

April 29, 2014

The Honorable Christopher Coons
United States Senator
127A Russell Senate Office Bldg.
Washington, DC 20510

The Honorable Orrin Hatch
United States Senator
104 Hart Senate Office Bldg.
Washington, DC 20510

Dear Senator Coons and Senator Hatch:

The undersigned companies and organizations write to express our support for the Defend Trade Secrets Act. We appreciate your leadership on this issue.

The Defend Trade Secrets Act will create a harmonized, uniform standard and system for companies to protect their trade secrets. Your legislation will establish the gold standard for national trade secret laws globally and serve as an important base for international harmonization efforts.

Trade secrets are an essential form of intellectual property and part of the backbone of our information-based economy. Increasingly, trade secrets are critical for the competitiveness of companies that are creating jobs in America. Trade secrets include information as broad-ranging as manufacturing processes, industrial techniques, formulas, and customer lists. Trade secrets account for an average of two-thirds of the value of companies' information portfolios, and therefore represent an integral part of a U.S. company's competitive advantage and its ability to create jobs and value.

Job-creating companies in America are increasingly the targets of sophisticated efforts to steal proprietary information, harming our global competitiveness. In broad industry surveys, as many as 60 percent of respondents report attempted or actual trade secret theft in a given year. This theft harms innovation and job creation.

Federal law protects trade secrets through the Economic Espionage Act of 1996 ("EEA"), which provides criminal sanctions against trade secret misappropriation. While the EEA is a critical tool for law enforcement to protect the clear theft of our intellectual property, U.S. trade secret owners also need access to a federal civil remedy, and the full spectrum of legal options available to owners of other forms of intellectual property such as patents, trademarks, and copyrights.

The Defend Trade Secrets Act will create a federal remedy that will provide a consistent, harmonized legal framework and help avoid the commercial injury and loss of employment that can occur when trade secrets are stolen. We are proud to support it.

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The Honorable Orrin Hatch
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Sincerely,

3M
Abbott
Adobe
Advanced-Manufacturing Coalition for Technology and Innovation (ACTI)
The Advanced Medical Technology Association (AdvaMed)
Air Liquide
Alliance of Automobile Manufacturers
American Seed Trade Association
Association of Global Automakers, Inc.
BASF Corporation
Biotechnology Industry Organization (BIO)
The Boeing Company
Boston Scientific
Caterpillar
Corning Incorporated
CropLife America
DuPont
Eli Lilly and Company
General Electric
Honda
Medtronic
Merck
Micron
Microsoft
Monsanto
The National Association of Manufacturers
National Foreign Trade Council (NFTC)
NIKE
Philips
The Procter & Gamble Company
Qualcomm
Siemens
U.S. Chamber of Commerce
United Technologies Corporation

cc: Chairman Patrick J. Leahy, Senate Judiciary Committee
Ranking Member Charles E. Grassley, Senate Judiciary Committee
Members of the Senate Judiciary Committee