

**Statement of the
NATIONAL ASSOCIATION OF REALTORS®
To the Senate Judiciary Committee
Hearing on Patent Reform Act of 2009
March 10, 2009**

On behalf of the 1.2 million members of the NATIONAL ASSOCIATION OF REALTORS®, we are pleased to submit this written statement in support of S. 515, the Patent Reform Act of 2009. The NATIONAL ASSOCIATION OF REALTORS® represents a wide variety of real estate industry professionals. Realtors® are industry innovators who understand that more and more consumers today are seeking real estate information and services online and that increasingly technology innovations are driving the future of their business.

It has been more than 50 years since the nation's patent law system had its last major overhaul. Since that time the nature of the economy, industry and the patent system itself has fundamentally changed. Modernization is critically needed to reduce the burden of unnecessary litigation and refocus the nation's efforts on innovation and job creation.

Realtors® recognize that the real estate industry is more and more dependent on the use of information technology and software products to market properties and manage their businesses. As technology users, NAR and several of its members currently find themselves facing onerous patent infringement litigation over questionable patents launched by licensing firms. Without needed reforms, litigation will continue to grow and put all Realtors® at risk. For this reason, NAR supports reforms like apportionment of damages and prohibitions on venue shopping contained in S. 515. These reforms curb some of the most significant abuses of the patent litigation process.

The Patent Reform Act contains need improvements geared toward improving patent quality. NAR supports greater transparency in the patent application process including creating a mechanism to allow practitioners with the expertise and knowledge to review and comment on the appropriateness of a patent application prior to the issuance of the patent and the creation of a streamlined and more effective process for challenging a patent outside of the judicial system.

NAR was pleased to support patent reform legislation in the 110th Congress and we stand ready to work with the Committee to pass this important legislation in a timely manner. We thank the committee for this opportunity to share our views regarding patent reform. The NATIONAL ASSOCIATION OF REALTORS® strongly supports S. 515 and urges the committee to pass this much needed legislation.