



February 19, 2014

The Honorable Jeh C. Johnson
Secretary of Homeland Security
Washington, D.C. 20528

Dear Secretary Johnson:

Congratulations on becoming our nation's fourth Secretary of Homeland Security. While your position encompasses a broad range of critical responsibilities, we write today to emphasize one vital mission where the Department has excelled over the past few years: the protection of America's intellectual property (IP) against online theft. Thanks to former Director John Morton and departing Acting Director John Sandweg, the Department, especially Immigration and Customs Enforcement (ICE), has demonstrated commendable leadership on this issue.

According to the Department of Commerce, more than 40 million American jobs and two-thirds of our exports depend on IP. But the Internet has proven a potent means for the unscrupulous to peddle counterfeit goods, pirated digital content and other pirated works to U.S. citizens. Websites – often operating from foreign countries – offer all sorts of fake goods under U.S. companies' brand names, undermining our hard-earned reputation for quality. They sell not only clothing, footwear, and luxury goods, but also electronics, and pharmaceuticals and health products, where inferior counterfeit goods can injure or even kill. Pirate sites make available copyrighted works, such as software, video games, movies, television programs, music and books, profiting from ad sales and subscription fees, and usurping rightful rewards from the works' creators.

The undersigned are companies and trade associations representing a diverse group of business sectors, sizes, and locations. But what we have in common is that each of us has IP assets that must be protected to allow us to successfully compete at home and in international markets. We all are vulnerable to criminals who exploit our trademarks, copyrights, patents, or trade secrets for profit, to the detriment of our companies, our economy, and often the health and safety of our citizens.

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The Department of Homeland Security has developed a sound strategy led by ICE to address this online epidemic, with activities that we would like to see continued and expanded. We highlight in particular two notable initiatives: the creation of the National Intellectual Property Rights Coordination Center (IPR Center) and the execution of the long-running “Operation in Our Sites.”

The IPR Center is a prime example of a multi-agency task force that really works. With 21 partner agencies – including other law enforcement agencies from the United States and other key countries, as well as U.S. Customs and Border Control and other civil agencies – the IPR Center serves as a focal point both within the government and with private sector stakeholders for dealing with global IP crime. The IPR Center has realized its ambition to become a “one-stop shop” to refer and de-conflict cases involving IP crime.

As you no doubt are aware, Operation in Our Sites (OiOS) is a three-year effort led by ICE and coordinated by the IPR Center aimed at seizing and forfeiting the domain names of sites dedicated to infringing activities. To date, 2,713 sites have been seized, not only from domain name registries operating in the U.S., but also (with cooperation from law enforcement counterparts) in many other countries. Consumers who visit these sites after seizure no longer find counterfeit or pirated goods; instead, they are confronted with a banner that notifies them of the seizure and educates them about the elements and impact of IP crime.

These kinds of innovative structural and operational approaches to IP crime are vital. We commend not only the leadership of ICE, but also the agents who have dedicated themselves to tackling this problem.

While the IPR Center and OiOS have been successes, the problem of IP theft continues to plague this country. We urge you to continue and expand upon the good work to date, and bring to bear all the law enforcement resources possible to combat this serious issue.

Sincerely,

Coalition Against Counterfeiting and Piracy
Above All Plans
AMGEN
Alliance of Automobile Manufacturers

Alliance for Safe Online Pharmacies
American Intellectual Property Law Association
Beachbody, LLC
Business Software Alliance
Sally Arno, Counterfeit Prevention Leader/Certified Professional Inspector
BellaBag.com
Susan Cabral, President, IATSE Local 706
CBS
Copyright Alliance
Electronic Retailing Association
International Anti-Counterfeiting Coalition
InfraTrac
Intellectual Property Owners Association
Johnson & Johnson
Eli Lilly
Major League Baseball Properties, Inc.
Motor & Equipment Manufacturers Association
Motion Picture Association of America
NagraStar
National Basketball Association
National Football League
NHL Enterprises, L.P.
NBCUniversal
Randy Bradley, PCI, CPP
Recording Industry Association of America
Marv Shepherd, Ph.D., University of Texas
Rosetta Stone
Software & Information Industry Association
Sproxil
Surefire, LLC
The Authentics Foundation
Time Warner, Inc.
Tire Industry Association
TVB (USA) Inc.
The Walt Disney Company
Ultimate Fighting Championship
U.S. Chamber of Commerce
Viacom
World Wrestling Entertainment, Inc.
21st Century Fox