



May 26, 2015

The Honorable Chris Coons
United States Senate
127A Russell Senate Office Building
Washington, DC 20510

The Honorable Dick Durbin
United States Senate
711 Hart Senate Office Building
Washington, DC 20510

The Honorable Mazie Hirono
United States Senate
330 Hart Senate Office Building
Washington, DC 20510

The Honorable David Vitter
United States Senate
516 Hart Senate Office Building
Washington, DC 20510

Dear Senators:

On behalf of the National Small Business Association (NSBA), I would like to thank you for introducing the *Support Technology and Research for Our Nation's Growth (STRONG) Patents Act of 2015 (S. 632)* which is a reasonable, small-business friendly alternative to other harmful patent reform initiatives. The *STRONG Act* offers a balanced solution to stop the practice of fraudulent and abusive patent demand letters and various other improvements to the current U.S. patent law, and stops short of weakening existing patents and discouraging innovation in the U.S. for years to come.

Patent protections are particularly important for small businesses, which operate on much smaller margins and often rely more heavily on their intellectual property for revenue than large firms. According to the U.S. Small Business Administration, small businesses produce 16 times more patents per employee than large patenting firms, which has a direct correlation with job growth.

So-called "patent trolls" unfairly target small businesses and cost American companies tens of billions of dollars every year by threatening litigation. The *STRONG Act* takes the steps necessary to prevent this kind of abuse at the hands of patent trolls from happening, but is measured in its response to ensure small patentees aren't prevented from protecting their intellectual property.

The *STRONG Act* not only takes on the need to limit abusive demand letters, it also addresses a number of other problems under the current patenting system, including: providing the Federal Trade Commission greater authority in going after patent trolls; ensuring that pleading standards for patent-infringement cases match the standards used for all other forms of civil actions; creating balance in post-grant reviews to ensure a quick and fair process; and conducting a study on how small businesses are impacted by the U.S. patent system.

Contrary to the NSBA-opposed *Protecting American Talent and Entrepreneurship (PATENT) Act (S. 1137)*, the *STRONG Act* has found a thoughtful way to stem the practice of patent demand letters without creating a patent system that is unworkable for countless small-business inventors.

As the nation's first small-business advocacy organization with 65,000 members across the country operating on a staunchly nonpartisan basis, I applaud your efforts to include small business in your efforts to improve the U.S. patent system, and look forward to working with you on the passage of the *STRONG Act*.

Sincerely,

A handwritten signature in black ink that reads "Todd McCracken". The signature is written in a cursive, somewhat stylized font.

Todd McCracken, President and CEO