



July 10, 2019

AAU, Associations Support Bipartisan STRONGER Patents Act

The Association of American Universities, Association of American Medical Colleges, Association of Public and Land-grant Universities, AUTM, and Council on Governmental Relations today released the following statement regarding the introduction of the STRONGER Patents Act in the U.S. Senate and the U.S. House of Representatives.

We thank Senators Chris Coons (D-DE) and Tom Cotton (R-AR) and Representatives Steve Stivers (R-OH) and Bill Foster (D-IL) for introducing the STRONGER Patents Act. This bipartisan, bicameral, and balanced legislation, introduced on July 10, is intended to stem abuses of the U.S. patent system while taking important steps to improve it. Universities and academic medical centers rely on robust, enforceable patents to ensure their research discoveries will be developed into products and innovative techniques that improve quality of life and fuel economic growth. This bill would protect and help ensure the success of this technology transfer process, which contributes significantly to our nation's leadership in science and technology. We look forward to continuing to work with Congress, as well as with USPTO Director Andrei Iancu, toward our shared goals of reinforcing the strength of the U.S. patent system.

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Founded in 1900, the Association of American Universities is composed of America's leading research universities. AAU's 62 research universities transform lives through education, research, and innovation. Our member universities earn the majority of competitively awarded federal funding for research that improves public health, seeks to address national challenges, and contributes significantly to our economic strength, while educating and training tomorrow's visionary leaders and innovators. AAU member universities collectively help shape policy for higher education, science, and innovation; promote best practices in undergraduate and graduate education; and strengthen the contributions of leading research universities to American society. Follow AAU on [Twitter](#), on [Facebook](#), and on [LinkedIn](#).

The [Association of American Medical Colleges](#) is a not-for-profit association dedicated to transforming health care through innovative medical education, cutting-edge patient care, and groundbreaking medical research. Its members are all 154 accredited U.S. and 17 accredited Canadian medical schools; nearly 400 major teaching hospitals and health systems, including 51 Department of Veterans Affairs medical centers; and more than 80

academic societies. Through these institutions and organizations, the AAMC serves the leaders of America's medical schools and teaching hospitals and their more than 173,000 full-time faculty members, 89,000 medical students, 129,000 resident physicians, and more than 60,000 graduate students and postdoctoral researchers in the biomedical sciences.

The [*Association of Public and Land-grant Universities*](#) (APLU) is a research, policy, and advocacy organization dedicated to strengthening and advancing the work of public universities in the U.S., Canada, and Mexico. With a membership of 237 public research universities, land-grant institutions, state university systems, and affiliated organizations, APLU's agenda is built on the three pillars of increasing degree completion and academic success, advancing scientific research, and expanding engagement. Annually, member campuses enroll 4.9 million undergraduates and 1.3 million graduate students, award 1.2 million degrees, employ 1.2 million faculty and staff, and conduct \$43.9 billion in university-based research.

[*AUTM*](#) is the non-profit leader in efforts to educate, promote and inspire professionals to support the development of academic research that changes the world and drives innovation forward. The AUTM community is comprised of more than 3,000 members who work in more than 800 universities, research centers, hospitals, businesses and government organizations around the globe.

The [*Council on Governmental Relations*](#) (COGR) is an association of over 190 leading research universities and affiliated academic medical centers and independent research institutes. COGR concerns itself with the impact of federal regulations, policies, and practices on the performance of research conducted at its member institutions.



THE
AMERICAN
CONSERVATIVE
UNION

Conservative Action Starts Here – bringing you CPAC, Congressional ratings, and principled policy solutions

ACU Applauds Introduction of STRONGER Patents Act Says Legislation Will Protect Innovators, Inventors, and Constitutional Patent System

July 10, 2019

ALEXANDRIA, VA — Today, the American Conservative Union (ACU) announced its support for the STRONGER Patents Act of 2019. The measure, introduced today by Representative Steve Stivers (R-OH) and Senator Chris Coons (D-DE), protects American innovators, creators, and inventors by strengthening our constitutionally-protected patent system. The STRONGER Patents Act would implement commonsense modernization measures that allow our patent system to keep up with rapidly changing technologies that impact the lives of all Americans.

The bill includes a wide range of reforms that will strengthen intellectual property rights:

- Eliminates repetitive proceedings
- Restores the foundation of patents as property rights
- Provides for expedited processes for patent owners seeking amendments to claims
- Places priority of patent validity with the courts if legal proceedings have already begun
- Minimizes abuse of post-grant proceedings by strengthening qualifiers for legal standing

Congress remains paramount in ensuring that intellectual property rights are strengthened and preserved so that IP continues to be a critical cornerstone of a strong economy. The STRONGER Patents Act will ensure that the nation's sustained economic growth will be even stronger going forward.

"Intellectual property is the bedrock of American freedom and the engine of our nation's prosperity. It is the source of creativity, innovation, and ingenuity which has made America the envy of the free world," said **ACU Executive Director Dan Schneider**. "The STRONGER Patents Act strengthens our patent system and weeds out the bad actors who have tried to defraud both patent holders and legitimate patent users of valuable inventions."

ACU urges all members of the House and Senate to vote YES on the STRONGER Patents Act.



Bipartisan Bill Will Strengthen Patent Rights and Protect U.S. Leadership in Biotechnology Innovation

Strong patent rights are essential to finance the revolution in biotechnology discoveries from the lab to the patient, farmer, and consumer

Washington, D.C. (July 10, 2019) – The House and Senate introduced important bipartisan legislation today that will reform the *inter partes* post-grant review process, bringing fairness and finality to these Patent and Trademark Office (PTO) proceedings. The bill, known as the STRONGER Patents Act, also will enhance patent quality by ensuring that all fees paid to the PTO are used for their intended purposes, and will crack down on abusive patent demand letters.

Strong intellectual property (IP) protections sustain America’s global leadership in biotechnology innovation and the creation of hundreds of thousands of high-wage, high-value jobs throughout our country. BIO has long supported the balanced and bipartisan reform proposals that were introduced today by Senator Coons, Senator Cotton, Representative Stivers, and Representative Foster, and we thank them for their leadership on this critically important issue.

“Ad hoc changes to our patent laws over the last 15 years, through legislation, agency actions, and court decisions, have severely weakened our patent system,” said [Tom DiLenge](#), BIO’s President of Advocacy, Law & Public Policy Division. “America’s laws were once considered the gold standard for the rest of the world, now we are [tied for second](#) with 10 other economies. The bipartisan STRONGER Patents Act will address many deficiencies in the patent re-examination process, while protecting patent holders and small businesses from predatory demand letters.”

Without strong patent rights, the financing to take revolutionary biotechnology discoveries from the lab to the patient, farmer, and consumer would be unavailable. Weak or inconsistent patent protections threaten new investment in the innovation sector of our economy and, with it, the jobs and industries of the future.

BIO supports the STRONGER Patents Act and will continue to advocate for passage of legislation that better supports inventors, investors, and the people waiting for new innovations to improve their lives and their environment.

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July 12, 2019

The Honorable Chris Coons
218 Russell Senate Building
Washington, D.C. 20510

The Honorable Tom Cotton
326 Russell Senate Office Building
Washington, D.C. 20515

The Honorable Steve Stivers
2234 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bill Foster
2366 Rayburn House Office Building
Washington, D.C. 20515

Dear Senators Coons and Cotton and Representatives Stivers and Foster:

On behalf of California Life Sciences Association (CLSA) – the statewide public policy and business leadership organization representing California’s leading life science innovators, including medical device, diagnostic, biotechnology and pharmaceutical companies, research universities and private, non-profit institutes, and venture capital firms – I am writing to express our strong support for the *Support Technology and Research for Our Nation’s Growth and Economic Resilience (STRONGER) Patents Act of 2019 (S.2082/H.R. 3666)*. We supported earlier versions of this legislation in the 114th and 115th Congresses, and appreciate your thoughtful approach to this revised legislation and continued efforts to curb abusive patent litigation practices while maintaining and strengthening important patent-holder rights and protections.

As you know, life sciences research is extremely expensive and a companies’ ability to attract investment for developing the next generation of treatments, therapies, and technologies depends on a strong and reliable patent system. The biomedical sector in California consists of both relatively small, entrepreneurial, and venture capital-backed firms that have yet to bring products to market, and established pharmaceutical, biotech, and device companies with products on the market that enhance, improve, and save patient lives on a daily basis. For small and emerging companies especially, intellectual property is typically their most valuable and sometimes only asset. That is why patent rights, and the ability to legitimately enforce them against bona fide infringers, remain a top priority for California’s research universities, private research institutes, and biomedical companies large and small. They are also what incentivize companies to engage in the high-risk, high-cost R&D that makes the discovery, development, and commercialization of life-saving medicines and treatments possible.

The *STRONGER Patents Act* would strengthen the U.S. patent system for every sector of the economy while targeting abuses by so-called “patent trolls.” CLSA believes that patent litigation legislation must recognize and reflect the full spectrum of sectors reliant on a well-functioning U.S. patent system. The *STRONGER Patents Act* achieves this goal by proposing balanced reforms focused on cracking down on deceptive demand letters, eliminating diversion of US Patent and Trademark Office user fees, and protecting the rights of America’s innovators.

CLSA is pleased to join a broad and diverse group of stakeholders in endorsing the *STRONGER Patents Act*. We applaud your leadership on this important issue and look forward to supporting your efforts to enact this bill.

Sincerely,



Jennifer Nieto
Vice President – Federal Government Relations & Alliance Development
California Life Sciences Association – CLSA





**Conservatives
for
Property Rights**

July 10, 2019

The Honorable Chris Coons
218 Russell Senate Office Building
United States Senate
Washington, DC 20510

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The Honorable Steve Stivers
2234 Rayburn House Office Building
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Washington, DC 20515

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United States Congress
Washington, DC 20515

Dear Senators Coons and Cotton and Representatives Stivers and Foster:

Conservatives for Property Rights (CPR) fully supports the STRONGER Patents Act. Thank you for your leadership on this important property rights matter.

CPR emphasizes the central importance of private property in all its forms — physical, personal, and intellectual. The right to private property ranks among the unalienable rights the Founders referenced in the Declaration of Independence, and they put patent rights in the Constitution itself. Thus, property rights should not be construed as conservative or liberal.

The STRONGER Patents Act would strengthen private property rights. The bill would curb the worst aspects of the inter partes review proceedings, which have provided patent infringers, hedge funds, and speculators a playground to challenge patent validity repeatedly and viciously. Such abuse has deprived inventors of a property right constitutionally declared to be exclusive for a period of time. And an administrative body has arrogated judicial power from Article III courts in patent property rights matters.

Your bill imposes limits on inter partes challenges, addresses problem areas such as claim construction, burden of proof, standing, appeals rights, ascertaining challengers' real party in interest, deference to Article III judicial reviews of patent validity, and providing greater due process to patent owners as to the postgrant PTAB judges involved at different stages. These measures would help alleviate the damage inflicted on our patent system, on inventors who face the prospect of lost commercial traction during what is supposed to be their exclusive ownership and use of their invention, and on the erosion of property rights in the patent arena.

Further, CPR commends the improved prospects of obtaining injunctive relief against patent infringers, elimination of patent application fee diversion from the PTO, closure of loopholes regarding patent infringement, attention to particular needs of small businesses and universities, and an appropriately balanced approach to abusive patent-related demand letters.

"protecting the exertions of talents and industry . . . securing to them their justly acquired fruits"
— Alexander Hamilton

Conservatives for Property Rights commends the STRONGER Patents Act and looks forward to working with you to educate Members on the underlying property rights.

Sincerely,

James Edwards
Executive Director
Conservatives for Property Rights

Daniel Schneider
Executive Director
American Conservative Union

Ed Martin
President
Phyllis Schlafly Eagles

Seton Motley
President
Less Government

Paul Caprio
Director
Family PAC Federal

Jenny Beth Martin
Honorary Chairman
Tea Party Patriots Action

Martha Boneta
Vice President
Vote America First

Kevin L. Kearns
President
U.S. Business & Industry Council

James L. Martin
Founder/Chairman
60 Plus Association

Saulius "Saul" Anuzis
President
60 Plus Association

Matthew Kandrach
President
Consumer Action for a Strong Economy

Colin Hanna
President
Let Freedom Ring

C. Preston Noell III
President
Tradition, Family, Property, Inc.

Dick Patten
President
American Business Defense Council

Rick Manning
President
Americans for Limited Government



Leading the Conservative Movement since 1964

EAGLE FORUM EDUCATION & LEGAL DEFENSE FUND

July 10, 2019

The Honorable Chris Coons
218 Russell Senate Office Building
United States Senate
Washington, DC 20510

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Washington, DC 20510

The Honorable Steve Stivers
2234 Rayburn House Office Building
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The Honorable Bill Foster
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United States Congress
Washington, DC 20515

Dear Senators Coons and Cotton and Representatives Stivers and Foster:

Thank you for your leadership regarding restoration of secure patents. Eagle Forum Education & Legal Defense Fund, a nonprofit organization founded by Phyllis Schlafly in 1981, affirms our constitutionally grounded intellectual property rights and inventors' ability to defend their patents.

Policies such as those in the STRONGER Patents Act would help secure the property rights of inventors, small businesses, universities, and other patent owners. This approach would close certain avenues for abusive tactics in administrative proceedings the America Invents Act created. The postgrant review forums enable patent infringers and others to play manipulatory games that devalue patents—the key to America's leadership in innovation. Curtailing the availability of predatory tactics for gaming the system would reduce the drain on resources of inventors and start-ups, restore the certainty of patent validity, and protect patent value. Restoring the presumption of injunctive relief would help strengthen the ability of patent owners to exercise their patent exclusivity. Ending fee diversion improves patent examination and quality.

It is important to address abusive practices of demand letters while maintaining the legitimate ability to defend IP. A carefully tailored approach like that in this bill would allow inventors to defend their rights, as well as relieve small business owners from false and misleading demand letters, without weakening patents or patent rights. The Federal Trade Commission could pursue unfair or deceptive practices involving patent demand letters under its existing authorities.

An approach such as that taken in the STRONGER Patents Act is reasonable, focused, and balanced. Thank you for your propatent, proinventor approach on these matters.

Respectfully,

Ed Martin
President, Phyllis Schlafly Eagles

Phyllis Schlafly, Founder | Ed Martin, President | Helen Marie Taylor, Chairman | John Schlafly, Treasurer

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For Immediate Release

July 10, 2019

Contact: Josh Berman, (202) 331-0014

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Innovation Alliance Statement on Reintroduction of Bipartisan STRONGER Patents Act

Legislation Would Strengthen Patent Protections and Promote American Innovation

WASHINGTON, D.C. – Innovation Alliance Executive Director Brian Pomper today issued the following statement on the reintroduction of the bipartisan STRONGER Patents Act in the Senate and House of Representatives by Senator Chris Coons (D-DE), Representative Steve Stivers (R-OH) and other co-sponsors:

"The Innovation Alliance commends Senator Coons, Representative Stivers and other co-sponsors for reintroducing the bipartisan STRONGER Patents Act in the Senate and House of Representatives. We are pleased to see the support for this legislation on both sides of the aisle and in both houses of Congress.

"The STRONGER Patents Act takes critical steps to strengthen patent protections and promote American innovation and job creation. Importantly, it would help to reverse the alarming decline of the U.S. patent system and innovation economy we have seen in recent years.

"A decade of harmful congressional actions and court decisions have weakened American patent rights, abandoned small inventors and undermined U.S. innovation. And as the U.S. has curtailed patent protections, foreign competitors, including China, have strengthened theirs. This has put us at a competitive disadvantage and led to venture capital investment and innovation increasingly moving overseas.

"After falling to 12th place in the U.S. Chamber of Commerce's international ranking of patent system strength in 2018, the U.S. bounced back to 2nd place this year as a result of administrative actions taken by USPTO Director Iancu designed to improve the predictability and reliability of the U.S. patent system. However, legislative action is still needed to cement those changes into law and further strengthen patent rights. We can't afford to leave our nation's innovation infrastructure to the mercy of individual executive branch measures that are easily reversible as administrations and political winds change.

"The STRONGER Patents Act would help ensure that patent rights are protected as a fundamental underpinning of our innovation economy. It treats patents like any other property and permits injunctions to protect patent owners against infringement during and after court cases. It ensures fairness in Patent Office administrative proceedings, limiting repetitive and harassing challenges against inventors. And it ends the diversion of patent application fees to other government spending, providing the Patent Office with the funding it needs to grant high-quality patents without harmful delay.

"This legislation will maintain our patent system's role as an engine for U.S. economic growth and job creation, as it has done for more than 200 years. The Innovation Alliance urges the Senate and House to pass the STRONGER Patents Act as soon as possible."

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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.

MDMA Applauds the Bipartisan, Bicameral Reintroduction of the “STRONGER Patents Act”

WASHINGTON, D.C. – Mark Leahey, President and CEO of the Medical Device Manufacturers Association (MDMA), issued the following statement today applauding the reintroduction of the “STRONGER Patents Act” in the United States Senate and House of Representatives:

“MDMA applauds Senator Chris Coons, Congressman Steve Stivers and all of the co-sponsors for the bipartisan reintroduction of the ‘STRONGER Patents Act.’ In order to develop the cures and therapies of tomorrow, innovators need a predictable patent system in place. The ‘STRONGER Patents Act’ will help restore the legal protections required to sustain our nation’s leadership in medical technology innovation. MDMA will continue to work with Congress on this and other important policies that would help bolster America’s innovation ecosystem.”

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The Honorable Chris Coons
218 Russell Senate Office Building
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Washington, DC 20510

The Honorable Tom Cotton
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The Honorable Steve Stivers
2234 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

The Honorable Bill Foster
2366 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

Dear Senators Coons and Cotton and Representatives Stivers and Foster:

On behalf of the National Small Business Association (NSBA), I would like to thank you for introducing the Support Technology & Research for Our Nation's Growth and Economic Resilience (STRONGER) Patents Act, which is intended to make it easier and more affordable for patent holders to enforce their patents.

A 2018 ranking of national patent systems found that the U.S. has slipped to number 12 in the world, after having been ranked number one in prior rankings. This is detrimental not only for innovators but for the U.S. workforce and for key American industries, which depend heavily on strong patent protections. Thus, we appreciate your leadership and work in crafting a bicameral bill to improve America's competitive position in innovation by helping to restore stronger U.S. patent rights.

Patent protections are particularly important for small businesses, which operate on much smaller margins and often rely more heavily on their intellectual property for revenue than large firms. According to the U.S. Small Business Administration, small businesses produce 16 times more patents per employee than large patenting firms, which has a direct correlation with job growth.

The STRONGER Patents Act offers a balanced solution to stop the practice of fraudulent and abusive patent demand letters and various other improvements to the current U.S. patent law, and stops short of weakening existing patents and discouraging innovation in the U.S. for years to come.

The STRONGER Patents Act takes critical steps to improve the patent system. It treats patents like any other property, permitting injunctions to protect patent owners against infringement during and after court cases. It ensures fairness in Patent Office administrative proceedings, limiting repetitive and harassing challenges against inventors and it ends the diversion of patent application fees to other government spending, ensuring the Patent Office has the funding needed to grant high-quality patents without harmful delay.

So-called “patent trolls” unfairly target small businesses and cost American companies tens of billions of dollars every year by threatening litigation. The STRONGER Patents Act takes the steps necessary to prevent this kind of abuse at the hands of patent trolls from happening, by empowering the Federal Trade Commission to protecting small patent owners against abuse, harassing patent-related, demand letters. These reforms will help boost U.S. competitiveness and strengthen property rights protections for inventors, small businesses, and other patent owners.

As the nation’s first small-business advocacy organization with 65,000 members across the country operating on a staunchly nonpartisan basis, I applaud your efforts to include small business in your efforts to improve the U.S. patent system, and look forward to working with you on the passage of the STRONGER Patents Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd McCracken", with a long horizontal line extending to the right.

Todd McCracken
President and CEO



FOR IMMEDIATE RELEASE:

Today, Senator Chris Coons and Representative Steve Stivers joined their colleagues to introduce the STRONGER Patents Act of 2019. The Alliance of U.S. Startups and Inventors for Jobs (USIJ) Executive Director Chris Israel issued the following statement:

"The Alliance of Startups and Inventors for Jobs applauds Senator Chris Coons, Representative Steve Stivers, and their colleagues for introducing the bipartisan and bicameral STRONGER Patents Act. The growth of the U.S. economy depends on dynamic startups and visionary entrepreneurs that push the boundaries of technology. These companies must in turn be supported by investors willing to share the risk involved with starting new companies and testing new markets. The strength and reliability of the U.S. patent system underpins this entire process.

"The STRONGER Patents Act recognizes the critical nature of the patent system and will help reverse a troubling trend of legislation and litigation that has weakened it over the past decade.

"The STRONGER Patents Act will make pragmatic and impactful improvements to U.S. patent law that will increase innovation, spur investment, protect U.S. intellectual property and make American more competitive. Improvements such as allowing inventors to again gain injunctive relief when their IP is infringed, restoring balance to the Inter Partes Review process at the USPTO, protecting small businesses from abusive demand letters and fully funding the USPTO will have a dramatic and positive effect on patent-intensive startups.

"We applaud Senator Coons and Representative Stivers for their continued leadership on this issue and look forward to supporting efforts to advance the STRONGER Patents Act in the 116th Congress."

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About the USIJ:

The Alliance of U.S. Startups and Inventors for Jobs (USIJ) is a group of nearly 30 startups, inventors, investors, and entrepreneurs. Collectively, we have launched dozens of companies in areas including biotechnology, clean energy, medical devices and wireless technology. We invent real things and create real companies. We also rely on the strength of the U.S. patent system to create these companies, breakthroughs, and jobs.

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