

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.**

**In the Matter of**

**CERTAIN PURPLE PROTECTIVE  
GLOVES**

**Inv. No. 337-TA-500**

**GENERAL EXCLUSION ORDER**

The Commission has previously determined that there is a violation of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the unlawful importation and sale of certain purple protective gloves that infringe U.S. Registered Trademark Nos. 2,596,539, 2,533,260, and 2,593,382.

Having reviewed the record in this investigation, including the written submissions of the parties, the Commission has made its determinations on the issues of remedy, the public interest, and bonding. The Commission has determined that a general exclusion from entry for consumption is necessary to prevent circumvention of an exclusion order limited to products of named persons and because there is a pattern of violation of section 337 and it is difficult to identify the source of infringing products. Accordingly, the Commission has determined to issue a general exclusion order prohibiting the unlicensed importation of infringing purple protective gloves.

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. §§ 1337(d) do not preclude the issuance of that general exclusion order, and that the bond during the Presidential review period shall be in the amount of 100 percent of the entered

value of the articles in question.

Accordingly, the Commission hereby ORDERS that:

- a. Purple protective gloves that infringe U.S. Registered Trademark Nos. 2,596,539, 2,533,260, or 2,593,382 are excluded from entry for consumption, entry for consumption from a foreign-trade zone, and withdrawal from warehouse for consumption until such date as the trademarks are abandoned, canceled, or rendered invalid or unenforceable, except under license of the patent owner or as provided by law.
- b. Notwithstanding paragraph 1 of this Order, the aforesaid purple protective gloves are entitled to entry into the United States for consumption, entry for consumption from a foreign-trade zone, and withdrawal from warehouse for consumption, under bond in the amount of 100 percent of the entered value of such articles, from the day after this Order is received by the President, pursuant to subsection (j) of section 337 of the Tariff Act of 1930, as amended, until such time as the President notifies the Commission that he approves or disapproves this action, but no later than 60 days after the date of receipt of this Order by the President.
- c. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to purple protective gloves imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.
- d. Complainants Kimberly-Clark Corporation and Safeskin Corporation shall file a

written statement with the Commission, made under oath, each year on the anniversary of the issuance of this Order stating whether they continue to use each of the aforesaid trademarks in commerce in the United States in connection with purple protective gloves and whether any of the aforesaid trademarks has been abandoned, canceled, or rendered invalid or unenforceable.

- e. The Commission may modify this Order in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).
- f. The Commission Secretary shall serve copies of this Order upon each party of record in this investigation and upon the Department of Health and Human Services, the Department of Justice, the Federal Trade Commission, and the Bureau of Customs and Border Protection.
- g. Notice of this Order shall be published in the *Federal Register* pursuant to section 337(j)(1)(A) of the Tariff Act of 1930 as amended (19 U.S.C. § 1337(j)(1)(A)) and section 210.49(b) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.49(b)).

By order of the Commission.

Marilyn R. Abbott  
Secretary to the Commission

Issued: