



Dear Senator,

As the Senate Judiciary Committee prepares for its mark-up session on September 19th, the undersigned associations with a membership consisting of America's leading research universities, medical schools, and technology transfer offices, write to express our strong and unified support for three critical pieces of legislation: the PREVAIL Act, the Patent Eligibility Restoration Act, and the IDEA Act. We urge you to advance these bills during the upcoming session.

Combined, our membership is made up of hundreds of research universities, medical schools, and technology transfer offices that are at the forefront of American innovation. The upcoming mark-up session presents a crucial opportunity to strengthen the U.S. patent system and support the innovation ecosystem that drives our nation's technological leadership.

1. The PREVAIL Act (Promoting and Respecting Economically Vital American Innovation Leadership Act) (S. 2220): As you consider this act in the mark-up session, please note its importance for our member institutions. The PREVAIL Act will help universities to defend their innovations against unwarranted challenges, ensuring that the results of often decades-long research efforts are protected. Such bolstered patent protection will create stronger incentives for academic researchers to pursue a patent and transfer their innovations to the market, strengthening our nation's economy and global technological leadership. We especially urge you to support provisions in the bill that strengthen the integrity of the inter partes review process while maintaining its efficiency.
2. The Patent Eligibility Restoration Act (S. 2140): This act represents a significant opportunity for our member institutions, particularly in innovative fields like biotechnology, artificial intelligence, and medical diagnostics. We encourage the committee to maintain the act's broad approach to patent-eligible subject matter. Creating clear and consistent rules about what inventions are patent eligible will catalyze research and innovation across our campuses and lead to more breakthroughs and increased technology transfer.
3. The IDEA Act (Inventor Diversity for Economic Advancement Act) (S. 4713): As you review this act, we ask you to consider its potential to foster a more inclusive innovation ecosystem. The optional data collection and reporting requirements in this act are crucial for identifying and addressing disparities in patent applications so steps can be taken to broaden participation and maximize our nation's inventive potential. We particularly support provisions in the act that ensure comprehensive data collection while protecting individual privacy.

The upcoming mark-up session is a pivotal moment for these acts and, by extension, for the future of innovation in America. We urge you to:

- Maintain the core provisions of each act that directly benefit the research and innovation capabilities of our institutions.

- Resist any amendments that might weaken the acts' effectiveness or limit their scope.

Given the imminent nature of the September 19th mark-up, we stress the urgency of your support. Your backing of these acts during the session would send a powerful message about the United States' commitment to maintaining its global leadership in research and innovation.

We stand ready to provide any additional information or clarification that might be helpful as you prepare for the mark-up session. If you or your staff have any questions or need further details about the impact on the higher education research community, please contact us.

Thank you for your leadership on these crucial issues. We look forward to a positive outcome from the September 19th mark-up session that will strengthen America's innovation ecosystem.

Respectfully,

Association of American Universities (AAU)
Association of Public and Land-grant Universities (APLU)
American Council on Education (ACE)
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