

11 March 2010

The Honorable Mary Landrieu, Chair
Committee on Small Business and Entrepreneurship
U.S. Senate
428A Russell Senate Office Building
Washington, DC 20510

Dear Chairwoman Landrieu,

IEEE-USA would like to thank you for introducing S. 3089, a bill to require the Small Business administration to study the effects of proposed patent law changes that would move the U.S. to a first-inventor-to-file (FTF) system. We have been working with your House and Senate colleagues to ensure that Congress' patent reform efforts repair the problems within the U.S. patent system without harming U.S. small businesses and independent inventors. Enclosed is a copy of a letter we sent this week to House Judiciary Chairman John Conyers and Ranking Member Lamar Smith, asking the House to consider studying the long-term effects of adopting a FTF system before adopting the Senate's most recent patent reform language.

IEEE-USA is concerned that the transition to a FTF system – in combination with an extensive rewrite of section 102 and a significantly restricted one-year grace period – has the potential to significantly harm U.S. innovation. A rewrite of section 102 will cause decades of uncertainty as new case law is developed. American inventors and startup companies, the sources of most new domestic engineering and technology jobs, rely heavily on patent protection, and their needs and concerns should be more carefully considered.

Our 200 year-old patent protection system has proven to nurture an environment where new companies are able to form and create high paying jobs, the key contributors to economic recovery and U.S. competitiveness in the global markets. While not perfect, the U.S. intellectual property system has protected the investments of our innovators and entrepreneurs, and contributed to our leadership among world economies.

Momentous changes to the patent law should not be made until Congress has seen research indicating the long-term effects on American businesses. We believe that those who proposed and supported these changes should be willing to conduct, or at least support, a study of the long-term effects before Congress passes patent reform.

We would be please to meet with you to outline our concerns. If we can be of any assistance, or if you have any questions and would like to meet with us, please do not hesitate to contact Erica Wissolik at (202) 530-8347 or e.wissolik@ieee.org.

Thank you for supporting entrepreneurs and small businesses in the United States.

Sincerely,



Evelyn Hirt
2010 President, IEEE-USA



Keith Grzelak, M.S.E.E., J.D.
2010 Chairman, IEEE-USA Intellectual Property Committee