

From:
Sent: Thursday, March 04, 2010 4:00 PM
To: patent_quality_comments
Subject: Patent Reform

Dear Sir/ Madam,

I would like to express my concern over the state of the USPTO in context of so called software patents. I believe the only way we can repair the system for these patents is to remove the current system. Software I believe is methodic in nature and such should not be patentable. The ability for persons with deep pockets to ram through a fairly obvious 'innovation' is astounding and I believe no fault of the USPTO but the fault of appliers not showing any kind of moral or ethical restraint.

If the suggestion of entirely removing the system is not feasible and or palatable, which I assume is the case, I do have two other recommendations. One I think they should be able to be peer reviewed. This would give knowledgeable people a chance to comment on the 'obviousness' or to present prior art to the USPTO. This wouldn't relieve the burden on the USPTO as you would still need to have an examiner do some due diligence, however it would allow that examiner to get input from a much wider audience.

The second recommendation would be to abolish a patent once the holder is no longer using the patent in question. This should help free up frivolous patent applying. This would also reduce the patent litigators that simply gather patents to use them as a weapon to discourage competition. I believe this recommendation should apply to all patents. Once a person has gotten what they wanted out of the patented material it should become public domain so that others may build on it.

Samuel Listopad II
Authenticate Inc.
O: (773) 243-0355
M: (773) 301-1418