



THE
AMERICAN
CONSERVATIVE
UNION



Am
AMERICAN MAJORITY



Richard Viguerie's
CONSERVATIVE HQ

**THE CLUB FOR
GROWTH**



U.S. Business and Industry Council

Fighting for American companies
Fighting for American jobs



June 3, 2015

The Honorable Mitch McConnell
The Honorable Harry Reid
The Honorable John Boehner
The Honorable Nancy Pelosi

Dear Senators McConnell and Reid, Speaker Boehner, and Rep. Pelosi:

As advocates for a strong, innovative America, we write to express our opposition to the patent revision legislation proposed by Senate Judiciary Committee Chairman Charles Grassley along with the ranking Democratic member, Sen. Pat Leahy. S. 1137, the "PATENT Act," would weaken American patents and the ability of innovators - particularly independent inventors - to secure their constitutionally guaranteed right to their inventions and discoveries.

While sponsors and proponents of this legislation claim it is designed to curb abusive tactics in patent litigation, the bill would in fact increase litigation at the expense of innocent inventors. The bill's overly broad provisions apply to all litigants seeking to assert patents, not just "patent trolls," and as a result will severely undercut the ability of inventors to enforce their intellectual property rights, ultimately devaluing patents, stifling American innovation, and diminishing our global competitiveness.

Of further concern is the *reason* this bill is being catapulted forward. Some companies need to *use* others' patents in their products, and they want to pay as little as possible for the right to these patented inventions. While that may make good business sense for them, it makes no sense for America, if lowering the licensing costs of a patent come by way of patent infringement, piracy, unfair competitive practices, artificially devaluing a patent, or reducing the ability to defend one's patent through our legal system. China is already stealing our patented inventions and harassing American companies with Chinese facilities. Why would we want to willingly give up the competitive edge we enjoy in incentivizing innovation through the strongest IP regime in the world? Surrendering our innovation advantage to China makes absolutely no sense.

In short, S. 1137, if enacted, will erode private property protections grounded in Article I, Section 8 of the Constitution: "The Congress shall have Power . . . [t]o promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the *exclusive* Right to their respective Writings and Discoveries." The Founders rightly recognized the importance of intellectual property and its protection as vital to innovation. We must preserve a strong patent system that promotes the right of innovators and inventors to protect their ideas, not diminishes their value and disincentivizes investment.

We urge a scalpel, not a cleaver, in addressing patent revision legislation. We have all seen the impact of Washington approaching every problem with another sweeping overhaul that "fixes" everything instead of addressing specific problems. We ask that you support innovation and a strong patent system by opposing the "PATENT Act" and stopping any such bill from reaching the floor.

Sincerely,

Phyllis Schlafly
Founder and Chairman
Eagle Forum

Dan Schneider
Executive Director
American Conservative Union

Hon. J. Kenneth Blackwell
Visiting Professor
Liberty University School of Law

Charles Sauer
President
Entrepreneurs for Growth

David McIntosh
President
Club for Growth

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

Susan A. Carleson
Chairman/CEO
American Civil Rights Union

James Edwards
Co-Director
The Inventor's Project

Seton Motley
President
Less Government

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

Paul Caprio
Director
Family PAC Federal

Sandy Rios
Director of Governmental Affairs
American Family Association

Robert W. Patterson
Opinion Contributor
Philadelphia Inquirer

Ambassador Henry F. Cooper
Former Director
Strategic Defense Initiative

Peter J. Thomas
Chairman
Americans for Constitutional Liberty

Morton Blackwell
Chairman
The Weyrich Lunch

Cherilyn Eager
President
American Leadership Fund

Ron Pearson
President
Council for America

Richard A. Viguerie
Chairman
ConservativeHQ.com

Ned Ryun
Founder and CEO
American Majority

Richard and Susan Falknor
Publishers
Blue Ridge Forum

Nadine Maenza
Executive Director
Patriot Voices