HUSCH BLACKWELL



Nithya Nagarajan

PARTNER

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OVERVIEW

Nithya's extensive experience with the federal government provides critical insights into navigating complex trade remedy and trade policy issues.

Her previous roles at the Department of Commerce, the Department of Justice, and the U.S. Court of International Trade have given Nithya an insider's perspective as she counsels clients on administrative and regulatory acts before Commerce, the International Trade Commission, and U.S. Customs and Border Protection (CBP). She also defends appeals in the U.S. Court of International Trade, the U.S. Court of Appeals for the Federal Circuit, NAFTA panels, and the World Trade Organization.

Nithya takes a holistic, forward-looking approach to her practice. While she regularly helps clients resolve trade remedy proceedings and last-minute challenges, she places equal emphasis on strategic planning, working with importers and exporters to develop proactive duty mitigation strategies and strengthen supply chain and documentation. Her goal is to help clients stay ahead of potential duty exposure across all products subject to antidumping and countervailing duties, classification, country-of-origin

"I have been overly impressed with Nithya Nagarajan's ability to understand issues and recommend solutions within a short period of time."

— Chambers USA 2025

Industries

Manufacturing
Transportation

Services

Asia
Bid Protests
Customs
Evasion & Circumvention
Export Controls & Economic Sanctions
Forced Labor
International
International Trade & Supply Chain
International Trade Remedies
Supply Chain Logistics

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requirements, free trade agreement considerations, and other tariff issues.

The leader of Husch Blackwell's Trade Remedy and Trade Policy practice, Nithya is a recognized authority in trade remedy strategy and antidumping and countervailing duty proceedings. She has advised foreign manufacturers across India, China, Thailand, Malaysia, Korea, and Vietnam in handling trade and supply chain issues associated with exports to the U.S. That experience has given her a wide-ranging understanding of the business regulatory, financial recordkeeping, and other trade and supply chain issues unique to each of these countries. Nithya has led and participated in numerous trade remedy proceedings before the U.S. Department of Commerce, the Ministry of Commerce in the People's Republic of China, the DGFT in India, and the European Commission. She has conducted trade consultations and negotiations with foreign governments including India, Japan, the Netherlands, Russia, and Ukraine, and negotiated several bilateral trade agreements (suspension agreement or undertakings) on behalf of the Department of Commerce in the settlement of antidumping duty investigations.

Nithya serves as co-chair of APISWANA, the firm's Asian, Pacific Islander, Southwest Asian, and North African Employee Resource Group.

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Case Studies

Stelfast Inc.

We stood by our client when the U.S. Government mistakenly billed it $200 million in customs duties.

Tube Investments of India
Gharda Chemicals International

An international chemicals exporter expands its U.S. presence with lower duty rates than competitors.

Bergwerff Organic India

Husch Blackwell successfully defended this leading Indian exporter of certified organic soybean meal, protecting its presence in the U.S. market.

WPC Technologies

Our team achieved a unanimous decision and helped a small American manufacturer level the playing field by achieving fair pricing for its core product.

TricorBraun
CSC Sugar LLC

Our team secured a first-of-its-kind decision from the U.S. Court of International Trade.

Featured Experience

Clients Save Several Billion in Duties

When Husch Blackwell's clients' businesses were threatened with billions of dollars in potential duties on imports of steel nails, Nithya and her team were convinced that there was a narrow path to victory given the unique factual circumstances of the case. To that end, the team crafted a strategy that focused on the changes and shifts in the market for the supply of nails and the lack of capacity and production capability of the U.S. domestic industry to supply and meet the demands of the U.S. market. This ensured that a coalition of interested parties—namely, importers, distributors, and suppliers—in the U.S. would be willing to make the case.

As part of a two-prong strategy aimed at both the International Trade Commission (ITC) and the U.S. Department of Commerce, the team brought forward compelling evidence that the importation of the nails at issue did not injure and would not threaten to injure U.S. producers.

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We successfully won the final injury investigation at the ITC, which issued a negative determination ensuring that no antidumping or countervailing duties would be instituted. The decision potentially saved the clients and other importers several billion dollars in duties over a five-year period.

Customs Request for Information Response Leads to Significant Savings in Duties

A client importing finished goods which were eligible for duty-free treatment under the U.S.-Columbia Free Trade Agreement and manufactured in Columbia approached Nithya Nagarajan, partner in the International Trade and Supply Chain Group, because U.S. Customs issued a request for information asking for proof and supporting documentation to demonstrate that the products truly were manufactured in Colombia. The manufacturing process relied on materials originally sourced from China, and products that retained China as their country of origin would be subject to significant antidumping and countervailing duties. Customs raised several questions about whether the product was truly made in Colombia or made in China (and thus subject to additional duties).

Nithya led a team of Husch Blackwell attorneys to provide a comprehensive analysis of the production process, supporting documentation, calculations, and all the requisite proof to effectively demonstrate to Customs that the products were Colombian origin. Customs determined within one week of receiving this response that there was sufficient manufacturing occurring in Columbia to meet its substantial transformation test, providing the client significant savings in duties.

Client Maintains Zero Rate

A client received a zero cash deposit rate in the original antidumping duty investigation based upon the producer/exporter combination. However, after ten years, Customs questioned the continued use of the zero rate where the producer and exporter remained the same. The Husch Blackwell International Trade and Supply Chain team led by Jeffrey Neeley and Nithya Nagarajan, implemented a multi-step legal strategy which necessitated first filing a scope ruling request at the Department of Commerce. After Commerce rejected that request without offering any procedural option, Husch Blackwell appealed Commerce's inaction to the Court of International Trade, and then filed a changed circumstances review request that forced Commerce to make a decision and apply the same zero rate to all of the exports by the client. Husch Blackwell's efforts resulted in a win for the client and regardless of whether there were additional entities involved in the transaction the client's exports continued to be eligible for a zero antidumping duty deposit rate.

Company Prevails in Three-Week Audit Over Steel Imports

When the U.S. Department of Commerce alleged that a foreign company dumped a steel product in the United States, Nithya worked hand in hand with the client to provide comprehensive sales analysis, cost analysis and full responses to the agency. She successfully guided the foreign company through a three-week onsite audit, and at the conclusion of the case, the client received a 0 percent cash deposit authorized upon entry of the accepted steel product.

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Experience

TRADE REMEDIES

- Prevailed before U.S. International Trade Commission (ITC) on behalf of major importer of steel nails in case filed by Mid-Continent Inc., on imports of steel nails from multiple countries. Substantial antidumping and countervailing duties were avoided due to Nithya's expertise before the ITC, and protected U.S. consumers in the retail, housing and construction industries.
- Prevailed before U.S. International Trade Commission (ITC) on behalf of global packaging leader TricorBraun in case filed by American Glass Packaging Coalition concerning Chinese-made glass containers. Substantial countervailing duty increases by U.S. Department of Commerce were avoided, thus protecting small and mid-market business continuity, including wineries and distilleries.
- Represented a major exporter of Cold-Drawn Mechanical Tubing from India and obtained the lowest antidumping duty margin as compared to exporters from India and several other countries in companion cases.
- Reversed adverse findings for a multinational steel exporter in administrative reviews of antidumping and countervailing duty matters before the Department of Commerce to mitigate amount of duties imposed.
- Represented exporters from China, India, Mexico, and Thailand in defense of antidumping and countervailing duties.
- Obtained zero margins for a Thai exporter of Glycine in ongoing antidumping and countervailing duty investigations.
- Represented a U.S. importer and obtained exclusions from an ongoing antidumping and countervailing duty investigation.

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Experience

- Successfully obtained scope and duty exclusions for U.S. companies affected by antidumping duty and countervailing duties on High-Quality Coated Free Sheet Paper from China; Steel Cylinders from China; and Aluminum Extrusions from China.
- Obtained findings of no injury for Chinese companies before the ITC involving silica bricks.
- Enabled U.S. importer to obtain authorized exclusion from antidumping and countervailing duties on key component for sale of HFC refrigerant blends.
- Obtained exclusion of paper products from China from scope of antidumping and countervailing duty order on high-quality coated free sheet paper from China.
- Successfully demonstrated that silica bricks from China did not injure domestic industry, thereby ensuring that no antidumping duty order was instituted.
- Successfully argued in Chinese dumping case that Department of Commerce should consider trading company that holds title to goods at time of export to be exporter of record because determining correct exporter of record in trade remedies cases is key issue in order to apply calculated separate rate.
- Represented client in Thailand that received favorable negative preliminary antidumping determination from Department of Commerce
- Prevailed in a contentious year-long anticircumvention proceeding conducted by the Department of Commerce covering the antidumping duty order on hydrofluorocarbon (HFC) blends from the People's Republic of China.

CUSTOMS

- Enabled a leading importer of medical testing equipment to avoid a customs investigation by cooperating with CBP in a complex information request demonstrating the classification and valuation of specific medical testing equipment.
- Successfully helped small to mid-size importer of quartz from multiple countries pass a RASA audit conducted by CBP to mitigate and avoid a customs penalty and circumvention actions.

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Experience

- Successfully worked with large importer of window walls for commercial construction projects to pass a country of origin inquiry by Customs under the Columbian Free Trade Agreement, thereby avoiding significant duties and penalties.
- Identified $200 million in erroneous bills to client due to programming error in instructions sent by Department of Commerce to U.S. Customs and Border Protection (CBP), at conclusion of antidumping duty administrative review. Worked closely with Commerce official to correct error. Client now pays less than $15,000 in duties.
- During merger audit for Intense Lighting LLC (unit of Leviton), identified classification error that had inadvertently created underpayment of duties. Helped client file prior disclosure with U.S. Customs and throughout three-year document review and filing process. Resolved Customs case with no penalty assessment or other negative action for our client.
- Successfully assisted U.S. importer in mitigating liabilities related to violation of classification and import laws.
- Obtained favorable rulings for U.S. importers regarding classification of goods and country of origin concerns.
- Counsel companies on customs compliance.
- Obtained prior disclosures with no penalties for clients and secured binding ruling requests for Harmonized Tariff Schedule classification issues.

TARIFFS

- Successfully obtained a country of origin ruling request for a major Austrian manufacturer of industrial machinery to enable them to export custom designed machinery from Mexico to the United States that comports with U.S. trade and tariff rules, yet provides a means for lawfully mitigating increased tariff liability.
- Obtained exclusions of HTS codes for U.S. importers of merchandise from China from Section 301 duties.

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Experience

- Served as key member of the steering committee on the Section 301 litigation challenging the institution of List 3 and List 4A tariffs against China.

Recognition

- *Chambers USA*
  - International Trade: Trade Remedies & Trade Policy, Nationwide, 2025-2026
  - Global Guide, USA, International Trade: Trade Remedies & Trade Policy, 2026
- *The Legal 500 United States*
  - International trade and national security: Trade remedies and trade policy, Recommended lawyer, 2025
- Capital Pro Bono Honor Roll, Honors, 2024 and 2025
- J.D. Supra Readers' Choice Awards
  - Top Author: International Law, 2020 and 2024
- Gold (1997) and Bronze Medal (1998) recipient for work on various steel cases, Department of Commerce

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Education

- J.D., American University Washington College of Law
  - *cum laude*
  - *International Law Review*
  - First Year Moot Court Competition, Senior Associate
- M.B.A., The George Washington University
  - *cum laude*
  - Business and Finance
- B.A., The George Washington University
  - Political Science and Business

Admissions

- District of Columbia
- Maryland
- U.S. Court of International Trade
- U.S. Court of Appeals, Federal Circuit

Clerkship

- Law Clerk, The Hon. Evan Wallach, U.S. Court of International Trade, 2004-2006

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Community Leadership

Over the years, Nithya has devoted many hours of service to organizations that support education, faith, music and the arts. The Carnatic Music Association, of which her father was a founding member, draws Nithya because of her personal interest in Indian classical music. She also contributes considerable pro bono legal assistance and leadership at the Sri Siva Vishnu Temple, which her parents helped found.

- Dharma Into Action Foundation, Maryland, Treasurer, Board Member
- UPAKAR – The Indian-American Scholarship Organization, Washington, D.C., Treasurer, Board Member
- Sri Siva Vishnu Temple, Washington, D.C., Secretary, Board Member, pro bono assistance
- Carnatic Music Association of America, New Jersey, Board of Trustees, Treasurer
- Freer Sackler Galleries of the Smithsonian Institution, Washington, D.C., Volunteer and Guest Speaker



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