



July 11, 2026

The Honorable Chuck Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Dick Durbin
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Durbin:

Ahead of the Committee's July 14 hearing, "From Genes to Machines: the Patent Eligibility Debate," I write to urge your support for the bipartisan Patent Eligibility Restoration Act, which would promote American innovation by clarifying the types of inventions that are eligible for patenting.

I serve as president of the Center for American Principles, a 501(c)(4) advocacy organization dedicated to protecting the values of free enterprise, limited government, and the rule of law. A strong and predictable patent system, accessible to every American with a novel and valuable invention, is central to those principles.

Since America's founding, the intellectual property protections embedded in our Constitution have been a cornerstone of our nation's prosperity. By securing exclusive rights to inventors' discoveries for a limited time, strong patents allow companies and investors to confidently pursue the research, development, and commercialization of new and unproven technologies. These protections play a central role in our economy: IP-intensive industries support [more than 60 million](#) American jobs and account for [over 40%](#) of the nation's gross domestic product.

In recent years, however, patent rights have become increasingly inaccessible to inventors due to changes in how courts interpret patent eligibility law. A [series of 2010s](#) Supreme Court decisions established several vague exceptions to patent eligibility -- including exceptions for "abstract ideas" and "laws of nature" -- that have no basis in the statutory text.

Although those decisions may have been well-intentioned, they have produced a confusing and unpredictable body of doctrine. Today's inventors and investors are too often left with little confidence that their inventions can be protected by law, even when those inventions are useful, novel, and technologically significant.



www.centerforamericanprinciples.org

This uncertainty has harmed innovation across a range of critical sectors. In fields such as diagnostics, biotechnology, artificial intelligence, software, advanced manufacturing, and other emerging technologies, unclear eligibility standards have made it harder for inventors to secure the investment needed to bring new products to market.

The field of medical diagnostics, for instance, lost out on an estimated [\\$9.3 billion](#) in investment over four years following the relevant Supreme Court decision. That is capital investors likely would have directed toward developing new diagnostics had the decision not clouded patent eligibility. In artificial intelligence, meanwhile, former U.S. Patent and Trademark Office Director David Kappos [found](#) that a growing majority of patent applications are being rejected under narrowed eligibility standards.

The net effect of these trends is to put U.S. competitiveness at risk. America's foreign competitors are working aggressively to dominate the next generation of technological development. To meet that challenge, the United States should embrace the principles of free enterprise and intellectual property protection that built our global leadership in the first place -- not weaken the legal framework on which American innovators rely.

That is why the Patent Eligibility Restoration Act is such a crucial reform. This bill would restore clarity to patent eligibility law by replacing judge-created exceptions with clear statutory language. It would ensure patents in critical technology fields, such as AI and medical diagnostics, are eligible for patenting, while preserving existing requirements that patents represent novel, useful, and non-obvious innovations.

America's economic strength stems in large part from an intellectual property system that rewards risk-taking, protects inventors' rights, and encourages investment in domestic innovation. Clear and predictable standards for patent eligibility are crucial to ensure innovators continue to view the United States as the best place in the world to build new and emerging technologies.

For this reason, I respectfully urge the Committee to support the Patent Eligibility Restoration Act. By restoring clarity and certainty to the U.S. patent system, PERA would strengthen the principles of innovation and entrepreneurship that undergird America's economy and help ensure that the United States remains the world's leading engine of technological progress.

Sincerely,

Anthony J. Zagotta,
President, Center for American Principles