

USITC Docket Services

Guidance on the Signing of Filings

Requirements for Original Signature, See 19 CFR § 201.8(d) and (e):

Docket Services staff checks the over-the-counter filings for an original ink signature and e-filed documents for either a regular or e-signature. The rules require:

A signed original (*or a copy designated as an original*) and fourteen (14) copies of each document shall be filed. 19 CFR § 201.8(d) (*emphasis added*).

The signature of the person signing such a document constitutes a certification that he had read the document, that to the best of his knowledge and belief the statements contained therein are true, and that the person signing the document was duly authorized to sign it. 19 CFR § 201.8(e).

If the document is not signed in ink on the original, but is otherwise properly signed, then the filer can “designate” one of the copies as an original by stamping **ORIGINAL** on the face of the copy designated as the original. Stamps have been provided to Docket Services staff to assist filers with this operation.

Requirement for Attorney Signature, See 19 CFR §§ 201.8(e), 210.4(b):

Docket Services staff reviews the over-the-counter and e-filed documents for attorney signatures. In instances where the pleadings are accompanied with cover letters, the cover letters are not required to be signed by an attorney, only the pleading. The rules governing written submissions for 337 cases require that all pleadings contain the signature of at least one attorney of record:

Every pleading, written motion, and other paper of a party or proposed party who is represented by an attorney in an investigation or a related proceeding under this part shall be signed by at least one attorney of record in the attorney's individual name.” 19 CFR § 210.4(b).

The general rules also require the signature of the person submitting the documents as outlined above. It has been the practice to accept documents where one attorney signs for another so long as the signing attorney's name appears in the signature block. This allows us to verify that it is an attorney with the firm filing the document. So any of the attorneys listed as appearing for the participant can sign without initialing for others. It is difficult for Docket Services staff to determine whether one attorney has signed for another based on initials beside the signature, so it is preferable for one of the attorneys to sign the document even if it may have been drafted by another attorney on the matter.

Documents with No Signature or Initialed Signatures.

The current practice in Docket Services is to accept such filings and request that a signed original be sent to replace the blank signature line or initialed signature. The documents are not “rejected” and are processed into EDIS as though properly filed. Except for time sensitive documents that must be distributed immediately (post-hearing brief, complaint, certain motions, etc.), the filing is held until the close of business the next day to permit filing of the corrected version. If the document is e-filed, Dockets staff will also withhold the document from distribution until the close of business the next day to permit filing of the corrected version.