

31 July 2018

The Honorable Christopher Coons
United States Senate
127A Russell Senate Office Building
Washington, DC, 20510

The Honorable Tom Cotton
United States Senate
124 Russell Senate Office Building
Washington, DC, 20510

The Honorable Richard Durbin
United States Senate
711 Hart Senate Office
Washington, DC, 20510

The Honorable Mazie Hirono
United States Senate
730 Hart Senate Office Building
Washington, DC, 20510

Dear Senators Coons, Cotton, Durbin, and Hirono,

IEEE-USA is pleased to offer our support for the STRONGER Patents Act – much needed legislation that balances the need to reduce abusive litigation with the need to sustain innovation. IEEE’s members – engineers, technologists, and entrepreneurs in all 50 states – depend on a patent system that encourages investment and enables legitimate actors to assert their patent rights. We believe that the STRONGER Act will correct the alarming decline in the U.S. patent system and U.S. innovation in recent years, and return remedies to legitimate patent holders while focusing on eliminating the truly bad actors from the system. The STRONGER Act includes proposals that IEEE-USA has continuously called for, such as eliminating USPTO fee diversion, and:

- Requiring the Patent Trial & Appeal Board (PTAB) to use the same standards as district court when it rules on the validity of issued patents;
- Restricting the ability to file and maintain *inter partes* review (IPR) proceedings at the PTAB to challengers who have a legitimate reason to do so;
- Re-establishing presumption of injunctive relief upon a finding of infringement in district court;
- Reversing several Supreme Court precedents in order to make it easier to prove infringement in certain circumstances;
- Restoring the foundation of patents as property rights;
- Minimizing abuse of post-grant proceedings by strengthening qualifiers for legal standing;
- Placing priority of patent validity with the courts, if legal proceedings have already begun;
- Providing expedited processes for patent owners seeking amendments to claims; and
- Eliminating repetitive proceedings.

This legislation provides safeguards for U.S. technology entrepreneurs, individuals who are substantially responsible for creating the largest percentage of new high paying jobs, and are key contributors to economic recovery and U.S. competitiveness in the global markets.

Our patent system does have room for improvement, and IEEE-USA, which represents more than 180,000 engineers, scientists and allied professionals across the United States and is the American component of the IEEE (the largest organization of technology professionals in the world), thanks you for proposing thoughtful

legislation which targets the system's real problems.. If we can be of any assistance or if you have any questions, please do not hesitate to contact Erica Wissolik at (202) 530-8347 or e.wissolik@ieee.org.

Sincerely,

A handwritten signature in black ink, appearing to read "S L Robinson". The signature is written in a cursive, flowing style.

Sandra L. Robinson
2018 President, IEEE-USA