

March 27, 2009

The Honorable Russ Feingold
506 Hart Senate Office Building
Washington, DC 20510-4904

Dear Senator Feingold:

We were pleased to learn you recently signed a bipartisan letter to Chairman Leahy and Senator Hatch urging caution as the Judiciary Committee considers patent reform legislation this year. As members and representatives of some of Wisconsin's most innovative companies, we appreciate you for continuing to defend a strong U.S. patent system, as you did last year when you opposed S. 1145. With the assistance of the non-profit and non-partisan Wisconsin Technology Council and BioForward, we are writing to express our concerns.

Innovative companies and universities are transforming our state and the nation's economy, particularly in the areas of health care, life sciences and information technology. Through our work, we are building a new climate of innovation in Wisconsin, and creating countless new opportunities for residents of our great state. Our ability to innovate is dependent upon a sound intellectual property system.

We support efforts to reform our patent system but oppose doing so in a manner that picks winners and losers. We need to feel confident about the ownership of what we create and about receiving adequate compensation from those who infringe on our innovative creations. With the economy continuing to slow, now is not the time to consider legislation that would devalue patents and stifle innovation. In particular, we are concerned that the Patent Reform Act of 2009, S.515, will have adverse affects on us, the state and the nation. We ask that you continue to oppose this and any legislation that would give infringers a windfall to the detriment of those who have negotiated for licenses at market rates. Such windfalls would discourage private equity investments in starts-up companies and job creation. A strong economy depends on the continued strength and reliability of the U.S. patent system.

From our perspective, the consequences of S. 515 will be especially harmful to Wisconsin due to the state's concentration of biotechnology, drug development and stem cell companies, as well as companies in others high-tech sectors. During this time of worldwide recession, and with the global financial system in crisis, it is critical to keep in place a strong patent system that provides incentives for innovation and jobs.

We appreciate your support, and the companies and/or institutions listed below look forward to working with you to ensure that patent reform will improve our patent system while maintaining a sense of fairness, objectivity and security.

Supporting companies and institutions:

2Bridge2, Wauwatosa
3-D TV, Ixonia
10H Technology, Madison
Aberdean Consulting LLC, Madison
aOva Technologies Inc., Madison
Bachner Vickroy Group LLC, Madison
BioSentinel, Madison
Bigtime Creative Services LLC, Madison
Bioderm, Inc., Madison
BioForm Medical Inc., Franksville
BioSystem Development LLC, Madison
Bridge Business Partners LLC, Madison
The Blood Center of Wisconsin, Milwaukee
Cambridge Major Laboratories Inc., Germantown
Cardiopoietis LLC, Milwaukee
Cell Line Genetics LLC, Madison
Cellulose Sciences International, Madison
Central Wisconsin Business Angels, Wausau
Commercial Tenant Advisors, Madison
Compact Particle Acceleration Corp., Madison
Earth IT, Madison
5Nines Data LLC, Madison
Flanagan Financial, Onalaska
FLEx, Chicago, Ill., and Madison
FluGen Inc., Madison
Functional Biosciences, La Crosse
Gehrke & Associates SC, Wauwatosa
Gentel Biosciences, Madison
Innovative Sports Strategies, Milwaukee
Integrated Genomics Inc.
Invivosciences LLC, McFarland-Milwaukee
ISORel, Inc., Fitchburg
Jendusa Engineering, Hartland
Kashmerick Engine Systems LLC, Brookfield
Lansare, Milwaukee
Lathrop & Clark LLP, Madison
Life Technologies, Madison
Marquette Golden Angels
Marvel Medtech LLC, Cross Plains
Matador Consulting LLC, Madison
MedImmune
Mithridion, Madison
Molecular Specialties, Milwaukee
Monolith Engines Inc., Waukesha

Musicnotes Inc., Madison
NeoClone, Madison
Next Generation Clinical Research, Oregon
NorthStar Economics, Madison
Perceptral LLC, Racine
Phillips Plastics, Phillips
PhysioGenix Inc., Milwaukee
Plas-Tech Engineering, Inc., Lake Geneva
Prism Clinical Imaging, Milwaukee
ProSentinel, Madison
Quincy Bioscience, Madison
Quintessence, Madison
ReaLens LLC, Oshkosh
Riemer Solutions LLC, Whitewater
Roxx Consulting Service, Inc., New Berlin
Rusk Prairie Consulting Group, Menomonie
SciLog, Inc., Middleton
Shallbetter, Oshkosh
Solar Carport Canopy LLC, Verona
Spaulding Clinical, West Bend
Stemina Biomarker Discovery, Madison
Strang Inc., Madison
SuperGroup Outdoor Corp., Antigo
Soil & Topography Information LLC, Madison
TomoTherapy Inc., Madison
TrackCost Corp., Milwaukee
University of Wisconsin-Milwaukee
Vantus Technology Corporation, Waukesha,
Venture Investors LLC, Madison
Vector Surgical, Oconomowoc
Wisconsin Alumni Research Foundation, Madison
Wisconsin Investment Partners, Madison
WiSys Technology Foundation (representing UW System campuses outside Madison and Milwaukee)
Zystor Therapeutics Inc., Milwaukee