

# Senator Coons applauds final passage of the America Invents Act

*Bill passes Senate Tuesday evening with wide bipartisan support*

(Source: <http://coons.senate.gov/press/release/?id=8a6be6b8-6557-4c92-a773-7dafdaf666ed>)

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WASHINGTON – U.S. Senator Chris Coons (D-Del.) released the following statement after the Senate voted 95-5 this evening to pass the America Invents Act, an essential set of reforms to modernize the nation’s patent system co-sponsored by Senator Coons.

“The America Invents Act will create jobs in Delaware and throughout the United States by removing some of the administrative roadblocks that currently prevent inventors from becoming successful entrepreneurs,” Senator Coons said. “This bill will improve the speed, quality and reliability of the Patent and Trademark Office and it will ensure that America retains its place in the world as the leader of invention and innovative thinking.”

“I am proud to have been a cosponsor of this bill and applaud Chairman Leahy’s leadership on patent reform as he has worked for its passage these last six years,” Senator Coons continued. “The wide bipartisan support shown in today’s vote shows what we can accomplish when we work together on pragmatic solutions to the real challenges affecting our nation.”

As many as 1.2 million patent applications await disposition by the U.S. Patent and Trademark Office, with the average application taking almost three years and many applications taking much longer.

The America Invents Act includes a suite of reforms that will make the patent system more efficient and successful in promoting American innovation.

- The Act transitions the U.S. to a first-inventor-to-file system to simplify the application system and bring it into better alignment with our international trading partners.
- The Act will strengthen patent quality by allowing third parties to submit prior art with explanations as to its relevance, adding unprecedented depth to the application review process.

- The Act will also strengthen patent quality by introducing a “first window” post-grant opposition proceeding for challengers, helping weed-out patents that should not have been issued.
- The Act will improve the process for challenging a patent before a panel of administrative patent judges while at the same time including procedural protections so that these challenges are not used for purposes of harassment.
- The Act prevents patents from being issued on claims for tax strategies.
- The Act provides more certainty in the calculation of damages for patent infringement.
- The Act will allow the Patent and Trademark Office to set its own fees and will end the practice of fee-diversion, thereby ensuring that PTO has the resources need to produce high-quality patents in an expeditious manner.

The legislation now awaits consideration by the House of Representatives.

Last Tuesday, Senator Coons spoke on the floor to underscore his support for the bill. The full text of Senator Coons’ floor speech, as prepared, is available here:

<http://coons.senate.gov/press/release/?id=f8795d8b-5899-4d5c-84bd-6639b6323d75>

Video of that speech can be found here: <http://www.youtube.com/watch?v=5rF0A1lafdg>