

January 14, 2026

The Honorable Kevin Hassett
Director, National Economic Council
Executive Office of the President
The White House
Washington, DC 20500

Ms. Susie Wiles
Chief of Staff to the President
Executive Office of the President
The White House
Washington, DC 20500

Dear Director Hassett and Ms. Wiles:

We write as conservative leaders to advise you of our strong support of the U.S. Patent and Trademark Office’s (USPTO) Notice of Proposed Rulemaking (NPRM) to improve the Patent Trial and Appeal Board’s (PTAB) practices for instituting inter partes review (IPR) challenges (Docket No. PTO-P-2025-0025). The proposal would help restore fairness, efficiency, and predictability to patent adjudication. Such are principles that Congress pledged in the America Invents Act (AIA), but that years of serial and duplicative challenges and bias for patent claim invalidation have eroded.

Congress intended IPRs to serve as a faster, less costly alternative to district court litigation, not a second front for infringers to keep attacking patents until they are worn down or invalidated. Yet today, [more than half](#) of IPR petitions—filed by the same large corporations such as Apple and others—represent repeat challenges against the same patent. More than [80 percent](#) of IPRs overlap with ongoing litigation. This has created a system that multiplies uncertainty and imposes duplicative costs on inventors, the opposite of the efficient alternative Congress promised.

By requiring petitioners to stipulate that they will not pursue overlapping §102 or §103 invalidity arguments and by declining to institute review where claims have already survived judicial or administrative scrutiny, the USPTO’s proposal faithfully implements the “one bite at the apple” principle that Congress claimed to be making law. The rule also allows USPTO to consider the effects of its regulations on “[the economy \[and\] the integrity of the patent system.](#)”

Reliable patent rights are the lifeblood of America’s innovation economy. They give investors the confidence to finance risky, long-horizon research and allow small inventors and startups to compete on equal footing with well-established firms. When patents can be relitigated endlessly before multiple tribunals, investment dries up, technology transfer stalls, and only the largest firms, with the resources to absorb the cost of serial proceedings, can compete.

In USPTO Director John Squires’s recent [statement](#) before the Senate Judiciary Subcommittee on Intellectual Property, he effectively connected the dots not just between strong patent protection and America’s economic vitality, but also our national security. Weak, uncertain patent

rights invite foreign competitors and adversarial regimes to infringe American innovations with impunity. By restoring finality and predictability, the proposed rule will help secure the unique intellectual property foundation of U.S. leadership in critical technologies from AI to quantum computing.

By limiting duplicative challenges, the NPRM's framework channels patent disputes to a single forum. By reserving exceptions for truly extraordinary circumstances, cost and delay will be reduced for all participants. The proposal will also allow USPTO to redirect its limited resources to its core mission of examining and issuing patents. These reforms will help make PTAB proceedings what Congress intended: a focused, efficient, and fair mechanism to resolve legitimate validity questions without undermining confidence in issued patents.

The undersigned organizations and individuals support this reform-minded NPRM because it advances the AIA's goals of fairness, efficiency, and predictability. These are the conditions essential to investment, job creation, and America's technological and economic security. We applaud the USPTO's leadership on removing this weak link in U.S economic and national security, and we urge your support for this pro-innovation, pro-economic growth rule.

Respectfully,

James Edwards, Ph.D.
Founder and Executive Director
Conservatives for Property Rights

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