

**Testimony before the Subcommittee on Intellectual Property of the Senate
Committee on the Judiciary**

“Foreign Threats to American Innovation and Economic Leadership”

Bradford Muller

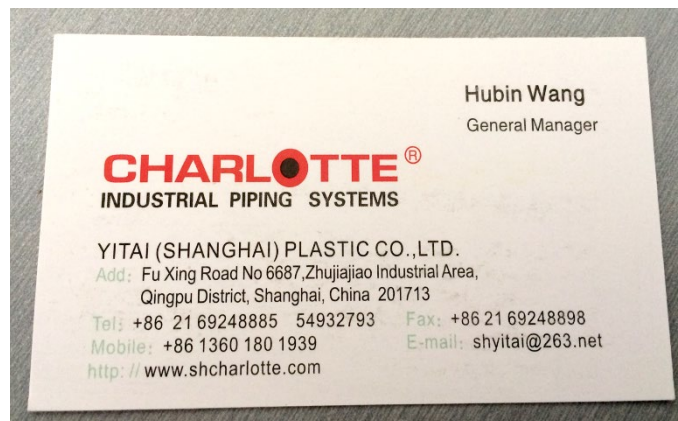
May 14, 2025

Chairman Tillis, Ranking Member Schiff and other members of the Committee, thank you for inviting me to testify today.

Charlotte Pipe and Foundry is the nation’s leading maker of cast iron and plastic pipe and fittings for plumbing systems. A fifth-generation family business, Charlotte Pipe has been in continuous operation in the United States for 124 years.

We employ about 1,800 associates in eight plants around the country – including plants in North Carolina, Florida, Alabama and Utah. Through our wholly owned subsidiary Neenah Foundry we employ another 1,000 associates working in three foundries – including one in Florida – making manhole covers and rings, tree grates and other street castings.

In 2017, Charlotte Pipe and Foundry discovered, only by accident, that a company called YITAI (SHANGHAI) PLASTIC CO., LTD. had been producing, marketing and selling plastic pipe and fittings for sale in China and several Asian countries under the Charlotte Pipe name for years.



A business card used by a Chinese executive with the stolen Charlotte logo.

Unbeknownst to us, Yitai Plastics had registered the Charlotte Pipe name, brand and logo in China in 2010. Yitai is “in the business of manufacturing and supplying goods such as plastic valves, fittings, and industrial piping systems for both domestic and international markets,” according to their trademark filings.


Charlotte Pipe has spent hundreds of thousands of dollars to retain a law firm in China to attempt to recover our intellectual property. As you might expect, our experience in enforcing our IP rights in China has been unsuccessful.

In a 2018 ruling, the Trademark Review and Adjudication Board in Beijing sustained the registration of the disputed “CHARLOTTE” trademarks (No 64568865 and No 64568864).

In issuing its ruling, the Board claimed the evidence we submitted was “insufficient to prove the use of the disputed trademarks would create confusion among consumers.” However, you can see how our logo prominently displayed on the side of a building in Shanghai would lead any reasonable person with the strong impression that Charlotte Pipe is operating in China.



A billboard in Shanghai

Generated on:	This page was generated by TSDR on 2025-05-09 10:50:17 EDT		
Mark:	CHARLOTTE PIPE AND FOUNDRY COMPANY		
US Serial Number:	88233183	Application Filing Date:	Dec. 18, 2018
US Registration Number:	5980825	Registration Date:	Feb. 11, 2020
Filed as TEAS RF:	Yes	Currently TEAS RF:	Yes
Register:	Principal		
Mark Type:	Trademark		
TM5 Common Status Descriptor:	 LIVE/REGISTRATION/Issued and Active The trademark application has been registered with the Office.		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Feb. 11, 2020		
Publication Date:	Nov. 26, 2019		

Charlotte Pipe’s U.S. registration of the “stylized” color logo

To the surprise of no one, the Beijing Intellectual Property Court also ruled in Yitai's favor. We have filed an appeal to the Beijing High People's Court and our local Chinese counsel attended a pre-trial meeting on January 11, 2023.

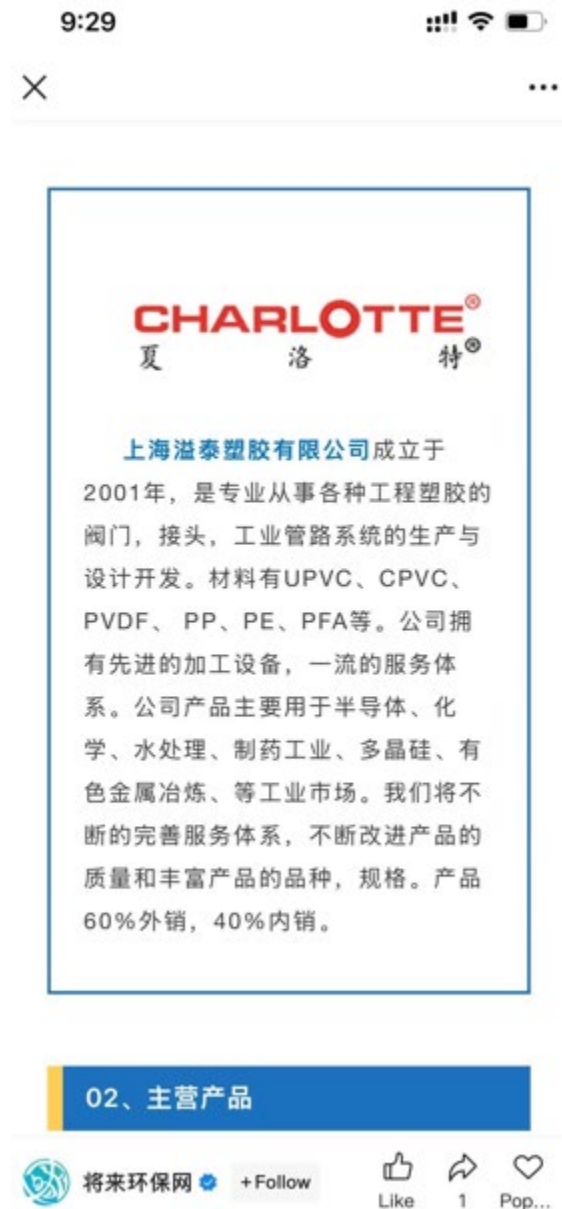
After the hearing, the judge informed the parties that the cases were "complicated and needed to be discussed again by the collegiate bench of judges." We are still waiting for the results of those conversations. In other words, the case has gone cold.



Stolen Charlotte brand on Yitai's manufacturing plant in China

This is not theft of tech or trade secrets, but something as public as one of the strongest and most recognizable brands in the plumbing industry that has been in use around the world for generations. Charlotte Pipe owns and has been operating under the name for almost 125 years. The logo on the business card and billboard was created in the 1960s.

Our Chinese counsel confirms Yitai is still operating and using our brand. The ad screen shot below was taken off Baidu, a Chinese search engine, just last week.



We also challenged the illegal use of our intellectual property in Singapore. According to Yitai’s application to trademark Charlotte Pipe’s brand identity – a mark it does not own nor is licensed to use – the company started selling goods marked Charlotte Pipe and Foundry in Singapore in January 2011 (“the First Use Date”).



Boxes in a warehouse marked with stolen Charlotte brand

On October 7, 2015, Yitai filed to register our mark in Singapore (International Registration No. 1292448).

On February 9, 2016, Charlotte Pipe filed to register our trademark in Singapore to block Yitai from claiming our intellectual property.

On October 6, 2017, Yitai’s International Registration was accepted by the Intellectual Property Office of Singapore, ruling that because we filed after Yitai’s October 2015 application, it does not constitute an “earlier trademark” as legitimate grounds for opposition.

The Intellectual Property Office also ruled that “the Applicant’s (Yitai’s) Mark is not identical with or similar to the Opponent’s Mark (Charlotte Pipe)” and that “the use of the Applicant’s Mark in relation to goods would not indicate a confusing connection between those goods and the Opponent and that the marks in question are dissimilar visually and conceptually.” They also claimed, “there is no actionable misrepresentation.”

The marks in question below are identical – the furthest from “dissimilar visually and conceptually” as you can get – an intentional, “actionable misrepresentation” in our view.

WIPO MADRID		Active		
1292448- CHARLOTTE		Printed: 2025-05-09 11:31 (v12.15322)		

Trademark	Holder	Registration Date	Expiration Date	Nice classes
CHARLOTTE	YITAI (SHANGHAI) PLASTIC CO., LTD.	07.10.2015	07.10.2025	17, 19, 20

Summary

540 Mark


CHARLOTTE

151 Date of the registration
07.10.2015

180 Expected expiration date of the registration/renewal
07.10.2025

732 Name and address of the holder of the registration
YITAI (SHANGHAI) PLASTIC CO., LTD.
No.257 Qingfeng Village,
Zhujiajiao Town,
Qingpu District
Shanghai (CN)

The “stylized” Charlotte mark (International Registration - South Korea, Singapore and Vietnam)

Generated on:	This page was generated by TSDR on 2025-05-09 10:53:20 EDT		
Mark:	CHARLOTTE		
	CHARLOTTE		
US Serial Number:	88733952	Application Filing Date:	Dec. 19, 2019
US Registration Number:	6430966	Registration Date:	Jul. 27, 2021
Filed as TEAS RF:	Yes	Currently TEAS RF:	Yes
Register:	Principal		
Mark Type:	Trademark, Service Mark		
TM5 Common Status Descriptor:	 LIVE/REGISTRATION/Issued and Active The trademark application has been registered with the Office.		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Jul. 27, 2021		
Publication Date:	May 11, 2021		

Charlotte Pipe's U.S. registration of the "stylized" black and white Charlotte mark

The Intellectual Property Office further ruled that "the interests of the Opponent are not (or are not likely to be) damaged." However, the average annual revenue of Yitai's sales of goods bearing our trademark in Singapore was estimated to be around \$364,000 USD at the time, according to their trademark application.

These sales were likely won by misrepresenting the products as being from Charlotte Pipe – or sales Charlotte Pipe could have enjoyed via our distribution subsidiary in Singapore, Agru Technology Pte Ltd ("Agru Tech") if not for the subterfuge of trademark infringement.

Upon appeal, the Intellectual Property Office of Singapore has since overturned their original decision to grant Yitai a registration for our trademark, recognizing we clearly owned the mark. It should be noted, however, that Charlotte Pipe was never paid damages or legal fees from that case.

From our experience it is clear that China lacks the rule of law and the political will to hold Chinese companies accountable for blatant IP theft. According to The House Select Committee on the Chinese Communist Party, Chinese intellectual property theft is estimated to cost the U.S. taxpayer \$600 billion per year.

In March of 2018, President Donald Trump signed an executive memorandum that imposed retaliatory tariffs on up to \$60 billion in Chinese imports to penalize China for trade practices that involve stealing American intellectual property. But that has been insufficient to protect American companies like ours. More must be done to hold China accountable, in our opinion.

In January of 2019, I was featured in a Fox News national report exposing China's theft of our trademark, along with other unfair trade and business practices.



America Reports January 22, 2019 · 02:05 · CLIP

Trade war exposes China's business practices

Charlotte Pipe and Foundry in North Carolina accuses a state-subsidized Chinese competitor of stealing their 117-year-old name and trademark and dumping inferior products in world markets.

[Trade war exposes China's business practices | Fox News Video](#)

This year, USTR released its 301 Report on the adequacy and effectiveness of U.S. trading partners' protection and enforcement of intellectual property rights. China remains on USTR's Priority Watch List, indicating that serious problems continue to exist in that country with respect to IP protection, enforcement, or market access.

The report notes "with the slow pace of reform in China, serious concerns remain regarding long-standing issues like technology transfer, trade secrets, counterfeiting, online piracy, copyright law, patent and related policies, bad faith trademarks, and geographical indications. China has failed to implement or only partially implemented a number of its commitments on intellectual property under the United States-China Economic and Trade Agreement (Phase One Agreement), and the United States will continue to monitor closely China's implementation."

We are just one company making simple plumbing products – pipe and fittings. Yet we have been under attack by China for years – from stealing our brand to dumping inferior quality products to evading lawful anti-dumping and countervailing (AD/CVD) duties. This economic aggression has gone unpunished by the U.S. government.

For years we have battled unfairly traded imports of cast iron products. Heavily subsidized Chinese foundries operate below cost and “dump” their products in the U.S. far below fair market value.

Over the course of the last seven years, we have spent millions of dollars to avail ourselves of every legal remedy to stop dumping, illegal subsidies, transshipment and customs fraud from Chinese producers who aim to take our jobs.

We have filed and won AD/CVD cases with duties ranging from 41 to 494%.

To avoid paying these duties, Chinese producers transship their products through third countries, primarily Malaysia and Cambodia, where they are fraudulently labeled as originating from those nations.

We have filed more than a dozen Enforce and Protect Act – or EAPA – investigations. In each case Customs has found clear evasion of the AD/CVD duties. Despite Customs’ good faith efforts, they have been unable to stop the illegal trade flows that continue to harm our industry.

By our estimate, Customs has been unable to collect approximately \$51 million in duties owed on our products alone under the existing AD/CVD orders that date back to 2018, robbing the U.S. Treasury of much needed revenue.

Current penalties for such behavior are woefully inadequate. To put it bluntly, the AD/CVD and EAPA processes are broken and in desperate need of repair.

That’s why we applauded the “Liberation Day” duties announced by President Trump on April 2. If implemented, our expectation was that the duties on Cambodia (49%), Malaysia (24%) and Vietnam (46%) would have seriously curtailed, if not ended, illegal transshipment of cast iron pipe and fittings through these countries. We hope the President will reconsider his decision to postpone these retaliatory duties.

To address the rampant cheating, Subcommittee Chairman Tillis last year introduced the Fighting Trade Cheats Act to strengthen enforcement against this form of trade fraud. Short of the provisions in this bicameral, bipartisan bill to fight trade crime, industries will no longer undertake AD/CVD cases. The costs to file and win these cases are exceedingly high and the promise of relief has become non-existent in the face of lax trade enforcement.

I’d like to thank Chairman Tillis, Ranking Member Schiff and the Committee again for investigating these threats to American economic and national security, and for allowing me to testify before you today.