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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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<http://help.senate.gov>

September 28, 2011

David J. Kappos
Under Secretary of Commerce for Intellectual Property
Director of the United States Patent and Trademark Office
600 Dulany Street
Arlington, Virginia 22313-1450

Dear Director Kappos:

As the Chairman and a senior member of the United States Senate Committee on Health, Education, Labor and Pensions, which has jurisdiction over disabilities issues and the Americans with Disabilities Act, we write to recommend your support for timely consideration of a treaty that will have significant positive impacts for many disabled people in the United States and throughout the world.

We understand that the World Intellectual Property Organization (WIPO) is holding its general assembly this week and will consider scheduling a diplomatic conference for June 2012 on the topic of a new treaty for audiovisual performances. We are also aware that the WIPO Standing Committee on Copyright and Related Rights (SCCR) is separately considering a proposal for a new treaty on copyright exceptions for persons who are blind or have other disabilities. This treaty would build upon the rights enumerated in the UN Convention on the Rights of Persons with Disabilities, and is strongly supported by the National Federation of the Blind, the American Council of the Blind and many other U.S. and international organizations involved in disabilities issues.

The World Blind Union reports that negotiations on such a treaty have been productive and it is possible that by the November 21 to December 2, 2011, meeting of the SCCR there will be an agreement upon a text that can be the basis of final negotiations at a diplomatic conference.

We therefore request that the United States propose that in the event the SCCR reaches such consensus on a negotiating text during its November 21 to December 2, 2011, meeting, the agenda of the June 2012 diplomatic conference be expanded to include the topic of a new treaty on copyright exceptions for persons who are blind or have other disabilities.

Thank you.

Sincerely,



Tom Harkin
Chairman
Committee on Health, Education,
Labor and Pensions
United States Senate



Bernard Sanders
Chairman, Subcommittee on Primary Health and Aging
Committee on Health, Education,
Labor and Pensions
United States Senate