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2026 Special 301 Testimony for the Public Hearing

Hello, my name is Kelly Anderson, and I am the vice president of international policy at the U.S. Chamber of Commerce's Global Innovation Policy Center (GIPC).

Thank you for the opportunity to testify today on the urgent need for stronger global IP standards that support American workers and jobs, competitiveness, innovation and creativity.

Robust U.S. leadership, whether through bilateral dialogue, regional partnerships, or the multilateral system, is essential to ensuring that American businesses face fair competition abroad.

MLOs

Just as fair trade is critical to advancing IP globally, a functioning rules-based multilateral system is indispensable to safeguarding American innovation and creativity and promoting American interests abroad.

U.S. engagement at the World Intellectual Property Organization (WIPO) remains pivotal.

The upcoming 2026 WIPO elections present an important opportunity to strengthen the Secretariat's technical expertise and ensure that committee work remains pro-IP, Member State-driven, and consensus-based.

Similarly, at the World Trade Organization (WTO), the United States must continue to defend core TRIPS principles and oppose efforts to weaken IP frameworks.

We urge the Administration to work with partners to ensure that MC-14 outcomes reinforce global IP protections.

Trade and FTAs

IP protections also underpin the integrity of modern trade agreements, ensuring fair competition for American innovators and creators globally.

Including strong IP provisions in bilateral deals is essential to driving innovation, creativity, and economic growth.

It is equally important to ensure that our trading partners appropriately implement their IP-related trade commitments.

With the Joint Review underway for the USMCA, we encourage the Administration to prioritize full USMCA implementation to ensure predictability for American innovators and creators.

Similarly, we encourage the Administration to continue pressing China to fully implement its IP-related Phase One commitments to create a transparent and predictable system for American business operating in China.

Country-Specific Concerns

The Chamber's Special 301 submission also highlights key markets where U.S. government engagement will be critical to strengthen the framework for IP protection and enforcement.

In Europe, the EU's General Pharmaceutical Legislation will weaken the IP framework in the EU, exacerbate concerns about European "freeloading" on American innovation, and create an unlevel playing field for American businesses seeking to invest in Europe.

We encourage the Administration to utilize the ongoing trade dialogue or other trade tools to ensure the EU creates a pharmaceutical landscape that prioritizes groundbreaking innovation, remains fully consistent with the EU's international obligations, and bolsters Europe's competitive environment for U.S. investors in innovative technologies.

In Latin America, the Chamber applauds the Administration's recent announcement of a comprehensive FTA framework with Argentina that seeks to address several long-standing IP challenges.

We encourage the Administration to similarly utilize other ongoing bilateral dialogues to address the IP policy concerns included in the Special 301 submission.

In Colombia, we are increasingly worried about the government's growing use of compulsory licensing as a cost containment strategy, rather than a narrowly tailored, measure of last resort, which poses significant systemic concerns.

We urge the Administration to work closely with Colombia to promote access strategies that support patients while respecting IP protections, encouraging investment, and maintaining legal certainty for innovative companies.

In Asia, the Chamber welcomes the Administration's recent efforts to secure a comprehensive economic framework with India.

Despite the major promises of a comprehensive trade agenda, India remains a challenging market for U.S. innovators and creators.

The Chamber encourages the U.S. government to utilize ongoing trade discussions to help modernize India's IP regime as a critical step towards solidifying India's regional leadership as a hub for innovation and creativity.

Conclusion

These examples are but a small yet critical snapshot of the challenges IP-intensive industries face in global markets.

Strong American leadership will be essential to addressing these concerns, safeguarding U.S. IP rights, promoting economic growth, and protecting national security. The proof is in the numbers. According to the Chamber's 2025 study, *From Innovation to Employment: IP's Role in Job Growth*, in 2024, over \$5 trillion of existing IP assets supported jobs in all industries, across every state, and for businesses of all sizes. More specifically, when adding up all 50 states, the study found that approximately 10.9 million jobs are directly and indirectly supported by IP-intensive R&D activities. All of this translates to roughly \$140.36 billion in IP-related exports in 2024.

The Chamber looks forward to working with the Trump Administration to confront these challenges and help build an IP framework that supports millions of American jobs and strengthens the nation's global competitiveness.