

# Extortion rights of rent collectors protected by the US Constitution?

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"Lawmakers Move to Grant Banks Immunity Against Patent Lawsuit"

By Jeffrey H. Birnbaum

Washington Post Staff Writer

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URL:

<http://www.washingtonpost.com/wp-dyn/content/article/2008/02/13/AR2008021303731.html>

First two paragraphs:

"Sen. Jeff Sessions (R-Ala.) has sponsored an unusual provision at the urging of the nation's banks granting them immunity against an active patent lawsuit, potentially saving them billions of dollars.

"Adopted with little fanfare, the amendment would prevent a small Texas company called DataTreasury from collecting damages from banks for infringing on its patented method for digitally scanning, sending and archiving checks. The patents were upheld last summer by the U.S. Patent and Trademark Office after they were challenged."

Key paragraph: "The federal government would have to pay \$1 billion to DataTreasury over 10 years as compensation for taking its property under the amendment, according to estimates by the Congressional Budget Office."

I thought the government had the right to do things like compel patent licensing, if it decided to do so. With that right, I would have thought there'd be an accompanying right to set the fee that rent collecting parasites were allowed to collect.

NB: Richard Epstein is a leading light in the movement to make rent-collecting extortion a fundamental right. (He's not mentioned in the article; that's just an aside.)