

June 13, 2011

Speaker John Boehner
United States House of Representatives
Washington, DC 20515

Chairman Lamar Smith
United States House of Representatives
Washington, DC 20515

Democratic Leader Nancy Pelosi
United States House of Representatives
Washington, DC 20515

Ranking Member John Conyers
United States House of Representatives
Washington, DC 20515

Dear Speaker Boehner, Leader Pelosi, Chairman Smith and Ranking Member Conyers:

The undersigned general counsel of a wide range of the most innovative companies and important stakeholders in the US patent system are writing to urge you to support maintaining the existing language of HR 1249 regarding use of fees collected by the Patent and Trademark Office. We are among the largest users of the PTO and have an enormous stake in the efficacy and efficiency of the PTO. In recent years, the PTO has taken enormous strides to improve its performance, in large part due to prodding from its users. We pay the fees voluntarily, and we believe if the PTO were to be able to budget to use the fees it collects from us, it would better perform its work by not only clearing the backlog but also improving patent quality. Congress exercises oversight over the PTO in a variety of ways, and we have no doubt we can call on Members of Congress to step up that oversight if need be.

Our user fees are not tax dollars to be added to the general fund and appropriated for any other purpose. They are set to cover the cost of the services we require in order to issue quality patents in a timely manner and protect innovation. Many of the issues that arise in the context of the patent reform discussion -- about the details of which the undersigned have a substantial range of opinions -- are, in part, due to prior instances when PTO funding was diverted, depriving the PTO of the money it needs to do its job promptly and properly. Shortfalls on its finances will hurt American business and cost jobs. We urge you to support the existing Section 22 of HR 1249.

Sincerely,

D. Bruce Sewell
Senior Vice President and General Counsel
Apple Inc.

Mark Chandler
Senior Vice President and General Counsel
Cisco Systems

Robert A. Armitage
Senior Vice President and General Counsel
Eli Lilly

John Kent Walker
General Counsel and Senior Vice President
Google Inc.

Douglas Melamed
Senior Vice President and General Counsel
Intel Corporation

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Counsel
Micron Technology

Dorian Daley
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Karima Bawa
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Chief IP Officer
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Scott Taylor
Executive Vice President, *General Counsel*
Symantec