

February 24, 2011

The Honorable Harry Reid  
Majority Leader  
United States Senate  
The Capitol, Room S-221  
Washington, DC 20510-7010

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
The Capitol, Room S-230  
Washington, DC 20510-7020

**RE: SUPPORT FOR S. 23, THE PATENT REFORM ACT OF 2011**

Dear Majority Leader Reid and Minority Leader McConnell:

On behalf of the American Intellectual Property Law Association (AIPLA), I am writing to express our **strong support for S. 23, the Patent Reform Act of 2011**, as it was recently Reported by the Committee on the Judiciary. We believe that, on balance, the current text achieves a reasonable compromise that has been carefully crafted to recognize the divergent interests of the U.S. patent community and that will benefit the system as a whole by significantly promoting American innovation.

AIPLA is a national bar association of approximately 16,000 members engaged in private and corporate practice, government service, and academia. AIPLA represents a wide and diverse spectrum of individuals, companies, and institutions involved directly or indirectly in the practice of patent and trademark law, as well as other fields of law affecting intellectual property. Our members represent both owners and users of intellectual property, and they have a keen interest in a strong and efficient patent system. We have been involved in the patent system since our founding in 1897, and we appreciate the opportunity for our voice to be heard in the current debate.

At its core, S. 23 as Reported will reduce the negative effects of patent litigation by reducing the subjective elements in patent law; it will address the harmful impact on the system caused by questionable patents; and it will protect the basic interests of patent owners with respect to damages, venue, and the best mode requirement. The legislation will also allow the USPTO to make necessary operational improvements and, by moving the U.S. to a first-inventor-to-file system, give small inventors greater opportunities to compete in a global environment, while reducing workload at the USPTO.

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While it will begin to provide the USPTO with resources that it needs to realize urgently looked-for improvements, further efforts are imperative to ensure that the necessary funds reach the Office, and that matter must be addressed during Floor consideration of the bill. While we do not support every provision of the legislation, we again want to commend the Committee on the Judiciary and, in particular, Chairman Leahy and Ranking Member Grassley and their staffs for making such significant progress toward a long overdue but critical reform of our patent system.

AIPLA is committed to a strong, efficient, and predictable patent system and is eager to work with you to achieve that goal. We thank you for considering our views and urge you to support S. 23.

Sincerely,

A handwritten signature in cursive script that reads "David W. Hill". The signature is written in black ink and is positioned above the printed name and title.

David W. Hill  
AIPLA President