
Bipartisan Congressional Trade Priorities and Accountability Act of 2015

Intellectual Property

Prepared by the staffs of the Ways and Means Committee and Senate Finance Committee

Strong IPR Protections: Maintains a full set of negotiating objectives directing trade negotiators to provide adequate and effective protection of IPR, including through the WTO and other trade agreements.

High Standards of U.S. Law: Calls for trade agreements to provide a standard of IP protection similar to the high standard found in U.S. law.

Government-Sponsored Piracy and Cyber Theft: Directs negotiators for the first time to prevent or eliminate government involvement in IPR violations, including piracy and cyber theft of trade secrets.

Trade Secrets: Establishes a new negotiating objective, on regulatory practices, to direct governments to protect undisclosed proprietary information against disclosure, including by limiting unnecessary collection.

Digital Trade: Expands negotiating objectives to call for strong protection for new and emerging technologies and new methods of transmitting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade. Also continues to call for extending the WTO moratorium on duties for electronic transmissions.

Implementation of TRIPS Agreement: Continues to call for full implementation of the WTO Agreement on Trade-Related Aspects of Intellectual Property (TRIPS Agreement), particularly with respect to meeting enforcement obligations under the agreement.

No Discrimination: Continues to call for preventing or eliminating discrimination regarding the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights.

Keeping Pace with New Technologies: Continues to call for ensuring that standards for protection and enforcement keep pace with technological developments, and particularly for ensuring that rights holders have the legal and technological means to control the use of their works through the Internet and other global communication media, and to prevent the unauthorized use of their works.

Market Access: Continues to call for robust market access for IP-intensive exporters.

Public Health: Continues to call for respecting the Doha Declaration on the TRIPS Agreement and Public Health, and calls for trade agreements to foster innovation and promote access to medicines.

Localization Barriers: Establishes a new negotiating objective to eliminate and prevent measures that require U.S. producers and service providers to locate facilities, intellectual property, or other assets in a country as a market access or investment condition, including indigenous innovation measures.

Capacity Building: Recognizes the importance of capacity building and directs the Administration to work to strengthen the capacity of U.S. trading partners concerning laws relating to intellectual property rights.