

Statement of
The Honorable Orrin Hatch

United States Senator
Utah
April 2, 2009

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THE HONORABLE ORRIN G. HATCH
U.S. Senate Judiciary Committee
Full Committee Markup: S. 515, the Patent Reform Act of 2009
April 2, 2009

Mr. Chairman, I want to let you know that I cannot support the proposed managers' amendment.

For years now, I have worked long and hard in pushing patent reform legislation. My primary purpose for doing this bill was to improve patent quality and limit unnecessary and counterproductive litigation costs. I do not believe the bill, in its current form, accomplishes these goals.

Our patent system must reward innovators with high-quality patents and a level of certainty during the patent process. We cannot let non-innovators keep us from creating a strong and vibrant environment for innovation and entrepreneurship that will carry this country long into the 21st Century. We all know the patent system directly impacts our nation's economy, and now more than ever during these tough economic times, our industries need reassurance and predictability in order to move forward.

I am afraid that the bill, as currently written, has the very real potential to undermine the stimulatory affects of not only our patent system but those abroad. As many of you know, I have been the strongest and longest advocate for reforming our patent system. We desperately need to streamline the process to spur growth in American innovation and keep our competitive edge. But, I cannot support a bill that I know does not improve the status quo.

Unfortunately, the tough public policy questions have not been front and center during this process, nor are they reflected in today's managers' package. In fact, in discussions as recently as yesterday, industry leaders tell me that this bill does not accomplish its original policy objectives and might not be good for the country.

I do not make this decision lightly. Given my years of experience with intellectual property legislation, I feel that if I were to support this bill in current form I would regret it in the future.

Thank you.

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