

**Baltzan, Elizabeth**

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**From:** McCoy, Stanford

**Sent:** Thursday, July 24, 2008 12:23 PM

**To:** RANDAZZO, THERESE M

**Subject:** Will the border enforcement provisions of ACTA require searching travelers' music players or laptops for infringing content?

***Q: Will the border enforcement provisions of ACTA require searching travelers' music players or laptops for infringing content?***

A: No. The focus of the discussion on border measures has been on how to deal with large-scale intellectual property infringements, which can frequently involve criminal elements and pose a threat to public health and safety. Past U.S. free trade agreements have called for *ex officio* authority for border enforcement, meaning that border officials are empowered to enforce the law on their own initiative, without waiting for a complaint from a right holder. But this in no way requires searches of travelers' music players or computers.