

# EXHIBIT 2009



# Intellectual Property & Innovation

## Intellectual Property, Creativity, and Innovation

### Description

### Safeguarding Intellectual Property and Promoting Innovation

Intellectual property is a critical driver of technological innovation and economic competitiveness — and it is at the very heart of the software business, encouraging innovators to invest in research and product development for the benefit of customers and consumers.

BSA believes:



Patents, copyrights, trademarks, and other IP rights should be comprehensive and enforceable.

Trading partners should not use IP rights to promote local industries or stave off international competition.

Companies should not use licensing practices, especially of patents, to create unfair competitive advantages.

Specific policy actions needed:

### Strengthening IP enforcement

Through bilateral, multilateral, and regional trade forums, expand efforts to combat software IP infringement in the world's fastest-growing markets for information technology, such as Brazil, Russia, India, and China.

Devote adequate resources and law enforcement training to vigorously enforce copyright and trademark laws domestically and internationally.

Improve coordination among US agencies by continuing to advance the US IP Enforcement Coordinator's Joint Strategic Plan.

Improve cooperation among governments around the world so law enforcement can respond quickly and effectively to IP crimes.

Encourage governments to create specialized IP law enforcement units that have the expertise to investigate IP crimes

### Software licensing

Support the legal principle that software companies should be allowed to serve their customers with product licenses that cover price, volume, transferability, and other considerations.

## Software patentability

Support full implementation of the America Invents Act, which modernizes and improves the quality of the US patent system for the information age.

Ensure that patents are available to inventions in the software field just as they are available to inventions in any other industry.

Ensure that disputes over standard-essential patents are not litigated in forums where the only available remedies are market-exclusion orders that disrupt the availability of IT products and services for consumers.

## Internet freedom

Affirm that an open and free Internet cannot exist without robust protections for intellectual property.

## Technology neutrality

Oppose legislated or regulated technology mandates that dictate government procurement and other policies favoring one technology, system architecture, or business model over another.

## Public awareness

Educate the public about the roles that intellectual property rights play in fostering innovation, creating jobs, and raising wages.

## Tax reform

Strengthen and make permanent the research and development tax credit.

Ensure other US tax laws promote investment in new technologies, provide a level playing field for American companies at home and abroad, and promote investment of earnings from overseas sales.

## IP & Innovation News

## Resources