

US00D826542S

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

(10) **Patent No.:** **US D826,542 S**

(45) **Date of Patent:** **\*\* Aug. 28, 2018**

(54) **BOOT UPPER**

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

(21) Appl. No.: **29/621,578**

(22) Filed: **Oct. 10, 2017**

**Related U.S. Application Data**

(62) Division of application No. 29/582,389, filed on Oct.  
27, 2016, now Pat. No. Des. 802,909, which is a  
division of application No. 29/539,127, filed on Sep.  
10, 2015, now Pat. No. Des. 773,171.

(51) **LOC (11) Cl.** ..... **02-04**

(52) **U.S. Cl.**  
USPC ..... **D2/976**

(58) **Field of Classification Search**  
USPC ..... D2/896, 909, 910, 911, 912, 919, 946,  
D2/976; D11/74, 117, 121, 124;  
D28/39-43

CPC ..... A43B 23/00; A43B 23/24; A43B 23/25;  
A43B 3/02; A43B 3/04; A43B 5/04;  
A43B 5/0415; A43B 5/12; A47G  
33/0863; A41D 25/02

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D5,751 S \* 4/1872 Wallace ..... D2/606  
1,055,428 A 12/1899 Stone  
2,170,636 A 12/1899 Graham

2,170,778 A 12/1899 Huppert  
1,480,009 A 1/1924 Preston  
D76,233 S 9/1928 Golden  
D110,628 S \* 7/1938 Salzberg ..... D11/74  
D127,898 S 7/1982 Behr  
D164,667 S 7/1982 Bingham  
D172,916 S 7/1982 Ballinger  
4,339,059 A 7/1982 Kenyon  
D284,805 S 7/1986 Smith  
4,900,632 A 2/1990 McGrath  
D313,373 S 1/1991 Taylor  
D333,802 S 3/1993 Stabler  
5,198,274 A 3/1993 Etzion  
D338,628 S 8/1993 Daun  
5,526,830 A 6/1996 Hunter

(Continued)

**OTHER PUBLICATIONS**

Prosecution history of parent U.S. Appl. No. 29/539,127, filed Sep.  
10, 2015 (now U.S. Pat. No. D773,171).

(Continued)

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(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a left side elevational view of a boot upper,  
showing my new design;

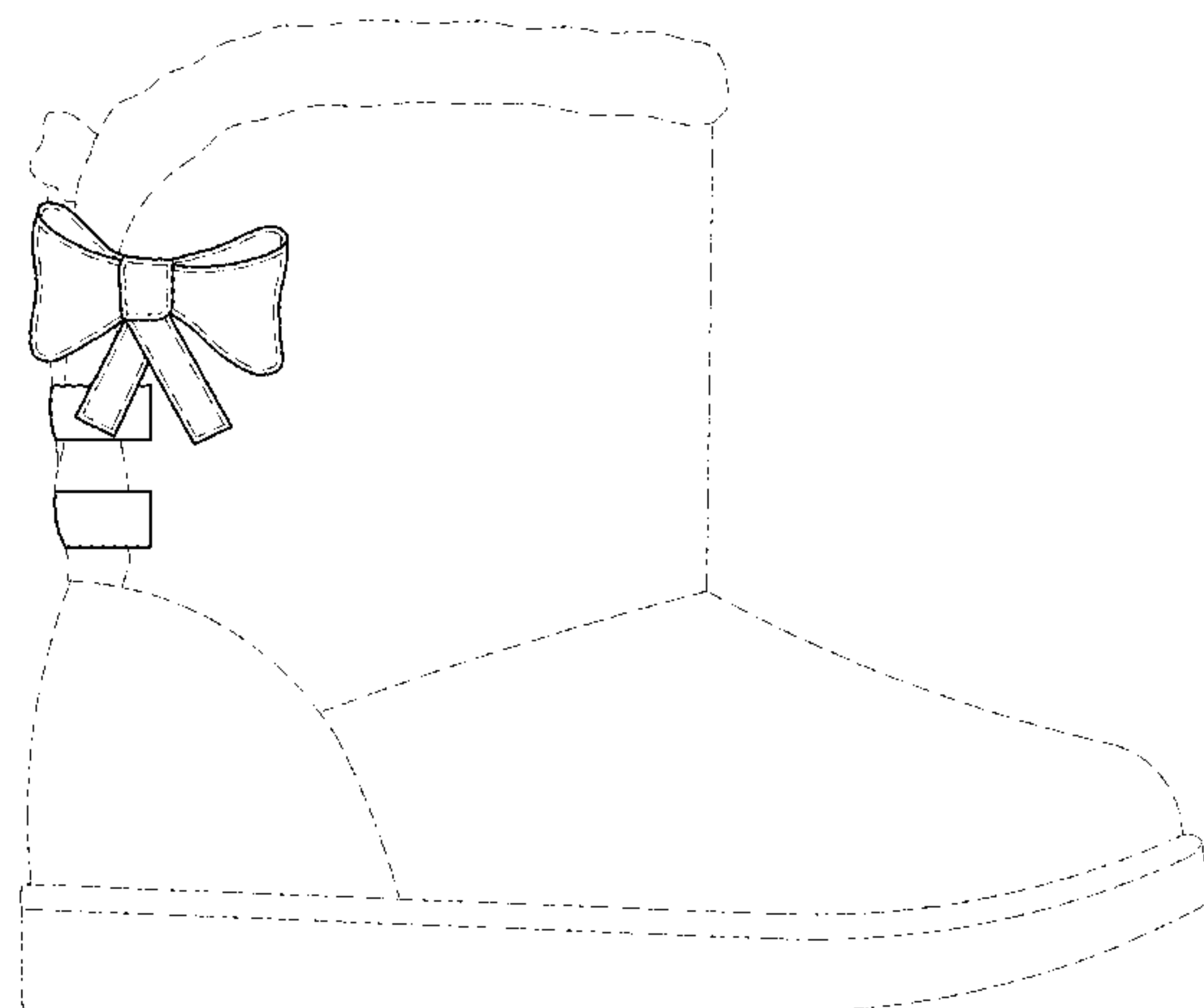
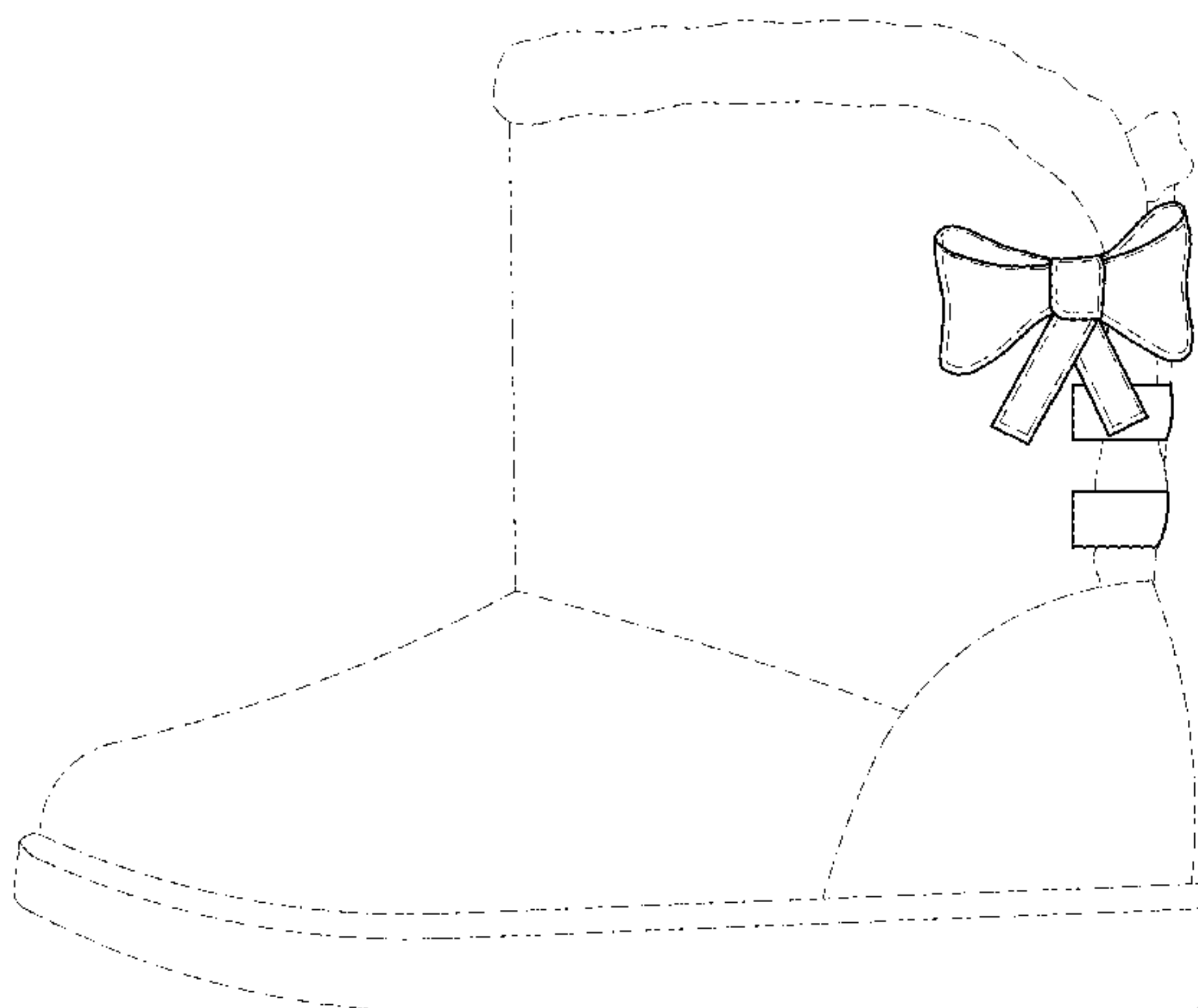
FIG. 2 is a right side elevational view thereof;

FIG. 3 is a rear elevational view thereof; and,

FIG. 4 is a front left perspective view thereof.

The broken lines shown on the bows are intended to disclaim  
the interior portions of the bows, and the broken lines  
illustrating the boot are solely for the purpose of illustrating  
context, environment or other unclaimed areas and form no  
part of the claimed design.

**1 Claim, 4 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D390,808 S 2/1998 Balde  
 D390,809 S 2/1998 Etzion  
 5,800,881 A 9/1998 Etzion  
 D402,918 S 12/1998 Pacheco et al.  
 D421,665 S 3/2000 Farmer-Abney  
 D439,030 S 3/2001 Bernath  
 D458,650 S 6/2002 Perry et al.  
 6,681,965 B1 1/2004 Tran  
 D507,508 S 7/2005 Brownell  
 D510,478 S 10/2005 Gardner  
 D528,272 S \* 9/2006 Kelsey ..... D2/939  
 D530,488 S \* 10/2006 Kelsey ..... D2/912  
 D544,682 S \* 6/2007 Belley ..... D2/970  
 D552,840 S \* 10/2007 Blumenfeld ..... D2/970  
 D554,325 S 10/2007 Thomas  
 D557,482 S \* 12/2007 Kelsey ..... D2/912  
 D561,059 S 2/2008 Aoyama  
 D572,893 S 7/2008 Le  
 D575,495 S \* 8/2008 Le ..... D2/970  
 D578,747 S \* 10/2008 Le ..... D2/970  
 D584,889 S \* 1/2009 Le ..... D2/970  
 D585,635 S 2/2009 Le  
 D585,636 S \* 2/2009 Earle ..... D2/970  
 D607,773 S 1/2010 Aoyama  
 D616,189 S \* 5/2010 MacIntyre ..... D2/970  
 D631,241 S \* 1/2011 Ng ..... D2/911  
 D634,110 S \* 3/2011 MacIntyre ..... D2/912  
 D636,576 S \* 4/2011 MacIntyre ..... D2/970  
 D646,475 S 10/2011 Boncutter  
 D646,876 S 10/2011 Roldan  
 D659,268 S 5/2012 Vincenzetti  
 D676,633 S 2/2013 Doherty et al.  
 D701,791 S 4/2014 Portney  
 D704,425 S 5/2014 MacIntyre

D704,427 S 5/2014 Dillenbeck  
 D705,529 S 5/2014 Ng  
 D706,024 S 6/2014 Ng  
 D719,728 S \* 12/2014 Carrizo ..... D2/912  
 D731,354 S 6/2015 Pasco  
 D740,536 S \* 10/2015 Rickmon-Swan ..... D2/970  
 D743,157 S 11/2015 Crapps  
 D755,494 S 5/2016 Todd  
 D755,495 S \* 5/2016 Todd ..... D2/920  
 D756,098 S \* 5/2016 Todd ..... D2/912  
 D762,054 S 7/2016 Todd  
 D773,169 S 12/2016 Prochmann  
 D773,170 S 12/2016 Prochmann  
 D773,171 S 12/2016 Prochmann  
 D777,997 S \* 1/2017 Ruiz ..... D30/145  
 D785,915 S 5/2017 Denny  
 D788,432 S 6/2017 MacIntyre  
 D791,429 S 7/2017 Lee  
 D792,081 S 7/2017 Law  
 D800,436 S \* 10/2017 MacIntyre ..... D2/970  
 D802,907 S \* 11/2017 Prochmann ..... D2/976  
 D802,908 S \* 11/2017 Prochmann ..... D2/976  
 D802,909 S \* 11/2017 Prochmann ..... D2/976  
 D804,726 S \* 12/2017 Lan ..... D28/40  
 D805,690 S \* 12/2017 Lan ..... D28/40  
 D814,162 S \* 4/2018 MacIntyre ..... D2/970  
 D815,399 S \* 4/2018 Castilho De Brito ..... D2/900  
 2011/0225849 A1 \* 9/2011 Zubyk ..... A43B 3/0031  
 36/136

OTHER PUBLICATIONS

Prosecution history of parent U.S. Appl. No. 29/582,389, filed Oct. 27, 2016(now U.S. Pat. No. D802,909).

\* cited by examiner

FIG. 1

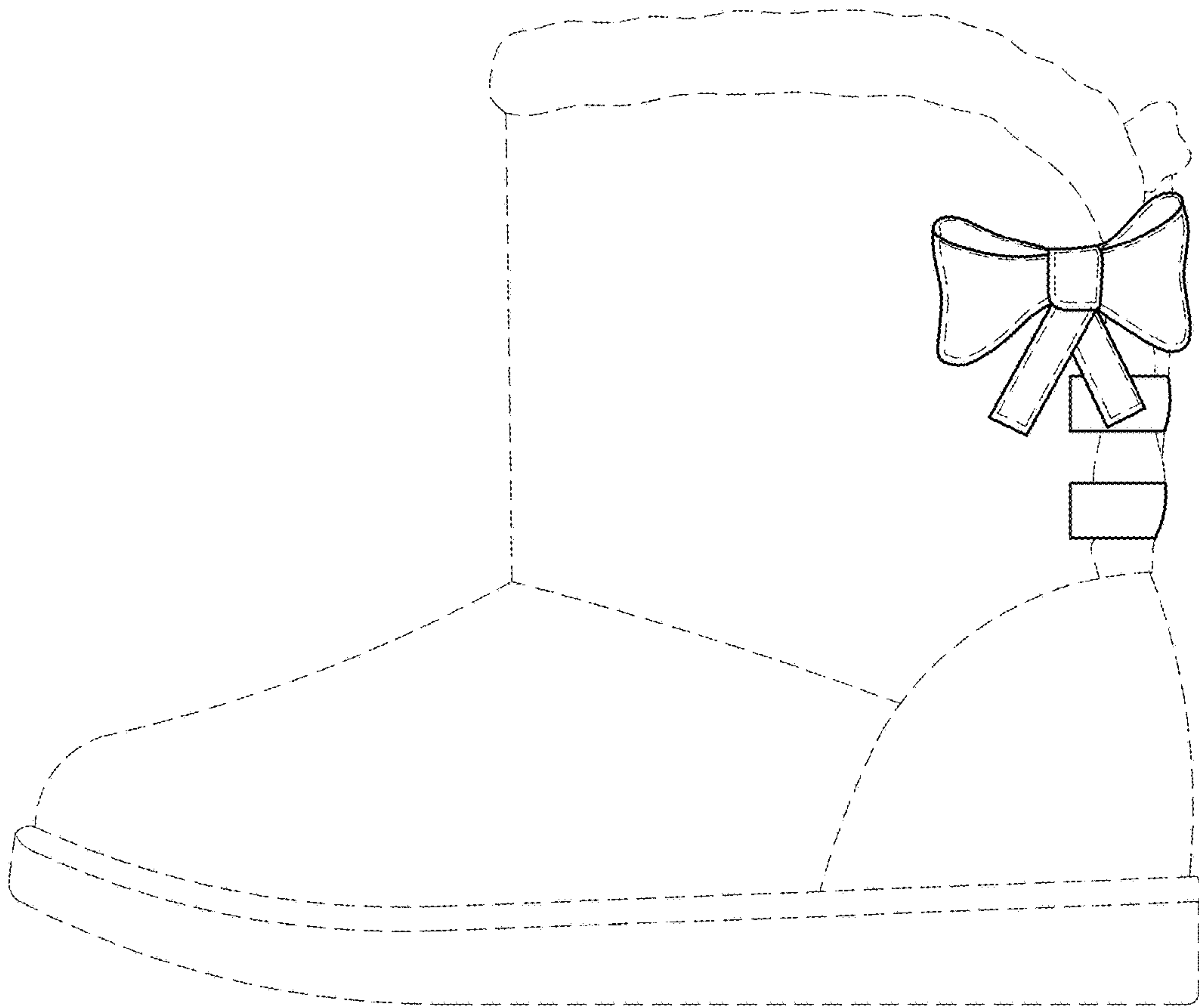
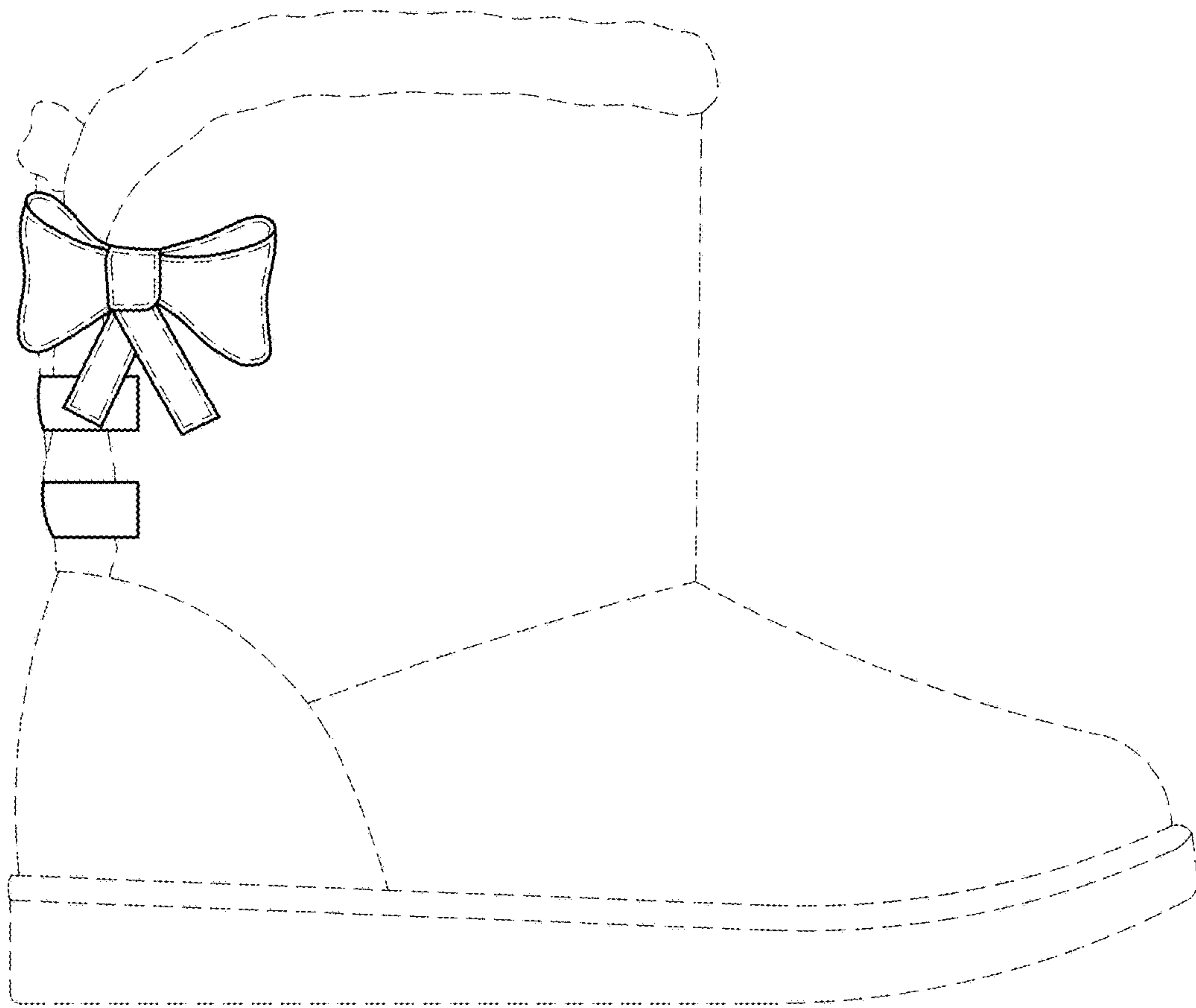


FIG. 2



*FIG. 3*

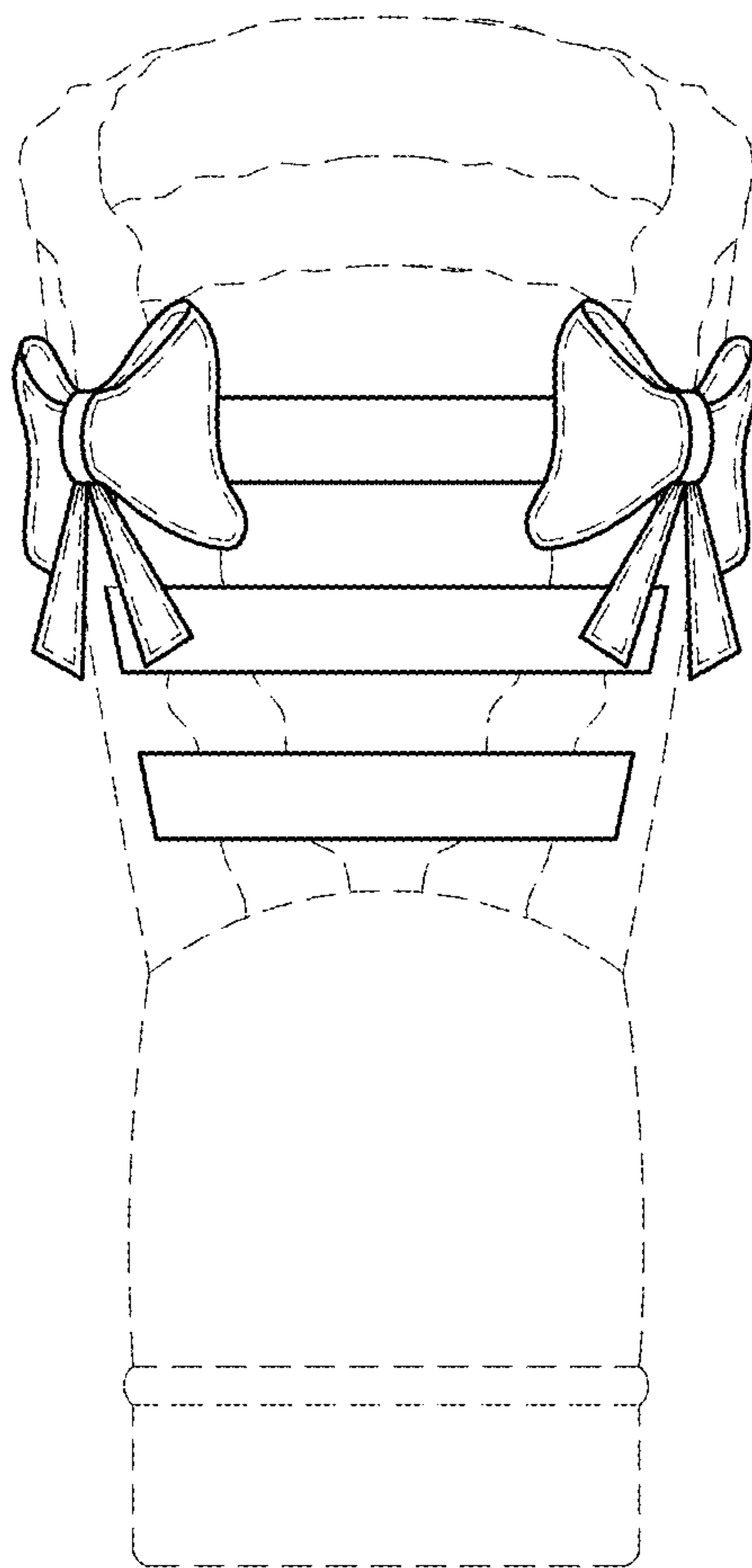


FIG. 4

