



December 2, 2024

Mr. Adam Williams
Chief Executive and Comptroller General
UK Intellectual Property Office
Concept House
Cardiff Road
Newport
South Wales NP10 8QQ

Dear Mr. Williams,

We are writing to share a readout of the recent U.S.-UK IP Working Group meeting, co-hosted by the U.S. Chamber of Commerce (“Chamber”) and BritishAmerican Business (“BAB”), and express our gratitude for hosting us for the October 21 meeting in London.

Effective intellectual property (“IP”) protection is critical to the U.S. and the UK’s shared goals of driving innovation, creating jobs, and fostering economic growth. The U.S. and UK are longstanding global leaders on IP protection and enforcement, as evidenced by the Chamber’s annual [International IP Index](#). We must continue to work together to protect and sustain the U.S. and UK’s world class IP frameworks, which are robust, well-understood, and enforceable. Additionally, continued collaboration between the U.S. and the UK will be critical to the creation of an ecosystem where innovation and creativity can thrive globally. The Chamber and BAB strongly support the renewed Memorandum of Understanding between USPTO and UK IPO to enhance collaboration on IP policy.

Building upon the conversation in October, we jointly present the following priorities for consideration by the U.S. and UK governments:

Collaboration in the Multilateral Organizations: The multilateral-rules based trading system is instrumental to setting the IP standards needed to foster investment in innovation and creativity worldwide. We support the World Intellectual Property Organization’s (“WIPO”) statements that WIPO should not be a treaty factory. We believe WIPO would be well-served to focus on the effective implementation of a country’s existing treaty commitments, in lieu of new agreements. The U.S. and UK governments will be vital to achieving this objective while also driving the creation of an affirmative agenda in the Standing Committees.

Likewise, the World Trade Organization (“WTO”) plays a critical role in supporting adherence to established treaty commitments through the Article 71 review of the implementation of the Trade-Related Aspects of Intellectual Property Rights (“TRIPS”) agreement. We believe it is imperative that governments first do no harm through the TRIPS agreement review. Additionally, we welcome the UK government’s paper at the WTO on voluntary technology transfer, which can advance a conversation on how IP can facilitate technology transfer, knowledge sharing, and the dissemination of new technologies worldwide.

- **Priority:** We support continued collaboration between the U.S. and the UK to develop an affirmative agenda on IP in Geneva, including through WIPO’s Standing Committee on Copyright and Related Rights and the WTO’s Friends of IP and Innovation Group. Additionally, we believe it critical the U.S. and the UK continue to stress the importance of voluntary technology transfer to create awareness about the implications of using forced technology transfer or IP waivers for a broader suite of technologies, such as green tech. Finally, we encourage both the USPTO and UK IPO to support WIPO’s Creators Learn Intellectual Property (CLIP) platform to raise awareness about the importance of IP for musicians worldwide.

Third Country Collaboration: As longstanding global leaders on IP protection and enforcement, the U.S. and the UK play a critical role in advancing more effective IP principles globally. Recent or proposed changes to the EU’s Data Act, General Pharmaceutical Legislation, and Patent Package will impact the protection of trade secrets, regulatory data protection, and patent protection, respectively.

In emerging markets, while India has taken steps to improve its IP framework—as illustrated by its nearly 14% improvement in IP Index score over 12 years—industry continues to face challenges related to IP enforcement and trade secrets protection. In South Africa, we welcome President Ramaphosa’s decision to refer the Copyright Amendment Bill to the Constitutional Court; however, an aligned U.S.-UK approach is still needed to ensure the bill is not emulated in third countries. Additionally, the recent compulsory license in Colombia presents an opportunity for continued U.S.-UK collaboration to prevent the issuance of further compulsory licenses, both in Colombia and across the region.

- **Priority:** We support further joint U.S.-UK efforts to monitor and address attempts to weaken IP protection in third countries. The Chamber and BAB believe a regular dialogue between the U.S. and UK IP Attachés can support continued alignment to assist with capacity building, issue spotting, and addressing policies of concern to prevent the replication of IP weakening measures in other markets.

Trade Policy: Effective trade policy is a vital driver of economic growth in both the U.S. and the UK. The rules-based global trading system also enables private sector investment in R&D and enhances participation in the global innovation ecosystem. For innovative and creative industries to continue to thrive in markets abroad, effective IP rules must be in place.

- **Priority:** We support further collaboration between the U.S. and the UK to advance effective IP principles through bilateral and plurilateral trade agreements. We believe an aligned U.S.-UK approach on IP in free trade agreements (“FTA”) will be critical, including the EU-India FTA, India-Gulf Cooperation Council FTA, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and the G7. Additionally, we should continue to support the ongoing, substantive patent law harmonization work in the international context.

The dialogue at the meeting underscored the U.S. and the UK’s shared commitment to intellectual property. We would be honored to host a follow up conversation between you and USPTO Deputy Director Derrick Brent when you are in DC in April 2025.

We are grateful for your consideration of these recommendations and look forward to continuing to work with USPTO and UK IPO to advance IP protection globally.

Sincerely,



Marjorie Chorlins
SVP, Europe
U.S. Chamber of Commerce



Duncan Edwards
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