

NAR Issue Summary

Business / Database Protection

NAR Committee:

Federal Technology Policy Advisory Board

What is the fundamental issue?

REALTORS® compile and utilize collections of information every day through the use of Multiple Listing Services. These compilations had traditionally been thought to enjoy copyright protection. The 1991 Supreme Court ruling in the Feist v. Rural Telephone Service Company court case made it unclear whether this type of information is protected.

I am a real estate professional. What does this mean for my business?

With the growth of the Internet, properly drafted federal legislation would provide an additional tool to prevent the unfair misappropriation of proprietary REALTOR® information.

NAR Policy:

NAR supports copyright and other methods of protecting the compilation of current MLS listings and relevant information as a unique contribution by REALTORS®.

Opposition Arguments:

Passage of data piracy legislation would make research efforts prohibitively expensive by requiring payments to the data collectors.

Legislative/Regulatory Status/Outlook

Since the failure of two competing database bills in the 108th Congress, no new database bills have been introduced. Most observers believe the likelihood of the reintroduction of new database legislation is small.

Current Legislation/Regulation (bill number or regulation)

No actions at this time.

Legislative Contact(s):

Melanie Wyne, mwyne@realtors.org, 202-383-1234

Helen Devlin, hdevlin@realtors.org, 202-383-7559

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Melanie Wyne, mwyne@realtors.org, 202-383-1234