



VIA EMAIL: FR0439@ustr.eop.gov

Mark Mowrey, Deputy Assistant USTR
Office of Europe and the Mediterranean
Office of the U.S. Trade Representative

**RE: FR Doc. 04-18716
Notice and Request for Comments on Enhancing the Transatlantic Economic
Relationship**

Dear Mr. Mowrey,

The Computing Technology Industry Association (“CompTIA”) is pleased to respond to the request for public comments on enhancing the transatlantic economic relationship published in the Federal Register on August 17, 2004 (vol. 69, No. 158, page 51139.)

CompTIA is the world’s largest information and communications technology trade association with over 20,000 members in 102 countries. CompTIA’s members consist of software developers, hardware manufacturers, application service providers, Internet service firms, distributors, retailers, resellers, training, service, and telecommunications companies. The Association’s members collectively employ thousands of people and produce billions of dollars worth of goods and services each year. CompTIA operates in both the U.S. and Europe with offices in Amsterdam, Brussels, Düsseldorf and London. Our transatlantic operations allow us to provide a unique, first-hand perspective on this important topic.

CompTIA’s core mission includes the promotion of policies that enhance growth and competition within the computing industry and the facilitation of the development of vendor-neutral standards in e-commerce, customer service, workforce development and ICT workforce certification.

We have identified two key areas where we believe improvements can be made to the transatlantic marketplace resulting in an enhanced economic relationship between the US and the EU. These are reform of divergent regulatory regimes particularly in the area of e-commerce regulation and antitrust enforcement and enhanced intellectual property protections.

Regulatory Reform

The information technology (“IT”) marketplace has grown rapidly through innovation, entrepreneurship and by serving its customers well. CompTIA believes that competition laws which protect the interests of consumers can enhance innovation and global competitiveness when they are clearly defined and consistently enforced.

The IT industry on both sides of the Atlantic recognize that divergent regulatory approaches hinders the competitiveness of both the US and European economies. We urge that both the US and EU work to minimize unnecessary regulatory divergences so that companies operating and selling their products in Europe and the United States can take advantage of the full benefits of a seamless transatlantic market including increased job creation and more R&D and product innovation.

ECommerce

Because e-commerce transactions are truly global in nature, uniformity in regulations governing these transactions would help to encourage robust e-commerce growth. Inconsistent national practices in the areas of voice over internet protocol (“VOIP”), spam and privacy regulation only create barriers to economic growth. CompTIA reminds regulators that harmonized practices are of particular importance in the area of e-commerce regulation in order to encourage efficient transborder transactions in an area that is of significant importance to overall economic growth.

Competition Issues

Differing approaches to the regulation of competition issues, merger review and barriers to foreign investment continue to hamper direct investment between the U.S and the EU. Differences in the application of competition rules across the Atlantic have increased the amount of uncertainty in the environment in which all firms must operate. A predictable regulatory regime will promote innovation and investment and foster economic growth.

CompTIA urges antitrust regulators around the globe to remain committed to the principle that antitrust enforcement in the IT sector in particular must remain focused on the impact of market practices on consumers, not seeking to protect competitors from competition in general.

Protecting Intellectual Property Rights

The protection of intellectual property rights has played a central role in the rapid growth of the IT sector on both sides of the Atlantic and indeed, around the globe. IP rights play a critical role in ensuring the advance of technology by providing financial rewards in return for innovation, encouraging companies to bring new and better products to consumers.

Strengthening and defending intellectual property rights is a key requirement to establishing a more innovative climate for US and EU IT companies to grow and prosper. Effective enforcement of intellectual property rights ensures that innovation is rewarded and provides a reliable legal framework for companies to operate in.

CompTIA strongly supports efforts by the US and the EU to work together to achieve a practical degree of harmonization of patent requirements. Doing so will enable patent offices to share resources and expertise and will ensure that patents are granted under more thorough and efficient processes. With respect to the eligibility of software inventions for patents, CompTIA supports the EU CII Directive as agreed to on May 18, 2004. We believe the directive will ensure more consistent requirements for CII patents among EU member states.

The US and EU should continue to work together to support the efforts of the World Intellectual Property Organization (“WIPO”) to harmonize international patent application procedures.

CompTIA appreciates the opportunity to submit these comments aimed at strengthening the transatlantic economic relationship. We look forward to continuing to work together on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Kramer', followed by a long horizontal line extending to the right.

Robert Kramer
Vice President, Public Policy,
Computing Technology Industry Association