



April 26, 2016

The Honorable Kevin McCarthy
Majority Leader
United States House of Representatives
Washington, D.C. 20515

The Honorable Nancy Pelosi
Democratic Leader
United States House of Representatives
Washington, D.C. 20515

The Honorable Bob Goodlatte
Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515

The Honorable John Conyers
Ranking Member
House Committee on the Judiciary
B-336 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Doug Collins
1504 Longworth House Office Building
United States House of Representatives
Washington, D.C. 20515

The Honorable Jerrold Nadler
2109 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515

Dear Majority Leader McCarthy, Democratic Leader Pelosi, Chairman Goodlatte, Ranking Member Conyers, Representative Collins, and Representative Nadler:

On behalf of the members of the Information Technology Industry Council (ITI), I write to express our support for S. 1890, the Defend Trade Secrets Act of 2016 (DTSA), and commend your efforts to bring it to the House floor for debate and vote. **Given the importance of trade secrets protection to the high-tech industry, we will consider scoring votes in support of DTSA in our 114th Congressional Voting Guide.**

ITI companies are at the forefront of innovation and have some of the largest trade secret and patent portfolios in the world tied to numerous goods and services offered to governments, commercial enterprises and consumers around the globe. In fact, patent portfolios often grow as a result of the ideas and products originating as trade secrets. Customer lists, manufacturing processes, and source code are just a few examples of important assets considered to be trade secrets by many companies.

Our companies pour billions of dollars into research and development to create products and services that ultimately become the backbone of their businesses. Trade secrets produced through this research and development increasingly have become attractive to competitors in other countries. In addition, advances in technology now make it easy to copy trade secret materials onto a jump drive or lap top computer that once would have taken reams of paper to reproduce. As a result, the threat posed to American trade secrets has increased and theft of these secrets robs our economy of growth and innovation.

It is long overdue for our trade secrets law to be modernized to keep pace with the rapid developments of our companies and the technologies and methods used by the criminals who target them. The patchwork of state trade secrets laws, while effective for local theft, fail to meet the demands of the global nature of today's trade secret misappropriation. In addition, trade secrets do not enjoy the same



federal protections as other types of intellectual property. While it is a federal crime to steal a trade secret, unlike patents, copyrights and trademarks, there is no federal civil remedy.

DTSA provides a solution to these problematic gaps by making federal law more comprehensive and providing trade secrets owners with remedies all forms of intellectual property should be afforded. With both a federal criminal and a federal civil cause of action, large and small companies alike will have access to more tools they need to effectively combat trade secret theft and help to ensure future innovation continues to occur in the United States.

While trade secret protection is important domestically, as American companies expand in the global marketplace, this protection is also needed worldwide. As we operate in other countries and work with them to encourage strong intellectual property protection within their own borders, the Defend Trade Secrets Act will serve as a model for effective protection.

We thank the House Judiciary Committee for quickly approving this legislation, and we look forward to seeing the bill pass in the House of Representatives and move to the president's desk to become law.

On behalf of ITI's member companies, I thank you for your leadership on intellectual property protection and urge you and your colleagues to support S. 1890.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Garfield", written over a horizontal line.

Dean C. Garfield
President & CEO

About ITI. The Information Technology Industry Council (ITI) is the global voice of the tech sector, celebrating its 100th year in 2016 as the premier advocacy and policy organization for the world's leading innovation [companies](#). In both the U.S. and in countries around the world, ITI navigates the relationships between policymakers, companies, and non-governmental organizations, providing creative solutions that advance the development and use of technology around the world. Visit www.itic.org to learn more and follow us on Twitter for the latest ITI news [@ITI TechTweets](#).