

Brunei  
 Burma  
 Cambodia  
 East Timor  
 Hong Kong Special Administrative Region  
 Indonesia  
 Iran  
 Iraq  
 Israel  
 Japan  
 Jordan  
 Kuwait  
 Laos  
 Lebanon  
 Malaysia  
 Maldives  
 Mongolia  
 Nepal  
 North Korea  
 Oman  
 Qatar  
 Saudi Arabia  
 Singapore  
 Sri Lanka  
 Syria  
 Taiwan  
 Thailand  
 United Arab Emirates  
 Yemen

Natives of the following Asian countries are not eligible for this year's diversity program: China [mainland-born], India, Pakistan, South Korea, Philippines, and Vietnam. Hong Kong S.A.R and Taiwan do qualify and are listed above. Macau S.A.R. also qualifies and is listed below. Persons born in the areas administered prior to June 1967 by Israel, Jordan and Syria are chargeable, respectively, to Israel, Jordan and Syria.

#### List of Countries by Region Whose Natives Are Eligible for DV-2012

##### Europe

Albania  
 Andorra  
 Armenia  
 Austria  
 Azerbaijan  
 Belarus  
 Belgium  
 Bosnia and Herzegovina  
 Bulgaria  
 Croatia  
 Cyprus  
 Czech Republic  
 Denmark (including components and dependent areas overseas)  
 Estonia  
 Finland  
 France (including components and dependent areas overseas)  
 Georgia  
 Germany  
 Greece  
 Hungary  
 Iceland

Ireland  
 Italy  
 Kazakhstan  
 Kosovo  
 Kyrgyzstan  
 Latvia  
 Liechtenstein  
 Lithuania  
 Luxembourg  
 Macedonia, the Former Yugoslav Republic  
 Macau Special Administrative Region  
 Malta  
 Moldova  
 Monaco  
 Montenegro  
 Netherlands (including components and dependent areas overseas)  
 Northern Ireland  
 Norway  
 Portugal (including components and dependent areas overseas)  
 Romania  
 Russia  
 San Marino  
 Serbia  
 Slovakia  
 Slovenia  
 Spain  
 Sweden  
 Switzerland  
 Tajikistan  
 Turkey  
 Turkmenistan  
 Ukraine  
 Uzbekistan  
 Vatican City

Natives of the following European countries are not eligible for this year's diversity program: Great Britain and Poland. Great Britain (United Kingdom) includes the following dependent areas: Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, St. Helena, and Turks and Caicos Islands. Note that for purposes of the diversity program only, Northern Ireland is treated separately; Northern Ireland does qualify and is listed among the qualifying areas.

#### List of Countries by Region Whose Natives Are Eligible for DV-2012

##### North America

The Bahamas  
 In North America, natives of Canada and Mexico are not eligible for this year's diversity program.

##### Oceania

Australia (including components and dependent areas overseas)  
 Fiji  
 Kiribati  
 Marshall Islands  
 Micronesia, Federated States of  
 Nauru

New Zealand (including components and dependent areas overseas)  
 Palau  
 Papua New Guinea  
 Samoa  
 Solomon Islands  
 Tonga  
 Tuvalu  
 Vanuatu

#### South America, Central America, and the Caribbean

Antigua and Barbuda  
 Argentina  
 Barbados  
 Belize  
 Bolivia  
 Chile  
 Costa Rica  
 Cuba  
 Dominica  
 Grenada  
 Guyana  
 Honduras  
 Nicaragua  
 Panama  
 Paraguay  
 Saint Kitts and Nevis  
 Saint Lucia  
 Saint Vincent and the Grenadines  
 Suriname  
 Trinidad and Tobago  
 Uruguay  
 Venezuela

Countries in this region whose natives are not eligible for this year's diversity program: Brazil, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Jamaica, Mexico, and Peru.

Dated: September 24, 2010.

**Janice Jacobs,**

*Assistant Secretary for Consular Affairs,  
 Department of State.*

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#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

#### 2010 Special 301 Out of Cycle Review of Notorious Markets: Request for Public Comment

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Request for written submissions from the public.

**SUMMARY:** Pursuant to Section 182 of the Trade Act of 1974 (Trade Act) (19 U.S.C. 2242) the United States Trade Representative (USTR) issues an annual review of the global state of intellectual property rights (IPR) protection and enforcement, conducted by the Office of the United States Trade Representative (USTR), commonly referred to as the

“Special 301 Report”. Included in this report is the “Notorious Markets” list, which is a compilation of examples of Internet and physical markets that have been the subject of enforcement action or that may merit further investigation for possible intellectual property infringements. The list does not represent a finding of violation of law, but rather is a summary of information USTR reviewed during the Special 301 process that serves to highlight the problem of marketplaces that deal in infringing goods and help sustain global piracy and counterfeiting.

In an effort to increase public awareness and guide related trade enforcement actions, USTR plans to begin publishing the notorious market list separately from the annual Special 301 report in which it has previously been included. USTR is hereby requesting written submissions from the public identifying potential Internet and physical notorious markets that exist outside the United States.

*Deadline for interested parties to submit written comments:* November 5, 2010.

**ADDRESSES:** All written comments should be sent electronically via <http://www.regulations.gov>, docket number USTR–2010–0029. Submissions should contain the term “2010 Special 301 Notorious Markets Review” in the “Type comment & Upload file” field on <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Kira M. Alvarez, Chief Negotiator and Deputy Assistant U.S. Trade Representative for Intellectual Property Enforcement, Office of the United States Trade Representative, at (202) 395–4510. Further information about Special 301 can be found at <http://www.ustr.gov>.

#### **SUPPLEMENTARY INFORMATION:**

### **1. Background**

Global piracy and counterfeiting continue to thrive due in part to marketplaces that deal in infringing goods. The 2010 Special 301 Report provides, on pages 43–45, a list of markets, including those on the Internet, that have been the subject of enforcement action, or that may merit further investigation for possible IPR infringements, or both. The list represents a selective summary of information reviewed during the Special 301 process; it is not a finding of violations of law. In the report, the United States encourages the responsible authorities to step up efforts to combat piracy and counterfeiting in these and similar markets.

The 2010 Joint Strategic Plan on Intellectual Property Enforcement stated

that USTR, in coordination with the office of the Intellectual Property Enforcement Coordinator, would initiate an interagency process to assess opportunities to further publicize and potentially expand on the notorious markets list in an effort to increase public awareness and guide related trade enforcement actions. As a result of that discussion, USTR has concluded that it can further publicize and potentially expand on the notorious markets list by publishing the notorious market list separately from the annual Special 301 report in which it has previously been included, following a separate, dedicated request for comments. USTR expects to publish the list on the earliest practicable date after receipt of public comments.

### **2. Public Comments**

#### *a. Written Comments*

The Special 301 Subcommittee invites written submissions from the public concerning potential examples of Internet and physical “notorious markets.” Notorious markets are those where counterfeit or pirated products are prevalent to such a degree that the market exemplifies the problem of marketplaces that deal in infringing goods and help sustain global piracy and counterfeiting.

#### *b. Requirements for Comments*

Interested parties must submit written comments by November 5, 2010 at 5 p.m.

Written comments should be as detailed as possible and should clearly identify the reason or reasons why the nature or scope of activity associated with the identified market or markets exemplify the problem of marketplaces that deal in infringing goods and help sustain global piracy and counterfeiting.

Comments should also include the following information for identifying these markets assessing their impact: Location; principal owners/operators (if known); types of products sold, distributed, or otherwise made available; any known civil or criminal enforcement activity against the market; any other efforts to remove/limit infringing materials; any positive progress made. Any comments that include quantitative loss claims should be accompanied by the methodology used in calculating such estimated losses. Comments must be in English. All comments should be sent electronically via <http://www.regulations.gov>, docket number USTR–2010–0029.

To submit comments to <http://www.regulations.gov>, find the docket by

entering the number USTR–2010–0029 in the “Enter Keyword or ID” window at the <http://www.regulations.gov> home page and click “Search.” The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting “Notice” under “Document Type” on the left side of the search-results page, and click on the link entitled “Submit a comment.” (For further information on using the <http://www.regulations.gov> Web site, please consult the resources provided on the Web site by clicking on “How to Use This Site” on the left side of the home page.)

The <http://www.regulations.gov> site provides the option of providing comments by filling in a “Type comment & Upload file” field, or by attaching a document. It is USTR’s preference that comments be provided in an attached document. If a document is attached, please type “2010 Special 301 Notorious Markets Review” in the “Type comment & Upload file” field. USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If the submission is in an application other than those two, please indicate the name of the application in the “Comments” field.

### **3. Inspection of Comments, Notices, and Hearing Statements**

USTR will maintain a docket on the 2010 Special 301 Notorious Markets Review, accessible to the public. The public file will include all comments received which will be placed in the docket and open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15. Comments may be viewed on the <http://www.regulations.gov> Web site by entering docket number USTR–2010–0029 in the search field on the home page.

**Stanford K. McCoy,**

*Assistant U.S. Trade Representative for Intellectual Property and Innovation.*

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