

ID # 207298  
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**WHITE HOUSE  
 CORRESPONDENCE TRACKING WORKSHEET**

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 91108,25

Name of Correspondent:  Mr.  Mrs.  Miss  Ms. James Charne

MI Mail Report User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Re: Taiwan admission to GATT

**ROUTE TO:**

**ACTION**

**DISPOSITION**

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
	CoKell	ORIGINATOR	91108,29	WJ	C	91101,29
	<i>Do</i>	Referral Note:				
		<i>R</i>	91109,04	WJ	A	91101,04
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**ACTION CODES:**

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure

- 1 - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

**DISPOSITION CODES:**

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

Keep this worksheet attached to the original incoming letter.  
 Send all routing updates to Central Reference (Room 75, OEOb).  
 Always return completed correspondence record to Central Files.  
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

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The President  
The White House  
Washington, DC

August 22, 1991

Re: Taiwan Admission to GATT

Dear Mr. President:

I wrote to you in July about policies of the Taiwan government which support and promote international copyright piracy for the benefit of its own semiconductor industries. The purpose of my letter was to request that Taiwan not be rewarded by membership in the GATT for this institutionalized theft.

J. Kelly

My letter was referred to Mr. Louis J. Murphy, Director of the Office of Multilateral Affairs, United States Department of Commerce. Mr. Murphy wrote a very detailed reply. I thank him for taking the time to explain administration policy.

I believe it is sound policy to tie granting economic concessions to Taiwan's concrete implementation of steps to stop organized theft of U.S. intellectual property.

However, I must caution you not to grant concessions until Taiwan has clearly demonstrated it has the intestinal fortitude to put a stop to this government-supported piracy. Talk is cheap; simple legislation will not stop this practice unless it is vigorously enforced by Taiwanese authorities.

The U.S. was strong in promoting economic sanctions against the government of South Africa until it was clear apartheid was falling. I hope the U.S. will require clear and steady progress by Taiwan to stop copyright piracy before it grants economic concessions including membership in the GATT. Continued progress according to a pre-agreed timetable should be required in order for these concessions to be maintained.

Best regards.

Yours sincerely,

James Charne  
Vice President Legal  
& Business Affairs  
General Counsel

/j/cc: Garry Kitchen  
Louis J. Murphey



**UNITED STATES DEPARTMENT OF COMMERCE**  
**International Trade Administration**  
Washington, D.C. 20230

OCT 4 1991

Mr. James Charne  
Vice President  
Legal and Business Affairs  
General Counsel  
Imagineering, Inc.  
P.O. Box 116  
Glen Rock, New Jersey 07452

Dear Mr. Charne:

Thank you for your follow-up letter to the President cautioning that the United States should not agree to GATT accession for Taiwan until it takes concrete steps to end copyright piracy.

As I stated in my August response to your earlier letter, the United States has worked with Taiwan for some time to address the serious copyright piracy problem there. This concentrated effort over a period of almost ten years has yielded more than just improved legislation in intellectual property rights (IPR) areas.

Enforcement of Taiwan's new laws, both by the police and by Taiwan's courts, has been, and remains, a major focus of our efforts. U.S. Government representatives stationed in Taiwan monitor Taiwan's IPR enforcement and we often receive reports from private concerns like yours on the effectiveness of these efforts. U.S. and Taiwan authorities review enforcement of Taiwan's IPR laws during regular consultations.

Additionally, as I stated in my August letter, Taiwan's IPR protection -- both legislatively and in terms of enforcement -- is reviewed annually under the Special 301 provisions of the Omnibus Trade and Competitiveness Act of 1988. Taiwan has been cited under this provision since the first review in 1989. Should IPR problems experienced by U.S. companies on Taiwan worsen significantly, the United States can take unilateral trade steps under Special 301 to address the situation.

The U.S. Government knows that Taiwan's record on IPR could stand improvement. That is why the issue of IPR protection continues to be a major agenda item for all trade contacts with Taiwan authorities. The United States continues to believe, however, that rejecting GATT accession for Taiwan because of this issue would be counterproductive. The GATT accession process, coupled with our already active bilateral efforts, will actually provide more leverage to address this serious issue.



Please feel free to contact me again if you have further concerns. Also, if you have specific enforcement problems to report, I would appreciate receiving this information so that U.S. officials can raise the incidents with Taiwan authorities.

Sincerely,

A handwritten signature in cursive script that reads "Louis J. Murphy". The signature is written in dark ink and is positioned above the typed name and title.

Director  
Office of Multilateral Affairs