November 17, 2025

Chairman Jim Jordan
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515
(202) 225-6906

Ranking Member Jamie Raskin
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515
(202) 225-6906

Dear Chairman Jordan and Ranking Member Raskin:

On behalf of the Inventors Defense Alliance, I write to express our strong opposition to the Litigation Transparency Act (H.R. 1109).

At its core, this bill would make patents and other intellectual property rights effectively unenforceable for the Davids of our economy: small inventors, startups, and entrepreneurs who challenge entrenched incumbents. A patent means nothing if the inventor can't afford to enforce and defend it. And without access to capital, both may be impossible. Litigation funding is often the only tool that enables these innovators to pursue justice against corporate Goliaths.

The Act would force small plaintiffs to disclose confidential information about their finances, business relationships, and legal strategy -- effectively handing large corporations that may have stolen their inventions a roadmap to defeat them. Such disclosures would let defendants tailor defenses to wear down smaller companies through a war of attrition. And because the Act applies only to parties who might benefit from winning a lawsuit, the burden falls almost entirely on plaintiffs -- small firms bringing patent, trade secret, or contract claims -- while leaving accused infringers, including bad actors, largely untouched.

The Act's disclosure mandates would also chill investment in patent-intensive startups and small innovators that depend on outside capital to vindicate their rights. Many investment funds use limited-partnership structures with confidential limited partners. Requiring disclosure of every investor in the company or its litigation funder would deter participation out of fear of exposure, retaliation by large defendants, or unwanted scrutiny.

The bill's compliance requirements are unworkable. It requires litigants to identify "any person" who might receive "any payment or thing of value" from a lawsuit's outcome -- a definition broad enough to sweep in shareholders and equity investors, including pension-fund investors. Identifying every potential beneficiary would demand costly, exhaustive record reviews with little benefit to the courts and significant downside to the investors.

Finally, the Act is fundamentally one-sided. Because only plaintiffs typically receive a payment if they prevail, its disclosure burdens fall almost entirely on the harmed party -- not on defendants whose misconduct prompted the lawsuit. This would let well-funded defendants probe the business relationships and finances of smaller plaintiffs while keeping their own operations opaque, undermining basic principles of fairness and due process.

For these reasons, the Litigation Transparency Act would weaken American innovation and further tilt the legal system in favor of large, well-capitalized corporations at the expense of the inventors, startups, and small businesses who help drive our economy. We respectfully urge you to oppose this legislation and protect the ability of American innovators to seek justice on a level playing field.

Thank you for your consideration and for your commitment to preserving access to justice.

Sincerely,

Kristen Osenga
Chief Policy Counselor
Inventors Defense Alliance

ABOUT THE INVENTORS DEFENSE ALLIANCE

The Inventors Defense Alliance is a nonpartisan, nonprofit, 501(c)(4) advocacy organization that works to build support for inventors' rights, safeguard justice, and protect access to capital. Learn more at www.InventorsDefense.org.