

## Monthly Update

### GIF launches new working groups to focus on the creation, trade and employment of innovation

As you may already be aware, President Obama last week presented his vision for American innovation policy at Hudson Valley Community College in Troy, NY. In his plan, President Obama laid out three goals for American innovation:

- Renew investment in the basic building blocks of innovation: “education, infrastructure, research.”
- Promote competitive markets to encourage and foster entrepreneurship, allowing American ideas to spread globally.
- Catalyze breakthrough innovations for national priorities.

For more on President Obama’s strategic vision:

- Read the transcript of President Obama’s speech here: <http://tinyurl.com/innovationtranscript>
- Read “A Strategy for American Innovation” White Paper here: <http://tinyurl.com/innovationwhitepaper>
- Read American Innovation Fact Sheets here: <http://tinyurl.com/innovation1pager> & <http://tinyurl.com/innovation3pager>

In order to more effectively advance the Global Innovation Forum’s goal to create awareness and understanding about rules that facilitate the creation, trade and employment of

innovation we are forming working groups on each of these topics to align with the new U.S. innovation policy agenda.

- **Working Group 1: Creation –building foundations for innovation**  
This group will focus on the intersection of global trade rules and the essential building blocks for successful innovation.
- **Working Group 2: Trade – securing competitive, fair and predictable markets for innovation**  
This group will focus specifically on global trade rules that govern the exchange and deployment of innovative products and services.
- **Working Group 3: Employment – aligning innovation and national strategy goals to address global challenges**  
This group will analyze U.S. national strategies to advance global challenge solutions such as climate change, public health and food security.

The purpose of these groups will be to monitor relevant issues, participate and advise on events throughout the year and produce an annual report. Chairs for each working group will be announced soon. Please contact Lindsay Levin at [llevin@nftc.org](mailto:llevin@nftc.org) for more information on joining a working group.

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### President Obama nominates GIF Brain Trust member Victoria Espinel to be U.S. Intellectual Property Enforcement Coordinator

President Obama last Friday announced Victoria Espinel for the position of U.S. Intellectual Property Enforcement Coordinator, a position commonly referred to in the press as the “IP Czar” role in the new Administration. This position was created by legislation in 2008 and was designed to coordinate intellectual property enforcement efforts across U.S. government agencies.



Victoria A. Espinel is the founder and President of Bridging the Innovation Divide, a not-for-profit foundation focused on addressing the “innovation divide” and empowering all Americans to obtain the full benefit of their creativity and ingenuity. From 2007-2009, Ms. Espinel was a Visiting Assistant Professor at the George Mason University School of Law. Her areas of teaching and research were intellectual property and international trade. She has acted as advisor on intellectual property issues to the staff of the Senate

Judiciary Committee, Senate Finance Committee, House Judiciary Committee and House Ways and Means Committee. She also served as an advisor to Romulus Global Issues Management and is a member of the Brain Trust of the Global Innovation Forum. In 2005, Ms. Espinel was asked to serve as the first ever Assistant United States Trade Representative for Intellectual Property and Innovation at the Office of the U.S. Trade Representative, serving as the chief U.S. trade negotiator for intellectual property and innovation. She testified on numerous occasions before the House Judiciary Committee and the Senate Committee on Homeland Security and Governmental Affairs. Ms. Espinel also served as Deputy Assistant USTR for Intellectual Property and as Associate General Counsel at USTR. Before joining USTR, Ms. Espinel was with the law firms of Covington & Burling in London and Washington, D.C., and Sidley, Austin, Brown & Wood in New York. She holds an LLM from the London School of Economics, a JD from Georgetown University Law School, and a BS in Foreign Service from Georgetown University’s School of Foreign Service.



## GIF hosts event with Sidley Austin on patent issues in global climate negotiations with environmental NGOs, companies and policymakers

The NFTC's Global Innovation Forum has been working to facilitate dialogues between leading innovative companies, academics, NGOs and policymakers to address innovation policy challenges in the context of climate change.

Of particular concern to a broad group of stakeholders is the inclusion of language in the United Nations Framework Convention on Climate Change (UNFCCC) negotiations that removes protections for patents on "climate-related technologies." Below are five examples from the current negotiating text:

- Specific and urgent measures be instituted to remove barriers to development and transfer of technologies from developed to developing country Parties arising from the intellectual property rights (IPR) protection... including compulsory licensing for specific patented environmentally safe and sound technologies."
- "LDCs/countries vulnerable to the adverse effects of climate change should be exempted from patent protection of climate-related technologies."
- "Parties agree that nothing in any international agreement on intellectual property shall be interpreted or implemented in a manner that limits or prevents any Party from taking any measures to address adaptation or mitigation of climate change, in particular the development and transfer of, and access to technologies."
- "Take all steps necessary in all form to revoke in developing countries all existing patents on essential/urgent environmentally sound technologies to adapt to or mitigate climate change."
- "Take all necessary measures to facilitate technology pools that includes trade secrets and associated know-how on environmentally sound technologies and enable them to be accessed on royalty-free terms, for developing countries."

This issue was also the subject of a report just published this month from GIF Brain Trust member Bernice Lee, who manages energy and environmental research for Chatham House in London. The report, "Who Owns Our Low Carbon Future? Intellectual Property and Energy Technologies" is available here: <http://tinyurl.com/chathamhousereport>

Last month, the Global Innovation Forum hosted a luncheon at Sidley Austin, "Global Innovation Policy Challenges In the Fight Against Global Warming," to discuss how policies should be structured to provide incentives and rewards for continued development and investment in new technologies while also promoting fast adoption and deployment of technology needed to address global warming. A number of ideas have been widely discussed internationally, including compulsory licensing, subsidization, technology pools, prize systems, price controls, tiered pricing and more. The luncheon discussion was led by a diverse panel of experts:

- Mark Linscott, Assistant United States Trade Representative (USTR) for Environment and Natural Resources
- Lou Leonard, Director for U.S. Policy on International Climate Affairs, World Wildlife Fund
- James Mendenhall, former General Counsel for Office of the USTR and current Partner at Sidley Austin LLP
- Robert J. Shapiro, former Under Secretary of Commerce for Economic Affairs and current Chair of the ecoIDEA Institute

The event featured a lively discussion in a capacity-filled room with more than sixty participants, including members of the Fortune 100, leading clean tech investors, policymakers from the Obama Administration and Congress, as well as a number of environmental NGOs including World Wildlife Fund, Environmental Defense Fund, National Resources Defense Council, E3G and National Wildlife Federation. There was broad agreement among panelists and participants that the global rules-based system must be supported to provide incentives for investment in climate-friendly technologies. There was also wide agreement that developing countries will need support to adopt and install new clean technologies currently available or in the pipeline, both in the form of financing and capacity building. The Global Innovation Forum continues to work with a number of environmental NGOs and companies to identify areas of agreement and new ideas to promote shared goals and outcomes, in addition to new ideas to facilitate both development and deployment of climate-related technologies.

The Global Innovation Forum is a project of the National Foreign Trade Council to create a greater understanding of the innovation ecosystem - the creation, trade and employment of innovation - and the foundations upon which this system is built to enable effective solutions to global challenges and improve the lives of workers, families and communities around the world.

[www.globalinnovationforum.net](http://www.globalinnovationforum.net)

## GIF congratulates Albert Tramposch on new appointment as Deputy Executive Director of the American Intellectual Property Law Association

Albert Tramposch recently left his position at Director for Global Trade and Innovation at the GIF and has joined Q. Todd Dickinson, former Director of the U.S. Patent and Trademark Office, as Deputy Executive Director - International & Regulatory, for the American Intellectual Property Law Association (AIPLA). Albert's responsibilities will include all international IP matters as well as USPTO relations. AIPLA, founded in 1897, includes more than 16,000 intellectual property attorneys in private and corporate practice, government service and the academic community. As one of the founding staff members of the GIF, Albert will continue to work closely with the Global Innovation Forum and support its efforts from his new position.

A patent attorney with a background in environmental sciences, Albert was formerly Director of Industrial Property Law at the World Intellectual Property Organization (WIPO) in Geneva. At WIPO, he

oversaw negotiation of international treaties and instruments on patents and trademarks, served as liaison to the WTO TRIPS Council, the European Patent Office and national governments, advised developing countries on implementation of treaties and modernization of their national laws, and initiated WIPO involvement with Internet domain name dispute resolution. In addition to his work at WIPO, Albert has practiced intellectual property law in the United States and internationally, taught at several U.S. law schools, and served as a member of the USPTO Trademark Policy Advisory Committee. Albert is a registered U.S. patent attorney and a joint citizen of the United States and Slovenia. He holds an undergraduate degree in ecological sciences from Johns Hopkins University and a law degree from the University of Washington. He did postgraduate work in the Department of Environmental Sciences at Washington State University.

## GIF welcomes new Brain Trust member Lita Nelsen, Director of the Technology Licensing Office, Massachusetts Institute of Technology

Lita Nelsen is the Director of the Technology Licensing Office at the Massachusetts Institute of Technology, where she has been since 1986. This office manages over 500 new inventions per year from M.I.T., the Whitehead Institute, and Lincoln Laboratory. Typically, they negotiate over 100 licenses, and start up over 20 new companies per year.

Ms. Nelsen earned B.S. and M.S. degrees in Chemical Engineering from M.I.T. and an M.S. in Management from M.I.T. as a Sloan Fellow.

Prior to joining the M.I.T. Technology Licensing Office, Ms. Nelsen spent 20 years in industry, primarily in the fields of membrane separations, medical devices, and biotechnology, at such companies as Amicon, Millipore, Arthur D. Little, Inc., and Applied Biotechnology.

Ms. Nelsen was the 1992 President of the Association of University Technology Managers and serves on the board the Mount Auburn Hospital, and

the Scientific Advisory Board of the Children's Hospital Oakland Research Foundation. She serves as the intellectual property advisor to the International AIDS Vaccine Initiative and is a founding and current board member of the Center for Management of Intellectual Property in Health Research.

Ms. Nelsen is widely published in the field of technology transfer and university/industry collaborations and was a CMI Fellow at the University of Cambridge with the Cambridge MIT Institute studying university/industry/government partnerships in technology transfer and local economic development. She is a co-founder of Praxis, the UK University Technology Transfer Training Programme.



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