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
Coke Morgan Stewart
President and CEO
Frank Cullen
Executive Director

November 16, 2026

The Honorable Charles E. Grassley
Chairman
Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Richard J. Durbin
Ranking Member
Senate Committee on the Judiciary
711 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Durbin:

On behalf of the Council for Innovation Promotion (C4IP), I write in connection with the Senate Judiciary Committee's November 17 hearing on prescription drug costs, competition, and transparency. C4IP shares the goal of making prescription medicines more affordable and accessible to all Americans. As the Committee considers potential reforms, however, we respectfully urge it to preserve the strong patent protections that encourage investment in the research, development, and innovation necessary to bring new and better treatments to Americans and the world.

The Council for Innovation Promotion (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 also includes two retired judges from the U.S. Court of Appeals for the Federal Circuit, former Chief Judge Paul Michel and Judge Kathleen O'Malley, as well as two distinguished public servants: Lamar Smith, former U.S. Representative for Texas's 21st congressional district and former 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.

At a time when the United States is increasingly concerned with competition with foreign countries, including China, we need to be exceedingly cautious about taking actions that will damage our most innovative industries.

The stakes are especially high for biotechnology and pharmaceutical innovation, where the United States has established a commanding global lead. That leadership has been built on decades of scientific research, strong intellectual property protections, and private investment. In 2024, American companies accounted for approximately 54% of global pharmaceutical and biotechnology R&D investment, spending $153 billion. Pharmaceutical and medicine manufacturers performed approximately $134 billion in R&D in the United States that year, and U.S. bioscience companies attracted more than $55 billion in venture capital in 2025. Between 2004 and 2024, more than 43% of new medicines worldwide were first launched in the United States.

This leadership is no accident. America's patent system helps translate scientific discoveries into lifesaving treatments by giving inventors, startups, and established companies the opportunity to recover the enormous costs and risks of developing new medicines. Weakening those protections risks undermining the very innovation ecosystem that has made the United States the world's biotechnology leader.

Developing a new medicine is an extraordinarily costly, lengthy, and risky undertaking. Bringing a drug from initial discovery to FDA approval typically takes 10 to 15 years, and approximately 90% of drugs that enter human clinical trials never receive approval. The cost of developing a successful medicine can approach or exceed $1 billion when the costs of failed research and capital are included. Because years of research, clinical trials, and regulatory review consume much of that period, innovators may have only a fraction of the patent term (typically 20 years from filing) remaining when their medicine finally reaches patients. These realities make strong, predictable patent protections essential to attracting the private investment needed to develop new treatments, particularly for startups and smaller biotechnology companies that lack the resources to absorb repeated failures.

Reliable patent protection not only encourages innovation and leads to more life-saving treatments for patients, but it also reduces prices in the long run. By giving inventors and businesses the opportunity to earn a return on their investments, patents attract capital, encourage new entrants, and enable startups and smaller companies to challenge established players. Over time, this cycle of innovation and competition produces better treatments, more alternatives for patients, and greater downward pressure on prices. Weakening patent protections risks discouraging investment and reducing the development of competing treatments, potentially leaving patients with fewer choices and higher costs.

This is simple economics. Nevertheless, patents have become a convenient scapegoat, avoiding more difficult inquiries.

High prescription drug prices are the product of a complex system involving hospitals, insurers, pharmacy benefit managers, wholesalers, pharmacies, and government programs. Weakening patent rights will increase prescription drug costs over the long term and harm patients' access to therapies. It will also introduce even greater uncertainty into the innovation ecosystem that has made the United States a global leader in biotechnology.

We urge the Committee not to mistake weakening patent protections for lowering drug prices. Such measures may offer the appearance of a quick fix, but they risk discouraging investment, reducing innovation, and leaving patients with fewer treatment options without delivering meaningful savings.

Sincerely,

Coke Morgan Stewart



President and CEO
Council for Innovation Promotion (C4IP)

cc:

Sen. Marsha Blackburn, Member, Senate Committee on the Judiciary
Sen. Richard Blumenthal, Member, Senate Committee on the Judiciary
Sen. Cory Booker, Member, Senate Committee on the Judiciary
Sen. Katie Britt, Member, Senate Committee on the Judiciary
Sen. Chris Coons, Member, Senate Committee on the Judiciary
Sen. John Cornyn, Member, Senate Committee on the Judiciary
Sen. Ted Cruz, Member, Senate Committee on the Judiciary
Sen. Darline Graham, Senate Committee on the Judiciary
Sen. Josh Hawley, Member, Senate Committee on the Judiciary
Sen. Mazie Hirono, Member, Senate Committee on the Judiciary
Sen. John Kennedy, Member, Senate Committee on the Judiciary
Sen. Amy Klobuchar, Member, Senate Committee on the Judiciary
Sen. Mike Lee, Member, Senate Committee on the Judiciary

Sen. Ashley Moody, Member, Senate Committee on the Judiciary
Sen. Alex Padilla, Member, Senate Committee on the Judiciary
Sen. Adam Schiff, Member, Senate Committee on the Judiciary
Sen. Eric Schmitt, Member, Senate Committee on the Judiciary
Sen. Thom Tillis, Member, Senate Committee on the Judiciary
Sen. Peter Welch, Member, Senate Committee on the Judiciary
Sen. Sheldon Whitehouse, Member, Senate Committee on the Judiciary