

January 24, 2008

The Honorable Arlen Specter
United States Senate
711 Senate Hart Office Building
Washington, DC 20510

The Honorable Robert P. Casey, Jr.
United States Senate
383 Senate Russell Office Building
Washington, DC 20510

Dear Senator Specter and Senator Casey,

As Pennsylvania 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 of 2007, that is expected to be taken up by the Senate early this year. 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 Pennsylvania. We are committed to contributing to a robust Pennsylvania economy, and to invest 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,

AstraZeneca Pharmaceuticals LP

Johnson and Johnson
BioAdvance
Johnson Matthey
Caterpillar Inc.
Knopp Neurosciences
Cellumen, Inc.
LaunchCyte
Centocor, Inc.
Life Sciences Greenhouse of Central Pennsylvania
Corning Incorporated
Merck
Cummins-Allison Corp.
Neuronetics, Inc.
Demegen, Inc.
PepsiCo, Inc.
Eastman Chemical Resins, Inc.
Pennsylvania BIO
Gates Corporation
Pittsburgh Life Sciences
Greenhouse
GlaxoSmithKline
Precision Therapeutics, Inc.
GlucoLight Corporation
Procter & Gamble
Integral Molecular Promedior
InterDigital, Inc.
ProteoPure, Inc.
Topaz Pharmaceuticals, Inc.