



US0D1004269S

(12) **United States Design Patent**
Corbi-Rico

(10) **Patent No.:** **US D1,004,269 S**

(45) **Date of Patent:** **** Nov. 14, 2023**

(54) **FOOTWEAR UPPER AND MIDSOLE**

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

(72) Inventor: **Lluis Enric Corbi-Rico**, Santa Barbara,
CA (US)

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

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

(21) Appl. No.: **29/836,700**

(22) Filed: **Apr. 28, 2022**

(51) **LOC (14) Cl.** **02-04**

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

USPC **D2/910; D2/970**

(58) **Field of Classification Search**

USPC D2/896, 900, 902, 904, 906–908,
D2/916–924, 925–945, 947–960, 969–979

CPC A43B 1/00; A43B 1/02; A43B 1/04; A43B

3/00; A43B 3/02; A43B 3/06; A43B 3/10;

A43B 3/12; A43B 3/14; A43B 5/00;

A43B 5/001; A43B 5/008; A43B 5/06;

A43B 5/10; A43B 5/12; A43B 23/00;

A43B 23/02; A43B 23/04

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D349,395 S *	8/1994	Kelchak	D2/912
D451,271 S *	12/2001	Gerber	D2/972
D476,473 S *	7/2003	Clegg	D2/972
D498,912 S *	11/2004	Kuerbis	D2/972
D522,734 S *	6/2006	Lubrano	D2/972
D582,133 S *	12/2008	Del Biondi	D2/907
D632,882 S *	2/2011	O'Rorke	D2/969
D668,026 S *	10/2012	Zacharias	D2/927
D715,039 S *	10/2014	James	D2/972

D779,183 S *	2/2017	Arizumi	D2/969
D785,921 S *	5/2017	Pauk	D2/972
D858,951 S *	9/2019	Luh	D2/900
D866,934 S *	11/2019	Zeng	D2/951
D868,434 S *	12/2019	Wu	D2/910
D870,426 S *	12/2019	Zeng	D2/951
D896,494 S *	9/2020	Sebastian	D2/910

(Continued)

OTHER PUBLICATIONS

Classic Mini LTA Cali Topo Boot _ UGG, posted [online], [retrieved Aug. 4, 2023]. Retrieved from internet, <https://www.ugg.com/master-sale/classic-mini-lta-cali-topo/1134852.html> (Year: 2023).*

(Continued)

Primary Examiner — Jonathan J Han

Assistant Examiner — Christen Pilar Brown

(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;

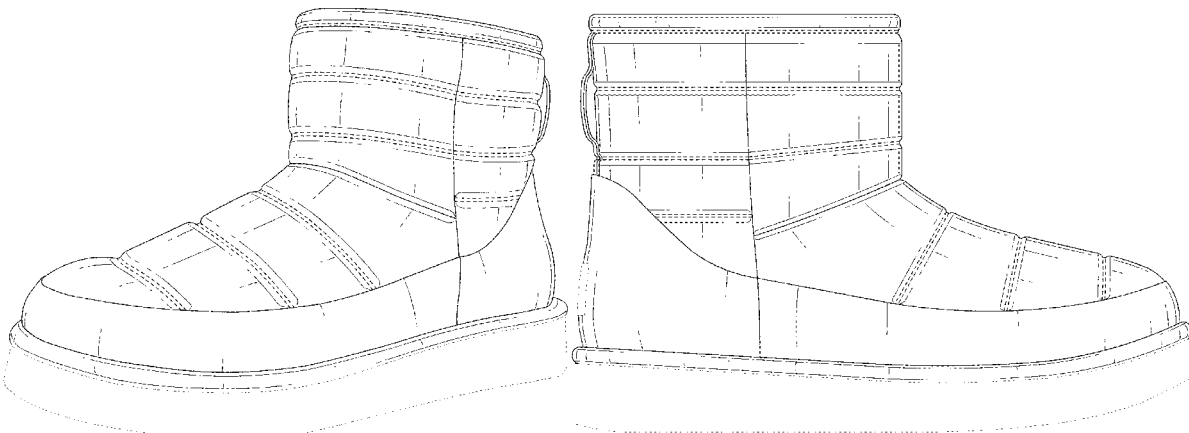
FIG. 5 is a rear elevational view thereof;

FIG. 6 is a top plan view thereof; and,

FIG. 7 is a bottom plan view thereof.

The broken lines on the sole and the interior of the footwear depict the bounds of the claim. The broken lines on the rear heel and the outsole form no part of the claimed design. The dashed seam edge lines shown on the footwear upper depict stitching, which does form a part of the claimed design.

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D922,753	S	6/2021	Kim	
D927,161	S *	8/2021	Frain Terras D2/910
D929,708	S *	9/2021	Shevchuk D2/910
D943,263	S	2/2022	Gerke	
D950,917	S *	5/2022	Dunham D2/969
D960,537	S *	8/2022	Wen D2/953
D960,538	S *	8/2022	Wen D2/953
2011/0225849	A1 *	9/2011	Zubyk A43B 3/02 36/136

OTHER PUBLICATIONS

US Magazine, "These Lace-up UGG boots with 500+ Reviews Will be Everything in 2020", *These Top-Rated UGG Neumel Boots Will Be Everything* in 2020 (usmagazine.com), UGG Neumel style, 2020.

UGG Australia Catalog, Fall/Winter 1999, UGG Classic Short style, see p. 3 of 20.

Co-pending design U.S. Appl. No. 29/802,295, filed Aug. 4, 2021.

Co-pending design U.S. Appl. No. 29/826,333, filed Feb. 11, 2022.

* cited by examiner

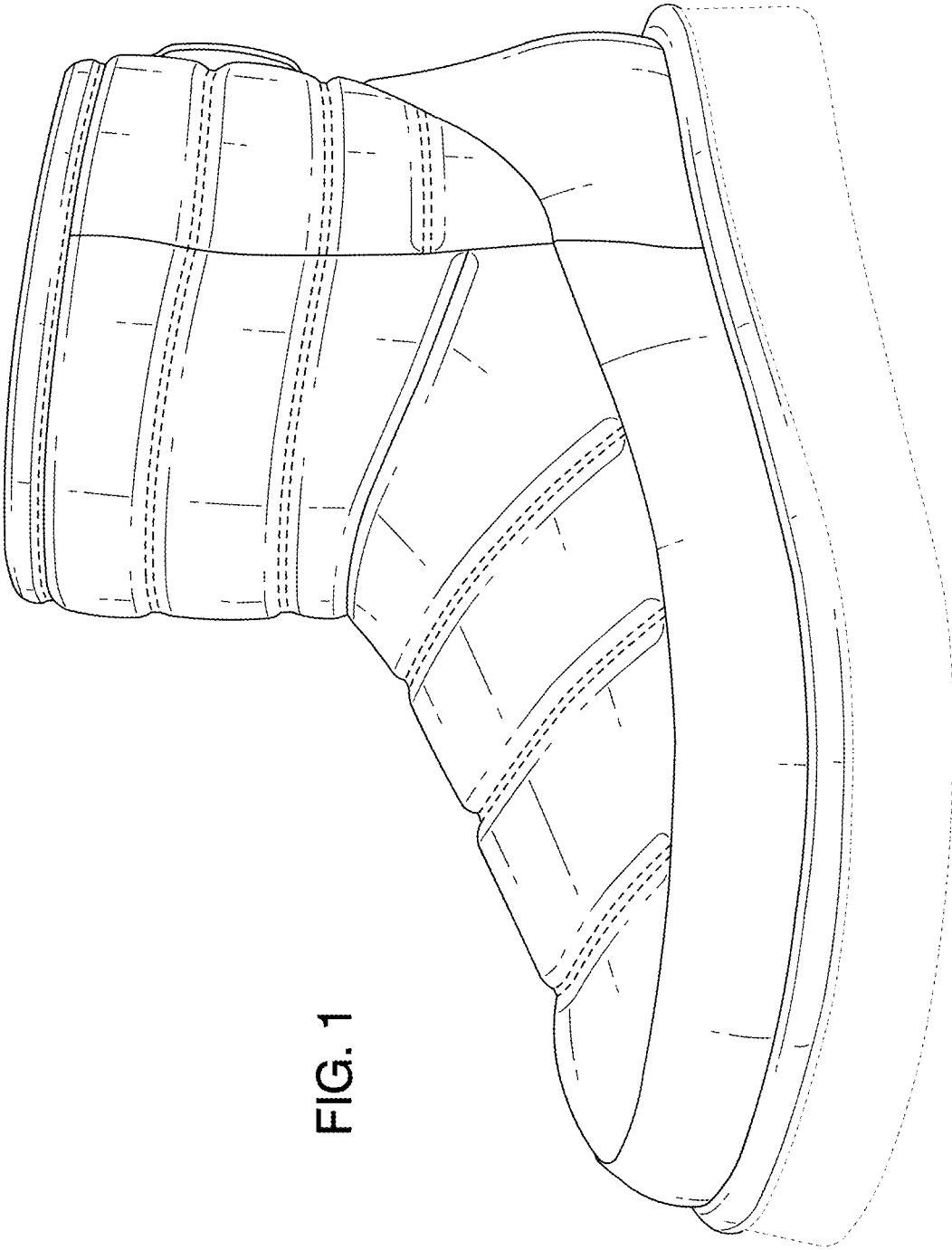


FIG. 1

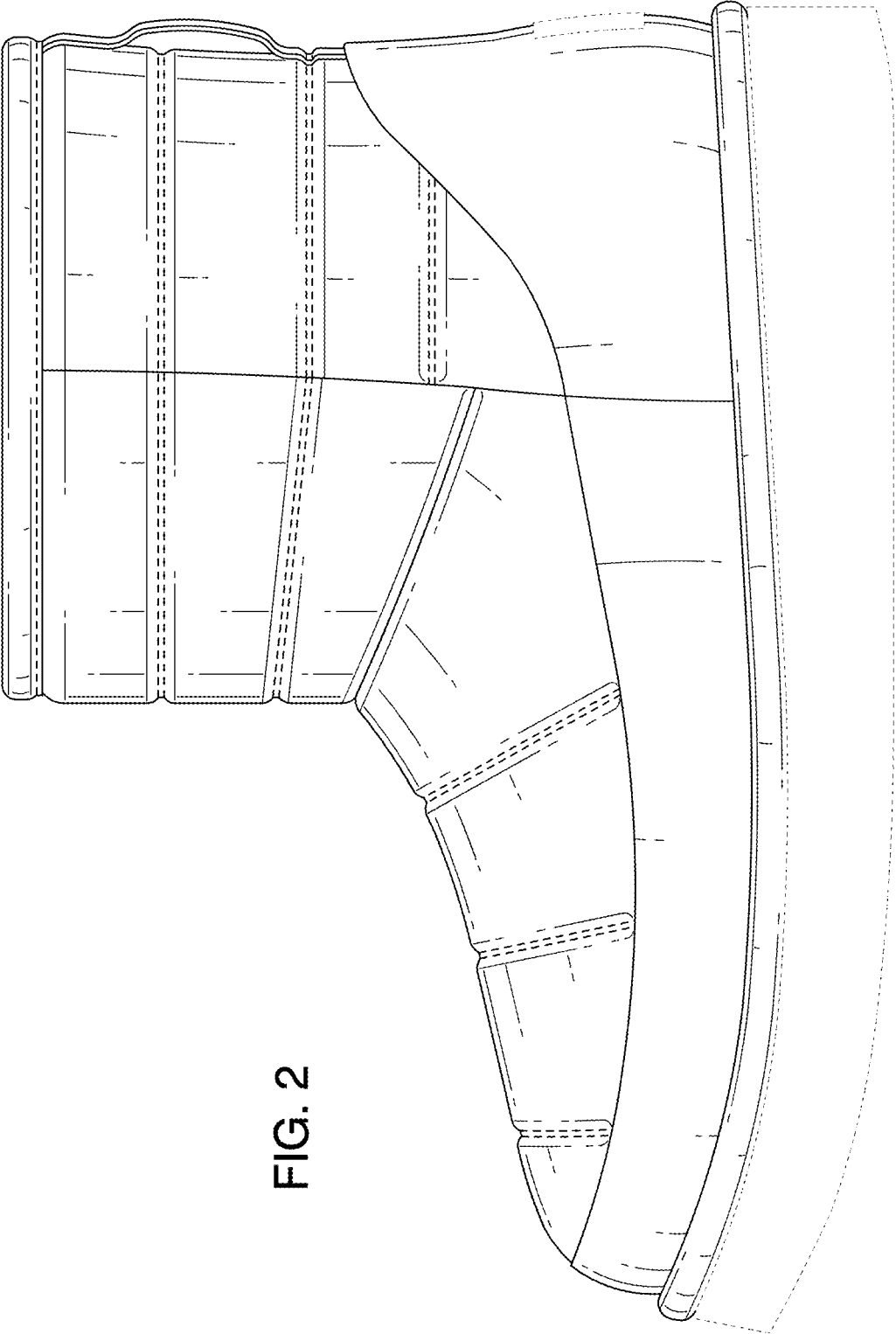
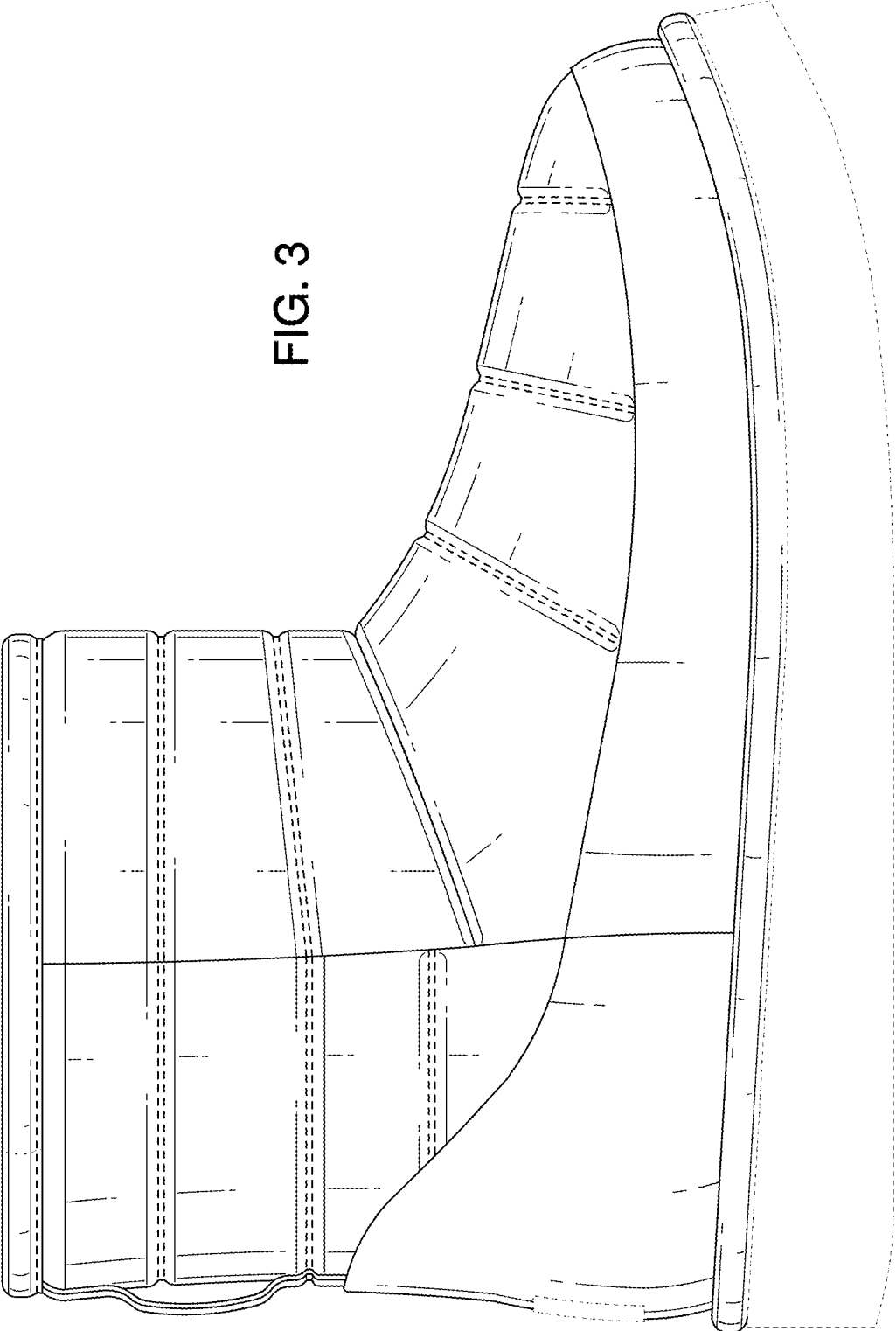


FIG. 2

FIG. 3



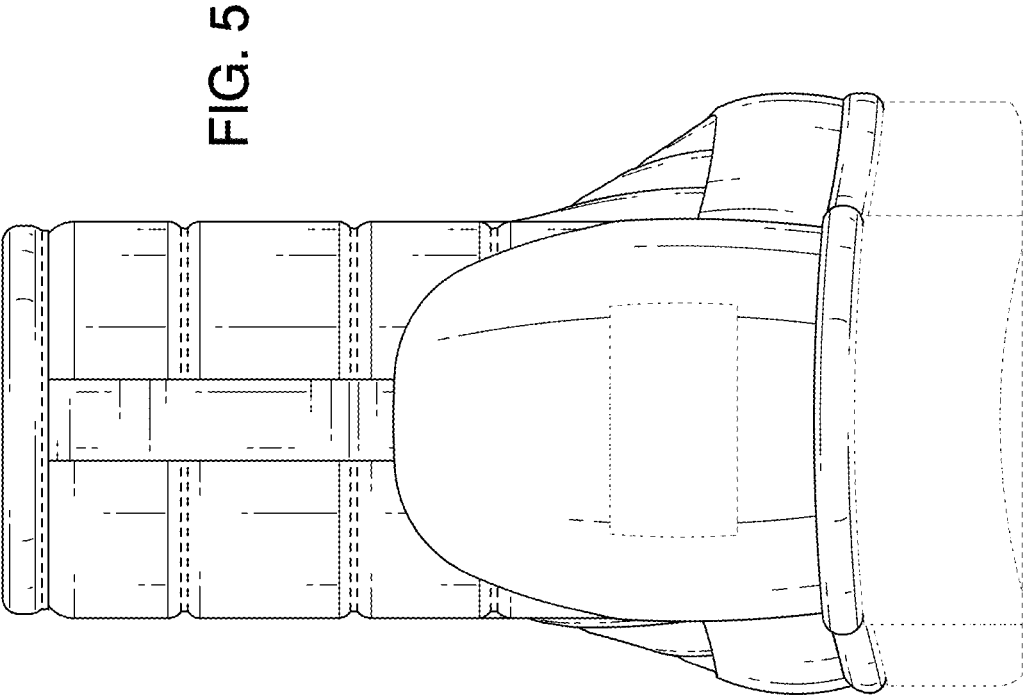


FIG. 5

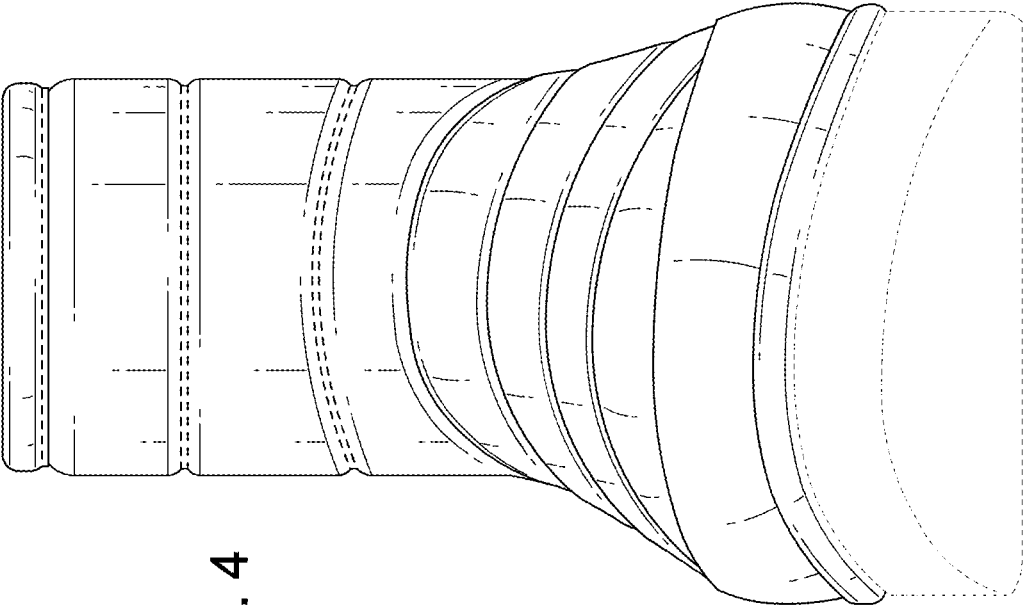


FIG. 4

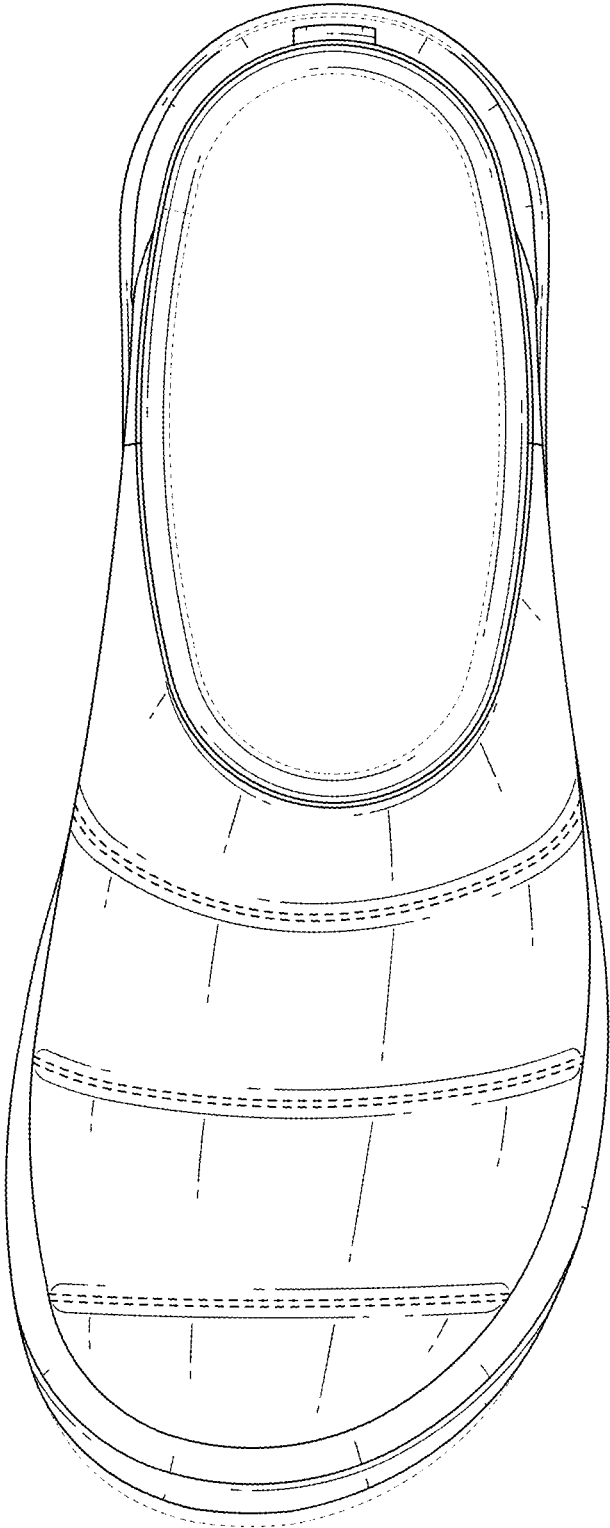


FIG. 6

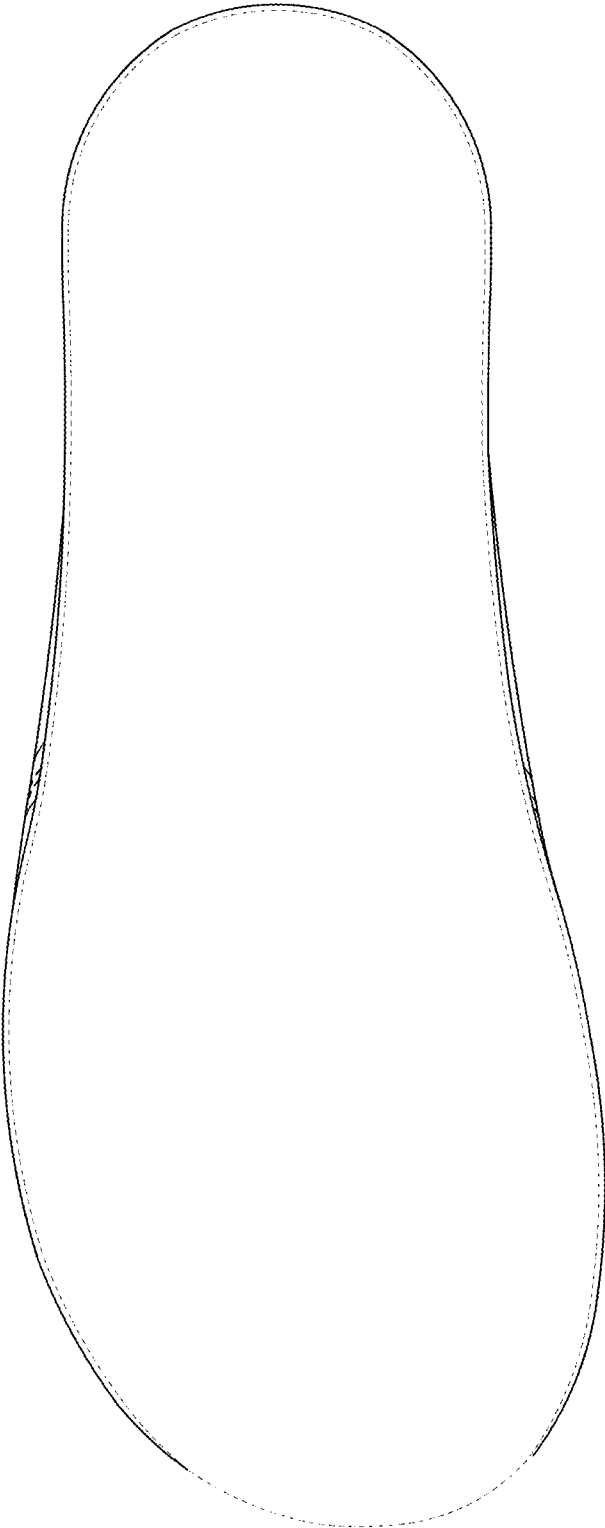


FIG. 7