

United States Customs and Border Protection

Center of Excellence and
Expertise for Electronics

ERAI EXECUTIVE
CONFERENCE 2015
SAN DIEGO, CALIFORNIA



U.S. Customs and
Border Protection

CBP Centers of Excellence and Expertise

Centers of Excellence and Expertise transform the way CBP approaches trade operations and works with the international trade community. The Centers represent CBP's expanded focus on “Trade in the 21st Century” by aligning with modern business practices, focusing on industry-specific issues, and by providing tailored support to unique trading environments. The Centers were established to increase uniformity of practices across ports of entry, facilitate the timely resolution of trade compliance issues nationwide, and further strengthen critical agency knowledge on key industry practices.



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Delegation of Authorities to Center Directors

September 11, 2014

By virtue of the authority vested in me as the Commissioner of U.S. Customs and Border Protection, and to the extent permitted by law, I hereby delegate to the Directors, Centers of Excellence and Expertise (Center Directors), currently the Assistant Director of Field Operations, Trade (ADFO) in the Office of Field Operations, all functions, authorities, rights, privileges, powers, and duties vested in the Port Directors by law, regulation, or otherwise.

These functions, authorities, rights, privileges, powers, and duties may be exercised concurrently by the Port Director and Center Directors.

Commissioner

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CBP Centers of Excellence and Expertise

Industry and Product Expertise

- Bi directional Meetings with Internal and External Stakeholders, Importers, Industry Groups, and Trade Associations
- Trademark and/or Patent owner training
- Intelligence derived from Field exams, national enforcement data, and Trade Intelligence



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IPR Enforcement

- Seizure data analysis
- Primary Focus on Products that present a Health and Safety Concerns
- Impact on the public
- Industry Complaints



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CBP Examination Process

- International Cargo Targeting
- Detention and examination of shipments
 - Conducted at the carriers facility or bonded warehouse authorized by CBP to hold bonded freight.
 - Semiconductors are examined with Anti-static tools and materials
 - Importer/Consignee opportunity to provide information which demonstrates the authenticity of goods (19 C.F.R. 133.21).
- Sample Coordination with Port or Center personnel



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Product Infringement Determinations

Determinations may be made by CBP based on product/trademark training or guides

Consultation with Trade Mark Owner



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CBP Testing

Ports and Center personnel have CBP Laboratory and Scientific Services personnel that can:

- X-ray Analysis
- Decapsulation
- Marking permanency
- Enhanced Image reviews and collaboration with trademark owners



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CBP Summary of Fiscal Year 14 IPR Statistics

Products that infringe on U.S. trademarks, copyrights, and patents threaten the health and safety of American consumers, our economy, and our national security. U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) continued Intellectual Property Rights (IPR) enforcement against these illicit imports mitigates the financial and welfare risk.

In Fiscal Year (FY) 2014 the number of IPR seizures decreased nearly 5% to 23,140 from 24,361 in FY 2013. The manufacturer's suggested retail price (MSRP) of the goods had they been genuine decreased 30% to \$1,226,347,540.

Tactical interagency collaboration with the HSI-led National Intellectual Property Rights Coordination Center (IPR Center) resulted in 683 arrests, with 454 indictments and 461 convictions.

Each year, more than 11 million maritime containers arrive at our seaports. At land borders, another 10 million arrive by truck and 3 million by rail. Through air travel arrives an additional quarter billion more cargo, postal, and express consignment packages. The agencies within the Department of Homeland Security remain vigilant in targeting shipments posing a risk to the American people.



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FYTD SEMICONDUCTOR SEIZURE STATISTICS FROM FY 14 TO FY15

FY 14 thru March 2014	Seizures	127	Quantity	434,677	MSRP	\$1,463,475
FY 15 thru March 2015	Seizures	161	Quantity	324,579	MSRP	\$1,674,770



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QUESTIONS?



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