

March 12, 2008

The Honorable Carl Levin
United States Senate
269 Russell Senate Office Building
Washington, DC 20510

Dear Senator Levin,

As Michigan employers, including manufacturers, who invest heavily in research & development in the state, we are writing to express our concerns about S.1145, The Patent Reform Act, that is expected to be taken up by the Senate in the coming weeks. We are strong supporters of any legislation that will improve America's patent system to keep the United States at the forefront of innovation – key to a vibrant economy. However, we believe that certain provisions in S.1145 would, instead, diminish patent quality, make infringement of patents easier, and chill innovation overall, resulting in negative consequences for our companies, our employees and those we serve.

Our companies support thousands of high-wage, high-skill jobs in Michigan. We are committed to contributing to transforming the Michigan economy, and to investing in the latest technologies to bring to the marketplace the most advanced products. However, to do this, we need to be able to rely on strong patent protections that will provide certainty and reliability, and enforceability of our rights if our patents are infringed.

We are especially concerned about the proposed changes to the well-established principles used to calculate damages awards whenever a patent is infringed, and the addition of a costly new post-grant opposition system that would undermine a patent's enforceability throughout its life. We fear these changes would have unintended consequences, and weaken a patent system that has allowed U.S. entrepreneurship to flourish, fostering more start-up businesses than any other country in the world. In addition, we also support stronger reforms to the judicially-created doctrine of inequitable conduct that will enhance the overall quality of patents issued by the USPTO and reduce excessive litigation costs.

We are hopeful that adequate changes will be made to the legislation prior to a vote on the Senate Floor, permitting us to support S.1145. We stand ready to work with you to achieve that goal.

Sincerely,

Cummins-Allison
Oak Park, MI
Wyoming, MI

Abbott
Sturgis, MI
Wyandotte, MI

Pfizer
Kalamazoo, MI

Amerikam Inc.
Grand Rapids, MI

MichBio
Ann Arbor, MI

The Dow Chemical Company
Midland, MI

PepsiCo
Allen Park, MI
Detroit, MI
Howell, MI

Corning, Inc.
Troy, MI

Dow Corning
Midland, MI
Hemlock, MI
Auburn, MI

Heritage Woods, Inc.
Alto, MI

Hubers and Associates
Grand Rapids, MI

IA, Inc.
Ann Arbor, MI

NanoBio
Ann Arbor, MI

SignComp
Grand Rapids, MI

Haworth, Inc.
Holland, MI

Battle Creek Unlimited
Battle Creek, MI

BC Ventures
Battle Creek, MI

Ash-Stevens
Detroit, MI

Bank of Ann Arbor
Ann Arbor, MI

Bioflow Technologies
Whitmore Lake, MI

Coy Laboratory Products, Inc.
Grass Lake, MI

DataSpeaks, Inc.
Troy, MI

Detroit Technical Equipment Co.
Troy, MI

Farnell Equipment Co.
Troy, MI

**Gifford, Krass, Sprinkle, Anderson, &
Citkowski**
Troy, MI

Johnson & Johnson
Lansing, MI

Meditrina, Pharmaceuticals
Ann Arbor, MI

Originus, Inc.
Ann Arbor, MI

Phrixus Pharmaceuticals
Ann Arbor, MI

TCH Pharmaceuticals
Ann Arbor, MI

Technology Enterprise Development Co.
Flushing, MI

Arobotech Systems
Madison Heights, MI