

THE COALITION FOR 21ST CENTURY PATENT REFORM

Protecting Innovation to Enhance American Competitiveness

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COALITION STATEMENT:

The Coalition for 21st Century Patent Reform reaffirms its support for moving H.R. 1249, the Leahy/Smith America Invents Act to the House floor this week.

While we preferred Section 22 of H. R. 1249, as reported by the Judiciary Committee, addressing the diversion of fees paid by users of USPTO services, we have decided to support the USPTO funding agreement that, if fully implemented, is intended to provide the Office with full access to the fees paid by inventors. We look forward to working with Congress on the additional steps required to complete the implementation of the agreement, including the forthcoming letter outlining the anti-diversion and fee-access commitments, as well as the additional technical language that will be included in future appropriation acts.

We understand the new USPTO Reserve Fund that will be created by H.R. 1249, and the anti-diversion and fee-access commitments, are intended to provide full funding for the activities of the Office and ready access to all of its user fees. Importantly, we understand that the fees will no longer be “scored” for budget purposes or be taken into account in so-called “302(b) allocations.”

“The Coalition will be vigilant as the full implementation of the commitments made under the agreement is completed,” said Gary Griswold of the Coalition for 21st Century Patent Reform. “It will be particularly important to assure that the ‘scoring’ impact solution is achieved and that the mechanism by which the Office will receive prompt access to its fees is implemented.”

This bill is the result of more than six years of effort by the Congress, including numerous hearings where the views of virtually all stakeholders were considered. This has resulted in a fair and balanced bill, the Leahy/Smith America Invents Act.

H.R. 1249 is widely supported by the largest and most diverse group of stakeholders since the inception of the debate on patent reform. It will revitalize investment in new technologies and create thousands of well-paying jobs for American workers. The time is now to enact patent reform.

Visit www.patentsmatter.com for more information. The coalition has nearly 50 members from 18 diverse industry sectors and includes many of the nation's leading manufacturers and researchers. The coalition's steering committee includes 3M, Caterpillar, General Electric, Johnson & Johnson, Eli Lilly and Procter & Gamble. The coalition has members in a variety of industry sectors including: Aerospace and Defense, Chemical, Computers, Diversified Financials, Diversified Technology, Energy, Food Production, Forest & Paper Products, Health Care, Household & Personal Products, Industrial Equipment, Medical Equipment & Devices, Network & Communications, Payroll Services, Pharmaceutical, Biotechnology, Semiconductors & Electronic Components, and Transportation Equipment.