

ECONOMIC EYE ON CUBA©
12 July 2004 to 18 July 2004

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PESO UNCHANGED IN VALUE AGAINST U.S. DOLLAR- Republic of Cuba government-operated Cajas de Cambio S.A. (CADECA) sold the Convertible Peso (equal to US\$1.00) for 27 Pesos and purchased the U.S. Dollar for 26 Pesos in the city of Havana from 3 December 2001. This is the highest value of the U.S. Dollar against the Peso since 1997. The percentage of Republic of Cuba nationals with access to U.S. Dollars is highest in Havana (population 2.19 million) where approximately 20% of the Republic of Cuba’s 11.217 million citizens reside. The official international exchange rate of one Peso to one U.S. Dollar, in effect for more than thirty years, remains unchanged. The government of the Republic of Cuba maintains a fixed exchange rate for its international dealings and a more flexible exchange rate for domestic use. The government of the Republic of Cuba does not fluctuate the value of the Peso for commercial transactions regardless of any fluctuation with the value of the U.S. Dollar or other currencies on the international market. The Peso and the U.S. Dollar circulate freely in the Republic of Cuba.

<i>CADECA Buy (Havana)</i>	<i>CADECA Sell (Havana)</i>	<i>From / To</i>
26	27	3 December 2001 to Present
26	26	24 October 2001 to 2 December 2001
25	25	22 October 2001 to 23 October 2001
23	23	8 October 2001 to 21 October 2001
22	22	4 July 2001 to 7 October 2001

ERRORS MADE BY MEDIA, ERRORS CORRECTED BY MEDIA- On 18 July 2004, the Aberdeen, South Dakota-based Aberdeen American News newspaper published an article which included the following paragraph about procedures relating to the *Trade Sanctions Reform and Export Enhancement Act* (TSRA) of 2000, which re-authorized the direct commercial (on a cash basis) export of food products (including branded food products) and agricultural products from the United States to the Republic of Cuba, irrespective of purpose. The referenced paragraph was then repeated in an 18 July 2004 article published by the New York, New York-based Associated Press, although the article was not attributed to the Aberdeen American News. The U.S.-Cuba Trade and Economic Council contacted the Aberdeen American News and the Associated Press to request the publication of the corrections; the newspaper and the news service have published corrections.

<p><i>“Ag trade with Cuba is not simple. Cuban ships cannot dock at American ports. So the commodity must be shipped out to the ocean and eventually transported to a Cuban vessel. But before that happens, the American seller must be paid. And that has to go through a foreign bank. Americans must be paid before the product changes hands.”</i></p>

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On 20 July 2004, the Aberdeen American News published the following correction to their article published on 18 July 2004:

Setting it Straight

Cuba trade: A story in the Sunday American News contained some incorrect information about agricultural trade with Cuba. Cuban ships can dock at American ports, but generally don't because there are American interests that have claims against the Cuban government. Instead, most ag products shipped to Cuba are done so via contracted shipping or on ships operated by a third country. We regret the errors.

On 22 July 2004, the Associated Press published the following correction to their article published on 19 July 2004:

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*** Version history. (* = this story, F = final, S = semifinal) ***

DD8401M3O2 07-22-2004 15:52:47* BC-SD--Cuba Trade, CORRECTIVE:Correction:
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^BC-SD--Cuba Trade, CORRECTIVE<

^Correction: Cuba trade story<

^Eds: Members who used BC-SD--Cuba Trade, sent July 18 under an Aberdeen, S.D., dateline, are asked to use the following story.<

¶ ABERDEEN, S.D. (AP) _ In a July 18 story about a trade delegation's visit to Cuba, The Associated Press reported erroneously that Cuban ships cannot dock at U.S. ports. They can, but generally don't to avoid possible American claims against the Cuban government. Instead, most shipping of U.S. agricultural products to Cuba is done through contracted shipping or on vessels operated by a third country, the U.S.-Cuba Trade and Economic Council said.

Previously, perhaps the most remarkable, egregious, disingenuous, and ignorant example of public misinformation relating to a discussion with respect to the commercial environment within the Republic of Cuba was on 19 September 2000, presented in a written statement delivered by a Washington, D.C.-based consultant before the Washington, D.C.-based United States International Trade Commission (ITC), a portion of which follows:

“CIMEX [Republic of Cuba government-operated Corporacion Cimex S.A.] and all these entities I mentioned operate as free from Government control and oversight as any private sector firm in any country in the world. They borrow on the international financial markets for their own account, they are audited by leading Western accounting firms, and they are flexible to undertake any business deal they want.”

According to an individual familiar with the statement and the consultant, *“I never understood that Cuba government-owned companies including Cimex, Cubanacan, Gaviota, Habanos, Cubana, etc., which exist in a centrally-planned economy, operate so similarly to General Electric, General Motors, Microsoft, Target, Time Warner, and other United States-based companies. Gaviota, for example, is owned by the Revolutionary Armed Forces of Cuba. The statements by the consultant are astonishing in their ignorance- most important, however, is the motive behind the statements... to whom was the consultant seeking to cur favor?”*

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PORK AND BEEF EXPORTS TO CUBA EXPECTED BY SEPTEMBER 2004- From 13 July 2004 to 23 July 2004, Dr. Carlos Delgado, Chief Veterinarian of the Ministry of Public Health of the Republic of Cuba (MINSAP), visited the United States (Georgia; Minnesota; Iowa; Nebraska; South Dakota) for the purpose of inspecting a beef packing facility; two pork packing facilities; a live animal facility; and a poultry facility. Dr. Delgado was accompanied and/or visited with representatives of the Animal and Plant Health Inspection Service (APHIS) of the **United States Department of Agriculture (USDA)**, representatives of the Denver, Colorado-based **U.S. Meat Export Federation (USMEF)**, and a representative of Wilton, Connecticut-based **Louis Dreyfus Holding Company, Inc.** (a subsidiary of Paris, France-based S.A. Louis Dreyfus et Cie.; 2003 revenues exceeded US\$20 billion).

The USMEF “*is the trade association responsible for developing international markets for the United States red meat industry and is funded by the USDA, exporting companies, and the beef, pork, corn, sorghum and soybean check off programs.*” In December 2002, USMEF reported that the organization was seeking funding for expenses relating to a visit planned for the first quarter of 2003 wherein at least two veterinarians from the Republic of Cuba for the purpose of inspecting meat packing facilities and meat processing facilities. The goal of the visit was to obtain a “*system-wide endorsement of all federally-inspected U.S. beef and pork processing facilities*” for all beef products and pork products sourced from the United States to the Republic of Cuba, without additional inspection. In 2002, the United States Department of State authorized such visits to the United States- resulting in the completion of health certification protocols for grains including rice, wheat, corn, and soy; and for poultry and eggs.

Louis Dreyfus Holding Company, Inc., has exported poultry, livestock, corn, and other agricultural products to the Republic of Cuba under provisions of the TSRA.

Dr. Delgado and the USDA are developing industry-wide export certifications for beef products, pork products, dairy products, and most pet food products under the *Trade Sanctions Reform and Export Enhancement Act* (TSRA) of 2000, which re-authorized the direct commercial (on a cash basis) export of food products (including branded food products) and agricultural products from the United States to the Republic of Cuba, irrespective of purpose.

Some agricultural exports (livestock, beef, poultry, some pet food, dairy, etc.) from the United States to the Republic of Cuba have been suspended intermittently (2002 through 2004) due to outbreak of disease (BSE, Blue Tongue, etc.) in the United States.

Inspectors from MINSAP would be expected to visit the United States in August 2004 or September 2004 under the auspice of an itinerary provided by the USDA in order that livestock exports may resume to the Republic of Cuba.

In September 2002, Republic of Cuba government-operated Empresa Cubana Importadora Alimentos (Alimport), under the auspice of the Ministry of Foreign Trade of Cuba (MINCEX), signed contracts for beef products and pork products (one million pounds) at the *U.S. Food & Agribusiness Exhibition* held in Havana, Republic of Cuba from 26 September 2002 through 30 September 2002, for product delivery in October 2002, November 2002, and December 2002.

The two-year delay in the visit by Dr. Delgado has been a result of inflexibility by both the government of the Republic of Cuba and the United States Department of State. Visa applications were not filed in a timely manner and visa applications were processed in a torturous manner.

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BSE Trade Ban Status as of 22 July 2004: As of 25 December 2003, Live ruminants and ruminant products. [Note: this is not a formal ban. Details, including commodities covered, are still being determined.]

Export Library. CUBAREV14—05/24/2004. Export Requirements for Cuba.

Eligible/Ineligible Products. Eligible Product

Fresh/frozen pork and pork products.

Fresh/frozen poultry and poultry products derived from birds raised or processed in the States other than those indicated in B.

Note: Cuba is a restricted country requiring exporter licensing. Consult the U.S. Treasury Department Web site <http://www.treas.gov/ofac/> for further details.

Ineligible Product

Fresh/frozen beef and beef products. The statement regarding BSE in the certification for beef and beef products cannot be provided. Fresh/frozen poultry derived from birds raised or processed in the following States: California, Connecticut, Delaware, Idaho, Maine, Maryland, Massachusetts, Montana, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Texas, Vermont, Washington.* Fresh/frozen poultry derived from birds raised or processed from the following states between the dates of February 24, 2004, and May 17, 2004: Arkansas, Louisiana, New Mexico and Oklahoma.* Fully cooked poultry derived from birds raised or processed in the following States: California, Texas.

Documentation Requirements

Certification of fresh/frozen beef and beef products - Obtain FSIS Form 9060-5 (5/6/1999), Meat and Poultry Export Certificate of Wholesomeness. Additionally the following statements must be provided on an FSIS [Letterhead Certificate](#): The animals from which the meat is derived were born in the United States or were legally imported from countries free of OIE List A diseases affecting the bovine species and that are of concern in meat, including foot and mouth disease, rinderpest (bovine plague), bovine contagious pleuropneumonia and bovine spongiform encephalopathy. The establishments where animals are slaughtered and processed for export are under official supervision by USDA-FSIS. The animals from which the meat originates were not slaughtered as a result of any infectious, contagious, or parasitic disease eradication program. The animals from which the meat originates received ante- and post-mortem inspections. These animals were found healthy and free of clinical signs of disease, including brucellosis, tuberculosis, and all List A diseases which affect the species and may be carried through meat. The meat is free for sale for human consumption and is deemed by the Official Veterinary Service to not pose a risk of transmission of brucellosis or tuberculosis. The animals from which the meat is derived were not subjected to hormonal, therapeutic or nutritional treatments other than those permitted in the United States. Based on the National Residue Program, the meat does not contain residues or metabolites of antibiotics, growth promoting substances, anthelmintics, tranquilizers, pesticides or any other therapeutic or prophylactic agents in quantities exceeding established tolerance levels.

Certification of fresh/frozen pork - Obtain FSIS Form 9060-5 (5/6/1999)--Meat and Poultry Export Certificate of Wholesomeness. Additionally the following statements must be provided

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on an [FSIS Letterhead certificate](#): The meat was derived from animals born in the United States or Canada, which are officially declared free of the following diseases: foot and mouth disease, African swine fever, and swine vesicular disease. The animals from which the meat originates were not slaughtered as a result of any infectious, contagious, or parasitic disease eradication program. The animals from which the meat originates received ante- and post-mortem inspections. These animals were found healthy and free of clinical signs of disease, including brucellosis, tuberculosis, porcine respiratory syndrome and all List A diseases which affect the species and may be carried through meat. The meat is free for sale for human consumption and is deemed by the Official Veterinary Service to not pose a risk of transmission of brucellosis or tuberculosis. In the case of meat from males, the animals were castrated at least three months prior to slaughter. The animals from which the meat is derived were not subjected to hormonal, therapeutic or nutritional treatments other than those permitted in the United States. Based on the National Residue Program, the meat does not contain residues or metabolites of antibiotics or any other therapeutic or prophylactic agents in quantities exceeding established tolerance levels. The establishments where animals are slaughtered and processed for export are under official supervision by USDA-FSIS. The animals were subjected to ante- and post-mortem inspection by USDA-FSIS. No evidence of cysticercosis was detected. The meat was frozen to destroy trichinae according to U.S. regulations in 9 CFR 318.10.

Certification of fresh/frozen poultry - Obtain FSIS Form 9060-5 (5/6/1999)--Meat and Poultry Export Certificate of Wholesomeness. Additionally the following statements must be provided on an [FSIS Letterhead certificate](#): The birds from which the meat was derived originated in the United States. Based on the United States' National Residue Program, the meat does not contain residues of antibiotics or their metabolites in quantities exceeding the established tolerance levels. Growth-promoting hormones are not approved for use in poultry in the United States. The farms from which the poultry originated are under the supervision of veterinarians accredited by the Veterinary Services of USDA Animal and Plant Health Inspection Service (APHIS). The United States is free highly pathogenic avian influenza, and egg drop syndrome. The consignment of meat comes from birds which have been kept in an establishment free from Newcastle disease and not situated in a Newcastle disease infected zone and which have been slaughtered in an approved abattoir not situated in a Newcastle disease infected zone and have been inspected ante- and postmortem and did not display signs or injuries compatible with the disease." The carcasses from which the meat was derived were free from clinical evidence of the following diseases: enzootic encephalomyelitis, Marek's disease, infectious laryngotracheitis, Gumboro disease, chronic respiratory disease, infectious bronchitis and avian encephalomyelitis, ornithosis and avian tuberculosis. The birds giving origin to the product to be shipped to Cuba presented no evidence of avian influenza. The product does not originate from States which have had viral activity for any form of avian influenza within the past 21 days. The United States is free of highly pathogenic avian influenza. Poultry comes from farms which are in good standing with respect to poultry salmonellosis according to the National Poultry Improvement Program, which is the national plan for controlling poultry diseases. The birds were slaughtered and processed in an establishment approved for export. The slaughter establishment is under official supervision by USDA-FSIS. The birds received ante-mortem and post-mortem inspection and were found healthy and fit for human consumption. Means of transportation were clean and sanitary. Product temperature requirements were met in accordance with FSIS regulations from slaughter to loading on the designated vessel. All certificates must be signed by an FSIS veterinarian.

Plants Eligible to Export. All Federally inspected plants are eligible for export to Cuba.

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U.S. SENATE COMMITTEE ON THE JUDICIARY HOLDS HEARING ON TRADEMARKS IN CUBA- On 13 July 2004, the Committee on the Judiciary of the United States Senate held a hearing, "An Examination of Section 211 of the Omnibus Appropriations Act of 1998" focusing upon S.202, legislation introduced by The Honorable **Larry E. Craig** (R-Idaho). A media release follows:

U.S. TRADEMARK PROTECTION SOUGHT Hearing held on Craig's bill to safeguard U.S. trademarks in Cuba

WASHINGTON, DC – The Senate Judiciary Committee held a hearing today on S. 2002, a bill aimed at protecting U.S. companies with trademarks registered in Cuba. Idaho Senator Larry Craig is the sponsor of the legislation and a member of the Committee.

Over the course of today's hearing, Senator Craig and others discussed the issue of Section 211 of the 1999 Omnibus Appropriations Act. The World Trade Organization has ruled that Section 211 is inconsistent with U.S. intellectual property obligations. Since 1931, the U.S. and Cuba have reciprocally honored intellectual property rights as parties to the General Inter-American Convention on Trademarks, and Section 211 violates that agreement. S.2002 brings the U.S. into compliance with international trade laws by repealing Section 211. Senator Craig said, "The U.S. and Cuba have a long-standing partnership on intellectual property rights. My legislation protects that and the 5,000 registered trademarks from over 400 U.S. companies in Cuba."

Among other things, S.2002 restores full authority to the U.S. court system to settle trademark disputes involving Cuba. "As a Senator, I have an obligation to ensure U.S. courts maintain their authority to adjudicate matters involving intellectual property rights. S.2002 reaffirms this vital role," remarked Senator Craig. Under the Trade Sanctions Reform Act of 2000, the U.S. Department of Agriculture encourages U.S. exporters of food products to register their trademarks and brand names in Cuba. Those exporters are now selling trademarked products in Cuba, and their marks, as well as other U.S. marks long registered in Cuba, are endangered by the retaliation Section 211 invites from the Cuban government. Consequently, dozens of U.S. companies have endorsed S. 2002, including such Idaho employers as Micron and Boise Cascade. Senator Craig said, "Protecting the interests of American businesses abroad is central to promoting economic growth in this country. Selling more than we consume is the very definition of a vibrant economy. Repealing Section 211, as S.2002 does, is crucial to the protection of U.S. business interests in today's Cuban market and the much larger market we will see when the embargo is eventually lifted."

Four Reasons To Repeal Section 211:

REPEAL ensures compliance by the U.S. with its TRIPS obligations and immediately terminates the EU's current WTO proceeding in Geneva. REPEAL cures Section 211's violations of the Inter-American Convention and thereby removes the risk to over 5,000 U.S trademarks registered in Cuba. REPEAL of Section 211 reaffirms the role of an impartial judiciary in adjudicating intellectual property rights. REPEAL removes any question about the genuineness of the U.S. commitment to intellectual property protection worldwide. THERE ARE TWO CLEAR CHOICES: Support S.2373, a bill that advances the commercial interests of a single Bermuda-based company, OR SUPPORT S.2002 and: BRING the U.S. into compliance with all of its international treaty obligations. PROTECT the interests of thousands of American trademarks in Cuba. RESTORE the full authority of the U.S. court system to settle trademark disputes. RESTORE U.S. leadership in the global protection of intellectual property rights.

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Memorandum From Senator Craig to members of the Committee on the Judiciary of the United States Senate and Staff Members of the Committee on the Judiciary of the United States Senate

Background

- The U.S. and Cuba have reciprocally honored intellectual property rights since 1931 as parties to the General Inter-American Convention for Trademark and Commercial Protection.
- Section 211 of the FY 1999 Omnibus Appropriations Act prohibits the U.S. from honoring trademarks of Cuban origin that were used in connection with businesses that were nationalized by the Cuban government, even if marks were subsequently abandoned by the original owners.
- Section 211 was enacted solely to help one of the litigants in a particular trademark dispute. Its immediate effect was to block a federal court from applying long established U.S. trademark law in that dispute. It also prevents the rightful trademark holder (note that a decision issued by the USPTO in January 2004 underscores that the mark had been lawfully acquired by the rightful owner in 1976 and properly renewed in 1996) from renewing the trademark at the end of its present term.

Current status

- The WTO has ruled that Section 211 violates the TRIPs agreement because it discriminates against foreign owners of Cuban-origin trademarks who seek to assert rights to such marks in the United States.
- The U.S. has agreed to make Section 211 compliant by no later than 31 December 2004.
- Proposals for solving this problem include repealing Section 211 (S.2002) or amending it (S.2373).

Repealing Section 211 as proposed by S. 2002 will both solve the current problem and protect the interests of U.S. companies.

- Section 211 does not benefit the U.S. business community, and its long-term impact is to invite retaliation by Cuba, jeopardizing trademark protection for over 5,000 U.S. trademarks currently registered there by more than 400 American companies.
- Repeal of Section 211 will provide full compliance with all current U.S. trade obligations and eliminate the threat of retaliation against U.S. trademarks.

Amending Section 211 as proposed by S.2373 creates additional problems and jeopardizes the interests of U.S. companies.

- S.2373 proposes to achieve WTO compliance by amending Section 211 to apply it to U.S. nationals as well as foreign trademark holders.
- This would impose substantial new burdens on U.S. trademark holders by forcing them to prove that their trademarks were not used by a Cuban entity in pre-Castro Cuba. This is virtually impossible to do without traveling to Cuba to physically inspect the Cuban trademark registry. Moreover, action short of complete repeal would still leave the U.S. in violation of the Inter-American convention, thereby inviting legal retaliation by Cuba against U.S. trademarks.

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- This treaty, which has been in force for the U.S. and other countries since 1931, imposes more stringent obligations on the U.S. than the WTO interpretation of the TRIPS Agreement and the Paris Convention. For example:
 - Article 3 of the Inter-American Convention requires the United States to legally protect "[e]very mark duly registered or legally protected" in Cuba or any other Contracting State. The Inter-American Convention does not permit the U.S. to refuse registration except as specifically provided, or for mere formalities. But Section 211 completely denies registration and legal protection of some such trademarks.
 - Additionally, Article 9 of the Inter-American Convention requires the United States to provide the owner of a trademark protected in Cuba, or any other Contracting State, with the right to disqualify third-party trademark claims on grounds of abandonment. Based on this principle, if the original owner abandons a trademark, such original owner no longer has rights in the trademark. Section 211, however, does not provide an express exception for abandonment, and the Second Circuit Court of Appeals has refused to interpret Section 211 to provide such an exception.
- Under the Trade Sanctions Reform Act of 2000, the U.S. Department of Agriculture has encouraged U.S. exporters of food and medicine to register their trademarks and brand names in Cuba, and those companies are now selling branded food and medicine products directly to Cuba. These marks, as well as U.S. marks currently registered in Cuba, would be endangered by the retaliation this proposal invites.

Amending, rather than repealing, Section 211 also could undermine the recently adopted Madrid Protocol, which streamlines the process for trademark holders to register their trademarks in foreign countries. Section 211 is an invitation to other countries to adopt similar provisions that discriminate against U.S. trademarks on political grounds, thereby endangering U.S. trademarks globally and undermining our status as an international champion of intellectual property protection.

Statement By The Honorable Patrick Leahy (D-Vermont), Ranking Minority Member of The Committee On The Judiciary Of The United States Senate

The legislative process is a mystery to many of our nation's citizens. The complicated rules of Senate procedure, the roles played by committees and subcommittees and conferences, the interest of many outside parties, and the inherent difficulty of addressing problems of national significance all threaten to render law-making incomprehensible to our constituents. And what people do not understand, they may fear and mistrust.

One of the principle obligations of an elected representative is to make the acts of representation – voting on the floor, drafting bills, holding hearings, participating in debate – as clear and comprehensible as possible to the people he or she represents. Many of us, myself included, sometimes complain about the pace of business here in the Senate. But when that pace is slow because it is deliberate, we are serving our citizenry. When complicated issues – like the trademark problem before us this afternoon – receive comprehensive study and thoughtful action, then those we serve can be satisfied that Congress knows what it is doing when it passes a given law.

The Section 211 provision that we are examining today did not go through this normal process. Nor was this measure merely rushed into law as Congress has done when times have called for quick action. Rather, we are focusing today on legislation that was snuck into an appropriations bill under the radar of most members of the Senate, done in a way specifically intended to bypass the normal legislative process.

In 1998, Section 211 was inserted into the Omnibus Appropriations Bill to affect the outcome of a dispute over the "Havana Club" trademark for rum. Section 211 prohibits the registration or renewal of

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registration of a trademark of a business that was expropriated by the Cuban government. It also disallows “any assertion of rights” by Cuban entities, or a foreign successor in interest to a Cuban entity, with respect to trademarks of expropriated businesses. Finally, the provision states that no U.S. Court may recognize the attempt by a Cuban entity or its successor in interest, from asserting treaty rights with respect to an expropriated mark unless the owner expressly consents.

The European Communities challenged the legality of this provision before the World Trade Organization. In December 2001, the WTO found that Section 211 violated the Agreement on Trade Related Aspects of Intellectual Property Rights, because it could place additional burdens on foreigners not faced by U.S. citizens in enforcing intellectual property rights. Unless the United States brings its domestic law into compliance with the WTO’s ruling, U.S. exports could face sanctions abroad.

Unfortunately, the effort to bring the U.S. into compliance with the WTO ruling took the same path as the original enactment of Section 211: An effort to sneak a fix into the U.S. Code without the appropriate legislative sunshine. When I became aware that the Armed Services appropriations bill last fall was the likely vehicle, I objected, and I am pleased that we have finally brought this issue to the light of the legislative day here, where it belongs, in the Judiciary Committee hearing room.

The United States demands a great deal from its trading partners when it comes to intellectual property rights. And as the world leader in intellectual property, we have the most to gain from strong protections that ensure patent-, copyright-, and trademark-holders are afforded the rights they deserve whatever their nationality. Today, we will no doubt hear a great deal about the two bills pending before this Committee that aim to solve the problems created by Section 211. While I understand that both will bring the United States into compliance with the WTO’s ruling, I am interested in the broader implications to our international trademark policy of both proposals.

I thank the Chairman for holding this hearing, so that this issue can finally receive the type of airing that would have been appropriate six years ago. I also would like to thank Senator Graham for chairing this hearing, as well as the witnesses for coming here today to share their testimony.

As of 1 July 2004, there were approximately 4,500 trademarks registered within the Republic of Cuba by United States-based companies. There are a total of approximately 60,000 trademarks registered within the Republic of Cuba.

Selected Trademarks Registered Within The Republic Of Cuba (1918 To Present)					
Brand Name	Year Registered	Brand Name	Year Registered	Brand Name	Year Registered
Aunt Jemina	1918	Kraft	1949	Rubbermaid	1957
Tabasco	1931	Oracle	1991	Starbucks Coffee	1997
Magic Johnson	1996	Nine Lives	1950	Hallmark	1956
MVP	1996	Radisson	1995	Dale Carnegie	1959
All You Need	1995	Weight Watcher	1989	General Motors	1921
The Home Depot	1993	Bartles & Jaymes	1994	Black & Decker	1985
Planet Hollywood	1991	Palm Beach	1950	Time Warner	1990
T.G.I. Friday’s	1992	Gillette	1950	Foot Locker	1994
Ralph Lauren	1992	ConAgra	1996	Mr. Peanut	1962
Paul Mitchell	1992	Healthy Choice	1996	GQ	1997
Hilton	1989	UL	1990	Nike	1996
Patrick Ewing	1992	Chun King	1996	Six Continents Club	1996
DuPont	1945	Quaker Oats	1951	Eskimo Pie	1973
Sunkist	1996	Western Union	1996	Texaco	1922
Pepsi	1992	MCI	1996	Louisville Slugger	1958
Raytheon	1946	Minute Maid	1952	Wendy’s	1978
Timex	1946	Sbarro	1997	Aramis	1978
Polaroid	1946	Velvetta	1953	Batman	1980
Tyson	1996	Brillo	1996	Macy’s	1983
J. Walter Thompson	1996	Ace Hardware	1996	Scientology	1983
M&M’s	1947	Jockey	1996	Rockport	1993
Sealy	1947	United Airlines	1996	Hershey’s Kisses	1923

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Brand Name	Year Registered	Brand Name	Year Registered	Brand Name	Year Registered
Wonder Woman	1947	Kodak	1954	The Sports Authority	1995
Ford	1947	Cartoon Network	1993	Eli Lilly & Company	1926
Wrigley	1974	Forever Yours	1939	Baxter	1989
Blue Cross	1988	Hertz	1954	Hawaiian Tropic	1992
Whitman's Sampler	1947	Old Spice	1996	Iridium	1994
Pfizer	1947	Heinz	1996	Tommy Hilfiger	1995
Levi's	1994	Parkay	1955	Little Caesars	1996
Dockers	1994	Miracle Whip	1953	Otis	1930
Bud	1991	United Parcel Service	1996	Diners Club	1956
Playboy	1996	Caterpillar	1955	Bud	1996
Jell-O	1948	HBO	1954	Goya	1992
Adultvision	1996	Visa	1996	MasterCard	1990
Kleenex	1948	Avis	1956	Sun Microsystems	1994
Huggies	1994	Pizza Hut	1996	McDonald's	1996
Carolina Herrera	1994	Kmart	1994	Revlon	1958

Selected Republic of Cuba Agreements, Organization Membership, and Conventions:

World Trade Organization; General Agreement on Tariffs and Trade; World International Property Organization; Paris Convention for Protection of Industrial Property; Madrid Agreements for the Repression of False or Deceptive Indications of Source of Goods; Lisbon Agreement for the Protection of Appellations of Origin; Madrid Agreement concerning the International Registration of Marks; Locarno Agreement on Industrial Designs Classification, Patent Cooperation Treaty; Strasbourg Agreement on Patent Classification; Budapest Agreement on Microorganism, Santiago Convention; Nice Agreement on Classification of Goods and Services; Vienna Agreement on Classification of the Figurative Elements of Marks; Nairobi Treaty on the Protection of the Olympic Symbol; Pan American Convention; Buenos Aires Convention; Universal Copyright Convention and Berne Convention for the Protection of Literary and Artistic Works; Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs; and Patent Law Treaty.

USDA WEEKLY AGRICULTURAL COMMODITY EXPORTS TO CUBA- The Foreign Agricultural Service (FAS) of the United States Department of Agriculture (USDA) in Washington, D.C., reported that agricultural commodity exports to the Republic of Cuba for the period 8 July 2004 to 15 July 2004 included the following as defined by “*Outstanding*” (reported by exporters as not yet shipped) and “*Accumulated*” (total shipped during marketing year for particular agricultural commodity):

8 July 2004 To 15 July 2004					
Product	Outstanding This Week	Outstanding Year Ago	Accumulated This Week	Accumulated Year Ago	Next Marketing Year (Outstanding Sales-Second Year)
Wheat (Hard Red Winter)	125,300 metric tons	160,000 metric tons	50,300 metric tons	21,700 metric tons	
Wheat (Hard Red Spring)	10,000 metric tons	5,000 metric tons			
Wheat (Soft Red Winter)					
Durum			5,300 metric tons		
Corn (unmilled)	48,800 metric tons	70,000 metric tons	432,100 metric tons	238,400 metric tons	185,000 metric tons
Soybeans	20,000 metric tons		118,800 metric tons	94,600 metric tons	
Soybean Cake and Meal		45,000 metric tons	121,600 metric tons	135,600 metric tons	
Soybean Oil		8,000 metric tons	34,900 metric tons	59,700 metric tons	

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Product	Outstanding This Week	Outstanding Year Ago	Accumulated This Week	Accumulated Year Ago	Next Marketing Year (Outstanding Sales-Second Year)
Rice Long Grain Rough			4,700 metric tons	87,900 metric tons	
Rice Long Grain Milled		15,000 metric tons	108,700 metric tons	25,300 metric tons	
Cotton (1 1/16 th and over)	700 running bales	1,300 running bales	5,700 running bales	400 running bales	3,900 running bales
Totals	<i>204,100 metric tons; 700 bales</i>	<i>302,000 metric tons; 1,300 bales</i>	<i>876,400 metric tons; 5,700 bales</i>	<i>663,200 metric tons; 400 bales</i>	<i>185,000 metric tons; 3,900 bales</i>

Speaking Schedule

Mr. John S. Kavulich II, president of the U.S.-Cuba Trade and Economic Council, has accepted an invitation from the Jackson, Mississippi-based **Mississippi Development Authority** to deliver a presentation at the “*Unveiling Market Opportunities in the Caribbean*” seminar on 12 August 2004. For additional information, please contact Mr. Enrique Hurtado at telephone (601) 359-3155; facsimile (601) 359-3605; e-mail: ehurtado@mississippi.org; and Internet: <http://www.mississippi.org>

Mr. John S. Kavulich II, president of the U.S.-Cuba Trade and Economic Council, has accepted an invitation from the **James A. Baker III Institute For Public Policy Student Forum** at Houston, Texas-based Rice University, to participate in the “*Cuban-American Relations in the 21st Century*” program, with a date to be determined. For additional information, please contact Ms. Emery Ellis or Ms. Noorain Khan at telephone (713) 348-4683; facsimile (713) 348-5993; e-mail: bisf@rice.edu; or Internet: <http://www.bakerinstitute.org>

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Associated Press

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Florida companies push to ease Cuban restriction

JOHN PAIN
Associated Press

MIAMI - Richard Waltzer doesn't hesitate when asked to name his beverage company's best customer - Fidel Castro, of course.

"He's paying cash up front," said Waltzer, president of Splash Tropical Drinks of Fort Lauderdale. "It doesn't get any better than that."

Splash has sold more than \$1 million in cola, juice concentrates, ice cream, daiquiri mixes and other food products to Castro's Cuba since the United States eased its trade embargo on the communist nation four years ago.

As Florida's exports to Cuba increase, the state's farmers, ranchers and businesses are joining counterparts elsewhere in the United States to push for an end to the embargo that has been in place for more than four decades.

Congress passed a law in late 2000 that let U.S. farmers and companies sell livestock and agricultural and food products to Cuba on a cash-only basis. The trade is one-way, so Cuba can't sell anything to the United States.

The trade is contentious in Florida. Many businesses feel it is their right and duty to sell products and help the Cuban people. But the state is also home to Miami's Cuban exile community, many of whom are the most ardent opponents to any dealings with Castro and his government.

"Is someone trying to tell me to wait until there's a new president in Cuba before we can start feeding people again? If someone needs help, you help them right away," said John Parke Wright IV, a Naples cattle broker working to open trade. "Our leadership has been wrong in trying to starve the island of Cuba."

But some Cuban-American leaders lambast that notion.

"They mask their greed with this veneer of humanitarianism but Mother Teresa they are not," said U.S. Rep. Ileana Ros-Lehtinen, a Miami Republican. "I'm all for capitalism - just don't try to dress it up as humanitarian acts."

Ros-Lehtinen and other Cuban-Americans say these shipments reach only elite Cubans, a claim denied on the island.

Pedro Alvarez, chairman of the Cuban food import company Alimport, said at least 95 percent of the U.S. food that Cuba buys is sold to average citizens at low cost on their monthly government food rations.

Among the American food average Cubans said they have received on their rations are boneless chicken breasts, eggs, rice and corn meal. Florida is getting an increasing amount of the farm trade to Cuba. It had \$13.4 million in exports to Cuba last year, more than three times higher than the \$4.4 million sent in 2002, according to the U.S. Census Bureau's Foreign Trade Division. Through May of this year, Florida exports to Cuba were \$5.6 million, U.S. Census data show.

That is still a drop in the bucket, though - Florida sent \$2.5 billion worth of goods last year to Brazil, the state's No. 1 export destination.

And it's difficult to determine the exact impact of Cuban sales on Florida's economy, said John Kavulich, president of the U.S.-Cuba Trade and Economic Council Inc. That's because not all the state's exports to Cuba were produced here, but they still are counted because they are sent from Florida, he said.

Total U.S. exports to Cuba last year were \$257 million, well behind the about \$900 million of top exporter Venezuela, Kavulich said. The top U.S. trading partners to Cuba include North Dakota, Iowa and Illinois.

Since those states produce staple foods such as corn and grain that Florida doesn't, Kavulich said Florida isn't likely to catch up to those states under the current trade rules.

Wright hopes that isn't so. He has ties to Cuba that date to the 1850s, when his great-great-great grandfather James McKay started shipping Florida cattle to the Caribbean nation.

McKay's daughter married into the Lykes family, large Florida landowners and shipping magnates who also sent cattle to Cuba in the 19th Century. That trade ended after Castro took power in 1959 and seized Lykes property. The family still has a \$3.6 million claim for the land on file with the U.S. government.

But the media-savvy Wright, who is fond of wearing guayabera shirts and cowboy hats, said he doesn't hold that against Castro. He argues that he is working for the greater good in opening up trade to Cuba.

His company, J.P. Wright & Co., plans to send Florida-bred cattle to Cuba this summer. He expects the 300-head sale to be for nearly \$1 million and to net him a small profit. But he says the deal is not about money, but rather putting more meat and dairy products on Cuba's tables.

Wright hopes that growing trade with Cuba will cause a groundswell of support to end the embargo. But that doesn't appear likely - President Bush has said he would block any attempts to weaken or eliminate the embargo and his Democratic opponent, John Kerry, also supports the trade and travel restrictions.

Ros-Lehtinen, one of the embargo's staunchest supporters in Congress, was also doubtful about further relaxation. She added that although the current trade was legal, "I would be ashamed if I were a business owner doing business with a dictator like Fidel Castro."