

July 9, 2009

The Honorable Ron Kirk
Office of the United States Trade Representative
Washington, DC

Dear Ambassador Kirk:

The undersigned unions, associations and business groups applaud your recent announcement that USTR plans to resume negotiations on an Anti-Counterfeiting Trade Agreement (ACTA) and urge you to work diligently toward concluding a strong agreement that results in more effective enforcement.

The United States has become the world leader in innovation due, in large part, to strong intellectual property (IP) laws. IP rights provide an important incentive for investment in innovation and creativity that result in the development of new products and services that not only improve and enrich our lives, but have also transformed the U.S. economy. Today, IP-intensive industries in the U.S. employ nearly 18 million workers, account for more than \$5 trillion of the gross domestic product and comprise more than 40 percent of all exports.

As the knowledge-based, entertainment and cultural sectors of our economy have grown, unfortunately so has the number of criminals and other bad actors who engage in IP theft to advance their own interests. This has a profound impact on the U.S. economy—causing significant loss of American jobs and costing hundreds of billions of dollars annually.

Rampant IP theft harms a broad array of industries – from those that manufacture hard goods to those producing digital software and entertainment products. As technology has evolved, so have the challenges different sectors face in stopping theft of their IP. Today, counterfeiting and piracy not only takes place within the traditional stream of commerce, but on the Internet as well. To reflect that reality, we strongly believe ACTA must include robust provisions to address IP theft in both physical and online environments.

By establishing a meaningful and effective framework for the protection of IP rights with likeminded trading partners, ACTA will help ensure all nations understand that counterfeiting and piracy are serious problems that do not merely affect businesses' bottom lines in the short term but also discourage investment, job creation and innovation in the long term.

We salute your actions to ensure that there is sufficient transparency and dialogue among all stakeholders so that this is a fully informed process. We are confident that an agreement can be reached that both raises standards for the protection of IP internationally in physical and online markets and does not seek to directly or indirectly change U.S. law.

We thank you again for your commitment to strengthening IP protections. It is only by advancing such policies at home and abroad that the innovative sectors we represent can

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continue to sustain U.S. economic growth, job creation, cultural enrichment, and our nation's global competitiveness in the twenty-first century.

Sincerely,

American Apparel & Footwear Association
American Association of Independent Music
American Federation of Musicians
American Federation of Television and Radio Artists
American Intellectual Property Law Association
American Society of Composers, Authors and Publishers
American Society of Media Photographers
Copyright Alliance
Entertainment Software Association
Fashion Accessories Shippers Association
Graphic Artists Guild
Grocery Manufacturers Association
Independent Film and Television Alliance
Intellectual Property Owners Association
International AntiCounterfeiting Coalition
Motion Picture Association of America
Motor & Equipment Manufacturers Association
National Association of Manufacturers
National Electrical Manufacturers Association
National Electronic Distributors Association
National Marine Manufacturers Association
National Music Publishers Association
Picture Archive Council of America
Production Music Association
Recording Industry Association of America
Software & Information Industry Association
Specialty Equipment Market Association
Tire Industry Association
Travel Goods Association
U.S. Chamber of Commerce