

Leahy: Judiciary Committee Will Consider Patent Reform Feb. 3

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WASHINGTON (Thursday, Jan. 27, 2011) – The Senate Judiciary Committee will consider long-pending legislation to update the nation’s patent system at a business meeting next Thursday, Feb. 3.

Committee Chairman Patrick Leahy (D-Vt.) had scheduled the legislation for consideration today, but accommodated a request to hold the legislation over for one week, which is permitted under the Committee’s existing rules. The bipartisan Patent Reform Act was introduced by Leahy, Senator Orrin Hatch (R-Utah), and incoming Judiciary Committee Ranking Member Chuck Grassley (R-Iowa) earlier this week. The bill is cosponsored by Senators Amy Klobuchar (D-Minn.), Jeff Sessions (R-Ala.), Christopher Coons (D-Del.), Jon Kyl (R-Ariz.), Al Franken (D-Minn.), and Joe Lieberman (ID-Conn.).

“A strong patent system will encourage innovation and protect inventors,” said Leahy. “This will result in new businesses and more jobs. Comprehensive patent reform has the support of the administration and many business organizations. We can help support innovators and help companies create jobs. Importantly, the Patent Reform Act does so without adding a penny to the deficit.”

The Patent Reform Act makes changes to first-window post-grant review, inter partes review, willfulness, Patent and Trademark Office funding, and supplemental examinations. The legislation will also transition the nation’s patent system to a first-inventor-to-file system and will provide certainty in damages calculations. The legislation will also include important provisions to improve patent quality.

“Today is the anniversary of the day Thomas Edison received the historic patent for the principles of his incandescent lamp that paved the way for the bulb that has illuminated homes, offices and venues throughout the country and around the world,” Leahy continued. “I hope that,

when the Committee meets next week, we will join together to light a better path for American innovation by approving the bipartisan, comprehensive patent reform bill.”

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**Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
On Patent Reform
Executive Business Meeting
January 27, 2011**

Today is the anniversary of the day Thomas Edison received the historic patent for the principles of his incandescent lamp that paved the way for the bulb that has illuminated homes, offices and venues throughout the country and around the world. I hope that, when the Committee meets next week, we will join together to light a better path for American innovation by approving the bipartisan, comprehensive patent reform bill.

At the State of the Union address to Congress and the American people this week, which is provided for in the Constitution, the President noted that the first step to “winning the future” is encouraging American innovation. He noted that we grant more patents than any other country. Our patent system derives from the Constitution, expressly authorizing Congress to promote the progress of science and useful arts by securing to inventors certain rights to their discoveries. The patent system plays a key role in encouraging innovation and bringing new products to market.

I want to recognize in particular Senator Hatch, who has been a longtime partner of mine on intellectual property issues. We started this patent reform process several Congresses ago, along with Mr. Smith, Mr. Berman, Mr. Conyers and others in the House, with the goal of improving patent quality and the operations at the PTO, and to address the related unpredictability of litigation that was harming innovation.

I also thank Senator Grassley for working with me at the start of this Congress on what has been a top priority of mine, and this Committee’s, for several years. Our comprehensive patent reform legislation is the product of deliberation and discussions over the past four Congresses that have included nearly every member of this Committee. All have made contributions.

Patent reform is something that the Judiciary Committee can contribute to the Nation's efforts to stimulate our economy. A strong patent system will encourage innovation and protect inventors. This will result in new businesses and more jobs. Comprehensive patent reform has the support of the administration and many business organizations. We can help support innovators and help companies create jobs. Importantly, the Leahy-Hatch-Grassley patent reform bill does so without adding a penny to the deficit.

No one claims that ours is a perfect bill, but it is a compromise that would key improvements in the patent system. I hope the Committee will proceed expeditiously with this legislation next week, and that the Senate will consider and pass it without delay.