



New Hope for the U.S. Patent System and American Innovation: Thomas Massie's Patent Reform Legislation, HR 8134

U.S. Representative Thomas Massie of Kentucky speaks to Jeff Lindsay, a U.S. patent agent, about his legislation to repair serious damage to the U.S. patent system. This damage came in part from a 2011 law (the Smith-Leahy America Invents Act) that changed numerous aspects of our patent system in ways that benefited patent infringers. Further harm stems from several misguided Supreme Court decisions that have made it harder to obtain or to enforce valid patents.



Massie explains how American inventors and small businesses are too often plundered by large companies that can easily invalidate patents or can simply steal the technology without serious consequences thanks to such damage to our patent system. His pending bill, H.R. 8134, the “Restoring America’s Leadership in Innovation Act of 2024” (RALIA), will restore the constitutional requirement to recognize the rights of inventors. The legislation will abolish the “patent death panel,” known as the Patent and Trademark Appeals Board (PTAB), which deprives numerous inventors and patent owners of their intellectual property rights without due process. It will bring back the right of patent holders to stop infringement of valid patents by restoring injunctive relief. It will remove the many new barriers that have been recently erected that make many inventions ineligible for patents when they involve computers and software. It will also help reverse the recent trend of steadily weakening U.S. intellectual property rights and decreasing incentives for innovation, while China, in contrast, has been steadily strengthening its patent system and providing strong incentives for innovation that have brought that nation into a leadership role in numerous vital fields of science, medicine, and technology. It’s time to support Rep. Massie, an experienced inventor and businessman, in restoring the U.S. patent system to its prior role as a remarkable engine of innovation and economic strength.

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