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Vice President
Tax, Technology & Domestic Economic Policy

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Dear Representative:

The National Association of Manufacturers (NAM), the nation's largest industrial trade association representing small and large manufacturers in every industrial sector and in all 50 states, urges you to support H.R. 1249, the *America Invents Act*, as approved by the House Judiciary Committee on June 1, 2011.

Intellectual property is the lifeblood of our economy and its protection assures manufacturers that their inventions will be secure as they create jobs and build industries around them. The *America Invents Act* gives the U.S. Patent and Trademark Office (USPTO) the resources and provides inventors the tools to ensure our patent system remains the best in the world.

The centerpiece of an effective intellectual property protection regime is an adequately staffed, efficiently operated, fully funded USPTO that processes patent and trademark applications in a high-quality and expeditious fashion. The NAM, therefore, supports the provision in the *America Invents Act* that creates a mandatory revolving fund in the Treasury to consistently capture all user fees collected by the USPTO and to allow for their expenditure for no other purpose than funding the USPTO.

The NAM also supports transitioning the United States from a "first-to-invent" system to a "first-to-file" system as it will eliminate unnecessary cost and complexity in the U.S. patent system. Manufacturers large and small operate in the global marketplace and the United States needs to move toward a system that will provide more patent protection for our innovative member companies around the world. The *America Invents Act* as approved by the Judiciary Committee achieves this goal.

The legislation also revises current law by expressly preserving the currently existing right of the United States to bring an action against those who deliberately deceive the public through false patent marking but eliminates frivolous and costly lawsuits brought against manufacturers of mass-produced items. The NAM supports this revision of the law.

For these and other reasons, the *America Invents Act* is strongly supported by manufacturers. The NAM urges you to support legislation that includes these provisions when it is considered by the House of Representatives.

Sincerely,