

International Trade Practice

Jerry Cohen
Matthew McCullough

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Highlights of the 2026-2027 Edition

International Trade Practice is a comprehensive guide for navigating the complex landscape of international trade law and dispute resolution. Covering a wide range of topics, this resource helps readers stay up-to-date on the latest developments and best practices in the field.

Key topics covered in this work include: Section 337 Enforcement & Intellectual Property Protection; Antidumping Law & Investigations; Countervailing Duties & Subsidies; Trade Remedies & Safeguards; Administrative Protective Orders & Procedural Matters; International Trade Dispute Resolution; and National Security Import Restrictions.

Updates to this 2026-2027 Edition of *International Trade Practice* include:

- New section covering AI usage in Section 337 proceedings (*See* § 2:16)
- Discussion of the AI risks to trade secrets and attorney-client privilege in business adoption (*See* § 3:29)
- Analysis of *Stupp Corp. v. United States*, which rejected Commerce’s use of the Cohen’s d test as applied, and explains Commerce’s replacement differential-pricing analysis (*See* § 18:6)
- Updates to the definition and discussion of subsidy (*See* § 24:1)
- Summaries of recent judicial review cases of ITC decisions such as: *In re Entresto, Brita LP v. ITC*, and *Apple, Inc. v. ITC* (*See* § 11:15)
- Expanded discussion of Section 232 covering Commerce’s investigation process, including the President’s authority to adjust imports, court treatment of Section 232 actions, and WTO challenges under GATT Article XXI. (*See* § 42:3)
- The addition of new sections covering Section 232 as a Tariff Authority, Inclusions, Exclusions, and Component Valuation in Section 232 and IEEPA Tariffs (*See* §§ 42:2, 42:4 and 42:5).

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Matthew McCullough
June 2025

I acknowledge with great appreciation, affection and respect the roles played by Harvey Kaye as a pioneer of ITC practice, as a founding and long time author of the section 337 portion of International Trade Practice and as a good friend and colleague. He set a foundation for those of us who follow him in the practice and scholarship. I will reach back over and over for his wisdom and wit as I continue to update his work.

Jerry Cohen
June 2025

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