 5 is a rear elevational view thereof;

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

FIG. 7 is a bottom plan view thereof.

The broken lines in FIGS. 1-7 represent portions of the footwear that form no part of the claimed design. The broken lines that define the bounds of the claimed design form no part thereof.

1 Claim, 5 Drawing Sheets



(56)

References Cited

OTHER PUBLICATIONS

Love Boat model, ViVi magazine, p. 122, Oct. 10, 2008 (see upper right-hand corner).

Bearpaw Victorian model, www.famousfootwear.com <http://www.famousfootwear.com/en-US/Product/00461-1020010/BEARPAW/Hickory/Womens+Victorian.aspx> Feb. 28, 2012.

* cited by examiner

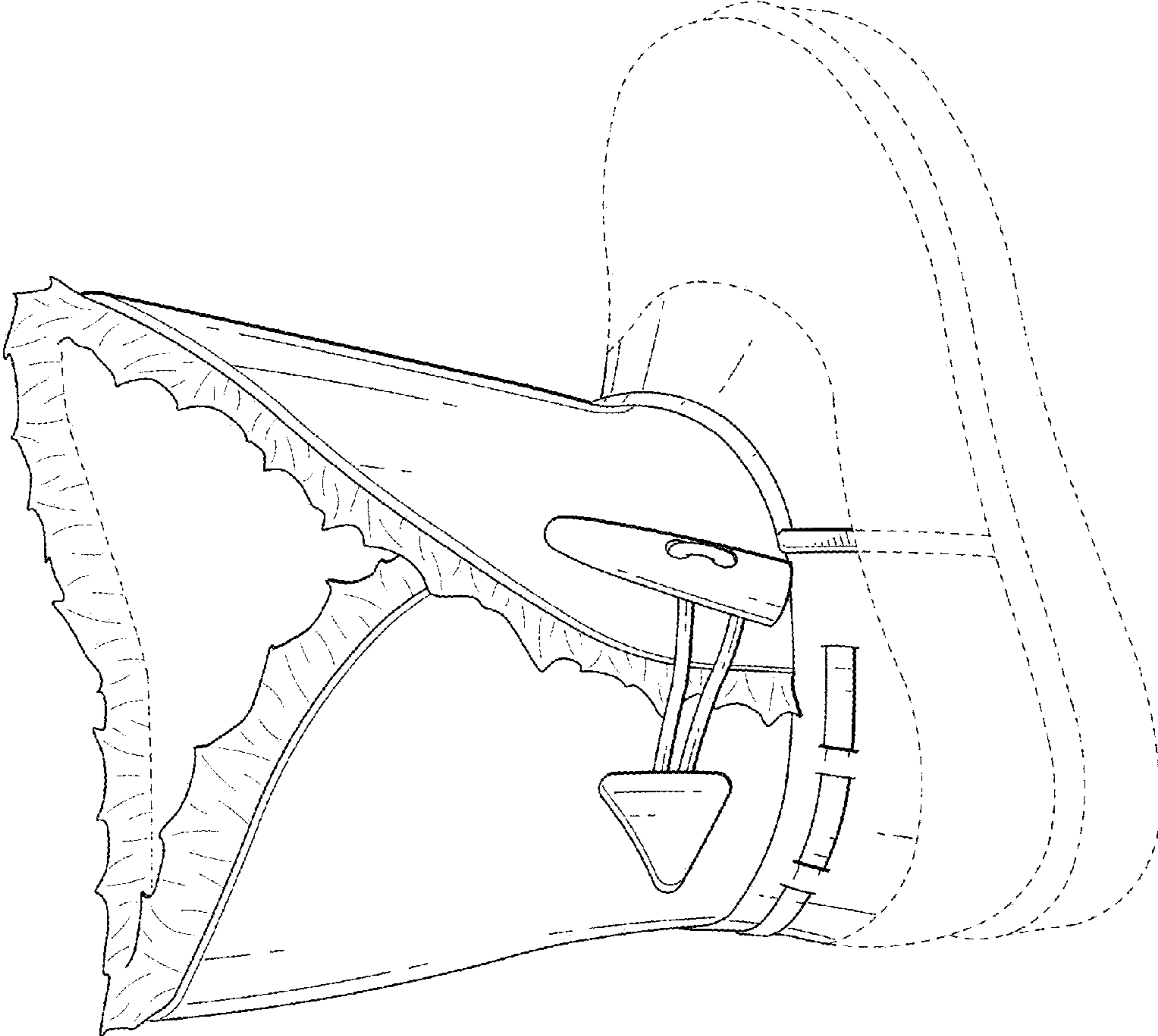
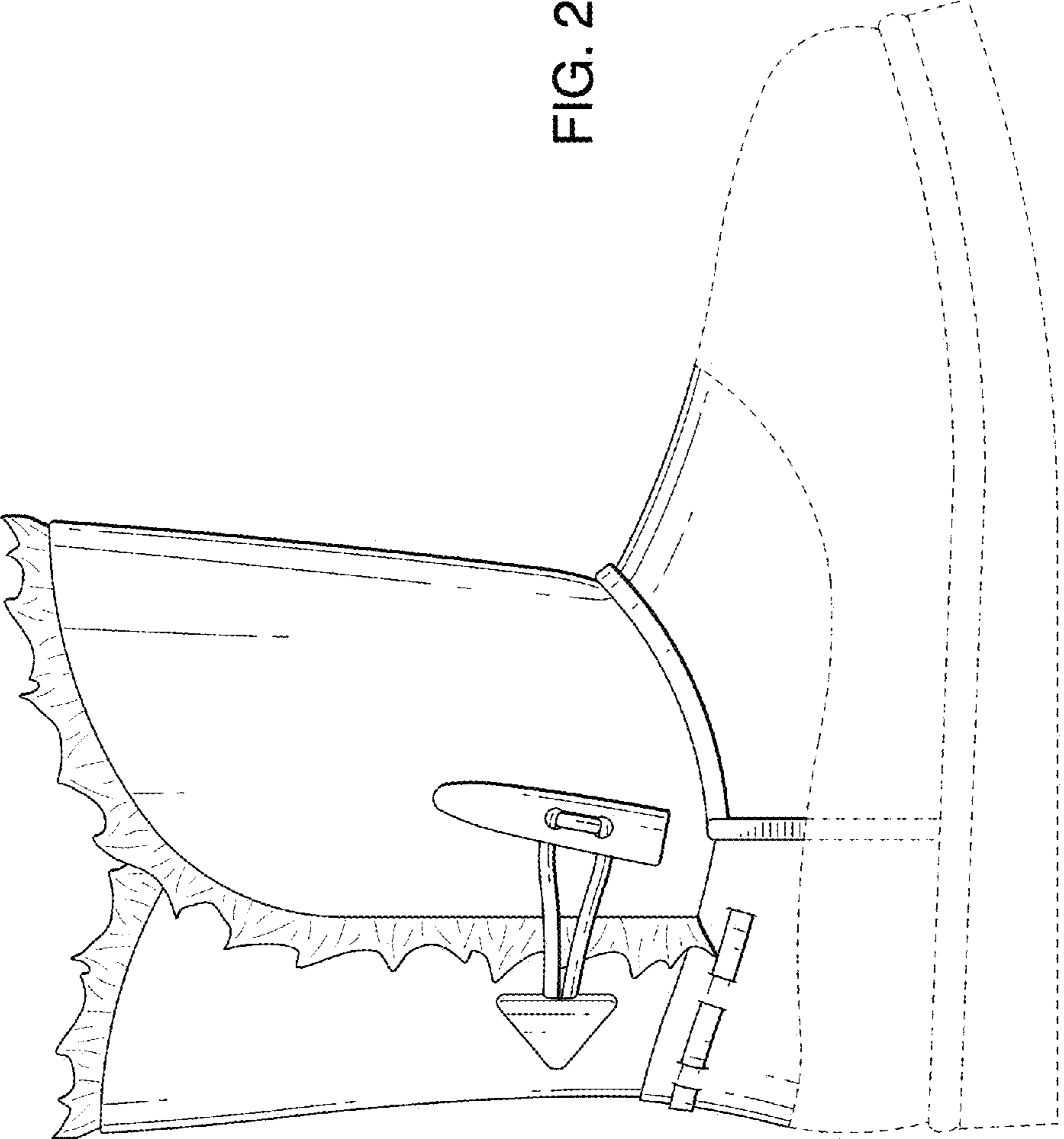


FIG. 1

FIG. 2



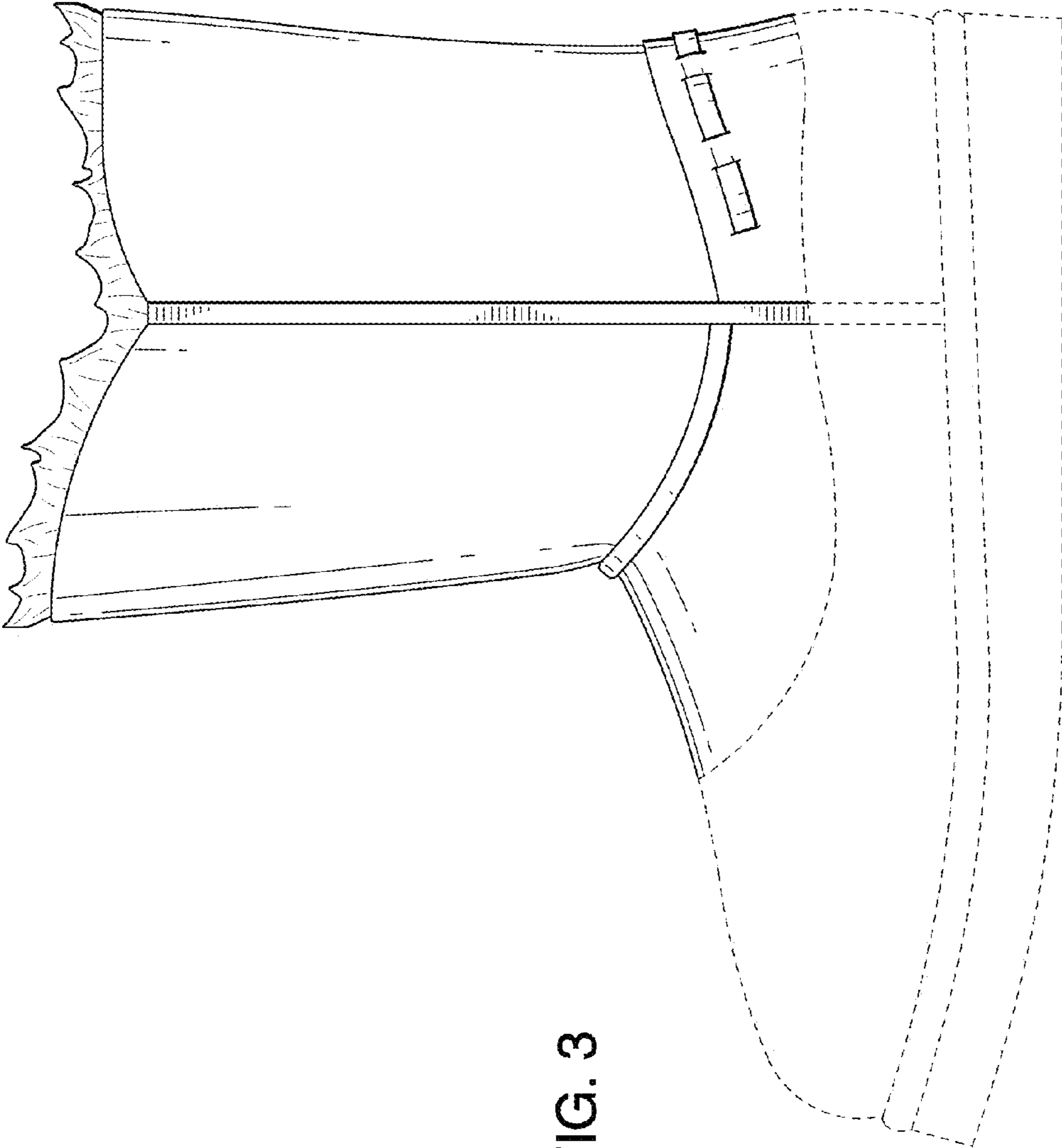


FIG. 3

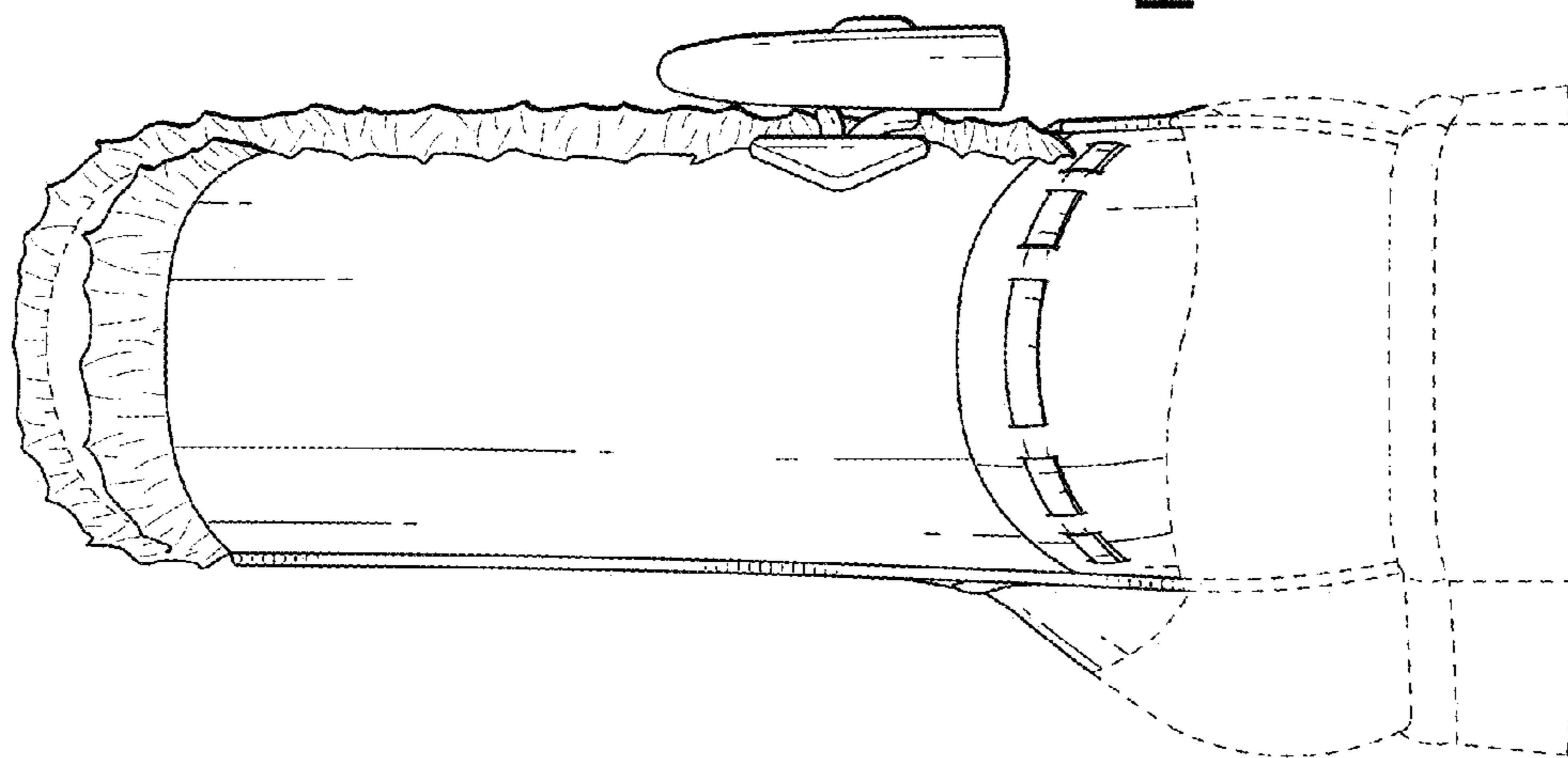


FIG. 5

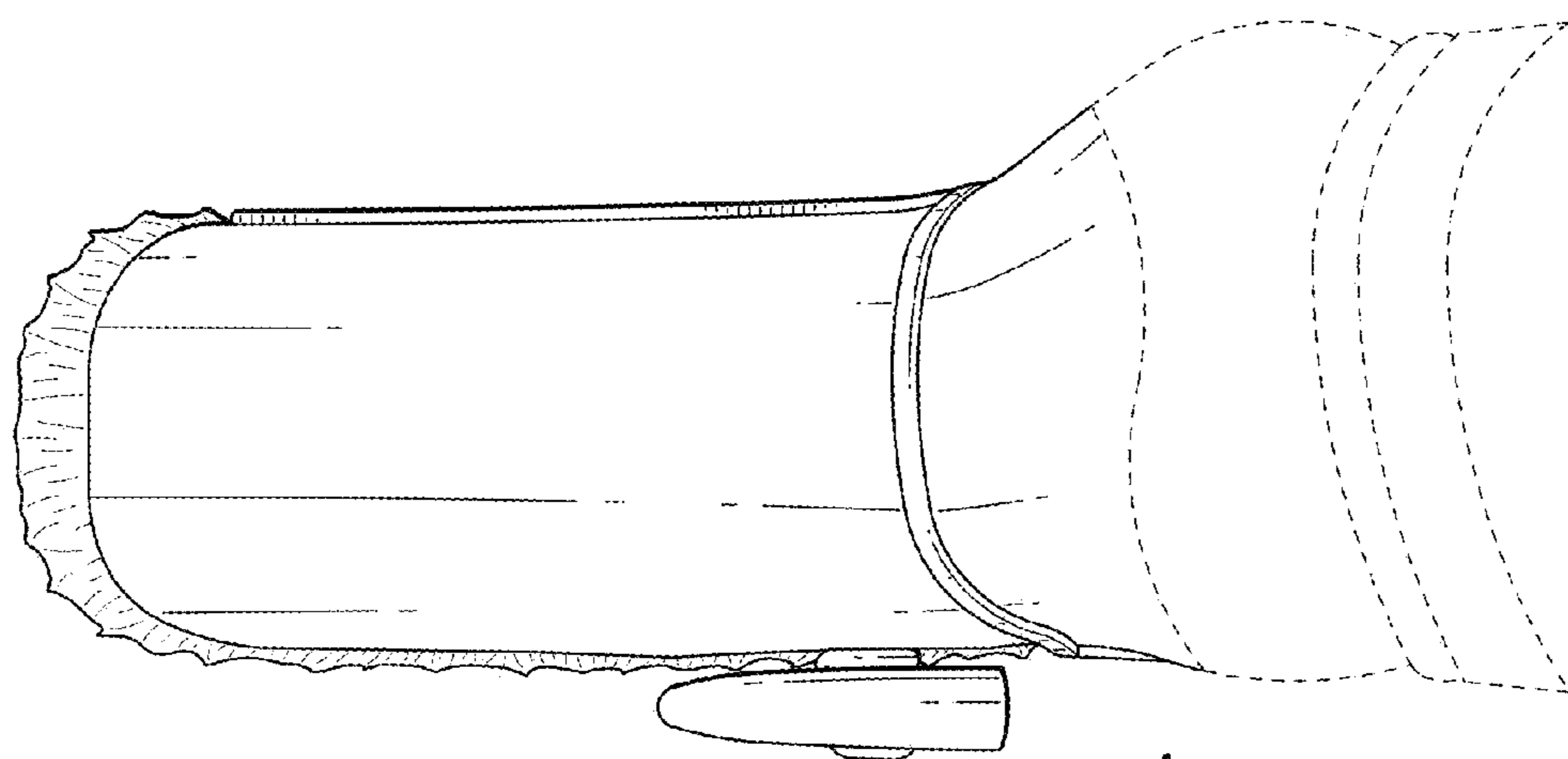


FIG. 4

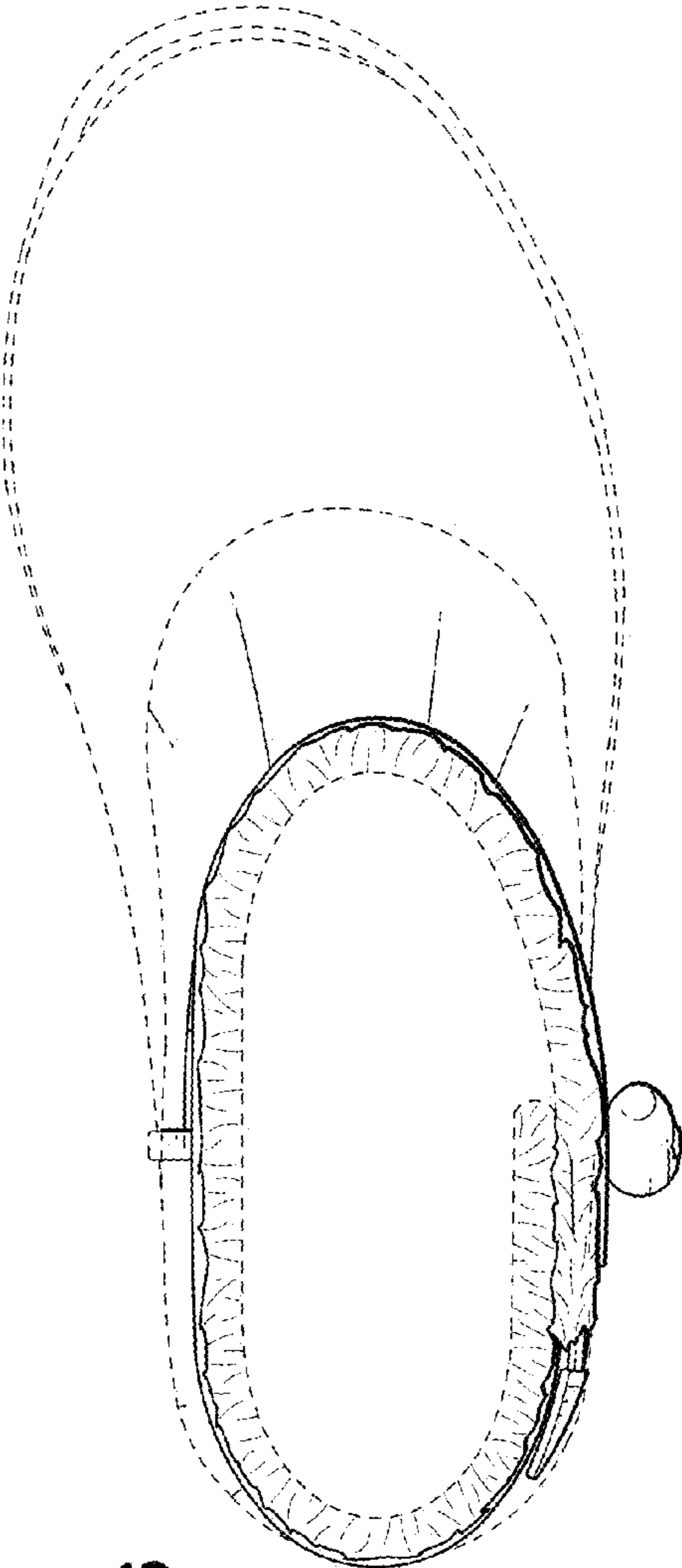


FIG. 6

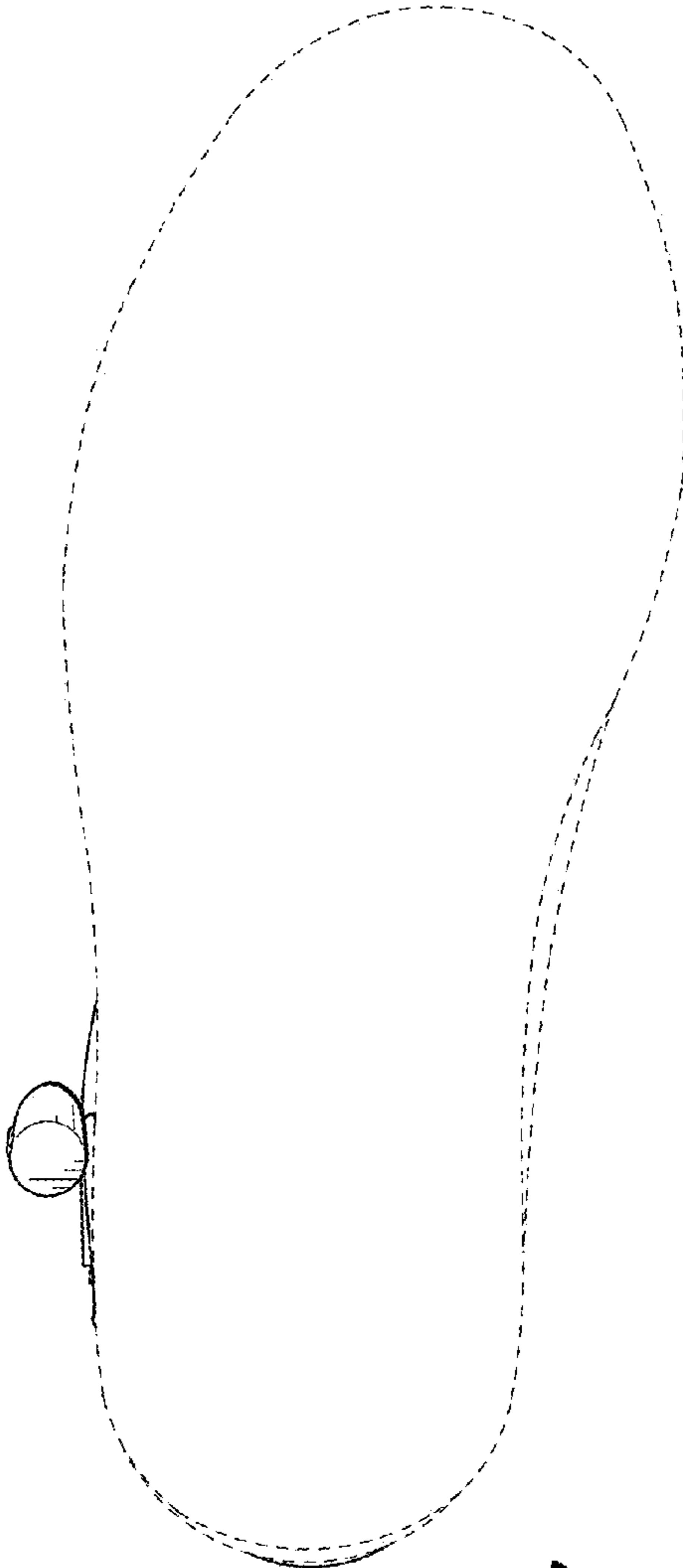


FIG. 7