sort of an unjustified claim, that these are false patents, these things shouldn't be enforced. But they haven't done that. What they are doing is preventing people who have regular claims, people who have legitimate claims, from seeking damages from big companies, big guys, who intentionally are infringing upon them.

We are being asked to raise the bar for the inventor to bring a lawsuit to defend his or her rights. We are making it more difficult for the inventor, rather than easier for these big companies to brush away frivolous lawsuits. We instead are making it harder on inventors to defend their legitimate property rights. So rather than lowering the bar to allow small business to defend itself against frivolous lawsuits, we are basically raising the bar when it comes to inventors to protect their rights.

In addition, under the claim of ''technical correction,'' this legislation proposes to remove the patent system's only independent judicial process. That is in section 45 of title 35. If this passes, inventors who are not satisfied that the Patent Office has actually treated them fairly, that the bureaucracy has worked within the law, that they have not been cheated, there is not some collusion going on, the fact is there will be no recourse to an inventor who feels that he has been wronged by our own bureaucracy.

Although this safeguard that we have had that prevents the bureaucracy from doing things that are illegal or out of procedure or violating someone's rights, those safeguards of having a judicial review have been part of our American law system since 1836. It isn't some antiquated process; it is independent judicial review. Last year, the Supreme Court of the United States in Kappos v. Hyatt reaffirmed the importance of this provision.

Now the Patent Office has been requested that judicial review be done away with because it is so burdensome—so burdensome—to have a judicial review in case some people within our bureaucracy are acting illegally or incompetently. Oh, we can't allow that because it is too burdensome for the bureaucracy to defend their actions in a courtroom even though this happens on very rare occasions, very rare occasions because we have that recourse. Take away that recourse and those problems will be a lot more. They will grow because there will be nothing to stop them from wrong action in the bureaucracy. The Patent Office wants to strip away the rights of Americans because it is inconvenient to their bureaucracy.

The legislation going before the Judiciary Committee here in the House this week is consistent with the decades-long battle being waged on America's independent inventors by multi-national corporations. Here are a few of the provisions:

Might I ask the Chair how much more time I have remaining.

The SPEAKER pro tempore. The gentleman has 4 minutes remaining.

Mr. ROHRABACHER. The Innovation Act will create more paperwork when the inventor files for an infringement claim, thus increasing the cost to defend their rights and a potential for having the case dismissed on a technicality is greatly expanded.

The Innovation Act will switch us to a ''loser pays'' system, which means the little guy is going to fight some future corporation who has got lawyers on their payroll. That little guy now has to realize he is going to pay enormous costs where the, of course, big corporation only has to pay the legal fees. If you have loser pays, that is what that provision is all about. The big corporation will only have to pay for that little guy. The little guy will have to pay huge expenses and thus, what is it, he is deterred from protecting his own rights. Let's just say loser pays is a loser for the little guy and a big winner for the big guy.

This is so broad they are expanding now who will have to pay with the loser pays. This bill actually brings in people who will now be expected to pay the expenses of these big corporations who are infringing. If that guy loses, if the little guy loses, anybody who has even helped the little guy will be brought in and they will be libel for the loser pays provisions. What does that mean? That means little guys will never be able to get outside help from people to invest in their suit. Philo Farnsworth, the inventor of the picture tube, had to get people to help him because RCA was ripping him off and he had people invest to help pay for his legal fees. This bill would eliminate that by making all of those people libel.

Section 4 of this new bill, the Innovation Act, would create new requirements that a patent holder must meet, once filing a claim of infringement, by providing information about all parties. When he files for an infringement, he has to give information of all the parties, including those people who may have invested in his suit. Thus, we have a blanket. Now we have people exposed to all sorts of harassment. Just for what? For backing up someone's right and saying, I will give you some money to defend your rights.

There is no reason for us to have this type of exposure that has never been required before. This will, again, put great pressure on people not to get involved to help those people whose patents are being infringed upon.

□ 2145

There is a provision in the bill that actually limits the amount of time and things that can be required in discovery, which means the little guy will now have to have many motions of discovery, and every motion will cost him money, rather than having one motion. These things are very complicated and very hard to understand for the American people, but what they add up to, they have been thought out very well because the big companies know how to beat the little guys down, and that is what this bill is all about.

If we were instead trying to eliminate frivolous lawsuits, which we should, there would be a whole different approach to this. This would be enabling those large companies to defeat frivolous lawsuits. Instead, what we have going through our Judiciary Committee is a bill that makes it harder for those people who are the innovators and the inventors to defend their intellectual property rights.

I would ask my fellow colleagues to join me in opposing this bill. And I ask the American people to pay attention to what is going on and make sure that this attempt to, again, diminish the patent rights of the American people is defeated and, again, that the rights of our people to live in prosperity and to have national security based on our great innovation is protected from multinational corporations who are motivated simply by greed and not for the benefit of the people of the United States.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CONAWAY (at the request of Mr. CANTOR) for today on account of attending a funeral.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Mr. DANNY K. DAVIS of Illinois (at the request of Ms. PELOSI) for today on account of business in the district.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1471. An act to authorize the Secretary of Veterans Affairs and the Secretary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetary, and for other purposes; to the Committee on Veterans' Affairs, in addition to the Committee on Armed Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 19, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows: