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| **General Nature of Commercial Relationships: Customers** | | **Notes** |
|  | 1. **Are the products/services themselves, commercial contract terms, regulatory context, or other factors involved highly technical or specialized?**   *Check if yes.* |  |
|  | * 1. **If litigated, would expert witnesses be essential?**   *Check if yes.* |  |
|  | * 1. **Could expert mediators/arbitrators be more efficient or useful?**   *Check if yes.* |  |
|  | 1. **Do your customers tend to have more bargaining power over you?**   *Check if yes, leave empty if you tend to have more bargaining power.* |  |
|  | 1. **Are your customers generally larger companies with substantial resources?**   *Check if yes. Write how many of your customers are smaller companies and how many are large companies in the Notes section to the right.* | *# smaller*  *#larger* |
|  | 1. **Are there individual customers that represent a high proportion of total operating revenues?**   *Check if yes.* |  |
|  | 1. **Are the customer relationships typically long-term?**   *Check if yes, leave empty if customers change frequently.* |  |
|  | 1. **Is the product/service you provide highly specialized?**   *Check if yes, leave empty if the product/service you provide is commoditized.* |  |
|  | 1. **Are there few potential commercial alternatives to your product/service?**   *Check if yes, leave empty if there are many alternatives to your company.* |  |
|  | 1. **Are the startup costs to replace you as a product/service significant?**   *Check if yes.* |  |
|  | 1. **Do you have a sense of “investment” in any of your customers having knowledge of your business and needs?**   *Check if yes.* |  |
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| **General Nature of Commercial Relationships: Customers (cont.)** | | **Notes** |
|  | 1. **Are your customers geographically dispersed?**   *Check if yes, leave empty if your customers are local.* |  |
|  | * 1. **Are your customers located internationally?**   *Check if yes, leave empty if your customers are located domestically. Write any applicable countries in the Notes section to the right.* |  |
|  | * 1. **Are the courts and the application of the rule of law reliable where your customers are located?**   *Check if yes.* |  |
|  | 1. **Do your customer relationships involve sensitive commercial information, trade secrets, or intellectual property?**   *Check if yes.* |  |
|  | 1. **Would public disclosure of a dispute disproportionately harm or benefit one side of the other?**   *Check if yes.* |  |
|  | 1. *Write your own checklist items here* |  |
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