



US00D763563S

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

(10) **Patent No.:** **US D763,563 S**

(45) **Date of Patent:** **\*\* Aug. 16, 2016**

(54) **FOOTWEAR UPPER**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **Ariat International, Inc.**, Union City, CA (US)

EP 2319345 A1 5/2011

(72) Inventor: **Jose Rafael Monroy**, Union City, CA (US)

OTHER PUBLICATIONS

International Search Report and Written Opinion mailed Oct. 9, 2014, from PCT Application No. PCT/US2014/038982 (12 pages).

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

*Primary Examiner* — Ian Simmons

*Assistant Examiner* — Rashida C Walshon

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

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

(21) Appl. No.: **29/518,240**

(22) Filed: **Feb. 20, 2015**

(57) **CLAIM**

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

**Related U.S. Application Data**

(63) Continuation of application No. 29/490,693, filed on May 12, 2014, now Pat. No. Des. 722,761.

**DESCRIPTION**

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

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

(58) **Field of Classification Search**  
USPC ..... D2/896, 909–912, 946, 970, 973;  
36/83, 109, 45, 50.1, 52, 113, 114, 131  
CPC ..... A43B 7/08; A43B 5/145; A43B 5/14;  
A43B 5/00; A43B 23/00  
See application file for complete search history.

FIG. 1 is a top perspective view of a footwear upper, showing the new design;  
FIG. 2 is a lateral elevation view thereof;  
FIG. 3 is a medial elevation view thereof;  
FIG. 4 is a bottom plan view thereof;  
FIG. 5 is a top plan view thereof;  
FIG. 6 is a front elevation view thereof;  
FIG. 7 is a rear elevation view thereof.  
FIG. 8 is an enlarged detail view of the portion of the claimed design shown in the dashed box in FIG. 1;  
FIG. 9 is an enlarged detail view of the portion of the claimed design shown in the dashed box in FIG. 6; and,  
FIG. 10 is an enlarged detail view of the portion of the claimed design shown in the dashed box in FIG. 7.

(56) **References Cited**

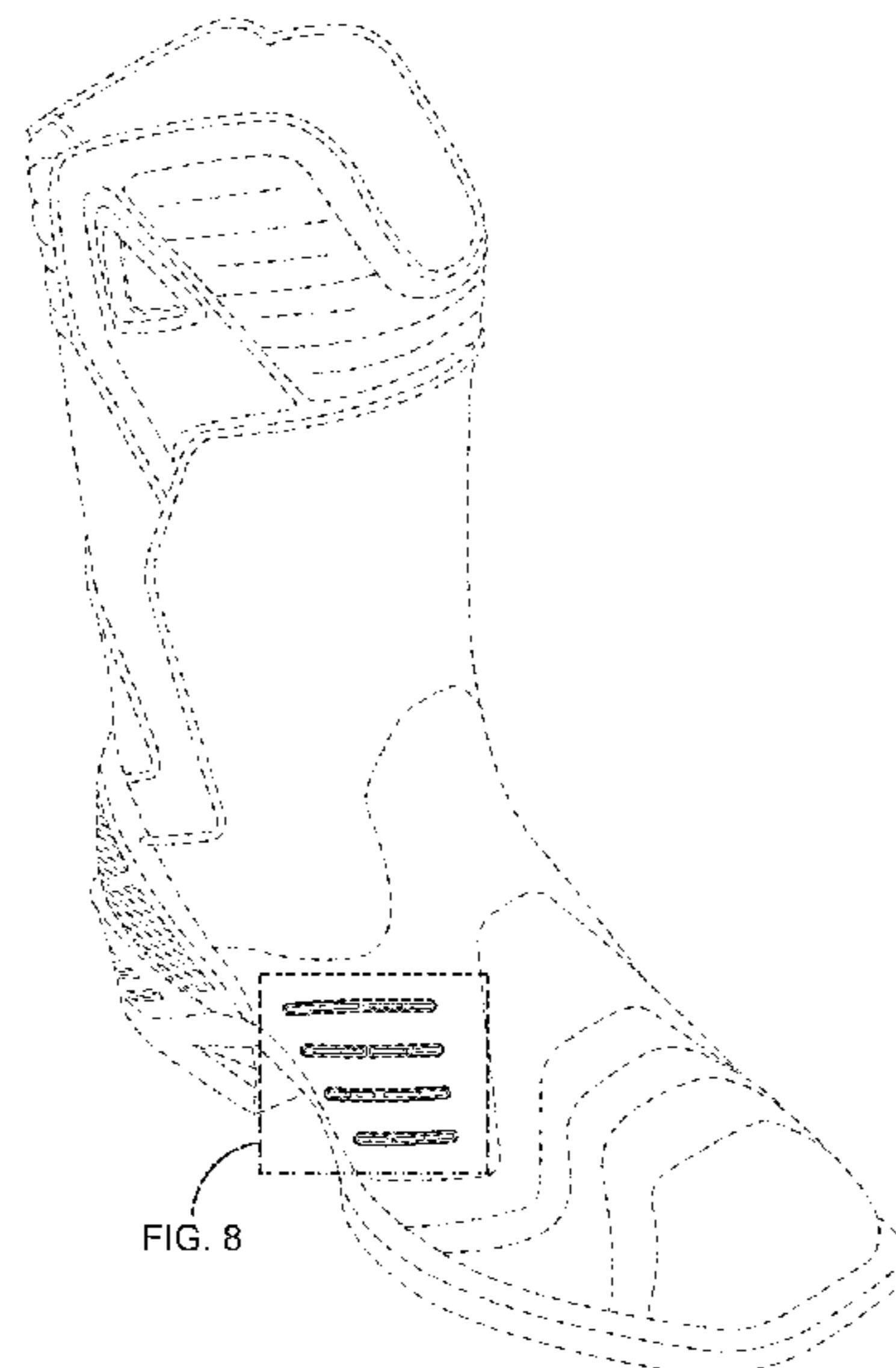
U.S. PATENT DOCUMENTS

3,091,871 A \* 6/1963 Tronche ..... A43B 7/32  
36/71  
D282,599 S 2/1986 Frey  
4,587,749 A 5/1986 Berlese  
5,450,712 A 9/1995 Van Scoyk  
D365,923 S \* 1/1996 Crowley ..... D2/974  
D424,292 S \* 5/2000 Besanceney, III ..... D2/902

Any shading lines shown in the drawings represent the three-dimensional contour of the design, and are not intended to indicate surface decoration. The broken lines shown in the drawings show portions of the footwear and footwear upper that form no portion of the claimed design.

(Continued)

**1 Claim, 10 Drawing Sheets**



(56)

**References Cited**

U.S. PATENT DOCUMENTS

6,360,456 B2 3/2002 Davis et al.  
D479,903 S 9/2003 Mazzarolo  
D487,186 S \* 3/2004 Maatita ..... D2/972  
D495,471 S 9/2004 Mazzarolo  
D513,850 S \* 1/2006 Alfaro ..... D2/972  
7,232,148 B2 \* 6/2007 Gonthier ..... A43B 5/0403  
280/636  
D547,032 S 7/2007 Mazzarolo

D548,444 S \* 8/2007 Covatch ..... D2/946  
D622,487 S 8/2010 McCarron et al.  
D624,295 S 9/2010 McCarron  
7,866,065 B2 1/2011 Munns  
7,980,010 B2 7/2011 Davis et al.  
D701,374 S 3/2014 Feller et al.  
2006/0042125 A1 3/2006 Chen et al.  
2010/0126044 A1 5/2010 Davis  
2011/0271553 A1 11/2011 McCarron  
2012/0266575 A1 10/2012 Chang

\* cited by examiner

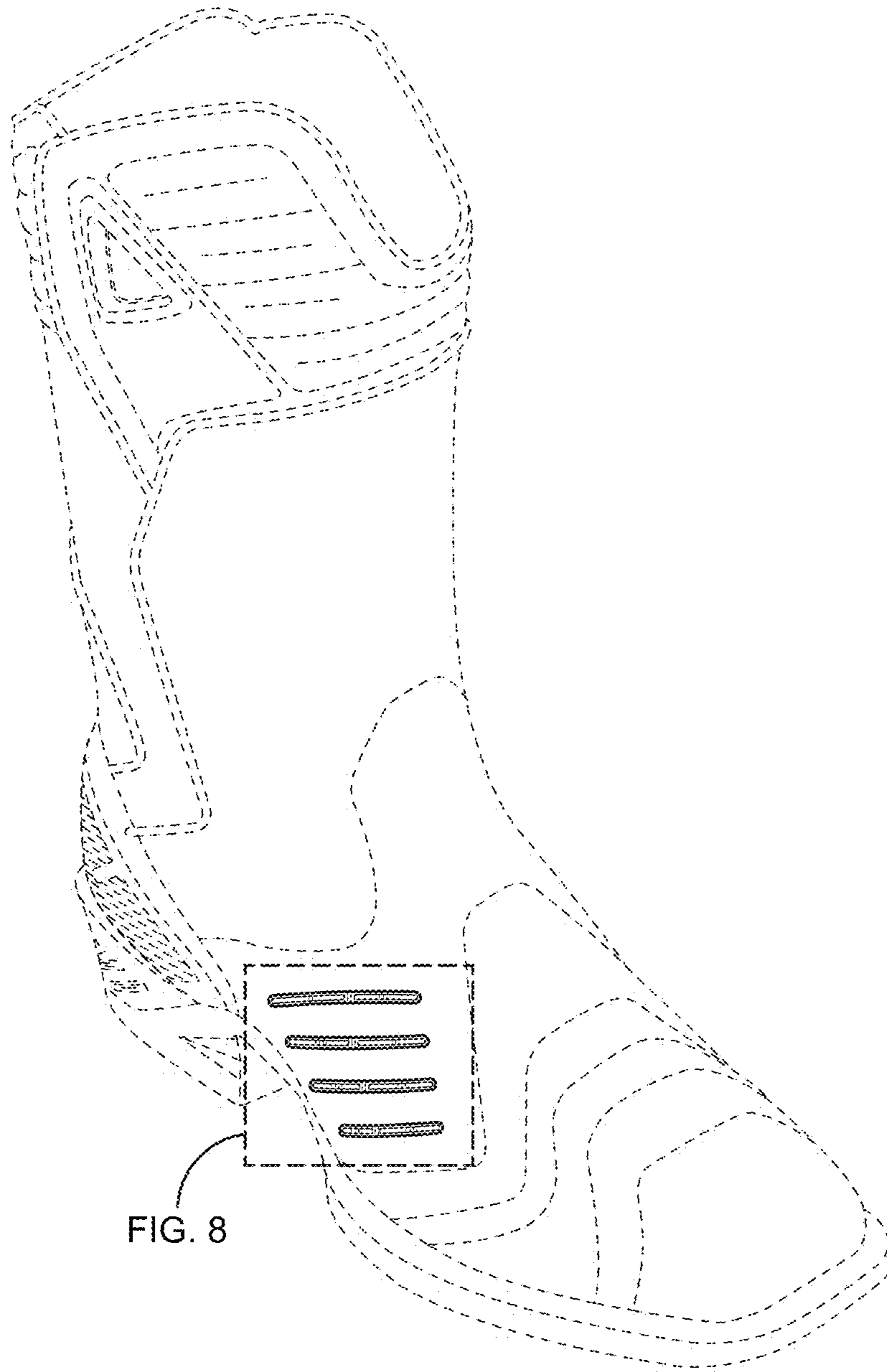


FIG. 8

FIG. 1

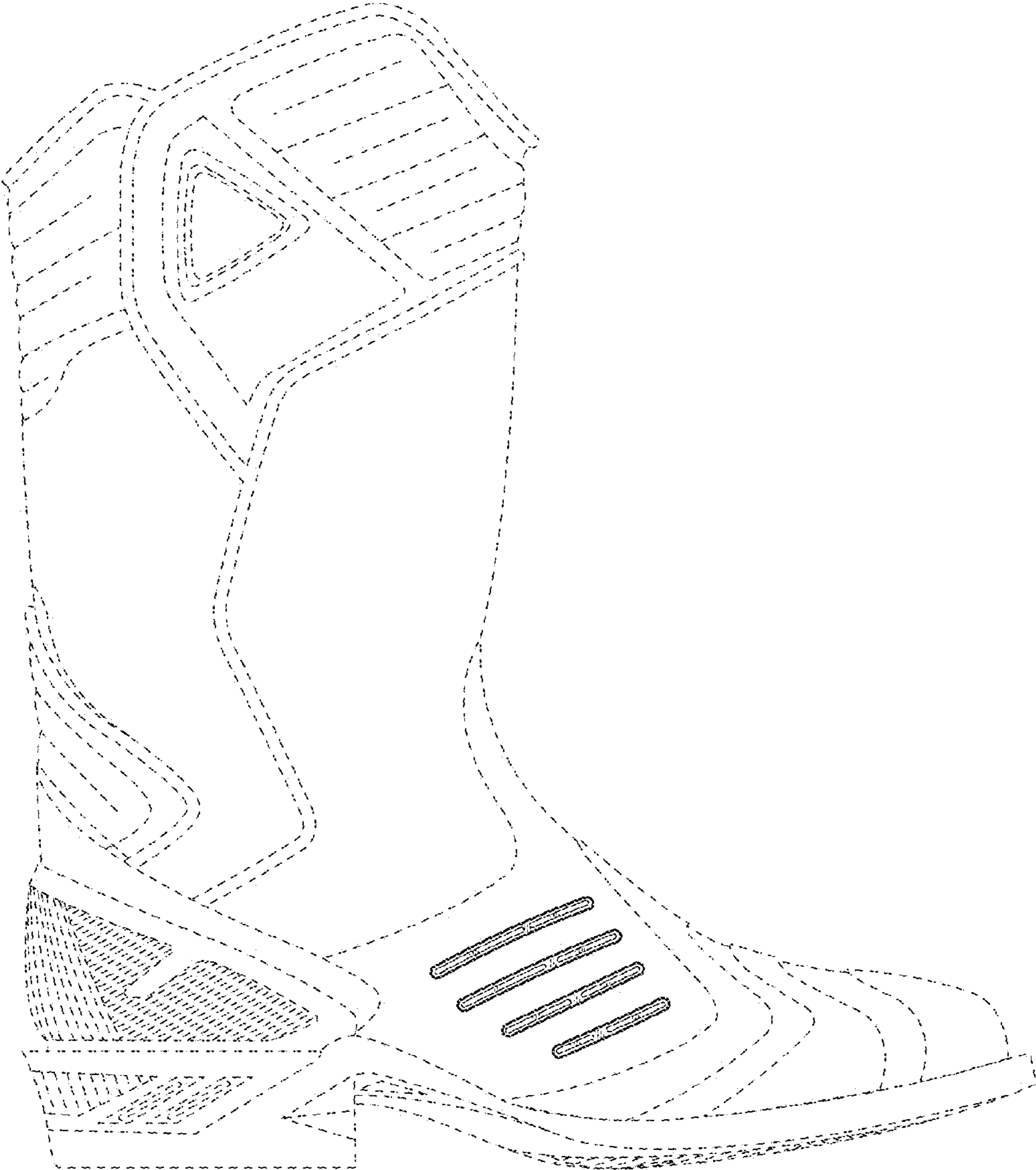


FIG. 2

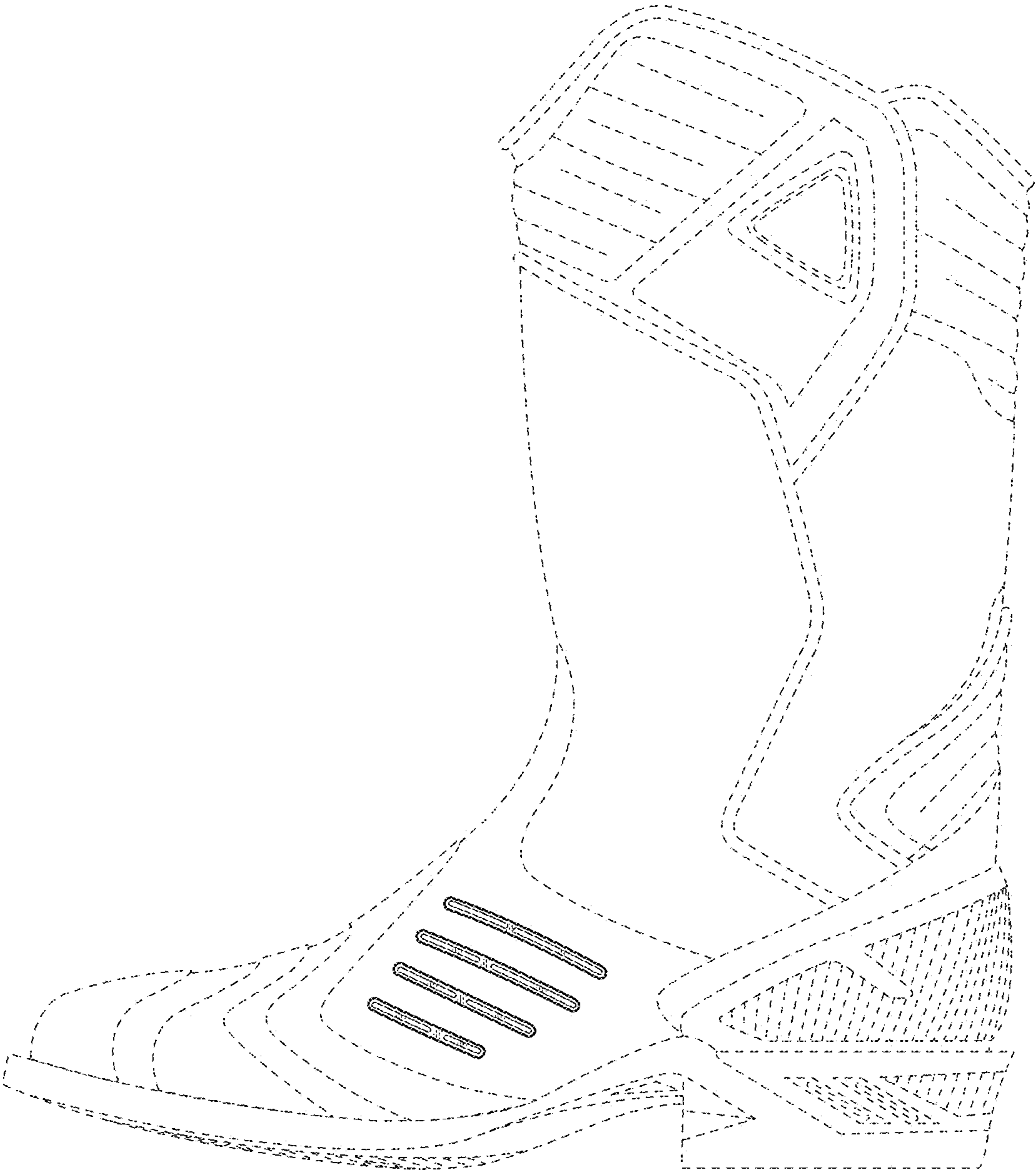


FIG. 3

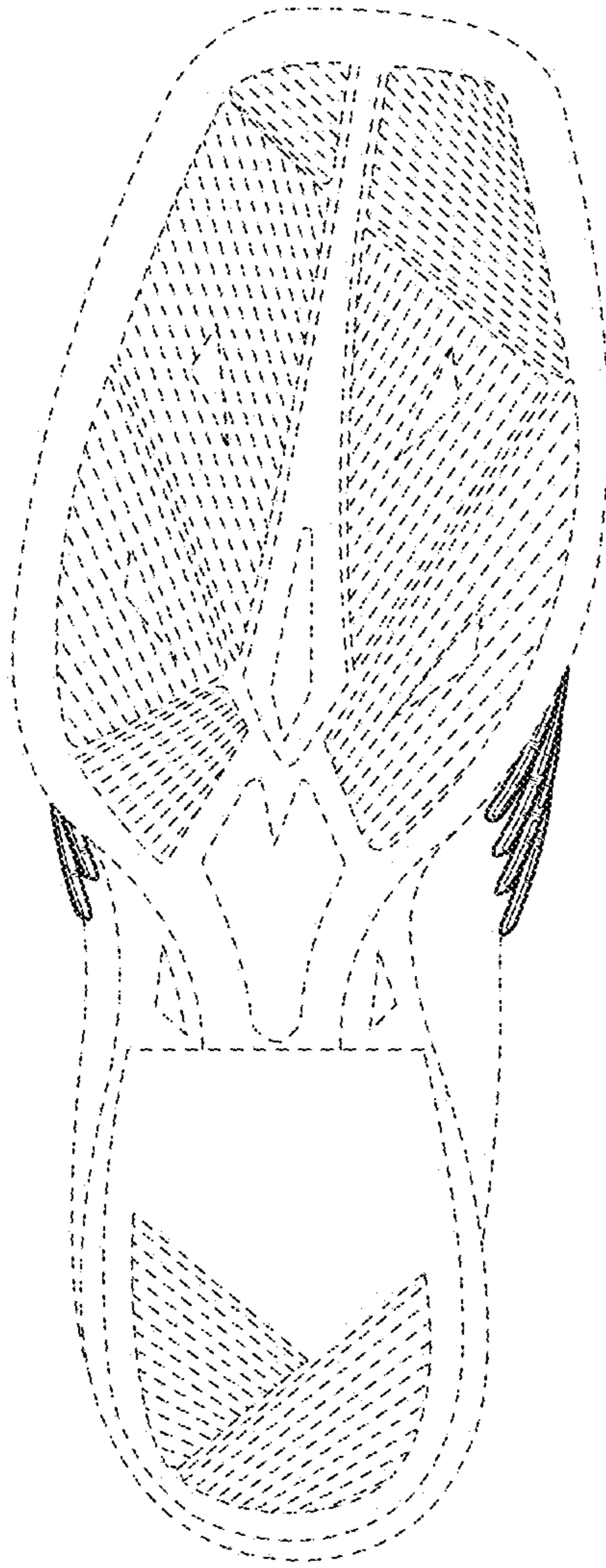


FIG. 4

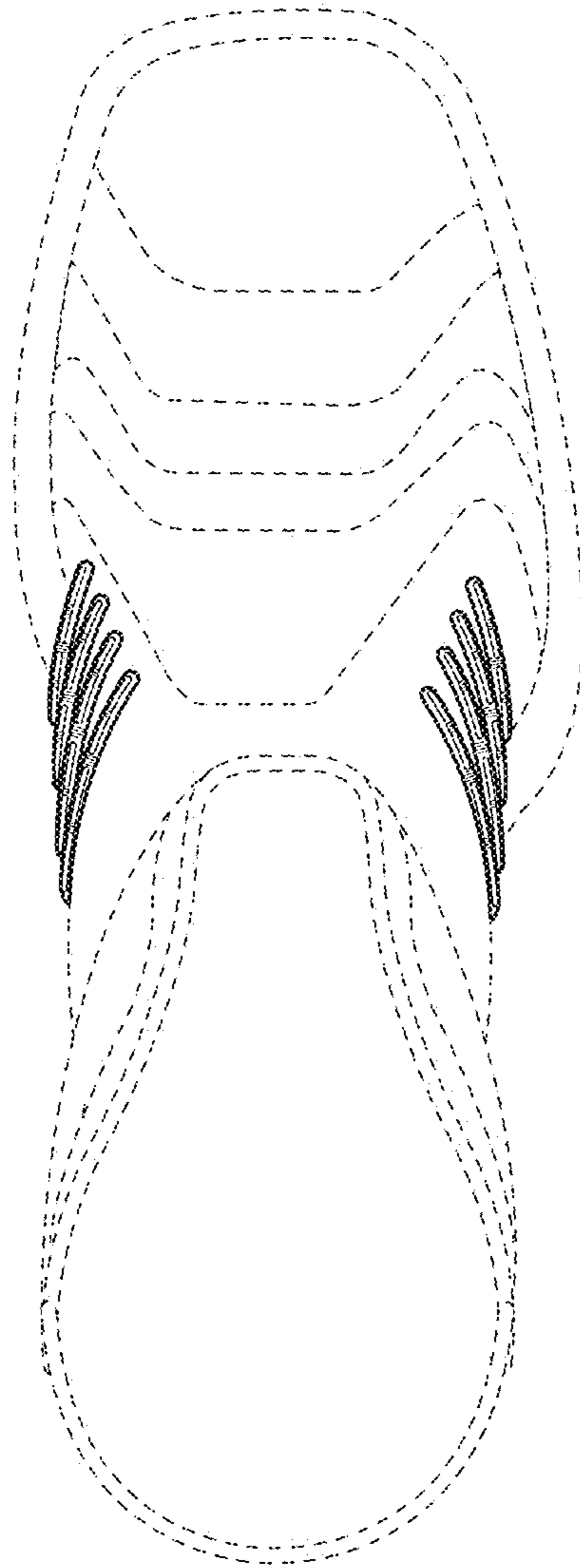


FIG. 5

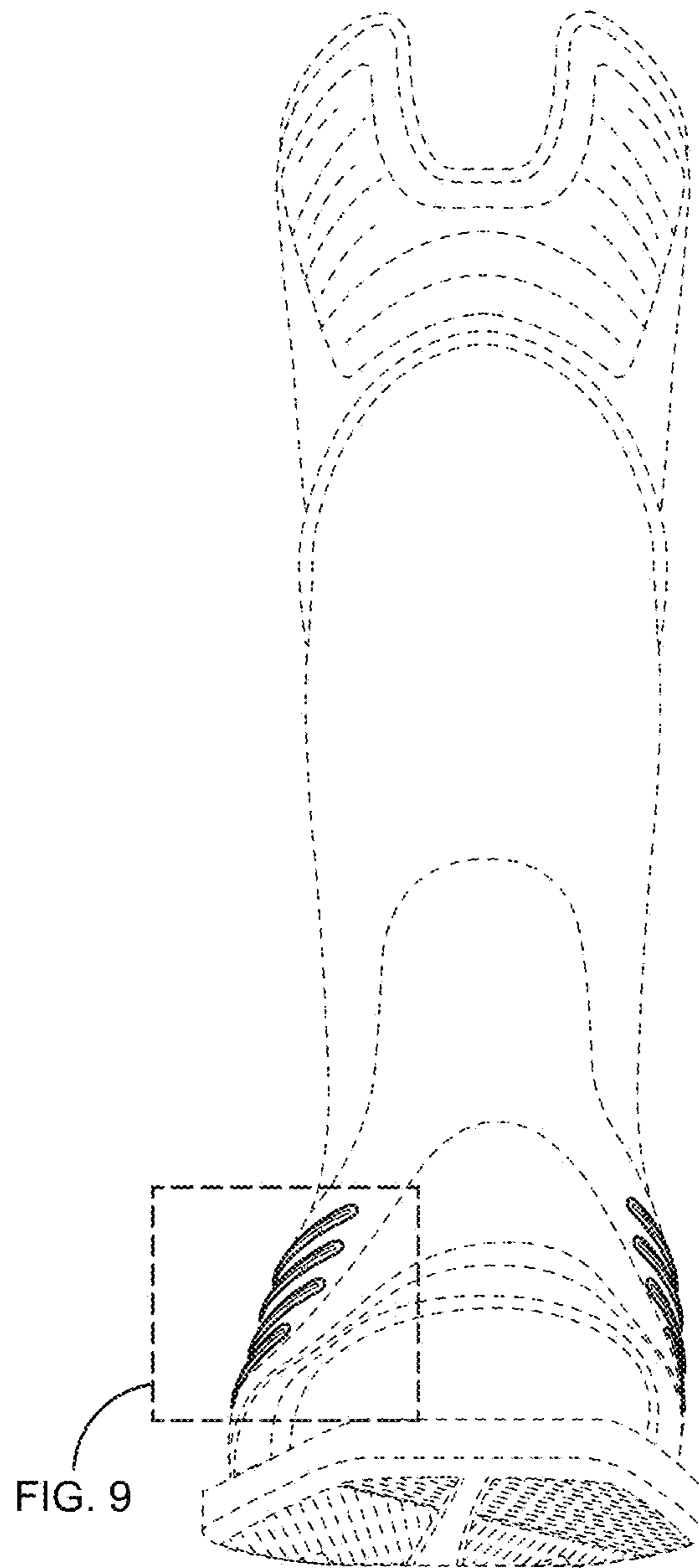


FIG. 6



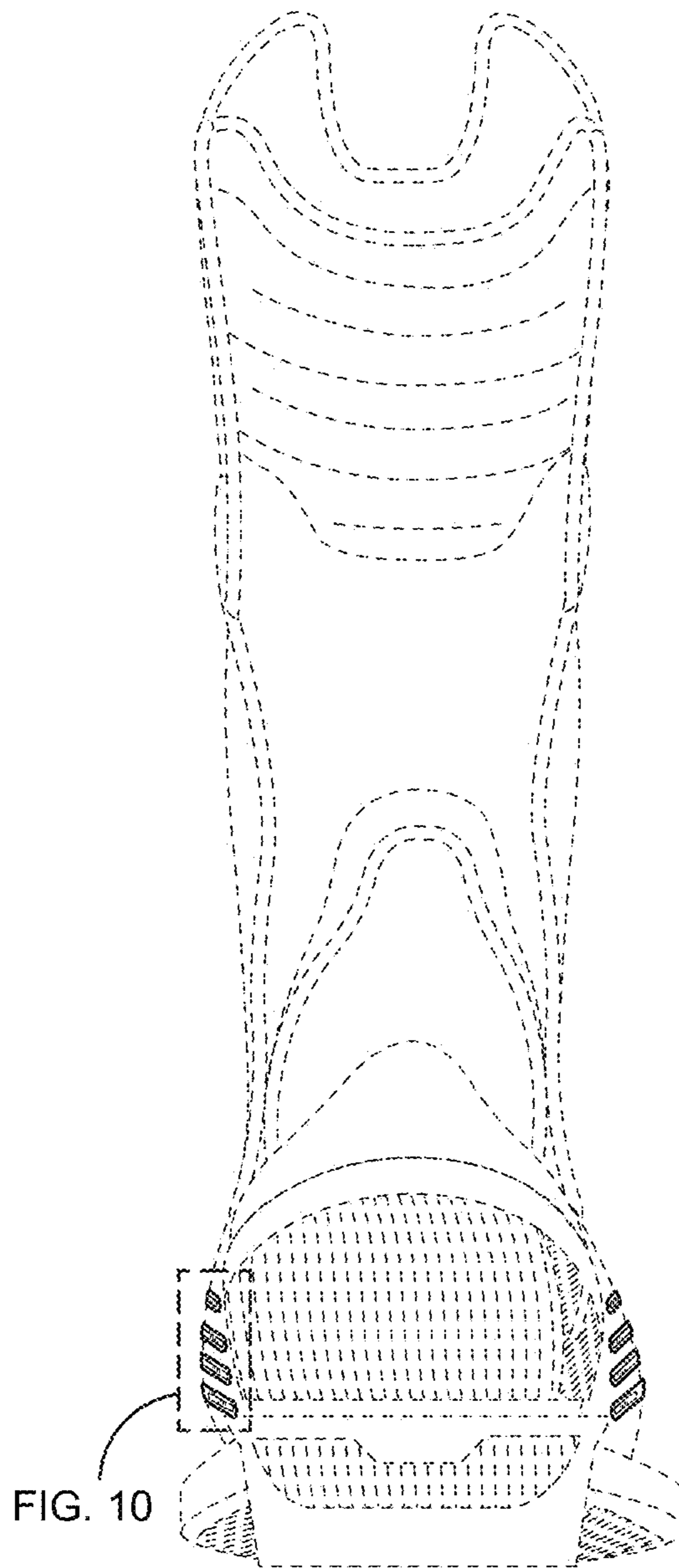


FIG. 7

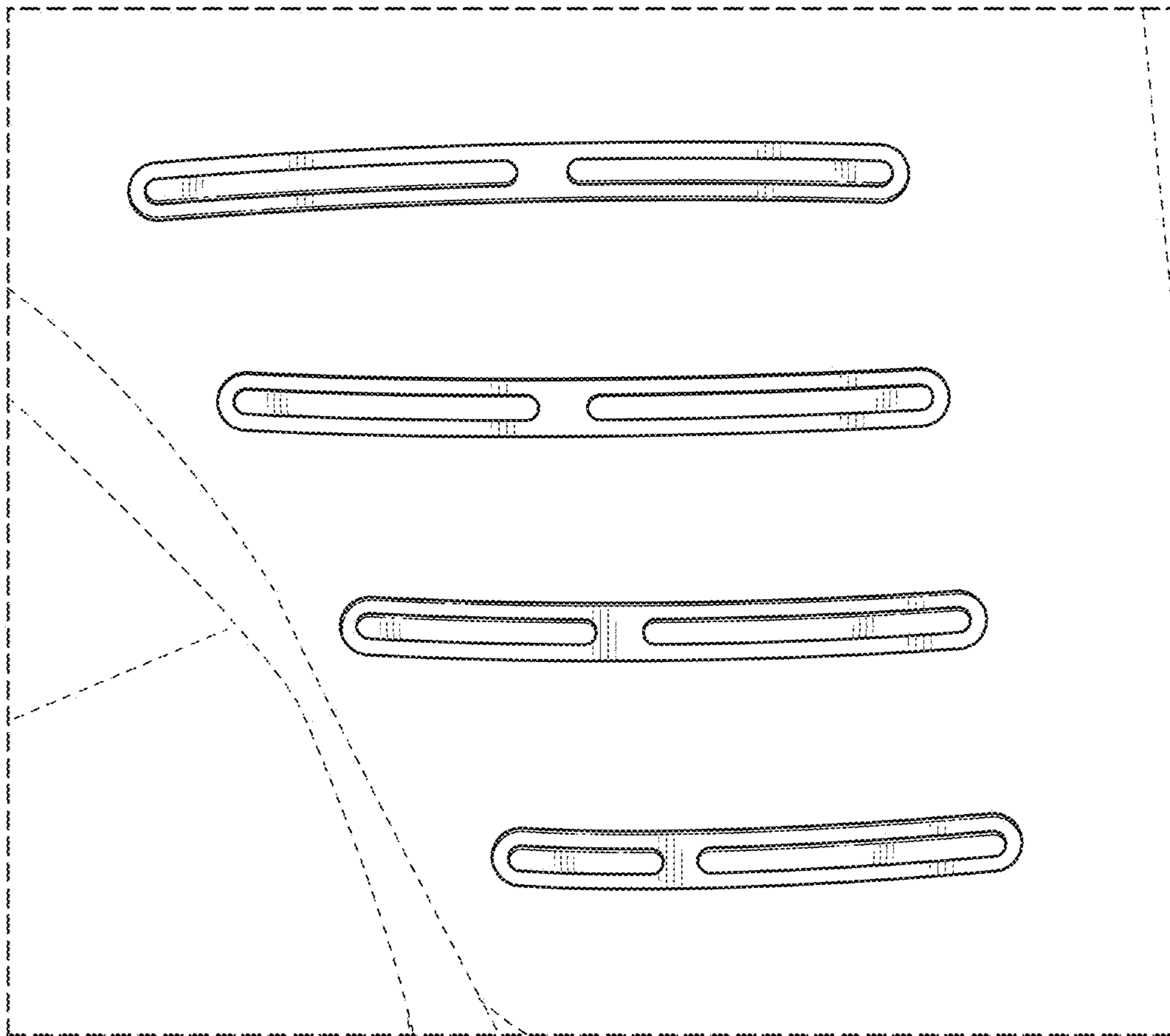


FIG. 8

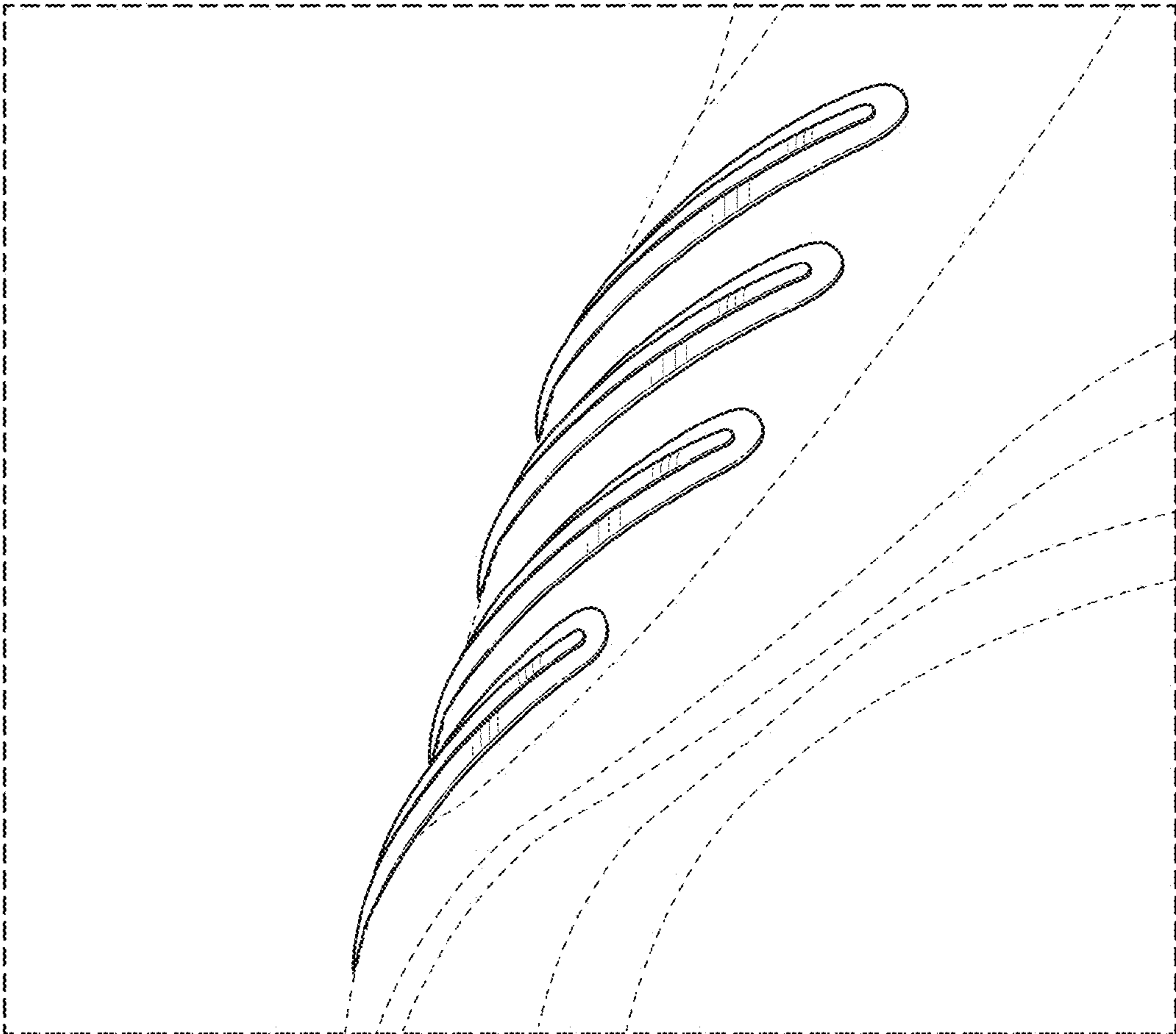


FIG. 9

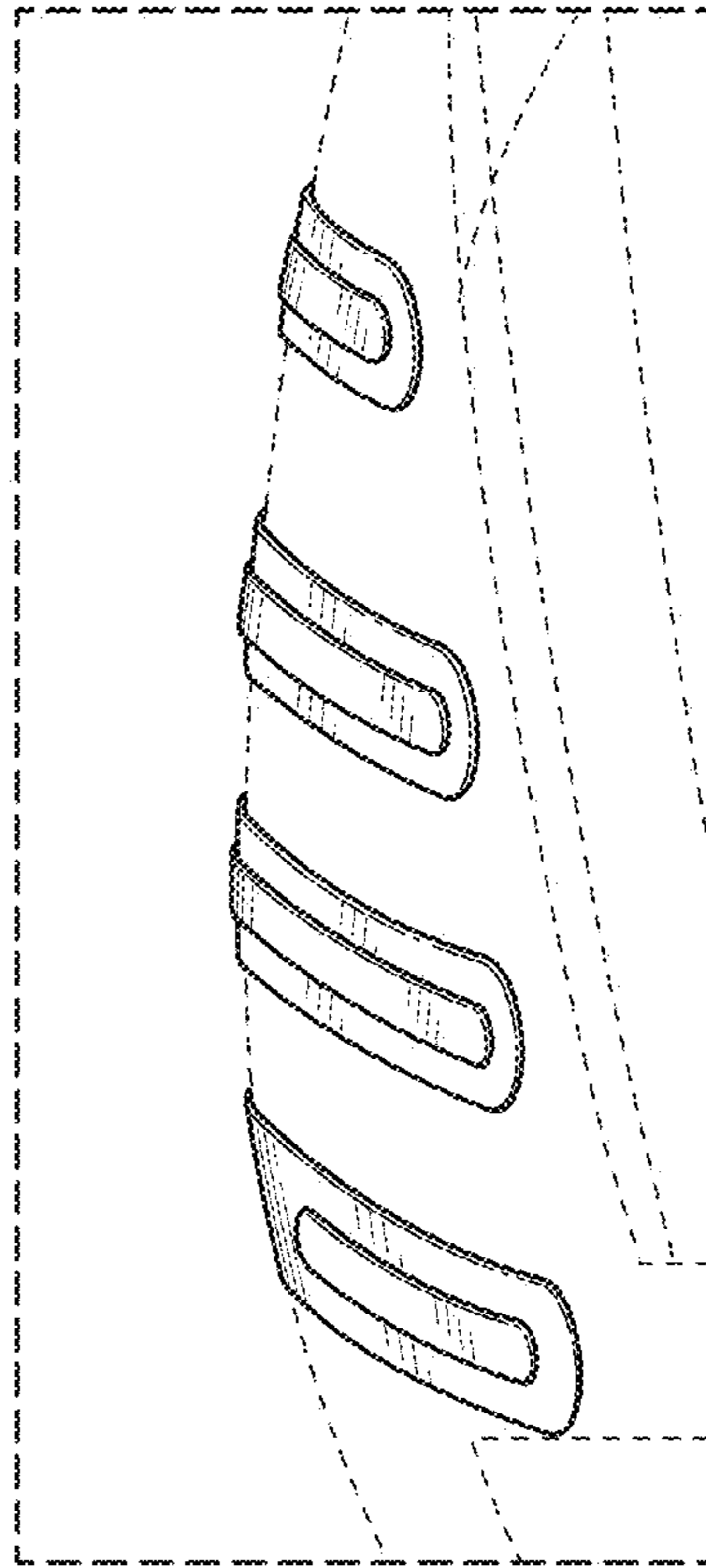


FIG. 10