

**ALLIANCE FOR CLEAN
TECHNOLOGY INNOVATION**



December 6, 2011

The President
The White House
Washington, D.C. 20500

Re: Efforts to Undermine Innovation at the UNFCCC

Dear President Obama:

We write to ask for your attention to an urgent threat to intellectual property rights (IPR), which are key to the wellbeing of innovative and technology-driven companies doing business in U.S. and international markets. Unfortunately, this issue has once again been raised in a negative manner, in the context of ongoing UNFCCC climate change negotiations (COP17) that began in Durban, South Africa last week.

A small group of countries and NGOs are aggressively advocating that IP rights be severely weakened and compulsory licensing or other forms of misappropriation of climate change-related technologies and innovation be officially allowed. A proposal to put this issue formally on the agenda received additional attention from the "BASIC" group of countries (Brazil, South Africa, India and China) last week. These demands, however, are unsupported by any form of evidence. Moreover, such proposals are highly counterproductive from a climate change perspective, and cause gridlock and overall delays and distractions for the UNFCCC negotiations as a whole. If pursued, they would also pose great risk to the U.S. economy and U.S. companies operating internationally.

IP rights, as you know, are a key driver of private sector investment, growth and jobs. They are of critical importance to the United States and to global markets that are struggling to re-establish growth and employment creation. By creating value and allowing businesses, including our companies, to commercialize the fruits of innovative efforts, IP rights play a key role in promoting competitiveness and revenue and help position U.S. companies strategically in an increasingly innovation-driven global economy. Proper protection of IP rights, in accordance, at a minimum, with the common international framework laid down in the WTO, is of primary importance in ensuring the ongoing protection of U.S. innovation, economic growth and jobs. There is broad consensus, moreover, that the protection of IPR helps achieve global climate-change and energy objectives, enabling the development, deployment and use of new and existing technologies alike.

U.S. negotiators have consistently pushed back against any efforts to make IP rights an agenda item during this or any of the prior UNFCCC negotiating sessions, and you have been a staunch and consistent leader in this respect. In light of your leadership, and in view of the ongoing efforts by some to re-open the debate, we write to urge that you and your negotiators maintain a strong pro-IPR position and reject any and all efforts to weaken IPR or add any discussion of IPRs to the agenda in any way or form. We care about a successful outcome of the UNFCCC climate negotiations process. A broad range of issues are and should be on the table. The weakening of IP rights, however, is not and should not be on the agenda and strong IP protection should continue to be ensured fully.

We thank you for the unwavering support of you and your negotiators in this regard over the years and trust that we can count on your continued strong support during the ongoing talks in Durban and looking ahead.

Sincerely,

Alliance for Clean Technology Innovation
Business Roundtable
Emergency Committee for American Trade
Information Technology Industry Council
National Association of Manufacturers
National Foreign Trade Council
U.S. Chamber of Commerce
United States Council for International Business