



The Honorable Chris Coons
218 Russell Senate Office Building
United States Senate
Washington, DC 20510

The Honorable Tom Cotton
326 Russell Senate Office Building
United States Senate
Washington, DC 20510

The Honorable Steve Stivers
2234 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

The Honorable Bill Foster
2366 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

Dear Senators Coons and Cotton and Representatives Stivers and Foster:

On behalf of the National Small Business Association (NSBA), I would like to thank you for introducing the Support Technology & Research for Our Nation's Growth and Economic Resilience (STRONGER) Patents Act, which is intended to make it easier and more affordable for patent holders to enforce their patents.

A 2018 ranking of national patent systems found that the U.S. has slipped to number 12 in the world, after having been ranked number one in prior rankings. This is detrimental not only for innovators but for the U.S. workforce and for key American industries, which depend heavily on strong patent protections. Thus, we appreciate your leadership and work in crafting a bicameral bill to improve America's competitive position in innovation by helping to restore stronger U.S. patent rights.

Patent protections are particularly important for small businesses, which operate on much smaller margins and often rely more heavily on their intellectual property for revenue than large firms. According to the U.S. Small Business Administration, small businesses produce 16 times more patents per employee than large patenting firms, which has a direct correlation with job growth.

The STRONGER Patents Act offers a balanced solution to stop the practice of fraudulent and abusive patent demand letters and various other improvements to the current U.S. patent law, and stops short of weakening existing patents and discouraging innovation in the U.S. for years to come.

The STRONGER Patents Act takes critical steps to improve the patent system. It treats patents like any other property, permitting injunctions to protect patent owners against infringement during and after court cases. It ensures fairness in Patent Office administrative proceedings, limiting repetitive and harassing challenges against inventors and it ends the diversion of patent application fees to other government spending, ensuring the Patent Office has the funding needed to grant high-quality patents without harmful delay.

So-called “patent trolls” unfairly target small businesses and cost American companies tens of billions of dollars every year by threatening litigation. The STRONGER Patents Act takes the steps necessary to prevent this kind of abuse at the hands of patent trolls from happening, by empowering the Federal Trade Commission to protecting small patent owners against abuse, harassing patent-related, demand letters. These reforms will help boost U.S. competitiveness and strengthen property rights protections for inventors, small businesses, and other patent owners.

As the nation’s first small-business advocacy organization with 65,000 members across the country operating on a staunchly nonpartisan basis, I applaud your efforts to include small business in your efforts to improve the U.S. patent system, and look forward to working with you on the passage of the STRONGER Patents Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd McCracken", with a long horizontal line extending to the right.

Todd McCracken
President and CEO