July 25, 2022

The Honorable Dick Durbin  
Chairman  
Committee on the Judiciary  
224 Dirksen Senate Office Building  
United States Senate  
Washington, DC 20510

The Honorable Thom Tillis  
United States Senate  
113 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Chuck Grassley  
Ranking Member  
Committee on the Judiciary  
224 Dirksen Senate Office Building  
United States Senate  
Washington, DC 20510

Dear Chairman Durbin, Senator Tillis, and Ranking Member Grassley:

AARP, on behalf of our nearly 38 million members and all older Americans nationwide, is pleased to endorse the Interagency Patent Coordination and Improvement Act of 2022 (S.4430). We applaud your bipartisan efforts to increase coordination between the United States Patent and Trademark Office (USPTO) and the Food and Drug Administration (FDA).

The average Medicare Part D enrollee takes four to five prescription medications on a regular basis. Appropriate use of prescription drugs can prolong life, improve quality of life, and postpone or replace the need for intensive, often expensive medical treatments. Given older adults’ extensive use of prescription drugs, it is vital to ensure that they are safe, effective, and accessible. The USPTO and FDA both have vital roles to play in ensuring that consumers can benefit from safe new medicines and other medical technologies. Your bill would establish an interagency task force between the USPTO and the FDA for purposes of sharing information and providing technical assistance with respect to patents involving human drugs and biological products, while respecting the distinct purviews of these agencies. In addition to the increased information sharing through the task force, this bill would require a report from USPTO that discusses its current information sharing with FDA, what FDA information would be most useful to patent examiners, and what other federal agencies should be included in efforts to coordinate across agencies. Overall, this bill would cut down on unnecessary bureaucracy between these two agencies in a way that ultimately benefits consumers.
AARP appreciates your work to promote efficient access to safe prescription drugs. If you have any questions, please feel free to contact me or have your staff contact Glen Fewkes on our Government Affairs team at gfewkes@aarp.org.

Sincerely,

Bill Sweeney
Senior Vice President
Government Affairs