



Trade Facts

Office of the United States Trade Representative
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USTR's Mission to Protect U.S. Intellectual Property Rights

USTR promotes [intellectual property and innovation](#) around the world. Key parts of this mission include:

- **Free Trade Agreements:** USTR works with countries to strengthen their IPR laws. One way is through negotiation, implementation, and monitoring and enforcement of free trade agreements (FTAs). The FTAs pending Congressional approval with [Colombia](#), [Korea](#), [Panama](#), and [Peru](#) all contain world-class IPR provisions.
- **Anti-Counterfeiting Trade Agreement:** The [Anti-Counterfeiting Trade Agreement](#) (ACTA) is a leadership initiative, announced in October 2007, to negotiate a new IPR enforcement agreement with a number of key trading partners who share our ambition and commitment to stepping up the fight against global counterfeiting and piracy.
- **World Trade Organization:** The multilateral structure of WTO agreements provides opportunities for USTR to lead engagement with trading partners on IPR issues, in several contexts including accession processes for prospective members like Russia; the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS); and dispute settlement.
- **Special 301 and Generalized System of Preferences (GSP) reviews:** USTR uses the "Special 301" process to encourage specific trading partners to address key IP problems. Each April, USTR issues a [Special 301 Report](#) setting out specific IPR concerns in countries worldwide. In addition, one of the criteria the President must consider before designating a country as eligible to receive [GSP benefits](#) is whether that country provides adequate and effective IPR enforcement; USTR leads that process.
- **Bilateral and Regional Dialogues and Cooperation:** USTR leads or is a significant participant in the IPR component of a wide range of other trade and economic policy dialogues with trading partners. A few of the many examples include the Asia-Pacific Economic Cooperation forum; the U.S.-China Strategic Economic Dialogue; the U.S.-China Joint Commission on Commerce and Trade; the U.S.-EU Summit; the U.S.-Russia IPR Working Group; and the Security and Prosperity Partnership.
- **Trade and Investment Framework Agreements:** IPR issues feature prominently in many of our [Trade and Investment Framework Agreement](#) discussions.
- **Supporting Pharmaceutical Innovation:** USTR seeks to eliminate market access barriers faced by U.S. pharmaceutical companies in many countries, and to promote affordable health care today, while supporting the innovation that assures improved health care tomorrow.

- **Coordination of U.S. IPR and Innovation Trade Policy:** USTR leads the interagency IPR trade policy coordination process through mechanisms created by Congress. We consult with stakeholders, including through numerous [advisory committees](#). USTR provides trade policy leadership and expertise across the full range of interagency initiatives on IPR and innovation policy, including executing the Administration's Strategy Targeting Organized Piracy (STOP) initiative to combat piracy and counterfeiting.

Improving Protection and Enforcement of IPR in China

The Administration strongly believes that China needs to do a much better job of protecting and enforcing IPR, and we continue to engage the Government of China to do more. For example:

- In April, USTR [requested dispute settlement consultations](#) with China at the WTO in an effort to address certain key barriers to the effective [enforcement](#) of IPR and [market access](#) for products and services of IPR industries. We have requested dispute settlement consultations with China five times – the most of any of China's trading partners.
- We have used the [Joint Commission on Commerce and Trade](#) (JCCT), co-led by USTR, to press for IPR improvements. For example, JCCT commitments to curb software piracy have contributed to a 10 percent reduction in piracy, saving industry \$864 million in losses over the past three years, according to an industry [report](#).
- We also use the [Special 301 report](#) to identify the specific shortcomings that China needs to address. For example, this year we conducted the first-ever provincial review to spotlight strengths and weaknesses in China's local IPR enforcement systems.
- We continue to raise IPR issues in the [U.S.-China Strategic Economic Dialogue](#) (SED). This has already resulted, for example, in a [memorandum of cooperation](#) to enhance U.S.-China cooperation in enforcing IPR at our respective borders.

U.S. Government Resources for Right Holders

The U.S. Government has developed resources and programs to help U.S. intellectual property owners deal with overseas infringement. These resources, listed at [stopfakes.gov](#), include:

- Online [toolkits](#) giving basic information on IPR enforcement in key markets.
- An [International IPR Advisory Program](#) and an [SME China Advisory Program](#) established by the Department of Commerce, in cooperation with the American Bar Association, which let American small and medium-sized enterprises request a free, one-hour consultation with a volunteer attorney experienced in overseas IPR issues.
- An IPR Ombudsman at the [Chinese Embassy in Washington](#), Mr. Yang Guohua, posted at the request of the U.S. Government, to serve as a point of contact for U.S. businesses seeking to secure and enforce their IPR in China or experiencing IPR problems there.
- IPR specialists at the Department of Commerce who are trained to work with companies to develop a strategy for confronting IPR problems around the world. Members of the public can learn more by visiting [www.stopfakes.gov](#), or by calling 1-866-999-HALT.