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July 16, 2008

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

The Honorable Arlen Specter
Ranking Member
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express the support of the Section of Intellectual Property Law of the American Bar Association for the enactment of S. 522, the "Intellectual Property Rights Enforcement Act." S. 522 has been referred to the Committee on the Judiciary, and was the subject of a Committee hearing on November 7, 2007. The views herein are presented on behalf of the Section of Intellectual Property Law. They have not been approved by the ABA House of Delegates or Board of Governors, and should not be construed as representing the views of the Association.

S. 522 is designed to improve the management, coordination, and effectiveness of domestic and international intellectual property rights enforcement. Many agencies of the U.S. government have a role in IP enforcement. However, after extensive study and analysis, the authors of S. 522, Senators Bayh and Voinovich, found that there is no effective structured plan for these agencies to work together, no coordinated objectives or measures of progress, and no mechanism for general oversight or accountability.

S. 522 is a laudable attempt to address those needs and deficiencies. It would create a planning and coordinating body with high level representation by the major U.S. government agencies with IP enforcement responsibilities, which would be headed by an OMB management official. We believe this to be a constructive approach to avoiding interagency rivalry by creating a true coordinating body not situated in any of the constituent IP enforcement agencies, and we support the enactment of S. 522.

Sincerely,



Pamela Banner Krupka
Chair
Section of Intellectual Property Law

cc:
Senator Evan Bayh
Senator George V. Voinovich