



May 28, 2026

The Honorable Darrell Issa
Chair
Subcommittee on Courts, et al
House Committee on the Judiciary

The Honorable Henry C. “Hank” Johnson, Jr.
Ranking Member
Subcommittee on Courts, et al
House Committee on the Judiciary

Dear Chair Issa and Ranking Member Johnson,

The Center for American Principles (CAP) is a 501(c)(4) advocacy organization advancing policy solutions based on core principles to tackle the country’s most critical challenges. We welcome the subcommittee’s attention to the complex and consequential policy considerations surrounding biopharmaceutical innovation and related intellectual property rights and respectfully request that the attached [CAP policy brief](#) be included in the official record of the hearing, “Medicines and IP: Balancing Innovation and Access,” scheduled for June 4, 2026. Among the considerations discussed in in our brief:

- Pharmaceutical innovation relies on patent rights to enable large and repeated **allocations of private capital** to projects with long-time horizons, resource demands in the billions of dollars, and risk of failure reaching 90% and above.
- Each patent examined and granted by the U.S. Patent and Trademark Office (USPTO) represents **a novel solution to a specific technical challenge** in a cycle of living innovation that neither begins nor ends with a single breakthrough.
- The 2024 [USPTO Drug Patent & Exclusivity Study](#) thoroughly and empirically **debunked allegations of industry patent abuse** by activists who manipulated data to inflate the effects of patents and other exclusive rights on competition.
- As recently noted by the Director of ARPA-H, China is hosting early-stage human clinical trials two-to-five times faster and at half the cost of U.S. trials. **Limiting IP rights to U.S.-based innovation** plays directly into China’s hands.

For all of these reasons, we urge the Subcommittee to take the opportunity of this hearing to educate the American public—and your fellow Members of Congress who rely on your leadership to guide their views on IP policy matters—on the critical importance of patent rights to U.S. technological leadership in biopharmaceutical innovation.

Respectfully,

Patrick Kilbride
Policy Fellow