



The Honorable Andrei Iancu, Co-Chair  
The Honorable David Kappos, Co-Chair  
Judge Paul Michel (Ret.), Board Member  
Judge Kathleen O'Malley (Ret.), Board Member  
The Honorable Gary Locke, Board Member  
The Honorable Lamar Smith, Board Member  
Frank Cullen, Executive Director

May 5, 2026

The Honorable Todd Blanche  
Acting Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave. NW  
Washington, DC 20530

The Honorable Howard Lutnick  
Secretary of Commerce  
U.S. Department of Commerce  
1401 Constitution Ave. NW  
Washington, DC 20230

The Honorable John A. Squires  
Under Secretary of Commerce for Intellectual Property  
and Director of the U.S. Patent and Trademark Office  
U.S. Patent and Trademark Office  
600 Dulany St.  
Alexandria, VA 22314

Dear Acting Attorney General Blanche, Secretary Lutnick, and Director Squires:

The Council for Innovation Promotion (C4IP) applauds your recent [statement of interest](#) in *Collision Communications, Inc. v. Samsung Electronics Co.* We, like you, believe that courts ought to grant injunctions to prevent ongoing patent infringement and thus promote future innovation. That's why we urge you to push the White House to support the RESTORE Patent Rights Act, which would permanently ensure inventors' access to injunctive relief.

C4IP is a bipartisan coalition dedicated to promoting strong and effective intellectual property rights that drive innovation, boost economic competitiveness, and improve lives everywhere. C4IP is chaired by two former directors of the U.S. Patent and Trademark Office (USPTO), Andrei Iancu and David Kappos, who served under Presidents Trump and Obama, respectively. Our board further includes two retired judges from the Court of Appeals for the Federal Circuit, former Chief Judge Paul Michel and Judge Kathleen O'Malley. It also features two distinguished public servants: Lamar Smith, former U.S. Representative for Texas's 21st congressional district and Chairman of the House Judiciary Committee, and Gary Locke, former Governor of Washington, U.S. Secretary of Commerce, and U.S. Ambassador to China under President Obama.

In [October 2025](#), a jury found that Samsung had infringed four of Collision Communications' patents, and Collision filed for a permanent injunction. Samsung has opposed that motion for an injunction.

As you know, the recent USPTO and DOJ statement of interest in this case rightly recognizes the importance of injunctions to maintaining a robust patent system that encourages innovation. If a court finds that a valid patent has been infringed, it ought to issue an injunction to prevent use of the stolen technology. The statement rightly [notes](#) that when access to injunctions is "unduly limited," the "incentive to innovate at the heart of the Patent Act is undermined."

Unfortunately, inventors have often struggled to secure that injunctive relief ever since the Supreme Court's 2006 decision in [eBay v. MercExchange](#). That ruling introduced the [four-factor test](#), which requires inventors to prove that they have suffered irreparable injury, that the law does not provide alternative compensation methods, that an injunction is warranted given the balance of hardship between the two parties, and that a permanent injunction would not harm the public interest. These requirements make securing injunctions far more difficult, reducing inventors' access to this key legal tool.

In the years following *eBay*, injunctions for companies that develop and market their own patented products have fallen by [66%](#), and injunctions for entities that tend to license their patents — like universities and other research institutions — have dropped by over [90%](#).

Currently, infringers can continue using the technologies they've misappropriated. At worst, they may face a one-time penalty or court-mandated royalty that's often *less* than what they would have paid to license the technology properly. This creates a perverse incentive for companies to "efficiently infringe" on rivals' patents — essentially, take the technology up front, and deal with the legal consequences later.

Recognizing injunctions as critical to innovation, as your offices did, is a clear step towards restoring inventors' rights and incentives. The next step is to make such recognition permanent.

[The Realizing Engineering, Science, and Technology Opportunities by Restoring Exclusive \(RESTORE\) Patent Rights Act](#) would do just that. The bill [would not](#) make injunctions automatic; it would simply restore injunctions as the default remedy for patent infringement, just as they were [before](#) the Supreme Court's *eBay* decision. By restoring access to injunctions, the bill would give inventors a chance to

protect their inventions. It would ultimately strengthen the innovation incentives that remain essential to our economic growth and global competitiveness.

Once again, C4IP thanks you for your statement of interest in this matter and your continued dedication to improving intellectual property rights in the United States. We look forward to working with your offices in the future and welcome any questions you may have.

Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Cullen", is positioned below the word "Sincerely,".

Frank Cullen  
Executive Director  
Council for Innovation Promotion (C4IP)