

International Trade Commission (ITC) Litigation

The U.S. International Trade Commission (ITC) is an independent quasi-judicial government agency that provides opportunities for swift proceedings and effective remedies for clients whose intellectual property rights have been infringed by imported goods. The attorneys of Rothwell Figg's ITC Litigation practice have the experience, the breadth of knowledge, and above all, the strategic perspective to assist clients in managing, and ultimately prevailing, in these proceedings.

ITC litigation is unique in many respects. First, it offers the possibility of unique remedies in the form of an exclusion order and a cease-and-desist order, which can potentially bar a product, a product line, or even an entire company from entering the United States market. Second, compared to conventional litigation, ITC proceedings are exceptionally quick – almost always no more than eighteen months. They're typically high-stakes, and handle what a District Court would take at least two years to resolve. Finally, litigating in the ITC, although unique in many respects, still requires all the lawyering judgment, skill, and experience of conventional litigation, which is one reason why Rothwell Figg is the firm of choice for those involved in ITC proceedings.

This combination of scope and speed places real demands on attorneys advocating in this environment. ITC cases leave little room for error, and place a premium on strategic thinking, hands-on knowledge of procedure, and a proper balance of fearlessness and prudence, all in the service of clients with a great deal on the line. Rothwell Figg's ITC attorneys, which include a former President of the ITC Trial Lawyer's Association and Counsel to the Chairman of the ITC, know this territory intimately, and have guided client after client to a successful outcome.

For a firm with such deep IP law expertise, our attorneys have an immense amount of litigation experience, across a wide range of subjects and venues. These same attorneys have an unusual degree of expertise in administrative law – which is critical, given that the ITC is an administrative agency, its operations are governed by the Administrative Procedures Act, and its judges operate pursuant to the principles of administrative law. Based on our experience advocating in the ITC and similar administrative agencies, we are exceptionally effective at working with both ITC judges and the Commission's staff to accomplish our clients' goals.

In short, Rothwell Figg has the experience, the knowledge, and the capability to provide representation that simultaneously leverages the full scope of the ITC's potential remedies, and aggressively protects our clients' interests.