



KANSAS BOARD OF REGENTS

Senate Judiciary Committee
January 27, 2015

KANSAS BOARD OF REGENTS' TESTIMONY SENATE BILL 38

Thank you Chairman King and members of the committee. We are submitting neutral testimony today for SB 38 dealing with bad faith assertions of patent infringement. We wanted to provide you with some information on behalf of the Board of Regents.

SB 38 addresses the issue of bad faith assertions of patent infringement. Institutes of higher education, especially research institutions, file for numerous patents each year. We have been told this bill will not apply to us due to the fact that our state universities are not in the business of patent trolling. The language on page two lines 32 and 33 which specifies that higher education is evidence that the court may consider that the patent infringement assertion has not been made in bad faith supports this understanding. However, universities could be a "target" as defined in the bill and could benefit from this legislation.

Again, thank you for taking the time to consider our written comments. Please let us know if you have any questions.

Matt Casey
Kansas Board of Regents
Director of Government Relations