

Prepared Concluding Remarks of
Commissioner Mozelle W. Thompson¹
for the Conference

“Ideas into Action:
Implementing Reform of the Patent System”²

Bancroft Hotel, Berkeley, California
April 16, 2004

I began today’s conference by noting that today’s event had the potential to become a watershed moment in the future of innovation in America. Innovation has historically played a central role in the United States economy, spurring growth and providing consumers with products and services that are of the highest quality, greatest variety, and lowest cost. No one is more aware of this fact than Northern Californians who, in recent years, have witnessed the economic importance of innovation and how it has changed markets more significantly and swiftly than at any time in the world’s history. One of the most critical issues facing America is how we maintain our position as a world leader in innovation.

Today, we have thoroughly discussed the Commission’s recommendations for patent reform, and I’m pleased to hear a great deal of support for them. But now comes the hard part – figuring out how to translate these ideas into actions.

To determine our next step, I believe that we must address two questions:

- How do we take our gaggle of bright ideas and keen insights about patent law and process and turn them into something more meaningful

about innovation and our economy?

- How do we capitalize on this opportunity to make the patent system accommodating to innovation in the world we see today – especially in the high-technology and biotechnology industries?

Although I cannot promise success in achieving any specific proposal for patent reform, I do have four suggestions to maximize the potential for meaningful reform that you may wish to consider.

1. *Create an organized, continuing voice.* The high-technology and biotechnology industries and academia must create and take advantage of opportunities to support innovation by improving our patent system.
2. *Create an ongoing policy resource.* Policymakers must have access to information in order to understand how intellectual property is used in the high-technology and biotechnology sectors.
3. *Continue the movement.* This conference today has brought together industry and academia, and a consensus has formed here that patent reform should occur. To capitalize on this start, you must develop an ongoing mechanism to discuss specific issues raised here today, and you must create a dialogue among yourselves to identify the consensus on specific areas of patent reforms.
4. *Talk to the public.* Those of you here today from the high-technology and biotechnology sectors obviously have a stake in innovation and in intellectual property regimes that have the capacity to respond to your rapidly changing markets. But the public does not necessarily understand who you are and why you are very important to the American economy, and why patent reform can benefit our economy and ultimately consumers.

I believe that these suggestions are doable. In fact, I am extremely pleased to announce that a core group of leading technology companies have agreed today to take the first step. Specifically, these companies have agreed that there is an

opportunity to make the patent system more responsive to technology innovation. These firms also agree to meet and to have a continuing dialogue among themselves, academia, and policymakers about the proposals for patent reform discussed here today. These leading firms include: Google, Cisco, Intel, E-Bay, Chiron, Symantec, Microsoft, and Genentech.

With these innovation companies' commitment, I think that patent reform is off to a good start. Thank you all for getting us to this point. I look forward to sharing an ongoing relationship with you as you refine your views on how innovation can thrive in America.

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1. My remarks reflect my own views and not necessarily those of the Federal Trade Commission or any other individual Commissioner.
 2. The Federal Trade Commission, the National Academy of Sciences, the Stanford Center for E-Commerce, and the Berkeley Center for Law and Technology sponsored this conference. A description of the conference may be found at <http://www.ftc.gov/ftc/workshops.htm>.