

# INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE®



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September 22, 2009

The Honorable Barack H. Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Re: Anti-Counterfeiting Trade Agreement (ACTA)

Dear Mr. President:

As the U.S. and its ACTA counterparts approach the next negotiating session in which internet piracy will be discussed substantively for the first time, we urge you to ensure that the U.S. continues to advocate for a robust agreement that establishes high standards for the enforcement of intellectual property rights in both physical and online environments, so essential to the U.S. copyright-based industries and the U.S. economy.

The U.S. copyright industries represent over 6% of U.S. GDP, over 4% of U.S. employment and, in 2007, contributed over 22% of the total economic growth in the U.S. economy. While our sector of the economy is one of the most productive and fastest growing of all sectors, that growth is wholly dependent upon the capacity and willingness of countries to establish effective standards of protection and enforcement for the intellectual property that is at the core of our creative businesses.

The ACTA has great potential to promote healthy e-commerce globally and to contribute significantly to economic growth in the United States. Ambassador Kirk and his able staff at USTR have done an excellent job to date in negotiating this agreement. With your support, we believe that ACTA can contribute to a rules-based international framework that will be of major benefit to the American people. But ACTA would be meaningless, and would fail to achieve its core mission, if it failed to address the issue of online piracy. It is essential that ACTA standards be robust, obligate countries to take effective action against infringing conduct, including online infringements, encourage intermediaries that transmit our content to cooperate with content owners globally in the fight against internet piracy, and meet international obligations by prohibiting the circumvention of technological protection measures used to prevent unauthorized use of, or access to, copyrighted materials. An ACTA designed to be a “state of the art agreement” for the 21<sup>st</sup> century that dealt only with the problems of the last century is hopefully as unthinkable to you as it is to us.

We also would like to take this opportunity to urge you to nominate as soon as possible a person to serve as the Intellectual Property Enforcement Coordinator (IPEC), a position created by Congress in its last session. The ACTA will have provisions that promote global coordination of training and capacity-building to boost enforcement efforts by our trading partners. The U.S. is uniquely positioned to contribute to this coordination process and the IPEC is an essential component of it.

Your Administration has taken a strong and principled position on the importance of intellectual property rights to U.S. trade and to our overall economy. We appreciate your attention to these issues and look forward to working with you and your Cabinet to rebuild the U.S. economy for the benefit of the American people.

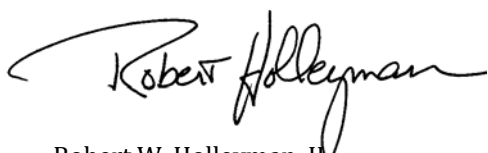
Sincerely,



Tom Allen  
President and CEO  
Association of American Publishers



Dan Glickman  
Chairman and CEO  
Motion Picture Association of America



Robert W. Holleyman, II  
President and CEO  
Business Software Alliance



David Israelite  
President and CEO  
National Music Publishers' Association



Michael Gallagher  
President and CEO  
Entertainment Software Association



Mitch Bainwol  
Chairman and CEO  
Recording Industry Association of America



Jean Prewitt  
President and CEO  
Independent Film & Television Alliance



Eric H. Smith  
International Intellectual Property Alliance