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## White House Announces Patent Initiatives

2013-06-04

Today, the [White House announced several executive actions and legislative recommendations](#) aimed at curbing aggressive patent assertion.

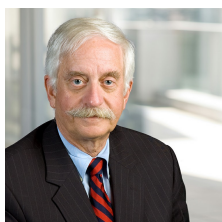
One of today's executive actions will provide key opportunities to shape US patent policy and legislation. Several patent assertion reform bills are already pending in Congress. As part of its expanded "engagement with stakeholders" in the patent system, the White House announced "six months of high-profile events across the country to develop new ideas and consensus around updates to patent policies and laws." These events will likely include roundtables and workshops, such as those held last year by the Department of Justice and the Federal Trade Commission.

Other executive actions and legislative proposals focused on the need to make patent ownership clearer by identifying the real party in interest during patent prosecution, review and enforcement. The US Patent and Trademark Office will begin a rulemaking today to require disclosure of the real party in interest in proceedings before the PTO. The White House also recommended legislation requiring disclosure of a patent's true owner before a patentee could issue a demand letter or file a patent infringement suit in a district court.

The White House also advocated several other reforms. Today's legislative proposals and executive actions included support for: awarding attorneys' fees to prevailing parties in patent infringement cases; extending the PTO's covered business method patent review procedures to other types of patents; and helping patent examiners increase the clarity of software patent claims. Among other improvements to the enforcement of patents at the International Trade Commission, the White House recommended changing the ITC's standard for granting an exclusion order to be more like a district court's standard for granting an injunction under *eBay Inc. v. MercExchange, LLC*, 547 U.S. 388 (2006). Other White House proposals focused on consumer issues, such as protecting a company's customers from patent litigation, posting demand letters publicly, and providing a website to educate consumers about how to respond to demands from non-practicing entities (NPEs).

To support these executive actions and legislative recommendations, the National Economic Council and the President's Council of Economic Advisers today [released a report titled "Patent Assertion and US Innovation."](#) The report describes the costs and other burdens of aggressive patent litigation tactics used by NPEs.

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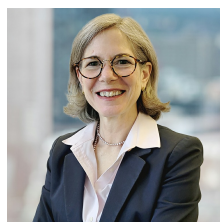


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