

The Congressional International Anti-Piracy Caucus

Senator Gordon H. Smith, Co-Chair
Senator Joseph R. Biden, Jr., Co-Chair



Congressman Bob Goodlatte, Co-Chair
Congressman Adam B. Schiff, Co-Chair

March 9, 2004

His Excellency Luiz Inacio Lula da Silva
President
The Federal Republic of Brazil
Brasilia, Brazil

Dear Mr. President:

Sixty-five Members of the United States Congress have joined to address our concern that copyright laws be strongly enforced worldwide. The unauthorized copying and dissemination of copyrighted works is theft, pure and simple. Pirates are the enemy of creativity and all creators, whether they are American, Brazilian or any other nationality.

As we are sure you are aware, Brazil is one of the largest markets globally for legitimate copyrighted products as well as one of the world's largest pirate markets. For example, the Office of the United States Trade Representative, in its 2003 annual "Special 301 Report" found that in Brazil, *"Losses suffered by the U.S. copyright industry are the largest in the hemisphere...Brazil simply has not undertaken adequate enforcement actions against increasing rates of piracy."* It is concerning to us that, according to our data, piracy remains high in Brazil, legitimate sales continue to plummet, and anti-piracy enforcement for filmed entertainment, entertainment software and music remains ineffective. High piracy rates also serve as barriers to entry for new products desired by Brazilian consumers.

Mr. President, we applaud any efforts your government is making in this area. We respectfully request that your Government work together with ours in order to establish mechanisms by which the level of piracy of copyrighted material in Brazil is decreased. We would appreciate hearing your policy and future plans to combat this problem, which is destructive to both the United States' and Brazilian markets for legitimate, creative products. We would be happy to engage in discussions with you, or your representative, on this issue.

Thank you for your attention to this issue. We look forward to your response.

Respectfully,

Handwritten signature of Senator Gordon H. Smith.

Senator Gordon H. Smith

Handwritten signature of Senator Joseph R. Biden, Jr.

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Handwritten signature of Rep. Bob Goodlatte.

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March 9, 2004

His Excellency Wen Jiabao
Premier
The People's Republic of China
Beijing, China

Dear Premier Wen:

We are writing to advise you of the importance that the U.S. Congress attaches to international copyright protection and to urge you to work with us to strengthen China's copyright protections. The upcoming visit of Minister Wu Yi to the United States provides an exceptional opportunity for the announcement of concrete actions to address this very serious threat to U.S. and Chinese content industries and for discussions on how to ensure that China can meaningfully address the pervasive piracy problem.

Sixty-five Members of the United States Congress have joined to address our concern that copyright laws be strongly enforced worldwide. The unauthorized copying and dissemination of copyrighted works is theft, pure and simple. Pirates are the enemy of creativity and all creators, whether they are American, Chinese or any other nationality.

We applaud any efforts China is making to fight piracy within its borders. However, Chinese factories are producing huge quantities of pirate optical discs (CDs, DVDs, CD-ROMs, etc). For many years, despite many raids, seizures and fines by your Government's administrative authorities, China's domestic market for these products remains over 90 percent pirated product. Now, even more alarmingly, Chinese pirates once again are exporting large quantities of optical discs to other economies, damaging the markets for American creators throughout the world. Piracy is a market access barrier unto itself, while other Chinese market access barriers restrict the ability of U.S. companies to enter the Chinese entertainment markets, perversely increasing the demand for pirated products.

Mr. President, we respectfully request that you significantly increase efforts to combat this destructive problem that has so devastated the market in China for legitimate products and is now, once again, pouring out into the rest of the world.

We respectfully urge your Government to:

- Initiate a high-visibility nationwide campaign against piracy, led by a vice-premier;

- Significantly increase the administrative fines applied against pirated products;
- Develop efficient and effective means of addressing online piracy, including that occurring through computers used by universities and businesses, including internet cafes;
- Even more importantly, investigate and criminally prosecute pirate producers, distributors, importers and exporters as required by the WTO TRIPS Agreement, including against criminal organizations responsible for piracy in China and throughout Asia;
- Finally and importantly, reduce China's market access and investment barriers confronting our creative industries so that U.S. companies can both sell legitimate products into the Chinese market and work with Chinese firms to develop and disseminate U.S. and local content.

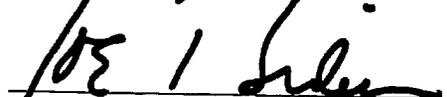
We would appreciate hearing your policy and future plans to combat this problem, which is destructive to both the United States' and Chinese markets for legitimate, creative products. We would be happy to engage in discussions with you, or your representative, on this issue.

Thank you for your attention to this issue. We look forward to your response.

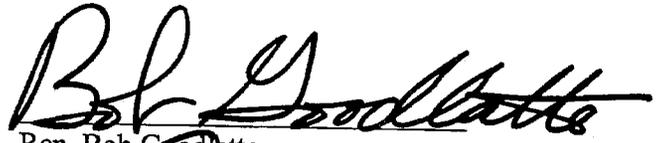
Respectfully,



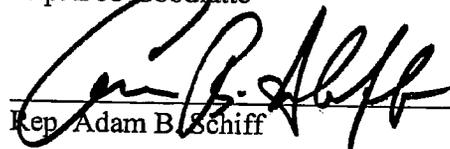
Senator Gordon H. Smith



Senator Joseph R. Biden, Jr.



Rep. Bob Goodlatte



Rep. Adam B. Schiff

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March 9, 2004

His Excellency Pervez Musharaf
President
Islamic Republic of Pakistan
Islamabad

Dear Mr. President:

Sixty-five Members of the United States Congress have joined to address our concern that copyright laws be strongly enforced worldwide. The unauthorized copying and dissemination of copyrighted works is theft, pure and simple. Pirates are the enemy of creativity and all creators, whether they are American, Pakistani or any other nationality.

Over the past two years, Pakistan has become one of the largest manufacturers and exporters of pirated optical media. Pirate production in Pakistan more than doubled over the past year, much of it exported to other countries. We applaud any efforts Pakistan has made to stem this piracy. However, we respectfully request that Pakistan take decisive steps to address this problem. We urge your Government to adopt and vigorously enforce laws, as other governments have done, which license optical disc manufacturing plants and require them to conduct themselves in accordance with business practices that discourage piracy.

Mr. President, we respectfully request that your Government work together with ours in order to establish mechanisms by which the level of piracy of copyrighted material in Pakistan is significantly decreased. We would appreciate hearing your policy and future plans to combat this problem, which is destructive to both the United States' and Pakistani markets for legitimate, creative products. We would be happy to engage in discussions with you, or your representative, on this issue.

Thank you for your attention to this issue. We look forward to your response.

Respectfully,

A handwritten signature in black ink, appearing to read "G. H. Smith".

Senator Gordon H. Smith

A handwritten signature in black ink, appearing to read "Joe Biden".

Senator Joseph R. Biden, Jr.

A handwritten signature in black ink, appearing to read "Bob Goodlatte".

Rep. Bob Goodlatte

A handwritten signature in black ink, appearing to read "Adam B. Schiff".

Rep. Adam B. Schiff

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March 9, 2004

Honorable Mikhail Fradkov
Premier
Russian Federation
The Kremlin
Moscow, Russia

Dear Mr. Premier:

Sixty-five Members of the United States Congress have joined to address our concern that copyright laws be strongly enforced worldwide. The unauthorized copying and dissemination of copyrighted works is theft, pure and simple. Pirates are the enemy of creativity and all creators, whether they are American, Russian or any other nationality.

We applaud any efforts Russia has taken to date to stem piracy. However, Russia remains host to the largest organized criminal operations in Europe for the piratical replication recorded music, films and other copyrighted works. These criminal organizations have devastated the Russian market and are flooding markets in Central and Western Europe and the Middle East with pirate products. Given your chairmanship of the Inter-Ministerial Task Force on piracy, we call on you to begin closing pirate plants, and to help root out organized crime involvement by criminally prosecuting those who sponsor and procure piracy, including owners of plants and warehouses, when raids turn up evidence of commercial piracy. The absence of Russian prosecution of cases where there is abundant evidence of wrong-doing is especially troubling.

We also strongly urge you to announce a plan for enacting comprehensive regulation of optical disc plants that builds on your current licensing regime to provide, for example, for unannounced inspections and tough deterrent sanctions for violation of the regulatory regime.

We were disappointed that the Duma did not adopt amendments to Russia's copyright laws at its recent legislative session. These amendments, among other key provisions, are necessary to secure clear legal protection for pre-1995 U.S. sound recordings and pre-1973 U.S. films. We hope you will soon announce your intention to re-introduce and secure parliamentary approval of the needed amendments to Russia's copyright laws as early as possible in 2004.

Mr. Prime Minister, we look forward to hearing what steps your Government is employing to address this destructive problem that has so eroded the markets inside and outside of Russia for legitimate copyrighted product, including filmed and musical entertainment and entertainment software products. The problem of piracy in Russia is both large and growing, and we trust that under your guidance and leadership, your Government will soon take effective actions to address it.

We would appreciate hearing your policy and future plans to combat this problem, which is destructive to both the United States' and Russian markets for legitimate, creative products. We would be happy to engage in discussions with you, or your representative, on this issue.

Thank you for your attention to this issue. We look forward to your response.

Respectfully,



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March 9, 2004

His Excellency
President Chen Shui-Bien
The Presidential Palace
Taipei

Dear Mr. President:

Sixty-five Members of the United States Congress have joined to address our concern that copyright laws be strongly enforced worldwide. The unauthorized copying and dissemination of copyrighted works is theft, pure and simple. Pirates are the enemy of creativity and all creators, whether they are from the United States, Taiwan or elsewhere.

Taiwan has had the dubious distinction of serving as a center for organized criminal piracy organizations that have eroded the market for legitimate entertainment products in Taiwan, including film, sound recordings, entertainment software, and other copyrighted materials and have fed world demand for pirate products. We applaud Taiwan's stepped up enforcement efforts aimed at curbing large-scale optical disc piracy and street markets. However, because of some last-minute amendments to the copyright law last June, these efforts are in jeopardy of reversal by the courts, and other forms of institutional piracy remain, such as the production and export of infringing cartridge-based products. Moreover, the amendments leave Taiwan without the tools needed to combat new forms of on-line piracy effectively.

Mr. President, we call upon you and your colleagues in the Legislative Yuan to enact amendments to the copyright and optical disc laws, and to redouble the efforts of your law enforcement authorities, so that the destructive problems associated with physical and online piracy that have so eroded the market in Taiwan for legitimate products will successfully be addressed.

We would appreciate hearing your policy and future plans to combat this problem, which is destructive to the markets for legitimate, creative products in both the United States and Taiwan. We would be happy to engage in discussions with you, or your representative, on this issue.

Thank you for your attention to this issue. We look forward to your response.

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