

From: christopher mckenna [e-mail address redacted]
Sent: Sunday, November 20, 2011 6:04 PM
To: aia_implementation
Cc: [e-mail address redacted]
Subject: Comment Regarding Leahy-Smith America Invents Act Implementation

To Whom it May Concern-

I have some concerns regarding the Leahy-Smith America Invents Act that is soon planned to go into effect. While the idea of, "First to File" is sound and mitigates all prior judgments regarding patent infringement when two inventors have the same or similar products, the micro-fees associated with patent filing seem overly beneficial to small inventors. The patent fees for large companies do not seem unreasonable. However, giving private inventors lower patent fees and a one year grace period from filing to pay the patent fee seems to stifle inventive creativity for larger companies. Case in point, should a private inventor file a patent for a very similar product one day prior to another inventor or company, the patent could sit with no activity for 365 days. Should the patent fee be lost, this could be a year delay for something that could be a life changing product to the general public.

It is understood that we want to protect small companies and private inventors from having their ideas stolen from them. However, this act seems to do more damage than good and gives people with ulterior motives the ability to hold an idea hostage for at least one year. Since the fee is already lowered to these individuals, perhaps the grace period should be reconsidered so that the above scenario could be avoided.

Regards,

Chris McKenna