

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 THE COMMISSION’S FINAL DETERMINATION FINDING A
VIOLATION OF SECTION 337; ISSUANCE OF A GENERAL EXCLUSION ORDER
AND A LIMITED EXCLUSION ORDER; TERMINATION OF THE INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined that a violation under section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337) has occurred. The Commission has further determined to issue a general exclusion order (“GEO”) and a limited exclusion order (“LEO”) and set the bond at one hundred percent (100%) of the entered value of the covered articles during the period of Presidential review. The investigation is terminated.

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. 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 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”) (collectively, 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 (“Craze”), 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” (“Guangzhou Shun Cheng”) of Guangzhou, China; Zhangpu County Shengze Trading Company d/b/a “Trend is awesome” (“Shengze Trading Company”) 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” (“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” (“Baiqiuju1983”), 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” (“Yuyoufang”) and Xu Wengping 123 d/b/a “Cinderella Fashion House 888” (“Xu Wengping”) of Zhongshan City, China; and Ynwll d/b/a “Xiao Chenchen’s foreign trade shoes” (“Ynwll”) of Huilonguan, 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 responses to the show cause order were filed.

On May 13, 2025, the ALJ issued Order No. 8 finding all 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 as to those five patents 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. The ALJ did not address Complainant’s request for an LEO under section 337(g)(1) against Respondents’ infringing articles, noting that “[u]nder Commission rules, the complaint’s assertions surrounding these acts are assumed to be true, and limited exclusion orders must issue.” *Id.* at 13-14. The ID also terminated the investigation before the ALJ. *Id.* at 42. No party filed a petition for review of the subject ID.

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 43629-630 (Sept. 10, 2025). The Commission also sought briefing 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. No other submissions were filed.

On April 16, 2026, the Commission requested the parties to submit additional briefing directed to the expiration dates of the Asserted Patents. Comm’n Notice (Apr. 16, 2026). Complainant filed a reply on April 23, 2026.

Having reviewed the record of the investigation, including the RD and the parties’ submissions, and as more fully explained in the Opinion, the Commission has determined that Complainant has met the economic prong of the domestic industry requirement as to the D’928, D’951, D’927, D’812, and D’853 patents, and therefore a violation under section 337 has occurred. Specifically, the Commission finds that the Complainant has established that the economic prong of domestic industry section 337(a)(3)(B) and takes no position as to whether the economic prong has been established under subsection (A).

The Commission has determined to issue (1) a GEO prohibiting the importation of products that infringe the claims of the D’928, D’951, D’927, D’812, or D’853 patents; and (2) an LEO prohibiting entry of products that infringe (i) the claims of the D’950 or D’035 patents as to defaulting respondents OneDrop, Craze, Piergitar, Guangzhou Shun Cheng, Shengze Trading Company, Huihui, Bingxin Qingfeng, Baiqiuju1983, tb249835650, Yuyoufang, Xu Wengping, and Ynwll, (ii) the claim of the D’032 patent as to defaulting respondents OneDrop, Piergitar, Bingxin Qingfeng, tb249835650, and Yuyoufang, and (iii) the Asserted Trade Dress as to defaulting respondents OneDrop, Craze, Piergitar, Guangzhou Shun Cheng, Shengze Trading Company, Huihui, Bingxin Qingfeng, Baiqiuju1983, tb249835650, Yuyoufang, Xu Wengping, and Ynwll.

The Commission has further determined that the public interest factors enumerated in subsections (d)(1) and (g)(1) (19 U.S.C. 1337(d)(1), (g)(1)) do not preclude issuance of the above referenced remedial orders. Additionally, the Commission has determined to impose a bond of one hundred percent (100%) of entered value of the covered products during the period of Presidential review. 19 U.S.C. 1337(j). The investigation is terminated.

The Commission vote for this determination took place on June 3, 2026.

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 in a thin black rectangular border.

Lisa R. Barton
Secretary to the Commission

Issued: June 3, 2026