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December 2, 2013

The Honorable John Boehner
Speaker
U.S. House of Representatives
H-232, U.S. Capitol
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
H-204, U.S. Capitol
Washington, DC 20515

Re: Support HR 3309 – Scheduled for Floor Vote this Week

Dear Speaker Boehner and Minority Leader Pelosi,

On behalf of the more than one million members of the NATIONAL ASSOCIATION OF REALTORS® (NAR), I urge you to support HR 3309, “the Innovation Act” (Goodlatte, R-VA), scheduled for a vote on the House floor this week. Our members view the reforms in this bill as an important step in protecting innovators and main street businesses from broad claims of patent infringement based on patents of questionable validity all brought by non-practicing entities.

NAR, whose members identify themselves as REALTORS®, represents a wide variety of real estate industry professionals. REALTORS® have been early adopters of technology and are industry innovators who understand that consumers today are seeking real estate information and services that are fast, convenient and comprehensive. Increasingly, technology innovations are driving the delivery of real estate services and the future of REALTORS® businesses.

As technology users, NAR and several of its members recently faced onerous patent infringement litigation over questionable patents dealing with location based search capabilities. These suits were brought by patent holding companies and other non-practicing entities. They were eventually settled in a multi-million dollar settlement. In addition, our broker and agent members are increasingly dealing with demand letters to license commonly used technologies like scanner-copiers and online alert functions. Our members know firsthand that “patent trolls” divert significant time and money from their businesses.

The Innovation Act will bring needed reforms to address the troll problem by increasing transparency, and pleading specificity among other things. Taken together, the reforms in the Innovation Act will shift the burden of frivolous litigation from small business defendants to the trolls themselves.

Without needed reforms that assure that asserted patent rights are legitimate and frivolous litigation schemes are curtailed, the ability of businesses owned by REALTORS®, many of which are small businesses, to grow, innovate and better serve modern consumers will be put at risk. NAR supports the reforms in the Innovation Act as a way to rebalance a patent system that is increasingly a target of uncertainty and abuse.

Most REALTORS® are entrepreneurs and small business owners, and we help to create new jobs in our communities. We urge you to vote in favor of The Innovation Act of 2013 so that the threat of patent trolls is mitigated in the future, allowing us to return to our essential mission: to serve our clients.

Sincerely,

Steve Brown
2014 President, National Association of REALTORS®

cc: U.S. House of Representatives



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