

December 2, 2013

The Honorable John A. Boehner  
The Honorable Eric Cantor  
The Honorable Nancy Pelosi  
The Honorable Steny H. Hoyer

**Re: H.R. 3309 – The Innovation Act**

Dear Speaker Boehner, Rep. Cantor, Rep. Pelosi, and Rep. Hoyer:

As advocates for a strong, innovative America, we write to express our opposition to H.R. 3309, the so-called Innovation Act. This legislation would weaken American patents, patent-holders, and the ability of innovators—particularly individual, independent inventors—to secure their constitutionally guaranteed right to their discoveries.

H.R. 3309 will erode private property protections grounded in Article I, Section 8 of the Constitution. This proposed legislation is not “litigation reform,” as its proponents would have you believe. To the contrary, the bill would increase litigation at the expense of innocent inventors. The bill’s provisions apply to *all* litigants, not just “patent trolls,” and as a result will hamper innovation, diminishing American competitiveness and reducing American jobs. It is unwise to emulate weak patent protections in nations like China and India.

Furthermore, the bill allows patent infringers more time to keep inventors tied up in expensive legal battles to defend their inventions, effectively devaluing patents. We support commonsense, targeted solutions to abusive litigation in the patent arena. However, H.R. 3309 goes far beyond addressing the grievances of blameless end users who are unfairly sued, causing more problems than it solves.

We urge a scalpel, not a cleaver, in addressing patent legislation. Unfortunately, because it does not reflect such an approach, we oppose H.R. 3309 in its current form.

Sincerely,

Phyllis Schlafly  
President  
Eagle Forum

Kevin Kearns  
President  
U.S. Business & Industry Council

Morton Blackwell  
Chairman  
The Weyrich Lunch

Charles Sauer  
President  
Entrepreneurs for Growth

Al Cardenas  
Chairman  
American Conservative Union

Robert Patterson  
Executive Director  
Arsenal of Democracy Project

Ambassador Henry F. Cooper  
Former Director  
Strategic Defense Initiative

John Tate  
President  
Campaign for Liberty

Chris Chocola  
President  
Club for Growth

Linwood Bragan  
Executive Director  
CapStand Council for Policy and Ethics

