

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Identification of Countries that Deny Adequate Protection, or Market Access, for Intellectual Property Rights Under Section 182 of the Trade Act of 1974

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: Notice is hereby given that the United States Trade Representative (USTR) has submitted its annual report on the identification of those foreign countries that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to United States persons that rely upon intellectual property protection, and those foreign countries determined to be priority foreign countries, to the Committee on Finance of the United States Senate and the Committee on Ways and Means of the United States House of Representatives, pursuant to section 182 of the Trade Act of 1974, as amended (the Trade Act) (19 U.S.C. 2242).

DATES: This report was submitted on May 3, 2004.

ADDRESSES: Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: Brian Peck, Senior Director for Intellectual Property, at (202) 395-6864, or Stan McCoy, Assistant General Counsel, or Dan Mullaney, Associate General Counsel, at (202) 395-7305.

SUPPLEMENTARY INFORMATION: Section 182 of the Trade Act requires USTR to identify within 30 days of the publication of the National Trade Estimate Report all trading partners that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to U.S. persons who rely on intellectual property protection. Those countries that have the most onerous or egregious acts, policies, or practices that have the greatest adverse impact (actual or potential) on the relevant U.S. products are to be identified as priority foreign countries, unless they are entering into good faith negotiations or are making significant progress in bilateral or multilateral negotiations to provide adequate and effective protection for intellectual property rights. In identifying countries in this manner, the USTR is directed to take into account the history of intellectual property laws and practices of the foreign country, including any previous identifications

as a priority foreign country, and the history of efforts of the United States, and the response of the foreign country, to achieve adequate and effective protection and enforcement of intellectual property rights. In making these determinations, the USTR must consult with the Register of Copyrights, the Commissioner of Patents and Trademarks, and other appropriate officials of the Federal Government, and must take into account information from other sources such as information submitted by interested persons.

On May 3, 2004, USTR identified 52 trading partners that deny adequate and effective protection of intellectual property or deny fair and equitable market access to United States artists and industries that rely upon intellectual property protection. USTR maintained Ukraine's designation as a Priority Foreign Country, and again designated Paraguay and China for Section 306 monitoring to ensure both countries comply with the commitments made to the United States under bilateral intellectual property agreements.

USTR also announced placement of 15 trading partners on the Priority Watch List: Argentina, the Bahamas, Brazil, Egypt, the European Union, India, Indonesia, Korea, Kuwait, Lebanon, Pakistan, the Philippines, Russia, Taiwan, and Turkey. In addition, USTR placed 34 trading partners on the Watch List. USTR will conduct out-of-cycle reviews of China, Israel, Malaysia, Poland and Taiwan.

Brian Peck,

Senior Director for Intellectual Property.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Trade Policy Staff Committee; Request for Public Comment on Review of Employment Impact of United States-Andean Free Trade Agreement Negotiations

AGENCIES: Office of the United States Trade Representative. Department of Labor.

ACTION: Request for comments.

SUMMARY: The Trade Policy Staff Committee (TPSC) gives notice that the Office of the United States Trade Representative (USTR) and the Department of Labor (Labor) are initiating a review of the impact of the proposed U.S.-Andean Free Trade Agreement (FTA) on United States employment, including labor markets.

This notice seeks written public comment on potentially significant sectoral or regional employment impacts (both positive and negative) in the United States as well as other likely labor market impacts of the FTA.

DATES: USTR and Labor will accept any comments received during the course of the negotiations of the FTA. However, comments should be received by noon, June 7, 2004, to be assured of timely consideration in the preparation of the report.

ADDRESSES: Submissions by electronic mail: FR0427@ustr.gov. Submissions by facsimile: Gloria Blue, Executive Secretary, Trade Policy Staff Committee, at (202) 395-6143.

FOR FURTHER INFORMATION CONTACT: For procedural questions concerning public comments, contact Gloria Blue, Executive Secretary, TPSC, Office of the USTR, 1724 F Street, NW., Washington, DC 20508, telephone (202) 395-3475. Substantive questions concerning the employment impact review should be addressed to Jorge Perez-Lopez, Director, Office of International Economic Affairs, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 693-4883; or William Clatanoff, Assistant U.S. Trade Representative for Labor, telephone (202) 395-6120.

SUPPLEMENTARY INFORMATION:

1. Background Information

On November 18, 2003, in accordance with section 2104(a)(1) of the Trade Act of 2002, the United States Trade Representative notified the Congress of the President's intent to enter into negotiations on a free trade agreement with Colombia, Peru, Ecuador, and Bolivia. The notification letters to the Congress can be found on the USTR Web site at http://www.ustr.gov/new/fta/Andean/2003-11-18-notification_letter.pdf. We intend to launch negotiations the week of May 17, 2004.

On December 8, 2003, the USTR requested the U.S. International Trade Commission (ITC) provide advice on probable economic effects. The ITC delivered this report to the USTR on April 8, 2004.

In addition, USTR also published a notice in the **Federal Register** soliciting views from the public on the negotiations in general and held hearings on March 17-18, 2004 pursuant to the Trade Act.