

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

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<i>In the Matter of</i>)	FILE NO. 0823194
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SAMI DESIGNS, LLC, also doing business as JONÄNO, a limited liability company, and)	AGREEMENT CONTAINING CONSENT ORDER
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)	
BONNIE SIEFERS, individually and as owner of the limited liability company.)	
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The Federal Trade Commission has conducted an investigation of certain acts and practices of Sami Designs, LLC, also doing business as Jonäno, a limited liability company (“Jonäno”), and Bonnie Siefers, individually and as owner of the limited liability company (“proposed respondents”). Proposed respondents, having been represented by counsel, are willing to enter into an agreement containing a consent order resolving the allegations contained in the attached draft complaint. Therefore,

IT IS HEREBY AGREED by and between Sami Designs, LLC, also doing business as Jonäno, by its duly authorized owner, and Bonnie Siefers, individually and as owner of the limited liability company, and counsel for the Federal Trade Commission that:

- 1.a. Proposed respondent Sami Designs, LLC, also doing business as Jonäno (“Jonäno”), is a Pennsylvania limited liability company with its principal office or place of business at 2582 Wexford Run Road, Wexford, Pennsylvania 15090.
- 1.b. Proposed respondent Bonnie Siefers is the owner of Jonäno. Individually or in concert with others, she formulates, directs, or controls the policies, acts, or practices of the limited liability company. Her principal office or place of business is the same as that of Jonäno.
2. Proposed respondents admit all the jurisdictional facts set forth in the draft complaint.
3. Proposed re

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ORDER

DEFINITIONS

For purposes of this order, the following definitions shall apply:

1. “Commerce” shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.
2. “Competent and reliable scientific evidence” shall mean tests, analyses, research, studies, or other evidence based on the expertise of professionals in the relevant area, that has been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.
3. “Covered product” shall mean any or all of the following: (1) any article of wearing apparel, costume or accessory, drapery, floor covering, furnishing, bedding, or other textile good of a type customarily used in a household, regardless of where used in fact, that is made, in whole or in part, of yarn or fabric; or (2) any fiber, yarn or fabric, whether in the finished or unfinished state, used or intended for use in any such textile good.
4. “Fiber trademark” shall mean a word or words used to identify a particular fiber sold by a person and to distinguish it from fibers of the same generic class sold by others, as defined in 16 C.F.R. § 303.1(r).
5. “Generic name of any manufactured fiber” shall mean any name for a textile fiber established and defined by the Commission pursuant to Section 70e(c) of the Textile Fiber Products Identification Act, as set forth in 16 C.F.R. § 303.7.
6. “Manufactured fiber” shall mean any fiber derived by a process of manufacture from any substance which, at any point in the manufacturing process, is not a fiber, as defined in 15 U.S.C. § 70(d).
7. “Required information” shall mean such information as is required to be disclosed on labels or invoices and in advertising under the Textile Fiber Products Identification Act, 15 U.S.C. § 70 *et seq.*, and under the Rules and Regulations promulgated thereunder, 16 C.F.R. Part 303, as defined in 16 C.F.R. § 303.1(e).
8. Unless otherwise specified, “respondents” shall mean Sami Designs, LLC, also doing business as Jonäno, a limited liability company, its successors and assigns and its officers or members; Bonnie Siefers, individually and as owner of the limited liability company; and each of the above’s agents, representatives, and employees.

I.

IT IS ORDERED that respondents, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any covered product in or affecting commerce, shall not make any representation, in any manne

promulgated thereunder, 16 C.F.R. Part 303 (“Textile Rules”), copies of which are attached hereto as “Appendix A,” or of the Textile Act or Textile Rules as they may hereafter be amended, including but not limited to:

- A. Selling, offering for sale, or advertising in commerce any covered product that is falsely or deceptively stamped, tagged, labeled, invoiced, advertised, or otherwise identified as to the name or amount of constituent fibers contained therein, 15 U.S.C. §§ 70a, 70b;
- B. Selling, offering for sale, or advertising in commerce any covered product that does not have a stamp, tag, label, or other means of identification on or affixed to the inside center of the neck midway between the shoulder seams or, if such product does not contain a neck, in the most conspicuous plac

composed wholly or in part of a particular fiber, when such is not the case,

16 C.F.R. §§ 303.17(d) and 303.41(d);

- F. Failing to ensure that any non-required information or representations used on the label of or in the advertising for any cover

1. constitute or imply the name or designation of a fiber;
2. are phonetically similar to the name or designation of a fiber; or
3. are only a slight variation of spelling from the name or designation of a fiber

are not used in such a manner as to represent a fiber

VI.

IT IS FURTHER ORDERED that respondent Sami Designs, LLC, also doing business as Jonäno, and its successors and assigns, and respondent Bonnie Siefers shall notify the Commission at least thirty (30) days prior to any change with regard to Sami Designs, LLC, also doing business as Jonäno, or any business entity that any respondent directly or indirectly controls, or has an ownership interest in, that may affect compliance obligations arising under this order, including but not limited to formation of a new business entity; a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor entity; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this order; the proposed filing of a bankruptcy petition; or a change in the business or corporate name or address. Provided, however, that, with respect to any proposed change about which respondents learn less than thirty (30) days prior to the date such action is to take place, respondents shall notify the Commission as soon as is practicable after obtaining such knowledge. All notices required by this Part shall be sent by certified mail to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

VII.

IT IS FURTHER ORDERED that respondent Bonnie Siefers, for a period of five (5) years after the date of issuance of this order, shall notify the Commission of the discontinuance of her current business or employment, or of her affiliation with any new business or employment. The notice shall include the respondent's new business address and telephone number and a description of the nature of the business or employment and her duties and responsibilities. All notices required by this Part shall be sent by certified mail to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

VIII.

IT IS FURTHER ORDERED that respondent Sami Designs, LLC, also doing business as Jonäno, and its successors and assigns, and respondent Bonnie Siefers shall, within sixty (60) days after the date of service of this order, file with the Commission a true and accurate report, in writing, setting forth in detail the manner and form in which they have complied with this order. Within ten (10) days of receipt of written notice from a representative of the Commission, respondents each shall submit additional true and accurate written reports.

IX.

This order will terminate twenty (20) years from the date of its issuance, or twenty (20) years from the most recent date that the United States or the Federal Trade Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; provided, however, that the filing of such a complaint will not affect the duration of:

- A. Any Part in this order that terminates in less than twenty (20) years;
- B. This order's application to any respondent that is not named as a respondent in such complaint; and
- C. This order if such complaint is filed after the order has terminated pursuant to this Part.

Provided, further, that if such complaint is dismissed or a federal court rules that the respondents did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this Part as though the complaint had never been filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

Signed this _____ day of _____, 2009

SAMI DESIGNS, LLC also doing business as
JONÄNO

By: _____

BONNIE SIEFERS, individually and
as owner of Sami Designs, LLC also doing business
as Jonäno

RICHARD A. O'HALLORAN
Burns, White & Hickton

Attorney for Respondents

MELINDA A. CLAYBAUGH
KORIN K. EWING
Counsel for the Federal Trade Commission

APPROVED:

JAMES A. KOHM
Associate Director
Division of Enforcement

DAVID VLADECK
Director
Bureau of Consumer Protection