

A Bill to Limit Patent Thickets in the Pharmaceutical Industry

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

- 1 **SECTION 1.** The United States shall restrict the number of patents a pharmaceutical
2 company can claim during litigation with a biosimilar or generic developer
3 in order to boost competition and lower costs.
- 4 **SECTION 2.** “Patent thickets”, also known as thick patents, shall be defined as
5 overlapping patents on a singular product used to maintain exclusivity and
6 prevent the formation of lower costing generics.
- 7 **SECTION 3.** The U.S. Patent and Trademark Office (USPTO) and the Food and Drug
8 Association (FDA) shall oversee the enforcement of this legislation.
- 9 **SECTION 4.** This legislation will take effect on January 1st, 2028. All laws in conflict with
10 this legislation are hereby declared null and void.