Testimony of Martin Symes in
*Wooden Cabinets & Vanities from the People's Republic of China:*

Good afternoon, my name is Martin Symes and I am the CEO of Modern Bathroom. I am here to provide testimony on behalf of the Coalition of Vanity Importers. As a group, we believe we have been inadvertently included in this investigation as our products have a different domestic like product. Our coalition represents a group of companies that imports bathroom furniture vanities, not bathroom cabinet vanities. Our products are distinguished from bathroom cabinets, and have a separate domestic like product than that represented by Petitioners here.

I would like to walk you through each of these six characteristics of our domestic like product to demonstrate the distinction.

I. Physical Characteristics

Our product typically is finished on three sides, as compared to cabinets, which are typically only finished on one side. Our bathroom furniture also typically has legs and contains ornamental and aesthetic design elements. In contrast, bathroom and kitchen cabinets typically do not have legs and have flat surfaces and squared edges. This comparison can be seen in the slides, which will also be submitted with my testimony.

Our bathroom furniture is also typically made from a variety of materials to form a single product. Products represented by the members of the Coalition of Vanity Importers include wood, marble, granite, glass, and many different types of metal.

Our products are also imported as ready-to-go, complete products, built as a single piece of furniture. Our products are never purchased unassembled. Consumers select our products because they can be purchased and shipped immediately. Our products also do not require professional installation. A typical consumer can purchase our products from our showroom floors or from the internet and have that product in their home in days and place it themselves. As a
result of this, our products are very popular with DIY remodelers. This pre-built, ready-to-go quality is a defining characteristic of our products and our domestic like products.

In contrast, Petitioners’ products require professional installation and are not ready-to-go out of the box. Petitioners’ products require a designer to measure and map out appropriate cabinets, order those cabinets, and then an installer to install them.

On the whole, our products are characterized by their singular focus on design, fashion, and an ornamental aesthetic. As such, our domestic like product is not represented by any of the Petitioners’ typical products.

II. Interchangeability

While it is true that both our products and those of Petitioners could both hold a sink and attach to plumbing, our products are not interchangeable. Just as one can drink from both a 5-gallon bucket and a tea cup, no one would credibly argue they are the same. For the reasons identified in the physical characteristics, consumer perception, and price sections, our products are not interchangeable with those of Petitioners. Our products are only for consumers who desire a design and aesthetic far more than any other characteristic, and often for whom that design and aesthetic is the primary motivator for their purchase. Consumers who purchase our products will almost certainly never purchase those of Petitioners instead of one of our products.

III. Channels of Distribution

Because the design aesthetic of our products is one of the defining factors, our products are typically selected directly by, and distributed directly to consumers. Our customers typically purchase our products directly from showrooms or through online retailers on which our products are listed.

IV. Manufacturing Facilities

The manufacturing facilities for our products are different from those of the Petitioners. In
general, the manufacturers of our products make other furniture, not cabinets. Our products require intensive labor at almost all stages of construction. In contrast, Petitioners’ products are built through very automated factories that involve much less labor.

V. Consumer Perception

One of the key distinguishing characteristics of our products as compared to our domestic like products, is that consumers perceive our products to be artisanal centerpieces of furniture that are focused on design and aesthetic. Because Consumers perceive our products to be furniture, not cabinets, online retailers categorize our products as bathroom furniture.

Consumers also understand that our products are fully built and not customizable – what you see is what you get. Consequently, consumers know that our products are available for immediate pickup or delivery.

In stark contrast, Consumers know that Petitioners’ products are not ready-to-go, require professional design, must be custom manufactured over four to eight weeks, and require professional installation. Additionally, Petitioners’ products can be customized and are not maintained in inventory. As a result of this different perception, our products are typically sold through showrooms or online to individual consumers based on their individual taste.

VI. Price

Finally, our prices are dramatically different from that of the Petitioners. Our products are typically at least three to four times more expensive than those of the Petitioners, and often significantly more. For example, the Madeli Silhouette bathroom furniture vanity has a retail price of $1,758 whereas that of Petitioners American Woodmark’s similarly sized 24-inch vanity is $59.97.

For all of these reasons, our domestic like product is not represented by the Petitioners.

My colleagues and I would welcome the opportunity to answer any questions you may
have. Thank you for your time and attention.