

February 22, 2008

Senator Mike Enzi
United States Senate
Washington, DC 20510

Dear Senator Enzi:

As Wyoming employers, we are writing to express our concerns about patent legislation moving through the Senate (S.1145). 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 Wyoming.

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, the addition of a costly new post-grant opposition system that would undermine a patent's enforceability potentially throughout its life, the new venue requirements, which create narrow, highly specialized venue rules for patent cases, and the institution of a first-to-file system within the U.S. which disadvantages small businesses and universities to the benefit of large corporations. These unprecedented changes would combine to destabilize America's incentive-based system of innovation and encourage a weakening of patent rights worldwide. 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 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,

Terra Moya Aqua, Inc. (Cheyenne)
PE Fusion, LLC (Gillette)
SoftRay, Inc. (Laramie)
AristaTek Inc (Laramie)
Schlagel Manufacturing, Inc. (Torrington)
Lappintech, LLC (Douglas)
Big Horn Valve, Inc. (Sheridan)
CHA Corporation (Laramie)
Unicover Corporation (Cheyenne)
Cavitation Inc. (Gillette)
Creative Ideas & Concepts, Inc. (Casper)
PepsiCo
Gates Corp.