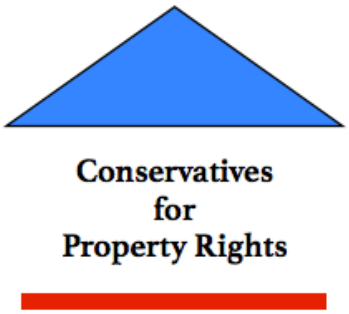

June 26, 2025

The Honorable Coke Morgan Stewart
Acting Director
U.S. Patent and Trademark Office
600 Dulany Street
Alexandria, VA 22314

Dear Acting Director Stewart:

Thank you for your leadership to ensure fair treatment of inventors and patent owners at the U.S. Patent and Trademark Office (USPTO). Your withdrawal of the prior administration's guidance and issuance of new guidance on discretionary denial, as well as your efforts to give weight to the "settled expectations" of inventors and patent owners in these decisions, demonstrate your commitment to strong intellectual property (IP) rights.

Conservatives for Property Rights (CPR) is a coalition of public policy organizations concerned with preserving and protecting private property rights. We have long advocated for policies that bolster U.S. industrial competitiveness and technological innovation.[1] We believe U.S. public policy must provide for clear, secure, reliable, and enforceable property rights—including IP rights. We also believe that the concept of "quiet title" is core to reliable and secure IP rights.

We deeply thank you for your recent actions to ensure early and final disposition of patent validity questions so that inventors and patent owners can have quiet title to their IP. As you explained at the recent IPBC Global 2025 meeting in Boston, "Access, fairness, and finality are all important components of our legal system, and they are important components of our patent system."[2] We could not agree more!

Congress was clear during the enactment of the 2011 America Invents Act (AIA) that it intended the Patent Trial and Appeal Board (PTAB) to be a cost-effective alternative to

[1] https://www.property-rts.org/competitiveness-and-property

[2] https://www.iam-media.com/article/ipbc-global-2025-acting-uspto-director-says-ipr-use-needs-change

federal district court, not a tool for litigation harassment.[3] However, over the last decade, this administrative body has morphed into a weapon used by predatory infringers—often Big Tech corporations and foreign companies—to repeatedly challenge patents owned by American inventors, oftentimes as "on-demand extension of purely private disputes."[4] As you rightly stated, "[t]his is not good for the system," and "[i]t is not what the AIA intended."

By incentivizing early and final disposition of patent validity questions, you will not only bring postgrant review in line with congressional intent, but also make the patent system healthier and better able to fulfill its central purpose of "securing for limited times to . . . inventors the exclusive right to their respective . . . discoveries." By your laudable actions, these improvements in PTO policy and practice will foster job growth and investment in the United States.

Thank you for your much-needed efforts to help inventors and patent owners achieve quiet title. These actions will safeguard the rights our Founders recognized to be crucial to our nation's progress.[5]

Sincerely,

James Edwards, Ph.D.
Founder and Executive Director
Conservatives for Property Rights

Kevin L. Kearns
President
U.S. Business and Industry Council

Dan Perrin
President
HSA Coalition

C. Preston Noell III
President
Tradition, Family, Property, Inc.

Dick Patten
President
American Business Defense Council

Jeffrey Mazzella
President
Center for Individual Freedom

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[3] "The intent of the post-grant review process is to enable early challenges to patents, while still protecting the rights of inventors and patent owners against new patent challenges unbounded in time and scope. . . . **The Committee recognizes the importance of quiet title to patent owners to ensure continued investment resources**. While this amendment is intended to remove current disincentives to current administration processes, the changes made by it are not to be used as tools for harassment or a means to prevent market entry through repeated litigation and administration attacks on the validity of a patent. Doing so would frustrate the purposes of the section as providing quick and cost effective alternatives to litigation. Further, such activity would divert resources from the research and development of inventions." H.R. Rept. 112-98 (June 1, 2011), at 47–48 (emphasis added).

[4] *See supra* note 2.

[5] U.S. CONST. art I, § 8, cl. 8 ("To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries").

Anthony J. Zagotta
President
Center for American Principles

Jenny Beth Martin
Honorary Chairman
Tea Party Patriots Action

Saulius “Saul” Anuzis
President
American Association of Senior Citizens

James L. Martin
Founder/Chairman
60 Plus Association

Charles Sauer
President
Market Institute

Bob Carlstrom
Executive Director
Prosperity for US Foundation

John Schlafly
Treasurer
Eagle Forum Education & Legal Defense Fund
Phyllis Schlafly Eagles

George Landrith
President
Frontiers of Freedom

cc: Secretary Howard Lutnick, U.S. Department of Commerce