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Computer & Communications Industry Association

January 30, 2012

Mr. Douglas Bell
Chair, Trade Policy Staff
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Re: Canada's Expression of Interest in the Proposed Trans-Pacific Partnership Trade Agreement

Dear Mr. Bell:

I write to you today on behalf of the Computer & Communications Industry Association (CCIA), an international, nonprofit association of computer and communications firms, representing a broad cross section of the technology industry. CCIA has long been a supporter of free trade and is dedicated to preserving full, fair and open competition throughout our industry. Our members employ nearly half a million workers and generate approximately a quarter of a trillion dollars in annual revenue.

CCIA supports Canada's unconditional participation in the Trans-Pacific Partnership (TPP) negotiations.

As our largest trading partner for both goods and services, and as a country with one of the highest Internet connectivity rates in the world, our industry views Canada's inclusion in the TPP negotiations as essential. Additionally, many of our companies have offices in Canada and conduct intra-company trade. Having both Canada and the United States operating under the same international trade framework would be beneficial to our members and the U.S. Internet and technology sectors as a whole.

Furthermore, Canada has a copyright system similar to ours, descending from a similar common law tradition, which attempts to achieve a careful balance between the interests of the creators and users of works. This copyright tradition has provided a healthy environment that has contributed significantly to the growth of the Internet industry in both countries. This relative harmony between U.S. and Canadian copyright law indicates that Canada would be a "good fit" with TPP. As you and your colleagues surely know, U.S. law has provided a healthy environment for the development of the Internet industry, including a strong respect for free expression, robust intermediary safe harbors, and flexible, technology-friendly copyright exceptions. I am encouraged to report that Canada's proposed copyright reform, C-11, is a laudable compromise of many competing interests that would contribute toward further harmonizing U.S. and Canadian copyright law along these lines.

As demonstrated by a recent McKinsey Global Institute study, the expansion of the Internet and technology not only creates growth in the Internet sector, but also contributes strongly to growth in all

sectors—and particularly helps small business exports.¹ Given our hope that the TPP will include provisions that provide for unhindered cross border data flows and the free flow of information, it would be beneficial for the United States' largest export market to be included under the TPP framework as an open Internet not only is beneficial for Internet companies, but it is also a facilitator of trade in more traditional economic sectors. CCIA believes encouraging a vibrant Internet economy, particularly with our biggest trading partners, should be the foremost goal of this 21st-century trade agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "E J Black". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Edward J. Black
President & CEO
Computer & Communications Industry Association

¹ See Matthieu Pélissier du Rausas *et al.*, McKinsey Global Institute, “Internet Matters: The Net’s Sweeping Impact on Growth, Jobs and Prosperity,” (May 2011). Available at http://www.mckinsey.com/Insights/MGI/Research/Technology_and_Innovation/Internet_matters