

Chris Polychron, CIPS, CRS, GRI
2015 President

Dale A. Stinton
Chief Executive Officer

**GOVERNMENT AFFAIRS
DIVISION**

Jerry Giovaniello, Senior Vice President
Gary Weaver, Vice President
Joe Ventrone, Vice President
Scott Reiter, Vice President
Jamie Gregory, Deputy Chief Lobbyist

500 New Jersey Ave., NW
Washington, DC 20001-2020
Ph. 202-383-1194 Fax 202-383-7580
www.REALTOR.org

April 28, 2015

The Honorable Tom Marino
U.S. House of Representatives
410 Cannon House Office Building
Washington, DC 20515

The Honorable Jared Polis
U.S. House of Representatives
1433 Longworth House Office Building
Washington, D.C. 20515

The Honorable Ted Deutch
U.S. House of Representatives
2447 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Marino, Polis, and Deutch:

On behalf of the more than one million members of the NATIONAL ASSOCIATION OF REALTORS® (NAR), I wish to thank you for introducing H.R. 1896, the “Demand Letter Transparency Act of 2015.” This bill will help to advance discussions in the Judiciary Committee as to how to address the problems that REALTORS® and other Main Street businesses face with abusive patent troll demand letters.

Real estate businesses, tenants, and service providers have been threatened and targeted with spurious patent infringement claims, in contexts that include the following:

- Real estate brokers implementing website technology to allow zooming in on points of interest on a map and creating home search alert functions;
- Building owners and tenants using standard, off-the-shelf routers to provide Wi-Fi access for hotspots in lobbies, restaurants, atriums, and other common areas of buildings;
- The Multiple Listing Service, a critical tool for real estate agents, using location-based search capabilities to identify homes and other properties available for sale or lease; and
- Businesses attaching scanned documents to emails to execute contracts, closings, and other commonplace real estate transactions.

Rather than researching and litigating patent infringement claims, our members wish to channel their resources to serve their core function of satisfying the real estate needs of the American people – and create jobs in the process.

Our members know firsthand that “patent trolls” divert significant time and money from their businesses. 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.



While we support the transparency and disclosure requirements of H.R. 1896, we are concerned that limiting this provision to instances where 20 or more letters are sent from the same entity will create a loophole that trolls will easily game by creating additional shell corporations. We believe that all fraudulent demand letters should be subject to the bills transparency and disclosure requirements.

Thank you again for the introduction of the Demand Letter Transparency Act. NAR looks forward to working with you to improve this legislation and create needed reforms to the patent system that will truly promote innovation and expand job creation.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Polychron". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Chris Polychron
2015 President, National Association of REALTORS®