

For Immediate Release

SIIA Contact: Laura Greenback, Communications Manager, +1 410-533-1943, lgreenback@siiia.net

PR Contact: Beth Dozier, Rational 360, +1 202-429-1833, bethdozier@rational360.com

SIIA Calls for Legislation in the Fight Against Patent Trolls

Washington, DC (December 12, 2012) -- The Software & Information Industry Association (SIIA), the principal trade association for the software and digital content industries, today called on congressional leaders to enact legislation that provides more safeguards to prevent the economic and consumer harm caused by abusive patent lawsuits. In a

[letter](#)

sent to the Congressional leaders who led the passage of patent reform last year, SIIA joined with several other trade associations in issuing a call for action against the abusive patent lawsuits

"Abusive patent lawsuits from patent trolls are a tremendous blight innovation and entrepreneurship in our country," said Ken Wasch, president of SIIA. "With The America Invents Act, Congress took an effective first step in addressing the problem of abusive patent litigation by trolls. Despite this important initial effort, patent trolls continue to damage the economy, hurt America's tech industry, and threaten innovation. We're calling on Congress to continue its work on this vital issue by enacting legislation that protects legitimate companies and innovators from misuse of the patent system."

SIIA has outlined a specific proposal, which was articulated in the joint letter to congressional leaders, for legislation that would help address this problem. Under today's system, the patent troll business model is to make litigation as expensive and disruptive as possible, forcing legitimate and law-abiding companies to settle regardless of the merits of the case. The troll requests millions of documents through the discovery process--much of which is entirely irrelevant to the suit. Because the patent troll has few, if any, documents to produce in discovery, they can do this with impunity.

The point of the troll's action is not to achieve legal justice, but simply to place an enormous burden on legitimate companies and give them little choice but to settle the case. SIIA's proposed legislation would address this imbalance by shifting the discovery burden to the patent troll for any information over and above the core documentation that is essential to the merits of the case. By doing so, SIIA's proposal will help protect legitimate companies from being bullied into settlements when patent trolls request millions of documents that are not actually needed in a patent lawsuit.

"This proposal will disrupt a damaging and expensive litigation tactic: the abusive use of discovery to drive up litigation costs for the purpose of forcing settlements," Wasch said. "Meanwhile, it will do nothing to curtail the rights of legitimate patent holders that are seeking to have their day in court."

About SIIA

The Software & Information Industry Association (SIIA) is the principal trade association for the software and digital content industry. SIIA provides global services in government relations, business development, corporate education and intellectual property protection to more than 500 leading software and information companies. For further information, visit www.sii.net.