

**UNITED STATES – DEFINITIVE ANTI-DUMPING AND COUNTERVAILING  
DUTIES ON CERTAIN PRODUCTS FROM CHINA**

Communication from the United States and China

The following communication, dated 17 December 2010, from the delegation of the United States and the delegation of China to the Presiding Member of the Appellate Body Division in this dispute and the Chairperson of the Dispute Settlement Body, is circulated at the request of those delegations.

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Prior to the initiation of the appeal in the above referenced dispute, the Appellate Body Secretariat requested to meet with the United States and China to discuss scheduling issues relating to a possible appeal. The Secretariat informed the parties that the Appellate Body considered that it would not be possible to circulate the Appellate Body Report in an appeal within the 90-day time limit referred to in Article 17.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"). In light of the complex appeal currently under consideration by the Appellate Body and the numerous, complex issues likely to arise in an appeal in this dispute, the United States and China agreed to extend the 90-day deadline for completion of the Appellate Body Report by 10 days, to 11 March 2011.

During those discussions, it was agreed that it would be useful for the parties to confirm in writing that they would each deem an Appellate Body Report in this proceeding, issued no later than 11 March 2011, to be an Appellate Body Report circulated pursuant to Article 17.5 of the DSU. Accordingly, the United States and China hereby confirm that they will each deem an Appellate Body Report in this proceeding, issued no later than 11 March 2011, to be an Appellate Body Report circulated pursuant to Article 17.5 of the DSU.

H.E. Mr. Michael Punke  
Ambassador  
Permanent Mission of the United States

H.E. Mr. Sun Zhenyu  
Ambassador  
Permanent Mission of China