



July 30, 2014

The Honorable Fred Upton
Chairman
Energy & Commerce Committee
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Henry Waxman
Ranking Member
Energy & Commerce Committee
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Upton and Ranking Member Waxman:

As life science associations representing biopharmaceutical, medical device and diagnostic companies, universities, and research institutions across California, **we write in support of the Targeting Rogue and Opaque Letters (TROL) Act of 2014, as currently written, and respectfully ask that you bring the bill to a full committee markup.**

America's robust patent system has allowed us to grow a prosperous economy and successfully compete globally, and continues to incentivize inventors to invest in innovation, create jobs, and develop the treatments and cures of tomorrow. Our members rely heavily on intellectual property to attract capital and recoup their investments in research and development, and their patent portfolio is often their most valuable commodity – and in some cases, their only one. Therefore, it is crucial to ensure that legislation that aims to curb abusive litigation practices does not impede or weaken legitimate patent enforcement activities.

We commend Subcommittee Chairman Lee Terry on drafting the TROL Act because it strikes the right balance between protecting small businesses harmed by "patent trolls" and preserving the ability of legitimate patent holders to enforce their constitutionally guaranteed patent rights. Indeed, the bill specifically targets deceptive and abusive mass mailings of demand letters, while allowing legitimate patent owners acting in good faith to continue sending business-related communications to alleged patent infringers. We also strongly support the state law pre-emption provision, which would allow the legislation's standards to apply uniformly in all 50 states.

We respectfully urge you to pass the TROL Act in full committee and look forward to continuing to work with you as the bill moves through the legislative process. Thank you for your consideration.

Sincerely,

Joe Panetta
President and CEO
Biocom

Gail Maderis
President and CEO
BayBio

Todd Gillenwater
President and CEO
California Healthcare Institute

Cc: Commerce, Manufacturing, and Trade Subcommittee Chairman Lee Terry and Ranking Member Jan Schakowsky