

US00D944509S

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

(10) **Patent No.:** **US D944,509 S**

(45) **Date of Patent:** **** Mar. 1, 2022**

(54) **FOOTWEAR UPPER**

(71) Applicant: **Wolverine Outdoors, Inc.**, Rockford, MI (US)

(72) Inventor: **Adam Capron**, Grand Rapids, MI (US)

(73) Assignee: **Wolverine Outdoors, Inc.**, Rockford, MI (US)

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

(21) Appl. No.: **29/734,076**

(22) Filed: **May 8, 2020**

(51) **LOC (13) Cl.** **02-04**

(52) **U.S. Cl.**
USPC **D2/972**

(58) **Field of Classification Search**
USPC D2/896, 900, 902, 904, 906–908,
D2/916–924, 925–945, 969, 970–979;
36/1.5, 3 A, 83, 45, 99, 101, 112–116,
36/136

CPC A43B 23/00; A43B 23/02; A43B 23/04;
A43B 23/07; A43B 23/024; A43B
23/0245; A43B 23/025; A43B 23/026;
A43B 23/265; A43B 23/14; A43B 23/16;
A43B 23/24; A43B 23/26; A43B 5/00;
A43B 5/001; A43B 5/002; A43B 5/003;
A43B 5/008; A43B 5/06; A43B 5/08;
A43B 5/10; A43B 5/12; A43B 5/14;
A43B 5/145; A43B 1/00; A43B 1/02;
A43B 1/04; A43B 1/0045; A43B 3/12;
A43B 7/00; A43B 9/00; A43B 9/08;
A43B 9/14; A43B 9/16; A43B 11/00;
A43B 21/00; A43B 21/02; A43B 21/04;
A43B 21/06; A43C 1/00; A43C 1/003;
A43C 1/06; A43C 3/00; A43C 5/00;
A43C 7/00; A43C 11/00

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D576,399 S *	9/2008	Grenet	D2/946
D577,481 S *	9/2008	Teteriatnikov	D2/969
D603,596 S *	11/2009	Feeney	D2/969
D607,185 S *	1/2010	Soon	D2/902
D613,043 S *	4/2010	Walton	D2/902

(Continued)

OTHER PUBLICATIONS

Apex Boss Runner—Men’s Adjustable Heel Strap Shoe, HealthyFeetStore.com, [online], [site visited Jun. 10, 2021], <URL: <https://www.healthyfeetstore.com/apex-boss-runner-mens-adjustable-heel-strap.html>> (Year: 2021).*

(Continued)

Primary Examiner — Jonathan J Han

(74) *Attorney, Agent, or Firm* — Warner Norcross + Judd LLP

(57) **CLAIM**

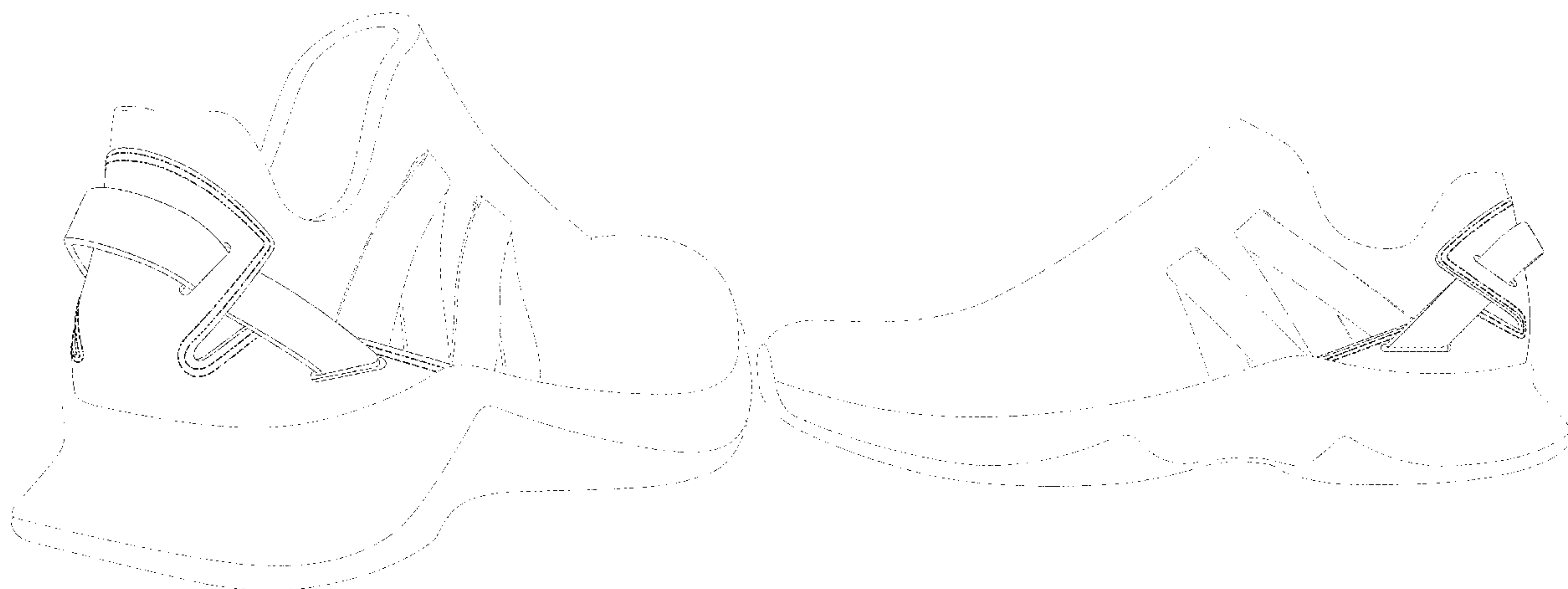
The ornamental design for a footwear upper, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of the footwear upper embodying the new design;
FIG. 2 is a top view thereof;
FIG. 3 is a right side view thereof;
FIG. 4 is a left side view thereof;
FIG. 5 is a front view thereof; and,
FIG. 6 is a rear view thereof.

The dot-dash broken lines in the figures show features of an article of footwear that form no part of the claimed design. Further, the dot-dash broken lines immediately adjacent the portions shown in solid lines form the boundary of the design, with the broken lines forming no part of the claimed design. The even length broken lines in the figure views depict stitching, which forms no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D628,373 S * 12/2010 Lane, III D2/969
 D734,596 S * 7/2015 Lane, III D2/906
 D744,210 S * 12/2015 Hardman D2/947
 9,820,527 B2 * 11/2017 Pratt A43B 3/248
 D804,161 S * 12/2017 Rockensuess D2/969
 D804,800 S * 12/2017 Petrenka D2/969
 D817,620 S * 5/2018 Weddle D2/969
 D826,532 S * 8/2018 Ringholz D2/969
 D838,966 S * 1/2019 Pauk D2/972
 D855,962 S * 8/2019 Hong D2/972
 D858,082 S * 9/2019 McMillan D2/973
 D865,338 S * 11/2019 Verfl D2/908
 D866,932 S * 11/2019 Verfl D2/907
 D883,639 S * 5/2020 Phillips D2/969
 D899,050 S * 10/2020 Durflinger D2/947
 D900,437 S * 11/2020 Mazza D2/908
 D900,458 S * 11/2020 Swierszczyk D2/969
 D903,994 S * 12/2020 Enayah D2/972
 D909,022 S * 2/2021 Patt D2/907
 D910,284 S * 2/2021 Sassi D2/907
 D911,017 S * 2/2021 Gerke D2/973
 D912,374 S * 3/2021 Herga D2/908

D913,672 S * 3/2021 Bidal D2/969
 D914,335 S * 3/2021 Patt D2/907
 D919,280 S * 5/2021 Klein D2/972

OTHER PUBLICATIONS

Wolverine Hiking Boot Fletcher MID Waterproof Carbonmax EH W10492, Store.TraditionsWeb.com, [online], [site visited Jun. 10, 2021]. <URL: <https://store.traditionsweb.com/wolverine-w10492-m-fletcher-nt-mid-waterproof.html>> (Year: 2021).*

Men's Wolverine Wilderness Boot, Wolverine.com, [online], [site visited Jun. 10, 2021]. <URL: https://www.wolverine.com/US/en/wilderness-boot/48812M.html?dwvar_48812M_color=W080006> (Year: 2021).*

<https://runrepeat.com/nike-free-rn-2018>, downloaded on Mar. 25, 2020.

<https://www.on-running.com/en-us/articles/whats-new-the-tech-behind-the-next-generation-cloudflow>, downloaded on Mar. 25, 2020.

<https://www.adventure-journal.com/2019/08/hoka-one-ones-new-hikers-helped-this-foot-pain-sufferer-enjoy-trails-again/>, downloaded on Mar. 25, 2020.

* cited by examiner

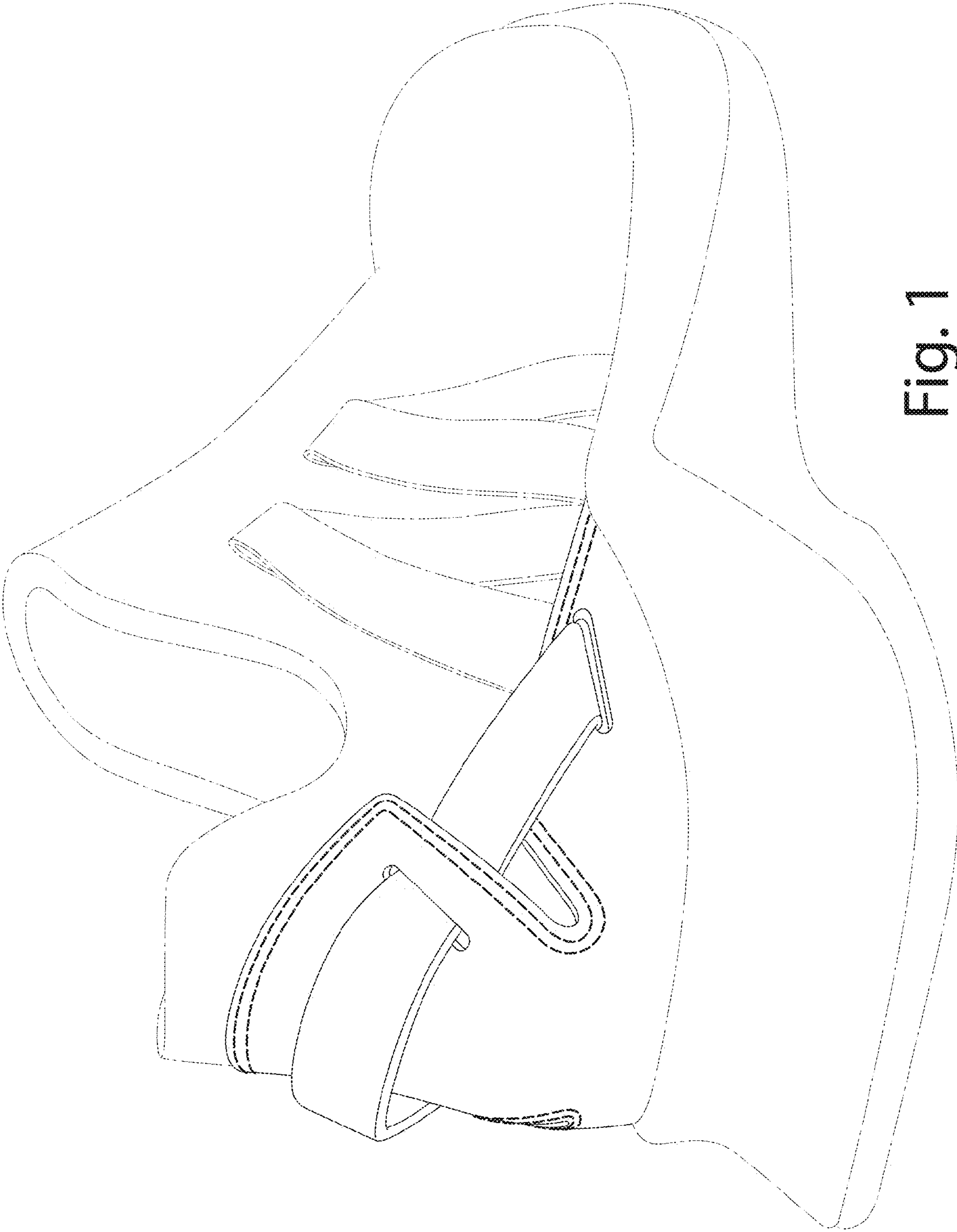


Fig. 1

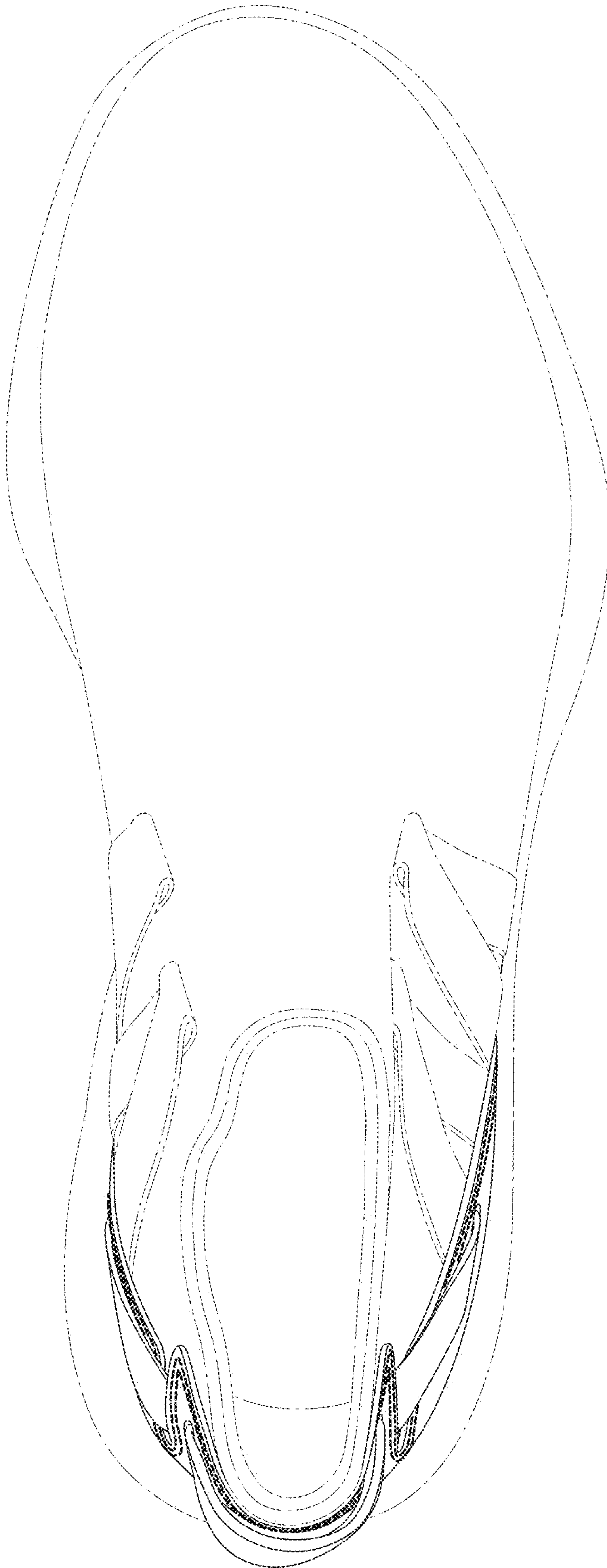


Fig. 2



Fig. 3



Fig. 4

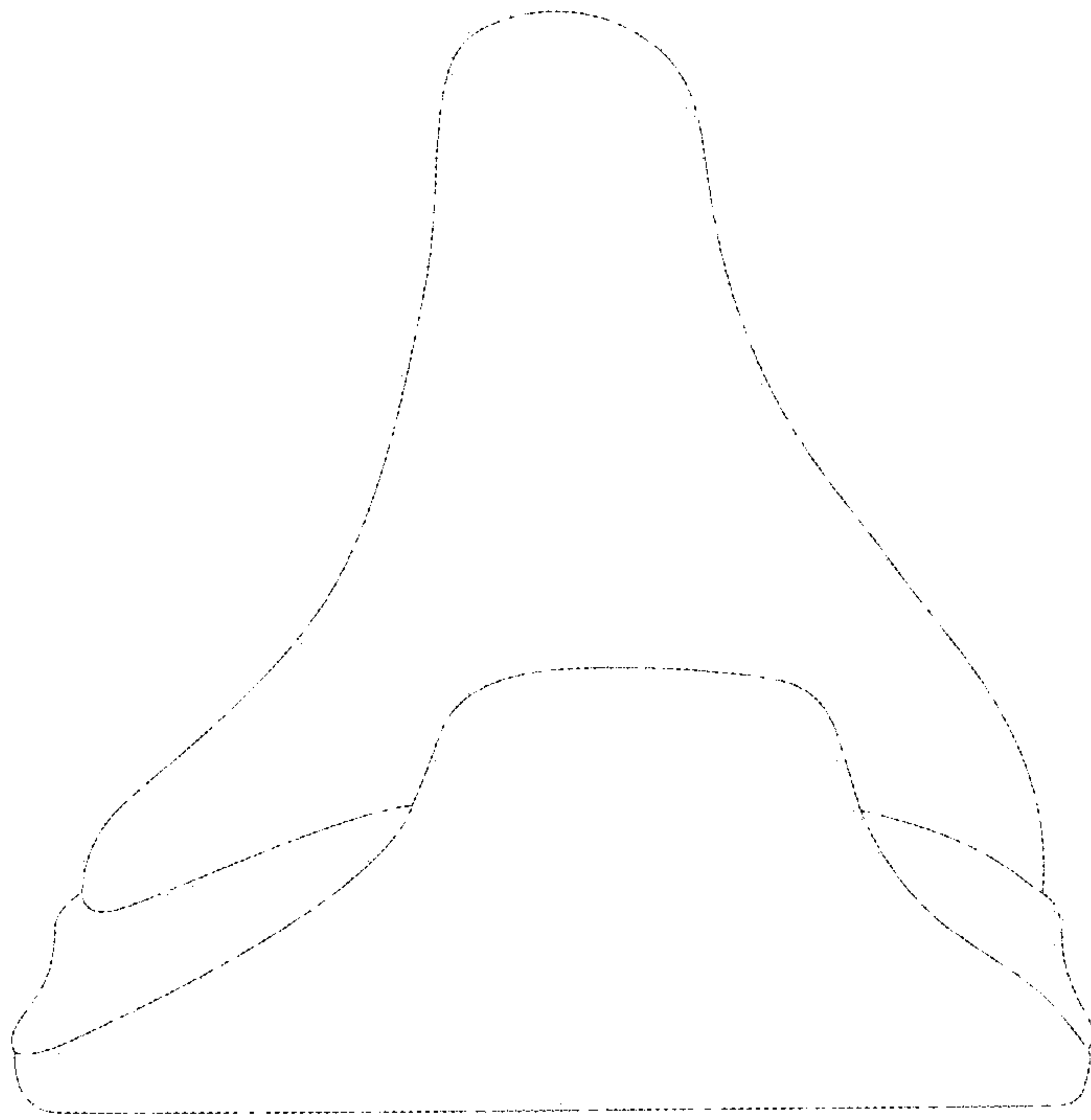


Fig. 5

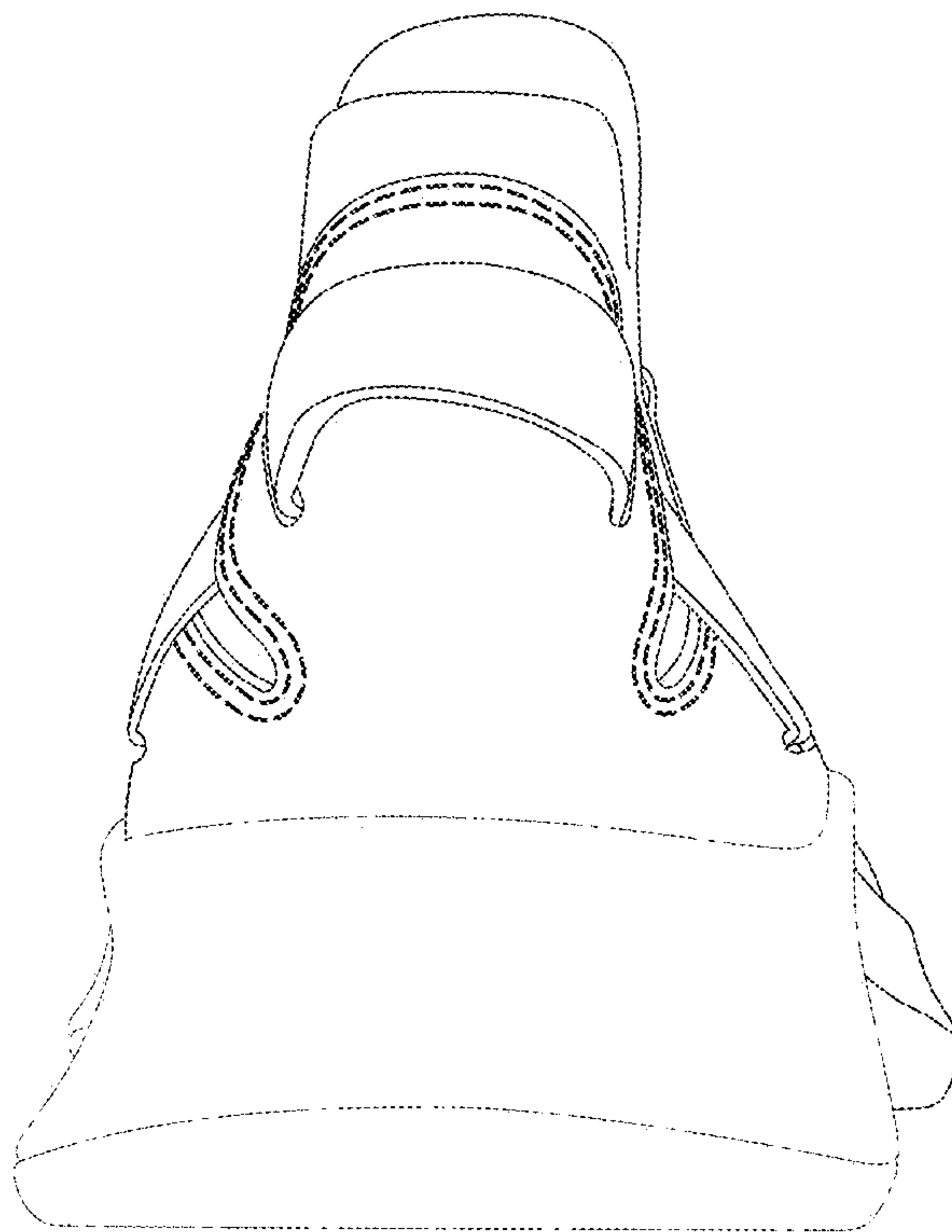


Fig. 6