

September __, 2015

The Honorable John Boehner
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, DC 20515

Dear Speaker Boehner and Minority Leader Pelosi:

The undersigned are a broad group whose members represent the majority of the nation's patent holders and inventors ranging from non-profit foundations, to start-ups and small businesses, to manufacturing, technology, and life sciences companies. We all believe that the future of the U.S. economy, including domestic job growth and our competitive advantage in the global economy, depends on a strong patent system that incentivizes innovators to invent and protects their inventions from unfair copying by others. In that vein, **we write to urge you not to bring up H.R. 9 in its current form for consideration on the House floor.**

While we appreciate the efforts of the Judiciary Committee and others in Congress to craft legislation to target abusive practices in patent litigation, we believe that H.R. 9 fails to accomplish that goal in a manner fair to legitimate patent owners. As we have repeatedly made clear to Members, H.R. 9 would weaken patent rights for all stakeholders, while failing to address other major abuses in our patent system including bad faith demand letters and profiteering from the *inter partes* review (IPR) process created just four years ago by the Leahy-Smith America Invents Act (AIA).

H.R. 9 also fails to account for a series of major judicial and administrative developments in patent law over the past year and a half. Since Congress considered similar legislation in late 2013, the Supreme Court has decided six patent cases which make it easier to defeat weak patents and discourage frivolous claims; the new IPR and post-grant review procedures created by the AIA just four years ago have only recently been fully implemented and also make it easier to invalidate patents; the Federal Trade Commission and state attorneys general have been taking steps to combat abusive demand letters; and the Supreme Court has adopted changes to the Federal Rules of Civil Procedure that will impose heightened pleading standards on patent cases by the end of the year.

We agree that there are abuses in the patent system, but we believe that Congress can work with us and other stakeholders to ensure that we do not curb abuse at the expense of our most innovative individuals, universities, and businesses. We support narrow, targeted reforms to prevent abuse that maintain the United States' leadership in the global innovation economy.

We look forward to working with you to strike the appropriate balance, and we urge you to withdraw H.R. 9 from consideration until a narrower consensus-based bill can be achieved.

Sincerely,