



Intellectual Property Watch

US Republican Presidential Candidates on IP (*Posted 29 January, 2008*)

Rudy Giuliani

Medical Innovation

- Wants “public-private partnerships to improve and set standards for health IT without overbearing regulations.”¹
- Does not mention generics on his website nor in major news sources.
- Says “free-market principles are the only things that reduce costs and improve quality” and is against “socialized medicine.”²

WTO / IP Abroad

- Promises to “aggressively advance free trade” and “protect America’s innovations and intellectual property by enforcing our trade agreements aggressively.”³
- Believes “the big problem in China is protection of intellectual property... [we have to] keep China opening up its markets and at the same time try to get it to develop a more sophisticated legal system.”⁴

1 <http://www.joinrudy2008.com/issues/view/11>

2 <http://transcripts.cnn.com/TRANSCRIPTS/0706/05/se.01.html>

3 <http://www.joinrudy2008.com/issues/view/16>

4 http://www.businessweek.com/magazine/content/07_18/b4032099.htm?chan=top+news_top+news+index

Mike Huckabee

Medical Innovation

→ Says that healthcare in the US is “irrevocably broken”... wants to focus on preventative care and a “consumer-based system.” rather than employer-based or “socialized medicine” but says nothing about generics or importing drugs from abroad.⁵

Internet Neutrality

→ Says the Internet is “an entirely new medium” and we “need to be careful not to create an unlevel playing field.”

→ Huckabee sees the Internet as an “interstate highway, everyone has the right to put his or her vehicle on it whether it’s a big 18 wheel truck or a motorcycle.”⁶

Internet Access

→ Believes it is important to ensure “access is affordable and there is a clear path for every person to be able to utilize these resources that after all were originally designed by our tax dollars.”⁷

→ But cautions that “access must be separate [as an issue] from commerce, which states would want to regulate just as they would any other retail business.”⁸

5 http://www.mikehuckabee.com/?FuseAction=Issues.View&Issue_id=8

6 http://www.youtube.com/watch?v=w4Vz2zO1_tY

7 http://www.youtube.com/watch?v=w4Vz2zO1_tY

8 http://www.youtube.com/watch?v=w4Vz2zO1_tY

John McCain

Medical Innovation

- McCain will “foster the development of routes for safe, cheaper generic versions of drugs and biologic pharmaceuticals.”⁹
- Develop safety protocols that permit re-importation to keep competition vigorous.”¹⁰
- In 2002, McCain introduced a bill listing 15 key prescription drugs whose patents were about to expire, and calling for a closing of patent system loopholes that allowed pharmaceutical companies to delay the manufacture and sale of cheaper generic versions.”¹¹
- Promises to “protect the health care consumer through vigorous enforcement of federal protections against collusion, unfair business actions, and deceptive consumer practices.”¹²

Patent Reform

- The magazine Business Week says McCain’s campaign believes patent quality must improve and litigation rates must decline.¹³
- However, patent policy does not seem to be a campaign issue for McCain; there is no mention on his campaign site, and CNN’s Fortune blog quotes McCain as saying that patent reform was not high on his list at the Wall Street Journal’s D5 Technology Conference.¹⁴

Copyright and Piracy

- Strongly supports intellectual property protection, but believes IP laws must not become “so onerous as to stifle the very innovation they strive to safeguard.”¹⁵
- Believes strong IP legislation is necessary to “protect the rights of copyright holders [and] to keep pace with the technological advances that characterize the Information Age.”¹⁶
- At the Wall Street Journal’s D Conference on Technology “we need to reform our copyright laws, but it needs to be carefully thought through.”¹⁷
- In a CNet interview: “knowledge and ideas are central parts of what makes the U.S. economy productive and competitive. It is vital that this intellectual property be protected and defended... [but] such protections [cannot] be so onerous as to stifle the very innovation they strive to safeguard.”¹⁸

Internet Neutrality

- Believes we need “a different model for enforcing competition on the Internet [that focuses] on policing clearly anticompetitive behavior and consumer predation.”¹⁹
- Is pursuing legislation to register the online accounts of sex offenders as well as legislation requiring schools and libraries to receive “federal subsidies [for] technology to restrict access to sexually explicit material by children.”²⁰

9 <http://www.johnmccain.com/Informing/Issues/19ba2f1c-c03f-4ac2-8cd5-5cf2edb527cf.htm>

10 <http://www.johnmccain.com/Informing/Issues/19ba2f1c-c03f-4ac2-8cd5-5cf2edb527cf.htm>

11 http://www.senate.gov/~schumer/SchumerWebsite/pressroom/press_releases/PR01045.html

12 http://www.senate.gov/~schumer/SchumerWebsite/pressroom/press_releases/PR01045.html

13 http://www.businessweek.com/technology/content/sep2007/tc20070917_079427_page_3.htm

14 <http://gowest.blogs.fortune.cnn.com/category/john-mccain/>

15 http://www.news.com/Technology-Voters-Guide-John-McCain/2100-1028_3-6224285.html?tag=st.nl

16 http://www.news.com/Technology-Voters-Guide-John-McCain/2100-1028_3-6224285.html?tag=st.nl

17 <http://d5.allthingsd.com/20070529/d5-mccain/#more-74>

18 http://www.news.com/Technology-Voters-Guide-John-McCain/2100-1028_3-6224285.html?tag=txt.8

19 http://www.news.com/Technology-Voters-Guide-John-McCain/2100-1028_3-6224285.html?tag=txt.8

20 <http://www.johnmccain.com/Informing/Issues/95b18512-d5b6-456e-90a2-12028d71df58.htm>

Internet Access

- Believes it is better to “promote competition and reduce regulation in order to secure lower prices and higher-quality services for consumers and encourage the rapid deployment of new technologies.”²¹
- Supports making a ban on Internet taxes permanent.²²
- Interested in seeking “market-based solutions to increasing broadband penetration... government [should be] stimulator, rather than regulator, of broadband services... [should] remove barriers to broadband deployment, and facilitate deployment... to rural and underserved communities.”²³

WTO / IP Abroad

- Is an avid supporter of free trade, and feels that China’s “desire to construct a knowledge economy implies a mutual interest in protecting intellectual property and preventing counterfeiting.”²⁴
- But promised to “take [China] to the WTO [World Trade Organization] [and] put pressure on them to stop” violating IP rights” if needed.²⁵

21 http://www.news.com/Technology-Voters-Guide-John-McCain/2100-1028_3-6224285.html?tag=txt.8

22 <http://www.eetimes.com/news/semi/showArticle.jhtml?articleID=205918834&pgno=4>

23 http://www.news.com/Technology-Voters-Guide-John-McCain/2100-1028_3-6224285.html?tag=txt.8

24 <http://www.johnmccain.com/informing/News/PressReleases/bba416b9-372d-4c2e-ac02-866a37db0c86.htm>

25 <http://www.techcrunch.com/2007/11/12/mccain-embarrassed-by-yahoo%E2%80%99s-actions-in-china-also-calls-google-to-the-mat/>

Ron Paul

Medical Innovation

- Supports drug re-importation: “one of the reasons prescription drug prices are high is government policies which give a few powerful companies a monopoly position in the prescription drug market, such as those restricting the importation of quality pharmaceuticals.”²⁶
- Believes “current policies... endanger health by artificially raising the cost of prescription drugs” and has encouraged colleagues in the House of Representatives to support efforts “to establish a true free market in pharmaceuticals.”²⁷
- “We can hardly expect more government to cure our current health care woes. As with all goods and services, medical care is best delivered by the free market, with competition and financial incentives keeping costs down.”²⁸

Copyright and Piracy

- Not a major issue for Paul, but when asked about it in a CNet interview, he said “I would tend to protect the rights of consumers to make a backup copy of materials they have purchased, as long as [they] complied with any contractual obligations they incurred when purchasing the product.”²⁹

Internet Neutrality

- Does not support ‘Net neutrality legislation; thinks the government should simply remove barriers to entry in the Internet provider market.³⁰

Internet Access

- Greater Internet access is best achieved through “deregulation and allowing the free market to work... federal grants and subsidies will only elevate certain providers while holding back others... competition will drive down prices, as it did with dial-up access.”³¹

WTO / IP Abroad

- Believes the WTO is “a threat to our independence as a nation [as it] transfer[s] power from our government to unelected foreign elites.”³²

26 <http://www.ronpaul2008.com/articles/55/reimportation-of-fda-approved-pharmaceuticals/>

27 <http://www.ronpaul2008.com/articles/55/reimportation-of-fda-approved-pharmaceuticals/>

28 <http://www.ronpaul2008.com/articles/54/free-market-medicine/>

29 http://www.news.com/Technology-Voters-Guide-Ron-Paul/2100-1028_3-6224161.html

30 http://www.news.com/Technology-Voters-Guide-Ron-Paul/2100-1028_3-6224161.html?tag=txt.4

31 http://www.news.com/Technology-Voters-Guide-Ron-Paul/2100-1028_3-6224161.html?tag=txt.4

32 <http://www.ronpaul2008.com/issues/american-independence-and-sovereignty/>

Mitt Romney

Medical Innovation

- Little on IP specifically, though he does support a “free market, federalist approach” to health insurance.³³
- In a spar with McCain at the GOP debate in New Hampshire said “don’t [make the] pharmaceutical companies into the big bad guys... they’re trying to create products to make us well and make us better, and they’re doing the work of the free market.”³⁴

Patent Reform

- Romney has said his goals for the US patent office are to: “ensure that the Undersecretary of Commerce and Director of the PTO will be a distinguished US patent lawyer with many years of experience.”
- “... support only such patent reform legislation as will strengthen the US patent system.”
- “... consider appointing to the United States Court of Appeals for the Federal Circuit... excellent lawyers who have experience practicing US patent law, particularly since all decisions in patent cases... by the district courts are appealable to the Federal Circuit.”³⁵

Copyright and Piracy

- While there is not much on the campaign site, the “Encyclopedia Mittanica,” a Romney-support website, does claim he signed a bill in 2004 to make recording films in movie theatres a felony.³⁶

Access to Knowledge

- Wants to ensure Americans have “intellectual capital and skills to compete in the 21st century economy.”³⁷

Internet Neutrality

- While Romney says nothing about the neutrality of the Internet, he has said he supports “software filters to guard children from online pornography” and wants all new computers to be required to carry such filters.³⁸

WTO / IP Abroad

- From a speech to the Detroit Economic Club: “We have to make sure that the rules of free trade are fair... it’s time to make sure China... enforce[s] our intellectual property rights as well as they enforce their own.”³⁹
- From an interview with technology blog TechCrunch: “when a nation like China does not honour our intellectual property rights then we’re going to have to get serious with our Chinese friends and say ‘guys you just can’t do that or you’re going to suffer consequences in our markets.’”⁴⁰

33 <http://www.mittromney.com/Issues/healthcare>

34 http://media.washingtonpost.com/wp-srv/politics/documents/republican_debate_new_hampshire_010508.html

35 <http://patent.googlepages.com/Mitt.Romney.Letter.pdf>

36 <http://myclob.pbwiki.com/11-17-2004>;

http://www.boston.com/news/local/articles/2004/11/10/bill_targets_video_pirates_secret_taping/

37 <http://www.mittromney.com/Issues/global-economic-competition>

38 <http://www.mittromney.com/Issues/american-culture>

39 http://www.mittromney.com/News/Speeches/DEC_Speech

40 <http://www.techcrunch.com/2007/11/01/mitt-romney/>