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May 24, 2005

Ambassador Rub Pullman  
United States Trade Representative  
600 17th Street, N.W.  
Washington, DC 20508

Dear Ambassador Portman,

We are writing to petition USTR to formally conduct a full scale review of its trade policy with Brazil. Just as you have accurately portrayed the enormous scale of intellectual property theft in China **and** a subsequent review of U.S: Sino trade policy, Brazil also ments a similar examination.

As you well know, Brazil has remained on the special 301 Watch List since 2001 due to its lack of enforcement of intellectual property rights. USTR has, in our view, gone too far in extending the review of Brazil's Generalized System of *Preferences*. *The* result is that it enjoys tremendous access into our market. Meanwhile, our leading exporters continue to report rampant instance of couetet felting and piracy in Brazil. Endowing Brazil with rich trade benefits defies logic.

Recently, however, we have grown alarmed at Brazil's overtures to break drug patents ou AIDS medicines through a compulsory license. Such a maneuver, aside from being unprecedented, has in the past seemed nothing more than an attempt to extort our companies into lowering prices on levels equal to those in the poorest parts of Africa. This spring Brazil's rhetoric has reached a point where it appears that Brazil may actually be seeking the patents of these drugs themselves, not any further price reductions.

The TRIPS agreement was intended to be used by poor counties faced with an epidemic for cases where patents pose an obstacle to containing that epidemic. Brazil, *with* an economic output comparable to Germany, appears to be seeking a way to develop its generic manufactirring capacity through confiscating our pharmaceutical technology. Statements by President Lula de Silva while in Africa last month point this possibility: "The Brazilian leader talked with the [Minister of Health] about how Brazil can collaborate with African countries to help them produce anti-rtroviral drugs for the treatment of HIV/AIDS" (VOA, April 12, 2005 By: Gabi *Menezes*). Currently, Brazil is incapable otmass producing these medicines but could quickly become a generic provider by gaining American technology.

We do not have to emphasize to you, Ambassador Portman, how reliant the American economy is upon the protection of innovation and technology. By turning the other cheek repeatedly with large countries like Brazil, we risk jeopardizing the long-term vitality of

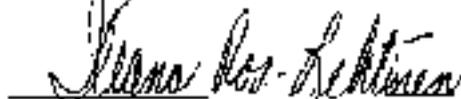
the economy. We cannot afford to forfeit our inventions to our competitors. We cannot afford to sit idle as they proceed with premeditated theft.

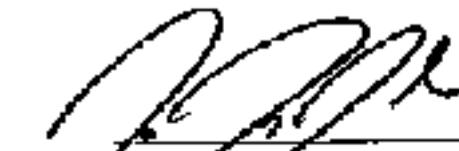
The Senate has already intervened recently in the debate about the revaluation of China's currency, voting to place large tariffs on their imports. We should make it known that the i.i.S.wnuld consider similar sanctions against Brazil if it steals these drug patents without impunity from our government or if the administration does not quickly act to halt Brazil's move on this front.

We ask that you consider an initiative to closely examine our trade relationship with Brazil and to deliver the strongest possible message to your cuunleipart that the theft of our technology will not stand.

Sincerely,

  
Ginny Brown Waite, M.C.

  
Heana Ros-Lehtinen, M.C.

  
Mario Diaz-Balart, M.C.