



## R Street to Chairman Leahy: Don't Kill Prospects for Real Patent Reform

May 22, 2014

The Hon. Patrick Leahy  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Chairman Leahy:

On behalf of the R Street Institute, we urge you to reconsider your recent decision to table the committee's current patent reform legislation. The committee's efforts to curb frivolous litigation have offered an important step toward providing security to American innovation. The panel should continue to work toward compromise on provisions requiring fee shifting to losers of spurious lawsuits, increased transparency in demand letters, heightened pleading standards requiring the identification of alleged infringements and protections for end users.

In your statement explaining the decision to shelve the bill, you claim that "competing companies" couldn't come to agreement on the best way to achieve the goal of patent reform. But no particular company or industry should be guaranteed favorable treatment for their particular business model. The job of the committee is to bolster our patent system in a way that encourages innovation and protects against egregious abuses, not to satisfy the competing interests of prominent businesses.

It's disheartening that important bipartisan reform efforts have stalled since, in our view, they represent the beginning of fundamental reform of the patent system, not the end. Beyond litigation reform, the system still needs significant overhaul to ensure more consistent patent quality.

America's inventors deserve better and this current Congress owes them more. Patent reform has passed the House by a wide margin and enjoys the support of the president, as well. The last piece of the puzzle is for the Senate to act upon broad bipartisan support for patent reform and produce a consensus bill that advances this important cause. We look forward to working with you to make that a reality.

Sincerely,

Zach Graves & Lori Sanders  
R Street Institute