



September 9, 2019

The Honorable Thom Tillis, Chairman  
Subcommittee on Intellectual Property  
Committee on the Judiciary  
U.S. Senate  
224 Dirksen Senate Office Building  
Washington, D.C. 20515

The Honorable Chris Coons, Ranking Member  
Subcommittee on Intellectual Property  
Committee on the Judiciary  
U.S. Senate  
152 Dirksen Senate Office Building  
Washington, D.C. 20515

Dear Senator Tillis and Senator Coons,

As an inventor and CEO of Zugara, Inc., I urge you to address both the negative impact of the PTAB and lack of injunctive relief that is destroying the startup ecosystem and dreams of inventors.

At Zugara, we operate in the Augmented Reality space. Augmented Reality, or AR for short, is a technology field that is projected to be the next evolution of the mobile phone ecosystem. Zugara has been a pioneer in the AR field since 2008 as we have developed numerous technologies over the years that spearheaded innovation in the AR field. We also filed and were granted multiple patents to protect our inventions and to help secure venture capital. Over the last few years though, we have found that our patents have now become worthless. All legal methods we would have had at our disposal in the past to stop large tech companies from infringing our patents no longer exist.

Due to the confusion with the PTAB where patents are invalidated at an astonishing rate and the lack of injunctive relief (be it real or threatened), a small startup like Zugara, Inc. cannot stop the efficient infringement that has increasingly been practiced by the large tech companies as a result of the AIA.

Friendly licensing correspondence goes unanswered. Calls to large tech companies do not get returned. The large tech companies now operate knowing that even if we had the legal means to sue to stop the infringement, they can file multiple IPR's and drown us in legal bills while continuing to gain market share.

This isn't the American Dream I envisioned when starting up my business in 2001. It's also not the American Dream of the employees I have had to lay off over the years due to the theft of our technology at the expense of large tech companies' record profits and share price. This is not a level playing field any longer and 2 classes of patents have been created. The artificially diluted value of patents belonging to small startups and inventors versus the growing value of patents that sit in war chests of large tech companies to be used offensively and defensively against any technology disruptors.



We fully support your efforts to roll back patent legislation that has had unforeseen impact and negative consequences on the inventor and startup communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Szymczyk", with a long horizontal flourish extending to the right.

Matthew Szymczyk

CEO

Zugara, Inc.