

UNITED *for* PATENT REFORM

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USPTO Weakens Critical Process for American Businesses to Fight Abusive Patent Litigation

WASHINGTON — *The following statement can be attributed to United for Patent Reform, a coalition made up of hundreds of companies from nearly every sector of the U.S. economy, on the United States Patent and Trademark Office's (USPTO) final rule eliminating the Broadest Reasonable Interpretation (BRI) standard for Patent Trial and Appeal Board (PTAB) reviews:*

“PTAB reviews are critical for American businesses from every sector of our economy to mount a defense against abusive patent litigation practices without having to drain millions in court. But we’re concerned that the USPTO’s recent elimination of the Broadest Reasonable Interpretation (BRI) standard in these reviews reverses the tremendous progress that has been made to rein in the number one tool used by patent trolls: low-quality patents.

“This change in how PTAB interprets claims directly contradicts the hard-won, common sense reforms achieved through bipartisan legislation and unanimous Supreme Court decisions that small- and medium-sized businesses have grown to rely on to ensure their continued growth and success. By allowing trolls to preserve their low-quality patents, USPTO makes it easier for these bad actors to continue to harm the very companies we expect to serve as our economic engines. We are concerned that USPTO’s implementation of this new rule and potential future actions that chip away at the effectiveness of PTAB will have long-term negative effects on innovation, our courts and our economy for years to come.”

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