



**The Honorable Charles Grassley**  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

**The Honorable Richard Durbin**  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

**October 14, 2025**

**RE: Patients, Researchers, and the American Public Support Patent Eligibility Limits**

Dear Chairman Grassley and Ranking Member Durbin:

We, the undersigned organizations representing patients, scientists, researchers, and consumer advocates, write to express our profound opposition to the Patent Eligibility Restoration Act (PERA). The recent hearing on this legislation presented a dangerously one-sided picture, overlooking the devastating consequences PERA would have for American patients, medical progress, and healthcare affordability. Given the impact PERA would have on Americans, their voices do not merely deserve attention: they should be decisive.

**I. The Flawed Premise: Innovation Thrives on Open Science, Not Patent Thickets**

The hearing largely ignored a fundamental truth: breakthrough innovation is cumulative. It builds upon a shared foundation of basic scientific knowledge—the “scientific commons.” Current patent eligibility law (35 U.S.C. § 101) wisely protects this commons, ensuring that no one can monopolize the fundamental building blocks of science, such as natural laws, biological correlations, and abstract ideas.

PERA would overturn this law, whose roots predate our nation's founding. The result would be monopolies on the foundations of innovation, thinly disguised by patent claims which merely tack the nuts and bolts of modern science—computers, test tubes, DNA sequencers—onto human bodies, minds, and nature itself. Monopolizing the building blocks of science will not promote innovation; it will turn America's incubator of ingenuity into a wasteland of patent thickets.

## **II. The Unheard Voices: How PERA Harms the Americans You Represent**

### **1. For Patients and Families:**

PERA would grant monopolies over basic medical discoveries, such as the correlation between a biomarker and a disease. This would stifle the development of multiple, competitive diagnostic tests, leaving patients with fewer choices and higher costs for critical health information.

### **2. For Scientists and Researchers:**

Our nation's research ecosystem relies on the freedom to investigate nature without fear of infringement. By patenting the fundamental “what” of nature, PERA would create a legal minefield blocking basic research that we need for tomorrow's cures.

### **3. For Generic and Biosimilar Manufacturers:**

PERA is a recipe for “evergreening”—the practice of obtaining new patents on old drugs to unjustly extend monopolies. This would delay access to affordable generic and biosimilar medicines, keeping drug prices artificially high for years.

### **4. For Healthcare Payers and Employers:**

More patents on fundamental concepts mean less competition and higher prices for drugs, tests, and treatments. PERA would place an unsustainable burden on American businesses, families, and public health programs like Medicare and Medicaid.

### **5. For All Americans Who Value Affordable Healthcare:**

PERA prioritizes narrow private profit over the public's health and the common good. It would allow private entities to monopolize the language of nature itself at the expense of patient access.

## **III. Urgent Request: Protect Patients by Opposing PERA**

The current patent eligibility standards under Section 101 are not an obstacle to innovation; they are its guardians. They ensure that patents reward specific, human-made inventions, not the discovery of pre-existing natural phenomena.

We urge you to listen to the majority who were not heard in the recent hearing. Reject the Patent Eligibility Restoration Act. Protect the scientific commons, promote genuine innovation, and safeguard the health and financial well-being of the American people.

Respectfully,

**Charles Duan**

**Generation Patient**

**Initiative for Medicines, Access & Knowledge (I-MAK)**

**P4ADNow**

**Public Interest Patent Law Institute**

**R Street Institute**

**T1 International**

**U.S. PIRG**

**Universities Allied for Essential Medicines**