

FTC/Skechers Settlement Facebook Q&A Transcript

The following is a transcript of the FTC's official Q and A with Larissa Bungo answering questions from the public about the FTC's settlement with Skechers on May 16, 2012 (and a little beyond).

We've listed the comments directed to the FTC and answers in order for ease of reading. This information, without names redacted & in the actual order posts came in, remains public on the [FTC's Facebook page](#).

Comment 1: [REDACTED] No question just yet... just an "AMEN" to the FTC. Now THIS is our tax dollar at work. Great job... keep up the good work! :-)

FTC Response: Thank you very much, Shannon! If you think of any questions, please ask away!

Comment 2: [REDACTED] I own a small fitness company and struggle daily with prospective customers who have been convinced "goods/services" like this are "the answer." Having the FTC out there helping in the battle of obesity helps TONS.

FTC Response: Feel free to tell your customers about our consumer ed on fitness products, "How's That Work-Out Working Out? Tips on Buying Fitness Gear", <http://www.ftc.gov/bcp/edu/pubs/consumer/alerts/alt113.pdf>

Comment 3: [REDACTED] Hello what happens if I purchased 2 pairs of shapeups 2 years ago and I don't have the receipts? Thanks.

FTC Response: [REDACTED] thanks for your question. Go to our website, www.ftc.gov/skechers, and you can still file a claim. It's preferable to have a receipt, but you may still be able to get a refund. Check out the site for more info.

Comment 4: [REDACTED] OK... here's a "in the trenches" question: is there an easy way (that's useful to you guys) for those of us out here in the field to raise a flag to you guys on stuff we are seeing/hearing?

FTC Response: [REDACTED] the best way to get us information about stuff you're seeing is to file a complaint at www.ftc.gov/complaint.

Comment 5: [REDACTED] I have seen some of these commercials. It seems fairly intuitive that the point of those commercials was to buy a pair of shoes and use them - as in go out and walk/run. I am a bit surprised that this claim resulted in this type of fine. I am not opposing what the FTC does - I am a big proponent for your guys. I do workshops on consumer issues and use your materials intermittently. I am just curious how this ruling came to be. Maybe there was more to it than I know...

FTC Response: Hi [REDACTED] this case is about specific promises that Skechers made about what their toning shoes can do, and whether they had the right kind of support for those claims. We also

want people to understand that the money is not a fine, but is going to reimburse consumers who file claims with us. As to your question, we investigated Skechers' claims, like we do with all sorts of advertisers, and were eventually able to reach a settlement.

Comment 6: ██████████ Skechers is the market leader in toning shoes. In 2010 the industry made \$1 billion. Skechers is only paying the FTC \$40 million for 4 years of sales – where's the deterrent?

(Followup question, same user): Also, is there any explanation for how the FTC arrived at \$4 billion as a fair amount for Skechers to pay? Thanks.

FTC Response: Hello, ██████████ -- actually, \$40 million will provide significant refunds to consumers. Our settlement also governs claims that Skechers may make about its toning shoes moving forward.

FTC Response: Hi everyone, thanks so much for your participation this afternoon. Remember, if you think you're eligible for a refund, please visit our site for more information: www.ftc.gov/skechers.

Follow-up Qs/Comments in the Comment Thread

Although FTC Cleveland staff was unable to continue to answer questions live, they assisted OPA with the additional questions that came in after the chat ended over the next week. Those comments and answers are posted here:

Comment 7: ██████████ I purchased 10 pair of shape ups from the Skechers outlet store. I purchased my first pair at Costco. When I saw no difference with the first pair I went to the Outlet store in Tulare, CA. The clerk told me that the shoes I bought were at the lowest level of benefit and sold me two pairs that I could wear daily to work, etc, and another to wear for more extensive calorie burning. I also bought two pair of tone ups sandals for summer wear and a pair that I could wear to work with a uniform. Also a pair for my husband, son and father. Sadly, none of us saw improvements. I spent several hundred dollars all told on these things. Boy do I feel like a dope.

(Second post, same user): Whether I get any refund or not, I am happy to know that someone is making these folks be honest in their advertising. I would never have even gone to a skecher store were it not for their claims.

FTC Response: Hi ██████████ - Please indicate all this information when you file your claim. If you have your receipts, that's very helpful because you may be contacted later as there were multiple purchases.

Comment 8: ██████████ Thanks ██████████ and thanks FTC for the feedback! Wish you guys had more of these live chats!

FTC Response: [REDACTED] - This was our second live chat on Facebook and we're glad you enjoyed it! We've hosted multiple chats on Twitter (<http://ftc.gov/opa/socialmedia/twitter.shtm>) and will continue to do more of these here in the future. You can find info on future Facebook chats here: <http://ftc.gov/opa/socialmedia/facebook.shtm>. Thanks!

Comment 9: [REDACTED] Thank you for going after Sketchers. How do you file for a refund? I just went to your website and the "Apply for a refund on-line" does not appear to be working. Thanks....

FTC Response: [REDACTED] System may be slow as many people are applying for the refund. However, you will have a significant amount of time to apply, if you can't get through today.

Comment 10: I think this whole issue is stupid!!! If you get these sneakers and walk "as intended" then YES you can loose weight etc. However, I did not buy them for this purpose! I suffer from ostio arthritis and these sneakers have done wonders in cushioning the impact of my bones while walking. I can walk the mall and shop again. No, I did not lose weight and am one of the fat ("unhealthy people" wearing those shoes per Shannon Sorrels opinion) I did not buy them for that purpose. Shannon should not jump on a band wagon and judge others without knowing them. That was just mean and rude!

Comment 11: [REDACTED] Inc. We need to hold companies accountable to what they promise. Glad your walking helped your health, as it should, but there was another company out there that could have also supplied you with a great shoe and a cheaper price. You were influenced by the claim. Another business was not supported. As to saying the issue is stupid, are you suggesting that you are smarter than the Federal Trade Commission. FTC is pretty big in my book. I think they've got your back.

Comment 12: [REDACTED] I see that Louisiana is not listed in one of the 43 states involved in the multi-state investigation. If I bought Shape-ups in Alabama but now live in Louisiana (I have receipt & box with label/UPC), do I qualify for a refund?

FTC Response: [REDACTED] Anyone who has purchased the shoes in the US can file for the refund!

Comment 13: [REDACTED] Ok. I see it but the system is running slow so I'll try again tomorrow. How long do we have to apply?

FTC Response: End-date is not set yet, but should be at least several months.

Comment 14: [REDACTED] Links are not working, phone line is buys! I bought 3 pairs - 2 shape ups and 1 tone ups.

Comment 15: [REDACTED] How long will refunds take?

Comment 16: [REDACTED] I cannot get this site to work for the refund...what is the deadline? My sister tried too and cannot get it to work (we live in different states). We both bought the shoes in August 2010 and don't have receipts. What is the procedure for no receipts?

Comment 17: [REDACTED] How do we sign up?? I have 3 pairs and 2 original boxes w/ cd's???

Comment 18: [REDACTED] Will photographs of shoes work in lieu of purchase receipt?

Comment 19: [REDACTED] I love my shoes. I have still toe skechers for work. It helps my feet and it help my legs.

Comment 20: [REDACTED] How do I put my claim in?

Comment 21: [REDACTED] Skechers isn't the only company making these toning shoes. My wife purchased similar shoes made with the Champion label at Payless Shoes. Since the crux of the argument was that Skechers misrepresented health claims, shouldn't shoes made by other companies in good faith be eligible for claims under a derivative basis? Or does this open a whole new can of worms, subjecting other companies to the same lawsuits?

I think that before it's too late, a petition needs to be made attaching other brands to this lawsuit, amending the settlement accordingly, before it gets too expensive.

Comment 21: [REDACTED] How do I make a claim ?

Comment 22: [REDACTED] I'll add to the list of people complaining about a broken link to the refund. This is ridiculous.

Comment 23: [REDACTED] Not working at all. Can we return them at the skechers store?

Comment 24: [REDACTED] I'm with you [REDACTED]! I've bought a pair made by Avon for Curves and my husband bought an entirely different brand that cost \$250. I think they've all made similar claims as to what they supposedly do for weight and toning. It should be a class action law suit against them all.

Comment 25: [REDACTED] The link for the refund is not working at all! Please fix it! Says Internet Explorer cannot display the page.

Comment 26: [REDACTED] Hi I bought 2 pairs one on 2010 and the others recently for the 2010 I have no receipt that will be a problem?

Comment 27: [REDACTED] How do I get a refund or money back

Comment 28: [REDACTED] I keep trying to ge on website but it just times me out, any advice?

Comment 29: [REDACTED] I bought a pair a couple of years ago, but do not have the receipt, will a picture of the shoe work? I still have them, but do not wear them anymore because a few months after I bought them the damn things fell apart! I spent over \$80 on the Shape-up work shoes and they didn't even last a year!

Comment 30: [REDACTED] For "SKETCHERS" - I have receipts for \$5 Different pairs of "Shape Ups" I have bought!? What do I need to do to get my reimbursement? Please! Let me know and when I should expect payment of my refund for all my Shape Ups! I can present all my receipts still. Thank YOU!

FTC Response: Federal Trade Commission Hi everyone. Claims can filed online (might take some time to load) at: www.ftc.gov/skechers. Or you can email: skechers@bmcgroupfederal.com. Also, questions can be directed about claims over the phone at: 866-325-4186.

Comment 31: [REDACTED] I have 3 pairs..2 that are the shape ups for sure, and one that is a pair of sandals..I'm not sure if it's shape ups (it has the same shape as the shape ups). Can you explain or show pictures of what the podded sole shoe is the non podded sole shoe is? The link does not explain the difference.

FTC Response: Hi [REDACTED] - The shoes are Shape-ups, Resistance Runner, Toners and Tone-up shoes. You can also call the claims hotline if you have additional questions: 866-325-4186