

# THE PATENT REFORM ACT

## SECURING AMERICAN INNOVATION – CREATING AMERICAN JOBS

*The Patent Reform Act (S. 515) is the product of more than five years of consideration in Congress, and would make the first significant reforms to the nation's patent system in more than 50 years. Patent reform is a critical part of congressional and administration efforts to find effective ways to stimulate the nation's economy, promote innovation and protect American jobs.*

*The Manager's Amendment to the Patent Reform Act has received support from a broad spectrum of industries and stakeholders, including cross-sector manufacturers, pharmaceuticals and biotech, the high-tech industry, bar associations and universities, and labor organizations.*

### The Washington Post – “A Smart Idea: The Patent Reform Act”

On Thursday, May 20, 2010, *The Washington Post* editorialized in support of the Patent Reform Act, stating:

**“Protecting inventors’ rights is essential to encouraging innovation and investment.** Yet the secretive and lengthy U.S. Patent Process has too often resulted in the go-ahead for products or developments that are neither novel nor innovative. In many instances, issuance of weak patents leaves legitimate manufacturers vulnerable to infringement lawsuits and huge damage awards years after their products have gone to market. **A bill pending on the Senate floor would cure most of these defects and harmonize U.S. practices with those of most other industrialized world...**[B]y creating a process to ensure that only strong and legitimate patents are issued, the bill would go a long way toward curbing those abuses.” – [The Washington Post](#), May 20, 2010

And in a May 4, 2010, opinion piece in the *Politico*, Commerce Department Secretary Gary Locke reaffirmed the administration's commitment to enacting patent reform legislation.

“[T]here are two things everyone agrees Washington needs to keep working on: spurring job creating and promoting continuing economic recovery. **Fortunately, there's legislation now before Congress that has bipartisan support, can boost our economy and doesn't add a cent to our federal debt...Patent reform legislation is a key part of this strategy...**Now is the time to act. Congress should seize this opportunity and send patent reform legislation to the president's desk.” – [Politico](#), May 4, 2010

### Support Continues To Grow For Patent Reform

“As longtime supporters of the effort to pass meaningful patent reform, it is Kodak's view that the bipartisan Managers' Amendment to S. 515, **The Patent Reform Act...will effectively modernize our patent system.** We believe that this legislation will improve patent quality, harmonize the US with major trading partners, and curb the worst litigation excesses – while preserving the strengths that make our system the envy of the world.” -- *Kodak*, May 11, 2010

**“The managers' amendment achieves the goal of establishing a simpler, transparent patent system** by creating new post-grant review procedures of patents when they issue, strengthening the capabilities of the United States Patent and Trademark Office, bringing more balance and predictability to patent infringement litigation, and moving the United States patent system into greater harmony with the rest of the world...We look forward to continuing to work with the Senate, the House of Representatives, and the Administration to finalize, pass, and enact this important legislation.” -- *Pepsico*, May 14, 2010

The Managers' Amendment to the Patent Reform Act has received support from the Coalition for 21<sup>st</sup> Century Patent Reform, the Biotechnology Industry Organization, Microsoft, IBM, PhRMA, Genentech, the Association of American Universities, the American Council on Education, the Association of American Medical Colleges, the Association of Public and Land-Grant Universities, the Association of University Technology Managers, the Council on Governmental Relations, the American Intellectual Property Law Association, Innovation Alliance, the California Healthcare Institute, 3M, Boston Scientific, Cargill, Caterpillar, Ecolab, Medtronic, Zimmer, AdvaMed, Richard Levin (President of Yale University), Dow Chemical Company, Genzyme, the United Inventors Association, the University of California, the Wisconsin Alumni Research Foundation, ExxonMobil, Bose, AFL-CIO, United Steelworkers, Monsanto, and the National Association of Manufacturers.