

Statement of
The Honorable Patrick Leahy

United States Senator
Vermont
March 31, 2009

Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
Executive Business Meeting
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Today, we continue our work on a priority legislative matter within this Committee's jurisdiction--patent reform. Patent reform is an important way that this Committee can contribute to restoring our economic engine and supporting economic recovery. Innovation and American inventors have been suffering from an outdated patent system.

When this Committee began meeting last Thursday, the consensus was emerging. Senator Hatch, Senator Feinstein, Senator Specter and Senator Kyl all echoed what I have long believed - there is no question that patent reform is urgently needed.

Over the last several days, we have made more progress on several of the most contentious issues in this debate, including damages, post-grant review, and venue. Today, I am happy to announce that we are closer than ever to a final agreement on these issues.

I want to thank Senator Specter and Senator Feinstein for their courage and leadership in bringing together parties on all sides of this issue. That is no easy task. The voices heard in this debate include inventors and innovators, big and small; bio companies and pharmaceutical companies; high tech interests and the financial services industry. All have a different perspective on the patent system, but all agree that a modern, vibrant patent system is crucial to our economic prosperity in the years to come.

Senators Feinstein, Specter and I have come to an agreement in principle on the key issues that have remained contentious for so long. The principles center on the gatekeeper concept for damages that Senators Feinstein and Specter have developed. As I said when we began consideration of this bill on Thursday, the compromise bill we end up with may not include all the changes that I supported, nor may it include all the changes that others on this Committee would like to see, but it will make important progress in modernizing our patent system.

We will work quickly, but deliberately, to reduce the remaining issues, and will plan to consider a comprehensive amendment on Thursday.

Today, I hope the Committee will adopt another bipartisan amendment. This one addresses issues raised by Senator Grassley and Senator Coburn. They have been important contributors to the Committee's consideration of the Patent Reform Act, and I am pleased to be able to include their

amendments.

I understand that there have been several additional amendments circulated. I hope members will postpone calling up amendments relating to damages, post-grant review and venue until we consider a comprehensive amendment on which we have been hard at work.

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