



US00D920652S

(12) **United States Design Patent**  
**Frain Terras**

(10) **Patent No.:** **US D920,652 S**

(45) **Date of Patent:** **\*\* Jun. 1, 2021**

(54) **FOOTWEAR UPPER AND MIDSOLE**

D354,846 S \* 1/1995 Minkin ..... D2/916  
D377,860 S \* 2/1997 Renault ..... D2/916  
D415,877 S \* 11/1999 Wright ..... D2/916

(Continued)

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

(72) Inventor: **Helene Anne Frain Terras**, Santa  
Barbara, CA (US)

FOREIGN PATENT DOCUMENTS

CN 304615841 \* 5/2018

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

OTHER PUBLICATIONS

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

Amazon.com UGG Unisex Cozy Slipper, announced Aug. 16, 2017  
[online], [site visited Apr. 9, 2021]. Available from internet, URL:  
[https://www.amazon.com/UGG-Girls-Slipper-Chestnut-Little/dp/B01N5VL2RB/ref=pd\\_rhf\\_sc\\_p\\_img\\_3?\\_encoding=UTF8&psc=1&refRID=553AHGAH79VSN4KSPE05](https://www.amazon.com/UGG-Girls-Slipper-Chestnut-Little/dp/B01N5VL2RB/ref=pd_rhf_sc_p_img_3?_encoding=UTF8&psc=1&refRID=553AHGAH79VSN4KSPE05) (Year: 2017).\*

(Continued)

(21) Appl. No.: **29/714,233**

(22) Filed: **Nov. 21, 2019**

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

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

USPC ..... **D2/969**; D2/932

(58) **Field of Classification Search**

USPC ..... 36/7.2, 7.7, 7.5, 8.1, 11.5, 9 R, 9 A, 10,  
36/11, 7.3, 7.6, 4, 26; D2/896-901, 909,  
D2/913, 916-922, 923-927, 929, 930,  
D2/932, 939, 943-945, 946, 947-960,  
D2/965, 969, 971, 978

CPC ..... A43B 23/00; A43B 23/02; A43B 23/0205;  
A43B 23/021; A43B 23/0215; A43B  
3/04; A43B 3/08; A43B 3/10; A43B  
3/101; A43B 3/102; A43B 3/106; A43B  
3/107; A43B 3/108; A43B 3/12; A43B  
3/14; A43B 3/18; A43B 3/20; A43B  
13/00; A43B 13/02; A43B 13/04; A43B  
13/12; A43B 3/24; A43B 3/242; A43B  
3/244; A43B 3/246; A43B 3/248

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,810,319 A \* 5/1974 Famolare, Jr. .... A43B 1/14  
36/11.5  
D251,636 S \* 4/1979 Chapman ..... D2/921

*Primary Examiner* — Elizabeth J Oswecki

*Assistant Examiner* — Yelizaveta Y Masalimova

(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;

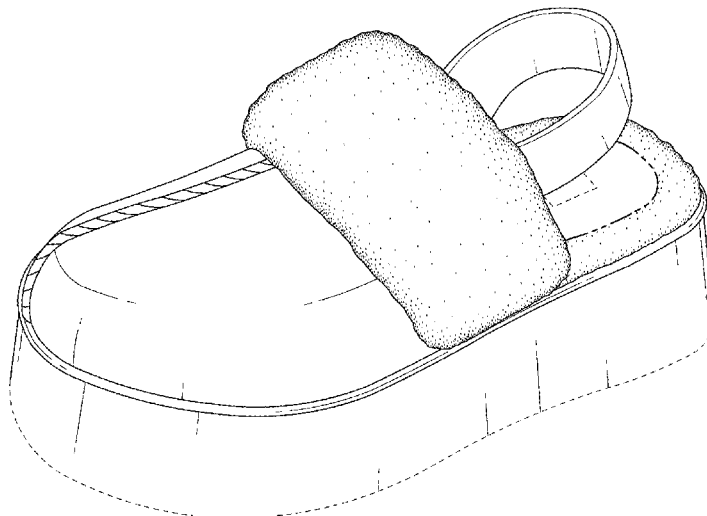
FIG. 5 is a rear elevational view thereof;

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

FIG. 7 is a bottom plan view thereof.

The dot-dot-dash broken lines depict the bounds of the  
claim. The even dashed broken lines on the insole portion of  
the footwear depict stitching and form no part of the claimed  
design. The remaining even dashed broken lines showing the  
bottom of the shoe sole form no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



(56)

## References Cited

## U.S. PATENT DOCUMENTS

D425,289	S *	5/2000	Sheppard, Jr. ....	D2/909
D528,749	S *	9/2006	Harper .....	D2/919
D560,059	S *	1/2008	Belley .....	D2/969
D598,183	S *	8/2009	Bank .....	D2/921
D614,381	S	4/2010	MacIntyre	
D626,728	S *	11/2010	Tzenos .....	D2/896
D627,544	S *	11/2010	Carol .....	D2/919
D648,512	S *	11/2011	Schlageter .....	A43B 3/10 D2/923
D686,806	S *	7/2013	Belcher .....	D2/909
D792,693	S *	7/2017	MacIntyre .....	D2/969
D804,155	S *	12/2017	Tzenos .....	D2/923
D850,763	S *	6/2019	Golan .....	D2/923
D866,941	S	11/2019	Kim	
D874,797	S *	2/2020	Fongher .....	D2/923
D901,869	S *	11/2020	Kim .....	D2/969
D901,870	S *	11/2020	Kim .....	D2/969
D905,413	S *	12/2020	Del Biondi .....	D2/972
2011/0023335	A1 *	2/2011	Carol .....	A43B 3/10 36/9 R

## OTHER PUBLICATIONS

Morgan C. Schimminger, "We're making the case for platform sandals this summer" (Ava Ubran Outfitters sandal) announced May 30, 2019 [online], [site visited Apr. 9, 2021]. Available from internet, URL: <https://www.thefashionspot.com/style-trends/835705-best-platform-sandals-for-summer/#/slide/6> (Year: 2019).\*

UGG Australia catalog, Fall/Winter 1999, "Cluggette", "Roo", "Mate" pp. 16-17, Nov. 1999.

UGG Australia catalog, Fall/Winter 2004, "Coquette" p. 13, Nov. 2004.

UGG Australia catalog, Winter 2002 collection, "Fluff Scuff" p. 29, Nov. 2002.

Are Rihanna Puma Fur Slides Worth It? They Aren't Shower Shoes But They Sure Are Comfy, Bustle.com, by Amy Sciarretto, <https://www.bustle.com/articles/161253-are-rihanna-puma-fur-slides-worth-it-they-arent-shower-shoes-but-they-sure-are-comfy>, May 17, 2016.

Puma Drops New Monochrome Platform Sandals, Missbish, by Jana K. Hoffman, at <https://missbish.com/puma-drops-new-monochrome-platform-sandals/> Apr. 2017.

Co-pending design U.S. Appl. No. 29/690,180, filed May 6, 2019.

Co-pending design U.S. Appl. No. 29/699,054, filed Jul. 23, 2019.

\* cited by examiner

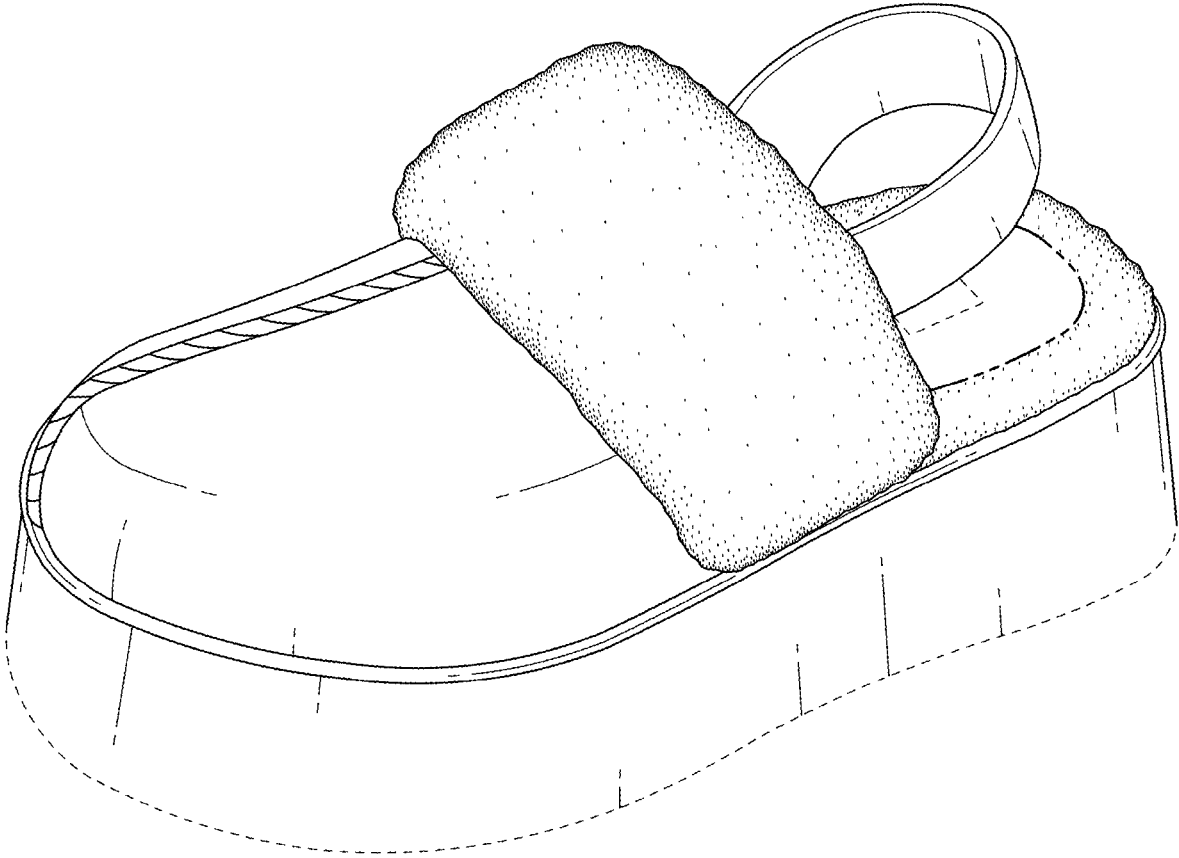


FIG. 1

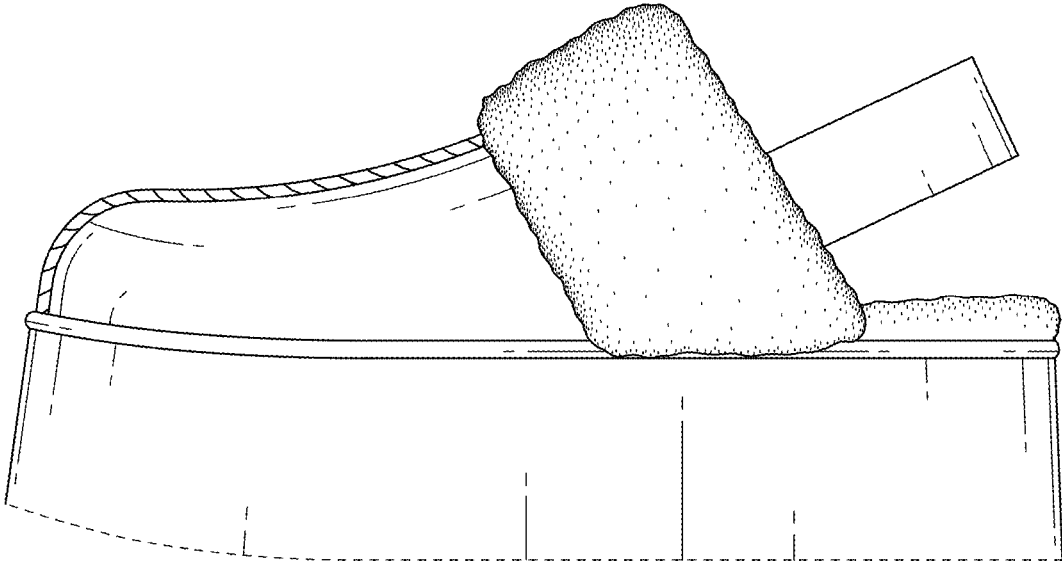


FIG. 2

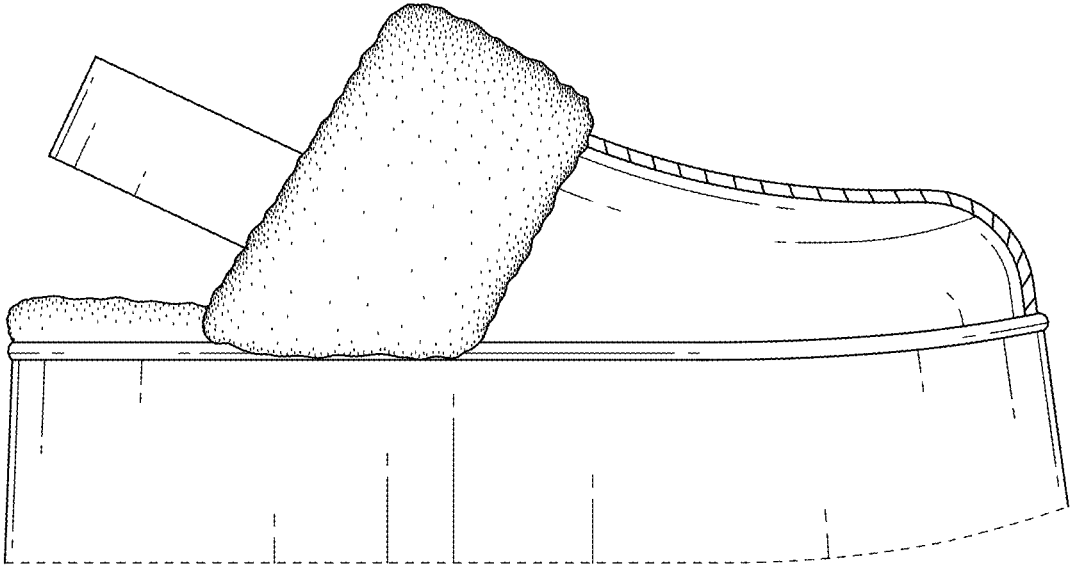


FIG. 3

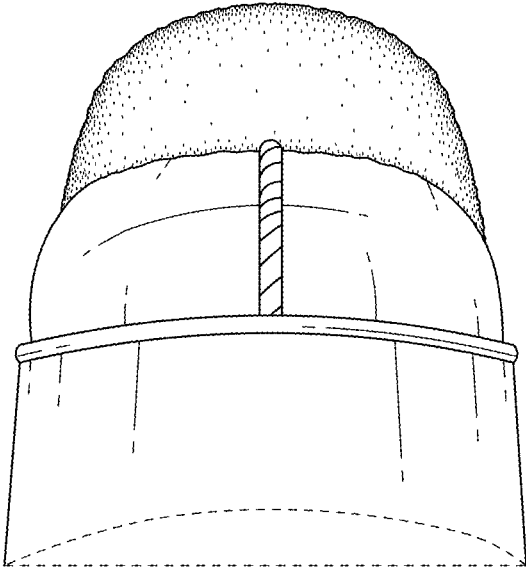


FIG. 4

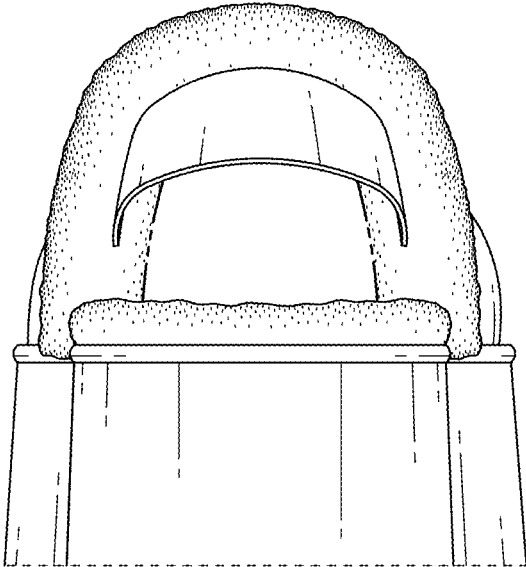


FIG. 5

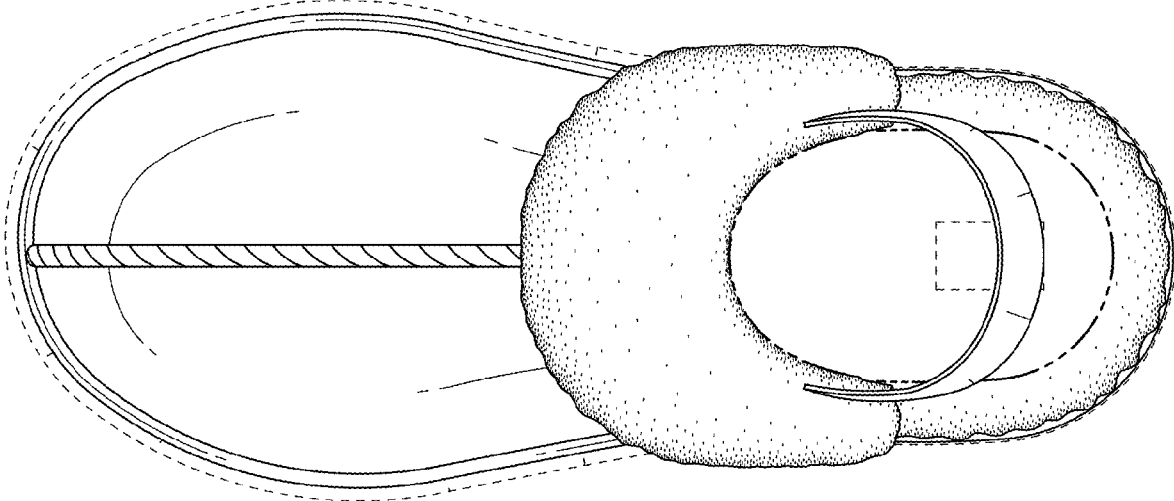


FIG. 6

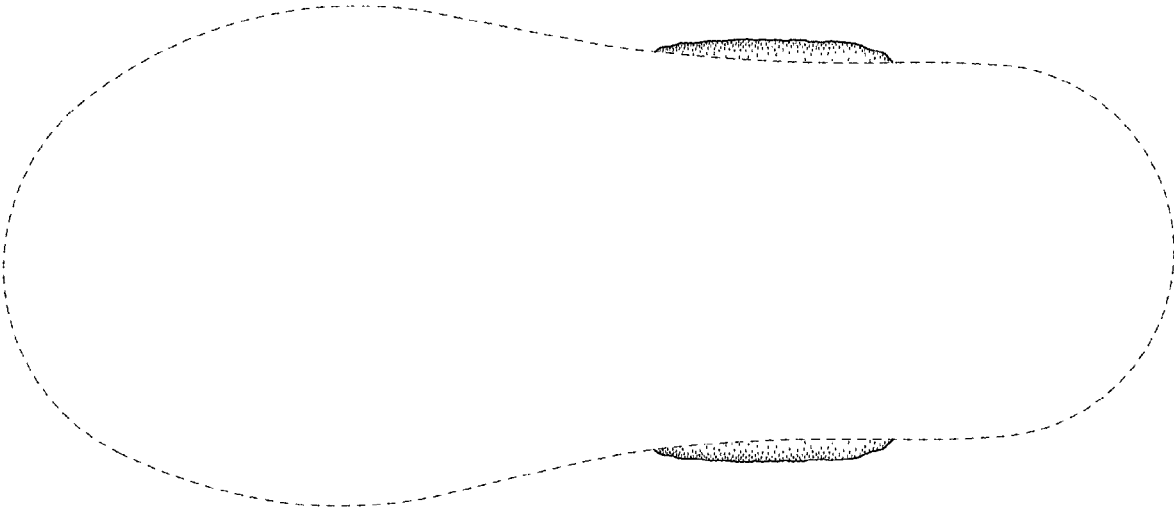


FIG. 7