

April 30, 2014

The Honorable Patrick Leahy  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Charles Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Chairman Leahy and Ranking Member Grassley:

Patents are bedrock to the American innovation economy, but when they are used by patent trolls to extort American businesses, Congressional action is unquestionably necessary. Today, abusive patent litigation is killing small companies, chilling employment and growth of all companies, and stifling the economies of a wide range of industries nationwide. Instead of investing in new jobs and services, businesses must fight frivolous claims and overly broad lawsuits made by patent trolls against a range of technologies and commonplace ideas.

To stop patent abuse, the undersigned support legislation that makes it easier to:

- Curb abusive demand letters and punish those entities sending them;
- Uncloak trolls that hide behind shell corporations;
- Protect customers and end users from lawsuits based on their use of another company's products and services;
- Understand the basis of a claim of infringement through reasonable pleading and transparency requirements;
- Protect against baseless fishing expeditions in the current patent litigation system's discovery process that drive up legal costs; and
- Make trolls pay when they file frivolous cases.

We understand that Senators Schumer and Cornyn are working on a bipartisan compromise package with you and several of your Judiciary Committee colleagues. We expect that the draft on which these Senators are working will include several important provisions to reduce patent abuse, including:

- Requiring patent demand letters to include basic information about the alleged infringement and the method by which a demand was calculated;
- Requiring patent owners to reveal their ownership when demanding licenses and attempting to enforce a patent;
- Protecting customers and end users from lawsuits based on alleged infringements by manufacturers and service providers;

- Requiring the party bringing suit to disclose the basis and scope of the suit in the initial pleading;
- Injecting greater clarity and balance into the discovery process, including rules that ensure a timely resolution of claim construction and limit discoverable content to that information directly relevant to the case; and
- Requiring more litigants to the prevailing party's legal fees and costs when a lawsuit alleging infringement is not objectively reasonable in law and fact; and
- Making it easier for courts to get rid of frivolous claims of willful infringement.

The undersigned strongly support these solutions to very real and very costly problems that inhibit innovation and economic growth. To date, we have borne the economic costs and burdens of a patent system increasingly held hostage by trolls that do not seek to build up the American economy, but rather tear it down, one demand letter and exorbitant licensing fee at a time. We have worked earnestly with Members, staff, and representatives of a diverse cross section of industries to reach a compromise that, while not our ideal solution, is one that we believe would help restore balance to the system in a manner that will help to bolster innovation and the entrepreneurial spirit we all embody.

Finally, we urge you to reject suggestions that requiring transparency, fairness and good faith dealing in patent assertions and litigation undermines the American patent system in any way. We urge you to dismiss the complaints and assertions of those who, despite years of study and months of discussion and negotiation, still downplay the gravity of the problem facing our industries. Those who use and benefit from the patent system should support these common sense, urgently-needed solutions to the distortion of that system.

On behalf of millions of small businesses, startups, innovators and Main Street America, we urge your strong support for bipartisan legislation that provides urgently needed relief and reform, and encourage your continued efforts until the job is done and the bill becomes law.

Sincerely,

1776

1871

4A's - American Association of Advertising Agencies

AAMP of America

ABBYY

Acushnet Company

Adobe

Airware

Alabama Association of Realtors

Alabama Bankers Association

Alabama Restaurant & Hospitality Alliance

Alain Pinel Realtors  
Alaska Hotel & Lodging Association  
Allsop Inc.  
AMD  
American Apparel & Footwear Association  
American Automation and Communications, Inc.  
American Bankers Association  
American Gaming Association  
American Hotel & Lodging Association  
American Public Power Association  
American Public Transportation Association  
American Society of Travel Agents  
Amplifier Technologies, Inc.  
AOL  
Appel Associates  
AppKey  
Apple  
Application Developers Alliance  
Arizona Lodging & Tourism Association  
Arkansas Hospitality Association  
Asana  
ASHI, the American Society of Home Inspectors  
Association of Vermont Credit Unions  
ASSURANT  
Automattic  
Balanced Inc.  
Banjo  
Barnes & Noble, Inc.  
Berkshire Hathaway HomeServices Florida  
Bitly  
BJ's Pizza  
BlackBerry Limited  
BlueSalve/RH Associates, LLC  
boingo wireless, inc.  
Boku, Inc.  
BrightPear Designs, LLC  
Broadcom  
BSA |The Software Alliance  
California Hotel & Lodging Association  
Cambly  
Card USA, Inc.  
CardSpring  
Carlson

Caspida, Inc.  
CenturyLink  
Champaign-Urbana Mass Transit District  
Charmtech Labs LLC  
Chartbeat  
Cisco Systems  
Clever  
Cloudera  
Coalition for Patent Fairness  
Cobra  
Colorado Hotel & Lodging Association  
Competitive Carriers Association  
COMPTEL  
Computer & Communications Industry Assocaition  
Conference Edge  
CONNECTEDEVICE Ltd.  
Connecticut Lodging Association  
Consumer Electronics Association  
Credit Union Association of New York  
Credit Union National Association  
CrowdMed  
Crutchfield Corporation  
Crux Interfacing Solutions  
Dailymotion  
Delaware Association of Realtors  
Dell  
Demand Progress  
DeskTop Fab, Inc.  
DineEquity, Inc.  
Direct Marketing Association  
DISH Network Corporation  
Docker Inc.  
DOTS  
Dropbox  
Dual Electronics Corp.  
Dustin Moskowitz  
EasyPost  
eForCity  
Electronic Frontier Foundation  
EMC  
EMTEC Electronics  
Engine Advocacy  
Enigmatics

Entertainment Software Association  
Etsy  
Etymotic Research, Inc.  
Evanger's  
Expensify  
Express, Inc.  
Facebook  
Fairfax County Chamber of Commerce (VA)  
Find The Best  
First Team Real Estate--Costa Mesa, CA  
Florida Association of Realtors  
Florida Restaurant & Lodging Association  
Food Marketing Institute  
Footwear Distributors and Retailers of America (FDRA)  
Ford  
Foundry Group  
Foursquare  
Freedom Scientific, Inc.  
Funai Corporation, Inc.  
Georgia Association of Realtors  
Georgia Hotel & Lodging Association  
Georgia Restaurant Association  
Giphy  
Google Inc.  
GP International  
Graphic Arts Association  
Great Lakes Graphic Association  
Greater Capital Association of Realtors ( DC)  
Green Edge Technologies, Inc.  
Gregory Bevington  
GreyHair Advisors  
Hacker School  
Haier America  
Hangtime inc.  
Harte-Hanks  
Hasbro  
Hattery  
Hawai'i Lodging & Tourism Association  
Hawaiian Telcom  
HelloSign, Inc.  
HEX Holdings LLC  
High Resolution Technologies, LLC  
Hilton Worldwide

Homebrew  
HP  
HTC America, Inc.  
Hubbard Inn -- Chicago, IL  
Huppin's / OneCall  
i2Coalition  
iBoard Inc.  
Idaho Association of Realtors  
IHOP/GTE-ENT, LLC  
Illinois CPA Society (ICPAS)  
Illinois Hotel & Lodging Association  
Illinois Public Transportation Association (IPTA)  
Illinois Restaurant Association (IRA)  
Illinois Technology Partnership  
Inadco  
Incident  
Independent Bankers Association of Texas  
Independent Community Bankers of America  
Indiana Association of Realtors  
Indiana Restaurant & Lodging Association  
Information Technology Industry Council (ITI)  
Instapaper  
InterContinental Hotels Group  
International Council of Shopping Centers  
Internet Association  
Intuit  
Iowa Association of Realtors  
Iowa Restaurant Association  
JCPenney  
Jump Rope  
Juniper Networks  
Kanjoya, Inc.  
Kickstarter  
Kreider Services (IL)  
Lift Worldwide  
Limitless Creations  
LinkedIn Corporation  
Logitech Inc.  
Long & Foster Companies, Inc.  
Louisiana Hotel & Lodging Association  
Macy's  
Main Street Patent Coalition  
Maine Innkeepers Association

Mark Cuban  
Marriott International, Inc.  
Maryland Association of Realtors  
Massachusetts Lodging Association  
Material Service Testing – Elk Grove, IL  
Matrix Advisors, LLC  
Max Borges Agency  
MAXSA Innovations, LLC  
McNutt Consulting Services (MCS) Office Technologies – Gibson City, IL  
Medium  
Meetup, Inc.  
Mesosphere  
Michigan Association of Realtors  
Michigan Lodging and Tourism Association  
Microsoft Corporation  
Mississippi Association of Realtors  
Mitek Electronics & Communications Group  
Moat  
Mobile Marketing Association  
mobileStorm, Inc  
MobileWorks  
Montana Lodging & Hospitality Association  
Motorola Mobility  
Mowgli  
Moz  
MPA – The Association of Magazine Media  
National Association of Convenience Stores (NACS)  
National Association of Federal Credit Unions  
National Association of Home Builders  
National Association of Realtors  
National Cable & Telecommunications Association  
National Council of Chain Restaurants  
National Grocers Association  
National Restaurant Association  
National Retail Federation  
Nebraska Hotel & Motel Association  
NetApp, Inc.  
Nevada Hotel & Lodging Association  
New Hampshire Lodging & Restaurant Association  
New Jersey Association of Realtors  
New Mexico Association of Realtors  
New York Association of Relators  
New York Hospitality & Tourism Association

Newegg  
Newspaper Association of America  
Nextdoor  
NextWorth Solutions, Inc.  
NextWorth Solutions. Inc.  
Nitrogram  
Nodejitsu Inc.  
North Carolina Association of Realtors  
North Carolina Restaurant & Lodging Association  
North Dakota Association of Realtors  
Northern Rhode Island Chamber of Commerce  
"NPES The Association for Suppliers of  
Printing, Publishing and Converting Technologies"  
NTCA–The Rural Broadband Association  
Nutritionix  
Nvidia Corporation  
NVX  
NXE/Grand Destiny Group  
NYCTM, Inc.  
Ohio Association of Realtors  
Ohio Hotel & Lodging Association  
Oklahoma Hotel & Lodging Association  
OOYALA  
Openbucks  
Options Away  
Oracle  
Orbitz  
Ordr.in  
Oregon Association of Realtors  
Oregon Restaurant & Lodging Association  
Overstock.com  
Pacific Sunwear of California, Inc.  
PagerDuty  
PaneraTech, Inc.  
Pennsylvania Restaurant & Lodging Association  
People Co  
Petametrics Inc.  
Phone2Action  
PINE (Printing Industries of New England)  
PipelineDB  
Plant tonics, inc.  
Ploonky  
Polaroid



Potpourri Group, Inc.  
PPI Association  
Primolow, Inc.  
Print Media Association  
Printing & Graphics Association MidAtlantic  
Printing and Imaging Association of Georgia  
Printing and Imaging Association of MidAmerica  
Printing Association of Florida, Inc.  
Printing Industries Alliance  
Printing Industries Assn. San Diego, Inc.  
Printing Industries Association, Inc. of Southern California  
Printing Industries of America  
Printing Industries of Michigan Inc.  
Printing Industries of Ohio - N. Kentucky  
Printing Industries of the Gulf Coast  
Printing Industries of Utah  
Printing Industry Association of the South, Inc.  
Printing Industry Midwest  
Public Knowledge  
Quad/Graphics  
Quest Mountain Audio/Video LLC  
Quid, Inc.  
QVC, Inc.  
R Street Institute  
Rackspace  
Rackup LLC  
Rally Software  
Red Hat, Inc.  
Retail Industry Leaders Association  
RethinkDB  
Return Path Inc.  
Rhode Island Chamber of Commerce Coalition  
Rhode Island Hospitality Association  
Ron Conway, SV Angels  
Safeway Inc.  
Sales Performance Management, LLC  
salesforce.com  
Samsung Electronics America  
Santa Clara Chamber of Commerce  
SAS  
Scoutzie, Inc.  
Sea Hawk Systems LLC  
SecuGen Corporation

ServInt  
Shapeways  
Shorewest Realtors--Brookfield, WI  
ShuttleCloud Corp.  
Silicon Valley Leadership Group  
Sirius XM Radio Inc.  
Small Business Majority  
Smart Solar  
Software & Information Industry Association  
Sonic Electronix, Inc.  
South Carolina Association of Realtors  
South Carolina Restaurant & Lodging Association  
Specialty Technologies, LLC  
Spectra Merchandising International, Inc.  
Sprint  
Stack Exchange Inc.  
Storefront  
Sulia, Inc.  
Superior Communications, Inc.  
Sutro Software  
Tabbedout  
Table 301 Restaurant Group  
TDS Telecommunications Corp  
TeamSnap  
Tennessee Association of Realtors  
Tennessee Hospitality Association  
Texas Association of Realtors  
Texas Hotel & Lodging Association  
The Emob  
The Guitammer Company  
The Hawai'i Lodging & Tourism Association  
The Keys Companies—Real Estate, Weston, FL  
The Latino Coalition  
The Printing Industry of the Carolinas, Inc.  
The Realty Alliance  
The Travel Technology Association  
The Whistler Group, Inc.  
Thomas Hospitality Group  
TMSOFT  
Tome, Inc.  
Tubular Labs  
Twitter  
United States Telecom Association

US Travel  
Utah Credit Union Association  
Utah Hotel & Lodging Association  
Verizon Communications Inc.  
Vermont Chamber of Commerce  
Vidmaker  
Virginia Hospitality & Travel Association  
Visual Media Alliance  
Vizio, Inc  
Vox International  
Waitur Corporation  
Wal-Mart  
Washington Lodging Association  
Waterfall  
Weichart Realtors  
West Virginia Hospitality & Travel Association  
Western States Printing Alliance  
Whataburger  
White Castle  
Wikia  
Wildcard (Coopkanics, Inc.)  
Wisconsin Association of Realtors  
Wisconsin Hotel & Lodging Association  
Wyoming Association of Realtors  
Wyoming Lodging & Restaurant Association  
XO Communications  
Yahoo!  
Yelp  
YouNow Inc.