

May 24, 2021

Rep. Byron Donalds
523 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Donalds:

Conservatives for Property Rights writes to express strong support for H.R. 3035, the Preventing Foreign Attempts to Erode Healthcare Innovation Act. Thank you very much for your leadership on this legislation to protect the intellectual property of American innovators of COVID-19 vaccines and therapies, tests and associated inventions from foreign expropriation.

Conservatives for Property Rights (CPR) is a coalition of conservative and libertarian organizations. CPR emphasizes the central importance of private property in all its forms — physical, personal, and intellectual. The right to private property ranks among the unalienable rights the Founders referenced in the Declaration of Independence.

Thus, it is vital that the United States keep fidelity with private property rights, including to inventions and other innovations through patents and other forms of intellectual property. No where is this more important today than in regard to biomedical innovation. Years and years of private ingenuity and investment have enabled U.S. firms to create the highly safe and effective vaccines now rapidly reducing COVID cases, hospitalizations, and deaths.

The Biden administration's decision to back a World Trade Organization effort led by South Africa and India to waive TRIPS Agreement protections for COVID-19-related intellectual property is misguided and dangerous. Waiving countries' 1994 TRIPS Agreement obligations to protect IP related to COVID-19 sets a precedent for foreign expropriation of U.S. companies' IP. As Senator Barrasso made clear in a recent Senate Finance Committee hearing with Ambassador Tai, there is no reason the logic of the waiver needs to be limited to biomedical innovation. It can apply to all innovative technologies, including green technology, 5G wireless technology, artificial intelligence, quantum computing, aerospace, other aspects of biopharmaceuticals, medical technology, and robotics.

Moreover, IP is not keeping vaccines from poorer countries. Millions of vaccine doses have already arrived in many of those nations, but for a variety of reasons have either not been distributed in-country or not been administered. The TRIPS IP waiver will do nothing to put shots in arms or deliver vaccines to people in poor countries.

Freeing WTO countries from having to protect IP rights enables antiproperty rights nations' stealing U.S. patented COVID inventions. It threatens billions of private dollars of risk

capital investment and cutting-edge biomedical innovation. The lost returns on investment defunds research and development that is crucial for future breakthroughs and critical for U.S. competitiveness. It unravels U.S. innovation infrastructure.

Not only are patents at risk, but also copyrights, trade secrets, industrial designs, and proprietary materials. This contrasts with previous bipartisan administrations that advanced respecting property rights around the globe.

The Biden administration's capitulation puts American innovators' valuable, privately funded property in the hands of copyist countries such as India as well as adversaries such as China and Russia. The TRIPS waiver will help adversaries and competitors to surpass the United States as the world's innovation leader in emerging technologies. China, Russia, and other rogue nations will gain sensitive, crucial knowledge about mRNA technology that holds many uses. A TRIPS waiver gives China the platform for creating high-quality, high-value biologic vaccines and therapies for many viruses and diseases, even potentially those it creates and unleashes on the world. China and Russia can weaponize the WTO waiver to force tech transfer by U.S. inventors.

Further, the TRIPS waiver jeopardizes not only U.S. economic and national security, it kills good U.S. jobs in a leading sector of our innovation economy. It creates jobs in our most aggressive competitor countries.

H.R. 3035 would bar the U.S. Trade Representative from expending any appropriated funds to support or advance the TRIPS waiver proposed at the WTO or use taxpayer funds for any similar initiatives. CPR strongly supports your legislation as the most effective remedy to the administration's unilateral action. We look forward to working with you to advance this meritorious legislation. Again, thank you for leading this charge.

Sincerely,

James Edwards, Ph.D.
Executive Director
Conservatives for Property Rights

Dick Patten
President
American Business Defense Council

Ryan Ellis
President
Center for a Free Economy

Tom DeWeese
President
American Policy Center

Seton Motley
President
Less Government

Jeffrey Mazzella
President
Center for Individual Freedom

Jenny Beth Martin
Honorary Chairman
Tea Party Patriots Action

George Landrith
President
Frontiers of Freedom

James L. Martin
Chairman
60 Plus Association

Saulius "Saul" Anuzis
President
60 Plus Association

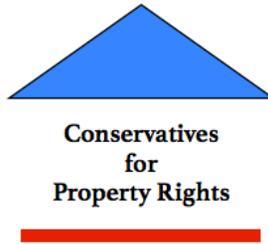
Kevin L. Kearns
President
U.S. Business & Industry Council

Ed Martin
President
Phyllis Schlafly Eagles

C. Preston Noell III
President
Tradition, Family, Property, Inc.

Ashley Baker
Director of Public Policy
The Committee for Justice

Matthew Kandrach
President
Consumer Action for a Strong Economy



June 2, 2021

Sen. Tim Scott
104 Hart Senate Office Building
Washington, D.C. 20510

Dear Sen. Scott:

Conservatives for Property Rights writes to express strong support for S. 1683, the Preventing Foreign Attempts to Erode Healthcare Innovation Act. Thank you very much for your leadership on this legislation to protect the intellectual property of American innovators of COVID-19 vaccines and therapies, tests and associated inventions from foreign expropriation.

Conservatives for Property Rights (CPR) is a coalition of conservative and libertarian organizations. CPR emphasizes the central importance of private property in all its forms — physical, personal, and intellectual. The right to private property ranks among the unalienable rights the Founders referenced in the Declaration of Independence.

Thus, it is vital that the United States keep fidelity with private property rights, including to inventions and other innovations through patents and other forms of intellectual property. No where is this more important today than in regard to biomedical innovation. Years and years of private ingenuity and investment have enabled U.S. firms to create the highly safe and effective vaccines now rapidly reducing COVID cases, hospitalizations, and deaths.

The Biden administration's decision to back a World Trade Organization effort led by South Africa and India to waive TRIPS Agreement protections for COVID-19-related intellectual property is misguided and dangerous. Waiving countries' 1994 TRIPS Agreement obligations to protect IP related to COVID-19 sets a precedent for foreign expropriation of U.S. companies' IP. As Senator Barrasso made clear in a recent Senate Finance Committee hearing with Ambassador Tai, there is no reason the logic of the waiver needs to be limited to biomedical innovation. It can apply to all innovative technologies, including green technology, 5G wireless technology, artificial intelligence, quantum computing, aerospace, other aspects of biopharmaceuticals, medical technology, and robotics.

Moreover, IP is not keeping vaccines from poorer countries. Millions of vaccine doses have already arrived in many of those nations, but for a variety of reasons have either not been distributed in-country or not been administered. The TRIPS IP waiver will do nothing to put shots in arms or deliver vaccines to people in poor countries.

Freeing WTO countries from having to protect IP rights enables antiproperty rights nations' stealing U.S. patented COVID inventions. It threatens billions of private dollars of risk

capital investment and cutting-edge biomedical innovation. The lost returns on investment defunds research and development that is crucial for future breakthroughs and critical for U.S. competitiveness. It unravels U.S. innovation infrastructure.

Not only are patents at risk, but also copyrights, trade secrets, industrial designs, and proprietary materials. This contrasts with previous bipartisan administrations that advanced respecting property rights around the globe.

The Biden administration's capitulation puts American innovators' valuable, privately funded property in the hands of copyist countries such as India as well as adversaries such as China and Russia. The TRIPS waiver will help adversaries and competitors to surpass the United States as the world's innovation leader in emerging technologies. China, Russia, and other rogue nations will gain sensitive, crucial knowledge about mRNA technology that holds many uses. A TRIPS waiver gives China the platform for creating high-quality, high-value biologic vaccines and therapies for many viruses and diseases, even potentially those it creates and unleashes on the world. China and Russia can weaponize the WTO waiver to force tech transfer by U.S. inventors.

Further, the TRIPS waiver jeopardizes not only U.S. economic and national security, it kills good U.S. jobs in a leading sector of our innovation economy. It creates jobs in our most aggressive competitor countries.

S. 1683 would bar the U.S. Trade Representative from expending any appropriated funds to support or advance the TRIPS waiver proposed at the WTO or use taxpayer funds for any similar initiatives. CPR strongly supports your legislation as the most effective remedy to the administration's unilateral action. We look forward to working with you to advance this meritorious legislation. Again, thank you for leading this charge.

Sincerely,

James Edwards, Ph.D.
Executive Director
Conservatives for Property Rights

Dick Patten
President
American Business Defense Council

Ryan Ellis
President
Center for a Free Economy

Tom DeWeese
President
American Policy Center

Seton Motley
President
Less Government

Jeffrey Mazzella
President
Center for Individual Freedom

Jenny Beth Martin
Honorary Chairman
Tea Party Patriots Action

George Landrith
President
Frontiers of Freedom

James L. Martin
Chairman
60 Plus Association

Saulius "Saul" Anuzis
President
60 Plus Association

Kevin L. Kearns
President
U.S. Business & Industry Council

Ed Martin
President
Phyllis Schlafly Eagles

C. Preston Noell III
President
Tradition, Family, Property, Inc.

Ashley Baker
Director of Public Policy
The Committee for Justice

Matthew Kandrach
President
Consumer Action for a Strong Economy