

# U.S. Customs and Border Protection



## RECEIPT OF APPLICATION FOR “LEVER-RULE” PROTECTION

**AGENCY:** Customs and Border Protection (CBP), Department of Homeland Security.

**ACTION:** Notice of receipt of application for “Lever-Rule” protection.

**SUMMARY:** Pursuant to 19 CFR 133.2(f), this notice advises interested parties that CBP has received an application from BIC Corporation, seeking “Lever-Rule” protection for the federally registered and recorded “BIC,” “BIC & DESIGN,” “LIGHTER CONFIGURATION DESIGN” and “DESIGN ONLY (CHILD RESISTANT LIGHTER CONFIGURATION)” trademarks.

**FOR FURTHER INFORMATION CONTACT:** Lauren Phillips, Intellectual Property Rights Branch, Regulations & Rulings, (202) 325-0349.

### SUPPLEMENTARY INFORMATION:

#### BACKGROUND

Pursuant to 19 CFR 133.2(f), this notice advises interested parties that CBP has received an application from BIC Corporation seeking “Lever-Rule” protection. Protection is sought against importations of certain models of pocket lighters intended for sale outside the United States that bear the following recorded marks: the “BIC” mark, U.S. Trademark Registration No. 2,324,480/ CBP Recordation No. TMK 18-00388; the “BIC & DESIGN” mark, U.S. Trademark Registration No. 951,661/ CBP Recordation No. TMK 03-00707; the “LIGHTER CONFIGURATION DESIGN” mark, U.S. Trademark Registration No. 2,324,480/ CBP Recordation No. TMK 18-00388; and the “DESIGN ONLY (CHILD RESISTANT LIGHTER CONFIGURATION)” mark, U.S. Trademark Registration No. 2,278,917/ CBP Recordation No. TMK 13-00275. Specifically, BIC Corporation seeks protection against importations of the following pocket lighter model numbers bearing the above-listed marks: J-5, J-6, J-25 and J-26. In the event that CBP determines that the cigarette lighters under consideration are physically and materially different from the lighters authorized

for sale in the United States, CBP will publish a notice in the Customs Bulletin, pursuant 19 CFR 133.2 (f), indicating that the above-referenced trademarks are entitled to “Lever-Rule” protection with respect to those physically and materially different lighters.

Dated: November 7, 2019

CHARLES R. STEUART  
*Chief,*  
*Intellectual Property Rights Branch*  
*Regulations and Rulings, Office of Trade*  
*U.S. Customs and Border Protection*

**COPYRIGHT, TRADEMARK, AND TRADE NAME  
RECORDATIONS  
(NO. 10 2019)**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**SUMMARY:** The following copyrights, trademarks, and trade names were recorded with U.S. Customs and Border Protection in October 2019. A total of 172 recordation applications were approved, consisting of 8 copyrights and 164 trademarks. The last notice was published in the Customs Bulletin Vol. 53, No. 38, October 23, 2019.

Corrections or updates may be sent to: Intellectual Property Rights Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, 90 K Street, NE, 10th Floor, Washington, D.C. 20229–1177, or via email at [iprrquestions@cbp.dhs.gov](mailto:iprrquestions@cbp.dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** LaVerne Watkins, Paralegal Specialist, Intellectual Property Rights Branch, Regulations and Rulings, Office of Trade at (202) 325–0095.

Dated: November 5, 2019

CHARLES R. STEUART  
*Chief,*  
*Intellectual Property Rights Branch*  
*Regulations and Rulings, Office of Trade*

## CBP IPR RECORDATION — OCTOBER 2019

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 00-00053	10/15/2019	01/19/2030	STUSSY	Stussy, Inc.	No
TMK 00-00370	10/30/2019	01/06/2030	SEIKO	SEIKO HOLDINGS KABUSHIKI KAI-SHA TA SEIKO HOLDINGS	No
TMK 02-00776	10/24/2019	11/27/2029	BURBERRY word trademark	BURBERRY LIMITED CORPORATION	No
TMK 03-00238	10/03/2019	09/27/2029	GUND	SPIN MASTER, INC.	No
TMK 04-00150	10/03/2019	10/20/2029	DTS	DTS, INC.	No
TMK 04-00243	10/15/2019	10/24/2029	Design Only	GUCCI AMERICA, INC.	No
TMK 05-00693	10/28/2019	04/06/2020	H and Design	HOUSTON ASTROS, LLC	No
TMK 05-01031	10/17/2019	01/24/2030	Growler, design of animal/cat head	JAGUAR LAND ROVER LIMITED	No
TMK 06-00405	10/15/2019	12/28/2019	WAVEMIXER and DESIGN	GE HEALTHCARE BIO-SCIENCES CORP.	No
TMK 07-00997	10/17/2019	10/24/2029	THE PINK PANTHER	METRO-GOLDWYN-MAYER STUDIOS INC.	No
TMK 08-01012	10/15/2019	03/28/2030	STAG DESIGN	MAST-JAEGERMEISTER SE	No
TMK 09-00920	10/24/2019	10/24/2029	FOREDOM	BLACKSTONE INDUSTRIES, LLC	No
TMK 09-00934	10/15/2019	04/13/2030	PRECISION BASS	FENDER MUSICAL INSTRUMENTS CORPORATION	No
TMK 10-00603	10/11/2019	10/11/2029	BAMBU & Design	BAMBU SALES, INC.	No
TMK 10-00698	10/25/2019	11/04/2029	DESIGN ONLY (PERFUME BOTTLE)	Beaute Prestige International	No
TMK 10-00794	10/02/2019	10/27/2029	GA and Design	GIORGIO ARMANI S.P.A	No
TMK 10-00877	10/21/2019	04/12/2030	CLARKS	C. & J. CLARK INTERNATIONAL LIMITED	No
TMK 10-01176	10/29/2019	11/14/2029	LEVI'S	LEVI STRAUSS & CO.	No
TMK 10-01187	10/30/2019	10/20/2026	TWO HORSE DESIGN #3	LEVI STRAUSS & CO.	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tm/Tm	Owner Name	GM Restricted
TMK 10-01190	10/29/2019	06/21/2026	DOCKERS	Levi Strauss & Co.	No
TMK 10-01216	10/29/2019	08/10/2028	DESIGN ONLY	LEVI STRAUSS & CO.	No
TMK 10-01217	10/29/2019	08/21/2028	LEVTS and DESIGN (HOUSEMARK #5)	LEVI STRAUSS & CO.	No
TMK 10-01236	10/30/2019	10/11/2028	LEVI STRAUSS & CO. SAN FRAN- CISCO, CAL. ORIGINAL RIVETED QUALITYCLOTHING. XX TRADE MARK PATENTED MAY 20, 1873 & Design	LEVI STRAUSS & CO.	No
TMK 10-01247	10/30/2019	11/04/2029	MOU	Mou Limited	No
TMK 11-00372	10/31/2019	11/11/2029	SPECK and Design	SAMSONITE IP HOLDINGS S.A.R.L.	No
TMK 11-00374	10/31/2019	11/04/2029	SPECK	SAMSONITE IP HOLDINGS S.A.R.L.	No
TMK 11-00398	10/31/2019	11/11/2029	DESIGN ONLY (an asterisk in parenthe- ses)	SAMSONITE IP HOLDINGS S.A.R.L.	No
TMK 11-00503	10/24/2019	10/21/2029	VELCADE & Design	Millennium Pharmaceuticals, Inc.	No
TMK 11-00574	10/02/2019	04/20/2029	H & Design	HERMES INTERNATIONAL	No
TMK 11-00890	10/15/2019	10/31/2029	DESIGN ONLY (STRIPE DESIGN)	GUCCI AMERICA, INC.	No
TMK 11-01082	10/29/2019	10/27/2029	POKEMON (Stylized)	Nintendo of America Inc.	No
TMK 11-01222	10/11/2019	02/10/2030	TOP & design	Top Tobacco, L.P.	No
TMK 12-00876	10/25/2019	04/24/2020	PING-PONG	INDIAN INDUSTRIES, INC.	No
TMK 13-01218	10/09/2019	10/07/2029	DONNAY	CDS-IP, S.A.	No
TMK 13-01234	10/02/2019	04/13/2029	H & Design	HERMES INTERNATIONAL	No
TMK 14-00322	10/29/2019	07/07/2027	DOCKERS	LEVI STRAUSS & CO.	No
TMK 14-00340	10/29/2019	03/04/2029	LEVTS (Stylized)	LEVI STRAUSS & CO.	No
TMK 14-00407	10/29/2019	11/22/2029	501	LEVI STRAUSS & CO.	No
TMK 14-00790	10/28/2019	10/28/2029	BOTTEGA VENETA	BOTTEGA VENETA SA	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tm/Trm	Owner Name	GM Restricted
TMK 14-00873	10/07/2019	12/01/2029	L2C	Flooring Industries Ltd	No
TMK 15-00110	10/03/2019	11/01/2025	DRAGON	MARCHON EYEWEAR, INC.	No
TMK 15-00122	10/03/2019	11/21/2021	DESIGN ONLY (DRAGON DESIGN) - CREST LOGO	MARCHON EYEWEAR, INC.	No
TMK 15-00390	10/02/2019	07/14/2029	PHOTO PERFECTION (STYLIZED)	LYMH FRAGRANCE BRANDS	No
TMK 15-00568	10/23/2019	05/03/2029	HEUER	LYMH SWISS MANUFACTURES SA	No
TMK 15-00750	10/30/2019	11/11/2029	GMT-MASTER	ROLEX WATCH U.S.A., INC.	No
TMK 16-00215	10/09/2019	07/06/2029	SWOOSH DESIGN	Nike, Inc.	No
TMK 16-00269	10/29/2019	07/28/2029	DESIGN ONLY (EYE DESIGN)	VIDIA Corporation	No
TMK 16-01223	10/07/2019	04/04/2030	SUPER-DOME	Aspects, Inc.	No
TMK 17-00860	10/24/2019	11/21/2029	VLISCO	VLISCO B.V.	No
TMK 18-00731	10/30/2019	11/03/2029	STANFIELD	OSBORNE INDUSTRIES, INC	No
TMK 19-01057	10/01/2019	12/08/2025	C CHASSE SPORT (Stylized) and Design	ZOE MARKETING, LLC	No
TMK 19-01058	10/02/2019	10/02/2029	DOLFIN & Design	ELITE SPORTSWEAR, L.P.	No
TMK 19-01059	10/02/2019	12/18/2027	OMNI CHEER	VICTORY TEAM APPAREL, LLC	No
TMK 19-01060	10/02/2019	10/02/2029	EDAL	Edal Industries, Inc.	No
TMK 19-01061	10/02/2019	09/19/2028	BABY FOOT and Design (LOGO)	Liberta Co., Ltd.	No
TMK 19-01062	10/02/2019	12/10/2029	ANXIETY IS A LIAR	Lee Smith Dickinson	No
TMK 19-01063	10/02/2019	07/14/2025	HIMALAYAN DOG CHEW	Himalayan Corporation	No
TMK 19-01064	10/03/2019	12/03/2029	LOGOFIT	LOGOFIT, LLC	No
TMK 19-01065	10/03/2019	04/05/2020	WOLVES	Rosemont Hockey Partners, L.P.	No
TMK 19-01066	10/03/2019	06/05/2029	YESHU COCONUT DRINK BOISSON AU COCO CHINA STATE BANQUET BEVERAGE & DESIGN	COCONUT PALM GROUP LIMITED	No

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TMK 19-01067	10/03/2019	09/25/2029	GOOD EATS ORIGINAL & DESIGN	New England Country Foods LLC DBA New England Country Foods LLC	No
TMK 19-01068	10/03/2019	01/01/2030	GSM	Golden State Mint, LLC	No
TMK 19-01069	10/03/2019	04/08/2029	GELACTICA	Rev. 320 Ultimate Hair Systems, Inc.	No
TMK 19-01070	10/03/2019	02/13/2029	REV320	Rev320 Ultimate Hair Systems, Inc.	No
TMK 19-01071	10/03/2019	10/02/2029	IBOSS BY GIO	Rev. 320 Ultimate Hair Systems, Inc.	No
TMK 19-01072	10/03/2019	07/29/2020	KEN'S	KEN'S FOODS, INC.	No
TMK 19-01073	10/03/2019	11/27/2029	CANNONBALL	Ken's Foods, Inc.	No
TMK 19-01074	10/03/2019	03/13/2027	AARON MCKINLEY LEWIS	Aaron McKinley Lewis	No
TMK 19-01075	10/03/2019	08/20/2030	KEN'S STEAK HOUSE	KEN'S FOODS, INC.	No
TMK 19-01076	10/07/2019	07/11/2025	SWEET BABY RAY'S	KEN'S FOODS, INC.	No
TMK 19-01077	10/07/2019	11/29/2020	STICKY FINGERS	KEN'S FOODS, INC.	No
TMK 19-01078	10/07/2019	06/28/2027	FRANK ALEXANDER LEWIS III	Lewis, Frank Alexander III	No
TMK 19-01079	10/07/2019	10/30/2029	EVMC	CYBERSWITCHINGPATENTS, LLC	No
TMK 19-01080	10/07/2019	04/10/2027	TILLMAN	John Tillman Company	No
TMK 19-01081	10/07/2019	04/10/2027	DESIGN ONLY (Tillman Design Mark)	John Tillman Company	No
TMK 19-01082	10/07/2019	12/03/2029	RIB and Design	FUNCTIONAL DEVICES LLC	No
TMK 19-01083	10/07/2019	08/06/2027	ARMADA	TRUCK-PRO INC	No
TMK 19-01084	10/07/2019	04/23/2021	ARMADA and Design	TRUCKPRO, INC.	No
TMK 19-01085	10/07/2019	05/13/2021	ARMADA and Design	TRUCKPRO, INC.	No
TMK 19-01086	10/07/2019	08/31/2026	TRUEFIT	John Tillman Company	No
TMK 19-01087	10/08/2019	08/17/2021	RAINBOW and Design	Repair LLC	No
TMK 19-01088	10/08/2019	11/16/2025	REXAIR	REXAIR LLC	No

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TMK 19-01089	10/08/2019	12/24/2024	RAINBOW	REXAIR LLC	No
TMK 19-01090	10/08/2019	11/19/2028	REXAIR (Stylized)	Rexair LLC	No
TMK 19-01091	10/08/2019	08/17/2021	RAINBOW	Rexair LLC	No
TMK 19-01092	10/08/2019	06/02/2020	RAINBOW (Stylized)	Rexair LLC	No
TMK 19-01093	10/09/2019	12/17/2029	SKINNYFIT and Design	Smashtech, LLC	No
TMK 19-01094	10/10/2019	06/01/2026	LEAFWARE	LeafWare, LLC	No
TMK 19-01095	10/10/2019	11/20/2029	INNOMAT	STP ATLANTIC LLC	No
TMK 19-01096	10/10/2019	11/06/2029	TRAIL BLADE XT	Atturo Tire Corp.	No
TMK 19-01097	10/11/2019	12/24/2029	WE BRING GOOD THINGS TO LIGHT	John Gibson Enterprises, Inc.	No
TMK 19-01098	10/11/2019	11/20/2029	DEFENDER	Jaguar Land Rover	No
TMK 19-01099	10/15/2019	02/22/2027	D (Stylized)	CDS-IP, S.A.	No
TMK 19-01100	10/15/2019	12/24/2029	MONARCH ABODE	Satver Inc.	No
TMK 19-01101	10/15/2019	02/22/2027	D (Stylized)	CDS-IP, S.A.	No
TMK 19-01102	10/15/2019	01/23/2029	DONNAY	CDS-IP	No
TMK 19-01103	10/15/2019	07/24/2028	DETOX & Design	Skinny Fit, LLC	No
TMK 19-01104	10/15/2019	06/22/2026	DONNAY	CDS-IP, S.A.	No
TMK 19-01105	10/15/2019	12/25/2028	ZZZTOX	Smashtech, LLC	No
TMK 19-01106	10/15/2019	12/25/2028	ZZZTOX and Design	Smashtech, LLC	No
TMK 19-01107	10/15/2019	01/01/2030	MTA ENTERTAINMENT and Design	MTA ENTERTAINMENT	No
TMK 19-01108	10/15/2019	04/10/2027	ROBBI LOUISE THOMAS	Robbi Louise Thomas	No
TMK 19-01109	10/17/2019	01/10/2028	CONMED and Design	ConMed Corporation CORPORATION NEW YORK 525 French Road Utica NEW YORK 13502	No
TMK 19-01110	10/17/2019	12/27/2026	BRAIN FLAKES	VIAHART, LLC	No



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TMK 19-01111	10/17/2019	01/08/2030	ZASTAVA ARMS USA	Zastava Arms USA LLC	No
TMK 19-01112	10/17/2019	01/08/2030	ZPAP92	Zastava Arms USA LLC	No
TMK 19-01113	10/17/2019	12/24/2029	Z & Design	Zastava Arms USA LLC	No
TMK 19-01114	10/17/2019	01/08/2030	ZPAPM70	Zastava Arms USA LLC	No
TMK 19-01115	10/21/2019	11/15/2026	44° NORTH	WyattZier, LLC	No
TMK 19-01116	10/21/2019	10/08/2024	GUCCI	Gucci America, Inc.	No
TMK 19-01117	10/21/2019	11/07/2028	CHAR	Keefe, Charlene R.	No
TMK 19-01118	10/21/2019	09/26/2028	LP9	Bestop Baja, LLC	No
TMK 19-01119	10/21/2019	05/09/2029	TRUCKPRO	TRUCKPRO, LLC	No
TMK 19-01120	10/21/2019	10/25/2020	TRUCKPRO and Design	TruckPro, Inc.	No
TMK 19-01121	10/21/2019	11/08/2020	T TRUCK PRO & Design	TruckPro, Inc.	No
TMK 19-01122	10/21/2019	10/31/2021	WE ARE HEAVY DUTY	Truckpro, Inc.	No
TMK 19-01123	10/21/2019	01/15/2024	SERVUS	CCI CORPORATION	No
TMK 19-01124	10/21/2019	01/22/2027	MACE	MACE SECURITY INTERNATIONAL, INC.	No
TMK 19-01125	10/21/2019	11/08/2025	MACE	MACE SECURITY INTERNATIONAL, INC.	No
TMK 19-01126	10/21/2019	07/07/2020	MACE (Stylized)	MACE SECURITY INTERNATIONAL, INC.	No
TMK 19-01127	10/22/2019	02/17/2022	TRUCKRAFT and Design	CCI CORPORATION	No
TMK 19-01128	10/22/2019	09/21/2026	HARM REDUCTION SOLUTIONS	Siebuhr, Jason	No
TMK 19-01129	10/22/2019	09/20/2027	DESIGN ONLY	Siebuhr, Jason	No
TMK 19-01130	10/23/2019	11/23/2027	TRUCKPRO HEAVY DUTY PROFESSIONALS	TruckPro, Inc.	No

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TMK 19-01131	10/23/2019	11/05/2024	ASTRO	Astro Lighting Limited	No
TMK 19-01132	10/23/2019	12/28/2020	PACKIT	PACKIT, LLC	No
TMK 19-01133	10/24/2019	08/28/2029	YUTIQ	EYEPOINT PHARMACEUTICALS US, INC.	No
TMK 19-01134	10/25/2019	12/04/2022	ZOE ATHLETICS & Design	ZOE MARKETING, LLC	No
TMK 19-01135	10/25/2019	01/13/2026	NAVEPOINT	Navepoint, LLC	No
TMK 19-01136	10/28/2019	01/15/2030	GOLDEN STATE MINT	Golden State Mint, LLC	No
TMK 19-01137	10/28/2019	11/27/2029	STICK-TIGHT	Phillips Screw Company	No
TMK 19-01138	10/28/2019	10/09/2029	GOOGLE HOME	GOOGLE LLC	No
TMK 19-01139	10/28/2019	07/16/2029	TITAN	Google LLC	No
TMK 19-01140	10/28/2019	03/13/2027	SQUAREPEG TOYS	SPT, Inc.	No
TMK 19-01141	10/28/2019	05/09/2026	SLINK	SPT, Inc.	No
TMK 19-01142	10/28/2019	06/27/2028	DESIGN ONLY (Copper Color)	SPT, Inc.	No
TMK 19-01143	10/28/2019	04/09/2028	MANTA RAY	ADVANCED FITNESS INC	No
TMK 19-01144	10/28/2019	03/13/2022	TOUCH	Shinhan Art Materials, Inc.	No
TMK 19-01145	10/29/2019	12/03/2029	H and Design	PUT Corporation	No
TMK 19-01146	10/29/2019	12/24/2029	QUADRICISER and Design	Larry H. Bohanan	No
TMK 19-01147	10/29/2019	06/22/2026	VAPORESSO (Stylized)	Shenzhen Smoore Technology Limited	No
TMK 19-01148	10/29/2019	12/02/2020	DESIGN ONLY	LEVI STRAUSS & CO.	No
TMK 19-01149	10/29/2019	03/09/2024	DESIGN ONLY	Levi Strauss & Co.	No
TMK 19-01150	10/29/2019	05/01/2022	LEVI STRAUSS & COS.F.CAL and Design (BUTTON DESIGN #1)	LEVI STRAUSS & CO.	No
TMK 19-01151	10/29/2019	06/12/2029	LEVI'S and Design (SPORTSWEAR (COLOR))	Levi Strauss & Co.	No

## CBP IPR RECORDATION — OCTOBER 2019

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TMK 19-01152	10/29/2019	01/18/2030	LEVTS and Design (TAB DESIGN #2)	LEVI STRAUSS & CO.	No
TMK 19-01153	10/30/2019	10/21/2023	DESIGN ONLY	LEVI STRAUSS & CO.	No
TMK 19-01154	10/30/2019	12/17/2029	TAKE-A-LEAP <sup>1</sup> and Design	Take-A-Leap Today, Inc.	No
TMK 19-01155	10/30/2019	01/20/2026	KLUTCHWHEELS.COM	KWR Enterprises, Inc.	No
TMK 19-01156	10/30/2019	11/04/2024	DESIGN ONLY	Levi Strauss & Co.	No
TMK 19-01157	10/30/2019	09/17/2023	DESIGN ONLY	LEVI STRAUSS & CO.	No
TMK 19-01158	10/30/2019	05/28/2022	PINK PANTHER & Design	Metro-Goldwyn-Mayer Studios Inc.	No
TMK 19-01159	10/31/2019	08/21/2029	DESIGN ONLY	GOYARD ST-HONORE SOCIÉTÉ ANONYME (SA)	No
TMK 19-01160	10/31/2019	08/07/2029	E GOYARD 233 R ST HONORE PARIS (Stylized) and Design	GOYARD ST-HONORE	No
TMK 19-01161	10/31/2019	12/03/2029	OOZE	Ashh, Inc.	No
TMK 19-01162	10/31/2019	04/17/2027	OOZE	ASHH, INC.	No
TMK 19-01163	10/31/2019	11/07/2028	Y (Stylized) and Design	GOYARD ST-HONORE	No
TMK 89-00470	10/03/2019	07/08/2029	VICKS	THE PROCTER & GAMBLE COMPANY	No
TMK 89-00646	10/15/2019	12/09/2029	GUCCI	GUCCI AMERICA, INC.	No
TMK 90-00062	10/29/2019	11/05/2029	FERRARI (Stylized)	Ferrari S.p.A.	No
TMK 90-00090	10/30/2019	12/06/2029	PENDLETON (Stylized)	PENDLETON WOOLEN MILLS, INC.	No
TMK 91-00022	10/15/2019	11/09/2029	BULOVA	Citizen Watch Company of America, Inc.	No
TMK 93-00645	10/23/2019	01/14/2030	CLINIQUE	CLINIQUE LABORATORIES, LLC	No
TMK 97-00302	10/11/2019	01/21/2030	LACOSTE	LACOSTE ALLIGATOR S.A.	No
COP 19-00121	10/28/2019	10/28/2039	HIDDEN TREASURE MARLYN	NICOLE, INC. dba NICOLE LEE.	No
COP 19-00122	10/31/2019	10/31/2039	FIRE EMBLEM	INTELLIGENT SYSTEMS CO., LTD.	No
COP 99-00265	10/09/2019	10/09/2039	CEO Barbie	Mattel, Inc.	No

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COP 99-00268	10/01/2019	10/01/2039	Modi parenthesis.	Bulgari, SPA	No
COP 99-00269	10/03/2019	10/03/2039	BR270/1.	Bulgari, SPA	No
COP 99-00298	10/01/2019	10/01/2039	Super Mario Bros. deluxe (CGB)	Nintendo of America, Inc.	No
COP 99-00314	10/01/2019	10/01/2039	Pokemon yellow version.	Nintendo of America, Inc., Game Freak, Inc., & Creatures, Inc.	No
COP 99-00316	10/01/2019	10/01/2039	Mario golf	Nintendo of America, Inc.	No

## AGENCY INFORMATION COLLECTION ACTIVITIES:

### Lien Notice

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security.

**ACTION:** 60-Day notice and request for comments; extension of an existing collection of information.

**SUMMARY:** The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

**DATES:** Comments are encouraged and must be submitted (no later than January 21, 2020) to be assured of consideration.

**ADDRESSES:** Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651-0012 in the subject line and the agency name. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Email.* Submit comments to: [CBPPRA@cbp.dhs.gov](mailto:CBPPRA@cbp.dhs.gov).

(2) *Mail.* Submit written comments to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE, 10th Floor, Washington, DC 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, telephone number 202-325-0056 or via email [CBP\\_PRA@cbp.dhs.gov](mailto:CBP_PRA@cbp.dhs.gov). Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions

from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

### **Overview of This Information Collection**

**Title:** Lien Notice.

**OMB Number:** 1651-0012.

**Form Number:** CBP Form 3485.

**Abstract:** Section 564, Tariff Act of 19, as amended (19 U.S.C. 1564) provides that the claimant of a lien for freight, charges, or contribution in general average can notify CBP in writing of the existence of a lien, and CBP shall not permit delivery of the merchandise from a public store or a bonded warehouse until the lien is satisfied or discharged. The claimant shall file the notification of a lien on CBP Form 3485, Lien Notice. This form is usually prepared and submitted to CBP by carriers, cartmen and similar persons or firms. The data collected on this form is used by CBP to ensure that liens have been satisfied or discharged before delivery of the freight from public stores or bonded warehouses, and to ensure that proceeds from public auction sales are distributed to the lienholder. CBP Form 3485 is provided for by 19 CFR 141.112, and is accessible at <https://www.cbp.gov/newsroom/publications/forms?title=3485&=Apply>.

**Current Actions:** This submission is being made to extend the expiration date with no change to the burden hours. There are no changes to the information collected or to Form 3485.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses.

**Estimated Number of Respondents:** 112,000.

**Estimated Number of Annual Responses per Respondent:** 1.

**Estimated Number of Total Annual Responses:** 112,000.

**Estimated Time per Response:** 15 minutes.

**Estimated Total Annual Burden Hours:** 28,000.

Dated: November 13, 2019.

SETH D. RENKEMA,  
*Branch Chief,*  
*Economic Impact Analysis Branch,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, November 19, 2019 (84 FR 63888)]

**AGENCY INFORMATION COLLECTION ACTIVITIES:****321 E-Commerce Data Pilot**

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security.

**ACTION:** 30-Day notice and request for comments; New collection of information.

**SUMMARY:** The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

**DATES:** Comments are encouraged and must be submitted no later than December 16, 2019 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov*.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, Telephone number 202-325-0056 or via email *CBP\_PRA@cbp.dhs.gov*. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (84 FR 48363) on September 13, 2019, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in



accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

### **Overview of This Information Collection**

**Title:** 321 E-Commerce Data Pilot.

**OMB Number:** 1651-NEW.

**Form Number:** N/A.

**Current Actions:** This submission is being made to obtain an OMB control number for this Information Collection Request and to expand the respondent group of the recent 321 Data Pilot test notice on July 23, 2019 (84 FR 35405) which was limited to nine respondents.

**Type of Review:** New.

**Affected Public:** Businesses.

**Abstract:** CBP faces significant challenges in targeting Section 321 shipments, while still maintaining the clearance speeds the private sector has come to expect. This is because CBP does not receive adequate advance information in order to effectively and efficiently assess the security risk of the approximately 1.8 million Section 321 shipments that arrive each day. This pilot is conducted pursuant to 19 CFR 101.9(a), which authorizes the Commissioner to impose requirements different from those specified in the CBP regulations for the purposes of conducting a test program or procedure designed to evaluate the effectiveness of new technology or operational procedures regarding the processing of passengers, vessels, or merchandise.

In the e-commerce environment, traditionally regulated parties, such as carriers, are unlikely to possess all of the information relating to a shipment's supply chain. While CBP receives some advance electronic data for Section 321 shipments from air, rail, and truck

carriers (and certain other parties in limited circumstances) as mandated by current regulations, the transmitted data often does not adequately identify the entity causing the shipment to cross the border, the final recipient, or the contents of the package. Consequently, CBP may not receive any advance information on the entity actually causing the shipment to travel to the United States, such as the seller or manufacturer. Some carriers may not have this information because sellers on e-commerce platforms often contract with other entities to act as the seller. Similarly, for the consignee's name and address, a carrier might transmit information for the domestic deconsolidator, which will not allow CBP to identify in advance of arrival, the final recipient of the merchandise in the United States. With the growth of e-commerce, shipments are increasingly subject to these complex transactions, where information about the shipment is limited. As a result, CBP is less able to effectively target or identify high-risk shipments in the e-commerce environment and CBP Officers must use additional time and resources to inspect Section 321 shipments upon arrival.

CBP anticipates that Section 321 shipments will continue to grow quickly. Accordingly, CBP is initiating this voluntary Section 321 Data Pilot to test the feasibility of obtaining advance information from regulated and non-regulated entities, such as online marketplaces, as well as requiring additional advance data elements. This test will enable CBP to assess the ability of online marketplaces to transmit information to CBP that enables CBP to better use resources used in inspecting and processing these shipments and better understand the operation of online marketplaces. Additionally, CBP is testing whether the transmission of additional advance data, beyond the data elements currently required for shipments arriving by air, truck, or rail, will enable CBP to more accurately and efficiently target Section 321 shipments. Pursuant to this test, participants will provide information that identifies the entity causing the shipment to cross the border, the ultimate recipient, and the product in the shipment with greater specificity, in advance. CBP will test the feasibility of using the additional data elements, transmitted by multiple entities for a single shipment, to segment risk. In sum, the pilot will enable CBP to determine if requiring additional data and involving non-regulated entities will enable CBP to address the threats and complexities resulting from the vast increase in Section 321 shipments, while facilitating cross-border e-commerce.

Participants in the Section 321 Data Pilot must transmit certain information for any Section 321 shipments destined for the United States for which the participant has information. The required data

elements differ slightly depending on what entity is transmitting the data. In general, the required data relates to the entity initiating the shipment (*e.g.*, the entity causing the shipment to cross the border, such as the seller, manufacturer, or shipper), the product in the package, the listed marketplace price, and the final recipient (*e.g.*, the final entity to possess the shipment in the United States). The data elements are as follow.

1. All participants. All participants, regardless of filer type, must electronically transmit the following elements:

- Originator Code of the Participant (assigned by CBP)
- Participant Filer Type (*e.g.*, carrier or online marketplace)
- One or more of the following:
  - Shipment Tracking Number
  - House Bill Number
  - Master Bill Number
- Mode of Transportation (*e.g.*, air, truck, rail, or ocean)

2. Participating carriers. In addition to the data elements listed above in paragraph 1, participating carriers must also electronically transmit the following data elements:

- Shipment Initiator Name and Address (*e.g.*, the entity that causes the movement of a shipment, which may be a seller, shipper, or manufacturer, but not a foreign consolidator)
- Final Deliver to Party Name and Address (*e.g.*, the final entity to receive the shipment once it arrives in the United States, which may be a final purchaser or a warehouse, but not a domestic deconsolidator)
- Enhanced Product Description (*e.g.*, a description of a product shipped to the United States more detailed than the description on the manifest, which should, if applicable, reflect the advertised retail description of the product as listed on an online marketplace)
- Shipment Security Scan (air carriers only) (*e.g.*, verification that a foreign security scan for the shipment has been completed such as an x-ray image or other security screening report)
- Known Carrier Customer Flag (*e.g.*, an indicator that identifies a shipper as a repeat customer that has consistently paid all required fees and does not have any known trade violations)

3. Participating online marketplaces. In addition to the data elements listed above in paragraph 1, participating online marketplaces must electronically submit the following data elements:

- Seller Name and Address (*e.g.*, an international or domestic company that sells products on marketplaces and other websites), and, if applicable, Shipment Initiator Name and Address (as defined in Section II.A.2)
- Final Deliver to Party Name and Address (as defined in Section II.A.2)
- Known Marketplace Seller Flag (*e.g.*, an indicator provided by a marketplace that identifies a seller as an entity vetted by the marketplace and has no known trade violations)
- Marketplace Seller Account Number/ Seller ID (*e.g.*, the unique identifier a marketplace assigns to sellers)
- Buyer Name and Address, if applicable (*e.g.*, the purchaser of a good from an online marketplace. This entity is not always the same as the final deliver to party.)
- Product Picture (*e.g.*, picture of the product presented on an online marketplace), Link to Product Listing (*e.g.*, an active and direct link to the listing of a specific product on an online marketplace), or Enhanced Product Description (as defined in Section II.A.2)
- Listed Price on Marketplace (*e.g.*, the retail price of a product that a seller lists while advertising on an online marketplace. For auction marketplaces, this price is the price of final sale.)

Different entities may transmit different data elements for the same shipment. In addition to the above required data elements, participants may voluntarily provide the following optional data elements:

- HTS Number;
- Retail Price in Export Country;
- Shipper Name;
- Shipper Address;
- Shipper Phone Number;
- Shipper Email Address;
- Shipment Initiator Phone Number;

- Consignee Name;
- Consignee Address;
- Consignee Phone Number;
- Consignee Email Address;
- Marketplace Name;
- Buyer Account Number;
- Buyer Address;
- Seller Phone Number;
- Buyer Phone Number;
- Marketplace website;
- Buyer Name;
- Buyer Confirmation Number;
- Buyer Email Address;
- Carrier Name;
- Known Carrier Customer;
- Merchandise/Product Weight; and,
- Merchandise/Product Quantity.
- Listed Price on Marketplace.

**Estimated Number of Respondents:** 20.

**Estimated Number of Annual Responses per Respondent:** 70,000.

**Estimated Number of Total Annual Responses:** 1,400,000.

**Estimated Time per Response:** 5 seconds.

**Estimated Total Annual Burden Hours:** 1,944.

Dated: November 12, 2019.

SETH D. RENKEMA,  
*Branch Chief,*  
*Economic Impact Analysis Branch,*  
*U.S. Customs and Border Protection.*