



119th Congress — IP Legislation Overview

As of August 12, 2026

Status color key: **Light green** = Enacted | **Light orange** = Passed Chamber | **Light blue** = Reported out of Committee

General Patent Legislation

Bill No.	Bill Name	Lead Sponsor	Cosponsors	Status	Comments
<u>S. 1546 / H.R. 3152</u>	Patent Eligibility Restoration Act of 2025 (PERA)	Sen. Tillis (R-NC) / Rep. Kiley (I-CA)	Sens. Coons (D-DE), Blackburn (R-TN), Hirono (D-HI); Rep. Peters (D-CA)	In Committee (Senate & House Judiciary)	Senate Judiciary Committee hearing July 14, 2026 ("From Genes to Machines: The Patent Eligibility Debate"). Previous IP Subcommittee hearing Oct. 8, 2025. IPO has no board resolution on PERA.
<u>S. 1553 / H.R. 3160</u>	PREVAIL Act	Sen. Coons (D-DE) / Rep. Moran (R-TX)	Sens. Tillis (R-NC), Durbin (D-IL), Hirono (D-HI); Rep. Ross (D-NC)	In Committee (Senate & House Judiciary)	Overhauls PTAB inter partes review.
<u>S. 708 / H.R. 1574</u>	RESTORE Patent Rights Act of 2025	Sen. Coons (D-DE) / Rep. Moran (R-TX)	Sen. Cotton (R-AR); Reps. Dean (D-PA), Roy (R-TX), Johnson (D-GA)	In Committee (Senate & House Judiciary)	Creates rebuttable presumption for permanent injunctions in patent infringement.
<u>H.R. 5811</u>	Restoring America's Leadership in Innovation Act of 2025	Rep. Massie (R-KY)	Reps. Kaptur (D-OH), Roy (R-TX), Davidson (R-OH), Cloud (R-TX), Gosar (R-AZ)	In Committee (House Judiciary)	Would repeal AIA first-to-file system and return to first-to-invent.
<u>S. 1833 / H.R. 3539</u>	Leadership in CET Act (Leadership in Critical and Emerging Technologies Act)	Sen. Blackburn (R-TN) / Rep. Gooden (R-TX)	Sen. Welch (D-VT); Rep. Ross (D-NC)	In Committee (Senate & House Judiciary)	Directs USPTO to establish pilot program to expedite patent examination for patents involving AI, semiconductors, and quantum information science.
<u>H.R. 7140</u>	Customer Legal Ease and Relief Act	Rep. Lee (R-FL)	Rep. Lofgren (D-CA)	In Committee (House Judiciary)	Would require courts to stay patent suits against retailers/end users when the manufacturer is also party to the suit and the retailer/end user did not manufacture, assemble, integrate, or modify the product.
<u>H.R. 9681</u>	Fair Seeds for Farmers Act	Rep. McGovern (D-MA)	Rep. Casar (D-TX)	In Committee (House Judiciary)	Would eliminate utility patent protection for plants, plant varieties, and plant germplasm. Would also void contractual restrictions on seed saving, breeding, research, and propagation.

Pharmaceutical & Life Sciences Patent Legislation

Bill No.	Bill Name	Lead Sponsor	Cosponsors	Status	Next Steps / Insight
<u>S. 2658</u>	Medication Affordability and Patent Integrity Act	Sen. Hassan (D-NH)	Sen. Hawley (R-MO)	Reported out of Senate HELP Committee June 17, 2026, placed on Legislative Calendar No. 528	Would require drug sponsors to submit patent-related information to both FDA and USPTO and certify consistency. IPO sent a letter before the June markup. IPO OPPOSES.
<u>S. 1097 / H.R. 4570</u>	Interagency Patent Coordination and Improvement Act of 2025	Sen. Durbin (D-IL) / Rep. Neguse (D-CO)	Sens. Grassley (R-IA), Tillis (R-NC), Coons (D-DE), Welch (D-VT)	Reported out of Senate Judiciary Committee April 3, 2025; In House Judiciary Committee	Creates USPTO-FDA task force on pharma patent coordination. Awaiting Senate floor vote. IPO OPPOSES.

<u>S. 1041</u>	Affordable Prescriptions for Patients Act (APPA)	Sen. Cornyn (R-TX)	Sens. Blumenthal (D-CT), Grassley (R-IA), Durbin (D-IL)	Passed Senate July 21, 2026	Limits biologic patent assertion to 20 patents filed 4+ yrs post-FDA approval. IPO OPPOSES.
<u>S. 43 / H.R. 6485</u>	Skinny Labels, Big Savings Act	Sen. Hickenlooper (D-CO) / Rep. Cline (R-VA)	Sens. Cotton (R-AR), Welch (D-VT), Collins (R-ME); Rep. Lofgren (D-CA)	In Committee (Senate & House Judiciary)	House IP Subcommittee hearing June 4, 2026. IPO submitted letter to committee Relating SCOTUS decision on June 4, 2026 did what H.R. 6485 set out to do legislatively. IPO OPPOSES.
<u>S. 2276 / H.R. 3269</u>	ETHIC Act (Eliminating Thickets to Increase Competition Act)	Sen. Welch (D-VT) / Rep. Arrington (R-TX)	Sens. Hawley (R-MO), Klobuchar (D-MN); Reps. Doggett (D-TX), Issa (R-CA), Jayapal (D-WA), Pfluger (R-TX)	In Committee (Senate & House Judiciary)	Limits patents per family in Hatch-Waxman small-molecule drug litigation. House IP Subcommittee hearing June 4, 2026. IPO submitted letter to committee. IPO OPPOSES.
<u>S. 1040</u>	Drug Competition Enhancement Act of 2025	Sen. Cornyn (R-TX)	Sens. Blumenthal (D-CT), Grassley (R-IA), Durbin (D-IL)	Reported out of Senate Judiciary Apr. 2025	Authorizes FTC to treat pharmaceutical product hopping as anticompetitive. Reported out of Senate Judiciary Apr. 2025. IPO OPPOSES.
<u>S. 1096</u>	Preserve Access to Affordable Generics and Biosimilars Act	Sen. Klobuchar (D-MN)	Sens. Cruz (R-TX), Booker (D-NJ), Grassley (R-IA), Durbin (D-IL), Blumenthal (D-CT), Welch (D-VT)	Reported out of Senate Judiciary Apr. 2025	Bans “pay-for-delay” settlements.
<u>S. 2620</u>	REMEDY Act (Reforming Evergreening and Manipulation that Extends Drug Years Act)	Sen. Durbin (D-IL)	Sen. Cassidy (R-LA)	In Senate HELP Committee	Would require brand-name drug sponsors to designate a single “covered patent” to trigger 30-month stay against generic drug applications under Hatch-Waxman.

Copyright & Digital Content Legislation

Bill No.	Bill Name	Lead Sponsor	Cosponsors	Status	Next Steps / Insight
<u>P.L. 119-12 (S. 146 / H.R. 633)</u>	TAKE IT DOWN Act	Sen. Cruz (R-TX) / Rep. Salazar (R-FL)	Sen. Klobuchar (D-MN) + 20 Senate cosponsors; Rep. Dean (D-PA)	ENACTED May 19, 2025	Criminalizes non-consensual intimate imagery including AI deepfakes; requires 48-hr platform takedown.
<u>S. 4591 / H.R. 8915</u>	NO FAKES Act of 2026	Sen. Coons (D-DE) / Rep. Salazar (R-FL)	Sen. Blackburn (R-TN) + 14 Senate cosponsors; Rep. Dean (D-PA) + 8 House cosponsors	Reported out of Senate Judiciary June 18, 2026; In Committee (House Judiciary)	Creates federal IP right in voice and likeness; targets AI-generated replicas.
<u>S. 2455 / H.R. 7209</u>	TRAIN Act	Sen. Welch (D-VT) / Rep. Dean (D-PA)	Sens. Blackburn (R-TN), Hawley (R-MO), Schiff (D-CA); Rep. Moran (R-TX)	In Committee (Senate & House Judiciary)	Administrative subpoena process for copyright owners to identify works used in AI training.
<u>S. 326 / H.R. 861</u>	American Music Fairness Act (AMFA)	Sen. Blackburn (R-TN) / Rep. Issa (R-CA)	Sens. Padilla (D-CA), Tillis (R-NC), Booker (D-NJ); Reps. Nadler (D-NY), Green (R-TN), McClintock (R-CA), Lieu (D-CA)	In Committee (Senate & House Judiciary)	Senate Judiciary subcommittee hearing Dec. 9, 2025. Would require terrestrial AM/FM radio stations to pay royalties to recording artists and record labels for the public performance of sound recordings.
<u>H.R. 791</u>	Foreign Anti-Digital Piracy Act (FADPA)	Rep. Lofgren (D-CA)	No cosponsors	In Committee (House Judiciary)	Judicial site-blocking for foreign piracy sites. House IP Subcommittee held multiple roundtables in 2025; oversight hearing June 30, 2026.
<u>S. 1396</u>	COPIED Act (Content Origin Protection and integrity from	Sen. Cantwell (D-WA)	Sens. Blackburn (R-TN), Heinrich (D-NM)	In Committee (Senate Commerce)	Requires AI content creation tools to embed provenance/watermark metadata; prohibits removal.

	Edited and Deepfaked Media Act of 2025)				
<u>H.R. 4017</u>	ART Act (American Royalties Too Act of 2025)	Rep. Nadler (D-NY)	Rep. Judy Chu (D-CA)	In Committee (House Judiciary)	5% resale royalty on secondary market sales of original visual artworks priced \$5k+.
<u>H.R. 4072</u>	Pro Codes Act	Rep. Issa (R-CA)	Rep. Ross (D-NC)	In Committee (House Judiciary)	House IP Subcommittee hearing April 21, 2026. Would preserve copyright protection for standards-development organizations while requiring that privately developed codes and standards incorporated by reference into federal law be made available to the public at no cost
<u>S. 1837</u>	DEFIANCE Act of 2025	Sen. Klobuchar (D-MN)	Bipartisan cosponsors	Passed Senate Jan 13, 2026; Received in House	Civil damages remedy for NCII victims. Companion to TAKE IT DOWN Act's criminal provisions.
<u>S. 3813</u>	CLEAR Act	Sen. Schiff (D-CA)	Sen. Curtis (R-UT)	In Committee (Senate Judiciary)	Would require companies building generative AI models to submit a notice to the Register of Copyrights identifying copyrighted works used in training those models.

IP-Related Right to Repair Legislation

Bill No.	Bill Name	Lead Sponsor	Cosponsors	Status	Next Steps / Insight
<u>S. 1379 / H.R. 1566</u>	REPAIR Act	Sen. Lujan (D-NM) / Rep. Dunn (R-FL)	8 bipartisan Senate cosponsors; 44 bipartisan House cosponsors	In Committee (Senate Commerce; House Energy & Commerce)	Requires auto OEMs to share real-time vehicle data, diagnostic tools, and repair info with owners and independent shops.
<u>S. 3068 / H.R. 5857</u>	FARM Act	Sen. Welch (D-VT) / Rep. Gluesenkamp Perez (D-WA)	Sens. Warren (D-MA), Fetterman (D-PA); Rep. Neguse (D-CO)	In Committee (Senate Judiciary; House Energy & Commerce)	Requires farm equipment OEMs to provide fair access to parts, software, and tools. Modifies DMCA Section 1201 to allow circumvention of software locks on farm equipment.
<u>S. 2209 / H.R. 5155</u>	Warrior Right to Repair Act	Sen. Warren (D-MA) / Rep. Gluesenkamp Perez (D-WA)	Sen. Sheehy (R-MT); Reps. Kiggans (R-VA), Goodlander (D-NH), Bynum (D-OR), Ryan (D-NY), Pfluger (R-TX)	In Committee (Senate & House Armed Services)	Would expand military access to repair materials and hold contractors accountable for falsely asserting restrictions on the military's right to repair equipment. IPO OPPOSES.
<u>S. 4784 / H.R. 8800</u>	National Defense Authorization Act	Sen Wicker (R-MS); Rep. Rogers (R-AL)		Passed House July 22, 2026; S. 4784 Reported out of Senate Armed Services. Headed to conference.	Would make government purpose rights the default for technical data, computer software, and software documentation delivered under Department of Defense contracts, shifting the burden to contractors to establish entitlement to more restrictive intellectual property rights.

Anti-Counterfeiting & Trademark Enforcement Legislation

Bill No.	Bill Name	Lead Sponsor	Cosponsors	Status	Next Steps / Insight
<u>S. 2677 / H.R. 4930</u>	Counterfeit Notification Act	Rep. Moore (R-UT) / Sen. Grassley (R-IA)	Rep. Schneider (D-IL); Sen. Hassan (D-NH)	Passed Senate (Aug. 9, 2026), House (Apr. 27, 2026); Heading to conference	Passed Senate with Grassley substitute amendment that introduced differences that require reconciliation. Lowers CBP data-sharing trigger to "reasonable suspicion" standard; permits real-time sharing of packing, container, and shipping data with IP rights holders.

IP Trade & International Legislation

Bill No.	Bill Name	Lead Sponsor	Cosponsors	Status	Next Steps / Insight
<u>S. 3399</u>	Digital Trade Promotion Act of 2025	Sen. Young (R-IN)	Sens. Coons (D-DE), Moran (R-KS), Bennet (D-CO)	In Committee (Senate Finance)	Authorizes the President to negotiate digital trade agreements requiring partners to adopt IP standards equivalent to U.S. law.
<u>H.R. 9770</u>	Continuing Appropriations Act, 2027	Rep. Cole (R-OK)	—	Passed House July 21, 2026)	Would fund federal agencies including USPTO at FY2026 levels through December 4, 2026..
<u>H.R. 8845</u>	Commerce, Justice, Science, and Related Agencies Appropriations Act, FY2027 (CJS)	Rep. Cole (R-OK)	—	Reported out of House Appropriations May 15, 2026	Full-year FY2027 appropriations bill covering USPTO and Commerce Dept. Senate has held no markups.
<u>H.R. 6500</u>	Continuing Appropriations and Extensions Act, 2027	Rep. Smith (R-MO)	—	Passed Senate Aug. 8, 2026: Awaiting House consideration	Extends USPTO fee-setting authority under Section 10 of the Leahy-Smith America Invents Act from September 16, 2026 to December 11, 2026, preventing the USPTO from losing authority to set fees above statutory levels. Not yet law — requires House concurrence and President's signature. House passed its own clean CR (H.R. 9770) on July 21; chambers must reconcile.