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USPTO Director Iancu: ‘We will not continue down the same path’



By [Gene Quinn](#)
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USPTO Director Andrei Iancu at the U.S. Chamber of Commerce, April 11, 2018.

Many people see patents as a reward, which is a skewed way of viewing the system, explained Patrick Kilbride, Vice President of the Global Innovation Policy Center of the U.S. Chamber of Commerce earlier this morning as he opened a symposium titled *Investing in American Innovation: Is the U.S. Patent Environment Promoting or Limiting Investment*.

Instead of viewing patents as an after the fact reward, Kilbride explained that the Chamber views the intellectual property system itself responsible for innovation because of the incentives provided on the front end of the process. “The patent system itself can do this because innovators can obtain investment... because there is a fair expectation of return on investment.” Unfortunately, as Kilbride went on to explain, “today, the system seems to be out of whack.” A U.S. patent has been undermined as an investment asset.

The first speaker of the day, the keynote speaker, was USPTO Director Andrei Iancu, who in an [important policy speech](#), told those gathered at the U.S. Chamber of Commerce that the U.S. patent system is at an inflection point, and that the nation cannot continue down the path we are currently on if we as a nation wish to remain economically successful.

“We will not continue down the same path,” Iancu pledged emphatically during what can only be described as a major policy speech that gives an important look into what the new Director thinks on a variety of issues.

“The patent grant is less reliable today than it should be. This onslaught has come from all directions,” Iancu explained. “The rhetoric has focused on certain abuses instead of the incredible benefits the system brings.”

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While Director Iancu’s speech should be viewed as required reading, for different reasons, the other key aspects of the speech that particularly caught my ear were:

- “In 2016, Western Digital acquired SanDisk for \$19 billion. But think about it: Without patents, how could someone like Dr. Harari risk everything, put aside his secure career at an established company, and strike it on his own?”
- “American invention changes the world. Indeed, with American patents, humans made light, began to fly, treated disease, and enabled instant communications across the globe from tiny devices in our pockets.”
- “[H]ow exactly do we translate this into a better patent system? Here’s a start: when we write, interpret, and administer patent laws, we must consistently ask ourselves: Are we helping these inventors? Whether it’s an individual tinkering in her garage, or a team at a large corporation, or a laboratory on a university campus—we must ask ourselves: are we helping them? Are we incentivizing innovation?”
- “[O]ur current law surrounding patentable subject matter has created a more unpredictable patent landscape that is hurting innovation and, consequently, investment and job creation.”

UPDATE 1 at 10:25am EST — The USPTO has released the transcript of Director Iancu's speech. Several quotes were slightly updated to coincide with the official transcript.