

OFFICE OF THE US TRADE REPRESENTATIVE

+ + + + +

2018 SPECIAL 301 PUBLIC HEARING

+ + + + +

THURSDAY
MARCH 8, 2018

+ + + + +

The 2018 Special 301 Public Hearing
convened in Rooms 1 & 2, 1724 F Street, NW,
Washington, DC, at 10:00 a.m., Elizabeth Kendall,
Chair, presiding.

PRESENT

ELIZABETH KENDALL, Chair

CARI BERDUT, U.S. Patent and Trademark Office

EMILY BLEIMUND, U.S. Department of Health and
Human Services

SUNG CHANG, Office of the U.S. Trade
Representative

WON CHANG, U.S. Department of the Treasury

LISA DYER, U.S. Department of State

OMAR KARAWA, U.S. Department of Agriculture

STEVAN MITCHELL, U.S. Department of Commerce

MAUREEN PETTIS, U.S. Department of Labor

AURELIA SCHULTZ, U.S. Copyright Office

MICHAEL SHAPIRO, U.S. Patent and Trademark
Office

CONTENTS

Opening Remarks.	3
Government	
Government of Bulgaria . . . . .	.10
Government of Ukraine. . . . .	.14
Non-government	
ACT The App Association. . . . .	.29
Alliance for Fair Trade with India (AFTI) . . . . .	.39
American Apparel and Footwear Association (AAFA) . . . . .	.47
ACTION for Trade . . . . .	.56
Biotechnology Innovation Organization (BIO). . . . .	.66
BSA The Software Alliance. . . . .	.77
China Chamber of International Commerce. . . . .	.87
Computer & Communications Industry Association (CCIA) . . . . .	.95
Consortium for Common Food Names (CCFN).	105
Footwear Distributors and Retailers of America (FDRA)	115
Break	
International Intellectual Property Alliance (IIPA).	129
Internet Association	143
Knowledge Ecology International.	153
National Association of Manufacturers (NAM).	165
Pharmaceutical Research and Manufacturers of America (PhRMA)	177
Public Citizen	188
Trademark Working Group.	201
Union for Affordable Cancer Treatment.	212
US Chamber of Commerce	223
US-India Strategic Partnership Forum	232
Closing Remarks.	242
Adjourn.	243

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

2 (10:00 a.m.)

3 CHAIR KENDALL: All right, let's
4 begin. Good morning. My name is Elizabeth
5 Kendall. I'm the acting assistant U.S. trade
6 representative for Innovation and Intellectual
7 Property.

8 This is the public hearing for our
9 annual Special 301 Review. This review is a
10 statutorily mandated exercise we undertake each
11 year to develop an overall strategy to ensure
12 adequate and effective intellectual property
13 rights protection and equitable market access in
14 foreign countries for U.S. persons that rely on
15 protection of intellectual property rights such
16 as copyrights and related rights, trademarks,
17 patents, trade secrets and others.

18 Ensuring that U.S. owners of
19 intellectual property have a fair and full
20 opportunity to use and profit from their
21 intellectual property is one of the trade
22 priorities outlined in the President's recently

1 released trade agenda. This is the 30th Annual
2 Special 301 Review and the 9th public hearing
3 that USTR has hosted in connection with this
4 review.

5 For the record, I'd like to note today
6 is Thursday, March 8th, 2018. This hearing is
7 taking place at the Office of the U.S. Trade
8 Representative. We will make a transcript of
9 today's hearing available to the public on USTRs
10 website.

11 Today's hearing is scheduled to go
12 until approximately 3:00 p.m. and we will break
13 for one hour from 12:10 p.m. to 1:10 p.m. I
14 would appreciate everyone's cooperation in
15 keeping the hearing on track.

16 At this point, I'd like to invite my
17 colleagues on the panel to introduce themselves
18 starting with Labor.

19 MS. PETTIS: Good morning. I'm
20 Maureen Pettis and I work for the Bureau of
21 International Labor Affairs, Department of Labor.

22 MS. SCHULTZ: Good morning. I'm

1 Aurelia Schultz. I've from the U.S. Copyright
2 Office.

3 MR. CHANG: Won Chang, Department of
4 Treasury.

5 MS. DYER: I'm Lisa Dyer from the
6 Departments of States Office of Intellectual
7 Property Enforcement.

8 MR. CHANG: Good morning. My name is
9 Sung Chang. I am at the U.S. Trade
10 Representative's Office, Office of Intellectual
11 Property.

12 MR. MITCHELL: Stevan Mitchell,
13 International Trade Administration's Office of
14 Intellectual Property Rights in the Department of
15 Commerce.

16 MS. BERDUT: Good morning. Cari
17 Berdut from the PAN and Trademark Office, Office
18 of Policy and International Affairs.

19 MS. BLEIMUND: Hi. Emily Bleimund,
20 Department of Health and Human Services Office of
21 Global Affairs.

22 MR. KARAWA: Good morning. My name is

1 Omar Karawa from the Department of U.S. Admin of
2 Agriculture.

3 CHAIR KENDALL: Thank you very much.
4 This is the Special 301 subcommittee of the Trade
5 Policy Staff Committee, which is comprised of the
6 agencies you've just heard of and the Department
7 of Justice and a few others.

8 This subcommittee is chaired by USTR
9 and we conduct the annual review. The review is
10 based on public contributions, as well as the
11 contributions of Washington-based agencies and
12 our embassy-based personnel around the world.

13 The subcommittee is currently in the
14 information gathering phase. On behalf of the
15 agencies here, we thank you for the insights and
16 factual information you will share with us today.

17 The schedule of today's hearing is
18 comprised of interested parties, foreign
19 government officials, private sector stakeholders
20 and stakeholders from civil society who responded
21 to USTR's notice in the federal register
22 published on December 27th and voluntarily

1 requested the opportunity to appear at this
2 hearing.

3 As a reminder, the purpose of the
4 hearing is to provide the Special 301 Committee
5 with additional information that we can use in
6 the deliberations that will result in the
7 publication of the 2018 Special 301 Report to
8 Congress on or about April 30th, 2018.

9 This year we've received public
10 filings that address over 75 countries and many
11 country-specific IP protection and enforcement
12 concerns that may negatively affect our bilateral
13 trading relationships. These filings are
14 available to the public at www.regulations.gov.

15 Most of you may know that the Special
16 301 Report is the result of the congressionally
17 mandated annual review of the State of
18 Intellectual Property Rights Protection and
19 Enforcement and trading partners around the
20 world. The U.S. conducts this review through the
21 Office of the Trade Representative pursuant to
22 Section 182 of the Trade Act of 1974.

1 The provisions of this section are
2 commonly referred to as the Special 301
3 Provisions of the Trade Act, which is where we
4 get the name. Specifically, Section 182 of the
5 Trade Act requires that the U.S. Trade
6 Representative identify countries that deny
7 adequate and effective protection of intellectual
8 property rights or deny fair and equitable market
9 access to U.S. persons who rely on intellectual
10 property protection.

11 This statute explicitly requires USTR
12 to determine which, if any countries, should be
13 identified as Priority Foreign Countries. Acts,
14 policies or practices that are the basis of a
15 country's identification as a Priority Foreign
16 Country can be subject to the procedures set out
17 in Sections 301 through 308 of the Trade Act.

18 In addition to the statutorily defined
19 PFC designation, USTR created this Priority Watch
20 List and watch list categories to assist the
21 administration in pursuing the goals of the
22 Special 301 provisions. USTR is also charged

1 with developing priority watch list action plans
2 where a country has been the Priority Watch List
3 without change for at least a year.

4 The format of the hearing will be as
5 follows: Each party has been allotted ten
6 minutes. That is comprised of five minutes of
7 prepared statements, leaving approximately five
8 minutes for questions. We will be watching the
9 clock and provide a time cue when one minute
10 remains from the allotted five minutes of
11 prepared statements.

12 The panel will hold its questions
13 until the presenter concludes his or her
14 statement. In general, please keep in mind of
15 the purpose of the hearing, which is to provide
16 information that the committee can use in
17 satisfying the charge of the Special 301 Statute.

18 We will break for one hour as I
19 mentioned from 12:10 to 1:10 p.m. So at this
20 time, I would like to invite the Government of
21 Bulgaria to start us off.

22 Welcome. Please introduce yourself

1 and begin your testimony.

2 MR. KONSTANTINOV: Very good morning
3 to you all. Ivo Konstantinov, Embassy of the
4 Republic of Bulgaria to the United States of
5 America reporting to the Minister of Economy, the
6 presiding agency on IP enforcement in the
7 Republic of Bulgaria. The name is spelled I-V-O,
8 first name. Last name K-O-N-S-T-A-N-T-I-N-O-V.

9 I'm here to present the measures taken
10 in the past year by the Bulgarian government and
11 the government bodies and agencies responsible
12 for IPR enforcement. As we treat seriously and
13 are concerned with the inclusion of our country
14 for the fifth year in a row on the watch list in
15 the section of Special 301 of the U.S. Commerce
16 Act.

17 We realize the gravity and the
18 importance of IPR enforcement. And our desire is
19 to prove that we have taken sufficient measures
20 to be taken out of that list as we strive to be
21 preferred investment and trade partners to U.S.
22 businesses and government.

1 There's several government agencies
2 that jointly execute IPR enforcement in our
3 country. They are the prosecutors of this
4 Ministry of Culture, the Patent Office of the
5 Republic of Bulgaria, the Customs Agency and the
6 Ministry of Economy, our Department of Commerce
7 together with the U.S. Embassy and country and
8 respective government agencies here in Washington
9 D.C.

10 Every year we receive a list of
11 recommendations kindly provided by our U.S.
12 friends and partners. And the past year, those
13 were mainly concentrated in the four areas, which
14 we have taken deliberate efforts to execute and
15 apply according to the recommendations of our
16 U.S. friends.

17 Mostly in the area of legal reforms.
18 A specialized unit for computerized crime and
19 intellectual property structure within the
20 Ministry of Interior, structuring of IPR
21 specialized prosecution office is not just in the
22 capital city but in the providences and areas of

1 the country. And various measures to improve the
2 efficiency of the judicial in dealing with IPR
3 cases. Imposing this U.S. sanctions of criminals
4 in the field of IPR.

5 Those were the U.S. recommendations to
6 us last year and we've done a lot to apply and
7 take concrete tangible steps in following them.
8 Roughly a month ago, our parliament also adopted
9 the new penal code of the country, which now
10 incorporates very practical, deliberate
11 enforcement articles and procedures, particularly
12 on IPR where the penal code was more deficient
13 years ago in its old structure.

14 The prosecutor's office has filed a
15 total number of 125 orders against 130 accused
16 individuals. The total number of penalized
17 individuals in the area of IPR infringement in
18 the past year have been 139 including one
19 conditional imprisonment of an IPR infringement
20 individual, one probation.

21 One hundred and thirty-seven
22 individuals have been convicted for IPR related

1 crimes. Ninety-six of them by verdict decision
2 enforced from the previous year, 65 conditional
3 imprisonments, one effective deprivation of
4 liberty as a form of detainment. And seventy
5 probations and 540 fines at the prosecutor's
6 office.

7 Ministry of Culture controls the
8 observance of copyright and related rights acts
9 and checks the inspections of transmission and
10 re-transmission of T.V. programs, public
11 performance of music at different sites,
12 unauthorized use of computer programs and optical
13 disk act.

14 One of the most important and
15 sensitive areas is certainly the fighting of the
16 software piracy where we've been alleged as a
17 leading breaching hub for Southeastern Europe,
18 particularly in the downloading of entertainment
19 content or torrent trackers. And in 2017, a
20 number of successful actions have been taken
21 against software piracy and illicit download of
22 entertainment content.

1 So fighting unregulated broadcasting,
2 as well of television programs included fighting
3 of unregulated public performance of musical
4 works, combating the unauthorized use of
5 protective works on the internet. And at least
6 ten inspections were carried out. One mandatory
7 injunction was issued to remove inconsistencies
8 in violation of the law.

9 Torrent tracking operators cooperate
10 now with law enforcement. With those that don't,
11 some particular measures like constantly forcing
12 them in migrating their sites to different
13 service in order to bleed out and lose users is
14 done by law enforcement on the ground.

15 So those are just some of the measures
16 we've taken this past year. And we appeal to be
17 taken out of the list, being confident that we
18 have followed your friendly recommendations.

19 Thank you.

20 CHAIR KENDALL: Thank you very much
21 for your testimony. The first question is from
22 USTR.

1 MR. CHANG: Thank you again for your
2 testimony. Bulgaria's written statement notes
3 that there is a decline in piracy disseminated by
4 internet providers in Bulgaria. And you've
5 kindly in your testimony also mentioned 2017
6 improvements of software piracy and felony was
7 the content.

8 Could you please tell us a bit more
9 information about the basis of that statement in
10 your written submission?

11 MR. KONSTANTINOV: Certainly. There's
12 four factors that contributed to that one. Is
13 that we have a stake ourselves now with local
14 growing and local entertainment industry with
15 Hollywood movies being produced in our country on
16 a massive scale.

17 And Bulgarian software being developed
18 already as a product and software service
19 locally. Some of it is also the availability of
20 content and affordability through the
21 internationalization of Netflix, which was a
22 significant move a year ago. And some is the

1 migration of the torrent tracking illicit
2 download of entertainment content to streaming
3 sites, which are outside of our country and
4 outside of our reach.

5 Those were the contributing factors
6 but there's a significant decline in the most
7 sensitive area where we are implicated usually,
8 which is the illicit download of entertainment
9 content and software. So the progress is really
10 visible.

11 CHAIR KENDALL: The next question will
12 be from ITA on behalf of the Department of
13 Justice.

14 MR. MITCHELL: Yes, we're particularly
15 interested in the information you were able to
16 provide on the efforts of the cybercrime sector
17 in the cross-border organized crime department of
18 the general government of Bulgaria -- of the
19 general directorate for combating organized
20 crime. My apologies. I hope you don't mind if I
21 refer to it as the CDBOP.

22 MR. KONSTANTINOV: Sure, sure. I get

1 what you mean. I know what you mean.

2 MR. MITCHELL: How will the government
3 of Bulgaria ensure that the CDBOP has adequate
4 resources for investigations of online piracy
5 that then lead to effective prosecutions?

6 MR. KONSTANTINOV: The structure
7 allows for it, as well as increased resources in
8 budget, plus the constant regular training center
9 provides for them. And the trainings are
10 something new that developed the past two years.
11 I will elaborate more in writing if I might to
12 your question, which is excellent and thank you
13 for it.

14 CHAIR KENDALL: Thank you. The next
15 question is from the office -- The U.S. Copyright
16 Office.

17 MS. SCHULTZ: I'm sorry. The 2017
18 Special 301 Report noted concerns with gaps in
19 Bulgaria's law with respect to the exclusive
20 rights granted to rights holders and copyright
21 enforcement online. You mentioned the new
22 criminal law amendments but could you please

1 describe any additional legislative steps that
2 the government of Bulgaria has taken in the past
3 year to address these concerns including any
4 bills or amendments that have been introduced and
5 their current status?

6 MR. KONSTANTINOV: We've described
7 quite a few of them, which time will not allow me
8 to list now. There's not just the penal code but
9 there's comprehensive package and reform in
10 legislation. Because obviously from the late
11 90s, the legislation indeed was obsolete to face
12 this, especially the new piracy practices. And I
13 will provide a list of those additionally.

14 MS. SCHULTZ: Thank you.

15 CHAIR KENDALL: Thank you very much
16 for your testimony and those are all the
17 questions we have today.

18 MR. KONSTANTINOV: Thank you to the
19 esteemed commission. Have a nice day.

20 CHAIR KENDALL: Thank you.

21 I'd like to invite the government of
22 Ukraine to come up and speak. And please state

1 your name for the record. Thanks.

2 MR. TITARCHUK: Good afternoon. My
3 name is Mykhailo Titarchuk. I'm Deputy Minister
4 of Economic Development and Trade of Ukraine.

5 On behalf of the government of Ukraine
6 and Minister of Economic Development and Trade, I
7 would like to inform you first of all, that it's
8 really a serious issue, what I'm going to discuss
9 now. And I would like to express my utmost
10 respect to the Office of the United States Trade
11 Representative and for other United States
12 government institutions to all participants.

13 For the time being, the government of
14 Ukraine approved action plan for the next three
15 years. Whereas IPR is one of the priorities. So
16 we're seriously considering about IPR in our
17 country. So our work on IPR infringement issues
18 has taken place on the following five areas.

19 First, reform of the system of the
20 state administration is intellectual property
21 rights sphere. Second, sanctioned intellectual
22 property rights enforcement serves as IP

1 protection. Addressing parties in this field of
2 copyright and related rights. Force legalization
3 of software products in solid executive
4 government bodies. And the last one is technical
5 pending issues in the sphere of collecting
6 management of property rights.

7 In terms of sanctioned intellectual
8 property rights protection, our reform on
9 judicial system and the framework of judicial
10 system, a special IP court, will be established
11 in Ukraine as recently in 2017 towards signs and
12 special decree of creation IPR court by the
13 President of Ukraine Poroshenko. So we're
14 expecting this year and it's going to be 21
15 judges.

16 In terms of jobs lost and IP issues,
17 so the government of Ukraine has already approved
18 and submitted to the parliament a review for
19 current session several jobs bills on IP issues.
20 First is patent trolling, industrial designs and
21 trademarks, Number 56.99.

22 Second is custom procedures regarding

1 IPR protection, 46.14. Then third one,
2 geographical indication, 60.23. Fourth
3 topographic of semiconductor products. Then
4 innovations and utility mode, 75.38. Second one,
5 copyright and related rights issue 75.39. And
6 most important is on efficient management of
7 property rights of rights-holders incorporate and
8 related rights sphere 74.66.

9 So this third point is collective
10 management issue. So for the time being, one of
11 the biggest priorities for us, so in terms of
12 this, the government job bill so it was prepared
13 on the basis of recommendations of international
14 experts enrolled into EU funded training projects
15 transferring the protection and enforcement of
16 intellectual property rights in Ukraine. As the
17 government draft law in relation to function of
18 limited number of organizations for providing
19 with mandatory and extended collective
20 management.

21 And also, it clearly differentiates
22 the spheres, categories of property rights under

1 which the mandatory and extended collective
2 management is provided. It will allow avoidance
3 of current chaotic situation in the sphere of
4 collective and royalty by Collective Management
5 Organization for the use of copyright and the
6 related rights objects.

7 So our task for 2018 is to introduce
8 an automatic system of distribution of royalty
9 based as a Ukrainian Agency of Copyright and
10 Related Rights of the UACR. Also we are planning
11 to transform the UACR into not state owned
12 organization. The amount of collected royalty in
13 2017 by UACR was about \$2.3 million and the other
14 similar, it's 19 organizations for about \$1.9
15 million.

16 Legalization of software products in
17 executive government bodies, so our minister has
18 developed and forwarded to the involved executive
19 authorities for the approval of the Draft
20 Resolution of the government ministers of Ukraine
21 on improvement of software legalization inventory
22 procedures in central executive authorities of

1 Ukraine, which the proposal for Microsoft Ukraine
2 Company had been taken into account.

3 In March 2018, this Draft Resolution
4 will be adopted by the government of Ukraine,
5 which will improve software inventor procedures
6 for determination existing needs in legalization
7 and introduce more current mechanism of finance
8 of legalization activities; both through
9 information of separate budgets requested of
10 which executive board and through budget program
11 of mandating on software legalization in all
12 executive bodies.

13 It will also permit to halt an
14 inventory within several months with the purpose
15 of determined real needs in software
16 legalization.

17 The last one, IPR enforcement. So the
18 activities of the National Police of Ukraine for
19 2017 secured 141 criminal proceedings in this
20 field of copyright and related rights in one
21 which 109 proceeding were initiated following the
22 materials by the cyber police department.

1 Twenty-five persons were served with charges.
2 Twenty-eight criminal proceedings with charging
3 documents were forwarded to the court.

4 The amount of the compensated material
5 losses constitutes about \$91,000. Due to
6 efficient cooperation with providers and rights
7 holders, representatives of cyber police
8 department terminated activity of internationally
9 recognized Internet third parties,
10 onlinecinemafs.to to find granting of the
11 European online cinemas. Also the activity of
12 Card Sharing Associates, ISEEHD.TV that render
13 its services on broadcasting of about 1,000 TV
14 channels was determined.

15 So also 2017, National Police of
16 Ukraine secured 214 criminal proceedings based on
17 criminal infringements related to IPR
18 infringements, among which 127 criminal persons
19 are related again to corporate related rights
20 infringements, 40 illegal distribution of this
21 disc for laser routing systems, 125 illegal use
22 of signs for goods and services and 22

1 infringements of industrial property rights.

2 Also, to represent the National Police
3 of Ukraine carrying out activities aiming at
4 fighting against illegal production storage,
5 packaging and sale of falsified planned
6 protection agents, toxic substances, agro-
7 chemicals, pesticides, poisons with illegal use
8 of marketing goods and services.

9 The activities will state fiscal
10 service. About 9,700 cases of custom clearing
11 suspension on suspicions of IPR infringements
12 were orchestrated in 2017. The value on the
13 infringement items was about \$407,000.

14 The activities of the state service of
15 Ukraine on medicines and drugs control. 2017 a
16 state service issued 106 orders on interdiction
17 or turnover of 426 types of supply quality
18 falsified and registered medicines.

19 And recently the Council of
20 Intellectual Property was established in February
21 2018 with the purpose of coordination interaction
22 of the state and municipal authorities, law

1 enforcement, supervisory agencies, enterprise
2 organization and establishing IP sphere.

3 The main tasks of the Council are
4 strengthening IPR enforcement, fighting against
5 Internet piracy, bet controlling, software
6 legalization, developing legislation, interaction
7 with the High IPR court. Thank you very much.
8 Let me know if you have any questions. Thank
9 you.

10 CHAIR KENDALL: Thank you very much
11 for your testimony. The first question will come
12 from USTR.

13 MR. CHANG: Thank you for your
14 explanation of your work on collective management
15 organizations. What is the anticipated timing of
16 the next steps that you just talked about
17 including 2018 and beyond?

18 MR. TITARCHUK: As far as the last
19 ones?

20 MR. CHANG: Your work on CMO,
21 Collective Management Organizations
22 (simultaneous speaking.)

1 MR. TITARCHUK: Okay. Actually
2 recently on the 1st of March was the first
3 reading will pass in the department. We go to 244
4 votes and we're expecting actually to provide the
5 final draft view for the second reading at the
6 end of March. So I'm expecting the first or
7 second week of April. So to put in the Hall of
8 the Parliament for second reading. So if
9 everything goes smoothly, we still have time to
10 be approved until 26th of April.

11 CHAIR KENDALL: Thank you very much.
12 The next question is from the USPTO.

13 MS. BERDUT: Thank you. I have a
14 question regarding the un-stayed support of
15 cinematography law that was passed last year.
16 Could you tell us more about that law and how
17 it's been implemented?

18 MR. TITARCHUK: Okay. As you know, in
19 2017 that law was finally approved after a long
20 debate. For the time being it was quite useful
21 for our cyber police department as it allows them
22 to use it more practically and especially once

1 your article was -- its fighting against anti-
2 piracy.

3 For the time being, what I've seen
4 also inside the cinemas, there is special
5 software called camcorder, which allows any,
6 immediately if there's something wrong inside.
7 Plus, what we got from the state cinema agency
8 that there is no evidence for the last year. And
9 also what is good, there is association, which
10 goes like Anti-piracy Cinema Association in
11 Ukraine. And they also motivated people who was
12 in place inside the cinemas if they see the
13 evidence, to inform us and then after that, get
14 benefits.

15 MS. BERDUT: Thank you.

16 CHAIR KENDALL: Thank you very much.
17 The final question is from the U.S. Copyright
18 Office.

19 MS. SCHULTZ: Good morning. Thank you
20 for explaining so much about the software
21 legalization process. In your view, what are the
22 remaining challenges?

1 MR. TITARCHUK: Challenges everywhere.
2 Because for the last year -- and actually you
3 have to start from everything from the beginning.
4 So the long journey starts from the first step.
5 Actually, the priority is now to -- really to fix
6 Collective Management Organization.

7 Second, legalization software, which
8 is very important and I would like that my
9 minister would show an example to other
10 ministers. And the third challenge is I think we
11 need to increase more law enforcement in terms
12 of, you know, people who is trying not to respect
13 intellectual property. So must be more cases and
14 it seems the final stage for our reform is
15 creating IPR court. This is very important.
16 Thank you.

17 CHAIR KENDALL: Thank you very much
18 for your time. I'd now like to invite the
19 representative for The App Association to come
20 forward. And please state your name for the
21 record.

22 MR. REED: Good morning. My name is

1 Morgan Reed and I'm the president of The App
2 Association.

3 First of all, thank you all for this
4 opportunity to testify. I'm happy to contribute
5 our views on where the current state of play is
6 with regards to trade. And also to focus a
7 little bit on the intellectual property issues
8 that we're all here to discuss.

9 Quick level set, we have more than
10 5,000 member companies around the world, most of
11 whom are in the United States but are truly
12 global. Many of our companies are as small as
13 one person. But if there is one characteristic
14 that plays throughout this, they're all global.

15 The smallest members amongst us are
16 just as global as the large. The ability of
17 platforms to put applications in the hands of
18 people in literally every continent of the world
19 has meant that global reach for small business is
20 truly here today.

21 Our members drive about \$143 billion
22 app economy right now. More than \$8 trillion

1 dollars of money flows through the mobile
2 ecosystem today through goods and purchases from
3 manufacturing to daily life. And they are also
4 critical to workplace productivity and health.

5 In that instance, a huge part of what
6 makes this possible is the fact that data can
7 flow freely and unfettered. And that people can
8 be fairly compensated for their work.

9 We look at our key areas in the trade
10 space as kind of a fairly straight forward flow
11 tree. We start with the problems we have in the
12 trade space around limiting cross border data
13 flows, data localization policies in countries
14 around the world, custom duties on digital
15 content, requirements to provide source code from
16 market entry, requirements for back doors and
17 encryption technique. And of course the thing
18 we're here to talk about, intellectual property
19 violations.

20 One way to understand IPR violations
21 for a small business is that unlike larger
22 businesses, IP violations can be end of life for

1 a small or a new company. We don't have the cash
2 flow to bear a large impact event with IP.

3 It also -- IP violations often are
4 concomitant with data loss, revenue loss, and
5 reputational damage. So IP is not just something
6 that happens and can be brushed under the carpet,
7 it's critical for the way that we do it.

8 We see these violations occur in
9 numbers of ways. First, we have piracy that
10 exists by replication of an application where the
11 digital rights management component is reviewed.
12 Content for an app will be repurposed elsewhere,
13 changing advertising keys to redirect add revenue
14 from a legitimate business or injecting malicious
15 code that collect users private information.

16 I want to take a moment and give an
17 illustration. One of the things everyone on this
18 panel has heard over the years in the IPR space
19 is this idea of well, you have the wrong business
20 model. So I'm going to tell you a story about
21 how a business model doesn't necessarily matter.

22 One of our members has an application

1 that was global in use. Small company, about
2 five people. It was a free application. Free
3 and supported. So you say, well it's free. It
4 should have no problem with piracy. Incorrect.

5 What we found from oversea piracy --
6 what happened to him from overseas piracy was
7 they took the content off the top of his
8 application. Put a new add network underneath
9 it. Laid it down, changed the name and put it
10 into the app store. So his literal free app was
11 competing with someone else who had added a new
12 ad network with his exact content.

13 And here's the double stinger.
14 Because a lot of his content was video, he was
15 still paying the streaming costs for the free
16 version of his app that was stolen with another
17 ad network. So not only was he not seeing the
18 revenue from advertising. He was paying the cost
19 for the stolen pirated app to exist. And so when
20 we talk about business models and IP, think of it
21 more largely than we have a business model
22 problem. No, we have a law enforcement problem.

1 We figure that the loss to app
2 developers from publishers runs between \$3 and \$4
3 billion a year due to the use of pirated apps.
4 And we do see where foreign regulators will use
5 regulations or fail to enforce protections that
6 facilitate IPR infringement.

7 Notably, we are concerned with
8 countries that do joint venture requirements or
9 foreign equity limitations, source code,
10 escrowing and market assets requirements that
11 really force our members to transfer intellectual
12 property. You get straight piracy on one hand
13 and then you have the other aspect of piracy,
14 which is -- not piracy where you have a
15 regulatory structure that really encourages our
16 members to divest themselves of their IP in order
17 to play in a market.

18 And so the Special 301 Report is
19 really critical to our members. And I think one
20 of the aspects that you should recall as you go
21 through this process is it is completely -- it is
22 completely relevant to the smallest and the

1 largest companies in the United States. And what
2 we have shown from our studies is it is not
3 regional in terms of its impact on the U.S.

4 So we encourage your efforts to go
5 forward and to think about the small business
6 impact as well. Thank you.

7 CHAIR KENDALL: Thank you very much
8 for your testimony. The first question will be
9 from USTR.

10 MR. CHANG: Thank you very much for
11 your participation in this year's 301 Review. I
12 understand it's the first time that you've
13 submitted comments to the review.

14 MR. REED: That is correct.

15 MR. CHANG: And participation of
16 diverse stakeholders greatly improves the
17 process. So thank you very much. In your
18 written submission, you note that app developers
19 and publishers lose an estimated \$3 to \$4 billion
20 dollars annually due to more than 14 billion
21 pirated apps.

22 Does the ATC have estimates or other

1 information about which foreign countries those
2 damages and pirated apps are coming from?

3 MR. REED: We do have some estimates
4 and you can see from our written testimony where
5 we talk about specific countries and where we've
6 seen the impact. The difficult part of it is
7 again, because if an application is side-loaded
8 into a mobile device, we have no idea on how much
9 usage there is. We have anecdotal evidence but
10 hard numbers are really hard to come by, mostly
11 through the way that the applications move
12 through the ecosystem.

13 CHAIR KENDALL: Thank you. The next
14 question comes from the U.S. Patent and Trademark
15 Office.

16 MS. BERDUT: Thank you, Elizabeth. ATC
17 submission notes certain positive steps that the
18 government of India has undertaken to help
19 improve the protection and enforcement in
20 administration of IP rights in India. But we are
21 recommending PWL status because the country still
22 needs to create an adequate IPR system and

1 implement strong enforcement and that's a quote.

2 Could you please describe any specific
3 challenges in India that continue to negatively
4 affect your members?

5 MR. REED: I think that given the
6 length of time we have here, that's preferable to
7 give a written comment. But I would say that
8 it's always a battle; everyone on this panel
9 knows. You want to encourage the good acts that
10 help this move forward. But without some
11 pressure, it's very hard to keep those going.

12 I'd be happy to provide you a written
13 response in longer term but I'm aware of our
14 time.

15 CHAIR KENDALL: Thank you very much.
16 Our final question is from the U.S. Copyright
17 Office.

18 MS. SCHULTZ: Good morning. Your
19 submission notes that Algeria has inactive
20 statutes to prevent piracy.

21 MR. REED: Yes.

22 MS. SCHULTZ: But it hasn't made any

1 new efforts to enforce this statute. Can you
2 tell us more about what kind of statutes these
3 are? And can you explain how the statutes would
4 work to prevent piracy? And which aspects of
5 enforcement of those statutes are lacking?

6 MR. REED: I am not our office's
7 Algeria expert but -- and I'm happy to have -- so
8 I'll be careful to make sure I don't say anything
9 that our Algeria expert will come at me in and
10 say I've got it wrong.

11 But in rough reality, it's that
12 Algeria appears to have statutes that should, if
13 they were enforced, actually do the kinds of
14 things we're discussing today. And so as
15 everyone in the Copyright Office is aware, it's
16 this de facto versus de jure problem. And my
17 understanding is from our person who's worked in
18 Algeria on these issues.

19 The de facto is so distant from the de
20 jure that it makes it very hard when we have
21 meetings with authorities in Algeria. They say
22 the laws are on the books. What's your problem?

1 And then the discussion is well, but
2 we're not seeing any action. We're still seeing
3 rampant piracy and our folks can see from IP
4 addresses that there mobile applications are in
5 use but they can't figure out how many.

6 So I will be happy to give you more
7 specifics on the record if you'd like them but
8 it's a de facto versus de jure situation with
9 Algeria.

10 CHAIR KENDALL: Thank you once again
11 for your testimony. Could the representatives
12 from Alliance for Fair Trade with India come
13 forward? And please state your name for the
14 record.

15 MR. MURRY: Good morning. I'm Roger
16 Murry and I am the Deputy Director of the
17 Alliance for Fair Trade with India or AFTI.

18 We are a diverse group of
19 organizations that support increase action to
20 address the multitude of barriers to trade
21 investment that U.S. companies face in India
22 including those adversely impacted by India's

1 intellectual policies and practices.

2 AFTI was launched in 2013 to support
3 increased action to address the barriers to trade
4 and investment that U.S. companies are facing in
5 India. Including the erosion of intellectual
6 property rights and to serve as a mechanism for
7 engaging with U.S. policy makers on these issues.

8 In light of this mandate, I'm here to
9 request that USTR again place India on its
10 Priority Watch List. As AFTI describes in detail
11 in its written submission, India has not made
12 sufficient reforms to protect IPR holders
13 interest with respect to patents, copyrights,
14 trade secrets and price controls. And continues
15 to deny fair and equitable market access to U.S.
16 entities who rely on IPR in myriad ways.

17 Before summarizing our concerns, it is
18 important to note that the government of India
19 took four noteworthy steps in 2017 to bolster
20 patent and copyright protections.

21 First, it began a new national
22 awareness campaign on the harms associated with

1 counterfeiting and piracy. It made notable
2 progress to reduce longstanding delays on patent
3 and trademark examinations by expediting the
4 patent approval process and increasing examiner
5 capacity.

6 Third, it announced revised guidelines
7 to provide patent protections to computer-related
8 inventions. And fourth, high courts in Delhi and
9 Bombay provided content creators injunctive
10 relief against pirated content. And the
11 Department of Telecommunications helped carry out
12 these orders.

13 Now we commend each of these actions
14 but we want to state today very clearly that
15 India must do much more. The government of India
16 did not address critical and longstanding
17 shortcomings to its IPR regime identified in the
18 2017 and prior Special 301 Reports. And took
19 several new actions that created significant new
20 intellectual property challenges.

21 Of note, we highlight five critical
22 shortcomings. First, costly and time consuming

1 patent opposition hurdles for patent applicants
2 and long time lines for receiving patents.

3 Second, the lack of an affective
4 system for protecting data generated to obtain
5 marketing approval. Third, major hurdles to
6 patent protections for innovative medicines such
7 as measures in India law that had a legally
8 questionable additional criterion for the
9 patentability of medicines. And the possible use
10 of compulsory licensing and patent revocation.

11 Fourth, pressure to localize
12 manufacturing for industries as diverse as
13 information and communications technologies,
14 medical devices, solar energy equipment and
15 capital goods.

16 And fifth, price controls in the
17 fields of medical devices, pharmaceuticals, and
18 agricultural biotechnology that deny fair
19 equitable market access against U.S. products
20 with valuable intellectual property.

21 AFTI continues to track implementation
22 of the government of India's 2016 national

1 intellectual property rights policy. The
2 government of India needs to act swiftly to
3 translate those concepts in the policy that
4 support IPR into concrete policy measures. But
5 also must revise areas of policy that promote
6 forced legalization, compulsory licenses or
7 otherwise falls short of India's international
8 obligations.

9 Finally, AFTI encourages USTR and
10 other members of the subcommittee to engage with
11 India throughout 2018 including through the
12 Special 301 Process and the trade policy forum.
13 AFTI continues to believe that together our
14 governments can advance strong intellectual
15 property rights that promote innovation trade and
16 investment.

17 So in closing, I want to thank the
18 subcommittee for its tireless work to improve
19 intellectual property rights of Americans and I'm
20 happy to answer any questions you might have.

21 CHAIR KENDALL: Thank you very much
22 for your testimony. The first question will be

1 from USTR.

2 MR. CHANG: Thank you again. AFTI
3 raises concerns with India's tracked national
4 pharmaceutical policy, the NPP in 2017 including
5 the areas of compulsory licensing and pricing
6 policies. Can you please provide more details of
7 the draft NPP including whether there are other
8 concerns and when India will finalize this
9 policy? Thank you.

10 MR. MURRY: I do not have any
11 information today on when we expect India to
12 finalize the policy. I think as it relates to
13 compulsory licensing, the threat is often as
14 economically impactful as the action. And the
15 draft policy includes the threat of compulsory
16 licensing. And that is a big signal to the
17 industries, you know, in the United States of
18 what's coming down the pipeline.

19 CHAIR KENDALL: Thank you. The next
20 question will be from ITA.

21 MR. MITCHELL: Yes, this question
22 concerns multilateral dynamics. After it's

1 called attention to India's intervening in
2 international multilateral fora to advance the
3 adoption of IP policies that run counter to
4 robust protection and enforcement of IP. Could
5 you describe what affects these actions have on
6 how your members perceive India as a place to do
7 business?

8 MR. MURRY: Well, I think our members
9 -- our members operate and sell into multiple
10 markets. So they engage with governments around
11 the world including in Geneva and elsewhere.

12 And it's really important that the
13 United States work with governments from around
14 the world to protect market access of products
15 that are intellectual property. And so the
16 signals that India sends both behind closed doors
17 and publicly in those forums are immensely
18 concerning and remain one of the critical issues
19 that AFTI works on to educate both our U.S.
20 representatives in Geneva and also
21 representatives from other countries. And it's
22 just immensely concerning to us.

1 CHAIR KENDALL: Thank you very much.
2 Our final question is from the Department of
3 State.

4 MS. DYER: Thank you for appearing
5 today. You mentioned the bright spot is an
6 improvement in copyrights. Certainly Hollywood
7 and Bollywood share a concern about piracy. We
8 wondered if you had any updates on the anti-
9 camcord-ing law. It's been waiting around for
10 fifteen years before it's been passed. And I
11 wonder if you have any updates and any insight
12 into what's taking so long for this to move
13 through the system.

14 MR. MURRY: Yes, I wish I did have an
15 update. It's been one of the initial issues that
16 AFTI has concentrated on since our founding. And
17 since the initiation of the trade policy forum
18 back in 2014.

19 It's been, you know, high on the list
20 for our government as a way for both Hollywood
21 and Bollywood to thrive together in the Indian
22 market. And unfortunately we're not optimistic

1 that there will be progress in the short-term.
2 But this is also an opportunity to look towards
3 other ways to enforce and provide intellectual
4 property rights and they are the actions of the
5 high courts in Delhi and Bombay conjunctive
6 relief.

7 It's just incredibly -- it's critical
8 and somewhere that we think there's an
9 opportunity for progress in 2018 as you all
10 engage with your Indian counterparts.

11 MS. DYER: Thank you.

12 CHAIR KENDALL: Thank you once again
13 for your participation.

14 MR. MURRY: Thanks for having me.

15 CHAIR KENDALL: Can the
16 representatives from American Apparel and
17 Footwear Association please step forward? And
18 please state your name for the record.

19 MS. MITROPOULOS: Good morning. My
20 name is Christina Mitropoulos and I'm a
21 government relations representative at the
22 American Apparel and Footwear Association.

1 AFA appreciates the opportunity to
2 testify before the Special 301 Committee today.
3 AFA is the National Trade Association
4 representing apparel, footwear, travel goods and
5 other zone products companies and their supplies,
6 which compete in the global market.

7 We represent more than 1,000 world
8 famous name brands, their management and
9 shareholders. Our industry is nearly 4 million
10 U.S. workers and its contribution of \$384 billion
11 dollars in annual U.S. retail sales.

12 Counterfeiting of our members brands
13 remain a top concern. Footwear, apparel and
14 other fashion items top virtually every list of
15 top counterfeited products and seizures.

16 Our members competitiveness is highly
17 dependent on the protection of the intellectual
18 property embedded in their designs, their brands
19 and their images. Stolen intellectual property
20 costs our members billions of dollars in lost
21 sales, damages their reputation and results in
22 substantial legal expenses.

1 This morning, I would like to focus my
2 testimony on three countries; China, Canada and
3 Mexico. Last year, the U.S. chair placed China
4 on its Priority Watch List. While our members
5 report intellectual property improvements, China
6 remains a source of pervasive counterfeiting.
7 Actions to enforce intellectual property remain
8 complex and expensive.

9 As we had previously mentioned, we
10 believe the U.S. government should work with
11 Chinese customs to prevent counterfeit goods from
12 leaving China, especially in cases in which the
13 legitimate versions of the product are not
14 manufactured in China.

15 As the administration pursues its
16 Section 301 investigation, we urge that it
17 proceeds cautiously. While we agree that there
18 are significant intellectual property concerns in
19 China, we also stress that China remains an
20 invaluable trading partner for our members and
21 for our industry. For this reason, I want to be
22 clear that we do not believe tariffs are a

1 solution to this issue.

2 China remains an important and growing
3 market for U.S. exported and U.S. branded goods.
4 For example, China remains a top market for U.S.
5 exports of cotton and is a fast-growing market
6 for U.S. branded goods that are made globally and
7 sold in China. Many U.S. jobs are supported
8 through these trade and investments links too.

9 Steps to address Chinese intellectual
10 property practices must be taken to ensure that
11 these supply chains and the U.S. jobs that
12 support them are not interrupted by U.S. actions
13 or Chinese retaliation.

14 Turning to Canada and Mexico. The
15 USTR placed both countries on its 2017 watch
16 list. Over the past year, our members report
17 there is little clarity on the Canadian customs
18 recordation system. And that it has not been
19 effective since it launched.

20 One member reported its brand has
21 registered with Customs but it has not actually
22 seen any seizures. Members report that the Royal

1 Canadian mounted police is inactive related to
2 trademark in counterfeiting matters.

3 Members report their local lawyers and
4 investigators in Mexico have developed good
5 relationships with regional police, Customs and
6 the Mexican Institute of Industrial Property.
7 Regional police have supported many raids for our
8 members. Customs have increased working with
9 members largely because of members trading
10 efforts. However, corruption remains a concern
11 when doing work in Mexico.

12 Additionally, members report parasite
13 brands are prevalent. Parasite brands look and
14 feel like a counterfeit but they do not directly
15 call themselves by the brand name. In fact, the
16 average consumer might be hard-pressed to notice
17 the difference outside of the single distinction.

18 Moreover, members note the upcoming
19 elections, we'll see changes at the head of
20 Customs, the Office of the General Prosecutor and
21 the Mexican Institute of Industrial Property,
22 which they are worried could quickly reverse

1 course on progress.

2 While we recognize that there are
3 significant intellectual property concerns in
4 these countries, we also want to make it clear
5 that we are supporters of NAFTA. During the past
6 24 years, our members have developed extensive
7 supply chains that today account for millions of
8 dollars of U.S. textile, apparel and footwear
9 exports and imports to NAFTA countries. Directly
10 and indirectly supporting millions of jobs in the
11 United States and benefitting communities and
12 consumers throughout the United States from Main
13 to Miami to Monterey.

14 As we continue to engage in
15 negotiations to modernize NAFTA, it is critical
16 to strengthen the intellectual property
17 provisions to address these issues.

18 We appreciate this opportunity to
19 raise these concerns and we look forward to
20 working with the USTR to address these issues.
21 We consider this to be an ongoing process and we
22 will provide you with updated information as our

1 members bring them to our attention.

2 I will now take any questions you
3 might have. Thank you.

4 CHAIR KENDALL: Thank you very much
5 for your testimony. The first question is from
6 USTR.

7 MR. CHANG: Thanks again for your
8 testimony. Some countries have been identified
9 for several years in the Special 301 Report for
10 trademark or counterfeiting issues but may not
11 necessarily be the largest or more important
12 markets to your members. Are there any countries
13 that you think should no longer be listed on the
14 Special 301 Report for the issues that are most
15 important to your members? Thanks.

16 MS. MITROPOULOS: So this year we
17 identified both the successes and the challenges
18 that our members have pointed out to us. And
19 while we recognize that we didn't take a
20 definitive stance on which countries should be
21 listed, we wanted to leave that ultimate
22 determination up to you.

1 But we wanted to highlight while there
2 are successes in certain countries, those come
3 with challenges. So we thought that, that was
4 important to highlight.

5 CHAIR KENDALL: Thank you. The next
6 question comes from the Department of Labor.

7 MS. PETTIS: Good morning. Your
8 organization reports that there has been an
9 increase in counterfeits in India, typically
10 requiring extensive actions by the brands to
11 resolve. Could you please describe in more
12 detail the counterfeiting activity, trends and
13 challenges facing the brand owners?

14 MS. MITROPOULOS: So a number of our
15 members have worked in India and they're finding
16 counterfeits not only in marketplaces but on
17 ecommerce platforms in China. I'm happy to
18 follow up with written comments on those
19 specifics.

20 CHAIR KENDALL: Thank you. Our next
21 question comes from Treasury.

22 MR. CHANG: For Turkey, AAFA reports

1 that changes in customs laws now make it
2 difficult and expensive to seize outbound goods,
3 forcing member brands to file motions before the
4 courts. Would you please explain in more detail
5 the changes in the customs law and the negative
6 effects on IP enforcement that resulted from this
7 in Turkey?

8 MS. MITROPOULOS: So I can -- I'm
9 happy to follow up with written comments on that.
10 One of our members identified that for us. I
11 don't know that much about it but I can certainly
12 follow up with you once I get more information
13 from that member.

14 MR. CHANG: Okay, thank you.

15 CHAIR KENDALL: Thank you. The next
16 question comes from ITA.

17 MR. MITCHELL: Thank you. Regarding
18 your observations concerning parasite brands,
19 have any of your members had partial success in
20 combating this problem? Do you see this as a
21 question of trade dress or something else?

22 MS. MITROPOULOS: So like I said,

1 parasite brands, it's a not a specific
2 counterfeiting issue per se. But a number of our
3 members have had successes in China, particularly
4 one brand brought an action in court and received
5 the largest judgment to date concerning parasite
6 brands. So that was definitely a success on
7 their part. And hopefully they'll continue to
8 succeed.

9 And as we noted in our comments, we
10 also have seen parasite brands popping up in
11 Mexico. So it remains to be seen what will
12 happen with that.

13 MR. MITCHELL: Thank you.

14 CHAIR KENDALL: Thank you very much
15 and thank you for your testimony.

16 MS. MITROPOULOS: Thank you.

17 CHAIR KENDALL: I invite the
18 representative for ACTION for Trade to come
19 forward. And please state your name for the
20 record.

21 MR. TEITELBAUM: Good morning. My
22 name is Joshua Teitelbaum. And thank you to the

1 Special 301 subcommittee for the opportunity to
2 testify on behalf of the American Creative
3 Technologies and Innovative Organizations Network
4 or ACTIONS for Trade.

5 ACTION for Trade is dedicated to
6 advancing a U.S. trade agenda that promotes
7 creativity and innovation. Our members include
8 business and trade associations involved in the
9 research, development and manufacturing patented
10 medicines. The development, production,
11 publication and distribution of creative works
12 like literary content. Recorded music, film,
13 television, and scientific technical and medical
14 journals and the development of technology of
15 software and hardware.

16 What ties the members of our coalition
17 together is the shared belief that our trading
18 partners should enact policies including strong
19 protections and enforcement measures for
20 intellectual property rights to fairly value
21 American creativity and innovation. And that
22 when they do, both the United States and its

1 trading partners see the returns to economic
2 prosperity and well-being.

3 The intellectual property-intensive
4 industries that ACTION represents support 58
5 million American jobs. That's nearly 40 percent
6 of the American workforce and they add jobs 7
7 percent faster than other industries. In other
8 words, we are a large and growing segment of the
9 American economy.

10 But in a global economy that is
11 increasingly defined by where creativity and
12 innovation happens, the Special 301 Report is an
13 important tool for ensuring it happens here. And
14 building on the commitment in the recently
15 published U.S. Trade Agenda that U.S. owners of
16 intellectual property have a full and fair
17 opportunity to use and profit from their IP
18 around the globe.

19 To further your investigation, ACTION
20 would like to highlight several areas of concern
21 where our trading partners intellectual property
22 rights are weak or insufficient.

1 First, several U.S. trading partners
2 lack regulatory transparency and fail to record
3 U.S. companies due process when enacting
4 regulations affecting their IP. For example,
5 bureaucratic backlogs in the patent approval
6 processes in Canada and Korea undercut those
7 nations commitments and free trade agreements,
8 undermine incentives to innovate and result in
9 significant delays in access to innovative
10 lifestyle medicines.

11 Pricing controls in Canada and South
12 Korea further weaken innovation by arbitrarily
13 setting prices for patented medicines by
14 reference to prices in less advanced economies or
15 medicines of an older generation. In doing so,
16 these countries aim to strip the global costs of
17 innovative research and development and
18 ultimately delay the introduction of new
19 medicines into their own market. And compulsory
20 licensing schemes in Malaysia allow local
21 companies to make, use, sell, or import patented
22 medicines without the consent of the patent

1 holder.

2 Second, intellectual property rights
3 protection and enforcement efforts have not kept
4 up with the technological developments in the
5 distribution of pirated goods and services.

6 For example, China is a hub of the
7 manufacture and distribution of illicit streaming
8 devices. In addition, while China's largest
9 search engine has taken strides to address
10 takedown requests for infringing content, China
11 places too high a burden on rights holder to
12 prove infringement.

13 In Mexico, high levels of online
14 piracy continue where the government has neither
15 adopted policies, nor attempted action against a
16 plethora of locally-operated infringing websites.

17 And Canada's Notice and Notice
18 Enforcement Scheme blocks even takedown
19 obligations for infringing creative works making
20 it a global outlier in the protection of
21 copyright online.

22 Finally, the creativity and innovation

1 based sectors are particularly susceptible to
2 acts, practices and policies that are designed to
3 benefit local producers at the expense of
4 manufacturers and employers and employees in the
5 United States.

6 For example, China has several data
7 localization policies that promote or enforce
8 technology transfers to local competitors. These
9 policies not only effectively prevent market
10 access, but contribute to the theft of U.S.
11 intellectual property.

12 Japan's new pharmaceutical pricing
13 policies exhibit bias toward local companies as
14 well due its strict qualifications on which
15 companies can benefit from full price stability.

16 And the use of antitrust
17 investigations by our Asian trading partners
18 undermines U.S. rights holders are acquiring the
19 transfer of U.S. patented technology to invest
20 the companies. These investigations often lack
21 due process protections and result in
22 discriminatory and extraterritorial remedies.

1 ACTION for Trade looks forward to
2 working with the Office of the United States
3 Trade Representative and the other agencies at
4 the subcommittee here as partners to address
5 these issues in support of America's creators and
6 innovators.

7 Thank you for your time and I'm now
8 happy to answer any questions you may have.

9 CHAIR KENDALL: Thank you very much
10 for your testimony. The first question will be
11 from USTR.

12 MR. CHANG: Thank you and good
13 morning. Your testimony notes that Mexico has
14 the highest percentage of music pirate site users
15 of any country and it's the second largest
16 foreign market for illicit camcord-ing.

17 What do you think accounts for this?
18 I know you mentioned the lack of government
19 action but in addition to that, what do you think
20 accounts for this?

21 MR. TEITELBAUM: I think that there
22 are changes in both technology and lack of policy

1 on the books in Mexico that allow these kinds of
2 practices to continue. When it comes to policy
3 for example, Mexico lacks strong secondary
4 liability in its market. That would allow
5 copyright holders to hold infringers on their
6 content accountable for their practices online.

7 In addition, there are advances in
8 technology that make practices such as camcord-
9 ing easier to carry out as opposed to in previous
10 years when it may have been more practically
11 difficult.

12 In addition, when it comes to advances
13 in technology for things like stream ripping,
14 there are advances in software that allow people
15 who are interested in trying to simply download
16 licensed music off of premium services. That
17 allow them to then distribute those works either
18 free or at reduced prices, undercutting the
19 creativity and work of music creators and film
20 and television creators.

21 CHAIR KENDALL: Thank you very much.

22 The next question comes from HHS.

1 MS. BLEIMUND: Good morning. In your
2 members views, what action should Canada take to
3 improve the process of developing new
4 pharmaceutical pricing policies?

5 MR. TEITELBAUM: Thank you for that
6 question. We have serious concerns about
7 Canada's current proposals for the pricing for
8 PMPRB.

9 That proposal would change the current
10 reference pricing scheme for patented medicines
11 that set maximum allowable prices including
12 removing United States and Switzerland from the
13 countries that are included in the reference
14 pricing basket. And substituting for those
15 countries of the less advanced economies with the
16 stated goal of trying to bring down the price to
17 the OECD median.

18 We would recommend that Canada
19 implement pricing policies that are fair,
20 reasonable and market based that include
21 increased transparency and greater due process
22 for stakeholders to submit comments as to which

1 countries would be appropriate for including in
2 the reference pricing scheme including the United
3 States.

4 We believe that the proposal that was
5 released in December did not include adequate
6 justification for the changes that they proposed.

7 CHAIR KENDALL: Thank you very much.
8 The final question comes from ITA.

9 MR. MITCHELL: Yes, you had mentioned
10 Canada and Notice and Notice, could you elaborate
11 a little bit as to how the current system has
12 affected action members. And also perhaps what
13 additional steps Canada might take to address
14 long line piracy.

15 MR. TEITELBAUM: Absolutely. Thank
16 you for the question. ACTION members include
17 members from the recording industry, the motion
18 picture association, the authors guild and the
19 Association of American Publishers whose creative
20 works are awarded from the legitimate
21 distribution in sales of their products online.
22 However, we find that digital piracy is rampant

1 and that in jurisdictions where there are strong
2 protections for those copyrighter works including
3 in the online digital space, we see a reduction
4 in that digital piracy.

5 A Notice and Notice scheme without the
6 obligation to take down request of infringing
7 content allows that content to remain online even
8 after the internet service provider or the
9 infringer has been notified that the work is
10 infringing on somebody's legitimate copyright.

11 So we believe it's important and
12 imperative in order to reduce digital piracy that
13 Canada implement at the very least a takedown
14 obligation.

15 CHAIR KENDALL: Thank you very much
16 for your testimony. I'd like to ask the
17 representatives from the Biotechnology Innovation
18 Organization to come forward. And please state
19 your name for the record.

20 MS. BRAND: Good morning. I'm Melissa
21 Brand, associate counsel and director for
22 Intellectual Property Policy at the Biotechnology

1 Innovation Organization.

2 BIO is a nonprofit organization with a
3 membership of over 1,000 biotechnology companies,
4 academic institutions, state biotechnology
5 centers, and related organizations. Our industry
6 is responsible for creating over 1.6 American
7 jobs and supports millions more. We research and
8 develop products and improve health outcomes,
9 increase agricultural productivity, produce
10 cleaner energy and provide for a more sustainable
11 economic future.

12 A defining feature of the
13 biotechnology industry is the long and uncertain
14 road from laboratory bench to market
15 introduction. Biotechnology product development
16 is fraught with risks and commonly requires
17 rigorous regulatory review before product launch.

18 Strong and predictable IP protection
19 is therefore critical for BIOs member to be able
20 to attract the investment necessary to withstand
21 these lengthy and challenging development
22 periods. This is especially truth for BIO's

1 small and medium-sized enterprise members that
2 currently do not have products on the market and
3 therefore count IPs among their most valuable
4 assets. On behalf of BIO and our more than 1,000
5 members, I thank the committee for the
6 opportunity to testify today.

7 As detailed more fully in BIO's formal
8 Special 301 Report, certain U.S. trading partners
9 are implementing policies that will undermine the
10 IP rights of U.S. biotechnology companies abroad.
11 Today I will focus my time on the most pressing
12 of these concerns.

13 The issue in some compulsory licenses
14 by foreign governments is chief amongst our
15 concerns. BIO has asked that Malaysia be
16 designated as a priority foreign country because
17 of its September 2017 announcement that it will
18 issue a government use license, effectively a
19 compulsory license for a patented treatment for
20 Hepatitis C.

21 This patented treatment has been
22 available to patients in Malaysia for more than

1 two years. And the patent holder had previously
2 announced that it would include Malaysia in its
3 voluntary licensing program. A program that
4 would satisfy the Malaysian government's
5 procurement needs with affordable quality
6 products.

7 Nonetheless in September, the
8 Malaysian Ministry of Health abruptly issued its
9 statement of intent to issue the unauthorized
10 license providing little notice to the patent
11 owner and no meaningful opportunity for the
12 patent holder to provide input or address any
13 concerns. The actions taken by the government of
14 Malaysia are unprecedented.

15 Given the facts of this case, it
16 appears that these actions are motivated by
17 industrial policy, rather than a legitimate
18 concern for access to medicines. While
19 compulsory licensing may be permissible in
20 certain limited circumstances, this is not such a
21 circumstance. Nor should compulsory licenses be
22 granted in processes lacking transparency and

1 fairness.

2 We are concerned that if Malaysia's
3 actions are left unchecked, others may follow
4 this course of conduct and the spirit of the TRIPS
5 Agreement will be further eroded. Other
6 countries that have adopted or are considering
7 adopting troubling compulsory licensing practices
8 include China, Columbia, India, Indonesia,
9 Russia, Thailand and Turkey. This problem cannot
10 be overstated.

11 When U.S. biotech companies can no
12 longer rely on IP protection abroad, the
13 investment necessary to sustain the development
14 of their innovations will be drastically
15 curtailed. This is all the more pronounced for
16 small and medium-sized enterprises.

17 The next concern I would like to
18 highlight today is that of countries providing
19 inadequate regulatory data protection or RDP.
20 RDP is an important complement to patent
21 protection, particularly for certain types of
22 biotechnological products for which patent

1 protection may not fully protect the inventive
2 contribution. However, countries like China,
3 Argentina, Brazil, India, Mexico, Malaysia,
4 Russia and Turkey provide either no RDP or
5 inadequate RDP.

6 China presents a particular concern
7 because although its law provides for some RDP
8 and practice, use innovators have not received
9 effective protection. China has proposed new RDP
10 reforms but their implementation is yet to be
11 seen.

12 Next I would like to emphasize BIOS
13 ongoing concern regarding certain trading
14 partners that have adopted unduly restrictive
15 patentability criteria to discriminate against
16 certain types of inventions. Such laws and
17 regulations present unnecessarily challenges to
18 the ability to bring new innovations to these
19 countries. Specific details regards these
20 regimes are set forth in our formal 301
21 submission.

22 Finally, we have observed countries

1 with strong economies and technological
2 capacities implementing arbitrary and unjustified
3 market access policies. Wealthy countries such
4 as Canada, Japan and Korea are implementing
5 pricing policies for patented medicines that
6 arbitrarily undervalue these treatments and cures
7 in favor of short-term budgetary gains. Not only
8 are these countries disregarding their
9 responsibility to promote public health
10 innovation but these policies may have negative
11 consequences for access purposes.

12 To conclude, I would like to thank the
13 U.S. government for its continued efforts to see
14 that our international partners respect our IP
15 abroad. As acknowledged in our Special 301
16 Report, positive results have been achieved and
17 we are grateful for such progress.

18 With that, I'm happy to answer any
19 questions that the panel may have.

20 CHAIR KENDALL: Thank you very much
21 for your testimony. The first question comes for
22 USTR.

1 MR. CHANG: Thanks again. In the last
2 part of your testimony, you did mention some
3 positive developments. Some countries have been
4 identified for several years in the Special 301
5 Report for patent and pharmaceutical issues but
6 may not necessarily be the largest or most
7 important markets to your members. Are there any
8 countries that you think should no longer be
9 listed in the Special 301 Report for the issues
10 that are important to your members?

11 MS. BRAND: Thank you for the
12 question. I think that we have noted in our
13 report, the instances where countries have made
14 particular improvements. I believe there are
15 instances. For example, the Canadian courts
16 recently issued a positive decision undermining
17 the Promise Doctrine which had been a large
18 problem for our industry.

19 I also believe there are other
20 instances where countries such as Taiwan, I
21 believe, are providing a patent linkage system
22 now or have at least committed to do so. Sitting

1 here today, I admit that I do not know which
2 countries should be removed from the list. But I
3 do believe our report identifies which ones we
4 should continue to list. So we could follow up
5 with a specific list comparing those.

6 CHAIR KENDALL: Thank you very much.
7 The next question comes from HHS.

8 MS. BLEIMUND: Good morning. In your
9 submission, you site issues with Malaysia's
10 regulatory data protection regime as part of your
11 nomination to alleviate them as a priority
12 foreign country. Do the issues you raise reflect
13 recent changes to Malaysia's law or practice?
14 And can you provide some details about the
15 "onerous requirements" that you mention in your
16 submission?

17 MS. BRAND: I would best be suited to
18 follow up with specific details regarding whether
19 those are recent changes. I believe we put in
20 the report the identified concerns but additional
21 details I can provide in a supplemental
22 submission.

1 CHAIR KENDALL: Thank you very much.
2 The next question comes from PTO.

3 MS. BERDUT: Thank you. Regarding
4 India, Footnote 18 of BIO's submission indicates
5 recent revocations, oppositions and challenges to
6 several biopharmaceutical products. Is Section
7 3D of India's patent act cited in these
8 challenges? And is BIO aware of the patent
9 status of these products in other countries?

10 MS. BRAND: I believe that 3D is
11 likely cited. We can follow up and provide that
12 information particularly. I believe that
13 footnote discusses the -- not only the issue with
14 3D but the overall tenor against
15 biopharmaceutical patents in India and the
16 multiple challenges that are allowed both pre-
17 grant and post-grant. And also the obstacles
18 that are faced with 3D.

19 So I can follow up with additional
20 details on whether 3D is cited in those
21 decisions. And how those products are patented
22 in others.

1 MS. BERDUT: Thank you.

2 MS. BRAND: Sure.

3 CHAIR KENDALL: Finally, USTR would
4 like to ask one of the questions we asked other
5 testifiers here, which is what policies do you
6 think Canada or other countries you've identified
7 should adopt for the problematic pricing policies
8 that you note in your submission?

9 MS. BRAND: Sure. I believe that the
10 representative from ACTION for Trade commented on
11 some of the recommendations that we would likely
12 make as well.

13 With respect to Canada, another
14 concern that we have in their pricing policy is
15 very onerous disclosure requirements. So not
16 only are they onerous, but they raise a lot of
17 concerns as to whether the data could actually be
18 appropriately protected as confidential
19 information.

20 So I think further review of those
21 disclosure requirements would be necessary. I
22 think more stakeholder input would be useful to

1 really convey the burdens that would be placed on
2 our members.

3 The other thing I want to say quickly
4 with respect to Japan and its pricing policies,
5 we noted in our report that these will be
6 particularly difficult for our small and medium-
7 sized members. There are benefits or
8 requirements essentially to conduct clinical
9 trials in Japan or launch more products in Japan.
10 And that's difficult for our smaller members as
11 financial constraints amongst other things make
12 that challenging.

13 So I think that eliminating those
14 requirements that really favor a foreign economy
15 that it's difficult for small members to meet,
16 that would be a very beneficial step.

17 CHAIR KENDALL: Thank you very much
18 for your testimony.

19 MS. BRAND: Thank you.

20 CHAIR KENDALL: I'd like to invite
21 representatives from BSA Software Alliance to
22 come forward. And please state your name for the

1 record.

2 MR. PROPP: Good morning. My name is
3 Kenneth Propp. I am director for trade policy at
4 BSA, which is the leading advocate for the global
5 software industry. Thank you for the opportunity
6 to testify.

7 Today it's clearer than ever that
8 software is having a profound impact on the
9 American economy. A recent report from
10 software.org with BSA foundation documents that
11 the software industry contributes more than 1.1
12 trillion to U.S. GDP, supports more than 10
13 million jobs with significant impact in all 50
14 states and invests more than \$63 billion in
15 research and development. And these beneficial
16 effects from software are felt across all sectors
17 of the U.S. economy.

18 American software can have a similar
19 impact internationally but only if intellectual
20 property rights are respected and enforced. And
21 if market access barriers for U.S. companies are
22 dismantled.

1 And these of course are the twin
2 objectives in the Special 301 statute,
3 identifying countries that deny adequate and
4 effective protection of intellectual property
5 rights or that deny fair and equitable market
6 access to U.S. companies that rely upon IP
7 protection.

8 The issues that I will highlight to
9 you today relate to both components of the
10 Special 301. And we believe that USTR and the
11 other agencies can best help innovative American
12 companies if it looks equally at both prongs of
13 the statute. And we were gratified to see this
14 approach reflected in the 2018 trade policy
15 agenda, which identifies both breakdown of unfair
16 trade barriers as a key objective. And also
17 ensuring that U.S. owners of intellectual
18 property of a full and fair opportunity to use
19 and profit from their IP.

20 So first to market access barriers.
21 Software companies today are spreading cloud
22 computing sophisticated data analysis techniques

1 including through the use of artificial
2 intelligence around the globe. But these
3 technologies can be efficient, secure and
4 competitive only if data may flow across borders
5 for processing or storage.

6 But what we see around the world
7 however is a continuing spread of national
8 measures that prohibit or restrict cross border
9 data flows. These can take the form of blanket
10 prohibitions of transfer of data abroad or
11 unreasonable conditions placed upon transfer of
12 data. And in some cases, the restriction is
13 simply a requirement that domestic data centers
14 be used instead of foreign ones.

15 These barriers often come disguised a
16 privacy or security measures. And to be sure
17 privacy or security sometimes can be legitimate
18 bases for national regulation of data flows. But
19 too often the real motivation is protection as
20 simply advantaging local industry.

21 In our submission to the subcommittee,
22 we have called out restrictions on data flows

1 that have been adopted or proposed in countries
2 as diverse as Brazil, China, India, Indonesia,
3 Korea, Nigeria and Vietnam.

4 Vietnam has put their localization
5 requirements into place. China's cyber security
6 law requires that personal and other important
7 information collected in China be held in that
8 country. We are also following with concern,
9 develops in the European union that could impede
10 data flows from its territory.

11 Turning to intellectual property,
12 protection and enforcement, we have two main
13 concerns. The continued use of unlicensed
14 software by government agencies, state
15 enterprises and businesses. And inadequate
16 enforcement against such unlicensed uses.

17 BSA periodically conducts global
18 software surveys and our most recent one
19 estimates that fully 39 percent of the software
20 installed in PCs around the world is not properly
21 licensed. And that's a proportion that has
22 stayed stubbornly high in recent years.

1 In many countries, the percentage is
2 substantially greater than that. We estimate
3 that the commercial value of unlicensed software
4 worldwide is in excess of \$52 billion dollars, a
5 very large loss of revenue for companies.

6 Better enforcement against unlicensed
7 software requires changes in laws in some
8 countries. And in others, an increased
9 willingness of authorities to enforce existing
10 laws. China falls into the first category in our
11 view, needing to amend its copyright and criminal
12 codes to better address the widespread use of
13 unlicensed software by enterprises in that
14 country.

15 India is an example of the second.
16 Its enforcement mechanisms through commercial
17 courts are less effective than they need to be.
18 And effective criminal enforcement mechanisms
19 also need to be established. Our companies also
20 depend on effective patent protection.

21 In conclusion, let me say that we have
22 recommended that seven countries be placed on the

1 Priority Watch List and eight on the watch list.
2 I'd be happy to answer your questions. Thank
3 you.

4 CHAIR KENDALL: Thank you very much
5 for your testimony. The first question comes
6 from USTR.

7 MR. CHANG: Some countries have been
8 identified for several years in the Special 301
9 Report for copyright or enforcement issues but
10 may not necessarily be the largest or most
11 important markets to your members. Are there any
12 countries that you think should no longer be
13 listed in the Special 301 Report for the issues
14 that are important to your members?

15 MR. PROPP: I think our report singles
16 out the countries that still require listing. We
17 can reflect further on whether there are
18 countries that should be removed from the list.
19 And I can provide that information to the
20 subcommittee.

21 CHAIR KENDALL: Thank you. Our next
22 question comes from PTO.

1 MS. BERDUT: Thank you. In your
2 nomination of China as a Priority Watch List
3 country, you reference measures that preclude
4 foreign entities from competing in China or
5 competing on equal terms. Is your concern
6 focused on MOCOM's technology import, export
7 regulations or in a broader range of measures?

8 MR. PROPP: We have a broad range of
9 concerns with China. It is not specifically
10 focused on that particular regulation.

11 There is a constant stream of
12 legislative and regulatory developments in China
13 that pose a variety of different concerns to our
14 members. The cyber security law alone raises
15 concerns with respect to data localization, with
16 respect to privacy and with respect to security -
17 - with the security review requirements. And
18 that's just one law.

19 There are also secure and controllable
20 requirements that have been issued in relation to
21 government procurement. There are source code
22 disclosure requirements. So these are quite a

1 few of the challenges in China.

2 MS. BERDUT: Thank you.

3 CHAIR KENDALL: Thank you very much.

4 The next question is from the U.S. Copyright
5 Office.

6 MS. SCHULTZ: Good morning. Could you
7 elaborate further on your questions in EU related
8 to IP and market access?

9 MR. PROPP: With respect to the EU and
10 IP, I would mention one in particular. And that
11 is, there is a proposed revision in the copyright
12 area of the proposed digital copyright directive.

13 That has created uncertainty about the
14 legality of text and data mining. It is an
15 ongoing legislative process. The uncertainty was
16 created by the commissions draft as the
17 legislation has made its way through the
18 parliament and now to the counsel. That issue
19 continues to be dealt with.

20 And the outcome is still not clear.
21 But for the moment, there is no resolution of the
22 question -- the important question whether text

1 and data mining will continue to be valid on a
2 widespread commercial basis. Or instead would be
3 limited to a subcategory of institutions such as
4 research and educational institutions.

5 CHAIR KENDALL: Thank you very much.
6 The final question will be from USTR.

7 MR. CHANG: For India, there is a
8 submission note of a positive development in July
9 of 2017 related to amended patent examination
10 guidelines for computer related inventions.

11 While noting and I quote, "It will be important
12 to monitor how this revision is implemented in
13 practice."

14 Since July, have there been any
15 indications from the patent offices as to how the
16 guidelines are being implemented?

17 MR. PROPP: Thank you for the
18 question. I am not aware of any. In principle,
19 we are quite pleased with that development and we
20 have not heard from our members that there are
21 continuing issues with it. But I can certainly
22 double check on that point.

1 CHAIR KENDALL: Thank you once again
2 for your testimony. At this time, I'd like to
3 ask the representatives from the China Chamber of
4 International Commerce to come forward. And
5 state your name for the record.

6 MR. JIAN: May I?

7 CHAIR KENDALL: Thank you very much.

8 MR. JIAN: Good morning. My name is
9 Tan Jian with China Chamber of International
10 Commerce, CCOIC. CCOIC is International Chamber
11 of Commerce in China with around 87 members
12 across various sectors.

13 We and other members experience and
14 witness the great progress China has made in
15 respect of protection of IP, particularly in
16 recent years. China has established an IPR law
17 system and implemented laws and regulations to
18 protect IP rights of domestic and foreign rights
19 holders. Result of that determination and with
20 so effective and efficient law enforcement
21 system, the Chinese government has made great
22 efforts to strengthen the protection for trade

1 secrets, trademark, patents, cover art and other
2 IP rights and to correct that country's piracy
3 and other infringing acts. Most innovator in
4 China also active in protecting their own IP
5 rights and inferring not to infringe IP rights of
6 others.

7 We know about the concern of the U.S.
8 government about China's IPR protection but I
9 have to say that most of the concerns are either
10 coming change faced by many countries. All are
11 being effectively resolved in China. And others
12 are like other misunderstandings.

13 For example, there is a concern about
14 the civil enforcement of IP rights in China. The
15 truth is China has set up specialized
16 intellectual property courts in Beijing,
17 Shanghai, Guangzhou and another teams specialize
18 in IP tribunals. Chinese courts do not hesitate
19 to grant preliminary injunctions if statutory
20 commissions are met.

21 They also facilitate obtaining
22 evidence in the hand of opposing parties and

1 increase damages to fully reflect the value of
2 the IP. For instance, in 2016, Beijing IP court
3 ordered a defendant to pay 50 million RMB in
4 damages for property infringement.

5 In addition, foreign companies are
6 treated equally in China courts. Foreign
7 companies win rates average around 80 percent
8 right now. China is increasingly being selected
9 as the forum of choice for non-Chinese companies
10 to mitigate IP disputes. China is continuing its
11 efforts to improve the trial procedure of IPR
12 cases.

13 On February 27th this year, new
14 guidelines for this proposed were unveiled by
15 Chinese leadership. There are also concerns
16 about the protection of trade secrets. China
17 revised anti unfair competition law in November
18 of 2017. It granted the scope of protecting trade
19 secrets and increased the statutory damages.
20 While the amount of actual losses cannot be
21 determined, the forced damages up to RMB 3
22 million can be awarded by the court. Provisions

1 regarding preliminary injunction, property and
2 the evidence preservation are fully applicable to
3 disputes involving violation of trade secrets.

4 Trade secrets submitted to government
5 agencies and the courts are kept confidential in
6 accordance with the anti-unfair accommodation law
7 and many other laws and the regulations. Concern
8 also extends to counterfeiting and piracy in e-
9 commerce market. Counterfeiting and piracy
10 exists in China as it is a world factory.

11 The government of China has devoted
12 numerous resources to crack down on
13 counterfeiting and piracy through routine
14 supervision and special campaigns and by the
15 administrative law enforcement and the criminal
16 trials.

17 A U.S. company named EVRIL, with only
18 25 employees has benefitted from 67 initiative
19 raids, 20 Customs seizures and eight criminal
20 raids in China. According to EVRIL, the problem
21 most pressing onus had is not that the Chinese
22 have a better system, but that the brand owners

1 do not know how to make that system work.

2 In addition, the private sector also
3 takes actions, particularly operators of e-
4 commerce platforms corroborating with right-
5 holders, and the law enforcement department have
6 taken a series of matters to effectively curb
7 online counterfeit and piracy. Like the U.S.
8 government, the Chinese government attach great
9 importance to IP protection. Like U.S.
10 companies, Chinese companies including 60
11 overseas members traded innovation. I believe
12 those countries and the business cycles from both
13 countries should cooperate, rather than criticize
14 and blame each other to enhance the protection of
15 IP in the two countries and in the world. Thank
16 you.

17 CHAIR KENDALL: Thank you very much
18 for your testimony. The first question comes
19 from USTR.

20 MR. S. CHANG: U.S. parties report that
21 patent infringement damage awards in China are
22 very low relative to U.S. damages, and that I

1 some cases, the damages are not deterrent. How
2 would you respond?

3 MR. JIAN: I will like to have my
4 colleague, Mr. Qing Ren reply.

5 MR. REN: Yeah, as we, according to
6 our knowledge, the Chinese government and the
7 Chinese courts know about this concern from the
8 other governments and foreign-rights holders.
9 There is measures taken in this regard to address
10 this issue.

11 If you have time to read the opinions
12 recently issued in late February, it is again
13 assured that the damages will be awarded to fully
14 reflect the value of IP rights. So we are -- our
15 observation is that this issue has been or are
16 being effectively addressed. Thank you.

17 CHAIR KENDALL: Thank you very much.
18 The next question comes from USPTO.

19 MS. BERDUT: Thank you. China still
20 does not generally treat sporting events as
21 having sufficient creative content to qualify as
22 a work eligible for copyright protection. Can

1 you comment on this gap in China's copyright
2 protection regime?

3 MR. REN: You are talking about the
4 protection of the sports program? Yeah. There
5 are discussions in China in which way to protect
6 sports program. There are some opinions to
7 support that to protect a sports program under
8 copyrighting law.

9 There are some other opinions to
10 support to protect the program under anti-
11 competition law or other laws and regulations.
12 So any event, there are laws and regulations
13 applicable to these areas, and the rights holders
14 have a channel to protect their rights.

15 Probably, different countries have
16 different --- I mean, specific laws to address
17 these issues as NDD. What is important is
18 whether they the rights and interest of the
19 rights holders is protected. Thank you.

20 CHAIR KENDALL: Thank you very much.
21 The final question will be from the State
22 Department.

1 MS. DYER: Thank you for appearing
2 here today. An important step in enforcement in
3 China is the transfer of an administration action
4 to criminal authorities.

5 U.S. parties report that a major
6 obstacle to such referrals is that the
7 administration authorities lack investigative
8 powers to provide such information and determine
9 what information that would be sufficient to
10 satisfy those criminal authorities. What are the
11 prospects for adoption of a reasonable suspicion
12 standard in the near future? Thank you.

13 MR. REN: Thank you for the question.
14 The transferring of cases from other municipality
15 authorities to criminal authorities indeed is an
16 issue that attracts much attention from our
17 foreign rights holders.

18 As far as we know, the government has
19 taken a series of measures to enhance the
20 connection between the two enforcement systems.
21 In our written submission, we also describe a
22 brief recent development in this area.

1 For example, the government of China
2 established a platform to help the transferring
3 of the cases from all of these authorities to
4 criminal authorities. This platform has been not
5 only started at the central government level, but
6 also at the provincial level, even lower down to
7 the level of the --- I mean, the county level.

8 So the conditions to initiate an
9 investment probably is not the same as a criminal
10 trial, but as soon as the conditions is met of a
11 security organ, we will execute the criminal
12 procedure. Thank you.

13 CHAIR KENDALL: Thank you very much,
14 once again, for your testimony today. At this
15 time, I'd like to invite representatives from the
16 Computer and Communications Industry Association
17 to come forward and please state your name for
18 the record.

19 MS. STELLY: Good morning. My name is
20 Rachael Stelly, and I serve as a Policy Counsel.
21 Sorry. And I serve as a Policy Counsel for the
22 Computer and Communications Industry Association.

1 Thank you for this opportunity to convey the
2 views of CCIA in regard to the 2018 Special 301
3 Report.

4 I want to preface these remarks by
5 noting it that I am stepping in at the last
6 minute for our Vice President, Matt Schruers, who
7 unfortunately is out with the flu. I will read
8 his prepared written remarks. Any questions
9 regarding this testimony or our written comments
10 that I cannot answer will be addressed in our
11 post-hearing submission.

12 CCIA is a trade association of
13 internet and technology firms, many of whom
14 export goods and services that are regulated by
15 the domestic copyright laws of our trading
16 partners or benefit from the commerce enabled by
17 these goods and services. This statement focuses
18 on four specific subjects addressed in CCIA's
19 written submission.

20 First, the continued concern about the
21 rise of snippet taxes in foreign markets.

22 Second, the need for USTR to require

1 comprehensive implementation of intermediary
2 liability protections abroad, particularly where
3 required by our Free Trade Agreements.

4 Third, the opportunity that the re-
5 negotiation of the North American Free Trade
6 Agreement presents to modernize the intellectual
7 property chapter. And fourth, the forced
8 transfer of intellectual property through
9 discriminatory regulations directed at U.S.
10 exporters.

11 First, regarding snippet taxes, these
12 taxes and related regulatory initiatives are
13 sometimes referred to as ancillary copyright, but
14 are in fact regulations on the quotation of
15 published online content. CCIA first raised
16 concerns about ancillary copyright back in 2012,
17 but unfortunately, previous administrations
18 failed to resolve the issue.

19 Since then, the internet industry has
20 witnessed the spread of these detrimental laws
21 throughout European member states, including in
22 Germany and Spain. France's newly-implemented

1 image indexing law also poses a similar threat
2 insofar as it creates a right to be indexed,
3 which is inconsistent with global norms.

4 Now, the European Commission is proposing a
5 snippet tax to be imposed in all member states.
6 Left unchecked, these taxes will impede market
7 access for U.S. exporters throughout the EU.
8 USTR has previously watch-listed countries for
9 TRIPS and other international copyright law
10 violations, and the European states should not
11 get a pass.

12 Second, the Special 301 process should
13 address non-compliance with international norms
14 regarding online copyright intermediary liability
15 protection. U.S. trading partners who have
16 entered into Free Trade Agreements with the U.S.
17 should honor these commitments.

18 As described in greater length in
19 CCIA's written submission, Australia's 2003 FTA
20 commitment to the U.S. to provide intermediary
21 liability protects to service providers has not
22 been fulfilled.

1 Of immediate concern is a recent
2 legislative proposal that seeks to expand such
3 protections to comply with the FTA, but only to a
4 limited set of non-profit, education, and
5 disability-focused organizations. This failure
6 to expand protections to online services poses an
7 immediate threat to U.S. exporters in the
8 Australian market.

9 Third, the re-negotiation of the North
10 American Free Trade Agreement provides a key
11 opportunity to expand U.S. market access by
12 updating the intellectual property chapter. For
13 example, Mexico has yet to adopt an intermediary
14 liability framework that reflects the
15 international norm analogous to Section 512 of
16 the DMCA.

17 This is an opportunity to get trade
18 modernization right. A 21st Century trade
19 agreement must reflect the digital age and
20 recognize the protections that have allowed for
21 the growth of the internet sector in the United
22 States and around the world.

1 The intellectual property chapter in
2 NAFTA should include protections for online
3 intermediaries and include relevant limitations
4 and exceptions reflected in U.S. copyright law.

5 Fourth, USTR should address forced
6 transfer of intellectual property under Chinese
7 law and proposed regulations. U.S. Cloud service
8 providers are strong American exporters
9 supporting tens of thousands of high-paying
10 American jobs.

11 Draft proposals threaten to
12 significantly disadvantage U.S. Cloud service
13 providers in favor of domestic Chinese companies
14 by requiring foreign Cloud service providers to
15 turn over essentially all ownership and
16 operations to a Chinese company. This includes
17 valuable U.S. intellectual property, knowhow, and
18 use of reputable brand names.

19 In conclusion, the Special 301 process
20 should place greater emphasis upon discriminatory
21 practices directed at U.S. exporters that create
22 new rights for domestic industries by focusing on

1 balanced copyright international trade.

2 From the quotation right to
3 intermediary liability protections, these
4 provisions ensure that crucial business
5 activities of U.S. exporters can take place
6 within the scope of copyright law. When
7 countries fail to implement these norms or fail
8 to adhere to commitments made to protect them,
9 U.S. export opportunities can be lost.

10 A strong intellectual property system
11 is one that reflects the needs of all
12 participants in the content creation, discovery,
13 and distribution supply chains. Discriminatory
14 practices under the guise of intellectual
15 property that target U.S. exports should be
16 identified and discouraged by USTR and the 2018
17 Special 301 Report. Thank you, and I look
18 forward to your questions.

19 CHAIR KENDALL: Thank you very much
20 for your testimony, and our best wishes for your
21 colleague to get over the flu. The first
22 question is from USTR.

1 MR. S. CHANG: You identified several
2 concerns about policies related to intellectual
3 property in various markets. However, you do not
4 make any recommendations about the listing of
5 these countries.

6 For example, you explicitly clarify
7 that CCIA is not nominating Mexico for the watch
8 list, but identify several concerns about
9 Mexico's legal regime. How do you think this
10 input should be reflected on the Special 301
11 Report? Are you equally concerned about all
12 trading partners you mentioned?

13 MS. STELLY: Thank you for that
14 question. It's true we did not specifically make
15 recommendations in our comments, but I'm happy to
16 further clarify that in our post-hearing
17 submission. Thank you.

18 CHAIR KENDALL: Thank you. The next
19 question is from USPTO.

20 MS. BERDUT: CCIA asserts in its
21 submission that ancillary protection is a
22 violation of international copyright obligations,

1 that's in page two of your submission, and calls
2 the recent EU proposal to grant such rights to
3 press publishers as nominal entitlements.

4 Does CCIA view all neighboring rights
5 under the EU framework as violation of
6 international copyright obligations?

7 MS. STELLY: Thank you for that
8 question, and I'm happy to provide further
9 clarification in the post-hearing comments.

10 CHAIR KENDALL: The next question
11 comes from the U.S. Copyright Office.

12 MS. SCHULTZ: Is the FTA compliance
13 concern with Australia, is that a relatively new
14 development for your members, and how has the FTA
15 been working to date? You mentioned that it has
16 been enforced for quite a few years.

17 MS. STELLY: Thank you for that
18 question. As explained in the written comments,
19 we have raised this in previous 301 and in TE
20 submissions.

21 However, it's an immediate concern
22 just based on the fact that the Australian

1 government has introduced a bill to try to comply
2 with the FTA and expand these safe harbor
3 protections, but unfortunately, if effectively
4 carves out online services in the way that it's
5 drafted, and I'm happy to provide more detail in
6 our post-hearing submission.

7 CHAIR KENDALL: Thank you very much.
8 The final question comes from ITA.

9 MR. MITCHELL: Yes. This is another
10 question we are posing on behalf of our law
11 enforcement colleagues. Are there markets that,
12 in your view, do a good job of balancing the
13 respective rights and obligations as content
14 providers and ISPs? What markets are they, and
15 why is that true?

16 MS. STELLY: I'm happy to expand more
17 on post-hearing comments, but I would say that we
18 would believe that the U.S. system is doing a
19 great job.

20 CHAIR KENDALL: Thank you very much
21 for your testimony today. At this point, I would
22 like to invite the representatives from the

1 Consortium for Common Food Names to come forward,
2 and please state your name for the record.

3 MS. MORRIS: Hi, I'm Shawna Morris,
4 Senior Director with the Consortium for Common
5 Food Names. I am Shawna Morris, Senior Director
6 with the Consortium for Common Food Names. Thank
7 you.

8 The Consortium for Common Food Names
9 appreciates the opportunity to highlight the
10 persistent and serious problem of the EU's
11 transgressions regard geographical indications.
12 This issue continues to be highly problematic for
13 the U.S. food and agriculture sector, and will
14 require continued vigilance and action on the
15 part of the U.S. government.

16 CCFN is a non-profit alliance that
17 represents the interests of consumers, farmers,
18 food producers and retailers. Our primary
19 mission is to preserve the legitimate rights of
20 producers and consumers worldwide to use generic
21 names.

22 A year ago, we appeared before this

1 body and laid out some of our greatest concerns
2 regarding a coming escalation of EU activities in
3 this area, and in fact, in 2017, we saw EU GI
4 efforts reach a fever pitch, which necessitated
5 an unprecedented level of response from both our
6 organization and the administration.

7 Last year, the EU forged ahead with
8 its trade agreement agenda with many of our
9 largest and most important trading partners.
10 Mexico, Japan, China and the Mercosur nations.

11 We strongly believe the U.S. must also
12 pursue trade deals with these types of key
13 markets this year. Last year, as part of these
14 agreements, the EU consistently sought to
15 confiscate common food and beverage names to
16 block competition in those markets.

17 Those efforts were largely being
18 backed last year in Japan, although work remains
19 to ensure the rights of prior users of key terms,
20 preservation of cancellation rights and
21 establishing a reasonable approach, though
22 related labeling requirements remain.

1 We commend the administration for its
2 considerable work to educate Japan on the
3 importance of ensuring that the EU-Japan FTA will
4 not negatively impact U.S. market access rights
5 to the Japanese market, and that Japan upholds
6 the principles enshrined in its own GI
7 regulations.

8 In Mexico, China and the Mercosur
9 region, we hope to see similar successful results
10 from the intensive combined industry and
11 government efforts that have been devoted to
12 upholding the rule of law and U.S. market access
13 rights there.

14 In Mexico in particular, we seek
15 nothing less than what the Mexican government has
16 touted as its goal for the NAFTA modernization
17 negotiations: that existing market access rights
18 be preserved and that any new commitments be
19 incorporated to complement those existing
20 preserved rights.

21 We remain committed to this outcome in
22 the NAFTA process, and it's essential that Mexico

1 remain committed to it as well, including within
2 its continuing negotiations with the EU.

3 As for the EU's GI strategy, it
4 continues to expand beyond simply free trade
5 deals. Indeed, this past year illustrated more
6 clearly than ever that the EU is executing a
7 global policy agenda across many key U.S. export
8 markets, with the express goal of hamstringing
9 competition from American and other companies.

10 An important point is that the EU is
11 not just targeting a set scope of products.
12 Rather, the list of products it attempts to
13 protect is changing and expanding all the time.
14 This was best illustrated by the EU's decision
15 last year to abandon its commitment to uphold
16 standards set through the Codex Alimentarius
17 process by approving a GI for a term with an
18 existing international standard.

19 We expect that the EU and any other
20 U.S. trading partner would be quick to condemn
21 the U.S. if the shoe were on the other foot. If
22 this government sought to enshrine into legal

1 text requirements that barred competition from
2 other countries globally rather than pursuing the
3 market-opening approach, the EU and others would
4 be quick to criticize. It is therefore natural
5 that the U.S. and others should condemn and
6 combat the EU's tactics in the clearest manner.

7 And finally, in the area of GIs and
8 trademark filings, we continue to see entities
9 supported by European governments attempting to
10 misuse the U.S. trademark system to try to
11 inappropriately register certification marks here
12 for terms that have long been generic in the U.S.

13 The U.S. government must remain
14 vigilant to avoid that outcome and recognize such
15 applications for what they truly are: brazen
16 attempts to clear the field of non-EU
17 competitors.

18 In fact, we strongly recommend that
19 further improvements are made to the PTO
20 trademark review process to more effectively
21 ensure that the U.S. system can safeguard common
22 names in the interest of trademark holders.

1 We greatly appreciate the strong and
2 swift U.S. government responses over the past
3 year to the EU's competition-restricting efforts
4 on GIs. These actions have been critical to
5 supporting U.S. farmers and food and beverage
6 manufacturers.

7 In conclusion, we ask you to continue
8 the core objectives outlined in the 2017 report,
9 and to continue to enhance U.S. efforts to hold
10 our trading partners to their commitments, and we
11 will continue to work closely with government
12 agencies to achieve these ends. Thank you.

13 CHAIR KENDALL: Thank you very much
14 for your testimony. And the first question will
15 come from USDA.

16 MR. KARAWA: Hello. I would also like
17 to extend my thanks for your testimony. My
18 question is, in your submission, you highlight
19 the UK, United Kingdom, as an example of a
20 country that has supported provision of GIs and
21 highlight the example of UK's multiple GIs for
22 types of cheddar, which makes clear that the user

1 or the users of the generic term cheddar is
2 preserved. Could you elaborate on why you
3 consider this to be an appropriate alternate path
4 for the protection of GIs?

5 MS. MORRIS: Thank you. We think that

6 ---

7 MR. KARAWA: And the second part,
8 could this approach be used in other countries?
9 Thank you.

10 MS. MORRIS: Thank you. In response
11 to your last question, yes, we certainly think
12 that it's a very positive type of model that
13 other countries and other sectors could and
14 should be using.

15 The combination of a regional term
16 together with a generic term and protection being
17 extended only to the terms when used together in
18 full is a model that we believe provides both
19 protection in a legitimate sense for the GI
20 applicant to allow them to establish their
21 rightful protections while preserving the rights
22 of generic users.

1 We certainly hope that as the UK-EU
2 talks move forward regarding Brexit that this is
3 an approach that the UK insists upon as it
4 develops its own GI regulations.

5 CHAIR KENDALL: Thank you very much.
6 The next question comes from USTR.

7 MR. S. CHANG: CCFN raised concerns
8 with the process in Mercosur countries that are
9 conducting a public consultation and opposition
10 process with respect to EU GIs that could
11 potentially be protected through a free trade
12 agreement between Mercosur countries and EU. In
13 your view, what specifically is lacking in this
14 process?

15 MS. MORRIS: Thank you. One of the
16 key concerns we had with the Mercosur process was
17 an extremely short time window for commentary.
18 There were lists of upwards of 300 names
19 published all at once, so we had comment periods
20 that were typically 30 days or thereabouts that
21 put a tremendous burden on those looking to
22 defend their rights in those markets to be able

1 to provide sufficient evidence and comments in
2 the appropriate time frame.

3 We also, based on what we're hearing
4 from our colleagues on the ground in industries
5 in those countries remain deeply skeptical about
6 whether these EU GI registrations being conducted
7 via FTA process, whether in Mercosur or in other
8 countries, are in fact genuine, and were making
9 decisions based on the facts at hand rather than
10 the outcome that the EU would like to see.

11 CHAIR KENDALL: Thank you very much.
12 The next question is from ITA.

13 MR. MITCHELL: You had mentioned in
14 your testimony the EU-Mexico FTA. Could you
15 elaborate on what market access impacts that
16 agreement might have on U.S. producers that rely
17 on common food names?

18 MS. MORRIS: Thank you for that.
19 Mexico is one of the largest export markets for
20 U.S. food and beverage manufacturers in terms of
21 export products. For the dairy industry, for
22 instance, it's by far our number-one export

1 market, and by far, largest cheese export market.

2 So you have a lot of industries that
3 have well-developed market presence in that
4 country in addition to high hopes for continued
5 expansion opportunities, given the rights that
6 are in place via the NAFTA agreement.

7 The interest from our standpoint and
8 my members' angle is simply in terms of trying to
9 preserve both their existing sales avenues and
10 those future opportunities that were accorded
11 under the NAFTA agreement.

12 MR. MITCHELL: Thank you. And a
13 similar question regarding Canada. What, if any,
14 negative impact have U.S. producers seen as a
15 result of the completed CETA negotiations between
16 the EU and Canada?

17 MS. MORRIS: Thanks for that. We were
18 quite dismayed, as our comments noted, that
19 Canada chose to put in place new restrictions on
20 the use of terms that had long been generic in
21 Canada so that companies looking to export some
22 of those products to Canada now are forced to

1 modify how they label their products in a way
2 that may suggest to consumers that the product is
3 something other than the genuine article, which
4 is not the case and has our companies concerned
5 about the impacts they'll see there.

6 I'd say more alarmingly, recently,
7 we've seen efforts by the Europeans to undermine
8 even what was in the CETA agreement itself
9 through submission of direct applications for
10 some of those terms covered by the FTA.

11 If those terms are ultimately approved
12 by Canada, they would erode even the
13 grandfathering and other allowance rights that
14 were established under that agreement, something
15 that we think would be absolutely a travesty to
16 layer more restrictions on top of what's been put
17 in place already.

18 CHAIR KENDALL: Thank you once again
19 for your testimony. At this time, I would like
20 to invite representatives from the Footwear
21 Distributors and Retailers of America to come
22 forward, and please state your name for the

1 record.

2 MR. PRIEST: Good morning. My name is
3 Matt Priest, and I am President and CEO of the
4 Footwear Distributors and Retailers of America.
5 We were founded in 1944, and our members range
6 from small, family-owned businesses to global
7 brands that sell to consumers around the world.
8 Today we support nearly 500 companies and brands.

9 Protecting intellectual property
10 remains vitally important to our industry as our
11 members continue to incorporate cutting-edge
12 designs and technology into their products. FDRA
13 members have noted seven general concerns
14 globally, many of which USTR has noted in past
15 Special 301 Reports.

16 Number one, the growth of e-commerce
17 has dramatically increased choice for consumers
18 and given U.S. footwear businesses new tools and
19 channels to reach those consumers, but it has
20 also created countless new opportunities for bad
21 actors.

22 This is true even on U.S.-based online

1 markets. Birkenstock, an FDRA member, made
2 headlines in 2016 and 2017 when it pulled all of
3 its products from Amazon in both the U.S. and
4 Europe citing concerns about rampant counterfeit
5 sales on the platform.

6 To address these issues, we must
7 ensure companies have greater resources to reduce
8 the unauthorized sale of IP-protected products,
9 and that there is increased cooperation and
10 collaboration between government authorities,
11 platforms and rights holders.

12 Number two, when Customs seizes
13 counterfeit products and alerts the rights
14 holders, many cases never go further than the
15 seizure of the product because of a lack of
16 information. Additional information processes
17 for better information-sharing could help track
18 the real importer, increase enforcement actions
19 and reduce repeat counterfeit sellers and
20 shippers.

21 Number three, infringers increasingly
22 ship tags and labels separately and attach them

1 to the counterfeit product in the U.S. in order
2 to avoid seizure by Customs. In many instances,
3 Customs officials are either not willing or not
4 trained to consider trade dress or design patent
5 infringement as a basis for seizure.

6 Number four, often, penalties are
7 inadequate to deter criminal enterprises from
8 engaging in trademark counterfeiting operations,
9 a theme we've heard today throughout. In many
10 countries, the penalties imposed for trademark
11 counterfeiting operations are so low that they
12 only add to the cost of doing business.

13 Number five, infringers often use
14 express mail and postal services to deliver
15 counterfeit goods in small packages, making it
16 more challenging for enforcement officials to
17 confiscate these goods. The sheer volume of
18 small shipments makes it virtually impossible for
19 customs to adequately screen or x-ray all
20 incoming mail to detect such shipments.

21 Number six, in numerous countries,
22 there are legal and procedural obstacles to

1 securing and enforcing trademark rights.
2 Judicial systems in developing nations, for
3 example, may lack transparency and independence,
4 making it difficult for rights holders to pursue
5 claims.

6 And number seven, counterfeiters now
7 commonly register domains that advertise and sell
8 counterfeit goods. As noted, companies face
9 significant trademark infringement and lose
10 valuable internet traffic because of misleading
11 and fraudulent domain names. It can be hard for
12 companies to find redress because a number of
13 foreign registries are not transparent and do
14 little to assist aggrieved rights holders.

15 Now I'm going to reference a couple
16 country-specific issues that we have, and there
17 are even more extensive comments within our
18 submission.

19 For China, strengthening IP protection
20 in China remains imperative, because China has a
21 dynamic market of consumers eager to buy U.S.
22 brands. It serves as a key footwear production

1 hub and has integrated the use of technology and
2 e-commerce at incredible scope and pace.

3 China has made a number of significant
4 improvements in its protection and enforcement of
5 IP rights over the past year, but more needs to
6 be done, especially at the local and regional
7 level.

8 FDRA remains hopeful that the Chinese
9 government will, over time, become increasingly
10 aware of the value both to Chinese consumers and
11 to the Chinese economy of vigorously protecting
12 IP rights. Despite many improvements, China is
13 still the leading source of counterfeit goods,
14 including footwear.

15 In our written testimony, we highlight
16 three general areas for improvement. Reducing
17 counterfeit products, improving the legal
18 landscape, and strengthening online platforms.

19 For Russia, massive markets of
20 counterfeit goods, both physical and online,
21 continue to flourish in Russia, and enforcement
22 procedures are generally slow and inefficient.

1 Online piracy continues to plague the Russian
2 market, and the government has not established an
3 effective enforcement strategy to combat the
4 growing array of pirate websites located in the
5 country.

6 The situation is concerning because of
7 the vast size of the Russian e-commerce market
8 and the fact that sporting goods, clothing and
9 footwear are the fastest-growing categories for
10 consumers.

11 As Russia prepares for the 2018 World
12 Cup, it is imperative that it addresses its
13 significant counterfeit problems.

14 And lastly, Brazil. Government
15 support for IP enforcement is minimal in Brazil,
16 and there is a lack of IP expertise amongst
17 judges and law enforcement, and the legal system
18 is very inefficient. FDRA also remains concerned
19 that a dangerous precedent may be set in Brazil
20 as it considers new regulations for internet
21 platforms.

22 The proposed law would only require a

1 platform to take down content after a judicial
2 order, which would create substantial barriers
3 for companies attempting to protect the integrity
4 of their brands.

5 In addition, because of a complex
6 customs or regulatory system, which includes high
7 duties, imported consumer goods in Brazil are
8 often more highly priced than in other markets.
9 These high prices fuel the smuggling of
10 counterfeit goods into the black market. FDRA
11 members, which are amongst the most popular
12 consumer brands in Brazil must often compete with
13 a flourishing black market.

14 In addition, it's important to note
15 the U.S. does not have a free trade agreement in
16 place with any of the countries highlighted by
17 FDRA in its written testimony to the committee.

18 As the U.S. works to strengthen IP
19 protection and enforcement for American workers
20 and American businesses, FDRA encourages the
21 administration to enter into new bilateral or
22 multi-lateral trade agreements that will benefit

1 U.S. footwear companies and consumers.

2 In conclusion, our dynamic industry
3 stands on the cusp of innovations that will alter
4 the way we produce and sell shoes and the way
5 consumers purchase shoes and connect with our
6 brands. Now more than ever, it's vitally
7 important that the U.S. government takes actions
8 to protect the innovations, designs, brands and
9 images central to the success of the footwear
10 industry.

11 We stand ready to work with USTR and
12 the other committee members on this critical
13 issue, because doing so protects American
14 footwear jobs and benefits U.S. footwear
15 consumers.

16 And with that, I appreciate the
17 opportunity to testify and look forward to your
18 questions.

19 CHAIR KENDALL: Thank you very much
20 for that testimony. The first question will be
21 from USTR.

22 MR. S. CHANG: Some countries haven't

1 identified for several years in the Special 301
2 Report for trademark enforcement issues, so it
3 may not necessarily be the largest or most
4 important markets to your members. Are there any
5 countries that you think should no longer be
6 listed in the Special 301 Report for the issues
7 that are most important to your members?

8 MR. PRIEST: That's a question you've
9 been asking throughout the day, and I've been
10 starting to think about it as I prepared to come
11 up here. You know what, it's interesting,
12 because we are so focused on these large markets.
13 Our brands are massively recognized. They're
14 desired in markets.

15 One of the challenges I think that we
16 have is because of the fact that we focus on
17 markets like China and Brazil and Russia, where
18 there's massive amounts of consumers who want
19 access to our brands, and they want access to
20 legitimate product.

21 That's where we've put our attention.
22 I'll be happy to go back and kind of review

1 secondary markets and make any post-hearing
2 submissions that capture some of those countries
3 that we think might come off that list.

4 CHAIR KENDALL: Thank you very much.
5 The next question comes from DOJ and will be
6 asked by my colleague from ITA.

7 MR. MITCHELL: In your submission, as
8 the second of the seven global trends you've
9 identified, you state that when CBP seizes
10 counterfeit products, additional information and
11 processes for better information-sharing could
12 help track the real importer, increase
13 enforcement actions and reduce repeat counterfeit
14 sellers and shippers.

15 We're hoping you could elaborate a
16 little more on what such information-sharing
17 practices might look like.

18 MR. PRIEST: Yes, I think that it
19 ultimately comes down to establishing whether
20 it's working groups or procedures that bring
21 together stakeholders. And I think this is the
22 heart of that process, in all honesty.

1 But having maybe a broader discussion
2 about what information-sharing could take place
3 at the enforcement level, and providing, I think,
4 education for those who are enforcing at the
5 border within Customs.

6 Because oftentimes, as I indicated in
7 my testimony, we're getting into an era where
8 there's such small shipments, there's so much
9 product coming across the border, it's virtually
10 impossible to expect that we have the amount of
11 resources as a government to enforce that
12 effectively.

13 So, the more I think that we can be in
14 constant contact, whether through the CEEs, the
15 Centers for Expertise with Customs, or other
16 interagency discussions, I think is important so
17 that ultimately, we do the best we can to
18 continue to allow the legitimate flow of goods
19 into the U.S. marketplace while at the same time
20 trying to educate and stem the tide of
21 illegitimate product.

22 CHAIR KENDALL: Thank you very much.

1 The next question is from PTO.

2 MS. BERDUT: Thank you. In your
3 submission, in your written submission but also
4 in your testimony today, you indicated that China
5 has made a number of significant improvements in
6 their protection and enforcement of IP in the
7 past year, but you didn't provide any specific
8 examples or references.

9 So my question is, what specifically
10 are you referring to, and does it provide a
11 roadmap for the future?

12 MR. PRIEST: I think it does provide a
13 roadmap for the future in, specifically I think,
14 the establishment of IP courts. I think I view
15 this as a maturation process.

16 I think that as the US, we have driven
17 so many global brands throughout the world in
18 such big ways that we take for granted the fact
19 that it takes other countries, who have a strong
20 desire as China does, to develop its own
21 indigenous brands that are globally recognized,
22 that it's a maturation process and an

1 evolutionary process to establish the appropriate
2 legal protections and infrastructure to help
3 provide appropriate protection for IP rights in
4 China.

5 So, the more that they can work
6 through the courts, the more that they can
7 establish kind of uniform application of the law,
8 so establishing appellate courts that help
9 adjudicate some of the concerns, the more they
10 can increase the fees that are associated so it's
11 not just about the cost of doing business, but
12 there's some real oomph and deterrent effect
13 behind the fees that are applied, I think all of
14 these things are kind of a roadmap.

15 But keeping them on the list I think
16 is important to do, because it continues the
17 dialogue that our government can have in a
18 productive way but at the same time recognizing
19 they have made progress. It is a maturation
20 process.

21 And as long as they continue, the
22 central government's continued focus on

1 developing its own global brands, they'll be
2 incentivized to establish very robust
3 intellectual property protections in China in the
4 years to come.

5 CHAIR KENDALL: Thank you very much
6 for your testimony. We appreciate it. This
7 concludes the morning session. We will now break
8 for one hour. Please return by 1:10 p.m. so that
9 we can continue to proceed on time. Thanks
10 again.

11 (Whereupon, the above-entitled matter
12 went off the record at 12:08 p.m. and resumed at
13 1:10 p.m.)

14 CHAIR KENDALL: Okay, we're going to
15 get started. We have here a representative from
16 the International Intellectual Property Alliance.
17 Could you state your name for the record?

18 MR. ROSENBAUM: My name is Kevin
19 Rosenbaum with the International Intellectual
20 Property Alliance, IIPA.

21 Thank you for the opportunity to
22 present the views of the IIPA in this year's

1 Special 301 process. We applaud the U.S.
2 government for making this Special 301 review a
3 catalyst for positive change to address the
4 challenges faced by the U.S. creative copyright
5 industries in key markets abroad. We welcome the
6 chance to participate, again, in this crucial
7 annual dialogue.

8 IIPA is a private-sector coalition
9 formed in 1984 of five trade associations
10 representing U.S. copyright-based industries.
11 The core copyright industries combined, according
12 to a December 2016 study, contribute over \$1.2
13 trillion to the U.S. economy, provide five and a
14 half million jobs and almost seven percent of the
15 Gross Domestic Product.

16 Our members are the Association of
17 American Publishers, the Entertainment Software
18 Association, the Independent Film and Television
19 Alliance, the Motion Picture Association of
20 America and the Recording Industry Association of
21 America.

22 These associations comprise over 3200

1 companies, producing and distributing materials
2 protected by copyright laws throughout the world.
3 To reach foreign markets through legitimate
4 state-of-the-art distribution channels, these
5 companies rely on four main elements. Consistent
6 modern standards of copyright protection,
7 efficient copyright enforcement, sound legal
8 structures for licensing and the elimination of
9 market access barriers.

10 Progress in these areas advances U.S.
11 trade goals while enabling our trading partners
12 to develop and expand their own cultural and
13 creative output. The ultimate objective is to
14 promote markets where the creative industries can
15 bring even more products and services than they
16 currently offer in an increasing variety of ways
17 from a greater diversity of players before an
18 ever-growing global audience.

19 Advancing that objective is a proven
20 means to grow U.S. exports, create good American
21 jobs and enhance U.S. global competitiveness.
22 With this broad vision in mind, IIPA has

1 participated in every Special 301 review since
2 the 1988 Trade Act created this process. Given
3 some of the other comments provided, it is worth
4 reviewing the specific statutory language and
5 purpose of the Special 301 review: namely, to
6 identify, quote, foreign countries that deny
7 adequate and effective protection of intellectual
8 property rights or deny fair and equitable market
9 access to U.S. persons who rely on intellectual
10 property protection, unquote. It is critical for
11 the Special 301 process to maintain this focus on
12 intellectual property protection. In our case,
13 copyright protection and enforcement.

14 There are those who ask you to dilute
15 this focus to weaken protections and enforcement
16 in order to accommodate the perceived interests
17 of business sectors that, by their own words,
18 depend on expanding the zone where copyright
19 protections do not apply. This is not what
20 Congress intended when it created the Special 301
21 process and is not consistent with the clear
22 statutory language of Special 301.

1 This is not the approach that has made
2 Special 301 so successful, and the Special 301
3 process is not the place to advocate that our
4 trading partners weaken their copyright regimes,
5 and especially in countries where legitimate
6 copyright rights holders cannot get a toehold due
7 to grossly inadequate copyright protection or
8 enforcement.

9 In this year's submission, IIPA
10 recommends that 19 countries be identified in the
11 2018 Special 301 Report. All these are listed in
12 our hearing statement with capsule summaries on
13 the nine countries we recommend for inclusion on
14 the priority watch list: Argentina, Chile, China,
15 India, Mexico, Russia, Taiwan, Ukraine and
16 Vietnam.

17 Our submission highlights five legal
18 reforms that our trading partners should focus on
19 to adequately and effectively address all forms
20 of piracy in a fast-changing technological
21 environment. Most fundamentally, U.S. trading
22 partners must both accede to and fully implement

1 the WIPO Internet Treaties, which set global
2 minimum standards for copyright protection in the
3 digital environment.

4 Furthermore, in many countries around
5 the world, copyright reform efforts have become a
6 vehicle for proposals that threaten well-
7 established, global norms, including but by no
8 means limited to, the requirement to confine all
9 limitations and exceptions to copyright
10 protections within the well-established three-
11 step test.

12 The U.S. government should urge U.S.
13 trading partners to adhere to current and
14 evolving global norms, in particular regarding
15 duration of copyright protection. The U.S.
16 government should also ensure that the numerous
17 bilateral and multi-lateral trade agreements,
18 including the WTO TRIPS Agreement, a score of
19 free trade agreements, and a wide range of other
20 bilateral agreements into which the U.S. has
21 entered, realize the goal of opening foreign
22 markets to U.S. goods and services dependent on

1 copyright protection.

2 To this end, it is important that
3 trade agreements keep pace with evolving global
4 norms for copyright protection and enforcement
5 and evolving technology, and that U.S. trade
6 agencies make it a top priority in 2018 to
7 address the troubling gaps and shortfalls in
8 compliance with obligations taken on by U.S.
9 trading partners in these agreements.

10 Our submission also lists six
11 enforcement challenges confronting the U.S.
12 copyright industries seeking to compete in
13 overseas markets, starting of course with
14 internet and mobile network piracy, an
15 overarching challenge for all businesses that
16 depend on copyright.

17 The growth of new, fully-licensed and
18 legitimate channels for consumers around the
19 world to access creative content in a variety of
20 new and innovative ways has been one of the most
21 encouraging trends in the global markets for
22 copyright material.

1 Conversely, the entrenchment of
2 infringing services, including those that profit
3 from enabling others to infringe copyright, is a
4 leading barrier impeding the full access of U.S.
5 creators and producers into markets worldwide.
6 This infringement threatens the viability of
7 license platforms and it makes it much harder for
8 creators and producers to earn a living from
9 their craft.

10 We applaud the U.S. government for
11 establishing an annual review of notorious
12 markets, which has already made a significant
13 contribution in combating systemic online
14 copyright theft, and we urge you to redouble
15 efforts to encouraging our trading partners to
16 adopt legal frameworks that create incentives for
17 legitimate network service providers to work with
18 rights holders to advance the common goal of a
19 safer, cleaner online marketplace.

20 Achieving that goal requires the
21 active cooperation of all participants in the e-
22 commerce ecosystem. Our trading partners should

1 be doing much more to foster and encourage such
2 cooperation and the development of best
3 practices.

4 Furthermore, where notorious online
5 marketplaces are hosted in one country but target
6 consumers in another or worldwide, the failure of
7 the host country to take effective action against
8 them pollutes the markets of its neighbors and
9 trading partners. Increasingly, responsible
10 governments are pushing back against this
11 offshoring of enforcement responsibility.

12 So long as less responsible states
13 fail to institute effective means to crack down
14 on pirate operations based within their borders
15 but readily accessible worldwide, this trend will
16 continue and deserves the close attention of the
17 U.S. government.

18 Finally, all efforts to address
19 copyright infringement will be unsuccessful if
20 legitimate products and services cannot be
21 brought into a market to meet consumer demand.
22 Whatever form they take, market access

1 restrictions that unfairly impede the entry of
2 legitimate products make it easier for pirate
3 operations to fill the void. U.S. officials
4 should continue to strive to eliminate or face
5 out-market access barriers.

6 The health and competitiveness of the
7 U.S. economy depends on a thriving copyright
8 sector that creates revenues, jobs and exports,
9 but promoting and respecting intellectual
10 property rights and opening markets to products
11 and services that depend on copyright also helps
12 our trading partners.

13 Special 301 remains a cornerstone of
14 the U.S. effort to advance modern levels of
15 protection for copyright, more effective policies
16 and tools to enforce that protection and freer,
17 more open markets. We look forward to our
18 continued work with USTR and other U.S. agencies
19 to advance these goals. Thank you very much, and
20 I look forward to your questions.

21 CHAIR KENDALL: Thank you very much
22 for your testimony. The first question comes

1 from USTR.

2 MR. S. CHANG: Some countries
3 regularly named in the Special 301 Report for
4 copyright and related rights issues but may not
5 necessarily be the largest or most important
6 markets to your members. Are there any countries
7 that you think should no longer be listed in the
8 Special 301 Report for copyright-related reasons?

9 MR. ROSENBAUM: Thanks for that
10 question. Off the top of my head, I do not think
11 that's the case. I'm happy to check further with
12 our members and will provide supplemental
13 feedback if necessary. Thanks.

14 CHAIR KENDALL: Thank you very much.
15 The next question is from the U.S. Copyright
16 Office.

17 MS. SCHULTZ: Good afternoon. What
18 are the latest trends that you're seeing in
19 online copyright infringement in China, and do
20 you have any estimated trade losses from China
21 due to copyright piracy or separately from market
22 access barriers?

1 MR. ROSENBAUM: Thank you very much
2 for that question. China is a market where we're
3 seeing pretty much all forms conceivable in terms
4 of online piracy. So for example, it listed
5 streaming devices. China is a hub for that.
6 Stream ripping services.

7 One particular problem that we
8 highlight is the problem of apps, and the app
9 ecosystem fuels all forms of piracy, including --
10 it listed streaming device piracy, because these
11 apps essentially facilitate the access of
12 copyrighted content. People download the apps to
13 their either handheld device or their illicit
14 streaming device.

15 So this is a significant problem and
16 one obstacle to enforcement against these apps
17 has been that China has tended to look at it
18 through what we refer to as the server principle,
19 where if the infringing content is located at a
20 server remotely, which many of these apps, that's
21 how they work. They circumvent protections and
22 they access content on remote servers to the

1 user.

2 Certain Chinese courts have held that
3 where the content is accessed remotely and it's
4 not stored on a user's device, then they won't
5 find infringement. So that's been an obstacle.
6 There was a case in which they did not apply that
7 principle in 2017, which we highlight in our
8 submission.

9 So what we'd like to see is a judicial
10 interpretation normalizing that standard or
11 perhaps in the copyright law reform process, if
12 it could be addressed that way. And as to the
13 second part of the question, it's very difficult
14 to come up with numbers on piracy.

15 I can look to see if there are
16 available, if I can supplement our submission
17 with that. We highlight the Frontier Economics
18 study on piracy which uses a method which we
19 think is actually on the very low side. But, you
20 know, it's very tricky when you're talking about
21 losses due to piracy. So happy to supplement if
22 I am able to.

1 CHAIR KENDALL: Thank you very much.
2 The final question comes from ITA.

3 MR. MITCHELL: This is a fact-
4 intensive question, so I'll take it slowly. For
5 Taiwan, between January 2017 and today, have
6 Taiwanese prosecutors filed any cases involving
7 piratical websites that specifically target
8 Taiwanese consumers where the server is located
9 offshore but the acts of infringement are taking
10 place in Taiwan? We're wondering if any of your
11 member companies have filed or explored filing in
12 such instances.

13 MR. ROSENBAUM: So is the question
14 whether our members have brought such a case to
15 the attention of the Taiwanese authorities?
16 Okay, I can look into that. I don't know the
17 answer to that.

18 My understanding is that the legal
19 framework that currently exists in Taiwan does
20 not allow for that kind of enforcement. In other
21 words, the Taiwan authorities say, well, when the
22 infringing content is hosted overseas, we don't

1 have jurisdiction.

2 But I can certainly check, and if I
3 find any examples of that, I will let you know.

4 MR. MITCHELL: That would be helpful,
5 thank you.

6 MR. ROSENBAUM: Sure, thank you.

7 CHAIR KENDALL: Thank you very much
8 for your testimony. At this point, I'd like to
9 invite representatives from the Internet
10 Association to come forward and state your name
11 for the record.

12 MS. CARROLL: Hi, good afternoon.
13 Members of the Special 301 subcommittee, thank
14 you for holding this public hearing. My name is
15 Melika Carroll, and I am Senior Vice President of
16 Global Government Affairs for the Internet
17 Association.

18 IA represents over 40 of the world's
19 leading internet companies. U.S. internet
20 platforms are a significant driver of the U.S.
21 economy. The internet industry represented an
22 estimated six percent of U.S. GDP in 2014,

1 totaling nearly \$967 billion, and accounts for
2 millions of American jobs.

3 Hundreds of thousands of U.S. small
4 businesses now use the internet to reach
5 customers around the world in ways impossible a
6 generation ago. In fact, the internet has helped
7 the United States unlock a massive trade surplus
8 in digitally-delivered services worth \$159
9 billion in 2014.

10 While enabling trade in many sectors,
11 the internet industry itself is growing in a new
12 sector. Our industry is becoming a major
13 producer and exporter of original content,
14 bringing films, music and other creative works to
15 audience around the world.

16 Our member companies are now the new
17 faces of the American content industry, winning
18 Emmys and Oscars and providing digital
19 distribution for streaming-only Grammy winners.
20 Last year, IA members released more films than
21 any other major U.S. studio. Our members spent
22 at least \$10.8 billion on content with plans to

1 invest substantially more over the next several
2 years.

3 IA companies have a strong interest in
4 working with all rights holders to ensure that
5 goods aren't pirated. Netflix, YouTube, Spotify,
6 Pandora and others help drive down theft by
7 steering heavy users to subscription services.

8 Online services that allow consumers
9 to legally access content have resulted in a 48
10 percent year-over-year increase in music-
11 streaming revenues, up to \$2.5 billion for the
12 first half of 2017 according to RIAA.

13 From this perspective, IA members
14 share a common interest with other rights holders
15 in ensuring that our trading partners adopt
16 strong and balanced IP systems. In the United
17 States, we take for granted a balanced and well-
18 functioning IP system that enables the operation
19 and growth of the internet.

20 Unfortunately, one foundational
21 foreign barrier faced by IA members comes from
22 inadequate and unbalanced systems of copyright

1 and intermediary liability protections in other
2 countries.

3 While proper enforcement of
4 intellectual property rules abroad is essential
5 for our members, and we encourage USTR to take
6 action against illicit activities, it is just as
7 critical for USTR to highlight countries that
8 misuse copyright in a way that restricts U.S.
9 platforms and small businesses online.

10 While our full submission highlighted
11 numerous unbalanced intellectual property regimes
12 around the world today, I want to focus my
13 remarks on what we believe are the most
14 problematic laws and policies that continue to
15 undermine and threaten U.S. innovation and
16 economic growth, particularly in the European
17 Union and in China.

18 A range of legislative proposals, new
19 laws and regulations in both member states and at
20 the European Union represent a significant
21 departure by the EU from its shared approach with
22 the U.S. on the foundational principles of a free

1 and open internet.

2 For example, the proliferation of
3 ancillary rights and neighboring right laws in
4 Europe directly threaten U.S. internet platforms.
5 Giving new legal entitlements for quotations or
6 snippets enable countries to impose levies or
7 other restrictions on the use of this
8 information. This is a practice which runs afoul
9 of Article 10-1 of the Berne Convention, raising
10 potential enforcement questions of the WTO.

11 The European Commission is also
12 proposing changes to the Copyright Directive that
13 would drastically shift the landscape of
14 copyright intermediary liability in Europe. The
15 proposed changes would make platforms directly
16 liable for content uploaded by users, proposals
17 that if implemented would eviscerate protections
18 set forth in U.S. law.

19 The proposals would also require a
20 broad range of online services to monitor and
21 filter content and provides for a potentially
22 intrusive multi-stakeholder process regarding the

1 design and operation of content-recognition
2 technologies.

3 In addition to unbalanced IP policies
4 in Europe, U.S. internet services are dealing
5 with different and problematic measures in China
6 that are forcing cloud service providers to
7 transfer high-value intellectual property related
8 to specialized cloud services, software and
9 hardware to Chinese companies as conditions of
10 operating in country. This is happening while
11 Chinese companies in the U.S. are able to fully
12 own and control such datacenters and cloud-
13 related services here.

14 So we encourage the USTR to raise
15 strong concerns about the European and Chinese
16 proposals, recognizing that these continue to
17 significantly increase costs and restrict market
18 access for U.S.-based services.

19 To conclude, it is our hope that this
20 year's report will break new ground in support of
21 the digital economy and recognize the harm
22 unbalanced IP policies have on both internet

1 industry and the U.S. economy as a whole.

2 A modernized NAFTA provides an
3 immediate opportunity for USTR to promote a
4 strong and balanced copyright framework that
5 benefits all U.S. stakeholders, and without these
6 business-critical protections, internet services
7 and the industries we enable face troubling legal
8 risks, even when they follow U.S. law.

9 With that, thank you again for holding
10 today's hearing and to give us the opportunity to
11 testify, and I'm happy to answer any questions.

12 CHAIR KENDALL: Thank you very much
13 for your testimony. The first question will be
14 from USTR.

15 MR. S. CHANG: Thanks again. You
16 identify several concerns about policies related
17 to intellectual property in various markets.
18 However, you do not make any recommendations
19 about the listing of these countries. How do you
20 think your input should be reflected in the
21 Special 301 Report? Are you equally concerned
22 about all trading partners you mentioned?

1 MS. CARROLL: That's a very good
2 question. Thank you. I'd be happy to work with
3 our members and come back to you with a more
4 precise proposal for that.

5 CHAIR KENDALL: Thank you very much.
6 The next question comes from the U.S. Copyright
7 Office.

8 MS. SCHULTZ: Good afternoon. You
9 mention in your public submission that India's
10 intermediary liability framework was a
11 significant risk to U.S. internet services,
12 particularly because there isn't a clear
13 copyright safe harbor framework. Could you tell
14 us how India's ISP liability framework hurts your
15 industry, and if there are additional market
16 access barriers in India?

17 MS. CARROLL: Sure. I'd be happy to
18 talk about that with our members and get back to
19 you again with more details in our post-hearing
20 submission on India.

21 CHAIR KENDALL: Thank you very much.
22 The next question comes from USPTO.

1 MR. SHAPIRO: Thank you. Is the FTA
2 concerned with respect to Australia FTA? Is it a
3 relatively new development for your members? If
4 not, what has been the impact in previous years?

5 MS. CARROLL: Thank you for the
6 question. I'd be happy to work with the
7 companies to see how that has impacted their
8 business in Australia and get back to you with a
9 post-hearing submission.

10 CHAIR KENDALL: The next question
11 comes from DOJ and is presented by ITA.

12 MR. MITCHELL: Your submission
13 explains that ISP safe harbors have been critical
14 to the growth of the internet and to online
15 trade. Can you provide some examples of how a
16 country's lack of ISP safe harbors from copyright
17 liability affects your members' decisions to
18 operate and/or invest in a particular market?

19 MS. CARROLL: Sure. That was a
20 question we also discussed with you at the
21 hearing last year. I think we could come back to
22 you with some more precise information about

1 those examples.

2 MR. MITCHELL: Thank you.

3 CHAIR KENDALL: And the final question
4 is also from ITA.

5 MR. MITCHELL: You've noted that many
6 of your members develop content and rely on
7 copyright enforcement, but in your submission,
8 you discuss exceptions and limitations in each
9 specific marketplace, although some of those
10 countries are well known for not protecting
11 copyright. What accounts for this?

12 MS. CARROLL: Sorry, what accounts
13 for?

14 MR. MITCHELL: For their treatment in
15 your report that you've focused on exceptions and
16 limitations instead of their lack of copyright
17 enforcement in a traditional sense?

18 MS. CARROLL: Right. Again, I'd be
19 happy to talk with the member companies and
20 provide you some more information about how we
21 perceive the difference in the two.

22 CHAIR KENDALL: Thank you very much

1 for your testimony today. I'd like to invite
2 representatives of Knowledge Ecology
3 International to testify, and please state your
4 name for the record.

5 MR. LOVE: Thank you very much. James
6 Love, Knowledge Ecology International. I just go
7 ahead and start? Is that the procedure? Thank
8 you.

9 First off, I just want to say that
10 there are several things in the submissions by
11 the companies that represent the pharmaceutical
12 industry. They complain about measures all over
13 the world that have to do with drug pricing. Not
14 directly an IP issue, per se.

15 I just want to remind the committee
16 that President Trump got elected on a promise to
17 negotiate drug prices and to cut \$300 billion out
18 of the Medicare budget, which is not even \$300
19 billion, so it was a pretty aggressive cut he
20 proposed.

21 And he's not going to be able to
22 deliver on a fraction of those promises unless he

1 employs some of the mechanisms that drug
2 companies are complaining about.

3 So you don't want to be throwing down
4 policy mandates in areas that are going to
5 constrain his ability to deliver the promises he
6 made to his own voters to protect them from high
7 drug prices in the United States.

8 I'm going to talk now on compulsory
9 license, and I'm going to read from a text I
10 prepared, which I can share if you want. PhRMA
11 and other groups lobbying on behalf of big drug
12 companies frequently target the use of compulsory
13 license as a, quote, harmful IP-related trade
14 barrier, quote. KEI sees compulsory license as
15 important and very much under-utilized as a tool
16 to address excessive pricing and restrictive
17 licensing practices.

18 I'll take a minute to provide some
19 context for this proceeding. First, the United
20 States has at least 15 separate statutes that can
21 be used to permit non-voluntary use of patents,
22 not accounting for various exceptions to patent

1 rights for research and usage by medical
2 professionals.

3 Second, the United States is by far,
4 and I mean by far, the most frequent user of
5 compulsory licenses. USTR itself overturned an
6 injunction on the importation of iPhones and
7 iPads that infringe on patents owned by Samsung
8 on August 3, 2013.

9 Under the Supreme Court eBay doctrine
10 regarding the enforcement of injunctions, courts
11 routinely permit infringement of patents when
12 royalties are paid to the patent holder.

13 For another example involving Apple,
14 in 2017, Apple successfully asked a judge for
15 permission to use, without a voluntary license,
16 the subject of an ongoing royalty, U.S. patent
17 number, 5,781,752, titled table-based data
18 speculation circuit for parallel processing
19 computer.

20 The compulsory licenses under the eBay
21 doctrine are fairly common, about one a month for
22 a while, but less frequently as parties tend to

1 grant voluntary licenses when it's perceived to
2 be hard to enforce an injunction, and these
3 compulsory licenses cover a wide range of
4 technologies.

5 In the area of medical technologies,
6 the most common compulsory license ordered by the
7 courts are for medical devices and diagnostics,
8 of which there are many, on everything from
9 contact lenses to artificial heart valves to
10 diagnostic technologies. Often, the companies
11 requesting such compulsory licenses are
12 innovators themselves.

13 For example, in 2008, Abbott used the
14 eBay doctrine to obtain a compulsory license on
15 HCV genotyping testing patents. Similar
16 compulsory licensing efforts were successful, and
17 several high-income countries including Germany
18 was requesting a compulsory license, and in
19 Austria, Australia, and the UK, to mention a few
20 other countries.

21 The United States also has used the
22 threat of compulsory license to force more

1 liberal licensing or price discounts in cases
2 where the federal government was the funder of
3 research, including the patents on reverse
4 genetics used in the manufacture of vaccines for
5 the avian flu, stem cell patents held by Wirth,
6 the Abbott patents on ritonavir, which is an HIV
7 drug, and the Fabre patents now held by Sanofi to
8 mention a few cases under the Bayh-Dole Act.

9 In 2016, 51 members of Congress asked
10 the federal government to make more frequent use
11 of this Act. Recently, 18 members of Congress
12 asked the federal government to use 28 USC 1498
13 to grant compulsory license on patents for
14 hepatitis C virus drugs.

15 And the Senate Armed Services
16 committee in 2017 adopted a directive to the
17 Department of Defense to use compulsory licenses
18 when prices on Army-funded drugs like Xtandi, a
19 prostate cancer drug, are more expensive in the
20 United States than other high-income countries.

21 Many persons, including President
22 Trump, have called for changes in the law to

1 allow Medicare to negotiate drug prices. If
2 Medicare negotiates drug prices, it will involve
3 a threat by the United States to withhold
4 reimbursement, narrow formularies or increase
5 copayments. All these measures hurt patients.

6 We want the Congress to give the
7 government more robust authority to use
8 compulsory licensing in order to protect
9 patients, effectively putting a monopoly at risk
10 rather than the patient when there are disputes
11 over prices.

12 Finally, we are planning to ask Trump,
13 the Trump administration, to use, under existing
14 statutes, either or both 35 USC 203 or 28 USC
15 1498, again, monopolies on at least three drugs
16 this calendar year. In every case, there are
17 significant abuses of patent rights and negative
18 consequence for patients.

19 We also call your attention to the
20 fact that there are emerging very big patent
21 thickets for two new important technologies:
22 CRISPR gene-editing tools, and CAR2 treatment.

1 And we think that at some point, the government
2 is going to have to use compulsory licenses to
3 force more liberal license in these areas or
4 suffer the consequences of not doing so.

5 I have an annex here about the
6 statutes here that I mentioned. I can stop right
7 here. Thank you.

8 CHAIR KENDALL: Thank you very much
9 for your testimony. The first question is from
10 USTR.

11 MR. S. CHANG: Your public submission
12 comments on the Special 301 process notes that
13 USTR should, quote, retrain its focus, end quote,
14 and use a process to, quote, develop and outline
15 the policies and norms that it wants to promote,
16 end quote.

17 Do you have any specific suggestions
18 for individual countries nominated for or
19 previously included in the Special 301 Report?
20 Thank you.

21 MR. LOVE: Yes, I think from our point
22 of view, the fact that trade policy is focused on

1 patents and drug pricing exclusively to promote
2 innovation overlooks the important role of the
3 National Institutes of Health and other
4 government agencies for funding, or the same
5 thing in other countries.

6 Secretary Azar, when he was confirmed,
7 as you may have noticed, he made reference to the
8 fact that he was gratified when the European
9 Union had increased their funding of biomedical
10 research, and he thought that was one of the
11 things that helped sort of re-address the
12 imbalance between the U.S. as the primary
13 supplier of public goods in the medical research
14 area for the whole world.

15 There's just no country that does
16 anything remotely close to what the United States
17 does in terms of public sector research, and most
18 of the scientific advances in diseases are really
19 due to what's being paid for by taxpayers here.

20 We don't really do anything about
21 other countries like Switzerland and other
22 countries, for example, that do next to nothing

1 in terms of funding public sector research.

2 The WHO negotiations have, on this
3 issue, have often gotten a very negative impact
4 from USTR because it's perceived as some kind of
5 threat to patent rights, but it shouldn't be seen
6 that way. It should be seen as a complement to
7 the incentives you get from patents.

8 So we think that by solely focusing on
9 the incentives for private companies and ignoring
10 what happens in the public sector, that you have
11 a bias towards the private sector which doesn't
12 reflect what domestic policy is to the United
13 States.

14 CHAIR KENDALL: Thank you very much.
15 Following up on that answer, we have a question
16 from HHS.

17 MS. BLEIMUND: Hi. Thanks for your
18 testimony. In your submission, you asked the
19 committee to, quote, look at the trade-related
20 aspects of funding the research that enters the
21 public domain and advances science. Can you
22 elaborate further on this statement and how it

1 relates to the work of the Special 301 Report?

2 MR. LOVE: Well, just yesterday I was
3 taking a look at a drug that costs over \$300,000
4 in the United States, and I was looking at the
5 patent landscape, and I noticed that there was
6 patents from a university in Australia and from a
7 university and a government-funded research
8 center in Belgium, for example, on this
9 particular drug.

10 When the United States funds the
11 research on a drug, like Spinraza, for example,
12 which is for a rare disease, U.S. government
13 retains a royalty-free right on the patents, and
14 it has these marching rights on that. But that
15 doesn't really extend to research that's funded
16 in Canada or in Belgium or Australia or other
17 countries.

18 We thought a reciprocal agreement
19 where we would have access to the patents that
20 were funded in those institutions, and they would
21 have access to the patents that we were funded,
22 in some level, at least a protocol where you

1 could actually at least request the use, if you
2 felt there was a compelling public health reason
3 to do it for, that's an area that we have raised
4 several times in the past with HHS in the past to
5 sort of look at this issue. And that's one
6 trade-related aspect.

7 Another issue is the U.S. gives grants
8 to researchers around the world, but some
9 countries, when they have government-funded
10 research programs, would not make the grants
11 available to American residents. And I think
12 that you might ask yourself why you're being so
13 open and they're not.

14 Another thing is that the NIH puts
15 conditions. It requires if you get a government
16 grant to put your research into a publically
17 accessible archive, so all scientists around the
18 world, whether they're in China, Germany, the
19 United States or Switzerland, they can get access
20 to that. And those policies are not universal
21 around the world.

22 So I think that in addition to having

1 the data in archives, I think you might also look
2 toward, in some cases, the permission to do
3 machine-generated translations of research in
4 foreign languages so American researchers could
5 benefit from it.

6 CHAIR KENDALL: Thank you very much.
7 The final question comes from USTR.

8 MR. S. CHANG: Your submission
9 suggests that USTR address what you refer to as
10 the global crisis in orphan works. In your view,
11 what might such an examination include, and would
12 it align with the statutory framework?

13 MR. LOVE: One of the problems with
14 the orphan works is the extension of the
15 copyright year from life plus 50 years -- which
16 is already, in our opinion, too long -- to life
17 plus 70 years, and we know that often the
18 companies lobby the USTR to have other countries
19 do that. There's things that can be done to
20 mitigate those effects.

21 One would be to at least permit
22 registration on works that have long maturities.

1 And the U.S. actually does that to some extent.
2 We have, even for any copyrighted work, you can
3 limit the remedies that are available on an
4 infringement case. So they're different if you
5 register the work than if you have not registered
6 the work. So I think that those fit within the
7 existing thing.

8 The other thing that the Library of
9 Congress has recommended is to use limitations on
10 liability for works where you can't identify the
11 owner. And the Library of Congress recommended
12 that because it wasn't constrained by the three-
13 step test, which was considered restrictive by
14 the Library of Congress at that time.

15 For that to work, you have to have the
16 flexibility in setting damages for infringement
17 that exist in the WTO agreement but has been
18 threatened by some of the bilateral agreements
19 that USTR has proposed.

20 CHAIR KENDALL: Thank you very much
21 for your testimony. At this time, I'd like to
22 call the representatives from the National

1 Association of Manufacturers to testify, and
2 please state your name for the record.

3 MR. ONG: Members of the Special 301
4 Subcommittee, thank you for the opportunity to
5 testify today. My name is Ryan Ong. I'm
6 Director of International Business Policy at the
7 National Association of Manufacturers, or the
8 NAM.

9 We are the nation's largest industrial
10 association and serve as the voice for more than
11 12 million women and men that make things in
12 America. Manufacturing contributed a record
13 \$2.25 trillion to the U.S. economy in 2016, and
14 remains a critical engine to grow the U.S.
15 economy, create high-paying jobs and provide
16 opportunity and prosperity for Americans.

17 Innovation and intellectual property
18 are crucial to that success and the foundation of
19 a globally competitive manufacturing base. The
20 United States has long been a champion for
21 innovation and IP protection around the world.

22 These strong protections are critical

1 for manufacturers of all sizes, but particularly
2 for our small- and medium-sized manufacturers, 90
3 percent of our membership, for whom the cost and
4 complexity of defending their IP rights around
5 the world can be prohibitively high.

6 Unsurprisingly, manufacturers face
7 challenges in foreign markets, from governments
8 that flout international rules and restrict
9 effective protection and enforcement for U.S. IP
10 through their policies and activities.

11 The NAM's formal Special 301
12 submission discusses many of these markets,
13 including formal recommendations for ten priority
14 countries, such as China and Canada, and
15 information on challenges in nearly 40 others,
16 ranging from Algeria and Korea to Turkey and
17 Argentina.

18 Our formal submission also flags a
19 series of cross-cutting issues, such as global
20 counterfeiting, increased restrictions on
21 legitimate trademark use, and insufficient
22 protection of business-confidential data in

1 regulatory processes.

2 But I want to use my time today to
3 highlight three specific cross-cutting issues and
4 challenges that our members face. First, we're
5 seeing increasing attempts to weaken the global
6 IP framework through activities and initiatives
7 in international organizations and forums.

8 These are forums and organizations
9 that play a critical role in supporting U.S.
10 foreign policy and U.S. economic growth. But we
11 see an increasing number of efforts that falsely
12 claim that IP is the barrier and an inherent
13 obstacle to policy goals such as health,
14 environmental protection and development.

15 These dangerous approaches not only
16 ignore the role of innovation in solving these
17 challenges, but also prevent frank discussions
18 about the full range of barriers that block
19 access to important products and technologies,
20 making it both politically and technically harder
21 -- not easier -- to find solutions that involve
22 all stakeholders.

1 The January World Health Organization
2 executive board meetings were a perfect
3 illustration of this challenge. The meeting
4 agenda included a series of reports and plans
5 designed to weaken global IP protections. Front
6 and center were efforts to institutionalize
7 troublesome recommendations from the strongly
8 biased and deeply flawed 2016 U.N. High-Level
9 Panel on Access to Medicines.

10 This panel's report, which was
11 criticized by the U.S. government under the
12 previous administration and avoided by the
13 Secretary General that launched it, has been
14 resurrected by supporters and pushed onto the
15 agenda in a variety of international forums such
16 as the U.N. Human Rights Council, the WTO, WIPO
17 and the OECD.

18 These efforts are troubling enough on
19 their own, but are also affecting national-level
20 policies in critical U.S. export markets, such as
21 Chile, Colombia and Thailand in ways that harm
22 U.S. innovation and high-paying jobs.

1 Now, thanks to strong efforts by HHS
2 and the interagency team, the United States took
3 a strong, robust negotiating line in January and
4 was able to fend off some of the more troubling
5 proposals, but we still face this growing
6 challenge.

7 The United States must be strong and
8 strategic to continue to push back against these
9 efforts and your agencies have a critical role to
10 play, working through a tightly coordinated
11 interagency coordination process and with other
12 like-minded countries, to be able to push back
13 robust and harmful activities.

14 Second, innovative manufacturers are
15 facing new threats from countries seeking to
16 undermine patent protection that supports strong
17 U.S. exports of innovative products. These
18 attempts can come in a variety of forms, which we
19 lay out in detail in our more detailed
20 submission, but would be happy to answer more
21 detailed questions at any point in time.

22 But we see a range of high-profile

1 examples popping up in markets from Malaysia to
2 Canada, from Colombia to Turkey, from Russia to
3 Japan.

4 And while these policies, including
5 compulsory licenses, can be legitimate government
6 tools when used correctly, they cannot be an
7 excuse for protectionism or as a cover to promote
8 local companies at the expense of U.S.
9 manufacturing, and they must be developed and
10 implemented transparently based on open
11 stakeholder consultation.

12 Third, trade secrets are becoming
13 increasingly critical for manufacturers of all
14 shapes and sizes, and the United States' strength
15 in trade secrets protection with the 2016 passage
16 of the Defend Trade Secrets Acts, which the NAM
17 strongly supported, and a few other countries and
18 regions have promoted reform to their trade
19 secrets legal regimes, such as the European
20 Union, Japan and Taiwan, but many others have
21 not.

22 And although the headlines in this

1 space are often dominated by places like China,
2 India and Russia, countries around the world fail
3 to protect trade secrets effectively with their
4 laws, policies and enforcement actions.

5 And that brings me to my last and
6 final point, which I'll be happy to elaborate
7 further on in questions. The NAM urges the U.S.
8 government to make a strategic use of all
9 available options to promote and protect
10 innovative manufacturing.

11 These must include a variety of tools
12 from strong, enforceable IP protections in
13 current and future trade negotiations, use of
14 robust enforcement tools in organizations like
15 the WTO, robust use of domestic tools, including
16 those provided by the Trade Facilitation and
17 Trade Enforcement Act, and a pro-IP message in
18 international fora. All of these tools are
19 critical.

20 With that, let me thank you for the
21 opportunity to testify here today. I look
22 forward to hearing from you and your agencies

1 with particular questions and following up with
2 more detail in follow-up questions.

3 CHAIR KENDALL: Thank you very much.
4 The first question is from USTR.

5 MR. S. CHANG: Are there any countries
6 that have been listed in previous Special 301
7 Reports with issues of concern to your members
8 that you would no longer recommend we include,
9 if, for example, the market is not of the same
10 size or importance as other markets that you
11 nominate?

12 MR. ONG: I appreciate it. In looking
13 at our submission, our list of countries where we
14 have issues of concern, I think, has continued to
15 grow. We look each year, in consultation with
16 our members, to understand and to document the
17 current situation that our members are facing.
18 And throughout our submission, we have noted some
19 areas of improvement. In markets like China and
20 India, there are specific things to be able to
21 point to.

22 That being said, our overall

1 assessment of these markets and of other markets
2 continues to encourage us to request placement
3 for those countries, for example, on the priority
4 watch list, as well as other countries and their
5 classification based on the challenges that our
6 manufacturers are facing now. I'd be happy to
7 follow up with more detail on that if it would be
8 helpful.

9 CHAIR KENDALL: Thank you very much.
10 The next question is from Treasury.

11 MR. W. CHANG: Hi. The Federation of
12 Indian Chamber of Commerce and Industry noted as
13 part of its 2018 Special 301 submission that
14 foreign investment has risen to unprecedented
15 levels in total FDI between U.S. and India at \$37
16 billion in 2016. How do you explain this growth
17 given the IP deficiencies that you have
18 described.

19 MR. ONG: Sure. That's an excellent
20 question. And in our work on India, in the IP
21 and the non-IP context, we speak significantly
22 about the importance and the robust and

1 increasing interest from many of our cross-
2 manufacturing members in that market.

3 I think the point to come to is that
4 investment in India remains constrained in number
5 of IP-intensive industries because of the
6 challenges that they face in this market. And of
7 course, those investment numbers include both IP-
8 intensive and non-IP-intensive industries.

9 Many of our IP-intensive and
10 innovative manufacturers are interested in the
11 potential that the India market can bring, but
12 practically and operationally, the significant IP
13 challenges they can even face in that market
14 restrain their ability to be able to invest and
15 sell robustly.

16 CHAIR KENDALL: Thank you. The next
17 question comes from the Department of State.

18 MS. DYER: Thank you for your time.
19 To follow on with respect to India, give me the
20 sense of priorities. You listed many different
21 issues that you enumerated. Is there a
22 hierarchical list in the way that it's listed

1 within your submission, or can you offer us some
2 priorities? Thank you.

3 MR. ONG: Sure. So, the breadth of
4 our membership means that we have members who
5 care about a diversity of intellectual property
6 issues in India, and many companies look at the
7 market based on their operations in multiple
8 spaces.

9 Certainly the challenge with India on
10 the patents base remain first and foremost for
11 many of our members. Those are the areas in
12 which I think we've seen the most challenging
13 areas for progress.

14 Those are the areas in which many of
15 the core and most fundamental issues, including
16 patentability criteria, including Section 3D of
17 the Indian Patent Act, and many others, remain
18 largely unchanged and in which the size of the
19 market is significant enough that there would be
20 both interest in helping to remove those barriers
21 and increasing frustration about the lack of
22 progress, and in some cases backward movements in

1 those areas.

2 MS. DYER: Thank you.

3 CHAIR KENDALL: Thank you very much
4 for your testimony. At this time, we'd like to
5 call representatives from the Pharmaceutical
6 Research and Manufacturers of America to come
7 forward, and please state your name for the
8 record.

9 MR. MOORE: Hi. My name is Chris
10 Moore. I'm with the Pharmaceutical Research and
11 Manufacturers of America, and on behalf of
12 biopharmaceutical innovators in the United States
13 and the more than 800,000 women and men the
14 employ across the country, PhRMA appreciates this
15 opportunity to testify before the Special 301
16 committee.

17 The United States is the global leader
18 in medicines research. Intellectual property
19 including patents and regulatory data protection,
20 drives and sustains biopharmaceutical innovation.
21 It enables access to today's medicines and
22 promotes investment in tomorrow's treatments and

1 cures.

2 Where markets are open and
3 intellectual property is protected, PhRMA members
4 have the predictability and certainty necessary
5 to research, develop and deliver new medicines
6 for patients who need them. But today's hearing
7 comes at a time when innovators face
8 unprecedented challenges in major overseas
9 markets that threaten medical advances and put
10 American jobs and exports at risk.

11 Special 301 gives the administration a
12 powerful tool to identify and address severe and
13 pressing barriers abroad, and to level the
14 playing field. Special 301 is not only about
15 promoting adequate and effective intellectual
16 property protection. It's also about ensuring
17 our trading partners provide fair access to their
18 markets and appropriately value new advances.

19 We urge the administration to use
20 Special 301 to address discriminatory pricing
21 policies in Canada, Korea and Japan that would
22 benefit drug companies in those countries at the

1 expense of medicines developed in the United
2 States.

3 Proposed changes to Canada's pricing
4 policies are aimed solely at patented medicines
5 and would discourage the launch of competing
6 products. New pricing policies in Korea and
7 Japan use biased criteria designed to allow local
8 companies to get a price advantage. In Canada
9 and Korea, American innovators also face a range
10 of intellectual property challenges, including
11 inadequate patent term restoration.

12 For these reasons, we ask that Canada
13 and Korea be named priority foreign countries,
14 and that Japan be placed on the priority watch
15 list. Equally troubling are industrial policies
16 that discriminate against U.S.-manufactured
17 goods. Turkey has decided to remove products
18 from its national reimbursement list that are not
19 produced in Turkey.

20 On the very day we submitted our
21 Special 301 comments, Turkey de-listed the first
22 wave of 44 products, and further waves of de-

1 listing are expected throughout 2018. We urge
2 that Turkey be placed on the priority watch list
3 and that USTR conduct an out-of-cycle review.

4 Part of the submission also identifies
5 top intellectual property barriers and threats
6 abroad that require urgent action. Last year,
7 for example, Malaysia announced a compulsory
8 license for an innovative medicine, a move that
9 appears designed to facilitate the local
10 development of a competing combination product.

11 Contrary to its own procedures, the
12 Colombian government accepted a petition for
13 review in December that could result in
14 compulsory licensing of patents protecting an
15 entire class of innovative medicines. Saudi
16 Arabia has knowingly facilitated the infringement
17 of breakthrough treatments by approving the
18 marketing of competing products during the period
19 of patent or regulatory data protection.

20 We ask that Malaysia be named a
21 priority foreign country, and that Colombia and
22 Saudi Arabia be placed on the priority watch

1 list.

2 PhRMA members are facing growing
3 intellectual property barriers and threats in the
4 European Union, The United Arab Emirates and a
5 range of multi-lateral forums. Despite its
6 global leadership in medical research, the
7 European Union is considering a plan that would
8 undermine innovation by allowing local companies
9 to make and export copies of patented medicines
10 during the period of supplemental protection.

11 The United Arab Emirates is a member
12 of the Gulf Cooperation Council Patent Office but
13 is now demanding that patent applications be
14 filed with the UAE Patent Office, putting the
15 status of GCC patents and pending patent
16 applications in doubt.

17 This demand appears to apply only to
18 biopharmaceutical patent applications, raising
19 questions about the UAE's compliance with its WTO
20 obligations.

21 PhRMA asks that the European Union and
22 the UAE be included on the watch list, and urges

1 USTR to address these and other challenges
2 outlined in our submission using all available
3 tools. We particularly urge USTR and other
4 federal agencies to address market access and
5 intellectual property challenges in countries
6 like Australia, Canada, Colombia and Korea that
7 are U.S. trade agreement partners.

8 Ongoing NAFTA and KORUS negotiations
9 provide an immediate opportunity to address
10 pressing concerns and to enforce existing rules.
11 Thank you for the opportunity to testify today.
12 We look forward to answering your questions and
13 to working with you to address the concerns
14 described in our submission.

15 CHAIR KENDALL: Thank you very much
16 for your testimony.

17 The first question is from USTR.

18 MR. S. CHANG: Are there any countries
19 that have been listed in previous Special 301
20 reports for issues of concern to your members
21 that you would no longer recommend we include?

22 For example, the market is not of the

1 same size or importance as other markets that you
2 help.

3 MR. MOORE: Thank you very much for
4 the question. Like other organizations, we seek
5 each year to respond to your request for comments
6 for the Special 301 report in a way that
7 prioritizes what we believe at the time to be the
8 most serious threats that our industry is facing
9 in certain countries around the world.

10 Sometimes that results in listing
11 every year the same types of countries,
12 unfortunately. But, we don't think it's just the
13 size of the market that is always the deciding
14 factor here.

15 Sometimes we're seeing cases where we
16 have a significant impact on our industry and it
17 could be in a market that might be smaller
18 overall.

19 The action that that market is taking
20 might set a very dangerous precedent globally.
21 And so, there are a number of factors that go
22 into our decisions in terms of what countries to

1 present to you.

2 CHAIR KENDALL: Thank you very much.

3 The next question is from HSS.

4 MS. BLEIMUND: Your submission argues
5 that discriminatory pricing policies deny fair
6 and equitable market access.

7 Could you please explain the link
8 further? Are there examples where companies have
9 not sold products or where companies have pulled
10 out of specific markets due to such policies?

11 MR. MOORE: We have, as an industry,
12 are facing market access concerns in a number of
13 different countries around the world.

14 It is relatively -- has been
15 relatively rare, but, unfortunately, an
16 increasing trend to see countries that are not
17 produced -- I'm sorry, products that are not
18 produced locally, unable to enter certain
19 markets.

20 That has been the case with Algeria,
21 it's now the case with Turkey, as I mentioned.

22 But, we also see a very concerning

1 trend to advantage local companies in different
2 markets through discriminatory policies that
3 enable companies to get a price advantage.

4 If, for example, they are launching
5 products first in that market, they are
6 conducting a certain number of clinical trials in
7 that market, if they're producing in that market,
8 if they're doing joint ventures and sharing
9 research and development with a local company, we
10 think all of those things constitute very serious
11 market access challenges and non-tariff barriers
12 that are important to address through the 301
13 process.

14 CHAIR KENDALL: Thank you very much.

15 The next question will be asked by
16 ITA.

17 MR. MITCHELL: How does Malaysia's use
18 -- I'm sorry. How does Malaysia's use of
19 compulsory license compare to other countries
20 that have issued compulsory licenses in the past?

21 MR. MOORE: Well, thank you very much
22 for the question.

1 As stated in our submission, we
2 believe that compulsory licensing is and should
3 be an extraordinary measure that is used in
4 emergencies and as a last resort.

5 Malaysia has announced a compulsory
6 license for an innovative medicine that we
7 believe is unwarranted. It took that action
8 despite the offer of a voluntary license by the
9 innovative company involved.

10 And, it appears to have done this
11 really to facilitate the local development of a
12 competing product.

13 And, there appears to be an effort
14 under way to export the Malaysia example to
15 countries abroad.

16 And so, we believe those things in
17 combination warrant the recommendation that we
18 have made for Malaysia in our Special 301
19 submission in addition to the other challenges
20 that we see in that market.

21 CHAIR KENDALL: Thank you very much.

22 The final question will be from U.S.

1 Tariff.

2 MR. S. CHANG: This year, PhRMA is
3 requesting that three countries be designated as
4 primary core countries.

5 How does PhRMA distinguish between
6 these countries and those it has nominated for
7 the priority watch list?

8 MR. MOORE: Thank you.

9 We clearly are looking at what we
10 believe to be the most onerous and egregious
11 practices that we see in different countries
12 around the world.

13 We also are looking at the impact on
14 our industry and our business, not only in those
15 markets, but also in other markets around the
16 world.

17 And, we are also looking at the extent
18 of some of those challenges. So, for example, in
19 each of those three markets, we are highlighting
20 certain primary concerns for the industry but
21 they also go hand in hand with many other
22 challenges, some of which have been very

1 longstanding.

2 We're, of course, also looking at
3 those countries and their practices against the
4 criteria that are set out in the statute for
5 priority foreign countries. And, we believe that
6 each of these countries meets those criteria.

7 CHAIR KENDALL: Thank you very much
8 and thank you for your testimony.

9 At this point, I'd like to invite the
10 representatives from Public Citizen to testify.

11 And, please state your name for the
12 record.

13 MS. KILIC: Hi, it's Burcu Kilic from
14 Public Citizen. Thank you very much.

15 Thanks for providing me the
16 opportunity to testify here today on behalf of
17 Public Citizen and it's more than 400 members and
18 supporters.

19 Public Citizen is national nonprofit
20 customer advocacy organization with a 45-year
21 history of representing customers interests in
22 Congress, Executive Branch and the courts.

1 Public Citizen's Access to Medicines
2 Program works with partners worldwide to improve
3 health outcomes through use of pharmaceutical
4 cost lowering measures including generic
5 competition.

6 We submitted our written comments for
7 this review last month. My testimony will draw
8 upon those comments and our experiences working
9 on the ground with government agencies, civil
10 society organizations, academics and patient
11 groups.

12 I will follow the same methodology as
13 our written comments. My oral testimony,
14 however, will focus on two countries, Malaysia
15 and Colombia.

16 But, before that, I would like to note
17 some commitments which are articulated in past
18 Special 301 reports such as the United States
19 respects and trading partners try to predict
20 public health and, in particular, to promote
21 access to medicines for all.

22 And, the United States respects its

1 trading partners' rights to grant compulsory
2 licenses in a manner consistent with the
3 provisions of the TRIPS Agreement.

4 We support these commitments which
5 echo the World Trade Organization's Doha
6 declaration on TRIPS Agreement and public health.

7 In compliance with these commitments,
8 we would like to address specific practices that
9 can and should be improved.

10 We suggest the following principles to
11 support this modest reform.

12 The Special 301 report should omit any
13 reference, whether express or implied, to any
14 country's TRIPS compliant or FDA compliant
15 policies that advance the public interest.

16 The Special 301 report should only
17 address intellectual property, not ancillary
18 public policies such as pharmaceutical pricing
19 unless those policies are specifically alleged to
20 be discriminatory.

21 The Special 301 report should not list
22 countries for adopting U.S. policy preferences --

1 for not adopting U.S. policy preferences if those
2 countries have no bilateral or international
3 obligation to adopt the same.

4 We distinguish between TRIPS and FDA
5 standards and we want you to do the same.

6 We observed that some countries are
7 criticized for not adopting measures such as data
8 exclusivity, patent linkage or biologics
9 exclusivity, even if that country doesn't have a
10 trade agreement with the United States expressly
11 and specifically requiring so.

12 Last, but not least, criticism in the
13 Special 301 report should be accompanied by
14 express and clearly articulated criteria.

15 Applying these principles to our
16 analysis, I'd like to share some of our
17 observations and comments.

18 I'm going to start with Malaysia as it
19 is one of the countries I've been working on
20 since 2011.

21 Malaysia hasn't been on the Special
22 301 list since 2012. This year, PhRMA and BIO

1 asked you to treat Malaysia as priority foreign
2 country for its decision to expropriate patent
3 rights of general sciences which is called
4 biopharma at disregard of patent rights.

5 Having read both PhRMA and BIO's
6 submissions and heard their testimony today, I
7 would like to do some fact checking.

8 As of 2015, it is estimated that
9 around 143 million people are infected with
10 Hepatitis C. Hepatitis C infects and damages the
11 liver, and that's the largest organ in our
12 bodies.

13 The virus usually spreads through a
14 contact with infected blood. It is most commonly
15 transmitted through sharing of needles by
16 injection drug users.

17 Healthcare workers are also at risk
18 through needle sticks and as are babies born to
19 mothers with Hepatitis C.

20 But, also, you're at a higher risk if
21 you get a blood transfusion, an organ transplant
22 before 1992.

1 Most people that were infected with
2 Hepatitis C don't have any symptoms for years.
3 For most patients, it's a chronic illness which
4 means that it doesn't go away. And, for many, it
5 leads to cirrhosis or liver cancer.

6 An estimated 3.5 million people in the
7 United States are living with chronic Hepatitis C
8 infection. And, most don't feel ill or know
9 they're infected according to the Centers for
10 Disease Control and Prevention.

11 More than 500,000 people have been
12 suffering from Hepatitis C in Malaysia.
13 Sofosbuvir Sovaldi when used with another drug
14 can virtually cure most of the cases of Hepatitis
15 C in 12 months -- 12 weeks.

16 The list price of Sovaldi set by the
17 patent holder, Gilead Sciences in the U.S. is
18 \$84,000; and, in Malaysia, this is \$71,000.

19 The median household income in
20 Malaysia is only \$4,500. So, the price is about
21 16 times higher than a family's total income.

22 Apart from the price, the

1 patentability of the drug is questionable despite
2 its medical benefits and the image is based on
3 old science and it's disclosed in other patent
4 applications.

5 In 2004, Gilead signed a nonexclusive
6 licensing agreement with seven India based
7 companies covering 91 lower and middle income
8 countries, but Malaysia was excluded from the
9 licenses.

10 The Malaysian government engaged in
11 negotiations with Gilead for two years to be
12 included in the licenses and reduce the price,
13 but the negotiations failed because Gilead didn't
14 offer a price lower than \$12,000.

15 A year later, in September 2017, after
16 consultations with the relevant stakeholders,
17 Malaysian government authorized government use of
18 Sofosbuvir Sovaldi and just before the government
19 authorization, in August 12, 2017, Gilead
20 announced that on Twitter that the scope of
21 licenses is extended to cover Malaysia. There
22 was no official announcement or notification to

1 the Malaysian government.

2 This was a very strategic and timely
3 tweet which aimed to anticipate Malaysian's
4 government decision on government use. By doing
5 so, Gilead hoped to avoid its reputational damage
6 and wiggle its way out.

7 I see that my time is up, so I'm going
8 to stop here in the interest of time. I mean, we
9 have a very comprehensive submission, I recommend
10 you to read that. And, we will also submit our
11 comments on Malaysia and Colombia as a post-
12 hearing submission.

13 CHAIR KENDALL: Thank you very much
14 for your testimony.

15 The first question is from HHS.

16 MS. BLEIMUND: Thank you.

17 You may have already answered part of
18 this, but you asserted that health advocates in
19 Malaysia found that a voluntary license would not
20 be as effective as the Malaysia own imports plan
21 at reducing price and expanding access.

22 Can you provide any more detail on

1 this? We looked at the WTO report that was
2 cited, but it doesn't appear to address this
3 issue with respect to Malaysia.

4 MS. KILIC: Yes, sure.

5 Just to add on what I said about the
6 voluntary license, so the Malaysia government
7 negotiated the prices for two years which the
8 negotiations failed. And then they decided to go
9 with the government use.

10 And, the government use only applies
11 for the noncommercial public use. So, it's not
12 like commercial, it's not for the local industry.
13 It's only for the sale in the public hospitals.

14 And, they were just about to issue the
15 government use and Gilead tweeted and said that,
16 oh, we expanded the scope of the voluntary
17 licenses, now it covers Malaysia.

18 But, it was just one tweet, that
19 wasn't an official announcement. And the
20 governments do not act on tweets. So, the
21 government cabinet, they went on their decision
22 to issue government use licenses for the public

1 hospitals.

2 Now, the price is like, let me check
3 this here, so the price is, yes, 1000 Ringgit.
4 Like there are -- the ability to seek treatment
5 is available in Malaysia for -- in public
6 hospital and clinics. It's the 1000 Ringgit
7 which is equal to \$250.

8 And, Indonesia is part of the Gilead
9 licenses and, according to license conditions,
10 the price for Indonesia is like almost \$300 per
11 month. So, this is a treatment for 12 weeks
12 which is like more than like three months. So,
13 the price is still higher, the price which is
14 offered by Gilead just before the government use
15 licenses on Twitter is still higher than the
16 price that the Malaysians are like providing this
17 drug to Malaysian patients.

18 CHAIR KENDALL: Thank you very much.
19 The next question is from Department
20 of State.

21 MS. DYER: Thank you for being here
22 today.

1 What is Public Citizens' view of the
2 observation that certain countries may have
3 failed to address obstacles to healthcare access
4 such as import taxes, lack of moral law and
5 underdeveloped supply chains, the resolution of
6 which would likely bring tangible health related
7 benefits without undermining incentives for
8 application?

9 Thank you.

10 MS. KILIC: Public Citizen has a very
11 clear position on Special 301 lists and Special
12 301 report.

13 We believe that that report should
14 only address the intellectual property issues,
15 not the ancillary policies like the public health
16 policies.

17 So, but we will be able to -- if you
18 are asking about our position, we can submit a
19 position about this as a post-hearing comment.
20 But, we strongly believe that we should be
21 discussing intellectual property issues here.
22 That's the scope of the Special 301 list.

1 MS. DYER: Thank you.

2 CHAIR KENDALL: And, the final
3 question is from USTR.

4 MR. S. CHANG: Thank you.

5 In other public submissions for this
6 hearing, we have heard that, for example, most
7 biotechnology companies do not have products on
8 the market and rely heavily on the strength and
9 scope of intellectual property rights to generate
10 the investments needed to commercialize their
11 technologies.

12 How is your response to concern that
13 weakening IP protection enforcement could prevent
14 small and medium sized companies from bringing
15 products to market?

16 MS. KILIC: I'm not clear what you
17 mean by weakening intellectual property
18 protection because like all the countries like
19 which are members of WHO have the same standards
20 as TRIPS standards.

21 So, and there's nothing like weakening
22 of intellectual property, instead like there is

1 strengthening, there is like all these efforts to
2 strengthen the intellectual property policies.

3 And, when we talk about innovation, I
4 wrote my PhD on pharmaceutical innovation and I
5 can give you -- I can talk about this for like
6 five hours.

7 But, when we talk about SMEs, SMEs are
8 very particular, you know, and they have like the
9 special circumstances apply to SMEs and we need
10 to -- we also need to distinguish which SMEs are
11 we talking about. Are we talking about SMEs in
12 the United States or are we talking about SMEs in
13 other countries?

14 So, it is important to distinguish
15 between the SME and usually, biotechnology
16 industries using this line now, we are a bunch of
17 SMEs, the other biotechnological innovation
18 starts in the SMEs.

19 But, then, you know, those spinoff
20 companies usually like get acquired by the big
21 pharmaceutical companies and the companies, the
22 big pharmaceutical companies which we call

1 corporations sell those drugs in the market, not
2 the SMEs.

3 CHAIR KENDALL: Thank you very much
4 for your testimony.

5 At this point, I'd like to call
6 representatives of the Trademark Working Group to
7 the table.

8 And a reminder to state your name for
9 the record.

10 MR. KILMER: Good afternoon, Paul
11 Kilmer on behalf of the Trademark Working Group.

12 This year, the Trademark Working Group
13 asked that its participants identify those
14 foreign trademark laws and practices that cost
15 them the most time and money.

16 The most costly trademark matters
17 identified by our participants are, number one,
18 the absence of relative grounds or likelihood of
19 confusion examination by foreign trademark
20 offices.

21 The absence of relative ground
22 refusals in jurisdictions such as the European

1 Union and its member states is leading to
2 thousands of registrations for virtually
3 identical marks for overlapping or highly related
4 goods and services.

5 This fact has forced U.S. companies to
6 bring millions of dollars' worth of what should
7 be unnecessary opposition proceedings every year.

8 Number two, the absence of default
9 judgments in opposition and invalidation
10 proceedings in China, Europe, Brazil, Chile,
11 Japan and South Korea. The unavailability of
12 default judgments forces U.S. companies to reduce
13 evidence and detailed arguments against
14 applicants and registrants who have expressed no
15 interest in defending their trademark filings.

16 Number three, requirements for
17 recordation of licensed users in nations such as
18 Brazil, India, Nigeria, Pakistan and Thailand.
19 Such requirements are cumbersome and unnecessary
20 and represent a trap for the unwary which may
21 lead to forfeiture of trademark rights.

22 Number four, legalization requirements

1 in nations such as Argentina, China, Egypt,
2 Mexico and Russia continue to unnecessarily
3 increase the costs and impede the ability of U.S.
4 trademark owners to register and otherwise
5 protect their rights.

6 Number five, the lack of acceptance of
7 letters of consent or coexistence agreements to
8 allow for registration of similar marks in
9 nations such as Argentina, Brazil, China, Japan,
10 Mexico and Thailand creates an unnecessary bar to
11 registration.

12 The U.S. Patent and Trademark office
13 has long recognized that commercial enterprises
14 are generally in a better position than
15 governments to assess whether the concurrent use
16 of their respective marks will create consumer
17 confusion.

18 Number six, China in general. The bulk
19 of comments received by our group relate to
20 issues encountered by foreign trademark owners in
21 China.

22 These issues include elimination of

1 direct appeals from the China Trademark Office to
2 the Trademark Review and Adjudication Board by
3 unsuccessful opposers, most of whom are foreign
4 companies.

5 This situation is exacerbated by
6 continued poor decision making by China Trademark
7 Office opposition examiners.

8 The Chinese system also continues to
9 suffer from a disregard for affidavits and
10 witness declarations in inter partes proceedings.

11 There are also unreasonably high
12 standards for establishing well known mark status
13 and narrow protection for marks declared well
14 known.

15 A glaring lack of transparency invades
16 all phases of trademark prosecution, opposition
17 and invalidation practice in China.

18 Number seven, oppositions, the absence
19 of effective opposition proceedings in a number
20 of nations such as Russia, Ukraine, Indonesia and
21 Panama allows trademark pirates to steal valuable
22 brands, especially those of foreign trademark

1 owners.

2 Number eight, the slows, nations such
3 as India, Brazil, the Philippines and Malaysia
4 are notorious in slow and adjudicating trademark
5 oppositions and cancellations.

6 India is adjudicating only more
7 recently filed proceedings in a timely manner.

8 Infringers take advantage of such
9 nonfunctioning systems to substantially delay
10 registration of foreign trademarks.

11 Number nine, certification marks,
12 despite USTR highlighting this area in its last
13 four Special 301 reports, many nations ranging
14 from Algeria to Yemen still do not afford
15 protection to certification marks.

16 Number ten, the multi-class
17 applications, more than 35 nations including
18 Brazil, Mexico, the Philippines, South Africa and
19 Thailand still require single class trademark
20 applications.

21 Such systems lead to additional cost,
22 both in terms of initial filings and in relation

1 to docketing and maintenance of multiple
2 registration.

3 South Paris convention applications,
4 there still continue to be several nations in
5 which newly filed applications may not be
6 effectively located during the six month Paris
7 Convention priority period.

8 These include Cyprus, Guiana,
9 Indonesia and sometimes China, although indexing
10 in China has begun to pick up in recent years.

11 Finally, a number of nations do not
12 have letter of protest procedures available to
13 object to applications under examination.

14 These nations include Australia,
15 Brazil, China Colombia, South Africa and
16 Thailand.

17 Have letter of protest procedures
18 would prevent infringing and otherwise
19 objectionable marks for being advertised for
20 purposes of opposition, thus reducing the cost of
21 objecting to inappropriate filings.

22 Thank you.

1 CHAIR KENDALL: Thank you very much
2 for your testimony.

3 The first question is from USTR.

4 MR. S. CHANG: Among the many issues
5 you listed in your submission, which should the
6 government of India prioritize for a near term
7 fix?

8 MR. KILMER: I think the most
9 important one is to catch up on very ancient
10 cancellation and opposition proceedings.

11 I have a couple of proceedings pending
12 for clients of mine that go back 12 to 14 years.
13 And, I think if they could begin the process of
14 eliminating that tremendous backlog of old
15 opposition and cancellation proceedings, it would
16 go a long way toward satisfying a lot of the
17 issues that have been raised in relation to
18 India.

19 CHAIR KENDALL: Thank you.

20 The next question is from USPTL.

21 MR. BERDUT: Thank you.

22 You noted that two of the most costly

1 issues for trademark owners are the mandatory
2 recordation of licenses or registered user
3 requirements and the lack of default judgments.

4 MR. KILMER: Yes.

5 MR. BERDUT: In countries where
6 license recordal is not mandatory, can you
7 provide examples where non-recordable can hinder
8 a company's ability to enforce its marks?

9 Another question, similarly, in
10 jurisdictions without default judgments, do you
11 encounter instances where companies have had to
12 waste resources defending against frivolous
13 oppositions?

14 MR. KILMER: Yes, in relation to
15 recordal of licensed user, there have been
16 instances where companies have actually lost
17 their trademark rights entirely by failing to
18 abide by licensed user requirements.

19 And, I personally experienced that
20 with a couple of clients of mine. So, it can be
21 more than a little detrimental to fail to record
22 licensed users in certain nations.

1 And, we detail in our full report
2 those nations that have the most egregious, if
3 you will, requirements for licensed users.

4 In terms of default judgment, I don't
5 -- I'm really not familiar with any instances in
6 which U.S. companies have been adversely affected
7 by nations that impose default judgments. Is
8 that the nature of your inquiry?

9 MR. S. CHANG: Yes, sir.

10 MR. KILMER: Okay. I'm really not
11 familiar with that. I think most American
12 companies are prepared to encounter the U.S.
13 legal system. And, I think they're greatly
14 relieved when they go overseas and they don't have
15 discovery and they don't have motions practice
16 and they don't have live witnesses and everything
17 is done on written submissions in the form of
18 affidavits and so forth.

19 So, I think they actually find, quite
20 frankly, many foreign opposition cancellation
21 litigation procedures a lot less costly and time
22 consuming than what we have in the United States

1 and are in an odd way grateful to be able to take
2 advantage of those systems.

3 CHAIR KENDALL: Thank you very much.

4 The next question is from Department
5 of State.

6 MR. KILMER: Sorry, don't want to
7 leave too soon.

8 MS. DYER: Thank you for being here.

9 Your written submission touches a
10 little bit upon on the European Union including
11 that the standard for proving acquired
12 distinctiveness for configuration marks appears
13 to be higher than many other jurisdictions.

14 Can you elaborate more on your
15 assessment of the EU and what reforms you would
16 recommend seeing take place there?

17 MR. KILMER: Yes, I mean, definitely
18 evidence of proof of what we would call secondary
19 meaning consumer recognition of design marks and
20 logos and as well as all kinds of trade dresses,
21 a much higher standard to meet in the EU than it
22 is here.

1 They also have design legislation
2 which I think is confusing still to a lot of
3 American companies as to what is protected under
4 European design legislation versus what is
5 protected by trademark rights.

6 And, I would like to see a little more
7 clarification in that area as well.

8 But, as I stated in my comments, I
9 mean the major issue with the European Union is
10 the absence of likelihood of confusion analysis,
11 relative rights examination in the trademark
12 examination process.

13 That is just allowing hundreds of
14 marks, if not thousands of marks to get through
15 the European system every year that are almost
16 identical to U.S. trademark owners' rights in
17 Europe.

18 And, they just go through this system
19 and then the U.S. trademark owner has to first
20 catch them, find out they are there and then
21 spend the time and money to oppose them. And,
22 most of those cases, again, are not defended and

1 the European Union doesn't have default
2 judgments.

3 So, we have to end up going through
4 the entire process for our clients, thousands and
5 thousands of dollars are spent and the other side
6 doesn't even bother to defend. At the end of the
7 day, yes, you win, but at what cost?

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

10 At this time, I'd like to call the
11 representative for the Union for Affordable
12 Cancer Treatment to testify.

13 And, please state your name for the
14 record.

15 MS. RESS: Manon Ress for the Union
16 for Affordable Cancer Treatment. Good afternoon,
17 I put my glasses, I have to make a choice between
18 seeing my notes or you, I'm at that point.

19 CHAIR KENDALL: Choose your notes.

20 MS. RESS: I'm speaking today on
21 behalf of the Union for Affordable Cancer
22 Treatment which filed a comments in this docket

1 on February 6, 2018.

2 The Union for Affordable Cancer
3 Treatment, as the name indicates, created in 2014
4 is concerned about the ever increasing cost of
5 cancer indication in the U.S. and globally and we
6 are committed to universal access to new
7 technologies at affordable prices.

8 Based on the process that brings us
9 here again as well as comments provided by
10 industry representatives, the staff of USTR will,
11 I quote, call out foreign countries and expose
12 the laws, policies and practices that fail to
13 provide adequate and effective IP protection and
14 enforcement, end of quote.

15 USTR says one of the, I quote again,
16 top trade priorities for the Trump Administration
17 is to use all possible sources of leverage, end
18 quote.

19 In order to ensure that U.S., and I'm
20 quoting again, that U.S. owners of IP have a full
21 and fair opportunity to use and profit from their
22 IP around the globe, end quote.

1 What's wrong with this? The
2 Administration aggressive efforts to defend
3 Americans from all foreign IP related trade
4 barriers, end quote, means in plain language, in
5 cancer patients language, in regards to new
6 drugs, vaccine and diagnostic technology higher
7 prices.

8 Higher prices means several things for
9 patients which is another word for people.
10 People who are injured or have a disease or a
11 condition that requires a treatment that involves
12 a new drug.

13 Higher prices mean that many people
14 and, indeed, most people who need a new drug
15 won't have access. And those how do, may face
16 financial hardship, a financial disaster crisis
17 coming on top of another medical crisis.

18 That's what PhRMA wants from you, they
19 want you to use all possible sources of leverage
20 to make drug prices higher. They want you to
21 create a political landscape with countries like
22 Colombia, Chile, Peru, Thailand, Brazil,

1 Malaysia, Indonesia, South Africa, India and even
2 the Netherlands do not use lawful compulsory
3 licenses to address excessive pricing on new
4 drugs.

5 You are supposed to be the defenders
6 of the unfettered monopolies on life saving
7 technologies.

8 If you succeed, people will die and
9 people will suffer and healthcare budget will
10 waste cost scarce resources on overpriced
11 medicine.

12 So, UACT, of course, is opposed to
13 this approach. UACT does not want USTR to put
14 patents before patients or drug companies before
15 people.

16 UACT is also committed to innovation.
17 We need it. And we know that this depends upon
18 access to knowledge and both public and private
19 sector investment in R&D.

20 Because UACT favors both innovation
21 and access, we support efforts in the U.S.
22 commerce and around the world to reform a system

1 of financing medical innovation.

2 We want government, including the
3 United States, to progressively delink the
4 incentive to invest in R&D from the prices of
5 product that we have to pay.

6 We also want the global negotiation on
7 innovation to stop focusing solely on product
8 sector incentive like patent monopolies.
9 Including global norms in R&D funding, government
10 need to embrace more inclusive approaches that
11 recognize the value and importance of public
12 sector investment in biomedical R&D as in the
13 U.S.

14 The United States is a world leader in
15 public sector funding of R&D through such
16 agencies as the NIH, BARDA, the National Science
17 Foundation, Department of Defense that runs a
18 fair on energy.

19 USTR should be encouraging other
20 government to step up their public sector funding
21 on biomedical R&D including, most importantly,
22 the elements that become public goods advancing

1 medical science.

2 UACT is concerned about people living
3 in foreign countries including the billions of
4 persons, the majority of the world population, in
5 fact, living in developing countries.

6 Many Americans have little idea, if
7 any, what high drug prices mean for a country
8 with a per capita income that is one-fifth or
9 one-tenth of the United States of America.

10 In 2016, the United States, had a per
11 capita income of over \$56,000 a year. Malaysia,
12 has a per capita income of \$9,860, just 17
13 percent of the U.S.

14 Colombia's per capita income was
15 \$6,310, 11 percent of the U.S.

16 India has a per capita income of
17 \$1,607, less than 3 percent of the U.S.

18 And for the bottom 80 percent of the
19 population in these countries, things are much,
20 much worse.

21 If you target this country over drug
22 prices, you are getting -- you are going to kill

1 poor people, more poor people.

2 But concerns of people living outside
3 the United States is not our only concern. I
4 live right here, I'm a cancer patient. I'm alive
5 because of an effective new drug that is still
6 expensive.

7 Every three weeks since 2010, it's
8 about \$20,000. I'm in touch with other cancer
9 patients who can't afford this. We are all
10 living in fear we will lose our insurance and be
11 forced to pay the 20 or 30 percent of the cost of
12 drugs that can cost more than \$150,000 per year
13 or be denied coverage because a drug is off-label
14 or off formulary or because of other real
15 barriers to reimbursement and access.

16 But we all know the United States
17 itself needs to curb excessive prices on drugs.
18 If you force every other country to abandon the
19 means of doing so, you lock the United States
20 into an expensive and unsustainable system that
21 we can't afford and which is hurting us more than
22 many here will admit.

1 Thank you.

2 CHAIR KENDALL: Thank you very much
3 for your testimony.

4 The first question is from HHS.

5 MS. BLEIMUND: You have raised a
6 number of important concerns about the impact and
7 barriers to access to medicines can have on
8 patients in the United States and abroad.

9 However, cancer treatment is also an
10 area where recent innovations have generated
11 enormous benefits for patients.

12 Do you have any concerns about how a
13 lack of adequate and effective intellectual
14 property protection in certain countries might
15 impact incentives for future innovations in
16 cancer treatments?

17 MS. RESS: Well, of course, I would
18 like to ask the members of UACT to answer in
19 writing to your very interesting question.

20 My first instinct is always, as you
21 know, to tell you that innovation is probably
22 even more important to patients than to many

1 representatives of the industry here because it's
2 a question of life and death. So, it's not just
3 money.

4 And, I do think that we believe that
5 innovation is costly and patients recognize that
6 they have to pay for innovation, we just don't
7 like the rationing which is due to the financing
8 is based on the monopoly and we think there must
9 be other ways.

10 You all are very creative and
11 intelligent people here. Is there any other way
12 to finance something that you make it scarce and
13 almost inaccessible for most people in the world?

14 CHAIR KENDALL: Thank you.

15 I think the answer to your question,
16 if I had it, I would probably have a different
17 job in the U.S. government.

18 (Laughter.)

19 CHAIR KENDALL: And which gets to this
20 question from USTR which is, do you believe that
21 U.S. trade policy should reflect current U.S. IP
22 law and policy?

1 MS. RESS: Well, I would say that we
2 are, at UACT, and I think most people I work with
3 we are all opposed to counterfeit, we are all
4 opposed to piracy and infringement.

5 We do think that when it comes to
6 patent and medicine, life-saving medicine, there
7 should be a different way to look at it from your
8 point of view.

9 And, that's why I'm here today, again,
10 is to remind you that this is about life and
11 death for many people and maybe people in your
12 families, too.

13 So, it's not as a trademark, I'm all
14 for the trademark in Europe also and in the U.S.

15 But they're a higher norm in Europe from what I
16 understand.

17 And, even for punishing single piracy,
18 but I would say, when it comes to access to
19 medicine, there must be a better way to deal with
20 issue than to prevent --- lower the cost and
21 increasing access.

22 CHAIR KENDALL: Thank you very much.

1 And, the next question is from the
2 State Department.

3 MS. DYER: Your written testimony and
4 your testimony today talked a lot about drug
5 pricing. I wanted to follow on with a similar
6 question previously asked.

7 What is your organization's assessment
8 of the observation of certain countries may have
9 failed to address other obstacles to healthcare
10 access such as import taxes, lack of rule of law
11 and underdeveloped supply chains, the resolution
12 of which could bring tangible healthcare benefits
13 without undermining incentives for innovation?

14 MS. RESS: Well, thank you for your
15 question. I'm not an IP lawyer, but I do
16 understand it is about IP mostly.

17 But, I will say when I see the kind of
18 money that some countries have to spend on access
19 to medicine, it's a wonder that they can spend
20 any money on anything else.

21 And, actually, in the U.S., we have a
22 lot of schemes to, in a way, try to lower the

1 price of medicine.

2 Therefore, we can afford to have
3 hospital and nurses and doctors and medical
4 school.

5 And, I do think that there's a problem
6 with the focus on making the budget of this
7 country totally bankrupt so they don't have any
8 more resources to spend on anything else if they
9 want to save a few people with prostate cancer or
10 lung cancer.

11 And, some of the countries that are
12 doing these things like Japan or Korea are being
13 targeted in the 301 report when, in fact, they're
14 doing what either we should do or we are actually
15 doing.

16 CHAIR KENDALL: Thank you very much
17 and thank you for your testimony.

18 At this time, I'd like to call
19 representatives from the U.S. Chamber of Commerce
20 to testify.

21 And, please state your name for the
22 record.

1 MS. SZYMANSKI: Good afternoon. I have
2 a little bit of cold, so excuse my scratchy
3 voice.

4 My name is Ellen Szymanski, I'm Senior
5 Director of International IP at the U.S. Chamber
6 of Commerce Global Innovation Policy Center.

7 Thank you for the opportunity to
8 testify and thank you to the U.S. government for
9 all your efforts to promote the protection of
10 intellectual property worldwide.

11 Our submission seeks to highlight both
12 systemic and country specific challenges. The
13 countries we included this year were selected
14 based on market size, geopolitical significance
15 and specific IP issues.

16 This year, the Chamber released its
17 International IP Index on February 8th. The
18 index is an empirical assessment of the IP
19 systems in 50 developmentally and geographically
20 diverse economies around the world and it
21 represents that 90 percent of GDP.

22 We used over 4,000 data points to

1 finalize these results.

2 The 2018 index reveals a number of
3 trends in global IP protection over the last
4 year. The U.S., UK and European economies, for
5 example, remain atop the global IP rankings.

6 Throughout 2017, courts across the EU,
7 UK and Australia utilized recent legislative
8 changes to bolster the protection of creative
9 content online.

10 India undertook important steps to
11 recognize patentability computer related
12 inventions and sustained efforts roll out IP
13 awareness programs and workshops to implement the
14 tenants of its 2016 National IPR policy.

15 Many other countries are building
16 stronger foundations for IP, including Indonesia,
17 Thailand and Vietnam through enforcement and
18 awareness campaigns, et cetera.

19 A number of countries, including
20 Malaysia and Saudi Arabia introduced policies to
21 enable innovators and creators to utilize IP as
22 an economic commercial asset to encourage

1 legitimate technology transfer.

2 Obstacles to securing effective patent
3 protection for innovative products emerged in a
4 number of key global markets as well in the EU,
5 Australia and Saudi Arabia.

6 Both Malaysia and Colombia use
7 government use license and regulatory proposals
8 respectively to circumvent patent protection for
9 innovative biopharmaceutical products to drive
10 down prices.

11 South Africa published a draft IP
12 policy which includes proposals to weaken patent
13 protection.

14 Despite the Supreme Court rulings
15 overturning the promise doctrine and strong
16 federal circuit court decisions on digital rights
17 management, the Canadian government's commitment
18 to IP led innovation continues to be called into
19 question, though its action -- through its action
20 on free trade negotiations, proposal to change
21 pricing policies that strip away the fair market
22 value for innovation.

1 The IP Index illustrates how countries
2 that invest more in robust IP systems are more
3 likely to receive numerous economic benefits.

4 For example, countries that do well in
5 the index are 45 percent more likely to have
6 their innovation funded, 60 percent more
7 receptive to entrepreneurship. They are
8 producing 75 percent more output in creative and
9 innovative sectors and they're 25 percent better
10 at utilizing new technology.

11 This speaks to the core principle that
12 is fundamental to a well-functioning innovative
13 and creative sector, and that's the ability to
14 receive fair value for your inventions.

15 We hope that the index serves as tool
16 for all government who hope to become knowledge
17 based economies through stronger IP frameworks.

18 Unfortunately, we're also seeing
19 emerging global trends of degradation of IP
20 rights in some of our most developed economies.
21 These trends track beyond the ongoing experiences
22 of our member companies in the world's key

1 markets.

2 This includes online IP theft,
3 counterfeits, illicit streaming devices,
4 challenges relating to fair pricing for
5 innovation, demands for creative designs and
6 consumer products and inadequate protection of
7 trade secrets and economic espionage.

8 Trade secrets, for example, has become
9 an increasingly valuable asset, but also an
10 increasingly vulnerable asset.

11 While we take note of many of these
12 big challenges, there have been some positive
13 steps as well.

14 Furthermore, our Special 301
15 submission takes a deeper dive into opportunities
16 and challenges in Australia, Brazil, Canada,
17 China, Colombia, the European Union, India,
18 Indonesia, Malaysia, Russia, South Africa and
19 Turkey, it's 110 pages, so thank you for taking
20 your time with it.

21 On China, we know the Administration
22 energies have focused on the Section 301

1 investigation into China's technology transfer IP
2 and innovation policies.

3 We believe these issues identified by
4 the Administration are longstanding and have
5 undermined the value held by American companies.

6 The Chamber is committed to working
7 with the Administration to find a measured
8 solution that protects American jobs and global
9 competitiveness and the bilateral economic
10 relationship.

11 Thank you very much.

12 CHAIR KENDALL: Thank you very much
13 for your testimony.

14 The first question is from USTR.

15 MR. S. CHANG: Thank you again.

16 You just mentioned some positive
17 developments in your statement as well, but are
18 there any countries that have been listed in
19 previous Special 301 reports for issues of
20 concern to your members that you would no longer
21 recommend we include if, for example, the problem
22 is not of the same size or importance of the

1 markets that are developing?

2 MS. SZYMANSKI: That is a great
3 question and I don't remember off hand every
4 country that we covered last year. So, if I
5 could answer that afterwards, I'd be happy to do
6 that in a written submission.

7 CHAIR KENDALL: Thank you very much.
8 The next question is from the U.S.
9 Copyright Office.

10 MS. SCHULTZ: Good afternoon.

11 For Australia, could you provide more
12 details on why you believe that expanding their
13 copyright safe harbor to all online providers
14 would undermine its copyright system?

15 MS. SZYMANSKI: Sure. So, safe
16 harbors is an important part of creating an
17 effective copyright protection system.

18 But, if it's misused, if it's
19 misapplied, if it's expanded, then it's no longer
20 a safe harbor, it's more like a safe ocean.

21 And, we have to create a digital
22 environment that is safe for consumers and also

1 allows the creative arts to make a living wage of
2 their work.

3 If we aren't protecting content, then
4 what we're doing is we're creating a system where
5 only hobbyists, the independently wealthy or
6 maybe artists who have some backing by charitable
7 works is able to make a living wage and that's
8 what we don't want.

9 There's a tremendous international
10 content market that's not being developed and we
11 would encourage countries around the world to
12 develop proper safe harbor provisions as well as
13 increased copyright protection in order to
14 develop those industries.

15 CHAIR KENDALL: Thank you very much.

16 The next question is from HHS.

17 MS. BLEIMUND: Thank you.

18 You state that INVIMA's process to
19 notify pharmaceutical patent holders when their
20 patents could be infringed is difficult to
21 utilize due to, quote, key gaps in Colombia's
22 civil administrative framework.

1 Could you elaborate on those key gaps
2 and how they impair the effectiveness of
3 Colombia's system?

4 MS. SZYMANSKI: Well, I do know that
5 we had a team meeting with the Colombia Minister
6 today and I'm not as familiar with that detail on
7 Columbia. But I do know it's in our submission.
8 I'd be happy to follow up with more detail
9 information.

10 CHAIR KENDALL: Thank you very much,
11 we appreciate your testimony.

12 I'd now like to call representatives
13 from U.S.-India Strategic Partnership Forum to
14 testify.

15 And, please state your name for the
16 record.

17 MR. VARMA: Good afternoon, Gaurav
18 Varma, Chief Operating Officer of the U.S.-India
19 Strategic Partnership Forum.

20 Thank you to the committee for giving
21 us this opportunity.

22 USISPF, or The Forum, is a nonprofit

1 organization that was launched last year. The
2 Forum has 30 Board members as their executives,
3 including a dozen Fortune 500 CEOs, three former
4 U.S. Ambassadors to India, a former Secretary of
5 Defense and other senior executives.

6 The Forum represents 200-plus member
7 countries from various sectors including IT,
8 finance, defense, retail, healthcare, energy,
9 manufacturing and food and agriculture.

10 It's important to note that the U.S.
11 industries intellectual property experience in
12 India differs by sector. For many of our Forum
13 members, the IP experience in India has been
14 positive and they have not faced serious IP
15 issues.

16 In 2017, we saw several key takeaways
17 with regards to India's IP environment.

18 In my testimony today, I will
19 highlight some positive developments first.

20 Over the past year, the Cell for IPR
21 Promotion and Management conducted several
22 programs for enforcement officials and judges.

1 CIPAM also launched an IPR awareness
2 campaign for children and an IPR enforcement kit
3 in conjunction with the Federation of Indian
4 Chambers of Commerce.

5 In 2017, India also merged -- India
6 also announced a merger of the Intellectual
7 Property Appellate Board and the Copyright Board.
8 This was significant as the Copyright Board had
9 previously not been functional.

10 The IPAB has appointed one chairman
11 and we hope that royalty hearings will ensue so
12 that the pending cases can be addressed.

13 Moreover, the Copyright's Office now
14 has now published details on copyright cases on
15 its website, increasing efficiency and
16 transparency.

17 To tackle online privacy issues, CIPAM
18 in collaboration with the National Internet
19 Exchange of India identified 80 infringing
20 websites last year.

21 The Forum commends the states of
22 Maharashtra, Karnataka, Madhya Pradesh, Andhra

1 Pradesh, and Tamil Nadu who have established IP
2 commercial codes. India's patent administration
3 is improving with the complete digitization of
4 its patent office in a move that is expected to
5 increase efficiency and improve the patent review
6 process.

7 On the regulatory side, our members
8 have welcomed the revised patent examination
9 guidelines for computer related inventions,
10 removing the requirement that patents for
11 software could only be claimed in conjunction
12 with novel hardware.

13 India has also extended the startup IP
14 scheme to foreign startups which will provide a
15 fast-track mechanism for the grant of patent.

16 To further streamline the trademark
17 process trademark rules, 2017 we implemented in
18 March which will review the number of forms from
19 74 to eight consolidated forms for a trademark
20 application.

21 These efforts that I just mentioned
22 are greatly improving India's IPR environment and

1 the Forum applauds the work that India has done
2 over the past year on IP protection.

3 That said, there are some ongoing
4 sector specific IP issues and developments facing
5 foreign members that we would like to bring to
6 your attention.

7 In the media and entertainment sector,
8 the Indian film industry earns \$2 billion from
9 legitimate sources such as screening at theaters,
10 home videos and TV rights.

11 However, it loses nearly \$700 million
12 due to piracy which equates to 35 percent of the
13 legitimate revenue.

14 Our member companies in the
15 entertainment sector have observed that many
16 piracy websites located outside India are
17 supported by online advertisements that are
18 targeted towards Indian consumers.

19 We would like to recommend the
20 creation of a National Copyright Enforcement Task
21 Force. This Task Force would reside within the
22 IPR Cell and its aim should be to enforce

1 copyright laws.

2 The Forum further recommends that DIPP
3 and the Copyright Board be fully empowered to
4 address all copyright issues. In this regard,
5 other regulatory boards should eliminate
6 regulations that conflict with the Copyrights Act
7 granting of exclusive rights.

8 The Forum also recommends that India
9 should discourage advertising they place on --
10 that place ads on piracy websites.

11 Those ads give piracy sites the
12 revenue they need to continue their unlawful
13 actions.

14 Biopharma infringements remain a
15 concern. These infringements are often detected
16 too late after the damage is done.

17 Moreover, lack of patent linkage in
18 the pharmaceutical industry provides leeway to
19 infringers.

20 Our pharmaceutical members have voiced
21 their concern regarding the federal stricter
22 price controls for patented drugs. Forum members

1 have also noted and NPP uses the language of
2 compulsory license to control prices for patented
3 drugs which is against the principles of patent
4 law and possibly not TRIPS compliant.

5 We have expressed our concerns on CL.
6 Based on these issues in the life sciences
7 sector, the Forum recommends the government of
8 India maintain a centralized list of patented
9 drug manufacturers requiring the company to seek
10 license to manufacture a drug to report whether
11 the drug is patented or not.

12 We have noted in our submission at
13 paragraph 19 of the drug price control order. It
14 was inherently designed for certain emergency
15 situations and for a limited period.

16 The reference to use paragraph 19 as a
17 continuous process for price ceiling controls
18 should be considered in operation of the legal
19 mandate of DCPO.

20 The Forum also recommends creation of
21 a committee or a task force of government of
22 India industry and other stakeholders to drive

1 and incentivize innovation and further the cause
2 of reform involved IPR regime.

3 In the food and agriculture sector, we
4 have seen serious problems with the biotech
5 regulatory policies since 2010 which have stalled
6 the introduction of innovative products by
7 technology developers.

8 The Forum strongly recommends that the
9 government of India should desist from
10 introducing compulsory license of patented
11 technologies or importing artificial price
12 ceilings which would further discourage
13 investment and innovation in new technologies.

14 In my closing remarks, it is evident
15 that government of India has taken several
16 important steps to better the IPR regime. But,
17 some industry concerns remain unaddressed.

18 The Forum believes that the IP
19 environment must be strengthened in order to
20 create a safe environment that will encourage
21 innovation, entrepreneurship without concerns of
22 infringement.

1 The Forum encourages both governments
2 to initiate a bilateral IP dialogue to signify
3 the importance of IP.

4 Thank you.

5 CHAIR KENDALL: Thank you very much
6 for your testimony.

7 The first question will be from the
8 USTR.

9 MR. S. CHANG: You note a number of
10 improvements to India's IP regime over the past
11 year. While many of these improvements have been
12 noted, there are other industry associations in
13 your submissions.

14 A common refrain is that fundamental
15 deficiencies affecting virtually every IP
16 discipline including patents, regulatory data
17 protection, trade secrets, trademarks, copyrights
18 and enforcement remained unaddressed.

19 Have you seen government of India
20 actions that address fundamental issues in any of
21 these areas that warrant stronger consideration
22 by the U.S. government?

1 MR. VARMA: I think we are seeing
2 progress. I don't think we are there as yet. A
3 lot more needs to be done and but we are seeing a
4 positive direction of movement from the
5 government of India side.

6 CHAIR KENDALL: Thank you very much.
7 The next question is from the U.S.
8 PTO.

9 MR. SHAPIRO: So, among the Forum's
10 pending recommendations to the government of
11 India includes a call to improve the transparency
12 in the marketing approval process for
13 pharmaceutical products.

14 Could you please describe the scope of
15 the current problem and the Forum's proposed
16 solutions for India's system? Thanks.

17 MR. VARMA: Great question. Can I get
18 back to you with a written submission?

19 MR. SHAPIRO: Absolutely.

20 MR. VARMA: Thank you.

21 CHAIR KENDALL: Thank you.

22 The next question is from the U.S.

1 Copyright Office.

2 MS. SCHULTZ: You mentioned a lack of
3 coordination and interagency policies that leads
4 to adjudication for copyrights.

5 What do you mean by this and what
6 suggestions do you have for both of those issues?

7 MR. VARMA: I think overall, we are
8 seeing a lack of coordination between different
9 departments of government of India. And, that's
10 one of the few things that we have recommended is
11 that the powers lie within a certain agency which
12 is the Department of Policy -- Investment Policy
13 Promotion, DIPP.

14 And, that will take care of the lack
15 of coordination over there.

16 CHAIR KENDALL: Thank you very much.
17 I appreciate it.

18 On behalf of the Special 301
19 Committee, I'd like to thank all of you for
20 taking the time out of your day to have this
21 exchange with us. We appreciate everyone's
22 comprehensive research, thought, problem solving

1 ideas and efforts that went into both the written
2 submissions and the testimony here today.

3 The Special 301 docket will reopen
4 this afternoon and remain open until midnight on
5 March 14. Those hearing briefs by interested
6 parties that testified today are optional.

7 Please follow the instructions on the
8 agenda in the original Federal Register Notice
9 which is also on regulations.gov.

10 A transcript and a video of today's
11 hearing will be available at ustr.gov. We will
12 do our best to get that posted within the next
13 two weeks.

14 Thank you very much to my colleagues
15 on the panel as well as all of those who
16 testified for your time and attention and a
17 special thanks to the personnel at USTR who took
18 care of today's logistics and setup.

19 Ladies and gentlemen, the Special 301
20 Hearing of 2018 is now adjourned.

21 (Whereupon, the above-entitled matter
22 went off the record at 3:01 p.m.)

A	
a.m 1:9 3:2	accountable 63:6
AAFA 2:8 54:22	accounting 154:22
abandon 108:15 218:18	accounts 62:17,20 144:1 152:11,12
Abbott 156:13 157:6	accused 12:15
abide 208:18	achieve 110:12
ability 30:16 71:18 154:5 175:14 197:4 203:3 208:8 227:13	achieved 72:16
able 16:15 67:19 112:22 141:22 148:11 153:21 170:4,12 173:20 175:14 198:17 210:1 231:7	Achieving 136:20
above-entitled 129:11 243:21	acknowledged 72:15
abroad 68:10 70:12 72:15 80:10 97:2 130:5 146:4 178:13 180:6 186:15 219:8	acquired 200:20 210:11
abruptly 69:8	acquiring 61:18
absence 201:18,21 202:8 204:18 211:10	act 2:6 7:22 8:3,5,17 10:16 13:13 43:2 75:7 132:2 157:8,11 172:17 176:17 196:20 237:6
absolutely 65:15 115:15 241:19	acting 3:5
abuses 158:17	action 2:8 9:1 19:14 39:2,19 40:3 44:14 56:4,18 57:5 58:4,19 60:15 62:1,19 64:2 65:12,16 76:10 94:3 105:14 137:7 146:6 180:6 183:19 186:7 226:19,19
academic 67:4	actions 13:20 41:13,19 45:5 47:4 49:7 50:12 54:10 57:4 69:13,16 70:3 91:3 110:4 117:18 123:7 125:13 172:4 237:13 240:20
academics 189:10	active 88:4 136:21
accede 133:22	activities 23:8,18 25:3 25:9,14 101:5 106:2 146:6 167:10 168:6 170:13
acceptance 203:6	activity 24:8,11 54:12
accepted 180:12	actors 116:21
access 3:13 8:9 40:15 42:19 45:14 59:9 61:10 69:18 72:3,11 78:21 79:6,20 82:4 85:8 98:7 99:11 107:4 107:12,17 113:15 124:19,19 131:9 132:9 135:19 136:4 137:22 138:5 139:22 140:11,22 145:9 148:18 150:16 162:19 162:21 163:19 168:19 169:9 177:21 178:17 182:4 184:6,12 185:11 189:1,21 195:21 198:3 213:6 214:15 215:18,21 218:15 219:7 221:18 221:21 222:10,18	acts 8:13 13:8 37:9 61:2 88:3 142:9 171:16
accessed 141:3	actual 89:20
accessible 137:15 163:17	ad 33:12,17
accommodate 132:16	add 32:13 33:8 58:6 118:12 196:5
accommodation 90:6	added 33:11
accompanied 191:13	addition 8:18 60:8 62:19 63:7,12 89:5 91:2 114:4 122:5,14 148:3 163:22 186:19
accorded 114:10	additional 7:5 18:1 42:8 65:13 74:20 75:19 117:16 125:10 150:15 205:21
account 23:2 52:7	additionally 18:13 51:12
	address 7:10 18:3 39:20 40:3 41:16 50:9 52:17,20 60:9 62:4 65:13 69:12 82:12 92:9 93:16 98:13 100:5 117:6 130:3 133:19 135:7 137:18 154:16 164:9 178:12 178:20 182:1,4,9,13 185:12 190:8,17 196:2 198:3,14 215:3 222:9 237:4 240:20
	addressed 92:16 96:10 96:18 141:12 234:12
	addresses 39:4 121:12
	Addressing 20:1
	adequate 3:12 8:7 17:3 36:22 65:5 79:3 132:7 178:15 213:13 219:13
	adequately 118:19 133:19
	adhere 101:8 134:13
	Adjourn 2:22
	adjourned 243:20
	adjudicate 128:9
	adjudicating 205:4,6
	adjudication 204:2 242:4
	Admin 6:1
	administration 8:21 19:20 36:20 49:15 94:3,7 106:6 107:1 122:21 158:13 169:12 178:11,19 213:16 214:2 228:21 229:4,7 235:2
	Administration's 5:13
	administrations 97:17
	administrative 90:15 231:22
	admit 74:1 218:22
	adopt 76:7 99:13 136:16 145:15 191:3
	adopted 12:8 23:4 60:15 70:6 71:14 81:1 157:16
	adopting 70:7 190:22 191:1,7
	adoption 45:3 94:11
	ads 237:10,11
	advance 43:14 45:2 136:18 138:14,19 190:15
	advanced 59:14 64:15
	advances 63:7,12,14 131:10 160:18 161:21 178:9,18
	advancing 57:6 131:19 216:22
	advantage 179:8 185:1 185:3 205:8 210:2
	advantaging 80:20
	adversely 39:22 209:6
	advertise 119:7
	advertised 206:19
	advertisements 236:17
	advertising 32:13 33:18 237:9
	advocacy 188:20
	advocate 78:4 133:3
	advocates 195:18
	AFA 48:1,3
	Affairs 4:21 5:18,21 143:16
	affect 7:12 37:4
	affective 42:3
	affidavits 204:9 209:18
	afford 205:14 218:9,21 223:2
	affordability 15:20
	affordable 2:19 69:5 212:11,16,21 213:2,7
	afoul 147:8
	Africa 205:18 206:15 215:1 226:11 228:18
	afternoon 19:2 139:17 143:12 150:8 201:10 212:16 224:1 230:10 232:17 243:4
	AFTI 2:7 39:17 40:2,10 42:21 43:9,13 44:2 45:19 46:16
	age 99:19
	agencies 6:6,11,15 10:11 11:1,8 26:1 62:3 79:11 81:14 90:5 110:12 135:6 138:18 160:4 170:9 172:22 182:4 189:9 216:16
	agency 10:6 11:5 22:9 28:7 242:11
	agenda 4:1 57:6 58:15 79:15 106:8 108:7 169:4,15 243:8
	agents 25:6
	aggressive 153:19 214:2
	aggrieved 119:14
	ago 12:8,13 15:22 105:22 144:6
	agree 49:17
	agreement 70:5 97:6 99:10,19 106:8 112:12 113:16 114:6 114:11 115:8,14 122:15 134:18 162:18 165:17 182:7 190:3,6 191:10 194:6
	agreements 59:7 97:3

98:16 106:14 122:22
134:17,19,20 135:3,9
165:18 203:7
agricultural 42:18 67:9
agriculture 1:16 6:2
105:13 233:9 239:3
agro- 25:6
ahead 106:7 153:7
aim 59:16 236:22
aimed 179:4 195:3
aiming 25:3
alarmingly 115:6
alerts 117:13
Algeria 37:19 38:7,9,12
38:18,21 39:9 167:16
184:20 205:14
align 164:12
Alimentarius 108:16
alive 218:4
alleged 13:16 190:19
alleviate 74:11
alliance 2:6,10,14 39:12
39:17 77:21 105:16
129:16,20 130:19
allotted 9:5,10
allow 18:7 22:2 59:20
63:1,4,14,17 111:20
126:18 142:20 145:8
158:1 179:7 203:8
allowable 64:11
allowance 115:13
allowed 75:16 99:20
allowing 181:8 211:13
allows 17:7 27:21 28:5
66:7 204:21 231:1
alter 123:3
alternate 111:3
Amazon 117:3
Ambassadors 233:4
amend 82:11
amended 86:9
amendments 17:22
18:4
America 2:13,17 10:5
115:21 116:4 130:20
130:21 166:12 177:6
177:11 217:9
America's 62:5
American 2:7 47:16,22
57:2,21 58:5,6,9
65:19 67:6 78:9,18
79:11 97:5 99:10
100:8,10 108:9
122:19,20 123:13
130:17 131:20 144:2
144:17 163:11 164:4
178:10 179:9 209:11
211:3 229:5,8

Americans 43:19
166:16 214:3 217:6
amount 22:12 24:4
89:20 126:10
amounts 124:18
analogous 99:15
analysis 79:22 191:16
211:10
ancient 207:9
ancillary 97:13,16
102:21 147:3 190:17
198:15
and/or 151:18
Andhra 234:22
anecdotal 36:9
angle 114:8
annex 159:5
announced 41:6 69:2
180:7 186:5 194:20
234:6
announcement 68:17
194:22 196:19
annual 3:9 4:1 6:9 7:17
48:11 130:7 136:11
annually 35:20
answer 43:20 62:8
72:18 83:2 96:10
142:17 149:11 161:15
170:20 219:18 220:15
230:5
answered 195:17
answering 182:12
anti 89:17
anti- 28:1 46:8 93:10
Anti-piracy 28:10
anti-unfair 90:6
anticipate 195:3
anticipated 26:15
antitrust 61:16
Apart 193:22
apologies 16:20
app 2:6 29:19 30:1,22
32:12 33:10,10,16,19
34:1 35:18 140:8
apparel 2:7 47:16,22
48:4,13 52:8
appeal 14:16
appeals 204:1
appear 7:1 196:2
appeared 105:22
appearing 46:4 94:1
appears 38:12 69:16
180:9 181:17 186:10
186:13 210:12
appellate 128:8 234:7
applaud 130:1 136:10
applauds 236:1
Apple 155:13,14

applicable 90:2 93:13
applicant 111:20
applicants 42:1 202:14
application 32:10,22
33:2,8 36:7 128:7
198:8 235:20
applications 30:17
36:11 39:4 109:15
115:9 181:13,16,18
194:4 205:17,20
206:3,5,13
applied 128:13
applies 196:10
apply 11:15 12:6
132:19 141:6 181:17
200:9
Applying 191:15
appointed 234:10
appreciate 4:14 52:18
110:1 123:16 129:6
173:12 232:11 242:17
242:21
appreciates 48:1 105:9
177:14
approach 79:14 106:21
109:3 111:8 112:3
133:1 146:21 215:13
approaches 168:15
216:10
appropriate 65:1 111:3
113:2 128:1,3
appropriately 76:18
178:18
approval 22:19 41:4
42:5 59:5 241:12
approved 19:14 20:17
27:10,19 115:11
approving 108:17
180:17
approximately 4:12 9:7
apps 34:3 35:21 36:2
140:8,11,12,16,20
April 7:8 27:7,10
Arab 181:4,11
Arabia 180:16,22
225:20 226:5
arbitrarily 59:12 72:6
arbitrary 72:2
archive 163:17
archives 164:1
area 11:17 12:17 16:7
85:12 94:22 106:3
109:7 156:5 160:14
163:3 205:12 211:7
219:10
areas 11:13,22 13:15
19:18 31:9 43:5 44:5
58:20 93:13 120:16

131:10 154:4 159:3
173:19 176:11,13,14
177:1 240:21
Argentina 71:3 133:14
167:17 203:1,9
argues 184:4
arguments 202:13
Armed 157:15
Army-funded 157:18
array 121:4
art 88:1
article 28:1 115:3 147:9
articles 12:11
articulated 189:17
191:14
artificial 80:1 156:9
239:11
artists 231:6
arts 231:1
Asian 61:17
asked 68:15 76:4 125:6
155:14 157:9,12
161:18 185:15 192:1
201:13 222:6
asking 124:9 198:18
asks 181:21
aspect 34:13 163:6
aspects 34:20 38:4
161:20
asserted 195:18
asserts 102:20
assess 203:15
assessment 174:1
210:15 222:7 224:18
asset 225:22 228:9,10
assets 34:10 68:4
assist 8:20 119:14
assistant 3:5
associate 66:21
associated 40:22
128:10
Associates 24:12
association 2:6,8,11,15
2:16 28:9,10 29:19
30:2 47:17,22 48:3
65:18,19 95:16,22
96:12 130:16,18,19
130:20 143:10,17
166:1,7,10
associations 57:8
130:9,22 240:12
assured 92:13
ATC 35:22 36:16
atop 225:5
attach 91:8 117:22
attempted 60:15
attempting 109:9 122:3
attempts 108:12 109:16

168:5 170:18
attention 45:1 53:1
 94:16 124:21 137:16
 142:15 158:19 236:6
 243:16
attract 67:20
attracts 94:16
audience 131:18
 144:15
August 155:8 194:19
Aurelia 1:17 5:1
Australia 103:13 151:2
 151:8 156:19 162:6
 162:16 182:6 206:14
 225:7 226:5 228:16
 230:11
Australia's 98:19
Australian 99:8 103:22
Austria 156:19
authorities 22:19,22
 25:22 38:21 82:9 94:4
 94:7,10,15,15 95:3,4
 117:10 142:15,21
authority 158:7
authorization 194:19
authorized 194:17
authors 65:18
automatic 22:8
availability 15:19
available 4:9 7:14 68:22
 141:16 163:11 165:3
 172:9 182:2 197:5
 206:12 243:11
avenues 114:9
average 51:16 89:7
avian 157:5
avoid 109:14 118:2
 195:5
avoidance 22:2
avoided 169:12
awarded 65:20 89:22
 92:13
awards 91:21
aware 37:13 38:15 75:8
 86:18 120:10
awareness 40:22
 225:13,18 234:1
Azar 160:6

B

babies 192:18
back 31:16 46:18 97:16
 124:22 137:10 150:3
 150:18 151:8,21
 170:8,12 207:12
 241:18
backed 106:18
backing 231:6

backlog 207:14
backlogs 59:5
backward 176:22
bad 116:20
balanced 101:1 145:16
 145:17 149:4
balancing 104:12
bankrupt 223:7
bar 203:10
BARDA 216:16
barred 109:1
barrier 136:4 145:21
 154:14 168:12
barriers 39:20 40:3
 78:21 79:16,20 80:15
 122:2 131:9 138:5
 139:22 150:16 168:18
 176:20 178:13 180:5
 181:3 185:11 214:4
 218:15 219:7
base 166:19 176:10
based 6:10 22:9 24:16
 61:1 64:20 103:22
 113:3,9 137:14
 171:10 174:5 176:7
 194:2,6 213:8 220:8
 224:14 227:17 238:6
bases 80:18
basis 8:14 15:9 21:13
 86:2 118:5
basket 64:14
battle 37:8
Bayh-Dole 157:8
bear 32:2
becoming 144:12
 171:12
began 40:21
beginning 29:3
begun 206:10
behalf 6:14 16:12 19:5
 57:2 68:4 104:10
 154:11 177:11 188:16
 201:11 212:21 242:18
Beijing 88:16 89:2
Belgium 162:8,16
belief 57:17
believe 43:13 49:10,22
 65:4 66:11 73:14,19
 73:21 74:3,19 75:10
 75:12 76:9 79:10
 91:11 104:18 106:11
 111:18 146:13 183:7
 186:2,7,16 187:10
 188:5 198:13,20
 220:4,20 229:3
 230:12
believes 239:18
bench 67:14

beneficial 77:16 78:15
benefit 61:3,15 96:16
 122:22 164:5 178:22
benefits 28:14 77:7
 123:14 149:5 194:2
 198:7 219:11 222:12
 227:3
benefitted 90:18
benefitting 52:11
Berdut 1:12 5:16,17
 27:13 28:15 36:16
 75:3 76:1 84:1 85:2
 92:19 102:20 127:2
 207:21 208:5
Berne 147:9
best 74:17 79:11
 101:20 108:14 126:17
 137:2 243:12
bet 26:5
better 82:6,12 90:22
 117:17 125:11 203:14
 221:19 227:9 239:16
beverage 106:15 110:5
 113:20
beyond 26:17 108:4
 227:21
bias 61:13 161:11
biased 169:8 179:7
big 44:16 127:18
 154:11 158:20 200:20
 200:22 228:12
biggest 21:11
bilateral 7:12 122:21
 134:17,20 165:18
 191:2 229:9 240:2
bill 21:12 104:1
billion 30:21 34:3 35:19
 35:20 48:10 78:14
 82:4 144:1,9,22
 145:11 153:17,19
 174:16 236:8
billions 48:20 217:3
bills 18:4 20:19
BIO 2:9 67:2 68:4,15
 75:8 191:22
BIO's 67:22 68:7 75:4
 192:5
biologics 191:8
biomedical 160:9
 216:12,21
biopharma 192:4
 237:14
biopharmaceutical
 75:6,15 177:12,20
 181:18 226:9
BIOs 67:19 71:12
biotech 70:11 239:4
biotechnological 70:22

200:17
biotechnology 2:9
 42:18 66:17,22 67:3,4
 67:13,15 68:10 199:7
 200:15
Birkenstock 117:1
bit 15:8 30:7 65:11
 210:10 224:2
black 122:10,13
blame 91:14
blanket 80:9
bleed 14:13
Bleimund 1:13 5:19,19
 64:1 74:8 161:17
 184:4 195:16 219:5
 231:17
block 106:16 168:18
blocks 60:18
blood 192:14,21
board 23:10 169:2
 204:2 233:2 234:7,7,8
 237:3
boards 237:5
bodies 10:11 20:4
 22:17 23:12 192:12
body 106:1
Bollywood 46:7,21
bolster 40:19 225:8
Bombay 41:9 47:5
books 38:22 63:1
border 31:12 80:8
 126:5,9
borders 80:4 137:14
born 192:18
bother 212:6
bottom 217:18
Branch 188:22
brand 50:20 51:15
 54:13 56:4 66:20,21
 73:11 74:17 75:10
 76:2,9 77:19 90:22
 100:18
branded 50:3,6
brands 48:8,12,18
 51:13,13 54:10 55:3
 55:18 56:1,6,10 116:7
 116:8 119:22 122:4
 122:12 123:6,8
 124:13,19 127:17,21
 129:1 204:22
brazen 109:15
Brazil 71:3 81:2 121:14
 121:15,19 122:7,12
 124:17 202:10,18
 203:9 205:3,18
 206:15 214:22 228:16
breaching 13:17
breadth 176:3

break 2:13 4:12 9:18
 129:7 148:20
breakdown 79:15
breakthrough 180:17
Brexit 112:2
brief 94:22
briefs 243:5
bright 46:5
bring 53:1 64:16 71:18
 125:20 131:15 175:11
 198:6 202:6 222:12
 236:5
bringing 144:14 199:14
brings 172:5 213:8
broad 84:8 131:22
 147:20
broadcasting 14:1
 24:13
broader 84:7 126:1
brought 56:4 137:21
 142:14
brushed 32:6
BSA 2:10 77:21 78:4,10
 81:17
budget 17:8 23:10
 153:18 215:9 223:6
budgetary 72:7
budgets 23:9
building 58:14 225:15
Bulgaria 2:3 9:21 10:4
 10:7 11:5 15:4 16:18
 17:3 18:2
Bulgaria's 15:2 17:19
Bulgarian 10:10 15:17
bulk 203:18
bunch 200:16
Burcu 188:13
burden 60:11 112:21
burdens 77:1
Bureau 4:20
bureaucratic 59:5
business 30:19 31:21
 32:14,19,21 33:20,21
 35:5 45:7 57:8 91:12
 101:4 118:12 128:11
 132:17 151:8 166:6
 187:14
business-confidential
 167:22
business-critical 149:6
businesses 10:22
 31:22 81:15 116:6,18
 122:20 135:15 144:4
 146:9
buy 119:21

C

C 68:20 157:14 192:10

192:10,19 193:2,7,12
 193:15
cabinet 196:21
calendar 158:16
call 51:15 158:19
 165:22 177:5 200:22
 201:5 210:18 212:10
 213:11 223:18 232:12
 241:11
called 28:5 45:1 80:22
 157:22 192:3 226:18
calls 103:1
camcord- 63:8
camcord-ing 46:9
 62:16
camcorder 28:5
campaign 40:22 234:2
campaigns 90:14
 225:18
Canada 49:2 50:14 59:6
 59:11 64:2,18 65:10
 65:13 66:13 72:4 76:6
 76:13 114:13,16,19
 114:21,22 115:12
 162:16 167:14 171:2
 178:21 179:8,12
 182:6 228:16
Canada's 60:17 64:7
 179:3
Canadian 50:17 51:1
 73:15 226:17
cancellation 106:20
 207:10,15 209:20
cancellations 205:5
cancer 2:19 157:19
 193:5 212:12,16,21
 213:2,5 214:5 218:4,8
 219:9,16 223:9,10
capacities 72:2
capacity 41:5
capita 217:8,11,12,14
 217:16
capital 11:22 42:15
capsule 133:12
capture 125:2
CAR2 158:22
Card 24:12
care 176:5 242:14
 243:18
careful 38:8
Cari 1:12 5:16
carpet 32:6
carried 14:6
Carroll 143:12,15 150:1
 150:17 151:5,19
 152:12,18
carry 41:11 63:9
carrying 25:3

carves 104:4
case 69:15 115:4
 132:12 139:11 141:6
 142:14 158:16 165:4
 184:20,21
cases 12:3 25:10 29:13
 49:12 80:12 89:12
 92:1 94:14 95:3
 117:14 142:6 157:1,8
 164:2 176:22 183:15
 193:14 211:22 234:12
 234:14
cash 32:1
catalyst 130:3
catch 207:9 211:20
categories 8:20 21:22
 121:9
category 82:10
cause 239:1
cautiously 49:17
CBP 125:9
CCFN 2:12 105:16
 112:7
CCIA 2:11 96:2,12
 97:15 102:7,20 103:4
CCIA's 96:18 98:19
CCOIC 87:10,10
CDBOP 16:21 17:3
CEEs 126:14
ceiling 238:17
ceilings 239:12
cell 157:5 233:20
 236:22
center 17:8 162:8 169:6
 224:6
centers 67:5 80:13
 126:15 193:9
central 22:22 95:5
 123:9 128:22
centralized 238:8
Century 99:18
CEO 116:3
CEOs 233:3
certain 36:17 54:2 68:8
 69:20 70:21 71:13,16
 141:2 183:9 184:18
 185:6 187:20 198:2
 208:22 219:14 222:8
 238:14 242:11
certainly 13:15 15:11
 46:6 55:11 86:21
 111:11 112:1 143:2
 176:9
certainty 178:4
certification 109:11
 205:11,15
CETA 114:15 115:8
cetera 225:18

chains 50:11 52:7
 101:13 198:5 222:11
chaired 6:8
chairman 234:10
challenge 29:10 135:15
 169:3 170:6 176:9
challenges 28:22 29:1
 37:3 41:20 53:17 54:3
 54:13 71:17 75:5,8,16
 85:1 124:15 130:4
 135:11 167:7,15
 168:4,17 174:5 175:6
 175:13 178:8 179:10
 182:1,5 185:11
 186:19 187:18,22
 224:12 228:4,12,16
challenging 67:21
 77:12 118:16 176:12
Chamber 2:10,19 87:3
 87:9,10 174:12
 223:19 224:5,16
 229:6
Chambers 234:4
champion 166:20
chance 130:6
Chang 1:14,15 5:3,3,8,9
 15:1 26:13,20 35:10
 35:15 44:2 53:7 54:22
 55:14 62:12 73:1 83:7
 86:7 91:20 102:1
 112:7 123:22 139:2
 149:15 159:11 164:8
 173:5 174:11 182:18
 187:2 199:4 207:4
 209:9 229:15 240:9
change 9:3 64:9 88:10
 130:3 226:20
changed 33:9
changes 51:19 55:1,5
 62:22 65:6 74:13,19
 82:7 147:12,15
 157:22 179:3 225:8
changing 32:13 108:13
channel 93:14
channels 24:14 116:19
 131:4 135:18
chaotic 22:3
chapter 97:7 99:12
 100:1
characteristic 30:13
charge 9:17
charged 8:22
charges 24:1
charging 24:2
charitable 231:6
check 86:22 139:11
 143:2 197:2
checking 192:7

- checks** 13:9
cheddar 110:22 111:1
cheese 114:1
chemicals 25:7
chief 68:14 232:18
children 234:2
Chile 133:14 169:21
 202:10 214:22
China 2:10 49:2,3,5,12
 49:14,19,19 50:2,4,7
 54:17 56:3 60:6,10
 61:6 70:8 71:2,6,9
 81:2,7 82:10 84:2,4,9
 84:12 85:1 87:3,9,11
 87:14,16 88:4,11,14
 88:15 89:6,8,10,16
 90:10,11,20 91:21
 92:19 93:5 94:3 95:1
 106:10 107:8 119:19
 119:20,20 120:3,12
 124:17 127:4,20
 128:4 129:3 133:14
 139:19,20 140:2,5,17
 146:17 148:5 163:18
 167:14 172:1 173:19
 202:10 203:1,9,18,21
 204:1,6,17 206:9,10
 206:15 228:17,21
China's 60:8 81:5 88:8
 93:1 229:1
Chines 50:9
Chinese 49:11 50:13
 87:21 88:18 89:15
 90:21 91:8,10 92:6,7
 100:6,13,16 120:8,10
 120:11 141:2 148:9
 148:11,15 204:8
choice 89:9 116:17
 212:17
Choose 212:19
chose 114:19
Chris 177:9
Christina 47:20
chronic 193:3,7
cinema 28:7,10
cinemas 24:11 28:4,12
cinematography 27:15
CIPAM 234:1,17
circuit 155:18 226:16
circumstance 69:21
circumstances 69:20
 200:9
circumvent 140:21
 226:8
cirrhosis 193:5
cited 75:7,11,20 196:2
citing 117:4
Citizen 2:18 188:10,14
 188:17,19 198:10
Citizen's 189:1
Citizens' 198:1
city 11:22
civil 6:20 88:14 189:9
 231:22
CL 238:5
claim 168:12
claimed 235:11
claims 119:5
clarification 103:9
 211:7
clarify 102:6,16
clarity 50:17
class 180:15 205:19
classification 174:5
cleaner 67:10 136:19
clear 49:22 52:4 85:20
 109:16 110:22 132:21
 150:12 198:11 199:16
clearer 78:7
clearest 109:6
clearing 25:10
clearly 21:21 41:14
 108:6 187:9 191:14
clients 207:12 208:20
 212:4
clinical 77:8 185:6
clinics 197:6
clock 9:9
close 137:16 160:16
closed 45:16
closely 110:11
closing 2:21 43:17
 239:14
clothing 121:8
cloud 79:21 100:7,12
 100:14 148:6,8
cloud- 148:12
CMO 26:20
coalition 57:16 130:8
code 12:9,12 18:8
 31:15 32:15 34:9
 84:21
codes 82:12 235:2
Codex 108:16
coexistence 203:7
cold 224:2
collaboration 117:10
 234:18
colleague 92:4 101:21
 125:6
colleagues 4:17 104:11
 113:4 243:14
collect 32:15
collected 22:12 81:7
collecting 20:5
collective 21:9,19 22:1
 22:4,4 26:14,21 29:6
Colombia 169:21 171:2
 180:21 182:6 189:15
 195:11 206:15 214:22
 226:6 228:17 232:5
Colombia's 217:14
 231:21 232:3
Colombian 180:12
Columbia 70:8 232:7
combat 109:6 121:3
combating 14:4 16:19
 55:20 136:13
combination 111:15
 180:10 186:17
combined 107:10
 130:11
come 18:22 26:11
 29:19 36:10 38:9
 39:12 54:2 56:18
 66:18 77:22 80:15
 87:4 95:17 105:1
 110:15 115:21 124:10
 125:3 129:4 141:14
 143:10 150:3 151:21
 170:18 175:3 177:6
comes 36:14 54:6,21
 55:16 63:2,12,22 65:8
 72:21 74:7 75:2 83:5
 83:22 91:18 92:18
 103:11 104:8 112:6
 125:5,19 138:22
 142:2 145:21 150:6
 150:22 151:11 164:7
 175:17 178:7 221:5
 221:18
coming 36:2 44:18
 88:10 106:2 126:9
 214:17
commend 41:13 107:1
commends 234:21
comment 37:7 93:1
 112:19 198:19
commentary 112:17
commented 76:10
comments 35:13 54:18
 55:9 56:9 64:22 96:9
 102:15 103:9,18
 104:17 113:1 114:18
 119:17 132:3 159:12
 179:21 183:5 189:6,8
 189:13 191:17 195:11
 203:19 211:8 212:22
 213:9
commerce 1:16 2:10,19
 5:15 10:15 11:6 87:4
 87:10,11 90:9 91:4
 96:16 136:22 174:12
 215:22 223:19 224:6
 234:4
commercial 82:3,16
 86:2 196:12 203:13
 225:22 235:2
commercialize 199:10
commission 18:19 98:4
 147:11
commissions 85:16
 88:20
commitment 58:14
 98:20 108:15 226:17
commitments 59:7
 98:17 101:8 107:18
 110:10 189:17 190:4
 190:7
committed 73:22
 107:21 108:1 213:6
 215:16 229:6
committee 6:5 7:4 9:16
 48:2 68:5 122:17
 123:12 153:15 157:16
 161:19 177:16 232:20
 238:21 242:19
common 2:12 105:1,4,6
 105:8 106:15 109:21
 113:17 136:18 145:14
 155:21 156:6 240:14
commonly 8:2 67:16
 119:7 192:14
communications 2:11
 42:13 95:16,22
communities 52:11
companies 30:10,12
 35:1 39:21 40:4 48:5
 59:3,21 61:13,15,20
 67:3 68:10 70:11
 78:21 79:6,12,21 82:5
 82:19 89:5,7,9 91:10
 91:10 100:13 108:9
 114:21 115:4 116:8
 117:7 119:8,12 122:3
 123:1 131:1,5 142:11
 143:19 144:16 145:3
 148:9,11 151:7
 152:19 153:11 154:2
 154:12 156:10 161:9
 164:18 171:8 176:6
 178:22 179:8 181:8
 184:8,9 185:1,3 194:7
 199:7,14 200:20,21
 200:21,22 202:5,12
 204:4 208:11,16
 209:6,12 211:3
 215:14 227:22 229:5
 236:14
company 23:2 32:1
 33:1 90:17 100:16
 185:9 186:9 238:9

- company's** 208:8
compare 185:19
comparing 74:5
compelling 163:2
compensated 24:4 31:8
compete 48:6 122:12
 135:12
competing 33:11 84:4,5
 179:5 180:10,18
 186:12
competition 89:17
 93:11 106:16 108:9
 109:1 189:5
competition-restricti...
 110:3
competitive 80:4
 166:19
competitiveness 48:16
 131:21 138:6 229:9
competitors 61:8
 109:17
complain 153:12
complaining 154:2
complement 70:20
 107:19 161:6
complete 235:3
completed 114:15
completely 34:21,22
complex 49:8 122:5
complexity 167:4
compliance 103:12
 135:8 181:19 190:7
compliant 190:14,14
 238:4
comply 99:3 104:1
component 32:11
components 79:9
comprehensive 18:9
 97:1 195:9 242:22
comprise 130:22
comprised 6:5,18 9:6
compulsory 42:10 43:6
 44:5,13,15 59:19
 68:13,19 69:19,21
 70:7 154:8,12,14
 155:5,20 156:3,6,11
 156:14,16,18,22
 157:13,17 158:8
 159:2 171:5 180:7,14
 185:19,20 186:2,5
 190:1 215:2 238:2
 239:10
computer 2:11 13:12
 86:10 95:16,22
 155:19 225:11 235:9
computer-related 41:7
computerized 11:18
computing 79:22
- conceivable** 140:3
concentrated 11:13
 46:16
concepts 43:3
concern 46:7 48:13
 51:10 58:20 69:18
 70:17 71:6,13 76:14
 81:8 84:5 88:7,13
 90:7 92:7 96:20 99:1
 103:13,21 173:7,14
 182:20 199:12 218:3
 229:20 237:15,21
concerned 10:13 34:7
 70:2 102:11 115:4
 121:18 149:21 151:2
 213:4 217:2
concerning 45:18,22
 55:18 56:5 121:6
 184:22
concerns 7:12 17:18
 18:3 40:17 44:3,8,22
 49:18 52:3,19 64:6
 68:12,15 69:13 74:20
 76:17 81:13 84:9,13
 84:15 88:9 89:15
 97:16 102:2,8 106:1
 112:7,16 116:13
 117:4 128:9 148:15
 149:16 182:10,13
 184:12 187:20 218:2
 219:6,12 238:5
 239:17,21
conclude 72:12 148:19
concludes 9:13 129:7
conclusion 82:21
 100:19 110:7 123:2
concomitant 32:4
concrete 12:7 43:4
concurrent 203:15
condemn 108:20 109:5
condition 214:11
conditional 12:19 13:2
conditions 80:11 95:8
 95:10 148:9 163:15
 197:9
conduct 6:9 70:4 77:8
 180:3
conducted 113:6
 233:21
conducting 112:9
 185:6
conducts 7:20 81:17
confident 14:17
confidential 76:18 90:5
configuration 210:12
confine 134:8
confirmed 160:6
confiscate 106:15
- 118:17
conflict 237:6
confronting 135:11
confusing 211:2
confusion 201:19
 203:17 211:10
Congress 7:8 132:20
 157:9,11 158:6 165:9
 165:11,14 188:22
congressionally 7:16
conjunction 234:3
 235:11
conjunctive 47:5
connect 123:5
connection 4:3 94:20
consent 59:22 203:7
consequence 158:18
consequences 72:11
 159:4
consider 52:21 111:3
 118:4
considerable 107:2
consideration 240:21
considered 165:13
 238:18
considering 19:16 70:6
 181:7
considers 121:20
consistent 131:5
 132:21 190:2
consistently 106:14
consolidated 235:19
Consortium 2:12 105:1
 105:4,6,8
constant 17:8 84:11
 126:14
constantly 14:11
constitute 185:10
constitutes 24:5
constrain 154:5
constrained 165:12
 175:4
constraints 77:11
consultation 112:9
 171:11 173:15
consultations 194:16
consumer 51:16 122:7
 122:12 137:21 203:16
 210:19 228:6
consumers 52:12
 105:17,20 115:2
 116:7,17,19 119:21
 120:10 121:10 123:1
 123:5,15 124:18
 135:18 137:6 142:8
 145:8 230:22 236:18
consuming 41:22
 209:22
- contact** 126:14 156:9
 192:14
content 13:19,22 15:7
 15:20 16:2,9 31:15
 32:12 33:7,12,14 41:9
 41:10 57:12 60:10
 63:6 66:7,7 92:21
 97:15 101:12 104:13
 122:1 135:19 140:12
 140:19,22 141:3
 142:22 144:13,17,22
 145:9 147:16,21
 152:6 225:9 231:3,10
content-recognition
 148:1
CONTENTS 2:1
context 154:19 174:21
continent 30:18
continue 37:3 52:14
 56:7 60:14 63:2 74:4
 86:1 109:8 110:7,9,11
 116:11 120:21 126:18
 128:21 129:9 137:16
 138:4 146:14 148:16
 170:8 203:2 206:4
 237:12
continued 72:13 81:13
 96:20 105:14 114:4
 128:22 138:18 173:14
 204:6
continues 40:14 42:21
 43:13 85:19 105:12
 108:4 121:1 128:16
 174:2 204:8 226:18
continuing 80:7 86:21
 89:10 108:2
continuous 238:17
Contrary 180:11
contribute 30:4 61:10
 130:12
contributed 15:12
 166:12
contributes 78:11
contributing 16:5
contribution 48:10 71:2
 136:13
contributions 6:10,11
control 25:15 148:12
 193:10 238:2,13
controllable 84:19
controlling 26:5
controls 13:7 40:14
 42:16 59:11 237:22
 238:17
convened 1:9
convention 147:9 206:3
 206:7
Conversely 136:1

- convey** 77:1 96:1
convicted 12:22
cooperate 14:9 91:13
cooperation 4:14 24:6
 117:9 136:21 137:2
 181:12
coordinated 170:10
coordination 25:21
 170:11 242:3,8,15
copayments 158:5
copies 181:9
copyright 1:17 5:1 13:8
 17:15,20 20:2 21:5
 22:5,9 23:20 28:17
 37:16 38:15 40:20
 60:21 63:5 66:10
 82:11 83:9 85:4,11,12
 92:22 93:1 96:15
 97:13,16 98:9,14
 100:4 101:1,6 102:22
 103:6,11 130:4,11
 131:2,6,7 132:13,18
 133:4,6,7 134:2,5,9
 134:15 135:1,4,12,16
 135:22 136:3,14
 137:19 138:7,11,15
 139:4,15,19,21
 141:11 145:22 146:8
 147:12,14 149:4
 150:6,13 151:16
 152:7,11,16 164:15
 230:9,13,14,17
 231:13 234:7,8,14
 236:20 237:1,3,4
 242:1
Copyright's 234:13
copyright-based
 130:10
copyright-related
 139:8
copyrighted 140:12
 165:2
copyrighter 66:2
copyrighting 93:8
copyrights 3:16 40:13
 46:6 237:6 240:17
 242:4
core 110:8 130:11
 176:15 187:4 227:11
cornerstone 138:13
corporate 24:19
corporations 201:1
correct 35:14 88:2
correctly 171:6
corroborating 91:4
corruption 51:10
cost 33:18 118:12
 128:11 167:3 189:4
 201:14 205:21 206:20
 212:7 213:4 215:10
 218:11,12 221:20
costly 41:22 201:16
 207:22 209:21 220:5
costs 33:15 48:20
 59:16 88:16 148:17
 162:3 203:3
cotton 50:5
Council 25:19 26:3
 169:16 181:12
counsel 66:21 85:18
 95:20,21
count 68:3
counter 45:3
counterfeit 49:11 51:14
 91:7 117:4,13,19
 118:1,15 119:8
 120:13,17,20 121:13
 122:10 125:10,13
 221:3
counterfeited 48:15
counterfeiters 119:6
counterfeiting 41:1
 48:12 49:6 51:2 53:10
 54:12 56:2 90:8,9,13
 118:8,11 167:20
counterfeits 54:9,16
 228:3
counterparts 47:10
countless 116:20
country 8:16 9:2 10:13
 11:3,7 12:1,9 15:15
 16:3 19:17 36:21
 62:15 68:16 74:12
 81:8 82:14 84:3
 110:20 114:4 121:5
 137:5,7 148:10
 160:15 177:14 180:21
 191:9 192:2 217:7,21
 218:18 223:7 224:12
 230:4
country's 8:15 88:2
 151:16 190:14
country-specific 7:11
 119:16
county 95:7
couple 119:15 207:11
 208:20
course 31:17 52:1 70:4
 79:1 135:13 175:7
 188:2 215:12 219:17
court 20:10,12 24:3
 26:7 29:15 56:4 89:2
 89:22 155:9 226:14
 226:16
courts 41:8 47:5 55:4
 73:15 82:17 88:18
 89:6 90:5 92:7 127:14
 128:6,8 141:2 155:10
 156:7 188:22 225:6
cover 88:1 156:3 171:7
 194:21
coverage 218:13
covered 115:10 230:4
covering 194:7
covers 196:17
crack 90:12 137:13
craft 136:9
create 36:22 100:21
 122:2 131:20 136:16
 166:15 203:16 214:21
 230:21 239:20
created 8:19 41:19
 85:13,16 116:20
 132:2,20 213:3
creates 98:2 138:8
 203:10
creating 29:15 67:6
 230:16 231:4
creation 20:12 101:12
 236:20 238:20
creative 57:2,11 60:19
 65:19 92:21 130:4
 131:13,14 135:19
 144:14 220:10 225:8
 227:8,13 228:5 231:1
creativity 57:7,21 58:11
 60:22 63:19
creators 41:9 62:5
 63:19,20 136:5,8
 225:21
crime 11:18 16:17,20
crimes 13:1
criminal 17:22 23:19
 24:2,16,17,18 82:11
 82:18 90:15,19 94:4
 94:10,15 95:4,9,11
 118:7
criminals 12:3
crisis 164:10 214:16,17
CRISPR 158:22
criteria 71:15 176:16
 179:7 188:4,6 191:14
criterion 42:8
critical 31:4 32:7 34:19
 41:16,21 45:18 47:7
 52:15 67:19 110:4
 123:12 132:10 146:7
 151:13 166:14,22
 168:9 169:20 170:9
 171:13 172:19
criticism 191:12
criticize 91:13 109:4
criticized 169:11 191:7
cross 31:12 80:8
cross- 175:1
cross-border 16:17
cross-cutting 167:19
 168:3
crucial 101:4 130:6
 166:18
cue 9:9
cultural 131:12
Culture 11:4 13:7
cumbersome 202:19
Cup 121:12
curb 91:6 218:17
cure 193:14
cures 72:6 178:1
current 18:5 20:19 22:3
 23:7 30:5 64:7,9
 65:11 134:13 172:13
 173:17 220:21 241:15
currently 6:13 68:2
 131:16 142:19
curtailed 70:15
cusps 123:3
custom 20:22 25:10
 31:14
customer 188:20
customers 144:5
 188:21
customs 11:5 49:11
 50:17,21 51:5,8,20
 55:1,5 90:19 117:12
 118:2,3,19 122:6
 126:5,15
cut 153:17,19
cutting-edge 116:11
cyber 23:22 24:7 27:21
 81:5 84:14
cybercrime 16:16
cycles 91:12
Cyprus 206:8
-
- D**
- D.C** 11:9
daily 31:3
dairy 113:21
damage 32:5 91:21
 195:5 237:16
damages 36:2 48:21
 89:1,4,19,21 91:22
 92:1,13 165:16
 192:10
dangerous 121:19
 168:15 183:20
data 31:6,12,13 32:4
 42:4 61:6 70:19 74:10
 76:17 79:22 80:4,9,10
 80:12,13,18,22 81:10
 84:15 85:14 86:1
 155:17 164:1 167:22

177:19 180:19 191:7
224:22 240:16
datacenters 148:12
date 56:5 103:15
day 18:19 124:9 179:20
212:7 242:20
days 112:20
DC 1:9
DCPO 238:19
de 38:16,16,19,19 39:8
39:8
de- 179:22
de-listed 179:21
deal 221:19
dealing 12:2 148:4
deals 106:12 108:5
dealt 85:19
death 220:2 221:11
debate 27:20
December 6:22 65:5
130:12 180:13
decided 179:17 196:8
deciding 183:13
decision 13:1 73:16
108:14 192:2 195:4
196:21 204:6
decisions 75:21 113:9
151:17 183:22 226:16
declaration 190:6
declarations 204:10
declared 204:13
decline 15:3 16:6
decree 20:12
dedicated 57:5
deeper 228:15
deeply 113:5 169:8
default 202:8,12 208:3
208:10 209:4,7 212:1
defend 112:22 171:16
212:6 214:2
defendant 89:3
defended 211:22
defenders 215:5
defending 167:4 202:15
208:12
defense 157:17 216:17
233:5,8
deficiencies 174:17
240:15
deficient 12:12
defined 8:18 58:11
defining 67:12
definitely 56:6 210:17
definitive 53:20
degradation 227:19
delay 59:18 205:9
delays 41:2 59:9
Delhi 41:8 47:5

deliberate 11:14 12:10
deliberations 7:6
delink 216:3
deliver 118:14 153:22
154:5 178:5
demand 137:21 181:17
demanding 181:13
demands 228:5
denied 218:13
deny 8:6,8 40:15 42:18
79:3,5 132:6,8 184:5
department 1:13,15,15
1:16,16,17 4:21 5:3
5:14,20 6:1,6 11:6
16:12,17 23:22 24:8
27:3,21 41:11 46:2
54:6 91:5 93:22
157:17 175:17 197:19
210:4 216:17 222:2
242:12
departments 5:6 242:9
departure 146:21
depend 82:20 132:18
135:16 138:11
dependent 48:17
134:22
depends 138:7 215:17
deprivation 13:3
Deputy 19:3 39:16
describe 18:1 37:2 45:5
54:11 94:21 241:14
described 18:6 98:18
174:18 182:14
describes 40:10
deserves 137:16
design 118:4 148:1
210:19 211:1,4
designated 68:16 187:3
designation 8:19
designed 61:2 169:5
179:7 180:9 238:14
designs 20:20 48:18
116:12 123:8 228:5
desire 10:18 127:20
desired 124:14
desist 239:9
despite 120:12 181:5
186:8 194:1 205:12
226:14
detail 40:10 54:12 55:4
104:5 170:19 173:2
174:7 195:22 209:1
232:6,8
detailed 68:7 170:19,21
202:13
details 44:6 71:19
74:14,18,21 75:20
150:19 230:12 234:14

detainment 13:4
detect 118:20
detected 237:15
deter 118:7
determination 23:6
53:22 87:19
determine 8:12 94:8
determined 23:15
24:14 89:21
deterrent 92:1 128:12
detrimental 97:20
208:21
develop 3:11 67:8
127:20 131:12 152:6
159:14 178:5 231:12
231:14
developed 15:17 17:10
22:18 51:4 52:6 171:9
179:1 227:20 231:10
developers 34:2 35:18
239:7
developing 9:1 26:6
64:3 119:2 129:1
217:5 230:1
development 19:4,6
57:9,10,14 59:17
67:15,21 70:13 78:15
86:8,19 94:22 103:14
137:2 151:3 168:14
180:10 185:9 186:11
developmentally
224:19
developments 60:4
73:3 84:12 229:17
233:19 236:4
develops 81:9 112:4
device 36:8 140:10,13
140:14 141:4
devices 42:14,17 60:8
140:5 156:7 228:3
devoted 90:11 107:11
diagnostic 156:10
214:6
diagnostics 156:7
dialogue 128:17 130:7
240:2
die 215:8
difference 51:17 152:21
different 13:11 14:12
84:13 93:15,16 148:5
165:4 175:20 184:13
185:1 187:11 220:16
221:7 242:8
differentiates 21:21
differs 233:12
difficult 36:6 55:2 63:11
77:6,10,15 119:4
141:13 231:20

digital 31:14 32:11
65:22 66:3,4,12 85:12
99:19 134:3 144:18
148:21 226:16 230:21
digitally-delivered
144:8
digitization 235:3
dilute 132:14
DIPP 237:2 242:13
direct 115:9 204:1
directed 97:9 100:21
direction 241:4
directive 85:12 147:12
157:16
directly 51:14 52:9
147:4,15 153:14
director 39:16 66:21
78:3 105:4,5 166:6
224:5
directorate 16:19
disability-focused 99:5
disadvantage 100:12
disaster 214:16
disc 24:21
discipline 240:16
disclosed 194:3
disclosure 76:15,21
84:22
discounts 157:1
discourage 179:5 237:9
239:12
discouraged 101:16
discovery 101:12
209:15
discriminate 71:15
179:16
discriminatory 61:22
97:9 100:20 101:13
178:20 184:5 185:2
190:20
discuss 19:8 30:8
152:8
discussed 151:20
discusses 75:13
167:12
discussing 38:14
198:21
discussion 39:1 126:1
discussions 93:5
126:16 168:17
disease 162:12 193:10
214:10
diseases 160:18
disguised 80:15
disk 13:13
dismantled 78:22
dismayed 114:18
disputes 89:10 90:3

158:10
disregard 192:4 204:9
disregarding 72:8
disseminated 15:3
distant 38:19
distinction 51:17
distinctiveness 210:12
distinguish 187:5 191:4
 200:10,14
distribute 63:17
distributing 131:1
distribution 22:8 24:20
 57:11 60:5,7 65:21
 101:13 131:4 144:19
Distributors 2:12
 115:21 116:4
dive 228:15
diverse 35:16 39:18
 42:12 81:2 224:20
diversity 131:17 176:5
divest 34:16
DMCA 99:16
docket 212:22 243:3
docketing 206:1
doctors 223:3
doctrine 73:17 155:9,21
 156:14 226:15
document 173:16
documents 24:3 78:10
Doha 190:5
doing 51:11 59:15
 104:18 118:12 123:13
 128:11 137:1 159:4
 185:8 195:4 218:19
 223:12,14,15 231:4
DOJ 125:5 151:11
dollars 31:1 35:20
 48:11,20 52:8 82:4
 212:5
dollars' 202:6
domain 119:11 161:21
domains 119:7
domestic 80:13 87:18
 96:15 100:13,22
 130:15 161:12 172:15
dominated 172:1
doors 31:16 45:16
double 33:13 86:22
doubt 181:16
download 13:21 16:2,8
 63:15 140:12
downloading 13:18
dozen 233:3
draft 21:17 22:19 23:3
 27:5 44:7,15 85:16
 100:11 226:11
drafted 104:5
dramatically 116:17

drastically 70:14
 147:13
draw 189:7
dress 55:21 118:4
dresses 210:20
drive 30:21 145:6 226:9
 238:22
driven 127:16
driver 143:20
drives 177:20
drug 153:13,17 154:1,7
 154:11 157:7,19
 158:1,2 160:1 162:3,9
 162:11 178:22 192:16
 193:13 194:1 197:17
 214:12,14,20 215:14
 217:7,21 218:5,13
 222:4 238:9,10,11,13
drugs 25:15 157:14,18
 158:15 201:1 214:6
 215:4 218:12,17
 237:22 238:3
due 24:5 34:3 35:20
 59:3 61:14,21 64:21
 133:6 139:21 141:21
 160:19 184:10 220:7
 231:21 236:12
duration 134:15
duties 31:14 122:7
Dyer 1:15 5:5,5 46:4
 47:11 94:1 175:18
 177:2 197:21 199:1
 210:8 222:3
dynamic 119:21 123:2
dynamics 44:22

E

e- 90:8 91:3 136:21
e-commerce 116:16
 120:2 121:7
eager 119:21
earn 136:8
earns 236:8
easier 63:9 138:2
 168:21
eBay 155:9,20 156:14
echo 190:5
Ecology 2:15 153:2,6
ecommerce 54:17
economic 19:4,6 58:1
 67:11 146:16 168:10
 225:22 227:3 228:7
 229:9
economically 44:14
Economics 141:17
economies 59:14 64:15
 72:1 224:20 225:4
 227:17,20
economy 10:5 11:6
 30:22 58:9,10 77:14
 78:9,17 120:11
 130:13 138:7 143:21
 148:21 149:1 166:13
 166:15
ecosystem 31:2 36:12
 136:22 140:9
educate 45:19 107:2
 126:20
education 99:4 126:4
educational 86:4
effect 128:12
effective 3:12 8:7 13:3
 17:5 50:19 71:9 79:4
 82:17,18,20 87:20
 121:3 132:7 137:7,13
 138:15 167:9 178:15
 195:20 204:19 213:13
 218:5 219:13 226:2
 230:17
effectively 61:9 68:18
 88:11 91:6 92:16
 104:3 109:20 126:12
 133:19 158:9 172:3
 206:6
effectiveness 232:2
effects 55:6 78:16
 164:20
efficiency 12:2 234:15
 235:5
efficient 21:6 24:6 80:3
 87:20 131:7
effort 138:14 186:13
efforts 11:14 16:16 35:4
 38:1 51:10 60:3 72:13
 87:22 89:11 106:4,17
 107:11 110:3,9 115:7
 134:5 136:15 137:18
 156:16 168:11 169:6
 169:18 170:1,9 200:1
 214:2 215:21 224:9
 225:12 235:21 243:1
egregious 187:10 209:2
Egypt 203:1
eight 83:1 90:19 205:2
 235:19
either 63:17 71:4 88:9
 118:3 140:13 158:14
 223:14
elaborate 17:11 65:10
 85:7 111:2 113:15
 125:15 161:22 172:6
 210:14 232:1
elected 153:16
elections 51:19
elements 131:5 216:22
eligible 92:22

eliminate 138:4 237:5
eliminating 77:13
 207:14
elimination 131:8
 203:22
Elizabeth 1:9,12 3:4
 36:16
Ellen 224:4
Embassy 10:3 11:7
embassy-based 6:12
embedded 48:18
embrace 216:10
emerged 226:3
emergencies 186:4
emergency 238:14
emerging 158:20
 227:19
Emily 1:13 5:19
Emirates 181:4,11
Emmys 144:18
emphasis 100:20
emphasize 71:12
empirical 224:18
employ 177:14
employees 61:4 90:18
employers 61:4
employs 154:1
empowered 237:3
enable 147:6 149:7
 185:3 225:21
enabled 96:16
enables 145:18 177:21
enabling 131:11 136:3
 144:10
enact 57:18
enacting 59:3
encounter 208:11
 209:12
encountered 203:20
encourage 35:4 37:9
 137:1 146:5 148:14
 174:2 225:22 231:11
 239:20
encourages 34:15 43:9
 122:20 240:1
encouraging 135:21
 136:15 216:19
encryption 31:17
ends 110:12
energies 228:22
energy 42:14 67:10
 216:18 233:8
enforce 34:5 38:1 47:3
 49:7 61:7 82:9 126:11
 138:16 156:2 182:10
 208:8 236:22
enforceable 172:12
enforced 13:2 38:13

78:20 103:16
enforcement 5:7 7:11
 7:19 10:6,12,18 11:2
 12:11 14:10,14 17:21
 19:22 21:15 23:17
 26:1,4 29:11 33:22
 36:19 37:1 38:5 45:4
 55:6 57:19 60:3,18
 81:12,16 82:6,16,18
 83:9 87:20 88:14
 90:15 91:5 94:2,20
 104:11 117:18 118:16
 120:4,21 121:3,15,17
 122:19 124:2 125:13
 126:3 127:6 131:7
 132:13,15 133:8
 135:4,11 137:11
 140:16 142:20 146:3
 147:10 152:7,17
 155:10 167:9 172:4
 172:14,17 199:13
 213:14 225:17 233:22
 234:2 236:20 240:18
enforcing 119:1 126:4
engage 43:10 45:10
 47:10 52:14
engaged 194:10
engaging 40:7 118:8
engine 60:9 166:14
enhance 91:14 94:19
 110:9 131:21
enormous 219:11
enrolled 21:14
enshrine 108:22
enshrined 107:6
ensue 234:11
ensure 3:11 17:3 50:10
 101:4 106:19 109:21
 117:7 134:16 145:4
 213:19
ensuring 3:18 58:13
 79:17 107:3 145:15
 178:16
enter 122:21 184:18
entered 98:16 134:21
enterprise 26:1 68:1
enterprises 70:16
 81:15 82:13 118:7
 203:13
enters 161:20
entertainment 13:18,22
 15:14 16:2,8 130:17
 236:7,15
entire 180:15 212:4
entirely 208:17
entities 40:16 84:4
 109:8
entitlements 103:3

147:5
entrenchment 136:1
entrepreneurship
 227:7 239:21
entry 31:16 138:1
enumerated 175:21
environment 133:21
 134:3 230:22 233:17
 235:22 239:19,20
environmental 168:14
equal 84:5 197:7
equally 79:12 89:6
 102:11 149:21 179:15
equates 236:12
equipment 42:14
equitable 3:13 8:8
 40:15 42:19 79:5
 132:8 184:6
equity 34:9
era 126:7
erode 115:12
eroded 70:5
erosion 40:5
escalation 106:2
escrowing 34:10
especially 18:12 27:22
 49:12 67:22 120:6
 133:5 204:22
espionage 228:7
essential 107:22 146:4
essentially 77:8 100:15
 140:11
establish 111:20 128:1
 128:7 129:2
established 20:10
 25:20 82:19 87:16
 95:2 115:14 121:2
 134:7 235:1
establishing 26:2
 106:21 125:19 128:8
 136:11 204:12
establishment 127:14
esteemed 18:19
estimate 82:2
estimated 35:19 139:20
 143:22 192:8 193:6
estimates 35:22 36:3
 81:19
et 225:18
EU 21:14 85:7,9 98:7
 103:2,5 106:2,3,7,14
 108:2,6,10,19 109:3
 112:10,12 113:6,10
 114:16 146:21 210:15
 210:21 225:6 226:4
EU's 105:10 108:3,14
 109:6 110:3
EU-Japan 107:3

EU-Mexico 113:14
Europe 13:17 117:4
 147:4,14 148:4
 202:10 211:17 221:14
 221:15
European 24:11 81:9
 97:21 98:4,10 109:9
 146:16,20 147:11
 148:15 160:8 171:19
 181:4,7,21 201:22
 210:10 211:4,9,15
 212:1 225:4 228:17
Europeans 115:7
event 32:2 93:12
events 92:20
ever-growing 131:18
everyone's 4:14 242:21
evidence 28:8,13 36:9
 88:22 90:2 113:1
 202:13 210:18
evident 239:14
eviscerate 147:17
evolutionary 128:1
evolving 134:14 135:3
 135:5
EVRIL 90:17,20
exacerbated 204:5
exact 33:12
examination 86:9
 164:11 201:19 206:13
 211:11,12 235:8
examinations 41:3
examiner 41:4
examiners 204:7
example 29:9 50:4 59:4
 60:6 61:6 63:3 73:15
 82:15 88:13 95:1
 99:13 102:6 110:19
 110:21 119:3 140:4
 147:2 155:13 156:13
 160:22 162:8,11
 173:9 174:3 180:7
 182:22 185:4 186:14
 187:18 199:6 225:5
 227:4 228:8 229:21
examples 127:8 143:3
 151:15 152:1 171:1
 184:8 208:7
excellent 17:12 174:19
exceptions 100:4 134:9
 152:8,15 154:22
excessive 154:16 215:3
 218:17
exchange 234:19
 242:21
excluded 194:8
exclusive 17:19 237:7
exclusively 160:1

exclusivity 191:8,9
excuse 171:7 224:2
execute 11:2,14 95:11
executing 108:6
executive 20:3 22:17
 22:18,22 23:10,12
 169:2 188:22
executives 233:2,5
exercise 3:10
exhibit 61:13
exist 33:19 165:17
existing 23:6 82:9
 107:17,19 108:18
 114:9 158:13 165:7
 182:10
exists 32:10 90:10
 142:19
expand 99:2,6,11 104:2
 104:16 108:4 131:12
expanded 196:16
 230:19
expanding 108:13
 132:18 195:21 230:12
expansion 114:5
expect 44:11 108:19
 126:10
expected 180:1 235:4
expecting 20:14 27:4,6
expediting 41:3
expense 61:3 171:8
 179:1
expenses 48:22
expensive 49:8 55:2
 157:19 218:6,20
experience 87:13
 233:11,13
experienced 208:19
experiences 189:8
 227:21
expert 38:7,9
expertise 121:16
 126:15
experts 21:14
explain 38:3 55:4
 174:16 184:7
explained 103:18
explaining 28:20
explains 151:13
explanation 26:14
explicitly 8:11 102:6
explored 142:11
export 84:6 96:14 101:9
 108:7 113:19,21,22
 114:1,21 169:20
 181:9 186:14
exported 50:3
exporter 144:13
exporters 97:10 98:7

99:7 100:8,21 101:5
exports 50:5 52:9
 101:15 131:20 138:8
 170:17 178:10
expose 213:11
express 19:9 108:8
 118:14 190:13 191:14
expressed 202:14
 238:5
expressly 191:10
expropriate 192:2
extend 110:17 162:15
extended 21:19 22:1
 111:17 194:21 235:13
extends 90:8
extension 164:14
extensive 52:6 54:10
 119:17
extent 165:1 187:17
extraordinary 186:3
extraterritorial 61:22
extremely 112:17

F

F 1:9
Fabre 157:7
face 18:11 39:21 119:8
 138:4 149:7 167:6
 168:4 170:5 175:6,13
 178:7 179:9 214:15
faced 75:18 88:10
 130:4 145:21 233:14
faces 144:17
facilitate 34:6 88:21
 140:11 180:9 186:11
facilitated 180:16
Facilitation 172:16
facing 40:4 54:13
 170:15 173:17 174:6
 181:2 183:8 184:12
 236:4
fact 31:6 51:15 97:14
 103:22 106:3 109:18
 113:8 121:8 124:16
 127:18 144:6 158:20
 159:22 160:8 192:7
 202:5 217:5 223:13
fact- 142:3
facto 38:16,19 39:8
factor 183:14
factors 15:12 16:5
 183:21
factory 90:10
facts 69:15 113:9
factual 6:16
fail 34:5 59:2 101:7,7
 137:13 172:2 208:21
 213:12

failed 97:18 194:13
 196:8 198:3 222:9
failing 208:17
failure 99:5 137:6
fair 2:6 3:19 8:8 39:12
 39:17 40:15 42:18
 58:16 64:19 79:5,18
 132:8 178:17 184:5
 213:21 216:18 226:21
 227:14 228:4
fairly 31:8,10 57:20
 155:21
fairness 70:1
falls 43:7 82:10
falsely 168:11
falsified 25:5,18
familiar 209:5,11 232:6
families 221:12
family's 193:21
family-owned 116:6
famous 48:8
far 26:18 94:18 113:22
 114:1 155:3,4
farmers 105:17 110:5
fashion 48:14
fast-changing 133:20
fast-growing 50:5
fast-track 235:15
faster 58:7
fastest-growing 121:9
favor 72:7 77:14 100:13
favors 215:20
FDA 190:14 191:4
FDI 174:15
FDRA 2:13 116:12
 117:1 120:8 121:18
 122:10,17,20
fear 218:10
feature 67:12
February 25:20 89:13
 92:12 213:1 224:17
federal 6:21 157:2,10
 157:12 182:4 226:16
 237:21 243:8
Federation 174:11
 234:3
feedback 139:13
feel 51:14 193:8
fees 128:10,13
felony 15:6
felt 78:16 163:2
fend 170:4
fever 106:4
field 12:4 20:1 23:20
 109:16 178:14
fields 42:17
fifteen 46:10
fifth 10:14 42:16

fighting 13:15 14:1,2
 25:4 26:4 28:1
figure 34:1 39:5
file 55:3
filed 12:14 142:6,11
 181:14 205:7 206:5
 212:22
filing 142:11
filings 7:10,13 109:8
 202:15 205:22 206:21
fill 138:3
film 57:12 63:19 130:18
 236:8
films 144:14,20
filter 147:21
final 27:5 28:17 29:14
 37:16 46:2 65:8 86:6
 93:21 104:8 142:2
 152:3 164:7 172:6
 186:22 199:2
finalize 44:8,12 225:1
finally 27:19 43:9 60:22
 71:22 76:3 109:7
 137:18 158:12 206:11
finance 23:7 220:12
 233:8
financial 77:11 214:16
 214:16
financing 216:1 220:7
find 24:10 65:22 119:12
 141:5 143:3 168:21
 209:19 211:20 229:7
finding 54:15
fines 13:5
firms 96:13
first 10:8 14:21 19:7,19
 20:20 26:11 27:2,6
 29:4 30:3 32:9 35:8
 35:12 40:21 41:22
 43:22 53:5 59:1 62:10
 72:21 79:20 82:10
 83:5 91:18 96:20
 97:11,15 101:21
 110:14 123:20 138:22
 145:12 149:13 153:9
 154:19 159:9 168:4
 173:4 176:10 179:21
 182:17 185:5 195:15
 207:3 211:19 219:4
 219:20 229:14 233:19
 240:7
fiscal 25:9
fit 165:6
five 9:6,7,10 19:18 33:2
 41:21 118:13 130:9
 130:13 133:17 200:6
 203:6
fix 29:5 207:7

flags 167:18
flawed 169:8
flexibility 165:16
flourish 120:21
flourishing 122:13
flout 167:8
flow 31:7,10 32:2 80:4
 126:18
flows 31:1,13 80:9,18
 80:22 81:10
flu 96:7 101:21 157:5
focus 30:6 49:1 68:11
 124:16 128:22 132:11
 132:15 133:18 146:12
 159:13 189:14 223:6
focused 84:6,10 124:12
 152:15 159:22 228:22
focuses 96:17
focusing 100:22 161:8
 216:7
folks 39:3
follow 54:18 55:9,12
 70:3 74:4,18 75:11,19
 149:8 174:7 175:19
 189:12 222:5 232:8
 243:7
follow-up 173:2
followed 14:18
following 12:7 19:18
 23:21 81:8 161:15
 173:1 190:10
follows 9:5
food 2:12 105:1,5,6,8
 105:13,18 106:15
 110:5 113:17,20
 233:9 239:3
foot 108:21
footnote 75:4,13
footwear 2:7,12 47:17
 47:22 48:4,13 52:8
 115:20 116:4,18
 119:22 120:14 121:9
 123:1,9,14,14
fora 45:2 172:18
force 20:2 34:11 156:22
 159:3 218:18 236:21
 236:21 238:21
forced 43:6 89:21 97:7
 100:5 114:22 202:5
 218:11
forces 202:12
forcing 14:11 55:3
 148:6
foreign 3:14 6:18 8:13
 8:15 34:4,9 36:1
 62:16 68:14,16 74:12
 77:14 80:14 84:4
 87:18 89:5,6 94:17

96:21 100:14 119:13
 131:3 132:6 134:21
 145:21 164:4 167:7
 168:10 174:14 179:13
 180:21 188:5 192:1
 201:14,19 203:20
 204:3,22 205:10
 209:20 213:11 214:3
 217:3 235:14 236:5
foreign-rights 92:8
foremost 176:10
forfeiture 202:21
forged 106:7
form 13:4 80:9 137:22
 209:17
formal 68:7 71:20
 167:11,13,18
format 9:4
formed 130:9
former 233:3,4
forms 133:19 140:3,9
 170:18 235:18,19
formularies 158:4
formulary 218:14
forth 71:20 147:18
 209:18
Fortune 233:3
forum 2:20 43:12 46:17
 89:9 232:13,19,22
 233:2,6,12 234:21
 236:1 237:2,8,22
 238:7,20 239:8,18
 240:1
Forum's 241:9,15
forums 45:17 168:7,8
 169:15 181:5
forward 29:20 31:10
 35:5 37:10 39:13
 47:17 52:19 56:19
 62:1 66:18 77:22 87:4
 95:17 101:18 105:1
 112:2 115:22 123:17
 138:17,20 143:10
 172:22 177:7 182:12
forwarded 22:18 24:3
foster 137:1
found 33:5 195:19
foundation 78:10
 166:18 216:17
foundational 145:20
 146:22
foundations 225:16
founded 116:5
founding 46:16
four 11:13 15:12 40:19
 96:18 118:6 131:5
 202:22 205:13
fourth 21:2 41:8 42:11

97:7 100:5
fraction 153:22
frame 113:2
framework 20:9 99:14
 103:5 142:19 149:4
 150:10,13,14 164:12
 168:6 231:22
frameworks 136:16
 227:17
France's 97:22
frank 168:17
frankly 209:20
fraudulent 119:11
fraught 67:16
free 33:2,2,3,10,15 59:7
 63:18 97:3,5 98:16
 99:10 108:4 112:11
 122:15 134:19 146:22
 226:20
freely 31:7
freer 138:16
frequent 155:4 157:10
frequently 154:12
 155:22
friendly 14:18
friends 11:12,16
frivolous 208:12
Front 169:5
Frontier 141:17
frustration 176:21
FTA 98:19 99:3 103:12
 103:14 104:2 107:3
 113:7,14 115:10
 151:1,2
fuel 122:9
fuels 140:9
fulfilled 98:22
full 3:19 58:16 61:15
 79:18 111:18 136:4
 146:10 168:18 209:1
 213:20
fully 68:7 71:1 81:19
 89:1 90:2 92:13
 133:22 148:11 237:3
fully-licensed 135:17
function 21:17
functional 234:9
functioning 145:18
fundamental 176:15
 227:12 240:14,20
fundamentally 133:21
funded 21:14 162:15,20
 162:21 227:6
funder 157:2
funding 160:4,9 161:1
 161:20 216:9,15,20
funds 162:10
further 58:19 59:12

70:5 76:20 83:17 85:7
 102:16 103:8 109:19
 117:14 139:11 161:22
 172:7 179:22 184:8
 235:16 237:2 239:1
 239:12
Furthermore 134:4
 137:4 228:14
future 67:11 94:12
 114:10 127:11,13
 172:13 219:15

G

gains 72:7
gap 93:1
gaps 17:18 135:7
 231:21 232:1
gathering 6:14
Gaurav 232:17
GCC 181:15
GDP 78:12 143:22
 224:21
gene-editing 158:22
general 9:14 16:18,19
 51:20 116:13 120:16
 169:13 192:3 203:18
generally 92:20 120:22
 203:14
generate 199:9
generated 42:4 219:10
generation 59:15 144:6
generic 105:20 109:12
 111:1,16,22 114:20
 189:4
genetics 157:4
Geneva 45:11,20
genotyping 156:15
gentlemen 243:19
genuine 113:8 115:3
geographical 21:2
 105:11
geographically 224:19
geopolitical 224:14
Germany 97:22 156:17
 163:18
getting 126:7 217:22
GI 106:3 107:6 108:3,17
 111:19 112:4 113:6
Gilead 193:17 194:5,11
 194:13,19 195:5
 196:15 197:8,14
GIs 109:7 110:4,20,21
 111:4 112:10
give 32:16 37:7 39:6
 149:10 158:6 175:19
 200:5 237:11
given 37:5 69:15 114:5
 116:18 132:2 174:17

gives 163:7 178:11
giving 147:5 232:20
glaring 204:15
glasses 212:17
global 5:21 30:12,14,16
 30:19 33:1 48:6 58:10
 59:16 60:20 78:4
 81:17 98:3 108:7
 116:6 125:8 127:17
 129:1 131:18,21
 134:1,7,14 135:3,21
 143:16 164:10 167:19
 168:5 169:5 177:17
 181:6 216:6,9 224:6
 225:3,5 226:4 227:19
 229:8
globally 50:6 109:2
 116:14 127:21 166:19
 183:20 213:5
globe 58:18 80:2
 213:22
goal 64:16 107:16
 108:8 134:21 136:18
 136:20
goals 8:21 131:11
 138:19 168:13
goods 24:22 25:8 31:2
 42:15 48:4 49:11 50:3
 50:6 55:2 60:5 96:14
 96:17 118:15,17
 119:8 120:13,20
 121:8 122:7,10
 126:18 134:22 145:5
 160:13 179:17 202:4
 216:22
gotten 161:3
government's 69:4
 128:22 226:17
government-funded
 162:7 163:9
governments 43:14
 45:10,13 68:14 92:8
 109:9 137:10 167:7
 196:20 203:15 240:1
Grammy 144:19
grandfathering 115:13
grant 75:17 88:19 103:2
 156:1 157:13 163:16
 190:1 235:15
granted 17:20 69:22
 89:18 127:18 145:17
granting 24:10 237:7
grants 163:7,10
grateful 72:17 210:1
gratified 79:13 160:8
gravity 10:17
greater 64:21 82:2
 98:18 100:20 117:7

131:17
greatest 106:1
greatly 35:16 110:1
 209:13 235:22
Gross 130:15
grossly 133:7
ground 14:14 113:4
 148:20 189:9 201:21
grounds 201:18
group 2:18 39:18 201:6
 201:11,12 203:19
groups 125:20 154:11
 189:11
grow 131:20 166:14
 173:15
growing 15:14 50:2
 58:8 121:4 144:11
 170:5 181:2
growth 99:21 116:16
 135:17 145:19 146:16
 151:14 168:10 174:16
Guangzhou 88:17
Guiana 206:8
guidelines 41:6 86:10
 86:16 89:14 235:9
guild 65:18
guise 101:14
Gulf 181:12

H

half 130:14 145:12
Hall 27:7
halt 23:13
hamstringing 108:8
hand 34:12 88:22 113:9
 187:21,21 230:3
handheld 140:13
hands 30:17
happen 56:12
happened 33:6
happening 148:10
happens 32:6 58:12,13
 161:10
happy 30:4 37:12 38:7
 39:6 43:20 54:17 55:9
 62:8 72:18 83:2
 102:15 103:8 104:5
 104:16 124:22 139:11
 141:21 149:11 150:2
 150:17 151:6 152:19
 170:20 172:6 174:6
 230:5 232:8
harbor 104:2 150:13
 230:13,20 231:12
harbors 151:13,16
 230:16
hard 36:10,10 37:11
 38:20 119:11 156:2

hard-pressed 51:16
harder 136:7 168:20
hardship 214:16
hardware 57:15 148:9
 235:12
harm 148:21 169:21
harmful 154:13 170:13
harms 40:22
HCV 156:15
head 51:19 139:10
headlines 117:2 171:22
health 1:13 5:20 31:4
 67:8 69:8 72:9 138:6
 160:3 163:2 168:13
 169:1 189:3,20 190:6
 195:18 198:6,15
healthcare 192:17
 198:3 215:9 222:9,12
 233:8
heard 6:6 32:18 86:20
 118:9 192:6 199:6
hearing 1:3,8 3:8 4:2,6
 4:9,11,15 6:17 7:2,4
 9:4,15 113:3 133:12
 143:14 149:10 151:21
 172:22 178:6 195:12
 199:6 243:5,11,20
hearings 234:11
heart 125:22 156:9
heavily 199:8
heavy 145:7
held 81:7 141:2 157:5,7
 229:5
Hello 110:16
help 36:18 37:10 79:11
 95:2 117:17 125:12
 128:2,8 145:6 183:2
helped 41:11 144:6
 160:11
helpful 143:4 174:8
helping 176:20
helps 138:11
hepatitis 68:20 157:14
 192:10,10,19 193:2,7
 193:12,14
hesitate 88:18
HHS 63:22 74:7 161:16
 163:4 170:1 195:15
 219:4 231:16
Hi 5:19 105:3 143:12
 161:17 174:11 177:9
 188:13
hierarchical 175:22
high 26:7 41:8 46:19
 47:5 60:11,13 81:22
 114:4 122:6,9 154:6
 167:5 204:11 217:7
high-income 156:17

157:20
High-Level 169:8
high-paying 100:9
 166:15 169:22
high-profile 170:22
high-value 148:7
higher 192:20 193:21
 197:13,15 210:13,21
 214:6,8,13,20 221:15
highest 62:14
highlight 41:21 54:1,4
 58:20 70:18 79:8
 105:9 110:18,21
 120:15 140:8 141:7
 141:17 146:7 168:3
 224:11 233:19
highlighted 122:16
 146:10
highlighting 187:19
 205:12
highlights 133:17
highly 48:16 105:12
 122:8 202:3
hinder 208:7
history 188:21
HIV 157:6
hobbyists 231:5
hold 9:12 63:5 110:9
holder 60:1,11 69:1,12
 155:12 193:17
holders 17:20 24:7
 40:12 61:18 63:5
 87:19 91:5 92:8 93:13
 93:19 94:17 109:22
 117:11,14 119:4,14
 133:6 136:18 145:4
 145:14 231:19
holding 143:14 149:9
Hollywood 15:15 46:6
 46:20
home 236:10
honesty 125:22
honor 98:17
hope 16:20 107:9 112:1
 148:19 227:15,16
 234:11
hoped 195:5
hopeful 120:8
hopefully 56:7
hopes 114:4
hoping 125:15
hospital 197:6 223:3
hospitals 196:13 197:1
host 137:7
hosted 4:3 137:5
 142:22
hour 4:13 9:18 129:8
hours 200:6

household 193:19
HSS 184:3
hub 13:17 60:6 120:1
 140:5
huge 31:5
Human 1:13 5:20
 169:16
hundred 12:21
hundreds 144:3 211:13
hurdles 42:1,5
hurt 158:5
hurting 218:21
hurts 150:14

I

I-V-O 10:7
IA 143:18 144:20 145:3
 145:13,21
idea 32:19 36:8 217:6
ideas 243:1
identical 202:3 211:16
identification 8:15
identified 8:13 41:17
 53:8,17 55:10 73:4
 74:20 76:6 83:8
 101:16 102:1 124:1
 125:9 133:10 201:17
 229:3 234:19
identifies 74:3 79:15
 180:4
identify 8:6 102:8 132:6
 149:16 165:10 178:12
 201:13
identifying 79:3
ignore 168:16
ignoring 161:9
IIPA 2:14 129:20,22
 130:8 131:22 133:9
ill 193:8
illegal 24:20,21 25:4,7
illegitimate 126:21
illicit 13:21 16:1,8 60:7
 62:16 140:13 146:6
 228:3
illness 193:3
illustrated 108:5,14
illustrates 227:1
illustration 32:17 169:3
image 98:1 194:2
images 48:19 123:9
imbalance 160:12
immediate 99:1,7
 103:21 149:3 182:9
immediately 28:6
immensely 45:17,22
impact 32:2 35:3,6 36:6
 78:8,13,19 107:4
 114:14 151:4 161:3

183:16 187:13 219:6
219:15
impacted 39:22 151:7
impactful 44:14
impacts 113:15 115:5
impair 232:2
impede 81:9 98:6 138:1
203:3
impeding 136:4
imperative 66:12
119:20 121:12
implement 37:1 64:19
66:13 101:7 133:22
225:13
implementation 42:21
71:10 97:1
implemented 27:17
86:12,16 87:17
147:17 171:10 235:17
implementing 68:9
72:2,4
implicated 16:7
implied 190:13
import 59:21 84:6 198:4
222:10
importance 10:18 91:9
107:3 173:10 174:22
183:1 216:11 229:22
240:3
important 13:14 21:6
29:8,15 40:18 45:12
50:2 53:11,15 54:4
58:13 66:11 70:20
73:7,10 81:6 83:11,14
85:22 86:11 93:17
94:2 106:9 108:10
116:10 122:14 123:7
124:4,7 126:16
128:16 135:2 139:5
154:15 158:21 160:2
168:19 185:12 200:14
207:9 219:6,22
225:10 230:16 233:10
239:16
importantly 216:21
importation 155:6
imported 122:7
importer 117:18 125:12
importing 239:11
imports 52:9 195:20
impose 147:6 209:7
imposed 98:5 118:10
Imposing 12:3
impossible 118:18
126:10 144:5
imprisonment 12:19
imprisonments 13:3
improve 12:1 23:5

36:19 43:18 64:3 67:8
89:11 189:2 235:5
241:11
improved 190:9
improvement 22:21
46:6 120:16 173:19
improvements 15:6
49:5 73:14 109:19
120:4,12 127:5
240:10,11
improves 35:16
improving 120:17
235:3,22
inaccessible 220:13
inactive 37:19 51:1
inadequate 70:19 71:5
81:15 118:7 133:7
145:22 179:11 228:6
inappropriate 206:21
inappropriately 109:11
incentive 216:4,8
incentives 59:8 136:16
161:7,9 198:7 219:15
222:13
incentivize 239:1
incentivized 129:2
include 57:7 64:20 65:5
65:16 69:2 70:8 100:2
100:3 164:11 172:11
173:8 175:7 182:21
203:22 206:8,14
229:21
included 14:2 64:13
159:19 169:4 181:22
194:12 224:13
includes 44:15 100:16
122:6 226:12 228:2
241:11
including 12:18 18:3
26:17 39:22 40:5
43:11 44:4,7 45:11
57:18 64:11 65:1,2
66:2 80:1 91:10 97:21
108:1 120:14 134:7
134:18 136:2 140:9
156:17 157:3,21
167:13 171:4 172:15
176:15,16 177:19
179:10 189:4 205:17
210:10 216:2,9,21
217:3 225:16,19
233:3,7 240:16
inclusion 10:13 133:13
inclusive 216:10
income 193:19,21
194:7 217:8,11,12,14
217:16
incoming 118:20

inconsistencies 14:7
inconsistent 98:3
incorporate 21:7
116:11
incorporated 107:19
incorporates 12:10
Incorrect 33:4
increase 29:11 39:19
54:9 67:9 89:1 117:18
125:12 128:10 145:10
148:17 158:4 203:3
235:5
increased 17:7 40:3
51:8 64:21 82:8 89:19
116:17 117:9 160:9
167:20 231:13
increasing 41:4 131:16
168:5,11 175:1
176:21 184:16 213:4
221:21 234:15
increasingly 58:11 89:8
117:21 120:9 137:9
171:13 228:9,10
incredible 120:2
incredibly 47:7
independence 119:3
Independent 130:18
independently 231:5
index 224:17,18 225:2
227:1,5,15
indexed 98:2
indexing 98:1 206:9
India 2:7 36:18,20 37:3
39:12,17,21 40:5,9,11
40:18 41:15,15 42:7
43:2,11 44:8,11 45:6
45:16 54:9,15 70:8
71:3 75:4,15 81:2
82:15 86:7 133:15
150:16,20 172:2
173:20 174:15,20
175:4,11,19 176:6,9
194:6 202:18 205:3,6
207:6,18 215:1
217:16 225:10 228:17
233:4,12,13 234:5,5
234:19 235:13 236:1
236:16 237:8 238:8
238:22 239:9,15
240:19 241:5,11
242:9
India's 39:22 42:22 43:7
44:3 45:1 75:7 150:9
150:14 233:17 235:2
235:22 240:10 241:16
Indian 46:21 47:10
174:12 176:17 234:3
236:8,18

indicated 126:6 127:4
indicates 75:4 213:3
indication 21:2 213:5
indications 86:15
105:11
indigenous 127:21
indirectly 52:10
individual 12:20 159:18
individuals 12:16,17,22
Indonesia 70:8 81:2
197:8,10 204:20
206:9 215:1 225:16
228:18
Industrial 20:20 25:1
51:6,21 69:17 166:9
179:15
industries 42:12 44:17
58:4,7 100:22 113:4
114:2 130:5,10,11
131:14 135:12 149:7
175:5,8 200:16
231:14 233:11
industry 2:11 15:14
48:9 49:21 65:17 67:5
67:13 73:18 78:5,11
80:20 95:16,22 97:19
107:10 113:21 116:10
123:2,10 130:20
143:21 144:11,12,17
149:1 150:15 153:12
174:12 183:8,16
184:11 187:14,20
196:12 213:10 220:1
236:8 237:18 238:22
239:17 240:12
inefficient 120:22
121:18
infected 192:9,14 193:1
193:9
infection 193:8
infects 192:10
inferring 88:5
inform 19:7 28:13
information 6:14,16 7:5
9:16 15:9 16:15 23:9
32:15 36:1 42:13
44:11 52:22 55:12
75:12 76:19 81:7
83:19 94:8,9 117:16
117:16 125:10 147:8
151:22 152:20 167:15
232:9
information-sharing
117:17 125:11,16
126:2
infrastructure 128:2
infringe 88:5 136:3
155:7

- infringed** 231:20
infringement 12:17,19
 19:17 25:13 34:6
 60:12 89:4 91:21
 118:5 119:9 136:6
 137:19 139:19 141:5
 142:9 155:11 165:4
 165:16 180:16 221:4
 239:22
infringements 24:17,18
 24:20 25:1,11 237:14
 237:15
infringer 66:9
infringers 63:5 117:21
 118:13 205:8 237:19
infringing 60:10,16,19
 66:6,10 88:3 136:2
 140:19 142:22 206:18
 234:19
ing 63:9
inherent 168:12
inherently 238:14
initial 46:15 205:22
initiate 95:8 240:2
initiated 23:21
initiation 46:17
initiative 90:18
initiatives 97:12 168:6
injecting 32:14
injection 192:16
injunction 14:7 90:1
 155:6 156:2
injunctions 88:19
 155:10
injunctive 41:9
injured 214:10
innovate 59:8
innovation 2:9 3:6
 43:15 57:7,21 58:12
 59:12 60:22 66:17
 67:1 72:10 91:11
 146:15 160:2 166:17
 166:21 168:16 169:22
 177:20 181:8 200:3,4
 200:17 215:16,20
 216:1,7 219:21 220:5
 220:6 222:13 224:6
 226:18,22 227:6
 228:5 229:2 239:1,13
 239:21
innovations 21:4 70:14
 71:18 123:3,8 219:10
 219:15
innovative 42:6 57:3
 59:9,17 79:11 135:20
 170:14,17 172:10
 175:10 180:8,15
 186:6,9 226:3,9 227:9
 227:12 239:6
innovator 88:3
innovators 62:6 71:8
 156:12 177:12 178:7
 179:9 225:21
input 69:12 76:22
 102:10 149:20
inquiry 209:8
inside 28:4,6,12
insight 46:11
insights 6:15
insists 112:3
insofar 98:2
inspections 13:9 14:6
installed 81:20
instance 31:5 89:2
 113:22
instances 73:13,15,20
 118:2 142:12 208:11
 208:16 209:5
instinct 219:20
institute 51:6,21 137:13
Institutes 160:3
institutionalize 169:6
institutions 19:12 67:4
 86:3,4 162:20
instructions 243:7
insufficient 58:22
 167:21
insurance 218:10
integrated 120:1
integrity 122:3
intellectual 2:14 3:6,12
 3:15,19,21 5:6,10,14
 7:18 8:7,9 11:19
 19:20,21 20:7 21:16
 25:20 29:13 30:7
 31:18 34:11 40:1,5
 41:20 42:20 43:1,14
 43:19 45:15 47:3
 48:17,19 49:5,7,18
 50:9 52:3,16 57:20
 58:3,16,21 60:2 61:11
 66:22 78:19 79:4,17
 81:11 88:16 97:6,8
 99:12 100:1,6,17
 101:10,14 102:2
 116:9 129:3,16,19
 132:7,9,12 138:9
 146:4,11 148:7
 149:17 166:17 176:5
 177:18 178:3,15
 179:10 180:5 181:3
 182:5 190:17 198:14
 198:21 199:9,17,22
 200:2 219:13 224:10
 233:11 234:6
intelligence 80:2
intelligent 220:11
intended 132:20
intensive 107:10 142:4
 175:8
intent 69:9
inter 204:10
interaction 25:21 26:6
interagency 126:16
 170:2,11 242:3
interdiction 25:16
interest 40:13 93:18
 109:22 114:7 145:3
 145:14 175:1 176:20
 190:15 195:8 202:15
interested 6:18 16:15
 63:15 175:10 243:5
interesting 124:11
 219:19
interests 105:17 132:16
 188:21
Interior 11:20
intermediaries 100:3
intermediary 97:1
 98:14,20 99:13 101:3
 146:1 147:14 150:10
international 2:10,14
 2:15 4:21 5:13,18
 21:13 43:7 45:2 72:14
 87:4,9,10 98:9,13
 99:15 101:1 102:22
 103:6 108:18 129:16
 129:19 153:3,6 166:6
 167:8 168:7 169:15
 172:18 191:2 224:5
 224:17 231:9
internationalization
 15:21
internationally 24:8
 78:19
internet 2:15 14:5 15:4
 24:9 26:5 66:8 96:13
 97:19 99:21 119:10
 121:20 134:1 135:14
 143:9,16,19,19,21
 144:4,6,11 145:19
 147:1,4 148:4,22
 149:6 150:11 151:14
 234:18
interpretation 141:10
interrupted 50:12
intervening 45:1
introduce 4:17 9:22
 22:7 23:7
introduced 18:4 104:1
 225:20
introducing 239:10
introduction 59:18
 67:15 239:6
intrusive 147:22
invades 204:15
invalidation 202:9
 204:17
invaluable 49:20
inventions 41:8 71:16
 86:10 225:12 227:14
 235:9
inventive 71:1
inventor 23:5
inventory 22:21 23:14
invest 61:19 145:1
 151:18 175:14 216:4
 227:2
investigation 49:16
 58:19 229:1
investigations 17:4
 61:17,20
investigative 94:7
investigators 51:4
investment 10:21 39:21
 40:4 43:16 67:20
 70:13 95:9 174:14
 175:4,7 177:22
 215:19 216:12 239:13
 242:12
investments 50:8
 199:10
invests 78:14
INVIMA's 231:18
invite 4:16 9:20 18:21
 29:18 56:17 77:20
 95:15 104:22 115:20
 143:9 153:1 188:9
involve 158:2 168:21
involved 22:18 57:8
 186:9 239:2
involves 214:11
involving 90:3 142:6
 155:13
IP- 175:7
IP-intensive 175:5,9
IP-protected 117:8
IP-related 154:13
IPAB 234:10
iPads 155:7
iPhones 155:6
IPR 10:12,18 11:2,20
 12:2,4,12,17,19,22
 19:15,16,17 20:12
 21:1 23:17 24:17
 25:11 26:4,7 29:15
 31:20 32:18 34:6
 36:22 40:12,16 41:17
 43:4 87:16 88:8 89:11
 225:14 233:20 234:1
 234:2 235:22 236:22
 239:2,16

IPs 68:3
ISEEHD.TV 24:12
ISP 150:14 151:13,16
ISPs 104:14
issue 19:8 21:5,10 50:1
 56:2 68:13,18 69:9
 75:13 85:18 92:10,15
 94:16 97:18 105:12
 123:13 153:14 161:3
 163:5,7 196:3,14,22
 211:9 221:20
issued 14:7 25:16 69:8
 73:16 84:20 92:12
 185:20
issues 19:17 20:5,16,19
 30:7 38:18 40:7 45:18
 46:15 52:17,20 53:10
 53:14 62:5 73:5,9
 74:9,12 79:8 83:9,13
 86:21 93:17 117:6
 119:16 124:2,6 139:4
 167:19 168:3 173:7
 173:14 175:21 176:6
 176:15 182:20 198:14
 198:21 203:20,22
 207:4,17 208:1
 224:15 229:3,19
 233:15 234:17 236:4
 237:4 238:6 240:20
 242:6
ITA 16:12 44:20 55:16
 65:8 104:8 113:12
 125:6 142:2 151:11
 152:4 185:16
items 25:13 48:14
Ivo 10:3

J

James 153:5
January 142:5 169:1
 170:3
Japan 72:4 77:4,9,9
 106:10,18 107:2,5
 171:3,20 178:21
 179:7,14 202:11
 203:9 223:12
Japan's 61:12
Japanese 107:5
Jian 87:6,8,9 92:3
job 21:12 104:12,19
 220:17
jobs 20:16,19 50:7,11
 52:10 58:5,6 67:7
 78:13 100:10 123:14
 130:14 131:21 138:8
 144:2 166:15 169:22
 178:10 229:8
joint 34:8 185:8

jointly 11:2
Joshua 56:22
journals 57:14
journey 29:4
judge 155:14
judges 20:15 121:17
 233:22
judgment 56:5 209:4
judgments 202:9,12
 208:3,10 209:7 212:2
judicial 12:2 20:9,9
 119:2 122:1 141:9
July 86:8,14
jure 38:16,20 39:8
jurisdiction 143:1
jurisdictions 66:1
 201:22 208:10 210:13
Justice 6:7 16:13
justification 65:6

K

K-O-N-S-T-A-N-T-I-N-...
 10:8
Karawa 1:16 5:22 6:1
 110:16 111:7
Karnataka 234:22
keep 9:14 37:11 135:3
keeping 4:15 128:15
KEI 154:14
Kenneth 78:3
kept 60:3 90:5
Kevin 129:18
key 31:9 79:16 99:10
 106:12,19 108:7
 112:16 119:22 130:5
 226:4 227:22 231:21
 232:1 233:16
keys 32:13
Kilic 188:13,13 196:4
 198:10 199:16
kill 217:22
Kilmer 201:10,11 207:8
 208:4,14 209:10
 210:6,17
kindly 11:11 15:5
kinds 38:13 63:1
 210:20
Kingdom 110:19
kit 234:2
knowhow 100:17
knowingly 180:16
knowledge 2:15 92:6
 153:2,6 215:18
 227:16
known 152:10 204:12
 204:14
knows 37:9
Konstantinov 10:2,3

15:11 16:22 17:6 18:6
 18:18
Korea 59:6,12 72:4 81:3
 167:16 178:21 179:6
 179:9,13 182:6
 202:11 223:12
KORUS 182:8

L

label 115:1
labeling 106:22
labels 117:22
Labor 1:17 4:18,21,21
 54:6
laboratory 67:14
lack 42:3 59:2 61:20
 62:18,22 94:7 117:15
 119:3 121:16 151:16
 152:16 176:21 198:4
 203:6 204:15 208:3
 219:13 222:10 237:17
 242:2,8,14
lacking 38:5 69:22
 112:13
lacks 63:3
Ladies 243:19
laid 33:9 106:1
landscape 120:18
 147:13 162:5 214:21
language 132:4,22
 214:4,5 238:1
languages 164:4
large 30:16 32:2 58:8
 73:17 82:5 124:12
largely 33:21 51:9
 106:17 176:18
larger 31:21
largest 35:1 53:11 56:5
 60:8 62:15 73:6 83:10
 106:9 113:19 114:1
 124:3 139:5 166:9
 192:11
laser 24:21
lastly 121:14
late 18:10 92:12 237:16
latest 139:18
Laughter 220:18
launch 67:17 77:9
 179:5
launched 40:2 50:19
 169:13 233:1 234:1
launching 185:4
law 14:8,10,14 17:19,22
 21:17 25:22 27:15,16
 27:19 29:11 33:22
 42:7 46:9 55:5 71:7
 74:13 81:6 84:14,18
 87:16,20 89:17 90:6
 90:15 91:5 93:8,11
 98:1,9 100:4,7 101:6
 104:10 107:12 121:17
 121:22 128:7 141:11
 147:18 149:8 157:22
 198:4 220:22 222:10
 238:4
lawful 215:2
laws 38:22 55:1 71:16
 82:7,10 87:17 90:7
 93:11,12,16 96:15
 97:20 131:2 146:14
 146:19 147:3 172:4
 201:14 213:12 237:1
lawyer 222:15
lawyers 51:3
lay 170:19
layer 115:16
lead 17:5 202:21 205:21
leader 177:17 216:14
leadership 89:15 181:6
leading 13:17 78:4
 120:13 136:4 143:19
 202:1
leads 193:5 242:3
leave 53:21 210:7
leaving 9:7 49:12
led 226:18
leeway 237:18
left 70:3 98:6
legal 11:17 48:22 102:9
 108:22 118:22 120:17
 121:17 128:2 131:7
 133:17 136:16 142:18
 147:5 149:7 171:19
 209:13 238:18
legality 85:14
legalization 20:2 22:16
 22:21 23:6,8,11,16
 26:6 28:21 29:7 43:6
 202:22
legally 42:7 145:9
legislation 18:10,11
 26:6 85:17 211:1,4
legislative 18:1 84:12
 85:15 99:2 146:18
 225:7
legitimate 32:14 49:13
 65:20 66:10 69:17
 80:17 105:19 111:19
 124:20 126:18 131:3
 133:5 135:18 136:17
 137:20 138:2 167:21
 171:5 226:1 236:9,13
length 37:6 98:18
lengthy 67:21
lenses 156:9
let's 3:3

letter 206:12,17
letters 203:7
level 30:9 95:5,6,7,7
 106:5 120:7 126:3
 162:22 178:13
levels 60:13 138:14
 174:15
leverage 213:17 214:19
levies 147:6
liability 63:4 97:2 98:14
 98:21 99:14 101:3
 146:1 147:14 150:10
 150:14 151:17 165:10
liable 147:16
liberal 157:1 159:3
liberty 13:4
Library 165:8,11,14
license 68:18,19 69:10
 136:7 154:9,13,14
 155:15 156:6,14,18
 156:22 157:13 159:3
 180:8 185:19 186:6,8
 195:19 196:6 197:9
 208:6 226:7 238:2,10
 239:10
licensed 63:16 81:21
 202:17 208:15,18,22
 209:3
licenses 43:6 68:13
 69:21 155:5,20 156:1
 156:3,11 157:17
 159:2 171:5 185:20
 190:2 194:9,12,21
 196:17,22 197:9,15
 208:2 215:3
licensing 42:10 44:5,13
 44:16 59:20 69:3,19
 70:7 131:8 154:17
 156:16 157:1 158:8
 180:14 186:2 194:6
lie 242:11
life 31:3,22 164:15,16
 215:6 220:2 221:10
 238:6
life-saving 221:6
lifestyle 59:10
light 40:8
like-minded 170:12
likelihood 201:18
 211:10
limit 165:3
limitations 34:9 100:3
 134:9 152:8,16 165:9
limited 21:18 69:20
 86:3 99:4 134:8
 238:15
limiting 31:12
line 65:14 170:3 200:16

lines 42:2
link 184:7
linkage 73:21 191:8
 237:17
links 50:8
Lisa 1:15 5:5
list 8:20,20 9:1,2 10:14
 10:20 11:10 14:17
 18:8,13 40:10 46:19
 48:14 49:4 50:16 74:2
 74:4,5 83:1,1,18 84:2
 102:8 108:12 125:3
 128:15 133:14 173:13
 174:4 175:22 179:15
 179:18 180:2 181:1
 181:22 187:7 190:21
 191:22 193:16 198:22
 238:8
listed 53:13,21 73:9
 83:13 124:6 133:11
 139:7 140:4,10 173:6
 175:20,22 182:19
 207:5 229:18
listing 83:16 102:4
 149:19 180:1 183:10
lists 112:18 135:10
 198:11
literal 33:10
literally 30:18
literary 57:12
litigation 209:21
little 30:7 50:17 65:11
 69:10 119:14 125:16
 208:21 210:10 211:6
 217:6 224:2
live 209:16 218:4
liver 192:11 193:5
living 136:8 193:7
 217:2,5 218:2,10
 231:1,7
lobby 164:18
lobbying 154:11
local 15:13,14 51:3
 59:20 61:3,8,13 80:20
 120:6 171:8 179:7
 180:9 181:8 185:1,9
 186:11 196:12
localization 31:13 61:7
 81:4 84:15
localize 42:11
locally 15:19 184:18
locally-operated 60:16
located 121:4 140:19
 142:8 206:6 236:16
lock 218:19
logistics 243:18
logos 210:20
long 27:19 29:4 42:2

46:12 65:14 67:13
 109:12 114:20 128:21
 137:12 164:16,22
 166:20 203:13 207:16
longer 37:13 53:13
 70:12 73:8 83:12
 124:5 139:7 173:8
 182:21 229:20 230:19
longstanding 41:2,16
 188:1 229:4
look 31:9 47:2 51:13
 52:19 101:17 123:17
 125:17 138:17,20
 140:17 141:15 142:16
 161:19 162:3 163:5
 164:1 172:21 173:15
 176:6 182:12 221:7
looked 196:1
looking 112:21 114:21
 162:4 173:12 187:9
 187:13,17 188:2
looks 62:1 79:12
lose 14:13 35:19 119:9
 218:10
loses 236:11
loss 32:4,4 34:1 82:5
losses 24:5 89:20
 139:20 141:21
lost 20:16 48:20 101:9
 208:16
lot 12:6 33:14 76:16
 114:2 207:16 209:21
 211:2 222:4,22 241:3
Love 153:5,6 159:21
 162:2 164:13
low 91:22 118:11
 141:19
lower 95:6 194:7,14
 221:20 222:22
lowering 189:4
lung 223:10

M

machine-generated
 164:3
Madhya 234:22
Maharashtra 234:22
mail 118:14,20
main 26:3 52:12 81:12
 131:5
maintain 132:11 238:8
maintenance 206:1
major 42:5 94:5 144:12
 144:21 178:8 211:9
majority 217:4
makers 40:7
making 60:19 113:8
 118:15 119:4 130:2
 168:20 204:6 223:6
Malaysia 59:20 68:15
 68:22 69:2,14 71:3
 171:1 180:7,20 186:5
 186:14,18 189:14
 191:18,21 192:1
 193:12,18,20 194:8
 194:21 195:11,19,20
 196:3,6,17 197:5
 205:3 215:1 217:11
 225:20 226:6 228:18
Malaysia's 70:2 74:9,13
 185:17,18
Malaysian 69:4,8
 194:10,17 195:1
 197:17
Malaysian's 195:3
Malaysians 197:16
malicious 32:14
management 20:6 21:6
 21:10,20 22:2,4 26:14
 26:21 29:6 32:11 48:8
 226:17 233:21
mandate 40:8 238:19
mandated 3:10 7:17
mandates 154:4
mandating 23:11
mandatory 14:6 21:19
 22:1 208:1,6
manner 109:6 190:2
 205:7
Manon 212:15
manufacture 60:7
 157:4 238:10
manufactured 49:14
manufacturers 2:16,17
 61:4 110:6 113:20
 166:1,7 167:1,2,6
 170:14 171:13 174:6
 175:10 177:6,11
 238:9
manufacturing 31:3
 42:12 57:9 166:12,19
 171:9 172:10 175:2
 233:9
March 1:5 4:6 23:3 27:2
 27:6 235:18 243:5
marching 162:14
mark 204:12
market 3:13 8:8 31:16
 34:10,17 40:15 42:19
 45:14 46:22 48:6 50:3
 50:4,5 59:19 61:9
 62:16 63:4 64:20
 67:14 68:2 72:3 78:21
 79:5,20 85:8 90:9
 98:6 99:8,11 107:4,5
 107:12,17 113:15

- 114:1,1,3 119:21
121:2,7 122:10,13
131:9 132:8 137:21
137:22 139:21 140:2
148:17 150:15 151:18
173:9 175:2,6,11,13
176:7,19 182:4,22
183:13,17,19 184:6
184:12 185:5,7,7,11
186:20 199:8,15
201:1 224:14 226:21
231:10
market-opening 109:3
marketing 25:8 42:5
180:18 241:12
marketplace 126:19
136:19 152:9
marketplaces 54:16
137:5
markets 45:10 53:12
73:7 83:11 96:21
102:3 104:11,14
106:13,16 108:8
112:22 113:19 117:1
120:19 122:8 124:4
124:12,14,17 125:1
130:5 131:3,14
134:22 135:13,21
136:5,12 137:8
138:10,17 139:6
149:17 167:7,12
169:20 171:1 173:10
173:19 174:1,1 178:2
178:9,18 183:1
184:10,19 185:2
187:15,15,19 226:4
228:1 230:1
marks 109:11 202:3
203:8,16 204:13
205:11,15 206:19
208:8 210:12,19
211:14,14
massive 15:16 120:19
124:18 144:7
massively 124:13
material 24:4 135:22
materials 23:22 131:1
Matt 96:6 116:3
matter 32:21 129:11
243:21
matters 51:2 91:6
201:16
maturation 127:15,22
128:19
maturities 164:22
Maureen 1:17 4:20
maximum 64:11
mean 17:1,1 93:16 95:7
155:4 195:8 199:17
210:17 211:9 214:13
217:7 242:5
meaning 210:19
meaningful 69:11
means 131:20 134:8
137:13 176:4 193:4
214:4,8 218:19
meant 30:19
measure 186:3
measured 229:7
measures 10:9,19 12:1
14:11,15 42:7 43:4
57:19 80:8,16 84:3,7
92:9 94:19 148:5
153:12 158:5 189:4
191:7
mechanism 23:7 40:6
235:15
mechanisms 82:16,18
154:1
media 236:7
median 64:17 193:19
medical 42:14,17 57:13
155:1 156:5,7 160:13
178:9 181:6 194:2
214:17 216:1 217:1
223:3
Medicare 153:18 158:1
158:2
medicine 180:8 186:6
215:11 221:6,6,19
222:19 223:1
medicines 25:15,18
42:6,9 57:10 59:10,13
59:15,19,22 64:10
69:18 72:5 169:9
177:18,21 178:5
179:1,4 180:15 181:9
189:1,21 219:7
medium 199:14
medium-sized 68:1
70:16 167:2
meet 77:15 137:21
210:21
meeting 169:3 232:5
meetings 38:21 169:2
meets 188:6
Melika 143:15
Melissa 66:20
member 30:10 50:20
55:3,13 67:19 97:21
98:5 117:1 142:11
144:16 146:19 152:19
181:11 202:1 227:22
233:6 236:14
members 30:15,21
32:22 34:11,16,19
37:4 43:10 45:6,8,9
48:12,16,20 49:4,20
50:16,22 51:3,8,9,9
51:12,18 52:6 53:1,12
53:15,18 54:15 55:10
55:19 56:3 57:7,16
64:2 65:12,16,17 68:1
68:5 73:7,10 77:2,7
77:10,15 83:11,14
84:14 86:20 87:11,13
91:11 103:14 116:5
116:11,13 122:11
123:12 124:4,7
130:16 139:6,12
142:14 143:13 144:20
144:21 145:13,21
146:5 150:3,18 151:3
152:6 157:9,11 166:3
168:4 173:7,16,17
175:2 176:4,11 178:3
181:2 182:20 188:17
199:19 219:18 229:20
233:2,13 235:7 236:5
237:20,22
members' 114:8 151:17
membership 67:3
167:3 176:4
men 166:11 177:13
mention 73:2 74:15
85:10 150:9 156:19
157:8
mentioned 9:19 15:5
17:21 46:5 49:9 62:18
65:9 102:12 103:15
113:13 149:22 159:6
184:21 229:16 235:21
242:2
Mercosur 106:10 107:8
112:8,12,16 113:7
merged 234:5
merger 234:6
message 172:17
met 88:20 95:10
method 141:18
methodology 189:12
Mexican 51:6,21 107:15
Mexico 49:3 50:14 51:4
51:11 56:11 60:13
62:13 63:1,3 71:3
99:13 102:7 106:10
107:8,14,22 113:19
133:15 203:2,10
205:18
Mexico's 102:9
Miami 52:13
MICHAEL 1:18
Microsoft 23:1
middle 194:7
midnight 243:4
migrating 14:12
migration 16:1
million 22:13,15 48:9
58:5 78:13 89:3,22
130:14 166:11 192:9
193:6 236:11
millions 52:7,10 67:7
144:2 202:6
mind 9:14 16:20 131:22
mine 207:12 208:20
minimal 121:15
minimum 134:2
mining 85:14 86:1
minister 10:5 19:3,6
22:17 29:9 232:5
ministers 22:20 29:10
Ministry 11:4,6,20 13:7
69:8
minute 9:9 96:6 154:18
minutes 9:6,6,8,10
misapplied 230:19
misleading 119:10
mission 105:19
misunderstandings
88:12
misuse 109:10 146:8
misused 230:18
Mitchell 1:16 5:12,12
16:14 17:2 44:21
55:17 56:13 65:9
104:9 113:13 114:12
125:7 142:3 143:4
151:12 152:2,5,14
185:17
mitigate 89:10 164:20
Mitropoulos 47:19,20
53:16 54:14 55:8,22
56:16
mobile 31:1 36:8 39:4
135:14
MOCOM's 84:6
mode 21:4
model 32:20,21 33:21
111:12,18
models 33:20
modern 131:6 138:14
modernization 99:18
107:16
modernize 52:15 97:6
modernized 149:2
modest 190:11
modify 115:1
moment 32:16 85:21
money 31:1 201:15
211:21 220:3 222:18
222:20

monitor 86:12 147:20
monopolies 158:15
 215:6 216:8
monopoly 158:9 220:8
Monterey 52:13
month 12:8 155:21
 189:7 197:11 206:6
months 23:14 193:15
 197:12
Moore 177:9,10 183:3
 184:11 185:21 187:8
moral 198:4
Morgan 30:1
morning 3:4 4:19,22
 5:8,16,22 10:2 28:19
 29:22 37:18 39:15
 47:19 49:1 54:7 56:21
 62:13 64:1 66:20 74:8
 78:2 85:6 87:8 95:19
 116:2 129:7
Morris 105:3,3,5 111:5
 111:10 112:15 113:18
 114:17
mothers 192:19
motion 65:17 130:19
motions 55:3 209:15
motivated 28:11 69:16
motivation 80:19
mounted 51:1
move 15:22 36:11
 37:10 46:12 112:2
 180:8 235:4
movement 241:4
movements 176:22
movies 15:15
multi-class 205:16
multi-lateral 122:22
 134:17 181:5
multi-stakeholder
 147:22
multilateral 44:22 45:2
multiple 45:9 75:16
 110:21 176:7 206:1
multitude 39:20
municipal 25:22
municipality 94:14
Murry 39:15,16 44:10
 45:8 46:14 47:14
music 13:11 57:12
 62:14 63:16,19
 144:14
music- 145:10
musical 14:3
Mykhailo 19:3
myriad 40:16

N

Nadu 235:1

NAFTA 52:5,9,15 100:2
 107:16,22 114:6,11
 149:2 182:8
NAM 2:16 166:8 171:16
 172:7
NAM's 167:11
name 3:4 5:8,22 8:4
 10:7,8,8 19:1,3 29:20
 29:22 33:9 39:13
 47:18,20 48:8 51:15
 56:19,22 66:19 77:22
 78:2 87:5,8 95:17,19
 105:2 115:22 116:2
 129:17,18 143:10,14
 153:4 166:2,5 177:7,9
 188:11 201:8 212:13
 213:3 223:21 224:4
 232:15
named 90:17 139:3
 179:13 180:20
names 2:12 100:18
 105:1,5,6,8,21 106:15
 109:22 112:18 113:17
 119:11
narrow 158:4 204:13
nation's 166:9
national 2:16 23:18
 24:15 25:2 40:21
 42:22 44:3 48:3 80:7
 80:18 160:3 165:22
 166:7 179:18 188:19
 216:16 225:14 234:18
 236:20
national-level 169:19
nations 59:7 106:10
 119:2 202:17 203:1,9
 204:20 205:2,13,17
 206:4,11,14 208:22
 209:2,7
natural 109:4
nature 209:8
NDD 93:17
near 94:12 207:6
nearly 48:9 58:5 116:8
 144:1 167:15 236:11
necessarily 32:21
 53:11 73:6 83:10
 124:3 139:5
necessary 67:20 70:13
 76:21 139:13 178:4
necessitated 106:4
need 29:11 82:17,19
 96:22 178:6 200:9,10
 214:14 215:17 216:10
 237:12
needed 199:10
needing 82:11
needle 192:18

needles 192:15
needs 23:6,15 36:22
 43:2 69:5 101:11
 120:5 218:17 241:3
negative 55:5 72:10
 114:14 158:17 161:3
negatively 7:12 37:3
 107:4
negotiate 153:17 158:1
negotiated 196:7
negotiates 158:2
negotiating 170:3
negotiation 97:5 216:6
negotiations 52:15
 107:17 108:2 114:15
 161:2 172:13 182:8
 194:11,13 196:8
 226:20
neighboring 103:4
 147:3
neighbors 137:8
neither 60:14
Netflix 15:21 145:5
Netherlands 215:2
network 33:8,12,17
 57:3 135:14 136:17
never 117:14
new 12:9 17:10,21
 18:12 32:1 33:8,11
 38:1 40:21 41:19,19
 59:18 61:12 64:3 71:9
 71:18 89:13 100:22
 103:13 107:18 114:19
 116:18,20 121:20
 122:21 135:17,20
 144:11,16 146:18
 147:5 148:20 151:3
 158:21 170:15 178:5
 178:18 179:6 213:6
 214:5,12,14 215:3
 218:5 227:10 239:13
newly 206:5
newly-implemented
 97:22
nice 18:19
Nigeria 81:3 202:18
NIH 163:14 216:16
nine 133:13 205:11
Ninety-six 13:1
nominal 103:3
nominate 173:11
nominated 159:18
 187:6
nominating 102:7
nomination 74:11 84:2
non-Chinese 89:9
non-compliance 98:13
non-EU 109:16

Non-government 2:5
non-IP 174:21
non-IP-intensive 175:8
non-profit 99:4 105:16
non-recordable 208:7
non-tariff 185:11
non-voluntary 154:21
noncommercial 196:11
nonexclusive 194:5
nonfunctioning 205:9
nonprofit 67:2 188:19
 232:22
norm 99:15 221:15
normalizing 141:10
norms 98:3,13 101:7
 134:7,14 135:4
 159:15 216:9
North 97:5 99:9
notable 41:1
Notably 34:7
note 4:5 35:18 40:18
 41:21 51:18 76:8 86:8
 122:14 189:16 228:11
 233:10 240:9
noted 17:18 56:9 73:12
 77:5 114:18 116:13
 116:14 119:8 152:5
 173:18 174:12 207:22
 238:1,12 240:12
notes 15:2 36:17 37:19
 62:13 159:12 212:18
 212:19
noteworthy 40:19
notice 6:21 51:16 60:17
 60:17 65:10,10 66:5,5
 69:10 243:8
noticed 160:7 162:5
notification 194:22
notified 66:9
notify 231:19
noting 86:11 96:5
notorious 136:11 137:4
 205:4
novel 235:12
November 89:17
NPP 44:4,7 238:1
number 12:15,16 13:20
 20:21 21:18 54:14
 56:2 116:16 117:12
 117:21 118:6,13,21
 119:6,12 120:3 127:5
 155:17 168:11 175:4
 183:21 184:12 185:6
 201:17 202:8,16,22
 203:6,18 204:18,19
 205:2,11,16 206:11
 219:6 225:2,19 226:4
 235:18 240:9

number-one 113:22
numbers 32:9 36:10
 141:14 175:7
numerous 90:12
 118:21 134:16 146:11
 227:3
nurses 223:3
NW 1:9

O

object 206:13
objecting 206:21
objectionable 206:19
objective 79:16 131:13
 131:19
objectives 79:2 110:8
objects 22:6
obligation 66:6,14
 191:3
obligations 43:8 60:19
 102:22 103:6 104:13
 135:8 181:20
observance 13:8
observation 92:15
 198:2 222:8
observations 55:18
 191:17
observed 71:22 191:6
 236:15
obsolete 18:11
obstacle 94:6 140:16
 141:5 168:13
obstacles 75:17 118:22
 198:3 222:9 226:2
obtain 42:4 156:14
obtaining 88:21
obviously 18:10
occur 32:8
ocean 230:20
odd 210:1
OECD 64:17 169:17
off-label 218:13
offer 131:16 176:1
 186:8 194:14
offered 197:14
office 1:1,12,14,17,18
 4:7 5:2,6,10,10,13,17
 5:17,20 7:21 11:4,21
 12:14 13:6 17:15,16
 19:10 28:18 36:15
 37:17 38:15 51:20
 62:2 85:5 103:11
 139:16 150:7 181:12
 181:14 203:12 204:1
 204:7 230:9 234:13
 235:4 242:1
office's 38:6
Officer 232:18

offices 86:15 201:20
official 194:22 196:19
officials 6:19 118:3,16
 138:3 233:22
offshore 142:9
offshoring 137:11
oftentimes 126:6
old 12:13 194:3 207:14
older 59:15
Omar 1:16 6:1
omit 190:12
once 27:22 39:10 47:12
 55:12 87:1 95:14
 112:19 115:18
one-fifth 217:8
one-tenth 217:9
onerous 74:15 76:15,16
 187:10
ones 26:19 74:3 80:14
Ong 166:3,5 173:12
 174:19 176:3
ongoing 52:21 71:13
 85:15 155:16 182:8
 227:21 236:3
online 17:4,21 24:11
 60:13,21 63:6 65:21
 66:3,7 91:7 97:15
 98:14 99:6 100:2
 104:4 116:22 120:18
 120:20 121:1 136:13
 136:19 137:4 139:19
 140:4 145:8 146:9
 147:20 151:14 225:9
 228:2 230:13 234:17
 236:17
onlinecinemafs.to
 24:10
onus 90:21
oomph 128:12
open 138:17 147:1
 163:13 171:10 178:2
 243:4
opening 2:2 134:21
 138:10
operate 45:9 151:18
operating 148:10
 232:18
operation 145:18 148:1
 238:18
operationally 175:12
operations 100:16
 118:8,11 137:14
 138:3 176:7
operators 14:9 91:3
opinion 164:16
opinions 92:11 93:6,9
opportunities 101:9
 114:5,10 116:20

228:15
opportunity 3:20 7:1
 30:4 47:2,9 48:1
 52:18 57:1 58:17 68:6
 69:11 78:5 79:18 96:1
 97:4 99:11,17 105:9
 123:17 129:21 149:3
 149:10 166:4,16
 172:21 177:15 182:9
 182:11 188:16 213:21
 224:7 232:21
oppose 211:21
opposed 63:9 215:12
 221:3,4
opposers 204:3
opposing 88:22
opposition 42:1 112:9
 202:7,9 204:7,16,19
 206:20 207:10,15
 209:20
oppositions 75:5
 204:18 205:5 208:13
optical 13:12
optimistic 46:22
optional 243:6
options 172:9
oral 189:13
orchestrated 25:12
order 14:13 34:16 66:12
 118:1 122:2 132:16
 158:8 213:19 231:13
 238:13 239:19
ordered 89:3 156:6
orders 12:15 25:16
 41:12
organ 95:11 192:11,21
organization 2:9 22:5
 22:12 26:2 29:6 54:8
 66:18 67:1,2 106:6
 169:1 188:20 233:1
organization's 190:5
 222:7
organizations 21:18
 22:14 26:15,21 39:19
 57:3 67:5 99:5 168:7
 168:8 172:14 183:4
 189:10
organized 16:17,19
original 144:13 243:8
orphan 164:10,14
Oscars 144:18
out-market 138:5
out-of-cycle 180:3
outbound 55:2
outcome 85:20 107:21
 109:14 113:10
outcomes 67:8 189:3
outlier 60:20

outline 159:14
outlined 3:22 110:8
 182:2
output 131:13 227:8
outside 16:3,4 51:17
 218:2 236:16
overall 3:11 75:14
 173:22 183:18 242:7
overarching 135:15
overlapping 202:3
overlooks 160:2
overpriced 215:10
oversea 33:5
overseas 33:6 91:11
 135:13 142:22 178:8
 209:14
overstated 70:10
overturned 155:5
overturning 226:15
owned 22:11 155:7
owner 69:11 165:11
 211:19
owners 3:18 54:13
 58:15 79:17 90:22
 203:4,20 205:1 208:1
 213:20
owners' 211:16
ownership 100:15

P

P-R-O-C-E-E-D-I-N-G-S
 3:1
p.m 4:12,13,13 9:19
 129:8,12,13 243:22
pace 120:2 135:3
package 18:9
packages 118:15
packaging 25:5
page 103:1
pages 228:19
paid 155:12 160:19
Pakistan 202:18
PAN 5:17
Panama 204:21
Pandora 145:6
panel 4:17 9:12 32:18
 37:8 72:19 169:9
 243:15
panel's 169:10
paragraph 238:13,16
parallel 155:18
parasite 51:12,13 55:18
 56:1,5,10
Paris 206:3,6
parliament 12:8 20:18
 27:8 85:18
part 31:5 36:6 56:7 73:2
 74:10 105:15 106:13

- 111:7 141:13 174:13
180:4 195:17 197:8
230:16
partes 204:10
partial 55:19
participants 19:12
101:12 136:21 201:13
201:17
participate 130:6
participated 132:1
participation 35:11,15
47:13
particular 14:11 71:6
73:14 84:10 85:10
107:14 134:14 140:7
151:18 162:9 173:1
189:20 200:8
particularly 12:11
13:18 16:14 56:3 61:1
70:21 75:12 77:6
87:15 91:3 97:2
146:16 150:12 167:1
182:3
parties 6:18 20:1 24:9
88:22 91:20 94:5
155:22 243:6
partner 49:20 108:20
partners 7:19 10:21
11:12 57:18 58:1,21
59:1 61:17 62:4 68:8
71:14 72:14 96:16
98:15 102:12 106:9
110:10 131:11 133:4
133:18,22 134:13
135:9 136:15,22
137:9 138:12 145:15
149:22 178:17 182:7
189:2,19
partners' 190:1
Partnership 2:20
232:13,19
party 9:5
pass 27:3 98:11
passage 171:15
passed 27:15 46:10
patent 1:12,18 11:4
20:20 36:14 40:20
41:2,4,7 42:1,1,6,10
59:5,22 69:1,10,12
70:20,22 73:5,21 75:7
75:8 82:20 86:9,15
91:21 118:4 154:22
155:12,16 158:17,20
161:5 162:5 170:16
176:17 179:11 180:19
181:12,13,14,15,18
191:8 192:2,4 193:17
194:3 203:12 216:8
221:6 226:2,8,12
231:19 235:2,4,5,8,15
237:17 238:3
patentability 42:9 71:15
176:16 194:1 225:11
patented 57:9 59:13,21
61:19 64:10 68:19,21
72:5 75:21 179:4
181:9 237:22 238:2,8
238:11 239:10
patents 3:17 40:13 42:2
75:15 88:1 154:21
155:7,11 156:15
157:3,5,6,7,13 160:1
161:7 162:6,13,19,21
176:10 177:19 180:14
181:15 215:14 231:20
235:10 240:16
path 111:3
patient 158:10 189:10
218:4
patients 68:22 158:5,9
158:18 178:6 193:3
197:17 214:5,9
215:14 218:9 219:8
219:11,22 220:5
Paul 201:10
pay 89:3 216:5 218:11
220:6
paying 33:15,18
PCs 81:20
penal 12:9,12 18:8
penalized 12:16
penalties 118:6,10
pending 20:5 181:15
207:11 234:12 241:10
people 28:11 29:12
30:18 31:7 33:2 63:14
140:12 192:9 193:1,6
193:11 214:9,10,13
214:14 215:8,9,15
217:2 218:1,1,2
220:11,13 221:2,11
221:11 223:9
perceive 45:6 152:21
perceived 132:16 156:1
161:4
percent 58:5,7 81:19
89:7 130:14 143:22
145:10 167:3 217:13
217:15,17,18 218:11
224:21 227:5,6,8,9
236:12
percentage 62:14 82:1
perfect 169:2
performance 13:11
14:3
period 180:18 181:10
206:7 238:15
periodically 81:17
periods 67:22 112:19
permissible 69:19
permission 155:15
164:2
permit 23:13 154:21
155:11 164:21
persistent 105:10
person 30:13 38:17
personal 81:6
personally 208:19
personnel 6:12 243:17
persons 3:14 8:9 24:1
24:18 132:9 157:21
217:4
perspective 145:13
Peru 214:22
pervasive 49:6
pesticides 25:7
petition 180:12
Pettis 1:17 4:19,20 54:7
PFC 8:19
pharmaceutical 2:17
44:4 61:12 64:4 73:5
153:11 177:5,10
189:3 190:18 200:4
200:21,22 231:19
237:18,20 241:13
pharmaceuticals 42:17
phase 6:14
phases 204:16
PhD 200:4
Philippines 205:3,18
PhRMA 2:17 154:10
177:14 178:3 181:2
181:21 187:2,5
191:22 192:5 214:18
physical 120:20
pick 206:10
picture 65:18 130:19
pipeline 44:18
piracy 13:16,21 15:3,6
17:4 18:12 26:5 28:2
32:9 33:4,5,6 34:12
34:13,14 37:20 38:4
39:3 41:1 46:7 60:14
65:14,22 66:4,12 88:2
90:8,9,13 91:7 121:1
133:20 135:14 139:21
140:4,9,10 141:14,18
141:21 221:4,17
236:12,16 237:10,11
pirate 62:14 121:4
137:14 138:2
pirated 33:19 34:3
35:21 36:2 41:10 60:5
145:5
pirates 204:21
piratical 142:7
pitch 106:4
place 4:7 19:18 28:12
40:9 45:6 81:5 100:20
101:5 114:6,19
115:17 122:16 126:2
133:3 142:10 210:16
237:9,10
placed 49:3 50:15 77:1
80:11 82:22 179:14
180:2,22
placement 174:2
places 60:11 172:1
plague 121:1
plain 214:4
plan 19:14 181:7
195:20
planned 25:5
planning 22:10 158:12
plans 9:1 144:22 169:4
platform 95:2,4 117:5
122:1
platforms 30:17 54:17
91:4 117:11 120:18
121:21 136:7 143:20
146:9 147:4,15
play 30:5 34:17 168:9
170:10
players 131:17
playing 178:14
plays 30:14
please 9:14,22 15:8
17:22 18:22 29:20
37:2 39:13 44:6 47:17
47:18 54:11 55:4
56:19 66:18 77:22
95:17 105:2 115:22
129:8 153:3 166:2
177:7 184:7 188:11
212:13 223:21 232:15
241:14 243:7
pleased 86:19
plethora 60:16
plus 17:8 28:7 164:15
164:17
PMPRB 64:8
point 4:16 21:9 86:22
104:21 108:10 143:8
159:1,21 170:21
172:6 173:21 175:3
188:9 201:5 212:18
221:8
pointed 53:18
points 224:22
poisons 25:7
police 23:18,22 24:7,15
25:2 27:21 51:1,5,7

policies 8:14 31:13
 40:1 44:6 45:3 57:18
 60:15 61:2,7,9,13
 64:4,19 68:9 72:3,5
 72:10 76:5,7 77:4
 102:2 138:15 146:14
 148:3,22 149:16
 159:15 163:20 167:10
 169:20 171:4 172:4
 178:21 179:4,6,15
 184:5,10 185:2
 190:15,18,19 198:15
 198:16 200:2 213:12
 225:20 226:21 229:2
 239:5 242:3
policy 5:18 6:5 40:7
 43:1,3,4,5,12 44:4,9
 44:12,15 46:17 62:22
 63:2 66:22 69:17
 76:14 78:3 79:14
 95:20,21 108:7 154:4
 159:22 161:12 166:6
 168:10,13 190:22
 191:1 220:21,22
 224:6 225:14 226:12
 242:12,12
political 214:21
politically 168:20
pollutes 137:8
poor 204:6 218:1,1
popping 56:10 171:1
popular 122:11
population 217:4,19
Poroshenko 20:13
pose 84:13
poses 98:1 99:6
posing 104:10
position 198:11,18,19
 203:14
positive 36:17 72:16
 73:3,16 86:8 111:12
 130:3 228:12 229:16
 233:14,19 241:4
possible 31:6 42:9
 213:17 214:19
possibly 238:4
post- 195:11
post-grant 75:17
post-hearing 96:11
 102:16 103:9 104:6
 104:17 125:1 150:19
 151:9 198:19
postal 118:14
posted 243:12
potential 147:10 175:11
potentially 112:11
 147:21
powerful 178:12

powers 94:8 242:11
practical 12:10
practically 27:22 63:10
 175:12
practice 71:8 74:13
 86:13 147:8 204:17
 209:15
practices 8:14 18:12
 40:1 50:10 61:2 63:2
 63:6,8 70:7 100:21
 101:14 125:17 137:3
 154:17 187:11 188:3
 190:8 201:14 213:12
Pradesh 234:22 235:1
pre- 75:16
precedent 121:19
 183:20
precise 150:4 151:22
preclude 84:3
predict 189:19
predictability 178:4
predictable 67:18
preface 96:4
preferable 37:6
preferences 190:22
 191:1
preferred 10:21
preliminary 88:19 90:1
premium 63:16
prepared 9:7,11 21:12
 96:8 124:10 154:10
 209:12
prepares 121:11
presence 114:3
present 1:11 10:9 71:17
 129:22 184:1
presented 151:11
presenter 9:13
presents 71:6 97:6
preservation 90:2
 106:20
preserve 105:19 114:9
preserved 107:18,20
 111:2
preserving 111:21
president 20:13 30:1
 96:6 116:3 143:15
 153:16 157:21
President's 3:22
presiding 1:10 10:6
press 103:3
pressing 68:11 90:21
 178:13 182:10
pressure 37:11 42:11
pretty 140:3 153:19
prevalent 51:13
prevent 37:20 38:4
 49:11 61:9 168:17

199:13 206:18 221:20
Prevention 193:10
previous 13:2 63:9
 97:17 103:19 151:4
 169:12 173:6 182:19
 229:19
previously 49:9 69:1
 98:8 159:19 222:6
 234:9
price 40:14 42:16 61:15
 64:16 157:1 179:8
 185:3 193:16,20,22
 194:12,14 195:21
 197:2,3,10,13,13,16
 223:1 237:22 238:13
 238:17 239:11
priced 122:8
prices 59:13,14 63:18
 64:11 122:9 153:17
 154:7 157:18 158:1,2
 158:11 196:7 213:7
 214:7,8,13,20 216:4
 217:7,22 218:17
 226:10 238:2
pricing 44:5 59:11
 61:12 64:4,7,10,14,19
 65:2 72:5 76:7,14
 77:4 153:13 154:16
 160:1 178:20 179:3,6
 184:5 190:18 215:3
 222:5 226:21 228:4
Priest 116:2,3 124:8
 125:18 127:12
primary 105:18 160:12
 187:4,20
principle 86:18 140:18
 141:7 227:11
principles 107:6 146:22
 190:10 191:15 238:3
prior 41:18 106:19
priorities 3:22 19:15
 21:11 175:20 176:2
 213:16
prioritize 207:6
prioritizes 183:7
priority 8:13,15,19 9:1
 9:2 29:5 40:10 49:4
 68:16 74:11 83:1 84:2
 133:14 135:6 167:13
 174:3 179:13,14
 180:2,21,22 187:7
 188:5 192:1 206:7
privacy 80:16,17 84:16
 234:17
private 6:19 32:15 91:2
 161:9,11 215:18
private-sector 130:8
pro-IP 172:17

probably 93:15 95:9
 219:21 220:16
probation 12:20
probations 13:5
problem 33:4,22,22
 38:16,22 55:20 70:9
 73:18 90:20 105:10
 140:7,8,15 223:5
 229:21 241:15 242:22
problematic 76:7
 105:12 146:14 148:5
problems 31:11 121:13
 164:13 239:4
procedural 118:22
procedure 89:11 95:12
 153:7
procedures 8:16 12:11
 20:22 22:22 23:5
 120:22 125:20 180:11
 206:12,17 209:21
proceed 129:9
proceeding 23:21
 154:19
proceedings 23:19
 24:2,16 202:7,10
 204:10,19 205:7
 207:10,11,15
proceeds 49:17
process 28:21 34:21
 35:17 41:4 43:12
 52:21 59:3 61:21 64:3
 64:21 85:15 98:12
 100:19 107:22 108:17
 109:20 112:8,10,14
 112:16 113:7 125:22
 127:15,22 128:1,20
 130:1 132:2,11,21
 133:3 141:11 147:22
 159:12,14 170:11
 185:13 207:13 211:12
 212:4 213:8 231:18
 235:6,17 238:17
 241:12
processes 59:6 69:22
 117:16 125:11 168:1
processing 80:5 155:18
procurement 69:5
 84:21
produce 67:9 123:4
produced 15:15 179:19
 184:17,18
producer 144:13
producers 61:3 105:18
 105:20 113:16 114:14
 136:5,8
producing 131:1 185:7
 227:8
product 15:18 49:13

- 67:15,17 115:2
117:15 118:1 124:20
126:9,21 130:15
180:10 186:12 216:5
216:7
production 25:4 57:10
119:22
productive 128:18
productivity 31:4 67:9
products 20:3 21:3
22:16 42:19 45:14
48:5,15 65:21 67:8
68:2 69:6 70:22 75:6
75:9,21 77:9 108:11
108:12 113:21 114:22
115:1 116:12 117:3,8
117:13 120:17 125:10
131:15 137:20 138:2
138:10 168:19 170:17
179:6,17,22 180:18
184:9,17 185:5 199:7
199:15 226:3,9 228:6
239:6 241:13
professionals 155:2
profit 3:20 58:17 79:19
136:2 213:21
profound 78:8
program 23:10 69:3,3
93:4,6,7,10 189:2
programs 13:10,12
14:2 163:10 225:13
233:22
progress 16:9 41:2
47:1,9 52:1 72:17
87:14 128:19 131:10
176:13,22 241:2
progressive 216:3
prohibit 80:8
prohibitions 80:10
prohibitively 167:5
projects 21:14
proliferation 147:2
promise 73:17 153:16
226:15
promises 153:22 154:5
promote 43:5,15 61:7
72:9 131:14 149:3
159:15 160:1 171:7
172:9 189:20 224:9
promoted 171:18
promotes 57:6 177:22
promoting 138:9
178:15
Promotion 233:21
242:13
prongs 79:12
pronounced 70:15
proof 210:18
- proper** 146:3 231:12
properly 81:20
property 2:14 3:7,12,15
3:19,21 5:7,11,14
7:18 8:8,10 11:19
19:20,22 20:6,8 21:7
21:16,22 25:1,20
29:13 30:7 31:18
34:12 40:6 41:20
42:20 43:1,15,19
45:15 47:4 48:18,19
49:5,7,18 50:10 51:6
51:21 52:3,16 57:20
58:16,21 60:2 61:11
66:22 78:20 79:4,18
81:11 88:16 89:4 90:1
97:7,8 99:12 100:1,6
100:17 101:10,15
102:3 116:9 129:3,16
129:20 132:8,10,12
138:10 146:4,11
148:7 149:17 166:17
176:5 177:18 178:3
178:16 179:10 180:5
181:3 182:5 190:17
198:14,21 199:9,17
199:22 200:2 219:14
224:10 233:11 234:7
property-intensive 58:3
proportion 81:21
proposal 23:1 64:9 65:4
99:2 103:2 150:4
226:20
proposals 64:7 100:11
134:6 146:18 147:16
147:19 148:16 170:5
226:7,12
proposed 65:6 71:9
81:1 85:11,12 89:14
100:7 121:22 147:15
153:20 165:19 179:3
241:15
proposing 98:4 147:12
Propp 78:2,3 83:15
84:8 85:9 86:17
prosecution 11:21
204:16
prosecutions 17:5
Prosecutor 51:20
prosecutor's 12:14
13:5
prosecutors 11:3 142:6
prospects 94:11
prosperity 58:2 166:16
prostate 157:19 223:9
protect 40:12 45:14
71:1 87:18 93:5,7,10
93:14 101:8 108:13
- 122:3 123:8 154:6
158:8 172:3,9 203:5
protected 76:18 93:19
112:11 131:2 178:3
211:3,5
protecting 42:4 88:4
89:18 116:9 120:11
152:10 180:14 231:3
protection 3:13,15 7:11
7:18 8:7,10 20:1,8
21:1,15 25:6 36:19
45:4 48:17 60:3,20
67:18 70:12,19,21
71:1,9 74:10 79:4,7
80:19 81:12 82:20
87:15,22 88:8 89:16
91:9,14 92:22 93:2,4
98:15 102:21 111:4
111:16,19 119:19
120:4 122:19 127:6
128:3 131:6 132:7,10
132:12,13 133:7
134:2,15 135:1,4
138:15,16 166:21
167:9,22 168:14
170:16 171:15 177:19
178:16 180:19 181:10
199:13,18 204:13
205:15 213:13 219:14
224:9 225:3,8 226:3,8
226:13 228:6 230:17
231:13 236:2 240:17
protectionism 171:7
protections 34:5 40:20
41:7 42:6 57:19 61:21
66:2 97:2 99:3,6,20
100:2 101:3 104:3
111:21 128:2 129:3
132:15,19 134:10
140:21 146:1 147:17
149:6 166:22 169:5
172:12
protective 14:5
protects 98:21 123:13
229:8
protest 206:12,17
protocol 162:22
prove 10:19 60:12
proven 131:19
provide 7:4 9:9,15
16:16 18:13 27:4
31:15 37:12 41:7 44:6
47:3 52:22 67:10
69:12 71:4 74:14,21
75:11 83:19 94:8
98:20 103:8 104:5
113:1 127:7,10,12
128:3 130:13 139:12
- 151:15 152:20 154:18
166:15 178:17 182:9
195:22 208:7 213:13
230:11 235:14
provided 11:11 22:2
41:9 132:3 172:16
213:9
providences 11:22
provider 66:8
providers 15:4 24:6
98:21 100:8,13,14
104:14 136:17 148:6
230:13
provides 17:9 71:7
99:10 111:18 147:21
149:2 237:18
providing 21:18 69:10
70:18 73:21 126:3
144:18 188:15 197:16
provincial 95:6
proving 210:11
provision 110:20
provisions 8:1,3,22
52:17 89:22 101:4
190:3 231:12
PTO 75:2 83:22 109:19
127:1 241:8
public 1:3,8 2:18 3:8
4:2,9 6:10 7:9,14
13:10 14:3 72:9 112:9
143:14 150:9 159:11
160:13,17 161:1,10
161:21 163:2 188:10
188:14,17,19 189:1
189:20 190:6,15,18
196:11,13,22 197:5
198:1,10,15 199:5
215:18 216:11,15,20
216:22
publically 163:16
publication 7:7 57:11
publicly 45:17
published 6:22 58:15
97:15 112:19 226:11
234:14
publishers 34:2 35:19
65:19 103:3 130:17
pulled 117:2 184:9
punishing 221:17
purchase 123:5
purchases 31:2
purpose 7:3 9:15 23:14
25:21 132:5
purposes 72:11 206:20
pursuant 7:21
pursue 106:12 119:4
pursues 49:15
pursuing 8:21 109:2

push 170:8,12
pushed 169:14
pushing 137:10
put 27:7 30:17 33:8,9
 74:19 81:4 112:21
 114:19 115:16 124:21
 163:16 178:9 212:17
 215:13
puts 163:14
putting 158:9 181:14
PWL 36:21

Q

Qing 92:4
qualifications 61:14
qualify 92:21
quality 25:17 69:5
questionable 42:8
 194:1
questions 9:8,12 18:17
 26:8 43:20 53:2 62:8
 72:19 76:4 83:2 85:7
 96:8 101:18 123:18
 138:20 147:10 149:11
 170:21 172:7 173:1,2
 181:19 182:12
quick 30:9 108:20
 109:4
quickly 51:22 77:3
quite 18:7 27:20 84:22
 86:19 103:16 114:18
 209:19
quotation 97:14 101:2
quotations 147:5
quote 37:1 86:11 132:6
 154:13,14 159:13,13
 159:14,16 161:19
 213:11,14,15,18,22
 214:4 231:21
quoting 213:20

R

R&D 215:19 216:4,9,12
 216:15,21
Rachael 95:20
raids 51:7 90:19,20
raise 52:19 74:12 76:16
 148:14
raised 97:15 103:19
 112:7 163:3 207:17
 219:5
raises 44:3 84:14
raising 147:9 181:18
rampant 39:3 65:22
 117:4
range 84:7,8 116:5
 134:19 146:18 147:20
 156:3 168:18 170:22

179:9 181:5
ranging 167:16 205:13
rankings 225:5
rare 162:12 184:15
rates 89:7
rationing 220:7
RDP 70:19,20 71:4,5,7
 71:9
re- 97:4
re-address 160:11
re-negotiation 99:9
re-transmission 13:10
reach 16:4 30:19 106:4
 116:19 131:3 144:4
read 92:11 96:7 154:9
 192:5 195:10
readily 137:15
reading 27:3,5,8
ready 123:11
real 23:15 80:19 117:18
 125:12 128:12 218:14
reality 38:11
realize 10:17 134:21
reason 49:21 163:2
reasonable 64:20 94:11
 106:21
reasons 139:8 179:12
recall 34:20
receive 11:10 227:3,14
received 7:9 56:4 71:8
 203:19
receiving 42:2
receptive 227:7
reciprocal 162:18
recognition 210:19
recognize 52:2 53:19
 99:20 109:14 148:21
 216:11 220:5 225:11
recognized 24:9 124:13
 127:21 203:13
recognizing 128:18
 148:16
recommend 64:18
 109:18 133:13 173:8
 182:21 195:9 210:16
 229:21 236:19
recommendation
 186:17
recommendations
 11:11,15 12:5 14:18
 21:13 76:11 102:4,15
 149:18 167:13 169:7
 241:10
recommended 82:22
 165:9,11 242:10
recommending 36:21
recommends 133:10
 237:2,8 238:7,20

239:8
record 4:5 19:1 29:21
 39:7,14 47:18 56:20
 59:2 66:19 78:1 87:5
 95:18 105:2 116:1
 129:12,17 143:11
 153:4 166:2,12 177:8
 188:12 201:9 208:21
 212:14 223:22 232:16
 243:22
recordal 208:6,15
recordation 50:18
 202:17 208:2
Recorded 57:12
recording 65:17 130:20
redirect 32:13
redouble 136:14
redress 119:12
reduce 41:2 66:12
 117:7,19 125:13
 194:12 202:12
reduced 63:18
reducing 120:16 195:21
 206:20
reduction 66:3
Reed 29:22 30:1 35:14
 36:3 37:5,21 38:6
refer 16:21 140:18
 164:9
reference 59:14 64:10
 64:13 65:2 84:3
 119:15 160:7 190:13
 238:16
references 127:8
referrals 94:6
referred 8:2 97:13
referring 127:10
reflect 74:12 83:17 89:1
 92:14 99:19 161:12
 220:21
reflected 79:14 100:4
 102:10 149:20
reflects 99:14 101:11
reform 18:9 19:19 20:8
 29:14 134:5 141:11
 171:18 190:11 215:22
 239:2
reforms 11:17 40:12
 71:10 133:18 210:15
refrain 240:14
refusals 201:22
regard 92:9 96:2 105:11
 237:4
regarding 20:22 27:14
 55:17 71:13 74:18
 75:3 90:1 96:9 97:11
 98:14 106:2 112:2
 114:13 134:14 147:22

155:10 237:21
regards 30:6 71:19
 214:5 233:17
regime 41:17 74:10
 93:2 102:9 239:2,16
 240:10
regimes 71:20 133:4
 146:11 171:19
region 107:9
regional 35:3 51:5,7
 111:15 120:6
regions 171:18
register 6:21 109:11
 119:7 165:5 203:4
 243:8
registered 25:18 50:21
 165:5 208:2
registrants 202:14
registration 164:22
 203:8,11 205:10
 206:2
registrations 113:6
 202:2
registries 119:13
regular 17:8
regularly 139:3
regulated 86:14
regulation 80:18 84:10
regulations 34:5 59:4
 71:17 84:7 87:17 90:7
 93:11,12 97:9,14
 100:7 107:7 112:4
 121:20 146:19 237:6
regulations.gov 243:9
regulators 34:4
regulatory 34:15 59:2
 67:17 70:19 74:10
 84:12 97:12 122:6
 168:1 177:19 180:19
 226:7 235:7 237:5
 239:5 240:16
reimbursement 158:4
 179:18 218:15
relate 79:9 203:19
related 3:16 12:22 13:8
 20:2 21:5,8 22:6,10
 23:20 24:17,19,19
 51:1 67:5 85:7 86:9
 86:10 97:12 102:2
 106:22 139:4 148:7
 148:13 149:16 198:6
 202:3 214:3 225:11
 235:9
relates 44:12 162:1
relating 228:4
relation 21:17 84:20
 205:22 207:17 208:14
relations 47:21

- relationship** 229:10
relationships 7:13 51:5
relative 91:22 201:18
 201:21 211:11
relatively 103:13 151:3
 184:14,15
released 4:1 65:5
 144:20 224:16
relevant 34:22 100:3
 194:16
relief 41:10 47:6
relieved 209:14
rely 3:14 8:9 40:16
 70:12 79:6 113:16
 131:5 132:9 152:6
 199:8
remain 45:18 48:13
 49:7 66:7 106:22
 107:21 108:1 109:13
 113:5 176:10,17
 225:5 237:14 239:17
 243:4
remained 240:18
remaining 28:22
remains 9:10 49:6,19
 50:2,4 51:10 56:11
 106:18 116:10 119:20
 120:8 121:18 138:13
 166:14 175:4
remarks 2:2,21 96:4,8
 146:13 239:14
remedies 61:22 165:3
remember 230:3
remind 153:15 221:10
reminder 7:3 201:8
remote 140:22
remotely 140:20 141:3
 160:16
remove 14:7 176:20
 179:17
removed 74:2 83:18
removing 64:12 235:10
Ren 92:4,5 93:3 94:13
render 24:12
reopen 243:3
repeat 117:19 125:13
replication 32:10
reply 92:4
report 7:7,16 17:18
 34:18 49:5 50:16,22
 51:3,12 53:9,14 58:12
 68:8 72:16 73:5,9,13
 74:3,20 77:5 78:9
 83:9,13,15 91:20 94:5
 96:3 101:17 102:11
 110:8 124:2,6 133:11
 139:3,8 148:20
 149:21 152:15 159:19
 162:1 169:10 183:6
 190:12,16,21 191:13
 196:1 198:12,13
 209:1 223:13 238:10
reported 50:20
reporting 10:5
reports 41:18 54:8,22
 116:15 169:4 173:7
 182:20 189:18 205:13
 229:19
represent 25:2 48:7
 146:20 153:11 202:20
representative 1:1,14
 3:6 4:8 7:21 8:6 19:11
 29:19 47:21 56:18
 62:3 76:10 129:15
 212:11
Representative's 5:10
representatives 24:7
 39:11 45:20,21 47:16
 66:17 77:21 87:3
 95:15 104:22 115:20
 143:9 153:2 165:22
 177:5 188:10 201:6
 213:10 220:1 223:19
 232:12
represented 143:21
representing 48:4
 130:10 188:21
represents 58:4 105:17
 143:18 224:21 233:6
Republic 10:4,7 11:5
repurposed 32:12
reputable 100:18
reputation 48:21
reputational 32:5 195:5
request 40:9 66:6 163:1
 174:2 183:5
requested 7:1 23:9
requesting 156:11,18
 187:3
requests 60:10
require 83:16 96:22
 105:14 121:22 147:19
 180:6 205:19
required 97:3
requirement 80:13
 134:8 235:10
requirements 31:15,16
 34:8,10 74:15 76:15
 76:21 77:8,14 81:5
 84:17,20,22 106:22
 109:1 202:16,19,22
 208:3,18 209:3
requires 8:5,11 67:16
 81:6 82:7 136:20
 163:15 214:11
requiring 54:10 100:14
 191:11 238:9
research 2:17 57:9
 59:17 67:7 78:15 86:4
 155:1 157:3 160:10
 160:13,17 161:1,20
 162:7,11,15 163:10
 163:16 164:3 177:6
 177:10,18 178:5
 181:6 185:9 242:22
researchers 163:8
 164:4
reside 236:21
residents 163:11
resolution 22:20 23:3
 85:21 198:5 222:11
resolve 54:11 97:18
resolved 88:11
resort 186:4
resources 17:4,7 90:12
 117:7 126:11 208:12
 215:10 223:8
respect 17:19 19:10
 29:12 40:13 72:14
 76:13 77:4 84:15,16
 84:16 85:9 87:15
 112:10 151:2 175:19
 196:3
respected 78:20
respecting 138:9
respective 11:8 104:13
 203:16
respectively 226:8
respects 189:19,22
respond 92:2 183:5
responded 6:20
response 37:13 106:5
 111:10 199:12
responses 110:2
responsibility 72:9
 137:11
responsible 10:11 67:6
 137:9,12
Res 212:15,15,20
 219:17 221:1 222:14
restoration 179:11
restrain 175:14
restrict 80:8 148:17
 167:8
restriction 80:12
restrictions 80:22
 114:19 115:16 138:1
 147:7 167:20
restrictive 71:14 154:16
 165:13
restricts 146:8
result 7:6,16 59:8 61:21
 87:19 114:15 180:13
resulted 55:6 145:9
results 48:21 72:16
 107:9 183:10 225:1
resumed 129:12
resurrected 169:14
retail 48:11 233:8
retailers 2:12 105:18
 115:21 116:4
retains 162:13
retaliation 50:13
retrain 159:13
return 129:8
returns 58:1
reveals 225:2
revenue 32:4,13 33:18
 82:5 236:13 237:12
revenues 138:8 145:11
reverse 51:22 157:3
review 3:9,9 4:2,4 6:9,9
 7:17,20 20:18 35:11
 35:13 67:17 76:20
 84:17 109:20 124:22
 130:2 132:1,5 136:11
 180:3,13 189:7 204:2
 235:5,18
reviewed 32:11
reviewing 132:4
revise 43:5
revised 41:6 89:17
 235:8
revision 85:11 86:12
revocation 42:10
revocations 75:5
RIAA 145:12
right- 91:4
rightful 111:21
rights-holders 21:7
rigorous 67:17
Ringgit 197:3,6
ripping 63:13 140:6
rise 96:21
risen 174:14
risk 150:11 158:9
 178:10 192:17,20
risks 67:16 149:8
ritonavir 157:6
RMB 89:3,21
road 67:14
roadmap 127:11,13
 128:14
robust 45:4 129:2 158:7
 170:3,13 172:14,15
 174:22 227:2
robustly 175:15
Roger 39:15
role 160:2 168:9,16
 170:9
roll 225:12
Rooms 1:9

Rosenbaum 129:18,19
139:9 140:1 142:13
143:6
rough 38:11
Roughly 12:8
routine 90:13
routinely 155:11
routing 24:21
row 10:14
Royal 50:22
royalties 155:12
royalty 22:4,8,12
155:16 234:11
royalty-free 162:13
rule 107:12 222:10
rules 146:4 167:8
182:10 235:17
rulings 226:14
run 45:3
runs 34:2 147:8 216:17
Russia 70:9 71:4
120:19,21 121:11
124:17 133:15 171:2
172:2 203:2 204:20
228:18
Russian 121:1,7
Ryan 166:5

S

S 91:20 102:1 112:7
123:22 139:2 149:15
159:11 164:8 173:5
182:18 187:2 199:4
207:4 209:9 229:15
240:9
safe 104:2 150:13
151:13,16 230:13,15
230:20,20,22 231:12
239:20
safeguard 109:21
safer 136:19
sale 25:5 117:8 196:13
sales 48:11,21 65:21
114:9 117:5
Samsung 155:7
sanctioned 19:21 20:7
sanctions 12:3
Sanofi 157:7
satisfy 69:4 94:10
satisfying 9:17 207:16
Saudi 180:15,22 225:20
226:5
save 223:9
saving 215:6
saw 106:3 233:16
says 213:15
scale 15:16
scarce 215:10 220:12

schedule 6:17
scheduled 4:11
scheme 60:18 64:10
65:2 66:5 235:14
schemes 59:20 222:22
school 223:4
Schruers 96:6
Schultz 1:17 4:22 5:1
17:17 18:14 28:19
37:18,22 85:6 103:12
139:17 150:8 230:10
242:2
science 161:21 194:3
216:16 217:1
sciences 192:3 193:17
238:6
scientific 57:13 160:18
scientists 163:17
scope 89:18 101:6
108:11 120:2 194:20
196:16 198:22 199:9
241:14
score 134:18
scratchy 224:2
screen 118:19
screening 236:9
se 56:2 153:14
search 60:9
second 19:21 20:22
21:4 27:5,7,8 29:7
42:3 60:2 62:15 82:15
96:22 98:12 111:7
125:8 141:13 155:3
170:14
secondary 63:3 125:1
210:18
Secretary 160:6 169:13
233:4
secrets 3:17 40:14 88:1
89:16,19 90:3,4
171:12,15,16,19
172:3 228:7,8 240:17
section 7:22 8:1,4
10:15 49:16 75:6
99:15 176:16 228:22
Sections 8:17
sector 6:19 16:16 91:2
99:21 105:13 138:8
144:12 160:17 161:1
161:10,11 215:19
216:8,12,15,20
227:13 233:12 236:4
236:7,15 238:7 239:3
sectors 61:1 78:16
87:12 111:13 132:17
144:10 227:9 233:7
secure 80:3 84:19
secured 23:19 24:16

securing 119:1 226:2
security 80:16,17 81:5
84:14,16,17 95:11
seeing 33:17 39:2,2
139:18 140:3 168:5
183:15 210:16 212:18
227:18 241:1,3 242:8
seek 107:14 183:4
197:4 238:9
seeking 135:12 170:15
seeks 99:2 224:11
seen 28:3 36:6 50:22
56:10,11 71:11
114:14 115:7 161:5,6
176:12 239:4 240:19
sees 154:14
segment 58:8
seize 55:2
seizes 117:12 125:9
seizure 117:15 118:2,5
seizures 48:15 50:22
90:19
selected 89:8 224:13
sell 45:9 59:21 116:7
119:7 123:4 175:15
201:1
sellers 117:19 125:14
semiconductor 21:3
Senate 157:15
sends 45:16
senior 105:4,5 143:15
224:4 233:5
sense 111:19 152:17
175:20
sensitive 13:15 16:7
separate 23:9 154:20
separately 117:22
139:21
September 68:17 69:7
194:15
series 91:6 94:19
167:19 169:4
serious 19:8 64:6
105:10 183:8 185:10
233:14 239:4
seriously 10:12 19:16
serve 40:6 95:20,21
166:10
served 24:1
server 140:18,20 142:8
servers 140:22
serves 19:22 119:22
227:15
service 14:13 15:18
25:10,14,16 66:8
98:21 100:7,12,14
136:17 148:6
services 1:13 5:20

24:13,22 25:8 60:5
63:16 96:14,17 99:6
104:4 118:14 131:15
134:22 136:2 137:20
138:11 140:6 144:8
145:7,8 147:20 148:4
148:8,13,18 149:6
150:11 157:15 202:4
session 20:19 129:7
set 8:16 30:9 64:11
71:20 88:15 99:4
108:11,16 121:19
134:1 147:18 183:20
188:4 193:16
setting 59:13 165:16
setup 243:18
seven 82:22 116:13
119:6 125:8 130:14
194:6 204:18
seventy 13:4
severe 178:12
Shanghai 88:17
shapes 171:14
SHAPIRO 1:18 151:1
241:9,19
share 6:16 46:7 145:14
154:10 191:16
shared 57:17 146:21
shareholders 48:9
sharing 24:12 185:8
192:15
Shawna 105:3,5
sheer 118:17
shift 147:13
ship 117:22
shipments 118:18,20
126:8
shippers 117:20 125:14
shoe 108:21
shoes 123:4,5
short 43:7 112:17
short-term 47:1 72:7
shortcomings 41:17,22
shortfalls 135:7
show 29:9
shown 35:2
side 141:19 212:5 235:7
241:5
side-loaded 36:7
signal 44:16
signals 45:16
signed 194:5
significance 224:14
significant 15:22 16:6
41:19 49:18 52:3 59:9
78:13 119:9 120:3
121:13 127:5 136:12
140:15 143:20 146:20

150:11 158:17 175:12
 176:19 183:16 234:8
significantly 100:12
 148:17 174:21
signify 240:2
signs 20:11 24:22
similar 22:14 78:18
 98:1 107:9 114:13
 156:15 203:8 222:5
similarly 208:9
simply 63:15 80:13,20
 108:4 114:8
simultaneous 26:22
single 51:17 205:19
 221:17
singles 83:15
sir 209:9
site 62:14 74:9
sites 13:11 14:12 16:3
 237:11
Sitting 73:22
situation 22:3 39:8
 121:6 173:17 204:5
situations 238:15
six 118:21 135:10
 143:22 203:18 206:6
size 121:7 173:10
 176:18 183:1,13
 224:14 229:22
sized 77:7 199:14
sizes 167:1 171:14
skeptical 113:5
slow 120:22 205:4
slowly 142:4
slows 205:2
small 30:12,19 31:21
 32:1 33:1 35:5 68:1
 70:16 77:6,15 116:6
 118:15,18 126:8
 144:3 146:9 199:14
small- 167:2
smaller 77:10 183:17
smallest 30:15 34:22
SME 200:15
SMEs 200:7,7,9,10,11
 200:12,17,18 201:2
smoothly 27:9
smuggling 122:9
snippet 96:21 97:11
 98:5
snippets 147:6
society 6:20 189:10
Sofosbuvir 193:13
 194:18
software 2:10 13:16,21
 15:6,17,18 16:9 20:3
 22:16,21 23:5,11,15
 26:5 28:5,20 29:7

57:15 63:14 77:21
 78:5,8,11,16,18 79:21
 81:14,18,19 82:3,7,13
 130:17 148:8 235:11
software.org 78:10
solar 42:14
sold 50:7 184:9
solely 161:8 179:4
 216:7
solid 20:3
solution 50:1 229:8
solutions 168:21
 241:16
solving 168:16 242:22
somebody's 66:10
soon 95:10 210:7
sophisticated 79:22
sorry 17:17 95:21
 152:12 184:17 185:18
 210:6
sort 160:11 163:5
sought 106:14 108:22
sound 131:7
source 31:15 34:9 49:6
 84:21 120:13
sources 213:17 214:19
 236:9
South 59:11 202:11
 205:18 206:3,15
 215:1 226:11 228:18
Southeastern 13:17
Sovaldi 193:13,16
 194:18
space 31:10,12 32:18
 66:3 172:1
spaces 176:8
Spain 97:22
speak 18:22 174:21
speaking 26:22 212:20
speaks 227:11
special 1:3,8 3:9 4:2 6:4
 7:4,7,15 8:2,22 9:17
 10:15 17:18 20:10,12
 28:4 34:18 41:18
 43:12 48:2 53:9,14
 57:1 58:12 68:8 72:15
 73:4,9 79:2,10 83:8
 83:13 90:14 96:2
 98:12 100:19 101:17
 102:10 116:15 124:1
 124:6 130:1,2 132:1,5
 132:11,20,22 133:2,2
 133:11 138:13 139:3
 139:8 143:13 149:21
 159:12,19 162:1
 166:3 167:11 173:6
 174:13 177:15 178:11
 178:14,20 179:21

182:19 183:6 186:18
 189:18 190:12,16,21
 191:13,21 198:11,11
 198:22 200:9 205:13
 228:14 229:19 242:18
 243:3,17,19
specialize 88:17
specialized 11:18,21
 88:15 148:8
specific 36:5 37:2 56:1
 71:19 74:5,18 93:16
 96:18 127:7 132:4
 152:9 159:17 168:3
 173:20 184:10 190:8
 224:12,15 236:4
specifically 8:4 84:9
 102:14 112:13 127:9
 127:13 142:7 190:19
 191:11
specifics 39:7 54:19
speculation 155:18
spelled 10:7
spend 211:21 222:18
 222:19 223:8
spent 144:21 212:5
sphere 19:21 20:5 21:8
 22:3 26:2
spheres 21:22
spinoff 200:19
Spinraza 162:11
spirt 70:4
sporting 92:20 121:8
sports 93:4,6,7
spot 46:5
Spotify 145:5
spread 80:7 97:20
spreading 79:21
spreads 192:13
stability 61:15
staff 6:5 213:10
stage 29:14
stake 15:13
stakeholder 76:22
 171:11
stakeholders 6:19,20
 35:16 64:22 125:21
 149:5 168:22 194:16
 238:22
stalled 239:5
stance 53:20
stand 123:11
standard 94:12 108:18
 141:10 210:11,21
standards 108:16 131:6
 134:2 191:5 199:19
 199:20 204:12
standpoint 114:7
stands 123:3

start 9:21 29:3 31:11
 153:7 191:18
started 95:5 129:15
starting 4:18 124:10
 135:13
starts 29:4 200:18
startup 235:13
startups 235:14
state 1:15 7:17 18:22
 19:20 22:11 25:9,14
 25:16,22 28:7 29:20
 30:5 39:13 41:14 46:3
 47:18 56:19 66:18
 67:4 77:22 81:14 87:5
 93:21 95:17 105:2
 115:22 125:9 129:17
 143:10 153:3 166:2
 175:17 177:7 188:11
 197:20 201:8 210:5
 212:13 222:2 223:21
 231:18 232:15
state-of-the-art 131:4
stated 64:16 186:1
 211:8
statement 9:14 15:2,9
 69:9 96:17 133:12
 161:22 229:17
statements 9:7,11
states 5:6 10:4 19:10
 19:11 30:11 35:1
 44:17 45:13 52:11,12
 57:22 61:5 62:2 64:12
 65:3 78:14 97:21 98:5
 98:10 99:22 137:12
 144:7 145:17 146:19
 154:7,20 155:3
 156:21 157:20 158:3
 160:16 161:13 162:4
 162:10 163:19 166:20
 170:2,7 177:12,17
 179:2 189:18,22
 191:10 193:7 200:12
 202:1 209:22 216:3
 216:14 217:9,10
 218:3,16,19 219:8
 234:21
States' 171:14
status 18:5 36:21 75:9
 181:15 204:12
statute 8:11 9:17 38:1
 79:2,13 188:4
statutes 37:20 38:2,3,5
 38:12 154:20 158:14
 159:6
statutorily 3:10 8:18
statutory 88:19 89:19
 132:4,22 164:12
stayed 81:22

steal 204:21
steering 145:7
Stelly 95:19,20 102:13
 103:7,17 104:16
stem 126:20 157:5
step 29:4 47:17 77:16
 94:2 134:11 165:13
 216:20
stepping 96:5
steps 12:7 18:1 26:16
 36:17 40:19 50:9
 65:13 225:10 228:13
 239:16
Stevan 1:16 5:12
sticks 192:18
stinger 33:13
stolen 33:16,19 48:19
stop 159:6 195:8 216:7
storage 25:4 80:5
store 33:10
stored 141:4
story 32:20
straight 31:10 34:12
strategic 2:20 170:8
 172:8 195:2 232:13
 232:19
strategy 3:11 108:3
 121:3
stream 63:13 84:11
 140:6
streaming 16:2 33:15
 60:7 140:5,10,14
 145:11 228:3
streaming-only 144:19
streamline 235:16
Street 1:9
strength 171:14 199:8
strengthen 52:16 87:22
 122:18 200:2
strengthened 239:19
strengthening 26:4
 119:19 120:18 200:1
stress 49:19
strict 61:14
stricter 237:21
strides 60:9
strip 59:16 226:21
strive 10:20 138:4
strong 37:1 43:14 57:18
 63:3 66:1 67:18 72:1
 100:8 101:10 110:1
 127:19 145:3,16
 148:15 149:4 166:22
 170:1,3,7,16 172:12
 226:15
stronger 225:16 227:17
 240:21
strongly 106:11 109:18

169:7 171:17 198:20
 239:8
structure 11:19 12:13
 17:6 34:15
structures 131:8
structuring 11:20
stubbornly 81:22
studies 35:2
studio 144:21
study 130:12 141:18
subcategory 86:3
subcommittee 6:4,8,13
 43:10,18 57:1 62:4
 80:21 83:20 143:13
 166:4
subject 8:16 155:16
subjects 96:18
submission 15:10
 35:18 36:17 37:19
 40:11 71:21 74:9,16
 74:22 75:4 76:8 80:21
 86:8 94:21 96:11,19
 98:19 102:17,21
 103:1 104:6 110:18
 115:9 119:18 125:7
 127:3,3 133:9,17
 135:10 141:8,16
 146:10 150:9,20
 151:9,12 152:7
 159:11 161:18 164:8
 167:12,18 170:20
 173:13,18 174:13
 176:1 180:4 182:2,14
 184:4 186:1,19 195:9
 195:12 207:5 210:9
 224:11 228:15 230:6
 232:7 238:12 241:18
submissions 103:20
 125:2 153:10 192:6
 199:5 209:17 240:13
 243:2
submit 64:22 195:10
 198:18
submitted 20:18 35:13
 90:4 179:20 189:6
subscription 145:7
substances 25:6
substantial 48:22 122:2
substantially 82:2
 145:1 205:9
substituting 64:14
succeed 56:8 215:8
success 55:19 56:6
 123:9 166:18
successes 53:17 54:2
 56:3
successful 13:20 107:9
 133:2 156:16

successfully 155:14
suffer 159:4 204:9
 215:9
suffering 193:12
sufficient 10:19 40:12
 92:21 94:9 113:1
suggest 115:2 190:10
suggestions 159:17
 242:6
suggests 164:9
suited 74:17
summaries 133:12
summarizing 40:17
Sung 1:14 5:9
supervision 90:14
supervisory 26:1
supplement 141:16,21
supplemental 74:21
 139:12 181:10
supplier 160:13
supplies 48:5
supply 25:17 50:11
 52:7 101:13 198:5
 222:11
support 27:14 39:19
 40:2 43:4 50:12 58:4
 62:5 93:7,10 116:8
 121:15 148:20 190:4
 190:11 215:21
supported 33:3 50:7
 51:7 109:9 110:20
 171:17 236:17
supporters 52:5 169:14
 188:18
supporting 52:10 100:9
 110:5 168:9
supports 67:7 78:12
 170:16
supposed 215:5
Supreme 155:9 226:14
surplus 144:7
surveys 81:18
susceptible 61:1
suspension 25:11
suspicion 94:11
suspicious 25:11
sustain 70:13
sustainable 67:10
sustained 225:12
sustains 177:20
swift 110:2
swiftly 43:2
Switzerland 64:12
 160:21 163:19
symptoms 193:2
system 19:19 20:9,10
 22:8 36:22 42:4 46:13
 50:18 65:11 73:21

87:17,21 90:22 91:1
 101:10 104:18 109:10
 109:21 121:17 122:6
 145:18 204:8 209:13
 211:15,18 215:22
 218:20 230:14,17
 231:4 232:3 241:16
systemic 136:13
 224:12
systems 24:21 94:20
 119:2 145:16,22
 205:9,21 210:2
 224:19 227:2
Szymanski 224:1,4
 230:2,15 232:4

T

T.V 13:10
table 201:7
table-based 155:17
tackle 234:17
tactics 109:6
tags 117:22
Taiwan 73:20 133:15
 142:5,10,19,21
 171:20
Taiwanese 142:6,8,15
takeaways 233:16
takedown 60:10,18
 66:13
taken 10:9,19,20 11:14
 13:20 14:16,17 18:2
 19:18 23:2 50:10 60:9
 69:13 91:6 92:9 94:19
 135:8 239:15
takes 91:3 123:7 127:19
 228:15
talk 31:18 33:20 36:5
 150:18 152:19 154:8
 200:3,5,7
talked 26:16 222:4
talking 93:3 141:20
 200:11,11,12
talks 112:2
Tamil 235:1
Tan 87:9
tangible 12:7 198:6
 222:12
target 101:15 137:5
 142:7 154:12 217:21
targeted 223:13 236:18
targeting 108:11
Tariff 187:1
tariffs 49:22
task 22:7 236:20,21
 238:21
tasks 26:3
tax 98:5

- taxes** 96:21 97:11,12
 98:6 198:4 222:10
taxpayers 160:19
TE 103:19
team 170:2 232:5
teams 88:17
technical 20:4 57:13
technically 168:20
technique 31:17
techniques 79:22
technological 60:4 72:1
 133:20
technologies 42:13
 57:3 80:3 148:2 156:4
 156:5,10 158:21
 168:19 199:11 213:7
 215:7 239:11,13
technology 57:14 61:8
 61:19 62:22 63:8,13
 84:6 96:13 116:12
 120:1 135:5 214:6
 226:1 227:10 229:1
 239:7
Teitelbaum 56:21,22
 62:21 64:5 65:15
Telecommunications
 41:11
television 14:2 57:13
 63:20 130:18
tell 15:8 27:16 32:20
 38:2 150:13 219:21
ten 9:5 14:6 167:13
 205:16
tenants 225:14
tend 155:22
tended 140:17
tenor 75:14
tens 100:9
term 37:13 108:17
 111:1,15,16 179:11
 207:6
terminated 24:8
terms 20:7,16 21:11
 29:11 35:3 84:5
 106:19 109:12 111:17
 113:20 114:8,20
 115:10,11 140:3
 160:17 161:1 183:22
 205:22 209:4
territory 81:10
test 134:11 165:13
testified 243:6,16
testifiers 76:5
testify 30:4 48:2 57:2
 68:6 78:6 123:17
 149:11 153:3 166:1,5
 172:21 177:15 182:11
 188:10,16 212:12
 223:20 224:8 232:14
testimony 10:1 14:21
 15:2,5 18:16 26:11
 35:8 36:4 39:11 43:22
 49:2 53:5,8 56:15
 62:10,13 66:16 72:21
 73:2 77:18 83:5 87:2
 91:18 95:14 96:9
 101:20 104:21 110:14
 110:17 113:14 115:19
 120:15 122:17 123:20
 126:7 127:4 129:6
 138:22 143:8 149:13
 153:1 159:9 161:18
 165:21 177:4 182:16
 188:8 189:7,13 192:6
 195:14 201:4 207:2
 212:9 219:3 222:3,4
 223:17 229:13 232:11
 233:18 240:6 243:2
testing 156:15
text 85:14,22 109:1
 154:9
textile 52:8
Thailand 70:9 169:21
 202:18 203:10 205:19
 206:16 214:22 225:17
thanks 19:1 47:14 53:7
 53:15 73:1 110:17
 114:17 129:9 139:9
 139:13 149:15 161:17
 170:1 188:15 241:16
 243:17
theaters 236:9
theft 61:10 136:14
 145:6 228:2
theme 118:9
thereabouts 112:20
thickets 158:21
things 32:17 38:14
 63:13 77:11 128:14
 153:10 160:11 164:19
 166:11 173:20 185:10
 186:16 214:8 217:19
 223:12 242:10
third 21:1,9 24:9 29:10
 41:6 42:5 97:4 99:9
 171:12
thirty-seven 12:21
thought 54:3 160:10
 162:18 242:22
thousands 100:9 144:3
 202:2 211:14 212:4,5
threat 44:13,15 98:1
 99:7 156:22 158:3
 161:5
threaten 100:11 134:6
 146:15 147:4 178:9
threatened 165:18
threatens 136:6
threats 170:15 180:5
 181:3 183:8
three 19:14 49:2 117:21
 120:16 158:15 168:3
 187:3,19 197:12
 202:16 218:7 233:3
three- 134:10 165:12
thrive 46:21
thriving 138:7
throwing 154:3
Thursday 1:5 4:6
tide 126:20
ties 57:16
tightly 170:10
timely 195:2 205:7
times 163:4 193:21
timing 26:15
tireless 43:18
Titarchuk 19:2,3 26:18
 27:1,18 29:1
titled 155:17
today 4:5 6:16 18:17
 30:20 31:2 38:14
 41:14 44:11 46:5 48:2
 52:7 68:6,11 70:18
 74:1 78:7 79:9,21
 94:2 95:14 104:21
 116:8 118:9 127:4
 142:5 146:12 153:1
 166:5 168:2 172:21
 182:11 188:16 192:6
 197:22 212:20 221:9
 222:4 232:6 233:18
 243:2,6
today's 4:9,11 6:17
 149:10 177:21 178:6
 243:10,18
toehold 133:6
tomorrow's 177:22
tool 58:13 154:15
 178:12 227:15
tools 116:18 138:16
 158:22 171:6 172:11
 172:14,15,18 182:3
top 33:7 48:13,14,15
 50:4 115:16 135:6
 139:10 180:5 213:16
 214:17
topographic 21:3
torrent 13:19 14:9 16:1
total 12:15,16 174:15
 193:21
totaling 144:1
totally 223:7
touch 218:8
touches 210:9
touted 107:16
toxic 25:6
track 4:15 42:21 117:17
 125:12 227:21
tracked 44:3
trackers 13:19
tracking 14:9 16:1
trade-related 161:19
 163:6
traded 91:11
trademark 1:12,18 2:18
 5:17 36:14 41:3 51:2
 53:10 88:1 109:8,10
 109:20,22 118:8,10
 119:1,9 124:2 167:21
 201:6,11,12,14,16,19
 202:15,21 203:4,12
 203:20 204:1,2,6,16
 204:21,22 205:4,19
 208:1,17 211:5,11,16
 211:19 221:13,14
 235:16,17,19
trademarks 3:16 20:21
 205:10 240:17
trading 7:13,19 49:20
 51:9 57:17 58:1,21
 59:1 61:17 68:8 71:13
 96:15 98:15 102:12
 106:9 108:20 110:10
 131:11 133:4,18,21
 134:13 135:9 136:15
 136:22 137:9 138:12
 145:15 149:22 178:17
 189:19 190:1
traditional 152:17
traffic 119:10
trained 118:4
training 17:8 21:14
trainings 17:9
transcript 4:8 243:10
transfer 34:11 61:19
 80:10,11 94:3 97:8
 100:6 148:7 226:1
 229:1
transferring 21:15
 94:14 95:2
transfers 61:8
transform 22:11
transfusion 192:21
transgressions 105:11
translate 43:3
translations 164:3
transmission 13:9
transmitted 192:15
transparency 59:2
 64:21 69:22 119:3
 204:15 234:16 241:11
transparent 119:13

transparently 171:10
 transplant 192:21
 trap 202:20
 travel 48:4
 travesty 115:15
 Treasury 1:15 5:4 54:21
 174:10
 treat 10:12 92:20 192:1
 treated 89:6
 Treaties 134:1
 treatment 2:19 68:19
 68:21 152:14 158:22
 197:4,11 212:12,16
 212:22 213:3 214:11
 219:9
 treatments 72:6 177:22
 180:17 219:16
 tree 31:11
 tremendous 112:21
 207:14 231:9
 trend 137:15 184:16
 185:1
 trends 54:12 125:8
 135:21 139:18 225:3
 227:19,21
 trial 89:11 95:10
 trials 77:9 90:16 185:6
 tribunals 88:18
 tricky 141:20
 trillion 30:22 78:12
 130:13 166:13
 TRIPS 70:4 98:9 134:18
 190:3,6,14 191:4
 199:20 238:4
 trolling 20:20
 troublesome 169:7
 troubling 70:7 135:7
 149:7 169:18 170:4
 179:15
 true 102:14 104:15
 116:22
 truly 30:11,20 109:15
 Trump 153:16 157:22
 158:12,13 213:16
 truth 67:22 88:15
 try 104:1 109:10 189:19
 222:22
 trying 29:12 63:15
 64:16 114:8 126:20
 Turkey 54:22 55:7 70:9
 71:4 167:16 171:2
 179:17,19,21 180:2
 184:21 228:19
 turn 100:15
 Turning 50:14 81:11
 turnover 25:17
 TV 24:13 236:10
 tweet 195:3 196:18

tweeted 196:15
 tweets 196:20
 Twenty-eight 24:2
 Twenty-five 24:1
 twin 79:1
 Twitter 194:20 197:15
 two 17:10 69:1 81:12
 91:15 94:20 103:1
 117:12 152:21 158:21
 189:14 194:11 196:7
 202:8 207:22 243:13
 type 111:12
 types 25:17 70:21
 71:16 106:12 110:22
 183:11
 typically 54:9 112:20

U

U.N 169:8,16
 U.S.-based 116:22
 148:18
 U.S.-India 232:13,18
 U.S.-manufactured
 179:16
 UACR 22:10,11,13
 UACT 215:12,13,16,20
 217:2 219:18 221:2
 UAE 181:14,22
 UAE's 181:19
 UK's 110:21
 UK-EU 112:1
 Ukraine 2:4 18:22 19:4
 19:5,14 20:11,13,17
 21:16 22:20 23:1,1,4
 23:18 24:16 25:3,15
 28:11 133:15 204:20
 Ukrainian 22:9
 ultimate 53:21 131:13
 ultimately 59:18 115:11
 125:19 126:17
 un-stayed 27:14
 unable 184:18
 unaddressed 239:17
 240:18
 unauthorized 13:12
 14:4 69:9 117:8
 unavailability 202:11
 unbalanced 145:22
 146:11 148:3,22
 uncertain 67:13
 uncertainty 85:13,15
 unchanged 176:18
 unchecked 70:3 98:6
 under-utilized 154:15
 undercut 59:6
 undercutting 63:18
 underdeveloped 198:5
 222:11

undermine 59:8 68:9
 115:7 146:15 170:16
 181:8 230:14
 undermined 229:5
 undermines 61:18
 undermining 73:16
 198:7 222:13
 underneath 33:8
 understand 31:20
 35:12 173:16 221:16
 222:16
 understanding 38:17
 142:18
 undertake 3:10
 undertaken 36:18
 undertook 225:10
 undervalue 72:6
 unduly 71:14
 unfair 79:15 89:17
 unfairly 138:1
 unfettered 31:7 215:6
 unfortunately 46:22
 96:7 97:17 104:3
 145:20 183:12 184:15
 227:18
 uniform 128:7
 union 2:19 81:9 146:17
 146:20 160:9 171:20
 181:4,7,21 202:1
 210:10 211:9 212:1
 212:11,15,21 213:2
 228:17
 unit 11:18
 United 10:4 19:10,11
 30:11 35:1 44:17
 45:13 52:11,12 57:22
 61:5 62:2 64:12 65:2
 99:21 110:19 144:7
 145:16 154:7,19
 155:3 156:21 157:20
 158:3 160:16 161:12
 162:4,10 163:19
 166:20 170:2,7
 171:14 177:12,17
 179:1 181:4,11
 189:18,22 191:10
 193:7 200:12 209:22
 216:3,14 217:9,10
 218:3,16,19 219:8
 universal 163:20 213:6
 university 162:6,7
 unjustified 72:2
 unlawful 237:12
 unlicensed 81:13,16
 82:3,6,13
 unlock 144:7
 unnecessarily 71:17
 203:2

unnecessary 202:7,19
 203:10
 unprecedented 69:14
 106:5 174:14 178:8
 unquote 132:10
 unreasonable 80:11
 unreasonably 204:11
 unregulated 14:1,3
 unsuccessful 137:19
 204:3
 Unsurprisingly 167:6
 unsustainable 218:20
 unveiled 89:14
 unwarranted 186:7
 unwary 202:20
 upcoming 51:18
 update 46:15
 updated 52:22
 updates 46:8,11
 updating 99:12
 uphold 108:15
 upholding 107:12
 upholds 107:5
 uploaded 147:16
 upwards 112:18
 urge 49:16 134:12
 136:14 178:19 180:1
 182:3
 urgent 180:6
 urges 172:7 181:22
 US-India 2:20
 usage 36:9 155:1
 USC 157:12 158:14,14
 USDA 110:15
 use 3:20 7:5 9:16 13:12
 14:4 22:5 24:21 25:7
 27:22 33:1 34:3,4
 39:5 42:9 58:17 59:21
 61:16 68:18 71:8
 79:18 80:1 81:13
 82:12 100:18 105:20
 114:20 118:13 120:1
 144:4 147:7 154:12
 154:21 155:15 157:10
 157:12,17 158:7,13
 159:2,14 163:1 165:9
 167:21 168:2 172:8
 172:13,15 178:19
 179:7 185:17,18
 189:3 194:17 195:4
 196:9,10,11,15,22
 197:14 203:15 213:17
 213:21 214:19 215:2
 226:6,7 238:16
 useful 27:20 76:22
 user 110:22 141:1
 155:4 208:2,15,18
 user's 141:4

users 14:13 32:15
62:14 106:19 111:1
111:22 145:7 147:16
192:16 202:17 208:22
209:3
uses 81:16 141:18
238:1
USISPF 232:22
USPTL 207:20
USPTO 27:12 92:18
102:19 150:22
USTR 4:3 6:8 8:11,19
8:22 14:22 26:12 35:9
40:9 43:9 44:1 50:15
52:20 53:6 62:11
72:22 76:3 79:10 83:6
86:6 91:19 96:22 98:8
100:5 101:16,22
112:6 116:14 123:11
123:21 138:18 139:1
146:5,7 148:14 149:3
149:14 155:5 159:10
159:13 161:4 164:7,9
164:18 165:19 173:4
180:3 182:1,3,17
199:3 205:12 207:3
213:10,15 215:13
216:19 220:20 229:14
240:8 243:17
USTR's 6:21
ustr.gov 243:11
USTRs 4:9
usually 16:7 192:13
200:15,20
utility 21:4
utilize 225:21 231:21
utilized 225:7
utilizing 227:10
utmost 19:9

V

vaccine 214:6
vaccines 157:4
valid 86:1
valuable 42:20 68:3
100:17 119:10 204:21
228:9
value 25:12 57:20 82:3
89:1 92:14 120:10
178:18 216:11 226:22
227:14 229:5
valves 156:9
variety 84:13 131:16
135:19 169:15 170:18
172:11
various 12:1 87:12
102:3 149:17 154:22
233:7

Varma 232:17,18 241:1
241:17,20 242:7
vast 121:7
vehicle 134:6
venture 34:8
ventures 185:8
verdict 13:1
version 33:16
versions 49:13
versus 38:16 39:8
211:4
viability 136:6
Vice 96:6 143:15
video 33:14 243:10
videos 236:10
Vietnam 81:3,4 133:16
225:17
view 27:5 28:21 82:11
103:4 104:12 112:13
127:14 159:22 164:10
198:1 221:8
views 30:5 64:2 96:2
129:22
vigilance 105:14
vigilant 109:14
vigorously 120:11
violation 14:8 90:3
102:22 103:5
violations 31:19,20,22
32:3,8 98:10
virtually 48:14 118:18
126:9 193:14 202:2
240:15
virus 157:14 192:13
visible 16:10
vision 131:22
vitality 116:10 123:6
voice 166:10 224:3
voiced 237:20
void 138:3
volume 118:17
voluntarily 6:22
voluntary 69:3 155:15
156:1 186:8 195:19
196:6,16
voters 154:6
votes 27:4
vulnerable 228:10

W

W 174:11
wage 231:1,7
waiting 46:9
wanted 53:21 54:1
222:5
wants 159:15 214:18
warrant 186:17 240:21
Washington 1:9 11:8

Washington-based
6:11
wasn't 165:12 196:19
waste 208:12 215:10
watch 8:19,20 9:1,2
10:14 40:10 49:4
50:15 83:1,1 84:2
102:7 133:14 174:4
179:14 180:2,22
181:22 187:7
watch-listed 98:8
watching 9:8
wave 179:22
waves 179:22
way 31:20 32:7 36:11
46:20 85:17 93:5
104:4 115:1 123:4,4
128:18 141:12 146:8
161:6 175:22 183:6
186:14 195:6 207:16
210:1 220:11 221:7
221:19 222:22
ways 32:9 40:16 47:3
127:18 131:16 135:20
144:5 169:21 220:9
weak 58:22
weaken 59:12 132:15
133:4 168:5 169:5
226:12
weakening 199:13,17
199:21
wealthy 72:3 231:5
website 4:10 234:15
websites 60:16 121:4
142:7 234:20 236:16
237:10
week 27:7
weeks 193:15 197:11
218:7 243:13
welcome 9:22 130:5
welcomed 235:8
well- 134:6 145:17
well-being 58:2
well-developed 114:3
well-established
134:10
well-functioning
227:12
went 129:12 196:21
243:1,22
wide 134:19 156:3
widespread 82:12 86:2
wiggle 195:6
willing 118:3
willingness 82:9
win 89:7 212:7
window 112:17
winners 144:19

winning 144:17
WIPO 134:1 169:16
Wirth 157:5
wish 46:14
wishes 101:20
withhold 158:3
withstand 67:20
witness 87:14 204:10
witnessed 97:20
witnesses 209:16
women 166:11 177:13
Won 1:15 5:3
wonder 46:11 222:19
wondered 46:8
wondering 142:10
word 214:9
words 58:8 132:17
142:21
work 4:20 19:17 26:14
26:20 31:8 38:4 43:18
45:13 49:10 51:11
63:19 66:9 91:1 92:22
106:18 107:2 110:11
123:11 128:5 136:17
138:18 140:21 150:2
151:6 162:1 165:2,5,6
165:15 174:20 221:2
231:2 236:1
worked 38:17 54:15
workers 48:10 122:19
192:17
workforce 58:6
working 2:18 51:8
52:20 62:2 103:15
125:20 145:4 170:10
182:13 189:8 191:19
201:6,11,12 229:6
workplace 31:4
works 14:4,5 45:19
57:11 60:19 63:17
65:20 66:2 122:18
144:14 164:10,14,22
165:10 189:2 231:7
workshops 225:13
world 6:12 7:20 30:10
30:18 31:14 45:11,14
48:7 80:6 81:20 90:10
91:15 99:22 116:7
121:11 127:17 131:2
134:5 135:19 144:5
144:15 146:12 153:13
160:14 163:8,18,21
166:21 167:5 169:1
172:2 183:9 184:13
187:12,16 190:5
215:22 216:14 217:4
220:13 224:20 231:11
world's 143:18 227:22

worldwide 82:4 105:20
136:5 137:6,15 189:2
224:10
worried 51:22
worse 217:20
worth 132:3 144:8
202:6
writing 17:11 219:19
written 15:2,10 35:18
36:4 37:7,12 40:11
54:18 55:9 94:21 96:8
96:9,19 98:19 103:18
120:15 122:17 127:3
189:6,13 209:17
210:9 222:3 230:6
241:18 243:1
wrong 28:6 32:19 38:10
214:1
wrote 200:4
WTO 134:18 147:10
165:17 169:16 172:15
181:19 196:1
www.regulations.gov
7:14

X

x-ray 118:19
Xtandi 157:18

Y

year 3:11 7:9 9:3 10:10
10:14 11:10,12 12:6
12:18 13:2 14:16
15:22 18:3 20:14
27:15 28:8 29:2 34:3
49:3 50:16 53:16
89:13 105:22 106:7
106:13,13,18 108:5
108:15 110:3 120:5
127:7 144:20 151:21
158:16 164:15 173:15
180:6 183:5,11 187:2
191:22 194:15 201:12
202:7 211:15 217:11
218:12 224:13,16
225:4 230:4 233:1,20
234:20 236:2 240:11
year's 35:11 129:22
133:9 148:20
year-over-year 145:10
years 12:13 17:10
19:15 32:18 46:10
52:6 53:9 63:10 69:1
73:4 81:22 83:8 87:16
103:16 124:1 129:4
145:2 151:4 164:15
164:17 193:2 194:11
196:7 206:10 207:12

Yemen 205:14
yesterday 162:2
YouTube 145:5

Z

zone 48:5 132:18

0**1**

1,000 24:13 48:7 67:3
68:4
1,607 217:17
1.1 78:11
1.2 130:12
1.6 67:6
1.9 22:14
1:10 4:13 9:19 129:8,13
10 2:3 78:12
10-1 147:9
10.8 144:22
10:00 1:9 3:2
1000 197:3,6
105 2:12
106 25:16
109 23:21
11 217:15
110 228:19
115 2:13
12 166:11 193:15,15
194:19 197:11 207:12
12,000 194:14
12:08 129:12
12:10 4:13 9:19
125 12:15 24:21
127 24:18
129 2:14
130 12:15
139 12:18
14 2:4 35:20 207:12
243:5
141 23:19
143 2:15 30:21 192:9
1498 157:12 158:15
15 154:20
150,000 218:12
153 2:15
159 144:8
16 193:21
165 2:16
17 217:12
1724 1:9
177 2:17
18 75:4 157:11
182 7:22 8:4
188 2:18
19 22:14 133:10 238:13
238:16

1944 116:5
1974 7:22
1984 130:9
1988 132:2
1992 192:22
1st 27:2

2

2 1:9 236:8
2.25 166:13
2.3 22:13
2.5 145:11
20 90:19 218:11
20,000 218:8
200-plus 233:6
2003 98:19
2004 194:5
2008 156:13
201 2:18
2010 218:7 239:5
2011 191:20
2012 97:16 191:22
2013 40:2 155:8
2014 46:18 143:22
144:9 213:3
2015 192:8
2016 42:22 89:2 117:2
130:12 157:9 166:13
169:8 171:15 174:16
217:10 225:14
2017 13:19 15:5 17:17
20:11 22:13 23:19
24:15 25:12,15 27:19
40:19 41:18 44:4
50:15 68:17 86:9
89:18 106:3 110:8
117:2 141:7 142:5
145:12 155:14 157:16
194:15,19 225:6
233:16 234:5 235:17
2018 1:3,5,8 4:6 7:7,8
22:7 23:3 25:21 26:17
43:11 47:9 79:14 96:2
101:16 121:11 133:11
135:6 174:13 180:1
213:1 225:2 243:20
203 158:14
21 20:14
212 2:19
214 24:16
21st 99:18
22 24:22
223 2:19
232 2:20
24 52:6
242 2:21
243 2:22
244 27:3

3

3 2:2 34:2 35:19 89:21
155:8 217:17
3.5 193:6
3:00 4:12
3:01 243:22
30 112:20 218:11 233:2
300 112:18 153:17,18
197:10
300,000 162:3
301 1:3,8 3:9 4:2 6:4 7:4
7:7,16 8:2,17,22 9:17
10:15 17:18 34:18
35:11 41:18 43:12
48:2 49:16 53:9,14
57:1 58:12 68:8 71:20
72:15 73:4,9 79:2,10
83:8,13 96:2 98:12
100:19 101:17 102:10
103:19 116:15 124:1
124:6 130:1,2 132:1,5
132:11,20,22 133:2,2
133:11 138:13 139:3
139:8 143:13 149:21
159:12,19 162:1
166:3 167:11 173:6
174:13 177:15 178:11
178:14,20 179:21
182:19 183:6 185:12
186:18 189:18 190:12
190:16,21 191:13,22
198:11,12,22 205:13
223:13 228:14,22
229:19 242:18 243:3
243:19
308 8:17
30th 4:1 7:8
3200 130:22
35 158:14 205:17
236:12
37 174:15
384 48:10
39 2:7 81:19
3D 75:7,10,14,18,20
176:16

4

4 34:2 35:19 48:9
4,000 224:22
4,500 193:20
40 24:20 58:5 143:18

167:15
400 188:17
407,000 25:13
426 25:17
44 179:22
45 227:5
45-year 188:20
46.14 21:1
47 2:8
48 145:9

5

5,000 30:10
5,781,752 155:17
50 78:13 89:3 164:15
 224:19
500 116:8 233:3
500,000 193:11
51 157:9
512 99:15
52 82:4
540 13:5
56 2:8
56,000 217:11
56.99 20:21
58 58:4

6

6 213:1
6,310 217:15
60 91:10 227:6
60.23 21:2
63 78:14
65 13:2
66 2:9
67 90:18

7

7 58:6
70 164:17
700 236:11
71,000 193:18
74 235:19
74.66 21:8
75 7:10 227:8
75.38 21:4
75.39 21:5
77 2:10

8

8 1:5 30:22
80 89:7 217:18 234:19
800,000 177:13
84,000 193:18
87 2:10 87:11
8th 4:6 224:17

9

9,700 25:10
9,860 217:12
90 167:2 224:21
90s 18:11
91 194:7
91,000 24:5
95 2:11
967 144:1
9th 4:2

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: 2018 Special 301 Public Hearing

Before: US Trade Representative

Date: 03-08-18

Place: Washington, DC

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

Neal R Gross

Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701