

# UNDERGROUND ECONOMIES AND ILLEGAL IMPORTS

Donald E. deKieffer

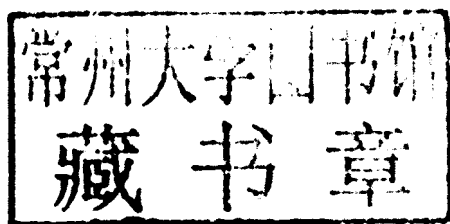
Business and Legal Strategies  
to Address Illegitimate Commerce

OXFORD

# Underground Economies and Illegal Imports

Business and Legal Strategies to  
Address Illegitimate Commerce

Donald E. deKieffer



OXFORD  
UNIVERSITY PRESS

**OXFORD**  
UNIVERSITY PRESS

*Oxford University Press, Inc., publishes works that further Oxford University's objective of excellence in research, scholarship, and education.*

Oxford New York

Auckland Cape Town Dar es Salaam Hong Kong Karachi Kuala Lumpur Madrid Melbourne  
Mexico City Nairobi New Delhi Shanghai Taipei Toronto

With offices in

Argentina Austria Brazil Chile Czech Republic France Greece Guatemala Hungary Italy  
Japan Poland Portugal Singapore South Korea Switzerland Thailand Turkey Ukraine  
Vietnam

Copyright © 2010 by Oxford University Press, Inc.

Published by Oxford University Press, Inc.  
198 Madison Avenue, New York, New York 10016

Oxford is a registered trademark of Oxford University Press

Oxford University Press is a registered trademark of Oxford University Press, Inc.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior permission of Oxford University Press, Inc.

---

Library of Congress Cataloging-in-Publication Data

DeKieffer, Donald E.

Underground economies and illegal imports : business and legal strategies to address  
illegitimate commerce / Donald E. deKieffer.  
p. cm.

Includes bibliographical references and index.

ISBN 978-0-19-539488-7 ((paperback) : alk. paper)

1. Commercial crimes. 2. Informal sector (Economics)—Law and legislation.  
3. Gray market—Law and legislation. 4. Illegal contracts. 5. Foreign trade regulation—  
Criminal provisions. 6. Imports. 7. Smuggling—Prevention. I. Title.

K5215.D43 2010

345'.0268—dc22

2009043541

---

1 2 3 4 5 6 7 8 9

Printed in the United States of America on acid-free paper

**Note to Readers**

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is based upon sources believed to be accurate and reliable and is intended to be current as of the time it was written. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional services. If legal advice or other expert assistance is required, the services of a competent professional person should be sought. Also, to confirm that the information has not been affected or changed by recent developments, traditional legal research techniques should be used, including checking primary sources where appropriate.

*(Based on the Declaration of Principles jointly adopted by a Committee of the  
American Bar Association and a Committee of Publishers and Associations.)*

**You may order this or any other Oxford University Press publication by  
visiting the Oxford University Press website at [www.oup.com](http://www.oup.com)**

## About the Author

Donald E. deKieffer is a founding partner of deKieffer & Horgan, a Washington, DC based firm that specializes in international trade and government regulation. He has practiced in the fields of international trade regulation and policy and intellectual property enforcement for more than three decades, and represented clients before the U.S. Departments of Commerce, State, Labor, and Treasury, the U.S. International Trade Commission, the United States Trade Representative, the U.S. Customs Service (now ICE and CBP), and the U.S. Court of International Trade.

Mr. deKieffer is a member of the Bar of the United States Supreme Court, the United States Court of Appeals and the District of Columbia Circuit, the U.S. Court of Claims, the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of International Trade. He is also a member of the American Arbitration Association's Commercial Panel (arbitrator), the American Bar Association, the American Society of International Law and eight other professional institutes and organizations. He was formerly co-chair of the American Bar Association International Law Section's Committee on International Intellectual Property Rights.

Mr. deKieffer is a recognized expert in the field of international anticounterfeiting and antidiversion. He is a member of the Product Surety Task forces (both Food and Pharmaceuticals) of the Food and Drug Administration (2002-present) and has spoken at numerous conferences on the subject of international supply chain security and product integrity. He has represented more than 50 brand name owners (mostly manufacturers of consumer goods and pharmaceuticals) in diversion, product tampering, and counterfeiting cases. He is currently President of EDDI, Inc., a Washington-based company that maintains databases relating to counterfeiters, diverters, and their accomplices.

Mr. deKieffer is the author of numerous articles on trade and other matters and has written five books including *How to Lobby Congress*, *Doing Business in the U.S.A.*, *Doing Business in Romania*, *The International Business Traveler's Companion*, *How Lawyers Screw Their Clients and What You Can Do About It*, and *The Citizens Guide to Lobbying Congress*. He has presented more than 200 speeches to various groups around the world on international trade law and policy, and has appeared regularly both on foreign and domestic television.

## Acknowledgments

Since this book is not designed exclusively for legal scholars, I have benefited immensely from the advice and criticism of experts in various fields.

**George McCray** is currently the Senior Legal Advisor to the Executive Director at U.S. Customs & Border Protection, Regulations & Rulings Directorate. He was formerly Supervisory Attorney-Advisor/Chief-Intellectual Property Rights Branch at U.S. Customs & Border Protection and provided invaluable historical background on the U.S. government's policies on gray market enforcement.

**Keesha Warmbsy** helped locate numerous references to obscure sources of information and aided in the citations of numerous footnotes.

**Merritt Blakeslee** is an acknowledged expert in post-litigation enforcement of Section 337 actions and provided very useful material on that subject.

**Mike Kessler**, a New York investigator, specializes in gray market cases and brought unique insights to the "street mechanics" of the gray market.

**Doug Farah**, the famous author of numerous nonfiction books on international intrigue such as *Blood from Stones* and *Merchant of Death* provided suggestions regarding the more dangerous folks who populate the gray market universe.

**Dr. Nikos Passas**, one of the world's leading experts in money laundering, provided many insights to the methods used by gray marketers to move money.

**Kevin Peverill**, the leading gray market investigator in the United Kingdom, has advised me for many years on the links between various gray market schemers on the Continent and around the world.

**Katherine Eban** was largely responsible for making this hitherto closeted subject accessible to the general public through her book, *Dangerous Doses*. Katherine is a frequent correspondent and co-panelist with me in numerous fora.

**“Bill,” “Kate,”** and several other analysts at various U.S. government security agencies challenged several of my premises and suggested useful changes.

**Dr. Keith Maskus**, Professor of Economics, University of Colorado at Boulder, provided me with valuable insights into the economic literature and theory of gray marketing.

**The Hon. Noel Hillman**, U.S. District Court Judge (District of New Jersey), is one of the preeminent experts in prosecuting gray market cases in the United States.

**Rod Brown, Esq., Geoff Potter, Esq., and Bill Conkle Esq.** are three of the most experienced civil litigators in the country in gray market cases. Their advice and assistance over many years has been eye-opening.

**David Faulconer**, an ICE agent and one of most knowledgeable “IP cops” in the country, is a welcome ally and fearsome opponent.

**Jim Dahl, Nancy Kennedy, Terry Vermillion, and the dedicated agents of the Office of Criminal Investigation, Food and Drug Administration** have provided me with hours of free counseling on the realities of “real-world” investigations.

## Foreword

In 1950, international trade accounted for \$64 billion. By 1990, it had grown to \$3.4 trillion and only eight years later, had risen to \$16 trillion.<sup>1</sup> The growth of international commerce in the post-war era has resulted from several factors:

- Substantial reductions in trade barriers by both industrialized and developing countries;
- Development of consistent trading rules by organizations such as the WTO;
- Vast improvements in logistics, communications, and transportation;
- Establishment of multinational enterprises that facilitated the globalization of transnational supply chains.

Although official trade barriers have generally fallen in the past sixty years, they have not disappeared, and several new types of restrictions have been created which are designed to inhibit particular types of commerce. Some of these have been created by governments, and others by private parties, often with official encouragement.

The most obvious restrictions on the free movement of goods involve contraband. There is no singular definition of the term, but it is generally agreed that it includes at least narcotics, arms, and the illicit movement of people. Beyond that, many governments have expansive prohibitions against pornography, “seditious” literature, and a host of other goods.

This book will *not* consider the “Big Three” contraband items (drugs, guns, and people), and will instead examine the netherworld of trade that is not sanctioned by governments, but against which enforcement is often benign. The size of this sector is unknown; its participants generally do not observe the niceties of annual reports. Nevertheless, some crude estimates can be made of its various components, which altogether indicate it may amount to more than 10 percent of international commerce. Since the “official” numbers

---

1. See WTO Statistics database, available at <http://stat.wto.org>.

for transnational commerce are in the range of \$16 trillion for 2008,<sup>2</sup> this would mean that up to \$1.6 trillion in trade is conducted in these shadow markets.

In 2005, Moises Naim, then editor of *Foreign Policy* magazine, brought the gray market to prominence with his book, *Illicit: How Smugglers, Traffickers and Copycats are Hijacking the Global Economy*.<sup>3</sup> It was a bestseller and was later made into a film under the auspices of *National Geographic*.<sup>4</sup> Naim focused on the more sensational aspects of the gray market: its links with organized crime, gun-running, sex trade, and drugs. He also cited the impotence of governments around the world in meeting the gray market challenge. While *Illicit* exposed the very real dangers of the underground economy, it was short on the motivations and techniques used by gray marketers. Naim's prescriptions for dealing with the problem were also broad-brush, concentrating on technology and government initiatives.<sup>5</sup> Despite these shortcomings, *Illicit* remains a profoundly important work in that it raised public awareness of the problem to an unprecedented degree.

Unlike the black market dealers in heroin, artillery, or sex slaves, traders in the international gray markets usually do not rely upon surreptitious means to conduct their business. Not for them are cross-border tunnels, cash in suitcases, or midnight airdrops. They generally hide their transactions in plain sight, confounding the nominal enforcers and infecting international commercial statistics with bogus numbers. Their activities also disrupt legitimate supply and distribution chains, rendering marketing plans useless or worse.<sup>6</sup>

This latter issue is crucial for international commercial enterprises. There is extensive literature and entire academic disciplines devoted to the study of transnational logistics. I will not attempt to replicate them, but will reference them as appropriate. What many of these texts fail to recognize is that there are those who simply do not play by the rules, and maliciously infiltrate the best-designed systems for their own purposes. Indeed, many of the most successful international gray marketers have advanced business degrees. Infiltration of legal distribution chains by gray marketers is the most common,

---

2. WTO Statistics, *supra* note 1. Note that there are huge discrepancies on the volume of trade, depending upon the statistical methods used to calculate the amounts. For example, counting exports and imports together effectively "double counts" the volume. Even, however, if half the sums are valid, this still amounts to hundreds of billions in gray market trade.

3. MOISES NAIM, *ILLICIT: HOW SMUGGLERS, TRAFFICERS, AND COPYCATS ARE HIJACKING THE GLOBAL ECONOMY* (2005).

4. *Illicit: The Dark Trade* (National Geographic Television 2008).

5. NAIM, *supra* note 3, at Chapter 12.

6. For an interesting analysis of one part of the gray market problem, see *THE ECONOMIC IMPACT OF COUNTERFEITING AND PIRACY*, Organisation for Economic Co-Operation and Development (OECD Publishing 2007).



if infrequently understood, method of inserting illicit product into the legitimate market.<sup>7</sup>

It is an eternal problem for lawyers to write about issues that have both legal and practical consequences. For much of this book, I concentrate on the real world of commerce. Gray marketers are rarely legal scholars but often have keen business sensibilities. Juridical distinctions regarding the scope of the First Sale Doctrine and universality of trademarks have little meaning to them. Gray market merchants do not generally have staff counsel to advise them concerning the niceties of parallel trade vs. tortious interference with contract. They often deal in all types of goods, some of which are technically licit; others which are not. These distinctions become irrelevant when the goods are comingled and sold in international markets. Business executives must understand the full scope of the problem and address the challenges in realistic ways.

By contrast, lawyers must regard the issues *seriatim* and distinguish between what is lawful and what is not. I acknowledge from the outset that my insistence upon aggregating legal activity, counterfeiting, diversion, parallel trading, and theft under the rubric of “gray markets” would appall even the least fastidious legal scholar. I have done so only because the participants in this market often make no such distinctions. I trust, however, that the references herein to statutory and case law will provide attorneys with some guidance when they are confronted with situations such as those described in this book and that my Georgetown law degree will not be retroactively revoked.

For purposes of this volume, I assume a basic knowledge of international commerce, but will refer readers to other sources for both fundamental and esoteric expositions on various topics. One of the very best books in this regard is *Gray Markets: Prevention, Detection and Litigation*.<sup>8</sup> I encourage readers to refer to it for legal analysis and alternative views. There is also an abundance of law review articles and technical literature on the arcania of such matters as Section 337 procedure and precedent. If after reading this book, counsel are inclined to attempt some of the more obscure legal remedies, they are *strongly* advised to refer to more detailed expositions, many of which are listed in the bibliography. These are not undertakings that should be launched without reading the instructions carefully. Do not try this at home without expert advice.

---

7. There have been several attempts to determine the number of academic publications on gray market and counterfeit trade; none of these are particularly useful given the varying definitions of the subject. For one of the better analyses regarding the counterfeit portion of the gray market, see THORSTEN STAAKE AND ELGAR FLEISCH, *COUNTERING COUNTERFEIT TRADE* (2008) (hereinafter *Staake and Fleisch*). They graphically demonstrate that academic books and monographs have increased tenfold in the past decade (through 2006).

8. DAVID SUGDEN, *GRAY MARKETS: PREVENTION, DETECTION AND LITIGATION* (2009).

There are also numerous economic studies of the gray market, many of which have competing assumptions and conclusions. I have included some of these in the bibliography, but do not pretend that these are the last word in the field. One of the purposes of this book is to encourage economists to take into consideration the “real world” of gray marketing in their models, which often neglect the fact that the subjects of their study are sometimes immune from the normal forces of the free market and engage in these activities for reasons other than economic gain.

A word on footnotes and references: Where possible, I have cited sources, but by its nature, gray marketing is less amenable to definitive sourcing than is common in legal or economic publications. Much of the anecdotal material in this volume was gleaned from decades of experience, but also from reference to the EDDI database, which is mentioned occasionally herein. This database was compiled and administered by deKieffer & Horgan, and is, I believe, the largest compendium of information on counterfeiters and diverters extant. I have been gathering data since early 1995, and now have over 300,000 records of known and suspected gray market participants and their accomplices. EDDI data are not cited in most cases, but it was instrumental in fleshing out concepts. It is also important for readers to recognize that each of the chapter subjects is the topic of voluminous academic and legal writing, so readers are encouraged to consult more fine-grained analyses, many of which are found in the bibliography.

This book, by contrast, is designed for those interested in the real world of skullduggery, disingenuousness, prevarication, and sometimes comic exploits of rogues—and how to deal with them in ways not always contemplated by the letter of the law.

Donald deKieffer  
Washington, DC  
December, 2009

## Introduction

Why study the gray market? A lot depends upon your perspective.

*Government policy makers* need to understand the weaknesses in regulatory regimes. Laws are not necessarily self-executing. Merely because a new regulation is promulgated does not mean it will actually be implemented in the real world. Absent enforcement, a law may be worth little more than a wish. Indeed, the gray market flourishes *because* existing laws are routinely ignored. The proper policy response may be to increase enforcement or, in some cases, to attack the problem by *repealing* restrictions which give birth to the underground economy.

*Law enforcement* should be cognizant of gray market operations not only because they are almost always illegal per se, but also because they are often used to disguise an array of other crimes such as narcotics dealing, money laundering, tax evasion, and even terrorism. Law enforcement often regards the gray market as a purely commercial crime, best left to the parties to sort out in civil court, if need be.

*Economists* try to model outcomes based upon known data. By its nature, the gray market has a paucity of statistics. This can have an enormous effect upon the accuracy of economic modeling.<sup>1</sup>

*Lawyers* attempt to protect their clients from unfair competition within the limits of the law. Determining the limits of what is “unfair” and what is actionable is often difficult unless counsel fully understands what is involved in these transactions. What may appear to be perfectly legitimate market behavior may in fact conceal a darker side that is cognizable in court.

*Academics*—ranging from criminologists to sociologists and packaging experts to business school professors—must appreciate the motivations and methods of gray marketers to have any comprehension of the way individuals actually function outside the classroom.<sup>2</sup> Public toleration of, or even

---

1. See, e.g., Mattias Ganslandt & Keith E. Maskus, *Vertical Distribution, Parallel Trade and Price Divergence in Integrated Market*, EUR. ECON. REV. 51 (2007) 943–70; see also Staahe and Fleisch, *supra* note 7 of Introduction, at Chapter 6.

2. For a good example describing the real-world calculus in professions such as drug dealing, see STEPHEN J. DUBNER, STEVEN D. LEVITT, & WILLIAM MORROW, *FREAKONOMICS* (2005).

demand for, gray market goods, while difficult to quantify, is omnipresent. This raises interesting socio-political issues such as a fundamental discrepancy for what politicians *think* the public wants and what they actually desire. Abraham Lincoln famously observed that, “The best way to get a bad law repealed is to enforce it strictly.” Governments have long observed this axiom and benignly neglect to enforce laws that are unpopular. Restrictions on the gray market are among these.

*Marketing executives* in particular must analyze the gray market in the same way they do other competitive scenarios. While it is common for marketing departments to do extensive research on their legitimate competition, much less time is spent on what is often the greatest competitive challenge: gray marketers. In some cases, the gray market actually sets the real-world price of a branded product. The underground economy can also have significant influence on the measurement of marketing efforts. Success of advertising campaigns, for example, is sometimes measured by increases in sales volumes reported by legitimate vendors at the point of sale (POS). In many cases, however, gray market sales are not included in POS data, so accurate statistics are elusive.

Brand dilution is almost always a symptom of gray market trade. Whether the products are repackaged in a way not intended by the manufacturer or are sold in unauthorized venues, brand image suffers. This problem is exacerbated when consumers mistake counterfeit products for legitimate goods. This is particularly acute when the bogus product might pose a safety or health risk to consumers.

*Risk managers* are often required to provide analyses of various scenarios related to the products made by their employers. While it is surely essential to consider potential problems associated with products a manufacturer *does* make, there are enormous, often unrecognized, dangers in products bearing the brand that they did *not* manufacture. Even in cases where the goods themselves are legitimate, they may have been handled or packaged in such a way by underground distributors that they pose significant risks to the company and its customers.

*Investigators.* Private and corporate investigators are on the front lines when it comes to the gray market. Their job is to protect the integrity of their client’s brands and to thwart fraud. Legal niceties aside, it is essential for investigators to understand the motivation, tactics, and impact of the gray market if they are to accomplish these tasks.

There are several approaches to studying the gray market, but one factor usually missing in current literature is an explanation of fundamentals. Why does the gray market exist? Who are the gray marketers? What motivates them? How do they operate? Successful big-game hunters know their quarry intimately before they ever take to the field. They can identify scat, know the times of day their target goes to water, understand how to read tracks, and appreciate the deceptions which may be used to throw off the chase.

Similarly, before any of the above parties can trek in this veld, it is essential to fully comprehend the nature of the market, how it operates, and the techniques used by the local fauna.

This volume is a field guide to the subject. It is not comprehensive but is designed to guide hunters in the real world of the underground market.

# Contents

ABOUT THE AUTHOR	xi
ACKNOWLEDGMENTS	xiii
FOREWORD	xv
INTRODUCTION	xix
CHAPTER 1: <b>The Twilight Between Gray and Black</b>	1
CHAPTER 2: <b>What Is Gray?</b>	3
2.1 Government Regulation	4
2.2 Private Regulation	7
2.3 Trademarks	7
2.4 Patents	9
2.5 Copyrights	10
2.6 Trade Secrets	11
2.7 Restrictive Distribution and Manufacturing Agreements	13
CHAPTER 3: <b>Government Trade Controls</b>	15
3.1 Taxes	16
3.2 Tariffs	17
3.3 Trade Preferences	18
3.4 Quotas	19
3.5 Health and Safety	21
3.6 Public Policy Controls	22
3.7 Foreign Policy and National Security	22
3.8 Antidumping and Countervailing Duties	25
3.9 Safeguards	26
3.10 Labeling	26
3.11 Licensing and Agencies	28
CHAPTER 4: <b>Incentives for the Gray Market</b>	31
4.1 Public Attitudes Toward the Gray Market	32
4.2 You Market, We Sell	33

4.3	Better than Cash	33
4.4	Hedging and Currency Speculation	36
4.5	Philanthropists	36
4.6	Patriots and Terrorists	38
4.7	See No Evil	41
4.8	Conglomerates	48
<b>CHAPTER 5: Acquiring the Merchandise</b>		<b>49</b>
5.1	Open Trading	50
5.2	Classic Gray	52
5.3	Contract Manufacturing	55
5.4	Midnight Runs	55
5.5	Diversion	57
5.6	Faithless Distributors	59
5.7	Organized Retail Theft	60
5.8	Cargo Theft	62
5.9	Sampling Scams	63
5.10	Homemade	66
5.11	Reverse Distributors	69
5.12	Bust-outs	70
5.13	Recycling	73
<b>CHAPTER 6: The Gray Market Bazaar</b>		<b>75</b>
6.1	The Internet	76
6.2	Flea Markets	79
6.3	Street Sales	80
6.4	Liquidation and Surplus	81
6.5	Dollar Stores	82
6.6	Mom and Pop	83
6.7	Box Stores	84
6.8	Your Neighborhood Supermarket	85
6.8.1	Diversion Buyers	85
6.8.2	Repackers	87
6.8.3	Inventory Adjustments	89
<b>CHAPTER 7: The Invisible Souk</b>		<b>91</b>
7.1	A Problem with Numbers	92
7.2	Avoidance vs. Evasion	96
7.3	Willful Blindness	97
7.4	Priorities	101
7.5	Company Softies	103
<b>CHAPTER 8: Strategy</b>		<b>109</b>
8.1	Basic Skills	110
8.2	Strategy	110

<b>CHAPTER 9: Tactics</b>	<b>123</b>
9.1 Falsification of Documents	124
9.2 Establishing Credible Deniability	124
9.3 Acquiring a Legitimate Persona	126
9.4 The Setup; the Legend	127
9.5 Papering Files	128
9.6 Comingling	128
9.7 Disguising Consignees and Consignors	129
9.8 Disguising Provenance	130
9.9 Avoiding Speed Traps	131
9.10 Prevarication Without Blushing	131
9.11 Over- and Under-Invoicing	131
9.12 Multiple Invoicing of Goods and Services	132
9.13 Over- and Under-Shipment of Goods and Services	133
9.14 Hiding and Moving Inventory	134
9.15 Moving Money	135
9.16 Hiring Protection	137
9.17 Hiring Sacrificial Goats	138
9.18 Enforcing Conduct of Collaborators	139
9.19 Avoiding Interception of Communications	139
<b>CHAPTER 10: The Special Case of Pharmaceuticals</b>	<b>141</b>
10.1 Trojan Drugs	144
10.2 Diversion of Charitable Contributions	146
10.3 Internet Sales	147
10.4 The Canadian Connection	149
<b>CHAPTER 11: Where Is the Gray Market?</b>	<b>153</b>
11.1 International Diversion Markets	154
11.1.1 North America	154
11.1.2 Central America	157
11.1.3 South America	158
11.1.4 Caribbean	158
11.1.5 Europe	159
11.1.6 Middle East/Africa	161
11.1.7 Asia	162
11.2 Counterfeiting	164
11.2.1 North America	164
11.2.2 Central America/Caribbean	165
11.2.3 South America	166
11.2.4 Europe	167
11.2.5 Middle East/Africa	168
11.2.6 Asia	170



CHAPTER 12: <b>Investigating the Gray Market</b>	173
12.1 Monitoring	174
12.2 Returns	181
12.3 Live Cases	182
CHAPTER 13: <b>Practical Responses to the Gray Market</b>	189
13.1 Marking	190
13.2 Pricing	191
13.3 Customers	193
13.4 Culture	195
13.5 Co-option	196
CHAPTER 14: <b>Legal Responses to Gray Marketing</b>	199
14.1 Preparing the Legal Ground	203
CHAPTER 15: <b>Civil Actions against Counterfeiters</b>	207
15.1 Interrelationship between Civil and Criminal Proceedings	209
15.1.1 The Fifth Amendment Privilege	210
15.1.2 Stay of Proceedings	212
15.2 <i>Ex Parte</i> Seizures	213
15.3 Damages against Counterfeiters	214
15.4 Seller's Liability When Counterfeiting Is Disclosed to the Buyer	216
15.5 Section 337	221
CHAPTER 16: <b>Civil Actions against Diverters</b>	225
16.1 Section 337	232
16.2 Fraud	233
16.3 Tortious Interference with Contract	236
16.3.1 Knowledge of the Contract	240
16.3.2 Inducement	241
CHAPTER 17: <b>Enforcement</b>	243
17.1 Border Enforcement	244
17.2 Enforcing Court Orders	245
17.3 Self-help in Enforcement of Court Orders	248
17.4 Section 337 Enforcement	249
CHAPTER 18: <b>Conclusion</b>	253
 APPENDIX A	255
APPENDIX B	259
GLOSSARY	271
BIBLIOGRAPHY	275
TABLE OF CASES	283
INDEX	289