

Questions for the Record from Rep. Darrell Issa for Mr. Lord
Hearing on “Intellectual Property: Enforcement Activities by the Executive Branch”
May 7, 2024

1. Since 2021, there has been a decrease in the number of seizures and a decrease in the value of goods seized for IP infringement, despite an increase in international trade. What is driving this decrease?
2. What resource constraints for processing of imports are there that prevent CBP from more fully addressing the issue of counterfeit and copyright piracy goods?
3. Does the fact that CBP needs approval from the Secretary of Treasury as well as the Secretary of Homeland Security, to issue new rules addressing trade, including the processing of counterfeit goods, have an impact on CBP’s ability to address the problems of counterfeit and copyright piracy goods entering the U.S.?
4. How many steps are involved in the seizure and forfeiture process for IP infringing goods, and how burdensome is that process? How does the length, complexity, and cost of the seizure and forfeiture process affect CBP’s ability to target and combat counterfeit and copyright piracy goods?
5. Why did CBP cancel the voluntary abandonment pilot for suspected IP-infringing goods encountered in small parcels, and what is the status of the proposed rule to allow for data sharing with rights holders following a voluntary abandonment?
6. Under section 628A of Public Law 114-125, the Trade Facilitation and Trade Enforcement Act (TFTEA) of 2015, CBP is required to share information with copyright owners regarding the seizure of circumvention devices at the border. Has CBP fully implemented TFTEA, and does CBP currently share section 628A information with copyright owners?