

USITC SURVEY REGARDING OUTSTANDING §337 EXCLUSION ORDERS
(Limited Exclusion Order)

[Title of Investigation]
Inv. No. 337-TA- ____

OMB Control No. _____ ****
Expiration _____

1. Since your firm received a permanent exclusion order, do you believe that infringing goods¹ covered by the order have been imported into the United States by or on behalf of **[entities named in limited exclusion order]**?

- 1. Yes
- 2. No
- 3. No basis to judge.

2. If you answered "yes" to Question No. 1, what is your estimate of the value of lost sales due to these infringing imports between the date you received the permanent exclusion order and December 31, 2004?

- 1. \$50,000 or less
- 2. \$50,001 - 100,000
- 3. \$100,001 – 500,000
- 4. \$500,001 – 1,000,000
- 5. \$1,000,001 – 5,000,000
- 6. More than \$5,000,000 (specify to nearest million) _____
- 7. No basis to estimate

¹ "Infringing goods" as used in this survey refers only to unauthorized imports covered by the U.S. International Trade Commission's exclusion order

****** In accordance with 19 C.F.R. Section 1320.5(b)(2)(i), you need not respond at all unless this survey displays a valid OMB control number.**

3. If you answered “yes” to Question No. 1, what is your estimate of the amount of sales you have lost due to these infringing imports as a percentage of your total sales ([amount of lost sales ÷ your total sales] x 100) between the date you received the permanent exclusion order and December 31, 2004?

1. 5% or less
2. 5.01 – 10.00%
3. 10.01 – 20.00%
4. 20.01 – 33.33%
5. 33.34 – 50.00%
6. 50.01 – 66.67%
7. 66.68 – 100.00%

4. To what degree has the value of infringing imports of **[entities named in limited exclusion order]** in the U.S. marketplace increased or decreased since the permanent exclusion order was issued? (For the goods covered by this order, compare a recent time period to a similar time period just before the order was issued.)

1. Effectively stopped
2. Decreased substantially
3. Decreased moderately
4. Decreased slightly
5. Remained about the same
6. Increased slightly
7. Increased moderately
8. Increased substantially
9. No basis to judge

5. To what extent have infringing imports of **[entities named in limited exclusion order]** covered by the permanent exclusion order hurt your company’s sales since the order was issued?

1. Little or no extent
2. Some extent
3. Moderate extent
4. Substantial extent
5. Very great extent
6. No basis to judge

6. Has your firm used an in-house or outside person or investigative group to identify foreign-made infringing goods of **[entities named in limited exclusion order]** covered by the permanent exclusion order that were intended for sale in the United States?
 1. Yes.
 2. No

7. If you answered “yes” to Question No. 6, what is your estimate of the approximate total cost to your firm to maintain this investigative person or group during your firms’s most recently completed fiscal year?

\$ _____

/_/ No basis to judge

8. Has your firm provided information to U.S. Customs to assist in the enforcement of the exclusion order?
 1. Yes
 2. No

9. If you answered "yes" to Question No. 8, has the information provided led U.S. Customs to interdict shipments of goods by or on behalf of **[entities named in limited exclusion order]** covered by the permanent exclusion order?
 1. Yes.
 2. No
 3. Do not know

10. If you answered “yes” to Question No. 8, what is your firm’s level of satisfaction with U.S. Customs’ response to your information that goods from or on behalf of **[entities named in limited exclusion order]** covered by the permanent exclusion order are entering the country?
 1. Very satisfied.
 2. Satisfied
 3. Neither satisfied nor dissatisfied
 4. Dissatisfied
 5. Very dissatisfied.

11. If you have received the permanent exclusion order since October, 2001, did you find the letter that was sent by the ITC to your counsel which provided contact information at both the ITC and U.S. Customs Service regarding enforcement measures helpful?
1. Yes
 2. No
 3. Not applicable

Additional Comments: