

New Ideas: Intellectual Property Protection and Patent Law Reform

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U.S. Representative Howard Coble Protecting American Innovation

While serving as Chairman of the Judiciary Subcommittee on the Courts, the Internet, and Intellectual Property, I had the opportunity to oversee the most recent overhaul of our copyright and patent laws when the Digital Millennium Copyright Act (DMCA) and the American Inventors Protection Act (AIPA) were enacted. Since endorsing those reforms, the Subcommittee has moved to promote a new round of laws that would update the U.S. copyright and patent system and ensure its maximum effectiveness in the Information Age.

DCMA protects the intellectual property of copyright holders in new media by preventing the circumvention of anti-piracy coding in commercial software, while AIPA improves on existing patent regulations by requiring invention promotion firms to disclose more information to potential investors and providing means to prevent interruption of patent terms of validity. AIPA also helps further one of the Subcommittee's ultimate goals: that of resolving conflicts and disputes over patents before they are issued. Both Acts have added stipulations to our copyright and patent laws that make them better able to protect the intellectual property rights of American innovators in a variety of new media.

Although DCMA and AIPA have provided timely updates to our intellectual property protection system, today's laws must be ready to adapt to a dynamic technological environment; the issue of copyright and patent reform is therefore an ongoing one for the Subcommittee. Additionally, counterfeiting and Internet piracy have become new and significant threats to the intellectual property rights of American innovators. The use of advanced technology to counterfeit a variety of products and the illegal acquisition of music, movies, and other copyrighted media online constitute weighty dangers to the income and infrastructure of almost all American industries, from the entertainment sphere to manufacturers of clothing, cosmetics, medicines, and other goods. Efforts to limit these illicit activities have provided difficult to resolve.

Since stepping down as Chairman, I now serve as the ranking member of the Subcommittee. Although its jurisdiction has changed over the years to include oversight of the federal court system, as well as issues of intellectual property, the new Chairman, Rep. Howard Berman (D-CA), has intimated that he intends to make patent reform, copyright modernization, judicial salaries, counterfeiting, and piracy of intellectual property rights the Subcommittee's top priorities in the 110th Congress.

Rep. Lamar Smith (R-TX), the current Ranking Member on the full committee, served as the Subcommittee Chairman during the 109th Congress. During recent Congresses, the Subcommittee

considered legislation to create a 12th Circuit for the federal courts and to determine copyright royalty rates and the distribution of related royalties under various compulsory licenses. The new legislation would permit increased oversight and regulation of royalty distributions within our copyright system, a task which has grown in complexity because advanced technologies have provided a diversity of new venues for the distribution of copyrighted material.

The Subcommittee also considered legislation to require the Federal Bureau of Investigation to create a deterrence program that prevents online piracy and facilitates the sharing of information concerning piracy among law enforcement agencies, Internet service providers, and copyright owners. Combining the forces of federal agencies and private entities in this way would provide a strong, unified defense against online piracy and counterfeiting—a critical step in the effort to curtail these illicit activities. Additionally, the Subcommittee considered legislation to create a new patent and trademark fee schedule to generate greater revenue for the U.S. Patent and Trademark Office, which would aid the implementation of these reforms.

The new Chairman of the Subcommittee is Rep. Howard Berman (D-CA), who served as the Ranking Member while I served as the Chairman. We have both expressed great optimism about the future of the Subcommittee and its ability to legislate key reforms that will foster American innovation.

— U.S. Representative Howard Coble is in his 12th term representing the 6th district of North Carolina. He is a member of the House Judiciary Committee and serves on the Courts and Intellectual Property Subcommittee.



The Verdict Is In On Patent Reform

High Tech Executives Discuss the Need to Modernize Our Patent System

Robert Holleyman

“Invention,” says Symantec’s Mark Bregman, “is the root of innovation.” And at the heart of America’s penchant for invention, of course, is the U.S. patent system.

Bregman — the chief technology officer for Symantec, a leading developer of information security and availability tools — is one of those inventors who relies on patents. He joined five Business Software Alliance (BSA) member company colleagues — a mix of top scientists and legal experts from across the country — for a lively discussion of the role of patents in today’s information economy.

It is a subject close to the heart of BSA members, who are some of the leading patent holders in the United States today. In fact, BSA members hold over 89,000 U.S. patents, and several were among the top 15 recipients of U.S. patents in 2006.

Despite the differing sizes of their companies and the varied sectors in which they operate, all six executives were of one mind on three critical issues: Patents are fundamental to American innovation; the U.S. patent system must be modernized to meet the needs of our technology-based economy; and the bipartisan Patent Reform Act of 2007 is a balanced, fair-minded way to do it.

Patents Are Fundamental To Innovation

“Patents are absolutely critical for a company like ours,” says Tim Crean, chief intellectual property officer for SAP, one of the world’s top developers of business software. “Copyright protection is important, of course, but it isn’t robust enough to protect the innovations of a company as highly innovative as ours. Others could appropriate our innovations if we only relied on copyright.”

This means that if a company is serious about competing in today’s marketplace, says Crean, it needs to be serious about patents. “All of us rely on the additional protection that sound patents provide.”

That’s certainly the case for IBM, whose diverse businesses — in computer systems, software, storage systems, and microelectronics — make it one of the largest patent holders in the world.

“The way IBM views the patent system is motivated by the fact that we’re a very large company — like a mutual fund of technology,” says Dave Kappos, IBM’s assistant general counsel and the company’s chief intellectual property strategist. “We innovate across a wide range of platforms and technologies, and we license the patents behind

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those innovations across the marketplace.”

And that, says Kappos, is an economic formula that's fundamental to the high tech economy.

“Patents provide economic motivation for companies like ours to constantly innovate. And these same incentives fuel innovators across the economy. The sum total is our national competitiveness,” says Dave Kappos of IBM.

BSA member companies spend more than \$32 billion on research and development, a key driver of economic growth. In fact, BSA software companies spend more than 12 percent of their revenues on R&D, among the highest rates of R&D spending of any economic sector. And patents fuel those investments.

But just because the patent system is indispensable doesn't mean it is perfect, say these executives. Like any complex legal framework, the patent system is a mechanism that benefits from periodic measurement and review. Congress has instituted changes to the patent system on a number of occasions, but the last major update took place more than five decades ago. It's not surprising, then, says Symantec's Bregman, that the system needs modernizing.

“Patents were originally conceived with physical goods in mind, products whose inventiveness could be described — and therefore protected — by a series of visual descriptions or mechanical steps.” But the same doesn't hold true in the highly intangible world of computers and software, he says. “With software patents, you're essentially describing extremely complex systems that probably have no visual or mechanical component to them. And thousands of your colleagues are describing similar, and yet potentially different things.” As a result, says Bregman, it's often quite difficult to judge in the software world what truly deserves a patent and what doesn't.

That, says Keith Bentley, poses significant challenges in practice. Bentley is co-founder and chief technology officer of Bentley Systems, a Pennsylvania-based firm that creates advanced software used in the design and management of the world's infra-structure. He's one of many industry executives who says that the quality of software patents in existence varies widely.

“We were once involved in a case in which the plaintiff had managed to patent a process that was not only incredibly obvious, but it was also the only known way to carry out a particular function. So, of course, the process was already in use by everybody in our sector, and yet the guy managed to convince the Patent Office that it was



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novel.” Bentley adds, “All of a sudden, we found ourselves defendants in a major patent suit.”

The problem, say these BSA executives, isn't with patent examiners, who are stretched to the limit by a record and growing number of increasingly complex software applications. In fact, the Patent and Trademark Office expects to receive more than 444,000 patent applications in 2007, an increase of almost 30,000 applications over the previous year. Instead, the problem lies with a system that makes it too easy to litigate patents, even questionable ones.

“It's become a business,” adds Mona Sabet, “and a very profitable one at that.” Sabet serves as vice president for intellectual property and associate general counsel at Cadence Design Systems, a leading developer of electronic design automation tools for the semiconductor and electronics industries. “Many of the people patenting software these days aren't in the technology business and have no interest in doing the hard work of producing technological solutions. They're speculators, to put it kindly, hoping the Patent Office will issue them that one over-broad patent that will let them put a real technology company over the barrel.”

Frivolous Patent Suits Abound

Indeed, the temptation to use patents as little more than a tool for litigation is too tempting for some to resist, say these executives. “If you're a speculator with any kind of patent in your hands, there's a huge upside to bringing an infringement suit against a legitimate technology company and almost no downside,” says Sabet. “Lawyers happily take these cases on contingency, so there are no upfront costs for the plaintiff. So from their point of view, why not do it?” Add in the fact that courts can award huge damages based on patents that cover only a minor part of a much bigger invention, and you've got the makings for a major marketplace imbalance.

“Because of the way the current law works,” says IBM’s Kappos, “it’s quite common for damages to be awarded on the basis of the earnings of a very large product, like an automobile, even when the invention that contributed to those earnings, like the intermittent windshield wiper, is very modest.”

The result, says SAP’s Crean, is something akin to playing the lottery. “From the patent holder’s perspective, you’ve got the potential for a real windfall,” he says. “Take the RIM Blackberry case, for example. Despite the fact that many observers believe the patents to be invalid, RIM felt compelled to settle for over \$600 million. That’s the kind of high-stakes poker,” he continues, “that the current patent system forces technology companies to play. And obviously, that creates enormous uncertainty and risk in the marketplace.”

A risk that is heightened, according to IBM’s Kappos, by rules that allow plaintiffs to file suit in essentially any jurisdiction they wish, regardless of whether they have any connection to that venue. “The venue statute is so friendly to the filing of patent lawsuits anywhere that it really incents — almost mandates — ‘forum shopping.’ Plaintiffs get to pick their court, even pick their judge, which strikes us as really inappropriate,” says Kappos.

It’s no accident, then, that the vast majority of patent infringement suits are filed in one or two plaintiff-friendly federal jurisdictions.

“The system is heavily stacked against legitimate tech companies,” says Symantec’s Bregman. Particularly, he indicates, in light of “courts awarding totally disproportionate damages, and litigants who can game the system by filing wherever they like.” As a result, he says, there’s a tremendous incentive for technology companies to settle with patent litigants rather than risk a potentially bankrupting judgment.

“If you’re a large company like ours,” notes Bregman, “you can decide to dedicate major resources to fighting these guys in court. But if you’re a small company, you can’t risk it. You’ve got to settle.” That is precisely the strategy of these so-called “patent trolls.”

“If you’re a patent troll, you carefully pick your victims and the order in which you go after them,” says Bregman. “Usually small companies first, who can’t risk a big judgment — and then another and another — until you get to the big guys. By the time you’ve reached the big guys, you can show a judge that sixteen little companies have paid you, so why shouldn’t the big guys pay, too?”

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The profile of most of those plaintiffs, says Microsoft’s Chief Patent Counsel, Bart Eppenauer, is something he could have predicted without even looking at the suits.

“Ninety percent of our litigation docket has been brought by what I’d generously call speculator plaintiffs,” he says. “They’re not companies that make products — they’re plaintiff’s law firms, holding companies set up essentially to litigate — the usual suspects.”

In fact, adds Eppenauer, the notion that patent litigation generally involves competing technology interests battling over a legitimate set of claims is overstated.

“Technology companies — whether big or small — do not often bring patent suits against one another,” he says. “In most cases, they either cross-license, or if they don’t have something to cross-license, they just pay royalties. Patent speculators don’t need patent license coverage because they’re not in the technology business — they’re in the ‘patent lottery ticket lawsuit’ business.” That reality, says Cadence’s Sabet, has spawned a shadow industry all its own. “You’ve got every conceivable type of business cropping up to take advantage of the rash of patent suits,” she says. “For example, there are companies out there now whose sole purpose is to scour the patent landscape looking for patents to buy,

and then ‘partner’ with plaintiff’s law firms so they’ll have something to litigate.”

And since the incentives in the marketplace essentially steer tech companies toward settling, the incentive for patent trolls to keep filing suits only increases, says Sabet. “It’s essentially a tax. As a tech company, you either mitigate your risk by rolling over and settling or you try to discourage future shoddy suits by fighting them in court. Either way,” she adds, “you’re paying a whole lot of money into this litigation fiefdom, instead of investing it in innovation.”

Innovation Takes a Backseat

All the time and resources spent on patent litigation, says SAP’s Tim Crean, represent a major opportunity cost for the economy.

Mona Sabet of Cadence Design Systems explains further, “a typical patent suit can easily cost you 5, 10, 15 million dollars. On its own, that’s a lot of money — but multiply that by the number of lawsuits you’ve got at any one time and then by the number of companies in our industry, and we’re talking about a massive diversion of resources. That’s easily hundreds of millions that our industry could instead be spending on R&D, or on hiring more workers, or on returning value to shareholders.”

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And that drain on resources, say technologists like Bentley, has a major impact on the pace of American innovation. “My job is to create new technologies. But instead, I’m forced to spend a huge amount of my time dodging patent suits, or arming myself to fight them.”

That means, says Bentley, companies work overtime to patent any invention — even those outside their immediate scope of interest — that a speculator could potentially use against them. It’s called “defensive patenting,” and responsible tech companies have little choice but to engage in it, says Cadence’s Sabet. “Our primary purpose is not to build these large patent portfolios. But given the current state of the law, we have to consider whether not doing so would be breaching our fiduciary duty.”

The result, say these executives, is even further strain on a Patent Office already struggling to cope with a huge volume of applications and very limited resources.

“It is a vicious cycle,” concludes Sabet. It creates a market imbalance that only Congress can address.

Patent Reform Act Would Restore System Balance

That’s where the Patent Reform Act of 2007 comes in. HR-1908 and S-1145 are identical bills introduced simultaneously by Senate Judiciary Committee Chairman Patrick Leahy (D-VT) and Senator Orrin Hatch (R-UT); and by House Judiciary Committee Subcommittee on Courts, the Internet, and Intellectual Property Chairman Howard Berman (D-CA), Committee Chairman John Conyers (D-MI), and Ranking Member Lamar Smith (R-TX).

Sponsored by leaders of the Judiciary Committees in both the U.S. House of Representatives and the Senate, the legislation (HR-1908/S-1145) seeks to restore balance to the existing system of patent enforcement, as well as strengthen the quality of patents issued. Its enactment would go a long way toward curbing the patent litigation excesses that abound, say BSA member company executives.

Apportioning Damages

Central to any reform of the current patent system, say these experts, is the need to address existing, perverse incentives to litigate.

All the time and resources spent on patent litigation, says SAP’s Tim Crean, represent a major opportunity cost for the economy.

“You’ve got to eliminate the incentive that patent trolls have to keep suing until they land that one lucky punch,” says Bentley. “And the best way of doing that is by apportioning damages.”

That means that if a company does infringe upon a patent, it would be liable for an amount proportionate to the contribution made by the patent, not for the value of the entire product. The company that patents the windshield wiper, in other words, wouldn’t be entitled to all the earnings of the car.

“Remember,” says Bentley, “technology applications have hundreds, or even thousands, of functions and components. From a patent litigation perspective, that sets you up for enormous liability. In fact, we have an active suit right now on a very minor, non-technical part of our application. But under the current legal system, I have no idea what kind of damages could result from just that minor part.” He continues, “I really fear that some jury or judge will say, ‘We think it’s valued at some massive amount X.’ How could they know that the component has nothing to do with our product?”

The Patent Reform Act would eliminate that uncertainty by clarifying that a patentee is entitled to receive damages only on the proportion of the allegedly infringing product attributable to the patent. Additionally, damage claims would not include non-related features and elements that may be also included within a multi-faceted product or system. For small or medium-sized companies like Bentley Systems, that reform is critical.

“We’re a privately-held company with 2,400 employees,” says Bentley. “We can’t afford some windfall judgment against us based on a dubious patent. With apportioned damages, I wouldn’t have to fear that some patent troll could land that one lucky punch that could put our company out of business.”

Recalibrating Willful Infringement

Closely related to the issue of apportionment is that of “willfulness,” the standard used by courts to award punitive damages for patent infringement. It’s an instrument, according to Cadence’s Mona Sabet, that has a chilling effect on technological innovation.

“The whole purpose of the patent system is to spur inventiveness by creating incentives for — and then making available — new knowledge,” she says. “But any software company whose developers even look at that body of knowledge can be found liable for willful infringement.”

Indeed, courts have considered a company’s prior examination of the patent database as an indicator of willful intent to infringe — a trigger of liability that can result in massive, triple damages. “It doesn’t make sense for a company like Cadence,” says Sabet, “to take that risk, and so, like a lot of others, we simply don’t look at the existing patent database. And from the perspective of innovation, that’s a wasted opportunity for all of us.”

The Patent Reform Act would alter the willfulness standard to reduce the disincentive to learn from existing patents. The bill would recalibrate an award of punitive damages for willful infringement to address only truly reprehensible conduct — such as when a company

purposefully sets out to copy another's invention or disregards a judicial order. This reform, says Sabet, is long overdue.

Precluding "Forum Shopping"

Reforming plaintiffs' ability to sue in whichever jurisdiction they wish, says Microsoft's Bart Eppenauer, is also critical to putting the litigation genie back in the bottle.

"It's improper to have a system where plaintiffs can pick and choose the friendliest forums for their suits," he says. "That's why we're seeing so many suits in one jurisdiction: the Eastern District of Texas."

Under the Patent Reform Act, venue standards would be tightened so that cases would need to be litigated in jurisdictions that have some reasonable connection to the matter at hand. "It's just common sense," adds Eppenauer, who acknowledges that not everyone would welcome the change.

"Would enactment of the Patent Reform Act limit speculators' ability to manipulate the system? Of course it would. But ultimately, that's a good thing — not just for the inventors of technology, but for our patent system itself."

Enhanced Post-Issuance Processes

Likewise the key to strengthening the patent system, says IBM's Dave Kappos, is improving the quality of patents issued. The Patent Reform Act, he says, "would result in better patents by permitting serious challenges to bad patents right from the get-go."

Specifically, the legislation would update the process of 'post-grant review,' which currently permits opponents of a patent to raise objections only under very limited conditions.

"Today, the process is entirely stacked in favor of the patentee," he adds. "To challenge a third party's patent, just about all you can do is go into the Patent Office and tell them they should take a second look at it. The patentee then gets to go in there and essentially whitewash the poor job that was done in the first place."

Patent opponents who want to make counter-arguments in opposition to the patentee, says Kappos, must engage in a now-flawed legal process known as "inter-partes re-examination," in which they are compelled to raise every potential issue associated with the patent, or be barred from ever again challenging its validity (a limitation known as "estoppel").

The Patent Reform Act seeks to provide more effective ways to challenge the validity of a patent through administrative processes that are cheaper and faster than going to court. It would also limit estoppel rules to only those issues actually raised in



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an opposition proceeding — as opposed to barring any potential issue that may be raised in the future.

"Once the Patent Office issues a bad patent, there are many costs that innovative companies like ours have to pay," says SAP's Crean. "Being able to request that they reconsider the work done on a patent could potentially save millions of dollars that would otherwise be spent on litigation."

"The bill would help patent examiners get the information they need to make an informed patent decision, and ensure that they actually examine what they need to examine before that decision gets made," says Crean.

Improved Access to Prior Art

Another key factor in improving the quality of patents, say the BSA executives, is increasing patent examiners' ability to consider "prior art," the repository of existing knowledge that pertains to and can inform the granting of a particular patent.

Under the current system, patent examiners have limited access to prior art, making it difficult for them to judge the validity of an application. "In the technology industry," says SAP's Crean, "prior art often consists of old source code or operating manuals dating back to the '70s or '80s. Examiners don't generally have access to many of these resources, and third parties aren't allowed to give it to them, believe it or not. So of course, examiners

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erroneously conclude that something is novel, and they grant it a patent.”

As a result, the Patent Reform Act would create a process whereby members of the public with relevant prior art information would be permitted to submit that information for consideration. The bill would also initiate several reforms of the evidentiary process as it relates to prior art.

“It’s fairly technical stuff,” says Crean, “but the bottom line is this: The bill would help patent examiners get the information they need to make an informed patent decision, and ensure that they actually examine what they need to examine before that decision gets made.”

Restoring balance

In their totality, says Microsoft’s Eppenauer, the range of needed

patent system improvements — from reducing incentives to litigate, to strengthening the quality of patents issued — comes down to one fundamental issue: balance. Lawmakers need to restore equilibrium to a system built for innovation, not litigation.

“This is not a radical concept,” he notes. “Sometimes the IT industry is perceived as trying to weaken the patent system, when nothing could be further from the truth. Our industry depends on the patent system, and by restoring balance to the system, we end up strengthening it.”

— Robert Holleyman is the President and CEO of the Business Software Alliance. He was kind enough to provide us with this exchange of ideas among several of his colleagues at a recent CEO Forum.

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Reforms Should Strengthen, Not Weaken, Patents

Philip Johnson

As the 110th Congress of the United States moves toward its summer recess, patent reform has been elevated to be one of the bipartisan and bicameral issues members want to address. Passage of a bill would be the most significant change in the nation's patent system since the 1952 Act.

At the beginning of June, the House bill was pending at the full Judiciary Committee and the Senate was gearing for its first hearing. It remains to be seen, therefore, whether these legislative proposals will foster and reward invention, or discourage it in response to calls to allow freer dissemination of existing technology.

We live in a time when respect for intellectual property ("IP") rights of all kinds appears to be in decline. Lower prices, facilitated by technical advances and free trade initiatives, have conditioned consumers to expect more for less. Large unauthorized markets have sprung up as profiteers take advantage of ineffective enforcement systems and of widespread public acceptance of infringing goods, be they copyrighted movies, software or pharmaceuticals.

In the U.S., adjudged infringers rally political support by villainizing IP owners merely for attempting to enforce their patents, while members of Congress openly wonder whether bounties akin to those offered to patent challengers under Hatch-Waxman should be made available to all who wish to attack patents. Few justifications, other than "enlightened" self-interest, are offered for this open disrespect of IP. A few point to a handful

of bad patents to indict the entire system. Some admit they systematically ignore patent rights, saying it would be difficult for them to do otherwise. Others point to the alleged benefit of rapidly filling open market niches, rather than awaiting more orderly competition. None seriously address the longer-term implications of killing the goose that has been laying our technological golden eggs.

Through it all, the U.S. patent system remains the greatest engine for technological and economic growth in the history of

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mankind. The question now is whether it will become a victim of its own success. As the importance of patented inventions has increased in our society, so too has our awareness of the “costs” of allowing inventors to control their exclusivities during their patents’ terms.

The challenge before Congress is how to restore faith in our IP system, while preserving incentives to innovate that will drive our economy forward for generations to come.

There is, of course, some truth in the criticisms that have been leveled at our patent system. In an ideal patent system, 100% of all patent applications would be promptly, thoroughly and correctly examined, issued with claims of precisely the right scope, and universally respected until expiration. Unfortunately, our real world experience is far from this ideal.

A good starting point for patent reform would be to improve the efficiency of the patent system, and the quality of the patents it issues. As recommended by the National Academies of Sciences in 2004, we need to provide stable and ample funding for the USPTO, so it can do its job right. Subjective intent elements of patent litigation, including unenforceability defenses based on alleged inequitable conduct, treble damages claims based on alleged willful infringement, and invalidity defenses based on alleged “best mode” disclosure deficiencies, should be limited, if not eliminated. These elements are tangential to the central purpose of the patent system, and have become disproportionate drags on it. Elimination of the unenforceability defense would also have a salutary effect upon the openness of the dialogue between patent applicants and the USPTO, thereby improving the quality of patent examination.

As the National Academies have also recommended, adoption of an internationally harmonizing “first-inventor-to-file” system will improve the reliability of patent examination, and facilitate “open review” post-grant revocation procedures.

Such procedures would allow the public to make prompt challenges of issued patents while ultimately promising inventors a “quiet title” to their inventions. Patents surviving open review would also enjoy an enhanced presumption of validity, and a greater likelihood of success in later litigation.

Reforms offered to achieve uniformity, predictability and/or improved fairness should also be considered, but should not be adopted until thoroughly vetted to assess their first and second order ramifications. The grant of broad rulemaking authority to the USPTO on issues of substantive patent law, interlocutory appeals to the Federal Circuit after claims constructions rulings, repeal of 35 U.S.C. §271(f), venue reform and adoption of a “loser pays” system, as recently proposed, are, at best, works in progress.

The challenge facing the 110th Congress will be to accomplish these reforms while maintaining the time-honored balance between innovation and access. Organizations making R&D funding decisions use highly sophisticated models to assess not only the technical risk of product success, but also the market risk of failing to obtain, or of losing, patent exclusivity. Patent reform that is perceived to diminish the effective market exclusivity of resulting inventions, or to diminish their economic value, will immediately reduce U.S. investment in R&D, costing us countless high quality jobs that our nation can ill afford to lose.

Satisfying the needs and wants of America’s 300 million people, much less the world’s 6.5 billion, without maintaining at least the current pace of technological advancement is unthinkable. As tempting as it may be to tip the scale in favor of short term access, America’s future competitiveness, and the economic prosperity we’ve come to enjoy, continues to depend upon our resolve to keep the Constitutional promise made to inventors by our forefathers. ☞

— Philip Johnson is the Chief Patent Council for Johnson & Johnson.

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