

**PATENT + POLICY FORUM 2013**  
**NOVEMBER 8, 2013**

**BRIEFING PAPER NO. 1**

**CURRENT PROPOSALS TO AMEND U.S. PATENT LAW**

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*Financial support by Google, Inc. and Microsoft Corporation is gratefully acknowledged.*

## **INTRODUCTION**

Patent law, once a sleepy backwater of the legal world, has emerged in the last five years as one of the most controversial and heavily-debated subjects on the national scene. Patent law has become a focus of all three branches of government, as litigation spreads through the judicial system and an increasing number of cases reach the Supreme Court, prompting responses by both the executive and legislative branches. In 2011, Congress enacted the American Invents Act (AIA), the broadest set of amendments to the Patent Act in more than a half-century. But the AIA only fueled the debate, and a half dozen new legislative proposals are now wending their way through Congress. Executive agencies well beyond the Patent and Trademark Office (PTO) have also taken an abiding interest in patent law. The Department of Justice (DOJ) and Federal Trade Commission (FTC) have been actively policing potentially anticompetitive behavior associated with patent enforcement, the International Trade Commission (ITC) has found itself at the epicenter of the Smartphone Wars, and even the Executive Office of the President has issued various pronouncements on patent law.

The debate has, to-date, centered on three related but distinct phenomena: the rise of patent assertion entities (PAEs), the scope and quantity of patents covering software and business methods, and the enforcement of patents covering industry standards and subject to commitments of fair, reasonable and non-discriminatory (FRAND) licensing. Most of the legislative and executive proposals for patent law amendment address one or more of these three areas.

In this Forum, we will explore the proposals to amend U.S. patent law that are currently on the table and analyze their potential effects on litigation, the economy and innovation.

This Briefing Paper is intended to set the stage for discussion and to provide background information on various legislative and administrative proposals that have been made this year. The materials summarized here are complex and voluminous. We do not aspire in this short document to offer a comprehensive description of each proposal, nor an in-depth analysis of any specific item. Rather, we hope that this document will inform the general public about the issues at hand in a balanced and, hopefully, accurate manner. We apologize in advance for any errors or inaccuracies, and welcome the discussion that we hope to engender.

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## **I. PROPOSALS FOR AMENDMENT**

A brief history of each of the proposals to amend the patent law is set forth below:

### **A. H.R. 3309: The Innovation Act**

The Innovation Act is a bill introduced by Representative Bob Goodlatte (R–VA), Chairman of the House Judiciary Committee. The bill was introduced on October 23, 2014 and was co-sponsored at introduction by Representatives Spencer Bachus (R–AL), Jason Chaffetz, (R–UT), Howard Coble (R–NC), Peter DeFazio (D–OR), Anna Eshoo (D–CA), Blake Farenthold (R–TX), George Holding (R–NC), Zoe Lofgren (D–CA), Tom Marino (R–PA), and Lamar Smith (R–TX). The bill is currently in the House Judiciary Committee. The proposed Innovation Act synthesizes a variety of amendments to the U.S. Patent Act — several of which had been proposed in isolation in prior bills—into one comprehensive legislative proposal. It includes provisions relating to disclosure of real parties in interest, discovery and joinder, stays in suits against end user customers, fee shifting, and the Patent and Trademark Office’s (PTO) interpretation of the Covered Business Method (CBM) Review Program. The bill also seeks to correct a number of technical defects in the America Invents Act, including modifications to jurisdictional and procedural provisions pertaining to the Patent Trial and Appeal Board (PTAB) and the Court of Appeals for the Federal Circuit (CAFC).

### **B. S. 1612: The Patent Litigation Integrity Act**

The Patent Litigation Integrity Act was introduced by Senator Orrin Hatch (R–UT) in the Senate Judiciary Committee on October 30, 2013. The stated purpose of the Act is to lower economic incentives for bringing frivolous patent suits through rules regarding fee-shifting.

### **C. H.R. 845: The Saving High-Tech Innovators From Egregious Legal Disputes Act (The SHIELD Act)**

The SHIELD Act was introduced by Representatives Peter DeFazio (D–OR) and Jason Chaffetz (R-UT) on August 1, 2012. A second draft was introduced on February 27, 2013. The SHIELD Act focuses on fee shifting in patent litigation. It was co-sponsored by Representatives Kerry Bentivolio (R–MI), Tim Walberg (R–MI), and Peter Welch (D–VT).

### **D. S. 866: The Patent Quality Improvement Act**

The Patent Quality Improvement Act was drafted by Senator Charles Schumer (D–NY). The purpose of this bill is to expand Covered Business Method Review at the PTO. It was introduced into the Senate Judiciary Committee on May 6, 2013.

**E. H.R. 2766: Stopping the Offensive Use of Patents Act (STOP Act)**

The STOP Act was introduced by Representative Darryl Issa (R–CA) and Judy Chu (D–CA) and is co-sponsored by Representative Jared Hoffman (D–CA). The purpose of this bill is to expand Covered Business Method Review at the PTO, and the text tracks that of the Patent Quality Improvement Act (S.866). It was introduced into the House Judiciary Committee on July 22, 2013.

**F. H.R. 2024: The End Anonymous Patents Act**

The End Anonymous Patents Act was introduced by Representative Theodore Deutch (D–FL). The purpose of this bill is to add greater transparency to the patent system by requiring parties to report patent transfers and real party in interest information at the time of transfer. It was introduced into the House Judiciary Committee on May 16, 2013.

**G. S. 1013: The Patent Abuse Reduction Act**

The Patent Abuse Reduction Act was drafted by Senator John Cornyn (R–TX). The purpose of this bill is to make procedural changes to several aspects of patent litigation. It requires a heightened pleading standard, disclosure of real party in interest and joinder of additional parties; limited discovery prior to claim construction; discovery cost sharing; and a new fee shifting standard. Many of the changes that this bill proposes have been incorporated into the Innovation Act. The Act is co-sponsored by Senator Charles Grassley (R–IA). It was introduced into the Senate Judiciary Committee on May 22, 2013.

**H. H.R. 2639: Patent Litigation and Innovation Act**

The Patent Litigation and Innovation Act was drafted by Representative Hakeem Jeffries (D–NY) and is co-sponsored by Representative Blake Farenthold (R–TX). It was introduced into the House Judiciary Committee on July 10, 2013.

**I. White House Fact Sheet – Legislative Priorities & Executive Actions, June 4, 2013**

On June 4, 2013, the White House released a document outlining seven recommended legislative actions intended to “increase clarity and level the playing field for innovators” by revising the patent system. These legislative recommendations were accompanied by five suggested executive actions intended to help achieve the same goals. The Fact Sheet was accompanied by a study on Patent Assertion and U.S. Innovation.

## **II. IMPACT ON PATENT ASSERTION ENTITIES (PAEs)**

One issue that has attracted significant attention both from policymakers and the popular media has been the effect that patent assertion entities (PAEs) have on the patent landscape. These entities, which generally acquire patents for the purpose of asserting them to obtain monetary settlements, are also referred to as patent monetization entities and “patent trolls”. PAEs are members of a broader class of patent holders known as “non-practicing entities” (NPEs), which do not manufacture or sell products or offer services covered by the patents they hold. Numerous commentators argue that patent assertions by PAEs are a drain on the economy and divert resources from innovation to litigation. Others respond that PAEs provide necessary liquidity to the patent market and enable inventors without significant resources to capitalize on their innovations. The following proposals have been made to modify the course of patent litigation in order to address perceived problems with PAE litigation, though none of the proposals explicitly define PAEs or any other category of patent holder.

### **H.R. 3309: The Innovation Act**

The Innovation Act contains several provisions aimed at addressing litigation-related issues. It synthesizes many of the proposals contained in the other bills discussed below.

#### **1. Real Party in Interest**

These provisions require that parties asserting patents disclose to the court, the defendant and the PTO all entities having a financial interest in the asserted patents, as well as the asserting party’s ultimate parent company and any entity having enforcement rights over the patents. These provisions are intended to make publicly known the otherwise unclear relationships among PAE shell companies and their financial backers. The bill also imposes an ongoing duty of disclosure to the PTO if changes to previously disclosed information occur.

#### **2. Discovery**

These provisions are intended to make the discovery process for patent litigation more efficient. The bill seeks to limit discovery prior to *Markman* hearings to those materials relevant to claim construction and includes provisions allowing judges to make additional rules to stage discovery as they see fit. The bill would also require the Judicial Conference to develop further discovery rules to limit document production to “core documentary evidence”, including items relating to the technical and financial details of a product. Parties would be required to pay their own document production costs, and parties requesting more distantly-related materials would also have to pay the opposing party’s production costs.

#### **3. Joinder**

These provisions address the issues that arise when patent holders assign patents to newly-formed, thinly-capitalized entities for litigation purposes, while retaining a substantial

financial interest in the outcome of the litigation. Under existing federal joinder rules, such patent holders, who do not have a current ownership interest in the patents being asserted, cannot be joined by a defendant in the suit. The bill would change procedural joinder requirements to allow defendants to join any “interested party” to the case. It goes on to define “interested party” as any assignee, entity with a right to sublicense, or entity with a “direct financial interest” in the asserted patent. The bill also outlines a few exceptions. The joinder provision would not apply to attorneys representing the parties or entities with an equity interest but no influence over the action. These provisions would also not apply if joinder would deprive the court of subject matter jurisdiction, if joinder would create improper venue, or if the party being joined is not subject to service of process.

#### **4. Customer Suits**

These provisions seek to address the practice employed by some PAEs of suing a product manufacturer’s end user customers for using an allegedly infringing product. This practice, in particular, has attracted significant attention from the press in recent months. When a manufacturer intervenes in a case, a court would be required to stay an action brought against an end user of its infringing product if certain requirements have been met. These include an agreement by both the manufacturer and customer to be bound by the outcome of the manufacturer’s action.

#### **5. Pleading**

These provisions are aimed at curbing complaints in patent infringement suits that are vague and targeted at an industry in general, rather than at specific infringing defendants. The proposal would require all complainants in patent suits to disclose which claims are being infringed, to clearly specify which products are allegedly infringing and on what grounds. It would also require the complainant to demonstrate its right to assert the patent, and to describe its principal business.

#### **6. Attorneys’ Fees**

These provisions would require courts to award attorneys’ fees to the prevailing party in a patent suit absent a showing that the non-prevailing party’s position was “substantially justified” or if special circumstances make an award unjust. To address concerns regarding the multi-tiered corporate structures implemented by some PAEs, fees would be recoverable from all parties having a financial interest in the suit, rather than only those parties with an ownership interest in the patent.

**S. 1612: The Patent Litigation Integrity Act****1. Attorneys' Fees**

These provisions would require courts to award attorneys' fees to the prevailing party in a patent suit absent a showing that the non-prevailing party's position was "substantially justified" or if special circumstances make an award unjust. The Act would also allow defendants to file a motion requiring the plaintiffs to post bond covering these fees. The Act gives courts several factors to consider when determining whether to allow such a motion. These factors, which appear in large part to be directed at determining whether the plaintiff asserting a patent is a PAE, include whether the issuance of the bond would affect activities other than patent assertion, acquisition, litigation, or licensing; whether the plaintiffs are universities or nonprofit entities; whether a licensee to the patent at issue is conducting further research on the patented technology; whether the plaintiffs are either named inventors or original assignees; whether the plaintiffs make or sell products covered by the patent at issue; whether the plaintiffs can afford to pay attorneys' fees; and whether the plaintiffs illustrate a willingness to pay these fees in the event the infringement claims fail.

**H.R. 845: The SHIELD Act****1. Attorneys' Fees**

The SHIELD Act would allow the defendant in a patent suit to file a motion to determine whether the plaintiff asserting a patent meets one of the following "conditions": it is an inventor or assignee of the asserted patent, a university or university-affiliated technology transfer association, or a party that has otherwise made a substantial investment in the patent. If the plaintiff is determined by the court not to meet one of these conditions, it must post bond in an amount calculated to cover the recovery of costs by the defendant. If the defendant in a patent suit brought by an entity that does not meet one of the conditions described above prevails in its assertion of invalidity or non-infringement, the court will award the defendant recovery of its full costs, including attorneys' fees.

**H.R. 2024: The End Anonymous Patents Act****1. Real Party In Interest**

The End Anonymous Patents Act seeks to increase transparency in the patent system, but unlike the Innovation Act and other proposals discussed above, is not specific to patent litigation. The bill requires the Director of the PTO to develop regulations relating to the disclosure of each entity having the legal right to enforce a patent, its ultimate parent entity and any entity having a controlling interest in the enforcement of a patent (real parties in



interest). Such disclosures would be required of patent applicants upon the issuance of a new patent, and upon the payment of maintenance fees and transfer of existing patents. The bill would also limit damages for patent infringement to the period after which the required disclosures have been made.

## **S. 1013: The Patent Abuse Reduction Act**

### **1. Real Party in Interest**

This provision is similar to the one in the Innovation Act (H.R. 3309), discussed above.

### **2. Discovery**

This provision is similar to the discovery provisions of the Innovation Act (H.R. 3309), discussed above.

### **3. Attorneys' Fees**

These requirements are similar to those in the Innovation Act (H.R. 3309), discussed above. The principal distinction is that the Patent Abuse Reduction Act does not address covenants not to sue.

### **4. Joinder**

This provision is similar to the one in the Innovation Act (H.R. 3309), discussed above.

## **H.R. 2639: Patent Litigation and Innovation Act**

### **1. Real Party in Interest**

The Patent Litigation and Innovation Act would require parties filing patent infringement suits to disclose all owners, licensees and assignees of the patent(s) at issue. It would also require the filing party to disclose its principal business. These requirements are similar to those proposed under the Innovation Act (H.R. 3309) and the Patent Abuse Reduction Act (S. 1013). However, the Patent Litigation and Innovation Act does not require parties to disclose prior or pending litigation.

### **2. Customer Suits**

This provision is similar to the one in the Innovation Act (H.R. 3309), discussed above. However, the Patent Litigation and Innovation Act covers not only consumers but also other “secondary parties”— entities that either resell or redistribute patented articles.

### **3. Sanctions**

The Patent Litigation and Innovation Act seeks to provide patent litigation defendants with additional protection through provisions that would make it easier for judges to award sanctions for abusive litigation. It seeks to achieve this end by requiring judges to apply greater scrutiny in their analyses under Rule 11 of the Federal Rules of Civil Procedure. Judges would be required to include specific findings in the record as to abusive practices that take place during trial. Judges would also be required to enforce these sanctions against noncompliant attorneys and their respective clients.

### **4. Joinder**

This provision is similar to the one in the Innovation Act (H.R. 3309), discussed above. However, unlike the Innovation Act this bill does not define the term “interested party.” It also requires that parties file a motion for joinder within 120 days of the first complaint, answer, or counterclaim.

### **5. Discovery**

The Patent Litigation and Innovation Act would allow courts to stay discovery until they have ruled on motions to dismiss, motions to transfer venue, and claim construction issues. The Act would also allow courts to expand discovery in extraordinary circumstances.

## **White House Fact Sheet – Legislative Priorities & Executive Actions**

The White House document of June, 2013 makes several legislative and executive recommendations intended to address PAE issues. These include:

### **1. Real Party in Interest**

Recommends that legislation requiring that any party sending demand letters, filing an infringement suit or seeking PTO review of a patent file update patent ownership information with the PTO and enabling the PTO or district courts to impose sanctions for non-compliance. Also directs the PTO to develop rules to require patent applicants and owners “update patent ownership information when they are involved in proceedings before the PTO, specifically designating the “ultimate parent entity” in control of the patent or application.”

### **2. Demand Letter Disclosure**

Recommends that legislative incentives be created to have patent demand letters filed publicly in a manner that is accessible to and searchable by the public.

### **3. Attorneys' Fees**

Recommends “providing district courts with more discretion to award attorneys’ fees under 35 USC 285 as a sanction for abusive court filings”.

### **4. Customer Suits**

Recommends legislation protecting consumers and businesses from infringement suits for the use of “off-the-shelf” products, and that such suits be stayed when an infringement suit has been brought against the product manufacturer. Also directs the PTO to develop better education and outreach materials to answer common questions regarding PAE suits against customers.

### **5. ITC Standards**

Recommends legislation providing that the ITC standard for issuing an exclusion order be better aligned with the four-factor equitable test for injunctive relief set forth by the Supreme Court in *eBay v. MercExchange*. The *eBay* test, which arose in a case involving a PAE’s attempt to obtain an injunction against eBay, is widely viewed as having made it more difficult for PAEs to obtain injunctive relief in District Court.

### **III. IMPACT ON SOFTWARE AND BUSINESS METHOD PATENTS**

Another issue that has been the subject of significant discussion among policymakers is the effect that software patents, as they are currently issued and enforced, have on innovation and the economy. Numerous commentators have argued that patents covering software inventions are too broad, vague and/or numerous, and that much PAE litigation involves software patents. Others argue that software patents encourage innovation and are appropriately limited by judicial decisions and PTO practice.

The America Invents Act of 2011 (AIA) sought to address the enforcement of financial services business method patents by establishing a Transitional Program for Covered Business Method (CBM) Patents the PTO. This program permits persons charged with infringing a CBM patent to initiate a review proceeding at the PTO in which the validity of the patent may be challenged. However, the program is limited in both its scope and duration. It expires in 2020 and only covers patents claiming “a method or corresponding apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service, except that the term *does not include patents for technological inventions*” (emphasis added). The term “technological inventions” is not defined in the AIA, but it was defined by the PTO through notice and comment rulemaking procedures. Finally, the program only allows domestic patents and publications to be used as prior art in a CBM review. Foreign patents and publications are not permitted.

The following proposals have been made to modify the legal framework as it relates to software and business method patents:

#### **H.R. 3309: The Innovation Act**

##### **1. Studies**

The Innovation Act would require the PTO to conduct studies regarding patent “quality”. These studies would likely assess the PTO’s examination practices regarding software patents.

##### **2. Covered Business Methods**

The Innovation Act seeks to expand the ability of parties to challenge certain patents by modifying and codifying the CBM review program at the PTO. The Innovation Act would modify the scope of the CBM program to allow litigants to introduce foreign patents and publications as prior art. The Innovation Act would also eliminate its current 2020 expiration date, but make the program apply only to first-to-invent patents. The Innovation Act does not expand the scope of challengeable patents beyond those claiming a financial product or service, but would instead codify the PTAB’s decision in *SAP America, Inc. v. Versata Dev. Group, Inc.*, CBM2012–00001, Paper 36 (January 9, 2013). This interpretation suggests that the definition of CBM patents includes patents claiming inventions, including software,

incidental to a financial service and not only those in which the claimed invention directly performs a financial service.

## **S. 866: The Patent Quality Improvement Act**

### **1. Covered Business Methods**

Like the Innovation Act (H.R. 3309), the Patent Quality Improvement Act would make the CBM review program at the PTO permanent and expand available prior art to foreign patents and publications. However, the Patent Quality Improvement Act expands CBM's jurisdiction further. Whereas the CBM program as defined by the AIA only covers *financial* business method patents, the proposed Act would expand the CBM program to encompass *all* business method patents and not just those that are financially-related.

## **H.R. 2766: Stopping the Offensive Use of Patents Act (STOP Act)**

### **1. Covered Business Methods**

The provisions in the STOP Act relating to CBM are nearly identical to those proposed in The Patent Quality Improvement Act (S. 866) discussed above. The principal difference is that the STOP Act contains an additional administrative provision that is unrelated to CBM expansion.

## **White House Fact Sheet – Legislative Priorities & Executive Actions**

The White House document of June, 2013 makes several legislative and executive recommendations intended to address software patenting issues. These include:

### **1. Covered Business Methods**

Recommends expanding the CBM program to “include a broader category of computer-enabled patents and permit a wider range of challengers to petition for review of issued patents before the Patent Trial and Appeals Board (PTAB).”

### **2. Functional Claiming**

Directs the PTO to provide enhanced training to its examiners on “functional” claims, which have been criticized as overly broad and vague, and to develop new strategies over the next six months to improve claim quality, including through the use of glossaries in the specifications of software patents.

### **PTO Software Business Partnership and Roundtable**

The PTO has announced a number of initiatives and sought input on ideas to help improve the quality of examination of software patents, including roundtables on functional claiming, the use of glossaries in applications, and access to software prior art.

#### **IV. IMPACT ON FRAND LICENSING**

One issue that has been the subject of discussion of many policymakers has been the impact that Standard Essential Patents (SEPs) subject to Fair Reasonable & Nondiscriminatory (FRAND) licensing agreements have had on patent policy. The following recent policy decisions have had an impact on the legal framework surrounding these SEPs.

##### **H.R. 3309: The Innovation Act**

###### **1. Pleading**

The Innovation Act would expand pleading disclosure requirements in patent infringement suits by requiring the party filing a complaint to disclose whether any of the patent claims at issue are essential to the implementation of an industry standard.

###### **2. Discovery**

The Innovation Act would define any documents or licensing agreements relevant to standards-essential patents as being “core” documents in discovery.

###### **3. Bankruptcy**

Section 365(n) of the U.S. Bankruptcy Code currently allows a licensee of intellectual property to continue its license even if the licensor enters bankruptcy and rejects the license agreement. In several recent cases, however, a licensee’s right to continue its license has been questioned when the underlying intellectual property has been transferred to a third party that is arguably not subject to Section 365(n). This issue is particularly important in the context of standards-essential patents, which are often broadly licensed (or subject to licensing commitments) across industries. The Innovation Act would amend Section 365(n) by clarifying that its effect extends to intellectual property that the debtor/licensor has transferred.

##### **White House Fact Sheet – Legislative Priorities & Executive Actions**

The White House document of June, 2013 makes several legislative and executive recommendations intended to address FRAND issues. These include:

###### **1. ITC Standards**

Recommends legislation providing that the ITC standard for issuing an exclusion order be better aligned with the four-factor equitable test for injunctive relief set forth by the Supreme Court in *eBay v. MercExchange*. This amendment to the ITC’s authorizing statute, 19 U.S.C.

§1337, is consistent with a recommendation of the DOJ and PTO made in a joint Policy Statement on January 8, 2013, which was cited by the U.S. Trade Representative in August 2013 when disapproving an ITC exclusion order against certain Apple products covered by Samsung's standards-essential patents (SEPs). In its letter, the USTR urge the ITC to take into account the impact that the FRAND licensing issues implicated by the case would have on the public interest.



**APPENDIX I: LINKS TO ONLINE VERSIONS OF PROPOSALS**

H.R. 3309: The Innovation Act

<http://judiciary.house.gov/news/2013/10232013%20%20Innovation%20Act.pdf>

S. 1612: The Patent Litigation Integrity Act

<http://www.gpo.gov/fdsys/pkg/BILLS-113s1612is/pdf/BILLS-113s1612is.pdf>

H.R. 845: The Saving High-Tech Innovators From Egregious Legal Disputes Act (SHIELD Act.)

<http://www.gpo.gov/fdsys/pkg/BILLS-113hr845ih/pdf/BILLS-113hr845ih.pdf>

S. 866: The Patent Quality Improvement Act

<http://www.gpo.gov/fdsys/pkg/BILLS-113s866is/pdf/BILLS-113s866is.pdf>

H.R. 2766: Stopping the Offensive Use of Patents Act (STOP Act)

<http://www.gpo.gov/fdsys/pkg/BILLS-113hr2766ih/pdf/BILLS-113hr2766ih.pdf>

H.R. 2024: The End Anonymous Patents Act

<http://www.gpo.gov/fdsys/pkg/BILLS-113hr2024ih/pdf/BILLS-113hr2024ih.pdf>

S. 1013: The Patent Abuse Reduction Act

<http://www.gpo.gov/fdsys/pkg/BILLS-113s1013is/pdf/BILLS-113s1013is.pdf>

H.R. 2639: Patent Litigation and Innovation Act

<http://www.gpo.gov/fdsys/pkg/BILLS-113hr2639ih/pdf/BILLS-113hr2639ih.pdf>

FACT SHEET: White House Task Force on High-Tech Patent Issues: Legislative Priorities & Executive Actions

<http://www.whitehouse.gov/the-press-office/2013/06/04/fact-sheet-white-house-task-force-high-tech-patent-issues>

Executive Office of the President – Patent Assertion and U.S. Innovation

[http://www.whitehouse.gov/sites/default/files/docs/patent\\_report.pdf](http://www.whitehouse.gov/sites/default/files/docs/patent_report.pdf)

**APPENDIX II: SUMMARY OF PROPOSED AMENDMENTS**

	<b>PAEs</b>	<b>Software and Business Methods</b>	<b>FRAND</b>
<b>Innovation Act</b> (H.R. 3309 – Goodlatte)	Real Party in Interest Discovery Joinder Customer Suits Pleading Attorneys’ Fees	Studies CBM*	Pleading Discovery Bankruptcy
<b>Patent Litigation Integrity Act</b> (S. 1612 – Hatch)	Attorneys’ Fees		
<b>SHIELD Act</b> (H.R. 845 – DeFazio/Chaffetz)	Attorneys’ Fees		
<b>Patent Quality Improvement Act</b> (S. 866 - Schumer)		CBM*	
<b>STOP Act</b> (H.R. 2766 – Issa/Chu)		CBM*	
<b>End Anonymous Patents Act</b> (H.R. 2024 – Deutch)	Real Party in Interest		
<b>Patent Abuse Reduction Act</b> (S. 1013 – Cornyn)	Real Party in Interest Discovery Attorneys’ Fees Joinder		
<b>Patent Litigation and Innovation Act</b> (H.R. 2639 – Jeffries)	Real Party in Interest Customer Suits Sanctions Joinder Discovery		
<b>White House Fact Sheet</b>	Real Party in Interest Demand Letter Disclosure Attorneys’ Fees Customer Suits ITC Standards	CBM* Functional Claiming	ITC Standards

\* Modifications to PTO’s Transitional Program for Covered Business Method Patents.