Remarks of Ambassador Betty E. King

U.S. Representative to the United Nations and

Other International Organizations In Geneva

At the Reception to Commemorate World Intellectual Property Day 2011 and the

Announcement for a grant to World Intellectual Property Organization

April 26, 2011

(As prepared)

A very warm welcome to my fellow Ambassadors, colleagues, WIPO Directors John Tarpey and Louise Van Greunan; distinguished guests, I thank you all for your presence here today.

We have invited you to the U.S. Mission this afternoon to make an announcement about the launch of a new international initiative to raise public awareness about intellectual property rights. I strongly support this initiative, which we are launching in cooperation with the World Intellectual Property Organization and support from the governments of Kenya, Morocco and the Philippines.

It is especially fitting to announce this initiative as we celebrate World Intellectual Property Day – a day that, for over a decade, governments and organizations have dedicated to building international awareness about the critical role that intellectual property plays in our daily lives, and to celebrate the contributions made by innovators and artists to the development of societies across the globe.

Last fall, the U.S. Department of State’s Office of International Intellectual Property Enforcement, in collaboration with the Department’s Bureau of African Affairs, and U.S. Mission Geneva, worked with the World Intellectual Property Organization (WIPO) to develop the concept for a much-needed public awareness toolkit focused on the public health and safety risks posed by counterfeit products. Mr. John Tarpey will explain this toolkit in greater detail in just a few minutes.

But first, I would like to say a few words on the reasons compelling all countries, including my own, to build and maintain an effective system for the protection and enforcement of intellectual property rights.

Intellectual property (IP) continues to drive a larger and larger share of international commerce and sustainable economic growth. It is well known that innovation can provide a competitive edge, and yet countries around the world provide for varying levels of intellectual property rights enforcement. The issue is not so much why intellectual property rights should be protected – but rather how vigorously these rights should be enforced and how scarce government resources should be allocated in the enforcement of intellectual property rights.

The world in which we live is a much smaller place today than it was just 20 years ago. This is due in large part to the increase in international trade and the development of global market places and social spheres, each of which has exponentially grown through the ongoing development and penetration of the Internet. At the same time, these positive developments can also have negative implications, as they provide a new and very fertile environment in which counterfeiters can operate.

As national economies are more closely linked than ever through international trade, adequate and effective IP enforcement regimes provide vital support for sustaining economic development around the world, and ensuring the protection of consumers everywhere.

Companies and entrepreneurs in both developed and developing countries spend enormous sums of capital on building brands by innovating, ensuring quality control, and through aggressive marketing. This translates into an economic imperative for them to safeguard their investments through trademark protection. Brand owners look for markets that can support their goods and national IP regimes that provide effective enforcement. Additionally, trademark infringement and counterfeiting raises very serious health and safety concerns, such as those attributed to counterfeit medicines, food, automotive parts and electrical products.

Intellectual property rights by themselves are empty unless mechanisms are in place and utilized to enforce these rights. Certainly, laws providing adequate protection must be in place. But this is just the first step. The more difficult challenges rest in building political and public support for the enforcement of these laws, allocating necessary resources for enforcement, and creating an effective infrastructure to administer the civil, criminal and border enforcement laws.

The 19th Century cleric and philosopher Charles Caleb Colton coined the phrase: “Imitation is the sincerest form of flattery.” While this statement may have rung true during the Georgian Era, it has little meaning in the context of intellectual property rights. Although some like to use the quote to put a positive spin on IP infringement, there is no positive spin. Counterfeits, by their very nature, are substandard, and in many cases, unsafe. We – as governments and international organizations – owe it to our citizens to protect them from these products. An important step in that endeavor is to better inform them of the dangers, something that the public awareness toolkit project is designed to help us do.

The U.S. State Department looks forward to working with the WIPO, as well as the governments of Kenya, Morocco and the Philippines, in raising public awareness of the harm to health and safety posed by counterfeit products.

Thank you.

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