

Slip Op. 04-141

UNITED STATES COURT OF INTERNATIONAL TRADE

BEFORE: RICHARD W. GOLDBERG, SENIOR JUDGE

RUSS BERRIE & COMPANY, INC.,

Plaintiff,

v.

UNITED STATES,

Defendant.

Court No. 00-00018

JUDGMENT ORDER

In accordance with the decision (August 27, 2004) and mandate (October 18, 2004) of the United States Court of Appeals for the Federal Circuit ("Federal Circuit"), Appeal No. 04-1084, reversing this Court's decision in Russ Berrie & Co. v. United States, 27 CIT ___, Slip Op. 03-122 (Sept. 17, 2003) ("Russ Berrie"), it is hereby

ORDERED that this Court's Opinion and Judgment in Russ Berrie, holding that the subject merchandise should be classified under subheadings 9505.10.2500 and 9505.90.6000 of the Harmonized Tariff Schedule of the United States, are vacated; and it is further

ORDERED, ADJUDGED, and DECREED that the classification of the subject merchandise by the U.S. Bureau of Customs and Border Protection under subheadings 7117.19.90 and 7117.90.90 of the Harmonized Tariff Schedule of the United States is correct, in accordance with the Federal Circuit's decision and mandate, and judgment is entered for Defendant.

SO ORDERED.

/s/ Richard W. Goldberg

Richard W. Goldberg

Senior Judge

**Date: November 15, 2004
New York, New York**