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EDUCATION CENTER: 7800 Bonhomme Avenue ♦ Saint Louis, Missouri ♦ 63105 ♦ (314)721-1213 ♦ Fax: (314)-721-3373
CAPITOL HILL OFFICE: 316 Pennsylvania Avenue SE ♦ Washington, D.C ♦ 20003 ♦ (202)544-0353 ♦ Fax: (202)547-6996
OPERATIONS CENTER: P.O. Box 618 ♦ Alton, Illinois ♦ 62002 ♦ (618)462-5415 ♦ Fax: (618)462-8909 ♦ eagle@eagleforum.org

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Dear Representative,

On behalf of Eagle Forum and the thousands of families we represent, I urge you not to support H.R. 9, the Innovation Act, which has been introduced today. We opposed this legislation, then H.R. 3309, in the previous Congress, and continue to believe it would inflict considerable harm to America's inventors and innovators.

H.R. 9 stacks the patent litigation deck in favor of patent infringers. Inventors would face greater obstacles to protecting their intellectual property. Ultimately, IP thieves would benefit from the act, while innovators would fall behind.

Eagle Forum objects to the limitations H.R. 9 places upon the constitutional guarantees to patent holders, and it is not alone. Serious problems with this legislation have been illuminated over the past several months by inventors, universities, conservative organizations that believe in property rights, American companies from across the economy, and small businesses.

Furthermore, circumstances have changed considerably since the House took up this legislation:

- Patent litigation has fallen precipitously, dropping 40 percent between September 2013 and September 2014.
- Five Supreme Court decisions last year, including *Alice Corp. v. CLS Bank* and *Octane Fitness v. ICON Health & Fitness*, clarified what is and isn't patentable and discouraged filing unmerited patent cases.
- The Judicial Conference has aptly changed the Federal Rules of Civil Procedure regarding pleading standards and discovery requests.
- The Federal Trade Commission and state attorneys general have stepped up enforcement of abusive patent demand letter practices, using their consumer protection and unfair competition authority.

Eagle Forum believes that support for property rights, innovation, jobs, and wealth creation requires opposition to the "Innovation Act." We urge your congressman not to support the bill as it moves forward.

Faithfully,

Founder and Chairman
Eagle Forum