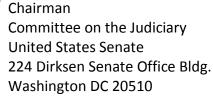
## June 3, 2015

## AMERICAN**COMMITMENT**



The Honorable Chuck Grassley

The Honorable Patrick J. Leahy Ranking Member Committee on the Judiciary United States Senate 224 Dirksen Senate Office Bldg. Washington, DC 20510 The Honorable Bob Goodlatte Chairman Committee on the Judiciary U.S. House of Representatives 2138 Rayburn House Office Bldg. Washington, DC 20515

The Honorable John Conyers, Jr. Ranking Member Committee on the Judiciary U.S. House of Representatives 2138 Rayburn House Office Bldg. Washington, DC 20515



Dear Messrs. Chairmen and Ranking Members:

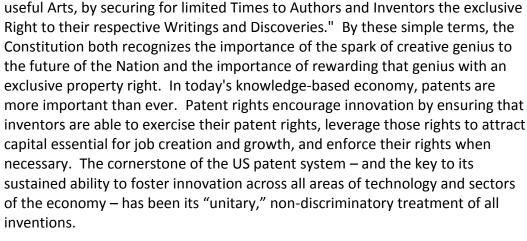
We write to thank you for your leadership in advancing the health of our nation's patent system and to share our perspectives regarding proposals to reform the system to deter litigation abuses while maintaining incentives to innovate.

Our Constitution empowers Congress "to promote the Progress of Science and











With this foundational goal in mind, we urge you to reject calls to prolong the Transitional Covered Business Method (CBM) Review Program established by sec. 18 of the America Invents Act. The CBM program was intended as a *temporary* program to address a category of weak business method patents. In the three years since the program was first implemented, the Supreme Court's *Alice* decision has provided clearer rules for assessing sec. 101 challenges to business method patents in district court and other administrative review mechanisms at the USPTO are providing effective tools to challenge weak

patents under programs and rules that do not discriminate against software innovation.

In our view, there is no justification for extending a discriminatory review procedure that prejudices software innovators at home and stands as a tempting and harmful precedent to be followed by other governments eager to erode protection for US innovators. We believe the transitional CBM review program should be allowed to expire in 2020, as rightly intended by the AIA.

We appreciate the opportunity to share our views and look forward to working with you as balanced, litigation-focused patent reform moves forward.

Sincerely,

Phil Kerpen President American Commitment

Steve Pociask President American Consumer Institute Center for Citizen Research

Jeffrey Mazzella President Center for Individual Freedom

Thomas A. Schatz President Citizens Against Government Waste

Charles Sauer President Entrepreneurs for Growth

Karen Kerrigan President Small Business & Entrepreneurship Council

David Williams President Taxpayers Protection Alliance