

Countries to release anti-piracy text as deal nears

(Reuters) - Countries negotiating a deal to curb trade in fake and pirated goods are close to reaching an agreement in talks that have raised concerns among digital rights advocates, U.S. trade officials said on Friday.

"The agreement can be concluded soon if other participants make it a priority to achieve such progress now," Nefeterius McPherson, a spokeswoman for the U.S. Trade Representative's office, said in a statement.

Digital rights advocates have feared the proposed Anti-Counterfeiting Trade Agreement could allow customs agents to confiscate laptop and music devices if they contain illegal downloads, while other groups have worried it could restrict trade in low-price generic drugs.

In a joint statement, negotiators from the United States, the European Union, Japan and other countries that met this week in New Zealand said those fears were unjustified.

"There is no proposal to oblige ACTA participants to require border authorities to search travelers' baggage or their personal electronic devices for infringing materials. In addition, ACTA will not address the cross-border transit of legitimate generic medicines," they said.

To further allay concerns, the countries have agreed to release a consolidated "bracketed text" on Wednesday.

The brackets surround parts of the agreement that are still under negotiation and will be the focus of the next round of talks in June in Switzerland.

The inability to look at the confidential texts has helped fuel suspicion about the pact, which began several years ago.

"I think we're cautiously optimistic about this step" to release the text for public inspection, said Sherwin Siy, deputy legal director at Public Knowledge, a digital rights advocacy group.

But even if that is finally happening, there remain concerns about the negative impact the agreement could have on Internet users, Siy said.

One fear is the agreement could create an environment in which Internet users who are suspected of illegally downloading music or other files have their accounts closed, he said.

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A line in the joint statement on Friday that the agreement wouldn't mandate a "graduated response" or "three strikes" policy for copyright infringement is not reassuring, Siy said.

Public Knowledge would like clear language to ensure the agreement is "not encouraging governments to kick people off the Internet," he said.

Participants in the negotiations include Australia, Canada, the European Union, Japan, South Korea, Mexico, Morocco, New Zealand, Singapore, Switzerland and the United States.

The U.S. Chamber of Commerce welcomed the plan to release the text, which it said "should address many of the erroneous claims of the anti-ACTA critics."

A successful agreement to address the growing problem of counterfeiting and piracy would "protect consumers and preserve American jobs," said Mark Esper, vice president of the Chamber's Global Intellectual Property Center.

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