

AIPLA

American Intellectual Property Law Association

March 2, 2021

The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
U.S. Senate
Room 224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
U.S. Senate
Room 152 Dirksen Senate Office Building
Washington, D.C. 20510

Re: Support for the Inventor Diversity for Economic Advancement Act (“IDEA”) Act of 2021

Dear Chairman Durbin and Ranking Member Grassley:

The American Intellectual Property Law Association (“AIPLA”) is pleased to support the Inventor Diversity for Economic Advancement Act (“IDEA”) Act of 2021. We appreciate the Committee’s continued interest in improving inventor diversity and urge you to move forward with the legislation.

AIPLA is a national bar association of approximately 8,500 members engaged in private or corporate practice, government service, and 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, as well as other fields of law affecting intellectual property. Our members represent both owners and users of intellectual property. Our mission includes helping to establish and maintain fair and effective laws and policies that stimulate and reward invention and authorship while balancing the public’s interest in healthy competition, reasonable costs, and basic fairness.

The IDEA Act would enable the USPTO to collect certain demographic data from patent applicants on a voluntary basis, including gender, race, and military or veteran status. AIPLA agrees with the proponents of the legislation that the collection of this data is important in light of studies that indicate women, racial minorities, and other groups are significantly underrepresented in the patent system. The information collected may be evaluated and studied and could be useful in developing various ways to address where the system may not be sufficiently serving inventors in these communities.

Recently, the National Council for Expanding American Innovation (“NCEAI”) was launched to help guide the USPTO in developing a comprehensive national strategy to build a more diverse and inclusive innovation ecosystem by encouraging wider participation demographically, geographically, and economically.¹ AIPLA is actively engaged in the work of the National Council, both as a member of the Board and participant in its Working Group. AIPLA believes that IDEA Act will make a valuable contribution to help advance the work of the Council to bring the U.S. intellectual property system to a more diverse population of inventors and creators.

¹ See USPTO Webpage at <https://www.uspto.gov/initiatives/expanding-innovation/national-council-expanding-american-innovation>

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The importance of intellectual property to the U.S. economy requires appropriate incentives to create and innovate within an ecosystem that promotes, encourages and nurtures the development of *everyone's* creative and innovative works.

Thank you in advance for considering our views. AIPLA urges the Members of the Committee on the Judiciary to support this legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph R. Re".

Joseph R. Re

President

American Intellectual Property Law Association

Cc: The Honorable Mazie K. Hirono

The Honorable Patrick J. Leahy

The Honorable Thom R. Tillis