

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF THE U.S. TRADE REPRESENTATIVE

+ + + + +

2024 SPECIAL 301 PUBLIC HEARING

+ + + + +

WEDNESDAY  
FEBRUARY 21, 2024

+ + + + +

The public hearing convened via video teleconference, at 10:00 a.m. EST, Daniel Lee, Panel Chair, presiding.

PRESENT

DANIEL LEE, Assistant United States Trade Representative, Office of Innovation and Intellectual Property, Panel Chair  
CLAIRE AVERY-PAGE, Office of the U.S. Trade Representative, Director for Innovation and Intellectual Property  
WON CHANG, Treasury Department, International Economist  
ALEXIS CHERRY, Department of Agriculture, Senior Trade Advisor  
MARY CRITHARIS, U.S. Patent and Trademark Office, Deputy Chief Policy Officer  
ALLISON FEDORKA, Department of Homeland Security  
JOSEPH ALEXANDER HAMILTON, State Department, Deputy Director, Office of Intellectual Property Enforcement  
EMILY LANZA, U.S. Copyright Office, Senior Counsel  
CHRISTOPHER MERRIAM, Department of Justice, Prosecutor, Computer Crime and Intellectual Property Section

STEVAN MITCHELL, Department of Commerce,  
Director, Office of Standards and Intellectual  
Property, International Trade Administration  
JESSICA POMPER, Department of Commerce,  
International Trade Specialist, Office of  
Intellectual Property Rights, International  
Trade Administration  
ANNE SNYDER, Department of Health and Human  
Services, Senior Global Health Officer, Trade  
and Health

WITNESSES PRESENT

IVAYLO SHOTEV, Government of Bulgaria  
VOLODYMYR MUZYLOV, Government of Ukraine  
BRIAN SCARPELLI, ACT - The App Association  
GUAN JIAN, China Chamber of International  
Commerce  
QI RUOYIN, China Chamber of International  
Commerce  
JONATHAN MCHALE, Computer and Communications  
Industry Association  
JAIME CASTANEDA, Consortium for Common Food  
Names  
MATT PRIEST, Footwear Distributors and  
Retailers of America  
KEVIN ROSENBAUM, International Intellectual  
Property Alliance  
THOMAS VALENTE, Intellectual Property Owners  
Association  
CLAIRE CASSEDY, Knowledge Ecology International  
PETER MAYBARDUK, Public Citizen  
PAUL KILMER, Trademark Working Group  
PATRICK KILBRIDE, U.S. Chamber of Commerce,  
Global Innovation Policy Center

## CONTENTS

Call to Order and Opening Remarks. . . . .	5
Daniel Lee, Office of the United States Trade Representative	
Government:	
Government of Bulgaria, Ivaylo Shotev. . . . .	.12
Government of Ukraine, Volodymyr Muzylov . . . . .	.22
Non-Government:	
ACT - The App Association, Brian Scarpelli . . . . .	.31
China Chamber of International Commerce, . . . . .	.43
Guan Jian and Qi Ruoyin	
Computer & Communications Industry . . . . .	.53
Association, Jonathan McHale	
Consortium for Common Food Names,. . . . .	.62
Jamie Castaneda	
Footwear Distributors and Retailers of . . . . .	.73
America, Matt Priest	
International Intellectual Property. . . . .	.88
Alliance, Kevin Rosenbaum	
Intellectual Property Owners Association, . . . . .	101
Thomas "Tom" Valente	
Knowledge Ecology International, . . . . .	110
Claire Cassedy	
Public Citizen, Peter Maybarduk. . . . .	120
Trademark Working Group, Paul Kilmer . . . . .	132
U.S. Chamber of Commerce, Patrick Kilbride . . . . .	142
Closing Remarks. . . . .	152
Daniel Lee, Office of the United States Trade Representative	

1 P-R-O-C-E-E-D-I-N-G-S

2 10:00 a.m.

3 CHAIR LEE: Good morning. I'm going  
4 to call this hearing to order.

5 Good morning. My name is Daniel Lee.  
6 I am the Assistant United States Trade  
7 Representative for Innovation and Intellectual  
8 Property.

9 I would like to welcome everyone to  
10 the public hearing for the Annual Special 301  
11 Review. It's good to see everyone again after  
12 the hiatus from holding these hearings in person.

13 Just as a brief overview, the Special  
14 301 Review is a statutorily-mandated exercise we  
15 undertake each year to develop an overall  
16 strategy to ensure adequate and effective  
17 intellectual property rights protection and  
18 equitable market access in foreign countries for  
19 United States persons that rely on protection of  
20 intellectual property rights such as copyright  
21 and related rights, trademarks, patents, and  
22 trade secrets.

1                   Ensuring that U.S. owners of  
2 intellectual property, or IP, have a full and  
3 fair opportunity to compete around the globe is  
4 one of the trade priorities outlined in the  
5 President's Annual Trade Policy Agenda.

6                   This is the 36th Annual Special 301  
7 Review and the 12th public hearing that USTR has  
8 hosted in connection with the review.

9                   I would like to note for the record  
10 that today is Wednesday, February 21st, 2024, and  
11 that this hearing is taking place at the Office  
12 of the United States Trade Representative, or  
13 USTR.

14                   We will make a transcript of today's  
15 hearing available to the public on USTR's website  
16 at [ustr.gov](http://ustr.gov). This is also being video recorded,  
17 and we'll put that up as well.

18                   Today's hearing is scheduled to go to  
19 approximately 2:30, and we will have an hour-and  
20 -a-half break for lunch from 12:00 to 1:30. And  
21 I just want to ask for everyone's cooperation,  
22 for those of you staying, to keep the hearing on

1 track.

2 So, at this point, I would like to ask  
3 all the colleagues at the table -- that is, the  
4 hearing panel -- who all come from various U.S.  
5 Government agencies that serve on the Special 301  
6 Subcommittee to introduce themselves. So, we'll  
7 start here with Claire.

8 MS. AVERY-PAGE: Thank you.

9 Good morning, everyone. My name is  
10 Claire Avery-Page. I'm the Director for  
11 Innovation and Intellectual Property at USTR.

12 MS. LANZA: Good morning. My name is  
13 Emily Lanza, and I'm Senior Counsel for Policy  
14 and International Affairs at the U.S. Copyright  
15 Office.

16 MR. HAMILTON: Good morning. My name  
17 J. Alexander Hamilton, and I am the Deputy Office  
18 Director in the Office of Intellectual Property  
19 at the U.S. Department of State.

20 MR. CHANG: Hi. My name is Won Chang,  
21 Department of Treasury, International Affairs,  
22 Office of International Trade and Investment

1 Policy. Thank you.

2 MR. MITCHELL: Good morning. I'm  
3 Stevan Mitchell. I direct the Office of  
4 Standards and Intellectual Property for the  
5 International Trade Administration, a bureau of  
6 the Department of Commerce.

7 MS. CRITHARIS: Good morning. My name  
8 is Mary Critharis. I'm the Deputy Chief Policy  
9 Officer and the Deputy Director for International  
10 Affairs of the United States Patent and Trademark  
11 Office.

12 MR. MERRIAM: Good morning, everyone.  
13 Christopher Merriam from the Department of  
14 Justice's Computer Crime and Intellectual  
15 Property Section. We're part of the Criminal  
16 Division.

17 MS. FEDORKA: Good morning. My name  
18 is Allison Fedorka. I'm with the Department of  
19 Homeland Security, Trade and Economic Security  
20 and Trade Policy.

21 MS. SNYDER: Good morning. My name is  
22 Anne Snyder. I'm a Senior Global Health Officer

1 in the Office of Global Affairs at HHS.

2 MS. CHERRY: Good morning, everyone.  
3 My name is Alexis Cherry. I'm Senior Trade  
4 Advisor in the Foreign Agricultural Service at  
5 U.S. Department of Agriculture, covering  
6 geographical indications.

7 CHAIR LEE: All right. So, to  
8 continue, the Special 301 Subcommittee of the  
9 Trade Policy Staff Committee, comprised of the  
10 agencies you've just heard from and chaired by  
11 USTR, conducts the Annual Special 301 Review.

12 Stakeholder contributions and  
13 contributions from Washington-based agencies and  
14 our embassy-based personnel around the world are  
15 critical to this review process. The  
16 Subcommittee is currently in the information-  
17 gathering phase on behalf of the agencies here.  
18 We thank you for the views, inside opinions, and  
19 factual information you will share with us today.

20 The schedule of today's hearing is  
21 comprised of interested parties from foreign  
22 governments, civil society, and the private



1 sector who responded to USTR's notice in the  
2 Federal Register published on December 6th, 2023,  
3 and voluntarily requested the opportunity to  
4 appear at this public hearing.

5 As a reminder, the purpose of today's  
6 public hearing is to provide the Special 301  
7 Subcommittee with additional information that we  
8 can use in the deliberations that will lead to  
9 the publication of the 2024 Special 301 Report to  
10 Congress on or about April 26, 2024.

11 This year, we have received public  
12 filings that address over 65 countries and many  
13 country-specific IP protection and enforcement  
14 issues that may negatively affect our bilateral  
15 trading relationships. These filings are  
16 available to the public at [regulations.gov](https://www.regulations.gov), and  
17 the Docket No. is USTR-2023-0014.

18 So, just to recall the statutory  
19 authority for the Special 301 Review, our Special  
20 301 Report is the result of a congressionally-  
21 mandated annual review of the state of  
22 intellectual property rights protection and

1 enforcement in trading partners around the world,  
2 which the Office of the U.S. Trade  
3 Representative, USTR, conducts pursuant to  
4 Section 182 of the Trade Act of 1974, as amended  
5 by the Omnibus -- well, we'll just say "as  
6 amended."

7 The provisions of Section 182 are  
8 commonly referred to as the Special 301  
9 Provisions of the Trade Act; hence, the Special  
10 301 Report. Specifically, Section 12 of the  
11 Trade Act requires that the United States Trade  
12 Representative identify countries that deny  
13 adequate and effective protection of intellectual  
14 property rights or that deny fair and equitable  
15 market access to U.S. persons who rely on  
16 intellectual property protection.

17 The statute requires USTR to determine  
18 which, if any, countries should be identified as  
19 priority foreign countries. Acts, policies, or  
20 practices that are the basis of the country's  
21 identification as a priority foreign country can  
22 be subject to the procedures set out in Section

1 301 to 308 of the Trade Act.

2 In addition to the statutorily-defined  
3 priority foreign country definition, USTR created  
4 the Priority Watch List and Watch List Categories  
5 to assist the Administration in pursuing the  
6 goals of the Special 301 Provisions.

7 USTR is also charged with developing  
8 Priority Watch List Action Plans, where a country  
9 has been placed on the Priority Watch List  
10 without a change for at least one year.

11 So, I'd like to go over briefly the  
12 format of today's hearing. So, each party --  
13 that is, each witness -- has been allotted 10  
14 minutes. Each person will start with five  
15 minutes of prepared statements, leaving five  
16 minutes for panel questions. We will be keeping  
17 time, and we'll flash a time to you when one  
18 minute remains. It looks like this. And we will  
19 be fairly strict with the time limits and may  
20 need to cut you off so that we can stay on  
21 schedule.

22 The panel will hold its questions

1 until the presenter concludes his or her  
2 statement. In some cases, we have prepared  
3 questions based on the written filings you  
4 submitted. In other cases, we will respond to  
5 your testimony today.

6 In general, please keep in mind the  
7 purpose of this hearing: to provide information  
8 that the Subcommittee can use in satisfying the  
9 charge of the Special 301 statute when conveying  
10 your testimony and responding to any questions we  
11 may ask.

12 So, without further delay, I'd like to  
13 invite the government of Bulgaria to start us  
14 off. Please go ahead and introduce yourself,  
15 including your name, title, and organization, and  
16 begin your testimony.

17 Thank you.

18 MR. SHOTEV: Thank you, Mr. Chairman.

19 Dear Hearing Committee, my name is  
20 Ivaylo Shotev. I am Deputy Minister of Economy  
21 and Industry of Bulgaria. I'm here leading a  
22 delegation, pursuant from the decision of the

1 Bulgarian Council of Ministers that was taken the  
2 14th of February this year.

3 In this delegation next to me, I would  
4 like to say that this is Mariya Pavlova, which is  
5 Deputy Prosecutor General of Bulgaria. Our  
6 delegation also consists of advisors to the  
7 political cabinet to the Prime Minister, head of  
8 the Cyber Crime Department, the National  
9 Investigative Service, and the Director of  
10 Copyright Directorate of the Minister of Culture.

11 One of the aims we have is additional  
12 discussions and meetings afterwards, in order to  
13 continue working on the topic of IP protection  
14 and enforcement.

15 I would like to thank you for having  
16 us here. We fairly appreciate our good  
17 cooperation, and we wish to continue our  
18 strategic partnership. It is important to know  
19 that we fully understand that in order to live in  
20 this common world, it is not only a matter of  
21 privileges, but it's also a matter of  
22 responsibilities.

1                   And Bulgaria is very proud of its IT  
2 sector. It is one of the most highly developed,  
3 not only in Eastern Europe, but in Europe as  
4 well. We have a great number of American films  
5 that are made in our country, films with  
6 companies with American capital. We wish to  
7 continue working in order to have the environment  
8 for these to continue and to develop even  
9 further.

10                   The Republic of Bulgaria confirms our  
11 commitment to ensuring the protection of  
12 intellectual property rights in Bulgaria.  
13 Concrete expressions of this are the following:  
14 we have made recent legislative changes in this  
15 direction, and the second is the efforts for the  
16 enforcement of these changes.

17                   Firstly, it is important to say that  
18 we passed through a period of political crisis in  
19 Bulgaria. We had five parliamentary elections,  
20 and we were able to form a government in the  
21 summer. And shortly after, authority was passed  
22 to our Parliament, which gives the legislative

1 framework in order for our trade partners'  
2 concerns to adopt evidence sampling in our  
3 criminal cases.

4 So, after a prolonged period of  
5 discussions in the Parliament, we were able to  
6 pass this through, and it is already part of our  
7 legislative from the 4th of August. So, shortly  
8 after the government was formed, we went through  
9 this process in order to ensure the framework is  
10 there. The amendments are based on, basically, a  
11 proposal from an inter-minister working group and  
12 the Ministry of Justice.

13 We've had numerous discussions how to  
14 obey the law, how to go about this, and they  
15 provided for the prosecution of persons who  
16 created conditions for online piracy -- for  
17 example, through the establishment and  
18 maintenance of torrent trackers, web platforms,  
19 chat groups online, applications for the exchange  
20 of pirated content, and other activities.

21 We have to take into account, though,  
22 our specifics of our legal system, because it's

1 different. It's literally different. And the  
2 way we went about it in order to make the  
3 amendments and to achieve the intended result of  
4 evidence sampling, and thus overcome the lack of  
5 evidence sampling in our legislative with regard  
6 to intellectual property offenses, we have gone  
7 through this process. It is completed.

8 So, it's celebratory to get the  
9 statistics in because the law was done just quite  
10 recently. And I will be happy to answer all  
11 possible questions, if I may. If I'm not able to  
12 answer, we will be able to submit them in person.  
13 So that you get the most information that you may  
14 need.

15 Thank you very much.

16 CHAIR LEE: Thank you very much.

17 The first question we have today comes  
18 from USTR.

19 MR. SHOTEV: Okay.

20 MS. AVERY-PAGE: Thank you.

21 So, as you just described, we  
22 understand that, as an alternative to evidence



1 sampling, Bulgaria made progress in addressing  
2 deficiencies in the investigation and prosecution  
3 of online piracy cases by passing the August 2023  
4 act amending and supplementing the Criminal Code.

5 Your submission identifies Article  
6 172a, paragraph 2 of this Act as providing for  
7 the criminal prosecution of persons who create  
8 conditions for online piracy through the  
9 development and maintenance of torrent trackers,  
10 web platforms, chat groups, and applications for  
11 online exchange of pirated content.

12 So, under this Act, have there been  
13 any criminal prosecutions under Article 172a,  
14 paragraph 2?

15 MR. SHOTEV: We currently are able to  
16 inform that we are working on such. And  
17 hopefully, we are able to get it completed and  
18 have official people that have been sentenced for  
19 criminal activities. From our legislative, it is  
20 now a criminal act.

21 MS. AVERY-PAGE: Okay.

22 MR. SHOTEV: So, yes. There is.

1 MS. AVERY-PAGE: Thank you.

2 CHAIR LEE: Okay. Thank you.

3 Our next question comes from the  
4 Copyright Office.

5 MS. LANZA: Thank you.

6 In your submission, you note that the  
7 Ministry of Culture is preparing draft amendments  
8 and supplementations to the Copyright and  
9 Neighbouring Rights Act to enable effective  
10 counteraction to unauthorized online distribution  
11 of objects protected by copyright and neighboring  
12 rights. What is the status of these draft  
13 amendments?

14 MR. SHOTEV: Currently, they're  
15 working. They're pretty much done, as far as I  
16 know. And we have also a panel which is a  
17 consultation panel, an advisory panel, from the  
18 Ministry of Councils. It's all started working.  
19 So, from there, we're going to have also a  
20 framework which we're going to implement.

21 And also, I would like to share with  
22 you that we have done a lot in terms of making

1 the environment for this in order to exist, in  
2 terms of there's a lot of work towards -- when a  
3 person goes online to look for some type of  
4 movie, you go directly, direct to a subscription-  
5 based platform, which is the official content is  
6 the first thing you see.

7 And from the Minister of Culture,  
8 there are numerous activities. For example, I  
9 must note that we are part of the EU Intellectual  
10 Property Office Project Agorateka, which is also  
11 a part of online content. So, basically, there  
12 is official online -- you can go and it goes to  
13 the subscription-based. So, pretty much the  
14 piracy, you don't really see it, no, anymore.

15 CHAIR LEE: Thank you very much.

16 Our next -- yes, we have time for one  
17 more question, I think. Our next question comes  
18 from the Department of Justice.

19 MR. MERRIAM: Thank you very much for  
20 your testimony, and we appreciate the detailed  
21 outline of your law enforcement activity and the  
22 updates on the laws.

1 MR. SHOTEV: Yes.

2 MR. MERRIAM: In the submission, you  
3 note that the Patent Office, the Ministry of the  
4 Interior, and the Prosecutor's Office are working  
5 together through joint initiatives to reduce the  
6 spread of counterfeit goods, both physically and  
7 online. Can you provide any details on those  
8 joint initiatives and how they're affecting the  
9 spread of counterfeit goods?

10 MR. SHOTEV: I think we have done a  
11 great amount in this regard, as Bulgaria is one  
12 of the possible channels that these goods come  
13 through. We have seen a great rate of goods that  
14 have been seized and goods that have been pretty  
15 much completed, the cases. So, I think in this  
16 regard we are very good. In this regard, we are  
17 good, yeah.

18 MR. MERRIAM: Thank you.

19 CHAIR LEE: Maybe we have time for  
20 just one more question from the Department of  
21 Homeland Security.

22 MR. SHOTEV: If I'm able to just share

1 with you some little bit more information, if I  
2 am allowed?

3 CHAIR LEE: Okay.

4 MR. SHOTEV: I want to make sure we  
5 have to know that we made an intellectual  
6 property sector within our newly-formed Cyber  
7 Crime Directorate. So, that is very important  
8 because we have a new Cyber Crime Unit from 2021,  
9 2022 actually, and it will improve the work of  
10 the Ministry of Interior in relation to  
11 intellectual property crimes.

12 So, pretty much the capacity-building  
13 is there. Our prosecutors and this system have  
14 gone through a number of educations, I would say,  
15 in order to get the knowledge how to go through  
16 from beginning to end to get this process done.

17 So, we are pretty much here to confirm  
18 our firm stand on this piracy, and I believe we  
19 are doing whatever is necessary to combat this,  
20 and we will continue doing this. That is all.

21 CHAIR LEE: Okay. Thank you very much  
22 for your testimony.

1 MR. SHOTEV: Thank you very much.

2 CHAIR LEE: Next up is the government  
3 of Ukraine.

4 Please go ahead and --

5 MR. MUZYLOV: Yes, thank you.

6 CHAIR LEE: -- your name, title, and  
7 affiliation for the record, and please begin your  
8 testimony.

9 Thank you.

10 MR. MUZYLOV: So, hello, Subcommittee  
11 Members and Representatives. It's an honor for  
12 me to be here today with you.

13 My name is Volodymyr Muzylov. I am  
14 the First Secretary at the Embassy of Ukraine and  
15 active head of the Government Section at the  
16 Embassy of Ukraine in the U.S.

17 So, on behalf of the government of  
18 Ukraine, I'd like to express the highest respect  
19 for the Office of USTR and all the government  
20 institutions, and for all participants in the  
21 Special 301 hearings. The government of Ukraine  
22 expresses gratitude to the U.S. Government for

1       unwavering support of Ukrainian applicants and  
2       the whole Ukrainian IP and innovation system.

3               The government of Ukraine defines the  
4       development of the national IP system as its  
5       priority task, despite the ongoing Russian war of  
6       aggression against Ukraine.

7               The law of Ukraine of April 1st, 2022  
8       -- actually, just months after the beginning of  
9       the full-scale invasion -- introduced a legal  
10      mechanism for protecting the IP interests of  
11      persons, preventing the loss of IP rights during  
12      martial law.

13              The implementation of this mechanism  
14      is also available for applicants to provide them  
15      with maximum assistance for the effective  
16      management and enforcement of IP rights under the  
17      martial law regime.

18              The government of Ukraine managed to  
19      complete the institutional reform of the IP  
20      system in Ukraine. The newly-established  
21      Ukrainian National Office for Intellectual  
22      Property and Innovation began to perform the

1 functions of the National Intellectual Property  
2 Authority as of November 8th, 2022.

3           Within the framework of its  
4 activities, the Ukrainian IP Office introduced  
5 effective instruments of IP and innovation,  
6 combined with broad public discussions and  
7 transparency of its activities.

8           The government of Ukraine is  
9 intensifying the activities of its advisory board  
10 in the IP field. On October 6th, 2023, the  
11 composition of the IP Council was expanded to  
12 include representatives of government and non-  
13 governmental institutions.

14           The following regulatory acts were  
15 adopted to improve the IP system and strengthen  
16 the production of IP rights:

17           The new law on copyright and related  
18 rights, which, in addition to harmonization with  
19 EU standards, introduced forward-looking  
20 provisions. In particular, cases of exception  
21 and limitations for content in the digital  
22 environment by cultural heritage institutions,



1 and rights to non-regional objects generated by  
2 computer programs, including artificial  
3 intelligence.

4 Second, procedures for protection of  
5 moral rights of authors in respect of work passed  
6 into the public domain in the absence of heirs.

7 Third, procedures of acquiring and  
8 losing the status of orphan works, of course. On  
9 September 8, 2023, Ukraine acceded to the  
10 Marrakesh Treaty to increase public interest in  
11 protecting the rights of persons with  
12 disabilities.

13 And the last one, new rules of  
14 procedures of the Appeals Chamber with the  
15 Ukrainian IP Office.

16 Also, drafts of new bylaws were also  
17 developed, including the rules of filing  
18 applications for industrial property rights and  
19 conducting their examinations, as well as the  
20 legal status of patent attorneys.

21 In order to mobilize support from the  
22 international community, the government of

1 Ukraine is taking active measures to cooperate  
2 with international, regional, and national IP  
3 institutions; in particular, with Commercial Law  
4 Development Program of the U.S. Department of  
5 Commerce, the USPTO, WIPO, the European Union  
6 Intellectual Property Office, and the European  
7 Patent Office.

8 In July 2023, the Ministry of Economy  
9 of Ukraine signed a Memorandum of Understanding  
10 with WIPO aimed at restoring Ukraine's innovation  
11 and creative sectors and ecosystem.

12 For planning issues in the sphere of  
13 collective management, license software issues,  
14 and strengthening IP rights enforcement -- that's  
15 a usual problem for Ukraine previously -- in  
16 particular, on the internet, the following should  
17 be noted:

18 Firstly, the Register of CMOs  
19 maintained by the Ministry of Economy, where it  
20 now includes 19 CMOs that have the right to carry  
21 out voluntary collective management within their  
22 catalog.

1           Taking into account the fact that the  
2 results of some accreditation competitions were  
3 cancelled in 2021, and the three-year period of  
4 accreditation in many spheres was about to expire  
5 in 2022, the Ministry of Economy of Ukraine  
6 planned to start forming a new composition of the  
7 accreditation commission at the end of February  
8 2022, and then, hold new competitions.  
9 Unfortunately, these plans were hindered by the  
10 full-scale invasion by Russia in February of  
11 2022.

12           At the same time, Ukrainian  
13 legislation established during martial law CMOs,  
14 TV and radio organizations are released from  
15 submitting accounting, financial, and other --

16           CHAIR LEE: I'm sorry to interrupt but  
17 the time is up.

18           MR. MUZYLOV: Yes.

19           CHAIR LEE: So, if you have a couple  
20 of sentences to wrap up, so that we have time for  
21 our questions.

22           MR. MUZYLOV: Thank you. Sure. Yes.

1           As you can see, there are a lot that  
2 we could present what was done by the government,  
3 despite of Russian aggression, because, for us,  
4 it's extremely important to pay special attention  
5 to IP protection. Specifically, because, right  
6 now, for us, it's essential to support IP rights,  
7 especially right now where one of the main assets  
8 to defend our country is actually development of  
9 intellectual weapons, like drones, occupational  
10 intelligence. So, right now, for us, it's even  
11 more important than previously to pay special  
12 attention to that.

13           So, thank you.

14           CHAIR LEE: Thank you. The first  
15 question we have comes from USTR.

16           MR. MUZYLOV: Uh-hum.

17           MS. AVERY-PAGE: Thank you very much.

18           So, we discussed Ukraine's IP reforms  
19 during the November 2023 U.S.-Ukraine Trade and  
20 Investment Council meeting here at USTR. We  
21 appreciated your updates and your Special 301  
22 submission, and the commitment to IP issues,

1 despite the full-scale invasion and ongoing  
2 aggression by Russia.

3 What IP-related reforms are you  
4 finding the most challenging and why?

5 MR. MUZYLOV: Thank you so much for  
6 this question.

7 So, it's very broad and important.  
8 So, that's why the government of Ukraine will  
9 provide its response in written form. Thank you.

10 CHAIR LEE: Thank you. Our next  
11 question comes from the Patent and Trademark  
12 Office.

13 MS. CRITHARIS: Thank you for your  
14 testimony.

15 We would like to inquire, what is the  
16 status of implementing the 2022 law entered into  
17 force in January of 2023 on copyright and related  
18 rights?

19 MR. MUZYLOV: Thank you. We will  
20 provide the response in written form.

21 CHAIR LEE: All right. Next is a  
22 question from the Department of Homeland

1 Security.

2 MS. FEDORKA: In your submission, you  
3 note that, in 2023, Customs made 347 decisions on  
4 suspension of customs clearance of goods on  
5 suspicions of IPR violations. In 78 cases,  
6 counterfeit goods were destroyed under Article  
7 401 of the Customs Code of Ukraine. And in  
8 another 49 cases, small batches of counterfeit  
9 goods were destroyed. Of the 220 cases that did  
10 not result in destruction, what was the reason?  
11 And do you have specifics concerning the number  
12 of cases where the rights-holders chose not to  
13 initiate a court action?

14 MR. MUZYLOV: Thank you. We will  
15 check with our customs service and get back to  
16 you with a written response.

17 MS. FEDORKA: Thank you.

18 MR. MUZYLOV: Thank you.

19 CHAIR LEE: Thank you. And our final  
20 question comes from the Treasury Department.

21 MR. CHANG: Thank you.

22 Can you clarify what are non-original

1 objects generated by a computer program that are  
2 protected under Law No. 2811's sui generis  
3 database rights?

4 MR. MUZYLOV: Thank you. We will get  
5 back to you with the original response. Thank  
6 you.

7 CHAIR LEE: Okay. Thank you for your  
8 testimony.

9 MR. MUZYLOV: Thank you.

10 CHAIR LEE: All right, so, it looks  
11 like we are pretty much on schedule, if not a  
12 couple of minutes early. At this point, we will  
13 be moving from the government witnesses to the  
14 non-government witnesses, and the first up is  
15 ACT, the App Association.

16 MR. SCARPELLI: Thank you.

17 CHAIR LEE: Please state your name,  
18 title, and organization for the record, and  
19 please begin your testimony.

20 MR. SCARPELLI: All right. Thanks.  
21 Thanks for having me here.

22 Brian Scarpelli, Senior Global Policy

1 Counsel with the ACT, The App Association.

2 On behalf of The App Association,  
3 thank you for this opportunity to share our views  
4 with you all to inform the review to identify  
5 countries that deny adequate federal protection  
6 of IP rights or deny fair and equitable access to  
7 U.S. persons who rely on IP.

8 As a little background, the The App  
9 Association is a global policy trade association,  
10 a policy advocacy trade association, a nonprofit,  
11 for the small business technology developer  
12 community. And our members are entrepreneurs,  
13 innovators, independent developers within the  
14 global app ecosystem, we call it, global digital  
15 economy, and are engaged across consumer and  
16 enterprise verticals in between them.

17 So, we have some economic data that we  
18 always include in our testimony and things like  
19 that. And the value of the ecosystem that we  
20 give is approximately \$1.8 trillion annually and  
21 responsible for over 6 million American jobs, and  
22 our segment of the industry is serving as a key



1 driver of the Internet of Things revolution.

2 So, the global digital economy holds  
3 great promise, great opportunity for small  
4 technology developers, app development companies,  
5 but our members do face an array of trade  
6 barriers when entering new markets or staying in  
7 some key markets abroad.

8 So, these barriers can take many forms  
9 -- laws, regulations, policies, or practices --  
10 aimed at protecting domestic goods and services  
11 from foreign competition, artificially  
12 stimulating exports, et cetera, or in some cases  
13 failing to provide adequate and effective  
14 protection of IP.

15 So, while these have different forms,  
16 they all in our view have the same effect --  
17 impeding U.S. exports and investment at the  
18 expense of U.S. economic growth and job creation.  
19 So, harming American workers.

20 These barriers do include intellectual  
21 property violations, and we go into a lot of  
22 detail in our testimony, our written testimony,

1 about where we see them and the ones that rise to  
2 the top through our membership.

3 But the infringement and theft of IP,  
4 whether it's copyright, trademarks, patents, or  
5 trade secrets, presents a major threat to our  
6 members and the billions of consumers who rely on  
7 their digital products and services. So, strong,  
8 good, fair protection of IP for each of those  
9 four areas is critical to their businesses.

10 Other relevant barriers include  
11 requirements to provide source code for market  
12 entry. Some governments have proposed or even  
13 implemented policies that make legal market entry  
14 contingent on the transfer or inspection of  
15 proprietary source code. So, for our community  
16 -- small business, app developers, and tech  
17 companies -- forced disclosure or transfer of  
18 source code is an untenable risk for theft and  
19 piracy. And there's, sadly, lots of examples  
20 where that has come to be. So, it effectively  
21 locks them out.

22 The infringement and theft of IP

1 online threatens consumer welfare by undermining  
2 the ability of creators like our members to  
3 innovate, invest, and hire. App developers that  
4 drive the global digital economy are subject to  
5 an estimated loss of \$3 to 4 billion in revenue  
6 annual due to pirated apps alone.

7 This is a statistic that we've cited  
8 before. But between 2013 and 2018, our members  
9 and publishers lost an estimated \$17.5 billion to  
10 pirated apps alone. This kind of revenue loss  
11 presents a major threat to the success of our  
12 members, the app economy, and harms consumers.  
13 And each of the IP at issue is a distinct utility  
14 that our members rely on.

15 These violations lead to customer data  
16 loss, interruption of service, revenue loss,  
17 reputational damage. And for the smaller  
18 members, without the ability to distribute risk  
19 across a bunch of different product  
20 streams/offerings, it can be an end-of-life  
21 occurrence.

22 So, I'd just, finally, note that we

1 want to reiterate our concern with the October  
2 25th, 2023 announcement of apparent withdrawal of  
3 support for some digital trade policies,  
4 including one related to source code in the  
5 context of the World Trade Organization and,  
6 apparently, the Indo-Pacific Economic Framework  
7 for Prosperity.

8 We are seeking to compete and innovate  
9 across the digital economy and ask for support  
10 from the U.S. Government for the time-tested,  
11 bipartisan digital trade principles that have  
12 provided a foundation for our growth and job  
13 creation here domestically.

14 We appreciate the opportunity to  
15 provide our views here. I hope we can assist  
16 today and moving forward in taking questions and  
17 coming back with statistics, anything at all.  
18 Thank you.

19 CHAIR LEE: Thank you. Our first  
20 question comes from USTR.

21 MS. AVERY-PAGE: Thank you.

22 So, on China, your submission raises

1 concerns about the Chinese government's  
2 application of the controversial Essential  
3 Facilities Doctrine for IPR. Have there been any  
4 recent developments relating to the Essential  
5 Facilities Doctrine in China's courts and at the  
6 State Administration for Industry and Commerce,  
7 or other agencies?

8 MR. SCARPELLI: Really appreciate that  
9 question. Yeah, that remains a huge concern.  
10 You know, a slight tangent, but we do go out of  
11 our way in our written comments to differentiate  
12 with respect to applying the Essential Facilities  
13 Doctrine to regular patents. How different it is  
14 for a special kind of patents, standard essential  
15 patents.

16 And interestingly, we see the policy  
17 in China more aligned with global norms,  
18 including that of the United States, with SEPs.  
19 The broad application of the Essential  
20 Facilities Doctrine to -- I guess you could call  
21 them NEPs, non-essential patents, remains a  
22 concern.

1 I hope it is okay. I'd love to take  
2 back and see if there might be some new breaking  
3 updates. I think the ones that drive us to  
4 continue to include this in our written  
5 testimony, the examples are pretty longstanding.

6 CHAIR LEE: Thank you. Next up is the  
7 International Trade Administration.

8 MR. MITCHELL: Yes. In your  
9 submission, you note that India has not yet  
10 implemented various obligations under the WIPO  
11 Internet Treaties, WIPO Copyright Treaty and WIPO  
12 Performances and Phonograms Treaty. Which  
13 obligations under those treaties would you  
14 highlight as not yet having been implemented?

15 MR. SCARPELLI: If it's okay, I'd love  
16 to follow up with you all on that. I appreciate  
17 your question.

18 CHAIR LEE: Great. The post-hearing  
19 docket will open this afternoon, so feel free to  
20 do a submission.

21 Our next question comes from the U.S.  
22 Copyright Office.

1 MS. LANZA: Thank you.

2 ACT's comment mentioned that  
3 inadequate frameworks continue to present  
4 challenges to App Association members in Vietnam.  
5 Can you please explain the comments --  
6 specifically, what frameworks and what specific  
7 challenges they present to your members?

8 MR. SCARPELLI: Thank you for that  
9 question.

10 I think most of our concerns with  
11 Vietnam rest in enforcement certainty, in the  
12 ability to enforce IP. So, what filters up to us  
13 from our membership is inconsistency with respect  
14 to that.

15 And I don't want to be dismissive of  
16 improvements in that jurisdiction and others, but  
17 yes, really, the concerns essentially rest under  
18 the existing framework, which I suppose could be  
19 improved in the sense that the existing framework  
20 is lending to a pretty good deal of uncertainty  
21 for digital economy enforcement of copyrights.

22 CHAIR LEE: Thank you. And our final

1 question from the State Department.

2 MR. HAMILTON: Good morning.

3 In your submission, you nominate  
4 Mexico for the Priority Watch List because of,  
5 quote, "constitutional challenges that are  
6 rendering the question of law unusable in Mexican  
7 courts." Can you please provide an example of a  
8 specific law, provision of the challenged law  
9 -- excuse me. Can you please provide an example  
10 of a specific provision of the challenged law  
11 that has not been usable in Mexican courts? And  
12 for that example, did the courts say that the  
13 provision was not enforceable because of the  
14 constitutional challenge?

15 MR. SCARPELLI: Thank you for that  
16 question. I would love to follow up with further  
17 testimony on it. I very much appreciate that.

18 CHAIR LEE: All right, thank you.

19 We can squeeze in one more question  
20 from the Department of Justice.

21 MR. MERRIAM: Back to SEPs. But,  
22 regarding Brazil, on page 7 of your submission,



1 you note that Brazil is seeing an influx of SEP  
2 disputes in which injunctions are being rapidly  
3 awarded without serious competition  
4 consideration. Could you elaborate on that issue  
5 a little bit, on the types of things that you're  
6 seeing? Specifically, is it connected to flaws  
7 in Brazilian law, lack of understanding of the  
8 issue by the judiciary, or some other factor?

9 MR. SCARPELLI: Thank you. Yes, a  
10 very good question.

11 So, kind of the underlying issue that  
12 we see in Brazil, and in other jurisdictions we  
13 talk about such as Germany, it is that these  
14 standard essential patents are, indeed, unique  
15 and different from other patents. With a regular  
16 patent, you can arbitrarily exclude at will  
17 someone from using a patent generally.

18 With a standard essential patent, that  
19 holder is choosing to walk into a standard-  
20 setting process and volunteering to all to  
21 provide fair, reasonable, and non-discriminatory  
22 licenses to the patent in order to enable anyone

1 to use that open standard. So, it does place  
2 them in, essentially, a gatekeeping role for  
3 access to markets that are reliant on the  
4 standard.

5 So, when injunctions are awarded as if  
6 that competition dynamic doesn't exist, it does  
7 distort competition, and effectively, it locks  
8 out, particularly, members like our smaller  
9 companies that don't have the resources and  
10 experience in this complex area of patent  
11 licensing, who are simply trying to use an open  
12 standard, like wifi, LTE, 5G, to stand on and  
13 invent on top of it, and compete.

14 MR. MERRIAM: Thank you.

15 MR. SCARPELLI: And I'm sorry, I  
16 didn't directly answer you. I think Brazil's  
17 existing competition law does, generally, provide  
18 an adequate framework, and patent law seems to  
19 provide an adequate framework for this dynamic to  
20 be considered, for, essentially, proportionality  
21 to be considered before the awarding of a patent  
22 injunction.

1                   So, there may be not as much  
2 familiarity as you would like to see from the  
3 judiciary in awarding these injunctions, where  
4 they are, basically, acting as if the standard  
5 essential patent is a regular patent.

6                   MR. MERRIAM: Thank you. Very  
7 helpful.

8                   MR. SCARPELLI: Okay. Thank you.

9                   CHAIR LEE: Thank you for your  
10 testimony.

11                   We actually have a couple of last-  
12 minute cancellations today. So, unfortunately,  
13 the Biotechnology Innovation Organization and  
14 Marc Busch, both are not able to make it today.  
15 So, if the China Chamber of International  
16 Commerce is here, we'll just go ahead and move  
17 forward with the schedule.

18                   Please go ahead and state your name,  
19 title, and organization for the record, and begin  
20 your testimony.

21                   MR. JIAN: Thank you, Chair, and good  
22 morning, Distinguished Members of the Special 301

1 Subcommittee.

2 My name is Guan Jian. I'm a partner  
3 of Beijing Global-Law Law Firm, and the lady on  
4 my right hand is my colleague. Her name is Qi  
5 Ruoyin. And we attend today's hearing on behalf  
6 of the China Chamber of International Commerce,  
7 and the short name, CCOIC. Thank you for CCOIC's  
8 opportunity to testify today.

9 And CCOIC is a national chamber of  
10 commerce in China with more than 350,000  
11 enterprise members across various sectors, and  
12 the CCOIC pays close attention to the  
13 intellectual property rights protection in China  
14 in its daily work and we regularly host IP forums  
15 in China. It also seeks intellectual property  
16 protection on behalf of the members.

17 CCOIC and our members have witnessed  
18 significant progress that China has made in our  
19 protection. Therefore, we would like to assist  
20 the Subcommittee to provide more information in  
21 this regard through submitting written comments  
22 and attending this hearing. We sincerely wish

1 that the efforts made by CCOIC will be helpful  
2 for the Subcommittee to draft their report of  
3 2024.

4 To avoid repetition with our written  
5 comments, our testimony today focuses on three  
6 points. First, it's beyond doubt that China  
7 nowadays attaches great importance to IPR  
8 protection. And to implement China's phase one  
9 agreements, China has revised many IPR rules and  
10 regulations and has issued judiciary opinions, as  
11 have past governments, for the purpose of  
12 implementation.

13 We didn't do that in the last six  
14 consecutive years which have been witnessed by  
15 the CCOIC. China has regularly released or  
16 published various things, reports, or guidelines  
17 to direct or strengthen IPR protection. A  
18 careful reading of those documents, we suggest,  
19 is that China is encouraging the technology  
20 innovation through IPR protection, instead of  
21 requiring or pressuring technology transfer from  
22 foreign entities or companies to Chinese

1 companies. This innovation initiative is,  
2 obviously, to mitigate the risk of a chokehold or  
3 the risk of instability.

4 Secondly, the best efforts made by  
5 China to protect IPR should not be ignored by the  
6 Subcommittee when making assessments for the 2024  
7 report. Taking into account the goods and online  
8 piracy as an example, it's not only a big  
9 concern, obviously, of the U.S., but it's also  
10 that China pays great attention to it.

11 China has taken routine actions, such  
12 as a routine action or some other special actions  
13 or campaigns to protect IPR relating to such as  
14 the Winter Olympics, Asian Games; new plant  
15 variety of seeds, and films, et cetera.

16 For the long-term actions to the  
17 general administration of customs, China seized  
18 61,000 batch of suspected imports and exports  
19 infringing groups, which is in total more than 77  
20 million pieces of goods. The Minister of Public  
21 Security has detected more than 84,000 cases of  
22 crimes in the fields of food safety, drug safety,

1 and environmental protection, and arrested a  
2 large number of criminal suspects.

3 No one country in this world would be  
4 able to 100 percent eliminate piracy. Therefore,  
5 we believe that maybe the Subcommittee may also  
6 take into account the ongoing base efforts that  
7 have been made by the Chinese government.

8 Certainly, the U.S. schedule of  
9 concerns should be, obviously, assessed by the  
10 Subcommittee against at least the standard prima  
11 facie evidence in your decision. For example,  
12 one is reduced fees and certain examination time  
13 for criminals will lead to the benefits, and  
14 trademark resolution will become easier. This  
15 allegation has no merits and should be rejected  
16 by the Subcommittee.

17 We believe that reduced fees in a  
18 certain time period might be might be a kind of  
19 echo. It was introduced years ago. However,  
20 it's not fair that this incremental reform is not  
21 appropriate simply because there is a remote  
22 possibility that the decision might go wrong.

1                   Thank you very much. This concludes  
2 my testimony. Thank you.

3                   CHAIR LEE: Thank you.

4                   The first question comes from USTR.

5                   MS. AVERY-PAGE: Thank you.

6                   You write that "China has established  
7 relatively complete civil, administrative, and  
8 criminal legal systems for the protection of  
9 trade secrets." Have there been any updates with  
10 implementation of the amended criminal law,  
11 including finalization of a draft judicial  
12 interpretation or revisions to the prosecution  
13 standards that you can share?

14                   MR. JIAN: Based on our knowledge at  
15 hand, that draft is not finalized yet.

16                   CHAIR LEE: And if you do have further  
17 information after the hearing, please include it  
18 in a post-hearing submission.

19                   MR. JIAN: Yes, sir. Thank you.

20                   CHAIR LEE: The next question comes  
21 from the Department of Justice.

22                   MR. MERRIAM: Thank you for your



1 testimony today.

2           Your submission notes that the  
3 amendments to the Civil Procedure Law avoid "dual  
4 rulings, mitigating dilemmas created by courts  
5 competing for jurisdiction in foreign-related IP  
6 cases, specifically in standard essential patent  
7 disputes." Could you please explain in further  
8 detail how these amendments will be implemented  
9 in the context of standard essential patent  
10 disputes?

11           MR. JIAN: So, you're talking about  
12 the SEPs?

13           MR. MERRIAM: Correct.

14           MR. JIAN: Okay.

15           MS. RUOYIN: Sorry, sir, could you  
16 repeat the name of the document?

17           MR. MERRIAM: It was referred to --  
18 and I apologize because I don't have the full  
19 submission in front of me -- but the amendments  
20 to the Civil Procedure Law.

21           MS. RUOYIN: Amendments to the Civil  
22 Procedure Law. Do you mean to refer to the

1 behavior preservation system in the Article 100  
2 of the Civil Procedure Law, to this amendment?

3 MR. MERRIAM: We're talking about the  
4 --

5 MS. RUOYIN: SEP?

6 MR. MERRIAM: Yes, the application to  
7 SEP disputes.

8 MS. RUOYIN: Oh, yes. So, actually,  
9 we have a case which is named the GuangDong Oppo  
10 Mobile Telecommunications Corporation v. Sharp  
11 Corporation. And in this case, the court has  
12 explained the Civil Procedure Law about how they  
13 can apply it in the specific cases. And in this  
14 case, we considered that in this SEP license. n  
15 We focused more on the contractual nature of the  
16 case and the core issue in the dispute. It's the  
17 determination of the terms of the global license  
18 for the portfolio of the SEP in question. And in  
19 applying these SEP cases, we used the parallel  
20 litigation in the extraterritorial court in  
21 principle. And we think that this application of  
22 the SEP will not affect the operation of other

1 legal systems in other member countries in the  
2 trade agreement, and such application also  
3 complies with China's own Civil Procedure Law in  
4 deciding the jurisdiction of the cases.

5 MR. MERRIAM: Thank you. That was  
6 helpful. It would help us in our further  
7 analysis of this question if you could provide  
8 the citation to the case you mentioned. Not  
9 right now --

10 MS. RUOYIN: Yes, we can provide it  
11 post-hearing.

12 MR. MERRIAM: Thank you very much.

13 CHAIR LEE: Thank you.

14 And we have one more question of the  
15 Patent and Trademark Office.

16 MS. CRITHARIS: Thank you for your  
17 testimony.

18 In your submission, you state that the  
19 latest Patent Examination Guidelines of 2023  
20 "have established specific and clear rules for  
21 the examination of supplementary experimental  
22 data in pharmaceutical patent applications." Can

1 you please elaborate what efforts have there been  
2 to train patent examiners and ensure consistency  
3 among examiners in applying these new rules?

4 MR. JIAN: Sure.

5 MS. RUOYIN: So, actually, the China  
6 National Intellectual Property Administration had  
7 published a revised Patent Examination Guideline,  
8 and such Guideline clearly stipulates that the  
9 relative examination standards are required to be  
10 considered by the individual patent examiners.

11 And also, there is a series of  
12 articles written by the Patent Reexamination and  
13 Invalidation Department of the China National  
14 Intellectual Property Administration in which  
15 there are many views and it provides the views  
16 from the point of the examiners to see how they  
17 can review the specific cases based on the case-  
18 by-case factual.

19 And we actually have provided the  
20 specific standard in the article, the  
21 Interpretation 5, which we have provided the  
22 specific factors considered by those examiners.

1 CHAIR LEE: Thank you so much for your  
2 testimony.

3 All right. Next, we have the Computer  
4 & Communications Industry Association.

5 Thank you.

6 If you don't mind stating your name,  
7 title, and organization, and then, please begin  
8 your testimony.

9 MR. McHALE: Good morning.

10 My name is Jonathan McHale, Vice  
11 President at the Computer & Communications  
12 Industry Association for Digital Trading.

13 Thank you for this opportunity to  
14 convey our views in this 2024 Special 301  
15 process.

16 CCIA is a trade association of  
17 internet and technology firms, many of whom  
18 export goods and services that are regulated by  
19 the domestic IP laws of trading partners.

20 As rights-holders, CCIA members firmly  
21 value intellectual property protection. However,  
22 these strong U.S. exporters are discouraged from

1 entering markets where they do not provide  
2 equitable treatment or impose extortionist  
3 requests for payments to subsidize domestic  
4 industries.

5 I would like to focus on two specific  
6 issues addressed in our filing.

7 First, the need for USTR to address  
8 discriminatory audiovisual quotas, particularly  
9 where inconsistent with free trade agreement  
10 obligations.

11 And second, continued concern about  
12 the rise of ancillary rights and mandatory  
13 bargaining codes in foreign markets.

14 First, the Special 301 process should  
15 consider measures that introduce content quotas  
16 or expenditure requirements, a market  
17 intervention that most obviously constitutes a,  
18 quote, "discriminatory non-tariff barrier." as  
19 defined the Special 301 statute. This includes  
20 any investment obligations to acquire or produce  
21 local content that affects U.S. IP intents of  
22 industries such as streaming providers that are

1 engaged in the global distribution of content.

2 CCIA's written submission details  
3 concerns with Canada's Online Streaming Act, as  
4 well as Australia's proposed new framework.

5 The nexus between Special 301 and  
6 content restrictions is further supported by the  
7 special obligations Canada has under the U.S.-  
8 Mexico-Canada Agreement, USMCA. Implementing  
9 legislation directs USTR to evaluate any  
10 discriminatory measures reliant on the cultural  
11 industries exception and to consider appropriate  
12 actions to compensate for any adverse effects.

13 Since Canada's Online Streaming Act  
14 would clearly violate several USMCA provisions,  
15 but for Canada's invocation of the cultural  
16 industries exception, it clearly implicates  
17 19 USC 2242(f)(A). USTR neglected to address  
18 this issue last year, when Canada's policy was  
19 fully formed. CCIA urges USTR not to repeat this  
20 oversight in the forthcoming report to Congress.

21 In fact, the Special 301 Report is a  
22 perfect vehicle to begin detailing whether and to

1 what extent the Online Streaming Act adversely  
2 affects the United States' economic interests, as  
3 a patently discriminatory non-tariff barrier, and  
4 begin a process of legal analysis of the measure  
5 and consideration of appropriate responses.

6 Like Canada, Australia is subject to  
7 rules under AUSFTA designed to prevent  
8 discriminatory treatment of U.S. content. Unlike  
9 Canada, Australia did not take a broad exception  
10 to these rules, but, rather, negotiated a very  
11 narrow, quote, "non-conforming measure."

12 These provide in exceptional  
13 circumstances a basis to violate the rules;  
14 namely, a situation where Australian content is  
15 not reasonably available to Australian consumers.

16 In our view, current market conditions  
17 in Australia provide no basis for invoking that  
18 exception. In fact, Korean content has boomed  
19 with the advent of streaming services, and  
20 therefore, we urge USTR to ensure that Australia  
21 does not introduce measures inconsistent with its  
22 obligations.



1                   Second, CCIA reiterates longstanding  
2 concerns regarding the spread of ancillary  
3 copyright in foreign markets in the form of  
4 snippet taxes or related regulatory initiatives.  
5 CCIA first raised concerns on ancillary copyright  
6 in 2012.

7                   Since then, the internet industry has  
8 witnessed the spread of these detrimental laws  
9 throughout Europe, Canada, Australia, and  
10 currently being proposed in New Zealand, UK, and  
11 Indonesia. These measures -- essentially,  
12 private taxes -- will impede market access for  
13 U.S. exporters. And many studies have concluded  
14 that they are unlikely to achieve their purported  
15 goals.

16                   In conclusion, the Special 301 process  
17 should place a greater emphasis upon  
18 discriminatory practices directed at U.S.  
19 internet services that create new rights for  
20 domestic industries. Where countries fail to  
21 implement norms to facilitate the trade, or fail  
22 to adhere to commitments made to protect them,

1 U.S. export opportunities are lost.

2 Thank you.

3 CHAIR LEE: Okay. Thank you very  
4 much.

5 Our first question comes from the  
6 Patent and Trademark Office.

7 MS. CRITHARIS: Thank you very much  
8 for your testimony.

9 Regarding Colombia, on page 11 of your  
10 submission, you state that "Colombia has not  
11 complied with its obligations under the U.S.-  
12 Colombia Free Trade Agreement to provide  
13 protection for internet service providers, as  
14 noted in the 2020 Special 301 Report.  
15 Legislation from 2018 that sought to update  
16 copyright law and implement the U.S.-Colombia  
17 Free Trade Agreement...chapter includes no  
18 language on online intermediaries. The  
19 legislation that seeks to implement the U.S.-  
20 Colombia Free Trade Agreement copyright chapter  
21 also does not appear to include widely recognized  
22 exceptions such as text and data mining, display

1 of snippets or quotations, and other non-  
2 expressive or non-consumptive uses. Without  
3 protections required under the Free Trade  
4 Agreement, intermediaries exporting services to  
5 Colombia remain exposed to potential civil  
6 liability for services and functionality that are  
7 lawful in the United States and elsewhere."

8 Can you please provide the name and a  
9 link to the text of the draft legislation that  
10 you identified in your submission? And can you,  
11 also, provide the names of the companies'  
12 intermediaries that have had issues with  
13 enforcing these rights in Colombia?

14 MR. McHALE: Okay. Let me take the  
15 second question. With respect to countries that  
16 are failing to enforce rights, it really is a  
17 question of the risk, moving forward, of not  
18 having rights and obligations clearly spelled out  
19 in the law.

20 With respect to the specific law being  
21 referenced, I'm going to have to get back to you  
22 on that, and we'll look to put that in

1 supplementary testimony.

2 Thank you.

3 CHAIR LEE: Yes, just the second part  
4 of that question was less about countries, but  
5 specific companies or specific intermediaries  
6 that are having trouble enforcing law in  
7 Colombia. Do you have any further information on  
8 that?

9 MR. McHALE: At this moment, I do not.

10 CHAIR LEE: Okay, got it.

11 All right. Our next question is from  
12 Treasury.

13 MR. CHANG: Hi. Thank you.

14 So, CCIA states that, based on, quote,  
15 "a CRTC proposal to prioritize content whose IP  
16 ownership is wholly Canada, it is possible that  
17 the majority of U.S. investments would not  
18 qualify as meeting mandatory expenditure goals"  
19 -- close quote -- in the Online Streaming Act in  
20 Canada.

21 Could you explain more about your  
22 concerns and how possible is that outcome?

1 Thanks.

2 MR. McHALE: Sure.

3 So, Canada has put in place a series  
4 of priorities of what they are attempting to  
5 achieve through their cultural policies in order  
6 to stimulate the development of content in  
7 Canada. What our argument has been in many of  
8 these countries is the U.S. firms are big  
9 investors in the market. Lots of production  
10 takes place in Canada. They are a big  
11 contributor to the development of the industry in  
12 that nation.

13 One of the abilities of U.S. companies  
14 to be able to take advantages of resources in  
15 foreign markets is the ability to own the IP of  
16 any resulting investment they make. And what  
17 Canada has done in its recent rulemaking is to  
18 suggest that, in order to qualify as meeting some  
19 of the quotas or expenditure requirements that  
20 are set, the content that will qualify has to be  
21 owned by a Canadian entity, rather than the  
22 investor who may not be himself Canadian.

1           So, it's a disincentive for foreign  
2 firms, particularly U.S. firms, to invest in the  
3 market and create content because, if you can't  
4 own the resulting IP, it doesn't really make  
5 sense.

6           CHAIR LEE: All right. Thank you for  
7 your testimony.

8           MR. McHALE: Thank you very much.

9           CHAIR LEE: Next is Consortium for  
10 Common Food Names.

11          MR. CASTANEDA: Good morning.

12          CHAIR LEE: If you don't mind, please  
13 state your name, title, and organization, and  
14 then, please begin your testimony.

15          MR. CASTANEDA: Sure.

16          My name is Jaime Castaneda. I'm  
17 Executive Vice President for the U.S. Dairy  
18 Export Council, the National Milk Producers, and  
19 I'm also the Executive Director of the Consortium  
20 for Common Food Names.

21          I have worked for 25 years promoting  
22 the U.S. dairy industry, U.S. rural jobs, and, of

1 course, now with defending common food names.

2 A little over 10 years ago, the U.S.  
3 dairy community for a while, as well as several  
4 other food sectors, were confronted with a new  
5 intellectual property challenge designed to  
6 destroy the very basic framework of IP rules and  
7 market access commitments. After failing to  
8 advance this GI campaign during the Doha Round,  
9 the European Union started a direct, full  
10 campaign to monopolize common names like  
11 Parmesan, port, bologna, and many hundreds more.

12 But, by claiming these generic terms  
13 as protected geographical indications or  
14 indicators, the EU began a strategic scheme to  
15 eliminate competition and appropriate generic  
16 terms for cheeses, meats, wines, and beers, among  
17 others. Suddenly, all these manufacturers began  
18 to lose their ability to market and sell their  
19 products in markets around the world.

20 In response to these new challenges,  
21 U.S. dairy producers, supported by partners in  
22 the food sector, helped us establish the

1 Coalition for Common Food Names to protect  
2 producers, consumers, and retailers, and the  
3 rights to use the generic terms that have been  
4 part of the public domain for generations.

5           Despite the efforts of CCFN, Europe's  
6 aggressive campaign and attacks on American  
7 exports are growing and escalating. Throughout  
8 2023, U.S. producers and exporters faced  
9 increased restrictions or attempts to impose  
10 restrictions on the use of common food and  
11 various terms in various markets. These abuses  
12 or geographical indication rules not only  
13 contradict international commitments adopted by  
14 U.S. trading partners, but call into question the  
15 integrity of procedures under the intellectual  
16 property systems of the different countries  
17 involved.

18           These GI regulations are not  
19 impartially written and enforced. Quite the  
20 opposite. Unlike most intellectual property  
21 rules, the pursuit of GI restriction is done by a  
22 foreign government under the table, not through



1 the actions of individual applicants. This  
2 creates a deeply imbalanced power and funding  
3 dynamic that omits the greater challenge that  
4 opponents face in most IP systems versus the  
5 advantage provided to applicants.

6 All of these have happened while the  
7 United States has stayed still during previous  
8 administrations. The IP approach has failed U.S.  
9 producers when it comes to negotiations between  
10 Europe and trading partners.

11 GI approvals are not dealt with  
12 objectively through an impartial and objective  
13 process. The results of EU trade agreements are  
14 made in obscurity. Even where a public  
15 opposition process is conducted, the decisions  
16 about how, not whether, to register the EU's  
17 requested GIs are conducted at the trade  
18 negotiating table. These are government-driven  
19 barriers to trade that require a government-  
20 driven response to counteract.

21 Despite years of advocacy from  
22 Congress and CCFN members with the U.S.

1 Government, we have yet to stop the European  
2 Union from bullying other countries into agreeing  
3 to their demands, hurting U.S. jobs. We applaud  
4 the Biden Administration for showing a strong  
5 interest in restoring some balance in the  
6 discussions, but we need to be even more resolute  
7 in making sure that any country that violates its  
8 straight commitments just to appease the EU --  
9 example, Chile recently -- will pay the  
10 consequences.

11 For years, the United States had not  
12 much EU and bilateral agreements. In fact, we  
13 have seen how the EU forces countries to  
14 disregard their own IP rules and hurt their own  
15 producers and consumers without acting with equal  
16 force.

17 It is the right time to be loud and  
18 clear to the world. If any country damages the  
19 interests of the United States by giving into the  
20 EU unreasonable demands, there will be  
21 consequences. It is time for the United States  
22 to have a clear policy to defend consumers,

1 manufacturers, and retailers, including many of  
2 American small businesses, and fight the  
3 monetization of generic food and general names.

4           Going forward, we expect the EU to  
5 continue its false narrative that GIs are sacred  
6 protections that cannot be questioned. The  
7 reality is that GIs in the EU represent a  
8 minuscule portion of their own agriculture and  
9 represent ever-moving goal posts.

10           Fortunately, we're not resigned and  
11 accepting whichever fate the EU assign us. The  
12 U.S. Government has made strides to grapple with  
13 this topic recently, but there is more to do.  
14 The United States has unmatched economic and  
15 political influence. It is time to use it.

16           We applaud the Biden Administration  
17 for increasing the awareness and we hope that,  
18 actually, this is going to turn into specific  
19 results and outcomes.

20           Thank you so much.

21           CHAIR LEE: Thank you.

22           The first question comes from USTR.

1 MS. AVERY-PAGE: Thank you.

2 Your submission describes how  
3 increased restrictions on the use of common food  
4 and beverage terms in various markets have called  
5 into question the integrity of procedures under  
6 the intellectual property system of the different  
7 countries involved. Please elaborate on how such  
8 restrictions have impacted the integrity of  
9 procedures under IP systems and provide some  
10 examples from the trading partners discussed in  
11 your submission.

12 MR. CASTANEDA: Sure.

13 As I explained, it's, basically, very  
14 clear. The EU negotiates and  
15 overcomes/supersedes any IP rule with respect to  
16 any country in the negotiating table. Examples  
17 are many, many, many. So, let me give you one.

18 Feta, for instance, was an absolutely  
19 generic term in Canada. Canada, in fact, had a  
20 trademark for prosciutto di parma. And, in fact,  
21 Canada completely disregards the fact that,  
22 actually, they have something that we will never

1 do here, something that, actually, they had a  
2 trademark and they disregard that. They had,  
3 actually, generic terms and they completely  
4 disregard and provide, actually, protection  
5 exclusively for feta for Europe.

6 Chile, for instance, they just  
7 actually -- Parmesan has been a generic term for  
8 almost 100 years. And Europe and Chile  
9 negotiated a trade agreement in which Chile  
10 decided that, actually, there was only protection  
11 for anybody who was in the market prior to,  
12 actually, 2000 -- whenever they negotiated the  
13 trade agreement.

14 So, I can go on and on and on, but,  
15 for us, this is the type of things that actually  
16 intellectual property officers around the world  
17 that are negotiating with the EU are, actually,  
18 undermining the IP rules, something that the  
19 United States would never, never do.

20 CHAIR LEE: Thank you.

21 The next question comes from USDA.

22 MS. CHERRY: Thank you.

1           On China, your submission notes that,  
2 "In February 2023, CCFN opposed the recognition  
3 of `Fontina' as a GI, however, Chinese  
4 authorities have not released the result of the  
5 opposition process." Unquote.

6           Please share your experience from  
7 participation in the opposition process, such as  
8 whether Chinese authorities have engaged with  
9 your concerns or whether there were procedural  
10 deficiencies that Chinese authorities should  
11 address.

12           MR. CASTANEDA: Thanks for your  
13 question.

14           China is a great trading partner for  
15 the U.S. dairy industry and we have a lot of  
16 communications with them. However, within China,  
17 there is, I think, a couple of confusions within  
18 what the Department of Commerce does in the  
19 intellectual property. There are different,  
20 actually, organizations that deal with GIs in  
21 China.

22           So, we have seen that there has been

1 very strong conflict of opinions within China.  
2 And a perfect example is, for instance, the  
3 United States negotiated with China to protect  
4 Parmesan, but, then, the IP Office may actually  
5 have approved some exclusivity on Parmesan with  
6 the European Union, which actually should have  
7 been clear that they could never do that.

8 In addition, with respect to Fontina,  
9 we have, actually, many, many cases in which our  
10 trademarks still continue to be rejected and  
11 there is no specific reason.

12 I mean, going back to the previous  
13 question, I mean, there are countries that are  
14 opposing a trademark simply because, actually, of  
15 a GI in another country. I mean, if that is not  
16 actually a basic break of the rules of IP in  
17 which the United States is not going to accept a  
18 trademark only because there is a GI in Italy or  
19 in Greece, I mean that's absurd.

20 So, basically, with China, we're  
21 working; we're trying to understand a little bit  
22 more. So, we encourage, actually, USTR and the

1 other agencies of the United States to talk a  
2 little bit more for clarity on China, on how they  
3 actually are accepting or rejecting trademarks.

4 CHAIR LEE: Thank you.

5 We have time barely for one more  
6 question. So, I'm going to ask USDA to ask a  
7 second question.

8 MS. CHERRY: Sure.

9 For Vietnam, your submission notes  
10 that Vietnam failed for more than two years to  
11 confirm in writing these companies that have met  
12 the grandfathering clause provision under the  
13 Vietnam-EU FTA. Are there any details you can  
14 share about the difficulties that these companies  
15 have encountered due to the lack of such written  
16 confirmation?

17 MR. CASTANEDA: Yes. We can put all  
18 of that in writing. So, I'd be more than happy  
19 to submit further information.

20 And it is not just Vietnam. I mean,  
21 we have it in many other situations, and we have  
22 significant problems, as USTR knows, in Brazil,



1 in which, actually, they don't even have an  
2 approved EU agreement and they are still,  
3 actually, operating as if they do have the  
4 implementation of the EU agreement.

5 So again, we encourage, actually, USTR  
6 and the rest of the interagencies to talk to  
7 these countries and manage these situations.

8 CHAIR LEE: Thank you very much for  
9 your testimony.

10 Next, we have the Footwear  
11 Distributors and Retailers of America.

12 MR. PRIEST: Good morning.

13 CHAIR LEE: Good morning.

14 Please state your name, title, and  
15 organization for the record, and then, please  
16 begin your testimony.

17 MR. PRIEST: My name is Matt Priest.  
18 I'm the President and CEO of the Footwear  
19 Distributors and Retailers of America.

20 On behalf of FDRA, thank you for the  
21 opportunity to testify today. It's great to be  
22 back in person after so many years.

1 FDRA is the footwear industry's  
2 business and trade association, representing 95  
3 percent of the American footwear industry. Our  
4 member companies work hard to design, produce,  
5 and deliver shoes to consumers in markets all  
6 over the world. That is why the U.S. must work  
7 to address the failure of other nations to  
8 protect patents, trademarks, and copyright in  
9 both law and practice, because this supports U.S.  
10 footwear jobs and communities.

11 Fighting counterfeiting is also  
12 particularly important in key sourcing locations,  
13 given the large volume of manufacturing,  
14 machinery, and footwear production knowledge in  
15 each of these countries.

16 My testimony will highlight several  
17 key sourcing countries, but our full written  
18 comments provide information on additional  
19 countries of concern.

20 First and foremost, China. China  
21 should remain on the Priority Watch List since  
22 there has not been significant change or

1 effective progress on IP in the past year.  
2 Because China is a first-to-file jurisdiction, a  
3 well-established U.S. brand may discover that an  
4 unrelated Chinese party has already registered  
5 the brand's trademark. Bad actors do this to  
6 exploit the reputation of the U.S. brand or to  
7 force the American company to pay a fee to buy  
8 back the rights to its own trademark.

9 FDRA members continue to see a high  
10 volume of bad-faith, infringing trademark  
11 applications allowed to publish for register.  
12 Online-to-offline enforcement brings numerous new  
13 challenges, and there is a need for greater  
14 collaboration from platforms.

15 Counterfeit products sold via  
16 livestream channels are very popular in China.  
17 The timing of the broadcast is unpredictable and  
18 the transactions are often diverted to private  
19 domains. Many counterfeit sellers also promote  
20 themselves and their agent's ability to order and  
21 ship counterfeits on social media platforms like  
22 TikTok, YouTube, and Reddit.

1           It is our understanding that China may  
2 soon enact the Anti-Unfair Competition Law. We  
3 are hopeful this will serve as a possible new  
4 tool for digital enforcement against rampant  
5 online infringement and knockoffs.

6           Turning to Mexico, FDRA strongly  
7 recommends USTR elevate Mexico to the Priority  
8 Watch List in the 2024 Special 301 Report. The  
9 current administration in Mexico has not  
10 prioritized IP enforcement and protection. When  
11 outlining government priorities, it left out  
12 relevant IP institutions. In addition, the lack  
13 of enforcement actions and support from most of  
14 the relevant law enforcement agencies in Mexico  
15 is alarming.

16           Existing provisions in Mexico's  
17 customs law provides authorities with ex officio  
18 power to initiate border measures, but limit this  
19 authority to detention of suspicious products.  
20 The law does not effectively allow customs  
21 officials to make a determination to seize and  
22 destroy IP-infringing goods. From a legislative

1 perspective, Mexico also lacks a clear approach  
2 to tackle ecommerce and the impact of small  
3 parcels at the border.

4 Indonesia should reinforce the need to  
5 maintain consistency, recognize trademarks, and  
6 provide realistic enforcement processes and  
7 implementation. FDRA member companies have seen  
8 an increase in the local manufacturing of  
9 counterfeit shoes. FDRA believes Indonesia  
10 should work to train law enforcement agents and  
11 customs officers on product inspections and take  
12 proactive measures to investigate and enforce  
13 counterfeit activities.

14 Indonesia's trademark office continues  
15 to have a very, very, very narrow interpretation  
16 of trademark rights and opposition procedures.  
17 The trademark office should also promote a  
18 thorough review of its appeals process. Today,  
19 once a decision is made, the only additional  
20 recourse by the brand owner is to file costly and  
21 time-consuming civil litigation.

22 Turning our focus to Vietnam,

1 Vietnam's IP legal system and enforcement  
2 practices continue to change for the better.  
3 Authorities in Vietnam remain open and willing to  
4 make changes to harmonize IP laws with  
5 international standards.

6 Vietnam needs to harmonize its  
7 approach to well-known mark status to make it  
8 consistent with international norms. They should  
9 also provide greater clarity for the recognition  
10 of non-traditional marks on both the examination  
11 process and enforcement.

12 Law enforcement agencies of Vietnam  
13 are willing to cooperate and actively support  
14 investigations raised in criminal prosecutions  
15 against online sellers who have large quantities  
16 of counterfeits seized in their connected  
17 physical warehouses.

18 Vietnam's review of its current  
19 ecommerce policies provides an opportunity to  
20 clearly define platform liability in case of IPR  
21 infringements.

22 In cases of transshipments, rights-

1 holders are now required to prove damages from  
2 counterfeit goods, which conflicts with current  
3 law in Vietnam and puts additional burdens on  
4 brands.

5           Lastly, a focus on India. FDRA  
6 recommends India undertake efforts to implement  
7 existing IP laws, reduce bureaucracy, and  
8 simplify processes. Currently, the 10-year  
9 trademark backlog at the courts and the trademark  
10 office prevents brands from filing to protect IP  
11 rights. The trademark office should modernize  
12 the highly manual data process for registering  
13 trademarks in India.

14           FDRA members have noticed an  
15 increasing number of counterfeiting distribution  
16 hubs in India. Enforcement remains very  
17 challenging for brands. Delays in adjudication  
18 and low penalties do not deter counterfeiters.

19           FDRA members are closely monitoring  
20 the implementation of India's new ecommerce law.  
21 The law provides an opportunity to increase  
22 protection for rights-holders and define the

1 terms for platform liability in case of IPR  
2 infringement.

3 FDRA appreciates the opportunity to  
4 submit comments on the challenges faced by our  
5 member companies around the world in protection  
6 of their IP rights. We stand ready to work with  
7 USTR to bolster respect for, and enforcement of,  
8 IP by our trading partners. Doing so protects  
9 American jobs and benefits U.S. consumers.

10 CHAIR LEE: Thank you.

11 Just for our panelists, I'm actually  
12 going to switch up from the questions because  
13 you've kind of covered some of them already in  
14 your testimony, although we may still go to those  
15 to have you further elaborate.

16 MR. PRIEST: Sure.

17 CHAIR LEE: But I would like to start  
18 with the State Department with a followup  
19 question on Vietnam.

20 MR. HAMILTON: Good morning.

21 MR. PRIEST: Good morning.

22 MR. HAMILTON: So, regarding Vietnam,



1 on page 6 of your submission, FDRA cites the rise  
2 of counterfeiting as a concern, as brands have  
3 shifted production from China to Vietnam, stating  
4 that "counterfeiters have moved manufacturing to  
5 the country." Do you have any statistics that  
6 reflect this asserted correlation?

7 MR. PRIEST: I don't have a statistic  
8 per se. What I can do is go back and see what's  
9 available to provide to you at the State  
10 Department and to the broader panel here.

11 Now, I do know, and I think a theme  
12 that you'll find in both my written submission as  
13 well as my statement is that, as production moves  
14 around and becomes more sophisticated,  
15 counterfeiters follow suit. And so, there's  
16 almost a maturation process that happens when a  
17 country takes on more production for I think any  
18 type of good, but, in particular, footwear,  
19 where, then, it becomes also the landscape for  
20 counterfeit and knockoff activity. We see that  
21 in China in places like Fujian Province and  
22 Guangdong Province, which have been production

1 hubs for many, many years.

2 And so, it's not a surprise, but we'll  
3 do some digging and see if we can find a  
4 statistic for that.

5 CHAIR LEE: Thank you.

6 The next question is from USTR.

7 MS. AVERY-PAGE: Thank you.

8 In regards to Algeria, have you seen  
9 any results from the 2022 creation of a  
10 specialized commerce court responsible for  
11 litigation relating to IP and international trade  
12 disputes? And how have your members engaged with  
13 the judicial system in Algeria?

14 MR. PRIEST: That's a great question.  
15 And I'll have to come back to you on how members  
16 have, specifically, engaged with the legal system  
17 in Algeria.

18 I think Algeria is on a list of other  
19 countries -- Morocco and Egypt, and others, Saudi  
20 Arabia -- where we want to at least inform our  
21 U.S. Government just to keep an eye on those.  
22 Because, as we talk to our member companies, and

1 we are selling in markets all over the world,  
2 these kind of second- and third-tier markets are  
3 ones to keep an eye on because they're maturing;  
4 because counterfeits flow in very frequently.  
5 And because of ecommerce and the lack of  
6 enforcement, that's a theme that happens, I  
7 think, in every country we do business in. And  
8 so, I think Algeria is no different.

9 And so, what I'll do is go back to our  
10 members and see what kind of success they've had  
11 in engaging with Algeria.

12 CHAIR LEE: Thank you.

13 Well, turning maybe to a bigger  
14 market, I'd like to ask the Justice Department  
15 for a question, please.

16 MR. MERRIAM: Thanks.

17 And I appreciate your testimony.  
18 You've led with this and really talked about the  
19 growing challenge of the Chinese agents getting  
20 involved in various commerce schemes in  
21 increasing their footprint.

22 MR. PRIEST: Yes.

1                   MR. MERRIAM: But could you provide  
2 for DOJ and my colleagues at DHS a little bit of  
3 a detail on how that's working and areas that  
4 would target this sort of action, online  
5 marketplaces, as you mentioned, TikTok, or their  
6 physical marketplaces, and where should we look?  
7 Very relevant to this process, but also to our  
8 broader mission.

9                   MR. PRIEST: Yes. You know, it's  
10 interesting you ask this because it doesn't take  
11 someone who is very astute in law enforcement or  
12 even footwear to stumble across access to  
13 counterfeit goods on these platforms, as a  
14 consumer here in the U.S. And it's something we  
15 consistently monitor.

16                   And so, for us, it's better  
17 understanding how the platforms particularly will  
18 engage with us and collaborate on information-  
19 sharing, to value what the brands are saying when  
20 they engage with those platforms. And we've  
21 taken steps here in the U.S. The challenge is  
22 the Chinese don't seem to be as serious in

1 engaging with those platforms, when, in all  
2 honesty, purchasing through these channels is  
3 much more even popular than it is here.

4 And so, it's like a dam that's very  
5 leaky and we're trying to plug all these holes.  
6 And you can see that, as brands -- we call it  
7 kind of "high heat" -- as brands market certain  
8 products, that they have new drops, new sneaker  
9 drops.

10 There's the All-Star Game, which was  
11 this pass weekend, is on TV in a global  
12 marketplace, that those activities increase and  
13 the demand for those types of really  
14 sophisticated counterfeits increase, and  
15 consumers have access to it.

16 No longer do you have to go down to a  
17 market in New York City behind a curtain or under  
18 a blanket with knockoff sneakers. You can get  
19 very quality-made counterfeits out of these same  
20 production markets that we have.

21 And I think as much as the platforms  
22 feel the heat from DOJ, the Biden Administration,

1 the U.S. Congress on ways to collaborate with the  
2 brands, the better I think we'll all be.

3 CHAIR LEE: Thank you.

4 I think we can squeeze in one more  
5 question. So, I'd like to ask my colleague from  
6 DHS, Department of Homeland Security, to ask it.

7 MR. PRIEST: Thank you.

8 MS. FEDORKA: Okay. On Indonesia, you  
9 describe numerous challenges with Indonesian  
10 customs regarding the recordation system for  
11 trademarks, including complex procedures, high  
12 guarantees, and requirements for immediate  
13 responses. Please elaborate on whether foreign  
14 companies in Indonesia encounter greater  
15 difficulties under the recordation system.

16 MR. PRIEST: I haven't heard  
17 necessarily that foreign companies per se  
18 encounter greater difficulty. What we do  
19 understand is that Indonesia has a very kind of  
20 slim interpretation of what constitutes a  
21 counterfeit. So here, in a lot of markets, a lot  
22 of mature markets, it doesn't have to be

1 identical, right? It can be a trade dress  
2 question. It could be something that is  
3 "inspired by." And we have those debates amongst  
4 our industry all the time.

5 Indonesia is very finite on what they  
6 think is counterfeit and what is not. And so, as  
7 a Western brand engaging in Indonesia -- and by  
8 the way, it's our No. 3 supplier to the U.S.  
9 market -- so again, the knowhow and the activity  
10 is there to make really high-quality shoes. The  
11 system seems to be not as efficient and engaging.  
12 I don't think it matters where you're actually  
13 from necessarily, where the brand is from.

14 But because these are Western brands  
15 with high demand, those are the ones that see the  
16 most activity in this space. And I think that's  
17 where our members have had challenges with  
18 Indonesia.

19 MS. FEDORKA: Thank you.

20 MR. PRIEST: Sure. No problem.

21 CHAIR LEE: Thank you for your  
22 testimony.

1 MR. PRIEST: Yes, thank you.

2 CHAIR LEE: Okay. So, the Global Data  
3 Alliance is also not available to testify today.  
4 So, we will be moving next to the International  
5 Intellectual Property Alliance.

6 All right. Please state your name,  
7 title, and organization, and begin your  
8 testimony.

9 MR. ROSENBAUM: Thank you. Thank you  
10 all.

11 My name is Kevin Rosenbaum. I'm the  
12 Executive Director of the International  
13 Intellectual Property Alliance, the IIPA.

14 Thank you for the opportunity to  
15 present the views of the IIPA in this year's  
16 Special 301 process.

17 We applaud the U.S. Government for  
18 making the Special 301 review a catalyst for  
19 positive change to address the challenges faced  
20 by the U.S. creative industries in key markets  
21 abroad. We welcome the chance to participate  
22 again in this crucial annual dialog.



1 IIPA is a private sector coalition  
2 formed in 1984 of five trade associations  
3 representing U.S.-copyright-based industries.  
4 According to a December 2022 study, the core  
5 copyright industries contribute over \$1.8  
6 trillion to the U.S. economy, including over 52  
7 percent of the total U.S. digital economy, and  
8 provide over 9.6 million U.S. jobs, including  
9 over 48 percent of the employment in the U.S.  
10 digital economy.

11 Our members are the Association of  
12 American Publishers, the Entertainment Software  
13 Association, the Independent Film and Television  
14 Alliance, the Motion Picture Association, and the  
15 Recording Industry Association of America. These  
16 associations comprise over 3200 companies  
17 producing and distributing materials protected by  
18 copyright laws throughout the world.

19 To reach foreign markets through the  
20 legitimate, state-of-the-art distribution  
21 channels, these companies rely on copyright  
22 protection and enforcement that meet current

1 global standards and fast-developing best  
2 practices, and the elimination of market access  
3 barriers. Progress in these areas benefits U.S.  
4 creators, producers, publishers, workers, and  
5 consumers, while enabling our trading partners to  
6 develop and expand their own cultural and  
7 creative output.

8 The ultimate objective is to promote  
9 markets where the creative industries can bring  
10 even more products and services than they  
11 currently offer in an increasing variety of ways  
12 from a greater diversity of players before an  
13 ever-growing global audience. Advancing that  
14 objective is a proven means to grow U.S. exports,  
15 create good American jobs, and enhance U.S.  
16 global competitiveness.

17 With this broad vision in mind, IIPA  
18 has participated in every Special 301 review  
19 since the 1988 Trade Act created this process.  
20 Given some of the other comments provided, it is  
21 worth reiterating the specific statutory language  
22 and purpose of the Special 301 review; namely, to

1 identify "foreign countries that deny adequate  
2 and effective protection of intellectual property  
3 rights or deny fair and equitable market access  
4 to U.S. persons who rely on intellectual property  
5 protection."

6 It is critical for the Special 301  
7 process to maintain this focus on intellectual  
8 property protection -- in our case, copyright  
9 protection and enforcement -- rather than, as  
10 some suggest, used to weaken our trading  
11 partners' copyright regimes, especially in  
12 countries where legitimate rights-holders cannot  
13 get a toehold due to inadequate copyright  
14 protection or enforcement.

15 In this year's submission, IIPA  
16 recommends that 23 countries be identified in the  
17 2024 Special 301 Report, including nine countries  
18 for inclusion on the Priority Watch List:  
19 Argentina, Chile, China, India, Indonesia,  
20 Mexico, Russia, South Africa, and Vietnam.

21 Our submission also highlights  
22 additional serious concerns with legal reform

1 efforts in several other markets. As our  
2 submission emphasizes, the copyright regimes of  
3 many U.S. trading partners are inadequate,  
4 including a failure to meet obligations to the  
5 United States, evolving global norms, or the  
6 minimum standards of the WIPO Internet Treaties,  
7 which set global minimum standards for copyright  
8 protection in the digital environment.

9 The U.S. Government should press U.S.  
10 trading partners to adhere to well-established  
11 global norms, including the requirement to  
12 confine all exceptions and limitations to  
13 copyright protections within the three-step test.

14 The U.S. Government should also take  
15 advantage of recent trade initiatives, which  
16 include a focus on digital economy-related  
17 matters, to make progress on these issues.

18 Our submission also lists six  
19 enforcement challenges confronting the U.S.  
20 copyright industries seeking to compete in  
21 overseas markets, starting, of course, with  
22 internet and mobile network piracy, an

1        overarching challenge for all businesses that  
2        depend on copyright. This infringement threatens  
3        the viability of licensed platforms and makes it  
4        much harder for creators and producers to earn a  
5        living from their craft.

6                    We applaud the U.S. Government for its  
7        annual review of notorious markets, which has  
8        made a significant contribution in combating  
9        systematic online copyright theft, and we urge  
10       you to redouble efforts to encourage our trading  
11       partners to adopt legal frameworks to prevent the  
12       operation or emergence of illegal services,  
13       including by fostering cooperation among all  
14       industry stakeholders in the online supply chain.

15                   Finally, all efforts to address  
16       copyright infringement will be unsuccessful if  
17       legitimate products and services cannot be  
18       brought into a market to meet consumer demand.  
19       Whatever form they take, market access  
20       restrictions that unfairly impede the entry of  
21       legitimate products makes it easier for pirate  
22       operations to fill the void.

1           Special 301 remains a cornerstone of  
2 the U.S. effort to advance modern levels of  
3 protection for copyright, more effective policies  
4 and tools to enforce that protection, and freer,  
5 more open markets. We look forward to our  
6 continued work with USTR and the other U.S.  
7 agencies to advance these goals.

8           Thank you, and I look forward to your  
9 questions.

10           CHAIR LEE: Thank you.

11           And to begin questions, our first one  
12 comes from USTR.

13           MS. AVERY-PAGE: Thank you very much.

14           You state that you expect China to  
15 adopt implementing regulations on the copyright  
16 law revisions in late 2024. Can you have more  
17 information on the possible processes that will  
18 be followed, including the opportunity for public  
19 input? What are the primary issues you would  
20 want to see in implementing regulations?

21           MR. ROSENBAUM: Thank you for that  
22 question. I'll certainly check and see if we

1 have additional information on the processes that  
2 may be followed.

3 You know, the copyright amendments  
4 were an important step forward in protection in  
5 China, and it's critical that the implementation  
6 is done properly. There are additional  
7 protections of technological protection measures  
8 that need to be clarified in the implementing  
9 regulation and additional enforcement measures as  
10 well, as we have laid out in our submission.

11 CHAIR LEE: Thank you.

12 The next questions comes from the U.S.  
13 Copyright Office.

14 MS. LANZA: Thank you.

15 IIPA noted that, in Brazil, quote,  
16 "Recent positions vocalized by the Ministry of  
17 Culture and ANCINE's official concerning the  
18 protection of copyrights became cause for  
19 concern." End quote.

20 Can you please elaborate on the  
21 positions taken by the Ministry and your specific  
22 concerns?

1 MR. ROSENBAUM: I will probably need  
2 to get back to you with additional information in  
3 writing. I appreciate that question.

4 In Brazil, while we have seen some  
5 positive improvements on the enforcement front,  
6 there does need to be sort of a whole-of-  
7 government approach that needs to be taken. And  
8 there are several concerning legislative  
9 proposals in Brazil that we've highlighted. And  
10 so, there's additional work to be done on the  
11 legislative framework.

12 Thank you.

13 CHAIR LEE: Okay. The next question  
14 is from the Patent and Trademark Office.

15 MS. CRITHARIS: Thank you for your  
16 testimony.

17 Can you please elaborate whether IIPA  
18 members over the past year have engaged with  
19 Turkey on the issues raised in the 301 Report?  
20 And what roadblocks have IIPA members run into  
21 that have prevented progress?

22 MR. ROSENBAUM: Thank you.



1 I'm happy to go back and check with  
2 our members on this, but there are several, as  
3 we've laid out, longstanding concerns in Turkey  
4 that we're hopeful can be addressed. But I will  
5 get back to you on the specific steps that we've  
6 taken to move forward in that country.

7 Thank you.

8 CHAIR LEE: Thank you.

9 The next question is from Treasury.

10 MR. CHANG: Hello.

11 IIPA's nomination for Paraguay to  
12 remain on the Watch List focuses on a single  
13 issue --

14 MR. ROSENBAUM: Yes.

15 MR. CHANG: -- the pending legislation  
16 that was last introduced in May 2023. Your  
17 submission recognizes that this pending  
18 legislation was introduced without a sponsor and  
19 without support from Paraguay's copyright office.  
20 Your submission also recognizes that two of the  
21 original authors of the 2022 version of the draft  
22 legislation have withdrawn their support.

1                   Can you please further explain your  
2 Watch List recommendation for Paraguay and what  
3 you expect to happen in 2024 that will seriously  
4 impede the ability of your members that rely on  
5 IP protection to operate in Paraguay?

6                   Thank you.

7                   MR. ROSENBAUM: Thank you. I  
8 appreciate the question.

9                   Yes, Paraguay has this legislative  
10 proposal for an unwaivable remuneration right  
11 which would make licensing in that country  
12 -- which is, essentially, how our members do  
13 their business -- it would make it extremely  
14 challenging and create all kinds of uncertainty.  
15 And so, that is the basis for our recommendation  
16 for the Watch List in Paraguay. Even though the  
17 bill, I think as it currently stands, is dormant,  
18 there is risk that it could move, and that would,  
19 again, create all kinds of uncertainty with  
20 existing contractual relationships in Paraguay.

21                   And also, this is something we're  
22 seeing throughout South America, is similar

1 proposals that would create all kinds of  
2 uncertainty and undermine the business models for  
3 the creative industries.

4 CHAIR LEE: All right. Thank you for  
5 your testimony.

6 MR. ROSENBAUM: Thank you.

7 CHAIR LEE: Okay. So, we are through  
8 the morning schedule. We are scheduled to take a  
9 break until 1:30 p.m., and that's when we will  
10 restart.

11 For those coming back, please keep in  
12 mind the time it takes for our security screening  
13 and processing. So, please make sure to come  
14 back early, so that we can start on time.

15 So again, we are adjourning the  
16 hearing until 1:30 p.m. Thank you.

17 (Whereupon, the above-entitled matter  
18 went off the record at 11:38 a.m. and resumed at  
19 1:30 p.m.)

20 CHAIR LEE: All right. Good  
21 afternoon, everyone.

22 It's 1:30. So, I'd like to get the

1 hearing started again.

2 My name is Daniel Lee. I'm the  
3 Assistant U.S. Trade Representative for  
4 Innovation and Intellectual Property.

5 Welcome to the afternoon session of  
6 the Special 301 public hearing.

7 Usually, I don't go over this again in  
8 the afternoon, but since it looks like pretty  
9 much a different group of people, I'll just  
10 mention again briefly the format.

11 So, each testifier will get 10 minutes  
12 -- five minutes for their prepared statement, and  
13 then, five minutes of questions from the  
14 panelists up here.

15 We will be keeping track of time. You  
16 will get a one-minute remaining notice, as well  
17 as a time expired notice.

18 I will warn everyone that I think we  
19 are going to be fairly strict on that, and I may  
20 interrupt you if you're going over time, so that  
21 we can stay on schedule.

22 So, with that, next up is Intellectual

1 Property Owners Association.

2 Thank you.

3 Could you please state your name,  
4 title, and organization for the record, and then,  
5 begin your testimony?

6 MR. VALENTE: Thank you. Thank you.

7 My name is Tom Valente, and I'm the  
8 Senior Director for Global Affairs for the  
9 Intellectual Property Owners Association, also  
10 known as IPO.

11 I'm pleased to be with you today and  
12 would like to thank you for the opportunity to  
13 testify, and for your continued work ensuring  
14 U.S. trading partners provide adequate and  
15 effective protection of IP rights and fair and  
16 equitable market access to companies who rely on  
17 IP protection.

18 IPO is an international trade  
19 association representing a big tent of diverse  
20 companies, law firms, service providers, and  
21 individuals in all industries and fields of  
22 technology that own or are interested in IP

1 rights. IPO's membership includes over 125  
2 companies and spans over 30 countries. IPO  
3 members make vital contributions to America's  
4 economic success by developing the advances that  
5 drive exports and create jobs.

6 Innovators assume considerable risks  
7 and rely on IP to protect investments in new  
8 technology. In our comments to the Subcommittee,  
9 IPO notes numerous deficiencies in, and  
10 challenges presented by, IP laws around the  
11 world.

12 It also notes improvements. We thank  
13 you for your work that has made these  
14 improvements possible. IPO remains optimistic  
15 that further progress can be made in 2024 and  
16 beyond.

17 My testimony today will address two  
18 impediments to appropriate protection of IP  
19 rights abroad: inadequate protection of trade  
20 secrets and compulsory licensing.

21 For years, Article 39 of TRIPS has  
22 required WTO members to ensure effective

1 protection of trade secrets. Since Article 39  
2 was agreed, there have been insufficient efforts  
3 in many WTO member countries to bring the laws,  
4 regulations, and enforcement environment up to  
5 compliance with the required standard.

6 Further, our members are concerned  
7 with the significant risk of trade secret  
8 disclosure that could result from administrative  
9 investigations or data legislation, if sufficient  
10 protection for trade secrets is not in place  
11 abroad. IPO suggests that improving the global  
12 environment for protection of trade secrets be  
13 one of the top priorities for the Special 301  
14 Report and for further actions.

15 Turning to compulsory licensing, the  
16 patent system drives and enables research and  
17 development that is delivering valuable, new  
18 innovations to society and has facilitated an  
19 unprecedented amount of collaboration that is  
20 advancing solutions to the most pressing issues  
21 facing society today. However, several countries  
22 have adopted or are considering resolutions,

1 laws, or regulations that promote or provide  
2 broad discretion to issue a compulsory license.

3 The European Commission has proposed  
4 draft legislation for the grant of EU-wide  
5 compulsory licenses. Compulsory licenses have  
6 also been issued in previous years in several  
7 countries.

8 IPO strongly opposes compulsory  
9 licensing of IP rights with respect to all  
10 industries and technologies. Although IPO  
11 recognizes that compulsory licenses may be  
12 legally permissible in limited and rare  
13 situations, IPO believes that licensing of IP  
14 rights is best accomplished through voluntary  
15 efforts. This is because granting compulsory  
16 licenses undercuts the importance of a  
17 predictable and reliable patent system and  
18 undermines investment in innovative solutions  
19 that benefit society. Our members are also  
20 concerned with proposals to include forced tech  
21 transfer, along with compulsory licenses.

22 In conclusion, innovation-driven jobs



1 depend on high-quality IP systems. IP protection  
2 in foreign markets is vital for American  
3 innovators. It enables research, R&D, and  
4 technology that results in important offerings in  
5 the global marketplace.

6 We look forward to working with you to  
7 build a global IP environment that encourages  
8 innovation and safeguards quality, high-paying  
9 jobs in innovative industries.

10 We again thank the Subcommittee for  
11 its efforts to promote the protection of IP  
12 rights globally, which will sustain and grow  
13 America's economy.

14 Thank you.

15 CHAIR LEE: Thank you.

16 The first question today is from USTR.

17 MS. AVERY-PAGE: Yes, thank you.

18 On China, your submission states that,  
19 quote, "Transparency in IP enforcement in China  
20 appears to have declined severely and commentary  
21 in the Chinese legal community suggests that  
22 publication of judicial decisions of all kinds

1 will come to a halt in 2024." End quote.

2 Please share any additional  
3 information you have about notices or other  
4 measures issued by Chinese authorities that  
5 appear to impose this change.

6 MR. VALENTE: Thank you

7 This is actually a very important  
8 issue for IPO. In fact, our Board passes very  
9 few resolutions, and you'll notice in the last  
10 couple of years this is a resolution that was  
11 passed dealing with transparency generally of IP  
12 decisions around the world.

13 Our members have reported to us that  
14 they are seeing a consistent decline in court  
15 decisions being published. I cannot tell you  
16 that we know of any particular court or  
17 government decisions that have been published  
18 that have issued that announcement. However, our  
19 members are finding it's very difficult to find  
20 out anything about the court decisions unless you  
21 are involved in them.

22 This creates a lot of issues for us.

1 First, our members want to be able to track  
2 what's going on, so that they can better decide  
3 whether or not to participate in the Chinese  
4 economy, based on the products they have and  
5 whether or not those products would infringe.

6 Also, they want, of course, to better  
7 understand the Chinese legal system and how it is  
8 addressing IP issues, and they want to learn from  
9 the cases.

10 From a policy perspective, it makes it  
11 very difficult, for example, with respect to  
12 anti-suit injunctions. That's an issue that has  
13 been very concerning to our members, but because  
14 of the lack of published judicial decisions, it  
15 is unclear at this point what the state of the  
16 anti-suit injunctions are in China.

17 CHAIR LEE: Thank you.

18 The next question is from ITA,  
19 International Trade Administration.

20 MS. POMPER: On Vietnam, your  
21 submission recommends that USTR elevate Vietnam  
22 to Priority Watch List. Have there been any

1 developments in Vietnam's implementation of IP  
2 code amendments or issuance of new measures that  
3 impact your recommendation?

4 MR. VALENTE: I am unaware of that  
5 recommendation by IPO. I can say our  
6 organization's primary concern with Vietnam has  
7 been in the trademark area, where there's been a  
8 significant backlog.

9 CHAIR LEE: Okay. Thank you.

10 The next question is from the Patent  
11 and Trademark Office.

12 MS. CRITHARIS: Thank you for your  
13 testimony.

14 For Brazil, your submission identifies  
15 patent and trademark application backlogs as a  
16 concern, but, then, you recognize that trademarks  
17 are being granted in six months on average and  
18 the patents backlog has decreased, with a goal to  
19 reach an average of two years from application to  
20 grant. Does IPO still consider the patent and  
21 trademark application backlog a serious concern  
22 in Brazil that should be considered for including

1 in the Special 301 Report?

2 MR. VALENTE: Thank you for the  
3 question.

4 IPO is very, very happy to see the  
5 reduction in the backlogs in Brazil. This is  
6 something that has been a real issue, as you  
7 know. We do believe that there's still more work  
8 to be done, particularly on the patent side. So,  
9 I believe on the patent side there's a seven-year  
10 backlog currently. And so, we would love to see  
11 that backlog be further reduced.

12 You know, in addition, we believe that  
13 there should be patent term adjustment. Since  
14 the decision in Brazil that eliminated the full  
15 paragraph of Article 40, which had an extension  
16 of a minimum of 10 years from the granting date,  
17 there's a significant issue there for members  
18 because of the continuing backlog. But we do  
19 applaud their efforts and we hope that they  
20 continue, but we think we should stay on it.

21 MS. CRITHARIS: Thank you.

22 CHAIR LEE: Okay. Thank you for your

1 testimony.

2 MR. VALENTE: Thank you.

3 CHAIR LEE: Next, we have Knowledge  
4 Ecology International, please.

5 Hello. Please state your name, title,  
6 and organization for the record, and then, please  
7 start your testimony.

8 MS. CASSEDY: Hi. I'm Claire Cassedy.  
9 I'm a Senior Researcher with Knowledge Ecology  
10 International.

11 The USTR approached the use of  
12 exceptions to exclusive rights and patents data,  
13 biological resources, and other knowledge should  
14 be consistent with paragraph 4 of the WTO Doha  
15 Declaration on TRIPS and public health.

16 In 2001, the WTO adopted the Doha  
17 Declaration which stated the TRIPS Agreement,  
18 quote, "can and should be interpreted and  
19 implemented in a manner supportive of WTO  
20 members' rights to protect public health and, in  
21 particular, to promote access to medicines for  
22 all." End quote.

1           The Declaration also reaffirmed the,  
2 quote, "right of WTO members to use, to the full,  
3 the provisions in the TRIPS Agreement, which  
4 provide flexibility for this purpose."

5           In reviewing public comments submitted  
6 to the 2024 Special 301 review, many industry  
7 organizations cite grievances concerning  
8 countries' use or even consideration of  
9 compulsory licenses. One commenter phrased it as  
10 "under the guise of TRIPS flexibilities that  
11 countries are seeking compulsory licenses," when,  
12 instead, it should read, "under the rights  
13 legally afforded them by the TRIPS Agreement and  
14 Doha Declaration."

15           Several commenters noted that the  
16 recent Special 301 Reports have softened the tone  
17 used in discussing compulsory licensing,  
18 acknowledging countries' freedom to use the TRIPS  
19 flexibilities in order to respond to the COVID-19  
20 pandemic.

21           KEI welcomes this development and  
22 encourages the USTR to reaffirm countries' rights

1 to seek compulsory licenses in accordance with  
2 TRIPS.

3 In drafting the Special 301 Report,  
4 the U.S. should address the threats to two  
5 important copyright exceptions as well: the  
6 quotation right and the news of the day  
7 exception, both mandatory exceptions in the Berne  
8 Convention.

9 Rights or fees attached to quotations  
10 or news of the day create harmful and,  
11 potentially, dangerous limits on access to  
12 knowledge. USTR should oppose the global adoption  
13 of ancillary copyright regimes and other laws  
14 that place liabilities on links to news stories.

15 The U.S. should also defend the right  
16 for other countries to draft and include fair use  
17 provisions, such as stated in U.S. copyright law,  
18 according to which uses of copyrighted works for  
19 purposes such as criticism, comment, news  
20 reporting, teaching, scholarship, or research is  
21 not an infringement of a copyright.

22 Trade-related aspects of funding



1 biomedical R&D should focus less on intellectual  
2 property norms and more on the direct and  
3 indirect funding of research by the public  
4 sector. The trade-related aspects of biomedical  
5 R&D include many topics, including the levels and  
6 character of public sector funding, the rights  
7 that governments acquire, and transparency of the  
8 value chain.

9 USTR needs to develop policy  
10 objectives for global public sector funding of  
11 biomedical R&D. By taking a more balanced  
12 approach in the trade-related aspects of  
13 biomedical R&D, it becomes more feasible to  
14 consider innovations and business models that are  
15 consistent with universal access, fiscal  
16 discipline, and innovation. Going forward, far  
17 more attention needs to be given to the trade-  
18 related aspects of funding biomedical R&D and not  
19 just the granting of patents on inventions.

20 Additionally, trade-related aspects of  
21 public goods continue to be a neglected area of  
22 trade policy. Climate change, refugee

1 assistance, pandemic preparedness and response,  
2 global poverty reduction, famine relief, policing  
3 poverty on the high seas, open sources biomedical  
4 research, locust control, and countless other  
5 global challenges are costly to address.

6 KEI has proposed a WTO agreement on  
7 the supply of public goods that is based upon a  
8 schedule that enables WTO members to voluntarily  
9 make binding commitments to provide or resource  
10 heterogeneous public goods.

11 Even without a new WTO Schedule for  
12 Public Goods, USTR can and should develop a  
13 policy on trade-related aspects of the supply of  
14 public goods.

15 In their comments, many industry-  
16 related organizations were critical of ongoing  
17 negotiations at the international level to  
18 address COVID-19 and prepare for future pandemics  
19 and advocated for the use of only voluntary  
20 licensing mechanisms.

21 It should be noted that the U.S.  
22 Government itself regularly includes in its

1 contracts language for authorization and consent  
2 to non-voluntary use of third-party patents.  
3 This authorization is done through 28 USC 1498  
4 and Federal Acquisition Regulation 52227-5.

5 This was done in dozens of COVID-19  
6 contracts and many more government contracts.  
7 KEI has gathered more than 350 examples of  
8 contracts with a FAR authorization and consent  
9 clause from agency web pages and SEC filings.

10 The eighth meeting of the WHO INB for  
11 the pandemic treaty is happening this week, and  
12 the USTR should support efforts to safeguard  
13 public health, including the obligation for a  
14 country to review and update, as necessary, its  
15 national legislation for flexibilities in  
16 intellectual property laws that are relevant to  
17 dealing with a pandemic. The pandemic agreement  
18 should include an obligation to use exceptions,  
19 when necessary to achieve the objectives of the  
20 treaty, particularly for flexibilities like  
21 compulsory licenses when they require decisions  
22 by government supports.

1 Thank you.

2 CHAIR LEE: Thank you.

3 The first question that we have for  
4 you comes from the Department of Health and Human  
5 Services.

6 MS. SNYDER: Thank you for your  
7 comments on global public sector funding of  
8 biomedical R&D.

9 You mentioned the need to develop  
10 policy objectives on this issue. What policy  
11 objectives do you have in mind and how would  
12 those objectives relate to the denial of adequate  
13 and effective protection of intellectual property  
14 rights or the denial of fair and equitable market  
15 access to U.S. persons that rely on intellectual  
16 property protection?

17 MS. CASSEDY: I can definitely come  
18 back -- thank you for the question -- I can  
19 definitely come back with further response in  
20 written comments.

21 But I would just say, for us, I think  
22 it's also about, basically, looking at how we

1       incentivize governments to behave in a way that  
2       we would like through looking at the biomedical  
3       funding side of things, rather than just looking  
4       at IP policy. So, like, how do we get countries  
5       to grant more rights or share more and kind of  
6       share the burden of funding biomedical R&D, as  
7       well as sharing benefits?

8                   CHAIR LEE: Thank you.

9                   The next question is from the  
10          Copyright Office.

11                  MS. LANZA: Thank you for your  
12          submission and your testimony today, taking note  
13          of the news of the day and quotation exceptions,  
14          the copyright protection from the Berne  
15          Convention.

16                  And you asked us to defend these  
17          exceptions against certain actions by our trading  
18          partners to create taxes, fees, or ancillary  
19          rights associated with these exceptions.

20                  Can you please put this part of your  
21          submission in the context of the Special 301  
22          Report, including by identifying intellectual

1 property rights at issue; who owns those rights,  
2 and how the actions by our trading partners are  
3 denying adequate and effective protection of  
4 those IP rights, or are denying fair and  
5 equitable market access to U.S. persons that rely  
6 on IP protection?

7 MS. CASSEDY: Thank you for the  
8 question.

9 I am not the copyright expert in my  
10 office. However, we definitely see the issue of  
11 countries wanting to incentivize supporting  
12 journalism, and things like that, through  
13 suggesting taxes, but we think there can be  
14 better ways to support journalism than through  
15 these means.

16 CHAIR LEE: Okay. Thank you.

17 Our final question is from USTR.

18 MS. AVERY-PAGE: Thank you.

19 In your submission, you say that  
20 copyright-holders of information in the legal and  
21 medical fields should not be able to opt out of  
22 allowing their copyrighted materials to be used

1 to train commercial artificial intelligence  
2 models.

3 If a country allows all copyright-  
4 holders to opt their works out of training  
5 commercial AI models, do you recommend that USTR  
6 list that country in the Special 301 Report? If  
7 so, what would be the basis for listing that  
8 country?

9 MS. CASSEDY: I will consult with my  
10 colleagues and I'll fully answer back to you.

11 MS. AVERY-PAGE: Thank you.

12 CHAIR LEE: Great. Thank you so much  
13 for your testimony.

14 And again, since we're in the new  
15 afternoon session with a lot of different people,  
16 just a reminder -- and I'll say this at the end  
17 again -- that the docket will reopen, The Federal  
18 Register docket will reopen after this hearing  
19 for post-hearing submissions.

20 So, next up, we have Public Citizen.

21 Okay. Please state your name, title,  
22 and organization, and then, please begin your

1 testimony.

2 MR. MAYBARDUK: Peter Maybarduk. I'm  
3 the Access to Medicines Director of Public  
4 Citizen.

5 We're a consumer advocacy organization  
6 with more than 500,000 members and supporters and  
7 a 50-year history of protecting the public's  
8 interest before federal agencies, Congress, and  
9 the courts.

10 So, we believe Special 301 is in need  
11 of continued reform to protect access to  
12 medicines.

13 My testimony is rooted in years  
14 providing technical assistance on the ground,  
15 working with developing country governments to  
16 overcome price and supply barriers to access to  
17 medicine -- HIV/AIDS, cancer.

18 It's also rooted in our efforts to  
19 support a robust global response to the COVID  
20 emergency, which was marred by vast inequity in  
21 access to medical tools, at the expense of  
22 millions of lives.



1           Among other challenges, despite rapid  
2 publicly-funded research and development for  
3 medical tools, pharmaceutical companies  
4 overwhelmingly prioritized high-income country  
5 markets.

6           Like many access-to-medicines  
7 advocates, I have witnessed developing country  
8 health agencies and political authorities weigh  
9 health needs against the criticism and  
10 consequences they expect from Washington and  
11 Brussels on behalf of patent-based prescription  
12 drug corporations. I have seen new health  
13 efforts blocked for these fears.

14           Now, historically, Special 301 has  
15 undergirded this negative pressure, giving the  
16 opponents of an access-to-medicine policy or  
17 opponents of particular governments the means and  
18 the substance to threaten support. And so, we've  
19 appeared before you many times to express our  
20 concerns.

21           I'm glad to be able to say today that  
22 we have seen improvements under this

1 Administration. You've stopped including  
2 objections related to compulsory licensing.  
3 You've acknowledged countries' rights to the full  
4 range of flexibilities under the TRIPS Agreement.  
5 You've acknowledged exceptions to data  
6 exclusivity to protect public health. This is  
7 welcome progress -- progress that can support  
8 health.

9 To take just the example of compulsory  
10 licensing, my own experience, Ecuador combined  
11 licensing with drug price negotiation to save  
12 nearly half a point of GDP in a single year.

13 Colombia used leverage from a  
14 compulsory licensing process to lower AIDS drug  
15 prices 90 percent; in Peru, it was 30 percent.  
16 Both countries reintroduced parallel importation  
17 and number of other cost-saving tools as a  
18 result.

19 Today, Colombia is considering a  
20 compulsory license for a first-line AIDS  
21 treatment and wants to buy generic dolutegravir  
22 from the Pan American Health Organization and

1 save more than 80 percent off the list price, and  
2 be able to attend to the Venezuelan migrant  
3 crisis. There's a medicines patent license on  
4 this drug; a voluntary license, to IPO's point.  
5 But Colombia and most upper/middle-income  
6 countries were excluded from the licenses, and  
7 so, aren't able to benefit from the benefits of  
8 that voluntary process, unless they pursue a  
9 compulsory measure.

10 Now, domestically, the Biden  
11 Administration has taken increasingly assertive  
12 steps to rein-in drug prices as well through the  
13 Inflation Reduction Act, limiting prices Medicare  
14 will pay for patented drugs. The Federal Trade  
15 Commission is using competition law to go after  
16 high drug prices. Reasonable pricing conditions  
17 over at ASPR and BARDA. And importantly,  
18 President Biden recently announced a framework  
19 for "march-in rights," which is compulsory  
20 licensing for publicly-funded medicines.

21 Again to IPO's point, there are  
22 countries experimenting with compulsory

1       licensing. We are one of them. The White House  
2       says its policy will put drug companies on notice  
3       if products developed using federal funds are not  
4       made available to the public on reasonable terms,  
5       including based on price. The proposal would  
6       promote the federal government's ability to  
7       license a patent such as those used to create  
8       lifesaving drugs to a competitor -- with the goal  
9       of increasing competition, bringing down costs  
10      for families. That's U.S. policy; it's changed.

11               And so, Special 301 should continue to  
12      change with it. Recent reports still include a  
13      swathe of criticisms that harm access to  
14      medicines, applying standards required neither by  
15      WTO nor U.S. agreements with other countries.

16               For example, the most recent report  
17      lists 11 countries for data protection issues;  
18      seven countries for patent linkage issues; four  
19      for patentability -- all of which delay price-  
20      cutting generic competition beyond the rules;  
21      rules, by the way, that industry played a  
22      dominant role writing in the first place.

1           Special 301 in recent years also seems  
2 to be giving increasing focus to areas such as  
3 injunctions, trade secrets, competition law, tech  
4 transfer. We don't object to all this, to the  
5 extent it focuses on rule of law. There are  
6 legitimate interests in each of these points.

7           However, when abused, we have to be a  
8 little bit careful about how far we go in these  
9 areas, because injunctions too liberally granted  
10 can be used to delay generic competition. Trade  
11 secrets have been used to block pricing and  
12 medicine safety data, including in Europe.  
13 Competition law, the FTC is using it. And  
14 technology transfer can encourage local  
15 production, which is sort of a global consensus  
16 ever since the COVID emergency, that we need to  
17 encourage.

18           Now, finally, it's a core principle  
19 that we should be distinguishing between  
20 trademark counterfeiting and copyright piracy, a  
21 question of rule of law or enforcement of law  
22 with the substance of law. Right? It's

1 appropriate to go after counterfeiting and  
2 piracy. It's not appropriate, in our view, to  
3 criticize developing countries for their WTO-  
4 compliant health policy.

5 We thank you for the progress. We  
6 think you can go just a little bit further, and  
7 must go further, given current U.S. policy  
8 commitments.

9 We appreciate your work and time.

10 CHAIR LEE: Thank you.

11 The first question we have today comes  
12 from USTR.

13 MS. AVERY-PAGE: Thank you.

14 So, your submission states that the  
15 Special 301 Report, quote, "should not criticize  
16 countries for a lack of transparency or due  
17 process, unless such criticism clearly  
18 articulates the alleged violation of a TRIPS  
19 standard." End quote.

20 What transparency and due process  
21 standards from the TRIPS Agreement should the  
22 USTR consider when assessing other countries'

1 processes? And is there any value in considering  
2 best practices from U.S. Government processes as  
3 well?

4 MR. MAYBARDUK: I'm going to have to  
5 think upon that for a bit.

6 As I recall, our specific concern  
7 there is related to the listing of some countries  
8 for their pharmaceutical reimbursement policies  
9 over time, without a specific allegation that it  
10 was discriminatory in nature against U.S.  
11 countries or linking back to the TRIPS Agreement.  
12 So, I think that's the particular concern.

13 Regarding TRIPS Articles, I'll have to  
14 come back, but I think, you know, sort of the  
15 value that's at stake is, if we're complaining  
16 about transparency and due process, then we  
17 really need to put countries and the public on  
18 notice exactly what the concern is, so that there  
19 can be a reply. A concern about transparency  
20 needs to be fully transparent in itself.

21 Thanks.

22 CHAIR LEE: Thanks.

1                   The next question is from the State  
2 Department.

3                   MR. HAMILTON: Good afternoon.

4                   My office at the State Department, the  
5 Office of Intellectual Property Enforcement, is  
6 charged with compiling and coordinating the TRIPS  
7 Article 66:2 Report annually.

8                   And so, in your submission, you  
9 mentioned a lack of implementation of TRIPS  
10 Article 66:2 and a lack of clarity on how  
11 developed country members should provide  
12 incentives to enterprises and institutions in  
13 their territories for the purpose of promoting  
14 and encouraging technology transfers to lesser-  
15 developed or least-developed country members.

16                   What changes do you recommend that the  
17 United States make its TRIPS Article 66:2  
18 programs or reporting? Do you have any  
19 suggestions as to how WTO members can improve or  
20 add clarity around how TRIPS Article 66:2 is  
21 implemented?

22                   MR. MAYBARDUK: Toward technology



1 transfer, specifically? So, I think another  
2 value that's come out of the COVID emergency is  
3 that local production and technology transfers  
4 are, essentially, global consensus points, and we  
5 need those tools in order to ramp up local  
6 production and avoid another situation of extreme  
7 inequity.

8           The United States has tools under law,  
9 such as the Defense Production Act, that can  
10 facilitate that. But there are many voluntary  
11 efforts, and we would think that putting those on  
12 record in the report; putting those on record at  
13 the TRIPS Council, and elsewhere, helps compile a  
14 global record of practices that everyone can  
15 agree are helpful.

16           The United States Government has been  
17 supportive of the mRNA technology transfer  
18 program, backed by the World Health Organization,  
19 with producers of mRNA vaccines in 15 countries.  
20 We welcome that. We think it's very positive.  
21 It's been undertaken without any compulsory  
22 measures whatsoever, but, rather, it's an

1 exchange of knowledge among scientists and  
2 practitioners. And we love to see that  
3 documented and encouraged through the many tools  
4 that the U.S. Government has, which includes  
5 technical assistance, among others.

6 I hope that's helpful, but I'm happy  
7 to come back to each question in writing as well.

8 CHAIR LEE: Thank you very much.

9 The next question is from the Patent  
10 and Trademark Office.

11 MS. CRITHARIS: Thank you.

12 In your submission, you make several  
13 arguments as to why this Special 301 Report  
14 should not identify country policies or practices  
15 that are compliant with the TRIPS Agreement.  
16 Congress has told USTR that a country, quote,  
17 "may be determined to deny adequate and effective  
18 protection of intellectual property rights,  
19 notwithstanding the fact that the foreign country  
20 may be in compliance with the specific  
21 obligations of the TRIPS Agreement." End quote.  
22 In 19 USC Section 2242.

1                   How do your arguments align with this  
2                   statement?

3                   MR. MAYBARDUK: Well, from what I  
4                   gather from what you just read -- and I'd have to  
5                   go back and look at the provision -- it doesn't  
6                   necessarily -- what would be the standard for  
7                   requiring a criticism under that framework? It  
8                   doesn't seem to compel USTR or other agencies to  
9                   describe inadequate protection.

10                   And as we're describing, a number of  
11                   the policies that are at issue are increasingly  
12                   favored in the United States. So, I'm sort of  
13                   unsure what the criteria would be, then, in order  
14                   to list a country.

15                   And please feel free to follow up.  
16                   Okay?

17                   CHAIR LEE: Yes. We're out of time  
18                   for questions, but maybe if you want to take  
19                   another look at 19 USC 2242, and then, if you  
20                   want to address anything further in your post-  
21                   hearing submissions, that would be great.

22                   MR. MAYBARDUK: Happy to do so.

1 CHAIR LEE: Thank you very much.

2 Next up is the Trademark Working  
3 Group.

4 MR. KILMER: Good afternoon.

5 I am Paul Kilmer. I am the leader of  
6 the Trademark Working Group. We appreciate the  
7 opportunity to address you this afternoon.

8 This year, the Trademark Working  
9 Group's participants highlighted four priorities.

10 And the first is the absence of  
11 default judgments in contentious proceedings. In  
12 China, the lack of default judgments in  
13 opposition and in validation proceedings  
14 continues to be a big money- and time-waster for  
15 U.S. companies. They are forced to submit  
16 evidence and arguments in proceedings that are  
17 not defended.

18 I, personally, in my private practice,  
19 have had dozens of cases in the last year that  
20 were not defended, specifically, in China, where  
21 my clients ended up spending thousands of dollars  
22 producing evidence and arguments, where the other

1 party didn't bother to appear, and in some cases,  
2 couldn't even be served because their address was  
3 either fake or had changed, and they hadn't  
4 updated it in the CTMO's records.

5 Other jurisdictions that do not enter  
6 judgment by default include the EUIPO and a  
7 number of its member nations, as well as Brazil,  
8 Chile, Indonesia, Japan, Saudi Arabia, South  
9 Korea, and Switzerland.

10 As to what might constitute a default,  
11 we suggest that, at a minimum, applicants and  
12 registrants be required to submit a form or a  
13 letter indicating that they wish to maintain  
14 their application or registration, even if no  
15 formal defense, like our answer, is required.

16 The second issue. The absence of ex  
17 parte relative grounds refusals. The EU and many  
18 of its member nations, as well as the United  
19 Kingdom, lack relative grounds refusals based on  
20 likelihood of confusion. This costs American  
21 trademark owners millions of dollars every year  
22 in what would otherwise be needless opposition

1 proceedings.

2 I have had a dozen cases myself in the  
3 last year where we represented a client against  
4 an applicant in the EUIPO, and the marks were  
5 identical and the services were identical. And  
6 yet, of course, because there were no relative  
7 grounds refusals, the mark got through. My  
8 clients spent thousands of dollars in each  
9 proceeding. In fact, two-thirds of them were not  
10 defended.

11 So, it's another instance in which  
12 just a simple procedure like a search of the  
13 trademark office records and an examiner's citing  
14 conflicting marks would have prevented that loss  
15 of time and money.

16 There are some other jurisdictions  
17 outside the EU that also lack ex parte relative  
18 grounds refusals, such as Mozambique, OAPI, and  
19 Switzerland.

20 The third issue. The inability to  
21 collect statutory or enhanced damages for  
22 counterfeiting and bad-faith infringement. Where

1 actual damages or the infringer's profits cannot  
2 be reasonably demonstrated, statutory and  
3 enhanced damages are the only way in which  
4 trademark owners can recover their losses.

5 Nations that do not have statutory or  
6 enhanced damages for counterfeiting or blatant  
7 infringement include Brazil, Egypt, Germany,  
8 Japan, Kenya, Kuwait, Nigeria, Pakistan, South  
9 Africa, and Turkey -- in other words, developed  
10 and developing nations.

11 The fourth issue highlighted by our  
12 participants is certification marks.  
13 Certification marks are still not protectable in  
14 dozens of jurisdictions from Algeria to Yemen,  
15 including Argentina, Indonesia, Italy, and  
16 Kuwait. Certification marks are fundamental to  
17 ensure safe and effective goods and services.

18 There are also a wide range of often  
19 conflicting approval processes in place for  
20 certification marks, unduly burdening certifying  
21 entities. Harmonization of certification mark  
22 practice would ensure that goods and services, no

1 matter where they are provided, comply with  
2 uniform standards. It may, therefore, be time to  
3 consider a multilateral certification mark  
4 treaty.

5 There are quite a number of issues, in  
6 addition to these, cited in our Global Trademark  
7 Report Card. And I hope you will take the time  
8 to review it.

9 Thank you.

10 CHAIR LEE: Thank you.

11 Our first question for you comes from  
12 USTR.

13 MS. AVERY-PAGE: Thank you.

14 So, which countries would you identify  
15 as your top three countries of concern and why?

16 MR. KILMER: Okay. I think, as  
17 always, China -- one, two, and three. No, not  
18 true. China is mentioned as to improvements in  
19 certain areas. I don't think there's any  
20 question about that.

21 I think even with CTMOs becoming  
22 somewhat more sophisticated in their review of



1 opposition proceedings, which is certainly very  
2 welcome, we're also starting to see some  
3 improvements in their adjudication of non-use  
4 cancellation proceedings. It used to be, if the  
5 registrant presented any evidence that they had  
6 ever used their mark, even if it was obviously  
7 false, the CTMO would accept it and sustain the  
8 registration. So, we are seeing improvements  
9 there.

10 But, that having been said, the lack  
11 of default judgments, as I indicated, is a big  
12 one for China. We really would like to see them  
13 come around to the idea that having default  
14 judgments is not just good for foreign companies,  
15 but these days it's also good for Chinese  
16 companies.

17 I have had instances where both my  
18 client's trademark and a Chinese company's  
19 trademark were both infringed by the same  
20 applicant or registrant, or even in a commercial  
21 setting, where we ended up in the IP Court. And,  
22 you know, the Chinese company was equally

1 adversely affected by the absence of a default  
2 judgment. So, I think that is certainly a big  
3 one.

4 In terms of the European Union,  
5 relative grounds refusals, we would love to see  
6 them do that. And the irony is that the EUIPO  
7 conducts a search and they provide the search  
8 results, but they don't cite marks against one  
9 another. It is a situation that could easily  
10 evolve into relative grounds refusals.

11 They, obviously, have the tools to do  
12 the searches. They're, obviously, capable of  
13 producing the results to the parties. The next  
14 step is simply refusing registrations to  
15 identical marks for identical goods or services,  
16 and that step seems fairly easy.

17 And the UK is now, unfortunately, in  
18 the same position. The odd thing is, both the UK  
19 and the EUIPO used to have relative grounds  
20 refusals and in the early 2000s gave them up. It  
21 was just too hard, "and we can't cite national  
22 registrations," and there are a multitude of

1       excuses, but I write them down, unfortunately,  
2       simply to excuses.

3                   I think the third area is, certainly,  
4       the statutory damage area. As I indicated, you  
5       know, we have a counterfeiting situation right  
6       now in the Dominican Republic, for example, where  
7       there are no statutory or enhanced damages  
8       available. Thousands of my client's products  
9       were counterfeited. They're sitting in a  
10      warehouse awaiting destruction, and they will be  
11      destroyed. And, in fact, the government can  
12      impose a fine, but my client can't get a monetary  
13      recovery. And this is something that happens all  
14      the time in many, many countries.

15                   Sorry, I may have gone too long on it.

16                   CHAIR LEE: No. I'm just wondering,  
17      I think we asked for the top three countries of  
18      concern. And I think, the third, you gave  
19      statutory damages. Do you have a particular  
20      country in mind? Or is the Dominican Republic  
21      your third --

22                   MR. KILMER: The Dominican Republic is

1 just for the example. I think probably the best  
2 one is -- where we experience all the  
3 counterfeiting, of course, is Brazil. So, Brazil  
4 probably would be the top one; Dominican just  
5 being a readily available example.

6 CHAIR LEE: Thanks.

7 The next question comes from Treasury.

8 MR. CHANG: Hi. Your submission notes  
9 recent amendments to the laws in Mexico and Chile  
10 to create requirements for maintenance of a  
11 trademark registration to substantiate use of a  
12 mark, and the offering of non-use cancellation  
13 proceedings to be lodged by third parties.

14 MR. KILMER: Uh-hum.

15 MR. CHANG: Can you see these as  
16 positive developments? And where would adoption  
17 of similar procedures and requirements be  
18 impactful in Latin America?

19 MR. KILMER: Okay. In terms of the  
20 opposition proceedings, yes, obviously, in  
21 Mexico, having an opposition proceeding is a  
22 valuable tool. Unfortunately, the Mexican

1 process is a bit more like our Letter of Protest  
2 proceeding rather than a real opposition.

3 A client can oppose an application.  
4 The documents are forwarded to an examining  
5 attorney and they're treated as part of the  
6 examination process. It's not a real inter  
7 partes proceeding. So, I would love to see that.

8 I'm expired.

9 (Laughter.)

10 CHAIR LEE: But you can always submit  
11 further comments in the post-hearing docket.

12 MR. KILMER: Happy to do so. Thank you.

13 CHAIR LEE: Thank you.

14 I think we are to our final witness.  
15 So, it's the United States Chamber of Commerce.

16 Good afternoon.

17 Please state your name, title, and  
18 organization for the record, and then, please  
19 start with your testimony.

20 MR. KILBRIDE: Good afternoon.

21 I'm Patrick Kilbride. I'm the U.S.  
22 Chamber's Senior Vice President for the Global

1 Innovation Policy Center, GIPC.

2 I'd like to leave you with four  
3 points, just in summation of our submission.

4 First, in terms of the broader global  
5 environment for IP, especially at the MLOs, the  
6 multilateral institutions, we're very concerned  
7 about an eroding respect for IP captured in a  
8 narrative that poses intellectual property as a  
9 barrier to access, a barrier to global production  
10 of innovative and creative solutions. We think  
11 that's, actually, in stark contrast to the  
12 reality, which is intellectual property enabling  
13 investment in those long-term, high-risk,  
14 capital-intensive areas of activity.

15 We would note that authorities are  
16 built into national laws and multilateral  
17 commitments on IP that enable a nimble response  
18 to crisis situations. Such authority should be  
19 the last resort, the exception that makes the  
20 rule.

21 Instead, what we see through the  
22 proliferation of proposals for IP waivers, forced

1 technology transfer measures, that this quickly  
2 becomes the rule; that IP becomes discretionary,  
3 which, essentially, erodes the basis for  
4 investment, certainly, by the private sector. We  
5 see this spilling over into critical and emerging  
6 technologies that are absolutely critical to U.S.  
7 national interests.

8           What's more, it's cloaked in the guise  
9 of a development agenda, when, in fact, it is  
10 these proposals would prevent developing  
11 countries from participating effectively in the  
12 innovation ecosystem that delivers solutions. In  
13 other words, they're forced to wait on the  
14 sidelines.

15           Unfortunately, U.S. support for the IP  
16 waiver lent credence to this narrative. And  
17 while, in May 2021, a reasonable person could  
18 have said, as part of an "all of the above," no  
19 stone left unturned strategy, that this makes  
20 sense. By June 2022, that was clearly not the  
21 case. There was no evidence of IP as a barrier.  
22 In fact, we saw IP solutions delivered to the

1 world.

2 Further entrenching this problem,  
3 we've seen the European Union undertake a series  
4 of legislative measures, including their general  
5 pharmaceutical legislation, the patent package  
6 that further weakens the basis for investment and  
7 innovation. And frankly, we've seen similar  
8 legislative proposals and administrative  
9 proposals here in the United States.

10 The result is uncertainty for our  
11 diplomats working on the frontlines overseas.  
12 They're trying to read the tea leaves in  
13 Washington. They lack a clear mandate. And so,  
14 we've seen a lessened ability to intervene  
15 effectively in foreign markets when there are  
16 critical IP challenges for U.S. industries.

17 Among those -- it was already  
18 mentioned -- the Colombian compulsory precedent,  
19 which I guarantee U.S. patients end up making up  
20 the difference.

21 We've seen in Brazil, unfortunately,  
22 some backsliding on what was a real improvement



1 in the patent backlog with no longer a minimum  
2 guaranteed term of patent, even when those are  
3 granted.

4 In South Africa, we've seen the  
5 government continue to pursue copyright reform  
6 that would broadly expand exceptions and  
7 limitations, and really eviscerate the ability to  
8 protect copyrights there.

9 And in Russia, we note that online  
10 book and journal piracy websites like Sci-Hub  
11 jumped from domain to domain and are able to  
12 evade any type of enforcement.

13 All of this really calls for stronger  
14 U.S. enforcement of trade agreements. That  
15 begins right here at home with the USMCA. With  
16 transition periods approaching in 2025, we would  
17 note that Mexico has yet to implement key  
18 provisions of that agreement, including on  
19 patentability and patent term restoration, and  
20 especially maybe the pending implementation of  
21 copyright provisions that are currently under  
22 constitutional review, and without which that

1 agreement has little value at all for America's  
2 creative industries.

3 Strong U.S. leadership to address all  
4 of these concerns is indispensable to our  
5 economic growth and our national security. We're  
6 living in a world that may soon be reshaped by  
7 artificial intelligence, and we know that  
8 intellectual property will play a key role in  
9 ensuring trustworthy and responsible AI.

10 So, for all of these reasons, we urge  
11 the United States to reassert U.S. global  
12 leadership on IP at the multilateral level;  
13 correct this narrative that has gone off the  
14 rails; empower U.S. diplomats to address country-  
15 specific challenges, and actively enforce the IP  
16 provisions in U.S. trade agreements.

17 All of this begins with an affirmation  
18 of U.S. support for IP at the Ministerial  
19 Conference for WTO.

20 Thank you.

21 CHAIR LEE: Thank you.

22 The first question we have for you

1 comes from the Copyright Office.

2 MS. LANZA: Thank you for your  
3 testimony today.

4 Does the Chamber expect that the  
5 expected adoption of implementing regulations for  
6 the copyright law revisions in China will provide  
7 an opportunity to address the concerns about the  
8 lack of recognition for live sports events  
9 broadcast as copyrightable audiovisual work?

10 MR. KILBRIDE: You know, I would have  
11 to tell you we'll believe it when we see it.  
12 We're still looking at the phase one agreements  
13 and waiting to see implementation for those. So,  
14 you know, while we're hopeful -- and I would  
15 comment that what we have seen over the years,  
16 and we've measured this in the Chamber's IP  
17 index, is that China has made steady progress in  
18 folding sort of the technical administrative  
19 capabilities to have an effective IP system, but  
20 that the thumb remains on the scale, and maybe  
21 particularly in that space.

22 CHAIR LEE: Thank you.

1                   The next question is from the Patent  
2 and Trademark Office.

3                   MS. CRITHARIS: Thank you for your  
4 testimony.

5                   Your submission states that the 2022  
6 ministerial decision on the TRIPS Agreement,  
7 which is sometimes referred to as a TRIPS waiver,  
8 quote, "gives away America's technology to create  
9 innovative vaccine to its economic competitors."  
10 End quote.

11                   Yet, other submissions state that no  
12 country has used the TRIPS waiver. What evidence  
13 do you have to support your statement that the  
14 TRIPS waiver gives away America's technology to  
15 its economic competitors?

16                   MR. KILBRIDE: Thank you for the  
17 question.

18                   Our view is that just by enacting the  
19 waiver, the so-called waiver, the reduction of  
20 commitments in TRIPS Agreement, that we have  
21 effectively conceded critical ground in what's  
22 really an existential debate about the role of

1 intellectual property rights; and that that  
2 position is contrary to longstanding, bipartisan  
3 U.S. advocacy at the global level.

4 So, when you create additional  
5 uncertainty in the system, investments that take  
6 many years to materialize are much less likely to  
7 take place. That investment is going to go  
8 elsewhere when we're reducing the strength of IP  
9 here.

10 CHAIR LEE: Thank you.

11 The next question is, oh, from USTR.

12 MS. AVERY-PAGE: Thank you.

13 Your submission recommends that India  
14 modify its strict registration requirements for  
15 licensing and technology transfer. Could you  
16 please describe the registration requirements you  
17 feel should be adjusted?

18 Thank you.

19 MR. KILBRIDE: And thank you for the  
20 question.

21 One of the indicators that we measure  
22 in the U.S. Chamber International IP Index is

1 government intervention in licensing and  
2 technology transfer. So, it's a graded scale  
3 where we look at, is there a requirement to  
4 register? Is the requirement to register  
5 specific? You know, what may be proprietary  
6 details of a contract? Is there government  
7 intervention in price-setting relative to that  
8 contract? And each of these are considered, you  
9 know, a demerit, in effect. So, the score in  
10 that indicator goes down proportionately.

11 And the principle here is that freedom  
12 of licensing is critical to a seamless technology  
13 transfer environment, and government intervention  
14 actually gets in the way -- I think a point that  
15 really applies more broadly to the innovation  
16 ecosystem and to all of these proposals for  
17 forced technology transfer.

18 CHAIR LEE: Thank you.

19 Next, we have a question from the  
20 Justice Department.

21 MR. MERRIAM: Thanks so much for your  
22 testimony today.

1           In the discussion of Brazil, the  
2 Chamber mentioned Anatel's recent campaign to  
3 combat illegal set-top boxes and the piracy  
4 ecosystem there, but that was a positive  
5 development in the comments.

6           How long is that campaign intended to  
7 last? Do you see it as a positive development?  
8 And is there a model that could be used in other  
9 places?

10           MR. KILBRIDE: Yes, thank you for the  
11 question.

12           I think no country is monolithic. And  
13 I noted a moment ago some criticisms of events in  
14 Brazil. By the same token, we have seen an  
15 investment in copyright enforcement, in  
16 particular, that we think is valuable.

17           And I should note, in fairness, Brazil  
18 was, with Nigeria and Saudi Arabia, one of the  
19 three biggest gainers on the Chamber's index for  
20 the edition that will be released tomorrow.

21           So, yes, we do see that as a positive  
22 development. We would have to get back to you on

1 whether or not it's a template, but appreciate  
2 what's happening there.

3 MR. MERRIAM: Thank you.

4 CHAIR LEE: All right. Thank you for  
5 your testimony.

6 MR. KILBRIDE: Thank you.

7 CHAIR LEE: So, that closes out the  
8 testimony for today.

9 I'll try to be very brief in terms of  
10 some closing remarks.

11 So, on behalf of the Special 301  
12 Subcommittee, thank you to all the participants  
13 for taking time out of your day to have this  
14 exchange with us.

15 We appreciate the comprehensive  
16 research, the thought, the problem-solving  
17 efforts that went into your written submissions  
18 and oral testimony.

19 In terms of post-hearing comments, the  
20 Special 301 docket will reopen this afternoon and  
21 will remain open until 11:59 p.m. Eastern  
22 Standard Time on February 28th.



1 Post-hearing briefs by interested  
2 parties that testified today are optional. If  
3 you decide to do that, though, please follow the  
4 instructions on the agenda or in the original  
5 Federal Register notice, which is at  
6 regulations.gov with a Docket No. of  
7 USTR-2023-0014.

8 As noted earlier today, a transcript  
9 and video of today's hearing will be available at  
10 ustr.gov. We will do our best to get that posted  
11 within the next two weeks or so.

12 So, thank you, everyone, including my  
13 colleagues on the panel here and those who  
14 testified today, for your contributions and your  
15 time and attention.

16 And finally, a thanks to the personnel  
17 at USTR who took care of today's logistics and  
18 setup.

19 At this point, ladies and gentlemen,  
20 the 2024 Special 301 hearing is now adjourned.

21 (Whereupon, the above-entitled matter  
22 went off the record at 2:22 p.m.)

## A

- a-half** 5:20  
**a.m** 1:8 4:2 99:18  
**abilities** 61:13  
**ability** 35:2,18 39:12  
61:15 63:18 75:20  
98:4 124:6 144:14  
145:7  
**able** 14:20 15:5 16:11  
16:12 17:15,17 20:22  
43:14 47:4 61:14  
107:1 118:21 121:21  
123:2,7 145:11  
**above-entitled** 99:17  
153:21  
**abroad** 33:7 88:21  
102:19 103:11  
**absence** 25:6 132:10  
133:16 138:1  
**absolutely** 68:18 143:6  
**absurd** 71:19  
**abused** 125:7  
**abuses** 64:11  
**acceded** 25:9  
**accept** 71:17 137:7  
**accepting** 67:11 72:3  
**access** 4:18 10:15 32:6  
42:3 57:12 63:7 84:12  
85:15 90:2 91:3 93:19  
101:16 110:21 112:11  
113:15 116:15 118:5  
120:3,11,16,21  
124:13 142:9  
**access-to-medicine**  
121:16  
**access-to-medicines**  
121:6  
**accomplished** 104:14  
**account** 15:21 27:1  
46:7 47:6  
**accounting** 27:15  
**accreditation** 27:2,4,7  
**achieve** 16:3 57:14 61:5  
115:19  
**acknowledged** 122:3,5  
**acknowledging** 111:18  
**acquire** 54:20 113:7  
**acquiring** 25:7  
**Acquisition** 115:4  
**act** 2:9 3:6 10:4,9,11  
11:1 17:4,6,12,20  
18:9 31:15 32:1 55:3  
55:13 56:1 60:19  
90:19 123:13 129:9  
**ACT's** 39:2  
**acting** 43:4 66:15  
**action** 11:8 30:13 46:12  
84:4
- actions** 46:11,12,16  
55:12 65:1 76:13  
103:14 117:17 118:2  
**active** 22:15 26:1  
**actively** 78:13 146:15  
**activities** 15:20 17:19  
19:8 24:4,7,9 77:13  
85:12  
**activity** 19:21 81:20  
87:9,16 142:14  
**actors** 75:5  
**acts** 10:19 24:14  
**actual** 135:1  
**add** 128:20  
**addition** 11:2 24:18  
71:8 76:12 109:12  
136:6  
**additional** 9:7 13:11  
74:18 77:19 79:3  
91:22 95:1,6,9 96:2  
96:10 106:2 149:4  
**Additionally** 113:20  
**address** 9:12 54:7  
55:17 70:11 74:7  
88:19 93:15 102:17  
112:4 114:5,18  
131:20 132:7 133:2  
146:3,14 147:7  
**addressed** 54:6 97:4  
**addressing** 17:1 107:8  
**adequate** 4:16 10:13  
32:5 33:13 42:18,19  
91:1 101:14 116:12  
118:3 130:17  
**adhere** 57:22 92:10  
**adjourned** 153:20  
**adjourning** 99:15  
**adjudication** 79:17  
137:3  
**adjusted** 149:17  
**adjustment** 109:13  
**administration** 2:2,4  
7:5 11:5 37:6 38:7  
46:17 52:6,14 66:4  
67:16 76:9 85:22  
107:19 122:1 123:11  
**administrations** 65:8  
**administrative** 48:7  
103:8 144:8 147:18  
**adopt** 15:2 93:11 94:15  
**adopted** 24:15 64:13  
103:22 110:16  
**adoption** 112:12 140:16  
147:5  
**advance** 63:8 94:2,7  
**advances** 102:4  
**advancing** 90:13  
103:20
- advantage** 65:5 92:15  
**advantages** 61:14  
**advent** 56:19  
**adverse** 55:12  
**adversely** 56:1 138:1  
**Advisor** 1:15 8:4  
**advisors** 13:6  
**advisory** 18:17 24:9  
**advocacy** 32:10 65:21  
120:5 149:3  
**advocated** 114:19  
**advocates** 121:7  
**Affairs** 6:14,21 7:10 8:1  
101:8  
**affect** 9:14 50:22  
**affiliation** 22:7  
**affirmation** 146:17  
**afforded** 111:13  
**Africa** 91:20 135:9  
145:4  
**afternoon** 38:19 99:21  
100:5,8 119:15 128:3  
132:4,7 141:16,20  
152:20  
**agencies** 6:5 8:10,13  
8:17 37:7 72:1 76:14  
78:12 94:7 120:8  
121:8 131:8  
**agency** 115:9  
**agenda** 5:5 143:9 153:4  
**agent's** 75:20  
**agents** 77:10 83:19  
**aggression** 23:6 28:3  
29:2  
**aggressive** 64:6  
**ago** 47:19 63:2 151:13  
**Agorateka** 19:10  
**agree** 129:15  
**agreed** 103:2  
**agreeing** 66:2  
**agreement** 51:2 54:9  
55:8 58:12,17,20 59:4  
69:9,13 73:2,4 110:17  
111:3,13 114:6  
115:17 122:4 126:21  
127:11 130:15,21  
145:18 146:1 148:6  
148:20  
**agreements** 45:9 65:13  
66:12 124:15 145:14  
146:16 147:12  
**Agricultural** 8:4  
**agriculture** 1:15 8:5  
67:8  
**ahead** 12:14 22:4 43:16  
43:18  
**AI** 119:5 146:9  
**AIDS** 122:14,20
- aimed** 26:10 33:10  
**aims** 13:11  
**alarming** 76:15  
**Alexander** 1:18 6:17  
**Alexis** 1:15 8:3  
**Algeria** 82:8,13,17,18  
83:8,11 135:14  
**align** 131:1  
**aligned** 37:17  
**All-Star** 85:10  
**allegation** 47:15 127:9  
**alleged** 126:18  
**Alliance** 2:15 3:14 88:3  
88:5,13 89:14  
**Allison** 1:17 7:18  
**allotted** 11:13  
**allow** 76:20  
**allowed** 21:2 75:11  
**allowing** 118:22  
**allows** 119:3  
**alternative** 16:22  
**amended** 10:4,6 48:10  
**amending** 17:4  
**amendment** 50:2  
**amendments** 15:10  
16:3 18:7,13 49:3,8  
49:19,21 95:3 108:2  
140:9  
**America** 2:14 3:12  
73:11,19 89:15 98:22  
140:18  
**America's** 102:3 105:13  
146:1 148:8,14  
**American** 14:4,6 32:21  
33:19 64:6 67:2 74:3  
75:7 80:9 89:12 90:15  
105:2 122:22 133:20  
**amount** 20:11 103:19  
**analysis** 51:7 56:4  
**Anatel's** 151:2  
**ancillary** 54:12 57:2,5  
112:13 117:18  
**ANCINE's** 95:17  
**Anne** 2:4 7:22  
**announced** 123:18  
**announcement** 36:2  
106:18  
**annual** 4:10 5:5,6 8:11  
9:21 35:6 88:22 93:7  
**annually** 32:20 128:7  
**answer** 16:10,12 42:16  
119:10 133:15  
**anti-suit** 107:12,16  
**Anti-Unfair** 76:2  
**anybody** 69:11  
**anymore** 19:14  
**apologize** 49:18  
**app** 2:9 3:6 31:15 32:1

32:2,8,14 33:4 34:16  
35:3,12 39:4  
**apparent** 36:2  
**apparently** 36:6  
**appeals** 25:14 77:18  
**appear** 9:4 58:21 106:5  
133:1  
**appeared** 121:19  
**appears** 105:20  
**appease** 66:8  
**applaud** 66:3 67:16  
88:17 93:6 109:19  
**applicant** 134:4 137:20  
**applicants** 23:1,14 65:1  
65:5 133:11  
**application** 37:2,19  
50:6,21 51:2 108:15  
108:19,21 133:14  
141:3  
**applications** 15:19  
17:10 25:18 51:22  
75:11  
**applies** 150:15  
**apply** 50:13  
**applying** 37:12 50:19  
52:3 124:14  
**appreciate** 13:16 19:20  
36:14 37:8 38:16  
40:17 83:17 96:3 98:8  
126:9 132:6 152:1,15  
**appreciated** 28:21  
**appreciates** 80:3  
**approach** 65:8 77:1  
78:7 96:7 113:12  
**approached** 110:11  
**approaching** 145:16  
**appropriate** 47:21  
55:11 56:5 63:15  
102:18 126:1,2  
**approval** 135:19  
**approvals** 65:11  
**approved** 71:5 73:2  
**approximately** 5:19  
32:20  
**apps** 35:6,10  
**April** 9:10 23:7  
**Arabia** 82:20 133:8  
151:18  
**arbitrarily** 41:16  
**area** 42:10 108:7  
113:21 139:3,4  
**areas** 34:9 84:3 90:3  
125:2,9 136:19  
142:14  
**Argentina** 91:19 135:15  
**argument** 61:7  
**arguments** 130:13  
131:1 132:16,22

**array** 33:5  
**arrested** 47:1  
**article** 17:5,13 30:6  
50:1 52:20 102:21  
103:1 109:15 128:7  
128:10,17,20  
**articles** 52:12 127:13  
**articulates** 126:18  
**artificial** 25:2 119:1  
146:7  
**artificially** 33:11  
**Asian** 46:14  
**asked** 117:16 139:17  
**aspects** 112:22 113:4  
113:12,18,20 114:13  
**ASPR** 123:17  
**asserted** 81:6  
**assertive** 123:11  
**assessed** 47:9  
**assessing** 126:22  
**assessments** 46:6  
**assets** 28:7  
**assign** 67:11  
**assist** 11:5 36:15 44:19  
**assistance** 23:15 114:1  
120:14 130:5  
**Assistant** 1:11 4:6  
100:3  
**associated** 117:19  
**association** 2:9,12,16  
3:6,9,15 31:15 32:1,2  
32:9,9,10 39:4 53:4  
53:12,16 74:2 89:11  
89:13,14,15 101:1,9  
101:19  
**associations** 89:2,16  
**assume** 102:6  
**astute** 84:11  
**attached** 112:9  
**attaches** 45:7  
**attacks** 64:6  
**attempting** 61:4  
**attempts** 64:9  
**attend** 44:5 123:2  
**attending** 44:22  
**attention** 28:4,12 44:12  
46:10 113:17 153:15  
**attorney** 141:5  
**attorneys** 25:20  
**audience** 90:13  
**audiovisual** 54:8 147:9  
**August** 15:7 17:3  
**AUSFTA** 56:7  
**Australia** 56:6,9,17,20  
57:9  
**Australia's** 55:4  
**Australian** 56:14,15  
**authorities** 70:4,8,10

76:17 78:3 106:4  
121:8 142:15  
**authority** 9:19 14:21  
24:2 76:19 142:18  
**authorization** 115:1,3,8  
**authors** 25:5 97:21  
**available** 5:15 9:16  
23:14 56:15 81:9 88:3  
124:4 139:8 140:5  
153:9  
**average** 108:17,19  
**Avery-Page** 1:12 6:8,10  
16:20 17:21 18:1  
28:17 36:21 48:5 68:1  
82:7 94:13 105:17  
118:18 119:11 126:13  
136:13 149:12  
**avoid** 45:4 49:3 129:6  
**awaiting** 139:10  
**awarded** 41:3 42:5  
**awarding** 42:21 43:3  
**awareness** 67:17

---

## B

---

**back** 30:15 31:5 36:17  
38:2 40:21 59:21  
71:12 73:22 75:8 81:8  
82:15 83:9 96:2 97:1  
97:5 99:11,14 116:18  
116:19 119:10 127:11  
127:14 130:7 131:5  
151:22  
**backed** 129:18  
**background** 32:8  
**backlog** 79:9 108:8,18  
108:21 109:10,11,18  
145:1  
**backlogs** 108:15 109:5  
**backsliding** 144:22  
**Bad** 75:5  
**bad-faith** 75:10 134:22  
**balance** 66:5  
**balanced** 113:11  
**BARDA** 123:17  
**barely** 72:5  
**bargaining** 54:13  
**barrier** 54:18 56:3  
142:9,9 143:21  
**barriers** 33:6,8,20  
34:10 65:19 90:3  
120:16  
**base** 47:6  
**based** 12:3 15:10 19:5  
48:14 52:17 60:14  
107:4 114:7 124:5  
133:19  
**basic** 63:6 71:16  
**basically** 15:10 19:11

43:4 68:13 71:20  
116:22  
**basis** 10:20 56:13,17  
98:15 119:7 143:3  
144:6  
**batch** 46:18  
**batches** 30:8  
**becoming** 136:21  
**beers** 63:16  
**began** 23:22 63:14,17  
**beginning** 21:16 23:8  
**begins** 145:15 146:17  
**behalf** 8:17 22:17 32:2  
44:5,16 73:20 121:11  
152:11  
**behave** 117:1  
**behavior** 50:1  
**Beijing** 44:3  
**believe** 21:18 47:5,17  
109:7,9,12 120:10  
147:11  
**believes** 77:9 104:13  
**benefit** 104:19 123:7  
**benefits** 47:13 80:9  
90:3 117:7 123:7  
**Berne** 112:7 117:14  
**best** 46:4 90:1 104:14  
127:2 140:1 153:10  
**better** 78:2 84:16 86:2  
107:2,6 118:14  
**beverage** 68:4  
**beyond** 45:6 102:16  
124:20  
**Biden** 66:4 67:16 85:22  
123:10,18  
**big** 46:8 61:8,10 101:19  
132:14 137:11 138:2  
**bigger** 83:13  
**biggest** 151:19  
**bilateral** 9:14 66:12  
**bill** 98:17  
**balance** 35:5,9  
**billions** 34:6  
**binding** 114:9  
**biological** 110:13  
**biomedical** 113:1,4,11  
113:13,18 114:3  
116:8 117:2,6  
**Biotechnology** 43:13  
**bipartisan** 36:11 149:2  
**bit** 21:1 41:5 71:21 72:2  
84:2 125:8 126:6  
127:5 141:1  
**blanket** 85:18  
**blatant** 135:6  
**block** 125:11  
**blocked** 121:13  
**board** 24:9 106:8

**bologna** 63:11  
**bolster** 80:7  
**book** 145:10  
**boomed** 56:18  
**border** 76:18 77:3  
**bother** 133:1  
**boxes** 151:3  
**brand** 75:3,6 77:20 87:7  
 87:13  
**brand's** 75:5  
**brands** 79:4,10,17 81:2  
 84:19 85:6,7 86:2  
 87:14  
**Brazil** 40:22 41:1,12  
 72:22 95:15 96:4,9  
 108:14,22 109:5,14  
 133:7 135:7 140:3,3  
 144:21 151:1,14,17  
**Brazil's** 42:16  
**Brazilian** 41:7  
**break** 5:20 71:16 99:9  
**breaking** 38:2  
**Brian** 2:9 3:6 31:22  
**brief** 4:13 152:9  
**briefly** 11:11 100:10  
**briefs** 153:1  
**bring** 90:9 103:3  
**bringing** 124:9  
**brings** 75:12  
**broad** 24:6 29:7 37:19  
 56:9 90:17 104:2  
**broadcast** 75:17 147:9  
**broader** 81:10 84:8  
 142:4  
**broadly** 145:6 150:15  
**brought** 93:18  
**Brussels** 121:11  
**build** 105:7  
**built** 142:16  
**Bulgaria** 2:8 3:4 12:13  
 12:21 13:5 14:1,10,12  
 14:19 17:1 20:11  
**Bulgarian** 13:1  
**bullying** 66:2  
**bunch** 35:19  
**burden** 117:6  
**burdening** 135:20  
**burdens** 79:3  
**bureau** 7:5  
**bureaucracy** 79:7  
**Busch** 43:14  
**business** 32:11 34:16  
 74:2 83:7 98:13 99:2  
 113:14  
**businesses** 34:9 67:2  
 93:1  
**buy** 75:7 122:21  
**by-case** 52:18

**bylaws** 25:16

### C

**cabinet** 13:7  
**call** 3:2 4:4 32:14 37:20  
 64:14 85:6  
**called** 68:4  
**calls** 145:13  
**campaign** 63:8,10 64:6  
 151:2,6  
**campaigns** 46:13  
**Canada** 55:7 56:6,9  
 57:9 60:16,20 61:3,7  
 61:10,17 68:19,19,21  
**Canada's** 55:3,13,15,18  
**Canadian** 61:21,22  
**cancellation** 137:4  
 140:12  
**cancellations** 43:12  
**cancelled** 27:3  
**cancer** 120:17  
**capabilities** 147:19  
**capable** 138:12  
**capacity-building**  
 21:12  
**capital** 14:6  
**capital-intensive**  
 142:14  
**captured** 142:7  
**Card** 136:7  
**care** 153:17  
**careful** 45:18 125:8  
**carry** 26:20  
**case** 50:9,11,14,16 51:8  
 78:20 80:1 91:8  
 143:21  
**case-** 52:17  
**cases** 12:2,4 15:3 17:3  
 20:15 24:20 30:5,8,9  
 30:12 33:12 46:21  
 49:6 50:13,19 51:4  
 52:17 71:9 78:22  
 107:9 132:19 133:1  
 134:2  
**Cassedy** 2:17 3:17  
 110:8,8 116:17 118:7  
 119:9  
**Castaneda** 2:13 3:11  
 62:11,15,16 68:12  
 70:12 72:17  
**catalog** 26:22  
**catalyst** 88:18  
**Categories** 11:4  
**cause** 95:18  
**CCFN** 64:5 65:22 70:2  
**CCIA** 53:16,20 55:19  
 57:1,5 60:14  
**CCIA's** 55:2

**CCOIC** 44:7,9,12,17  
 45:1,15  
**CCOIC's** 44:7  
**celebratory** 16:8  
**Center** 2:19 142:1  
**CEO** 73:18  
**certain** 47:12,18 85:7  
 117:17 136:19  
**certainly** 47:8 94:22  
 137:1 138:2 139:3  
 143:4  
**certainty** 39:11  
**certification** 135:12,13  
 135:16,20,21 136:3  
**certifying** 135:20  
**cetera** 33:12 46:15  
**chain** 93:14 113:8  
**Chair** 1:9,12 4:3 8:7  
 16:16 18:2 19:15  
 20:19 21:3,21 22:2,6  
 27:16,19 28:14 29:10  
 29:21 30:19 31:7,10  
 31:17 36:19 38:6,18  
 39:22 40:18 43:9,21  
 48:3,16,20 51:13 53:1  
 58:3 60:3,10 62:6,9  
 62:12 67:21 69:20  
 72:4 73:8,13 80:10,17  
 82:5 83:12 86:3 87:21  
 88:2 94:10 95:11  
 96:13 97:8 99:4,7,20  
 105:15 107:17 108:9  
 109:22 110:3 116:2  
 117:8 118:16 119:12  
 126:10 127:22 130:8  
 131:17 132:1 136:10  
 139:16 140:6 141:10  
 141:13 146:21 147:22  
 149:10 150:18 152:4  
 152:7  
**chaired** 8:10  
**Chairman** 12:18  
**challenge** 40:14 63:5  
 65:3 83:19 84:21 93:1  
**challenged** 40:8,10  
**challenges** 39:4,7 40:5  
 63:20 75:13 80:4 86:9  
 87:17 88:19 92:19  
 102:10 114:5 121:1  
 144:16 146:15  
**challenging** 29:4 79:17  
 98:14  
**chamber** 2:10,11,18 3:7  
 3:20 25:14 43:15 44:6  
 44:9 141:15 147:4  
 149:22 151:2  
**Chamber's** 141:22  
 147:16 151:19

**chance** 88:21  
**Chang** 1:14 6:20,20  
 30:21 60:13 97:10,15  
 140:8,15  
**change** 11:10 74:22  
 78:2 88:19 106:5  
 113:22 124:12  
**changed** 124:10 133:3  
**changes** 14:14,16 78:4  
 128:16  
**channels** 20:12 75:16  
 85:2 89:21  
**chapter** 58:17,20  
**character** 113:6  
**charge** 12:9  
**charged** 11:7 128:6  
**chat** 15:19 17:10  
**check** 30:15 94:22 97:1  
**cheeses** 63:16  
**Cherry** 1:15 8:2,3 69:22  
 72:8  
**Chief** 1:16 7:8  
**Chile** 66:9 69:6,8,9  
 91:19 133:8 140:9  
**China** 2:10,11 3:7 36:22  
 37:17 43:15 44:6,10  
 44:13,15,18 45:6,9,15  
 45:19 46:5,10,11,17  
 48:6 52:5,13 70:1,14  
 70:16,21 71:1,3,20  
 72:2 74:20,20 75:2,16  
 76:1 81:3,21 91:19  
 94:14 95:5 105:18,19  
 107:16 132:12,20  
 136:17,18 137:12  
 147:6,17  
**China's** 37:5 45:8 51:3  
**Chinese** 37:1 45:22  
 47:7 70:3,8,10 75:4  
 83:19 84:22 105:21  
 106:4 107:3,7 137:15  
 137:18,22  
**chokehold** 46:2  
**choosing** 41:19  
**chose** 30:12  
**Christopher** 1:20 7:13  
**circumstances** 56:13  
**citation** 51:8  
**cite** 111:7 138:8,21  
**cited** 35:7 136:6  
**cites** 81:1  
**citing** 134:13  
**Citizen** 2:17 3:18  
 119:20 120:4  
**City** 85:17  
**civil** 8:22 48:7 49:3,20  
 49:21 50:2,12 51:3  
 59:5 77:21

**claiming** 63:12  
**Claire** 1:12 2:17 3:17  
 6:7,10 110:8  
**clarified** 95:8  
**clarify** 30:22  
**clarity** 72:2 78:9 128:10  
 128:20  
**clause** 72:12 115:9  
**clear** 51:20 66:18,22  
 68:14 71:7 77:1  
 144:13  
**clearance** 30:4  
**clearly** 52:8 55:14,16  
 59:18 78:20 126:17  
 143:20  
**client** 134:3 139:12  
 141:3  
**client's** 137:18 139:8  
**clients** 132:21 134:8  
**Climate** 113:22  
**cloaked** 143:8  
**close** 44:12 60:19  
**closely** 79:19  
**closes** 152:7  
**closing** 3:21 152:10  
**CMOs** 26:18,20 27:13  
**coalition** 64:1 89:1  
**code** 17:4 30:7 34:11  
 34:15,18 36:4 108:2  
**codes** 54:13  
**collaborate** 84:18 86:1  
**collaboration** 75:14  
 103:19  
**colleague** 44:4 86:5  
**colleagues** 6:3 84:2  
 119:10 153:13  
**collect** 134:21  
**collective** 26:13,21  
**Colombia** 58:9,10,12  
 58:20 59:5,13 60:7  
 122:13,19 123:5  
**Colombian** 144:18  
**combat** 21:19 151:3  
**combating** 93:8  
**combined** 24:6 122:10  
**come** 6:4 20:12 34:20  
 82:15 99:13 106:1  
 116:17,19 127:14  
 129:2 130:7 137:13  
**comes** 16:17 18:3  
 19:17 28:15 29:11  
 30:20 36:20 38:21  
 48:4,20 58:5 65:9  
 67:22 69:21 94:12  
 95:12 116:4 126:11  
 136:11 140:7 147:1  
**coming** 36:17 99:11  
**comment** 39:2 112:19

147:15  
**commentary** 105:20  
**commenter** 111:9  
**commenters** 111:15  
**comments** 37:11 39:5  
 44:21 45:5 74:18 80:4  
 90:20 102:8 111:5  
 114:15 116:7,20  
 141:11 151:5 152:19  
**commerce** 2:1,2,10,11  
 2:18 3:7,20 7:6 26:5  
 37:6 43:16 44:6,10  
 70:18 82:10 83:20  
 141:15  
**commercial** 26:3 119:1  
 119:5 137:20  
**commission** 27:7 104:3  
 123:15  
**commitment** 14:11  
 28:22  
**commitments** 57:22  
 63:7 64:13 66:8 114:9  
 126:8 142:17 148:20  
**Committee** 8:9 12:19  
**common** 2:13 3:10  
 13:20 62:10,20 63:1  
 63:10 64:1,10 68:3  
**commonly** 10:8  
**communications** 2:12  
 3:9 53:4,11 70:16  
**communities** 74:10  
**community** 25:22 32:12  
 34:15 63:3 105:21  
**companies** 14:6 33:4  
 34:17 42:9 45:22 46:1  
 60:5 61:13 72:11,14  
 74:4 77:7 80:5 82:22  
 86:14,17 89:16,21  
 101:16,20 102:2  
 121:3 124:2 132:15  
 137:14,16  
**companies'** 59:11  
**company** 75:7 137:22  
**company's** 137:18  
**compel** 131:8  
**compensate** 55:12  
**compete** 5:3 36:8 42:13  
 92:20  
**competing** 49:5  
**competition** 33:11 41:3  
 42:6,7,17 63:15 76:2  
 123:15 124:9,20  
 125:3,10,13  
**competitions** 27:2,8  
**competitiveness** 90:16  
**competitor** 124:8  
**competitors** 148:9,15  
**compile** 129:13

**compiling** 128:6  
**complaining** 127:15  
**complete** 23:19 48:7  
**completed** 16:7 17:17  
 20:15  
**completely** 68:21 69:3  
**complex** 42:10 86:11  
**compliance** 103:5  
 130:20  
**compliant** 126:4 130:15  
**complied** 58:11  
**complies** 51:3  
**comply** 136:1  
**composition** 24:11  
 27:6  
**comprehensive** 152:15  
**comprise** 89:16  
**comprised** 8:9,21  
**compulsory** 102:20  
 103:15 104:2,5,5,8,11  
 104:15,21 111:9,11  
 111:17 112:1 115:21  
 122:2,9,14,20 123:9  
 123:19,22 129:21  
 144:18  
**computer** 1:21 2:12 3:9  
 7:14 25:2 31:1 53:3  
 53:11  
**conceded** 148:21  
**concern** 36:1 37:9,22  
 46:9 54:11 74:19 81:2  
 95:19 108:6,16,21  
 127:6,12,18,19  
 136:15 139:18  
**concerned** 103:6  
 104:20 142:6  
**concerning** 30:11  
 95:17 96:8 107:13  
 111:7  
**concerns** 15:2 37:1  
 39:10,17 47:9 55:3  
 57:2,5 60:22 70:9  
 91:22 95:22 97:3  
 121:20 146:4 147:7  
**concluded** 57:13  
**concludes** 12:1 48:1  
**conclusion** 57:16  
 104:22  
**Concrete** 14:13  
**conditions** 15:16 17:8  
 56:16 123:16  
**conducted** 65:15,17  
**conducting** 25:19  
**conducts** 8:11 10:3  
 138:7  
**Conference** 146:19  
**confine** 92:12  
**confirm** 21:17 72:11

**confirmation** 72:16  
**confirms** 14:10  
**conflict** 71:1  
**conflicting** 134:14  
 135:19  
**conflicts** 79:2  
**confronted** 63:4  
**confronting** 92:19  
**confusion** 133:20  
**confusions** 70:17  
**Congress** 9:10 55:20  
 65:22 86:1 120:8  
 130:16  
**congressionally-**9:20  
**connected** 41:6 78:16  
**connection** 5:8  
**consecutive** 45:14  
**consensus** 125:15  
 129:4  
**consent** 115:1,8  
**consequences** 66:10  
 66:21 121:10  
**consider** 54:15 55:11  
 108:20 113:14 126:22  
 136:3  
**considerable** 102:6  
**consideration** 41:4  
 56:5 111:8  
**considered** 42:20,21  
 50:14 52:10,22  
 108:22 150:8  
**considering** 103:22  
 122:19 127:1  
**consistency** 52:2 77:5  
**consistent** 78:8 106:14  
 110:14 113:15  
**consistently** 84:15  
**consists** 13:6  
**Consortium** 2:13 3:10  
 62:9,19  
**constitute** 133:10  
**constitutes** 54:17 86:20  
**constitutional** 40:5,14  
 145:22  
**consult** 119:9  
**consultation** 18:17  
**consumer** 32:15 35:1  
 84:14 93:18 120:5  
**consumers** 34:6 35:12  
 56:15 64:2 66:15,22  
 74:5 80:9 85:15 90:5  
**content** 15:20 17:11  
 19:5,11 24:21 54:15  
 54:21 55:1,6 56:8,14  
 56:18 60:15 61:6,20  
 62:3  
**contentious** 132:11  
**CONTENTS** 3:1

**context** 36:5 49:9  
117:21  
**contingent** 34:14  
**continue** 8:8 13:13,17  
14:7,8 21:20 38:4  
39:3 67:5 71:10 75:9  
78:2 109:20 113:21  
124:11 145:5  
**continued** 54:11 94:6  
101:13 120:11  
**continues** 77:14 132:14  
**continuing** 109:18  
**contract** 150:6,8  
**contracts** 115:1,6,6,8  
**contractual** 50:15  
98:20  
**contradict** 64:13  
**contrary** 149:2  
**contrast** 142:11  
**contribute** 89:5  
**contribution** 93:8  
**contributions** 8:12,13  
102:3 153:14  
**contributor** 61:11  
**control** 114:4  
**controversial** 37:2  
**convened** 1:8  
**Convention** 112:8  
117:15  
**convey** 53:14  
**conveying** 12:9  
**cooperate** 26:1 78:13  
**cooperation** 5:21 13:17  
93:13  
**coordinating** 128:6  
**copyright** 1:19 4:20  
6:14 13:10 18:4,8,11  
24:17 29:17 34:4  
38:11,22 57:3,5 58:16  
58:20 74:8 89:5,18,21  
91:8,11,13 92:2,7,13  
92:20 93:2,9,16 94:3  
94:15 95:3,13 97:19  
112:5,13,17,21  
117:10,14 118:9  
125:20 145:5,21  
147:1,6 151:15  
**copyright-** 119:3  
**copyright-holders**  
118:20  
**copyrightable** 147:9  
**copyrighted** 112:18  
118:22  
**copyrights** 39:21 95:18  
145:8  
**core** 50:16 89:4 125:18  
**cornerstone** 94:1  
**Corporation** 50:10,11

**corporations** 121:12  
**correct** 49:13 146:13  
**correlation** 81:6  
**cost-saving** 122:17  
**costly** 77:20 114:5  
**costs** 124:9 133:20  
**Council** 13:1 24:11  
28:20 62:18 129:13  
**Councils** 18:18  
**Counsel** 1:20 6:13 32:1  
**counteract** 65:20  
**counteraction** 18:10  
**counterfeit** 20:6,9 30:6  
30:8 75:15,19 77:9,13  
79:2 81:20 84:13  
86:21 87:6  
**counterfeited** 139:9  
**counterfeiters** 79:18  
81:4,15  
**counterfeiting** 74:11  
79:15 81:2 125:20  
126:1 134:22 135:6  
139:5 140:3  
**counterfeits** 75:21  
78:16 83:4 85:14,19  
**countless** 114:4  
**countries** 4:18 9:12  
10:12,18,19 32:5 51:1  
57:20 59:15 60:4 61:8  
64:16 66:2,13 68:7  
71:13 73:7 74:15,17  
74:19 82:19 91:1,12  
91:16,17 102:2 103:3  
103:21 104:7 111:11  
112:16 117:4 118:11  
122:16 123:6,22  
124:15,17,18 126:3  
126:16 127:7,11,17  
129:19 136:14,15  
139:14,17 143:11  
**countries'** 111:8,18,22  
122:3 126:22  
**country** 10:21 11:3,8  
14:5 28:8 47:3 66:7  
66:18 68:16 71:15  
81:5,17 83:7 97:6  
98:11 115:14 119:3,6  
119:8 120:15 121:4,7  
128:11,15 130:14,16  
130:19 131:14 139:20  
148:12 151:12  
**country's** 10:20  
**country-** 146:14  
**country-specific** 9:13  
**couple** 27:19 31:12  
43:11 70:17 106:10  
**course** 25:8 63:1 92:21  
107:6 134:6 140:3

**court** 30:13 50:11,20  
82:10 106:14,16,20  
137:21  
**courts** 37:5 40:7,11,12  
49:4 79:9 120:9  
**covered** 80:13  
**covering** 8:5  
**COVID** 120:19 125:16  
129:2  
**COVID-19** 111:19  
114:18 115:5  
**craft** 93:5  
**create** 17:7 57:19 62:3  
90:15 98:14,19 99:1  
102:5 112:10 117:18  
124:7 140:10 148:8  
149:4  
**created** 11:3 15:16 49:4  
90:19  
**creates** 65:2 106:22  
**creation** 33:18 36:13  
82:9  
**creative** 26:11 88:20  
90:7,9 99:3 142:10  
146:2  
**creators** 35:2 90:4 93:4  
**credence** 143:16  
**Crime** 1:21 7:14 13:8  
21:7,8  
**crimes** 21:11 46:22  
**criminal** 7:15 15:3 17:4  
17:7,13,19,20 47:2  
48:8,10 78:14  
**criminals** 47:13  
**crisis** 14:18 123:3  
142:18  
**criteria** 131:13  
**Critharis** 1:16 7:7,8  
29:13 51:16 58:7  
96:15 108:12 109:21  
130:11 148:3  
**critical** 8:15 34:9 91:6  
95:5 114:16 143:5,6  
144:16 148:21 150:12  
**criticism** 112:19 121:9  
126:17 131:7  
**criticisms** 124:13  
151:13  
**criticize** 126:3,15  
**CRTC** 60:15  
**crucial** 88:22  
**CTMO** 137:7  
**CTMO's** 133:4  
**CTMOs** 136:21  
**cultural** 24:22 55:10,15  
61:5 90:6  
**Culture** 13:10 18:7 19:7  
95:17

**current** 56:16 76:9  
78:18 79:2 89:22  
126:7  
**currently** 8:16 17:15  
18:14 57:10 79:8  
90:11 98:17 109:10  
145:21  
**curtain** 85:17  
**customer** 35:15  
**customs** 30:3,4,7,15  
46:17 76:17,20 77:11  
86:10  
**cut** 11:20  
**cutting** 124:20  
**Cyber** 13:8 21:6,8

---

**D**


---

**daily** 44:14  
**dairy** 62:17,22 63:3,21  
70:15  
**dam** 85:4  
**damage** 35:17 139:4  
**damages** 66:18 79:1  
134:21 135:1,3,6  
139:7,19  
**dangerous** 112:11  
**Daniel** 1:8,11 3:2,21 4:5  
100:2  
**data** 32:17 35:15 51:22  
58:22 79:12 88:2  
103:9 110:12 122:5  
124:17 125:12  
**database** 31:3  
**date** 109:16  
**day** 112:6,10 117:13  
152:13  
**days** 137:15  
**deal** 39:20 70:20  
**dealing** 106:11 115:17  
**dealt** 65:11  
**Dear** 12:19  
**debate** 148:22  
**debates** 87:3  
**December** 9:2 89:4  
**decide** 107:2 153:3  
**decided** 69:10  
**deciding** 51:4  
**decision** 12:22 47:11  
47:22 77:19 109:14  
148:6  
**decisions** 30:3 65:15  
105:22 106:12,15,17  
106:20 107:14 115:21  
**Declaration** 110:15,17  
111:1,14  
**decline** 106:14  
**declined** 105:20  
**decreased** 108:18

**deeply** 65:2  
**default** 132:11,12 133:6  
 133:10 137:11,13  
 138:1  
**defend** 28:8 66:22  
 112:15 117:16  
**defended** 132:17,20  
 134:10  
**defending** 63:1  
**defense** 129:9 133:15  
**deficiencies** 17:2 70:10  
 102:9  
**define** 78:20 79:22  
**defined** 54:19  
**defines** 23:3  
**definitely** 116:17,19  
 118:10  
**definition** 11:3  
**delay** 12:12 124:19  
 125:10  
**Delays** 79:17  
**delegation** 12:22 13:3,6  
**deliberations** 9:8  
**deliver** 74:5  
**delivered** 143:22  
**delivering** 103:17  
**delivers** 143:12  
**demand** 85:13 87:15  
 93:18  
**demands** 66:3,20  
**demerit** 150:9  
**demonstrated** 135:2  
**denial** 116:12,14  
**deny** 10:12,14 32:5,6  
 91:1,3 130:17  
**denying** 118:3,4  
**Department** 1:14,15,17  
 1:18,20 2:1,2,4 6:19  
 6:21 7:6,13,18 8:5  
 13:8 19:18 20:20 26:4  
 29:22 30:20 40:1,20  
 48:21 52:13 70:18  
 80:18 81:10 83:14  
 86:6 116:4 128:2,4  
 150:20  
**depend** 93:2 105:1  
**Deputy** 1:16,18 6:17 7:8  
 7:9 12:20 13:5  
**describe** 86:9 131:9  
 149:16  
**described** 16:21  
**describes** 68:2  
**describing** 131:10  
**design** 74:4  
**designed** 56:7 63:5  
**despite** 23:5 28:3 29:1  
 64:5 65:21 121:1  
**destroy** 63:6 76:22

**destroyed** 30:6,9  
 139:11  
**destruction** 30:10  
 139:10  
**detail** 33:22 49:8 84:3  
**detailed** 19:20  
**detailing** 55:22  
**details** 20:7 55:2 72:13  
 150:6  
**detected** 46:21  
**detention** 76:19  
**deter** 79:18  
**determination** 50:17  
 76:21  
**determine** 10:17  
**determined** 130:17  
**detrimental** 57:8  
**develop** 4:15 14:8 90:6  
 113:9 114:12 116:9  
**developed** 14:2 25:17  
 124:3 128:11,15  
 135:9  
**developer** 32:11  
**developers** 32:13 33:4  
 34:16 35:3  
**developing** 11:7 102:4  
 120:15 121:7 126:3  
 135:10 143:10  
**development** 17:9 23:4  
 26:4 28:8 33:4 61:6  
 61:11 103:17 111:21  
 121:2 143:9 151:5,7  
 151:22  
**developments** 37:4  
 108:1 140:16  
**DHS** 84:2 86:6  
**di** 68:20  
**dialog** 88:22  
**difference** 144:20  
**different** 16:1,1 33:15  
 35:19 37:13 41:15  
 64:16 68:6 70:19 83:8  
 100:9 119:15  
**differentiate** 37:11  
**difficult** 106:19 107:11  
**difficulties** 72:14 86:15  
**difficulty** 86:18  
**digging** 82:3  
**digital** 24:21 32:14 33:2  
 34:7 35:4 36:3,9,11  
 39:21 53:12 76:4 89:7  
 89:10 92:8,16  
**dilemmas** 49:4  
**diplomats** 144:11  
 146:14  
**direct** 7:3 19:4 45:17  
 63:9 113:2  
**directed** 57:18

**direction** 14:15  
**directly** 19:4 42:16  
**Director** 1:13,18 2:1  
 6:10,18 7:9 13:9  
 62:19 88:12 101:8  
 120:3  
**Directorate** 13:10 21:7  
**directs** 55:9  
**disabilities** 25:12  
**discipline** 113:16  
**disclosure** 34:17 103:8  
**discouraged** 53:22  
**discover** 75:3  
**discretion** 104:2  
**discretionary** 143:2  
**discriminatory** 54:8,18  
 55:10 56:3,8 57:18  
 127:10  
**discussed** 28:18 68:10  
**discussing** 111:17  
**discussion** 151:1  
**discussions** 13:12 15:5  
 15:13 24:6 66:6  
**disincentive** 62:1  
**dismissive** 39:15  
**display** 58:22  
**dispute** 50:16  
**disputes** 41:2 49:7,10  
 50:7 82:12  
**disregard** 66:14 69:2,4  
**disregards** 68:21  
**distinct** 35:13  
**Distinguished** 43:22  
**distinguishing** 125:19  
**distort** 42:7  
**distribute** 35:18  
**distributing** 89:17  
**distribution** 18:10 55:1  
 79:15 89:20  
**Distributors** 2:14 3:12  
 73:11,19  
**diverse** 101:19  
**diversity** 90:12  
**diverted** 75:18  
**Division** 7:16  
**docket** 9:17 38:19  
 119:17,18 141:11  
 152:20 153:6  
**Doctrine** 37:3,5,13,20  
**document** 49:16  
**documented** 130:3  
**documents** 45:18 141:4  
**Doha** 63:8 110:14,16  
 111:14  
**doing** 21:19,20 80:8  
**DOJ** 84:2 85:22  
**dollars** 132:21 133:21  
 134:8

**dolutegravir** 122:21  
**domain** 25:6 64:4  
 145:11,11  
**domains** 75:19  
**domestic** 33:10 53:19  
 54:3 57:20  
**domestically** 36:13  
 123:10  
**dominant** 124:22  
**Dominican** 139:6,20,22  
 140:4  
**dormant** 98:17  
**doubt** 45:6  
**dozen** 134:2  
**dozens** 115:5 132:19  
 135:14  
**draft** 18:7,12 45:2 48:11  
 48:15 59:9 97:21  
 104:4 112:16  
**drafting** 112:3  
**drafts** 25:16  
**dress** 87:1  
**drive** 35:4 38:3 102:5  
**driven** 65:20  
**driver** 33:1  
**drives** 103:16  
**drones** 28:9  
**drops** 85:8,9  
**drug** 46:22 121:12  
 122:11,14 123:4,12  
 123:16 124:2  
**drugs** 123:14 124:8  
**dual** 49:3  
**due** 35:6 72:15 91:13  
 126:16,20 127:16  
**dynamic** 42:6,19 65:3

---

**E**


---

**earlier** 153:8  
**early** 31:12 99:14  
 138:20  
**earn** 93:4  
**easier** 47:14 93:21  
**easily** 138:9  
**Eastern** 14:3 152:21  
**easy** 138:16  
**echo** 47:19  
**Ecology** 2:17 3:16  
 110:4,9  
**ecommerce** 77:2 78:19  
 79:20 83:5  
**economic** 7:19 32:17  
 33:18 36:6 56:2 67:14  
 102:4 146:5 148:9,15  
**Economist** 1:14  
**economy** 12:20 26:8,19  
 27:5 32:15 33:2 35:4  
 35:12 36:9 39:21 89:6

89:7,10 105:13 107:4  
**economy-related** 92:16  
**ecosystem** 26:11 32:14  
 32:19 143:12 150:16  
 151:4  
**Ecuador** 122:10  
**edition** 151:20  
**educations** 21:14  
**effect** 33:16 150:9  
**effective** 4:16 10:13  
 18:9 23:15 24:5 33:13  
 75:1 91:2 94:3 101:15  
 102:22 116:13 118:3  
 130:17 135:17 147:19  
**effectively** 34:20 42:7  
 76:20 143:11 144:15  
 148:21  
**effects** 55:12  
**efficient** 87:11  
**effort** 94:2  
**efforts** 14:15 45:1 46:4  
 47:6 52:1 64:5 79:6  
 92:1 93:10,15 103:2  
 104:15 105:11 109:19  
 115:12 120:18 121:13  
 129:11 152:17  
**Egypt** 82:19 135:7  
**eighth** 115:10  
**either** 133:3  
**elaborate** 41:4 52:1  
 68:7 80:15 86:13  
 95:20 96:17  
**elections** 14:19  
**elevate** 76:7 107:21  
**eliminate** 47:4 63:15  
**eliminated** 109:14  
**elimination** 90:2  
**Embassy** 22:14,16  
**embassy-based** 8:14  
**emergence** 93:12  
**emergency** 120:20  
 125:16 129:2  
**emerging** 143:5  
**Emily** 1:19 6:13  
**emphasis** 57:17  
**emphasizes** 92:2  
**employment** 89:9  
**empower** 146:14  
**enable** 18:9 41:22  
 142:17  
**enables** 103:16 105:3  
 114:8  
**enabling** 90:5 142:12  
**enact** 76:2  
**enacting** 148:18  
**encounter** 86:14,18  
**encountered** 72:15  
**encourage** 71:22 73:5

93:10 125:14,17  
**encouraged** 130:3  
**encourages** 105:7  
 111:22  
**encouraging** 45:19  
 128:14  
**end-of-life** 35:20  
**ended** 132:21 137:21  
**enforce** 39:12 59:16  
 77:12 94:4 146:15  
**enforceable** 40:13  
**enforced** 64:19  
**enforcement** 1:19 9:13  
 10:1 13:14 14:16  
 19:21 23:16 26:14  
 39:11,21 75:12 76:4  
 76:10,13,14 77:6,10  
 78:1,11,12 79:16 80:7  
 83:6 84:11 89:22 91:9  
 91:14 92:19 95:9 96:5  
 103:4 105:19 125:21  
 128:5 145:12,14  
 151:15  
**enforcing** 59:13 60:6  
**engage** 84:18,20  
**engaged** 32:15 55:1  
 70:8 82:12,16 96:18  
**engaging** 83:11 85:1  
 87:7,11  
**enhance** 90:15  
**enhanced** 134:21 135:3  
 135:6 139:7  
**ensure** 4:16 15:9 52:2  
 56:20 102:22 135:17  
 135:22  
**ensuring** 5:1 14:11  
 101:13 146:9  
**enter** 133:5  
**entered** 29:16  
**entering** 33:6 54:1  
**enterprise** 32:16 44:11  
**enterprises** 128:12  
**Entertainment** 89:12  
**entities** 45:22 135:21  
**entity** 61:21  
**entrenching** 144:2  
**entrepreneurs** 32:12  
**entry** 34:12,13 93:20  
**environment** 14:7 19:1  
 24:22 92:8 103:4,12  
 105:7 142:5 150:13  
**environmental** 47:1  
**equal** 66:15  
**equally** 137:22  
**equitable** 4:18 10:14  
 32:6 54:2 91:3 101:16  
 116:14 118:5  
**erodes** 143:3

**eroding** 142:7  
**escalating** 64:7  
**especially** 28:7 91:11  
 142:5 145:20  
**essential** 28:6 37:2,4  
 37:12,14,19 41:14,18  
 43:5 49:6,9  
**essentially** 39:17 42:2  
 42:20 57:11 98:12  
 129:4 143:3  
**EST** 1:8  
**establish** 63:22  
**established** 27:13 48:6  
 51:20  
**establishment** 15:17  
**estimated** 35:5,9  
**et** 33:12 46:15  
**EU** 19:9 24:19 63:14  
 65:13 66:8,12,13,20  
 67:4,7,11 68:14 69:17  
 73:2,4 133:17 134:17  
**EU's** 65:16  
**EU-wide** 104:4  
**EUIPO** 133:6 134:4  
 138:6,19  
**Europe** 14:3,3 57:9  
 65:10 69:5,8 125:12  
**Europe's** 64:5  
**European** 26:5,6 63:9  
 66:1 71:6 104:3 138:4  
 144:3  
**evade** 145:12  
**evaluate** 55:9  
**events** 147:8 151:13  
**ever-growing** 90:13  
**ever-moving** 67:9  
**everyone's** 5:21  
**evidence** 15:2 16:4,5  
 16:22 47:11 132:16  
 132:22 137:5 143:21  
 148:12  
**eviscerate** 145:7  
**evolve** 138:10  
**evolving** 92:5  
**ex** 76:17 133:16 134:17  
**exactly** 127:18  
**examination** 47:12  
 51:19,21 52:7,9 78:10  
 141:6  
**examinations** 25:19  
**examiner's** 134:13  
**examiners** 52:2,3,10,16  
 52:22  
**examining** 141:4  
**example** 15:17 19:8  
 40:7,9,12 46:8 47:11  
 66:9 71:2 107:11  
 122:9 124:16 139:6

140:1,5  
**examples** 34:19 38:5  
 68:10,16 115:7  
**exception** 24:20 55:11  
 55:16 56:9,18 112:7  
 142:19  
**exceptional** 56:12  
**exceptions** 58:22 92:12  
 110:12 112:5,7  
 115:18 117:13,17,19  
 122:5 145:6  
**exchange** 15:19 17:11  
 130:1 152:14  
**exclude** 41:16  
**excluded** 123:6  
**exclusive** 110:12  
**exclusively** 69:5  
**exclusivity** 71:5 122:6  
**excuse** 40:9  
**excuses** 139:1,2  
**Executive** 1:1 62:17,19  
 88:12  
**exercise** 4:14  
**exist** 19:1 42:6  
**existential** 148:22  
**existing** 39:18,19 42:17  
 76:16 79:7 98:20  
**expand** 90:6 145:6  
**expanded** 24:11  
**expect** 67:4 94:14 98:3  
 121:10 147:4  
**expected** 147:5  
**expenditure** 54:16  
 60:18 61:19  
**expense** 33:18 120:21  
**experience** 42:10 70:6  
 122:10 140:2  
**experimental** 51:21  
**experimenting** 123:22  
**expert** 118:9  
**expire** 27:4  
**expired** 100:17 141:8  
**explain** 39:5 49:7 60:21  
 98:1  
**explained** 50:12 68:13  
**exploit** 75:6  
**export** 53:18 58:1 62:18  
**exporters** 53:22 57:13  
 64:8  
**exporting** 59:4  
**exports** 33:12,17 46:18  
 64:7 90:14 102:5  
**exposed** 59:5  
**express** 22:18 121:19  
**expresses** 22:22  
**expressions** 14:13  
**expressive** 59:2  
**extension** 109:15



**extent** 56:1 125:5  
**extortionist** 54:2  
**extraterritorial** 50:20  
**extreme** 129:6  
**extremely** 28:4 98:13  
**eye** 82:21 83:3

---

**F**


---

**face** 33:5 65:4  
**faced** 64:8 80:4 88:19  
**facie** 47:11  
**facilitate** 57:21 129:10  
**facilitated** 103:18  
**Facilities** 37:3,5,12,20  
**facing** 103:21  
**fact** 27:1 55:21 56:18  
     66:12 68:19,20,21  
     106:8 130:19 134:9  
     139:11 143:9,22  
**factor** 41:8  
**factors** 52:22  
**factual** 8:19 52:18  
**fail** 57:20,21  
**failed** 65:8 72:10  
**failing** 33:13 59:16 63:7  
**failure** 74:7 92:4  
**fair** 5:3 10:14 32:6 34:8  
     41:21 47:20 91:3  
     101:15 112:16 116:14  
     118:4  
**fairly** 11:19 13:16  
     100:19 138:16  
**fairness** 151:17  
**fake** 133:3  
**false** 67:5 137:7  
**familiarity** 43:2  
**families** 124:10  
**famine** 114:2  
**far** 18:15 113:16 115:8  
     125:8  
**fast-developing** 90:1  
**fate** 67:11  
**favored** 131:12  
**FDRA** 73:20 74:1 75:9  
     76:6 77:7,9 79:5,14  
     79:19 80:3 81:1  
**fears** 121:13  
**feasible** 113:13  
**February** 1:6 5:10 13:2  
     27:7,10 70:2 152:22  
**federal** 9:2 32:5 115:4  
     119:17 120:8 123:14  
     124:3,6 153:5  
**Fedorka** 1:17 7:17,18  
     30:2,17 86:8 87:19  
**fee** 75:7  
**feel** 38:19 85:22 131:15  
     149:17

**fees** 47:12,17 112:9  
     117:18  
**feta** 68:18 69:5  
**field** 24:10  
**fields** 46:22 101:21  
     118:21  
**fight** 67:2  
**Fighting** 74:11  
**file** 77:20  
**filing** 25:17 54:6 79:10  
**filings** 9:12,15 12:3  
     115:9  
**fill** 93:22  
**Film** 89:13  
**films** 14:4,5 46:15  
**filters** 39:12  
**final** 30:19 39:22  
     118:17 141:14  
**finalization** 48:11  
**finalized** 48:15  
**finally** 35:22 93:15  
     125:18 153:16  
**financial** 27:15  
**find** 81:12 82:3 106:19  
**finding** 29:4 106:19  
**fine** 139:12  
**finite** 87:5  
**firm** 21:18 44:3  
**firmly** 53:20  
**firms** 53:17 61:8 62:2,2  
     101:20  
**first** 16:17 19:6 22:14  
     28:14 31:14 36:19  
     45:6 48:4 54:7,14  
     57:5 58:5 67:22 74:20  
     94:11 105:16 107:1  
     116:3 124:22 126:11  
     132:10 136:11 142:4  
     146:22  
**first-line** 122:20  
**first-to-file** 75:2  
**Firstly** 14:17 26:18  
**fiscal** 113:15  
**five** 11:14,15 14:19 89:2  
     100:12,13  
**flash** 11:17  
**flaws** 41:6  
**flexibilities** 111:10,19  
     115:15,20 122:4  
**flexibility** 111:4  
**flow** 83:4  
**focus** 54:5 77:22 79:5  
     91:7 92:16 113:1  
     125:2  
**focused** 50:15  
**focuses** 45:5 97:12  
     125:5  
**folding** 147:18

**follow** 38:16 40:16  
     81:15 131:15 153:3  
**followed** 94:18 95:2  
**following** 14:13 24:14  
     26:16  
**followup** 80:18  
**Fontina** 71:8  
**Fontina'** 70:3  
**food** 2:13 3:10 46:22  
     62:10,20 63:1,4,22  
     64:1,10 67:3 68:3  
**footprint** 83:21  
**footwear** 2:14 3:12  
     73:10,18 74:1,3,10,14  
     81:18 84:12  
**force** 29:17 66:16 75:7  
**forced** 34:17 104:20  
     132:15 142:22 143:13  
     150:17  
**forces** 66:13  
**foreign** 4:18 8:4,21  
     10:19,21 11:3 33:11  
     45:22 54:13 57:3  
     61:15 62:1 64:22  
     86:13,17 89:19 91:1  
     105:2 130:19 137:14  
     144:15  
**foreign-related** 49:5  
**foremost** 74:20  
**form** 14:20 29:9,20 57:3  
     93:19 133:12  
**formal** 133:15  
**format** 11:12 100:10  
**formed** 15:8 55:19 89:2  
**forming** 27:6  
**forms** 33:8,15  
**forthcoming** 55:20  
**Fortunately** 67:10  
**forums** 44:14  
**forward** 36:16 43:17  
     59:17 67:4 94:5,8  
     95:4 97:6 105:6  
     113:16  
**forward-looking** 24:19  
**forwarded** 141:4  
**fostering** 93:13  
**foundation** 36:12  
**four** 34:9 124:18 132:9  
     142:2  
**fourth** 135:11  
**framework** 15:1,9 18:20  
     24:3 36:6 39:18,19  
     42:18,19 55:4 63:6  
     96:11 123:18 131:7  
**frameworks** 39:3,6  
     93:11  
**frankly** 144:7  
**free** 38:19 54:9 58:12

58:17,20 59:3 131:15  
**freedom** 111:18 150:11  
**freer** 94:4  
**frequently** 83:4  
**front** 49:19 96:5  
**frontlines** 144:11  
**FTA** 72:13  
**FTC** 125:13  
**Fujian** 81:21  
**full** 5:2 49:18 63:9  
     74:17 109:14 111:2  
     122:3  
**full-scale** 23:9 27:10  
     29:1  
**fully** 13:19 55:19  
     119:10 127:20  
**functionality** 59:6  
**functions** 24:1  
**fundamental** 135:16  
**funding** 65:2 112:22  
     113:3,6,10,18 116:7  
     117:3,6  
**funds** 124:3  
**further** 12:12 14:9  
     40:16 48:16 49:7 51:6  
     55:6 60:7 72:19 80:15  
     98:1 102:15 103:6,14  
     109:11 116:19 126:6  
     126:7 131:20 141:11  
     144:2,6  
**future** 114:18

---

**G**


---

**gainers** 151:19  
**Game** 85:10  
**Games** 46:14  
**gatekeeping** 42:2  
**gather** 131:4  
**gathered** 115:7  
**gathering** 8:17  
**GDP** 122:12  
**general** 12:6 13:5 46:17  
     67:3 144:4  
**generally** 41:17 42:17  
     106:11  
**generated** 25:1 31:1  
**generations** 64:4  
**generic** 63:12,15 64:3  
     67:3 68:19 69:3,7  
     122:21 124:20 125:10  
**generis** 31:2  
**gentlemen** 153:19  
**geographical** 8:6 63:13  
     64:12  
**Germany** 41:13 135:7  
**getting** 83:19  
**GI** 63:8 64:18,21 65:11  
     70:3 71:15,18

**GIPC** 142:1  
**GIs** 65:17 67:5,7 70:20  
**give** 32:20 68:17  
**given** 74:13 90:20  
 113:17 126:7  
**gives** 14:22 148:8,14  
**giving** 66:19 121:15  
 125:2  
**glad** 121:21  
**global** 2:5,19 7:22 8:1  
 31:22 32:9,14,14 33:2  
 35:4 37:17 50:17 55:1  
 85:11 88:2 90:1,13,16  
 92:5,7,11 101:8  
 103:11 105:5,7  
 112:12 113:10 114:2  
 114:5 116:7 120:19  
 125:15 129:4,14  
 136:6 141:22 142:4,9  
 146:11 149:3  
**Global-Law** 44:3  
**globally** 105:12  
**globe** 5:3  
**go** 5:18 11:11 12:14  
 15:14 19:4,12 21:15  
 22:4 33:21 37:10  
 43:16,18 47:22 69:14  
 80:14 81:8 83:9 85:16  
 97:1 100:7 123:15  
 125:8 126:1,6,7 131:5  
 149:7  
**goal** 67:9 108:18 124:8  
**goals** 11:6 57:15 60:18  
 94:7  
**goes** 19:3,12 150:10  
**going** 4:3 18:19,20  
 59:21 67:4,18 71:12  
 71:17 72:6 80:12  
 100:19,20 107:2  
 113:16 127:4 149:7  
**good** 4:3,5,11 6:9,12,16  
 7:2,7,12,17,21 8:2  
 13:16 20:16,17 34:8  
 39:20 40:2 41:10  
 43:21 53:9 62:11  
 73:12,13 80:20,21  
 81:18 90:15 99:20  
 128:3 132:4 137:14  
 137:15 141:16,20  
**goods** 20:6,9,12,13,14  
 30:4,6,9 33:10 46:7  
 46:20 53:18 76:22  
 79:2 84:13 113:21  
 114:7,10,12,14  
 135:17,22 138:15  
**government** 2:8,9 3:4,4  
 3:5 6:5 12:13 14:20  
 15:8 22:2,15,17,19,21

22:22 23:3,18 24:8,12  
 25:22 28:2 29:8 31:13  
 36:10 47:7 64:22 66:1  
 67:12 76:11 82:21  
 88:17 92:9,14 93:6  
 96:7 106:17 114:22  
 115:6,22 127:2  
 129:16 130:4 139:11  
 145:5 150:1,6,13  
**government's** 37:1  
 124:6  
**government-** 65:19  
**government-driven**  
 65:18  
**governmental** 24:13  
**governments** 8:22  
 34:12 45:11 113:7  
 117:1 120:15 121:17  
**graded** 150:2  
**grandfathering** 72:12  
**grant** 104:4 108:20  
 117:5  
**granted** 108:17 125:9  
 145:3  
**granting** 104:15 109:16  
 113:19  
**grapple** 67:12  
**gratitude** 22:22  
**great** 14:4 20:11,13  
 33:3,3 38:18 45:7  
 46:10 70:14 73:21  
 82:14 119:12 131:21  
**greater** 57:17 65:3  
 75:13 78:9 86:14,18  
 90:12  
**Greece** 71:19  
**grievances** 111:7  
**ground** 120:14 148:21  
**grounds** 133:17,19  
 134:7,18 138:5,10,19  
**group** 2:18 3:19 15:11  
 100:9 132:3,6  
**Group's** 132:9  
**groups** 15:19 17:10  
 46:19  
**grow** 90:14 105:12  
**growing** 64:7 83:19  
**growth** 33:18 36:12  
 146:5  
**Guan** 2:10 3:8 44:2  
**GuangDong** 50:9 81:22  
**guarantee** 144:19  
**guaranteed** 145:2  
**guarantees** 86:12  
**guess** 37:20  
**Guideline** 52:7,8  
**guidelines** 45:16 51:19  
**guise** 111:10 143:8

---

**H**


---

**half** 122:12  
**halt** 106:1  
**Hamilton** 1:18 6:16,17  
 40:2 80:20,22 128:3  
**hand** 44:4 48:15  
**happen** 98:3  
**happened** 65:6  
**happening** 115:11  
 152:2  
**happens** 81:16 83:6  
 139:13  
**happy** 16:10 72:18 97:1  
 109:4 130:6 131:22  
 141:12  
**hard** 74:4 138:21  
**harder** 93:4  
**harm** 124:13  
**harmful** 112:10  
**harming** 33:19  
**harmonization** 24:18  
 135:21  
**harmonize** 78:4,6  
**harms** 35:12  
**head** 13:7 22:15  
**health** 2:4,5,5 7:22  
 110:15,20 115:13  
 116:4 121:8,9,12  
 122:6,8,22 126:4  
 129:18  
**heard** 8:10 86:16  
**hearing** 1:3,8 4:4,10 5:7  
 5:11,15,18,22 6:4  
 8:20 9:4,6 11:12 12:7  
 12:19 44:5,22 48:17  
 99:16 100:1,6 119:18  
 131:21 153:9,20  
**hearings** 4:12 22:21  
**heat** 85:7,22  
**heirs** 25:6  
**hello** 22:10 97:10 110:5  
**help** 51:6  
**helped** 63:22  
**helpful** 43:7 45:1 51:6  
 129:15 130:6  
**helps** 129:13  
**heritage** 24:22  
**heterogeneous** 114:10  
**HHS** 8:1  
**Hi** 6:20 60:13 110:8  
 140:8  
**hiatus** 4:12  
**high** 75:9 85:7 86:11  
 87:15 114:3 123:16  
**high-income** 121:4  
**high-paying** 105:8  
**high-quality** 87:10  
 105:1

**high-risk** 142:13  
**highest** 22:18  
**highlight** 38:14 74:16  
**highlighted** 96:9 132:9  
 135:11  
**highlights** 91:21  
**highly** 14:2 79:12  
**hindered** 27:9  
**hire** 35:3  
**historically** 121:14  
**history** 120:7  
**HIV/AIDS** 120:17  
**hold** 11:22 27:8  
**holder** 41:19  
**holders** 79:1 119:4  
**holding** 4:12  
**holds** 33:2  
**holes** 85:5  
**home** 145:15  
**Homeland** 1:17 7:19  
 20:21 29:22 86:6  
**honesty** 85:2  
**honor** 22:11  
**hope** 36:15 38:1 67:17  
 109:19 130:6 136:7  
**hopeful** 76:3 97:4  
 147:14  
**hopefully** 17:17  
**host** 44:14  
**hosted** 5:8  
**hour-and** 5:19  
**House** 124:1  
**hubs** 79:16 82:1  
**huge** 37:9  
**Human** 2:4 116:4  
**hundreds** 63:11  
**hurt** 66:14  
**hurting** 66:3

---

**I**


---

**idea** 137:13  
**identical** 87:1 134:5,5  
 138:15,15  
**identification** 10:21  
**identified** 10:18 59:10  
 91:16  
**identifies** 17:5 108:14  
**identify** 10:12 32:4 91:1  
 130:14 136:14  
**identifying** 117:22  
**ignored** 46:5  
**IIPA** 88:13,15 89:1  
 90:17 91:15 95:15  
 96:17,20  
**IIPA's** 97:11  
**illegal** 93:12 151:3  
**imbalanced** 65:2  
**immediate** 86:12

- impact** 77:2 108:3  
**impacted** 68:8  
**impactful** 140:18  
**impartial** 65:12  
**impartially** 64:19  
**impede** 57:12 93:20  
 98:4  
**impediments** 102:18  
**impeding** 33:17  
**implement** 18:20 45:8  
 57:21 58:16,19 79:6  
 145:17  
**implementation** 23:13  
 45:12 48:10 73:4 77:7  
 79:20 95:5 108:1  
 128:9 145:20 147:13  
**implemented** 34:13  
 38:10,14 49:8 110:19  
 128:21  
**implementing** 29:16  
 55:8 94:15,20 95:8  
 147:5  
**implicates** 55:16  
**importance** 45:7  
 104:16  
**important** 13:18 14:17  
 21:7 28:4,11 29:7  
 74:12 95:4 105:4  
 106:7 112:5  
**importantly** 123:17  
**importation** 122:16  
**imports** 46:18  
**impose** 54:2 64:9 106:5  
 139:12  
**improve** 21:9 24:15  
 128:19  
**improved** 39:19  
**improvement** 144:22  
**improvements** 39:16  
 96:5 102:12,14  
 121:22 136:18 137:3  
 137:8  
**improving** 103:11  
**inability** 134:20  
**inadequate** 39:3 91:13  
 92:3 102:19 131:9  
**INB** 115:10  
**incentives** 128:12  
**incentivize** 117:1  
 118:11  
**include** 24:12 32:18  
 33:20 34:10 38:4  
 48:17 58:21 92:16  
 104:20 112:16 113:5  
 115:18 124:12 133:6  
 135:7  
**includes** 26:20 54:19  
 58:17 102:1 114:22  
 130:4  
**including** 12:15 25:2,17  
 36:4 37:18 48:11 67:1  
 86:11 89:6,8 91:17  
 92:4,11 93:13 94:18  
 108:22 113:5 115:13  
 117:22 122:1 124:5  
 125:12 135:15 144:4  
 145:18 153:12  
**inclusion** 91:18  
**inconsistency** 39:13  
**inconsistent** 54:9 56:21  
**increase** 25:10 77:8  
 79:21 85:12,14  
**increased** 64:9 68:3  
**increasing** 67:17 79:15  
 83:21 90:11 124:9  
 125:2  
**increasingly** 123:11  
 131:11  
**incremental** 47:20  
**independent** 32:13  
 89:13  
**index** 147:17 149:22  
 151:19  
**India** 38:9 79:5,6,13,16  
 91:19 149:13  
**India's** 79:20  
**indicated** 137:11 139:4  
**indicating** 133:13  
**indication** 64:12  
**indications** 8:6 63:13  
**indicator** 150:10  
**indicators** 63:14 149:21  
**indirect** 113:3  
**indispensable** 146:4  
**individual** 52:10 65:1  
**individuals** 101:21  
**Indo-Pacific** 36:6  
**Indonesia** 57:11 77:4,9  
 86:8,14,19 87:5,7,18  
 91:19 133:8 135:15  
**Indonesia's** 77:14  
**Indonesian** 86:9  
**industrial** 25:18  
**industries** 54:4,22  
 55:11,16 57:20 88:20  
 89:3,5 90:9 92:20  
 99:3 101:21 104:10  
 105:9 144:16 146:2  
**industry** 2:12 3:9 12:21  
 32:22 37:6 53:4,12  
 57:7 61:11 62:22  
 70:15 74:3 87:4 89:15  
 93:14 111:6 124:21  
**industry's** 74:1  
**industry-** 114:15  
**inequity** 120:20 129:7  
**Inflation** 123:13  
**influence** 67:15  
**influx** 41:1  
**inform** 17:16 32:4 82:20  
**information** 8:19 9:7  
 12:7 16:13 21:1 44:20  
 48:17 60:7 72:19  
 74:18 94:17 95:1 96:2  
 106:3 118:20  
**information-** 8:16 84:18  
**infringe** 107:5  
**infringed** 137:19  
**infringement** 34:3,22  
 76:5 80:2 93:2,16  
 112:21 134:22 135:7  
**infringements** 78:21  
**infringer's** 135:1  
**infringing** 46:19 75:10  
**initiate** 30:13 76:18  
**initiative** 46:1  
**initiatives** 20:5,8 57:4  
 92:15  
**injunction** 42:22  
**injunctions** 41:2 42:5  
 43:3 107:12,16 125:3  
 125:9  
**innovate** 35:3 36:8  
**innovation** 1:11,13 2:19  
 4:7 6:11 23:2,22 24:5  
 26:10 43:13 45:20  
 46:1 100:4 105:8  
 113:16 142:1 143:12  
 144:7 150:15  
**innovation-driven**  
 104:22  
**innovations** 103:18  
 113:14  
**innovative** 104:18  
 105:9 142:10 148:9  
**innovators** 32:13 102:6  
 105:3  
**input** 94:19  
**inquire** 29:15  
**inside** 8:18  
**inspection** 34:14  
**inspections** 77:11  
**inspired** 87:3  
**instability** 46:3  
**instance** 68:18 69:6  
 71:2 134:11  
**instances** 137:17  
**institutional** 23:19  
**institutions** 22:20  
 24:13,22 26:3 76:12  
 128:12 142:6  
**instructions** 153:4  
**instruments** 24:5  
**insufficient** 103:2  
**integrity** 64:15 68:5,8  
**intellectual** 1:12,13,18  
 1:21 2:1,3,15,16 3:13  
 3:15 4:7,17,20 5:2  
 6:11,18 7:4,14 9:22  
 10:13,16 14:12 16:6  
 19:9 21:5,11 23:21  
 24:1 26:6 28:9 33:20  
 44:13,15 52:6,14  
 53:21 63:5 64:15,20  
 68:6 69:16 70:19 88:5  
 88:13 91:2,4,7 100:4  
 100:22 101:9 113:1  
 115:16 116:13,15  
 117:22 128:5 130:18  
 142:8,12 146:8 149:1  
**intelligence** 25:3 28:10  
 119:1 146:7  
**intended** 16:3 151:6  
**intensifying** 24:9  
**intents** 54:21  
**inter** 141:6  
**inter-minister** 15:11  
**interagencies** 73:6  
**interest** 25:10 66:5  
 120:8  
**interested** 8:21 101:22  
 153:1  
**interesting** 84:10  
**interestingly** 37:16  
**interests** 23:10 56:2  
 66:19 125:6 143:7  
**Interior** 20:4 21:10  
**intermediaries** 58:18  
 59:4,12 60:5  
**international** 1:14 2:2,3  
 2:3,10,11,15,17 3:7  
 3:13,16 6:14,21,22  
 7:5,9 25:22 26:2 38:7  
 43:15 44:6 64:13 78:5  
 78:8 82:11 88:4,12  
 101:18 107:19 110:4  
 110:10 114:17 149:22  
**internet** 26:16 33:1  
 38:11 53:17 57:7,19  
 58:13 92:6,22  
**interpretation** 48:12  
 52:21 77:15 86:20  
**interpreted** 110:18  
**interrupt** 27:16 100:20  
**interruption** 35:16  
**intervene** 144:14  
**intervention** 54:17  
 150:1,7,13  
**introduce** 6:6 12:14  
 54:15 56:21  
**introduced** 23:9 24:4  
 24:19 47:19 97:16,18

**Invalidation** 52:13  
**invasion** 23:9 27:10  
 29:1  
**invent** 42:13  
**inventions** 113:19  
**invest** 35:3 62:2  
**investigate** 77:12  
**investigation** 17:2  
**investigations** 78:14  
 103:9  
**Investigative** 13:9  
**investment** 6:22 28:20  
 33:17 54:20 61:16  
 104:18 142:13 143:4  
 144:6 149:7 151:15  
**investments** 60:17  
 102:7 149:5  
**investor** 61:22  
**investors** 61:9  
**invite** 12:13  
**invocation** 55:15  
**invoking** 56:17  
**involved** 64:17 68:7  
 83:20 106:21  
**IP** 5:2 9:13 13:13 23:2,4  
 23:10,11,16,19 24:4,5  
 24:10,11,15,16 25:15  
 26:2,14 28:5,6,18,22  
 32:6,7 33:14 34:3,8  
 34:22 35:13 39:12  
 44:14 49:5 53:19  
 54:21 60:15 61:15  
 62:4 63:6 65:4,8  
 66:14 68:9,15 69:18  
 71:4,16 75:1 76:10,12  
 78:1,4 79:7,10 80:6,8  
 82:11 98:5 101:15,17  
 101:22 102:7,10,18  
 104:9,13 105:1,1,7,11  
 105:19 106:11 107:8  
 108:1 117:4 118:4,6  
 137:21 142:5,7,17,22  
 143:2,15,21,22  
 144:16 146:12,15,18  
 147:16,19 149:8,22  
**IP-infringing** 76:22  
**IP-related** 29:3  
**IPO** 101:10,18 102:2,9  
 102:14 103:11 104:8  
 104:10,13 106:8  
 108:5,20 109:4  
**IPO's** 102:1 123:4,21  
**IPR** 30:5 37:3 45:7,9,17  
 45:20 46:5,13 78:20  
 80:1  
**irony** 138:6  
**issuance** 108:2  
**issue** 35:13 41:4,8,11

50:16 55:18 97:13  
 104:2 106:8 107:12  
 109:6,17 116:10  
 118:1,10 131:11  
 133:16 134:20 135:11  
**issued** 45:10 104:6  
 106:4,18  
**issues** 9:14 26:12,13  
 28:22 54:6 59:12  
 92:17 94:19 96:19  
 103:20 106:22 107:8  
 124:17,18 136:5  
**ITA** 107:18  
**Italy** 71:18 135:15  
**Ivaylo** 2:8 3:4 12:20

---

**J**

**J** 6:17  
**Jaime** 2:13 62:16  
**Jamie** 3:11  
**January** 29:17  
**Japan** 133:8 135:8  
**JESSICA** 2:2  
**Jian** 2:10 3:8 43:21 44:2  
 48:14,19 49:11,14  
 52:4  
**job** 33:18 36:12  
**jobs** 32:21 62:22 66:3  
 74:10 80:9 89:8 90:15  
 102:5 104:22 105:9  
**joint** 20:5,8  
**Jonathan** 2:12 3:9  
 53:10  
**JOSEPH** 1:18  
**journal** 145:10  
**journalism** 118:12,14  
**judgment** 133:6 138:2  
**judgments** 132:11,12  
 137:11,14  
**judicial** 48:11 82:13  
 105:22 107:14  
**judiciary** 41:8 43:3  
 45:10  
**July** 26:8  
**jumped** 145:11  
**June** 143:20  
**jurisdiction** 39:16 49:5  
 51:4 75:2  
**jurisdictions** 41:12  
 133:5 134:16 135:14  
**Justice** 1:20 15:12  
 19:18 40:20 48:21  
 83:14 150:20  
**Justice's** 7:14

---

**K**

**keep** 5:22 12:6 82:21  
 83:3 99:11

**keeping** 11:16 100:15  
**KEI** 111:21 114:6 115:7  
**Kenya** 135:8  
**Kevin** 2:15 3:14 88:11  
**key** 32:22 33:7 74:12,17  
 88:20 145:17 146:8  
**Kilbride** 2:18 3:20  
 141:20,21 147:10  
 148:16 149:19 151:10  
 152:6  
**Kilmer** 2:18 3:19 132:4  
 132:5 136:16 139:22  
 140:14,19 141:12  
**kind** 35:10 37:14 41:11  
 47:18 80:13 83:2,10  
 85:7 86:19 117:5  
**kinds** 98:14,19 99:1  
 105:22  
**Kingdom** 133:19  
**knockoff** 81:20 85:18  
**knockoffs** 76:5  
**know** 13:18 18:16 21:5  
 37:10 81:11 84:9 95:3  
 106:16 109:7,12  
 127:14 137:22 139:5  
 146:7 147:10,14  
 150:5,9  
**knowhow** 87:9  
**knowledge** 2:17 3:16  
 21:15 48:14 74:14  
 110:3,9,13 112:12  
 130:1  
**known** 101:10  
**knows** 72:22  
**Korea** 133:9  
**Korean** 56:18  
**Kuwait** 135:8,16

---

**L**

**lack** 16:4 41:7 72:15  
 76:12 83:5 107:14  
 126:16 128:9,10  
 132:12 133:19 134:17  
 137:10 144:13 147:8  
**lacks** 77:1  
**ladies** 153:19  
**lady** 44:3  
**laid** 95:10 97:3  
**landscape** 81:19  
**language** 58:18 90:21  
 115:1  
**Lanza** 1:19 6:12,13 18:5  
 39:1 95:14 117:11  
 147:2  
**large** 47:2 74:13 78:15  
**last**-43:11  
**Lastly** 79:5  
**late** 94:16  
**latest** 51:19  
**Latin** 140:18  
**Laughter** 141:9  
**law** 15:14 16:9 19:21  
 23:7,12,17 24:17 26:3  
 27:13 29:16 31:2 40:6  
 40:8,8,10 41:7 42:17  
 42:18 44:3 48:10 49:3  
 49:20,22 50:2,12 51:3  
 58:16 59:19,20 60:6  
 74:9 76:2,14,17,20  
 77:10 78:12 79:3,20  
 79:21 84:11 94:16  
 101:20 112:17 123:15  
 125:3,5,13,21,21,22  
 129:8 147:6  
**lawful** 59:7  
**laws** 19:22 33:9 53:19  
 57:8 78:4 79:7 89:18  
 102:10 103:3 104:1  
 112:13 115:16 140:9  
 142:16  
**lead** 9:8 35:15 47:13  
**leader** 132:5  
**leadership** 146:3,12  
**leading** 12:21  
**leaky** 85:5  
**learn** 107:8  
**least-developed** 128:15  
**leave** 142:2  
**leaves** 144:12  
**leaving** 11:15  
**led** 83:18  
**Lee** 1:8,11 3:2,21 4:3,5  
 8:7 16:16 18:2 19:15  
 20:19 21:3,21 22:2,6  
 27:16,19 28:14 29:10  
 29:21 30:19 31:7,10  
 31:17 36:19 38:6,18  
 39:22 40:18 43:9 48:3  
 48:16,20 51:13 53:1  
 58:3 60:3,10 62:6,9  
 62:12 67:21 69:20  
 72:4 73:8,13 80:10,17  
 82:5 83:12 86:3 87:21  
 88:2 94:10 95:11  
 96:13 97:8 99:4,7,20  
 100:2 105:15 107:17  
 108:9 109:22 110:3  
 116:2 117:8 118:16  
 119:12 126:10 127:22  
 130:8 131:17 132:1  
 136:10 139:16 140:6  
 141:10,13 146:21  
 147:22 149:10 150:18  
 152:4,7  
**left** 76:11 143:19  
**legal** 15:22 23:9 25:20

34:13 48:8 51:1 56:4  
78:1 82:16 91:22  
93:11 105:21 107:7  
118:20  
**legally** 104:12 111:13  
**legislation** 27:13 55:9  
58:15,19 59:9 97:15  
97:18,22 103:9 104:4  
115:15 144:5  
**legislative** 14:14,22  
15:7 16:5 17:19 76:22  
96:8,11 98:9 144:4,8  
**legitimate** 89:20 91:12  
93:17,21 125:6  
**lending** 39:20  
**lent** 143:16  
**lessened** 144:14  
**lesser-** 128:14  
**letter** 133:13 141:1  
**level** 114:17 146:12  
149:3  
**levels** 94:2 113:5  
**leverage** 122:13  
**liabilities** 112:14  
**liability** 59:6 78:20 80:1  
**liberally** 125:9  
**license** 26:13 50:14,17  
104:2 122:20 123:3,4  
124:7  
**licensed** 93:3  
**licenses** 41:22 104:5,5  
104:11,16,21 111:9  
111:11 112:1 115:21  
123:6  
**licensing** 42:11 98:11  
102:20 103:15 104:9  
104:13 111:17 114:20  
122:2,10,11,14  
123:20 124:1 149:15  
150:1,12  
**lifesaving** 124:8  
**likelihood** 133:20  
**limit** 76:18  
**limitations** 24:21 92:12  
145:7  
**limited** 104:12  
**limiting** 123:13  
**limits** 11:19 112:11  
**link** 59:9  
**linkage** 124:18  
**linking** 127:11  
**links** 112:14  
**list** 11:4,4,8,9 40:4  
74:21 76:8 82:18  
91:18 97:12 98:2,16  
107:22 119:6 123:1  
131:14  
**listing** 119:7 127:7

**lists** 92:18 124:17  
**literally** 16:1  
**litigation** 50:20 77:21  
82:11  
**little** 21:1 32:8 41:5  
63:2 71:21 72:2 84:2  
125:8 126:6 146:1  
**live** 13:19 147:8  
**lives** 120:22  
**livestream** 75:16  
**living** 93:5 146:6  
**local** 54:21 77:8 125:14  
129:3,5  
**locations** 74:12  
**locks** 34:21 42:7  
**locust** 114:4  
**lodged** 140:13  
**logistics** 153:17  
**long** 139:15 151:6  
**long-term** 46:16 142:13  
**longer** 85:16 145:1  
**longstanding** 38:5 57:1  
97:3 149:2  
**look** 19:3 59:22 84:6  
94:5,8 105:6 131:5,19  
150:3  
**looking** 116:22 117:2,3  
147:12  
**looks** 11:18 31:10  
100:8  
**lose** 63:18  
**losing** 25:8  
**loss** 23:11 35:5,10,16  
35:16 134:14  
**losses** 135:4  
**lost** 35:9 58:1  
**lot** 18:22 19:2 28:1  
33:21 70:15 86:21,21  
106:22 119:15  
**lots** 34:19 61:9  
**loud** 66:17  
**love** 38:1,15 40:16  
109:10 130:2 138:5  
141:7  
**low** 79:18  
**lower** 122:14  
**LTE** 42:12  
**lunch** 5:20

---

**M**

---

**machinery** 74:14  
**main** 28:7  
**maintain** 77:5 91:7  
133:13  
**maintained** 26:19  
**maintenance** 15:18  
17:9 140:10  
**major** 34:5 35:11

**majority** 60:17  
**making** 18:22 46:6 66:7  
88:18 144:19  
**manage** 73:7  
**managed** 23:18  
**management** 23:16  
26:13,21  
**mandate** 144:13  
**mandated** 9:21  
**mandatory** 54:12 60:18  
112:7  
**manner** 110:19  
**manual** 79:12  
**manufacturers** 63:17  
67:1  
**manufacturing** 74:13  
77:8 81:4  
**Marc** 43:14  
**march-in** 123:19  
**Mariya** 13:4  
**mark** 78:7 134:7 135:21  
136:3 137:6 140:12  
**market** 4:18 10:15  
34:11,13 54:16 56:16  
57:12 61:9 62:3 63:7  
63:18 69:11 83:14  
85:7,17 87:9 90:2  
91:3 93:18,19 101:16  
116:14 118:5  
**marketplace** 85:12  
105:5  
**marketplaces** 84:5,6  
**markets** 33:6,7 42:3  
54:1,13 57:3 61:15  
63:19 64:11 68:4 74:5  
83:1,2 85:20 86:21,22  
88:20 89:19 90:9 92:1  
92:21 93:7 94:5 105:2  
121:5 144:15  
**marks** 78:10 134:4,14  
135:12,13,16,20  
138:8,15  
**Marrakesh** 25:10  
**marred** 120:20  
**martial** 23:12,17 27:13  
**Mary** 1:16 7:8  
**materialize** 149:6  
**materials** 89:17 118:22  
**Matt** 2:14 3:12 73:17  
**matter** 13:20,21 99:17  
136:1 153:21  
**matters** 87:12 92:17  
**maturation** 81:16  
**mature** 86:22  
**maturing** 83:3  
**maximum** 23:15  
**Maybarduk** 2:17 3:18  
120:2,2 127:4 128:22

131:3,22  
**McHale** 2:12 3:9 53:9  
53:10 59:14 60:9 61:2  
62:8  
**mean** 49:22 71:12,13  
71:15,19 72:20  
**means** 90:14 118:15  
121:17  
**measure** 56:4,11 123:9  
149:21  
**measured** 147:16  
**measures** 26:1 54:15  
55:10 56:21 57:11  
76:18 77:12 95:7,9  
106:4 108:2 129:22  
143:1 144:4  
**meats** 63:16  
**mechanism** 23:10,13  
**mechanisms** 114:20  
**media** 75:21  
**medical** 118:21 120:21  
121:3  
**Medicare** 123:13  
**medicine** 120:17  
125:12  
**medicines** 110:21  
120:3,12 123:3,20  
124:14  
**meet** 89:22 92:4 93:18  
**meeting** 28:20 60:18  
61:18 115:10  
**meetings** 13:12  
**member** 51:1 74:4 77:7  
80:5 82:22 103:3  
133:7,18  
**members** 22:11 32:12  
33:5 34:6 35:2,8,12  
35:14,18 39:4,7 42:8  
43:22 44:11,16,17  
53:20 65:22 75:9  
79:14,19 82:12,15  
83:10 87:17 89:11  
96:18,20 97:2 98:4,12  
102:3,22 103:6  
104:19 106:13,19  
107:1,13 109:17  
111:2 114:8 120:6  
128:11,15,19  
**members'** 110:20  
**membership** 34:2  
39:13 102:1  
**Memorandum** 26:9  
**mention** 100:10  
**mentioned** 39:2 51:8  
84:5 116:9 128:9  
136:18 144:18 151:2  
**merits** 47:15  
**Merriam** 1:20 7:12,13

19:19 20:2,18 40:21  
42:14 43:6 48:22  
49:13,17 50:3,6 51:5  
51:12 83:16 84:1  
150:21 152:3  
**met** 72:11  
**Mexican** 40:6,11 140:22  
**Mexico** 40:4 76:6,7,9,14  
77:1 91:20 140:9,21  
145:17  
**Mexico's** 76:16  
**Mexico-Canada** 55:8  
**migrant** 123:2  
**Milk** 62:18  
**million** 32:21 46:20  
89:8  
**millions** 120:22 133:21  
**mind** 12:6 53:6 62:12  
90:17 99:12 116:11  
139:20  
**minimum** 92:6,7 109:16  
133:11 145:1  
**mining** 58:22  
**Minister** 12:20 13:7,10  
19:7 46:20  
**ministerial** 146:18  
148:6  
**Ministers** 13:1  
**Ministry** 15:12 18:7,18  
20:3 21:10 26:8,19  
27:5 95:16,21  
**minuscule** 67:8  
**minute** 11:18 43:12  
**minutes** 11:14,15,16  
31:12 100:11,12,13  
**mission** 84:8  
**Mitchell** 2:1 7:2,3 38:8  
**mitigate** 46:2  
**mitigating** 49:4  
**MLOs** 142:5  
**mobile** 50:10 92:22  
**mobilize** 25:21  
**model** 151:8  
**models** 99:2 113:14  
119:2,5  
**modern** 94:2  
**modernize** 79:11  
**modify** 149:14  
**moment** 60:9 151:13  
**monetary** 139:12  
**monetization** 67:3  
**money** 134:15  
**money-** 132:14  
**monitor** 84:15  
**monitoring** 79:19  
**monolithic** 151:12  
**monopolize** 63:10  
**months** 23:8 108:17

**moral** 25:5  
**morning** 4:3,5 6:9,12  
6:16 7:2,7,12,17,21  
8:2 40:2 43:22 53:9  
62:11 73:12,13 80:20  
80:21 99:8  
**Morocco** 82:19  
**Motion** 89:14  
**move** 43:16 97:6 98:18  
**moved** 81:4  
**moves** 81:13  
**movie** 19:4  
**moving** 31:13 36:16  
59:17 88:4  
**Mozambique** 134:18  
**mRNA** 129:17,19  
**multilateral** 136:3 142:6  
142:16 146:12  
**multitude** 138:22  
**Muzylov** 2:9 3:5 22:5,10  
22:13 27:18,22 28:16  
29:5,19 30:14,18 31:4  
31:9

---

## N

---

**n** 50:14  
**name** 4:5 6:9,12,16,20  
7:7,17,21 8:3 12:15  
12:19 22:6,13 31:17  
43:18 44:2,4,7 49:16  
53:6,10 59:8 62:13,16  
73:14,17 88:6,11  
100:2 101:3,7 110:5  
119:21 141:17  
**named** 50:9  
**names** 2:13 3:10 59:11  
62:10,20 63:1,10 64:1  
67:3  
**narrative** 67:5 142:8  
143:16 146:13  
**narrow** 56:11 77:15  
**nation** 61:12  
**national** 13:8 23:4,21  
24:1 26:2 44:9 52:6  
52:13 62:18 115:15  
138:21 142:16 143:7  
146:5  
**nations** 74:7 133:7,18  
135:5,10  
**nature** 50:15 127:10  
**nearly** 122:12  
**necessarily** 86:17  
87:13 131:6  
**necessary** 21:19  
115:14,19  
**need** 11:20 16:14 54:7  
66:6 75:13 77:4 95:8  
96:1,6 116:9 120:10

125:16 127:17 129:5  
**needless** 133:22  
**needs** 78:6 96:7 113:9  
113:17 121:9 127:20  
**negative** 121:15  
**negatively** 9:14  
**neglected** 55:17 113:21  
**negotiated** 56:10 69:9  
69:12 71:3  
**negotiates** 68:14  
**negotiating** 65:18  
68:16 69:17  
**negotiation** 122:11  
**negotiations** 65:9  
114:17  
**neighboring** 18:11  
**Neighbouring** 18:9  
**neither** 124:14  
**NEPs** 37:21  
**network** 92:22  
**never** 68:22 69:19,19  
71:7  
**new** 21:8 24:17 25:13  
25:16 27:6,8 33:6  
38:2 46:14 52:3 55:4  
57:10,19 63:4,20  
75:12 76:3 79:20 85:8  
85:8,17 102:7 103:17  
108:2 114:11 119:14  
121:12  
**newly-established**  
23:20  
**newly-formed** 21:6  
**news** 112:6,10,14,19  
117:13  
**nexus** 55:5  
**Nigeria** 135:8 151:18  
**nimble** 142:17  
**nine** 91:17  
**nominate** 40:3  
**nomination** 97:11  
**non-** 24:12 59:1  
**non-conforming** 56:11  
**non-consumptive** 59:2  
**non-discriminatory**  
41:21  
**non-essential** 37:21  
**non-government** 3:6  
31:14  
**non-original** 30:22  
**non-regional** 25:1  
**non-tariff** 54:18 56:3  
**non-traditional** 78:10  
**non-use** 137:3 140:12  
**non-voluntary** 115:2  
**nonprofit** 32:10  
**norms** 37:17 57:21 78:8  
92:5,11 113:2

**note** 5:9 18:6 19:9 20:3  
30:3 35:22 38:9 41:1  
117:12 142:15 145:9  
145:17 151:17  
**noted** 26:17 58:14  
95:15 111:15 114:21  
151:13 153:8  
**notes** 49:2 70:1 72:9  
102:9,12 140:8  
**notice** 9:1 100:16,17  
106:9 124:2 127:18  
153:5  
**noticed** 79:14  
**notices** 106:3  
**notorious** 93:7  
**notwithstanding**  
130:19  
**November** 24:2 28:19  
**nowadays** 45:7  
**number** 14:4 21:14  
30:11 47:2 79:15  
122:17 131:10 133:7  
136:5  
**numerous** 15:13 19:8  
75:12 86:9 102:9

---

## O

---

**OAPI** 134:18  
**obey** 15:14  
**object** 125:4  
**objections** 122:2  
**objective** 65:12 90:8,14  
**objectively** 65:12  
**objectives** 113:10  
115:19 116:10,11,12  
**objects** 18:11 25:1 31:1  
**obligation** 115:13,18  
**obligations** 38:10,13  
54:10,20 55:7 56:22  
58:11 59:18 92:4  
130:21  
**obscurity** 65:14  
**obviously** 46:2,9 47:9  
54:17 137:6 138:11  
138:12 140:20  
**occupational** 28:9  
**occurrence** 35:21  
**October** 24:10 36:1  
**odd** 138:18  
**offenses** 16:6  
**offer** 90:11  
**offering** 140:12  
**offerings** 105:4  
**office** 1:1,1,11,12,16,18  
1:19 2:1,3 3:2,21 5:11  
6:15,17,18,22 7:3,11  
8:1 10:2 18:4 19:10  
20:3,4 22:19 23:21

24:4 25:15 26:6,7  
 29:12 38:22 51:15  
 58:6 71:4 77:14,17  
 79:10,11 95:13 96:14  
 97:19 108:11 117:10  
 118:10 128:4,5  
 130:10 134:13 147:1  
 148:2  
**Officer** 1:16 2:5 7:9,22  
**officers** 69:16 77:11  
**official** 17:18 19:5,12  
 95:17  
**officials** 76:21  
**officio** 76:17  
**oh** 50:8 149:11  
**okay** 16:19 17:21 18:2  
 21:3,21 31:7 38:1,15  
 43:8 49:14 58:3 59:14  
 60:10 86:8 88:2 96:13  
 99:7 108:9 109:22  
 118:16 119:21 131:16  
 136:16 140:19  
**Olympics** 46:14  
**omits** 65:3  
**Omnibus** 10:5  
**once** 77:19  
**one-minute** 100:16  
**ones** 34:1 38:3 83:3  
 87:15  
**ongoing** 23:5 29:1 47:6  
 114:16  
**online** 15:16,19 17:3,8  
 17:11 18:10 19:3,11  
 19:12 20:7 35:1 46:7  
 55:3,13 56:1 58:18  
 60:19 76:5 78:15 84:4  
 93:9,14 145:9  
**Online-to-offline** 75:12  
**open** 38:19 42:1,11  
 78:3 94:5 114:3  
 152:21  
**Opening** 3:2  
**operate** 98:5  
**operating** 73:3  
**operation** 50:22 93:12  
**operations** 93:22  
**opinions** 8:18 45:10  
 71:1  
**Oppo** 50:9  
**opponents** 65:4 121:16  
 121:17  
**opportunities** 58:1  
**opportunity** 5:3 9:3  
 32:3 33:3 36:14 44:8  
 53:13 73:21 78:19  
 79:21 80:3 88:14  
 94:18 101:12 132:7  
 147:7

**oppose** 112:12 141:3  
**opposed** 70:2  
**opposes** 104:8  
**opposing** 71:14  
**opposite** 64:20  
**opposition** 65:15 70:5  
 70:7 77:16 132:13  
 133:22 137:1 140:20  
 140:21 141:2  
**opt** 118:21 119:4  
**optimistic** 102:14  
**optional** 153:2  
**oral** 152:18  
**order** 3:2 4:4 13:12,19  
 14:7 15:1,9 16:2 19:1  
 21:15 25:21 41:22  
 61:5,18 75:20 111:19  
 129:5 131:13  
**organization** 12:15  
 31:18 36:5 43:13,19  
 53:7 62:13 73:15 88:7  
 101:4 110:6 119:22  
 120:5 122:22 129:18  
 141:18  
**organization's** 108:6  
**organizations** 27:14  
 70:20 111:7 114:16  
**original** 31:5 97:21  
 153:4  
**orphan** 25:8  
**outcome** 60:22  
**outcomes** 67:19  
**outline** 19:21  
**outlined** 5:4  
**outlining** 76:11  
**output** 90:7  
**outside** 134:17  
**overall** 4:15  
**overarching** 93:1  
**overcome** 16:4 120:16  
**overcomes/supersed...**  
 68:15  
**overseas** 92:21 144:11  
**oversight** 55:20  
**overview** 4:13  
**overwhelmingly** 121:4  
**owned** 61:21  
**owner** 77:20  
**owners** 2:16 3:15 5:1  
 101:1,9 133:21 135:4  
**ownership** 60:16  
**owns** 118:1

---

**P**


---

**P-R-O-C-E-E-D-I-N-G-S**  
 4:1  
**p.m** 99:9,16,19 152:21  
 153:22

**package** 144:5  
**page** 40:22 58:9 81:1  
**pages** 115:9  
**Pakistan** 135:8  
**Pan** 122:22  
**pandemic** 111:20 114:1  
 115:11,17,17  
**pandemics** 114:18  
**panel** 1:9,12 6:4 11:16  
 11:22 18:16,17,17  
 81:10 153:13  
**panelists** 80:11 100:14  
**paragraph** 17:6,14  
 109:15 110:14  
**Paraguay** 97:11 98:2,5  
 98:9,16,20  
**Paraguay's** 97:19  
**parallel** 50:19 122:16  
**parcels** 77:3  
**Parliament** 14:22 15:5  
**parliamentary** 14:19  
**parma** 68:20  
**Parmesan** 63:11 69:7  
 71:4,5  
**part** 7:15 15:6 19:9,11  
 60:3 64:4 117:20  
 141:5 143:18  
**parte** 133:17 134:17  
**partes** 141:7  
**participants** 22:20  
 132:9 135:12 152:12  
**participate** 88:21 107:3  
**participated** 90:18  
**participating** 143:11  
**participation** 70:7  
**particular** 24:20 26:3  
 26:16 81:18 106:16  
 110:21 121:17 127:12  
 139:19 151:16  
**particularly** 42:8 54:8  
 62:2 74:12 84:17  
 109:8 115:20 147:21  
**parties** 8:21 138:13  
 140:13 153:2  
**partner** 44:2 70:14  
**partners** 10:1 53:19  
 63:21 64:14 65:10  
 68:10 80:8 90:5 92:3  
 92:10 93:11 101:14  
 117:18 118:2  
**partners'** 15:1 91:11  
**partnership** 13:18  
**party** 11:12 75:4 133:1  
**pass** 15:6 85:11  
**passed** 14:18,21 25:5  
 106:11  
**passes** 106:8  
**passing** 17:3

**patent** 1:16 7:10 20:3  
 25:20 26:7 29:11  
 41:16,17,18,22 42:10  
 42:18,21 43:5,5 49:6  
 49:9 51:15,19,22 52:2  
 52:7,10,12 58:6 96:14  
 103:16 104:17 108:10  
 108:15,20 109:8,9,13  
 123:3 124:7,18 130:9  
 144:5 145:1,2,19  
 148:1  
**patent-based** 121:11  
**patentability** 124:19  
 145:19  
**patented** 123:14  
**patently** 56:3  
**patents** 4:21 34:4 37:13  
 37:14,15,21 41:14,15  
 74:8 108:18 110:12  
 113:19 115:2  
**patients** 144:19  
**Patrick** 2:18 3:20  
 141:21  
**Paul** 2:18 3:19 132:5  
**Pavlova** 13:4  
**pay** 28:4,11 66:9 75:7  
 123:14  
**pays** 54:3  
**pays** 44:12 46:10  
**penalties** 79:18  
**pending** 97:15,17  
 145:20  
**people** 17:18 100:9  
 119:15  
**percent** 47:4 74:3 89:7  
 89:9 122:15,15 123:1  
**perfect** 55:22 71:2  
**perform** 23:22  
**Performances** 38:12  
**period** 14:18 15:4 27:3  
 47:18  
**periods** 145:16  
**permissible** 104:12  
**person** 4:12 11:14  
 16:12 19:3 73:22  
 143:17  
**personally** 132:18  
**personnel** 8:14 153:16  
**persons** 4:19 10:15  
 15:15 17:7 23:11  
 25:11 32:7 91:4  
 116:15 118:5  
**perspective** 77:1  
 107:10  
**Peru** 122:15  
**Peter** 2:17 3:18 120:2  
**pharmaceutical** 51:22  
 121:3 127:8 144:5

- phase** 8:17 45:8 147:12  
**Phonograms** 38:12  
**phrased** 111:9  
**physical** 78:17 84:6  
**physically** 20:6  
**Picture** 89:14  
**pieces** 46:20  
**piracy** 15:16 17:3,8  
     19:14 21:18 34:19  
     46:8 47:4 92:22  
     125:20 126:2 145:10  
     151:3  
**pirate** 93:21  
**pirated** 15:20 17:11  
     35:6,10  
**place** 5:11 42:1 57:17  
     61:3,10 103:10  
     112:14 124:22 135:19  
     149:7  
**placed** 11:9  
**places** 81:21 151:9  
**planned** 27:6  
**planning** 26:12  
**plans** 11:8 27:9  
**plant** 46:14  
**platform** 19:5 78:20  
     80:1  
**platforms** 15:18 17:10  
     75:14,21 84:13,17,20  
     85:1,21 93:3  
**play** 146:8  
**played** 124:21  
**players** 90:12  
**please** 12:6,14 22:4,7  
     31:17,19 39:5 40:7,9  
     43:18 48:17 49:7 52:1  
     53:7 59:8 62:12,14  
     68:7 70:6 73:14,15  
     83:15 86:13 88:6  
     95:20 96:17 98:1  
     99:11,13 101:3 106:2  
     110:4,5,6 117:20  
     119:21,22 131:15  
     141:17,18 149:16  
     153:3  
**pleased** 101:11  
**plug** 85:5  
**point** 6:2 31:12 52:16  
     107:15 122:12 123:4  
     123:21 150:14 153:19  
**points** 45:6 125:6 129:4  
     142:3  
**policies** 10:19 33:9  
     34:13 36:3 61:5 78:19  
     94:3 127:8 130:14  
     131:11  
**policing** 114:2  
**policy** 1:16 2:19 5:5  
     6:13 7:1,8,20 8:9  
     31:22 32:9,10 37:16  
     55:18 66:22 107:10  
     113:9,22 114:13  
     116:10,10 117:4  
     121:16 124:2,10  
     126:4,7 142:1  
**political** 13:7 14:18  
     67:15 121:8  
**POMPER** 2:2 107:20  
**popular** 75:16 85:3  
**port** 63:11  
**portfolio** 50:18  
**portion** 67:8  
**poses** 142:8  
**position** 138:18 149:2  
**positions** 95:16,21  
**positive** 88:19 96:5  
     129:20 140:16 151:4  
     151:7,21  
**possibility** 47:22  
**possible** 16:11 20:12  
     60:16,22 76:3 94:17  
     102:14  
**post-** 131:20  
**post-hearing** 38:18  
     48:18 51:11 119:19  
     141:11 152:19 153:1  
**posted** 153:10  
**posts** 67:9  
**potential** 59:5  
**potentially** 112:11  
**poverty** 114:2,3  
**power** 65:2 76:18  
**practice** 74:9 132:18  
     135:22  
**practices** 10:20 33:9  
     57:18 78:2 90:2 127:2  
     129:14 130:14  
**practitioners** 130:2  
**precedent** 144:18  
**predictable** 104:17  
**prepare** 114:18  
**prepared** 11:15 12:2  
     100:12  
**preparedness** 114:1  
**preparing** 18:7  
**prescription** 121:11  
**present** 1:10 2:7 28:2  
     39:3,7 88:15  
**presented** 102:10 137:5  
**presenter** 12:1  
**presents** 34:5 35:11  
**preservation** 50:1  
**President** 1:1 53:11  
     62:17 73:18 123:18  
     141:22  
**President's** 5:5  
**presiding** 1:9  
**press** 92:9  
**pressing** 103:20  
**pressure** 121:15  
**pressuring** 45:21  
**pretty** 18:15 19:13  
     20:14 21:12,17 31:11  
     38:5 39:20 100:8  
**prevent** 56:7 93:11  
     143:10  
**prevented** 96:21 134:14  
**preventing** 23:11  
**prevents** 79:10  
**previews** 65:7 71:12  
     104:6  
**previously** 26:15 28:11  
**price** 120:16 122:11  
     123:1 124:5  
**price-** 124:19  
**price-setting** 150:7  
**prices** 122:15 123:12  
     123:13,16  
**pricing** 123:16 125:11  
**Priest** 2:14 3:12 73:12  
     73:17,17 80:16,21  
     81:7 82:14 83:22 84:9  
     86:7,16 87:20 88:1  
**prima** 47:10  
**primary** 94:19 108:6  
**Prime** 13:7  
**principle** 50:21 125:18  
     150:11  
**principles** 36:11  
**prior** 69:11  
**priorities** 5:4 61:4  
     76:11 103:13 132:9  
**prioritize** 60:15  
**prioritized** 76:10 121:4  
**priority** 10:19,21 11:3,4  
     11:8,9 23:5 40:4  
     74:21 76:7 91:18  
     107:22  
**private** 8:22 57:12  
     75:18 89:1 132:18  
     143:4  
**privileges** 13:21  
**proactive** 77:12  
**probably** 96:1 140:1,4  
**problem** 26:15 87:20  
     144:2  
**problem-solving**  
     152:16  
**problems** 72:22  
**procedural** 70:9  
**procedure** 49:3,20,22  
     50:2,12 51:3 134:12  
**procedures** 10:22 25:4  
     25:7,14 64:15 68:5,9  
     77:16 86:11 140:17  
**proceeding** 134:9  
     140:21 141:2,7  
**proceedings** 132:11,13  
     132:16 134:1 137:1,4  
     140:13,20  
**process** 8:15 15:9 16:7  
     21:16 41:20 53:15  
     54:14 56:4 57:16  
     65:13,15 70:5,7 77:18  
     78:11 79:12 81:16  
     84:7 88:16 90:19 91:7  
     122:14 123:8 126:17  
     126:20 127:16 141:1  
     141:6  
**processes** 77:6 79:8  
     94:17 95:1 127:1,2  
     135:19  
**processing** 99:13  
**produce** 54:20 74:4  
**producers** 62:18 63:21  
     64:2,8 65:9 66:15  
     90:4 93:4 129:19  
**producing** 89:17  
     132:22 138:13  
**product** 35:19 77:11  
**production** 24:16 61:9  
     74:14 81:3,13,17,22  
     85:20 125:15 129:3,6  
     129:9 142:9  
**products** 34:7 63:19  
     75:15 76:19 85:8  
     90:10 93:17,21 107:4  
     107:5 124:3 139:8  
**profits** 135:1  
**program** 26:4 31:1  
     129:18  
**programs** 25:2 128:18  
**progress** 17:1 44:18  
     75:1 90:3 92:17 96:21  
     102:15 122:7,7 126:5  
     147:17  
**Project** 19:10  
**proliferation** 142:22  
**prolonged** 15:4  
**promise** 33:3  
**promote** 75:19 77:17  
     90:8 104:1 105:11  
     110:21 124:6  
**promoting** 62:21  
     128:13  
**properly** 95:6  
**property** 1:12,13,19,21  
     2:2,3,15,16 3:13,15  
     4:8,17,20 5:2 6:11,18  
     7:4,15 9:22 10:14,16  
     14:12 16:6 19:10 21:6  
     21:11 23:22 24:1



25:18 26:6 33:21  
 44:13,15 52:6,14  
 53:21 63:5 64:16,20  
 68:6 69:16 70:19 88:5  
 88:13 91:2,4,8 100:4  
 101:1,9 113:2 115:16  
 116:13,16 118:1  
 128:5 130:18 142:8  
 142:12 146:8 149:1  
**proportionality** 42:20  
**proportionately** 150:10  
**proposal** 15:11 60:15  
 98:10 124:5  
**proposals** 96:9 99:1  
 104:20 142:22 143:10  
 144:8,9 150:16  
**proposed** 34:12 55:4  
 57:10 104:3 114:6  
**proprietary** 34:15 150:5  
**prosciutto** 68:20  
**prosecution** 15:15 17:2  
 17:7 48:12  
**prosecutions** 17:13  
 78:14  
**Prosecutor** 1:21 13:5  
**Prosecutor's** 20:4  
**prosecutors** 21:13  
**Prosperity** 36:7  
**protect** 46:5,13 57:22  
 64:1 71:3 74:8 79:10  
 102:7 110:20 120:11  
 122:6 145:8  
**protectable** 135:13  
**protected** 18:11 31:2  
 63:13 89:17  
**protecting** 23:10 25:11  
 33:10 120:7  
**protection** 4:17,19 9:13  
 9:22 10:13,16 13:13  
 14:11 25:4 28:5 32:5  
 33:14 34:8 44:13,16  
 44:19 45:8,17,20 47:1  
 48:8 53:21 58:13 69:4  
 69:10 76:10 79:22  
 80:5 89:22 91:2,5,8,9  
 91:14 92:8 94:3,4  
 95:4,7,18 98:5 101:15  
 101:17 102:18,19  
 103:1,10,12 105:1,11  
 116:13,16 117:14  
 118:3,6 124:17  
 130:18 131:9  
**protections** 59:3 67:6  
 92:13 95:7  
**protects** 80:8  
**Protest** 141:1  
**proud** 14:1  
**prove** 79:1

**proven** 90:14  
**provide** 9:6 12:7 20:7  
 23:14 29:9,20 33:13  
 34:11 36:15 40:7,9  
 41:21 42:17,19 44:20  
 51:7,10 54:1 56:12,17  
 58:12 59:8,11 68:9  
 69:4 74:18 77:6 78:9  
 81:9 84:1 89:8 101:14  
 104:1 111:4 114:9  
 128:11 138:7 147:6  
**provided** 15:15 36:12  
 52:19,21 65:5 90:20  
 136:1  
**providers** 54:22 58:13  
 101:20  
**provides** 52:15 76:17  
 78:19 79:21  
**providing** 17:6 120:14  
**Province** 81:21,22  
**provision** 40:8,10,13  
 72:12 131:5  
**provisions** 10:7,9 11:6  
 24:20 55:14 76:16  
 111:3 112:17 145:18  
 145:21 146:16  
**public** 1:3,8 2:17 3:18  
 4:10 5:7,15 9:4,6,11  
 9:16 24:6 25:6,10  
 46:20 64:4 65:14  
 94:18 100:6 110:15  
 110:20 111:5 113:3,6  
 113:10,21 114:7,10  
 114:12,14 115:13  
 116:7 119:20 120:3  
 122:6 124:4 127:17  
**public's** 120:7  
**publication** 9:9 105:22  
**publicly-funded** 121:2  
 123:20  
**publish** 75:11  
**published** 9:2 45:16  
 52:7 106:15,17  
 107:14  
**publishers** 35:9 89:12  
 90:4  
**purchasing** 85:2  
**purported** 57:14  
**purpose** 9:5 12:7 45:11  
 90:22 111:4 128:13  
**purposes** 112:19  
**pursuant** 10:3 12:22  
**pursue** 123:8 145:5  
**pursuing** 11:5  
**pursuit** 64:21  
**put** 5:17 59:22 61:3  
 72:17 117:20 124:2  
 127:17

**puts** 79:3  
**putting** 129:11,12

---

**Q**


---

**Qi** 2:11 3:8 44:4  
**qualify** 60:18 61:18,20  
**quality** 105:8  
**quality-made** 85:19  
**quantities** 78:15  
**question** 16:17 18:3  
 19:17,17 20:20 28:15  
 29:6,11,22 30:20  
 36:20 37:9 38:17,21  
 39:9 40:1,6,16,19  
 41:10 48:4,20 50:18  
 51:7,14 58:5 59:15,17  
 60:4,11 64:14 67:22  
 68:5 69:21 70:13  
 71:13 72:6,7 80:19  
 82:6,14 83:15 86:5  
 87:2 94:22 96:3,13  
 97:9 98:8 105:16  
 107:18 108:10 109:3  
 116:3,18 117:9 118:8  
 118:17 125:21 126:11  
 128:1 130:7,9 136:11  
 136:20 140:7 146:22  
 148:1,17 149:11,20  
 150:19 151:11  
**questioned** 67:6  
**questions** 11:16,22  
 12:3,10 16:11 27:21  
 36:16 80:12 94:9,11  
 95:12 100:13 131:18  
**quickly** 143:1  
**quite** 16:9 64:19 136:5  
**quotas** 54:8,15 61:19  
**quotation** 112:6 117:13  
**quotations** 59:1 112:9  
**quote** 40:5 54:18 56:11  
 60:14,19 95:15,19  
 105:19 106:1 110:18  
 110:22 111:2 126:15  
 126:19 130:16,21  
 148:8,10

---

**R**


---

**R&D** 105:3 113:1,5,11  
 113:13,18 116:8  
 117:6  
**radio** 27:14  
**rails** 146:14  
**raised** 57:5 78:14 96:19  
**raises** 36:22  
**ramp** 129:5  
**rampant** 76:4  
**range** 122:4 135:18  
**rapid** 121:1

**rapidly** 41:2  
**rare** 104:12  
**rate** 20:13  
**reach** 89:19 108:19  
**read** 111:12 131:4  
 144:12  
**readily** 140:5  
**reading** 45:18  
**ready** 80:6  
**reaffirm** 111:22  
**reaffirmed** 111:1  
**real** 109:6 141:2,6  
 144:22  
**realistic** 77:6  
**reality** 67:7 142:12  
**really** 19:14 37:8 39:17  
 59:16 62:4 83:18  
 85:13 87:10 127:17  
 137:12 145:7,13  
 148:22 150:15  
**reason** 30:10 71:11  
**reasonable** 41:21  
 123:16 124:4 143:17  
**reasonably** 56:15 135:2  
**reasons** 146:10  
**reassert** 146:11  
**recall** 9:18 127:6  
**received** 9:11  
**recognition** 70:2 78:9  
 147:8  
**recognize** 77:5 108:16  
**recognized** 58:21  
**recognizes** 97:17,20  
 104:11  
**recommend** 119:5  
 128:16  
**recommendation** 98:2  
 98:15 108:3,5  
**recommends** 76:7 79:6  
 91:16 107:21 149:13  
**record** 5:9 22:7 31:18  
 43:19 73:15 99:18  
 101:4 110:6 129:12  
 129:12,14 141:18  
 153:22  
**recordation** 86:10,15  
**recorded** 5:16  
**Recording** 89:15  
**records** 133:4 134:13  
**recourse** 77:20  
**recover** 135:4  
**recovery** 139:13  
**Reddit** 75:22  
**redouble** 93:10  
**reduce** 20:5 79:7  
**reduced** 47:12,17  
 109:11  
**reducing** 149:8

- reduction** 109:5 114:2  
123:13 148:19  
**Reexamination** 52:12  
**refer** 49:22  
**referenced** 59:21  
**referred** 10:8 49:17  
148:7  
**reflect** 81:6  
**reform** 23:19 47:20  
91:22 120:11 145:5  
**reforms** 28:18 29:3  
**refugee** 113:22  
**refusals** 133:17,19  
134:7,18 138:5,10,20  
**refusing** 138:14  
**regard** 16:5 20:11,16,16  
44:21  
**regarding** 40:22 57:2  
58:9 80:22 86:10  
127:13  
**regards** 82:8  
**regime** 23:17  
**regimes** 91:11 92:2  
112:13  
**regional** 26:2  
**register** 9:2 26:18 65:16  
75:11 119:18 150:4,4  
153:5  
**registered** 75:4  
**registering** 79:12  
**registrant** 137:5,20  
**registrants** 133:12  
**registration** 133:14  
137:8 140:11 149:14  
149:16  
**registrations** 138:14,22  
**regular** 37:13 41:15  
43:5  
**regularly** 44:14 45:15  
114:22  
**regulated** 53:18  
**regulation** 95:9 115:4  
**regulations** 33:9 45:10  
64:18 94:15,20 103:4  
104:1 147:5  
**regulations.gov** 9:16  
153:6  
**regulatory** 24:14 57:4  
**reimbursement** 127:8  
**rein-in** 123:12  
**reinforce** 77:4  
**reintroduced** 122:16  
**reiterate** 36:1  
**reiterates** 57:1  
**reiterating** 90:21  
**rejected** 47:15 71:10  
**rejecting** 72:3  
**relate** 116:12
- related** 4:21 24:17  
29:17 36:4 57:4  
113:18 114:16 122:2  
127:7  
**relating** 37:4 46:13  
82:11  
**relation** 21:10  
**relationships** 9:15  
98:20  
**relative** 52:9 133:17,19  
134:6,17 138:5,10,19  
150:7  
**relatively** 48:7  
**released** 27:14 45:15  
70:4 151:20  
**relevant** 34:10 76:12,14  
84:7 115:16  
**reliable** 104:17  
**reliant** 42:3 55:10  
**relief** 114:2  
**rely** 4:19 10:15 32:7  
34:6 35:14 89:21 91:4  
98:4 101:16 102:7  
116:15 118:5  
**remain** 59:5 74:21 78:3  
97:12 152:21  
**remaining** 100:16  
**remains** 11:18 37:9,21  
79:16 94:1 102:14  
147:20  
**remarks** 3:2,21 152:10  
**reminder** 9:5 119:16  
**remote** 47:21  
**remuneration** 98:10  
**rendering** 40:6  
**reopen** 119:17,18  
152:20  
**repeat** 49:16 55:19  
**repetition** 45:4  
**reply** 127:19  
**report** 9:9,20 10:10  
45:2 46:7 55:20,21  
58:14 76:8 91:17  
96:19 103:14 109:1  
112:3 117:22 119:6  
124:16 126:15 128:7  
129:12 130:13 136:7  
**reported** 106:13  
**reporting** 112:20  
128:18  
**reports** 45:16 111:16  
124:12  
**represent** 67:7,9  
**Representative** 1:1,11  
1:13 3:3,22 4:7 5:12  
10:3,12 100:3  
**representatives** 22:11  
24:12
- represented** 134:3  
**representing** 74:2 89:3  
101:19  
**Republic** 14:10 139:6  
139:20,22  
**reputation** 75:6  
**reputational** 35:17  
**requested** 9:3 65:17  
**requests** 54:3  
**require** 65:19 115:21  
**required** 52:9 59:3 79:1  
102:22 103:5 124:14  
133:12,15  
**requirement** 92:11  
150:3,4  
**requirements** 34:11  
54:16 61:19 86:12  
140:10,17 149:14,16  
**requires** 10:11,17  
**requiring** 45:21 131:7  
**research** 103:16 105:3  
112:20 113:3 114:4  
121:2 152:16  
**Researcher** 110:9  
**reshaped** 146:6  
**resigned** 67:10  
**resolute** 66:6  
**resolution** 47:14  
106:10  
**resolutions** 103:22  
106:9  
**resort** 142:19  
**resource** 114:9  
**resources** 42:9 61:14  
110:13  
**respect** 22:18 25:5  
37:12 39:13 59:15,20  
68:15 71:8 80:7 104:9  
107:11 142:7  
**respond** 12:4 111:19  
**responded** 9:1  
**responding** 12:10  
**response** 29:9,20 30:16  
31:5 63:20 65:20  
114:1 116:19 120:19  
142:17  
**responses** 56:5 86:13  
**responsibilities** 13:22  
**responsible** 32:21  
82:10 146:9  
**rest** 39:11,17 73:6  
**restart** 99:10  
**restoration** 145:19  
**restoring** 26:10 66:5  
**restriction** 64:21  
**restrictions** 55:6 64:9  
64:10 68:3,8 93:20  
**result** 9:20 16:3 30:10
- 70:4 103:8 122:18  
144:10  
**resulting** 61:16 62:4  
**results** 27:2 65:13  
67:19 82:9 105:4  
138:8,13  
**resumed** 99:18  
**retailers** 2:14 3:12 64:2  
67:1 73:11,19  
**revenue** 35:5,10,16  
**review** 4:11,14 5:7,8  
8:11,15 9:19,21 32:4  
52:17 77:18 78:18  
88:18 90:18,22 93:7  
111:6 115:14 136:8  
136:22 145:22  
**reviewing** 111:5  
**revised** 45:9 52:7  
**revisions** 48:12 94:16  
147:6  
**revolution** 33:1  
**right** 8:7 26:20 28:5,7  
28:10 29:21 31:10,20  
40:18 44:4 51:9 53:3  
60:11 62:6 66:17 87:1  
88:6 98:10 99:4,20  
111:2 112:6,15  
125:22 139:5 145:15  
152:4  
**rights** 2:3 4:17,20,21  
9:22 10:14 14:12 18:9  
18:12 23:11,16 24:16  
24:18 25:1,5,11,18  
26:14 28:6 29:18 31:3  
32:6 44:13 54:12  
57:19 59:13,16,18  
64:3 75:8 77:16 79:11  
80:6 91:3 101:15  
102:1,19 104:9,14  
105:12 110:12,20  
111:12,22 112:9  
113:6 116:14 117:5  
117:19 118:1,1,4  
122:3 123:19 130:18  
149:1  
**rights-** 78:22  
**rights-holders** 30:12  
53:20 79:22 91:12  
**rise** 34:1 54:12 81:1  
**risk** 34:18 35:18 46:2,3  
59:17 98:18 103:7  
**risks** 102:6  
**roadblocks** 96:20  
**robust** 120:19  
**role** 42:2 124:22 146:8  
148:22  
**rooted** 120:13,18  
**Rosenbaum** 2:15 3:14

88:9,11 94:21 96:1,22  
97:14 98:7 99:6  
**Round** 63:8  
**routine** 46:11,12  
**rule** 68:15 125:5,21  
142:20 143:2  
**rulemaking** 61:17  
**rules** 25:13,17 45:9  
51:20 52:3 56:7,10,13  
63:6 64:12,21 66:14  
69:18 71:16 124:20  
124:21  
**rulings** 49:4  
**run** 96:20  
**Ruoyin** 2:11 3:8 44:5  
49:15,21 50:5,8 51:10  
52:5  
**rural** 62:22  
**Russia** 27:10 29:2  
91:20 145:9  
**Russian** 23:5 28:3

---

**S**

---

**sacred** 67:5  
**sadly** 34:19  
**safe** 135:17  
**safeguard** 115:12  
**safeguards** 105:8  
**safety** 46:22,22 125:12  
**sampling** 15:2 16:4,5  
17:1  
**satisfying** 12:8  
**Saudi** 82:19 133:8  
151:18  
**save** 122:11 123:1  
**saw** 143:22  
**saying** 84:19  
**says** 124:2  
**scale** 147:20 150:2  
**Scarpelli** 2:9 3:6 31:16  
31:20,22 37:8 38:15  
39:8 40:15 41:9 42:15  
43:8  
**schedule** 8:20 11:21  
31:11 43:17 47:8 99:8  
100:21 114:8,11  
**scheduled** 5:18 99:8  
**scheme** 63:14  
**schemes** 83:20  
**scholarship** 112:20  
**Sci-Hub** 145:10  
**scientists** 130:1  
**score** 150:9  
**screening** 99:12  
**se** 81:8 86:17  
**seamless** 150:12  
**search** 134:12 138:7,7  
**searches** 138:12

**seas** 114:3  
**SEC** 115:9  
**second** 14:15 25:4  
54:11 57:1 59:15 60:3  
72:7 133:16  
**second-** 83:2  
**Secondly** 46:4  
**secret** 103:7  
**Secretary** 22:14  
**secrets** 4:22 34:5 48:9  
102:20 103:1,10,12  
125:3,11  
**Section** 1:21 7:15 10:4  
10:7,10,22 22:15  
130:22  
**sector** 9:1 14:2 21:6  
63:22 89:1 113:4,6,10  
116:7 143:4  
**sectors** 26:11 44:11  
63:4  
**security** 1:17 7:19,19  
20:21 30:1 46:21 86:6  
99:12 146:5  
**see** 4:11 19:6,14 28:1  
34:1 37:16 38:2 41:12  
43:2 52:16 75:9 81:8  
81:20 82:3 83:10 85:6  
87:15 94:20,22 109:4  
109:10 118:10 130:2  
137:2,12 138:5  
140:15 141:7 142:21  
143:5 147:11,13  
151:7,21  
**seeds** 46:15  
**seeing** 41:1,6 98:22  
106:14 137:8  
**seek** 112:1  
**seeking** 36:8 92:20  
111:11  
**seeks** 44:15 58:19  
**seen** 20:13 66:13 70:22  
77:7 82:8 96:4 121:12  
121:22 144:3,7,14,21  
145:4 147:15 151:14  
**segment** 32:22  
**seize** 76:21  
**seized** 20:14 46:17  
78:16  
**sell** 63:18  
**sellers** 75:19 78:15  
**selling** 83:1  
**Senior** 1:15,19 2:5 6:13  
7:22 8:3 31:22 101:8  
110:9 141:22  
**sense** 39:19 62:5  
143:20  
**sentenced** 17:18  
**sentences** 27:20

**SEP** 41:1 50:5,7,14,18  
50:19,22  
**SEPs** 37:18 40:21 49:12  
**September** 25:9  
**series** 52:11 61:3 144:3  
**serious** 41:3 84:22  
91:22 108:21  
**seriously** 98:3  
**serve** 6:5 76:3  
**served** 133:2  
**service** 8:4 13:9 30:15  
35:16 58:13 101:20  
**services** 2:5 33:10 34:7  
53:18 56:19 57:19  
59:4,6 90:10 93:12,17  
116:5 134:5 135:17  
135:22 138:15  
**serving** 32:22  
**session** 100:5 119:15  
**set** 10:22 61:20 92:7  
**set-top** 151:3  
**setting** 41:20 137:21  
**setup** 153:18  
**seven** 124:18  
**seven-year** 109:9  
**severely** 105:20  
**share** 8:19 18:21 20:22  
32:3 48:13 70:6 72:14  
106:2 117:5,6  
**sharing** 84:19 117:7  
**Sharp** 50:10  
**shifted** 81:3  
**ship** 75:21  
**shoes** 74:5 77:9 87:10  
**short** 44:7  
**shortly** 14:21 15:7  
**Shotev** 2:8 3:4 12:18,20  
16:19 17:15,22 18:14  
20:1,10,22 21:4 22:1  
**showing** 66:4  
**side** 109:8,9 117:3  
**sidelines** 143:14  
**signed** 26:9  
**significant** 44:18 72:22  
74:22 93:8 103:7  
108:8 109:17  
**similar** 98:22 140:17  
144:7  
**simple** 134:12  
**simplify** 79:8  
**simply** 42:11 47:21  
71:14 138:14 139:2  
**sincerely** 44:22  
**single** 97:12 122:12  
**sir** 48:19 49:15  
**sitting** 139:9  
**situation** 56:14 129:6  
138:9 139:5

**situations** 72:21 73:7  
104:13 142:18  
**six** 45:13 92:18 108:17  
**slight** 37:10  
**slim** 86:20  
**small** 30:8 32:11 33:3  
34:16 67:2 77:2  
**smaller** 35:17 42:8  
**sneaker** 85:8  
**sneakers** 85:18  
**snippet** 57:4  
**snippets** 59:1  
**Snyder** 2:4 7:21,22  
116:6  
**so-called** 148:19  
**social** 75:21  
**society** 8:22 103:18,21  
104:19  
**softened** 111:16  
**software** 26:13 89:12  
**sold** 75:15  
**solutions** 103:20  
104:18 142:10 143:12  
143:22  
**somewhat** 136:22  
**soon** 76:2 146:6  
**sophisticated** 81:14  
85:14 136:22  
**sorry** 27:16 42:15 49:15  
139:15  
**sort** 84:4 96:6 125:15  
127:14 131:12 147:18  
**sought** 58:15  
**source** 34:11,15,18  
36:4  
**sources** 114:3  
**sourcing** 74:12,17  
**South** 91:20 98:22  
133:8 135:8 145:4  
**space** 87:16 147:21  
**spans** 102:2  
**special** 1:3 4:10,13 5:6  
6:5 8:8,11 9:6,9,19,19  
10:8,9 11:6 12:9  
22:21 28:4,11,21  
37:14 43:22 46:12  
53:14 54:14,19 55:5,7  
55:21 57:16 58:14  
76:8 88:16,18 90:18  
90:22 91:6,17 94:1  
100:6 103:13 109:1  
111:6,16 112:3  
117:21 119:6 120:10  
121:14 124:11 125:1  
126:15 130:13 152:11  
152:20 153:20  
**Specialist** 2:3  
**specialized** 82:10

**specific** 39:6 40:8,10  
50:13 51:20 52:17,20  
52:22 54:5 59:20 60:5  
60:5 67:18 71:11  
90:21 95:21 97:5  
127:6,9 130:20  
146:15 150:5  
**specifically** 10:10 28:5  
39:6 41:6 49:6 82:16  
129:1 132:20  
**specifics** 15:22 30:11  
**spelled** 59:18  
**spending** 132:21  
**spent** 134:8  
**sphere** 26:12  
**spheres** 27:4  
**spilling** 143:5  
**sponsor** 97:18  
**sports** 147:8  
**spread** 20:6,9 57:2,8  
**squeeze** 40:19 86:4  
**Staff** 8:9  
**stake** 127:15  
**Stakeholder** 8:12  
**stakeholders** 93:14  
**stand** 21:18 42:12 80:6  
**standard** 37:14 41:14  
41:18 42:1,4,12 43:4  
47:10 49:6,9 52:20  
103:5 126:19 131:6  
152:22  
**standard-** 41:19  
**standards** 2:1 7:4 24:19  
48:13 52:9 78:5 90:1  
92:6,7 124:14 126:21  
136:2  
**stands** 98:17  
**stark** 142:11  
**start** 6:7 11:14 12:13  
27:6 80:17 99:14  
110:7 141:19  
**started** 18:18 63:9  
100:1  
**starting** 92:21 137:2  
**state** 1:18 6:19 9:21  
31:17 37:6 40:1 43:18  
51:18 58:10 62:13  
73:14 80:18 81:9 88:6  
94:14 101:3 107:15  
110:5 119:21 128:1,4  
141:17 148:11  
**state-of-the-art** 89:20  
**stated** 110:17 112:17  
**statement** 12:2 81:13  
100:12 131:2 148:13  
**statements** 11:15  
**states** 1:11 3:2,21 4:6  
4:19 5:12 7:10 10:11

37:18 59:7 60:14 65:7  
66:11,19,21 67:14  
69:19 71:3,17 72:1  
92:5 105:18 126:14  
128:17 129:8,16  
131:12 141:15 144:9  
146:11 148:5  
**States'** 56:2  
**stating** 53:6 81:3  
**statistic** 35:7 81:7 82:4  
**statistics** 16:9 36:17  
81:5  
**status** 18:12 25:8,20  
29:16 78:7  
**statute** 10:17 12:9  
54:19  
**statutorily-defined** 11:2  
**statutorily-mandated**  
4:14  
**statutory** 9:18 90:21  
134:21 135:2,5 139:4  
139:7,19  
**stay** 11:20 100:21  
109:20  
**stayed** 65:7  
**staying** 5:22 33:6  
**steady** 147:17  
**step** 95:4 138:14,16  
**steps** 84:21 97:5  
123:12  
**Stevan** 2:1 7:3  
**stimulate** 61:6  
**stimulating** 33:12  
**stipulates** 52:8  
**stone** 143:19  
**stop** 66:1  
**stopped** 122:1  
**stories** 112:14  
**straight** 66:8  
**strategic** 13:18 63:14  
**strategy** 4:16 143:19  
**streaming** 54:22 55:3  
55:13 56:1,19 60:19  
**streams/offerings**  
35:20  
**strength** 149:8  
**strengthen** 24:15 45:17  
**strengthening** 26:14  
**strict** 11:19 100:19  
149:14  
**strides** 67:12  
**strong** 34:7 53:22 66:4  
71:1 146:3  
**stronger** 145:13  
**strongly** 76:6 104:8  
**studies** 57:13  
**study** 89:4  
**stumble** 84:12

**Subcommittee** 6:6 8:8  
8:16 9:7 12:8 22:10  
44:1,20 45:2 46:6  
47:5,10,16 102:8  
105:10 152:12  
**subject** 10:22 35:4 56:6  
**submission** 17:5 18:6  
20:2 28:22 30:2 36:22  
38:9,20 40:3,22 48:18  
49:2,19 51:18 55:2  
58:10 59:10 68:2,11  
70:1 72:9 81:1,12  
91:15,21 92:2,18  
95:10 97:17,20  
105:18 107:21 108:14  
117:12,21 118:19  
126:14 128:8 130:12  
140:8 142:3 148:5  
149:13  
**submissions** 119:19  
131:21 148:11 152:17  
**submit** 16:12 72:19  
80:4 132:15 133:12  
141:10  
**submitted** 12:4 111:5  
**submitting** 27:15 44:21  
**subscription-** 19:4  
**subscription-based**  
19:13  
**subsidize** 54:3  
**substance** 121:18  
125:22  
**substantiate** 140:11  
**success** 35:11 83:10  
102:4  
**Suddenly** 63:17  
**sufficient** 103:9  
**suggest** 45:18 61:18  
91:10 133:11  
**suggesting** 118:13  
**suggestions** 128:19  
**suggests** 103:11  
105:21  
**sui** 31:2  
**suit** 81:15  
**summation** 142:3  
**summer** 14:21  
**supplementary** 51:21  
60:1  
**supplementations** 18:8  
**supplementing** 17:4  
**supplier** 87:8  
**supply** 93:14 114:7,13  
120:16  
**support** 23:1 25:21  
28:6 36:3,9 76:13  
78:13 97:19,22  
115:12 118:14 120:19

121:18 122:7 143:15  
146:18 148:13  
**supported** 55:6 63:21  
**supporters** 120:6  
**supporting** 118:11  
**supportive** 110:19  
129:17  
**supports** 74:9 115:22  
**suppose** 39:18  
**sure** 21:4 27:22 52:4  
61:2 62:15 66:7 68:12  
72:8 80:16 87:20  
99:13  
**surprise** 82:2  
**suspected** 46:18  
**suspects** 47:2  
**suspension** 30:4  
**suspensions** 30:5  
**suspicious** 76:19  
**sustain** 105:12 137:7  
**swathe** 124:13  
**switch** 80:12  
**Switzerland** 133:9  
134:19  
**system** 15:22 21:13  
23:2,4,20 24:15 50:1  
68:6 78:1 82:13,16  
86:10,15 87:11  
103:16 104:17 107:7  
147:19 149:5  
**systematic** 93:9  
**systems** 48:8 51:1  
64:16 65:4 68:9 105:1

---

**T**


---

**table** 6:3 64:22 65:18  
68:16  
**tackle** 77:2  
**take** 15:21 33:8 38:1  
47:6 56:9 59:14 61:14  
77:11 84:10 92:14  
93:19 99:8 122:9  
131:18 136:7 149:5,7  
**taken** 13:1 46:11 84:21  
95:21 96:7 97:6  
123:11  
**takes** 61:10 81:17 99:12  
**talk** 41:13 72:1 73:6  
82:22  
**talked** 83:18  
**talking** 49:11 50:3  
**tangent** 37:10  
**target** 84:4  
**task** 23:5  
**taxes** 57:4,12 117:18  
118:13  
**tea** 144:12  
**teaching** 112:20

**tech** 34:16 104:20  
125:3  
**technical** 120:14 130:5  
147:18  
**technological** 95:7  
**technologies** 104:10  
143:6  
**technology** 32:11 33:4  
45:19,21 53:17  
101:22 102:8 105:4  
125:14 128:14,22  
129:3,17 143:1 148:8  
148:14 149:15 150:2  
150:12,17  
**Telecommunications**  
50:10  
**teleconference** 1:8  
**Television** 89:13  
**tell** 106:15 147:11  
**template** 152:1  
**tent** 101:19  
**term** 68:19 69:7 109:13  
145:2,19  
**terms** 18:22 19:2 50:17  
63:12,16 64:3,11 68:4  
69:3 80:1 124:4 138:4  
140:19 142:4 152:9  
152:19  
**territories** 128:13  
**test** 92:13  
**testified** 153:2,14  
**testifier** 100:11  
**testify** 44:8 73:21 88:3  
101:13  
**testimony** 12:5,10,16  
19:20 21:22 22:8  
29:14 31:8,19 32:18  
33:22,22 38:5 40:17  
43:10,20 45:5 48:2  
49:1 51:17 53:2,8  
58:8 60:1 62:7,14  
73:9,16 74:16 80:14  
83:17 87:22 88:8  
96:16 99:5 101:5  
102:17 108:13 110:1  
110:7 117:12 119:13  
120:1,13 141:19  
147:3 148:4 150:22  
152:5,8,18  
**text** 58:22 59:9  
**thank** 6:8 7:1 8:18  
12:17,18 13:15 16:15  
16:16,20 18:1,2,5  
19:15,19 20:18 21:21  
22:1,5,9 27:22 28:13  
28:14,17 29:5,9,10,13  
29:19 30:14,17,18,19  
30:21 31:4,5,7,9,16

32:3 36:18,19,21 38:6  
39:1,8,22 40:15,18  
41:9 42:14 43:6,8,9  
43:21 44:7 48:1,2,3,5  
48:19,22 51:5,12,13  
51:16 53:1,5,13 58:2  
58:3,7 60:2,13 62:6,8  
67:20,21 68:1 69:20  
69:22 72:4 73:8,20  
80:10 82:5,7 83:12  
86:3,7 87:19,21 88:1  
88:9,9,14 94:8,10,13  
94:21 95:11,14 96:12  
96:15,22 97:7,8 98:6  
98:7 99:4,6,16 101:2  
101:6,6,12 102:12  
105:10,14,15,17  
106:6 107:17 108:9  
108:12 109:2,21,22  
110:2 116:1,2,6,18  
117:8,11 118:7,16,18  
119:11,12 126:5,10  
126:13 130:8,11  
132:1 136:9,10,13  
141:12,13 146:20,21  
147:2,22 148:3,16  
149:10,12,18,19  
150:18 151:10 152:3  
152:4,6,12 153:12  
**thanks** 31:20,21 61:1  
70:12 83:16 127:21  
127:22 140:6 150:21  
153:16  
**theft** 34:3,18,22 93:9  
**theme** 81:11 83:6  
**thing** 19:6 138:18  
**things** 32:18 33:1 41:5  
45:16 69:15 117:3  
118:12  
**think** 19:17 20:10,15  
38:3 39:10 42:16  
50:21 70:17 81:11,17  
82:18 83:7,8 85:21  
86:2,4 87:6,12,16  
98:17 100:18 109:20  
116:21 118:13 126:6  
127:5,12,14 129:1,11  
129:20 136:16,19,21  
138:2 139:3,17,18  
140:1 141:14 142:10  
150:14 151:12,16  
**third** 25:7 134:20 139:3  
139:18,21 140:13  
**third-party** 115:2  
**third-tier** 83:2  
**Thomas** 2:16 3:15  
**thorough** 77:18  
**thought** 152:16

**thousands** 132:21  
134:8 139:8  
**threat** 34:5 35:11  
**threaten** 121:18  
**threatens** 35:1 93:2  
**threats** 112:4  
**three** 45:5 136:15,17  
139:17 151:19  
**three-step** 92:13  
**three-year** 27:3  
**thumb** 147:20  
**TikTok** 75:22 84:5  
**time** 11:17,17,19 19:16  
20:19 27:12,17,20  
47:12,18 66:17,21  
67:15 72:5 87:4 99:12  
99:14 100:15,17,20  
126:9 127:9 131:17  
134:15 136:2,7  
139:14 152:13,22  
153:15  
**time-consuming** 77:21  
**time-tested** 36:10  
**time-waster** 132:14  
**times** 121:19  
**timing** 75:17  
**title** 12:15 22:6 31:18  
43:19 53:7 62:13  
73:14 88:7 101:4  
110:5 119:21 141:17  
**today** 5:10 8:19 12:5  
16:17 22:12 36:16  
43:12,14 44:8 45:5  
49:1 73:21 77:18 88:3  
101:11 102:17 103:21  
105:16 117:12 121:21  
122:19 126:11 147:3  
150:22 152:8 153:2,8  
153:14  
**today's** 5:14,18 8:20  
9:5 11:12 44:5 153:9  
153:17  
**toehold** 91:13  
**token** 151:14  
**told** 130:16  
**Tom** 3:15 101:7  
**tomorrow** 151:20  
**tone** 111:16  
**tool** 76:4 140:22  
**tools** 94:4 120:21 121:3  
122:17 129:5,8 130:3  
138:11  
**top** 34:2 42:13 103:13  
136:15 139:17 140:4  
**topic** 13:13 67:13  
**topics** 113:5  
**torrent** 15:18 17:9  
**total** 46:19 89:7

**track** 6:1 100:15 107:1  
**trackers** 15:18 17:9  
**trade** 1:1,11,12,15 2:2,3  
2:4,5 3:3,22 4:6,22  
5:4,5,12 6:22 7:5,19  
7:20 8:3,9 10:2,4,9,11  
10:11 11:1 15:1 28:19  
32:9,10 33:5 34:5  
36:3,5,11 38:7 48:9  
51:2 53:16 54:9 57:21  
58:12,17,20 59:3  
65:13,17,19 69:9,13  
74:2 82:11 87:1 89:2  
90:19 92:15 100:3  
101:18 102:19 103:1  
103:7,10,12 107:19  
113:22 123:14 125:3  
125:10 145:14 146:16  
**trade-** 113:17  
**trade-related** 112:22  
113:4,12,20 114:13  
**trademark** 1:16 2:18  
3:19 7:10 29:11 47:14  
51:15 58:6 68:20 69:2  
71:14,18 75:5,8,10  
77:14,16,17 79:9,9,11  
96:14 108:7,11,15,21  
125:20 130:10 132:2  
132:6,8 133:21  
134:13 135:4 136:6  
137:18,19 140:11  
148:2  
**trademarks** 4:21 34:4  
71:10 72:3 74:8 77:5  
79:13 86:11 108:16  
**trading** 9:15 10:1 53:12  
53:19 64:14 65:10  
68:10 70:14 80:8 90:5  
91:10 92:3,10 93:10  
101:14 117:17 118:2  
**train** 52:2 77:10 119:1  
**training** 119:4  
**transactions** 75:18  
**transcript** 5:14 153:8  
**transfer** 34:14,17 45:21  
104:21 125:4,14  
129:1,17 143:1  
149:15 150:2,13,17  
**transfers** 128:14 129:3  
**transition** 145:16  
**transparency** 24:7  
105:19 106:11 113:7  
126:16,20 127:16,19  
**transparent** 127:20  
**transshipments** 78:22  
**Treasury** 1:14 6:21  
30:20 60:12 97:9  
140:7

**treated** 141:5  
**treaties** 38:11,13 92:6  
**treatment** 54:2 56:8  
 122:21  
**treaty** 25:10 38:11,12  
 115:11,20 136:4  
**trillion** 32:20 89:6  
**TRIPS** 102:21 110:15  
 110:17 111:3,10,13  
 111:18 112:2 122:4  
 126:18,21 127:11,13  
 128:6,9,17,20 129:13  
 130:15,21 148:6,7,12  
 148:14,20  
**trouble** 60:6  
**true** 136:18  
**trustworthy** 146:9  
**try** 152:9  
**trying** 42:11 71:21 85:5  
 144:12  
**Turkey** 96:19 97:3  
 135:9  
**turn** 67:18  
**turning** 76:6 77:22  
 83:13 103:15  
**TV** 27:14 85:11  
**two** 54:5 72:10 97:20  
 102:17 108:19 112:4  
 136:17 153:11  
**two-thirds** 134:9  
**type** 19:3 69:15 81:18  
 145:12  
**types** 41:5 85:13

---

**U**


---

**U.S.** 1:1,12,16,19 2:18  
 3:20 5:1 6:4,14,19 8:5  
 10:2,15 22:16,22 26:4  
 32:7 33:17,18 36:10  
 38:21 46:9 47:8 53:22  
 54:21 56:8 57:13,18  
 58:1 60:17 61:8,13  
 62:2,17,22,22 63:2,21  
 64:8,14 65:8,22 66:3  
 67:12 70:15 74:6,9  
 75:3,6 80:9 82:21  
 84:14,21 86:1 87:8  
 88:17,20 89:6,7,8,9  
 90:3,14,15 91:4 92:3  
 92:9,9,14,19 93:6  
 94:2,6 95:12 100:3  
 101:14 112:4,15,17  
 114:21 116:15 118:5  
 124:10,15 126:7  
 127:2,10 130:4  
 132:15 141:21 143:6  
 143:15 144:16,19  
 145:14 146:3,11,14

146:16,18 149:3,22  
**U.S.-** 55:7 58:11,19  
**U.S.-Colombia** 58:16  
**U.S.-copyright-based**  
 89:3  
**U.S.-Ukraine** 28:19  
**Uh-hum** 28:16 140:14  
**UK** 57:10 138:17,18  
**Ukraine** 2:9 3:5 22:3,14  
 22:16,18,21 23:3,6,7  
 23:18,20 24:8 25:9  
 26:1,9,15 27:5 29:8  
 30:7  
**Ukraine's** 26:10 28:18  
**Ukrainian** 23:1,2,21  
 24:4 25:15 27:12  
**ultimate** 90:8  
**unauthorized** 18:10  
**unaware** 108:4  
**uncertainty** 39:20  
 98:14,19 99:2 144:10  
 149:5  
**unclear** 107:15  
**undercuts** 104:16  
**undergirded** 121:15  
**underlying** 41:11  
**undermine** 99:2  
**undermines** 104:18  
**undermining** 35:1  
 69:18  
**understand** 13:19  
 16:22 71:21 86:19  
 107:7  
**understanding** 26:9  
 41:7 76:1 84:17  
**undertake** 4:15 79:6  
 144:3  
**undertaken** 129:21  
**unduly** 135:20  
**unfairly** 93:20  
**unfortunately** 27:9  
 43:12 138:17 139:1  
 140:22 143:15 144:21  
**uniform** 136:2  
**Union** 26:5 63:9 66:2  
 71:6 138:4 144:3  
**unique** 41:14  
**Unit** 21:8  
**United** 1:11 3:2,21 4:6  
 4:19 5:12 7:10 10:11  
 37:18 56:2 59:7 65:7  
 66:11,19,21 67:14  
 69:19 71:3,17 72:1  
 92:5 128:17 129:8,16  
 131:12 133:18 141:15  
 144:9 146:11  
**universal** 113:15  
**unmatched** 67:14

**unprecedented** 103:19  
**unpredictable** 75:17  
**Unquote** 70:5  
**unreasonable** 66:20  
**unrelated** 75:4  
**unsuccessful** 93:16  
**unsure** 131:13  
**untenable** 34:18  
**unturned** 143:19  
**unusable** 40:6  
**unwaivable** 98:10  
**unwavering** 23:1  
**update** 58:15 115:14  
**updated** 133:4  
**updates** 19:22 28:21  
 38:3 48:9  
**upper/middle-income**  
 123:5  
**urge** 56:20 93:9 146:10  
**urges** 55:19  
**usable** 40:11  
**USC** 55:17 115:3  
 130:22 131:19  
**USDA** 69:21 72:6  
**use** 9:8 12:8 42:1,11  
 64:3,10 67:15 68:3  
 110:11 111:2,8,18  
 112:16 114:19 115:2  
 115:18 140:11  
**uses** 59:2 112:18  
**USMCA** 55:8,14 145:15  
**USPTO** 26:5  
**USTR** 5:7,13 6:11 8:11  
 10:3,17 11:3,7 16:18  
 22:19 28:15,20 36:20  
 48:4 54:7 55:9,17,19  
 56:20 67:22 71:22  
 72:22 73:5 76:7 80:7  
 82:6 94:6,12 105:16  
 107:21 110:11 111:22  
 112:12 113:9 114:12  
 115:12 118:17 119:5  
 126:12,22 130:16  
 131:8 136:12 149:11  
 153:17  
**USTR's** 5:15 9:1  
**USTR-2023-0014** 9:17  
 153:7  
**ustr.gov** 5:16 153:10  
**usual** 26:15  
**Usually** 100:7  
**utility** 35:13

---

**V**


---

**v** 50:10  
**vaccine** 148:9  
**vaccines** 129:19  
**Valente** 2:16 3:15 101:6

101:7 106:6 108:4  
 109:2 110:2  
**validation** 132:13  
**valuable** 103:17 140:22  
 151:16  
**value** 32:19 53:21 84:19  
 113:8 127:1,15 129:2  
 146:1  
**variety** 46:15 90:11  
**various** 6:4 38:10 44:11  
 45:16 64:11,11 68:4  
 83:20  
**vast** 120:20  
**vehicle** 55:22  
**Venezuelan** 123:2  
**version** 97:21  
**versus** 65:4  
**verticals** 32:16  
**viability** 93:3  
**Vice** 53:10 62:17  
 141:22  
**video** 1:8 5:16 153:9  
**Vietnam** 39:4,11 72:9  
 72:10,20 77:22 78:3,6  
 78:12 79:3 80:19,22  
 81:3 91:20 107:20,21  
 108:6  
**Vietnam's** 78:1,18  
 108:1  
**Vietnam-EU** 72:13  
**view** 33:16 56:16 126:2  
 148:18  
**views** 8:18 32:3 36:15  
 52:15,15 53:14 88:15  
**violate** 55:14 56:13  
**violates** 66:7  
**violation** 126:18  
**violations** 30:5 33:21  
 35:15  
**vision** 90:17  
**vital** 102:3 105:2  
**vocalized** 95:16  
**void** 93:22  
**Volodymyr** 2:9 3:5  
 22:13  
**volume** 74:13 75:10  
**voluntarily** 9:3 114:8  
**voluntary** 26:21 104:14  
 114:19 123:4,8  
 129:10  
**volunteering** 41:20

---

**W**


---

**wait** 143:13  
**waiting** 147:13  
**waiver** 143:16 148:7,12  
 148:14,19,19  
**waivers** 142:22

**walk** 41:19  
**want** 5:21 21:4 36:1  
 39:15 82:20 94:20  
 107:1,6,8 131:18,20  
**wanting** 118:11  
**wants** 122:21  
**war** 23:5  
**warehouse** 139:10  
**warehouses** 78:17  
**warn** 100:18  
**Washington** 121:10  
 144:13  
**Washington-based**  
 8:13  
**Watch** 11:4,4,8,9 40:4  
 74:21 76:8 91:18  
 97:12 98:2,16 107:22  
**way** 16:2 37:11 87:8  
 117:1 124:21 135:3  
 150:14  
**ways** 86:1 90:11 118:14  
**we'll** 5:17 6:6 10:5  
 11:17 43:16 59:22  
 82:2 86:2 147:11  
**we're** 7:15 18:19,20  
 50:3 67:10 71:20,21  
 85:5 97:4 98:21  
 119:14 120:5 127:15  
 131:10,17 137:2  
 142:6 146:5 147:12  
 147:14 149:8  
**we've** 15:13 35:7 84:20  
 96:9 97:3,5 121:18  
 144:3,7,14,21 145:4  
 147:16  
**weaken** 91:10  
**weakens** 144:6  
**weapons** 28:9  
**web** 15:18 17:10 115:9  
**website** 5:15  
**websites** 145:10  
**Wednesday** 1:5 5:10  
**week** 115:11  
**weekend** 85:11  
**weeks** 153:11  
**weigh** 121:8  
**welcome** 4:9 88:21  
 100:5 122:7 129:20  
 137:2  
**welcomes** 111:21  
**welfare** 35:1  
**well-established** 75:3  
 92:10  
**well-known** 78:7  
**went** 15:8 16:2 99:18  
 152:17 153:22  
**Western** 87:7,14  
**whatsoever** 129:22

**whichever** 67:11  
**White** 124:1  
**whole-of-** 96:6  
**wholly** 60:16  
**wide** 135:18  
**widely** 58:21  
**wifi** 42:12  
**willing** 78:3,13  
**wines** 63:16  
**Winter** 46:14  
**WIPO** 26:5,10 38:10,11  
 38:11 92:6  
**wish** 13:17 14:6 44:22  
 133:13  
**withdrawal** 36:2  
**withdrawn** 97:22  
**witness** 11:13 141:14  
**witnessed** 44:17 45:14  
 57:8 121:7  
**witnesses** 2:7 31:13,14  
**Won** 1:14 6:20  
**wondering** 139:16  
**words** 135:9 143:13  
**work** 19:2 21:9 25:5  
 44:14 74:4,6 77:10  
 80:6 94:6 96:10  
 101:13 102:13 109:7  
 126:9 147:9  
**worked** 62:21  
**workers** 33:19 90:4  
**working** 2:18 3:19  
 13:13 14:7 15:11  
 17:16 18:15,18 20:4  
 71:21 84:3 105:6  
 120:15 132:2,6,8  
 144:11  
**works** 25:8 112:18  
 119:4  
**world** 8:14 10:1 13:20  
 36:5 47:3 63:19 66:18  
 69:16 74:6 80:5 83:1  
 89:18 102:11 106:12  
 129:18 144:1 146:6  
**worth** 90:21  
**wrap** 27:20  
**write** 48:6 139:1  
**writing** 72:11,18 96:3  
 124:22 130:7  
**written** 12:3 29:9,20  
 30:16 33:22 37:11  
 38:4 44:21 45:4 52:12  
 55:2 64:19 72:15  
 74:17 81:12 116:20  
 152:17  
**wrong** 47:22  
**WTO** 102:22 103:3  
 110:14,16,19 111:2  
 114:6,8,11 124:15

128:19 146:19  
**WTO-** 126:3  


---

**X**  


---

**Y**  


---

**yeah** 20:17 37:9  
**year** 4:15 9:11 11:10  
 13:2 55:18 75:1 96:18  
 122:12 132:8,19  
 133:21 134:3  
**year's** 88:15 91:15  
**years** 45:14 47:19  
 62:21 63:2 65:21  
 66:11 69:8 72:10  
 73:22 82:1 102:21  
 104:6 106:10 108:19  
 109:16 120:13 125:1  
 147:15 149:6  
**Yemen** 135:14  
**York** 85:17  
**YouTube** 75:22  


---

**Z**  


---

**Zealand** 57:10  


---

**0**  


---

**1**  


---

**1.8** 32:20 89:5  
**1:30** 5:20 99:9,16,19,22  
**10** 11:13 63:2 100:11  
 109:16  
**10-year** 79:8  
**10:00** 1:8 4:2  
**100** 47:4 50:1 69:8  
**101** 3:15  
**11** 58:9 124:17  
**11:38** 99:18  
**11:59** 152:21  
**110** 3:16  
**12** 3:4 10:10  
**12:00** 5:20  
**120** 3:18  
**125** 102:1  
**12th** 5:7  
**132** 3:19  
**142** 3:20  
**1498** 115:3  
**14th** 13:2  
**15** 129:19  
**152** 3:21  
**17.5** 35:9  
**172a** 17:6,13  
**182** 10:4,7  
**19** 26:20 55:17 130:22  
 131:19  
**1974** 10:4

**1984** 89:2  
**1988** 90:19  
**1st** 23:7  


---

**2**  


---

**2** 17:6,14  
**2:22** 153:22  
**2:30** 5:19  
**2000** 69:12  
**2000s** 138:20  
**2001** 110:16  
**2012** 57:6  
**2013** 35:8  
**2018** 35:8 58:15  
**2020** 58:14  
**2021** 21:8 27:3 143:17  
**2022** 21:9 23:7 24:2  
 27:5,8,11 29:16 82:9  
 89:4 97:21 143:20  
 148:5  
**2023** 9:2 17:3 24:10  
 25:9 26:8 28:19 29:17  
 30:3 36:2 51:19 64:8  
 70:2 97:16  
**2024** 1:3,6 5:10 9:9,10  
 45:3 46:6 53:14 76:8  
 91:17 94:16 98:3  
 102:15 106:1 111:6  
 153:20  
**2025** 145:16  
**21** 1:6  
**21st** 5:10  
**22** 3:5  
**220** 30:9  
**2242** 130:22 131:19  
**2242(f)(A)** 55:17  
**23** 91:16  
**25** 62:21  
**25th** 36:2  
**26** 9:10  
**28** 115:3  
**2811's** 31:2  
**28th** 152:22  


---

**3**  


---

**3** 35:5 87:8  
**30** 102:2 122:15  
**301** 1:3 4:10,14 5:6 6:5  
 8:8,11 9:6,9,19,20  
 10:8,10 11:1,6 12:9  
 22:21 28:21 43:22  
 53:14 54:14,19 55:5  
 55:21 57:16 58:14  
 76:8 88:16,18 90:18  
 90:22 91:6,17 94:1  
 96:19 100:6 103:13  
 109:1 111:6,16 112:3  
 117:21 119:6 120:10

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: 2024 Special 301 Public Hearing

Before: USTR

Date: 02-21-24

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.

  
-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1716 14TH ST., N.W., STE. 200

WASHINGTON, D.C. 20009-7831