

# United States Senate

WASHINGTON, DC 20510

March 2, 2020

The Honorable Michael Pompeo  
Secretary of State  
United States Department of State  
2201 C St. NW  
Washington, D.C. 20520

Dear Secretary Pompeo:

We write to express our concern about China's intent to lead the World Intellectual Property Organization at the United Nations and the threat this poses to both U.S. economic security and the integrity of international IP rights and standards. For instance, Chinese telecommunications company Huawei Technologies, which presents clear risks to U.S. national security, was the top corporate filer of international patent applications to this organization in 2018.<sup>1</sup>

In November 2019, the Chinese Communist Party (CCP) nominated a candidate to head this global organization, which was created to "promote the protection of intellectual property among states."<sup>2</sup> Given China's persistent violations of IP protections, including through trade secret theft, corporate espionage, and forced transfer of technology, the United States and its allies must stand firmly against such a move.

As you know, the CCP is strategically investing in and developing critical and emerging technologies as part of Made in China 2025 and other Chinese Communist Party-led industrial policies. These initiatives include a patchwork of practices and tactics which coerce American companies to transfer their technology and IP to domestic Chinese corporations, with the aim of undermining U.S. innovation and economic leadership.

The Trump Administration has repeatedly expressed concerns about the shortcomings in China's intellectual property regime. Notably, the Office of the United States Trade Representative's Special Section 301 report declares China a "precarious and uncertain environment" for U.S. owners of all types of intellectual property. China also remains on USTR's Priority Watch List for failing to make fundamental changes to strengthen IP protection and enforcement and for engaging in harmful conduct, including unauthorized intrusions and theft from networks of U.S. companies to obtain unauthorized access to IP.<sup>3</sup>

President Trump has rightly accused China of "theft of intellectual property and also trade secrets on a grand scale" in an address to the UN General Assembly last September.<sup>4</sup> We cannot let a regime, which continues to blatantly undermine the rules-based system by failing to ensure

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<sup>1</sup> <https://www.reuters.com/article/us-usa-china-ip/huawei-leads-asian-domination-of-u-n-patent-applications-in-2018-idUSKCN1QZ2PP>

<sup>2</sup> <https://foreignpolicy.com/2019/11/26/china-bids-lead-world-intellectual-property-organization-wipo/>

<sup>3</sup> [https://ustr.gov/sites/default/files/2019\\_Special\\_301\\_Report.pdf](https://ustr.gov/sites/default/files/2019_Special_301_Report.pdf)

<sup>4</sup> <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-74th-session-united-nations-general-assembly/>

open markets or respect for intellectual property rights, ascend as the leader of global intellectual property policy.

Therefore, we urge you and President Trump to vigorously oppose China's leadership in the World Intellectual Property Organization and take the necessary diplomatic steps to ensure our allies and partners do the same before the upcoming Director General election.

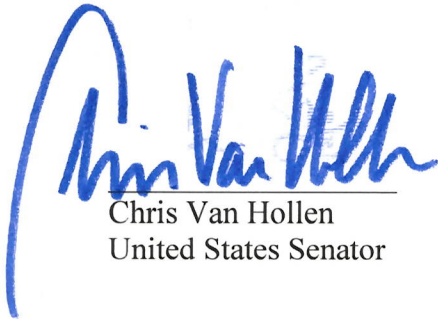
Sincerely,



Charles E. Schumer  
United States Senator



Todd Young  
United States Senator



Chris Van Hollen  
United States Senator



Tom Cotton  
United States Senator