
February 29, 2008

The Honorable Sherrod Brown
United States Senate
463 Senate Russell Office Bldg.
Washington, DC 20510

Dear Senator Brown:

As Ohio employers, manufacturers and innovators, we are writing to express our concerns about patent legislation moving through the Senate. While we support efforts to update and improve our patent system, we are concerned that this well-intentioned legislation in its current form will diminish patents, undermine innovation, increase litigation, and threaten jobs and manufacturing in Ohio.

Economic growth depends upon the continued strength and reliability of the U.S. patent system, which has recognized and protected the rights of inventors for more than two centuries. We are especially 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 undermine a patent's enforceability potentially throughout its life. These changes would combine to destabilize America's incentive-based system of innovation, and encourage a weakening of patent rights worldwide. In addition, we 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.

As Ohio employers and innovators, we are hopeful that this legislation will be amended to address our concerns prior to Floor consideration. We look forward to supporting patent reform legislation that will improve patent 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,

| | |
|------------------------------------------------|-----------------------------|
| Alkermes, Inc. | MemPro Ceramics Corporation |
| Amylin Pharmaceuticals, Inc. | Nanofilm |
| BioOhio | NeuroWave Systems Inc. |
| Bridgestone Firestone North American Tire, LLC | Orbital Research Inc. |
| Cleveland Medical Devices Inc. | Owens Corning |
| Cummins Inc. | PepsiCo |
| Cummins-Allison Corporation | Powdermet, Inc. |
| Ethicon EndoSurgery Inc. | Procter & Gamble |
| Flocel Inc. | reXorce Thermionics, Inc. |
| GlaxoSmithKline | Triathlon Medical Ventures |
| Global Lighting Technologies | |