

International Trade Commission Section 337 Litigation

Polsinelli's International Trade Commission (ITC) Section 337 Litigation practice offers an in-depth understanding of the ITC's complex rules and procedures stemming from years of experience both inside and outside the federal agency. Possessing deep knowledge and uniquely qualified attorneys, our team includes a past ITC Chairman and other former ITC attorneys who worked on establishing rules and precedents still applicable today. We have attorneys who have been involved in Section 337 ITC investigations since 1981, and we represent complainants and respondents alike. Our clients benefit from our substantive knowledge of ITC operations and case management.

Section 337 investigations before the ITC provide a powerful tool for intellectual property rights holders to safeguard their IP against infringing imported goods. 337 investigations frequently involve patent infringement, but the ITC's governing statute grants it the authority to investigate a broad range of unfair acts in importation, including copyright and trademark infringement, Lanham Act violations, trade secret misappropriation, false designation of origin, antitrust violations, and other forms of unfair competition. Section 337 investigations require skillful navigation of ITC procedure, which differs substantially from district court. Section 337 is subject to due process and provides for worldwide discovery, expedited hearings, judges knowledgeable in IP law and effective remedies enforced by U.S. Customs and Border Protection. Polsinelli's deep bench ensures that clients are supported by attorneys who know how to navigate Section 337 regardless of the focus and scope of the investigation and the subsequent outcomes.

Polsinelli attorneys advise on all stages of a Section 337 dispute – from preparation of the complaint to the expiration of the exclusion order years later. Beyond the investigation, we are experienced in:

- Navigating the remedial phase of ITC investigations, which poses unusual and complex challenges for parties to Section 337 investigations.
- Addressing public interest issues that, in recent years, have become increasingly important to Section 337 matters, including during the presidential review phase.
- Advising on Customs enforcement practices, which allows our clients to plan ahead for future product development cycles long after the ITC investigation has concluded.

Our attorneys represent a global clientele from a wide range of industries, including, but not limited to:

- Telecommunications
- Information Technology
- Automotive
- Biotechnology & Life Sciences
- Electronics
- Energy & Batteries
- Fashion
- Manufacturing
- Consumer products

Recognized as a leader in Intellectual Property (Section 337), Polsinelli rankings include:

- Nationally ranked in International Trade: Intellectual Property (Section 337) *Chambers USA – Nationwide*, 2023-2025

Publications

February 13, 2026

ITC commissioner nominations could create a Republican majority

Quoted, IAM

February 12, 2026

ITC, Trade Bar Left to Grapple With Redaction Issues at ITC Following CAFC Ruling

Quoted, Trade Law Daily

August 1, 2025

Tariffs and Trade Deals

D.C. Download

May 27, 2025

Polsinelli's Deanna Okun: We tell our clients to ignore the noise around tariffs, look at details

Featured, CNBC

February 20, 2025

Circumstantial evidence: how two firms powered to ITC win

Mentioned, Managing IP

February 20, 2025

What The ITC's Multiple Vacancies Mean For The Agency

Quoted, Law360

February 2025

ITC Section 337 Investigations: 2024 Highlights and Insights

Author, Reuters Practical Law Journal

January 8, 2025

Polsinelli Life Sciences Spotlight - Volume 1 - Looking Back, Moving Forward: A Year in Life Sciences

July 1, 2024

After Chevron: Expect Few Changes In ITC Rulemaking

Co-Author, Law360

June 14, 2023

Trade Commissioners Share Tips For Witness Testimony

Quoted, Law360

CIT Upholds List 3 and 4 Section 301 Tariffs

March 20, 2023

USITC Releases Report on the Economic Impact of the Section 232 and 301 Tariffs on U.S. Industries

January 12, 2023

Five minutes with... Polsinelli

Featured, World Trademark Review