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**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
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December 9, 2013

Mr. Charles Duan  
Director of the Patent Reform Project  
Public Knowledge  
1818 N Street, N.W.  
Suite 410  
Washington, D.C. 20036

Dear Mr. Duan:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Thursday, November 14, 2013, to testify at the hearing entitled "The Impact of Patent Assertion Entities on Innovation and the Economy."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Monday, December 23, 2013. Your responses should be mailed to Brittany Havens, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515 and e-mailed in Word format to [brittany.havens@mail.house.gov](mailto:brittany.havens@mail.house.gov).

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Tim Murphy  
Chairman  
Subcommittee on Oversight and Investigations

cc: Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachment

## Attachment—Additional Questions for the Record

### The Honorable G.K. Butterfield

1. Mr. Duan, you indicate in your testimony that one of the strategies employed by patent assertion entities is to send patent demand letters to small businesses. The majority of businesses in eastern North Carolina are small businesses, so this is particularly troubling to my constituents.
  - a. Are there any strategies that small businesses can employ to avoid being targeted by patent assertion entities?
  - b. If a small business receives a demand letter and cannot verify the legitimacy of the letter internally, what options besides hiring a private attorney does the small business have to verify the letter?
2. Mr. Duan, Studies show that patent assertion entities that manipulate our patent system to their benefit cause significant economic damage and deter innovation.
  - a. How are patent demand letters from patent assertion entities hurting consumers?
  - b. How are patent litigation abuses hurting consumers?