

U.S. Sens. Baldwin, Cornyn: Introduce bipartisan legislation to protect American businesses' intellectual property from foreign theft

Posted on Thursday, Jul 27, 2023

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WASHINGTON, D.C. – Today, U.S. Senators Tammy Baldwin (D-WI) and John Cornyn (R-TX) introduced the *American IP Defense and Enforcement Advancement (IDEA) Act*, bipartisan legislation that helps protect American businesses from foreign actors stealing their intellectual property (IP) and supports law enforcement partners responding to crimes that threaten American ideas. The legislation responds to the increasing threat of IP theft that robs American businesses of their innovation, hurts our American economy, and can cost American jobs.

“Small businesses and manufacturers are the backbone of our American economy, keeping local communities running and driving innovation with new products and ideas. But when foreign competitors steal Wisconsin’s best ideas and inventions, our small businesses – that too often lack the time and resources to fight back – pay the price,” **said Senator Baldwin.** “I am proud to work with my Republican colleague to give Wisconsin’s small businesses the tools they need to protect themselves and their ideas, and empower law enforcement to go after the bad actors that are profiting off American innovation.”

“Intellectual property crimes cost American businesses hundreds of billions of dollars each year, and small businesses often lack the resources to protect themselves against foreign bad actors,” **said Senator Cornyn.** “This legislation would help protect Texans from intellectual property theft by strengthening the

partnership between local, state, and federal law enforcement agencies and offering legal aid to small businesses at little or no cost.”

A 2017 report from the Commission on the Theft of American Intellectual Property estimated that intellectual property misuse costs the U.S. economy between \$225 and \$600 billion annually. Despite this enormous cost, it is challenging for businesses – particularly small businesses and entrepreneurs – to enforce their rights against foreign actors and countries that fail to adequately protect American innovations.

The *American IDEA Act* would respond to this issue by focusing federal policy on the greatest threats to American IP and supporting the law enforcement partners responding to criminal activity that threatens American ideas. The American IDEA Act would:

- **Provide resources for businesses** – Authorize an Intellectual Property Protection Legal Aid program to provide training and no-cost or low-cost legal advice and services to small businesses to help them protect themselves from misuse of their intellectual property.
- **Support law enforcement** – Reauthorize the state and local law enforcement Intellectual Property Enforcement Program and lower the match requirement for projects with a focus on violations involving United States Trade Representative (USTR) Watch List Countries like China and Mexico to better support partnerships between local and state law enforcement and federal authorities as they address the role that IP theft plays in transnational crime.
- **Identify opportunities to protect IP** – Authorize a Government Accountability Office (GAO) study on protecting manufacturer’s intellectual property from misuse by USTR Priority Watch List Countries; and authorize a GAO study on diplomatic opportunities to recover unrecouped financial losses of Americans.
- **Improve strategies to prevent IP theft** – Require the Intellectual Property Enforcement Coordinator annual report to include strategies on preventing theft of IP by entities in Priority Watch List countries; and require the Joint Strategic Plan Against Counterfeiting and Infringement to include prevention of IP theft and misappropriation from U.S. corporations and universities by entities in Priority Watch List countries.

The *American IDEA Act* is supported by the University of Wisconsin Law School, Wisconsin Alumni Research Foundation, Wisconsin Economic Development

Corporation, and the International AntiCounterfeiting Coalition.

“American manufacturers have a reputation for quality and innovation that is unsurpassed in the global marketplace. We know this, in part, because they face a relentless assault by counterfeiters and pirates seeking to profit unfairly from the ingenuity of, and investment by, those American brands,” **said Robert Barchiesi, President of The International AntiCounterfeiting Coalition.** “The American IDEA Act is a vital step towards leveling the playing field for American creators, providing tools, resources, and a strategic approach to target bad actors in key jurisdictions around the world. We look forward to working with Senator Baldwin and Senator Cornyn to ensure the enactment of this important legislation.”

A one-pager on this bill is available [here](#). Full text of this legislation is available [here](#).

An online version of this release is available [here](#).