

**THOMPSON  
HINE**

International Trade & Customs Services



ATLANTA

CINCINNATI

CLEVELAND

COLUMBUS

DAYTON

NEW YORK

WASHINGTON, D.C.



## About the Group

Our International Trade & Customs practice group advises domestic and foreign clients on a broad range of U.S. laws and programs affecting trade in goods and services (imports and exports) and foreign investment.

On import matters, we counsel clients on the full range of entry and admissibility issues and preferential trade programs administered by the Department of Homeland Security's Customs and Border Protection (CBP), including under U.S. free trade agreements (*e.g.* North American Free Trade Agreement (NAFTA) and Dominican Republic-Central America Free Trade Agreement (CAFTA-DR)). We also litigate trade remedy actions (*i.e.*, antidumping, countervailing duty and safeguards) before the Department of Commerce, the International Trade Commission (ITC) and the Office of the U.S. Trade Representative (USTR). On export and foreign investment matters, we have extensive experience with the various export control, sanctions and anti-bribery (Foreign Corrupt Practices Act (FCPA)) laws administered by the Departments of Commerce, State, Treasury, Justice, and the Securities and Exchange Commission (SEC). We represent clients in government enforcement actions, investigations and audits involving cross-border trade, and we work closely with clients to develop and implement comprehensive import and export compliance programs. When necessary, our work takes us before various congressional committees and federal agencies with policymaking jurisdiction for trade issues. Our work often involves judicial actions before the Court of International Trade (CIT), the Court of Appeals for the Federal Circuit (CAFC) and the NAFTA Secretariat. We also represent clients in World Trade Organization (WTO) dispute settlement negotiations and litigation.

Members of our group are licensed to practice in the United States, Canada and Latin America.





## Representative Industries

We counsel manufacturers, other businesses and trade associations in a wide range of industries:

- Aerospace
- Agricultural commodities
- Chemicals
- Computer software and technology
- Consumer products
- Defense services and related products
- Electronics
- Industrial equipment and machinery
- Juvenile products
- Lumber and wood products
- Medical supplies
- Military products and services
- Packaged food
- Packaging
- Primary metal industries
- School and office supplies
- Scientific and medical supplies
- Textiles

We currently represent some of the most significant producers, importers and exporters in these industries.

## Representative Federal Government Agencies

Our lawyers appear before the following federal government agencies:

- U.S. Trade Representative (USTR)
- Customs and Border Protection (CBP) • Immigration and Customs Enforcement (ICE)
- International Trade Commission (ITC)
- Department of Commerce (DOC) • Bureau of Industry and Security (BIS), International Trade Administration (ITA)
- Department of the Treasury • Office of Foreign Assets Control (OFAC)
- Department of State • Directorate of Defense Trade Controls (DDTC)
- Food and Drug Administration (FDA)
- U.S. Department of Agriculture (USDA)
- Consumer Product Safety Commission (CPSC)
- Nuclear Regulatory Commission (NRC)
- Department of Energy (DOE)
- Department of Justice • Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Securities and Exchange Commission (SEC)



## Substantive Legal Issues

### EXPORT REGULATION

In the area of export controls, we represent clients in enforcement investigations brought by BIS, DDTC and OFAC, among others. We also counsel clients on the classifications and categorization of their products and the development of compliance programs.

### MARKET ACCESS

Our lawyers counsel clients on market access abroad, including such markets as the European Union, Latin America, Canada and China. We advise our clients and government agencies, such as the USTR and the Department of Commerce, in the negotiation of multilateral and bilateral trade agreements. We also advise clients in the investigations and proceedings of these trade agreement regimes, such as the NAFTA and the WTO.

### IMPORT REGULATION

Our lawyers represent clients on CBP enforcement actions, investigations, audits and compliance programs. We assist our clients in exploring efficiencies and opportunities afforded by classification, valuation, country of origin, other entry regulations and various preferential duty programs, such as the NAFTA, the Generalized System of Preferences (GSP) and 9801 or 9802 of the Harmonized Tariff Schedule of the United States. We also assist with import regulation issues enforced by other agencies such as the FDA, the USDA and the CPSC.





### **TRADE REMEDIES**

The lawyers and professionals in our group have represented clients in more than 60 antidumping, countervailing duty and safeguard proceedings spanning the last three decades. This representation consists of hundreds of separate actions including original investigations, administrative reviews, changed circumstance reviews, scope inquiries and sunset reviews before the Department of Commerce and the ITC. Our lawyers have also handled safeguard remedy proceedings and lobbying before the USTR. We often pursue and defend agency decisions on appeal before the U.S. courts and the WTO. Our clients in these matters have included foreign producers, exporters and governments throughout Asia, Europe and the Americas; U.S. importers; and U.S. producers. This variety of experience and clientele gives our team a global view of U.S. trade remedy proceedings. Members of our group also have significant U.S. government experience, involving both trade remedy cases and CBP matters, providing us invaluable insight into how the government approaches its decision-making process.

### **FOREIGN CORRUPT PRACTICES ACT**

Our lawyers counsel clients involved in business transactions in foreign markets on how to maintain compliance with the FCPA and its anti-bribery provisions. For those corporations subject to an FCPA investigation, we represent and defend their interests before the Department of Justice, the Securities and Exchange Commission (SEC) and other countries' anti-bribery enforcement agencies.



## Representative Matters

### EXPORT REGULATION

- Counsel exporters on export controls, licensing and other export issues, including the applicability of the Commerce Control List, the United States Munitions List, U.S. sanctions law, anti-bribery requirements and anti-boycott requirements, involving the BIS, the DDTC and the OFAC.
- Defend exporters in enforcement actions and investigations brought by the BIS, the DDTC, the OFAC, the NRC and the DOE.
- Work with government agencies and clients to ensure that enforcement actions and investigations are not publicized by the government.
- Advocate to government agencies for changes in regulatory restrictions on clients' products and technology.
- Provide clients with internal export compliance auditing and related training.

### MARKET ACCESS

- Counsel clients on market access issues and their interplay with the laws of other countries and trade agreements with those countries.
- Advise and prepare written submissions for governments and private industry in WTO dispute settlement matters.
- Counsel governments on negotiation of trade and dispute settlement agreements.

### IMPORT REGULATION

- Represent clients in CBP compliance audits, investigations, and penalty, seizure and forfeiture proceedings.
- Assist clients in investigating and pursuing alleged competitor CBP fraud.
- Represent clients in CBP administrative proceedings to recoup excess duties paid.





### IMPORT REGULATION (CONTINUED)

- Counsel importers on classification, valuation, country of origin marking and other issues.
- Counsel clients on the applicability of the NAFTA and other free and preferential trade agreements to their products and services.
- Provide clients with internal CBP compliance auditing and related training.

### TRADE REMEDIES

- Represent producers, importers and exporters in trade remedy matters (antidumping, countervailing duties, safeguards) before the CBP, the DOC, the ITC, the USTR, the CIT and the CAFC, including:
  - ▲ Preparation of trade remedy petitions for domestic industries.
  - ▲ Presentation of injury and remedy arguments before the ITC.
  - ▲ Preparation of questionnaire responses before the DOC and the ITC.
  - ▲ Research and advocacy of surrogate country and value data in non-market economy antidumping cases.
  - ▲ Defense of government on-site verifications.

### FOREIGN CORRUPT PRACTICES ACT

- Represent audit committee of large multinational company in investigation of allegations of improper payments to foreign officials.
- Represent current and former employees of a public company under investigation for FCPA violations by the Department of Justice and the SEC, including representation of a former employee before the Australia Securities and Investment Commission.

# OUR CLIENT SERVICE PLEDGE

## What Our Clients Can Expect From Us . . .

### 1. We will know your business.

We make it our business to understand your business. We will invest our time and resources to develop and maintain knowledge of the dynamics that impact both your industry and your organization. Understanding your business will help us provide better counsel to you.

### 2. We will plan our engagements with you.

We know that clients differ in their goals, risk tolerance and a variety of other factors that must be taken into consideration before work can begin on any matter. At the beginning of every significant matter, we will work with you to develop a plan to meet your strategic goals. By agreeing on a plan at the beginning—and adjusting it as needed—we will stay focused on what is most important to you.

### 3. We will manage your work as if we were the client.

We will work with you to manage your costs. We will staff every matter with the right resources, and we will manage the work as if we were the client—delivering the highest quality of service on time and in the most cost-effective manner.

### 4. We will be available when you need us.

We recognize that you often need to make swift decisions and act quickly. We will be ready to act for you when you need us, and we will make ourselves available wherever and whenever necessary.

### 5. We will communicate often.

Our goal is that you will never be surprised about developments in anything we are handling. We will provide regular updates on the progress of your matters, including all significant developments and changes to scope, timeline or budget.

### 6. We will provide the highest-quality counsel.

Above all else, we stand for the highest quality. Our lawyers, paralegals and staff take pride in the work they do. From the boardroom to the courtroom, you can count on Thompson Hine for the highest-quality service.

## What Our Clients Can Do To Help . . .

### 1. We ask you to share your goals.

The more we know about your goals, the better we can manage our services to help you attain them. If your goals change as a matter progresses, we ask that you tell us, so we can adjust our approach to meet your expectations.

### 2. We want to know your preferences for working with us.

We ask you to tell us your preferred methods of communication, invoice and billing procedures, and anything else that is important to you, so that we can deliver our service the way you want it.

### 3. We need your feedback.

We want your feedback on our performance so that we can continue to meet and exceed your expectations.

## About Thompson Hine

Established in 1911, Thompson Hine is a business law firm dedicated to providing superior client service. The firm has been recognized as one of the Best Corporate Law Firms in America in an annual survey of corporate directors conducted by *Corporate Board Member* magazine. With approximately 400 lawyers in offices in **ATLANTA, CINCINNATI, COLUMBUS, CLEVELAND, DAYTON, NEW YORK** and **WASHINGTON, D.C.**, Thompson Hine serves premier businesses worldwide, including:

AKZO NOBEL INC.

AMERICAN CHEMISTRY COUNCIL, INC.

AMERICAN STEAMSHIP COMPANY

EVERETT DENNISON CORPORATION

BUCKEYE POWER, INC.

CENTRAL GULF LINES, INC.

CENTRAL HUDSON GAS &

ELECTRIC CORPORATION

CH ENERGY GROUP, INC.

CHIQUITA BRANDS INTERNATIONAL, INC.

COLUMBUS ZOO AND

AQUARIUM/ZOOMBEZI BAY

CROWN EQUIPMENT CORPORATION

THE DAVEY TREE EXPERT COMPANY

DEVELOPERS DIVERSIFIED

REALTY CORPORATION

EATON CORPORATION

ENERGIZER/EVEREADY

EXXON MOBIL CORPORATION

FIFTH THIRD BANK

FORD MOTOR COMPANY

FORMICA CORPORATION

GOODRICH CORPORATION

THE GOODYEAR TIRE &

RUBBER COMPANY

THE HARTFORD

JO-ANN STORES, INC.

KEYCORP/KEYBANK

LEXISNEXIS

LIMITED BRANDS

THE LUBRIZOL CORPORATION

MEADWESTVACO CORPORATION

MILACRON INC.

MISSION ESSENTIAL PERSONNEL LLC

MORGAN STANLEY

NATIONWIDE MUTUAL

INSURANCE COMPANY

NETJETS INC.

NEWELL RUBBERMAID INC.

NORDSON CORPORATION

OFFICE DEPOT, INC.

PARKER HANNIFIN CORPORATION

POLYONE CORPORATION

PPG INDUSTRIES

THE PROCTER & GAMBLE COMPANY

R+L CARRIERS, INC.

S.C. JOHNSON & SON, INC.

SHELL OIL COMPANY

THE SHERWIN-WILLIAMS COMPANY

SOLVAY S.A.

STERIS CORPORATION

THE TORO COMPANY

VERIZON

WELLPOINT, INC.

WHIRLPOOL CORPORATION



2002 • 2005 • 2006 • 2007  
2008 • RECIPIENT



Ranked as a Leading Firm  
by Chambers USA • 2003 - 2010



Ranked as a Top 25 Firm for  
Client Service • 2008 • 2009 • 2010

## For More Information

For more information, send an email to [AskUs@ThompsonHine.com](mailto:AskUs@ThompsonHine.com) or visit our website at [www.ThompsonHine.com](http://www.ThompsonHine.com)



ATTORNEYS AT LAW

THOMPSON HINE LLP

[www.ThompsonHine.com](http://www.ThompsonHine.com)

TH-045 (Rev. 8/10)

Statements in this brochure of prior results do not guarantee a similar outcome.

© 2010 THOMPSON HINE LLP. ALL RIGHTS RESERVED.



**Mixed Sources**  
Product group from well-managed  
forests, controlled sources and  
recycled wood or fibre  
[www.fsc.org](http://www.fsc.org) Cert no. SW-COC-002686  
© 1996 Forest Stewardship Council

