



USIJ Strongly Backs the Trump Administration’s Pro-Inventor Reforms

The Trump Administration, under the leadership of USPTO Director John Squires, has delivered exactly the kind of course-correction American inventors and high-growth startups have desperately needed for years.

Director Squires’ statement: clarity on eligibility and a pro-innovation North Star

USPTO Director John A. Squires submitted a [statement to the Senate Judiciary IP Subcommittee](#) that puts first principles back at the center of U.S. patent policy: broad, reliable patent eligibility as a feature—not a flaw—of U.S. patent law, and a system that rewards the risky, early-stage investments that turn ideas into jobs and industries. We agree. USIJ has long argued that predictable eligibility standards and reliable rights are prerequisites for seed and growth capital, especially in deep-tech sectors where time-to-market is long and technical risk is high.

PTAB NPRM: turning AIA trials back into a less costly “alternative,” not an additional way for infringers to attack patents

The USPTO’s new [Notice of Proposed Rulemaking](#) for inter partes review (IPR) would align PTAB practice with Congressional intent: IPRs should be a cost-effective alternative to court, not a duplicative second bite. This is a position that USIJ led the way on starting with a [definitive 2018 report](#) that detailed how Big Tech companies have weaponized PTAB to lead sustained, duplicative and coordinated attacks on patents held by smaller, more disruptive competitors.

Operationally, the new USPTO proposal would:

- **Require a stipulation:** no institution unless the petitioner stipulates it (and its RPIs/privities) won’t pursue §102/§103 invalidity in court or the ITC on the same patent if an IPR is instituted—channeling the fight to one forum.
- **Respect claims already upheld:** no institution/maintenance of an IPR where the same claims (or their independent parents) have already been found not invalid in federal district court, the ITC or by the PTAB itself.
- **Avoid parallel proceedings:** no institution of an IPR where a district-court trial, ITC determination, or duplicative PTAB review is more likely than not to arrive at a decision at the PTAB — preventing duplicative and inefficient proceedings.
- **Limit exceptions to the truly rare:** a narrow “extraordinary circumstances” safety valve (e.g., bad-faith blocking or a major change in statute/Supreme Court precedent), with sanctions for abuse.

As the Background to the NPRM underscores, serial/parallel challenges and rebranded prior-art theories have undermined reliability and raised costs — especially for disruptive venture-backed startups — contrary to the AIA’s design. The NPRM aims to reduce duplication, increase predictability, and refocus USPTO’s time and resources on matters that add system value.

Where USIJ has stood—consistently

USIJ has, for years, urged:

- **One-forum efficiency** for prior-art validity disputes to curb gamesmanship and litigation drag on startups. The NPRM’s stipulation rule implements exactly that.
- **De-duplication and finality** once claims survive meaningful scrutiny, so investors aren’t underwriting endless and duplicative challenges and entrepreneurs can focus on building great companies. The NPRM’s “claims already upheld” rule matches our position.
- **Predictable, pro-investment eligibility** so early-stage companies can raise capital on the strength of their patents—precisely the direction Director Squires articulated to the Senate during his confirmation process.

Why this matters for startups and job creators

- **Lower friction costs:** Channeling §102/§103 to one venue cuts duplicative time and delay — resulting in capital that can instead fund innovation, growth and commercialization of disruptive products.
- **Better signal for investors:** Eliminating the current overlap and duplication between PTAB, district court, and the ITC increases the reliability premium on issued patents, which improves the market position of startups as they seek growth capital.
- **System capacity where it counts:** Freeing USPTO resources to move ex parte appeals faster helps startups secure patents sooner—when timing often decides whether a technology is financed or shelved.

What’s next

The NPRM is open for public comment under [Docket PTO-P-2025-0025](#)—the Office does **not** anticipate extending the comment period absent extraordinary circumstances. USIJ will file supportive comments urging swift adoption substantially as proposed, and we encourage entrepreneurs, inventors, research organizations, incubators, university spinoffs, and investors to add their voices.

Bottom line: Director Squires’ Senate statement and the PTAB NPRM mark a decisive move toward a patent system that rewards invention, invites investment, and delivers American jobs. That’s the North Star USIJ has advocated from the start—and we’re all-in to see it through.