

US00D738605S

(12) United States Design Patent

Dillenbeck et al.

(10) **Patent No.:**

US D738,605 S

(45) **Date of Patent:**

** Sep. 15, 2015

(54) **FOOTWEAR UPPER**

(71) Applicant: Deckers Outdoor Corporation, Goleta,

CA (US)

(72) Inventors: Ryan Dillenbeck, Carpinteria, CA (US);

Agnete S. Todd, Ventura, CA (US)

(73) Assignee: Deckers Outdoor Corporation, Goleta,

CA (US)

(**) Term: 14 Years

(21) Appl. No.: 29/508,523

(22) Filed: Nov. 7, 2014

(51) LOC (10) Cl. 02-04

(52) **U.S. Cl.**

USPC **D2/970**; D2/911

(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, 136

CPC A41D 17/00; A41D 17/02; A41D 5/00; A43B 3/16; A43B 23/25; A43B 23/24; A43B 23/00

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

| D529,269 S | | 10/2006 | Belley et al. |
|------------|------|---------|-------------------|
| D575,495 S | * | 8/2008 | Le D2/970 |
| D576,783 S | | 9/2008 | Earle |
| D599,999 S | | 9/2009 | MacIntyre |
| D616,190 S | | 5/2010 | MacIntyre |
| D704,425 S | × | 5/2014 | MacIntyre D2/970 |
| D704,427 S | sķ. | 5/2014 | Dillenbeck D2/970 |
| D705,529 S | * | 5/2014 | Ng D2/970 |
| D706,024 S | * | 6/2014 | Ng D2/970 |
| D727,611 S | ağı: | 4/2015 | Dillenbeck D2/970 |

FOREIGN PATENT DOCUMENTS

EM 000718002-0006

4/2007

OTHER PUBLICATIONS

UGG Australia Bailey Button model, www.uggaustrali.com https://web.archive.org/web/20120909185522/http://www.uggaustralia.com/womens-bailey-button-boots/5803.default.pd.html?dwyar_

5803_color=AUB&start=7&cgid=women-boots-classic Sep. 9, 2012, see images.

Blondo model, Footwear News magazine, p. 101, vol. 60 No. 06, Feb. 9, 2004.

Plush & Lush model, JJ magazine, p. 65, Oct. 10, 2008 (see bottom center)

Love Boat model, JJ magazine, p. 65, Oct. 10, 2008 (see upper left-hand corner and worn by person).

(Continued)

Primary Examiner — Ian Simmons

Assistant Examiner — Rashida C McCoy

(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 perspective view of a footwear upper showing our 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 foot-wear that form no part of the claimed design. The broken lines that define the bounds of the claimed design form no part thereof.

1 Claim, 5 Drawing Sheets



US D738,605 S

Page 2

(56) References Cited

OTHER PUBLICATIONS

Love Boat model, ViVi magazine, p. 122, Oct. 10, 2008 (see upper right-hand corner).

Bearpaw Victorian model, www.famousfootwear.com http://www.famousfootwear.com/en-US/Product/00461-1020010/BEARPAW/Hickory/Womens+Victorian.aspx Feb. 28, 2012.

* cited by examiner











