

77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

NOTE: Matter within { + braces and plus signs + } in an amended section is new. Matter within { - braces and minus signs - } is existing law to be omitted. New sections are within { + braces and plus signs + } .

LC 1263

## 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

To the President of the United States, the United States Intellectual Property Enforcement Coordinator, the United States Secretary of State, the United States Attorney General, the United States Secretary of Commerce, the United States Secretary of Homeland Security, the Director of the Federal Bureau of Investigation and the Director of the United States Patent and Trademark Office:

Whereas the State of Oregon recognizes the importance of protecting intellectual property within and outside the borders

of the United States; and

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

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

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

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

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

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

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

Whereas violations of intellectual property rights, ambiguities in the law and a lack of enforcement create uncertainty in the marketplace and in the legal system and undermine consumer trust; and

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

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

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

Whereas intellectual property protection is a tenet of law that is codified in the Paris Convention for the Protection of Industrial Property; and

Whereas the United States, along with all other members of the World Trade Organization, are parties to the Agreement on

Trade-Related Aspects of Intellectual Property Rights, which stresses the importance of protecting intellectual property rights, including trademarks; and

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

Whereas a number of nations have bilateral trade agreements with the United States that include protections for intellectual property rights; now, therefore,

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

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

(2) That the State of Oregon calls on the United States Department of State and the 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 that will enable the personnel to serve as effective advocates for and enforcers of intellectual property rights;

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

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

(5) That a copy of this memorial be forwarded to the President of the United States, the United States Intellectual Property Enforcement Coordinator, the United States Secretary of State, the United States Attorney General, the United States Secretary of Commerce, the United States Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of the United States Patent and Trademark Office and the members of the Oregon Congressional Delegation.