



US00D867731S

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

(10) **Patent No.:** **US D867,731 S**

(45) **Date of Patent:** **** Nov. 26, 2019**

- (54) **FOOTWEAR UPPER AND MIDSOLE**
- (71) Applicant: **Deckers Outdoor Corporation**, Goleta, CA (US)
- (72) Inventor: **Cori Steele**, Santa Barbara, CA (US)
- (73) Assignee: **Deckers Outdoor Corporation**, Goleta, CA (US)

- 5,561,919 A * 10/1996 Gill A43B 3/12
36/11.5
- D376,472 S * 12/1996 Hatfield D2/976
- D376,895 S * 12/1996 Cook A43B 3/126
D2/916
- 6,606,803 B1 * 8/2003 Ritter A43B 3/126
36/11.5
- D757,405 S * 5/2016 Labarbera A43B 3/126
D2/916

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

(21) Appl. No.: **29/663,512**

(22) Filed: **Sep. 17, 2018**

(51) **LOC (12) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/916**

(58) **Field of Classification Search**
USPC D2/896-900, 903, 916-925, 943, 946,
D2/969, 971, 976
CPC A43B 3/12; A43B 3/122-128
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 4,793,075 A 12/1988 Thatcher
- 5,205,054 A * 4/1993 York, Jr. A43B 3/126
36/11.5
- D336,717 S * 6/1993 Allen, III A43B 3/12
D2/973
- 5,228,216 A * 7/1993 Sargeant A43B 3/126
36/11.5
- 5,438,767 A * 8/1995 Stein A43B 3/12
36/11.5
- D363,814 S * 11/1995 Tsujino D2/916
- D364,497 S * 11/1995 Schelling D2/916
- 5,533,278 A * 7/1996 Stein A43B 3/12
36/11.5

OTHER PUBLICATIONS

Teva Catalog, "Thin Blue Line", see various models on pp. 34-35, 38-39, 49, 54, 57-58 of catalog Spring 2012.

* cited by examiner

Primary Examiner — Rashida C. Walshon

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

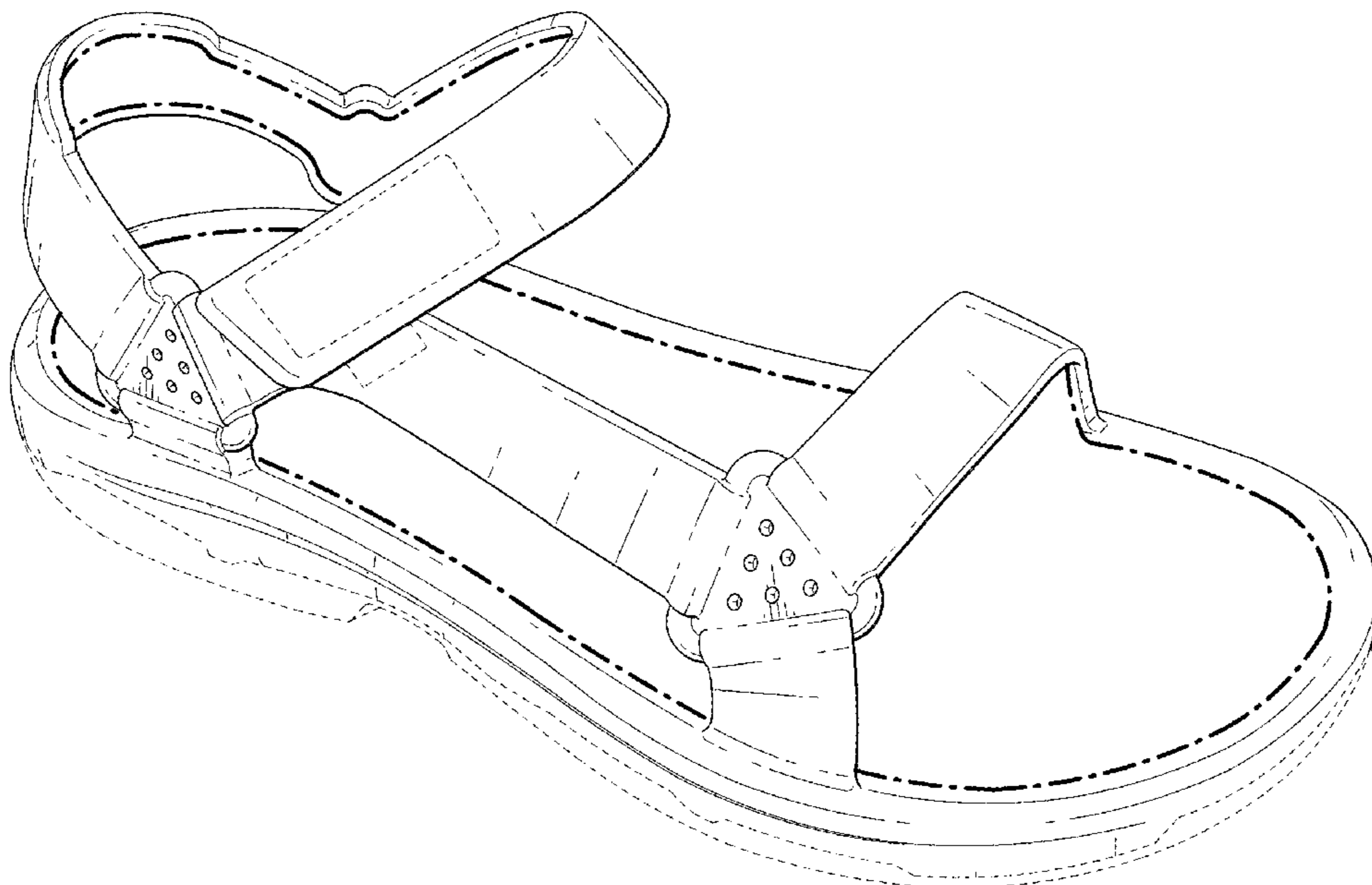
(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a front perspective view of a footwear upper and midsole 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, 6 Drawing Sheets



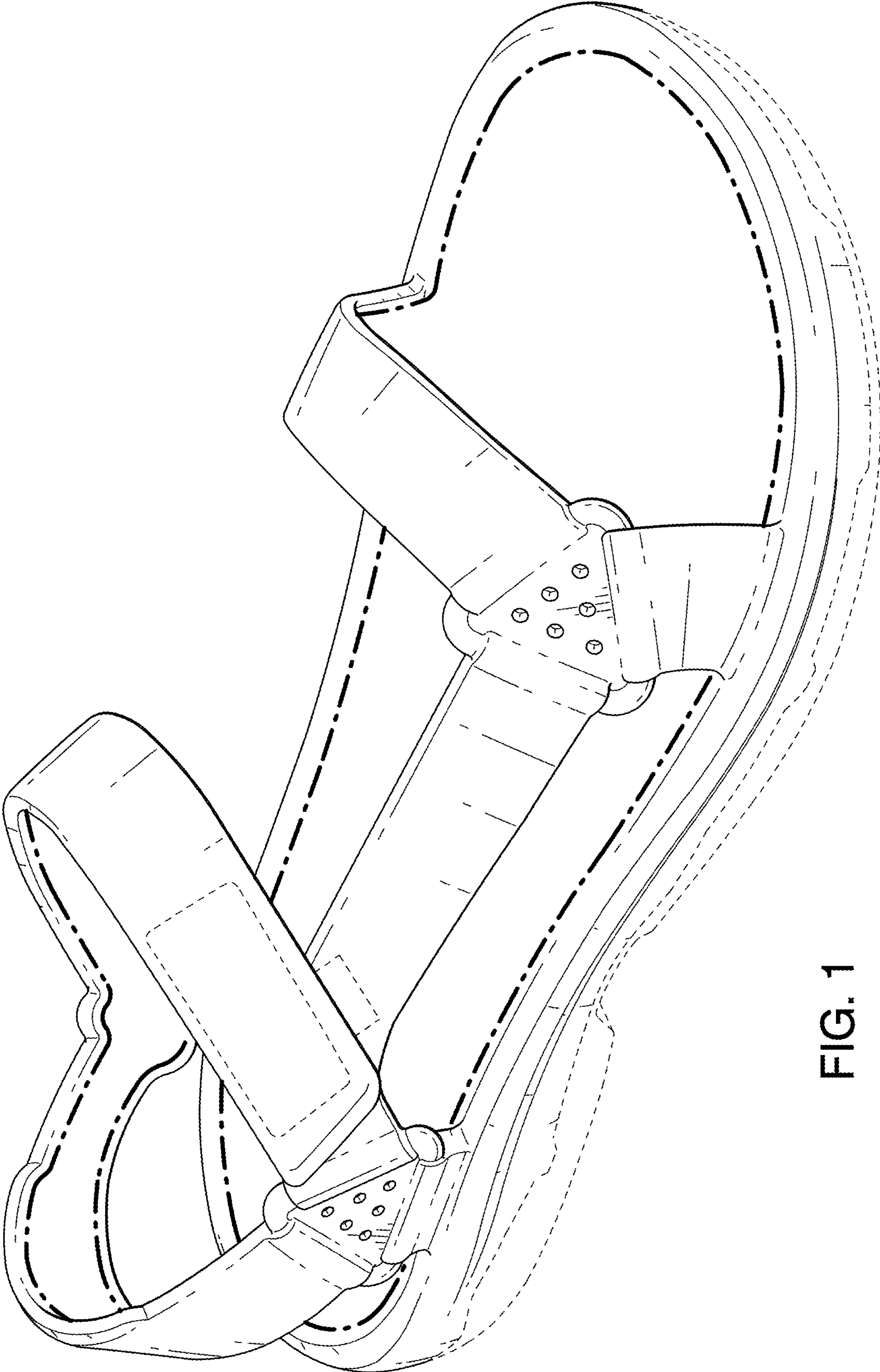


FIG. 1

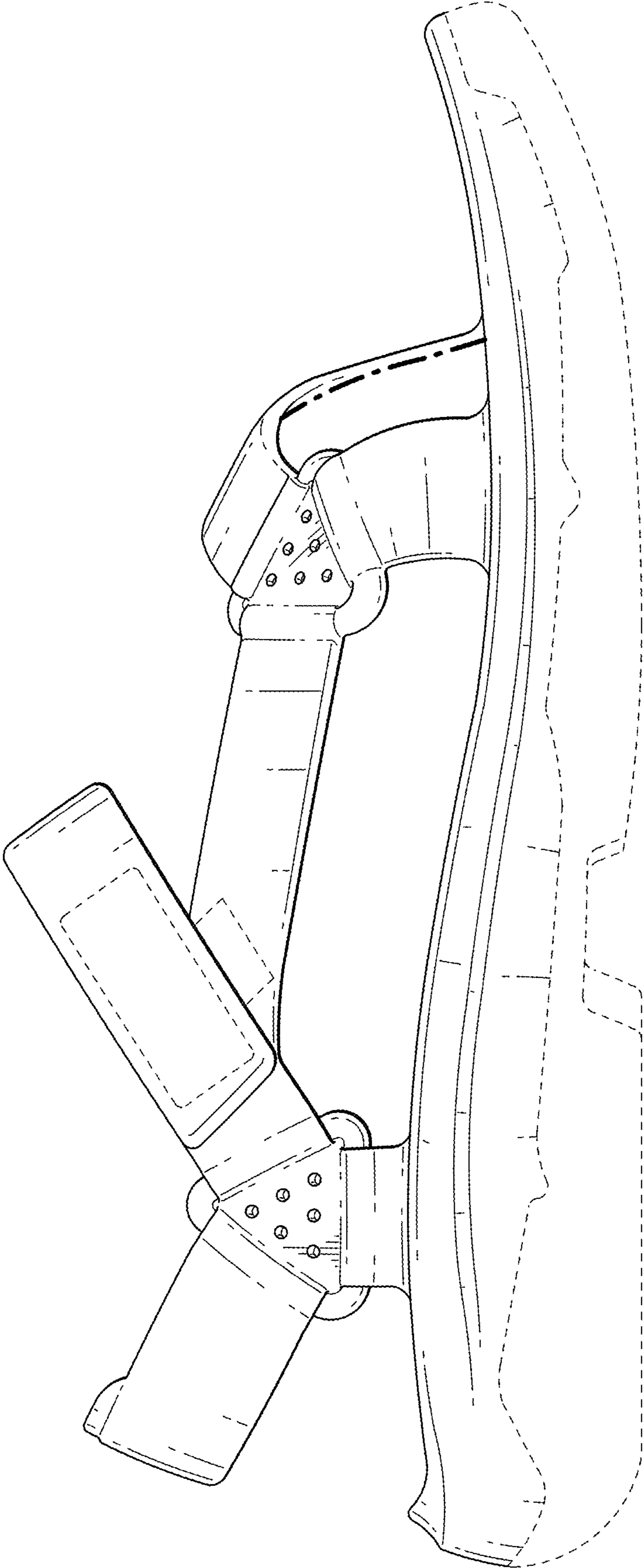


FIG. 2

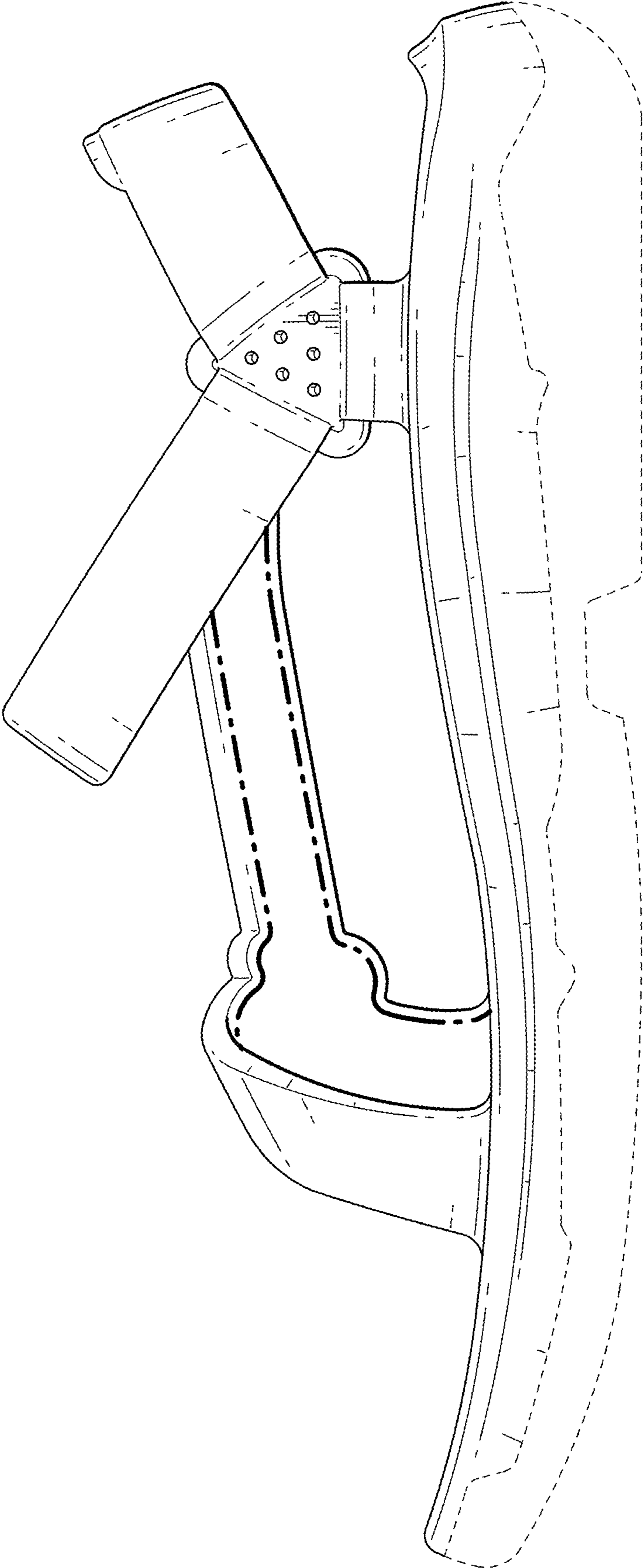


FIG. 3

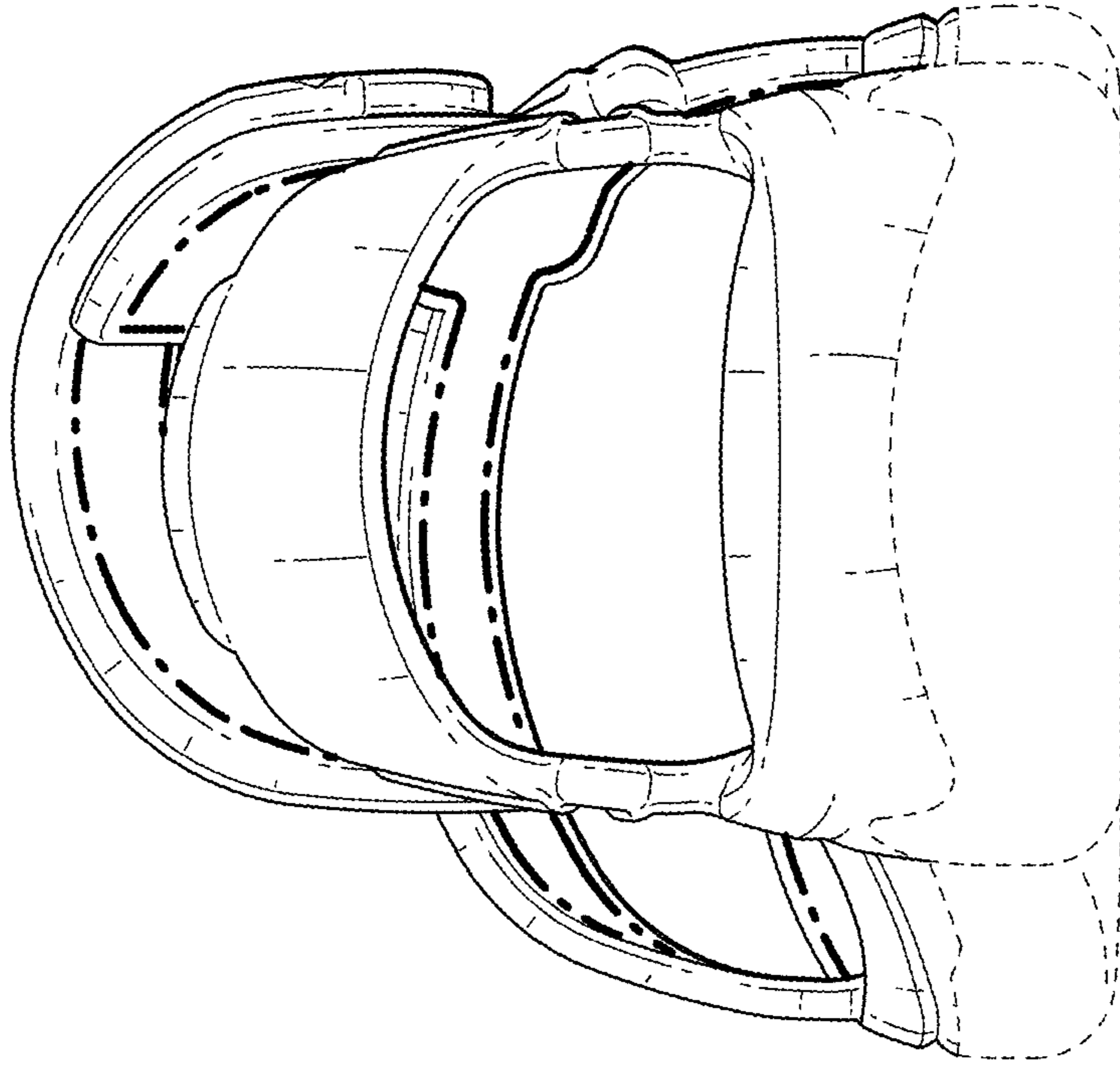


FIG. 5

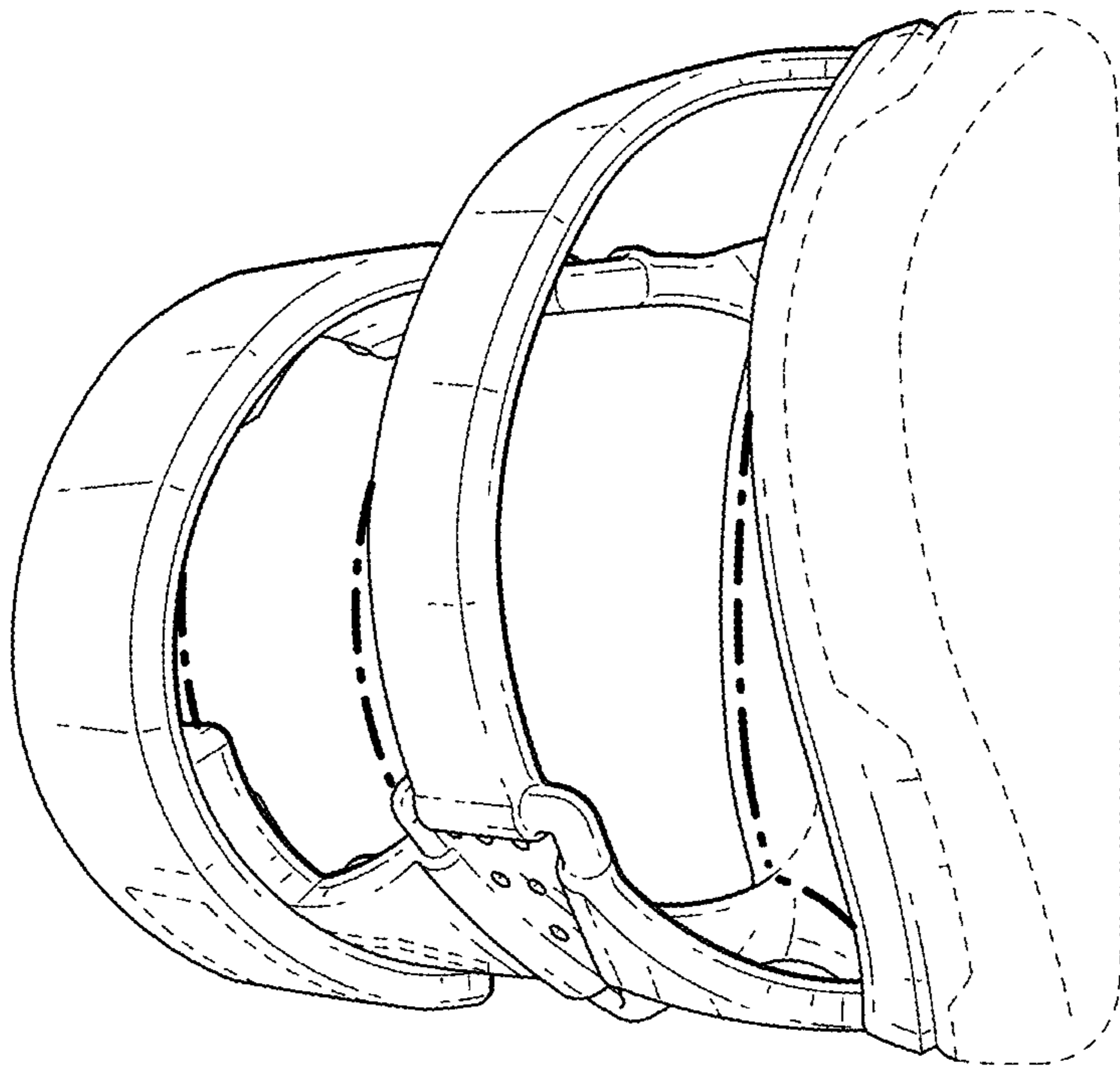


FIG. 4

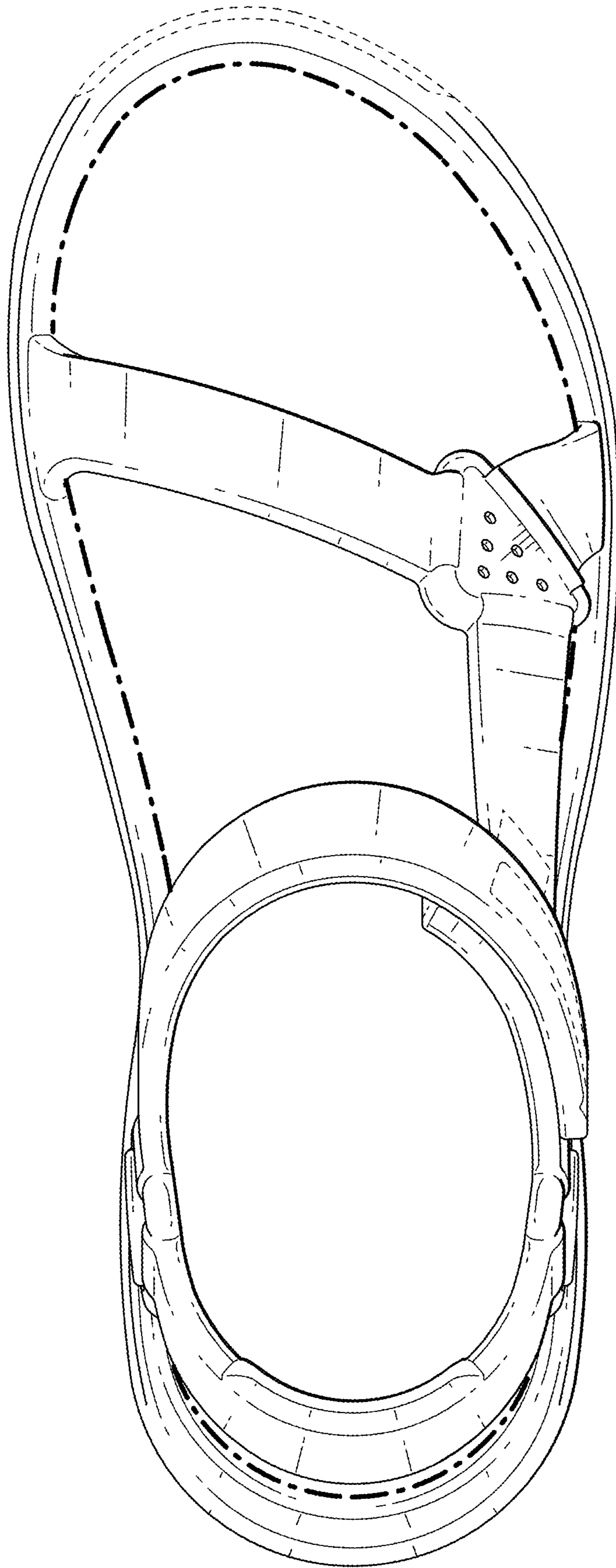


FIG. 6

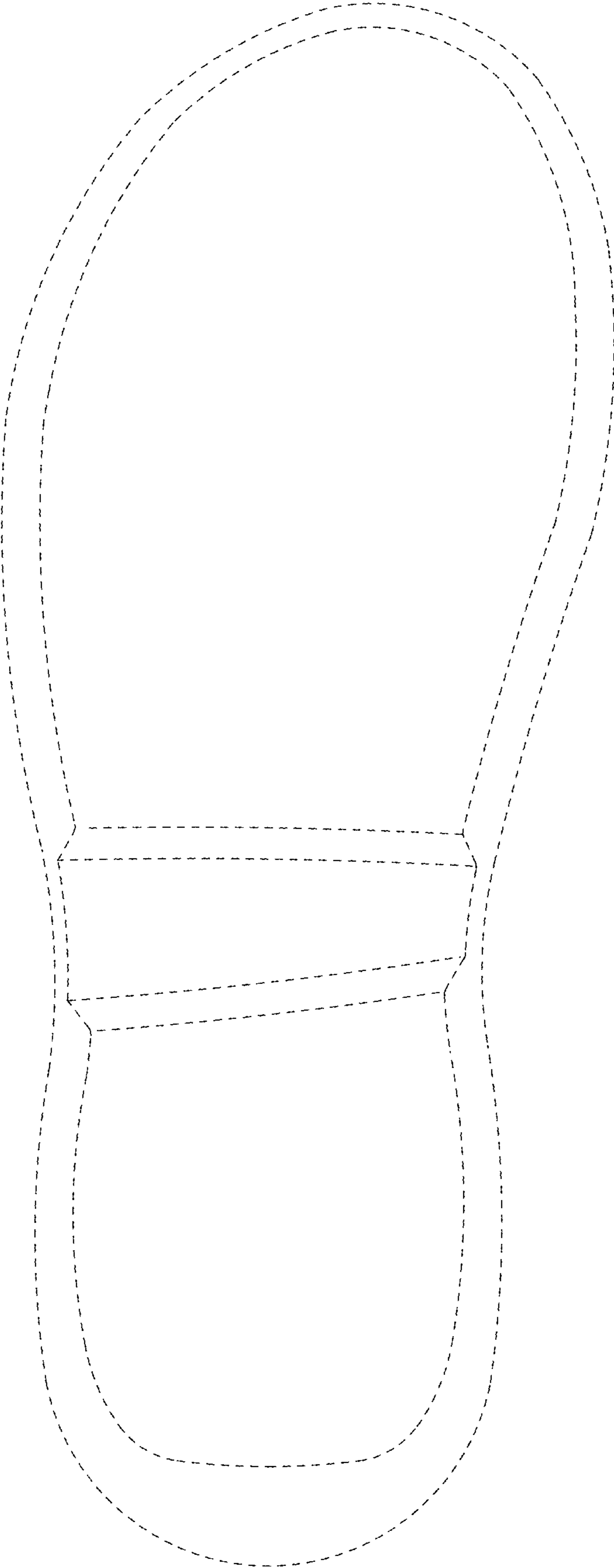


FIG. 7