



April 1, 2013

Hon. Teresa Stanek Rea  
Acting Under Secretary of Commerce for Intellectual Property  
and Director of the U.S. Patent and Trademark Office  
600 Dulany Street  
P.O. Box 1450  
Alexandria, VA 22313

Submitted via: [Teresa.Rea@USPTO.GOV](mailto:Teresa.Rea@USPTO.GOV)

**Re: U.S. Delegation to WIPO Intergovernmental Committee on  
Genetic Resources, Traditional Knowledge, and Folklore**

Dear Director Rea:

On behalf of the Intellectual Property Owners Association (IPO), we are writing to express our appreciation and support for your continued leadership in promoting robust intellectual property standards and policies.

We also want to commend the U.S. delegation to the twenty-third session of the WIPO Intergovernmental Committee on Genetic Resources, Traditional Knowledge, and Folklore (IGC), which focused on the relationship between genetic resources and intellectual property. The U.S. delegation demonstrated a steadfast resolve to counter harmful proposals for new patent disclosure requirements. IPO participated as observer to the twenty-third session of the IGC.

IPO supports the principles embodied in the Convention on Biological Diversity (CBD) and the Nagoya Protocol (NP) concerning appropriate access to genetic resources and the fair and equitable sharing of benefits from their use. We recognize that the use of genetic resources and traditional knowledge has the potential to unlock benefits for all people, including the holders of these resources and knowledge, through the development of new agricultural, industrial, and medical applications. Some at the IGC, however, continued to demand patent disclosure requirements for inventions using genetic resources and traditional knowledge. Such disclosure requirements are inconsistent with the CBD and NP principles.

IPO members remain open to an evidence-based dialog that would consider proposals to address access and benefit-sharing concerns without undermining incentives for innovation. In our view, the U.S. delegation argued persuasively in this manner.

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Executive Director  
**Herbert C. Wamsley**

## INTELLECTUAL PROPERTY OWNERS ASSOCIATION

The U.S. delegation was extremely well-prepared and effectively questioned the basis for patent disclosure as a means for ensuring benefit-sharing from the commercialization of genetic resources. The U.S. delegation also worked in a positive manner with other countries to propose alternatives for prior art searching and further studies to understand how patent disclosure requirements are functioning in countries that have implemented them. While addressing concerns about fair and equitable benefit-sharing from the use of genetic resources, the delegation underscored the need to maintain patents as a viable tool to create incentives for innovation.

We urge the U.S. delegation to continue to oppose patent disclosure requirements while supporting a pro-innovation solution that will benefit developed and developing countries alike.

Sincerely,

A handwritten signature in black ink, reading "Herbert C. Wamsley". The signature is written in a cursive style with a large initial "H".

Herbert C. Wamsley  
Executive Director

Cc: Shira Perlmutter  
Director, Office of Policy/External Affairs  
*via*: Shira.Perlmutter@USPTO.GOV