

**Commercial Customs Operations Advisory Committee  
Government Issue Paper  
Intelligent Enforcement Subcommittee  
Intellectual Property Rights Process Modernization  
Working Group**

**December 2024**



**U.S. Customs and  
Border Protection**



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**Trade Policy and Programs / Office of Trade  
Intelligent Enforcement Subcommittee  
Intellectual Property Rights Process Modernization Working Group  
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**Action Required:** Informational

**Background:**

- In October 2020, U.S. Customs and Border Protection (CBP) asked the Commercial Customs Operations Advisory Committee (COAC) to develop further, expand on, and align three previous recommendations: sharing detention information, photographic standards guide, and data-driven CBP seizures process.
  - The Intellectual Property Rights (IPR) Process Modernization Working Group began meeting in October 2020 to discuss implementing solutions to the three recommendations above. In early 2021, the group went on hiatus to reorganize and allow CBP to implement some of these recommendations, but reconvened during the COAC's 17th term to identify opportunities to enhance trade and CBP practices, policies, and programs for interdicting violative counterfeit goods.

**Issue:**

- During Fiscal Year 2023, CBP seized 23 million counterfeit items that, based on the manufacturer's suggested retail price, would have a value of more than \$2.7 billion had they been genuine.
- To further the interests of IPR enforcement, the IPR Process Modernization Working Group now focuses on automating the detention process and improving communication between rights holders and CBP.

**Current Status:**

- The IPR Process Modernization Working Group meets regularly to discuss pragmatic and practical recommendations for improving communications among CBP, rights holders, and importers and to develop strategies for streamlining the seizure process.
- CBP and the IPR Process Modernization Working Group have collaborated to collect more detailed feedback. Discussions continue on the feasibility of implementing the IPR Process Modernization Working Group recommendations from the **December 2022 public COAC meeting**.
- At the **June 2024 Public COAC meeting**, the IPR Process Modernization Working Group provided recommendations covering the following areas:
  - Enhancing the current Trade Seminars Mailbox. CBP should rename the mailbox and provide information on CBP.gov to facilitate mailbox use.
  - Expand CBP's ePetition portal to include increased communication capabilities and access.

**Next Steps:**

- CBP will continue :
  - Advising the IPR Process Modernization Working Group about updates on automating the detention and seizure process.
  - Working with the IPR Process Modernization Working Group on gathering feedback.
  - Discussing the feasibility of CBP implementing recent COAC IPR recommendations.

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