



Richard O. Cunningham

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Areas of Practice

- International Trade & Investment
- International Trade Litigation
- International Trade Policy & Negotiations
- Korea
- WTO Dispute Settlement

Education

- The George Washington University School of Law, J.D., 1968, Editor, *George Washington Law Review*, Order of the Coif
- George Washington University, A.M., 1966
- George Washington University, A.B., with distinction and special honors, 1964, Phi Beta Kappa, Valedictorian

Bar & Court Admissions

- District of Columbia
- Maryland
- US Supreme Court
- US Court of Appeals, Federal Circuit
- US Court of International Trade
- US Court of Appeals for the District of Columbia Circuit

Richard O. Cunningham is senior international trade partner in the Washington office of Steptoe & Johnson LLP, where he is a member of the International Department. In addition to litigating cases under the US import relief laws, Mr. Cunningham is active in representing clients with respect to US Government trade policy issues, in negotiating private and governmental agreements to resolve market-access problems and other international trade issues, and in helping clients develop international strategies that take advantage of the trade laws and policies of the United States and foreign governments. Mr. Cunningham is supported in his international trade work by Steptoe's team of trade law attorneys—one of the largest of any US law firm—comprising 35 attorneys and other professionals. The group also draws as needed from the skills of attorneys in Steptoe's other practice areas.

United States Import Relief Laws

Mr. Cunningham handled many of the major US antidumping and countervailing duty cases of the last three decades. In antidumping cases, he is known particularly for his experience in proceedings involving complex manufactured products and multi-layered distribution systems, and for cases involving imports from non-market economies and economies in transition. Under the countervailing duty law, Mr. Cunningham has particular experience in cases involving capital subsidies, privatization, research and development subsidies, and subsidy aspects of agricultural trade. He is also known for achieving negotiated resolutions of import relief proceedings.

In addition to litigating cases, Mr. Cunningham regularly advises foreign exporters as to how they may reduce their vulnerability to US import relief cases, and counsels foreign governments on how supports may be structured so as to comply with WTO rules and US countervailing duty laws. He also represents clients in connection with proposed antidumping and countervailing duty legislation in the United States and in other countries, and in connection with the negotiation of international rules governing import relief proceedings.

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Trade Policy Issues

On behalf of both US and foreign clients, Mr. Cunningham provides advice and advocacy with respect to international trade policy decisions by the United States and other governments. Such representations involve bilateral and multilateral trade negotiations, decisions in discretionary trade law cases, market-access initiatives, legislation and governmental policies in such trade-related areas as intellectual property, government procurement, standards, export controls, taxation and issues relating to trade in services. He advised the Korean Government in their FTA negotiations with the United States and the Mexican Confederation of Industries in the NAFTA negotiations. As a result of Mr. Cunningham's involvement in trade policy issues, he has been asked on numerous occasions to advise Congressional committees and governmental agencies on international trade issues.

World Trade Organization Matters

Mr. Cunningham was active on behalf of clients in both the Tokyo Round and the Uruguay Round of Multilateral Trade Negotiations. He frequently represents corporate clients, and occasionally advises governments, in World Trade Organization (WTO) dispute resolution proceedings. He has particular experience in bringing about negotiated resolutions of disputes arising under the WTO Agreements.

Development of International Trade Strategies

Drawing on his international trade law experience and his long-standing relationships with trade policy officials in the United States and foreign governments, Mr. Cunningham regularly assists corporate clients in devising international trade strategies. Such advice seeks to enable the client to integrate international marketing, pricing, and plant siting decisions with the laws and policies of relevant governments. Strategies are developed to overcome obstacles to market access, to utilize trade laws and cases for commercial advantage, to maximize the advantages of intellectual property rights or proprietary technology, and to obtain assistance or protection from domestic and foreign governments.

Noteworthy

- Ranked, *Chambers USA 2010 - 2012: America's Leading Business Lawyers*; International Trade: Trade Remedies & Trade Policy (Nationwide)
- Named "Senior Statesman" in International Trade: Trade Remedies & Trade Policy (US) by *Chambers Global 2010*
- Noted, *Chambers Global 2009, 2011 - 2012: The World's Leading Lawyers for Business*; International Trade/WTO: Global
- *Best Lawyers' 2011* Washington, DC International Trade and Finance Lawyer of the Year

Richard O. Cunningham

- Listed in *Best Lawyers in America 2010* for International Trade and Finance Law
- Recommended, *Legal 500 US 2008 - 2012* for Litigation: International Trade
- Listed in Washington, DC *Super Lawyers 2008 - 2012*
- Named "Senior Statesman" in US: International Trade: Trade Remedies & Trade Policy by *Chambers Global 2008: The World's Leading Lawyers for Business*
- Named "Senior Statesman" in National: International Trade: Trade Remedies & Trade Policy by *Chambers USA 2008: The World's Leading Lawyers for Business*
- Listed in *Who's Who Legal* for Trade & Customs (2009-2011)
- Listed in Ethisphere's 2009 and 2010 Attorneys Who Matter for Trade/Export Compliance
- *Euromoney's* Expert Guide to the World's Leading International Trade Lawyers (2007, 2008, 2010)
- *Euromoney's* Expert Guide to The Best of the Best (2008, 2010)
- *Euromoney's* Expert Guide to The Best of the Best USA (2008, 2010)

Select Seminars & Events

Frayed Nerves on the Sidelines: U.S. Business and the Lost Opportunities of Other Countries' Free Trade Agreements, September 14, 2010

Selected Publications

Why the Multilateral Trading System Must Take Priority
2009, *Narrowing The Atlantic*

Cases Under 28 U.S.C. § 1581(i)
Fall 2006, *Georgetown Journal of International Law*

Trade Policies and Strategies, Cameron May Ltd., International Law
Publishers; London
2005

Professional Affiliations

American Bar Association, Sections of International Law, Antitrust Law,
Public Contract Law and Litigation

Vice Chair, Cordell Hull Institute

Director, Canada-United States Law Institute

Richard O. Cunningham

Director, Global Business Dialogue

American Bar Association, Past Chair, Standing Committee on Customs
Law