

DOMESTIC PRODUCER'S RESPONSE TO PRODUCT EXCLUSION REQUEST FORM

(Injury inquiries under section 42 and expiry reviews under sections 76.01
and 76.03 of the *Special Import Measures Act*)

FILING INSTRUCTIONS

A domestic producer who is a party to the proceedings and who wishes to file a reply to a request for product exclusion, must complete a separate Domestic Producer's Response to Product Exclusion Request Form in respect of each product exclusion request.

One copy of each completed Domestic Producer's Response to Product Exclusion Request Form must be filed no later than **noon** on the date set out in the schedule.

Responses to product exclusion requests may be filed with the Tribunal electronically OR in hard copy format. Do not file both versions.

If filing a response to a product exclusion request electronically, all attachments *must* be included in electronic format. Electronic documents can be sent using the Tribunal's Secure E-filing Service at www.citt-tcce.gc.ca/en/secure_e_filing_service. The information is fully encrypted from the sender to the Tribunal.

In the alternative, responses can be sent by regular (non-encrypted) electronic mail to the Tribunal at citt-tcce@tribunal.gc.ca provided the sender accepts the risks associated with this method of transmission if the response contains confidential information and providing the responses do not contain any third party confidential information.

If you are sending a hard copy format, it should be addressed to:

Registrar
Canadian International Trade Tribunal
15th Floor
333 Laurier Avenue West
Ottawa, Ontario K1A 0G7

A party wanting portions of the information that it files with the Tribunal to be designated as confidential must submit two versions of the information to the Tribunal:

1. A confidential version containing all the confidential information and labelled "Confidential" on every page that contains confidential information. In addition, all confidential information should be highlighted by using shading, boldface characters or square brackets; and
2. (a) a separate public version of the same document with the confidential information fully deleted if you are filing electronically. (You may not simply mask or hide the confidential information, it must be deleted); **OR**
(b) a public version of the confidential document with the confidential information fully blacked-out if you are filing in hard-copy (paper).

In the alternative to filing a public version as described in 2(a) or 2(b), you may file a public summary of the confidential information. In either case, the public version or the public summary must give the party opposite and the Tribunal sufficient information to understand the nature of the confidential information.

In some cases, the Tribunal may require that counsel for the domestic industry serve their reply on the Tribunal and on the party who filed the exclusion request simultaneously. If this is the case parties will be advised under separate cover.

Do not include this instruction page when filing your reply to product exclusion request.

DOMESTIC PRODUCER'S RESPONSE TO PRODUCT EXCLUSION REQUEST FORM

(A separate form must be completed for each exclusion request)

(Injury inquiries under section 42 and reviews under sections 76.01
and 76.03 of the *Special Import Measures Act*)

Requester (company name)	
Tribunal Exhibit No. of Request	

Name of Tribunal Case:	Tribunal Case No.:
COMPANY	REPRESENTATIVE OR COUNSEL
Name:	Firm:
Contact:	Name of Representative or Counsel:
Address:	Address:
Telephone:	Telephone:
Fax:	Fax:
E-mail:	E-mail:

1. If your company opposes or does not consent to the request in part, provide a description of that part of the request to which your company opposes or does not consent.

Please provide evidence that the products that are substitutable for the products described in the request have recently been produced or sold in Canada by your company. Evidence can be in the form of production reports and sales invoices. To the extent that production reports or sales invoices do not refer to the products described in the above table, please provide additional information that indicates that the products have been produced or sold. The evidence should be attached to this form to ensure that it can be linked to this specific response. Please also include any available product literature respecting the substitutable product you have produced and sold.

Capability to Produce Identical or Substitutable Products

5. If your company has not produced and sold in Canada products that are *identical* to or *substitutable* for the products for which an exclusion is requested, is it capable of producing such products?

Yes No

6. If you answered yes, please indicate if the product your company can produce is *identical* to or *substitutable* for the products for which an exclusion is requested.

Identical? Substitutable?

7. If you are capable of producing an identical or substitutable product, explain why you have not produced it. Also, provide evidence of your production capability, including evidence of the production and sale of similar products, certification of the identical or substitutable products by potential buyers of the products, information about how you can produce the products and at what cost they could be produced, as well as any plans for the imminent production of the products or orders for the products and any relevant information.

8. Additional comments including any other information that will assist the Tribunal in reaching a decision on the request for product exclusion.

The undersigned certifies that the information herein supplied is complete and correct to the best of his/her knowledge and belief.

Signature of Authorized Official: _____

Name of Authorized Official: _____

Title of Authorized Official: _____

Date: _____

If you provided **confidential** information, it should be so designated and be accompanied by a public summary in sufficient detail to convey a reasonable understanding of the substance of the information.