



Honorable 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 electronic mail*

**Re: WIPO Intergovernmental Committee on Genetic Resources,  
Traditional Knowledge, and Folklore**

Dear Director Rea:

The Biotechnology Industry Organization (BIO), the Intellectual Property Owners Association, and the Pharmaceutical Research and Manufacturers of America would like to thank you for your continued support and leadership in promoting strong intellectual property standards and policies throughout the world. Our members have a great interest in the on-going negotiations at the World Intellectual Property Organization's (WIPO) Intergovernmental Committee on Genetic Resources, Traditional Knowledge, and Folklore (IGC) which are intended to address the relationship between genetic resources and intellectual property. These negotiations are related to the implementation of 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. Our organizations support the overall goals of the CBD, and 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. However, we are opposed to linking compliance with the NP to the patent system as is being proposed by some countries taking part in the negotiations.

We have consistently advocated for an evidence-based dialog that would consider proposals to address access and benefit-sharing concerns without undermining incentives for innovation. We have noted that several countries are positively disposed towards such an approach, and given time we believe other countries will also be supportive. However, it is our understanding that some countries are calling for a diplomatic conference to take place next year to force the discussion towards a patent disclosure approach.



We believe that a diplomatic conference at this juncture would be premature as there is significant divergence on key elements of the current negotiating text.

We strongly urge that the U.S. continue to oppose patent disclosure requirements and work with other like-minded countries to oppose a diplomatic conference at this time. We believe that further evidence-based discussions at the IGC will go a long way towards yielding a consensus approach.

Sincerely,

A handwritten signature in black ink that reads "Joseph M. Damond".

Joseph M. Damond  
Senior Vice President for International Affairs  
Biotechnology Industry Organization

A handwritten signature in black ink that reads "Herbert C. Wamsley".

Herbert C. Wamsley  
Executive Director  
IPO

A handwritten signature in black ink that reads "Jay Taylor".

Jay Taylor  
Vice President  
PhRMA