



**OPTIMAL CANCER  
CARE ALLIANCE**  
Optimal Dosage. Best Outcome.

Optimal Cancer Care Alliance  
3930 Ridgmaar Square  
Ann Arbor, MI 48105

July 19, 2022

The Honorable Senator Dick Durbin  
Chairman, Senate Judiciary Committee

Re: S.4430 Interagency Patent Coordination and Improvement Act of 2022

Dear Senator Durbin:

We, as members of the Executive Committee of the Optimal Cancer Care Alliance (OCCA), would like to express OCCA's appreciation and support for S. 4430, the Interagency Patent Coordination and Improvement Act of 2022. OCCA is a Michigan nonprofit whose mission is to ensure that each patient receives the optimal dosage of the medications needed to effectively treat their cancer (<https://optimalcancercare.org/>). We believe that optimal dosing of drugs should be based on an analysis of properly conducted clinical trials, using methods well-understood and promulgated by the Food and Drug Administration. We are aware of some examples where drug dosages are based on issued patents, despite the evidence that such dosages are not optimal. For example, two of our board members (David Hyman and Mark Ratain) co-authored a paper published last year in Nature Biotechnology, entitled "Negative Innovation: When Patents Are Bad for Patients" (<https://www.nature.com/articles/s41587-021-00999-0>).

OCCA is a strong supporter of the FDA, and would welcome enactment of your bill, which will improve the quality of patents, particularly those that relate to methods of use of effective drugs to treat cancer. This would also ensure that pharmaceutical patents issued by the US Patent Office (PTO) are deemed useful by FDA and would also reward those pharmaceutical and biotechnology companies who are making innovative discoveries.

We hope that your colleagues in Congress are also supportive of your efforts to strengthen regulatory oversight of pharmaceutical patents and exclusivity, as patients will be the true beneficiaries.

Sincerely yours,

Mark J. Ratain, MD  
Director and Treasurer, OCCA  
(also the Leon O. Jacobson Professor of Medicine at The University of Chicago)

Allen S. Lichter, MD  
Director and Chairman of the Board Emeritus, OCCA  
(also the immediate past Chief Executive Officer, American Society of Clinical Oncology)

Beth Jacobson, J.D.  
Director, OCCA  
(also General Counsel, Kaia Health)