



INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1436]

Certain Shapewear Garments; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on December 31, 2024, under section 337 of the Tariff Act of 1930, as amended, on behalf of Spanx, LLC of Atlanta, Georgia. A supplement to the complaint was filed on January 22, 2025. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain shapewear garments by reason of the infringement of certain claims of U.S. Patent No. 9,179,713 (“the ’713 patent”); U.S. Patent No. 9,930,916 (“the ’916 patent”); U.S. Patent No. 10,455,866 (“the ’866 patent”); U.S. Patent No. D707,920 (“the ’920 patent”); U.S. Patent No. D796,780 (“the ’780 patent”); and U.S. Patent No. D796,784 (“the ’784 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a general exclusion order, or in the alternative a limited exclusion order, and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2025).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on January 31, 2025, ORDERED THAT –

- (1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1-20 of the '713 patent; claims 1-4 of the '916 patent; claims 1-11 of the '866 patent; the claim of the '920 patent; the claim of the '780 patent; and the claim of the '784 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “patterned shapewear garments, such as briefs, shorts, thongs, bodysuits, camisoles, tanks, and panties”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

- (a) The complainant is:

Spanx, LLC
3035 Peachtree Rd NE, STE 200
Atlanta, GA 30305

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Honeylove Sculptwear, Inc.
360 East 2nd Street, Suite 703
Los Angeles, CA 90012

Guangzhoushi Chiping Dianzi Maoyi
Co. Ltd.
Room 310-9 No.7 Building No.3
Xintang Ave., Tianhe District
Guangzhou, GD 510000, China

Daerwene Inc.
4440 Arapahoe Ave Ste 215
Boulder, CO 80303
Guangzhoushi Cedong Shangmao
Youxiangongsi
Dongping Dongkeng Street, Baiyun
District
Guangzhou, GD 510000, China

Bingrong Co., Ltd.
Shenzhen Shi Fu Tianqu Huaqiangbei

Jiedao Huahangshe Quhuaqiang Bei Lu

1005 1007 1015 Haohuaqiang Dianzi

Shijie 3 Haolou 2 Ceng

32C073

Shenzhen Shi, GD 518000, China

Dolce Vita Intimates LLC

1000 First Street

Harrison, New Jersey 07029

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination

containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: January 31, 2025.

Lisa Barton,

Secretary to the Commission.

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