



The Honorable Andrei Iancu, Co-Chair  
The Honorable David Kappos, Co-Chair  
Judge Paul Michel (Ret.), Board Member  
Judge Kathleen O'Malley (Ret.), Board Member  
The Honorable Gary Locke, Board Member  
The Honorable Lamar Smith, Board Member  
Frank Cullen, Executive Director

April 20, 2026

The Honorable Darrell Issa  
Chairman  
House Judiciary Subcommittee  
on Courts, Intellectual Property,  
Artificial Intelligence, and the Internet  
2138 Rayburn House Building  
Washington, DC 20515

The Honorable Henry J. "Hank"  
Johnson, Jr.  
Ranking Member  
House Judiciary Subcommittee on  
Courts, Intellectual Property, Artificial  
Intelligence, and the Internet  
2142 Rayburn House Building  
Washington, DC 20515

Dear Chairman Issa and Ranking Member Johnson:

As the Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet convenes its hearing on, "Protecting U.S. Leadership in Codes Development and Enhancing Public Access," the Council for Innovation Promotion (C4IP) commends the subcommittee for its acknowledgement of the importance of copyright protection for privately-authored codes and standards and the need to ensure that these private organizations remain appropriately structured and funded to produce the robust works vital to American wellbeing and safety.

The Council for Innovation Promotion (C4IP) is a bipartisan coalition dedicated to promoting strong and effective intellectual property rights that drive innovation, boost economic competitiveness, and improve lives everywhere. C4IP is chaired by two former directors of the U.S. Patent and Trademark Office (USPTO), Andrei Iancu and David Kappos, who served under Presidents Trump and Obama, respectively. Our board further includes two retired judges from the Court of Appeals for the Federal Circuit, former Chief Judge Paul Michel and Judge Kathleen O'Malley. It also features two distinguished public servants: Lamar Smith, former U.S. Representative for Texas's 21st congressional district and Chairman of the House Judiciary Committee, and Gary Locke, former Governor of Washington, U.S. Secretary of Commerce, and U.S. Ambassador to China under President Obama.

Standards development organizations (SDOs) create and update health, safety, and other standards that provide for interoperability, improved functionality, or greater efficiency through open, consensus-based processes that ensure transparency, balance, and technical rigor. The process SDOs undertake to author a standard takes years of investment and attention. Authoring a standard involves public notice, transparent processes for comment from a wide range of stakeholders

(including engineers, industry, labor, academia, consumer advocates, and public safety officials), and formal voting procedures that guard against domination by any single interest group. The result is a thoroughly vetted standards system that reflects the expertise and practical experience of a range of stakeholders.

Government officials, seeking to protect the communities they represent, frequently incorporate these standards into law by reference. Doing so allows them to leverage SDOs' specialized resources without having to replicate them. The modern standards system not only saves taxpayers from shouldering the burden of developing standards through government, but it also ensures uniformity across jurisdictions and enables updates as technologies and risks evolve.

C4IP strongly supports affirming copyright protection for SDO codes and standards, which policymakers incorporate into law by reference. After all, independent SDOs author these works, not government officials, and copyright protection enables SDOs to sell and license standards to recoup the cost of creating, updating, and developing new standards to meet emerging safety needs.

Congressional intervention to affirm copyright protection has become necessary because of a handful of judicial decisions that have jeopardized the intellectual property protection that underpins the standards system. Simply put, governments have taken privately authored works for public benefit, and Congress must affirm the ongoing intellectual property protection that supports the system. Current, fit-for-purpose, and high-quality standards protect American lives and American communities.

Legislation such as H.R. 4072, the Protecting and Enhancing Public Access to Codes (Pro Codes) Act, ensures continued protection of the economic incentives that support independently-authored standards. The legislation safeguards the intellectual property system that has fostered the standards system, and it additionally promotes expanded free public access to all standards incorporated by reference.

Copyright enables SDOs to create and maintain standards that keep pace with new technologies and risks, and copyright should continue protecting standards that government officials and the public use to make American homes, workplaces, and communities safer.

C4IP strongly supports the Judiciary Committee's work to advance legislation to provide continued copyright protection for codes and standards, and we would be pleased to work with the Committee to help support these efforts moving forward.

Respectfully submitted,

A handwritten signature in black ink, which appears to read "Frank Cullen". The signature is fluid and cursive.

Frank Cullen  
Executive Director  
Council for Innovation Promotion (C4IP)

cc:

Rep. Jim Jordan, Chairman, House Judiciary Committee  
Rep. Jamie Raskin, Ranking Member, House Judiciary Committee

Rep. Michael Baumgartner, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Ben Cline, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Scott Fitzgerald, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Russell Fry, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Lance Gooden, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Sydney Kamlager-Dove, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Kevin Kiley, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Laurel Lee, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Ted Lieu, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Zoe Lofgren, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet  
Rep. Thomas Massie, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet

Rep. Joe Neguse, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet

Rep. Deborah Ross, Member, House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet