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Request for Comments on Discretion to Institute Trials Before the Patent Trial and Appeal Board

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Discretion to Institute Trials Before the Patent Trial and Appeal Board

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Comment from Allan Todd-Soffer

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General Comment

To whom it may concern,

I am adding my name and sentiments to a growing list of inventors who are threatened by the very real prospect that the United States Patent System is turning its back on them. This injustice cripples and oppresses inventors who cannot muster the resources to defend themselves against what has evolved into a rising tide; taking the form of a dystopian shift in patent law. Borne of it, is a miscarriage that favors powerful corporations practicing in an insidious form intellectual property hijacking known as, efficient infringement.

I will not insult your sense of awareness by setting forth any more than the most summarized definition of this term and why it is decomposing the patent system. There are now volumes of documented cases wherein inventors have been extirpated by this practice, including and especially after exhausting their resources and often their own life-force, in defense of their intellectual property. This travesty is abetted by patent law itself, which, as currently written,

favours and encourages; as well as extends hospitality and impotent penalty to, those perverting it. Furthermore, with policy making it far less expensive than compliance, the opted-for practice of efficient infringement reduces words as historically ratified as Intellectual Property, to little more than a glib business decision for deep-pocketed companies to trade in it.

Moreover, it stands to erode the thrust of novel creativity among inherently inventive Americans. They struggle to stand when rendered to feel as though the Patent System is abandoning and disavowing them. I deeply believe that...the depth to which heart in something is lost, is directly proportional to the amount of faith a person places in that thing.

Inventors have historically placed in Patent Law, faith vast enough to shelter them through the breadth of challenges associated with bringing their product to the free market. Like that statue on Liberty Island, implicit in the patent system is the promise of safe harbor for not only their inventions but the most onerous efforts undertaken by even those visionaries of modest means. Imagine how crushing and demoralizing it must be when they can do little more than watch as their patents are summarily invalidated and intellectual anarchy reigns.

I know that my fellow inventors, especially those who have become crushed by the wight stacked against them of this misappropriated system, will also attest to seismic import of this issue and how it threatens not only inventors but also the forward spirit of innovation in America. If however, one voice still counts for anything, please let the earnest plea contained herein represent my deepest supplication.

Thank you for your time and consideration of this most urgent matter in question.

Sincerely,

-Allan Todd Soffer