

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN EYE COSMETICS
AND PACKAGING THEREFOR**

Investigation No. 337-TA-1407

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING RESPONDENT STRIP LASHED
BASED ON A CONSENT ORDER**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“the Commission”) has determined not to review an initial determination (“ID”) (Order No. 10) issued by the presiding administrative law judge (“ALJ”) granting an unopposed joint motion to terminate the investigation as to respondent Strip Lashed of South Yorkshire, United Kingdom (“Strip Lashed”) based on a consent order and consent order stipulation. A consent order is issued to Strip Lashed.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: On July 16, 2024, the Commission instituted the present investigation based on a complaint, as supplemented, filed by Amarte USA Holdings, Inc. of Redding, California (“Amarte”), alleging violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, due to the importation into the United States, sale for importation, or sale in the United States after importation of certain eye cosmetics and packaging thereof that allegedly infringe U.S. Trademark Registration No. 4,328,655 (“the ’655 mark”), as well as unfair competition and false advertising, the threat or effect of which is to destroy or substantially injure an industry in the United States. 89 FR 57942-43 (July 16, 2024). The complaint alleges that a domestic industry exists. The notice of investigation names the following respondents: Strip Lashed; Unilever PLC of Merseyside, United Kingdom; Unilever United States, Inc. of Englewood Cliffs, New Jersey; and Carver Korea Co., Ltd. of Seoul, South Korea; Bourne & Morgan Ltd. of London, United Kingdom; MZ Skin Ltd. of Hertfordshire,

United Kingdom; Kaibeauty of Taipei City, Taiwan; I'll Global Co., Ltd. of Seoul, South Korea; Hikari Laboratories, Ltd. of Bnei Atarot, Israel; and Iman Cosmetics of London, United Kingdom. The Office of Unfair Import Investigations (“OUII”) is named as a party to this investigation.

On August 6, 2024, Amarte and Strip Lashed jointly moved to terminate Strip Lashed based on a consent order and consent order stipulation. On August 15, 2024, OUII filed a response in support of the motion to terminate. No other responses to the motion were received.

On September 10, 2024, the ALJ issued the subject ID (Order No. 10) granting Amarte and Strip Lashed’s joint motion to terminate the investigation as to Strip Lashed. Order No. 10 (Sept. 10, 2024). The subject ID finds that Amarte and Strip Lashed submitted a consent order stipulation and proposed consent order, in compliance with Commission Rule 210.21(c)(3) and (c)(4) (19 CFR 210 (c)(3)-(4)), and that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation. The subject ID also finds that termination of Strip Lashed would not adversely impact the public interest.

No party filed a petition for review of the subject ID.

The Commission has determined not to review, and thereby adopts, the subject ID. Accordingly, this investigation is terminated with respect to Strip Lashed and a consent order is issued to Strip Lashed.

The Commission vote for this determination took place on October 8, 2024.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: October 8, 2024