

Ron Kirk
U.S. Trade Representative
600 17th Street, N.W.
Washington DC, 20508
United States of America

01 July 2009

Re: Anti-Counterfeiting Trade Agreement

Dear Ambassador Kirk,

On behalf of the member companies of the International Chamber of Commerce's BASCAP initiative and the International Trademark Association (INTA), we wish to express our congratulations on your appointment and extend our support as you take up responsibilities as the new United States Trade Representative.

We welcome your recent statements on the many challenges ahead and the importance of pursuing new initiatives that will seek to channel trade as a driver of economic progress. As you take up the challenges of your new position, we draw your attention to the importance of the ongoing negotiations for the Anti-Counterfeiting Trade Agreement (ACTA).

Since negotiations were initiated in June 2008, the business community has widely and openly welcomed the initiative and has sought to contribute support and expertise to the process. In order to communicate widespread, global support for your efforts and the critical nature of the problems you seek to resolve, we have formed an ACTA Business Response Group, comprised of some 30 business organizations (*appended*), representing a diversity of industry sectors vulnerable to IP theft and reflecting a global audience of support. Together, we have provided governments of negotiating parties with input on various provisions upon which we understand ACTA is being created: civil enforcement, border measures, criminal enforcement, international cooperation, education on enforcement and internet issues. In response to the Summary of Key Elements of ACTA released in April by the negotiating governments including the USTR, we have prepared an analysis of the key elements against the recommendations that the group has provided. Please see attached for your kind reference. We also enclose a submission to the New Zealand Ministry of Economic Development in answer to their call for recommendations on various elements of ACTA.

At this point, we would like to express our continued support for the United States' involvement in ACTA, and we encourage you to continue with the strong engagement necessary to bring ACTA to completion. Towards the achievement of ACTA's unique potential, your

prioritization of this issue and your personal leadership in negotiations with national leaders is essential.

We look forward to hearing the outcomes of the next meeting of the negotiators scheduled to take place in July in Morocco and to future opportunities to share our input and expertise where appropriate. Thank you for your kind attention and consideration.



Guy Sebban
Secretary General
International Chamber of Commerce

Sincerely,



Alan C. Drewsen
Executive Director
International Trademark Association

Enclosures

ACTA Business Response Group

The following organizations represent business interests in support of ACTA and have endorsed input to the ACTA process. Please see enclosed memo for the organizations that have participated in this submission.

Canadian Chamber of Commerce
Japan External Trade Organization (JETRO)/IIPF
Korean Chamber of Commerce & Industry
ICC Mexico
ICC Morocco
ProMarca
Swiss Anti-Counterfeiting and Piracy Platform
ICC Switzerland
Cámara Nacional de Comercio y Servicios
International AntiCounterfeiting Coalition, Inc., (IACC)
AIM - European Brands Association
MARQUES
Coalition for Intellectual Property Rights (CIPR)
ECTA
SNB-REACT
Comité Colbert
Union des Fabricants
APM - Aktionskreis Deutsche Wirtschaft gegen Produkt- und Markenpiraterie e.V. (APM)
ICC Germany
The Federation of German Industries Markenverband e.V. (BDI)
Indicam
Anti-Counterfeiting Group (ACG)
ICC UK
Verein für Anti-Piraterie der Film- und Videobranche (VAP)
ICC Austria
ICC Belgium
Association Belge Anti-Contrefaçon
Danish Anti-Counterfeiting Group (DACG)
Finnish Anti-Counterfeiting Group (FACG)
Aktionskreis Deutsche Wirtschaft gegen Produkt- und Markenpiraterie e.V. (APM)
ANDEMA
ICC Spain
Swedish Anti-Counterfeiting Group (SACG)
Asociación Interamericana de Propiedad Industrial (ASIPI)
International Trademark Association (INTA)
ICC-BASCAP
Global Anti-Counterfeiting Group (GACG)
Norwegian Anti-Counterfeiting Group (NACG)
Ukraine Alliance Against Counterfeiting and Piracy (UAACP)