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Computer & Communications Industry Association

March 2, 2011

Dear Senator:

On Monday, I wrote you opposing S.23 for various reasons. As I indicated then there are a number of sections which we find troublesome. We hope further improvements can be made to the legislation.

One section that has caused some unique confusion is Section 14, regarding tax strategies, and we have recently been asked to provide further comment on this Section, which we understand remains under active consideration.

In response to these inquiries, I am writing to reiterate my concerns that by singling out a particular sub-type of legal compliance patents, the bill invites our courts to read the legislation as an implicit endorsement of other legal compliance patents. In fact, the provision could be read as an implicit endorsement of all patents on all "business methods" as that term is broadly understood. We still believe that Section 14 as it is now written is unwarranted and harmful language which should be eliminated or substantially reformed for the reasons cited in my letter on Monday.

I remain at your disposal in attempting to achieve a patent reform bill that serves the interests of our economy, innovation and the technology industry.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Black". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Ed Black
President and CEO
Computer & Communications Industry Association (CCIA)