
Skechers store's fictitious pricing practices

Phil Paccione [REDACTED]
To: Laura Smith <lsmith@truthinadvertising.org>

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Without Admission or Prejudice

Laura

Thank you. We will deal directly with Connecticut if they contact us. While we appreciate the offer, TINA is an advocate and has formed an opinion. I would be remiss in my responsibilities if I filtered our response through TINA.

In sum, for your own edification, we do not believe we are engaging in false and deceptive advertising. While our review of the matter continues, TINA should note:

First, other than the "Skechers Sale" tag hanging on the sample styles we did not describe the prices anywhere and we did not engage in comparison advertising;

Second, assuming, arguendo, that the consumer both notices the two prices on the tiny box sticker and drew the impression that TINA presumes as the basis for its conclusions, the consumer was not misled into believing the sale was a bargain. The store at issue is an outlet store in an outlet mall where consumers ordinarily understand that products are being sold at a discount (i.e., bargain prices) FROM (1) the price originally charged in full price retail stores when the brand introduced the product into the market (i.e., the higher price on the sticker) and/or (2) the price at which the product is being sold in other Skechers and third party channels simultaneously with the outlet sale, both cornerstones of the outlet business model and;

Third, our current information indicates that both (1) and (2) were true in all four of the styles TINA sampled.

We are an international brand with multiple domestic channels including various retail formats, an e-commerce portal and multiple third party retail customers. To isolate one outlet store divorced from the full retail picture and assume as the basis for your argument is that customers look at the tiny sticker and form a belief that the product was sold in THAT store at one time at the higher price turns the logic and consumer impressions of branded outlets on its head.

Thank you for being responsive. In the future I hope you would contact us and let us provide you with information before you file a complaint. While you may disagree with our conclusions, the information is highly relevant and pertinent.

This investigation continues and nothing contained herein shall be deemed an admission, limitation or waiver of any facts, rights, remedies and/or defenses of Skechers.

Very Truly yours

Philip Paccione
General Counsel
Skechers USA, Inc.