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Overview

IP Update

IP Update - Patent Law Reform 2011

Patent Law Reform 2011
February 23, 2011

Finnegan attorneys closely track patent law reform efforts, most recently the Patent Reform Act of 2011 currently pending in the U.S. Senate for the 112th Congress. Through *IP Updates*, webinars, conferences, articles, and this resource page, Finnegan provides information on important legislative developments, public statements and testimony, and commentary from Finnegan attorneys on the impact of legislative and regulatory changes on U.S. and international businesses.

The Patent Reform Act of 2011 was introduced on January 25, 2011, by Senator Patrick Leahy. It addresses significant changes to the patent system, including first-to-file; damages; post-grant review proceedings (oppositions); inter partes review; preissuance submission by third parties; USPTO fee setting authority; supplemental examination; micro entity fees; tax strategy patents; and best mode. Notably, the bill does not address USPTO funding, a major issue recognized by many commentators. The Senate Judiciary Committee amended the bill and unanimously approved it on February 3, 2011. The bill awaits action on the floor of the Senate, with initial debate expected no later than mid-March. The House of Representatives, while active in prior sessions, has not yet introduced a bill of its own. However, it has held recent hearings on patent law reform.

If you would like to learn more about patent law reform, please subscribe to Finnegan's patent law reform *IP Updates* by clicking [here](#).

- [Draft Legislation](#)
- [Congressional Testimony on Patent Law Reform](#)
- [Industry Organization Statements](#)
- [Related Prior Bills](#)
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Draft Legislation

Senate

Introduced in Senate by Senator Leahy - January 25, 2011
<http://www.gpo.gov/fdsys/pkg/BILLS-112s23is/pdf/BILLS-112s23is.pdf>

Reported in Senate (amended version as reported and approved by Senate Judiciary Committee) - February 3, 2011
<http://www.gpo.gov/fdsys/pkg/BILLS-112s23rs/pdf/BILLS-112s23rs.pdf>

House

Pending:

Congressional Testimony on Patent Law Reform

House

"How an Improved U.S. Patent and Trademark Office Can Create Jobs" - January 25, 2011
http://judiciary.house.gov/HEARINGS/hear_01252011b.html
<http://judiciary.house.gov/HEARINGS/pdf/Kappos01252011b.pdf>
<http://judiciary.house.gov/HEARINGS/pdf/Norman01252011b.pdf>
<http://judiciary.house.gov/HEARINGS/pdf/Shapiro01252011b.pdf>

"Crossing the Finish Line on Patent Reform: What Can and Should be Done?" - February 11, 2011
http://judiciary.house.gov/hearings/hear_02112011.html
<http://judiciary.house.gov/hearings/pdf/Simon02112011.pdf>
<http://judiciary.house.gov/hearings/pdf/Horton02112011.pdf>
<http://judiciary.house.gov/hearings/pdf/Michel02112011.pdf>

Industry Organization Statements

Intellectual Property Owners Association (IPO)

http://www.ipo.org/AM/Template.cfm?Section=Board_Resolutions_and_Position_Statements&CONTENTID=27636&TEMPLATE=/CM/ContentDisplay.cfm

http://www.ipo.org/AM/Template.cfm?Section=Board_Resolutions_and_Position_Statements&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=27633

http://www.ipo.org/AM/Template.cfm?Section=Legislative_Action_Center&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=27511

Biotech Industry Organization (BIO)

http://bio.org/news/pressreleases/newsitem.asp?id=2011_0203_01

http://bio.org/news/pressreleases/newsitem.asp?id=2011_0128_01

Related Prior Bills

S. 515 Patent Reform Act of 2009

Introduced in the Senate - March 3, 2009 [[PDF](#)]

Reported in the Senate - April 2, 2009 [[PDF](#)]

H.R. 1260: Patent Reform Act of 2009

Introduced in the House - March 3, 2009 [[PDF](#)]

H.R. 1908: Patent Reform Act of 2007

Introduced in the House - April 18, 2007 [[PDF](#)]

Reported in the House - September 4, 2007 [[PDF](#)]

Engrossed in House [Passed House] - September 7, 2007 [[PDF](#)]

Placed on Calendar Senate - September 11, 2007 [[PDF](#)]

H.R. 2795: Patent Reform Act of 2005

Introduced in the House - June 8, 2005 [[PDF](#)]

Finnegan Patent Law Reform Resources

Media Mention - February 4, 2011

[A Familiar Start to the New Year in IP - The Community's Reaction to Patent Reform and Anti-Piracy Attack](#)

BNA Patent Trademark & Copyright Journal

Media Mention - February 2, 2011

[Senate That Cried Wolf Readies Fifth Try at Patent Law Changes](#)

Bloomberg

Article - January 28, 2011

[Special Feature - Patent Legislation - Meeting the Challenges of Reform?](#)

Intellectual Property Today

Newsletter - April 2010

[Full Disclosure Patent Newsletter](#)

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Article - April 30, 2010

[2009 Patent Law Decisions of the Federal Circuit](#)

American University Law Review

Newsletter - February 2010

[Full Disclosure Patent Newsletter](#)

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