



President
Douglas K. Norman
Eli Lilly and Co.

Vice President
Richard F. Phillips
Exxon Mobil Corp.

Treasurer
Carl B. Horton
General Electric Co.

Directors
T.J. Angioletti
Oracle USA, Inc.
Russell W. Binns, Jr.
Avaya, Inc.
William J. Coughlin
Ford Global Technologies LLC
Timothy Crean
SAP AG

Robert DeBerardine
Sanofi-Aventis

Bart Eppenaer
Microsoft Corp.

Mark Farber
Covidien

Scott M. Frank
AT&T

Darryl P. Frickey
Dow Chemical Co.

Bernard J. Graves, Jr.
Eastman Chemical Co.

Krish Gupta
EMC Corporation

Jack E. Haken
Koninklijke Philips Electronics N.V.

Dennis R. Hoerner, Jr.
Monsanto Co.

Soonhee Jang
Danisco U.S., Inc.

Michael Jaro
Medtronic, Inc.

Philip S. Johnson
Johnson & Johnson

George W. Johnston
Roche Inc.

Lisa Jorgenson
STMicroelectronics, Inc.

Dean Kamen
DEKA Research & Development
Corporation

Charles M. Kinzig
GlaxoSmithKline

David J. Koris
Shell International B.V.

Mark Lauroesch
Corning Inc.

Richard J. Lutton, Jr.
Apple Inc.

Scott McDonald
Mars Incorporated

Jonathan P. Meyer
Motorola Solutions, Inc.

Steven W. Miller
Procter & Gamble Co.

Jeffrey L. Myers
Adobe Systems Inc.

Sean O'Brien
United Technologies, Corp.

Kevin H. Rhodes
3M Innovative Properties Co.

Mark L. Rodgers
Air Products & Chemicals, Inc.

Manny Schecter
IBM, Corp.

Steven Shapiro
Pitney Bowes Inc.

David Simon
Intel Corp.

Dennis C. Skarvan
Caterpillar Inc.

Russ Slifer
Micron Technology, Inc.

Daniel J. Staudt
Siemens Corp.

Brian K. Stierwalt
ConocoPhillips

Thierry Suer
Air Liquide

James J. Trussell
BP America, Inc.

Cheryl Tubach
J.M. Huber Corp.

Danise van Vuuren-Nield
Coca-Cola Co.

Roy Waldron
Pfizer, Inc.

Michael Walker
DuPont

BJ Watrous
Hewlett-Packard Co.

Stuart Watt
Amgen, Inc.

Jon D. Wood
Bridgestone Americas Holding, Inc.

Paul D. Yasger
Abbott Laboratories

General Counsel
Michael D. Nolan

Milbank, Tweed, Hadley &
McCloy, LLP

Executive Director
Herbert C. Wamsley

June 8, 2011

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
H-204, The Capitol
Washington, DC 20515

RE: Full Funding for the U.S. Patent and Trademark Office – An Urgent Jobs Issue

Dear Speaker Boehner and Leader Pelosi:

Intellectual Property Owners Association (IPO) strongly supports Section 22 of H.R. 1249, the America Invents Act, which would fully fund the U.S. Patent and Trademark Office (USPTO). This section would create a revolving fund, allowing the USPTO to utilize all of the user fees it collects from our members and other members of the public. The USPTO is 100 percent funded by user fees; therefore **no general taxpayer dollars are at stake**. Funding the USPTO at a level equal to fee collections, as would be required by Section 22 of H.R. 1249, is critically important to innovation, job creation, and the health of the U.S. economy.

The membership of IPO includes more than 200 companies and 10,000 individuals involved in IPO through their companies or law firms or as individual members. Our members constitute approximately one-third of the domestic users of the USPTO. They span the information technology, pharmaceutical, biotech and traditional manufacturing industries. ***IPO members all agree that the United States needs a fully funded USPTO to keep our nation competitive, encourage innovation and create new jobs.***

Over the last 20 years, IPO has carefully documented the amount of user fees that the USPTO has collected but not been able to use. Since 1991, taking into account the latest estimated revenues for FY 2011, the USPTO will have collected but not been able to use nearly \$900 million in user fees. ***IPO members consider this a tax on innovation.*** Given the current economic climate and the need to create U.S. jobs, it is crucial that Congress remedy this situation now.

U.S. intellectual property owners throughout this country need your help in supporting Section 22 of H.R. 1249 allowing the USPTO to utilize all of the user fees paid into the agency. If modifications of the bill relating to agency funding are being considered, we support deletion or amendment of Section 10. Nonetheless, retention of Section 22 is essential. With its retention, we also would support a new amendment to increase user fees by 15 percent. We appreciate your commitment to innovation and job creation, and we stand ready to assist in any way we can.

Sincerely,

Herbert C. Wamsley
Executive Director

cc: House of Representatives