2015 Legislative Agenda

➡ Intellectual Property
➡ Data Policy
➡ Trade & Global Markets
➡ Procurement
➡ Human Capital

SOFTWARE INDUSTRY LEGISLATIVE PRIORITIES FOR 2015:
Protecting Innovation, Building Trust, Opening Markets

The software industry is an engine of innovation that contributes nearly $600 billion to the US economy while employing 3.4 million people in jobs that pay two-and-a-half times the median US wage. As the industry's leading advocate, **BSA | The Software Alliance** champions legislation to ensure the US intellectual property system functions optimally, to build opportunity and trust in the emerging data economy, and to promote open international markets.

INTELLECTUAL PROPERTY

BSA member companies thrive on innovation and rely on patents, copyrights, trade secrets and other forms of intellectual property to protect their robust R&D investments.

• **Patent Reform:** BSA's highest priority is to enact patent reform legislation that makes life better for innovators and harder for those who abuse the patent system. BSA supports efforts to curb litigation abuses while advocating forcefully for the availability and non-discriminatory treatment of patents for computer-implemented inventions. Improving patent quality is a high priority, and an indispensable element is ensuring full funding for the PTO.

• **Copyright:** BSA supports copyright laws that protect the rights of authors and users of works in the digital age.

• **Trade Secrets:** BSA supports legislation to create a federal civil right of action for trade secret theft, to bring this increasingly important form of intellectual property into parity with patents, copyrights and trademarks.

DATA POLICY

Data-driven innovation now constitutes one of the most dynamic growth opportunities not just for the software industry, but for the economy as a whole. As leading providers of data analytics, data storage and other data services, BSA member companies strongly support legislative measures that will build public trust in the data economy. Action is needed on:

• **FISA reform** to end bulk collection of data and expand transparency;

• **ECPA reform** to require warrants for digital content, just as for printed records;

• **MLAT funding and reform** to improve international law enforcement coordination;

• **Warrants for overseas data** to lead by example in international investigations;

• **Enabling cross-border data flows** with strong provisions in trade agreements; and

• **Cybersecurity legislation** to strengthen the country's capabilities and readiness.

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TRADE & GLOBAL MARKETS

BSA advocates in support of trade agreements that enable cross-border data flows, ensure intellectual property rights protection and enforcement, and promote our ability to compete in government procurement. Every BSA member relies on trade and open access to global markets for growth and job creation at home. Nearly two-thirds of our members' software revenues come from international markets.
BSA's trade priorities include:

• **Trade Promotion Authority** formulated to advance digital trade;

• **Trans-Pacific Partnership** with precedent-setting provisions to foster digital trade among key trading partners;

• **Eliminating Country-Specific Market Barriers for IT Products and Services**, from manipulation of tech standards to inadequate IP enforcement;

• **Intellectual property provisions** that recognize the importance of intellectual property rights protection for innovation and growth, maintain vital incentives, and safeguard freedom of expression; and

• **Oversight of the International Trade Commission** to enable digital trade and curb migration of opportunistic patent cases to the ITC.

PROCUREMENT

In many countries, governments are the largest purchasers of software and other IT products and services, and thus have tremendous influence on the market. BSA's priority is to ensure procurement policies are **fair and non-discriminatory**, with decision-making based on factors such as value, efficiency and performance and not the nationality of the supplier or the method of development of offering.

HUMAN CAPITAL

BSA advocates policies to produce and retain highly skilled workers by strengthening enrollment in advanced science, technology, engineering, and math (STEM) programs; by providing incentives to train more math and science teachers; and by advancing **immigration reform** to allow high-skilled immigrants to meet technology workforce needs and have a path to obtain permanent residency status.

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BSA | The Software Alliance (www.bsa.org) is the leading advocate for the global software industry before governments and in the international marketplace. Its members are among the world's most innovative companies, creating software solutions that spark the economy and improve modern life. With headquarters in Washington, DC, and operations in more than 60 countries around the world, BSA pioneers compliance programs that promote legal software use and advocates for public policies that foster technology innovation and drive growth in the digital economy.

BSA's members include: Adobe, Altium, ANSYS, Apple, Autodesk, Bentley Systems, CA Technologies, CNC/Mastercam, Dell, IBM, Intuit, Microsoft, Minitab, Oracle, salesforce.com, Siemens PLM Software, Symantec, Tekla, The MathWorks, and Trend Micro.