

§ 132.21

authorization issued under the license and including its unique control number, must meet the requirements of 15 CFR 335.5, and with respect to the requirement in 15 CFR 335.5(a) that the license have a unique control number, the license must have a distinct and unique identifying number consisting of 9 characters comprised of the following three elements:

- (i) The first character must be a "W";
- (ii) The second and third characters must consist of the last 2 digits of the calendar year for which the license is issued and during which it is in effect; and
- (iii) The final 6 characters represent the distinct and unique identifier assigned to the license by the Department of Commerce.

(2) *Use of license.* A license covering worsted wool fabric that is entered under HTSUS subheading 9902.51.11 or 9902.51.12 is in effect, and may be used to obtain the applicable in-quota rate of duty for fabric that is entered or withdrawn for consumption, only during the specific calendar year (January 1—December 31, inclusive) for which the license is issued (see 15 CFR 335.2 and 335.5(b) and (d)).

(d) *Retention and production of license or authorization to Customs.* The license and any written authorization from the licensee to the importer are subject to the recordkeeping requirements of part 163 of this chapter (19 CFR part 163). Specifically, the license and any written authorization must be retained for a period of 5 years in accordance with §163.4(a) of this chapter, and must be made available to Customs upon request in accordance with §163.6(a) of this chapter.

[T.D. 01-35, 66 FR 21666, May 1, 2001]

Subpart C—Mail Importation of Absolute Quota Merchandise

§ 132.21 Regulations applicable.

In addition to the regulations applicable to all mail importations (see part 145 of this chapter), the regulations in this subpart shall apply to mail importations of absolute quota merchandise.

19 CFR Ch. I (4-1-10 Edition)

§ 132.22 When quota is filled.

Any packages containing merchandise subject to an absolute quota which is filled shall be returned to the postmaster for return to the sender immediately as undeliverable mail. The addressee will be notified on Customs Form 3509 or in any other appropriate manner that entry has been denied because the quota is filled.

§ 132.23 Partial release procedure.

(a) *Notification of quota restrictions.* If because of quota restrictions, a mail importation cannot be released, the director of the port of destination shall notify the addressee on Customs Form 3509 of the procedure required by paragraph (b) of this section, and shall inform the addressee that upon return of the Acknowledgement of Delivery by Postal Service, the packages admissible under the absolute quota will be forwarded to him and the restricted packages will be returned to the sender as inadmissible. The port director may at his discretion hold packages if it appears that the absolute quota will reopen in less than 30 days.

(b) *Acknowledgement of delivery.* An Acknowledgement of Delivery by Postal Service shall be sent to the addressee. He shall be advised that if he desires to secure release of less than the total number of packages of the merchandise, the Acknowledgement of Delivery by Postal Service must be signed by him and returned to the port director. Such Acknowledgment of Delivery by Postal Service shall be in the following form:

ACKNOWLEDGMENT OF DELIVERY BY POSTAL SERVICE

In consideration of the fact that certain articles in a mail importation consisting of

(state number) packages mailed to me by _____ (name of sender) of _____ (address) on _____ (date of mailing), are subject

to quota restrictions under which only a portion of such articles may be admitted to entry at one time, and the Postal Service permits no division of the importation before delivery thereof, and since I am desirous of receiving the packages of such importation which are admissible to entry under the quota administered by the United States Customs, I hereby agree and acknowledge that delivery of the package or packages to

the United States Customs shall be regarded as delivery by the Postal Service to me.

(Signature of addressee)

(c) *Agreement to less than full delivery.* If, in any case, the sender of a mail package has indicated his agreement to the delivery of less than the entire importation at one time, an Acknowledgment of Delivery by Postal Service need not be secured from the addressee.

(d) *Deposit required.* If a portion of a mail shipment may be released, the port director may require a deposit of an amount sufficient to defray the expenses of repacking merchandise for shipment by mail to the addressee. The shipment shall be under Government frank without new postage.

§ 132.24 Entry.

Unless a formal entry or entry by appraisalment is required, a mail entry on Customs Form 3419 shall be issued and forwarded with the package to the postmaster for delivery to the addressee and collection of any duties in the same manner as for any other mail package subject to Customs treatment.

§ 132.25 Undeliverable shipment.

If within a reasonable time, but not to exceed 30 days, the addressee fails to indicate to the port director an intention to receive delivery of the packages or a portion thereof in accordance with the notice on Customs Form 3509 which was sent to him by the port director, the importation shall be treated in the same manner as other undeliverable mail.

PART 133—TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

Sec.

133.0 Scope.

Subpart A—Recordation of Trademarks

- 133.1 Recordation of trademarks.
- 133.2 Application to record trademark.
- 133.3 Documents and fee to accompany application.
- 133.4 Effective date, term, and cancellation of trademark recordation and renewals.
- 133.5 Change of ownership of recorded trademark.
- 133.6 Change in name of owner of recorded trademark.

133.7 Renewal of trademark recordation.

Subpart B—Recordation of Trade Names

- 133.11 Trade names eligible for recordation.
- 133.12 Application to record a trade name.
- 133.13 Documents and fee to accompany application.
- 133.14 Publication of trade name recordation.
- 133.15 Term of CBP trade name recordation.

Subpart C—Importations Bearing Registered and/or Recorded Trademark or Recorded Trade Names

- 133.21 Articles bearing counterfeit trademarks.
- 133.22 Restrictions on importation of articles bearing copying or simulating trademarks.
- 133.23 Restrictions on importation of gray market articles.
- 133.24 Restrictions on articles accompanying importer and mail importations.
- 133.25 Procedure on detention of articles subject to restriction.
- 133.26 Demand for redelivery of released merchandise.
- 133.27 Civil fines for those involved in the importation of merchandise bearing a counterfeit mark.

Subpart D—Recordation of Copyrights

- 133.31 Recordation of copyrighted works.
- 133.32 Application to record copyright.
- 133.33 Documents and fee to accompany application.
- 133.34 Effective date, term, and cancellation of recordation.
- 133.35 Change of ownership of recorded copyright.
- 133.36 Change in name of owner of recorded copyright.
- 133.37 Renewal of copyright recordation.

Subpart E—Importations Violating Copyright Laws

- 133.41 [Reserved]
- 133.42 Infringing copies or phonorecords.
- 133.43 Procedure on suspicion of infringing copies.
- 133.44 Decision of disputed claim of infringement.
- 133.45 [Reserved]
- 133.46 Demand for redelivery of released articles.

Subpart F—Procedure Following Forfeiture or Assessment of Liquidated Damages

- 133.51 Relief from forfeiture or liquidated damages.
- 133.52 Disposition of forfeited merchandise.
- 133.53 Refund of duty.