



May 26, 2021

The President
The White House
Washington, DC 20500

Dear Mr. President,

The undersigned represent a diverse array of American innovators, ranging from universities and non-profit foundations, to start-ups and small businesses, to manufacturing, technology, and life sciences companies. Together we represent thousands of organizations that employ millions of workers in the United States. We all believe that the future of the U.S. economy, including domestic job growth and our competitive advantage in the global economy, depends on a strong patent system that incentivizes innovators to invent and protects their inventions from unfair theft by others.

A core lesson of history is that human ingenuity can tackle even the most daunting challenges. We saw that during COVID-19 as researchers developed vaccines at record speeds. When bureaucratic barriers initially slowed the creation of tests and treatments, regulators acted swiftly to modernize the rules and let researchers and doctors find new ways to save lives.

As America moves beyond COVID-19, we will need that same sense of urgency and ingenuity to address critical issues ahead—whether it's developing sustainable energies, using digital tools to make education more accessible, or even using 3D printing to build more affordable housing. Today we're seeing innovations emerge that can transform whole industries for the better and help billions of people improve their lives.

Realizing the benefits of innovation will require a regulatory system, as with COVID-19, that enables inventors to responsibly bring new technologies to scale quickly and widely. A lot of that focus should be at the US Patent and Trademark making sure that our Intellectual Property system is strong and works for our inventors. However, there are many places that the administration can help innovators.

For instance, as inventors, we believe the Federal Trade Commission's recent antitrust actions will block innovations needed for one of the most critical issues in society: fighting cancer. The FTC is challenging Illumina's acquisition of GRAIL, a company pioneering the development of new tests that can detect multiple cancers very early in the disease while it can be cured.

Over 600,000 Americans lose their lives to cancer each year, making it our country's second highest cause of death. 70% of the deaths are due to cancers that have no available routine screening tests for early detection. In the battle against these cancers especially, GRAIL's technology is revolutionary and lifesaving.

The FTC's challenge to the Illumina-GRAIL merger is perplexing since safety is not in question and the acquisition does not pose a threat to market competition. Unlike horizontal mergers, which can be more likely to result in market consolidation, vertical integration like the proposed Illumina – GRAIL acquisition, enables companies specializing in different stages of production to join forces and develop

goods faster and more efficiently than they otherwise could. In fact, recognizing the benefits of vertical integration, the FTC has only challenged a vertical merger once in the last 40 years.

We fear the FTC's new challenge will not only slow the deployment of GRAIL's screening tools, but also have repercussions undermining innovation broadly. Mergers and acquisitions are vital for innovation, providing many start-ups with investment needed to scale, market, or even fully develop their product—which, in turn, attracts investment in future products and companies. In the United States, mergers and acquisitions are a \$1.6 trillion market, and if the FTC takes an overzealous approach to antitrust enforcement, it will have a chilling effect on the deployment of new technologies across the economy.

The FTC should drop its challenge to the Illumina-GRAIL merger and take a targeted approach to antitrust enforcement, intervening only where there is clear evidence a deal will harm consumers. If the FTC pursues that prudent course, it can help unleash innovations key to meeting the great challenges of our time.

Sincerely,

Charles Sauer (DC)
Executive Director
Inventor's Project

Patrick J. Carangelo (PA)
The Windshield Wiperdiaper/Wiperglove

Delvin Butler (AZ)
Butler Innovation's LLC

Buzzy Castonguay (IA)
C4 Operations

John Adrain (WA)
Heracles Research Corporation

John Pfanstiehl (FL)
Pfanstiehl Design Works
12 patents; founded 2 manufacturing
businesses based on new products

Shane Peterson (TX)
SHARP CONCEPTS 103, LLC

Maria Vega (TX)
Medical Restraining Medeez Mit'n

Ron Eugene Brown (MD)
Patent Search International

Lorene Damewood (KS)
Wily Words

Richard Langevin (MA)
Technical Innovation Center, Inc.

John A. Figueroa (CA)
OceanSecure LLC

Warren Williams (TN)
Phantasm Robotics

John L. Coulson (Canada - Yeah we
invent here too!!)
FanAdClic

Michele Nash-Hoff (CA)
ElectroFab Sales

Karen O'Brien (CA)
Whelping Box

Tami Palmer (UT)
What's New? LLC
(patents in fitness, plumbing and home
garages)

James Bradley (GA)
(multiple inventions)

Merrie Kay East (KS)
Disposable Nose Pack for Nosebleeds

Leslie Adami (VT)
Shoe In

Janet Lopina DeMaria (CA)
Skadoosie

Clayton Vowels (IL)
Cole Parmer

Jacqueline H Diaz (OH)
InOvation Enterprises, Inc., Cūlinique®
Surprise Inside™ Food Molds

Christopher James Killer (CA)
TAE Technologies

Jim Harlan (TX)
Attorney

Nancy Tedeschi (FL)
Snapit Screw

ANGELA JEAN LOGGINS (TX)
Clean Screen Air Filtration
System/REFILTER

Francis Taegar (FL)
Exercise Equipment

Tony Costa (MI)
Sealife Aquariums Corporation

Antonio Gil (FL)
Product Development Counselor

Leith Emery (CA)
Emery Edgers

Eddie Oquendo Virella (CT)
Empere, LLC

CC

The Honorable Rebecca Slaughter
Acting Chair
Federal Trade Commission
600 Pennsylvania, Avenue, NW
Washington, DC 20580

The Honorable Noah Phillips
Commissioner
Federal Trade Commission
600 Pennsylvania, Avenue, NW
Washington, DC 20580

The Honorable Rohit Chopra
Commissioner
Federal Trade Commission
600 Pennsylvania, Avenue, NW
Washington, DC 20580

The Honorable Christine Wilson
Commissioner
Federal Trade Commission
600 Pennsylvania, Avenue, NW
Washington, DC 20580