

AMERICAN BAR ASSOCIATION

SECTION OF INTELLECTUAL PROPERTY LAW

321 North Clark Street
Chicago, IL 60654-7598
(312) 988-5598
FAX: (312) 988-6800
E-mail: iplaw@abanet.org
www.abanet.org/intelprop

May 6, 2009

The Honorable John Conyers
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Lamar S. Smith
Ranking Minority Member
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Conyers and Ranking Member Smith:

I am writing on behalf of the Section of Intellectual Property Law of American Bar Association to express our support for the enactment of legislation to establish a pilot program to support enhancement of expertise in patent cases among U.S. District Court judges. These views have not been submitted to nor approved by the ABA House of Delegates or Board of Governors, and should not be construed as representing the views of the Association.

Several legislative vehicles are available for the enactment of legislation to establish such a program. A House bill, H.R. 628, was introduced by Rep. Darrell Issa on January 22, 2009, passed by the House on March 18, and is now pending in the Senate. An identical bill, S. 299, was introduced in the Senate by Senator Arlen Specter on January 22. An amended version of S. 299 is included in S. 515, the Patent Reform Act of 2009, as ordered reported by the Senate Judiciary Committee on April 2.

The Section supports the establishment of such a pilot program through the enactment of one of the above bills or similar legislation. Our support is expressed and explained in the attached Resolution and Report. Thank you for our consideration of these views.

Sincerely,

Gordon Arnold
Chair
Section of Intellectual Property Law

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SECTION STAFF
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Darla Brown
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Hayden W. Gregory
Legislative Consultant
Washington, D.C.
gregoryh@staff.abanet.org