



June 16, 2026

The Honorable Bill Cassidy
Chairman
Committee on Health, Education, Labor, and Pensions
United States Senate
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bernie Sanders
Ranking Member
Committee on Health, Education, Labor, and Pensions
United States Senate
428 Dirksen Senate Office Building
Washington, DC 20510

Re: Opposition to S. 2658, the Medication Affordability and Patent Integrity Act

Dear Chairman Cassidy and Ranking Member Sanders:

I write to express opposition to S. 2658, the Medication Affordability and Patent Integrity Act. IPO is an international trade association representing a "big tent" of diverse companies, law firms, service providers, and individuals in all industries and fields of technology that own, or are interested in, intellectual property rights. IPO membership includes over 135 companies and spans over 40 countries. IPO advocates for effective and affordable IP ownership rights and offers a wide array of services, including supporting member interests relating to legislative and international issues; analyzing current IP issues; providing information and educational services; supporting and advocating for diversity, equity, and inclusion in IP and innovation; and disseminating information to the public on the importance of IP rights. IPO's vision is the global acceleration of innovation, creativity, and investment necessary to improve lives.

IPO opposes S. 2658 for three main reasons. First, there is no evidence that biopharmaceutical innovators routinely make inconsistent statements to the FDA and USPTO on matters material to patentability, and the severe consequences of breaching the existing duty of candor to the USPTO guard against that risk. Second, the bill would give the USPTO access to sensitive regulatory submissions, few of which are relevant to patent examination, and would make them part of the public prosecution file history. That creates a substantial risk that commercially valuable confidential information or trade secrets will be inadvertently disclosed. Finally, by singling out one field of technology for special disclosure burdens, the bill conflicts with the principle of technology neutrality and may implicate the non-discrimination obligation of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

We welcome the opportunity to discuss our concerns in greater detail.

Respectfully submitted,

Handwritten signature of John Cheek

John Cheek
President

cc: Members, Senate HELP Committee

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