

House Memorial 2

Sponsored by Representative WHISNANT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Urges United States Department of State and United States Department of Justice to emphasize protecting intellectual property rights and to provide training and guidance to diplomatic and law enforcement personnel stationed overseas to enable personnel to serve as effective advocates for and enforcers of intellectual property rights.

Encourages President and Executive Branch to work with Congress to enact legislation that places in United States embassies additional diplomatic personnel for protecting and enforcing intellectual property rights.

Calls on Office of United States Trade Representative to ensure that future trade agreements protect intellectual property rights.

HOUSE MEMORIAL

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2 To the President of the United States, the United States Intellectual Property Enforcement Coordi-
3 nator, the United States Secretary of State, the United States Attorney General, the United
4 States Secretary of Commerce, the United States Secretary of Homeland Security, the Director
5 of the Federal Bureau of Investigation and the Director of the United States Patent and
6 Trademark Office:

7 Whereas the State of Oregon recognizes the importance of protecting intellectual property
8 within and outside the borders of the United States; and

9 Whereas the United States and other nations share the challenge of combating intellectual
10 piracy and the counterfeiting of intellectual property such as pharmaceutical drugs, films, music,
11 apparel design and branding, books, journals, inventions and technologies that affect the quality of
12 life; and

13 Whereas intellectual piracy and counterfeiting have a significant impact on Oregon's economy,
14 and the economies of other states and of nations around the world, which results in job and earnings
15 losses, reduced tax revenues and increased threats to public health and safety; and

16 Whereas the sale of counterfeit pharmaceuticals, medical devices, automobile parts, electrical
17 parts and many other products poses a danger to consumer health and safety and undermines sec-
18 tors of the nation's economy that have historically provided secure, well-paying jobs; and

19 Whereas protecting and enforcing intellectual property rights is crucial to the future of our
20 innovation-based economy; and

21 Whereas industries that use intellectual property extensively generate nearly \$7.7 trillion in
22 gross output and account for more than 60 percent of total exports from our nation; and

23 Whereas industries that use intellectual property extensively, such as the pharmaceuticals in-
24 dustry, employ more than 19 million Americans, whose salaries average about 60 percent higher
25 than salaries in industries that do not make extensive use of intellectual property; and

26 Whereas intellectual property infringement can undermine the nation's economic security; and

27 Whereas violations of intellectual property rights, ambiguities in the law and a lack of

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 enforcement create uncertainty in the marketplace and in the legal system and undermine consumer
2 trust; and

3 Whereas intellectual property, including trademarks, is essential to Oregon-based companies'
4 ability to compete and thrive in the global economy; and

5 Whereas intellectual property protection provides predictability and certainty for consumers and
6 producers; and

7 Whereas failing to adequately protect and enforce intellectual property rights will increase
8 counterfeiting and illicit trade; and

9 Whereas intellectual property protection is a tenet of law that is codified in the Paris Conven-
10 tion for the Protection of Industrial Property; and

11 Whereas the United States, along with all other members of the World Trade Organization, are
12 parties to the Agreement on Trade-Related Aspects of Intellectual Property Rights, which stresses
13 the importance of protecting intellectual property rights, including trademarks; and

14 Whereas the United States, along with all other members of the World Trade Organization, are
15 parties to the Agreement on Technical Barriers to Trade, which strives to ensure that technical
16 regulations and standards, including regulations that govern packaging, marking and labeling, do
17 not create unnecessary obstacles to international trade; and

18 Whereas a number of nations have bilateral trade agreements with the United States that in-
19 clude protections for intellectual property rights; now, therefore,

20 **Be It Resolved by the House of Representatives of the State of Oregon:**

21 (1) That the State of Oregon supports efforts by the United States Government to improve
22 transparency in intellectual property rights policy making and in international trade negotiations;

23 (2) That the State of Oregon calls on the United States Department of State and the United
24 States Department of Justice to emphasize protecting intellectual property rights and to provide
25 training and guidance to diplomatic and law enforcement personnel stationed overseas that will en-
26 able the personnel to serve as effective advocates for and enforcers of intellectual property rights;

27 (3) That the State of Oregon encourages the President of the United States and the Executive
28 Branch to work with Congress to enact legislation that places in United States embassies additional
29 diplomatic personnel to protect and enforce intellectual property rights where needed;

30 (4) That the State of Oregon calls on the Office of the United States Trade Representative to
31 ensure that trade agreements into which the United States enters will protect intellectual property
32 rights; and

33 (5) That a copy of this memorial be forwarded to the President of the United States, the United
34 States Intellectual Property Enforcement Coordinator, the United States Secretary of State, the
35 United States Attorney General, the United States Secretary of Commerce, the United States Sec-
36 retary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of
37 the United States Patent and Trademark Office and the members of the Oregon Congressional Del-
38 egation.

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