

November CACP Chairman's Report

Monday, November 14, 2007

Thank you all for your continued support of the CACP.

Our numbers continue to grow. There currently 507 members, of which there are 405 businesses and 102 associations.

New members include:

- Activision
- American Chamber of Commerce in Guatemala
- American Chamber of Commerce in Spain
- Archstone Consulting
- Benchmade Knife Company
- Brand Enforcement UK Ltd.
- Cisco Systems
- E.N. Television
- Fashion Institute of Design and Merchandising
- Global Anti-Piracy Agency
- Global Risk Solutions Asia Corporation
- Graphic Security Systems Corporation
- LA County Economic Development Company
- LA Fashion District
- Levi Strauss & Co.
- Los Angeles Area Chamber of Commerce
- Magazine Publishers of America (MPA)
- Mann Theatres
- National Foreign Trade Council
- Performance Systems
- Rand Corporation
- Southwest Research Institute
- TASKS Investigations and IP Law Enforcement
- Wine Stem Company

A complete member list can be found online at www.thecacp.com.

This Month's Meeting

- **Campaign to Protect America:** Chris Merida, CACP Legislative Task Force Co-Coordinator, will provide an update on the progress of the CACP's legislative package and how CACP members can support its future objectives. If you have any questions or would like more details, please email Chris Merida (cmerida@uschamber.com).
- **CACP in 2008:** Rick Cotton, CACP Chairman, and Caroline Joiner, CACP Secretariat, will present the outcomes from this morning's Steering Committee

Planning Meeting and lead a discussion on the goals and strategic plan for the coming year.

- **Anti-Counterfeiting Trade Agreement Initiative (ACTA):** Stanford McCoy, Chief Negotiator for Intellectual Property Enforcement, Office of the U.S. Trade Representative, will provide an overview on the status of the Anti-Counterfeiting Trade Agreement Initiative, which was announced on October 23, 2007. See attached for more details.
- **Intermediaries:** Caroline Joiner, CACP Secretariat, will give us an update on the Chamber's initiative to engage intermediaries – including auction sites, search engines, ISPs, financial service providers, and retailers – in a productive discourse with brand owners on how the entire business community can work together to address counterfeiting and piracy.

The **January CACP Meeting** will be held **Monday, January 14, 2008 at 2:00 p.m. at the U.S. Chamber of Commerce**. A 2008 CACP meeting calendar will be released shortly – stay tuned.

Task Force Updates

Detection and Enforcement Task Force

- The Detection and Enforcement Task Force continues to develop its Brand Enforcement Manual. In addition, the task force anticipates the development of the survey of industry interaction with U.S. Customs and Border Protection to be completed in the next couple of months.
- In addition, task force members are developing a plan to begin a quarterly report that will document developments in legal cases related to counterfeiting and piracy.
 - **Action Item: We continue to look for volunteers to lend their expertise on these projects. If you are interested in participating, please contact John Maltbie, john.maltbie@aporter.com.**

Internet Task Force

- The Internet Task Force continues its focus on intermediaries, especially auction sites and search engines. The task force continues its dialogue with leading auction sites and search engines to create a set of best practices to reduce online counterfeiting and piracy. The search engines and auction sites are currently reviewing the draft documents.

International Task Force

- The International Task Force continues to support a number of multi-lateral institutions to strengthen intellectual property rights, including the North American Security and Prosperity Partnership, U.S.-EU Intellectual Property Rights Working Group, G8 Leadership, and APEC.
- During the October International Task Force meeting, Jorge Amigo, Director General, Mexican Institute of Industrial Property, provided an update on the North American Security and Prosperity Partnership. Stan McCoy, Chief Negotiator for Intellectual Property Enforcement, Office of the U.S. Trade Representative, discussed opportunities for the business community to support the development of the Anti-Counterfeiting Trade Agreement. Brad Huther, Co-Coordinator of the International Task Force, presented the U.S.-EU IPR Working Group's new strategic IP plan.
- The next International Task Force meeting will be held in conjunction with a public information session with the U.S. Patent and Trademark Office IP Attachés. The IP Attachés will share their experiences from their different regions and provide information about best practices in obtaining, protecting, and enforcing IP rights outside of the United States.
- **The next International Task Force Meeting will take place Wednesday, December 19 from 9:00 a.m. to 2:00 p.m. at the U.S. Chamber of Commerce.** More information will be provided via email.

Legislative Task Force

- The CACP Legislative Task Force continues to work with Congressional staff on the Campaign to Protect America. We expect the House Judiciary Committee to introduce an IP enforcement bill, which will contain many of the CACP recommendations, sometime the week of November 12.
- On Wednesday, November 7, the Senate Judiciary Committee held a full committee hearing on IP entitled, "Examining U.S. Government Enforcement of Intellectual Property Rights", in which Senator Evan Bayh, DOJ, the State Department, and Chris Israel all testified. The Legislative Task Force met with staff from most committee member offices in preparation for the hearing.
- Senate Judiciary Committee Chairman Patrick Leahy introduced a draft bill on November 7 outlining stronger anti-counterfeiting and piracy measures. The bill would establish increased human capital and monetary resources for law enforcement and a comprehensive strategy to investigate and prosecute international crime organizations engaging in IP violations. The bill would improve the government's civil enforcement resources and create an FBI unit to collaborate with the Justice Department's computer crime and IP division. In addition, its scope would include provisions to address importing, exporting,

and trafficking of counterfeit products and the illegal recording of motion pictures. The Legislative Task Force is currently reviewing the bill and considering endorsement. For more information please contact Chris Merida, at cmerida@uschamber.com.

Research Task Force

- In August, the U.S. Chamber released a groundbreaking Gallup study on Los Angeles consumers' behaviors and attitudes about counterfeit and pirated goods. The study showed that last year 1 in 4 adults in Los Angeles County purchased counterfeit or pirated good with the number one reason cited for purchase was the easy availability of such products.
- The entire Gallup study, covering the U.S. by region, was released at the Fourth Annual Anti-Counterfeiting and Piracy Summit in October 2007. Key findings include: more than 1 in 5 adults in the United States report purchasing some type of counterfeit product in the past year and less than one-third of Americans realize that common products such as auto parts, cigarettes, batteries, printer ink, and extension cords are counterfeited. Overall, 72% of U.S. adults believe counterfeiting laws should be made stronger, and nearly 9 in 10 believe it should be illegal to buy counterfeit products or services. The full study is available online at www.TheTrueCosts.org.

Technology Task Force

- The Technology Task Force released a technology matrix which aids businesses in determining which types of technology would be most beneficial in protecting their supply chains. The matrix was made available online October 2 and released at the Fourth Annual Anti-Counterfeiting and Piracy Summit. The majority of companies who have responded to the matrix work with software and electronic products. The most serious threats, out of nine options, include counterfeiting, piracy, tampering and co-mingling. Participating companies are most interested in customers and their supply chain partners being able to identify their product as genuine. The task force released two new case studies of companies that utilize technology to promote supply chain protection at the Summit. They will be included in the next edition of the *No Trade in Fakes Supply Chain Tool Kit*.
 - **Action Item: Discover the types of technology best suited to address your companies supply chain problems by completing the brief technology survey; it is available at www.TheTrueCosts.Org.**

Task Force Mailing Lists

- Nearly all CACP communication is done via email. If you are interested in receiving information on the task forces, please email counterfeiting@uschamber.com and indicate which task force mailing list(s) you would like to be added to.

Announcements

- The U.S. Chamber of Commerce, U.S. India Business Council (USIBC), and the Confederation of Indian Industry (CII) are partnering on the 2nd Annual Global Forum on Innovation, Creativity, and Intellectual Property. The Forum will present current trends with regards to the relationship between innovation and intellectual property, provide a forum for government leaders and business executives to exchange best practices to IP challenges worldwide, and publicize new IP initiatives. To register or view the agenda visit www.TheTrueCosts.org
- The 4th Annual Anti-Counterfeiting and Piracy Summit Web casts are now available on www.TheTrueCosts.org.

Upcoming Events

- **Intellectual Property Crimes: The Danger, Crimes, and Victims**
November 28, 2007
Location: Miami, Florida
To register or view the agenda visit www.TheTrueCosts.org
- **Wednesday, December 19, 2007**
International Task Force
Time: 9:00 a.m. – 2:00 p.m. EST
Location: U.S. Chamber of Commerce – Briefing Center
Topic: United States Patent and Trademark Office's International IP Programs
RSVP to counterfeiting@uschamber.com
More information to come via email
- **Monday, January 14, 2008**
January CACP Meeting
Time: 2:00 p.m. – 3:30 p.m. EST
Location: U.S. Chamber of Commerce – Briefing Center
More information to come via email

- **Tuesday and Wednesday, February 26 - 27 , 2007**
2nd Annual Global Forum on Innovation, Creativity, and Intellectual Property
Location: **Mumbai, India**
To register or view the agenda visit: www.TheTrueCosts.org