From: Joe Schottman [e-mail redacted]
Sent: Monday, September 27, 2010 8:19 PM
To: Bilski_Guidance
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Subject: Software patent comment

I am a programmer and system administrator working in education. Please note that these are my personal views and do not represent my employer, Virginia Tech.

I oppose software patents because the patenting of ideas and concepts is detrimental to innovation and goes against the principle of promoting the arts and sciences. Rather than protecting a specific product, they protect an outcome - such that no one can produce the same outcome no matter how they arrive at it. It's like allowing an engineering company to patent the concept of a bridge rather than a specific technique for bridge building. Or in some cases, allowing an engineering company to patent certain mathematical operations.

The proliferation of software patents means it is impossible to write any software without violating dozens, hundreds, or thousands of patents. This creates a chilling effect on innovation because every software company (but especially the small ones) is vulnerable. Even if the company is successful in having the patent invalidated, each defense costs tens of thousands of dollars.

This hurts the ability for small companies to provide the new concepts that drive so much of our economy and weakens our companies that have to compete on the international market where they have to compete with companies not bound by software patent.

I urge the patent office to reconsider the usefulness of software and business practice patents and how they help or hinder the advancement of arts and sciences.

Joe Schottman