



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, D.C. 20436

[date]

Mr. IP Holder
Complainant, Inc.
123 Main Street
Anytown, USA 12345

Re: Survey regarding outstanding Section 337 exclusion orders

Dear Mr. IP Holder:

On [_____, 19____], the U.S. International Trade Commission (“the Commission”) issued an exclusion order which currently bars **[PRODUCT(s)]** that infringe(s) **[claim __ of U.S. Patent No. _____/U.S. Trademark Registration No. _____/ U.S. Copyright No. _____/ COMPLAINANT’S NAME’S trade dress for _____/ and/or COMPLAINANT’S NAME’S common law trademark for _____]** from entry into the United States. This order was entered at the conclusion of an investigation under Section 337 of the Tariff Act of 1930 (19 U.S.C. §1337) that was initiated after receipt of a complaint filed by **[COMPLAINANT’S NAME]**.

The Office of Unfair Import Investigations at the Commission is conducting a survey of parties such as yourself who obtained exclusion orders from the Commission that are still in effect. This survey is an outgrowth of the Commission’s strategic planning efforts and is intended to assess the effectiveness of Section 337 exclusion orders. We ask for your help by completing the enclosed survey and mailing it to us in the enclosed return envelope within 10 days of receipt. Participation in this survey is strictly voluntary.

The thrust of the survey is twofold. First, we are interested in learning about whether the Commission’s exclusion order has prevented the importation of goods which have been found to infringe the intellectual property right identified above. If imports have continued, we would like to know both the magnitude and the effect on the U.S. market of such imports. Second, we would like to learn about your experience in policing the exclusion order including any investigatory efforts you have undertaken and any interactions you may have had with the U.S. Customs Service. Any commercial or financial data furnished in response to this survey that reveals the individual operations of your firm will be treated as confidential by the Commission to the extent that such data is not otherwise available to the public and will not be disclosed except as may be required by law.

The Commission estimates that it will require less than 1 hour to complete the survey. If you have any comments concerning the accuracy of this estimate or any suggestions for further simplifying the survey, please direct them to (1) Office of Management and Budget, Office of Information and

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Regulatory Affairs, Room 10102 (Docket Library), Washington, DC 20503, ATTENTION: Docket Librarian, and (2) Robert Rogowsky, Director, Office of Operations, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, who is the Commission's designated Senior Official under the Paperwork Reduction Act.

Thank you very much for assisting the Commission with this survey. Should you have any questions, please do not hesitate to call me at 202-205-2560.

Sincerely,

Lynn I. Levine
Director
Office of Unfair Import Investigations
U.S. International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436