

May 20, 2014

Dear Members of the Senate Judiciary Committee:

We the undersigned groups representing thousands of innovative companies, universities, and organizations and millions of workers in the United States write to express our opposition to patent legislation that we understand Judiciary Committee Members are being asked to agree to today.

We appreciate the hard work you and your staffs have undertaken to craft a bill to target abusive practices in patent litigation. All of the undersigned groups have worked constructively for months with members of the Judiciary Committee to craft a responsible bill to address abusive practices. We did so in good faith, always with an eye towards helping those targeted by frivolous patent litigation, and even though the measures under consideration would add significant cost and burden to the enforcement of our own patents.

We believe the measures in the legislation, however, go far beyond what is necessary or desirable to combat abusive patent litigation, and would do serious damage to the patent system. Many of the provisions would have the effect of treating every patent holder as a patent troll; other provisions seriously weaken legitimate patent enforcement while lacking any discernable impact on curbing the abusive practices of patent trolls. The effect of the proposed legislation is to weaken the ability of every patent holder to enforce a patent and promote a business model that does not rely on patents, thereby discouraging investment in innovation.

The patent system is the bedrock of the U.S. economy. The future of the U.S. economy and our nation's ability to compete successfully in an increasingly competitive global economy is dependent on Congress fostering a strong patent system that incentivizes innovators to invent. Amending the law as this bill does shortchanges the future of our economy for an unbalanced policy. The stakes are far too high not to get the balance right.

We cannot support changes to the patent system that substantially weaken all patents. We oppose the legislation that we understand Members are being asked to agree to today and ask that you not support it.

Sincerely,

American Council on Education
Association of American Universities
Association of Public and Land-grant Universities
Association of University Technology Managers
Biotechnology Industry Organization (BIO)
Council on Governmental Relations
Innovation Alliance (IA)