INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE



1747 Pennsylvania Avenue, NW · Suite 825 · Washington, DC · 20006-4637 · Tel (202) 833-4198 · Fax (202) 872-0546 · www.ipa.com · Email: info@iipa.com

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Contact: Eric Smith or Maria Strong, IIPA (202) 833-4198

IIPA acknowledges the strong provisions on copyright and enforcement in the U.S.-Dominican Republic-Central American FTA but cautions that the Dominican Republic government must take swift and immediate actions to correct longstanding problems of widespread broadcast piracy and delays in criminal copyright cases.

Washington, D.C. -- The International Intellectual Property Alliance (IIPA), a coalition representing the U.S. copyright-based industries, congratulates the Dominican Republic and the five Central American countries of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua for agreeing to a strong copyright and enforcement text that should enable them to further develop their own local copyright-based industries and better attract investment. IIPA appreciates the continuing efforts of the U.S. government negotiators to advance the cause of intellectual property protection and enforcement through the FTA process. Although the final text of the integrated DR-CAFTA has not yet been made available, IIPA believes most of the copyright and enforcement-related provisions track the CAFTA text, with the Dominican Republic taking even shorter transition periods to implement key intellectual property rights (IPR) obligations.

IIPA has long urged the Dominican Republic to improve its enforcement efforts against high levels of copyright piracy, and that request remains as urgent as ever. Two separate letters which the Dominican Republic signed regarding the television broadcasting piracy problem and the ineffective judicial system in the Dominican Republic are of particular importance to IIPA and its members. The FTA document on "Chapter 15 Commitments on Broadcast Piracy" along with the Side Letter Regarding Chapter 15 (Intellectual Property Rights) [referring to the public version dated April 9, 2004] establish a process that will commence before the formal entry into effect of this FTA. Within 60 days of the today's signature, the Dominican Republic government will begin to provide quarterly reporting of progress made in all cases involving television broadcasting piracy. That government also agreed to make "every effort to immediately achieve the expeditious resolution of pending criminal copyright infringement cases, including those pending in the court of first instance as well as those on appeal as of the date of the signing of this Agreement."

Broadcast piracy in the Dominican Republic remains rampant. The administrative and the criminal authorities have not conducted inspections against any broadcast station in recent months. IIPA and MPAA expect that the Dominican Republic will take the steps necessary to shut down the two notorious violators of our member companies' intellectual property. These two stations, as well as other stations throughout the country, continue to broadcast U.S. films without authorization. Furthermore, criminal prosecutions against these two broadcasting stations have been underway for almost a year, and after numerous delays, the merits of each case have not yet been reached at trial; more hearings in both cases are scheduled for today, August 5. There have been a few recent administrative actions taken against video piracy and cable piracy. Other industry sectors, including the recording and business software industries, report that cooperation with criminal and administrative authorities on raids and inspections is good, and some ground-level actions are taking place.

IIPA and its members will continue to closely monitor the piracy and enforcement situation in the Dominican Republic. The degree of progress made on outstanding copyright industry issues there may very well determine the level of public support some of our member associations give to the DR-CAFTA.

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The IIPA is a private-sector coalition formed in 1984 to represent the U.S. copyright-based industries in bilateral and multilateral efforts to improve international protection of copyrighted materials. For more information, visit the IIPA website at www.iipa.com.









