

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508
December 6, 2011

The Honorable Mark Udall
United States Senate
Washington, D.C. 20510

Dear Senator Udall:

I would like to thank you for your letter emphasizing the importance of securing strong levels of intellectual property (IP) protection in the Trans-Pacific Partnership Agreement (TPP). I can assure you that creating a climate for enhancing innovation is a top Administration priority in the TPP negotiations.

Effective IP protection and enforcement, including regulatory data protection for biopharmaceutical products, is an important element in encouraging innovation in new technologies, and will stimulate investment in research and development, facilitate exports of U.S. products, and contribute to the creation of American jobs. Indeed, IP plays an important role in providing the incentives necessary for the development and marketing of new medicines. An effective, transparent, and predictable IP system is necessary for both manufacturers of innovative medicines and manufacturers of generic medicines.

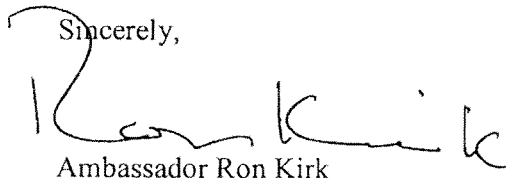
We believe that the Asia-Pacific region has significant economic importance to us today and also represents tremendous potential for future growth markets for U.S. ranchers, farmers, businesses and service providers. Our goal in the TPP negotiations is to achieve high standards of IP protection and enforcement that will stand alongside previous U.S. FTAs in the region, such as the Korea-United States FTA.

With respect to biopharmaceutical products, we are seeking in the TPP to deploy the tools of trade policy to promote trade in, and reduce obstacles and access to, both innovative and generic medicines, while supporting the innovation and IP protection that is vital to developing new medicines and achieving other medical breakthroughs.

We value the input you have provided and we will remain in close consultation with you and your colleagues as we progress in these negotiations.

I looking forward to continued close cooperation with you on these issues.

Sincerely,



Ambassador Ron Kirk