



February 15, 2011

Submitted via regulations.gov

Mr. Stanford McCoy
Assistant U.S. Trade Representative
for Intellectual Property and Innovation
Office of the U.S. Trade Representative
600 17th Street, N.W.
Washington, D.C. 20508

Re: Anti-Counterfeiting Trade Agreement: Request for Comments From the Public, 75 Fed. Reg. 79069 (December 17, 2010)

Dear Mr. McCoy:

The International Intellectual Property Alliance (IIPA)¹ – a coalition of seven member associations each of which represents a significant segment of the U.S. copyright industries – submits this response to the Federal Register notice which invites “written comments from the public on the final text of the Anti-Counterfeiting Trade Agreement (ACTA)² in connection with consideration of U.S. signature of the agreement.”

The IIPA supports U.S. signature of the ACTA. IIPA welcomes the conclusion of this forward-looking multilateral agreement, and hopes that it will help deal with pervasive copyright piracy, both online and offline, which continues to hamper economic recovery and job growth around the world, including in the U.S. The ACTA countries (the European Union, Canada, Switzerland, Japan, Australia, New Zealand, Korea, Singapore, Mexico, Morocco and the U.S.) represent 50% of world trade, and the agreement asks them to step up their efforts to combat this theft.³ The ACTA countries represent a critical alliance, pledging to strengthen enforcement against

¹ The International Intellectual Property Alliance (IIPA) is a private sector coalition formed in 1984 to represent the U.S. copyright-based industries in bilateral and multilateral efforts to improve international protection of copyrighted materials. IIPA comprises seven trade associations, each representing a significant segment of the U.S. copyright community. These member associations represent over 1,900 U.S. companies producing and distributing materials protected by copyright laws throughout the world — business software (operating systems, Internet enabling software, browsers, search engines, office productivity software, database management software, green technology enabling software, security software and mobile technologies); entertainment software (interactive games for video game consoles, handheld devices, personal computers, and the Internet); theatrical films, television programs, home videos and digital representations of audiovisual works; musical compositions, recorded music, CDs, and audiocassettes; and textbooks, trade books, reference and professional publications and journals, in both print and electronic media.

² In November 2010, the United States, along with Australia, Canada, the European Union (EU), Japan, Korea, Mexico, Morocco, New Zealand, Singapore, Switzerland, finalized the text of the ACTA, which aimed to establish a comprehensive international framework to effectively combat the infringement of intellectual property rights, in particular the proliferation of piracy and counterfeiting, which undermines legitimate trade and the development of the world economy. It includes provisions on civil, criminal, border and digital environment enforcement measures and cooperation mechanisms among ACTA Parties to assist in their enforcement efforts.

³ For example, the ACTA obligations include a new provision requiring that the aiding and abetting of copyright infringement be made a crime. If this obligation is adopted in all ACTA countries with deterrent criminal remedies, it will help in the fight against both physical and online piracy.



piracy and counterfeiting in their own countries, and to cooperate more effectively to fight these global problems. ACTA marks the launch of an evolving partnership among all countries that recognize the importance of strong intellectual property protection in developing the creative and innovative sectors of their economies, creating good jobs, increasing cultural diversity, promoting technological advances, enhancing the rule of law, and boosting legal trade in products and services protected by intellectual property laws.

We thank you for this opportunity to comment in regard to this matter, and the copyright industries look forward to working with the U.S. government, and with governments of the other ACTA countries, to advance the goals of the agreement within the ACTA partnership.

Respectfully submitted,

Eric H. Smith
International Intellectual Property Alliance