

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

DEC 19 2012

The Honorable Claire McCaskill
United States Senate
Washington, DC 20510

Dear Senator McCaskill:

On behalf of President Obama, 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 priority in the TPP negotiations, and we will expect all of our TPP partners to participate fully in that effort.

Effective IPR 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, intellectual property plays an important role in providing the incentives necessary for the development and marketing of new medicines. An effective, transparent, and predictable intellectual property system is necessary for both manufacturers of innovative medicines and manufacturers of generic medicines.

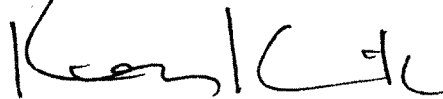
We believe that the Asia-Pacific region has significant economic importance today and also has tremendous potential as a future growth market for U.S. ranchers, farmers, businesses and service providers. Our goal in the TPP negotiations is to achieve high standards of IP protection and enforcement in the Asia Pacific region that will stand alongside previous U.S. FTAs in the region, such as the Korea-U.S. 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 to, access to both innovative and generic medicines, while supporting the innovation and intellectual property 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 as we progress in these negotiations.

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

Sincerely,



Ambassador Ron Kirk