

THE AMERICA INVENTS ACT

PROMOTING AMERICAN INNOVATION, CREATING AMERICAN JOBS, GROWING AMERICA'S ECONOMY

*The America Invents Act is bipartisan legislation
that unleashes innovation and creates jobs – without adding a penny to the deficit.*

The America Invents Act will help bring the American economy into the 21st Century.

FACT: The last significant, comprehensive changes to the patent system were **enacted by Congress nearly 60 years ago**. The U.S. Patent Act of 1952 clarified and simplified existing U.S. patent law. This is the core principle of *The America Invents Act*.

FACT: Technological advances are the primary driver of economic growth, and **economic growth leads to job creation**. New products and processes are responsible for most of the nation's economic growth since World War II.

FACT: High quality patents **incentivize investment in technological advances** by granting, for a limited time, a monopoly over an invention to the inventor. Low quality patents, however, hinder innovation because they grant a monopoly right that did not incentivize true advancements.

FACT: The United States **cannot compete in the 21st century global marketplace while operating under a 20th century patent system**. The patent system is the tool to incentivizing advancements that fuel the economy, creating jobs. This has been true since the Founders put the patent clause in the Constitution.

The America Invents Act will give USPTO the needed tools to patent the next great American invention.

FACT: *The America Invents Act* will give the U.S. Patent and Trademark Office (USPTO) the tools, resources, and processes it needs to work through the backlog of more than 700,000 pending patent applications, and to reduce the nearly three-year pendency of applications. **The next great invention that will lead to economic recovery is likely pending in that backlog.**

FACT: *The America Invents Act* will also **give the USPTO the tools it needs to weed-out patents that should not have issued and which are currently a drag on innovation**. It will allow third parties to comment on pending applications, create a new short-term review procedure for recently issued patents, and improve the current administrative process for challenging the validity of patents.

FACT: The tools authorized by *The America Invents Act* will provide better incentives for patent owners and a better process for users to challenge bad patents. **True advancements will be rewarded, secured, and protected, leading to a new boom in technological change, economic growth, and job development.**

The America Invents Act will protect American jobs without adding to the deficit.

Americans are looking to Congress to put aside partisan differences and pass legislation to bolster the economy and protect jobs without relying on taxpayer dollars. The bipartisan America Invents Act is the answer to that challenge.

*A 2010 report by the Commerce Department concluded that patent reform is a deficit-neutral innovation boost: "Over the past several decades, the empirical evidence showing technological innovation as the leading driver of economic growth has become irrefutable. Congress has been presented with many policy proposals for promoting such innovation. Given the current economic and employment situation, all reasonable proposals should be considered. We believe the patent reform agenda deserves special attention because it has a unique trait. It is likely to expand the Nation's innovative output while adding \$0 to the Federal deficit. **This deficit-neutral form of stimulus presents an economic opportunity that should be seized.**" – [White Paper](#) from the U.S. Department of Commerce, April 2010*