



**Conservatives
for
Property Rights**

June 15, 2020

The Honorable Thomas Massie
2453 Rayburn House Office Building
United States Congress
Washington, DC 20515

Dear Representative Massie:

Conservatives for Property Rights strongly supports the Restoring America's Leadership in Innovation Act. Thank you for your leadership on this important property rights matter.

CPR emphasizes the central importance of private property in all its forms — physical, personal, and intellectual. The right to private property ranks among the unalienable rights the Founders referenced in the Declaration of Independence. Moreover, they placed patents securing the private property rights of inventors in Article I, Section 8 of the Constitution itself. Thus, property rights should not be considered a conservative or liberal issue, although this coalition approaches property rights from a conservative philosophical perspective.

The Restoring America's Leadership in Innovation Act would strengthen private property rights in one's inventions and discoveries. The bill would go a long way toward reversing the antipatent trend of recent years, countering the sustained assault by courts, Congress, and patent-infringer special interests. The harm it has done to our patent system is reflected in the fact that the share of global venture capital invested in the United States has fallen since the AIA's enactment from about 75% to near 40%. Further, patent licensing royalty rates dropped over the same period nearly 40%.

The Restoring America's Leadership in Innovation Act affirms the fact that a patent secures private property rights — *not* the government awarding a "public franchise." The bill undoes some of the worst excesses of the America Invents Act, including repeal of administrative postgrant reviews and restoration of first-to-invent. It corrects several major Supreme Court errors, including addressing patentable subject matter regarding software and biotechnology, restoring injunctive remedies, and bolstering patent rights in licensing and transfer of patents. Further, CPR commends your ensuring right to judicial review, restoring the one-year grace period, ending automatic publication of patent applications prior to patent issuance, restoring best mode, and eliminating patent fee diversion.

"protecting the exertions of talents and industry . . . securing to them their justly acquired fruits"
— Alexander Hamilton

Conservatives for Property Rights applauds the Restoring America's Leadership in Innovation Act and looks forward to working with you to strengthen patent property rights.

Sincerely,

James Edwards
Executive Director
Conservatives for Property Rights

Dick Patten
President
American Business Defense Council

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

Kevin L. Kearns
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Let Freedom Ring

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* Organization names appear for identification purposes only.