

CHAIRMAN



UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C. 20436

September 14, 2023

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

In accordance with subsection (j) of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337) (“Section 337”), and the July 21, 2005, Memorandum for the United States Trade Representative (70 Fed. Reg. 43251), I am transmitting to you and the United States Trade Representative copies of the Commission’s limited exclusion order and cease and desist orders, as described below, and the record upon which the Commission based its determination.

On September 14, 2023, the United States International Trade Commission issued a limited exclusion order and cease and desist orders pursuant to Section 337 in USITC Investigation No. 337-TA-1270, *Certain Casual Footwear and Packaging Thereof*. The limited exclusion order prohibits respondents La Modish Boutique of West Covina, California (“La Modish”), Star Bay Group Inc. of Hackensack, New Jersey (“Star Bay”), Huizhou Xinshunzu Shoes Co., Ltd. of Huizhou City, China, and Jinjiang Anao Footwear Co., Ltd. of Jinjiang City, Fujian, China (collectively, “Respondents”) from importing into the United States certain casual footwear and packaging thereof that infringe one or more of United States Trademark Reg. Nos. 5,149,328; 5,273,875; and 3,836,415 (“covered products”). The cease and desist orders prohibit respondents La Modis and Star Bay from further importing, selling, and distributing the covered products in the United States.

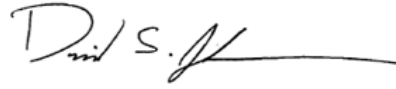
The Commission concluded that the statutory public interest factors in subsections (g)(1) of Section 337 do not preclude the issuance of this remedy. The Commission also determined that, during the period of Presidential review, the covered products described above may be imported and sold in the United States with the posting of a bond in the amount of one hundred

Confidential Removed SDB

The President
September 14, 2023
page 2

percent (100%) of their entered value.

Sincerely,

A handwritten signature in black ink, appearing to read "David S. Johanson", with a long horizontal flourish extending to the right.

Enclosures

David S. Johanson
Chairman

CHAIRMAN



UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C. 20436

September 14, 2023

The Honorable Janet L. Yellen
Secretary of the Treasury
Washington, D.C. 20220

Dear Secretary Yellen:

In accordance with subsection (d) of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337) (“Section 337”), I am transmitting to you a copy of the Commission’s limited exclusion order, as described below, and the record upon which the Commission based its determination.

On September 14, 2023, the United States International Trade Commission issued a limited exclusion order pursuant to Section 337 in USITC Investigation No. 337-TA-1270, *Certain Casual Footwear and Packaging Thereof*. The limited exclusion order prohibits respondents La Modish Boutique of West Covina, California, Star Bay Group Inc. of Hackensack, New Jersey, Huizhou Xinshunzu Shoes Co., Ltd. of Huizhou City, China, and Jinjiang Anao Footwear Co., Ltd. of Jinjiang City, Fujian, China from importing into the United States certain casual footwear and packaging thereof that infringe one or more of United States Trademark Reg. Nos. 5,149,328; 5,273,875; and 3,836,415 (“covered products”).

The Commission concluded that the statutory public interest factors in subsection (g)(1) of Section 337 do not preclude the issuance of this remedy. The Commission also determined that, during the period of Presidential review, the covered products described above may be imported and sold in the United States with the posting of a bond in the amount of one hundred percent (100%) of their entered value.

Sincerely,

A handwritten signature in black ink, appearing to read "David S. Johanson", with a long horizontal flourish extending to the right.

David S. Johanson
Chairman

Secretary Yellen
September 14, 2023
page 2

Enclosures

cc: Dax Terrill, Chief
Exclusion Order Enforcement
Office of International Trade
Regulation and Rulings
U.S. Customs and Border Protection
90 K Street, N.E.
Washington, D.C. 20229-1177

CHAIRMAN



UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C. 20436

September 14, 2023

The Honorable Katherine Tai
United States Trade Representative
Washington, D.C. 20508

Dear Ambassador Tai:

In accordance with subsection (j) of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337) (“Section 337”), and the July 21, 2005, Memorandum for the United States Trade Representative (70 Fed. Reg. 43251), I am transmitting to you and the President copies of the Commission’s limited exclusion order and cease and desist orders, as described below, and the record upon which the Commission based its determination.

On September 14, 2023, the United States International Trade Commission issued a limited exclusion order and cease and desist orders pursuant to Section 337 in USITC Investigation No. 337-TA-1270, *Certain Casual Footwear and Packaging Thereof*. The limited exclusion order prohibits respondents La Modish Boutique of West Covina, California (“La Modish”), Star Bay Group Inc. of Hackensack, New Jersey (“Star Bay”), Huizhou Xinshunzu Shoes Co., Ltd. of Huizhou City, China, and Jinjiang Anao Footwear Co., Ltd. of Jinjiang City, Fujian, China (collectively, “Respondents”) from importing into the United States certain casual footwear and packaging thereof that infringe one or more of United States Trademark Reg. Nos. 5,149,328; 5,273,875; and 3,836,415 (“covered products”). The cease and desist orders prohibit respondents La Modis and Star Bay from further importing, selling, and distributing the covered products in the United States.

The Commission concluded that the statutory public interest factors in subsections (g)(1) of Section 337 do not preclude the issuance of this remedy. The Commission also determined that, during the period of Presidential review, the covered products described above may be imported and sold in the United States with the posting of a bond in the amount of one hundred

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.