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Coalition Joins Growing Effort To Improve Inventor Diversity

By **Britain Eakin**

Law360 (September 17, 2020, 8:59 PM EDT) -- A coalition of universities, corporations, nonprofits and think tanks announced the launch of a new initiative Thursday that will tackle a lack of diversity in the patent process, the latest development in a growing movement to address the problem.

With women representing only 13% of all U.S. patent holders as of 2019, and Black and Hispanic college graduates holding half the number of patents that white college graduates hold, the new coalition — Invent Together — said it aims to drive public policy and private sector initiatives to increase diversity among innovators.

Invent Together executive director Holly Fechner, a partner at Covington & Burling LLP, told Law360 that a key initiative of the group is advocating for the U.S. Patent and Trademark Office to collect demographic data on inventors through support of the bipartisan Inventor Diversity for Economic Advancement Act, which was introduced in July 2019.

The bill would allow the USPTO to collect information about an applicant's gender, race, ethnicity, income, age, national origin, sexual orientation, education, disability, and military or veteran status, which it doesn't currently do.

"Our country will be stronger and fairer if we close the patent gaps," Fechner said in an email. "Closing these gaps will create new jobs and increase U.S. GDP, increase income for individuals and their families, and bring fresh perspectives into the innovation ecosystem, unlocking new and different inventions."

A recent study from The Hamilton Project, an arm of the Brookings Institution, supports Fechner's contention that increasing diversity in innovation will boost GDP. The research suggests that bringing more women, African Americans and other underrepresented groups into the innovation process could increase GDP by up to 4.4%.

Supported by the Association of American Universities, AnitaB.org, the Institute for Women's Policy Research and Qualcomm, Invent Together said in a press release that it plans to raise awareness of the innovation diversity gap through social media, share the stories of diverse inventors and support research on ways to diminish the gap.

According to Fechner, some members of the coalition had already been working together for several years. Part of their previous work included advocating for the SUCCESS Act, or the Study of

Underrepresented Classes Chasing Engineering and Science Success Act.

The act, which was signed into law by President Donald Trump in 2018, required the USPTO to study underrepresented groups in patenting and make recommendations for legislative fixes and agency initiatives to increase the participation of women, minorities and veterans in patenting and entrepreneurship. The report identified a dearth of publicly available information about the rate at which women and underrepresented groups participate in the innovation ecosystem.

The launch of Invent Together comes on the heels of the inaugural meeting Monday of the National Council for Expanding American Innovation, one of the initiatives proposed in the USPTO's SUCCESS Act report.

Led by Secretary of Commerce Wilbur Ross, the council, which launched in 2019, brings together heavy hitters from government, industry, academia, intellectual property associations, nonprofits, small businesses and venture capital firms, as well as individual inventors, and aims to develop a comprehensive and national strategy to close the diversity gap in innovation.

Also last year, the Intellectual Property Owners Association released guidance on how to get women and minorities engaged in innovation. The association said the diversity gap in patenting would persist through the end of the century without intervention.

--Additional reporting by Kevin Penton. Editing by Abbie Sarfo.

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