



## INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE REPRESENTING THE U.S. COPYRIGHT-BASED INDUSTRIES FOR 28 YEARS

The International Intellectual Property Alliance (IIPA) is a private sector coalition, formed in 1984, of trade associations representing U.S. copyright-based industries in bilateral and multilateral efforts working to improve international protection and enforcement of copyrighted materials and open up foreign markets closed by piracy and other market access barriers.

IIPA's seven member associations represent over 3,200 U.S. companies producing and distributing materials protected by copyright laws throughout the world—all types of computer software, including business applications software, entertainment software (interactive games for videogame consoles, handheld devices, personal computers and the Internet), and educational software; theatrical films, television programs, DVDs and home video and digital representations of audiovisual works; music, records, CDs, and audiocassettes; and fiction and non-fiction books, education instructional and assessment materials, and professional and scholarly journals, databases and software in all formats. Visit [www.iipa.com](http://www.iipa.com). Members of the IIPA include [Association of American Publishers](#), [BSA | The Software Alliance](#), [Entertainment Software Association](#), [Independent Film & Television Alliance](#), [Motion Picture Association of America](#), [National Music Publishers' Association](#), and [Recording Industry Association of America](#).

The U.S. copyright-based industries are one of the strongest and most dynamic sectors of the U.S. economy. Inexpensive and accessible reproduction and transmission technologies, however, make it easy for copyrighted materials to be pirated in other countries. IIPA and its member associations, working with U.S. government, foreign government, and local rights holder representatives, analyze copyright laws and enforcement regimes in countries around the globe and seek improvements that will foster economic, technological, and cultural developments in these countries, and that will deter piracy and improve market access. These changes in turn encourage local investment, creativity, innovation and employment. As technology rapidly changes, IIPA is working to ensure that high levels of copyright protection and effective enforcement become a central component in the legal framework for the growth of global electronic commerce. Strong protection and enforcement, both in law and in practice, against the theft of intellectual property, are essential for achieving the full economic and social potential of global e-commerce.

### Examples of what we do:

**Special 301 Review:** IIPA submits an annual report to the U.S. Trade Representative (USTR) and other U.S. Government agencies in the U.S. Government's annual "Special 301" review on whether acts, policies or practices of any foreign country deny adequate and effective protection of intellectual property rights or deny fair and equitable market access for U.S. persons relying on intellectual property protection. In February 2012, IIPA filed its 24th Special 301 submission with the Office of the U.S. Trade Representative (USTR). IIPA's 2012 submission analyzed legal and enforcement deficiencies, and recommended corrective actions in 41 countries. USTR's 2012 Report was issued on April 30, 2012, and contains many key copyright-related themes and also highlights problems in 40 countries, including China, India, Russia, Italy, Brazil, and Canada.

**Legal Reform Efforts:** IIPA continues to play a principal role within the private sector in seeking to obtain key legislative changes to provide an adequate legal framework to deal with the evolving threats of piracy and unlicensed uses, including on the Internet, through mobile networks, in cinemas, in businesses and by governments themselves. Legal reform efforts also seek to open markets closed due to market access or other restrictive barriers to trade in copyright materials.



**Seeking Enforcement Reforms:** IIPA advocates for strong, effective, and deterrent enforcement mechanisms to rise to the new challenges posed by piracy today. These include: dedicating enforcement resources commensurate with the scale of the piracy problem to provide for “effective action” and “remedies that constitute a deterrent” to infringement as the minimum required by the TRIPS Agreement, the WCT and WPPT, through civil, administrative, and criminal action, and effective adjudication in the courts; training and empowering enforcement authorities to investigate and prosecute copyright offenses; investigating links between piracy and organized crime; issuing directives to government agencies, entities, contractors, and educational institutions to use only legal software, books, and other copyright materials, and to ensure that their networks or computers are not used for infringing purposes; encouraging cooperation by intermediaries (including ISPs) with all content owners, including notice and takedown systems and effective and fair mechanisms to deal with repeat infringers, and outlawing the use of an audiovisual recording device to make or transmit a copy of a motion picture in a cinema.

**TRIPS Agreement and WIPO Internet Treaties:** IIPA was the principal representative of the copyright industries in assisting the U.S. government in the WTO TRIPS negotiations and at the WIPO Diplomatic Conference leading to the completion of the two “Internet” Treaties (the WCT and WPPT) at WIPO in 1996. IIPA and its members have actively engaged in efforts to ensure full and prompt implementation and ratification of these two treaties, and as of October 2012, 90 countries have ratified the WCT as well as the WPPT. IIPA is a non-governmental organization at WIPO.

**Economic Reports on the Copyright Industries in the U.S. Economy:** Economists Inc.’s 13th economic study on the contribution of the U.S. copyright-based industries to the U.S. economy was released on November 2, 2011. Since 1990, Economists Incorporated has issued reports for the IIPA detailing the contribution of the U.S. copyright-based industries to the U.S. GDP, U.S. jobs and salaries, and foreign sales/exports. Using the expertise and methodologies developed in these studies, WIPO issued Guidelines in 2003 on how nations should conduct such economic studies. To date, 28 countries have issued their own reports on the impact of the copyright industries to their nation’s economies.

**IPR in U.S. Free Trade Agreements:** IIPA has supported the U.S. Government on the negotiation of IPR provisions of all recent Free Trade Agreements, including those recently ratified by the Congress with Korea, Colombia, and Panama, as well as prior FTAs in force with Jordan, Singapore, Chile, Australia, Morocco, CAFTA-DR, Bahrain, Oman and Peru. The most recent FTAs contain significant obligations on copyright protection and enforcement mechanisms. IIPA supports a strong IP chapter, building upon previous FTAs, in the ongoing Trans-Pacific Partnership (TPP) negotiations with Australia, Brunei, Chile, Malaysia, New Zealand, Peru, Singapore, and Vietnam. IIPA also applauded the signing in October 2011 of the Anti-Counterfeiting Trade Agreement (ACTA), an agreement forged with Australia, Canada, the European Union (EU), Japan, Korea, Mexico, Morocco, New Zealand, Singapore, and Switzerland which reflects a growing global understanding of the importance of promoting creativity and innovation through stepped-up efforts to combat pervasive copyright piracy in global markets.

**GSP IPR Investigations:** IIPA participates in trade actions brought under trade laws, such as the Generalized System of Preferences (GSP) and other trade preference programs. Since 1999, IIPA (and in one case, a coalition of 6 of 7 IIPA members) has filed 18 GSP IPR petitions with USTR, 10 of which were accepted. Three IPR reviews are now underway (for Russia, Lebanon, and Uzbekistan). In January 2012 IIPA filed petitions to open reviews of IPR and market access practices in Indonesia and Ukraine and in June 2012 USTR accepted these petitions.

The above items are an illustrative, not exhaustive, list of the work IIPA does on behalf of its member associations. **For more information, visit the IIPA website at [www.iipa.com](http://www.iipa.com).**