

February 4, 2008

Senators Cochran and Wicker  
United States Senate  
Washington, DC 20510

Dear Senators Cochran and Wicker:

As Mississippi employers, we are writing to express our strong concerns with aspects of the Patent Reform Act.

The undersigned companies represent the strength and diversity of the Mississippi economy. Spanning the fields of agriculture, manufacturing, health care, electronics, information technology and life sciences, our success depends on our ability to find new technologies and to develop new products that will meet the needs of our customers.

What unites us is our reliance on a strong U.S. patent system that rewards and protects innovation. While we support efforts to improve America's patent system, we believe the current legislation would instead negatively affect innovative companies like ours, as well as individual inventors and small companies that rely on patent protection to find financial support and develop their businesses.

Specifically, we are concerned about the proposed changes to the well-established principles used to calculate damage awards and the addition of a costly new post-grant opposition system that would permit challenges in the U.S. Patent and Trademark Office (USPTO) for the life of a patent. 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.

The impact of such provisions cannot be understated. We believe passage of such legislation would send a negative signal to foreign governments, at a time when we are pressing them to improve their protection of our intellectual property, and adversely impact the economic and employment climate in the state of Mississippi.

For these reasons, we must oppose the legislation as drafted. However, we support the Congress in its efforts to achieve consensus reforms to improve patent system quality without diminishing patent rights and the strength of the U.S. patent system. We stand ready to work with you to achieve that goal.

Sincerely,

Ace Bolt & Screw Co., Inc. - Jackson  
ATLAS ROOFING CORPORATION - Meridian  
Baxter Healthcare - Cleveland

Caterpillar Inc. - Corinth  
Double G Coatings Company, L.P. - Jackson  
E.I. Dupont de Nemours & Co., Inc. - Delisle  
Glaxo Smith Kline - Jackson  
HMC Technologies - New Albany  
McNeely Plastics - Jackson  
Mississippi Tennessee Transformers - Greenwood  
Monsanto - Scott  
PepsiCo - Jackson  
Southern Motion Inc. - Pontotoc  
Techno-Catch, LLC - Kosciusko  
The Wax Company - Amory  
THERMO-KOOL/Mid-South Industries, Inc.- Laurel  
ThermoProbe Inc. - Jackson