



CPR Principles: Patent Policy

Patent policy is among a defined set of issue priorities on which the coalition Conservatives for Property Rights (CPR) focuses. A patent is a type of intellectual property, a form of property alongside physical and personal property. The following principles outline the property rights principles CPR applies in assessing the merits of policy matters relating to patents.

- Patent policies should safeguard the private property interests in inventions. Inventive works stem from the labors of a person's mind. Inventions include machines, manufactured articles, processes, material compositions, newly discovered plant varieties, the functionality certain software enables, and designs. Such works constitute a form of private property. As property, inventions inherently carry certain ownership rights.
- Patent policies should protect the private property right in inventions and discoveries so as to incentivize such human endeavor and the benefits inventions afford to society. Securing of the exclusive right of inventors to their inventions for a period of time is provided in the U.S. Constitution itself. These secured private property rights promote progress of the useful arts and sciences. Patents combine private interest with public benefit, as the Founders intended.
- Patent policies should preserve and protect the private property interests of inventors, which allows them to exercise their rights in a manner that facilitates economic activity, such as through licenses, contracts, and other enforceable arrangements. Patents, which secure the exclusive property rights of inventors, promote economic growth and job creation. Patent rights directly contribute to expanding the American economy. These outcomes represent the economic benefits the nation derives from secure property rights in one's inventive work.
- Patent policies must provide sufficient damages recovery to deter IP theft and associated wrongdoing; strong, workable enforcement remedies that effectively stop infringers and importers or distributors of infringing products; and accountability measures that protect inventors and research-and-development-oriented companies from being victimized by illegitimate actors whose conduct destroys American jobs, harms consumers, inventors and investors, and weakens our economy. Patents must be meaningfully enforceable in order to exercise the defense of intellectual property rights in inventive works. Those who steal, infringe, or otherwise deny or reduce due remuneration from one's patent-protected inventions must be held accountable for their actions. This holds for individuals, businesses, criminal enterprises, and foreign governments or their agents.