



Conservatives
for
Property Rights

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Statement on the “Restoring the America Invents Act”

This statement on legislation Sen. Patrick Leahy is sponsoring, the “Restoring the America Invents Act,” may be attributed to James Edwards, Executive Director, Conservatives for Property Rights:

“Sen. Leahy’s legislation is the exact opposite of what needs to be done in patent policy. The Patent Trial and Appeal Board (PTAB) became known as the ‘patent death squad’ where large companies, led by Big Tech giants, can squash the property rights of legitimate patent owners.*

“This legislation rolls back critical reforms that former PTO Director Andrei Iancu put in place. Mr. Iancu’s changes started to mitigate PTAB’s biases somewhat for patent owners. They ensure that those defending their issued patents don’t face one legal standard in court and a different one at PTAB. His reforms began the process of bringing more certainty and stability to patent validity challenges.

“Sen. Leahy’s bill would return uncertainty, unreliability, unfairness and undermining of the property rights of countless inventors in order to benefit Big Tech companies that want to use others’ patented technologies, while paying as little as possible.

“Patent policy should focus on protecting property rights and fueling innovation. At minimum, what’s needed is to codify Mr. Iancu’s beneficial PTAB reforms and strengthen patent rights across the board. Bipartisan legislation like the STRONGER Patents Act would move in the right direction.”

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*PTAB’s biases have invalidated patents far more than federal courts. See [here](#), [here](#) and [here](#).