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FOR IMMEDIATE RELEASE

January 30, 2023

## **Nation's Leading Creative Industries Identify Global Challenges To Expanding Legitimate Digital Marketplace IIPA Urges U.S. Government to Help Ensure Trading Partners Strengthen Copyright Protection, Improve Enforcement Against Online Piracy, and Open Foreign Markets**

**Washington**—The nation's leading creative industries today called on the U.S. government to ensure our trading partners open their markets to American music, movies, TV programming, literary works, video games, and other copyrighted materials by enacting strong copyright laws, effectively and efficiently enforcing those laws, and eliminating other discriminatory and restrictive barriers to their marketplaces.

In its annual "Special 301" submission to the Office of U.S. Trade Representative (USTR), the International Intellectual Property Alliance® (IIPA®) emphasized that opening these markets, including by strengthening copyright policies and enforcement, benefits U.S. creators, producers, workers, and consumers. Likewise promoting market access and protections for creators fuels the contributions of the creative industries to the digital economy in the U.S. and around the world. Many of these benefits, such as the significant contributions to our nation's cultural life, cannot be quantified, but, according to a [recent report](#), the creative industries' contributions to the U.S. economy include:

- \$1.8 trillion in economic output;
- over nine million well-paying American jobs, or 5.53% of total domestic private employment; and
- significant contributions to the U.S. digital economy, including over \$1.2 trillion of value added (52% of the entire U.S. digital economy) and over 48% of all employment, even though the U.S. government's definition of the digital economy does not encompass the full range of the copyright industries' digital activities.

IIPA Executive Director Kevin M. Rosenbaum stated: "The Special 301 process is a critical tool to identify and address improvements needed in key trading partners' markets to foster an enabling environment for the growth and competitiveness of the creative industries. While many of these challenges are long-standing, a host of new barriers and modes of theft have emerged, particularly in the digital environment. Prioritization of these efforts to open these markets and improve their legal and enforcement frameworks for creative content would bolster the Administration's worker-centric trade policy, generating more high-paying American jobs, promoting U.S. exports, and improving our country's economy."

Rosenbaum concluded: "We commend USTR and its interagency partners for continuing their important work to ensure the Special 301 process remains a positive catalyst for change."

IIPA’s submission focuses on several key markets and recommends the following:

- Nine countries—**Argentina, Chile, China, India, Indonesia, Mexico, Russian Federation, South Africa, and Vietnam**—for placement on USTR’s **Priority Watch List**.
- Eleven countries—**Brazil, Canada, Colombia, Ecuador, Nigeria, Peru, Poland, Switzerland, Taiwan, Thailand, and United Arab Emirates**—for placement on USTR’s **Watch List**.

Among the cross-cutting challenges highlighted in IIPA’s Special 301 submission are:

- **Alarming trends in national copyright law amendments** that weaken copyright protections below minimum global norms.
- The need for stronger legal frameworks to **address online piracy**, including incentives for intermediaries to work with copyright owners, and effective injunctive relief to remedy online theft of intellectual property.
- The global proliferation of **Piracy devices**: set-top boxes and other devices weaponized with software and apps that enable unauthorized access to streaming music, video, games, and published materials. China is the major source of Piracy devices, which undermine legitimate digital marketplaces worldwide.
- **Stream-ripping services** and other illegal means of **circumventing the technological protection measures** that are essential to the delivery of digital consumer goods and services—whether they are streamed, downloaded, accessed online, or purchased in physical form.
- Many trading partners still need to accede to, or fully implement, the **World Intellectual Property Organization Internet Treaties**, which set global, minimum copyright standards for the digital environment.
- **Market access barriers** include taxes, rules, and regulations that discriminate against U.S. copyright-based businesses and their products.

The full report and more materials can be found at <https://iipa.org/reports/special-301-reports/>. For more information, contact: the IIPA at (202) 968-4472 or at [info@iipa.org](mailto:info@iipa.org).

<b>IIPA 2023 Special 301 Recommendations</b>	
<b>Priority Watch List</b>	<b>Watch List</b>
Argentina	Brazil
Chile	Canada
China	Colombia
India	Ecuador
Indonesia	Nigeria
Mexico	Peru
Russian Federation	Poland
South Africa	Switzerland
Vietnam	Taiwan
	Thailand
	United Arab Emirates
9	11

**About the IIPA:** IIPA is a private sector coalition, formed in 1984, of trade associations representing U.S. copyright-based industries working to improve copyright protection and enforcement abroad and to open foreign markets closed by piracy and other market access barriers. Members of the IIPA include Association of American Publishers ([www.publishers.org](http://www.publishers.org)), Entertainment Software Association ([www.theesa.com](http://www.theesa.com)), Independent Film & Television Alliance ([www.ifta-online.org](http://www.ifta-online.org)), Motion Picture Association ([www.motionpictures.org](http://www.motionpictures.org)), and Recording Industry Association of America ([www.riaa.com](http://www.riaa.com)). Collectively, IIPA’s five member associations represent over 3,200 U.S. companies producing and distributing copyrightable content. The materials produced and distributed by IIPA member companies include entertainment software (including interactive video games for consoles, handheld devices, personal computers and the Internet) and educational software; motion pictures, television programming, DVDs and home video and digital representations of audiovisual works; music recorded in all formats (from digital files to CDs and vinyl) for streaming and other online services, as well as broadcasting, public performance and synchronization in audiovisual materials; and fiction

and non-fiction books, educational, instructional and assessment materials, and professional and scholarly journals, databases and software in all formats.

In December 2022, IIPA released the latest update of its comprehensive economic report, *Copyright Industries in the U.S. Economy: The 2022 Report*, prepared by Secretariat Economists. (2022 Report). According to the 2022 Report, the “core” copyright industries in the United States generated over \$1.8 trillion of economic output in 2021, accounting for 7.76% of the entire economy, and employed approximately 9.6 million workers in 2021, accounting for 4.88% of the entire U.S. workforce and 5.53% of total private employment in the U.S. The jobs created by these industries are well-paying jobs; for example, copyright industry workers earn on average 51% higher wages than other U.S. workers. The report also broke new ground by measuring the copyright industries’ significant contributions to the U.S. digital economy, as that concept was [defined](#) by the federal government. In 2021, the core copyright industries accounted for 52.26% of the U.S. digital economy and 48.1% of U.S. digital economy employment, even though the government’s digital economy definition does not encompass the full range of the copyright industries’ digital activities. In addition, according to the 2022 Report, the core copyright industries outpaced the U.S. economy, growing at an aggregate annual rate of 6.15% between 2018 and 2021, while the U.S. economy grew by 1.76%. When factoring in other industries that contribute to the copyright economy (which together comprise what the 2022 Report calls the “total” copyright industries), the numbers are even more compelling. Additionally, the 2022 Report highlights the positive contribution of selected copyright sectors to the U.S. overall trade balance. Given the importance of digital delivery to the copyright-based industries, this sector has the potential to multiply its export revenues if our trading partners provide strong copyright-protective environments. In 2021, these sectors contributed \$230.3 billion in foreign sales and exports, exceeding that of many other industry sectors, including chemicals, pharmaceutical and medicines, agricultural products, aerospace products and parts, and food and kindred products. The full economic report is available at <https://iipa.org/reports/copyright-industries-us-economy/>.

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AAP ASSOCIATION OF AMERICAN PUBLISHERS



Independent Film & Television Alliance

