



June 2, 2026

The Honorable Darrell Issa
Chair

Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet
House Committee on the Judiciary

The Honorable Hank Johnson
Ranking Member

Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet
House Committee on the Judiciary

Dear Chairman Issa and Ranking Member Johnson:

We write in advance of the upcoming hearing on the ETHIC Act and the Skinny Labels, Big Savings Act to express IPO's opposition to both bills.

IPO is an international trade association representing a "big tent" of diverse companies, law firms, service providers, and individuals in all industries and fields of technology that own, or are interested in, intellectual property rights. IPO membership includes over 135 companies and spans over 40 countries. IPO advocates for effective and affordable IP ownership rights and offers a wide array of services, including supporting member interests relating to legislative and international issues; analyzing current IP issues; providing information and educational services; supporting and advocating for diversity, equity, and inclusion in IP and innovation; and disseminating information to the public on the importance of IP rights. IPO's vision is the global acceleration of innovation, creativity, and investment necessary to improve lives.

Both the ETHIC Act and the Skinny Labels, Big Savings Act represent a departure from the technology-neutral approach that has long been a core principle of the U.S. patent system. That principle is sound policy, and one the U.S. has consistently advocated for in trade negotiations with other countries. If technology-specific patent rules are harmful abroad, they are no less harmful at home.

The ETHIC Act's restriction on the number of patents a patent owner may assert in Hatch-Waxman or BPCIA litigation (to a single patent per "Patent Group") is unnecessary. Existing statutory frameworks and district court case management procedures already provide effective tools for narrowing the number of patents and claims at issue in complex litigation. Moreover, preventing biopharmaceutical innovators from enforcing valid patents in Hatch-Waxman and BPCIA proceedings is inconsistent with the United States' obligations under the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, which requires that all industries be permitted to enforce their patents equally.

The Skinny Labels, Big Savings Act's safe harbor shielding generic and biosimilar manufacturers from nearly all infringement liability for skinny-label products is both unnecessary and overbroad. Recent Federal Circuit decisions addressing skinny-label products do not require legislative

President
John Cheek
Tenneco LLC

Vice President
Yen Florczak
3M Innovative Properties Co.

Treasurer
Troy Prince
RTX Corporation

Directors
David Alban
Xylem

Matthew Anderson
Medtronic, Inc.

Ron Antush
Nokia of America Corp.

Scott Barker
Micron Technology, Inc.

Thomas Beall
Corning Inc

Steven Benjamin
DuPont

Tyrome Brown
Dolby Laboratories

Andrew Chien
Danaher Corp.

Dan Choi
Microsoft Corporation

Brandon Clark
SLB

Robinson Clark
Exxon Mobil Corp.

Tonya Combs
Eli Lilly and Co.

Jamie Davis
Bayer Intellectual Property GmbH

Ewa Davison
The Boeing Co.

Anthony DiBartolomeo
SAP SE

Cass Dottridge
Cargill Inc.

Jake Feldman
Kenvue

Louis Foreman
Enventys

Robert Giles
Qualcomm, Inc.

Laura Ginkel
Merck & Co., Inc.

Krish Gupta
Dell Technologies

Henry Hadad
Bristol-Myers Squibb Co.

Aamir Haq
Hewlett Packard Enterprise

Scott Hayden
Amazon

Michael King
Caterpillar Inc

Thomas R. Kingsbury
Bridgestone Americas Co.

Laurie Kowalsky
Koninklijke Philips N.V.

Christine Lam
NetApp

David Lane
Johnson & Johnson

Jason Link
Dow Chemical Co.

Alexander Long
GE Aerospace

Ceyda Maisami
HP Inc.

Paul Mussell
Wells Fargo & Company

Jeff Myers
Apple Inc.

Sandra Nowak
Solventum

Hugh Pasika
Thermo Fisher Scientific

Erik Perez
Shell USA, Inc.

Kaveh Rashidi-Yazd
Eaton Corporation

Corey Salsberg
Novartis

Matthew Sarbaroria
Oracle Corp.

Laura Sheridan
Google LLC

Thomas Smith
GlaxoSmithKline

Daniel Staudt
Siemens Corp.

Sarah Tully
Roche, Inc.

Mark Vallone
IBM, Corp.

Stuart Watt
Amgen, Inc.

Blair Waters
InterDigital

General Counsel
Lauren Leyden
Akin Gump Strauss
Hauer & Feld LLP

Executive Director
Jessica K. Landacre

intervention because they turned on specific facts: the generic manufacturers had either failed to properly carve out patented uses from their labels or had used marketing practices that encouraged infringement. Existing statutory frameworks and the case law interpreting them already strike the appropriate balance, allowing generic and biosimilar manufacturers to bring products to market where the patents have expired but prohibiting them from encouraging infringement of innovative companies' still-valid patented uses.

IPO urges the subcommittee to consider these concerns as it evaluates both bills. We would welcome the opportunity to discuss IPO's positions at any time.

Respectfully submitted,

A handwritten signature in cursive script that reads "John Cheek". The signature is written in a dark ink and is positioned above the printed name and title.

John Cheek
President

cc: Members, Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet