



The Coalition for 21st Century Patent Reform

21C Welcomes the House Introduction of the Patent Eligibility Restoration Act

Washington, D.C. – 21C welcomes the bipartisan introduction of the Patent Eligibility Restoration Act (“PERA”) in the U.S. House of Representatives and would like to thank Representatives Kevin Kiley (R-CA) and Scott Peters (D-CA) for their leadership. With PERA, patentable subject matter would be defined in a clear and predictable manner in the U.S., which stands to strengthen our innovation ecosystem to the benefit of our economy, global competitiveness, and national security.

PERA would resolve the confusion caused by more than a decade of Supreme Court decisions that have resulted in the exclusion of many worthy inventions from being patented under Section 101 of the Patent Act. This includes groundbreaking advancements in medical diagnostics and lifesaving treatments, traditional manufacturing, software development, and even the most dynamic technologies considered critical to national security like artificial intelligence, 5G, and quantum computing. PERA will also prevent overreach, safeguard genuine innovation, and promote fair competition by excluding from patenting fundamental concepts that do not result from human ingenuity, including, mathematical formulae, certain economic or social processes, genes as they exist in the human body, and natural materials as they exist in nature, among other abstract ideas.

In 21C’s view, PERA strikes the right balance by replacing an unworkable and unpredictable approach with one that independent inventors, start-ups, universities, and corporations can use and rely on to protect their inventions and drive breakthroughs and societally beneficial inventions, while including important safeguards to ensure that fundamental concepts and natural materials remain freely available for public use.

PERA is a first of several major reforms that are urgently needed to make the patent system more stable, reliable and fair to all stakeholders. These reforms will strengthen the U.S. patent system by eliminating procedural abuses, expediting patent enforcement and ensuring that all stakeholders will be treated fairly. See www.PatentsMatter.com

We would also like to thank Senators Thom Tillis (R-NC) and Chris Coons (D-DE) for their continued leadership on PERA in the Senate. 21C looks forward to working with all stakeholders to pass this important legislation. It is crucial for Congress to restore confidence in this country’s patent regime to encourage U.S. innovation and foster U.S. competitiveness.

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