

AIPLA

American Intellectual Property Law Association

April 29, 2025

The Honorable Thom Tillis
Chair
U.S. Senate Judiciary Subcommittee
on Intellectual Property
U.S. Senate
113 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Christopher Coons
Member
U.S. Senate Judiciary Subcommittee
on Intellectual Property
U.S. Senate
218 Russell Senate Office Building
Washington, D.C. 20510

RE: Patent Eligibility Restoration Act

Dear Chair Tillis and Member Coons:

The American Intellectual Property Law Association (AIPLA) is pleased to support the reintroduction of the Patent Eligibility Restoration Act (PERA), in the 119th Congress. This critical legislation addresses longstanding uncertainty in U.S. patent eligibility jurisprudence and provides necessary clarity to ensure our patent system continues to promote innovation and investment across all technological sectors.

AIPLA is a national bar association of approximately 7,000 members including professionals engaged in private or corporate practice, in government service, and in the academic community. AIPLA members represent a wide and diverse spectrum of individuals, companies, and institutions involved directly or indirectly in the practice of patent, trademark, copyright, trade secret, and unfair competition law, as well as other fields of law affecting intellectual property. Our members represent both owners and users of intellectual property. Our mission includes helping establish and maintain fair and effective laws and policies that stimulate and reward invention while balancing the public's interest in healthy competition, reasonable costs, and basic fairness.

PERA is crucial for restoring predictability to patent subject matter eligibility under 35 U.S.C. § 101. The bill eliminates vague judicial exceptions and reaffirms that any useful process, machine, manufacture, or composition of matter—or any improvement thereof—should be eligible for patent protection, subject only to clearly defined exclusions. By clarifying the statutory scope of eligibility, PERA strengthens incentives for R&D, particularly in emerging industries such as artificial intelligence, biotechnology, and medical diagnostics.

We commend the sponsors of this bill for their leadership in addressing the effects of recent jurisprudence that has led to inconsistent and often differing outcomes in the lower courts and before the U.S. Patent and Trademark Office. We believe this legislation will significantly enhance legal certainty for inventors, businesses, and investors, and help maintain the United States' leadership in global innovation.

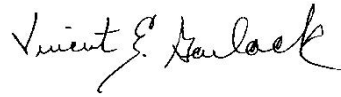
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AIPLA urges the Senate Judiciary Committee to quickly advance PERA. We appreciate your consideration of our views and look forward to supporting the Committee's work in modernizing and strengthening the U.S. patent system.

Sincerely,

A handwritten signature in black ink that reads "Vincent E. Garlock". The signature is written in a cursive style with a large, stylized initial "V".

Vincent E. Garlock
Executive Director
American Intellectual Property Law Association

CC: Members of the Senate Judiciary Committee