

119TH CONGRESS
1ST SESSION

H. R. 5819

To amend title 35, United States Code, to require a patent owner to consent to the filing of a petition for inter-partes review or post-grant review, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 24, 2025

Ms. KAPTUR (for herself, Mr. MASSIE, Mr. MCCORMICK, and Mr. DAVIS of North Carolina) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 35, United States Code, to require a patent owner to consent to the filing of a petition for inter-partes review or post-grant review, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Balancing Incentives
5 Act of 2025”.

1 **SEC. 2. REQUIREMENT FOR PATENT OWNER TO CONSENT**
2 **TO THE FILING OF PETITION FOR INTER-**
3 **PARTES REVIEW OR POST-GRANT REVIEW.**

4 Title 35, United States Code, is amended—

5 (1) in section 312(a)—

6 (A) in paragraph (4), by striking “; and”
7 and inserting a semicolon;

8 (B) in paragraph (5), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (C) by adding at the end the following:

11 “(6) the owner of the patent consents to the fil-
12 ing of the petition.”; and

13 (2) in section 322(a)—

14 (A) in paragraph (4), by striking “; and”
15 and inserting a semicolon;

16 (B) in paragraph (5), by striking the pe-
17 riod at the end and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(6) the owner of the patent consents to the fil-
20 ing of the petition.”.

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