



July 17, 2015

The Honorable G.K. Butterfield
Chairman
Congressional Black Caucus
2305 Rayburn House Office Building
Washington, DC 20005

Dear Representative Butterfield:

As the leaders of the Association of Public and Land-grant Universities' (APLU) Council of 1890 Universities, we write to express our opposition to H.R. 9, the Innovation Act. The Council of 1890 Universities, comprised of presidents and chancellors of APLU-member historically Black land-grant universities, primarily addresses all matters pertaining to strengthening teaching, research and extension programs at these important institutions.

Like most institutions of higher education, 1890 institutions are concerned about the impact H.R. 9 would have on the ability of universities to engage in technology transfer – the process by which institutions work with private sector entities to transition campus research discoveries to the marketplace to be created into the next greatest innovations that drive our economy and improve public health and wellbeing. Patents are critical in this process, as they are the mechanism by which the research discovery can be transitioned or licensed to the private sector. University research has resulted in the CAT scan, MRI, hundreds of commonly used vaccines, GPS, bar codes, Doppler radar, web browsers, and the Internet itself. Our institutions view technology transfer as an important part of our mission to better our communities through the research performed at our institutions.

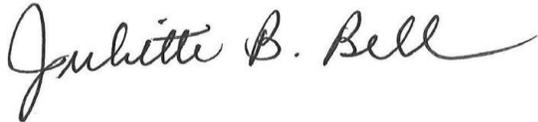
Given the importance of patents to technology transfer, we are concerned that H.R. 9, with its over-broad provisions, would weaken the entire patent system in an attempt to address the litigation abuses of patent trolls. We support efforts to rein in such abuses, but this can and should be done in a way that does not weaken the intellectual property of all patent holders.

We are pleased that the Senate is working towards compromise legislation. Unfortunately, that has not been the case in the House. In particular, we are troubled by mandatory presumptive fee shifting and involuntary joinder language in the House bill.

Page 2
...continued

We urge your support for addressing patent troll abuses in a measured and balanced way and thus your opposition to H.R. 9.

Sincerely,



Juliette Bell, Ph.D.
President, University of Maryland Eastern Shore
Chair, 1890 Council of Universities



RoSusan D. Bartee, Ph.D.
Interim Vice President
Office of Access and Success

cc: Members of the Congressional Black Caucus