

State Privacy and Security Coalition, Inc

March 24, 2011

Rep. Eric D. Coleman, Co-Chairman
Joint Committee on Judiciary
Room 2500, Legislative Office Building
Hartford, CT 06106

Rep. Gerald M. Fox, Co-Chairman
Joint Committee on Judiciary
Room 2500, Legislative Office Building
Hartford, CT 06106

Re: House Bill 6619

Dear Chairmen Coleman and Fox:

We are an association of leading technology companies that write to express our views on model "unfair competition" legislation now pending in Connecticut to create a new competitor private right of action against companies that infringe copyright or otherwise misappropriate information technology.

As originally drafted, this model bill would have created significant potential disruptions to the supply chains of law-abiding U.S. companies who in no way misappropriated information technology. It also provided for unjustified lawsuits against these innocent companies for actions of their suppliers and did not contain deterrents against frivolous lawsuits.

After lengthy and intensive negotiations with Microsoft on similar legislation in Washington State, we reached agreement on substitute language that would mitigate these significant potential problems. Microsoft has told us that it supports the substitute language and will work for its inclusion in all states where these unfair competition bills are pending.

As currently drafted, the text of H.B. 6619 does not reflect the latest agreed-upon substitute language, although we understand that Microsoft has recently proposed amendments to reconcile H.B. 6619 with the agreed-upon substitute. We request that H.B. 6619 not move forward unless and until it is amended to reflect this compromise. Until that occurs, our companies would respectfully oppose the bill.

We thank you in advance for your consideration.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Callie Carr', with a stylized flourish at the end.

Callie Carr
Counsel

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