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COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

February 14, 2011

The President of the United States
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear Mr. President,

As the current round of negotiations on the proposed TransPacific Partnership (TPP) free trade agreement (FTA) commences in Chile, we write to urge your Administration to pursue the highest level of protection for American intellectual property (IP) rights.

Dynamic economies rely upon effective IP protections to encourage the development of market-based incentives. These investments lead to the establishment of new industries and to the offering of new products and services that benefit consumers around the world.

As the most innovative and creative economy in the world, the United States has more to lose from weak IP standards in foreign markets than any other nation. Inadequate protection of U.S. IP in other nations leads to reduced R&D investment and fosters a climate of uncertainty. This climate discourages American entrepreneurs and industry from making the investments needed to develop new technologies that could otherwise save or enhance lives and create new jobs for millions of Americans. The inclusion of a strong IP chapter in the TPP is absolutely essential to promoting American competitiveness and driving U.S. export and job growth.

Our view is that the TPP presents an opportunity to establish 21st century IP protections that can serve as a template for future FTAs in the Asia-Pacific region and around the world. Therefore, we appreciate the recent testimony of U.S. Patent and Trademark Office (PTO) Director David Kappos before the Judiciary Committee's Subcommittee on Intellectual Property, Competition and the Internet where he provided assurances that the PTO:

stand[s] with USTR for the proposition that the appropriate starting point for the TransPacific Partnership negotiations is the Korea FTA. It is a great starting point. It is a strong intellectual property starting point. And we think that it will lead to good places in the TPP.

We understand U.S. negotiators are seeking to conclude TPP negotiations by November 2011 and may soon seek to table language that relates to the protection of intellectual property. We appreciate this ambitious timeline but believe strict adherence to it should not be pursued at the expense of a strong agreement with a modern IP chapter - one that opens new markets for American companies in today's knowledge-based economy.

As the TPP process advances, we look forward to working with you and others in your Administration to further U.S. competitiveness, economic growth and export promotion.

Sincerely,

Alan Smith

Bob Goodlatte

Howard Cole

[Signature]

Elton Gallegly

Marta Beckman

Vern Buchanan

Tom Marino

Howard L. Berman

Alan Smith

Alan B. Lipton

J. Alec

John Baur

F. Jones

Heck Johnson

Phil Lane

Aaron Schock

D. R.

Cc: the Honorable Ron Kirk