



# Conversant launches new anti-patent troll campaign

RICHARD LLOYD—July 14, 2014

Despite the deep divisions that exist over patent reform, perhaps the one element where most members of the patent community agree change needs to happen, is over the frivolous demand letters that some bad actors send to demand licensing fees, particularly from small businesses.

Although a more comprehensive patent reform bill failed in the US Senate in May, last week the House of Representatives' Commerce, Manufacturing and Trade Subcommittee, which is an arm of the Energy and Commerce Committee, approved a new piece of legislation, the Targeting Rogue and Opaque Letters Act, designed to counter what is generally agreed to be the most egregious troll-like behavior.

That legislation should pick up considerable support throughout Congress but there may not be enough time for it to be approved during a year with mid-term elections.

Some in the NPE community however, are not waiting for the politicians to act. Conversant, once known as MOSAID, announced a new initiative today designed to help small businesses identify unscrupulous demand letters. As part of the campaign, the NPE has put together a new website [www.standuptodemand.com](http://www.standuptodemand.com) which features a Q&A section designed to help a business owner determine whether the letter they have received is the basis of a legitimate or bogus claim. The site also has a comparison of a bad demand letter with a legitimate notice letter and links to other resources including the websites of the USPTO, the Electronic Frontier Foundation and RPX.

Commenting on the campaign, Conversant CEO John Lindgren said: "Sending ill-founded patent demand letters may be legal, but it's just plain wrong. This practice is hurting small business owners financially. It's giving legitimate patent licensing a bad name. And it's seriously undermining the public's belief in the US patent system and the value of patents as stimulants to innovation and economic growth."

Last November Conversant took a lead on self-regulation in the NPE sector by announcing a series of ethical practices for licensing which it described as a direct response to, "growing calls from business and the United States Congress to rein in patent trolls." Those best practices included: "Never seek a licence from or threaten litigation against a start-up company, a local retailer, or an end-user customer, unless it is a direct competitor." Others such as the PIPCO Finjan and licensing business Dominion Harbor Group have since announced similar initiatives.

Cynics might argue that this is simply cosmetic and that real change can only be affected by new legislation. That might be true but campaigns such as Conversant's can help differentiate those pursuing a genuine licensing business from those waging frivolous demand campaigns. As we have seen throughout this debate, there is a large amount of mis-information about what actually constitutes a patent troll. Conversant does not actually seek to define what a troll is but has constructed the new site to help identify troll-like behaviour.

At the end of its statement the NPE stressed: "Conversant strongly advocates that patent licensing companies should take the lead in curbing patent abuses within their own industry." The question is, therefore, will more follow its lead?