



Conservatives  
for  
Property Rights

August 1, 2018

The Honorable Dana Rohrabacher  
2300 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Rohrabacher:

Conservatives for Property Rights (CPR), a coalition of policy organizations representing tens of thousands of Americans, is most pleased to endorse the Inventor Protection Act (H.R. 6557). Thank you for your continued, faithful leadership and advocacy on behalf of the American inventor and strong patent property rights.

U.S. patents traditionally secured private property rights to inventors. Congress and the courts, especially the U.S. Supreme Court, have weakened these property rights. The associated private property rights — exclusivity and the ability to enforce patent property rights, most particularly — made America the most inventive, creative nation on earth. These property rights have steadily been hollowed out. While large inventive companies have suffered under these lost property rights, the independent inventor has felt the harmful effects most acutely.

H.R. 6557 begins to restore some of these patent property rights for inventors themselves. First, this legislation assures the patent owner who is also the inventor that any patent validity challenge will take place in an Article III court unless he or she agrees to an administrative proceeding at the Patent and Trademark Office. Second, H.R. 6557 undoes the disadvantageous tilting of the legal playing field against inventors, in terms of selecting the venue to enforce one's patent, that the U.S. Supreme Court caused in its *T.C. Heartland* ruling. Third, the bill adopts reasonable expedited rules for independent inventors asserting their private property rights in their patents. Fourth, presumptions of irreparable harm from patent infringement and of willful infringement by a sophisticated infringer strengthen property rights, rectifying the *eBay* ruling's barriers to obtaining injunctive relief, even after having proven patent infringement. Fifth, straightforward rules for assessing damages and attorney's fees in inventor-owned patent infringement cases are provided. All in all, H.R. 6557 would bolster inventors' property rights.

CPR applauds the Inventor Protection Act and looks forward to working with you to advance this worthwhile legislation.

Respectfully,

James Edwards  
Executive Director  
Conservatives for Property Rights

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Let Freedom Ring

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