

## Title IV

## AMENDMENT

## OFFERED BY MRS. BLACKBURN OF TENNESSEE

At the end title IV, subtitle D, add the following (and make such conforming changes as may be necessary):

1 **SEC. 447. SENSE OF CONGRESS REGARDING INTELLECTUAL**  
2 **PROPERTY RIGHTS.**

3 (a) FINDINGS.—The Congress finds the following:

4 (1) The development and deployment of innova-  
5 tive clean technologies is critical to both the mitiga-  
6 tion of and adaptation to global climate change.

7 (2) Intellectual property rights are a key driver  
8 of investment and research and development in, and  
9 the global deployment of, clean technologies.

10 (3) Calls by some countries to weaken intellec-  
11 tual property rights or provide for compulsory licens-  
12 ing of clean technology undermine the environmental  
13 objectives of global climate change negotiations by  
14 reducing incentives for investment, innovation, and  
15 clean technology deployment required to meet such  
16 objectives.

17 (4) Weakening intellectual property rights pro-  
18 tection also poses a substantial competitive risk to

1 United States companies, the creation of high-quality  
2 United States jobs, and the United States economy  
3 as a whole, inhibiting the creation of new  
4 “green” employment and the transformational shift  
5 to the “Green Economy” of the 21st Century.

6 (b) SENSE OF CONGRESS.—It is the sense of the  
7 Congress that the President of the United States should  
8 take such action as is necessary to ensure that—

9 (1) the United States Government promotes ro-  
10 bust protection of intellectual property rights and  
11 worldwide compliance with rules on intellectual prop-  
12 erty protection, particularly in the context of ongo-  
13 ing international climate change negotiations within  
14 the United Nations Framework Convention on Cli-  
15 mate Change;

16 (2) the United States does not agree to any  
17 international accord on climate change that contains  
18 exceptions to intellectual property rights, which  
19 could undermine the future competitiveness of the  
20 United States clean technology industry, United  
21 States technological leadership in the “Green Econ-  
22 omy”, and the creation of high-quality “green” jobs  
23 for American workers; and

24 (3) any United States funding directed toward  
25 assisting other countries in meeting the costs of

1 mitigating greenhouse gas emissions or adapting to  
2 the impacts of climate change should be contingent  
3 upon the substantial compliance by those countries  
4 with, and enforcement by those countries of, existing  
5 international legal requirements with respect to in-  
6 tellectual property rights, as determined annually by  
7 the President of the United States.

