



## Donald E. deKieffer

Ddekier@dhlaw.com

*Anticounterfeiting and Antidiversion  
ITC Section 337 Proceedings  
Customs Counseling, Litigation, and Enforcement  
Export Controls and Trade Embargoes  
Antibribery and Antiboycott Laws*

**Education:**

Georgetown University  
J.D.  
University of Colorado  
B.A.

**Bar Admissions:**

District of Columbia

**Bar Memberships:**

U.S. Supreme Court  
U.S. Court of Appeals  
for the Federal Circuit  
U.S. Court of Appeals  
for the District of  
Columbia Circuit  
U.S. Court District Court  
for District of Columbia  
U.S. Court of  
International Trade  
U.S. Court of Federal  
Claims

Donald E. deKieffer, who practiced international trade law in Washington DC for nearly forty years, passed away suddenly of heart failure on February 18, 2011, while visiting Colorado.

From 1968-1971, Mr. deKieffer served on the professional staff of the United States Senate Republican Policy Committee. Graduating from Georgetown's laws school in 1971, Mr. deKieffer soon became a partner in the law firm of Collier Shannon Rill & Scott. In 1981, Mr. deKieffer joined the Reagan administration as General Counsel to the Office of the United States Trade Representative. In that capacity, he represented the United States before the General Agreement on Tariffs and Trade (GATT) and acted as the Chief Trade Attorney for the United States government in both bilateral and multilateral trade negotiations.

Returning to private practice, Mr. deKieffer was a partner at Pillsbury Madison & Sutro for several years before leaving in 1993 to become a founding partner in deKieffer & Horgan, where he practiced international trade law for 18 years. Mr. deKieffer was a widely recognized expert in the field of international anti-counterfeiting and anti-diversion.

Mr. deKieffer was a prolific author, publishing numerous articles and several books on diverse topics including: *Underground Economies and Illegal Imports: Legal and Business Strategies to Address Illegitimate Commerce* (Oxford University Press 2010); *The Citizens Guide to Lobbying Congress* (Chicago Review Press 2007); and *How Lawyers Screw Their Clients and What You Can Do About It* (Barricade Books Inc. 1995).



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### MR. DEKIEFFER'S LEGAL PUBLICATIONS AND PRESENTATIONS

#### Articles

*Trade-Based Money Laundering*, Center for Infrastructure Protection, George Mason University; CIP Report Vol. 8 No. 8 (February, 2010).

*Investigating the Competition*, Security Management, (April, 2008).

*Trade diversion as a fund raising and money laundering technique of terrorist organizations*, COUNTERFEITING – THE FINANCING OF TERRORISM, eds. Thomas Biersteker & Sue E. Eckert (Routledge, 2007).

*The Internet and the Globalization of Counterfeit Drugs*, JOURNAL OF PHARMACY PRACTICE, Vol. 19, No. 3 (2006).

*Trojan Drugs: Counterfeit and Mislabeled Pharmaceuticals in the Legitimate Market*, AMERICAN JOURNAL OF LAW & MEDICINE, Vol. 32, Nos. 2 & 3 (2006).

*Potential Liability for Counterfeit Medications*, JOURNAL OF PHARMACY PRACTICE, Vol. 19, No 4 (2006).

*Counterfeit Drugs in the Supply Chain*, PHARMACEUTICAL BUSINESS STRATEGIES (Sept./Oct. 2004).

[\*The Mexican Drug Connection: How Trade in Pharmaceuticals has wrecked the FDA\*, 9 SOUTHWESTERN JOURNAL OF LAW AND TRADE IN THE AMERICAS 321 \(2003\).](#)

*GATT Strengthens International Intellectual Property Protection*, WASHINGTON LEGAL FOUNDATION; LEGAL BACKGROUNDER, Vol . 10, No. 3 (Jan. 1995).



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*U.S. Trade Policy Regarding Intellectual Property Matters*, LEGAL PUBLICATIONS, CURRENT LAW AND PRACTICAL SOLUTIONS: NAFTA (NORTH AMERICAN FREE TRADE AGREEMENT) CRITICAL BUSINESS AND LEGAL ISSUES (Washington Edition) (March 1994).

*U.S. Trade Policy Regarding Intellectual Property Matters*, INTERNATIONAL TRADE & INTELLECTUAL PROPERTY: THE SEARCH FOR A BALANCED SYSTEM, eds. George R. Stewart, Myra J. Tawfik and Maureen Irish (Westview Press, 1994).

*Contingent Justice*, NEW LAW JOURNAL (U.K., Vol. 143, No. 6614 (Aug. 20, 1993).

*Export Controls as an Instrument of United States Foreign Policy: Evaluating the Costs*, LAW AND POLICY OF EXPORT CONTROLS (American Bar Association, 1993).

*Balancing the Debate: A Free Enterprise Analysis of Critical Issues in the NAFTA*, CRITICAL LEGAL ISSUES: WORKING PAPER SERIES, WASHINGTON LEGAL FOUNDATION (April 1993).

*American Sanctions*, NEW LAW JOURNAL ( U.K. ) Vol. 142, No. 6570 (Oct. 2, 1992).

*Legal Considerations in Countertrade Transactions*, CORPORATE COUNSELS INTERNATIONAL ADVISOR, Issue 72 ( May 1, 1991 ).

*Exercise of Force by the Japanese Self-Defense Force*, NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW AND COMMERCIAL REGULATION, Vol . 16, No. 1 (Winter 1991).

*European Community/Hungary Relations*, CASE WESTERN RESERVE





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JOURNAL OF INTERNATIONAL LAW, Vol . 21, No. 1 (Winter 1989).

*Foreign Policy Trade Controls and the GATT*, 22 JOURNAL OF WORLD TRADE 73 (June 1988).

*Current Issues in International Intellectual Property Protection*, CORPORATE COUNSEL'S INTERNATIONAL ADVISOR, Issue No. 30 (Nov. 1987).

*Foreign Policy Export Controls: A Proposal for Reform*, 11 NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW AND COMMERCIAL REGULATION (Winter 1986).

*The Ripple Effect of Trade Relief: The Steel Example*, 6 UNIVERSITY OF PITTSBURGH JOURNAL OF LAW AND COMMERCE 47 (1986).

*Political and Policy Dimensions on Foreign Trade Zones: Expansion or the Beginning of the End?* 18 VANDERBILT JOURNAL OF TRANSNATIONAL LAW 481 (Summer 1985) (co-authored with George W. Thompson).

*External U.S. Commitments Affecting Possible Additional Product for Sectoral Integration*, 10 CONFERENCE PROCEEDINGS, THE LEGAL ASPECTS OF SECTORAL INTEGRATION BETWEEN THE UNITED STATES AND CANADA CONDUCTED UNDER THE AUSPICES OF THE CANADA-UNITED STATES LAW INSTITUTE AND CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, reprinted from CANADA-UNITED STATES LAW JOURNAL 101 (1985).

*Definition of Extraterritoriality*, ABA SECTION OF INTERNATIONAL LAW AND PRACTICE, TASK FORCE ON ANTITRUST CONSULTATION AGREEMENTS (1984).

*Trade Reorganization Necessity or Disaster?*, 4 PUBLIC LAW FORUM 297, St. Louis University School of Law (1984).

*The Role of Export Credits in International Trade*, AMERICAN BAR



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ASSOCIATION INTERNATIONAL TRADE POLICY (1984).

*Policy Perspectives on National Industrial Development: An Alternative to High Tech*, 6 MICHIGAN YEARBOOK ON NATIONAL INDUSTRIAL DEVELOPMENT 219 (1984).

*International Trade Barriers to Control Importation of Food Products*, FOOD DRUG COSMETIC LAW JOURNAL, Vol . 38, No. 1 (January 1983).

*The Purpose of Sanctions*, 15 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 205 (Spring 1983).

*Extraterritorial Application of U.S. Export Controls - The Siberian Pipeline*, PROCEEDINGS, 77TH ANNUAL MEETING, THE AMERICAN SOCIETY OF INTERNATIONAL LAW 241 ( April 14-16, 1983 ).

*Speaking out: Donald E. deKieffer on Trade Reorganization*, INSIDE THE ADMINISTRATION, Vol . 2, No. 13 (July 1, 1983).

*Antitrust and the Japanese Auto Quotas*, 8 BROOKLYN JOURNAL OF INTERNATIONAL LAW 59 (Winter 1982).

*When, Why and How to Bring A Countervailing Duty Proceeding: A Complainant's Perspective*, 6 NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW AND COMMERCIAL REGULATIONS (Summer 1981).

*Act of State and Extraterritorial Reach: Problems of Law and Policy*, EXTRATERRITORIAL APPLICATION OF U.S. LAWS AND U.S. FOREIGN POLICY, PART II, "EFFECTS ON U.S. TRADE", AMERICAN BAR ASSOCIATION, SECTION OF INTERNATIONAL LAW AND PRACTICE (ABA 1981).

*GATT Dispute Settlements: A New Beginning*, NORTHWESTERN JOURNAL OF INTERNATIONAL LAW & BUSINESS (Autumn 1980).



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*Multilateral Trade Negotiations: Dispute Settlement*, Proceedings of the 74th Annual Meeting of the American Society of International Law 129 (April 1980).

*Antidumping, Countervailing Duty Laws and Section 337 - A Private View*, FIFTH ANNUAL FORDHAM CORPORATE LAW INSTITUTE: INTERNATIONAL ANTITRUST; LAW & BUSINESS INC. (Harcourt Brace Jovanovich, 1979).

*The Foreign Sovereign Immunities Act and Antitrust: A Hollow Promise*, 7 SYRACUSE JOURNAL OF INTERNATIONAL LAW & COMMERCE 37 (Summer 1979).

*Transkei : A Legitimate Birth*, 13 NEW ENGLAND LAW REVIEW (1978).

*Unfair Trade Practices and Section 337 - Promises and Uncertainties*, NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW AND COMMERCIAL REGULATION (Spring 1977).

*Star Industries: Expansion of Power to Set Tariffs?*, UNIVERSITY OF COLORADO LAW REVIEW (Winter 1973).

*How to Prepare an Antidumping Complaint*, LAW NOTES (Spring 1973).

*A Legal and Economic Analysis of the Quota Provisions of the Proposed Foreign Trade and Investment Act of 1972*, THE INTERNATIONAL LAWYER (October 1972).





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### Other Publications: Books

Underground Economies and Illegal Imports: Legal and Business Strategies to Address Illegitimate Commerce (Oxford University Press, 2010).

THE CITIZENS GUIDE TO LOBBYING CONGRESS (Chicago Review Press 1996; revised and updated 2008).

HOW LAYERS SCREW THEIR CLIENTS AND WHAT YOU CAN DO ABOUT IT (Barricade Books, 1995).

THE INTERNATIONAL BUSINESS TRAVELER'S COMPANION (Intercultural Press, 1993).

DOING BUSINESS IN ROMANIA (Peter Randall, 1992).

DOING BUSINESS WITH THE NEW ROMANIA (Peter Randall, 1990).

DOING BUSINESS WITH ROMANIA (Business Books International, 1985).

DOING BUSINESS IN THE U.S.A (Business Books International, 1984).

HOW TO LOBBY CONGRESS, Dodd, Mead & Co. (1981).



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### Professional Speaking

#### **2010**

American University, Washington, D.C.  
Adjunct Professor, University of Kragujevac (Serbia)

#### **2009**

National Biopharmaceutical Security Council (Miami, FL)  
U.S. Patent and Trademark Office; PTO Academy (Alexandria, VA)  
Terrorism, Transnational Crime and Corruption Center,  
George Mason University, Arlington, VA.  
National Defense University (National War College) Washington, D.C.  
Adjunct Professor, University of Pardubice, Czech Republic.

#### **2008**

Workshop on Enforcement of Intellectual Property Rights; Commercial Law  
Development Program , U.S. Department of Commerce, Lviv , Ukraine .  
Centra Technologies (Arlington, VA); 16 hour course for Security Analysts  
FDA News webcast  
Product and Brand Security Conference (AWA Conferences) Chicago, IL





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American Society for Industrial Security (ASIS), Atlanta, GA.

Center for Business Intelligence Conference on Anti-Counterfeiting and Antidiversion Strategies, Tysons Corner, VA

Rubicon TV (Norway )

### 2007

Secure Pharma, Worldwide Business Research (Philadelphia, PA)

Global Intellectual Property Academy (U.S. Patent and Trademark Office) (Alexandria, VA)(4)

Centra Technologies (Arlington, VA) (40 hour course for Security Analysts)

Authentication Connections Forum (Reconnaissance International) (Minneapolis, M ).

RAND Corporation (Arlington, VA)

### 2006

Supply Chain Optimization Congress, CBI Research, Inc. (Arlington, VA)

Authentication Connections Forum, Reconnaissance International, (Tampa, FL)

Imaging Supplies Coalition, (Las Vegas, NV)



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### 2005

Tobacco Merchants Association

Institute for International Research TRAX Summit (Philadelphia, PA)

Pharma Secure Chain (Sponsored by International Quality & Productivity Center) Philadelphia, PA.

Coalition Against Counterfeiting and Piracy (CACP) (U.S. Chamber of Commerce)

Committee on Government Reform, U.S. House of Representatives

National Association of Drug Diversion Investigators

### 2004

Barnett International Conference on Supply Chain Track-Trace Technologies (Philadelphia, PA)

Center for Business Intelligence Pharmaceutical Product Security Summit (Arlington, VA)

Barnett International Conference on Pharmaceutical RFID Technologies (Denver, CO)

International Bar Association (Panama City, Panama)

Institute for International Research TRAX Summit (Washington, D.C.)

Institute for International Research Pharmaceutical Auditing Summit



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(Princeton, NJ)

Advantage Global Communications: Authenticating Pharmaceutical Products  
(Washington, D.C.)

Association of Certified Fraud Examiners (Baltimore, MD)

International Quality and Productivity Center - Counterfeit Drugs and  
Importation Issues (Arlington, VA)

### 2003

Institute for International Research (Washington, D.C. ).

Center for Business Intelligence Economic Crimes Summit (Alexandria, VA )

Product Surety Conference

Supply Chain Security Conference (Washington, D.C.)

### 2002

National Intellectual Property Law Institute (George Washington University,  
Washington, DC)

Interpol (Lyon, France)

Reconnaissance International

### 2001

Reconnaissance International (Prague, Czech Republic)





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Rotary International (Tysons Corner, VA)

U.S. House of Representatives:

Committee on Energy and Commerce

Subcommittee on Investigations and Oversight (U.S. House of Representatives)

**2000**

Reconnaissance International

**1999**

International Anti-Counterfeiting Coalition

National Association of Drug Diversion Investigators

National Institute for Government Innovation

National Military Intelligence Association

**1998**

National Association of Credit Management

Reconnaissance International

Federal Bureau of Investigation

International Anti-Counterfeiting Coalition



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### 1997

National Association of Credit Management  
Reconnaissance International  
Federal Bureau of Investigation  
International Anti-Counterfeiting Coalition

### 1996

Edmund S. Muskie Fellowship Program  
National Association of Credit Management  
George Washington University School of Law

### 1995

AIPLA

### 1994

National Contract Management Association  
American Conference Institute  
University of Baltimore, International Law Society  
International Conference on Industrial and Intellectual



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### 1993

National Public Radio: The Law Show  
University of Windsor, Faculty of Law  
International Anti-Counterfeiting Coalition  
American Corporate Counsel Association  
Manufacturers' Alliance for Productivity and Innovation, Inc.  
American Conference Institute  
Michigan Patent Law Association  
Customs Compliance Programs and Customs Audits

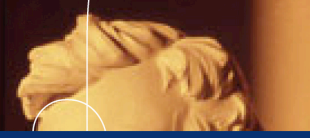
### 1992

World Affairs Conference, University of Colorado

### 1991

American Bar Association  
Greater Cleveland International Lawyers Group  
Canadian Broadcasting Corporation





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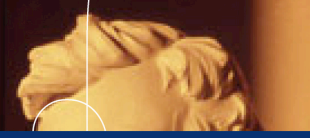
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*Export Controls and Trade Embargoes*  
*Antibribery and Antiboycott Laws*

### 1990

United States Trademark Association  
American Bar Association  
International Anti-Counterfeiting Coalition

### 1989

Canadian Broadcasting Corporation  
South African Broadcasting Corporation  
Cable News Network  
American Management Association  
Rand Afrikaans University  
World Affairs Conference, University of Colorado  
Property: Perspectives of Integration in Latin America  
University of Sao Paulo Business School  
Brazilian Institute of Economics  
Rio de Janeiro Federation of Industries (FIRJAN)  
National Intellectual Property Law Institute  
George Mason University School of Law



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Court TV "Washington Watch"-Debate with Ralph Nader

International Anticounterfeiting Coalition International Law Society

### 1988

South African Broadcasting Corporation

Canadian Broadcasting Corporation

U.S. Council on International Business

Rand Afrikaans University 1974 American Bar Association (Antitrust Division)

### 1987

Canola Institute of Canada

International Federal of Business Economics

U.S. Council on International Business

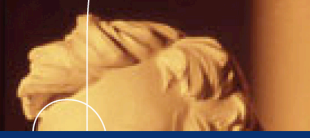
National Association of Soybean Processors

International Law Institute

Electronics Industry Association

Effective Barter & Countertrade

Rand Afrikaans University



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Canadian Broadcasting Corporation

Greater Cleveland International Lawyers Group

### 1986

American Association of Law Libraries

American Management Association

American Enterprise Institute

Bureau of Engraving and Printing

F.B.I. Training Academy

International Association of Seed Crushers

### 1985

Rand Afrikaans University

U.S. Canada Law Institute

Canadian Council on International Law

International Law Institute

### 1984

First Judicial Conference, U.S. Court of International Trade

Bar Association of the District of Columbia, Antitrust Law Committee, 20th Annual





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Symposium on Trade Association Law and Practice

International Club (Paris, France )

World Trade Institute

District of Columbia Bar

Practicing Law Institute

U.S.-Canada Law Institute

**1983**

Machinery & Allied Products Institute

American Society of Association Executives

American Iron & Steel Institute

Labor-Industry Coalition for International Trade (LICIT)

American Society of International Law

American Bar Association Section of International Law

Greater Cleveland International Lawyers Group

American Bar Association, Section of Public Contract Law

Practicing Law Institute

World Trade Institute

Section of International Law and Practice, American Bar Association



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### 1982

International Anti-Counterfeiting Coalition

American Mining Congress

Cast Metals Federation

Washington Agricultural Roundtable

National Petroleum Refiners Association

Association of Home Appliance Manufacturers

North Carolina World Trade Association

National Conference of Lieutenant Governors

International Trade & Tax Council, Federal Bar Association

World Trade Institute

New York University School of Law

National Foreign Trade Council, Inc.

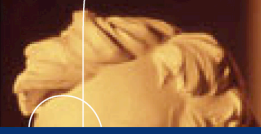
Association of the Bar of the City of New York

New York Bar Association

Practicing Law Institute

Maryland Bar Association

American Bar Association



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Interamerican Bar Association

American Mining Congress

International Management Development Institute, London, England

American Chamber of Commerce, Johannesburg, Republic of South Africa

Foreign Law Society

American League of Lobbyists

National Public Television

Canadian Broadcasting System

American Broadcasting Corporation (ABC )

National Broadcasting Corporation (NBC)

Columbia Broadcasting Corporation (CBS)

American Home Appliance Manufacturers' Association

National Association of Manufacturers

Construction Industry Manufacturers Association

**1981**

Direct Selling Association

U.S. Conference of Mayors

American Footwear Industries Association





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Association of the Customs Bar

Federal Bar Association

International Development Conference

American Arbitration Association

Sales Executive Club

The Secretary's Open Forum, Department of State

Interamerican Bar Association

District of Columbia Bar

International Communications Agency, Brussels , Belgium

Interface III (International Law Institute)

American Bar Association

Federal Bar Association

AISI/SSCI Annual Meeting

National Pasta Association

ABA National Institute Antitrust Law

President's Commission on Executive Exchange

Western International Trade Group

Cable-Satellite Public Affairs Network



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Greater Cleveland Int'l Lawyers Committee ( Case Western Reserve Law School )

National Broiler Council

Sports Goods Manufacturers Association

World Trade Institute

**1980**

American Management Association

American Bar Association (Section of International Law)

University of Akron Law School

**1979**

National Public Radio

Corporate Law Institute

Practicing Law Institute

World Affairs Council

World Trade Education Center

Federal Bar Association

American Bar Association (Joint Program of International Law Section & Antitrust Law Section)

American Management Association



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World Trade Institute

North Carolina Bar Association

**1978**

World Trade Institute

**1976**

World Trade Institute

Propeller Club of United States

Allegheny Ludlum Industries Management/Labor Conference

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