



FOR IMMEDIATE RELEASE

February 25, 2025

Senators Coons and Cotton Reintroduce RESTORE Act to Strengthen Patent Protections for U.S. Innovators

Bipartisan legislation aims to restore injunctive relief for patent holders, empowering American startups and growth tech companies.

WASHINGTON, D.C. — Today, Senators Chris Coons (D-DE) and Tom Cotton (R-AR) reintroduced the Realizing Engineering, Science, and Technology Opportunities by Restoring Exclusive (RESTORE) Patent Rights Act of 2025, a bipartisan bill designed to strengthen protections for American inventors and entrepreneurs by reinstating the presumption of injunctive relief in patent infringement cases.

Chris Israel, Executive Director of The Alliance of U.S. Startups & Inventors for Jobs (USIJ), issued the following statement in support of the bill:

“U.S. policy makers are appropriately focused on supporting America’s “little tech” or “growth tech” companies. The RESTORE Act introduced by Senators Coons and Cotton would return the presumption of injunctive relief in cases where a court has ruled that a patent has been infringed. This is, perhaps, the most impactful thing that can be done to empower American inventors, entrepreneurs and disruptive startups.

The ability to pursue injunctive relief when a competitor infringes a patented invention was the standard in the United States for over 200 years. The Supreme Court moved the goalposts in 2006 and set up a convoluted test that makes it nearly impossible for a growth tech startup to stop the predatory infringement of their intellectual property by larger competitors. This practice has been perfected by Big Tech companies that now routinely ingest the innovations of disruptive competitors knowing that they cannot be stopped.

Patent law and legislation is often complicated. The RESTORE Act is not. It is a clear and unambiguous bill that simply restores balance between large corporations that ingest others’ IP and the startups and entrepreneurs that invent it.

The RESTORE Act will incentivize investment, innovation and startup activity by making patents more reliable and enforceable. True competitors will have the same marketplace options and opportunities that they had for 200 years – invent your own unique technology to compete, and/or license the patented technology you wish to implement. The RESTORE Act simply takes predatory infringement of others’ patented technology off the table as a business model. This is profoundly good for American innovation, investment and competition.”

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About The Alliance of U.S. Startups & Inventors for Jobs:

USIJ is an association of inventors, startups, venture capital investors, entrepreneurs and research organizations whose efforts to bring new companies and new technologies into being are entirely dependent on a reliable system of patent protection. Collectively, we have launched dozens of companies in areas including biotechnology, cybersecurity, AI, semiconductors, medical devices and wireless technology.

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February 25, 2025 – The Center for American Principles (CAP) welcomed introduction of the bipartisan, bicameral RESTORE Patent Rights Act by Senators Coons (D-DE) and Cotton (R-AR) and Representatives Moran (R-TX) and Dean (D-PA).

“Private property rights are a sacred promise and legal obligation to Americans who work, invest, and add value to our economy,” said Center for American Principles Policy Fellow Patrick Kilbride. “Americans’ rights to their intellectual property have been eroded. The RESTORE Patent Rights Act clarifies that when patented inventions are commercialized without the patent holder’s authorization the rights holder is entitled to a court injunction to stop the bleeding. Together with other urgently needed reforms, this legislation can help reinforce America’s technological leadership and national security by strengthening the U.S. patent system.”

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The Center for American Principles is a 501(c)(4) non-profit issue advocacy organization that advances sound policy solutions based on American core principles to tackle the country’s most critical challenges. Our mission is to protect and promote individual freedoms, free enterprise, limited government, the rule of law, and a strong national defense.



FOR IMMEDIATE RELEASE

February 25, 2025

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CFIF Strongly Supports the RESTORE Patent Rights Act

WASHINGTON, DC – This week, the RESTORE Patent Rights Act, sponsored by Senators Tom Cotton (R-AR) and Chris Coons (D-DE) and Representatives Nathaniel Moran (R-TX) and Madeleine Dean (D-PA), was reintroduced in Congress. The bipartisan legislation would restore basic protections for America’s innovators by ensuring that injunctive relief is available from U.S. courts against known patent infringers.

In response, Jeffrey Mazzella, President of the Center for Individual Freedom (“CFIF”), released the following statement expressing CFIF’s strong support for swift passage of the PROTECT Patent Rights Act:

“For more than two centuries, a guiding principle of U.S. patent law was the logical idea that parties found to be infringing on others’ patents without permission should be forced to stop the infringing activity. But that changed with the U.S. Supreme Court’s 2006 decision in *eBay v. MercExchange*. That decision and its misapplication by lower U.S. courts effectively eliminated the ability of patent holders to secure injunctive relief against known infringers.

“As a result, America’s innovators and inventors have been left with little ability to effectively protect their intellectual property rights. Even worse, the practice of ‘predatory infringement’ – when it is cheaper to steal a patent than pay reasonable licensing fees for use of the patent – has increased.

“Restoring the presumption of injunctive relief is vital to restoring fairness and commonsense to our nation’s patent system. CFIF strongly supports the PROTECT Patent Rights Act and urges its swift passage.”

The Center for Individual Freedom is a constitutional and free-market advocacy organization with more than 300,000 activists and supporters nationwide.

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Conservatives
for
Property Rights

For immediate release
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Statement on the RESTORE Patent Rights Act

This statement on the introduction of the Realizing Engineering, Science, and Technology Opportunities by Restoring Exclusive (RESTORE) Patent Rights Act may be attributed to James Edwards, Executive Director, Conservatives for Property Rights:

“Conservatives for Property Rights heartily thanks and commends Senators Chris Coons and Tom Cotton and Representatives Nathaniel Moran and Madeleine Dean for their leadership on the RESTORE Patent Rights Act. This bill restores meaning to the promised exclusive rights to one’s invention. Without fully enforceable exclusive rights, the inventor’s end of the ‘patent bargain’ is broken.

“Since 2006, the Supreme Court’s *eBay v. MercExchange* ruling has made permanent injunction extremely difficult to obtain in patent infringement cases. Courts have thereby turned the right to exclude into a compulsory licensing clause. This is unjust.

“The RESTORE Patent Rights Act ends the judicially created categorical rule of routinely denying injunctions. It restores the historical remedy of injunctive relief in patent cases, as it is with other forms of property, including other intellectual property.

“We’re eager to work with the bill’s sponsors to enact RESTORE into law.”

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Op-ed: “eBay, Its Effects, and the RESTORE Patent Rights Act”

Op-ed: “Restore Injunctive Relief to Keep American Innovation Alive,” Real Clear Policy

Blog post: “Injunctions: Too Much and Too Little,” Locke’s Notebook

Op-ed: “Injunctions Give Teeth to Property Rights,” Human Events

(Alexandria, Virginia) — Today Consumer Action for a Strong Economy, CASE, issued a statement strongly endorsing the reintroduction of bi-partisan RESTORE Act:

“It is inarguable that not only is American innovation the lifeblood of our economy, but also the envy of the world. Our nation of free-thinkers and risk-takers — along with those who invest in their ideas and innovations — are the very people responsible for our nation having achieved unparalleled prosperity, and our legal framework of protecting intellectual property (IP) is central to this reality.

“For these reasons CASE enthusiastically applauds Senators Cotton (R-AR) and Coons (D-DE) and Representatives Moran (R-TX) and Dean (D-PA) for reintroducing the bipartisan, bicameral RESTORE Patent Rights Act, a bill that will strengthen our nation’s IP protections against growing threats of theft and piracy.

“Just as technology advances, so too do the methods of IP theft and piracy, especially in a digital economy where technology can often be easily mimicked and the legal system can be manipulated to distort justice in defining ownership rights to novel ideas. The RESTORE Act is the precise remedy necessary to address these potential weaknesses within our patent system.

“Specifically, the RESTORE Act empowers inventors and patent holders to more clearly and forcefully defend their patents in court and receive injunctive relief against pirates and infringers. This legislation is not only good for inventors, but consumers and our economy as a whole, incentivizing investment in new ideas that drive innovation while denying rewards to pirates and parasites who seek to live off the inventions of others.

“We urge every member of Congress to not only support this enormously beneficial legislation for the American people, but prioritize it for swift review and passage to speed its way to the President’s desk to make the RESTORE Act law.”



Council for Innovation Promotion Applauds Reintroduction of the RESTORE Patent Rights Act

WASHINGTON (February 25, 2025) — Today, the Council for Innovation Promotion (C4IP) applauded Senators Chris Coons (D-DE) and Tom Cotton (R-AR) for reintroducing the bipartisan Realizing Engineering, Science, and Technology Opportunities by Restoring Exclusive (RESTORE) Patent Rights Act.

“Our nation’s economic success and national security depend on inventors having confidence that their intellectual property will not be unfairly exploited,” said Andrei Iancu, board co-chair of C4IP and former Under Secretary of Commerce for Intellectual Property and USPTO Director from 2018 to 2021. “The RESTORE Patent Rights Act will provide inventors with the reassurance they need to propel American leadership in critical technology fields.”

The RESTORE Patent Rights Act would effectively overturn the expansive application of the Supreme Court’s disastrous 2006 *eBay v. MercExchange* decision, which significantly weakened patent holders’ ability to stop infringement of their inventions. The legislation would amend patent law to ensure that inventors can obtain court orders that, after proving infringement, prohibit the unauthorized use of patented technologies.

“Now more than ever, it’s critical that our leaders stand up for the startups and entrepreneurs who drive our nation’s economy and create life-changing breakthroughs,” said David Kappos, board co-chair of C4IP and former Under Secretary of Commerce for Intellectual Property and USPTO Director from 2009 to 2013. “By passing the RESTORE Patent Rights Act, Congress can reinvigorate the U.S. patent system and reaffirm America’s commitment to protecting its innovators.”

“C4IP commends Senators Coons and Cotton for their steadfast support of IP and their initiative in reintroducing the RESTORE Patent Rights Act,” said Frank Cullen, executive director of C4IP. “We urge Congress to swiftly pass this vital reform to secure a brighter future for America’s innovation ecosystem and the hardworking inventors who sustain it.”

About Council for Innovation Promotion: The Council for Innovation Promotion is a bipartisan coalition dedicated to promoting strong and effective intellectual property rights that drive innovation, boost economic competitiveness, and improve lives everywhere.



Frontiers of Freedom Statement on the Introduction of the RESTORE Act

We commend Senators Coons (D-DE) and Cotton (R-AR), along with Representatives Moran (R-TX) and Dean (D-PA), for reintroducing the bipartisan, bicameral RESTORE Patent Rights Act. This critical legislation will help protect intellectual property (IP) rights and foster investment in groundbreaking innovation, reinforcing America's technological leadership.

For over two centuries, inventors had the ability to secure permanent injunctions against those who unlawfully stole or used their patented inventions. However, a 2006 Supreme Court ruling drastically weakened this safeguard, making it increasingly difficult for patent holders to prevent infringement. This change has discouraged investment in the long-term research and development (R&D) essential for maintaining U.S. competitiveness, particularly against global rivals like China.

The RESTORE Act seeks to correct this by restoring the right to injunctive relief when a patent is deemed valid and infringed. With a straightforward revision to patent law, this bill will strengthen protections for inventors and drive continued American innovation. We strongly encourage Congress to advance this important measure as it will have both economic and national security benefits.

IEEE-USA Supports the Realizing Engineering, Science, and Technology Opportunities by Restoring Exclusive (RESTORE) Patent Rights Act

24 February 2025

Washington, DC – IEEE-USA supports the right of owners to enforce their constitutionally guaranteed intellectual property (IP) rights through litigation. However, since 2005, changes to the patent system and court decisions have both weakened IP rights and discriminated against certain IP holders and classes of IP by reducing the availability of injunctive relief for patentees. The RESTORE Patent Rights Act will return that right to patentees and ensure their access to injunctive relief. Small entities will no longer be at the mercy of large companies with unlimited resources that can effectively steal intellectual property.

A functioning IP system must be fair, and as importantly, be perceived to be fair. Nondiscriminatory access to the legal system for enforcing and defending IP property rights is essential for securing the property rights necessary for investment. When innovators are unable to secure the property right embodied in a patent, investment is deterred and commercial activity, innovation and job creation impeded.

--Timothy Lee, IEEE-USA President



For Immediate Release

February 25, 2025

Innovation Alliance Applauds Reintroduction of RESTORE Patent Rights Act

Bipartisan, Bicameral Bill Will Restore the Right to Injunctions to Stop IP Theft and Promote U.S. Technological Leadership

WASHINGTON, D.C. – Innovation Alliance Executive Director Brian Pomper today issued the following statement on the reintroduction the bipartisan, bicameral RESTORE Patent Rights Act in the Senate and House of Representatives:

“The Innovation Alliance applauds Senators Coons (D-DE) and Cotton (R-AR) and Representatives Moran (R-TX) and Dean (D-PA) for reintroducing the bipartisan, bicameral RESTORE Patent Rights Act. This bill is needed to help stop IP theft and promote investments in innovation that support U.S. technological leadership.

“For more than two centuries, an inventor whose IP had been stolen could obtain a permanent injunction, a court order to stop an infringer from making, using, selling or importing their invention without consent. But a 2006 Supreme Court decision undermined this right, making it virtually impossible for inventors to receive injunctions. When inventors cannot stop others from stealing their IP, investors are reluctant to fund the risky, long-term R&D needed to compete with China and ensure U.S. leadership in critical and emerging technologies.

“The RESTORE Act will ensure injunctive relief is available to inventors when their patent is proved valid and infringed. With a simple, single-sentence clarification in our patent laws, the RESTORE Act can drive a resurgence in American innovation. We urge Congress to pass this vital bill.”

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ABOUT THE INNOVATION ALLIANCE

The Innovation Alliance represents innovators, patent owners and stakeholders from a diverse range of industries that believe in the critical importance of maintaining a strong patent system that supports innovative enterprises of all sizes. Innovation Alliance members can be found in large and small communities across the country, helping to fuel the innovation pipeline and drive the 21st century economy. Learn more at www.innovationalliance.net.

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INVENTORS

DEFENSE ALLIANCE

"The RESTORE Patent Rights Act is a crucial step in safeguarding America's small businesses, startups, and entrepreneurs from predatory patent infringement. By providing a clear path for justice and injunctive relief, this bill empowers innovators and fosters a more equitable patent system that benefits American inventors and consumers."

Kristen Osenga, the chief policy counselor at the Inventors Defense Alliance, is the Austin E. Owen Research Scholar and Professor of Law at the University of Richmond School of Law.



FOR IMMEDIATE RELEASE
February 26, 2025

The Market Institute Supports the Reintroduction of the RESTORE Patent Rights Act

Washington, D.C. – The Market Institute welcomes the reintroduction of the bipartisan **RESTORE Patent Rights Act**, sponsored by Senators Chris Coons (D-DE) and Tom Cotton (R-AR), alongside Representatives Nathaniel Moran (R-TX) and Madeleine Dean (D-PA). This legislation is a critical step toward strengthening intellectual property protections and encouraging investment in American innovation.

“For generations, patent holders had the right to stop unauthorized use of their inventions through permanent injunctions,” said **Charles Sauer, President of The Market Institute**. “But a flawed Supreme Court ruling in 2006 severely weakened that protection, leaving inventors with limited recourse against infringers.”

Sauer emphasized the economic impact of the bill, stating: *“An invention market without injunctions is like a housing market without evictions. This bill does a good job of restoring incentives to American innovation.”*

By restoring the availability of injunctive relief, the **RESTORE Act** will provide inventors with the legal tools necessary to defend their patents. Stronger IP protections will also encourage investors to fund the high-risk, long-term R&D needed to ensure U.S. leadership in emerging technologies and global markets.

“This is a straightforward, commonsense fix to a problem that has discouraged innovation for nearly two decades,” said Sauer. “Congress should move swiftly to pass this legislation and give inventors the protections they deserve.”

About The Market Institute

The Market Institute advocates for free market policies that promote economic growth, competition, and innovation.

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"There unfortunately continues to be ongoing efforts across the world to steal American innovations and intellectual property, and it is critical that Congress establishes new protections so that the United States can remain the global leader in medical technology innovation. The 'RESTORE Patent Rights Act' would help restore a level playing field if enacted, and would codify the presumption that a permanent injunction will be granted after infringement is proven. MDMA applauds Senators Coons and Cotton and Representatives Moran and Dean for their leadership in helping America's innovators protect their intellectual property, and we will continue to work closely with them so the medical technology ecosystem can deliver the cures, therapies and diagnostics that patients and providers need."

-- Mark Leahey, President and CEO, Medical Device Manufacturers Association (MDMA)



RESTORE Act Statement

“There has never been a more important time than now to strengthen IP rights and protections. Doing so will boost investment and innovation, and consequently U.S. technological and innovative leadership, which has been under threat in recent years. The bipartisan RESTORE Act is critical legislation - especially for startups and small businesses – that restores an effective tool to stop infringers from misappropriating the IP of our innovators. Reestablishing injunctive relief as provided for in the legislation, is an important step for strengthening IP rights. Again, this will encourage more inventors, creators and investors to act and take risks, which will supersize U.S innovative output and secure U.S. global leadership for the long term.”

Karen Kerrigan is president & CEO of the Small Business & Entrepreneurship Council