



Senator Richard Durbin
Chairman
Senate Judiciary Committee
711 Hart SOB
Washington, DC 20510

Senator Chuck Grassley
Ranking Member
Senate Judiciary Committee
135 Hart SOB
Washington, DC 20510

October 6, 2021

Dear Chairman Durbin and Ranking Member Grassley:

The American manufacturers and manufacturing trade groups of the [US*MADE](#) coalition, whose member's make products here in America, strongly urge you to co-sponsor S. 2891, **Restoring the America Invents Act**. This bipartisan legislation, recently introduced by Senators Patrick Leahy (D-VT) and John Cornyn (R-TX), is critical to ensuring America's continued economic competitiveness.

America's patent system was designed to promote invention and innovation. Instead our legal system is being gamed by patent trolls using poor-quality patents against U.S. manufacturers to shake them down for outsized and unwarranted payoffs better spent hiring more workers, expanding operations and conducting R&D.

These lawsuits and legal threats - accusing the manufacturer of infringing on a patent owned by the troll - usually have no merit. The patents wielded by these trolls are often the sort that should have never been granted in the first place by the US Patent and Trademark Office (USPTO). But the cost of fighting patent infringement lawsuits can be so high that manufacturers often simply settle, even though they know the lawsuit has no merit.

A decade ago, Congress passed the America Invents Act (AIA) on an overwhelmingly bipartisan basis to improve patent quality and help American employers be better equipped to fight off patent trolls. Congress' solution worked: abusive patent litigation dropped and the USPTO began invalidating patents that should have never been granted.

Unfortunately, over the last few years, USPTO has unilaterally and unlawfully changed the rules by ignoring the Congressional intent of the AIA and making it harder to invalidate bad patents and easier for patent trolls to harass and harm manufacturers. As a result, patent lawsuits against manufacturers have spiked to their highest levels in a decade. This cannot stand.

In restoring balance to the USPTO, Senator Leahy and Cornyn's **Restoring the America Invents Act** will help secure America's place as the world's leading innovator and protect critically important rights of innovators like our members, while also improving patent quality by invalidating those patents that should have never been granted in the first place.

To protect American manufacturers and the millions of jobs we create, US*MADE's members strongly urge you to co-sponsor the **Restoring the America Invents Act**.

Sincerely,

Beau Phillips

Executive Director, US*MADE

Acu-Mold LLC
Acushnet Holdings Corp.
Antennas Direct
Audio Implements
Applied Fabricators Inc.
BLU Products
Cleveland Golf
Crooked Monkey
Daktronics, Inc.
Echostar Corporation
Electronic Specialties Inc.
Ford Motor Company
Fenestration Manufacturers Association
Gross Automation
HNI Corporation
Intel Corporation
Kentucky Association of Manufacturers
Kimes Steel & Rail, Inc.
Manufacturers Association of Florida
Masaba Inc.
Micron Technology, Inc.
Metal Essence
MR Data Corporation
National Marine Manufacturer's Association (NMMA)
Ohio Cast Metals Association
OptiPulse, Inc.
Precision Polymer Manufacturing
Quality Float Works, Inc
Queen Tackle
Samsung Electronics America, Inc.
Savant Manufacturing
Shark Ninja
Systems Engineering & Automation Corp
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Vermeer Corp.