

Skechers Toning Shoe Customers To Get Refund

Written by Lucky
Friday, 18 May 2012 20:16

People who bought Skechers toning shoes may not get the great legs and abdominal muscles that the advertisements promised – but now at least they may get some money back by visiting Skecher's settlement website ([CLICK HERE](#)) to see if they are eligible for a refund.

From NY-Times:

Federal regulators announced on Wednesday that Skechers has agreed to pay \$40 million to settle complaints that the company deceived consumers with claims that its sneakers — from the Shape-ups, Resistance Runner, Toners and Tone-ups lines, endorsed by celebrities like Kim Kardashian and Brooke Burke — could deliver toned legs, better buttocks and a slimmer body “without setting a foot in a gym.” Skechers is now the second maker of toning shoes that the Federal Trade Commission has forced to reimburse consumers for making implausible claims. In September, Reebok agreed to pay \$25 million in consumer refunds for making false claims about its EasyTone line of sneakers.

In announcing the settlement, the Federal Trade Commission said that Skechers had particularly overreached in its advertisements by making claims that its shoes, which retailed for \$60 to \$100 a pair, could even help people shed pounds.

“Skechers’ unfounded claims went beyond stronger and more toned muscles,” said David Vladeck, director of the trade commission’s Bureau of Consumer Protection. “The F.T.C.’s message, for Skechers and other national advertisers, is to shape up your substantiation or tone down your claims.”

A spokeswoman for the commission declined to say whether it was pursuing legal action against other makers of toning shoes, like Fila and New Balance. But the announcement spells more trouble for a once-flourishing industry that is now struggling with plummeting sales.

Toning shoes were once the fastest-growing segment of the athletic shoe market, with sales skyrocketing from \$50 million in 2008 to a peak of \$1.1 billion in 2010. Last year sales were sliced in half, dropping to \$550 million, said Matt Powell, an analyst at SportsOneSource. Skechers held the lion’s share of the market, at 49 percent.

Skechers, for its part, said in a statement that it stands by its products. The company denied making false claims and suggested that the settlement was a business decision that would help it avoid costly battles in court. The company has been fighting class-action lawsuits about the toning claims as well as cases brought by various attorneys general.

“While we vigorously deny the allegations made in these legal proceedings and looked forward

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to vindicating these claims in court, Skechers could not ignore the exorbitant cost and endless distraction of several years spent defending multiple lawsuits in multiple courts across the country,” said David Weinberg, the company’s chief financial officer. “This settlement will dispose once and for all of the regulatory and class-action proceedings.”

Unlike regular athletic shoes, toning shoes have a rocker-shaped sole, which according to their makers creates instability that forces muscles to work harder, making them stronger. But a 2010 study financed by the American Council on Exercise looked at three different types of toning shoes, including Shape-ups, and found that they had no increased effect on muscle activation and calorie burn compared with regular athletic shoes. Skechers and other makers of toning shoes have also been hit with lawsuits by people who say that wearing the shoes caused falls and various injuries, like broken bones and hip problems.

Under the terms of the settlement, Skechers is still allowed to sell its toning shoes and make fitness claims about them, albeit less dubious ones. The company plans to continue selling its toning shoes, said its president, Michael Greenberg, and can still say in advertisements that wearing its toning shoes can lead to “increased leg muscle activation, increased calorie burn, improved posture and reduced back pain.”

The trade commission, however, said that the company is permitted to make such claims from now on only if they are true and backed by scientific evidence.

According to Skechers, the science behind toning shoes has been substantiated by at least 19 published studies and supported by researchers from around the world. But the trade commission said much of the evidence was bogus or deliberately misrepresented. One Skechers advertisement carried an endorsement from a chiropractor, Steven Gautreau, who said he conducted an independent study that found that Shape-ups were superior to regular athletic shoes.

“After performing a six-week clinical trial testing the benefits of Skechers Shape-ups, I am confident in recommending them to patients to increase their low back endurance and improve gluteal strength,” he said in the ad. “Patients also benefited from weight loss and improved body composition.”

According to the trade commission, however, Skechers failed to disclose that Dr. Gautreau is married to a Skechers marketing executive, that he was paid to carry out the research, and that his study did not produce the findings that he promoted in the ad. The trade commission said in court documents that Dr. Gautreau conducted two of the four studies that Skechers claimed were independent. Another Skechers ad said its Resistance Runner shoes could raise muscle activation by 68 percent in the calves, 71 percent in the buttocks and 85 percent in “posture-related muscles.” The trade commission said Skechers “cherry-picked results and failed to substantiate” those claims.

Consumers who have bought a pair of Skechers since 2008 can go to www.skecherssettlement.com to see if they are eligible for a refund.

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From NY-Times. Link--> <http://well.blogs.nytimes.com/2012/05/16/skechers-toning-shoe-customers-to-get-refund/?ref=health?partner=rss&emc=rss>)