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Inv. No. 337-TA-936

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USITC INSTITUTES SECTION 337 INVESTIGATION OF CERTAIN FOOTWEAR PRODUCTS

The U.S. International Trade Commission (USITC) has voted to institute an investigation of certain footwear products. The products at issue in this investigation are shoes that allegedly infringe or dilute registered and common law trademarks used in connection with certain Converse shoes, such as the Chuck Taylor All Star Shoe.

The investigation is based on a complaint filed by Converse Inc. ("Converse") of North Andover, MA, on October 14, 2014. The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930 in the importation into the United States and sale of certain footwear products that infringe or dilute registered and common law trademarks asserted by Converse. The complainant requests that the USITC issue a general exclusion order, or in the alternative a limited exclusion order, and a cease and desist order.

The USITC has identified the following as respondents in this investigation:

Skechers U.S.A., Inc. of Manhattan Beach, CA;
Wal-Mart Stores, Inc. of Bentonville, AR;
A-List, Inc., d/b/a Kitson, of Los Angeles, CA;
Aldo Group of Montreal, Quebec, Canada;
Brian Lichtenberg, LLC of Los Angeles, CA;
Cmerit USA, Inc., d/b/a Gotta Flurt, of Chino, CA;
Dioniso SRL of Perugia, Italy;
Edamame Kids, Inc. of Calgary, Alberta, Canada;
Esquire Footwear, LLC of New York, NY;

FILA U.S.A., Inc. of Sparks, MD;
Fortune Dynamic, Inc. of City of Industry, CA;
Gina Group, LLC of New York, NY;
H & M Hennes & Mauritz LP of New York, NY;
Highline United LLC, d/b/a/Ash Footwear USA, of New York, NY;
Hitch Enterprises Pty Ltd, d/b/a Skeanie, of Mittagong, New South
Wales, Australia;
Iconix Brand Group, Inc., d/b/a Ed Hardy, of New York, NY;
Kmart Corporation of Hoffman Estates, IL;
Mamiye Imports LLC, d/b/a Lilly of New York, of Brooklyn, NY;
Nowhere Co., Ltd., d/b/a Bape, of Tokyo, Japan;
OPPO Original Corp. of City of Industry, CA;
Orange Clubwear, Inc., d/b/a Demonica Deviant, of Westminster, CA;
Ositos Shoes, Inc., d/b/a Collection'O, of South El Monte, CA;
PW Shoes Inc. of Maspeth, NY;
Ralph Lauren Corporation of New York, NY;
Shenzhen Foreversun Industrial Co., Ltd. (a/k/a Shenzhen Foreversun
Shoes Co., Ltd) of Shenzhen, Guangdong Province, China;
Shoe Shox, c/o Zulily, Inc., of Seattle, WA;
Tory Burch LLC of New York, NY;
Zulily, Inc. of Seattle, WA;
Fujian Xinya I&E Trading Co. Ltd. of Jinjiang, Fujian Province, China;
Zhejiang Ouhai International Trade Co. Ltd. of Wenzhou, Zhejiang
Province, China; and
Wenzhou Cereals Oils and Foodstuffs Foreign Trade Co. Ltd. of
Wenzhou, Zhejiang Province, China.

By instituting this investigation (337-TA-936), the USITC has not yet made any decision on the merits of the case. The USITC's Chief Administrative Law Judge will assign the case to one of the USITC's administrative law judges (ALJ), who will schedule and hold an evidentiary hearing. The ALJ will make an initial determination as to whether there is a violation of section 337; that initial determination is subject to review by the Commission.

The USITC will make a final determination in the investigation at the earliest practicable time. Within 45 days after institution of the

investigation, the USITC will set a target date for completing the investigation. USITC remedial orders in section 337 cases are effective when issued and become final 60 days after issuance unless disapproved for policy reasons by the U.S. Trade Representative within that 60-day period.

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