



**Conservatives
for
Property Rights**

October 15, 2018

The Honorable Robert Goodlatte
2138 Rayburn House Office Building
Washington, D.C., 20515

The Honorable Jerrold Nadler
B-336 Rayburn House Office Building
Washington, D.C., 20515

Dear Chairman Goodlatte and Ranking Member Nadler:

Conservatives for Property Rights (CPR) supports the Copyright Alternative in Small-Claims Enforcement (CASE) Act, H.R. 3945, sponsored by Rep. Hakeem Jeffries (D-N.Y.).

CPR emphasizes the central importance of private property in all its forms — physical, personal, and intellectual. The right to private property ranks among the unalienable rights the Founders referenced in the Declaration of Independence. Thus, property rights should not be considered a conservative or liberal issue, although this coalition approaches property rights from a conservative philosophical perspective.

The CASE Act would create a voluntary, streamlined arbitration process for resolving small-claims copyright infringement matters. H.R. 3945 would strengthen private property rights in the creations of the largest segment of the copyright community, small creators such as photographers, songwriters, visual artists, videographers, writers, and authors. The Professional Photographers of America witness testified of this legislation that “there is no discussion that will affect more small businesses — more mom-and-pop creators — than that of establishing a small claims system.”

These independent, Main Street intellectual property owners would gain a viable means of pursuing lost revenues from the unauthorized use of their creative works. Presently, the remedy of federal court is far too expensive where copyright infringement involves small claims. Three-fourths of the time, small creators’ damages amount to \$3,000 or less. Further, IP attorneys generally won’t take a case where damages from copyright infringement are less than \$30,000.

Under this bill, copyright owners could seek redress by an alternative dispute resolution-type proceeding through a Copyright Claims Board to be housed in the U.S. Copyright Office. This is important from a private property rights perspective because the practical inability to enforce one’s property rights against those who infringe his or her copyrighted creations — literary, graphic, or otherwise — effectively has no property right.

“protecting the exertions of talents and industry . . . securing to them their justly acquired fruits”
— Alexander Hamilton

Conservatives for Property Rights commends the Copyright Alternative in Small-Claims Enforcement Act and looks forward to working with the committee in strengthening the intellectual property rights of the hundreds of thousands of small creators.

Sincerely,

James Edwards
Executive Director
Conservatives for Property Rights

Daniel Schneider
Executive Director
American Conservative Union

Matthew Kandrach
President
Consumer Action for a Strong Economy

cc: Rep. Hakeem Jeffries