

# Customs, Imports & Trade Remedies

We advise domestic and international clients on strategies for foreign-based manufacture, importation, and distribution of goods. We also advise clients on how to incorporate and safeguard against anti-competitive trade barriers, regulatory systems, and trade remedies, both internationally and domestically.

The professionals in Cozen O'Connor's Customs, Imports & Trade Remedies Practice represent businesses in matters before U.S. Customs and Border Protection, the U.S. Department of Commerce, the International Trade Administration, and the U.S. Trade Representative. Cozen O'Connor's customs, imports, and trade remedies lawyers also represent the interests of clients before the U.S. District Courts, the U.S. Court of International Trade, and the Court of Appeals for the Federal Circuit.

## Tariffs, Customs & International Trade

Customs and international trade matters warrant the same type of planning as other significant financial transactions, as careful attention on the front end can help clients avoid unanticipated duty expenses and generate significant duty savings. Our attorneys regularly counsel importers regarding all aspects of compliance with an increasingly complex regulatory regime that include, but are not limited to, matters regarding:

- Classification
- Valuation
- Country of origin and marking requirements
- USMCA and other trade agreements
- Prior disclosures
- Protests and appeals
- Penalty cases
- Focused assessments
- Responses to Requests for Information and Notices of Action
- Advisory opinions
- Foreign Trade Zone creation and maintenance
- Duty drawback programs
- Customs audits
- U.S. Customs entry compliance protocols

## International Manufacturing, Importation & Distribution

The changing face of the manufacturing industry in the United States poses new financial, operational, and regulatory challenges to manufacturers. Cozen O'Connor provides comprehensive advice to manufacturing clients on the development, production, and distribution of their products. We understand the unique risks and challenges to this industry, and we provide strategic counsel to support, enhance, and advance our clients' business objectives. Our group assists clients with matters such as manufacturing and supply agreements, distribution agreements, compliance issues involving government and regulatory agencies, warranties, sales contracts, pricing, intellectual property protection, and compliance.

## Trade Remedies, Injury Proceedings & Trade Litigation

Importers and exporters continuously face the risk of potentially devastating consequences in the event of import surges, anti-dumping/countervailing duties, merchandise exclusions orders, and other restrictive trade measures. In order to help clients minimize the risks of these adverse consequences,



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### Related Practice Areas

- China Practice
- International
- Italy Practice

our lawyers advocate client interests in the trade remedies arena before numerous government agencies. We represent foreign and domestic producers, exporters, and importers in connection with anti-dumping and countervailing duties and safeguards and we advise clients on the many risks and opportunities associated with the foreign manufacture of goods. We have successfully represented clients in anti-dumping and countervailing matters, scope determinations, and other administrative proceedings, as well as post-entry and post-liquidation protest denial appeals. We have obtained millions of dollars in duty refunds on behalf of our clients.

Trade litigation is an important component to a business' overall trade strategy, whether used as a preemptive measure to prevent immediate injury or as a last resort when all other options of dispute resolution or administrative remedies have failed. Our attorneys appear regularly before the ITC, the Department of Commerce's International Trade Administration, the Office of the U.S. Trade Representative, the U.S. Court of International Trade, and the U.S. Court of Appeals for the Federal Circuit.

In all matters we handle, we stress the importance of preventative planning and proactively work with our clients to create systems, internal controls, and compliance programs to minimize duties and avoid problems upon importation. At the same time, we are staunchly committed to challenging adverse determinations by U.S. Customs and Border Protection, other agencies regulating international trade, and the courts.

## Experience

### *Trade Remedies, Trade Litigation, and Enforcement Proceedings*

- Provided and implemented strategic advice on multilateral and bilateral free trade agreements.
- Initiated injury proceedings on behalf of trade associations and their members.
- Conducted WTO litigation and provided advice and counsel about obligations under WTO agreements affecting goods and services.
- Spearheaded trade remedy litigation for import transactions, including anti-dumping and countervailing duty investigations, global and country-specific safeguards.

### *Customs and Trade*

- Designed the legal structure for several United States/Mexico manufacturing and distribution networks.
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- Designed a classification and valuation system for an international textile and sportswear manufacturer.
- Designed the legal structure for a transformative, three-country manufacturing platform under NAFTA, CAFTA, SFTA, and the USMCA proposed regulations.
- Designed and managed response strategy on behalf of the largest importer of passenger car radial tires from China, which was the subject to a customs audit by U.S. Customs and Border Protection. The audit response resulted in a "no-violation" finding, a negative duty liability, and a duty refund to the importer of record.
- Designed and managed response strategy on behalf of a Fortune 500 company subjected to a customs audit by U.S. Customs and Border Protection. The respondent company was engaged in the business of manufacturing and assembly of electronic instruments including hand held

inventory control and barcode scanners. The audit involved more than 20,000 separate SKUs, product descriptions, and harmonized tariff code classifications.

