

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

**In the Matter of**

**CERTAIN WOMEN’S FLATS WITH  
COLORED OUTSOLES THEREOF**

**Investigation No. 337-TA-1428**

**NOTICE OF REQUEST FOR ADDITIONAL WRITTEN SUBMISSIONS REGARDING  
THE EXPIRATION DATES OF THE ASSERTED PATENTS**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined that the parties are requested to provide a written submission as to the basis for the expiration dates for U.S. Patent Nos. D681,928 (“the D’928 patent”), D844,951 (“the D’951 patent”), D681,927 (“the D’927 patent”), D686,812 (“the D’812 patent”), D688,853 (“the D’853 patent”), D844,950 (“the D’950 patent”), D781,032 (“the D’032 patent”), and D781,035 (“the D’035 patent”) (the “Asserted Patents”).

**FOR FURTHER INFORMATION CONTACT:** Jonathan D. Link, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3103. 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](mailto: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:** The Commission instituted this investigation on December 18, 2024, based on a complaint filed by Gavrieli Brands LLC (“Complainant”) of Culver City, California. 89 FR 102951-53 (Dec. 18, 2024). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain women’s flats with colored outsoles thereof by reason of infringement of the claim of one or more of the Asserted Patents. *Id.* The complaint also alleges violations of section 337 based upon the importation into the United States, or in the sale

within the United States after importation of certain women's flats with colored outsoles thereof by reason of trade dress infringement, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* at 102952. The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents Kijera's OneDrop LLC d/b/a "OneDrop Clothing" ("OneDrop") of New York, New York; CrazeFashionShoes, of Philippines; Pierjeda Information Technology Co., Ltd. d/b/a "Piergitar" ("Piergitar"), and Guangzhou Shun Cheng Trading Co., Ltd. d/b/a "koshio\_luxury\_shoes" of Guangzhou, China; Zhangpu County Shengze Trading Company d/b/a "Trend is awesome" of Zhangshou City, China; Kunming Ouxiang Trading Co., Ltd. d/b/a "funny\_store 23" of Kunming City, China; Huihui Bianan d/b/a "The Other Side of HuiHui" of Beijing, China; Bingxin Qingfeng d/b/a "Leather women's shoes clearance sale" ("Bingxin Qingfeng") of Zhongshan City, China; Baiqiuju1983 d/b/a "Singing barefoot in the trees," tb249835650 d/b/a "If I am sincere, I will be free" ("tb249835650"), Yuyoufang Foreign Trade Store d/b/a "Ten Mile Chunfeng Store BBC20199," and Xu Wengping 123 d/b/a "Cinderella Fashion House 888" of Zhongshan City, China; and Ynwll d/b/a "Xiao Chenchen's foreign trade shoes" of Huilongguan, China (collectively, "Respondents"). *Id.* The Office of Unfair Import Investigations ("OUII") is also a party to this investigation. *Id.*

On May 5, 2025, the ALJ issued an order (Order No. 7) granting Complainant's motion for an order to show cause and entry of default and directing the Respondents to show cause why they should not be found in default, no later than May 12, 2025. Order No. 7 at 3. The ALJ found that Respondent OneDrop was served with a copy of the notice of investigation, the complaint, and all public exhibits and appendices to the complaint by express delivery (Federal Express) on March 4, 2025; all other Respondents were served with these documents by hand delivery no later than March 25, 2025. *Id.* at 2. The ALJ found that the latest date any of the Respondents would have been required to respond to the complaint and notice of investigation was April 14, 2025, but as of the date of the order to show cause, *i.e.*, May 5, 2025, no Respondent had filed such a response or otherwise participated in the investigation. *Id.* at 3. The ALJ thus directed the Respondents to show cause, no later than May 12, 2025, as to why they should not be held in default. *Id.* No response to the show cause order was filed.

On May 13, 2025, the ALJ issued Order No. 8 finding all of the Respondents in default after they failed to respond to the order to show cause. On June 3, 2025, the Commission determined not to review Order No. 8, thereby finding all Respondents in default. *See* Order No. 8 (May 13, 2025), *unreviewed by* Comm'n Notice (Jun. 3, 2025).

On July 23, 2025, the ALJ issued Order No. 10, granting Complainant's motion for summary determination of violation of section 337. Specifically, the ID found a violation of section 337 by Piergitar, Bingxin Qingfeng, and tb249835650 based on the importation of products infringing the claims of the D'928, D'951, D'927, D'812, and D'853 patents. Order No. 10 at 14-31. The ID also found that the domestic industry requirement is satisfied and the evidence supporting its violation findings to be substantial, reliable, and probative. *Id.* at 31-38. No party disputed the validity of the Asserted Patents and thus, they are presumed valid. The ALJ recommended a GEO based on the claims of the D'928, D'951, D'927, D'812, and D'853

patents under section 337(g)(2), as well as a bond of one hundred percent (100%) of the entered value of the infringing articles imported during the period of Presidential review. *Id.* at 38-42.

On September 8, 2025, the Commission determined to review the subject ID's findings regarding the economic prong of the domestic industry and affirm the remainder of the ID. 90 FR 43629 (Sept. 10, 2025). The Commission also requested submissions on remedy, the public interest, and bonding. *Id.*

On September 22, 2025, Complainant and OUII filed written submissions on remedy, the public interest, and bonding. On September 29, 2025, Complainant and OUII each filed a reply submission. No other submissions were filed.

Having reviewed the record of the investigation, including the recommended determination and the parties' submissions, the Commission requests a response to the following question. The parties are requested to brief their positions with reference to the applicable law and the existing evidentiary record.

- (1) What is the basis for the calculations of the expiration dates of the Asserted Patents, and in particular the D'950, D'032, and D'035 patents. Please make sure to address any Terminal Disclaimers filed during the prosecution of the Asserted Patents.

The parties are invited to brief only the discrete issues requested above. The parties are not to brief other issues, which are adequately presented in the parties' existing filings.

**WRITTEN SUBMISSIONS:** The parties to the investigation are requested to file written submissions on the issues identified in this notice. Complainant is requested to file a written submission no later than the close of business on **April 23, 2026**. OUII may file a responsive submission no later than the close of business on **April 30, 2026**. All submissions from the parties are limited to **5** pages.

Parties filing written submissions must file the original document electronically on or before the deadlines stated above pursuant to 19 CFR 210.4(f). Submissions should refer to the investigation number (Inv. No. 337-TA-1428) in a prominent place on the cover page and/or the first page. (*See Handbook for Electronic Filing Procedures, [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf)*). Parties with questions regarding filing should contact the Secretary, (202) 205-2000.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment by marking each document with a header indicating that the document contains confidential information. This marking will be deemed to satisfy the request procedure set forth in Rules 201.6(b) and 210.5(e)(2) (19 CFR 201.6(b) & 210.5(e)(2)). Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. Any non-party wishing to submit comments containing confidential information must serve those comments on the parties to the investigation pursuant to the applicable Administrative

Protective Order. A redacted non-confidential version of the document must also be filed with the Commission and served on any parties to the investigation within two business days of any confidential filing. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

The Commission vote for this determination took place on April 16, 2025.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, loopy oval flourish.

Lisa R. Barton  
Secretary to the Commission

Issued: April 16, 2026