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Nation's Leading Creative Industries Identify Global Challenges To Expanding Legitimate Digital Marketplace

IIPA Urges U.S. Government to Help Ensure Trading Partners Strengthen Copyright Protection, Improve Enforcement Against Online Piracy, and Open Foreign Markets

Washington, D.C.—Today, the nation's leading creative industries called on the U.S. government to take measures to boost U.S. economic growth and job creation by ensuring our trading partners open their markets to American music, movies, TV programming, literary works, video games, and other copyrighted materials. In its annual "Special 301" submission to the Office of U.S. Trade Representative (USTR), the International Intellectual Property Alliance® (IIPA®) emphasized that opening these markets, including by ensuring U.S. trading partners enact strong copyright laws and effectively and efficiently enforce those laws, benefits U.S. creators, producers, workers, and consumers. Likewise, ensuring that these countries eliminate other discriminatory and restrictive barriers to their marketplaces fuels the contributions of the creative industries to the digital economy in the U.S. and around the world. Many of these benefits, such as enrichment of America's culture, cannot be quantified, but a [recent report](#) measured the creative industries' contributions to the U.S. economy, including:

- \$1.8 trillion in economic output;
- over 9 million well-paying American jobs, or 5.53% of total domestic private employment; and
- significant contributions to the U.S. digital economy, including over \$1.2 trillion of value added (52% of the entire U.S. digital economy) and over 48% of employment in the digital economy, even though the U.S. government's definition of the digital economy does not encompass the full range of the copyright industries' digital activities.

IIPA Executive Director Kevin M. Rosenbaum stated: "The Special 301 process is very valuable because it highlights the improvements that key trading partners need to make to enhance the growth and competitiveness of the creative industries. New barriers and forms of piracy continue to emerge in markets around the world, particularly in the digital environment, along with many long-standing challenges. Prioritizing efforts to open these markets through Special 301 and other tools and to improve our trading partners' legal and enforcement frameworks for creative content would bolster the Administration's worker-centric trade policy by generating more high-paying American jobs, promoting U.S. exports, and improving our country's economy."

Rosenbaum concluded: "Over the years, Special 301 has been successful in helping countries understand the importance of improving copyright protection and enforcement and eliminating harmful barriers to their markets. We commend USTR and its interagency partners for continuing their important work to ensure the Special 301 process remains a positive catalyst for change."

IIPA's submission focuses on several key markets and recommends the following:

- Nine countries—**Argentina, Chile, China, India, Indonesia, Mexico, Russian Federation, South Africa, and Vietnam**—for placement on USTR's **Priority Watch List**.
- Fourteen countries—**Belarus, Brazil, Canada, Colombia, Morocco, Nigeria, Paraguay, Peru, Poland, Switzerland, Taiwan, Thailand, United Arab Emirates and Uruguay**—for placement on USTR's **Watch List**.

Among the cross-cutting challenges highlighted in IIPA's Special 301 submission are:

- **Alarming trends in national copyright legal reforms** that weaken copyright protections below minimum global norms.



- The need for stronger legal frameworks to **address online piracy**, including incentives for intermediaries to work with copyright owners, and effective injunctive relief to remedy online theft of intellectual property.
- The global proliferation of **piracy devices**: set-top boxes and other devices weaponized with software and apps that enable unauthorized access to streaming music, video, games, and published materials. China is the major source of piracy devices, which undermine legitimate digital marketplaces worldwide.
- **Unauthorized photocopying of academic textbooks, and scientific, technical, and medical books**, as well as **piracy of journal articles**, remains a persistent problem for publishers in many markets.
- **Stream-ripping services** and other illegal means of **circumventing the technological protection measures** that are essential to the delivery of digital consumer goods and services—whether they are streamed, downloaded, accessed online, or purchased in physical form.
- Many U.S. trading partners still have **unmet legal reform obligations**, including the need to accede to, or fully implement, the **World Intellectual Property Organization Internet Treaties**, which set global, minimum copyright standards for the digital environment.
- **Market access barriers** include taxes, rules, and regulations that discriminate against U.S. copyright-based businesses and their products.

The full report and more materials can be found at <https://iipa.org/reports/special-301-reports/>. For more information, contact IIPA at (202) 968-4472 or at info@iipa.org.

IIPA 2024 Special 301 Recommendations	
Priority Watch List	Watch List
Argentina	Belarus
Chile	Brazil
China	Canada
India	Colombia
Indonesia	Morocco
Mexico	Nigeria
Russian Federation	Paraguay
South Africa	Peru
Vietnam	Poland
	Switzerland
	Taiwan
	Thailand
	United Arab Emirates
	Uruguay
9	14

About the IIPA: IIPA is a private sector coalition, formed in 1984, of trade associations representing U.S. copyright-based industries working to improve copyright protection and enforcement abroad and to open foreign markets closed by piracy and other market access barriers. Members of the IIPA include Association of American Publishers (www.publishers.org), Entertainment Software Association (www.theesa.com), Independent Film & Television Alliance (www.ifta-online.org), Motion Picture Association (www.motionpictures.org), and Recording Industry Association of America (www.riaa.com). Collectively, IIPA's five member associations represent over 3,200 U.S. companies producing and distributing copyrightable content. The materials produced and/or distributed by IIPA-member companies include: video games for consoles, handheld devices, personal computers, and online; motion pictures and television programming distributed in all formats (including cinema, television, online, mobile, DVD, etc.); music recorded in all formats (from digital files to CDs and vinyl) for streaming and other online services, as well as broadcasting, public performance, and synchronization in audiovisual materials; and fiction and non-fiction books, educational, instructional and assessment materials, and professional and scholarly journals, and databases.

In December 2022, IIPA released the latest update of its comprehensive economic report, *Copyright Industries in the U.S. Economy: The 2022 Report*, prepared by Secretariat Economists. (2022 Report). According to the 2022 Report, the "core" copyright industries in the United States generated over \$1.8 trillion of economic output in 2021, accounting for 7.76% of the entire economy, and employed approximately 9.6 million workers in 2021, accounting for 4.88% of the entire U.S. workforce and 5.53% of total private employment in the U.S. The jobs created by these industries are well-paying jobs; for example, copyright industry workers earn on average 51% higher wages than other U.S. workers. The report also broke new ground by measuring the copyright industries' significant contributions to the U.S. digital economy, as that concept was [defined](#) by the federal government. In 2021, the core copyright industries accounted for 52.26% of the U.S. digital economy and 48.1% of U.S. digital economy employment, even though the government's digital economy definition does not encompass the full range of the copyright industries' digital activities. In addition, according to the 2022 Report, the core copyright industries outpaced the U.S. economy, growing at an aggregate annual rate of 6.15% between 2018 and 2021, while the U.S. economy grew by 1.76%. When factoring in other industries that contribute to the copyright economy (which together comprise what the 2022 Report calls the "total" copyright industries), the numbers are even more compelling. Additionally, the 2022 Report highlights the positive contribution of selected copyright sectors to the U.S. overall trade balance. Given the importance of digital delivery to the copyright-based industries, this sector has the potential to multiply its export revenues if our trading partners provide strong copyright-protective environments. In 2021, these sectors contributed \$230.3 billion in foreign sales and exports, exceeding that of many other industry sectors, including chemicals, pharmaceutical and medicines, agricultural products, aerospace products and parts, and food and kindred products. The full economic report is available at <https://iipa.org/reports/copyright-industries-us-economy/>.