

## KEY STEPS TOWARD EXPORTING SUCCESS IN THE U.S.

Total commitment is necessary to succeed in an export market. If the resources required to succeed are not available at the moment, it is preferable to wait. Committing only a fraction of the resources does not usually yield an equivalent fraction of the expected sales. It could result in a waste of time and money. Even worse, it could tarnish your reputation and jeopardize your chances at a second attempt.



### Key points

- estimate all expenses involved
- determine how to finance export activities
- investigate government assistance programs for exporters
- determine the personnel requirements of the new venture

## STEP 4

### PAYING ATTENTION TO DETAILS

#### Intellectual Property

If your product or manufacturing process is one for which you have, or are seeking, patent or copyright protection in Canada, you should consider seeking similar protection under U.S. patent law. Similar care should be taken with brand names and registered trademarks.

In general, however, patent and other intellectual property law is complex. If you believe that you may need such protection, or believe you should confirm that your product complies with U.S. patent law, your best course of action may be to retain competent and experienced legal counsel.

Canada Belt and Screen Print learned that one should be careful in handing out samples of products that can be readily copied, without taking such precautions. Another Canadian

manufacturer discovered that U.S. competitors had registered brand names that were similar to his own and were trying to prevent him from shipping across the border on the basis of brand name infringement.

#### Standards, Labelling and Packaging

In the case of U.S. standards, you should verify the commercial and governmental regulatory requirements and ensure that your products comply with these before shipping goods to the United States. Compliance with such standards, whether they relate to product performance, consumer protection or environmental concerns, can be required under federal or state regulations, or under standards agreed to within specific commercial or industrial sectors. In checking the requirements also ensure that, in the case of government regulations, you find out from the responsible U.S. agency which type of proof of product compliance is demanded. You will also be required to arrange for the appropriate certification and testing of your product.

Information on U.S. standards can be obtained from the Standards Council of Canada by calling 613-238-3222, or toll free at 1-800-267-8220.

The U.S. maintains strict labelling requirements which must be met to ensure customs clearance. Bilingual labels in English and French do not hamper a product from being admitted into the U.S. market. In fact, it is reported that the use of French in some cases has helped spur sales. Information about labelling requirements can be obtained by calling the U.S. Tariffs and Market Access Division of EAITC at 613-944-2711.

Under U.S. law, almost all goods are required to be marked so as to indicate the country of origin, e.g. "Made in Canada". For many of these goods, specific requirements exist regarding how and where the marking is put on the item. If these requirements are not met, your shipment may be detained and fines may be assessed.