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

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(54) **FOOTWEAR UPPER**

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

(\*\*) Term: **15 Years**

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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  
CPC ..... A43B 7/12; A43B 5/004; A43B 3/02;  
A43B 23/02  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D380,592 S	*	7/1997	Whittington	.....	D2/910
D400,342 S	*	11/1998	Davidowitz	.....	D2/909
D410,322 S	*	6/1999	Davidowitz	.....	D2/910
D482,190 S	*	11/2003	Belley	.....	D2/970
D500,583 S	*	1/2005	Belley	.....	D2/970
D527,872 S	*	9/2006	Choi	.....	D2/910
D561,432 S	*	2/2008	He	.....	D2/911
D599,999 S		9/2009	MacIntyre		
D635,749 S	*	4/2011	Wolff	.....	D2/910
D668,026 S		10/2012	Zacharias		
D685,172 S	*	7/2013	Warner	.....	D2/970
D704,426 S		5/2014	Dillenbeck		
D708,431 S		7/2014	Dillenbeck		

**OTHER PUBLICATIONS**

UGG Australia Josette model, www.uggaustralia.com https://web.archive.org/web/20131008134615/http://www.uggaustralia.com/women-boots/josette/1003174.html?dwvar\_1003174\_color=PRVL Oct. 8, 2013.  
UGG Australia Bailey Button model, www.uggaustralia.com https://web.archive.org/web/20120909185522/http://www.uggaustralia.com/womens-bailey-button-boots/5803,default.pd.html?dwvar\_5803\_color=AUB&start=7&cqid=women-boots-classic Sep. 9, 2012.  
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; Oct. 16, 2012.

(Continued)

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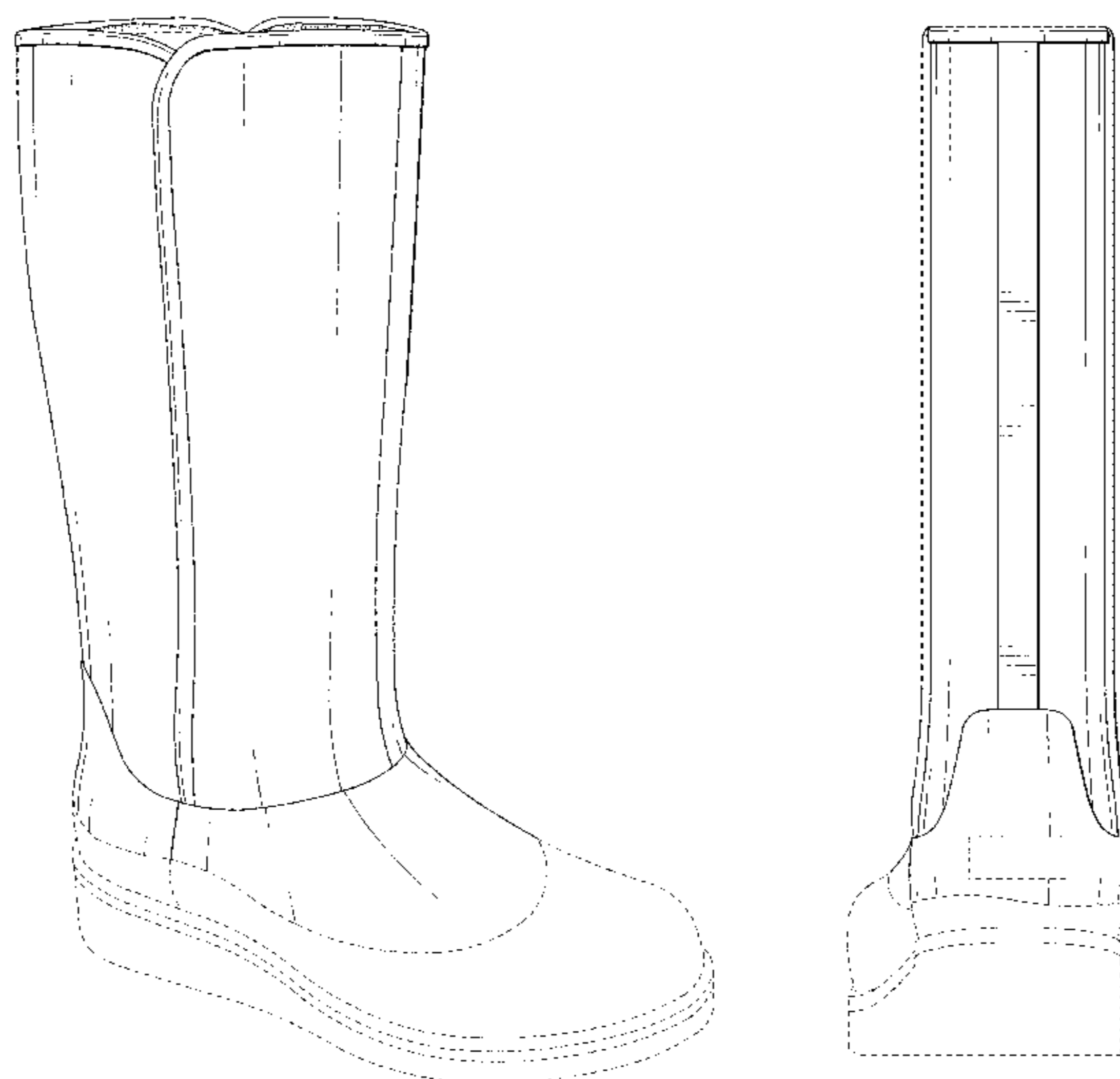
(57) **CLAIM**

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 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 which define the bounds of the claimed design form no part thereof.

**1 Claim, 5 Drawing Sheets**



(56)

**References Cited**

OTHER PUBLICATIONS

UGG Australia, style “UGG Classic Tall”; On sale or in public use at least as early as Oct. 17, 2003, See product review dated Oct. 17, 2003, <http://www.zappos.com/ugg-classic-tall-chestnut>.

UGG Australia, style “UGG Abree Short Stingray”; [http://www.uggaustralia.com/women-sale/abree-short-stingray/1009206.html?dwvar\\_1009206\\_color=ASH#q=abree&start=1&cgid=](http://www.uggaustralia.com/women-sale/abree-short-stingray/1009206.html?dwvar_1009206_color=ASH#q=abree&start=1&cgid=), Jun. 29, 2015.

\* cited by examiner



FIG. 1



FIG. 2

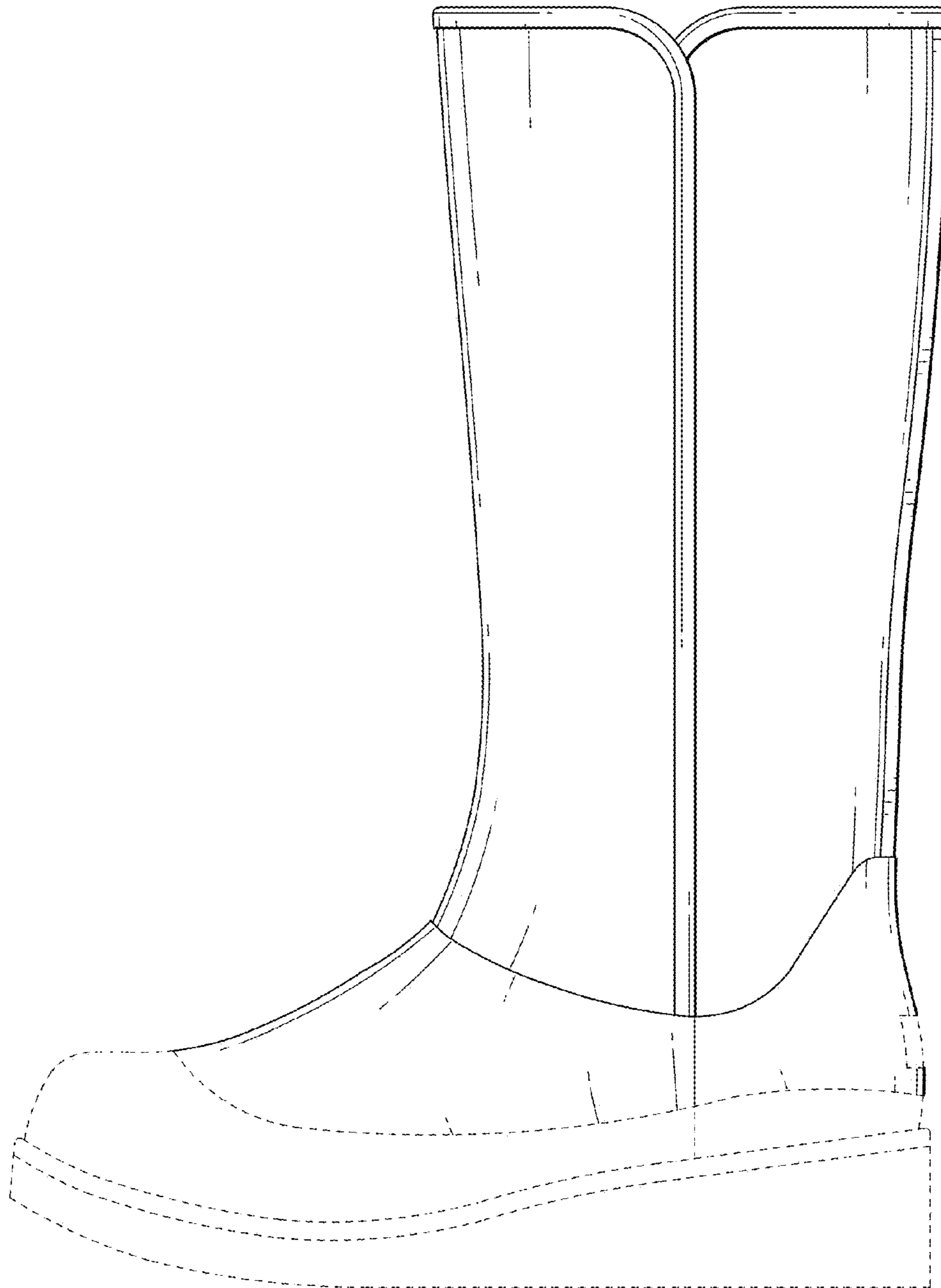


FIG. 3

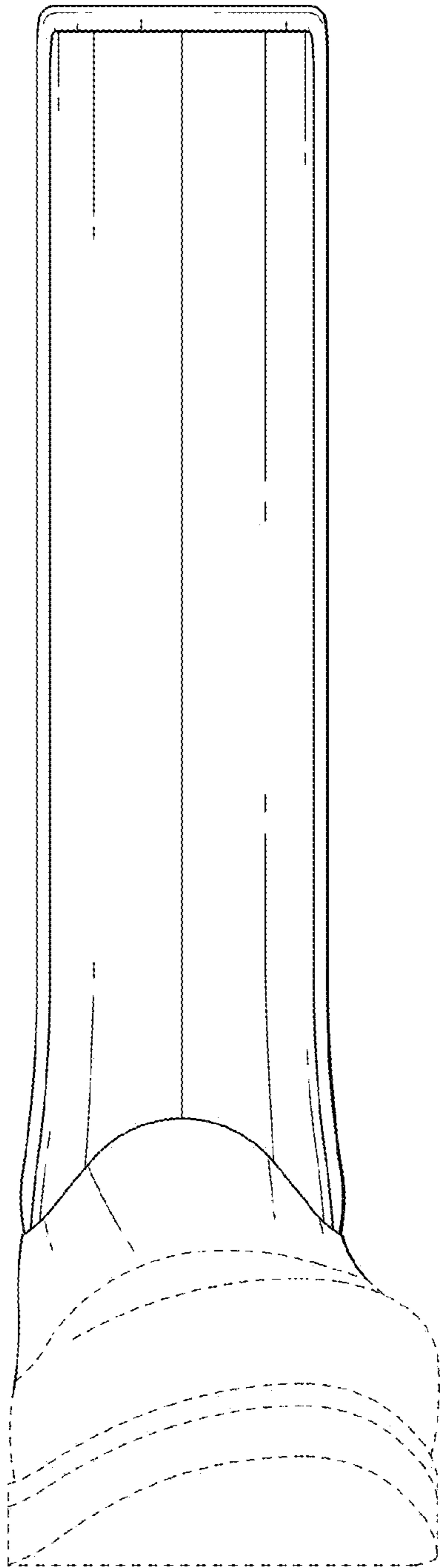


FIG. 4

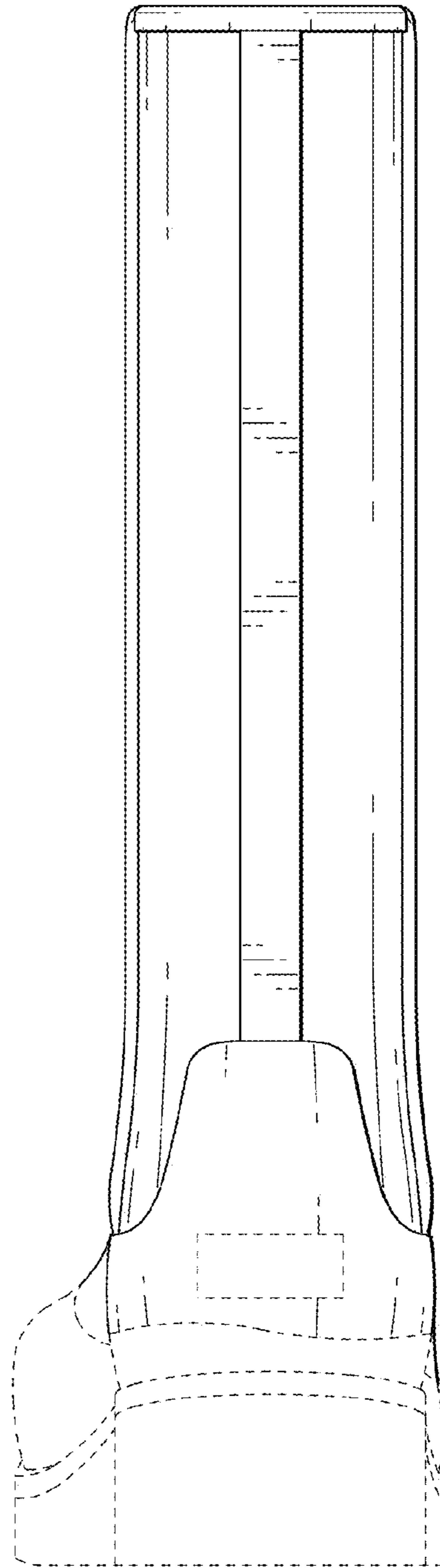


FIG. 5

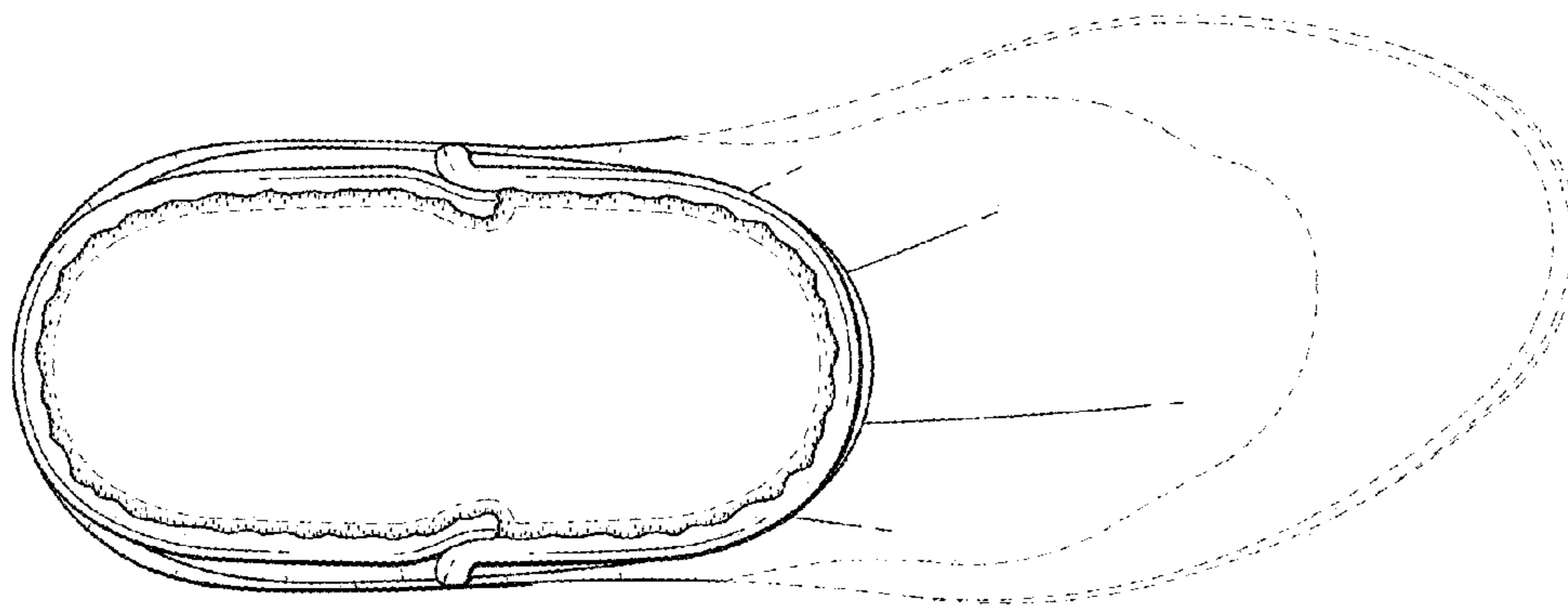


FIG. 6

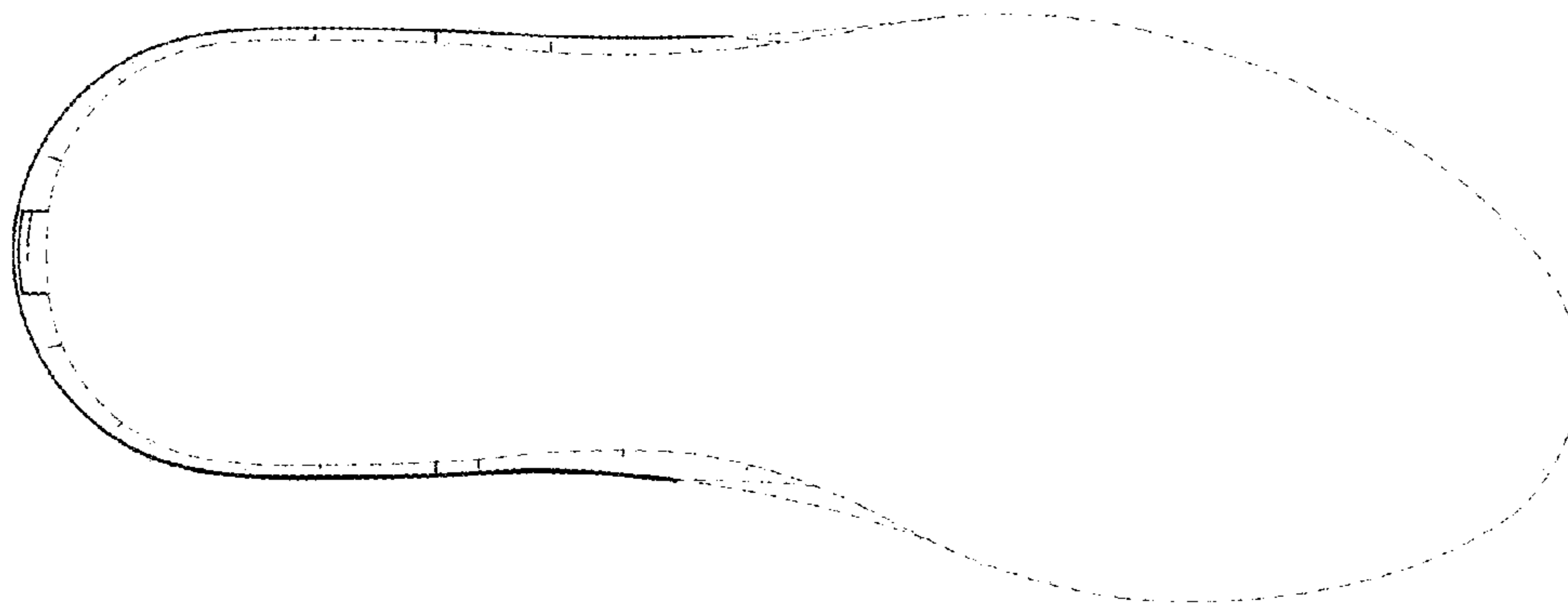


FIG. 7