



US00D790186S

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

(10) **Patent No.:** **US D790,186 S**

(45) **Date of Patent:** **\*\* Jun. 27, 2017**

(54) **FOOTWEAR UPPER**

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

(72) Inventor: **Esther Chung**, Santa Barbara, CA (US)

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

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

(21) Appl. No.: **29/564,134**

(22) Filed: **May 11, 2016**

(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**

D319,332 S \* 8/1991 Itzkowitz ..... D2/910  
D575,495 S \* 8/2008 Le ..... D2/970  
D599,999 S 9/2009 MacIntyre  
D616,189 S 5/2010 MacIntyre  
D616,190 S 5/2010 MacIntyre

(Continued)

**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.zapoos.com/ugg-classic-tall-chestnut>.

(Continued)

*Primary Examiner* — Holly Baynham

*Assistant Examiner* — Rashida C Walshon

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

(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 the 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;

FIG. 7 is a bottom plan view thereof;

FIG. 8 is a front perspective view of a second embodiment of footwear upper;

FIG. 9 is a side elevational view thereof;

FIG. 10 is an opposite side elevational view thereof;

FIG. 11 is a front elevational view thereof;

FIG. 12 is a rear elevational view thereof;

FIG. 13 is a top plan view thereof;

FIG. 14 is a bottom plan view thereof;

FIG. 15 is a front perspective view of a third embodiment of footwear upper;

FIG. 16 is a side elevational view thereof;

FIG. 17 is an opposite side elevational view thereof;

FIG. 18 is a front elevational view thereof;

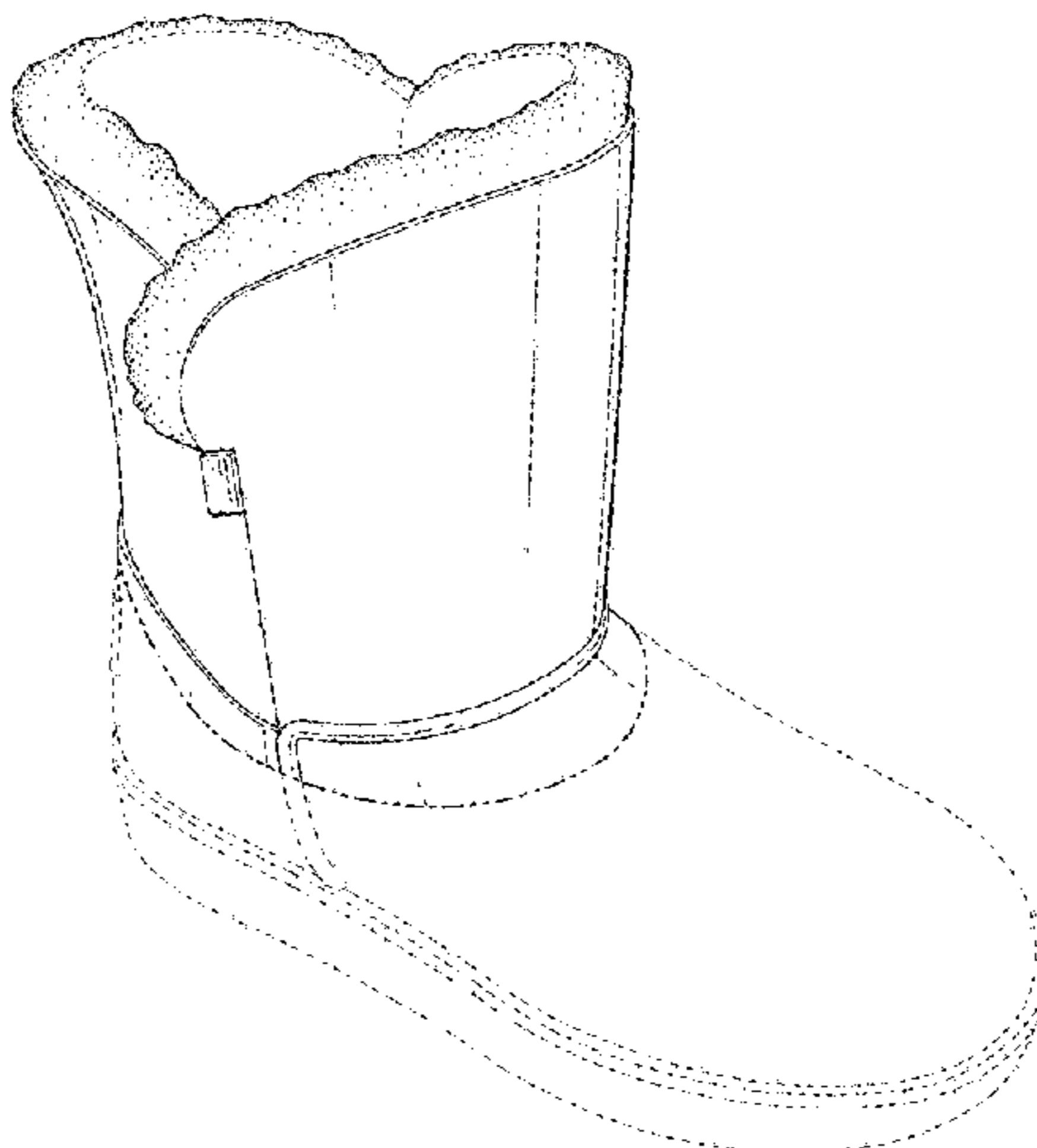
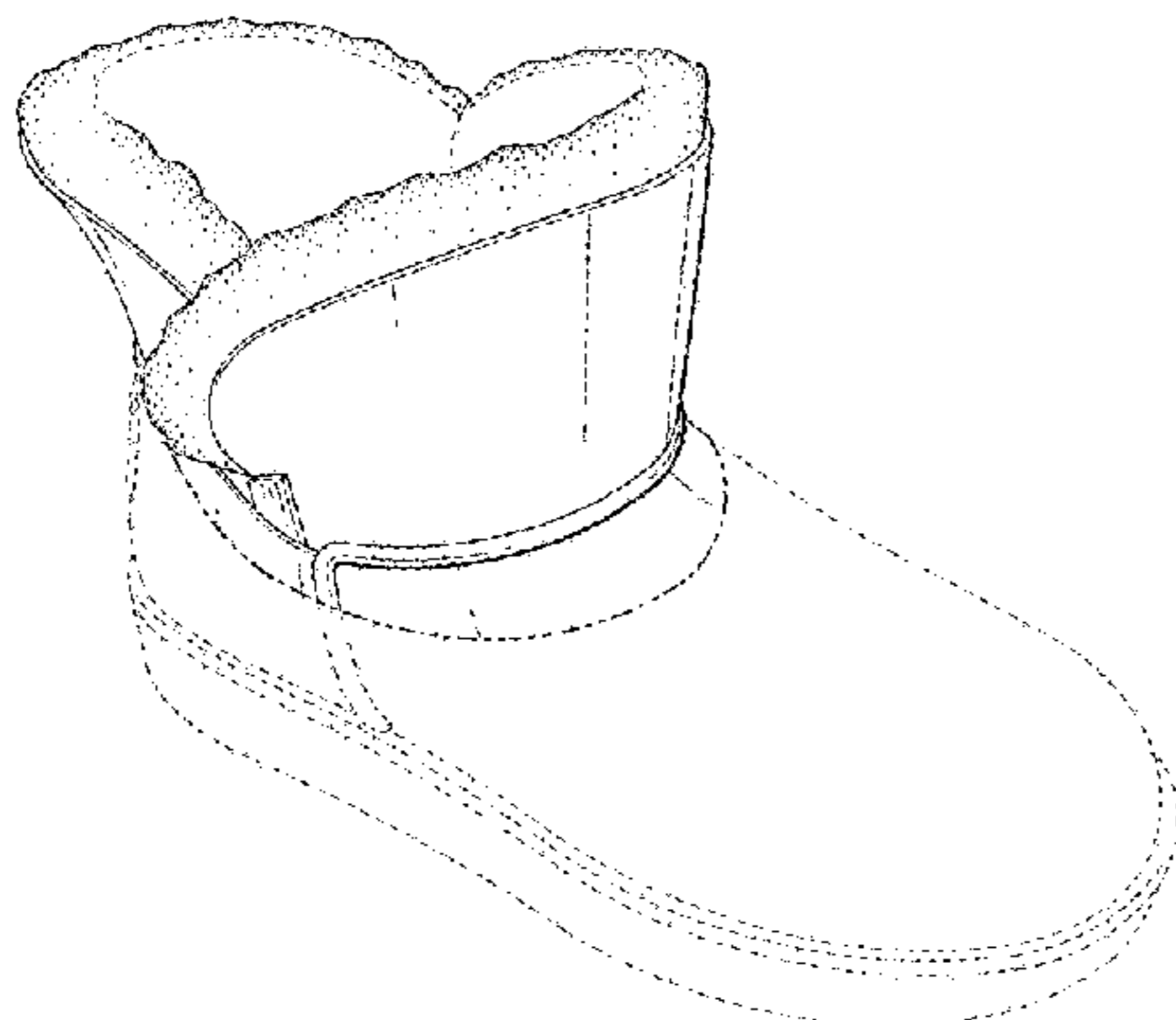
FIG. 19 is a rear elevational view thereof;

FIG. 20 is a top plan view thereof; and,

FIG. 21 is a bottom plan view thereof.

The evenly spaced broken lines in FIGS. 1-21 represent portions of the footwear that form no part of the claimed design. The dash dot-dot dash broken lines immediately adjacent the solid-line portions of the footwear define the bounds of the claimed design form no part thereof.

**1 Claim, 14 Drawing Sheets**



(56)

**References Cited**

U.S. PATENT DOCUMENTS

D640,450 S \* 6/2011 Exton ..... D2/910  
D704,427 S 5/2014 Dillenbeck  
D705,529 S 5/2014 Ng  
D734,935 S 7/2015 Todd  
D738,605 S 9/2015 Dillenbeck et al.  
D741,579 S \* 10/2015 McMillan ..... D2/910  
D766,563 S \* 9/2016 Radabaugh ..... D2/970

OTHER PUBLICATIONS

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.

UGG Australia, Mini Bailey Button Bailey style, [www.uggaustralia.com](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, style “UGG Classic Mini”; On sale or in public use at least as early as Aug. 23, 2006, See Product Review dated Aug. 23, 2006, [www.zappos.com/ugg-classic-mini-sand](http://www.zappos.com/ugg-classic-mini-sand).

UGG Australia, style “UGG Classic Short”; On sale or in public use at least as early as Aug. 25, 2004, See product review dated Aug. 25, 2004, <http://www.zappos.com/ugg-classic-short-chestnut~2>.

\* cited by examiner

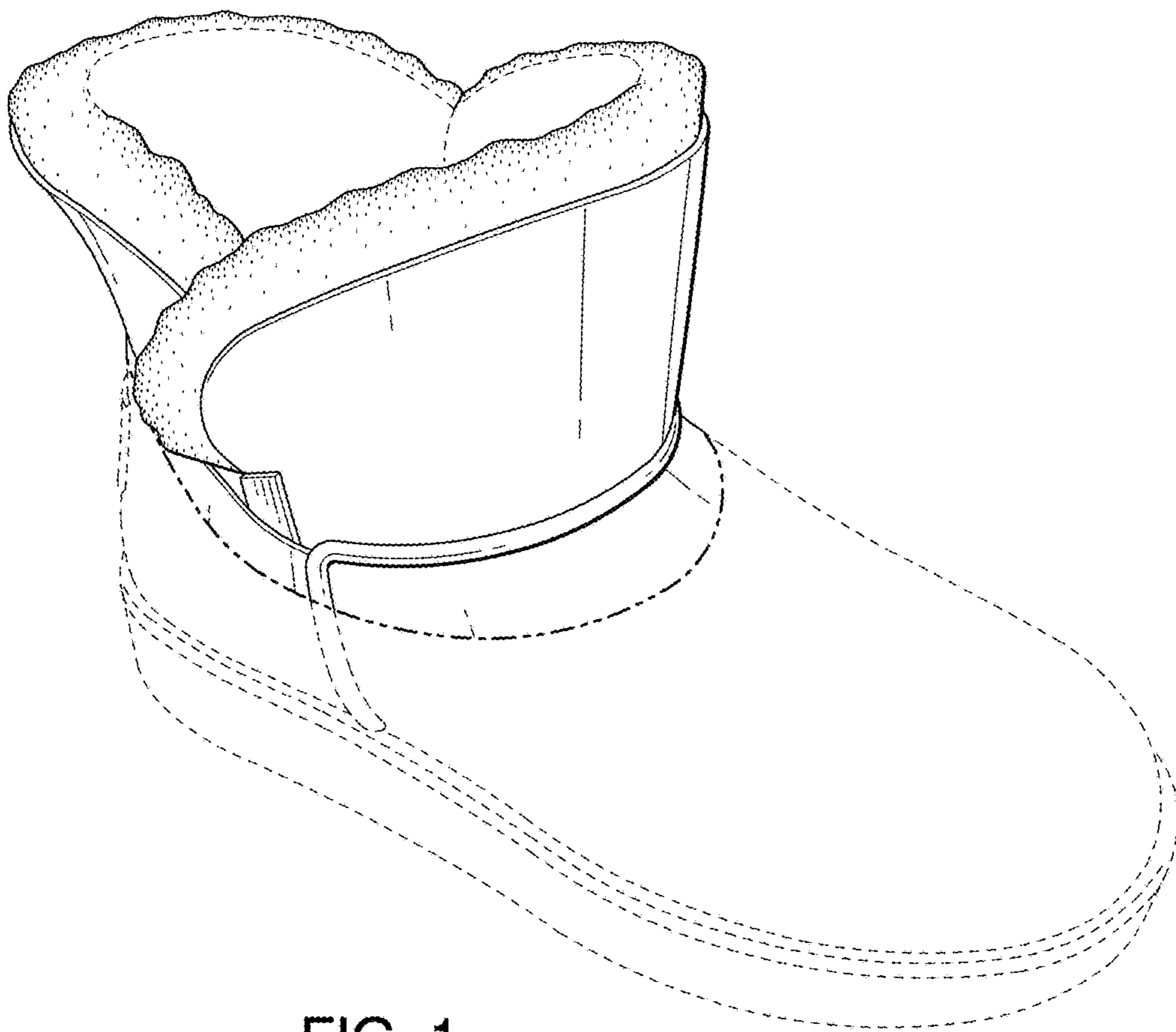
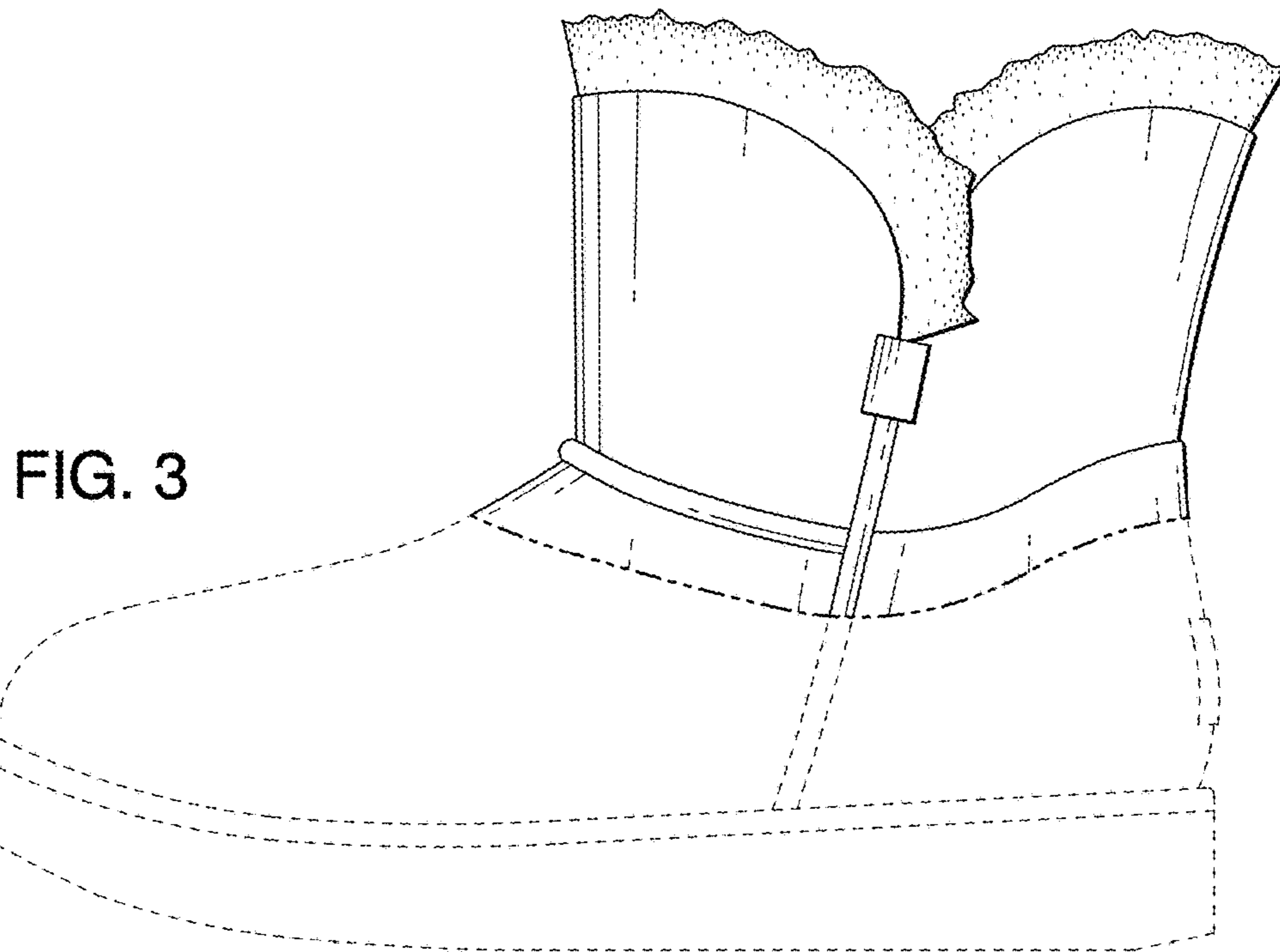
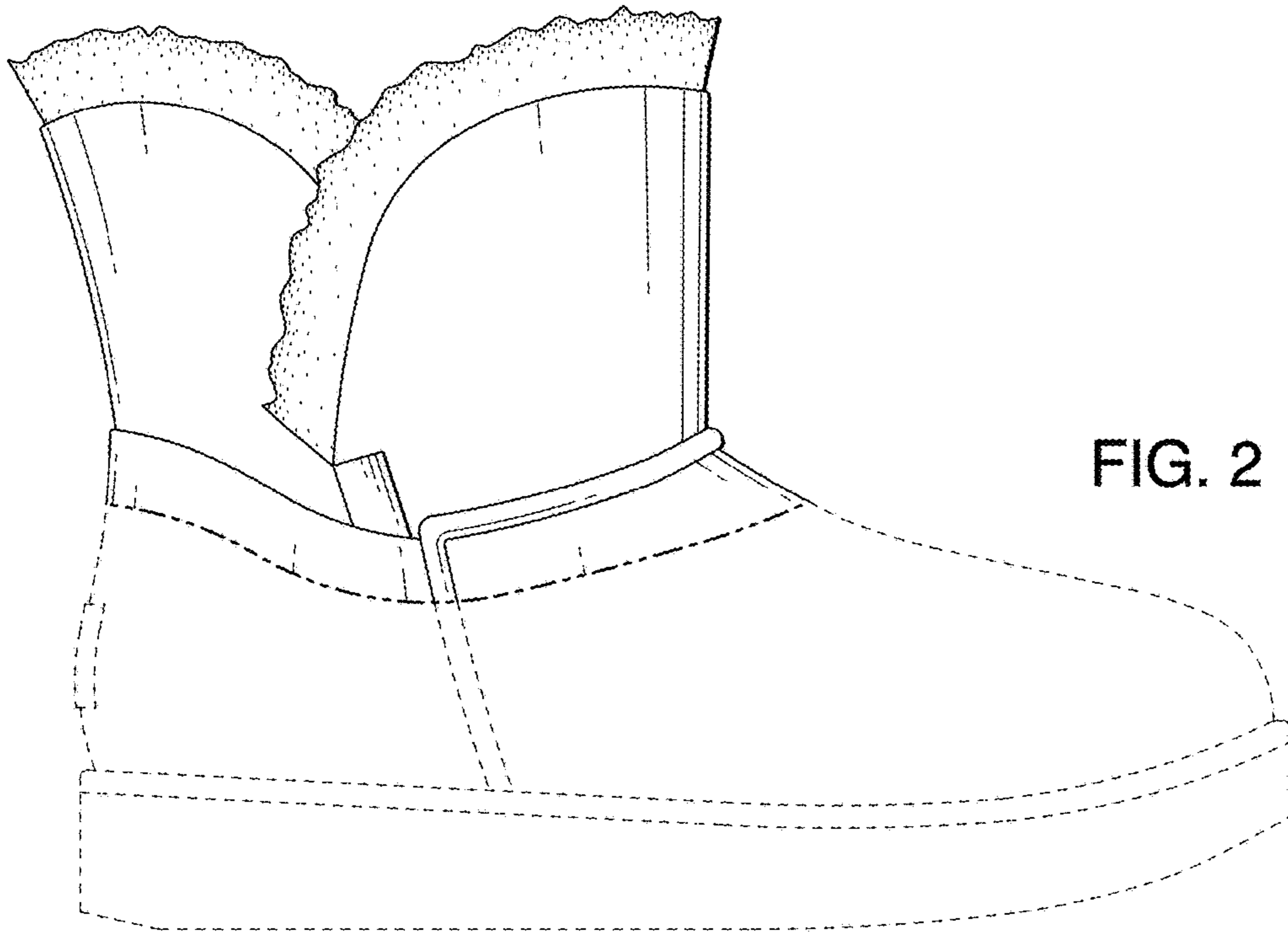


FIG. 1



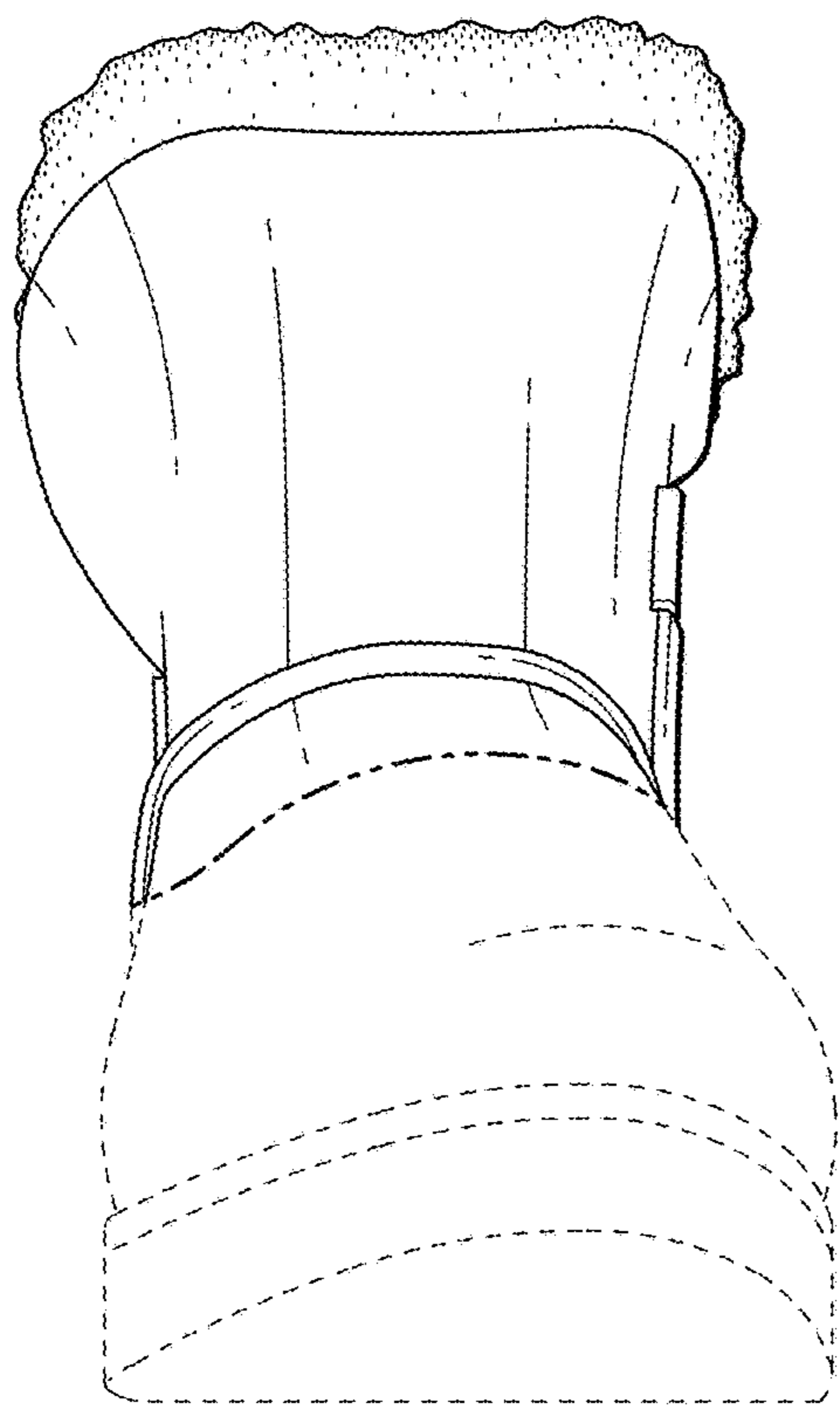


FIG. 4

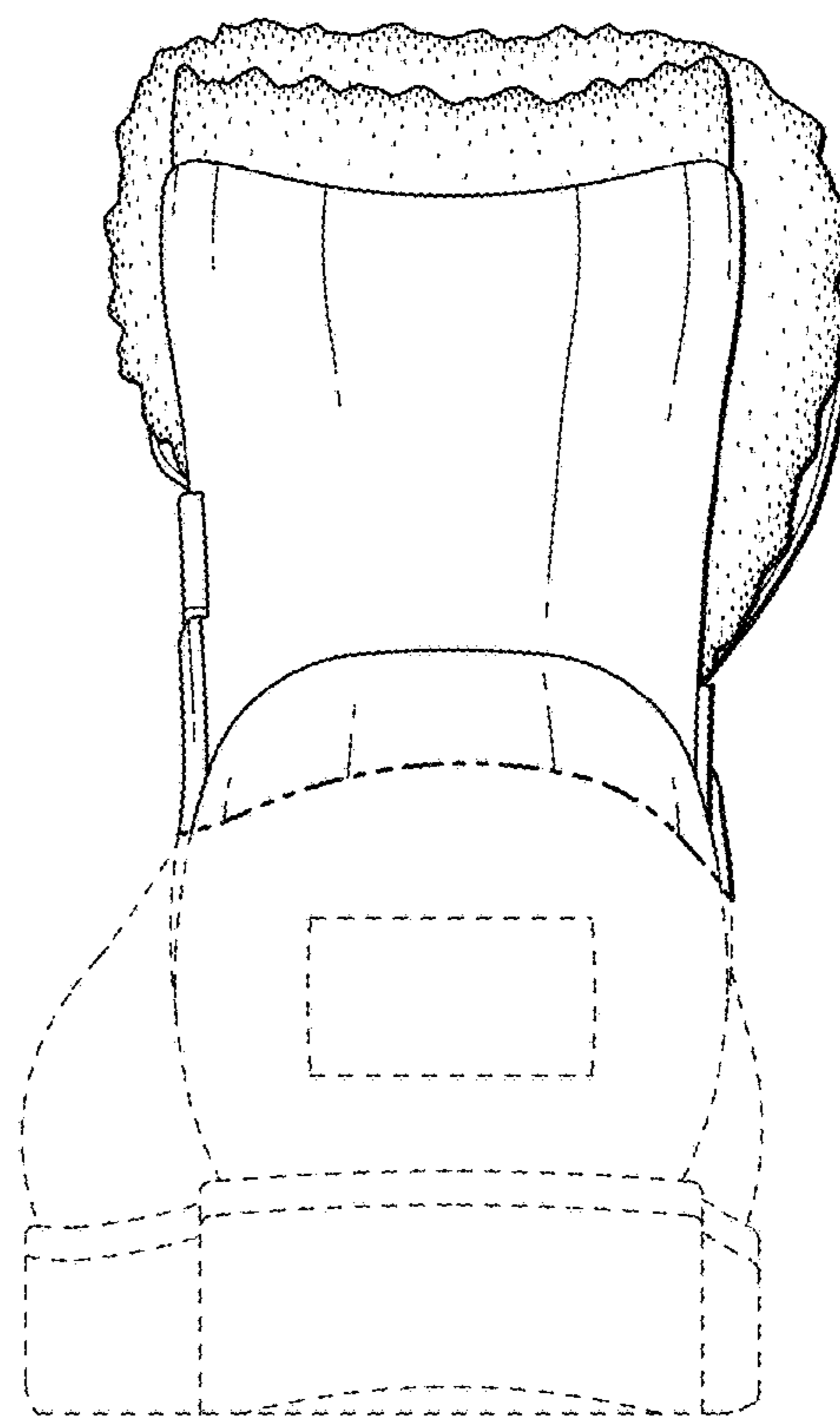


FIG. 5

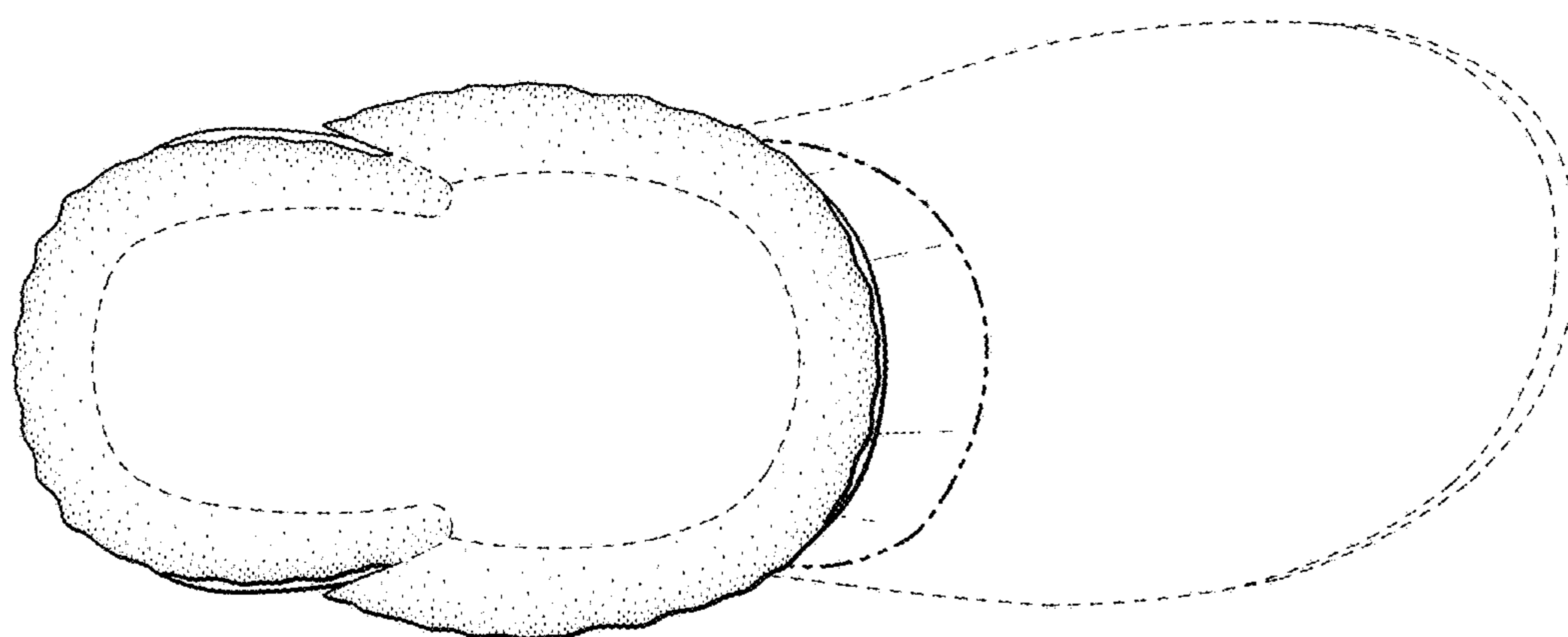


FIG. 6

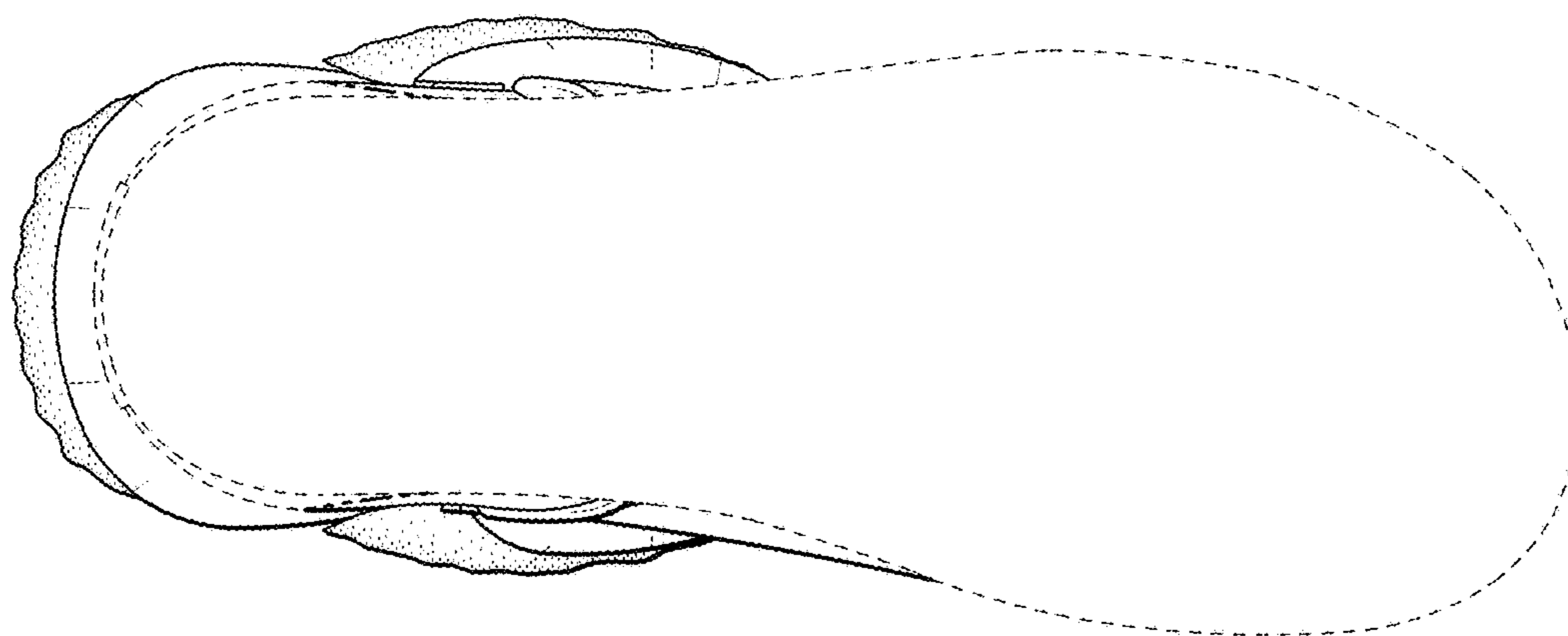


FIG. 7

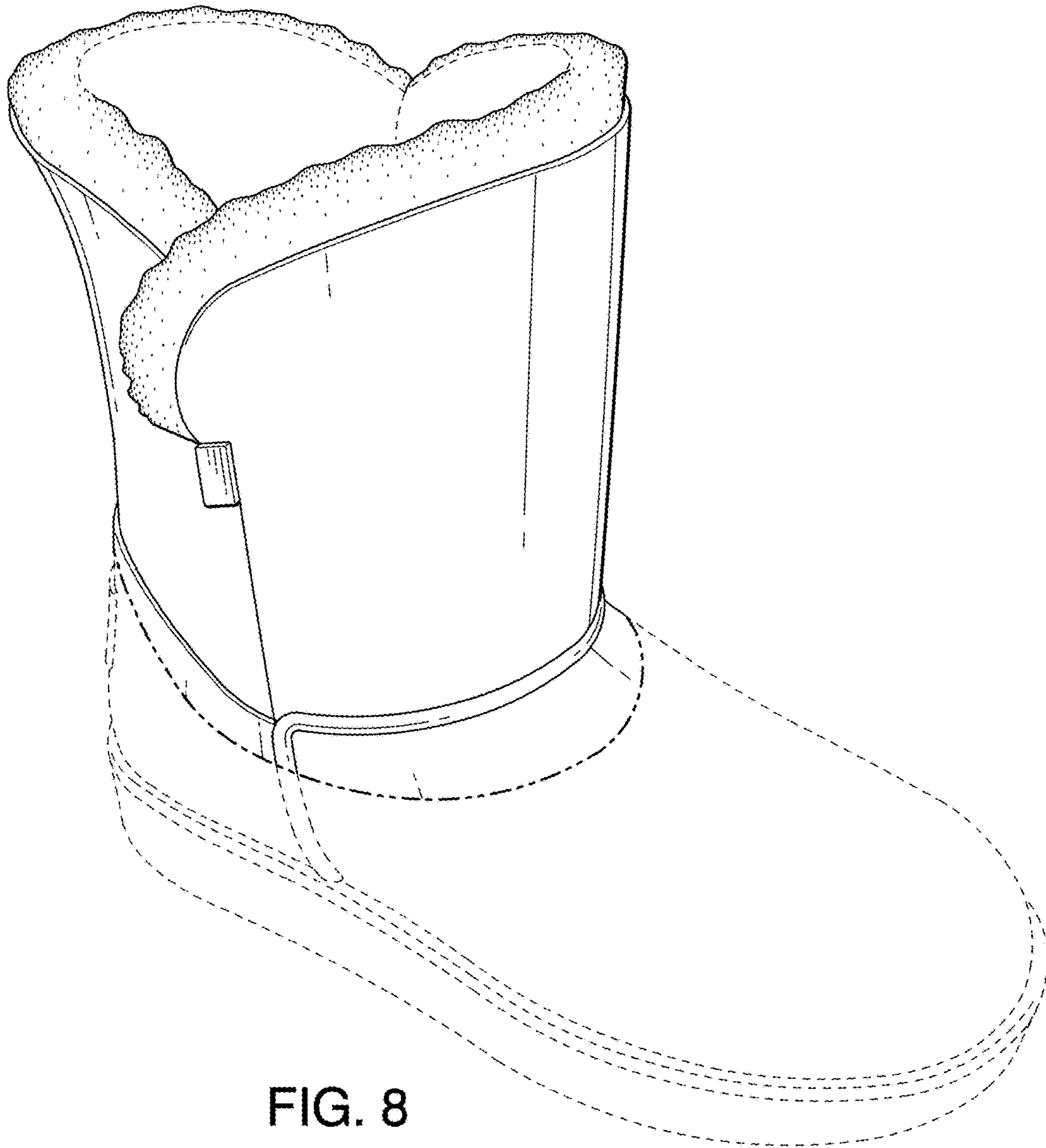


FIG. 8



FIG. 9





FIG. 10

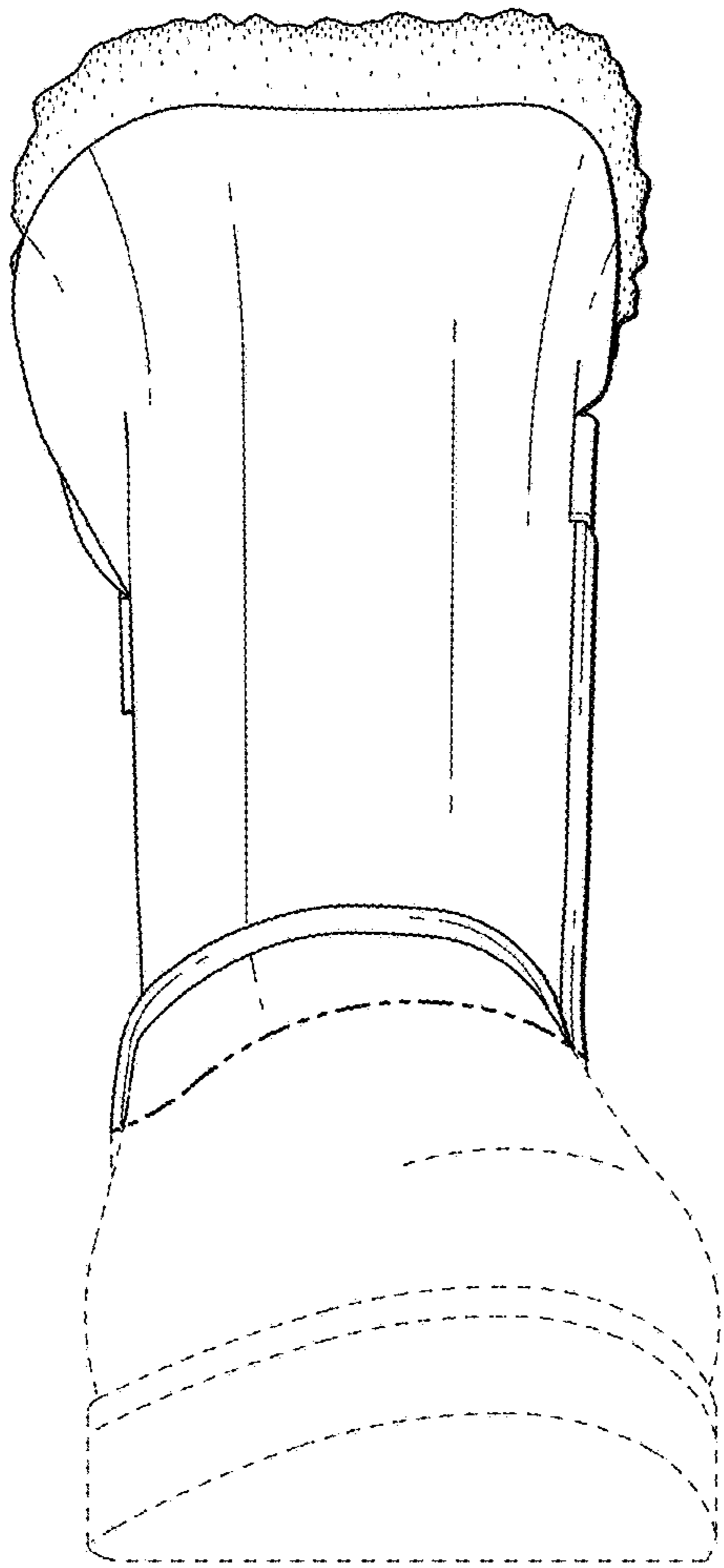


FIG. 11

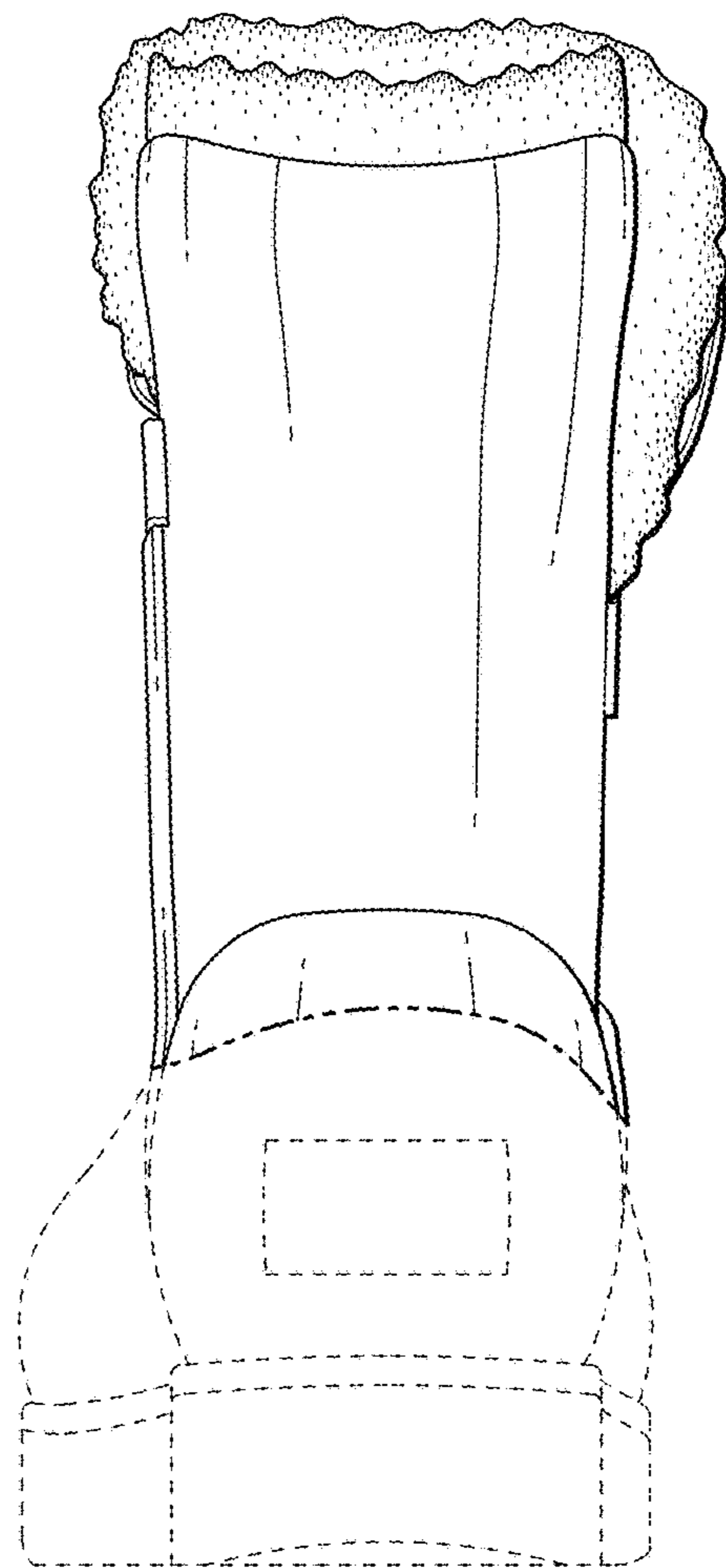


FIG. 12

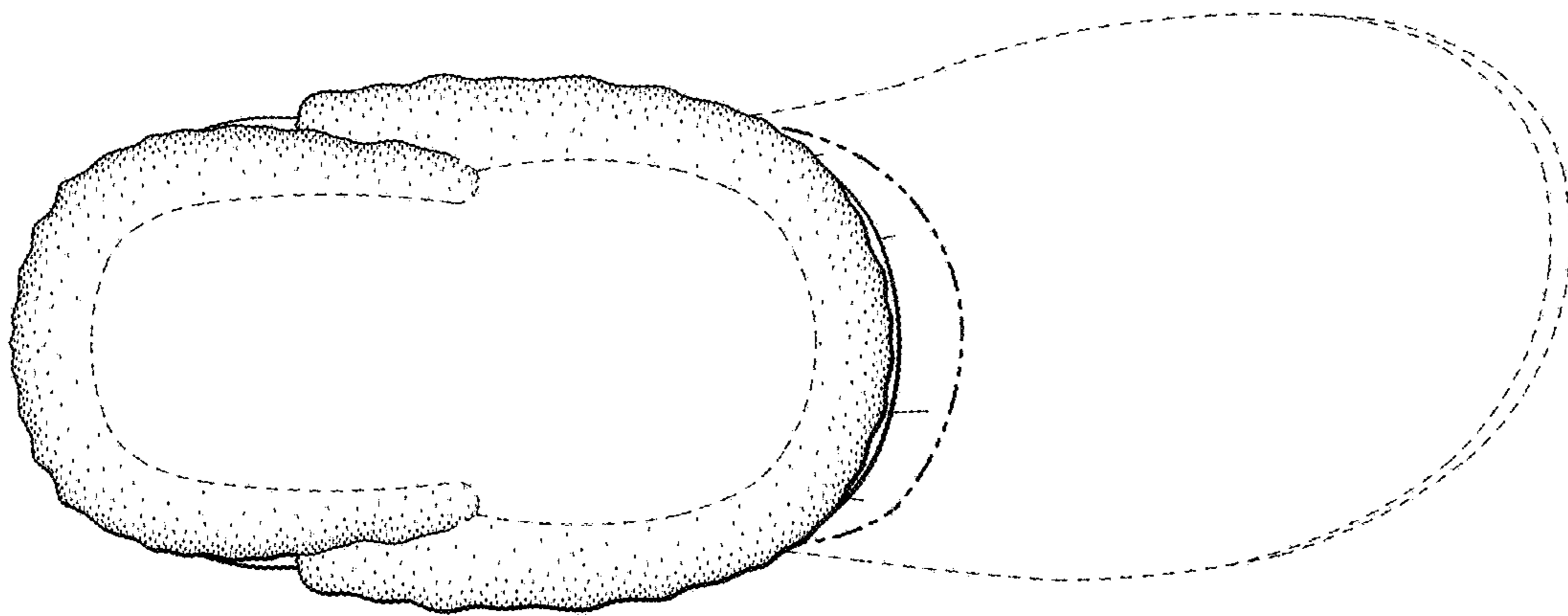


FIG. 13

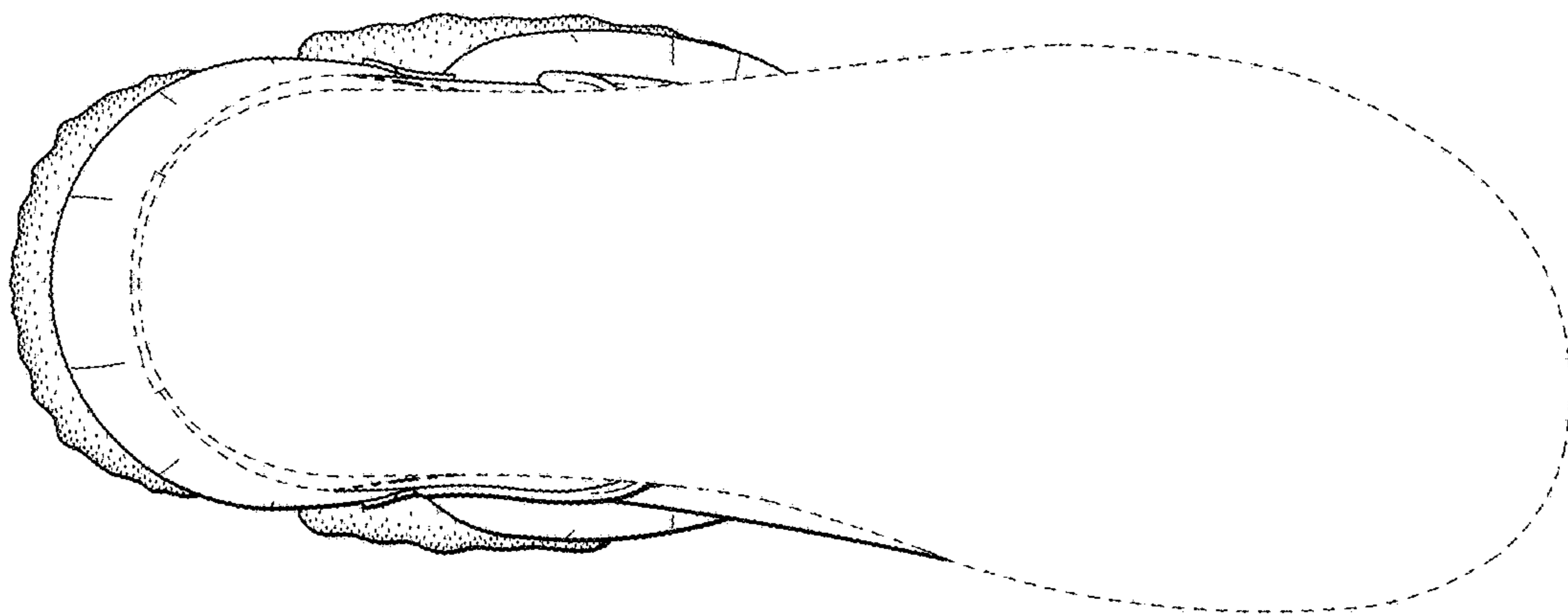


FIG. 14

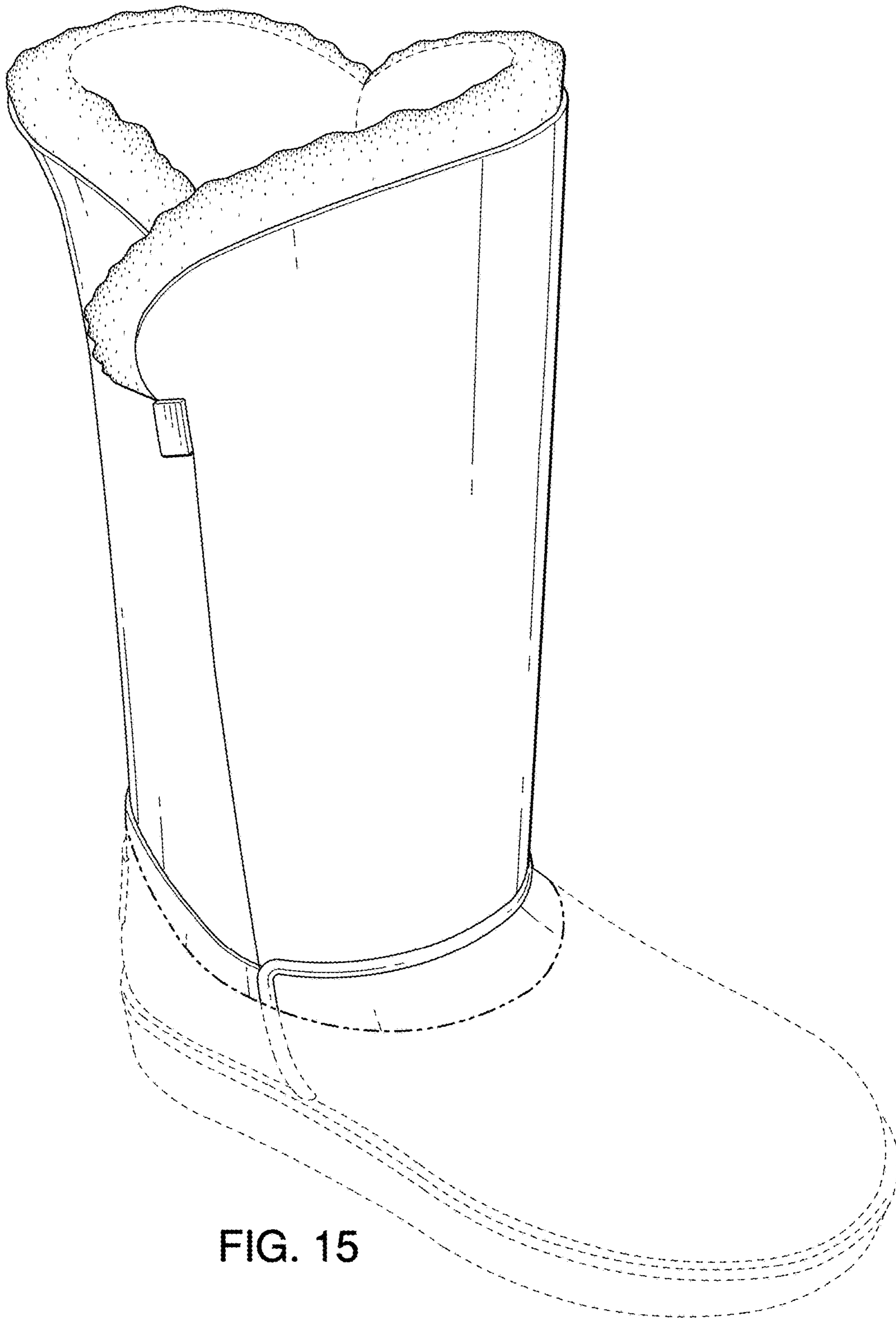


FIG. 15

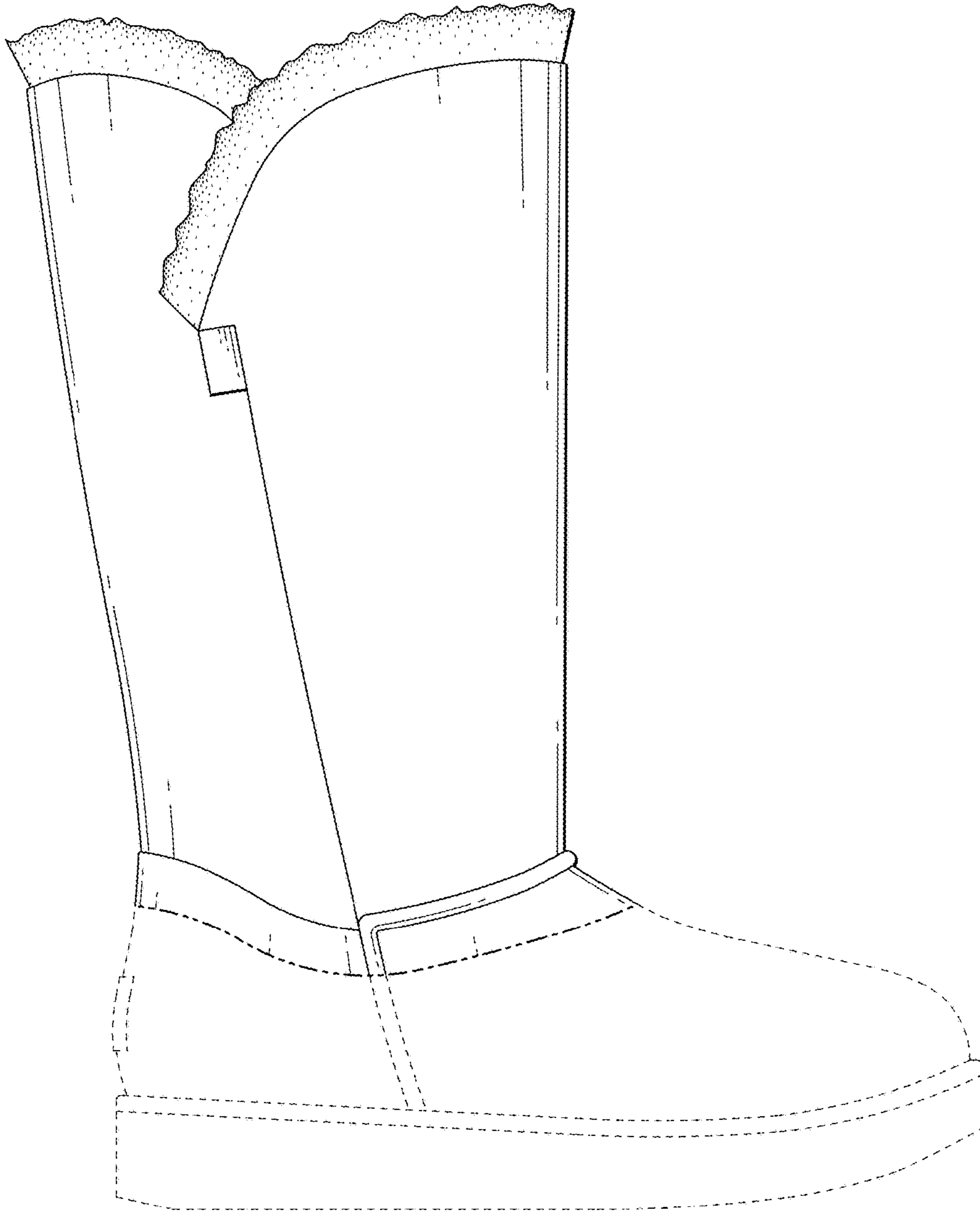


FIG. 16



FIG. 17

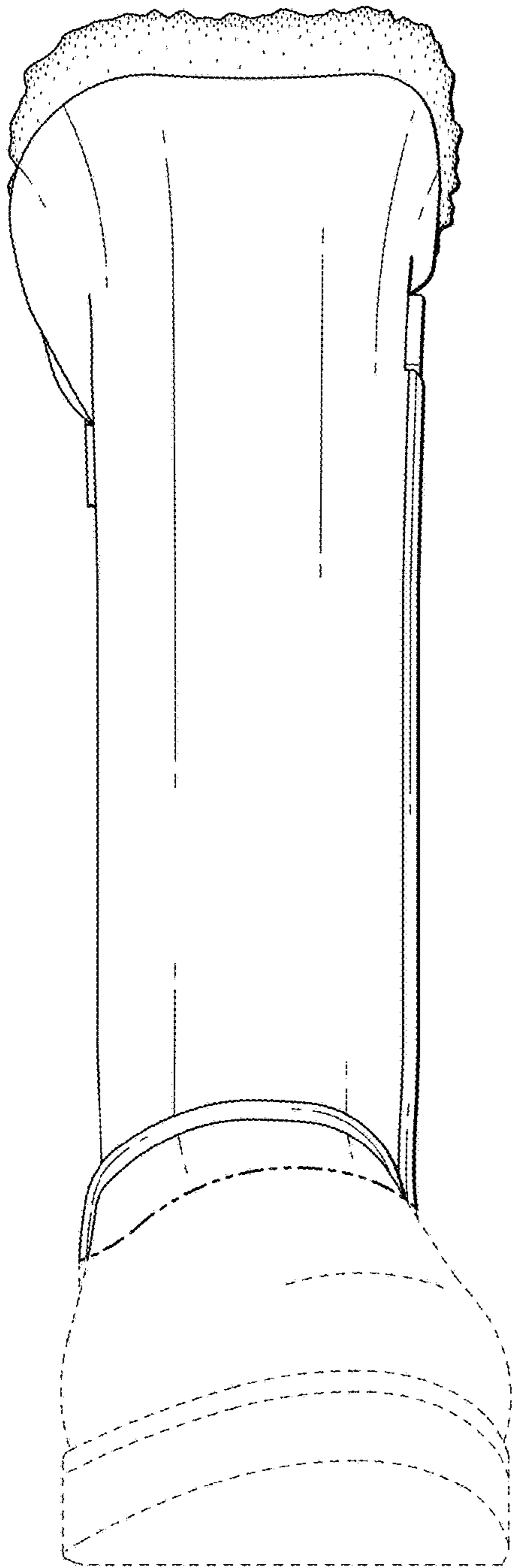


FIG. 18

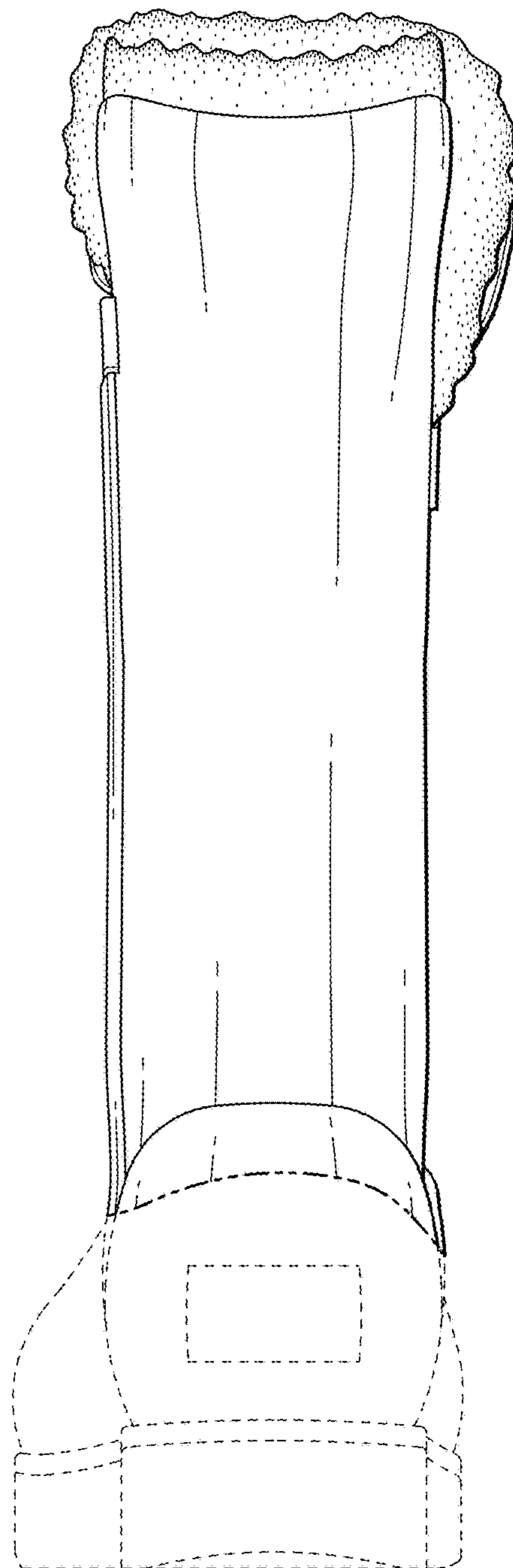


FIG. 19

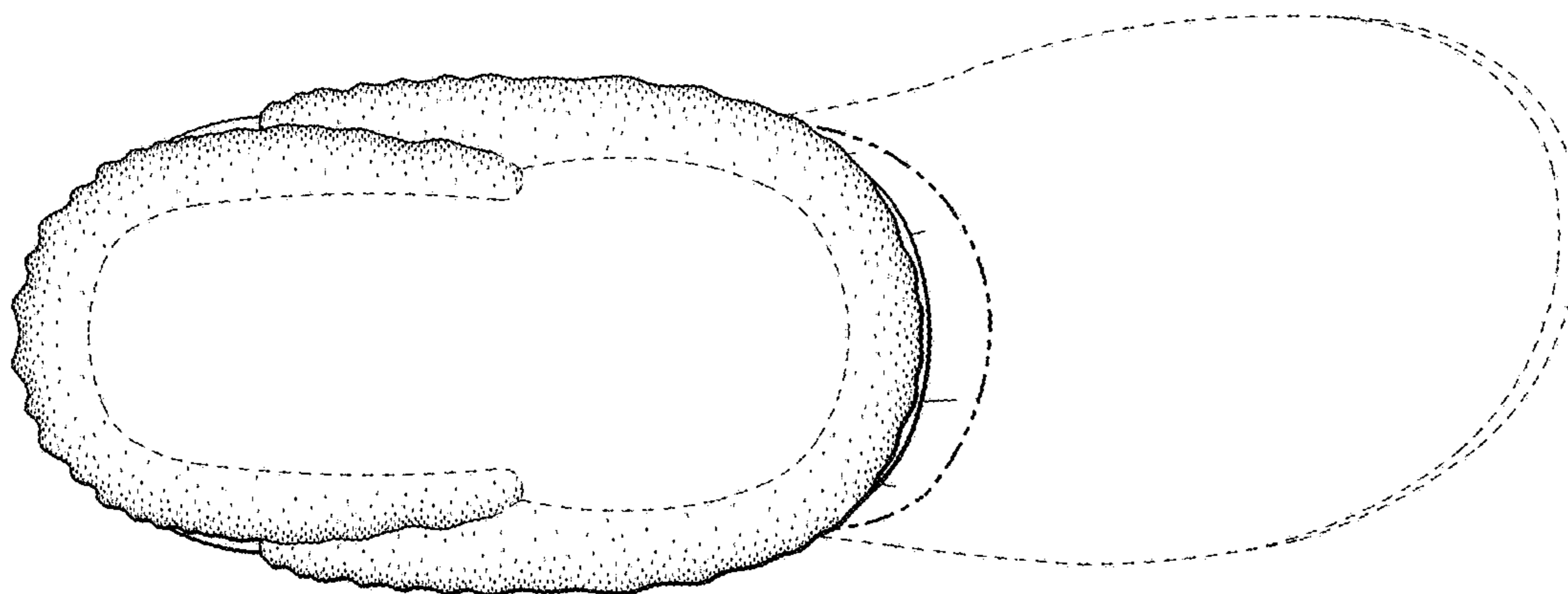


FIG. 20

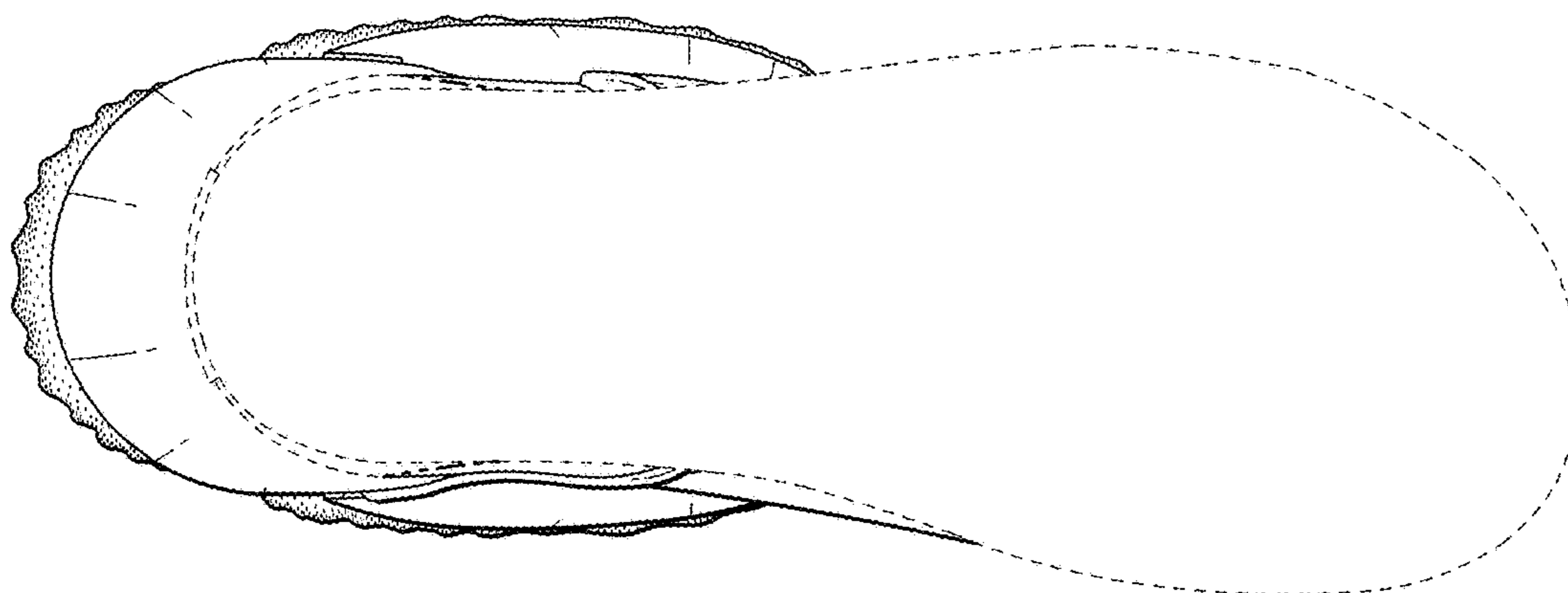


FIG. 21