



Keep America inventing: William Burga

Published: Tuesday, June 14, 2011, 3:00 AM



Plain Dealer guest columnist

By

By William Burga

Americans are famous as innovators. From the light bulb to Lipitor and from the first PC to the iPhone4, our inventions have made us the global leader in information technology, entertainment, biomedicine, and countless other growth industries.

Yet all these gains are at risk today, due in part to our antiquated national patent system -- the bedrock protection that encourages innovation by securing the intellectual property of inventors. The patent system was last revamped in 1952, the same year Dwight D. Eisenhower defeated Adlai Stevenson to become the 34th president of the United States.

In short, the system is sorely in need of reform.

That's why I'm joining other leaders of labor and industry in applauding efforts to pass the federal America Invents Act (AIA). This long-awaited plan to strengthen protections for intellectual property will create jobs without spending taxpayer dollars, and it will help Americans continue to lead in the ongoing global technology revolution.

The AIA has already been approved in the Senate with overwhelming bipartisan support. The House should move quickly to pass its version of the legislation.

A key feature in the Act is the "first-to-file" for a patent provision, which finally gets U.S. laws in line with those of other countries. Currently, U.S. patents can be given to those who believe they were "first to invent," encouraging lawsuits and delays.

The Senate version of the bill also provides the U.S. Patent and Trademark Office more resources to deal with its backlog of 700,000 applications. Currently, it can take three years for a patent to be reviewed by the USPTO -- a major deterrent to inventors.

This reform can't come too soon, in particular, for biomedical firms. This critical pillar of our health industry

directly employs more than 650,000 U.S. workers, mostly in high-paying jobs. Workers in the biomedical industry on average contribute roughly three times as much in federal and state taxes as those of other industries, according to a 2008 study conducted by Archstone Consulting. Many more workers indirectly depend on the success of biomedical companies for their livelihoods, as the biomedical sector generates demand for truck drivers, food service workers, custodians and more.

Here in Ohio, where both Democratic Sen. Sherrod Brown and Republican Sen. Rob Portman voted for the legislation, a small but growing biomedical industry has offered hope amid the otherwise steady decline in manufacturing jobs.

Overall, industrial employment in Ohio has fallen 12 percent since the beginning of 2009, according to the 2011 Ohio Manufacturers Directory. Yet at last count, Ohio was home to more than 1,250 bioscience-related organizations, providing more than 55,000 jobs in companies from startups to corporate stars such as Procter & Gamble, as well as Battelle, the world's largest independent R&D organization.

Ohio has been a magnet not only for biomedical companies, but also for innovative training programs that benefit workers. In one federally funded program, 660 former employees of Ohio's declining manufacturing base are being retrained for careers in the bioscience sector. The AIA will help ensure that the rewards for innovation in the biomedical sector justify the billions of dollars that companies have to invest upfront. And that means jobs.

Together with other labor leaders, I opposed a patent reform bill in 2008. That attempt, as I argued then, purported to harmonize U.S. laws with those of the rest of the world while actually reducing U.S. standards of protection, clearing the way for foreign nations to plunder U.S. intellectual property.

This new proposal is a major improvement, and, equally important, comes at a time when patent reform can help jumpstart our economy. American biomedical firms enthusiastically support this bill as a way to sustain U.S. leadership in this important sector and to promote public health as a top domestic priority.

Without this bill, biomedical jobs could move offshore, and all the jobs the industry indirectly supports could disappear forever.

America's economic recovery is still fragile, but our innovative energy is as hardy as ever. Let's give our homegrown geniuses the legal security they need to keep coming up with world-changing ideas and high-paid jobs for U.S. workers.

William Burga is a past president of the Ohio AFL-CIO.

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