



NATIONAL ASSOCIATION OF REALTORS®

The Voice For Real Estate®

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March 18, 2009

United States Senate
Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator:

On behalf of the 1.2 million members of the NATIONAL ASSOCIATION OF REALTORS®, we are pleased to support 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.

The real estate industry is increasingly dependent on the use of information technology to market properties and manage 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.

The NATIONAL ASSOCIATION OF REALTORS® strongly supports S. 515 and urges the committee to pass this much needed legislation.

Sincerely,

Charles McMillan, CIPS, GRI
2009 President, National Association of REALTORS®