

OPINIONS ON TRADEMARK PROTECTION: SECTION 211, THE WORLD TRADE ORGANIZATION & VARIOUS TRADE PRACTICES



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OPINIONS ON TRADEMARK PROTECTION: SECTION 211, THE WORLD TRADE ORGANIZATION & VARIOUS TRADE PRACTICES

Washington, DC — According to an Ipsos-Reid poll conducted over the weekend and released today, 4 in 5 (79%) of U.S. adults believe it is extremely or very important that the U.S. abide by the same World Trade Organization rules that the U.S. insists other countries abide by.

Moreover, 2 in 3 (68%) Americans say they have at least some concern that the U.S. is blocking protection of the Havana Club rum trademark in the U.S., while at the same time demanding trademark protection for U.S. companies in all countries around the world. Havana Club rum is an embargoed Cuban product that is sold in 80 countries worldwide, but is ineligible for trademark protection in the U.S. due to a law recently passed by Congress, known as Section 211. The results also show that a majority of Americans (57%) oppose Section 211. Without trademark protection, other companies could produce and sell counterfeit Havana Club rum in the U.S.

These are the findings of an Ipsos-Reid poll conducted between August 3 and August 5, 2001. The poll was sponsored by Washington, DC firm Dittus Communications. The poll is based on a randomly selected sample of 1,000 U.S. adults. With a sample of this size, the results are considered accurate to within ± 3 percentage points, 19 times out of 20, of what they would have been had the entire adult U.S. population been polled. The margin of error will be larger within regions and for other sub-groupings of the survey population. These data were statistically weighted to ensure the sample's

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regional and age/sex composition reflects that of the actual U.S. population according to the most recent Census data.

Support for making sure trademarks for U.S. companies such as Coca-Cola, Nike or Microsoft are respected around the world and fake products are not sold under the trademark name in other countries is high, with 72% of Americans saying it is extremely or very important. Also, 65% of Americans believe that it is extremely or very important that companies from other countries that sell products in the U.S. are not getting special treatment from their governments or other unfair competitive advantages over U.S. companies.

Overall, Americans are split on whether or not the U.S. benefits more than it gives up (48%) rather than to say it gives up more than it benefits (43%) when the World Trade Organization enforces trademarks around the world.

"Although opinion is divided on the benefits of World Trade Organization policies overall, there is no question about opposition to Section 211 and an insistence that U.S. policies put trademark protection first on this issue. That's why, when they hear about the issues raised by section 211, Americans have serious reservations about policy," according to Thomas Riehle, President of U.S. Public Affairs at Ipsos-Reid.

For commentary please contact:

Thomas Riehle, President of Ipsos-Reid U.S. Public Affairs at

(202) 463-7300

thomas.riehle@ipsos-reid.com

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Detailed Results and Further Analysis

The following are the detailed results and further analysis of polling done concerning Section 211, the WTO and trademarks.

- Q. The U.S. is involved in a trademark conflict regarding a Cuban product called Havana Club rum. This rum is sold in more than 80 countries worldwide, and a trademark on this product is registered in the U.S. Because of the trade embargo against products made in Cuba, however, Havana Club rum is not sold in the U.S.

The U.S. Congress has passed a law that blocks the protection of the Havana Club rum trademark in the U.S. As a result, not only could another company produce and sell counterfeit Havana Club rum in the U.S., but the U.S. also could face trade sanctions because it is violating World Trade Organization rules on trademarks.

Do you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this U.S policy?

	<u>All Adults</u>	<u>Democrats</u>	<u>Independents</u>	<u>Republicans</u>
	%	%	%	%
Strongly/somewhat favor	36	33	36	38
Strongly/somewhat oppose	57	62	54	54
DK/Ref	7	5	11	8

- Opposition to these policies is reflected across the board – Democrats (62%), Republicans (54%), and Independents (54%) all oppose the policy.

Q. The U.S. is a leader in encouraging other countries to protect the trademarks of U.S. companies in their countries through the World Trade Organization's rules...

If the U.S. is insisting that other countries' policies abide by World Trade Organization rules, how important do you think it is that U.S. policies abide by those same rules?

	<u>All Adults</u>	<u>Democrats</u>	<u>Independents</u>	<u>Republicans</u>
	%	%	%	%
Extremely/very important	79	85	79	74
Somewhat/not at all important	20	15	19	26

- 4 in 5 Americans believe that it is extremely or very important that the U.S. policies abide by the same World Trade Organization rules that the U.S. insists other countries abide by.

Moreover, 68% of Americans say they have at least some concern that the U.S. is blocking protection of the Havana Club rum trademark in the U.S. while at the same time it is demanding trademark protection for U.S. companies in all countries around the world.

Support for making sure the trademarks for U.S. companies such as Coca-Cola, Nike, or Microsoft are respected around the world and fake products are not sold under the trademark name in other countries is an important issue to Americans. To put it in context,

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Ipsos-Reid also asked about support for making sure companies from other countries that sell products in the U.S. are not getting special assistance from their governments or other unfair competitive advantages over U.S. companies. Most analysts understand the power of public opinion support for trade rules to protect U.S. companies from unfair competition. This poll shows the public places equally high importance on international trademark enforcement.

	Trademark enforcement	No foreign company special assistance
	%	%
Extremely/very important	72	65
Somewhat/not at all important	27	33

- Importance Americans place on defending trademarks is on par with the importance they place in making sure foreign companies that sell products in the U.S. are not receiving special assistance.

Overall, Americans are split on whether or not the U.S. benefits more than it gives up (48%) rather than to say it gives up more than it benefits (43%) when the World Trade Organization enforces trademarks around the world. “Although opinion is divided on the benefits of World Trade Organization policies overall, there is no question about opposition to section 211 and an insistence that U.S. policies put trademark protection first on this issue. That’s why, when they hear about the issues raised by section 211, Americans have serious reservations about the policy,” according to Thomas Riehle, President of U.S. Public Affairs at Ipsos-Reid, the company that conducted this poll.



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For more information on this news release, please contact:

Thom Riehle
President & COO
U.S. Public Affairs
Ipsos-Reid
(202) 463-7300

OR

Andrew Stavisky
Research Manager

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